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)
STEVE WOLFSON (Ward 2), LOIS TARKANIAN (Ward 1), STEVEN D. ROSS (Ward 6)
RICKI Y. BARLOW (Ward 5), STAVROS S. ANTHONY (Ward 4)

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.

April 7, 2010

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 – DR. WELTON T. SMITH III, PASTOR OF GREATER EVERGREEN MISSIONARY BAPTIST CHURCH

4. PLEDGE OF ALLEGIANCE

5. RECOGNITION OF THE APRIL CITIZEN OF THE MONTH

6. RECOGNITION OF NATIONAL LIBRARY WEEK

7. RECOGNITION OF NATIONAL POETRY MONTH

8. RECOGNITION OF ELIZABETH KEANE FOR RECEIVING THE PRUDENTIAL COMMUNITY SPIRIT AWARD

9. RECOGNITION OF MAYOR'S CUP SOCCER TEAMS

10. RECOGNITION OF THE STATE CHAMPION FAITH LUTHERAN HIGH SCHOOL DANCE TEAM

BUSINESS ITEMS - MORNING

11. 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

12. Approval of the Final Minutes by reference of the City Council meeting of March 3, 2010 and the Special Joint City Council and Redevelopment Agency Budget Workshop meeting of March 10, 2010

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 SERVICES - CONSENT

13. Approval of an Interlocal contract between the City of Las Vegas and the Metropolitan Police Department for participation in the Department of Homeland Security (DHS) Urban Area Security Initiative (UASI) Program and Citizens Corp (CCP) Program - All Wards

FIELD OPERATIONS - CONSENT

14. Approval of an Easement and Right-of-Way to replace an existing Easement and Right-of-Way between the City of Las Vegas and Las Vegas Valley Water District in order to allow boundary lines to follow the natural topographic path and to better support the City's development plans located in the vicinity of Hualapai Avenue and Alta Drive, known as Angel Park Detention Basin, APN 138-31-101-002 - Ward 2 (Wolfson)

15. Approval of Angel Park Capital Improvement Agreement 4 between the City of Las Vegas and Angel Park Golf, LLC for the Angel Park Golf Course, 100 South Rampart Boulevard ($19,739 - Municipal Golf Course Enterprise Fund) - Ward 2 (Wolfson)

FINANCE & BUSINESS SERVICES - ADMINISTRATION CONSENT

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

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES CONSENT

17. Approval of a Special Event Alcoholic Beverage License subject to the provisions of the planning and fire codes for Las Vegas Celtic Society, Location: Floyd Lamb Park, 9200 Tule Springs Road, Dates: April 17 and 18, 2010, Type: Special Event General, Event: Highland Games, Responsible Person in Charge: Jennifer M. Elder - Ward 6 (Ross)

18. Approval of a Special Event Alcoholic Beverage License subject to the provisions of the planning and fire codes for Southern Nevada Association of Pride Inc., Location: Brett Wesley Gallery, 1112 South Casino Center Boulevard, Date: April 20, 2010, Type: Special Event General, Event: Trendy Tuesday Social, Responsible Person in Charge: Dennis Shaull - Ward 3 (Reese)

19. Approval of a Special Event Alcoholic Beverage License subject to the provisions of the planning and fire codes for Southern Nevada Association of Pride Inc., Location: Blue Moon Resort, 2651 Westwood Drive, Date: May 2, 2010, Type: Special Event General, Event: Men's T Dance, Responsible Person in Charge: Dennis Shaull - Ward 1 (Tarkanian)

20. Approval of a Special Event Beer/Wine License for Southern Nevada Association of Pride Inc., Location: 300 South 4th Street, Date: April 30, 2010, Type: Special Event Beer/Wine, Event: 2010 Pride Parade, Responsible Person in Charge: Dennis Shaull - Ward 3 (Reese)

21. Approval of a Special Event Alcoholic Beverage License subject to the provisions of the planning and fire codes for Southern Nevada Association of Pride Inc., Location: World Market Center, 495 South Grand Central Parkway, Date: April 25, 2010, Type: Special Event General, Event: HRC Family Reunion Picnic, Responsible Person in Charge: Dennis Shaull - Ward 5 (Barlow)

22. Approval of an extension of a new Temporary General Beer/Wine/Cooler On-sale License, Big League Dreams Las Vegas, LLC, dba Big League Dreams Sports Park, 3151 East Washington Avenue, Suites 1, 2, 3, and 4, Jeff Odekirk, Mgr, .5%, Rick Odekirk, Mgr, .5%, Big League Dream USA, LLC, Mgr, 99%, Jeff Odekirk, Mgr, Rick Odekirk, Mgr, Scott Le Tellier, Mgr and Dirty Diamond, LLC, Mgr - Ward 3 (Reese)

23. Approval of a Change of Business Name for a Tavern License, Doc G & G Inc., dba From: Jakes Lounge, To: Jakes Bar, 2301 South Eastern Avenue, Glenn Hill, Pres - Ward 3 (Reese)

24. Approval of a new Restricted Gaming License, Doc G & G Inc., dba Jakes Bar, 2301 South Eastern Avenue, Glenn Hill, Pres - Ward 3 (Reese)

25. Approval of a Change of Business Name for a Martial Arts Instruction Business, Victory Martial Arts Corporation, dba From: Victory Martial Arts, To: Champion Martial Arts, 7920 West Tropical Parkway, Suite 110, Karen J. Bratton, Pres, Secy, Treas, Dir, 100% - Ward 6 (Ross)

26. Approval of a Change of Ownership for a Martial Arts Instruction Business, From: Kick Me, Inc., To: West Coast Martial Arts Consulting, Inc., dba United Studios of Self Defense, 8410 West Cheyenne Avenue, Suite 104, Richard J. Black, Pres, Treas and Tracy Black, Secy - Ward 4 (Anthony)

27. Approval of an extension of a new Temporary Class III-A Secondhand Dealer License, Summerlin Enterprises Inc., dba Summerlin Jewelers, 2235 North Rampart Boulevard, Lawrence H. Minden, Pres, Treas, Dir, 50% and Diana L. Minden, Secy, 50% - Ward 4 (Anthony)

28. Approval of an extension of a new Temporary Class II Secondhand Dealer License, Wonderfits Fashion Exchange, LLC, dba Wonderfits Fashion Exchange, 8053 North Durango Drive, Suite 130, Maria Abonita, Mmbr, Mgr, 100% - Ward 6 (Ross)

FINANCE & BUSINESS SERVICES - PURCHASING & CONTRACTS CONSENT

29. Approval of award of Bid No. 09.1762.04-LED, 2009, Federal Project No. ARRA-003(142) 2009 Asphalt Overlay Project Rainbow Boulevard located on Rainbow Boulevard from Smoke Ranch Road to Gowan Road and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Field Operations - Award recommended to: LAS VEGAS PAVING CORPORATION ($1,453,920 - Road and Flood Capital Projects Fund) - Wards 4 and 5 (Anthony and Barlow)

30. Approval of Modification No. 1 to Bid No. 09.1730.18-DC, Neon Boneyard Park located on the north and south side of McWilliams Avenue east of Las Vegas Boulevard North and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: TAND, INC. ($205,663.23 - Parks and Leisure Activities Capital Projects Fund) - Ward 5 (Barlow)

31. Approval of award of Bid No. 09.1762.03-TRF, Annual Asphalt Overlay located from Bonanza Road to Nellis Boulevard and Maryland Parkway from Sahara Avenue to Stewart Avenue - Department of Field Operations - Award recommended to: LAS VEGAS PAVING CORPORATION ($4,000,000 - Street Maintenance Special Revenue Fund and Public Works Capital Projects Fund) - Wards 3 and 5 (Reese and Barlow)

32. Approval of award of Agreement No. 100163-DC, Blanket Services Agreement for Construction Management Services - Department of Public Works - Award recommended to: HARRIS & ASSOCIATES ($1,000,000 - Road and Flood Capital Projects Fund) - All Wards

33. Approval of award of Agreement No. 100174-DC, Construction Management Agreement for Las Vegas Wash Middle Branch Storm Drain, Decatur Boulevard - Centennial Parkway to Elkhorn Road, Elkhorn Road - Decatur Boulevard to Torrey Pines Drive - Department of Public Works - Award recommended to: THE LOUIS BERGER GROUP, INC. ($1,369,596.16 - Road and Flood Capital Projects Fund) - Ward 6 (Ross)

34. Approval of award of Bid No. 09.1730.14-LED, Elkhorn Springs and Buffalo Drive Storm Drain System located on Farm Road between Palm Grove Lane and Buffalo Drive and between Donald Nelson Avenue and Sunny Springs Lane on Buffalo Drive and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: M&H ENTERPRISES INC. ($1,191,583.26 - Road and Flood Capital Projects Fund) - Ward 6 (Ross)

35. Approval of award of Bid No. 09.15341.13-TF, Atrium Building Renovation located at 333 North Rancho Drive and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: CITY PLAN DEVELOPMENT, INC. DBA SAVI CONSTRUCTION ($5,761,335 - City Facilities Capital Projects Fund) - Ward 5 (Barlow)

NEIGHBORHOOD SERVICES - CONSENT

36. Approval to allocate $1,000,000 of Affordable Housing Special Revenue Fund (Redevelopment 18% Set Aside) and HOME/Low Income Housing Trust Funds (LIHTF) to Nevada H.A.N.D. Inc. for the development of Sky View Pines Apartments to be located at 15 West Owens Avenue – Ward 5 (Barlow)

37. Approval of an allocation of $41,000 in FY 2009-2010 Community Development Block Grant (CDBG) funds to Leisure Services Safekey and Recreation Programs - All Wards

PUBLIC WORKS - CONSENT

38. Approval of a Sewer Connection agreement with George Bramlett and Dora Elaine Bramlett, owners and Interlocal Contract with Clark County Water Reclamation District located at the southwest corner of Tomsik Street and Helena Avenue, APN 138-04-304-002 – County (near Ward 4 – Anthony)

39. Approval of Fifth Supplemental Interlocal Contract LAS22C06 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to extend the design project completion date to June 24, 2011 for the Las Vegas Wash (Elkhorn Road, Rainbow Boulevard to Torrey Pines Drive) - Ward 6 (Ross)

40. Approval of Third Supplemental Interlocal Contract LAS22H07 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to extend the construction project completion date to June 24, 2011 for the Las Vegas Wash (Elkhorn Road, Rainbow Boulevard to Torrey Pines Drive) - Ward 6 (Ross)

41. Approval of Fourth Supplemental Interlocal Contract LAS09V05 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to extend the design project completion date to June 24, 2011 for the Oakey Drain located along Oakey Boulevard from Birch Street to Cahlan Drive - Ward 1 (Tarkanian)

42. Approval of Third Supplemental Interlocal Contract LAS09W08 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to extend the construction project completion date to June 24, 2011 for the Oakey Drain located along Oakey Boulevard from Birch Street to Cahlan Drive - Ward 1 (Tarkanian)

43. Approval of a Interlocal Agreement No 113845 between the City of Las Vegas and the Las Vegas Valley Water District for water services at the Tropical Durango Park Phase 1 and 2 located on the northwest corner of Tropical Parkway and Durango Drive ($145,125 - Residential Construction Tax [RCT]) - Ward 6 (Ross)

44. Approval of Interlocal Contract LAS24F10 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to provide funding in the amount of $17,691,490 for the construction of the Gowan Outfall – Lone Mountain Branch located along Lone Mountain Road from Decatur Boulevard to Rancho Drive ($17,691,490 - CCRFCD) - Ward 6 (Ross)

45. Approval of the Expired Permit Reissuance Program for offsite permits for minimum permit fees - All Wards

RESOLUTIONS - CONSENT

46. R-20-2010 - Approval of a Resolution authorizing a medium-term obligation in the amount of $15,000,000 in the form of an interfund loan from the City's Sanitation Enterprise Fund to the City's Capital Improvement Funds

47. R-21-2010 - Approval of a Resolution to refund a surplus amount of $23,967.23 in Special Improvement District (SID) 1446 - Wards 1, 3 and 6 (Tarkanian, Reese and Ross)

DISCUSSION/ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

48. Report and possible action regarding the status of negotiations and concessions between the City of Las Vegas and its various bargaining units – All Wards

49. Report and possible action on status of the Clean Water Coalition

ADMINISTRATIVE SERVICES - DISCUSSION

50. Discussion and possible action regarding Assembly Bill 494, passed during the 2009 Sessions of the Nevada Legislature, for a report on potential consolidation/reorganization of certain functions performed by local governments in Clark and Washoe County – All Wards

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES DISCUSSION

51. Discussion and possible action regarding a Change of Business Name and Change of Ownership for a Package License, From: Lucky Stores LLC, dba Lucky #6030, To: Cardenas Markets, Inc., dba Cardenas, 2400 East Bonanza Road, Jesus Cardenas Sr., CEO, Dir, Luz Cardenas, Sr VP, Dir, Jose Cardenas, Secy, Dir, Guadalupe Cardenas, CFO, Dir, Jesus Cardenas Jr., Sr VP Marketing, Dir, and George Cardenas, VP IT, Dir - Ward 3 (Reese)

52. Discussion and possible regarding a Review of Conditions on a Tavern License, Red Label Bar, Inc., dba Red Label Bar & Lounge, 332 West Sahara Avenue, Nely Petkova, Pres, 100% - Ward 3 (Reese)

53. Discussion and possible action regarding a Special Event Beer/Wine License subject to the provisions of the planning and fire codes for House of Vino LLC, Location: House of Vino, 8053 North Durango Drive, Suite 160, Dates: April 15, 29 and May 14, 2010, Type: Special Event Beer/Wine, Event: Wine & Beer Tasting, Responsible Person in Charge: Jeremiah Boucher - Ward 6 (Ross)

54. Discussion and possible action regarding a Review of a Temporary Work Card for Ronald D. Smith, db at Marche Bacchus, 2620 Regatta Drive, Suite 106 - Ward 4 (Anthony)

55. Discussion and possible action regarding an Appeal of Work Card Denial for Leslie L. Hamm, db at 7 Eleven Food Store 13690, 2691 West Sahara Avenue - Ward 1 (Tarkanian)

RESOLUTIONS - DISCUSSION

56. R-11-2010 - ABEYANCE ITEM - Discussion and possible action regarding a Resolution authorizing the support of a Complete Streets Policy for the City of Las Vegas - All Wards

RECOMMENDING COMMITTEE REPORT - DISCUSSION

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.

57. Bill No. 2010-13 – Revises and updates provisions governing 1) master sign plans, and 2) general plan amendment and rezoning decisions. (TXT-36168, TXT-36325 and TXT-36494) Proposed by: M. Margo Wheeler, Director of Planning and Development

58. Bill No. 2010-14 – Clarifies the authority of the City Traffic Engineer regarding residential parking permit zones. Sponsored by: Councilwoman Lois Tarkanian

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.

59. Bill No. 2010-15 – Reduces the minimum amount of meal-service seating that must be provided by establishments with beer/wine/cooler on-sale and beer/wine/cooler on-off-sale licenses. Sponsored by: Councilman Gary Reese

60. Bill No. 2010-16 – Requires certain contractors and employers of employees hired to staff gaming hospitality operations to be signatory to collective bargaining agreements where the City or the City's Redevelopment Agency has a specified financial or proprietary interest. Proposed by: Bradford R. Jerbic, City Attorney

CLOSED SESSION

61. Closed Session - Upon duly carried Motion, a closed meeting is called in accordance with NRS 288.220 to discuss labor issues

1:00 P.M. - AFTERNOON SESSION

BUSINESS ITEMS - AFTERNOON

62. 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

HEARINGS - DISCUSSION

63. Public hearing on local improvement district for Special Improvement District No 1485 - Alta Drive (Rancho Drive to approximately 275 feet west of Lacy Lane) (Landscape Maintenance - FY 2011) ($62,800 - Special Assessments Capital Projects Fund) - Ward 1 (Tarkanian)

64. ABEYANCE ITEM - Hearing to consider the appeal regarding the Nuisance Notice and Order to Comply located at 409 Santa Fe Street. PROPERTY OWNER: MICHAEL E. PAVICH - Ward 1 (Tarkanian)

65. Hearing to consider the appeal regarding Nuisance Notice and Order to Comply located at 531 Bedford Road. PROPERTY OWNERS: MARGARET H CRIST AND ORNE ERIC MONTGOMERY - Ward 1 (Tarkanian)

66. ABEYANCE ITEM - Public Hearing to consider the report of expenses to recover costs for abatement of nuisance located at 1309 North 22nd Street in the amount of $6,973.30 (General Fund) and assess a maximum of $105,700 in daily civil penalties. PROPERTY OWNER: SARO MELIKYAN - Ward 3 (Reese)

67. Public Hearing to consider the report of expenses to recover costs for abatement of nuisance located at 3900 San Angelo Avenue in the amount of $4,805 (General Fund) and assess a maximum of $55,550 in daily civil penalties. PROPERTY OWNERS: TANEA MCKEE AND EDDIE J COHEN - Ward 1 (Tarkanian)

68. Public Hearing to consider the report of expenses to recover costs for abatement of nuisance located at 10305 Wellside Hill Avenue in the amount of $3,506.75 (General Fund) and assess a maximum of $36,550 in daily civil penalties. PROPERTY OWNERS: BRADLEY M & CINNAMON A MARTIN - Ward 2 (Wolfson)

69. Public Hearing to consider the report of expenses to recover costs for abatement of nuisance located at 4312 Amethyst Avenue in the amount of $3,466.50 (General Fund) and assess a maximum of $41,550 in daily civil penalties. PROPERTY OWNER: JEANNE SENIUR - Ward 6 (Ross)

70. Public Hearing to consider a request for a waiver and/or reduction of fees for the property located at 308 Jackson Avenue in the amount up to $57,301.21. PROPERTY OWNERS: MY HOME REAL ESTATE INC - C/O J. TUNURI - Ward 5 (Barlow)

71. Public Hearing to consider a request for a waiver and/or reduction of fees for the property located at 613 West Monroe Avenue in the amount up to $366,885.30. PROPERTY OWNERS: CHASE HOME FINANCE LLC - Ward 5 (Barlow)

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.

72. EOT-37451 - EXTENSION OF TIME - VARIANCE - APPLICANT/OWNER: PAUL BROSSEAU - Request for an Extension of Time of a previously approved Variance (VAR-3288) TO ALLOW A 5-FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED FOR AN ADDITION TO AN EXISTING SINGLE FAMILY DWELLING at 304 Canyon Drive (APN 139-32-211-031), R-E (Residence Estates) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL

73. EOT-37463 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT: JUSTEN MARTINEZ - OWNER: DAN MARTINEZ - Request for an Extension of Time of a previously approved Special Use Permit (SUP-18637) FOR A PROPOSED MIXED-USE DEVELOPMENT at 709-731 Fremont Street (APN 139-34-612-084), C-2 (General Commercial), Ward 5 (Barlow). Staff recommends APPROVAL

74. EOT-37464 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT: JUSTEN MARTINEZ - OWNER: DAN MARTINEZ - Request for an Extension of Time of a previously approved Site Development Plan Review (SDR-18638) FOR A 40-STORY, 395-UNIT CONDOMINIUM DEVELOPMENT WITH 15,892 SQUARE FEET OF RETAIL SPACE AND 9,050 SQUARE FEET OF OFFICE SPACE AND WAIVERS OF THE DOWNTOWN BUILDING STEPBACK, PARKING STRUCTURE STEPBACK, AND DOWNTOWN STREETSCAPE REQUIREMENTS on 1.39 acres at 709-731 Fremont Street (APN 139-34-612-084), C-2 (General Commercial) Zone, Ward 5 (Barlow). 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.

75. SUP-37152- SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: RAPID CASH - OWNER: BECKER INVESTMENT COMPANY, LP - Request for a Special Use Permit TO ADD A JEWELRY STORE, CLASS III USE TO AN EXISTING 2,400 SQUARE-FOOT AUTO TITLE LOAN AND FINANCIAL INSTITUTION, SPECIFIED at 1532 North Jones Boulevard (APN 138-25-101-001), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

76. SUP-37198 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: JAE SHIK KWON AND JI BEOM KWON, ET AL - Request for a Special Use Permit to ADD A GAMING ESTABLISHMENT, GENERAL BUSINESS-RELATED USE (FOUR GAMING MACHINES) WITHIN AN EXISTING CONVENIENCE STORE at 1600 North Martin L King Boulevard (APN 139-21-804-006), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT - DISCUSSION

77. VAR-35528 – ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: BODYFLYING US, LLC - Request for a Variance TO ALLOW 59 PARKING SPACES WHERE 69 ARE REQUIRED FOR A PROPOSED COMMERCIAL RECREATION/AMUSEMENT (INDOOR) USE on 0.81 acres on the north side of Sahara Avenue, approximately 440 feet east of Sixth Street (APNs 162-03-801-088 and 137), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL

78. SDR-35186 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-35528 - PUBLIC HEARING - APPLICANT/OWNER: BODYFLYING US, LLC - Request for a Site Development Plan Review FOR A PROPOSED 79-FOOT TALL, 9,979 SQUARE-FOOT COMMERCIAL RECREATION/AMUSEMENT (INDOOR) BUILDING WITH WAIVERS OF PERIMETER LANDSCAPE STANDARDS TO ALLOW LANDSCAPE BUFFERS OF FIVE FEET ALONG THE SOUTH PERIMETER WHERE 15 FEET IS REQUIRED, ZERO FEET ALONG ON THE NORTH AND WEST PERIMETERS WHERE EIGHT FEET IS REQUIRED, AND THREE FEET ALONG THE EAST PERIMETER WHERE EIGHT FEET IS REQUIRED on 0.81 acres on the north side of Sahara Avenue, approximately 440 feet east of Sixth Street (APNs 162-03-801-088 and 137), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL

79. SUP-36588 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: VEGAS BAIL - OWNER: JACK E. CASON AND MAXINE CASON FAMILY TRUST – Appeal from the denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 3,288 SQUARE-FOOT BAILBOND SERVICE at 3325 West Sahara Avenue (APN 162-08-103-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian) The Planning Commission (7-0 vote) and staff recommend DENIAL

80. VAR-37295 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: WINNER PROPERTIES, LLC - Request for a Variance to ALLOW NO ADDITIONAL PARKING SPACES WHERE 36 ADDITIONAL SPACES ARE REQUIRED on 36.8 acres at the northwest corner of Fort Apache Road and Sahara Avenue (APNs 163-06-816-002 through 005, 007, 009, 011, 013, 015, 017, 019 through 021, 024, through 027, 029 through 034, 036 through 038), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

81. SUP-36961 - SPECIAL USE PERMIT RELATED TO VAR-37295 - PUBLIC HEARING - APPLICANT/OWNER: WINNER PROPERTIES, LLC - Request for a Major Amendment to an approved Special Use Permit (U-0038-98) TO ADD 2,820 SQUARE FEET OF BUILDING AREA AND OUTSIDE SEATING AREA TO AN EXISTING 7,265 SQUARE-FOOT SUPPER CLUB USE at 9500 West Sahara Avenue (APN 163-06-816-015), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

82. SDR-36962 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-37295 AND SUP-36961 – PUBLIC HEARING - APPLICANT/OWNER: WINNER PROPERTIES, LLC - Request for a Major Amendment to a previously approved Rezoning and Plot Plan Review (Z-0139-88) FOR A PROPOSED 2,036 SQUARE-FOOT ADDITION TO AN EXISTING 6,648 SQUARE-FOOT COMMERCIAL BUILDING at 9500 West Sahara Avenue (APN 163-06-816-015), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

83. VAR-37296 - VARIANCE - PUBLIC HEARING - APPLICANT: CHECK CITY - OWNER: BECKER & SONS, LLC - Request for a Variance to ALLOW 119 PARKING SPACES WHERE 132 SPACES ARE REQUIRED at 1990 North Rainbow Boulevard (APN 138-23-301-002), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

84. SUP-37153- SPECIAL USE PERMIT RELATED TO VAR-37296 - PUBLIC HEARING - APPLICANT: CHECK CITY - OWNER: BECKER & SONS, LLC - Request for a Special Use Permit TO ADD A JEWELRY STORE, CLASS III USE TO AN EXISTING 3,240 SQUARE-FOOT AUTO TITLE LOAN AND FINANCIAL INSTITUTION, SPECIFIED at 1990 North Rainbow Boulevard (APN 138-23-301-002), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL.

85. VAR-37297 - VARIANCE - PUBLIC HEARING - APPLICANT: CHECK CITY - OWNER: NEWBERG GROUP, LLC - Request for a Variance to ALLOW 85 PARKING SPACES WHERE 91 SPACES ARE REQUIRED at 2475 South Jones Boulevard, Suite #2 (APN 163-02-802-006), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

86. SUP-37155 - SPECIAL USE PERMIT RELATED TO VAR-37297 - PUBLIC HEARING - APPLICANT: CHECK CITY - OWNER: NEWBERG GROUP, LLC - Request for a Special Use Permit FOR A JEWELRY STORE, CLASS III USE WITHIN AN EXISTING 3,308 SQUARE-FOOT AUTO TITLE LOAN AND FINANCIAL INSTITUTION, SPECIFIED at 2475 South Jones Boulevard, Suite #2 (APN 163-02-802-006), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

87. RQR-37490 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: CBS OUTDOOR - OWNER: 305 LAS VEGAS, LLC - Required Review of an approved Special Use Permit (U-0008-96) FOR A 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN (BILLBOARD) at 330 East Charleston Boulevard (APN 162-03-115-001), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL

SET DATE

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

CITIZENS PARTICIPATION

89. 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

COUNCIL MEMBER RECOGNITION

90. 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

****

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: APRIL 7, 2010

SUBJECT:
CALL TO ORDER

City of Las Vegas

Agenda Item No.: **2.**

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 7, 2010

SUBJECT:
ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

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

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 7, 2010

SUBJECT:
INVOCATION – DR. WELTON T. SMITH III, PASTOR OF GREATER EVERGREEN MISSIONARY BAPTIST CHURCH

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

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 7, 2010

SUBJECT:
PLEDGE OF ALLEGIANCE

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: OFFICE OF COMMUNICATIONS
DIRECTOR: DAVID RIGGLEMAN

SUBJECT:
RECOGNITION OF THE APRIL CITIZEN OF THE MONTH

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: OFFICE OF COMMUNICATIONS
DIRECTOR: DAVID RIGGLEMAN

SUBJECT:
RECOGNITION OF NATIONAL LIBRARY WEEK

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: OFFICE OF COMMUNICATIONS
DIRECTOR: DAVID RIGGLEMAN

SUBJECT:
RECOGNITION OF NATIONAL POETRY MONTH

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: OFFICE OF COMMUNICATIONS
DIRECTOR: DAVID RIGGLEMAN

SUBJECT:
RECOGNITION OF ELIZABETH KEANE FOR RECEIVING THE PRUDENTIAL COMMUNITY SPIRIT AWARD

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: OFFICE OF COMMUNICATIONS
DIRECTOR: DAVID RIGGLEMAN

SUBJECT:
RECOGNITION OF MAYOR'S CUP SOCCER TEAMS

City of Las Vegas Agenda Item No.: **10.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: OFFICE OF COMMUNICATIONS
DIRECTOR: DAVID RIGGLEMAN

SUBJECT:
RECOGNITION OF THE STATE CHAMPION FAITH LUTHERAN HIGH SCHOOL DANCE TEAM

City of Las Vegas

Agenda Item No.: **11.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

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.: **12.**

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 7, 2010

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

SUBJECT:
BUSINESS ITEMS:

Approval of the Final Minutes by reference of the City Council meeting of March 3, 2010 and the Special Joint City Council and Redevelopment Agency Budget Workshop meeting of March 10, 2010

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: ADMINISTRATIVE SERVICES
DIRECTOR: TED J. OLIVAS ☒ **Consent** ☐ **Discussion**

SUBJECT:

Approval of an Interlocal contract between the City of Las Vegas and the Metropolitan Police Department for participation in the Department of Homeland Security (DHS) Urban Area Security Initiative (UASI) Program and Citizens Corp (CCP) Program - All Wards

Fiscal Impact

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

PURPOSE/BACKGROUND:
The agreement allows the City of Las Vegas to provide pass through grant funding in the amount of $29,300 in DHS UASI and CCP program funds. The City of Las Vegas is a sub-recipient of these grant funds, and the Office of Administrative Services, Division of Emergency Management, supports the state's efforts in allocating funds to the Metropolitan Police Department.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
Interlocal agreement

INTERLOCAL CONTRACT
BETWEEN CITY OF LAS VEGAS AND
LAS VEGAS METROPOLITAN POLICE DEPARTMENT

WHEREAS, City of Las Vegas, Nevada the "City", has entered into a grant agreement with Clark County Office of Emergency Management & Homeland Security for participation in the DHS/FFY09-Urban Area Security Initiative (UASI), Program; and DHS/FFY09-Citizens Corp Program (CCP) Program; and

WHEREAS, The Las Vegas Metropolitan Police Department (the "Subrecipient"), a unit of local government located at 400 Stewart Street, Las Vegas, Nevada 89101 wishes to conduct programming relative to the Statewide Citizens Corps program (the "Project"); and

WHEREAS, The City has agreed to provide DHS/FFY09-Urban Area Security Initiative (UASI) funds and DHS/FFY09-Citizens Corp Program (CCP) Program (the "Funds") to the Subrecipient, such funding to be administered by City of Las Vegas Office of Office of Emergency Management, a division of the Administrative Services Department of City of Las Vegas (City and Sub-recipient referenced collectively as "the parties"), for its DHS/FFY09-Urban Area Security Initiative (UASI) as defined in Exhibit "A", "Expenditures Eligible for Reimbursement"; and

WHEREAS, the Subrecipient intends to use the funds to conduct programs relative to the Statewide Citizens Corps program; and

WHEREAS, NRS 277.180 permits one or more public agencies to contract with any one or more public agencies to perform any governmental service, activity or undertaking that any of the public agencies entering into the contract is authorized to perform by law.

NOW, THEREFORE, in accordance with NRS 277.180 and related regulations, the parties hereto agree as follows:

1. The City shall provide a maximum of Twenty-Nine Thousand Three Hundred Dollars ($29,300.00) from Fiscal Year 2009 funds from the DHS/FFY09-Urban Area Security Initiative (UASI) $14,300.00 and DHS/FFY09-Citizens Corp Program (CCP) Program $15,000.00).

2. Sub-recipient agrees to use the funds to conduct programming relative to the Statewide Citizens Corps Program as set forth in Exhibit "A".

3. Subrecipient will provide the City with documentation supporting any and all requests for payment of expenses against the funds encumbered, and will provide any additional documentation requested by the City that may be required in the administration of the grant funds.

4. Regardless of any termination of this agreement, Subrecipient shall comply with all Federal laws and regulations associated with the receipt of the grant funds as a Subrecipient of such funds for the project identified in this Contract. See Exhibit "B" for State and Federal Assurances required under this Contract.

5. It is specifically understood and agreed by Subrecipient that the City shall not be obligated to pay any monies to Subrecipient hereunder and hereafter in the event that such Federal funds for any reason are terminated or withheld from the City or are otherwise not forthcoming, and in such event, the City may terminate this Contract.

6. This Contract shall take effect on the date of execution by both parties and shall continue in force and effect until terminated as delineated below:

   a. This Contract shall be completed by July 31, 2011. An extension after the July 31, 2011 deadline must be requested in writing, to the Manager of the City.

   b. May be terminated by any party, for any reason with written notice of at least 60 days.

7. This Contract and its attachments constitute the entire understanding of the parties concerning the subject matter hereof. This contract may be amended solely by means of written amendment signed by both parties.

8. In the event the City desires to increase the amounts set forth in Section 1 and Exhibit A, subject to Subrecipient's consent to provide matching funds if necessary, the City, at its sole discretion, shall increase the aforesaid amounts of funding, and Subrecipient agrees that if such augmentation of the budgeted amounts occur, such new amounts shall be governed by all terms and conditions of this Interlocal Agreement as if such amounts were originally included in Section 1 and in Exhibit A.

9. Subrecipient shall agree to provide evidence of financial accountability. A copy of subrecipient's most recent single audit report (OMB Circular A-133) or a letter stating that subrecipient expended less than $300,000 of Federal funds during the reporting period must be submitted to City of Las Vegas. Letters should be addressed to: Carolyn Levering, Emergency Management Officer.

ENTERED INTO this _____ day of _____, 2010.

ATTEST:

By:_____
Beverly Bridges, City Clerk

Date: _____

CITY OF LAS VEGAS

By: _____
Oscar J. Goodman, Mayor Services
City of Las Vegas

Date: _____

APPROVED AS TO FORM:

By: _____
Daniel A. Still, Deputy City Attorney

Date: 2/26/10

ATTEST:

By: Annamarie Robinson
Annamarie Robinson,
LVMPD Fiscal Affairs Committee Clerk

Date: 03-22-10

Las Vegas Metropolitan Police Department

By: _____
Douglas C. Gillespie, Sheriff
Las Vegas Metropolitan Police Department

Date: 3/22/10

APPROVED AS TO FORM:

By:_____
Mary-Anne Miller, Deputy District Attorney

Date:_____

EXHIBIT "A"
Las Vegas Metropolitan Police Department
EXPENDITURES ELIGIBLE FOR REIMBURSEMENT

Category	UASI	CCP	TOTAL
Personnel	$14,300.	$15,000.	$29,300.00
Planning			
Organization			
Exercises			
Training			
Equipment (CCP Equipment AEL 21.9			
TOTAL			

*** Funds awarded shall be used to support the Las Vegas Metropolitan Police Department Volunteer Program Background Investigator.**

EXHIBIT "B"
LOCAL, STATE and FEDERAL ASSURANCES

City of Las Vegas Office of Emergency Management & Homeland Security
Financial and Project Activity Assurances

Upon acceptance of funding from the City of Las Vegas "the City" the lead governmental unit hereby agrees to the following financial and project activity assurances governing the transfer of funds.

1. A quarterly Financial Report shall be submitted to the City of Las Vegas Office of Emergency Management no later than 15 days following the close of the quarter. Unless approved by the City, late reports could delay reimbursement.

2. The final Financial Report must be submitted to the City no later than 30 days following the end of the grant period. Unless approved by City, late reports could result in non-payment of final claim.

3. The City retains the right to terminate this contract for cause at any time before completion of the program when it has determined that the subgrantee has failed to comply with the conditions of this agreement.

4. Financial management must comply with the requirements of OMB Circulars A-102 or A-110, whichever is applicable to your organization.

5. All grant expenditures are to be reasonable and allowable in accordance with OMB Circular A-21, A-87 or A-122, whichever is applicable to your organization, and which are incorporated into this agreement by reference.

6. All grant expenditures are to be made in accordance with the interlocal contract. Modifications must be requested and approved in advance by submitting a Project Change Request form to City.

7. Grant revenue and expenditure records must be maintained and made available to the City for audit.

8. Subgrantees shall comply with the audit requirements of the Single Audit Act Amendment of 1986 and OMB Circular A-133, which is incorporated into this agreement by reference, to include the required submission of the most recent annual independent audit, as prescribed in sections 310 and 315 and section 320, paragraph f.

9. Subgrantees that are institutions of higher education, hospitals or other non-profit organizations shall comply with the audit requirements of OMB Circular A-110, Attachment F.

10. Required documentation for the performance of internal audits must be provided to the City within 30 days of request. Grant closeout is contingent upon THE CITY audit and resolution of any discrepancies

11. The subgrantee agency is required to submit quarterly financial and project activity reports to the City. Due dates for those reports are as follows:

January 15	-	(for reporting period October 1 to December 31)
April 15	-	(for reporting period January 1 to March 30)
July 15	-	(for reporting period April 1 to June 30)
October 15	-	(for reporting period July 1 to September 30)

The reports should be completed in accordance with the following format and standards:

12. **Project Activity Report** – A narrative status report describing program accomplishments with respect to meeting stated objectives and completing the projects approved in the allocation of funding. The subgrantee activities should be reported for the quarter and for the cumulative period from the grant award date. Report can be done in a memo format.

13. **Quarterly Financial Reports** – Complete and submit a Quarterly Financial Report form for all expenditures funded by the grant. Include copies of invoices.

14. **Project Change Request** – Grant expenditures are authorized only for purchases and activities approved by the Homeland Security Commission under the grant application process. Any change in the project, needs to be submitted to City of Las Vegas THE CITY for submission to Homeland Security Grant Commission for approval.

15. **Request for Advancement** – The advancement of funds process are as follows: 1) subgrantee completes and submits a Request for Advancement form to the City along with a vendor invoice; 2) the City submits the form to NDEM; 3) NDEM advancement check is deposited into the City financial account; 4) the City advancement check is issued to the subgrantee.

16. **Equipment Inventory Form** – A completed Equipment Inventory Form is required with the final grant report.

17. Funds granted are to be expended for the purpose set forth in the grant award and in accordance with all applicable laws, regulations, policies, and procedures of the State of Nevada and the applicable federal granting agency.

18. No expenditures will be eligible for compensation if occurring after the term of the interlocal contract.

19. Any publication, invention, patent, photograph, negative, book, drawing, record, document, or other material prepared by the subgrantee in the performance of its obligations under this grant shall be the exclusive property of the State of Nevada and all such material shall be returned to the state upon completion or termination of this grant.

20. If this grant funds any form of written or visual material that identifies employees of DEM or City of Las Vegas Office of Emergency Management & Homeland Security (the City), prior approval must be obtained from the DEM and City of Las Vegas before publishing or finalization.

21. The applicant assures the fiscal accountability of the funds received from the City of Las Vegas will be managed and accounted for by the jurisdiction chief comptroller and internal control and authority to ensure compliance with City documentation, record keeping, accounting, and reporting guidelines will reside with that individual.

22. The subgrantee shall neither assign, transfer nor delegate any rights, obligations or duties under this interlocal contract without prior approval of the City.

23. To the extent permitted by law the subgrantee will indemnify, save and hold the state, City, and its agents and employees harmless from any and all claims, causes of action or liability arising from the performance of this agreement by subgrantee or its agents or employees.

24. The applicant and its contractors will comply with the nondiscrimination requirements of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; Title IX of the Education

Amendments of 1972; the Age Discrimination Act of 1975; and the American Disabilities Act of 1992.

25. The applicant will abide by audit requirements as specified in OMB Circular A-133, Audits of State and Local Governments as revised August 29, 1997.

26. The applicant fully understands City of Las Vegas has the right to suspend or terminate grant funds to any sub-grantee that fails to conform to the requirements or the terms and conditions of its interlocal contract.

Signature below indicates knowledge of and willingness to comply with interlocal contract requirements.

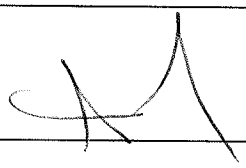
GOVERNMENTAL UNIT *(I.E., CITY MANAGER, MAYOR)*

NAME: _____ TITLE: _____

SIGNATURE: _____ DATE: _____
City Official

EMERGENCY MANAGEMENT COORDINATOR:

NAME: _____ TITLE: _____

SIGNATURE:  DATE: 3-5-10

Please return a copy of the signed assurances along with the Interlocal Contracts to:

City of Las Vegas
Office of Emergency Management
Attn: Carolyn Levering
400 Stewart Ave, 1st Floor
Las Vegas, NV 89101

FEDERAL ASSURANCES

The applicant hereby assures and certifies compliance with all federal statutes, regulations, policies, guidelines and requirements, including OMB Circulars No. A-21, A-110, A-122, A-128, A-133, A-87; E.O. 12372 and Uniform Administrative Requirements for Grants and Cooperative Agreements 28 CFR, Part 66, Common rule, that govern the application, acceptance and use of federal funds for this federally-assisted project. Also the applicant assures and certifies that:

1. It possesses legal authority to apply for the grant; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information may be required.

2. It will comply with requirements of the provisions of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646), which provides for fair and equitable treatment of persons displaced as a result of federal and federally assisted programs.

3. It will comply with provisions of federal law, which limit certain political activities of employees of a state or local unit of government whose principal employment is in connection with an activity financed in whole or in part by Federal grants. (5 USC 1501, et seq.)

4. It will comply with the minimum wage and maximum hour's provisions of the Federal Fair Labor Standards Act

5. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.

6. It will give the sponsoring agency or the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.

7. It will comply with all requirements imposed by the federal sponsoring agency concerning special requirements of law, program requirements, and other administrative requirements.

8. It will insure that the facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the project are not listed on the Environmental Protection Agency's (EPA) list of Violating Facilities and that it will notify the Federal grantor agency of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by the EPA.

9. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, approved December 31, 1976, Section 102(a) requires, on and after March 2, 1975, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Secretary of the Department of Housing and Urban Development as an area having special flood hazards. The phrase "federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance.

10. It will assist the federal/state grantor agency in its compliance with Section 106 of the National Historic Preservation Act of 1966 as amended (16 USC 470), Executive Order 11593, and the Archeological and Historical Preservation Act of 1966 (16 USC 569a-1 et seq.) by (a) consulting with the State Historic Preservation Officer on the conduct of Investigations, as necessary, to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects (see 36 CFR Part 800.8) by the activity, and notifying the federal/state grantor agency of the existence of any such properties and by (b) complying with all requirements established by the federal/state grantor agency to avoid or mitigate adverse effects upon such properties.

11. It will comply, and assure the compliance of all its sub-grantees and contractors, with the applicable provisions of Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, the Juvenile Justice and Delinquency Prevention Act, or the Victims of Crime Act, as appropriate; the provisions of the current edition of the Office of Justice Programs Financial and Administrative Guide for Grants, M7100.1; and all other applicable federal laws, orders, circulars, or regulations.

12. It will comply with the provisions of 28 CFR applicable to grants and cooperative agreements including Part 18, Administrative Review Procedure; Part 20, Criminal Justice Information Systems; Part 22, Confidentiality of Identifiable Research and Statistical Information; Part 23, Criminal Intelligence Systems Operating Policies; Part 30, Intergovernmental Review of Department of Justice Programs and Activities; Part 42, Nondiscrimination/Equal Employment Opportunity Policies and Procedures; Part 61, Procedures for Implementing the National Environmental Policy Act; Part 63, Floodplain Management and Wetland Protection Procedures; and Federal laws or regulations applicable to Federal Assistance Programs.

13. It will comply, and all its contractors will comply, with the non-discrimination requirements of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 USC 3789(d), or Victims of Crime Act (as appropriate); Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; Subtitle A, Title II of the Americans with Disabilities Act (ADA) (1990); Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; Department of Justice Non-Discrimination Regulations, 28 CFR Part 42, Subparts C, D, E, and G; and Department of Justice regulations on disability discrimination, 28 CFR Part 35 and Part 39.

14. In the event a federal or state court or federal or state administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, sex, or disability against a recipient of funds, the recipient will forward a copy of the finding to the Office for Civil Rights, Office of Justice Programs.

15. It will provide an Equal Employment Opportunity Program if required to maintain one, where the application is for $500,000 or more.

16. It will comply with the provisions of the Coastal Barrier Resources Act (P.L. 97-348) dated October 19, 1982 (16 USC 3501 et seq.), which prohibits the expenditure of most new Federal funds within the units of the Coastal Barrier Resources System.

FEDERAL CERTIFICATIONS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Debarment and Suspension (Non-procurement) and Government-wide Requirements for Drug- Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when determination is made to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over $100,000, as defined at 28 CFR Part 69, the applicant certifies that:

(a) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement;

(b) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-grants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of federal benefits by a state or federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and (d) Have not within a three-year period preceding this application had one or more public transactions (federal, state, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction.

Employers of convicted employees must provide notice, including position title, to the Department of Homeland Security. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above assurances and certifications.

NAME:_____ TITLE:_____

SIGNATURE:_____ DATE:_____

*** Must be signed by The City Manager/Chief Financial Officer, the Tribal Chairman/designee or the state agency director as appropriate**

DIVISION OF EMERGENCY MANAGEMENT FINANCIAL ASSURANCES

The applicant hereby assures compliance with the following conditions as part of the Notice of Grant Award:

1. A quarterly financial report shall be submitted to the Division of Emergency Management (DEM) no later than 30 days following the close of each quarter of the grant period. Late reports, unless approved by DEM, could delay reimbursement.

2. The final Financial Report must be submitted to DEM no later than 60 days following the end of the grant period. Late reports, unless approved by DEM, could result in non-payment of the final claim.

3. Grantee/Sub-grantee understands that, except for extraordinary circumstances that will be handled on a case-by-case basis, requests to transfer funds between budget categories, or requests to purchase items not previously authorized will not be approved. Written approval must be obtained from the DEM prior to the transfer of funds between budget categories or the expenditure of funds for newly identified items. Requests must be made on the Project Change Request form.

4. Grant revenue and expenditure records must be maintained and made available to the DEM for audit.

5. DEM retains the right to terminate this grant, for cause, at any time before completion of the grant period when it has determined that the grantee/subgrantee has failed to comply with the conditions of this agreement.

6. Financial management must comply with the requirements of OMB Circulars A-102 or A-110, whichever is applicable to your organization, and which are incorporated into this agreement by reference.

7. All grant expenditures are to be reasonable and allowable in accordance with OMB Circular A-21, A-87, or A-122, whichever is applicable to your organization, and which are incorporated into this agreement by reference.

8. To the extent permitted by law, Grantee/subgrantee shall comply with the audit requirements of the Single Audit Act Amendment of 1986 and OMB Circular A-133, which is incorporated into this agreement by reference, to include the required submission of the most recent annual independent audit, as prescribed in sections 310 and 315 and section 320, paragraph f.

9. Required documentation for the performance of internal audits must be provided upon DEM request within 30 days. Grant closeout is contingent upon DEM audit and resolution of any discrepancies.

10. NIMS compliance see attached appendix A.

NAME:_____ TITLE: _____

SIGNATURE: _____ DATE: _____

*** Must be signed by The City Manager/Chief Financial Officer, the Tribal Chairman/designee or the state agency director as appropriate.**

DIVISION OF EMERGENCY MANAGEMENT PROGRAM ASSURANCES

The applicant hereby assures compliance with the following conditions as part of the Notice of Grant Award:

1. A quarterly program report shall be submitted to the Division of Emergency Management (DEM) no later than 30 days following the close of each quarter of the grant period. Late reports, unless approved by DEM, could delay reimbursement.

2. The final Program Report must be submitted to DEM no later than 60 days following the end of the grant period. Late reports, unless approved by DEM, could result in non-payment of final claim.

3. DEM retains the right to terminate this grant, for cause, at any time before completion of the grant period when it has determined that the grantee has failed to comply with the conditions of this agreement.

4. Any publication, invention, patent, photograph, negative, book, drawing, record, document, or other material prepared by the grantee/sub-grantee in the performance of its obligations under this grant shall be the exclusive property of the State of Nevada and all such material shall be returned to the state upon completion or termination of this grant.

5. If this grant funds any form of written or visual material that identifies employees of DEM, prior approval must be obtained from the DEM before publishing or finalization.

6. The grantee/sub-grantee shall neither assign, transfer nor delegate any rights, obligations or duties under this Notice of Grant Award without prior approval of the DEM.

7. Grantee/sub-grantee agrees to indemnify, save and hold the state, its agents and employees harmless from any and all claims, causes of action or liability arising from the performance of this agreement by grantee/sub-grantee or its agents or employees.

8. All training funded by DHS grants must be pre-approved by the State DEM Training Officer.

9. In accordance with the Statewide Investment Justifications all funding granted from the State Administrative Agency (SAA) must be applied statewide with appropriate sub-grants memorialized with appropriate memorandum of understanding (MOU's).

NAME:_____ TITLE: _____

SIGNATURE:_____ DATE: _____

*** Must be signed by The City Manager/Chief Financial Officer, the Tribal Chairman/designee or the state agency director as appropriate.**

Appendix A

TRIBAL GOVERNMENT AND LOCAL JURISDICTION COMPLIANCE ACTIVITIES: FEDERAL FISCAL YEAR 2006 (OCTOBER 1, 2005-SEPTEMBER 30, 2006)

In March 2004, the Secretary of Homeland Security, at the request of the President, released the National Incident Management System (NIMS). The NIMS is a comprehensive system that improves tribal and local response operations through the use of the Incident Command System (ICS) and the application of standardized procedures and preparedness measures. It promotes development of cross-jurisdictional, statewide, and interstate regional mechanisms for coordinating response and obtaining assistance during a large-scale or complex incident.

Tribal and local authorities, not federal, have the primary responsibility for preventing, responding to, and recovering from emergencies and disasters. The overwhelming majority of emergency incidents are handled on a daily basis by a single jurisdiction at the local level. It is critically important that all jurisdictions comply with the NIMS because the challenges we face as a nation are far greater than the capabilities of any one jurisdiction; they are not, however, greater than the sum of all of us working together through mutual support. Homeland Security Presidential Directive 5 (HSPD- 5), Management of Domestic Incidents, requires all federal departments and agencies to adopt and implement the NIMS, and requires state[1] and local[2] jurisdictions to implement the NIMS to receive federal preparedness funding.

NIMS compliance should be considered and undertaken as a community-wide effort. The benefit of NIMS is most evident at the local level, when a community as a whole prepares for and provides an integrated response to an incident. Incident response organizations (to include local public health, public works, emergency management, fire, emergency medical services, law enforcement, hazardous materials, private sector entities, non-governmental organizations, medical organizations, utilities, and others) must work together to comply with NIMS components, policies, and procedures. Implementation of the NIMS in every tribal and local jurisdiction establishes a baseline capability that once established nationwide, can be used as a foundation upon which more advanced homeland security capabilities can be built.

Small and/or rural jurisdictions will benefit from a regional approach. In many instances smaller communities may not have the resources to implement all elements of NIMS on their own. However, by working together with other localities in their regions, these jurisdictions will be able to pool their resources to implement NIMS.

[1] As defined in the Homeland Security Act of 2002, the term "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any possession of the United States." 6 U.S.C. 101 (14)

[2] As defined in the Homeland Security Act of 2002, Section 2(10): the term "local government" means "(A) City, municipality, city, town, township, local public authority, school district, special district, intrastate district, council of governments... regional or interstate government entity, or agency or instrumentality of a local government: an Indian tribe or authorized tribal organization, or in Alaska a Native village or Alaska Regional Native Corporation; and a rural community, unincorporated town or village, or other public entity." 6 U.S.C. 101(10)

When NIMS is fully implemented, your local community or jurisdiction will be able to:

- Ensure common and proven incident management doctrine, practices, and principles are used to plan for, protect against, respond to, and recover from emergency incidents and preplanned events;
- Maintain a response operation capable of expanding to meet an escalating situation and the ability to integrate resources and equipment from intrastate and interstate mutual aid agreements, state-provided assistance, and federal government response;

- Order and track response assets using common resource typing and definitions, and draw on mutual aid agreements for additional assistance;
- Establish staging and allocation plans for the re-distribution of equipment, supplies, and aid coming into the area from other localities, states, or the federal government through mutual aid agreements;
- Conduct situational assessments and establish the appropriate ICS organizational structure to effectively manage the incident; and
- Establish communication processes, procedures and protocols that will ensure effective interoperable communications among emergency responders, 9-1-1 centers, and multi-agency coordination systems (Emergency Operations Centers).

In federal Fiscal Year 2005, the Secretary of Homeland Security provided guidance to each state, outlining initial actions that should be taken to implement the NIMS. The letter to the nation's governors included a list of recommended actions for tribal and local governments to help them work towards NIMS compliance. A copy of this letter is posted on the NIMS webpage at: http://www.fema.gov/nims/nims_compliance.shtm. Recommended FY 2005 NIMS activities included:

- Institutionalize the use of the Incident Command System;
- Complete the NIMS awareness course IS-700 NIMS: An Introduction;
- Formally recognize NIMS and adopt NIMS principles and policies;
- Establish a NIMS compliance baseline by determining the NIMS requirements that have already been met; and
- Develop a strategy and timeline for full NIMS implementation.

By completing these activities, communities will have made substantial progress toward full NIMS implementation by the start of Fiscal Year 2007 (i.e. October 1, 2006). In federal Fiscal Year 2006, tribes and local communities will be required to complete several activities to comply with the NIMS. The attached implementation matrix describes the actions that jurisdictions must take by September 30, 2006 to be compliant with NIMS.

Completion of these actions will position tribal and local communities to better manage prevention, response and recovery efforts. The matrix identifies activities that are underway by the NIMS Integration Center (NIC) to support the effective implementation of NIMS as well as activities that will be required for NIMS implementation in future years.

The matrix also provides information on where to find technical assistance resources to support these compliance actions. For example, the National Incident Management Capability Assessment Support Tool (NIMCAST) is an example of a product designed to assist communities in determining their current NIMS compliance baseline. The NIMS is much more than just a list of required elements; it is a new approach to the way we prepare for and manage incidents, one that will lead to a more effective utilization of resources and enhanced prevention, preparedness, and response capabilities. Moreover, full NIMS implementation is a dynamic and multi-year phase-in process with important linkages to the National Response Plan (NRP), the Homeland Security Presidential Directive - 8 (i.e. the "National Preparedness Goal") and the National Infrastructure Protection Plan (NIPP). Future refinement to the NIMS will evolve as policy and technical issues are further developed and clarified at the national level. This may well result in additional requirements being issued by the NIC as to what will constitute continuous full NIMS compliance in FY2007 and beyond.

More information on NIMS, NIMS compliance, and answers to frequently asked questions are available on the NIMS Integration Center Web page (http://www.fema.gov/nims).

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

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

SUBJECT:
Approval of an Easement and Right-of-Way to replace an existing Easement and Right-of-Way between the City of Las Vegas and Las Vegas Valley Water District in order to allow boundary lines to follow the natural topographic path and to better support the City's development plans located in the vicinity of Hualapai Avenue and Alta Drive, known as Angel Park Detention Basin, 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 of Las Vegas met with and requested from Las Vegas Valley Water District a new Easement and Right-of-Way which amends the legal description to comply with the city's development plans for the area. The new legal description will not affect the existing Las Vegas Valley Water District facility.

RECOMMENDATION:
Staff recommends approval

BACKUP DOCUMENTATION:
Easement and Right-of-Way

A.P.N. 138-31-101-002

EASEMENT AND RIGHT-OF-WAY

ABOVE SPACE FOR RECORDER'S USE ONLY

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

The City of Las Vegas, a Municipal Corporation of the State of Nevada

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. 138-31-101-002
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 _____, 2010.

ATTEST:

CITY OF LAS VEGAS

_____
BEVERLY BRIDGES, CITY CLERK

_____
OSCAR B. GOODMAN, MAYOR

APPROVED AS TO FORM:

John S. Ridilla
Deputy City Attorney

_____
DEPUTY CITY ATTORNEY

_____

STATE of NEVADA)
) ss.
COUNTY of CLARK)

On _____, 2010, before me, the undersigned, a **NOTARY PUBLIC**, in and for said County and State, personally appeared OSCAR B. GOODMAN 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.

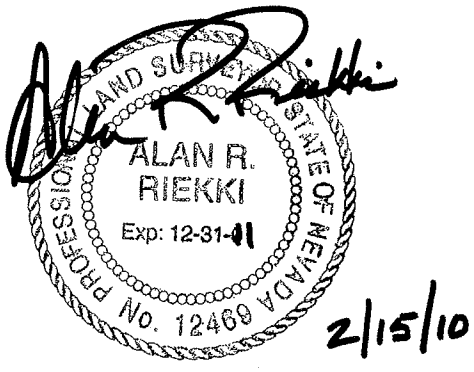
WITNESS my hand and official seal.

_____
Notary Public

_____
Notary Stamp/Seal Above

FOR LVVWD USE ONLY

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



2/15/10

LVVWD GRANT
DECEMBER 1, 2009
BY: ARR
P.R. BY H.IB

EXPLANATION:
THIS LAND DESCRIPTION DESCRIBES A PARCEL OF LAND GENERALLY LOCATED NORTH OF ALTA DRIVE AND EAST OF HUALAPAI WAY FOR LAS VEGAS VALLEY WATER DISTRICT EASEMENT GRANT PURPOSES.

LAND DESCRIPTION
LVVWD GRANT

BEING A PORTION OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 31, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, MORE PARTICULARLY DESCRIBES AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 31, SAID POINT BEING MARKED BY A 5/8" REBAR AND ALUMINUM CAP STAMPED "PLS 3197"; THENCE NORTH 89°00'36" WEST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 31, A DISTANCE OF 725.74 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 31; THENCE NORTH 82°16'51" EAST, DEPARTING SAID SOUTH LINE, 152.53 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 220.00 FEET; THENCE NORTHEASTERLY, 85.86 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 22°21'41"; THENCE NORTH 59°55'10" EAST, 77.90 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 220.00 FEET; THENCE NORTHEASTERLY, 40.74 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10°36'41"; THENCE NORTH 49°18'29" EAST, 31.64 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 220.00 FEET; THENCE NORTHEASTERLY, 73.24 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 19°04'30";

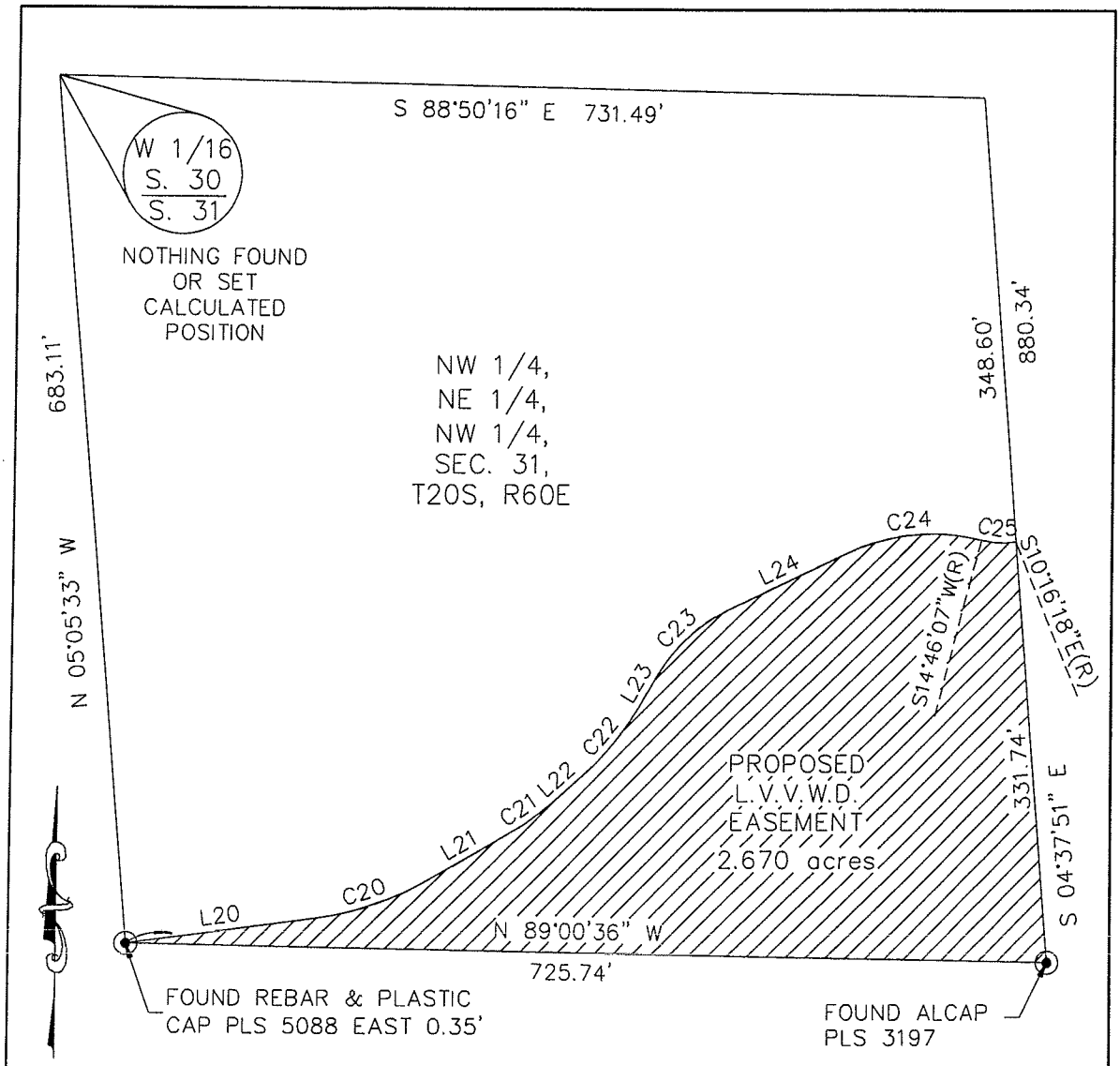
THENCE NORTH 30°13'59" EAST, 29.44 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 130.00 FEET; THENCE NORTHEASTERLY 75.97 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 33°29'06"; THENCE NORTH 63°43'05" EAST, 100.25 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 155.00 FEET; THENCE EASTERLY 111.05 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 41°03'02" TO THE BEGINNING OF A REVERSE CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 65.00 FEET, A RADIAL LINE TO SAID BEGINNING BEARS SOUTH 14°46'07" WEST; THENCE EASTERLY 28.41 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 25°02'25" TO THE EAST LINE OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 31; THENCE SOUTH 04°37'51" EAST, ALONG SAID EAST LINE, 331.74 FEET TO THE **POINT OF BEGINNING**, AS SHOWN ON THE "EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION" ATTACHED HERETO AND MADE A PART HEREOF.

CONTAINING 2.670 ACRES, MORE OR LESS AS DETERMINED BY COMPUTER METHODS.

BASIS OF BEARINGS:
NORTH 06°05'51" WEST, BEING THE BEARING OF THE WEST LINE OF SECTION 31, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA AS SHOWN ON THAT SUBDIVISION MAP KNOWN AS "THIRD AMENDED MAP OF A PORTION OF SUMMERLIN VILLAGE 3, UNIT NO. 2" ON FILE IN THE OFFICE OF THE COUNTY RECORDER, CLARK COUNTY NEVADA, IN BOOK 81 OF PLATS, AT PAGE 15.

NOTE: THIS DESCRIPTION IS PROVIDED AS A CONVENIENCE AND IS NOT INTENDED FOR THE SUBDIVISION OF LAND NOT IN CONFORMANCE WITH NEVADA REVISED STATUTES.

END OF DESCRIPTION.



NOT TO SCALE

CURVE TABLE				
CURVE	DELTA	RADIUS	LENGTH	TANG.
C20	22°21'41"	220.00'	85.86'	43.48
C21	10°36'41"	220.00'	40.74'	20.43
C22	19°04'30"	220.00'	73.24'	36.96
C23	33°29'06"	130.00'	75.97'	39.11
C24	41°03'02"	155.00'	111.05'	58.03
C25	25°02'25"	65.00'	28.41'	14.43

LINE TABLE		
LINE	BEARING	DISTANCE
L20	N82°16'51"E	152.53'
L21	N59°55'10"E	77.90'
L22	N49°18'29"E	31.64'
L23	N30°13'59"E	29.44'
L24	N63°43'05"E	100.25'

SHEET 1 OF 1

CITY OF LAS VEGAS NEVADA	EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION LAS VEGAS VALLEY WATER DISTRICT EASEMENT	DRAWING:ESMT-EXHIBIT DRAWN BY: HJB CHECKED BY: ARR
	CITY OF LAS VEGAS - SURVEY 3001 RONEMUS DRIVE, LAS VEGAS, NEVADA 89128 (702) 229-6217	DATE: 11-30-2009

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

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

SUBJECT:
Approval of Angel Park Capital Improvement Agreement 4 between the City of Las Vegas and Angel Park Golf, LLC for the Angel Park Golf Course, 100 South Rampart Boulevard ($19,739 - Municipal Golf Course Enterprise Fund) - Ward 2 (Wolfson)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $19,739
Funding Source: Municipal Golf Course Enterprise Fund
Dept./Division: Field Operations/Real Estate

PURPOSE/BACKGROUND:
This agreement will allow Angel Park Golf, LLC to use the revenue from the Angel Park Land License Fee Funds to refurbish the building located on the golf ball driving range tee at Angel Park Golf's request. The City will reimburse Angel Park Golf for the associated costs out of the Municipal Golf Course Enterprise Fund which is generated from the Land License Fees. The Third Amendment to the Restated Management Agreement allows for improvements to be made utilizing these set aside funds.

RECOMMENDATION:
Staff recommends approval

BACKUP DOCUMENTATION:
Angel Park Capital Improvement Agreement 4

ANGEL PARK CAPITAL IMPROVEMENT AGREEMENT 4

This Angel Park Capital Improvement Agreement 4("Agreement") is entered into this _____day of _____, 2010 by and between ANGEL PARK GOLF, LLC, a Nevada limited liability company (hereinafter "Golf Club") and the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada (the "City").

RECITALS

WHEREAS, the City and Golf Club entered into the Restated Management Agreement dated Sept. 15th, 1999 for the management of the Angel Park Golf Course (referred to as the "Premises" below), together with the First, Second and Third Amendments thereto (said Restated Management Agreement and three amendments collectively referred to herein as the "Restated Agreement") (capitalized terms used in this Agreement and not otherwise defined herein have the meanings given them in the Restated Agreement); and

WHEREAS, Golf Club desires to refurbish the building located on the golf ball driving range tee; and

WHEREAS, the City and Golf Club desire to provide the appropriate funding and financing arrangements to cover the costs of the construction as outlined in this Agreement;

NOW THEREFORE, in consideration of the foregoing recitals and of the covenants and conditions set forth herein, the City, and the Golf Club do hereby agree as follows:

1. **Permits.**

A. Golf Club shall obtain the permits for the work to be done according to their plans.

B. It is in the interest of all parties to undertake the work covered by this Agreement as cost effectively as possible. Accordingly, the City will not require the posting of any bonds for the work covered in this Agreement except as provided in Section 5 below.

2. **Construction.** The Golf Club shall construct the improvements, including landscaping, they are responsible for designing and permitting.

3. **Funding.** Golf Club has requested the use of the Land License Fee Funds in the amount of $19,739 for the construction of this project. Golf Club shall maintain all records thereof pursuant to generally accepted accounting principles, including the actual and least available cost and expense to Golf Club of the funds used to finance such construction. Such records shall be available for inspection and copying by the City during Golf Club's usual business hours. Golf Club shall submit to the City a detailed calculation of all out of pocket costs and expenses associated with such requests (collectively the "Costs"). The City shall reimburse Golf Club for the Costs out of the Land License Fee Funds.

4. **Indemnification.** The Golf Club shall protect, indemnify and hold the City and Golf Club, their officers, employees and agents (herein the "Indemnitees") harmless from any and all claims, damages, losses, expenses, suits, actions, decrees, liens, judgments, attorneys fees, and court costs (herein the "Claims") which the Indemnitees, or any of them, may suffer as a result of the acts or omissions of the Golf Club, its subcontractors, agents, or employees, in performing the construction, operation and maintenance contemplated by this Agreement. As part of this obligation, the Golf Club shall at its expense defend the Indemnitees against such Claims, and failing or refusing to do so, the Indemnitees shall have the right, but not the obligation, to defend the same and charge all costs thereof to the Golf Club. In the event any liens are recorded against the Premises as a result of the performance of construction and maintenance of this Agreement by the Golf Club or its subcontractors or agents, the Golf Club shall immediately take all necessary steps to remove any such liens, and failing to do so within six months of the recording thereof, shall provide a bond in the amount of such liens to the City, naming the City and Golf Club as Obligees, assuring performance of this provision. The bond shall be from a surety and in a form reasonably acceptable to the City. Thereafter, the Golf Club shall continue to take the necessary measures to remove such liens, and failing to do so within two years of the recording thereof, the Surety shall be responsible to pay off and remove such liens.

5. **Assignment.** This Agreement is binding on the parties hereto and their successors and assigns permitted herein. Golf Club may assign this Agreement only as permitted in the Restated Agreement. The City shall not assign this Agreement.

6. **Ownership.** The ownership of all improvements constructed on the Premises shall remain with the Premises pursuant to the Restated Agreement.

7. **Maintenance.** All improvements constructed on the Premises, shall be maintained by the Golf Club and its successors and assigns in a manner consistent with the requirements of the Restate Agreement.

8. **Time is of the essence.** The parties recognize that time is of the essence and that they will proceed with the completion of their obligations expeditiously.

[signatures on the next page]

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their duly authorized representatives the day and year first above written.

CITY OF LAS VEGAS

ATTEST:

By _____
Oscar B. Goodman, Mayor

_____
Beverly K. Bridges MMC, City Clerk

Approved as to form:
John S. Ridilla 2/26/10
Deputy City Attorney Date

ANGEL PARK GOLF, LLC
a Nevada limited liability company

By _____
David Bogue, Its Manager

CONSENTED TO AS OF THE EFFECTIVE DATE:

Las Vegas Golf I, LLC
a Delaware limited liability company
sole member of Angel Park Golf, LLC

By: _____
David Bogue, Its Manager

Pacific Life Insurance Company
a Nebraska corporation
sole member of Las Vegas Golf I, LLC

By: _____
Name: David Hon kamp
Title: Assistant Vice President

By: _____
Name:
Title Jennifer L. Portnoff
Assistant Secretary

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT ☒ **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: $88,349,248.68
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 03/01-03/15/10

City of Las Vegas

Summary of Cash Expenditures

For period of 3/1-15/10

Total Services & Materials Checks :	**$12,405,954.87**
Total Services & Materials EFT Payments :	**$9,277,383.35**
Total Wire Transfers:	**$59,948,143.15**
Total Payroll Checks:	**$6,717,767.31**
Grand Total:	**$88,349,248.68**

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.

Mark R. Vincent
Chief Financial Officer

Beverly K. Bridges, MMC
City Clerk

On April 7, 2010, 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: APRIL 7, 2010

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of a Special Event Alcoholic Beverage License subject to the provisions of the planning and fire codes for Las Vegas Celtic Society, Location: Floyd Lamb Park, 9200 Tule Springs Road, Dates: April 17 and 18, 2010, Type: Special Event General, Event: Highland Games, Responsible Person in Charge: Jennifer M. Elder - Ward 6 (Ross)

Fiscal Impact

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

PURPOSE/BACKGROUND:
Approval of a Special Event Alcoholic Beverage License. Event times are 9:00 a.m. - 6:00 p.m. Estimated attendance is 3,000. Security provided by City of Las Vegas.

RECOMMENDATION:
Recommend approval subject to the provisions of the planning and fire codes.

BACKUP DOCUMENTATION:
None

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of a Special Event Alcoholic Beverage License subject to the provisions of the planning and fire codes for Southern Nevada Association of Pride Inc., Location: Brett Wesley Gallery, 1112 South Casino Center Boulevard, Date: April 20, 2010, Type: Special Event General, Event: Trendy Tuesday Social, Responsible Person in Charge: Dennis Shaull - Ward 3 (Reese)

Fiscal Impact

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

PURPOSE/BACKGROUND:
Approval of a Special Event Alcoholic Beverage License. Event time is 7:00 p.m. - 10:00 p.m. Estimated attendance is 300. No security will be provided.

RECOMMENDATION:
Recommend approval subject to the provisions of the planning and fire codes.

BACKUP DOCUMENTATION:
None

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of a Special Event Alcoholic Beverage License subject to the provisions of the planning and fire codes for Southern Nevada Association of Pride Inc., Location: Blue Moon Resort, 2651 Westwood Drive, Date: May 2, 2010, Type: Special Event General, Event: Men's T Dance, Responsible Person in Charge: Dennis Shaull - Ward 1 (Tarkanian)

Fiscal Impact

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

PURPOSE/BACKGROUND:
Approval of a Special Event Alcoholic Beverage License. Event time is 12:00 p.m. - 8:00 p.m. Estimated attendance is 300. No security will be provided.

RECOMMENDATION:
Recommend approval subject to the provisions of the planning and fire codes.

BACKUP DOCUMENTATION:
None

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of a Special Event Beer/Wine License for Southern Nevada Association of Pride Inc., Location: 300 South 4th Street, Date: April 30, 2010, Type: Special Event Beer/Wine, Event: 2010 Pride Parade, Responsible Person in Charge: Dennis Shaull - Ward 3 (Reese)

Fiscal Impact

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

PURPOSE/BACKGROUND:
Approval of a Special Event Beer/Wine License. Event time is 8:00 p.m. - 11:00 p.m. Estimated attendance is 1,000. Security provided by Las Vegas Metropolitan Police Department.

RECOMMENDATION:
Recommend approval.

BACKUP DOCUMENTATION:
None

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of a Special Event Alcoholic Beverage License subject to the provisions of the planning and fire codes for Southern Nevada Association of Pride Inc., Location: World Market Center, 495 South Grand Central Parkway, Date: April 25, 2010, Type: Special Event General, Event: HRC Family Reunion Picnic, Responsible Person in Charge: Dennis Shaull - Ward 5 (Barlow)

Fiscal Impact

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

PURPOSE/BACKGROUND:
Approval of a Special Event Alcoholic Beverage License. Event time is 11:00 a.m. - 2:00 p.m. Estimated attendance is 300. No security will be provided.

RECOMMENDATION:
Recommend approval subject to the provisions of the planning and fire codes.

BACKUP DOCUMENTATION:
None

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of an extension of a new Temporary General Beer/Wine/Cooler On-sale License, Big League Dreams Las Vegas, LLC, dba Big League Dreams Sports Park, 3151 East Washington Avenue, Suites 1, 2, 3, and 4, Jeff Odekirk, Mgr, .5%, Rick Odekirk, Mgr, .5%, Big League Dream USA, LLC, Mgr, 99%, Jeff Odekirk, Mgr, Rick Odekirk, Mgr, Scott Le Tellier, Mgr and Dirty Diamond, LLC, Mgr - Ward 3 (Reese)

Fiscal Impact

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

PURPOSE/BACKGROUND:
Approval of an extension of a new Temporary General Beer/Wine/Cooler On-sale License.

RECOMMENDATION:
Recommend approval of an extension of the temporary license with the authority of the director or designee to issue a permanent license upon receipt of a favorable investigative report.

BACKUP DOCUMENTATION:
None

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of a Change of Business Name for a Tavern License, Doc G & G Inc., dba From: Jakes Lounge, To: Jakes Bar, 2301 South Eastern Avenue, Glenn Hill, Pres - Ward 3 (Reese)

Fiscal Impact

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

PURPOSE/BACKGROUND:
Approval of a Change of Business Name for a Tavern License.

RECOMMENDATION:
Recommend approval.

BACKUP DOCUMENTATION:
None

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of a new Restricted Gaming License, Doc G & G Inc., dba Jakes Bar, 2301 South Eastern Avenue, Glenn Hill, Pres - Ward 3 (Reese)

Fiscal Impact

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

PURPOSE/BACKGROUND:
Approval of a new Restricted Gaming License for 15 slots.

RECOMMENDATION:
Recommend approval.

BACKUP DOCUMENTATION:
None

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of a Change of Business Name for a Martial Arts Instruction Business, Victory Martial Arts Corporation, dba From: Victory Martial Arts, To: Champion Martial Arts, 7920 West Tropical Parkway, Suite 110, Karen J. Bratton, Pres, Secy, Treas, Dir, 100% - Ward 6 (Ross)

Fiscal Impact

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

PURPOSE/BACKGROUND:
Approval of a Change of Business Name for a Martial Arts Instruction Business.

RECOMMENDATION:
Recommend approval.

BACKUP DOCUMENTATION:
None

City of Las Vegas Agenda Item No.: **26.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of a Change of Ownership for a Martial Arts Instruction Business, From: Kick Me, Inc., To: West Coast Martial Arts Consulting, Inc., dba United Studios of Self Defense, 8410 West Cheyenne Avenue, Suite 104, Richard J. Black, Pres, Treas and Tracy Black, Secy - Ward 4 (Anthony)

Fiscal Impact

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

PURPOSE/BACKGROUND:
Approval of a Change of Ownership for a Martial Arts Instruction Business.

RECOMMENDATION:
Recommend approval.

BACKUP DOCUMENTATION:
None

City of Las Vegas Agenda Item No.: **27.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of an extension of a new Temporary Class III-A Secondhand Dealer License, Summerlin Enterprises Inc., dba Summerlin Jewelers, 2235 North Rampart Boulevard, Lawrence H. Minden, Pres, Treas, Dir, 50% and Diana L. Minden, Secy, 50% - Ward 4 (Anthony)

Fiscal Impact

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

PURPOSE/BACKGROUND:
Approval of an extension of a new Temporary Class III-A Secondhand Dealer License.

RECOMMENDATION:
Recommend approval of an extension of the temporary license with the authority of the director or designee to issue a permanent license upon receipt of a favorable investigative report.

BACKUP DOCUMENTATION:
None

City of Las Vegas Agenda Item No.: **28.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of an extension of a new Temporary Class II Secondhand Dealer License, Wonderfits Fashion Exchange, LLC, dba Wonderfits Fashion Exchange, 8053 North Durango Drive, Suite 130, Maria Abonita, Mmbr, Mgr, 100% - Ward 6 (Ross)

Fiscal Impact

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

PURPOSE/BACKGROUND:
Approval of an extension of a new Temporary Class II Secondhand Dealer License.

RECOMMENDATION:
Recommend approval of an extension of the temporary license with the authority of the director or designee to issue a permanent license upon receipt of a favorable investigative report and subject to the following conditions:

1. Hours of operation shall be limited to 6:00 a.m. to 10:00 p.m.
2. Sales will be limited to new and used clothing apparel.

BACKUP DOCUMENTATION:
None

City of Las Vegas Agenda Item No.: **29.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of award of Bid No. 09.1762.04-LED, 2009, Federal Project No. ARRA-003(142) 2009 Asphalt Overlay Project Rainbow Boulevard located on Rainbow Boulevard from Smoke Ranch Road to Gowan Road and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Field Operations - Award recommended to: LAS VEGAS PAVING CORPORATION ($1,453,920 - Road and Flood Capital Projects Fund) - Wards 4 and 5 (Anthony and Barlow)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $1,453,920
Funding Source: Road and Flood Capital Projects Fund
Dept./Division: Field Operations

PURPOSE/BACKGROUND:
This work will consist of removal and replacement of the following: asphalt pavement, aggregate base layer, concrete sidewalks, concrete curb and gutter and asphaltic concrete pavement overlays and patches. It will also provide for installation of: tactile warning panels, new traffic delineations, markings and symbols, traffic loop detectors and ITS conduit and pull boxes and other related work. Funding for this project is being provided by the American Recovery and Reinvestment Act (ARRA) of 2009.

PCC: L.E. Davis
POC: Bren Wick - (702) 251-5800

RECOMMENDATION:
That City Council approve the award of Bid No. 09.1762.04-LED, Federal Project No. ARRA 003(142), 2009 Asphalt Overlay Project Rainbow Boulevard to Las Vegas Paving Corporation in the amount of $1,453,920 and approve the construction conflicts and contingency reserve of $145,392. Authority to execute the Contract is given to the Purchasing Manager per R-48-2006

BACKUP DOCUMENTATION:
Bid Abstract

BID ABSTRACT
09.1762.04-LED
2009 ASPHALT OVERLAY,
RAINBOW BOULEVARD

				Las Vegas Paving Corp.		Southern Nevada Paving, Inc.		Wells Cargo, Inc.	
ITEM NO.	DESCRIPTION	U.O.M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
200.05.01	MOBILIZATION AND DEMOBILIZATION-RAINBOW BOULEVARD	LS	1	$9,528.62	$9,528.62	$36,524.61	$36,524.61	$82,602.51	$82,602.51
202.05.01	REMOVE PLANTMIX BITUMINOUS PAVEMENT BY COLD MILLING METHOD, EDGE MILL, 0" - 1/2" DEPTH	SY	13,086	$0.75	$9,814.50	$0.01	$130.86	$0.13	$1,701.18
202.05.02	REMOVE PLANTMIX BITUMINOUS PAVEMENT BY COLD MILLING METHOD, WEDGE MILL, 0" - 1" DEPTH	SY	3,163	$1.05	$3,321.15	$0.01	$31.63	$0.26	$822.38
202.05.03	REMOVE PLANTMIX BITUMINOUS PAVEMENT BY CONVENTIONAL METHOD	SY	16,732	$1.50	$25,098.00	$2.85	$47,686.20	$1.76	$29,448.32
202.05.04	REMOVE PLANTMIX BITUMINOUS PAVEMENT BY COLD MILLING METHOD, 3" DEPTH	SY	40,230	$1.08	$43,448.40	$1.50	$60,345.00	$1.20	$48,276.00
202.05.05	REMOVE CONCRETE SIDEWALK	SF	5,306	$1.60	$8,489.60	$1.60	$8,489.60	$0.54	$2,865.24
202.05.06	REMOVE CONCRETE CURB AND GUTTER	LF	432	$6.00	$2,592.00	$3.75	$1,620.00	$1.35	$583.20
202.05.07	REMOVE PAVEMENT MARKINGS	LS	1	$2,000.00	$2,000.00	$216.00	$216.00	$2,200.00	$2,200.00
202.05.08	REMOVE CONCRETE CROSS GUTTER	SF	1,601	$1.50	$2,401.50	$2.25	$3,602.25	$1.15	$1,841.15
202.05.09	SAWCUTTING OF PLANTMIX BITUMINOUS PAVEMENT	LF	9,378	$0.11	$1,031.58	$0.75	$7,033.50	$0.52	$4,876.56
203.05.01	ROADWAY EXCAVATION	CY	1,830	$6.50	$11,895.00	$9.75	$17,842.50	$10.45	$19,123.50
302.05.01	PREPARATION OF EXISTING SUB-BASE	SY	2,634	$2.40	$6,321.60	$0.50	$1,317.00	$0.50	$1,317.00
302.05.02	CONSTRUCT TYPE II AGGREGATE BASE	TON	1,743	$12.35	$21,526.05	$10.00	$17,430.00	$9.15	$15,948.45
403-2.05.01	CONCRETE SURFACE (UTACS) S3 GRADATION BONDED WITH A POLYMER MODIFIED MEMBRANE (PMM)	SY	56,799	$6.55	$372,033.45	$6.00	$340,794.00	$6.81	$386,801.19
404.05.01	BITUMINOUS PAVEMENT PATCH TO MATCH EXISTING (MINIMUM 5"), TRAFFIC CATEGORY I, PG76-22, TYPE 2 COURSE AGGREGATE	TON	4,104	$61.50	$252,396.00	$61.00	$250,344.00	$61.75	$253,422.00
404.05.02	CONSTRUCT 3" THICK HOT PLANTMIX RECYCLED BITUMINOUS PAVEMENT, TRAFFIC CATEGORY I, PG76-22, TYPE 2 COURSE AGGREGATE	TON	7,060	$62.60	$441,956.00	$60.00	$423,600.00	$58.75	$414,775.00
404.05.03	CONSTRUCT 5" THICK HOT PLANTMIX RECYCLED BITUMINOUS PAVEMENT, TRAFFIC CATEGORY I, PG76-22, TYPE 2 COURSE AGGREGATE	TON	771	$68.00	$52,428.00	$60.00	$46,260.00	$62.00	$47,802.00
609.05.01	CONSTRUCT CONCRETE COLLAR PER USD DWG #408	EA	23	$560.00	$12,880.00	$600.00	$13,800.00	$465.00	$10,695.00
609.05.02	FINISH GRADE AND CONSTRUCT CONCRETE COLLAR	EA	8	$560.00	$4,480.00	$600.00	$4,800.00	$1,950.00	$15,600.00
613.05.01	INSTALL TACTILE WARNING PANEL IN EXISTING RAMP PER USD DWG #235	EA	1	$325.00	$325.00	$350.00	$350.00	$382.00	$382.00
613.05.02	CONSTRUCT CONCRETE SIDEWALK PER USD DWG #234 AND #235	SF	5,332	$5.00	$26,660.00	$5.15	$27,459.80	$5.66	$30,179.12
613.05.03	CONSTRUCT CONCRETE "L" TYPE CURB AND GUTTER PER USD DWG #216	LF	432	$19.70	$8,510.40	$13.65	$5,896.80	$15.00	$6,480.00
613.05.04	CONSTRUCT CONCRETE CROSS GUTTER PER USD DWG #228	SF	1,601	$10.75	$17,210.75	$9.50	$15,209.50	$10.45	$16,730.45
613.05.05	CONSTRUCT CONCRETE STREETLIGHT CRASH CAP	EA	4	$95.00	$380.00	$288.50	$1,154.00	$84.00	$336.00
623.05.01	3" ITS CONDUIT W/25 PAIR TRACER WIRE	LF	4,186	$12.80	$53,580.80	$12.60	$52,743.60	$13.70	$57,348.20
623.05.02	INSTALLATION OF 3" EPOXY COATED STEEL 90° CONDUIT	EA	8	$130.00	$1,040.00	$125.75	$1,006.00	$136.00	$1,088.00
623.05.03	P30 PULL BOX	EA	2	$485.00	$970.00	$480.00	$960.00	$517.00	$1,034.00
623.05.04	TYPE 100 PULL BOX	EA	2	$3,165.00	$6,330.00	$3,105.00	$6,210.00	$3,365.00	$6,730.00
623.05.05	INSTALL TRAFFIC LOOP DETECTOR PER USD DWG #404.810, #404.811, AND #404.820	EA	4	$420.00	$1,680.00	$412.00	$1,648.00	$447.00	$1,788.00
624.05.01	TRAFFIC CONTROL AND MAINTENANCE-RAINBOW BOULEVARD (SMOKE RANCH TO GOWAN)	LS	1	$9,730.00	$9,730.00	$38,600.00	$38,600.00	$37,300.00	$37,300.00

BID ABSTRACT
09.1762.04-LED
2009 ASPHALT OVERLAY,
RAINBOW BOULEVARD

				Las Vegas Paving Corp.		Southern Nevada Paving, Inc.		Wells Cargo, Inc.	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
628.05.01	INSTALL WHITE T-2 FILM CROSS WALK PER USD DWG #254A	SF	1,800	$3.60	$6,480.00	$3.80	$6,840.00	$3.45	$6,210.00
628.05.02	INSTALL WHITE T-2 FILM STOP BAR PER USD DWG #254A	SF	331	$3.60	$1,191.60	$3.55	$1,175.05	$3.45	$1,141.95
628.05.03	INSTALL WHITE T-2 FILM "ARROW" SYMBOL PER MUTCD 2003 PART 3	EA	16	$115.00	$1,840.00	$116.75	$1,868.00	$123.00	$1,968.00
628.05.04	INSTALL WHITE T-2 FILM "ONLY" LEGEND PER MUTCD 2003 PART 3	EA	9	$115.00	$1,035.00	$167.50	$1,507.50	$123.00	$1,107.00
628.05.05	INSTALL YELLOW T-2 FILM STRIPING PER USD DWG #245	SF	74	$3.60	$266.40	$4.05	$299.70	$3.45	$255.30
629.05.01	CONSTRUCT CONCRETE COLLAR PER UDACS PLATE #8	EA	60	$426.30	$25,578.00	$450.00	$27,000.00	$424.00	$25,440.00
633.05.01	INSTALL NON-REFLECTIVE RAISED PAVEMENT MARKER TYPE "A"	EA	1,150	$1.15	$1,322.50	$1.37	$1,575.50	$1.23	$1,414.50
633.05.02	INSTALL NON-REFLECTIVE RAISED PAVEMENT MARKER TYPE "B"	EA	2,510	$1.15	$2,886.50	$1.37	$3,438.70	$1.23	$3,087.30
633.05.03	INSTALL REFLECTIVE RAISED PAVEMENT MARKER TYPE "C"	EA	926	$2.40	$2,222.40	$2.30	$2,129.80	$2.50	$2,315.00
633.05.04	INSTALL REFLECTIVE RAISED PAVEMENT MARKER TYPE "F"	EA	433	$2.40	$1,039.20	$2.30	$995.90	$2.50	$1,082.50
	Total Base Bid Amount				$1,453,920.00		$1,479,935.00		$1,544,118.00
	Engineer's Estimate: $2,567,168.42								
	Responsive Bidder				Yes				
	Responsible Bidder				Yes				

BID ABSTRACT
09.1762.04-LED
2009 ASPHALT OVERLAY,
RAINBOW BOULEVARD

				Western States Contracting Inc.		Granite Construction Company	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
200.05.01	MOBILIZATION AND DEMOBILIZATION-RAINBOW BOULEVARD	LS	1	$72,248.69	$72,248.69	$100,000.65	$100,000.65
202.05.01	REMOVE PLANTMIX BITUMINOUS PAVEMENT BY COLD MILLING METHOD, EDGE MILL, 0" - 1/2" DEPTH	SY	13,086	$0.96	$12,562.56	$2.00	$26,172.00
202.05.02	REMOVE PLANTMIX BITUMINOUS PAVEMENT BY COLD MILLING METHOD, WEDGE MILL, 0" - 1" DEPTH	SY	3,163	$1.24	$3,922.12	$8.00	$25,304.00
202.05.03	REMOVE PLANTMIX BITUMINOUS PAVEMENT BY CONVENTIONAL METHOD	SY	16,732	$2.03	$33,965.96	$7.00	$117,124.00
202.05.04	REMOVE PLANTMIX BITUMINOUS PAVEMENT BY COLD MILLING METHOD, 3" DEPTH	SY	40,230	$2.03	$81,666.90	$4.00	$160,920.00
202.05.05	REMOVE CONCRETE SIDEWALK	SF	5,306	$1.72	$9,126.32	$4.00	$21,224.00
202.05.06	REMOVE CONCRETE CURB AND GUTTER	LF	432	$10.49	$4,531.68	$9.00	$3,888.00
202.05.07	REMOVE PAVEMENT MARKINGS	LS	1	$1,630.43	$1,630.43	$7,500.00	$7,500.00
202.05.08	REMOVE CONCRETE CROSS GUTTER	SF	1,601	$1.67	$2,673.67	$4.00	$6,404.00
202.05.09	SAWCUTTING OF PLANTMIX BITUMINOUS PAVEMENT	LF	9,378	$0.80	$7,502.40	$0.75	$7,033.50
203.05.01	ROADWAY EXCAVATION	CY	1,830	$8.26	$15,115.80	$30.00	$54,900.00
302.05.01	PREPARATION OF EXISTING SUB-BASE	SY	2,634	$1.04	$2,739.36	$1.00	$2,634.00
302.05.02	CONSTRUCT TYPE II AGGREGATE BASE	TON	1,743	$13.13	$22,885.59	$18.00	$31,374.00
403-2.05.01	CONCRETE SURFACE (UTACS) S3 GRADATION BONDED WITH A POLYMER MODIFIED MEMBRANE (PMM)	SY	56,799	$6.63	$376,577.37	$6.35	$360,673.65
404.05.01	BITUMINOUS PAVEMENT PATCH TO MATCH EXISTING (MINIMUM 5"), TRAFFIC CATEGORY I, PG76-22, TYPE 2 COURSE AGGREGATE	TON	4,104	$68.39	$280,672.56	$82.00	$336,528.00
404.05.02	CONSTRUCT 3" THICK HOT PLANTMIX RECYCLED BITUMINOUS PAVEMENT, TRAFFIC CATEGORY I, PG76-22, TYPE 2 COURSE AGGREGATE	TON	7,060	$68.39	$482,833.40	$82.00	$578,920.00
404.05.03	CONSTRUCT 5" THICK HOT PLANTMIX RECYCLED BITUMINOUS PAVEMENT, TRAFFIC CATEGORY I, PG76-22, TYPE 2 COURSE AGGREGATE	TON	771	$68.39	$52,728.69	$82.00	$63,222.00
609.05.01	CONSTRUCT CONCRETE COLLAR PER USD DWG #408	EA	23	$434.78	$9,999.94	$800.00	$18,400.00
609.05.02	FINISH GRADE AND CONSTRUCT CONCRETE COLLAR	EA	8	$434.78	$3,478.24	$250.00	$2,000.00
613.05.01	INSTALL TACTILE WARNING PANEL IN EXISTING RAMP PER USD DWG #235	EA	1	$956.52	$956.52	$800.00	$800.00
613.05.02	CONSTRUCT CONCRETE SIDEWALK PER USD DWG #234 AND #235	SF	5,332	$5.89	$31,405.48	$7.00	$37,324.00
613.05.03	CONSTRUCT CONCRETE "L" TYPE CURB AND GUTTER PER USD DWG #216	LF	432	$14.71	$6,354.72	$17.00	$7,344.00
613.05.04	CONSTRUCT CONCRETE CROSS GUTTER PER USD DWG #228	SF	1,601	$11.57	$18,523.57	$10.00	$16,010.00
613.05.05	CONSTRUCT CONCRETE STREETLIGHT CRASH CAP	EA	4	$304.35	$1,217.40	$300.00	$1,200.00
623.05.01	3" ITS CONDUIT W/25 PAIR TRACER WIRE	LF	4,186	$13.26	$55,506.36	$13.00	$54,418.00
623.05.02	INSTALLATION OF 3" EPOXY COATED STEEL 90° CONDUIT	EA	8	$132.61	$1,060.88	$130.00	$1,040.00
623.05.03	P30 PULL BOX	EA	2	$503.26	$1,006.52	$470.00	$940.00
623.05.04	TYPE 100 PULL BOX	EA	2	$3,277.17	$6,554.34	$3,050.00	$6,100.00
623.05.05	INSTALL TRAFFIC LOOP DETECTOR PER USD DWG #404.810, #404.811, AND #404.820	EA	4	$434.78	$1,739.12	$400.00	$1,600.00
624.05.01	TRAFFIC CONTROL AND MAINTENANCE-RAINBOW BOULEVARD (SMOKE RANCH TO GOWAN)	LS	1	$85,978.26	$85,978.26	$35,000.00	$35,000.00

BID ABSTRACT
09.1762.04-LED
2009 ASPHALT OVERLAY,
RAINBOW BOULEVARD

				Western States Contracting Inc.		Granite Construction Company	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
628.05.01	INSTALL WHITE T-2 FILM CROSS WALK PER USD DWG #254A	SF	1,800	$6.30	$11,340.00	$3.50	$6,300.00
628.05.02	INSTALL WHITE T-2 FILM STOP BAR PER USD DWG #254A	SF	331	$6.30	$2,085.30	$3.50	$1,158.50
628.05.03	INSTALL WHITE T-2 FILM "ARROW" SYMBOL PER MUTCD 2003 PART 3	EA	16	$206.52	$3,304.32	$115.00	$1,840.00
628.05.04	INSTALL WHITE T-2 FILM "ONLY" LEGEND PER MUTCD 2003 PART 3	EA	9	$250.00	$2,250.00	$115.00	$1,035.00
628.05.05	INSTALL YELLOW T-2 FILM STRIPING PER USD DWG #245	SF	74	$6.30	$466.20	$3.50	$259.00
629.05.01	CONSTRUCT CONCRETE COLLAR PER UDACS PLATE #8	EA	60	$706.52	$42,391.20	$400.00	$24,000.00
633.05.01	INSTALL NON-REFLECTIVE RAISED PAVEMENT MARKER TYPE "A"	EA	1,150	$3.15	$3,622.50	$1.15	$1,322.50
633.05.02	INSTALL NON-REFLECTIVE RAISED PAVEMENT MARKER TYPE "B"	EA	2,510	$3.15	$7,906.50	$1.15	$2,886.50
633.05.03	INSTALL REFLECTIVE RAISED PAVEMENT MARKER TYPE "C"	EA	926	$4.24	$3,926.24	$2.30	$2,129.80
633.05.04	INSTALL REFLECTIVE RAISED PAVEMENT MARKER TYPE "F"	EA	433	$4.24	$1,835.92	$2.30	$995.90
	Total Base Bid Amount				$1,766,293.03		$2,127,925.00
	Engineer's Estimate: $2,567,168.42						
	Responsive Bidder						
	Responsible Bidder						

To: Chris Finberg

Please review and approve recommended award to Las Vegas Paving Corp.

in the amount of $1,453,920.00 .

Purchasing & Contracts Representative — Date: 3/16/10

Using Department Authorized Rep Signature — Date: 3-16-10

City of Las Vegas Agenda Item No.: **30.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of Modification No. 1 to Bid No. 09.1730.18-DC, Neon Boneyard Park located on the north and south side of McWilliams Avenue east of Las Vegas Boulevard North and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: TAND, INC. ($205,663.23 - Parks and Leisure Activities Capital Projects Fund) - Ward 5 (Barlow)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $205,663.23
Funding Source: Parks and Leisure Activities Capital Projects Fund
Dept./Division: Public Works

PURPOSE/BACKGROUND:
On December 16, 2009 City Council approved Agenda item #30 for the construction of a new City park with passive walking and resting space adjacent to the City's historic Neon Boneyard. This modification will include water line relocation from the project site to Las Vegas Boulevard, half street improvements on Encanto Street, future conduit installation within Boneyard site, sewer abandonment within the project site, additional pavement work and extended removal and disposal of hazardous materials associated with historic neon signs.

PCC: D. Collins
POC: Tracy Hoherz - (702) 889-4676

RECOMMENDATION:
That City Council approve award of Modification No. 1 to Bid No. 09.1730.18-DC, Neon Boneyard Park to Tand, Inc. in the amount of $205,663.23 for a total Contract amount of $2,089,872.83 and increase the construction conflicts and contingency reserve by $20,566 for a total of $208,987. Authority to execute the Modification is given to the Purchasing Manager per R-48-2006.

BACKUP DOCUMENTATION:
Modification No. 1 to Bid No. 09.1730.18-DC

CITY OF LAS VEGAS CONTRACT MODIFICATION

DATE: March 22, 2010

BID 09.1730.18-DC Neon Boneyard Park PURCHASE ORDER #: 277836 SUPPLEMENT: MODIFICATION #1

NAME AND ADDRESS OF CONTRACTOR:
Tand Inc.
500 Vandenberg Drive
North Las Vegas, Nevada 89081

CONTRACT DESCRIPTION: **The work for this Project includes the construction of a new City park that will provide passive walking and resting space adjacent to the City's historic Neon Boneyard. The park will include lighting, benches, shade canopy, landscape, irrigation and new signage. Work will also include construction of new block walls around the site and provide light grading and new ground cover to the sites that will house the neon signs. The Neon Boneyard Park project is located on the north and south side of McWilliams Avenue, east of Las Vegas Boulevard North.**

DESCRIPTION AND REASON FOR MODIFICATION:
Contract Modification is necessary to perform construction work unforeseen during the design, including: waterline relocation from project site to Las Vegas Boulevard, half street improvements on Encanto Street, future conduit installation within Boneyard site, sewer abandonment within project site, additional miscellaneous pavement work, access gate for Nevada Energy facilities, and extended removal and disposal of hazardous materials associated with historic neon signs.

PRICE OF THIS MODIFICATION (WRITTEN): **Two Hundred Five Thousand Six Hundred Sixty Three Dollars and Twenty Three cents** DOLLARS: **$205,663.23**

TOTAL TIME EXTENSION FOR THIS MODIFICATION (WRITTEN): **Zero** # DAYS: **0**

ORIGINAL COMPLETION DATE: **November 11, 2010** NEW COMPLETION DATE: **November 11, 2010**

PRICE OF ORIGINAL CONTRACT:	**$1,884,209.60**	
PRICE OF ALL PREVIOUS MODIFICATIONS:	**$ 0**	(#_____through _____)
PRICE OF THIS MODIFICATION:	**$ 205,663.23**	
PRICE OF CONTRACT (INCLUDING THIS MODIFICATION):..	**$2,089,872.83**	

1. ALL OTHER TERMS, CONDITIONS, AND SPECIFICATIONS OF THIS CONTRACT, INCLUDING PREVIOUS MODIFICATION(S), IF ANY, REMAIN THE SAME.

THE CITY OF LAS VEGAS AND THE CONTRACTOR NAMED ABOVE DO MUTUALLY AGREE TO THIS CONTRACT IN STRICT ACCORDANCE WITH THE TERMS AS STATED ABOVE. IN WITNESS WHEREOF, THE PARTIES HERETO HAVE EXECUTED THIS MODIFICATION AS OF THE APPROVAL DATE OF THIS MODIFICATION.

APPROVED AS TO FORM:

John S. Ridilla
(SIGNATURE)

3/22/10
(DATE)

ATTEST: _____
(CITY CLERK) (DATE)

_____
TAND, INC.

BY _____
TRACY HOHERZ DATE

_____
PRESIDENT

_____
PURCHASING AND CONTRACTS MANAGER

City of Las Vegas Agenda Item No.: **31.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of award of Bid No. 09.1762.03-TRF, Annual Asphalt Overlay located from Bonanza Road to Nellis Boulevard and Maryland Parkway from Sahara Avenue to Stewart Avenue - Department of Field Operations - Award recommended to: LAS VEGAS PAVING CORPORATION ($4,000,000 - Street Maintenance Special Revenue Fund and Public Works Capital Projects Fund) - Wards 3 and 5 (Reese and Barlow)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $4,000,000
Funding Source: Street Maintenance SRF and Public Works CPF
Dept./Division: Field Operations

PURPOSE/BACKGROUND:
This project consists of removal and replacement of asphalt pavement, installation of new traffic delineations, markings and symbols and installation of traffic loop detectors.

PCC: T. Fernandez
POC: Bren Wick - (702) 256-5800

RECOMMENDATION:
That City Council approve award of Bid No. 09.1762.03-TRF, 2009 Annual Asphalt Overlay to Las Vegas Paving Corporation from date of award through March 31, 2011 including four one-year options to renew in the estimated annual amount of $4,000,000. Authority to execute the Contract is given to the Purchasing Manager per R-48-2006.

BACKUP DOCUMENTATION:
Bid Abstract

Bid Abstract
09.1762.03-TF
2009 ANNUAL ASPHALT OVERLAY

				Las Vegas Paving Corp.		Southern Nevada Paving, Inc.		Wells Cargo, Inc.	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
200.05.01	MOBILIZATION AND DEMOBILIZATION-BONANZA ROAD	LS	1	$23,600.00	$23,600.00	$16,151.00	$16,151.00	$39,000.00	$39,000.00
200.05.02	MOBILIZATION AND DEMOBILIZATION-MARYLAND PARKWAY	LS	1	$23,600.00	$23,600.00	$13,505.90	$13,505.90	$23,000.00	$23,000.00
202.05.01	REMOVE PLANTMIX BITUMINOUS PAVEMENT BY COLD MILLING METHOD, EDGE MILL, 0" - 1/2" DEPTH	SY	49,730	$0.85	$42,270.50	$0.62	$30,832.60	$0.44	$21,881.20
202.05.02	REMOVE PLANTMIX BITUMINOUS PAVEMENT BY COLD MILLING METHOD, WEDGE MILL, 0" - 1" DEPTH	SY	16,770	$1.10	$18,447.00	$1.80	$30,186.00	$0.72	$12,074.40
202.05.03	REMOVE PLANTMIX BITUMINOUS PAVEMENT BY COLD MILLING METHOD, SURFACE MILL, 1/4" - 1/2" DEPTH	SY	23,850	$1.00	$23,850.00	$0.84	$20,034.00	$0.42	$10,017.00
202.05.04	REMOVE PLANTMIX BITUMINOUS PAVEMENT BY COLD MILLING METHOD, 2" DEPTH	SY	1,750	$1.40	$2,450.00	$4.90	$8,575.00	$1.74	$3,045.00
202.05.05	REMOVE PAVEMENT MARKINGS	LS	1	$1,420.00	$1,420.00	$513.00	$513.00	$1,500.00	$1,500.00
202.05.06	GRIND PORTLAND CEMENT CONCRETE PAVEMENT, 1" DEPTH	SY	2,569	$3.00	$7,707.00	$12.85	$33,011.65	$11.00	$28,259.00
202.05.07	REMOVE CONCRETE TACK-ON MEDIAN ISLAND	SF	3,190	$1.80	$5,742.00	$2.55	$8,134.50	$0.45	$1,435.50
403-2.05.01	CONSTRUCT 1" THICK ULTRA THIN ASPHALT CONCRETE SURFACE (UTACS) S3 GRADATION BONDED WITH A POLYMER MODIFIED MEMBRANE (PMM)	SY	291,830	$5.30	$1,546,699.00	$6.36	$1,856,038.80	$7.50	$2,188,725.00
404.05.01	CONSTRUCT 2" THICK HOT PLANTMIX RECYCLED BITUMINOUS PAVEMENT, TRAFFIC CATEGORY I, AC-30, TYPE 2 COARSE AGGREGATE	TON	203	$93.00	$18,879.00	$67.50	$13,702.50	$97.00	$19,691.00
609.05.01	ADJUST SSMH OR SDMH TO FINISH GRADE AND CONSTRUCT CONCRETE COLLAR PER USD DWG	EA	152	$600.00	$91,200.00	$464.00	$70,528.00	$460.00	$69,920.00
609.05.02	ADJUST ELECTRICAL OR TELEPHONE MANHOLE TO FINISH GRADE AND CONSTRUCT CONCRETE	EA	20	$600.00	$12,000.00	$357.00	$7,140.00	$393.00	$7,860.00
609.05.03	ADJUST ELECTRICAL OR TELEPHONE VALUT TO FINISH GRADE	EA	1	$1,600.00	$1,600.00	$418.00	$418.00	$4,000.00	$4,000.00
613.05.01	CONSTRUCT TACK-ON MEDIAN ISLAN	SF	1,529	$7.00	$10,703.00	$5.55	$8,485.95	$6.10	$9,326.90
619.05.01	MARKER POST	EA	4	$200.00	$800.00	$154.00	$616.00	$210.00	$840.00
623.05.01	INSTALL TRAFFIC LOOP DETECTOR PER USD DWG #404.810, #404.811, AND #404.820	EA	244	$273.00	$66,612.00	$292.00	$71,248.00	$354.60	$86,522.40

Bid Abstract
09.1762.03-TF
2009 ANNUAL ASPHALT OVERLAY

				Las Vegas Paving Corp.		Southern Nevada Paving, Inc.		Wells Cargo, Inc.	
ITEM NO.	DESCRIPTION	U.O.M.	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
623.05.02	INSTALL TRAFFIC RATED NO. 3-1/2 PULL BOX	EA	4	$682.50	$2,730.00	$216.50	$866.00	$250.00	$1,000.00
624.05.01	TRAFFIC CONTROL AND MAINTENANCE-BONANZA ROAD	LS	1	$40,690.00	$40,690.00	$24,282.00	$24,282.00	$45,600.00	$45,600.00
62..05.02	TRAFFIC CONTROL AND MAINTENANCE-MARYLAND PARKWAY	LS	1	$32,550.00	$32,550.00	$22,170.00	$22,170.00	$30,000.00	$30,000.00
627.05.01	PERMANENT SIGNS (GROUND MOUNTED)(METAL SUPPORTS)	EA	12	$220.50	$2,646.00	$308.00	$3,696.00	$233.00	$2,796.00
628.05.01	INSTALL WHITE T-2 FILM CROSS WALK PER USD DWG #254A	SF	16,160	$3.35	$54,136.00	$3.08	$49,772.80	$3.55	$57,368.00
628.05.02	INSTALL WHITE T-2 FILM STOP BAR PER USD DWG #254A	SF	4,170	$3.35	$13,969.50	$3.08	$12,843.60	$3.55	$14,803.50
628.05.03	INSTALL WHITE T-2 FILM "ARROW" SYMBOL PER MUTCD 2003 PART 3	EA	114	$112.00	$12,768.00	$98.00	$11,172.00	$120.00	$13,680.00
628.05.04	INSTALL WHITE T-2 FILM "ONLY" LEGEND PER MUTCD 2003 PART 3	EA	58	$112.00	$6,496.00	$98.00	$5,684.00	$120.00	$6,960.00
628.05.05	INSTALL WHITE T-2 FILM STRIPING PER USD DWG #245	SF	740	$3.35	$2,479.00	$3.08	$2,279.20	$3.55	$2,627.00
628.05.06	INSTALL WHITE PAINT STRIPING	SF	660	$0.50	$330.00	$0.85	$561.00	$0.50	$330.00
628.05.07	INSTALL YELLOW PAINT STRIPING	SF	120	$0.50	$60.00	$0.95	$114.00	$0.50	$60.00
628.05.08	INSTALL YELLOW T-2 FILM STRIPING PER USD DWG #245	SF	360	$3.35	$1,206.00	$3.10	$1,116.00	$3.55	$1,278.00
628.05.09	MEDIAN PAINT (YELLOW)	SF	3,120	$1.00	$3,120.00	$0.35	$1,092.00	$1.00	$3,120.00
628.05.10	MEDIAN PAINT (WHITE)	SF	110	$1.00	$110.00	$0.35	$38.50	$1.00	$110.00
628.05.11	INSTALL WHITE T-2 FILM	SF	100	$3.35	$335.00	$4.10	$410.00	$3.55	$355.00
629.05.01	ADJUST WATER VALVE BOX TO FINISH GRADE AND CONSTRUCT CONCRETE COLLAR PER UDACS	EA	195	$450.00	$87,750.00	$431.00	$84,045.00	$220.00	$42,900.00
633.05.01	INSTALL NON-REFLECTIVE RAISED PAVEMENT MARKER TYPE "A"	EA	8,450	$1.40	$11,830.00	$1.05	$8,872.50	$1.50	$12,675.00
633.05.02	INSTALL NON-REFLECTIVE RAISED PAVEMENT MARKER TYPE "B"	EA	7,310	$1.40	$10,234.00	$1.05	$7,675.50	$1.50	$10,965.00
633.05.03	INSTALL REFLECTIVE RAISED PAVEMENT MARKER TYPE "C"	EA	3,430	$1.40	$4,802.00	$1.85	$6,345.50	$1.50	$5,145.00
633.05.04	INSTALL REFLECTIVE RAISED PAVEMENT MARKER TYPE "E"	EA	80	$1.40	$112.00	$1.85	$148.00	$1.50	$120.00

Bid Abstract
09.1762.03-TF
2009 ANNUAL ASPHALT OVERLAY

ITEM NO	DESCRIPTION	U.O.M	QTY	Las Vegas Paving Corp.		Southern Nevada Paving, Inc.		Wells Cargo, Inc.	
				UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
633.05.05	INSTALL REFLECTIVE RAISED PAVEMENT MARKER TYPE "F"	EA	3,090	$1.40	$4,326.00	$1.85	$5,716.50	$1.50	$4,635.00
633.05.06	INSTALL BLUE REFLECTIVE RAISED FIRE HYDRANT PAVEMENT MARKER	EA	52	$5.25	$273.00	$9.00	$468.00	$5.55	$288.60
633.05.01	ADJUST GAS VALVE BOX TO FINISH GRADE AND CONSTRUCT CONCRETE COLLAR PER USD DWG	EA	13	$450.00	$5,850.00	$474.00	$6,162.00	$355.00	$4,615.00
	Total Base Bid Amount				$2,196,382.00		$2,444,651.00		$2,788,528.50
	Engineer's Estimate: $3,996,258.50								
	Responsive Bidder								
	Responsible Bidder								

To: Jerry Walker

Please review and approve recommended award to Las Vegas Paving Corp.

in the amount of $2,196,382.00 .

Purchasing & Contracts Representative — Date: 3-16-10

Using Department Authorized Rep Signature — Date: 3-22-10

City of Las Vegas Agenda Item No.: **32.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of award of Agreement No. 100163-DC, Blanket Services Agreement for Construction Management Services - Department of Public Works - Award recommended to: HARRIS & ASSOCIATES ($1,000,000 - Road and Flood Capital Projects Fund) - All Wards

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $1,000,000
Funding Source: Road and Flood CPF
Dept./Division: Public Works

PURPOSE/BACKGROUND:
This agreement will provide for full service construction management, inspection, material testing and review of plans, drawings and specifications on a project by project basis through the issuance of Project Task Orders determined and approved by the Department of Public Works. This item is exempt from the competitive bidding process pursuant to NRS 332.115.1(b), Professional Services.

PCC: D. Collins
POC: Kim Sloat, P.E. - (702) 597-9410

RECOMMENDATION:
That City Council approve Agreement No. 100163-DC, Blanket Services Agreement for Construction Management Services to Harris & Associates in the amount of $1,000,000. Authority to execute the Agreement is given to the Purchasing Manager per R-48-2006.

BACKUP DOCUMENTATION:
1. Agreement No. 100163-DC
2. Certificate - Disclosure of Ownership/Principals

EXHIBIT "G"

CERTIFICATE
DISCLOSURE OF OWNERSHIP/PRINCIPALS

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; (e) trust – the trustee and beneficiaries.

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
HARRIS & ASSOCIATES
1401 WILLOW PASS ROAD, STE 500
CONCORD, CA 94520
925-827-4900
94-2385238

Block 2 Description Subject Matter of Contract/Agreement
BLANKET SERVICE AGREEMENT FOR
CONSTRUCTION MANAGEMENT, BIDABILITY AND
CONSTRUCTABILITY REVIEW SERVICES
#100163-DC

Block 3 **Type of Business**

☐ Individual ☐ Partnership ☐ Limited Liability Company ☒ Corporation ☐ Trust ☐ Other:

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.	L. Carl Harris, Chairman	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
2.	Guy Erickson, President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
3.	Brett Barnett, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
4.	Carolyn Colson, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
5.	Joan Cox, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
6.	Brian Danley, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
7.	Isaac Dee, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
8.	Robert DeLiso, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
9.	Randall Duncan, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
10.	Robert Earl, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900

Block 4 Disclosure of Ownership and Principals - Continuation
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
11.	Jules Feher, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
12.	Ehab Gerges, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
13.	Robert Guletz, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
14.	Ed Kozlowsi, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
15.	Dana LeSher, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
16.	Gary Moriarty, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
17.	Neil McCosker, Sr. Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
18.	Russell Moore, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
19.	Vern Phillips, Sr. Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
20.	Steven Roberts, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
21.	Marian Ross, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
22.	Javier Saunders, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
23.	David Seevers, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
24.	Marie Shockley, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
25.	Kim Sloat, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
26.	Larry Timmer, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
27.	Byron Tobey, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900

28.	**Employee Stock Ownership Trust**	**1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520**	**925-827-4900**

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: 1.

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

2/3/10
Date

Subscribed and sworn to before me this 3rd day of February, 2010

C. Laffoon
Notary Public

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
C. LAFFOON
Appt. No. 93-0039-1
My Appt. Expires March 10, 2012

BLANKET SERVICES AGREEMENT
FOR
CONSTRUCTION MANAGEMENT SERVICES

THIS AGREEMENT is made and entered into this _____ day of _____, _____, by and between the **CITY OF LAS VEGAS**, a municipal corporation within the State of Nevada (herein the "City") whose address is **400 Stewart Avenue, Las Vegas, Nevada 89101**, and fax number is **(702) 928-6222**, and **HARRIS & ASSOCIATES**, (the "Consultant"), a **Corporation,** whose address is **731 Pilot Road, Suite L, Las Vegas, Nevada 89119** and fax number is **(702) 597-9410**.

WITNESSETH:

WHEREAS, the City intends to construct **VARIOUS PROJECTS RELATED TO THE CITY'S CAPITAL IMPROVEMENT PROGRAM** (herein individually and collectively the "Project" and "Projects," respectively) which may be known or unknown to the City at the time of the execution of this Agreement; and

WHEREAS, with respect to each Project, the City desires to retain the Consultant who will be responsible for providing the professional services more fully described below and in the exhibits attached hereto; and

WHEREAS, the Consultant is properly licensed pursuant to NRS Chapter 623, 623A, or 625, whichever is legally required for the services to be provided within the State of Nevada, and if applicable to the Consultant's business organization, is in compliance with NRS 623.349 for architects, interior designers, and residential designers and NRS 623A.250 for landscape architects, which requires that control and no less than two-thirds ownership of the business organization or association be held by persons registered or licensed in the State of Nevada pursuant to NRS Chapters 623, 623A, or 625, and possesses the special knowledge, skills and expertise to perform the services hereinafter set forth within the time required under this Agreement; and

WHEREAS, the parties hereto intend with the execution of this Agreement to give to the City the flexibility and ability to determine what services are to be provided by the Consultant on a project by project basis through the issuance of a Project Task Order (herein defined in Section 1.01) thereby eliminating the need of executing separate agreements with the Consultant for each Project.

NOW, THEREFORE, in consideration of the above premises, the parties hereto agree to the following terms, conditions and covenants set forth in Sections One through Ten hereof:

SECTION ONE
CONSULTANT RESPONSIBILITIES

1.01 ***Description of Consultant's Services.***

A. ***Definition.*** A "Project Task Order" refers to that document which sets forth the specific services to be provided by the Consultant in connection with a particular Project.

B. ***Issuance.*** If so requested by the City, the Consultant shall assist the City in preparing a Project Task Order setting further the services to be provided in connection with a particular Project. The Project Task Order shall be prepared substantially in conformance with the form attached hereto as Exhibit "H." Each executed Project Task Order shall be attached hereto as Exhibit "H" with the appropriate numerical sequence (e.g., H-1, H-2, H-3, etc.) and shall become a part of this Agreement.

C. ***Services.*** For each Project Task Order approved and executed by the City, the Consultant hereby agrees to provide the services set forth therein subject to the terms and conditions of this Agreement. For the compensation set forth in Section Seven, the Consultant hereby agrees to perform the basic services set forth in the Scope of Services, **Exhibit "A"** attached thereto and incorporated therein as a part of this Agreement and, if so requested, the additional services set forth in the Additional Compensation, **Exhibit "E"** attached thereto and incorporated therein as a part of this Agreement and to provide the submittals described in the Required Submittals **Exhibit "B,"** attached thereto.

1.02 ***Performance Standards.*** In performing the services set forth in this Agreement, the Consultant shall follow the practices consistent with the generally accepted standards in the profession of the services being provided to the City pursuant to this Agreement.

1.03 ***Document Review.*** The Consultant shall be responsible for reviewing each document prepared by the Consultant and its subconsultants including, without limitation, the plans, drawings and specifications for the purpose of ensuring that such documents are technically sound, in conformance with applicable federal, state and local laws and other regulations, and do not violate or infringe upon any patent rights.

1.04 ***Waiver.*** The City's approval of any documents or services furnished by the Consultant shall not in any way relieve the Consultant of responsibility for the professional and technical accuracy of its documents or services. The City's review, approval, acceptance or payment for any of the Consultant's services shall not be construed to operate as a waiver of any rights enjoyed by the City under this Agreement or of any cause of action arising out of the performance of this Agreement. The Consultant shall remain liable for any damages to the City caused by the Consultant's negligent act or omission committed in the performance of this Agreement.

1.05 ***Designation of Consultant's Representative.*** The Consultant's representative is the individual identified in the Key Personnel List, **Exhibit "F"** attached hereto (the "Consultant Representative") to act in that capacity, who shall be responsible for the services required under this Agreement. The services specified by this Agreement and each Project Task Order shall be performed by the personnel identified in the Key Personnel List and by the personnel identified in each Project Task Order provided that such associates and employees perform under the personal supervision of the Consultant Representative.

If any person or subconsultant who is expected to provide any of the services required under this Agreement is objectionable to the City for any reason, the Consultant shall, without additional compensation, replace such person or subconsultant with someone acceptable to the City.

If the Consultant's personnel are unable to complete their responsibilities for any reason under this Agreement, or the Consultant desires for any reason to substitute personnel assigned to the Project, the Consultant agrees to obtain the approval of the City for the substitution. The City shall not unreasonably deny approval unless the City adjudges the substitution not be in the interest of the City or the Project.

If the Consultant fails to make an acceptable replacement within thirty (30) days, the City may terminate this Agreement for default as provided in Section 10.03 of this Agreement.

1.06 ***Correspondence Review.*** The Consultant shall furnish the City Representative copies of each correspondence, if any, sent to any contractor involved with the Project, and to any regulatory agencies, for approval and review prior to mailing such correspondence.

1.07 ***Cooperation with the City.*** The Consultant agrees that its officers, associates, employees and subconsultants will cooperate with the City in providing the services under this Agreement and will be, with advance notice, available for consultation with the City at such reasonable times as to not conflict with the City's other responsibilities.

1.08 ***Responsibility for Construction Document Revisions.***

A. ***Applicability.*** The Consultant's responsibility described in this Section applies only if the Consultant is responsible for providing a construction cost estimate and preparing construction documents for the Project.

B. ***Responsibility for Revisions.*** The Consultant does not warrant or represent that the bids or proposed price received by the City to construct the Project will come within the Construction Cost Budget set forth in the Scope of Services or as may be otherwise agreed upon in writing by parties. If the bids or proposed price received by the City exceeds the Construction Cost Budget, the Consultant agrees to cooperate with the City in revising the requirements of the Project as required to lower the cost to within the Construction Cost Budget and to modify the construction documents without additional compensation. In order to meet the Construction Cost Budget, the Consultant may, with the approval of the City, segregate portions of the work as separate alternate bid items so that bids received by the City to construct the Project will come within the Construction Cost Budget.

"Construction Cost Budget" as used herein means the monetary limit established by the City for construction of the Project which limit includes the cost of the contractor's labor, materials, equipment, expenses, overhead and profit, but excludes the Project's soft costs, cost of change orders and other cost impacts encountered after award of the construction contract.

SECTION TWO
CITY RESPONSIBILITIES

2.01 ***City Representative.*** The Director of Public Works or his authorized representative identified in the Key Personnel List is hereby designated as the City's representative (the "City Representative") with respect to this Agreement. The City Representative shall have complete authority to transmit instructions, receive information, interpret and define the City's policies and decisions with respect to the services of the

Consultant. The City Representative is not authorized to change or waive any of the provisions set forth in Sections 1.01 through 10.24 of this Agreement.

2.02 ***Review of Consultant's Services and Documents.*** The services to be performed by the Consultant shall be subject to periodic review by the City Representative. To prevent an unreasonable delay in the Project, the City Representative will endeavor to examine and comment in writing on the documents furnished by the Consultant including, without limitation, the plans, drawings, specifications, test results, evaluations, and reports within twenty-one (21) days of receipt of such documents, unless the Contract provides for a different review time with respect to the document.

2.03 ***Access to Records.*** The City shall, without charge, furnish a copy to, or make available for examination or use by, the Consultant, as it may request, any documents and data which the City has available including, without limitation, reports, maps, plans, specifications, surveys, records, ordinances, codes, regulations, and other documents related to the services required under this Agreement. The City shall assist the Consultant in obtaining data and documents from public agencies and from private citizens and business firms whenever the City determines that such material is necessary for the completion of the services required by this Agreement.

2.04 ***Cooperation with Consultant.*** The City agrees that its officers and employees will cooperate with the Consultant in the performance of this Agreement and will be, with advance notice, available for consultation with the Consultant at such reasonable times as to not conflict with the Consultant's other responsibilities. The City shall provide access to the Consultant on to the Project site as may be required to perform the services under this Agreement.

SECTION THREE
CHANGES TO CONSULTANT'S SERVICES

3.01 ***Requested Changes.*** The City may at any time, by written order, make a change in the services to be performed by the Consultant under this Agreement.

3.02 ***Adjustment of Compensation.*** If the change requested by the City causes an increase or decrease in the cost or time required to perform any of the services required under this Agreement, an equitable adjustment shall be made in the compensation to be paid to the Consultant under Section Seven, or in the performance schedule under Section Eight, or both, and this Agreement shall be modified in writing accordingly. Each claim for adjustment under this Section must be asserted in writing within thirty (30) days from the date of receipt by the Consultant of written notification of the change, unless the City grants in writing an extension. Provided proper notice has been given to the City as required herein, the claim for an adjustment shall be handled pursuant to the provisions of 10.20B and 10.20C of this Agreement. The failure to provide notification of the claim within the time required herein shall constitute a waiver of the right to seek any equitable or legal adjustment in compensation with respect to that change.

SECTION FOUR
ADDITIONAL SERVICES OF CONSULTANT

4.01 ***Additional Services.*** The Consultant shall provide the additional services described in the Additional Compensation if, and only if, so requested in writing by the City. Payment for the additional services will be made to the Consultant in accordance with Section Seven of this Agreement.

4.02 ***Attendance at Meetings or Public Hearings.*** The Consultant shall notify the City in advance of any additional costs which may be incurred prior to attending any meetings or public hearings as may be necessary in connection with the services performed by the Consultant under this Agreement.

SECTION FIVE
SUBCONSULTANT AGREEMENT

5.01 ***Subconsultant Provisions.*** If, with the approval of the City as required pursuant to Section 10.07, the Consultant enters into an agreement with a subconsultant for the performance of any of its obligations under this Agreement, the Consultant agrees to include in each subconsultant agreement a provision that:

(i) the Consultant agrees to pay the subconsultant when paid by the City for that portion of the services provided to the City and that no liability arises on the part of the Consultant for payment of the subconsultant services until payment has been made by the City. If the City has paid the Consultant for the subconsultant services, the subconsultant's only recourse is against the Consultant and not against the City, either through the institution of legal or equitable action or the attachment of any lien,

(ii) the subconsultant shall have no more rights against the City than that of the Consultant,

(iii) the subconsultant agrees to be bound by the terms, conditions and obligation of this Agreement unless the City has approved any deviation, change or modification in writing, and

(iv) unless otherwise approved in writing by the City Representative, the subconsultant shall obtain and maintain professional liability insurance (Errors and Omissions coverage) in connection with the subconsultant services in an amount equal to that required of the Consultant in this Agreement.

SECTION SIX
TERM OF AGREEMENT

6.01 ***Term.*** This Agreement shall commence on the day it is approved by the City (which date shall be inserted in the introductory paragraph of this Agreement) and shall remain in force and effect until the Project is completed unless terminated earlier pursuant to Section 10.02 or 10.03 of this Agreement. Such termination shall not release either party from any of its continuing obligations under this Agreement.

6.02 ***Disputes.*** This Section shall not be construed to preclude the filing of any dispute arising out of the performance of this Agreement or in connection with the subject matter hereof, nor shall this Section be construed to change the date or the time on which a cause of action arising out of the performance of this Agreement or in connection with the subject matter hereof, would otherwise accrue under the statutes of limitation or doctrines of law.

SECTION SEVEN
COMPENSATION AND TERMS OF PAYMENT

7.01 ***Compensation: Basic Services.*** For the services to be performed by the Consultant under this Agreement and set forth in the Scope of Services, the City agrees to pay the Consultant the fee in the amount identified in the Fee Breakdown, **Exhibit "D"** attached hereto, pursuant to invoices submitted in accordance with Section 7.04 of this Agreement.

7.02 ***Compensation: Additional Services.*** For any services not set forth in the Scope of Services, the City shall pay to the Consultant either a lump sum fee, or an hourly fee based on the hourly labor rate schedule set forth in the Additional Compensation, whichever is agreed to by the parties, provided prior written approval for such services is given by the City Representative.

7.03 ***Compensation: Reimbursable Expenses.*** The Consultant agrees that all of its direct and indirect expenses are included in the fee for Basic Services and the agreed upon compensation for any Additional Services, except as may be specifically allowed for reimbursable expenses as part of the Additional Compensation.

7.04 ***Payment Invoicing.*** The Consultant may submit an invoice for payment for the services provided by the Consultant based on the manner or method of payment set forth in the Fee Breakdown. The City Representative will notify the Consultant of any problems regarding the invoice within fourteen (14) days from receipt thereof. If no response is received from the City Representative within the aforementioned period of time, the Consultant may expect payment within a period of (60) days from the date of receipt by the City. If payment has not been received within the sixty (60) days, the Consultant agrees to contact the City Representative to resolve the problem causing the delay. If resolution of the delay is not satisfactory to the Consultant, the Consultant may submit a claim pursuant to Section 10.20A of this Agreement.

7.05 ***Right to Off-Set.*** The City Representative may subtract or offset from any unpaid invoice from the Consultant any claims which the City may have for failure of the Consultant to comply with the terms, conditions or covenants of this Agreement, or any damages, costs and expenses caused by, resulting from, or arising out of the negligent act or omission of the Consultant in the performance of the services under this Agreement including, without limitation, any error or deficiency in the report or other documents prepared by the Consultant. The City Representative shall provide a written statement to the Consultant of the off-set which has been subtracted from any payment to the Consultant along with appropriate documentation and receipts, if any, and a description of the failure, error or deficiency attributed to the Consultant. If the Consultant disputes the right or amount of the off-set made by the City, the Consultant may file a claim pursuant to Section 10.20 of this Agreement.

7.06 ***Final Payment.*** Upon completion of the services required under this Agreement, and acceptance thereof by the City (which acceptance will not be unreasonably withheld), the Consultant will, within sixty (60) days of the City's acceptance, be paid the balance of any money due for such services.

SECTION EIGHT
PERFORMANCE SCHEDULE

8.01 ***Performance Schedule.*** The Consultant shall perform and complete the services required under this Agreement according to the schedule (the "Performance Schedule") set forth in the Schedule of Performance, **Exhibit "C"** attached hereto. If the performance of services is delayed or submittals are not delivered in the time period as outlined in the Performance Schedule, the Consultant shall notify the City Representative in writing of the reasons for the delay and include a plan which brings the Consultant's performance into compliance with the Performance Schedule.

SECTION NINE
AUDIT: ACCESS TO RECORDS

9.01 ***Records.*** The City shall have the right to audit the Consultant's books, records and other documents directly pertinent to the performance of this Agreement. The Consultant agrees to maintain books, records and other documents directly pertinent to performance of this Agreement in accordance with generally accepted accounting principles and practices. The Consultant shall also maintain the financial information and data used to prepare or support the invoices submitted to the City. Audits conducted pursuant to this provision shall be in accordance with generally accepted auditing standards, procedures and guidelines of the City, or its designated representative. The City, or its duly authorized representatives, shall have access to such books, records, and documents for the purpose of inspection, audit and copying. The Consultant will provide proper facilities for such access and inspection.

9.02 ***Disclosure.*** The Consultant shall be afforded the opportunity for an audit entrance and exit conference and an opportunity to comment and submit any supporting documentation on the pertinent portions of the draft audit report, and that the final audit report will include the written comments, if any, of the Consultant.

9.03 ***Period of Maintenance.*** The books, records and other documents under Sections 9.01 and 9.02 of this Agreement shall be maintained for three (3) years after the date of the final payment for the services under this Agreement. In addition, those records and other documents which relate to any arbitration, litigation or the settlement of any claim arising out of this Agreement, or to which an audit exception has been taken, shall be maintained and made available until three (3) years after the date that the arbitration, litigation or exception has been resolved.

9.04 ***Subcontract Provisions.*** The Consultant agrees to include Sections 9.01 through 9.03 of this Agreement in all its subcontracts directly related to performance of services specified in this Agreement which are in excess of $10,000.

SECTION TEN
MISCELLANEOUS PROVISIONS

10.01 ***Suspension.*** The City may suspend, without cause, the performance by the Consultant under this Agreement for such period of time as the City, in its sole discretion, may prescribe by providing written notice to the Consultant. The suspension shall be effective as of the date set forth in the written notice. With such suspension, the City agrees to pay to the Consultant the amount of compensation, based on percentage of completion of the Project, earned as of the effective date of suspension less all previous payments. The Consultant shall not provide any further services under this Agreement after the effective date of suspension until otherwise notified in writing by the City. In no event shall the City be liable to the Consultant for services in excess of the percentage of the Project completed at the time of suspension.

If, after notice to resume performance has been given by the City, the suspension was for a period in excess of ninety (90) days, which has resulted in an increase in the performance of the Agreement to the Consultant and:

(i) the Consultant was not a contributing cause for the suspension,

(ii) the Consultant has not received an equitable adjustment under another provision of this Agreement, and

(iii) the Consultant could not mitigate the increase in the performance cost,

then the Consultant's fee shall be reviewed by the City and, if justified, equitably adjusted to provide for any additional expenses resulting from the suspension.

10.02. ***Termination for Convenience.*** The City reserves the right to terminate this Agreement without cause or default on the part of the Consultant with ten (10) days' prior written notification to the Consultant served pursuant to Section 10.18 of this Agreement. In the event of termination, without cause or default, the City agrees to pay to the Consultant the reasonable value for the services performed as of the date that

notification of termination is received by the Consultant. In no event shall the City be liable to the Consultant for services in excess of the percentage completed at the time of termination.

10.03 ***Termination for Cause or Other Resolution.***

A. ***Default.*** The occurrence of any of the following events shall constitute a default by the Consultant hereunder (herein "Event of Default"). If, during the term of this Agreement, the Consultant:

(i) defaults in the due observance and performance of any term, condition or covenant contained in this Agreement,

(ii) (a) voluntarily terminates operations or consent to the appointment of a receiver, trustee or liquidator of the Consultant for all or a substantial portion of its assets, (b) is adjudicated bankrupt or insolvent or files a voluntary petition in bankruptcy, or admits in writing to the inability to pay its debts as they become due, (c) make a general assignment for the benefit of creditors, (d) file a petition or answer seeking reorganization or an arrangement with creditors or take advantage of any insolvency law, or (e) if action shall be taken by the Consultant for the purpose of effecting any of the foregoing,

(iii) allows any warrant, execution or other writ to be issued or levied upon any property or assets of the Consultant which continues unvacated and in effect for a period of thirty (30) days, or

(iv) fails, in the judgment of the City, to provide the services hereunder properly and with proper dispatch in accordance with the time schedule set forth in this Agreement,

and the default continues five (5) days after written notice is given to the Consultant pursuant to Section 10.18.

B. ***City's Rights.*** Upon the occurrence of an Event of Default, and without prejudice to any other right or remedy it may have at law or equity, the City may:

(i) terminate this Agreement, suspend payment of all pending invoices otherwise due to the Consultant hereunder, and finish this Agreement by such means as deemed appropriate by the City, reserving the right to deduct from any balance due Consultant the cost of completing this Agreement. In the event the cost of finishing the Consultant's performance of this Agreement exceeds the balance due the Consultant, the excess shall be paid by the Consultant to the City within five (5) days of invoicing by the City,

(ii) terminate this Agreement, and the obligations imposed hereunder, including the obligation of any further payment for the services of the Consultant except for the reasonable value for the services performed to the date of termination, or

(iii) Continue with performance by the Consultant and serve within a reasonable time after completion of the Agreement a request to arbitrate the Event of Default as a claim or dispute pursuant to the arbitration procedure set forth in Section 10.20.

In the event that the City elects to implement (i) above, the costs and expenses of completing this Agreement shall be computed and audited by the City's designated representative. The audit shall be conducted in accordance with generally accepted accounting principles and the cost thereof shall be paid by the Consultant.

10.04 ***Ownership of Documents.***

A. ***Architectural Works.*** To the extent that the Consultant's services involves the design of an architectural work as defined herein, the Consultant shall retain all common law and statutory rights of ownership, including copyrights, to the drawings and specifications prepared by the Consultant for this Project. The Consultant is deemed to be the author of the drawings and specifications as instruments of service to the City. Notwithstanding the foregoing, the Consultant hereby grants to the City the right to use (including the right of reproduction and use in the creation of new documents) the drawings and specifications for the purpose of completing the Project or for any subsequent maintenance, repair, renovation, remodeling or addition thereto. The rights granted herein to the City shall extend and include any new consultant which the City may retain for the aforementioned purposes. The Consultant hereby releases the City, and any new consultant retained by the City for the aforementioned purposes, from any and all claims in connection with the use or reproduction of the drawings and specifications. The Consultant agrees to execute such documents reasonably deemed necessary by the City to implement the rights granted to the City pursuant to this subsection.

B. ***Other Works.*** To the extent that the Consultant's services does not involve the design of an architectural work, the City shall have all common law and statutory rights of ownership, including copyrights, to the plans, drawings, specifications and other documents (including, without limitation, design concepts and sketches, test results, evaluations, reports and studies, excepting any proprietary forms, templates, and checklists specifically listed for City ownership exclusion elsewhere in this Agreement) (collectively herein the "Documents") prepared or assembled

by the Consultant, or any of its subconsultants, for this Project. The Consultant hereby releases the City, and any new consultant retained by the City from any and all claims in connection with the use or reproduction of the Documents. The Consultant agrees to execute such documents reasonably deemed necessary by the City to implement the rights granted to the City pursuant to this subsection. The Consultant shall be entitled to retain a reproducible copy of the documents furnished to the City.

C. ***Definition of Architectural Work.*** For purposes of this Agreement, "architectural work" shall have the same definition as set forth in Architectural Works Copyright Protection Act of 1990, P. L. 101-650, Title VII, Section 70 et. seq.

D. ***Delivery of Documents.*** In the event of the completion, suspension or termination of this Agreement, the City shall have the right to require delivery of any and all of the plans, drawings, specifications, and all other documents (including, without limitation, design concepts and sketches, test results, evaluations, reports and studies), including the magnetic or electronic media of the aforementioned documents, not in the possession of the City.

E. ***Confidentiality.*** The plans, drawings, specifications and other documents (including, without limitation, design concepts and sketches, test results, evaluations, reports and studies) (including the magnetic or electronic media of the aforementioned documents) which are prepared or assembled by the Consultant, or its subconsultants, under this Agreement shall not be made available to any individual or organization without the prior written consent of the City. Except for marketing pamphlets and submittals to clients, the Consultant shall not publish, submit for publication, or publicly display the Project without the written consent of the City. The obligations of confidentiality shall survive the termination of this Agreement. This Provision shall not apply to information in whatever form that is in the public domain nor shall it restrict the Consultant from giving notices required by law or complying with an order to provide information or data when such order is issued by a court, administrative agency or other legitimate authority, or if disclosure is reasonably necessary for Consultant to defend itself from any legal action or claim.

F. ***Contractual Rights.*** Notwithstanding the provisions of 10.04 A above, the City is hereby licensed to use all design concepts developed by the Consultant and subconsultants under this Agreement, including the right to construct derivative works of the Project, and to use the design concepts for other projects of the City. The design concepts include, but are not limited to, the form, aesthetic appeal, site layout, the arrangement and composition of spaces and elements, the use of colors and materials, system designs, construction methods and interior design.

10.05 ***Insurance.*** The Consultant shall procure and maintain, at its own expense, during the entire term of the Agreement, the following insurances:

A. ***Worker's Compensation Insurance.*** This insurance shall protect the Consultant and the City from employee claims based on job-related sickness, disease, or accident.

B. ***Commercial General Liability Insurance.*** This insurance shall protect the Consultant, its agents and vehicles used to provide the services required under this Agreement from claims of personal injury (including death) and property damage. Such coverage shall be in a minimum amount of $1,000,000 combined single limit for the period of time covered by this Agreement. The Consultant's general liability insurance policies shall be endorsed to include the City as an additional insured.

C. ***Commercial Automobile Liability Insurance.*** This insurance shall protect the Consultant from claims of limits no less than $1,000,000 combined single limit per occurrence for bodily injury and property damage to include, but not be limited to, coverage against all insurance claims for injuries to persons or damages to property which may arise from services rendered by Company and any auto used to the performance of services under this Contract. The policy must insure all vehicles owned by the Company and include coverage for hired and non-owned vehicles. The Consultant's automobile liability insurance policies shall be endorsed to include the City as an additional insured.

D. ***Professional Liability Insurance (Errors and Omissions Coverage).*** This insurance shall protect the Consultant from claims arising out of performance of professional services caused by a negligent act, error, or omission for which the insured is legally liable. Such coverage shall be in a minimum amount of $1,000,000 for the period of time covered by this Agreement.

E. ***Cancellation or Modification of Coverage.*** The Consultant's Commercial General Liability and Professional Liability Insurance Policies shall automatically include or be endorsed to cover the Consultant's contractual liability to the City under this Agreement, and with respect to its Commercial General Liability Policy, to waive subrogation against the City, its officers, agents, servants and employees. The policies shall provide that the City will be given thirty (30) days' notice in writing of any cancellation of, or material change in, the policies.

F. ***Certificates and Endorsements.*** The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer and licensed by the State of Nevada. All deductibles and self-insured retentions shall be fully disclosed in the Certificate of Insurance. No deductible or self-insured retention may exceed $25,000 without the written approval of the City. Certificates indicating that such insurance is in effect shall be delivered to the City before any services are provided under this Agreement.

G. ***Period of Coverage.*** If the insurance coverage is underwritten on a "claims made" basis, the retroactive date shall be prior to or coincident with the date of this Agreement and the Certificate of Insurance shall state that coverage is "claims made" and the retroactive date. Upon availability, the Consultant shall maintain coverage for the duration of this Agreement and for two years following completion of this Agreement. The Consultant shall provide the City annually a Certificate of Insurance as evidence of such insurance.

10.06 ***Indemnity.*** Notwithstanding any of the insurance requirements set forth in Section 10.05, and not in lieu thereof, the Consultant shall defend, indemnify and hold the City, its officers, employees and agents (herein the "Indemnitees"), harmless from any and all claims (including, without limitation, patent infringement and copyrights claims), damages, losses, expenses, suits, actions, decrees, judgments, arbitration awards or any other form of liability (including, without limitation, reasonable attorney fees and court costs) (collectively herein the "Claims") which the Indemnitees may suffer that are caused by the negligent errors, omissions, recklessness, intentional misconduct of the Consultant, its subcontractors, agents or anyone employed by the Consultant, its subcontractors or agents, in the performance of this Agreement.

As part of its obligation hereunder, the Consultant shall, at is own expense, defend the Indemnitees against the Claims which may be brought against them, or any of them, that are caused by the negligent act or omission of the Consultant, its subcontractors or agents, for and against which the Consultant is obligated to indemnify the Indemnitees, unless the Indemnitees, or any of them elect to conduct their own defense which, in such case, shall not relieve the Consultant of its obligation of indemnification set forth herein. If the Consultant fails to do so, the Indemnitees shall have the right, but not the obligation, to defend the same and charge the direct and incidental costs of such defense (including attorney fees and court costs) against the Consultant which is proportionate to the liability of the Consultant.

If the professional liability insurer of the Consultant does not so defend the Indemnitees and the Consultant is adjudicated to be liable by a trier of fact, the trier of fact shall award reasonable attorney's fees to be paid to the Indemnitees by the Consultant in an amount which is proportionate to the liability of the Consultant. As used in this Section, "agents" means those persons who are directly involved in and acting on behalf of the City in furtherance of this Agreement or the public work to which this Agreement pertains.

10.07 ***Assignment.*** The City and the Consultant each bind itself and its partners, successors, administrators and assigns to the other party of this Agreement and to the partners, successors, executors, administrators and assigns of such other party in respect to all covenants of this Agreement, except the Consultant shall not assign, sublet or transfer any obligation or benefit under this Agreement without the written consent of the City. Nothing contained herein shall be construed as creating any personal liability on the part of any officer or agent of the City.

10.08 ***Waiver.*** No consent or waiver, express or implied, by either party to this Agreement, or of any breach or default by the other in the performance of any obligations hereunder, shall be deemed or construed to be a consent or waiver of any other breach or default by such party hereunder. Failure on the part of any party hereto to complain of any act, or failure to act of the other party, or to declare that other party in default hereunder, irrespective of how long such failure continues, shall not constitute a waiver of the rights of such party hereunder. Inspection, payment, or tentative approval or acceptance by the City or the failure of the City to perform any inspection hereunder, shall not constitute a final acceptance of the work or any part thereof and shall not release the Consultant of any of its obligations hereunder.

10.09 ***Consultant Warranties.*** The Consultant hereby represents and warrants that:

(i) it is financially solvent, able to pay its debts as they mature, and is possessed of sufficient working capital to complete this Agreement; that it is experienced, competent, qualified and able to furnish the plant, tools, materials, supplies, equipment and labor which is used to perform the services contemplated by this Agreement, and that it is authorized to do business in the City of Las Vegas and the State of Nevada,

(ii) it holds a license, permit or other special license to perform the services included in this Agreement, as required by law, or employs or works under the general supervision of the holder of such license, permit or special license,

(iii) its computer hardware, software, and firmware will continue functioning without interruption, and will continue to accurately process date, time, and data necessary to the performance of this Agreement, and

(iv) it has, pursuant to the requirements of Resolution 79-99 adopted by the City Council on August 4, 1999, (effective October 1, 1999), as amended by resolution 105-99 (adopted by the City Council on November 17, 1999), disclosed on the form attached hereto as **Exhibit "G"** (Disclosure of Ownership/Principals) all of the principals, including partners, of the Consultant, as well as all persons and entities holding more than a one percent (1%) interest in the Consultant or any principals of the Consultant. If the Consultant, or its principals or partners, are required to provide disclosure under federal law (such as Securities and Exchange Commission or the Employee Retirement Income Act) and current copies of such federal disclosures are attached to **Exhibit "G,"** the requirements of this Section shall be deemed satisfied. During the term of this Agreement, the Consultant shall notify the City in writing of any material change in the above disclosure on **Exhibit "G"** within fifteen (15) days of such change.

10.10 ***Consultant's Employees.*** The Consultant shall be responsible for maintaining satisfactory standards of competency, conduct and integrity, of personnel assigned to the Project, and shall be responsible for taking such disciplinary action with respect to such personnel as may be necessary. In the event the Consultant fails to remove any employee from the work of this Agreement whom the City deems incompetent, careless or insubordinate, or whose continued employment on the work is deemed by the City to be contrary to the public interest, the City reserves the right to require such removal as a condition for the continuation of this Agreement.

10.11 ***Independent Contractor.*** It is hereby expressly agreed and understood that in the performance of the services required herein, the Consultant and any other person employed by him hereunder shall be deemed to be an independent contractor and not an agent or employee of the City.

10.12 ***Applicable Law.*** This Agreement shall be construed and interpreted in accordance with the laws of the State of Nevada.

10.13 ***Compliance with Laws.*** The Consultant shall in the performance of its obligations hereunder comply with all applicable laws, rules and regulations of all governmental authorities having jurisdiction over the performance of this Agreement including, without limitation, the Federal Occupational Health and Safety Act and all state and federal laws prohibiting and/or related to discrimination by reason of race, sex, age, religion or national origin.

10.14 ***Severability.*** In the event that any provisions of this Agreement shall be held to be invalid or unenforceable, the remaining provisions of this Agreement shall remain valid and binding on the parties hereto.

10.15 ***Confidentiality.*** The Consultant shall treat the information relating to the Project, which has been produced by the Consultant or provided by the City, as confidential and proprietary information of the City and shall not permit its release to other parties or make any public announcement or publicity release without the City's written authorization. The Consultant shall also require each subconsultant to comply with this requirement. The submission or distribution of documents to meet official regulatory requirements or for similar purposes in connection with the Project is not to be construed as publication relieving the Consultant of its confidentiality obligation imposed herein.

10.16 ***Site Inspection.*** The Consultant represents that, prior to executing each Project Task Order, it has visited the location of the Project and has satisfied itself as to the general condition thereof and that the Consultant's compensation as provided for in the Agreement is just and reasonable compensation for performance hereunder including reasonably foreseen and foreseeable risks, hazards and difficulties in connection therewith based on such above-ground observations.

10.17 ***Modification.*** All modification or amendments to this Agreement are null and void unless reduced in writing and signed by the parties hereto.

10.18 ***Notice.*** Any written notice required to be given under Sections 1.01 through 10.24 of this Agreement shall be deemed to have been given when the written notice is (i) received by the party to whom it is directed by personal service (ii) telephonically faxed to the telephone number set forth in the introductory paragraph to this Agreement, provided confirmation of the transmission is received by the sender, or (iii) deposited with the United States Postal Service, postage prepaid, addressed to the City Representative or the Consultant Representative, whomever is the proper recipient, and mailed to the address set forth in the introductory paragraph to this Agreement.

10.19 ***Prohibition Against Contingent Fees.*** The Consultant warrants that no person or entity has been employed or retained to solicit or secure this Agreement with the Agreement or understanding that a commission, percentage, brokerage or contingent fee would be paid to that person. For breach or violation of this provision, the City shall have the right to annul this Agreement without liability or, in its discretion, to deduct from the compensation to be paid to the Consultant, or otherwise recover, the full amount of such commission, percentage, brokerage or contingent fee.

10.20 ***Claim or Dispute Resolution.***

A. ***Notice of Claim or Dispute.*** For each claim or dispute which the Consultant has against or with the City (except for any claim for an equitable adjustment under Section 3.02 which is subject to the 30-day limitation set forth therein), notice thereof must be submitted in writing to the City Representative within a reasonable time after the claim or dispute arises, but no later than thirty (30) days after final payment is made to the Consultant. The purpose of written notification is to place the City on notice so that proper measures can be taken to properly defend against the claim or dispute, and the failure to give such notice shall preclude the Consultant from subsequently arbitrating that particular claim or dispute pursuant to Section 10.20C of this Agreement, and the Consultant shall have no further recourse against the City. Pending a final decision on the claim or dispute under Sections 10.20B or 10.20C, the Consultant shall proceed diligently with the performance of this Agreement.

B. ***Resolution by Management.*** The City Representative and the Consultant Representative shall meet within a reasonable time after receipt of the written notice received pursuant to Section 10.20A in an attempt to resolve the claim or dispute to the mutual satisfaction of the

parties. If the matter is not disposed of by mutual agreement between the City Representative and the Consultant Representative, the claim or dispute shall be decided by the Director of Public Works, whose decision shall be reduced to writing and mailed or otherwise furnished to the Consultant. The decision of the Director of Public Works shall be final and conclusive unless, within thirty (30) days after the date on which the Consultant receives its copy of such decision, the Consultant mails or otherwise furnishes to the Director of Public Works a written request to arbitrate the claim or dispute, in which event the parties shall proceed with the arbitration pursuant to provisions of Section 10.20B. The failure to make such request shall preclude the Consultant from proceeding any further on the claim or dispute, and the Consultant shall have no further recourse against the City.

C. ***Resolution by Arbitration.*** Upon receipt of the request to arbitrate authorized pursuant Section 10.03B or Section 10.20B, the City and the Consultant shall come to an agreement as to the appointment of an arbitrator for purposes of hearing the appeal. If the parties cannot reach an agreement, then each party shall select an arbitrator for purposes of the appeal, and the two shall select a third arbitrator within 20 days of their appointment. If the selected arbitrators are unable to agree upon the third arbitrator, the third arbitrator shall be selected by the American Arbitration Association or the Nevada Arbitration Association, whichever is designated by the City. Each party shall be afforded an opportunity to be heard and to offer evidence in support of or against the appeal. The decision of the arbitrator, or arbitrators, as the case may be for the determination of the appeal, shall be final, conclusive and enforceable under the laws of the State of Nevada.

D. ***Right of Consolidation.*** Any arbitration arising out of or relating to this Agreement may include, by consolidation, joinder or in any other manner, any additional party or parties who are not a party to this Agreement if so requested by the City or the Consultant. Any consent to arbitration involving an additional party or parties shall not constitute consent to arbitrate any claim or dispute not described as a part of the original arbitration unless otherwise agreed to by the parties.

E. ***Right of Joinder.*** In the event the City is named as a party to any arbitration, or the City commences an arbitration against a party other than the Consultant, which arbitration is related to, or connected with, the construction of the Project or the performance of the Consultant's services hereunder (such as, without limitation, any arbitration between the City and the contractor awarded the contract to construct the Project), the Consultant agrees and irrevocably consents to be joined as a party in the arbitration proceeding and to be bound by any decision resulting therefrom. The decision of the arbitrator or arbitrators, as the case may be, in the arbitration to which the Consultant has been joined as a party, shall be binding and enforceable against the parties thereto under the laws of the State of Nevada.

If the Consultant is named as an additional party by the City, the Consultant shall not be entitled to any additional compensation from the City as a result of preparing for, and participating in, the arbitration.

F. ***Discovery.*** In the event of arbitration, the parties agree that all means of discovery including, but not limited to, depositions and interrogatories, will be afforded to the parties involved in the arbitration, and the appointed arbitrator shall have all authority to impose sanctions against either party for failing to comply with the rules of discovery provided under the Nevada Rules of Civil Procedure.

G. ***Award Final.*** The award rendered by the arbitrator shall be final, and judgment may be entered upon its accordance with applicable law in any court having jurisdiction thereof.

H. ***Mediation.*** Subsequent to the commencement of any arbitration pursuant to Section 10.20C, and prior to any decision arising therefrom, the parties may endeavor with written mutual consent to settle disputes by mediation in accordance with the mediation rules of the mediation service agreed by the parties. The cost of the mediation shall be shared equally by the parties.

10.21 ***Attorney Fees.*** The prevailing party in any litigation or arbitration brought to enforce the provisions of this Agreement shall be entitled to reasonable attorney fees and court costs.

10.22 ***Calendar Day.*** All references in this Agreement to days are to calendar days unless otherwise indicated.

10.23 ***Exhibits.*** All exhibits referenced in this Agreement are hereby incorporated by this reference as a part of this Agreement. Any conflict between the provisions of this Agreement and the Exhibits incorporated herein shall be governed by the provisions of this Agreement.

10.24 ***Counterparts; Electronic Delivery.*** This Agreement may be executed in counterparts, all such counterparts will constitute the same contract and the signature of any party to any counterpart will be deemed a signature to, and may be appended to, any other counterpart. Executed copies hereof may be delivered by facsimile or e-mail and upon receipt will be deemed originals and binding upon the parties hereto, regardless of whether originals are delivered thereafter.

10.25 ***Agreement Version.*** This document incorporates the standard provisions for the City's Professional Services Agreement updated as of April 8, 2008.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed the day and year first above written.

CITY OF LAS VEGAS

By_____
Kathleen C. Rainey, Manager, Purchasing & Contracts

ATTEST

_____
Beverly K. Bridges, MMC Date
City Clerk

APPROVED AS TO FORM

Robert S. Sylvain 3-4-10
Deputy City Attorney Date

CONSULTANT

By_____ 3/9/10
Kim A. Sloat, P.E., Harris & Associates

LIST OF EXHIBITS

Any conflicts between the proceeding Agreement and the following Exhibits shall be governed by the Agreement.

EXHIBIT " A " SCOPE OF SERVICES

EXHIBIT " B " REQUIRED SUBMITTALS

EXHIBIT " C " PERFORMANCE SCHEDULE

EXHIBIT " D " FEE BREAKDOWN

EXHIBIT " E " ADDITIONAL COMPENSATION

EXHIBIT " F " KEY PERSONNEL LIST

EXHIBIT " G " DISCLOSURE OF OWNERSHIP/PRINCIPALS

EXHIBIT " H " PROJECT TASK ORDER

EXHIBIT "A"

SCOPE OF SERVICES

The Scope of Services for this Agreement shall be as set forth in each subsequently executed Project Task Order, the format of which is attached hereto as Exhibit "H".

The Consultant agrees to include in all its subcontracts related to the Project, and require the same of all sub-subconsultant contracts at all tiers, the provisions of this Agreement related to the City's and Consultant's rights (including copyright), ownership and uses of the concepts, designs, documents, intellectual property, and tangible property.

Should any portions of the Project contain works provided protection under the Visual Artists Rights Act of 1990 ("VARA"), the Consultant and his subconsultants at all tiers agree to waive and do hereby waive voluntarily all rights to attribution and integrity with respect to any and all claims as may arise under VARA, Nevada Revised Statutes "Works of Art" NRS 597, or any other local, state, foreign, or international law, as currently drafted or as may be hereafter amended, that conveys the same or similar moral rights with respect to any or all portions of the Project, including but not limited to display, removal from display, exhibition, installation, restoration, conservation, storage, study, alteration, destruction, relocation, and any other activities conducted by the City, its officers, employees, agents, contractors, licensees, successors or assigns. The Consultant acknowledges that all such decisions concerning the Project shall be made in the sole discretion of the City, its officers, employees, agents, contractors, licensees, successors or assigns. In addition to the extent such rights may not be waived, Consultant and his subconsultants at all tiers covenant not to assert such rights against the City, its officers, employees, agents, contractors, licensees, successors or assigns.

END OF EXHIBIT "A"

EXHIBIT "B"

REQUIRED SUBMITTALS

The Required Submittals for this Agreement shall be as set forth in each subsequently executed Project Task Order, the format of which is attached hereto as Exhibit "H".

Throughout the course of each Project Task Order, the Consultant shall brief the City Representative on a regular and frequent basis about the progress of the Project. Unless specified otherwise in the Project Task Order, briefings shall occur no less frequently than monthly and shall accompany invoices for payment. The briefings shall be a written report and shall include the following as appropriate to the Project: the status of and impacts to the Project schedule, milestones, budget, land acquisitions, right of way dedications, easements, utility and regulatory agency review status, all Project activity since the last report, current issues, and a forecast of upcoming activity.

All reports shall be on acid-free white paper, 8-1/2 x 11 inches, suitable for photocopying and bound in booklet form.

It is understood that the City may make and distribute copies of the reports as necessary in connection with the Project without incurring obligation for additional compensation.

END OF EXHIBIT "B"

EXHIBIT "C"

PERFORMANCE SCHEDULE

The Performance Schedule for this Agreement shall be as set forth in each executed Project Task Order, the format of which is attached hereto as Exhibit "H".

END OF EXHIBIT "C"

EXHIBIT "D"

COST DERIVATIVE AND HOURLY FEE SCHEDULE

The Fee Breakdown for this Agreement shall be as set forth in each executed Project Task Order, the format of which is attached hereto as Exhibit "H".

Duties	Hourly Rate
Project Manager	$180.00
Construction Manager	$160.00
Senior Engineer	$165.00
Structures Designer	$0.00
Senior Transportation Designer	$0.00
Certified Cost Engineer	$155.00
Project Engineer	$175.00
Project Representative II (Sr Inspector)	$125.00
Project Representative I (Inspector)	$110.00
Engineering Technician III	$85.00
Engineering Technician II	$80.00
Engineering Technician I	$75.00
Professional Land Surveyor	$145.00
Survey Technician III	$110.00
Survey Technician II	$70.00
Survey Technician I	$55.00
CAD Technician (testing sub)	$50.00
Senior Scientist	$140.00
Registered Landscape Architect	$0.00
Landscape Architect	$0.00
Parks and Trails Specialist	$0.00
Drainage Specialist	$0.00
Planning and Schedule Professional II	$175.00
Planning and Schedule Professional I	$125.00
Prevailing Wage Analyst	$75.00
Document Control Clerk	$65.00
Material Tester III	$75.00
Material Tester II	$70.00
Material Tester I	$65.00
Field Office Trailer (per Month)	$ 2,000.00

Total $1,000,000

All contract expenditures will be based on an individual Task Order Basis. Each Task Order will be submitted to the City for Approval prior to charges being allowed.

All Subconsultants will be bill directly to the City with a 1.05 multiplier mark up.

Table rates are effective through the duration of Agreement #100163-DC. No new rates will be considered for the entire duration of Agreement #100163-DC . Unless otherwise indicated in the task order proposal, hourly rates include most direct costs such as computers, communications, and reproduction (except large quantities such as construction documents for bidding purposes.) Rate includes Contract Manager User licenses for Harris employees. It does not include trailer or office space and utilities at the project site; such charges will be billed as a "pass-through" which does not allow for a markup of such costs. Our forces will average 40 hours per week, and there will be no overtime charged.

EXHIBIT "E"

ADDITIONAL COMPENSATION

CONSULTANT HOURLY RATES

The following hourly rates are to be used as the basis for negotiation of added and reduced services. These hourly rates are valid for the duration of the Project and include salary costs, overhead, administration and profit. The overhead included in these rates covers all support personnel who normally work on non-specific project tasks including but not limited to receptionists, senior executives together with their assistants, financial accounting personnel, and facility, equipment, and IT maintenance personnel.

CLASSIFICATION	RATE	UNIT
Project Manager	$180.00	Per Hour
Engineer	$165.00	Per Hour
Technician/CADD Operator	$50.00	Per Hour
Clerical	$65.00	Per Hour

ADDITIONAL SERVICES

The cost of the following potential future Additional Services have been negotiated as of the date of this Agreement.

ADDITIONAL SERVICE	SUBMITTALS	SCHEDULE IMPACT	FIXED FEE
None authorized or anticipated as of the date of this Agreement.			$0
			$0
			$0

These fees are valid for the duration of the Project and include salary costs, equipment, overhead, administration and profit. For Additional Services of sub-consultants, the City shall compensate the Consultant a multiple of **one and five hundredths (1.05)** times the amounts billed to the Consultant for such services, which multiple has been included in the Additional Services fees shown herein.

REIMBURSABLE EXPENSES

The following Reimbursable Expenses are allowed:

REIMBURSABLE EXPENSE
None authorized or anticipated as of the date of this Agreement.

For Reimbursable Expenses of the Consultant, the City shall compensate the Consultant a multiple of **one and five Hundredths (1.05)** times the actual direct costs incurred by the Consultant. The multiplier includes all compensation for overhead and profit.

Reimbursable Expenses are limited to specific pre-authorized items or services purchased from third parties to this Agreement, dedicated to only this Project. Additions to the above allowed Reimbursable Expenses may only be granted as a written amendment to this Agreement.

END OF EXHIBIT "E"

EXHIBIT "F"

KEY PERSONNEL LIST

CITY PERSONNEL

CITY REPRESENTATIVE for this Blanket Agreement: **John O'Connell**

CITY REPRESENTATIVE for each subsequent Project Task Order: As stated in each Project Task Order.

CONSULTANT'S PROJECT STAFF

Unless stated otherwise in the Project Task Order, the following personnel will be assigned by the Consultant to work on the subsequent Project Task Order work. Any changes require City approval.

CONSULTANT REPRESENTATIVE: Michael A. Motil

ENGINEER OF RECORD:

PROJECT MANAGER:

TECHNICIAN/CADD:

CLERICAL:

CONSULTANT'S SUBCONSULTANTS

Unless stated otherwise in the Project Task Order, the following subconsultants will be contracted with and utilized by the Consultant to work on the Project. Any changes require City approval.

None.

END OF EXHIBIT "F"

EXHIBIT "G"

CERTIFICATE
DISCLOSURE OF OWNERSHIP/PRINCIPALS

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; (e) trust – the trustee and beneficiaries.

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 Ls 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
HARRIS & ASSOCIATES
1401 WILLOW PASS ROAD, STE 500
CONCORD, CA 94520
925-827-4900
94-2385238

Block 2 Description Subject Matter of Contract/Agreement
BLANKET SERVICE AGREEMENT FOR
CONSTRUCTION MANAGEMENT, BIDABILITY AND
CONSTRUCTABILITY REVIEW SERVICES
100163-DC

Block 3 **Type of Business**

☐ Individual ☐ Partnership ☐ Limited Liability Company ☒ Corporation ☐ Trust ☐ Other:

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.	L. Carl Harris, Chairman	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
2.	Guy Erickson, President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
3.	Brett Barnett, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
4.	Carolyn Colson, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
5.	Joan Cox, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
6.	Brian Danley, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
7.	Isaac Dee, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
8.	Robert DeLiso, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
9.	Randall Duncan, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
10.	Robert Earl, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900

Block 4 Disclosure of Ownership and Principals - Continuation
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
11.	Jules Feher, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
12.	Ehab Gerges, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
13.	Robert Guletz, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
14.	Ed Kozlowsi, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
15.	Dana LeSher, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
16.	Gary Moriarty, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
17.	Neil McCosker, Sr. Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
18.	Russell Moore, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
19.	Vern Phillips, Sr. Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
20.	Steven Roberts, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
21.	Marian Ross, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
22.	Javier Saunders, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
23.	David Seevers, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
24.	Marie Shockley, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
25.	Kim Sloat, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
26.	Larry Timmer, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900
27.	Byron Tobey, Vice President	1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520	925-827-4900

28.	**Employee Stock Ownership Trust**	**1401 WILLOW PASS ROAD, STE 500, Concord, CA 94520**	**925-827-4900**

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: 1.

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

2/3/10
_____
Date

Subscribed and sworn to before me this 2nd day of

February, 2010

C. Laffoon
_____
Notary Public

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
C. LAFFOON
Appt. No. 93-0039-1
My Appt. Expires March 10, 2012

EXHIBIT "H"

PROJECT TASK ORDER Number H- ___

Blanket Agreement Project Name:
Blanket Agreement Date:
Blanket Agreement Maximum Not-to-Exceed Fee:
Total Aggregate Fee Commitments prior to this Task Order:
Consultant's Business Name:

Whereas the City and Consultant have signed a Blanket Agreement for the Consultant to provide professional services described in the Agreement for the above named project(s), containing a not-to-exceed maximum aggregate fee that has not been fully utilized, and the City desires to utilize the Blanket Agreement to provide services for the following particular specific Project:

Project Name:
Location:
Description:
Construction Cost Budget:

The parties do hereby agree to the follow terms and conditions for this Project Task Order:

Section A - Scope of Services:

Section B – Required Submittals:

Section C – Performance Schedule:

Section D – Fee Breakdown:

Section E – Additional Compensation:.

Section F – Key Personnel List:

Section G – Disclosure:

Upon execution hereof, this Project Task Order shall be attached to the Blanket Agreement.

Dated this _____ day of _____, _____.

By: _____
Consultant

By: _____
City

City of Las Vegas Agenda Item No.: **33.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of award of Agreement No. 100174-DC, Construction Management Agreement for Las Vegas Wash Middle Branch Storm Drain, Decatur Boulevard - Centennial Parkway to Elkhorn Road, Elkhorn Road - Decatur Boulevard to Torrey Pines Drive - Department of Public Works - Award recommended to: THE LOUIS BERGER GROUP, INC. ($1,369,596.16 - Road and Flood Capital Projects Fund) - Ward 6 (Ross)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $1,369,596.16
Funding Source: Road and Flood CPF
Dept./Division: Public Works

PURPOSE/BACKGROUND:
This agreement will provide for full service construction management, inspection, quality control, material testing, project closeout and review of plans, drawings and specifications in connection with the Las Vegas Wash Middle Branch Storm Drain. This item is exempt from the competitive bidding process pursuant to NRS 332.115.1(b), Professional Services.

PCC: D. Collins
POC: Donald Gedye, P.E. - (702) 736-3362

RECOMMENDATION:
That City Council approve Agreement No. 100174-DC, Construction Management Agreement for Las Vegas Wash Middle Branch Storm Drain, Decatur Boulevard - Centennial Parkway to Elkhorn Road, Elkhorn Road - Decatur Boulevard to Torrey Pines Drive to The Louis Berger Group, Inc. in the amount of $1,369,596.16. Authority to execute the Agreement is given to the Purchasing Manager per R-48-2006.

BACKUP DOCUMENTATION:
1. Agreement No. 100174-DC
2. Certificate - Disclosure of Ownership/Principals

CONSTRUCTION MANAGEMENT AGREEMENT
FOR
Las Vegas Wash Middle Branch Storm Drain
Decatur Boulevard – Centennial Parkway to Elkhorn Road
Elkhorn Road – Decatur Boulevard to Torrey Pines Drive

THIS AGREEMENT is made and entered into this _____ day of _____, _____, by and between **the CITY OF LAS VEGAS**, a municipal corporation within the State of Nevada (herein the "City") whose address is **400 Stewart Avenue, Las Vegas, Nevada 89101**, and fax number is **(702) 382-3232**, and **The Louis Berger Group, Inc.** (the "Consultant"), a Corporation, whose address is **500 Amigo Court, Suite 100, Las Vegas Nevada 89119**, and phone number is **(702) 736-6632**.

WITNESSETH:

WHEREAS, the City intends to construct the **Las Vegas Wash Middle Branch Storm Drain** (herein the "Project"); and

WHEREAS, the Consultant is properly licensed pursuant to NRS Chapter 623, 623A, 624, or 625, whichever is legally required for the services to be provided within the State of Nevada, and if applicable to the Consultant's business organization, is in compliance with NRS 623.349 for architects, interior designers, and residential designers and NRS 623A.250 for landscape architects, which requires that control and no less than two-thirds ownership of the business organization or association be held by persons registered or licensed in the State of Nevada pursuant to NRS Chapters 623, 623A, or 625, and possesses the special knowledge, skills and expertise to perform the services hereinafter set forth within the time required under this Agreement;

WHEREAS, with respect to the Project, the City intends to retain a qualified and licensed contractor (herein the "Contractor") to construct the Project having been designed and engineered by professional architects and engineers; and

WHEREAS, the City desires to retain the services of a qualified consultant who will be responsible for providing the services requested by the City which may include, without limitation, review of documents (including submittals) prepared by the Contractor, contract administration, change order negotiations and execution, and monitoring and documenting construction progress in connection with the Project;

NOW, THEREFORE, in consideration of the above premises, the parties hereto agree to the following terms, conditions and covenants set forth in Sections One through Ten hereof:

SECTION ONE
CONSULTANT RESPONSIBILITIES

1.01 ***Description of Consultant's Services.*** For the compensation set forth in Section Seven, the Consultant hereby agrees to perform the basic services set forth in the Scope of Services, **Exhibit "A"** attached hereto and incorporated herein as a part of this Agreement and, if so requested, the additional services set forth in the Additional Compensation, **Exhibit "E"** attached hereto and incorporated herein as a part of this Agreement and to provide the submittals described in the Required Submittals **Exhibit "B,"** attached hereto.

1.02 ***Performance Standards.*** In performing the services set forth in this Agreement, the Consultant shall follow the practices consistent with the generally accepted standards in the profession of the services being provided to the City pursuant to this Agreement.

1.03 ***Document Review.*** The Consultant shall be responsible for reviewing each document prepared by the Consultant and its subconsultants for the purpose of ensuring that such documents are technically sound, in conformance with applicable federal, state and local laws and other regulations, and do not violate or infringe upon any patent rights.

1.04 ***Waiver.*** The City's approval of any documents or services furnished by the Consultant shall not in any way relieve the Consultant of responsibility for the professional and technical accuracy of its documents or services. The City's review, approval, acceptance or payment for any of the Consultant's services shall not be construed to operate as a waiver of any rights enjoyed by the City under this Agreement or of any cause of action arising out of the performance of this Agreement. The Consultant shall remain liable for any damages to the City caused by the Consultant's negligent act or omission committed in the performance of this Agreement.

1.05 ***Designation of Consultant's Representative.*** The Consultant's representative is the individual identified in the Key Personnel List, **Exhibit "F"** attached hereto (the "Consultant Representative") to act in that capacity, who shall be responsible for the services required under this Agreement. The services specified by this Agreement shall be performed by the personnel identified in the Key Personnel List provided that such associates and employees perform under the personal supervision of the Consultant Representative.

If any person or subconsultant who is expected to provide any of the services required under this Agreement is objectionable to the City for any reason, the Consultant shall, without additional compensation, replace such person or subconsultant with someone acceptable to the City.

If the Consultant's personnel are unable to complete their responsibilities for any reason under this Agreement, or the Consultant desires for any reason to substitute personnel assigned to the Project, the Consultant agrees to obtain the approval of the City for the substitution. The City shall not unreasonably deny approval unless the City adjudges the substitution not be in the interest of the City or the Project.

If the Consultant fails to make an acceptable replacement within thirty (30) days, the City may terminate this Agreement for default as provided in Section 10.03 of this Agreement.

1.06 ***Correspondence Review.*** The Consultant shall furnish the City Representative copies of each correspondence, if any, sent to the Contractor or any other contractor involved with the Project, and to any regulatory agencies, for approval and review prior to mailing such correspondence.

1.07 ***Cooperation with the City.*** The Consultant agrees that its officers, associates, employees and subconsultants will cooperate with the City in providing the services under this Agreement and will be, with advance notice, available for consultation with the City at such reasonable times as to not conflict with the City's other responsibilities.

SECTION TWO
CITY RESPONSIBILITIES

2.01 ***City Representative.*** The Director of Public Works or his authorized representative identified in the Key Personnel List is hereby designated as the City's representative (the "City Representative") with respect to this Agreement. The City Representative shall have complete authority to transmit instructions, receive information, interpret and define the City's policies and decisions with respect to the services of the Consultant. The City Representative is not authorized to change or waive any of the provisions set forth in Sections 1.01 through 10.24 of this Agreement.

2.02 ***Review of Consultant's Services and Documents.*** The services to be performed by the Consultant shall be subject to periodic review by the City Representative. To prevent an unreasonable delay in the Project, the City Representative will endeavor to examine and comment in writing on the documents furnished by the Consultant including, without limitation, test results, evaluations, and reports within twenty-one (21) days of receipt of such documents, unless the Contract provides for a different review time with respect to the document.

2.03 ***Access to Records.*** The City shall, without charge, furnish a copy to, or make available for examination or use by, the Consultant, as it may request, any documents and data which the City has available including, without limitation, reports, maps, plans, specifications, surveys, records, ordinances, codes, regulations, and other documents related to the services required under this Agreement. The City shall assist the Consultant in obtaining data and documents from public agencies and from private citizens and business firms whenever the City determines that such material is necessary for the completion of the services required by this Agreement.

2.04 ***Cooperation with Consultant.*** The City agrees that its officers and employees will cooperate with the Consultant in the performance of this Agreement and will be, with advance notice, available for consultation with the Consultant at such reasonable times as to not conflict with the Consultant's other responsibilities. The City shall provide access to the Consultant on to the Project site as may be required to perform the services under this Agreement.

SECTION THREE
CHANGES TO CONSULTANT'S SERVICES

3.01 ***Requested Changes.*** The City may at any time, by written order, make a change in the services to be performed by the Consultant under this Agreement.

3.02 ***Adjustment of Compensation.*** If the change requested by the City causes an increase or decrease in the cost or time required to perform any of the services required under this Agreement, an equitable adjustment shall be made in the compensation to be paid to the Consultant under Section Seven, or in the performance schedule under Section Eight, or both, and this Agreement shall be modified in writing accordingly. Each claim for adjustment under this Section must be asserted in writing within thirty (30) days from the date of receipt by the Consultant of written notification of the change, unless the City grants in writing an extension. Provided proper notice has been given to the City as required herein, the claim for an adjustment shall be handled pursuant to the provisions of 10.20B and 10.20C of this Agreement. The failure to

provide notification of the claim within the time required herein shall constitute a waiver of the right to seek any equitable or legal adjustment in compensation with respect to that change.

SECTION FOUR
ADDITIONAL SERVICES OF CONSULTANT

4.01 ***Additional Services.*** The Consultant shall provide the additional services described in the Additional Compensation if, and only if, so requested in writing by the City. Payment for the additional services will be made to the Consultant in accordance with Section Seven of this Agreement.

4.02 ***Attendance at Meetings or Public Hearings.*** The Consultant shall notify the City in advance of any additional costs which may be incurred prior to attending any meetings or public hearings as may be necessary in connection with the services performed by the Consultant under this Agreement.

SECTION FIVE
SUBCONSULTANT AGREEMENT

5.01 ***Subconsultant Provisions.*** If, with the approval of the City as required pursuant to Section 10.07, the Consultant enters into an agreement with a subconsultant for the performance of any of its obligations under this Agreement, the Consultant agrees to include in each subconsultant agreement a provision that:

(i) the Consultant agrees to pay the subconsultant when paid by the City for that portion of the services provided to the City and that no liability arises on the part of the Consultant for payment of the subconsultant services until payment has been made by the City. If the City has paid the Consultant for the subconsultant services, the subconsultant's only recourse is against the Consultant and not against the City, either through the institution of legal or equitable action or the attachment of any lien,

(ii) the subconsultant shall have no more rights against the City than that of the Consultant,

(iii) the subconsultant agrees to be bound by the terms, conditions and obligation of this Agreement unless the City has approved any deviation, change or modification in writing, and

(iv) unless otherwise approved in writing by the City Representative, the subconsultant shall obtain and maintain professional liability insurance (Errors and Omissions coverage) in connection with the subconsultant services in an amount equal to that required of the Consultant in this Agreement.

SECTION SIX
TERM OF AGREEMENT

6.01 ***Term.*** This Agreement shall commence on the day it is approved by the City (which date shall be inserted in the introductory paragraph of this Agreement) and shall remain in force and effect until the Project is completed unless terminated earlier pursuant to Section 10.02 or 10.03 of this Agreement. Such termination shall not release either party from any of its continuing obligations under this Agreement.

6.02 ***Disputes.*** This Section shall not be construed to preclude the filing of any dispute arising out of the performance of this Agreement or in connection with the subject matter hereof, nor shall this Section be construed to change the date or the time on which a cause of action arising out of the performance of this Agreement or in connection with the subject matter hereof, would otherwise accrue under the statutes of limitation or doctrines of law.

SECTION SEVEN
COMPENSATION AND TERMS OF PAYMENT

7.01 ***Compensation: Basic Services.*** For the services to be performed by the Consultant under this Agreement and set forth in the Scope of Services, the City agrees to pay the Consultant the hourly fee in the amount identified in the Fee Breakdown, **Exhibit "D"** attached hereto, pursuant to invoices submitted in accordance with Section 7.04 of this Agreement.

7.02 ***Compensation: Additional Services.*** For any services not set forth in the Scope of Services, the City shall pay to the Consultant either a lump sum fee, or an hourly fee based on the hourly labor rate schedule set forth in the Additional Compensation, whichever is agreed to by the parties, provided prior written approval for such services is given by the City Representative.

7.03 ***Compensation: Reimbursable Expenses.*** The Consultant agrees that all of its direct and indirect expenses are included in the fee for Basic Services and the agreed upon compensation for any Additional Services, except as may be specifically allowed for reimbursable expenses as part of the Additional Compensation.

7.04 ***Payment Invoicing.*** The Consultant may submit an invoice for payment for the services provided by the Consultant based on the manner or method of payment set forth in the Fee Breakdown. The City Representative will notify the Consultant of any problems regarding the invoice within fourteen (14) days from receipt thereof. If no response is received from the City Representative within the aforementioned period of time, the Consultant may expect payment within a period of (60) days from the date of receipt by the City. If payment has not been received within the sixty (60) days, the Consultant agrees to contact the City Representative to resolve the problem causing the delay. If resolution of the delay is not satisfactory to the Consultant, the Consultant may submit a claim pursuant to Section 10.20A of this Agreement.

7.05 ***Right to Off-Set.*** The City Representative may subtract or offset from any unpaid invoice from the Consultant any claims which the City may have for failure of the Consultant to comply with the terms, conditions or covenants of this Agreement, or any damages, costs and expenses caused by, resulting from, or arising out of the negligent act or omission of the Consultant in the performance of the services under this Agreement including, without limitation, any error or deficiency in the report or other documents prepared by the Consultant. The City Representative shall provide a written statement to the Consultant of the off-set which has been subtracted from any payment to the Consultant along with appropriate documentation and receipts, if any, and a description of the failure, error or deficiency attributed to the Consultant. If the Consultant disputes the right or amount of the off-set made by the City, the Consultant may file a claim pursuant to Section 10.20 of this Agreement.

7.06 ***Final Payment.*** Upon completion of the services required under this Agreement, and acceptance thereof by the City (which acceptance will not be unreasonably withheld), the Consultant will, within sixty (60) days of the City's acceptance, be paid the balance of any money due for such services.

SECTION EIGHT
PERFORMANCE SCHEDULE

8.01 ***Performance Schedule.*** The Consultant shall perform and complete the services required under this Agreement according to the schedule (the "Performance Schedule") set forth in the Schedule of Performance, **Exhibit "C"** attached hereto. If the performance of services is delayed or submittals are not delivered in the time period as outlined in the Performance Schedule, the Consultant shall notify the City Representative in writing of the reasons for the delay and include a plan which brings the Consultant's performance into compliance with the Performance Schedule.

SECTION NINE
AUDIT: ACCESS TO RECORDS

9.01 ***Records.*** The City shall have the right to audit the Consultant's books, records and other documents directly pertinent to the performance of this Agreement. The Consultant agrees to maintain books, records and other documents directly pertinent to performance of this Agreement in accordance with generally accepted accounting principles and practices. The Consultant shall also maintain the financial information and data used to prepare or support the invoices submitted to the City. Audits conducted pursuant to this provision shall be in accordance with generally accepted auditing standards, procedures and guidelines of the City, or its designated representative. The City, or its duly authorized representatives, shall have access to such books, records, and documents for the purpose of inspection, audit and copying. The Consultant will provide proper facilities for such access and inspection.

9.02 ***Disclosure.*** The Consultant shall be afforded the opportunity for an audit entrance and exit conference and an opportunity to comment and submit any supporting documentation on the pertinent portions of the draft audit report, and that the final audit report will include the written comments, if any, of the Consultant.

9.03 ***Period of Maintenance.*** The books, records and other documents under Sections 9.01 and 9.02 of this Agreement shall be maintained for three (3) years after the date of the final payment for the services under this Agreement. In addition, those records and other documents which relate to any arbitration, litigation or the settlement of any claim arising out of this Agreement, or to which an audit exception has been taken, shall be maintained and made available until three (3) years after the date that the arbitration, litigation or exception has been resolved.

9.04 ***Subcontract Provisions.*** The Consultant agrees to include Sections 9.01 through 9.03 of this Agreement in all its subcontracts directly related to performance of services specified in this Agreement which are in excess of $10,000.

SECTION TEN
MISCELLANEOUS PROVISIONS

10.01 ***Suspension.*** The City may suspend, without cause, the performance by the Consultant under this Agreement for such period of time as the City, in its sole discretion, may prescribe by providing written notice to the Consultant. The suspension shall be effective as of the date set forth in the written notice. With such suspension, the City agrees to pay to the Consultant the amount of compensation earned as of the effective date of suspension less all previous payments. The Consultant shall not provide any further services under this Agreement after the effective date of suspension until otherwise notified in writing by the City. In no event shall the City be liable to the Consultant for services in excess of the percentage completed at the time of suspension.

If, after notice to resume performance has been given by the City, the suspension was for a period in excess of ninety (90) days, which has resulted in an increase in the performance of the Agreement to the Consultant and:

(i) the Consultant was not a contributing cause for the suspension,

(ii) the Consultant has not received an equitable adjustment under another provision of this Agreement, and

(iii) the Consultant could not mitigate the increase in the performance cost,

then the Consultant's fee shall be reviewed by the City and, if justified, equitably adjusted to provide for any additional expenses resulting from the suspension.

10.02. ***Termination for Convenience.*** The City reserves the right to terminate this Agreement without cause or default on the part of the Consultant with ten (10) days' prior written notification to the Consultant served pursuant to Section 10.18 of this Agreement. In the event of termination, without cause or default, the City agrees to pay to the Consultant the reasonable value for the services performed as of the date that notification of termination is received by the Consultant. In no event shall the City be liable to the Consultant for services in excess of the percentage completed at the time of termination.

10.03 ***Termination for Cause or Other Resolution.***

A. ***Default.*** The occurrence of any of the following events shall constitute a default by the Consultant hereunder (herein "Event of Default"). If, during the term of this Agreement, the Consultant:

(i) defaults in the due observance and performance of any term, condition or covenant contained in this Agreement,

(ii) (a) voluntarily terminates operations or consent to the appointment of a receiver, trustee or liquidator of the Consultant for all or a substantial portion of its assets, (b) is adjudicated bankrupt or insolvent or files a voluntary petition in bankruptcy, or admits in writing to the inability to pay its debts as they become due, (c) make a general assignment for the benefit of creditors, (d) file a petition or answer seeking reorganization or an arrangement with creditors or take advantage of any insolvency law, or (e) if action shall be taken by the Consultant for the purpose of effecting any of the foregoing,

(iii) allows any warrant, execution or other writ to be issued or levied upon any property or assets of the Consultant which continues unvacated and in effect for a period of thirty (30) days, or

(iv) fails, in the judgment of the City, to provide the services hereunder properly and with proper dispatch in accordance with the time schedule set forth in this Agreement,

and the default continues five (5) days after written notice is given to the Consultant pursuant to Section 10.18.

B. ***City's Rights.*** Upon the occurrence of an Event of Default, and without prejudice to any other right or remedy it may have at law or equity, the City may:

(i) terminate this Agreement, suspend payment of all pending invoices otherwise due to the Consultant hereunder, and finish this Agreement by such means as deemed appropriate by the City, reserving the right to deduct from any balance due Consultant the cost of completing this Agreement. In the event the cost of finishing the Consultant's performance of this Agreement exceeds the balance due the Consultant, the excess shall be paid by the Consultant to the City within five (5) days of invoicing by the City,

(ii) terminate this Agreement, and the obligations imposed hereunder, including the obligation of any further payment for the services of the Consultant except for the reasonable value for the services performed to the date of termination, or

(iii) continue with performance by the Consultant and serve within a reasonable time after completion of the Agreement a request to arbitrate the Event of Default as a claim or dispute pursuant to the arbitration procedure set forth in Section 10.20.

In the event that the City elects to implement (i) above, the costs and expenses of completing this Agreement shall be computed and audited by the City's designated representative. The audit shall be conducted in accordance with generally accepted accounting principles and the cost thereof shall be paid by the Consultant.

10.04 ***Ownership of Documents.***

A. ***Architectural Works.*** To the extent that the Consultant's services involves the design of an architectural work as defined herein, the Consultant shall retain all common law and statutory rights of ownership, including copyrights, to the drawings and specifications prepared by the Consultant for this Project. The Consultant is deemed to be the author of the drawings and specifications as instruments of service to the City. Notwithstanding the foregoing, the Consultant hereby grants to the City the right to use (including the right of reproduction and use in the creation of new documents) the drawings and specifications for the purpose of completing the Project or for any subsequent maintenance, repair, renovation, remodeling or addition thereto. The rights granted herein to the City shall extend and include any new consultant which the City may retain for the aforementioned purposes. The Consultant hereby releases the City, and any new consultant retained by the City for the aforementioned purposes, from any and all claims in connection with the use or reproduction of the drawings and specifications. The Consultant agrees to execute such documents reasonably deemed necessary by the City to implement the rights granted to the City pursuant to this subsection.

B. ***Other Works.*** To the extent that the Consultant's services does not involve the design of an architectural work, the City shall have all common law and statutory rights of ownership, including copyrights, to the plans, drawings, specifications and other documents (including, without limitation, design concepts and sketches, test results, evaluations, reports and studies, excepting any proprietary forms, templates, and checklists specifically listed for City ownership exclusion elsewhere in this Agreement) (collectively herein the "Documents") prepared or assembled by the Consultant, or any of its subconsultants, for this Project. The Consultant hereby releases the City, and any new consultant retained by the City from any and all claims in connection with the use or reproduction of the Documents. The Consultant agrees to execute such documents reasonably deemed necessary by the City to implement the rights granted to the City pursuant to this subsection. The Consultant shall be entitled to retain a reproducible copy of the documents furnished to the City.

C. ***Definition of Architectural Work.*** For purposes of this Agreement, "architectural work" shall have the same definition as set forth in Architectural Works Copyright Protection Act of 1990, P. L. 101-650, Title VII, Section 70 et. seq.

D. ***Delivery of Documents.*** In the event of the completion, suspension or termination of this Agreement, the City shall have the right to require delivery of any and all of the plans, drawings, specifications, and all other documents (including, without limitation, design concepts and sketches, test results, evaluations, reports and studies), including the magnetic or electronic media of the aforementioned documents, not in the possession of the City.

E. ***Confidentiality.*** The plans, drawings, specifications and other documents (including, without limitation, design concepts and sketches, test results, evaluations, reports and studies) (including the magnetic or electronic media of the aforementioned documents) which are prepared or assembled by the Consultant, or its subconsultants, under this Agreement shall not be made available to any individual or organization without the prior written consent of the City. Except for marketing pamphlets and submittals to clients, the Consultant shall not publish, submit for publication, or publicly display the Project without the written consent of the City. The obligations of confidentiality shall survive the termination of this Agreement.

F. ***Contractual Rights.*** Notwithstanding the provisions of 10.04 A above, the City is hereby licensed to use all design concepts developed by the Consultant and subconsultants under this Agreement, including the right to construct derivative works of the Project, and to use the design concepts for other projects of the City. The design concepts include, but are not limited to, the form, aesthetic appeal, site layout, the arrangement and composition of spaces and elements, the use of colors and materials, system designs, construction methods and interior design.

10.05 ***Insurance.*** The Consultant shall procure and maintain, at its own expense, during the entire term of the Agreement, the following insurances:

A. ***Worker's Compensation Insurance.*** This insurance shall protect the Consultant and the City from employee claims based on job-related sickness, disease, or accident.

B. ***Commercial General Liability Insurance.*** This insurance shall protect the Consultant, its agents and vehicles used to provide

the services required under this Agreement from claims of personal injury (including death) and property damage. Such coverage shall be in a minimum amount of $1,000,000 combined single limit for the period of time covered by this Agreement. The Consultant's general liability insurance policies shall be endorsed to include the City as an additional insured.

C. ***Commercial Automobile Liability Insurance.*** This insurance shall protect the Consultant from claims of limits no less than $1,000,000 combined single limit per occurrence for bodily injury and property damage to include, but not be limited to, coverage against all insurance claims for injuries to persons or damages to property which may arise from services rendered by Company and any auto used to the performance of services under this Contract. The policy must insure all vehicles owned by the Company and include coverage for hired and non-owned vehicles. The Consultant's automobile liability insurance policies shall be endorsed to include the City as an additional insured.

D. ***Professional Liability Insurance (Errors and Omissions Coverage).*** This insurance shall protect the Consultant from claims arising out of performance of professional services caused by a negligent act, error, or omission for which the insured is legally liable. Such coverage shall be in a minimum amount of $1,000,000 for the period of time covered by this Agreement.

E. ***Cancellation or Modification of Coverage.*** The Consultant's Commercial General Liability and Professional Liability Insurance Policies shall automatically include or be endorsed to cover the Consultant's contractual liability to the City under this Agreement, and with respect to its Commercial General Liability Policy, to waive subrogation against the City, its officers, agents, servants and employees. The policies shall provide that the City will be given thirty (30) days' notice in writing of any cancellation of, or material change in, the policies.

F. ***Certificates and Endorsements.*** The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer and licensed by the State of Nevada. All deductibles and self-insured retentions shall be fully disclosed in the Certificate of Insurance. No deductible or self-insured retention may exceed $25,000 without the written approval of the City. Certificates indicating that such insurance is in effect shall be delivered to the City before any services are provided under this Agreement.

G. ***Period of Coverage.*** If the insurance coverage is underwritten on a "claims made" basis, the retroactive date shall be prior to or coincident with the date of this Agreement and the Certificate of Insurance shall state that coverage is "claims made" and the retroactive date. Upon availability, the Consultant shall maintain coverage for the duration of this Agreement and for two years following completion of this Agreement. The Consultant shall provide the City annually a Certificate of Insurance as evidence of such insurance.

10.06 ***Indemnity.*** Notwithstanding any of the insurance requirements set forth in Section 10.05, and not in lieu thereof, the Consultant shall defend, indemnify and hold the City, its officers, employees and agents (herein the "Indemnitees"), harmless from any and all claims (including, without limitation, patent infringement and copyrights claims), damages, losses, expenses, suits, actions, decrees, judgments, arbitration awards or any other form of liability (including, without limitation, reasonable attorney fees and court costs) (collectively herein the "Claims") which the Indemnitees may suffer as a result of, by reason of, or as a consequence of, the negligent errors, omissions, recklessness, intentional misconduct of the Consultant, its subcontractors, agents or anyone employed by the Consultant, its subcontractors or agents, in the performance of this Agreement.

As part of its obligation hereunder, the Consultant shall, at is own expense, defend the Indemnitees against the Claims which may be brought against them, or any of them, as a result of, by reason of, or as a consequence of, the negligent act or omission of the Consultant, its subcontractors or agents, for and against which the Consultant is obligated to indemnify the Indemnitees, unless the Indemnitees, or any of them elect to conduct their own defense which, in such case, shall not relieve the Consultant of its obligation of indemnification set forth herein. If the Consultant fails to do so, the Indemnitees shall have the right, but not the obligation, to defend the same and charge the direct and incidental costs of such defense (including attorney fees and court costs) against the Consultant which is proportionate to the liability of the Consultant.

If the professional liability insurer of the Consultant does not so defend the Indemnitees and the Consultant is adjudicated to be liable by a trier of fact, the trier of fact shall award reasonable attorney's fees to be paid to the Indemnitees by the Consultant in an amount which is proportionate to the liability of the Consultant. As used in this Section, "agents" means those persons who are directly involved in and acting on behalf of the City in furtherance of this Agreement or the public work to which this Agreement pertains.

10.07 ***Assignment.*** The City and the Consultant each bind itself and its partners, successors, Managers and assigns to the other party of this Agreement and to the partners, successors, executors, Managers and assigns of such other party in respect to all covenants of this Agreement, except the Consultant shall not assign, sublet or transfer any obligation or benefit under this Agreement without the written consent of the City. Nothing contained herein shall be construed as creating any personal liability on the part of any officer or agent of the City.

10.08 ***Waiver.*** No consent or waiver, express or implied, by either party to this Agreement, or of any breach or default by the other in the performance of any obligations hereunder, shall be deemed or construed to be a consent or waiver of any other breach or default by such party hereunder. Failure on the part of any party hereto to complain of any act, or failure to act of the other party, or to declare that other party in default hereunder, irrespective of how long such failure continues, shall not constitute a waiver of the rights of such party hereunder. Inspection, payment,

or tentative approval or acceptance by the City or the failure of the City to perform any inspection hereunder, shall not constitute a final acceptance of the work or any part thereof and shall not release the Consultant of any of its obligations hereunder.

10.09 ***Consultant Warranties.*** The Consultant hereby represents and warrants that:

(i) it is financially solvent, able to pay its debts as they mature, and is possessed of sufficient working capital to complete this Agreement; that it is experienced, competent, qualified and able to furnish the plant, tools, materials, supplies, equipment and labor which is used to perform the services contemplated by this Agreement, and that it is authorized to do business in the City of Las Vegas and the State of Nevada,

(ii) it holds a license, permit or other special license to perform the services included in this Agreement, as required by law, or employs or works under the general supervision of the holder of such license, permit or special license,

(iii) its computer hardware, software, and firmware will continue functioning without interruption, and will continue to accurately process date, time, and data necessary to the performance of this Agreement, and

(iv) it has, pursuant to the requirements of Resolution 79-99 adopted by the City Council on August 4, 1999, (effective October 1, 1999), as amended by resolution 105-99 (adopted by the City Council on November 17, 1999), disclosed on the form attached hereto as **Exhibit "G"** (Disclosure of Ownership/Principals) all of the principals, including partners, of the Consultant, as well as all persons and entities holding more than a one percent (1%) interest in the Consultant or any principals of the Consultant. If the Consultant, or its principals or partners, are required to provide disclosure under federal law (such as Securities and Exchange Commission or the Employee Retirement Income Act) and current copies of such federal disclosures are attached to **Exhibit "G,"** the requirements of this Section shall be deemed satisfied. During the term of this Agreement, the Consultant shall notify the City in writing of any material change in the above disclosure on **Exhibit "G"** within fifteen (15) days of such change.

10.10 ***Consultant's Employees.*** The Consultant shall be responsible for maintaining satisfactory standards of competency, conduct and integrity, of personnel assigned to the Project, and shall be responsible for taking such disciplinary action with respect to such personnel as may be necessary.. In the event the Consultant fails to remove any employee from the work of this Agreement whom the City deems incompetent, careless or insubordinate, or whose continued employment on the work is deemed by the City to be contrary to the public interest, the City reserves the right to require such removal as a condition for the continuation of this Agreement.

10.11 ***Independent Contractor.*** It is hereby expressly agreed and understood that in the performance of the services required herein, the Consultant and any other person employed by him hereunder shall be deemed to be an independent contractor and not an agent or employee of the City.

10.12 ***Applicable Law.*** This Agreement shall be construed and interpreted in accordance with the laws of the State of Nevada.

10.13 ***Compliance with Laws.*** The Consultant shall in the performance of its obligations hereunder comply with all applicable laws, rules and regulations of all governmental authorities having jurisdiction over the performance of this Agreement including, without limitation, the Federal Occupational Health and Safety Act and all state and federal laws prohibiting and/or related to discrimination by reason of race, sex, age, religion or national origin.

10.14 ***Severability.*** In the event that any provisions of this Agreement shall be held to be invalid or unenforceable, the remaining provisions of this Agreement shall remain valid and binding on the parties hereto.

10.15 ***Confidentiality.*** The Consultant shall treat the information relating to the Project, which has been produced by the Consultant or provided by the City, as confidential and proprietary information of the City and shall not permit its release to other parties or make any public announcement or publicity release without the City's written authorization. The Consultant shall also require each subconsultant to comply with this requirement. The submission or distribution of documents to meet official regulatory requirements or for similar purposes in connection with the Project is not to be construed as publication relieving the Consultant of its confidentiality obligation imposed herein.

10.16 ***Site Inspection.*** The Consultant represents that it has visited the location of the Project and has satisfied itself as to the general condition thereof and that the Consultant's compensation as provided for in the Agreement is just and reasonable compensation for performance hereunder including reasonably foreseen and foreseeable risks, hazards and difficulties in connection therewith based on such above-ground observations.

10.17 ***Modification.*** All modification or amendments to this Agreement are null and void unless reduced in writing and signed by the parties hereto.

10.18 ***Notice.*** Any written notice required to be given under Sections 1.01 through 10.24 of this Agreement shall be deemed to have been given when the written notice is (i) received by the party to whom it is directed by personal service (ii) telephonically faxed to the telephone number set forth in the introductory paragraph to this Agreement, provided confirmation of the transmission is received by the sender, or (iii) deposited with the United States Postal Service, postage prepaid, addressed to the City Representative or the Consultant Representative, whomever is the proper recipient, and mailed to the address set forth in the introductory paragraph to this Agreement.

10.19 ***Prohibition Against Contingent Fees.*** The Consultant warrants that no person or entity has been employed or retained to solicit or secure this Agreement with the Agreement or understanding that a commission, percentage, brokerage or contingent fee would be paid to that person. For breach or violation of this provision, the City shall have the right to annul this Agreement without liability or, in its discretion, to deduct from the compensation to be paid to the Consultant, or otherwise recover, the full amount of such commission, percentage, brokerage or contingent fee.

10.20 ***Claim or Dispute Resolution.***

A. ***Notice of Claim or Dispute.*** For each claim or dispute which the Consultant has against or with the City (except for any claim for an equitable adjustment under Section 3.02 which is subject to the 30-day limitation set forth therein), notice thereof must be submitted in writing to the City Representative within a reasonable time after the claim or dispute arises, but no later than thirty (30) days after final payment is made to the Consultant. The purpose of written notification is to place the City on notice so that proper measures can be taken to properly defend against the claim or dispute, and the failure to give such notice shall preclude the Consultant from subsequently arbitrating that particular claim or dispute pursuant to Section 10.20C of this Agreement, and the Consultant shall have no further recourse against the City. Pending a final decision on the claim or dispute under Sections 10.20B or 10.20C, the Consultant shall proceed diligently with the performance of this Agreement.

B. ***Resolution by Management.*** The City Representative and the Consultant Representative shall meet within a reasonable time after receipt of the written notice received pursuant to Section 10.20A in an attempt to resolve the claim or dispute to the mutual satisfaction of the parties. If the matter is not disposed of by mutual agreement between the City Representative and the Consultant Representative, the claim or dispute shall be decided by the Director of Public Works, whose decision shall be reduced to writing and mailed or otherwise furnished to the Consultant. The decision of the Director of Public Works shall be final and conclusive unless, within thirty (30) days after the date on which the Consultant receives its copy of such decision, the Consultant mails or otherwise furnishes to the Director of Public Works a written request to arbitrate the claim or dispute, in which event the parties shall proceed with the arbitration pursuant to provisions of Section 10.20B. The failure to make such request shall preclude the Consultant from proceeding any further on the claim or dispute, and the Consultant shall have no further recourse against the City.

C. ***Resolution by Arbitration.*** Upon receipt of the request to arbitrate authorized pursuant Section 10.03B or Section 10.20B, the City and the Consultant shall come to an agreement as to the appointment of an arbitrator for purposes of hearing the appeal. If the parties cannot reach an agreement, then each party shall select an arbitrator for purposes of the appeal, and the two shall select a third arbitrator within 20 days of their appointment. If the selected arbitrators are unable to agree upon the third arbitrator, the third arbitrator shall be selected by the American Arbitration Association or the Nevada Arbitration Association, whichever is designated by the City. Each party shall be afforded an opportunity to be heard and to offer evidence in support of or against the appeal. The decision of the arbitrator, or arbitrators, as the case may be for the determination of the appeal, shall be final, conclusive and enforceable under the laws of the State of Nevada.

D. ***Right of Consolidation.*** Any arbitration arising out of or relating to this Agreement may include, by consolidation, joinder or in any other manner, any additional party or parties who are not a party to this Agreement if so requested by the City or the Consultant. Any consent to arbitration involving an additional party or parties shall not constitute consent to arbitrate any claim or dispute not described as a part of the original arbitration unless otherwise agreed to by the parties.

E. ***Right of Joinder.*** In the event the City is named as a party to any arbitration, or the City commences an arbitration against a party other than the Consultant, which arbitration is related to, or connected with, the construction of the Project or the performance of the Consultant's services hereunder (such as, without limitation, any arbitration between the City and the contractor awarded the contract to construct the Project), the Consultant agrees and irrevocably consents to be joined as a party in the arbitration proceeding and to be bound by any decision resulting therefrom. The decision of the arbitrator or arbitrators, as the case may be, in the arbitration to which the Consultant has been joined as a party, shall be binding and enforceable against the parties thereto under the laws of the State of Nevada.

If the Consultant is named as an additional party by the City, the Consultant shall not be entitled to any additional compensation from the City as a result of preparing for, and participating in, the arbitration.

F. ***Discovery.*** In the event of arbitration, the parties agree that all means of discovery including, but not limited to, depositions and interrogatories, will be afforded to the parties involved in the arbitration, and the appointed arbitrator shall have all authority to impose sanctions

against either party for failing to comply with the rules of discovery provided under the Nevada Rules of Civil Procedure.

G. ***Award Final.*** The award rendered by the arbitrator shall be final, and judgment may be entered upon its accordance with applicable law in any court having jurisdiction thereof.

H. ***Mediation.*** Subsequent to the commencement of any arbitration pursuant to Section 10.20C, and prior to any decision arising therefrom, the parties may endeavor with written mutual consent to settle disputes by mediation in accordance with the mediation rules of the mediation service agreed by the parties. The cost of the mediation shall be shared equally by the parties.

10.21 ***Attorney Fees.*** The prevailing party in any litigation or arbitration brought to enforce the provisions of this Agreement shall be entitled to reasonable attorney fees and court costs.

10.22 ***Calendar Day.*** All references in this Agreement to days are to calendar days unless otherwise indicated.

10.23 ***Exhibits.*** All exhibits referenced in this Agreement are hereby incorporated by this reference as a part of this Agreement. Any conflict between the provisions of this Agreement and the Exhibits incorporated herein shall be governed by the provisions of this Agreement.

10.24 ***Counterparts; Electronic Delivery.*** This Agreement may be executed in counterparts, all such counterparts will constitute the same contract and the signature of any party to any counterpart will be deemed a signature to, and may be appended to, any other counterpart. Executed copies hereof may be delivered by facsimile or e-mail and upon receipt will be deemed originals and binding upon the parties hereto, regardless of whether originals are delivered thereafter.

10.25 ***Agreement Version.*** This document incorporates the standard provisions for the City's Professional Services Agreement updated as of April 8, 2008.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed the day and year first above written.

CITY OF LAS VEGAS

By _____
Kathleen C. Rainey, Manager, Purchasing & Contracts

ATTEST

_____
Beverly K. Bridges, MMC Date
City Clerk

APPROVED AS TO FORM

John S. Ridilla 3/17/10
Deputy City Attorney Date

CONSULTANT

John S. Ridilla
Deputy City Attorney

By _____
Donald E. Gedye, PE, Director, Construction Management

LIST OF EXHIBITS

EXHIBIT " A " SCOPE OF SERVICES

EXHIBIT " B " REQUIRED SUBMITTALS

EXHIBIT " C " PERFORMANCE SCHEDULE

EXHIBIT " D " FEE BREAKDOWN

EXHIBIT " E " ADDITIONAL COMPENSATION

EXHIBIT " F " KEY PERSONNEL LIST

EXHIBIT " G " DISCLOSURE OF OWNERSHIP/PRINCIPALS

EXHIBIT "A"

SCOPE OF SERVICES

The construction management services covered by the Agreement between the City of Las Vegas (CITY) , and **The Louis Berger Group, Inc.,** (the "Consultant"), involve construction management services for the **Las Vegas Wash Middle Branch Storm Drain** (herein the "Project"); The Scope of Services shall include:

- **CONSTRUCTION MANAGEMENT AND INSPECTIONS**
- **QUALITY CONTROL MATERIAL TESTING**
- **PROJECT CLOSEOUT**

DESCRIPTION OF PROJECT

The Las Vegas Wash Middle Branch Storm Drain – Decatur Boulevard – Centennial Parkway to Elkhorn Road and Elkhorn Road – Decatur Boulevard to Torrey Pines Drive project is a Clark County Regional Flood Control Master Plan facility located in Sections 13, 14, 23, and 24 of Township 19 South, Range 60 East, M.D.M., Clark County, Nevada and in Section 19 of Township 19 South, Range 61 East, M.D.M., Clark County, Nevada. The improvements included with this project consist of approximately 9,550 feet of new storm drain facilities, RCB confluence and transition structures, storm drain inlets and manholes of various types and sizes, roadway reconstruction and restriping for the existing pavement, roadway improvements on Elkhorn Road at Jones Boulevard and on Decatur Boulevard between Donald Road and Dorrell Lane, and waterline and sewer line relocations.

The mainline storm drain facility is located within the existing roadway right-of-way of Elkhorn Road and Decatur Boulevard. The existing roadway improvements along the Elkhorn Road and Decatur Boulevard corridors consist of segments of fully improved street with curb, gutter, and sidewalk and segments of only half-street improvements. The storm drain facility within Elkhorn Road is a 24'x8' RCB that generally follows the centerline of Elkhorn Road. The project starts at the intersection of Elkhorn Road and Torrey Pines Drive, with a transition from the existing two 13'x9' RCB Elkhorn Road Storm Drain. The facility within Elkhorn Road conveys runoff to the east towards Decatur Boulevard. The 24'x8' RCB collects flow from the north in proposed drop inlets at major intersections and drainage easements and from an existing 6'x4' RCB at Jones Boulevard. At Decatur Boulevard, the 24'x8' RCB splits into two 13'x8' RCB facilities and turns south onto Decatur Boulevard. The east leg of the Decatur Boulevard channel combines with the flow from the existing 7'x6'RCB from the north on Decatur Boulevard at a confluence structure. The west leg of the Decatur Boulevard channel collects flows from proposed drop inlets on side streets between Elkhorn Road and Rome Boulevard. The two RCB facilities combine just south of Rome Boulevard. The end of construction limit is at the Northern CC-215 Bruce Woodbury Beltway control of access limit. The project, at Elkhorn Road and Torrey Pines Drive, begins within Clark County jurisdictional boundaries. At Maverick Street the centerline of Elkhorn Road becomes the jurisdictional boundary between Clark County, to the south, and the City of Las Vegas, to the north, the 24'x8' RCB is located in the northern half-street with stubs for future drop inlets on the south side of the street. The Clark County jurisdictional boundary heads south just west of the intersection of Jones Boulevard and Elkhorn Road. Elkhorn Road is entirely within the jurisdiction of the City of Las Vegas from just west of Jones Boulevard to Decatur Boulevard. The centerline of Decatur Boulevard is the jurisdictional boundary between the City of Las Vegas and the City of North Las Vegas. Therefore, the west leg of the Decatur Boulevard channel is located within the City of Las Vegas and the east leg of the Decatur Boulevard channel is located within City of North Las Vegas.

The project features an 8-inch and 15-inch sewer facility relocation on Elkhorn Road between Boyd Lane and Bradley Road, 8-inch sewer facility relocation on Jeanette Street between Koda Court and Donald Road, and 15-inch sewer facility relocation at the intersection of Elkhorn Road and Decatur Boulevard. The project also features several waterline relocations ranging in size from 6-inch mains to 12-inch mains. The proposed storm drain facilities are located within existing roadway alignments with partially developed or fully developed roadway sections. Therefore, the storm drain alignments cross or run parallel to a multitude of existing utilities including water, sewer, gas, telephone, cable, and power that must be maintained during construction or relocated.

ENVIRONMENTAL COORDINATION

Not applicable

CONSTRUCTION MANAGEMENT AND INSPECTIONS

Consultant will be required to provide full service construction management, inspection and material testing for this project. Consultant will be responsible for providing staff, documentation and all necessary equipment needed to provide the scope of services outlined below, within the hours and fee negotiated for the project.

BASIC REQUIREMENTS

1. Vehicles used on the Project by the Consultant's representatives shall be conspicuously marked so as to identify personnel of the Consultant for the benefit of the public.
2. The Consultant shall provide a cellular telephone to facilitate communication with the City and the public.
3. Provide computer and communications systems required to manage the project.
4. The Consultant shall provide a copy of their policy and procedure manual for construction management for review and approval to use on the project.

STAFFING REQUIREMENTS

1. The consultant shall provide a qualified Construction Manager to be in responsible control of the Project. The Construction Manager shall possess an active Contractors license, Professional Civil Engineer license, or Architecture registration in the State of Nevada pursuant to NRS 624, 625 and 623, respectively. The Construction Manager shall have, at a minimum, 4 years of post-licensure/registration, progressively responsible experience in managing and administering large construction projects, preferably on public sector construction projects of similar size and scope to the project.

   NOTE: Responsible control is defined, at a minimum, weekly field observation of the Project and supervision of staff's work. The Construction Manager is required to review pertinent project documents to ensure the success of the project.
2. The Consultant shall provide a qualified Construction Coordinator to oversee the daily construction administration, inspection and testing for the Project and to ensure timely submissions and processing of Project documents. The Construction Coordinator shall possess, at a minimum, one of the following:
   - A four year college degree in Architecture, construction management or engineering discipline; or
   - Possess a CCMA, PMI, or any nationally recognized construction management program certification in lieu of a four year college degree; or
   - An equivalent combination of relevant education, training and construction experience totaling 10 yrs in construction project management under the supervision of a licensed Contractor, Professional Civil Engineer, or Registered Architect.
3. The Consultant shall provide a qualified Construction Inspector to perform inspections as necessary to ensure the contractor(s) work is in compliance with the Project plans and specifications. The Construction Inspector shall possess certification(s) in one or more of the following: NICET, ICC, ICBO or ACI Field Inspector or any national recognized inspection program, preferably in a specialty related to the scope of work of the Project.
4. Document Control – The Consultant shall provide an experienced person to assist the Construction Coordinator in preparing and maintaining all correspondence and documents (i.e. submittals, daily reports, requests for information, change orders, etc.) required by this agreement. All reports shall be provided in Expedition format (Version 10.1 or higher). Other document control software may be allowed if approved in advance by the Owner.
5. Material Testing – The Consultant will provide or subcontract to an AASTHO certified lab to provide quality control testing and inspection during construction. The Consultant will be responsible for reviewing documentation including test reports to ensure compliance with the contract documents.

The Owner will require a resume for each staff person assigned to the Project, including proof of licensure, registration, and /or certifications. In addition to the resume, the Owner may require references, request an in-person interview, or other means to confirm qualifications and experience of proposed Project staff. The determination of the qualification of proposed Project staff shall be at the sole discretion of the Owner. Any proposed Project staff that do not meet the aforementioned qualifications and experience requirements shall be promptly replaced with staff acceptable to the Owner.

PRE-CONSTRUCTION

1. The Consultant shall:
   - Perform a review of the Plans and Specifications.
   - Perform a follow-up review of the geotechnical report.
   - Review the Contractor's Dust Permit for Construction Contract compliance.
   - Review the Contractor's Dust Mitigation Plan for Construction Contract compliance
   - Review the Contractor's Storm Water Permit for Construction Contract compliance.
   - Forward any comments to the City Project Representative.

2 The Consultant shall participate in periodic "Partnering Meetings" with the City and the Construction Contractor for discussion of shared goals, processes, and procedures during the construction process, which shall be attended by a Consultant team member who has high-level decision-making authority, and require the same in all subconsultant contracts. Meeting dates, times, and place will be determined by the City.

AGENCY COORDINATION

1. Coordinate with other agencies and City staff on all aspects of the project. Prepare, as required, an initial, non-exclusive list of submittals required on the project. Provide such list to the Contractor and the City as requested.
2. Keep Agencies informed of the City's public information program.
3. Attend preconstruction meetings, progress meetings, job conferences, and other related meetings including public information meetings. Take and distribute minutes of all such meetings.

UTILITY COORDINATION

1. Monitor any utility work required on this project.

PROJECT CONTROL

1. Create and maintain, on the City of Las Vegas' Primavera software (V10.1) accessed via an internet connection, daily reports, submittals, requests for information, field directives, change Orders and any other contract documents.
2. Keep a daily report of the Contractor's working and non-working hours on the project site, weather conditions, date relative to questions of extras or deletions, suppliers and distributors, equipment used and idle, daily quantities, daily activities, and in more detail as in the case of observing test procedures.
3. Track and analyze all project issues disputes and claims .
4. Monitor bid quantities for overruns, notify the City representative if quantities are exceeding the bid amount.
5. Provide videotape and photographic documentation of Project Site, on CD ROM, prior to and during construction, and made special note of any pertinent situation.
6. Maintain a list of names, addresses, and emergency telephone numbers of all contractors, subcontractors, agencies, and major suppliers of materials and equipment and provide an up-to-date list to the City Representative
7. Attend, chair and record minutes of all progress meetings.
8. Review and verify monthly and final estimates for payments to the Contractor, and ensure that all invoices reflect actual work completed in accordance with the Contract Documents and furnish to the City any necessary certifications as to payments to construction Contractors and suppliers.
9. Prepare and maintain all documents required to meet regulations.
   Upon completion of the project, the Consultant will provide the City with all files for their records.
   The Consultant will maintain copies of project files for three (3) years.

MONITOR CONSTRUCTION SCHEDULE

1. Consultant's construction coordinator will review the construction baseline schedule for conformance to the contract requirements.
2. Construction coordinator will review the updated schedules during the course of construction for slippage's, logic revisions, and other changes. All changes to the schedule will be reported to the City within ten (10) working days. The Consultant will provide a monthly written analysis report of the contractor's baseline and monthly update schedule.
3. Consultant will maintain an "as-built" schedule as work progresses.
4. If necessary, the Consultant will work with the contractor to provide a recovery schedule.

ISSUE MANAGEMENT

1. During the course of construction, Consultant will identify, and notify immediately, any items that have the potential to result in additional project time or cost impact as issues.
2. Consult with and advise the City, as to possible change orders, issue all instruction to the Contractor requested by the City, and prepare such change orders.
3. Report immediately to the City upon the occurrence of any accident on the Project and document information observed.
4. Monitor the Contractor's compliance with the approved NPDES permit and applicable Best Management practices; issue Notices of Non-Compliance and/or notify the applicable enforcement agency, as appropriate.
5. Work with the contractor to resolve issues.
6. Work with homeowners, businesses and the public at large to resolve issues and provide updated information as required to give notice of upcoming work activity that may impact them.

TRAFFIC CONTROL

1. Consultant staff will perform daily traffic zone review for compliance with approval of barricade plans.
2. Maintain copies of approved barricade plans.

REFERENCE MATERIAL

The following reference materials, as applicable, shall be used as standards for inspection work performed under this Agreement:

1. Design and Construction Standards for Wastewater Collection Systems from Clark County Water Reclamation District (formally Clark County Sanitation District)
2. Nevada Department of Transportation (NDOT) references (most current editions):
   a. Road Design Division Manual, Parts 1 & 2.
   b. Standard Specifications for Road and Bridget Construction (NDOT Silver book).
   c. Standard Plans for Road and Bridge Construction.
   d. Standard Construction Plan Symbols and Design Layout and Drafting Methods
   e. Bridge Design and Procedures Manual
   f. Nevada Work Zone Traffic Control Handbook
   g. Design and Construction Standards for Wastewater Collection
3. Manual on Uniform Traffic control Devices for Streets and Highways (MUTCD)
4. Traffic Control Devices Handbook
5. Roadside Design Guide
6. American Society for Testing and Materials (ASTM)
7. A Policy on Geometric Design and Highway and Streets (AASHTO)
8. Clark County Regional Flood Control District's Policies and Procedures.
9. Clark County Regional Flood Control District's Hydrologic Criteria and Drainage Design Manual
10. Uniform Standards Plans and Specifications for Public Work's Construction Off-Site Improvements, Clark County Area (Standard Specifications)
11. American Concrete Institute (ACI)
12. The Asphalt Institute
13. Portland Cement Association (PCA)

QUALITY CONTROL MATERIAL TESTING

The Consultant, or subconsultants, will be required to provide full service material testing and quality control testing during construction. The Consultant, or subconsultant, will be responsible for providing staff and documentation to ensure compliance with the contract documents.

SAMPLING AND TESTING CRITERIA:

FIELD TESTING

The Consultant will be responsible for providing field testing through its sub-consultant for soil, aggregate, concrete, and asphalt, required by the contract documents.
The Consultant will be responsible for reviewing and maintaining all field-testing data and reports for contract compliance

LABORATORY TESTING

The Consultant will be responsible for providing laboratory testing through its sub-consultant for soil, aggregate, concrete, asphalt, and pipe lining required by the contract documents.
The Consultant will be responsible for maintaining all source testing data and reports, including retesting of any and all failed tests.

LABORATORY TEST RESULTS

Soil Tests

a. The Consultant (or sub-consultant) shall perform relative compaction test of subgrade, aggregate base grade and trench backfill for verification of compliance with the project specifications when directed by the City and follow testing frequencies as shown in Item 4 – Testing Requirements. Test results shall be reviewed and delivered to the City's Representative prior to the Consultant leaving the construction site daily.

b. The Consultant shall retrieve samples from the project site and perform laboratory Moisture Density tests when requested by the City. Test results shall be delivered to the City or its Agent within _2_ working days following samples being retrieved from the project site.

c. The Consultant shall retrieve samples from the project site and perform laboratory Sieve Analysis tests when requested by the City. Test results shall be delivered to the City or its Agent within _2_ working days following samples being retrieved from the project site.

d. The Consultant shall retrieve samples from the project site and perform laboratory R-Value tests when requested by the City. Test results shall be delivered to the City or its Agent within _3_ working days following samples being retrieved from the project site.

e. The Consultant shall retrieve samples from the project site and perform laboratory Percent of Wear tests when requested by the City. Test results shall be delivered to the City or its Agent within _2_ working days following samples being retrieved from the project site.

f. The Consultant shall retrieve samples from the project site and perform laboratory Plasticity Index tests when requested by the City. Test results shall be delivered to the City or its Agent within _2_working days following samples being retrieved from the project site.

g. The Consultant shall retrieve samples from the project site and perform laboratory Sulfate Content tests when required by the City. Test results shall be delivered to the City or its Agent within _3_ working days following samples being retrieved from the project site.

Concrete Tests.

h. The Consultant (or Sub-consultant) shall perform on-site slump, temperature, air content, determination of unit weight and consistency tests for verification of compliance with the project specifications when directed by the City. Test results shall be delivered to the City's Representative prior to the Consultant leaving the construction site daily.

i. The Consultant shall prepare a minimum of _4_ test cylinders on the project site at the time of concrete placement and perform laboratory compressive strength tests when requested by the City. Cylinders shall be cured on-site in a cure box supplied by the Consultant, for a period of 24 hours before removal. Results shall be delivered to the City within _2_ working days following each cylinder being tested.

Asphaltic Concrete.

j. The Consultant (or sub-consultant) shall perform on-site density tests by utilizing "Density of Bituminous Concrete in Place by Nuclear Method" ASTM D 2950 methodology at the time of asphaltic concrete placement for verification of compliance with the project specifications when directed by the City. Test results shall be delivered to the City's Representative prior to the Consultant leaving the construction site daily.

k. The Consultants shall retrieve samples from the project site and perform laboratory Extraction/Gradation tests when requested by the City. Test results shall be delivered to the City within _2_ working days following samples being retrieved from the project site.

l. The Consultant shall retrieve samples from the project site and perform laboratory Maximum Theoretical Specific Gravity tests utilizing the Rice methods, when requested by the City. Test results shall be delivered to the City within _2_ working days following samples being retrieved from the project site.

m. The Consultant shall retrieve samples from the project site and perform laboratory Unit Weight and Thickness tests when requested by the City. Test results shall be delivered to the City within _2_ working days following samples being retrieved from the project site.

n. The Consultant shall retrieve samples from the project site and perform laboratory Marshall Series tests when requested by the City. Test results shall be delivered to the City within _3_ working days following samples being retrieved from the project site.

Testing Requirements: The following requirements for material control is included herein as reference and incorporated into the scope of work. The Consultant (or sub-consultant) shall be responsible for the following testing methodology.

o. **Trench Backfill** – Material sampled shall be tested in accordance with the test method and frequency indicated:

Control Test	Test Method	Frequency
Maximum Density/Opt. Moisture	AASHTO T180	1 per soil type
Sieve Analysis	AASHTO T27	1 per soil type
Plasticity Index	AASHTO T89 & T90	1 per soil type
Liquid Limit	AASHTO T89	1 per soil type

p. **Subgrade Material** – Material sampled shall be tested in accordance with the test method and frequency indicated:

Control Test	Test Method	Frequency
Maximum Density/Opt Moisture	AASHTO T180	1 per soil type, Minimum 2
Sieve Analysis	AASHTO T27	1 per soil type, Minimum 2
Plasticity Index	AASHTO T89 & T90	1 per soil type, Minimum 2
Liquid Limit	AASHTO T89	1 per soil type, Minimum 2

q. **Type II Aggregate Base** – Material sampled shall be tested in accordance with the test method and frequency indicated

Control Test	Test Method	Frequency
Maximum Density/Opt Moisture	AASHTO T180	1 per supplier
Sieve Analysis	ASSHTO T27	1 per supplier
Fractured Faces	Nev T230	1 per supplier
Plasticity Index	AASHTO T89 & T90	1 per supplier
Liquid Limit	AASHTO T89	1 per supplier
Resistance (R-Value)	AASHTO T190	1 per supplier
Percent of Wear (500 Rev.)	AASHTO T96	1 per supplier

r. **Portland Cement Concrete** – Concrete cylinders shall be cast and tested in accordance with ASTM. Material shall be sampled and tested as indicated

s.

Portion of Work	Sampling Frequency	No. of Cylinders/ Break Days
Sidewalk	1 set per 1000 LF per day	(4)/7, 14, 28
Curb and Gutter	1 set per 1000 LF per day	(4)/7, 14, 28
Crossgutter	1 set per 1000 LF per day	(4)/7, 14, 28
Misc. Structures	1 set per structure per day	(4)/7, 14, 28
Driveways	1 set per driveway	(4)/7, 14, 28

t. **Bituminous Pavement** – Material sampled during paving operation shall be tested in accordance with ASTM using Marshall Apparatus as indicated:

5. **Relative Compaction Testing**

The following requirements for Relative Compaction Testing are included herein as referenced and incorporated into the scope of work. The Consultant shall be responsible for the following field relative compaction tests.

a. **Trench Backfill** – Backfill shall be tested as indicated:
   1. One (1) test per lift per 100 lineal feet of trench or a minimum of two (2) tests per day.
   2. One (1) test per lateral.
   3. A minimum of two (2) mainline tests between structures.

b. **Structure Backfill** – Backfill shall be tested as indicated:
   1. One (1) test per lift per structure or a minimum of one (1) test per day.
   2. A minimum of one (1) test per structure.

c. **Subgrade** – Subgrade shall be tested as indicated:
   1. One (1) test per 300 to 500 lineal feet per lane (12') width) or a minimum of two (2) tests per street.

d. **Type II Aggregate Base** – Aggregate base shall be tested as indicated:
   1. One (1) test per 300 to 500 lineal feet per lane (12') width) or a minimum of two (2) tests per street.

e. **Curb and Gutter** – Aggregate base and subgrade shall be tested as indicated:
   1. One (1) test per 500 lineal feet of curb and gutter or curb or a minimum of two (2) per street.

f. **Crossgutter** – Aggregate base and subgrade shall be tested as indicated:
   1. Two (2) tests per complete crossgutter.

g. **Sidewalk** – Aggregate base and subgrade shall be tested as indicated:
   1. One (1) test per 500 lineal feet of sidewalk or a minimum of one (1) per street.

h. **Driveways** – Aggregate base and subgrade shall be tested as indicated:
   1. Residential – one (1) test per complete driveway.
   2. Commercial/Alley – two (2) tests per complete driveway.

i. **Hot plantmix bituminous pavement** – place field density testing of hot bituminous pavement per ASTM D2950 (Nuclear Gauge Method) shall be performed as indicated:
   1. A minimum of five (5) locations per day.

PROJECT CLOSEOUT – REQUIRED FOR ALL PROJECTS

The Consultant will responsible for closing out the project and delivering a complete project record to the City as identified in this agreement.

1. Upon completion of the Project, review the project for conformance with the Contract Documents, present written recommendations to the City, thirty (30) days after completion, as to the acceptance of the project by the City and approve in writing final payments to the Construction Contractor.
2. Evaluate claims by the Contractor or other and make recommendations concerning each to the City.
3. Following the issuance of Notice of Completion, the Consultant will deliver to the City, thirty (30) days after completion, a complete project record as described in this agreement.
4. The Consultant will deliver all electronic and Expedition files on computer disk (CD) and hard copy.
5. The Consultant shall submit a final report, thirty (30) days after completion, containing all test results, stamped and sealed by a Nevada professional Engineer.
6. Coordinate the delivery of all "As-Built" drawings to the City.
7. The Consultant shall submit the State Engineer Dam Safety Permission to Impound submittal package.
8. Complete contractor evaluation form.

EXHIBIT "B"
REQUIRED SUBMITTALS

ARTICLE 1: GENERAL

1.1 For the services set forth in Exhibit "A" (Scope of Services), the Consultant shall provide construction management information as requested by the City of Las Vegas. Reference the entire Agreement and other Exhibits for additional Consultant submittals, and documents to be forwarded from the Contractor.

1.2 All reports shall be on white acid-free paper, 8-1/2 x 11 inches, suitable for photocopying and bound in booklet form. It is understood that the City may make and distribute copies of the reports as necessary in connection with the Project without incurring obligation for additional compensation.

ARTICLE 2: CONSTRUCTION PHASE – MONTHLY INVOICES

2.1 Together with the Consultant's monthly invoice for services, provide copies of the following documents: Monthly payments to the contractor reviewed and verified by the consultant, pictures of construction activities, narrative of the monthly activities and progress, logic revisions to the project schedule, Project Logs (as a minimum include: Submittal, Request for Information, Change Order and Conflict Tracking) and certified payrolls from the contractor for the period covered by the invoice:

2.1.1 Current Schedule of construction progress in both paper and Microsoft Project, P6 (or approved equal) electronic file format.

ARTICLE 3: CLOSE-OUT PHASE – FINAL PAYMENT

3.1 Together with the Consultant's invoice for final payment, or upon termination of this Agreement for any reason, provide:

3.1.1 A final Project summary report.

3.1.2 All original documents (excluding Architectural plans and specifications as dictated by NRS 623) including photographs and negatives, or printed copies and electronic files if digital, relating to the Project produced during the term of this Agreement. Provide electronic files of all documents that are electronically produced or stored. Organize and label all documents in containers.

3.1.3 The Construction Inspectors Daily Reports, with original signature.

3.1.4 The Consultant's daily photographs, labeled and dated.

3.1.5 Electronic copy of the Expedition database containing all Project documents generated to date.

END OF EXHIBIT "B"

EXHIBIT "C"
PERFORMANCE SCHEDULE

ARTICLE 1: GENERAL

1.1 For the services set forth in Exhibit "A" (Scope of Services), the time schedule for performance of the Consultant's work begins with the date of this Agreement. Services shall be performed by the Consultant in an expeditious manner so as to not delay the progress of the Project, and in accordance with the time requirements described elsewhere in this Agreement.

ARTICLE 2: LATE AND EARLY COMPLETION

2.1 The Consultant's Total hourly Fee for the services set forth in Exhibit "A" (Scope of Services) is based on a construction term of ___ months for the Contractor to achieve Final Completion of the Project.

2.2 If the construction schedule is reduced or exceeded, the Consultant's compensation shall be adjusted in accordance with Exhibit "E" (Additional Compensation) as an Additional Service, which shall be agreed to in writing prior to rendering the Additional Services.

EXHIBIT C

Las Vegas Wash Middle Branch Storm Drain
Decatur Boulevard - Centennial Parkway to Elkhorn Road
Elkhorn Road - Decatur Boulevard to Torrey Pines Drive

Month	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Position																
Construction Manager	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16
Construction Coordinator	168	168	168	168	168	168	168	168	168	168	168	168	168	168	168	168
Document Control Person	168	168	168	168	168	168	168	168	168	168	168	168	168	168	168	168
Inspector 1	168	168	168	168	168	168	168	168	168	168	168	168	168	168	168	168
Inspector 2	168	168	168	168	168	168	168	168	168	168	168	168	168	168	168	168

EXHIBIT "D"
FEE BREAKDOWN

ARTICLE 1: FEE

1.1 TOTAL COMPENSATION

The total compensation to be paid to the Consultant for performance of this Agreement including Basic Services, Additional Services, and Reimbursable Expenses shall not exceed $1,900,000 This amount is comprised of the parts described in this Exhibit "D" (Fee Breakdown).

1.2 BASIC SERVICES PAYMENT BASED ON SALARY MULTIPLIER

For the services set forth in Exhibit "A" (Scope of Services), the City agrees to pay to the Consultant as follows:

Compensation for the services provided herein will be made on the basis of the employees' base salary cost times a multiplier of (3.00) which covers all labor and project related expenses and profit (subconsultants), plus reimbursement of subconsultant services at invoice cost plus 5 percent markup. Payment shall be made pursuant to monthly invoices submitted in accordance with the agreement.

1.3 BASIC SERVICES COMPENSATION

The total compensation to be paid to the Consultant for performance of this Agreement including Basic Services and Reimbursable Expenses as set forth in Exhibit A shall not exceed $1,369,596.16 This price assumes a 16 month schedule for services per Exhibit D-1. Any services extending beyond 21 months will be covered by additional services as authorized by City.

This project will be managed from Consultants field office at **TBD.** The Consultants Staff (RE and Inspector) will each be equipped with a vehicle and cell phone, office supplies such as computers, printers, copiers, fax machines, and other "typical" office supplies will be supplied by the corporate office and included as part of the Services set forth in Exhibit "A".

ALLOWANCE FOR ADDITIONAL SERVICES

A Not-To-Exceed Allowance for Additional Services is hereby established as set forth below. The City Representative has authority to pre-authorize in writing Additional Services up to the Total Not-To-Exceed Cost. Services performed prior to receiving the required written authorization or in excess of the Total Not-To-Exceed Cost shall not be obligated for compensation.

Additional Services are services that are not set forth in Exhibit "A" (Scope of Services).

The Consultant shall be compensated for Additional Services in accordance with the Additional Services fees set forth in Exhibit "E" (Additional Compensation), or if no Additional Service fee has been established for the service, in accordance with the Consultant Hourly Rates established in Exhibit "E" (Additional Compensation). Additional Service compensation disputes shall be resolved in accordance with the claims and disputes provisions of this Agreement and shall not be cause for the Consultant to delay providing requested services. Payment shall be made for each completed Additional Service pursuant to invoices submitted in accordance with the Agreement.

Increases to this Total Not-To-Exceed Cost for Additional Services may only be authorized by written amendment to this Agreement.

EXHIBIT D

Las Vegas Wash Middle Branch Storm Drain
Decatur Boulevard - Centennial Parkway to Elkhorn Road
Elkhorn Road - Decatur Boulevard to Torrey Pines Drive

Month		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	
Position	Rate																	Total
Construction Manager	$200.00	$3,200.16	$3,200.16	$3,200.16	$3,200.16	$3,200.16	$3,200.16	$3,200.16	$3,200.16	$3,200.16	$3,200.16	$3,200.16	$3,200.16	$3,200.16	$3,200.16	$3,200.16	$3,200.16	$41,602.08
Construction Coordinator	$150.00	$25,200.00	$25,200.00	$25,200.00	$25,200.00	$25,200.00	$25,200.00	$25,200.00	$25,200.00	$25,200.00	$25,200.00	$25,200.00	$25,200.00	$25,200.00	$25,200.00	$25,200.00	$25,200.00	$327,600.00
Document Control Person	$65.00	$10,911.60	$10,911.60	$10,911.60	$10,911.60	$10,911.60	$10,911.60	$10,911.60	$10,911.60	$10,911.60	$10,911.60	$10,911.60	$10,911.60	$10,911.60	$10,911.60	$10,911.60	$10,911.60	$141,850.80
Inspector 1	$108.00	$18,144.00	$18,144.00	$18,144.00	$18,144.00	$18,144.00	$18,144.00	$18,144.00	$18,144.00	$18,144.00	$18,144.00	$18,144.00	$18,144.00	$18,144.00	$18,144.00	$18,144.00	$18,144.00	$235,872.00
Inspector 2	$108.00	$18,144.00	$18,144.00	$18,144.00	$18,144.00	$18,144.00	$18,144.00	$18,144.00	$18,144.00	$18,144.00	$18,144.00	$18,144.00	$18,144.00	$18,144.00	$18,144.00	$18,144.00	$18,144.00	$235,872.00
Total Monthly Labor		$75,599.76	$75,599.76	$75,599.76	$75,599.76	$75,599.76	$75,599.76	$75,599.76	$75,599.76	$75,599.76	$75,599.76	$75,599.76	$75,599.76	$75,599.76	$75,599.76	$75,599.76	$75,599.76	$1,209,596.16
Material Testing		$10,000.00	$10,000.00	$10,000.00	$10,000.00	$10,000.00	$10,000.00	$10,000.00	$10,000.00	$10,000.00	$10,000.00	$10,000.00	$10,000.00	$10,000.00	$10,000.00	$10,000.00	$10,000.00	$160,000.00
Total Monthly Cost		$85,599.76	$85,599.76	$85,599.76	$85,599.76	$85,599.76	$85,599.76	$85,599.76	$85,599.76	$85,599.76	$85,599.76	$85,599.76	$85,599.76	$85,599.76	$85,599.76	$85,599.76	$85,599.76	$1,369,596.16

TOTAL ESTIMATED CONTRACT: $1,369,596.16

EXHIBIT "E"
ADDITIONAL COMPENSATION

ARTICLE 1: CONSULTANT HOURLY RATES

ARTICLE 2: ADDITIONAL SERVICES

2.1 The cost of the following potential future Additional Services have been negotiated as of the date of this Agreement.

Hourly Labor Rates	
Construction Manager	$200.00
Construction Coordinator	$150.00
Construction Inspector	$108.00
Survey Crew – 2 man crew	$195.00
Survey Crew – 1 man crew with robotics	$165.00
Document Control	$65.00
Tortoise/Owl Monitoring	n/a
Paleontological Monitoring	n/a

Laboratory Rates	
M/D Relationship	145.00
M/D Relationship (incl Rock correction)	220.00
Sieve Analysis	108.00
Plastic Limits	88.00
Percentage Wear	146.00
R-Value	254.00
Fractured Faces	85.00
Sand Equivalent	85.00
Extraction Gradation	190.00
Moisture Content	13.00
Theoretical Max SpG	98.00
Bulk SpG-Compacted Mix (2)	80.00
Marshall-Stability and Flow (2)	210.00
Retained Tensile Strength (3)	340.00
Bulk SpG-Cores (2)	80.00
Concrete Compressive Strength (4)	57.00
Concrete Compressive Strength (6)	75.00
Rip-Rap SpG	142.00
Rip-Rap Percentage Wear	210.00

2.2 Additions or reductions in services due to an extension or reduction of time to the construction schedule indicated in **Exhibit "C"** (Performance Schedule) shall be based on the pro-rata share of the Monthly Rate shown herein.

2.3 These fees are valid for the duration of the Project and include salary costs, equipment, overhead, administration and profit. For Additional Services of sub-consultants, the City shall compensate the Consultant a multiple of **one and one fifth (1.05)** times the amounts billed to the Consultant for such services, which multiple has been included in the Additional Services fees shown herein.

END OF EXHIBIT "E"

EXHIBIT "F"
KEY PERSONNEL LIST

CITY PERSONNEL

CITY REPRESENTATIVE: Jeff Galambas, P.E.

CONSTRUCTION MANAGER'S PROJECT STAFF

The following personnel will be assigned by to work on the Project. Any changes require City approval.

CONSTRUCTION MANAGER REPRESENTATIVE: .

OTHER PERSONNEL: Construction Coordinator – Joey Davidson
Construction Project Manager – Don Gedye

RESPONSIBLE IN CHARGE PERSON (Mandatory under NRS 338 CM as Agent): Don Dedye

IN CHARGE PERSON'S STATE OF NEVADA LICENSE NUMBER (Mandatory under NRS 338 CM as Agent):

CONSTRUCTION MANAGER'S SUBCONSULTANTS

The following subconsultants will be contracted with and utilized by the Construction Manager to work on the Project. Any changes require City approval.

Materials Testing:
Environmental:

END OF EXHIBIT "F

EXHIBIT "G"

DISCLOSURE OF OWNERSHIP/PRINCIPALS

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**

The Louis Berger Group, Inc.
Name
500 Amigo Court, Suite 100
Las Vegas, NV 89119
Address
702/736-6632
Telephone
22-1754524
EIN or DUNS

Block 2 — **Description**

Subject Matter of Contract/Agreement:

Las Vegas Wash Middle Branch Storm Drain
Bid #[redacted] 100174-DC

RFP #:

Block 3 — **Type of Business**

☐ Individual ☐ Partnership ☐ Limited Liability Company ☒ Corporation

[June 2000]

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.	Derish Wolff	412 Mount Kemble Avenue Morristown, NJ 07962	973/407-1000
2.	Fredric Berger	2445 M Street, NW Washington, DC 20037	202/331-7775
3.	Francois Farhi	55 bis quai de Grenelle, 75015 Paris, France	(331) 45 78 39 39
4.	Nicholas J. Masucci	412 Mount Kemble Avenue Morristown, NJ 07962	973/407-1000
5.	D. James Siamatis	412 Mount Kemble Avenue Morristown, NJ 07962	973/407-1000
6.	Fabrice Signor	55 bis quai de Grenelle, 75015 Paris, France	(331) 45 78 39 39
7.	Ronald Frank Kornell	412 Mount Kemble Avenue Morristown, NJ 07962	973/407-1000
8.	Pat A. Quinn	412 Mount Kemble Avenue Morristown, NJ 07962	973/407-1000
9.	Robert Nardi	412 Mount Kemble Avenue Morristown, NJ 07962	973/407-1000
10.	Alexander Popoff	33301 Ninth Avenue South Federal Way, WA 98003	206/431-2300

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 1.

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.

_____ Roger J. Patton, P.E., Senior Vice President
Name

December 23, 2009
Date

Subscribed and sworn to before me this 23rd day of December 2009.

_____
Notary Public

CAROL DAVID-FAJARDO
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 08-7593-1
MY APPT. EXPIRES JUNE 18, 2012

Block 4 Disclosure of Ownership and Principals

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	FULL NAME/TITLE	BUSINESS ADDRESS	BUSINESS PHONE
11.	Nick Ivanoff	96 Morton Street New York, NY 10014	212/462-8500
12.	Larry Walker	412 Mount Kemble Avenue Morristown, NJ 07962	973/407-1000
13.	Rene Cousin	55 bis quai de Grenelle, 75015 Paris, France	(331) 45.78.39.39
14.	Richard Hirsch	Unit 3, 12th Floor Urban Bank Plaza 1200 Makati City, Philippines	812-1647
15.	James G. Bach	412 Mount Kemble Avenue Morristown, NJ 07962	973/407-1000
16.	Larry Pesesky	199 Water Street, 23rd Floor New York, NY 10038	212/612-7900

EXHIBIT "G"

DISCLOSURE OF OWNERSHIP/PRINCIPALS

1. Definitions

"City" means the City of Las Vegas

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"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
Name	The Louis Berger Group, Inc.
Address	500 Amigo Court, Suite 100 Las Vegas, NV 89119
Telephone	702/736-6632
EIN or DUNS	22-1754524

Block 2	Description
Subject Matter of Contract/Agreement:	Las Vegas Wash Middle Branch Storm Drain Bid #[redacted] /00174-DC
RFP #	

Block 3	Type of Business
☐ Individual	☐ Partnership ☐ Limited Liability Company ☒ Corporation

[June 2000]

CERTIFICATE – DISCLOSURE OF OWNERSHIP/PRINCIPALS (CONTINUED)

Block 4 Disclosure of Ownership and Principals

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3.	Francois Farhi	55 bis quai de Grenelle, 75015 Paris, France	(331) 45 78 39 39
4	Nicholas J. Masucci	412 Mount Kemble Avenue Morristown, NJ 07962	973/407-1000
5.	D. James Stamatis	412 Mount Kemble Avenue Morristown, NJ 07962	973/407-1000
6	Fabrice Signor	55 bis quai de Grenelle, 75015 Paris, France	(331) 45 78 39.39
7.	Ronald Frank Kornell	412 Mount Kemble Avenue Morristown, NJ 07962	973/407-1000
8	Pat A Quinn	412 Mount Kemble Avenue Morristown, NJ 07962	973/407-1000
9	Robert Nardi	412 Mount Kemble Avenue Morristown, NJ 07962	973/407-1000
10.	Alexander Popoff	33301 Ninth Avenue South Federal Way, WA 98003	206/431-2300

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 1 .

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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.

_____ Roger J. Patton, P.E., Senior Vice President
Name

December 23, 2009
Date

Subscribed and sworn to before me this 23rd day of December 2009.

_____
Notary Public

CAROL DAVID-FAJARDO
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 06-7593-1
MY APPT. EXPIRES JUNE 16, 2012

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
11.	Nick Ivanoff	96 Morton Street New York, NY 10014	212/462-8500
12.	Larry Walker	412 Mount Kemble Avenue Morristown, NJ 07962	973/407-1000
13.	Rene Cousin	55 bis quai de Grenelle, 75015 Paris, France	(331) 45.78.39.39
14.	Richard Hirsch	Unit 3, 12th Floor Urban Bank Plaza 1200 Makati City, Philippines	812-1647
15.	James G. Bach	412 Mount Kemble Avenue Morristown, NJ 07962	973/407-1000
16.	Larry Pesesky	199 Water Street, 23rd Floor New York, NY 10038	212/612-7900

City of Las Vegas Agenda Item No.: **34.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT ☒ **Consent** ☐ **Discussion**

SUBJECT:

Approval of award of Bid No. 09.1730.14-LED, Elkhorn Springs and Buffalo Drive Storm Drain System located on Farm Road between Palm Grove Lane and Buffalo Drive and between Donald Nelson Avenue and Sunny Springs Lane on Buffalo Drive and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: M&H ENTERPRISES INC. ($1,191,583.26 - Road and Flood Capital Projects Fund) - Ward 6 (Ross)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $1,191,583.26
Funding Source: Road and Flood Capital Projects Fund
Dept./Division: Public Works

PURPOSE/BACKGROUND:

This project involves storm drain improvements. Funding for this project is provided by the Clark County Regional Flood Control District.

PCC: L.E. Davis
POC: Guy Martin - (702) 385-5257

RECOMMENDATION:

That City Council approve the award of Bid No. 09.1730.14-LED, Elkhorn Springs and Buffalo Drive Storm Drain System to M&H Enterprises, Inc. in the amount of $1,191,583.26 and approve the construction conflicts and contingency reserve of $119,158. Authority to execute the Contract is given to the Purchasing Manager per R-48-2006.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Bid Abstract

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: April 7, 2010
DEPARTMENT: Public Works
ITEM DESCRIPTION: Bid No. 09.1730.14-LED, Elkhorn Springs and Buffalo Drive Storm Drain System

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This project involves storm drain improvement of various drain sizes from 18-inch to 60-inch reinforced concrete pipe (RCP) with total length (including laterals) of approximately 3,610 linear feet. The project will consist of, but not be limited to, removal and replacement of asphalt, concrete sidewalk, curb and gutter, and irrigation systems; removal of existing storm drain and appurtenances; removal of existing sanitation sewer; installation of RCP (varying diameter), storm drain manholes and drop inlets with appurtenances; traffic striping; and existing utility adjustments and other related work.

Bid Abstract

09.1730.14-LED
Elkhorn Springs & Buffalo Drive
Storm Drain System

				M & H Enterprises Inc.		Spirit Underground, LLC		JNJ Engineering Const. Inc.	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
109.01	OWNER CAUSED DELAY ALLOWANCE	DAY	15	$500.00	$7,500.00	$500.00	$7,500.00	$500.00	$7,500.00
109.02	OWNER CAUSED DELAY AMOUNT IN ADDITION TO ALLOWANCE	DAY	15	$500.00	$7,500.00	$1,000.00	$15,000.00	$0.00	$0.00
200.01	MOBILIZATION AND DEMOBILIZATION	LS	1	$127,000.00	$127,000.00	$127,000.00	$127,000.00	$127,000.00	$127,000.00
201.00	CLEARING AND GRUBBING	LS	1	$1,223.80	$1,223.80	$4,500.00	$4,500.00	$5,000.00	$5,000.00
202.01	REMOVAL OF ASPHALT PAVEMENT	SY	10,225	$3.93	$40,184.25	$1.95	$19,938.75	$1.00	$10,225.00
202.02	REMOVAL OF CONCRETE SIDEWALK	SF	846	$3.56	$3,011.76	$1.90	$1,607.40	$0.75	$634.50
202.03	REMOVAL OF CONCRETE CROSS GUTTER	SF	285	$6.19	$1,764.15	$2.80	$798.00	$1.00	$285.00
202.04	REMOVAL OF CONCRETE CURB AND GUTTER	LF	177	$5.70	$1,008.90	$5.30	$938.10	$2.00	$354.00
202.05	REMOVAL OF 18" RCP STORM DRAIN PIPE	LF	888	$7.74	$6,873.12	$17.00	$15,096.00	$10.00	$8,880.00
202.06	REMOVAL OF 36" HDPE STORM DRAIN PIPE	LF	362	$15.61	$5,650.82	$23.00	$8,326.00	$20.00	$7,240.00
202.07	REMOVAL OF 42" HDPE STORM DRAIN PIPE	LF	13	$15.52	$201.76	$35.00	$455.00	$50.00	$650.00
202.08	REMOVAL OF STORM DRAIN MANHOLE	EA	7	$821.60	$5,751.20	$1,160.00	$8,120.00	$600.00	$4,200.00

Bid Abstract

09.1730.14-LED
Elkhorn Springs & Buffalo Drive
Storm Drain System

				M & H Enterprises Inc.		Spirit Underground, LLC		JNJ Engineering Const. Inc.	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
202.09	REMOVAL OF DROP INLET	EA	3	$1,361.25	$4,083.75	$2,280.00	$6,840.00	$600.00	$1,800.00
202.10	REMOVAL OF SANITARY SEWER	LF	10	$47.69	$476.90	$25.00	$250.00	$30.00	$300.00
213.01	REMOVE AND REPLACE IRRIGATION SYSTEMS	LS	1	$2,650.00	$2,650.00	$6,000.00	$6,000.00	$2,500.00	$2,500.00
302.01	TYPE II AGGREGATE BASE	CY	3,408	$2.48	$8,451.84	$20.00	$68,160.00	$21.00	$71,568.00
402.01	4-INCH PLANTMIX BITUMINOUS SURFACE	SY	10,225	$14.84	$151,739.00	$14.90	$152,352.50	$15.00	$153,375.00
502.01	CONCRETE STAFF GAUGE	EA	1	$1,500.00	$1,500.00	$12,600.00	$12,600.00	$11,000.00	$11,000.00
603.01	18-INCH REINFORCED CONCRETE PIPE (CLASS III)	LF	243	$64.33	$15,632.19	$80.00	$19,440.00	$70.00	$17,010.00
603.02	30-INCH REINFORCED CONCRETE PIPE (CLASS III)	LF	108	$89.60	$9,676.80	$97.00	$10,476.00	$116.00	$12,528.00
603.03	36-INCH REINFORCED CONCRETE PIPE (CLASS III)	LF	80	$117.93	$9,434.40	$113.00	$9,040.00	$140.00	$11,200.00
603.04	48-INCH REINFORCED CONCRETE PIPE (CLASS III)	LF	1,375	$151.07	$207,721.25	$105.00	$144,375.00	$162.00	$222,750.00
603.05	54-INCH REINFORCED CONCRETE PIPE (CLASS III)	LF	83	$173.81	$14,426.23	$222.00	$18,426.00	$195.00	$16,185.00
603.06	60-INCH REINFORCED CONCRETE PIPE (CLASS III)	LF	1,046	$205.00	$214,430.00	$197.00	$206,062.00	$212.00	$221,752.00

Bid Abstract

09.1730.14-LED
Elkhorn Springs & Buffalo Drive
Storm Drain System

				M & H Enterprises Inc.		Spirit Underground, LLC		JNJ Engineering Const. Inc.	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
603.07	38-INCH X 60-INCH HORIZONTAL ELLIPTICAL REINFORCED CONCRETE PIPE (CLASS III)	LF	695	$168.42	$117,051.90	$137.00	$95,215.00	$186.00	$129,270.00
609.01	60-INCH TYPE III STORM DRAIN MANHOLE	EA	11	$5,800.00	$63,800.00	$6,780.00	$74,580.00	$4,500.00	$49,500.00
609.02	48-INCH TYPE II STORM DRAIN MANHOLE	EA	1	$4,800.00	$4,800.00	$5,580.00	$5,580.00	$3,200.00	$3,200.00
609.03	48-INCH TYPE I STORM DRAIN MANHOLE	EA	1	$2,380.00	$2,380.00	$3,730.00	$3,730.00	$2,600.00	$2,600.00
609.04	MODIFIED NDOT TYPE 4 MANHOLE	EA	1	$7,650.00	$7,650.00	$9,290.00	$9,290.00	$7,200.00	$7,200.00
609.05	60-INCH PRECAST MANHOLE TEE	EA	2	$4,920.00	$9,840.00	$6,210.00	$12,420.00	$4,200.00	$8,400.00
609.06	7.5-FOOT TYPE DM DROP INLET	EA	4	$5,245.00	$20,980.00	$7,490.00	$29,960.00	$6,000.00	$24,000.00
609.07	15-FOOT TYPE DM DROP INLET	EA	4	$6,750.00	$27,000.00	$11,000.00	$44,000.00	$9,000.00	$36,000.00
609.08	MODIFIED LOCKING MANHOLE COVER	EA	1	$1,800.00	$1,800.00	$870.00	$870.00	$550.00	$550.00
609.09	OUTLET STRUCTURE FOR 60-INCH RCP	EA	1	$17,120.82	$17,120.82	$20,920.00	$20,920.00	$18,000.00	$18,000.00
610.01	GROUTED RIPRAP D50 = 6 INCHES	CY	20	$123.78	$2,475.60	$196.00	$3,920.00	$90.00	$1,800.00
613.01	TYPE L CURB AND GUTTER	LF	177	$9.66	$1,709.82	$17.50	$3,097.50	$24.00	$4,248.00

Bid Abstract

09.1730.14-LED
Elkhorn Springs & Buffalo Drive
Storm Drain System

				M & H Enterprises Inc.		Spirit Underground, LLC		JNJ Engineering Const. Inc.	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
613.02	CONCRETE SIDEWALK	SF	846	$3.25	$2,749.50	$4.20	$3,553.20	$2.50	$2,115.00
613.03	CONCRETE CROSS GUTTER	SF	285	$6.50	$1,852.50	$7.00	$1,995.00	$5.50	$1,567.50
622.01	CONSTRUCTION SURVEYING	LS	1	$4,640.00	$4,640.00	$10,500.00	$10,500.00	$7,000.00	$7,000.00
624.01	TRAFFIC CONTROL AND MAINTENANCE	LS	1	$30,000.00	$30,000.00	$62,000.00	$62,000.00	$50,000.00	$50,000.00
625.01	PORTABLE CHANGEABLE MESSAGE SIGN	DAY	32	$55.00	$1,760.00	$57.00	$1,824.00	$75.00	$2,400.00
625.02	ARROW DISPLAY	DAY	128	$40.00	$5,120.00	$42.00	$5,376.00	$20.00	$2,560.00
628.01	PAVEMENT MARKING FILM "ONLY "	EA	6	$165.00	$990.00	$172.00	$1,032.00	$220.00	$1,320.00
628.02	PAVEMENT MARKING FILM FOR ARROWS	EA	3	$145.00	$435.00	$151.00	$453.00	$170.00	$510.00
628.03	PAVEMENT MARKING FILM (24-INCH SOLID WHITE)	LF	495	$4.00	$1,980.00	$4.10	$2,029.50	$16.00	$7,920.00
629.01	VERTICALLY ADJUST WATER VALVE COVER	EA	8	$400.00	$3,200.00	$417.00	$3,336.00	$400.00	$3,200.00
630.01	CONCRETE ENCASEMENT FOR SEWER LINE	LS	1	$3,800.00	$3,800.00	$4,960.00	$4,960.00	$2,500.00	$2,500.00
630.02	SANITARY SEWER MANHOLE RIM ADJUSTMENT	EA	3	$1,475.00	$4,425.00	$462.00	$1,386.00	$500.00	$1,500.00

Bid Abstract

09.1730.14-LED
Elkhorn Springs & Buffalo Drive
Storm Drain System

				M & H Enterprises Inc.		Spirit Underground, LLC		JNJ Engineering Const. Inc.	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
633.01	REFLECTIVE RAISED PAVEMENT MARKERS	EA	520	$2.35	$1,222.00	$2.40	$1,248.00	$1.20	$624.00
633.02	NON-REFLECTIVE RAISED PAVEMENT MARKERS	EA	1,340	$1.35	$1,809.00	$1.40	$1,876.00	$1.00	$1,340.00
637.01	DUST CONTROL	LS	1	$2,700.00	$2,700.00	$12,700.00	$12,700.00	$15,000.00	$15,000.00
637.02	NPDES DISCHARGE PERMIT	LS	1	$400.00	$400.00	$3,650.00	$3,650.00	$5,000.00	$5,000.00
	Total Base Bid Amount				$1,191,583.26		$1,284,801.95		$1,303,261.00
	Engineer's Estimate: $2,665,000.00								
	Responsive Bidder				Yes				
	Responsible Bidder				Yes				

Bid Abstract

09.1730.14-LED
Elkhorn Springs & Buffalo Driv
Storm Drain System

				Western States Contrating Inc.		Meadow Valley Contractors, Inc.		Capriati Construction Corp	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
109.01	OWNER CAUSED DELAY ALLOWANCE	DAY	15	$500.00	$7,500.00	$500.00	$7,500.00	$500.00	$7,500.00
109.02	OWNER CAUSED DELAY AMOUNT IN ADDITION TO ALLOWANCE	DAY	15	$750.00	$11,250.00	$500.00	$7,500.00	$300.00	$4,500.00
200.01	MOBILIZATION AND DEMOBILIZATION	LS	1	$127,000.00	$127,000.00	$127,000.00	$127,000.00	$127,000.00	$127,000.00
201.00	CLEARING AND GRUBBING	LS	1	$11,700.00	$11,700.00	$38,000.00	$38,000.00	$775.00	$775.00
202.01	REMOVAL OF ASPHALT PAVEMENT	SY	10,225	$1.90	$19,427.50	$2.80	$28,630.00	$3.35	$34,253.75
202.02	REMOVAL OF CONCRETE SIDEWALK	SF	846	$2.75	$2,326.50	$0.50	$423.00	$1.00	$846.00
202.03	REMOVAL OF CONCRETE CROSS GUTTER	SF	285	$3.30	$940.50	$1.50	$427.50	$1.40	$399.00
202.04	REMOVAL OF CONCRETE CURB AND GUTTER	LF	177	$5.50	$973.50	$2.40	$424.80	$4.00	$708.00
202.05	REMOVAL OF 18" RCP STORM DRAIN PIPE	LF	888	$19.00	$16,872.00	$3.80	$3,374.40	$16.75	$14,874.00
202.06	REMOVAL OF 36" HDPE STORM DRAIN PIPE	LF	362	$23.00	$8,326.00	$3.90	$1,411.80	$27.00	$9,774.00
202.07	REMOVAL OF 42" HDPE STORM DRAIN PIPE	LF	13	$27.00	$351.00	$55.00	$715.00	$91.00	$1,183.00
202.08	REMOVAL OF STORM DRAIN MANHOLE	EA	7	$600.00	$4,200.00	$703.00	$4,921.00	$700.00	$4,900.00

Bid Abstract

09.1730.14-LED
Elkhorn Springs & Buffalo Driv
Storm Drain System

				Western States Contrating Inc.		Meadow Valley Contractors, Inc.		Capriati Construction Corp	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
202.09	REMOVAL OF DROP INLET	EA	3	$880.00	$2,640.00	$821.00	$2,463.00	$550.00	$1,650.00
202.10	REMOVAL OF SANITARY SEWER	LF	10	$19.00	$190.00	$132.00	$1,320.00	$60.00	$600.00
213.01	REMOVE AND REPLACE IRRIGATION SYSTEMS	LS	1	$20,000.00	$20,000.00	$4,700.00	$4,700.00	$1,200.00	$1,200.00
302.01	TYPE II AGGREGATE BASE	CY	3,408	$19.00	$64,752.00	$15.50	$52,824.00	$22.50	$76,680.00
402.01	4-INCH PLANTMIX BITUMINOUS SURFACE	SY	10,225	$15.50	$158,487.50	$15.00	$153,375.00	$14.70	$150,307.50
502.01	CONCRETE STAFF GAUGE	EA	1	$4,040.00	$4,040.00	$4,880.00	$4,880.00	$7,500.00	$7,500.00
603.01	18-INCH REINFORCED CONCRETE PIPE (CLASS III)	LF	243	$64.00	$15,552.00	$99.50	$24,178.50	$71.00	$17,253.00
603.02	30-INCH REINFORCED CONCRETE PIPE (CLASS III)	LF	108	$87.00	$9,396.00	$107.00	$11,556.00	$106.00	$11,448.00
603.03	36-INCH REINFORCED CONCRETE PIPE (CLASS III)	LF	80	$104.00	$8,320.00	$118.00	$9,440.00	$114.00	$9,120.00
603.04	48-INCH REINFORCED CONCRETE PIPE (CLASS III)	LF	1,375	$146.00	$200,750.00	$154.00	$211,750.00	$129.50	$178,062.50
603.05	54-INCH REINFORCED CONCRETE PIPE (CLASS III)	LF	83	$173.00	$14,359.00	$194.00	$16,102.00	$231.00	$19,173.00
603.06	60-INCH REINFORCED CONCRETE PIPE (CLASS III)	LF	1,046	$216.00	$225,936.00	$217.00	$226,982.00	$210.50	$220,183.00

Bid Abstract

09.1730.14-LED
Elkhorn Springs & Buffalo Driv
Storm Drain System

				Western States Contrating Inc.		Meadow Valley Contractors, Inc.		Capriati Construction Corp	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
603.07	38-INCH X 60-INCH HORIZONTAL ELLIPTICAL REINFORCED CONCRETE PIPE (CLASS III)	LF	695	$175.00	$121,625.00	$205.00	$142,475.00	$187.80	$130,521.00
609.01	60-INCH TYPE III STORM DRAIN MANHOLE	EA	11	$6,450.00	$70,950.00	$5,030.00	$55,330.00	$6,457.00	$71,027.00
609.02	48-INCH TYPE II STORM DRAIN MANHOLE	EA	1	$5,500.00	$5,500.00	$4,790.00	$4,790.00	$5,523.00	$5,523.00
609.03	48-INCH TYPE I STORM DRAIN MANHOLE	EA	1	$3,600.00	$3,600.00	$1,820.00	$1,820.00	$3,857.00	$3,857.00
609.04	MODIFIED NDOT TYPE 4 MANHOLE	EA	1	$7,850.00	$7,850.00	$10,500.00	$10,500.00	$7,688.00	$7,688.00
609.05	60-INCH PRECAST MANHOLE TEE	EA	2	$1,400.00	$2,800.00	$4,760.00	$9,520.00	$2,620.00	$5,240.00
609.06	7.5-FOOT TYPE DM DROP INLET	EA	4	$7,100.00	$28,400.00	$6,210.00	$24,840.00	$7,649.00	$30,596.00
609.07	15-FOOT TYPE DM DROP INLET	EA	4	$10,500.00	$42,000.00	$9,280.00	$37,120.00	$10,342.00	$41,368.00
609.08	MODIFIED LOCKING MANHOLE COVER	EA	1	$800.00	$800.00	$693.00	$693.00	$1,604.00	$1,604.00
609.09	OUTLET STRUCTURE FOR 60-INCH RCP	EA	1	$19,000.00	$19,000.00	$17,700.00	$17,700.00	$20,312.00	$20,312.00
610.01	GROUTED RIPRAP D50 = 6 INCHES	CY	20	$160.00	$3,200.00	$278.00	$5,560.00	$113.00	$2,260.00
613.01	TYPE L CURB AND GUTTER	LF	177	$12.00	$2,124.00	$23.00	$4,071.00	$17.00	$3,009.00

Bid Abstract

09.1730.14-LED
Elkhorn Springs & Buffalo Driv
Storm Drain System

				Western States Contrating Inc.		Meadow Valley Contractors, Inc.		Capriati Construction Corp	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
613.02	CONCRETE SIDEWALK	SF	846	$5.50	$4,653.00	$3.90	$3,299.40	$4.50	$3,807.00
613.03	CONCRETE CROSS GUTTER	SF	285	$12.00	$3,420.00	$8.80	$2,508.00	$8.40	$2,394.00
622.01	CONSTRUCTION SURVEYING	LS	1	$10,300.00	$10,300.00	$5,880.00	$5,880.00	$7,500.00	$7,500.00
624.01	TRAFFIC CONTROL AND MAINTENANCE	LS	1	$45,500.00	$45,500.00	$45,800.00	$45,800.00	$46,795.00	$46,795.00
625.01	PORTABLE CHANGEABLE MESSAGE SIGN	DAY	32	$85.00	$2,720.00	$77.50	$2,480.00	$88.50	$2,832.00
625.02	ARROW DISPLAY	DAY	128	$30.00	$3,840.00	$26.00	$3,328.00	$26.00	$3,328.00
628.01	PAVEMENT MARKING FILM "ONLY "	EA	6	$165.00	$990.00	$170.00	$1,020.00	$171.60	$1,029.60
628.02	PAVEMENT MARKING FILM FOR ARROWS	EA	3	$145.00	$435.00	$150.00	$450.00	$150.80	$452.40
628.03	PAVEMENT MARKING FILM (24-INCH SOLID WHITE)	LF	495	$4.00	$1,980.00	$4.10	$2,029.50	$4.20	$2,079.00
629.01	VERTICALLY ADJUST WATER VALVE COVER	EA	8	$300.00	$2,400.00	$354.00	$2,832.00	$120.00	$960.00
630.01	CONCRETE ENCASEMENT FOR SEWER LINE	LS	1	$2,500.00	$2,500.00	$4,750.00	$4,750.00	$1,260.00	$1,260.00
630.02	SANITARY SEWER MANHOLE RIM ADJUSTMENT	EA	3	$270.00	$810.00	$447.00	$1,341.00	$410.00	$1,230.00

Bid Abstract

09.1730.14-LED
Elkhorn Springs & Buffalo Driv
Storm Drain System

				Western States Contrating Inc.		Meadow Valley Contractors, Inc.		Capriati Construction Corp	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
633.01	REFLECTIVE RAISED PAVEMENT MARKERS	EA	520	$2.40	$1,248.00	$2.40	$1,248.00	$2.45	$1,274.00
633.02	NON-REFLECTIVE RAISED PAVEMENT MARKERS	EA	1,340	$1.40	$1,876.00	$1.40	$1,876.00	$1.41	$1,889.40
637.01	DUST CONTROL	LS	1	$4,500.00	$4,500.00	$5,790.00	$5,790.00	$42,900.00	$42,900.00
637.02	NPDES DISCHARGE PERMIT	LS	1	$3,000.00	$3,000.00	$2,580.00	$2,580.00	$3,120.00	$3,120.00
	Total Base Bid Amount				$1,333,310.50		$1,341,528.90		$1,345,745.15
	Engineer's Estimate: $2,665,000.00								
	Responsive Bidder								
	Responsible Bidder								

Bid Abstract

09.1730.14-LED
Elkhorn Springs & Buffalo Driv
Storm Drain System

				Tand, Inc.		Contri Construction Company		El Camino Construction Co., Inc.	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
109.01	OWNER CAUSED DELAY ALLOWANCE	DAY	15	$500.00	$7,500.00	$500.00	$7,500.00	$500.00	$7,500.00
109.02	OWNER CAUSED DELAY AMOUNT IN ADDITION TO ALLOWANCE	DAY	15	$1.00	$15.00	$50.00	$750.00	$500.00	$7,500.00
200.01	MOBILIZATION AND DEMOBILIZATION	LS	1	$127,000.00	$127,000.00	$127,000.00	$127,000.00	$127,000.00	$127,000.00
201.00	CLEARING AND GRUBBING	LS	1	$42,000.00	$42,000.00	$1,646.00	$1,646.00	$12,000.00	$12,000.00
202.01	REMOVAL OF ASPHALT PAVEMENT	SY	10,225	$1.10	$11,247.50	$9.80	$100,205.00	$4.00	$40,900.00
202.02	REMOVAL OF CONCRETE SIDEWALK	SF	846	$1.50	$1,269.00	$2.00	$1,692.00	$2.25	$1,903.50
202.03	REMOVAL OF CONCRETE CROSS GUTTER	SF	285	$4.00	$1,140.00	$2.00	$570.00	$6.00	$1,710.00
202.04	REMOVAL OF CONCRETE CURB AND GUTTER	LF	177	$3.00	$531.00	$6.00	$1,062.00	$2.25	$398.25
202.05	REMOVAL OF 18" RCP STORM DRAIN PIPE	LF	888	$15.00	$13,320.00	$10.00	$8,880.00	$23.00	$20,424.00
202.06	REMOVAL OF 36" HDPE STORM DRAIN PIPE	LF	362	$22.00	$7,964.00	$7.50	$2,715.00	$23.00	$8,326.00
202.07	REMOVAL OF 42" HDPE STORM DRAIN PIPE	LF	13	$100.00	$1,300.00	$8.00	$104.00	$51.00	$663.00
202.08	REMOVAL OF STORM DRAIN MANHOLE	EA	7	$585.00	$4,095.00	$1,373.00	$9,611.00	$1,800.00	$12,600.00

Bid Abstract

09.1730.14-LED
Elkhorn Springs & Buffalo Driv
Storm Drain System

				Tand, Inc.		Contri Construction Company		El Camino Construction Co., Inc.	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
202.09	REMOVAL OF DROP INLET	EA	3	$1,100.00	$3,300.00	$973.00	$2,919.00	$1,700.00	$5,100.00
202.10	REMOVAL OF SANITARY SEWER	LF	10	$200.00	$2,000.00	$41.00	$410.00	$40.00	$400.00
213.01	REMOVE AND REPLACE IRRIGATION SYSTEMS	LS	1	$6,500.00	$6,500.00	$5,812.00	$5,812.00	$2,870.00	$2,870.00
302.01	TYPE II AGGREGATE BASE	CY	3,408	$17.80	$60,662.40	$19.50	$66,456.00	$27.00	$92,016.00
402.01	4-INCH PLANTMIX BITUMINOUS SURFACE	SY	10,225	$14.95	$152,863.75	$15.00	$153,375.00	$14.75	$150,818.75
502.01	CONCRETE STAFF GAUGE	EA	1	$1,900.00	$1,900.00	$2,396.00	$2,396.00	$10,500.00	$10,500.00
603.01	18-INCH REINFORCED CONCRETE PIPE (CLASS III)	LF	243	$66.00	$16,038.00	$96.00	$23,328.00	$98.00	$23,814.00
603.02	30-INCH REINFORCED CONCRETE PIPE (CLASS III)	LF	108	$119.00	$12,852.00	$95.00	$10,260.00	$116.00	$12,528.00
603.03	36-INCH REINFORCED CONCRETE PIPE (CLASS III)	LF	80	$130.00	$10,400.00	$150.00	$12,000.00	$126.00	$10,080.00
603.04	48-INCH REINFORCED CONCRETE PIPE (CLASS III)	LF	1,375	$144.00	$198,000.00	$131.00	$180,125.00	$170.00	$233,750.00
603.05	54-INCH REINFORCED CONCRETE PIPE (CLASS III)	LF	83	$250.00	$20,750.00	$226.00	$18,758.00	$160.00	$13,280.00
603.06	60-INCH REINFORCED CONCRETE PIPE (CLASS III)	LF	1,046	$218.00	$228,028.00	$225.00	$235,350.00	$250.00	$261,500.00

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09.1730.14-LED
Elkhorn Springs & Buffalo Driv
Storm Drain System

				Tand, Inc.		Contri Construction Company		El Camino Construction Co., Inc.	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
603.07	38-INCH X 60-INCH HORIZONTAL ELLIPTICAL REINFORCED CONCRETE PIPE (CLASS III)	LF	695	$150.00	$104,250.00	$165.00	$114,675.00	$160.00	$111,200.00
609.01	60-INCH TYPE III STORM DRAIN MANHOLE	EA	11	$5,300.00	$58,300.00	$7,957.00	$87,527.00	$7,000.00	$77,000.00
609.02	48-INCH TYPE II STORM DRAIN MANHOLE	EA	1	$3,600.00	$3,600.00	$7,026.00	$7,026.00	$6,725.00	$6,725.00
609.03	48-INCH TYPE I STORM DRAIN MANHOLE	EA	1	$2,500.00	$2,500.00	$4,384.00	$4,384.00	$4,200.00	$4,200.00
609.04	MODIFIED NDOT TYPE 4 MANHOLE	EA	1	$10,950.00	$10,950.00	$13,399.00	$13,399.00	$12,800.00	$12,800.00
609.05	60-INCH PRECAST MANHOLE TEE	EA	2	$8,000.00	$16,000.00	$6,508.00	$13,016.00	$6,350.00	$12,700.00
609.06	7.5-FOOT TYPE DM DROP INLET	EA	4	$5,800.00	$23,200.00	$8,038.00	$32,152.00	$8,750.00	$35,000.00
609.07	15-FOOT TYPE DM DROP INLET	EA	4	$10,800.00	$43,200.00	$10,272.00	$41,088.00	$11,800.00	$47,200.00
609.08	MODIFIED LOCKING MANHOLE COVER	EA	1	$1,000.00	$1,000.00	$672.00	$672.00	$730.00	$730.00
609.09	OUTLET STRUCTURE FOR 60-INCH RCP	EA	1	$26,800.00	$26,800.00	$30,018.00	$30,018.00	$28,660.00	$28,660.00
610.01	GROUTED RIPRAP D50 = 6 INCHES	CY	20	$90.00	$1,800.00	$122.00	$2,440.00	$66.00	$1,320.00
613.01	TYPE L CURB AND GUTTER	LF	177	$11.60	$2,053.20	$36.00	$6,372.00	$28.00	$4,956.00

Bid Abstract

09.1730.14-LED
Elkhorn Springs & Buffalo Driv
Storm Drain System

				Tand, Inc.		Contri Construction Company		El Camino Construction Co., Inc.	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
613.02	CONCRETE SIDEWALK	SF	846	$3.00	$2,538.00	$5.00	$4,230.00	$4.00	$3,384.00
613.03	CONCRETE CROSS GUTTER	SF	285	$8.00	$2,280.00	$11.00	$3,135.00	$12.00	$3,420.00
622.01	CONSTRUCTION SURVEYING	LS	1	$18,000.00	$18,000.00	$5,100.00	$5,100.00	$5,000.00	$5,000.00
624.01	TRAFFIC CONTROL AND MAINTENANCE	LS	1	$39,000.00	$39,000.00	$39,700.00	$39,700.00	$30,800.00	$30,800.00
625.01	PORTABLE CHANGEABLE MESSAGE SIGN	DAY	32	$85.00	$2,720.00	$55.00	$1,760.00	$85.00	$2,720.00
625.02	ARROW DISPLAY	DAY	128	$28.00	$3,584.00	$40.00	$5,120.00	$25.00	$3,200.00
628.01	PAVEMENT MARKING FILM "ONLY "	EA	6	$220.00	$1,320.00	$165.00	$990.00	$195.00	$1,170.00
628.02	PAVEMENT MARKING FILM FOR ARROWS	EA	3	$120.00	$360.00	$145.00	$435.00	$145.00	$435.00
628.03	PAVEMENT MARKING FILM (24-INCH SOLID WHITE)	LF	495	$3.50	$1,732.50	$4.00	$1,980.00	$8.50	$4,207.50
629.01	VERTICALLY ADJUST WATER VALVE COVER	EA	8	$425.00	$3,400.00	$127.00	$1,016.00	$520.00	$4,160.00
630.01	CONCRETE ENCASEMENT FOR SEWER LINE	LS	1	$3,500.00	$3,500.00	$1,972.00	$1,972.00	$6,900.00	$6,900.00
630.02	SANITARY SEWER MANHOLE RIM ADJUSTMENT	EA	3	$620.00	$1,860.00	$322.00	$966.00	$520.00	$1,560.00

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Elkhorn Springs & Buffalo Driv
Storm Drain System

				Tand, Inc.		Contri Construction Company		El Camino Construction Co., Inc.	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
633.01	REFLECTIVE RAISED PAVEMENT MARKERS	EA	520	$2.30	$1,196.00	$2.50	$1,300.00	$2.80	$1,456.00
633.02	NON-REFLECTIVE RAISED PAVEMENT MARKERS	EA	1,340	$1.30	$1,742.00	$1.50	$2,010.00	$1.50	$2,010.00
637.01	DUST CONTROL	LS	1	$53,000.00	$53,000.00	$10,545.00	$10,545.00	$7,040.00	$7,040.00
637.02	NPDES DISCHARGE PERMIT	LS	1	$5,000.00	$5,000.00	$3,216.00	$3,216.00	$6,500.00	$6,500.00
	Total Base Bid Amount				$1,365,561.35		$1,409,168.00		$1,484,035.00
	Engineer's Estimate: $2,665,000.00								
	Responsive Bidder								
	Responsible Bidder								

Bid Abstract

09.1730.14-LED
Elkhorn Springs & Buffalo Driv
Storm Drain System

				Frehner Construction. Co. Inc.		Wiser Construction, Limited Liability Company		Legacy Construction and Development Inc.	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
109.01	OWNER CAUSED DELAY ALLOWANCE	DAY	15	$500.00	$7,500.00	$500.00	$7,500.00	$500.00	$7,500.00
109.02	OWNER CAUSED DELAY AMOUNT IN ADDITION TO ALLOWANCE	DAY	15	$210.00	$3,150.00	$1,999.65	$29,994.75	$1,000.00	$15,000.00
200.01	MOBILIZATION AND DEMOBILIZATION	LS	1	$127,000.00	$127,000.00	$127,000.00	$127,000.00	$127,000.00	$127,000.00
201.00	CLEARING AND GRUBBING	LS	1	$16,157.02	$16,157.02	$136,917.65	$136,917.65	$10,000.00	$10,000.00
202.01	REMOVAL OF ASPHALT PAVEMENT	SY	10,225	$3.00	$30,675.00	$2.96	$30,266.00	$2.50	$25,562.50
202.02	REMOVAL OF CONCRETE SIDEWALK	SF	846	$1.18	$998.28	$1.05	$888.30	$2.10	$1,776.60
202.03	REMOVAL OF CONCRETE CROSS GUTTER	SF	285	$2.30	$655.50	$1.42	$404.70	$4.15	$1,182.75
202.04	REMOVAL OF CONCRETE CURB AND GUTTER	LF	177	$2.75	$486.75	$2.58	$456.66	$10.25	$1,814.25
202.05	REMOVAL OF 18" RCP STORM DRAIN PIPE	LF	888	$15.00	$13,320.00	$6.04	$5,363.52	$5.05	$4,484.40
202.06	REMOVAL OF 36" HDPE STORM DRAIN PIPE	LF	362	$20.00	$7,240.00	$8.01	$2,899.62	$12.15	$4,398.30
202.07	REMOVAL OF 42" HDPE STORM DRAIN PIPE	LF	13	$56.00	$728.00	$29.97	$389.61	$26.00	$338.00
202.08	REMOVAL OF STORM DRAIN MANHOLE	EA	7	$1,220.00	$8,540.00	$365.38	$2,557.66	$420.00	$2,940.00

Bid Abstract

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Elkhorn Springs & Buffalo Driv
Storm Drain System

				Frehner Construction. Co. Inc.		Wiser Construction, Limited Liability Company		Legacy Construction and Development Inc.	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
202.09	REMOVAL OF DROP INLET	EA	3	$1,000.00	$3,000.00	$468.89	$1,406.67	$515.00	$1,545.00
202.10	REMOVAL OF SANITARY SEWER	LF	10	$33.50	$335.00	$34.97	$349.70	$50.00	$500.00
213.01	REMOVE AND REPLACE IRRIGATION SYSTEMS	LS	1	$5,500.00	$5,500.00	$7,980.93	$7,980.93	$5,150.00	$5,150.00
302.01	TYPE II AGGREGATE BASE	CY	3,408	$41.25	$140,580.00	$20.53	$69,966.24	$17.50	$59,640.00
402.01	4-INCH PLANTMIX BITUMINOUS SURFACE	SY	10,225	$15.50	$158,487.50	$14.84	$151,739.00	$16.80	$171,780.00
502.01	CONCRETE STAFF GAUGE	EA	1	$6,870.00	$6,870.00	$2,919.95	$2,919.95	$6,800.00	$6,800.00
603.01	18-INCH REINFORCED CONCRETE PIPE (CLASS III)	LF	243	$93.00	$22,599.00	$50.66	$12,310.38	$105.00	$25,515.00
603.02	30-INCH REINFORCED CONCRETE PIPE (CLASS III)	LF	108	$112.00	$12,096.00	$93.50	$10,098.00	$126.00	$13,608.00
603.03	36-INCH REINFORCED CONCRETE PIPE (CLASS III)	LF	80	$117.00	$9,360.00	$123.66	$9,892.80	$141.50	$11,320.00
603.04	48-INCH REINFORCED CONCRETE PIPE (CLASS III)	LF	1,375	$126.00	$173,250.00	$121.78	$167,447.50	$185.15	$254,581.25
603.05	54-INCH REINFORCED CONCRETE PIPE (CLASS III)	LF	83	$279.00	$23,157.00	$201.58	$16,731.14	$210.00	$17,430.00
603.06	60-INCH REINFORCED CONCRETE PIPE (CLASS III)	LF	1,046	$210.00	$219,660.00	$183.68	$192,129.28	$235.00	$245,810.00

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Elkhorn Springs & Buffalo Driv
Storm Drain System

				Frehner Construction. Co. Inc.		Wiser Construction, Limited Liability Company		Legacy Construction and Development Inc.	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
603.07	38-INCH X 60-INCH HORIZONTAL ELLIPTICAL REINFORCED CONCRETE PIPE (CLASS III)	LF	695	$166.00	$115,370.00	$168.27	$116,947.65	$218.50	$151,857.50
609.01	60-INCH TYPE III STORM DRAIN MANHOLE	EA	11	$6,100.00	$67,100.00	$5,905.94	$64,965.34	$5,650.00	$62,150.00
609.02	48-INCH TYPE II STORM DRAIN MANHOLE	EA	1	$5,850.00	$5,850.00	$5,338.94	$5,338.94	$5,375.00	$5,375.00
609.03	48-INCH TYPE I STORM DRAIN MANHOLE	EA	1	$2,780.00	$2,780.00	$2,325.07	$2,325.07	$2,050.00	$2,050.00
609.04	MODIFIED NDOT TYPE 4 MANHOLE	EA	1	$11,725.00	$11,725.00	$6,934.94	$6,934.94	$12,400.00	$12,400.00
609.05	60-INCH PRECAST MANHOLE TEE	EA	2	$7,940.00	$15,880.00	$1,226.38	$2,452.76	$5,000.00	$10,000.00
609.06	7.5-FOOT TYPE DM DROP INLET	EA	4	$6,560.00	$26,240.00	$7,450.47	$29,801.88	$8,100.00	$32,400.00
609.07	15-FOOT TYPE DM DROP INLET	EA	4	$9,750.00	$39,000.00	$10,486.46	$41,945.84	$14,150.00	$56,600.00
609.08	MODIFIED LOCKING MANHOLE COVER	EA	1	$1,825.00	$1,825.00	$1,385.22	$1,385.22	$780.00	$780.00
609.09	OUTLET STRUCTURE FOR 60-INCH RCP	EA	1	$18,836.00	$18,836.00	$21,697.12	$21,697.12	$18,200.00	$18,200.00
610.01	GROUTED RIPRAP D50 = 6 INCHES	CY	20	$207.00	$4,140.00	$105.00	$2,100.00	$85.25	$1,705.00
613.01	TYPE L CURB AND GUTTER	LF	177	$28.25	$5,000.25	$15.23	$2,695.71	$26.25	$4,646.25

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Elkhorn Springs & Buffalo Driv
Storm Drain System

				Frehner Construction. Co. Inc.		Wiser Construction, Limited Liability Company		Legacy Construction and Development Inc.	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
613.02	CONCRETE SIDEWALK	SF	846	$4.15	$3,510.90	$3.94	$3,333.24	$3.80	$3,214.80
613.03	CONCRETE CROSS GUTTER	SF	285	$14.45	$4,118.25	$10.24	$2,918.40	$10.50	$2,992.50
622.01	CONSTRUCTION SURVEYING	LS	1	$13,909.00	$13,909.00	$7,129.50	$7,129.50	$7,000.00	$7,000.00
624.01	TRAFFIC CONTROL AND MAINTENANCE	LS	1	$87,800.00	$87,800.00	$55,681.70	$55,681.70	$97,500.00	$97,500.00
625.01	PORTABLE CHANGEABLE MESSAGE SIGN	DAY	32	$56.00	$1,792.00	$89.25	$2,856.00	$82.50	$2,640.00
625.02	ARROW DISPLAY	DAY	128	$41.00	$5,248.00	$26.25	$3,360.00	$24.50	$3,136.00
628.01	PAVEMENT MARKING FILM "ONLY "	EA	6	$193.00	$1,158.00	$176.40	$1,058.40	$204.00	$1,224.00
628.02	PAVEMENT MARKING FILM FOR ARROWS	EA	3	$147.10	$441.30	$113.40	$340.20	$160.00	$480.00
628.03	PAVEMENT MARKING FILM (24-INCH SOLID WHITE)	LF	495	$9.15	$4,529.25	$9.24	$4,573.80	$4.50	$2,227.50
629.01	VERTICALLY ADJUST WATER VALVE COVER	EA	8	$895.00	$7,160.00	$420.00	$3,360.00	$525.00	$4,200.00
630.01	CONCRETE ENCASEMENT FOR SEWER LINE	LS	1	$5,200.00	$5,200.00	$668.98	$668.98	$650.00	$650.00
630.02	SANITARY SEWER MANHOLE RIM ADJUSTMENT	EA	3	$1,035.00	$3,105.00	$525.00	$1,575.00	$700.00	$2,100.00

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09.1730.14-LED
Elkhorn Springs & Buffalo Driv
Storm Drain System

				Frehner Construction. Co. Inc.		Wiser Construction, Limited Liability Company		Legacy Construction and Development Inc.	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
633.01	REFLECTIVE RAISED PAVEMENT MARKERS	EA	520	$2.05	$1,066.00	$2.10	$1,092.00	$2.60	$1,352.00
633.02	NON-REFLECTIVE RAISED PAVEMENT MARKERS	EA	1,340	$1.05	$1,407.00	$1.32	$1,768.80	$1.50	$2,010.00
637.01	DUST CONTROL	LS	1	$56,000.00	$56,000.00	$145,383.00	$145,383.00	$52,500.00	$52,500.00
637.02	NPDES DISCHARGE PERMIT	LS	1	$2,500.00	$2,500.00	$11,623.08	$11,623.08	$500.00	$500.00
	Total Base Bid Amount				$1,504,036.00		**$1,532,922.63**		$1,557,566.60
							**** Corrected Total**		
	Engineer's Estimate: $2,665,000.00								
	Responsive Bidder								
	Responsible Bidder								

Bid Abstract

09.1730.14-LED
Elkhorn Springs & Buffalo Driv
Storm Drain System

				CCB Enterprises, Inc.		Las Vegas Paving Corp.		Rice Construction Company	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
109.01	OWNER CAUSED DELAY ALLOWANCE	DAY	15	$500.00	$7,500.00	$500.00	$7,500.00	$500.00	$7,500.00
109.02	OWNER CAUSED DELAY AMOUNT IN ADDITION TO ALLOWANCE	DAY	15	$500.00	$7,500.00	$300.00	$4,500.00	$0.00	$0.00
200.01	MOBILIZATION AND DEMOBILIZATION	LS	1	$127,000.00	$127,000.00	$127,000.00	$127,000.00	$127,000.00	$127,000.00
201.00	CLEARING AND GRUBBING	LS	1	$37,227.00	$37,227.00	$10,400.00	$10,400.00	$10,000.00	$10,000.00
202.01	REMOVAL OF ASPHALT PAVEMENT	SY	10,225	$3.89	$39,775.25	$6.80	$69,530.00	$5.00	$51,125.00
202.02	REMOVAL OF CONCRETE SIDEWALK	SF	846	$2.50	$2,115.00	$3.00	$2,538.00	$2.00	$1,692.00
202.03	REMOVAL OF CONCRETE CROSS GUTTER	SF	285	$7.31	$2,083.35	$7.00	$1,995.00	$2.00	$570.00
202.04	REMOVAL OF CONCRETE CURB AND GUTTER	LF	177	$20.43	$3,616.11	$6.00	$1,062.00	$2.00	$354.00
202.05	REMOVAL OF 18" RCP STORM DRAIN PIPE	LF	888	$38.17	$33,894.96	$12.00	$10,656.00	$15.00	$13,320.00
202.06	REMOVAL OF 36" HDPE STORM DRAIN PIPE	LF	362	$46.32	$16,767.84	$16.00	$5,792.00	$15.00	$5,430.00
202.07	REMOVAL OF 42" HDPE STORM DRAIN PIPE	LF	13	$180.78	$2,350.14	$41.00	$533.00	$15.00	$195.00
202.08	REMOVAL OF STORM DRAIN MANHOLE	EA	7	$2,035.64	$14,249.48	$700.00	$4,900.00	$550.00	$3,850.00

Bid Abstract

09.1730.14-LED
Elkhorn Springs & Buffalo Driv
Storm Drain System

				CCB Enterprises, Inc.		Las Vegas Paving Corp.		Rice Construction Company	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
202.09	REMOVAL OF DROP INLET	EA	3	$4,071.28	$12,213.84	$1,000.00	$3,000.00	$350.00	$1,050.00
202.10	REMOVAL OF SANITARY SEWER	LF	10	$371.25	$3,712.50	$30.00	$300.00	$50.00	$500.00
213.01	REMOVE AND REPLACE IRRIGATION SYSTEMS	LS	1	$5,200.00	$5,200.00	$10,500.00	$10,500.00	$5,000.00	$5,000.00
302.01	TYPE II AGGREGATE BASE	CY	3,408	$21.47	$73,169.76	$30.50	$103,944.00	$24.00	$81,792.00
402.01	4-INCH PLANTMIX BITUMINOUS SURFACE	SY	10,225	$14.70	$150,307.50	$14.40	$147,240.00	$18.00	$184,050.00
502.01	CONCRETE STAFF GAUGE	EA	1	$6,145.79	$6,145.79	$3,600.00	$3,600.00	$12,000.00	$12,000.00
603.01	18-INCH REINFORCED CONCRETE PIPE (CLASS III)	LF	243	$62.18	$15,109.74	$85.00	$20,655.00	$90.00	$21,870.00
603.02	30-INCH REINFORCED CONCRETE PIPE (CLASS III)	LF	108	$91.39	$9,870.12	$160.00	$17,280.00	$110.00	$11,880.00
603.03	36-INCH REINFORCED CONCRETE PIPE (CLASS III)	LF	80	$127.20	$10,176.00	$125.00	$10,000.00	$115.00	$9,200.00
603.04	48-INCH REINFORCED CONCRETE PIPE (CLASS III)	LF	1,375	$133.40	$183,425.00	$160.00	$220,000.00	$190.00	$261,250.00
603.05	54-INCH REINFORCED CONCRETE PIPE (CLASS III)	LF	83	$186.16	$15,451.28	$210.00	$17,430.00	$225.00	$18,675.00
603.06	60-INCH REINFORCED CONCRETE PIPE (CLASS III)	LF	1,046	$175.69	$183,771.74	$262.00	$274,052.00	$280.00	$292,880.00

Bid Abstract

09.1730.14-LED
Elkhorn Springs & Buffalo Driv
Storm Drain System

				CCB Enterprises, Inc.		Las Vegas Paving Corp.		Rice Construction Company	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
603.07	38-INCH X 60-INCH HORIZONTAL ELLIPTICAL REINFORCED CONCRETE PIPE (CLASS III)	LF	695	$211.60	$147,062.00	$238.00	$165,410.00	$225.00	$156,375.00
609.01	60-INCH TYPE III STORM DRAIN MANHOLE	EA	11	$8,710.86	$95,819.46	$7,600.00	$83,600.00	$5,500.00	$60,500.00
609.02	48-INCH TYPE II STORM DRAIN MANHOLE	EA	1	$8,523.19	$8,523.19	$7,000.00	$7,000.00	$5,200.00	$5,200.00
609.03	48-INCH TYPE I STORM DRAIN MANHOLE	EA	1	$5,286.00	$5,286.00	$3,400.00	$3,400.00	$2,200.00	$2,200.00
609.04	MODIFIED NDOT TYPE 4 MANHOLE	EA	1	$10,858.63	$10,858.63	$13,350.00	$13,350.00	$12,000.00	$12,000.00
609.05	60-INCH PRECAST MANHOLE TEE	EA	2	$8,008.54	$16,017.08	$6,400.00	$12,800.00	$6,000.00	$12,000.00
609.06	7.5-FOOT TYPE DM DROP INLET	EA	4	$10,062.53	$40,250.12	$7,150.00	$28,600.00	$7,000.00	$28,000.00
609.07	15-FOOT TYPE DM DROP INLET	EA	4	$12,903.21	$51,612.84	$9,220.00	$36,880.00	$9,000.00	$36,000.00
609.08	MODIFIED LOCKING MANHOLE COVER	EA	1	$1,048.86	$1,048.86	$1,450.00	$1,450.00	$1,000.00	$1,000.00
609.09	OUTLET STRUCTURE FOR 60-INCH RCP	EA	1	$30,238.05	$30,238.05	$27,000.00	$27,000.00	$27,000.00	$27,000.00
610.01	GROUTED RIPRAP D50 = 6 INCHES	CY	20	$974.46	$19,489.20	$255.00	$5,100.00	$200.00	$4,000.00
613.01	TYPE L CURB AND GUTTER	LF	177	$16.12	$2,853.24	$26.00	$4,602.00	$35.00	$6,195.00

Bid Abstract

09.1730.14-LED
Elkhorn Springs & Buffalo Driv
Storm Drain System

				CCB Enterprises, Inc.		Las Vegas Paving Corp.		Rice Construction Company	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
613.02	CONCRETE SIDEWALK	SF	846	$6.03	$5,101.38	$8.00	$6,768.00	$5.00	$4,230.00
613.03	CONCRETE CROSS GUTTER	SF	285	$18.49	$5,269.65	$18.00	$5,130.00	$12.00	$3,420.00
622.01	CONSTRUCTION SURVEYING	LS	1	$34,320.00	$34,320.00	$10,500.00	$10,500.00	$8,500.00	$8,500.00
624.01	TRAFFIC CONTROL AND MAINTENANCE	LS	1	$53,153.89	$53,153.89	$52,000.00	$52,000.00	$85,000.00	$85,000.00
625.01	PORTABLE CHANGEABLE MESSAGE SIGN	DAY	32	$151.12	$4,835.84	$90.00	$2,880.00	$50.00	$1,600.00
625.02	ARROW DISPLAY	DAY	128	$59.86	$7,662.08	$30.00	$3,840.00	$50.00	$6,400.00
628.01	PAVEMENT MARKING FILM "ONLY "	EA	6	$171.60	$1,029.60	$175.00	$1,050.00	$150.00	$900.00
628.02	PAVEMENT MARKING FILM FOR ARROWS	EA	3	$150.80	$452.40	$155.00	$465.00	$150.00	$450.00
628.03	PAVEMENT MARKING FILM (24-INCH SOLID WHITE)	LF	495	$4.16	$2,059.20	$4.20	$2,079.00	$10.00	$4,950.00
629.01	VERTICALLY ADJUST WATER VALVE COVER	EA	8	$261.04	$2,088.32	$500.00	$4,000.00	$225.00	$1,800.00
630.01	CONCRETE ENCASEMENT FOR SEWER LINE	LS	1	$2,934.49	$2,934.49	$1,900.00	$1,900.00	$1,200.00	$1,200.00
630.02	SANITARY SEWER MANHOLE RIM ADJUSTMENT	EA	3	$665.20	$1,995.60	$650.00	$1,950.00	$500.00	$1,500.00

Bid Abstract

09.1730.14-LED
Elkhorn Springs & Buffalo Driv
Storm Drain System

				CCB Enterprises, Inc.		Las Vegas Paving Corp.		Rice Construction Company	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
633.01	REFLECTIVE RAISED PAVEMENT MARKERS	EA	520	$2.44	$1,268.80	$2.50	$1,300.00	$5.00	$2,600.00
633.02	NON-REFLECTIVE RAISED PAVEMENT MARKERS	EA	1,340	$1.40	$1,876.00	$1.50	$2,010.00	$3.00	$4,020.00
637.01	DUST CONTROL	LS	1	$18,638.01	$18,638.01	$26,000.00	$26,000.00	$7,500.00	$7,500.00
637.02	NPDES DISCHARGE PERMIT	LS	1	$38,207.18	$38,207.18	$1,000.00	$1,000.00	$5,000.00	$5,000.00
	Total Base Bid Amount				**$1,572,583.51**		$1,586,471.00		$1,610,723.00
					** Corrected Total				
	Engineer's Estimate: $2,665,000.00								
	Responsive Bidder								
	Responsible Bidder								

Bid Abstract

09.1730.14-LED
Elkhorn Springs & Buffalo Driv
Storm Drain System

				Wells Cargo, Inc.		Harber Company, Inc.		TAB Contractors, Inc.	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
109.01	OWNER CAUSED DELAY ALLOWANCE	DAY	15	$500.00	$7,500.00	$500.00	$7,500.00	$500.00	$7,500.00
109.02	OWNER CAUSED DELAY AMOUNT IN ADDITION TO ALLOWANCE	DAY	15	$564.00	$8,460.00	$480.00	$7,200.00	$1.00	$15.00
200.01	MOBILIZATION AND DEMOBILIZATION	LS	1	$127,000.00	$127,000.00	$127,000.00	$127,000.00	$127,000.00	$127,000.00
201.00	CLEARING AND GRUBBING	LS	1	$2,600.00	$2,600.00	$3,800.00	$3,800.00	$15,042.00	$15,042.00
202.01	REMOVAL OF ASPHALT PAVEMENT	SY	10,225	$2.40	$24,540.00	$3.50	$35,787.50	$3.12	$31,902.00
202.02	REMOVAL OF CONCRETE SIDEWALK	SF	846	$1.75	$1,480.50	$2.00	$1,692.00	$1.00	$846.00
202.03	REMOVAL OF CONCRETE CROSS GUTTER	SF	285	$4.25	$1,211.25	$5.00	$1,425.00	$2.00	$570.00
202.04	REMOVAL OF CONCRETE CURB AND GUTTER	LF	177	$3.00	$531.00	$2.00	$354.00	$1.50	$265.50
202.05	REMOVAL OF 18" RCP STORM DRAIN PIPE	LF	888	$3.60	$3,196.80	$10.00	$8,880.00	$4.00	$3,552.00
202.06	REMOVAL OF 36" HDPE STORM DRAIN PIPE	LF	362	$4.75	$1,719.50	$14.00	$5,068.00	$4.50	$1,629.00
202.07	REMOVAL OF 42" HDPE STORM DRAIN PIPE	LF	13	$30.00	$390.00	$47.00	$611.00	$5.00	$65.00
202.08	REMOVAL OF STORM DRAIN MANHOLE	EA	7	$1,154.00	$8,078.00	$550.00	$3,850.00	$400.00	$2,800.00

Bid Abstract

09.1730.14-LED
Elkhorn Springs & Buffalo Driv
Storm Drain System

				Wells Cargo, Inc.		Harber Company, Inc.		TAB Contractors, Inc.	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
202.09	REMOVAL OF DROP INLET	EA	3	$1,154.00	$3,462.00	$1,200.00	$3,600.00	$500.00	$1,500.00
202.10	REMOVAL OF SANITARY SEWER	LF	10	$32.50	$325.00	$75.00	$750.00	$150.00	$1,500.00
213.01	REMOVE AND REPLACE IRRIGATION SYSTEMS	LS	1	$2,260.00	$2,260.00	$20,500.00	$20,500.00	$8,000.00	$8,000.00
302.01	TYPE II AGGREGATE BASE	CY	3,408	$19.30	$65,774.40	$21.00	$71,568.00	$27.00	$92,016.00
402.01	4-INCH PLANTMIX BITUMINOUS SURFACE	SY	10,225	$14.25	$145,706.25	$16.00	$163,600.00	$15.50	$158,487.50
502.01	CONCRETE STAFF GAUGE	EA	1	$5,700.00	$5,700.00	$10,500.00	$10,500.00	$12,615.00	$12,615.00
603.01	18-INCH REINFORCED CONCRETE PIPE (CLASS III)	LF	243	$58.50	$14,215.50	$117.00	$28,431.00	$157.00	$38,151.00
603.02	30-INCH REINFORCED CONCRETE PIPE (CLASS III)	LF	108	$99.00	$10,692.00	$130.00	$14,040.00	$160.00	$17,280.00
603.03	36-INCH REINFORCED CONCRETE PIPE (CLASS III)	LF	80	$136.25	$10,900.00	$121.00	$9,680.00	$188.00	$15,040.00
603.04	48-INCH REINFORCED CONCRETE PIPE (CLASS III)	LF	1,375	$196.50	$270,187.50	$200.00	$275,000.00	$220.00	$302,500.00
603.05	54-INCH REINFORCED CONCRETE PIPE (CLASS III)	LF	83	$235.00	$19,505.00	$235.00	$19,505.00	$300.00	$24,900.00
603.06	60-INCH REINFORCED CONCRETE PIPE (CLASS III)	LF	1,046	$295.00	$308,570.00	$279.00	$291,834.00	$375.00	$392,250.00

Bid Abstract

09.1730.14-LED
Elkhorn Springs & Buffalo Driv
Storm Drain System

				Wells Cargo, Inc.		Harber Company, Inc.		TAB Contractors, Inc.	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
603.07	38-INCH X 60-INCH HORIZONTAL ELLIPTICAL REINFORCED CONCRETE PIPE (CLASS III)	LF	695	$223.20	$155,124.00	$260.00	$180,700.00	$235.00	$163,325.00
609.01	60-INCH TYPE III STORM DRAIN MANHOLE	EA	11	$5,900.00	$64,900.00	$6,300.00	$69,300.00	$7,200.00	$79,200.00
609.02	48-INCH TYPE II STORM DRAIN MANHOLE	EA	1	$5,400.00	$5,400.00	$6,000.00	$6,000.00	$6,900.00	$6,900.00
609.03	48-INCH TYPE I STORM DRAIN MANHOLE	EA	1	$2,200.00	$2,200.00	$2,800.00	$2,800.00	$3,100.00	$3,100.00
609.04	MODIFIED NDOT TYPE 4 MANHOLE	EA	1	$18,700.00	$18,700.00	$12,200.00	$12,200.00	$15,600.00	$15,600.00
609.05	60-INCH PRECAST MANHOLE TEE	EA	2	$321.00	$642.00	$3,100.00	$6,200.00	$7,150.00	$14,300.00
609.06	7.5-FOOT TYPE DM DROP INLET	EA	4	$6,700.00	$26,800.00	$8,100.00	$32,400.00	$8,560.00	$34,240.00
609.07	15-FOOT TYPE DM DROP INLET	EA	4	$10,150.00	$40,600.00	$10,850.00	$43,400.00	$11,350.00	$45,400.00
609.08	MODIFIED LOCKING MANHOLE COVER	EA	1	$1,300.00	$1,300.00	$1,200.00	$1,200.00	$1,130.00	$1,130.00
609.09	OUTLET STRUCTURE FOR 60-INCH RCP	EA	1	$22,600.00	$22,600.00	$29,000.00	$29,000.00	$29,300.00	$29,300.00
610.01	GROUTED RIPRAP D50 = 6 INCHES	CY	20	$212.00	$4,240.00	$134.00	$2,680.00	$91.00	$1,820.00
613.01	TYPE L CURB AND GUTTER	LF	177	$104.00	$18,408.00	$30.00	$5,310.00	$34.00	$6,018.00

Bid Abstract

09.1730.14-LED
Elkhorn Springs & Buffalo Driv
Storm Drain System

				Wells Cargo, Inc.		Harber Company, Inc.		TAB Contractors, Inc.	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
613.02	CONCRETE SIDEWALK	SF	846	$83.00	$70,218.00	$4.00	$3,384.00	$4.50	$3,807.00
613.03	CONCRETE CROSS GUTTER	SF	285	$88.00	$25,080.00	$9.00	$2,565.00	$10.00	$2,850.00
622.01	CONSTRUCTION SURVEYING	LS	1	$16,300.00	$16,300.00	$5,700.00	$5,700.00	$12,700.00	$12,700.00
624.01	TRAFFIC CONTROL AND MAINTENANCE	LS	1	$77,600.00	$77,600.00	$44,000.00	$44,000.00	$42,500.00	$42,500.00
625.01	PORTABLE CHANGEABLE MESSAGE SIGN	DAY	32	$63.00	$2,016.00	$60.00	$1,920.00	$92.50	$2,960.00
625.02	ARROW DISPLAY	DAY	128	$46.00	$5,888.00	$45.00	$5,760.00	$26.50	$3,392.00
628.01	PAVEMENT MARKING FILM "ONLY "	EA	6	$186.00	$1,116.00	$184.00	$1,104.00	$240.00	$1,440.00
628.02	PAVEMENT MARKING FILM FOR ARROWS	EA	3	$164.00	$492.00	$162.00	$486.00	$186.00	$558.00
628.03	PAVEMENT MARKING FILM (24-INCH SOLID WHITE)	LF	495	$4.50	$2,227.50	$4.50	$2,227.50	$17.00	$8,415.00
629.01	VERTICALLY ADJUST WATER VALVE COVER	EA	8	$320.00	$2,560.00	$455.00	$3,640.00	$350.00	$2,800.00
630.01	CONCRETE ENCASEMENT FOR SEWER LINE	LS	1	$600.00	$600.00	$6,100.00	$6,100.00	$1,550.00	$1,550.00
630.02	SANITARY SEWER MANHOLE RIM ADJUSTMENT	EA	3	$440.00	$1,320.00	$620.00	$1,860.00	$400.00	$1,200.00

Bid Abstract

09.1730.14-LED
Elkhorn Springs & Buffalo Driv
Storm Drain System

				Wells Cargo, Inc.		Harber Company, Inc.		TAB Contractors, Inc.	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
633.01	REFLECTIVE RAISED PAVEMENT MARKERS	EA	520	$2.50	$1,300.00	$2.00	$1,040.00	$1.30	$676.00
633.02	NON-REFLECTIVE RAISED PAVEMENT MARKERS	EA	1,340	$1.50	$2,010.00	$1.50	$2,010.00	$1.00	$1,340.00
637.01	DUST CONTROL	LS	1	$6,200.00	$6,200.00	$67,800.00	$67,800.00	$35,000.00	$35,000.00
637.02	NPDES DISCHARGE PERMIT	LS	1	$1,200.00	$1,200.00	$2,700.00	$2,700.00	$830.00	$830.00
	Total Base Bid Amount				$1,621,046.20		$1,655,662.00		$1,777,777.00

Engineer's Estimate: $2,665,000.00

Responsive Bidder

Responsible Bidder

TO: Cheri Edelman

Please review and approve recommended award to M & H Enterprises Inc.

in the amount of $ 1,191,583.26 .

Boyd Dow — 3/23/10
Purchasing & Contracts Representative — Date

Cheri Ed — 3/23/10
Using Department Authorized Rep Signature — Date

City of Las Vegas Agenda Item No.: **35.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of award of Bid No. 09.15341.13-TF, Atrium Building Renovation located at 333 North Rancho Drive and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: CITY PLAN DEVELOPMENT, INC. DBA SAVI CONSTRUCTION ($5,761,335 - City Facilities Capital Projects Fund) - Ward 5 (Barlow)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $5,761,335
Funding Source: City Facilities CPF
Dept./Division: Public Works

PURPOSE/BACKGROUND:
This project consists of the interior renovation of the Atrium Building to include material demolition, construction of new walls, ceilings and doors, mechanical, plumbing, electrical and telecommunications system modifications and replacements.

PCC: T. Fernandez
POC: Ernesto Savino - (702) 382-3177

RECOMMENDATION:
That City Council approve award of Bid No. 09.15341.13-TF, Atrium Building Renovation to City Plan Development, Inc. dba SAVI Construction in the amount of $5,761,335 and approve the construction conflicts and contingency reserve of $576,133. Authority to execute the Contract is given to the Purchasing Manager per R-48-2006.

BACKUP DOCUMENTATION:
Bid Abstract

BID ABSTRACT
09.15341.13-TF
Atrium Building Renovation

DESCRIPTION	General Design & Construction Co., Inc. Lump Sum Amount	City Plan Development, Inc. dba/SAVI Construction Lump Sum Amount	APCO Construction Lump Sum Amount	Cobblestone Construction Lump Sum Amount	M & H Enterprises, Inc. Lump Sum Amount
BASE BID: All Work indicated in the Drawings and Specifications in accordance with the General Conditions of the Contract.	$ 4,586,051.00	**$ 4,558,470.00**	$ 4,944,000.00	$ 4,980,000.00	$ 5,197,520.00
ADDITIVE ALTERNATE BID SECTION					
Additive Alternate 1:	$ 1,073,433.00	**$ 1,202,865.00**	$ 924,000.00	$ 930,000.00	$ 933,254.00
Total Base Bid Amount Plus Additive(s)	$ 5,659,484.00	**$ 5,761,335.00**	$ 5,868,000.00	$ 5,910,000.00	$ 6,130,774.00
Engineer's Estimate: $6,750,000.00					
Responsive Bidder		**yes**			
Responsible Bidder		**yes**			
Comments:	**GDC withdrew bid on 3/24/10**				

BID ABSTRACT
09.15341.13-TF
Atrium Building Renovation

DESCRIPTION	Rafael Construction, Inc. Lump Sum Amount	Burke & Associates, Inc. Lump Sum Amount	Jaynes Corporation Lump Sum Amount	Pace Contracting Co. Lump Sum Amount	Roche Constructors, Inc. Lump Sum Amount
BASE BID: All Work indicated in the Drawings and Specifications in accordance with the General Conditions of the Contract.	$ 5,200,000.00	$ 4,980,577.00	$ 5,405,970.00	$ 5,208,077.00	$ 5,110,700.00
ADDITIVE ALTERNATE BID SECTION					
Additive Alternate 1:	$ 959,000.00	$ 1,209,665.00	$ 815,548.00	$ 1,084,656.00	$ 1,188,300.00
Total Base Bid Amount Plus Additive(s)	$ 6,159,000.00	$ 6,190,242.00	$ 6,221,518.00	$ 6,292,733.00	$ 6,299,000.00
Engineer's Estimate: $6,750,000.00					
Responsive Bidder					
Responsible Bidder					

TO: Cheri Edelman.

Please review and approve recommended award to City Plan Development Inc,. dba/SAVI Construction

for the Base Bid and Additive Alternate Item #1 in the amount of $ $5,761,335.00

Purchasing & Contracts Representative — Date: 3·29·10

Department/Division Signature — Date: 3/29/10

City of Las Vegas Agenda Item No.: **36.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: NEIGHBORHOOD SERVICES
DIRECTOR: STEPHEN K. HARSIN ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval to allocate $1,000,000 of Affordable Housing Special Revenue Fund (Redevelopment 18% Set Aside) and HOME/Low Income Housing Trust Funds (LIHTF) to Nevada H.A.N.D. Inc. for the development of Sky View Pines Apartments to be located at 15 West Owens Avenue – Ward 5 (Barlow)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $1,000,000
Funding Source: HOME/LIHTF/Affordable Housing Special Revenue (18% RDA)
Dept./Division: Neighborhood Services/Neighborhood Development

PURPOSE/BACKGROUND:
Nevada H.A.N.D., Inc. was the successful respondent to a Request for Development Proposal for the development of affordable housing at 15 W. Owens. The predevelopment requirements of the Disposition and Development Agreement (DDA) have been met and title to the property was transferred to the developer on February 16, 2010 for the development of Sky View Apartments. In addition to Tax Credits, this project has been awarded state and county funding. This allocation will close the funding gap and allow construction of the 144 affordable family housing units. Neighborhood Services staff will complete all HUD-required Environmental Reviews (ER). No project may commit and/or expend any funds prior to compliance with 24 CFR Part 58 and final notification by Neighborhood Services staff.

RECOMMENDATION:
Staff recommends approval of the HOME/LIHTF/Affordable Housing Special Revenue (Redevelopment 18% Set Aside) allocations and authorization of the Mayor to execute any and all related agreements and documents required for the project following approval as to form by the City Attorney.

BACKUP DOCUMENTATION:
Nevada H.A.N.D., Inc. letter of request

Nevada H.A.N.D., Inc.
Housing And Neighborhood Development

March 5, 2010

Tim Whitright
City of Las Vegas
400 Stewart Avenue, 2nd Fl.
Las Vegas, NV 89119

Re: Sky View Pines
15 West Owens Avenue
Las Vegas, NV 89030

Dear Tim:

Please accept the attached application as our request for $1,000,000 of City of Las Vegas HOME Funds for the development of Sky View Pines Family Apartments to be located at 15 West Owens Avenue, Las Vegas, Nevada.

This correspondence shall recap what has taken place, to-date, on Sky View Pines:

- In October 2007, the City of Las Vegas solicited proposals for the development of an affordable, multifamily community on vacant land located at 15 West Owens Avenue, Las Vegas, Nevada;
- In November 2007, Nevada H.A.N.D., Inc. (Nevada HAND) submitted a proposal to the City of Las Vegas for such development;
- In December 2007 Nevada HAND applied for $1,000,000 of Clark County HOME Funds;
- In March 2008, Nevada HAND received a commitment of $1,000,000 of Clark County HOME Funds for the development of Sky View Pines;
- In July 2009, Nevada HAND submitted a Low Income Housing Tax Credit application to the Nevada Housing Division for Sky View Pines;
- In October 2009, Nevada HAND received a Low Income Housing Tax Credit Reservation from the Nevada Housing Division, which is the primary source of financing for Sky View Pines;
- In January 2010, the Las Vegas City Council approved the Site Development Design Review for Sky View Pines;
- The building plans were submitted to the City of Las Vegas Building Department for review in January 2010; and

P.O. Box 230220 Las Vegas, NV 89105-0220 • Office (702) 739-3345 • Fax (702) 739-3305

Nevada H.A.N.D., Inc.
Housing And Neighborhood Development

- The building plans are in the last stages of approval at the City of Las Vegas building department, and we are currently awaiting final approval to be "building permit / shovel ready."

Due to the deteriorating tax credit market with respect to pricing, and the limited amount of Low Income Housing Tax Credits available, Sky View Pines needs $1,000,000 of gap financing to make the deal feasible.

Sky View Pines will add an additional 144 quality, energy efficient affordable apartments to serve the low-income population of the City of Las Vegas.

Please feel free to contact me at (702) 739-3345 ext. 243 if you require any additional assistance. Thank you.

Sincerely,

Jacque Haas
Real Estate Development Manager

City of Las Vegas Agenda Item No.: **37.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: NEIGHBORHOOD SERVICES
DIRECTOR: STEPHEN K. HARSIN ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of an allocation of $41,000 in FY 2009-2010 Community Development Block Grant (CDBG) funds to Leisure Services Safekey and Recreation Programs - All Wards

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $41,000
Funding Source: HUD-CDBG
Dept./Division: Neighborhood Services/Neighborhood Development

PURPOSE/BACKGROUND:
The city of Las Vegas receives Community Development Block Grant Funds from the United States Department of Housing and Urban Development (HUD) as an entitlement community. Funds for this fiscal year were awarded on March 18, 2009. Leisure Services receives funds as a part of this process and due to a large need in the community, is able to utilize additional funds. These funds will be used to provide scholarships for low income children, seniors, and families to participate in Leisure Service programs and activities throughout the city.

RECOMMENDATION:
Staff recommends approval of the additional CDBG allocation and authorizes the Mayor to execute any and all related agreements and documents required for the projects following approval as to form by the City Attorney.

BACKUP DOCUMENTATION:
None

City of Las Vegas Agenda Item No.: **38.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: PUBLIC WORKS
DIRECTOR: JORGE CERVANTES ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of a Sewer Connection agreement with George Bramlett and Dora Elaine Bramlett, owners and Interlocal Contract with Clark County Water Reclamation District located at the southwest corner of Tomsik Street and Helena Avenue, APN 138-04-304-002 – County (near Ward 4 – Anthony)

Fiscal Impact

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

PURPOSE/BACKGROUND:
This request is to connect one parcel with an existing usage as a single family dwelling located on the southwest corner of Tomsik Street and Helena Avenue. The owners propose to connect to the existing 12 inch sewer in Tomsik Street or Helena Avenue. 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.

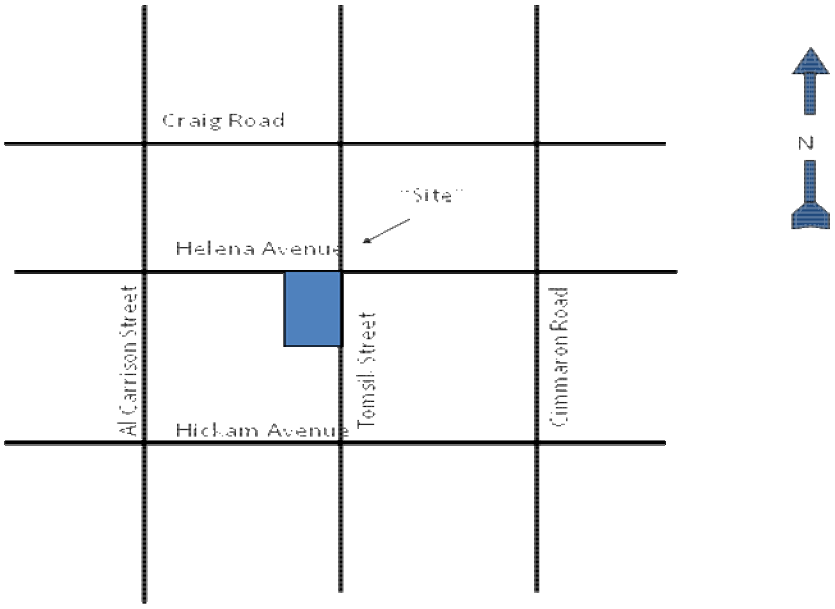
BACKUP DOCUMENTATION:
Agenda Memo

City of Las Vegas

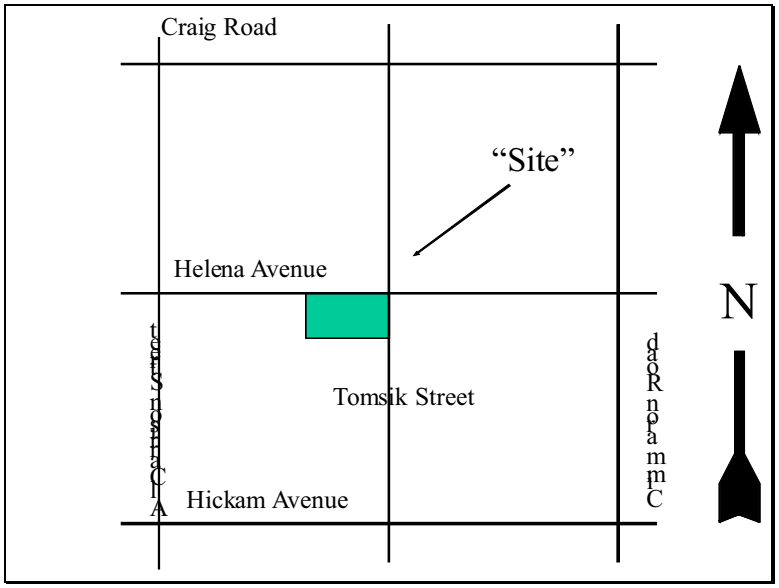
AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2010
DEPARTMENT: PUBLIC WORKS
ITEM DESCRIPTION: APPROVAL OF A SEWER CONNECTION AGREEMENT WITH GEORGE BRAMLETT AND DORA ELAINE BRAMLETT, OWNERS AND INTERLOCAL CONTRACT WITH CLARK COUNTY WATER RECLAMATION DISTRICT (SOUTHWEST CORNER OF TOMSIK STREET AND HELENA AVENUE, APN 138-04-304-002)

VICINITY MAP



City of Las Vegas



City of Las Vegas Agenda Item No.: **39.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: PUBLIC WORKS
DIRECTOR: JORGE CERVANTES ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of Fifth Supplemental Interlocal Contract LAS22C06 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to extend the design project completion date to June 24, 2011 for the Las Vegas Wash (Elkhorn Road, Rainbow Boulevard to Torrey Pines Drive) - Ward 6 (Ross)

Fiscal Impact

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

PURPOSE/BACKGROUND:
On January 12, 2006 the Clark County Regional Flood Control District entered into an Interlocal Contract with the City to provide funding for design of the subject project. This Fifth Supplemental Interlocal extends the project completion date to June 24, 2011 to allow for project close out. The Clark County Regional Flood Control District approved this contract at their February 11, 2010 Board meeting.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
Fifth Supplemental Interlocal Contract LAS22C06

FIFTH SUPPLEMENTAL INTERLOCAL CONTRACT
LAS VEGAS WASH
ELKHORN, RAINBOW BLVD. TO TORREY PINES DRIVE

THIS FIFTH SUPPLEMENTAL INTERLOCAL CONTRACT made and entered into as of the 11th day of February, 2010 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 as Structure Number LVMD 2507 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.

WHEREAS, the DISTRICT entered into an Interlocal Contract for design on January 12, 2006 and Supplemental Interlocal Contracts dated May 18, 2006, November 9, 2006, December 13, 2007, and November 12, 2009; and

WHEREAS, the CITY wishes to extend the date of completion.

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 14 shall be revised to read as follows:

14. The items covered in SECTION II - PROJECT COSTS must be completed to the satisfaction of the DISTRICT prior to June 24, 2011. 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 Supplemental Interlocal Contracts dated May 18, 2006, November 9, 2006, December 13, 2007, and November 12, 2009 shall remain unchanged.

IN WITNESS WHEREOF, the Parties have caused this 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, MMC
City Clerk

Approved as to Form

By: John S. Ridilla 2/26/10
Deputy City Attorney Date

Date of District Action

February 11, 2010

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: 2/1/2010
Christopher Figgins Date
Chief Deputy District Attorney

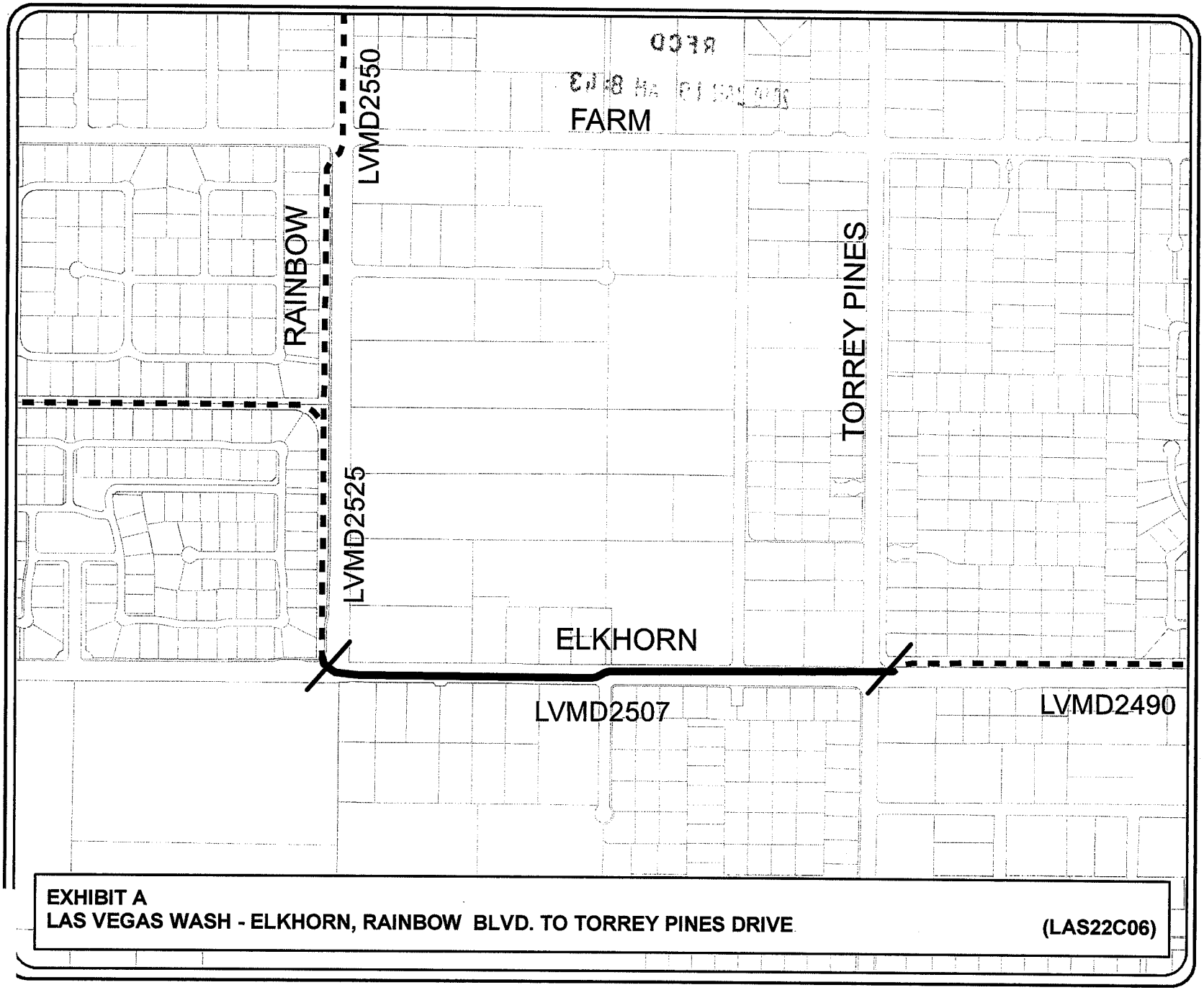


EXHIBIT A
LAS VEGAS WASH - ELKHORN, RAINBOW BLVD. TO TORREY PINES DRIVE **(LAS22C06)**

P:\Depot\Engineering_Planning\Flood\ARCVIEW\Exhibit A - Las Vegas Wash 0 Elkhorn Rainbow Blvd to to Torrey Pines Dr (LAS22C06)_10062009.mxd

Due to continuous development activity this map is for reference only.

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LAS22C06

City of Las Vegas Agenda Item No.: **40.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: PUBLIC WORKS
DIRECTOR: JORGE CERVANTES ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of Third Supplemental Interlocal Contract LAS22H07 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to extend the construction project completion date to June 24, 2011 for the Las Vegas Wash (Elkhorn Road, Rainbow Boulevard to Torrey Pines Drive) - Ward 6 (Ross)

Fiscal Impact

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

PURPOSE/BACKGROUND:
On November 8, 2007 the Clark County Regional Flood Control District entered into an Interlocal Contract with the City to provide funding for construction and construction management for the subject project. This Third Supplemental Interlocal extends the project completion date to June 24, 2011 to allow for project close out. The Clark County Regional Flood Control District approved this contract at their February 11, 2010 Board meeting.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
Third Supplemental Interlocal Contract LAS22H07

THIRD SUPPLEMENTAL INTERLOCAL CONTRACT
LAS VEGAS WASH – ELKHORN ROAD, RAINBOW BOULEVARD TO TORREY PINES DRIVE

THIS THIRD SUPPLEMENTAL INTERLOCAL CONTRACT made and entered into as of the 11th day of February, 2010 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, as Facility Number LVMD 2507, 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 November 8, 2007, and Supplemental Interlocal Contracts dated April 10, 2008 and January 8, 2009 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 24, 2011. The DISTRICT may, at any

time thereafter, grant extensions or terminate this CONTRACT after thirty (30) days notice.

All other section of the Interlocal contracts dated November 8, 2007, April 10, 2008 and January 8, 2009 shall remain unchanged.

IN WITNESS WHEREOF, the Parties have caused this 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, MMC
City Clerk

Approved as to form

By: John S. Ridilla 2/26/10
Deputy City Attorney Date

Date of District Action

February 11, 2010

Regional Flood Control District

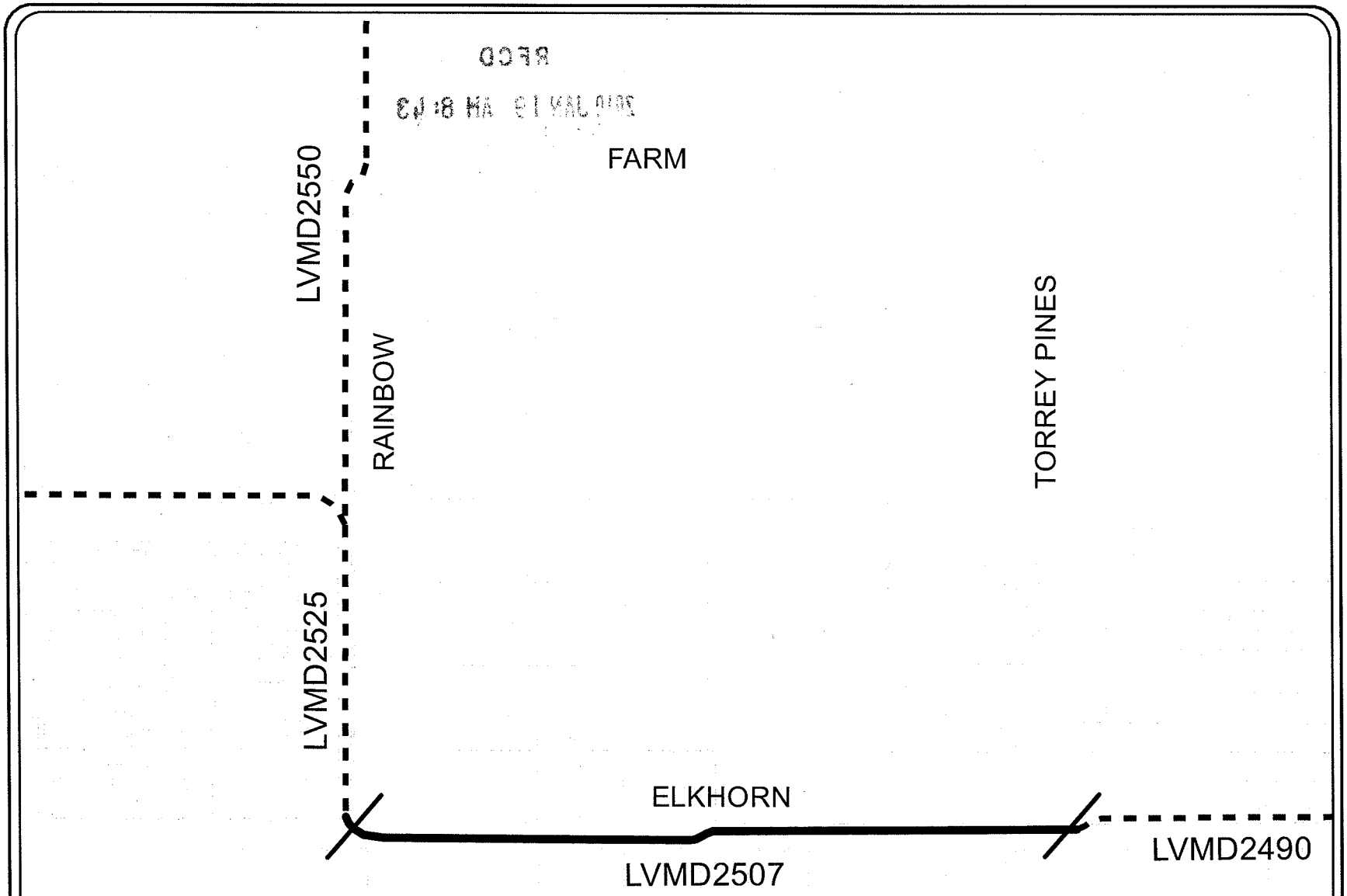
By: Lawrence L Brown III
LAWRENCE L. BROWN, III,
Chairman

Attest

By: Carolyn Frazier
Carolyn Frazier
Secretary to the Board

Approved as to Form

By: Christopher Figgins Feb 10 2010
Christopher Figgins Date
Chief Deputy District Attorney



Public Works
Flood Control Planning

N

LEGEND

FUTURE REGIONAL FACILITY

PROPOSED REGIONAL STORM DRAIN FACILITY

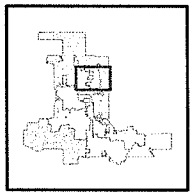


EXHIBIT A
LAS VEGAS WASH - ELKHORN, RAINBOW BLVD. TO TORREY PINES **(LAS22H07)**

LAS22H07

\\Depot\Engineering_Planning\Flood\ARCVIEW\Exhibit A - Las Vegas Wash - Elkhorn, Rainbow Blvd. to Torrey Pines Dr. (LAS22H07)_01132010.mxd

Due to continuous development activity this map is for reference only.

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City of Las Vegas Agenda Item No.: **41.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: PUBLIC WORKS
DIRECTOR: JORGE CERVANTES ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of Fourth Supplemental Interlocal Contract LAS09V05 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to extend the design project completion date to June 24, 2011 for the Oakey Drain located along Oakey Boulevard from Birch Street to Cahlan Drive - Ward 1 (Tarkanian)

Fiscal Impact

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

PURPOSE/BACKGROUND:
On August 11, 2005 the Clark County Regional Flood Control District entered into an Interlocal Contract with the City to provide funding for design of the subject project. This Fourth Supplemental Interlocal extends the project completion date to June 24, 2011 to allow for project close out. The Clark County Regional Flood Control District approved this contract at their February 11, 2010 Board meeting.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
Fourth Supplemental to Interlocal Contract LAS09V05

FOURTH SUPPLEMENTAL TO INTERLOCAL CONTRACT
OAKEY DRAIN, BIRCH STREET TO CAHLAN DRIVE

THIS FOURTH SUPPLEMENTAL INTERLOCAL CONTRACT made and entered into as of the 11th day of February, 2010 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 flood control improvements proposed herein are the same as those identified in the 2008 Master Plan as Structure No. FWOK 0020, 0040, 0060 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; and

WHEREAS, the Interlocal Contract dated August 11, 2005 and Supplemental Interlocal Contracts dated July 13, 2006, June 12, 2008 and October 9, 2008 were entered into between the CITY and the DISTRICT; 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 14 shall be revised to read as follows:

14. The items covered in SECTION II – PROJECT COSTS must be completed to the satisfaction of the DISTRICT prior to June 24, 2011. 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 11, 2005, Supplemental Interlocal Contacts dated July 13, 2006, June 12, 2008 and October 9, 2008 shall remain unchanged.

IN WITNESS WHEREOF, the Parties have caused this 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, MMC
City Clerk

Approved as to form

By: John S. Ridilla 2/26/10
Deputy City Attorney Date

Date of District Action

February 11, 2010

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: [signature] Feb 11, 2010
Christopher Figgins Date
Chief Deputy District Attorney

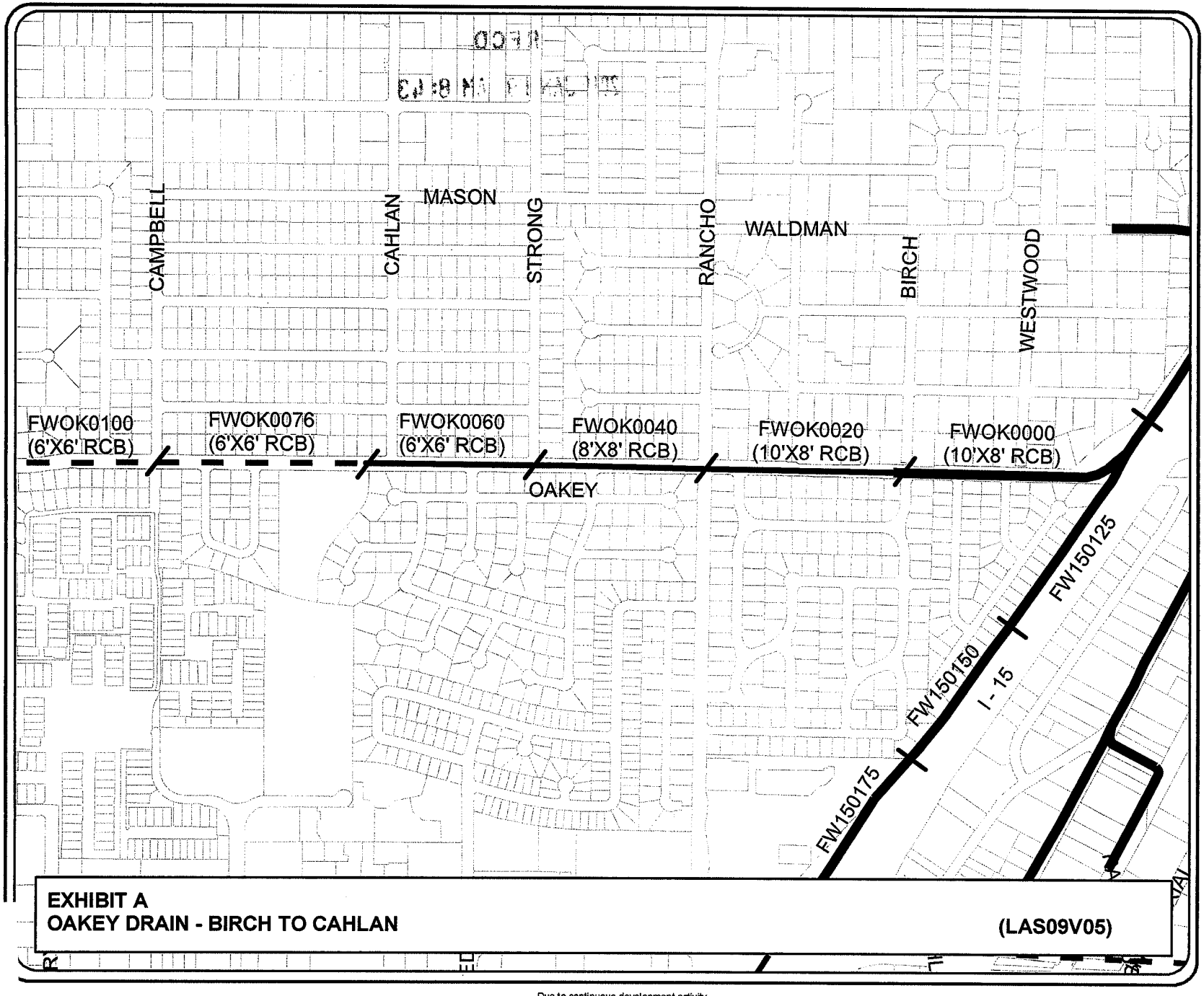

EXHIBIT A
OAKEY DRAIN - BIRCH TO CAHLAN **(LAS09V05)**

Flood Control Planning

N

LEGEND

- EXISTING STORM DRAIN
- FUTURE REGIONAL FACILITY
- PROPOSED REGIONAL STORM DRAIN FACILITY

F:\Depot\Engineering_Planning\Flood\ARCVIEW\Exhibit A - Oakey Drain - Birch to Cahlan (LAS09V05)_01132010.mxd

Due to continuous development activity this map is for reference only.

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LAS09V05

City of Las Vegas Agenda Item No.: **42.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: PUBLIC WORKS
DIRECTOR: JORGE CERVANTES ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of Third Supplemental Interlocal Contract LAS09W08 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to extend the construction project completion date to June 24, 2011 for the Oakey Drain located along Oakey Boulevard from Birch Street to Cahlan Drive - Ward 1 (Tarkanian)

Fiscal Impact

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

PURPOSE/BACKGROUND:
On March 13, 2008 the Clark County Regional Flood Control District entered into an Interlocal Contract with the City to provide funding for construction and construction management for the subject project. This Third Supplemental Interlocal is to extend the project completion date to June 24, 2011, to allow for project close out. The Clark County Regional Flood Control District approved this contract at their February 11, 2010 Board meeting.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
Third Supplemental to Interlocal Contract LAS09W08

THIRD SUPPLEMENTAL TO INTERLOCAL CONTRACT FOR OAKEY DRAIN, BIRCH STREET TO CAHLAN DRIVE

THIS THIRD SUPPLEMENTAL INTERLOCAL CONTRACT made and entered into as of the 11th day of February 2010 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 identified in the 2008 Master Plan, Structure No. FWOK 0020, 0040, 0060 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.

WHEREAS, the DISTRICT approved an Interlocal Contract dated March 13, 2008, First Supplemental Interlocal Contract dated September 11, 2008 and Second Supplemental Interlocal Contract date December 11, 2008 were entered into between the CITY and the DISTRICT; and

WHEREAS, the CITY wished 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 to read as follows:

15. The items covered in SECTION II – PROJECT COSTS must be completed to the satisfaction of the DISTRICT prior to June 24, 2011. 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 March 13, 2008, the First Supplemental Interlocal Contract dated September 11, 2008 and Second Supplemental Interlocal Contract dated December 11, 2008 shall remain unchanged.

IN WITNESS WHEREOF, the Parties have caused this 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, MMC
City Clerk

Approved as to form

By: John S. Ridilla 2/26/10
Deputy City Attorney Date

Date of District Action

February 11, 2010

Regional Flood Control District

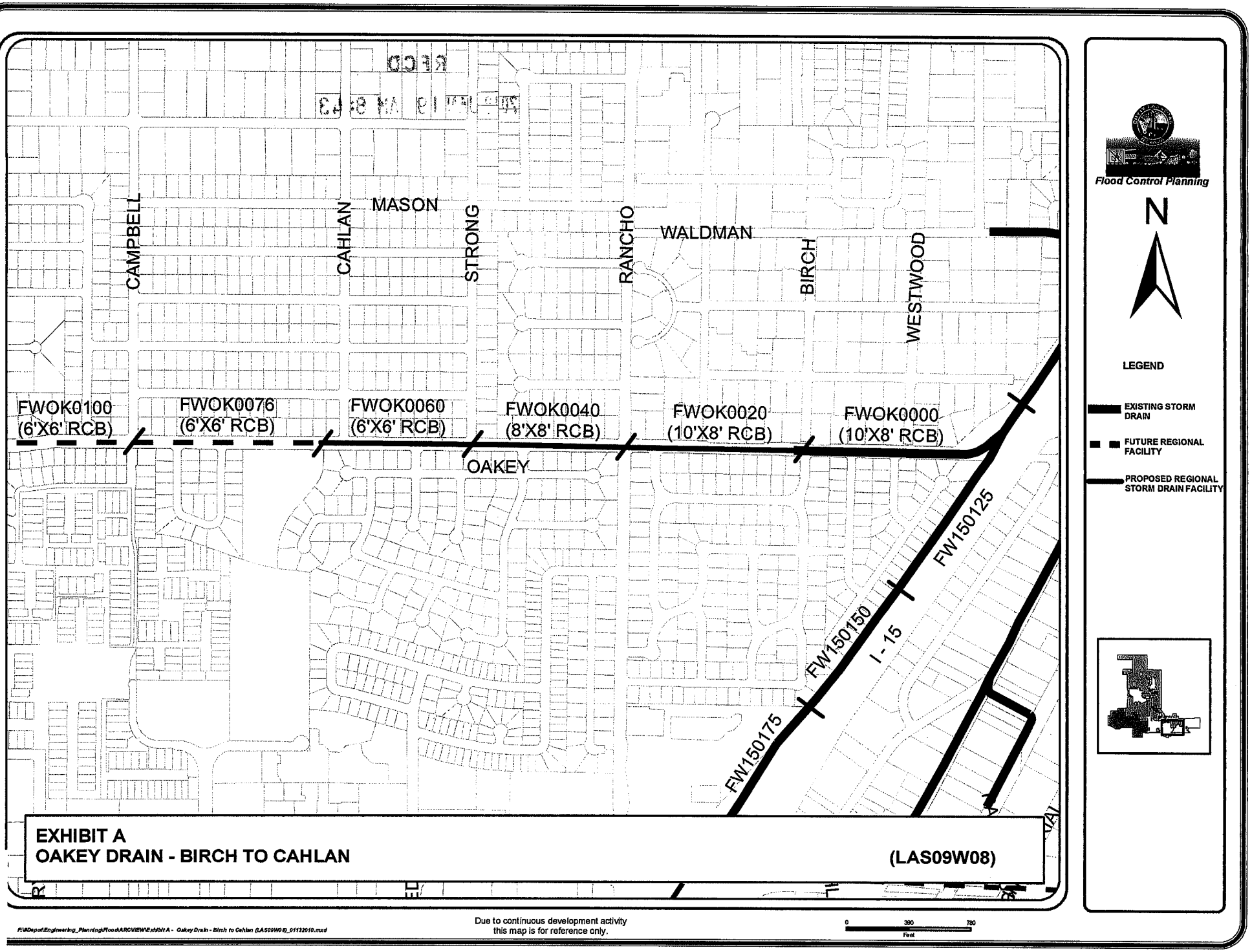
By: Lawrence L Brown III
LAWRENCE L. BROWN, III,
Chairman

Attest

By: Carolyn Frazier
Carolyn Frazier
Secretary to the Board

Approved as to Form

By: Chris Figgins Feb 10 2010
Christopher Figgins Date
Chief Deputy District Attorney


CAMPBELL
CAHLAN
MASON
STRONG
RANCHO
WALDMAN
BIRCH
WESTWOOD
FWOK0100
(6'X6' RCB)
FWOK0076
(6'X6' RCB)
FWOK0060
(6'X6' RCB)
FWOK0040
(8'X8' RCB)
FWOK0020
(10'X8' RCB)
FWOK0000
(10'X8' RCB)
OAKEY
FW150125
FW150150
FW150175
I - 15
Flood Control Planning
N
LEGEND
EXISTING STORM DRAIN
FUTURE REGIONAL FACILITY
PROPOSED REGIONAL STORM DRAIN FACILITY
EXHIBIT A
OAKEY DRAIN - BIRCH TO CAHLAN
(LAS09W08)
F:\ADepot\Engineering_Planning\Flood\ARCVIEW\Exhibit A - Oakey Drain - Birch to Cahlan (LAS09W08)_01132010.mxd
Due to continuous development activity this map is for reference only.
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LAS09W08

City of Las Vegas Agenda Item No.: **43.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: PUBLIC WORKS
DIRECTOR: JORGE CERVANTES ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of a Interlocal Agreement No 113845 between the City of Las Vegas and the Las Vegas Valley Water District for water services at the Tropical Durango Park Phase 1 and 2 located on the northwest corner of Tropical Parkway and Durango Drive ($145,125 - Residential Construction Tax [RCT]) - Ward 6 (Ross)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $145,125.
Funding Source: RCT
Dept./Division: Public Works/City Engineer

PURPOSE/BACKGROUND:
A necessary park of this project is the installation of water service. Before the Las Vegas Valley Water District will sign the service connection documents and allow the City to install the water service, the Interlocal Agreement with conditional water commitment must be executed and the required fees paid.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
Interlocal Agreement No 113845

INTERLOCAL AGREEMENT FOR
CITY OF LAS VEGAS
TROPICAL DURANGO PARK PHASE 1 AND 2

THIS AGREEMENT made and entered into by and between the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada, hereinafter called "CITY", and the LAS VEGAS VALLEY WATER DISTRICT, a quasi-municipal corporation of the State of Nevada, hereinafter called "DISTRICT".

RECITALS

WHEREAS, the DISTRICT is engaged in the business of distributing potable water in the City of Las Vegas, Nevada, and portions of the County of Clark, Nevada; and

WHEREAS, the CITY is engaged in the development of real property generally located at the northwest corner of Durango Drive and Tropical Parkway, and further referenced as Clark County Assessor's Parcel Number 125-29-601-021, and is desirous of receiving potable water from the DISTRICT and has made application for water service to said project; and

WHEREAS, the CITY has approved the development of the real property as a park and has authorized a distribution of water for the development subject to the DISTRICT'S Service Rules; and

WHEREAS, DISTRICT is willing to serve said real property with water pursuant to its Service Rules as adopted by its Board of Directors and subject to the CITY performing all of the terms, conditions and provisions hereinafter set forth and required of the CITY; and

WHEREAS, the CITY is willing to construct at its sole cost and expense the required water service connections and appurtenances for the purpose of providing water service to said real property; and

WHEREAS, both the CITY and the DISTRICT are authorized to enter into interlocal agreements pursuant to NRS 277.180.

NOW, this Agreement WITNESSETH:

ARTICLE I

CITY AGREES:

A. That this Agreement provides a water commitment on a conditional basis only for a park, located at the northwest corner of Durango Drive and Tropical Parkway. The conditional water commitment is provided in accordance with the DISTRICT'S Service Rules, which are made a part of the Agreement by reference and applies only to the development identified in this paragraph.

B. The water commitment will be conditional until all water facilities identified in paragraph E of this Article I are constructed by the CITY and accepted by the DISTRICT for the complete development described in paragraph A of this Article I.

C. That in the event the use of the property changes and modifications to the water facilities are required, the CITY will be required to either obtain a new conditional water commitment from the DISTRICT, or at the option of the DISTRICT, to amend the Agreement.

D. That the CITY has had the opportunity to review the Service Rules and agrees to comply with the Service Rules that are in force on the effective date of this Agreement including those sections pertaining to the water commitment process.

E. At CITY'S sole cost and expense to furnish all necessary materials, labor, and equipment for the construction of the service connections and appurtenances which may include, but not be limited to, the connection to the main and the lateral pipe, a meter, or battery thereof, a meter box or vault, valves, and backflow prevention assembly hereinafter called "WATER FACILITIES", from the main to the point where the water being delivered leaves the piping owned by the DISTRICT. The location and type of said WATER FACILITIES are identified on the plan entitled:

TROPICAL DURANGO PARK PHASE 1 AND 2
Utility Plan

F. That said WATER FACILITIES may be sized to ultimately provide water service to development other than described herein, however the conditional water commitment is only for that portion of the project described herein and any additional construction requires a separate and additional conditional water commitment from the DISTRICT.

G. That said WATER FACILITIES shall be constructed in the location shown, and in accordance with the above-mentioned plan, as approved by the DISTRICT, and in conformance with DISTRICT specifications.

H. That all work shall be subject to inspection and approval by an authorized representative of the DISTRICT and the DISTRICT shall be notified a minimum of 48 hours in advance of actual construction start and 24 hours prior to an inspection of any part of the work, in order that necessary inspection can be arranged.

I. To comply with the DISTRICT'S Service Rules that are in force on the effective date of this Agreement including those sections pertaining to the water commitment process and construction of the WATER FACILITIES identified in Article I, paragraph E above.

J. At CITY'S sole cost and expense, to perform all survey work necessary to ensure installation of the WATER FACILITIES to the location and grades called for in the plans.

K. At CITY'S sole cost and expense, to disinfect and pressure test the WATER FACILITIES to the satisfaction of the DISTRICT and the health authorities having jurisdiction.

L. That connections to existing mains shall be made only in the presence of an authorized representative of the DISTRICT and at the times specified by the DISTRICT.

M. That the WATER FACILITIES shall be located outside of driveways, driveway approaches, or other areas subject to vehicular traffic. In the event the WATER FACILITIES are located within those areas either inadvertently or otherwise, the CITY shall cause such WATER FACILITIES to be relocated outside of the driveways, driveway approaches or other areas described above, in accordance with DISTRICT'S requirements, or shall reimburse the DISTRICT for the cost of relocating said WATER FACILITIES. If extraordinary conditions exist that would prevent compliance with this requirement, the CITY may submit to the DISTRICT a written request for a waiver of this requirement pursuant to the DISTRICT'S Service Rules.

N. To furnish to the DISTRICT easements, in a form satisfactory to the DISTRICT, where WATER FACILITIES are approved to be installed in other than dedicated street or alleys. Said easements shall conform to the requirements as indicated on the approved water plans and be perpetual. The conditions of said easements shall be such that no buildings, structures, trees, shrubs, or other improvements which would interfere with its use by DISTRICT can be placed upon it, that DISTRICT will have the right to operate, maintain, repair, replace, and/or change the size and/or number of WATER FACILITIES; and that proper access to all parts of the easement by DISTRICT forces and equipment is provided. The conditions of said easements shall further provide that the property owner agrees to pay any and all costs incurred by the DISTRICT to make and/or maintain said easements accessible to the DISTRICT. It may be provided that other utility lines can be installed in said easement, so long as they do not interfere with its use by DISTRICT, and are in compliance with state laws and regulations.

O. Should any defective material or workmanship affecting the WATER FACILITIES installed by the CITY be disclosed within one (1) year of the date of completion and acceptance of the WATER FACILITIES by the DISTRICT, the CITY shall immediately cause the defect to be corrected, or shall reimburse DISTRICT for its cost to correct said defect. For the purpose of this Agreement, failures including, but not limited to, any leak or break in the WATER FACILITIES, or any pavement settlement, shall be considered conclusive evidence of defective materials and/or workmanship.

P. That upon completion of construction of the work and acceptance of the work by the DISTRICT, the CITY will provide final acceptance of all work associated with the project and the final acceptance shall include providing the DISTRICT with all its right, title, and interest, in and to the WATER FACILITIES. The CITY will warrant at the time of said final acceptance that there are no encumbrances for material and labor claims.

Q. That installation of said WATER FACILITIES does not assure or guarantee that a complete water service will be available in the future. Until such time as a complete service connection is approved by the DISTRICT and a water commitment is obtained from the DISTRICT, no water may be taken from the new WATER FACILITIES installed under this Agreement.

R. That all water will be taken through metered service connections, in accordance with DISTRICT'S Service Rules. The CITY will require its contractor to install the meters in a timely manner.

S. To require its contractor to protect all existing water facilities during construction and to promptly undertake the repair of damaged facilities upon authorization of the DISTRICT.

T. If required as a condition of the DISTRICT'S Service Rules, the CITY will pay any additional Regional Connection Charges based on a confirmed audit of annual water usage by the above-described property within the first three (3) years of operation. All assessments will be based on the Regional Connection Charge Rates paid at time of project approval.

U. That any of the water facilities installed under this Agreement, once disinfected and tested to the satisfaction of the DISTRICT and once connected to existing DISTRICT facilities, must maintain established water quality standards throughout the installed system. Should the DISTRICT determine that water quality standards are not being maintained following the connection of the approved facilities to the DISTRICT's system, a Water Quality Mitigation Plan (WQ Plan) will be required for review and implementation at the sole expense of the CITY.

ARTICLE II

DISTRICT AGREES:

A. That upon completion of construction of the WATER FACILITIES, acceptance of same by the DISTRICT, and fulfillment by the CITY of all requirements of this Agreement, to supply water to, and to thereafter operate and maintain the WATER FACILITIES installed pursuant to this Agreement in accordance with the DISTRICT'S Service Rules as the same are established and amended.

B. That construction water may be provided through metered fire hydrants and/or metered service connections in accordance with the DISTRICT'S Service Rules.

C. If required as a condition of the DISTRICT'S Service Rules, to refund to the CITY any overpayment of Regional Connection Charges based on a confirmed audit of annual water usage by the above-described property within the first three (3) years of operation. All payments will be based on the Regional Connection Charge Rates paid at the time of project approval.

ARTICLE III

IT IS MUTUALLY AGREED:

A. That the parties understand that this Agreement does not create "water rights", but only rights to conditional water service as a potential customer. This Agreement does not create a property interest in such water service and the CITY is not deemed a DISTRICT water customer until the water facilities and development identified herein are completed as specified.

B. That the WATER FACILITIES installed under this Agreement shall be and remain the exclusive property of the DISTRICT, and shall become a part of the DISTRICT'S general water distribution system after acceptance by the District.

C. That in the event a portion of the WATER FACILITIES are constructed but this Agreement terminates, the above-described property shall have no water commitment by virtue of the installation of the WATER FACILITIES. Requests for future use of said WATER FACILITIES if retained in place, shall require that a new water commitment be obtained before the WATER FACILITIES can be utilized.

D. That this Agreement shall terminate and the conditional commitment shall be void if any of the following occurs:

1. Construction of the water facilities covered by the plan or plans identified in Article I, paragraph E of this Agreement is not diligently commenced within one (1) year from the date of DISTRICT approval of said plan or plans; or
2. If active construction work is discontinued for a period of one (1) year; or if such construction is commenced within said one (1) year period, but is not diligently prosecuted to completion in a manner acceptable to the DISTRICT.

E. That if this Agreement terminates in accordance with its terms, right, title and interest of all or any portion of the WATER FACILITIES installed, as determined solely and exclusively by the DISTRICT, shall become the exclusive property of the DISTRICT for the DISTRICT to use, modify, or to dispose of as the DISTRICT deems appropriate.

F. That noncompliance or violation of the DISTRICT'S Service Rules or any provision of this Agreement by the CITY or its officers, employees, agents, contractors, licensees or invitees shall be cause for the District, at its sole discretion, to discontinue water service to CITY'S project without challenge by CITY and without liability for any damages caused by said discontinuation.

G. That the CITY will be responsible for any loss, damage, liability, cost or expense, except those exempted by law, caused by the actions or inactions of its employees, consultants, contractors, or agents arising under this Agreement. Without waiving the limitations on governmental liability set forth in NRS Chapter 41, as amended, the CITY shall protect, indemnify, and hold the DISTRICT, its officers, employees, and agents harmless from and against any and all claims, damages, losses, expenses, suits, actions, judgements, and awards including attorney's fees and court costs which may be brought against it or them as a result of or by reason of or arising out of or as a consequence of the construction of the WATER FACILITIES contemplated in this Agreement.

H. That this Agreement shall not be deemed to be for the benefit of any entity or person who is not a party hereto,and is not a commitment for water service, and neither this Agreement, nor any interest therein, may be assigned without the prior written consent of the non-assigning party. This Agreement is not intended by the parties to create any right in or benefit to parties other than the District and the CITY. This Agreement does not create any third party beneficiary rights or causes of action

I. That this Agreement represents the entire understanding of the CITY and the DISTRICT relative to the installation of the WATER FACILITIES in conjunction with the CITY'S project.

J. That should any part of this Agreement be rendered void, invalid, or unenforceable by any court of law, for any reason, such determination shall not render void, invalid, or unenforceable, any other part of this Agreement.

K. That the laws of the State of Nevada will govern as to the interpretation, validity, and effect of this Agreement.

L. That each party shall not discriminate against employees or applicants based on race, color, religion, sexual orientation, sex, age, or national origin, and shall take affirmative action to ensure that applicants are employed and employees are treated without regard to the above-mentioned factors and agrees to post in conspicuous places for employees and applicants' notices provided by the Equal Employment Opportunity Commission setting forth these provisions. Each party further agrees that solicitation for employees shall state that qualified applicants will receive consideration without regard to the above-mentioned factors and will send to labor unions or collectives with which he/it has an agreement a notice of the commitments required herein and each party will comply with all local, state and federal laws prohibiting discrimination in hiring or employment opportunities.

IN WITNESS WHEREOF, the parties hereto have entered into this Interlocal Agreement on the _____ day of _____, 20_____.

APPROVED AS TO FORM:

John S. Ridilla for
BRADFORD JERBIC
City Attorney

John S. Ridilla
Deputy City Attorney

ATTEST:

CITY OF LAS VEGAS

Beverly K. Bridges, MMC, City Clerk

BY:_____
OSCAR B. GOODMAN, Mayor

ATTEST:

LAS VEGAS VALLEY WATER DISTRICT

PATRICIA MULROY, Secretary
Las Vegas Valley Water District

BY:_____
RORY REID, President
Board of Directors

APPROVED:

CHARLES K. HAUSER, General Counsel

City of Las Vegas Agenda Item No.: **44.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: PUBLIC WORKS
DIRECTOR: JORGE CERVANTES ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of Interlocal Contract LAS24F10 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to provide funding in the amount of $17,691,490 for the construction of the Gowan Outfall – Lone Mountain Branch located along Lone Mountain Road from Decatur Boulevard to Rancho Drive ($17,691,490 - CCRFCD) - Ward 6 (Ross)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $17,691,490
Funding Source: CCRFCD
Dept./Division: PW / City Engineer

PURPOSE/BACKGROUND:
The Gowan Outfall – Lone Mountain Branch (Rancho Drive to Decatur Boulevard) storm drain is described in the 2008 Master Plan Update as Facility Number GOLO 0152 through GOLO 0275 and is identified in the Regional Flood Control District's Ten-Year Construction Program with construction funding programmed during fiscal year 2010/2011. The improvement shall consist of a varying size Reinforced Concrete Box (RCB) from a 6-ft by 4-ft RCB to 14-ft by 7-ft RCB along Lone Mountain Road from Decatur Boulevard to Rancho Drive with associated drainage collection facilities. The total cost of the contract shall not exceed $17,691,490. The Clark County Regional Flood Control District approved this contract at their February 11, 2010 Board meeting.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
Interlocal Contract LAS24F10

INTERLOCAL CONTRACT
GOWAN OUTFALL – LONE MOUNTAIN BRANCH (RANCHO DRIVE TO DECATUR BOULEVARD)

THIS INTERLOCAL CONTRACT made and entered into as of the 11th day of February, 2010 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 flood control improvements proposed herein are the same as those generally is identified in the 2008 Master Plan Update, as facilities GOLO 0152, GOLO 0165, GOLO 0228, GOLO 0253 and GOLO 0275 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 Gowan Outfall – Lone Mountain Branch (Rancho Drive to Decatur Boulevard). The basic improvements shall consist of drainage facilities including reinforced concrete boxes, pipes, channels, channel access, collection facilities 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 $991,490.

2. Construction at a cost not to exceed $16,700,000.

3. The total cost of the contract shall not exceed $17,691,490 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 June 16, 2010. 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 5, 2013. 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

_____

City of Las Vegas

By: _____
Oscar B. Goodman, Mayor

Attest

By: _____
Beverly K. Bridges, MMC
City Clerk

Approved as to form

By: John S. Ridilla 2/26/10
Deputy City Attorney Date

Date of District Action

February 11, 2010

Regional Flood Control District

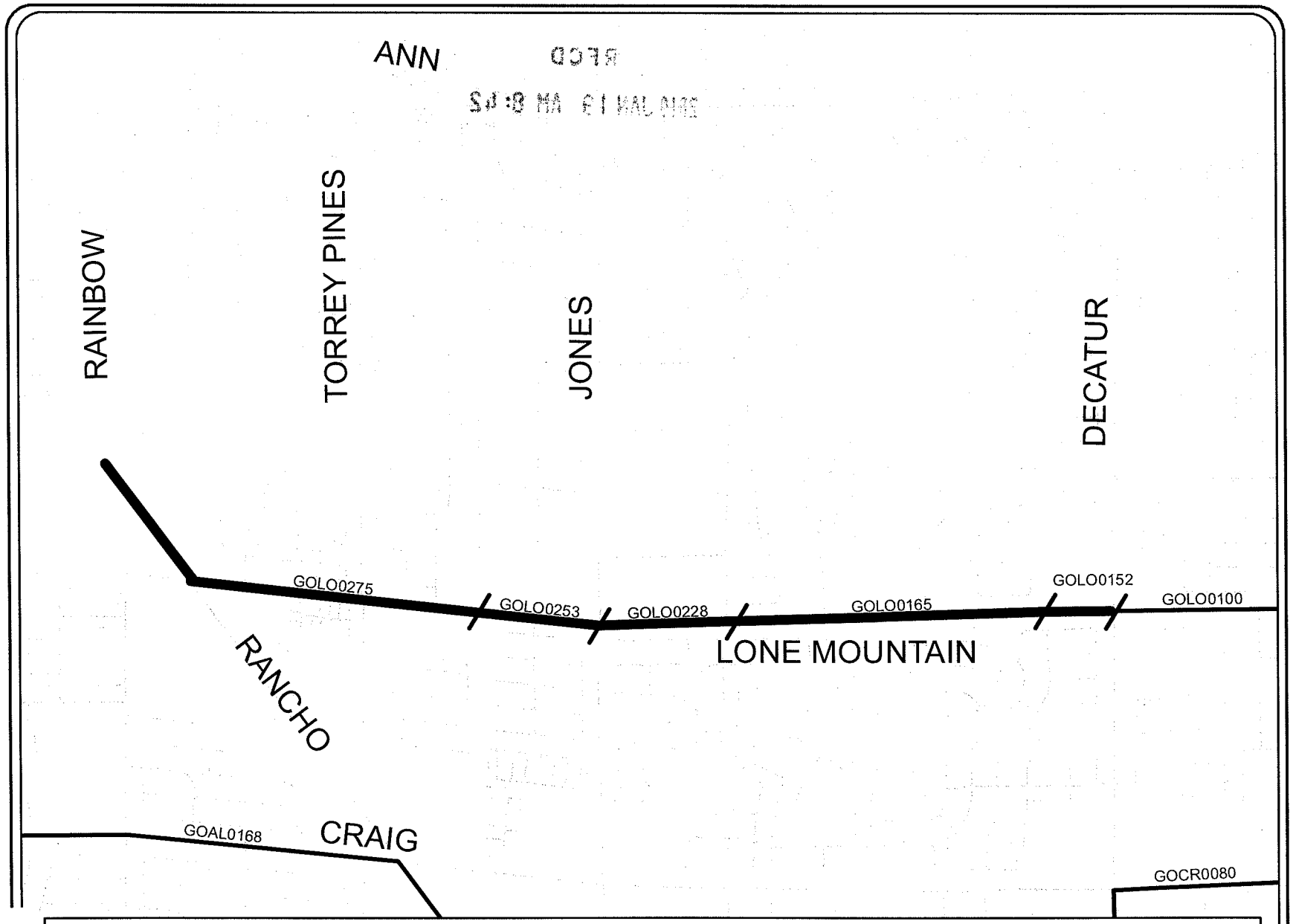
By: Lawrence L Brown III
LAWRENCE L. BROWN, III,
Chairman

Attest

By: Carolyn Frazier
Carolyn Frazier
Secretary to the Board

Approved as to Form

By: Christopher Figgins Feb 11, 2010
Christopher Figgins Date
Chief Deputy District Attorney



Public Works
Flood Control Planning

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LEGEND

- FUTURE REGIONAL FACILITY
- PROPOSED REGIONAL STORM DRAIN FACILITY
- EXISTING REGIONAL FACILITY

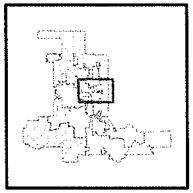

EXHIBIT A
GOWAN OUTFALL - LONE MOUNTAIN BRANCH
(RANCHO DRIVE TO DECATUR BOULEVARD)

FEB 10

(LAS24F10)

LAS24F10

F:\Depot\Engineering_Planning\Flood\ARCVIEW\Exhibit A - Gowan Outfall - Lone Mountain Branch (LASXXX10)_01052010.mxd

Due to continuous development activity this map is for reference only.

0 740 1,480
Feet

City of Las Vegas Agenda Item No.: **45.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: PUBLIC WORKS
DIRECTOR: JORGE CERVANTES ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of the Expired Permit Reissuance Program for offsite permits for minimum permit fees - All Wards

Fiscal Impact

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

PURPOSE/BACKGROUND:
This program will allow developers and/or contractors for a limited time to apply for reissuance of expired offsite permits relating to infrastructure improvements at minimum fees. Currently offsite permits may be renewed prior to the expiration date printed on the permit without incurring additional permit fees. Once the permit has expired, all permit fees are due prior to any additional work being done. No inspections can be scheduled. The goal is to allow developers with expired permits to gain valid permits without incurring substantial additional cost.

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: APRIL 7, 2010
DEPARTMENT: PUBLIC WORKS
ITEM DESCRIPTION: DISCUSSION AND POSSIBLE ACTION REGARDING THE EXPIRED PERMIT REISSUANCE PROGRAM FOR OFFSITE PERMITS FOR MINIMUM PERMIT FEES – ALL WARDS

Temporary Procedure for Permit Renewals/Reissues effective from council adoption until December 31, 2010.

The OFFSITE PERMIT RENEWAL/REISSUE PROCEDURE will remain in effect with the exception of the requirement to update the bond to the current standard and the amount of permit fees for expired permits.

Update of bond to current standard

- Due to the economic impact of updating the bond to the current standard the City of Las Vegas has determined that it is in the best interest of the community to waive the requirement to update the bonding for a project to the current standard.

- The original agreed upon bond for any project can remain in effect throughout the course of the project if the permits are renewed prior to the expiration date and/or the permits are reissued prior to December 31, 2010 and remain in effect without interruption until project completion. Should the permits expire they will be subject to the expired permit portion of the procedure.

Permit Reissue Fees

During the program period expired offsite permits will be reissued for minimum fees:

The minimum fees are detailed as follows:

- $50 for minor permits which include work that is less than 20 feet longitudinally or impact one travel lane.

- $150 for an offsite permit related to a single residence.

- $650 for all other offsite permits.

The permits will be reissued for a period of up to one year.

The program will be in effect until December 31, 2010.

City of Las Vegas Agenda Item No.: **46.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT ☒ **Consent** ☐ **Discussion**

SUBJECT:
RESOLUTIONS:

R-20-2010 - Approval of a Resolution authorizing a medium-term obligation in the amount of $15,000,000 in the form of an interfund loan from the City's Sanitation Enterprise Fund to the City's Capital Improvement Funds

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $15,000,000
Funding Source: Sanitation Enterprise Fund
Dept./Division: Finance and Business Services

PURPOSE/BACKGROUND:
Pursuant to NRS 350.089 and relevant provisions of the Nevada Administrative Code, Council submitted documents and received approval from the Department of Taxation which was read into the record on June 17, 2009. This Resolution authorizes the medium-term loan and promissory note detailing the repayment schedule.

RECOMMENDATION:
None

BACKUP DOCUMENTATION:
Resolution No. R-20-2010

RESOLUTION NO. R-20-1010

A RESOLUTION AUTHORIZING A MEDIUM TERM OBLIGATION IN THE FORM OF AN INTERFUND LOAN; PROVIDING CERTAIN DETAILS IN CONNECTION THEREWITH; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO

WHEREAS, the City Council of the City of Las Vegas, Nevada (the "Council," "City," and "State," respectively) proposes to incur a medium-term obligation in the form of an interfund loan from the City's Sanitation Enterprise Fund to the City's Capital Improvements Fund (the "Medium-Term Obligation"); and

WHEREAS, pursuant to Nevada Revised Statutes ("NRS") 350.089 and relevant provisions of the Nevada Administrative Code, the Council submitted certain information and supporting documents relating to the Medium-Term Obligation to the Executive Director of the Department of Taxation of the State of Nevada (the "Department of Taxation") for his approval; and

WHEREAS, the City has received the approval of the Executive Director of the Department of Taxation for the Medium-Term Obligation; and

WHEREAS, the approval of the Executive Director of the Department of Taxation has been recorded in the minutes of the Council as required by NRS 350.089; and

WHEREAS, the Council elects and hereby determines to authorize the Medium-Term Obligation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAS VEGAS, NEVADA:

Section 1. The Council hereby authorizes the Medium-Term Obligation. The Medium-Term Obligation shall be in the form substantially as set forth as follows (the "Note"):

(Form of Interfund Loan – Promissory Note)

INTERFUND
PROMISSORY NOTE

$15,000,000.00

Las Vegas, Nevada
January 1, 2010

This Promissory Note ("Note") is being issued pursuant to NRS 350.089 and relevant provisions of the Nevada Administrative Code. The City of Las Vegas received approval of this Interfund Loan from the Executive Director of the State of Nevada Department of Taxation on June 1, 2009 and such approval was recorded in the minutes of the Las Vegas City Council on June 17, 2009.

1. Principal Obligation and Interest.

FOR VALUE RECEIVED, City of Las Vegas Capital Improvements Fund ("Borrower"), promises to pay to City of the Las Vegas Sanitation Enterprise Fund ("SEF"), or order at 400 Stewart Avenue, Las Vegas, Nevada 89101, or at such other place as the SEF may designate in writing, in currently available funds of the United States, the principal sum of Fifteen Million and 00/100 Dollars ($15,000,000.00) or so much thereof as may be advanced hereunder, together with interest on the unpaid principal at three percent (3%) per annum ("Interest Rate").

The Interest Rate for this Note shall be calculated on the basis of the actual number of days elapsed over a 360 day year.

This Note and Borrower's obligation to pay principal and interest shall be effective January 1, 2010.

2. Payment Terms.

Payments of interest only shall be due semi-annually commencing June 30, 2010 and each June 30th thereafter until June 30, 2019. Payments of both principal and interest shall be due annually commencing on January 30, 2011 and shall continue each January 30th thereafter until January 30, 2020 when all remaining amounts of principal and accrued interest shall be paid

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in full. The Borrower promises to pay on the following dates the following installments of principal and/or interest:

Date	Principal	Interest	Payments
	$	$	$
June 30, 2010		225,000.00	225.000.00
January 30, 2011	1,308,458.00	225,000.00	1,533,458.00
June 30, 2011		205,373.00	205,373.00
January 30, 2012	1,347,712.00	205,373.00	1,533,085.00
June 30, 2012		185,157.00	185,157.00
January 30, 2013	1,388,143.00	185,158.00	1,573,301.00
June 30, 2013		164,335.00	164,335.00
January 30, 2014	1,429,787.00	164,335.00	1,594,122.00
June 30, 2014		142,888.00	142,888.00
January 30, 2015	1,472,681.00	142,888.00	1,615,569.00
June 30, 2015		120,799.00	120,799.00
January 30, 2016	1,516,861.00	120,799.00	1,637,660.00
June 30, 2016		98,045.00	98,045.00
January 30, 2017	1,562,367.00	98,045.00	1,660,412.00
June 30, 2017		74,610.00	74,610.00
January 30, 2018	1,609.238.00	74,610.00	1,683,848.00
June 30, 2018		50,471.00	50,471.00
January 30, 2019	1,657,515.00	50,471.00	1,707,986.00
June 30, 2019		51,217.00	51,217.00
January 30, 2020	1,707,238.00	51,217.00	1,758,455.00
	15,000,000.00	2,635, 791.00	17,635.791.00

3. Prepayment Provision.

Borrower shall have the right to prepay all or any part of the principal without penalty. All such prepayments shall be applied first to accrued interest and then to principal payments due hereunder in the inverse order of maturity.

4. Miscellaneous

a. The failure of the SEF to act or to exercise any right or remedy shall not in any way affect or impair the obligations of Borrower to SEF, or constitute a waiver by the SEF of, or otherwise affect any of, the SEF's rights under this Note, under any endorsement or guaranty of this Note or under any document or instrument evidencing any security for payment of this Note.

b. The invalidity or unenforceability of any one or more provisions of this Note shall in no way affect the other provisions.

c. Borrower waives presentment, demand for payment, dishonor, notice of dishonor, protest, notice of protest, notice of nonpayment and any other notice or formality and any right of offset.

d. All titles used in this Note are intended solely for convenience and reference; said titles shall not affect any terms, provisions, or meanings of this Note.

e. No waiver or modification of any of the terms or provisions of this Note shall be valid or binding unless set forth in a writing signed by a duly authorized officer of the SEF, and then only to the extent therein specifically set forth.

f. All rights and remedies provided to the SEF or the holder of this Note shall be cumulative and shall be in addition to all other rights and remedies provided at law or in equity and all such rights and remedies may be exercised singly, successively and/or concurrently.

g. Time is of the essence hereof.

h. The laws of the State of Nevada shall govern the validity, construction, performance and effect of this Note.

i. All notices given to or made upon Borrower shall be deemed to have been given or made when deposited in the U.S. Mail and addressed to Borrower at the address indicated below.

IN WITNESS WHEREOF, this Note has been approved by the City Council of the City of Las Vegas and duly executed on the date and place above written.

CITY OF LAS VEGAS
CAPITAL IMPROVEMENTS FUND

By: _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
Beverly K. Bridges, MMC, City Clerk

APPROVED AS TO FORM:

_____
Date

Section 2. The Mayor or, in his absence, the Mayor ProTem is authorized and directed to execute the Note on behalf of the City's Capital Improvement Fund.

Section 3. Ratification. All action heretofore taken by the Council and the officers and employees of the City directed toward the Medium-Term Obligation is ratified, approved and confirmed.

Section 4. 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 constructed to revive any resolution, or part thereof, heretofore repealed.

Section 5. 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 6. This Resolution shall become effective upon passage and approval.

PASSED, ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LAS VEGAS, NEVADA, THIS _____ day of _____, 2010.

_____
Oscar B. Goodman, Mayor

ATTEST:

_____
Beverly K. Bridges, MMC, City Clerk

APPROVED AS TO FORM:

D. Ponticello 3/25/10
Date

City of Las Vegas Agenda Item No.: **47.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT ☒ **Consent** ☐ **Discussion**

SUBJECT:
RESOLUTIONS:

R-21-2010 - Approval of a Resolution to refund a surplus amount of $23,967.23 in Special Improvement District (SID) 1446 - Wards 1, 3 and 6 (Tarkanian, Reese and Ross)

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount: $23,967.23
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
Per NRS 271.429, surplus funds in excess of $10,000 in a SID must be refunded. SID 1446 has an excess of $23,967.23. The City Treasurer has apportioned the refund to property owners of record on April 7, 2010.

RECOMMENDATION:
Staff recommends approval.

BACKUP DOCUMENTATION:
1. Resolution No. R-21-2010
2. Exhibit A - Apportionment of Surplus Funds Report

RESOLUTION NO. R-21-2010

A RESOLUTION APPROVING THE APPORTIONMENT BY THE CITY TREASURER OF SURPLUS AMOUNTS REMAINING IN THE SPECIAL FUND CREATED FOR THE PAYMENT OF BONDS AND INTEREST FOR SPECIAL IMPROVEMENT DISTRICT NO. 1446 (WARDS 1, 3 & 6).

Summary: Refunding Resolution

WHEREAS, the City Council of the City of Las Vegas in the County of Clark, Nevada (hereinafter the "City Council" and the "City" respectively) has created by ordinance a special fund (hereinafter the "Fund"), from which money has been paid for improvements made in Special Improvement District No 1446 (WARDS 1, 3 & 6) (hereinafter the "District"), and from which money has been paid toward the principal and interest relating to the District's improvements; and

WHEREAS, all principal and interest, if any, of the District have been paid in full; and

WHEREAS, surplus amounts remain in the Fund, which surplus amounts must be refunded to the property owner in accordance with Nevada Revised Statutes ("NRS") section 271.429 (as in effect on the date the surplus amounts were calculated); and

WHEREAS, no amounts were advanced from the City's general fund or surplus and deficiency fund for the payment of interest thereon of the District; and

WHEREAS, pursuant to NRS 271.429(1)(e)(1) (as in effect on the date the surplus amounts were calculated), when the surplus is more than $10,000, the Treasurer must deposit $10,000 in the Surplus and Deficiency Fund and apportion the amount of the surplus in excess of $10,000 and administrative costs among the tracts of land assessed in the District; and

WHEREAS, the City Treasurer (hereinafter the "Treasurer") has determined the surplus remaining in the fund to be $33,967.23, which exceeds $10,000; and

WHEREAS, the remaining surplus, after deduction of the administrative costs and the $10,000.00 deposited in the Surplus and Deficiency Fund, is $23,967.23; and

WHEREAS, the Treasurer has apportioned the remaining surplus among the tracts of land assessed in the District, which apportionment is hereby reported to the City Council, a copy of which is attached hereto as Exhibit A; and

WHEREAS, the approval by the City Council of the Treasurer's apportionment is required pursuant to

NRS 271.429 before the apportioned surplus may be made available for refund.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAS VEGAS IN THE COUNTY OF CLARK IN THE STATE OF NEVADA; THAT:

Section 1. The City Council hereby approves the apportionment of the surplus as prepared by the Treasurer and as found at Exhibit A.

Section 2. The Treasurer is hereby authorized to provide notice by mail and by publication of the availability of the surplus for refund, in the amounts found at Exhibit A.

Section 3. In accordance with NRS 271.429, the Treasurer shall give notice by publication in the Las Vegas Review-Journal, a newspaper of general circulation in the City, and published at least once a week, for three consecutive weeks, by three weekly insertions, the first publication being at least 60 days prior to the end of the refund period wherein the owner or owners of record on the date specified by the notice of the tracts of land assessed in the District may request a refund. It shall not be necessary that the notice be published on the same day of the week in each of the three calendar weeks but not less than 14 days shall intervene between the first publication and the last publication. Such service by publication shall be verified by the affidavit of the publisher and filed with the City Clerk. In accordance with NRS 271.429, the Treasurer shall also give written notice of the availability of the surplus for refund by mailing a copy of such notice in the United States mails, postage prepaid as first-class mail, to the last known owner or owners of record on the date specified by the notice of each tract within the District at his or her last-known address or addresses. Proof of such mailing shall be made by the affidavit of the Treasurer and such proof shall be filed with the City Clerk. Proof of the publication and proof of the mailing shall be maintained in the permanent records of the office of the City Clerk until all claims for refund are perpetually barred by an appropriate statutes of limitation. The City Council hereby determines that the manner of giving notice herein provided by publication and by mail is reasonably calculated to inform the parties of the proceedings concerning the District and the right to claim a refund.

Section 4. The notice provided for in NRS 271.429 and in Section 3 of this resolution shall be in substantially the following form:

(Start of Form)

Notice of the Availability of a Refund on Surplus Assessments in City of Las Vegas, Nevada, Special Improvement District No. 1446 (Wards 1, 3 & 6)

NOTICE IS HEREBY GIVEN to the owners of property within City of Las Vegas, Nevada, Special Improvement District No. 1446 (hereinafter the "District") and other interested persons that the City Council of the City of Las Vegas in the County of Clark, Nevada (hereinafter the "City" and "City Council" respectively), adopted on April 7, 2010, a resolution which approved the apportionment and refund of a portion of the amounts assessed against lots, tracts and parcels of land within the District (hereinafter the "Surplus") in accordance with Nevada Revised Statutes ("NRS") section 271.429.

The owner or owners of record on April 7, 2010 of each tract of land which was assessed in the District may claim the refund apportioned to such track by filing a claim with the City Treasurer within sixty (60) days after the date of the mailing of this notice (i.e., within 60 days of April 12, 2010). Thereafter, claims for such refund are perpetually barred.

Valid claims for refund filed in excess of the surplus available for each separate tract may be apportioned ratably among the claimants by the City Treasurer.

Dated this April 12, 2010.

City of Las Vegas
Mark Vincent, Treasurer
400 Stewart Avenue, 6th Floor
Las Vegas NV 89101
(702) 229-6321

*Parcel No. of property _____

*Amount of Surplus available for refund on this property $_____

(*Included in mailed, not published, notice.)

TO BE COMPLETED BY PROPERTY OWNER OF RECORD ON APRIL 7, 2010

*Property Owners may use this Form to Request a Refund

Dear Mr. Vincent:

I am the property owner of record on April 7, 2010 of Parcel No. _____, found in Special Improvement District 1446 (Wards 1, 3 & 6).

I request that I be mailed a refund check as explained in your notice dated April 12, 2010

_____
Signature

_____
Print Name

_____

_____
Address

If mailed, form must be notarized. If submitted in person, please bring two forms of identification.

Signature of Owner of Record on 4/12/10 _____ Date_____

This person is personally known or provided identifications:

Notary signature_____ Notary Stamp

Printed name_____ Date_____ My commission expires_____

RETURN TO:

City of Las Vegas
SID Collections
400 Stewart Avenue, 6th Floor
Las Vegas, Nevada 89101

(End of Form of Notice)

Section 5. Surplus amounts, if any, remaining after the payment of all valid claims filed with the Treasurer within the 60-day period will be transferred to the City's Surplus and Deficiency Fund.

Section 6. Valid claims for the refund filed in excess of the surplus available for each separate tract may be apportioned ratably among the claimants by the City Treasurer.

Section 6. The officers of the City be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

Section 8. This resolution shall be effective on passage and approval.

PASSED and APPROVED on April 7, 2010

OSCAR B. GOODMAN, Mayor

Attest:

BEVERLY K. BRIDGES, City Clerk

Approved as to form:

3/25/10
Date

Assistant City Attorney

APN: 138-12-301-016 ETAL

City of Las Vegas, Nevada
Special Improvement District No. 1446
(Sawtooth Phase IV)

APPORTIONMENT OF SURPLUS FUNDS REPORT
(April 7, 2010)

RETURN TO:

City of Las Vegas
Department of Public Works
Special Improvement District
420 N. Fourth Street
Las Vegas, Nevada 89101

EXHIBIT "A"

APPORTIONMENT OF SURPLUS FUNDS REPORT

The assessment that has heretofore been levied against those certain parcels of property that are identified in the Final Assessment Roll No. 1996-2 as recorded in Book 970109, Instrument 780 in the Office of the County Recorder, Clark County, Nevada, in which a surplus amount of $23,976.23 remains, is hereby apportioned among the said lots or parcels, as currently constituted, as follows:

Assessor's Parcel Number	Amount to be Refunded
138-12-301-016	$ 493.10
138-12-301-017	$ 1,243.78
138-12-801-001	$ 1,838.42
138-12-801-002	$ 919.21
139-25-201-001	$ 1,383.16
139-32-405-010	$ 305.76
139-32-405-024	$ 340.74
139-32-405-025	$ 340.74
139-32-405-026	$ 638.19
139-36-110-034	$ 411.93
139-36-110-035	$ 723.17
139-36-110-036	$ 553.15
139-36-110-037	$ 563.09
139-36-110-038	$ 1,640.70
140-29-401-003	$ 322.95
140-29-401-004	$ 805.84
140-29-415-001	$ 32.06
140-29-415-002	$ 32.06
140-29-415-003	$ 32.06
140-29-415-004	$ 32.06
140-29-415-005	$ 32.06
140-29-415-006	$ 32.06
140-29-415-007	$ 32.06
140-29-415-008	$ 32.06
140-29-415-009	$ 32.06
140-29-415-010	$ 32.06
140-29-415-011	$ 32.06
140-29-415-012	$ 32.06
140-29-415-013	$ 32.06
140-29-415-014	$ 32.06
140-29-415-015	$ 32.06
140-29-415-016	$ 32.06
140-29-415-017	$ 32.06

Assessor's Parcel Number	Amount to be Refunded
140-29-415-018	$ 32.06
140-29-415-019	$ 32.06
140-29-415-020	$ 32.06
140-29-415-021	$ 32.06
140-29-415-022	$ 32.06
140-29-415-023	$ 32.06
140-29-415-024	$ 32.06
140-29-415-025	$ 32.06
140-29-415-026	$ 32.06
140-29-415-027	$ 32.06
140-29-415-028	$ 32.06
140-29-415-029	$ 32.06
140-29-415-030	$ 32.06
140-29-415-031	$ 32.06
140-29-415-032	$ 32.06
140-29-411-217	$ 89.47
140-29-702-002	$ 922.44
140-31-121-002	$ 176.18
140-31-121-006	$ 198.85
140-31-121-007	$ 76.75
140-31-122-001	$ 19.06
140-31-122-002	$ 19.06
140-31-122-003	$ 19.06
140-31-122-004	$ 19.06
140-31-122-005	$ 19.06
140-31-122-006	$ 19.06
140-31-122-007	$ 19.06
140-31-122-008	$ 19.06
140-31-122-009	$ 19.06
140-31-122-010	$ 19.06
140-31-122-011	$ 19.06
140-31-122-012	$ 19.06
140-31-122-013	$ 19.06
140-31-122-014	$ 19.06
140-31-122-015	$ 19.06
140-31-122-016	$ 19.06
140-31-122-017	$ 19.06
140-31-122-018	$ 19.06
140-31-122-019	$ 19.06
140-31-122-020	$ 19.06
140-31-122-021	$ 19.06
140-31-122-022	$ 19.06
140-31-122-023	$ 19.06
140-31-122-024	$ 19.06
140-31-122-025	$ 19.06
140-31-122-026	$ 19.06
140-31-122-027	$ 19.06
140-31-122-028	$ 19.06
140-31-122-029	$ 19.06
140-31-122-030	$ 19.06
140-31-122-031	$ 19.06

Assessor's Parcel Number	Amount to be Refunded
140-31-122-032	$ 19.06
140-31-122-033	$ 19.06
140-31-122-034	$ 19.06
140-31-122-035	$ 19.06
140-31-122-036	$ 19.06
140-31-122-037	$ 19.06
140-31-122-038	$ 19.06
140-31-122-039	$ 19.06
140-31-122-040	$ 19.06
140-31-122-041	$ 19.06
140-31-401-001	$ 698.71
140-31-401-002	$ 294.63
140-31-401-003	$ 293.08
140-31-401-004	$ 275.96
140-31-401-005	$ 261.48
140-31-401-008	$ 308.85
140-31-401-046	$ 381.42
140-31-401-013	$ 150.71
140-31-401-015	$ 150.71
140-31-401-044	$ 751.06
140-31-401-045	$ 195.70
140-31-401-019	$ 460.97
140-31-401-020	$ 110.82
140-31-401-021	$ 110.82
140-31-401-022	$ 265.77
140-31-401-042	$ 154.87
140-31-401-043	$ 160.20
140-31-401-031	$ 614.53
140-31-401-032	$ 535.81
140-31-401-039	$ 138.44
140-31-401-040	$ 584.30
140-32-103-002	$ 579.80
163-02-313-006	$ 104.74
163-02-313-011	$ 263.74
163-02-313-012	$ 157.58
163-02-313-013	$ 167.53
TOTAL	**$ 23,967.23**

DATED this ___ day of April 2010.

Respectfully submitted,

MARK R. VINCENT, City Treasurer

City of Las Vegas Agenda Item No.: **48.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: CITY MANAGER
DIRECTOR: ELIZABETH N. FRETWELL ☐ **Consent** ☒ **Discussion**

SUBJECT:
ADMINISTRATIVE

Report and possible action regarding the status of negotiations and concessions between the City of Las Vegas and its various bargaining units - All Wards

Fiscal Impact

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

PURPOSE/BACKGROUND:
At the direction of Mayor and Council, the City Manager's Office will give a report of ongoing labor discussions and related fiscal issues. The report will provide a thorough review of labor concessions and fire negotiations at the city consistent with the intent of NRS 288.

RECOMMENDATION:
City Council to accept the report and give direction if necessary

BACKUP DOCUMENTATION:
None

City of Las Vegas Agenda Item No.: **49.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: CITY MANAGER
DIRECTOR: ELIZABETH N. FRETWELL ☐ **Consent** ☒ **Discussion**

SUBJECT:
ADMINISTRATIVE

Report and possible action on status of the Clean Water Coalition

Fiscal Impact

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

PURPOSE/BACKGROUND:
The Clean Water Coalition (CWC) was established in 2002 under NRS 277 to administer and implement the Systems Conveyance and Operations Program (SCOP). SCOP was supposed to be a regional system for the conveyance of wastewater from all of the valley's wastewater treatment facilities, to the middle of Lake Mead, through a large diameter underground piping system. Because of reduction in wastewater flows due to the slowdown in development, improvements in the lake water quality, and changes in technology to treat wastewater, the SCOP project was suspended by the CWC Board at their February 23, 2010 meeting until 2012, at which time a determination would be made on the future need for this system. The Board also approved the termination of Connection Fee collection effective March 1, 2010. Sewer User surcharge fees of $7 annually are still collected and these fees generate approximately $7 million a year from all the member agencies. With the suspension of the SCOP project, the future role of CWC is a question that the member agencies are now examining.

RECOMMENDATION:
Receive report and direct staff as appropriate on the Clean Water Coalition

BACKUP DOCUMENTATION:
None

City of Las Vegas Agenda Item No.: **50.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: ADMINISTRATIVE SERVICES
DIRECTOR: TED J. OLIVAS ☐ **Consent** ☒ **Discussion**

SUBJECT:
Discussion and possible action regarding Assembly Bill 494, passed during the 2009 Sessions of the Nevada Legislature, for a report on potential consolidation/reorganization of certain functions performed by local governments in Clark and Washoe County – All Wards

Fiscal Impact

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

PURPOSE/BACKGROUND:
During the 2009 Legislature, Assembly Bill 494 (AB 494) was passed that requires the Board of County Commissioners of Clark County, the Board of County Commissioners of Washoe County and the governing body of each city in those counties to submit a report to the 76th Session of the Nevada Legislature concerning the consolidation or reorganization of certain functions performed by those local governments.

RECOMMENDATION:
It is recommended that the City Council discuss the requirements of AB 494 and direct staff accordingly.

BACKUP DOCUMENTATION:
Assembly Bill 494

Assembly Bill No. 494–Committee on Government Affairs

CHAPTER.....

AN ACT relating to governmental administration; requiring certain local governmental entities to submit a report to the 76th Session of the Legislature concerning the consolidation or reorganization of certain functions; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

This bill requires the Board of County Commissioners of Clark County, the Board of County Commissioners of Washoe County and the governing body of each city in those counties to submit a report to the 76th Session of the Nevada Legislature concerning the consolidation or reorganization of certain functions performed by those local governments.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. On or before September 1, 2010, the Board of County Commissioners of Clark County, the Board of County Commissioners of Washoe County and the governing body of each city in those counties shall each submit a report to the Director of the Legislative Counsel Bureau for transmission to the 76th Session of the Nevada Legislature that, with respect to the functions of public safety, public works and general government performed by those entities:

1. Identifies the aspects of those functions that are currently consolidated in whole or in part.
2. Identifies the aspects of those functions that have been or are being considered for consolidation or reorganization.
3. Identifies the aspects of those functions that are not consolidated and whether those aspects may be appropriate for consolidation or reorganization in the future.
4. Analyzes and makes recommendations regarding the consolidation or reorganization of one or more aspects of those functions.
5. Provides estimates of the costs of consolidation or reorganization of one or more aspects of those functions and a projection of any long-term cost savings, to the extent feasible.
6. Analyzes the benefits of the creation of a permanent committee of affected entities that would meet periodically to discuss and coordinate future efforts at consolidation or reorganization of those functions.

Sec. 2. This act becomes effective on July 1, 2009.

City of Las Vegas Agenda Item No.: **51.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT ☐ **Consent** ☒ **Discussion**

SUBJECT:
Discussion and possible action regarding a Change of Business Name and Change of Ownership for a Package License, From: Lucky Stores LLC, dba Lucky #6030, To: Cardenas Markets, Inc., dba Cardenas, 2400 East Bonanza Road, Jesus Cardenas Sr., CEO, Dir, Luz Cardenas, Sr VP, Dir, Jose Cardenas, Secy, Dir, Guadalupe Cardenas, CFO, Dir, Jesus Cardenas Jr., Sr VP Marketing, Dir, and George Cardenas, VP IT, Dir - 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 Change of Business Name and Change of Ownership for a Package 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.: **52.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT ☐ **Consent** ☒ **Discussion**

SUBJECT:
Discussion and possible regarding a Review of Conditions on a Tavern License, Red Label Bar, Inc., dba Red Label Bar & Lounge, 332 West Sahara Avenue, Nely Petkova, Pres, 100% - Ward 3 (Reese)

Fiscal Impact

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

PURPOSE/BACKGROUND:
Discussion and possible regarding a Review of Conditions on 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.: **53.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT ☐ **Consent** ☒ **Discussion**

SUBJECT:
Discussion and possible action regarding a Special Event Beer/Wine License subject to the provisions of the planning and fire codes for House of Vino LLC, Location: House of Vino, 8053 North Durango Drive, Suite 160, Dates: April 15, 29 and May 14, 2010, Type: Special Event Beer/Wine, Event: Wine & Beer Tasting, Responsible Person in Charge: Jeremiah Boucher - 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 Special Event Beer/Wine License. Event times are 5:00 p.m. - 10:00 p.m. Estimated attendance is 50. Security provided by in house staff.

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: APRIL 7, 2010

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT ☐ **Consent** ☒ **Discussion**

SUBJECT:
Discussion and possible action regarding a Review of a Temporary Work Card for Ronald D. Smith, db at Marche Bacchus, 2620 Regatta Drive, Suite 106 - Ward 4 (Anthony)

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 Work Card.

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: APRIL 7, 2010

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT ☐ **Consent** ☒ **Discussion**

SUBJECT:
Discussion and possible action regarding an Appeal of Work Card Denial for Leslie L. Hamm, db at 7 Eleven Food Store 13690, 2691 West Sahara Avenue - Ward 1 (Tarkanian)

Fiscal Impact

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

PURPOSE/BACKGROUND:
Discussion and possible action regarding an Appeal of Work Card Denial.

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: APRIL 7, 2010

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

SUBJECT:
RESOLUTIONS:

R-11-2010 - ABEYANCE ITEM - Discussion and possible action regarding a Resolution authorizing the support of a Complete Streets Policy for the City of Las Vegas - All Wards

Fiscal Impact

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

PURPOSE/BACKGROUND:
In 2005, the Complete Streets Coalition was formed to advocate for and track the adoption of Complete Streets projects, as well as state and local Complete Streets policies and standards. In those few years, the Complete Street initiative has spread to over 100 cities, states and other jurisdictions who have adopted Complete Street policies. This resolution establishes a clear policy that the city should integrate and implement "Complete Streets" as a guiding principle for public improvement design and construction. The guiding principle of "Complete Streets" is to promote a safe network of access for pedestrians, bicyclists, motorists and transit riders of all ages and abilities. In the design and development of transportation infrastructure, the city shall endeavor to include within nonmotorized network plans, at a minimum, reasonable accommodations for accessibility, sidewalks, curb ramps and cuts, signage and bike lanes, in order to maximize walkable and bikeable streets within the city.

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Agenda Memo
2. Resolution No. R-11-2010

City of Las Vegas

AGENDA MEMO

CITY COUNCIL DATE: APRIL 7, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: R-11-2010 – APPLICANT/OWNER: CITY OF LAS VEGAS

THIS ITEM WAS HELD IN ABEYANCE FROM THE MARCH 3, 2010 CITY COUNCIL MEETING AT STAFF'S REQUEST

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales	
12/21/09	An internal staff meeting between Planning & Development, Public Work and Field Operations was conducted to discussion the Complete Streets Initiative and proposed resolution.
03/03/10	A resolution authorizing the support of a Complete Streets Policy for the city of Las Vegas has been scheduled for discussion and possible action for the 03/03/10 City Council Meeting.
02/25/10	The Planning Commission (7-0 vote) recommended APPROVAL of this item as a Director's Business item (DIR-37289) (PC Item #22).

ANALYSIS

Complete Streets Initiative

"Complete Streets" is an initiative by which cities, states, and other jurisdictions make a policy decision that all future roadway projects may be designed to safely accommodate all uses - pedestrians, bicyclists, motorists, transit riders and vehicles, and people of all ages and abilities, including children, older adults, and people with disabilities. Residents across the U.S. are demanding street features that consider the needs of all users. In 2005, the Complete Streets Coalition was formed to advocate for and track the adoption of Complete Streets projects, as well as state and local Complete Streets policies and standards. The Complete Streets Coalition's website notes that there are over 110 cities, states and other jurisdictions that have adopted complete street policies.

What are Complete Streets?

Complete Streets are designed and operated so they are safe, comfortable, and convenient for all users – pedestrians, bicyclists, motorists and transit riders of all ages and abilities. The complete streets framework includes not only retrofitting existing streets to increase safety for all, but changing project scoping, planning procedures, and design standards so that streets are routinely designed with all users in mind from the outset.

Roadways considered to be "complete" are not of any one size or description. However, when focusing on urban arterials, a number of standard design techniques are typically used:

- Lanes are reduced in width (from 12 feet to 11 or even 10 feet).
- The number of lanes may be reduced, often from 4 to 3, which also improves safety for left turns and allows the most prudent driver to set the speed. This treatment is known as a "road diet."
- Sidewalks, if missing, are installed.
- Curb cuts (driveways) may be consolidated to reduce walkway interruptions by moving vehicles.
- Raised medians are installed, which improves safety for crossing pedestrians.
- Universal design features are installed, including audible signals, curb ramps, and providing a 4-foot wide clear path of travel on the sidewalk, in accordance with the Americans with Disabilities Act and Public Rights-of-Way Accessibility Guidelines (PROWAG).
- Pedestrian crossings are enhanced with ladder-style or zebra-style crosswalk markings, signal modifications such as a leading pedestrian interval or countdown timer , and as needed, flashing crosswalks -- lights embedded in the pavement that flash when activated by a crossing pedestrian.
- Street parking is maintained or installed, which helps to discourage speeding.
- Corner treatments are installed. These may include curb extensions, right-turn slip lanes, or tighter turning radii, all of which slow right turns and provide greater visibility for pedestrians.
- Transit accommodations are improved in a variety of ways.

Benefits of Complete Streets

Studies show that complete streets improve safety. A Federal Highways Administration safety review found that designing the street with pedestrians in mind — sidewalks, raised medians, better bus stop placement, traffic-calming measures, and treatments for disabled travelers — all improve pedestrian safety. One study found that designing for pedestrian travel by installing raised medians and redesigning intersections and sidewalks reduced pedestrian risk by 28%.

The implementation of complete streets encourages walking and bicycling for health. The National Institutes of Medicine recommends fighting childhood obesity by changing ordinances to encourage construction of sidewalks, bikeways, and other places for physical activity. A report of the National Conference of State Legislators found that the most effective policy avenue for encouraging bicycling and walking is complete streets.

Complete streets can ease transportation woes for the one-third of Americans that do not drive. Complete streets help provide safe access for people who use wheelchairs, have vision impairments, and for older people and children. More than one quarter of all trips are one mile or less — and almost half are under five miles. Most of those trips are now made by car. Streets that provide travel choices give people the option to avoid traffic jams and increase the overall capacity of the transportation network.

The instituting of complete streets makes fiscal sense. Integrating sidewalks, bike lanes, transit amenities, and safe crossings into the initial design of a project spares the expense of retrofits later.

Adopted Complete Street Policies

Over 100 cities, states and other jurisdictions have adopted complete street policies. In 2007, the mayor of Salt Lake City, Utah, by Executive Order mandated that bicycle and pedestrian ways be established in new construction projects in the public right-of-way. In response to neighborhood groups complaining about high traffic volumes and speeds, the City of Sacramento, developed a Best Practices for Complete Streets Manual. The City of Denver developed the Living Streets Concept: enhancing Denver's most congested roadways with pedestrian amenities and bicycle lanes without the expense of widening them.

City Policies and Initiatives that support Complete Streets

The Las Vegas 2020 Master Plan, the Sustainability and Urban Forestry Initiative all support the Complete Street Initiative. The Planning & Development Department has proposed the development of walkable community and corridor plans as tools for implementing many of the goals of the Las Vegas 2020 Master Plan. The first two walkable community plans are being developed in Wards 1 and 2 and are centered around Village Square and Meadows Mall respectively. The primary purpose of these plans is to facilitate walking and biking within neighborhoods and to encourage reinvestment in developed urban areas of the city.

As part of the form-based Unified Development Code, staff is preparing a new section tentatively called Complete Streets that will house the street standards that currently reside in Title 18. In addition to those standards, Planning and Development Department is working with the Public Works Department to update standards to integrate the Complete Streets concept by enhancing current street sections to include multimodal travel lanes, separated sidewalks, and parkways where signage, utility boxes, street light poles and other items can be put to ensure clear and open pedestrian access to seniors, children and the disabled.

Grant Funding Available

The American Reinvestment Recovery Act (ARRA) of 2009 included $48 billion for transportation investments, of that $27.5 billion were in funding categories that make funds eligible for complete street elements, and another $3.8 billion were available for bicycle and pedestrian infrastructure.

In addition, $825 million of ARRA funds are set aside for the Transportation Enhancement program, which is often used for bicycle and pedestrian improvements. Community Development Grant funds ($1 billion) and Energy Efficiency Block Grants funds ($2.8 billion) include bicycle and pedestrian improvements as eligible uses.

Established in May 2006, the National Center for Safe Routes to School through funding from the Federal Highway Administration assists communities in enabling and encouraging children to safely walk and bike to school. Through Safe Routes to School, the Department of Transportation has provided $600 million from fiscal year 2005 to 2009.

PC ACTION
The Planning Commission (7-0 vote) recommended APPROVAL of this item as DIR-37289.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

JM

RESOLUTION ADOPTING A COMPLETE STREETS POLICY FOR THE CITY OF LAS VEGAS

WHEREAS, a number of organizations, including the American Planning Association, the National Complete Streets Coalition, and a number of transportation-related agencies have been urging state and local governments to adopt policies and programs relating to the concept of "Complete Streets"; and

WHEREAS, the guiding principle of "Complete Streets" is to promote a safe network of access for pedestrians, bicyclists, motorists and transit riders of all ages and abilities; and

WHEREAS, the promotion of capital improvements in Las Vegas that are planned, designed and constructed to encourage walking, bicycling and transit use will promote the general safety and welfare for all Las Vegas citizens; and

WHEREAS, the full integration of landscape components in the design of streets and highways will improve air quality, limit greenhouse gas emissions, provide energy savings, reduce stormwater runoff, extend the lifespan of paved surfaces through shading and enhance the aesthetic value of the area; and

WHEREAS, the City Council desires to establish a clear policy that the City should integrate and implement Complete Streets as a guiding principle for public improvement design and construction.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAS VEGAS as follows:

1. To the extent financially feasible, future construction or reconstruction of City rights-of-way or any parts thereof shall be in conformity with the policies set forth in this Resolution, except in cases where:

a. Bicyclists and pedestrians are otherwise prohibited by law from using the street or facility;

b. The cost of establishing bikeways or walkways would be excessively disproportionate to the need or probable use;

c. Scarcity of population or other factors indicate an absence of need, with consideration given to future population growth; or

d. Engineering judgment prohibits the establishing of bikeways along high speed or high volume corridors.

2. In the design and development of transportation infrastructure, the City shall endeavor to:

a. Integrate and implement the concept of Complete Streets, as defined herein.

b. Include within nonmotorized network plans, at a minimum, reasonable accommodations for accessibility, sidewalks, curb ramps and cuts, signage and bike lanes, in order to maximize walkable and bikeable streets within the City.

3. The City shall establish as a goal to adequately fund the implementation of this policy.

PASSED, ADOPTED, AND APPROVED this _____ day of _____, 2010.

CITY OF LAS VEGAS

BY _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, MMC
City Clerk

APPROVED AS TO FORM

Validated 2-11-10
Date

City of Las Vegas Agenda Item No.: **57.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC ☐ **Consent** ☒ **Discussion**

SUBJECT:
RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING

Bill No. 2010-13 – Revises and updates provisions governing 1) master sign plans, and 2) general plan amendment and rezoning decisions. (TXT-36168, TXT-36325 and TXT-36494)
Proposed by: M. Margo Wheeler, Director of Planning and Development

Fiscal Impact

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

PURPOSE/BACKGROUND:
This bill will revise and update provisions governing 1) master sign plans, and 2) general plan amendment and rezoning decisions. The changes concerning master sign plans clarify the relationship of such plans to Code provisions governing signs. The changes concerning general plan amendments and rezonings provide clarification regarding decisions on multiple-parcel applications.

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. 2010-13

BILL NO. 2010-13

ORDINANCE NO. _____

AN ORDINANCE RELATED TO ZONING; REVISING PROVISIONS GOVERNING THE EFFECT OF MASTER SIGN PLANS; UPDATING PROVISIONS GOVERNING GENERAL PLAN AMENDMENTS AND REZONINGS; AND PROVIDING FOR OTHER RELATED MATTERS.

Proposed by: M. Margo Wheeler, Director of Planning and Development

Summary: Revises and updates provisions governing 1) master sign plans, and 2) general plan amendment and rezoning decisions.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 19, Chapter 14, Section 130, Subsection (B), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

(B) Applicability.

(1) A Master Sign Plan shall be submitted and approved before any on-premises signage may be installed for the following:

(a) Any non-residential project with a site larger than fifteen net acres; or

(b) Any non-restricted gaming establishment.

(2) A Master Sign Plan may be submitted for any development or property not otherwise required to submit a Master Sign Plan to accomplish one or more of the following:

(a) To establish the requirements and limitations for signs located in the Gaming and Downtown Overlay districts, and [any uses] for signs relating to uses that are not regulated elsewhere in this Chapter [located] and that are located on property in the Planned Community and Planned Development Districts;[or]

(b) To establish requirements and limitations for signs in a specific development[.] that are more restrictive than would otherwise be required by this Chapter; or

(c) To satisfy a condition or requirement imposed by the Planning Commission or City Council.

SECTION 2: Title 19, Chapter 14, Section 130, Subsection (D), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

(D) Procedures.

(2) Conditions of Approval. In approving a Master Sign Plan, the Planning Commission may impose the following conditions, restrictions or limitations as the Commission may determine to be necessary to meet the general purpose and intent of this Title and to ensure that the public health, safety and welfare are being maintained. All signs in the Master Sign Plan shall:

(a) Either conform to all standards for the zoning district in which the sign will be located, under Section 19.14.060, or establish [the] sign requirements and limitations that are more restrictive than those set forth in this Chapter and that are consistent with the standards and criteria set forth in the following Subparagraphs (b) through (g). Master Sign Plans may also be used to establish the requirements and limitations for signs located in the Gaming and Downtown Overlay districts, and the Planned Community and Planned Development Districts;

(b) Conform to the Residential Protection Standards set forth in Section 19.14.070;

(c) Conform to site plan and development standards regarding circulation and emergency exit patterns, parking and loading requirements and other standards related generally to the location of structures within a development;

(d) Be compatible with the architectural characteristics and spatial relationships of the buildings on which the signs are attached, and the placement of freestanding signs on the site, when considered in terms of location, scale, proportion, color, materials, and illumination;

(e) Be professionally designed and fabricated from materials that meet the physical demands of an urban setting;

(f) Be creative in the use of two- and three-dimensional forms, iconographic representations, illumination and graphic design, including the use of color, pattern, typography, and materials; and

(g) Be designed as attractive and complementary features of the development, which it serves.

SECTION 3: Title 19, Chapter 14, Section 130, Subsection (F), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

(F) Effect. After approval of a Master Sign Plan, or amended Master Sign Plan, no sign shall be erected, placed, or altered, except in conformance with the Master Sign Plan, and the Master Sign Plan

shall be enforced in the same way as any provision of this Chapter. [The provisions of this Chapter shall be in force for any provisions not established in a Master Sign Plan. In case of any conflict between the provisions of a Master Sign Plan and any other provision of this Chapter, the Master Sign Plan shall control.]

SECTION 4: Title 19, Chapter 18, Section 30, Subsection (B), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

(B) Authority. Whenever the public health, safety and general welfare requires, the City Council may, upon a resolution of the Planning Commission carried by the affirmative votes of not less than five members, or upon review of a requested General Plan Amendment which has not been approved by resolution of the Planning Commission, change the General Plan land use designation for any parcel or area of land to allow different zoning classifications. Subsequent growth and development factors in the community may be considered, among other factors, when determining whether such amendment to the General Plan promotes the public health, safety and general welfare. For purposes of this Subsection (B), the Planning Commission's resolution may be in the form of a vote reflected in the minutes of the Planning Commission meeting.

SECTION 5: Title 19, Chapter 18, Section 30, Subsection (F), Paragraph (3), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

(3) Planning Commission Decision.

(a) A decision to recommend approval of a General Plan Amendment shall be by resolution of the Planning Commission with the affirmative votes of not less than two-thirds of the total membership of the Commission. For purposes of this Paragraph (a), the Planning Commission's resolution may be in the form of a vote reflected in the minutes of the Planning Commission meeting. The Planning Commission may approve[, approve with conditions,] or deny an application for a General Plan Amendment.

(b) In making a decision to approve the proposed General Plan Amendment, the Planning Commission shall consider the facts presented at the public hearing and shall make the determinations contained in Subsection (I) of this Section. The Planning Commission may consider recommending [the amendment of only a portion of the land described in the application or amend all or a portion of

the application to a more restrictive land use category.]:

(i) The approval of a more restrictive land use category than that set forth in the application; or

(ii) The amendment of fewer than all parcels described in the application to either the land use category requested in the application or a more restrictive land use category, but only if such parcels are distinct legal parcels .

(c) Following the hearing, the Planning Commission shall make its decision to either recommend approval or denial of the application.

SECTION 6: Title 19, Chapter 18, Section 30, Subsection (H), Paragraph (2), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

(2) City Council Action.

(a) Decision. The City Council may approve[, approve with conditions,] or deny a proposed General Plan Amendment. In making a decision to approve the proposed General Plan Amendment, the City Council shall consider the recommendation of the Planning Commission and the facts presented at the public hearing. The City Council may consider [the amendment of only a portion of the land described in the application or may amend all or a portion of the application to a more restrictive land use category.] :

(i) The approval of a more restrictive land use category than that set forth in the application; or

(ii) The amendment of fewer than all parcels described in the application to either the land use category requested in the application or a more restrictive land use category, but only if such parcels are distinct legal parcels.

(b) Change to More Restrictive Category. If at the Council hearing, the applicant proposes amending the application to a more restrictive land use category, the City Council has the option to refer the application back to the Planning Commission for consideration.

(c) Significant Changes. If the applicant proposes significant changes to the application during the hearing or if new information is presented that significantly changes the nature and scope of the application, the request should be referred back to the Planning Commission for consideration.

SECTION 7: Title 19, Chapter 18, Section 30, Subsection (H), Paragraph (3), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

(3) Notice of City Council Decision. Following the hearing on a proposed General Plan Amendment, the City Council shall reach a decision concerning the proposal. The decision shall include reasons for the decision. [and, if the decision is to approve the Amendment, any modifications, conditions or limitations that the Council may impose.] Written notice of the decision shall be provided to the applicant, agent or both. A copy of the notice shall also be filed with the City Clerk, and the date of the notice shall be deemed to be the date that notice of the decision is filed with the City Clerk.

SECTION 8: Title 19, Chapter 18, Section 40, Subsection (H), Paragraph (3), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

(3) Planning Commission Decision. Following the public hearing or hearings, the Planning Commission shall make its recommendations concerning the application for rezoning. The recommendation may be for approval[, approval with conditions,] or denial. In considering whether to recommend approval or denial of an application, the Planning Commission may, when it appears necessary or expedient, consider [the rezoning of only a portion of the land described in the application for rezoning, or it may recommend that all or a portion of the property be rezoned to a more restrictive classification.] recommending:

(a) The approval of a more restrictive zoning classification than that set forth in the application; or

(b) That fewer than all parcels described in the application be rezoned to either the zoning classification requested in the application or a more restrictive classification, but only if such parcels are distinct legal parcels.

SECTION 9: Title 19, Chapter 18, Section 40, Subsection (J), Paragraph (2), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

(2) City Council Decision.

(a) Decision. The City Council may approve[, approve with conditions,] or deny an application for a rezoning. In considering whether to approve or deny an application, the City Council

may consider [the rezoning of only a portion of the land described in the application for rezoning or amend all or a portion of the application to a more restrictive zoning classification.] :

(i) The rezoning of the property to a more restrictive zoning classification than that set forth in the application; or

(ii) The rezoning of fewer than all parcels described in the application to either the zoning classification requested in the application or a more restrictive classification, but only if such parcels are distinct legal parcels.

(b) Change to More Restrictive Zoning. If, at the public hearing, the applicant proposes amending the rezoning application to a more restrictive zoning classification, the City Council may act on the request or refer the application back to the Planning Commission for consideration.

(c) Significant Changes to Application. If the applicant proposes significant changes to the application during the hearing, or if new information is presented that significantly changes the nature and scope of the application, the request should be referred back to the Planning Commission for consideration.

SECTION 10: Title 19, Chapter 18, Section 40, Subsection (J), Paragraph (3), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

(3) Notice of City Council Decision. Following the hearing on a proposed rezoning, the City Council shall reach a decision concerning the proposal. The decision shall include the reasons for the decision. [and, if the decision is to approve the rezoning, any modifications, conditions or limitations that the Council may impose.] Written notice of the decision shall be provided to the applicant or his agent, or both. A copy of the notice shall also be filed with the City Clerk, and the date of the notice shall be deemed to be the date that notice of the decision is filed with the City Clerk.

SECTION 11: For purposes of Section 2.100(3) of the City Charter, LVMC 19.14.130, 19.18.030 and 19.18.040 are deemed to be subchapters rather than sections.

SECTION 12: 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 13: 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 _____, 2010.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 3-4-10
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2010, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2010, 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, MMC
City Clerk

City of Las Vegas Agenda Item No.: **58.**

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC ☐ **Consent** ☒ **Discussion**

SUBJECT:
RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING

Bill No. 2010-14 – Clarifies the authority of the City Traffic Engineer regarding residential parking permit zones. Sponsored by: Councilwoman Lois Tarkanian

Fiscal Impact

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

PURPOSE/BACKGROUND:
This bill will clarify the authority of the City Traffic Engineer regarding residential parking permit zones. The Municipal Code provisions on the subject currently authorize the Traffic Engineer to establish time-limited parking in such zones. Those provisions also reference the posting of signs relating to the times, locations and conditions under which parking in designated zones will be by permit only, but do not specifically address the Traffic Engineer's authority regarding the posting of such signs. This bill will provide that express authority.

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. 2010-14
2. Business Impact Statement

BILL NO. 2010-14

ORDINANCE NO. _____

AN ORDINANCE TO CLARIFY THE AUTHORITY OF THE CITY TRAFFIC ENGINEER REGARDING RESIDENTIAL PARKING PERMIT ZONES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilwoman Lois Tarkanian

Summary: Clarifies the authority of the City Traffic Engineer regarding residential parking permit zones.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 11, Chapter 65, Section 20, of the Municipal Code of the City of Las Vegas, Nevada 1983 Edition, is hereby amended to read as follows:

11.65.020: With respect to any residential parking permit zone established pursuant to this Chapter, the [The] City Traffic Engineer is hereby authorized to:

(A) Issue [issue] residential parking permits and visitor permits to residents [of residential areas which qualify for said permits] who qualify for such permits in accordance with this chapter; [and also to establish a time limited parking zone for time periods up to three hours, in the affected area as prescribed in Section 11.52.270 of this Code.]

(B) Establish within the residential parking permit zone one or more time limited parking zones, in each case for time periods up to three hours; and

(C) For purposes of Subsection (A) of LVMC 11.65.050, establish other parking restrictions within the residential parking permit zone, including the times, locations and conditions under which parking shall be by permit only.

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: 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 _____, 2010.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 3-4-10
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2010, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2010, 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, MMC
City Clerk

BUSINESS IMPACT STATEMENT
BILL NO. 2010-14
(Clarifies the authority of the City Traffic Engineer regarding residential parking permit zones)

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2010-14, that would clarify the authority of the City Traffic Engineer regarding residential parking permit zones.

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 identified. The proposed ordinance merely clarifies existing provisions

Beneficial effects:

None identified. The proposed ordinance merely clarifies existing provisions

Direct effects:

None identified. The proposed ordinance merely clarifies existing provisions

Indirect effects:

None identified. The proposed ordinance merely clarifies existing provisions

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: March 4, 2010

City of Las Vegas Agenda Item No.: **59.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC ☐ **Consent** ☒ **Discussion**

SUBJECT:
NEW BILL:

Bill No. 2010-15 – Reduces the minimum amount of meal-service seating that must be provided by establishments with beer/wine/cooler on-sale and beer/wine/cooler on-off-sale licenses.
Sponsored by: Councilman Gary Reese

Fiscal Impact

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

PURPOSE/BACKGROUND:
This bill will reduce from 45 to 30 the minimum number of meal-service seats that must be provided by establishments with beer/wine/cooler on-sale and beer/wine/cooler on-off-sale licenses.

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. 2010-15
2. Business Impact Statement

BILL NO. 2010-15

ORDINANCE NO. _____

AN ORDINANCE TO REDUCE THE MINIMUM AMOUNT OF MEAL-SERVICE SEATING THAT MUST BE PROVIDED BY ESTABLISHMENTS WITH BEER/WINE/COOLER ON-SALE AND BEER/WINE/COOLER ON-OFF-SALE LICENSES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Gary Reese

Summary: Reduces the minimum amount of meal-service seating that must be provided by establishments with beer/wine/cooler on-sale and beer/wine/cooler on-off-sale licenses.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 6, Chapter 50, Section 50, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.50.050: A beer/wine/cooler on-sale license authorizes the sale only of beer, wine and coolers for consumption only in connection with and during the consumption of a meal on the premises where the same is sold, and where such beverages are served by the licensee or an authorized employee of the licensee. Such a license may be issued only in connection with a restaurant ,and the actual seating available at all times for the service of meals (whether at tables, counters or booths) must accommodate at least [forty-five] <u>thirty</u> persons.

SECTION 2: Title 6, Chapter 50, Section 70, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.50.070: A beer/wine/cooler on-off-sale license authorizes:

(A) The sale only of beer, wine and coolers for consumption only in connection with and during the consumption of a meal on the premises where the same is sold, and where such beverages are served by the licensee or an authorized employee of the licensee; and

(B) The sale, to consumers only and not for resale, only of beer, wine and coolers, in original sealed or corked containers, for consumption off the premises where the same are sold.

➥Such a license may be issued only in connection with a restaurant, grocery store or convenience store in which the actual seating available at all times for the service of meals (whether at tables,

counters or booths) must accommodate at least [forty-five] thirty persons.

SECTION 3: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the description of the use "Beer/Wine/Cooler On-and Off-Sale Establishment," as found in the "Retail and Personal Services" element of Table 2, to read as follows:

Description:

An establishment:

1. Whose license to sell alcoholic beverages is limited to:

a. The sale of beer, wine and coolers for consumption only in connection with a meal on the premises where the same is sold; and

b. The sale of beer, wine and coolers to consumers only and not for resale, in original sealed or corked containers, for consumption off the premises where the same are sold; and

2. Is operated in connection with a restaurant, grocery store or convenience store in which [45] 30 or more people may be served with meals at any one time at tables or stools.

SECTION 4: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the description of the use "Beer/Wine/Cooler On-Sale Establishment," as found in the "Retail and Personal Services" element of Table 2, to read as follows:

Description:

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 [45] 30 or more people may be served with meals at any one time at tables or stools.

SECTION 5: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the use "Beer/Wine/Cooler On- and Off-Sale Establishment" to read as follows:

"Beer/Wine/Cooler On- and Off-Sale Establishment" means an establishment:

(1) Whose license to sell alcoholic beverages is limited to:

(a) The sale of beer, wine and coolers for consumption only in connection with a meal on the premises where the same is sold; and

(b) The sale of beer, wine and coolers to consumers only and not for resale, in original sealed or corked containers, for consumption off the premises where the same are sold; and

(2) Is operated in connection with a restaurant, grocery store or convenience store in which [forty-five] thirty or more people may be served with meals at any one time at tables or stools.

SECTION 6: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the use "Beer/Wine/Cooler On-Sale Establishment" to read as follows:

"Beer/Wine/Cooler On-Sale Establishment" means 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] thirty or more people may be served with meals at any one time at tables or stools.

SECTION 7: For purposes of Section 2.100(3) of the City Charter, LVMC 19.04.010 and 19.20.020 are deemed to be subchapters rather than sections.

SECTION 8: 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 9: 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 10: 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 _____, 2010.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 3-26-10
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2010, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2010, 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, MMC
City Clerk

BUSINESS IMPACT STATEMENT
BILL NO. 2010-15
(Reduces the minimum amount of meal-service seating that must be provided by establishments with beer/wine/cooler on-sale and beer/wine/cooler on-off-sale licenses)

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2010-15, that would reduce the minimum amount of meal-service seating that must be provided by establishments with beer/wine/cooler on-sale and beer/wine/cooler on-off-sale licenses.

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:

Reduced seating requirements for licensees

Direct effects:

Reduced seating requirements for licensees

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: March 24, 2010

City of Las Vegas Agenda Item No.: **60.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC ☐ **Consent** ☒ **Discussion**

SUBJECT:
NEW BILL:

Bill No. 2010-16 – Requires certain contractors and employers of employees hired to staff gaming hospitality operations to be signatory to collective bargaining agreements where the City or the City's Redevelopment Agency has a specified financial or proprietary interest. Proposed by: Bradford R. Jerbic, City Attorney

Fiscal Impact

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

PURPOSE/BACKGROUND:
This bill will require certain contractors and employers of employees hired to staff gaming hospitality operations to be signatory to collective bargaining agreements where the City or the City's Redevelopment Agency has a specified financial or proprietary interest. The bill is in furtherance of the Memorandum of Understanding that the City and the Redevelopment Agency entered into with the Culinary Workers Union Local 226 last December.

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. 2010-16
2. Business Impact Statement

BILL NO. 2010-16

ORDINANCE NO. _____

AN ORDINANCE TO REQUIRE CERTAIN CONTRACTORS AND EMPLOYERS OF EMPLOYEES HIRED TO STAFF GAMING HOSPITALITY OPERATIONS TO BE SIGNATORY TO COLLECTIVE BARGAINING AGREEMENTS WHERE THE CITY OR THE CITY'S REDEVELOPMENT AGENCY HAS A SPECIFIED FINANCIAL OR PROPRIETARY INTEREST, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Bradford R. Jerbic, City Attorney

Summary: Requires certain contractors and employers of employees hired to staff gaming hospitality operations to be signatory to collective bargaining agreements where the City or the City's Redevelopment Agency has a specified financial or proprietary interest.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 4 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new chapter, designated as Chapter 36, consisting of Sections 10 to 30, inclusive, reading as follows:

4.36.010: The City is authorized by State law and by Charter authority to engage in redevelopment activities. The City Council has the corresponding authority to establish limitations and conditions on the use of redevelopment funds and other resources. It is the intent of this Chapter to establish conditions on the use of redevelopment resources when they are used to assist in the development of projects for gaming hospitality operations in which the City or the City's Redevelopment Agency has a specified financial or proprietary interest in such operations in order to protect such interest from jeopardy resulting from labor disputes.

4.36.020: As used in this Chapter and except as the context otherwise requires, the following terms shall have the meanings ascribed to them:

"Capital project" means a project which is financed by debt or by other funds of the City or the Redevelopment Agency and which meets all of the following:

(A) Is an undertaking to construct, repair, renovate, improve, equip, furnish or acquire any:

(1) Building, structure, facility or physical public betterment or

improvement;

(2) Land or rights in land; or

(3) Furnishings, machinery, apparatus or equipment, for a building, structure, facility or physical public betterment or improvement;

(B) Has an estimated useful life in excess of five years; and

(C) Has an estimated financial cost in excess of one hundred thousand dollars.

"Contract under 29 U.S.C. Section 185" means a labor contract to which 29 U.S.C. Section 185 (a) applies, as that provision has been interpreted by the United States Supreme Court.

"Contractor" means any person party to a qualifying contract.

"Employer" means an employer of employees hired to staff or work at a gaming hospitality operation.

"Gaming hospitality operation" means a hotel or other establishment that:

(A) Provides lodging and other guest accommodations, or other hospitality services; and

(B) Is licensed for nonrestricted gaming.

"Hospitality workers" means all full-time or part-time employees in a gaming hospitality operation, except supervisors, managers and guards.

"No-strike pledge" means the prohibition described in Paragraph (1) of Subsection (A) of Section 4.36.030.

"Qualifying contract" means:

(A) Any contract, lease or license:

(1) From the City or the Redevelopment Agency to use any property of the City or Redevelopment Agency for the conduct of gaming hospitality operations; or

(2) Pursuant to which the City or the Redevelopment Agency is entitled to receive as rents, royalties or other income a percentage of the revenues of an enterprise, or any payments in connection with financing of a capital project provided by or through the City or the Redevelopment Agency; or

(B) Any subcontract, sublease, sublicense or other transfer or assignment of any

right, title or interest received from the City or Redevelopment Agency pursuant to any qualifying contract.

"Redevelopment Agency" means the Redevelopment Agency of the City of Las Vegas.

"Valid collective bargaining agreement" means a collective bargaining agreement entered into between a contractor and a labor organization lawfully serving as the exclusive collective bargaining representative for the employees who provide or will provide services pursuant to a qualifying contract.

4.36.030: (A) As a condition precedent to any qualifying contract, each and every contractor and employer of employees hired to staff a gaming hospitality operation shall be or become signatory to a valid collective bargaining agreement or other contract under 29 U.S.C. Section 185 with any labor organization seeking to represent hospitality workers employed in the gaming hospitality operation. Each collective bargaining agreement or contract under 29 U.S.C. Section 185:

(1) Must contain a provision prohibiting the labor organization and its members, and in the case of a collective bargaining agreement, all employees covered by the agreement, from engaging from any picketing, work stoppages, boycotts or any other economic interference with the hospitality operations of the contractor or any persons under contract to it for the duration of the time required for the repayment of public indebtedness incurred to finance the acquisition or development of such capital project, or for the duration of the qualifying contract or contracts for the operation of such capital project, whichever period of time is more extensive.

(2) Must provide that, during this time period referred to in Paragraph (1) above, all disputes relating to employment conditions or the negotiation thereof shall be submitted to final and binding arbitration.

(B) Each and every contractor and employer of employees hired to staff a gaming hospitality operation shall require that any work under its qualifying contract or contracts that is to be done by the contractor's or employer's contractors, subcontractors, tenants or subtenants shall be done under collective bargaining agreements or other contracts under 29 U.S.C. Section 185 containing the same provisions as specified in Paragraph (1) of Subsection (A) above.

(C) A contractor or employer shall be relieved of the obligations of this Section

with respect to a labor organization if the labor organization places conditions upon its no-strike pledge that the City Council finds, after notice and hearing, to be arbitrary or capricious.

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: 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 _____, 2010.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, MMC
City Clerk

APPROVED AS TO FORM:

Valstead 3-29-10
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2010, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2010, 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, MMC
City Clerk

BUSINESS IMPACT STATEMENT
BILL NO. 2010-16
(Requires certain contractors and employers of employees hired to staff gaming hospitality operations to be signatory to collective bargaining agreements where the City or the City's Redevelopment Agency has a specified financial or proprietary interest)

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2010-16, that would require certain contractors and employers of employees hired to staff gaming hospitality operations to be signatory to collective bargaining agreements where the City or the City's Redevelopment Agency has a specified financial or proprietary interest.

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.

A copy of the proposed ordinance was sent to known businesses that might potentially be affected. Inquiries have been made regarding the impact of the proposed ordinance, but no written responses were received.

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 identified

Beneficial effects:

None identified

Direct effects:

None identified

Indirect effects:

None identified

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. Any businesses that do not wish to be subject to the requirements of this ordinance have a choice not to enter into agreements of the type that would trigger the ordinance requirements.

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 than federal, state or local standards regulating the same activity, the following explains when such duplicative or more stringent provisions are necessary:

Not applicable

Date: March 29, 2010

City of Las Vegas Agenda Item No.: **61.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: HUMAN RESOURCES
DIRECTOR: CLAUDETTE ENUS ☐ **Consent** ☒ **Discussion**

SUBJECT:
Closed Session - Upon duly carried Motion, a closed meeting is called in accordance with NRS 288.220 to discuss labor issues

Fiscal Impact

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

PURPOSE/BACKGROUND:
To discuss labor issues

RECOMMENDATION:
None

BACKUP DOCUMENTATION:
None

City of Las Vegas Agenda Item No.: **62.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

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.: **63.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: PUBLIC WORKS
DIRECTOR: JORGE CERVANTES ☐ **Consent** ☒ **Discussion**

SUBJECT:
Public hearing on local improvement district for Special Improvement District No 1485 - Alta Drive (Rancho Drive to approximately 275 feet west of Lacy Lane) (Landscape Maintenance - FY 2011) ($62,800 - Special Assessments Capital Projects Fund) - Ward 1 (Tarkanian)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $62,800
Funding Source: Special Assessments Capital Projects Fund
Dept./Division: Public Works/SID

PURPOSE/BACKGROUND:
Public hearing on the Final Assessment Roll for the annual maintenance costs of street beautification improvements from July 1, 2010 through June 30, 2011 along Alta Drive from Rancho Drive to approximately 275 feet west of Lacy Lane.

RECOMMENDATION:
Public Hearing only; no action required.

BACKUP DOCUMENTATION:
1. Public Hearing Notice
2. Mary Bartsas Enterprises LLC Letter

NOTICE OF THE FILING OF FINAL ASSESSMENT ROLL, OF THE OPPORTUNITY TO FILE WRITTEN COMPLAINTS, PROTESTS, OR OBJECTIONS, AND OF THE ASSESSMENT HEARING, ALL CONCERNING THAT CERTAIN AREA TO BE ASSESSED FOR IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1485 – ALTA DRIVE (LANDSCAPE MAINTENANCE FY2011)

NOTICE IS HEREBY GIVEN, that the final assessment roll for City of Las Vegas, Nevada, Special Improvement District No. 1485 – Alta Drive (Landscape Maintenance FY2011) (hereinafter the "District") in and for the City of Las Vegas in the County of Clark, State of Nevada, which has been made out by the City Council of City of Las Vegas, together with the Director of Public Works, has been filed on March 3, 2010, in the office of the City Clerk and since such date, the final assessment roll has been, and now is available for examination by any interested person during regular office hours, Monday through Friday 8:00 a.m. until 5:00 p.m. The boundaries of the District are described in the Special Improvement District No. 1485 Creation Ordinance heretofore adopted (hereinafter the "Creation Ordinance") to defray the annual maintenance costs of a street beautification project (hereinafter the "Maintenance Project"). The boundaries of the District, which include the location of the Maintenance Project and the lots, tracts and parcels of land to be assessed, shall be the exterior boundary of each parcel of property abutting the street as described below. The streets along which the improvements are to be maintained include:

Alta Drive (BOTH SIDES) from western right-of-way of Rancho Drive to approximately 275 feet west of Lacy Lane.

The amounts to be assessed for the Maintenance of 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), provided, however, that 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 equal and uniform.

The amount to be assessed will be levied on an area basis, i.e., the amount of the assessment against each parcel will be in proportion to the area of that parcel as compared to the area of all parcels to be assessed. Each property owner will be assessed for the annual cost of the Maintenance Project. The landscape maintenance shall include maintenance of all landscape improvements including trees,

shrubs, and other plantings, irrigation system and controls, fertilization, electrical and water services. The maintenance shall also include the supply of all required water and electrical power.

Such basis of assessments has been designated by the City Council in the Creation Ordinance heretofore adopted. The portion of the costs to be assessed against, and the maximum amount of benefits estimated to be conferred upon each lot, tract or parcel of land or property in the District is stated in the final assessment roll. The City Council has determined that each of these tracts will receive special benefits (and corresponding market value increases) from the maintenance of improvements in the Maintenance Project.

The City Council will meet to hear and consider all complaints, protests, and objections to said final assessment roll, to the amount of the assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the Maintenance Project. Any person interested and any parties aggrieved by such assessments may be heard on Wednesday, April 7, 2010, at 9:00 a. m. at the City of Las Vegas Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada. Any complaint, protest, or objection to the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount thereof levied on each lot, tract or parcel of land, shall be deemed waived unless filed in writing with the City Clerk, on or before Friday, April 2, 2010, i.e., at least three days prior to the date set for the assessment hearing.

At the time and place so designated for the hearing, the City Council shall hear and determine all complaints, protests, and objections to the regularity of the proceedings in making such assessments, the correctness of such assessments, the amount levied on any particular lot, tract or parcel of land to be assessed, the amount of the benefits and corresponding market value increases, which have been so made in writing or verbally. The City Council shall further have the power to adjourn such hearing from time to time, and by resolution shall have power, in its discretion, to revise, correct, confirm, or set aside any assessment and to order that such assessment may be made de novo. The owners of the property to be assessed are advised that this is the final chance to present any evidence as to the amount of the assessments (or other matters to be considered at the hearing) to the City Council. If a person objects to the final assessment roll or to the proposed assessments:

(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 271.395.

Assessments shall be due and payable at the office of the City Treasurer in four (4) substantially equal quarterly installments of principal without interest.

Pursuant to NRS 271.357, 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. A person whose application for a hardship determination has been approved by the City Council is entitled to have the amount of the assessment postponed. A person desiring to apply for a hardship determination shall file an application no later than April 2, 2010, with the Clark County Department of Social Services (CCSS), 1600 Pinto Lane, Las Vegas, Nevada 89106. Please contact CCSS at (702) 455-8687 for a pre-qualification screening.

Pursuant to NRS 271.395, within 15 days immediately succeeding the effective date of the assessment ordinance to be adopted following the hearing, any person who has filed a complaint, protest, or objection in writing shall have the right to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination. Thereafter, all actions or suits attacking the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount of the assessment levied on each tract, including, without limiting the generality of the foregoing, the defense of confiscation, shall be perpetually barred.

Dated this March 3, 2010.

/s/ BEVERLY K. BRIDGES
BEVERLY K. BRIDGES, MMC, City Clerk

MARY BARTSAS ENTERPRISES, LLC

March 12, 2010

Jorge Cervantes, P.E., P.T.O.E.
Director of Public Works
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

Subject: Special Improvement District No. 1485
Alta Drive (Landscape Maintenance – FY2011)

Dear Mr. Cervantes,

We received your letter dated March 3, 2010 regarding the final assessment for the landscape maintenance costs on Alta Drive. We recognize the city's efforts in this project to enhance this historic area. We are; however, discouraged as we look down the street of the historic area and see everyone's plants and or shrubs alive and looking wonderful except for our the vegetation that is trying to grow or has died. Please replace the dead vegetation and service the irrigation system in front of 2700 and 2701 Alta Drive.

We would appreciate more attention to detail as we have paid our assessments in a timely manner.

Sincerely Yours,

Aaron Hansen

Sharron Prusse

601 S. RANCHO DRIVE, SUITE C23 • LAS VEGAS, NV 89106
702.735.6377 • FAX:702.366.9413 •

City of Las Vegas Agenda Item No.: **64.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: NEIGHBORHOOD SERVICES
DIRECTOR: STEPHEN K. HARSIN ☐ **Consent** ☒ **Discussion**

SUBJECT:
ABEYANCE ITEM - Hearing to consider the appeal regarding the Nuisance Notice and Order to Comply located at 409 Santa Fe Street. PROPERTY OWNER: MICHAEL E. PAVICH - Ward 1 (Tarkanian)

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 Code, Title 9, dealing with nuisance. 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 9.04.010 (10) Classic Vehicles; 9.04.010 (11) Vehicle Inspection/Enforcement; 9.12.030 Stored Materials. 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 George E. Graziadei, Esquire of Graziadei & Cantor, Ltd. on behalf of Michael E. Pavich, 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 Letters from Appellant
5. Notices of Appeal
6. Notice of Abeyance

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: April 7, 2010
DEPARTMENT: Neighborhood Services
ITEM DESCRIPTION: ABEYANCE ITEM - Hearing to consider the appeal regarding the Nuisance Notice and Order to Comply located at 409 Santa Fe Street. PROPERTY OWNER: MICHAEL E. PAVICH – Ward 1 (Tarkanian)

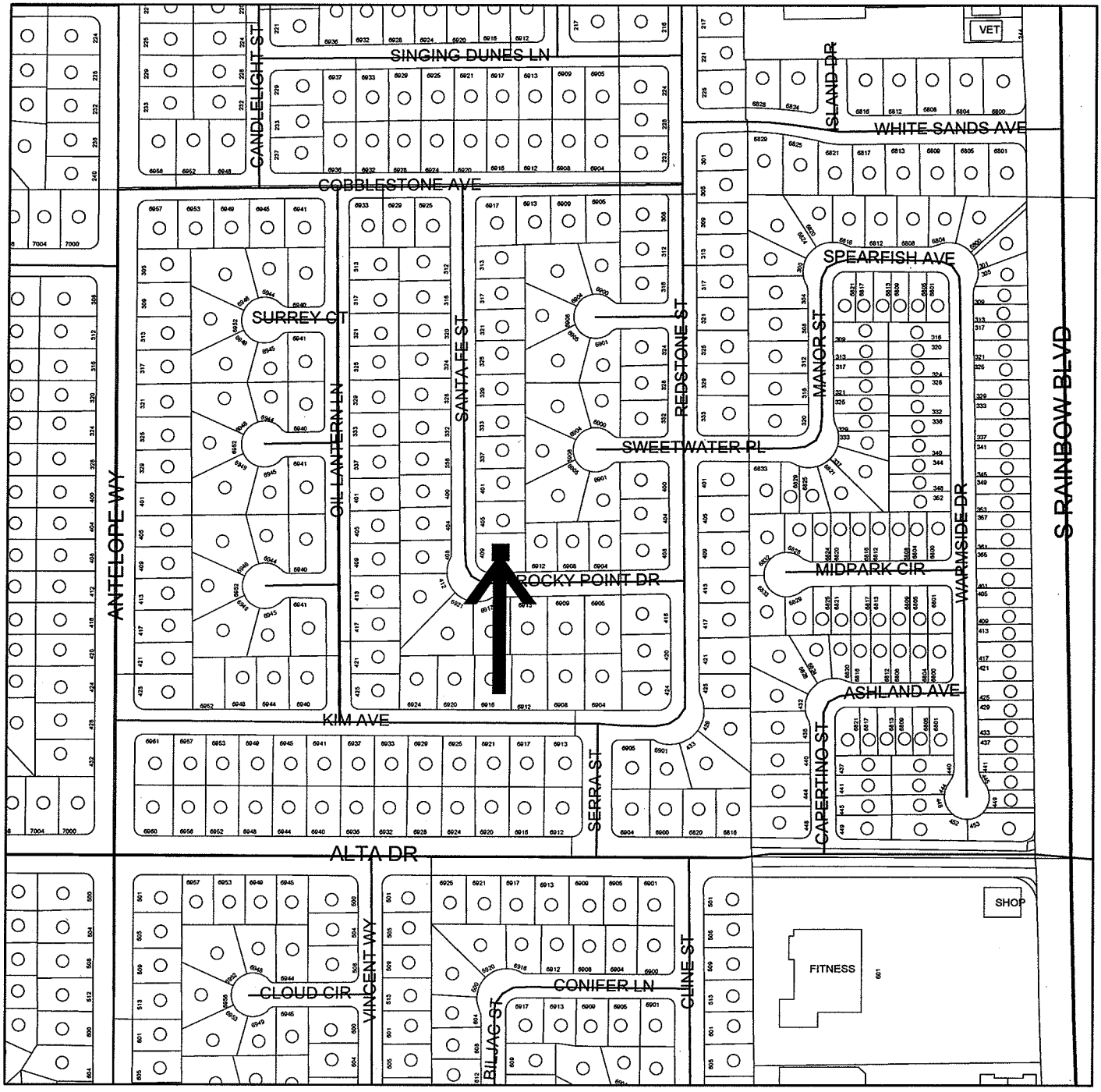
The subject property was deemed to be a public nuisance as defined in Las Vegas Municipal Code, Title 9, dealing with nuisance.

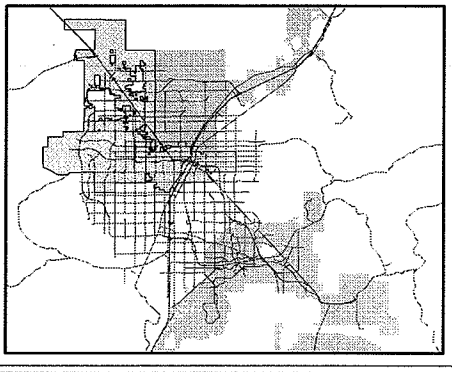
A Nuisance Notice and Order to Comply was sent to the property owner by regular and certified mail requesting they correct the public nuisance as defined in Las Vegas Municipal Code, Title 9.04.010 (10) Classic Vehicles; 9.04.010 (11) Vehicle Inspection/Enforcement; 9.12.030 Stored Materials. A copy 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 George E. Graziadei, Esquire of Graziadei & Cantor, Ltd. on behalf of Michael E. Pavich, owner and responsible party.

409 SANTA FE STREET
CROSS STREETS - ALTA//RAINBOW

City of Las Vegas Vicinity Map





N

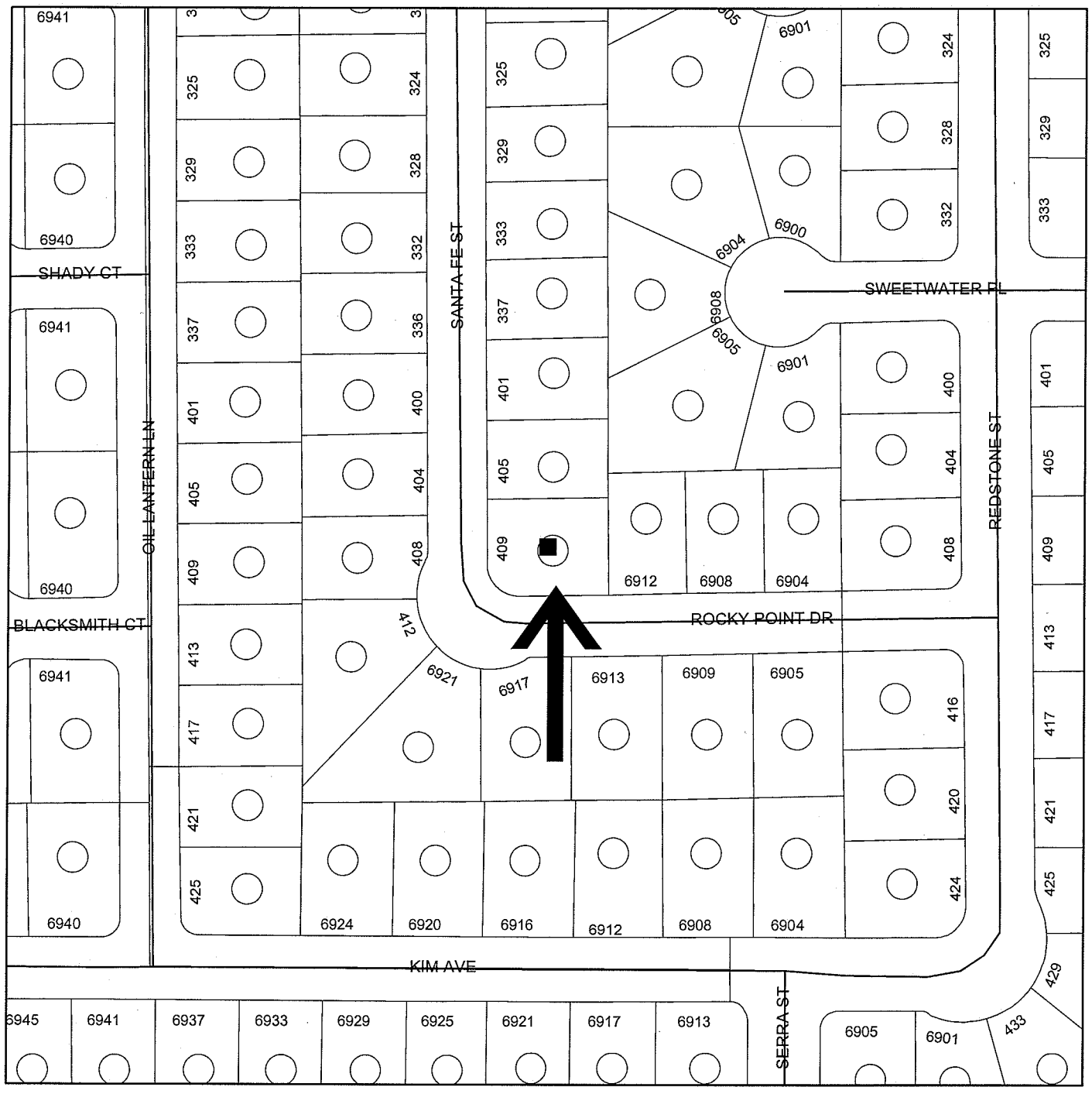
0 170 340 680 Feet

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

PLANNING & DEVELOPMENT

409 SANTA FE STREET
CROSS STREETS - ALTA//RAINBOW

City of Las Vegas Vicinity Map



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Geographic Information System
Planning & Development Dept.
702-229-6301

PLANNING & DEVELOPMENT

(3)

Inst #: 200912100003903
Fees: $16.00
N/C Fee: $0.00
12/10/2009 02:41:04 PM
Receipt #: 157489
Requestor:
LAS VEGAS CITY
Recorded By: JRV Pgs: 3
DEBBIE CONWAY
CLARK COUNTY RECORDER

NEIGHBORHOOD SERVICES DEPARTMENT
DIRECTOR
STEPHEN K. HARSIN, AICP

NOTICE AND ORDER

APN: 138-34-613-022

December 7, 2009

Case #56923
Certified/Regular Mail
Return Receipt Requested

Michael E. Pavich
409 Santa Fe Street
Las Vegas, NV 89145-5327

NUISANCE NOTICE AND ORDER TO COMPLY

You are hereby notified as owner(s) of the property located at **409 Santa Fe Street, Las Vegas, NV, Parcel 138-34-613-022,** that you are in violation of **Las Vegas Municipal Code, Title 9, dealing with nuisances.**

Per 9.04.010(10) – Classic Vehicles: Owner is required to show proof ownership of vehicles stored on property and proof of restoration. Contact Officer McCoy at 229-5184 for an appointment.

Per 9.04.010(11) Vehicle Insp/Enf: Owner must show proof of ownership of all stored vehicles, show proof of restoration once vehicles qualify as a "classic" vehicle, place a fitted car cover over the vehicles when not actively working on vehicles and store according to code.

Per 9.12.030 – Stored Materials: Remove cooling unit, red fabric chairs and any other items stored in public view.

LAS VEGAS CITY COUNCIL
MAYOR OSCAR B. GOODMAN
MAYOR PRO TEM GARY REESE • STEVE WOLFSON • LOIS TARKANIAN
STEVEN D. ROSS • RICKI Y. BARLOW • STAVROS S. ANTHONY
CITY MANAGER ELIZABETH N. FRETWELL

Return to: CITY OF LAS VEGAS • 400 STEWART AVENUE • LAS VEGAS, NEVADA 89101
VOICE 702.229.2330 • FAX 702.382.3901 • TTY 702.386.9108 • www.lasvegasnevada.gov

<u>Per 9.04.040 – Conformance Require</u>: Remove or obtain all required permits and inspections for shed and shade/patio cover located in North side yard.

<u>Per 9.04.010(1) – Res Veh Storage:</u> Remove vehicles stored on South side (Rocky Point) of property. Vehicles are not stored according to City code (c).

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 #25 Eric McCoy at 229-5184, to supply your current phone number, email 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.

You are hereby ordered to correct the nuisance by the eleventh day after the day of mailing, servicing or posting of the Notice and Order by hand. If you do not correct the violation within that time, the City may issue a misdemeanor citation for violation for each and every day the violation exists, with a penalty of up to Five Hundred ($500.00) Dollars or fine of up to six (6) months in jail or both for each violation, or the City may direct a licensed contractor to remove the nuisance described below, or both. Be advised, the contractor will

collect all debris at this location and will not separate those items, which you may consider useful or valuable. If you wish to salvage any items, please have them removed.

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.

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

cc: Attorney G. Graziadei

Graziadei & Cantor, Ltd.
Attorneys at Law

GEORGE E. GRAZIADEI
SCOTT MICHAEL CANTOR

PLEASE REFER TO:

December 10, 2009

Via Facsimile (702) 382-4803

Beverly K. Bridges,
City Clerk
City Hall, First Floor
400 Stewart Avenue
Las Vegas, Nevada 89101

RECEIVED
2009 DEC 10 P 3:31
CITY CLERK

RE: Michael E. Pavich
409 Santa Fe Street
Las Vegas, Nevada 89145-5327
Case No. 56923

Dear Ms. Bridges:

Kindly allow this letter to introduce the undersigned as an attorney with the law firm representing the interests of Mr. Michael E. Pavich in the above-referenced.

On December 9, 2009, Mr. Pavich and my office received the attached Nuisance Notice and Order to Comply, dated December 7, 2009.

Please consider this letter formal notice that we wish to appeal this matter.

Upon the filing of our appeal notice, please fax a file-stamped copy to my office at (702) 477-0020.

Sincerely,

GRAZIADEI & CANTOR, LTD.

George E. Graziadei

GEORGE E. GRAZIADEI, ESQ.

GEG\lp

Enclosure, as stated.

Cc: Mr. Pavich

Graziadei & Cantor, Ltd.
Attorneys at Law

GEORGE E. GRAZIADEI
SCOTT MICHAEL CANTOR

December 14, 2009

PLEASE REFER TO:

Via Facsimile (702) 382-4803

Vicki Skilbred,
Chief Deputy City Clerk
City Clerk's Office
400 Stewart Avenue
Las Vegas, Nevada 89101

RECEIVED
CITY CLERK
2009 DEC 14 A 11:52

RE: Michael E. Pavich
409 Santa Fe Street
Las Vegas, Nevada 89145-5327
Case No. 56923

Dear Ms. Skilbred:

Thank you for your facsimile of December 10th in response to our appeal notice in the above-referenced matter.

When calendaring the January 6, 2010 Hearing date you provided, it was noted that we have two Court appearances previously scheduled for that morning: (1) a Hearing on a Motion to Dismiss in District Court, Department 15 at 8:30 a.m., Case No. A524510; and (2) a Status Check in Family Court, Department I at 9:00 a.m., Case No. D257607.

As such, I would appreciate it if we could reschedule the January 6th Hearing date to allow me to appear before the City Council with my client, Mr. Pavich.

Thank you in advance for your consideration.

Sincerely,

GRAZIADEI & CANTOR, LTD.

George E Graziadei

GEORGE E. GRAZIADEI, ESQ.

GEG\lp

cc: Mr. Pavich

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW
STAVROS S. ANTHONY

ELIZABETH N. FRETWELL
CITY MANAGER

CORRECTED LETTER

December 21, 2009 CERTIFIED & REGULAR MAIL

Mr. Michael E. Pavich
409 Santa Fe Street
Las Vegas, Nevada 89145-5327

Re: Appeal of the Notice and Order to Comply for property located at 409 Santa Fe Street, Case #56923

Dear Mr. Pavich:

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 20th day of January, 2010, at the hour of 1:00 p.m. This hearing is in response to the Appeal received by the Las Vegas City Clerk on December 10, 2009, requesting the same, concerning the Notice and Order to Comply for property located at 409 Santa Fe Street.

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, MMC
City Clerk

cc: Stephen Harsin, Director, Neighborhood Services
Devin Smith, Manager, Neighborhood Response
Daniel Still, Deputy City Attorney
Kimberly Reid, Ward 1 Executive Assistant
George E. Graziadei, Esq.

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

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

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SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

1/20/2010 Abatement 409 Santa Fe
George E. Graziadei, Esq.
Graziadei & Cantor, Ltd.
501 S. Rancho Drive, Suite B-10
Las Vegas, Nevada 89106

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☑ Agent ☐ Addressee

B. Received by *(Printed Name)* L. Pourier

C. Date of Delivery 12/23/09

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number
(Transfer from service label) 7007 3020 0003 1596 9501

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

CITY of LAS VEGAS

OFFICE OF THE CITY CLERK
CITY HALL
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101-2986

CERTIFIED MAIL™

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UNITED STATES POSTAGE
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1/20/2010 Abatement 409 Santa Fe
Mr. Michael E. Pavich
409 Santa Fe Street
Las Vegas, N[illegible]

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LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW
STAVROS S. ANTHONY

ELIZABETH N. FRETWELL
CITY MANAGER

December 10, 2009 CERTIFIED & REGULAR MAIL

Mr. Michael E. Pavich
409 Santa Fe Street
Las Vegas, Nevada 89145-5327

Re: Appeal of the Notice and Order to Comply for property located at 409 Santa Fe Street, Case #56923

Dear Mr. Pavich:

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 6th day of January, 2010, at the hour of 9:00 a.m. This hearing is in response to the Appeal received by the Las Vegas City Clerk on December 10, 2009, requesting the same, concerning the Notice and Order to Comply for property located at 409 Santa Fe Street.

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, MMC
City Clerk

cc: Stephen Harsin, Director, Neighborhood Services
Devin Smith, Manager, Neighborhood Response
Daniel Still, Deputy City Attorney
Kimberly Reid, Ward 1 Executive Assistant
George E. Graziadei, Esq.

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

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

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SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

1/6/2010 Abatement 409 Santa Fe St
George E. Graziadei, Esq.
Graziadei & Cantor, Ltd.
501 S. Rancho Drive #B-10
Las Vegas, Nevada 89106

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X D. Poirier ☐ Agent ☐ Addressee

B. Received by (Printed Name) L. POIRIER
C. Date of Delivery 12/14/09

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number
(Transfer from service label) 7007 3020 0003 1596 9495

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

CITY of LAS VEGAS

OFFICE OF THE CITY CLERK
CITY HALL
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101-2986

CERTIFIED MAIL™

7007 3020 0003 1596 9488

UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 05.54⁰
0004279218 DEC 11 2009
MAILED FROM ZIP CODE 89101

2010 FEB 19 A 10: 38

1/6/2010 Abatement 409 Santa Fe St
Mr. Michael E. Pavich
409 Santa Fe Street
Las Vegas, Nev

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NIXIE 891 5E 1 39 02/18/10
RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD
BC: 89101298699 *1314-01094-11-43

89145[illegible]

LAS VEGAS CITY COUNCIL

MAYOR
OSCAR B. GOODMAN

GARY REESE, WARD 3
(MAYOR PRO-TEM)
STEVE WOLFSON, WARD 2
LOIS TARKANIAN, WARD 1
STEVEN D. ROSS, WARD 6
RICKI Y. BARLOW, WARD 5
STAVROS S. ANTHONY, WARD 4

CITY MANAGER
ELIZABETH N. FRETWELL

NEIGHBORHOOD
SERVICES DEPARTMENT

DIRECTOR
STEPHEN K. HARSIN, AICP

March 15, 2010

CASE #56923
Certified/Regular Mail
Return Receipt Requested

Michael E. Pavich
409 Santa Fe Street
Las Vegas, NV 89145-5327

RE: Notice of Abeyance – 409 Santa Fe Street

Dear Property Owner:

At the City Council meeting held on February 3, 2010, Agenda Item #62 was held in abeyance and is now scheduled to be heard April 7, 2010 at 1:00 p. m. This hearing is in response to the Appeal received December 10, 2009 concerning the Notice and Order to Comply for the property located at 409 Santa Fe Street.

If you have any questions concerning this procedure, please contact the Neighborhood Response Division located in the Department of Neighborhood Services, by telephoning (702) 229-6615.

Sincerely,

Devin S. Smith, Manager
Neighborhood Response Division
Department of Neighborhood Services

DS:ld

cc: George E. Graziadei, Esq.

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

VOICE 702.229.2330
FAX 702.598-3938
TTY 702 386.3045
www.lasvegasnevada.gov

City of Las Vegas Agenda Item No.: **65.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: NEIGHBORHOOD SERVICES
DIRECTOR: STEPHEN K. HARSIN ☐ **Consent** ☒ **Discussion**

SUBJECT:
Hearing to consider the appeal regarding Nuisance Notice and Order to Comply located at 531 Bedford Road. PROPERTY OWNERS: MARGARET H CRIST AND ORNE ERIC MONTGOMERY - Ward 1 (Tarkanian)

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 9.04.010 dealing with nuisances; and Uniform Administrative Code 301.1 Permits Required. 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 George D. Greenberg, Esq., representative of Mr. Orne Eric Montgomery, 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: April 7, 2010
DEPARTMENT: Neighborhood Services
ITEM DESCRIPTION: Hearing to consider the appeal regarding the Nuisance Notice and Order to Comply located at 531 Bedford Road. PROPERTY OWNERS: MARGARET H CRIST AND ORNE ERIC MONTGOMERY – Ward 1 (Tarkanian)

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 .010 dealing with nuisances; and Uniform Administrative Code 301.1 Permits Required. 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 George D. Greenberg, Esq., representative of Mr. Orne Eric Montgomery, owner and responsible party.

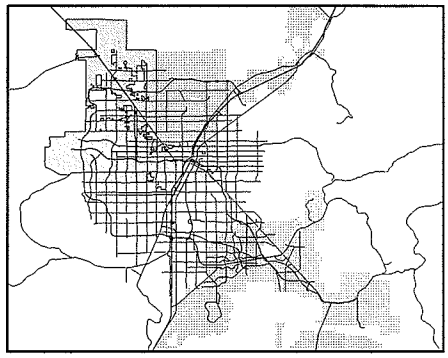
531 BEDFORD ROAD
CROSS STREETS - ALTA//VALLEY VIEW

City of Las Vegas Vicinity Map



N

0 170 340 680 Feet



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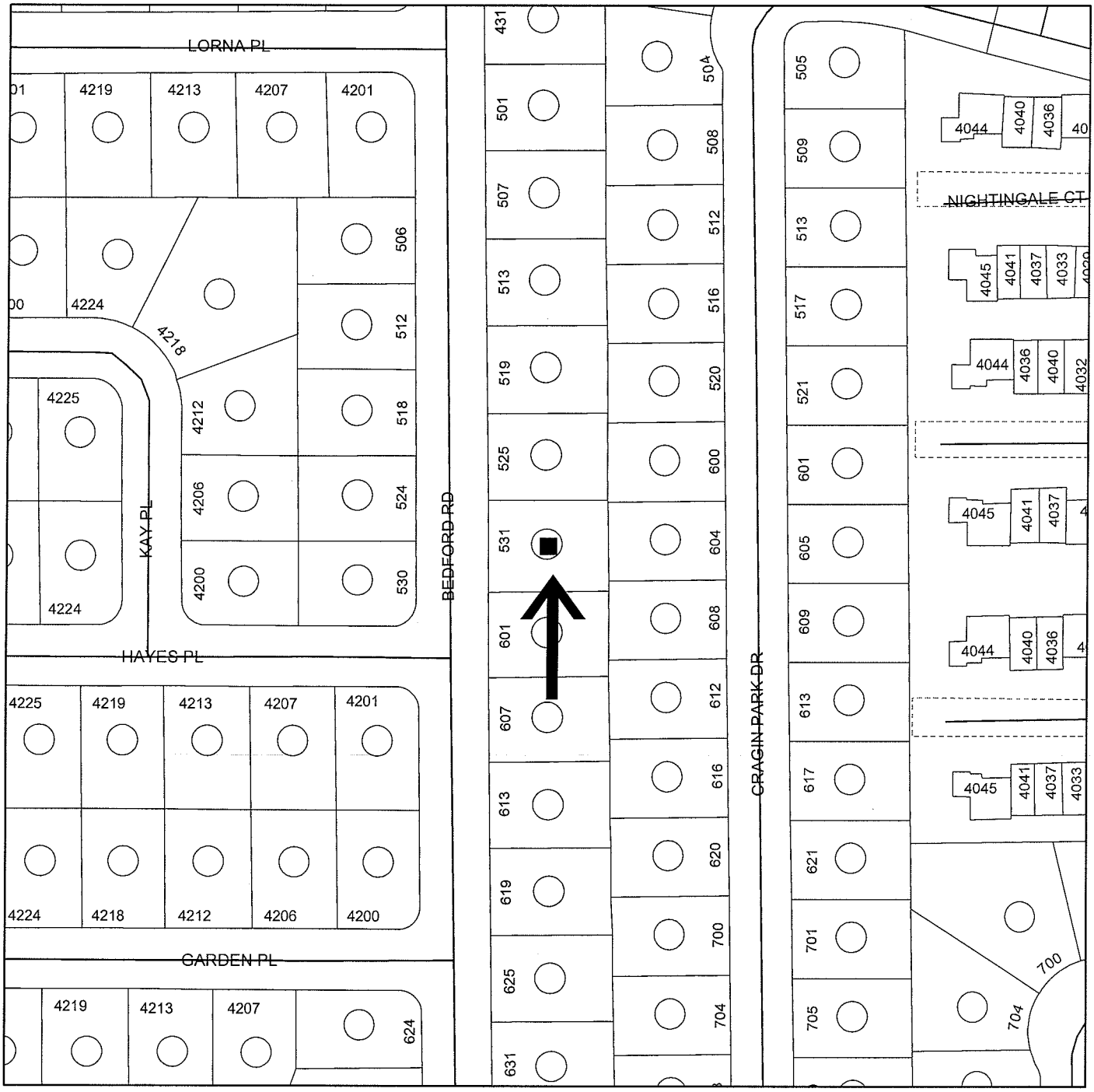
Planning & Development Dept.
702-229-6301

PLANNING & DEVELOPMENT

531 BEDFORD ROAD
CROSS STREETS - ALTA//VALLEY VIEW

City of Las Vegas Vicinity Map



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Geographic Information System
Planning & Development Dept.
702-229-6301

PLANNING & DEVELOPMENT

(5)

Inst #: 201003160003173
Fees: $18.00
N/C Fee: $0.00
03/16/2010 02:17:04 PM
Receipt #: 272592
Requestor:
LAS VEGAS CITY
Recorded By: STN Pgs: 5
DEBBIE CONWAY
CLARK COUNTY RECORDER

NEIGHBORHOOD SERVICES DEPARTMENT
DIRECTOR
STEPHEN K. HARSIN, AICP

NOTICE AND ORDER

APN: 139-31-311-023

Date: March 09, 2010
Case # 85797

Certified/Regular Mail
Return Receipt Requested

ORNE MONTGOMERY
531 BEDFORD RD
LAS VEGAS, NV 89107-4311

NUISANCE NOTICE AND ORDER TO COMPLY

You are hereby notified as owner(s) of the property located at 531 BEDFORD RD., Las Vegas, NV, Parcel #(s) 139-31-311-023, **that you are in violation of Las Vegas Municipal Code, Title 9, dealing with nuisances.**

The following violations have been verified:

9.04.010 (4) REFUSE & WASTE : LVMC 9.04.010 (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, waste paper, 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.

LAS VEGAS CITY COUNCIL
MAYOR OSCAR B. GOODMAN
MAYOR PRO TEM GARY REESE • STEVE WOLFSON • LOIS TARKANIAN
STEVEN D. ROSS • RICKI Y. BARLOW • STAVROS S. ANTHONY
CITY MANAGER ELIZABETH N. FRETWELL

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VOICE 702.229.2330 • FAX 702.382.3901 • TTY 702.386.9108 • www.lasvegasnevada.gov

material which may harbor insect or rodent infestations or may become a fire hazard.

Case #	Violation Location	Violation Comments
85797	All Yards	Remove all visible refuse and waste from all yards, including; boxes, bins, trash bags, furniture, etc.

9.04.010 (7A) HIGH VEGETATION : LVMC 9.04.010 (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;

Case #	Violation Location	Violation Comments
85797	All Yards	Remove all high grass and weeds from all visible areas of yard. Must be maintained to a height not to exceed 8 inches.

UAC 301.1 PERMITS REQUIRED : 16.02.010 - Uniform Administrative Code and supplement adopted.

Section 301.1 PERMITS REQUIRED
Except as specified in Subsection 301.1.1 of this Section or in Section 26 of this Supplemental Document, no building, structure, building service equipment or onsite improvement regulated by this Code or any of the technical codes shall be erected, constructed,, enlarged, altered, repair, moved, improved, removed, converted, or demolished unless a separate, appropriate permit for each building, structure, building service equipment or onsite improvement has first been obtained from the Building Official. If work is commenced before necessary and appropriate permit for the work has been obtained, the Building Official is authorized to charge an additional fee in the amount of the building permit fee (i.e., a double fee).

Contact Building and Safety Department to obtain permit, they are located at 731 S.

4th St. or call 229-6251.

Case #	Violation Location	Violation Comments
85797	Rear Patio enclosure	Remove or obtain proper permits for patio enclosure.

Post: No Trespassing (per NRS 207.200), No Dumping (per NRS 444.630), No Vehicles (per LVMC 10.78.020 & 11.24.020) sign on site to deter illegal activity and prevent future violations. All trespassers, squatters, and anyone unable to prove occupancy must vacate premises within 10 days of posting of this notice.

Upon correction of 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 16 at (702)229-4918 to supply your current phone number, email 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.

You are hereby ordered to correct the nuisance by the eleventh day after the day of mailing, servicing or posting of the Notice and Order by hand. If you do not correct the violation within that time, the City may issue a misdemeanor citation for violation for each and every day the violation exists, with a penalty of up to Five Hundred ($500.00) Dollars or fine of up to six (6) months in jail or both for each violation, or the City may direct a licensed contractor to remove the nuisance described below, or both. Be advised, the contractor will collect all debris at this location and will not separate those items, which you may consider useful or valuable. If you wish to salvage any items, please have them removed.

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 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 S. Smith, Manager
Neighborhood Response Division
Neighborhood Services Department

Enclosure:

City of Las Vegas General Conditions of Abatement

The Law Offices of George D. Greenberg

7674 W. Lake Mead Blvd., Suite 245 • Las Vegas, Nevada 89128
702/ 796-5221 • Fax 702/ 796-6278
www.gdglawoffices.com

George D. Greenberg, Esq.
Eran S. Forster, Esq.

March 19, 2010

Devin S. Smith, Manager
Neighborhood Response Division
Neighborhood Services Department
City of Law Vegas
400 Stewart Ave.
Las Vegas, NV 89101

RE: Appeal of Notice and Order
Case No.: 85797
APN: 139-31-311-023
Orne Montgomery, 531 Bedford Road, Las Vegas, NV 89107-4311

Dear Mr. Smith:

I represent Orne Montgomery and appeal the Nuisance Notice and Order to Comply of March 9, 2010 as follows:

1. Margaret H. Crist and Orne Eric Montgomery, mother and son, were joint tenants on said property for convenience purposes;

2. Margaret H. Crist deceased on August 20, 2009, a copy of the death certificate is enclosed;

3. Orne Montgomery disclaimed his interest and inheritance of said property on December 29, 2009;

4. Said Disclaimer was recorded with the Clark County Recorder on January 4, 2010 and published in Nevada Legal News on January 11, 19, and 25, 2010 (Disclaimer is enclosed);

5. The City is and has been on constructive and actual notice of said Disclaimer, which in effect removes Mr. Montgomery as owner of said property;

6. Orne Montgomery is under no legal obligation to accept inheritance of said property and has exercised his legal right to disclaim interest in same;

7. This property, in fact, has entered foreclosure proceedings and Mr. Montgomery does not reside in said property;

8. Based upon the above proofs of recorded and published Disclaimer of Interest, the Notice and Order should be vacated;

9. Mr. Montgomery has been forced to incur legal fees to defend himself against an Order that should never have been levied against him in the first place. This potentially gives rise to a cause of action for reimbursement of said fees.

Thank you for your prompt attention to this matter. Please direct all further communications regarding this matter to my office.

Very truly yours,

George D. Greenberg, Esq.

GDG:aeg
Enclosures

AFFP

139-31-311-023

Affidavit of Publication

STATE OF NEVADA}
COUNTY OF CLARK} SS

Danielle Bentley, being duly sworn, says:

That he or she is Co-Publisher of the Nevada Legal News, a daily newspaper of general circulation, printed and published in Las Vegas, Clark County, Nevada; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

Jan 11, 2010
Jan 19, 2010
Jan 25, 2010

APN: 139-31-311-023
RECORDING REQUESTED BY:
George D. Greenberg, Esq.
WHEN RECORDED MAIL TO AND MAIL TAX STATEMENTS TO:
Mr. Orne Montgomery, 6220 Spanish Moss Ave, Las Vegas, NV 89108
DISCLAIMER OF INTEREST
COMES NOW ORNE ERIC MONTGOMERY who hereby disclaims any and all interest past, present, or future, in and to the following described real property, to wit: HYDE PARK SUB #2, PLAT BOOK 3 PAGE 75, LOT 322 BLOCK 14; Commonly known as: 531 Bedford Rd., Las Vegas, NV 89107-4311. This Disclaimer, when recorded, serves as actual notice of ORNE ERIC MONTGOMERY's disclaimer in and to the same as to all persons or entities with any interest in the above described real property. s/ ORNE ERIC MONTGOMERY, 12-29-09 Date
STATE OF NEVADA, COUNTY OF CLARK
On this 29th day of December, 2009, before me, the undersigned, a Notary Public in and for said County and state, personally appeared ORNE ERIC MONTGOMERY known to me to be the person whose name is subscribed to the above Disclaimer of Interest, and acknowledged to me that ORNE ERIC MONTGOMERY executed the same. s/ NOTARY PUBLIC in and for Said County and State., NOTARY PUBLIC, STATE OF NEVADA, County of Clark, ANDREA E. GALLANT, Appt. No. 03-81126-1, My Appt. Expires April 3, 2011
Published in Nevada Legal News
January 11, 19, 25, 2010

That said newspaper was regularly issued and circulated on those dates.
SIGNED:

Subscribed to and sworn to me this 25th day of January 2010.

NOTARY PUBLIC, CLARK COUNTY, NEVADA

NOTARY PUBLIC
JENNIFER ZOREHKEY
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. AUG. 3, 2013
No. 09-11574-1

a0100081 00176598 796-6278

GEORGE D. GREENBERG, ESQ.
7674 W. LAKE MEAD BLVD., #245
LAS VEGAS, NV 89128

Inst #: 201001040002556
Fees: $14.00
N/C Fee: $0.00
01/04/2010 11:30:16 AM
Receipt #: 180903
Requestor:
XPEDIENT RUNNER SERVICE INC
Recorded By: GILKS Pgs: 1
DEBBIE CONWAY
CLARK COUNTY RECORDER

APN: 139-31-311-023

RECORDING REQUESTED BY:
George D. Greenberg, Esq.

WHEN RECORDED MAIL TO
AND MAIL TAX STATEMENTS TO:

Mr. Orne Montgomery
6220 Spanish Moss Ave
Las Vegas, NV 89108

DISCLAIMER OF INTEREST

COMES NOW ORNE ERIC MONTGOMERY who hereby disclaims any and all interest past, present, or future, in and to the following described real property, to wit:

HYDE PARK SUB #2, PLAT BOOK 3 PAGE 75, LOT 322 BLOCK 14

Commonly known as: **531 Bedford Rd., Las Vegas, NV 89107-4311.**

This Disclaimer, when recorded, serves as actual notice of ORNE ERIC MONTGOMERY's disclaimer in and to the same as to all persons or entities with any interest in the above described real property.

Orne Montgomery 12-29-09
ORNE ERIC MONTGOMERY Date

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

On this 29th day of December, 2009, before me, the undersigned, a Notary Public in and for said County and state, personally appeared ORNE ERIC MONTGOMERY known to me to be the person whose name is subscribed to the above Disclaimer of Interest, and acknowledged to me that ORNE ERIC MONTGOMERY executed the same.

NOTARY PUBLIC in and for
Said County and State.

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
ANDREA E. GALLANT
Appt. No. 03-81126-1
My Appt. Expires April 3, 2011

STATE OF NEVADA — DEPARTMENT OF HUMAN RESOURCES
DIVISION OF HEALTH — VITAL STATISTICS

CERTIFICATE OF DEATH

2009012129
STATE FILE NUMBER

TYPE OR PRINT IN PERMANENT BLACK INK

DECEDENT

1a. DECEASED NAME (FIRST, MIDDLE, LAST, SUFFIX)			2. DATE OF DEATH (Mo/Day/Year)	3a. COUNTY OF DEATH
Margaret	H	CRIST	August 20, 2009	Clark

3b. CITY, TOWN, OR LOCATION OF DEATH	3c. HOSPITAL OR OTHER INSTITUTION - Name (If not either, give street and number)	3e. If Hosp. or Inst. indicate DOA, OP/Emer. Rm. Inpatient (Specify)	4. SEX
Las Vegas	Nathan Adelson Hospice NW	Inpatient	Female

5. RACE (Specify)	6. Hispanic Origin? Specify No - Non-Hispanic	7a. AGE-Last birthday (Years)	7b. UNDER 1 YEAR MOS	DAYS	7c. UNDER 1 DAY HOURS	MINS	8. DATE OF BIRTH (Mo/Day/Yr)
White		78					December 28, 1930

IF DEATH OCCURRED IN INSTITUTION - SEE HANDBOOK REGARDING COMPLETION OF RESIDENCE ITEMS

9a. STATE OF BIRTH (If not U.S.A., name country)	9b. CITIZEN OF WHAT COUNTRY	10. EDUCATION	11. MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (Specify)	12. SURVIVING SPOUSE (If wife, give maiden name)
Louisiana	United States	12	Divorced	

13. SOCIAL SECURITY NUMBER	14a. USUAL OCCUPATION (Give Kind of Work Done During Most of Working Life, Even If Retired)	14b. KIND OF BUSINESS OR INDUSTRY	Ever in US Armed Forces?
433-42-9495	Cryptographer	Contracting	Yes

15a. RESIDENCE - STATE	15b. COUNTY	15c. CITY, TOWN OR LOCATION	15d. STREET AND NUMBER	15e. INSIDE CITY LIMITS (Specify Yes or No)
Nevada	Clark	Las Vegas	531 Bedford Road	Yes

PARENTS

16. FATHER - NAME (First Middle Last Suffix)	17. MOTHER - NAME (First Middle Last Suffix)
Vernon OWENS	Elsa DEWALLY

18a. INFORMANT - NAME (Type or Print)	18b. MAILING ADDRESS (Street or R.F.D. No, City or Town, State, Zip)
Orne MONTGOMERY	531 Bedford Road Las Vegas, Nevada 89107

DISPOSITION

19a. BURIAL, CREMATION, REMOVAL, OTHER (Specify)	19b. CEMETERY OR CREMATORY - NAME	19c. LOCATION City or Town State
Cremation	Palm Crematory	Las Vegas Nevada 89101

20a. FUNERAL DIRECTOR - SIGNATURE (Or Person Acting as Such)	20b. FUNERAL DIRECTOR LICENSE	20c. NAME AND ADDRESS OF FACILITY
BART BURTON SIGNATURE AUTHENTICATED	50	Palm Mortuary-Jones 1600 S Jones Blvd Las Vegas NV 89146

TRADE CALL — TRADE CALL - NAME AND ADDRESS

CERTIFIER

To Be Completed by CERTIFYING PHYSICIAN

21a. To the best of my knowledge, death occurred at the time, date and place and due to the cause(s) stated. (Signature & Title) SIGNATURE AUTHENTICATED
NED STOUGHTON MD

21b. DATE SIGNED (Mo/Day/Yr)	21c. HOUR OF DEATH
August 23, 2009	16:00

21d. NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or Print)

To Be Completed by CORONER'S OFFICE

22a. On the basis of examination and/or investigation, in my opinion, death occurred at the time, date and place and due to the cause(s) stated. (Signature & Title)

22b. DATE SIGNED (Mo/Day/Yr)	22c. HOUR OF DEATH

22d. PRONOUNCED DEAD (Mo/Day/Yr)	22e. PRONOUNCED DEAD AT (Hour)

23a. NAME AND ADDRESS OF CERTIFIER (PHYSICIAN, ATTENDING PHYSICIAN, MEDICAL EXAMINER, OR CORONER) (Type or Print)	23b. LICENSE NUMBER
NED STOUGHTON MD 3391 N Buffalo Las Vegas, NV 89129	10960

REGISTRAR

24a. REGISTRAR (Signature)	24b. DATE RECEIVED BY REGISTRAR (Mo/Day/Yr)	24c. DEATH DUE TO COMMUNICABLE DISEASE
NINETTE HARRINGTON SIGNATURE AUTHENTICATED	August 24, 2009	YES ☐ NO ☒

CAUSE OF DEATH

25. IMMEDIATE CAUSE (ENTER ONLY ONE CAUSE PER LINE FOR (a), (b), AND (c).) — Interval between onset and death

PART I
(a) Respiratory failure
DUE TO, OR AS A CONSEQUENCE OF: — Interval between onset and death
(b) Chronic obstructive pulmonary disease
(c) DUE TO, OR AS A CONSEQUENCE OF: — Interval between onset and death
(d) DUE TO, OR AS A CONSEQUENCE OF: — Interval between onset and death

CONDITIONS IF ANY WHICH GAVE RISE TO IMMEDIATE CAUSE STATING THE UNDERLYING CAUSE LAST

PART II

26. AUTOPSY (Specify Yes or No)	27. WAS CASE REFERRED TO CORONER (Specify Yes or No)
No	Yes

28a. ACC., SUICIDE, HOM., UNDET. OR PENDING INVEST. (Specify)	28b. DATE OF INJURY (Mo/Day/Yr)	28c. HOUR OF INJURY	28d. DESCRIBE HOW INJURY OCCURRED

28e. INJURY AT WORK (Specify Yes or No)	28f. PLACE OF INJURY - At home, farm, street, factory, office building, etc. (Specify)	28g. LOCATION STREET OR R.F.D. No.	CITY OR TOWN	STATE

STATE REGISTRAR

"CERTIFIED TO BE A TRUE AND CORRECT COPY OF THE DOCUMENT ON FILE WITH THE REGISTRAR OF VITAL STATISTICS, STATE OF NEVADA." This copy was issued by the Southern Nevada Health District from State certified documents as authorized by the State Board of Health pursuant to NRS 440.175.

VRS-Rev-20090602

NOT VALID WITHOUT THE RAISED SEAL OF THE SOUTHERN NEVADA HEALTH DISTRICT

Lawrence K. Sands, D.O., M.P.H.
Registrar of Vital Statistics
By:
Date Issued: AUG 25 2009

A

NEIGHBORHOOD SERVICES DEPARTMENT
DIRECTOR
STEPHEN K. HARSIN, AICP

NOTICE AND ORDER

APN: 139-31-311-023

Date: March 09, 2010
Case # 85797

Certified/Regular Mail
Return Receipt Requested

ORNE MONTGOMERY
531 BEDFORD RD
LAS VEGAS, NV 89107-4311

NUISANCE NOTICE AND ORDER TO COMPLY

You are hereby notified as owner(s) of the property located at 531 BEDFORD RD., Las Vegas, NV, Parcel #(s) 139-31-311-023, **that you are in violation of Las Vegas Municipal Code, Title 9, dealing with nuisances.**

The following violations have been verified:

9.04.010 (4) REFUSE & WASTE : LVMC 9.04.010 (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, waste paper, 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.

LAS VEGAS CITY COUNCIL
MAYOR OSCAR B. GOODMAN
MAYOR PRO TEM GARY REESE • STEVE WOLFSON • LOIS TARKANIAN
STEVEN D. ROSS • RICKI Y. BARLOW • STAVROS S. ANTHONY
CITY MANAGER ELIZABETH N. FRETWELL
CITY OF LAS VEGAS • 400 STEWART AVENUE • LAS VEGAS, NEVADA 89101
VOICE 702.229.2330 • FAX 702.382.3901 • TTY 702.386.9108 • www.lasvegasnevada.gov

Case #	Violation Location	Violation Comments
85797	All Yards	Remove all visible refuse and waste from all yards, including, boxes, bins, trash bags, furniture, etc.

9.04.010 (7A) HIGH VEGETATION : LVMC 9.04.010 (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:

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Section 301.1 PERMITS REQUIRED
Except as specified in Subsection 301.1.1 of this Section or in Section 26 of this Supplemental Document, no building, structure, building service equipment or onsite improvement regulated by this Code or any of the technical codes shall be erected, constructed,, enlarged, altered, repair, moved, improved, removed, converted, or demolished unless a separate, appropriate permit for each building, structure, building service equipment or onsite improvement has first been obtained from the Building Official. If work is commenced before necessary and appropriate permit for the work has been obtained, the Building Official is authorized to charge an additional fee in the amount of the building permit fee (i.e., a double fee).

Contact Building and Safety Department to obtain permit, they are located at 731 S. 4th St. or call 229-6251.

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Responsible party must provide contact information to this department. Contact area code enforcement officer 16 at (702)229-4918 to supply your current phone number, email address, fax number, or additional mailing address.

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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 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 S. Smith, Manager
Neighborhood Response Division
Neighborhood Services Department

Enclosure:

City of Las Vegas General Conditions of Abatement

City of Las Vegas
General Conditions of Abatement

Contractor will be responsible for the following on a project-by-project basis:

1. Contractor is responsible for removing all vehicles located on property.
2. Contractor is responsible for the cutting down and removal of dead bushes, plants, trees and other overgrown vegetation, and all weeds/turf down to a 2-inch height, and cutting tree limbs to hang no lower than 7 feet from the ground.
3. Contractor is responsible for abating all trash and debris visible on the property.
4. All windows, exterior doors, holes in the roof exterior walls and any other openings providing access to the structure are to be completely covered with ¾" exterior grade plywood and installed with through-bolts secured to 2" x 4" interior back-boards. The through-bolts shall be preened over both inside and outside to prevent removal. All boarded openings require metal mesh screening, securely attached to exterior boards. All boards must be painted the same color as the structure.
5. The exterior doors, which are undamaged, shall be locked and toenailed shut.
6. Contractor is responsible for removal of all trash and debris from the interior of the building.
7. Contractor is responsible for removal of all graffiti from the premises.
8. To comply with EPA, OSHA, Clark County Health District's demolition Removal procedures.
9. Being licensed for this particular work by Nevada State Contractor's Board prior to bid.
10. Paying all fees, permits, and must comply with City of Las Vegas Public Works Uniform Standard Specifications and all other applicable standards and codes.
11. To call "Call Before You Dig".
12. To make sure all utilities have been disconnected and services removed, both underground and overhead from the buildings to the existing right-of-way to the satisfaction of the applicable utility company before starting demolition, having portable toilet and other temporary utilities on-site when required.
13. To cap and ark disconnected utilities as required by the appropriate utility.
14. To keep utilities in service and maintain access to the other sections of the neighborhood.
15. Demolition of the building must include removal of all accessory structures, stand-alone walls, deteriorated fencing, sheds, carports, casitas and asphalted cement surfaces and slabs, unless otherwise indicated.
16. When building is demolished, in-ground swimming pool and/or spa is to be filled in.
17. When a building is to be demolished, it is the Contractors responsibility to ensure all utility hook-ups are disconnected.
18. Have a water truck on-site and in use during demolition. Any property over one-quarter (0.25) acre must have dust suppressant.
19. Contractor or its employees shall not keep, retain, take or sell any items removed from the property.
20. Contractor shall provide receipts from tow companies, storage facilities and/or dump facilities to demonstrate that all vehicles/equipment, refuse, waste, trash and debris have been properly and lawfully disposed of: Contractor shall also provide a list of specific vehicles/equipment towed and/or stored. In addition, Contractor shall provide a general list of items for each load disposed of at the dump facility.
21. Contractor shall provide the City with a Declaration of Disposal Compliance, under penalty of perjury that all items removed from the property have been properly disposed of and have not been in any way retained by Contractor or its employees.
22. Certificate of Insurance to be submitted with bid.
23. Paint over all graffiti with color matching closest to structure, so graffiti is not visible through paint cover.

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW
STAVROS S. ANTHONY

ELIZABETH N. FRETWELL
CITY MANAGER

March 22, 2010 CERTIFIED & REGULAR MAIL

George D. Greenberg, Esq.
The Law Offices of George D. Greenberg
7674 West Lake Mead Boulevard, Suite 245
Las Vegas, Nevada 89128

Re: Appeal of the Notice and Order to Comply for property located at 531 Bedford Road, Case #85797

Dear Mr. Greenberg:

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 April, 2010, at the hour of 1:00 p.m. This hearing is in response to the Appeal received by the Las Vegas City Clerk on March 19, 2010, requesting the same, concerning the Notice and Order to Comply for property located at 531 Bedford Road.

You may be present at the hearing. You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against your client.

If you have any questions or need further information please do not hesitate to contact Devin Smith, Manager, Neighborhood Response at 229-6615.

Sincerely,

Vicky Skilbred

Vicky Skilbred, CMC
Acting City Clerk

cc: Stephen Harsin, Director, Neighborhood Services
Devin Smith, Manager, Neighborhood Response
Daniel Still, Deputy City Attorney
Kimberly Reid, Ward 1 Executive Assistant

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

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

Printed with environmentally friendly soy ink

City of Las Vegas Agenda Item No.: **66.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: NEIGHBORHOOD SERVICES
DIRECTOR: STEPHEN K. HARSIN ☐ **Consent** ☒ **Discussion**

SUBJECT:
Public Hearing to consider the report of expenses to recover costs for abatement of nuisance located at 1309 North 22nd Street in the amount of $6,973.30 (General Fund) and assess a maximum of $105,700 in daily civil penalties. PROPERTY OWNER: SARO MELIKYAN - Ward 3 (Reese)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $6,973.30
Funding Source: General Fund
Dept./Division: Neighborhood Services/Response

PURPOSE/BACKGROUND:
The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired Disaster Kleen-Up of Nevada to install minimum landscape requirement, all yards to have a gravel/rock covering sufficient to cover dirt surface (minimum 2 inches). To date, there have been fourteen (14) inspections conducted at this location. The estimated value of the property based on Zillow.com is $76,507.

RECOMMENDATION:
That the City Council: Approve the report of expenses to include $1,448 invoice for Disaster Kleen-Up of Nevada services in addition to other fees assessed for a total of $6,973.30 and consider assessing a maximum of $105,700 in daily civil penalties.

BACKUP DOCUMENTATION:
1. Agenda Memo
2. Location Maps
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2010
DEPARTMENT: Neighborhood Services
ITEM DESCRIPTION: ABEYANCE ITEM - Public Hearing to consider the report of expenses to recover costs for abatement of nuisance located at 1309 North 22nd Street in the amount of $6,973.30 (General Fund) and assess a maximum of $105,700 in daily civil penalties. PROPERTY OWNER: SARO MELIKYAN – Ward 3 (Reese)

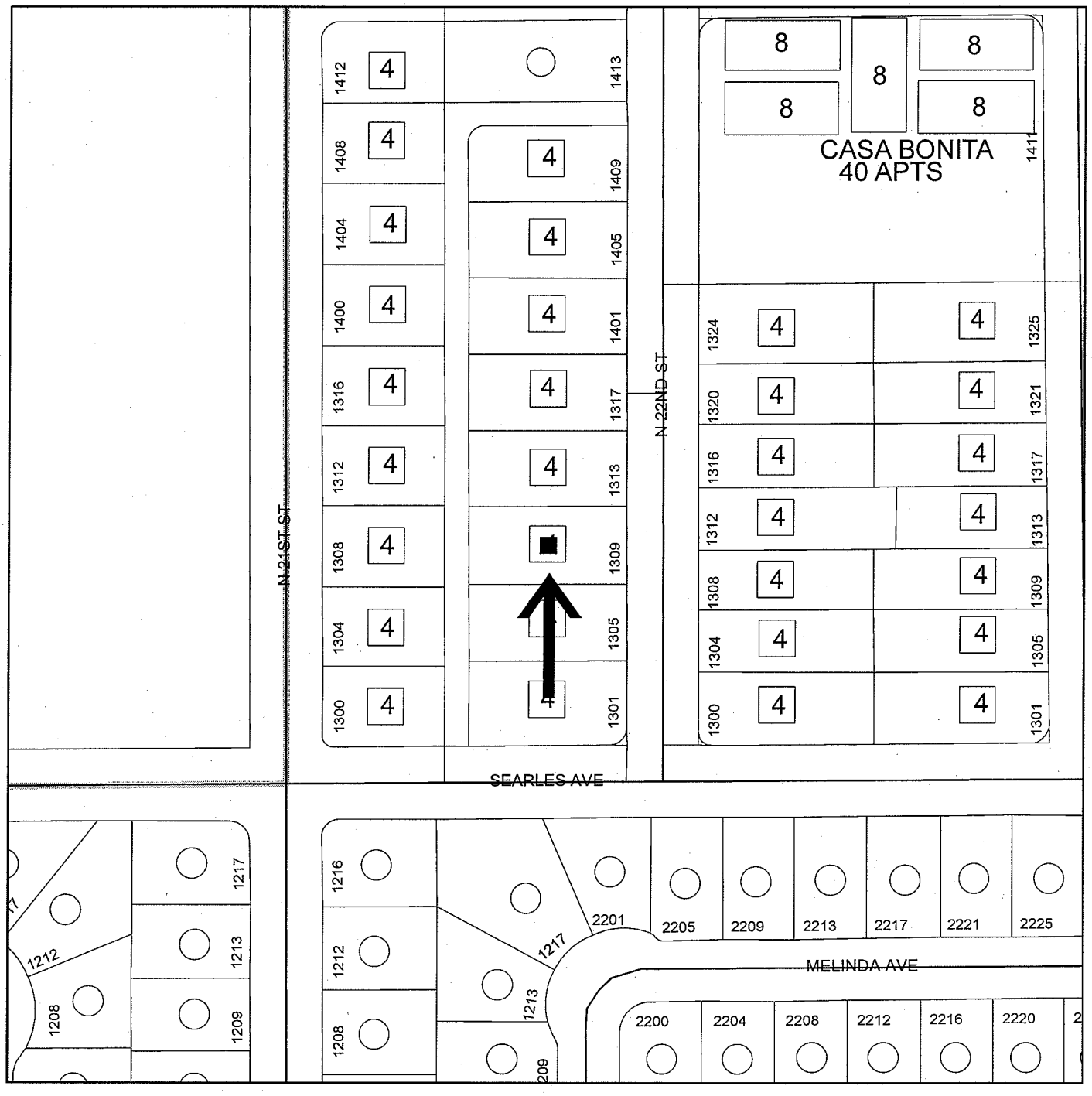
Disaster Kleen-Up of Nevada completed work on December 18, 2009 at a cost of $1,448; $1,902 in reinspection fees (w/late fees); $3,800 in civil penalties; plus a 15% administrative fee for a total of $6,973.30.

Today's public hearing is to consider the Report of Expenses filed by the Department of Neighborhood Services and to hear any objections thereto. Under the Uniform Code for the Abatement of Nuisance and Civil Penalties, the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

If the Lien is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.

1309 NORTH 22ND STREET
CROSS STREETS - EASTERN//OWENS

City of Las Vegas Vicinity Map

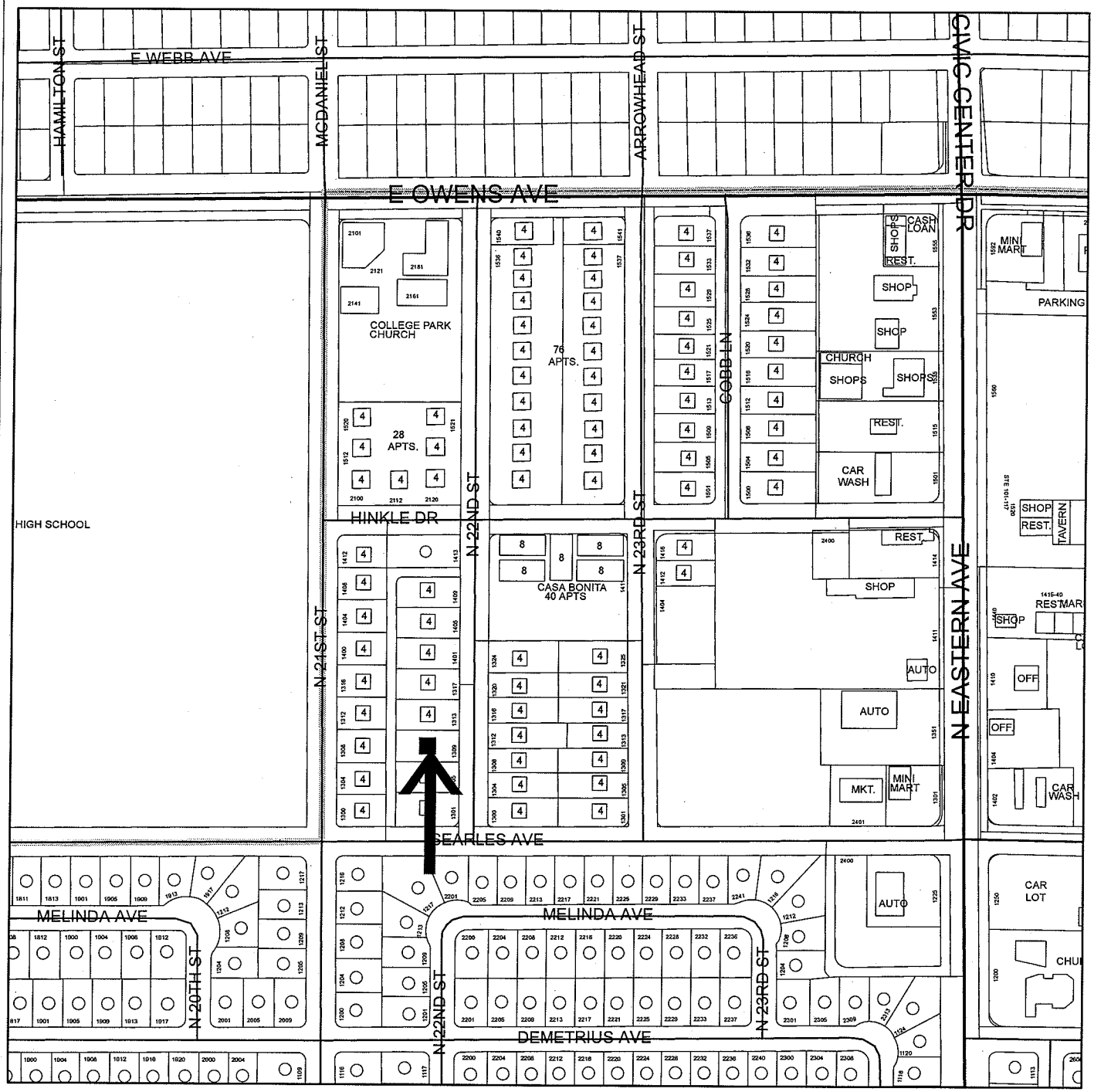


GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

PLANNING & DEVELOPMENT
CITY OF LAS VEGAS

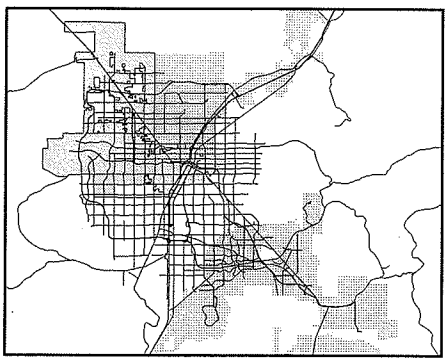
1309 N 22ND STREET
CROSS STREETS - EASTERN//OWENS

City of Las Vegas Vicinity Map



N

0 170 340 680 Feet



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

PLANNING & DEVELOPMENT
CITY OF LAS VEGAS

Memorandum

City of Las Vegas
Neighborhood Services Department

To: Beverly Bridges, MMC, City Clerk

From: Devin S. Smith, Manager – Neighborhood Response Division

CC: File

Date: February 22, 2010

Re: Report of Expenses for the abatement of nuisance located at 1309 North 22nd Street - Ward 3 (Reese)

LVMC Ordinance 5873 authorizes the City of Las Vegas to assess and collect a re-inspection fee of $120.00 if the nuisance 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.

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Nuisance," the Department of Neighborhood Services caused the above-referenced property to be corrected by installing minimum landscape requirement, all yards to have a gravel/rock covering sufficient to cover dirt surface (minimum 2 inches). The abatement was completed by Disaster Kleen-Up of Nevada on December 18, 2009 at a cost of $1,448.00, which was accepted by the Department of Neighborhood Services.

Contract Amount Breakdown:	
Install minimum landscape requirement, all yards to have a gravel/rock covering sufficient to cover dirt surface (minimum 2 inches)	$1,448.00
AMOUNT DUE:	$1,448.00
Administrative Processing Fee:	$217.20
Sub-Total:	$1,665.20
Reinspection Fees (w/late fees):	$1,902.00
Payment (Inspection Fees)	-$300.00
Civil Penalties:	$3,800.00
Payment (Civil Penalties)	-$93.90
TOTAL AMOUNT DUE:	**$6,973.30**
Daily Civil Penalties – 219 days @ $500 a day (excluding civil penalty fees already assessed) May 14, 2009 to December 18, 2009	**$105,700.00**
MAXIMUM TOTAL:	**$112,673.30**
OWNER OF RECORD	SARO MELIKYAN
PROPERTY ABATED:	1309 North 22nd Street
ASSESSOR PARCEL:	139-26-512-006
LEGAL DESCRIPTION:	RANCHO GARDENS NORTH
	PLAT BOOK 13 PAGE 92
	LOT 3 BLOCK 1

DSS:ld

ALLIED FLOORING SERVICES
DBA DISASTER KLEEN-UP OF NEVADA
1722 Primrose Path
LAS VEGAS, NEVADA 89108

DISCLOSURE OF PRINCIPALS

The principals and partners of Allied Flooring Services and all persons and entities holding more than a 1% interest in Allied Flooring Services or any principal of Allied Flooring Services are the following:

FULL NAME	BUSINESS ADDRESS	BUSINESS PHONE
1. Javier Cardona	1722 Primrose Path LV NV 89108	647-7777
2. Marisela Cardona	1722 Primrose Path LV NV 89108	647-7777
3.		
4.		
5.		
6.		

Continue list until full and complete disclosure is made

I certify under penalty or perjury, that the foregoing list is full and complete.

Allied Flooring Services

BY: _____
Lynn Muravnick, Office Mgr.

Subscribed and sworn to before me
This 16th day of August, 2006.

_____
Notary Public

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
PHILIP VICHARE
No: 05-104163-1
My Appointment Expires Mar. 10, 2010

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW
STAVROS S. ANTHONY

ELIZABETH N. FRETWELL
CITY MANAGER

NOTICE OF PUBLIC HEARING

MARCH 17, 2010

Pursuant to Las Vegas Municipal Code for the Abatement of Dangerous Buildings/Nuisance Code and/or Housing Code, NOTICE IS HEREBY GIVEN THAT ON **WEDNESDAY, MARCH 17, 2010,** at the hour of **1:00 P.M.** in the City Council Chambers, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the REPORT OF EXPENSES submitted by the Director of Neighborhood Services for:

> Abatement of the violations on the property located at **1309 North 22nd Street - Case# 74828.** The Director of Neighborhood Services certifies that the sum of **$6,973.30** was expended and Civil Penalties in the sum of **$105,700.00** may be imposed for a total of **$112,673.30.** Owner of record at time of abatement: **SARO MELIKYAN – WARD 3 (REESE)**

If the City Council is satisfied with the report, it may order a lien of assessment recorded against the property. Any person affected by the proposed charge may file a written protest with the City Clerk any time prior to the hearing. Each protest must contain a description of the property and the grounds for the protest.

BEVERLY K. BRIDGES
CITY CLERK

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

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

FM-0044-08-09

CASENO 74828 CODEENF **02326-28**

Address: **1309 N 22ND ST**

CLV
WARD3 03/09 AREA

GRAFFITI AND BROKEN STORAGE DOORS

Parcel(s)

Parcel:	*Size:*	*Subdivision Name:*
13926512006	0.19 ACRE	RANCHO GARDENS NORTH

Owner Information:

28-Apr-05	05-May-05	SIRKEDZHYAN ARA
		1309 N 22ND ST #1; LAS VEGAS, NV 89101
12-May-04	19-May-04	BURCIAGA BRUNO
		1309 N 22ND ST #3; LAS VEGAS, NV 89101
10-Aug-02	12-May-04	BANK WASHINGTON MUTUAL F A
		P O BOX 1169; MILWAUKEE, WI 53201-1169
05-May-05	01-Jun-06	SIRKEDZHYAN ARA
		1309 N 22ND ST #1; LAS VEGAS, NV 89101-1460
19-May-04	28-Apr-05	BURCIAGA BRUNO
		1309 N 22ND ST #3; LAS VEGAS, NV 89101-1460
01-Jun-06		MELIKYAN SARO
		474 W RIVERDALE #103; GLENDALE, CA 91204-3008

Inspection Summary

Inspector:	*Status:*		*Scheduled DT:*	*Start Dt:*	*Comp DT:*	*Min:*
890246	Failed		3/3/2009	03/03/2009 10:20	03/03/2009 10:22	2
940269	Failed		4/7/2009	04/07/2009 9:57	04/07/2009 10:03	6
890246	Failed		5/7/2009	05/05/2009 7:45	05/05/2009 7:46	1
960392	Failed		5/15/2009	05/15/2009 8:05	05/15/2009 8:10	5
890246	Failed		5/27/2009	05/29/2009 15:23	05/29/2009 15:23	0
960392	Failed		6/29/2009	07/01/2009 11:10	07/01/2009 11:12	2
960392	Failed		7/29/2009	07/29/2009 9:45	07/29/2009 9:49	3
960392	Passed	Partial	9/12/2009	09/12/2009 13:03	09/12/2009 13:10	7
960392	Failed		10/21/2009	10/24/2009 10:36	10/24/2009 10:37	1
960392	Failed		10/30/2009	11/05/2009 10:27	11/05/2009 10:42	15
960392	Failed		11/16/2009	11/18/2009 13:20	11/18/2009 13:22	2
960392	Failed		11/28/2009	11/28/2009 8:55	11/28/2009 8:57	2
960392	Passed	Partial	12/15/2009	12/17/2009 9:47	12/17/2009 9:47	1
960066	Passed		12/18/2009	01/04/2010 11:22	01/04/2010 11:22	0
					Time in Minuets:	47

Violation Details

Violation	*Violation DT:*	*Resolve DT:*	*Location:*
A-GRAFFITI	3/3/2009		REAR OF BUILDING
GRAFFITI			

A-WEEDS	3/3/2009	PROPERTY
HIGH WEEDS		
A-BLD	4/7/2009	Rear
No Storage Doors		
A-ZONE OTHER	4/7/2009	Yard
No Landscape		

Log

Type:	*Date:*	*Employee:*	*Min:*
FEE	1/14/2010 4:47:00 PM	BARBARA ALVAREZ	0
REMOVE ALL CBC FEES INV# 74828HN-36616 $56.10			
PHONE	1/14/2010 8:06:00 AM	STEPHANIE DEMOLEAS	0
17) Called Lewis at Caldwell Bank on cell: 234-4848, left message			
VIDPST	1/4/2010 11:21:00 AM	ANTHONY GUARINO	0
21)POST VIDEO AND PHOTOS DONE IN cc ITEMS FILE / CLOSE			
VIDREQ	12/28/2009 2:46:00 PM	LAURA DEARMOND	0
Ld) Received invoice & sent video request email to #21			
BIDA	12/17/2009 9:42:00 AM	LIDIA MCKENZIE	0
lm) sent award letter to: DISASTER KLEEN-UP ($1,448)			
MISC	12/10/2009 8:58:00 AM	LIDIA MCKENZIE	0
lm) per #21 - proceed w/abatement - entered into Oracle; e-mail to D. Smith for approval (Req# 161759)			
NOTICE	11/17/2009 1:52:00 PM	LAURA DEARMOND	0
Ld) SENT 10 DAY NOTICE BEFORE ABATEMENT TO OWNER Saro Melikyan 474 W Riverdale, #103 Glendale, CA 91204-3008			
BIDR	11/17/2009 12:52:00 PM	LAURA DEARMOND	0
Ld) RECEIVED BIDS (1) DISASTER KLEEN-UP OF NV $1,448 (2) WEAVER $3,900			
BIDS	11/12/2009 11:13:00 AM	LIDIA MCKENZIE	0
LM) PER #17'S REQUEST - SENT OUT REQ. FOR QUOTES; DUE 11/16.			
PHONE	11/12/2009 8:34:00 AM	STEPHANIE DEMOLEAS	0
17) Recvd msg from owner: Mrs Melukyan 818-692-1122 who stated that she has stopped making payments on 4-plex and they are hoping for short sale. Wants to stop correspondence but I have already informed her that not possible per legal proceedure.			
PHONE	10/24/2009 10:38:00 AM	STEPHANIE DEMOLEAS	1
17) Left msg with owner: Saro			
PHONE	8/12/2009 8:42:00 AM	STEPHANIE DEMOLEAS	0
17) Rcvd call from 818-642-1122, Saro, left msg, She stated building is now vacated and unsecured. I will check again. Her fax: 818-260-1953.			
PHONE	7/8/2009 10:29:00 AM	STEPHANIE DEMOLEAS	0
17) Left message with owner: Saro at 818-667-9999 and requested fax number to send notice of failed inspections			
INSP	5/29/2009 3:23:00 PM	JOHNNA PEREYDA	0
22)no landscape. $500 failed notice mailed to owner . call back 6-29 for monthly check			
MISC	5/20/2009	ELIZABETH DOUGLAS	0
PLACED N & O RECORDED 5/12/09 IN FILE.			
FEE	5/18/2009 9:41:00 AM	BARBARA ALVAREZ	0
WAIVED LATE FEE, CUSTOMER PAID ON TIME.			
PHONE	5/15/2009 12:28:00 PM	STEPHANIE DEMOLEAS	0
17) called owner - SARO MELIKYAN, LEFT MSG REQUESTING FAX TEL AND DATE OF LANDSCAPE INSTALL			
INSP	5/15/2009 8:05:00 AM	STEPHANIE DEMOLEAS	5
17) pix, ASSESS FEE $180 PLUS $300 civ pen. LANDSCAPE NOT YET INSTALLED, MINOR TRASH/WEEDS, CB 5/27			
RECORD	5/12/2009 1:51:00 PM	JESSICA LARRAMENDY	0
JL) Recorded Nuisance N&O dated May 4, 2009 at Clark County. Recorded in Book: 20090512 Inst: 02453.			

NOPOST	5/5/2009 7:45:00 AM	JOHNNA PEREYDA	1
22)post n&o $330 failed inspection pictures			
NOTICE	5/4/2009 5:26:00 PM	LIDIA MCKENZIE	0
lm) AFTER OK BY #21 - MAILED N&O TO OWNER OF RECORD; TO #22 FOR POSTING; JL FOR RECORDING. C/B 5/15/09.			
NOREQ	4/24/2009 8:01:00 AM	ANTHONY GUARINO	0
21)forward to office			
RESEAR	4/23/2009 11:18:00 AM	JOHNNA PEREYDA	0
22)FORWARD N&O REQUEST TO TONY			
PHONE	4/23/2009 11:17:00 AM	JOHNNA PEREYDA	0
22) I CALLED 818-667-9999 SPOKE TO OWNER SARO-HE SAID THAT HE FIXED DOORS.I EXPLAINED THAT HIGH WEEDS AND LANDSCAPE WAS NOT COMPLETED.$120 FAIL NOTICE SENT TO HIM AND NOW A LIEN ON PROPERTY. GAVE HIM TILL 5-7			
INSP	4/21/2009 9:30:00 AM	JOHNNA PEREYDA	5
22)high weeds,trash in yard.no landscape established.pictures and correction notice mailed to owner.callback 5-7			
INSP	4/7/2009 9:57:00 AM	KARAN CROSIER	6
22)Storage doors missing, High wees, No landscape. Pix & C/N mailed to owner. C/B 4/21/09			
RESEAR	3/19/2009 8:32:00 AM	KARAN CROSIER	0
22)Neghborhood cleanup,pix & letter mailed to property owners & management.Checked sewer screen & past history. Request to abate all violations & Reestablish landscaped (scanned) 1st indspection Tuesaday 4/7/09			
INSP	3/3/2009 10:20:00 AM	JOHNNA PEREYDA	2
22)GRAFFITI HIGH WEEDS. PIX AND C/N MAILED TO OWNER C/B 3-10			
MISC	2/24/2009 2:42:00 PM	JOHNNA PEREYDA	0
22 WIFE ANNA 818-642-1122 OWNER SARO 818-667-9999			
INSP	2/24/2009 9:55:00 AM	JOHNNA PEREYDA	4
22)GRAFFITI IN REAR OF BUILDING AND BROKEN STORAGE DOORS. PIX I CALLED SARO HE STATED ALL WILL BE DONE BY NEXT CHECK 3-3			

Time in minuets: **24**

APN 139-26-512-006
NOTICE AND CLAIM OF LIEN OF ASSESSMENT
TO: **SARO MELIKYAN**
Reputed Owner(s) at time of abatement.

Assessor's Parcel No.: **139-26-512-006**
Commonly known as: **1301 North 22nd Street**
Legal Description: **RANCHO GARDENS NORTH**
PLAT BOOK 13 PAGE 92
LOT 3 BLOCK 1

On **December 18, 2009**, as provided in the Title 9, Chapter 9, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Expenses costs and fees in the amount of **$6,973.30** were incurred by the City of Las Vegas in the above-referenced nuisance condition abatement procedure. Additionally, pursuant to Municipal Code 9.040.120, civil penalties in the amount of **$105,700.00** were levied against the property as for violation(s) of Municipal Code 9.04.010 for a total charge in the amount of **$112,673.30** assessed against the property.

The Las Vegas City Council, at a duly noticed public hearing held on **March 17, 2010** ordered the above charges in the amount of **$112,673.30**, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

_____
BEVERLY K. BRIDGES, MMC, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
)
COUNTY OF CLARK)

BEVERLY K. BRIDGES, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

_____
BEVERLY K. BRIDGES, MMC, City Clerk

Subscribed and sworn to before me this ____ day of March, 2010

_____
NOTARY PUBLIC, in and for said County and State

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF NEIGHBORHOOD RESPONSE
400 STEWART AVENUE, LAS VEGAS, NV 89101 Case #74828

LAS VEGAS CITY COUNCIL

MAYOR
OSCAR B. GOODMAN

GARY REESE, WARD 3
(MAYOR PRO-TEM)
STEVE WOLFSON, WARD 2
LOIS TARKANIAN, WARD 1
STEVEN D. ROSS, WARD 6
RICKI Y. BARLOW, WARD 5
STAVROS S. ANTHONY, WARD 4

CITY MANAGER
ELIZABETH N. FRETWELL

March 18, 2010

CASE #74828
Certified/Regular Mail
Return Receipt Requested

Saro Melikyan
474 W Riverdale, #103
Glendale, CA 91204-3008

RE: Notice of Abeyance - 1309 North 22nd Street

Dear Property Owner:

At the City Council meeting held on March 17, 2010, Agenda Item #65 was held in abeyance and is now scheduled to be heard April 7, 2010 at 1:00 p. m. This will be a public hearing to recover costs for the abatement conducted on December 18, 2009 at the property located at 1309 North 22nd Street.

If you have any questions concerning this procedure, please contact the Neighborhood Response Division located in the Department of Neighborhood Services, by telephoning (702) 229-6615.

Sincerely,

Devin S. Smith, Manager
Neighborhood Response Division
Department of Neighborhood Services

DS:ld

NEIGHBORHOOD
SERVICES DEPARTMENT

DIRECTOR
STEPHEN K. HARSIN, AICP

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

VOICE 702.229.2330
FAX 702.598-3938
TTY 702 386.3045
www.lasvegasnevada.gov

City of Las Vegas Agenda Item No.: **67.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: NEIGHBORHOOD SERVICES
DIRECTOR: STEPHEN K. HARSIN ☐ **Consent** ☒ **Discussion**

SUBJECT:
Public Hearing to consider the report of expenses to recover costs for abatement of nuisance located at 3900 San Angelo Avenue in the amount of $4,805 (General Fund) and assess a maximum of $55,550 in daily civil penalties. PROPERTY OWNERS: TANEA MCKEE AND EDDIE J COHEN - Ward 1 (Tarkanian)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $4,805
Funding Source: General Fund
Dept./Division: Neighborhood Services/Response

PURPOSE/BACKGROUND:
The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired American Demolition to secure all openings, rear slider, broken front window, air conditioning opening, repair dilapidated fence, and remove all trash, debris, and high vegetation. To date, there have been eleven (11) inspections conducted at this location. The estimated value of the property based on Zillow.com is $114,500.

RECOMMENDATION:
That the City Council: Approve the report of expenses to include $900 invoice for American Demolition services in addition to other fees assessed for a total of $4,805 and consider assessing a maximum of $55,550 in daily civil penalties.

BACKUP DOCUMENTATION:
1. Agenda Memo
2. Location Maps
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: April 7, 2010
DEPARTMENT: Neighborhood Services
ITEM DESCRIPTION: Public Hearing to consider the report of expenses to recover costs for abatement of nuisance located at 3900 San Angelo Avenue in the amount of $4,805 (General Fund) and assess a maximum of $55,550 in daily civil penalties. PROPERTY OWNERS: TANEA MCKEE AND EDDIE J COHEN – Ward 1 (Tarkanian)

America Demolition completed work on December 28, 2009 at a cost of $900; $1,320 in reinspection fees (w/late fees); $2,450 in civil penalties; plus a 15% administrative fee for a total of $4,805.

Today's public hearing is to consider the Report of Expenses filed by the Department of Neighborhood Services and to hear any objections thereto. Under the Uniform Code for the Abatement of Nuisance and Civil Penalties, the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

If the Lien is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.

3900 SAN ANGELO AVENUE
CROSS STREETS - SAHARA//VALLEY VIEW

City of Las Vegas Vicinity Map



N

0 170 340 680 Feet

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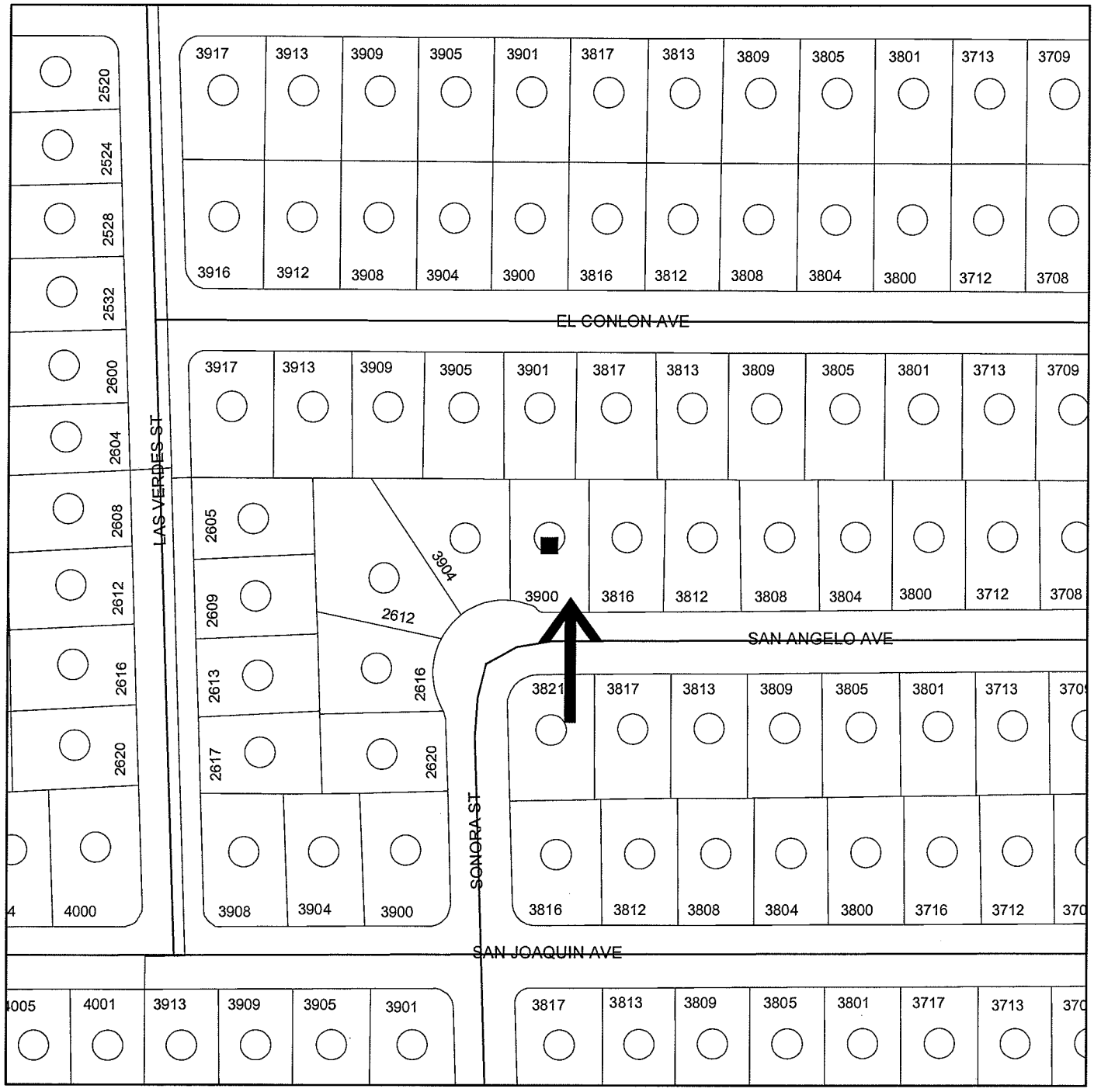
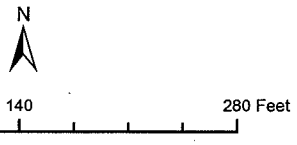
Geographic Information System
Planning & Development Dept.
702-229-6301

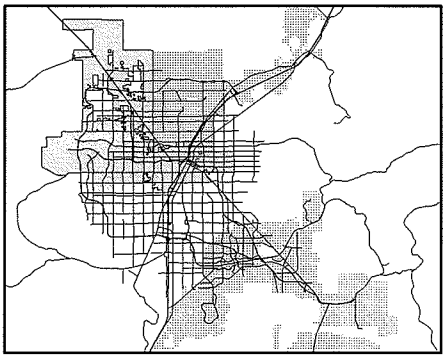
PLANNING & DEVELOPMENT

3900 SAN ANGELO AVENUE
CROSS STREETS - SAHARA//VALLEY VIEW

City of Las Vegas Vicinity Map







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PLANNING & DEVELOPMENT
CITY OF LAS VEGAS

Memorandum

City of Las Vegas
Neighborhood Services Department

To: Beverly Bridges, MMC, City Clerk

From: Devin S. Smith, Manager – Neighborhood Response Division

CC: File

Date: March 5, 2010

Re: Report of Expenses for the abatement of nuisance located at 3900 San Angelo Avenue - Ward 1 (Tarkanian)

LVMC Ordinance 5873 authorizes the City of Las Vegas to assess and collect a re-inspection fee of $120.00 if the nuisance 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.

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Nuisance," the Department of Neighborhood Services caused the above-referenced property to be corrected by securing all openings, rear slider, broken front window, air conditioning opening, repairing dilapidated fence, and removing all trash, debris, and high vegetation. The abatement was completed by American Demolition on December 28, 2009 at a cost of $900.00, which was accepted by the Department of Neighborhood Services.

Contract Amount Breakdown:	
Remove all trash and debris	$280.00
Remove all high vegetation	$170.00
Repair dilapidated fence	$150.00
Secure all openings	$300.00
AMOUNT DUE:	$900.00
Administrative Processing Fee:	$135.00
Sub-Total:	$1,035.00
Reinspection Fees (w/late fees):	$1,320.00
Civil Penalties:	$2,450.00
TOTAL AMOUNT DUE:	**$4,805.00**
Daily Civil Penalties – 116 days @ $500 a day (excluding civil penalty fees already assessed) September 4, 2009 to December 28, 2009	**$55,550.00**
MAXIMUM TOTAL:	**$60,355.00**
OWNER OF RECORD	TANEA MCKEE and EDDIE J. COHEN
PROPERTY ABATED:	3900 San Angelo Avenue
ASSESSOR PARCEL:	162-07-516-010
LEGAL DESCRIPTION:	LAS VERDES HGTS 6 UNIT #3
	PLAT BOOK 8 PAGE 29
	LOT 26 BLOCK 3

DSS:ld

American Demolition
4516 W Diablo Drive, E-108
Las Vegas, NV 89118

Disclosure of Principals

The principals and partners of *American Demolition* and all persons and entities holding more than 1% interest in *American Demolition* or any principal of *American Demolition* are the following:

	Full Name	Business Address	Business Phone
1.	Jack Praeppich	4516 W. Diablo #E108 LV NV 89118	561-3244
2.			
3.			
4.			
5.			
6.			
7.			

Continue list until full and complete disclosure is made.

I certify under penalty of perjury, that the foregoing list is full and complete.

American Demolition

By: Jack Praeppich

State of Nevada }
} ss:
County of Clark }

Subscribed and sworn to before me, a Notary Public, on this 22 day of December, 2008.

Notary Public - State of Nevada
County of Clark
ARTILUR WILLIAMS
My Appointment Expires
August 14, 2011
No: 07-4375-1

Artilur Williams

Notary Public in and for Clark County,
State of Nevada

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW
STAVROS S. ANTHONY

ELIZABETH N. FRETWELL
CITY MANAGER

NOTICE OF PUBLIC HEARING

APRIL 7, 2010

Pursuant to Las Vegas Municipal Code for the Abatement of Dangerous Buildings/Nuisance Code and/or Housing Code, NOTICE IS HEREBY GIVEN THAT ON **WEDNESDAY, APRIL 7, 2010,** at the hour of **1:00 P.M.** in the City Council Chambers, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the REPORT OF EXPENSES submitted by the Director of Neighborhood Services for:

> Abatement of the violations on the property located at **3900 SAN ANGELO AVENUE – Case #76990.** The Director of Neighborhood Services certifies that the sum of **$4,805** was expended and Civil Penalties in the sum of **$55,550** may be imposed for a total of **$60,355.** Owner of record at time of abatement: **TANEA MCKEE AND EDDIE J COHEN – WARD 1 (TARKANIAN)**

If the City Council is satisfied with the report, it may order a lien of assessment recorded against the property. Any person affected by the proposed charge may file a written protest with the City Clerk any time prior to the hearing. Each protest must contain a description of the property and the grounds for the protest.

BEVERLY K. BRIDGES
CITY CLERK

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
Neighborhood Services Department
Code Enforcement Case Report

Case # 76990

3900 SAN ANGELO AVE - Map # 02622-28 Parcel 16207516010

Owner Information:

MCKEE TANEA
3900 SAN ANGELO AVE
LAS VEGAS, NV 89102-0123

Zoning Information:

Case Comments: CHECK FOR CODE VIOLATIONS

Case Assigned To: Follow Up Inspection Date:

Date Case Opened: April 17, 2009 Ward: 1

Property Info/Status: HOA: N Vacant: N Foreclosure: N Secure: N

Violations:

Violation

Violation Date	Status/Completed Date	Location
Comments		
AN-003: 9.04.010 (4) REFUSE & WASTE		
7/10/09	OPEN	Front yard
Remove all refuse and waste, including paper, plastic,palm fronds, etc. Keep maintained at all times.		
AN-006: 9.04.010 (7A) HIGH VEGETATION		
4/21/09	OPEN	FRONT YARD
REMOVE ALL HIGH VEGETATION		
AN-009: 9.04.010 (7D) DILAPIDATED		
8/17/09	OPEN	East side yard
Repair dilapidated fence on east side yard.		
A-NUISVACANT: NUISANCE VACANT PROPERTY		
8/21/09	COMPLIED 12/30/09	

Chronology of Events:

April 14, 2009 Insp#: INSPECTION
16)HIGH WEEDS, PALM FRONDS

April 28, 2009 Insp#: 827675
16) CORRECTION NOTICE ISSUED FOR HIGH WEEDS

July 10, 2009 Insp#: 833970
16)Nothing has been done, just the high weeds and refuse and waste. Will research ownership again.

July 11, 2009 RESEARCH
16)Nothing shows that property is in foreclosure.Does not own any other properties. None of the Mers information has any preservation,nor is there any default recorded, will try to mail notice to see if mail is being forwarded.

August 04, 2009 Insp#: 862857
16)Nothing has been done, have not heard from owner, will check again for foreclosure and prepare notice and orc 3rd fail, 2nd fee 330.00, pictures taken

August 06, 2009 RESEARCH
16)Recorder office is not giving information at this time in search mode, mersonline not available, need to get Notic going,

August 07, 2009 TELEPHONE CONVERSATION
16)Spoke to Eddie, has been given back to GMAC due to Bankruptcy Loan #

August 17, 2009 Insp#: 873100
16)Took updated pictures for Notice and Order , high weeds, trash and debris remain. East side fence is torn down

August 19, 2009 TELEPHONE CONVERSATION
16)Contacted GMAC roperty preservation who stated they do not have this property on their list Contacted custom service who stated they are not sure if they hold the first mortgage. I will continue with notice and order.

August 19, 2009 NOTICE AND ORDER REQUESTED
16)Notice and Order prepared and forwarded to 19 for review.

August 25, 2009 NOTICE AND ORDER ISSUED
Ld) SENT NUISANCE N&O TO COMPLY TO OWNERS Tanea McKee Eddie J. Cohen 3900 San Angelo Avenue I Vegas, NV 89102-0123

August 26, 2009 NOTICE AND ORDER POSTED
16)Posted on wall on by garage door.

August 26, 2009 Insp#: 877804
16) Nothing has been done, no response from bank, still has property in foreclosee's name. Pictures taken, 3rd fail. 180.00 + 150.00 fee

August 31, 2009 LETTER
Ld) CERTIFIED & REGULAR LETTERS TO OWNERS Tanea McKee Eddie J. Cohen 3900 San Angelo Avenue L Vegas, NV 89102-0123 RETURNED FORWARD TIME EXPIRED

September 04, 2009 RECORD
JL) Recorded Nuisance N&O to Comply dated August 25, 2009 at Clark County. Recorded in Book: 20090904 Inst 01746.

September 07, 2009 MISCELLANEOUS
PLACED N & O RECORDED 9/4/09 IN FILE.

September 08, 2009 Insp#: 883670
16) Property remains the same, Pictures taken, 4th fail, 180.00 + 300 civil penalties, Proceed with abatement.

September 18, 2009 Insp#: 886921
16)fence is down now, rear yard accessible,side a/c opening open, rear slider open, swimming pool, rubber type lying in rear yard along with paper, plastic,etc, front window broken, prepare abatement form. 4th fail, 180.00+300.00

September 21, 2009 MEMORANDUM
16)Pictures processed, abatement bid form prepared, forward to 19 for review.

September 25, 2009 BID SENT
Ld) FAXED BID TO CONTRACTORS, DUE BACK 10-1

October 02, 2009 BID RECEIVED
Ld) RECEIVED BIDS (1) AMERICAN DEMO $900 (2) LUNAS CONSTRUCTION $938 (3) CGL $1,050 (4) WEAVE $1,245

October 02, 2009 NOTICE AND ORDER ISSUED
Ld) SENT 10 DAY NOTICE BEFORE ABATEMENT TO OWNERS Tanea McKee Eddie J. Cohen 3900 San Angel Avenue Las Vegas, NV 89102-0123/5365 Creekview Way Morrow, GA 30260-4218

October 05, 2009 NOTICE TO ABATE
16)Posted on wall by garage door.

October 05, 2009 Insp#: 892325
16)No changes, 5th fail, 180 + 500 fee,

October 06, 2009 LETTER
Ld) CERTIFIED & REGULAR LETTERS TO OWNERS Tanea McKee Eddie J. Cohen 3900 San Angelo Avenue L Vegas, NV 89102-0123 RETURNED FORWARD TIME EXP 5365 CREEKVIEW WAY MORROW GA 30260-4218

October 07, 2009 MISCELLANEOUS
Ld) RECEIVED CERTIFIED CARD FROM OWNERS Tanea McKee Eddie J. Cohen 5365 Creekview Way Morrow GA 30260-4218

October 16, 2009 Insp#: 900103
16) Reinspection after 10 day to abatement: Front door ia now open, was able to go inside, I think I got the rear patio door locked, tried to secure front door, but cannot do the dead bolt, locked with handle lock, and used zip ties to help deter entry, high weeds, trash and debris remain, pictures taken, fail, fee Continue with abatement.

November 05, 2009 MEMORANDUM
16)Bank still has not recorded foreclosure at Assessor office.

November 18, 2009 MEETING
210bid ok`d refer to 19

December 09, 2009 BID AWARDED
LM) RECEIVED D. SMITH'S APPROVAL - SENT AWARD LTR TO AMERICAN DEMOLITION ($900)

December 14, 2009 VIDEO REQUEST
LM) RECEIVED START DATE FROM AMERICAN DEMO FOR 12/16/09-REQUEST FOR PRE-ABATEMENT VIDI
SENT TO #19 W/E-MAIL & PAPERWORK

December 16, 2009 Insp#: 905045

December 16, 2009 PRE ABATEMENT VIDEO
19) Violations remain, pre-video & pictures completed.

December 28, 2009 VIDEO REQUEST
Ld) Received American Demo invoice & sent video request email to #19

December 30, 2009 POST ABATEMENT VIDEO
19) Violations abated, post-video & pictures completed. Case Closed

December 30, 2009 Insp#: 933789

March 04, 2010 REVIEW
19) reviewed ownership info, tried to find contact info for both individuals in Morrow GA, no phone # listed for either for address. Checked recorders office, no info for forclosre. File to LD for processing for City Council.

Fees:

Fee Name	Amount	Status	Fee Added	Fee Paid
INSPECTION FEE	$120.00	U	07/15/2009	
INSPECTION LATE FEE	$12.00	U	08/17/2009	
$150 CIVIL PENALTY	$150.00	U	09/01/2009	
REINSPECTION FEE	$180.00	U	09/01/2009	
REINSPECTION FEE	$180.00	U	09/15/2009	
$300 CIVIL PENALTY	$300.00	U	09/15/2009	
$500 (A) CIVIL PENALTY 1ST	$500.00	U	10/01/2009	
REINSPECTION FEE	$180.00	U	10/01/2009	
REINSPECTION LATE FEE	$18.00	U	10/01/2009	
REINSPECTION FEE	$180.00	U	10/15/2009	
$500 (A) CIVIL PENALTY 1ST	$500.00	U	10/15/2009	
REINSPECTION LATE FEE	$18.00	U	10/15/2009	
REINSPECTION FEE	$180.00	U	11/02/2009	
$500 (A) CIVIL PENALTY 1ST	$500.00	U	11/02/2009	
$500 (A) CIVIL PENALTY 1ST	$500.00	U	01/05/2010	
REINSPECTION FEE	$180.00	U	01/05/2010	
ABATEMENT COST	$900.00	U	01/19/2010	
ADMIN FEE	$135.00	U	01/19/2010	

Total Amount Due: $4,733.00

APN 162-07-516-010
NOTICE AND CLAIM OF LIEN OF ASSESSMENT
TO: **TANEA MCKEE and EDDIE J. COHEN**
Reputed Owner(s) at time of abatement.

Assessor's Parcel No.: **162-07-516-010**
Commonly known as: **3900 San Angelo Avenue**
Legal Description: **LAS VERDES HGTS 6 UNIT #3**
PLAT BOOK 8 PAGE 29
LOT 26 BLOCK 3

On **December 28, 2009**, as provided in the Title 9, Chapter 9, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Expenses costs and fees in the amount of **$4,805.00** were incurred by the City of Las Vegas in the above-referenced nuisance condition abatement procedure. Additionally, pursuant to Municipal Code 9.040.120, civil penalties in the amount of **$55,550.00** were levied against the property as for violation(s) of Municipal Code 9.04.010 for a total charge in the amount of **$60,355.00** assessed against the property.

The Las Vegas City Council, at a duly noticed public hearing held on **April 7, 2010** ordered the above charges in the amount of **$60,355.00**, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

_____
BEVERLY K. BRIDGES, MMC, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
)
COUNTY OF CLARK)

BEVERLY K. BRIDGES, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

_____
BEVERLY K. BRIDGES, MMC, City Clerk

Subscribed and sworn to before me this ____ day of April, 2010

_____
NOTARY PUBLIC, in and for said County and State

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF NEIGHBORHOOD RESPONSE
400 STEWART AVENUE, LAS VEGAS, NV 89101 Case #76990

City of Las Vegas Agenda Item No.: **68.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: NEIGHBORHOOD SERVICES
DIRECTOR: STEPHEN K. HARSIN ☐ **Consent** ☒ **Discussion**

SUBJECT:
Public Hearing to consider the report of expenses to recover costs for abatement of nuisance located at 10305 Wellside Hill Avenue in the amount of $3,506.75 (General Fund) and assess a maximum of $36,550 in daily civil penalties. PROPERTY OWNERS: BRADLEY M & CINNAMON A MARTIN - Ward 2 (Wolfson)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $3,506.75
Funding Source: General Fund
Dept./Division: Neighborhood Services/Response

PURPOSE/BACKGROUND:
The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired Weaver Construction to secure all windows, doors and any openings (rear door and garage door were unlocked, open and accessible), remove all trash, debris, and dead vegetation. To date, there have been seven (7) inspections conducted at this location. The estimated value of the property based on Zillow.com is $444,500.

RECOMMENDATION:
That the City Council: Approve the report of expenses to include $985 invoice for Weaver Construction services in addition to other fees assessed for a total of $3,506.75 and consider assessing a maximum of $36,550 in daily civil penalties.

BACKUP DOCUMENTATION:
1. Agenda Memo
2. Location Maps
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: April 7, 2010
DEPARTMENT: Neighborhood Services
ITEM DESCRIPTION: Public Hearing to consider the report of expenses to recover costs for abatement of nuisance located at 10305 Wellside Hill Avenue in the amount of $3,506.75 (General Fund) and assess a maximum of $36,550 in daily civil penalties. PROPERTY OWNER: BRADLEY M & CINNAMON A MARTIN – Ward 2 (Wolfson)

Weaver Construction completed work on January 15, 2010 at a cost of $985; $924 in reinspection fees (w/late fees); $1,450 in civil penalties; plus a 15% administrative fee for a total of $3,506.75.

Today's public hearing is to consider the Report of Expenses filed by the Department of Neighborhood Services and to hear any objections thereto. Under the Uniform Code for the Abatement of Nuisance and Civil Penalties, the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

If the Lien is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.

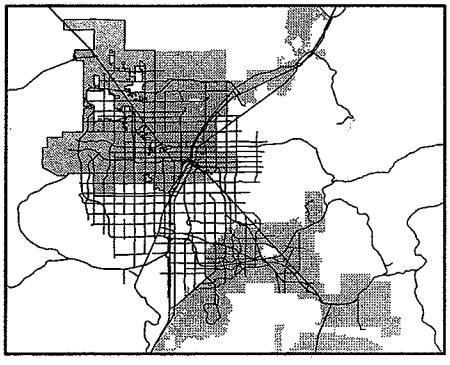
10305 WELLSIDE HILL AVENUE
CROSS STREETS - ALTA//TOWN CENTER

City of Las Vegas Vicinity Map



N

0 170 340 680 Feet



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702-229-6301

PLANNING & DEVELOPMENT

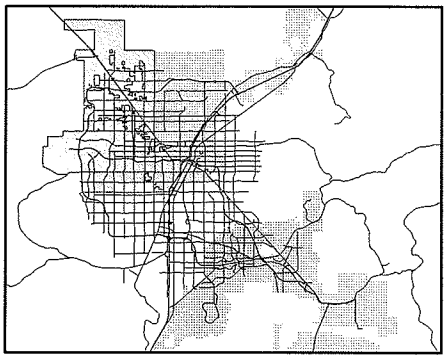
10305 WELLSIDE HILL AVENUE
CROSS STREETS - ALTA//TOWN CENTER

City of Las Vegas Vicinity Map



N

0 70 140 280 Feet



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PLANNING & DEVELOPMENT

Memorandum

City of Las Vegas
Neighborhood Services Department

To: Beverly Bridges, MMC, City Clerk

From: Devin S. Smith, Manager – Neighborhood Response Division

CC: File

Date: March 8, 2010

Re: Report of Expenses for the abatement of nuisance located at 10305 Wellside Hill Avenue - Ward 2 (Wolfson)

LVMC Ordinance 5873 authorizes the City of Las Vegas to assess and collect a re-inspection fee of $120.00 if the nuisance 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.

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Nuisance," the Department of Neighborhood Services caused the above-referenced property to be corrected by securing all windows, doors, and any openings to City of Las Vegas specifications (rear door and garage door were unlocked, open and accessible), removing all abandoned items, furniture, trash, debris, cut branches and fallen trees, and dead vegetation. The abatement was completed by Weaver Construction on January 15, 2010 at a cost of $985.00, which was accepted by the Department of Neighborhood Services.

Contract Amount Breakdown:	
Remove all abandoned items, furniture, trash, debris, cut branches and fallen trees	$545.00
Secure all windows, doors, and any openings to City of Las Vegas specifications (rear door and garage door are unlocked, open and accessible)	$150.00
Remove all dead vegetation	$290.00
AMOUNT DUE:	$985.00
Administrative Processing Fee:	$147.75
Sub-Total:	$1,132.75
Reinspection Fees (w/late fees):	$924.00
Civil Penalties:	$1,450.00
TOTAL AMOUNT DUE:	**$3,506.75**
Daily Civil Penalties – 76 days @ $500 a day (excluding civil penalty fees already assessed) November 1, 2009 to January 15, 2010	**$36,550.00**
MAXIMUM TOTAL:	**$40,056.75**
OWNER OF RECORD	BRADLEY M. & CINNAMON A. MARTIN
PROPERTY ABATED:	10305 Wellside Hill Avenue
ASSESSOR PARCEL:	137-36-713-051
LEGAL DESCRIPTION:	SCARLETT CANYON AT SUMMERLIN
	PLAT BOOK 80 PAGE 44
	LOT 63 BLOCK 3

DSS:ld

WEAVER CONSTRUCTION
"GENERAL ENGINEERING"
2590 NORTH NELLIS BLVD.
LAS VEGAS, NEVADA 89115

EXHIBIT A

DISCLOSURE OF PRINCIPALS

The principals and partners of Weaver Construction and all persons and entities holding more than a 1% interest in Weaver Construction or any principal of Weaver Construction are the following:

	FULL NAME	BUSINESS ADDRESS	BUSINESS PHONE
1.	Phil Weaver	2590 N. Nellis Blvd. LV, NV	644-1088
2.			
3.			
4.			
5.			
6.			

Continue list until full and complete disclosure is made

I certify under penalty of perjury, that the foregoing list is full and complete.

Weaver Construction

BY: Phyllis Weaver
Phyllis Weaver, Office Mgr.

Subscribed and sworn to before me
this 28 day of October, 1999.

Stephanie D. Dunn
Notary Public

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
STEPHANIE D. DUNN
Appt. No. 91-2737-1
My Appointment Expires March 1, 2000

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW
STAVROS S. ANTHONY

ELIZABETH N. FRETWELL
CITY MANAGER

NOTICE OF PUBLIC HEARING

APRIL 7, 2010

Pursuant to Las Vegas Municipal Code for the Abatement of Dangerous Buildings/Nuisance Code and/or Housing Code, NOTICE IS HEREBY GIVEN THAT ON **WEDNESDAY, APRIL 7, 2010,** at the hour of **1:00 P.M.** in the City Council Chambers, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the REPORT OF EXPENSES submitted by the Director of Neighborhood Services for:

> Abatement of the violations on the property located at **10305 WELLSIDE HILL AVENUE – Case #82862.** The Director of Neighborhood Services certifies that the sum of **$3,506.75** was expended and Civil Penalties in the sum of **$36,550** may be imposed for a total of **$40,056.75.** Owner of record at time of abatement: **BRADLEY M & CINNAMON A MARTIN – WARD 2 (WOLFSON)**

If the City Council is satisfied with the report, it may order a lien of assessment recorded against the property. Any person affected by the proposed charge may file a written protest with the City Clerk any time prior to the hearing. Each protest must contain a description of the property and the grounds for the protest.

BEVERLY K. BRIDGES
CITY CLERK

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
Neighborhood Services Department
Code Enforcement Case Report

Case # 82862

10305 WELLSIDE HILL AVE - Map # 02414-67 Parcel 13736713051

Owner Information:

MARTIN BRADLEY M & CINNAMON A
10305 WELLSIDE HILL AVE
LAS VEGAS, NV 89145-8813

Zoning Information: P-C(PLANNED COMMUNITY)

Case Comments: The property has been abandoned, is unlocked, is a fire hazard and presents a danger and nuisance to o community

Case Assigned To: Follow Up Inspection Date:

Date Case Opened: October 08, 2009 Ward: 2

Property Info/Status: HOA: N Vacant: Foreclosure: N Secure: N

Violations:

Violation

Violation Date	Status/Completed Date	Location
Comments		
AB-006: 16.08.010 UDB SEC 403		
10/13/09	OPEN	House
All door, windows and openings to be maintained as secure at all times.		
10/26/09	OPEN	Rear Door
All doors, windows and openings to be maintained and secure at all times		
AB-006Q: 16.08.010 UDB SEC 302 (17)		
10/13/09	OPEN	Rear
Secure rear door. All doors, windows and openings are to be maintained as secure at all time.		
10/26/09	OPEN	Rear Door
Secure rear door. All doors, windows and openings		
AN-003: 9.04.010 (4) REFUSE & WASTE		
10/13/09	OPEN	All areas
Remove all refuse and waste from all areas of property. Maintain at all times.		
Remove all refuse, waste, trash and abandoned items from all areas of property. Maintain at all times.		
AN-006: 9.04.010 (7A) HIGH VEGETATION		
10/13/09	OPEN	All areas
Remove all high vegetation over 8" from all areas of property. Maintain at all times.		
Remove all high vegetation over 8" from all visible areas of property. Maintain at all times.		
AN-007: 9.04.010 (7B) DEAD VEGETATION		
10/13/09	OPEN	All areas
Remove all dead vegetation from all areas of property. Maintain free of dead debris at all times.		
AV-001: 16.31 VACANT BUILDING CODE		
10/26/09	OPEN	House
Property to be maintained in a secure, clean and orderly condition.		

Chronology of Events:

October 13, 2009 Insp#: 901322

25] neighbor says house vacant over a year. house open in rear only able to secure all doors but one rear. pool drained. rear full of dead cut vegetation deem fire hazard as some areas are completely covered in rear. some dea in front and side by gate. going to N&O. will check bank ownership. c/b 10/23

October 14, 2009 RESEARCH

25) MIRS- green tree service llc 345 St Peter St St Paul MN 55102 (800) 643-0202

October 14, 2009 RESEARCH

25) RECORDERS- default 11/19/08

October 14, 2009 RESEARCH

25) SEWER- 100 prestwick lagrange ga 30241 no ph#

October 14, 2009 RESEARCH

25) WHITE PAGES- (706) 443-5141 same address on Lagrange GA

October 14, 2009 TELEPHONE CONVERSATION

25) called (706) 443-5141 doesnt work

October 14, 2009 REFERRED

25) file to 19 to review N&O

October 16, 2009 REVIEW ACTIVITY

19) Reviewed file for notice and order request, approved, file to LM

October 22, 2009 NOTICE AND ORDER ISSUED

LM) AFTER OK BY #19- MAILED N&O TO OWNERS: BRADLEY & CINAMMON MARTIN @ 10305 WELLSIDE HILL AVE.,LV 89145 & @ 100 PRESTIWCK DR., LAGRANGE, GA & COPY TO: GREEN TREE SVCNG, LLC @ 345 ST PETER ST, ST. PAUL, MN. C/B 11-2. TO #25 FOR POSTING & TD FOR RECORDING

October 26, 2009 Insp#: 903218

25] N&O posted c/b 11/5 no chnage. rear open. unable to secure due to type of locks.PIC

October 26, 2009 MISCELLANEOUS

lm) CERTIFIED AND REGULAR MAIL ADDRESSED TO: BRADLEY & CINNAMON MARTIN @ 10305 WELLSIDE HILL AVE.- RETURNED: "Forward time exp - retn to sender- Martin 132 Oak Holw, San Marcos, TX 78666-2454"

November 02, 2009 RECORD

td) Recorded Notice and Order dated 10-22-09 at Clark County in Book: 20091102 Inst: 0202

November 02, 2009 MISCELLANEOUS

LM) CERTIFIED CARD ADDRESSED TO: GREEN TREE SERVICING, LLC @ 345 ST. PETER ST., ST PAUL, MI 35102 - RECEIVED SIGNED.

November 05, 2009 Insp#: 908168

25] $180 inspection + $300 civil PIC no chnage rear still open/ c/b 11/16 going forward on bid request

November 10, 2009 REFERRED

25) file to 19 for bid review.HOUSE OPEN AND ACCESSABLE THRU REAR AND GARAGE DOOR UNABLE TO L;OCK DUE TO LOCK TYPE (KEY) CUT BRANCHES, FALLEN TREES, ABANDONED HOUSEHOLD ITEMS, REFUSE AND TRASH IN ALL AREAS OF PROPERTY NEEDS TO BE ABATED STILL bid request

November 17, 2009 MEMORANDUM

25) awaiing files return

November 23, 2009 MEMORANDUM

25) awaiting files return on bids.

November 23, 2009 TELEPHONE CONVERSATION

25) agent Judy called 371-8658 for potential buyer asked what is N&O and how it works

November 23, 2009 BID SENT

LM) SENT REQUEST FOR QUOTES; DUE 11/25

November 25, 2009 BID RECEIVED

LM) BIDS RECEIVED: 1-WEAVER CONSTRUCTION= $985; 2-AMERICAN DEMOLITION= $1190

November 30, 2009 LETTER

LM) 10-DY NOTICE BEFORE ABATEMENT SENT OUT TO OWNERS AT: SITE & AT FORWARDING ADD: 132 OAK HOLW, SAN MARCOS, TX 78666; 100 PRESTWICK DR., LAGRANGE, GA 30241; & TO TREE SERVICING LLC @ 345 ST PETER ST, ST PAUL, MN 35102

November 30, 2009 MISCELLANEOUS

LM) MAILED 10-DY BEFORE ABATEMENT TO OWNERS: BRADLEY & CINAMMON MARTIN @ 10305 WELLSIDE HILL AVE, LV 89145 & @ 100 PRESTWICK DR., LAGRANGE, GA 30241 & TO: GREEN TREE SERVICING, LLC @ 345 ST PETER ST., ST PAUL, MN 35102. C/B - 12/10/09

December 01, 2009 Insp#: 912729
25] $180 inspection+ $500 civil, no chnage pic, posted ten day before abatement. c/b 12/11

December 14, 2009 Insp#: 921910
25] $180 INSPECTION + $500 CIVIL FEE no chnage in property. Pic. Case sent to #19 to go forward on abatemer by contractor. c/b 12/24 items need ing clean up and removal DEAD VEGETATION FROM ALL YARDS, ABANDONED HOUSEHOLD ITEMS AND REFUSE FROM REAR AND SIDE YARDS AND GARAGE SIDE DOOR AND REAR DOOR NEED TO BE SECURED TO CODE. HOA has kept front clean.

December 15, 2009 REFERRED
25) file to 19 to review for contractor abaement. 1) DEAD VEGETATION IN SIDE AND REAR YARDS 2) REFUSE-CUT TREES AND BUSHES ALONG WITH VARIOUS ABANDONED HOUSEHOLD ITEMS IN REAR 4) REAR DOOR WILL NOT LOCK/ SECURE ALL DOOR AND WINDOWS.

December 22, 2009 MEETING
21)BID APPROVED REFER TO OFFICE FOR ABATEMENT

December 30, 2009 MISCELLANEOUS
Ld) Sent email to Devin for approval to award bid Requisition #162519

January 11, 2010 BID AWARDED
Ld) Bid awarded to Weaver Construction

January 11, 2010 VIDEO REQUEST
Ld) Received Weaver Construction start date 1-13 fax & sent video request email to #19

January 12, 2010 Insp#: 927100
19) Took pre-abatement video and pictures. Property remains in violations with dead vegetation in all areas, blocke ingress of side yard by overgrown vegetation, refuse and waste. Property is currently secure. Spoke to neighbors and HOA secure the house. Proceed with abate of all other issues.

January 12, 2010 MISCELLANEOUS
LM) CERTIFIED LETTERS TO: BRADLEY & CINNAMON MARTIN @ 132 OAK HOLW, SAN MARCOS, TX 7866(@ 100 PRESTWICK DR., LAGRANGE, GA 30241- RETURNED:"UNCLAIMED"

January 14, 2010 PRE-ABATEMENT VIDEO
19) Pre-video completed with pictures.

January 15, 2010 VIDEO REQUEST
Ld) Received Weaver Construction finish date 1-14 fax & sent video request email to #19

January 22, 2010 POST-ABATEMENT VIDEO
25) Post-video completed with pictures.

January 22, 2010 Insp#: 950919
25) All violations abated, post-video and pictures completed. Case closed.

February 18, 2010 REVIEW
19) Reviewed case and prepared for council processing. Researched ownership and found that property went up f trustee sale in 10/09. Contacted Recontrust Company 800-281-8219, verified trustee sale put on Hold Status. Asl representative who holds deed on property was advised not public info. File forwarded to LD to process for City Council Meeting.

Fees:

Fee Name	Amount	Status	Fee Added	Fee Paid
INSPECTION FEE	$120.00	U	11/02/2009	
$150 CIVIL PENALTY	$150.00	U	11/16/2009	
REINSPECTION FEE	$180.00	U	11/16/2009	
ADMINISTRATIVE	$147.75	U	01/28/2010	
NUISANCE ABATEMENT FEE	$985.00	U	01/28/2010	
RESIDENTIAL REINSPECTION FEE	$180.00	U	02/18/2010	
FOURTH RESIDENTIAL CIVIL PENALTY	$500.00	U	02/18/2010	
RESIDENTIAL REINSPECTION FEE	$180.00	U	02/18/2010	
SECOND RESIDENTIAL CIVIL PENALTY	$300.00	U	02/18/2010	
RESIDENTIAL REINSPECTION FEE	$180.00	U	02/18/2010	
THIRD RESIDENTIAL CIVIL PENALTY	$500.00	U	02/18/2010	

Total Amount Due: $3,422.75

APN 137-36-713-051
NOTICE AND CLAIM OF LIEN OF ASSESSMENT
TO: **BRADLEY M. & CINNAMON A. MARTIN**
Reputed Owner(s) at time of abatement.

Assessor's Parcel No.: **137-36-713-051**
Commonly known as: **10305 Wellside Hill Avenue**
Legal Description: **SCARLETT CANYON AT SUMMERLIN**
PLAT BOOK 80 PAGE 44
LOT 63 BLOCK 3

On **January 15, 2010**, as provided in the Title 9, Chapter 9, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Expenses costs and fees in the amount of **$3,506.75** were incurred by the City of Las Vegas in the above-referenced nuisance condition abatement procedure. Additionally, pursuant to Municipal Code 9.040.120, civil penalties in the amount of **$36,550.00** were levied against the property as for violation(s) of Municipal Code 9.04.010 for a total charge in the amount of **$40,056.75** assessed against the property.

The Las Vegas City Council, at a duly noticed public hearing held on **April 7, 2010** ordered the above charges in the amount of **$40,056.75**, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

_____
BEVERLY K. BRIDGES, MMC, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
)
COUNTY OF CLARK)

BEVERLY K. BRIDGES, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

_____
BEVERLY K. BRIDGES, MMC, City Clerk

Subscribed and sworn to before me this ____ day of April, 2010

_____
NOTARY PUBLIC, in and for said County and State

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF NEIGHBORHOOD RESPONSE
400 STEWART AVENUE, LAS VEGAS, NV 89101 Case #82862

City of Las Vegas Agenda Item No.: **69.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: NEIGHBORHOOD SERVICES
DIRECTOR: STEPHEN K. HARSIN ☐ **Consent** ☒ **Discussion**

SUBJECT:
Public Hearing to consider the report of expenses to recover costs for abatement of nuisance located at 4312 Amethyst Avenue in the amount of $3,466.50 (General Fund) and assess a maximum of $41,550 in daily civil penalties. PROPERTY OWNER: JEANNE SENIUR - Ward 6 (Ross)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $3,466.50
Funding Source: General Fund
Dept./Division: Neighborhood Services/Response

PURPOSE/BACKGROUND:
The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired American Demolition to board front and rear doors on mobile home, board all openings on accessory structure, prime and paint over surface areas of fire damage on mobile home and accessory structure, remove all trash and debris, remove fire damaged white van, remove dismantled brown GMC truck. To date, there have been nine (9) inspections conducted at this location. The estimated value of the property based on Zillow.com is $101,500.

RECOMMENDATION:
That the City Council: Approve the report of expenses to include $950 invoice for American Demolition services in addition to other fees assessed for a total of $3,466.50 and consider assessing a maximum of $41,550 in daily civil penalties.

BACKUP DOCUMENTATION:
1. Agenda Memo
2. Location Maps
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: April 7, 2010
DEPARTMENT: Neighborhood Services
ITEM DESCRIPTION: Public Hearing to consider the report of expenses to recover costs for abatement of nuisance located at 4312 Amethyst Avenue in the amount of $3,466.50 (General Fund) and assess a maximum of $41,550 in daily civil penalties. PROPERTY OWNER: JEANNE SENIUR – Ward 6 (Ross)

America Demolition completed work on January 2, 2010 at a cost of $950; $924 in reinspection fees (w/late fees); $1,450 in civil penalties; plus a 15% administrative fee for a total of $3,466.50.

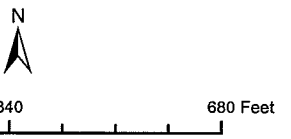
Today's public hearing is to consider the Report of Expenses filed by the Department of Neighborhood Services and to hear any objections thereto. Under the Uniform Code for the Abatement of Nuisance and Civil Penalties, the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

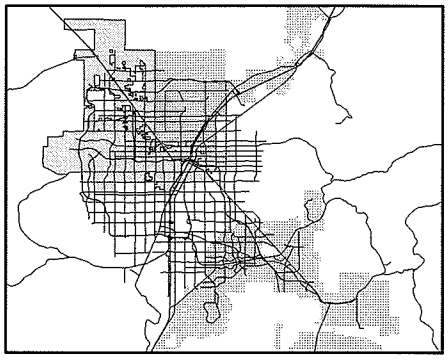
If the Lien is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.

4312 AMETHYST AVENUE
CROSS STREETS - CRAIG//RANCHO

City of Las Vegas Vicinity Map





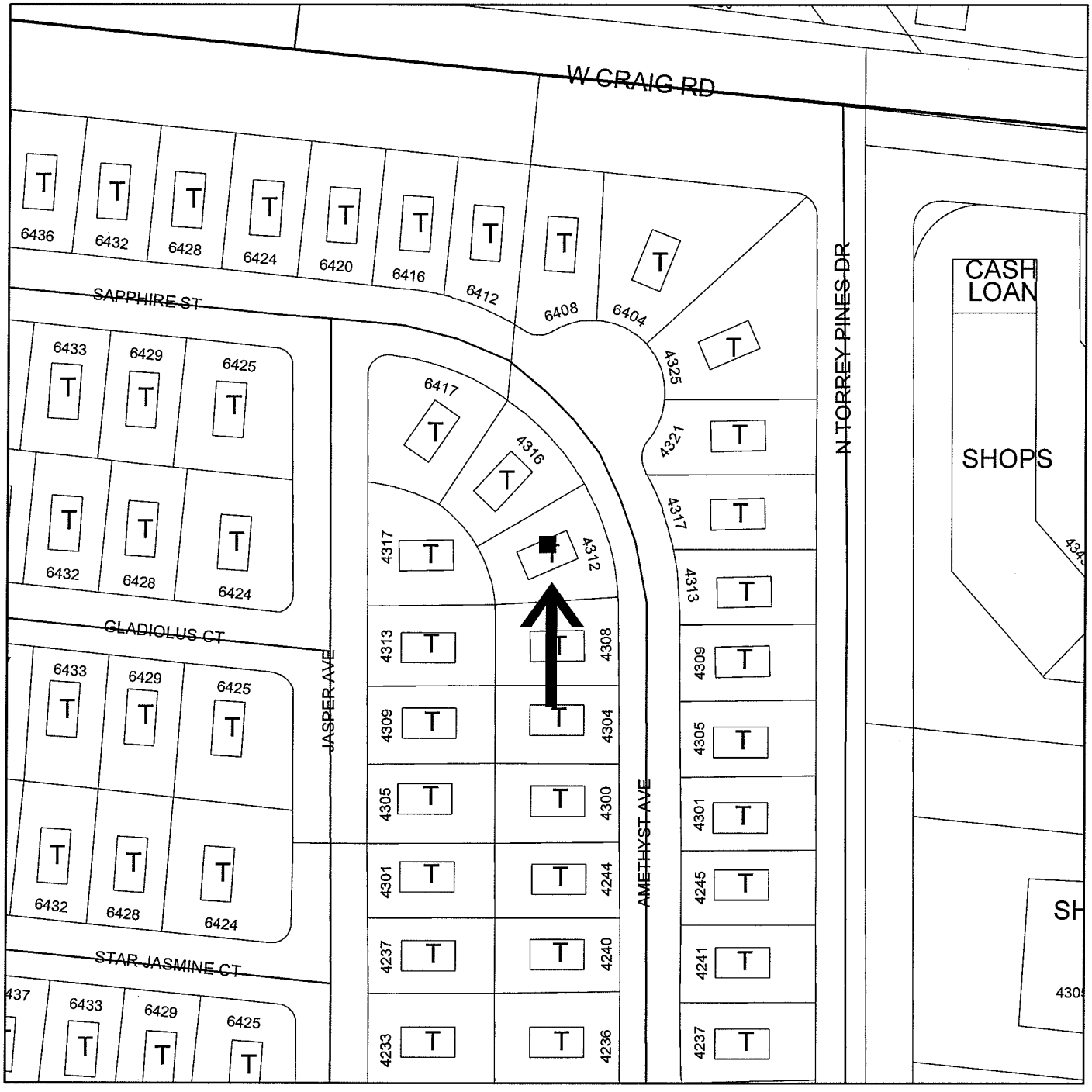


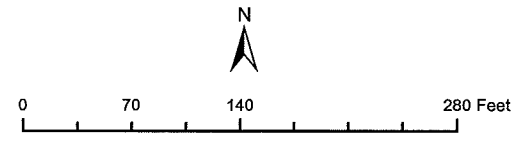
GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

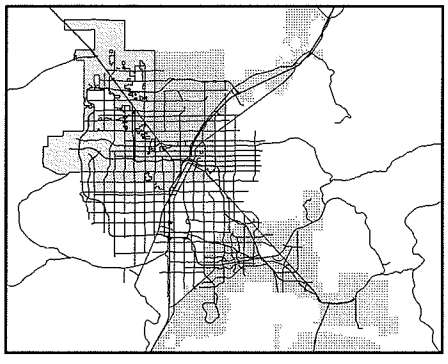
PLANNING & DEVELOPMENT

4312 AMETHYST AVENUE
CROSS STREETS - CRAIG//RANCHO

City of Las Vegas Vicinity Map







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Geographic Information System
Planning & Development Dept.
702-229-6301

PLANNING & DEVELOPMENT

Memorandum

City of Las Vegas
Neighborhood Services Department

To: Beverly Bridges, MMC, City Clerk

From: Devin S. Smith, Manager – Neighborhood Response Division

CC: File

Date: March 8, 2010

Re: Report of Expenses for the abatement of nuisance located at 4312 Amethyst Avenue - Ward 6 (Ross)

LVMC Ordinance 5873 authorizes the City of Las Vegas to assess and collect a re-inspection fee of $120.00 if the nuisance 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.

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Nuisance," the Department of Neighborhood Services caused the above-referenced property to be corrected by boarding front and rear doors on mobile home, boarding all openings on accessory structure, priming and painting over surface areas of fire damage on mobile home and accessory structure, removing all trash and debris, removing fire damaged white van, and removing dismantled brown GMC truck. The abatement was completed by American Demolition on January 2, 2010 at a cost of $950.00, which was accepted by the Department of Neighborhood Services.

Contract Amount Breakdown:	
Board front and rear doors on mobile home	$175.00
Board all openings on accessory structure	$175.00
Prime and paint over surface areas of fire damage on mobile home and accessory structure	$100.00
Remove all trash and debris	$200.00
Remove fire damaged white van	$150.00
Remove dismantled brown GMC truck	$150.00
AMOUNT DUE:	$950.00
Administrative Processing Fee:	$142.50
Sub-Total:	$1,092.50
Reinspection Fees (w/late fees):	$924.00
Civil Penalties:	$1,450.00
TOTAL AMOUNT DUE:	**$3,466.50**
Daily Civil Penalties – 86 days @ $500 a day (excluding civil penalty fees already assessed) October 9, 2009 to January 2, 2010	**$41,550.00**
MAXIMUM TOTAL:	**$45,016.50**
OWNER OF RECORD	JEANNE SENIUR
PROPERTY ABATED:	4312 Amethyst Avenue
ASSESSOR PARCEL:	138-02-315-070
LEGAL DESCRIPTION:	JADE PARK UNIT #2
	PLAT BOOK 15 PAGE 53
	LOT 3 BLOCK 2

DSS:ld

American Demolition
4516 W Diablo Drive, E-108
Las Vegas, NV 89118

Disclosure of Principals

The principals and partners of *American Demolition* and all persons and entities holding more than 1% interest in *American Demolition* or any principal of *American Demolition* are the following:

	Full Name	Business Address	Business Phone
1.	Jack Praskovich	4516 W. Diablo E108 Lv NV 89118	561-3244
2.			
3.			
4.			
5.			
6.			
7.			

Continue list until full and complete disclosure is made.

I certify under penalty of perjury, that the foregoing list is full and complete.

American Demolition

By: Jack Praskovich

State of Nevada }
} ss:
County of Clark }

Subscribed and sworn to before me, a Notary Public, on this 22 day of December, 2008.

Notary Public - State of Nevada
County of Clark
ARTILUR WILLIAMS
My Appointment Expires
August 14, 2011
No: 07-4375-1

Artilur Williams

Notary Public in and for Clark County,
State of Nevada

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

STEVE WOLFSON
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ELIZABETH N. FRETWELL
CITY MANAGER

NOTICE OF PUBLIC HEARING

APRIL 7, 2010

Pursuant to Las Vegas Municipal Code for the Abatement of Dangerous Buildings/Nuisance Code and/or Housing Code, NOTICE IS HEREBY GIVEN THAT ON **WEDNESDAY, APRIL 7, 2010,** at the hour of **1:00 P.M.** in the City Council Chambers, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the REPORT OF EXPENSES submitted by the Director of Neighborhood Services for:

> Abatement of the violations on the property located at **4312 AMETHYST AVENUE – Case #81344.** The Director of Neighborhood Services certifies that the sum of **$3,466.50** was expended and Civil Penalties in the sum of **$41,550** may be imposed for a total of **$45,016.50.** Owner of record at time of abatement: **JEANNE SENIUR – WARD 6 (ROSS)**

If the City Council is satisfied with the report, it may order a lien of assessment recorded against the property. Any person affected by the proposed charge may file a written protest with the City Clerk any time prior to the hearing. Each protest must contain a description of the property and the grounds for the protest.

BEVERLY K. BRIDGES
CITY CLERK

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
Neighborhood Services Department
Code Enforcement Case Report

Case # 81344

4312 AMETHYST AVE - Map # 01819-64 Parcel 13802315070

Owner Information:

SENIUR JEANNE
4312 AMETHYST AVE
LAS VEGAS, NV 89108-5611

Zoning Information: R-MH(MOBILE/MANUFACTURED HOME)

Case Comments: VACANT BURNT OUT HOUSE OPEN & ACCESSIBLE

Case Assigned To: Follow Up Inspection Date:

Date Case Opened: August 31, 2009 Ward: 6

Property Info/Status: HOA: N Vacant: N Foreclosure: N Secure: N

Violations:

Violation

Violation Date Status/Completed Date Location
Comments

AB-006Q: 16.08.010 UDB SEC 302 (17)
9/15/09 OPEN
Repair all doors & windows on mobile & accessory structure to properly secure or board all openings to City of Las Vegas specifications.
9/17/09 OPEN

AN-003: 9.04.010 (4) REFUSE & WASTE
9/1/09 OPEN
Remove all refuse/waste from property. To include furniture, bags, boxes, clothing, household items, buckets, shelves, trash/debris, all items in bed of truck etc.

AN-009: 9.04.010 (7D) DILAPIDATED
9/17/09 OPEN
Prime & paint over surface areas of fire damage on mobile home & accessory structure.

AZ-002: 19.04.010 LAND USE VIOLATIONS
9/1/09 OPEN
Remove brown GMC truck from property. Not permitted on vacant property.

AZ-003J: 19.04.010(7) JUNK VEH/ PARTS
9/1/09 OPEN
Remove fire damaged white van from property.

AZ-004: 19.04.020 (A) ACCESSORY USES
9/1/09 COMPLIED 01/12/10
Remove brown GMC truck from property. Not permitted on vacant property.

Chronology of Events:

September 01, 2009 Insp#: 883704
34) Mobile home vacant, meter removed. Door on north side boarded & secure, all other doors & windows secure. Fire damage to accessory structure in rear yard, all doors boarded & secure. No open/accessible structures. Fire damage to white van, vehicle now junk. Scattered refuse/waste (furniture, bags, boxes, clothing, household items, buckets, shelves, trash/debris) around property. Brown GMC truck no tag on rocks, bed filled w/ refuse.waste (wheels, tires, auto parts, crates, containers). Photos. Mailed cn to owner, c/b 9-15.

September 02, 2009 RESEARCH
34) No foreclosure found.

September 02, 2009 MISCELLANEOUS
34) Mailed additional cn to sewer address.

September 14, 2009 MISCELLANEOUS
34) Mail that was sent to sewer address returned "unable to forward".

September 14, 2009 STATUS CHECK
34) Checked property while driving through area. Wood removed from front door, windows open. Spoke to owner's son Gary White, who was inside mobile home going through items. Stated he doesn't have phone. Owner Jeanne Seniur passed away in March.

September 14, 2009 STATUS CHECK
34) He also stated no mortgage or insurance on property. He puts wood back up when he leaves. Told him that I have case for refuse/waste, but will be adding unsecured structures to it. Photos.

September 16, 2009 Insp#: 885175
34) Issuing 2nd cn, no fee, to include unsecured structures.

September 16, 2009 MISCELLANEOUS
34) No one at property. Mobile home & accessory structure open/accessible. Post 2nd cn & red tag, photos. Going to N&O.

September 17, 2009 TELEPHONE CONVERSATION
34) Called Doug Downs w/ Fire Dept 229-0352. Fire was on 8-28-09.

September 17, 2009 Insp#: 890223

September 17, 2009 NOTICE AND ORDER REQUESTED
34) Gave case to 19 for N&O review.

September 29, 2009 NOTICE AND ORDER ISSUED
LM) AFTER REVIEW & OK BY #19- MAILED OUT N&O TO OWNER: JEANNE SENIUR @4312 AMETHYST AVE LV 89108 & @ 275 N RANCHO DR-SUITE 120-LV 89130. TO JL FOR RECORDING; TO #34 FOR POSTING. C/E 10/12

September 30, 2009 Insp#: 890951
34) Post N&O, c/b 10-12. Photos. $120 fee.

October 02, 2009 RECORD
JL) Recorded Nuisance N&O to Comply dated September 29, 2009. Recorded in Book: 20091002 Inst: 3199

October 05, 2009 MISCELLANEOUS
PLACED N&O RECORDED 10/2/09 IN FILE.

October 12, 2009 Insp#: 897159
34) Doors on mobile home boarded, but not to CLV specifications. Still open/accessible accessory structure. Still refuse/waste. Still fire damaged van. Brown GMC truck now dismantled & on jack. Photos. $180 + $150 fee.

October 13, 2009 NOTICE TO ABATE
34) Gave case to 19 to begin abatement process.

October 14, 2009 BID SENT
LM) SENT REQUEST FOR QUOTE TO ALL CONTRACTORS; DUE 10/19/09

October 19, 2009 BID RECEIVED
LM) BIDS RECEIVED: 1-AMERICAN DEMOLITION= $950; 2-BLAST JANITORIAL SVCS.= $1150; 3-LUNAS CONSTRUCTION= $1,237; 4-WEAVER CONSTRUCTION= $4,500

October 21, 2009 MISCELLANEOUS
LM) SENT 10 DY BEFORE ABATEMENT TO OWNER: JEANNE SENIUR @ 4312 AMETHYST AVE., LV 89108 & @ 275 N. RANCHO DR., SUITE 120 - LV 89130. C/B 11-2

October 24, 2009 Insp#: 902422
26) Posted 10 Day Notice Before Abatement on window, took pix, $180 + $300 fee. C/b 11-4.

October 26, 2009 MISCELLANEOUS
lm) CERT & REG MAIL ADDRESSED TO: JEANNE SENIUR @ 4312 AMETHYST AVE, LV 89108 7 @ 275 N RANCHO DR. SUITE 120- LV 89130 - RETURNED "UNCLAIMED" ON 10/26; 10/27 & 11/23 2009

November 05, 2009 Insp#: 908075
34) All violations still exist, photos. $180 + $500 fee. Owner's son Gary White outside at property. When I advised contractor will be doing abatement, he became belligerent & stated he's not letting any work being done. Left property.

November 10, 2009 MISCELLANEOUS
34) Gave case to 19 to proceed with abatement.

November 10, 2009 REVIEW ACTIVITY
19) Reviewed case, file forwarded to LMH for review & approval to proceed with abatement. Property needs all refuse/waste removed from all areas, and building needs secured. File to basket.

November 18, 2009 MEETING
21)bid ok`d refer to 19

December 09, 2009 TELEPHONE CONVERSATION
34) Returned call from complainant Mike 839-1930, lives across street at 4313. Wants to know when property will b secured & cleaned up. Told him to call 19 for update.

December 09, 2009 BID AWARDED
LM) RECEIVED D. SMITH'S APPROVAL - SENT AWARD LTR TO AMERICAN DEMOLITION ($950)

December 13, 2009 PRE ABATEMENT VIDEO
19) Violations remain, pre-video & pictures completed.

December 14, 2009 VIDEO REQUEST
LM) RECEIVED START DATE FROM AMERICAN DEMO FOR 12/16/09-REQUEST FOR PRE-ABATEMENT VIDI SENT TO #19 W/E-MAIL & PAPERWORK

December 15, 2009 Insp#: 912671
19) Violations remain, pre-video & pictures completed.

December 21, 2009 TELEPHONE CONVERSATION
34) Returned call from complainant Nina 219-5156. She stated contractor did not finish work & property owner's so is going into mobile home. Told her contractor not finished & to call me on 12-24 if home & accessory structure not boarded yet.

January 11, 2010 VIDEO REQUEST
lm) RECEIVED AMERICAN DEMO'S INVOICE - SENT POST-ABATEMENT VIDEO REQUEST TO #19

January 12, 2010 Insp#: 933823
19) Completed post video and pictures. All violations abated by contractor. Case closed

January 20, 2010 MISCELLANEOUS
LM) PER #25 POST VIDEO DONE ON 1/12/2010 - OK TO PAY INVOICE; SUBMITTED INTO ORACLE FOR PYM RECEIPT #267927 - AMERICAN DEMOLITION $950

March 04, 2010 REVIEW
19) reviewed case, researched forclosure status (none filed), checked tax's (delinquent), Checked ownership (No Change), checked Zillow (101,500.00). File to LD for processing for City Council. Pictures prepared and attached.

Fees:

Fee Name	Amount	Status	Fee Added	Fee Paid
INSPECTION FEE	$120.00	U	10/01/2009	
REINSPECTION FEE	$180.00	U	10/15/2009	
$150 CIVIL PENALTY	$150.00	U	10/15/2009	
INSPECTION LATE FEE	$12.00	U	10/15/2009	
REINSPECTION LATE FEE	$18.00	U	10/15/2009	
$300 CIVIL PENALTY	$300.00	U	11/02/2009	
REINSPECTION FEE	$180.00	U	11/02/2009	
REINSPECTION FEE	$180.00	U	11/16/2009	
$500 (A) CIVIL PENALTY 1ST	$500.00	U	11/16/2009	
REINSPECTION LATE FEE	$18.00	U	11/16/2009	
NUISANCE ABATEMENT FEE	$950.00	U	03/08/2010	
ADMINISTRATIVE	$142.50	U	03/08/2010	
RESIDENTIAL REINSPECTION FEE	$180.00	U	03/08/2010	
FOURTH RESIDENTIAL CIVIL PENALTY	$500.00	U	03/08/2010	

Total Amount Due: $3,430.50

APN 138-02-315-070
NOTICE AND CLAIM OF LIEN OF ASSESSMENT
TO: **JEANNE SENIUR**
Reputed Owner(s) at time of abatement.

Assessor's Parcel No.: **138-02-315-070**
Commonly known as: **4312 Amethyst Avenue**
Legal Description: **JADE PARK UNIT #2**
PLAT BOOK 15 PAGE 53
LOT 3 BLOCK 2

On **January 2, 2010**, as provided in the Title 9, Chapter 9, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Expenses costs and fees in the amount of **$3,466.50** were incurred by the City of Las Vegas in the above-referenced nuisance condition abatement procedure. Additionally, pursuant to Municipal Code 9.040.120, civil penalties in the amount of **$41,550.00** were levied against the property as for violation(s) of Municipal Code 9.04.010 for a total charge in the amount of **$45,016.50** assessed against the property.

The Las Vegas City Council, at a duly noticed public hearing held on **April 7, 2010** ordered the above charges in the amount of **$45,016.50**, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

_____
BEVERLY K. BRIDGES, MMC, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
)
COUNTY OF CLARK)

BEVERLY K. BRIDGES, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

_____
BEVERLY K. BRIDGES, MMC, City Clerk

Subscribed and sworn to before me this ____ day of April, 2010

_____
NOTARY PUBLIC, in and for said County and State

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF NEIGHBORHOOD RESPONSE
400 STEWART AVENUE, LAS VEGAS, NV 89101 Case #81344

City of Las Vegas Agenda Item No.: **70.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: NEIGHBORHOOD SERVICES
DIRECTOR: STEPHEN K. HARSIN ☐ **Consent** ☒ **Discussion**

SUBJECT:
Public Hearing to consider a request for a waiver and/or reduction of fees for the property located at 308 Jackson Avenue in the amount up to $57,301.21. PROPERTY OWNERS: MY HOME REAL ESTATE INC - C/O J. TUNURI - Ward 5 (Barlow)

Fiscal Impact

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

PURPOSE/BACKGROUND:
Today's hearing is a request from Jay Tunuri, to consider a request for a waiver and/or reduction of fees imposed on the parcel at the City Council meeting(s) on September 2, 2009. The case was generated on June 16, 2008. There were two abatements conducted on this property one on October 10, 2008 and the second on April 7, 2009. The lien was recorded at Clark County recorder's office on September 15, 2009. Neighborhood Services received a Request for Waiver and/or Reduction of Civil Penalties Application dated October 16, 2009 on behalf of the owner, My Home Real Estate Inc, requesting the civil penalties be waived.

RECOMMENDATION:
No Recommendation.

BACKUP DOCUMENTATION:
1. Agenda Memo
2. Request for Waiver and Reduction Application
3. Location Maps
4. Spreadsheet of Charges Accrued
5. Hearing Notification Letter

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: April 7, 2010
DEPARTMENT: Neighborhood Services
ITEM DESCRIPTION: Public Hearing to consider a request for a waiver and/or reduction of fees for the property located at 308 Jackson Avenue in the amount up to $57,301.21. PROPERTY OWNERS: MY HOME REAL ESTATE INC - C/O J. TUNURI - Ward 5 (Barlow)

Today's hearing is a request from Jay Tunuri, to consider a request for a waiver and/or reduction of fees imposed on the parcel at the City Council meeting(s) on September 2, 2009. The case was generated on June 16, 2008. There were two abatements conducted on this property one on October 10, 2008 and the second on April 7, 2009. The lien was recorded at Clark County recorder's office on September 15, 2009. Neighborhood Services received a Request for Waiver and/or Reduction of Civil Penalties Application dated October 16, 2009 on behalf of the owner, My Home Real Estate Inc, requesting the civil penalties be waived.

Fees associated with the abatement and inspections total $7007.85 (minus the $50,000 in daily civil penalties assessed). To date, no payment have been paid. Total owed on the case with civil penalties $57,007.85.

cc not 9/2/09 66649

139-27-111-040

Request for a Waiver and/or Reduction of Civil Penalties
Application

SUBMIT APPLICATION TO:
City of Las Vegas / Neighborhood Services Department
Attn: Stephen Harsin, Director
400 Stewart Avenue - 2nd Floor
Las Vegas, NV 89101-2986
Voice: 702-229-2317 -- Fax: 702-229-1033

Total pages 5

Please type and/or print
Submit only one signed original

Date of Application: 10-16-2009

Location and/or address of subject property:

Nearest major intersection: 15 Fwy & Harrison

Street Address: 308 Jackson St Las Vegas NV 89106

Parcel Number: 139-~~27~~-27-111-040

Applicant's Address/Contact Information:
Name: JAY TUNURI (My Home real estate, Inc)
(please check the following the applies)
☒ Owner ☐ Purchaser ☐ Agent ☐ Other *(explain)*_____
Street Address/PO Box: 17753 Merridy St
City: Northridge ct State: CA Zip Code: 91325
Phone No: 818 635 6519 E-mail: tunuri@yahoo Fax No:_____

Property Owner's Address/Contact Information: (if different from applicant):
Name: Same above
Street Address/PO Box:_____
City:_____ State:_____ Zip Code:_____
Phone No:_____ E-mail:_____ Fax No:_____

Amount of City of Las Vegas Lien on the Property: $ 121,357.85

Amount requested to be considered for waiving and/or reduced? $ 121,357.85

Signature of Applicant: (JAY TUNURI) Date: 10-30-09
Signature of Owner: (My home real estate, Inc) Date: 10/30/09

For Office Use Only:
Council Ward:_____; Case/File Number:_____; Council Action date of Lien:_____

Describe why the applicant is requesting a waiver/reduction:
(You may attach additional sheets if needed.)

1. I was not the owner of the Property at that period. August 22nd 2008 - April 7, 2009 I came in to the possesion on June, 18th 2009. at that time no structure on the land.
2. Fannie Mae/ A-K-A Federal National Mortgage Association was the owner. at that time Charges - Demolition expenses were incurred and 229 days daily civil penalities. Totaling $ 121,357.85
3. I was not aware at that time, of purchase, Fannie Mae not Disclosed nor title Company has not found the lien at that time
4. I Purchased for $ 12,000/- using my 401K money. I am 58 years old Nurse, only 11 years work history, I do not have any money to pay this penalities.

Describe the existing condition/situation of the subject property:
(You may attach additional sheets if needed.)

I purchased land property on june, 18, 2009 for 12,000 dollars Still the same, no improvements made

Describe the immediate plans for the property, including any planned improvements: *(You may attach additional sheets if needed.)*

I plan to build my primary residence in 2-3 years before my retirement

* See attached pages

RECEIVED
CITY CLERK
2009 OCT 23 A 11:08

My Home Real Estate Inc
17753 Merridy Street
Northridge, CA 91325
JAY TUNURI
818.635.6519
tunuri@yahoo.com

10/16/2009

Case Reference Number: **66649**
City of Las Vegas Neighborhood Service Department
Parcel NO: 139-27-111-040
RE: 308 Jackson Avenue, Las Vegas, NV 89106

TO
Gregg M Buckley
Fannie Mae A/K/A Federal National Mortgage Association Organized and Existing Under the Laws of The United States Of America
14221 Dallas Pkwy # 1000
Dallas, TX 75254

CC: CEO Fannie Mae
CC : Aurora Loan Services
CC: Ms Beverly Bridges, Las Vegas City Clerk

Sirs,

My Name is Jay Tunuri, my Corporation :My Home Real Estate, Inc. California Company. I purchased your above mentioned REO Property and recorded on 6/18/09, in the Clark County - City of Las Vegas

I have recently received a notification from the city of Las Vegas/The Neighborhood Response Division regarding the expenses incurred for the demolition of the structure on the property mentioned above. I am currently being held responsible for the expenses of the demolition, $7,007.85, and an additional $550 penalty per day totaling up to $121, 357.85. Daily Civil Penalties -229 Days from August 22,2008 to April 7,2009 , during that period, property was under ownership of Fannie Mae A/K/A Federal National Mortgage Association , I purchased the said property on 6/18/09 and recorded in Clark County , Las Vegas NV.

During our purchase contract, you or your agent not disclosed regarding the structure demolish, its expenses , and penalties also it's not shown in the title. I acquired this property, strictly the Land, no structure involved.

I purchased from you this Piece of Land Property for $ 12,000.00 using all my 401k money and I am close to my retirement, I have no way to pay this Charges or your Penalties, I would like to request that the Fannie Mae A/K/A Federal National Mortgage Association Acknowledge the facts . I am urging you to pay this Charges and Penalties to city of Las Vegas
I will appreciate your response and immediate action

I have attached copies of the notices that I have received from City of Las Vegas

Jay Tunuri
President
My Home Real Estate Incorporated

6/29/09 5:37 PM

OMB No. 2502-0265

A. U.S. Department of Housing and Urban Development FINAL **Settlement Statement**	B. Type of Loan 1. [ ] FHA 2. [ ] FMHA 3. [ ] Conv. Unins. 4. [ ] VA 5. [ ] Conv. Ins.
	6. File Number: 1016063 / 7. Loan Number:
	8. Mortgage Ins. Case No.

C. Note: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked ("POC") were paid outside the closing: they are shown here for information purposes and are not included in the totals.

D. Name of Borrower: My Home Real Estate, Inc.

E. Name of Seller: Federal National Mortgage Association
REO 60902D0

F. Name of Lender:

G. Property Location: Lot 3, Block 10, VALLEY VIEW ADD; , Township , Range , Clark County, Nevada

308 Jackson Avenue, Las Vegas, NV 89106

H. Settlement Agent: Stewart Title of Nevada (702) 697-3700 TIN: 208217543
Place of Settlement: 376 E. Warm Springs Road, Suite 190, Las Vegas, NV 89119

I. Settlement Date: 6/19/2009 Proration Date: 6/19/2009

J. Summary of Borrower's Transaction				K. Summary of Seller's Transaction			
100.	Gross amount due from borrower:			400.	Gross amount due to seller:		
101.	Contract sales price		12,000.00	401.	Contract sales price		
102.	Personal property			402.	Personal property		
103.	Settlement charges to borrower (line 1400)		681.20	403.			
104.				404.			
105.				405.			
	Adjustments for items paid by seller in advance:				Adjustments for items paid by seller in advance:		
106.	City/town taxes			406.	City/town taxes		
107.	County taxes	6/19/2009 to 7/1/2009	15.78	407.	County taxes	6/19/2009 to 7/1/2009	
108.	Assessments			408.	Assessments		
109.	Sewer	6/19/2009 to 2/1/2010	147.37	409.	Sewer	6/19/2009 to 2/1/2010	
110.	HOA Dues			410.	HOA Dues		
111.				411.			
112.				412.			
120.	Gross amount due from borrower:		12,844.35	420.	Gross amount due to seller:		
200.	Amounts paid by or in behalf of the borrower:			500.	Reduction in amount due to seller:		
201.	Deposit or earnest money		3,000.00	501.	Excess deposit (see instructions)		
				502.	Settlement charges to seller (line 1400)		

RECEIVED
CITY CLERK

2009 OCT 22 A 10:47

My Home Real Estate Inc
17753 Merridy Street
Northridge, CA 91325
JAY TUNURI
818.635.6519
tunuri@yahoo.com

10/16/2009

Case Reference Number: 66649
Parcel NO: 139-27-111-040
RE: 308 Jackson Avenue, Las Vegas, NV 89106

TO
Beverly K. Bridges
City Clark
City Of LAS VEGAS, NV

CC: Mayor Oscar B. Goodman
CC: Las Vegas City Council

I have recently received a notification from the city of Las Vegas/The Neighborhood Response Division regarding the expenses incurred for the demolition of the structure on the property mentioned above. I am currently being held responsible for the expenses of the demolition, $7,007.85, and an additional $550 penalty per day totaling up to $121, 357.85.

In light of these charges, I would like to show that I have only recently acquired the land purchase, recorded in the Clark County recorder's office on June 18, 2009. This was strictly the land property, not the structure. This purchased from REO Fannie Mae A/K/A Federal National Mortgage Association. Accordingly, the responsibility of the expenses of the demolition and the penalties liens upon the owner at that time, Fannie Mae. Daily Civil Penalties – 229 Days @ 500 a day from August 22,2008 to April7 , 2009 I am Not owner of that Period, I Purchased on June ,18,2009. Furthermore, the seller did not disclose the demolition of the structure and its expenses when the purchase contract was being written. The escrow company, Stewart: Title of Nevada, failed to establish that a lien recorded by the city existed, and now states that the lien is not shown in the title report of the above property, it was in the public record.

I would like to request that the city acknowledge the facts that I have stated in this letter and renounce the charges against me , of the demolition expenses and the resulting penalties.

I would also like to mention I am not able pay any expenses or penalties at this time due to my current financial standing. Here I am big looser for all my life, I am Nurse, working so hard , I lost my home in California due to current foreclosures , I am very close to retirement, I took money from my 401k and put the money in corporation "my home real estate, inc" and invested for retirement and live in Las Vegas. I am losing this property, losing all my life, 401k money and the investment, And I will become homeless soon after my retirement. I am requesting your honor, to look in to the facts , and help me to protect my retirement money and investment

I have attached copies of the notices that I have received from your office

Jay Tunuri
President
My Home Real Estate Incorporated

Memorandum

City of Las Vegas
Neighborhood Services Department

To: Beverly Bridges, CMC, City Clerk

From: Devin S. Smith, Manager – Neighborhood Response Division

CC: File

Date: August 13, 2009

Re: Report of Expenses for the abatement of Dangerous Building Demolition at 308 Jackson Avenue - Ward 5 (Barlow)

LVMC Ordinance 5873 authorizes the City of Las Vegas to assess and collect a re-inspection fee of $120.00 if the nuisance 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.

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Dangerous Building Demolition," the Department of Neighborhood Services caused the above-referenced property to be corrected by having the Rapid Response team conduct an emergency boarding on October 10, 2008; a asbestos survey was conducted on October 13, 2008 by CamAir; and on December 15, 2008 Levelex Incorporated was hired to demolish the structure(s) in compliance with Clark County Health regulations (bid must include asbestos removal), removing refuse, waste and post No Trespassing, No Dumping, No Vehicle signs on site. The abatement was completed by Levelex Incorporated on April 7, 2009 at a cost of $4,934.00, which was accepted by the Department of Neighborhood Services.

Contract Amount Breakdown:	
Demolish the Structure	$4,701.00
Remove refuse and waste	$128.00
Posting of Signs (No Trespassing, No Dumping, No Vehicles)	$105.00
Asbestos Survey	$525.00
AMOUNT DUE:	$5,459.00
Administrative Processing Fee:	$818.85
RRT Emergency Boarding	$250.00
Sub-Total:	$6,527.85
Reinspection Fees (w/late fees):	$330.00
Civil Penalties:	$150.00
TOTAL AMOUNT DUE:	**$7,007.85**
Daily Civil Penalties – 229 days @ $500 a day (excluding fees already assessed) August 22, 2008 to April 7, 2009	**$114,350.00**
Maximum Total:	**$121,357.85**
OWNER OF RECORD:	MY HOME REAL ESTATE INC – C/O J. TUNURI
PROPERTY ABATED:	308 Jackson Avenue
ASSESSOR PARCEL:	139-27-111-040
LEGAL DESCRIPTION:	VALLEY VIEW ADD
	PLAT BOOK 1 PAGE 50
	LOT 3 BLOCK 10

I am not the owner of this time I purchased on 6.19.2009

DSS:jl

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW
DAVID W. STEINMAN
(INTERIM)

ELIZABETH N. FRETWELL
CITY MANAGER

NOTICE OF PUBLIC HEARING

SEPTEMBER 2, 2009

Pursuant to Las Vegas Municipal Code for the Abatement of Dangerous Buildings/Nuisance Code and/or Housing Code, NOTICE IS HEREBY GIVEN THAT ON **WEDNESDAY, SEPTEMBER 2, 2009,** at the hour of **9:00 A.M.** in the City Council Chambers, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the REPORT OF EXPENSES submitted by the Director of Neighborhood Services for:

> Abatement of the violations on the property located at **308 JACKSON AVENUE.** The Director of Neighborhood Services certifies that the sum of **$7,007.85** was expended and Civil Penalties in the sum of **$114,350.00** may be imposed for a total of **$121,357.85.** Owner of record at time of abatement: **MY HOME REAL ESTATE INC – C/O J. TUNURI – WARD 5 (BARLOW)**

If the City Council is satisfied with the report, it may order a lien of assessment recorded against the property. Any person affected by the proposed charge may file a written protest with the City Clerk any time prior to the hearing. Each protest must contain a description of the property and the grounds for the protest.

BEVERLY K. BRIDGES
CITY CLERK

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

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

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CITY OF LAS VEGAS
Department of Finance & Business Services
P.O. Box 52583
Phoenix, AZ 85072-2583
(702) 229-6321 (Voice)
(702) 386-9108 (TDD)

Date	Invoice No.
16-SEP-09	66649HN-2

BILL TO

MY HOME REAL ESTATE INC
17753 MERRIDY ST

NORTHRIDGE, CA 91325-1327

Comments:
For questions, contact Code Enforcement at 702-229-6615.
Ref# 66649 App Name DBPROJ

TERMS: PLEASE PAY IMMEDIATELY Penalties may incur after 30 days

Fee Type	Description	Total
DAILY CIVIL PENALTY	Bill # 1 - ADDRESS-308 JACKSON AVE	50,000.00

Please note our new payment address:

City of Las Vegas
Dept. of Finance and Business Services
PO Box 52583
Phoenix, AZ 85072-2583

Amount 50,000.00

KEEP THIS PORTION FOR YOUR RECORDS

Return This Portion With Payment

PAYMENT MAY BE MADE IN ENCLOSED ENVELOPE TO:
CITY OF LAS VEGAS
Department of Finance & Business Services
P.O. Box 52583
Phoenix, AZ 85072-2583

DETACH

MY HOME REAL ESTATE INC
17753 MERRIDY ST

NORTHRIDGE, CA 91325-1327

Date	Invoice No.
16-SEP-09	66649HN-2

Amount Due
50,000.00

Amount Paid _____

A.P.N. #	139-27-111-040
R.P.T.T.	$61.20
Escrow No.	1016063-TPU

Recording Requested By:

stewart
title of Nevada-Las Vegas Division

Mail Tax Statements To: *Same as below*

When Recorded Mail To:

My Home Real Estate, Inc. ATTN: Jay Tunuri
17753 Merridy Street
Northridge, CA 91325

This Original Document was Electronically Recorded with the County Recorder.
Clark County, Nevada
On 06-18-09
At Book 20090618
Instrument # 0005925

GRANT, BARGAIN, SALE DEED

THIS INDENTURE WITNESSETH: That **Fannie Mae A/K/A Federal National Mortgage Association Organized and Existing under the laws of the United Sates of America** for valuable consideration, the receipt of which is hereby acknowledged, does hereby Grant, Bargain Sell and Convey to **MY HOME REAL ESTATE, INC, a California Corporation**, all that real property situated in the County of Clark, State of Nevada, bounded and described as follows:

Lot Three (3) in Block Ten (10) of Valley View Addition to the City of Las Vegas, as shown by map thereof on file in Book 1 of Plats, Page 50, in the Office of the County Recorder of Clark County, Nevada.

SUBJECT TO:

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

DEED RESTRICTION:
GRANTEE HEREIN SHALL BE PROHIBITED FROM CONVEYING CAPTIONED PROPERTY TO A BONAFIDE PURCHASER FOR VALUE FOR A SALES PRICE OF GREATER THAN $14,400.00 FOR A PERIOD OF 3 MONTH(S) FROM THE DATE OF THIS DEED. GRANTEE SHALL ALSO BE PROHIBITED FROM ENCUMBERING SUBJECT PROPERTY WITH A SECURITY INTEREST IN THE PRINCIPAL AMOUNT OF GREATER THAN $14,400.00 FOR A PERIOD OF 3 MONTH(S) FROM THE DATE OF THIS DEED. THESE RESTRICTIONS SHALL RUN WITH THE LAND AND ARE NOT PERSONAL.

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

Dated: 06/17/2009

Fannie Mae A/K/A Federal National Mortgage Association Organized and Existing under the laws of the United Sates of America

BY: Stewart Title Company Authorized Agent

BY: _____

Barbara Siensa, Assistant Secretary

State of Nevada }
} ss.
County of Clark }

This instrument was acknowledged before me on 06/17/09

By: Barbara Siensa

Signature: _____

Notary Public

John G Ingram

JOHN G INGRAM
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 02-78563-1
MY APPT. EXPIRES AUG. 22, 2010

(One inch Margin on all sides of Document for Recorder's Use Only

STATE OF NEVADA
DECLARATION OF VALUE

1. Assessor Parcel Number(s)
   a) 139-27-111-040
   b) _____
   c) _____
   d) _____

FOR RECORDER'S OPTIONAL USE ONLY	
Document/Instrument No.	
Book	Page
Date of Recording:	
Notes:	

2. Type of Property
   a) [X] Vacant Land b) [ ] Single Family Residence
   c) [ ] Condo/Twnhse d) [ ] 2-4 Plex
   e) [ ] Apartment Bldg. f) [ ] Commercial/Industrial
   g) [ ] Agricultural h) [ ] Mobile Home
   i) [ ] Other _____

3. a. Total Value/Sales Price of Property $12,000.00
   b. Deed in Lieu of Foreclosure Only (Value of Property) ( )
   c. Transfer Tax Value $12,000.00
   d. REAL PROPERTY TRANSFER TAX DUE: $61.20

4. If Exemption Claimed:
   a. Transfer Tax Exemption, per NRS 375.090, Section: _____
   b. Explain Reason for Exemption: _____

5. Partial Interest: Percentage being transferred: 100 %

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

Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature: _____ Capacity: **Seller**

Fannie Mae A/K/A Federal National Mortgage Association Organized and Existing under the laws of the United State of America

Signature: _____ **Capacity:** **Buyer**

My Home Real Estate, Inc.

SELLER (GRANTOR) INFORMATION (REQUIRED)		BUYER (GRANTEE) INFORMATION (REQUIRED)	
Print Name:	Fannie Mae	Print Name:	My Home Real Estate, Inc. ATTN: Jay Tunuri
Address:	14221 Dallas Pkwy, #1000	Address:	17753 Merridy Street
City/State/Zip	Dallas, TX 75254	City/State/Zip	Northridge, CA 91325

COMPANY/PERSON REQUESTING RECORDING (required if not the Seller or Buyer)

Company Name: Stewart Title of Nevada - Las Vegas Division Escrow No 1016063-TPU

Address: 376 E. Warm Springs Road, Suite 190

City Las Vegas State: NV Zip 89119

(AS A PUBLIC RECORD THIS FORM MAY BE RCORDED/MICROFILMED)

GENERAL INFORMATION	
PARCEL NO.	139-27-111-040
OWNER AND MAILING ADDRESS	MY HOME REAL ESTATE INC %J TUNURI 17753 MERRIDY ST NORTHRIDGE CA 91325-0000
LOCATION ADDRESS CITY/UNINCORPORATED TOWN	308 JACKSON AVE LAS VEGAS
ASSESSOR DESCRIPTION	VALLEY VIEW ADD PLAT BOOK 1 PAGE 50 LOT 3 BLOCK 10 SEC 27 TWP 20 RNG 61
RECORDED DOCUMENT NO.	* 20090618:05825
RECORDED DATE	06/18/2009
VESTING	NO STATUS

*Note: Only documents from September 15, 1999 through present are available for viewing.

ASSESSMENT INFORMATION AND SUPPLEMENTAL VALUE	
TAX DISTRICT	204
APPRAISAL YEAR	2008
FISCAL YEAR	09-10
SUPPLEMENTAL IMPROVEMENT VALUE	0
SUPPLEMENTAL IMPROVEMENT ACCOUNT NUMBER	N/A

REAL PROPERTY ASSESSED VALUE		
FISCAL YEAR	2008-09	2009-10
LAND	22750	17500
IMPROVEMENTS	5178	5307
PERSONAL PROPERTY	0	0
EXEMPT	0	0
GROSS ASSESSED (SUBTOTAL)	27928	22807
TAXABLE LAND+IMP (SUBTOTAL)	79794	65163
COMMON ELEMENT ALLOCATION	0	0
TOTAL ASSESSED VALUE	27928	22807
TOTAL TAXABLE VALUE	79794	65163

ESTIMATED LOT SIZE AND APPRAISAL INFORMATION	
ESTIMATED SIZE	0.17 Acres
ORIGINAL CONST. YEAR	1955
LAST SALE PRICE MONTH/YEAR	12000 06/09
LAND USE	1-10 RESIDENTIAL SINGLE FAMILY
DWELLING UNITS	1

PRIMARY RESIDENTIAL STRUCTURE					
TOTAL LIVING SQ. FT	824	CARPORT SQ. FT.	0	ADDN/CONV	NONE
1ST FLOOR SQ. FT.	824	STORIES	ONE STORY	POOL	NO
2ND FLOOR SQ. FT.	0	BEDROOMS	2	SPA	NO
BASEMENT SQ. FT.	0	BATHROOMS	1 FULL	TYPE OF CONSTRUCTION	FRAME STUCCO

GENERAL INFORMATION	
PARCEL NO.	139-27-111-040
OWNER AND MAILING ADDRESS	FEDERAL NATIONAL MORTGAGE ASSN %AURORA LOAN SERVICES 601 FIFTH AVE SCOTTSBLUFF NE 69361-3581
LOCATION ADDRESS CITY/UNINCORPORATED TOWN	308 JACKSON AVE LAS VEGAS
ASSESSOR DESCRIPTION	VALLEY VIEW ADD PLAT BOOK 1 PAGE 50 LOT 3 BLOCK 10 SEC 27 TWP 20 RNG 61
RECORDED DOCUMENT NO.	* 20090210:03539
RECORDED DATE	02/10/2009
VESTING	NO STATUS

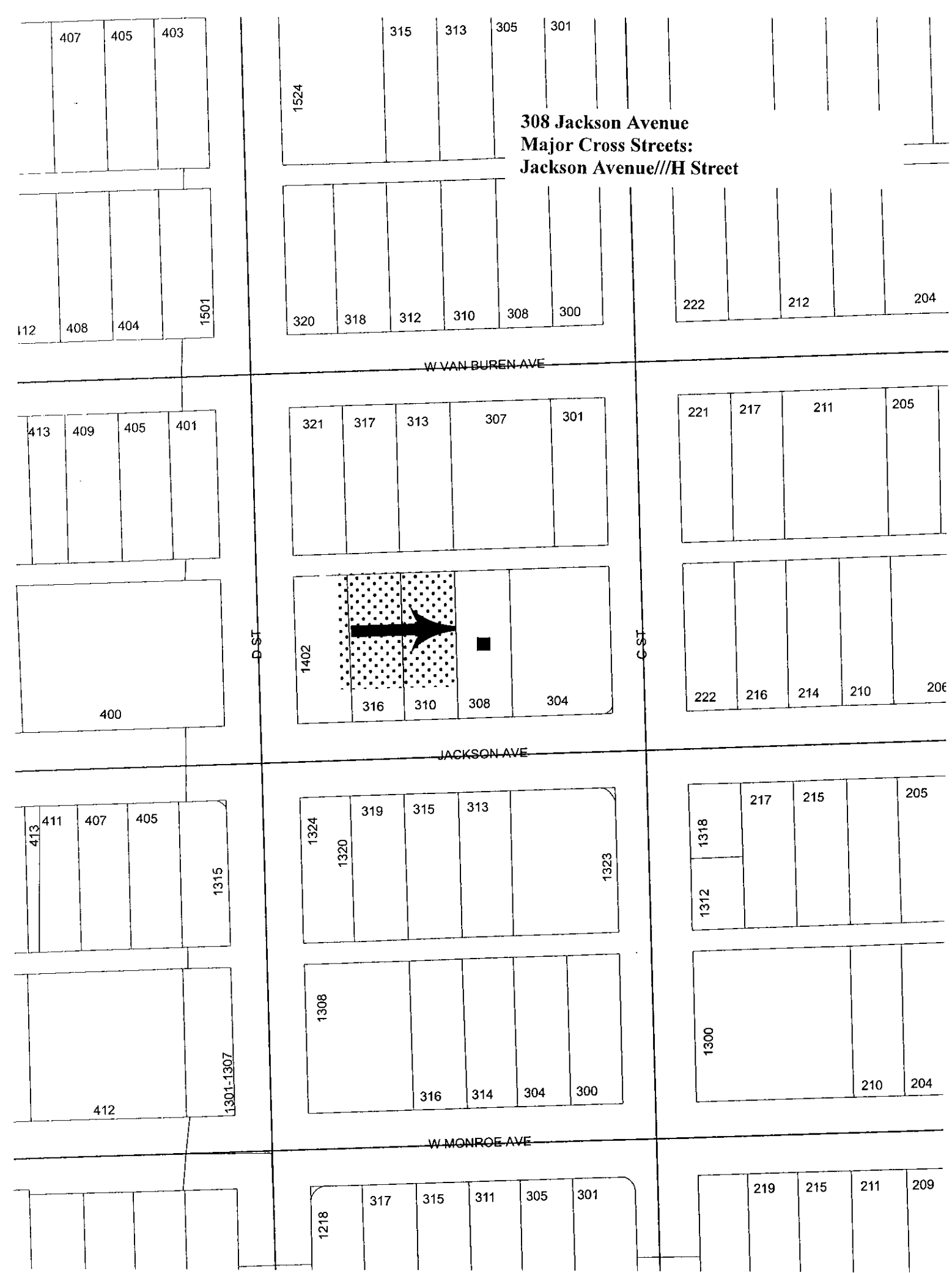
*Note: Only documents from September 15, 1999 through present are available for viewing.

ASSESSMENT INFORMATION AND SUPPLEMENTAL VALUE	
TAX DISTRICT	204
APPRAISAL YEAR	2008
FISCAL YEAR	08-09
SUPPLEMENTAL IMPROVEMENT VALUE	0
SUPPLEMENTAL IMPROVEMENT ACCOUNT NUMBER	N/A

REAL PROPERTY ASSESSED VALUE		
FISCAL YEAR	2008-09	2009-10
LAND	22750	17500
IMPROVEMENTS	5178	5307
PERSONAL PROPERTY	0	0
EXEMPT	0	0
GROSS ASSESSED (SUBTOTAL)	27928	22807
TAXABLE LAND+IMP (SUBTOTAL)	79794	65163
COMMON ELEMENT ALLOCATION	0	0
TOTAL ASSESSED VALUE	27928	22807
TOTAL TAXABLE VALUE	79794	65163

ESTIMATED LOT SIZE AND APPRAISAL INFORMATION	
ESTIMATED SIZE	0.17 Acres
ORIGINAL CONST. YEAR	1955
LAST SALE PRICE MONTH/YEAR	111000 05/06
LAND USE	1-10 RESIDENTIAL SINGLE FAMILY
DWELLING UNITS	1

PRIMARY RESIDENTIAL STRUCTURE					
TOTAL LIVING SQ. FT.	824	CARPORT SQ. FT.	0	ADDN/CONV	NONE
1ST FLOOR SQ. FT.	824	STORIES	ONE STORY	POOL	NO
2ND FLOOR SQ. FT.	0	BEDROOMS	2	SPA	NO
BASEMENT SQ. FT.	0	BATHROOMS	1 FULL	TYPE OF CONSTRUCTION	FRAME STUCCO


308 Jackson Avenue
Major Cross Streets:
Jackson Avenue///H Street
W VAN BUREN AVE
JACKSON AVE
W MONROE AVE
D ST
C ST
1524
315
313
305
301
407
405
403
320
318
312
310
308
300
222
212
204
1501
408
404
321
317
313
307
301
221
217
211
205
413
409
405
401
400
1402
316
310
308
304
222
216
214
210
411
407
405
1315
1324
1320
319
315
313
1323
1318
1312
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215
205
1308
316
314
304
300
1300
210
204
412
1301-1307
1218
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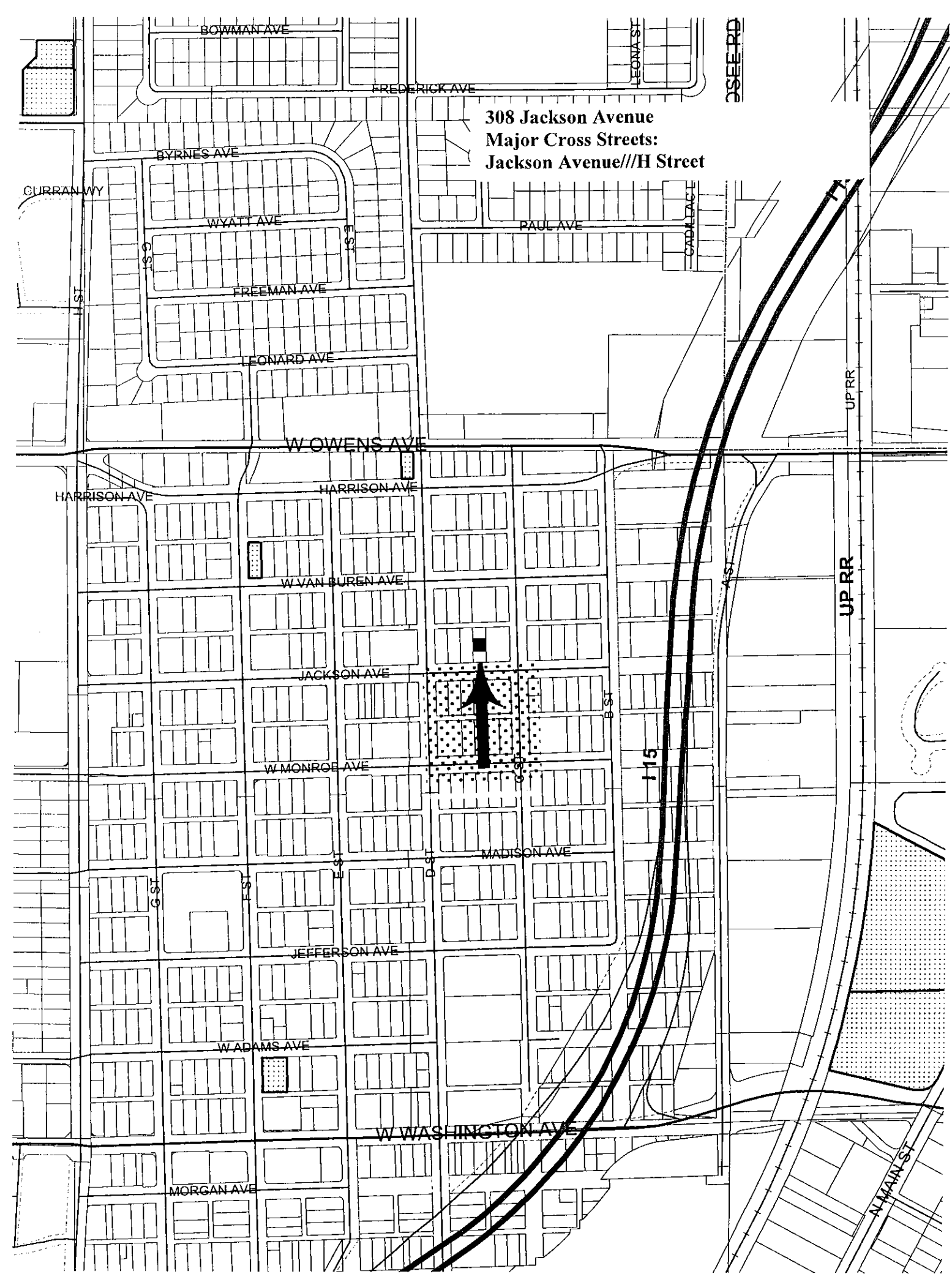
215
211
209


308 Jackson Avenue
Major Cross Streets:
Jackson Avenue///H Street
BOWMAN AVE
FREDERICK AVE
LEONA ST
OSEE RD
BYRNES AVE
CURRAN WY
WYATT AVE
PAUL AVE
CADILLAC
G ST
E ST
H ST
FREEMAN AVE
LEONARD AVE
UP RR
W OWENS AVE
HARRISON AVE
HARRISON AVE
W VAN BUREN AVE
A ST
UP RR
JACKSON AVE
B ST
W MONROE AVE
C ST
I 15
MADISON AVE
G ST
F ST
E ST
D ST
JEFFERSON AVE
W ADAMS AVE
W WASHINGTON AVE
MORGAN AVE
ALAMAN ST

Spreadsheet of Charges Accrued- 308 Jackson

Five (5) inspections with three (3) failed inspections.

Inspections	Date	Fees	Late Fee	Penalties per failed inspection	Notes/Comments
1st inspection	6/24/08	N/C	N/C	N/C	Initial assessment
2nd Inspection	10/3/08	N/C	N/C	N/C	Partial Pass*
3rd inspection	10/8/08	$120.00	$12.00	$0.00	
4 th inspection	11/13/08	$180.00	$18.00	$150.00	
5 th inspection	4/21/09	N/C	N/C	N/C	
Sub-total		$300.00	$30.00	$150.00	$480.00
Payment		-$0.00	-$0.00	-$0.00	
TOTAL:		$300.00	$30.00	$150.00	**$480.00**

** a partial pass recognizes that the property owner was making some progress with correcting the violations.*

Items in Yellow – ***PAID -$ 0***

Abatement: Council Action on September 2, 2009

Contractor expenses: Levelex CamAir	$5,459.00 $4,934.00 $525.00
15% Administrative Fee	$818.85
CLV Rapid Response Abatement	$250.00
Sub-Total	**$6,527.85**
Payments	-$0.00
Balance	**$6,527.85**

Financial Breakdown:

Abatement Fees	$6527.85
Interest (Courtesy of Finance Dept)	$293.36
Inspection Fees	$300.00
Late Fees	$30.00
Failed Inspection Penalties	$150.00
Daily Civil Penalty	$50,000.00
TOTAL	**$57,301.21**
Payment: Boarding cert	**-$0.00**
Outstanding Balance	**$57,301.21**

LAS VEGAS CITY COUNCIL

MAYOR
OSCAR B. GOODMAN

GARY REESE
(MAYOR PRO-TEM)
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW
STAVROS S. ANTHONY

CITY MANAGER
ELIZABETH N. FRETWELL

March 26, 2010

Certified/Regular Mail
Return Receipt Requested

My Home Real Estate Inc
c/o: Tunuri
17753 Merridy Street
Northridge, CA 91325-1327

308 Jackson Street

Dear Property Owner/Representative:

At the City Council meeting(s) held on September 2, 2009 Agenda Item #42 was approved for a lien in the amount of $57,301.21 including interest in the amount of: $293.36 (including daily civil penalties in the amount of $50,000). The hearing scheduled on April 7, 2010 will be a hearing to consider a request for a waiver and/or reduction of fees.

Please be advised you will be required to make a formal presentation before City Council stating your case.

If you have any questions concerning this procedure, please contact the Neighborhood Response Division located in the Department of Neighborhood Services, by telephoning (702)229-6615.

Sincerely,

Devin Smith, Manager
Neighborhood Response Division
Department of Neighborhood Services

DSS:tid

cc:

NEIGHBORHOOD
SERVICES DEPARTMENT

DIRECTOR
STEPHEN K. HARSIN, AICP

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

VOICE 702.229.2330
FAX 702.382-3901
TTY 702.386.9108
www.lasvegasnevada.gov

City of Las Vegas Agenda Item No.: **71.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 7, 2010

DEPARTMENT: NEIGHBORHOOD SERVICES
DIRECTOR: STEPHEN K. HARSIN ☐ **Consent** ☒ **Discussion**

SUBJECT:
Public Hearing to consider a request for a waiver and/or reduction of fees for the property located at 613 West Monroe Avenue in the amount up to $366,885.30. PROPERTY OWNERS: CHASE HOME FINANCE LLC - Ward 5 (Barlow)

Fiscal Impact

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

PURPOSE/BACKGROUND:
Today's hearing is a request from John Bailey, Bailey Kennedy LLP, to consider a request for a waiver and/or reduction of fees imposed on the parcel at the City Council meeting on April 15, 2009 in the amount of $355,550.00. The case was generated on October 30, 2006. There was an abatement conducted on this property on November 8, 2008. The lien(s) were recorded at Clark County recorder's office on April 23, 2009. Neighborhood Services received a Request for Waiver and/or Reduction of Civil Penalties Application dated October 16, 2009 on behalf of John Bailey, Bailey Kennedy LLP, is requesting the civil penalties be waived.

RECOMMENDATION:
No Recommendation.

BACKUP DOCUMENTATION:
1. Agenda Memo
2. Request for Waiver and Reduction Application
3. Location Maps
4. Spreadsheet of Charges Accrued
5. Hearing Notification Letter

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: April 7, 2010
DEPARTMENT: Neighborhood Services
ITEM DESCRIPTION: Public Hearing to consider a request for a waiver and/or reduction of fees for the property located at 613 West Monroe Avenue in the amount up to $366,885.30. PROPERTY OWNERS: CHASE HOME FINANCE LLC - Ward 5 (Barlow)

Today's hearing is a request from John Bailey of Bailey Kennedy LLP, Attorney, to consider a request for a waiver and/or reduction of fees imposed on the parcel at the City Council meeting on April 15, 2009 in the amount of $355,550.00. The case was generated on October 30, 2006. There was an abatement conducted on this property on November 8, 2008. The lien(s) were recorded at Clark County recorder's office on April 23, 2009. Neighborhood Services received a Request for Waiver and/or Reduction of Civil Penalties Application dated October 16, 2009 on behalf of John Bailey, Bailey Kennedy LLP requesting the civil penalties be waived.

Fees associated with the abatements and inspections total $11,356.75. To date, $502.01 have been paid. Total owed on the case with civil penalties $366,404.74.

Request for a Waiver and/or Reduction of Civil Penalties
Application

SUBMIT APPLICATION TO:
City of Las Vegas / Neighborhood Services Department
Attn: Stephen Harsin, Director
400 Stewart Avenue - 2nd Floor
Las Vegas, NV 89101-2986
Voice: 702-229-2317 -- Fax: 702-229-1033

Date of Application: October 16, 2009

Location and/or address of subject property: 613 W. Monroe Ave., Las Vegas, Nevada

Nearest major intersection: Revere & Monroe

Street Address: 613 W. Monroe Avenue

Parcel Number: 139-271-101-34

Applicant's Address/Contact Information:
Name: John R. Bailey of Bailey Kennedy, LLP (Attorneys)
(please check the following the applies)
□ Owner □ Purchaser □ Agent X Other *(explain) Legal Counsel*
Street Address/PO Box: 8984 Spanish Ridge Avenue
City: Las Vegas State: Nevada Zip Code: 89117
Phone No: (702) 562-8820 E-mail: jbailey@baileykennedy.com
Fax No: (702) 562-8821

Property Owner's Address/Contact Information: (if different from applicant):
Name: Chase Home Finance LLC (Matthew I. Caulfield, High Risk Manager, West)
Street Address/PO Box: 10790 Rancho Bernardo Road
City: San Diego State: California Zip Code: 92127
Phone No: (951) 830-2334 E-mail: Matthew.I.Caufield@chase.com

Amount of City of Las Vegas Lien on the Property: $355,550.00 (as of 5/4/09)

Amount requested to be considered for waiving and/or reduced? $344,610.16 (as of 5/4/09); which consists of the total lien amount minus the actual abatement costs incurred by the City of Las Vegas (i.e., $355,550.00 - $10,939.84).

Signature of Applicant: John R. Bailey Date: 10/21/2009

Signature of Owner: Matthew I. Caulfield Date: 10/15/2009

For Office Use Only:
Council Ward: _____ Case/File Number: 47489 Council Action date of Lien: 4/15/09

Describe why the applicant is requesting a waiver/reduction:
(You may attach additional sheets if needed.)

Chase Home Finance LLC ("Chase") is the current owner of this property located at 613 West Monroe Avenue, Las Vegas, NV. Chase did not cause the conditions which led to the violations at this property and consequently, respectfully asks the City of Las Vegas for a reduction of the civil penalties to the amount of "hard" costs actually incurred by the City to address the violations. Chase acquired title to the subject property through a foreclosure sale which took place on September 25, 2008. The fire which led to the ultimate demolition of the structure at the property occurred on or about March 10, 2008, more than six months before Chase obtained title to the property. Based on information received from the City, the structure at this property was demolished on or about November 8, 2008, only six weeks after the foreclosure sale. The loan which was foreclosed upon was a HUD-backed loan, meaning that following the foreclosure sale, Chase had to comply with appropriate HUD guidelines before it could take steps to address the conditions then-existing at the property. Chase actually took steps to minimize the violations existing at the property. Specifically, on or about July 25, 2008, Chase learned that the property was vacant. As a result, Chase took steps to secure and clean the property until such time as it could complete the foreclosure in order to avoid additional violations at the property. On or about August 4, 2008, the property was locked and the grass was cut. Thereafter, on September 2, 2008, the property was secured, and then re-secured on September 9, 2008. On October 8, 2008, debris and garbage were removed from the exterior of the structure.

Describe the existing condition/situation of the subject property:
(You may attach additional sheets if needed.)

The improvements at the subject property were demolished on or about November 8, 2008. The property is now a vacant lot.

Describe the immediate plans for the property, including any planned improvements: *(You may attach additional sheets if needed.)*

Upon addressing the assessments and civil penalties, Chase intends on marketing the property and selling it to an owner who will construct appropriate improvements on the property.


613 W. Monroe Ave
Monroe Ave//F Street
620
616
612
610
PARKING LOT
301
W MONROE AVE
621
615
613
609
605
1223
G ST
F ST
1223
PARKING CHURCH
620
618
616
612
602
MADISON AVE


613 W. Monroe Ave
Monroe Ave//F Street
W VAN BUREN AVE
JACKSON AVE
W MONROE AVE
MADISON AVE
JEFFERSON AVE
H ST
G ST
E ST
F ST
OFF.
CHURCH
PARKING LOT
VACANT
SHOP3
SHOP
PARK
FITZGERALD
VACANT
DISON TERRACE
100 UNITS
VAC.
E
DAY CARE
CH.

Spreadsheet of Charges Accrued – 613 W. Monroe

Thirty-five (35) inspections with seven (7) failed inspections.

Inspections	Date	Fees	Late Fee	Penalties per failed inspection	Notes/Comments
1st inspection	10/30/2006	0.00	0.00	0.00	Initial assessment
2nd Inspection	11/3/2006	0.00	0.00	0.00	Partial Pass*
3rd inspection	11/14/2006	0.00	0.00	0.00	Partial Pass*
4 th inspection	12/1/2006	0.00	0.00	0.00	Partial Pass*
5 th inspection	12/15/2006	0.00	0.00	0.00	Partial Pass*
6 th inspection	12/29/2006	0.00	0.00	0.00	Partial Pass*
7 th inspection	1/12/2007	0.00	0.00	0.00	Partial Pass*
8 th inspection	1/26/2007	0.00	0.00	0.00	Partial Pass*
9 th inspection	3/6/2007	0.00	0.00	0.00	Partial Pass*
10th inspection	3/20/2007	0.00	0.00	0.00	Partial Pass*
11th inspection	4/3/2007	0.00	0.00	0.00	Partial Pass*
12th inspection	4/17/2007	0.00	0.00	0.00	Partial Pass*
13th inspection	5/2/2007	0.00	0.00	0.00	Partial Pass*
14th inspection	5/16/2007	0.00	0.00	0.00	Partial Pass*
15th inspection	5/30/2007	0.00	0.00	0.00	Partial Pass*
16th inspection	6/19/2007	0.00	0.00	0.00	Partial Pass*
17th inspection	8/14/2007	$120.00	$0.00	0.00	Failed
18th inspection	8/24/2007	0.00	0.00	0.00	Partial Pass*
19th inspection	9/5/2007	0.00	0.00	0.00	Partial Pass*
20th inspection	10/9/2007	0.00	0.00	0.00	Partial Pass*
21th inspection	10/30/2007	0.00	0.00	0.00	Partial Pass*
22nd inspection	12/3/2007	0.00	0.00	0.00	Partial Pass*
23rd inspection	12/20/2007	0.00	0.00	0.00	Partial Pass*
24th inspection	2/21/2008	$180.00	$18.00	$150.00 Partial Payment (-$57.01)	Failed
25th inspection	3/12/2008	0.00	0.00	0.00	Partial Pass*
26th inspection	3/13/2008	0.00	0.00	0.00	Partial Pass*
27th inspection	3/13/2008	0.00	0.00	0.00	Partial Pass*
28th inspection	4/29/2008	$180.00	$18.00	$300.00	Failed
29th inspection	5/13/2008	$180.00	$18.00	$500.00	Failed
30th inspection	8/26/2008	$180.00	$18.00	$500.00	Failed
31th inspection	9/17/2008	$180.00	$18.00	$500.00	Failed
32nd inspection	10/23/2008	$180.00	$18.00	$500.00	Failed
33rd inspection	11/13/2008	0.00	0.00	0.00	Partial Pass*
34th inspection	11/13/2008	0.00	0.00	0.00	Partial Pass*
35th inspection	4/2/2009	0.00	0.00	0.00	Passed
Sub-Total		**$1,200.00**	**$108.00**	**$2,450.00**	**$3,758.00**
Payments (Inspection Fees)		-$120.00			-$120.00
Payments (Civil Penalties)				-$57.01	-$57.01
TOTAL		**$1,080.00**	**$108.00**	**$2,392.99**	**$3,580.99**

** a partial pass recognizes that the property owner was making some progress with correcting the violations.*

Abatement: Council Action on April 15, 2009

Contractor expenses: Baldwin CamAir	*$7,598.75* $5700.00 $625.00
15% Administrative Fee	$948.75
Boarded Building Certificate	$325.00
Interest (Courtesy of Finance dept)	$480.56
Sub-Total	**$8079.31**
Payments	-$325.00
Balance	**$7754.31**

PAID -$ 325.00 (Boarding Certificate)

Financial Breakdown:

Abatement (less payment of $325)	$7598.75
Interest (Courtesy of Finance Dept)	$480.56
Inspection Fees	$1200.00
Late Fees	$108.00
Failed Inspection Penalties	$2,450.00
Daily Civil Penalty	$355,550.00
TOTAL	**$367,387.31**
Payment	**-$502.01**
Outstanding Balance	**$366,885.30**

PAID -$ 177.01 inspection fees + $325 Boarding Cert
Total PAID: $502.01

LAS VEGAS CITY COUNCIL

MAYOR
OSCAR B. GOODMAN

GARY REESE
(MAYOR PRO-TEM)
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW
STAVROS S. ANTHONY

CITY MANAGER
ELIZABETH N. FRETWELL

March 26, 2010

Certified/Regular Mail
Return Receipt Requested

Chase Home Finance LLC
3415 Vision Drive
Columbus, OH 43219-6009

RE: 613 W. Monroe – case # 47489

Dear Property Owner/Representative:

At the City Council meeting(s) held on April 15, 2009 Agenda Item #59 was approved for a lien in the amount of $366,404.74 excluding interest in the amount of $480.56 (including daily civil penalties in the amount of $355,550.00). The hearing scheduled on April 7, 2010 will be a hearing to consider a request for a waiver and/or reduction of fees.

Please be advised you will be required to make a formal presentation before City Council stating your case.

If you have any questions concerning this procedure, please contact the Neighborhood Response Division located in the Department of Neighborhood Services, by telephoning (702)229-6615.

Sincerely,

Devin Smith, Manager
Neighborhood Response Division
Department of Neighborhood Services

DSS:tid

cc: *Bailey Kennedy, LLP, John Bailey, 8984 Spanish Ridge Avenue, Las Vegas, NV 89117*

NEIGHBORHOOD
SERVICES DEPARTMENT

DIRECTOR
STEPHEN K. HARSIN, AICP

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

VOICE 702.229.2330
FAX 702.382-3901
TTY 702.386.9108
www.lasvegasnevada.gov

City of Las Vegas Agenda Item No.: **72.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 7, 2010

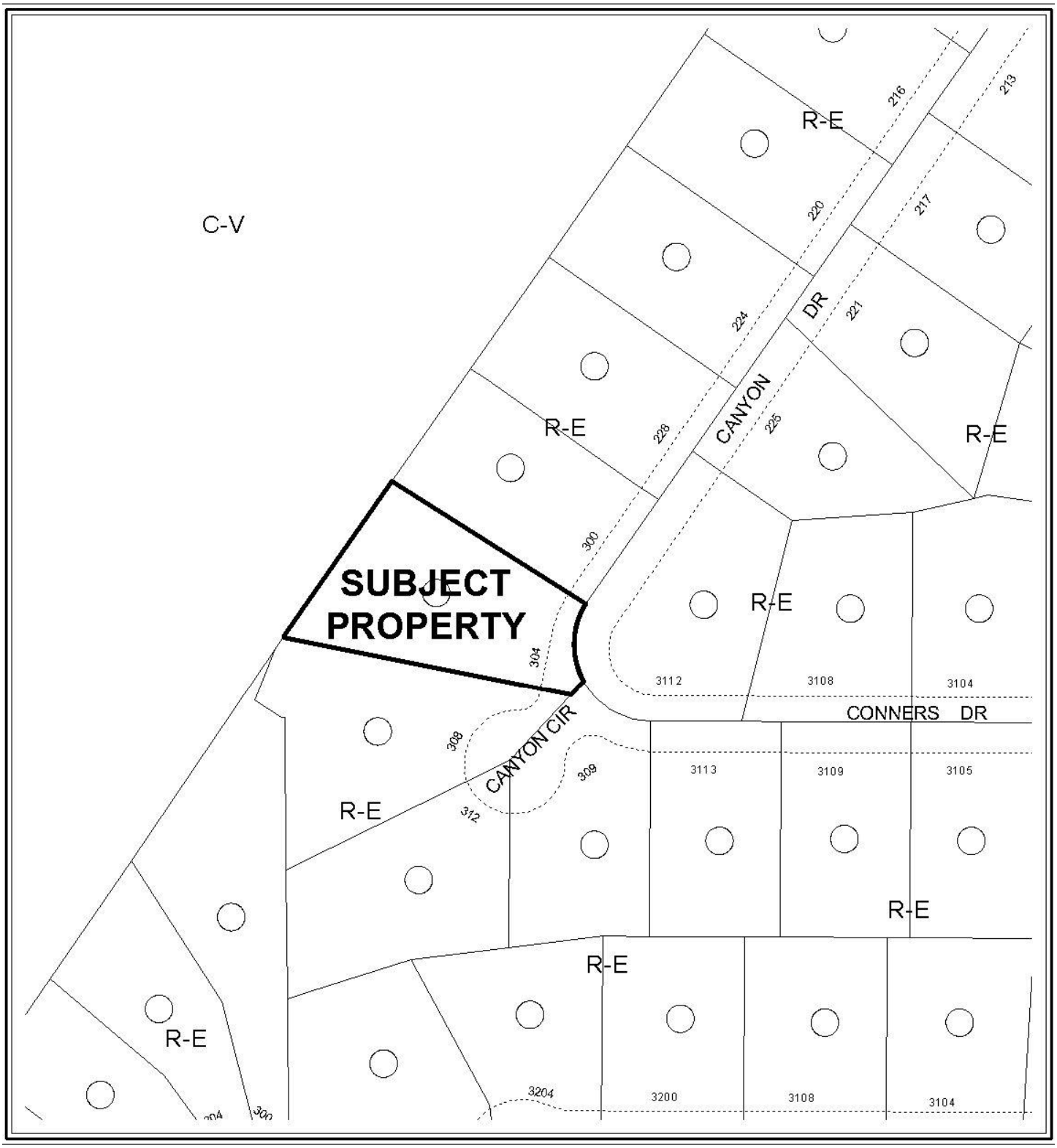
DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☒ **Consent** ☐ **Discussion**

SUBJECT:
EOT-37451 - EXTENSION OF TIME - VARIANCE - APPLICANT/OWNER: PAUL BROSSEAU - Request for an Extension of Time of a previously approved Variance (VAR-3288) TO ALLOW A 5-FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED FOR AN ADDITION TO AN EXISTING SINGLE FAMILY DWELLING at 304 Canyon Drive (APN 139-32-211-031), R-E (Residence Estates) Zone, Ward 1 (Tarkanian). 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**

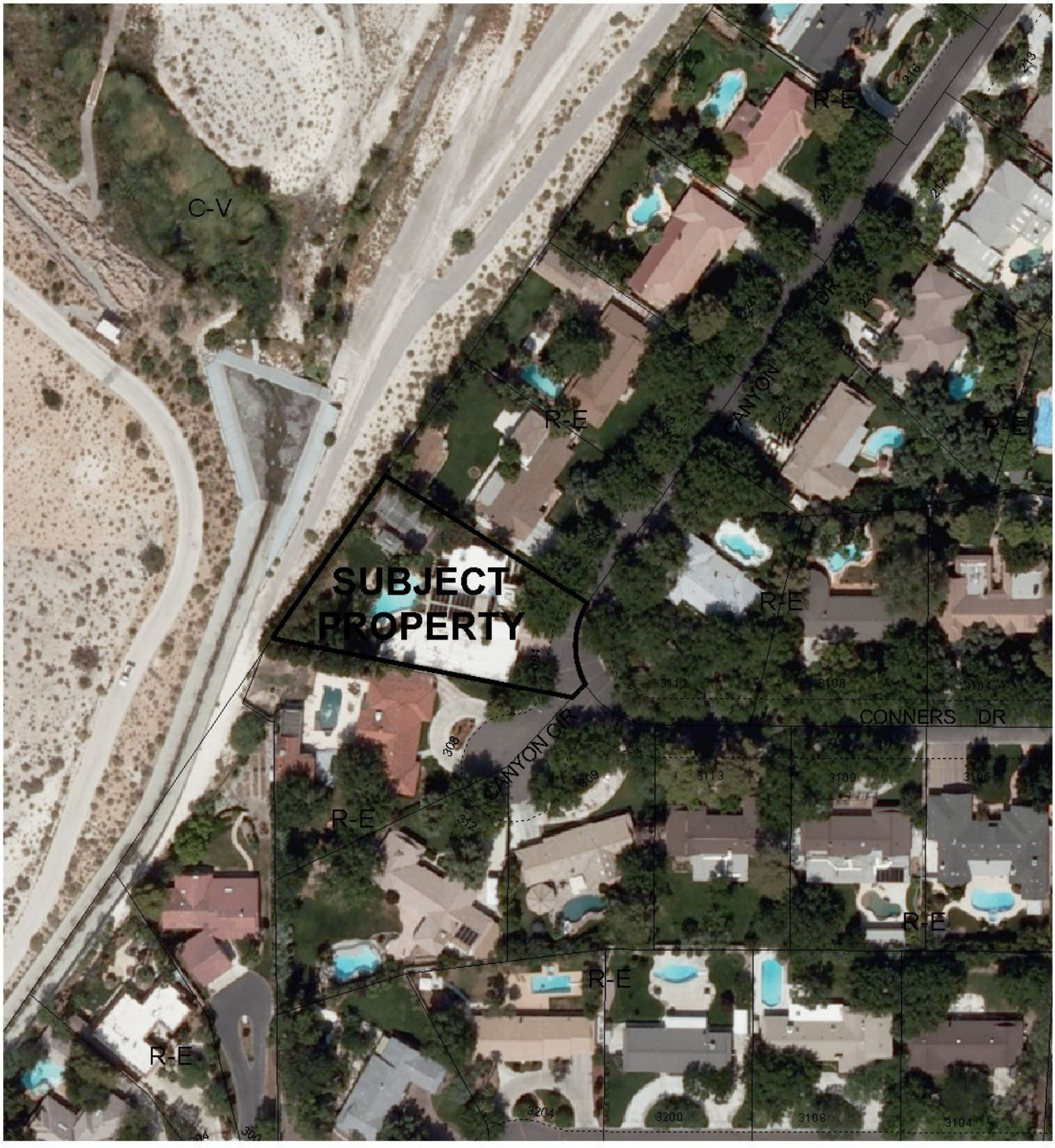
RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. City Council Approval Letter for EOT-11441
5. City Council Approval Letter for EOT-27272
6. City Council Approval Letter for VAR-3288
7. Justification Letter



CASE: **EOT-37451**

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)



0 100 200 Feet

CASE: **EOT-37451**

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-37451 – APPLICANT/OWNER: PAUL BROSSEAU

** CONDITIONS **

Staff recommends APPROVAL, subject to conditions:

Planning and Development

1. This Variance (VAR-3288) shall expire on May 5, 2012 unless another Extension of Time is approved by the City Council.

2. Conformance to the conditions of approval of the Variance (VAR-3288) and all other site related actions as required by the Planning and Development Department and Department of Public Works.

DS

EOT-37451 - Staff Report Page One
April 7, 2010 - City Council Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site has a single family dwelling with a previously approved Variance to allow a 5-foot side yard setback where 10 feet is the minimum required for an addition to the existing residence at 304 Canyon Drive. The applicant had received two previous extensions of time for the Variance (VAR-3288). No building permits have been issued for the proposed project. The applicant is requesting an extension of time due to insufficient funding to undertake the project at this time. Staff is recommending approval of this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
05/28/96	The Board of Zoning Adjustment approved a request for a Variance (V-0054-96) to allow an addition to an existing single family dwelling six feet from the side property line where 10 feet is the minimum setback required; to allow 35 feet from the front property line where 50 feet is the minimum setback required; to allow a two-foot wrought iron extension to an existing six-foot high block wall along the side and rear property lines where six feet is the maximum height allowed at 304 Canyon Drive.
07/01/97	The Board of Zoning Adjustment approved a request for an Extension of Time [V-0054-96 (1)] of a previously approved Variance (V-0054-96) to allow an addition to an existing single family dwelling six feet from the side property line where 10 feet is the minimum setback required; to allow 35 feet from the front property line where 50 feet is the minimum setback required; to allow a two-foot wrought iron extension to an existing six-foot high block wall along the side and rear property lines where six feet is the maximum height allowed at 304 Canyon Drive.
06/19/02	The City Council approved a request to amend portions of the Southeast Sector map of the General Plan (GPA-0047-01) 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) and from L (Low Density Residential) to DR (Desert Rural Density Residential). The Planning Commission recommended denial on 03/28/02.
05/05/04	The City Council approved a request for a Variance (VAR-3288) to allow a 5-foot side setback where 10 feet is required for an addition to an existing single family dwelling at 304 Canyon Drive. The Planning Commission recommended approval on 02/12/04.

DS

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
03/15/06	The City Council approved a request for an Extension of Time (EOT-11441) of a previously approved Variance (VAR-3288) to allow a 5-foot side setback where 10 feet is required for an addition to an existing single family dwelling at 304 Canyon Drive.
05/07/08	The City Council approved a request for an Extension of Time (EOT-27272) of a previously approved Variance (VAR-3288) to allow a 5-foot side setback where 10 feet is required for an addition to an existing single family dwelling at 304 Canyon Drive.
Related Building Permits/Business Licenses	
03/02/99	A building permit (99004224) was issued for a room addition at 304 Canyon Drive. The permit was finalized on 04/15/99.
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	0.57

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Single Family Dwelling	DR (Desert Rural Density Residential)	R-E (Residence Estates)
North	Single Family Dwelling	DR (Desert Rural Density Residential)	R-E (Residence Estates)
South	Single Family Dwelling	DR (Desert Rural Density Residential)	R-E (Residence Estates)
East	Single Family Dwelling	DR (Desert Rural Density Residential)	R-E (Residence Estates)
West	Water District Park	PF (Public Facilities)	C-V (Civic)

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Area Plan			
Rancho/Charleston Land Use Study	X		Y
Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (140 feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DS

ANALYSIS

This is the third request for an Extension of Time of a previously approved Variance (VAR-3288) to allow a five-foot side yard setback where 10 feet is required for an addition to an existing single family residence at 304 Canyon Drive. The applicant has not made any progress on the project in the form of the issuance of building permits or the submittal of plans for review. In this case, the Variance would be exercised when approval of a final inspection occurs.

FINDINGS

The Variance (VAR-3288) has not the requirements outlined in Title 19.18.070 to exercise the entitlement as no building permits have been issued for the proposed project. The applicant is requesting an extension of time due to insufficient funding to undertake the project at this time. Staff is recommending approval of this request with a two-year time limit. Conformance to the conditions of approval of the Variance (VAR-3288) shall be required.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

DS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **EOT-37451** APN: 139-32-211-031

Name of Property Owner: Brosseau

Name of Applicant: Brosseau, Paul & Sandra

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: Paul Brosseau Sandra Brosseau

Print Name: PAUL BROSSEAU

Subscribed and sworn before me

This 11th day of February, 2010

Zidonia Wong

Notary Public in and for said County and State

ZIDONIA WONG
Notary Public State of Nevada
No. 06-108624-1
My appt. exp. Sept. 7, 2010

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Extension of time for VS 3288

Project Address (Location) 304 Canyon Dr Las Vegas NV 89107

Project Name Brosseau Residence **Proposed Use** Residential

Assessor's Parcel #(s) 139-32-211-031 **Ward #** 1

General Plan: existing X proposed _____ **Zoning:** existing X proposed _____

Commercial Square Footage N/A **Floor Area Ratio** N/A

Gross Acres .67 **Lots/Units** 1 **Density** R-E

Additional Information _____

PROPERTY OWNER Brosseau **Contact** Paul Brosseau

Address 304 Canyon Dr **Phone:** 595-7550 **Fax:** 259 3127

City Las Vegas **State** NV **Zip** 89107

APPLICANT Paul Brosseau **Contact** Paul Brosseau

Address 304 Canyon Dr **Phone:** 595-7550 **Fax:** 259 3127

City Las Vegas **State** NV **Zip** 89107

REPRESENTATIVE _____ **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

Property Owner Signature* Paul Brosseau Sandra Brosseau

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

Print Name Paul Brosseau Sandra Brosseau

Subscribed and sworn before me

This 11th day of February, 20 10.

Zidonia Wong

Notary Public in and for said County and State

ZIDONIA WONG
Notary Public State of Nevada
No. 06-108624-1
My appt. exp. Sept. 7, 2010

FOR DEPARTMENT USE ONLY

Case #	EOT-3745
Meeting Date:	4-7-10
Total Fee:	300
Date Accepted:	2-18-10
Accepted By:	FS

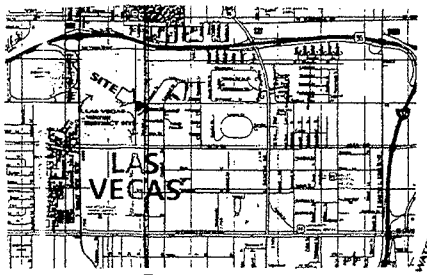
*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development for consistency with applicable sections for the Zoning Ordinance.

BROUSSEAU RESIDENCE ADDITION

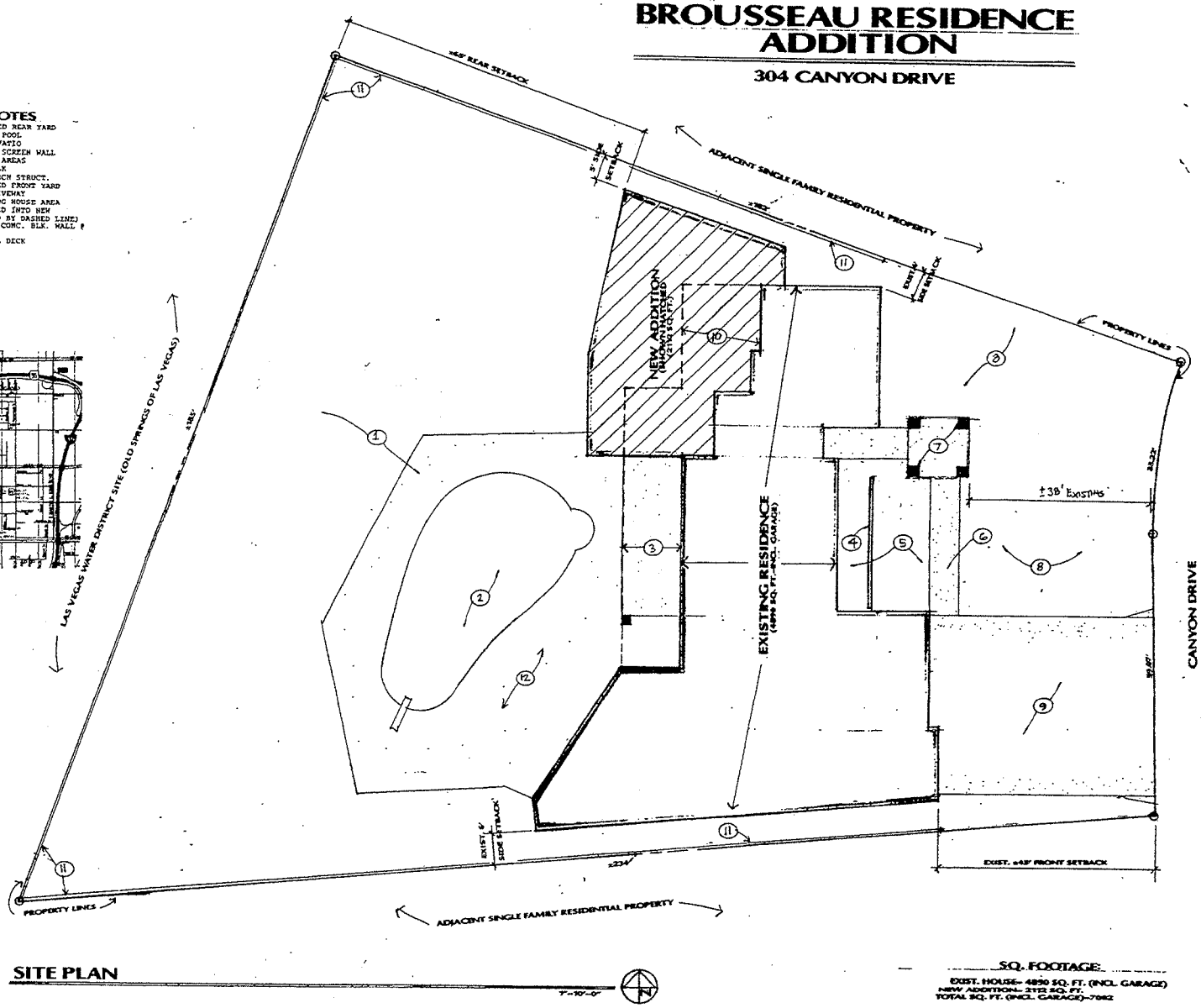
304 CANYON DRIVE

KEYNOTES

1. EXISTING LANDSCAPED REAR YARD
2. EXISTING SWIMMING POOL
3. EXISTING COVERED PATIO
4. EXISTING STUCCOED SCREEN WALL
5. EXISTING PLANTING AREAS
6. EXISTING CONC. WALK
7. EXISTING ENTRY PORCH STRUCT.
8. EXISTING LANDSCAPED FRONT YARD
9. EXISTING CONC. DRIVEWAY
10. EXTENT OF EXISTING HOUSE AREA TO BE INCORPORATED INTO NEW ADDITION (DEFINED BY DASHED LINE)
11. EXISTING 6' HIGH CONC. BLK. WALL @ PROPERTY LINES
12. EXIST. CONC. POOL DECK



VICINITY MAP

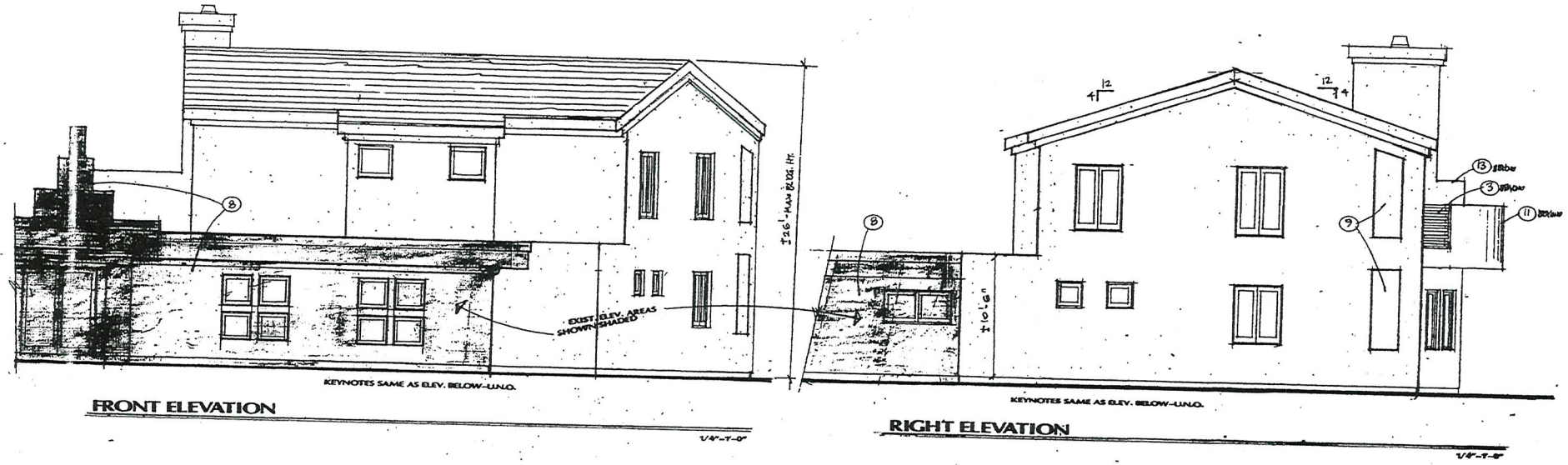


SITE PLAN

SQ. FOOTAGE:
EXIST. HOUSE- 4890 SQ. FT. (INCL. GARAGE)
NEW ADDITION- 212 SQ. FT.
TOTAL SQ. FT. (INCL. GARAGE)-7062

RECEIVED
FEB 18 2010

EOT-37451
04/07/10 CC

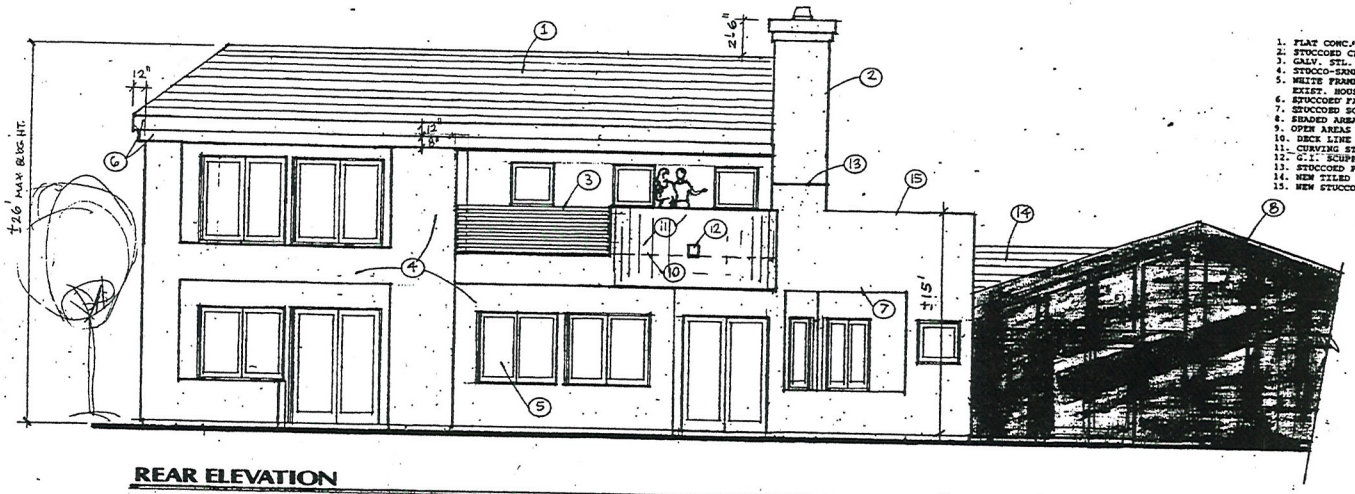


FRONT ELEVATION

1/4"=1'-0"

RIGHT ELEVATION

1/4"=1'-0"



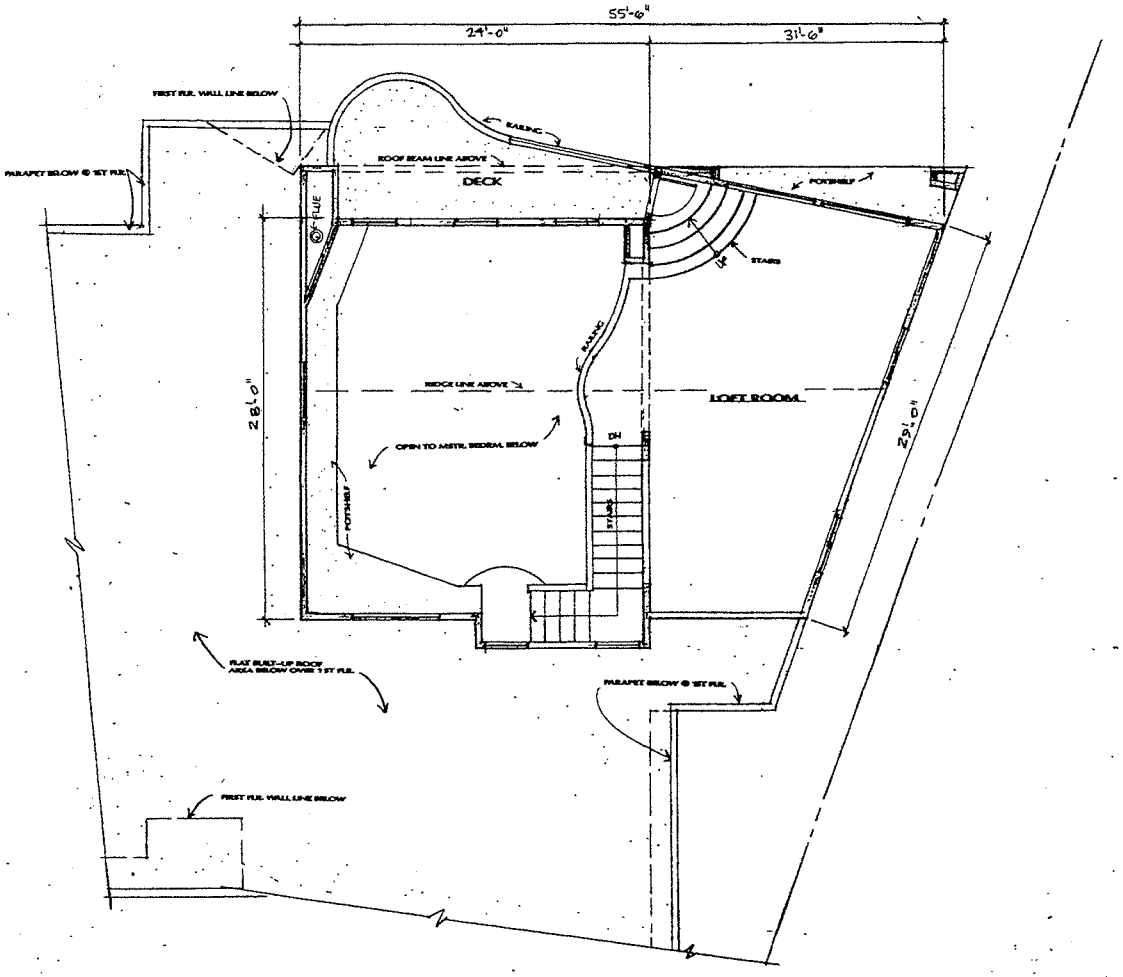
REAR ELEVATION

1/4"=1'-0"

KEYNOTES

1. FLAT CONC./ TILE ROOF
2. STUCCOED CHIMNEY
3. GALV. STL. PIPE RAILS (UNPAINTED)
4. STUCCO-SAND FINISH, MATCH EXIST. HOUSE
5. WHITE FRAMED WINDOWS (VINYL--OR MATCH EXIST. HOUSE)
6. STUCCOED FASCIA & TRIM BAND
7. STUCCOED SOFFIT
8. SHADED AREAS SHOW EXISTING HOUSE ELEVATIONS (STUCCOED WALLS)
9. OPEN AREAS
10. DECK LINE BEYOND
11. CURVING STUCCOED DECK RAIL
12. G.I. SCUPPER
13. STUCCOED POTSHELF
14. NEW TILED ROOF CRICKET @ 4:12 SLOPE
15. NEW STUCCOED PARAPET WALL

RECEIVED
FEB 18 2010
EOT-37451
04/07/10 CC

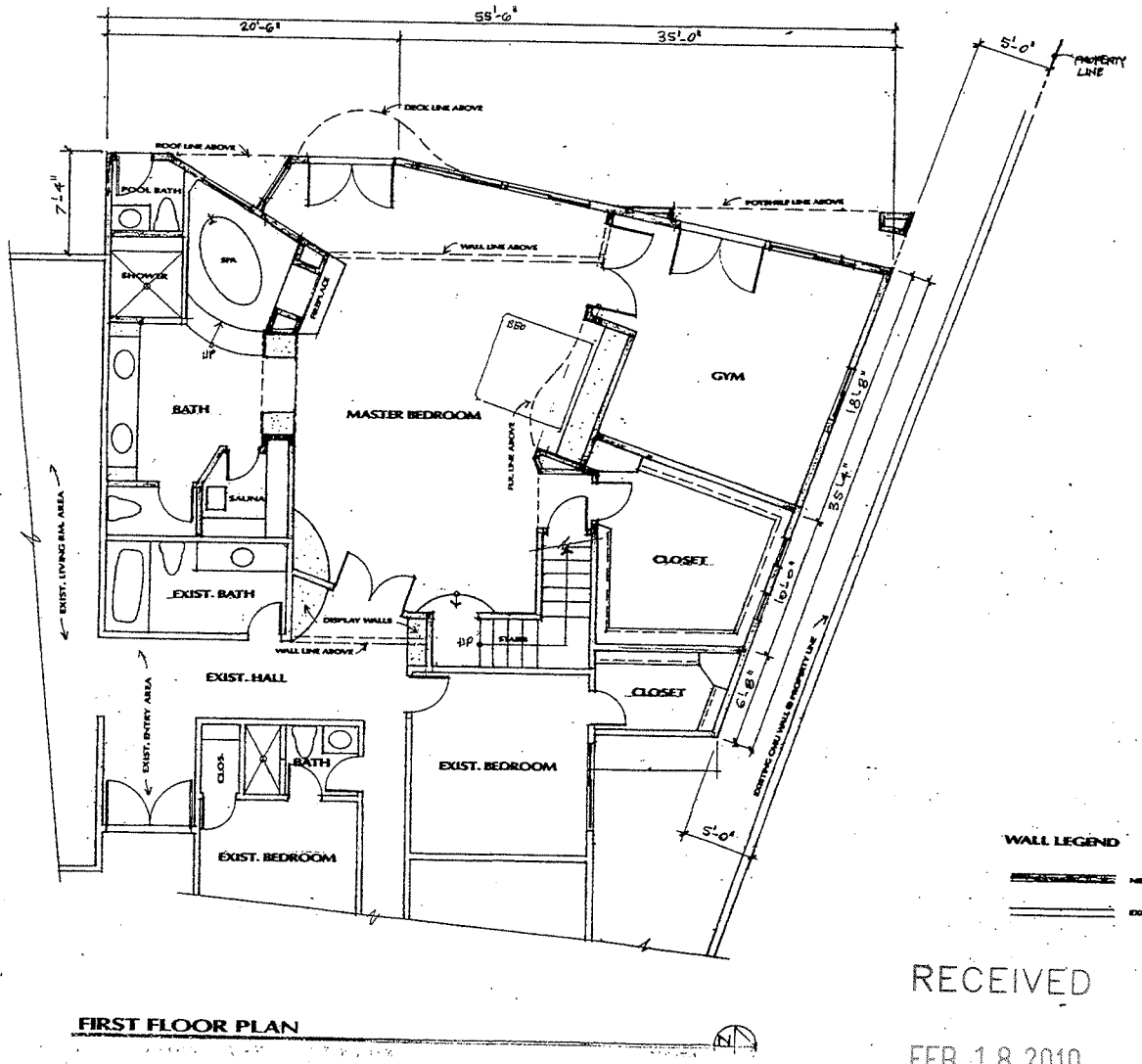


SECOND FLOOR PLAN
497 SQ. FT.

BROSSEAU RESIDENCE

RECEIVED
FEB 18 2010

EOT-37451
04/07/10 CC



FIRST FLOOR PLAN

RECEIVED
FEB 18 2010
EOT-37451
04/07/10 CC



\S 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

March 17, 2006

Mr. Paul Brosseau
304 Canyon Drive
Las Vegas, Nevada 89107

RE: EOT-11441 – EXTENSION OF TIME - VARIANCE
CITY COUNCIL MEETING OF MARCH 15, 2006

Dear Mr. Brosseau:

The City Council at a regular meeting held March 15, 2006 APPROVED the request for an Extension of Time of an approved Variance (VAR-3288) TO ALLOW A 5 FOOT SIDE SETBACK WHERE 10 FEET IS REQUIRED IN CONJUNCTION WITH AN ADDITION TO AN EXISTING SINGLE FAMILY DWELLING at 304 Canyon Drive (APN 139-32-211-031), R-E (Residence Estates) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on March 16, 2006. This approval is subject to:

Planning and Development

1. This Extension of Time will expire on 05/05/08 unless the Variance is exercised or another Extension of Time is approved by the Planning Commission.

2. Conformance to all conditions of approval for VAR-3288 as required by the Planning and Development Department, except as amended herein.

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

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-37451
04/07/10 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

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

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

097255

May 9, 2008

Mr. Paul Brosseau
304 Canyon Drive
Las Vegas, Nevada 89107

RE: EOT-27272 – EXTENSION OF TIME
CITY COUNCIL MEETING OF MAY 7, 2008

Dear Mr. Brosseau:

The City Council at a regular meeting held May 7, 2008 APPROVED the request for an Extension of Time of an approved Variance (VAR-3288) TO ALLOW A 5-FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED FOR AN ADDITION TO AN EXISTING SINGLE FAMILY DWELLING at 304 Canyon Drive (APN: 139-32-211-031), R-E (Residence Estates) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on May 8, 2008. This approval is subject to:

Planning & Development

1. This Variance (VAR-3288) will expire on 05/05/10 unless another Extension of Time is approved by the City Council.

2. Conformance to the Conditions of Approval for Variance (VAR-3288) and all other related actions as required by the Planning and Development Department and Department of Public Works.

Sincerely,

Leán Coleman
Deputy City Clerk II for
Beverly K. Bridges, CMC, City Clerk

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

EOT-37451
04/07/10 CC



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF

DOUGLAS A. SELBY
CITY MANAGER

June 28, 2004

Mr. Paul Brosseau
304 Canyon Drive
Las Vegas, Nevada 89107

RE: VAR-3288 - VARIANCE
CITY COUNCIL MEETING OF MAY 5, 2004

Dear Mr. Brosseau:

The City Council at a regular meeting held May 5, 2004 APPROVED the request for a Variance to ALLOW A 5 FOOT SIDE SETBACK WHERE 10 FEET IS REQUIRED FOR an addition to an existing single family dwelling at 304 Canyon Drive (APN: 139-32-211-031), R-E (Residence Estates) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on May 6, 2004. This approval is subject to:

Planning and Development

1. The second floor windows shall be opaque type windows.

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 Council.

3. Conformance to the site plan as submitted.

4. All necessary permits shall be obtained from the Building and Safety Department prior to start of construction.

Sincerely,

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

M. Margo Wheeler, AICP
Deputy Director
Planning and Development Department

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

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

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

EOT-37451
04/07/10 CC

Paul & Sandy Brosseau
304 Canyon Dr.
Las Vegas NV 89107
Phone:702-877-0057
Fax:702-259-3127
e-mail:paulhb@earthlink.net

February 18, 2010

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada
Phone: 702-229-6301
Fax: 702-382-4803

Re: VAR-3288
Applicant: Paul & Sandy Brosseau
Extension of Time

Las Vegas City Council:

Please accept this letter as a request for a two year extension of time on the subject variance. Our intention was to start construction last year, however due to our economic down turn we do not have the funds allocated to undertake a major addition to our home at this time. We would like to have the opportunity to do these improvements within the next couple of years when our situation returns to normal. Thank you for your understanding in this matter.

Sincerely,

Paul Brosseau

Sandy Brosseau

EOT-37451
04/07/10 CC

DESCRIPTION OF VARIANCE REQUEST

REQUESTING VARIANCE FOR A 5' SIDE SETBACK IN LIEU OF REQUIRED 10' SIDE SETBACK (IN RE ZONE). REQUEST IS ONLY FOR NORTH SIDE SETBACK-SOUTH SIDE SETBACK IS 6'-FROM WHEN EXISTING HOUSE WAS BUILT MANY YEARS AGO. A HOUSE ADDITION IS BEING ADDED ALONG PART OF THE NORTH SIDE OF THE PROPERTY-IT IS PROPOSED THAT THIS NEW ADDITION BE ALLOWED TO HAVE A 5' SETBACK. A CORNER OF THE EXISTING HOUSE ON THE NORTH SIDE (NORTHEAST CORNER OF HOUSE) IS 6' OFF THE NORTH PROPERTY LINE (SEE SITE PLAN). THE EXIST. HOUSE NORTH WALL IS AN AVERAGE OF ±10' AND A MAXIUMUM OF ±15' OFF OF THE ANGLED NORTH PROPERTY LINE (SEE SITE PLAN). THEREFORE, WHEN THE NEW ADDITION IS COMPLETE, ONLY PART OF THE NORTH SIDE OF THE HOUSE WILL BE SET BACK 5'-THE REST WILL BE MORE.

DUE TO DESIGN CONSIDERATIONS IN MATCHING THE NEW ADDITION FLOOR PLAN TO THE EXISTING HOUSE PLAN AND MEETING THE DESIRED SPACE REQUIREMENTS, THE OPTIMAL SOLUTION IS THE PLACE THE NEW ADDITION 5' OFF THE PROPERTY LINE. MANY HOUSES IN THE DEVELOPMENT (HAVING BEEN BUILT MANY YEARS AGO) DO NOT HAVE FULL 10' SETBACKS ON THE SIDE YARDS.

EOT-37451
04/07/10 CC

City of Las Vegas Agenda Item No.: **73.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 7, 2010

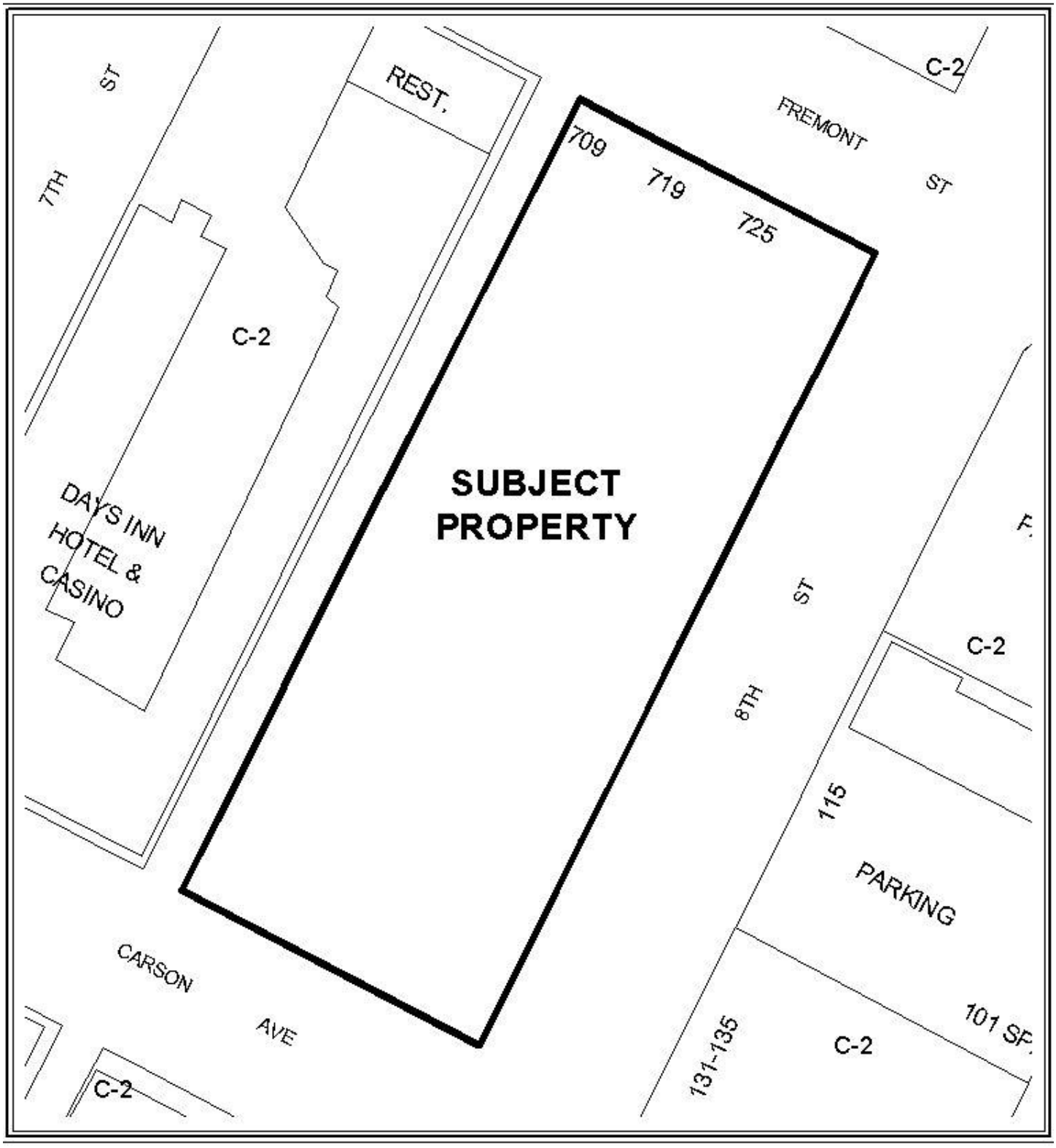
DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☒ **Consent** ☐ **Discussion**

SUBJECT:
EOT-37463 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT: JUSTEN MARTINEZ - OWNER: DAN MARTINEZ - Request for an Extension of Time of a previously approved Special Use Permit (SUP-18637) FOR A PROPOSED MIXED-USE DEVELOPMENT at 709-731 Fremont Street (APN 139-34-612-084), C-2 (General Commercial), 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. City Council Approval Letter for EOT-26896
5. City Council Approval Letter for SUP-18637
6. Justification Letter



CASE: **EOT-37463**

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)



0 50 100 Feet

CASE: EOT-37463

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-37463 - APPLICANT: JUSTEN MARTINEZ - OWNER: DAN MARTINEZ

** CONDITIONS **

Staff recommends APPROVAL, subject to conditions:

Planning and Development

1. This Special Use Permit (SUP-18637) shall expire on February 21, 2012 unless another extension of time is approved by the City Council.

2. Conformance to the conditions of approval of the Special Use Permit (SUP-18637) and all other site related actions as required by the Planning and Development Department and Department of Public Works.

DS

EOT-37463 - Staff Report Page One
April 7, 2010 - City Council Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site is currently vacant land with previous approval for a Special Use Permit (SUP-18637) for a mixed-use development on 1.39 acres at 709-731 Fremont Street. The applicant has not made any progress on the proposed project in the form of the issuance of building permits, submitting plans for review or approval of a Tentative and/or Final Map. The Office of Business Development (OBD) was contacted and confirmed new entitlements have been approved for properties in the surrounding areas that include a Tavern with Night Club and Banquet Facility to the north and a mixed-use development to the west. The applicant is requesting an extension of time due to the current economic conditions in the area and more time to secure financing. Staff recommends approval.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
02/21/07	The City Council approved a request for a Special Use Permit (SUP-18637) for a proposed mixed-use development on 1.39 acres at 709-731 Fremont Street. The Planning Commission recommended approval on 01/25/07.
	The City Council approved a related request for a Site Development Plan Review (SDR-18638) for a 40-story, 395-unit condominium development with 15,892 square feet of retail space and 9,050 square feet of office space and waivers of the downtown building stepback, parking structure stepback, and downtown streetscape requirements.
04/02/08	The City Council approved a request for an Extension of Time (EOT-26896) of a previously approved Special Use Permit (SUP-18637) for a proposed mixed-use development on 1.39 acres at 709-731 Fremont Street.
	The City Council approved a related request for an Extension of Time (EOT-26898) of a previously approved Site Development Plan Review (SDR-18638) for a 40-story, 395-unit condominium development with 15,892 square feet of retail space and 9,050 square feet of office space and waivers of the downtown building stepback, parking structure stepback, and downtown streetscape requirements.
Related Building Permits/Business Licenses	
No building permits or business licenses have been issued for the proposed project.	
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	1.39

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant Land-Proposed Mixed-Use Development	C (Commercial)	C-2 (General Commercial)
North	Vacant Land	C (Commercial)	C-2 (General Commercial)
South	Motel	MXU (Mixed Use)	C-2 (General Commercial)
East	Casino and Parking Lots	C (Commercial)	C-2 (General Commercial)
West	Hotel and Casino	C (Commercial)	C-2 (General Commercial)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan			
Las Vegas Redevelopment Plan	X		Y
Downtown Centennial Plan	X		Y
Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts			
Downtown Entertainment Overlay District	X		Y
Live/Work 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 second request for an Extension of Time of a previously approved Special Use Permit (SUP-18637) for a mixed-use development on 1.39 acres at 709-731 Fremont Street. The applicant has not made any progress on the proposed project in the form of the issuance of building permits, submitting plans for review or approval of a Tentative and/or Final Map. In this case, the Special Use Permit would be exercised upon the approval of a final inspection.

FINDINGS

The Special Use Permit (SUP-18637) has not met the requirements outlined in Title 1918.060 to exercise the entitlement. The Office of Business Development (OBD) was contacted and confirmed new entitlements have been approved for properties in the surrounding areas that include a Tavern with Night Club and Banquet Facility to the north and a mixed-use development to the west. The applicant is requesting an extension of time due to the current economic conditions in the area and more time to secure financing. Staff recommends approval with a two-year time limit. Conformance to the conditions of approval of the Special Use Permit (SUP-18637) shall be required.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

DS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **EOT-37463** APN: 139-34-612-084

Name of Property Owner: DAN MARTINEZ

Name of Applicant: JUSTEN MARTINEZ

Name of Representative: SAME AS APPLICANT

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: Dan Martinez

Print Name: DAN MARTINEZ

Subscribed and sworn before me

This 8 day of February, 2010

Karen B. Newton

Notary Public in and for said County and State

KAREN B. NEWTON
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 00-66278-1
MY APPT. EXPIRES NOV. 22, 2012

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: EXTENSION OF TIME FOR SUP - 18637

Project Address (Location) 709 FREMONT ST

Project Name 777 FREMONT (NEON HEIGHTS) **Proposed Use** MIXED USE TOWER

Assessor's Parcel #(s) 139 - 34 - 612 - 084 **Ward #** 5

General Plan: existing C proposed _____ **Zoning:** existing C-2 proposed _____

Commercial Square Footage 15,892 RETAIL, 9050 OFFICE **Floor Area Ratio** _____

Gross Acres 1.39 **Lots/Units** 395 **Density** _____

Additional Information _____

PROPERTY OWNER DAN MARTINEZ **Contact** JUSTEN MARTINEZ

Address 1729 WANDERING WINDS WAY **Phone:** 274 3808 **Fax:** 966 0814

City LAS VEGAS **State** NV **Zip** 89128

E-mail Address JUSTEN_MARTINEZ@YAHOO.COM

APPLICANT JUSTEN MARTINEZ **Contact** JUSTEN MARTINEZ

Address 1729 WANDERING WINDS WAY **Phone:** 274 3808 **Fax:** 966 0814

City LAS VEGAS **State** NV **Zip** 89128

E-mail Address JUSTEN_MARTINEZ@YAHOO.COM

REPRESENTATIVE SAME AS APPLICANT **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

Property Owner Signature* Dan Martinez

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

Print Name DAN MARTINEZ

Subscribed and sworn before me

This 3 day of February, 20 10.

Karen B Newton

Notary Public in and for said County and State

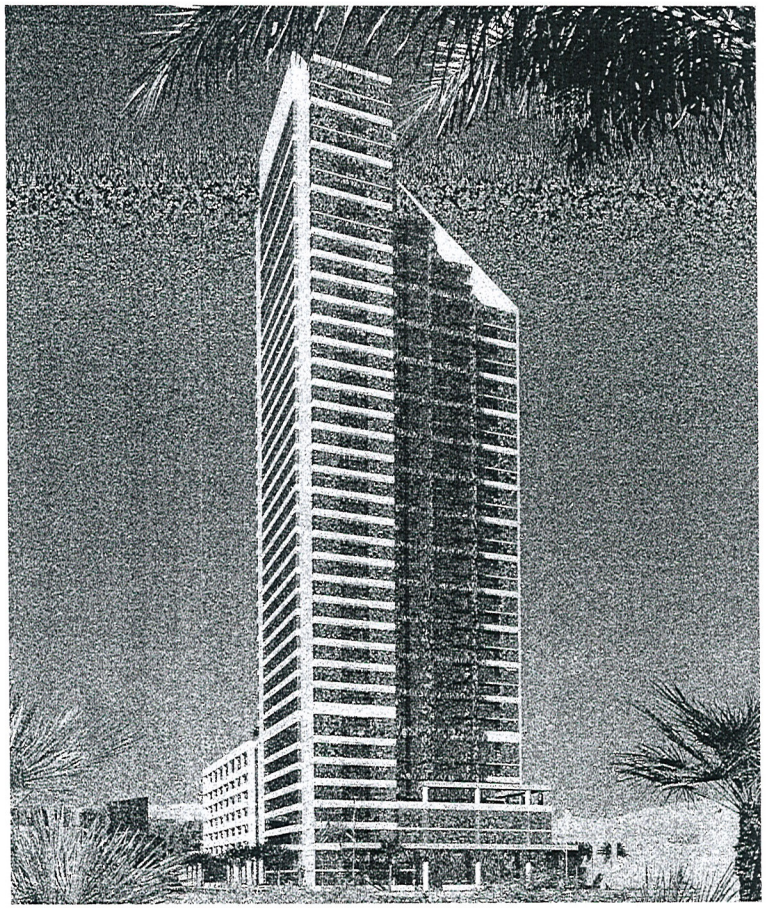
KAREN B. NEWTON
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 00-66278-1
MY APPT. EXPIRES NOV. 22, 2012

FOR DEPARTMENT USE ONLY

Case #	EOT 37463
Meeting Date:	4.7.10
Total Fee:	$300.-
Date Received:*	2.19.10
Received By:	UFA

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

Revised 10/27/08



NEON HEIGHTS

LAS VEGAS, NEVADA
777 fremont street

PLANNING & DEVELOPMENT SUBMITTAL DOCUMENTS
SUP – MIXED USE
ISSUED: 11/21/2006

RECEIVED
FEB 19 2010

Developer:
Martinez & Associates
Las Vegas, Nevada

Architect:
ROBERT B. DUPREE
REGISTERED ARCHITECT
NEVADA LICENSE #3294

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Neon Heights
Las Vegas, Nevada

Martinez & Associates

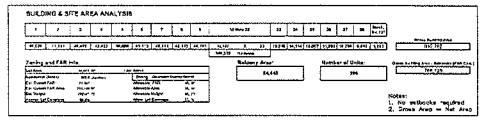
Unit, Home Office, & Parking Analysis: *11/21/2006*

Unit Calculations

Unit	Unit Count:	DR Count:	NSF	Balcony/ Terrace	GSF
Unit A1	35	1	632	8	640
Unit A2	34	1	856	8	867
Unit A3	34	1	978	8	991
Unit A4	85	1	775	60	1,835
Unit A1b-2d	1	1	775	460	1,235
Unit A1b-3d	1	1	775	475	1,250
Unit B1	48	3	926	65	991
Unit B1a-3	1	2	1,478	534	2,000
Unit B1a-3d	1	2	851	544	1,395
Unit B1b	1	2	1,439	580	1,990
Unit B2	5	2	1,016	8	1,024
Unit B3	1	2	1,389	64	1,525
Unit B4	26	2	1,071	66	1,135
Unit B5	32	1	1,172	90	1,312
Unit B5a	1	2	1,824	451	2,045
Unit B6	1	2	1,178	451	1,629
Unit B6	39	2	1,357	63	1,420
Unit B6a-2d	1	2	1,382	376	1,758
Unit B7	23	2	1,308	86	1,271
Unit B8	32	2	1,813	60	1,873
Unit B9	1	2	1,813	563	2,376
Unit B10	1	2	1,194	453	1,645
Unit B11	1	2	1,206	433	1,665
Unit Pn-1	2	3	1,477	90	1,736
Unit Pn-2	2	3	1,808	22	1,830
Unit Pn-3	1	3	2,418	593	3,061
Unit Pn-3a	1	3	1,968	493	2,801
Sums:	395		377,141	24,643	369,783

Unit Counts per Floor

1	2	3	4	5	6	7	8	9	10 thru 32	33	34	35	36	37	38	Mech. Rm / 39
1	1	1	1	1	1	1	1	1	1 * 23	1	1	1	1			
1	1	1	1	1	1	1	1	1	1 * 23	1	1	1	1			
			3	3	3	2	2	2	2 * 23	1	1					
													1			
									2 * 23	1	1					
										1						
												1				
														1		
															1	



PARKING ANALYSIS

Provided General Parking:									
		2	3	4	5	6	7	8	%
regular:	42	56	56	56	56	55	55	377	65.4%
compact:	14	24	24	24	24	24	16	150	26.0%
accessible:	3	2	2	2	2	2	1	14	2.4%
tenant garage:		7	7	7	7	7	6	41	7.0%
totals:	59	89	89	89	89	89	78	582	100%
Garage Area:	35,268	34,565	34,565	34,565	34,565	34,565	34,565	237,648 sf	

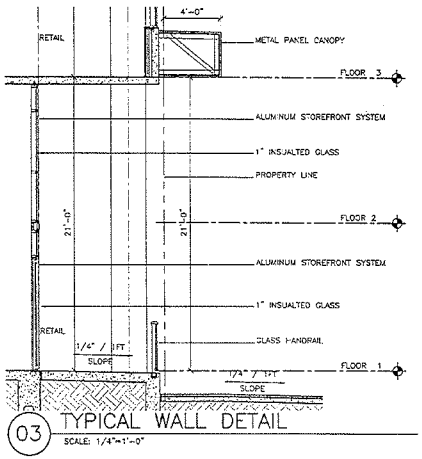
Typical Parking Space Dimensions

STANDARD CAR:	8'X 18'
COMPACT CAR:	8'X 16'
ACCESSIBLE:	19' X 18'
VAN ACCESSIBLE:	22' X 18'

NOTE:
Per the City of Las Vegas Planning & Development Submittal Worksheet/Check-list, a 1:1 unit to parking ratio was established — as a minimum

Unit Parking Ratio:

Required Ratio (City):	1
Provided Ratio:	1.53



03 TYPICAL WALL DETAIL
SCALE: 1/4"=1'-0"

BENCHMARK:

CITY OF LAS VEGAS BENCHMARK NO. 6031 3425 BEING A BRET AND PLATE IN TOP OF CURB AT THE NORTHWEST CORNER OF FREMONT & 7TH STREET.

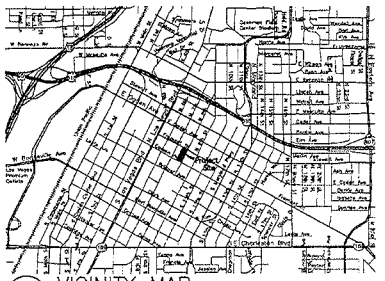
ELEVATION = 2002.06 FEET (NAVD '88)

BASIS OF BEARINGS:

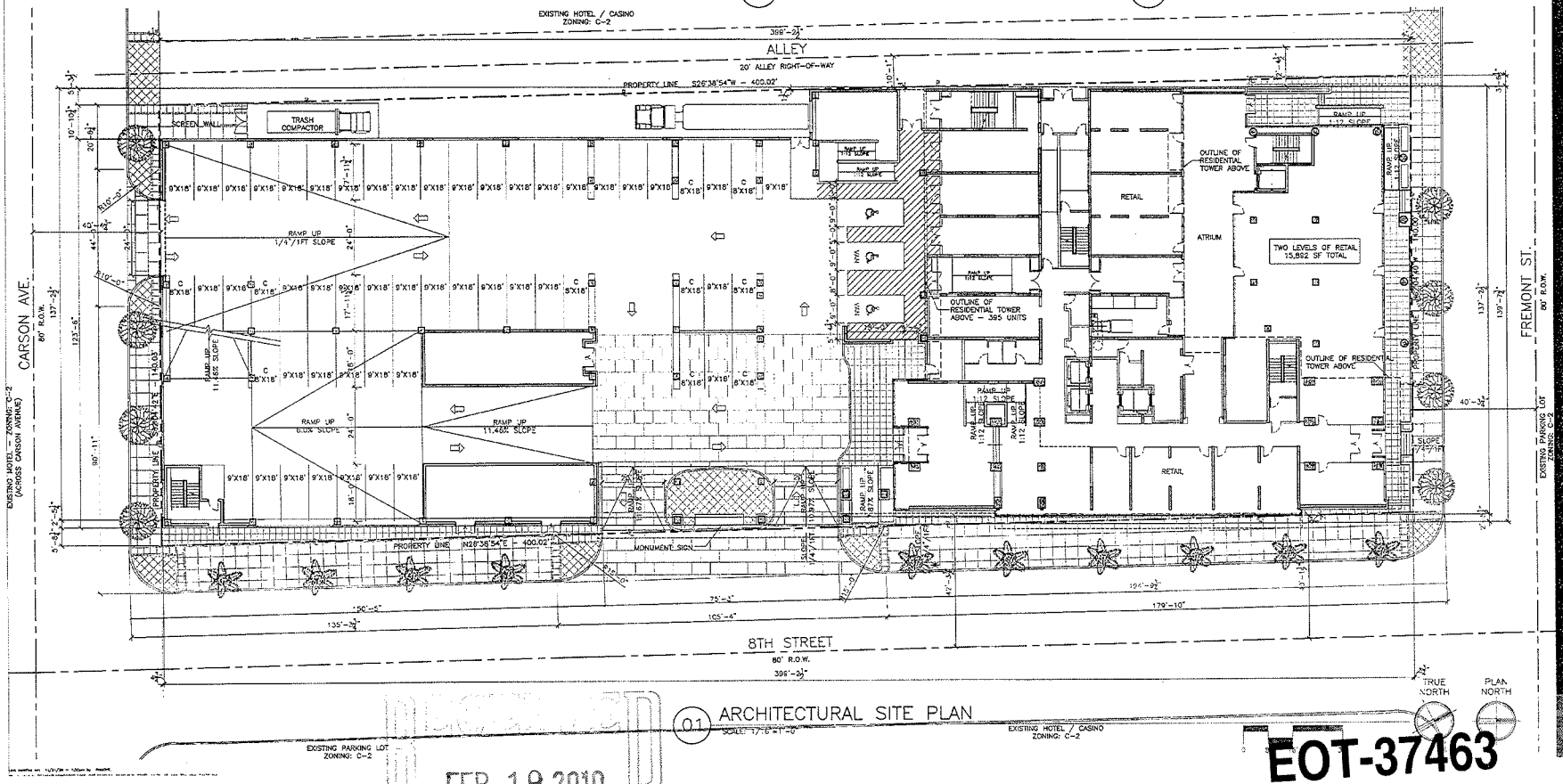
THE BEARING OF SOUTH 26°38'54" WEST FOR THE CENTERLINE OF EIGHTH STREET AS SHOWN BY MAP RECORDED IN FILE 67 PAGE 79 OF SURVEYS IN THE CLARK COUNTY RECORDERS OFFICE, CLARK COUNTY, NEVADA.

LEGAL DESCRIPTION:

BEING A PORTION OF THE SOUTH EAST QUARTER (SE1/4) OF THE NORTH EAST QUARTER (NE1/4) OF SECTION 34, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M. CITY OF LAS VEGAS, CLARK COUNTY, NEVADA.



02 VICINITY MAP
SCALE: N.T.S.



01 ARCHITECTURAL SITE PLAN
SCALE: 1/16"=1'-0"

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Issues and Revisions

No.	Date	Description

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Sheet Title
ARCHITECTURAL SITE PLAN

Sheet Number
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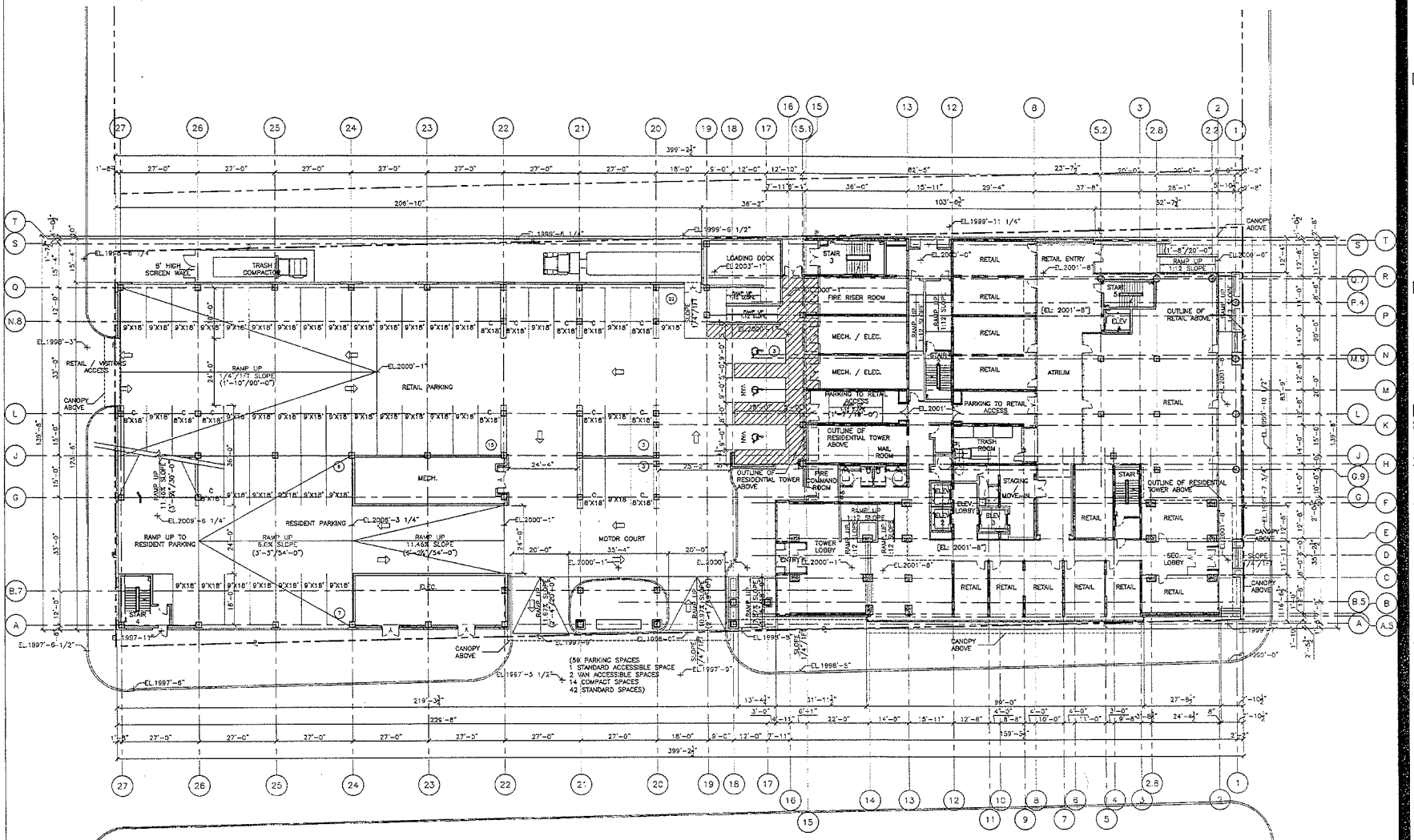

01 LEVEL 01 FLOOR PLAN
SCALE: 1/16"=1'-0"

TRUE NORTH PLAN NORTH

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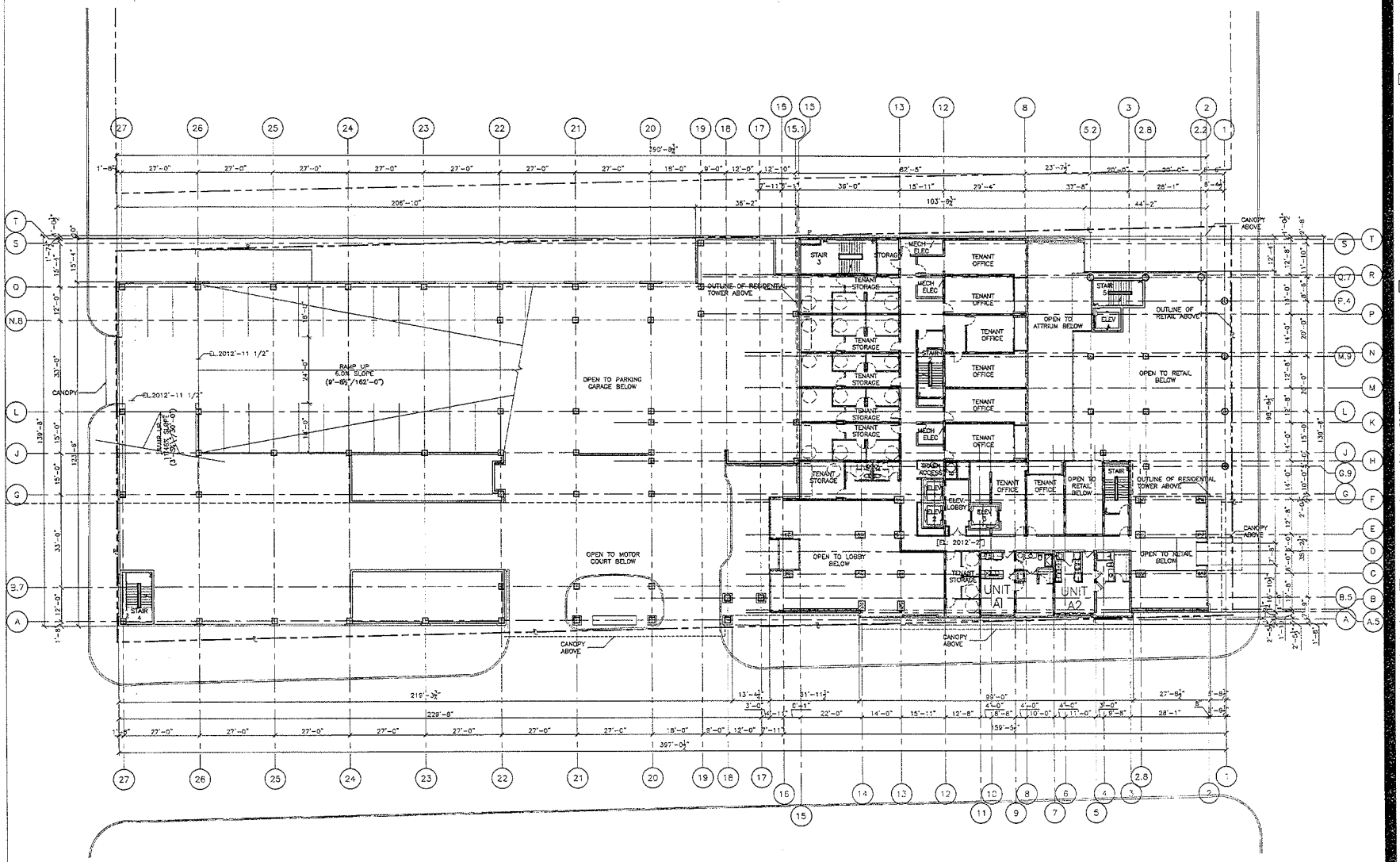

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Design Team

OWNER/ DEVELOPER

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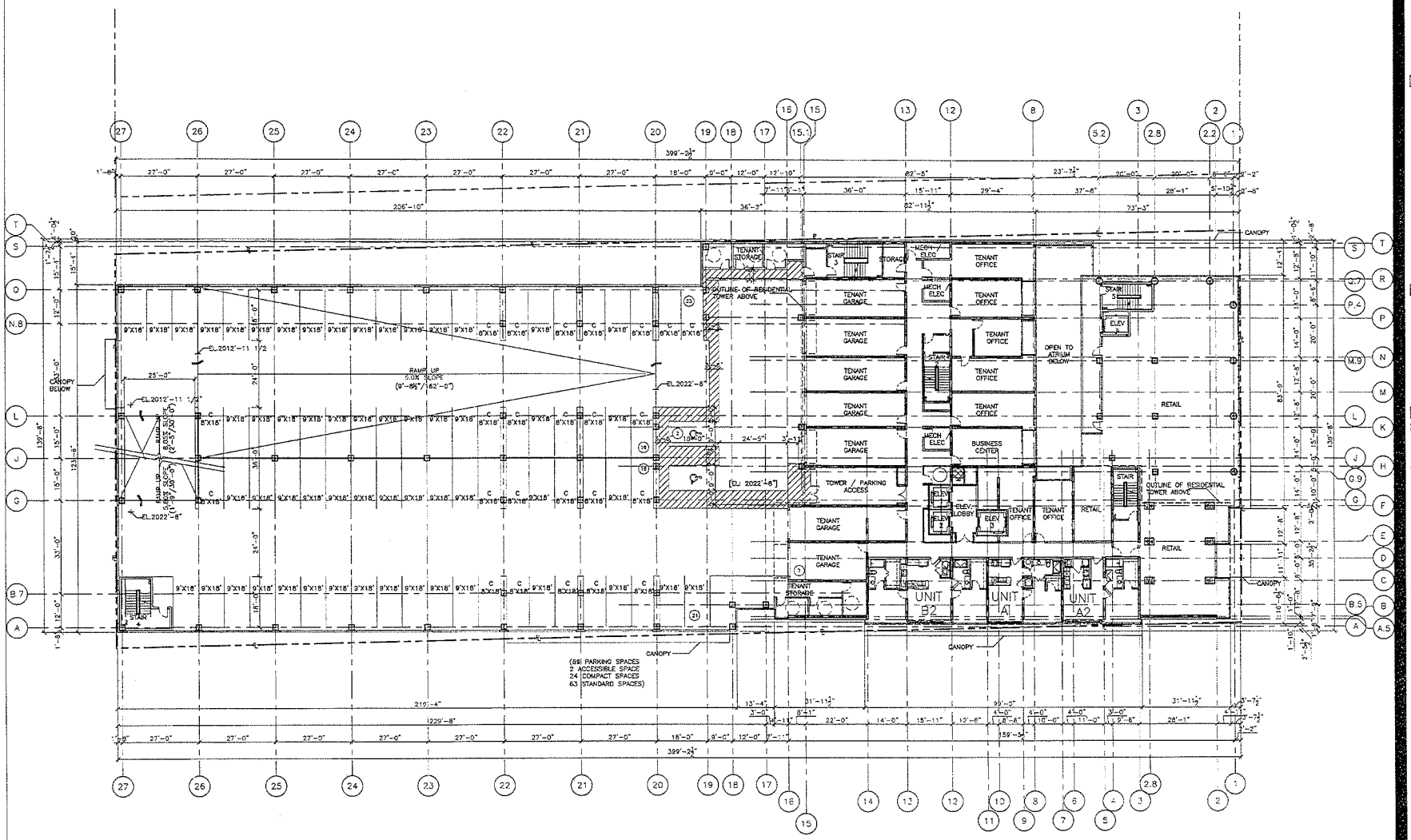

01 LEVEL 03 FLOOR PLAN
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LEVEL 03 FLOOR PLAN

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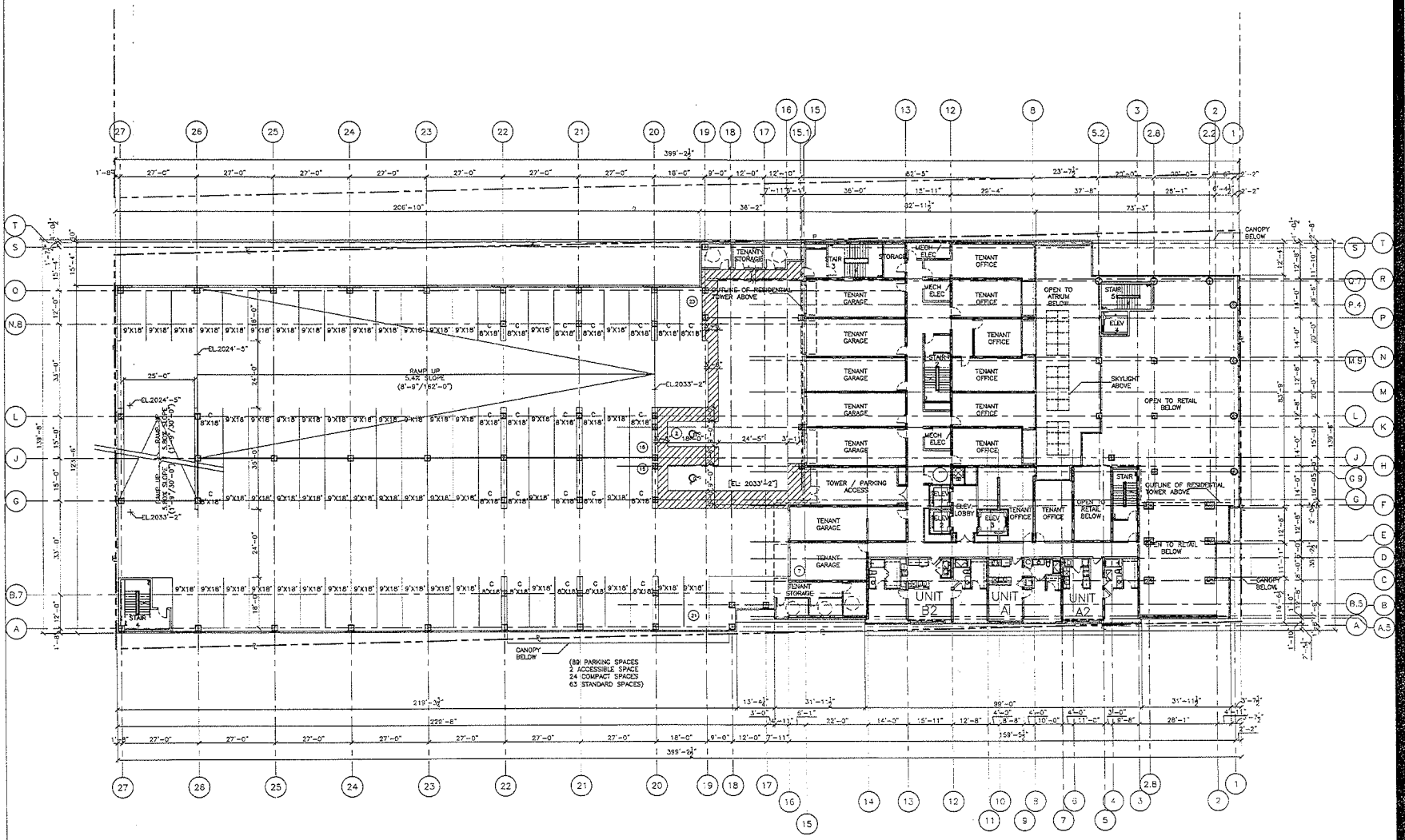

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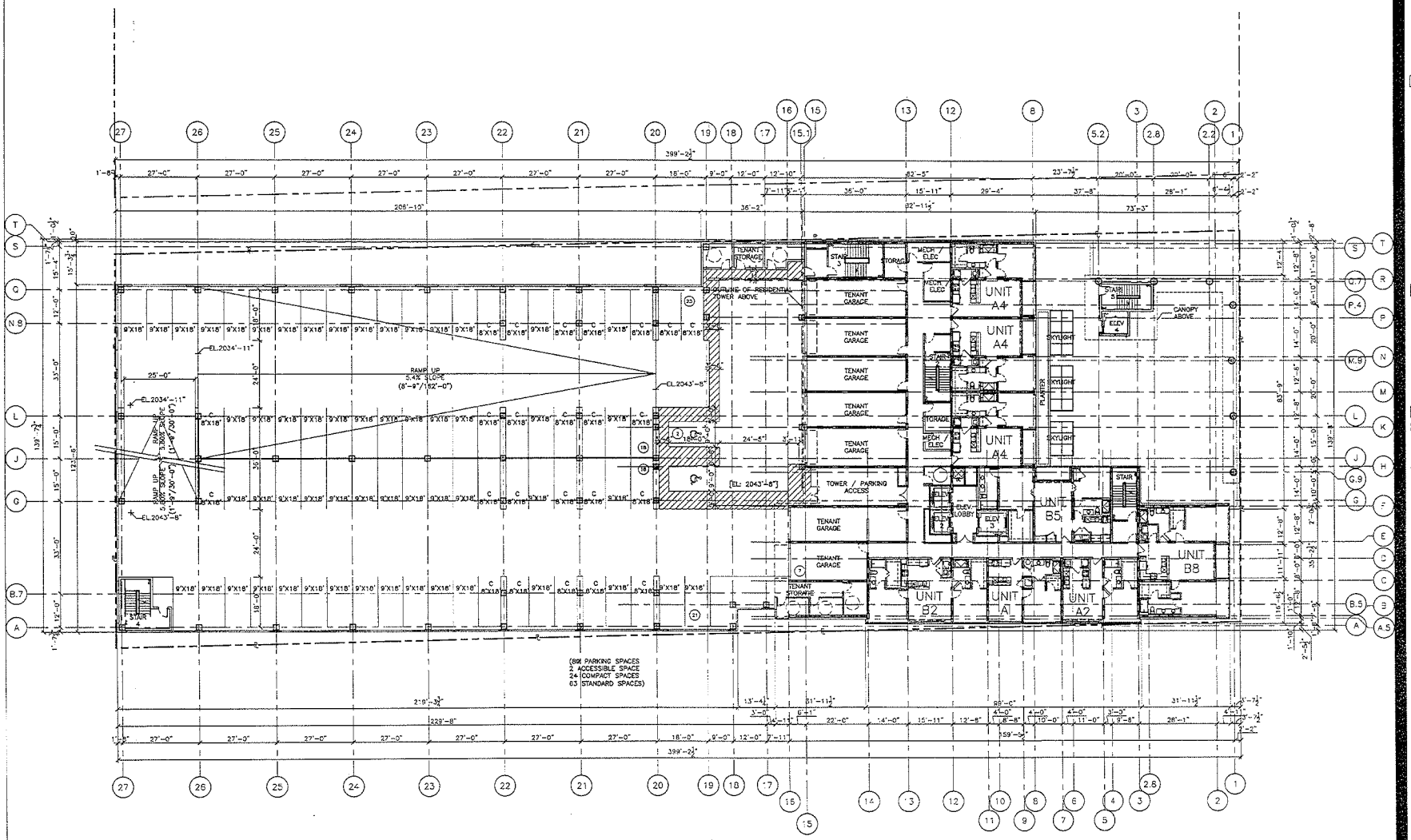

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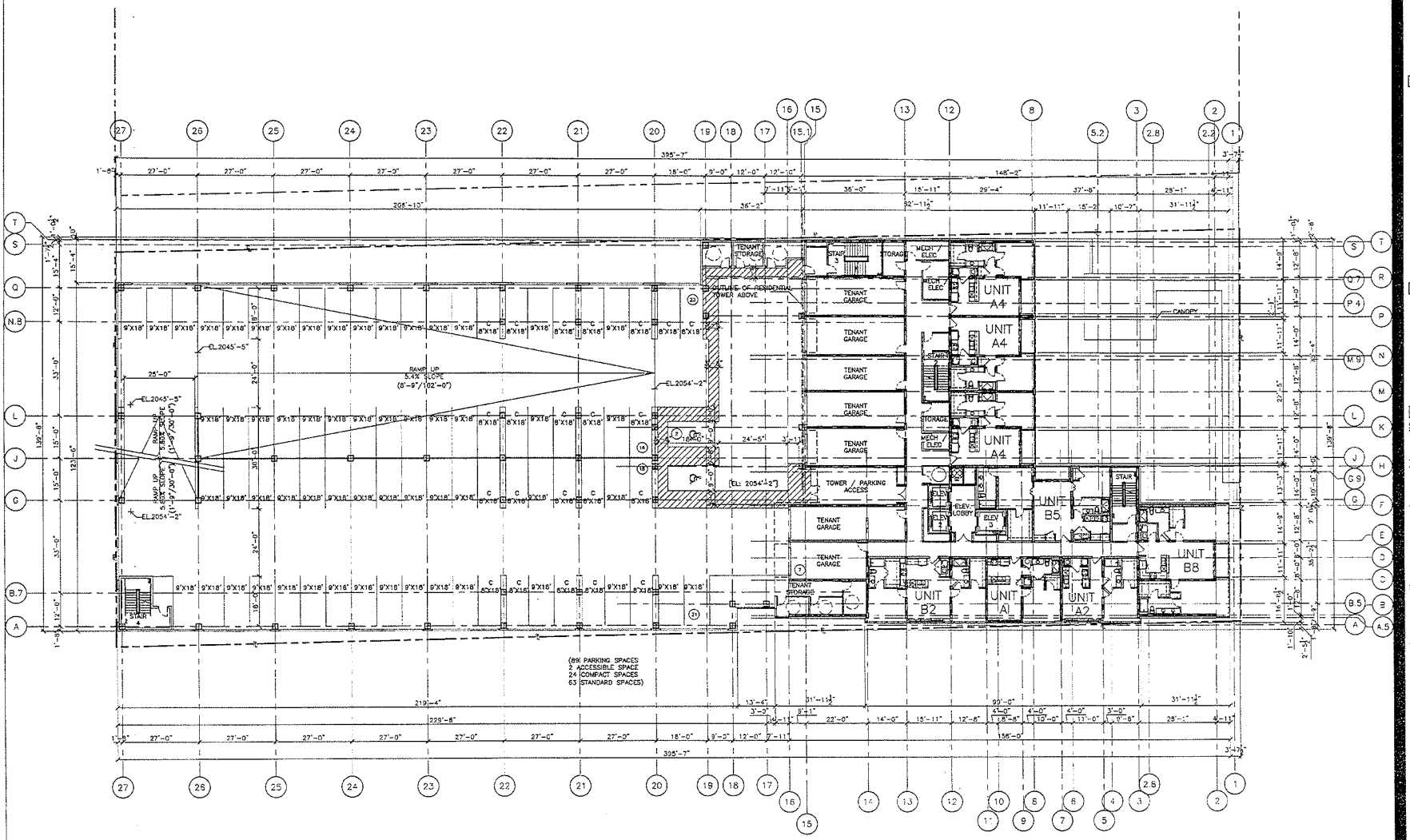

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PLAN NORTH

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LEVEL 06 FLOOR PLAN

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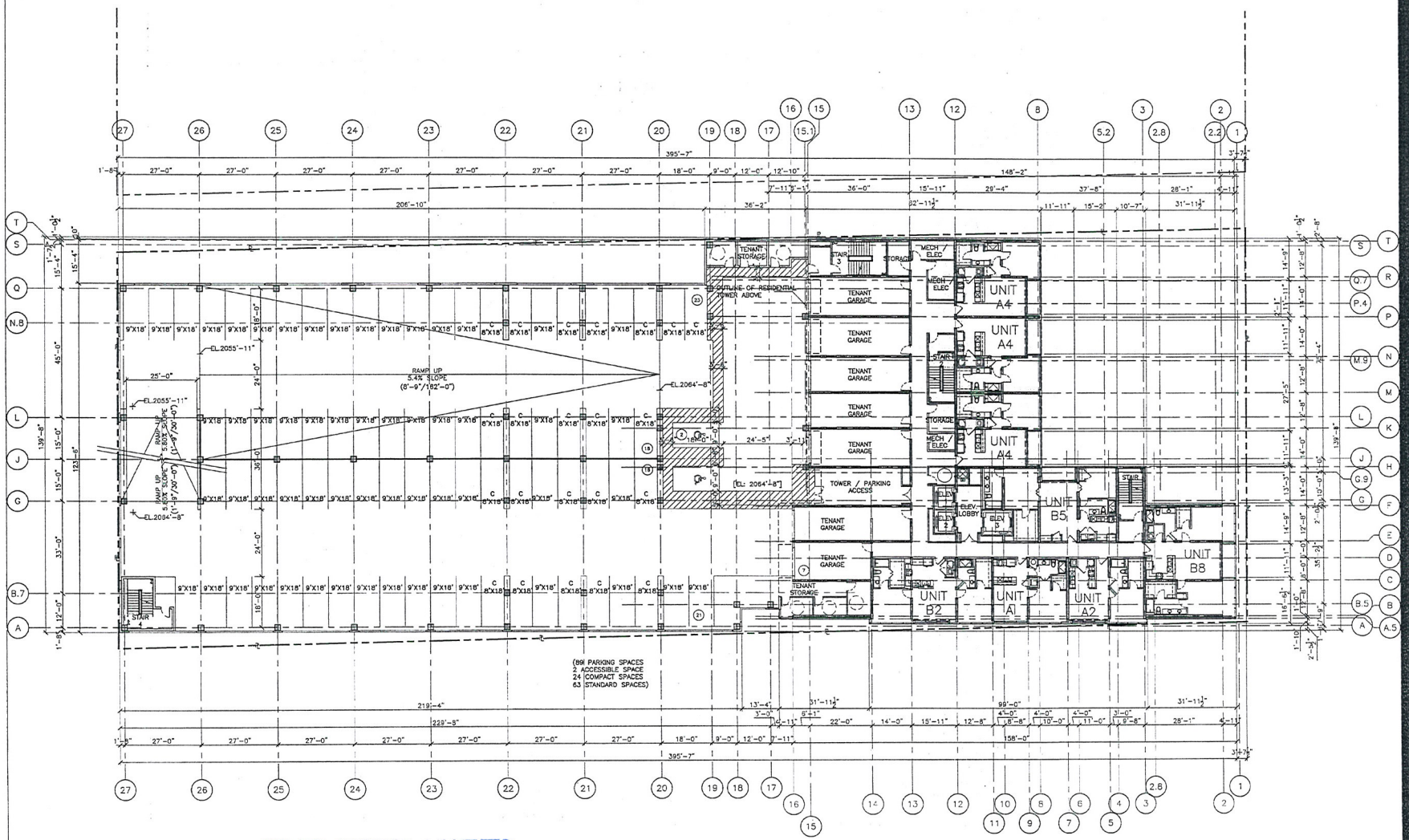

01 LEVEL 07 FLOOR PLAN
SCALE: 1/16"=1'-0"

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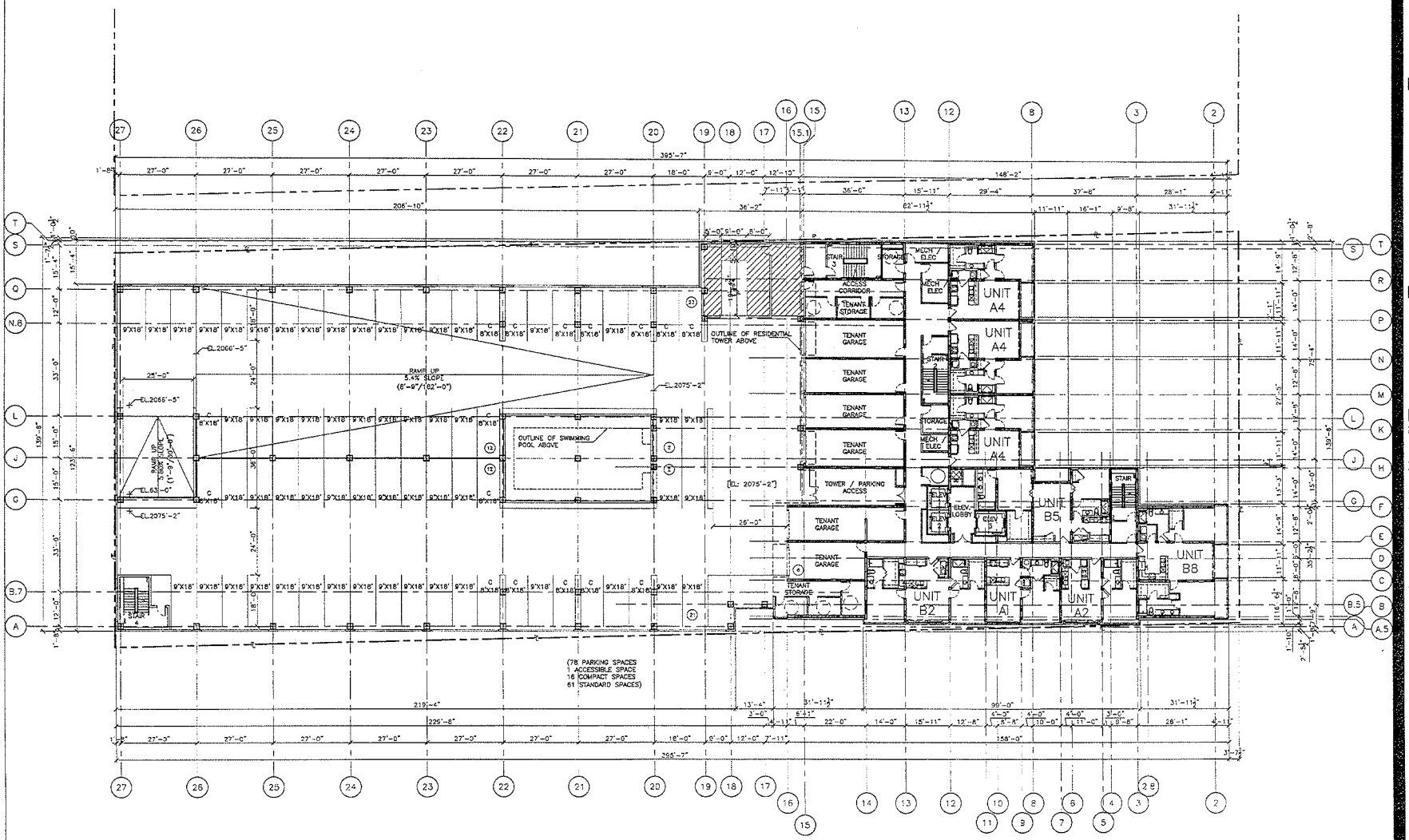

01 LEVEL 08 FLOOR PLAN
SCALE: 1/16"=1'-0"

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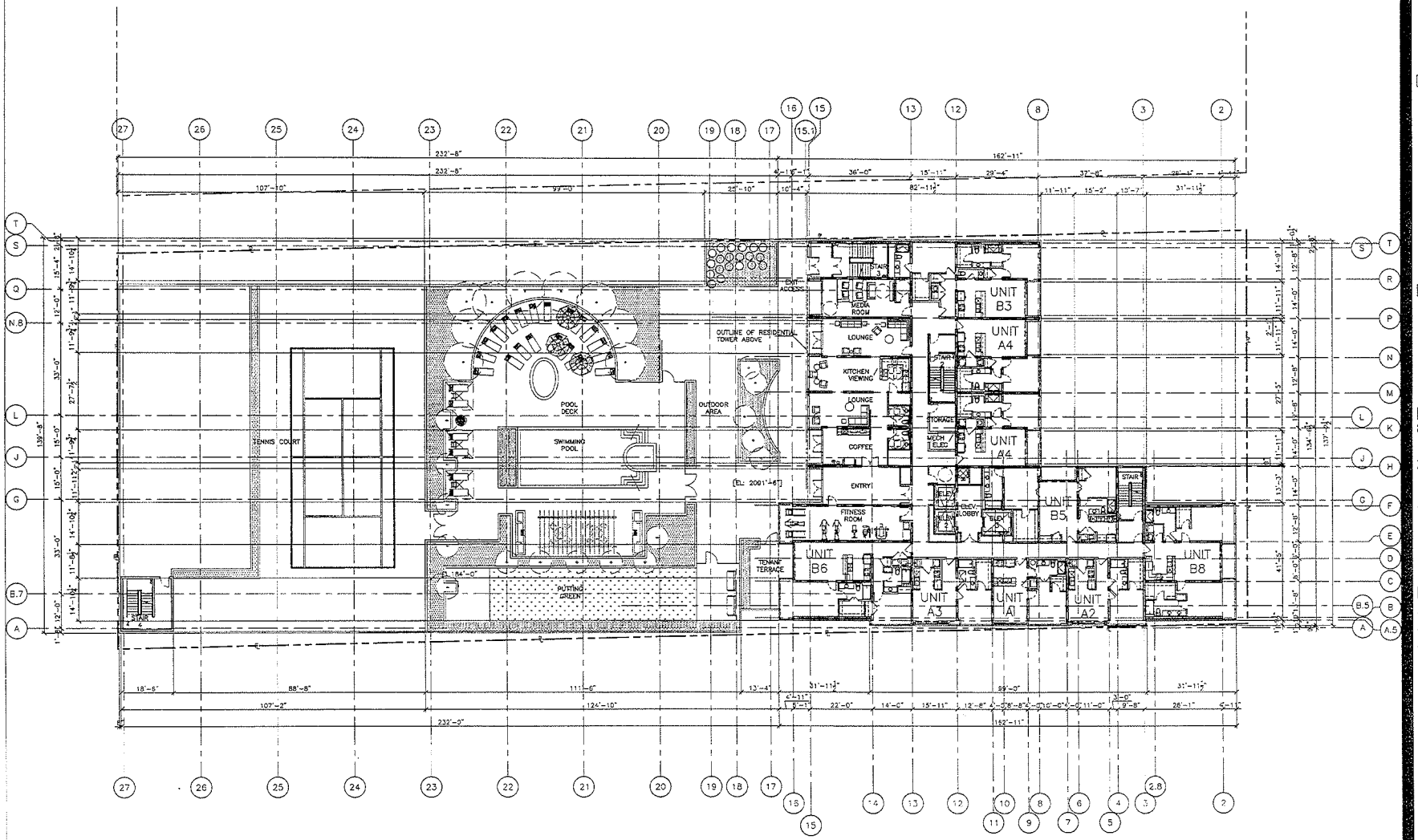

01 LEVEL 09 FLOOR PLAN (SWIMMING POOL LEVEL)
SCALE: 1/16"=1'-0"

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LEVEL 09 FLOOR PLAN (SWIMMING POOL LEVEL)

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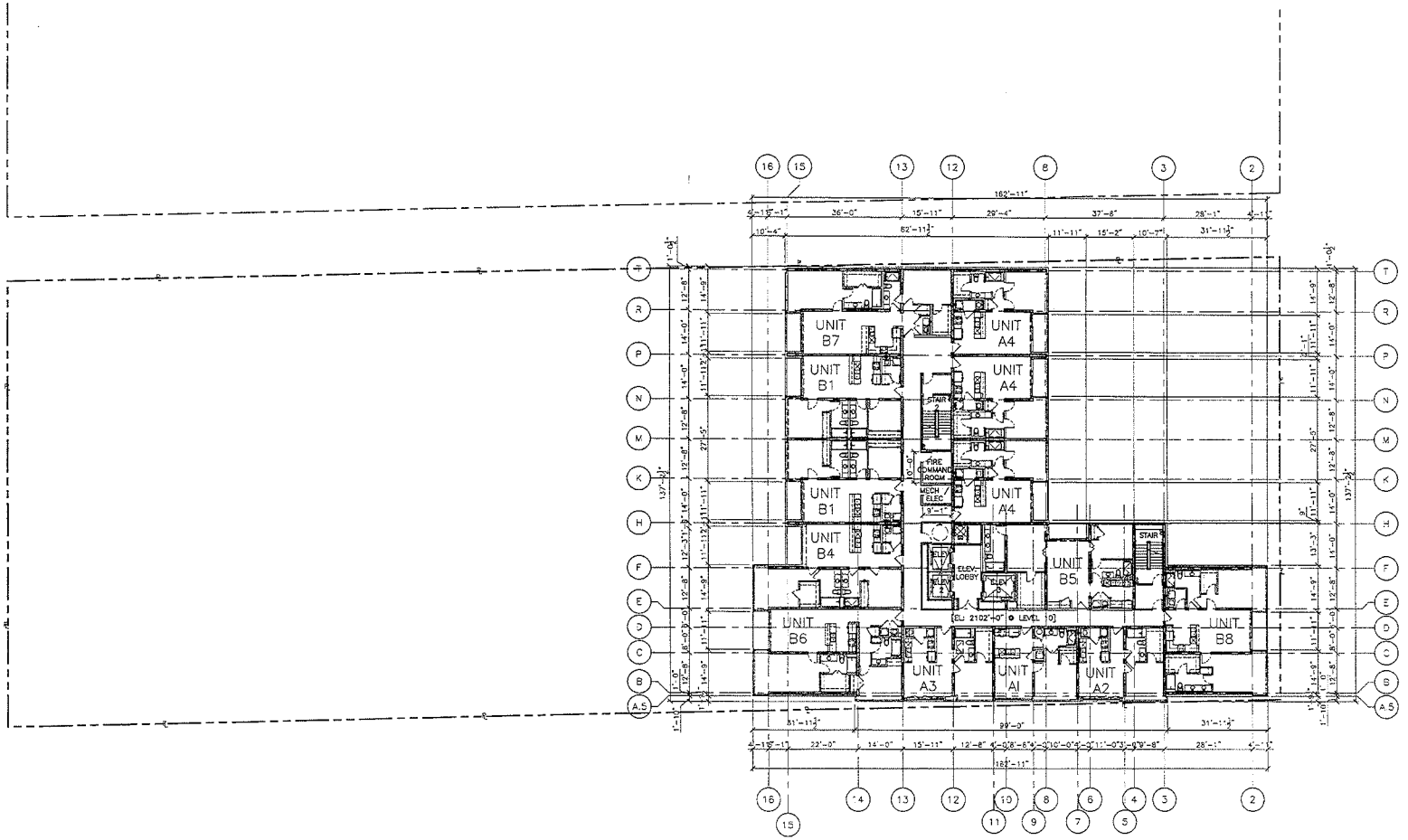

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01 LEVELS 10, 20, 30 FLOOR PLAN (FIRE COMMAND ROOM)
SCALE: 1/16"=1'-0"

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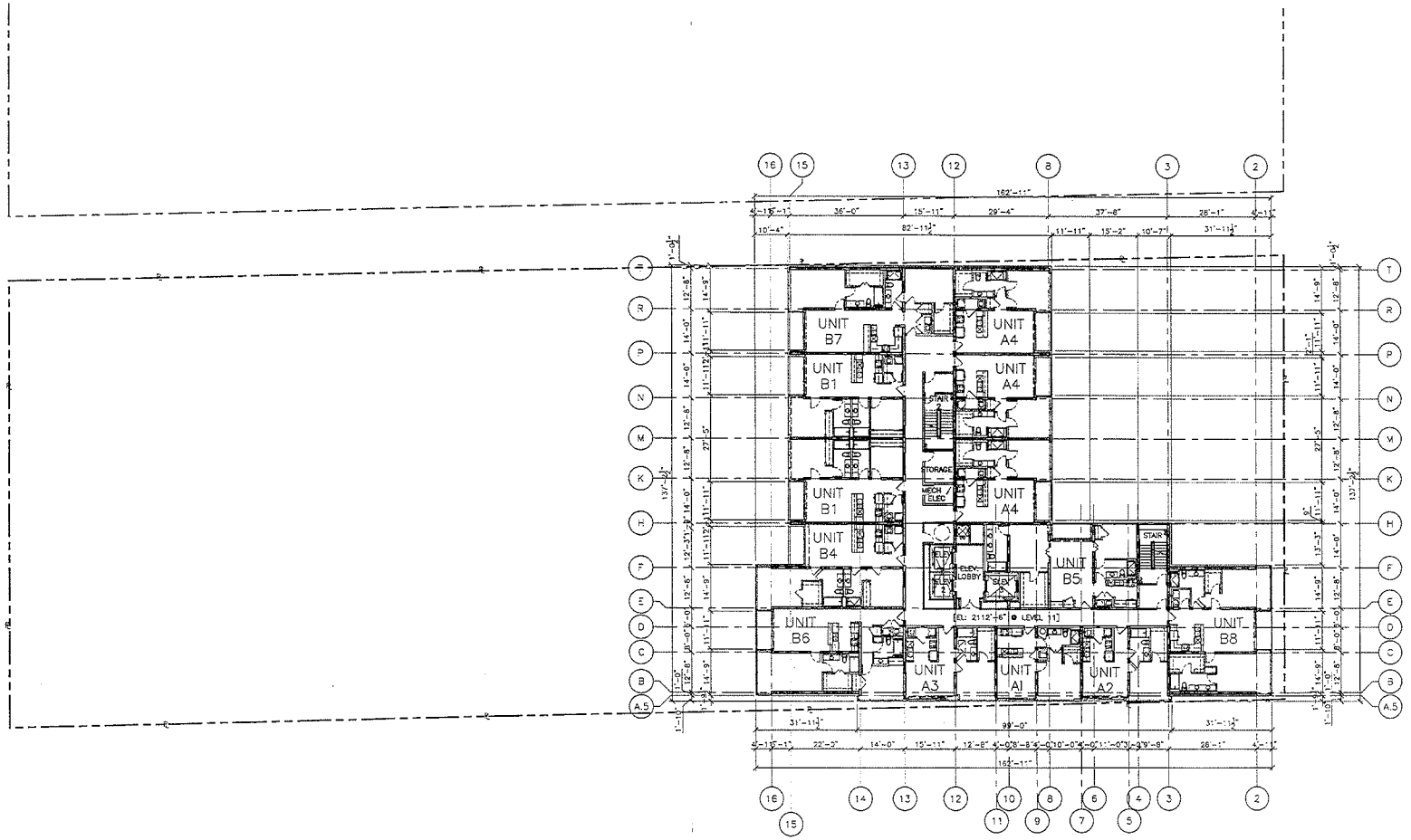

01 LEVELS 11–19, 20–19, 31– 32 FLOOR PLAN (TYPICAL FLOOR PLAN)
SCALE: 1/16"=1'-0"

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LEVELS 11 - 32 FLOOR PLAN
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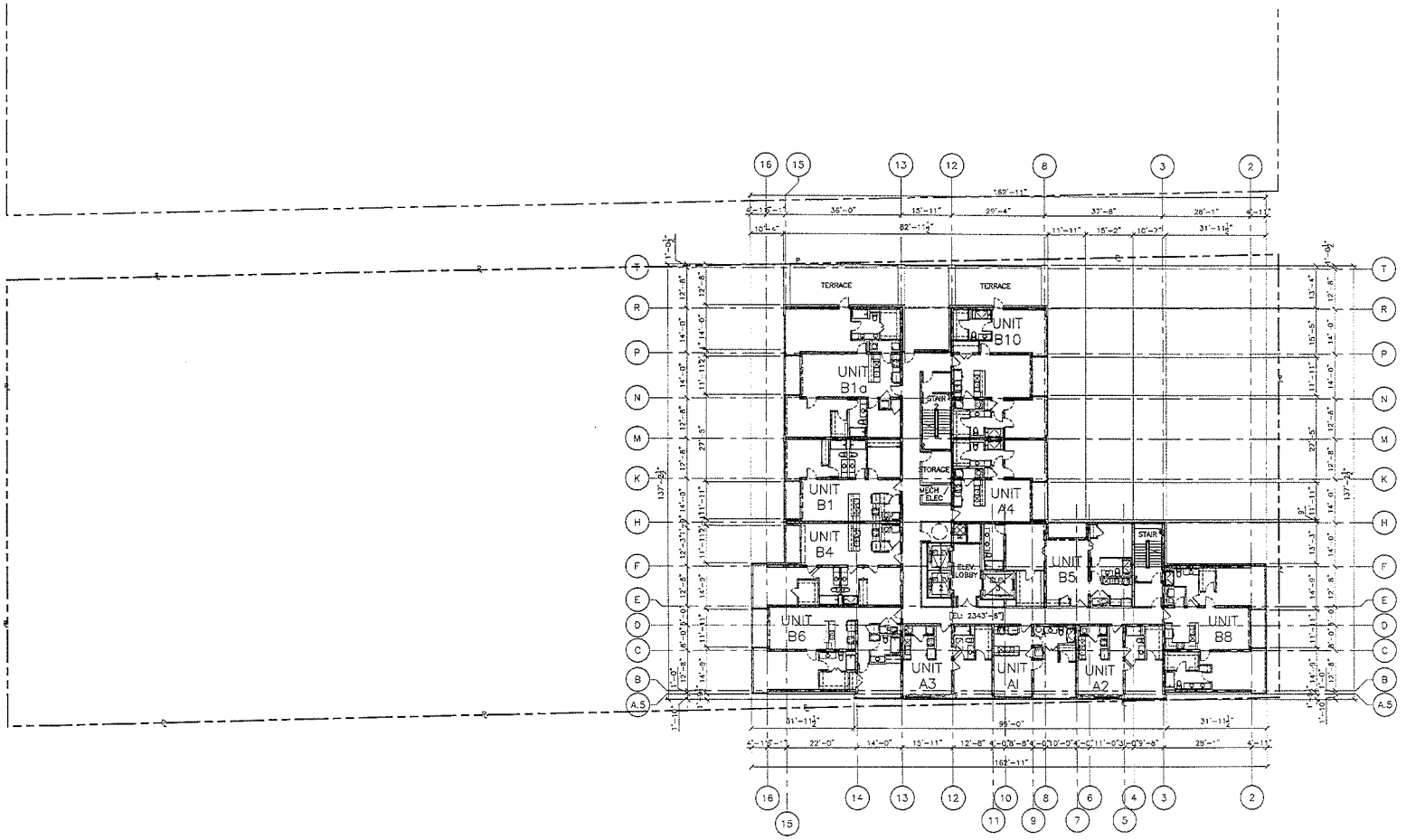

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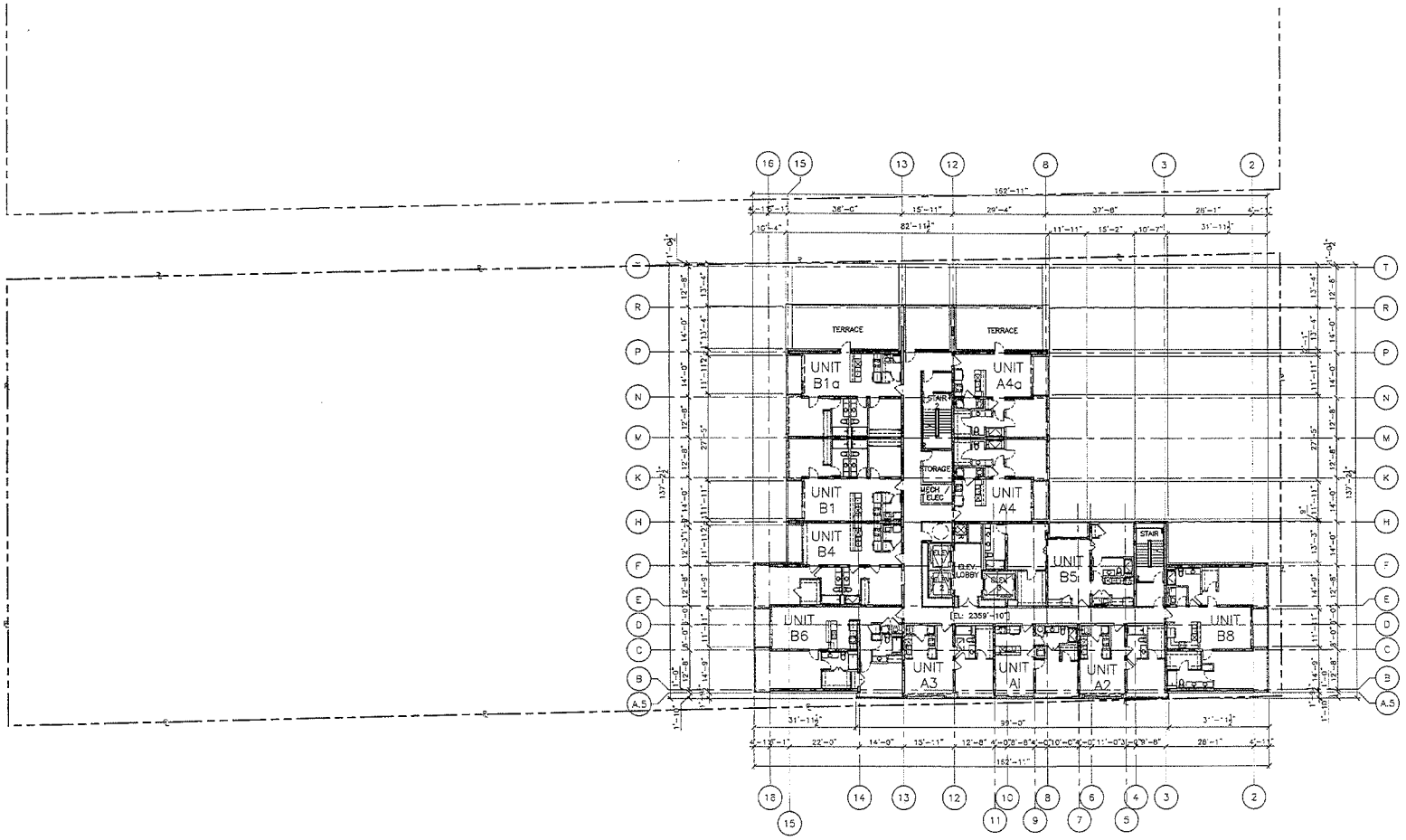

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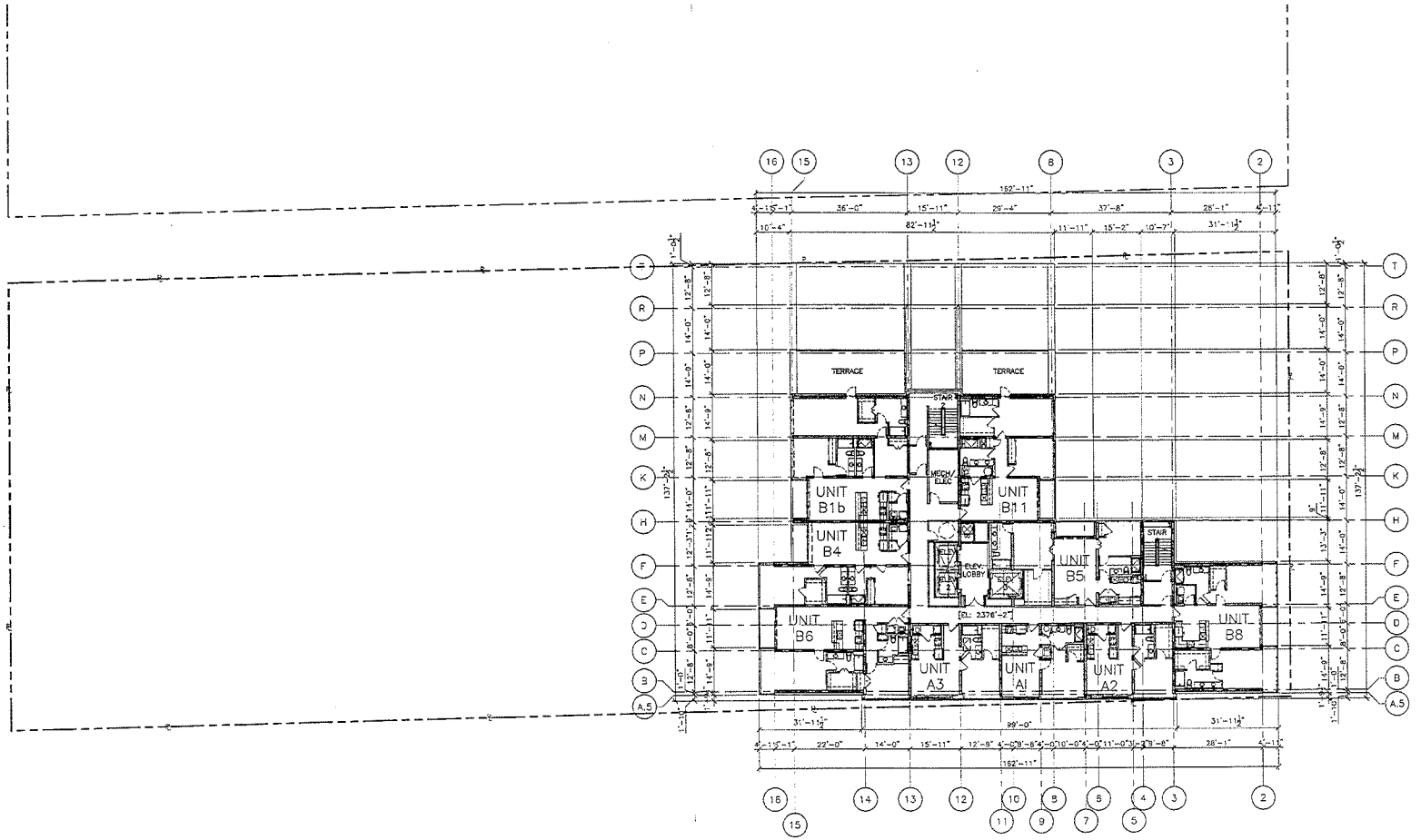

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SCALE: 1/16"=1'-0"

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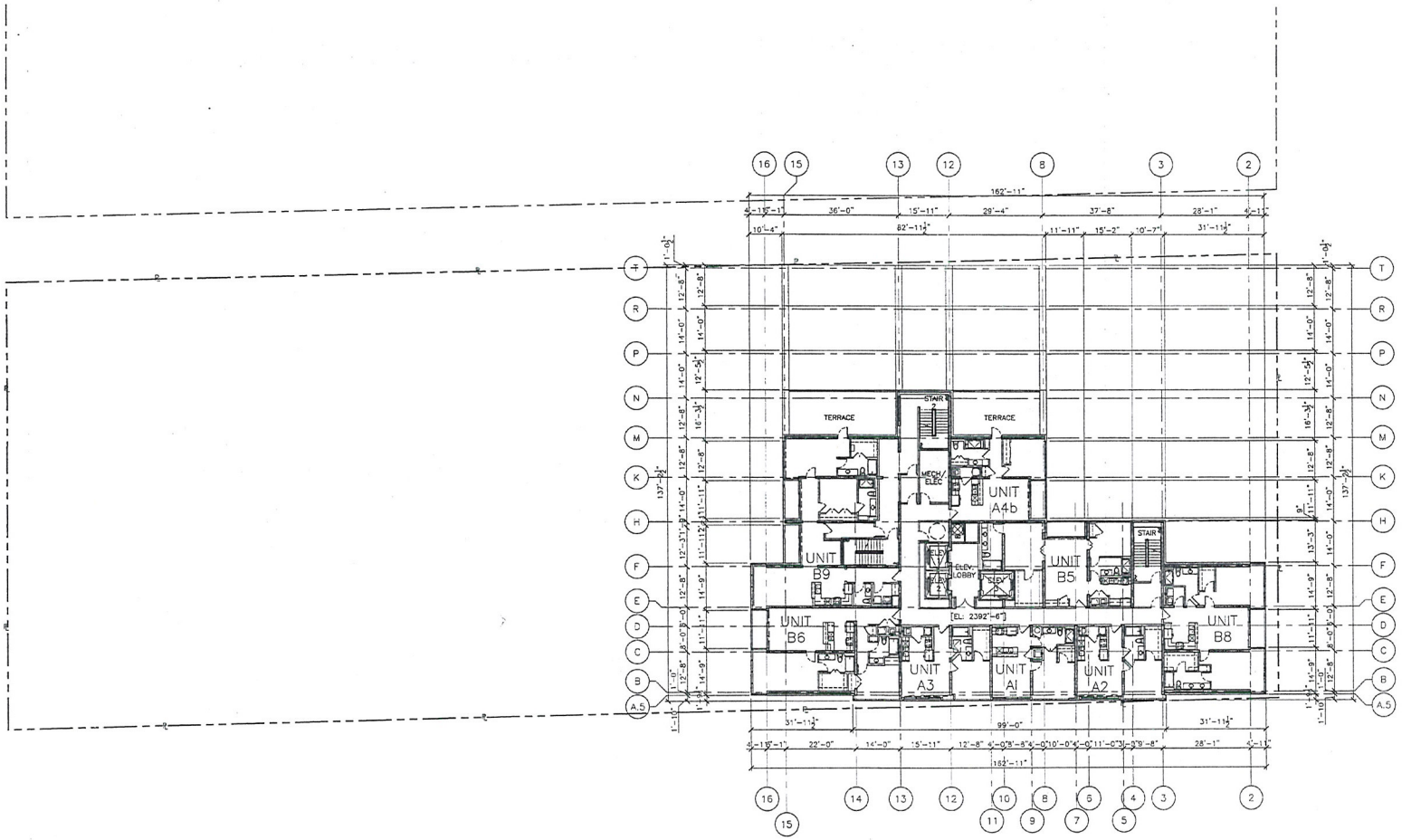

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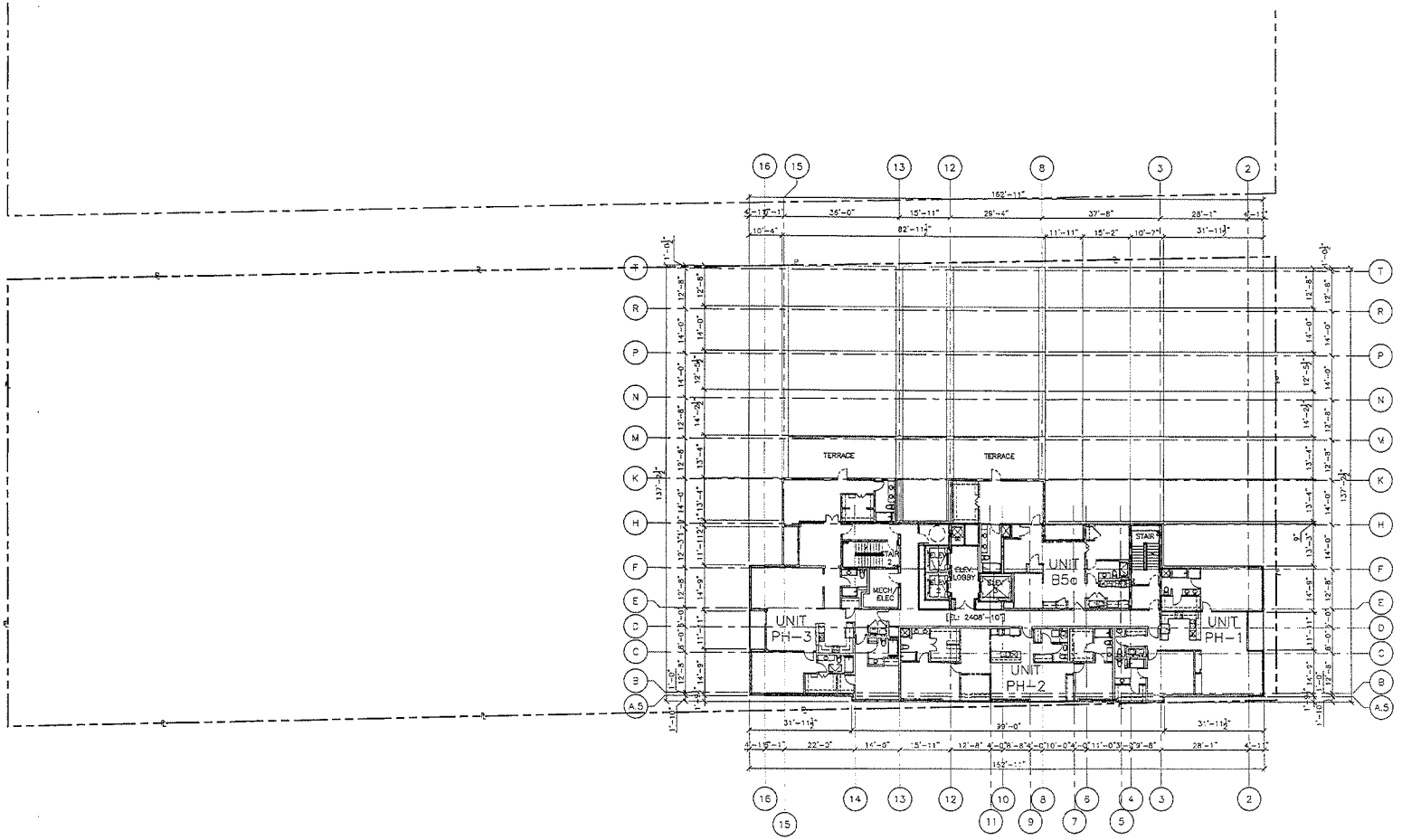

01 LEVEL 37 FLOOR PLAN
SCALE: 1/16" = 1'-0"

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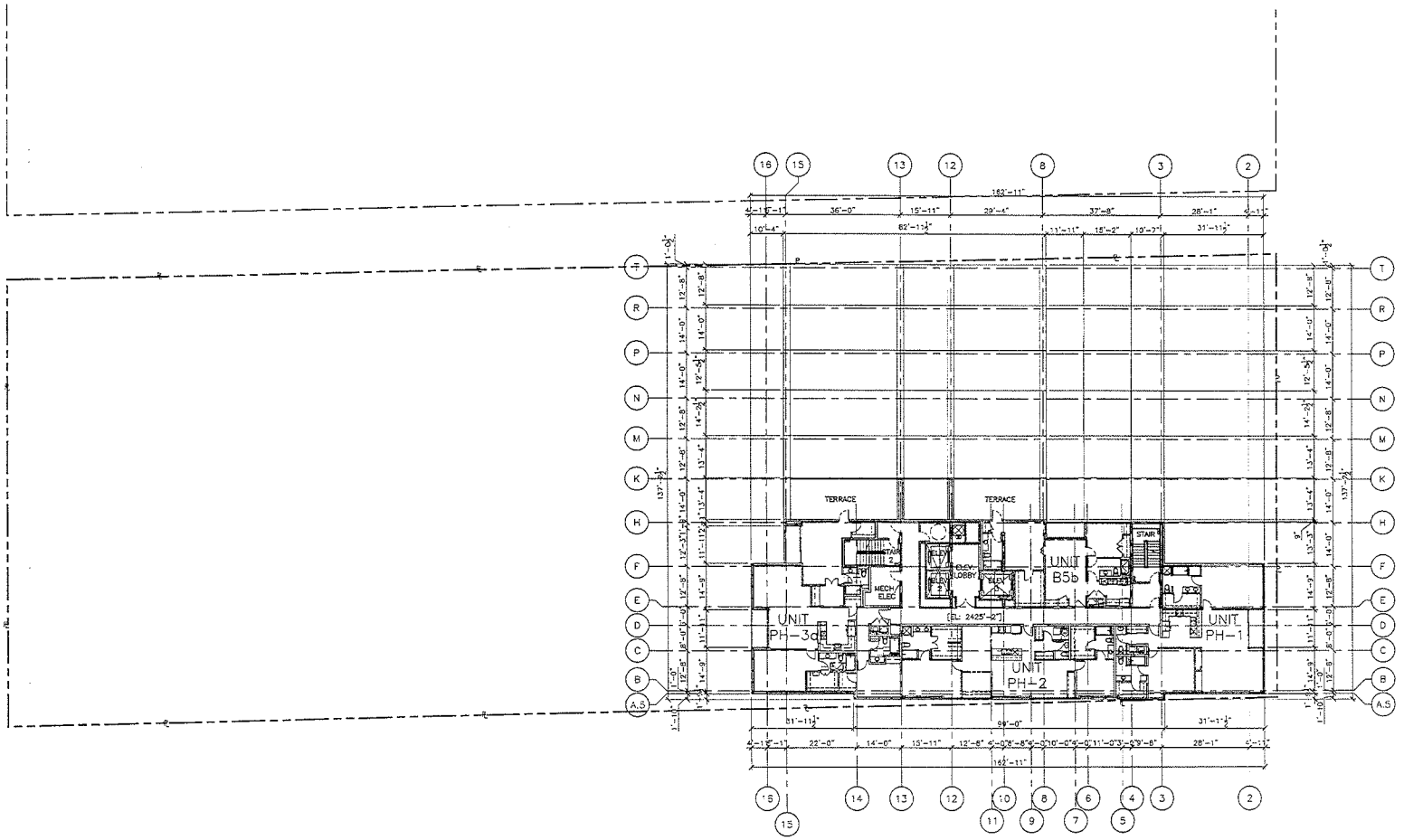

01 LEVEL 38 FLOOR PLAN
SCALE: 1/16"=1'-0"

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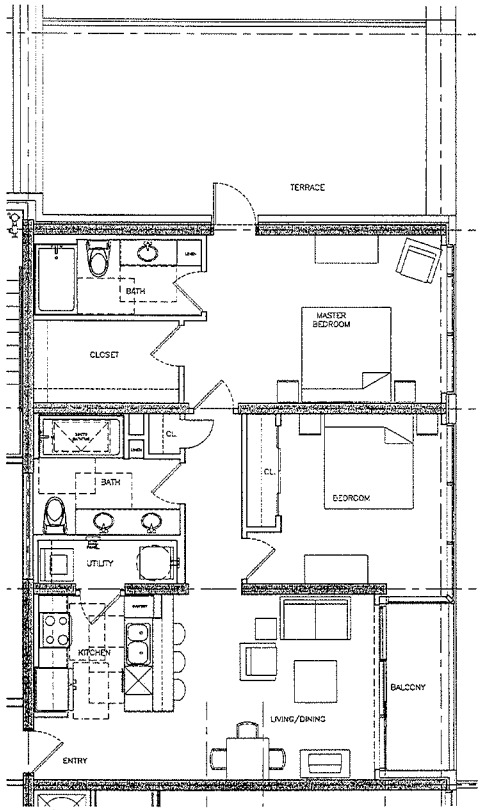
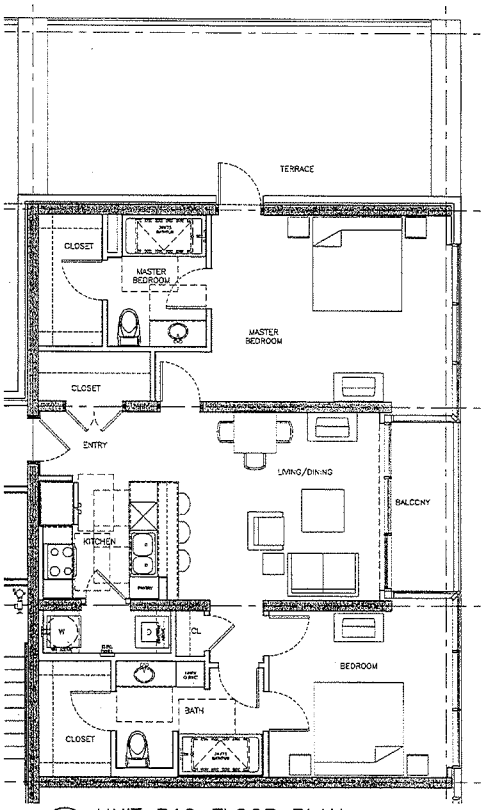


06 UNIT B11 FLOOR PLAN
SCALE: 1/4"=1'-0"



05 UNIT B10 FLOOR PLAN
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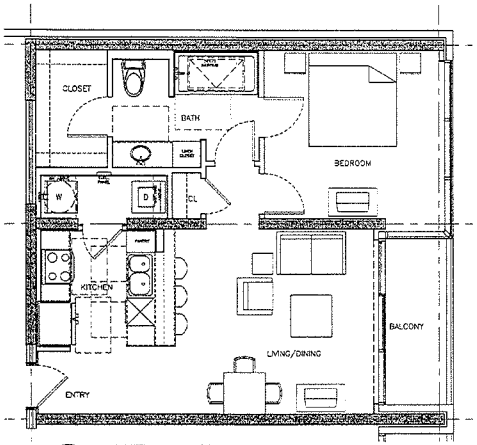
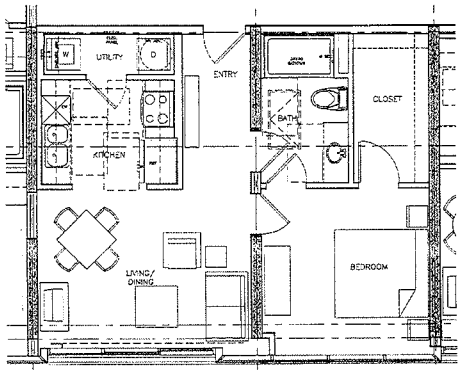
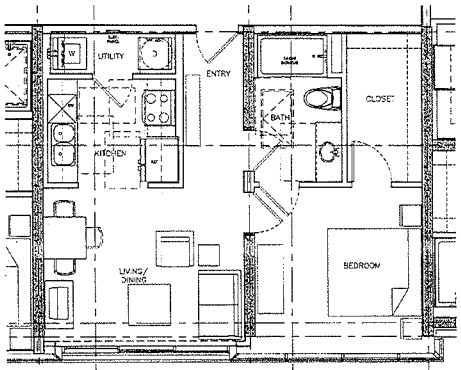


04 UNIT A4 FLOOR PLAN
SCALE: 1/4"=1'-0"



03 UNIT A3 FLOOR PLAN
SCALE: 1/4"=1'-0"



02 UNIT A2 FLOOR PLAN
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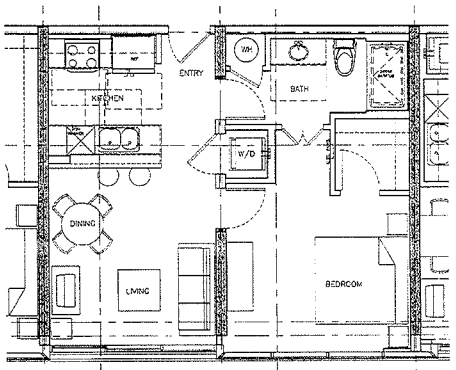

01 UNIT A1 FLOOR PLAN
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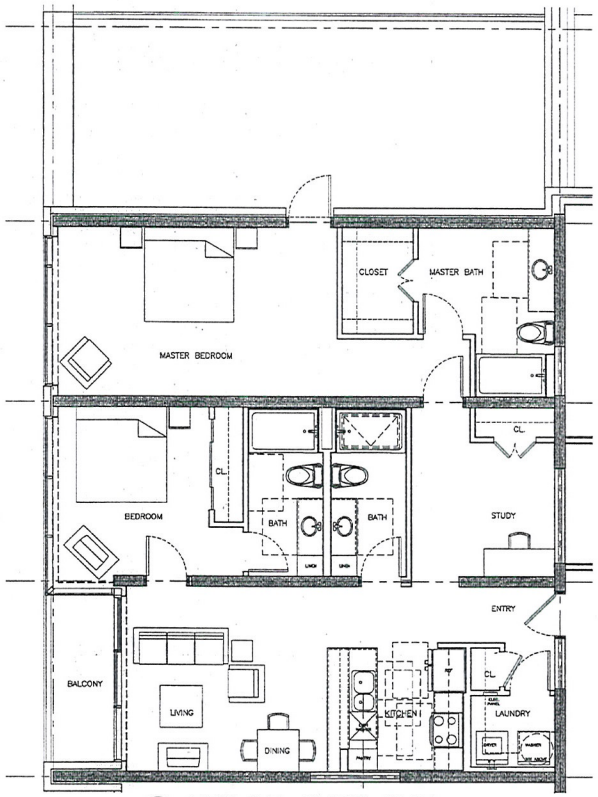

04 UNIT B1b FLOOR PLAN
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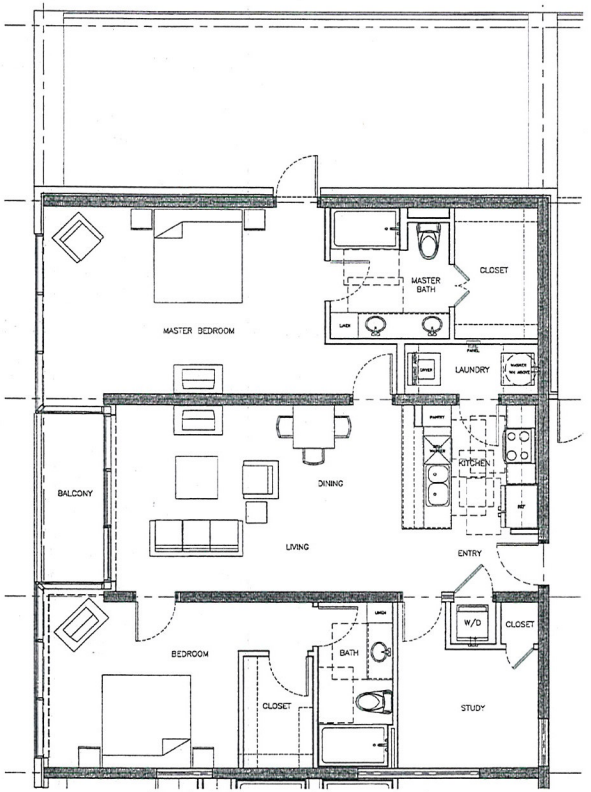

03 UNIT B1a FLOOR PLAN
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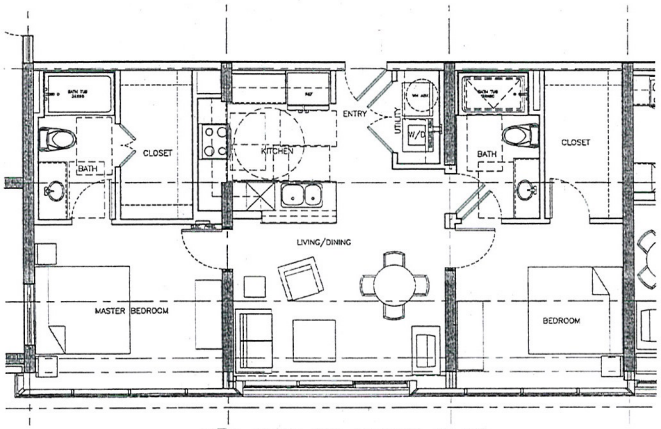

02 UNIT B2 FLOOR PLAN
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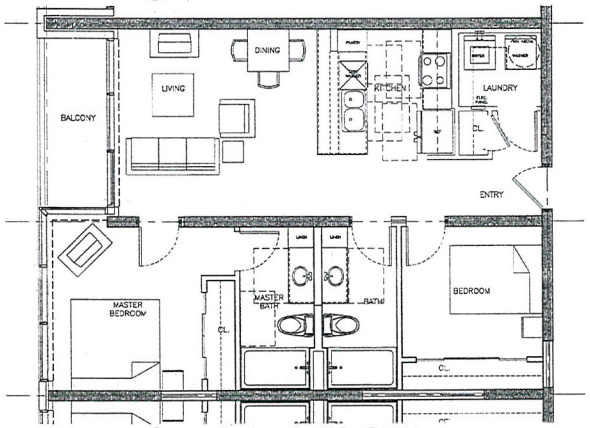

01 UNIT B1 FLOOR PLAN
SCALE: 1/4"=1'-0"

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Issues and Revisions

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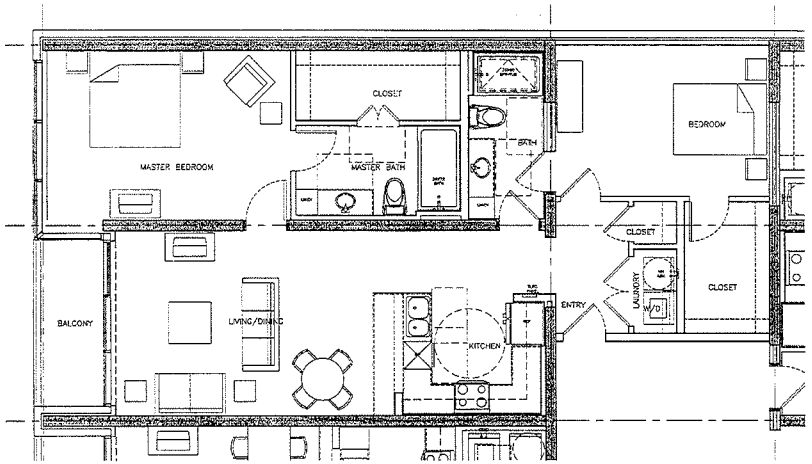

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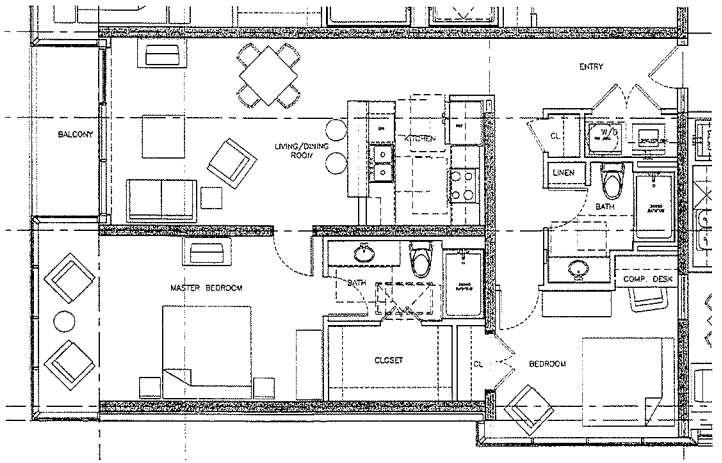

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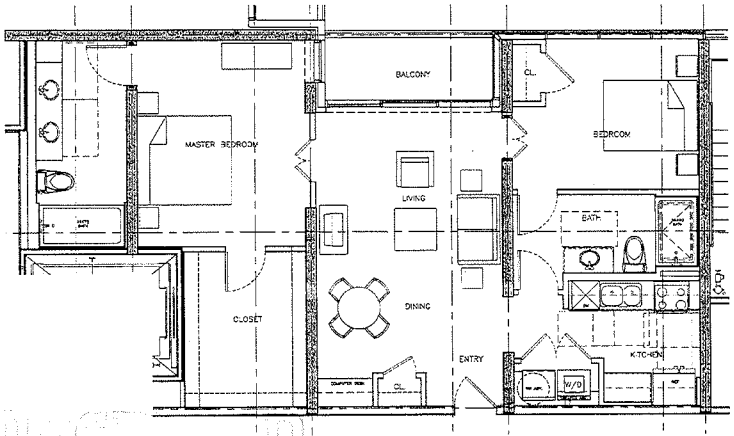
SCALE: 1/4"=1'-0"



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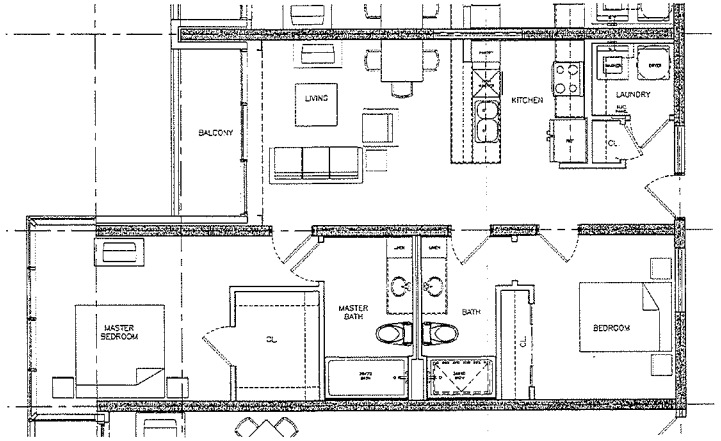
SCALE: 1/4"=1'-0"



01 UNIT B4 FLOOR PLAN
SCALE: 1/4"=1'-0"

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Sheet Number
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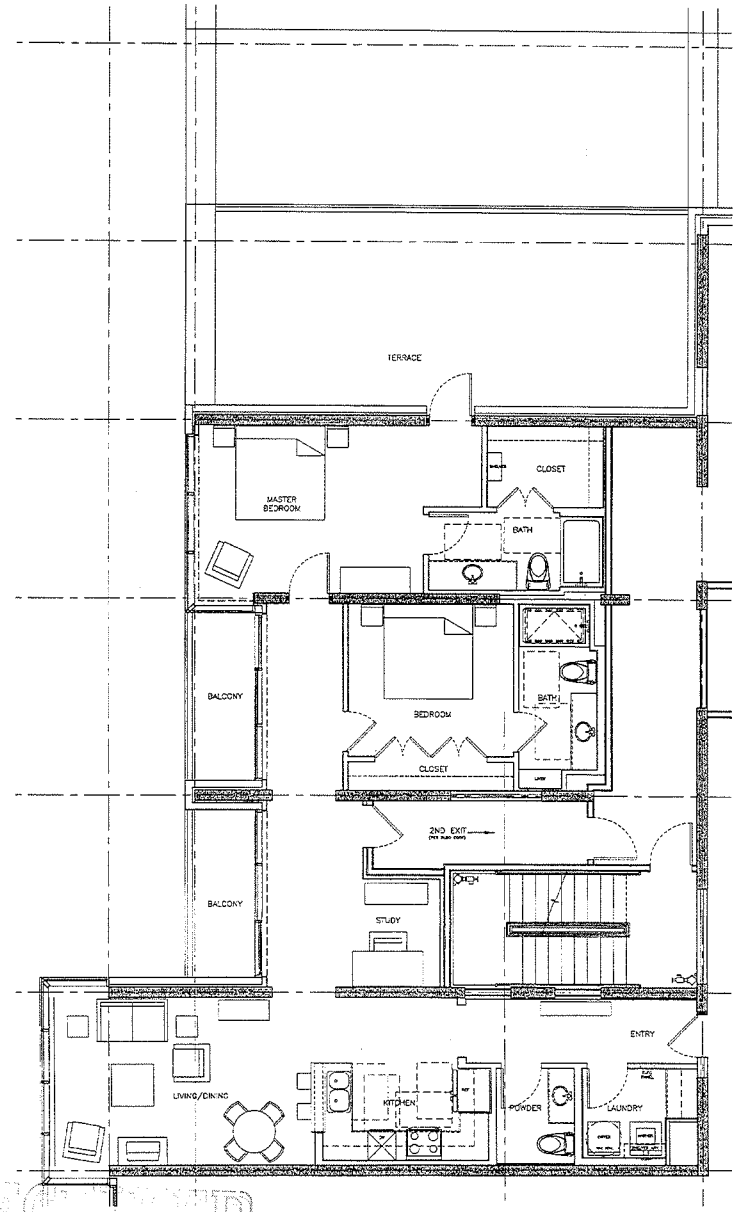
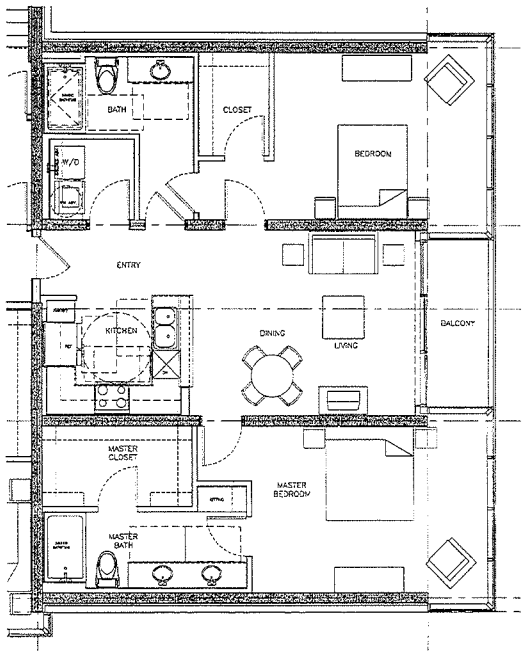


02 UNIT B9 FLOOR PLAN
SCALE: 1/4"=1'-0"



01 UNIT B8 FLOOR PLAN
SCALE: 1/4"=1'-0"

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UNIT FLOOR PLANS

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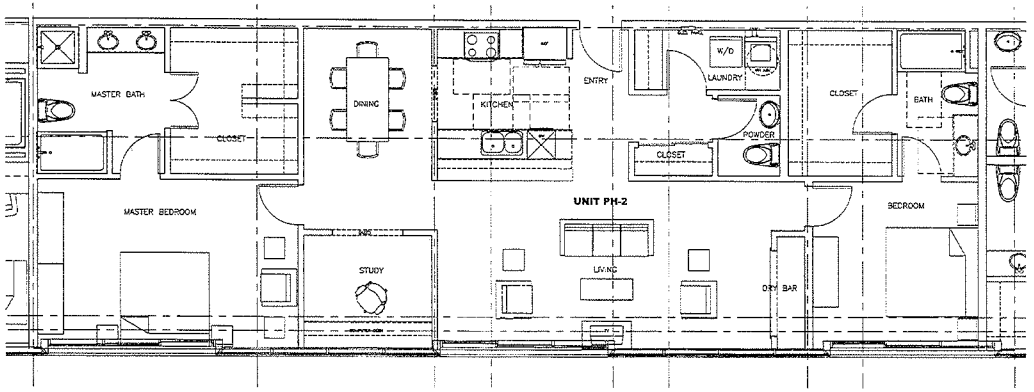
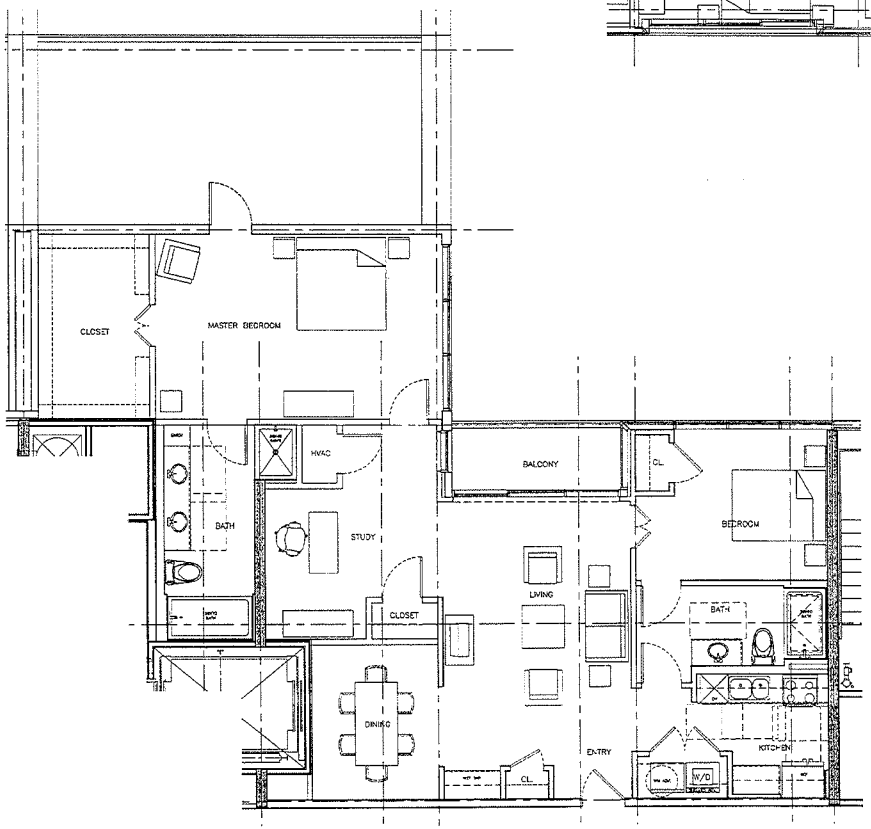
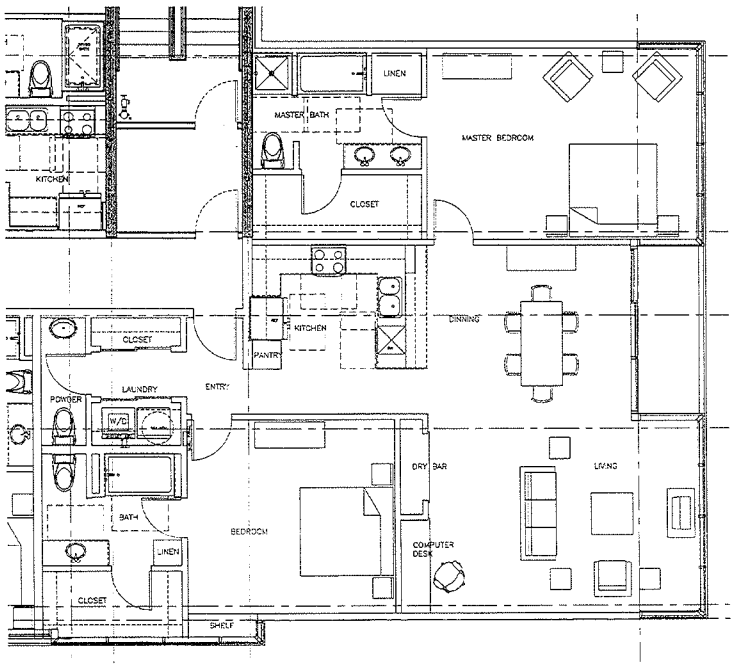


03 UNIT PH-2 FLOOR PLAN
SCALE: 1/4"=1'-0" PENTHOUSE LEVEL UNIT (LEVELS 37-38)



02 UNIT B5a FLOOR PLAN
SCALE: 1/4"=1'-0" PENTHOUSE LEVEL UNIT (LEVEL 37)



01 UNIT PH-1 FLOOR PLAN
SCALE: 1/4"=1'-0" PENTHOUSE LEVEL UNIT (LEVELS 37-38)

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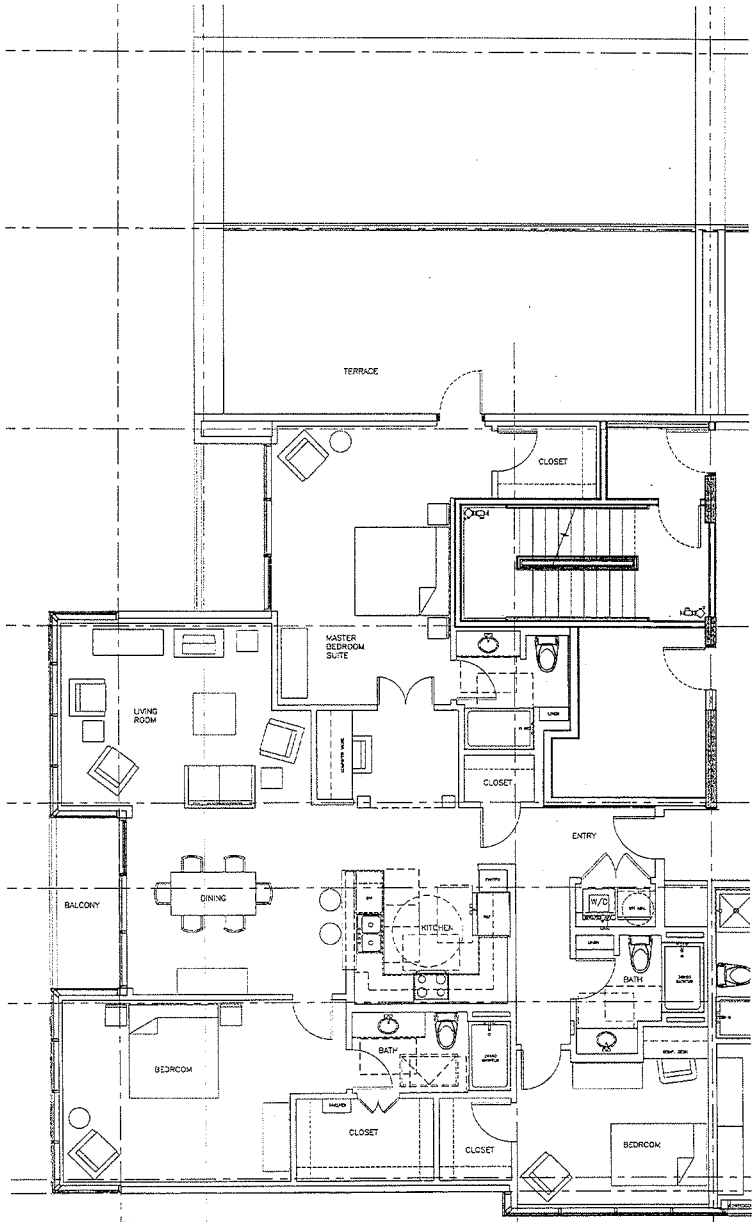
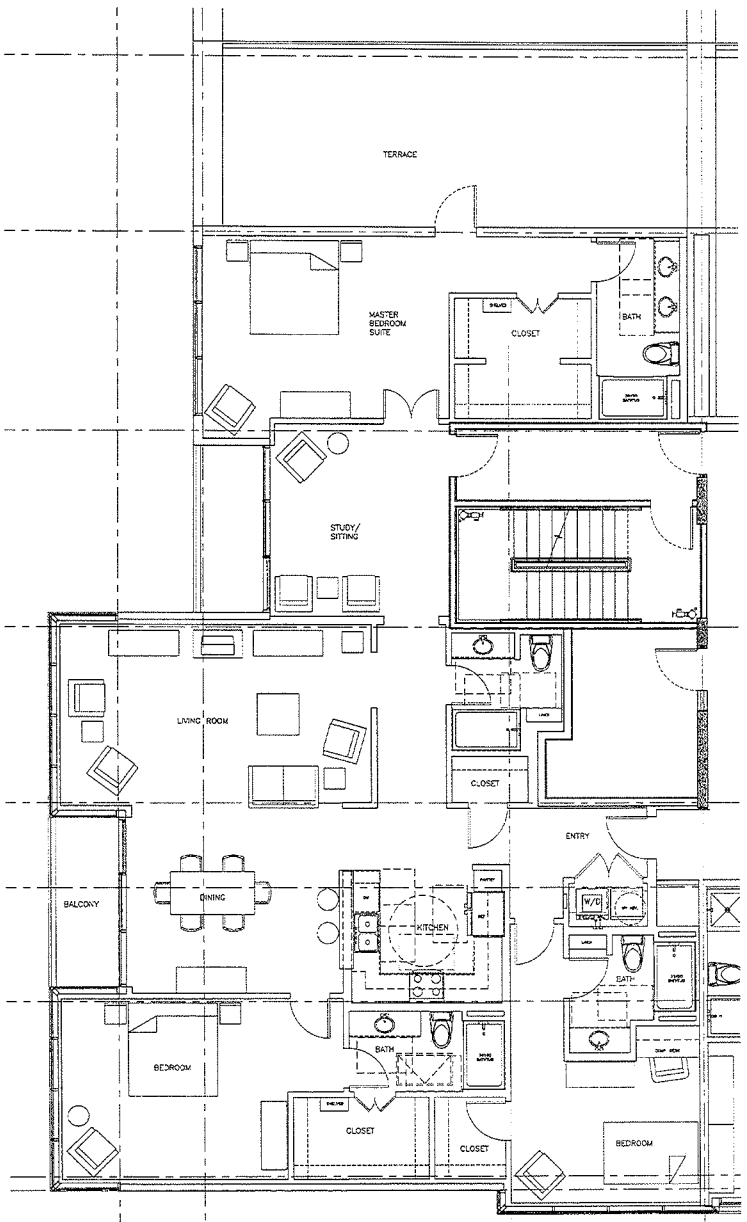


02 UNIT PH-3A FLOOR PLAN
SCALE: 1/4"=1'-0" PENTHOUSE LEVEL UNIT (LEVEL 38)



01 UNIT PH-3 FLOOR PLAN
SCALE: 1/4"=1'-0" PENTHOUSE LEVEL UNIT (LEVEL 38)

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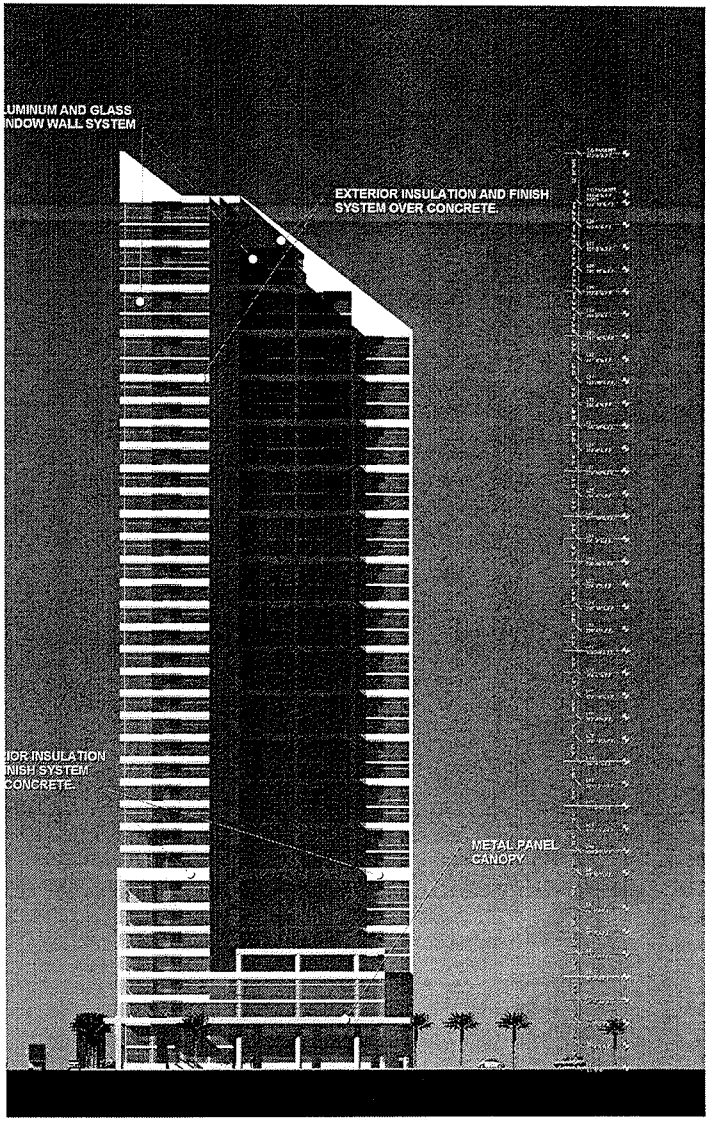
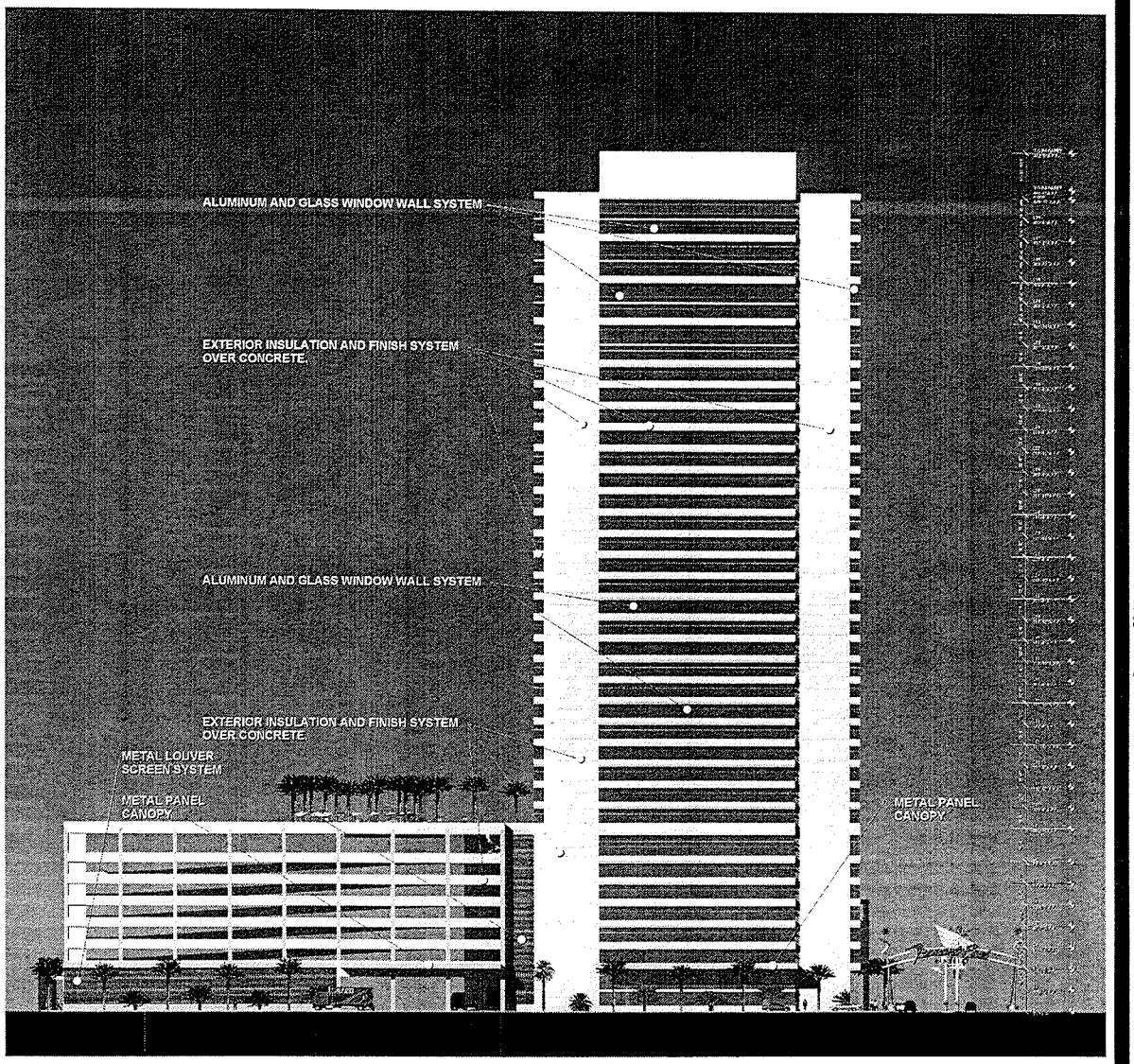


01 NORTH ELEVATION

0 15' 30' 60'

NOTE: BUILDING SIGNAGE COLOR, SIZE AND LOCATION PER CITY APPROVAL.



02 EAST ELEVATION

0 15' 30' 60'

NOTE: BUILDING SIGNAGE COLOR, SIZE AND LOCATION PER CITY APPROVAL.

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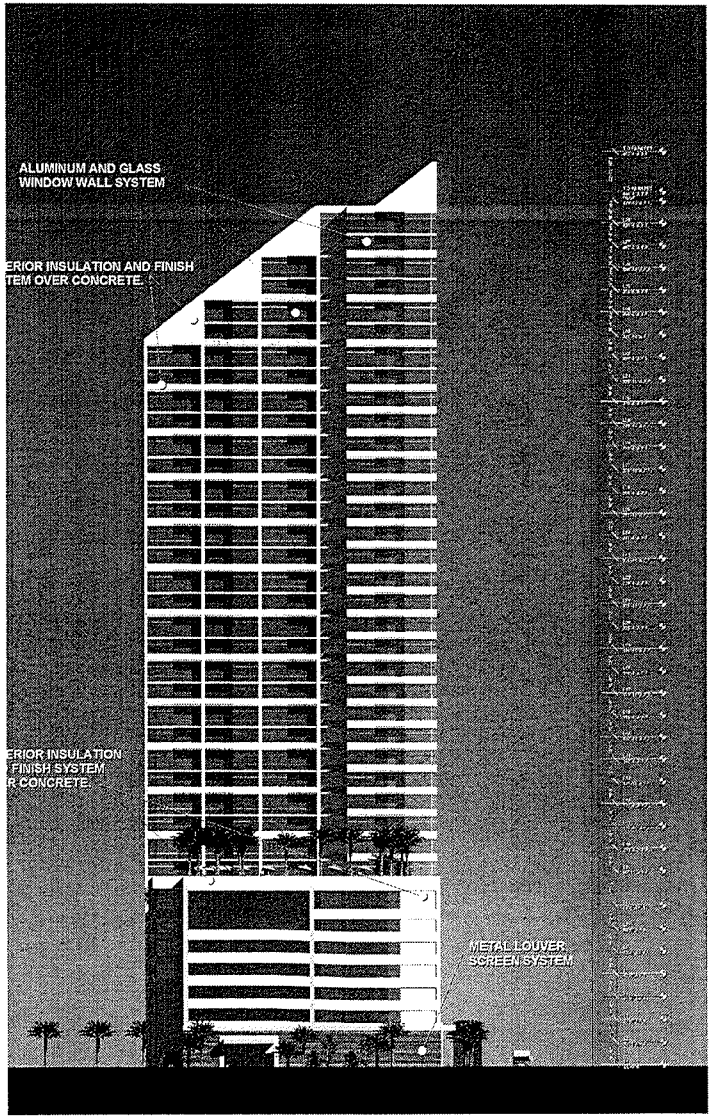
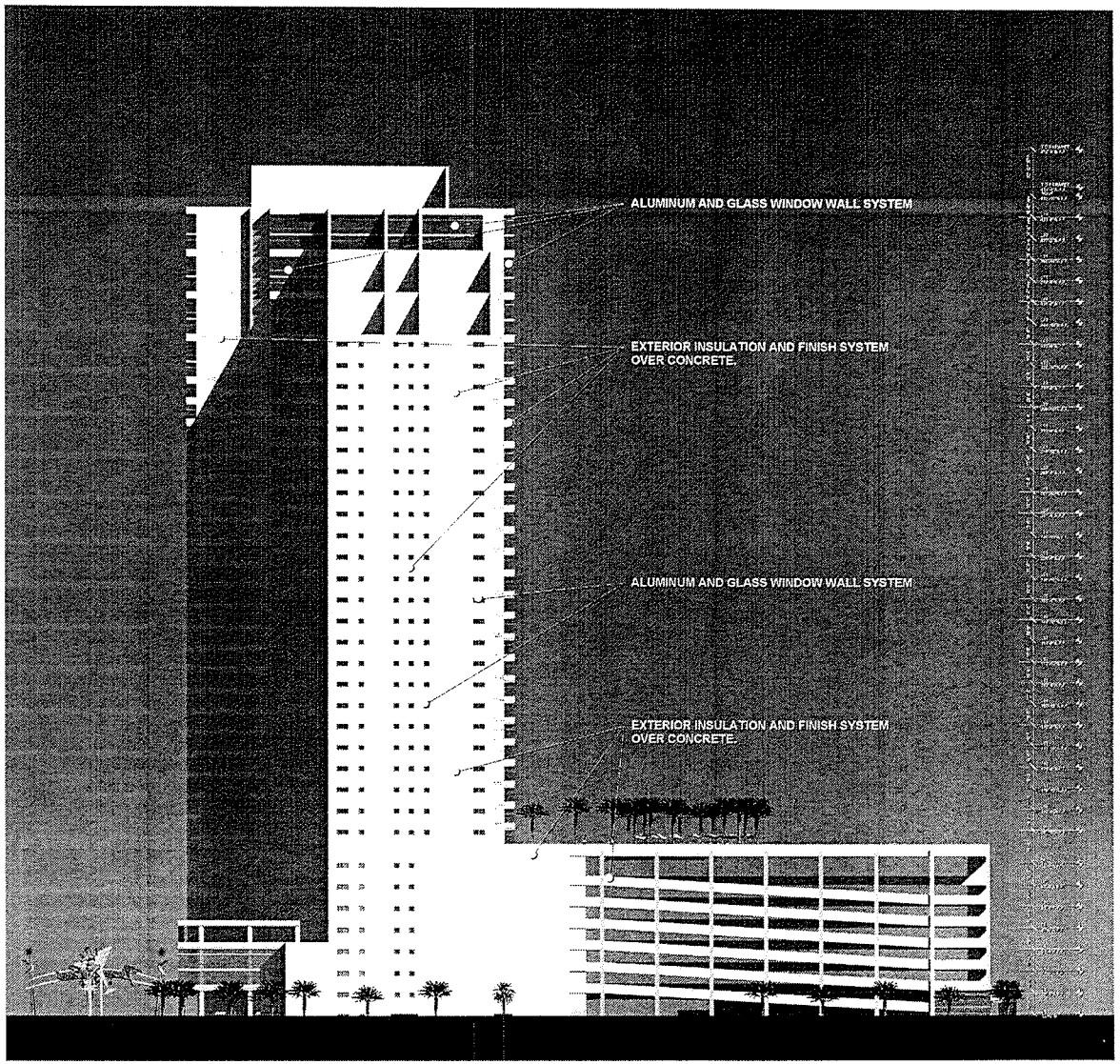


01 SOUTH ELEVATION

NOTE: BUILDING SIGNAGE COLOR, SIZE AND LOCATION PER CITY APPROVAL.



02 WEST ELEVATION

NOTE: BUILDING SIGNAGE COLOR, SIZE AND LOCATION PER CITY APPROVAL.

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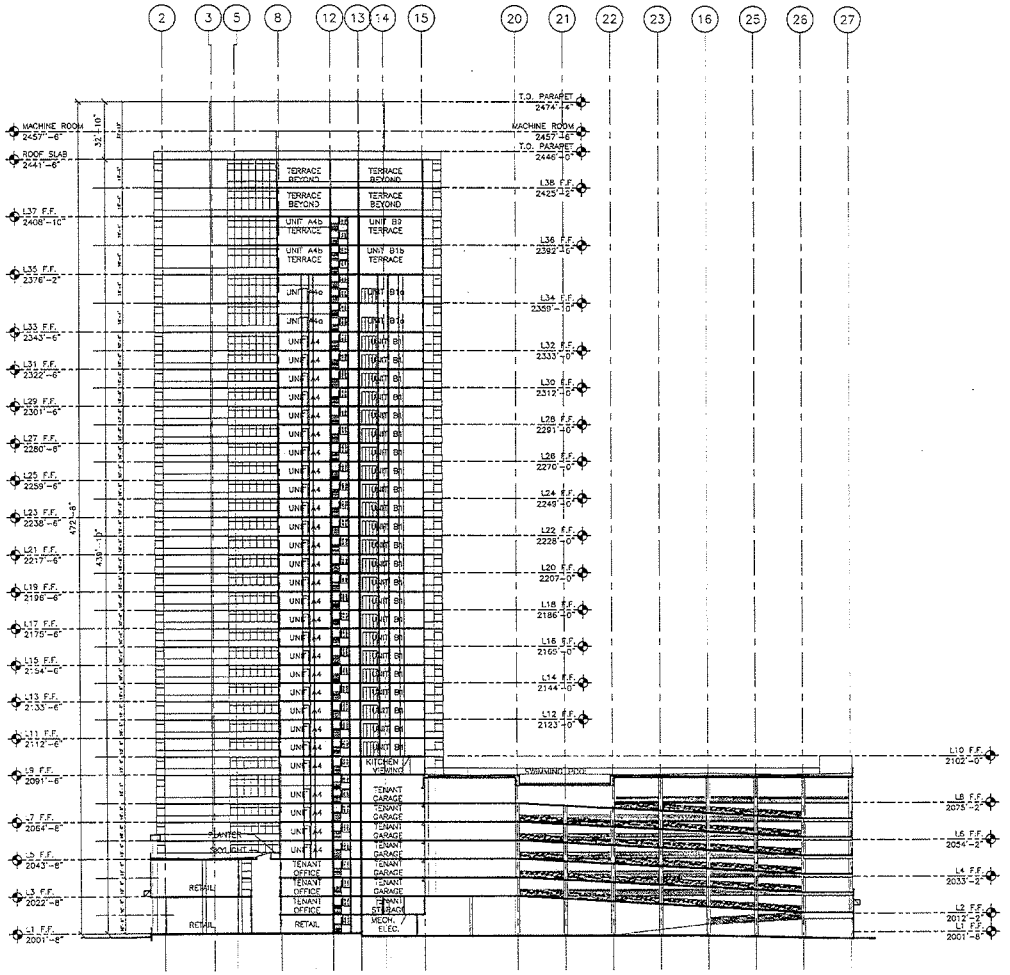

01 BUILDING SECTION (NORTH SOUTH SECTION)
SCALE: 1/32"=1'-0"

0 8' 16' 32'

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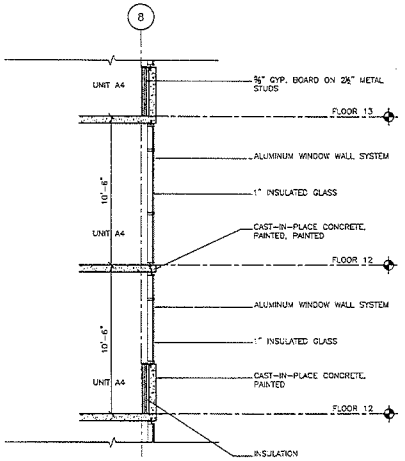
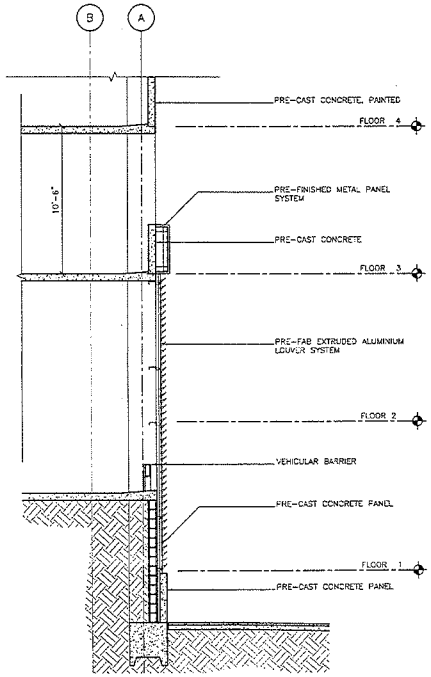


04 WALL SECTION (TYPICAL FLOOR)
SCALE: 1/4"=1'-0"



03 WALL SECTION (ON EAST FACADE)
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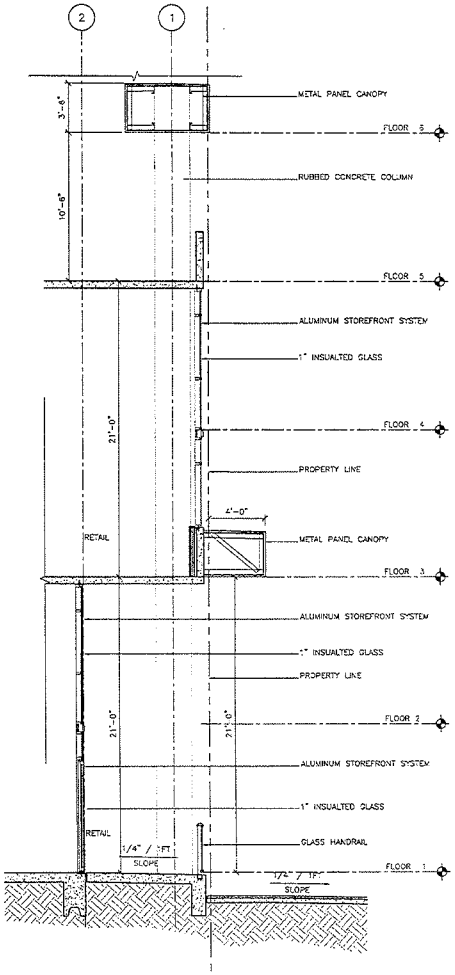
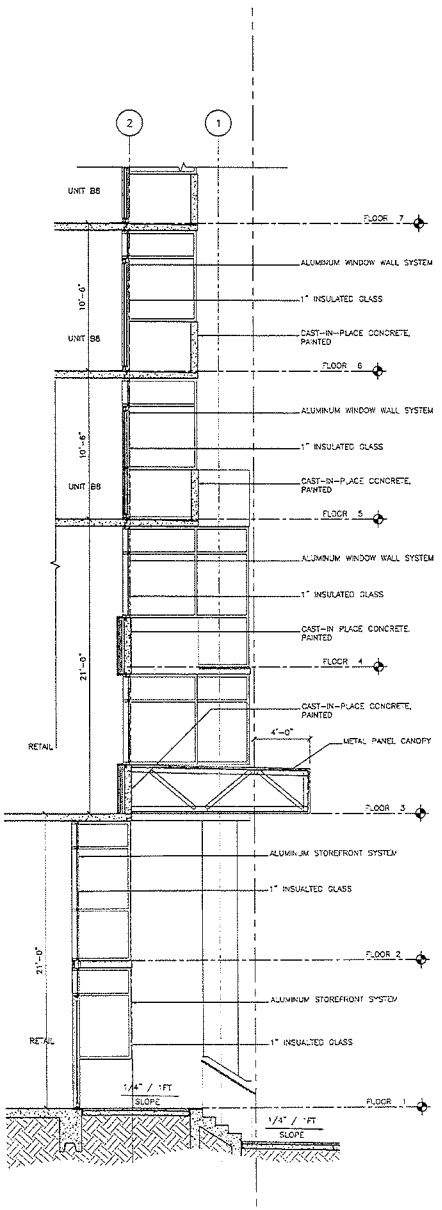


02 WALL SECTION (ON NORTH FACADE)
SCALE: 1/4"=1'-0"



01 WALL SECTION (ON NORTH FACADE)
SCALE: 1/4"=1'-0"

0 1' 2'

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WALL SECTIONS

Sheet Number
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MAYOR

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MAYOR PRO TEM

LARRY BROWN
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STEVEN D. ROSS
RICKI Y. BARLOW

DOUGLAS A. SELBY
CITY MANAGER

April 4, 2008

Mr. Dan Martinez
1729 Wandering Winds Way
Las Vegas, Nevada 89128

RE: EOT-26896 – EXTENSION OF TIME
CITY COUNCIL MEETING OF APRIL 2, 2008

Dear Mr. Martinez:

The City Council at a regular meeting held April 2, 2008 APPROVED the request for an Extension of Time of an approved Special Use Permit (SUP-18637) FOR A PROPOSED MIXED-USE DEVELOPMENT on 1.39 acres at 709-731 Fremont Street (APN 139-34-612-084), C-2 (General Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on April 3, 2008. This approval is subject to:

Planning & Development

1. This Special Use Permit (SUP-18637), if not exercised, shall expire on 2/21/10 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-18637) and all other site related actions as required by the Planning and Development Department and Department of Public Works.

Sincerely,

Lean Coleman

Lean Coleman
Deputy City Clerk II for
Beverly K. Bridges, CMC, City Clerk

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

Mr. Justen Martinez
1729 Wandering Winds Way
Las Vegas, Nevada 89128

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WARD 5 (VACANT)

DOUGLAS A. SELBY
CITY MANAGER

March 22, 2007

Mr. Justen Martinez
585 Camino Montebello
Santa Fe, New Mexico 887501

RE: SUP-18637 – SPECIAL USE PERMIT
CITY COUNCIL MEETING OF FEBRUARY 21, 2007
RELATED TO SDR-18638

Dear Mr. Martinez:

The City Council at a regular meeting held February 21, 2007 APPROVED the request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT on 1.39 acres at 709-731 Fremont Street (APN 139-34-612-084), C-2 (General Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on February 22, 2007. This approval is subject to:

Planning and Development

1. Conformance to the conditions of approval for Site Development Plan Review (SDR-18638).

2. This approval shall be void one year 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. Written approval by the Clark County Department of Aviation with no change in flight patterns shall be submitted to the City of Las Vegas prior to the issuance of building permits.

4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

EOT-37463
04/07/10 CC

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
Mr. Justin Martinez
1729 Wandering Winds Way
Las Vegas, Nevada 89128

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

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

Justification Letter

February 17, 2010

Via: Hand Delivery

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

Re: Extension of Time Request for SUP-18637 & SDR-18638

To Whom It May Concern:

The City Council held February 21, 2007 Approved our requests for a Special Use Permit (SUP-18637) and Site Development Plan Review (SDR-18638) located at 709 Fremont Street (APN 139-34-612-084). We have been working very hard to bring this exciting project and the Fremont East Entertainment District to life. Finally construction costs have come down to the level that warrants building quality and affordable Residential Units in the downtown area. Unfortunately the same economic forces have made obtaining financing extremely difficult. We are still working with several sources and hope that the cost of financing will improve in the near future. We respectfully request an extension of two years time to continue to work in good faith on this project and our Entertainment District.

Thank you in advance for your consideration of this matter.

Respectfully,

Justen Martinez
Vice President of Fremont East Downtown Entertainment District Owners Corporation
1729 Wandering Winds Way
Las Vegas, NV 89128

RECEIVED
FEB 19 2010

EOT-37463
04/07/10 CC

City of Las Vegas Agenda Item No.: **74.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 7, 2010

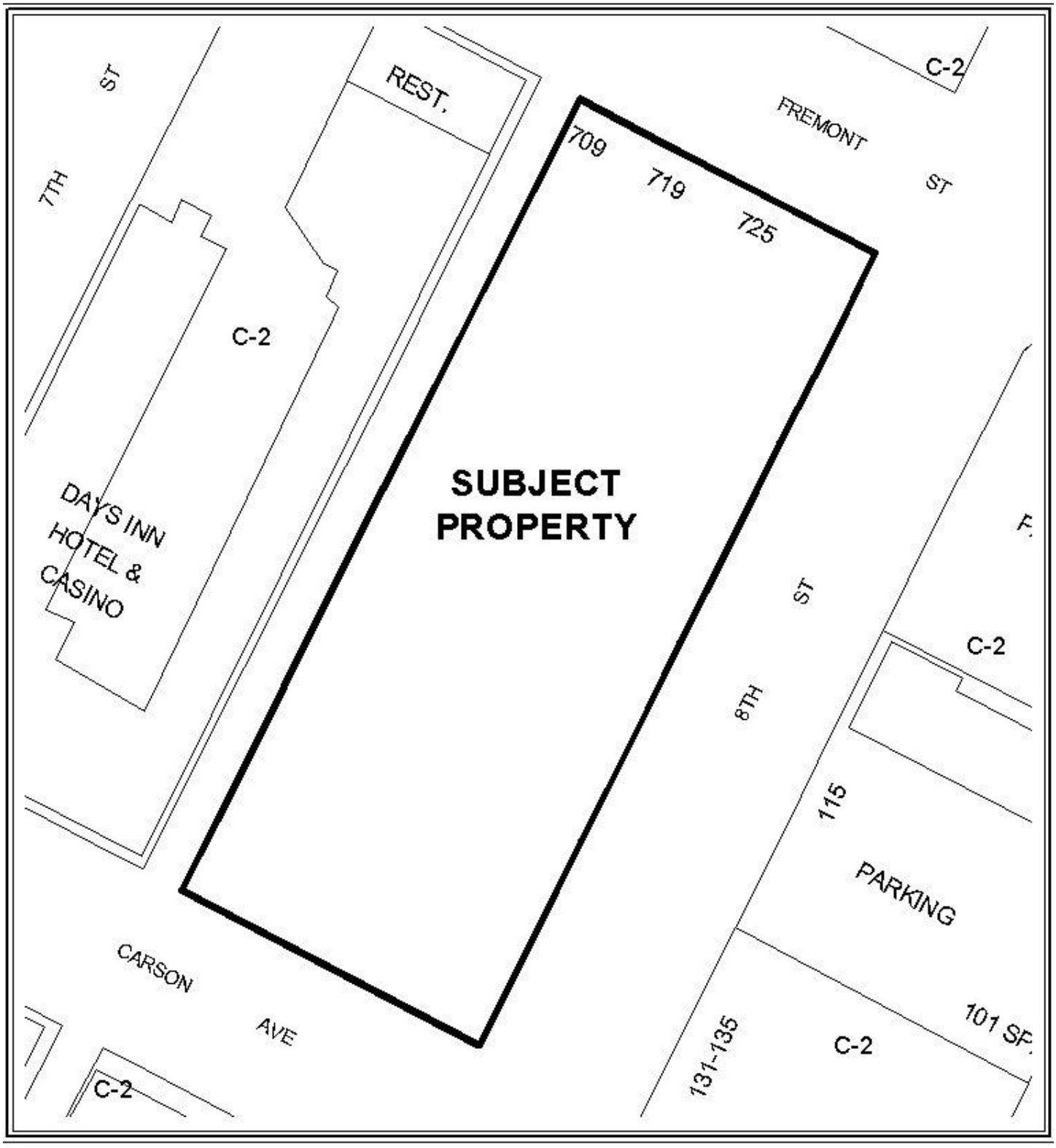
DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☒ **Consent** ☐ **Discussion**

SUBJECT:
EOT-37464 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT: JUSTEN MARTINEZ - OWNER: DAN MARTINEZ - Request for an Extension of Time of a previously approved Site Development Plan Review (SDR-18638) FOR A 40-STORY, 395-UNIT CONDOMINIUM DEVELOPMENT WITH 15,892 SQUARE FEET OF RETAIL SPACE AND 9,050 SQUARE FEET OF OFFICE SPACE AND WAIVERS OF THE DOWNTOWN BUILDING STEPBACK, PARKING STRUCTURE STEPBACK, AND DOWNTOWN STREETSCAPE REQUIREMENTS on 1.39 acres at 709-731 Fremont Street (APN 139-34-612-084), C-2 (General 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. City Council Approval Letter for EOT-26898
5. City Council Approval Letter for SDR-18638
6. Justification Letter



CASE: **EOT-37464**

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)



0 50 100 Feet

CASE: **EOT-37464**

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-37464 - APPLICANT: JUSTEN MARTINEZ - OWNER: DAN MARTINEZ

** CONDITIONS **

Staff recommends APPROVAL, subject to conditions:

Planning and Development

1. This Site Development Plan Review (SDR-18638) shall expire on February 21, 2012 unless another extension of time is approved by the City Council.

2. Conformance to the conditions of approval of the Site Development Plan Review (SDR-18638) and all other site related actions as required by the Planning and Development Department and Department of Public Works.

DS

EOT-37464 - Staff Report Page One
April 7, 2010 - City Council Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site is currently vacant land with previous approval for a Site Development Plan Review (SDR-18638) for a 40-story, 395-unit condominium development with 15,892 square feet of retail space and 9,050 square feet of office space with waivers of the Downtown building stepback, parking structure stepback and Downtown streetscape requirements on 1.39 acres at 709-731 Fremont Street. The applicant has not made any progress on the proposed project in the form of the issuance of building permits, submitting plans for review or approval of a Tentative and/or Final Map. The Office of Business Development (OBD) was contacted and confirmed new entitlements have been approved for properties in the surrounding areas that include a Tavern with Night Club and Banquet Facility to the north and a mixed-use development to the west. The applicant is requesting an extension of time due to the current economic conditions in the area and more time to secure financing. Staff recommends approval.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
02/21/07	The City Council approved a request for a Special Use Permit (SUP-18637) for a proposed mixed-use development on 1.39 acres at 709-731 Fremont Street. The Planning Commission recommended approval on 01/25/07.
	The City Council approved a related request for a Site Development Plan Review (SDR-18638) for a 40-story, 395-unit condominium development with 15,892 square feet of retail space and 9,050 square feet of office space and waivers of the downtown building stepback, parking structure stepback, and downtown streetscape requirements.
04/02/08	The City Council approved a request for an Extension of Time (EOT-26896) of a previously approved Special Use Permit (SUP-18637) for a proposed mixed-use development on 1.39 acres at 709-731 Fremont Street.
	The City Council approved a related request for an Extension of Time (EOT-26898) of a previously approved Site Development Plan Review (SDR-18638) for a 40-story, 395-unit condominium development with 15,892 square feet of retail space and 9,050 square feet of office space and waivers of the downtown building stepback, parking structure stepback, and downtown streetscape requirements.
Related Building Permits/Business Licenses	
No building permits or business licenses have been issued for the proposed project.	
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	1.39

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant Land-Proposed Mixed-Use Development	C (Commercial)	C-2 (General Commercial)
North	Vacant Land	C (Commercial)	C-2 (General Commercial)
South	Motel	MXU (Mixed Use)	C-2 (General Commercial)
East	Casino and Parking Lots	C (Commercial)	C-2 (General Commercial)
West	Hotel and Casino	C (Commercial)	C-2 (General Commercial)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan			
Las Vegas Redevelopment Plan	X		Y
Downtown Centennial Plan	X		Y
Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
Downtown Entertainment Overlay District	X		Y
Live/Work 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 second request for an extension of time of a previously approved Site Development Plan Review (SDR-18638) for a 40-story, 395-unit condominium development with 15,892 square feet of retail space and 9,050 square feet of office space with waivers of the Downtown building stepback, parking structure stepback and Downtown streetscape requirements on 1.39 acres at 709-731 Fremont Street. The applicant has not made any progress on the proposed project in the form of the issuance of building permits, submitting plans for review or approval of a Tentative and/or Final Map.

In this case, the Site Development Plan Review would be exercised upon the approval of a final inspection.

FINDINGS

The Site Development Plan Review (SDR-18638) has not met the requirements as outlined in Title 19.18.050 to exercise the entitlement. The Office of Business Development (OBD) was contacted and confirmed new entitlements have been approved for properties in the surrounding areas that include a Tavern with Night Club and Banquet Facility to the north and a mixed-use development to the west. The applicant is requesting an extension of time due to the current economic conditions in the area and more time to secure financing. Staff recommends approval with a two-year time limit. Conformance to the conditions of approval of the Site Development Plan Review (SDR-18638) shall be required.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

DS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **EOT-37464** APN: 139-34-612-084

Name of Property Owner: DAN MARTINEZ

Name of Applicant: JUSTIN MARTINEZ

Name of Representative: SAME AS APPLICANT

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: Dan Martinez

Print Name: DAN MARTINEZ

Subscribed and sworn before me

This 8 day of February, 2010

Karen B Newton

Notary Public in and for said County and State

KAREN B. NEWTON
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 00-66278-1
MY APPT. EXPIRES NOV. 22, 2012

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: EXTENSION OF TIME FOR SDR-18638

Project Address (Location) 709 FREMONT ST

Project Name 777 FREMONT (NEON HEIGHTS) **Proposed Use** MIXED USE TOWER

Assessor's Parcel #(s) 139-34-612-084 **Ward #** 5

General Plan: existing C proposed _____ **Zoning:** existing C-2 proposed _____

Commercial Square Footage 15,892 RETAIL, 9050 OFFICE **Floor Area Ratio** _____

Gross Acres 1.39 **Lots/Units** 395 **Density** _____

Additional Information _____

PROPERTY OWNER DAN MARTINEZ **Contact** JUSTEN MARTINEZ

Address 1729 WANDERING WINDS WAY **Phone:** 274 3808 **Fax:** 966 0814

City LAS VEGAS **State** NV **Zip** 89128

E-mail Address JUSTEN_MARTINEZ@YAHOO.COM

APPLICANT JUSTEN MARTINEZ **Contact** _____

Address 1729 WANDERING WINDS WAY **Phone:** 274 3808 **Fax:** 966 0814

City LAS VEGAS **State** NV **Zip** 89128

E-mail Address JUSTEN_MARTINEZ@YAHOO.COM

REPRESENTATIVE SAME AS APPLICANT **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

Property Owner Signature* Dan Martinez

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

Print Name DAN MARTINEZ

Subscribed and sworn before me

This 8 day of February, 20 10.

Karen B Newton

Notary Public in and for said County and State

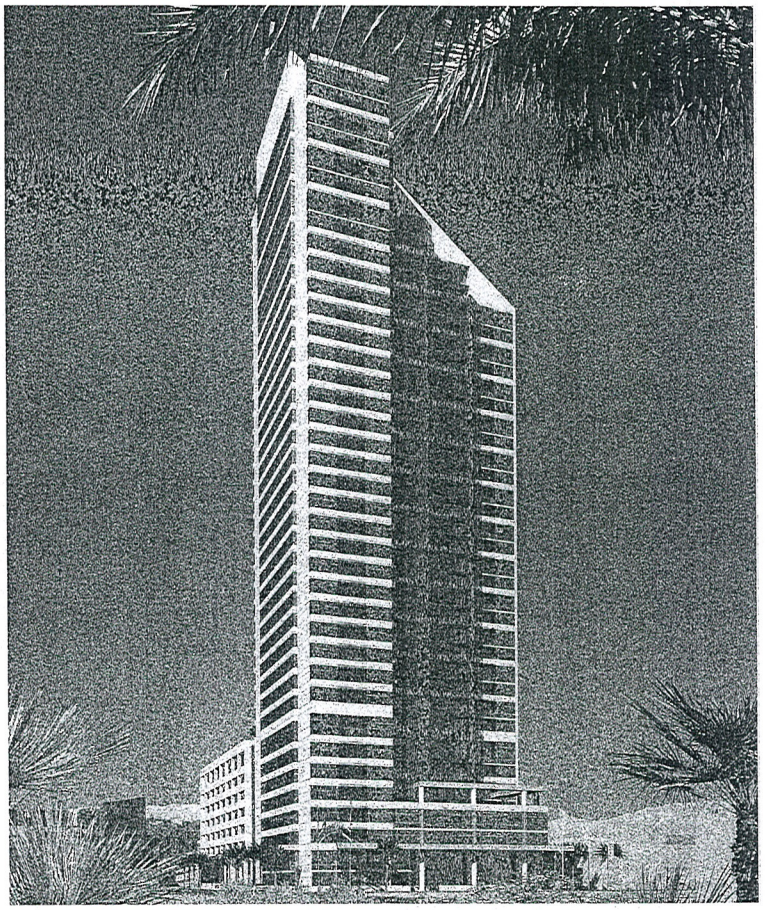
KAREN B. NEWTON
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 00-66278-1
MY APPT. EXPIRES NOV. 22, 2012

FOR DEPARTMENT USE ONLY

Case #	EOT 37464
Meeting Date:	4.7.10
Total Fee:	$300.-
Date Received:*	2.19.10
Received By:	JFA

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

Revised 10/27/08



NEON HEIGHTS

LAS VEGAS, NEVADA
777 fremont street

PLANNING & DEVELOPMENT SUBMITTAL DOCUMENTS
SITE DEVELOPMENT REVIEW (SDR)
ISSUED: 11/21/2006

RECEIVED
FEB 19 2010

Developer:
Martinez & Associates
Las Vegas, Nevada

Architect:
ROBERT B. DUPREE
REGISTERED ARCHITECT
NEVADA LICENSE #3294

C/O Gromatzky Dupree and Associates
2626 Cole Ave., Suite 300
Dallas, Tx. 75204
Phone: (214) 871-9076
Fax: (214) 871-9869
www.gdainet.com

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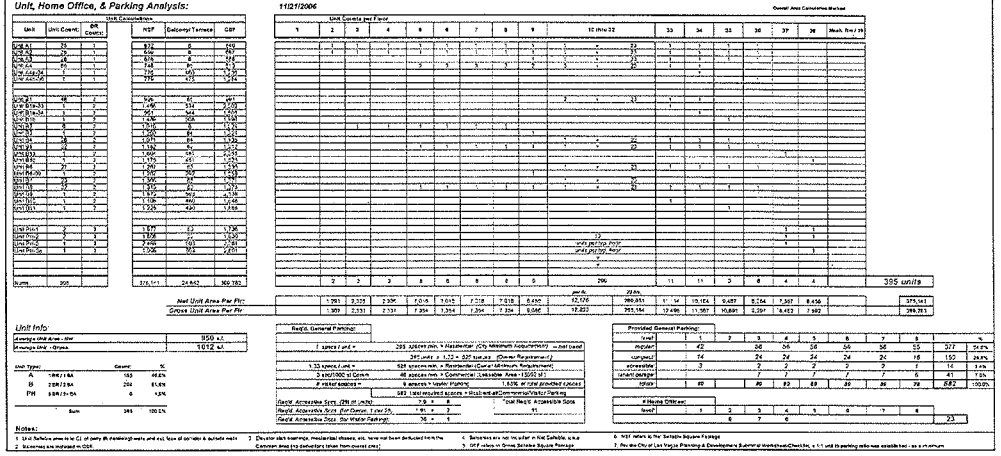
EOT-37464
04/07/10 CC

Neon Heights
Las Vegas, Nevada

Martinez & Associates

Unit, Home Office, & Parking Analysis:

11/21/2006



SHEET INDEX

ARCHITECTURAL

SHEET NO.	TITLE	ORIGINAL ISSUE	CURRENT
A0.01	TABULATIONS & SHEET INDEX	11/21/06	11/21/06
A1.01	ARCHITECTURAL SITE PLAN / CONCEPTUAL LANDSCAPE PLAN	11/21/06	11/21/06
A2.01	LEVEL 01 FLOOR PLAN	11/21/06	11/21/06
A2.02	LEVEL 02 FLOOR PLAN	11/21/06	11/21/06
A2.03	LEVEL 03 FLOOR PLAN	11/21/06	11/21/06
A2.04	LEVEL 04 FLOOR PLAN	11/21/06	11/21/06
A2.05	LEVEL 05 FLOOR PLAN	11/21/06	11/21/06
A2.06	LEVEL 06 FLOOR PLAN	11/21/06	11/21/06
A2.07	LEVEL 07 FLOOR PLAN	11/21/06	11/21/06
A2.08	LEVEL 08 FLOOR PLAN	11/21/06	11/21/06
A2.09	LEVEL 09 FLOOR PLAN (PENTHOUSE MID. LEVEL)	11/21/06	11/21/06
A2.10	LEVELS 10, 20, 30 FLOOR PLAN	11/21/06	11/21/06
A2.11	LEVELS 11 - 19 FLOOR PLAN (TYPICAL FLOOR PLAN)	11/21/06	11/21/06
A2.12	LEVEL 23 FLOOR PLAN	11/21/06	11/21/06
A2.13	LEVEL 24 FLOOR PLAN	11/21/06	11/21/06
A2.14	LEVEL 25 FLOOR PLAN	11/21/06	11/21/06
A2.15	LEVEL 26 FLOOR PLAN	11/21/06	11/21/06
A2.16	LEVELS 27 FLOOR PLAN	11/21/06	11/21/06
A2.17	LEVELS 28 FLOOR PLAN	11/21/06	11/21/06
A2.00	UNIT PLANS	11/21/06	11/21/06
A2.01	UNIT PLANS	11/21/06	11/21/06
A2.02	UNIT PLANS	11/21/06	11/21/06
A2.03	UNIT PLANS	11/21/06	11/21/06
A2.04	UNIT PLANS	11/21/06	11/21/06
A3.00	UNIT PLANS	11/21/06	11/21/06
A5.01	BUILDING ELEVATIONS	11/21/06	11/21/06
A5.02	BUILDING ELEVATIONS	11/21/06	11/21/06
A6.01	BUILDING SECTION	11/21/06	11/21/06
A6.11	WALL SECTIONS	11/21/06	11/21/06

NEON HEIGHTS — Building Area Tabulations — 11/21/2006

	residential	garage	retail	pool deck	common	home office	5th flr roof *	amenities	
Floor 1		30,268	9,833		9,955				50,026
Floor 2	1,307				9,666	3,157			11,131
Floor 3	2,331	34,665	6,659		3,369	2,737		420	49,675
Floor 4	2,331	34,665			3,371	3,157			43,403
Floor 5	7,354	34,665			3,195		5,745		50,959
Floor 6	7,354	34,665			3,195				45,113
Floor 7	7,354	34,665			3,195				45,113
Floor 8	7,354	34,665			3,195				45,113
Floor 9	9,086			29,665	3,588			2,851	45,191
Floor 10	12,833				2,354				15,187
Floor 11	12,833				2,354				15,187
Floor 12	12,833				2,354				15,187
Floor 13	12,833				2,354				15,187
Floor 14	12,833				2,354				15,187
Floor 15	12,833				2,354				15,187
Floor 16	12,833				2,354				15,187
Floor 17	12,833				2,354				15,187
Floor 18	12,833				2,354				15,187
Floor 19	12,833				2,354				15,187
Floor 20	12,833				2,354				15,187
Floor 21	12,833				2,354				15,187
Floor 22	12,833				2,354				15,187
Floor 23	12,833				2,354				15,187
Floor 24	12,833				2,354				15,187
Floor 25	12,833				2,354				15,187
Floor 26	12,833				2,354				15,187
Floor 27	12,833				2,354				15,187
Floor 28	12,833				2,354				15,187
Floor 29	12,833				2,354				15,187
Floor 30	12,833				2,354				15,187
Floor 31	12,833				2,354				15,187
Floor 32	12,833				2,354				15,187
Floor 33	12,496				2,722				15,219
Floor 34	11,887				2,826				14,714
Floor 35	10,685				2,312				13,007
Floor 36	9,237				2,594				11,832
Floor 37	8,482				2,318				10,786
Floor 38	7,592				2,299				9,892
Floor 39/ Mech. Rm					1,265				1,265
									810,762
Total	399,783	237,648	15,892	29,665	109,709	9,050	5,745	3,271	

* - roof deck area only. uninhabitable

gross building area. 810,762 sq.ft.
gross building area less duck areas: 775,353 sq.ft.

Home Offices

	Per Floor Counts:			Area (s.f.)	Qty.	Area Ext.
	2	3	4			
Tenant Office #1	1	1	1	472	3	1,417
Tenant Office #2	1	1	1	420	3	1,260
Tenant Office #3	1	1	1	309	3	928
Tenant Office #4	1	1	1	377	3	1,131
Tenant Office #5	1	1	1	380	3	1,140
Tenant Office #6	1	1	1	420	2	840
Tenant Office #7	1	1	1	418	3	1,254
Tenant Office #8	1	1	1	361	3	1,082
	8	7	8		23	9,050

Office Area Per Floor

Level	Area
2	3,157 s.f.
3	2,737 s.f.
4	3,157 s.f.

total: 9,050

Occupancy Load Calculation — 11/21/2006

Level	Occupancy load
Floor 1	719 Occ
Floor 2	78 Occ
Floor 3	756 Occ
Floor 4	242 Occ
Floor 5	221 Occ
Floor 6	221 Occ
Floor 7	221 Occ
Floor 8	210 Occ
Floor 9	657 Occ
Floor 10	74 Occ
Floor 11	74 Occ
Floor 12	74 Occ
Floor 13	74 Occ
Floor 14	74 Occ
Floor 15	74 Occ
Floor 16	74 Occ
Floor 17	74 Occ
Floor 18	74 Occ
Floor 19	74 Occ
Floor 20	74 Occ
Floor 21	74 Occ
Floor 22	74 Occ
Floor 23	74 Occ
Floor 24	74 Occ
Floor 25	74 Occ
Floor 26	74 Occ
Floor 27	74 Occ
Floor 28	74 Occ
Floor 29	74 Occ
Floor 30	74 Occ
Floor 31	74 Occ
Floor 32	74 Occ
Floor 33	69 Occ
Floor 34	63 Occ
Floor 35	58 Occ
Floor 36	53 Occ
Floor 37	72 Occ
Floor 38	72 Occ
Roof / Mech. Rm	0 Occ
Total	5,414 Occ

RECEIVED
FEB 19 2010

EOT-37464
04/07/10 CC

ROBERT B. DUPREE
REGISTERED ARCHITECT
NEVADA LICENSE #3294

C/O Gromatzky Dupree and Associates
2626 Cole Ave., Suite 300
Dallas, Tx. 75204
Phone: (214) 871-0078
Fax: (214) 871-9099
www.gdainet.com

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Project

NEON HEIGHTS

LAS VEGAS, NEVADA
777 FREMONT

Martinez & Associates

Authorization

ROBERT B. DUPREE REGISTERED ARCHITECT 3294 STATE OF NEVADA

11.21.06

FOR PLANNING COMMISSION SUBMITTAL ONLY

Design Team

OWNER/ DEVELOPER: MARTINEZ & ASSOCIATES
1729 Hendricks Ranch Way
Las Vegas, NV 89135
TEL: (702) 341-3838
FAX:
CONTACT: JUSTIN MARTINEZ

ARCHITECT: ROBERT B. DUPREE
c/o GROMATZKY, DUPREE & ASSOCIATES
2626 COLE AVENUE
SUITE 300
DALLAS, TEXAS 75204
TEL: 214.871.0078
FAX: 214.871.9099
CONTACT: GARY GROMATZKY

Issues and Revisions

No.	Date	Description

Job No. 5045.00

Issue Date 11.21.06

Issue Package
PLANNING COMMISSION SUBMITTAL

Sheet Title
TABULATIONS & SHEET INDEX

Sheet Number
A0.01

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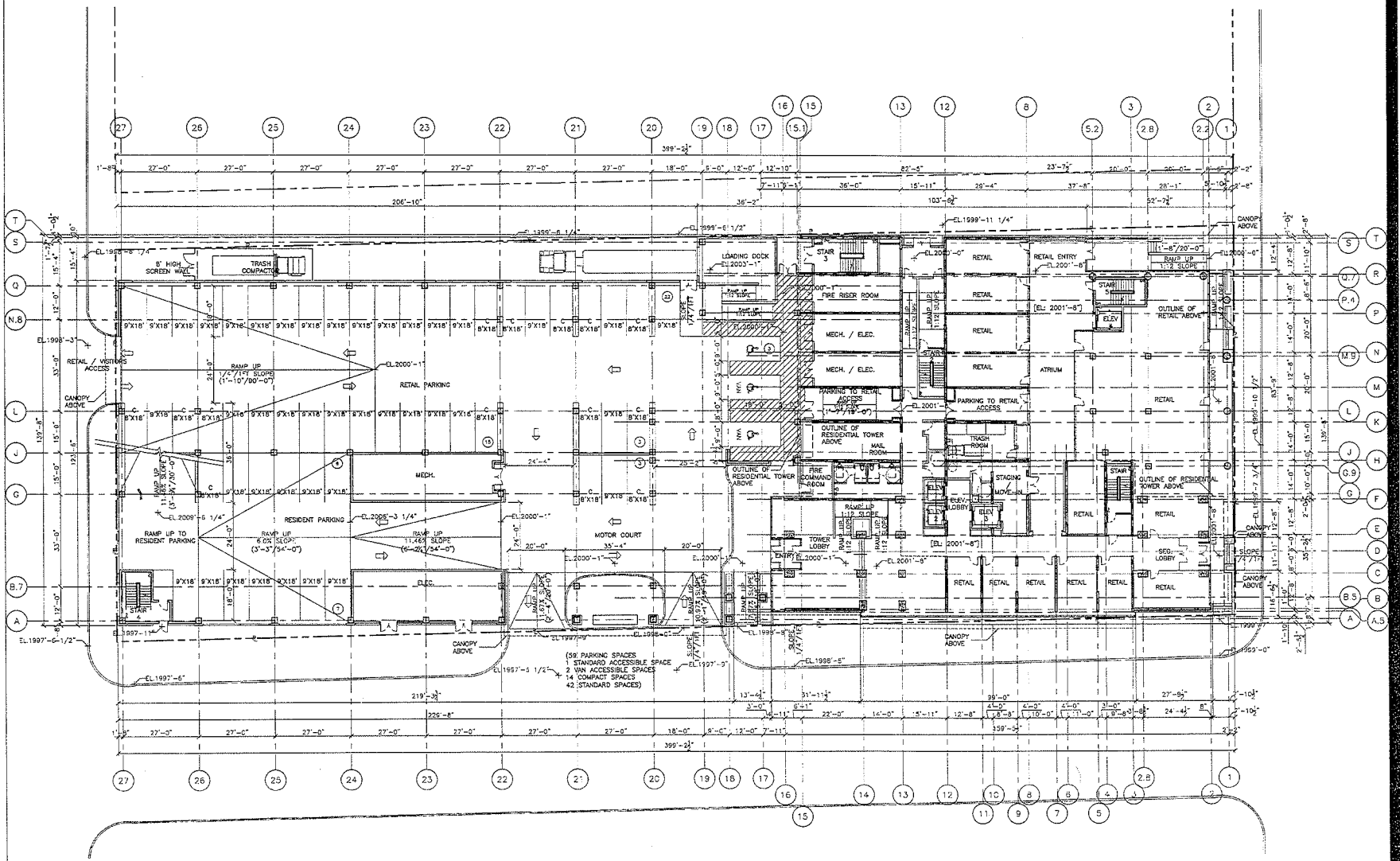
LEGEND:

- COMMERCIAL
- MULTI-FAMILY
- PAVEMENT
- PARKING
- STREET
- PARKING METER
- EXISTING LIGHT POLE
- TYPICAL PALM TREE
- TYPICAL SHADE TREE

BUILDING & SITE AREA ANALYSIS

| | | |



01 LEVEL 01 FLOOR PLAN
SCALE: 1/16"=1'-0"

TRUE NORTH
PLAN NORTH

0 8 16

ROBERT B. DUPREE
REGISTERED ARCHITECT
NEVADA LICENSE #3294

C/O Gromatzky Dupree and Associates
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NEON HEIGHTS

LAS VEGAS, NEVADA
777 FREMONT

Martinez & Associates

Authorization

ROBERT B. DUPREE REGISTERED ARCHITECT 3294 11.21.06

FOR PLANNING COMMISSION SUBMITTAL ONLY

Design Team

OWNER/ DEVELOPER
MARTINEZ & ASSOCIATES
1726 Hamilton White Way
Las Vegas, NV 89119
TEL: 725.271.3424
FAX:
CONTACT: JUSTEN MARTINEZ

ARCHITECT
ROBERT B. DUPREE
GROMATZKY, DUPREE & ASSOCIATES
2626 COLE AVENUE
SUITE 300
DALLAS, TEXAS 75204
TEL: 214.871.9078
FAX: 214.871.9060
CONTACT: GARY GROMATZKY

Issues and Revisions

No.	Date	Description

Job No.	Issue Date
5045.00	11.21.06

Issue Package
PLANNING COMMISSION SUBMITTAL

Sheet Title
LEVEL 01 FLOOR PLAN

Sheet Number
A2.01

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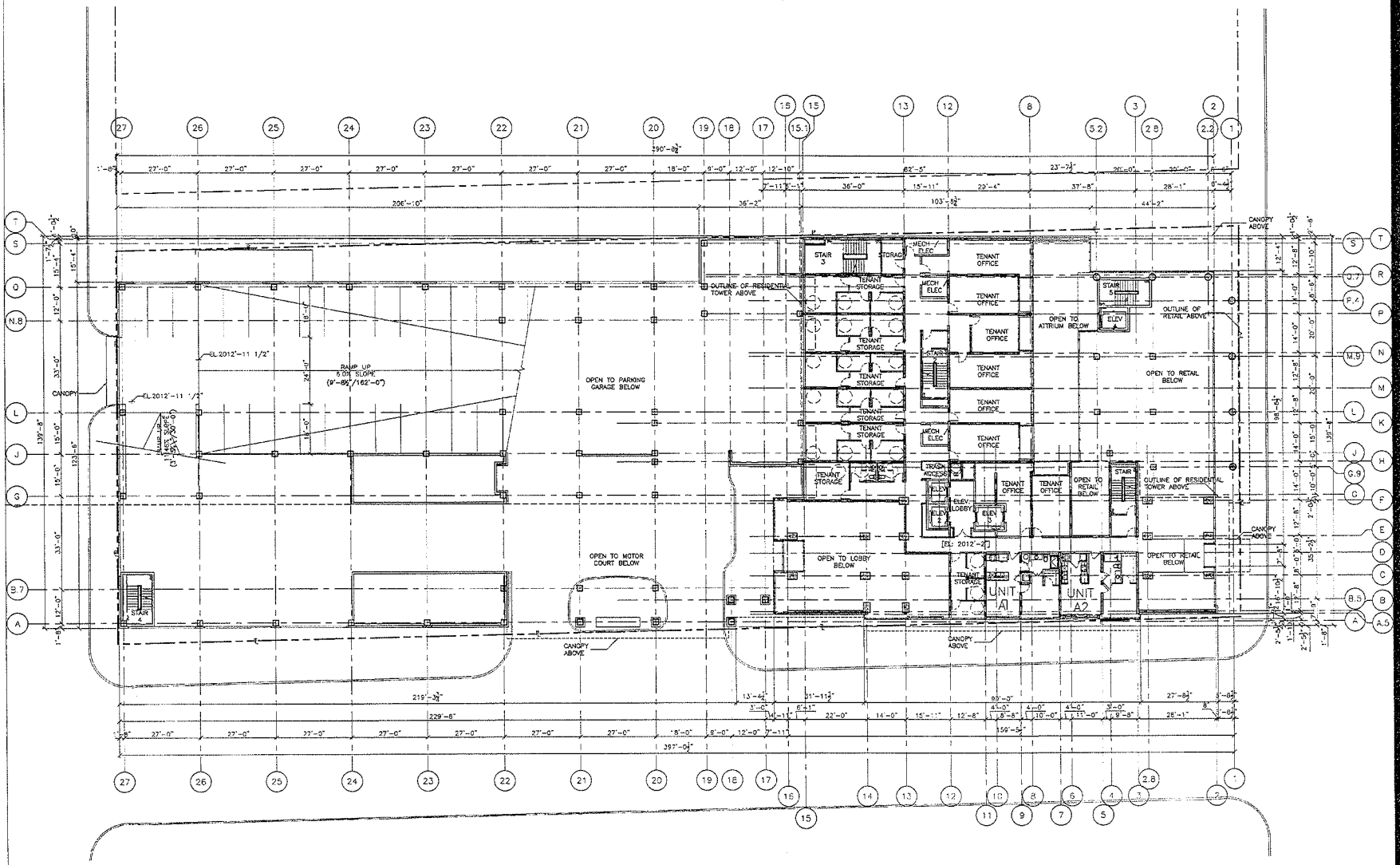

01 LEVEL 02 FLOOR PLAN
SCALE: 1/16"=1'-0"

TRUE NORTH
PLAN NORTH

ROBERT B. DUPREE
REGISTERED ARCHITECT
NEVADA LICENSE #3294

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Project

NEON HEIGHTS

LAS VEGAS, NEVADA
777 FREMONT

Martinez & Associates

Authorization

ROBERT B. DUPREE REGISTERED 3294 11-21-06

FOR PLANNING COMMISSION SUBMITTAL ONLY

Design Team

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LEVEL 02 FLOOR PLAN

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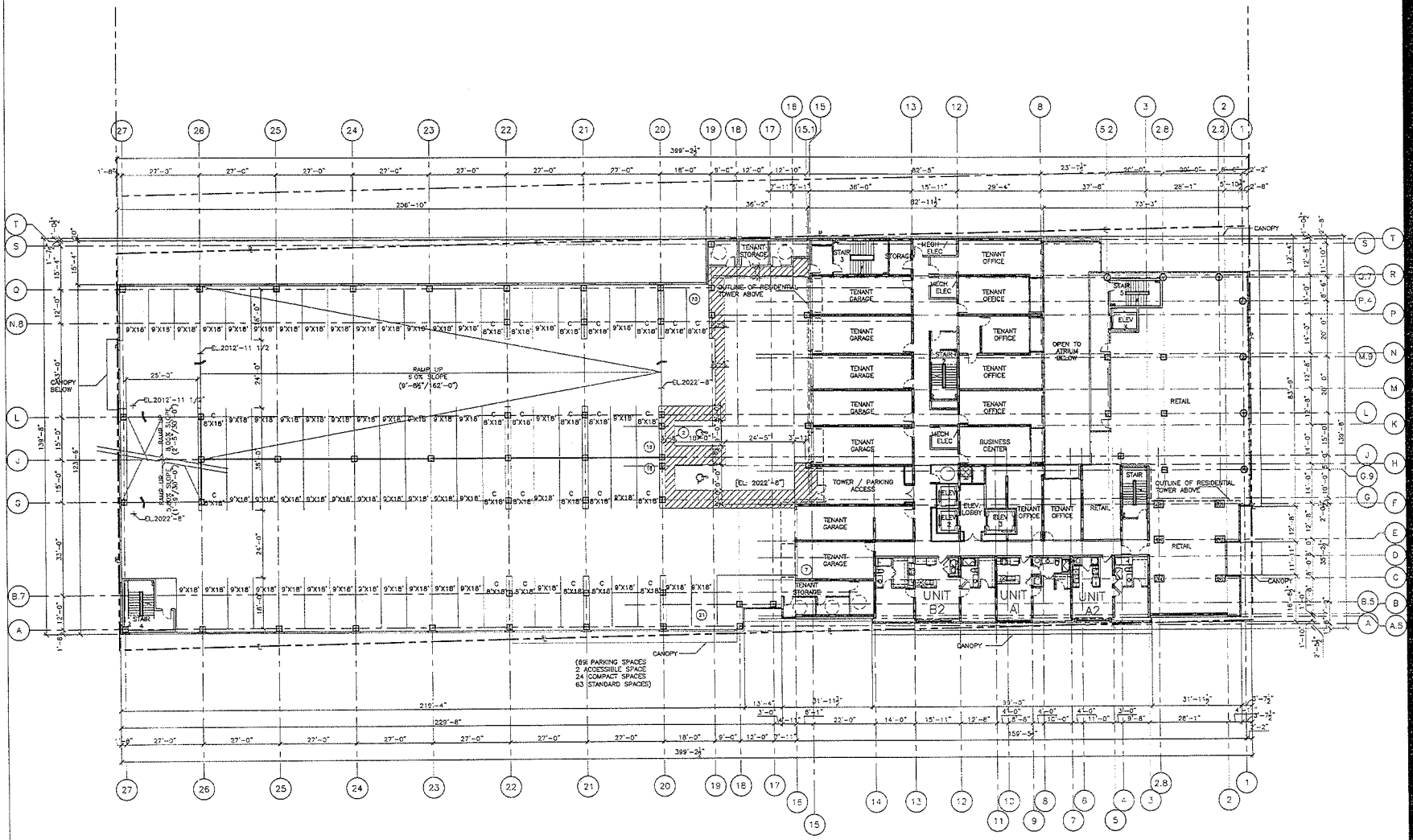

01 LEVEL 03 FLOOR PLAN
SCALE: 1/16"=1'-0"

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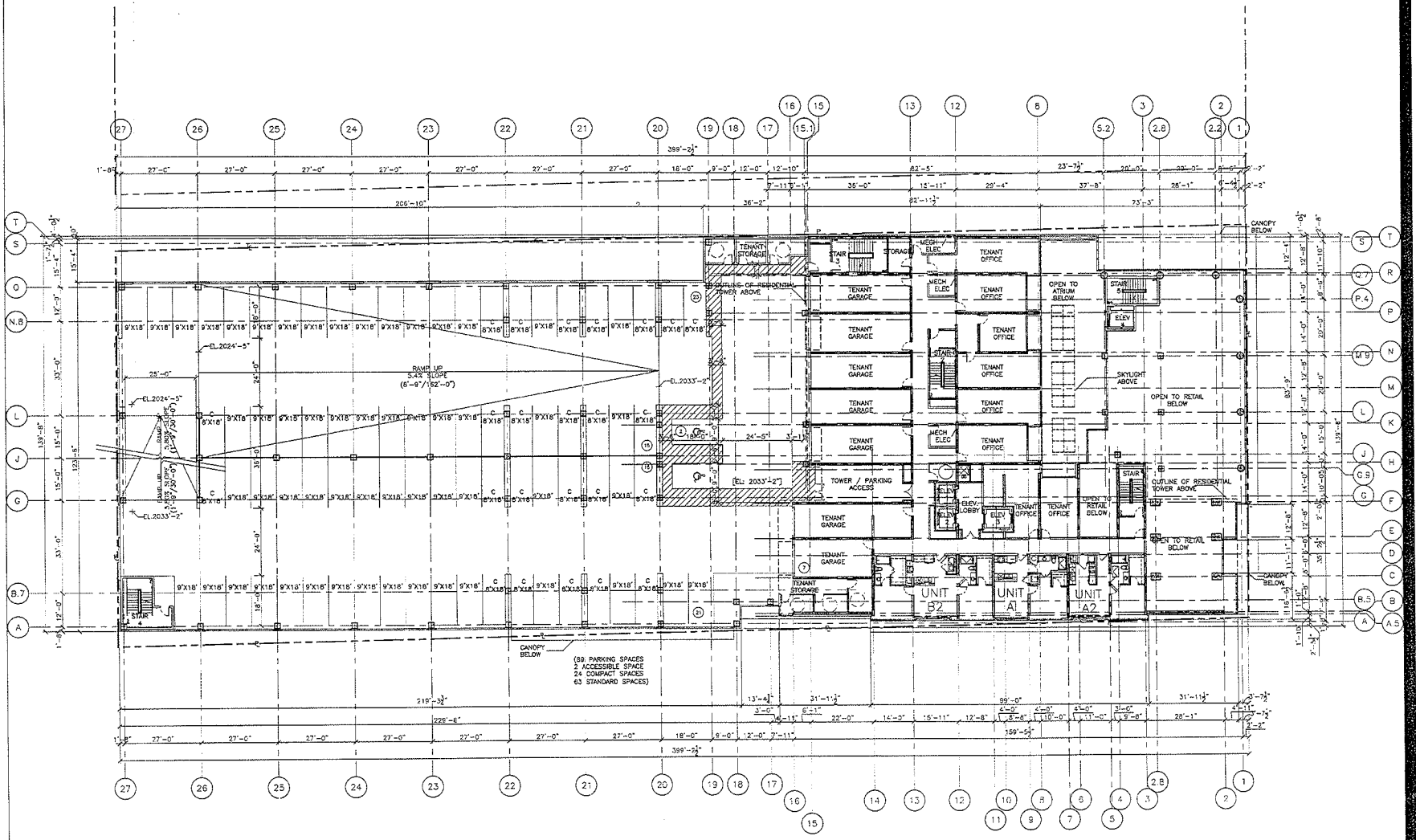

01 LEVEL 04 FLOOR PLAN
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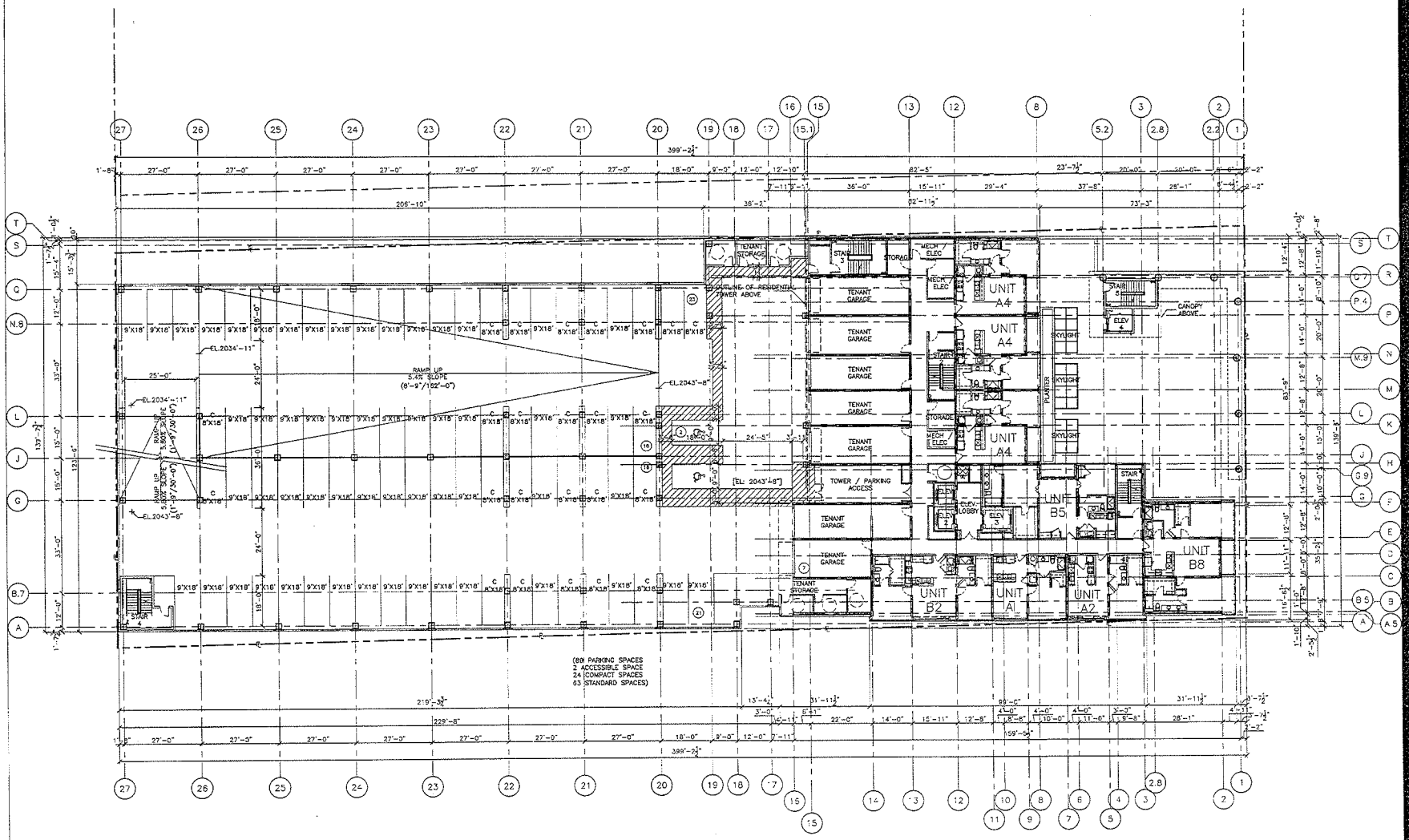

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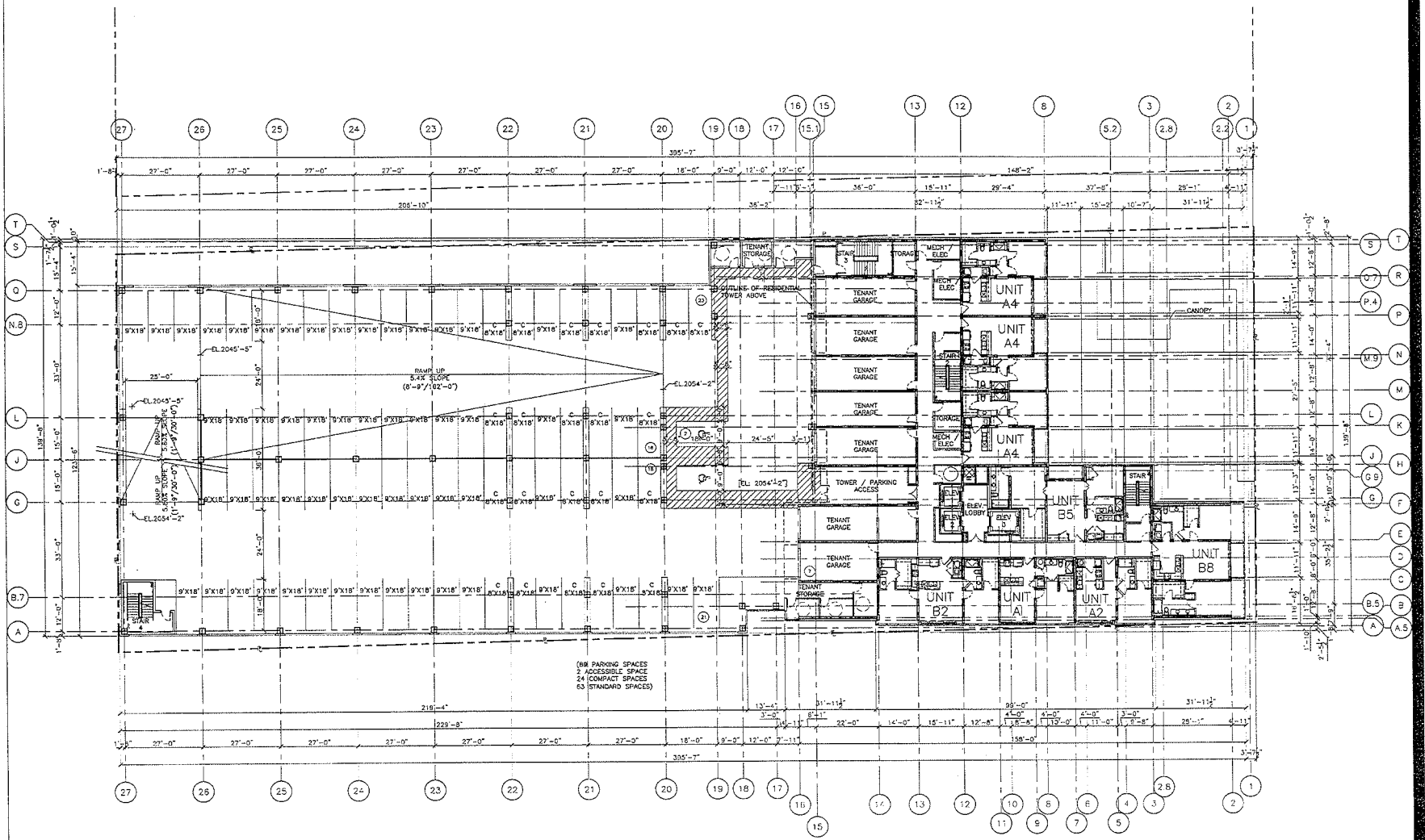

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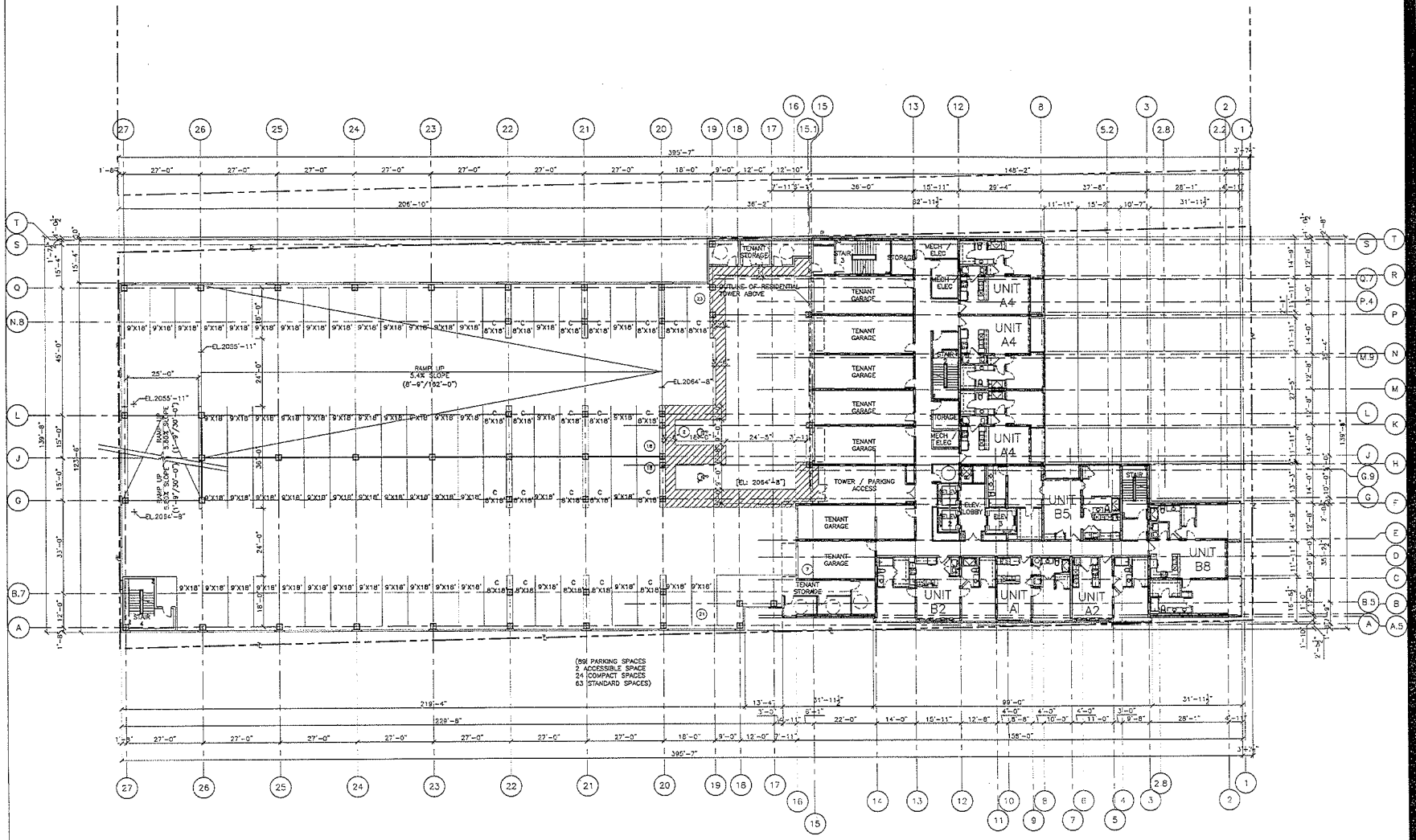

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LEVEL 07 FLOOR PLAN

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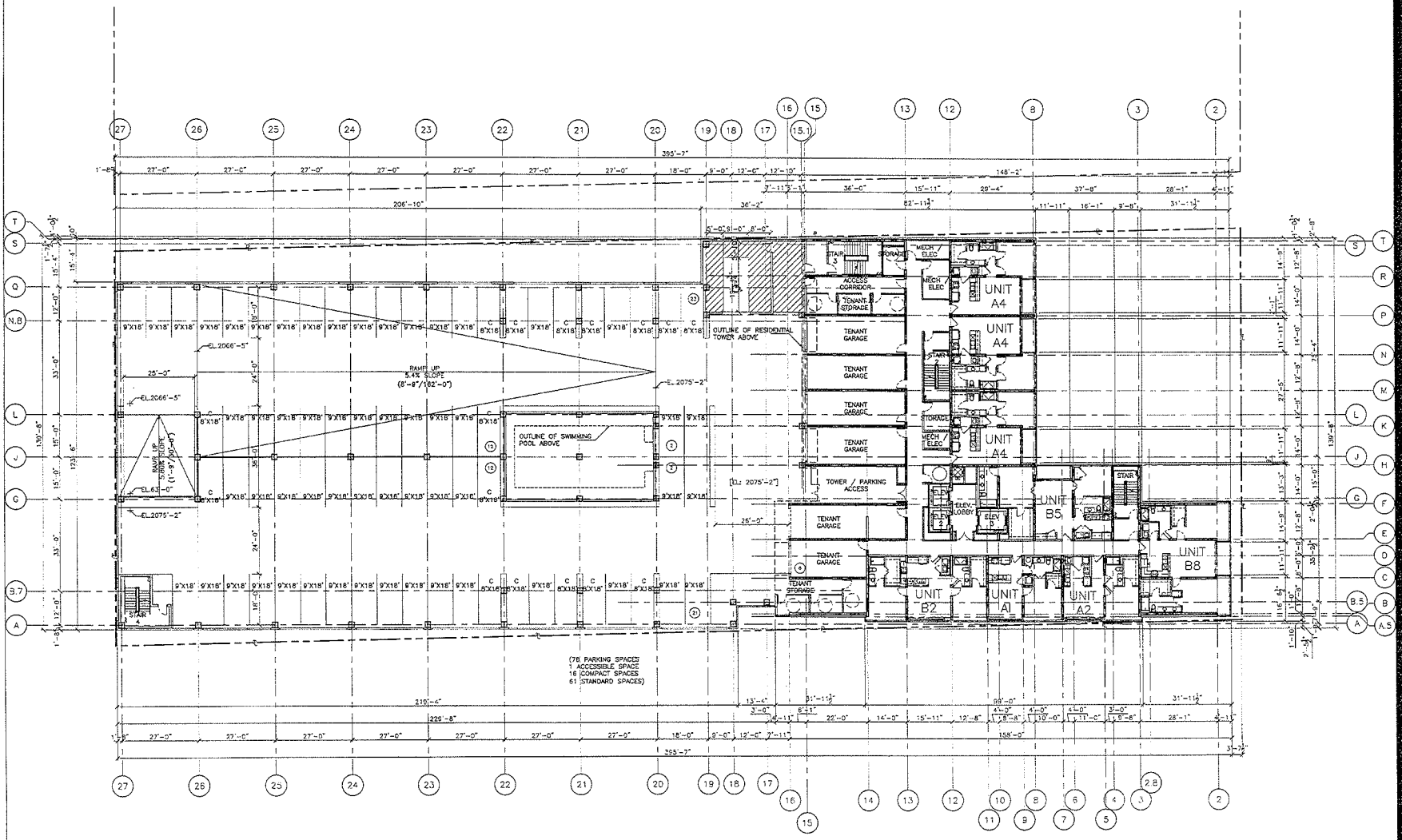

01 LEVEL 08 FLOOR PLAN
SCALE: 1/16"=1'-0"

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LEVEL 08 FLOOR PLAN

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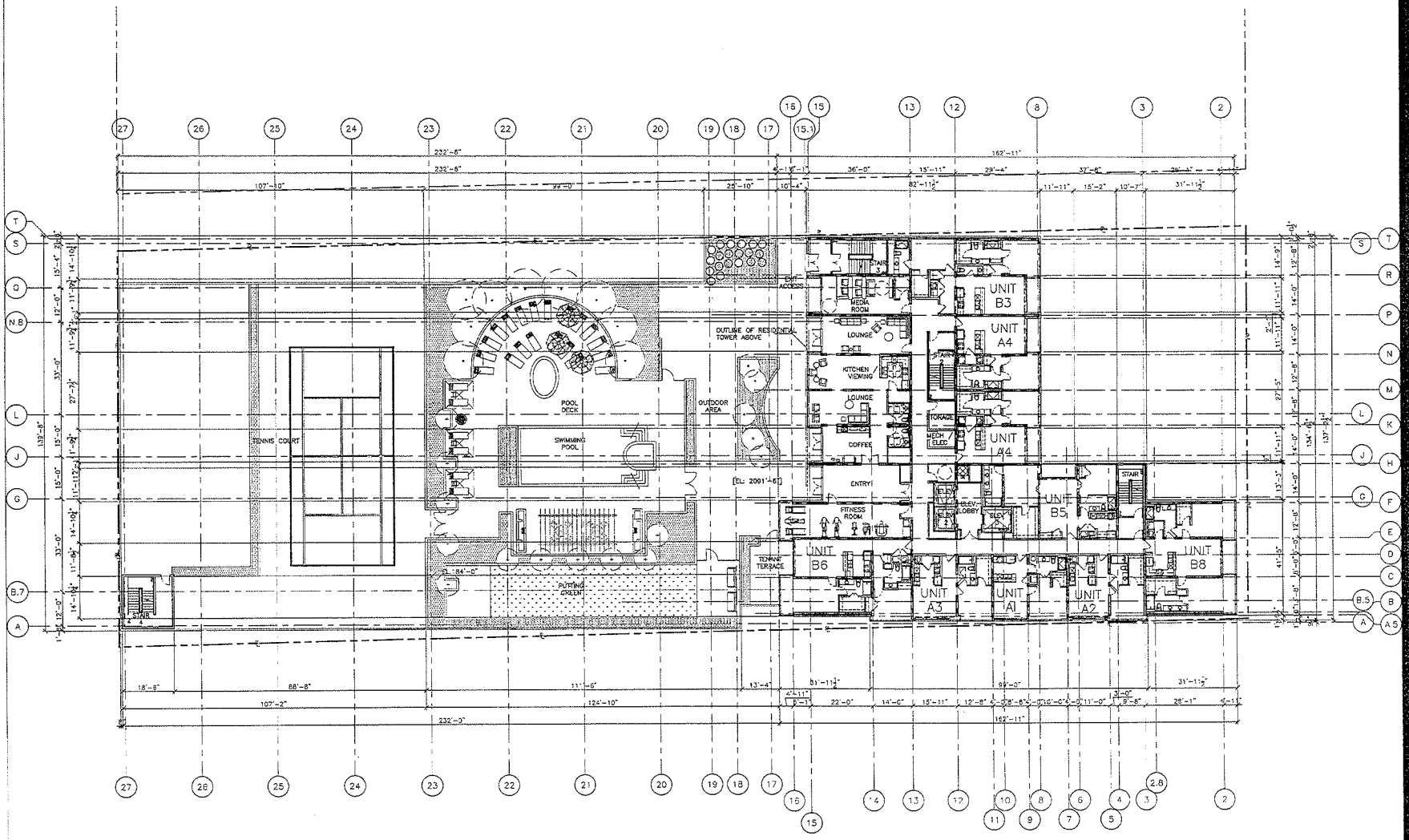

01 LEVEL 09 FLOOR PLAN (SWIMMING POOL LEVEL)
SCALE: 1/16"=1'-0"

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LEVEL 09 FLOOR PLAN
(SWIMMING POOL LEVEL)

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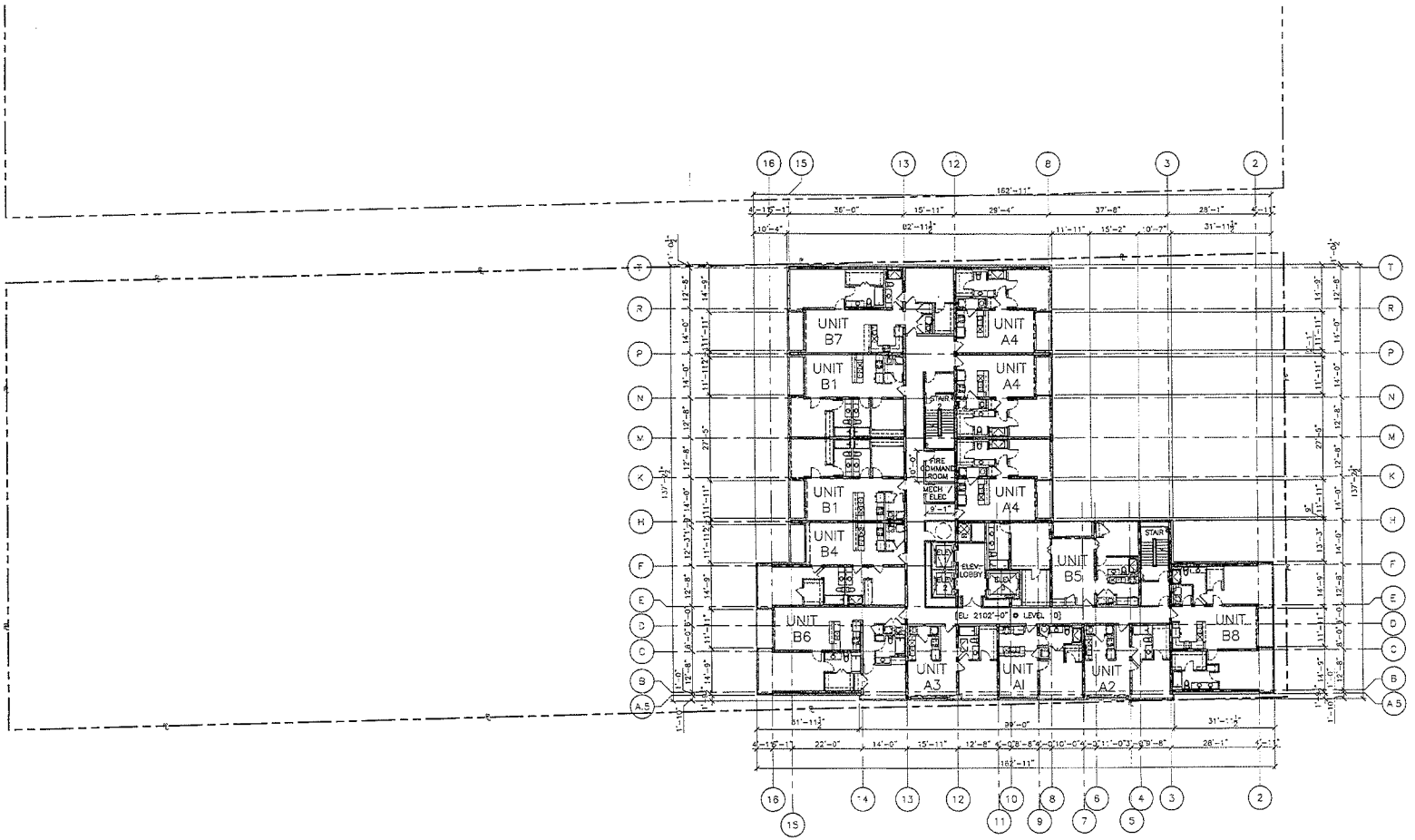

01 LEVELS 10, 20, 30 FLOOR PLAN (FIRE COMMAND ROOM)
SCALE: 1/16"=1'-0"

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LEVELS 10, 20, 30 FLOOR PLAN
(FIRE COMMAND ROOM)

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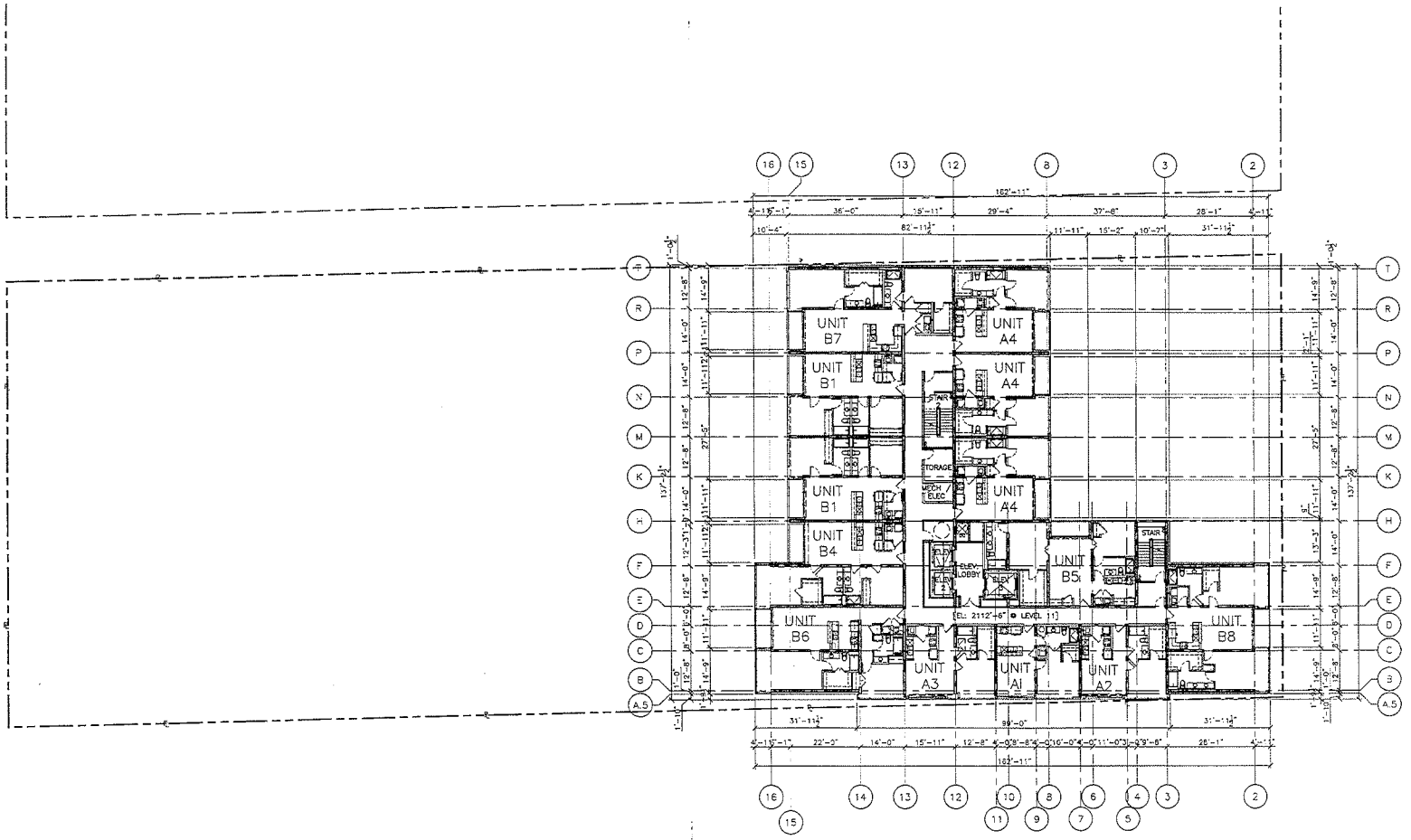

01 LEVELS 11–19, 20–19, 31– 32 FLOOR PLAN (TYPICAL FLOOR PLAN)
SCALE: 1/16"=1'-0"

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LEVELS 11 - 32 FLOOR PLAN
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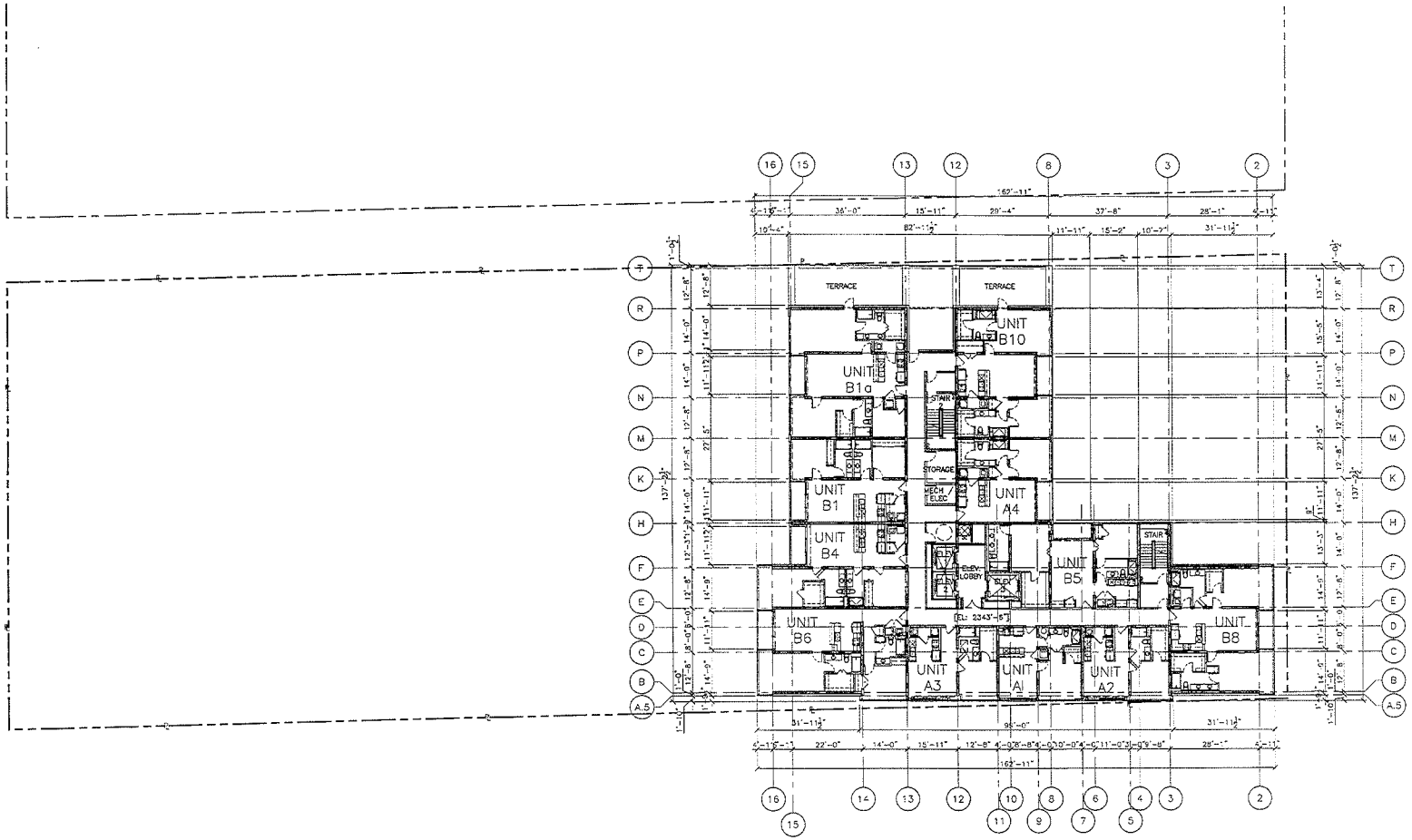

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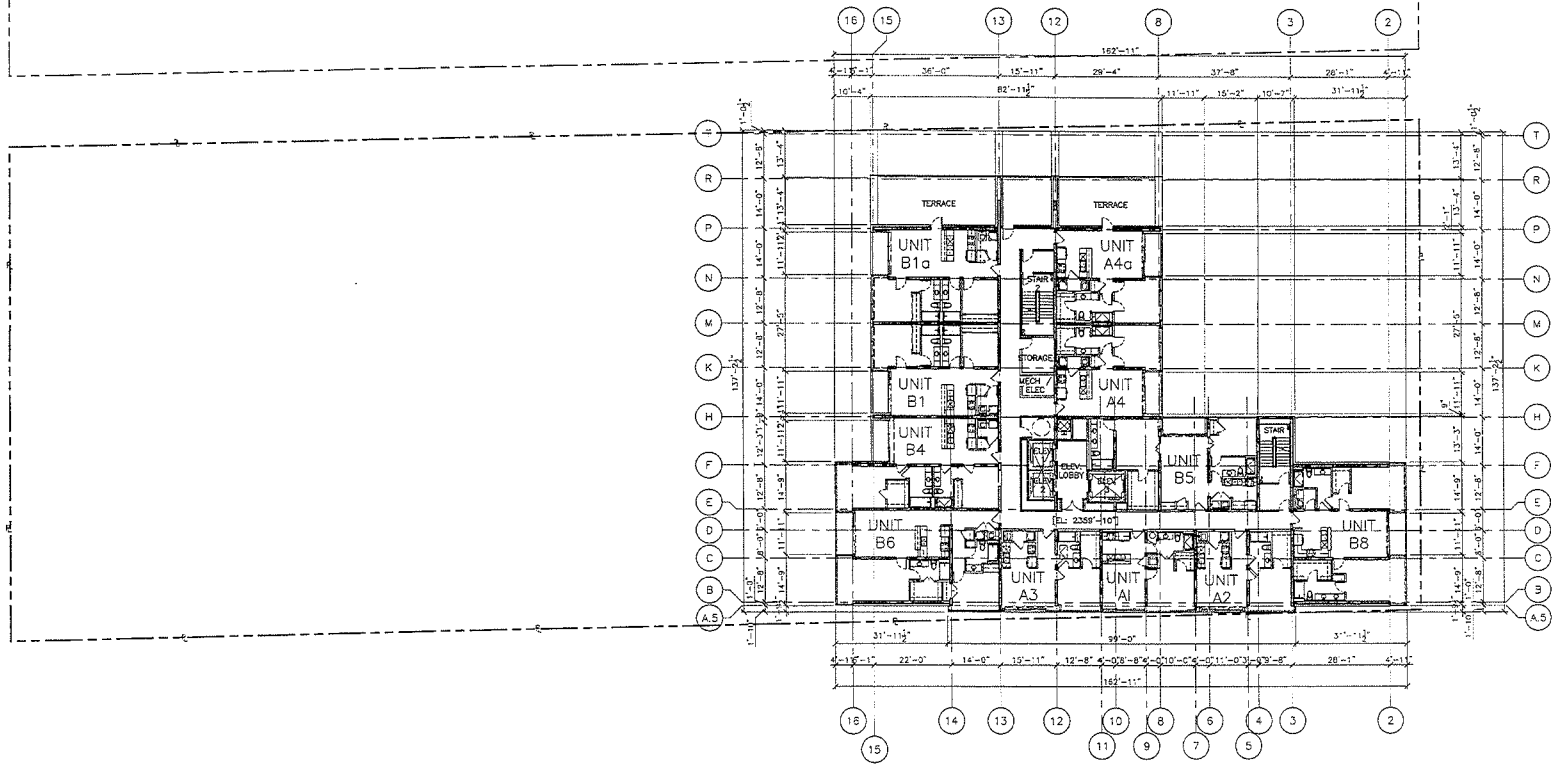

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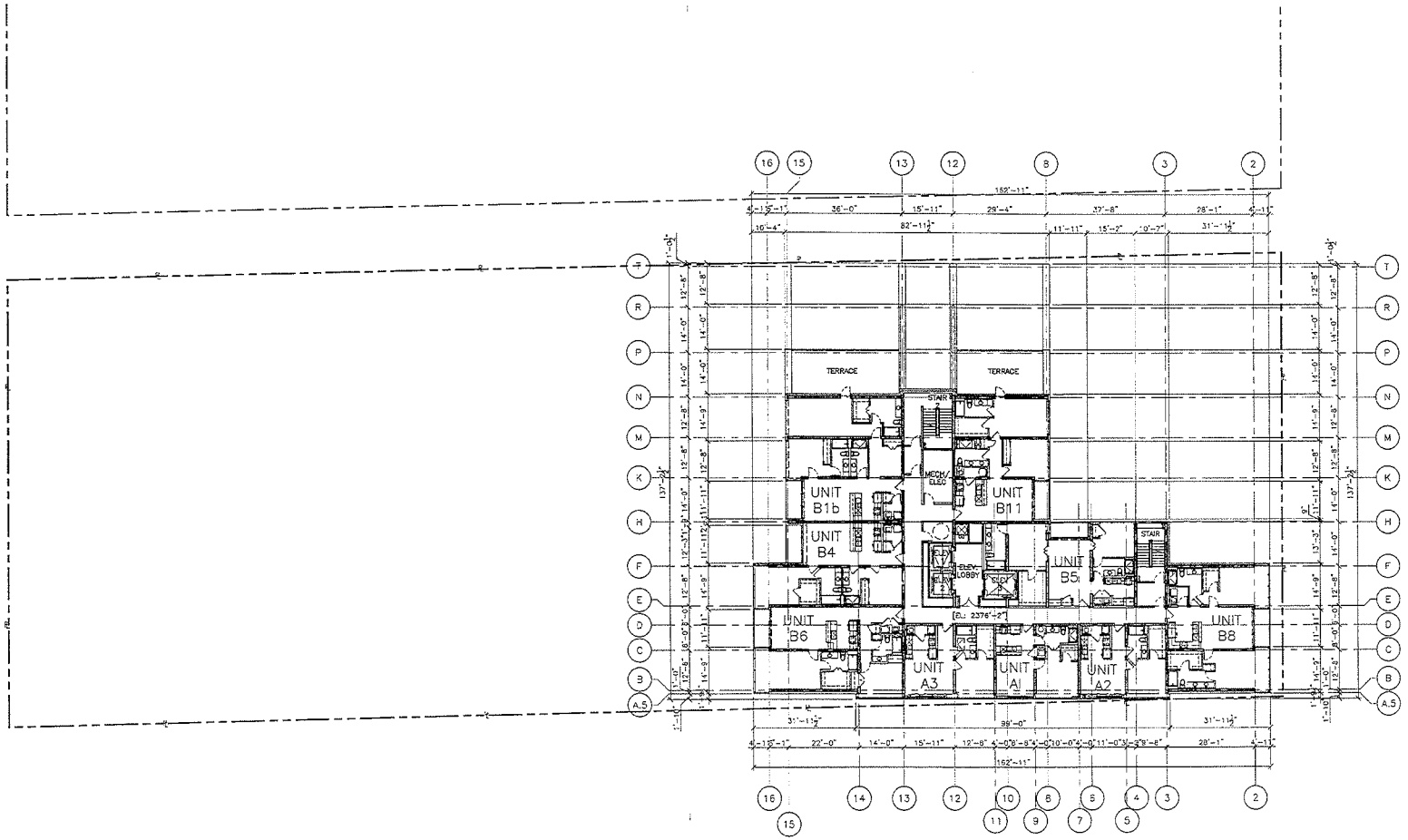

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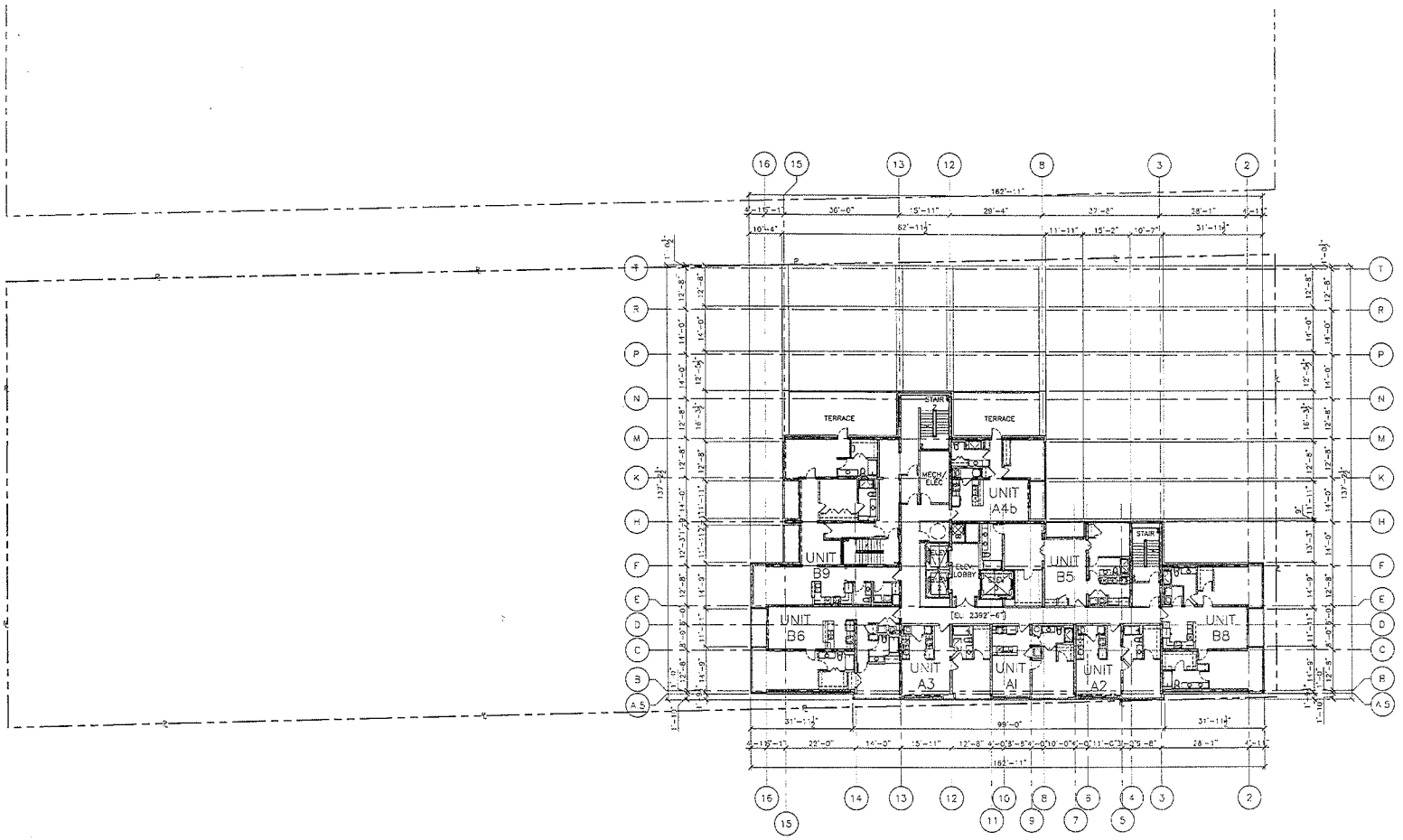

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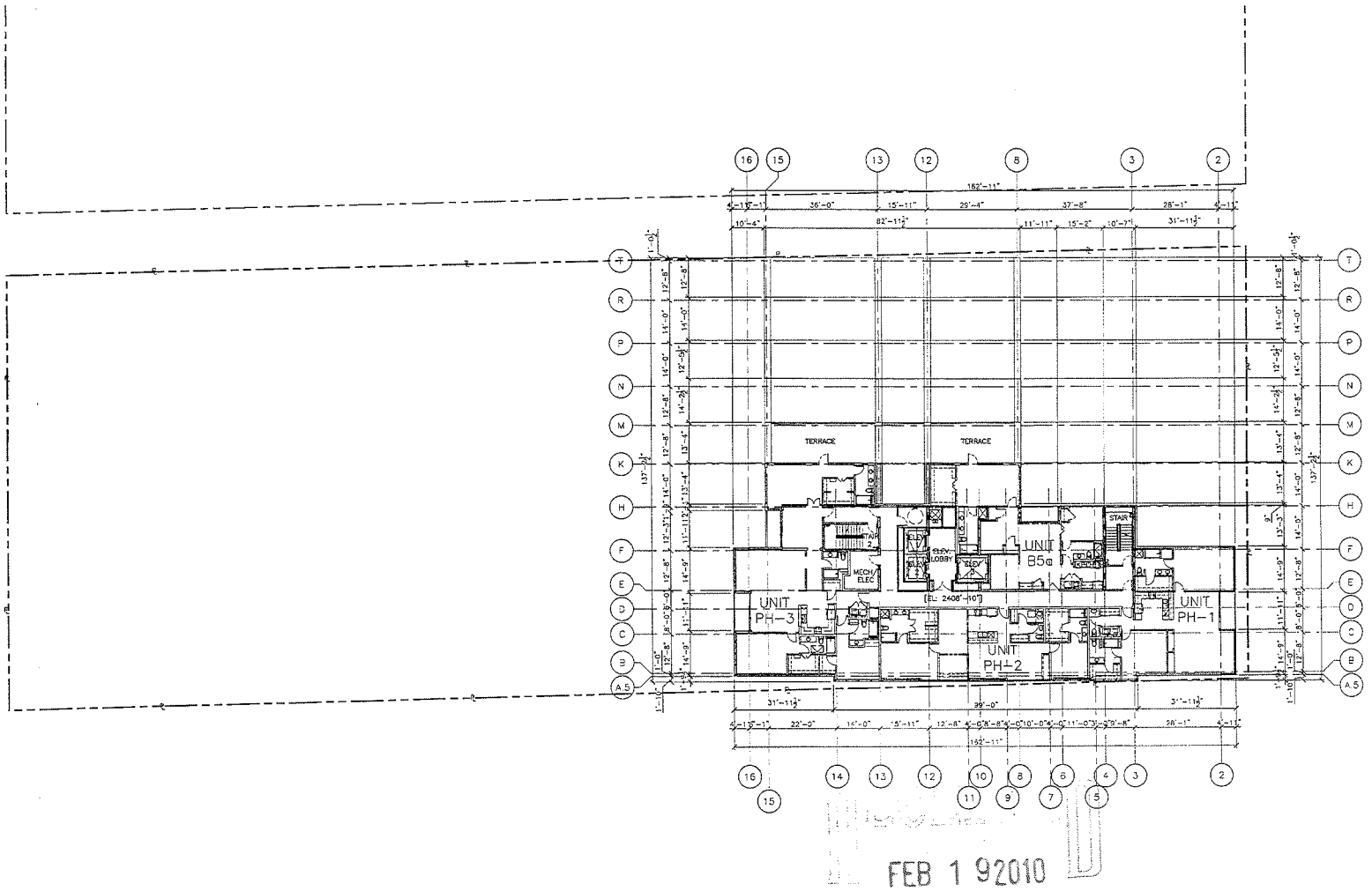

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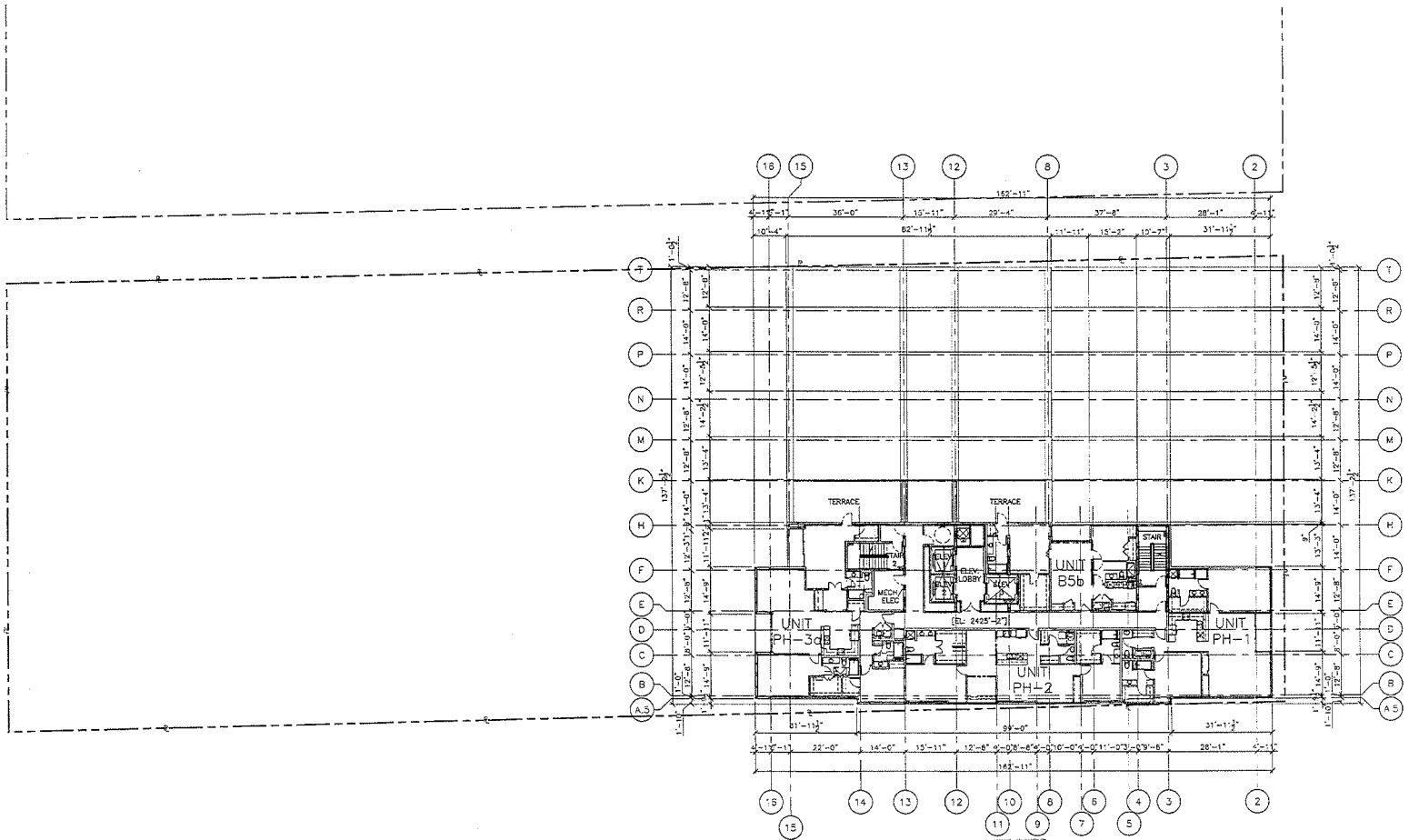

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01 LEVEL 38 FLOOR PLAN
SCALE: 1/16"=1'-0"

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PLAN NORTH

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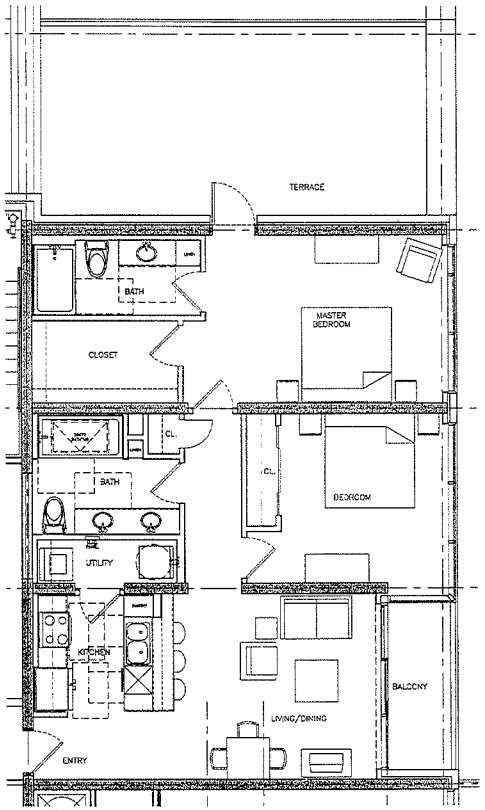

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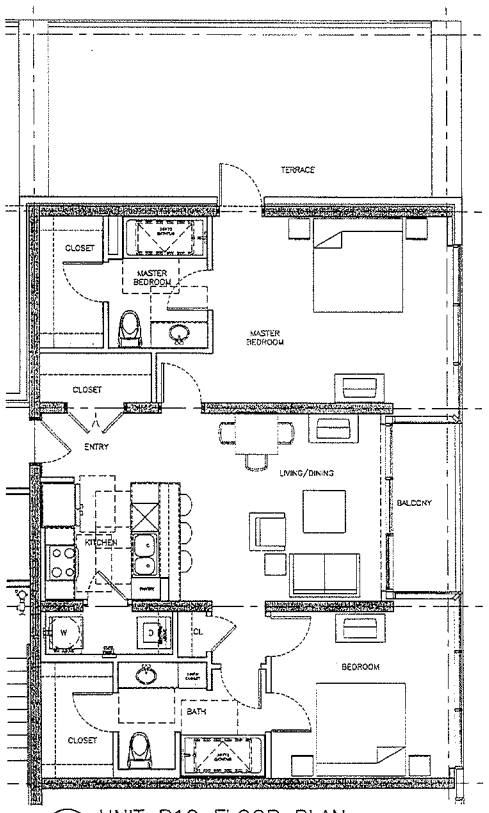

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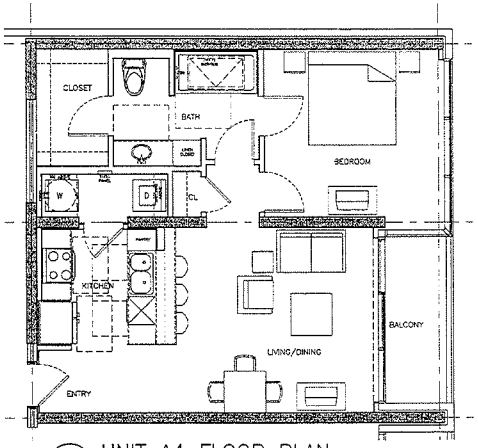

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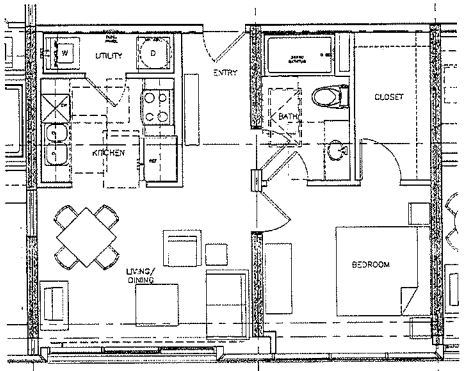

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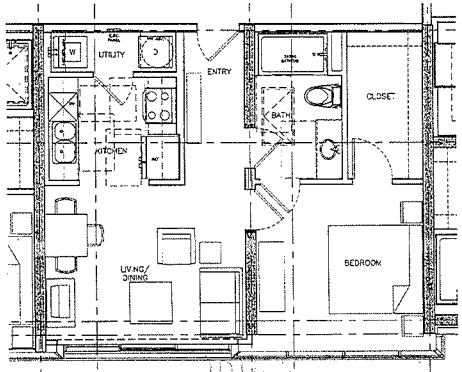

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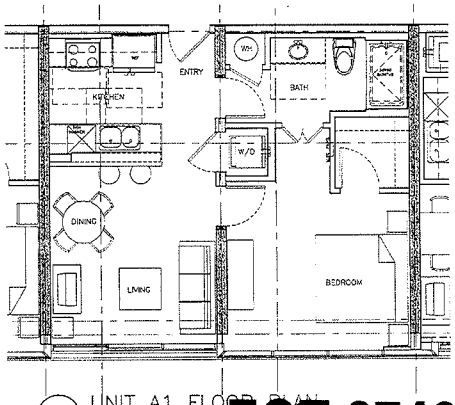

01 UNIT A1 FLOOR PLAN
SCALE: 1/4"=1'-0"

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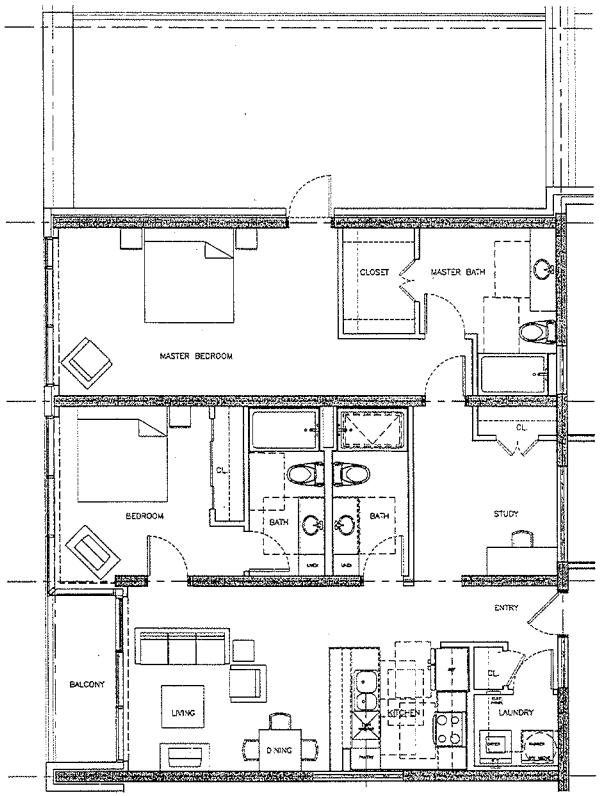

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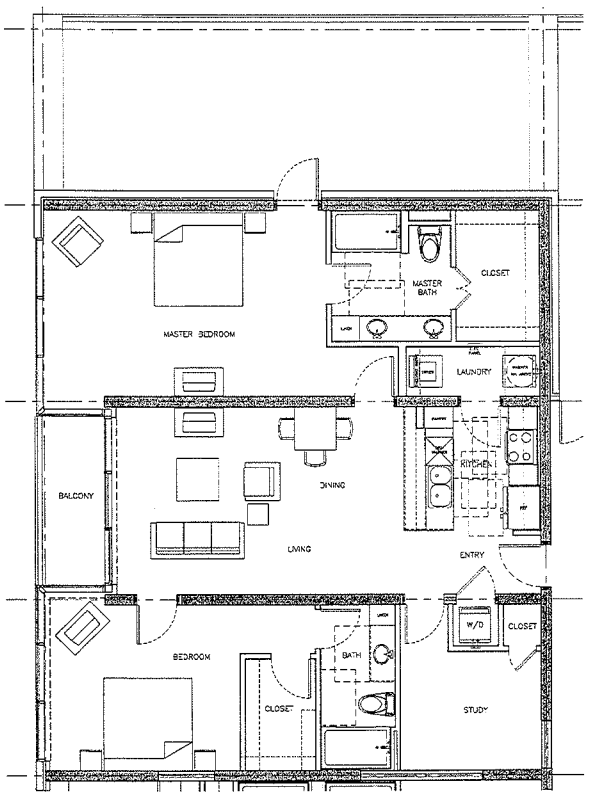

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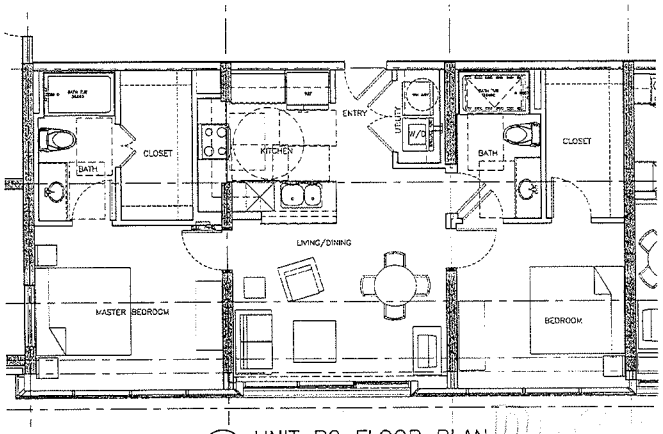

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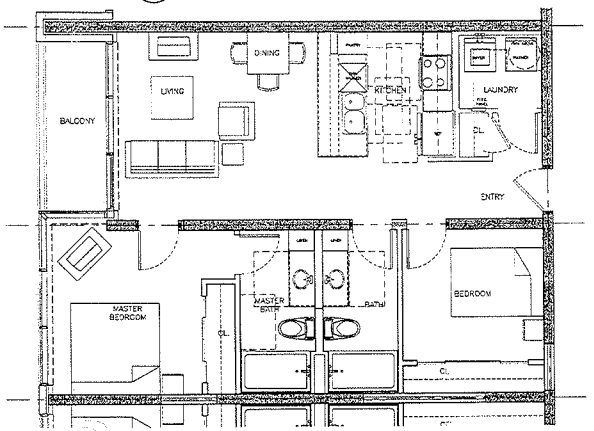

01 UNIT B1 FLOOR PLAN
SCALE: 1/4"=1'-0"

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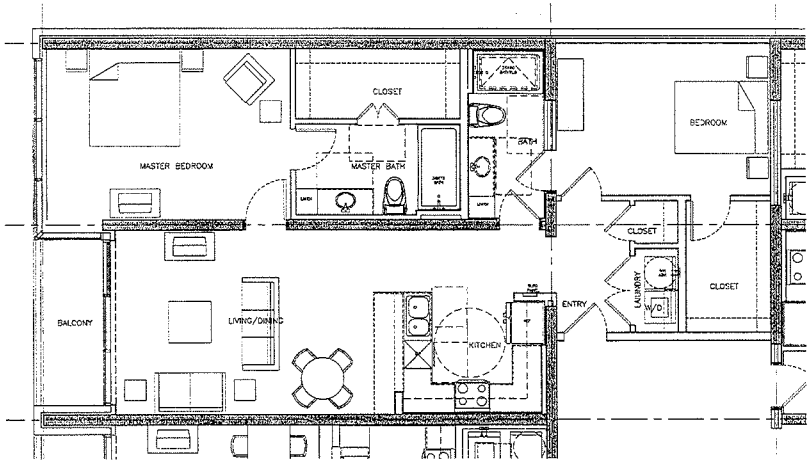

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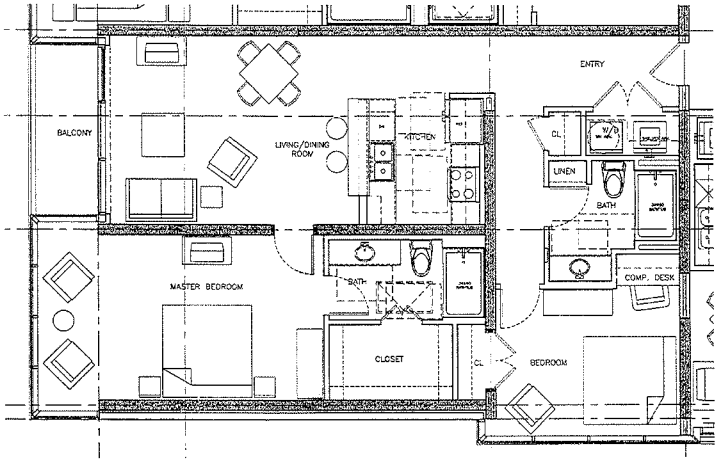

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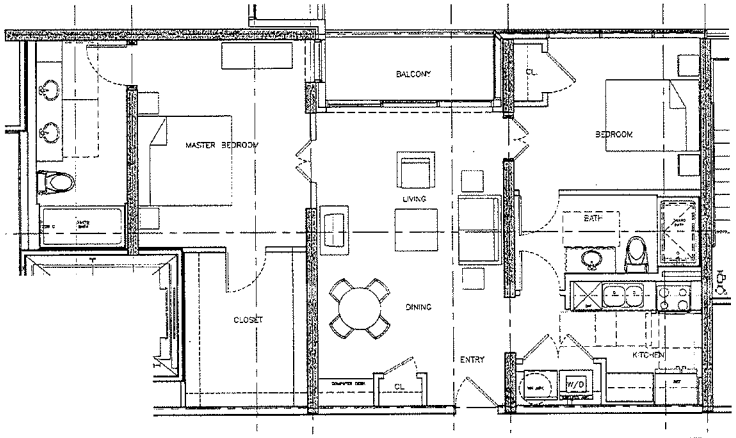

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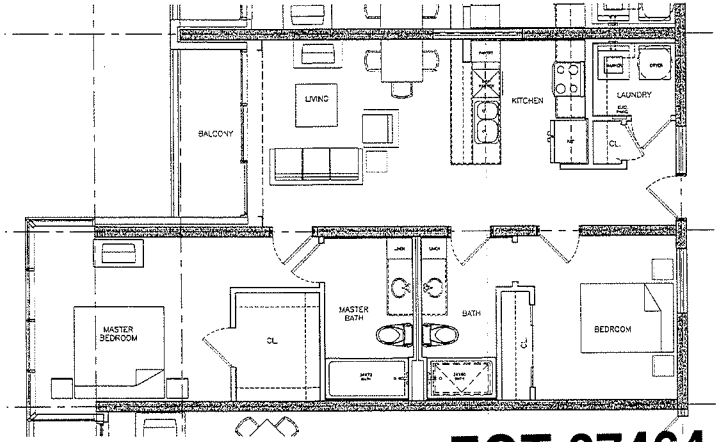

01 UNIT B4 FLOOR PLAN
SCALE: 1/4"=1'-0"

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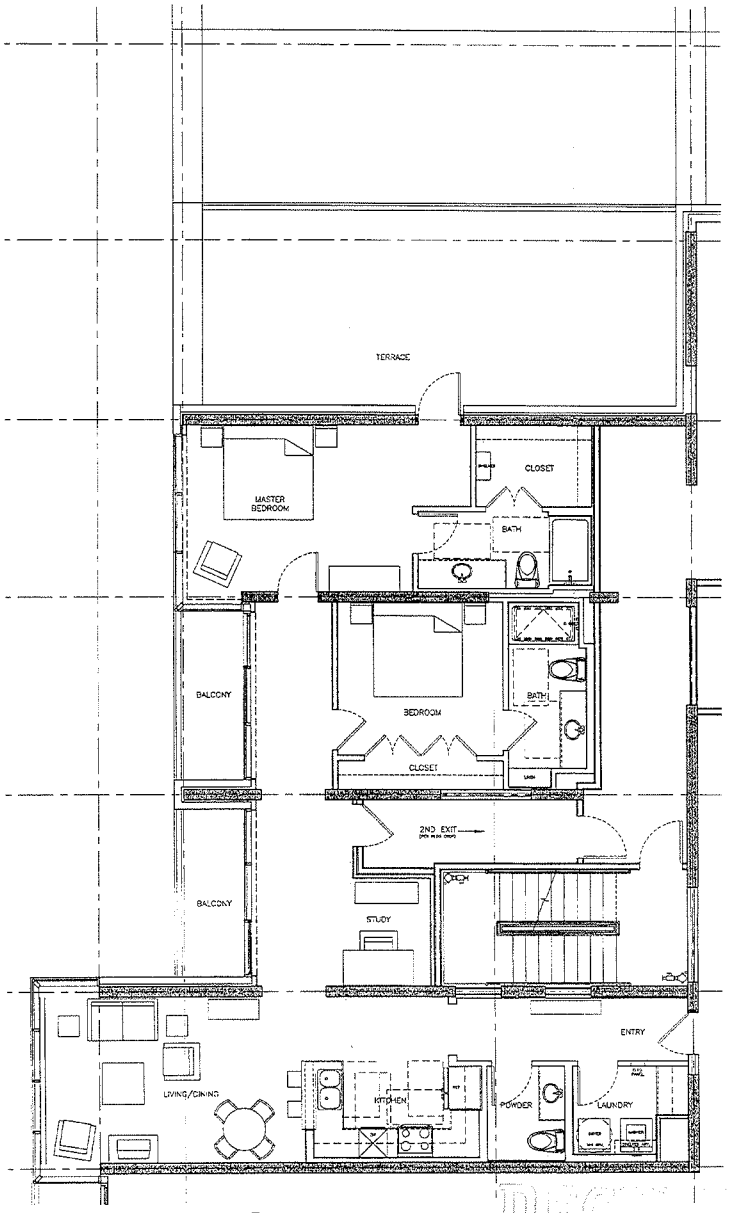

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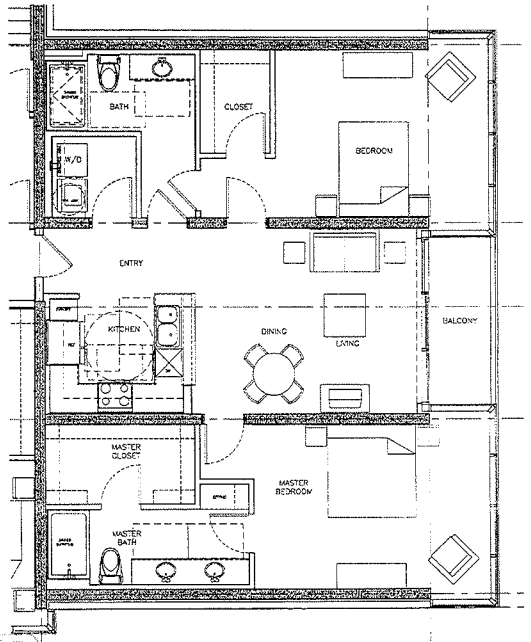

01 UNIT B8 FLOOR PLAN
SCALE: 1/4"=1'-0"

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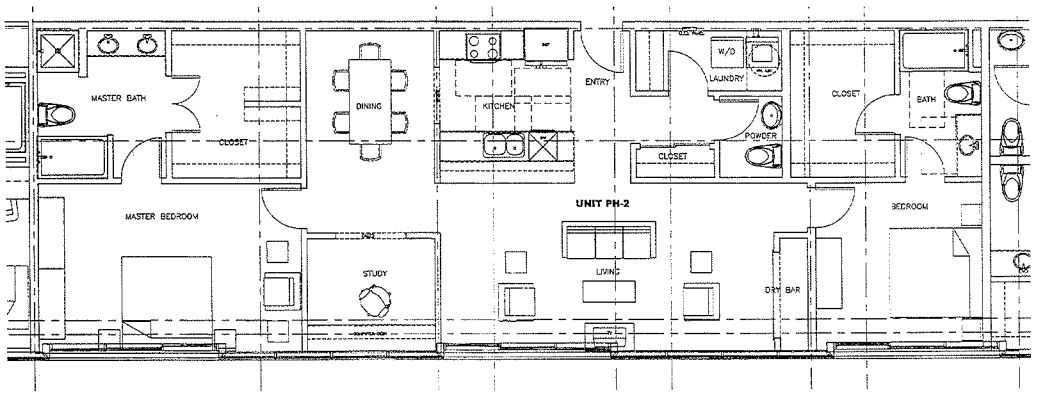
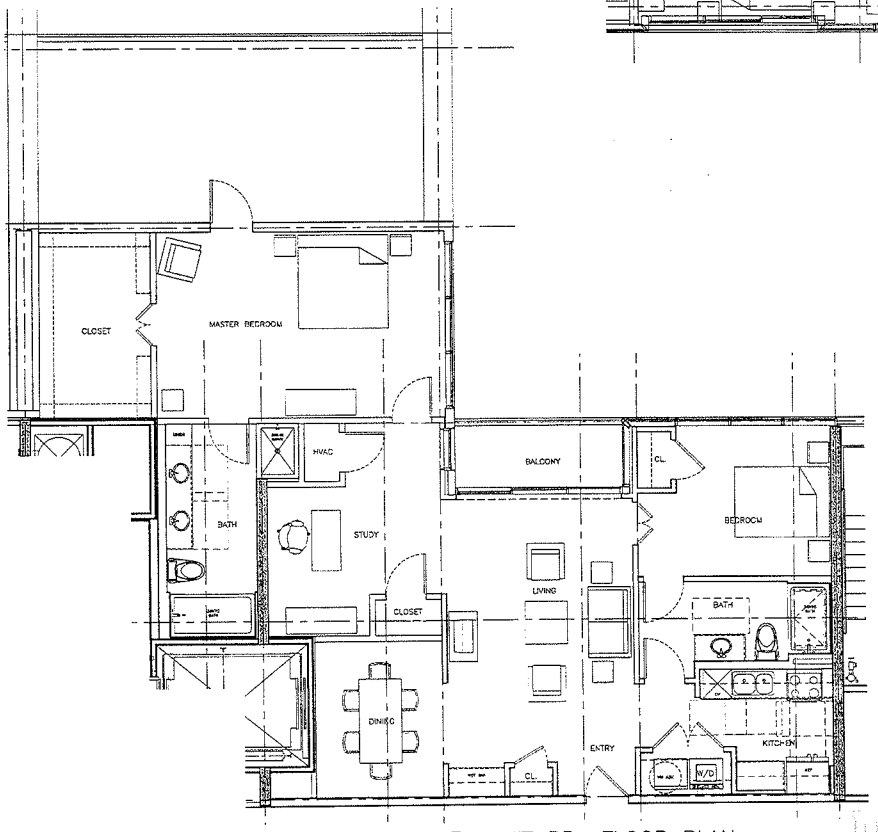


03 UNIT PH-2 FLOOR PLAN
SCALE: 1/4"=1'-0" PENTHOUSE LEVEL UNIT (LEVELS 37-38)



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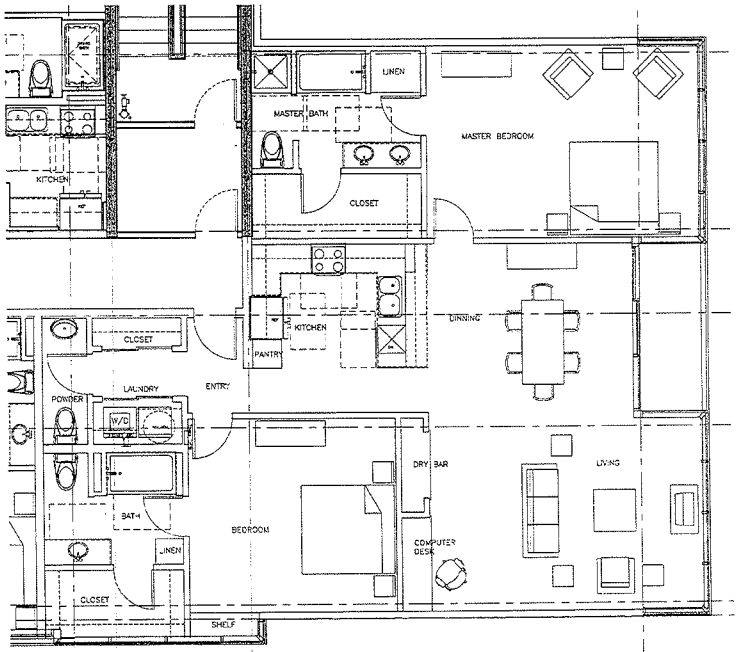

01 UNIT PH-1 FLOOR PLAN
SCALE: 1/4"=1'-0" PENTHOUSE LEVEL UNIT (LEVEL 37)

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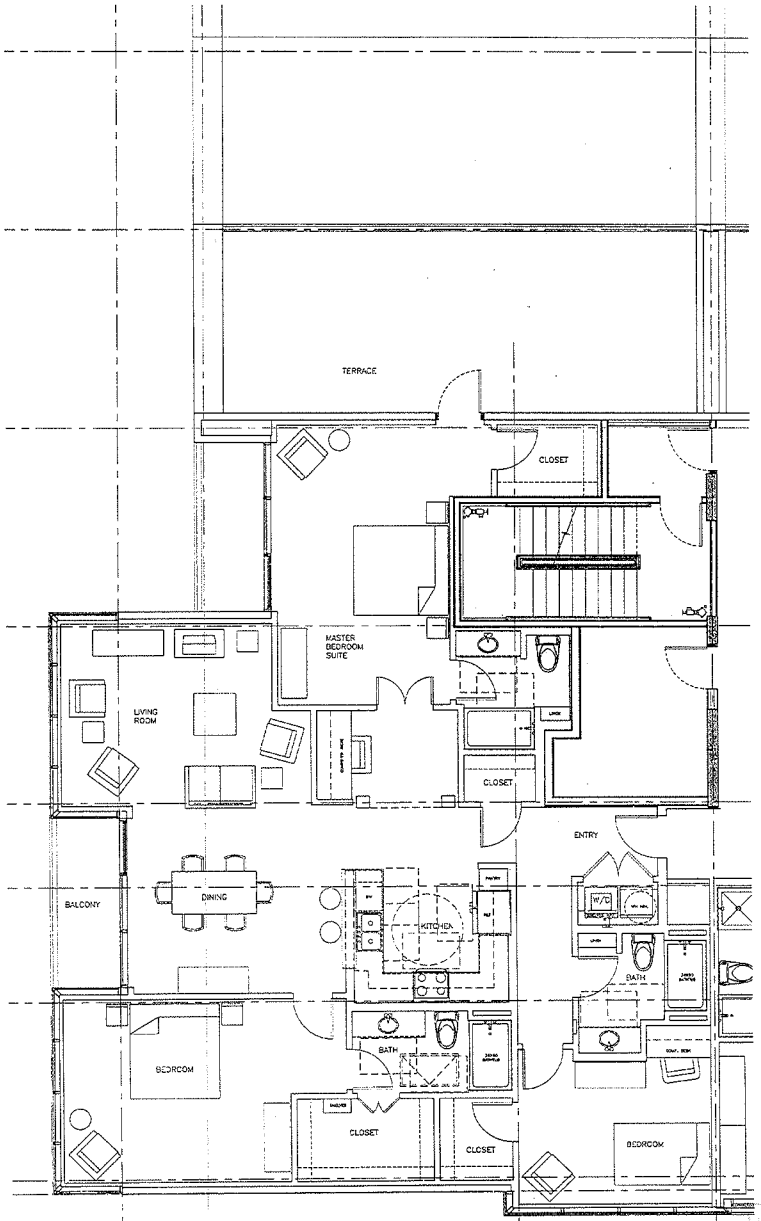
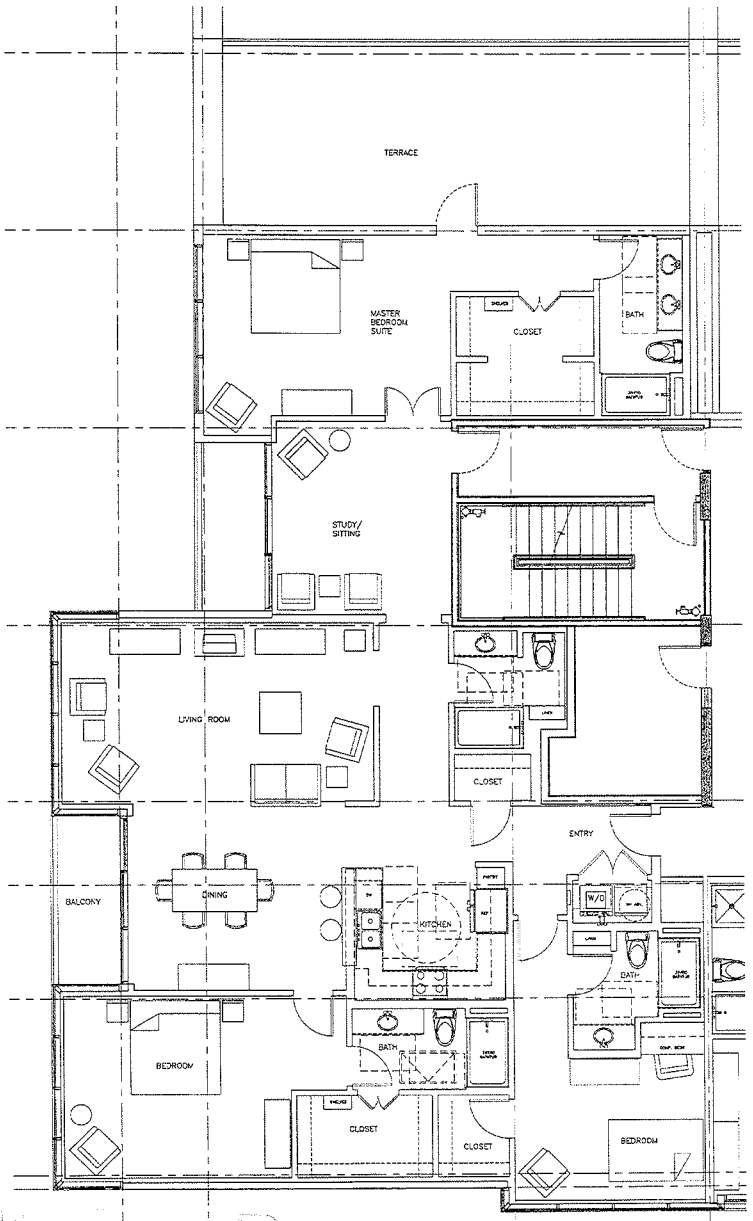


02 UNIT PH-3A FLOOR PLAN
SCALE: 1/4"=1'-0" PENTHOUSE LEVEL UNIT (LEVEL 38)



01 UNIT PH-3A FLOOR PLAN
SCALE: 1/4"=1'-0" PENTHOUSE LEVEL UNIT (LEVEL 38)

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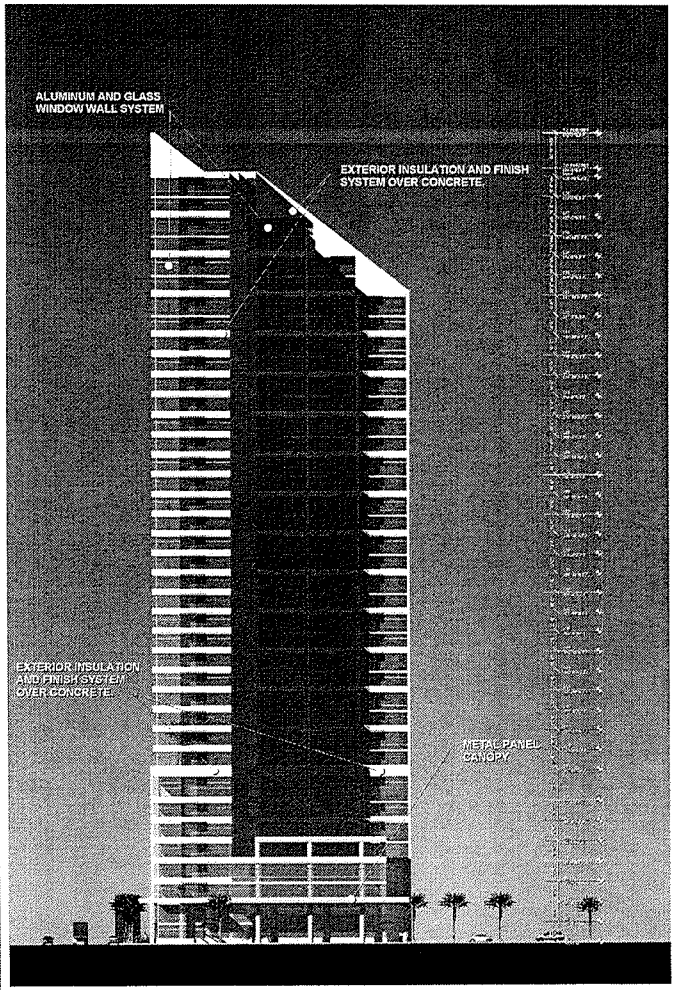
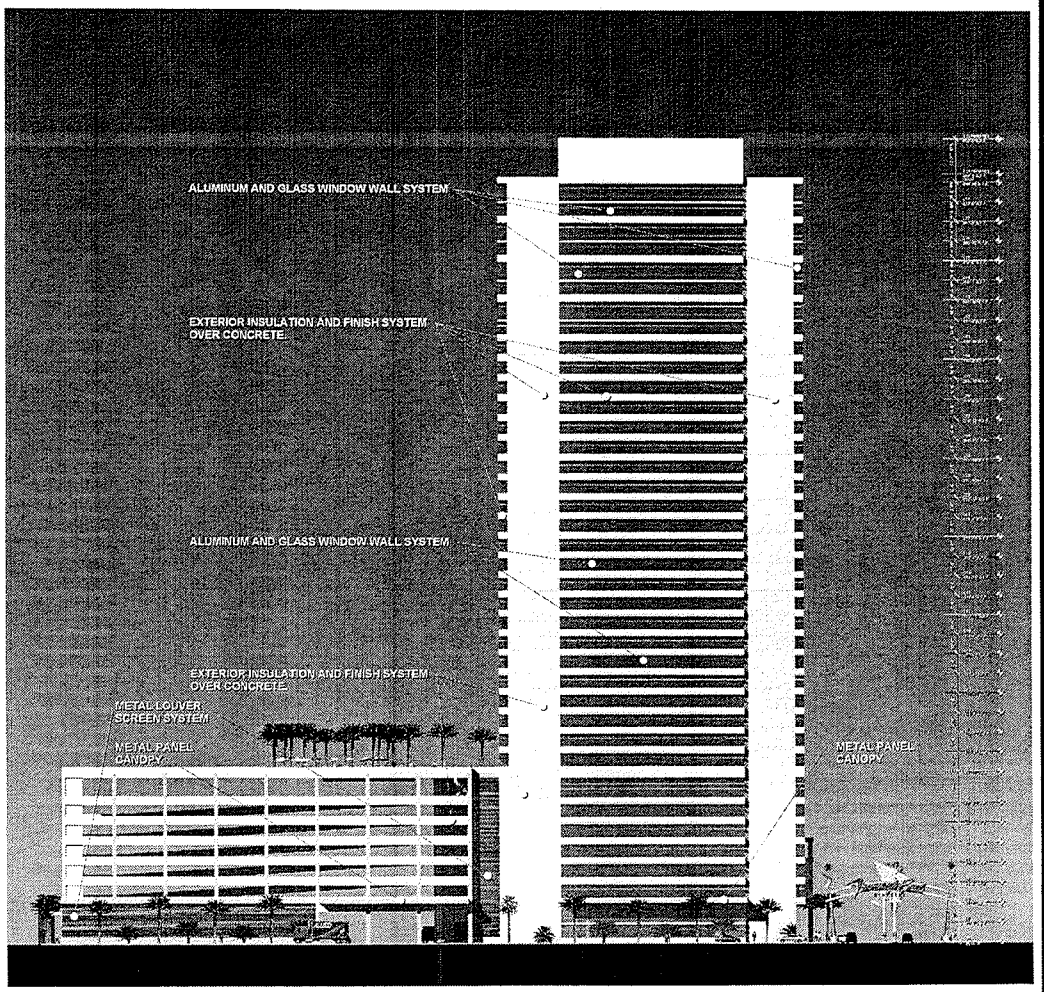


01 NORTH ELEVATION

NOTE: BUILDING SIGNAGE COLOR, SIZE AND LOCATION PER CITY APPROVAL



02 EAST ELEVATION

NOTE: BUILDING SIGNAGE COLOR, SIZE AND LOCATION PER CITY APPROVAL

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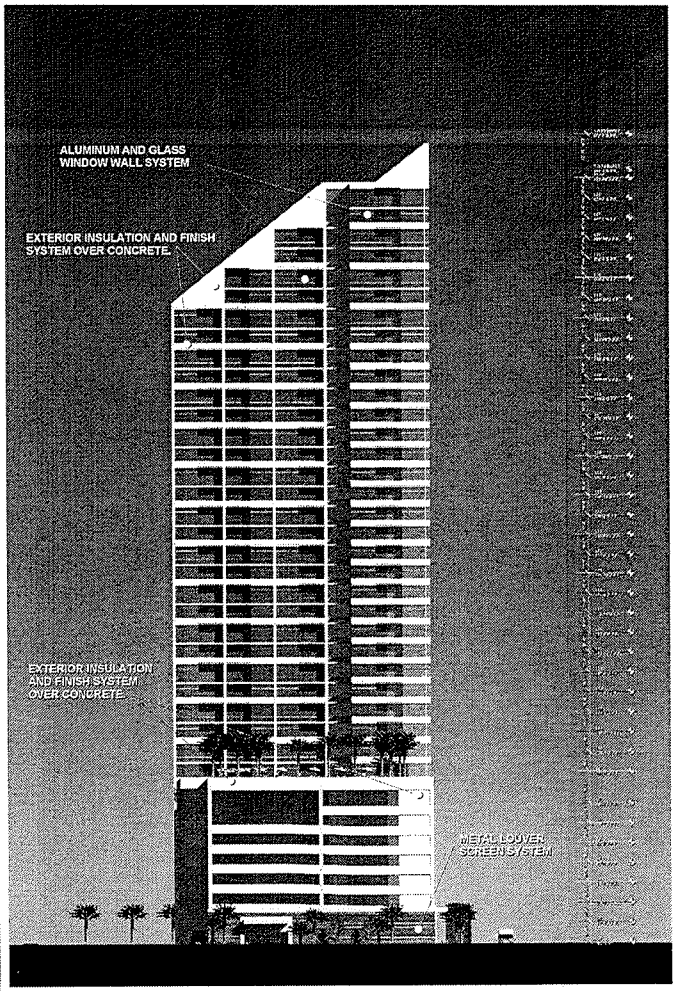
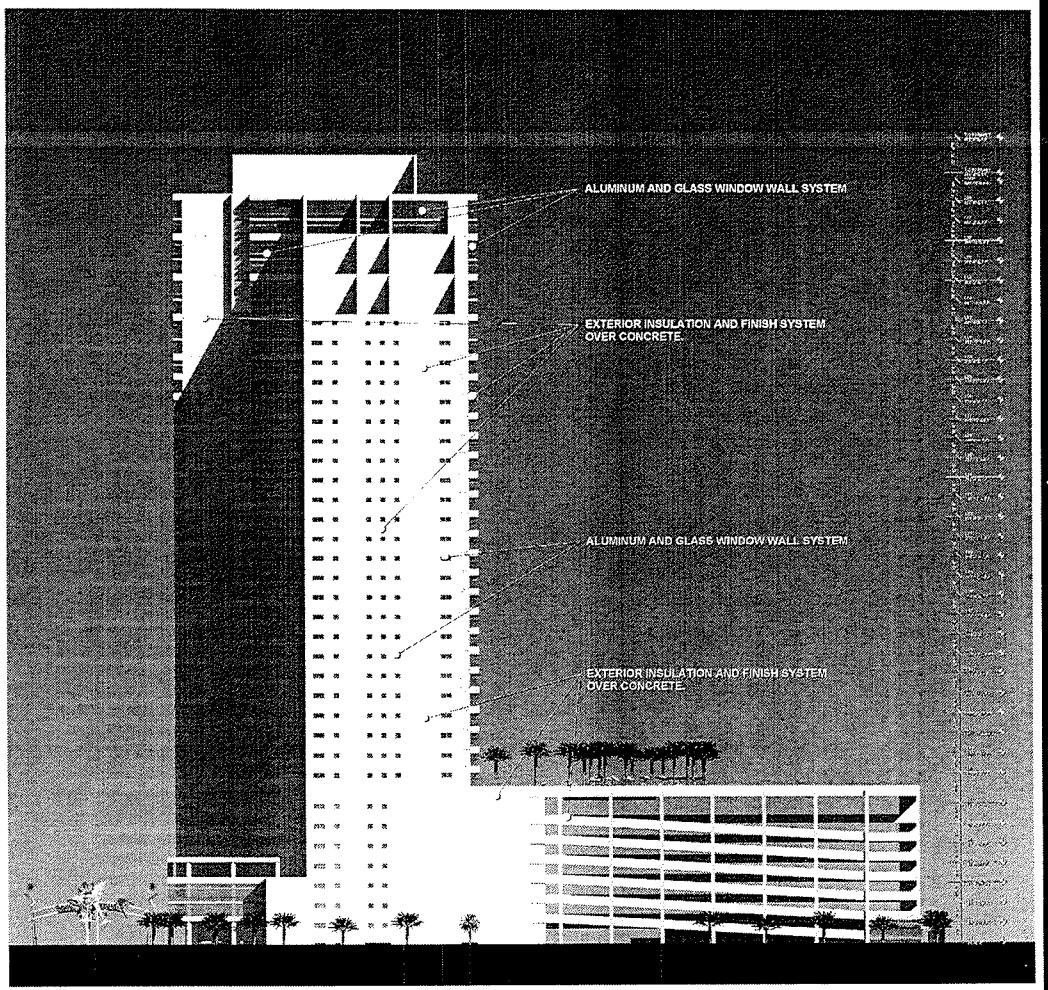


01 SOUTH ELEVATION

NOTE: BUILDING SIGNAGE COLOR, SIZE AND LOCATION PER CITY APPROVAL.



02 WEST ELEVATION

NOTE: BUILDING SIGNAGE COLOR, SIZE AND LOCATION PER CITY APPROVAL.

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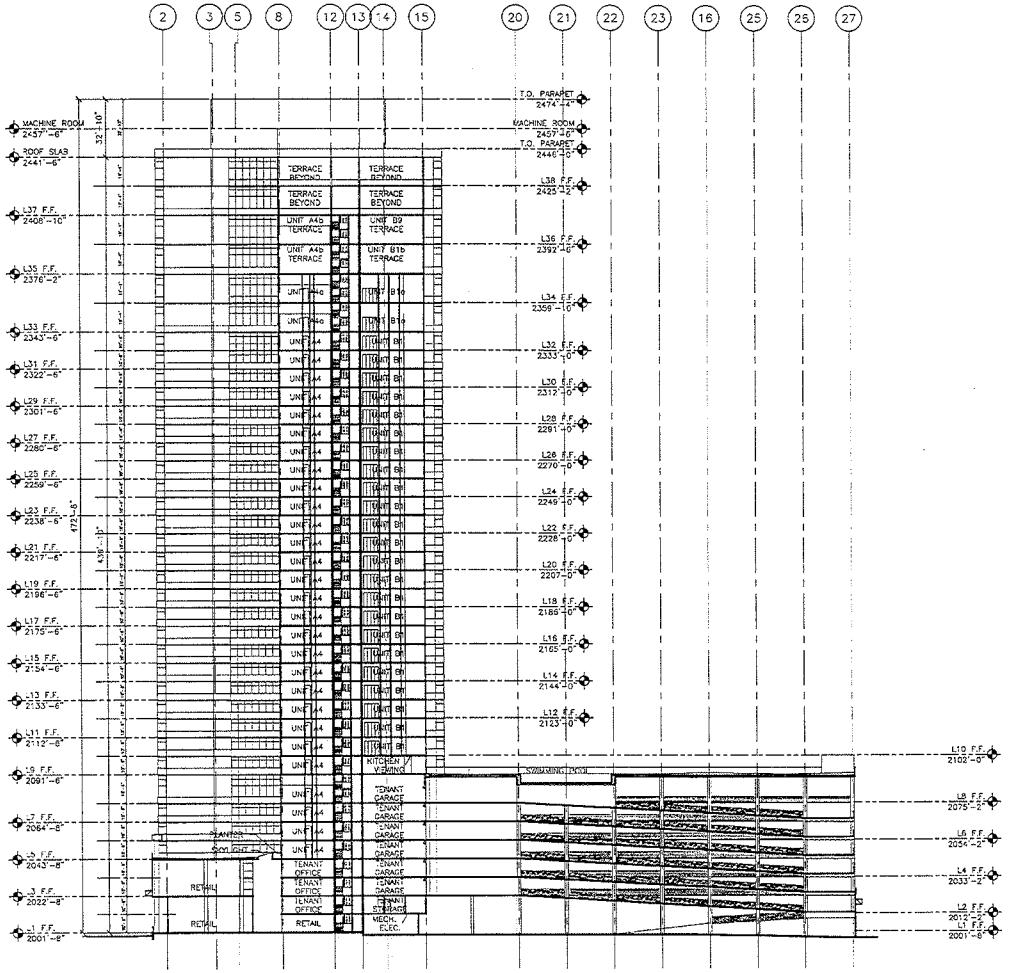
EOT-37464
04/07/10 CC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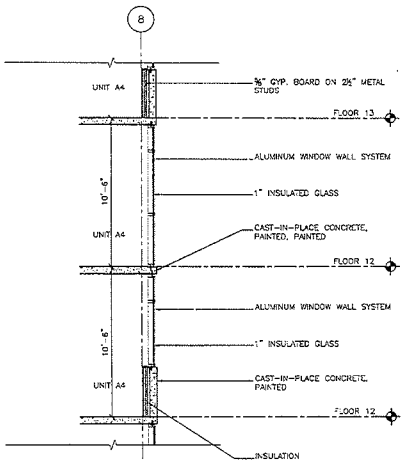
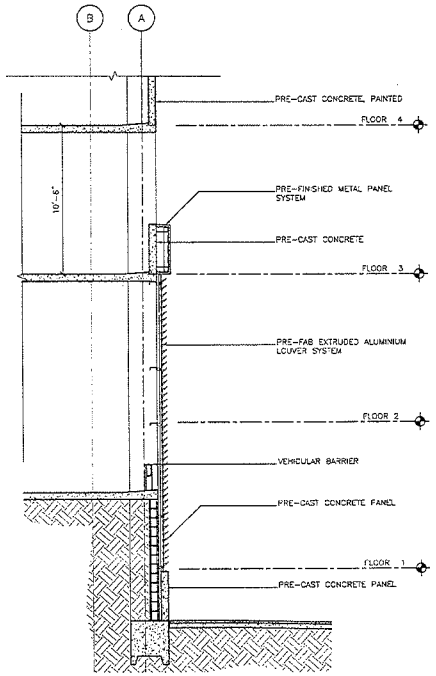
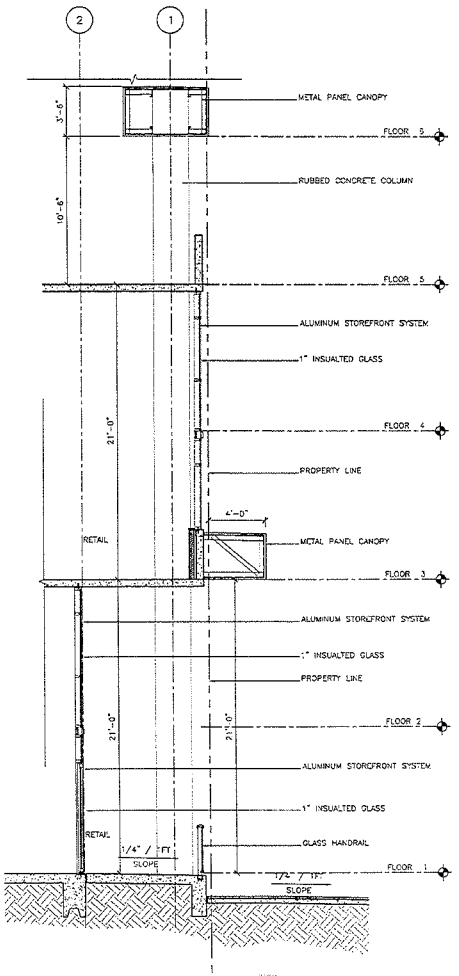
T.O. PARAPET 2474'-4"
MACHINE ROOM 2457'-6"
T.O. PARAPET 2440'-10"
ROOF SLAB 2441'-6"
L38 F.F. 2425'-2"
L37 F.F. 2408'-10"
L36 F.F. 2392'-10"
L35 F.F. 2376'-2"
L34 F.F. 2359'-10"
L33 F.F. 2343'-6"
L32 F.F. 2333'-0"
L31 F.F. 2322'-6"
L30 F.F. 2312'-0"
L29 F.F. 2301'-6"
L28 F.F. 2291'-0"
L27 F.F. 2280'-6"
L26 F.F. 2270'-0"
L25 F.F. 2259'-6"
L24 F.F. 2249'-0"
L23 F.F. 2238'-6"
L22 F.F. 2228'-0"
L21 F.F. 2217'-6"
L20 F.F. 2207'-0"
L19 F.F. 2196'-6"
L18 F.F. 2185'-0"
L17 F.F. 2175'-6"
L16 F.F. 2165'-0"
L15 F.F. 2154'-6"
L14 F.F. 2144'-0"
L13 F.F. 2133'-6"
L12 F.F. 2123'-0"
L11 F.F. 2112'-6"
L10 F.F. 2102'-0"
L9 F.F. 2091'-6"
L8 F.F. 2075'-2"
L7 F.F. 2064'-8"
L6 F.F. 2054'-2"
L5 F.F. 2043'-8"
L4 F.F. 2033'-2"
L3 F.F. 2022'-8"
L2 F.F. 2012'-2"
L1 F.F. 2001'-8"
MACHINE ROOM 2457'-6"
ROOF SLAB 2441'-6"
32'-10"
4'-8"
4'-8"
4'-8



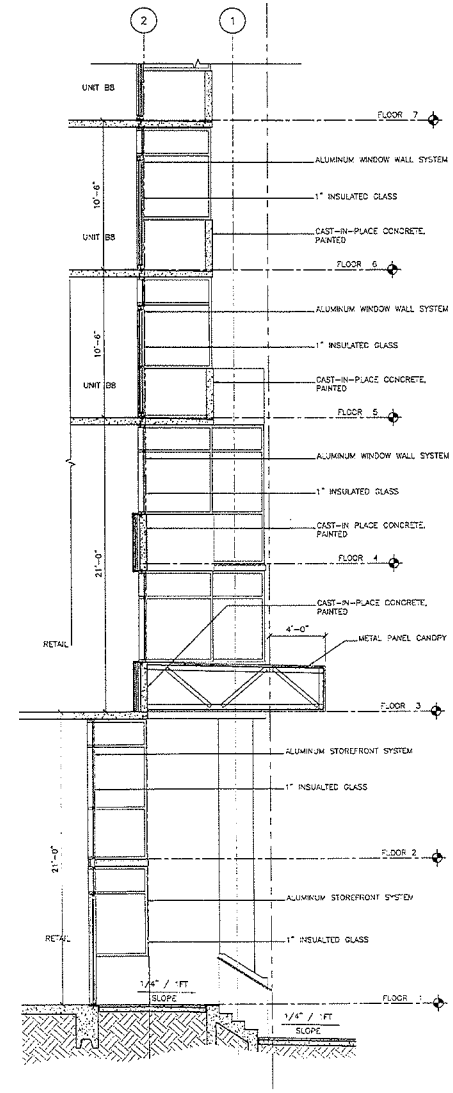
04 WALL SECTION (TYPICAL FLOOR)
SCALE: 1/4"=1'-0"



03 WALL SECTION (ON EAST FACADE)
SCALE: 1/4"=1'-0"



02 WALL SECTION (ON NORTH FACADE)
SCALE: 1/4"=1'-0"



01 WALL SECTION (ON NORTH FACADE)
SCALE: 1/4"=1'-0"

0 1' 2' 4' 8'

ROBERT B. DUPREE
REGISTERED ARCHITECT
NEVADA LICENSE #3294

C/O Gromatzky Dupree and Associates
2828 Cole Ave., Suite 300
Dallas, Tx. 75204
Phone: (214) 871-9078
Fax: (214) 871-9069
www.gdainet.com

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Project

NEON HEIGHTS
LAS VEGAS, NEVADA
777 FREMONT

Martinez & Associates

Authorization

ROBERT B. DUPREE REGISTERED 3294 11.22.06

FOR PLANNING COMMISSION SUBMITTAL ONLY

Design Team

DAMIUS/ DEVELOPER: MARTINEZ & ASSOCIATES
1725 Wakefield Trace Way
Las Vegas, NV 89128
TEL: 702.214.3400
FAX:
CONTACT: JUSTIN MARTINEZ

ARCHITECT: ROBERT B. DUPREE
c/o GROMATZKY, DUPREE & ASSOCIATES
2828 COLE AVENUE
SUITE 300
DALLAS, TEXAS 75204
TEL: 214.871.9078
FAX: 214.871.9069
CONTACT: GARY CALTRIPET

Issues and Revisions

No.	Date	Description

Job No.	Issue Date
5045.00	11.21.06

Issue Package
PLANNING COMMISSION SUBMITTAL

Sheet Title
WALL SECTIONS

Sheet Number
A6.11

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FEB 1 9 2010

EOT-37464
04/07/10 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

April 4, 2008

Mr. Dan Martinez
1729 Wandering Winds Way
Las Vegas, Nevada 89128

RE: EOT-26898 – EXTENSION OF TIME
CITY COUNCIL MEETING OF APRIL 2, 2008

Dear Mr. Martinez:

The City Council at a regular meeting held April 2, 2008 APPROVED the request for an Extension of Time of an approved Site Development Plan Review (SDR-18638) FOR A 40-STORY, 395-UNIT CONDOMINIUM DEVELOPMENT WITH 15,892 SQUARE FEET OF RETAIL SPACE AND 9,050 SQUARE FEET OF OFFICE SPACE AND WAIVERS OF THE DOWNTOWN BUILDING STEPBACK, PARKING STRUCTURE STEPBACK, AND DOWNTOWN STREETSCAPE REQUIREMENTS on 1.39 acres at 709-731 Fremont Street (APN 139-34-612-084), C-2 (General Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on April 3, 2008. This approval is subject to:

Planning & Development

1. This Site Development Plan Review (SDR-18638), if not exercised, shall expire on 2/21/10 unless another Extension of Time is approved by the Planning and Development Department.

2. Conformance to all conditions of approval of Site Development Plan Review (SDR-18638) and all other site related actions as required by the Planning and Development Department and Department of Public Works.

Sincerely,

Lean Coleman

Lean Coleman
Deputy City Clerk II for
Beverly K. Bridges, CMC, City Clerk

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

Mr. Justen Martinez
1729 Wandering Winds Way
Las Vegas, Nevada 89128

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

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

EOT-37464
04/07/10 CC

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
WARD 5 (VACANT)

DOUGLAS A. SELBY
CITY MANAGER

March 22, 2007

Mr. Justen Martinez
585 Camino Montebello
Santa Fe, New Mexico 887501

RE: SDR-18638 – SITE DEVELOPMENT PLAN REVIEW
CITY COUNCIL MEETING OF FEBRUARY 21, 2007
RELATED TO SUP-18637

Dear Mr. Martinez:

The City Council at a regular meeting held February 21, 2007 APPROVED the request for a Site Development Plan Review FOR A 40-STORY, 395-UNIT CONDOMINIUM DEVELOPMENT WITH 15,892 SQUARE FEET OF RETAIL SPACE AND 9,050 SQUARE FEET OF OFFICE SPACE AND WAIVERS OF THE DOWNTOWN BUILDING STEPBACK, PARKING STRUCTURE STEPBACK, AND DOWNTOWN STREETSCAPE REQUIREMENTS on 1.39 acres at 709-731 Fremont Street (APN 139-34-612-084), C-2 (General Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on February 22, 2007. This approval is subject to:

Planning and Development

1. This approval shall be void one year 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, and building elevations, date stamped 12/08/06, except as amended by conditions herein.

3. A Waiver from the Downtown Centennial Plan is hereby approved, to allow for no stepback at the 4th, 11th and 18th levels.

4. A Waiver from the Downtown Centennial Plan is hereby approved, to allow for no parking structure stepback.

5. A Waiver from the Downtown Centennial Plan Streetscape is hereby approved, to allow for 10 trees on 8th Street where 14 are required, to allow for 4 trees on Carson Avenue where 5 are required, to allow a 9'-6" wide sidewalk and amenity area where 16' wide is required on Fremont Street, to allow a 9'-7" wide sidewalk and amenity area where 16' wide is required on Carson Avenue and to allow an 14'-6" wide sidewalk and amenity area where 16' wide is required on 8th Street.

CITY OF LAS VEGAS
400 STEWART AVENUE
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EOT-37464
04/07/10 CC

6. 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 as Final Map submittal. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.

7. 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.

8. 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).

9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

11. 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.

12. A Master Sign Plan shall be submitted for approval by the City of Las Vegas Downtown Entertainment Overlay Design Review Committee for all proposed signage prior to being issued a sign permit.

13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

14. A Comprehensive Construction Staging Plan shall be submitted to the Planning and Development Department for review and approval prior to the issuance of any building permits. The Construction Staging Plan shall include the following information: Design and location of construction trailer(s); design and location of construction fencing; all proposed temporary construction signage; location of materials staging area; and the location and design of parking for all construction workers.

15. Written approval by the Clark County Department of Aviation with no change in flight patterns shall be submitted to the City of Las Vegas prior to the issuance of building permits.

EOT-37464
04/07/10 CC

16. Prospective buyers shall be informed that views may be obscured by future adjacent development and this information shall be included in project CC & R's.

17. Prior to the submittal of a building permit application, 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.

18. Aerial encroachment agreements must be secured from the City of Las Vegas Public Works Department for the three proposed metal canopies that extend over the sidewalks on Fremont and 8th Street.

19. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

20. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 12/08/06, except as amended by conditions herein.

Public Works

21. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; comply with the recommendations of the City Surveyor.

22. Dedicate a 10-foot radius on the southwest corner of Fremont Street and Eighth Street and dedicate a 10-foot radius on the northwest corner of Eighth Street and Carson Avenue.

23. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Downtown Centennial Design Standards (except as amended by conditions herein) 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.

24. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the "Fremont Street Pedestrian Improvements" project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.

25. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site.

26. Submit an Encroachment Agreement for all landscaping, if any, located in the public right-of-way adjacent to this site prior to occupancy of this site. The proposed building shall be designed and constructed such that there are no balconies or other permanent structures within or overlying the public right-of-way adjacent to this site.

EOT-37464
04/07/10 CC

27. 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.

28. Coordinate with the Collection System Planning Section of the Department of Public Works to determine public sewer connection requirements prior to the issuance of any permits or the submittal of a map for this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

29. 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.

30. 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, the issuance of any building or grading permits, or the submittal of a map for this site, whichever may occur first. Provide and improve all drainage ways as recommended.

31. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map 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.

32. Meet with the Clark County School District to discuss the impact this site plan has on the District's schools, and to identify possible methods to mitigate the impacts.

EOT-37464
04/07/10 CC

33. 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 a Tentative Map or construction drawings, whichever may occur first. 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 a Tentative Map or construction drawings, whichever may occur first.

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

Mr. Justen Martinez
1729 Wandering Winds Way
Las Vegas, Nevada 89128

EOT-37464
04/07/10 CC

Justification Letter

February 17, 2010

Via: Hand Delivery

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

Re: Extension of Time Request for SUP-18637 & SDR-18638

To Whom It May Concern:

The City Council held February 21, 2007 Approved our requests for a Special Use Permit (SUP-18637) and Site Development Plan Review (SDR-18638) located at 709 Fremont Street (APN 139-34-612-084). We have been working very hard to bring this exciting project and the Fremont East Entertainment District to life. Finally construction costs have come down to the level that warrants building quality and affordable Residential Units in the downtown area. Unfortunately the same economic forces have made obtaining financing extremely difficult. We are still working with several sources and hope that the cost of financing will improve in the near future. We respectfully request an extension of two years time to continue to work in good faith on this project and our Entertainment District.

Thank you in advance for your consideration of this matter.

Respectfully,

Justen Martinez
Vice President of Fremont East Downtown Entertainment District Owners Corporation
1729 Wandering Winds Way
Las Vegas, NV 89128

RECEIVED
FEB 19 2010

EOT-37464
04/07/10 CC

City of Las Vegas Agenda Item No.: **75.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 7, 2010

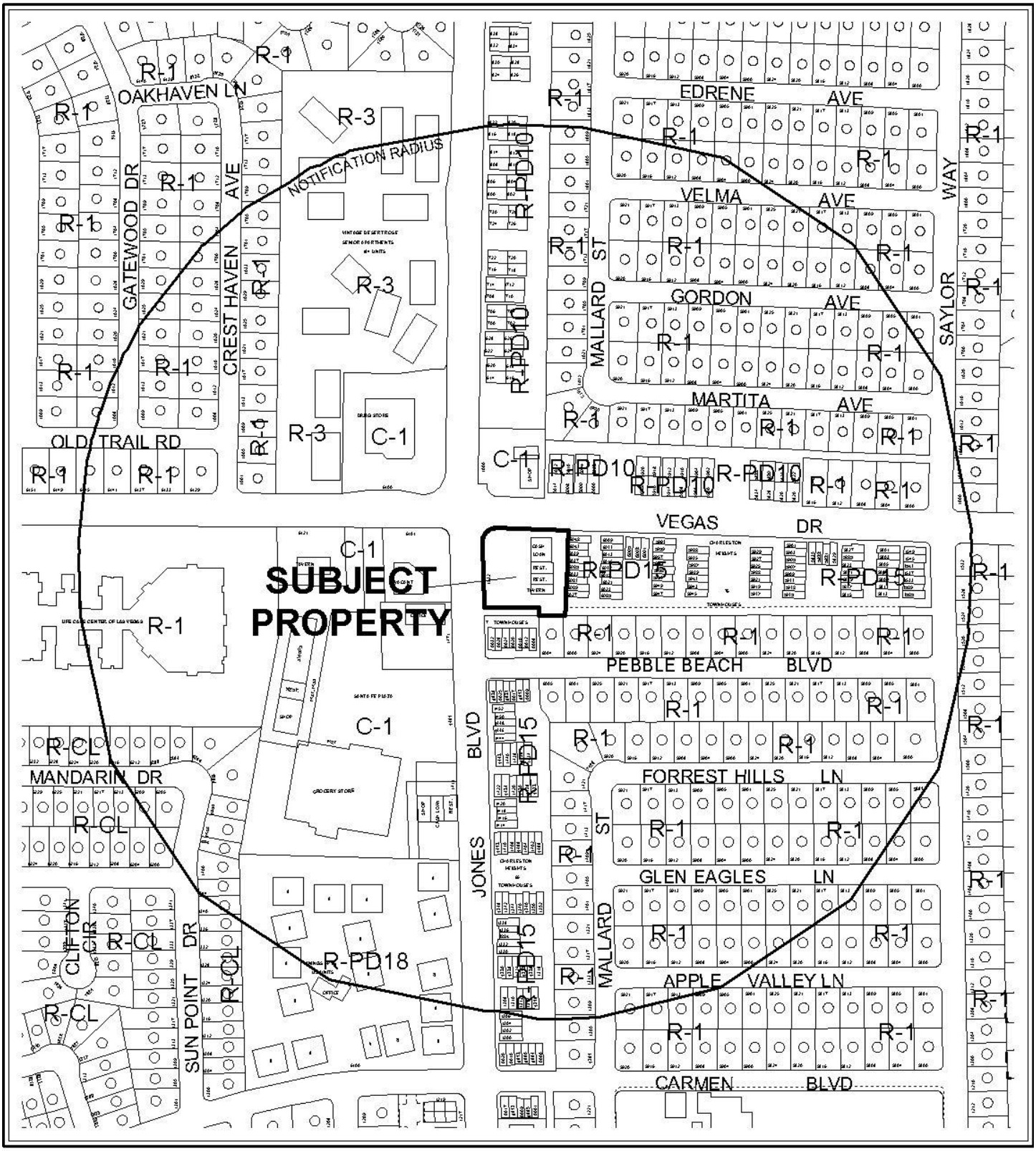
DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:
SUP-37152- SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: RAPID CASH - OWNER: BECKER INVESTMENT COMPANY, LP - Request for a Special Use Permit TO ADD A JEWELRY STORE, CLASS III USE TO AN EXISTING 2,400 SQUARE-FOOT AUTO TITLE LOAN AND FINANCIAL INSTITUTION, SPECIFIED at 1532 North Jones Boulevard (APN 138-25-101-001), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**4**	**Planning Commission Mtg.**	**0**
City Council Meeting	**1**	**City Council Meeting**	**0**

RECOMMENDATION:
The Planning Commission (6-0-1 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 Postcard
7. Backup Referenced from the February 25, 2010 Planning Commission Meeting Item #18



0 300 600 Feet

CASE: **SUP-37152**

RADIUS: 1000 FT

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

N



0 300 600 Feet

CASE: **SUP-37152**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-37152- APPLICANT: RAPID CASH - OWNER: BECKER INVESTMENT COMPANY, L.P.

** CONDITIONS **

The Planning Commission (6-0-1 vote/gf) and staff recommend APPROVAL, subject to conditions:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Jewelry Store Class, III 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 sign permit shall be obtained for all unpermitted signage from the Department of Building and Safety within 30 days of final approval.

4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

JG

SUP-37152 - Staff Report Page One
April 7, 2010 - City Council Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This application is a request for a Special Use Permit to add a Jewelry Store, Class III use within an existing 2,400 square-foot Auto Title Loan and Financial Institution, Specified at 1532 North Jones Boulevard. The use will allow the option to buy broken or discarded jewelry on the premises. There is no resale of the jewelry; it is not a loan, but a purchase of the jewelry for the gold. Staff recommends approval of this request, as the proposed use meets minimum requirements for a Jewelry Store, Class III, and is compatible with surrounding land uses.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
06/17/70	The Board of City Commissioners approved a request for a Zoning Reclassification (Z-0029-70) from R-3 (Limited Multiple Residence) to C-1 (Service Commercial) by Resolution of Intent on property generally located on the southeast corner of Vegas Drive and Jones Boulevard. The Planning Commission and staff recommended approval.
02/03/71	The Board of City Commissioners approved a request for a Reinstatement and six-month Extension of Time for a Zoning Reclassification (Z-0029-70) from R-3 (Limited Multiple Residence) to C-1 (Service Commercial) by Resolution of Intent on property generally located on the southeast corner of Vegas Drive and Jones Boulevard. The Planning Commission recommended approval.
09/12/73	The Board of City Commissioners approved a request for a Reinstatement and six-month Extension of Time for a Zoning Reclassification (Z-0029-70) from R-3 (Limited Multiple Residence) to C-1 (Service Commercial) by Resolution of Intent on property generally located on the southeast corner of Vegas Drive and Jones Boulevard. The Planning Commission recommended approval.
03/20/74	The Board of City Commissioners approved a request for a six-month Extension of Time for a Zoning Reclassification (Z-0029-70) from R-3 (Limited Multiple Residence) to C-1 (Service Commercial) by Resolution of Intent on property generally located on the southeast corner of Vegas Drive and Jones Boulevard. The Planning Commission recommended approval.
03/22/79	The Board of Zoning Adjustment approved Use Permit (U-0012-79) to allow the retail sale of gasoline on property generally located on the southeast corner of Vegas Drive and Jones Boulevard.
02/25/10	The Planning Commission (6-0-1 vote/gf) recommends APPROVAL (PC Agenda Item #18/jg).

Related Building Permits/Business Licenses	
08/28/01	A building permit (#01015364) was issued for a Non-Work Certificate of Occupancy for a Convenience Store at 1532 North Jones Avenue. A final inspection was completed on 8/27/01.
03/05/02	A building permit (#02003881) was issued for two wall signs at 1532 North Jones Avenue. No final inspection was completed.
03/07/02	A building permit (#02004103) was issued for Tenant Improvement for a Certificate of Occupancy at 1532 North Jones Avenue. A final inspection was completed on 4/09/02.
04/10/02	A business license (C21-00114) was issued for a Check Cashing Service at 1532 North Jones Boulevard. The license was reclassified on 2/19/09 as a (N02-00023) for a Non-Depository Lender.
02/04/09	A business license (W10-00220) was issued for a Wire Transfer at 1532 North Jones Boulevard. The license is still active.
02/19/09	A business license (N02-00023) was issued for a Non-Depository Lender at 1532 North Jones Boulevard. The license is still active.
Pre-Application Meeting	
12/02/09	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for a Jewelry Store, Class III were discussed. The topics included: • The submittal of application materials, meeting dates, and deadlines were discussed at the pre-application meeting.
Neighborhood Meeting	
A neighborhood meeting is not required for this application, nor has one been conducted.	
Field Check	
01/21/10	During a routine site inspection staff observed: • Unpermitted Banner on the store front.

Details of Application Request	
Site Area	
Gross Acres	0.95

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Auto Title Loan, Financial Institution, Specified, Retail and Office	SC (Service Commercial)	C-1 (Limited Commercial)

JG

North	Restaurant/ Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)
South	Townhouses	M (Medium-Density Residential)	R-PD15 (Residential Planned Development – 15 Units per Acre)
East	Townhouses	M (Medium-Density Residential)	R-PD15 (Residential Planned Development – 15 Units per Acre)
West	Restaurant/ Convenience Store	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			
A-O Airport Overlay District (140 foot)	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	
Financial Institution, Specified, Auto Title Loan, Jewelry Store, Class III	2,400 SF	1/175 SF	14				
Office, Other Than Listed	1,008 SF	1/300 SF	4				

JG

General Retail Store, Other Than Listed (Less than 3500 Square Feet)	1,008 SF	1/175 SF	6				
Liquor Establishment (Tavern)	2,017 SF	1/50 SF(1097 sf) 1/200 SF (920 sf)	27				
SubTotal			48	3	49	3	
TOTAL			51		52		Y

ANALYSIS

This is a request for a Special Use Permit for a Jewelry Store, Class III use within an existing Auto Title Loan and a Financial Institution, Specified at 1532 North Jones Boulevard. A Jewelry Store, Class III use is defined by Title 19.20.020 as a "store which buys and sells scrap precious metals for marketing as a commodity in bar form or in other than jewelry form, or which buys and sells precious metal bars and coins that are sold as a commodity rather than for numismatic purposes. This may include operations similar to a new jewelry store." The proposed use is within the guideline of the permissible use definition. The applicant will buy used jewelry as a way to acquire gold, with no resale of the acquired items to the general public.

The parking requirement for the existing Auto Title Loan and Financial Institution, Specified, is one space per 250 square feet, but the proposed Jewelry Store, Class III use has a more intense parking requirement of one space per 175 square feet. The site can accommodate the more restrictive parking requirements of the proposed Jewelry, Class III use; the use meets all minimum requirements of the Jewerly Store, Class III and is compatable with adjacent development. 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 Jewelry Store Class III use can be conducted in a manner that is harmonious and compatible with the uses in the existing shopping center and with the uses on adjacent properties.

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 the proposed use. The existing site can accommodate the more restrictive parking requirements of the proposed Jewelry, Class III use. The proposed use will be operated in conjunction with the existing Auto Title Loan and Financial Institution, Specified business.

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."**

   Site access is provided from Vegas Drive and Jones Boulevard, both of which are 80-foot Secondary Collectors, as designated in the Master Plan of Streets and Highways. These streets provide adequate access to and from the subject property.

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 the proposed Special Use Permit will not compromise the public health, safety and general welfare, as the use will be subject to regular inspections for business licensing.

5. **The use meets all of the applicable conditions per Title 19.04.**

   The proposed use complies with the Minimum Special Use Permit requirements. There are no distance separation requirements for a Jewelry Store Class III use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 475 (By City Clerk)

APPROVALS 0

PROTESTS 4

JG

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-37152 APN: 138-25-101-001

Name of Property Owner: Becker Inv. Co. LP

Name of Applicant: Rapid Cash

Name of Representative: Rapid Cash

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.

N/A City Official: _____

Partner(s): _____ _____

APN: _____

Becker Investment Co. L.P.

Signature of Property Owner: By: _____

Barry W. Becker, Trustee

Print Name: By: Barry W. Becker and Susan D. Becker Family Trust

Its: General Partner

Subscribed and sworn before me

This 23 day of December, 2009

Melissa Hamilton

Notary Public in and for said County and State

NOTARY PUBLIC
MELISSA HAMILTON
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. APRIL 28, 2012
No: 08-6528-1

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JAN 12 2010

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: SUP for Jewelry Store, Class III

Project Address (Location) 1532 N. Jones Blvd

Project Name Rapid Cash Gold Purchase **Proposed Use** Jewelry StoreClass III

Assessor's Parcel #(s) 138-25-101-001 **Ward #** 5

General Plan: existing NC proposed NC **Zoning:** existing C-1 proposed C-1

Commercial Square Footage na **Floor Area Ratio** na

Gross Acres na **Lots/Units** na **Density** na

Additional Information Existing payday locations will add service of purchasing gold

PROPERTY OWNER Becker Inv. Co. LP **Contact** c/oBecker Inves.

Address 50 S. Jones **Phone:** **Fax:**

City Las Vegas **State** NV **Zip** 89107

E-mail Address Cmartin@beckerlv.com

APPLICANT Rapid Cash **Contact** Chris Darnell

Address 3527 N Ridge Rd **Phone:** (316) 214-5174 **Fax:**

City Wichita **State** KS **Zip** 67205

E-mail Address ChrisDarnell@speedyinc.com

REPRESENTATIVE Rapid Cash **Contact** Chris Darnell

Address 3527 N Ridge Rd **Phone:** (316) 214-5174 **Fax:**

City Wichita **State** KS **Zip** 67205

E-mail Address ChrisDarnell@speedyinc.com

Property Owner Signature* By: Barry W. Becker, Trustee

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

Print Name Becker Inv. Co. LP By: Barry W. Becker and Susan D. Becker Family Trust, Its: General Partner

Subscribed and sworn before me

This 23 day of DECEMBER, 20 09.

Melissa Hamilton

Notary Public in and for said County and State

NOTARY PUBLIC
MELISSA HAMILTON
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. APRIL 25, 2012
No: 08-6528-1

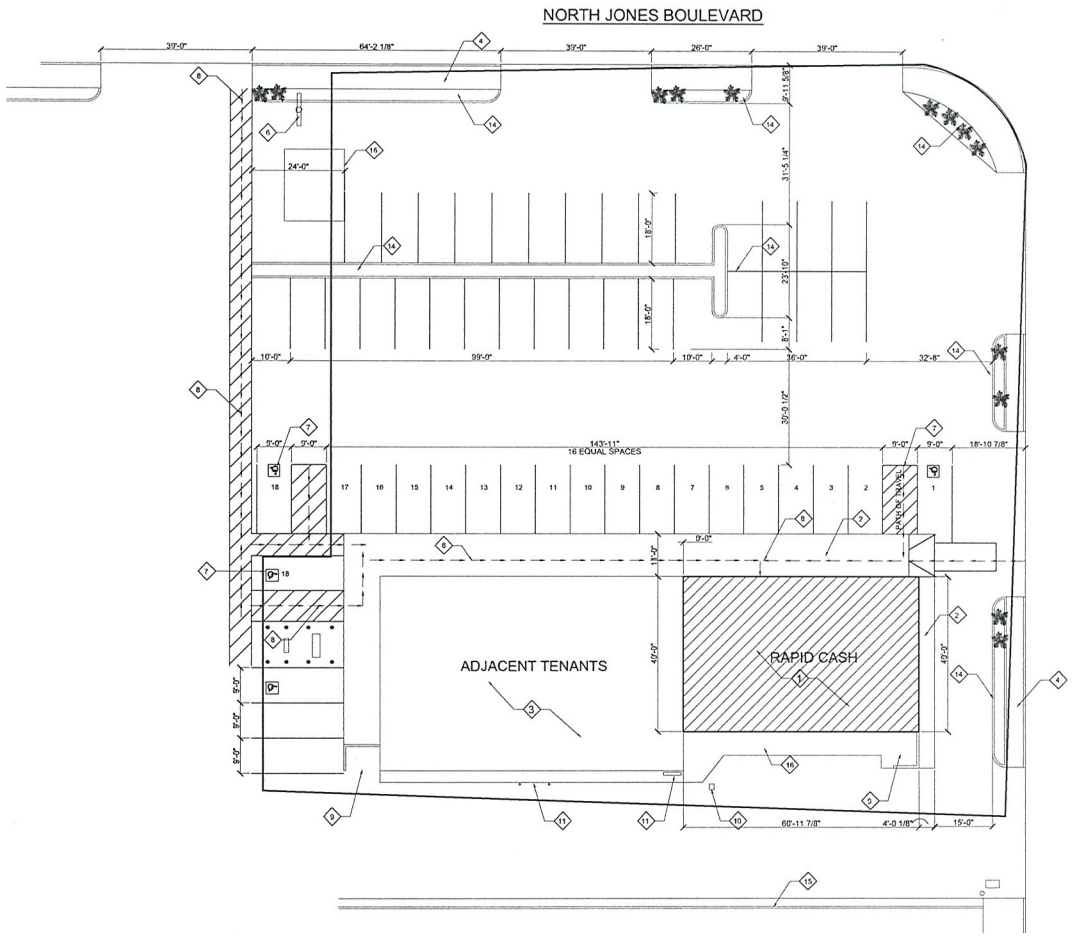
Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SUP-37152
Meeting Date:	2/25/10
Total Fee:	1030.00
Date Received:*	1/12/10
Received By:	M Rex

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

f:\depot\Application Packet\Application Form.pdf



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SITE PLAN

SCALE: 1/16"=1'-0" (2)

1 MAIN BUILDING	6 PYLON SIGN (MULTIPLE TENANT)	11 MAIN ELECTRICAL PANEL	16 WALK WAY
2 ROOF OVERHANG, TYP.	7 ADA ACCESSIBLE PARKING SPACE	12 ELECTRICAL PANEL	17 SMALL WINDMILL STRUCTURE
3 ADJACENT TENANT	8 ADA PATH OF TRAVEL	13 GAS UTILITY	
4 CITY SIDEWALK	9 TRASH ENCLOSURE	14 LANDSCAPING / PLANTER	
5 BUILDING PYLON (NOT USED)	10 WATER METER LOCATION	15 MASONRY WALL	

SUP-37152
REVISED
02/25/10 PC

LANDSCAPING	EXISTING	NON-EXISTING
LANDSCAPING	X	
IRRIGATION		X
SWALES		X
GROUND COVER	X	

BUILDING AREA	1329.0
PARKING	
EXISTING NON-ACCESS COMMON USE	41
REQUIRED NON-ACCESS	4
EXISTING ACCESSIBLE	3
REQUIRED ACCESSIBLE	1
TOTAL PARKING PROVIDED	7

KEY NOTES

SCALE: 1/8"=1'-0" (1)

Project Owner:

RAPID CASH

Consultant:

Menemsha construction solutions
TI Planning ■ CMG Construction ■ Brand Builders
Boston ■ Los Angeles

T.I. PLANNING & MANAGEMENT
4950 W. 145TH ST.
HAWTHORNE, CA 90250
Voice: 310-343-3430
Fax: 310-343-3431
www.menemshasolutions.com

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Menemsha Companies.

Project Address:

RAPID CASH 15
1532 NORTH JONES BOULEVARD
LAS VEGAS, NV 89108

Stamp:

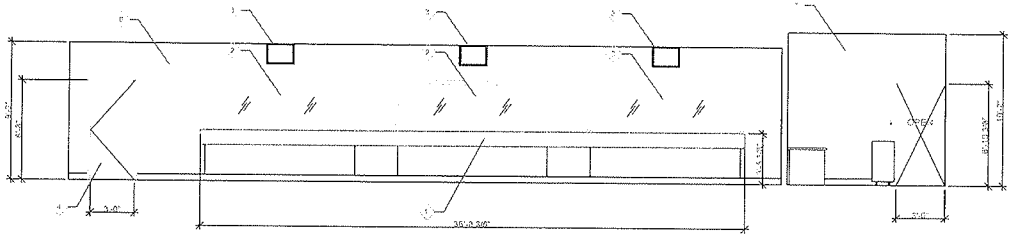
No.	Date	Description

Sheet Title:

SITE PLAN

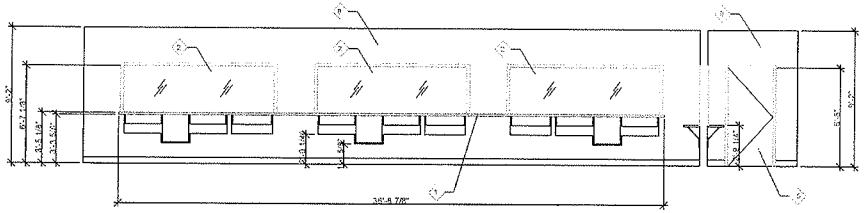
REVIEWED BY: RH
DRAWN BY: OG
DWG. DATE: 01/22/10
SCALE: AS NOTED
PROJECT NUMBER: 12148
SHEET:

A100



INTERIOR ELEVATION

SCALE: 1/4"=1'-0" (3)



INTERIOR ELEVATION

SCALE: 1/4"=1'-0" (2)

1. TELLER COUNTER , TYP
2. TELLER GLASS WINDOW, TYP
3. WALL MOUNTED TV MONITOR
4. DOOR TO HALLWAY 102
5. DOOR TO LOBBY 101
6. LOBBY 101
7. OFFICE 105
8. TELLER AREA 103
9. HALLWAY 102

KEYNOTES

SCALE: NTS (1)

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SUP-37152
02/25/10 PC

Project Owner:

RAPID CASH

Consultant:

Menemsha construction solutions
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■ Boston ■ Los Angeles

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4950 W. 145TH ST.
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LAS VEGAS, NV 89108

Stamp:

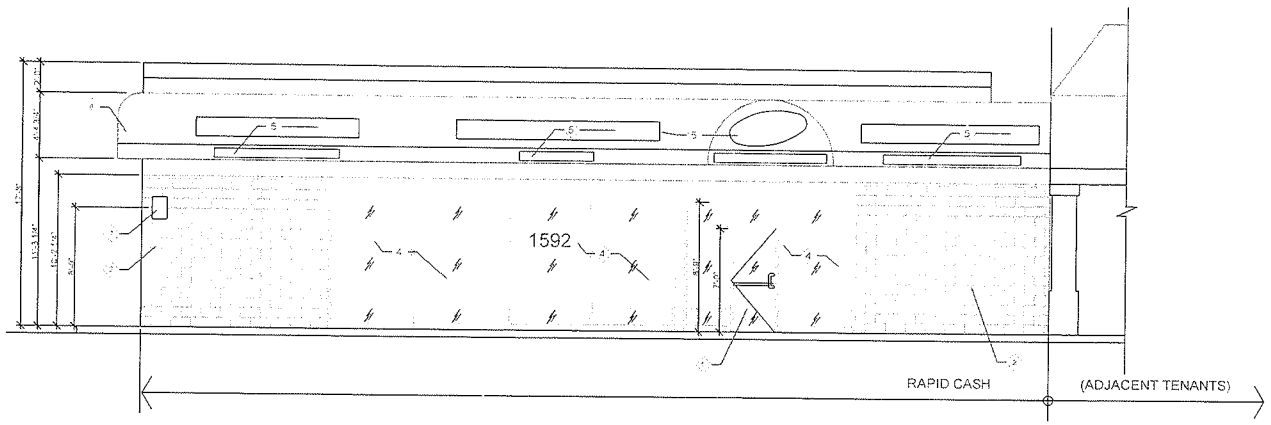
No.	Date	Description

Sheet Title:

INTERIOR ELEVATION

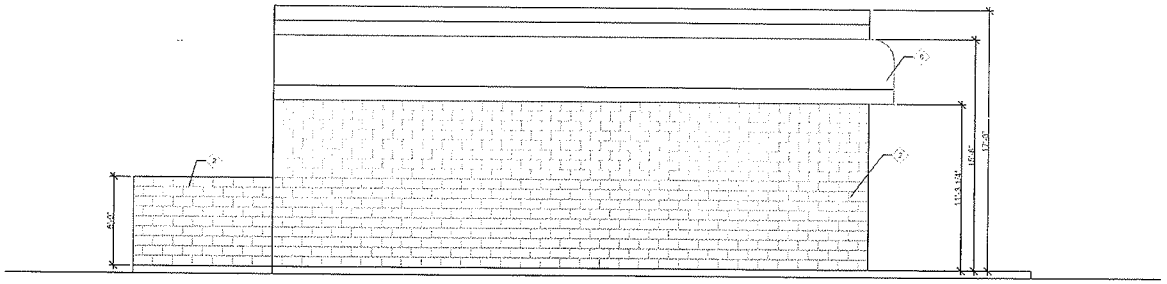
REVIEWED BY: RH
DRAWN BY: OG
DWG. DATE: 10/28/09
SCALE: AS NOTED
PROJECT NUMBER: 12148
SHEET:

A220



EXTERIOR ELEVATION - NORTH

SCALE: 1/4"=1'-0" (3)



EXTERIOR ELEVATION - WEST

SCALE: 1/4"=1'-0" (2)

1. MAIN ENTRANCE
2. MASONRY BLOCK
3. CONTROL JOINTS - NOT USED
4. STOREFRONT GLASS TYP
5. RAPID CASH SIGNAGE
6. CANVASS AWNING
7. ACCESSIBLE PARKING SIGN

KEYNOTES

SCALE: NTS (1)

RECEIVED

SUP-37152
02/25/10 PC

JAN 12 2010

Project Owner:

RAPID CASH

Consultant:

Menemsha construction solutions

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4650 W. 147TH ST.
HAWTHORNE, CA 90250
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LAS VEGAS, NV 89108

Stamp:

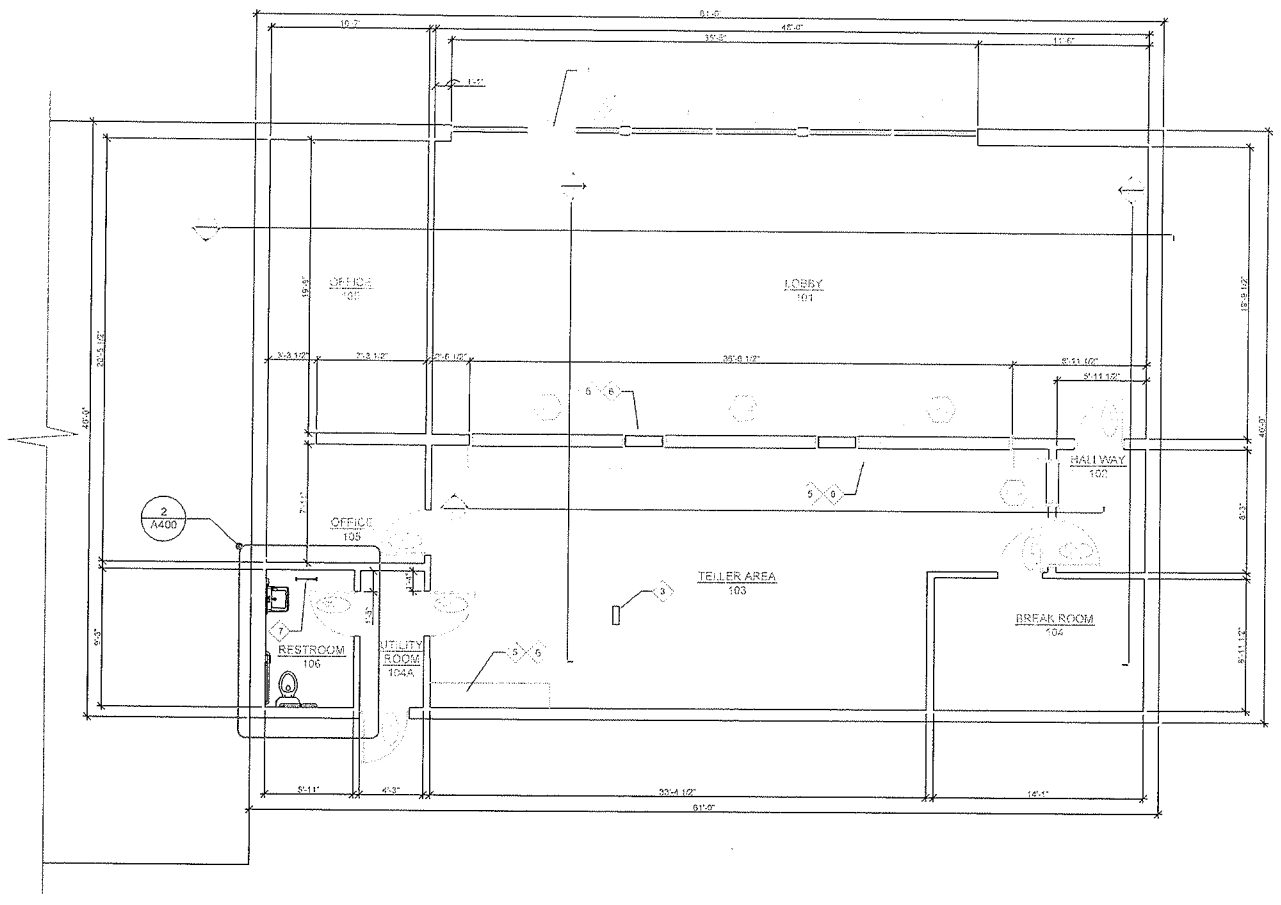
No.	Date	Description

Sheet Title:

EXTERIOR ELEVATION

REVIEWED BY: RH
DRAWN BY: OG
DWG. DATE: 10/28/09
SCALE: AS NOTED
PROJECT NUMBER: 12148
SHEET:

A200



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JAN 12 2010

FLOOR PLAN

SCALE: 1/4"=1'-0" (2)

1. MAIN ENTRANCE
2. ROOF OVERHANG
3. COLUMN
4. PARTIAL HEIGHT WALL (NOT IN USE)
5. COUNTER
6. BUILT-IN MILLWORK (CABINETS/SHELVES)
7. ROOF ACCESS

KEYNOTES

SCALE NTS (1)

SUP-37152
02/25/10 PC

Project Owner:

RAPID CASH

Consultant:

Menemsha construction solutions
■ TI Planning ■ CMC Construction ■ Brand Builders
■ Boston ■ Los Angeles

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LAS VEGAS, NV 89108

Stamp:

No.	Date	Description

Sheet Title:

FLOOR PLAN

REVIEWED BY: RH
DRAWN BY: OG
DWG. DATE: 10/28/09
SCALE: AS NOTED
PROJECT NUMBER: 12148
SHEET:

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02/25/10 PC



SUP-37152
02/25/10 PC

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JAN 12 2010


PAYDAY LOANS
NO CREDIT REQUIRED
CHECK CASHING
LOW RATES
RAPID CA$H
FAST AND EASY
TITLE LOANS
SIGNATURE LOANS
CASH TODAY!
EASY APPROVAL!
TITLE LOANS
SIGNATURE LOANS
1532
OPEN
PAYDAY LOANS
RECEIV
JAN 12 2010
REC
JAN 1
SUP-37152
02/25/10 PC



SUP-37152 - : RAPID CASH - OWNER: BECKER INVESTMENT COMPANY, LP
1532 NORTH JONES BOULEVARD
FEBRUARY 25, 2010 PLANNING COMMISSION

01/22/10



SUP-37152 - : RAPID CASH - OWNER: BECKER INVESTMENT COMPANY, LP
1532 NORTH JONES BOULEVARD
FEBRUARY 25, 2010 PLANNING COMMISSION

01/22/10



SUP-37152 – : RAPID CASH - OWNER: BECKER INVESTMENT COMPANY, LP
1532 NORTH JONES BOULEVARD
FEBRUARY 25, 2010 PLANNING COMMISSION

01/22/10

LA Stewart Consulting
2211 Rampart #130
Las Vegas, NV 89124
(702) 499-6469-Cell
(702) 946-0857-fax

November 18, 2009

City of Las Vegas, Planning & Development
739 South Fourth Street
Las Vegas, NV. 89101

RE: APN 138-25-101-001-1532 N. Jones

Dear Sir or Madam:

Please accept this letter as our request for a Special Use Permit to allow the existing Rapid Cash Payday & Auto Title Loan store to purchase gold on the premises (jewelry store, class III). Recently there have been several commercials on TV for gold purchase where the customer requests an envelope, places their broken or discarded gold jewelry in the envelope and send it to the company. In turn, the company sends the customer a check for approximately 10-15 cents on the dollar.

Rapid Cash would like to do something similar, only with more control and a better situation for the customer. The customer brings the jewelry to the store where it is weighed. The customer walks away with a check for approximately 50-55 cents on the dollar-5 times more than if they mailed it. Also, the customer has control because they actually hand it over to a person, not a post office. Also, every purchase is reported to Metro on a daily basis.

There is no resale of the jewelry; it is not a loan but a purchase of the jewelry for the gold. It will be an incidental use to the main business and is considered just another service for the customer. Please contact me with any questions regarding this matter. Thank you for your consideration in this matter.

Yours truly,

Lucy Stewart
LA Stewart Consulting

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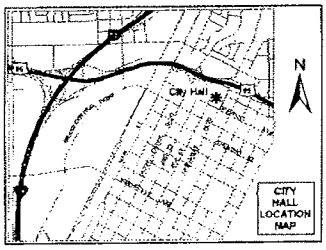
JAN 12 2010
SUP-37152
02/25/10 PC

PAGE 01
CORNELIUS
7023625011
03/27/2010 15:33
03/27/2010 SAT 15:35 [TX/RX NO 7463] 001

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-37152
City Council Meeting of 4/7/2010

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
$ 00.41⁴
0004279218 MAR 26 2010
MAILED FROM ZIPCODE 89101

CORNELIUS ROBERT STANLEY
1442 N JONES BLVD
LAS VEGAS NV 89108-1621

APN#13825111021

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CITY CLERK
2010 MAR 29 A 8:06

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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02 1M $ 00.41⁴
0004279218 FEB 12 2010
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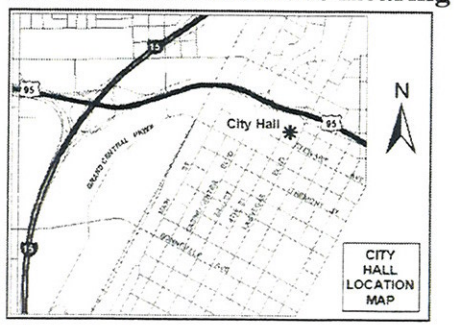

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37152

Planning Commission Meeting of 2/25/2010

Case: SUP-37152-LABELS
13825113015
MCGUIRE 1997 TRUST
6820 FORREST HILLS LN
LAS VEGAS NV 89108-1556

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10 FEB 24 PM 4:34
PLANNING & DEVELOPMENT

LAVDS11 89108

Submitted after final agenda
Date
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
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0004279218 FEB 12 2010
MAILED FROM ZIPCODE 89101

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10 FEB 18 PM 3:20
PLANNING AND DEVELOPMENT

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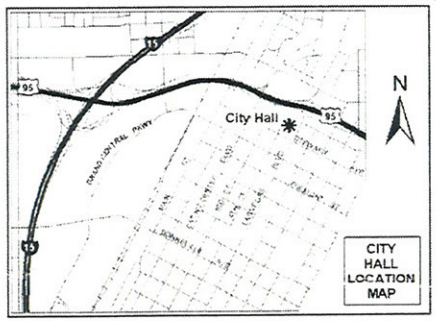

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37152

Planning Commission Meeting of 2/25/2010

Case: SUP-37152-LABELS
13825110005
HEDRICK KENT L
6039 VEGAS DR
LAS VEGAS NV 89108-2423

Submitted after final agenda
Date
Item 18

LAV0511 89108

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 ZIP CODE 89101

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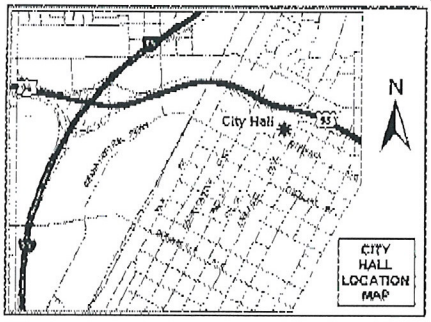
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37152

Planning Commission Meeting of 2/25/2010

We see cops arresting people at this location atleast 2 times a week

Case: SUP-37152-LABELS
13824412059
FISHER PHILLIP C
5905 MARTITA AVE
LAS VEGAS NV 89108-2479

LAVDS11 89108

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FEB 16 2010

18P

PAGE 01

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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0004279218 FEB 12 2010
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Official Notice of Public Hearing

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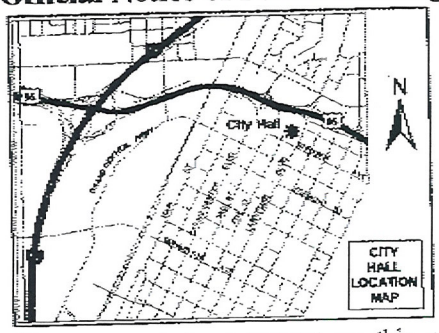
FEB 16 2010



Too much of this in the neighborhood now —

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-37152

Planning Commission Meeting of 2/25/2010

Case: SUP-37152-LABELS
13825111021
CORNELIUS ROBERT STANLEY
1442 N JONES BLVD
LAS VEGAS NV 89108-1621

LAV0511 89108

CORNELIUS
02/14/2010 10:55 7023625011

89

City of Las Vegas Agenda Item No.: **76.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 7, 2010

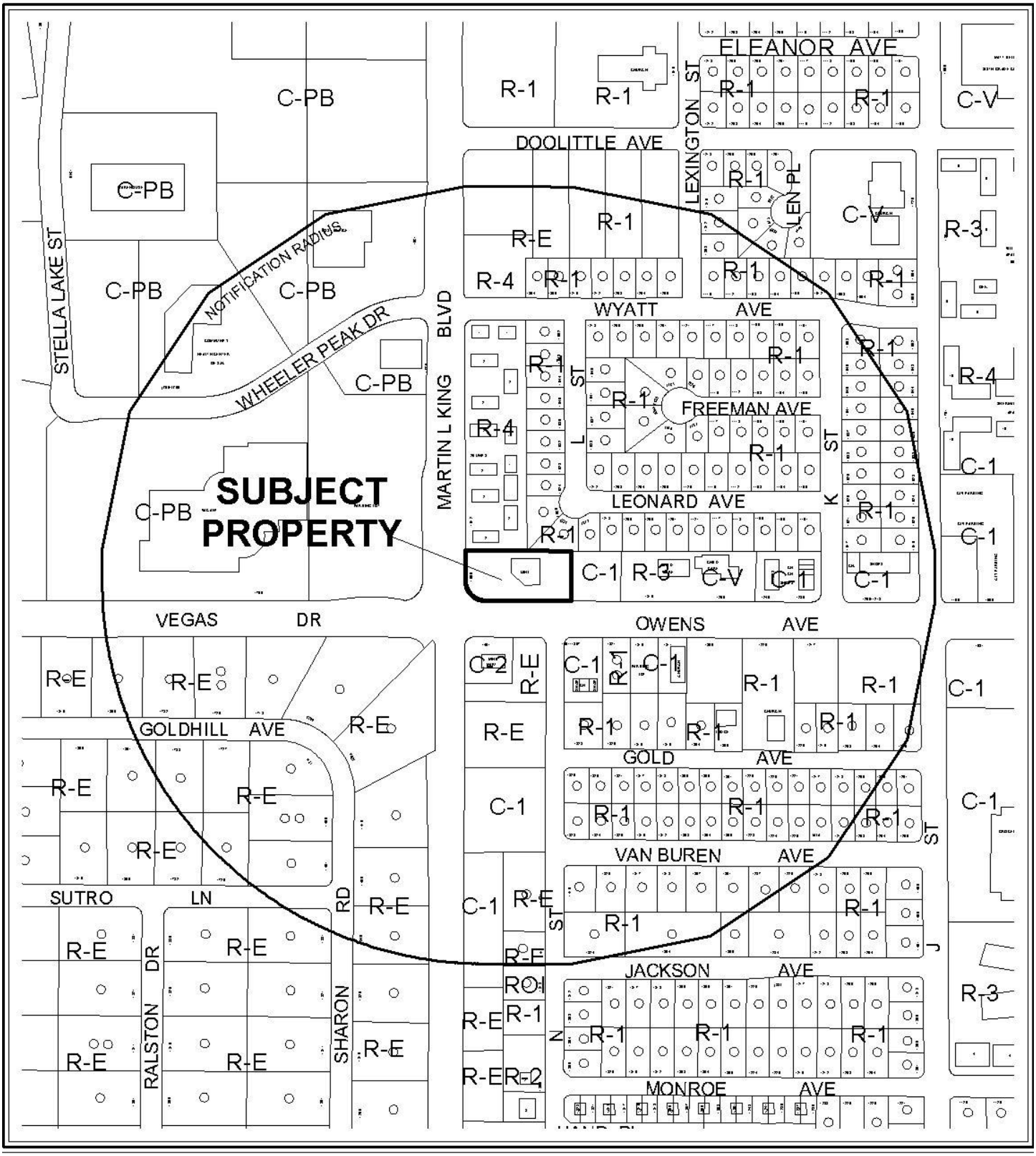
DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:
SUP-37198 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: JAE SHIK KWON AND JI BEOM KWON, ET AL - Request for a Special Use Permit to ADD A GAMING ESTABLISHMENT, GENERAL BUSINESS-RELATED USE (FOUR GAMING MACHINES) WITHIN AN EXISTING CONVENIENCE STORE at 1600 North Martin L King Boulevard (APN 139-21-804-006), C-1 (Limited 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.**	**1**
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. Justification Letter
6. Protest Postcard
7. Backup Referenced from the February 25, 2010 Planning Commission Meeting Item #19



0 300 600 Feet

CASE: **SUP-37198**

RADIUS: 1000 FT

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



0 300 600 Feet

CASE: **SUP-37198**

RADIUS: 1000 FT

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

N



SUP-37198

Gaming Restricted Locations

Gaming Restricted

Subject Property

Residential Property

200ft &
1000ft Buffer

N

0 250 500 1,000 Feet

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-37198 – APPLICANT/OWNER: JAE SHIK KWON AND JI BEOM KWON, ET AL

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Gaming Establishment, General Business-Related use.

2. Approval of this Special Use Permit does not constitute approval of a gaming license.

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. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-37198 - Staff Report Page One
April 7, 2010 - City Council Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a Gaming Establishment, General Business Related to be added to an existing 4,422 square-foot Convenience Store, located at 1600 Martin Luther King Boulevard. Four gaming machines are to be located near the entry way of store. If denied, the proposed use will not be permitted at this location. Staff is recommending approval of the request as it is a permitted use within the C-1 (Limited Commercial) zoning designation and can be conducted in a manner that is compatible with surrounding land uses.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales	
07/08/65	The City Council approved a request for a Reclassification (Z-0028-65) from R-1 (Single Family Residential), R-E (Residence Estates), R-3 (Medium Density Residential) and R-4 (High Density Residential) to C-1 (Limited Commercial) and P-R (Professional Office and Parking) of a property generally located on Owens Avenue between "J" Street and Highland Drive. The Planning Commission recommended approval.
03/13/78	The City Council approved a request for a Reclassification (Z-0025-78) from R-3 (Medium Density Residential) and R-4 (High Density Residential) to C-2 (General Commercial) for a property generally located on the northeast corner of Owens and Highland Drive. The Planning Commission recommended approval.
05/18/94	The City Council reconsidered a request for Reclassification of Zoning (U-0005-94). The Planning Commission and staff recommended approval.
07/20/94	The City Council approved a request for a Special Use Permit (U-0084-94) for the sale of Beer and Wine and the sale of gasoline at a proposed convenience store. The Board of Adjustment recommended approval.
10/06/99	The City Council denied a request for a Special Use Permit (U-0074-99) for the Off-Premise Sale of Beer and Wine in conjunction with 4,422 square foot convenience store; and a waiver of the 400 foot separation requirement from a Church and a Child Care Facility on property located at 1600 Martin L. King Boulevard. The Planning Commission and staff recommended approval.
10/06/99	The City Council denied a request for a Special Use Permit (U-0073-99) for gasoline sales in conjunction with a 4,422 square foot Convenience Store on a property located at 1600 Martin L. King Boulevard. The Planning Commission and staff recommended approval.

04/21/04	The City Council approved a request for a Special Use Permit (SUP-3875) for gasoline sales in conjunction with a 4,500 square foot convenience store at 1600 North Martin L. King Boulevard. The Planning Commission and staff recommended approval.
02/23/06	A deed was recorded for change of ownership.
02/25/10	The Planning Commission (7-0 vote) recommends APPROVAL (PC Agenda Item #19/ao).
Related Building Permits/Business Licenses	
01/24/95	A building permit (#95364764) was issued for a tenant improvement at 1600 North Martin Luther Boulevard. The permit expired on 08/26/95.
09/22/06	A business license (R05-00506) was issued for a restaurant take-out at 1600 North Martin Luther Boulevard. The license was marked out of business on 10/30/07.
07/23/09	A business license (R05-00506) was issued for a restaurant take-out at 1600 North Martin Luther Boulevard. The license was marked out of business on 10/30/07.
Pre-Application Meeting	
12/17/09	A pre-application meeting was held to discuss the application submittal requirements for a Gaming Establishment, General Business-Related use. Topics included: • The applicant was informed that no alcohol sales will be allowed because of the close proximity of a daycare. • The submittal requirement for a Gaming Establishment, General Business-Related use was explained to applicant. • The applicant was informed that he would need an enlarged and revised site plan, revised floor plan indicating where the four slot machines will be located, and the submittal of an accurate parking analysis.
Neighborhood Meeting	
A neighborhood meeting is not required for this application, nor was one held.	

Field Check	
01/21/10	Staff conducted a site visit and observed the following: • An existing and well maintained Convenience Store. • The hours of operation listed on the store front door from 5:30 a.m. to 11 p.m. • The existing landscaping is as approved.

Details of Application Request	
Site Area	
Gross Acres	.92

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Convenience Store	C (Commercial)	C-1 (Limited Commercial)
North	Apartments / Residential	MXU (Mixed Use) / L (Low Density Residential)	R-4 (High Density Residential) / R-1 (Single Family Residential)
South	Convenience Store	C (Commercial)	C-2 (General Commercial)/ R-E (Residence Estates)
East	Undeveloped	C (Commercial)	C-1 (Limited Commercial)
West	Office	LI/R (Light Industry / Research)	C-PB (Planned Business Park)

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Area Plan			
Downtown Redevelopment 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 (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

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	
Convenience Store	3,139 SF	1:175 SF GFA	18				
Restaurant	1,283 SF	1:100 SF	13				
SubTotal	4,422 SF		29	2	35	2	Y
TOTAL			**31**		**37**		**Y**

AO

ANALYSIS

This is a request for a Special Use Permit for a Gaming Establishment, General Business-Related use which according to Title 19 is defined as "a building or structure which is primarily used for some business other than gaming but in which restricted gaming is permitted pursuant to Title 6." Title 6.40 allows no more than four gaming machines if the location contains less than 5,000 square feet of floor area. The existing building floor area is 4,422 square-feet and the four machines will be located adjacent to the entrance of the convenience store; this area represents three percent of the floor area of the store. There is no alcohol sold on the premises.

No additional parking is required for a Gaming Establishment, General Business-Related use. The hours of operation are from 5:30 a.m. to 11:00 p.m. seven days a week. There are no minimum use conditions for the Special Use Permit and the use can be conducted in a manner that is compatible with existing and surrounding land uses; therefore, staff recommends approval of this request.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

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 Gaming Establishment, General Business-Related use can be conducted in a manner that is harmonious and compatible with the existing surrounding commercial uses. The proposed use is a will be operated in conjunction with the existing Convenience Store.

2. **"The subject site is physically suitable for the type and intensity of land use proposed."**

   The subject site has ample space on-site for parking that makes it physically suitable for the proposed Gaming Establishment General Business-Related 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 via Owens Avenue and Martin Luther King Boulevard. Both are designated as 100-foot Primary Arterials by the Master Plan of Streets and Highways. These thoroughfares are capable of accommodating the traffic flow created by the site and the 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."**

   If approved, the proposed use on this site will be subject to periodic inspection by regulatory agencies for business licensing and environmental health, and it will therefore not 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 proposed Gaming Establishment General Business-Related use meets all applicable conditions of Title 19.04.

PC ACTION
There was one speaker in favor and one speaker who was opposed at the Planning Commission hearing.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

NOTICES MAILED 194 (By City Clerk)

APPROVALS 1

PROTESTS 1

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

RECEIVED
JAN 15 2010

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-37198 APN: 139-21-804-006

Name of Property Owner: KWON MANAGEMENT, INC

Name of Applicant: _____

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: Bok Soo Kwon

Print Name: BOK SOO KWON

Subscribed and sworn before me

This 18th day of December, 2009

Maria Guzman Clark, Nevada

Notary Public in and for said County and State

MARIA GUZMAN
NOTARY PUBLIC - STATE OF NEVADA
COUNTY OF CLARK
APPT. No. 08-6838-1
MY APPT. EXPIRES SEPTEMBER 10, 2011

DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

JAN 15 2010 JAN 15 2010

APPLICATION / PETITION FORM

Application/Petition For: MLK GAS MART

Project Address (Location) 1600 N. MARTIN LUTHER KING, 89106

Project Name _____ **Proposed Use** _____

Assessor's Parcel #(s) 139-21-804-006 **Ward #** 5

General Plan: existing C proposed – **Zoning:** existing C-1 proposed –

Commercial Square Footage 4,422 **Floor Area Ratio** –

Gross Acres 0.92 **Lots/Units** – **Density** –

Additional Information TI

KWON MANGEMENT INC. (B.K)

PROPERTY OWNER BOK SOO KWON **Contact** _____

Address 1600 N MARTIN LUTHER KING **Phone:** 538-6278 **Fax:** _____

City Las Vegas **State** Nevada **Zip** 89101

E-mail Address N/A

APPLICANT BOK KWON **Contact** BOK KWON

Address 1600 N. MARTIN LUTHER KING **Phone:** 550-1078 **Fax:** –

City LAS VEGAS **State** NV **Zip** 89106

E-mail Address N/A

REPRESENTATIVE Taylor Consulting Group, LLC **Contact** Nathaniel Taylor

Address P.O. Box 750521 **Phone:** (702) 280-6175 **Fax:** _____

City Las Vegas **State** NV **Zip** 89136

E-mail Address nathan@thetaylorconsultinggroup.com

Property Owner Signature* _____

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

Print Name BOK SOO KWON

Subscribed and sworn before me

This 30th day of November, 2009.

Bea Green

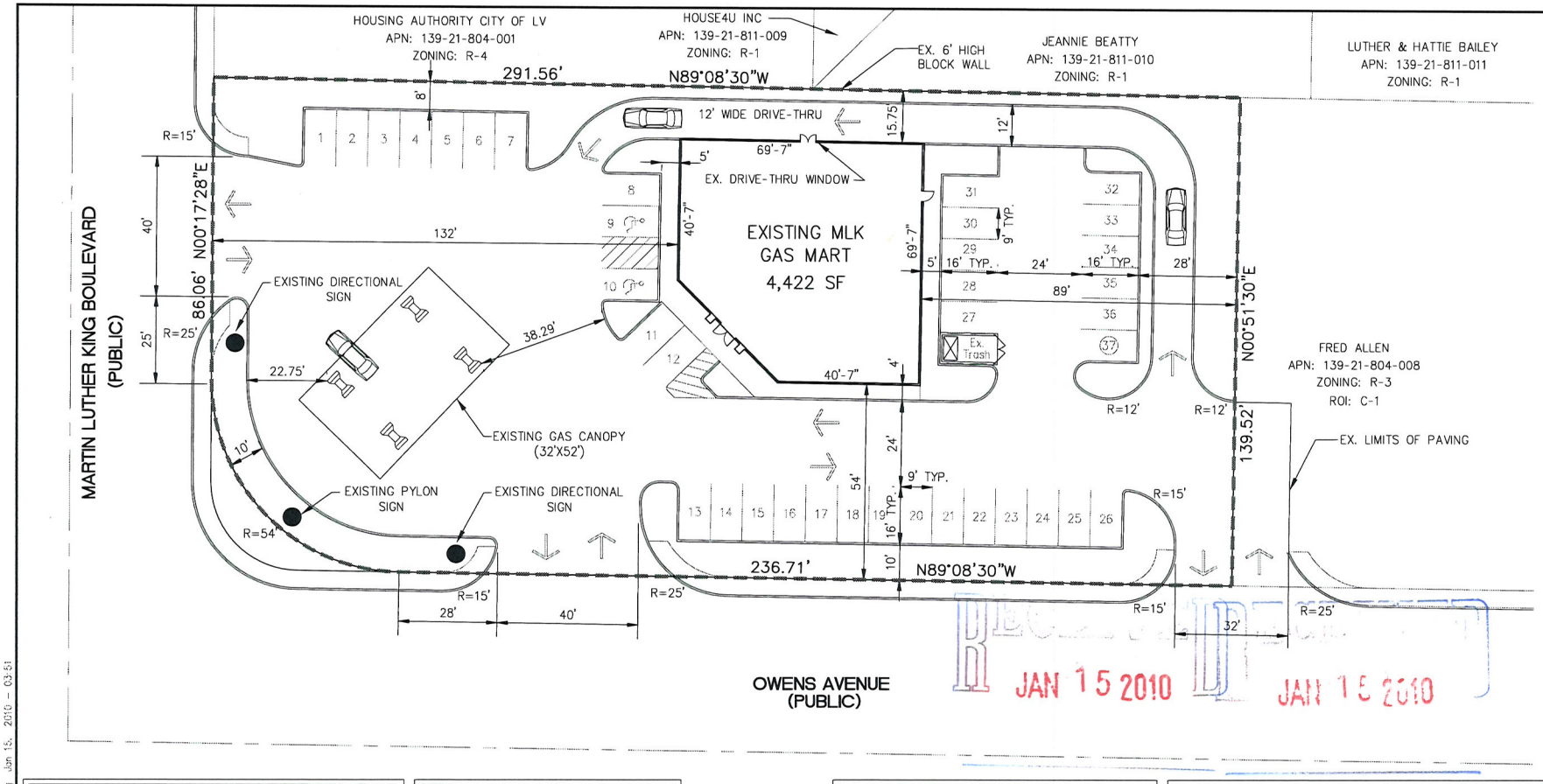
Notary Public in and for said County and State

BEA GREEN
NOTARY PUBLIC - STATE OF NEVADA
COUNTY OF CLARK
APPT. No. 86-1659-1
MY APPT. EXPIRES APRIL 11, 2012

FOR DEPARTMENT USE ONLY

Case #	SUP 37198
Meeting Date:	3.11.10
Total Fee:	$1,080.–
Date Received:*	1.15.10
Received By:	JFA

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



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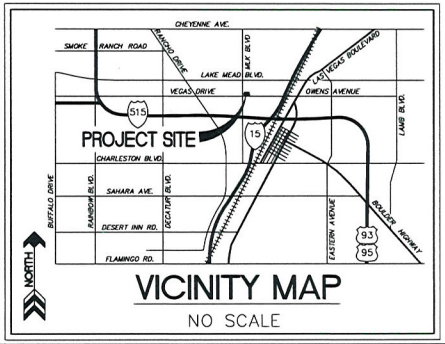
JAN 15 2010
RECEIVED
JAN 15 2010



VICINITY MAP
NO SCALE

LEGEND

- BACK OF CURB
- FACE OF CURB
- EGDE OF PAVEMENT
- PROPERTY LINE
- 29 PARKING STALL COUNT
- INGRESS/EGRESS ARROWS
- GAS PUMPS
- FREESTANDING SIGN

NORTH

0 30 60
FEET

SITE DATA

ASSESSOR PARCEL NUMBER	=	139-21-804-006
EXISTING ZONING	=	C-1
LOT AREA	=	39,971± SF
TOTAL BUILDING AREA	=	4,422 SF
CONVENIENCE STORE	=	3,139 SF
KITCHEN	=	858 SF
SEATING FOR RESTAURANT	=	425 SF

PARKING ANALYSIS

CONVENIENCE STORE (PRIMARY USE)

REQUIREMENT	= 1 SPACE PER 175 S.F.
CONVENIENCE STORE	= 3,139 SF
REQUIRED PARKING	= 18 PARKING STALLS

RESTAURANT LESS THAN 2000 SF W/ DRIVE THRU (SECONDARY USE)

REQUIREMENT	= 1 SPACE PER 100 S.F.
KITCHEN AND SEATING	= 1,283 SF
REQUIRED PARKING	= 13 PARKING STALLS
TOTAL REQUIRED PARKING STALLS	= 31 PARKING STALLS
TOTAL REQUIRED HANDICAP STALLS	= 2 PARKING STALLS
PROVIDED PARKING	= 37 PARKING STALLS
PROVIDED HANDICAP STALLS (W/ VAN ACCESSIBLE)	= 2 HC STALLS

NO.	DESCRIPTION	DATE	BY	APP.

LATITUDE CONSULTING LLC
CIVIL ENGINEERING AND PLANNING
2677 AFRICAN VIOLET AVENUE, HENDERSON, NV 89074
PHONE: (702) 912-8991 FAX: (866) 486-3582

KWON MANAGEMENT, INC.

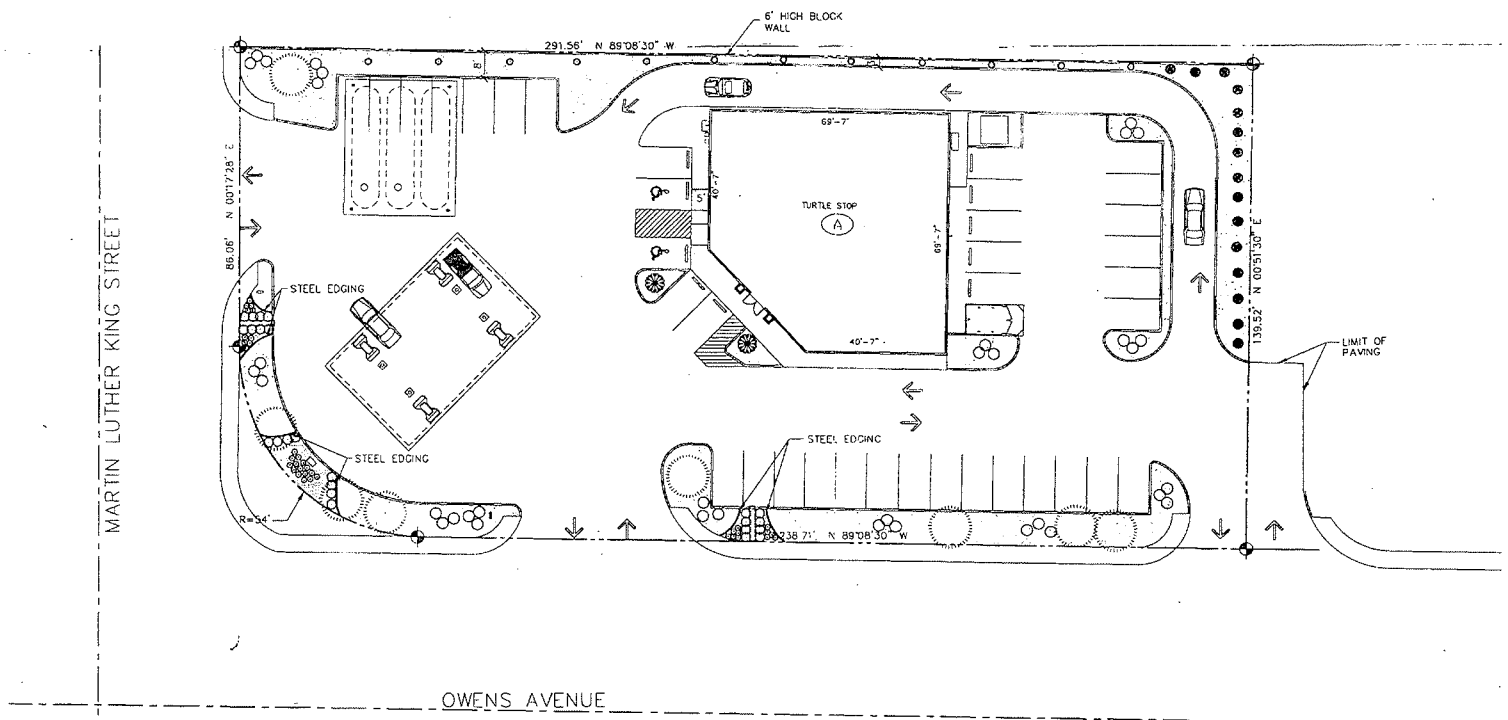
MLK GAS MART
SITE PLAN-BW

DATE: 1/15/10
DRAFTER: DCL
DESIGNER: DCL
CHECKED: DCL
PROJECT NO.
KM11001.000

SP-BW
SHEET 3 OF 4

File: C:\Latitude\Work\KM11001\Dwg\Exhibits\site plan.dwg Jan 15, 2010 - 03:51

SUP-37198
02/25/10 PC



LANDSCAPE PLAN
SCALE 1/16"=1'-0"

LEGEND		
	24" BOX WASHINGTONIA ROBUSTA	8 EA.
	24" BOX MONDEL PINE	12 EA.
	5 GAL. MEDITERRANIAN FAN PALM	2 EA.
	5 GAL GREEN CLOUD TEXAS RANGER	36 EA.
	5 GAL FEATHERY CASSIA	15 EA.
	5 GAL INDIAN HAWTHORN	24 EA.
	1 GAL GREEN SANTALINA	36 EA.
	3/4" NEVADA ROSE GRAVEL MULCH	40 CU. YD
	1/2" MINUS MOJAVE GOLD DG	3 CU. YD.

SUP-3875
3-25-04 PC

DEVELOPER: J.M. SAXTON INC.
CONTRACTOR: SARATOGA
PROJECT: THE TURTLE STOP (MLK & OWENS)
CITY OF LAS VEGAS, NV
OWNER: L'M.E.D.D. INC.,
LAS VEGAS, NV

SHEET TITLE: LANDSCAPE PLAN

9371L11A
JOB NO: 9371
DRAWN BY: K.S.K.
CHKD BY:

DATE	DESCRIPTION
3/2/94	PERMIT SET
5/9/94	
5/25/94	S.L.#1
7/15/94	S.L.#4

SHEET NO: L1.1

This drawing is the property of Saratoga Land and Development. Rights licensed contractor (RC27710) only unauthorized use is strictly prohibited per the NEVADA REVISED STATUTE.

SUP-37198
02/25/10 PC

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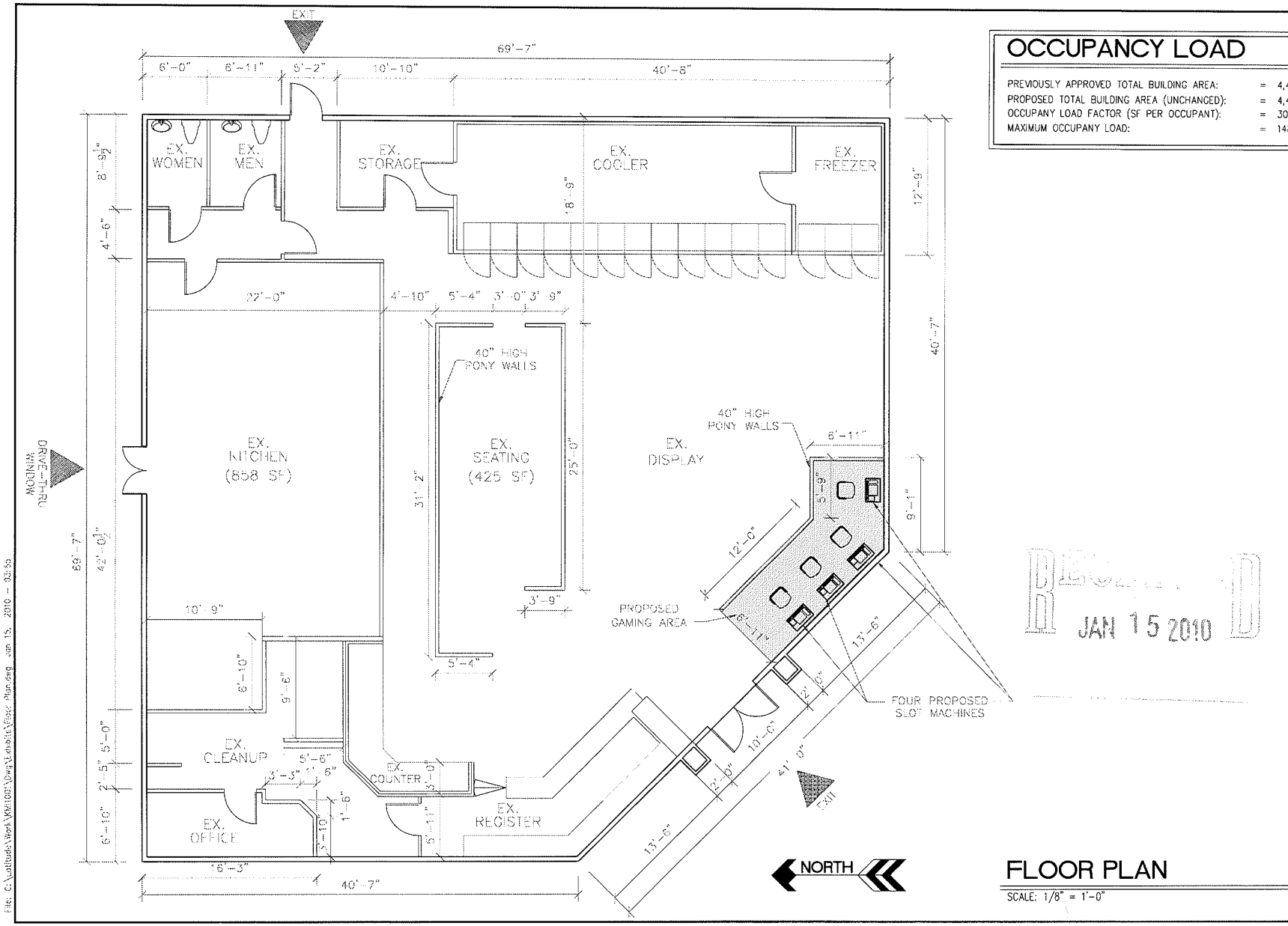


OCCUPANCY LOAD

PREVIOUSLY APPROVED TOTAL BUILDING AREA:	=	4,422
PROPOSED TOTAL BUILDING AREA (UNCHANGED):	=	4,422
OCCUPANY LOAD FACTOR (SF PER OCCUPANT):	=	30
MAXIMUM OCCUPANY LOAD:	=	148

RECEIVED
JAN 15 2010

FLOOR PLAN

SCALE: 1/8" = 1'-0"

NO.	DESCRIPTION	DATE	BY	APP.

LATITUDE CONSULTING LLC
CIVIL ENGINEERING AND PLANNING
2677 AFRICAN VIOLET AVENUE, HENDERSON, NV 89074
PHONE: (702) 612-8891 FAX: (866) 266-5582

KWON MANAGEMENT, INC.

MLK GAS MART
FLOOR PLAN-B+W

DATE: 1/15/10
DRAFTER: DCL
DESIGNER: DCL
CHECKED: DCL
PROJECT NO: KM1001.000

FP-BW
SHEET 1 OF 4

File: C:\LatitudeWork\KM1001\Drawings\Exhibits\Floor Plan.dwg, Jan 15, 2010 - 03:55

SUP-37198
02/25/10 PC



SUP-37198 – : APPLICANT/ OWNER: JAE SHIK KWON AND JI BEOM KWON, ET AL
1600 NORTH MARTIN L KING BOULEVARD
APRIL 7, 2010 CITY COUNCIL

01/22/10



SUP-37198 – : APPLICANT/ OWNER: JAE SHIK KWON AND JI BEOM KWON, ET AL
1600 NORTH MARTIN L KING BOULEVARD
APRIL 7, 2010 CITY COUNCIL

01/22/10



SUP-37198 – : APPLICANT/ OWNER: JAE SHIK KWON AND JI BEOM KWON, ET AL
1600 NORTH MARTIN L KING BOULEVARD
APRIL 7, 2010 CITY COUNCIL

01/22/10

TAYLOR CONSULTING GROUP, LLC

CTG

GOVERNMENT AFFAIRS & LAND USE CONSULTANTS

January 15, 2010

City of Las Vegas Planning & Development
400 Stewart Ave.
Las Vegas, NV 89101

To Whom It May Concern:

We are respectfully submitting this application for a Special Use Permit with the department of Planning & Development. This permit is for Kwon Management, Inc. dba MLK Gas Mart, located on the Northeast corner of Martin Luther King & Owens (1600 N. Martin Luther King Blvd.).

Our SUP is for the operation of gaming machines in our convenience store. There will be no construction as a result of installing the gaming machines, and the change in floor plan is attached to this application.

Currently, MLK Gas Mart has 7 employees, and operates during the hours of: 5:30am - 11:00pm.

This application meets all current City of Las Vegas codes and regulations. We respectfully ask for your approval of this SUP for the sole purpose of operating gaming machines in our existing convenience store.

Respectfully,

Nathaniel Taylor

Bok Kwon

Bok Soo Kwon

TAYLOR CONSULTING GROUP LLC, P.O. BOX 750521, LAS VEGAS, NEVADA 89136
(702) 280.6175
www.thetaylorconsultinggroup.com

SUP-37198
02/25/10 PC

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

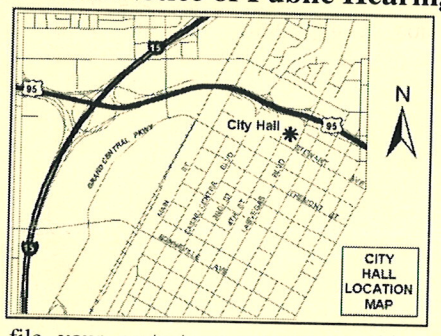
RECEIVED
CITY CLERK

2010 MAR 30 A 11:10

PRESORTED
FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M
0004279218
$ 00.41⁴
MAR 26 2010
MAILED FROM ZIP CODE 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-37198

City Council Meeting of 4/7/2010

MOORE MAJOR W & ERMOGENE
1400 SHARON RD
LAS VEGAS NV 89106-2033

APN#13928110018

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

SUP-37198 Supplemental Page One
February 25, 2010 - Planning Commission Meeting

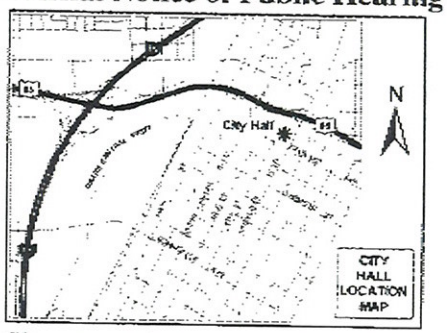
Related Building Permits/Business Licenses	
01/14/05	A business license (C15-00327) was issued for a convenience store at 1600 North Martin L. King. The license is still active.
01/14/05	A business license (C05-02361) was issued for tobacco sales at 1600 North Martin L. King. The license is still active.
09/22/06	A business license (R05-00506) was issued for a restaurant take out at 1600 North Martin L. King. The license was marked out of business on 10/30/07.
07/25/08	A business license (M06-03016) was issued for money orders at 1600 North Martin L. King. The license was marked out of business on 07/16/09.
11/20/08	A business license (R05-00608) was issued for takeout food at 1600 North Martin L. King. The license is still active.
07/23/09	A business license (C07-04042) was issued for clothing sales at 1600 North Martin L. King. The license is still active.

Submitted after final agenda

Date 2/25/10 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



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-37198

Planning Commission Meeting of 2/25/2010

PRESORTED FIRST CLASS

$ 00.41[4]

MAILED FROM ZIP CODE 89101

13921801001 Case: SUP-37198-LABELS
CHURCH BAPTIST NEW JERUSALEM
1100 N D ST
LAS VEGAS NV 89106-3110

RECEIVED
FEB 10 2010

Submitted after final agenda
Date
Item 19p

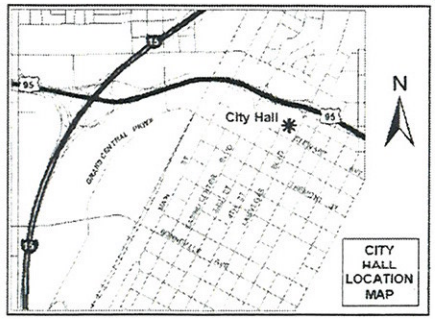
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 FEB 12 2010
MAILED FROM ZIP CODE 89101

RECEIVED
FEB 22 2010

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-37198

Planning Commission Meeting of 2/25/2010

Case: SUP-37198-LABELS
13921804008
ALLEN FRED B III & D REV TR ETAL
P O BOX 30457
LAS VEGAS NV 89173-0457

LAVDP11 89173

Submitted after final agenda
Date
Item 94

City of Las Vegas Agenda Item No.: **77.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 7, 2010

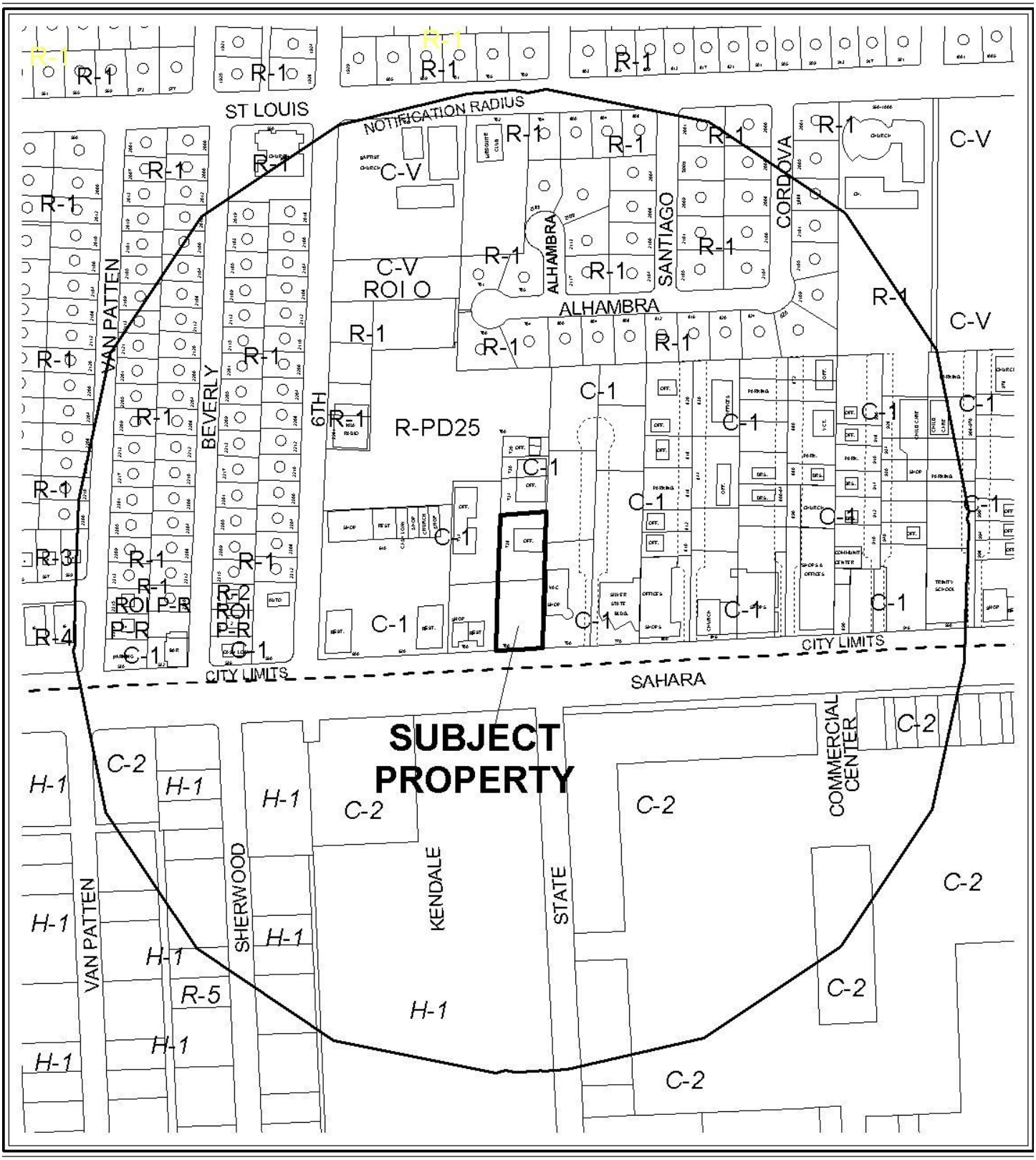
DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:
VAR-35528 – ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: BODYFLYING US, LLC - Request for a Variance TO ALLOW 59 PARKING SPACES WHERE 69 ARE REQUIRED FOR A PROPOSED COMMERCIAL RECREATION/AMUSEMENT (INDOOR) USE on 0.81 acres on the north side of Sahara Avenue, approximately 440 feet east of Sixth Street (APNs 162-03-801-088 and 137), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**134**	**Planning Commission Mtg.**	**121**
City Council Meeting	**15**	**City Council Meeting**	**1**

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (5-2 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 from the February 17, 2010 City Council Meeting
7. Backup referenced from the January 14, 2010 Planning Commission Meeting Item 6

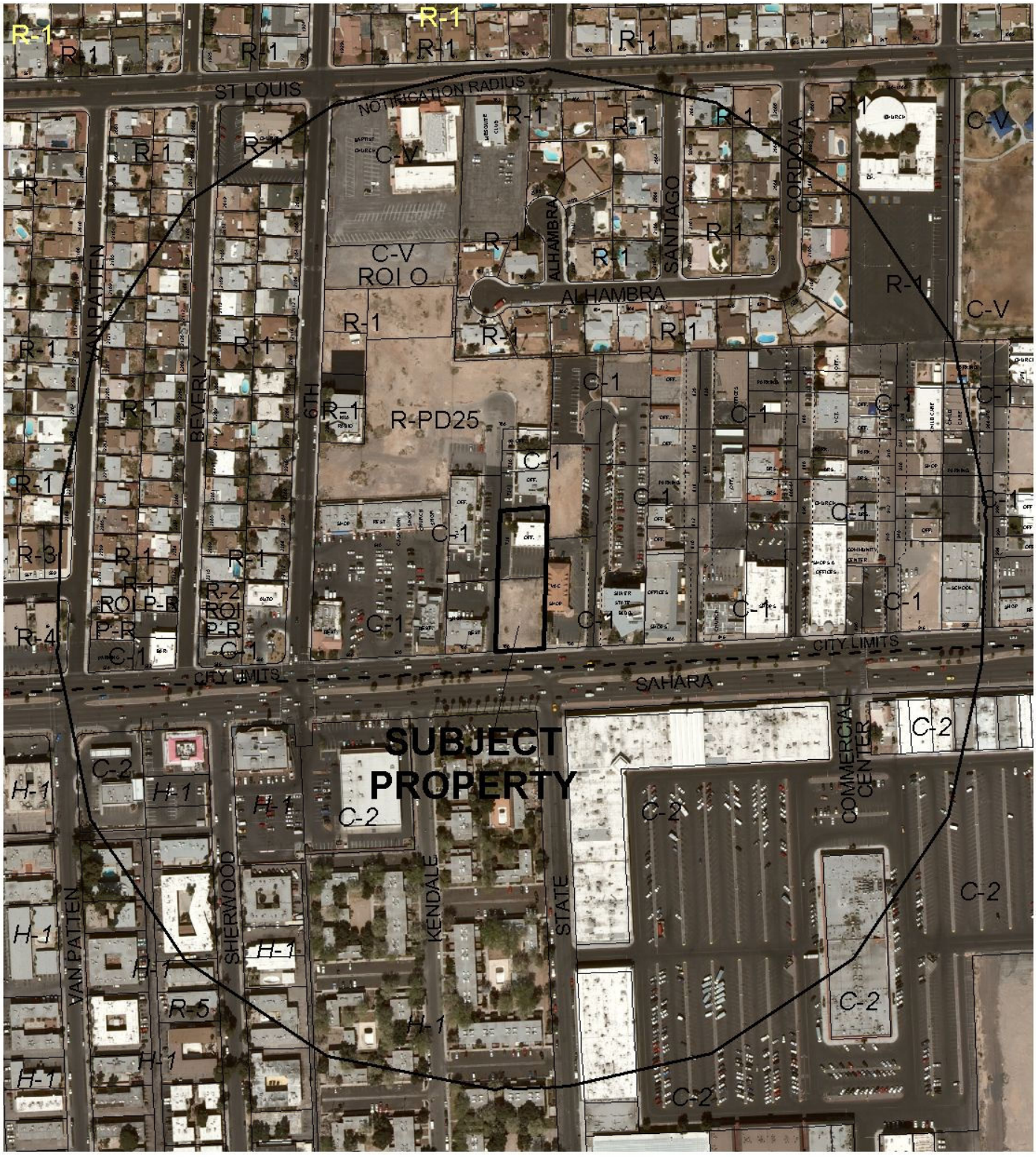


0 300 600 Feet

CASE: **VAR-35528**

RADIUS: 1000 FT

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



0 300 600 Feet

CASE: **VAR-35528**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING OF: APRIL 7, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-35528 - APPLICANT/OWNER: BODYFLYING US, LLC

THIS ITEM WAS HELD IN ABEYANCE FROM THE FEBRUARY 17, 2010 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (5-2/ke/se vote) recommends APPROVAL, subject to conditions.

Planning and Development

1. Conformance to the conditions for Site Development Plan Review (SDR-35186) if approved.

2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

JB

VAR-35528 - Staff Report Page One
April 7, 2010 - City Council Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site consists of two separate parcels and is partially developed. Currently, the northern portion of the site is being utilized by a 3,475 square-foot medical office building, while the southern portion remains undeveloped, generally located adjacent to the north side of Sahara Avenue, approximately 440 feet east of Sixth Street. The applicant is proposing to add a 9,979 square-foot Commercial Recreation/Amusement (Indoor) building at the site. The proposed and existing uses will require 69 parking spaces where 59 will be provided. Staff cannot support this request as the applicant has not provided compelling evidence of a unique or extraordinary circumstance, and has created a self-imposed hardship by proposing to overbuild the site; therefore, staff recommends denial of this request. If this request is denied, an alternate site design will be required to provide parking for all proposed uses in accordance with Title 19.04 and 19.10. In addition, the associated Site Development Plan Review (SDR-35186) for a 9,979 square-foot Commercial Recreation/Amusement (Indoor) building at the site cannot be approved.

ISSUES

- The proposed development fails to meet the minimum parking requirements listed in Title 19.04.010 for the proposed use.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
05/17/06	The City Council approved a request for a General Plan Amendment (GPA-9219) to change the Future Land Use designation 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 and staff recommended approval of the request.
08/23/07	The Planning Commission tabled a request for a Site Development Plan Review (SDR-22017) for a proposed 98-foot tall, 12,452 square-foot commercial recreation/ amusement (Indoor) facility with waivers of perimeter landscaping standards to allow five feet on the south property line where 15 feet is required and zero feet on the north, east and west property lines where eight feet is required; and a request for a Variance (VAR-22018) to allow 28 parking spaces where 63 spaces is the minimum required for a proposed commercial recreation/ amusement (Indoor) facility adjacent to the north side of Sahara Avenue, approximately 420 feet east of Sixth Street. Staff recommended denial of the request.

01/14/10	The Planning Commission recommended approval of companion item SDR-35186 concurrently with this application. The Planning Commission voted 5-2/ke/se to recommend APPROVAL (PC Agenda Item #6/jb).

Related Building Permits/Business Licenses	
Circa 1969	Office building located at 738 East Sahara Avenue on APN 162-03-801-088 was constructed.
03/18/02	A business license (T18-00499) was issued for Miscellaneous Telephone Sales and (U05-00244) for a Public Utility Telephone at 738 East Sahara Boulevard, Suite #104. These licenses are still active.
06/06/02	A business license (B20-00414) was issued for Business Support Services at 738 East Sahara Boulevard, Suite #B. This license was marked out of business on 08/10/07.
08/09/07	A business license (I04-03459) was issued for an Insurance Producer and (K10-00257) for a Sales and Service Firm at 738 East Sahara Boulevard, Suite #B. These licenses are still active.
09/30/08	A business license (Q07-00825) was issued for a medical firm at 738 East Sahara Boulevard. This license is still active.
Pre-Application Meeting	
06/29/09	A pre-application meeting was held and elements of this application were discussed. It was noted that there would need to be landscape waivers added to the justification letter and that a parking Variance may be required.

Neighborhood Meeting	
10/07/09	A voluntary neighborhood meeting was held from 6:00 to 7:10 pm at the Mesquite Club located at 702 East St. Louis Avenue, Las Vegas, Nevada 89104. There were 20 attendees for the general public, and one (1) staff member of the Planning and Development Department. Discussion topics included: Reviewed Project: • Predominately by appointment only • Training video & personal approximately 25 minutes • 20 minutes to "suit up" • 3 minutes in the wind • Approximately 20% local, 80% tourists • Approximately 6 employees • Fan surrounded by concrete, takes in no external air • 8:00am – 11:00am Skydiving • 11:00am – 10:00pm Public Concerns & Questions: • Noise • Vibration • Driveway width • Bus traffic • Large crowds at a time • Noise in parking lot from patrons • Limo's idling in parking lot • Decibel levels • Signage being overly large • Height of building Conclusion: Approximately 1/3 in favor 1/3 opposed 1/3 no comment

Field Check	
08/20/09	A site inspection was performed by staff with the following observations: • The subject site has been developed with a medical office building on the northern portion of the site, while the southern portion of the site adjacent to Sahara Avenue remains undeveloped with scattered debris.

Details of Application Request	
Site Area	
Gross Acres	0.81 Acres

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Medical Office Building and Undeveloped	C (Commercial)	C-1 (Limited Commercial)
North	Office Building	C (Commercial)	C-1 (Limited Commercial)
South	Multi-Family Residences	CT (Commercial Tourist) - Clark County Designation	H-1 (Limited Resort and Apartment) - Clark County Designation
East	General Retail	C (Commercial)	C-1 (Limited Commercial)
West	Restaurant and General Retail	C (Commercial)	C-1 (Limited Commercial)

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Area Plan			
Redevelopment Plan Area	X		Y
Beverly Green/Southridge Neighborhood	X		Y
Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District – (175 Feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
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	
Medical Office	3,475 S.F.	1:200 for the first 2,000 sq. ft. 1:175 for the remaining gross floor area	19		56	3	N
Commercial Recreation / Amusement (Indoor)	9,979 S.F.	1:200	50				
SubTotal	13,454 S.F.		66	3	56	3	
TOTAL	13,454 S.F.		69		59		
Percent Deviation					14%		

ANALYSIS

The applicant has proposed to build a 9,979 square-foot Commercial Recreation/Amusement (Indoor) facility consisting of a 79-foot tall, cylindrical building for a wind tunnel with an attached six floors of public and mechanical areas with ground level parking on 0.81 acres adjacent to the north side of Sahara Avenue, approximately 440 feet east of Sixth Street. The applicant has indicated that the proposed commercial recreation/amusement (indoor) facility will be utilized by no more than 26 people in an hour, consisting of six staff members and twenty (20) guests. Guests of the proposed facility must receive instruction and special clothing prior to flying, which limits the number of people who can utilize the facility at the same time.

The existing and proposed uses on the subject site require 69 parking spaces where 59 are proposed, which represent a 14% deviation from Title 19 requirements. The 14% reduction in required parking indicates that the site, as proposed, would be overbuilt. Furthermore, the proposed deficiency is preferential in nature and as such, the applicant has created a self-imposed hardship that staff cannot support; therefore, staff is recommending denial of this request.

JB

FINDINGS

In accordance with the provisions of Title 19.18.070(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.18.070L states:

> "Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing to overbuild the site. Alternatively site design or a reduction in the scope of the project would allow conformance to Title 19 parking requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

PC ACTION

There were 11 speakers in opposition and 4 in favor at the Planning Commission hearing.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 185 (By City Clerk)

APPROVALS 121

PROTESTS 134

JB

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-35528 APN: 162-03-801-088 & 137

Name of Property Owner: Bodyflying US, LLC

Name of Applicant: Bodyflying US, LLC

Name of Representative: Bob Gronauer - Kummer Kaempfer Bonner Renshaw & Ferrario

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): _____

APN: _____

Signature of Property Owner: Gary L Speer TNDL 064567322

Print Name: GARY L. SPEER

Subscribed and sworn before me

This 5 day of August, 2009

Notary Public in and for said County and State

County of Sevier; State of TN

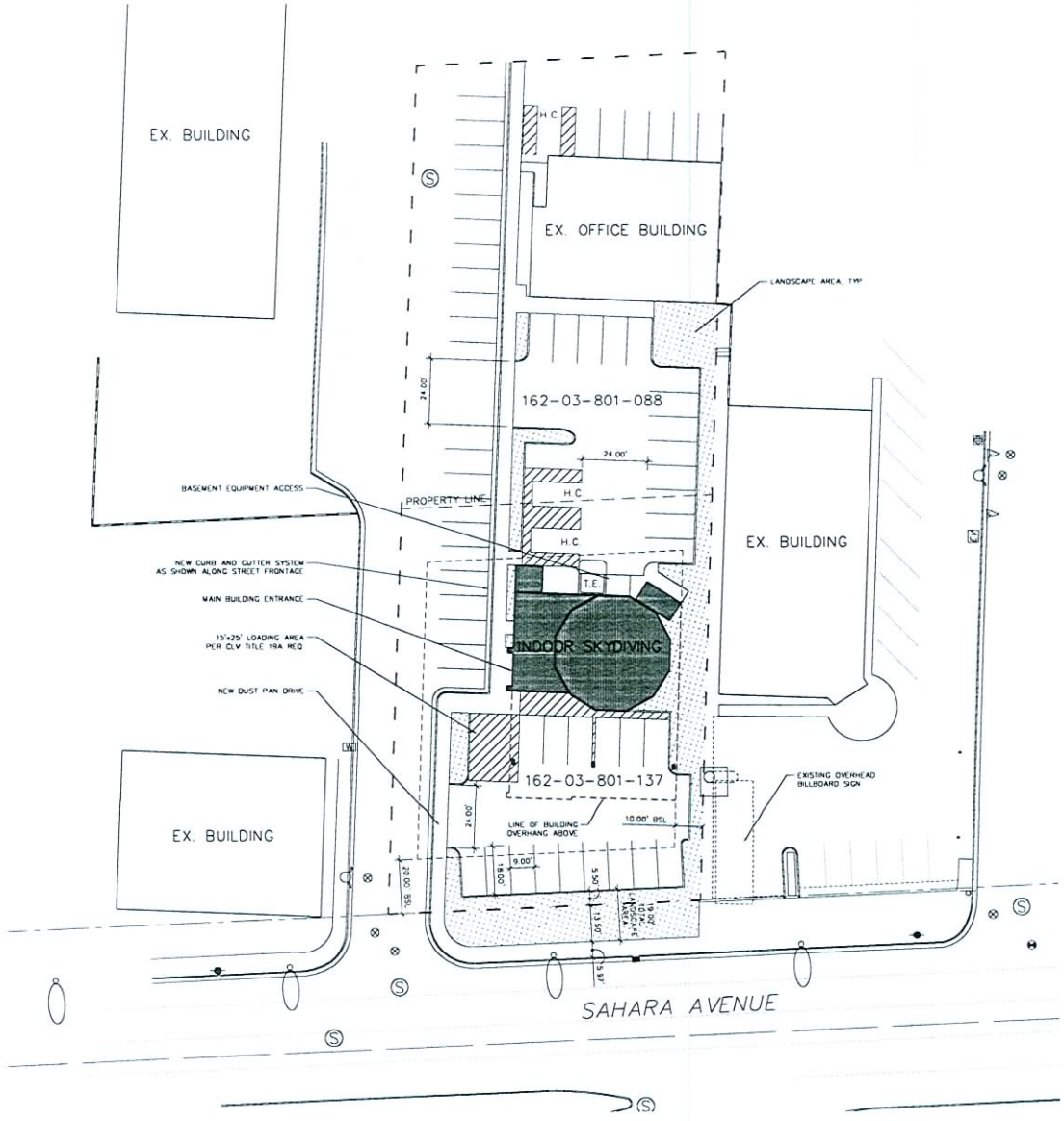
ASHLEY RUSSELL NOTARY PUBLIC STATE OF TENNESSEE SEVIER COUNTY

Revised 11-14-06 f:\depot\Application Packet\Statement of Financial Interest.doc

796368.1 AMP 14670.1

DESIGN DATA

LOT AREA	93 ACRES (162-03-801-137) 42 ACRES (162-03-801-088)
TOTAL BUILDING AREA	23,624 SF (INDOOR SKYDIVING) / 2,325 SF (MECHANICAL) / 25,949 SF (TOTAL)
BUILDING FOOTPRINT	23,624 SQUARE FEET
PARKING REQUIRED (CITY OF LAS VEGAS - TITLE 19A)	
EXISTING OFFICE (RETAIL)	5 EMPLOYEES @ 1,200 SQ FT (2000 SF / 1.75 SEASONS) = 19 STALLS
INDOOR SKYDIVING	1,200 SF @ 1/4 (OCCUPANT) = 50 STALLS
TOTAL STALLS REQUIRED	69 STALLS TOTAL REQUIRED (BOTH PARCELS)
PARKING PROVIDED ACROSS BOTH PARCELS	
REGULAR STALLS	56 STALLS (9'x18' TYP.)
ACCESSIBLE STALLS	1 VAN AND 2 REGULAR STALLS
TOTAL SPACES	59 STALLS TOTAL PROVIDED (BOTH PARCELS) (PARKING VARIANCE FOR 10 STALLS REQUESTED)



BRESLIN BUILDERS

Site Plan

Land-Use Submittal
August 4, 2009

Scale: 1" = 20'-0"
BBDC Project No. 1109A
Version 3

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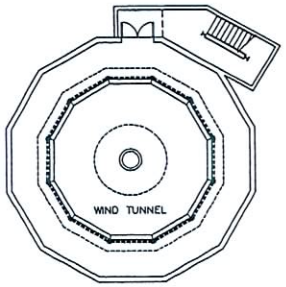
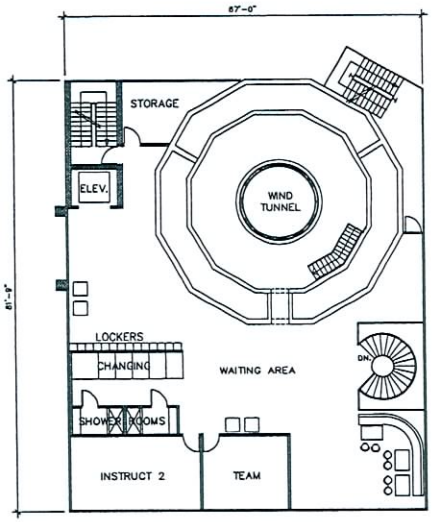
AUG 10 2009

BodyFlying.us LLC - Las Vegas
700 East Sahara Avenue, Las Vegas, Nevada

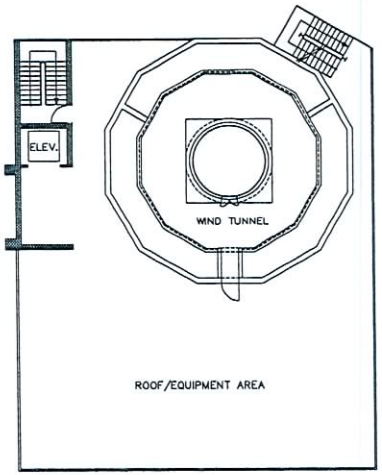
VAR-35528
09/24/09 PC



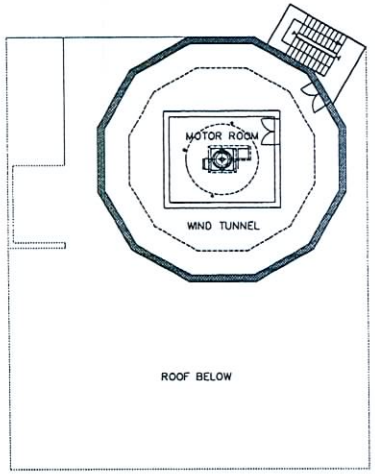
Level B (Basement)



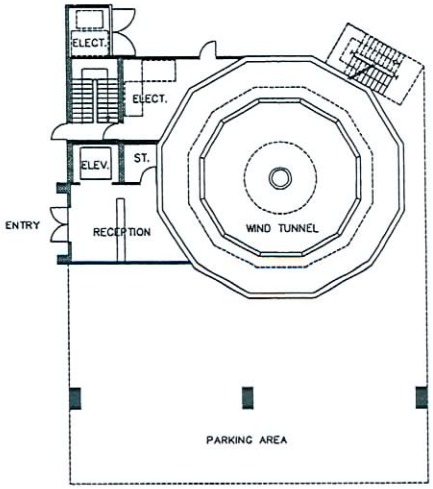
Level 4 (Spectator)



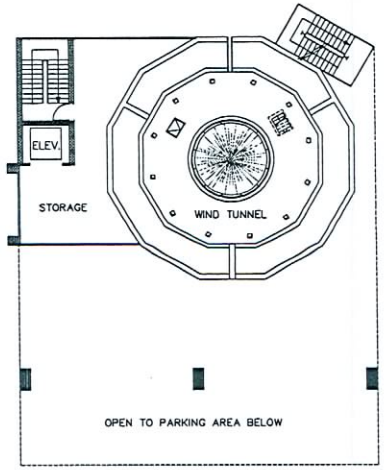
Level 5 (Propeller)



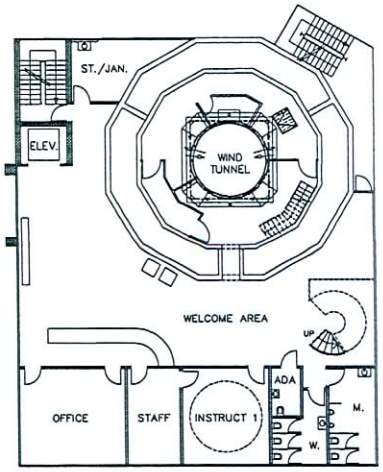
Level 6 (Motor)



Level 1 (Entrance)



Level 2 (Storage)



Level 3 (Flyers)

AREA SQUARE FOOTAGE BREAKDOWN:

AREAS	TECHNICAL AREA	BUSINESS AREA
LEVEL B	250 S.F.	0 S.F.
LEVEL 1	234 S.F.	274 S.F.
LEVEL 2	524 S.F.	0 S.F.
LEVEL 3	165 S.F.	3,841 S.F.
LEVEL 4	165 S.F.	3,489 S.F.
LEVEL 5	714 S.F.	0 S.F.
LEVEL 6	323 S.F.	0 S.F.
TOTALS	2,375 S.F.	7,604 S.F.

TOTAL AREAS = 9,979 SQUARE FEET

Floor Plans

Scale: 3/32" = 1'-0"
BBDG Project No.: 1109A
Version 2

Land-Use Submittal
July 9, 2009

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BodyFlying.us LLC - Las Vegas
700 East Sahara Avenue, Las Vegas, Nevada

VAR-35528
09/24/09 PC



VAR-35528 - APPLICANT/OWNER: BODYFLYING US, LLC
NORTH SIDE OF SAHARA AVENUE, APPROXIMATELY 440 FEET EAST OF SIXTH STREET
APRIL 7, 2010 CITY COUNCIL

08/20/09



VAR-35528 - APPLICANT/OWNER: BODYFLYING US, LLC
NORTH SIDE OF SAHARA AVENUE, APPROXIMATELY 440 FEET EAST OF SIXTH STREET
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APRIL 7, 2010 CITY COUNCIL

08/20/09

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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

August 7, 2009

VIA HAND DELIVERY

City of Las Vegas
Planning and Development
731 S. 4th Street
Las Vegas, NV 89101

Re: Justification Letter – Site Development Plan Review and Parking Variance

To Whom It May Concern:

Our office represents Bodyflying US, LLC ("The Applicant"). Please accept the attached application for a Site Development Plan Review. Our client proposes to develop a commercial recreation/amusement (indoor) facility in the C-1 district on the site located near Sahara and Sixth Street. The site development plan review is for an indoor wind tunnel with support services including an instruction room and gift shop. No functions will be operated outside the facility (i.e. noise).

The building is a total of 9,979 square feet, divided into 2,375 square feet "technical" and 7,604 square feet "business" (public). The first floor of the proposed facility will consist of the entrance and elevator to the second floor. The second floor is for storage and is not accessible to the public. The third floor will consist of the reception area, observation area, gift shop, instruction rooms, restrooms and office. The fourth floor will consist of a lounge area, changing rooms and team room. The fifth and sixth floors of the roof are portion of the wind tunnel and the mechanical equipment. The maximum height of the wind tunnel structure is 78'-9".

The Site Development Plan Review includes a waiver of the required perimeter landscape buffers; the C-1 district requires a 15 foot wide landscape buffer adjacent to Sahara Avenue and an 8 foot wide landscape buffer adjacent to the interior lot lines. The site plan provides 5'-6" landscape buffer adjacent to Sahara Avenue, a 3 foot landscape buffer along the East perimeter and zero landscaping along the North and West property lines. Please note that the applicant will also be providing 13'- 6" of landscaping within the public right of way in addition to the 5'-6" on the site for a total width of 19'-0" inches in addition to a 6 foot wide public sidewalk. The landscaping adjacent to the building will vary in width from 3 feet to 10 feet. All other code requirements have been met.

The applicant is also seeking a parking variance to allow for 59 parking spaces where 69 spaces are required. Based upon the type of business being proposed we feel that the proposed

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VAR-35528
09/24/09 PC

59 parking spaces is more than sufficient to adequately handle the customers and staff that will be utilizing the site. Title 19 Section 19.04 Table 2 specifies the required parking for a commercial recreation/amusement (indoor) however does not have a specific parking requirement for a wind tunnel therefore it has been determined by staff that required parking is based upon "other uses". We feel that based upon the use that the wind tunnel parking demand is closer to the parking demand generated by an indoor court game which requires 3 parking spaces per court which would require a maximum of 30 spaces which we far exceed.

The wind tunnel will be utilized by no more than 26 persons in an hour, including six staff persons and 20 guests, taking into consideration the overlap time between the departing and entering groups. The guests make reservations and are typically in small groups of 3 to 5 persons. The guests must receive instruction and special clothing prior to flying which limits the number of people who can utilize the facility at the same time.

The applicant is the property owner of both parcels associated with this application and will maintain cross access and cross parking requirements as required.

We are excited about this project and look forward to working with staff through the development of this site.

Sincerely,

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO

Robert J Gronauer

Robert J. Gronauer

RJG/mlt

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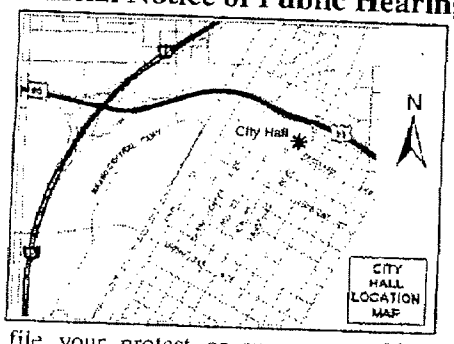
VAR-35528
09/24/09 PC

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.

VAR-35528 & SDR-35186

City Council Meeting of 2/17/2010

FRASER TRUST
FRASER THOMAS B II & BARBARA TRS
9119 GARDEN VIEW DR
LAS VEGAS NV 89134-8827

APN#16203801064

LAVDS11 89134

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CITY CLERK
2010 FEB -8 A 9:12

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
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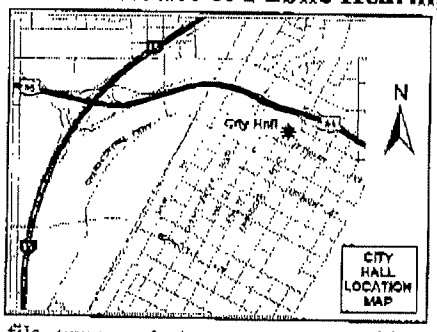
MAILED FROM ZIP CODE 89101

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.

VAR-35528 & SDR-35186
City Council Meeting of 2/17/2010

DAPHNEY IRREVOCABLE TRUST
BONANNO BERTHA TRS
4769 SPINDLERIDGE CIR
LAS VEGAS NV 89147-5272

APN#16203421005

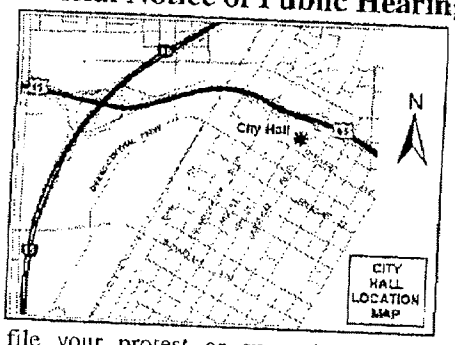
LAS VEGAS NV 890

2010 FEB -8 A 9:12

CITY CLERK

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.

VAR-35528 & SDR-35186

City Council Meeting of 2/17/2010

FRASER THOMAS B II & BARBARA D
9119 GARDEN VIEW DR
LAS VEGAS NV 89134-8827

APN#16203801124

LAS VEGAS NV 89134

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CITY CLERK
2010 FEB -8 A 8:12

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 $ 00.41⁴
0004279218 FEB05 2010
MAILED FROM ZIP CODE 89101

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2010 FEB -9 A 11:04
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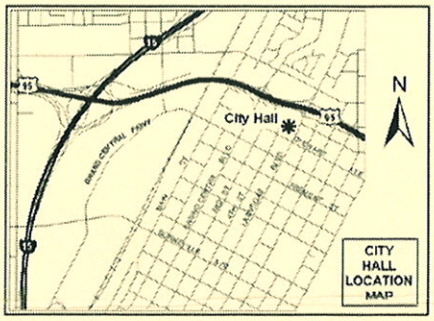

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186
City Council Meeting of 2/17/2010

HARPER WALTER O
820 ALHAMBRA DR
LAS VEGAS NV 89104-2966

APN#16203810023

LAVOS11 89104

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 $ 00.41⁴
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MAILED FROM ZIP CODE 89101

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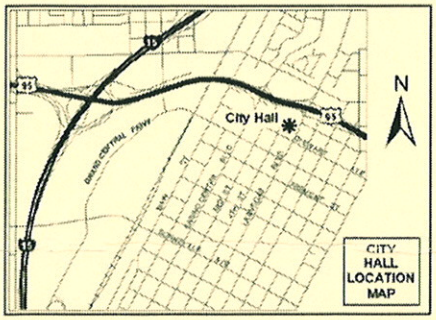
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186
City Council Meeting of 2/17/2010

Way to go Jmoney!

ERICKSON DOUGLAS
704 E ST LOUIS AVE
LAS VEGAS NV 89104-2823

APN#16203810001

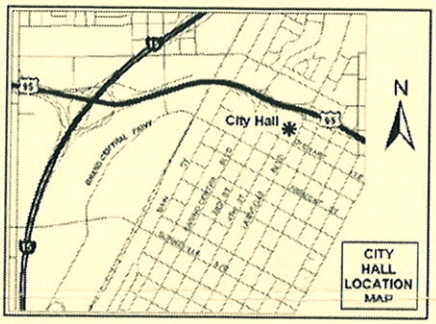
Submitted after final agenda

Date 2/9/10 Item 68+69

LAVOS11 89104

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.

VAR-35528 & SDR-35186
City Council Meeting of 2/17/2010

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2010 FEB 10 A 10:32

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FEB 05 2010
MAILED FROM ZIP CODE 89101

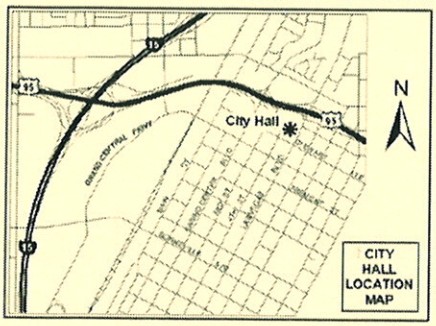
SUAREZ JULIAN & MARIA D
800 E ST LOUIS AVE
LAS VEGAS NV 89104-2829

APN#16203810002

LAVDS11 89104

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.

VAR-35528 & SDR-35186
City Council Meeting of 2/17/2010

FEB 8 2010

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UNITED STATES POSTAGE
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FEB 05 2010
MAILED FROM ZIP CODE 89101

RECEIVED
CITY CLERK
2010 FEB 10 P 3:24

B & T OFFICE BUILDING LTD
844 E SAHARA AVE
LAS VEGAS NV 89104-3017

APN#16203801060

LAVDS11 89104

FROM :ICA
FAX NO. :913-649-0758
Feb. 10 2010 08:53AM P1

CITY CLERK

2010 FEB 10 A 7:56

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
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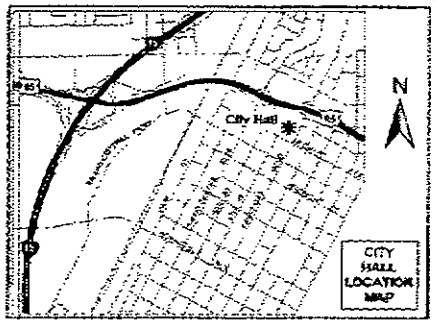
FEB 05 2010
MAILED FROM ZIP CODE 89101

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.

VAR-35528 & SDR-35186
City Council Meeting of 2/17/2010

714 E SAHARA AVENUE L L C
%B BARTMANN
10740 NALL AVE #215
OVERLAND PARK KS 66211-1296

APN#16203801056

LAVDP11 66211

02/10/2010 WED 06:36 [TX/RX NO 7269] 001

PAGE 01/01

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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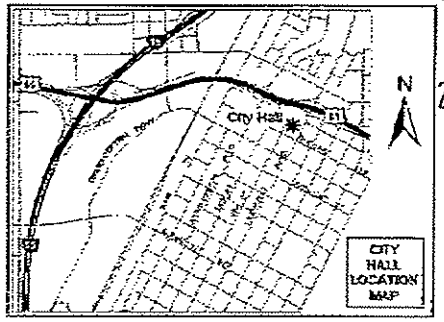
CITY CLERK
2010 FEB 11 A 8:01



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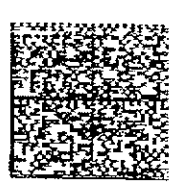
☐ I SUPPORT this Request

☑ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186
City Council Meeting of 2/17/2010

PRESORTED FIRST CLASS



UNITED STATES POSTAGE
02 1M $ 00.41⁴
0004279218 FEB 05 2010
MAILED FROM ZIPCODE 89101

BAHJI PARTNERS LTD
8605 CANYON VIEW DR
LAS VEGAS NV 89117-5821

APN#16203801057

LAVDS11 89117

02/10/2010 16:51 7023123568
02/10/2010 WED 15:59 [TX/RX NO 7283] 001

PAGE 01/01

CITY CLERK

2010 FEB -9 A 10:07

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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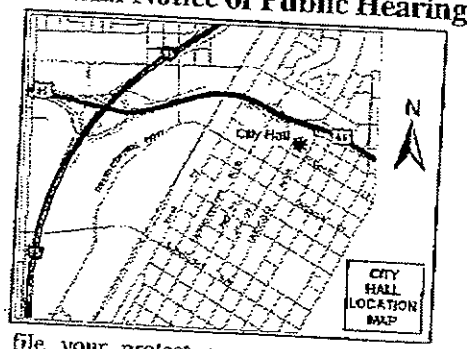
0004279218 FEB05 2010
MAILED FROM ZIPCODE 89101

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.

VAR-35528 & SDR-35186

City Council Meeting of 2/17/2010

ZURAWSKI STANLEY M SR & N ETAL
750 E SAHARA AVE
LAS VEGAS NV 89104-2913

APN#16203801104

LAVDS11 89104

02/09/2010 10:58 7023660526

02/09/2010 TUE 09:51 [TX/RX NO 7256] 001

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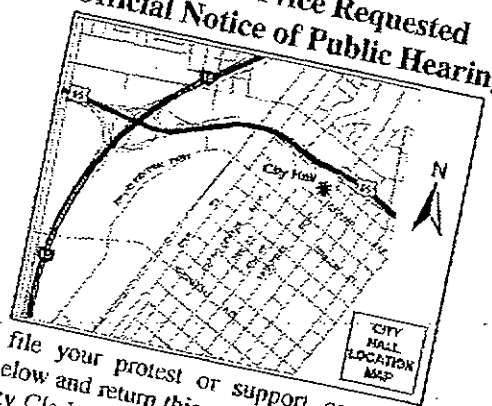
CITY CLERK

2010 FEB -9 A 10:07

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

Return Service Requested
Official Notice of Public Hearing



u wish to file your protest or support on this request, check the
priate 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
ntative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

se available blank space on card for your comments.

528 & SDR-35186

ncil Meeting of 2/17/2010

PRESORTED FIRST CLASS

UNITED STA... STAGE
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ZURAWSKI STANLEY M JR ETAL
750 E SAHARA AVE
LAS VEGAS NV 89104-2913

APN#16203801058

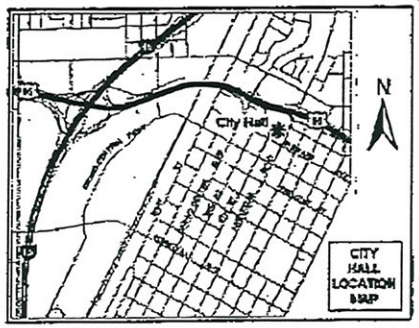
LAVDS11 89104

RECEIVED
CITY CLERK
2010 FEB 12 A 10:39

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.

VAR-35528 & SDR-35186

City Council Meeting of 2/17/2010

Submitted after final agenda

Date 2/11/10 Item 68+69

from: S. Savarise
2001 S. 11th ST.
LAS Vegas 89104-3117

W Wabara
702-682-6030

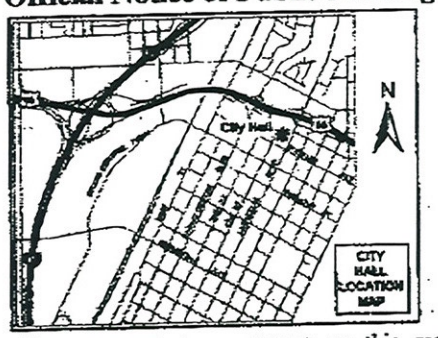
RECEIVED
CITY CLERK

2010 FEB 16 A 8:01

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.

VAR-35528 & SDR-35186

City Council Meeting of 2/17/2010

Submitted after final agenda

Date 2/16/10

Item 69 & 70

I oppose this request.
I own 1900 & 1904 S. Maryland Parkway
under Azamni BT
Wari L. Wabara,
8347 old Town Dr Tampa FL 33647

#7235 P.001 /001
SCHLEUSNER CHIROPRACTIC
02/15/2010 17:07 7027328396
02/15/2010 MON 18:57 [TX/RX NO 7299] 001

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CITY CLERK
2010 FEB 16 A 8:01

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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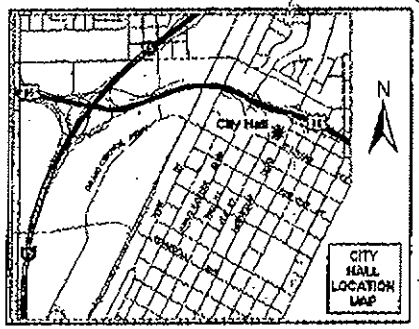

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186

City Council Meeting of 2/17/2010

382-4803
Dr. Larry Schleusner
Adjacent property
owners.

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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02 1M $ 00.41⁴
0004279218 FEB 05 2010
MAILED FROM ZIP CODE 89101

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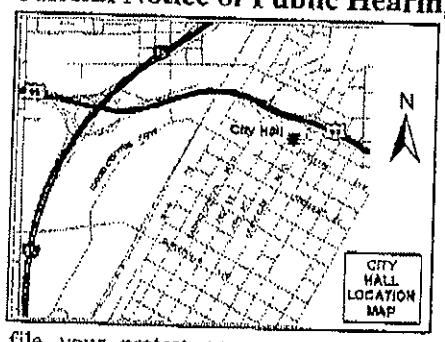

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186
City Council Meeting of 2/17/2010

2010 FEB 11 A 7:54
CITY CLERK

FAITH COMMUNICATIONS
2201 S 6TH ST
LAS VEGAS NV 89104-2962

APN#16203801120

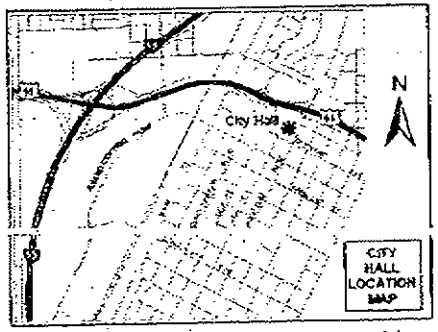
LA40511 8104

P. 1

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.

VAR-35528 & SDR-35186

City Council Meeting of 2/17/2010

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UNITED STATES POSTAGE

02 1M $ 00.41⁴

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MAILED FROM ZIP CODE 89101

FRANCESCHI SHERRILL A SURV TR
FRANCESCHI SHERRILL A TRS
8385 W LA MADRE WY
LAS VEGAS NV 89149-4707

APN#16203417052

LAVDS11 89149

2010 FEB 10 A 8:21

CITY CLERK

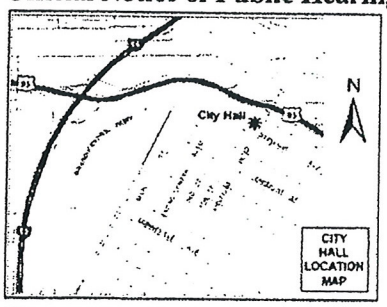
2-10-2010 8:05AM FROM FRANCESCH 702 396 2155

02/10/2010 WED 08:12 [TX/RX NO 7271] 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



Property Or
Business Owner Shannon Prestridge

Address 1909 S. 11th St.

City, State, Zip Las Vegas, NV 89104

Telephone (702) 769-4783

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.

RECEIVED
OCT 07 2009

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

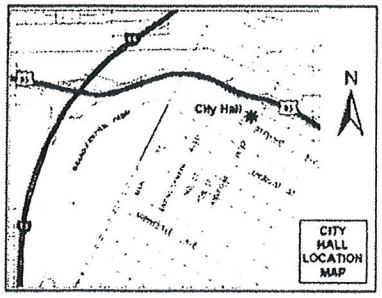
VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

6P

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



Property Or Business Owner J A Wade

Address 1210 E St Louis

City, State, Zip LV

Telephone 702 796 5195

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.

RECEIVED
OCT 05 2009

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

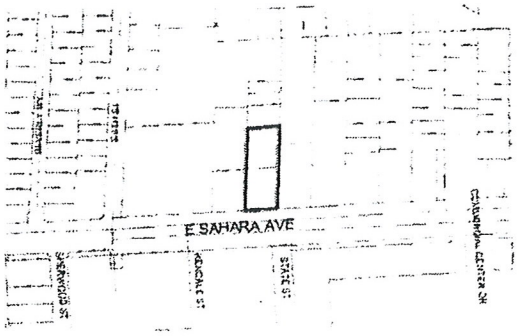
Please Cut Along Dotted Line and return the top portion to the City of Las Planning Commission

Application Information

VAR-35528 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: BODYFLYING US, LLC - Request for a Variance TO ALLOW 59 PARKING SPACES WHERE 69 ARE REQUIRED FOR A PROPOSED COMMERCIAL RECREATION/AMUSEMENT (INDOOR) USE on 0.81 acres on the north side of Sahara Avenue, approximately 440 feet east of Sixth Street (APNs 162-03-801-088 and 137), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

SDR-35186 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-35528 - PUBLIC HEARING - APPLICANT/OWNER: BODYFLYING US, LLC - Request for a Site Development Plan Review FOR A PROPOSED 79-FOOT TALL, 9,979 SQUARE-FOOT COMMERCIAL RECREATION/AMUSEMENT (INDOOR) BUILDING WITH WAIVERS OF PERIMETER LANDSCAPE STANDARDS TO ALLOW LANDSCAPE BUFFERS OF FIVE FEET ALONG THE SOUTH PERIMETER WHERE 15 FEET IS REQUIRED, ZERO FEET ALONG ON THE NORTH AND WEST PERIMETERS WHERE EIGHT FEET IS REQUIRED, AND THREE FEET ALONG THE EAST PERIMETER WHERE EIGHT FEET IS REQUIRED on 0.81 acres on the north side of Sahara Avenue, approximately 440 feet east of Sixth Street (APNs 162-03-801-088 and 137), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

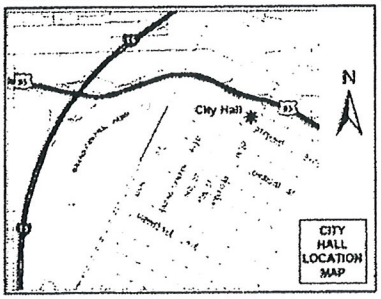
Meeting:	Planning Commission
Date:	*September 24, 2009*
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

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 the City Council meeting, if applicable, will be announced at the Planning Commission meeting after the discussion of the item. For further information, including the full staff report, please call (702) 6301 (TDD 386-9108) or go to http://www.lasvegasnevada.gov.

6P

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



Property Or
Business Owner SILVER CITY DEVT, LLC

Address 1916 S. MARYLAND PKWY.

City, State, Zip LAS VEGAS, NV 89104

Telephone (702) 456-8884

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.

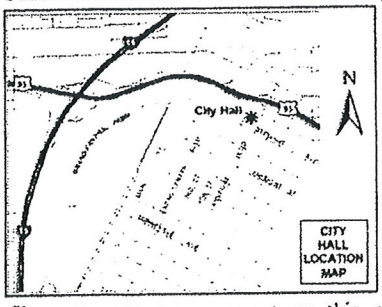
VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

6P

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



Property Or Business Owner JAMES KELLY

Address 1077 HOWARD DR.

City, State, Zip L.V. NV. 89104

Telephone

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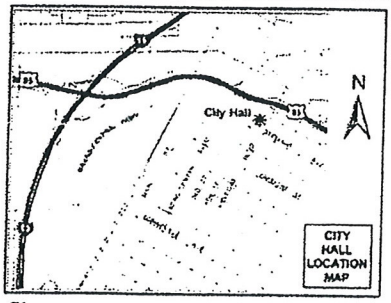

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VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

Property Or Business Owner: JACK WEINSTEIN MGR VANCO LLC

Address: 896 E SAHARA

City, State, Zip: 89104

Telephone: 702 630 9955

Jack Weinstein

6P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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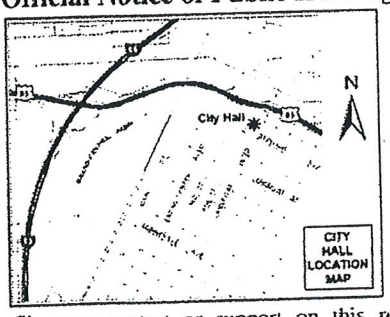

Property Of
~~Business Owner~~ Donald D. & Irene B. Larkin

Address 2104 Cordova St.

City, State, Zip Las Vegas, Nev. 89104

Telephone (702) 735-0002

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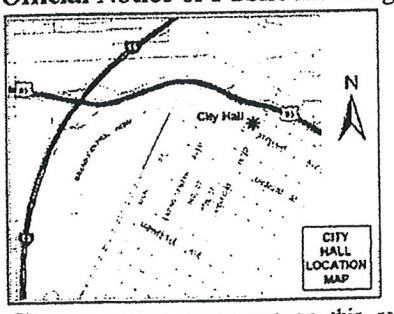

Property Or
Business Owner Jeff Bowen

Address 1046 Bonita Ave.

City, State, Zip Las Vegas, NV. 89104-3115

Telephone 702-794-0690

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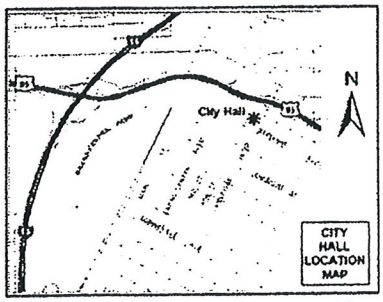

Property Or
Business Owner Diane M. Morgan

Address 808 Bonita Ave

City, State, Zip Las Vegas NV 89104

Telephone _____

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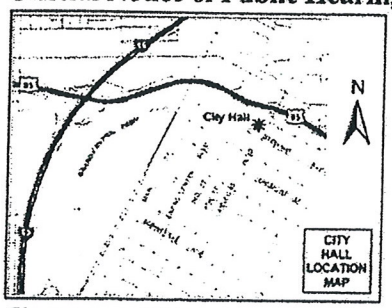

Property Or Business Owner: Jorge Perlman

Address: 850 Tam O'Shanter

City, State, Zip: Las Vegas Nev 89109

Telephone: 702-735-5533

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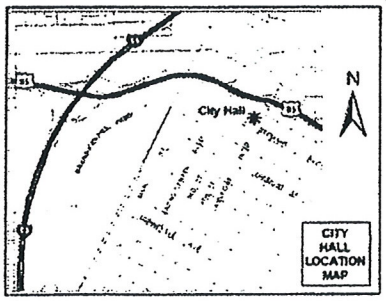

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VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

Property Or Business Owner PETERSEN 1994 TRUST

Address 709 CAYUGA AVE

City, State, Zip LAS VEGAS NEV 89104

Telephone

NOISE CREATED WOULD BE A CONCERN

6P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
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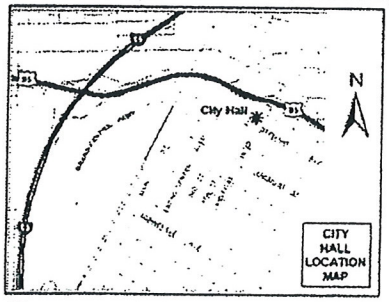

Property Or Business Owner Joseph L. Notaro

Address 2008 Santiago St

City, State, Zip Las Vegas NV 89104

Telephone 702 650 9063

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VAR-35528 & SDR-35186

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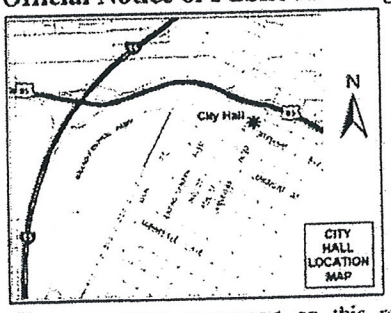

Property Or Business Owner: Tennille Cina

Address: 1929 So. 6th St

City, State, Zip: Las Vegas, NV 89104

Telephone: (702) 604-3232

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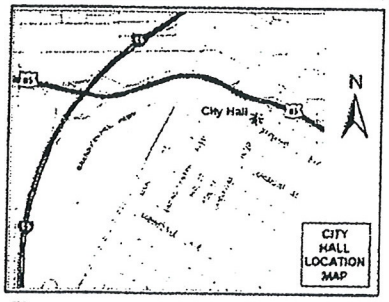

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VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

Property Or
Business Owner Patsy Graham

Address 2105 Santiago St

City, State, Zip L.V. NV 89104

Telephone 791-5086

6P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
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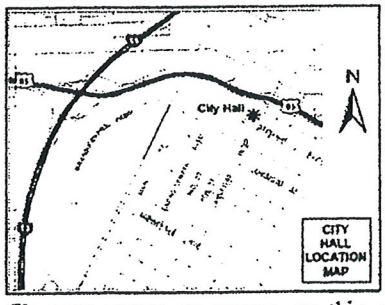

Property Or Business Owner: Elisa Povso

Address: 1043 Canosa Ave

City, State, Zip: Las Vegas NV 89104

Telephone: (305) 207-4993

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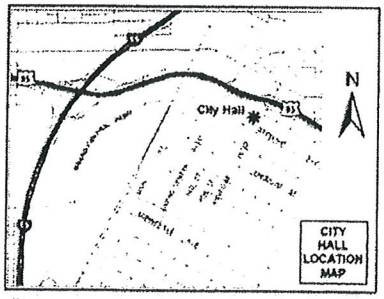

Property Or Business Owner Margaret M Sloans Trust Andy Sloans Trustee

Address 1810 S. 8th St

City, State, Zip LAS VEGAS, NV 89104

Telephone 429-7902

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VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

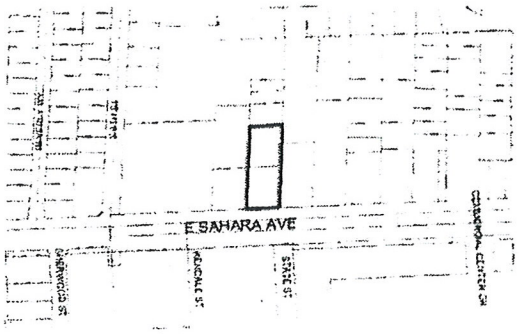
Please Cut Along Dotted Line and return the top portion to the City of Las Planning Commission

Application Information

VAR-35528 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: BODYFLYING US, LLC - Request for a Variance TO ALLOW 59 PARKING SPACES WHERE 69 ARE REQUIRED FOR A PROPOSED COMMERCIAL RECREATION/AMUSEMENT (INDOOR) USE on 0.81 acres on the north side of Sahara Avenue, approximately 440 feet east of Sixth Street (APNs 162-03-801-088 and 137), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

SDR-35186 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-35528 - PUBLIC HEARING - APPLICANT/OWNER: BODYFLYING US, LLC - Request for a Site Development Plan Review FOR A PROPOSED 79-FOOT TALL, 9,979 SQUARE-FOOT COMMERCIAL RECREATION/AMUSEMENT (INDOOR) BUILDING WITH WAIVERS OF PERIMETER LANDSCAPE STANDARDS TO ALLOW LANDSCAPE BUFFERS OF FIVE FEET ALONG THE SOUTH PERIMETER WHERE 15 FEET IS REQUIRED, ZERO FEET ALONG ON THE NORTH AND WEST PERIMETERS WHERE EIGHT FEET IS REQUIRED, AND THREE FEET ALONG THE EAST PERIMETER WHERE EIGHT FEET IS REQUIRED on 0.81 acres on the north side of Sahara Avenue, approximately 440 feet east of Sixth Street (APNs 162-03-801-088 and 137). C-1 (Limited Commercial) Zone, Ward 3 (Reese)

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	*September 24, 2009*
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

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731 S. Fourth Street
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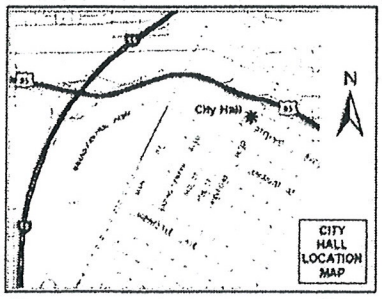

Property Or Business Owner Claudia Ewing

Address 1032 E. Bonita Ave

City, State, Zip Las Vegas, NV 89104

Telephone (702) 354-0917

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VAR-35528 & SDR-35186
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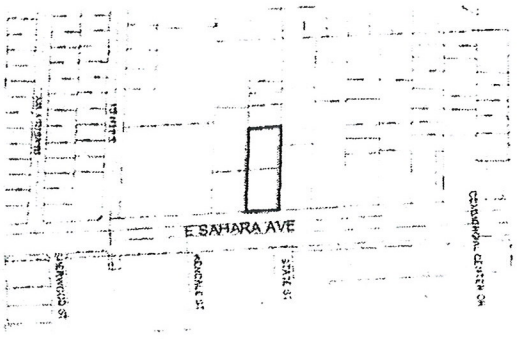

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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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MAILED FROM ZIP CODE 89101

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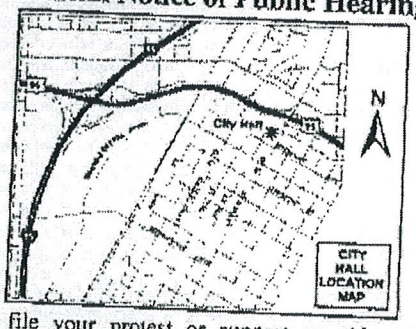

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VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

16203421005 Case: VAR-35528
DAPHNEY IRREVOCABLE TRUST
4769 SPINDLERIDGE CIR
LAS VEGAS NV 89147-5272

CAVDS11 89147

RECEIVED
SEP 14 2009

12P

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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Property Or Business Owner: Gregory S Brown

Address: 606 Bonita Ave

City, State, Zip: LV NV 89104

Telephone: 580-7798

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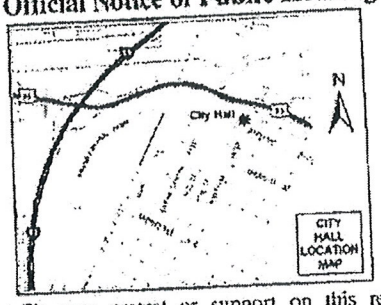

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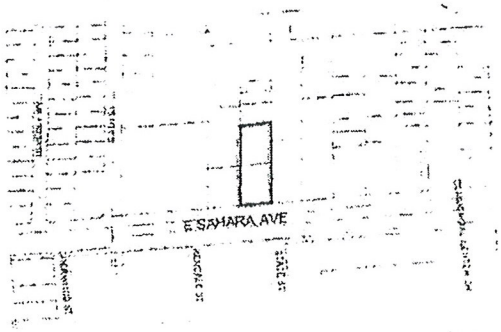

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SEP 21 2009

Submitted after final agenda

Date Item 6P

6P

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 $ 00.41[4]
0004279218 SEP 11 2009
MAILED FROM ZIP CODE 89101

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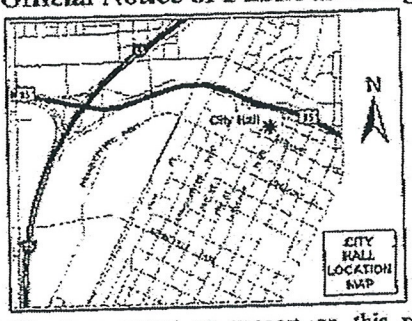

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

Case: VAR-35528
16203801058
ZURAWSKI STANLEY M JR ETAL
P O BOX 46110
LAS VEGAS NV 89114-6110

09/17/2009 10:07 7023660626

Submitted after final agenc
Date
Item

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SEP 17 2009

LAS VEGAS 11 89114

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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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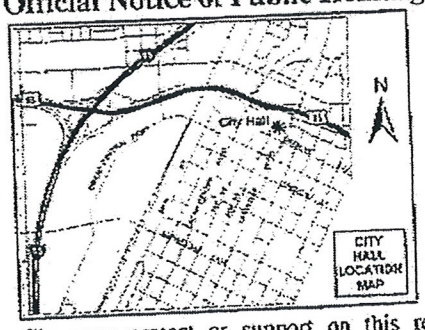

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VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

Case: VAR-35528
16203801104
ZURAWSKI STANLEY M SR & N ETAL
%M/M S ZURAWSKI JR
P O BOX 46110
LAS VEGAS NV 89114-6110

09/17/2009 10:06 7023660625

CAVDS11 89114

Submitted after final agenda
Date
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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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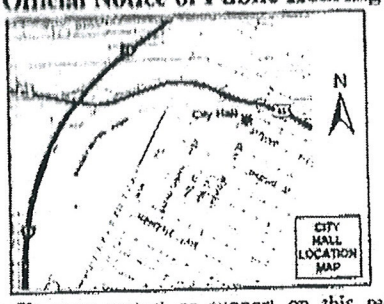

Property Or Business Owner: Flamingo - Jones Ltd

Address: 1912 S. Maryland Pkwy

City, State, Zip: Las Vegas NV 89104

Telephone: 702-733-7144

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

Margaret Cornell, Trustee

VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

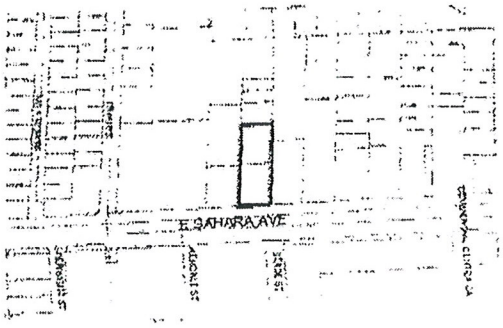
Please Cut Along Dotted Line and return the top portion to the City of Las Planning Commission

Application Information

VAR-35528 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: BODYFLYING US, LLC - Request for a Variance TO ALLOW 59 PARKING SPACES WHERE 69 ARE REQUIRED FOR A PROPOSED COMMERCIAL RECREATION/AMUSEMENT (INDOOR) USE on 0.81 acres on the north side of Sahara Avenue, approximately 440 feet east of Sixth Street (APNs 162-03-801-088 and 137), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

SDR-35186 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-35528 - PUBLIC HEARING - APPLICANT/OWNER: BODYFLYING US, LLC - Request for a Site Development Plan Review FOR A PROPOSED 79-FOOT TALL, 9,979 SQUARE-FOOT COMMERCIAL RECREATION/AMUSEMENT (INDOOR) BUILDING WITH WAIVERS OF PERIMETER LANDSCAPE STANDARDS TO ALLOW LANDSCAPE BUFFERS OF FIVE FEET ALONG THE SOUTH PERIMETER WHERE 15 FEET IS REQUIRED, ZERO FEET ALONG ON THE NORTH AND WEST PERIMETERS WHERE EIGHT FEET IS REQUIRED, AND THREE FEET ALONG THE EAST PERIMETER WHERE EIGHT FEET IS REQUIRED on 0.81 acres on the north side of Sahara Avenue, approximately 440 feet east of Sixth Street (APNs 162-03-801-088 and 137), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	*September 24, 2009*
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. For further information, including the full staff report, please call (702) 229-6301 (TDD 386-9108) or go to http://www.lasvegasnevada.gov.

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Date Item 6P

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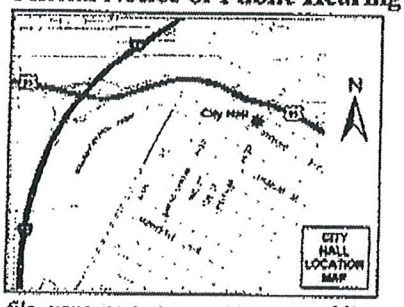

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

Property Or Business Owner PAUL S. WHISLER

Address 1032 E. HASSETT AVE

City, State, Zip LAS VEGAS NV 89104-315

Telephone 702-735-0543

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Submitted after final agenda
Date Item 12P

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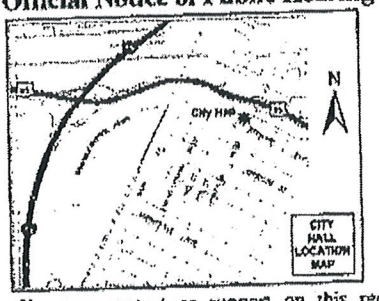

Property Or Business Owner JOHN MCCORMICK

Address 1064 CIWOSA

City, State, Zip LAS VEGAS NEVADA 89104

Telephone 702 523-4483

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VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

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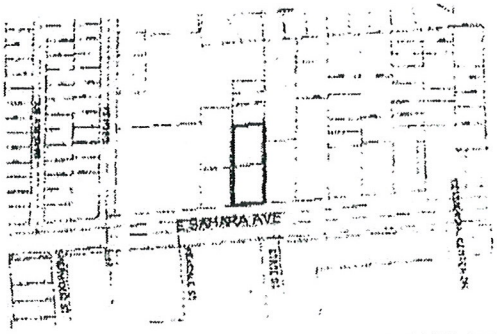
Application Location



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Date Item 12

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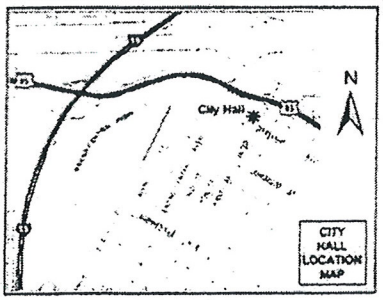

Property Or Business Owner KP Management

Address 1040 E. Sahara # 201

City, State, Zip Las Vegas, NV 89104

Telephone (702) 731-0015

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

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City of Las Vegas
Planning & Development Department
Development Services Center
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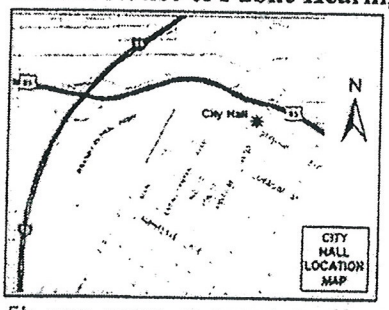

Property Or Business Owner: Schneider Development

Address: 1700 S. 9th

City, State, Zip: Las Vegas, Nev. 89104

Telephone: 702-340-1068

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VAR-35528 & SDR-35186

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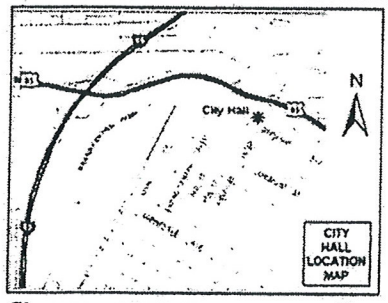

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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VAR-35528 & SDR-35186

Property Or Business Owner Rosendo Cano

Address 1712. S. 11th St.

City, State, Zip L.V. NV. 89104

Telephone 702) 380 1717

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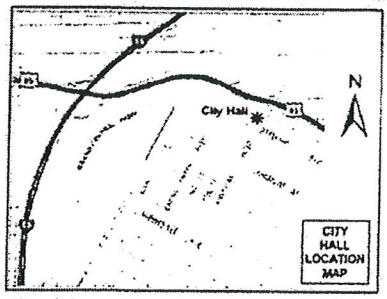

Ray Beauchamp Et Al

Property Or Business Owner SUSAN Dawn

Address 1709 E. 6TH ST

City, State, Zip Las Vegas, NV 89104

Telephone 702-696-9757

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☐ I SUPPORT this Request

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VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

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Planning & Development Department
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731 S. Fourth Street
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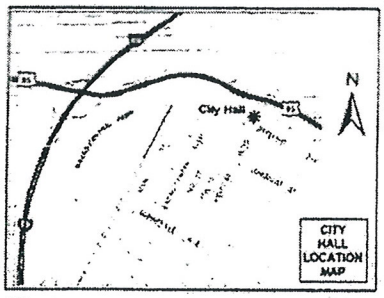

Property Or Business Owner Kathleen Brooks/Peter Singelton

Address 607 Bonita Ave

City, State, Zip Las Vegas, NV 89104

Telephone 702 - 383-6303

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☒ I OPPOSE this Request

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VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

Many of us have lived in this area for years. We consider it our home — We constantly have to fight to protect our neighborhood, because we are not 7 Hills or Southern Highlands — Please do not allow

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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
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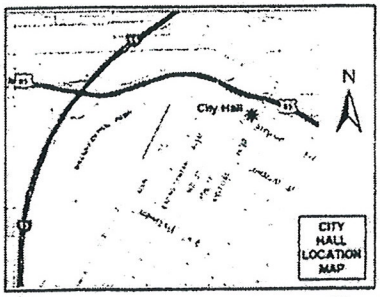

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186

Property Or Business Owner: Jeri Ann Culley

Address: 1047 Hassett Ave.

City, State, Zip: Las Vegas, NV. 89104

Telephone: 702-612-7463 (cell)

We do not need the air + noise pollution. It's already short on parking spaces. Besides it would be trugly (triple ugly).
No! No! No! I've lived here since 1961 and it's gone too far.

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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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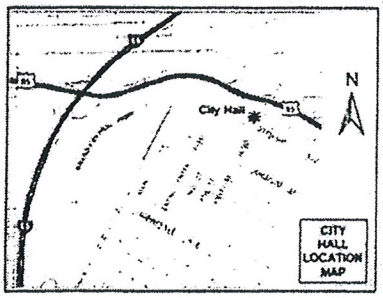

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

Property Or Business Owner: Frank Butterfield

Address: 1051 BONITA AVE
2200 6TH ST.
2212 6TH ST.

City, State, Zip: LV. NV 89104

Telephone: 702-596-2845

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City of Las Vegas
Planning & Development Department
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731 S. Fourth Street
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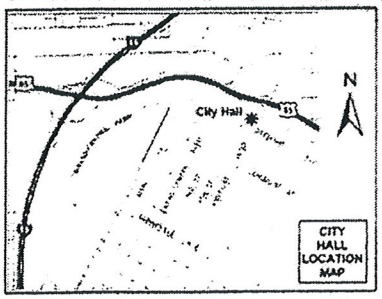

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186

Property Or Business Owner: Property owner

Address: 910 E. Oakey Blvd.

City, State, Zip: Las Vegas NV 89104

Telephone: 737-5280

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City of Las Vegas
Planning & Development Department
Development Services Center
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Las Vegas, Nevada 89101-2986

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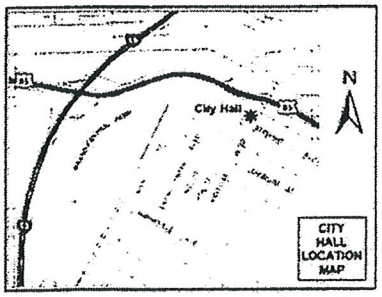

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VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

LOLA Stiborek

Property Or Business Owner Lola Stiborek

Address 604 Bonita Ave.

City, State, Zip Las Vegas, NV 89104

Telephone (702) 734-6153

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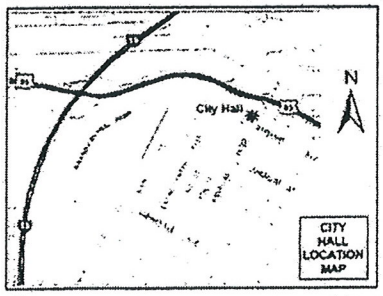

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VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

Property Or Business Owner James L Miller

Address 804 alhambra Dr

City, State, Zip Las Vegas, NV 89104

Telephone 702 862-8163

I don't want any thing like this in my neighborhood

Jm

6P

City of Las Vegas
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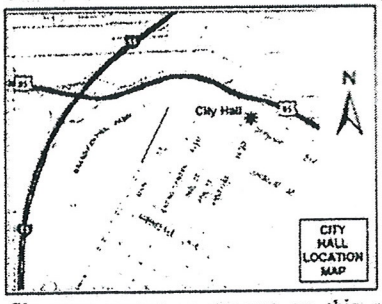

Property Or ~~Business Owner~~ SIDNEY ROWLAND

Address 1711 SOUTH 7TH ST.

City, State, Zip LAS VEGAS, NV. 89104

Telephone 601-415-2133

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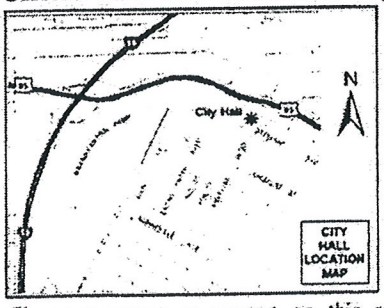

Property Or Business Owner: Linda Alverson

Address: 904. Canosa Ave

City, State, Zip: Las Vegas. NV. 89104

Telephone: 733-0995

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

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City of Las Vegas
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Development Services Center
731 S. Fourth Street
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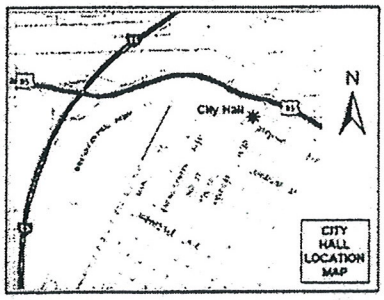

Property Or Business Owner: Jewell Jolliff

Address: 1054 Howard Ave

City, State, Zip: Las Vegas, NV. 89104

Telephone: 702 735-1208

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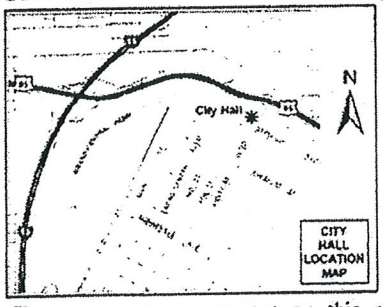

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Planning Commission Meeting of 9/24/2009

Property Or Business Owner HENRY SKONIECZNY

Address 705 E. ST. LOUIS

City, State, Zip LAS VEGAS NV 89104

Telephone (702) 369 1991

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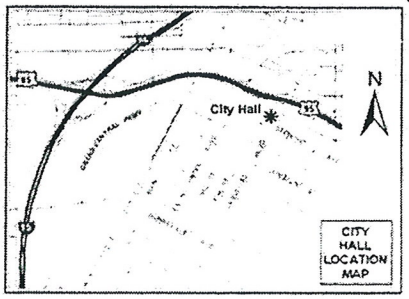

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VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

Case: VAR-35528
16203810012
ZULEY RANDALL B & MIGNON M
2105 ALHAMBRA CIR
LAS VEGAS NV 89104-2907

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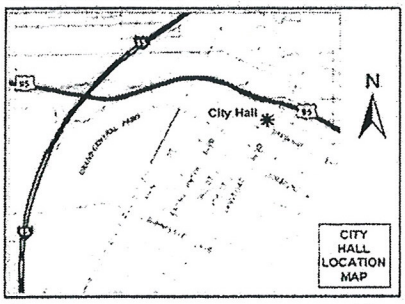

I AM part owner of the Bld at 700 E Sahara - this would be a disaster for my tenants - partly because of the traffic between their Bld & mine - that is just a small part of the problems thank you for reading this - Millard Sloan

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Case: VAR-35528
16203801100
K P E SAHARA L L C ETAL
%M & B SLOAN
6910 N RAINBOW BLVD
LAS VEGAS NV 89131-3446

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VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

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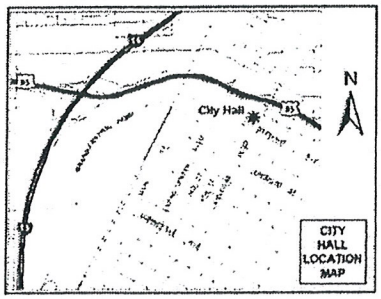

Property Or Business Owner: Pandora Eady

Address: 2100 Santiago St

City, State, Zip: LV. NV 89104

Telephone: _____

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VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

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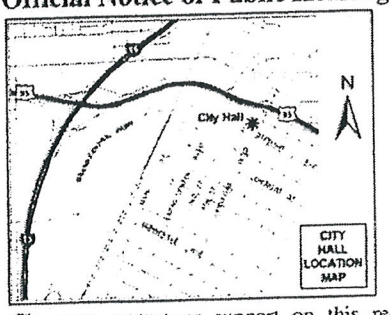

Property Or Business Owner Dayne Gardner

Address 1006, 1008 & 994 E. Sahara Ave

City, State, Zip Las Vegas NV 89104

Telephone 702-836-9118

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VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

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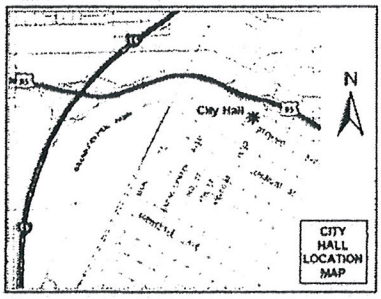

Property Or Business Owner: CONNIE INMAN
CENTRAL BACKGROUND INVESTIGATIONS

Address: 608 South 8th Street

City, State, Zip: Las Vegas, Nevada 89101

Telephone: 702-382-6883

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I OPPOSE

Connie Inman

VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

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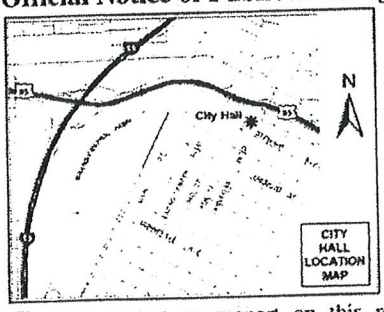

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

Property Or Business Owner HOWARD L. INMAN

Address 1025 HOWARD DR.

City, State, Zip LAS VEGAS, NV 89104

Telephone 702-524-5385

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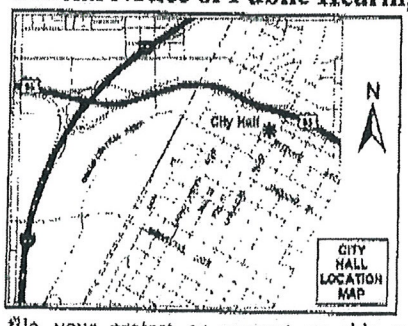

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VAR-35528 & SDR-35186

Planning Commission Meeting of 11/5/2009

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Case: VAR-35528

16203601064
FRASER TRUST
9119 GARDEN VIEW DR
LAS VEGAS NV 89134-8827

MAY0511 89134

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Development Services Center
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Las Vegas, Nevada 89101-2986

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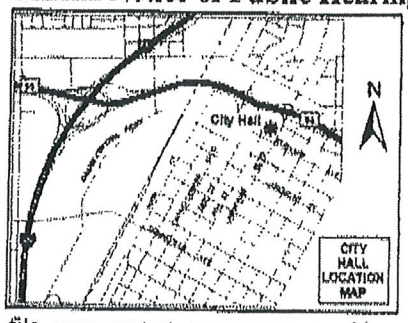

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Planning Commission Meeting of 11/5/2009

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OCT 26 2009

Case: VAR-35528
16203801124
FRASER THOMAS B II & BARBARA D
9119 GARDEN VIEW DR
LAS VEGAS NV 89134-8827

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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
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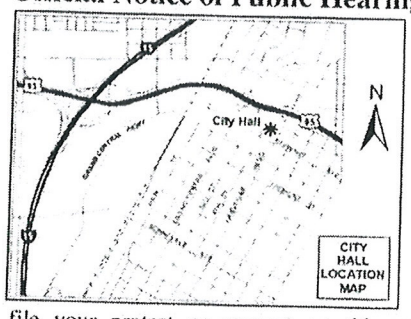

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Case: VAR-35528

16203810023
HARPER WALTER O
820 ALHAMBRA DR
LAS VEGAS NV 89104-2966

VAR-35528 & SDR-35186
Planning Commission Meeting of 11/5/2009

HAUOS11 89104

Submitted after final agenda

Date 10/29/09 Item 11P

6P

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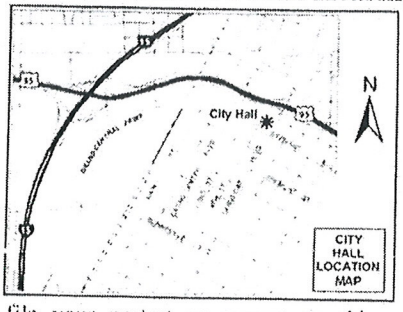

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VAR-35528 & SDR-35186

Planning Commission Meeting of 11/5/2009

Case: VAR-35528

16203801060
B & T OFFICE BUILDING LTD
844 E SAHARA AVE
LAS VEGAS NV 89104-3017

Submitted after final agenda

Date 10/29/09 Item 11 P

6P

MEETINGS
CONVENTIONS - CONSULTATIONS - BYLAWS

Phyllis M. Silvestri
PROFESSIONAL REGISTERED PARLIAMENTARIAN
CERTIFIED PROFESSIONAL PARLIAMENTARIAN

610 Canosa Ave.
Las Vegas, Nevada 89104

Telephone
(702) 735-6501

CLASSES - LECTURES - ELECTIONS
PROFESSIONAL PRESIDING OFFICER

Protest

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, NV 89101-2986

VAR-35528 / SDR-35186

Members of the Planning Commission

As a concerned forty-nine year resident of this neighborhood, I oppose the construction of a 79-foot tower that would be producing noise until 10 p.m.

My children have grown up here, gone to school here, played here, and attended Church in this area. (We have five churches on St. Louis Ave., just a block from where this proposed structure is to be built.)

I sincerely urge the City Council to oppose such a structure in the midst of a residential area.

There is abundant desert land for this proposed structure. Please consider the residents of this area. We will appreciate it very much.

Sincerely,

Phyllis M. Silvestri

Phyllis M. Silvestri
610 Canosa Avenue
Las Vegas, NV 89104-2815

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Protest

the Tiger Lily
FLOWER SHOP

September 17, 2009

Las Vegas Planning Commission
731 S. 4th St.
Las Vegas, NV 89101

On Thursday, September 24, there is a Planning Commission hearing on VAR-35528 (SDR-35186). BodyFlying US is requesting variances to install an indoor skydiving venue on the vacant lot right next to our business on Sahara Avenue and must get variances in order to build such an operation where it is currently not allowed. Either this or a similar company tried to get the variances last year but, when it was obvious that there was a lot of opposition to the plan, they withdrew their request. The only difference between the one last year and this one is that they previously proposed building a tower of more than 90 feet and currently they are proposing one of 79 feet. We are opposed to the approval of these variances.

- **Noise from this operation would affect existing businesses --- Republic Services, The Tiger Lily Flower Shop, Marie Callender, Tony Roma's, doctors' offices and others. The noise problem would discourage future businesses from locating nearby.**
- **Parking issues would be created by the amount of visitors and inadequate parking available.**
- **It does not fit with the Master Plan of the area.**
- **It abuts a residential neighborhood.**
- **The requested setback and landscaping variances would make an unattractive building which looks like a grain silo a prominent feature on Sahara Avenue.**

This is an amusement type of operation which attracts not just individuals, but large groups who come to either participate or just to watch the action. These groups are quite large at times, even arriving in buses. Where exactly are these buses supposed to hang out for a couple of hours while waiting for the event to finish? Zoning requires 69 parking spaces for this type of operation and they want to reduce it to 59 because they are trying to put it on a lot with is only slightly larger than a residential building lot. They are also requesting a waiver of the setback requirements and landscape buffers to accommodate a nearly 10,000 square foot building on this tiny lot.

The central feature of this type of operation is a vertical wind tunnel. It uses a 16-ft airplane propeller to generate hurricane-force winds of 105 mph to 150 mph in order to create the

700 EAST SAHARA AVENUE · LAS VEGAS, NEVADA 89104 · P (702)737-7077 · F (702)735-4800
9253 SOUTH RAINBOW · LAS VEGAS, NEVADA 89146 · P (702)254-7778 · F (702)254-5702
10271 SOUTH EASTERN, SUITE 113 · HENDERSON, NEVADA 89052 · P (702)492-2324 · F (702)492-2462
WeSendEmotions.com · 1-800-805-9052

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Date 9/17/09 Item 6P

6P

wind necessary to keep a person in the air. This creates a tremendous amount of noise. It cannot be contained with soundproofing because it requires moving huge amounts of air and the sound can be deafening. The fact that they are requesting a shorter tower this time actually increases the noise level as the exhaust air comes out at a lower altitude that with the higher tower. Our business is just 75 feet away from the site and the noise would affect the quiet enjoyment of our property.

There is a currently an indoor skydiving operation on Convention Center Drive called Vegas Indoor Skydiving. The owner of the business is Keith Fields. I have spoken to him in the past regarding the problems associated with a business of this type in the midst of a quiet residential neighborhood like ours. If you have any technical questions regarding this kind of operation, he can answer those questions. His cell number is 813-5790 and his email address is IndoorSkydiving@aol.com.

We realize that there are currently many vacancies in the commercial buildings in our neighborhood, but allowing this business would discourage future businesses from locating here and would create a permanent dead zone around the property. Once it is approved, it can not be undone, and it is not worth the risk to future development.

If you go online and research these types of operation, they are usually located far away from urban areas and are nearly always in industrial parks. This type of amusement is a lot of fun. I have done the indoor skydiving experience on Convention Center Drive and recommend it as a great experience. However, it does not belong in our neighborhood. Highland Drive or Western Ave. would be a more appropriate location for it.

If you have any questions, please feel free to call.

Terry Hunt
596-8960

Eugene Godina
524-9176

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DEVELOPMENT

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OCT 29 2009

MEDICAL REHABILITATION ASSOCIATES
OF LAS VEGAS
FIROOZ MASHHOOD, M.D
734 EAST SAHARA AVENUE
LAS VEGAS, NV 89104
PHONE 702-477-7764 FAX 702-477-7716

October 22, 2009

Planning Commission Member

Re: BodyFlying US, LLC SDR-35186 VAR-35528

Dear Gentlemen,

I am the owner of Medical Rehabilitation Associates of Las Vegas. I have been in business for over 20 years and at this location for the past 5 years.

The co-owner of The Tiger Lily Flower Shop has done extensive research in this project and I agree with the following:

- The proposed venture does not fit in with the existing neighborhood
- The tower they propose to build would stick out far above any other nearby structure
- No study has been done as to the noise that would be generated by the applicant's wind tunnel and its effect on neighbors
- The maximum number of people using the facility has been misstated by the applicant in hopes of getting a waiver for the parking and traffic requirements

This is a quiet residential neighborhood with small businesses, i.e. retail shops, barber shops, restaurants and office buildings. The proposed venue for indoor skydiving does not fit in with the existing businesses and property use.

In the neighborhood meeting hosted by the applicant's attorneys on October 7, their representative indicated that the height of their proposed wind tunnel tower, at 79 feet, is not much taller than the Republic Services building, which she claimed stands at 62 feet high. If any part of the Republic Services building is 62 feet, it would only be the air conditioning ducts on top of the building. The main part of the building can't be more than about 50 feet and the skydiving tower would be approximately 30 feet higher than that. This would make it stand out as the most prominent feature of the neighborhood. Good for the applicant, bad for the neighborhood.

By the applicant's own admission, this facility is vertical industrial wind tunnel which uses airplane propellers to generate winds up to 150 miles per hour. No study has been presented

Submitted after final agenda
Date 10/29/09 Item 11P

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which would predict the noise level at various distances from the tower. The Nevada Coin Mart building is only a few feet from the proposed tower location.

The applicant indicated that the proposed commercial recreation/amusement facility will be utilized by no more than 26 people at any given time, consisting of 6 staff members and 20 guests. The applicant compared their facility with a racquetball court. This is completely disingenuous. Indoor skydiving is becoming a very popular competitive sport and the applicant owns other facilities around the world. Most of them are in rural areas and not in dense urban areas. The events they sponsor can attract hundreds of competitors, spectators, and media members. When the number of staff members required to handle such events is added, the number of people at the facility can reach into the hundreds.

The following quote was found at the website: www.WorldChallenge.info

"The 2008 competition is now over. The weekend was jam-packed with excitement as 39 4-way teams and 13 Free Fly teams battled it out to claim the medals and prize money"

That adds up to 169 competitors. Staff requirements could easily be 20 or more people. If you add television and media crew and the spectators such an event would generate, we are easily up to 250 to 300 people, not to mention enormous traffic problems. The photo enclosed is from a similar event. http://www.bodyflight.co.uk/gallery/?&page=2

These facilities often try to land contracts with the military for skydiving training. We just happen to have an air force base in the area.

The street off Sahara Avenue which would serve as the access to all of the applicant's parking is in fact, not a public street but a narrow private drive. The parking spots along the east side of the private drive belong to our property and we use them every day of the year. When we have vehicles parked along that drive, it leaves only about 20 feet of clearance, not enough for tour buses and limousines to easily enter and exit the facility. If just one vehicle parks on the east side of the drive at the same time one is parked on the west side of the drive, the remaining space is just enough to allow one vehicle through. If vehicles are trying to enter and others are trying to exit at the same time, a traffic jam is the result.

The indoor skydiving venue is an excellent proposition, but this is not the right location for it and it is patently unfair for the existing business and property owners to suffer because of it. I earnestly beseech you to oppose the waivers requested.

I would be happy to discuss this with you at your convenience. You can reach me on my cell phone at (702) 785-7766.

Sincerely,

Firooz Mashhood, M.D.

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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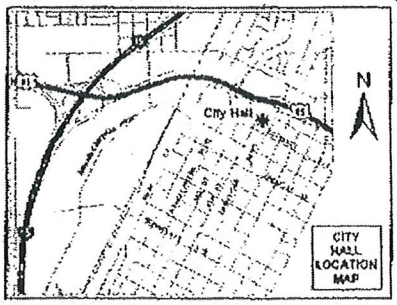

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186

Planning Commission Meeting of 11/5/2009

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Case: VAR-35528
16203417052
FRANCESCHI SHERRILL A SURV TR
8385 W LA MADRE WY
LAS VEGAS NV 89149-4707

HAVDS11 89149

Submitted after final agenda
Date 10/29/09 Item 11A

6A

PAGE 01/01

CUSTOM DESIGN CABINE

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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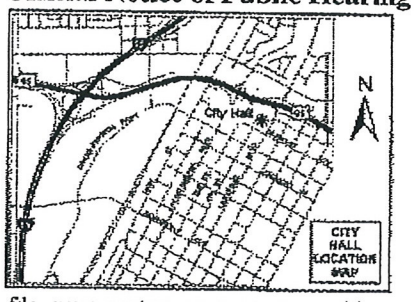

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Case: VAR-35528

16203801089
MY SISTERS COMPANY L L C
2150 S HIGHLAND
LAS VEGAS NV 89102-4622

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VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

022555779

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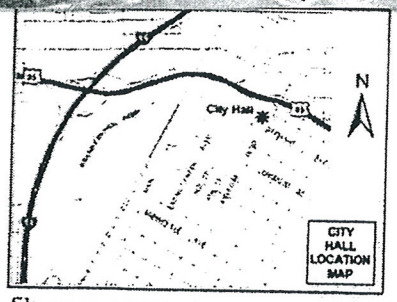
Property Or Business Owner Ronald KRAUSE / OWNER OF KRAUSE'S Pool CARE



Address 2005 S. 11th St.

City, State, Zip Las Vegas, NV

Telephone 702-493-1464

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I support this New Business!

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VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

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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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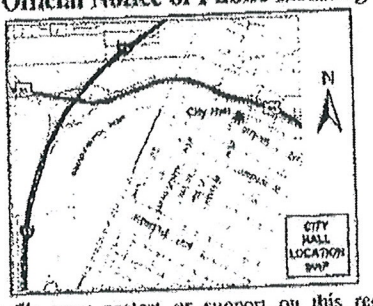

Property Or Business Owner: My Sister's Company

Address: 860 E. Sahara Avenue

City, State, Zip: LV NV 89104

Telephone: (702) 232-5100 Audrey

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

[redacted] this Request

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VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

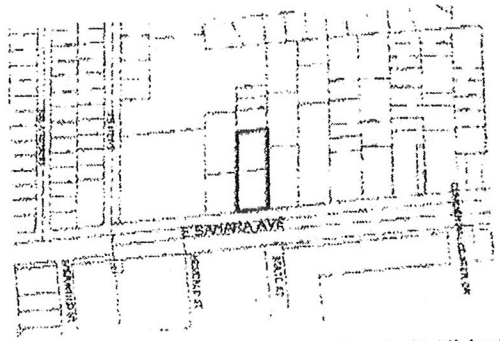
Please Cut Along Dotted Line and return the top portion to the City of Las Planning Commission

Application Information

VAR-35528 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: BODYFLYING US, LLC - Request for a Variance TO ALLOW 59 PARKING SPACES WHERE 69 ARE REQUIRED FOR A PROPOSED COMMERCIAL RECREATION/AMUSEMENT (INDOOR) USE on 0.81 acres on the north side of Sahara Avenue, approximately 440 feet east of Sixth Street (APNs 162-03-801-088 and 137). C-1 (Limited Commercial) Zone, Ward 3 (Reese)

SDR-35186 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-35528 - PUBLIC HEARING - APPLICANT/OWNER: BODYFLYING US, LLC - Request for a Site Development Plan Review FOR A PROPOSED 79-FOOT TALL, 9,979 SQUARE-FOOT COMMERCIAL RECREATION/AMUSEMENT (INDOOR) BUILDING WITH WAIVERS OF PERIMETER LANDSCAPE STANDARDS TO ALLOW LANDSCAPE BUFFERS OF FIVE FEET ALONG THE SOUTH PERIMETER WHERE 15 FEET IS REQUIRED, ZERO FEET ALONG ON THE NORTH AND WEST PERIMETERS WHERE EIGHT FEET IS REQUIRED, AND THREE FEET ALONG THE EAST PERIMETER WHERE EIGHT FEET IS REQUIRED on 0.81 acres on the north side of Sahara Avenue, approximately 440 feet east of Sixth Street (APNs 162-03-801-088 and 137). C-1 (Limited Commercial) Zone, Ward 3 (Reese)

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	*September 24, 2009*
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. For further information, including the full staff report, please call (702) 229-6301 (TDD 386-9108) or go to http://www.lasvegasnevada.gov.

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OCT 16 2009

City of Las Vegas
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Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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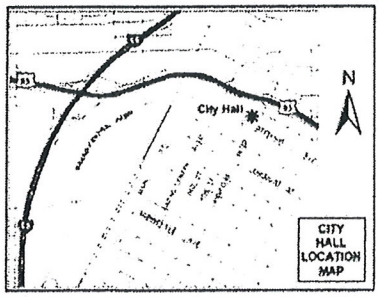

Property Or Business Owner MARIA & JULIAN SUAREZ

Address 800-1101 E-St Louis

City, State, Zip LAS VEGAS NV 89140

Telephone 702-581-3597

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☑ I SUPPORT this Request ☒ I OPPOSE this Request

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VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

I support the Project.

Please Cut Along Dotted Line and return the top portion to the City of Las Planning Commission

Application Information

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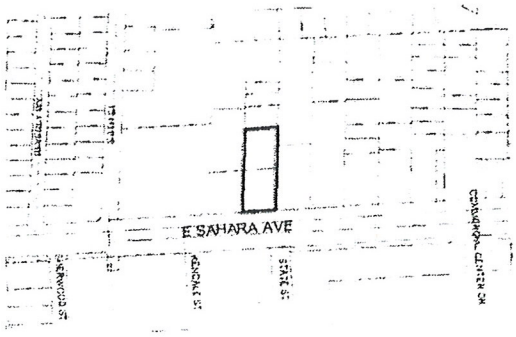

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6A x 2

MILT BOZANIC PROPERTIES
3430 E. Flamingo Rd. #226 Las Vegas NV 89121 • 702/451-4143 • Fax 702/451-9669

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26 OCT 09

LV CITY PLANNING

RE: VAR-35528
SDR-35186
BODYFLYING

PLZ OKAY THIS PROJECT
SAHARA AVE NEEDS A
BOOST.
I'M A RECENT PROPERTY
OWNER at 908-910 E. Sahara

THX

Milt Bozanic

Submitted after final agenda
Date 10/29/09 Item 11A
6A x 2

Telephone Protest/ Approval Log

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NOV 05 2009

Meeting Date: 11-5-2009 **Case Number:** VAR-35528

Date: 11-5-09
Name: Joe VanHaverbeke
Address: VanHaverbeke, LLC
880 E. Sahara Ave
Phone: 702-210-4582
Robert Newhard
☐ PROTEST ☒ APPROVE

Date:
Name:
Address:
Phone:
☐ PROTEST ☐ APPROVE

Date:
Name:
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#6A

Sound Level Study

For The Proposed

BodyFlying.us LLC
Indoor Skydiving Facility

744 East Sarah Avenue, Las Vegas, Nevada

Project Number: 1309A

October 27, 2009

Prepared by:

Todd McBrayer, LEED AP
Director of Design

BRESLIN BUILDERS
Design/Build General Contractor

5525 Polaris Avenue, Suite B, Las Vegas, Nevada 89118 • (702) 798-3977 • FAX (702) 740-5341, www.BreslinBuilders.com

Submitted at Planning Commission

Date 1/14/10 Item 6&7

Breslin Builders
Design Group

BodyFlying.us LLC
Sound Level Study
October 27, 2009

Prepared by Todd McBrayer, LEED AP, Director of Design

Introduction –

This study will address the concerns of the neighborhood regarding the anticipated sound levels that the proposed BodyFlying facility will produce and the anticipated affect it will have the surrounding businesses and adjacent residential uses.

BodyFlying is an indoor skydiving facility to be constructed at 744 East Sahara Avenue, within the city of Las Vegas, Nevada jurisdiction. The area is located within an established part of Las Vegas and is considered to be in an urban environment. The project will contain an indoor round (segmented) cast-in-place concrete enclosed wind tunnel that will allow for a controlled wind tunnel environment to provide a simulated skydiving experience. The "wind" will be produced via a specially designed propeller attached to a roof mounted, sound reducing room enclosed motor. The wind chamber will be in the multi-story cast-in-place concrete enclosed part of the structure, which has solid twelve inch thick walls that extend from below grade (basement level) to the top of the tunnel (motor level) and will have a concrete roof structure of similar design and thickness.

Overview –

This report will address the following items:

- Standard sound levels based on use or area
- Sound level calculation methods
- Existing sound reading levels at various locations at the project site and in the general vicinity of the site
- Anticipated sound levels produced by the facility
- Anticipated sound levels at various locations within the vicinity of the site and the affects of the neighbors and area businesses
- Conclusion

Standard sound level readings in decibels based on use and area –

Before we move to specific levels and information regarding the proposed project, it is important to understand some basic principles of sound.

For reference, the following page contains a chart showing the general dBA level readings of common appliances and events around a typical house. All levels shown are measured at the distance a person would typically be from the source. These levels have been included as a reference for common dBA levels a person may be accustomed to hearing throughout the day and night.

Appliance or event	dBA level
Quiet basement without any mechanical equipment	20
Quiet room	28-33
Computer	37-45
Refrigerator	40-43
Typical living room	40
Forced hot air heating system	42-52
Radio playing in the background	45-50
Background music	50
Bathroom exhaust fan	54-55
Microwave	55-59
Normal conversation	55-65
Clothes dryer	56-58
Printer	58-65
Window fan on high speed	60-66
Alarm clock	60-80
Dishwasher	63-66
Clothes washer	65-70
Phone	66-75
Push reel mower	68-72
Inside car, windows closed, 30 MPH	68-73
Handheld electronic game	68-76
Kitchen exhaust fan on high setting	69-71
Inside car, windows open, 30 MPH	72-76
Garbage disposal	76-83
Air popcorn popper	78-85
Hairdryer	80-95
Electric can opener	81-83
Vacuum cleaner	84-89
Coffee grinder	84-95
Handheld electric mixer	86-91
Lawn mower	88-94
Air compressor	90-93
1/4" drill	92-95
Food processor	93-100
Weed whacker	94-96
Leaf blower	95-105
Circular saw	100-104
Maximum output of stereo	100-110

Source: http://www.nonoise.org/library/household/index.htm

In addition to the examples in the previous chart, some typical decibel level readings in the exterior environment are shown on the following chart:

Event	dBA level
Grand Canyon at night (no roads, no birds, wind)	10
Sound at ear level from rustling leaves	20
Light city traffic at 100 feet	50
Passenger car at 50 feet	69
Buses, trucks, and motorcycles at 50 feet	82 – 85
Heavy city traffic	90
Heavy diesel propelled vehicle at 25 feet	92
Ambulance siren at 100 feet	100
Jet aircraft at 500 feet overhead	115
Commercial jet at takeoff at 200 feet away	120
Human pain threshold	120

Source: iac, www.industrialacoustics.org

These charts showing the dBA levels are provided as a reference point for what sounds are typical in an area and usage and will be used to compare the sounds in the area around our project and the anticipate sound levels the proposed project will produce.

Some Simplified Properties of Outside Sound –

Sound –
Sound is energy produced by a vibrating object or surface and transmitted as a wave through an elastic medium. Such a medium may be air (airborne sound) or any solid common building material, such as steel, concrete, wood, piping, gypsum board, etc. (structure-borne sound). A sound wave had amplitude and frequency.

The amplitude of sound waves is measured in decibels (dB). The decibel scale is a logarithmic scale based on the logarithm of the ratio of a sound pressure to a reference sound pressure (the threshold of audibility). The values of a logarithmic scale, such as the decibel levels of two noise sources, cannot be added directly. Instead, use the simplified method described below:

Difference between sound levels (in dB)	0-1	2-3	4-9	>10
Add this number to the higher sound level	3	2	1	0

For example, 90 dB + 20 dB = 90 dB; 60 dB + 60 dB = 63 dB.

Distance –
Studies and calculations show that sound, in the outdoor environment, drops off at a rate of 6dB each time the distance from a source is doubled (Inverse Square Law). This will be critical when measuring the sound levels imposed on the surrounding businesses and residential neighborhoods.

Time –
Outdoors, sound ceases when the source stops as there is nothing for the sound to bounce around like there would be at an interior environment.

Sound Patterns –
Outdoors, sound waves expand spherically, becoming more dispersed (i.e. quieter) over distance and time. And, as there is nothing for the waves to bounce off of (walls and ceilings in an enclosed space), the sound drops quickly.

Subjective Reactions to Change in Sound Level –

Change in Sound Level in dBA	Change in Apparent Loudness
1 to 2	Imperceptible
3	Barely perceptible
5 or 6	Clearly noticeable
10	Significant change – twice as loud (or half as loud)
20	Dramatic change – four times as loud (or a quarter as loud)

Existing neighborhood sound level metering –

In order to accurately calculate the affect the new facility will have on the existing neighborhood, a series of sound level meter readings were taken over a number of days and at varying times of the day. Chart "A" shows these levels, when they were taken, and the average decibel levels at each sound level metering. The readings are a 30 second average, take three times at each location and time, and further averages to get a final reading each time. This ensures that there were no anomalies in the records and that the sound levels provide an accurate measure of the general sound in the area. The readings are based on the 30 second average, so in some cases the decibel levels would have been at a higher or lower decibel. The readings are based on an "A" weighting, typical of general sound levels. Thus, all decibel levels will be shown at dBA, which is consistent with industry sound metering levels.

The sound levels were metered via a handheld sound level metering recorder manufactured by Radio Shack. The meter provided the ability to have 30 second averages taken at each location as noted on Chart "A". All other averages were completed using a Microsoft Excel Spreadsheet.

The site fronts East Sahara Avenue, a central east/west corridor in the Las Vegas valley. The speed limit on Sahara Avenue is set at 45 MPH and there are three lanes of traffic in each direction. The site is generally located between two traffic lights, allowing for consistent traffic flow and not much idling and sitting vehicles to affect the recording levels. The general area contains a variety of business along Sahara Avenue including many restaurants, retail businesses, taverns and bars, cash loan facilities, auto maintenance facilities, apartments, offices, recreational uses, and other personal service businesses (barber shops, message parlors, etc). Due to the variety of uses and the fact that Sahara Avenue is a major corridor for east/west traffic, the sound level recordings along Sahara at Location 1 (see map on next page) average between 69 dBA and 70 dBA both day and night. These levels would be consistent generally along any portion of Sahara similar to ours, including locations at the neighborhood businesses to the east and the west.

To study how the sound levels from Sahara Avenue affect the interior of the site, as well as down the street to the north towards the neighbors, three other locations were established and the same sound level recording methods were used at these locations also. These metering levels will provide an accurate basis for the existing sound levels in the area and provide us with the ability to determine what affect, if any, the proposed facility will have on these areas.

The second location (L2) is located at the existing on-site parking lot on the south side of the existing single story office building. This point would be generally located on the north side of the proposed wind tunnel and gives us a reading of how much the sound level readings from Sahara Avenue creeps into the site. The readings at this location averaged between 63 dBA and 65 dBA, with a night time reading average of 58 dBA.

The third location (L3) is located on the north side of the existing single story office building along the street sidewalk at the driveway. This location was chosen to determine the existing sound levels between the proposed project location and the existing neighbors. The sound from Sahara Avenue is somewhat buffered by the existing office building at this location, however, sound readings at this location are also influenced by areas beyond Sahara Avenue traffic and include sounds from the residential neighborhood uses and the other areas surrounding them (Stratosphere, emergency vehicles to the west, overhead air traffic (airplanes and helicopters)), as well as other urban uses. Sound levels averaged between 57 dBA and 60 dBA.

The fourth and final location (L4) is located at the end of the existing cul-de-sac and provides accurate readings of the sound level affects of the Sahara Avenue traffic and the other urban sounds in the neighborhood. This location provides a benchmark for the decibel levels generally at the southern edge of the residential neighborhood area, which we will use later to compare the anticipated sound levels from the proposed facility. This location is approximately 500 feet from the proposed development. Sound levels at this location ranged from an average of 57 dBA to 60 dBA.



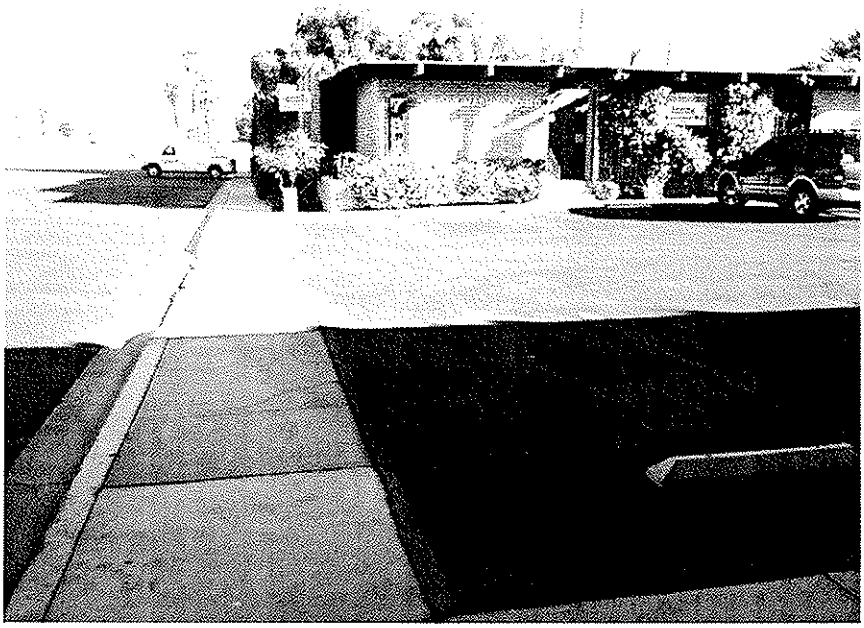
Map showing locations of sound level recording locations.



Location One – L1



Location Two – L2



Location Three – L3



Location Four – L4

Anticipated sound levels produced by the proposed facility –

Based on other indoor skydiving facilities owned by the same owner, and also based on the same 21st Century technology that this facility will have, the following criteria is being used to determine the anticipated level of sound, in decibel levels, at the exterior side of the building.

Based on readings at the other locations, the anticipated dBA level at the interior center of the wind tunnel (flight chamber) is 120 dBA. The tunnel will be surround by various walls and enclosures with the exterior walls and roof being constructed of twelve inches of structural weight cast-in-place concrete, full height from basement level to the top of the wind tunnel.

Based on a report prepared by the Portland Cement Association (PCA), *Sound Transmission Loss Through Concrete and Concrete Masonry Walls*, by Albert Litvin and Harold W. Belliston, Research and Development Bulletin RD066, December 1978, a standard six inch thick plain (no coatings or additional coverings) cast-in-place concrete wall has an STC (Sound Transmission Class – an industry standard for arriving at a single figure rating for comparing the effectiveness of walls in resisting the transmission of airborne sound) rating of 57 (meaning that sound will be reduced an average of 57 decibels from one side of the wall to the other). *(As a reference point to field readings for the Fly Away facility on Convention Center Drive in Las Vegas, Nevada had average exterior dBA readings of 71 dBA at approximately 75 feet on the west side wall vent of the tunnel when in operation. As our technology is much newer, the dBA levels will be much less.)*

Based on the "mass law", the transmission loss should increase when the weight is doubled. In our case the law will apply as we are doubling the thickness (and weight) of the exterior cast-in-place concrete wall to twelve inches. Based on a six inch wall have an STC rating of 57, and doubling the size allowing an additional 6 dBA to be added, the exterior concrete cast-in-place wall will have an STC rating of 63. Further, the anticipated dBA level of sound at the exterior face will be 57 dBA (120 dBA interior side - 63 dBA STC dBA reduction = 57 dBA level). And, this sound level does not also take into account that a portion of the tunnel is also surrounded by other parts of the facility, thus reducing the sound levels further at certain portions of the facility (support areas, offices, etc.).

Please note that this rating does not take into account any sound reduction that may be realized based on the distance the sound waves travel inside the tunnel from the sound source (the propeller) and the inside face of the concrete wall in question.

Anticipated sound levels at the residential neighborhood –

Using a sound level of 57 dBA at the exterior face of the cast-in-place concrete wall, and using the "Inverse Square Law" previously discussed, as sound travels further away from the facility, the dBA levels continue to decrease. Based on this law, the adjacent residential neighborhood to the north will have a resulting dBA level of approximately 41 dBA (approximately 500 feet away from the facility). Based on the existing sound level readings previously discussed, the resulting sound levels produced facility at the property line (41 dBA) are much less than the existing sound levels already in the area (Location 4) (averages between 57 dBA and 60 dBA). Based on the logarithm and properties of sound, the 57 dBA will govern over the 41 dBA with no added increase.

Anticipated sound level at the adjacent commercial uses –

Using a sound level of 57 dBA at the exterior face of the cast-in-place concrete wall, and using the "Inverse Square Law" previously discussed, as sound travels further away from the facility, the dBA levels continue to decrease. Based on this law, the adjacent commercial uses to the east and west will have varying dBA levels of sound, depending on the distance to the use from the facility. However, based on the existing sound level readings previously discussed along Sahara Avenue (Location 1), the resulting sound levels produced by the facility are considerably less than the existing sound levels already in the area (averages between 69 dBA and 70 dBA). Based on the logarithm and properties of sound, the 69 dBA will govern over the 57 dBA with no added increase. Even at the other locations (L2 and L3), the resulting sound levels will be less that the existing dBA levels once the Inverse Square Law is factored in based on the distance.

Conclusion –

Based on the sound level readings taken at the site as described in this report, and based on the industry standards for sound transmission reduction based on building materials, the amount of sound produced by this facility will not have an impact on the existing area. Bottom line, the existing sound decibel levels in the area exceed the amount of airborne sound this facility will be producing and will not have an impact on the surrounding residential or commercial uses in the area.

BodyFlying.us LLC
Site Sound Meter Study

Note: Reading is based on 30 second average at each location

		At Sahara, SEC of site at sidewalk, about 10 feet from street				*Sign at midpoint at parking area*				*North side of office at SWC of drive*				*End of drive area by neighbor wall area*					
Date	**Time**	**L1A**	**L1B**	**L1C**	**L1 Average**	**L2A**	**L2B**	**L2C**	**L2 Average**	**L3A**	**L3B**	**L3C**	**L3 Average**	**L4A**	**L4B**	**L4C**	**L4 Average**	**FA Time**	**Weather and other notes**
10/14/09	12:40pm	75	86	72	**78**	65	69	64	**66**	62	57	57	**59**	59	58	57	**58**	1:10pm	Party cloudy, slight wind
	5:08pm	72	64	66	**67**	65	61	63	**63**	62	64	62	**63**	56	58	58	**57**	NR	Light clouds, slight breeze
	10:30pm	70	74	75	**73**	57	53	59	**56**	67	65	65	**66**	55	62	63	**60**	11:00pm	Clear sky, slight breeze, Metro Helicopter
10/15/09	7:55am	66	69	72	**69**	57	61	61	**60**	57	55	54	**55**	54	55	53	**54**	NR	Clear
	1:45pm	65	68	74	**69**	57	59	61	**59**	51	56	55	**54**	56	58	50	**55**	2:05pm	Clear - 71 dBA at west side of Fly Away tower @ 75'
	5:45pm	70	62	67	**66**	56	55	62	**58**	52	51	55	**53**	54	55	51	**53**	NR	Clear, no breeze
10/16/09	7:52am	74	70	72	**72**	63	63	62	**63**	59	57	58	**58**	61	57	58	**59**	NR	Clear, slight breeze
	12:22pm	71	66	69	**69**	56	59	62	**59**	57	56	58	**57**	59	64	55	**59**	NR	Sunny, slight breeze
	10:30pm	63	68	65	**65**	55	56	54	**55**	51	53	52	**52**	56	50	45	**50**	NR	Clear
10/19/09	8:57am	65	68	69	**67**	63	63	63	**63**	59	60	61	**60**	68	61	65	**65**	NR	Breezy, light clouds
	1:15pm	74	71	71	**72**	74	76	71	**74**	59	59	62	**60**	65	65	66	**65**	NR	Windy, clear
	5:02pm	71	74	69	**71**	73	72	62	**69**	65	57	59	**60**	62	62	62	**62**	NR	Windy, clear
	9:35pm	69	65	69	**68**	60	63	63	**62**	64	62	65	**64**	61	63	55	**60**	NR	Windy, clear
10/20/09	8:05am	72	74	72	**73**	70	67	63	**67**	65	66	68	**66**	63	62	65	**63**	NR	Windy, party cloudy (winds from the NW)
	1:12pm	65	63	62	**63**	66	63	67	**65**	56	56	59	**57**	60	59	60	**60**	NR	Breezy, light clouds
	4:50pm	73	69	67	**70**	62	64	63	**63**	63	56	57	**59**	57	61	57	**58**	NR	Slight breez, clear sky
OVERALL AVERAGES		At Sahara, SEC of site at sidewalk, about 10 feet from stre			**70**	Sign at midpoint at parking area			**63**	North side of office at SWC of drive			**59**	End of drive area by neighbor wall area			**59**		
Morning Averages					**70**				**63**				**60**				**60**		
Mid-day Averages					**70**				**65**				**57**				**59**		
Evening Averages					**69**				**63**				**59**				**58**		
Night Averages					**69**				**58**				**60**				**57**		

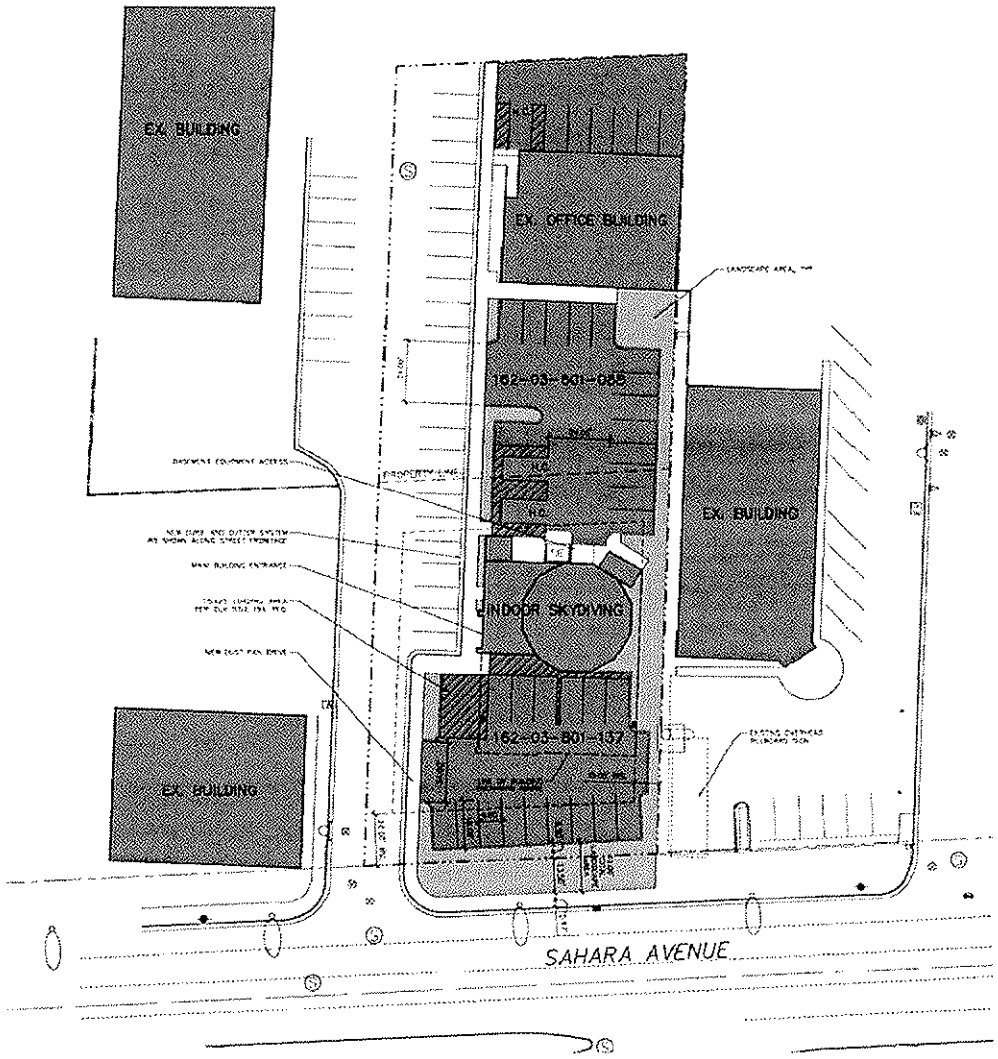
Chart A – Site Sound Level Readings



Anticipated dBA levels at various locations

DESIGN DATA

LOT AREA	[illegible]
TOTAL BUILDING AREA	[illegible]
BUILDING FOOTPRINT	[illegible]
PARKING REQUIRED [illegible]	
EXISTING OFFICE [illegible]	[illegible]
INDOOR SKYDIVING	[illegible]
TOTAL STALLS REQUIRED	[illegible]
PARKING PROVIDED ACROSS BOTH PARCELS	
REGULAR STALLS	[illegible]
ADDITIONAL STALLS	[illegible]
TOTAL SPACES	[illegible]



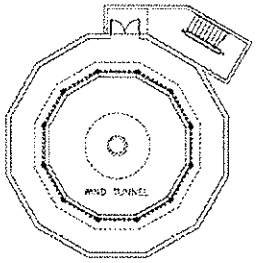
BRESLIN BUILDERS

Site Plan

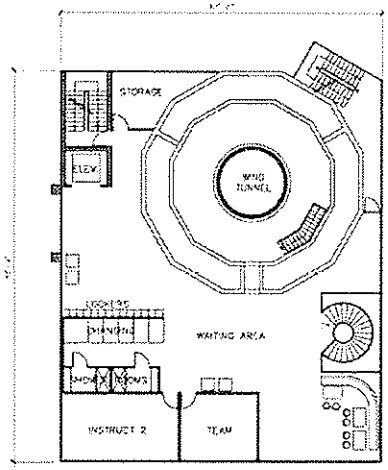
Scale: 1" = 20'-0"
BODS Project No.: 1109A
Version: 3

Land-Use Submittal
August 4, 2009

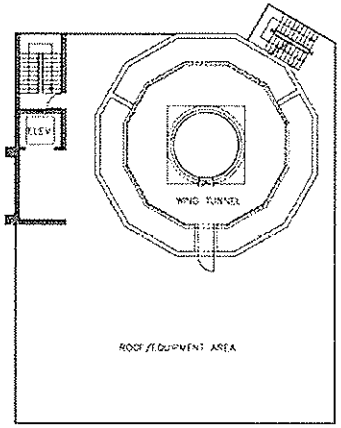
BodyFlying.us LLC - Las Vegas
710 East Sahara Avenue, Las Vegas, Nevada



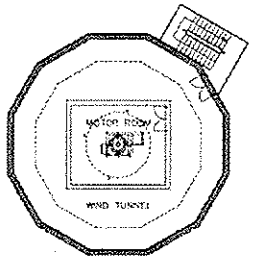
Level B (Basement)



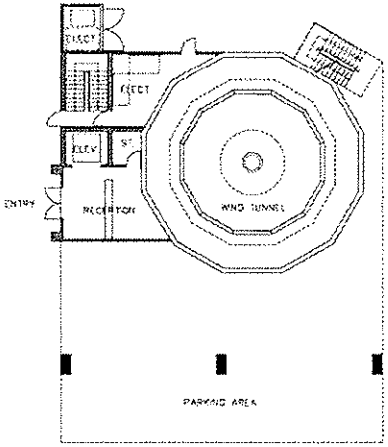
Level 4 (Spectator)



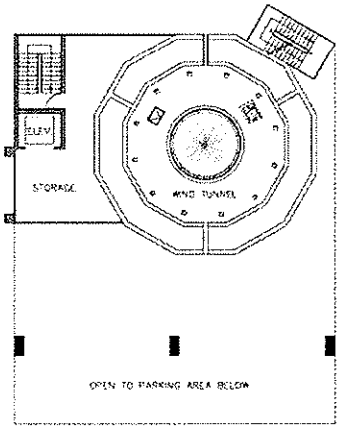
Level 5 (Propeller)



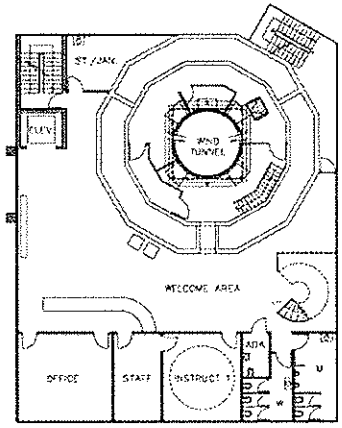
Level 6 (Motor)



Level 1 (Entrance)



Level 2 (Storage)



Level 3 (Flyers)

AREA SQUARE FOOTAGE BREAKDOWN:

AREAS	TECHNICAL AREA	BUSINESS AREA
LEVEL B	250 S.F.	0 S.F.
LEVEL 1	234 S.F.	274 S.F.
LEVEL 2	524 S.F.	0 S.F.
LEVEL 3	165 S.F.	3,841 S.F.
LEVEL 4	165 S.F.	3,489 S.F.
LEVEL 5	0 S.F.	0 S.F.
LEVEL 6	563 S.F.	0 S.F.
TOTALS	2,335 S.F.	7,604 S.F.

TOTAL AREAS = 9,979 SQUARE FEET

Floor Plans

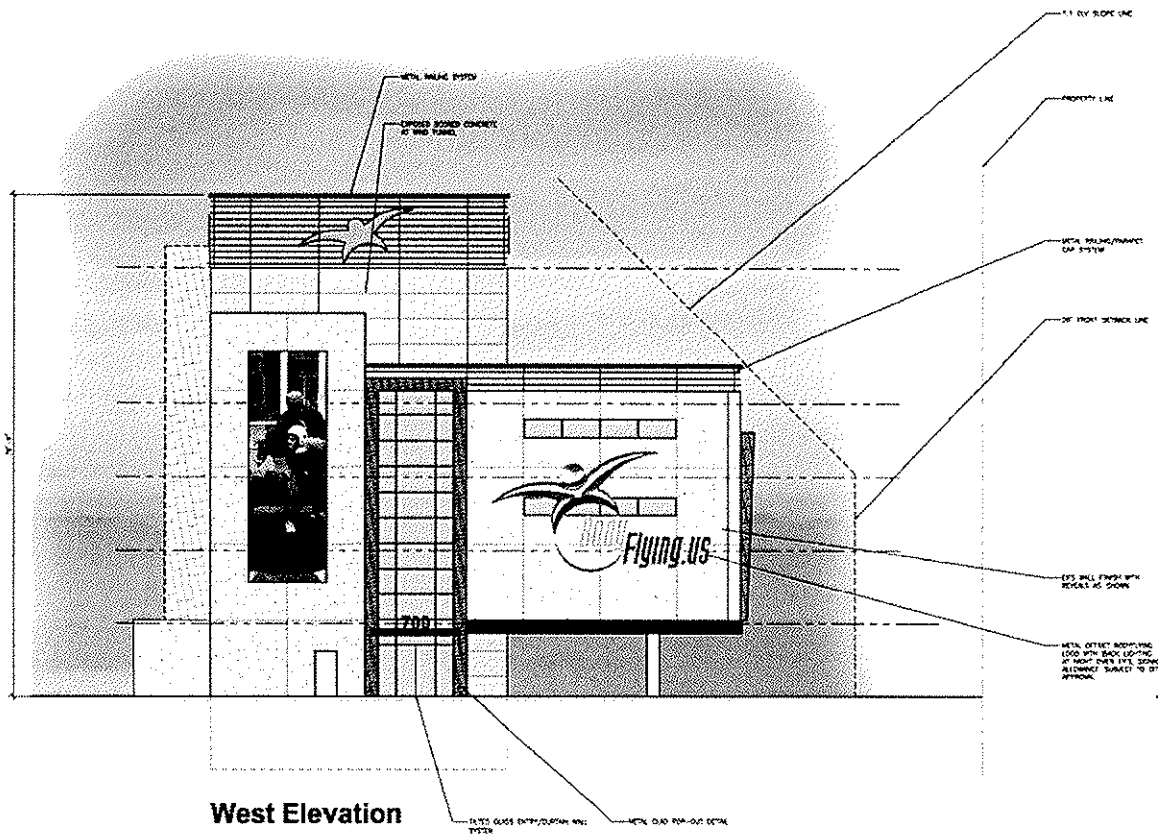
Land-Use Submittal
July 9, 2009

Scale: 3/32" = 1'-0"
BDDG Project No.: 1109A
Version 2

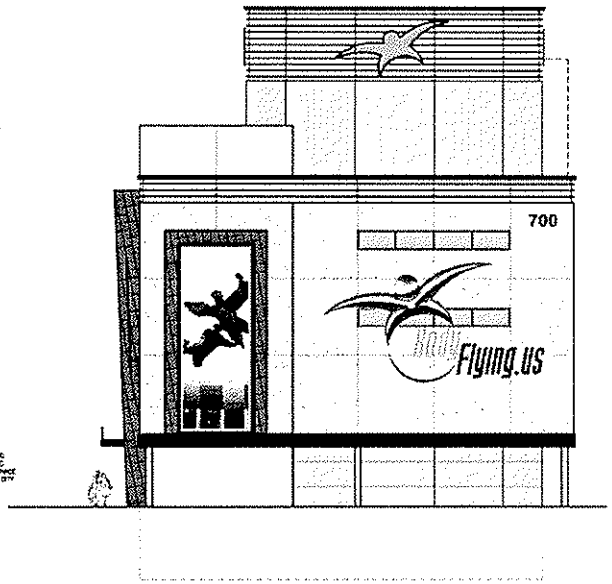
BodyFlying.us LLC - Las Vegas

710 East Sahara Avenue, Las Vegas, Nevada

BRESLIN BUILDERS



West Elevation



South Elevation

Exterior Elevations

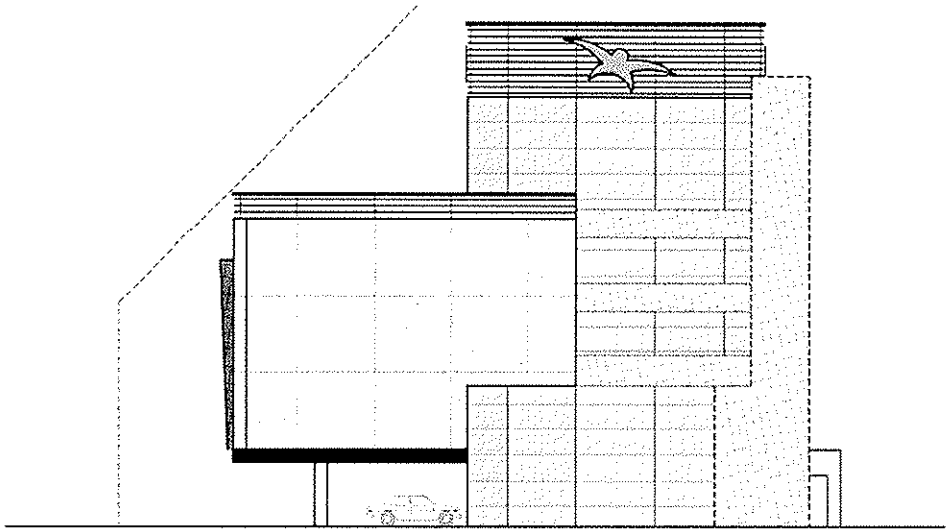
Land-Use Submittal
July 8, 2009

Scale: 1/8" = 1'-0"
BBDG Project No.: 1109A
Version 2

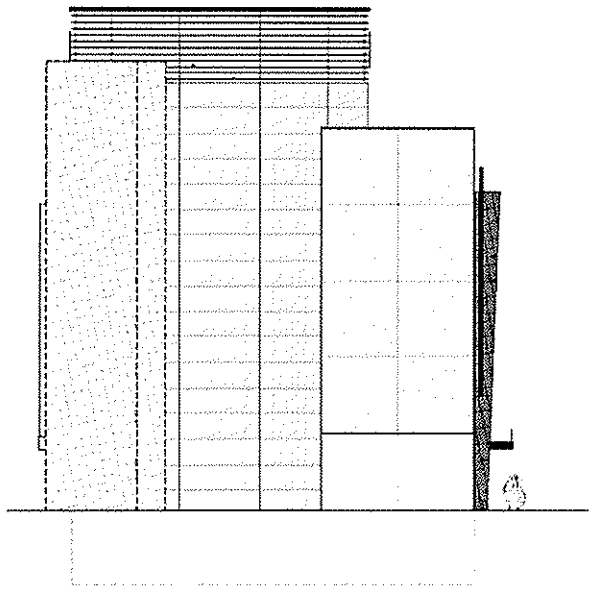
BodyFlying.us LLC - Las Vegas

710 East Sahara Avenue, Las Vegas, Nevada

BRESLIN BUILDERS



East Elevation



North Elevation

Exterior Elevations

Land-Use Submittal
July 9, 2009

BodyFlying.us LLC - Las Vegas

710 East Sahara Avenue, Las Vegas, Nevada

BODYFLYING LAS VEGAS

SDR-35186 and VAR-35528

SUPPORT PETITIONS

January 14, 2010

Submitted at Planning Commission
Date 1/14/10 Item: 6&7

BUSINESS SUPPORT

Business Support

As business owners in the area, we believe the operators of Body Flying should be applauded for showing confidence in our local economy and the Sahara commercial corridor by investing millions of dollars to bring this project forward during these very difficult and uncertain times.

Body Flying will create jobs for our community and will enhance our area by improving on what is currently a decaying piece of land. It will bring new customers to our area that our businesses can draw on to sustain ourselves and maintain solvency in this extremely tough economy.

Body Flying has decades of experience and is known to run a first rate operation. We believe this project fits in well with the zoning and the character of the commercial area on Sahara and will provide a positive entertainment resource for the community and positive exposure for our businesses.

By signing below, we are expressing our strong support for his project to the Planning Commission and Las Vegas City Council.

Name: Alma Perry (PT's Pub)

Address: 532 E. Sahara

Phone Number: 702-792-4121

Email: alunamercy@hotmail.com

Signature: A Perry

Business Support

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Name: ELTON MARVIN (Barber Shop)

Address: 410 E. SAHARA

Phone Number: 702 734 2344

Email: ELTONDA@COX.NET

Signature: [signature]

Business Support

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By signing below, we are expressing our strong support for his project to the Planning Commission and Las Vegas City Council.

Name: James Cox (Rainbows End Health Food)

Address: 1100 E. Sahara Ave # 120

Phone Number: 702-737-1338

Email: info@rainbowslv.com

Signature: 

Business Support

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By signing below, we are expressing our strong support for his project to the Planning Commission and Las Vegas City Council.

Name: DENNIS CAROSELLI (Statewide Lighting)

Address: 800 EAST SAHARA AVE

Phone Number: 732-7808

Email: DWC123@YAHOO.COM

Signature: [signature]

Business Support

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By signing below, we are expressing our strong support for his project to the Planning Commission and Las Vegas City Council.

Name: Jack Breslin (Breslin Builders)

Address: 5525 Polaris Ave

Phone Number: 702 798-3977

Email: jbreslin@breslinbuilders.com

Signature: J Breslin

Business Support

As business owners in the area, we believe the operators of Body Flying should be applauded for showing confidence in our local economy and the Sahara commercial corridor by investing millions of dollars to bring this project forward during these very difficult and uncertain times.

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By signing below, we are expressing our strong support for his project to the Planning Commission and Las Vegas City Council.

Name: KEARNS W. LAWSON (Handy Cash Star Loan Center)

Address: 432 E. SAHARA, LV NV 89104

Phone Number: 765-5655

Email: _____

Signature: Kearn W. Lawson

Business Support

As business owners in the area, we believe the operators of Body Flying should be applauded for showing confidence in our local economy and the Sahara commercial corridor by investing millions of dollars to bring this project forward during these very difficult and uncertain times.

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By signing below, we are expressing our strong support for his project to the Planning Commission and Las Vegas City Council.

Name: SAM SMALL Ticket Fixer (Traffic Ticket Service)

Address: 424 E SAHARA

Phone Number: 771-9191

Email: _____

Signature: _____

Business Support

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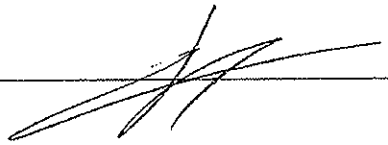
By signing below, we are expressing our strong support for his project to the Planning Commission and Las Vegas City Council.

Name: JEAN-PIERRE PIRON JEWELRY AND MINERALS OF LAS VEGAS

Address: 4/0 E. SAHARA AV. L.V. NV. 89104

Phone Number: 702-7337166

Email: JANDMINL@AOL.COM

Signature: 

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By signing below, we are expressing our strong support for his project to the Planning Commission and Las Vegas City Council.

Name: JEAN-PIERRE PIRON FAIRWEST PROPERTIES

Address: 2400 — 2320 — 2316 SANTA RITA L.V. NV. 89104

Phone Number: 702-737 7565

Email: JANDMINC@AOL.COM

Signature: 

Business Support

As business owners in the area, we believe the operators of Body Flying should be applauded for showing confidence in our local economy and the Sahara commercial corridor by investing millions of dollars to bring this project forward during these very difficult and uncertain times.

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By signing below, we are expressing our strong support for his project to the Planning Commission and Las Vegas City Council.

Name: Ron Slocum

Address: c/o Bloomers Florist - 440 E. Sahara Ave LV, NV 89104

Phone Number: (702) 734-1604

Email: _____

Signature: _____

Business Support

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By signing below, we are expressing our strong support for his project to the Planning Commission and Las Vegas City Council.

Name: Bridget Williams / Marie Callenders

Address: 600 E. Sahara Ave NV 89104

Phone Number: 702-866-6993

Email: MCPies@AOL.Com

Signature: Bridget Williams

NEIGHBOR SUPPORT

Neighborhood Support

Body Flying Las Vegas is an indoor skydiving facility proposed for the commercial corridor on Sahara Ave a few blocks east of 6th street.

At the current time, Las Vegas is facing unprecedented economic challenges. The operators of Body Flying should be applauded for showing confidence in our local economy and neighborhood by investing millions of dollars to bring this project forward during these uncertain times. Body Flying will create jobs for our community and will enhance our area by improving on what is currently a decaying piece of land.

Body Flying has decades of experience and is known to run a first rate operation. We believe this project fits in well with the zoning and the character of the commercial area on Sahara and will provide a positive entertainment resource for visitors, locals, and youth.

By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: Timothy Keller

Address: 558 ellen way

Phone Number: 510-734-7055

Email: Timmyistheone@Hotmail.com

Signature: Tim Keller

Neighborhood Support

Body Flying Las Vegas is an indoor skydiving facility proposed for the commercial corridor on Sahara Ave a few blocks east of 6th street.

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: _____

Address: 1700 So 8th LV

Phone Number: _____

Email: _____

Signature: _____

Neighborhood Support

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: Roque E. Hernandez

Address: 2013 So. 10th St.

Phone Number: (702) 595 3967

Email: N/a

Signature:

Neighborhood Support

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: JERRY L. CRAWFORD

Address: 1016 BONITA AVE LV NV 89104

Phone Number: 702-735612

Email: JCM005@GMAIL.COM

Signature: Jerry L. Crawford

Neighborhood Support

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: Jonni'e Weilbacher / Mike Venable

Address: 908 Bonita Ave.

Phone Number: (702) 927-5476 / (702) 373-3068

Email: n/a

Signature: J. Weilbacher / Mike Venable

Neighborhood Support

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: Meri Halvorsen

Address: 1054 Hassett Ave

Phone Number: (702) 308-3876

Email: _____

Signature: _____

Neighborhood Support

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: DORN REED

Address: 1061 E. HASSETT AVE

Phone Number: _____

Email: REEREOZ@COX.NOT

Signature: _____

Neighborhood Support

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: Cindi Winn

Address: 1050 Hassett Ave

Phone Number: _____

Email: _____

Signature: _____

Neighborhood Support

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Name: Woody Boxo

Address: 3206 S. 6th St.

Phone Number: _____

Email: Powerzen1@cox.net

Signature: _____

Neighborhood Support

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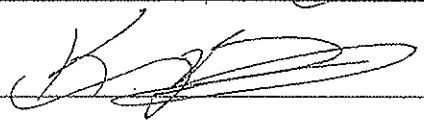
By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: KELLY BARRITT

Address: 2700 S. 6TH ST

Phone Number: 702 581-4468

Email: SHAYLEA1162@HOTMAIL.COM

Signature: 

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: Sharlene Balingit

Address: 2108 S. 6th St Las Vegas, NV 89104

Phone Number: (702) 737-0758

Email: _____

Signature: _____

Neighborhood Support

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: Maria L. Moreno

Address: 1710 S 7th St

Phone Number: 702 734-1679

Email: _____

Signature: Maria L. Moreno

Neighborhood Support

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: James C. Mennison

Address: 1929 S. 6th St. Lv Nv 89104

Phone Number: 928-542-8500

Email: _____

Signature: _____

Neighborhood Support

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: LISA MACGREGOR

Address: 1815 S. 10TH ST

Phone Number: 735.1999

Email: —

Signature: L MacGregor

Neighborhood Support

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: RIC DICKINSON

Address: 1050 E OAKEY

Phone Number: 702-369-1313

Email: RRRIC@aol.com

Signature: 

Neighborhood Support

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: Lois MAHLER

Address: 1046 E. OAKEY Blvd

Phone Number: 1 702 733-7332

Email: _____

Signature: Lois Mahler

Neighborhood Support

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: Jennifer Furuike

Address: 1040 E. Oakey Blvd.

Phone Number: 415-8178

Email: _____

Signature: Jennifer Furuike

Neighborhood Support

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: Mario Aviles

Address: 1010 E. Oakey Blvd Las Vegas NV 89104

Phone Number: 732-1638

Email: _____

Signature: M Eam

Neighborhood Support

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: [illegible] Perez

Address: 1712 8th place

Phone Number: 702-788-0691

Email: dma_Joe83@yahoo.com

Signature: [illegible]

Neighborhood Support

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: Victoriano Payán

Address: 1813 8th PL.

Phone Number: 798 67 43

Email: _____

Signature: _____ 513642

Neighborhood Support

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: Caitlin Van Antwerp

Address: 1704 S. 9th St.

Phone Number: (702) 485-3348

Email: _____

Signature: Caitlin Van Antwerp

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: Octavio Preciado

Address: 1037 E. Oakey Blvd

Phone Number: 702-542-8557

Email: _____

Signature: 

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Name: Alberto Perez Rodriguez

Address: 1061E OAKEY BLVD

Phone Number: 702-719-4180

Email: _____

Signature: _____

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Name: Jim GRANT

Address: 1800 S. 7th ST.

Phone Number: 702-456-7607

Email: _____

Signature: _____

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Name: Andres Vargas

Address: 1700 S. 9th St Las Vegas NV

Phone Number: (323) 353-9394

Email: _____

Signature: Andres Vargas

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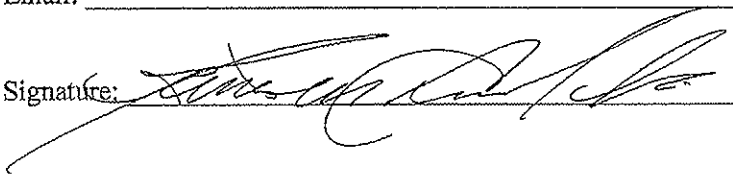
Name: James M Burchick

Address: 1050 Howard Dr

Phone Number: 702-735-2487

Email: _____

Signature: 

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: Tony Garcia

Address: 1000 E. Oakey BLVD.

Phone Number: 578-5573 (702)

Email: _____

Signature: _____

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Name: Violet Heffelfinger

Address: 2217 Santa Rosa

Phone Number: 702-733-7850

Email: _____

Signature: Violet Heffelfinger

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Name: Cynthia Still

Address: 2300 Santa Ynez Dr

Phone Number: 592-8273

Email: _____

Signature: Cynthia Still

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Name: JENSEN JORDAN

Address: 7213 SANTA YNEZ

Phone Number: _____

Email: _____

Signature: _____

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Name: Jesus Hernandez

Address: 2201 Santa Ynez Dr

Phone Number: _____

Email: _____

Signature: _____

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Name: TERRY BREWER

Address: 821 E. ST. LOUIS AVE

Phone Number: 702-732-8177

Email: TERSFun@aol.com

Signature: Terry Brewer

Apoyo de Vecindad

El Cuerpo que Vuela Las Vegas es una instalación de paracaidismo de interior propuesta para el pasillo comercial en el Ave de Sáhara unos bloques al este de la 6a calle.

En el tiempo corriente, Las el Vegas afronta desafíos económicos sin precedentes. Deberían aplaudir a los operadores de Cuerpo que Vuela para mostrar la confianza en nuestra economía local y vecindad invirtiendo millones de dólares para presentar este proyecto durante estos tiempos inciertos. El Cuerpo que Vuela creará empleos para nuestra comunidad y realzará nuestra área mejorando lo que es actualmente unas tierras declinantes.

El Cuerpo que Vuela tiene décadas de la experiencia y es conocido dirigir una primera operación de precio. Creemos que este proyecto cabe en bien con la división por zonas y el carácter del área comercial en Sáhara y proporcionará un recurso de entretenimiento positivo para invitados, vecinos, y juventud.

Firmando abajo, usted expresa simplemente su apoyo a este proyecto a la Comisión de Planificación y Las Vegas Ayuntamiento.

Name: VILMA E ZAMORA

Address: 2400 STA. CLARA D LAS VEGAS NV.

Phone Number: 323 282 9209

Email: _____

Signature: _____

Neighborhood Support

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Name: Michael Martino

Address: 2214 Santa Clara Dr

Phone Number: 581 8749

Email: _____

Signature: Michael Martino

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: Robert A Rogers

Address: 2121 Santa Clara

Phone Number: (702) 735-2403

Email: RarJudo@mac.com

Signature: Robert A Rogers

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: VICTORIA S. DIAZ

Address: 2100 SANTA CLARA

Phone Number: 792-8728

Email: _____

Signature: Victoria A Diaz

Neighborhood Support

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: Sean Hart

Address: 2109 Santa Clara Dr.

Phone Number: _____

Email: _____

Signature: Sean Hart

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Name: Rafael Portán

Address: 2100 Santa Paula Dr 89104

Phone Number: (702) 366-0483

Email: _____

Signature: Rafael Portán.

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: Charlene Dessaints

Address: 2120 Santa Paula Dr.

Phone Number: 702-423-6103

Email: Sunshines anytime@yahoo.com

Signature: Charlene Dessaints

Neighborhood Support

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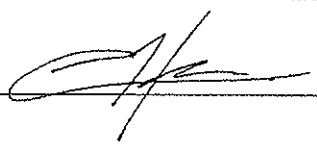
By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: Carlos Herrera.

Address: 2300 Santa Paula Dr.

Phone Number: (702) 856-9308

Email: _____

Signature: 

Neighborhood Support

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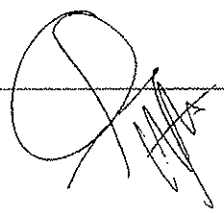
By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: Cesar Vega

Address: 1005 South 9th. St.

Phone Number: 702-804-4745

Email: vbucharo@hdmail.com

Signature: 

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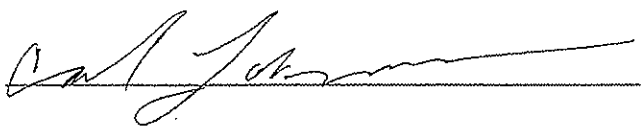
By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: CARL L. LOHMEYER

Address: 1809 S 11TH ST. LAS VEGAS NV, 89104

Phone Number: _____

Email: LOVEBIRDSCANDJ@EMBARQMAIL.COM

Signature: 

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: Sandra Touch

Address: 2004 S. 11th St.

Phone Number: 702-731-0678

Email: _____

Signature: Sandra Touch

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Name: Joshua DeMarco

Address: 2001 S. 10th St.

Phone Number: 702-444-8725

Email: Joshywashylv20@yahoo.com

Signature: Joshua DeMarco

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: Donna Nelson

Address: 2001 S. 10th St

Phone Number: (702) 771-8550

Email: Froggymama LV @ yahoo.com

Signature:

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Name: Samuel Cheatham

Address: 2001 S. 10th St.

Phone Number: (202) 409-8783

Email: www.TheTrueGod702LV@aol.com

Signature: Samuel Cheatham

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Name: DARLENE C. HERTZ

Address: 342 SAN PEDRO Dr.

Phone Number: 702-369-5898

Email: _____

Signature: Darlene C. Hertz

Apoyo de Vecindad

El Cuerpo que Vuela Las Vegas es una instalación de paracaidismo de interior propuesta para el pasillo comercial en el Ave de Sáhara unos bloques al este de la 6a calle.

En el tiempo corriente, Las el Vegas afronta desafíos económicos sin precedentes. Deberían aplaudir a los operadores de Cuerpo que Vuela para mostrar la confianza en nuestra economía local y vecindad invirtiendo millones de dólares para presentar este proyecto durante estos tiempos inciertos. El Cuerpo que Vuela creará empleos para nuestra comunidad y realzará nuestra área mejorando lo que es actualmente unas tierras declinantes.

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Firmando abajo, usted expresa simplemente su apoyo a este proyecto a la Comisión de Planificación y Las Vegas Ayuntamiento.

Name: Julio Granados

Address: 1029 Bonita Av Las Vegas NV 89104

Phone Number: 702 498 1056

Email: _____

Signature: _____

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Name: William M. Temple

Address: 1708 So. 7TH ST.

Phone Number: 702 731-9492

Email: Ø

Signature: William M Temple

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: RAFAEL TAIMA

Address: 1711 BEVERLY WAY

Phone Number: 17021 696 9790

Email: COPCAT702@AOL.COM

Signature: Rafael Taima

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Name: ~~Walt~~ William Schultz

Address: 1807 Beverly Way Las Vegas NV, 89104

Phone Number: 702-265-2724

Email: —

Signature: William Schultz

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Name: ROYES PETERSEN

Address: 708 CANOSA AV

Phone Number: 735 0670

Email: _____

Signature: _____

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Name: AVEDIS NAJARIAN

Address: 565 East Lewis Ave

Phone Number: 796-7048

Email: _____

Signature: Avedis Najarian

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Name: Gonzalo Arroyo

Address: 557 E. St. Louis Av.

Phone Number: 6975349

Email: _____

Signature: Gonzalo Arroyo

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Name: DONNA QUELLO

Address: 2019 VAN PATTEN PLACE

Phone Number: 696-1777

Email: _____

Signature: Donna J. Quello

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Name: Martina S. Bruce Martina Bruce

Address: 212 Van Patten St.

Phone Number: _____

Email: _____

Signature: Martina S. Bruce

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Name: Jessica Kensinger

Address: 2200 Van Patten Pl - 89104

Phone Number: 702.885.4338

Email: chinamainstar@yahoo.com

Signature:

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Name: Jason Brooks

Address: 2200 Van Patten Pl · 89104

Phone Number: 702·420·0708

Email: paradisecrown@gmail.com

Signature: [signature]

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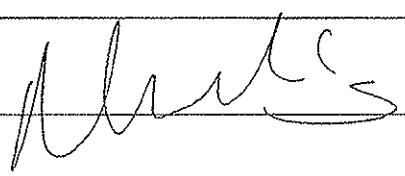
Name: MARCO Gonzalez

Address: 2105 Santa Inez

Phone Number: 702 - 733 - 4231

Email: _____

Signature: 

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Name: Ruben Madrid

Address: 1090 Canosa Ave

Phone Number: (702) 858 1916

Email: ~

Signature: Ruben Madrid

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Name: Jose Thompson

Address: 1016 Howard Ave

Phone Number: 702 896 6844

Email: JAThompson45@msn.

Signature:

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Name: Maria Nepomuceno

Address: 909 Hasset av

Phone Number: 413-4052

Email:

Signature: Maria Nepomuceno

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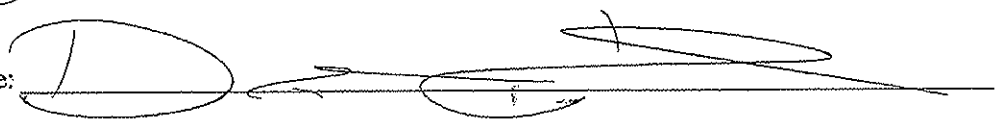
Name: DAVID TEMPLE

Address: 1708 SOUTH 7TH STREET

Phone Number: (702)510-9261

Email: DAVETEM73@YAHOO.COM

Signature: 

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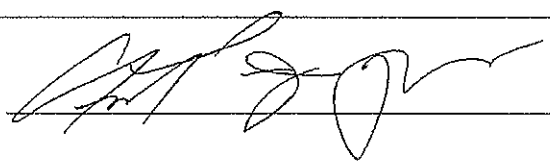
Name: Antonio Young

Address: 1021 Howard Dr

Phone Number: 410 599-6728

Email: _____

Signature: 

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Name: Jewell Jolliff

Address: 1054 Howard Ave

Phone Number: 735-1288

Email: _____

Signature: Jewell Jolliff

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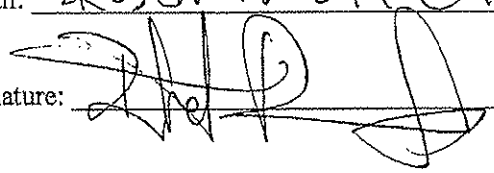
Name: ROBERT ROSENOW JR

Address: 1060 HOWARD AVE LAS VEGAS NV 89104

Phone Number: 702 - 821 - 5469

Email: ROSENOW896@HOTMAIL.COM

Signature: 

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Name: Rocio Escamilla

Address: 546 Ellen Way

Phone Number: (702) 889-4052

Email: _____

Signature: _____

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Name: Cynthia Standmore

Address: 1859 Beverly way Las vegas NV 89014

Phone Number: (702) 542-1647

Email: _____

Signature: Cynthia Standmore

Apoyo de Vecindad

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Name: Villa Salvador

Address: 2013 Santa Rita

Phone Number: 385-8906

Email: _____

Signature: _____

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Name: JIMMY - Le

Address: 556 . E - OKEY - BLVD

Phone Number: 595 . 8001

Email: _____

Signature: Jimmy Le .

Neighborhood Support

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: Rod Semody

Address: 550 E Oakey BLV

Phone Number: 702-893-6248

Email:

Signature:

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: Jason Delk

Address: 805 Bonita Ave LV 89104

Phone Number: 702-434-6794

Email: _____

Signature: J. Delk

Neighborhood Support

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: Juan Romero

Address: 1045 St Louis ave

Phone Number: (702) 580-4659

Email: jrom3r0@hotmail.com

Signature: Juan Romero

Neighborhood Support

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: ANGELICA ROSALES

Address: 5747 BARBARA WAY

Phone Number: 702-693-6733

Email: _____

Signature: Angelica R Rosales 12-15 09

Neighborhood Support

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: CALVIN LESLIE

Address: 557 ELLEN WAY

Phone Number: (702) 542-1277

Email: Calvinlas@AOL

Signature: Calvin Leslie

Neighborhood Support

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: Belen Perez

Address: 554 Ellen Way

Phone Number: (702) 4383854

Email: _____

Signature: Belen Perez

Neighborhood Support

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Name: Danny M & E Murray

Address: 555 Ellen Way

Phone Number: 6969185

Email: mcelmurray@hotmail.com

Signature:

Apoyo de Vecindad

El Cuerpo que Vuela Las Vegas es una instalación de paracaidismo de interior propuesta para el pasillo comercial en el Ave de Sáhara unos bloques al este de la 6a calle.

En el tiempo corriente, Las el Vegas afronta desafíos económicos sin precedentes. Deberían aplaudir a los operadores de Cuerpo que Vuela para mostrar la confianza en nuestra economía local y vecindad invirtiendo millones de dólares para presentar este proyecto durante estos tiempos inciertos. El Cuerpo que Vuela creará empleos para nuestra comunidad y realzará nuestra área mejorando lo que es actualmente unas tierras declinantes.

El Cuerpo que Vuela tiene décadas de la experiencia y es conocido dirigir una primera operación de precio. Creemos que este proyecto cabe en bien con la división por zonas y el carácter del área comercial en Sáhara y proporcionará un recurso de entretenimiento positivo para invitados, vecinos, y juventud.

Firmando abajo, usted expresa simplemente su apoyo a este proyecto a la Comisión de Planificación y Las Vegas Ayuntamiento.

Name: Marco Muñoz

Address: 2207 VAN PATTEN PL. 89104

Phone Number: 702 369 1355

Email: _____

Signature: Marco Muñoz

Neighborhood Support

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: Jonas Estefanos

Address: 1709 Beverly Way

Phone Number: 702 733 9364

Email: _____

Signature: Jonas Estefanos

Neighborhood Support

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: Marion Landberg

Address: 409 San Pablo Dr. Las Vegas NV.

Phone Number: 735 9457.

Email: _____

Signature: Marion Landberg

Neighborhood Support

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: Angela Mendoza-Sanchez

Address: 2216 Santa Rita Dr

Phone Number: (702) 741-2074

Email: _____

Signature: Angela Mendoza Sanchez

Neighborhood Support

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Name: Jerry Maxfield

Address: 2018 Santa Rita Dr.

Phone Number: 702-693-6786

Email: _____

Signature: Jerry Maxfield

Neighborhood Support

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Name: Edward J. McInnis

Address: 244 San Pedro Dr

Phone Number: 7358385

Email: _____

Signature: Edward J McInnis

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: Donna Walsh

Address: 576 Bonita Ave

Phone Number: 896-1089

Email: DLW@dlwalshmarketing.com

Signature: Donna Walsh

Neighborhood Support

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Name: Chuck Engelhardt

Address: 565 Bonita Ave Las Vegas, NV 89104

Phone Number:

Email: whatdachuck@hotmail.com

Signature: Chuck Engelhardt

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Name: Tony Castaneda

Address: 2205 Beverly Way

Phone Number: 702-586-8411

Email: TONY_CASTANEDA@HOTMAIL.COM

Signature: Tony Castañeda

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Name: Justin Tarragano

Address: 556 Canosa AVE

Phone Number: (702) 733-3001

Email: JLTFLIP@yahoo.com

Signature: Justin Tarragano

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Name: Michael TARRAGANO

Address: 556 CANOSA

Phone Number: 702-750-4862

Email: TARRAGANOMIKE@YAHOO

Signature:

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Name: LUIS RUBIO

Address: 1925 Beverly Way

Phone Number: (702) 893-0330

Email: losninoslca@aol.com

Signature: L. Rubio

Neighborhood Support

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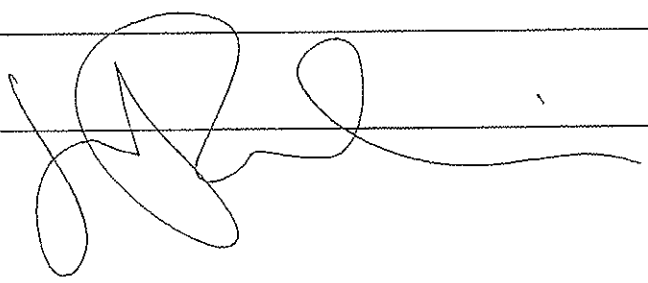
Name: Jesus Rubio

Address: 1925 Beverly Way

Phone Number: 702-812-7746

Email: _____

Signature: 

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By signing below, you are simply expressing your support for this project to the Planning Commission and Las Vegas City Council.

Name: Rosa Cruz.

Address: 2105 Beverly Way Las Vegas NV. 89104

Phone Number: 702-767-3825.

Email: Rosarosa5oroa@AOL.com

Signature:

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Name: IVESTON TULABOT

Address: 2108 Beverly Way

Phone Number: (702) 369-1805

Email: _____

Signature: Iveston Tulabot

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Name: Sonia B. PANGAN (BAN

Address: 2200 Beverly Way

Phone Number: 702-796-8399

Email: soniaPanganiban@yahoo.com

Signature: Sonia B Panganiban

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Name: Mario T. Vicuna

Address: 2309 Beverly Way

Phone Number: 702 - 734-9433

Email: _____

Signature: _____

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Name: Ed Gibson

Address: 2204 Beverly Way LV NV 89104

Phone Number: 771-8344

Email: Pokerbiker64@cox.net

Signature: Edward Gibson

Neighborhood Support

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Name: Gabriela Uribe

Address: 2305 Beverly Ave

Phone Number: (702) 810-4842

Email: guribe@hotmail.com

Signature:

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Name: AGUSTIN RODRIGUEZ

Address: 560 BONITA AVE

Phone Number: 702-512-9930

Email: _____

Signature: _____

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Name: Jeff De La Paz

Address: 572 Bonita Ave

Phone Number: (702) (666-4260

Email:

Signature: J. De La Paz

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Name: ROBERT ECKERT

Address: 553 BONITA AVE

Phone Number: 238-9660

Email: N/A

Signature: ROBERT ECKERT

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Name: Jaylee Copenhaver

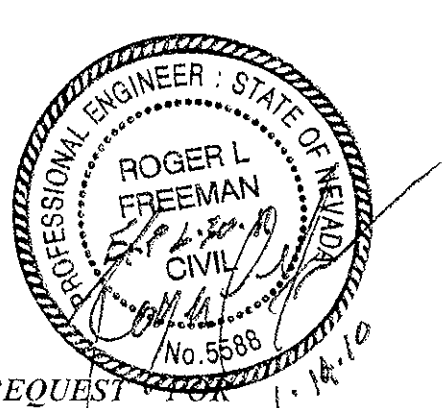
Address: 723 Bonita

Phone Number: 310-251-2026

Email: MartianWI@yahoo.com

Signature: Jaylee Copenhaver

SUPERIOR ENGINEERING SERVICES, INC.
Traffic Engineering
7464 West Sahara Avenue
Las Vegas, Nevada 89117-2740
Phone (702) 363-2245
Fax (702) 363-1669



January 14, 2010 W.O. 2036

TO WHOM IT MAY CONCERN

RE: COMMENTS ON THE PARKING REDUCTION REQUEST FOR BODYFLYING US, LLC ON THE NORTH SIDE OF SAHARA AVE. BETWEEN SIXTH ST. AND ALMOND TREE LN. (SDR-35186) (APNs 162-03-801-088 & -137)

Gentlemen:

We have been employed by some concerned neighbors to review the parking needs and site plan for this project. It is our understanding that this project is requesting a reduction in the parking requirements for their project. From what we have determined, it appears that if this parking reduction variance is allowed it would place a severe parking constraint on the adjacent property owners once the existing vacant buildings again become occupied. In addition, the proposed southern parking lot driveway could cause ingressing traffic to back up into Sahara Avenue. The proposed driveway's throat depth is in clear violation of Uniform Standard Drawings Clark County Area (USDCCA) Drawing 222A a copy of which we have attached at the back of this letter.

Typically parking demands are determined by data found in the Institute of Transportation's *Parking Generation 3rd Edition* handbook. When the land use data is not available in the handbook, it is determined by reviewing the parking demand for a similar project in the local area. There is no data for this type of land use in the ITE handbook. We found a similar use at the Vegas Indoor Skydiving at 200 Convention Center Drive, Las Vegas NV 89109.

Excluding the fan building portion of this building (which has an area of approximately 1,500 sq. ft.), the building footprint is approximately 7,000 sq. ft. (We measured these by using Google Earth.) The proposed building's site plan shows that this building will have 9,975 sq. ft. of building area. Both of these buildings appear to be similar in size. So, one should expect a similar parking demand at both facilities.

We counted the number of vehicles parked at this facility on Wednesday 10/14/09, Thursday 10/15/09 and Friday 10/16/09. At 2:50 pm on Wednesday there were 33 cars and 2 motorcycles parked at this site. At 3:00 pm Thursday there were 34 cars and one motorcycle parked there. And, on Friday there were 20 cars and 2 motorcycles. In a discussion with the Brad Hess, the manager of this facility, he stated that the number of participants that were flying on this Wednesday and Thursday were approximately one-fourth the number of participants that would be flying on a peak day which usually occurs at college spring break. So, one should expect to have up to 136 (4 x 34) vehicles wanting to park at this facility during the peak demand at spring break. The 39 parking spaces proposed by this developer would be woefully inadequate if and when this occurs.

OUR 22nd ANNIVERSARY
1988 – 2010

Submitted at Planning Commission
Date 1/14/10 Item 6+7

SUPERIOR ENGINEERING SERVICES, INC.
Traffic Engineering
7464 West Sahara Avenue
Las Vegas, Nevada 89117-2740
Phone (702) 363-2245
Fax (702) 363-1669

On a prior visit to the project's site, we noted that the majority of the adjacent buildings are currently not being occupied. When we visited the site today, there were only 22 cars perpendicularly parked in the alleyway and one car parked parallel in the narrow throat area. So, this parking reduction variance would not affect the area's parking demand that is occurring at this time. However, a realistic parking variance should account for full occupancy of the existing buildings and it should include this project's worst case parking demand which one would expect to occur at spring break.

The photographs that were provided showed that when these buildings are occupied, there are virtually no empty parking stalls available for additional parking. It would cause considerable confusion if there were up to 136 additional peak day vehicles trying to park at the 39 parking stalls proposed for this facility.

Some of this confusion could be reduced by having skydiving visitors arrive by shuttle buses. However, the narrow access roadway off Sahara Avenue will be quite a challenge for shuttle buses to access this facility especially when there are vehicles parking along this roadway. The access for the proposed project is a narrow 29-foot wide roadway which is also the access and delivery area for seven (7) parcels. The first 150 feet of roadway consists of the 29-foot wide segment which then widens out to 65 feet with perpendicular parking on both sides. This access roadway terminates 550 feet to the north with a cul-de-sac bulb. There are several side parking lots located east and west of this roadway. It appears that this bulb could also be used as either a secondary access or as a crash gate for the future Sahara Courtyard Condominiums. Currently there are no parking restrictions on this roadway or on Sahara Avenue. If vehicles park on both sides of this roadway, the roadway access would be reduced to a single 13-foot wide lane.

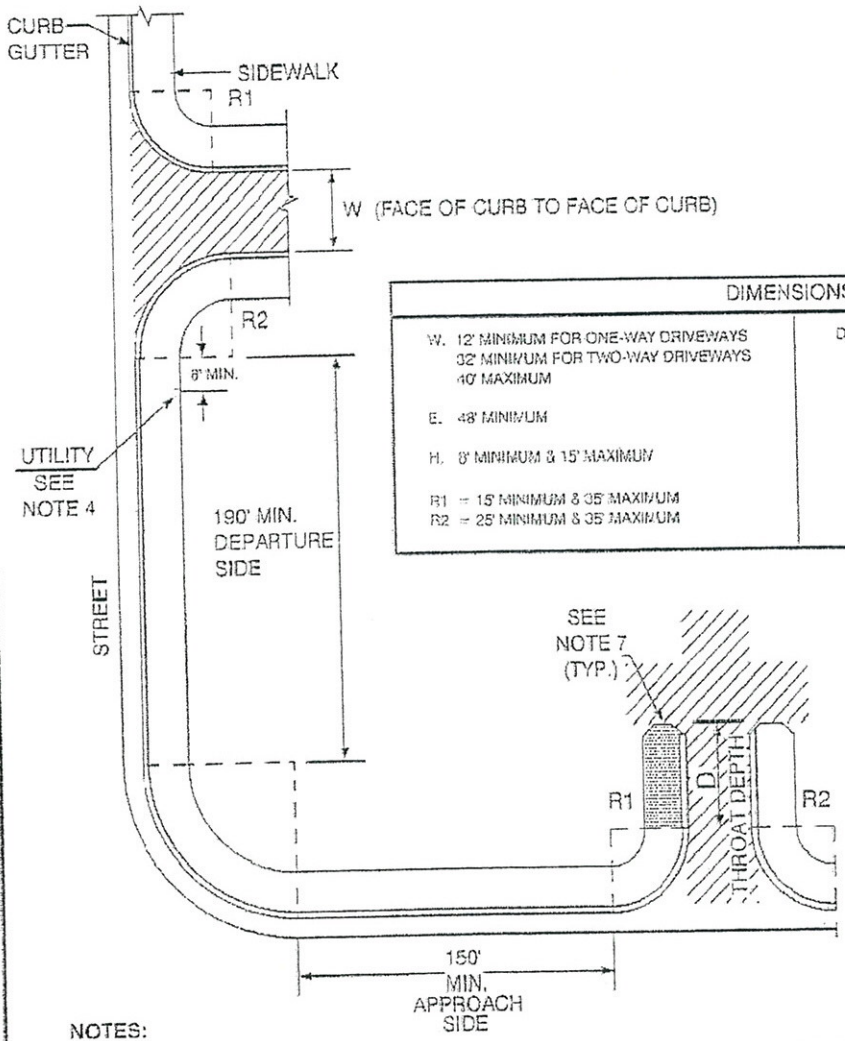
Finally we noted that the proposed southerly parking lot driveway for this project will have only 30 feet of throat depth from Sahara Avenue. Any exiting vehicle that stops one ingressing vehicle will cause a second ingressing vehicle to back up onto Sahara Avenue. We counted at least 112 parking stalls that access this driveway. The USDCCA Drawing 222A (attached) requires a 100-foot throat depth when there are between 101 to 200 parking spaces that access the driveway. So, we suspect that they would need a separate variance if they locate this driveway as shown on their site plan.

Respectfully,
SUPERIOR ENGINEERING SERVICES, INC.

Roger L. Freeman, P.E.
Traffic Engineer

Attachment:

OUR 22nd ANNIVERSARY
1988 – 2010



DIMENSIONS	
W. 12' MINIMUM FOR ONE-WAY DRIVEWAYS 32' MINIMUM FOR TWO-WAY DRIVEWAYS 40' MAXIMUM	D. THROAT DEPTH 25' MINIMUM 50' MINIMUM FOR PARKING LOTS > 50 PARKING SPACES 75' MINIMUM FOR PARKING LOTS 51 TO 100 PARKING SPACES 100' MINIMUM FOR PARKING LOTS 101 TO 200 PARKING SPACES 150' MINIMUM FOR PARKING LOTS > 201 PARKING SPACES
E. 48' MINIMUM	
H. 8' MINIMUM & 15' MAXIMUM	
R1 = 15' MINIMUM & 35' MAXIMUM R2 = 25' MINIMUM & 35' MAXIMUM	

NOTES:

1. COMMERCIAL AND MULTI-FAMILY DRIVEWAYS SHALL BE CONSTRUCTED IN ACCORDANCE WITH STANDARD DRAWING NUMBERS 224, 225, 228, 235 AND 235.1.
2. LOCAL ORDINANCES AND POLICIES MAY APPLY AND SHALL HAVE PRECEDENCE. SEE NDOT ACCESS POLICY FOR STATE ROADWAYS.
3. THE TOTAL WIDTH "W" OF DRIVEWAY CURB OPENINGS SHALL NOT EXCEED 65% OF FRONT FOOTAGE.
4. NO DRIVEWAY SHALL BE LOCATED WITHIN 6 FEET OF A LIGHT POLE (UNLESS APPROVED BY THE ENTITY TRAFFIC ENGINEER), FIRE HYDRANT, MAIL BOX, ABOVE-GROUND ELECTRICAL TRANSFER BOX, OR BLOCK WALL HIGHER THAN 2 FEET.
5. THE CENTERLINES OF THE DRIVEWAYS ON OPPOSITE SIDES OF THE STREET AT A MEDIAN OPENING SHOULD BE WITHIN 10' FROM EACH OTHER AT THE MEDIAN OPENING.
6. GEOMETRICS APPLY TO NEW CONSTRUCTION ONLY, AND EXCEPTIONS MAY BE GRANTED BY THE APPROVAL OF THE AGENCY TRAFFIC ENGINEER BASED ON SITE CONSTRAINTS.
7. HANDICAPPED ACCESSIBLE SIDEWALKS SHALL BE PROVIDED ADJACENT TO DRIVEWAYS TO THE P.C. OF THE ONSITE CURB RETURN, MINIMUM, OR AT AN ALTERNATE LOCATION.
8. WHEN A PROPERTY LINE FALLS IN A MEDIAN OPENING A JOINT DRIVEWAY AGREEMENT SHALL BE REQUIRED OR NO DRIVEWAY WILL BE ALLOWED.

SPECIFICATION REFERENCE	UNIFORM STANDARD DRAWINGS CLARK COUNTY AREA
	COMMERCIAL AND MULTI-FAMILY DRIVEWAY GEOMETRICS
	DATE 02-09-06 | DWG. NO. 222A | SHEET 1 OF 2



Beverly Green/Southridge
NEIGHBORHOOD PLAN



Submitted at Planning Commission
Date 1/14/10 Item 6+7

Beverly Green / Southridge

NEIGHBORHOOD PLAN

ACKNOWLEDGEMENTS

CHAIRMAN
John S. Delikanakis

PLANNING TEAM MEMBERS:
Rev. Charles W. Bowker
Lynn Cleary
Ben Contine
Jerry & Susie Crader
Yvonne Duplian
Elizabeth Eden
Christ Church Episcopal
Dan Felts
Sharon Griffith
Michael Hanratty
Arlene King
Pam Kowalski
Jack LeVine
John & Miriam Lindner
Lilia Lopez
Theresa Morrow
Grover Prowell
Phyliis Silvestri
Kelly Smith
Sherry Standlee
Darlene Steljes

And an entire community of stakeholders, too numerous to name, who gave of their time and of themselves

MAYOR
Oscar B. Goodman

CITY COUNCIL
Gary Reese (Mayor Pro Tem), Ward 3
Lynette Boggs-McDonald, Ward 2
Larry Brown, Ward 4
Lawrence Weekly, Ward 5
Michael Mack, Ward 6
Janet Moncrief, Ward 1

CITY MANAGER
Douglas A. Selby

DEPUTY CITY MANAGER
Elizabeth Fretwell

DEPUTY CITY MANAGER
Steve Houchens

NEIGHBORHOOD SERVICES DEPARTMENT
Sharon Segerblom, Director

PROJECT MANAGER
Yorgo Kagafas

CITY STAFF
Michael Campbell, Patrick Murphy, Lisa Apikyan, Alma Estrada, Anthony Willis, Kyle Walton, Mike Janssen and Jorge Cervantes

R-108-2003

RESOLUTION ADOPTING THE BEVERLY GREEN/SOUTHRIDGE NEIGHBORHOOD PLAN AS AN ADDENDUM TO THE NEIGHBORHOOD PLANNING PROCESS COMPONENT OF THE CITY OF LAS VEGAS GENERAL PLAN

WHEREAS, on March 9, 1998, the City Council adopted Resolution R-27-98, which added to the General Plan of the City of Las Vegas a component known as the Neighborhood Planning Process; and

WHEREAS, the Neighborhood Planning Process contemplates the adoption by the Planning Commission and the City Council of individual Neighborhood Plans, each as an addendum to the Neighborhood Planning Process component of the General Plan; and

WHEREAS, the Planning Commission, on July 10, 2003, adopted such a neighborhood plan, entitled Beverly Green/Southridge Neighborhood Plan, prepared and presented by the Beverly Green/Southridge Neighborhood Planning Team; and

WHEREAS, the City Council deems it appropriate to adopt that neighborhood plan as an addendum to the Neighborhood Planning Process component of the General Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAS VEGAS as follows:

The Neighborhood Planning Process component of the General Plan is hereby amended by adopting the neighborhood plan entitled "Beverly Green/Southridge Neighborhood Plan," attached hereto and incorporated by this reference.

PASSED, ADOPTED, and APPROVED this 6 day of August, 2003.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

_____ 7-24-03
Date

Outline of Beverly Green / Southridge

Neighborhood Plan

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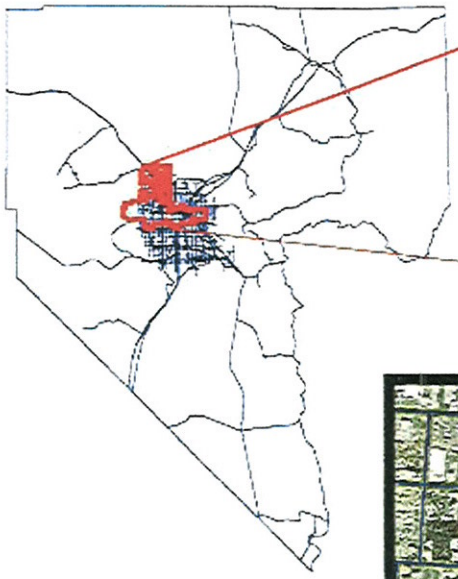
Beverly Green / Southridge

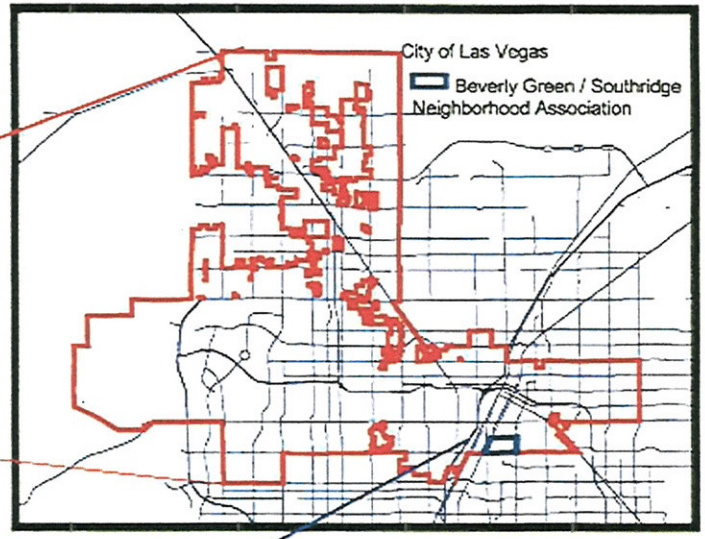
Neighborhood Planning Process Timeline

February 22, 2001	First request to start the Neighborhood Planning Process
February 6, 2002	Second request to start the Neighborhood Planning Process
March 5, 2002	Ad-hoc Committee meets with Director of Neighborhood Services
April 10, 2002	1st Community Meeting
April 23, 2002	Planning Team Meeting
May 14, 2002	Planning Team Meeting
June 11, 2002	Planning Team Meeting
June 25, 2002	Planning Team Meeting
July 9, 2002	Planning Team Meeting
July 23, 2002	Planning Team Meeting
August 13, 2002	Planning Team Meeting
August 27, 2002	Planning Team Meeting
September 10, 2002	Planning Team Meeting
September 17, 2002	Planning Team Meeting
October 8, 2002	2nd Community Meeting
October 22, 2002	Planning Team Meeting
November 12, 2002	Planning Team Meeting
November 26, 2002	Planning Team Meeting
December 10, 2002	Planning Team Meeting
January 28, 2003	Planning Team Meeting
February 18, 2003	Planning Team Meeting
March 2003	Neighborhood Service Department Reviews Draft Plan
April 9, 2003	Planning Team Meeting
April 18 - May 19, 2003	City Departments Review Draft Plan
May 27, 2003	Planning Team Meeting
June 14, 2003	3rd Community Meeting
June 20, 2003	Submit Draft Plan to Planning Department
July 2003	Planning Commission Hearing
August 2003	City Council

Southern Nevada

City of Las Vegas Boundary







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CITY OF LAS VEGAS NEVADA

Regional Map

BEVERLY GREEN SOUTHRIDGE NEIGHBORHOOD PLAN

STREET NAMES

MAP 1

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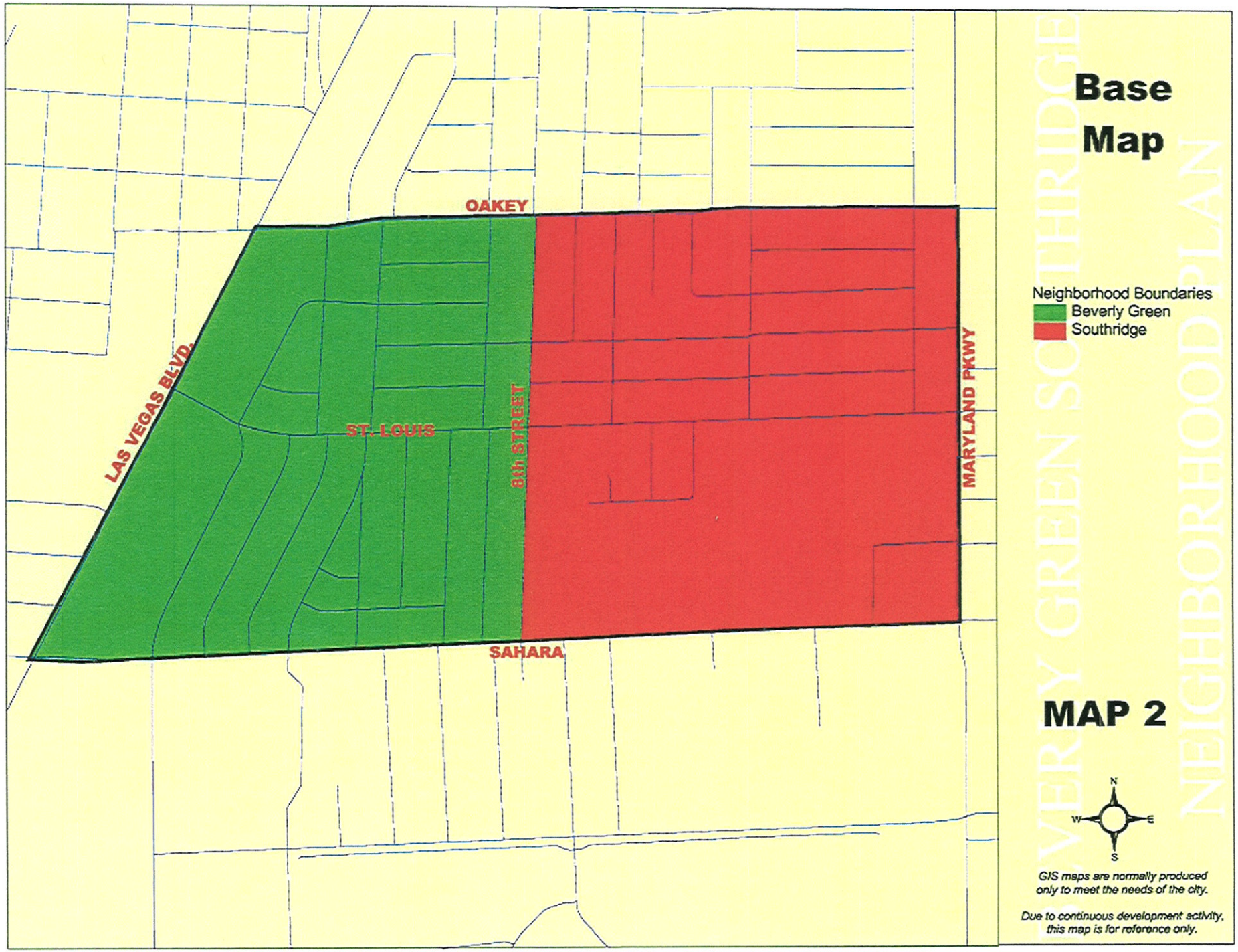
GIS maps are normally produced only to meet the needs of the city.

Due to continuous development activity, this map is for reference only.


OAKEY
LAS VEGAS BLVD.
ST. LOUIS
8th STREET
MARYLAND PKWY
SAHARA
Base Map
Neighborhood Boundaries
Beverly Green
Southridge
BEVERLY GREEN SOUTHRIDGE NEIGHBORHOOD PLAN
MAP 2
N
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GIS maps are normally produced only to meet the needs of the city.
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Vision Statement

The Beverly Green/Southridge Community is one of the most mature neighborhoods in the downtown area of Las Vegas. Bordering on the edge of the central city limits, north of Sahara Avenue and east of Las Vegas Boulevard, it is a continuing collaboration of businesses, schools, single-family homes, apartment dwellings, a public park and several churches.

Nestled away in the midst of all the glitter and glamour that is Las Vegas, Beverly Green/Southridge is a diamond in the rough. Residents are committed to preserving its past as well as embracing its future as a neighborhood of choice for those discerning urban dwellers who seek an established area free of the hassles of "boomtown" development and the encroachment of large gaming properties.

With a healthy diversity of businesses surrounding the residential core of this neighborhood, owners and managers will continue to make the cooperative effort to improve the aesthetic appeal of the area and maintain quality service to their patrons and the residents of this quiet urban oasis.



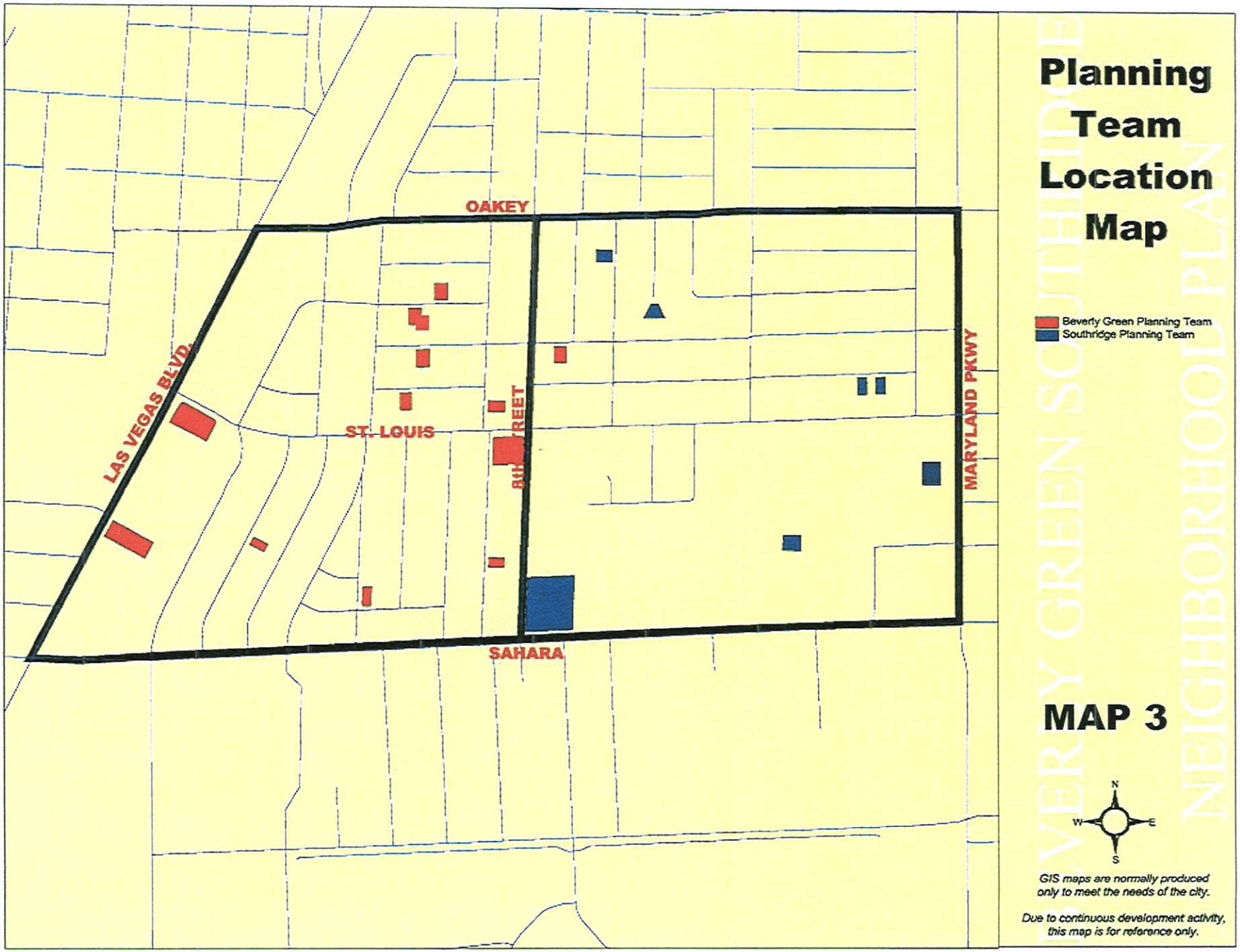
Community Involvement

This neighborhood planning process fully adhered to the requirements of Resolution R-27-98 as adopted by Las Vegas City Council on March 9, 1998. Over 90% of the Planning Team members owned property in the neighborhood(s). Two religious organizations and four business owners participated on the team. The Planning Team adequately represented the entire geographical area covered by this Neighborhood Plan (Map 3).

In addition to sending invitations to all property owners and tenants within the Beverly Green/Southridge boundaries to participate in the planning process, members of the Planning Team went door-to-door to all the commercial properties handing out flyers inviting them to become involved.

The required community-wide meetings were held on April 10, 2002, October 8, 2002 and June 14, 2003. A vote was taken at each meeting to approve the work the planning team had completed up to that date. There was no opposition expressed at any of these meetings regarding any aspect of the proposed Plan.

Planning Team members attended over 30 meetings either of the Planning Team as a whole or as members of various sub-committees that were formed. For the third community meeting, not only was a mailing sent, but Planning Team members went door-to-door handing out flyers notifying residents, business owners and non-profit groups about the meeting. This planning team exceeded the required notification in order to get the maximum participation possible.



Planning Team Location Map

Beverly Green Planning Team
Southridge Planning Team

MAP 3

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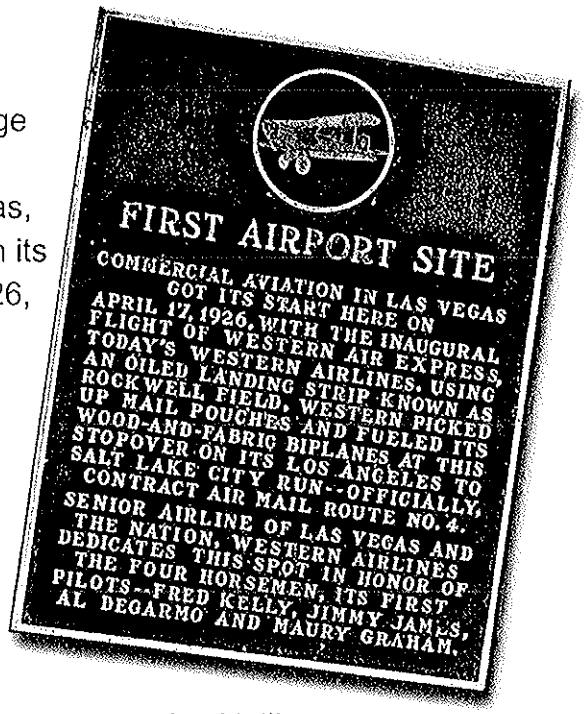
GIS maps are normally produced only to meet the needs of the city.

Due to continuous development activity, this map is for reference only.

BEVERLY GREEN SOUTHRIDGE NEIGHBORHOOD PLAN

History of the Neighborhood



Until the early 20th Century, the area where the Beverly Green and Southridge neighborhoods are located was virgin desert terrain. By the 1920's, Las Vegas, like the nation's aviation industry was in its infancy. Both were growing and in 1926, the city of Las Vegas dedicated its first airport known as Rockwell Field on the northeast corner of what is now known as the intersection of Sahara Avenue and Paradise Road. During the rapid development of the Strip in the 1940's, the need for a larger commercial airport emerged and Rockwell Field was closed and replaced by McCarran International Airport after a brief stay near present day Nellis Air Force Base.

The closing of Rockwell Field permitted the area to be redeveloped into upscale residential neighborhoods. This was a natural expansion to the south of the premier residential neighborhoods which the pioneer citizens and community leaders of Las Vegas called home.

What follows are interesting historical facts regarding selected properties in the neighborhood that were primarily built in the 1950's:

1923 S. 6th Street: This beautiful home was built in 1959 for the Von Tobel family. The house was designed by architect Hugh E. Taylor who also designed the old Desert Inn Hotel.

2200 S. 6th Street: Tony Tellino resided here and was the builder of all the homes on 6th Street and the homes on the east side of Beverly Way.

2216 S. 6th Street: Mary and Al Perry resided here. Mary and her sister, Angie Ruvo, opened the Venetian restaurant on West Sahara. After the Ruvo's took full ownership, the Perry's opened the Bootlegger on South Eastern. Their daughter, Lorraine Hunt, was elected Lieutenant Governor of Nevada in 1998.

2300 S. 6th Street: This was the home of Municipal Court Judge Richards.

History of the Neighborhood



1815 Beverly Way

1815 Beverly Way: This was the home of Phillip & Maxine Spencer. Phillip was a Bishop in the Sixth Ward of the Mormon Church.

2205 Beverly Way: Mr. and Mrs Sam Kitterman had this home built in 1957. Sam worked at the Sahara Hotel and Casino for over 40 years as a graveyard pit boss.

2213 Beverly Way: Mr. and Mrs. Frank Modica resided here for many years. Frank started as a dealer at the Showboat in 1959 and worked his way up until his retirement in 1995 as the President and Chief Executive Officer.

2301 Beverly Way: Ethel and Walter Winternheimer were residents here for many years. Ethel was a school teacher and a reading consultant for the Clark County School District and in 2001 the Ethel Winternheimer-Staton Elementary School was named in her honor.

2304 Beverly Way: Lee and Marion Payne moved into this new home on February 16, 1954 right after their marriage. Lee was a pilot who served in all three branches of the military. He was one of the founders of Bonanza Airlines in 1949.

2305 Beverly Way: Lou and Angie Ruvo resided here for many years. They owned the Venetian restaurant until selling it in 1996.

544 Ellen Way: Home of James and Vida Costello who owned the Nevada Beverage Company.

History of the Neighborhood

545 Ellen Way: Dr. Lucius Imboden, Chief of Staff at North Las Vegas Hospital, lived in this home. Later residents were Jacqueline Stallone and her son Frank.

547 Ellen Way: Home of the Sanfords, owners of Sanford Jewelery Store located in downtown on Fremont Street.

548 Ellen Way: Home of Dean and Elaine Dunn Shendal. Dean was a one-time owner of Caesars Palace. Elaine came to Las Vegas from Broadway to open the Tropicana Hotel with Eddie Fisher in 1957. Elaine Dunn first appeared at the Copa Cobana in New York City at age 17. She later appeared on



548 Ellen Way

Broadway in "Pal Joey", "Almanac of 1954" and "Catch a Star". After moving to Las Vegas, she toured in "Bye Bye Birdie", "Flower Drum Song" and "Sweet Charity". Among her TV appearances were the Ed Sullivan Show, the Eddie Fisher Show and the Dean Martin Show.

In 1961 Elaine married Dean Shendal and moved to Ellen Way. She appeared in all of the major strip hotel showrooms and opened Caesars Palace with Andy Williams. She retired in 1969.

History of the Neighborhood

549 Ellen Way: Home of Italian immigrants John and Natalie Torchio. The Torchio's daughter was married to one of the Isola brothers, one of the owners of Silver State Disposal Company. This is one of the few pre-fab homes constructed in the neighborhood. The Torchio's were well known for their magnificent backyard vegetable garden.



549 Ellen Way

550 Ellen Way: The Rue family were early residents of this home. Mr. Rue was a Major League Baseball Umpire and co-owner of Young and Rue Transfer Company. A later resident of this home was Barbara Woodrich, a Chicago heiress.

551 Ellen Way: Sam and Anita Rivkin had this house built in 1955. Sam worked in the gaming industry and spent time training dogs for show. Sam was very active in the Animal Advisory Board of Clark County where he served as Vice-Chairman.

552 Ellen Way: Home of Perry Thomas, who was President of the Bank of Las Vegas.

553 Ellen Way: Home of Derald (Doc) and Betty Dokter. Betty was the daughter of pioneer residents Artemus and Alta Ham. The Dokters have resided here since 1960.

554 Ellen Way: Home to Don and Francis Brown for 39 years. Don was President of the Bank of Nevada and also served on the Clark County School Board.

History of the Neighborhood

555 Ellen Way: Home of Hank and Joann Henry who were burlesque entertainers from the Catskills. Hank was the headline entertainer at the Silver Slipper on the Strip. He made the movie Pal Joey with his friend and Godfather to his youngest son, Frank Sinatra. Neighbors still recall the many limos driving up with members of the Rat Pack for a party at the Henry's home, which lasted for several days.



555 Ellen Way

556 Ellen Way: Home of Charlie and Alva Shelton who were from Tennessee. They owned the Rowel, a western apparel store on the Strip. Charlie was well known for his many TV commercials for the Rowel.

557 Ellen Way: Home of the Manentes. Mr. Manente was the President of the First National Bank of Nevada.

558 Ellen Way: Home of Les and Elsie Goldring, owners of a small restaurant on Fremont Street.

544 Barbara Way: Home of Ted and Ann Otis of the Otis Elevator family.

History of the Neighborhood

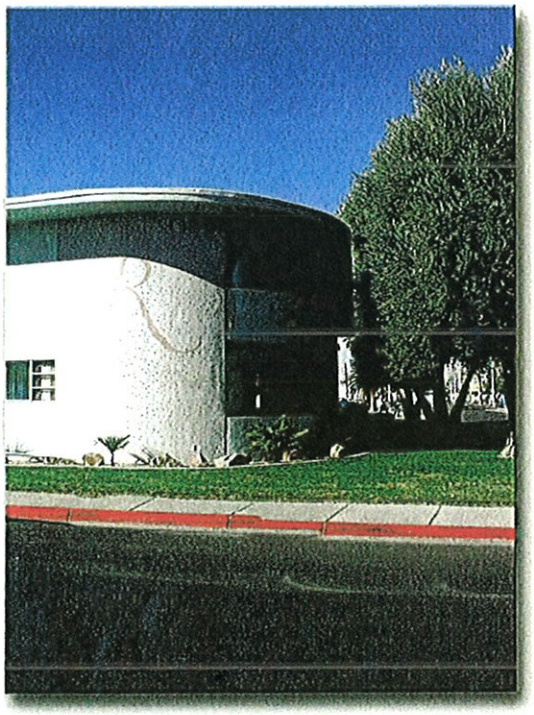
545 Barbara Way: Home of the Bergiel family. Mr. Bergiel was a casino worker at the Flamingo. His daughter, Amy, grew up in this home and later married Desi Arnaz Jr.



545 Barbara Way

559 Barbara Way: Wendell and Marion Bunker had this home built. Wendell was a former City Council member and also made an unsuccessful bid for Mayor.

1700 Rexford Dr.: The Rexford Condominiums were the first condos built in Las Vegas. Liberace's mother was one of the early residents.



1700 Rexford Drive

1720 Rexford Dr.: C.D. Baker, one time Mayor of Las Vegas resided here. Baker Park, next to Fremont Middle School on St. Louis was named after him.

1824 - 1900 Rexford Dr.: Beverly Plaza Co-op, was the first and the only legal co-op in the State of Nevada. Liberace owned three of the units, which was just down the street from where his mother resided.

History of the Neighborhood



580 St. Louis

580 St. Louis: The Reformation Lutheran Church was the first Lutheran Church in the Las Vegas area when it was formed on October 31, 1948. The first permanent church site was at Charleston and Tenth Street. An offer was made for that property in exchange for a site on the "outskirts of town" at St Louis and Beverly Way in 1954. The church was formally dedicated on September 23, 1956 and has remained an important member of the neighborhood.



702 St. Louis

702 St. Louis: The Mesquite Club was founded by and for women in 1911 to enhance the development of culture in the community. Their early social events included their husbands and the many new school teachers moving to the area. In 1946, they built this building and relocated from a downtown church. The Club is a member of the General Federation of Women's Club and has approximately 200 members.

1100 St. Louis: John C. Fremont Middle School was built in 1954 and was an elementary school the first two years it was open. Congresswoman Shelly Berkley, the Greenspan children and the siblings of Andre Aggasi are all alumni of the school.

History of the Neighborhood

544 Bonita Ave.: Home was first purchased by Dusty Springston who was the owner of the Las Vegas Bowling Alley on Las Vegas Boulevard near St. Louis. The home was later purchased by Charles and Julia Monahan. Charles was vice president of sales at Caesars Palace.

545 Bonita Ave.: Home of Dr. Daniel Zimmerman.

548 Bonita Ave.: Home of Bernard and Sibyl Minden, founders and owners of Minden Jewelers at the old Vegas Village in Commercial Center. Their son, Michael carries on the family business on West Sahara.



545 Bonita Avenue

552 Bonita Ave.: Home of Jackie and Betty Mandell. Jackie was a host and pit boss at the old Dunes Hotel and Casino.



552 Bonita Avenue

553 Bonita Ave.: Home of Leon Unitin, a ladies shoes designer at Joseph Magnin's on Las Vegas Boulevard. He later opened his famous store on Rodeo Drive in Beverly Hills.

History of the Neighborhood

556 Bonita Ave.: Home of Max and Ruth Nauman. Mr. Nauman was executive vice president of Southwest Gas.



556 Bonita Avenue

557 Bonita Ave.: Home of Art and Ellie Lurie. Art opened and operated several restaurants and bars such as the Forty Niner and Popo Restaurant on Eastern. Art was voted Man of the Year at the Italian American Club and is in the Boxing Hall of Fame. He served four governors on the Nevada Boxing Commission. He was active in raising funds for the YMCA and was Vice President of Temple Beth Sholom. Their son, Ron served as a councilman for 14 years and was elected Mayor of Las Vegas from 1987 until 1992.



557 Bonita Avenue

560 Bonita Ave.: Home of Jim and Joann Murry. Mr. Murry was the representative for Music Corporation of America and handled most of the major talent on the Strip.



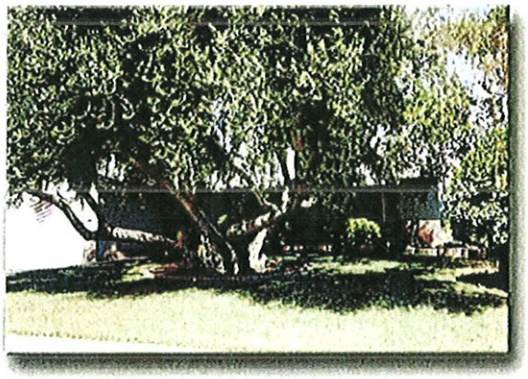
560 Bonita Avenue

History of the Neighborhood

561 Bonita Ave.: Home was purchased by Jim Konys and rented to Eddie and Eleanore Doumani. Eddie was part owner of the Tropicana Hotel and owned the LaConcha Motel on Las Vegas Boulevard. Jim & Sue Konys moved into the house later. Jim was shift boss at the Sahara Hotel and later owned 5% of the Aladdin Casino were he was casino manager.

564 Bonita Ave.: The Ostap family had this home built. Mr. Arthur Ostap was head captain at the Riviera hotel Showroom.

565 Bonita Ave.: Home of Stan and Marva Rae who owned the Rocky Mountain Produce Company.



565 Bonita Avenue

568 Bonita Ave.: Home of Michael and Ruth Sarkis. Michael was a casino pit boss and Ruth was the owner of Frank's Safe and Lock Company on Main Street.



568 Bonita Avenue

569 Bonita Ave.: Home of Ted and Norma Sutula. Ted was at one time, pit boss at both the Sahara and Hilton Casinos.



569 Bonita Avenue

History of the Neighborhood

572 Bonita Ave.: Home of the Murray Wallman family. The Wallman family were large property owners and at one time owned most of Main Street South of Charleston. Their son-in-law was Mel Moss.



572 Bonita Avenue

573 Bonita Ave.: Home of Fred and Donna Mendendorf. They owned Dot's Flower Shop.



573 Bonita Avenue

576 Bonita Ave.: Richard Longmire owned this home and also owned the Blue Onion Restaurant.

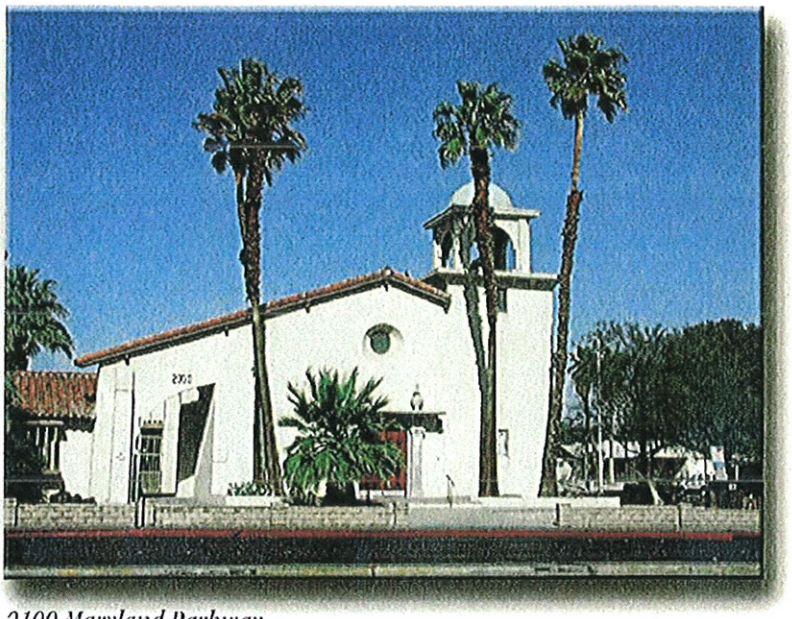


576 Bonita Avenue

577 Bonita Ave.: Home of Dean and Barbara Peterson. The Peterson's owned the Westward Ho Hotel and Casino and also built the homes on the north side of Bonita Avenue and the homes on the north side of the 500 block of St. Louis.

History of the Neighborhood

2100 Maryland Pkwy: The Episcopal Parish of Christ Church was originally located in the downtown area (1907-1953) close to the railroad station, roundhouse and saloons. Christ Church (1907) held the first church service in a consecrated church building within the city of Las Vegas. They delighted the city with a call to worship by a ringing bell weighing 500 pounds which hung in the steeple of the church. When it became apparent they had outgrown that part of the City, land was donated at the corner of St. Louis and Maryland Parkway. The new church was consecrated in 1962 and that bell, which rang for 40 years in the downtown area now rings every Sunday in the neighborhood.



2100 Maryland Parkway



Demographics

A comparison was made between data from the 1990 and the 2000 national census. It wasn't possible to get an exact comparison since the census tract blocks were changed. As a result, a small section of data was included from the area just north of Oakey between Las Vegas Boulevard and 6th Street in the 1990 data. The 2000 data had a small area between Oakey and Hassett and 10th Street and Maryland Parkway. Even with these two minor discrepancies, the overall results clearly indicate several factors.

Two factors are found in the population and ethnicity comparison. In 1990, the overall population in the neighborhood was 2,661 residents. Ten years later, the population had increased nearly 25% to 3,534 residents (Chart A). Since no major new housing projects were built during the same time period in the neighborhood, it can be concluded that household family size has increased.

The second factoring trend found in the population and ethnicity data is the dramatic increase in the number of people of Hispanic heritage who now reside in the neighborhood. This segment of the population increased nearly 300% in the neighborhood, closely following the overall trend in the entire valley. When comparing other information from the census data, it can also be concluded that the Hispanic community tends to be younger with larger families. This could explain the decrease in educational levels achieved between 1990 and 2000 since many of the new residents are still in the primary school grades (Chart B).[1]

The overall average household income levels show a slight decline (Chart C). Again, this can be attributed to the number of families with larger households. More residents are younger and still in school and have yet to reach the workforce.

Many members of the Planning Team believed that the number of housing units being rented had dramatically increased during the same ten-year period. The data does not support this belief (Chart D). In fact, the data shows that there was a slight increase in home ownership in the neighborhood. But for all intents and purposes, about half of all housing units are being rented versus owner-occupied. Of course, the data doesn't show the number of housing units that have tenants who just rent a room from the owner-occupied housing units.

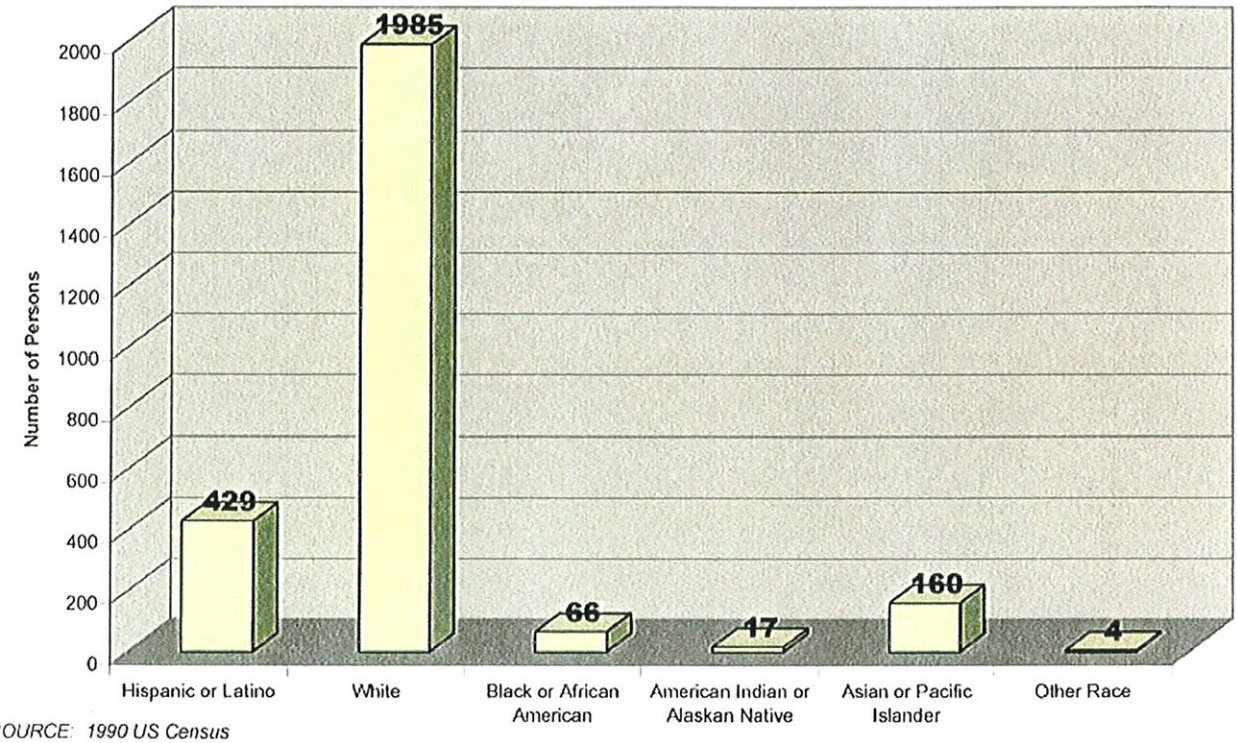
After careful analysis of the data comparison, the overall conclusion is that the population densities of the neighborhoods have increased and this increase can be attributed to the influx of larger Hispanic families into the neighborhoods.

(1) *Education level census data collects data for those 25 years old or over so the children are not factored into the data set.*

Demographics - Chart A

1990

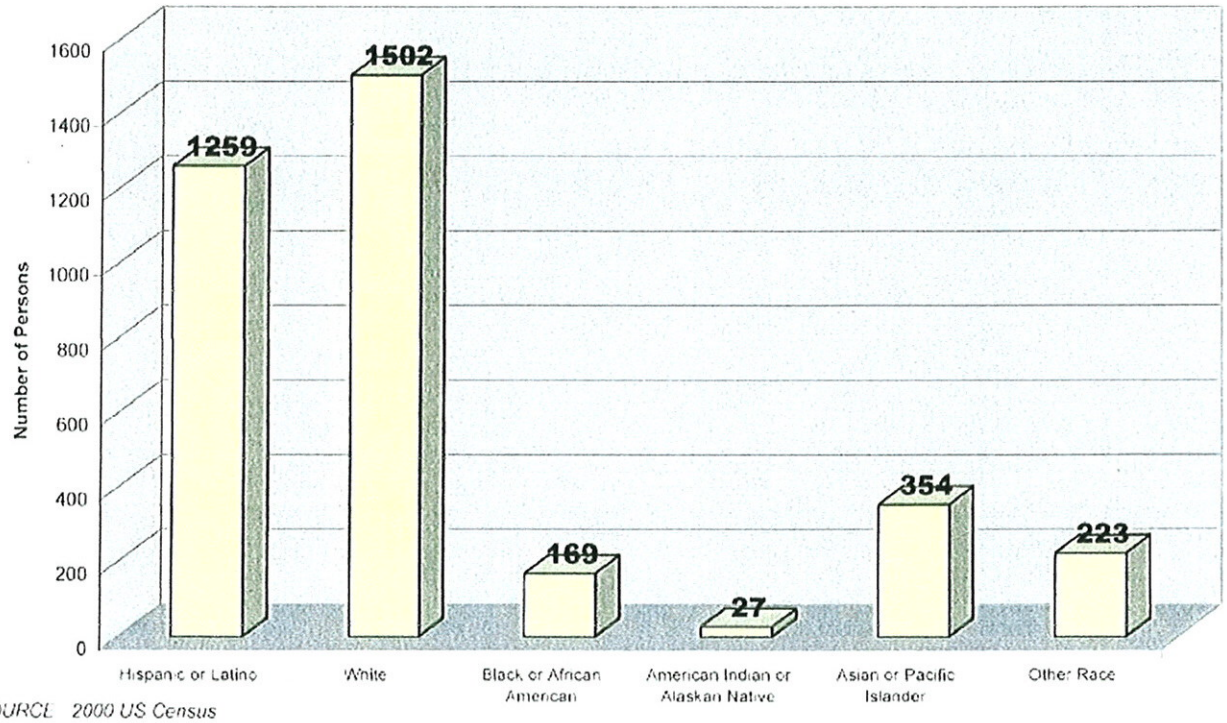
Population by Ethnicity



SOURCE: 1990 US Census

2000

Population by Ethnicity

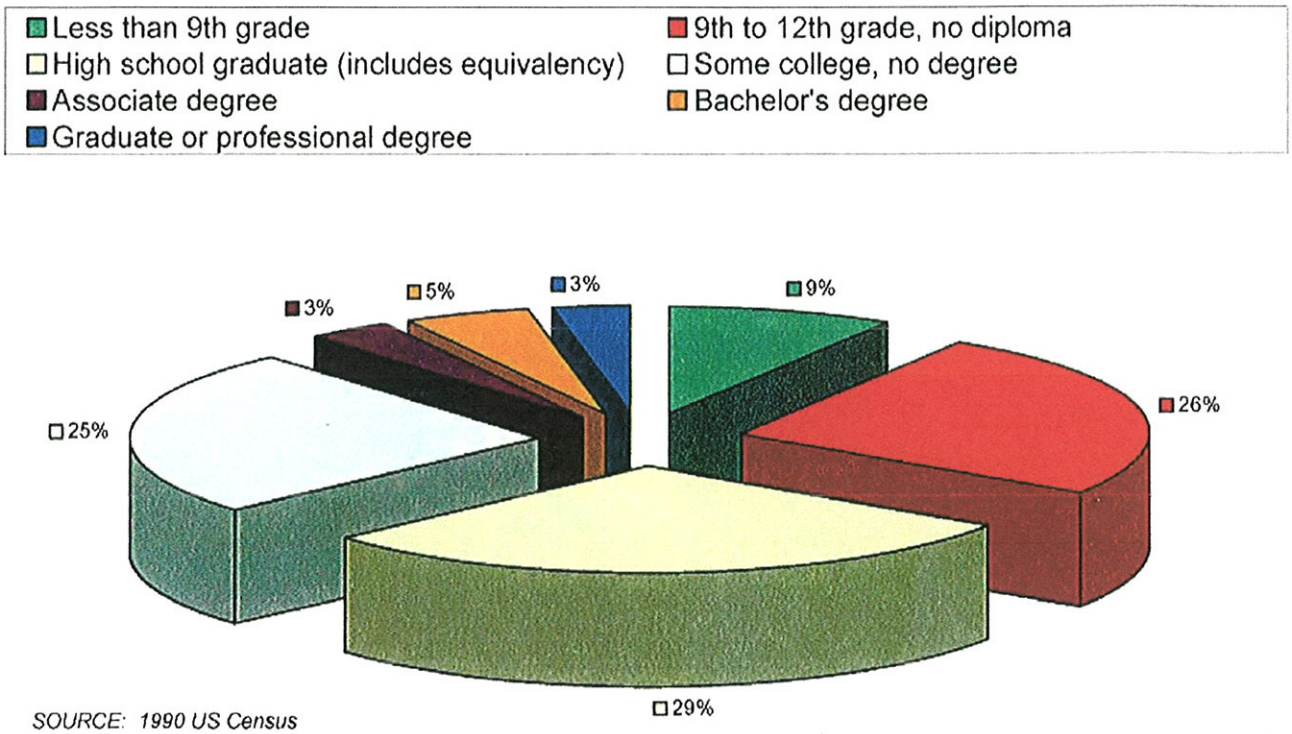


SOURCE: 2000 US Census

Demographics - Chart B

1990

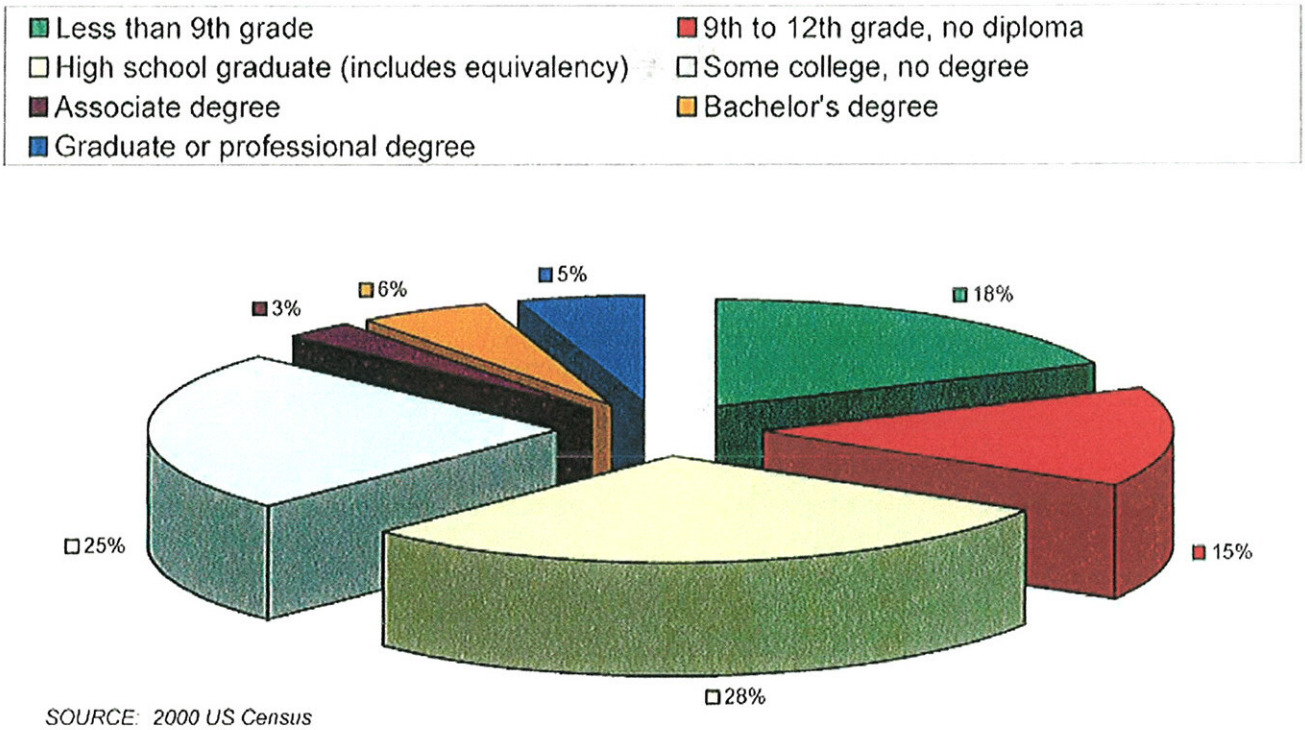
Educational Attainment



SOURCE: 1990 US Census

2000

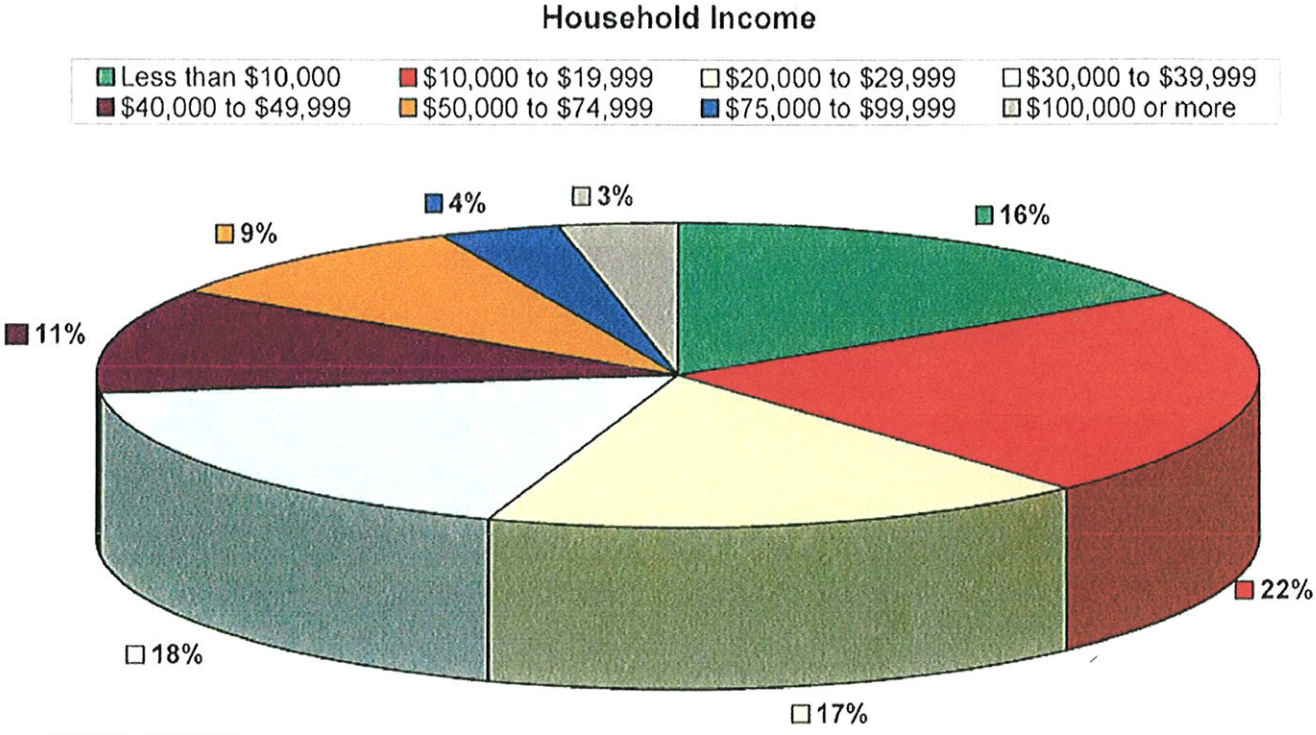
Educational Attainment



SOURCE: 2000 US Census

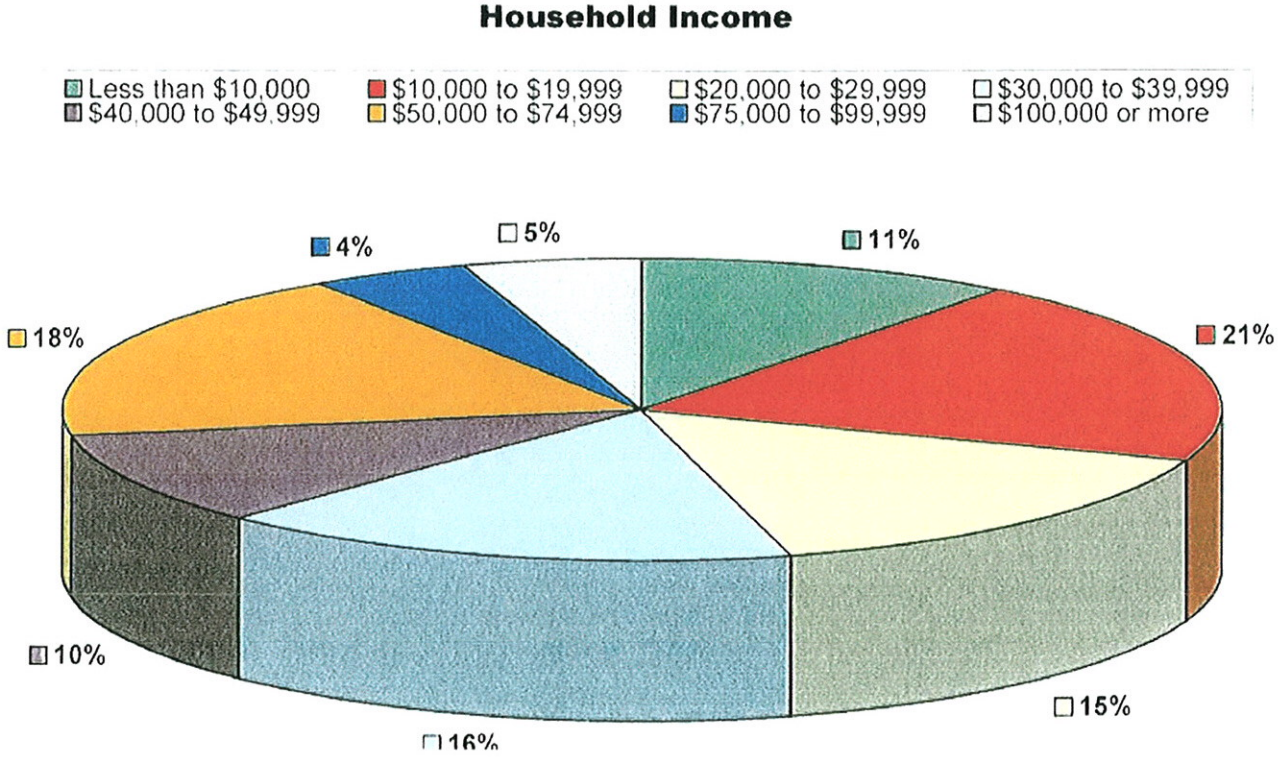
Demographics - Chart C

1990



SOURCE: 1990 US Census

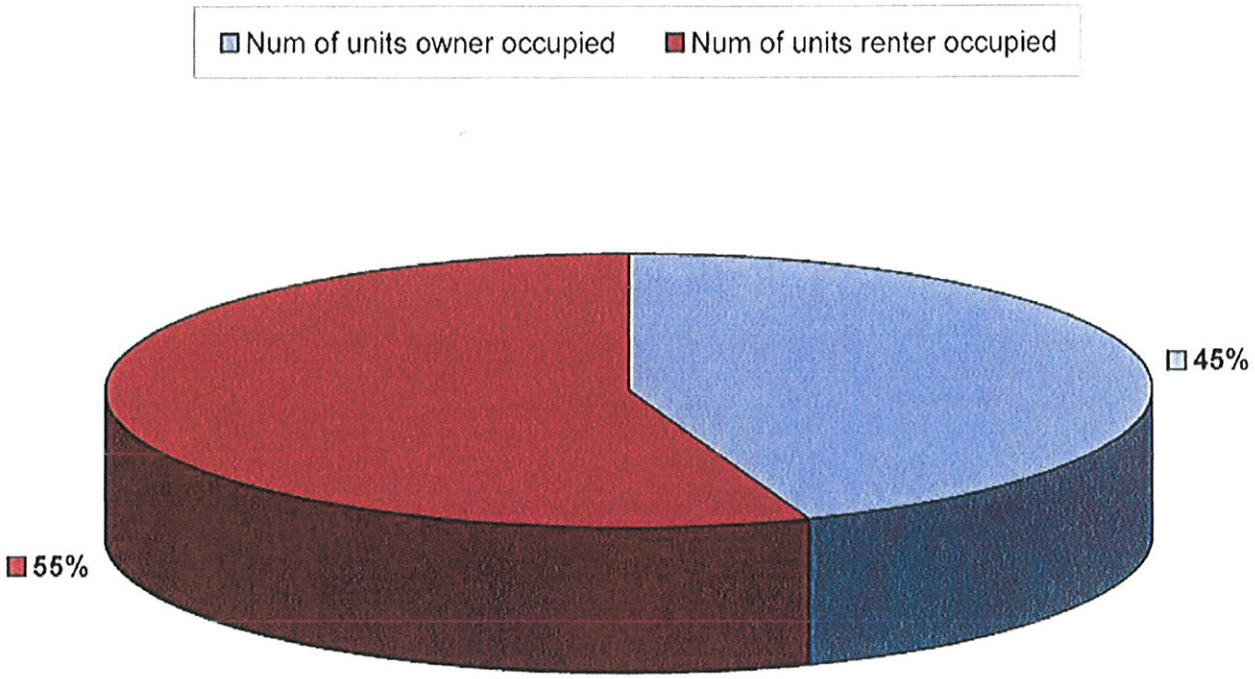
2000



Demographics - Chart D

1990

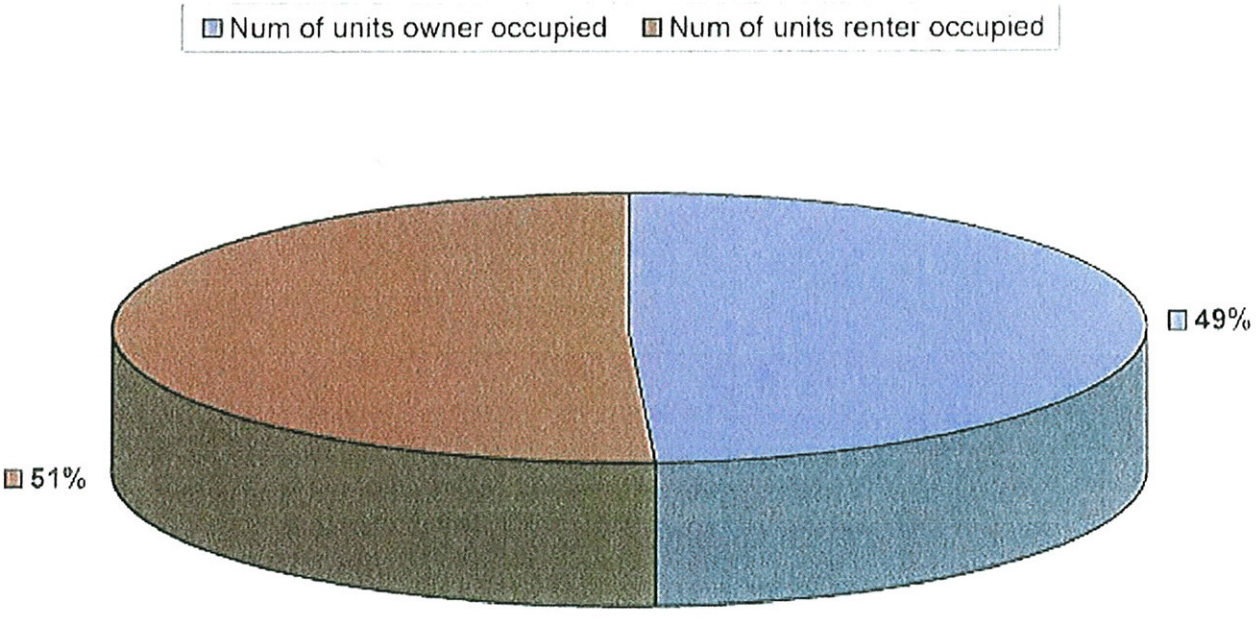
Owner Occupied vs. Renter Occupied



SOURCE: 1990 US Census

2000

Owner Occupied vs. Renter Occupied



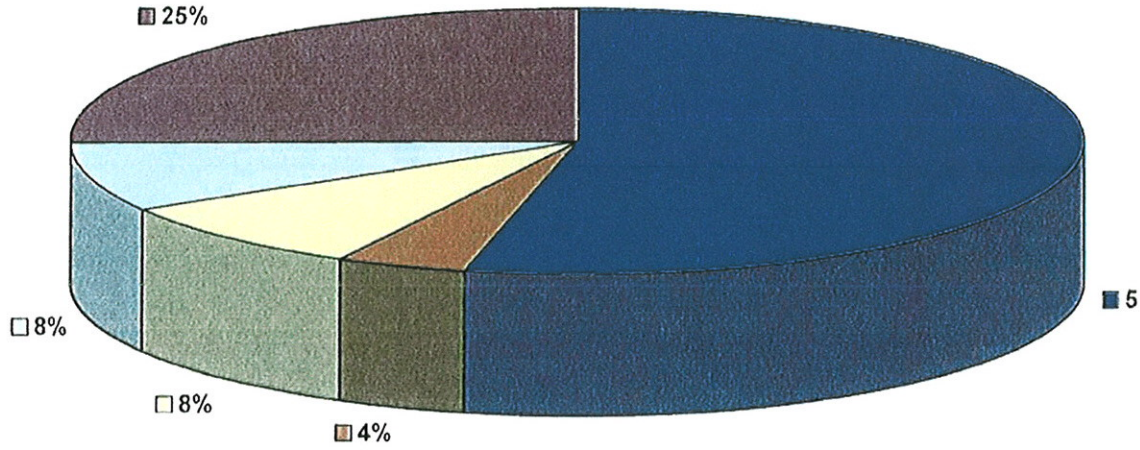
SOURCE: 2000 US Census

Demographics - Chart E

1990

Vacant Housing Units

- For rent - 51
- For sale only - 4
- Rented or sold, not occupied - 8
- For seasonal, recreational, or occasional use - 8
- Other vacant - 24

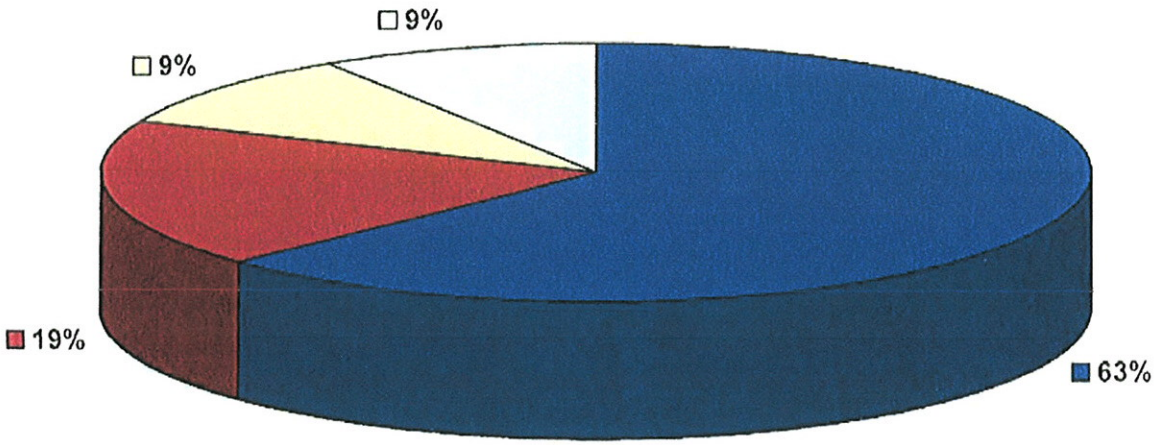


SOURCE 1990 US Census

2000

Vacant Housing Units

- For rent - 54
- For sale only - 16
- Rented or sold, not occupied - 8
- Other vacant - 8



SOURCE: 2000 US Census

Current Conditions

A windshield survey was taken during the summer of 2002 of both the Beverly Green and the Southridge neighborhoods. The overall conditions were good and the vast majority of properties are well maintained. The survey, conducted by Planning Team members and city staff members, looked at the following six conditions: Vacant properties, landscaping, trash & debris, roofs, exterior surfaces and inoperable/unlicensed vehicles.

Vacant properties included homes for sale as well as underdeveloped/ undeveloped land (Map 4). At the time of the survey, there were eleven homes on the market. The largest vacant tract was found on 6th Street, south of St. Louis. The land is divided into several parcels with the largest parcel being approximately 3.1 acres. The smaller parcels, mostly shallow lots fronting 6th Street, are zoned R-1, single family residential. Although there is currently no hard zoning on the larger parcel, it does have an 84-unit condominium project site development plan on file with the Planning Department. There was also a small concentration of several vacant buildings and parcels located off Sahara on private streets.

When surveying for landscaping, the teams looked to see if a property had any landscaping and if so, was it being well maintained (Map 5). If trees or grass needed to be trimmed or cut, then they were classified as in need of minor maintenance. Each property was viewed by a team from the city independently from the Planning Team surveys for a balanced, more objective report that reflects the standards for code compliance.

As can be seen from the trash and debris map (Map 6), there were several properties in need of some attention. As the teams viewed each property, if a carport or side yard was being used for storage, it was marked as "debris" since it is a property maintenance violation under the city's code. Given the close proximity to Las Vegas Boulevard and the frequent winds, it was not surprising to see a lot of paper and plastic throughout the neighborhood with the southwestern sections of the planning area affected the most.

If a building had more than half of its roof with missing or worn shingles, then it was marked as needing replaced (Map 7). Roofs with just a few missing or worn shingles were marked as needing repaired. Overall, this doesn't appear to be a major problem within the two neighborhoods.

Current Conditions

When looking at the exterior surfaces of buildings, the teams were looking for worn wood, chipping and peeling paint and broken or boarded up windows (Map 8). Most of the properties marked as needing minor repairs simply had paint chipping along eaves that were visible from the street.

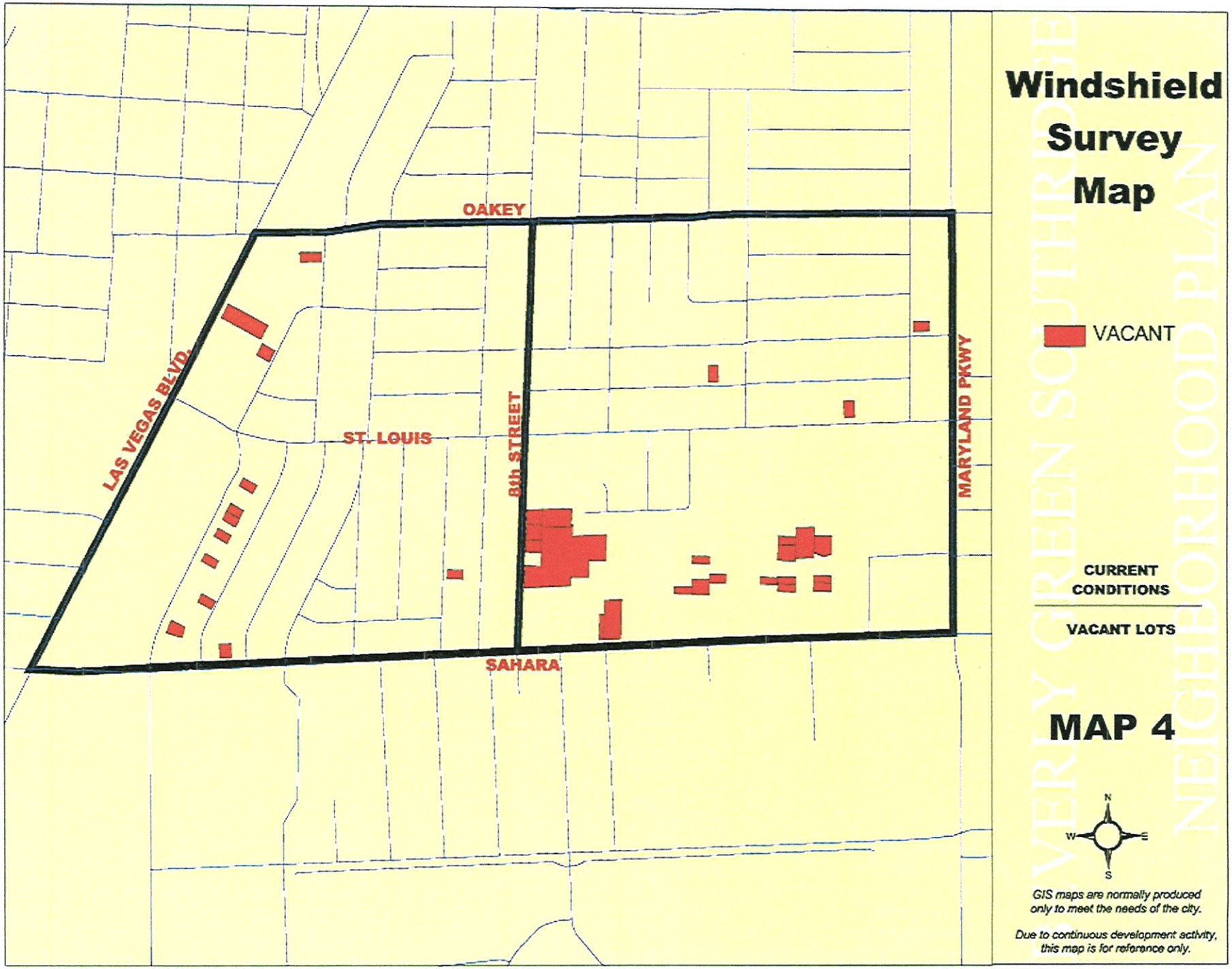
Although the city of Las Vegas Code permits vehicles without tags to be parked in the driveway and carport, the Planning Team felt that even one unlicensed vehicle had a blighting effect on the neighborhood and was thus marked (Map 9). This doesn't appear to be a major problem for this area.

The Planning Team was also concerned about the number of adult group homes in the neighborhood. A check with the City's Business License Department revealed that there are eight (8) licensed adult care sites in the neighborhood (Map 10). Unfortunately, there are also several that are unlicensed. Although the Planning Team identified some of these, we were unable to mark them since they had not been proven to be group homes, just suspected.

The commercial business buildings that front Las Vegas Boulevard, Paradise Road and Sahara Avenue are, for the most part, older, outdated properties. It is expected that many of these will be redeveloped once the monorail is completed.

The sole park in the planning area, Baker Park, was recently given a multi-million dollar facelift by the City. The new pool house, playground equipment, lights, benches and sidewalks are now well utilized by residents. What was once an unattractive open space has now become the gem of the neighborhood.

The Clark County School District has approved plans to tear down and rebuild the Fremont Middle School within the next three years. This project will greatly enhance the community.



Windshield Survey Map

VACANT

CURRENT CONDITIONS

VACANT LOTS

MAP 4

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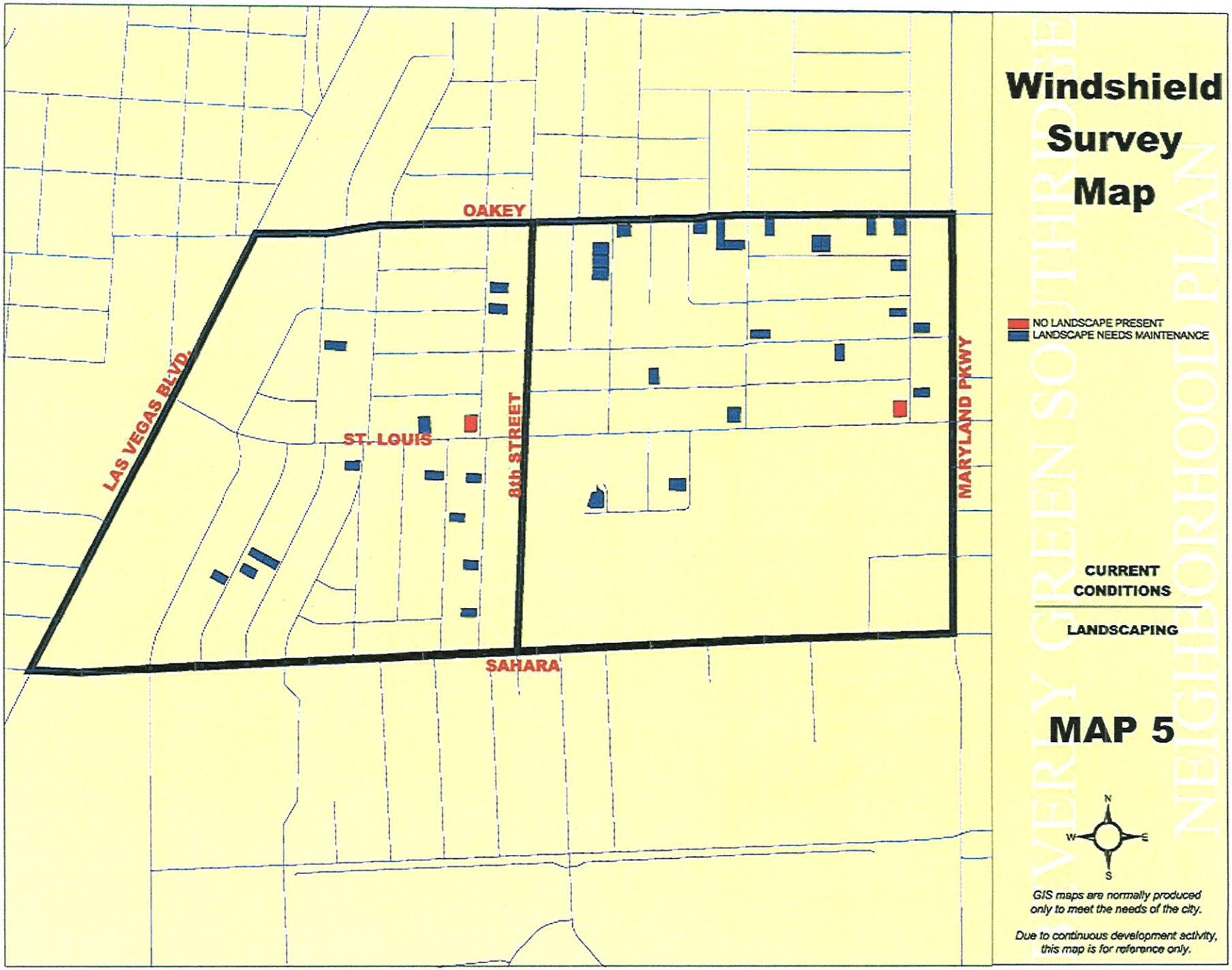
VERY GREEN SOUTHRIDGE NEIGHBORHOOD PLAN



Windshield Survey Map

NO LANDSCAPE PRESENT
LANDSCAPE NEEDS MAINTENANCE

CURRENT CONDITIONS

LANDSCAPING

MAP 5

N
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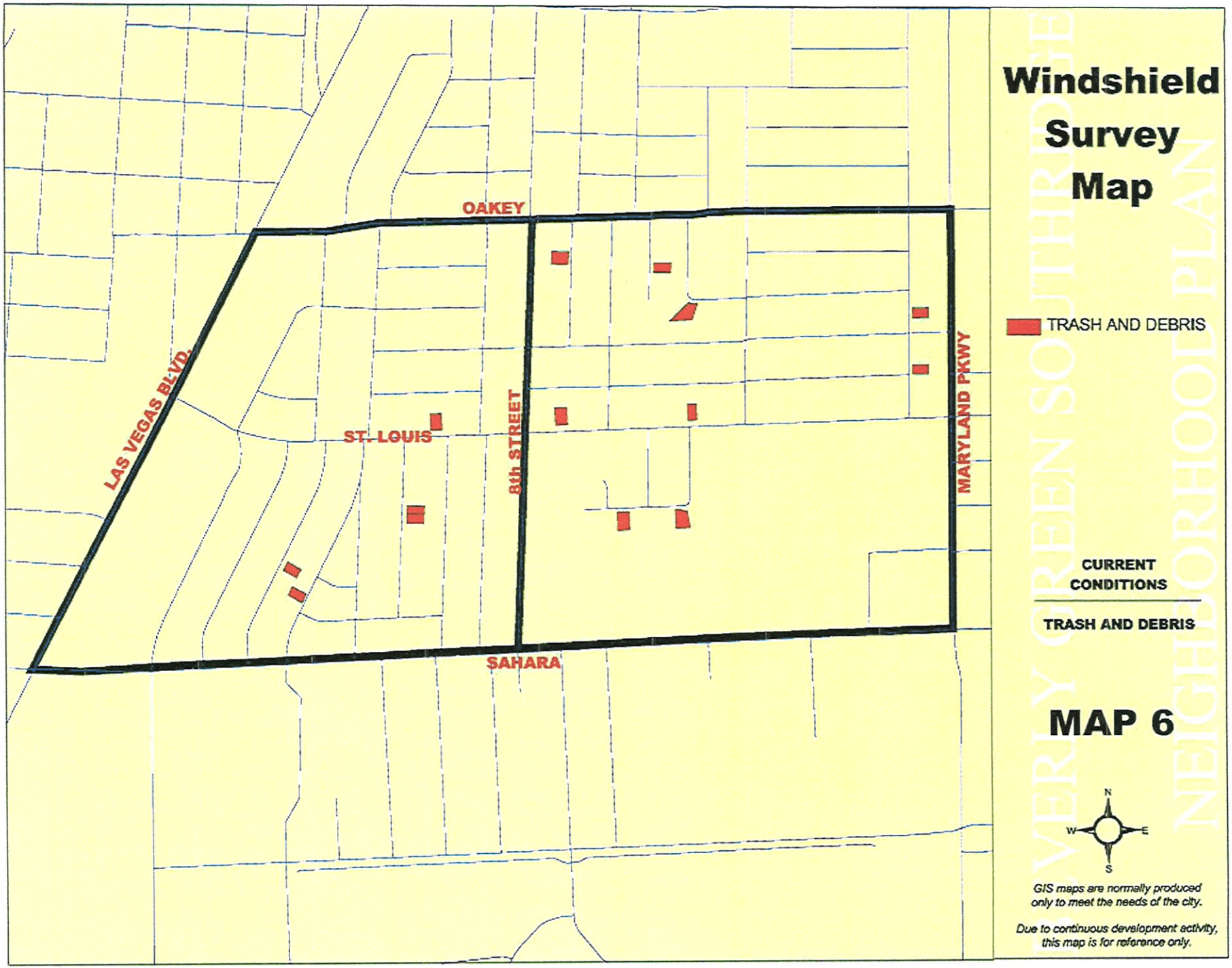
VERY GREEN SOUTHRIDGE NEIGHBORHOOD PLAN



Windshield Survey Map

TRASH AND DEBRIS

CURRENT CONDITIONS

TRASH AND DEBRIS

MAP 6

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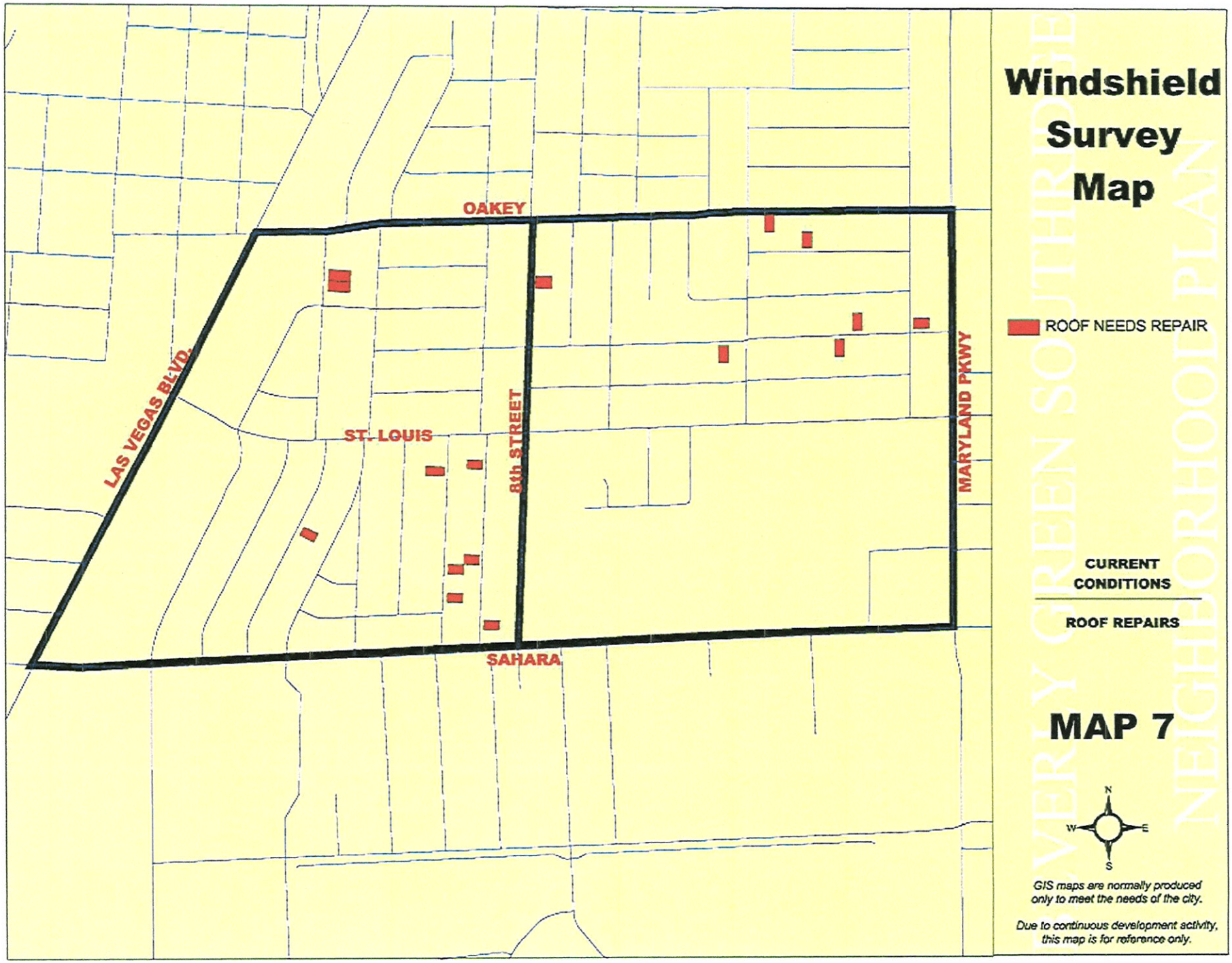
EVERY GREEN SOUTHRIDGE NEIGHBORHOOD PLAN



Windshield Survey Map

ROOF NEEDS REPAIR

CURRENT CONDITIONS

ROOF REPAIRS

MAP 7

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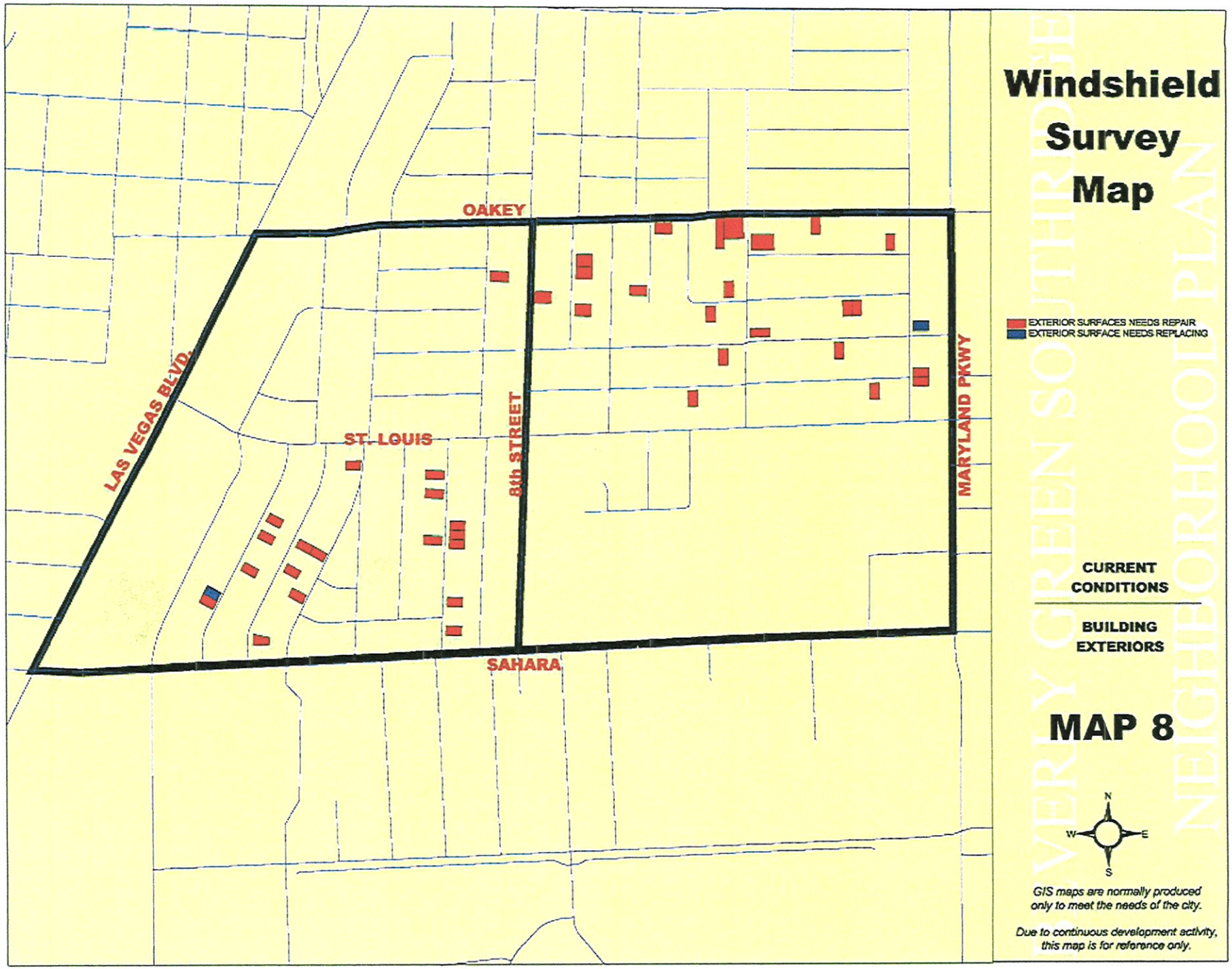
VERY GREEN SOUTHRIDGE NEIGHBORHOOD PLAN



Windshield Survey Map

CURRENT CONDITIONS

BUILDING EXTERIORS

MAP 8

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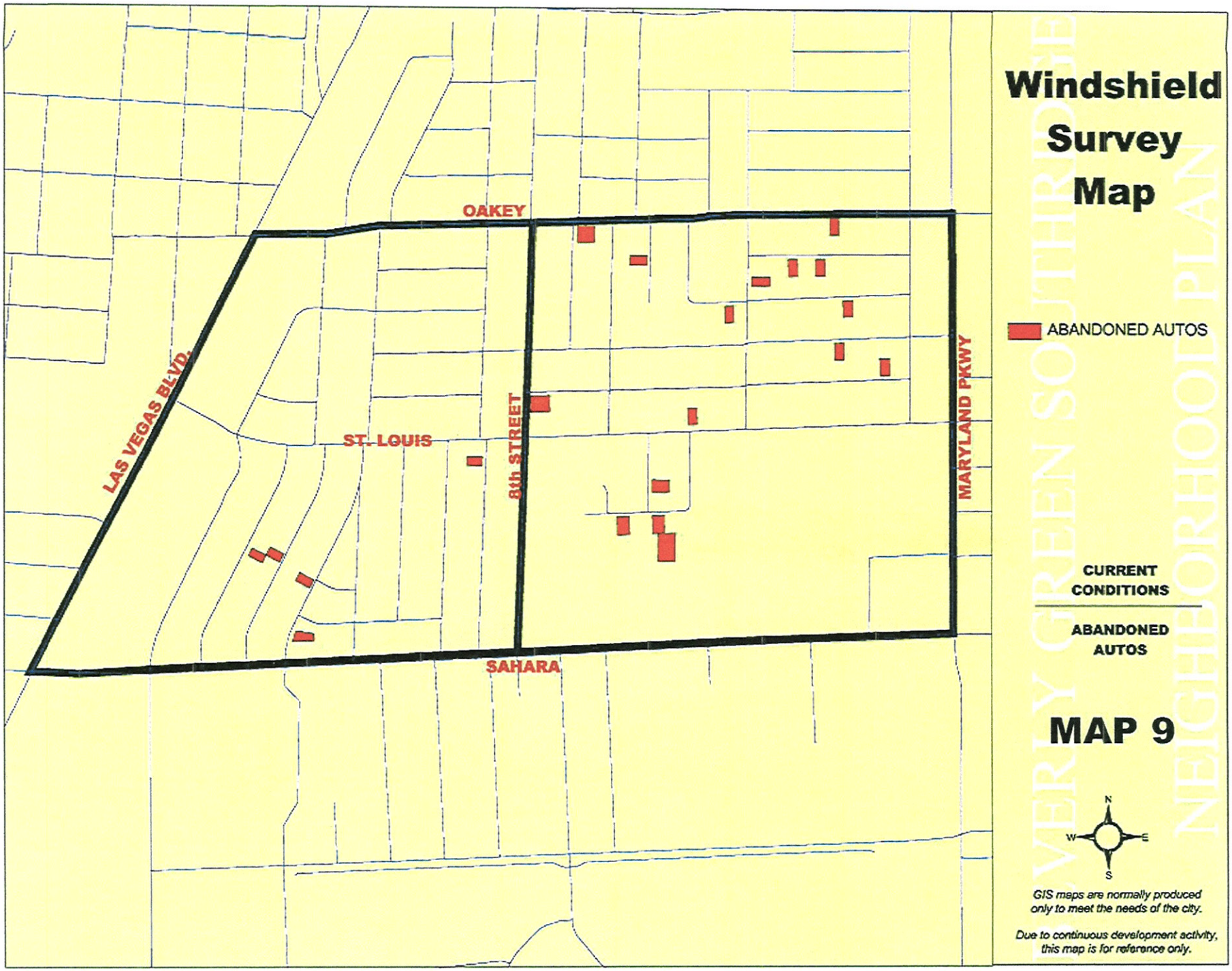
VERY GREEN SOUTHRIDGE NEIGHBORHOOD PLAN



Windshield Survey Map

ABANDONED AUTOS

CURRENT CONDITIONS

ABANDONED AUTOS

MAP 9

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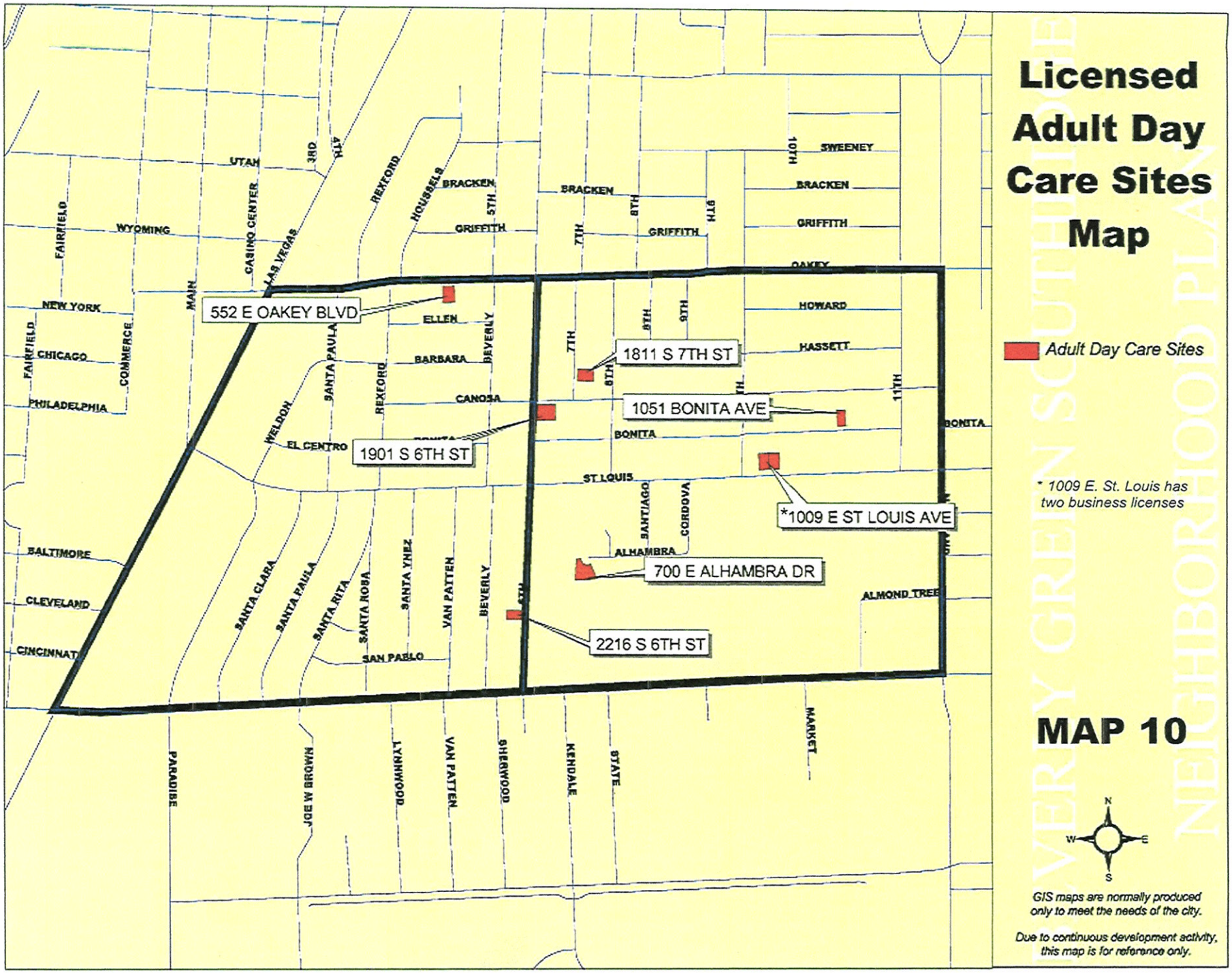
VERY GREEN SOUTHRIDGE NEIGHBORHOOD PLAN



Licensed Adult Day Care Sites Map

Adult Day Care Sites

* 1009 E. St. Louis has two business licenses

MAP 10

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DISCOVERY GREEN SOUTHEAST NEIGHBORHOOD PLAN

Current Conditions

The Code Enforcement Sub-Committee of the Planning Team discussed the windshield survey results. The findings are as follows:

ISSUE: ***The lack of property maintenance by some property owners is having a negative effect on the Beverly Green and Southridge Neighborhoods.***

Goal: Support a program that will have 100% of the properties in the neighborhoods up to the city of Las Vegas minimum code standards within three years of adoption of the plan.

Strategies:

1. Educate neighborhood property owners and residents about the minimum property maintenance standards required by City Code by providing a user-friendly reference in both English and Spanish. It was determined by the Sub-Committee, after a review of Title 19, that even the most educated resident would have difficultly locating and understanding common issues in this format. If the community doesn't understand what codes are they can hardly try to comply with them.
2. Neighborhood residents will provide friendly doorhangers explaining the six most blighting code violations and informing residents that assistance is available to bring them into compliance.
3. Support a city sponsored neighborhood clean-up every year on the 3rd Saturday in March.
4. Encourage a property-by-property assessment of the top six neighborhood identified code violations to be addressed, conducted by Code Enforcement. This will take place three times during the five-year duration of the plan.
5. Support the enforcement of the three blighting issues caused by commercial business:
    a. Support the conformance of bringing signage up to minimum city of Las Vegas standards within six months of the adoption of this plan by City Council.

b. Support the conformance of all businesses having the appropriate number and sized trash bins and that such bins are stored in an appropriate location.

c. All vacant land and buildings are secure and free of trash and not posing a health or safety hazard.

ISSUE: ***Recognize two properties each month that have maintained excellent front yard landscaping.***

Goal: Promote pride in the neighborhood and encourage others to improve their front yard landscaping.

Strategy:

1. Apply for a Neighborhood Partnership Fund Grant to fund the construction of two nice yard signs to be rotated each month.
2. Each neighborhood association would vote on which property would receive the award at their respective monthly neighborhood meetings.
3. The owner of the awarded property is encouraged to have the sign in their yard for a month.

Existing Land Use

Existing Land Use issues were a primary concern for the residents of the area (Map 11). Several factors including the gaming overlay and the proposed monorail have raised concerns on the future of the residential neighborhoods in the area and the possible zoning changes that might be proposed (Map 12). The Planning Team members, in consultation with the community-at-large, identified the seven most alarming land use issues that the area faces. These issues, along with goals and strategies for each, are outlined below.

ISSUE 1: ***Gaming Overlay***

There is a Gaming Overlay (Map 13) that covers the southwest quarter of the planning area.

Goal: Support the limitation of any possible negative impacts this could have on the residential areas of the planning area.

Strategy:

1. Actively oppose any commercial expansion into the single family zoned area of the planning area.
2. Request state elected officials to remove the overlay from properties that are currently zoned (R-1) for single-family homes.

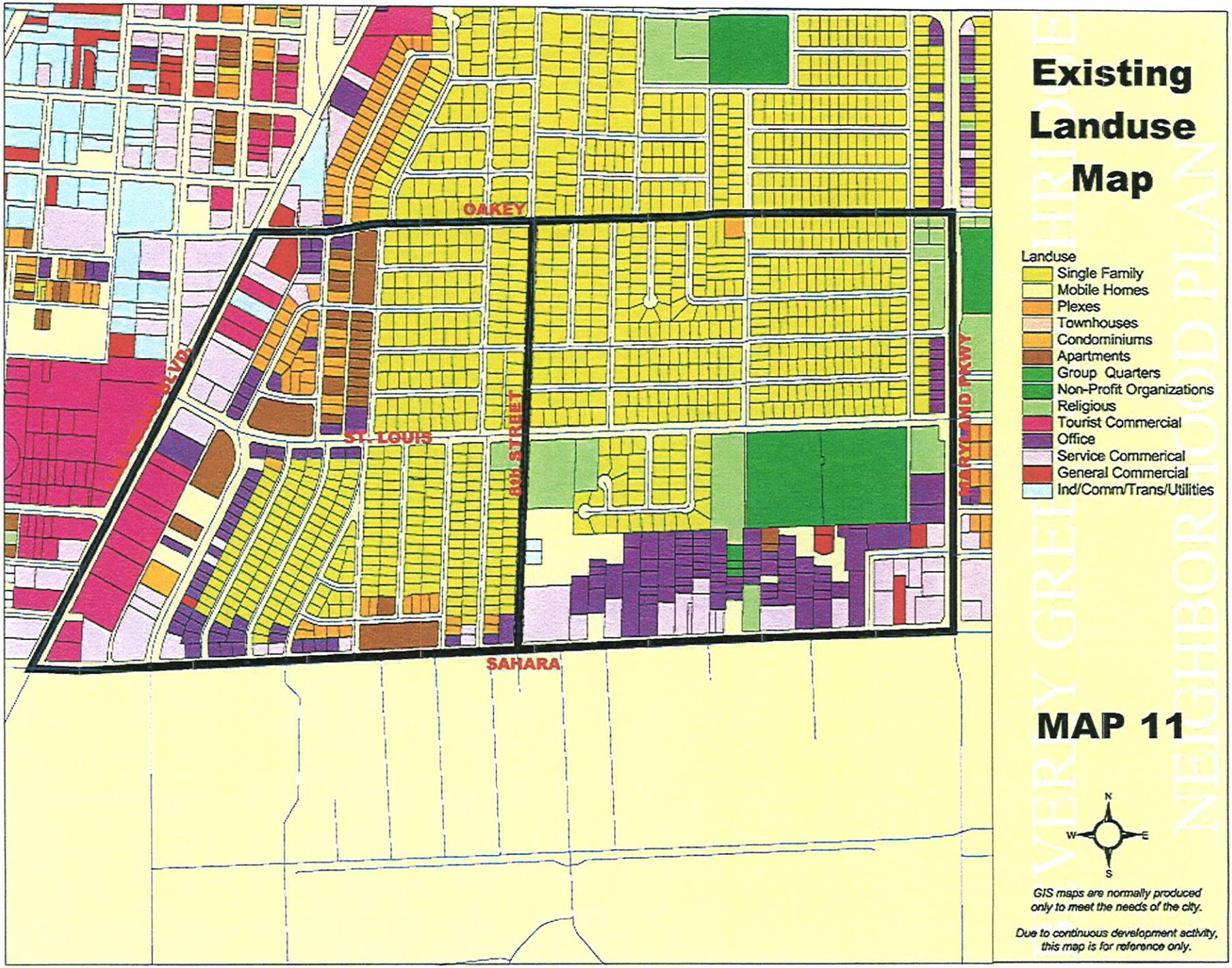
ISSUE 2: ***Unlimited Building Heights along the East side of Las Vegas Boulevard.***

Residents expressed concern that under the 2000 Las Vegas Downtown Centennial Plan, there are no building height restrictions on properties along Las Vegas Boulevard extending to Paradise Road. In order to offset any negative impacts a high rise structure may cause if built along this corridor, residents propose the following:

Goal: Actively oppose any negative aesthetic effects a highrise structure may pose on the neighborhood.

Strategy:

1. Request that any development whose building foundation is within 300' of a property zoned for a single-family residential home be required to adhere to Title 19.08.060 Residential Adjacency Standards.



Existing Landuse Map

MAP 11

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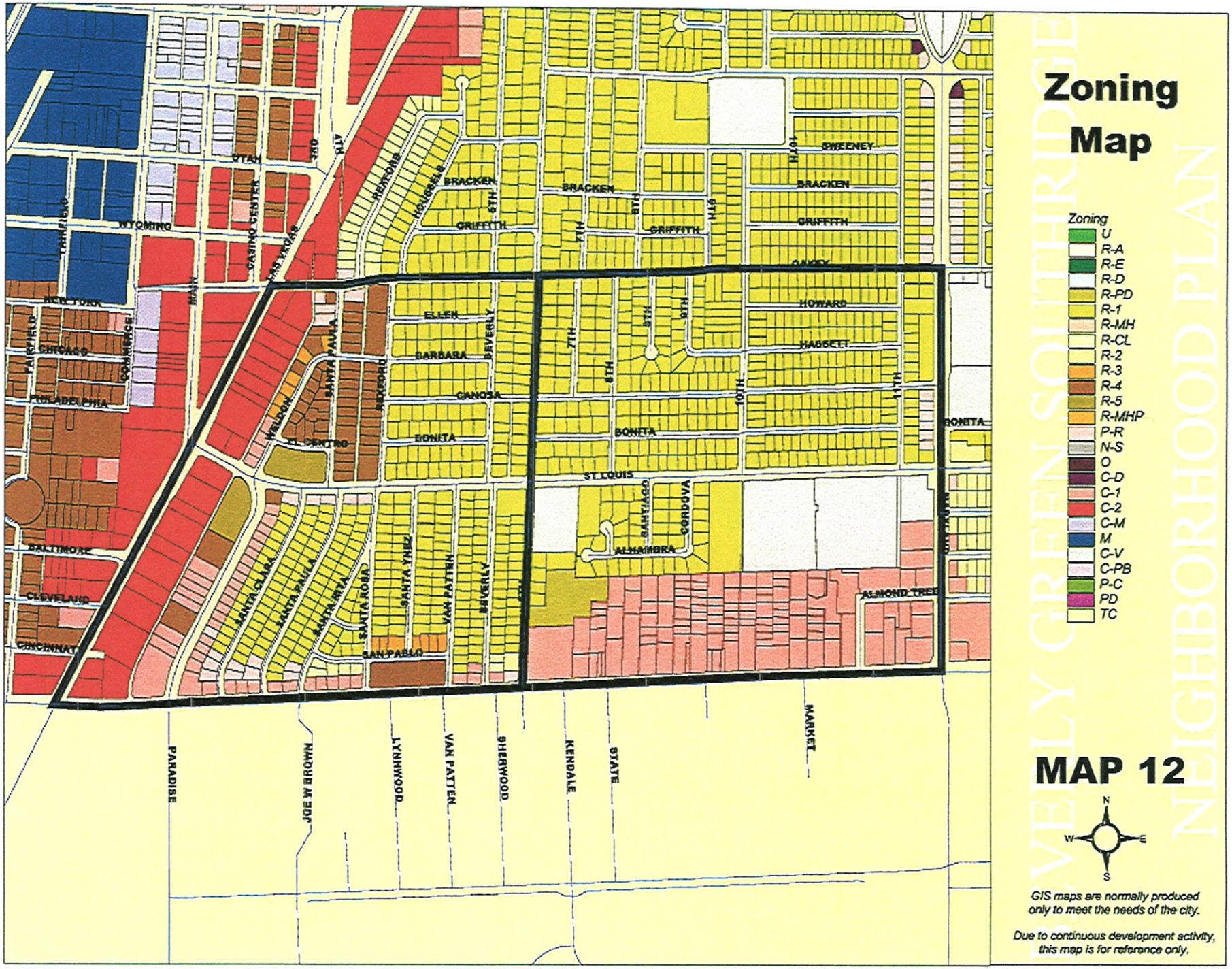
VERY GREEN NEIGHBORHOOD PLAN


Zoning Map
Zoning
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
TC
MAP 12
N
W
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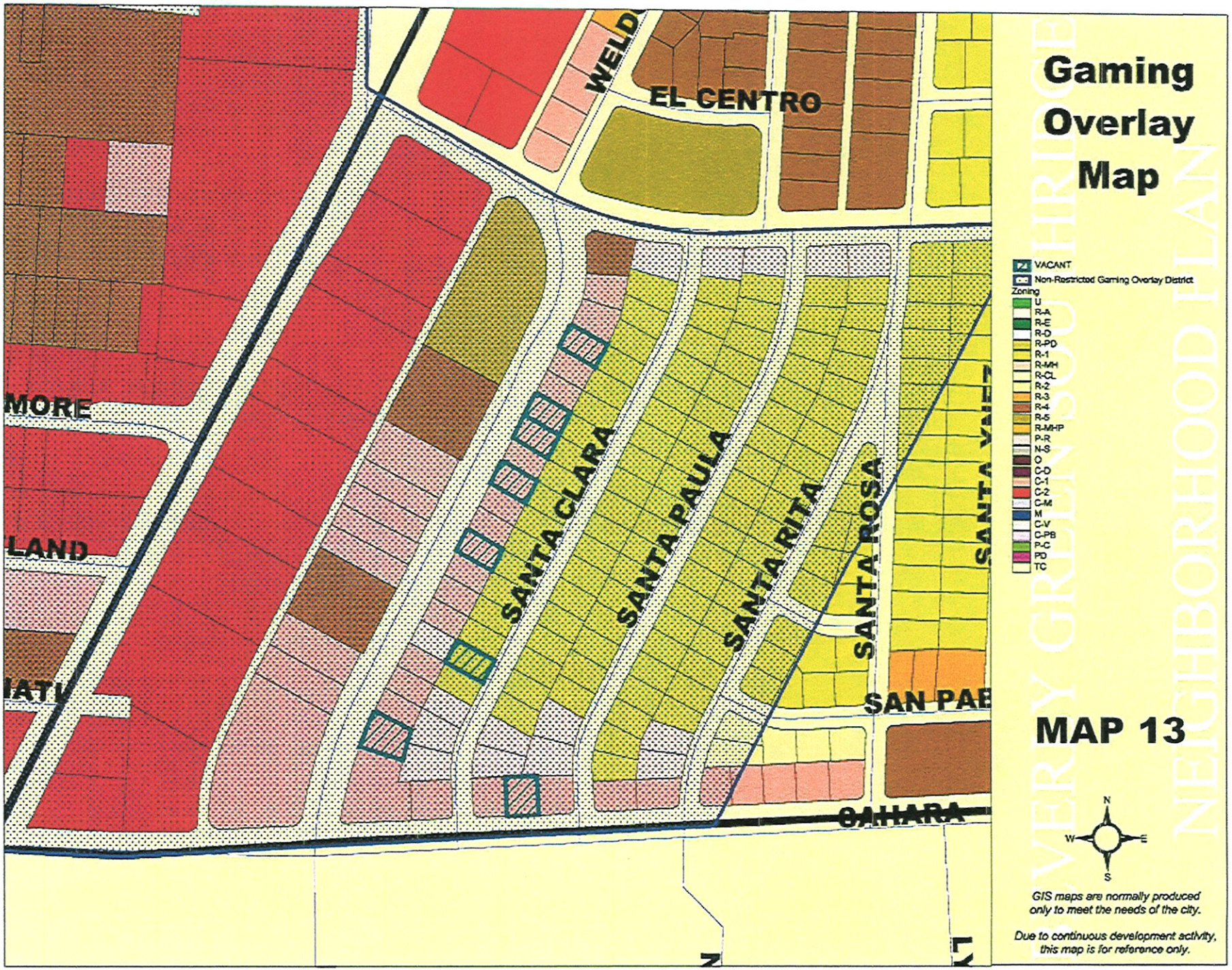
VELY GREEN SOUTHSIDE NEIGHBORHOOD PLAN
BRACKEN
GRIFFITH
SWEENEY
CASEY
HOWARD
HASSELL
ELLER
BARBARA
CANOSA
BONITA
ST LOUIS
ALHAMBRA
CORDOVA
ALMOND TREE
UTAH
WYOMING
NEW YORK
CHICAGO
PHILADELPHIA
BALTIMORE
CLEVELAND
CINCINNATI
SAN PABLO
PARADISE
JOE W BROWN
LYNNWOOD
VAN PATTEN
SHERWOOD
KENDALE
STATE
MARKET


Gaming Overlay Map
EL CENTRO
SANTA CLARA
SANTA PAULA
SANTA RITA
SANTA ROSA
OJAI
MAP 13
VACANT
Non-Restricted Gaming Overlay District
Zoning
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
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Due to continuous development activity, this map is for reference only.
VERY GREENSBURG
NEIGHBORHOOD PLAN

2. Residents were also concerned with the possibility of amusement rides being developed within this same area and their negative impact on the quality of life in the neighborhood. To reduce this concern, residents propose the following:

   Any amusement ride proposed for the area east of Las Vegas Boulevard and within this Neighborhood Plan's boundaries will be no higher then 50' from the natural grade of the ground.

   That the above proposed standard is not an endorsement of amusement rides, just a standard for developers to consider for such projects in this neighborhood.

ISSUE 3: ***Condition of private streets are poorly maintained.***

There are eight streets off of Sahara between 6th Street and Almond Tree Lane that are not city of Las Vegas owned and maintained streets. These streets for the most part, lack curbs and sidewalks and are generally below minimal city standards. As a result, the visual appearance gives the average person the perception that these are alleys. Problems that are normally found in alleys are found along these private streets such as illegal dumping, graffiti, abandoned autos and transients.

Goal: Support the bringing of these streets up to minimum city standards and eliminatation of the negative effects that are occurring.

Strategy: **Option 1.**

Encourage the city of Las Vegas to obtain an easement from the property owners and rebuild and maintain the streets as public streets. This would be at city cost.

Option 2.

Encourage the city of Las Vegas to obtain an easement from the property owners and rebuild and maintain the streets as public streets. This would be paid for via a Special Improvement District (SID).

Option 3.

Property owners could form a business owners association along each private street and use it to bring the street up to minimal city of Las Vegas standards.

Option 4.

Support the use of the tools already available to combat the blighting effects that the condition these private roads are causing.

ISSUE 4: ***Re-development along Sahara will take place in the near future with the development of the Mono-rail system.***

Goal: Re-Development should reflect the growing urban nature of this part of the city of Las Vegas with mixed use projects.

Strategy:

1. Encourage the city of Las Vegas to market this area to potential developers and to highlight the opportunities in the area that would be compatible for both residents and commercial uses.

ISSUE 5: ***There are several undeveloped vacant lots in the neighborhood.***

Goal: To develop these lots with projects that are compatible with the neighborhood.

Strategy:

1. Recommend that all potential developers interested in developing in the area consult with the neighborhood associations on any projects they propose.

ISSUE 6: ***Monorail station development.***

Goal: Ensure that development around the monorail station(s) will be compatible with the traditional neighborhood.

Strategy:

1. Recommend that all potential developers in the area consult with the neighborhood associations on any projects they propose prior to submitting such projects for review by the Planning Commission.

Existing Land Use

ISSUE 7: ***There are a large number of single family residentially zoned properties being used for group homes, adult care facilities, rooming houses and apartments.***

Goal: Support the closure of all illegal uses to reduce the impact of the legal uses

Stategy:

1. Support the identification of all residential properties with illegal uses and work with Code Enforcement to resolve.
2. Lobby elected officials to change the law which permits an unlimited number of group homes that can concentrate in one residential neighborhood.[2]

ISSUE 8: ***Commercial encroachment threatens the residential areas.***

Residents do not want any additional single-family zoned properties to be re-zoned for more intense uses. The pressures for this process are primarily along both sides of St. Louis, the east side of 11th Street and the west side of Santa Clara. However, the properties on the west side of 6th Street between St. Louis and Sahara are also at risk.

Goal: Prevent commercial encroachment into the residential areas.

Strategy:

1. Educate current property owners about the negative effects of commercial encroachment on residential neighborhoods.
2. Inform property owners that the neighborhood association will actively oppose any such proposals.
3. The community will continue to be present at all Planning Commission and City Council meetings where proposals affecting the neighborhood are being considered.

[2] *Currently Title 19 permits facilities to locate no closer than 660 feet from each other.*

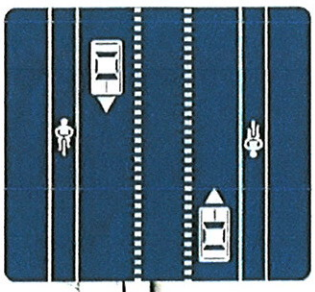
Traffic Issues

ISSUE 1: ***Residents expressed concern over the increasing volume and speed of vehicles in their residential neighborhood. Cut thru traffic appeared to be of greatest concern.***

Goal: Support methods that will reduce the volume and speed of vehicle traffic to make it a more pedestrian friendly neighborhood.

Strategies:

1. Have a volunteer from each neighborhood attend METRO's First Tuesday meetings to request that periodic traffic enforcement details be assigned to the neighborhood.
2. Support the changing of all Yield signs within the neighborhoods changed over to Stop signs to reduce speeding;
3. Support the installation of larger Dead End signs on Oakey on both approaches to 8th Place to reduce traffic on 8th Place;
4. Support the installation of No Right on Red signs at the Sahara intersections of Paradise and Las Vegas Blvd.;
5. Support the restriping of Oakey to show one lane in each direction with a double yellow line to prevent passing and a solid white line to indicate parking on either side. This should reduce the speed along Oakey;



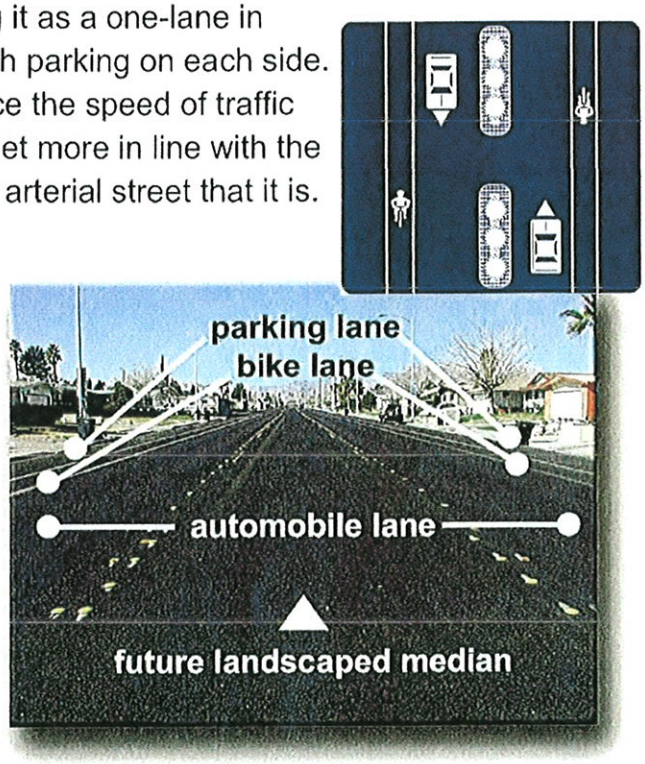
6. Support the changing of the intersection of St. Louis and 6th Street to a four way stop. This should reduce the speed of traffic on St. Louis;



6th and St. Louis

7. Support the installation of no left turn signs between the hours of 7:00 to 9:00 a.m. on the westbound side of Oakey as a possible solution of cut through traffic on Oakey.

8. Support the installation of a landscaped median on St. Louis and striping it as a one-lane in each direction with parking on each side. This should reduce the speed of traffic and bring the street more in line with the residential, minor arterial street that it is.



Example of restriping shown.

9. Support a landscaped median on St. Louis that would prevent making a left turn off of 10th Street. This would eliminate the cut through traffic to Sahara.
10. Support the installation of No Parking signs for street cleaning days. Streets remain dirty due to cars parking in the street on cleaning days;
11. Support the replacement of all street signs with new signs containing larger print. Planning team members felt the larger print would assist residents in navigating the streets in the area.

ISSUE 2: ***Two of the private, supposedly dead-end streets, are being used to access the Trinity Life Center Church's parking lot to cut thru to St. Louis.***

Goal: Support the elimination of the thru traffic across the Church's parking lot.

Strategies:
1. Work with the Church to fence the back side of their parking lot.
2. Work with the property owners along the two private streets to eliminate access to the Church parking lot.
3. Work with Metro to enforce traffic laws forbidding cut thru traffic.

Public Safety Issues

As is found in most communities, residents were concerned about crime and general quality of life issues such as loud music, littering and loitering in and around their neighborhood. A check with the Las Vegas Metropolitan Police Department's (METRO) Downtown Area Command revealed two important facts regarding the Beverly Green and Southridge Neighborhoods. First, that there are currently no active blockwatch groups in either neighborhood and second, the crime rate is no higher than a similar neighborhood on the far west side of the city.

METRO compared a similar sized and type of neighborhood near Sahara and Jones. The comparison was for a six-month period from July through December 2002. This comparison was based on eight common calls for service. The study found that the areas were similar for these types of calls for service (Chart F). However, the general perception in the community as a whole is that the neighborhood has a much higher crime rate than the facts show.

Planning Team members believed that the following four issues were important enough in the community to address in this plan and are as follows:

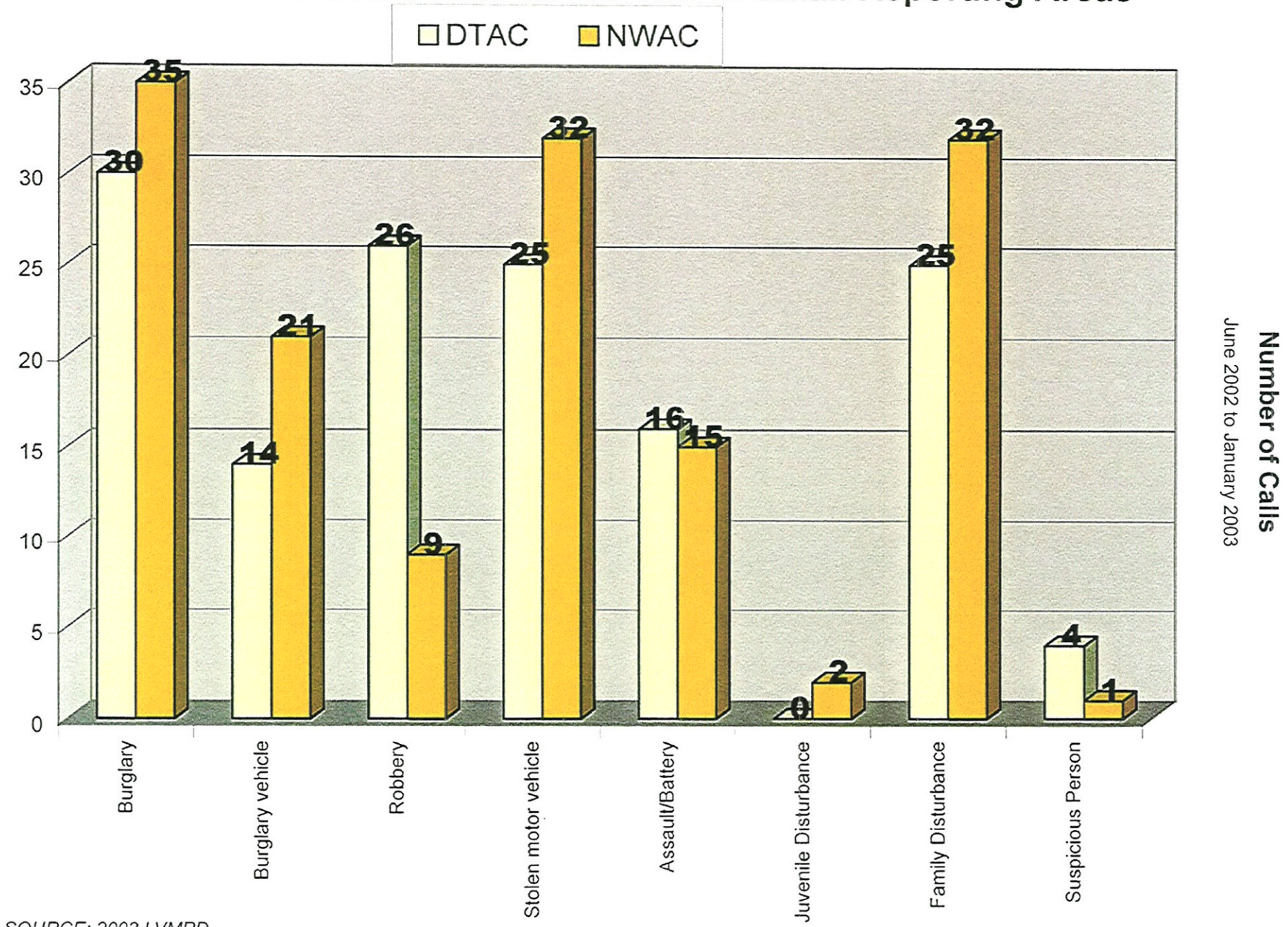
ISSUE 1: ***The visible presence of police officers is not as high as the public would like it to be.***

Goal: Support an increase of police officers in the neighborhood.

Strategy:

1. Have several community members attend the First Tuesday Open House at the Downtown Area Command every month to voice concerns in the area.
2. Encourage residents to do ride-a-longs, if permitted, with patrol officers to increase the understanding of what it takes to patrol the neighborhood.
3. Educate residents and business owners to use 311 and 911 to report all criminal activity in the area. Calls for service will increase patrols in the neighborhood.
4. Support a bond issue for funding.

Chart F: DTAC Selected Calls for Service in Small Reporting Areas



SOURCE: 2003 LVMPD

Public Safety Issues

ISSUE 2: ***Enhance communication and cooperation between the City Marshals' office and the Metropolitan Police Department when responding to calls for service in Baker Park.***

Goal: Encourage the reduction of the response time for calls for service in the park.

Strategy: Meet with officials from both departments to have an open dialogue on the community's issues regarding security at Baker Park.

ISSUE 3: ***There is a perception that the area is more crime-ridden than other similar neighborhoods in Las Vegas.***

Goal: Help change people's perception of the neighborhood to a positive one.

Strategy:

1. Contact all local media sources and encourage them to report correct information about the neighborhood when reporting on events in the area.
2. Encourage the increase of the number of active blockwatches in the neighborhood. The more blockwatches, the less crime, the less negative publicity the area will receive.
3. Hold a safety fair once a year in conjunction with National Night Out.

ISSUE 4: ***Noise pollution is high in the neighborhood.***

Goal: Support the reduction of the level of undesireable noise in the residential areas.

Strategies:

1. Support a ban on any new urban heliports;
2. Request that the city conduct regular volume tests at the outside concert facility at the Stratosphere.
3. Support a request to the Stratosphere to have the stage face either north or south and not towards the residential areas to reduce the distance the sound will carry into the neighborhood.
4. Write down the license plate number of cars that drive in the neighborhood with the stereos blasting and report them to the police.
5. Support stronger local noise laws.

Action Plan

Planning Team members discussed the issues, strategies, and goals of their neighborhood plan and developed the prioritized action plan as called for by city of Las Vegas Resolution R-27-98. The topics and order of importance to the community are as follows: Property Condition, Land Use, Traffic Mitigation, and Public Safety.

1. *Property Condition:* **It is believed that by addressing individual property maintenance issues throughout the two neighborhoods and bringing each up to the city's minimum standard that the overall effect on the community will be dramatic.**

   This can be accomplished by supporting the implementation of the plan's eight strategies under the Current Conditions section of the plan beginning with Strategy 1: Educating property owners on the minimum code requirements of the city of Las Vegas.

2. *Land Use:* **Due to the close proximity to the Strip and Downtown, there has been increasing pressure to re-zone single family zoned property in the neighborhood to office commercial zoning. This pressure is not welcomed by these two communities that wish to retain the residential nature of their community.**

   By supporting the recommended strategies outlined in the Existing Land Use section of this plan, the community believes this will be accomplished.

3. *Traffic Mitigation:* **The overall growth of the Las Vegas Valley and the intense redevelopment that is taking place along the Strip and in Downtown are generating additional traffic that is finding its way onto local residential streets in these two neighborhoods. This is having a negative effect on the quality of life for residents in these two neighborhoods.**

After several community discussions and meetings with the city's traffic engineering staff, a plan was developed to address some of the more local traffic concerns found in the Traffic section of the plan. However, planning team members felt that a comprehensive traffic study for the entire Huntridge section of the city of Las Vegas bounded by the streets of Maryland Parkway, Charleston Boulevard, Sahara Avenue, and Las Vegas Boulevard is needed to adequately address these problems.

4. *Public Safety:* **The overall concern is that the public has a negative image of these two neighborhoods as crime-ridden.**

   The Metropolitan Police Department records and statistics do not support this negative image. By supporting the implementation of the strategies outlined in the Public Safety section of the plan, it is believed this perception will change over time and truly reflect the safe neighborhood that residents know it is.

After several community discussions and meetings with the city's traffic engineering staff, a plan was developed to address some of the more local traffic concerns found in the Traffic section of the plan. However, planning team members felt that a comprehensive traffic study for the entire Huntridge section of the city of Las Vegas bounded by the streets of Maryland Parkway, Charleston Boulevard, Sahara Avenue, and Las Vegas Boulevard is needed to adequately address these problems.

4. *Public Safety:* **The overall concern is that the public has a negative image of these two neighborhoods as crime-ridden.**

   The Metropolitan Police Department records and statistics do not support this negative image. By supporting the implementation of the strategies outlined in the Public Safety section of the plan, it is believed this perception will change over time and truly reflect the safe neighborhood that residents know it is.

Appendix

* Contents

Meeting Notes

Agendas

Sign-In Sheets

Southridge / Beverly Green Neighborhood Associations
Planning Team Meeting

The Southridge / Beverly Green Planning Team invites all residents and property owners to participate in a discussion of the development of a Neighborhood Plan.

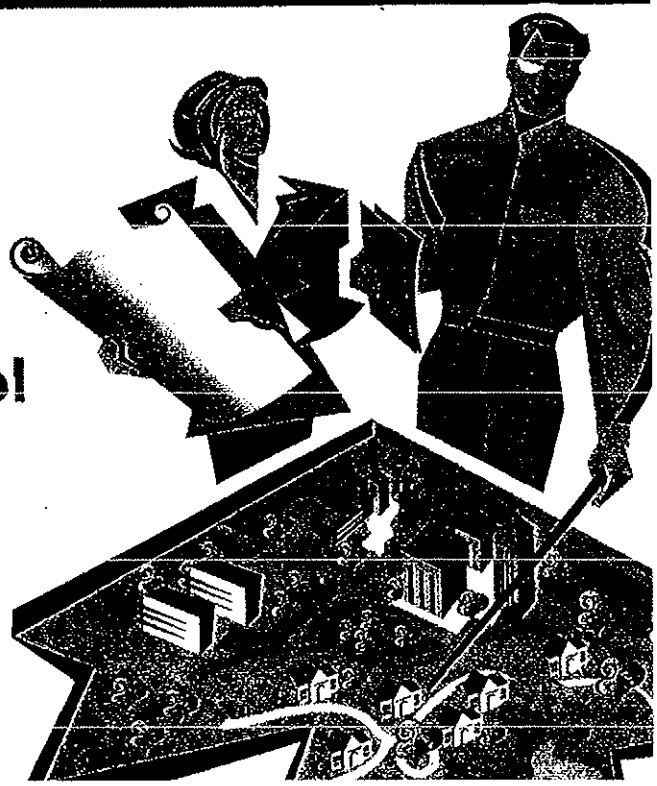


Wednesday, April 10, 2002
John C. Fremont Middle School
Multi-Purpose Room
1100 E. St. Louis Ave.
7:00 - 8:00 PM

Please mark your calendars for this special meeting. If you have any questions, contact John Delikanakis, Beverly Green Neighborhood Association president, at 869-4824, Jack Levine, Southridge Neighborhood Association president, 378-7055 or Yorgo Kagafas, neighborhood planner, at 229-4607.

Southridge / Beverly Green Neighborhood Associations
Planning Team Meeting

The Southridge / Beverly Green Planning Team invites all residents and property owners to participate in a discussion of the development of a Neighborhood Plan.



Wednesday, April 10, 2002
John C. Fremont Middle School
Multi-Purpose Room
1100 E. St. Louis Ave.
7:00 - 8:00 PM

Please mark your calendars for this special meeting. If you have any questions, contact John Delikanakis, Beverly Green Neighborhood Association president, at 869-4824, Jack Levine, Southridge

Beverly Green/ Southridge

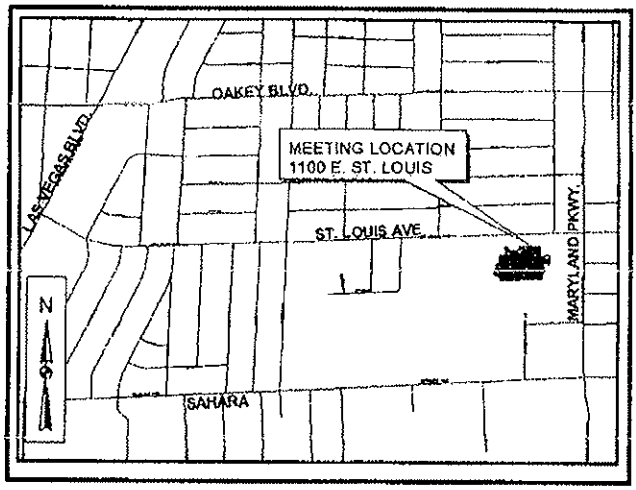
2nd Community Neighborhood Plan Meeting

Tuesday, October 8, 2002 at 6 pm

Fremont Middle School Multi Purpose Room
1100 East St. Louis

Planning team members would like to invite all residents and property owners to hear a progress report and participate in reviewing and reaching consensus on the vision statement and issues to be included in the Beverly Green/ Southridge Neighborhood Plan.

Please mark your calendars for this special meeting.



If you have any questions regarding this meeting, contact:

John Delikanakis, Chair, Beverly Green/ Southridge Neighborhood Planning Team, 869-4824
Yorgo Kagafas, Neighborhood Planner, 229-4607

Beverly Green/ Southridge

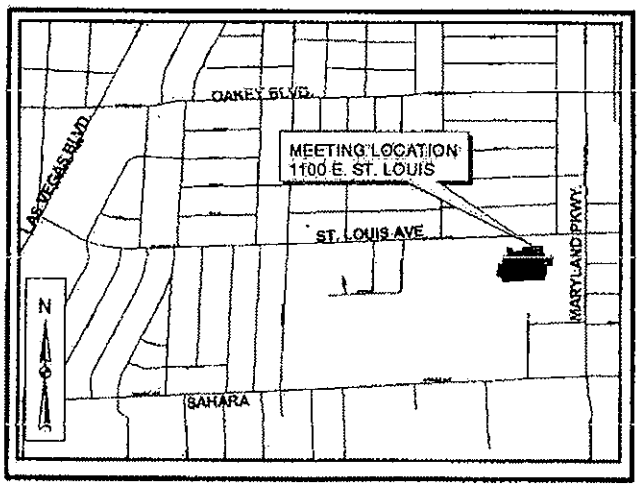
2da Reunión de la Comunidad sobre el Plan Vecinal

Martes, 8 de octubre del 2002 a las 6 p.m.

en
Salón Multi Usos de la Escuela Secundaria Freemont
East St. Louis # 1100

Los miembros del equipo de planificación, tienen el gusto de invitar a los vecinos y propietarios a escuchar un reporte sobre los avances y a participar en la revisión y ponerse de acuerdo sobre el lema y otros asuntos que se incluirán en el Plan Vecinal de Beverly Green /Southridge.

Por favor anote en su calendario la información de



Si tiene preguntas concernientes a esta reunión, comuníquese con:

John Delikanakis, Presidente, Equipo de Planeación Vecinal de Beverly Green/Southridge 869-4824
Alma Estrada, Analista 229-4896

JOIN US

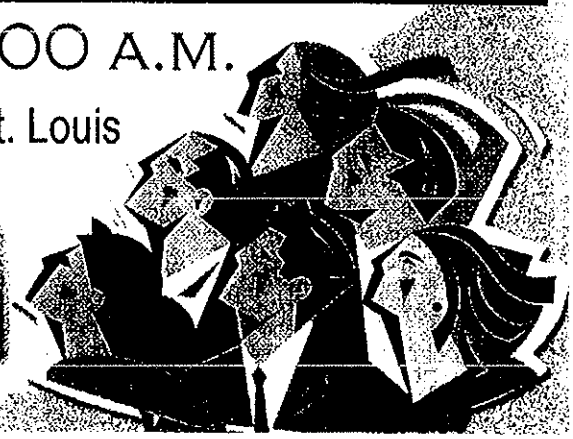
Beverly Green / Southridge Neighborhood Association

SATURDAY, JUNE 14TH @ 10:00 A.M.

Reformation Lutheran Church • 580 E. St. Louis
(Corner of 6th and St. Louis)

3rd Community Meeting of the Neighborhood Planning Process

For more information contact Yorgo Kagafas at 229-1522.



JOIN US

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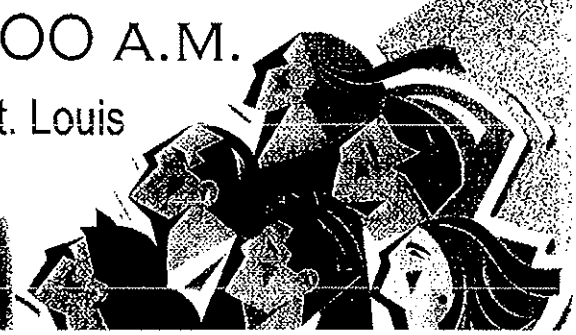
3rd Community Meeting of the Neighborhood Planning Process



Beverly Green/Southridge
1st Planning Process Community Meeting
Fremont Middle School
April 10, 2002 7 p.m.

Advertisement: All property owners and tenants were mailed notices on March 29, 2002. Flyers were also distributed to residents.

Attendance: 52 people attended this meeting however, only 45 signed in.

Summary:

The meeting began at 7:05 p.m.

Yorgo Kagafas, Neighborhood Planner, explained the Neighborhood Planning Process requirements. There were no questions or comments at this time. He stressed the fact that this process will be 100% driven by and for residents in the neighborhood. He also stated that there were four (4) goals to be accomplished at the meeting.

The first goal was to obtain a vote from the community on whether to proceed or not with the Neighborhood Planning Process. All were in favor, none were opposed.

The second goal was to endorse the proposed planning boundaries. The community voted to endorse the boundaries as follows: North – Oakey, South – Sahara, West – Las Vegas Boulevard, East – Maryland Parkway. This was also a unanimous vote.

The third goal was to recruit and endorse the Planning Teams. Yorgo explained the criteria the Planning Team must meet and then read off the names of people who had volunteered to serve on the two Teams. Eighteen people had volunteered with one additional volunteer from this meeting. The community endorsed these teams comprising 19 members total.

The fourth goal was to endorse the proposed timeline. Yorgo highlighted the main dates in the timeline such as the next two proposed community meeting dates (October 8, 2002 and April 8, 2003). The timeline was endorsed by another unanimous vote.

Yorgo fielded a few questions regarding the process and what was next. The first Planning Team meeting will take place on April 23rd @ 7 p.m. at Fremont Middle School.

The meeting adjourned at 7:50 p.m.

April 23, 2002 Planning Team Meeting
Beverly Green and Southridge Neighborhood Associations

The following planning team members attended:

John Delikanakis
Lily Lopez
John & Miriam Linder
Jerry Crader
Charlie
Jack LeVine
Michael Hanratty
Darlene Steljes
Arlene King
Pam Kowalski
Deonne Contine (guest filling in for Ben Contine)

Summary

The meeting began at 7:05 p.m.

Yorgo Kagafas, Neighborhood Planner, reviewed Agenda and Planning Team Representation and requested Planning Team members to let him know if names, addresses, etc. were incorrect. Yorgo explained the difference between summary and minutes and reviewed summary of 4/10/02 Community Meeting. The 4/10/02 Meeting Summary was approved unanimously.

Chair, Co-Chair and Secretary of the Planning Committee were then chosen.

John Delikanakis was chosen as Chair by a unanimous vote.
Jack LeVine was chosen as Co-Chair by a unanimous vote.
Ben Contine was chosen as Secretary by unanimous vote.

Next, the Planning Team reviewed the Planning Team Workbook.

During the review of the meeting schedule, it was determined that the May 14, 2002 meeting would be held at 6:00 p.m. and that all Planning Team Meetings that fall on the same night as a regular Neighborhood Association Meeting would start at 6:00 p.m.

Also during the review of the maps section of the workbook, it was requested that the Planning Team Members be provided with a key to the Zoning Map.

Next, Yorgo asked for volunteers for the Vision Statement Sub Committee. Michael Hanratty, Arlene King and John Linder volunteered for the Sub Committee. They will meet within the next few weeks and provide a draft of a Vision Statement at the May 14, 2002, Planning Team Meeting.

Next, Yorgo asked for volunteers for the History Subcommittee. He suggested that the History Sub Committee meet during the next month, discuss their research strategies, and select one Sub Committee member to speak at Planning Team Meetings on the Sub Committee's work. The members of the History Sub Committee are: John Delikanakis, Michael Hanratty, Pam Kowalski, Charlie, Sharon, and Arlene King

Yorgo gave a short presentation on the non-restricted gaming overlay district located in our neighborhood. We then brainstormed about issues that we want included in the Neighborhood Plan document. The main issues discussed are as follows:

Land Use
Code Enforcement
Housing
Traffic
Noise
Safety/Metro Issues
Social Issues
Beautification

The meeting concluded at 8:00 p.m.

May 14, 2002 Planning Team Meeting Summary
Beverly Green and Southridge Neighborhood Associations

Planning Team Members

John Delikanakis
John & Miriam Lindner
Jerry Crader
Charlie Bowker
Sharon Griffith
Arlene King
Yvonne Duplain
Darlene Steljes
John Kowalski
Arlene King
Lily Lopez
Michael Hanratty
Ben Contine
Jack Levine

City Staff

Yorgo Kagafas
Patrick Murphy

Summary

The meeting began at 6:08 p.m.

John Delikanakis welcomed everyone and had those who did not attend the April 23, 2002 meeting introduce themselves. He then turned the meeting over to Neighborhood Planner, Yorgo Kagafas.

Yorgo asked for revisions and approval of the April 23, 2002 meeting summary. After a few revisions (correcting planning team members' names), the summary was approved unanimously.

Yorgo then gave out some handouts and assisted the group in placing them in the planning binders. Yorgo then turned the meeting back over to John Delikanakis.

John asked for an update from the Vision Statement Subcommittee. The Subcommittee had not met since the April 23, 2002 meeting; however, each Subcommittee member, Michael Hanratty, John Lindner and Arlene King, gave a brief presentation on their vision for the neighborhood. The Subcommittee agreed to focus on Michael's draft statement and would meet before the June 11, 2002 meeting to finalize the draft vision statement.

John then asked for an update from the History Subcommittee. Mr. Crader gave a presentation in which he discussed the history of various houses in the Beverly Green neighborhood and showed photographs of each house with history summaries. The history subcommittee agreed to meet on Friday, May 17, 2002 at 5pm at John's house (548 Barbara Way) to discuss some other research strategies and talk about additional assignments.

John then turned the meeting back over to Yorgo to discuss the forming of the issue subcommittees. The Planning Team agreed unanimously that that it would form eight (8) issue subcommittees (according to the issues identified at the April 23, 2002 meeting). The Planning Team also agreed unanimously that it would work on two of the

subcommittees at one time. As such, it was agreed that the team would form two additional committees once we are finished with the work on the committees discussed above. Accordingly, we will form Land Use and Code Enforcement committees at our June 11, 2002 meeting.

Yorgo discussed briefly what survey work the Land Use and Code Enforcement committees will be doing. He also stressed that our Neighborhood Plan will be a living entity. As such, we need to get a snapshot of what our neighborhood is like now, so that in five (5) years, when our plan is up for review, we have a way to measure our progress.

Finally, John concluded the meeting by reviewing the various subcommittees' assignments for the next meeting. The Vision Statement Committee will present a draft at the 6/11/02 meeting and the History Subcommittee will have met and doled out research assignments.

The meeting concluded at 6:52 p.m.

June 11, 2002 Planning Team Meeting Summary
Beverly Green and Southridge Neighborhood Associations

Planning Team Members

John Delikanakis
John & Miriam Lindner
Jerry Crader
Sharon Griffith
Ben Contine
Jack Levine
Theresa Morrow
Darlene Steljes
Pam Kowalski
Charlie Bowker
Michael Hanratty
Yvonne Duplain
Ted Wood
Elizabeth L. Eden

City Staff

Yorgo Kagafas

Summary

The meeting began at 6:10 p.m.

John Delikanakis welcomed everyone and asked for approval of the May 14th, 2002 meeting summary. John Lindener made a motion to approve the summary and the summary was approved unanimously.

Michael Hanratty read a draft vision statement for the vision statement sub-committee. Discussion followed.

Elizabeth Eaden commented that there should be more about the vision of the neighborhood. Yvonne Duplain commented that there should be more regarding vision for businesses on Las Vegas Blvd. Darlene Steljis commented that there should be a clearer vision on aesthetics and safety.

Discussion was closed with no action taken on the current vision statement.

The vision statement sub-committee set another meeting for 3:00 at Marie Calendars the following Friday.

John Delikanakis gave a presentation for the history sub-committee. There were various leads on more information. Charles Bowker said that Sahara and Maryland Parkway was the first airport site designated.

The group decided to postpone the formation of any new committees until the vision statement and the history committee completed their work.

The meeting concluded at 6:48 p.m.

June 25, 2002 Planning Team Meeting
Beverly Green and Southridge Neighborhood Associations

Planning Team Members

John Delikanakis
John Linder
Jerry Crader
Arlene King
Pam Kowalski
Ben Contine
Pam Kowalski
Elyabeth Eden
Lily Lopez
Sharon Griffith
Louise Fortier
David Polley
Theresa Morrow
Darlene Steljes

City Staff

Yorgo Kagafas
Patrick Murphy

The meeting began at 6:55 p.m.

John Delikanakis welcomed everyone and asked for approval of the June 11, 2002 meeting summary. John Delikanakis noted that in paragraph 6 it should read Sahara and Paradise not Sahara and Maryland Parkway. With that change, a motion to approve the summary was made and the minutes were approved unanimously.

The Vision Statement Subcommittee presented the final draft of the Vision Statement. A motion to approve the Vision Statement was made and the Vision Statement was approved unanimously . Yorgo Kagafas, Neighborhood Planner, noted that we would put the Vision Statement to a vote at the next community meeting.

The History Subcommittee presented a draft preamble to the history section of the plan and circulated photos of the first airport site were circulated. The history subcommittee is meeting and will continue their research.

City of Las Vegas Code Enforcement Officer, Victoria Rosemore, gave a general overview of the Code Enforcement Department and discussed what is and what is not a code violation and presented some of the challenges her department faces in trying to do the job.

A Code Enforcement Subcommittee and a Land Use Subcommittee were formed. John Delikanakis asked for volunteers for the Code Enforcement Subcommittee. Jerry Crader, German Delgado and Darlene Steljes volunteered.

John asked for volunteers for the Land Use Subcommittee. Pam Kowolski, David Polley and Theresa Morrow volunteered.

The Enforcement Subcommittee and Land Use Subcommittee agreed to meet on Tuesday, July 9, 2002 at 6pm.

The meeting concluded at 7:37 pm.

July 23, 2002 Planning Team Meeting Summary
Beverly Green and Southridge Neighborhood Associations

Planning Team Members

John Delikanakis
John Linder
Arlene King
Pam Kowalski

City Staff

Yorgo Kagafas
Patrick Murphy

Summary

The meeting began at 6:01 p.m.

John Delikanakis welcomed the attendees.
John asked for approval of the June 25, 2002 meeting summary. A motion was made and seconded. The June 25 summary was approved unanimously.

German Delgado gave a report on the Code Enforcement Subcommittee's work. Almost all of the survey work had been completed except for 2 areas. The work will most likely be completed by the August 13, 2002 meeting.

Yorgo Kagafas noted that the next aspect of the Subcommittee's work will be to develop a plan to deal with some of the code violations discovered during the survey.

John Delikanakis gave an update on the Land Use Subcommittee. He noted that some work still needed to be done by the committee members.

Yorgo stated that the next step for the Land Use Subcommittee was to do an inventory analysis. Subcommittee members will determine how many churches, schools, offices, etc., etc. are in the neighborhood.

The next meeting is August 13, 2002 at 6:00 p.m.

Meeting adjourned early at 6:15 p.m. due to the lack of air in the school.

August 13, 2002 Planning Team Meeting Summary
Beverly Green and Southridge Neighborhood Associations

Planning Team Members

John Delikanakis
Ben Contine
Theresa Morrow
Pam Kowalski
Jack Levine
Darlene Stelijes
Lilia Lopez
Grover Prowell
Sharon Griffith
Jerry Crader
Yvonne Duplain
Michael Hanratty
Charlie Bowker

City Staff

Yorgo Kagafas
Patrick Murphy
Nadia Wiggins

Guests

Lucille Van Darmolen
Aileene Perkins
Ric Truesdell
Dennis Watts
Deonne Contine
Shirlee Helton

Summary

The meeting began at 6:01 p.m.

John Delikanakis welcomed the attendees and noticed that we had several people who were attending their first meeting.

John asked for approval of the July 23, 2002 meeting summary. Jack Levine made a motion to approve the summary. Ben Contine seconded the motion. The August 23 summary was approved unanimously.

Yorgo gave a brief overview of the planning process and what the planning team had done so far.

John asked for planning team members and guests to introduce themselves. The following people were attending their first meeting:

Dennis Watts stated he was representing a property owner in the area.

Planning Commissioner Rick Truesdell introduced himself and said he was attending the meeting primarily to observe the process as a member of the planning commission. However, he later disclosed he also had a financial interest in the property located on the northwest corner of Paradise and Sahara.

Shirlee Helton from the Dakota Grill also attended the meeting.

The Code Enforcement subcommittee gave an update of their work. Their survey work is now complete and City Staff will review their surveys and conduct their own drive by follow up.

John Delikanakis gave an update of the Land Use Subcommittee wherein he stated that the notification of all business owners by the Land Use Subcommittee was almost complete and should be done by the next Land Use planning meeting on September 10, 2002.

The Planning Team then brainstormed regarding Land Use issues in the area. The team identified the following land use concerns that it would like to be addressed in the plan:

- Gaming Overlay District – what is its jurisdiction, history, etc. Can it be changed? Do we want to change it? How do we want to address it in the plan;
- Height restrictions on commercial development;
- 1000 E. Sahara – how to get the private streets off Sahara cleaned up;
- C-1 zoning on Sahara – what does this entail;
- Vacant lots – what land use and zoning do these lots have/ do we want;
- Commercial encroachment into residential areas;
- Development along transit corridor (with completion of the monorail); and
- Sub-divided single-family zoned properties into multi-family dwellings.

The next meeting is August 27, 2002 at 6:00 p.m. and will be a Code Enforcement Sub-committee meeting.

Meeting adjourned at 7:05 p.m.

September 10, 2002 Planning Team Meeting Summary
Beverly Green and Southridge Neighborhood Associations

Planning Team Members

John Delikanakis	Sharon Griffith
Ben Contine	Jerry Crader
Arlene King	John Linder
Pam Kowalski	Charles Bowker
Jack Levine	Michael Hanratty
Grover Prowell	Yvonne DuPlain

City Staff

Yorgo Kagafas
Patrick Murphy

Summary

The meeting began at 6:04 p.m.

John Delikanakis welcomed the attendees and Yorgo passed out handouts, including maps and previous meeting summary.

John asked members to review August 13, 2002 meeting summary. A few revisions were suggested to the minutes which were, thereafter, approved unanimously.

The committee then reviewed the maps Yorgo passed out and the Code Enforcement Subcommittee Proposal. Discussion ensued regarding the proposal.

The committee then reviewed the Land Use topics from the August 13, 2002 meeting and decided to omit the C-1 Zoning on Sahara heading as it can be incorporated into another heading.

Next Frank Fiori from the City Planning Department introduced himself and offered to give us whatever guidance on our plan that he can. He is familiar with the various city plans already in existence, works in neighborhood preservations and can give guidance on what might work in a plan and what might not.

The committee formed mini committees that will work on the various land use categories. They are as follows:

Gaming Overlay:	John Delikanakis
Height Restrictions:	Ben Contine Yvonne Duplain
Private Streets:	Jack Levine Darlene

Commercial Redevelopment: Kelly, Frank, Yorgo

Vacant Lots: Reverend Bowker
Grover Prowell

Subdivided Lots: Pam Kowolski
Sharon Griffith
Arlene King

Yorgo reviewed Report No. 1 and 2 and asked the committee to read the reports. We briefly discussed the next meeting and Yorgo stated that we would go over where we are now in preparation for the Community Meeting on October 8, 2002.

Next meeting is September 17, 2002 at 6:00 pm

Meeting adjourned at 7:00 p.m.

September 17, 2002 Planning Team Meeting Summary
Beverly Green and Southridge Neighborhood Associations

Planning Team Members

John Delikanakis	Sharon Griffith
Ben Contine	Lily Lopez
Arlene King	Phyllis Silvestri
Pam Kowalski	Jerry Crader
Jack Levine	John Linder
Darlene Steljes	Grover Prowell

City Staff

Yorgo Kagafas
Patrick Murphy

Summary

The meeting began at 6:02 p.m.

John Delikanakis welcomed the attendees and presented revised August 13, 2002 meeting summary which was revised unanimously.

The committee then reviewed the plan topics we have discuss so far in preparations for the upcoming community meeting. The committee agreed on the following headings:

Vision Statement:	Adopted after discussion and vote to replace "luxury homes" with "single family homes"
History:	Yorgo will put together history information gathered to date in a chapter for the Committee's review.
Code Enforcement:	Presented 6 maps of neighborhood windshield survey. Will talk further about strategies and goals of the code enforcement committee.
Land Use:	Topics include: (Gaming Overlay, Height Restrictions, Private Street Improvements, Commercial/Sahara Redevelopment, Vacant Lots, Subdivided Lots, Monorail development, Group homes, Commercial encroachment)
Traffic:	St. Louis, 6th Street
Noise:	Monorail, aircraft, amusement rides, etc.
Safety/Metro:	Block Watch, etc.
Beautification:	Landscaping, entry monuments, etc.

Next meeting is 2nd Community Meeting – Tuesday, October 8, 2002 at 6:00 pm

Meeting adjourned at 6:52 p.m.

October 29, 2002 Planning Team Meeting Summary
Beverly Green and Southridge Neighborhood Associations

Planning Team Members

John Delikanakis
Lily Lopez
Arlene King
Pam Kowalski
Jack Levine
Darlene Steljes
Teresa Morrow
Sharon Griffith
Charles Bowker
Phyllis Silvestri
Michael Hanratty
John Linder
Grover Prowell
Jerry Crader

City Staff

Yorgo Kagafas
Patrick Murphy

Guests

Rick Truesdell

Summary

The meeting began at 6:05 p.m.

John Delikanakis welcomed the attendees and recognized Planning Commissioner Rick Truesdell as being present. Rev. Charles Bowker announced he will be on a sabbatical for the next three months. He will continue to be on the team and will participate upon his return.

Ben Contine, Planning Team Secretary was not present and Phyllis Silvestri offered to take notes on his behalf.

The committee then reviewed the meeting summaries for the September 10th and 17th Planning Team meetings that were approved as presented.

A draft of the Land Use Chapter of the Plan was presented and reviewed. The language reflected the Planning Teams thoughts on the eight topics to be covered: Gaming Overlay, Building Heights, Private Streets, Redevelopment along Sahara; Vacant lots, Mono-rail Station Development; Group Homes; and Commercial Encroachment. Most of the text for the chapter is complete however, additional work will be completed on the chapter during the next few months. The Planning Team discussed the text and all were in favor of the tone etc…

Several handouts on Traffic Mitigation Measures were reviewed. Yorgo provided an overview of the different ways to address speeding and cut-thru traffic in residential neighborhoods. The Team was to review the examples and come back to the next meeting with ideas on where one or two of these measures might be considered for their neighborhood. Mr. Truesdell shared his opinion of the effects some traffic mitigation measures in other parts of the City have had on the surrounding neighborhoods. He strongly advised the Team against using these tools and said that it would just channel the traffic to the neighborhoods around theirs.

The November 26th Planning Team meeting was changed to December 10th.

Next meeting is Tuesday, November 12, 2002 at 6:00 pm

Meeting adjourned at 7:12 p.m.

November 12, 2002 Planning Team Meeting Summary
Beverly Green and Southridge Neighborhood Associations

Planning Team Members

John Delikanakis
Lily Lopez
Arlene King
Ben Contine
Jack Levine
Darlene Steljes
Teresa Morrow
Yvonne Duplain
Sharon Griffith
Charles Bowker
Phyllis Silvestri
Michael Hanratty
John Linder
Grover Prowell
Jerry Crader

City Staff

Yorgo Kagafas
Patrick Murphy

Guests

Kasey Baker Benoit
Dennis Watts (Corner Stone Co.)

Summary

The meeting began at 6:06 p.m.

The committee reviewed and approved the meeting summary for the October 29th Planning Team meeting as presented.

Yorgo handed out the City's approved Neighborhood Traffic management Program Users' Manual and briefly reviewed it. Several different types of traffic mitigation measures were looked at for the neighborhood.

The team then brainstormed ideas for the traffic section of the plan. Yorgo agreed to discuss each idea with the City's traffic engineering division and draft a plan that would be approved by them. The following are the ideas the planning team came up with:

1. Close 10th Street @ St. Louis
2. Close off the 8 "dead end" streets off Sahara
3. Change all Yield signs to Stop signs
4. Prevent left turns from Oakey onto Rexford
5. Need a larger sign to indicate that 8th Place is a dead end street
6. Re-stripe Oakey showing parking lane
7. Have no parking signs on street cleaning days installed
8. Cul-de-sac Bonita, Canosa, Barbra Way and Ellen Way
9. Reduce speed limit in neighborhood to 15 mph
10. Have new street signs installed
11. Make Canosa a one-way street
12. Make St. Louis one-lane in each direction with a landscaped median with parking lanes on the sides
13. Make the intersection at 6th Street and St. Louis a 4-way stop

Next meeting is Tuesday, December 10, 2002 at 6:00 pm

Meeting adjourned at 6:50 p.m.

December 10, 2002 Planning Team Meeting Summary
Beverly Green and Southridge Neighborhood Associations

Planning Team Members

Lily Lopez
Yvonne Duplain
John Linder
Grover Prowell
Jerry Crader
Sharon Griffith
Charles Bowker
Phyllis Silvestri
Theresa Morrow

City Staff

Yorgo Kagafas
Patrick Murphy

Guests

Chris Giunchigliani
Elaine Shendal
Annette Marcus

Summary

The meeting began at 6:08 p.m.

Yorgo conducted the meeting since neither neighborhood President, the Planning Chair or the Secretary were present.

Yorgo discussed the results of his meeting with the City's traffic engineering division. He handed out the traffic mitigation measures that the traffic engineering division would be inclined to approve. A brief discussion followed with Yorgo explaining the traffic divisions reasons why some of the proposals from the previous meetings brainstorming sessions would not be approved.

The team then brainstormed some ideas about the Public Safety section, noise section and landscape parts of the plan. Yorgo agreed to put their thoughts on paper for the next meeting to consider.

The meeting was rather short since most of the Planning Team members were absent.

Next meeting is Tuesday, January 14, 2003 at 6:00 pm

Meeting adjourned at 6:30 p.m.

January 28, 2003 Planning Team Meeting Summary
Beverly Green and Southridge Neighborhood Associations

Planning Team Members

John Delikanakis
Lily Lopez
Phyllis Silvestri
Pam Kowalski
Jack Levine
Darlene Steljes
Theresa Morrow
Sharon Griffith
Arlene King
Ben Contine
Michael Hanratty
John Linder
Yvonne Duplain
Jerry Crader

City Staff

Yorgo Kagafas

Guests

Summary

The meeting began at 6:05 p.m.

The January 14, 2003 meeting was re-scheduled to January 28, 2003.

John opened the meeting and turned it over to Yorgo to provide an update of the timeline for the plan. Yorgo said that the plan would go to City Council no earlier then July if all went well. He said that a draft of the plan should be ready by the next meeting for the team to review.

A draft of the text to date was passed out for the team to review before the next meeting.

Team members agreed that there was not enough information for free-standing noise and landscape sections in the plan. Each would be addressed in other sections of the plan.

Next meeting is Tuesday, February 18, 2003 at 6:00 pm

Meeting adjourned at 6:47 p.m.

February 18, 2003 Planning Team Meeting Summary
Beverly Green and Southridge Neighborhood Associations

Planning Team Members

John Delikanakis
Lily Lopez
Phyllis Silvestri
Pam Kowalski
Darlene Steljes
Jerry Crader
Sharon Griffith
Arlene King
Elizabeth Eden
John Linder
Theresa Morrow

City Staff

Yorgo Kagafas
Michael Campbell

Summary

The meeting began at 6:00 p.m.

John reviewed each members comments on the text that was handed out at the last meeting. Michael Hanratty was not present but did fax Yorgo his comments. Yorgo reviewed them with the team. The only item needing a vote was to remove all of the traffic section from the plan. No one present was in favor of this proposal.

Theresa Morrow's comments were discussed next. Theresa took the time to put her thoughts on paper and passed them out to the team. Each item was discussed and voted on by the team. The most debated idea was the proposal to remove the median that was being proposed on Oakey at Rexford and Santa Paula to prevent cut-thru traffic. Theresa felt that this would cause more traffic on the streets east of this. Planning Team members voted 5 to 5 with one abstaining. Yorgo said that the median would stay in the plan at this time and that the Planning Team would have another opportunity to vote on each section of the plan at the next meeting.

Michael Campbell, graphic artist for the city, presented 3 possible covers for the plan. The team liked one of the proposals with some minor changes. Mike said that he would incorporate the changes and present the new version at the next meeting.

Yorgo handed out a rough draft of the plan for the Team to review for style and format only. The team did this and liked the format.

A polished version of the draft will be ready in about six weeks, after all the various City departments review it, as called for in the Neighborhood Planning Process guidelines. Team members will then be able to review and do a final vote on the content of the plan before the 3rd Community meeting.

The next meeting date was not set but should be the first week of April.

Meeting adjourned at 7:35 p.m.

April 9, 2003 Planning Team Meeting Summary
Beverly Green and Southridge Neighborhood Associations

Planning Team Members

John Delikanakis	Sharon Griffith	Ben Contine	
Lily Lopez	Arlene King	Jack LeVine	
Phyllis Silvestri	Elizabeth Eden	Michael Hanratty	
Pam Kowalski	John Linder		
Darlene Steljes	Theresa Morrow		
Jerry Crader	Yvonne Duplain		

City Staff

Yorgo Kagafas
Michael Campbell
Kyle Walton
Mike Janssen

Summary

The meeting began at 6:00 p.m.

Meeting summaries from November 12th, December10th of 2002 and January 28th, February 18th were reviewed and approved by the team.

Mr. Ben Montoya, Principal of Fremont Middle School was present and introduced. He was pleased to see all the work the community is doing to improve the area. He shared the school districts plans for building a new middle school within the next five years.

Mike Janssen, City Traffic Engineer, reviewed the traffic section of the draft plan with team members. The only addition made was to request that no right turn on red be permitted on Sahara at Paradise and LVB.

Team members approved the cover design after adding a photo of the Episcopal Parish of Christ Church.

Yorgo & John reviewed each members comments on the text that was mailed to members three weeks earlier. Additional history was reviewed and added to the plan. There was some discussion on extending the planning process in hopes that additional history could be found on the Southridge section of the neighborhood. No additional time was permitted given the approved timeline and the late stages of the planning process.

The team prioritized their Action Plan as follows:

1. Code Enforcement/Property improvements
2. Land Use
3. Traffic Mitigation
4. Public Safety

Meeting adjourned at 7:40 p.m.

Gmail by Google

Gregory Brown <gregorystephenbrown@gmail.com>

Fw: Neighborhood Meeting Notice for Body Flying

giunchigliani@aol.com <giunchigliani@aol.com> **Wed, Oct 7, 2009 at 3:28 PM**
To: southridgena@worldnet.att.net, accuprint01@gmail.com, Alissmandjo@earthlink.net, arthur@writingwithfamilies.com, BobBellis@aol.com, bremskraft@yahoo.com, bubba13_1999@yahoo.com, catherineborg@mac.com, centavodale@aol.com, corvin@cox.net, darlenesteljes@earthlink.net, darrylr@cox.net, davisgroup@yahoo.com, djinn2@cox.net, dorretwms@yahoo.com, essar1@msn.com, gregorystephenbrown@gmail.com, hfleischhauer@hotmail.com, jack@unclejack.com, jacobsmr@gmail.com, janemiyama@aol.com, JJWright@co.clark.nv.us, jmsgibson@yahoo.com, jwilsonstainedglass@cox.net, khkurz@yahoo.com, LJKIRK2@cox.net, michael.lugering@unlv.edu, minkm@earthlink.net, mpearlg@aol.com, myersyounkin@aol.com, nvbob7@yahoo.com, Pam50@cox.net, pjk4@cox.net, rlevrant@lasvegasnevada.gov, rumford@cox.net, scott.swank@gmail.com, shannoncult@cox.net, T_Pellegrini@hotmail.com, tami1@mac.com, vic@trinity-life.org, VVpawnshop@aol.com, bhughes@lasvegasnevada.gov, jlapan@cox.net, drmcmillin1@yahoo.com

Mike,

I am unable to attend but have heard from several residents that still have concerns with this project. Also, the SOSA design standards the county adopted across the street (on Sahara) set up a plan for the former redevelopment area. It seems this really doesn't fit in with the street fronts and landscape that could beautify the area. Also, any projects on Sahara should be careful not to impact our plans to redesign and add bus lanes for the ACE on Sahara. Let me know how the meeting goes and what the neighbors say. Thanks, Chris

[Quoted text hidden]

[Quoted text hidden]

Submitted at Planning Commission
Date 1/14/10 Item 6+7

TICK SEGERBLOM
ASSEMBLYMAN
Clark No. 9

COMMITTEES:
Vice Chairman
Corrections, Parole, and Probation
Judiciary

Member
Elections, Procedures, Ethics, and Constitutional Amendments
Natural Resources, Agriculture, and Mining

State of Nevada Assembly

Seventy-Fifth Session

DISTRICT OFFICE:
704 South 9th Street
Las Vegas, Nevada 89101-7015
Office: (702) 388-9600
Fax No.: (702) 385-2909
E-mail: rsegerblom@lvcoxmail.com

LEGISLATIVE BUILDING:
401 South Carson Street
Carson City, Nevada 89701-4747
Office: (775) 684-8549
Fax No.: (775) 684-8533
www.leg.state.nv.us
E-mail: tsegerblom@asm.state.nv.us

January 14, 2010

City of Las Vegas Planning Commission
400 E. Stewart
Las Vegas, NV 89101

2010 JAN 14 P 2:15
RECEIVED
CITY CLERK

Re: Request for Variance
VAR-35528 SDR-35186 BodyFlying US, LLC

Dear Commission Members:

I apologize that I can not attend tonight's meeting due to a previously scheduled engagement, but I wanted the Commission to know that on behalf of my constituents in the Beverly Green/Southridge Neighborhood, I strongly oppose this Variance request.

Specifically, I am concerned that granting this Variance will result in the expansion of the Gaming Enterprise District, which is now limited to Las Vegas Boulevard, eastward down Sahara. In the 2009 Legislative Session we were able to stop an attempt to expand the District into residential areas of the City of Las Vegas, and I fear that granting this Variance would allow the interests we defeated in Carson City another bite at the apple.

Please oppose this Variance.

Sincerely,

Assemblyman Tick Segerblom

Submitted after final agenda

Date 1/14/10 Item 67

the Tiger Lily
FLOWER SHOP

RECEIVED
JAN 14 2010

January 14, 2010

Mr. Glenn Trowbridge, Chairman
Las Vegas Planning Commission
731 S. 4th St.
Las Vegas, NV 89101

Re: **SDR-35186 VAR-35528 BodyFlying US, LLC**

Dear Chairman Trowbridge,

Thank you for the comments and suggestions you made yesterday. They will be addressed this evening at the hearing.

Attached is a copy of the Traffic and Parking Report prepared by Superior Engineering Services which I received yesterday. Please note that, according to this report:

- **The engineering firm believes the parking requested by the applicant is inadequate for this type of operation.**
- **There are concerns about the width of the driveway access (a private drive) off Sahara Ave. which provides access to all the businesses along this side street.**
- **Currently there are at least 112 parking stalls that depend on this driveway for ingress and egress. This does not include the additional parking proposed by the applicant. According to The Uniform Standard Drawings Clark County Area (USDCCA) Drawing 222A the throat depth of a driveway access must be at least 100 feet in depth. According to the applicant's plans, they have only provided for a 30-foot depth. In the opinion of the traffic engineers, a variance would be required for this.**

If you have any questions, please feel free to call me.

Terry Hunt

VAR-35528
SDR-35186
01/14/10 PC

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SUP OR ENGINEERING SERVICES,
Traffic Engineering
7464 West Sahara Avenue
Las Vegas, Nevada 89117-2740
Phone (702) 363-2245
Fax (702) 363-1669

January 12, 2010 W.O. 2036

The Tiger Lily Flower Shop
700 E. Sahara Ave
Las Vegas, NV 89104

ATTN: Terry Hunt

RE: COMMENTS ON THE PARKING REDUCTION REQUEST FOR BODYIFLYING US, LLC ON THE NORTH SIDE OF SAHARA AVE. BETWEEN SIXTH ST. AND ALMOND TREE LN. (SDR-35186) (APNs 162-03-801-088 & -137)

Dear Mr. Hunt:

Thank you for allowing us the opportunity to review the parking needs for this project. It is our understanding that this project is requesting a reduction in the parking requirements for their project. From what we have determined, it appears that if this parking reduction variance is allowed, and once the existing buildings become occupied again, one should expect severe parking demand pains to occur when up to 136 additional vehicles try to park at the 39 parking stalls proposed for this facility. The least expensive solution would be to have skydiving visitors to arrive by shuttle buses. However, the narrow access roadway off Sahara Avenue will be quite a challenge for shuttle buses to access this facility especially when there are vehicles parking along this roadway. We also noted that the throat depth requirement for the proposed southern driveway does not meet current standards.

When we determine parking demand, we look for a similar project in the area. We found one at the Vegas Indoor Skydiving at 200 Convention Center Drive, Las Vegas NV 89109. Excluding the fan building portion of this building (which has approx. 1,500 sq. ft.), the building footprint is approximately 7,000 sq. ft. (We measured this using Google Earth.) We counted the number of vehicles parked at this facility on Wednesday 10/14/09, Thursday 10/15/09 and Friday 10/16/09. At 2:50 pm on Wednesday there were 33 cars and 2 motorcycles parked at this site. At 3:00 pm Thursday there were 34 cars and one motorcycle parked there. And, on Friday there were 20 cars and 2 motorcycles. In a discussion with the Brad Hess, the manager of this facility, he stated that the number of participants that were flying on this Wednesday and Thursday were approximately one-fourth the number of participants that would be flying on a peak day which usually occur at college spring break. So, one should expect to have up to 136 (4 x 34) vehicles wanting to park at this facility during spring break. The 39 parking spaces proposed by this developer would be woefully inadequate if and when this occurs. We also counted the number of cars today and counted 13 cars and one motorcycle.

OUR 22nd ANNIVERSARY
1988 – 2010

VAR-35528
SDR-35186
01/14/10 PC

SUPERIOR ENGINEERING SERVICES INC.
Traffic Engineering
7464 West Sahara Avenue
Las Vegas, Nevada 89117-2740
Phone (702) 363-2245
Fax (702) 363-1669

The proposed building's site plan shows that this building will have 9,975 sq. ft. of building area. Both of these buildings will be similar in size. So, one should expect a similar parking demand at both facilities.

On a prior visit to the site, we noted that the vast majority of the adjacent buildings are currently not being occupied. The photographs that were provided showed that when these buildings are occupied, there are virtually no empty parking stalls available for additional parking. When we visited the site today, there were only 22 cars perpendicular parked in the alleyway and one car parked parallel in the narrow throat area. So, this parking reduction variance would not affect the parking demand that is occurring at this time. However, a realistic parking variance should account for full occupancy of the existing buildings and it should add to this project's worst case parking demand which is expected to occur at spring break.

The access for the proposed project is a narrow 29-foot wide drive which is also the access and delivery area for seven (7) parcels. The first 150 feet of roadway consists of the 29-foot wide segment which then widens out to 65 feet with perpendicular parking on both sides. This access roadway terminates 550 feet to the north with a cul-de-sac bulb. There are several side parking lots east and west of this roadway. It appears that this bulb could also be used as either a secondary access or as a crash gate for the future Sahara Courtyard Condominiums.

Currently there are no parking restrictions on this roadway or on Sahara Avenue. If vehicles park on both sides of this drive, the roadway access would be reduced to a single lane (approx. 13 feet wide). Also the proposed southerly parking lot driveway for this project will have only a 30 foot throat depth from Sahara Avenue. Any exiting vehicle that stops one ingressing vehicle will cause a second ingressing vehicle to back up onto Sahara Avenue. We counted at least 112 parking stalls that must use this driveway. The Uniform Standard Drawings Clark County Area (USDCCA) Drawing 222A (attached) requires a 100-foot throat depth when there are between 101 to 200 parking spaces that access the driveway. So, we suspect that they would need a variance to locate this driveway as shown on their site plan.

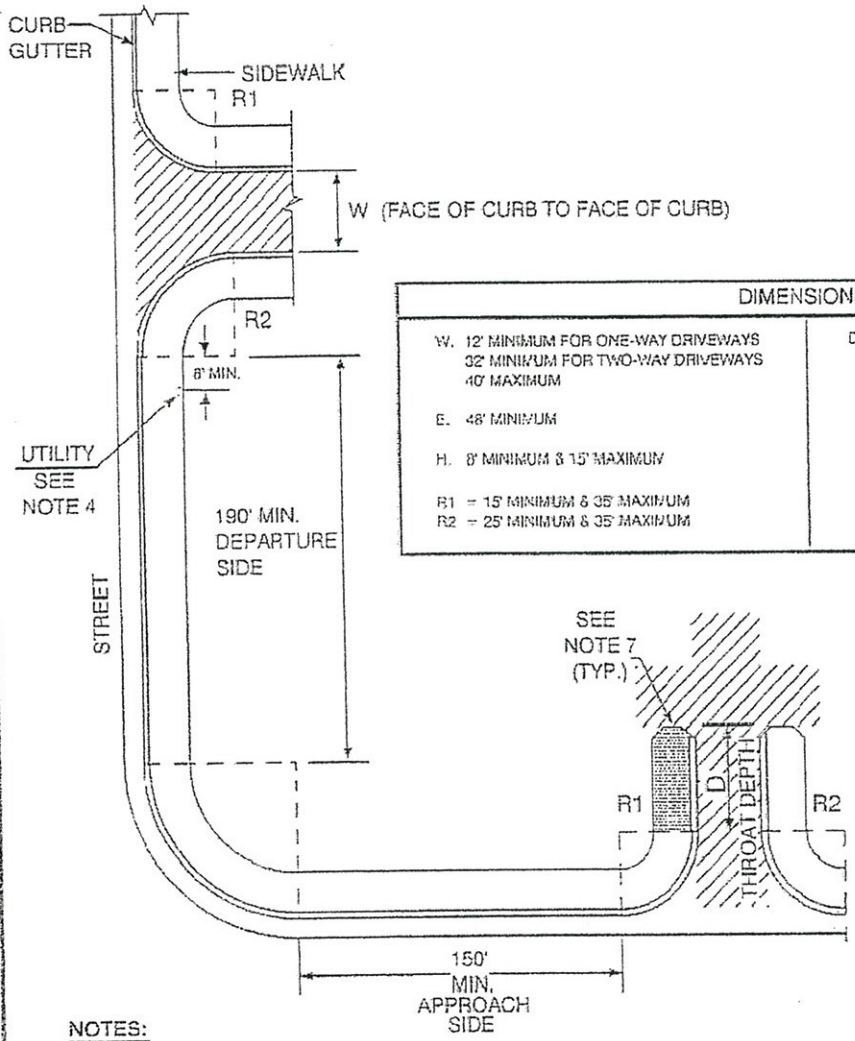
Respectfully,
SUPERIOR ENGINEERING SERVICES, INC.

Roger L. Freeman, P.E.
Traffic Engineer

Attachment:

OUR 22nd ANNIVERSARY
1988 – 2010

VAR-35528
SDR-35186
01/14/10 PC



DIMENSIONS	
W. 12' MINIMUM FOR ONE-WAY DRIVEWAYS 32' MINIMUM FOR TWO-WAY DRIVEWAYS 40' MAXIMUM	D. THROAT DEPTH 25' MINIMUM 50' MINIMUM FOR PARKING LOTS > 50 PARKING SPACES 75' MINIMUM FOR PARKING LOTS 51 TO 100 PARKING SPACES 100' MINIMUM FOR PARKING LOTS 101 TO 200 PARKING SPACES 150' MINIMUM FOR PARKING LOTS > 201 PARKING SPACES
E. 48' MINIMUM	
H. 8' MINIMUM & 15' MAXIMUM	
R1 = 15' MINIMUM & 35' MAXIMUM R2 = 25' MINIMUM & 35' MAXIMUM	

NOTES:

1. COMMERCIAL AND MULTI-FAMILY DRIVEWAYS SHALL BE CONSTRUCTED IN ACCORDANCE WITH STANDARD DRAWING NUMBERS 224, 225, 228, 235 AND 235.1.
2. LOCAL ORDINANCES AND POLICIES MAY APPLY AND SHALL HAVE PRECEDENCE. SEE NDOT ACCESS POLICY FOR STATE ROADWAYS.
3. THE TOTAL WIDTH "W" OF DRIVEWAY CURB OPENINGS SHALL NOT EXCEED 65% OF FRONT FOOTAGE.
4. NO DRIVEWAY SHALL BE LOCATED WITHIN 6 FEET OF A LIGHT POLE (UNLESS APPROVED BY THE ENTITY TRAFFIC ENGINEER), FIRE HYDRANT, MAIL BOX, ABOVE-GROUND ELECTRICAL TRANSFER BOX, OR BLOCK WALL HIGHER THAN 2 FEET.
5. THE CENTERLINES OF THE DRIVEWAYS ON OPPOSITE SIDES OF THE STREET AT A MEDIAN OPENING SHOULD BE WITHIN 10' FROM EACH OTHER AT THE MEDIAN OPENING.
6. GEOMETRICS APPLY TO NEW CONSTRUCTION ONLY, AND EXCEPTIONS MAY BE GRANTED BY THE APPROVAL OF THE AGENCY TRAFFIC ENGINEER BASED ON SITE CONSTRAINTS.
7. HANDICAPPED ACCESSIBLE SIDEWALKS SHALL BE PROVIDED ADJACENT TO DRIVEWAYS TO THE P.C. OF THE ONSITE CURB RETURN, MINIMUM, OR AT AN ALTERNATE LOCATION.
8. WHEN A PROPERTY LINE FALLS IN A MEDIAN OPENING A JOINT DRIVEWAY AGREEMENT SHALL BE REQUIRED OF NO DRIVEWAY WILL BE ALLOWED.

SPECIFICATION REFERENCE	UNIFORM STANDARD DRAWINGS CLARK COUNTY AREA
	COMMERCIAL AND MULTI-FAMILY DRIVEWAY GEOMETRICS
	DATE 02-09-06 | DWG. NO. 222A | SHEET 1 OF 2

VAR-35528
SDR-35186
01/14/10 PC

the Tiger Lily
FLOWER SHOP

January 12, 2010

Glenn E. Trowbridge, Chairman
Las Vegas Planning Commission
8112 Pacific Cove Dr.
Las Vegas, NV 89128

Re: **VAR-35528 SDR-35186 BodyFlying US, LLC**

Dear Mr. Trowbridge,

The hearing for this variance request is scheduled for Thursday, January 14. A number of business owners and property owners have met twice in the past few weeks with the applicant and the applicant's agents. They have failed to convince us that their proposed project is in the interest of our neighborhood.

- Both the neighborhood association's master plan and the city's master plan for this neighborhood envision an upscale neighborhood with retail shops, restaurants and office buildings. This project does not fit in with that vision.
- The proposed tower, at 79 feet, would dwarf all surrounding buildings. The tallest building currently is the Republic Services Building at 54 feet 8 inches. The neighborhood master plan is that no amusement facility exceed 50 feet in height.
- There are serious concerns over noise issues. The noise of the 16-foot airplane propeller, the underground vibrations transmitted to nearby buildings, and the noise of more than 130 tons of air condition units on the roof would be deprive us of the quiet enjoyment of our own property.
- Instead of requesting diminished parking for their proposed project, they should plan to provide considerably more parking than is normally required. Indoor Skydiving is an extreme sport that attracts international competitions. The competitors, spectators, staff members and media personnel can easily amount to 250 or 300 people for one of these competitions. Our parking facility is already stressed on many days, and we do not want to be in the position of having to defend our parking facilities from encroachment. Traffic is another issue, as these events bring in tour busses, stretch limousines, taxis and private vehicles to transport these people
- Well over 100 individuals have registered their opposition to this project. I receive calls daily from people who are adamantly opposed to this project being approved.

We would like to preserve the quiet nature of our neighborhood and earnestly request that this request be denied.

Terry Hunt

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the Tiger Lily
FLOWER SHOP

October 16, 2009

Mr. Glenn E. Trowbridge, Chairman
Las Vegas Planning Commission
8112 Pacific Cove Dr.
Las Vegas, NV 89128

Re: BodyFlying US, LLC **SDR-3586 VAR-35528**

Dear Mr. Trowbridge,

As a business owner in the immediate vicinity of the applicant's property, I am adamantly opposed to granting the waivers requested by the applicant.

I am a co-owner of The Tiger Lily Flower Shop, immediately adjacent to the applicant's property. I have been associated with this business and its predecessor, The Petal Pusher Flower Shop, for over 30 years and would like to continue in business for years to come.

- **The proposed venture is not consistent with any existing use in the neighborhood**
- **The tower the applicant proposes to build dwarfs any other structure occupied by long-standing businesses**
- **The applicant intends to install a wind tunnel which will produce substantial noise, but the applicant has not produced any noise study regarding its effect on the neighbors**
- **The maximum number of people using the facility has been misstated by the applicant in hopes of getting a waiver for the parking and traffic requirements**

This is a quiet residential neighborhood with small businesses --- retail shops, barber shops, restaurants and office buildings. The proposed venue for indoor skydiving does not fit in with the existing businesses and property use.

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In the neighborhood meeting hosted by the applicant's attorneys on October 7, their representative indicated that the height of their proposed wind tunnel tower, at 79 feet, is not much taller than the Republic Services building, which she claimed stands at 62 feet high. If any part of the Republic Services building is 62 feet, it would only be the air conditioning ducts on top of the building. The main part of the building can't be more than about 50 feet and the skydiving tower would be approximately 30 feet higher. This would make it stand out as the most prominent feature of the neighborhood.

By the applicant's own admission, this facility is a vertical industrial wind tunnel which uses airplane propellers to generate winds up to 150 miles per hour. No study has been presented which would predict the noise level at various distances from the tower. The Nevada Coin Mart building is only a few feet from the proposed tower location.

The applicant indicated that the proposed commercial recreation/amusement facility will be utilized by no more than 26 people at any given time, consisting of 6 staff members and 20 guests. The applicant compared their facility with a racquetball court. This is completely disingenuous. Indoor skydiving is becoming a very popular competitive sport and it appears that the applicant has an interest in other facilities around the world. Most of them are in rural areas and not in dense urban areas. The events they sponsor can attract hundreds of competitors, spectators, and media members.

The following quote was found at the website: www.WorldChallenge.info

> "The 2008 competition is now over. The weekend was jam-packed with excitement as 39 4-way teams and 13 Free Fly teams battled it out to claim the medals and prize money"

That adds up to 169 competitors. Staff requirements could easily be 20 or more people. If you add television and media crew and the spectators such an event would generate, we easily would have 250 to 300 people, resulting in enormous traffic problems. The photo enclosed is from a similar event. http://www.bodyflight.co.uk/gallery/?&page=2

The street off Sahara Ave which would serve as the access to all of the applicant's parking is in fact, not a public street but a narrow private drive. The parking spots along the west side of the private drive belong to our property and we use them every day of the year. When we have vehicles parked along that drive, it leaves only about 20 feet of clearance, not enough for tour busses and limousines to easily enter and exit the facility. If just one vehicle parks on the east side of the drive at the same time one is parked on the west side of the drive, the remaining space is just enough to allow one vehicle through. If vehicles are trying to enter and others are trying to exit at the same time, a traffic jam is the result.

The undersigned, together with other parties protesting this application, earnestly believes that the proposed site is not the right location for an indoor skydiving venue. It is

patently unfair for the existing business and property owners to suffer because of it. Accordingly, we request that the application be denied.

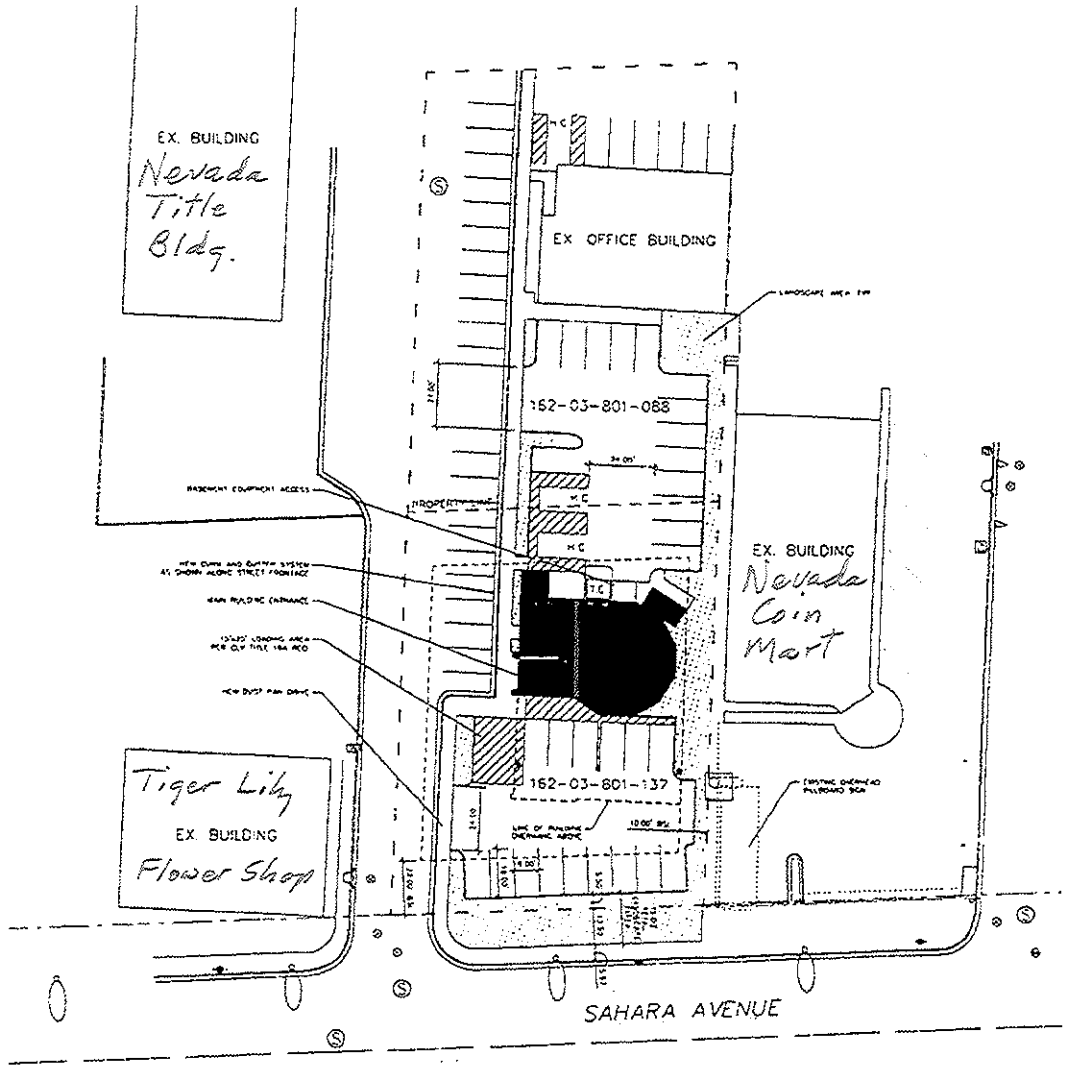
I would be happy to discuss this with you at your convenience. You can reach me on my cell phone at (702) 596-8960.

Sincerely,

Terry Hunt

Terry Hunt

DESIGN DATA



BRESLIN BUILDERS

Site Plan

Land-Use Submittal
August 4, 2009

RECEIVED
BodyFlying.us LLC - Las Vegas
700 East Sahara Avenue, Las Vegas, Nevada
SDR-35186
09/24/09 PC


boogie man
PARASPORT





MEDICAL REHABILITATION ASSOCIATES
OF LAS VEGAS
FIROOZ MASHHOOD, M.D
734 EAST SAHARA AVENUE
LAS VEGAS, NV 89104
PHONE 702-477-7764 FAX 702-477-7716

October 22, 2009

Planning Commission Member

Re: BodyFlying US, LLC SDR-35186 VAR-35528

Dear Gentlemen,

I am the owner of Medical Rehabilitation Associates of Las Vegas. I have been in business for over 20 years and at this location for the past 5 years.

The co-owner of The Tiger Lily Flower Shop has done extensive research in this project and I agree with the following:

- The proposed venture does not fit in with the existing neighborhood
- The tower they propose to build would stick out far above any other nearby structure
- No study has been done as to the noise that would be generated by the applicant's wind tunnel and its effect on neighbors
- The maximum number of people using the facility has been misstated by the applicant in hopes of getting a waiver for the parking and traffic requirements

This is a quiet residential neighborhood with small businesses, i.e. retail shops, barber shops, restaurants and office buildings. The proposed venue for indoor skydiving does not fit in with the existing businesses and property use.

In the neighborhood meeting hosted by the applicant's attorneys on October 7, their representative indicated that the height of their proposed wind tunnel tower, at 79 feet, is not much taller than the Republic Services building, which she claimed stands at 62 feet high. If any part of the Republic Services building is 62 feet, it would only be the air conditioning ducts on top of the building. The main part of the building can't be more than about 50 feet and the skydiving tower would be approximately 30 feet higher than that. This would make it stand out as the most prominent feature of the neighborhood. Good for the applicant, bad for the neighborhood.

By the applicant's own admission, this facility is vertical industrial wind tunnel which uses airplane propellers to generate winds up to 150 miles per hour. No study has been presented

which would predict the noise level at various distances from the tower. The Nevada Coin Mart building is only a few feet from the proposed tower location.

The applicant indicated that the proposed commercial recreation/amusement facility will be utilized by no more than 26 people at any given time, consisting of 6 staff members and 20 guests. The applicant compared their facility with a racquetball court. This is completely disingenuous. Indoor skydiving is becoming a very popular competitive sport and the applicant owns other facilities around the world. Most of them are in rural areas and not in dense urban areas. The events they sponsor can attract hundreds of competitors, spectators, and media members. When the number of staff members required to handle such events is added, the number of people at the facility can reach into the hundreds.

The following quote was found at the website: www.WorldChallenge.info

"The 2008 competition is now over. The weekend was jam-packed with excitement as 39 4-way teams and 13 Free Fly teams battled it out to claim the medals and prize money"

That adds up to 169 competitors. Staff requirements could easily be 20 or more people. If you add television and media crew and the spectators such an event would generate, we are easily up to 250 to 300 people, not to mention enormous traffic problems. The photo enclosed is from a similar event. http://www.bodyflight.co.uk/gallery/?&page=2

These facilities often try to land contracts with the military for skydiving training. We just happen to have an air force base in the area.

The street off Sahara Avenue which would serve as the access to all of the applicant's parking is in fact, not a public street but a narrow private drive. The parking spots along the east side of the private drive belong to our property and we use them every day of the year. When we have vehicles parked along that drive, it leaves only about 20 feet of clearance, not enough for tour buses and limousines to easily enter and exit the facility. If just one vehicle parks on the east side of the drive at the same time one is parked on the west side of the drive, the remaining space is just enough to allow one vehicle through. If vehicles are trying to enter and others are trying to exit at the same time, a traffic jam is the result.

The indoor skydiving venue is an excellent proposition, but this is not the right location for it and it is patently unfair for the existing business and property owners to suffer because of it. I earnestly beseech you to oppose the waivers requested.

I would be happy to discuss this with you at your convenience. You can reach me on my cell phone at (702) 785-7766.

Sincerely,

Firooz Mashhood, M.D.

Nora Lares

From: Doug Rankin
Sent: Tuesday, January 12, 2010 1:48 PM
To: Nora Lares
Cc: Steve Gebeke
Subject: FW: Hold Letter for BodyFlying

VAR-35528
SDR-35186
01/14/10 PC

From: MICHAEL HANRATTY [mailto:southridgena@worldnet.att.net]
Sent: Tuesday, January 12, 2010 12:40 PM
To: Doug Rankin
Subject: Fw: Hold Letter for BodyFlying

----- Original Message -----
From: Gregory Brown
To: Michael Cornthwaite
Cc: Peter Frigeri ; Jack@unclejack.com ; giunchigliani@aol.com ; southridgena@worldnet.att.net ; accuprint01@gmail.com ; alberts7@unlv.nevada.edu ; arthur@writingwithfamilies.com ; bremskraft@yahoo.com ; bhughes@lasvegasnevada.gov ; bubba13_1999@yahoo.com ; catherineborg@mac.com ; centavodale@aol.com ; charles@autostateinsurance.com ; corvin@cox.net ; darlenesteljes@earthlink.net ; darrylr@cox.net ; dfigler@hotmail.com ; djinn2@cox.net ; dorretwms@yahoo.com ; elenapellinen@yahoo.com ; hfleischhauer@hotmail.com ; jacobsmr@gmail.com ; janemiyama@aol.com ; JJWright@co.clark.nv.us ; jlapan@cox.net ; jmsgibson@yahoo.com ; jonell@jonellthomas.com ; jwilsonstainedglass@cox.net ; kaseybaker223@yahoo.com ; khkurz@yahoo.com ; kwirges@yahoo.com ; LJKIRK2@cox.net ; mwheeler@lasvegasnevada.gov ; michael.lugering@unlv.edu ; mike@anewct.com ; mpearig@aol.com ; myersyounkin@aol.com ; nicolemrogers@gmail.com ; Pam50@cox.net ; pjk4@cox.net ; rlevrant@lasvegasnevada.gov ; rumford@cox.net ; sarahmh@cox.net ; scott.swank@gmail.com ; sued123@cox.net ; T_Pellegrini@hotmail.com ; tami1@mac.com ; vic@trinity-life.org ; VVpawnshop@aol.com ; wateringhole25@cox.net ; stan@tokens.com ; rockieball@cox.net ; minkcolbert@gmail.com ; coyleb@repsrv.com
Sent: Wednesday, November 11, 2009 12:09 AM
Subject: Re: Hold Letter for BodyFlying

Hi Michael C and everyone,

Let me add a couple of thoughts in response to your contribution.

One of them is that we all owe a debt to Michael Hanratty how has put together a group of business-owners on Sahara who have an interest in the quality of life in the neighborhood -- we've never had that kind of formal relationship with Sahara businesses before. And while I'll let him speak for himself on the reactions he's gotten, the ones I've heard from, including businesses which directly adjoin the subject property, are very concerned about the impact this proposal would have on their business. So if we want to support entrepreneurs, we might want to listen to the ones who are most directly impacted and whose livelihoods are at stake in this proposal. Those businesses will have a chance to speak for themselves at the Planning Commission but its a good idea, to my mind, for us to work with them and listen to their concerns about what would, or would not, promote commerce along Sahara.

Secondly, its important to keep in mind that while its satisfying to take the position of "let people design their own buildings," there are indeed a series of planning documents that have been drawn up over time to provide a guideline for development along Sahara. This includes not only the City's own general plan (ie zoning and land use maps and planning laws, which do mandate that projects be evaluated in terms of their fit with existing uses and planned uses for the surrounding area) and the City's Redevelopment area which sets forth specific goals of promoting commercial office and retail space -- as opposed to amusements -- and which was drawn up with

consultation of the businesses on Sahara. This Redevelopment money is almost certainly what has attracted this applicant to choose this site so we'll all be subsidizing his project, which is why I'm not sure its as simply as letting people build their own buildings on their own property.

Beyond the Redevelopment area, there is the County's design guidelines for the south side of Sahara, which is a set of guidelines intended to give prospective developers -- entrepreneurs if you will -- an affirmative set of guidelines about how residential towers, single family homes, commercial retail and other spaces could fit together harmoniously. And that too was a public process, open to input from all stakeholders.

There is our own Neighborhood Plan, which is only a guideline but was drawn up with the intent of establishing a clear set of goals, and among those goals was to limit the development of amusements along Sahara, particularly amusements that rise above the 60 foot limit.

To say that all this should be ignored is to ignore the long-term work of lots of people, in the City government, the County government, in the local business community and in the Neighborhood.

Any and all of these plans should indeed be open to discussion and revision but that revision shouldn't be according to a rather abstract principle of "let people design their own buildings." And while its true that too much planning can stultify effective redevlopment, we can also see some successes in urban planning such as for instance the Entertainment District along east Fremont.

Finally, and this is a point that I don't think has been made yet in any of the discussions, is that as recently as last spring, gaming and development interests made a significant effort to expand the Gaming Enterprise District eastward along Sahara. I'd expect those interests are watching proposals like this, since if Sahara becomes an amusement corridor, they'll come back and try again to gain legal changes that would allow Strip-type properties along Sahara.

So there's going to be some plan, one way or the other, that determines the future of the Sahara corridor. What we should discuss is what sort of corridor we'd like -- retail and office, as is currently the City's plan, or an amusement corridor which is the direction that I think this project would point us towards.

best wishes to all,
Greg Brown

On Tue, Nov 10, 2009 at 5:16 PM, Michael Cornthwaite <vegasdowntowner@gmail.com> wrote:
I'm sure there will be time to discuss this in another forum, but I would like to briefly express that..honestly...unless the area is going to be negatively impacted, we shouldn't have any say in how someone wants to design their own building/business.

The fact that someone wants to build a new building, and employ people on East Sahara is not something we should have a problem with at all, especially now.

Being an entrepreneur myself, I sometimes have people that give me unsolicited advice about my design choices to which I normally respond, "when you build your own place, you can do it anyway you like."

I'm sure there is more to it, but I just wanted to share a few thoughts.

On Tue, Nov 10, 2009 at 4:40 PM, Peter Frigeri <Peter@expoease.com> wrote:

That is ass ugly. Why do all these developers want Sahara to look like International Drive in Orlando?

Peter Frigeri

President

Expo Ease

702-368-2868

Think before you print.

From: Jack LeVine [mailto:Jack@UncleJack.com]
Sent: Tuesday, November 10, 2009 4:39 PM
To: 'Michael Cornthwaite'; giunchigliani@aol.com
Cc: southridgena@worldnet.att.net; accuprint01@gmail.com; alberts7@unlv.nevada.edu; arthur@writingwithfamilies.com; bremskraft@yahoo.com; bhughes@lasvegasnevada.gov; bubba13_1999@yahoo.com; catherineborg@mac.com; centavodale@aol.com; charles@autostateinsurance.com; corvin@cox.net; darlenesteljes@earthlink.net; darrylr@cox.net; dfigler@hotmail.com; djinn2@cox.net; dorretwms@yahoo.com; elenapellinen@yahoo.com; gregorystephenbrown@gmail.com; hfleischhauer@hotmail.com; jacobsmr@gmail.com; janemiyama@aol.com; JJWright@co.clark.nv.us; jlapan@cox.net; jmsgibson@yahoo.com; jonell@jonellthomas.com; jwilsonstainedglass@cox.net; kaseybaker223@yahoo.com; khkurz@yahoo.com; kwirges@yahoo.com; LJKIRK2@cox.net; mwheeler@lasvegasnevada.gov; michael.lugering@unlv.edu; mike@anewct.com; mpearlg@aol.com; myersyounkin@aol.com; nicolemrogers@gmail.com; Pam50@cox.net; pjk4@cox.net; Peter Frigeri; rlevrant@lasvegasnevada.gov; rumford@cox.net; sarahmh@cox.net; scott.swank@gmail.com; sued123@cox.net; T_Pellegrini@hotmail.com; tami1@mac.com; vic@trinity-life.org; VVpawnshop@aol.com; wateringhole25@cox.net; stan@tokens.com; rockieball@cox.net; minkcolbert@gmail.com; coyleb@repsrv.com
Subject: RE: Hold Letter for BodyFlying

For those who weren't at either of the meetings, this is the "artist's rendering" of the proposed building.

The right side of the drawing is facing Sahara.

The yellow tower and the round tower behind it is at the north side of the building.

Or put another way, the car on the street out front is driving NORTH on the cul-de-sac (which I think should be called 7th Street to tie it into the rest of the downtown numbered streets).



We have lots of fun promoting the classic homes and historic neighborhoods of Las Vegas.

We call it "Very Vintage Vegas" www.VeryVintageVegas.com

And, selling real estate funds our passion for preserving Vintage Vegas.

Your referrals are always appreciated.

Jack LeVine
Keller Williams Realty-Las Vegas

Jack@UncleJack.com

Cell 702-378-7055

Fax 702-732-7748

From: Michael Cornthwaite [mailto:vegasdowntowner@gmail.com]
Sent: Tuesday, November 10, 2009 4:20 PM
To: giunchigliani@aol.com
Cc: southridgena@worldnet.att.net; accuprint01@gmail.com; alberts7@unlv.nevada.edu; arthur@writingwithfamilies.com; bremskraft@yahoo.com; bhughes@lasvegasnevada.gov; bubba13_1999@yahoo.com; catherineborg@mac.com; centavodale@aol.com; charles@autostateinsurance.com; corvin@cox.net; darlenesteljes@earthlink.net; darrylr@cox.net; dfigler@hotmail.com; djinn2@cox.net; dorretwms@yahoo.com; elenapellinen@yahoo.com; gregorystephenbrown@gmail.com; hfleischhauer@hotmail.com; jack@unclejack.com; jacobsmr@gmail.com; janemiyama@aol.com; JJWright@co.clark.nv.us; jlapan@cox.net; jmsgibson@yahoo.com; jonell@jonellthomas.com; jwilsonstainedglass@cox.net; kaseybaker223@yahoo.com; khkurz@yahoo.com; kwirges@yahoo.com; LJKIRK2@cox.net; mwheeler@lasvegasnevada.gov; michael.lugering@unlv.edu; mike@anewct.com; mpearlg@aol.com; myersyounkin@aol.com; nicolemrogers@gmail.com; Pam50@cox.net; pjk4@cox.net; peter@expoease.com; rlevrant@lasvegasnevada.gov; rumford@cox.net; sarahmh@cox.net; scott.swank@gmail.com; sued123@cox.net; T_Pellegrini@hotmail.com; tami1@mac.com; vic@trinity-life.org; VVpawnshop@aol.com; wateringhole25@cox.net; stan@tokens.com; rockieball@cox.net; minkcolbert@gmail.com; coyleb@repsrv.com
Subject: Re: Hold Letter for BodyFlying

Thank you!

I would like to know more about the specific project.

I think that it is also important to understand that not all areas need to be masterplanned as this stunts creative and artistic growth as well as paralyzes entrepreneurs with new codes and expenses. Many of the best areas of a city are those with the most variety and diversity of residential and commercial without being contrived and over thought out.

A year or two ago there was talk of demolishing the Commercial Center in favor of some better planned and stale "the District" type alternative. I was very much against that as were many people and fortunately it didn't happen.

Let us all not forget why we moved downtown to begin with.

Michael

On Tue, Nov 10, 2009 at 3:30 PM, <giunchigliani@aol.com> wrote:

Mike,

The Body flying issue came up last year so I do think most are aware of it and the concenrs remain. I live just outside of Southridge but boundries aren't as important as what would help approporiately redevelop the cooridor on both sides of Sahara. A good mixed use and retail mix would be great and just putting an amusement there or some other project that really didn't help promote a true urban landscape that complimetns the neighborhood would be short sighted. Once there it could stop other potential developemnt that would fit better. We also should be concerned aobut the traffic and ability for me to get the ACE bus down Sahara to help with congestion. Just some of my thoughts. Chris

-----Original Message-----
From: MICHAEL HANRATTY <southridgena@worldnet.att.net>
To: accuprint01@gmail.com; alberts7@unlv.nevada.edu; arthur@writingwithfamilies.com; Bremskraft <bremskraft@yahoo.com>; Brenda J. Hughes <bhughes@LasVegasNevada.GOV>; bubba13_1999@yahoo.com; catherineborg@mac.com; centavodale@aol.com; charles@autostateinsurance.com; corvin@cox.net; darlenesteljes@earthlink.net; darrylr@cox.net; dfigler@hotmail.com; djinn2@cox.net; dorretwms@yahoo.com; elenapellinen@yahoo.com; giunchigliani@aol.com; gregorystephenbrown@gmail.com; hfleischhauer@hotmail.com; jack@unclejack.com; jacobsmr@gmail.com; janemiyama@aol.com; JJWright@co.clark.nv.us; jlapan@cox.net; jmsgibson@yahoo.com; jonell@jonellthomas.com; jwilsonstainedglass@cox.net; kaseybaker223@yahoo.com; khkurz@yahoo.com; kwirges@yahoo.com; LJKIRK2@COX.NET; Margo Wheeler <mwheeler@LasVegasNevada.GOV>; michael.lugering@unlv.edu; Michael Cornthwaite <vegasdowntowner@gmail.com>; mike@anewct.com; mpearlg@aol.com; myersyounkin@aol.com; nicolemrogers@gmail.com; Pam50@cox.net; pjk4@cox.net; peter@expoease.com; Rob Levrant <rlevrant@LasVegasNevada.GOV>; rumford@cox.net; sarahmh@cox.net; scott.swank@gmail.com; sued123@cox.net; T_Pellegrini@hotmail.com; tami1@mac.com; vic@trinity-life.org; VVpawnshop@aol.com; wateringhole25@cox.net; sage419@mail.com; stan@tokens.com; rockieball@cox.net; minkcolbert@gmail.com; coyleb@repsrv.com
Sent: Tue, Nov 10, 2009 12:05 pm
Subject: Fw: Hold Letter for BodyFlying

Greetings Southridge friends and neighbors,
It has come to my attention that there has been a sudden interest in the BodyFlying items. On behalf of Southridge N A and Sahara Southridge Association of Businesses we appreciate the concern. I personally would like to know how many of you actually know what this is all about and of all the E-mail addressess I've received, how many live in Southridge? Any and all comments are welcome, if you have any questions please get back to me.
Sincerely,
Michael Hanratty
President, Southridge N A
702-369-8439
----- Original Message ----- From: "Jennifer Lazovich" <JLazovich@kcnvlaw.com>
To: <southridgena@att.net>
Cc: "BNSfiles" <BNSfiles@kcnvlaw.com>
Sent: Thursday, November 05, 2009 4:57 PM
Subject: Hold Letter for BodyFlying

Hi Michael:

Due to the upcoming holidays, we are requesting to hold the BodyFlying items until January 14, 2010.

Please contact me if you have any questions.

As always, thank you for working with us.

Jennifer

Jennifer Lazovich
Kaempfer Crowell Renshaw Gronauer & Fiorentino
8345 West Sunset Road, Suite 250

Las Vegas, Nevada 89113
Tel: (702) 792-7000
Fax: (702) 796-7181
Website: www.kcnvlaw.com
Email: jlazovich@kcnvlaw.com

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Nora Lares

From: Doug Rankin
Sent: Tuesday, January 12, 2010 1:49 PM
To: Nora Lares
Cc: Steve Gebeke
Subject: FW: SDR-35186 and VAR-35528

RECEIVED
JAN 12 2010

From: MICHAEL HANRATTY [mailto:southridgena@worldnet.att.net]
Sent: Tuesday, January 12, 2010 12:34 PM
To: Doug Rankin
Subject: SDR-35186 and VAR-35528

To The Planning Commision,
On behalf of Southridge NA and Sahara Southridge Association of Businesses the consensus of residence and businesses is denial to this amusement facility. I will forward a couple of E-mails that were sent to me that sum up the reason for opposition.

Sincerely,
Michael Hanratty
President, Southridge NA
and SSAB

Submitted after final agenda
1/12/10 Item #6P

RECEIVED
JAN 13 2010

To: Las Vegas Planning Commission
Re: VAR-35528 and SDR-35186 BodyFlying US, LLC

We, the undersigned, are opposed to this project and hereby request that applicant's request for approval be denied.

1

Name (print)	Christina Gianopoulos - Rohrer
Address	7 Desert Dawn Ln Henderson, NV 89074
Phone No.	434-7331
Date	1/10/10 Signature CRohrer

2

Name (print)	Rena Rohrer
Address	~~4308 Marion St~~ 805 Gibson # 124 Henderson, NV 89012
Phone No.	814-566-6048
Date	1-10-10 Signature Rena Rohrer

3

Name (print)	Margaret Gianopoulos
Address	2201 Ramsgate Dr #423 Henderson NV 89074
Phone No.	702-764-6335
Date	1-10-10 Signature

4

Name (print)	Colleen Claro
Address	7985 long beach st Las Vegas NV 89139
Phone No.	702-234-7886
Date	1-10-10 Signature [signature]

Submitted after final agenda

Item #6P(x80)

To: Las Vegas Planning Commission
Re: VAR-35528 and SDR-35186 BodyFlying US, LLC

RECEIVED
JAN 13 2010

We, the undersigned, are opposed to this project and hereby request that applicant's request for approval be denied.

5
Name (print) Jena Waller
Address 1668 Oakmont Ave #1701
Las Vegas, NV 89109
Phone No. 503-991-4853
Date 1-7-10 Signature Jena Waller

6
Name (print) Marc Hewson
Address 632 Avenue D
Boulder City NV 89005
Phone No. (702) 409-7725
Date 1/7/~~09~~ 10 Signature MSHeson

7
Name (print) Virginia Stickell
Address 909 East St. Louis
Las Vegas, NV 89104
Phone No. (702) 435-6636
Date 1/8/10 Signature Virginia Stickell

8
Name (print) Susan Savarise
Address 2001 So. 11th St.
Las Vegas, NV 89104-3117
Phone No. (702) 595-2215
Date 01/09/10 Signature Susan Savarise

RECEIVED
JAN 13 2010

To: Las Vegas Planning Commission
Re: VAR-35528 and SDR-35186 BodyFlying US, LLC

We, the undersigned, are opposed to this project and hereby request that applicant's request for approval be denied.

9
Name (print) Phyllis Silvestri
Address 618 Canosa
LV NV 89104
Phone No. (702) 735-6501
Date 1-9-10 Signature Phyllis Silvestri

10
Name (print) Robert M. Laskey
Address 2000 Cordova St.
Las Vegas, NV 89104
Phone No. (702) 735-5666
Date 1-9-10 Signature

11
Name (print) Mary DiIorio
Address 1037 Canosa
Las Vegas, NV 89104
Phone No. 369-1688
Date 1-10-10 Signature

12
Name (print) Karin Bickers
Address 1032 Howard Ave
LV, NV 89104
Phone No. 792-6890
Date Signature

To: Las Vegas Planning Commission
Re: VAR-35528 and SDR-35186 BodyFlying US, LLC

RECEIVED
JAN 13 2010

We, the undersigned, are opposed to this project and hereby request that applicant's request for approval be denied.

13
Name (print) Geraldine Bickers
Address 1032 Howard Ave.
Las Vegas, NV 89104
Phone No. (702) 732-5890
Date 1-10-10 Signature Geraldine Bickers

14
Name (print) Joyce Perlman
Address 3111 Bel Air Dr.
Las Vegas, NV 89109
Phone No.
Date 1/10/10 Signature J Perlman

15
Name (print) Jennifer Duff
Address 2576 W. Verde
Caruthers, CA 93609
Phone No. 559-508-2502
Date 1-10-10 Signature Jennifer Duff

Name (print) Jadine Duff
Address ~~2576 W. Verde~~
Caruthers, CA 93609
Phone No. 559-508-2502
Date 1-10-10 Signature Jadine Duff

To: Las Vegas Planning Commission
Re: VAR-35528 and SDR-35186 BodyFlying US, LLC

RECEIVED
JAN 13 2010

We, the undersigned, are opposed to this project and hereby request that applicant's request for approval be denied.

16

Name (print) Richard Dover
Address 1101 Durant Blvd. #57
LV, NV 89169
Phone No. 702-287-9692
Date 1-11-10 Signature Richard Dover

17

Name (print) Michele Picht
Address 3820 Alder Creek Ct.
NLV NV. 89032
Phone No. 702-743-5744
Date 1-11-10 Signature Michele Picht

Name (print)
Address
Phone No.
Date Signature

Name (print)
Address
Phone No.
Date Signature

To: Las Vegas Planning Commission
Re: VAR-35528 and SDR-35186 BodyFlying US, LLC

RECEIVED
JAN 13 2010

We, the undersigned, are opposed to this project and hereby request that applicant's request for approval be denied.

18

Name (print) CARL "JEFF" WAGNER
Address 2556 WILTSHIRE
Hend. NV 89052
Phone No. 271-4872
Date 1/12/09 Signature

Name (print)
Address

Phone No.
Date Signature

Name (print)
Address

Phone No.
Date Signature

Name (print)
Address

Phone No.
Date Signature

RECEIVED
JAN 13 2010

To: Las Vegas Planning Commission
Re: VAR-35528 and SDR-35186 BodyFlying US, LLC

We, the undersigned, are opposed to this project and hereby request that applicant's request for approval be denied.

19

Name (print) JAMES OSWALD
Address 1071 Hasseth AVE
LV NV 89104
Phone No. 702-327-2859
Date 1-12-2010 Signature

Name (print) Brianna Bangle
Address ~~610 Canosa~~
Las Vegas, NV 89104
Phone No. 702-735-6501
Date 1-12-10 Signature Brianna Bangle

PROTEST LETTER SUBMITTED
SEP. 23, 2009

Name (print)
Address
Phone No.
Date Signature

Name (print)
Address
Phone No.
Date Signature

To: Las Vegas Planning Commission
Re: VAR-35528 and SDR-35186 BodyFlying US, LLC

RECEIVED
JAN 13 2010

We, the undersigned, are opposed to this project and hereby request that applicant's request for approval be denied.

20
Name (print) Deborah N. Prater
Address 1201 N. Rainbow #19
Las Vegas, NV. 89108
Phone No. 677-7244
Date 1-7-2010 Signature Deborah Prater

21
Name (print) DIANE P. DELIO
Address 4949 BLUE BAY CT
LAS VEGAS NV 89141
Phone No. 702-451-2336
Date 01/08/10 Signature Diane P DeLio

Name (print) A. CURTIS PRATER
Address ~~1201 N. RAINBOW #19~~
LAS VEGAS, NV 89108
Phone No. 677-5085
Date 1-10-10 Signature A. Curtis Prater

Name (print) John Michael Bangle
Address ~~610 Cayoosa Ave~~
Las Vegas, NV 89104
Phone No. (702) 735-6501
Date 1-12-10 Signature

PROTEST LETTER
SUBMITTED SEP. 23, 2009

To: Las Vegas Planning Commission
Re: VAR-35528 and SDR-35186 BodyFlying US, LLC

RECEIVED
JAN 13 2010

We, the undersigned, are opposed to this project and hereby request that applicant's request for approval be denied.

22

Name (print) Tina Drown
Address 10533 Nevada Falls Ave
Las Vegas NV 89129
Phone No. (603) 493 9510
Date Jan 11th, 200 Signature

Name (print) Paul Johnson
Address ~~10533 Nevada Falls Ave~~
LAS VEGAS NV 89129
Phone No. (702) 328 7133
Date Jan 11th, 2010 Signature

23

Name (print) Judy Studards
Address 10244 Regents Cross Place
Las Vegas NV 89144
Phone No. 702-363-1259
Date 1/12/10 Signature

Name (print) Sharon Bangle
Address ~~610 Conosa~~
Las Vegas, NV 89104
Phone No. 735-6501
Date 1/12/10 Signature

PROTEST LETTER
SUBMITTED SEP. 23, 2009

To: Las Vegas Planning Commission
Re: VAR-35528 and SDR-35186 BodyFlying US, LLC

RECEIVED
JAN 13 2010

We, the undersigned, are opposed to this project and hereby request that applicant's request for approval be denied.

24

Name (print) Wes Walker
Address 4507 San Rafael
LV NV 89120
Phone No. 435-1615
Date 1-5-2010 Signature Wes Walker

25

Name (print) Jason Walker
Address [illegible]
Las Vegas, NV 89104
Phone No.
Date 1/5/10 Signature [signature]

26

Name (print) LINDA DEEN REED
Address 840 ZINNIA CIR
HENDERSON, 89015
Phone No. 806-5408
Date 1-8-10 Signature [signature]

27

Name (print) Genevieve K. Elias
Address 6095 Casa Loma Ave.
Las. Vegas NV. 89156
Phone No. 752-9822
Date 01-12-10 Signature Genevieve K Elias

To: Las Vegas Planning Commission
Re: VAR-35528 and SDR-35186 BodyFlying US, LLC

RECEIVED
JAN 13 2010

We, the undersigned, are opposed to this project and hereby request that applicant's request for approval be denied.

28

Name (print) MARLENE M. LANDE
Address 5105 ELDORA AVE. #3
LAS VEGAS, NV. 89146
Phone No. 702-889-4419
Date 1-11-10 Signature Marlene M Lande

29

Name (print) ANDY REGER
Address 3029 YANKEE CLIPPER DR.
LAS VEGAS NV 89117
Phone No. 414.702.6901
Date 1-11-10 Signature

Name (print) JESSICA MATOVICH
Address ~~3029 YANKEE CLIPPER DR.~~
LV NV 89117.
Phone No. 702.374-7974
Date 1.11.10 Signature

Name (print)
Address
Phone No.
Date Signature

To: Las Vegas Planning Commission
Re: VAR-35528 and SDR-35186 BodyFlying US, LLC

RECEIVED
JAN 13 2010

We, the undersigned, are opposed to this project and hereby request that applicant's request for approval be denied.

30
Name (print) Paul Bandict
Address 3100 S. Durango Dr. #106
Las Vegas, NV 89117
Phone No. 702-338-7363
Date 1/11/2010 Signature

31
Name (print) PATRICIA Albert
Address 7920 CANOE LN
LAS VEGAS, NV 89145
Phone No.
Date 1/11/10 Signature Patricia A. Albert

32
Name (print) Stephanie Lucero
Address 2007 Glistening Sands Dr
Las Vegas NV 89119
Phone No. 702 292 7163
Date 01-11-10 Signature

33
Name (print) LUCAS MARIN
Address 200 W. SAHARA AVE # 21602
LAS VEGAS NV 89102
Phone No. (702) 813 4444
Date 01-11-10 Signature

To: Las Vegas Planning Commission
Re: VAR-35528 and SDR-35186 BodyFlying US, LLC

RECEIVED
JAN 13 2010

We, the undersigned, are opposed to this project and hereby request that applicant's request for approval be denied.

34

Name (print) Lillian F. Vickery
Address 5300 E. Desert Inn Rd #17
Las Vegas, NV. 89122
Phone No. 431-7044
Date 1-8-10 Signature Lillian F. Vickery

Name (print) NORMAN L. VICKERY JR.
Address ~~5300 E. DESERT INN RD. #17~~
LAS VEGAS, NV. 89122
Phone No. 431-7044
Date 1-8-10 Signature Norman L. Vickery JR.

35

Name (print) BoB Bosati
Address 2716 Kingsway #16
Phone No. 483-6658
Date 1-10-10 Signature BoB Bosati

36

Name (print) Kathleen Leavitt
Address 2568 Silver Shadow Dr.
Las vegas NV 89108
Phone No. 760-954 4832
Date 1-11-10 Signature Kathleen Leavitt

To: Las Vegas Planning Commission
Re: VAR-35528 and SDR-35186 BodyFlying US, LLC

RECEIVED
JAN 13 2010

We, the undersigned, are opposed to this project and hereby request that applicant's request for approval be denied.

37

Name (print) DON R. BEAGLE
Address 4361 CHERRYSTONE
LAS VEGAS NV
Phone No. 733-6596
Date 1-8-10 Signature Don R Beagle

Name (print) Dorothy K BEAGLE
Address ~~4361 CHERRY STONE~~
LAS VEGAS, NV
Phone No. 733-6596
Date 1-8-10 Signature Dorothy K Beagle

38

Name (print) John Lindner
Address 2217 Beverly Way
LV NV 89104
Phone No. 735-1413
Date 1/11/10 Signature

Name (print) Mary Lindner
Address ~~2217 Beverly Way~~
Las Vegas, NV 89104
Phone No. (702) 735-1413
Date 1/11/2010 Signature Mary Lindner

To: Las Vegas Planning Commission
Re: VAR-35528 and SDR-35186 BodyFlying US, LLC

RECEIVED
JAN 13 2010

We, the undersigned, are opposed to this project and hereby request that applicant's request for approval be denied.

Name (print)	John Lindner
Address	~~2217 Beverly Way~~ LV NV 89104
Phone No.	735-1413
Date	1/12/10
Signature	John Lindner

Name (print)	Mary Lindner
Address	~~2217 Beverly~~ Las Vegas NV 89104
Phone No.	735-1413
Date	1.12.10
Signature	Mary Lindner

Name (print)	
Address	
Phone No.	
Date	Signature

Name (print)	
Address	
Phone No.	
Date	Signature

To: Las Vegas Planning Commission
Re: VAR-35528 and SDR-35186 BodyFlying US, LLC

RECEIVED
JAN 13 2010

We, the undersigned, are opposed to this project and hereby request that applicant's request for approval be denied.

Name (print) Joan Tourville
Address ~~910 E. Oakey Blvd~~
Las Vegas, NV 89104
PROTEST POSTCARD SUBMITTED SEP. 28, 2009
Phone No.
Date 1-11-09 Signature (via email)

39

Name (print) Henry Takushi
Address 3360 Pakanu St.
Honolulu, HI 96822-1344
Phone No. 808-218-3971
Date 1-11-10 Signature Henry Takushi

Name (print)
Address
Phone No.
Date Signature

Name (print)
Address
Phone No.
Date Signature

To: Las Vegas Planning Commission
Re: VAR-35528 and SDR-35186 BodyFlying US, LLC

RECEIVED
JAN 13 2010

We, the undersigned, are opposed to this project and hereby request that applicant's request for approval be denied.

Name (print)	Paul Whisler	PROTEST
Address	~~1032 E. Hassett~~	SUBMITTED VIA FAX
	LV NV 89104	SEP. 21, 2009
Phone No.	(702) 735-0543	
Date	1/8/10	Signature

Name (print)	JoAnne Whisler	PROTEST
Address	~~1032 East Hassett Ave.~~	SUBMITTED VIA FAX
	Las Vegas, NV 89104	SEP. 21, 2009
Phone No.	735-0543	
Date	01-08-10	Signature

Name (print)	John McCormick	PROTEST
Address	~~1064 Canosa~~	SUBMITTED VIA FAX
	89104	SEP. 22, 2009
Phone No.	523-1706	
Date	1/9/10	Signature

Name (print)	Colleen McCormick	PROTEST
Address	~~1064 Canosa Ave.~~	SUBMITTED VIA FAX
	Las Vegas 89104	SEP. 22, 2009
Phone No.	596-1706	
Date	1-9-2010	Signature

RECEIVED
JAN 13 2010

To: Las Vegas Planning Commission
Re: VAR-35528 and SDR-35186 BodyFlying US, LLC

We, the undersigned, are opposed to this project and hereby request that applicant's request for approval be denied.

40

Name (print) Christopher Ian Barron
Address 5145 Rawhide St.
Las Vegas, NV 89112
Phone No.
Date 1-11-10 Signature

41

Name (print) Cynthia Hall
Address 3915 Gramercy Ave
N. LV, NV 89031
Phone No. 702-636-8552
Date 1/11/10 Signature

42

Name (print) Cindy Torres
Address 5367 Tamarus St
Las Vegas, NV 89119
Phone No. 702-589-1684
Date 1/12/10 Signature Cynthia Torres

43

Name (print) Suzy Grissom
Address 953 East Sahara B-31
LV NV 89109
Phone No. 702-628-2968
Date 01-12-10 Signature

RECEIVED
JAN 13 2010

To: Las Vegas Planning Commission
Re: VAR-35528 and SDR-35186 BodyFlying US, LLC

We, the undersigned, are opposed to this project and hereby request that applicant's request for approval be denied.

44
Name (print) Cassie Jimison
Address 3082 Sumter Valley
Henderson NV 89052
Phone No. 702-576-2975
Date 1/12/10 Signature

45
Name (print) Holly Reese
Address 6227 Woodbury Ave
Las Vegas NV 89103
Phone No. 702-871-1484
Date 1-12-10 Signature

46
Name (print) Kathy Alday
Address 7398 Cedar Ridge St
Las Vegas, NV 89147
Phone No. 702-279-7377
Date 1/12/10 Signature

47
Name (print) Morenike Carazo
Address 2720 W Serene Apt 1035
Las Vegas NV 89123
Phone No. 702-406-9481
Date 1-12-10 Signature

RECEIVED
JAN 13 2010

To: Las Vegas Planning Commission
Re: VAR-35528 and SDR-35186 BodyFlying US, LLC

We, the undersigned, are opposed to this project and hereby request that applicant's request for approval be denied.

48
Name (print) Arlene Cooper
Address 6105 E. Sahara
Las Vegas, NV
Phone No.
Date 1-7-10 Signature Arlene Cooper

49
Name (print) CANDICE NICHOLS
Address 719 STRAWBERRY PL.
HENDERSON, NV 89002
Phone No.
Date 1-7-10 Signature

50
Name (print) VAUGHAN COGSWELL
Address 3980 E. SUNSET RD Apt 1055
Las Vegas, NV 89120
Phone No.
Date 1-12-10 Signature Vaughan H Cogswell

Name (print) Mark Oatneal
Address ~~5145 Rawhide St. #132~~
Las Vegas, NV 89122
Phone No.
Date 1-12-10 Signature

RECEIVED
JAN 13 2010

To: Las Vegas Planning Commission
Re: VAR-35528 and SDR-35186 BodyFlying US, LLC

We, the undersigned, are opposed to this project and hereby request that applicant's request for approval be denied.

51
Name (print) Chris Miller
Address 2432 Driftwood
Henderson NV 89074
Phone No. 564 674
Date 1/12/10 Signature

52
Name (print) Suzanne Miele
Address 2013 Wandering Dr
Phone No. 702 281 0804
Date 1-12-10 Signature

53
Name (print) James Dehean
Address 1655 E. Sahara Apt. 2134 Las Vegas NV. 89104
Phone No. 702-752-6358
Date 01-12-10 Signature

54
Name (print) Derek Washington
Address 801 S. Las Vegas Bl #222
LV NV 89101
Phone No. 702 574 4498
Date 1/12/10 Signature

RECEIVED
JAN 13 2010

To: Las Vegas Planning Commission
Re: VAR-35528 and SDR-35186 BodyFlying US, LLC

We, the undersigned, are opposed to this project and hereby request that applicant's request for approval be denied.

55
Name (print) Leo Murrieta
Address 1220 Satellite Avenue
North Las Vegas, NV 89032
Phone No. 702-628-1887
Date 1/12/10 Signature

56
Name (print) Michael B Smith
Address 1408 Concordia PL
Las Vegas NV 89104
Phone No. 702.648-2654
Date 1/12/10 Signature

57
Name (print) Kelly Smith
Address 1380 E. Sahara Ave, Ste. A
Las Vegas, NV 89104
Phone No. 702-650-0636
Date 1-11-10 Signature

58
Name (print) Earl Shelton
Address 8291 Golden Flowers
LV NV 89139
Phone No. 5261951
Date 1-11-10 Signature

RECEIVED
JAN 13 2010

To: Las Vegas Planning Commission
Re: VAR-35528 and SDR-35186 BodyFlying US, LLC

We, the undersigned, are opposed to this project and hereby request that applicant's request for approval be denied.

59
Name (print) MARK GRISSOM
Address 1117 FRANCIS
LV NV 89104
Phone No. 702 767-7644
Date 1/12/10 Signature

60
Name (print) PAUL V. WEISS
Address 2620 SOUTH MARYLAND PARKWAY #14-102
LAS VEGAS, NV 89109
Phone No. 702-285-7480
Date 01/12/10 Signature

61
Name (print) TRACE D SKINNER
Address 3372 REKAS.
LV NV 89121
Phone No. 702 591 6969
Date 1/12/10 Signature

62
Name (print) MARK GARCIA
Address 4204 E. PINECREST CIRCLE
LV, NV 89121
Phone No. 702-270-3336
Date 1/12/10 Signature

To: Las Vegas Planning Commission
Re: VAR-35528 and SDR-35186 BodyFlying US, LLC

RECEIVED
JAN 13 2010

We, the undersigned, are opposed to this project and hereby request that applicant's request for approval be denied.

63

Name (print) DAVID BLACKWOOD
Address 8550 AUBURN LEAF STREET
LAS VEGAS, NV 89123
Phone No. 702-492-7769
Date 1-12-10 Signature

64

Name (print) James-Dean Jensen
Address 1816 E BRACKEN AVE
Las Vegas NV 89104
Phone No. 702-489-2414
Date 1/12/10 Signature

65

Name (print) DAVID W. TURNER II
Address 8916 WIND WARRIOR
LAS VEGAS NV 89143
Phone No.
Date 1/12/10 Signature

66

Name (print) JORDAN BRIDGES
Address 1817 FEATHERBROOK AVE
LAS VEGAS NV 89031
Phone No. (702) 375-2357
Date 1-12-10 Signature

RECEIVED
JAN 13 2010

To: Las Vegas Planning Commission
Re: VAR-35528 and SDR-35186 BodyFlying US, LLC

We, the undersigned, are opposed to this project and hereby request that applicant's request for approval be denied.

67
Name (print) Gary Horton
Address 332 Prince George Rd
LV, NV 89123
Phone No. 406-1080
Date 1-12-2010 Signature Gary Horton

68
Name (print) Rick Madison
Address 6105 E. Sahara #177
LV, NV 89142
Phone No. 702-431-8612
Date 1-12-2010 Signature Rick Madison

Name (print) Ryan Madison
Address ~~6105 E. Sahara #177~~
LV NV 89142
Phone No. 431-8612
Date 1-12-2010 Signature Ryan Madison

69
Name (print) Christina Hernandez
Address 2109 W. Oakey Blvd
Las Vegas, NV 89102
Phone No. 702-338-1874
Date 1-12-2010 Signature Christina

RECEIVED
JAN 13 2010

To: Las Vegas Planning Commission
Re: VAR-35528 and SDR-35186 BodyFlying US, LLC

We, the undersigned, are opposed to this project and hereby request that applicant's request for approval be denied.

70
Name (print) MARY J BEAUVAIS
Address 1401 N. MICHAEL #155
Phone No. 702-631-2206
Date 1/12/10 Signature M J Beauvais

71
Name (print) JEFFREY J HAMES
Address 5759 ALLEGRO AVE
Phone No. 702-292-2188
Date 01/12/10 Signature Jeffrey J. Hames

72
Name (print) Kris Phenix
Address 1700 E. Viking Rd #216
Phone No. 7024155395
Date 1-12-10 ~~5/13/80~~ Signature

73
Name (print) Edward Kirin
Address 5354 Lindell Rd #1011
LV NV 89118
Phone No. 702-328-9627
Date 1-12-10 Signature

RECEIVED
JAN 13 2010

To: Las Vegas Planning Commission
Re: VAR-35528 and SDR-35186 BodyFlying US, LLC

We, the undersigned, are opposed to this project and hereby request that applicant's request for approval be denied.

Name (print)	Shealyn Green
Address	~~953 East Sahara B 31~~ 89109
Phone No.	702-204-4073
Date	1/12/~~09~~10 Signature Shealyn Green

Name (print)	Autumn Coppedge
Address	~~953 E. Sahara B 31~~ 89109
Phone No.	684 9128
Date	1/12/~~09~~10 Signature Autumn Coppedge

74

Name (print)	Joshua Montgomery
Address	332 Prince George Rd Las Vegas, NV 89123
Phone No.	(702) 401-1795
Date	1-12-2010 Signature Joshua Montgomery

Name (print)	Tom Wilson
Address	~~332 Prince George Rd~~ LV, NV 89123
Phone No.	
Date	1-12-2010 Signature Thomas C. Wilson

RECEIVED
JAN 13 2010

To: Las Vegas Planning Commission
Re: VAR-35528 and SDR-35186 BodyFlying US, LLC

We, the undersigned, are opposed to this project and hereby request that applicant's request for approval be denied.

75

Name (print) JoNell Thomas
Address 1509 S. 5th Place
LV NV 89104
Phone No. 217-0740
Date 1·12·10 Signature (via email) ATTACHED

Name (print) Wayne Gartley
Address Viva Las Vegas Stamps SEE NOTES ON E-MAIL
~~1008 E. Sahara Ave. LV 89104~~ ATTACHED.
Phone No. (702) 836-9118
Date 1·12·10 Signature (via email) ATTACHED

76

Name (print) Peter Trimboli
Address 990 E. Sahara Ave.
Las Vegas, NV 89104
Phone No. (702) 731-1076
Date 1·11·10 Signature (via email) ATTACHED.

Name (print)
Address
Phone No.
Date Signature

RECEIVED
JAN 13 2010

The Tiger Lily Flower Shop

From: "JoNell Thomas" <jonell@jonellthomas.com>
To: <info7@WeSendEmotions.com>
Sent: Tuesday, January 12, 2010 12:14 PM
Subject: opposition to flying business

Please add me to the opposition:
JoNell Thomas
1509 South 5th Place, LV, NV 89104
702-217-0740
jonell@jonellthomas.com.

Thanks

RECEIVED
JAN 13 2010

The Tiger Lily Flower Shop

From: "Stampo" <stampo@lvcoxmail.com>
To: <info7@wesendemotions.com>
Sent: Tuesday, January 12, 2010 12:51 PM
Subject: Body Flying

As the owner of ~~994 East Sahara Avenue, 1006 East Sahara Avenue and 1008 East Sahara~~ Avenue, I wish to add my objection to the proposed project for Variance VAR-35528 SDR-35186 Body Flying US, LLC.

Should you require any additional information, please feel free to contact me.
Wayne Gartley
1008 E Sahara Avenue
Las Vegas, NV 89104
702-836-9118
*´¨)
¸.·´¸.·*´¨) ¸.·*¨)Stampo
(¸.·´ (¸.·' ¤ STAMPO Viva Las Vegastamps!
For a Good Time, visit www.stampo.com
America's Rubber Stamp Paradise since 1991

Toll-Free FAX 1-877-517-8482 (US/Canada)
Visit our blog at http://vivalas.blogspot.com/
YouTube Video at http://www.youtube.com:80/watch?v=pMR5eWt9WZ4
Visit our MailArt Gallery at http://www.stampostore.com/forum/gallery/

SEE PREVIOUSLY SUBMITTED POSTCARD DATED 09/30/2009

The Tiger Lily Flower Shop

RECEIVED
JAN 13 2010

From: "Peter Trimboli Ins Agcy Inc" <ptrimboli@farmersagent.com>
To: <info7@wesendemotions.com>
Sent: Monday, January 11, 2010 4:06 PM
Subject: variance

Hi Terry

I am also opposed to the sky diving tower as it doesn't fit the current neighborhood. Thanks

Sincerely,

Peter Trimboli
990 E Sahara Ave
Las Vegas, NV 89104
Phone (702)731-1076
Fax (702)731-9449

Refer a friend or family member and receive a $5 gift card to Starbucks!!

www.TrimboliInsurance.com

RECEIVED
JAN 13 2010

To: Las Vegas Planning Commission
Re: VAR-35528 and SDR-35186 BodyFlying US, LLC

We, the undersigned, are opposed to this project and hereby request that applicant's request for approval be denied.

77

Name (print) Karen Kurz
Address 2100 Cordova St.
Las Vegas, NV 89104
Phone No. 702.731.5380
Date 1.12.10 Signature (via email) ATTACHED

78

Name (print) Susan Gorrow
Address 909 Canosa Ave.
LV NV 89104
Phone No.
Date 1.12.10 Signature (via email) ATTACHED

79

Name (print) Gabrielle Del Pino
Address 1712 S. 6th St.
LV NV 89104
Phone No. 796-3460
Date 1.12.10 Signature (via email) ATTACHED.

Name (print)
Address
Phone No.
Date Signature

The Tiger Lily Flower Shop

RECEIVED
JAN 13 2010

From: "Karen Kurz" <khkurz@yahoo.com>
To: <info7@WeSendEmotions.com>
Sent: Tuesday, January 12, 2010 4:22 PM
Subject: petition against Body Flying Indoor Skydiving

Terry,

I received your letter and e-mail notification from Michael Hanratty.

As a long-time homeowner in the Southridge neighborhood, I do not want an Indoor Skydiving attraction anywhere near our area!!!

Thanks for your help.

Karen Kurz
2100 Cordova St
Las Vegas, NV 89104
702.731.5380

The Tiger Lily Flower Shop

RECEIVED
JAN 13 2010

From: "Susan Gorrow" <djinn2@cox.net>
To: <info7@WeSendEmotions.com>
Sent: Tuesday, January 12, 2010 3:03 PM
Subject: petition signature

Hi,
My name is Susan Gorrow. I live at 909 Canosa Ave. I would like my name added to the petition.
Thanks,
Susan Gorrow

RECEIVED
JAN 13 2010

The Tiger Lily Flower Shop

From: <gabbykat@cox.net>
To: <info7@WeSendEmotions.com>
Sent: Tuesday, January 12, 2010 7:58 PM
Subject: Re: Fwd: petition against Body Flying from Terry Hunt of Tiger Lilly Flower Shop

Hello,
Yes I oppose the project.
Gabrielle Del Pino
1712 S.6th St.
796-3460
--

---- Beverly Green <historicbeverlygreen@gmail.com> wrote:
> Neighbors,
>
> This Thursday at 6 pm the Planning Commission will hear a request for 2
> variances to allow an indoor skydiving business to build on a site on Sahara
> east of 6th. The majority of people that I have talked to are opposed
> primarily because it would undermine our effort to keep the Strip
> entertainment district from running along Sahara.
>
> If you area available please come to the Planning Commission meeting to
> speak on this issue. The decision about whether community-centric
> businesses or tourist-centric businesses are going to develop along Sahara
> is one of the more important ones in the direction that our neighborhood
> takes.
>
> In my mind the chief points are that:
>
> 1. We don't want the entertainment district going down Sahara, instead we
> want
> businesses that serve the neighborhood.
>
> 2. They want to overbuild the site, cutting landscaping requirements
> from the approx. 3400 sq ft that code requires down to approx. 750 sq
> ft, i.e. less than 25% of what code requires.
> http://www5.lasvegasnevada.gov/sirepub/pubmtgframe.aspx?meetid=640&doctype=Agenda
>
> 3. With the recession and the competition in town their success is
> unclear, potentially leaving us with an 80 foot tall, empty building that is
> unusable by any other business.
>
> 4. Further, the adjacent businesses have said that this will drive
> away other businesses, specifically the sort that serve the community.
>
> Below is the petition that the surrounding businesses are circulating. If
> you cannot make it to the Planning Commission meeting please let me know
> whether you support or oppose this issue so that I can represent Beverly

RECEIVED
JAN 13 2010

To: Las Vegas Planning Commission
Re: VAR-35528 and SDR-35186 BodyFlying US, LLC

We, the undersigned, are opposed to this project and hereby request that applicant's request for approval be denied.

80

Name (print) Wendy Kveck
Address 557 Barbara Way
Las Vegas, NV 89104
Phone No. 702-869-9002
Date 1-12-10 Signature (via email) ATTACHED.

Name (print) Mike Shetler
Address ~~557 Barbara Way~~
LV NV 89104
Phone No. 702-869-9002
Date 1-12-10 Signature (via email)

Name (print)
Address
Phone No.
Date Signature

Name (print)
Address
Phone No.
Date Signature

RECEIVED
JAN 13 2010

The Tiger Lily Flower Shop

From: "Wendy Kveck" <wendykveck@gmail.com>
To: <info7@WeSendemotions.com>
Sent: Tuesday, January 12, 2010 7:02 PM
Subject: Re: petition against Body Flying from Terry Hunt of Tiger Lilly Flower Shop

Hi Terry,
Please add my name to the petition opposing the Body Flying project.
Thank you for organizing,
Wendy Kveck

Wendy Kveck and Mike Shetler
557 Barbara Way, Las Vegas NV 89104
wendykveck@gmail.com
702-869-9002

On Mon, Jan 11, 2010 at 1:25 PM, Beverly Green <historicbeverlygreen@gmail.com> wrote:

Neighbors,

This Thursday at 6 pm the Planning Commission will hear a request for 2 variances to allow an indoor skydiving business to build on a site on Sahara east of 6th. The majority of people that I have talked to are opposed primarily because it would undermine our effort to keep the Strip entertainment district from running along Sahara.

If you area available please come to the Planning Commission meeting to speak on this issue. The decision about whether community-centric businesses or tourist-centric businesses are going to develop along Sahara is one of the more important ones in the direction that our neighborhood takes.

In my mind the chief points are that:

1. We don't want the entertainment district going down Sahara, instead we want businesses that serve the neighborhood.

2. They want to overbuild the site, cutting landscaping requirements from the approx. 3400 sq ft that code requires down to approx. 750 sq ft, i.e. less than 25% of what code requires.
http://www5.lasvegasnevada.gov/sirepub/pubmtgframe.aspx?meetid=640&doctype=Agenda

3. With the recession and the competition in town their success is unclear, potentially leaving us with an 80 foot tall, empty building that is unusable by any other business.

4. Further, the adjacent businesses have said that this will drive away other businesses, specifically the sort that serve the community.

Below is the petition that the surrounding businesses are circulating. If you cannot make it to the Planning Commission meeting please let me know whether you support or oppose this issue so that I can represent Beverly Green accurately.

Thank you,

City of Las Vegas Agenda Item No.: **78.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 7, 2010

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

SUBJECT:

SDR-35186 – ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-35528 - PUBLIC HEARING - APPLICANT/OWNER: BODYFLYING US, LLC - Request for a Site Development Plan Review FOR A PROPOSED 79-FOOT TALL, 9,979 SQUARE-FOOT COMMERCIAL RECREATION/AMUSEMENT (INDOOR) BUILDING WITH WAIVERS OF PERIMETER LANDSCAPE STANDARDS TO ALLOW LANDSCAPE BUFFERS OF FIVE FEET ALONG THE SOUTH PERIMETER WHERE 15 FEET IS REQUIRED, ZERO FEET ALONG ON THE NORTH AND WEST PERIMETERS WHERE EIGHT FEET IS REQUIRED, AND THREE FEET ALONG THE EAST PERIMETER WHERE EIGHT FEET IS REQUIRED on 0.81 acres on the north side of Sahara Avenue, approximately 440 feet east of Sixth Street (APNs 162-03-801-088 and 137), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL

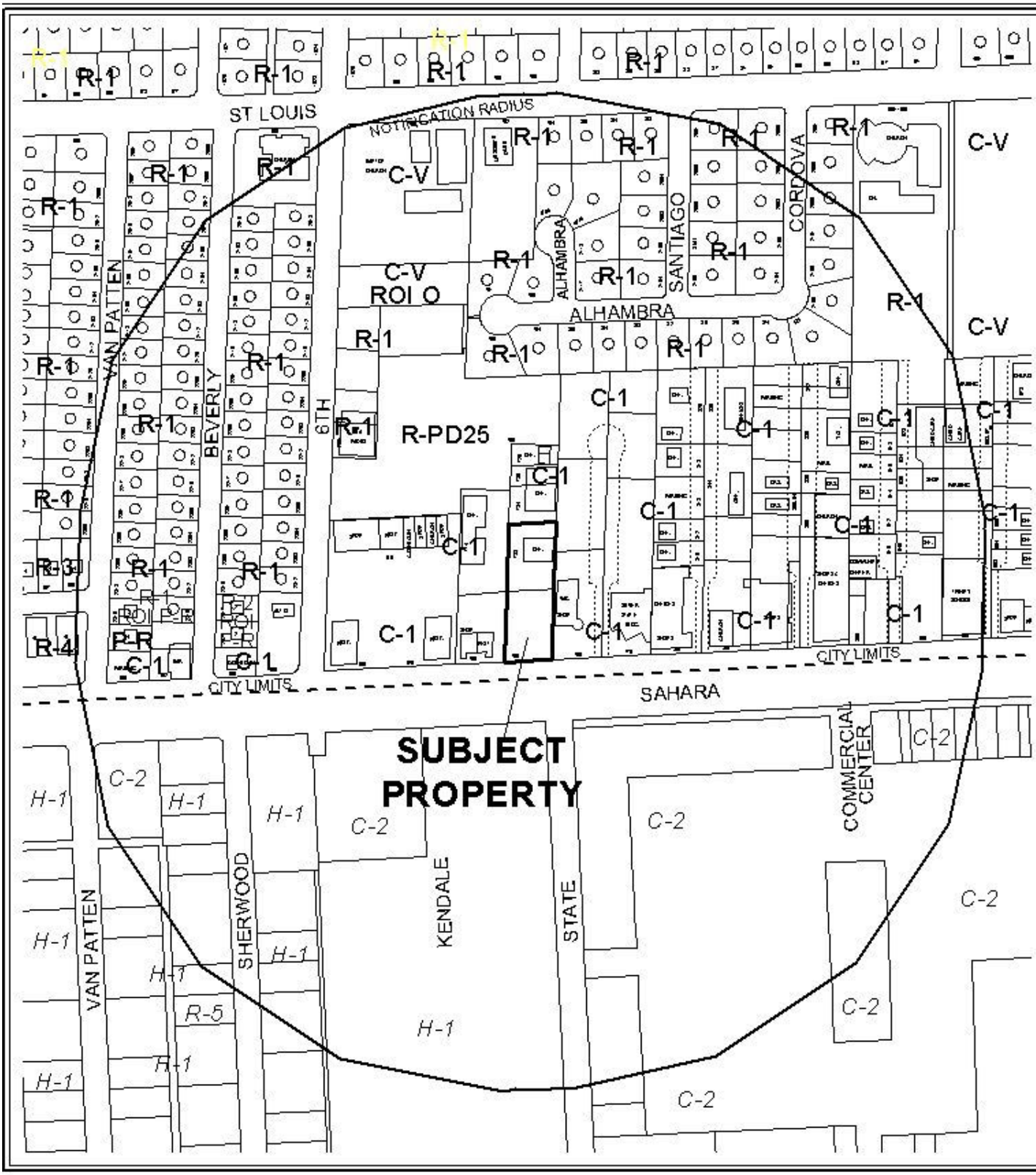
PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**134**	**Planning Commission Mtg.**	**121**
City Council Meeting	**15**	**City Council Meeting**	**1**

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-2 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 from the February 17, 2010 City Council Meeting
7. Backup referenced from the January 14, 2010 Planning Commission Meeting Item #7

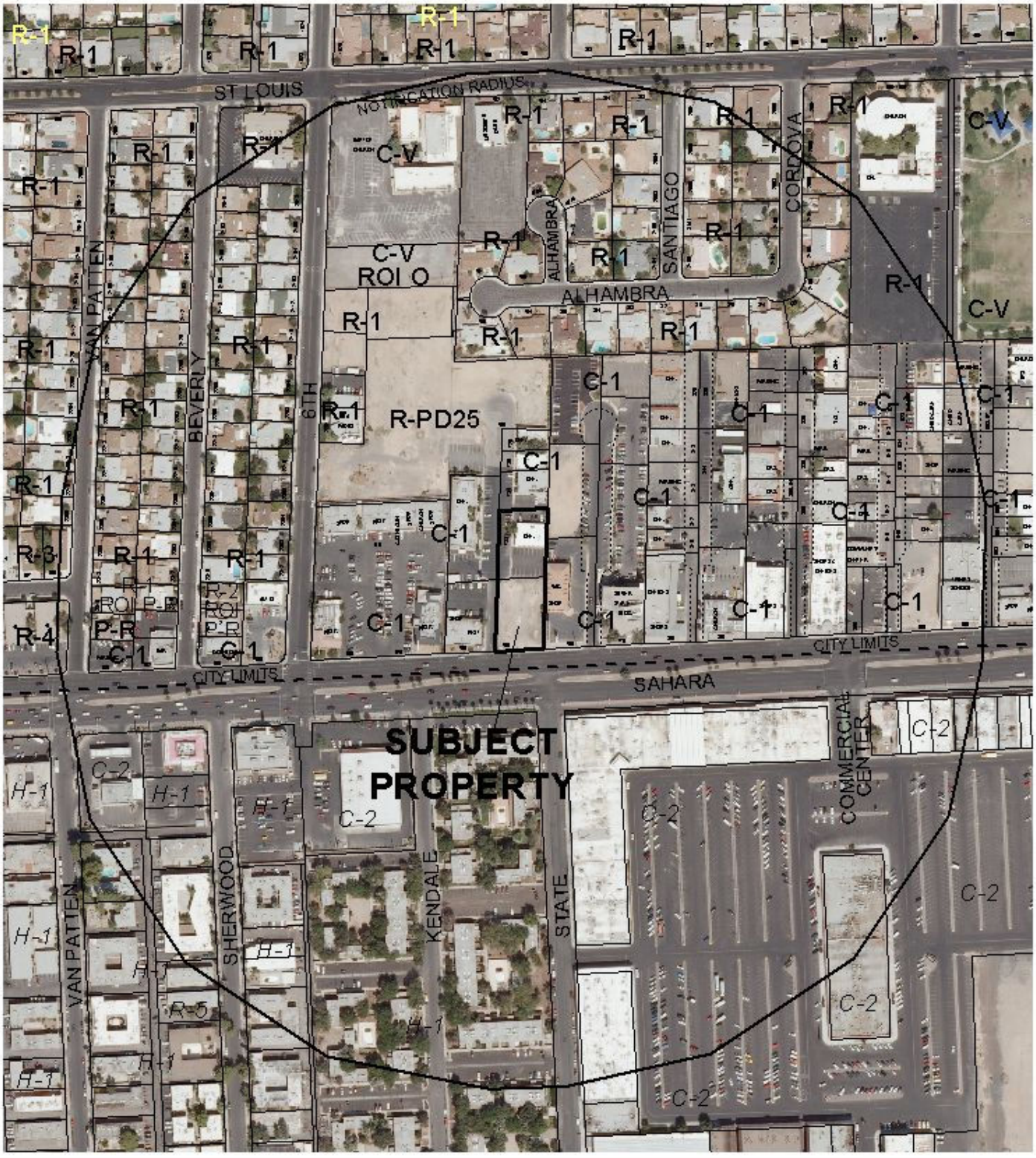


0 300 600 Feet

CASE: **SDR-35186**

RADIUS: 1000 FT

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



0 300 600 Feet

CASE: **SDR-35186**

RADIUS: 1000 FT

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

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING OF: APRIL 7, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-35186 - APPLICANT/OWNER: BODYFLYING US, LLC

THIS ITEM WAS HELD IN ABEYANCE FROM THE FEBRUARY 17, 2010 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (52/ke/se vote) recommends APPROVAL, subject to conditions.

Planning and Development

1. The applicant shall work with city staff to determine the most appropriate mapping action necessary to consolidate the existing parcels. The mapping action shall be completed and recorded prior to the issuance of building permits.

2. That the existing property line creating the rear parcel shall be eliminated and that all parking required for the proposed use must be provided on the same side as the use except that for which a variance is 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. All development shall be in conformance with the site plan date stamped 08/10/09, building elevations and floor plans date stamped 07/14/09 and landscaping plan date stamped 09/03/09, except as amended by condition herein.

5. A Waiver from Title 19.12.040 is hereby approved to allow a zero-foot buffer along the north and west perimeters where eight feet is required, a three-foot buffer along a portion of the east perimeter where eight feet is required, and a five-foot buffer along the south perimeter where fifteen feet is required.

6. Proof of perpetual, irrevocable access to the site shall be provided by the applicant prior to issuance of any building permits. Access may be provided by an easement, private drive or other means acceptable to the Planning and Development Department.

7. Prior to the issuance of a Certificate of Occupancy, the applicant shall demonstrate that at a distance of 100 feet in any direction from the wind tunnel, the sound level from the wind tunnel portion of the facility (fan, motor, wind movement) will be a maximum of 55 dBA, and not be a contributing factor to the existing sound level in the surrounding neighborhood. At a distance of 500 feet in any direction from the wind tunnel portion of the facility (fan, motor, wind movement), the sound level from the wind tunnel will be a maximum of 41 dBA and will not be a contributing factor to the existing sound level in the surrounding neighborhood. The existing DBA levels in the surrounding neighborhood shall be used as a comparison for the sound levels resulting from the operation of the wind tunnel portion of the facility.

8. There will be no signage on the north face of the building

9. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The plan shall be revised to depict the required 14 trees within the proposed landscape buffers on the east and south.

10. 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.

11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

14. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

15. Coordinate with the City Surveyor to determine whether an Administrative Joining or other map is necessary; comply with the recommendations of the City Surveyor.

16. 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.

17. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.

18. Landscape and maintain all unimproved right-of-way, if any, on Sahara Avenue 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.

19. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Sahara Avenue public right-of-way adjacent to this site.

20. 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.

SDR-35186 - Staff Report Page One
April 7, 2010 - City Council Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review, which proposes to add a 9,979 square-foot Commercial Recreation/Amusement (Indoor) building at the subject site, generally located adjacent to the north side of Sahara Avenue, approximately 440 feet east of Sixth Street. The subject site consists of two separate parcels and is partially developed. Currently, the northern portion of the site is being utilized by a 3,475 square-foot medical office building, while the southern portion remains undeveloped. The proposed development, in its current configuration, will precipitate the overbuilding of the site as is evidenced by the requested Waivers and Exceptions as part of the Site Development Plan Review, as well as the associated Variance (VAR-35528) request; therefore, staff is recommending denial of this request. If denied, the applicant will be required to redesign the proposed site and adhere to all Title 19 development standards.

ISSUES

- This proposal fails to meet applicable Title 19 requirements, which is evidenced by the requested Waiver of Perimeter Landscape Buffer standards along the perimeters of the subject property and the Exception to allow no parking-lot landscape islands and reduce the required amount of planting materials in the proposed landscape buffer on the east side of the property.
- Approval of an associated Variance (VAR-35528) is required to approve this Site Development Plan Review request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
05/17/06	The City Council approved a request for a General Plan Amendment (GPA-9219) to change the Future Land Use designation 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 and staff recommended approval of the request.

08/23/07	The Planning Commission tabled a request for a Site Development Plan Review (SDR-22017) for a proposed 98-foot tall 12,452 square-foot commercial recreation/ amusement (Indoor) facility with waivers of perimeter landscaping standards to allow five feet on the south property line where 15 feet is required and zero feet on the north, east and west property lines where eight feet is required; and a request for a Variance (VAR-22018) to allow 28 parking spaces where 63 spaces is the minimum required for a proposed commercial recreation/ amusement (Indoor) facility adjacent to the north side of Sahara Avenue, approximately 420 feet east of Sixth Street. Staff recommended denial of the request.
01/14/10	The Planning Commission recommended approval of companion item VAR-35528 concurrently with this application. The Planning Commission voted 5-2/ke/se to recommend APPROVAL (PC Agenda Item #7/jb).

Related Building Permits/Business Licenses	
Circa 1969	Office building located at 738 East Sahara Avenue on (APN 162-03-801-088) was constructed.
03/18/02	A business license (T18-00499) was issued for Miscellaneous Telephone Sales and (U05-00244) for a Public Utility Telephone at 738 East Sahara Boulevard, Suite #104. These licenses are still active.
06/06/02	A business license (B20-00414) was issued for Business Support Services at 738 East Sahara Boulevard, Suite #B. This license was marked out of business on 08/10/07.
08/09/07	A business license (I04-03459) was issued for an Insurance Producer and (K10-00257) for a Sales and Service Firm at 738 East Sahara Boulevard, Suite #B. These licenses are still active.
09/30/08	A business license (Q07-00825) was issued for a medical firm at 738 East Sahara Boulevard. This license is still active.
Pre-Application Meeting	
06/29/09	A pre-application meeting was held and elements of this application were discussed. It was noted that there would need to be landscape waivers added to the justification letter and that parking should be calculated at one space per 200 square feet of gross floor area.

Neighborhood Meeting	
10/07/09	A voluntary neighborhood meeting was held from 6:00 to 7:10 pm at the Mesquite Club located at 702 East St. Louis Avenue, Las Vegas, Nevada 89104. There were 20 attendees for the general public, and one (1) staff member of the Planning and Development Department. Discussion topics included: Reviewed Project: • Predominately by appointment only • Training video & personal approximately 25 minutes • 20 minutes to "suit up" • 3 minutes in the wind • Approximately 20% local, 80% tourists • Approximately 6 employees • Fan surrounded by concrete, takes in no external air • 8:00am – 11:00am Skydiving • 11:00am – 10:00pm Public Concerns & Questions: • Noise • Vibration • Driveway width • Bus traffic • Large crowds at a time • Noise in parking lot from patrons • Limo's idling in parking lot • Decibel levels • Signage being overly large • Height of building Conclusion: Approximately 1/3 in favor 1/3 opposed 1/3 no comment

Field Check	
08/20/09	A site inspection was performed by staff with the following observations: • The subject site has been developed with a well maintained medical office building on the northern portion of the site. • The southern portion of the site adjacent to Sahara Avenue remains undeveloped with scattered debris.

Details of Application Request	
Site Area	
Gross Acres	0.81 Acres

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Medical Office Building and Undeveloped	C (Commercial)	C-1 (Limited Commercial)
North	Office Building	C (Commercial)	C-1 (Limited Commercial)
South	Multi-Family Residences	CT (Commercial Tourist) - Clark County Designation	H-1 (Limited Resort and Apartment) - Clark County Designation
East	General Retail	C (Commercial)	C-1 (Limited Commercial)
West	Restaurant and General Retail	C (Commercial)	C-1 (Limited Commercial)

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Area Plan			
Redevelopment Plan Area	X		Y
Beverly Green/Southridge Neighborhood	X		Y

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District – (175 Feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

JB

DEVELOPMENT STANDARDS

Pursuant to Title 19.08.050 the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	N/A	N/A	N/A
Min. Lot Width	100 Feet	115 Feet	Y
Min. Setbacks			
• Front	20 Feet	73 Feet	Y
• Side (West Property Line)	10 Feet	40 Feet	Y
• Side (East Property Line)	10 Feet	10 Feet	Y
• Rear	20 Feet	187 Feet	Y
Max. Building Height	N/A	N/A	N/A
Trash Enclosure	Screened, Gated, w/ Roof or Trellis	Y	Y
Mech. Equipment	Screened	Not Shown	By Condition

Pursuant to Title 19.12.040 the following standards apply:

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Parking Area	1 Tree / 6 Spaces	10 Trees	6 Trees	N
Buffer: Min. Trees	1 Tree / 30 Linear Feet	12 Trees	2 Trees	N
TOTAL		22 Trees	8 Trees	N
Min. Zone Width	15 Feet (South) 8 Feet (East) 8 Feet (West and South)		5 Feet 5 Feet Zero Feet	N

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	
Medical Office	3,475 S.F.	1:200 for the first 2,000 sq. ft. 1:175 for the remaining gross floor area	19		56	3	N
Commercial Recreation / Amusement (Indoor)	9,979 S.F.	1:200	50				
SubTotal	13,454 S.F.		66	3	56	3	
TOTAL	13,454 S.F.		69		59		
Percent Deviation					14%		

Waivers		
Requirement	**Request**	**Staff Recommendation**
15 Feet	To allow a 5-foot landscape buffer along the south perimeter (front).	Denial
8 Feet	To allow a 3-foot landscape buffer along the east perimeter and a zero-foot landscape buffer along the north and west perimeters.	Denial

Exceptions		
Requirement	**Request**	**Staff Recommendation**
10 islands/trees	To allow no parking landscape islands with trees.	Denial
Eight Trees (One tree per 30 linear feet)	To allow two 24" box tress 40 linear feet apart within the east perimeter landscape buffer	Denial

ANALYSIS

This request is for a Site Development Plan Review for a proposed 9,979 square-foot commercial recreation/amusement (indoor) facility consisting of a 79-foot tall, cylindrical building for a wind tunnel with an attached six floors of public and mechanical areas with ground level parking on 0.81 acres adjacent to the north side of Sahara Avenue, approximately 440 feet east of Sixth Street. The property currently consists of two parcels of land that are zoned C-1 (Limited Commercial). The parcel located on the northern portion of the subject site has been developed as a 3,475 square-foot medical office development, while the parcel to the south adjacent to Sahara Avenue remains undeveloped. The applicant has requested a Waiver of the perimeter landscape buffer requirements to allow a landscape buffer of five feet along the south perimeter where 15 feet is required; zero feet along the north and west perimeter where eight feet is required; and three feet along the east perimeter where eight feet is required. The applicant is also requesting, as part of the review, an Exception to allow no parking lot landscape islands and trees where ten of each is required. An associated request has also been submitted for a Variance (VAR-35528) to allow 59 parking spaces where 69 parking spaces are required will accompany this item.

The applicant has indicated that the proposed commercial recreation/amusement (indoor) facility will be utilized by no more than 26 people in an hour, consisting of six staff members and twenty (20) guests. Guests of the proposed facility must receive instruction and special clothing prior to flying, which limits the number of people who can utilize the facility at the same time. The proposed commercial recreation/amusement (indoor) facility requires various deviations from standards including waivers and exceptions of landscaping and a reduction in parking; therefore, denial of this request is recommended.

FINDINGS

The following findings must be made for a Site Development Plan Review:

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

The development is not compatible with adjacent development and development in the area because the site, as proposed, will be overbuilt, as is evidenced by the requested Waivers and Exceptions as part of the Site Development Plan Review, as well as the associated Variance request to reduce the required amount of parking.

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 but is not consistent with Title 19 parking and landscape standards.

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

   The proposed commercial recreation/amusement (indoor) facility is accessed by Sahara Avenue which is designated as a 100-foot Primary Arterial by the Master Plan of Streets and Highways via a private access drive and should not negatively impact the adjacent roadways or neighborhood traffic.

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

   The building material is appropriate for this area and for the City; however the landscape materials are not appropriate as evidenced by the requested Waiver of Perimeter Landscape Buffer requirements and Exceptions of parking lot landscaping.

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 proposed commercial recreation/amusement (indoor) facility is not unsightly or obnoxious in appearance; however, due to the height and the type of architectural approach used, it is not compatible with other development in the area.

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

   The proposed commercial recreation/amusement (indoor) facility is subject to regular building and business licensing inspections and therefore should not compromise the public health, safety or welfare.

PC ACTION

Conditions 1, 2 and 7 were added by Planning Commission.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 185 (By City Clerk)

APPROVALS 121

PROTESTS 134

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-35186 APN: 162-03-801-088 & 137

Name of Property Owner: Bodyflying US, LLC

Name of Applicant: Bodyflying US, LLC

Name of Representative: Bob Gronauer - Kummer Kaempfer Bonner Renshaw & Ferrario

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): _____ _____

APN: _____

Signature of Property Owner: Gary L Speer

Print Name: GARY L. SPEER
LLC MEMBER

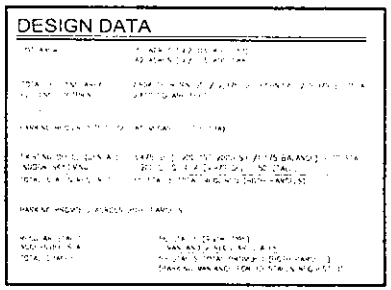
Subscribed and sworn before me

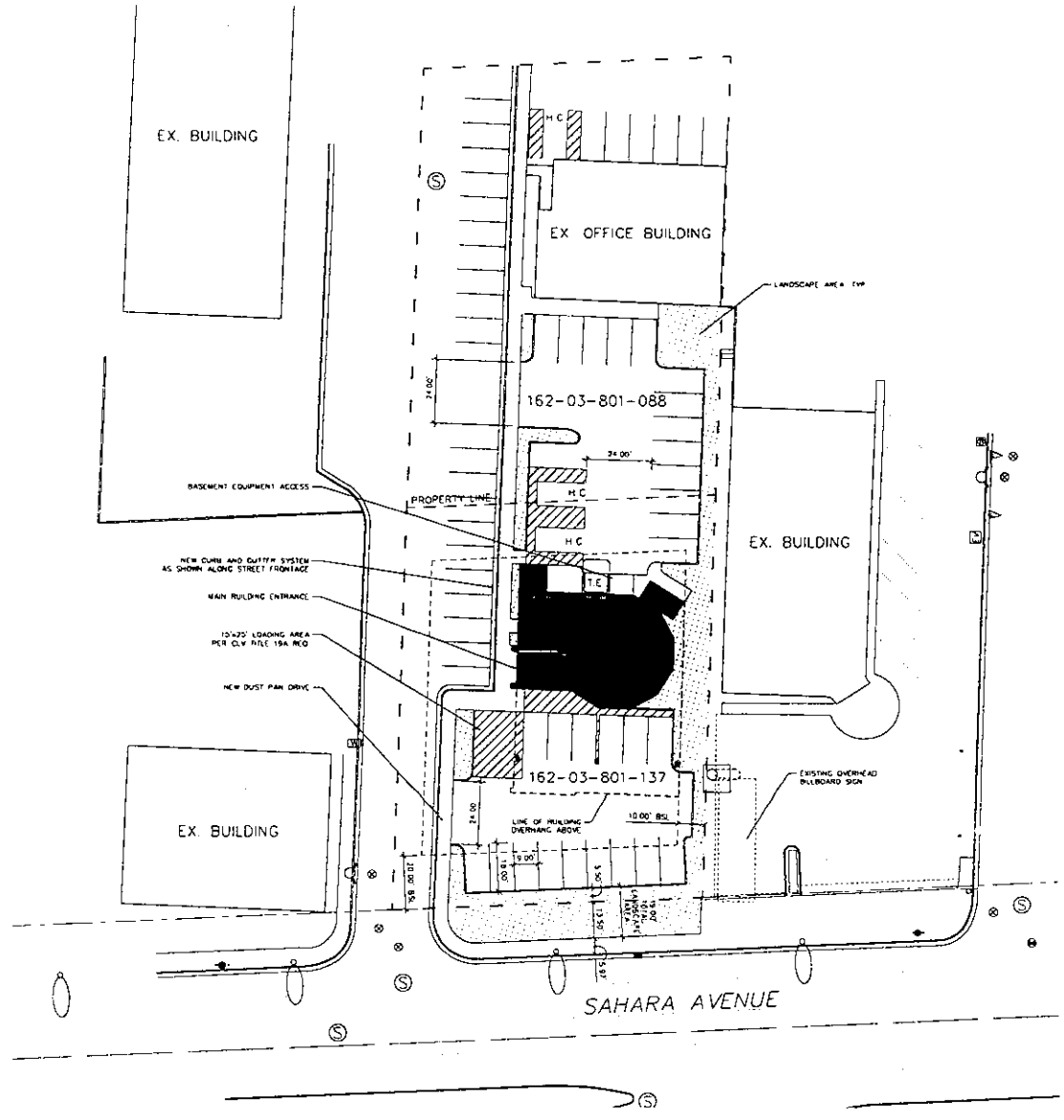
This 13 day of July, 2009

Jesse Shelton
Notary Public in and for said County and State

JESSE R. SHELTON STATE OF TENNESSEE NOTARY PUBLIC SEVIER COUNTY

DESIGN DATA





BRESLIN BUILDERS

Site Plan

Land-Use Submittal
August 4, 2009

Scale: 1" = 20'-0"
BBDC Project No. 1109A
Version 3

RECEIVED
BodyFlying.us LLC - Las Vegas
700 East Sahara Avenue, Las Vegas, Nevada

AUG 10

SDR-35186
09/24/09 PC

LANDSCAPING GENERAL NOTES:

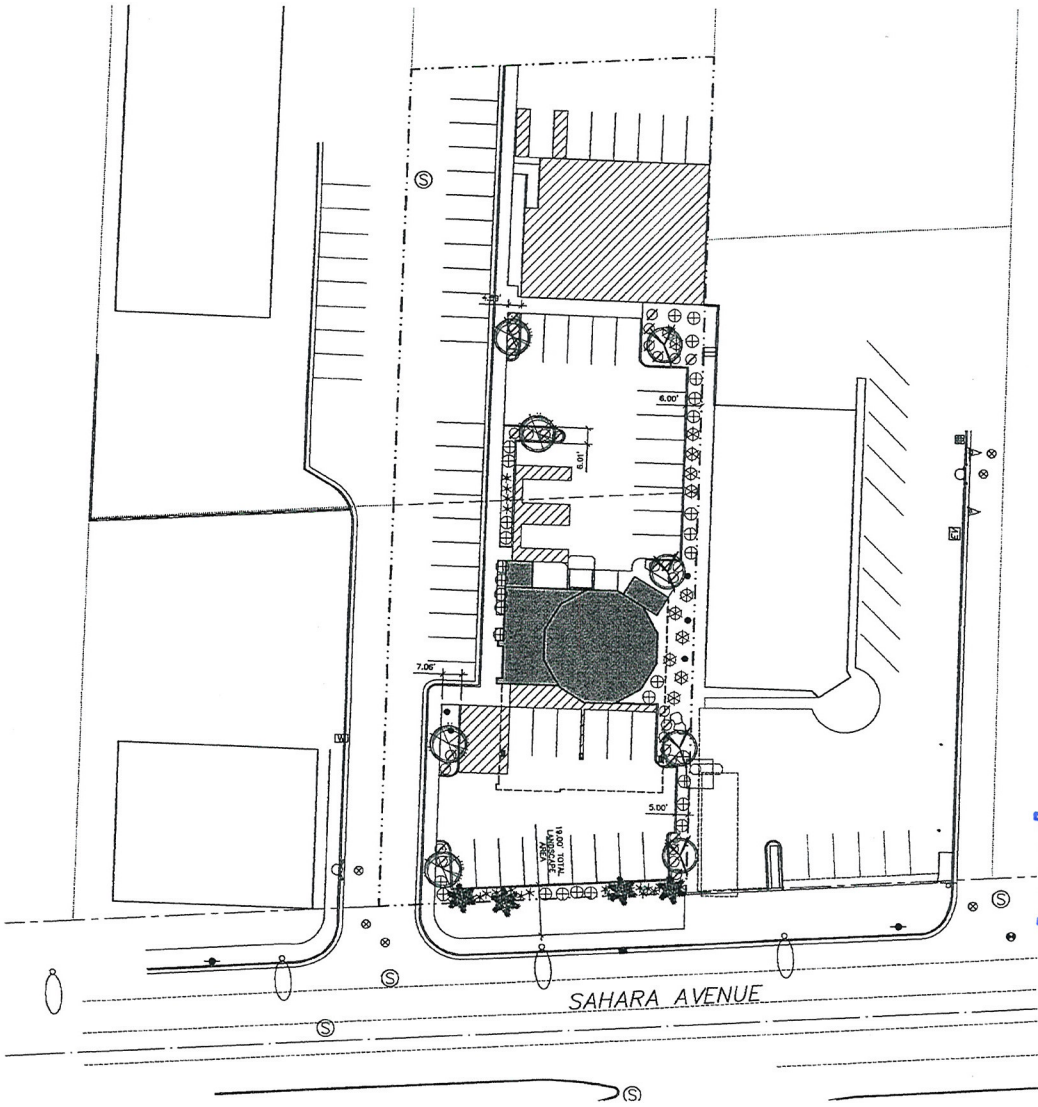
1. CONTRACTOR SHALL BE RESPONSIBLE TO VERIFY ALL PLANT QUANTITIES. THE PLANT LIST IS INTENDED AS A REFERENCE ONLY.
2. THE LANDSCAPE CONTRACTOR SHALL APPROVE ALL PLANT MATERIAL PRIOR TO INSTALLATION. PLANT MATERIAL SHALL HAVE IDENTIFICATION TAGS ON AT LEAST 10% OF TOTAL QUANTITY OF EACH SPECIES. EACH TAG SHALL SHOW THE GENUS, SPECIES AND VARIETY, ETC. THE LANDSCAPE CONTRACTOR SHALL PROVIDE MATCHING SIZES AND FORMS OF LIKE SHRUB SPECIES AS SHOWN ON DRAWINGS.
3. THE LANDSCAPE CONTRACTOR SHALL BE REQUIRED TO DESIGN/BUILD THE IRRIGATION SYSTEM IN ACCORDANCE WITH LOCAL CODES AND ACCEPTABLE INDUSTRY STANDARDS.
4. DECOMPOSED GRANITE USED ON THIS PROJECT SHALL BE 1/4" MINUS, COLOR SHALL BE MOHAVE GOLD PER TOWN CENTER STADARDS AND SHALL BE A MINIMUM OF 2" IN DEPTH TYPICAL IN ALL PLANTING BEDS. DECOMPOSED GRANITE SHALL CONTAIN 40% FINES AND 60% AGGREGATE. THE LANDSCAPE CONTRACTOR SHALL RECEIVE VERIFICATION OF MIX FROM THE SUPPLIER AND PRESENT VERIFICATION TO THE OWNER PRIOR TO ANY CONSTRUCTION.
5. LANDSCAPE BOULDERS COLOR SHALL MATCH OR COMPLEMENT ROCK GROUNDCOVER. ALL BOULDERS TO BE GRANITE UNLESS NOTED OTHERWISE. BOULDERS SHALL BE ROUND IN SHAPE AND SHALL BE 2' TO 4' IN DIAMETER, SIZED ACCORDING TO THE FOLLOWING PERCENTAGES:
   - 40% 4' LARGEST DIAMETER
   - 40% 3' LARGEST DIAMETER
   - 20% 2' LARGEST DIAMETER
6. THE BOULDER SHALL BE SET BY THE LANDSCAPE CONTRACTOR WITH NO MORE 1/4 OF ROCK DIAMETER SET INTO FINISHED GRADE.
7. ALL LANDSCAPING SHALL BE INSTALLED PER CITY OF LAS VEGAS TITLE 19 ZONING CODE AND OTHER APPLICABLE CODES.
8. EACH PLANT SHALL BE PROVIDED IT'S OWN DRIP IRRIGATION LINE. MAIN LINES SHALL BE A MINIMUM OF 1" AND ISOLATION VALVES SHALL BE INCORPORATED AT DIFFERENT PLANTING AREAS AND PLANTING TYPES.
9. ALL AREAS SHALL RECEIVE DECOMPOSED GRANITE AS COVERING UNLESS NOTED OTHERWISE.
10. ALL LANDSCAPING SHALL BE ON AN AUTOMATIC WATERING SYSTEM WITH AN ELECTRIC TIME CLOCK. THE TIME CLOCK SHALL BE PLACED WITHIN THE BUILDING.
11. THE LANDSCAPING CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION OF ALL SLEEVES REQUIRED UNDER PAVEMENT AND SIDEWALK AREAS. PROVIDE A MINIMUM OF (3) PVC CONDUITS WITH (1) 1"ø MINIMUM AND (2) 2 "ø MINIMUM. ALL LANDSCAPE AREAS SHALL BE INTERCONNECTED.
12. ALL TREES PLANTED ALONG RIGHT-OF-WAY SHALL BE PLANTED AT 3'-0" MINIMUM BACK OF SIDEWALK. TREES WITHIN 5' OF SIDEWALKS OR WALLS SHALL BE PLANTED WITH A ROOT SHIELD DESIGNED TO DIRECT ROOT GROWTH DOWNWARD.
13. ANY REQUIRED PLANT MATERIAL THAT DOES NOT SURVIVE, OR SUSTAINS SEVERE DAMAGE, SHALL BE REPLACED WITHIN NINETY (90) DAYS.
14. ALL EXISTING LANDSCAPE AREAS SHALL BE DE-WEEDED AND SHALL HAVE THE TOP 6" OF SOIL REPLACED WITH CLEAN WEED FREE MATERIAL ALL EXISTING LANDSCAPE MATERIAL SHALL BE REMOVED AND DISPOSED OF.

TREE SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE
	WASHINGTONIA ROBUSTA HYBRID	MEXICAN FAN PALM	25 FEET BTH AT STREET ROW
	ROBINIA AMBIGUA "PURPLE ROBE"	PURPLE ROBE LOCUST	24" BOX MINIMUM
	SCHINUS MOLLE	CALIFORNIA PEPPER TREE	24" BOX MINIMUM ONSITE

PLANT SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE
	ROSMARINUS OFFICINALIS	ROSEMARY	5 GAL
	MUHLENBERGIA RIGENS	DEER GRASS	5 GAL
	BAILEYA MULTIRADIATA	DESERT MARIGOLD	5 GAL
	HESPERALOE PARVIFLORA	RED YUCCA	5 GAL
	NANDINA DOMESTICA	HEAVENLY BAMBOO	5 GAL
	LANTANA HORRIDA	DESERT LANTANA	5 GAL. – VARIOUS COLORS
	BOULDERS - TYP.		VARIES – 24" TO 48" – SEE NOTES ABOVE



BRESLIN BUILDERS

RECEIVED
SEP 03 2009

Landscape Plan

Land-Use Submittal
Revised September 4, 2009

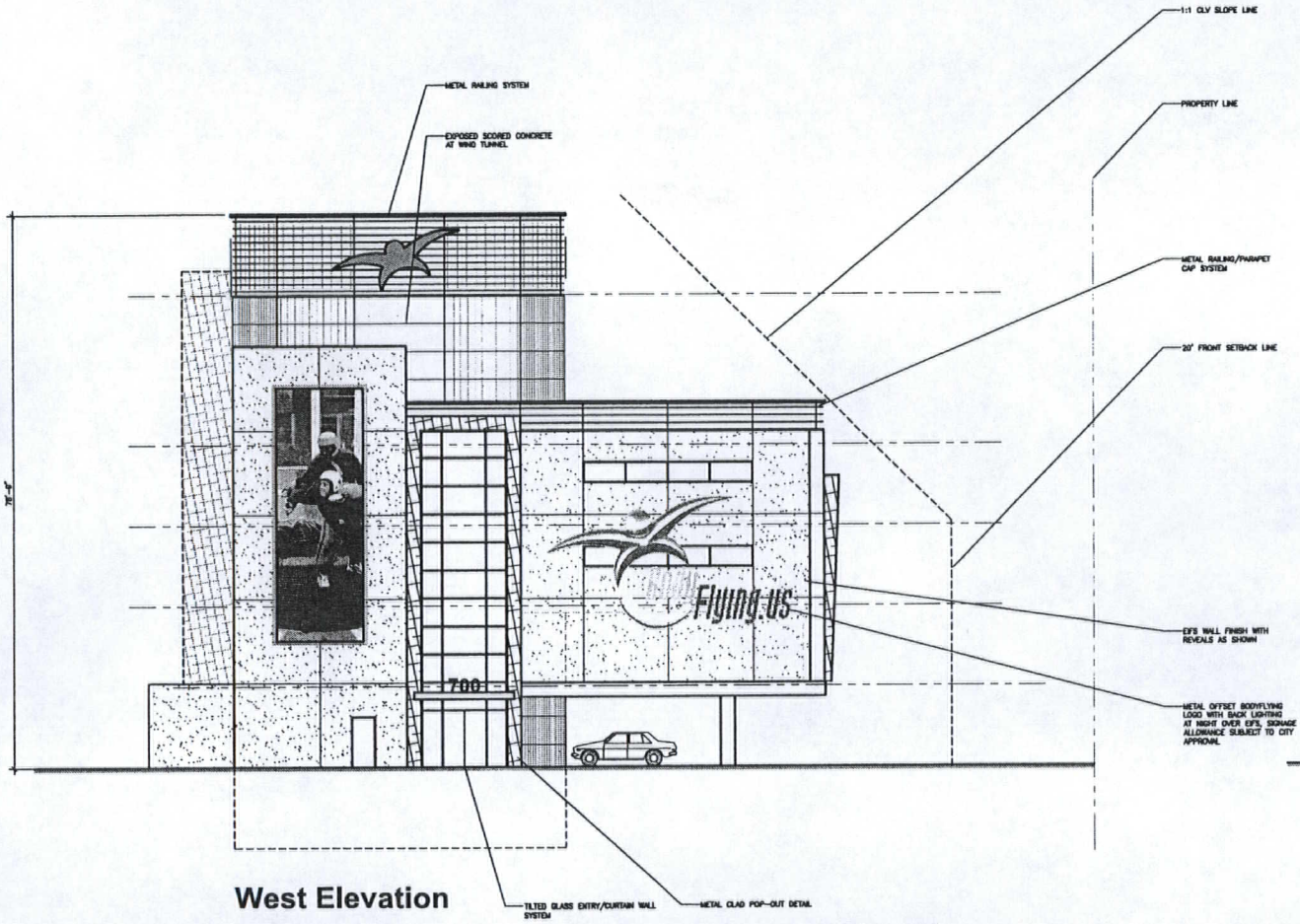
Scale: 1" = 20'-0"
BBDG Project No.: 1109A
Version 3a

BodyFlying.us LLC - Las Vegas

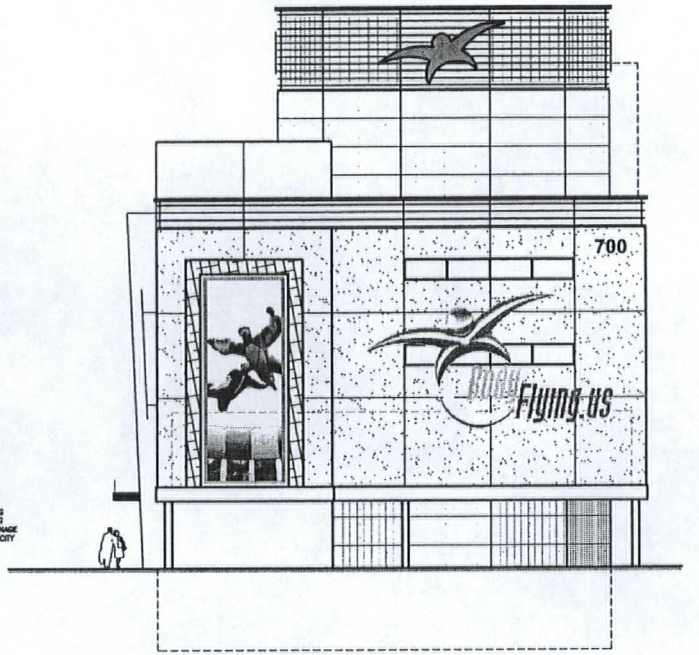
700 East Sahara Avenue, Las Vegas, Nevada

SDR-35186
REVISED
09/24/09 PC

BRESLIN BUILDERS
5525 POLARIS AVENUE, SUITE 6
LAS VEGAS, NEVADA 89118
(702)798-3677
FAX (702)798-3606



West Elevation



South Elevation

RECEIVED
JUL 14 2009

Exterior Elevations

Land-Use Submittal
July 9, 2009

Scale: 1/8" = 1'-0"
BBDG Project No.: 1109A
Version 2

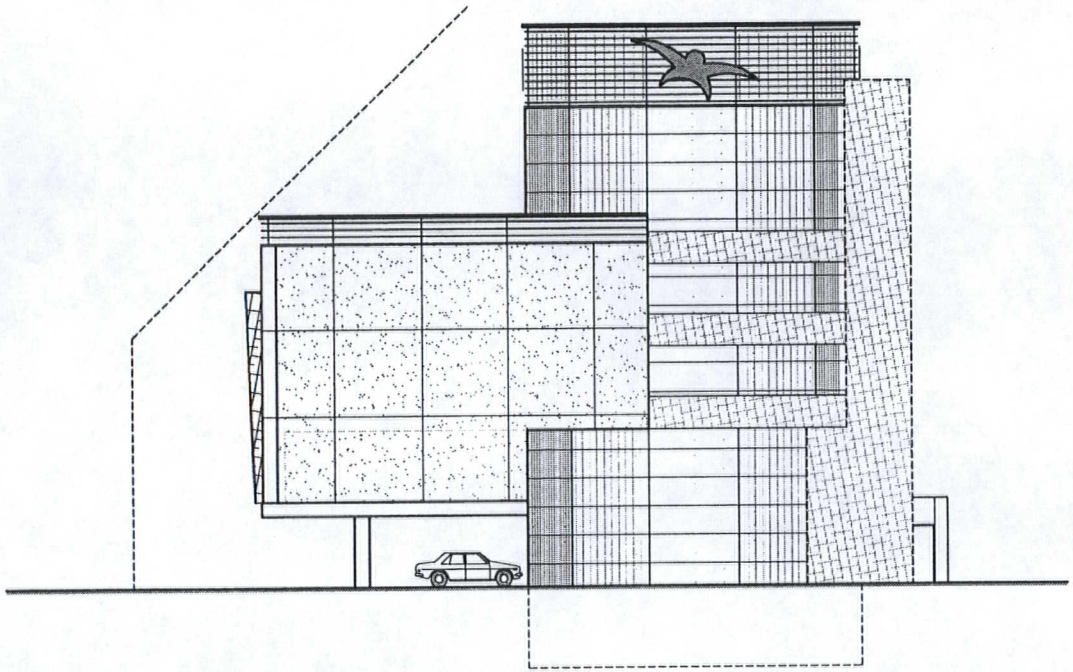
BodyFlying.us LLC - Las Vegas

700 East Sahara Avenue, Las Vegas, Nevada

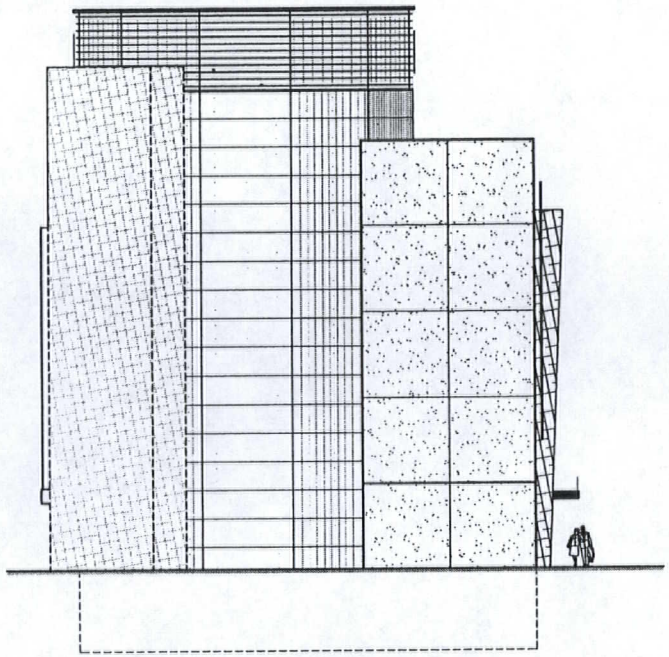
SDR-35186

08/27/09 PC

BRESLIN BUILDERS



East Elevation



North Elevation

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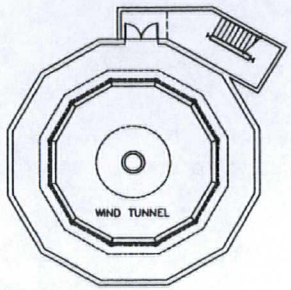
Land-Use Submittal
July 9, 2009

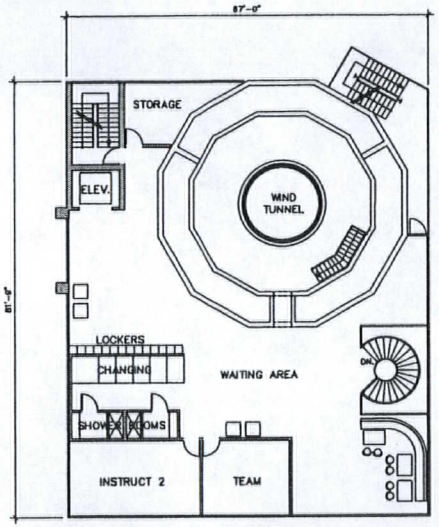
Exterior Elevations

Scale: 1/8" = 1'-0"
BBDG Project No.: 1109A
Version 2

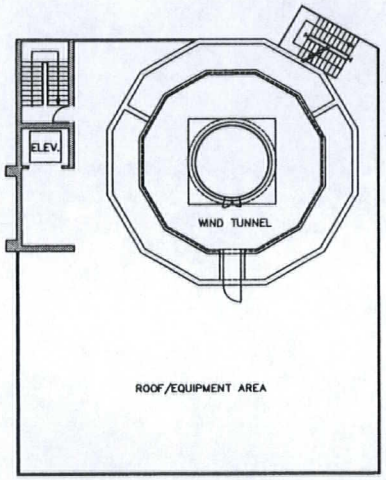
BodyFlying.us LLC - Las Vegas
700 East Sahara Avenue, Las Vegas, Nevada



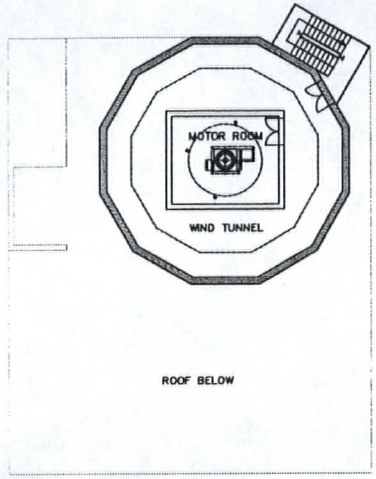
Level B (Basement)



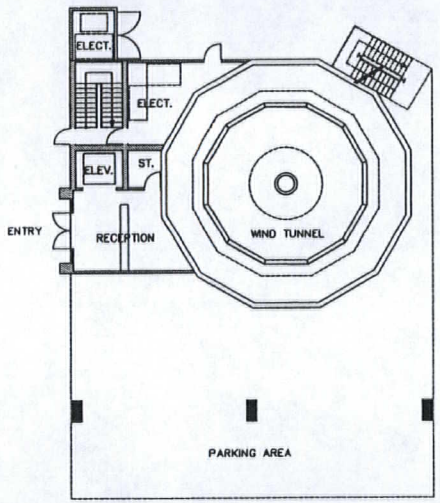
Level 4 (Spectator)



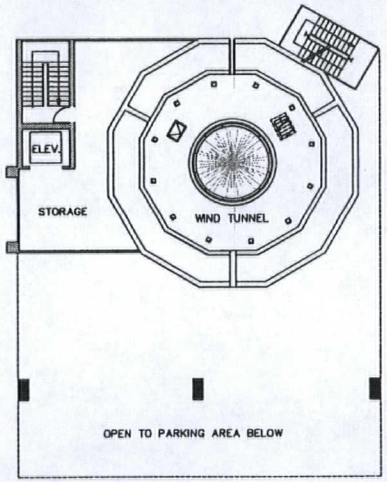
Level 5 (Propeller)



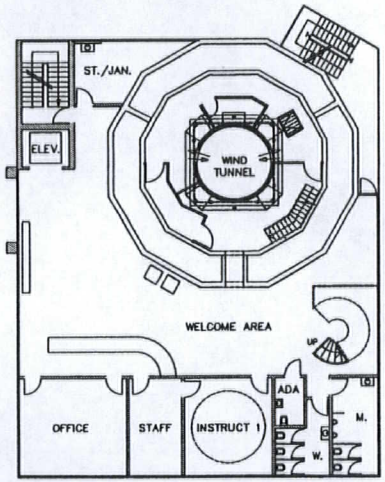
Level 6 (Motor)



Level 1 (Entrance)



Level 2 (Storage)



Level 3 (Flyers)

AREA SQUARE FOOTAGE BREAKDOWN:

AREAS	TECHNICAL AREA	BUSINESS AREA
LEVEL B	250 S.F.	0 S.F.
LEVEL 1	234 S.F.	274 S.F.
LEVEL 2	524 S.F.	0 S.F.
LEVEL 3	165 S.F.	3,841 S.F.
LEVEL 4	165 S.F.	3,489 S.F.
LEVEL 5	714 S.F.	0 S.F.
LEVEL 6	323 S.F.	0 S.F.
TOTALS	2,375 S.F.	7,604 S.F.

TOTAL AREAS = 9,979 SQUARE FEET

Floor Plans

Land-Use Submittal
July 9, 2009

Scale: 3/32" = 1'-0"
BBDG Project No.: 1109A
Version 2

BodyFlying.us LLC - Las Vegas
700 East Sahara Avenue, Las Vegas, Nevada

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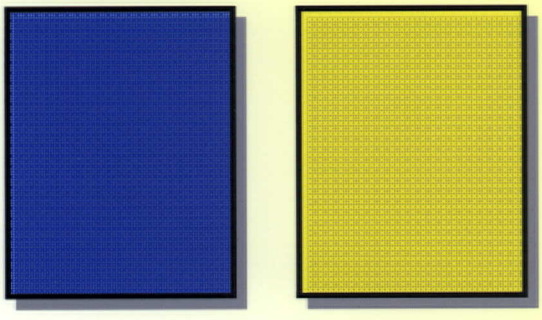
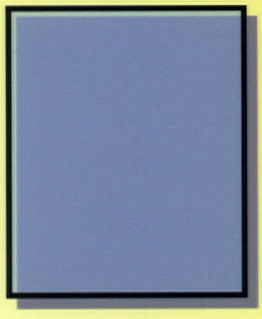
Color and Materials Board



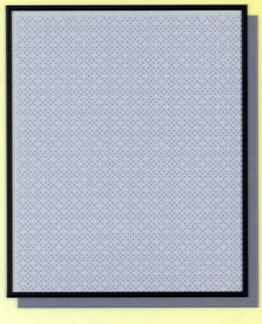
Typical EIFS and Accent
Paint and Trim Colors



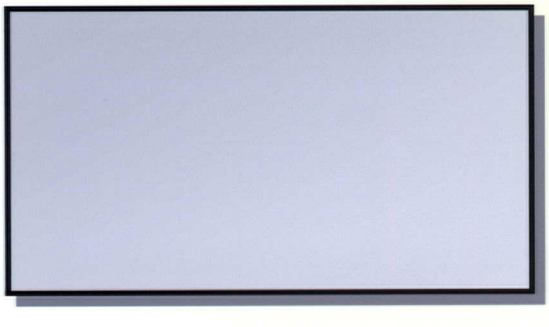
Typical Glazing Color
PPG Solarban® z50 or equal



Typical EIFS
Field Color



Typical Storefront/Glazing
Colors - Anodized Aluminum



Typical Exposed
Concrete



Typical Aluminum
Metal Siding

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Prepared by:

BRESLIN
BUILDERS

BodyFlying.us

SDR-35186
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SDR 35186				
Bodyflying US, LLC				
700 E. Sahara Ave.				
Proposed 10 thousand square foot indoor amusement facility.				
Traffic produced by proposed development:				
Existing Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	MEDICAL-DENTAL OFFICE BUILDING [1000 SF]	3.5	36.13	126
AM Peak Hour			2.48	9
PM Peak Hour			3.72	13
(heaviest 60 minutes)				
New Proposal	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	RECREATIONAL COMM CTR [1000SF]	10	22.88	229
AM Peak Hour			1.62	16
PM Peak Hour			1.64	16
(heaviest 60 minutes)				
Net Change	DESCRIPTION	#UNIT		TOTAL
Average Daily Traffic (ADT)	FAST-FOOD W/ DRIVE THRU [1000 SF]	6.5		103
AM Peak Hour				7
PM Peak Hour				3
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Sahara Ave.				
Average Daily Traffic (ADT)	56,901			
PM Peak Hour	4552			
(heaviest 60 minutes)				
6th St.				
Average Daily Traffic (ADT)	2,917			
PM Peak Hour	233			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets				
	Adjacent street ADT			
	Capacity			
Sahara Ave.	51800			
6th St.	16900			

This project will add approximately 103 trips per day on Sahara Ave. and 6th St. This will increase the existing volumes by less than 1 percent on Sahara and about 4 percent on 6th. Sahara is currently over capacity and 6th is at about 17 percent of capacity.				
Based on Peak Hour use, this development will add roughly 7 additional cars into the area; which works out to about 1 every 9 minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



SDR-35186 - APPLICANT/OWNER: BODYFLYING US, LLC
NORTH SIDE OF SAHARA AVENUE, APPROXIMATELY 440 FEET EAST OF SIXTH STREET
APRIL 7, 2010 CITY COUNCIL

08/20/09



SDR-35186 - APPLICANT/OWNER: BODYFLYING US, LLC
NORTH SIDE OF SAHARA AVENUE, APPROXIMATELY 440 FEET EAST OF SIXTH STREET
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APRIL 7, 2010 CITY COUNCIL

08/20/09

KUMMER KAEMPFER

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO

ATTORNEYS AT LAW

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Fax: 775.852.3982

CARSON CITY OFFICE
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Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

August 7, 2009

VIA HAND DELIVERY

City of Las Vegas
Planning and Development
731 S. 4th Street
Las Vegas, NV 89101

Re: Justification Letter – Site Development Plan Review and Parking Variance

To Whom It May Concern:

Our office represents Bodyflying US, LLC ("The Applicant"). Please accept the attached application for a Site Development Plan Review. Our client proposes to develop a commercial recreation/amusement (indoor) facility in the C-1 district on the site located near Sahara and Sixth Street. The site development plan review is for an indoor wind tunnel with support services including an instruction room and gift shop. No functions will be operated outside the facility (i.e. noise).

The building is a total of 9,979 square feet, divided into 2,375 square feet "technical" and 7,604 square feet "business" (public). The first floor of the proposed facility will consist of the entrance and elevator to the second floor. The second floor is for storage and is not accessible to the public. The third floor will consist of the reception area, observation area, gift shop, instruction rooms, restrooms and office. The fourth floor will consist of a lounge area, changing rooms and team room. The fifth and sixth floors of the roof are portion of the wind tunnel and the mechanical equipment. The maximum height of the wind tunnel structure is 78'-9".

The Site Development Plan Review includes a waiver of the required perimeter landscape buffers; the C-1 district requires a 15 foot wide landscape buffer adjacent to Sahara Avenue and an 8 foot wide landscape buffer adjacent to the interior lot lines. The site plan provides 5'-6" landscape buffer adjacent to Sahara Avenue, a 3 foot landscape buffer along the East perimeter and zero landscaping along the North and West property lines. Please note that the applicant will also be providing 13'- 6" of landscaping within the public right of way in addition to the 5'-6" on the site for a total width of 19'-0" inches in addition to a 6 foot wide public sidewalk. The landscaping adjacent to the building will vary in width from 3 feet to 10 feet. All other code requirements have been met.

The applicant is also seeking a parking variance to allow for 59 parking spaces where 69 spaces are required. Based upon the type of business being proposed we feel that the proposed

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SDR-35186
09/24/09 PC

59 parking spaces is more than sufficient to adequately handle the customers and staff that will be utilizing the site. Title 19 Section 19.04 Table 2 specifies the required parking for a commercial recreation/amusement (indoor) however does not have a specific parking requirement for a wind tunnel therefore it has been determined by staff that required parking is based upon "other uses". We feel that based upon the use that the wind tunnel parking demand is closer to the parking demand generated by an indoor court game which requires 3 parking spaces per court which would require a maximum of 30 spaces which we far exceed.

The wind tunnel will be utilized by no more than 26 persons in an hour, including six staff persons and 20 guests, taking into consideration the overlap time between the departing and entering groups. The guests make reservations and are typically in small groups of 3 to 5 persons. The guests must receive instruction and special clothing prior to flying which limits the number of people who can utilize the facility at the same time.

The applicant is the property owner of both parcels associated with this application and will maintain cross access and cross parking requirements as required.

We are excited about this project and look forward to working with staff through the development of this site.

Sincerely,

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO

Robert J Gronauer

Robert J. Gronauer

RJG/mlt

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400 Stewart Avenue
Las Vegas, Nevada 89101

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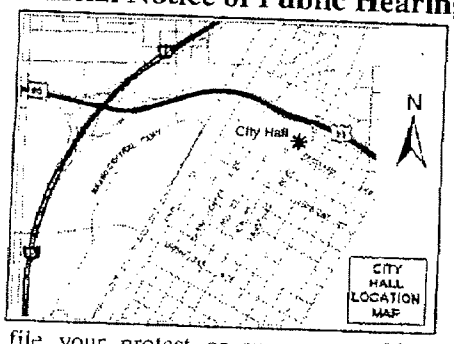

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186

City Council Meeting of 2/17/2010

FRASER TRUST
FRASER THOMAS B II & BARBARA TRS
9119 GARDEN VIEW DR
LAS VEGAS NV 89134-8827

APN#16203801064

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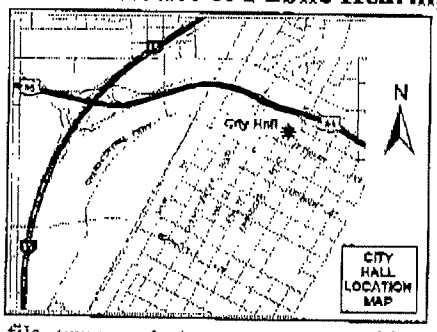

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VAR-35528 & SDR-35186
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DAPHNEY IRREVOCABLE TRUST
BONANNO BERTHA TRS
4769 SPINDLERIDGE CIR
LAS VEGAS NV 89147-5272

APN#16203421005

LAS VEGAS NV 890

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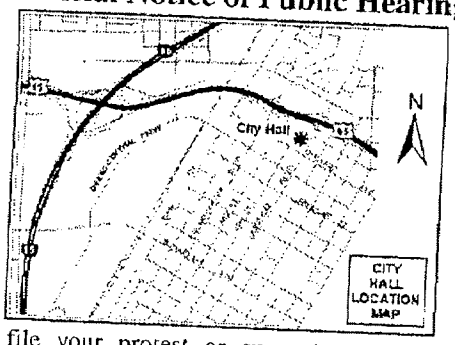

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VAR-35528 & SDR-35186

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FRASER THOMAS B II & BARBARA D
9119 GARDEN VIEW DR
LAS VEGAS NV 89134-8827

APN#16203801124

LAS VEGAS NV 89134

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KAEMPFER CROWELL
ATTORNEYS AT LAW

KAEMPFER CROWELL RENSHAW GRONAUER & FIORENTINO

LAS VEGAS OFFICE
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Fax 702.796.7181

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Fax. 775.852.3082

CARSON CITY OFFICE
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Carson City, NV 89703
Tel 775.882.1311
Fax. 775.882.0257

LAS VEGAS OFFICE
JENNIFER LAZOVICH
JLAZOVICH@kenvlaw.com
702.792.7000

February 11, 2010

2010 FEB 11 P 2:38
CITY CLERK

VIA FACSIMILE
382-4803

Ms. Beverly K. Bridges
City Clerk
City of Las Vegas
400 E. Stewart, 1st Flr.
Las Vegas, NV 89101

Re: VAR-35528 and SDR-35186
Bodyflying US, LLC
02/17/10 City Council Hearing Items #68 & 69

Dear Ms. Bridges:

This office represents the applicant in the above-referenced matters. We respectfully request these matters be held from the presently scheduled City Council hearing on February 17, 2010 until the City Council hearing scheduled for **April 7, 2010**.

Thank you for your consideration.

Sincerely,

KAEMPFER CROWELL RENSHAW
GRONAUER & FIORENTINO

Jennifer Lazovich

JJL/dmf

cc: Gary Speer (via e-mail; garyspeer@gmail.com)

Submitted after final agenda
Date 2/11/10 Item 68+69

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400 Stewart Avenue
Las Vegas, Nevada 89101

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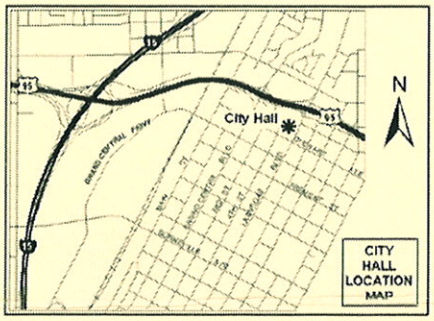

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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VAR-35528 & SDR-35186
City Council Meeting of 2/17/2010

HARPER WALTER O
820 ALHAMBRA DR
LAS VEGAS NV 89104-2966

APN#16203810023

LAVOS11 89104

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400 Stewart Avenue
Las Vegas, Nevada 89101

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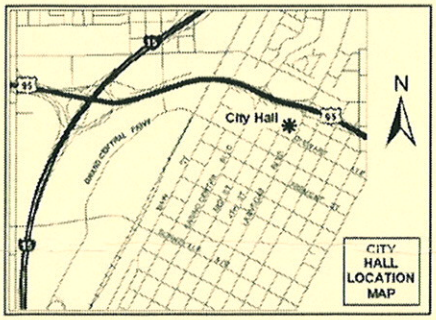

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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VAR-35528 & SDR-35186
City Council Meeting of 2/17/2010

Way to go Jmoney!

ERICKSON DOUGLAS
704 E ST LOUIS AVE
LAS VEGAS NV 89104-2823

APN#16203810001

Submitted after final agenda

Date 2/9/10 Item 68+69

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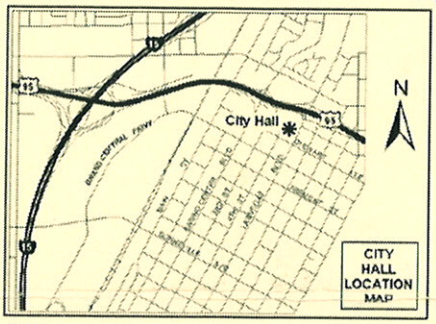

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SUAREZ JULIAN & MARIA D
800 E ST LOUIS AVE
LAS VEGAS NV 89104-2829

APN#16203810002

LAVDS11 89104

City of Las Vegas
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400 Stewart Avenue
Las Vegas, Nevada 89101

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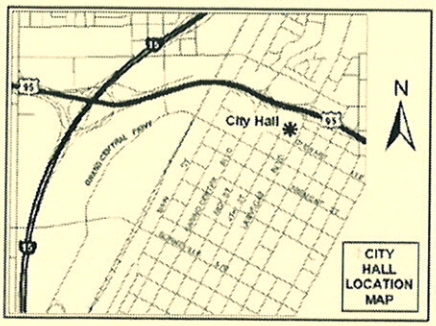

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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VAR-35528 & SDR-35186
City Council Meeting of 2/17/2010

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B & T OFFICE BUILDING LTD
844 E SAHARA AVE
LAS VEGAS NV 89104-3017

APN#16203801060

LAVDS11 89104

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FAX NO. :913-649-0758
Feb. 10 2010 08:53AM P1

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2010 FEB 10 A 7:56

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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FEB 05 2010
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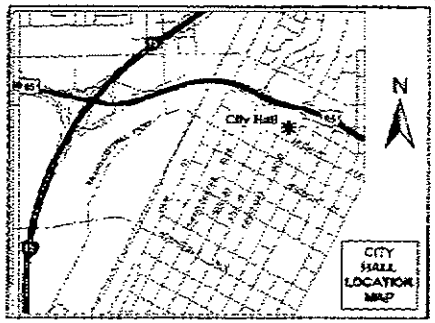
Official Notice of Public Hearing



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.

VAR-35528 & SDR-35186
City Council Meeting of 2/17/2010

714 E SAHARA AVENUE L L C
%B BARTMANN
10740 NALL AVE #215
OVERLAND PARK KS 66211-1296

APN#16203801056

LAVDP11 66211

02/10/2010 WED 06:36 [TX/RX NO 7269] 001

PAGE 01/01

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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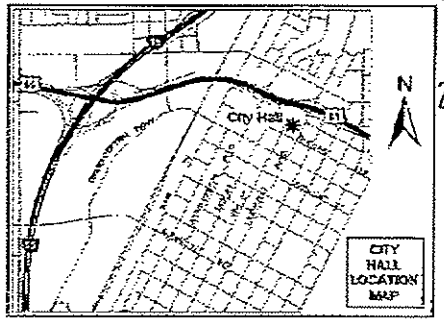

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VAR-35528 & SDR-35186
City Council Meeting of 2/17/2010

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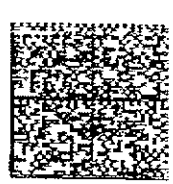

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BAHJI PARTNERS LTD
8605 CANYON VIEW DR
LAS VEGAS NV 89117-5821

APN#16203801057

LAVDS11 89117

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02/10/2010 WED 15:59 [TX/RX NO 7283] 001

PAGE 01/01

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City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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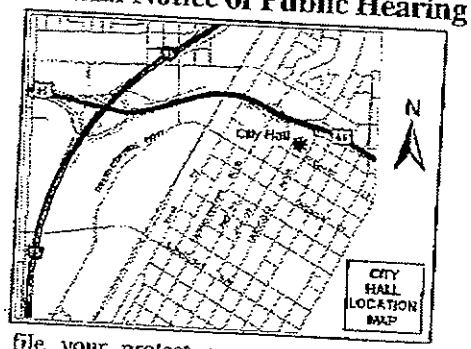

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186

City Council Meeting of 2/17/2010

ZURAWSKI STANLEY M SR & N ETAL
750 E SAHARA AVE
LAS VEGAS NV 89104-2913

APN#16203801104

LAVDS11 89104

02/09/2010 10:58 7023660526

02/09/2010 TUE 09:51 [TX/RX NO 7256] 001

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City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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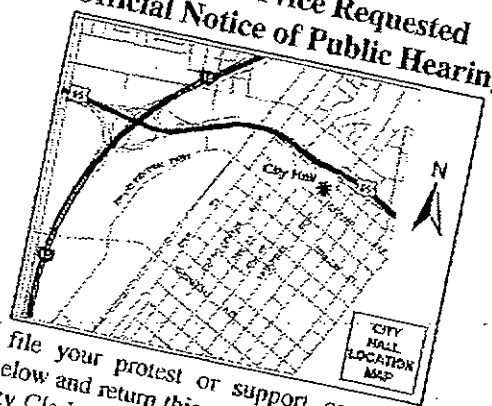
Official Notice of Public Hearing



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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
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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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528 & SDR-35186

ncil Meeting of 2/17/2010

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ZURAWSKI STANLEY M JR ETAL
750 E SAHARA AVE
LAS VEGAS NV 89104-2913

APN#16203801058

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City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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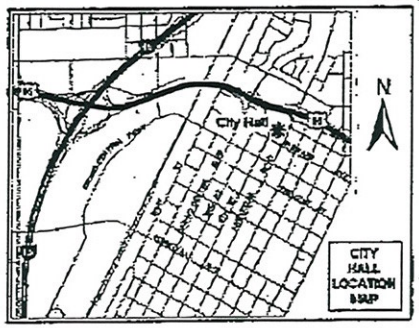

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186

City Council Meeting of 2/17/2010

Submitted after final agenda

Date 2/11/10 Item 68+69

from: S. Savarise
2001 S. 11th ST.
LAS Vegas 89104-3117

W Wabara
702-682-6030

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2010 FEB 16 A 8:01

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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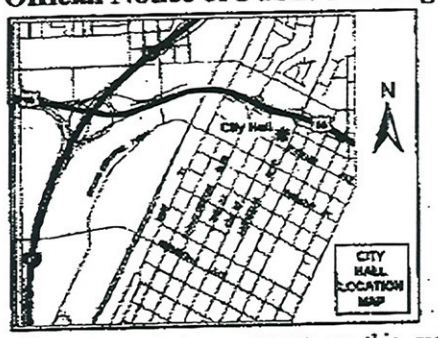
Official Notice of Public Hearing



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☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186

City Council Meeting of 2/17/2010

Submitted after final agenda

Date 2/16/10

Item 69 & 70

I oppose this request.
I own 1900 & 1904 S. Maryland Parkway
under Azamni BT
Wari L. Wabara,
8347 old Town Dr Tampa FL 33647

#7235 P.001 /001
SCHLEUSNER CHIROPRACTIC
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2010 FEB 16 A 8:01

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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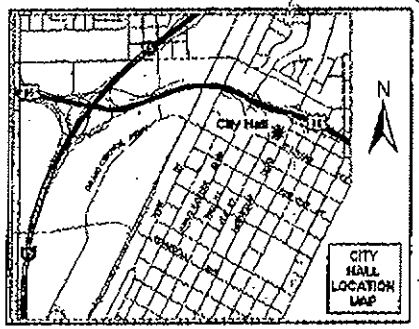

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186

City Council Meeting of 2/17/2010

382-4803
Dr. Larry Schleusner
Adjacent property
owners.

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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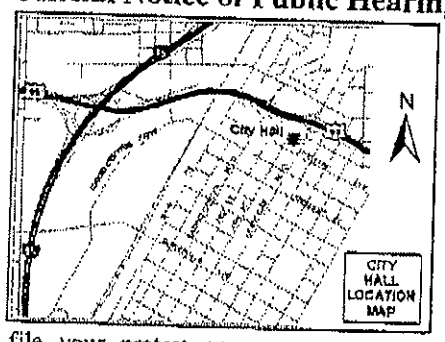

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186
City Council Meeting of 2/17/2010

2010 FEB 11 A 7:54
CITY CLERK

FAITH COMMUNICATIONS
2201 S 6TH ST
LAS VEGAS NV 89104-2962

APN#16203801120

LA40511 8104

P. 1

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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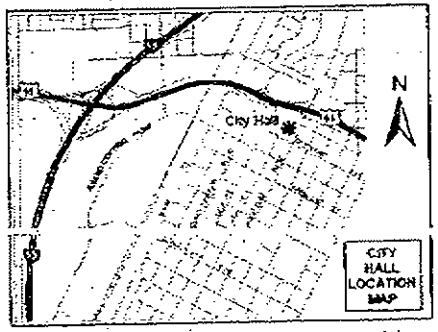

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☐ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186

City Council Meeting of 2/17/2010

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UNITED STATES POSTAGE

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MAILED FROM ZIP CODE 89101

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FRANCESCHI SHERRILL A TRS
8385 W LA MADRE WY
LAS VEGAS NV 89149-4707

APN#16203417052

LAVDS11 89149

2010 FEB 10 A 8:21

CITY CLERK

2-10-2010 8:05AM FROM FRANCESCH 702 396 2155

02/10/2010 WED 08:12 [TX/RX NO 7271] 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

To View this information, please see VAR-35528

City of Las Vegas Agenda Item No.: **79.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 7, 2010

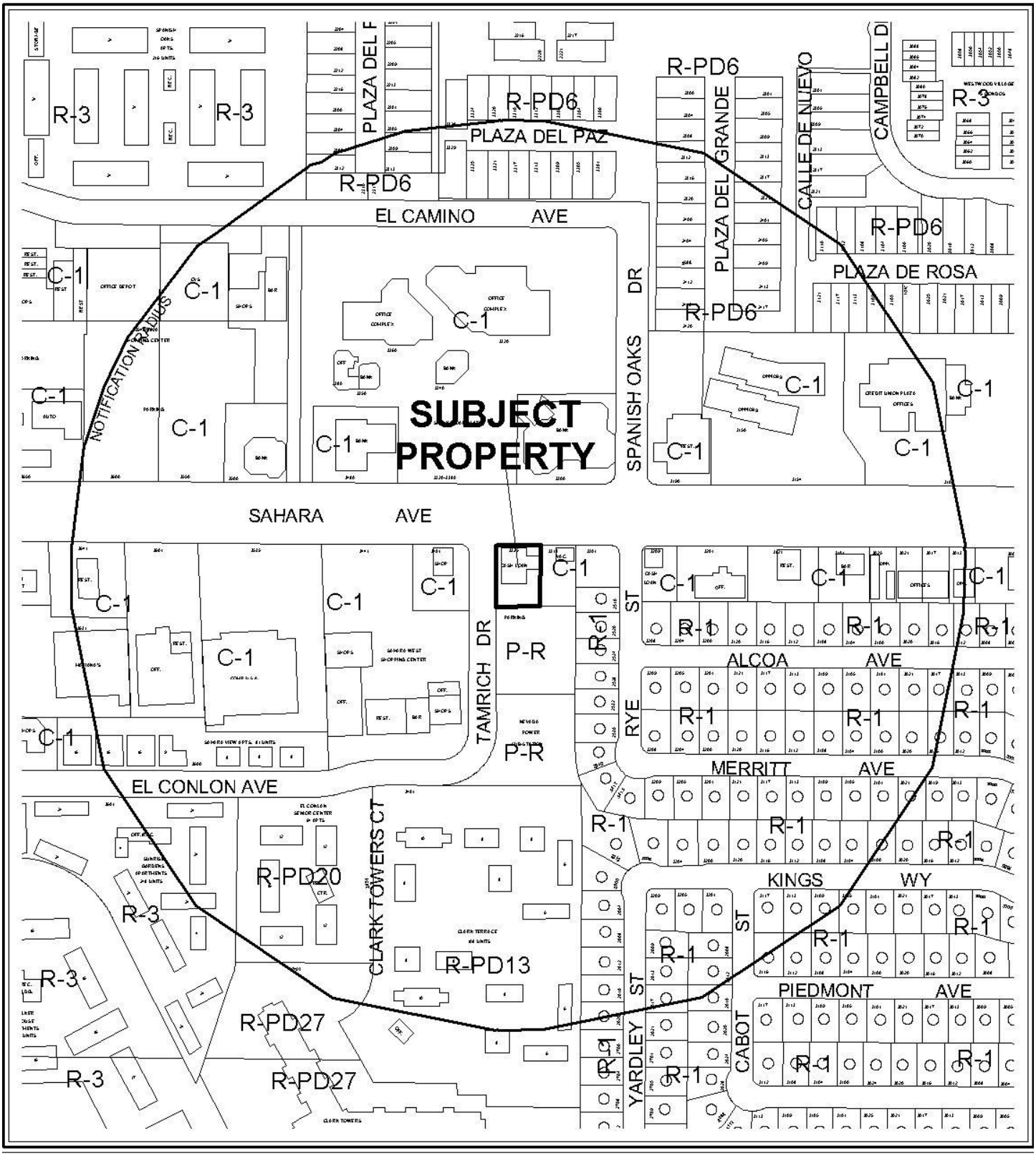
DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:
SUP-36588 – ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: VEGAS BAIL - OWNER: JACK E. CASON AND MAXINE CASON FAMILY TRUST – Appeal from the denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 3,288 SQUARE-FOOT BAILBOND SERVICE at 3325 West Sahara Avenue (APN 162-08-103-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**5**	**City Council Meeting**	**1**

RECOMMENDATION:
The Planning Commission (7-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Appeal Letter filed by Paul J. Adras, Esq.
7. Protest/Support Postcards



0 300 600 Feet

CASE: **SUP-36588**

RADIUS: 1000 FT

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

N



0 300 600 Feet

CASE: **SUP-36588**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-36588 - APPLICANT: VEGAS BAIL - OWNER: JACK E. CASON AND MAXINE CASON FAMILY TRUST

THIS ITEM WAS HELD IN ABEYANCE FROM THE MARCH 17, 2010 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend DENIAL, if approved subject to conditions:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Bailbond Service 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. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

GK

SUP-36588 - Staff Report Page One
April 7, 2010 - City Council Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This request is for a Special Use Permit for a Bailbond Service within an existing 3,288 square-foot vacant building at 3325 West Sahara Avenue. The Bailbond Service is not an appropriate or compatible use in this area, approximately 80 feet to the east of a single-family residential subdivision. This use would be more appropriately located in proximity to the Office Core District in the Downtown Centennial Plan area, where judicial and correctional facilities are located. Therefore, staff is recommending denial of the subject application. If this application is denied, the proposed Bailbond use cannot be located at the subject site, nor can a business license be obtained for the use at this location.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
11/28/88	A deed was recorded for a change in ownership at 3325 West Sahara Avenue.
12/17/09	The Planning Commission (7-0 vote) and staff recommend DENIAL (PC Agenda Item #24/gk).
Related Building Permits/Business Licenses	
07/09/02	The Planning & Development Department approved a building permit (541186) for a monument sign at 3325 West Sahara Avenue. The permit received final approval on 08/20/02.
06/14/04	A business license (F02-00271) was issued for a cash loan business at 3325 West Sahara Avenue. The license was marked out of business on 07/14/09.
Pre-Application Meeting	
09/30/09	The Planning & Development Department met with the applicant and reviewed the requirements for a Special Use Permit application.
Neighborhood Meeting	
A neighborhood meeting was not held, nor was one required.	
Field Check	
11/12/09	A field check was completed on the indicated date. The following items were observed by Planning and Development staff. • Staff observed a well maintained, vacant building.

Details of Application Request	
Site Area	
Net Acres	0.35

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant	SC (Service Commercial)	C-1 (Limited Commercial)
North	Office	SC (Service Commercial)	C-1 (Limited Commercial)
South	Parking Lot	SC (Service Commercial)	P-R (Professional Office and Parking)
East	Vacant	SC (Service Commercial)	C-1 (Limited Commercial)
West	Automobile Rental	SC (Service Commercial)	C-1 (Limited Commercial)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts			
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

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Previous Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Finance Institution, Specified	3,288 S.F.	1:250	13	1	9	2	
TOTAL			14		11		
Proposed Parking Requirement							
Bailbond	3,288 S.F.	1:300	10	1	9	1	
TOTAL			11		10		N*

**The subject site is parking impaired, per Title 19.10.*

ANALYSIS

The applicant is proposing to establish a Bailbond Service use within an existing 3,288 square-foot vacant retail/office building. The use will operate seven days a week, 24 hours a day. The site is a parking impaired development per Title 19.10.010(C). The previous use at 3325 West Sahara Avenue was a Financial Institution, Specified, which required 14 parking spaces and provided 11 parking spaces. The proposed Bailbond Service use requires 11 parking spaces. However, to provide a van accessible handicap space as required by current Title 19.10 standards, the applicant must eliminate one parking stall for an additional access aisle. The parking requirment for a Bailbond Service use will not increase the parking impairment of the site.

The Bailbond Service is not an appropriate or compatible use, as it is located close to single-family residences on the east of the subject site. The use fails to comply with Objective 2.2 of the Las Vegas Master Plan 2020. Objective 2.2 seeks compatibility between low density residential land uses within mature neighborhoods to exist in close proximity to non-residential land uses, by incorporating appropriate design or buffer elements to mitigate adverse visual, audible or aesthetic impacts. The proposal for a Bailbond use operated 24-hours per day close to residentially zoned properties will not mitigate these adverse impacts, but rather increase them. The use would be more appropriately located in proximity to the Office Core District in the Downtown Centennial Plan area, where judicial and correctional facilities are located. The addition of a Bailbond Service use will negatively affect the existing adjacent land uses; therefore, staff is recommending denial of this Special Use Permit 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 is compatible with the SC (Service Commercial) General Plan designation and is located within an existing retail/office building. However, the use cannot be conducted in a manner that is harmonious and compatible with the surrounding residential uses to the east of the subject property.

2. **"The subject site is physically suitable for the type and intensity of land use proposed."**

   The proposed Bailbond Service use will be located in an existing retail/office building, which is physically suitable for the type and intensity of the land use proposed.

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 Sahara Avenue, which is designated as a 100-Foot Primary Arterial by the Master Plan of Streets and Highways, and Tamrich Drive, a 60-Foot Collector street. The streets provide adequate access to and from the subject property.

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 Bailbond Service use fails to comply with Objective 2.2 of the Las Vegas Master Plan 2020. Objective 2.2 seeks compatibility between low density residential land uses within mature neighborhoods to exist in close proximity to non-residential land uses, by incorporating appropriate design or buffer elements to mitigate adverse visual, audible or aesthetic impacts. The proposal for a Bailbond use operated 24-hours per day close to residentially zoned properties will not mitigate these adverse impacts, but rather increase them.

5. **The use meets all of the applicable conditions per Title 19.04.**

   The proposed Bailbond Service use complies with the conditions per Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

NOTICES MAILED 164 (By City Clerk)

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: _____

Project Address (Location) 3325 W. Sahara

Project Name _____ **Proposed Use** _____

Assessor's Parcel #(s) 162-08-103-001 **Ward #** _____

General Plan: existing _____ proposed _____ **Zoning:** existing _____ proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres .37 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Jack and Maxine Cason Family Trust **Contact** Jack Cason

Address 2200 S. Highland Dr. **Phone:** 382-5866 **Fax:** 898-4308

City LV **State** NV **Zip** 89102

E-mail Address Ropfer@ccim.net

APPLICANT Jasen Rensbeck **Contact** _____

Address 726 Casino Ctr #210 **Phone:** 505-0569 **Fax:** 434-3332

City LV **State** NV **Zip** 89101

E-mail Address Vegasbail@earthlink.net

REPRESENTATIVE _____ **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

Property Owner Signature* Jack Cason

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

Print Name Jack Cason

Subscribed and sworn before me

This 28TH day of October, 2009

Carol J. Shivers

Notary Public in and for said County and State

CAROL J. SHIVERS
Notary Public State of Nevada
No. 92-3850-1
My appt. exp. July 23, 2012

FOR DEPARTMENT USE ONLY

Case #	SUP-36588
Meeting Date:	12/17/09
Total Fee:	1080.00
Date Accepted:	11/4/09
Accepted By:	MREX

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

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-36588** APN: 162-08-103-001

Name of Property Owner: Jack and Maxine Cason Family Trust

Name of Applicant: Jason Reusbeck

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: Jack Cason

Print Name: Jack Cason

Subscribed and sworn before me

This 28TH day of October, 2009

Carol J. Shivers

Notary Public in and for said County and State

CAROL J. SHIVERS
Notary Public State of Nevada
No. 92-3850-1
My appt. exp. July 23, 2012

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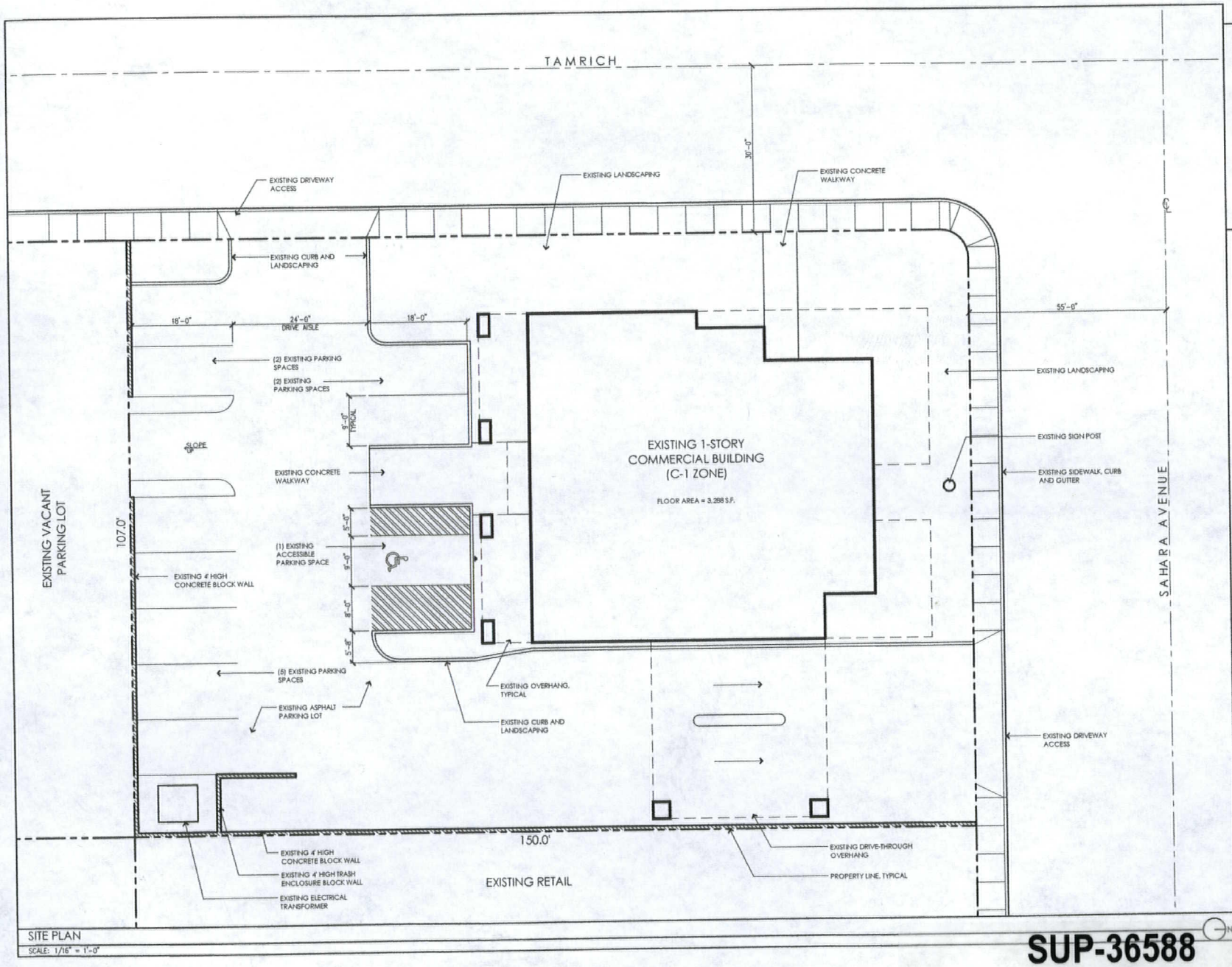


SITE PLAN
SCALE: 1/16" = 1'-0"

PROJECT INFORMATION

SCALE: n/a

PROPERTY ADDRESS:	3325 W. SAHARA AVENUE LAS VEGAS, NV 89102
PROPERTY APN:	162-08-103-001
ZONING:	C-1
PROPOSED USE:	BAIL BOND SERVICE
LOT SIZE:	16,050 SF
BUILDING AREA:	3,288 S.F.

PARKING ANALYSIS

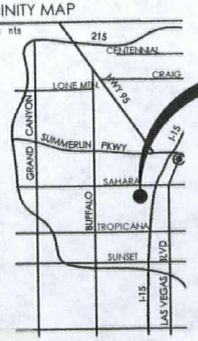
SCALE: n/a

PARKING REQUIRED:	1:300 S.F. = 11 SPACES
PARKING PROVIDED:	10 SPACES (INCLUDING 1 ACCESSIBLE)

jasonstrod [architecture]

PROJECT: VEGAS BAIL
3325 W. SAHARA AVENUE
LAS VEGAS, NEVADA 89102

VICINITY MAP
SCALE: nts

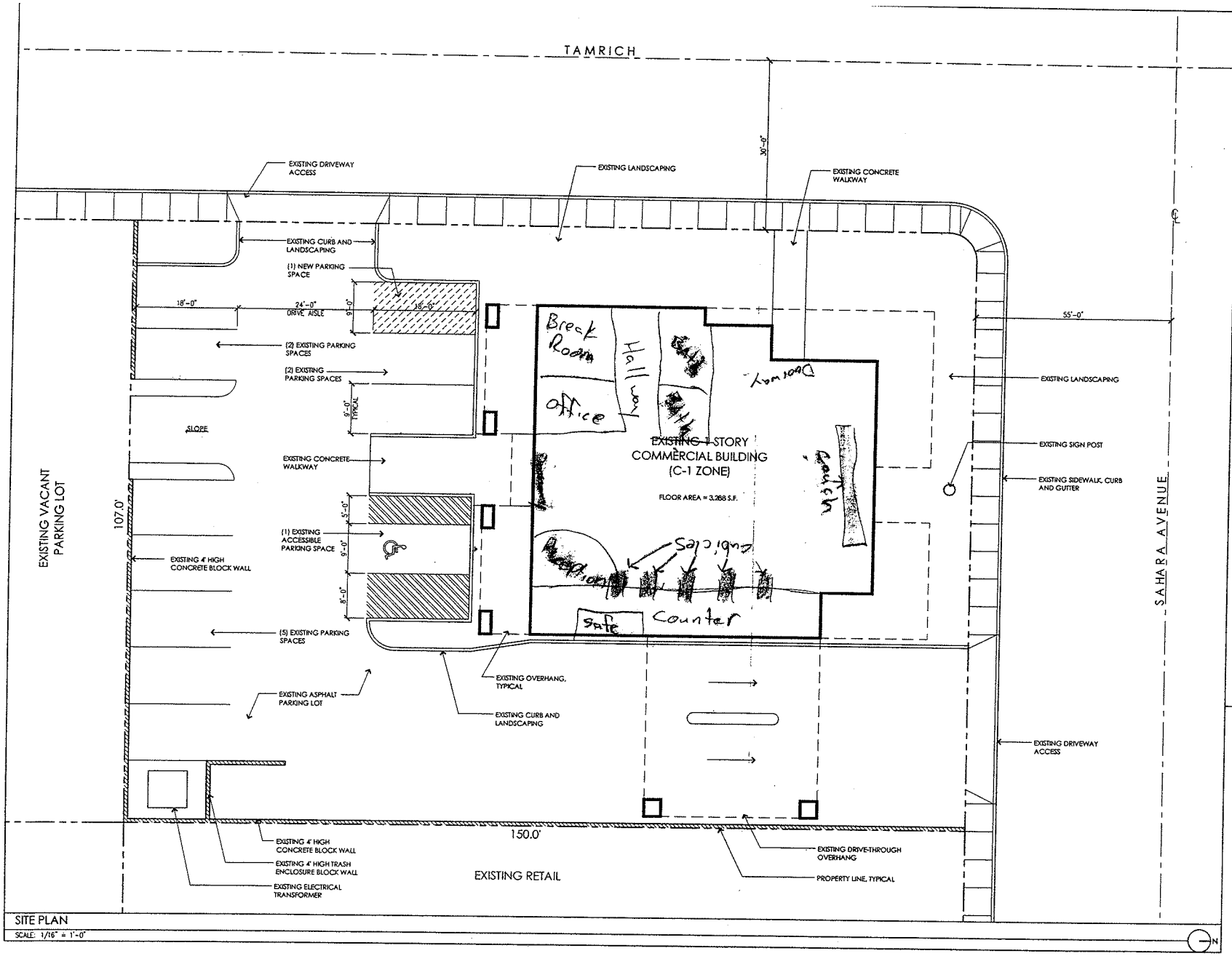


SPECIAL USE PERMIT

DATE: 10.15.09

SUP-36588
REVISED
12/17/09 PC

NOV 12 2009



SITE PLAN
SCALE: 1/16" = 1'-0"

PROJECT INFORMATION

SCALE: n/a

PROPERTY ADDRESS:	3325 W. SAHARA AVENUE LAS VEGAS, NV 89102
PROPERTY APN:	162-08-103-001
ZONING:	C-1
PROPOSED USE:	BAIL BOND SERVICE
LOT SIZE:	16,050 SF
BUILDING AREA:	3,268 S.F.

jasonstrodl [architecture]

PARKING ANALYSIS

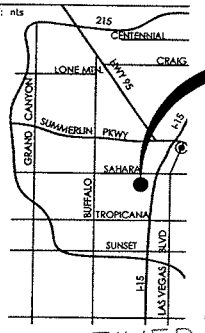
SCALE: n/a

PARKING REQUIRED:	1:300 S.F. = 11 SPACES
PARKING PROVIDED:	11 SPACES (INCLUDING 1 ACCESSIBLE)

JASON E. STRODL REGISTERED NO. 5562 10-12-09 ARCHITECT STATE OF NEVADA

PROJECT: VEGAS BAIL
3325 W. SAHARA AVENUE
LAS VEGAS, NEVADA 89102

VICINITY MAP
SCALE: nts



SPECIAL USE PERMIT
DATE: 10.15.09

RECEIVED
NOV 04 2009

SUP-36588
12/17/09 PC



SUP-36588 - APPLICANT: VEGAS BAIL - OWNER: JACK E. CASON AND MAXINE CASON FAMILY TRUST
3325 WEST SAHARA AVENUE
APRIL 7, 2010 CITY COUNCIL

11/13/09



SUP-36588 - APPLICANT: VEGAS BAIL - OWNER: JACK E. CASON AND MAXINE CASON FAMILY TRUST
3325 WEST SAHARA AVENUE
APRIL 7, 2010 CITY COUNCIL

11/13/09

VEGAS BAIL
726 CASINO CENTER CENTER #210
LASVEGAS, NV 89101
Phone: 702-228-2245
Fax 702-434-3332

September 23, 2009

Planning & Development Department
731 South 4th Street
Las Vegas, NV 89101

Subject: Justification Letter

Dear Planning & Development,

Vegas Bail is requesting a special use permit for the address at 3325 W. Sahara. Vegas Bail is the #1 leading growing Bail Bond Office in the city. Our office stands out from the rest do to our professional, fast and friendly service. We would like to move to a bigger office and move to central office to accomodate our clients. We would like to take over the existing building and the structure would stay the same.

We would like to thank you for your time and consideration in this permit. If you have any questions please feel free to call me at 702-505-0569.

Sincerely,

Jasen Reasbeck
Owner

SUP-36588
REVISED
12/17/09 PC

Law Offices of
Paul J. Adras, Esq., PC
Attorney and Counselor at Law
www.adraslaw.com

4532 West Charleston Boulevard
Las Vegas, Nevada 89102
Office: (702) 463-4200
Fax: (702) 974-3677
paul@adraslaw.com

December 22, 2009

RECEIVED
2009 DEC 22 A 10:27
CITY CLERK

VIA FACSIMILE AND U.S. MAIL
(702) 382-4803

City Clerk – City Hall, First Floor
400 Stewart Avenue
Las Vegas, NV 89101

RE: NOTICE OF APPEAL OF DENIAL OF SPECIAL USE PERMIT

SUP NO.	:	**36588**
APPLICANT	:	**VEGAS BAIL**
OWNER	:	**JACK CASON AND MAXINE CASON FAMILY TRUST**
APN	:	**162-08-103-001**
HEARD	:	**DECEMBER 17, 2009 – PLANNING COMMISSION**
ITEM NO.	:	**ITEM NO. 24**

Dear City Clerk's Office:

I am sending this correspondence to notify the City that I represent Vegas Bail in the above-referenced matter, and to place the City on notice that Vegas Bail is appealing the decision of the City Planning Commission denying my client's application for a special use permit.

On December 17, 2009, the City Planning Commission, following a recommendation from the Planning and Development Department, voted to deny my client's application for a special use permit. The Commission apparently agreed with the Planning and Development Department's finding that a bail bond service is not an appropriate or compatible use at 3325 West Sahara Avenue, as it is located close to single-family residences on the east of the subject site. Specifically, the Planning and Development Department determined only that the use fails to comply with Objective 2.2 of Las Vegas Master Plan 2020. Vegas Bail disagrees that a bail bond company is not an appropriate or compatible use at the subject site.

Vegas Bail would like its appeal heard before the City Council on February 3, 2010, the first City Council meeting scheduled for that month. Please notify me at your earliest convenience to confirm that my client's appeal will be heard on that date. Thank you for your courtesy and cooperation.

Best Regards,
LAW OFFICES OF PAUL J. ADRAS, ESQ., PC

Paul J. Adras, Esq.
PJA/pja

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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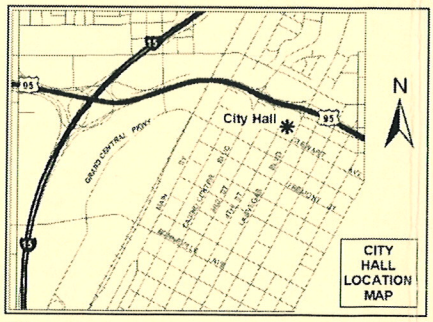
JAN 21 2010
MAILED FROM ZIP CODE 89101

2010 JAN 26 A 10:57

X RETURN SERVICE REQUESTED XX

Return Service Requested
Official Notice of Public Hearing



Protest

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-36588
City Council Meeting of 2/3/2010

BLAKE DARLA KAI LIVING TRUST
BALKE DARLA KAI TRS
2308 PLAZA DEL GRANDE
LAS VEGAS NV 89102-4028

APN#16205413022

I support not allowing the huge sign. Darla Kai Blake

KAVDS11 89102

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
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$ 00.41⁴
JAN 21 2010
MAILED FROM ZIP CODE 89101

X RETURN SERVICE REQUESTED X

2010 JAN 25 P 1:43

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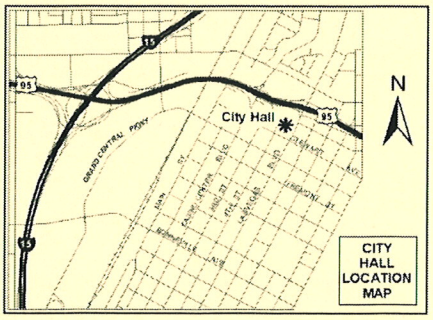
CITY CLERK

Return Service Requested
Official Notice of Public Hearing



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[ ] I SUPPORT this Request [X] I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-36588
City Council Meeting of 2/3/2010

SUNSHINE LIVING TRUST
CASZATT CEYLON & DEBRA TRS
2417 PLAZA DEL GRANDE
LAS VEGAS NV 89102-4020

APN#16205413012

KAVDS11 89102

Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

PRESORTED FIRST CLASS

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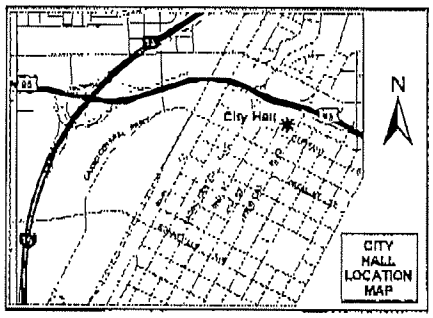
0004279218 JAN 21 2010
MAILED FROM ZIP CODE 89101

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-36588
City Council Meeting of 2/3/2010

SOUTHERN NV RENTAL HOLDINGS
%FISHER BROTHERS
299 PARK AVE 42ND FL
NEW YORK NY 10171-4299

APN#16208111052

RECEIVED
CITY CLERK
2010 JAN 26 P 3:04

PAGE 01/01
TECHNOBAKE
01/26/2010 09:32 7326560899

RECEIVED
CITY CLERK

2010 JAN 26 A 8:27

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
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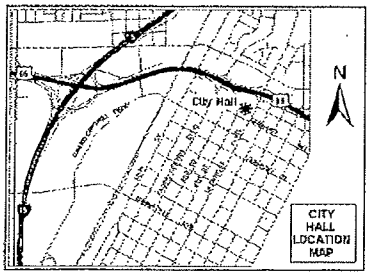
0004279218 JAN 21 2010
MAILED FROM ZIP CODE 89101

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-36588
City Council Meeting of 2/3/2010

FEINER ELIANE
224 SAYRE DR
PRINCETON NJ 08540-5852

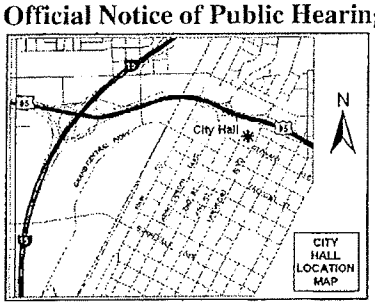
APN#16205413007

KAVDP11 08540

Jan 22 10 12:54p Ross W. Peterson 208#975#5254 p.1

ity of Las Vegas
ffice Of The City Clerk
00 Stewart Avenue
as Vegas, Nevada 89101

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

lease use available blank space on card for your comments.

UP-36588

ity Council Meeting of 2/3/2010

RECEIVED
CITY CLERK
2010 JAN 22 P 2:29

PETERSON ROSS W
3301 PLAZA DEL PAZ
LAS VEGAS NV 89102-4032

APN#16205413025

KAVDS11 89102

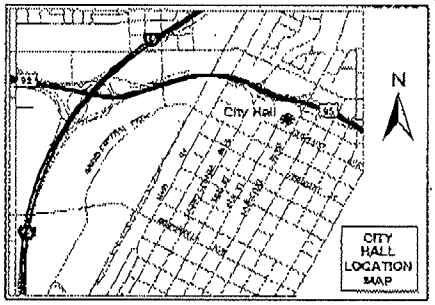
City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 JAN 21 2010
MAILED FROM ZIP CODE 89101

X RETURN SERVICE REQUESTED X

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-36588
City Council Meeting of 2/3/2010

LEA JAMES B & JOY J
11001 PINE KNOLLS CT
LAS VEGAS NV 89144-1652

APN#16208111009

2010 JAN 22 P 4:43

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CITY CLERK

City of Las Vegas Agenda Item No.: **80.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 7, 2010

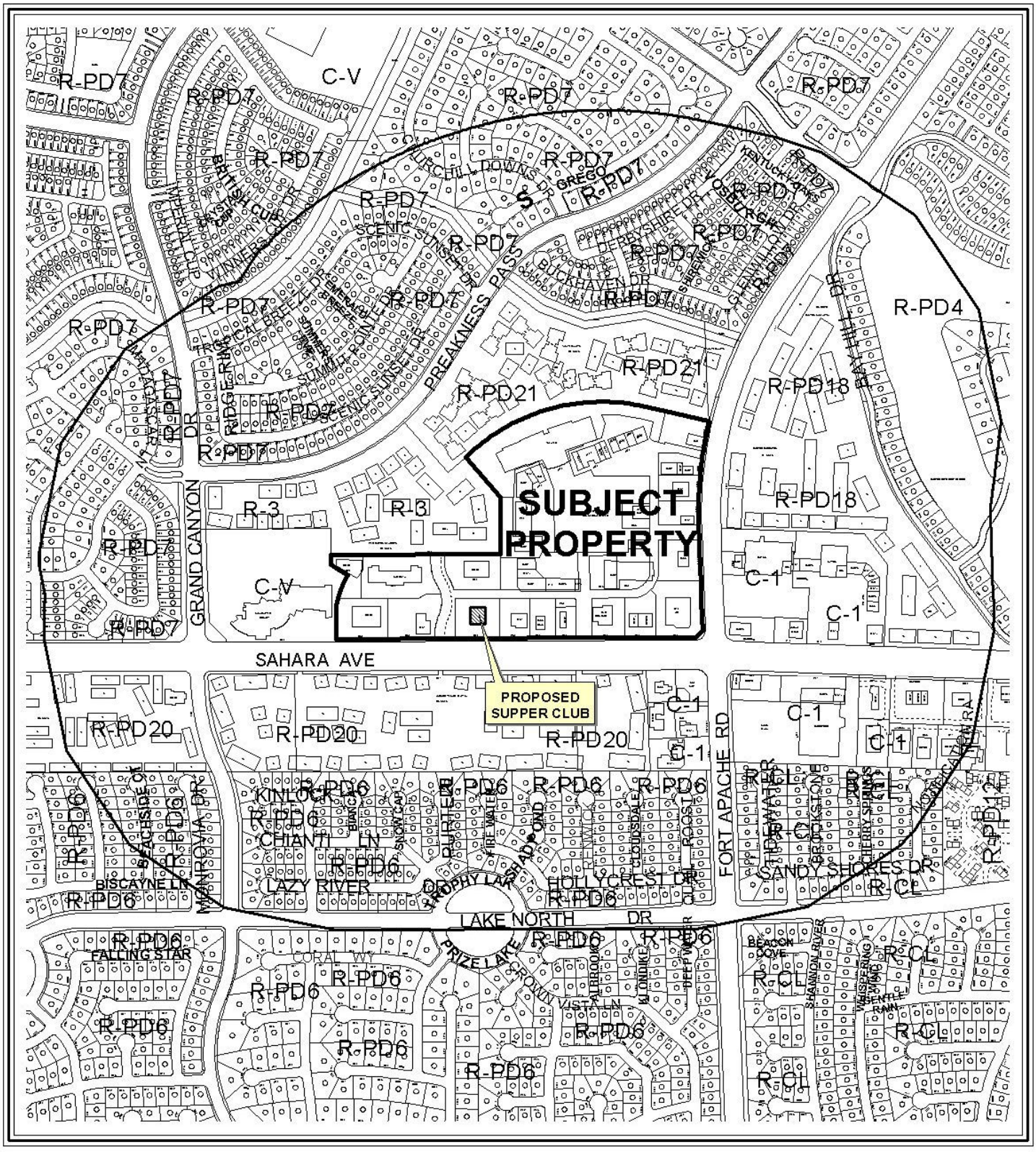
DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:
VAR-37295 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: WINNER PROPERTIES, LLC - Request for a Variance to ALLOW NO ADDITIONAL PARKING SPACES WHERE 36 ADDITIONAL SPACES ARE REQUIRED on 36.8 acres at the northwest corner of Fort Apache Road and Sahara Avenue (APNs 163-06-816-002 through 005, 007, 009, 011, 013, 015, 017, 019 through 021, 024, through 027, 029 through 034, 036 through 038), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**5**	**Planning Commission Mtg.**	**6**
City Council Meeting	**5**	**City Council Meeting**	**6**

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, if approved 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 February 25, 2010 Planning Commission Meeting Item #11



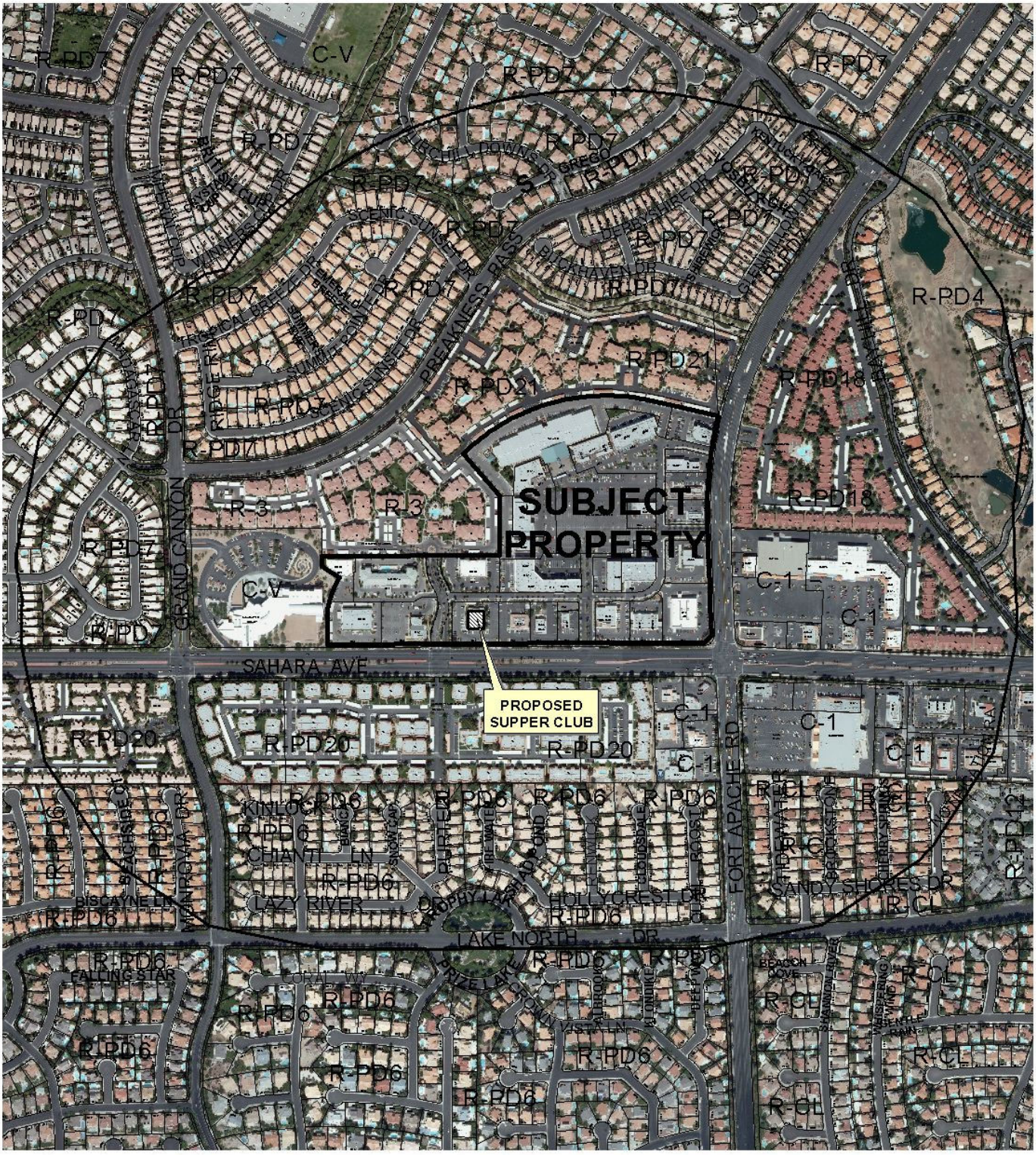
0 500 1000 Feet

CASE: **VAR-37295**

RADIUS: 1500 FT

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

N



0 500 1000 Feet

CASE: **VAR-37295**

RADIUS: 1500 FT

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-37295 - APPLICANT/OWNER: WINNER PROPERTIES, LLC

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (7-0) recommends APPROVAL, subject to conditions:

Planning and Development

1. Conformance to the conditions of approval for Special Use Permit (SUP-36961) and Site Development Plan Review (SDR-36962), if approved.

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.

VAR-37295 - Staff Report Page One
April 7, 2010 - City Council Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is requesting a Variance to allow no additional parking spaces where 36 additional parking spaces are required for the expansion of an existing Supper Club located on a portion of 36.8 acres at 9500 West Sahara Avenue. The pad site with the proposed expansion is located on the south side of an existing commercial subdivision. The proposed design of the expansion will not provide any additional parking spaces to be incorporated into the site. As this is due to site design and not the physical characteristics of the land, the hardship is self-imposed and denial is recommended. If this application is denied, associated requests for a Site Development Plan Review (SDR-36962) and Special Use Permit (SUP-36961) must also be denied.

ISSUES

- Approval of this request is necessary for the approval of a companion Site Development Plan Review (SDR-36962) and companion Special Use Permit (SUP-36961).
- The subject site is part of a commercial subdivision with shared access and parking throughout.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales	
12/22/80	The City Council approved a request for Annexation (A-0018-80) of a parcel of land generally bounded by Sahara Avenue on the south, Hualapai Way on the west, Ducharme Avenue on the north and Durango Drive on the east, containing approximately 2,246 acres of land. Planning Commission and staff recommended approval.
02/15/89	The City Council approved a Rezoning (Z-0139-88) application for the reclassification of property from N-U (Non Urban) under Resolution of Intent to R-PD4 (Residential Planned Development - 4 Units Per Acre), P-R (Professional Office and Parking), C-1 (Limited Commercial), and C-V (Civic), to R-PD7 (Residential Planned Development- 7 Units Per Acre), R-3 (Medium Density Residence), and C-1 (Limited Commercial) for property generally located on the west side of Fort Apache Road, between Sahara Avenue and Charleston Boulevard. The Planning Commission and staff recommended approval.

07/14/97	The City Council approved a request for a Special Use Permit (U-0049-97) for a proposed Tavern in conjunction with restaurant on property located on the north side of Sahara Avenue, west of Fort Apache Road. Planning Commission and staff recommended approval.
	The City Council approved a request for a Special Use Permit (U-0050-97) for a proposed Tavern with a Waiver of the 1,500-foot distance separation requirement from an existing and proposed tavern on property located on the north side of Sahara Avenue, west of Fort Apache Road. Planning Commission and staff recommended approval.
10/27/97	The City Council approved a request for a Site Development Plan Review [Z-0139-88(19)] for a proposed 8,400 square-foot one story retail building located at 9310 West Sahara Avenue. The Planning Commission recommended approval of the request.
11/24/97	The City Council approved a request for a Site Development Plan Review [Z-0139-88(21)] for a proposed 16,708 square-foot one story drugstore with drive-through located on the northwest corner of Sahara Avenue and Fort Apache Road. The Planning Commission recommended approval of the request.
01/26/98	The City Council approved a request for a Special Use Permit (U-0128-97) for the sale of Packaged Liquor in conjunction with a proposed 16,708 square-foot drugstore on property located on the northwest corner of Sahara Avenue and Fort Apache Road. Planning Commission recommended approval.
03/23/98	The City Council approved a request for a Site Development Plan Review [Z-0139-88(23)] for a proposed 4,716 square-foot restaurant located on the north side of Sahara Avenue, west of Fort Apache Road. The Planning Commission recommended approval of the request.
04/27/98	The City Council approved a request for a Special Use Permit (U-0146-97) for a proposed three-story, non-gaming residence hotel, consisting of seventy-three one-bedroom units on property located on the north side of Sahara Avenue, west of Fort Apache Road. Planning Commission recommended approval.
	The City Council approved a request for a Special Use Permit (U-0020-98) for a Restaurant Service Bar in conjunction with a proposed 3,784 square-foot restaurant located at 9350 West Sahara Avenue. Planning Commission recommended approval.
05/11/98	The City Council approved a request for a Special Use Permit (U-0031-98) for the On-Premise sale of Beer and Wine in conjunction with a proposed restaurant located at 9350 West Sahara Avenue. Planning Commission recommended approval.

06/08/98	The City Council approved a request for a Special Use Permit (U-0038-98) for a proposed Supper Club in conjunction with a proposed 6,648 square-foot restaurant on property located on the north side of Sahara Avenue, west of Fort Apache Road. Planning Commission recommended approval.
	The City Council approved a request for a Site Development Plan Review [Z-0139-88(24)] for a proposed 27,418 square-foot two-story retail and office building and a 33,207 square-foot two-story retail and office building located on the north side of Sahara Avenue, west of Fort Apache Road. The Planning Commission recommended approval of the request.
09/28/98	The City Council approved a request for a Special Use Permit (U-0080-98) for the On-Premise sale of Beer and Wine in conjunction with a proposed 2,160 square-foot restaurant located on the northwest corner of Fort Apache Road and Sahara Avenue. Planning Commission recommended approval.
	The City Council approved a request for a Site Development Plan Review [Z-0139-88(27)] for a proposed 4,212 square-foot commercial retail building located on the northwest corner of Sahara Avenue and Fort Apache Road. The Planning Commission recommended approval of the request.
10/12/98	The City Council approved a request for a Special Use Permit (U-0090-98) for a proposed Supper Club in conjunction with a proposed 6,990 square-foot restaurant on property located on the north side of Sahara Avenue approximately 1,400 feet west of Fort Apache Road.
10/16/98	The City Council approved a request for a Site Development Plan Review [Z-0139-88(29)] for a proposed 3,190 square-foot restaurant located on the north side of Sahara Avenue, west of Fort Apache Road. The Planning Commission recommended approval of the request.
11/09/98	The City Council approved a request for a Special Use Permit (U-0115-98) for a proposed Supper Club in conjunction with a proposed 8,802 square-foot restaurant on property located on the north side of Sahara Avenue, west of Fort Apache Road.
07/12/06	The City Council approved a Variance (VAR-12102) to allow 2,404 parking spaces where 2,440 is the minimum number of spaces required in conjunction with the addition of a 1,200 square-foot restaurant within the existing shopping center. The Planning Commission recommended approval and staff recommended denial.
01/22/10	The Planning and Development Department administratively approved a Minor Amendment (SUP-37062) to a previously approved Special Use Permit (U-0038-98) to allow alcohol service into an additional 617 square-feet of existing outdoor seating at an existing 6,648 square foot Supper Club at 9500 West Sahara Avenue.
02/25/10	The Planning Commission recommended APPROVAL of the companion items SUP-36961 and SDR-36962 concurrently with this agenda. The Planning Commission (7-0) recommends APPROVAL (PC Agenda Item #11/gk)

Related Building Permits/Business Licenses	
07/15/98	A building permit (#98014454) was issued for a new restaurant Certificate of Occupancy at 9500 West Sahara Avenue. The building permit was finalized on 02/02/99.
	A building permit (#98014455) was issued for on-site improvements and hardscapes at 9500 West Sahara Avenue. The building permit was expired on 04/01/00.
09/02/98	A building permit (#98017819) was issued for on-site fire and water at 9500 West Sahara Avenue. The building permit was expired on 04/01/00.
11/09/98	A building permit (#98022139) was issued for patio addition for a restaurant at 9500 West Sahara Avenue. The building permit was expired on 04/01/00.
11/18/98	A building permit (#98022669) was issued for a sign at 9500 West Sahara Avenue. The building permit was finalized on 02/02/99.
12/17/98	A business license (#L21-00012) was issued for a Supper Club at 9500 West Sahara Avenue. The license was marked out on 12/08/09.
09/02/99	A building permit (#99017403) was issued for two illuminated wall signs at 9500 West Sahara Avenue. The building permit was finalized on 09/16/99.
11/13/09	A building permit (#151159) was issued for an illuminated wall sign at 9500 West Sahara Avenue. The building permit has not been finalized.
12/07/09	A temporary business license (#L21-92278) was issued for a Supper Club at 9500 West Sahara Avenue. The license is still active.
12/08/09	A business license (#R09-00907) was issued for a Restaurant seating 45 people or more at 9500 West Sahara Avenue. The license is still active.
Pre-Application Meeting	
09/16/09	A pre-application meeting was held where submittal requirements for a Site Development Plan Review were discussed. Topics discussed included: • Title 19 Zoning Code requirements • Application Materials and Documents • Meeting Dates and Deadlines
Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	

Field Check	
12/22/09	During a routine site inspection staff observed a well maintained commercial center.

Details of Application Request	
Site Area	
Gross Acres	36.8

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Apartments	M (Medium Density Residential)	R-PD21 (Residential Planned Development – 21 Units Per Acre), R-3 (Medium Density Residential)
South	Bank, Apartments	SC (Service Commercial), M (Medium Density Residential)	C-1 (Limited Commercial), R-PD20 (Residential Planned Development – 20 Units Per Acre)
East	Commercial Shopping Center	M (Medium Density Residential), SC (Service Commercial)	C-1 (Limited Commercial), R-PD18 (Residential Planned Development – 18 Units Per Acre)
West	Library, Church, Apartments	PF (Public Facilities), SC (Service Commercial), M (Medium Density Residential)	C-V (Civic) C-1 (Limited Commercial), R-3 (Medium Density 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	
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	
Commercial Center (Existing)	425,720 S.F.		2,406	34	2,324	80	
SubTotal			2,440		2,404*		
Supper Club	1,392 S.F.	1:50	28				
(Proposed Increase)	1,428 S.F.	1:200	8		0	0	
SubTotal			**34**	**2**			
TOTAL			**2,476**		**2,112****		N

*As approved by Variance (VAR-12102)
**Per physical inventory

ANALYSIS

The applicant is requesting a Variance to allow no additional parking spaces where 36 additional parking spaces are required for a proposed 2,820 square-foot expansion of an existing Supper Club. The proposal includes 2,036 square-feet of additional building area and 784 square-feet of additional outdoor seating area. A companion Site Development Plan Review (SDR-36962) and companion Special Use Permit (SUP-36961) have been submitted to address the proposed expansion.

The subject site is located within a commercial subdivision with reciprocal parking and access throughout. A previous Variance (VAR-12102) was approved in 2006 to allow 2,404 parking spaces where 2,440 spaces were required. There are currently 2,112 spaces that are provided within the commercial subdivision, based on a physical inventory conducted by staff during a field check. The previous Variance was calculated based on the individual uses that existed at the site at the time of the request. A condition has been added to require a revised site plan and parking analysis for the entire commercial subdivision prior to or at the time of submittal for a building permit.

The current request is to account for the increase in parking that is required as a result of the proposed expansion of the existing Supper Club use only, or 36 spaces. Currently, Title 19.04 allows parking for either a Shopping Center or a Regional Mall to be calculated at the rate of one space per 250 square feet of gross floor area, regardless of the individual uses. This would result in a parking requirement of 1,703 spaces for the entire commercial subdivision, and a Variance would not be necessary as there are 2,112 spaces provided. However, per Title 19.04, a Shopping Center is limited to a minimum of 25,000 to 350,000 square feet of gross floor area

and a Regional Mall is defined as an enclosed structure with a minimum of 350,000 square feet of gross floor area, with typical means of access to the various uses from inside the mall structure. The subject site does not meet either of these requirements as the gross floor area exceeds the maximum 350,000 square feet allowed for Shopping Center, and consists of numerous pad sites containing buildings with less than 350,000 square feet of gross floor area each, and with separate outside access from one another. Therefore, the parking requirement for the overall commercial subdivision must be calculated based on the individual uses.

The additional required parking spaces result in an increase in the parking deficiency of the overall commercial subdivision, and the applicant has provided no evidence of a unique or extraordinary circumstance that would substantiate the Variance request; therefore staff is recommending denial of the request as the applicant has created a self-imposed hardship by proposing to overbuild the site.

FINDINGS

In accordance with the provisions of Title 19.18.070(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.18.070L states:
"Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship. Alternative development of the site with a reduced building footprint would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

PC ACTION
The Planning Commission amended conditions as shown.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

NOTICES MAILED 1,489 (By City Clerk)

APPROVALS 6

PROTESTS 5

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-37295 APN: 163-06-816-015

Name of Property Owner: Winner Properties, LLC

Name of Applicant: Same

Name of Representative: Dwayne R. Eshenbaugh

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: Antonio Accornero

Subscribed and sworn before me

This 26th day of January, 2010

Rhonda F. DiGennaro

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
RHONDA F. DIGENNARO
No: 99-56461-1
My Appointment Expires April 27, 2011

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Winner Properties, LLC.

Project Address (Location) 9500 West Sahara Ave.

Project Name Siena Italian Expansion **Proposed Use** Deli/ Market Addition

Assessor's Parcel #(s) 163-06-816-015 **Ward #** _____

General Plan: existing _____ proposed _____ **Zoning:** existing _____ proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Winner Properties, LLC **Contact** Joy Bustamante

Address 9601 Orient Express Ct. **Phone:** (213) 760-9377 **Fax:** _____

City Las Vegas **State** NV **Zip** 89145

E-mail Address _____

APPLICANT Same **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

REPRESENTATIVE Dwayne R. Eshenbaugh **Contact** _____

Address 3225 Via Seranova **Phone:** (702) 522-9292 **Fax:** _____

City Henderson **State** NV **Zip** 89044

E-mail Address dwayne@drearchitecture.com

Property Owner Signature* _____

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

Print Name Antonio Accornero

Subscribed and sworn before me

This 26th day of January, 20 10.

Rhonda F. DiGennaro

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
RHONDA F. DIGENNARO
No: 99-56461-1
My Appointment Expires April 27, 2011

FOR DEPARTMENT USE ONLY

Case #	VAR-37295
Meeting Date:	2/25/10
Total Fee:	$830.00
Date Received:*	1/28/10
Received By:	MRE

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

MASTERPLAN PARKING DATA

APN NO: 163-06-816-015

PROPERTY SIZE: 1.06 ACRES (46,174 SQUARE FEET)

EXISTING FLOOR AREA: 6,648 SF + 1,108 (PATIO) = 7,756 SF
F.A.R. (FLOOR AREA RATIO): 7,756 S.F./ 46,174 S.F. = 0.17%

PROPOSED FLOOR AREA: 608 SF (DINING) + 1,428 (DELI) + 293 SF (PATIO) = 2,329 SF
COMBINED/TOTAL F.A.R.: 7,756 + 2,329/ 46,174 SF = 21%

DENSITY: N/A

PARKING ANALYSIS (TITLE 19 ZONING CODE, SECTION 19.04)
One space for each 50 S.F. of public seating and waiting area, including outdoor areas for seating and waiting, plus one space for each 200 s.f. of the total remaining gross floor area, with a minimum of 10 spaces required.

REQUIRED PARKING (ALL SPACES ARE 9'-0" X 19' - 0"):

NEW WEST DINING: 608 SF (/50 = 13 SPACES)
NEW EAST DELI: 1428 SF (/200 = 8 SPACES)
NEW PATIO: 293 SF (/50 = 6 SPACES)

TOTAL PARKING REQUIRED FOR NEW ADDITION: 27 SPACES

EXISTING 2006 VARIANCE: 2,404 SPACES
EXISTING PARKING: 2,440 SPACES

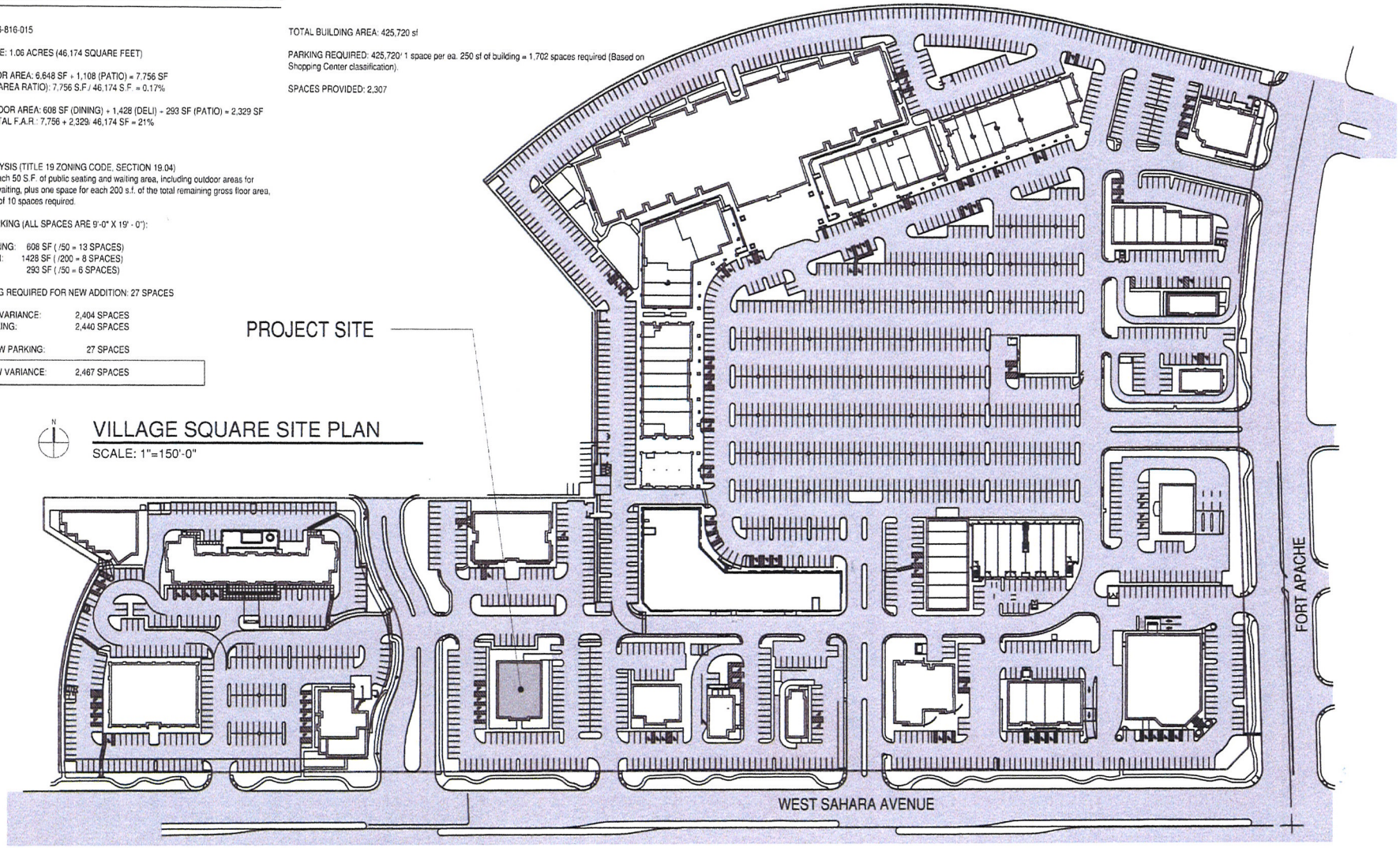
PROPOSED NEW PARKING: 27 SPACES

REQUIRED NEW VARIANCE: 2,467 SPACES

TOTAL BUILDING AREA: 425,720 sf

PARKING REQUIRED: 425,720/ 1 space per ea. 250 sf of building = 1,702 spaces required (Based on Shopping Center classification).

SPACES PROVIDED: 2,307



VILLAGE SQUARE SITE PLAN
SCALE: 1"=150'-0"

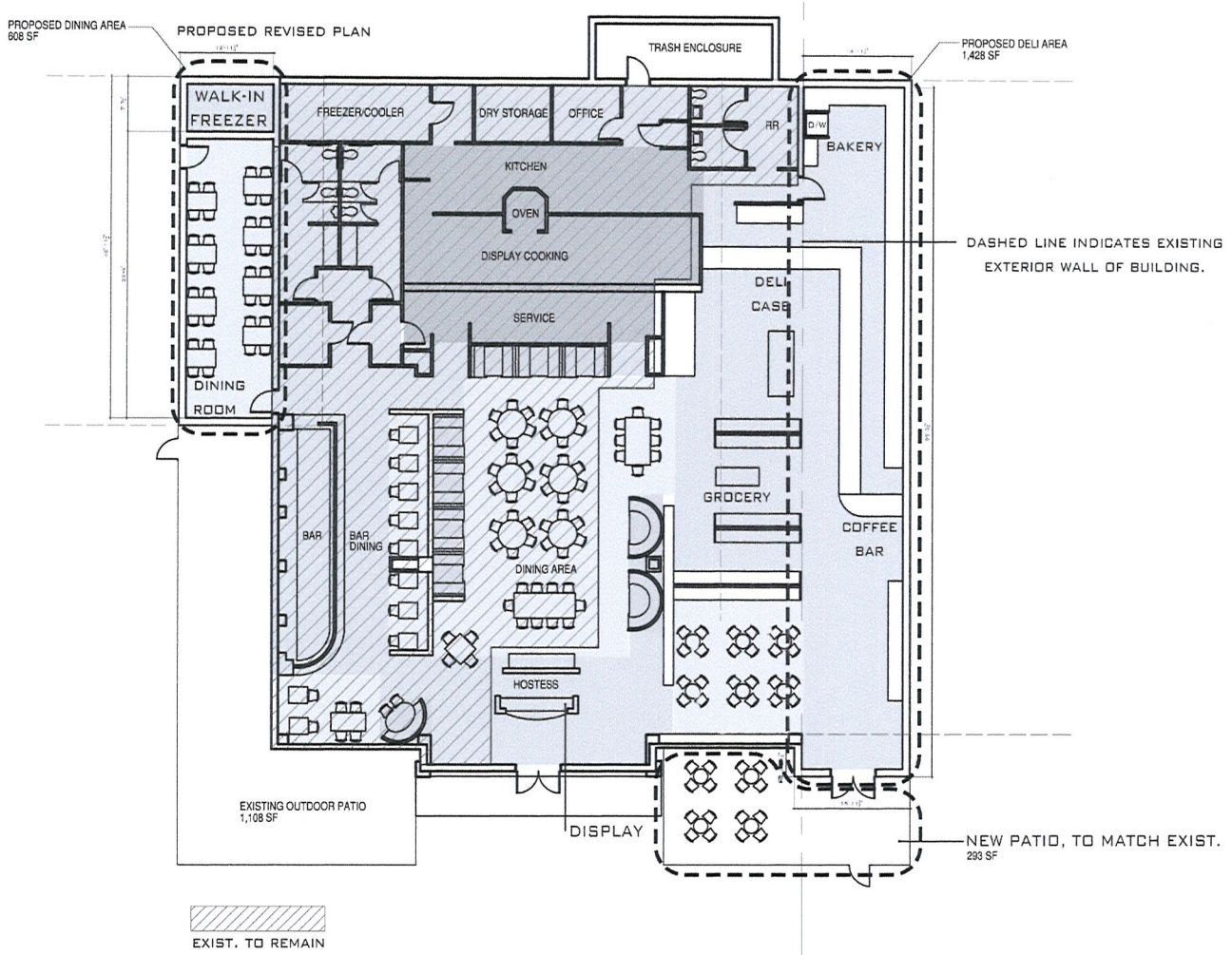
DWAYNE R. **ESHENBAUGH**, AIA, NCARB, LEED AP
Principal Architect

architecture | interiors | planning
CONNECT | CREATE | CULTIVATE
3225 Via Seranova | Henderson, Nevada 89044
702.522.9292 O | 702.332.7975 C

SIENNA DELI 9500 West Sahara Avenue Las Vegas, Nevada 89117	VILLAGE SQUARE OVERALL SITE PLAN		
	DRAWN BY DRE	SCALE	1"=150'-0"
	REVIEWED BY DRE		A1.01
	DATE ISSUED 1/28/2010		
	PROJECT NO 09-001.00		NO

RECEIVED
JAN 28 2010

VAR-37295
02/25/10 PC



FLOOR PLAN

SCALE: 1/16"=1'-0"

FLOOR PLAN DATA

USE AND OCCUPANCY CLASSIFICATION PER 2006 IBC SECTION 302
GROUP A-2: ASSEMBLY USES INTENDED FOR FOOD AND/OR DRINK CONSUMPTION INCLUDING BUT NOT LIMITED TO:
BANQUET HALLS
NIGHT CLUBS
RESTAURANTS
TAVERNS AND BARS

TOTAL SQUARE FOOTAGE OF EXISTING AND PROPOSED = 6,648 + 1,108 (EXISTING PATIO) + 608 (NEW DINING) + 1,428 (NEW DELI) + 293 (NEW PATIO) = 10,085 SF

MAXIMUM ALLOWABLE FLOOR AREA ALLOWANCES PER OCCUPANT (2006 IBC - TABLE 1004.1.1)

BUSINESS AREAS (100 GSF Floor Area Per Occupant)
4261 GSF/ 100 = 43 OCCUPANTS

ASSEMBLY WITHOUT FIXED SEATS (15 Net SF - Unconcentrated
2189 NSF/ 15 = 146 OCCUPANTS

COMMERCIAL KITCHEN (200 GSF Floor Area Per Occupant)
1071 GSF/ 200 = 6 OCCUPANTS

FIXED BOOTH (PER SECTION 1004.7 - 1 Occupant per 24")
1032" TOTAL SEAT LENGTH/ 24" = 43 OCCUPANTS

TOTAL OCCUPANTS: 238

MAXIMUM DINING CAPACITY: 189 OCCUPANTS
ACTUAL DINING: 183 OCCUPANTS

LEGEND

- BUSINESS AREAS
- ASSEMBLY AREAS (WITHOUT FIXED SEATS)
- COMMERCIAL KITCHEN
- FIXED BOOTH

DWAYNE R. **ESHENBAUGH**, AIA, NCARB, LEED AP
Principal Architect

architecture I interiors I planning
CONNECT I CREATE I CULTIVATE
3225 Via Seranova I Henderson, Nevada 89044
702.522.9292 O I 702.332.7975 C

VAR-37295
02/25/10 PC

SIENNA DELI 9500 W. Sahara Avenue Las Vegas, Nevada 89117	FLOOR PLAN		
	DRAWN BY 3FN	SCALE	1/16" = 1'-0"
	REVIEWED BY DRE		A3.01
	DATE ISSUED 1/28/2010		
	PROJECT NO 09-001.00		NO.

RECEIVED
JAN 28 2010



VAR-37295 - APPLICANT/OWNER: WINNER PROPERTIES, LLC
NORTHWEST CORNER OF FORT APACHE ROAD AND SAHARA AVENUE
APRIL 7, 2010 CITY COUNCIL

02/04/10



VAR-37295 - APPLICANT/OWNER: WINNER PROPERTIES, LLC
NORTHWEST CORNER OF FORT APACHE ROAD AND SAHARA AVENUE
APRIL 7, 2010 CITY COUNCIL

02/04/10



VAR-37295 - APPLICANT/OWNER: WINNER PROPERTIES, LLC
NORTHWEST CORNER OF FORT APACHE ROAD AND SAHARA AVENUE
APRIL 7, 2010 CITY COUNCIL

02/04/10



VAR-37295 - APPLICANT/OWNER: WINNER PROPERTIES, LLC
NORTHWEST CORNER OF FORT APACHE ROAD AND SAHARA AVENUE
APRIL 7, 2010 CITY COUNCIL

02/04/10



VAR-37295 - APPLICANT/OWNER: WINNER PROPERTIES, LLC
NORTHWEST CORNER OF FORT APACHE ROAD AND SAHARA AVENUE
APRIL 7, 2010 CITY COUNCIL

02/04/10



VAR-37295 - APPLICANT/OWNER: WINNER PROPERTIES, LLC
NORTHWEST CORNER OF FORT APACHE ROAD AND SAHARA AVENUE
APRIL 7, 2010 CITY COUNCIL

02/04/10

WINNER

PROPERTIES, L.L.C.

9601 Orient Express Ct.
Las Vegas, NV 89145
TEL: (702) 234-6622
FAX: (702) 657-1921

September 1, 2009

To Whom It May Concern:

Siena Deli was established in Las Vegas thirty years ago as a family-owned/ operated Italian deli, restaurant, and specialty market. In 2008, Winner Properties, L.L.C. purchased Siena Deli. As the town grew majority of the customer base has migrated to the west side of town, so on December 7, 2009 we are acquiring the building at 9500 West Sahara Ave. (formerly Bertolini's at Village Square) in order to keep our business easily accessible to our customers.

The existing use of the 9500 West Sahara Ave. facility is a fully functional restaurant/ supper club which is currently operational. We wish to make the following changes:

1) West side of building: remove existing grass and plants and expand the west wall of the building approximately 15' X 95' to add the Italian-style deli and small specialty market modeled after the current location at 2250 E. Tropicana, #20.
2) East side of building: remove existing grass and plants and expand east rear corner of the building approximately 13' X 43' to create a private dining room for meetings.

The building design is to match the existing Italian-themed elevations as shown in our submittal package. The landscape around the lot's perimeter shall be preserved so that visual impact of the change is minimized to passers-by. We expect seating occupancy to exceed the current 258 occupancy by approximately 35 seats or less because the existing private room and part of the dining room shall be lost to the market area.

We believe that these uses complement the adjacent land uses of the shopping center as well as the commercial and residential surroundings by better accommodating both the nearby commercial business-lunch needs at the deli as well as the current loyal customer base desiring authentic Italian food products which to our knowledge are not available in the Peccole Ranch area/ township.

VAR-37295
02/25/10 PC

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Parking in the Village Square Shopping Center is governed by a reciprocal parking easement for use with over 2000 spaces available in the Shopping Center. See attached parking easement documents.

The current staff at 9500 West Sahara Ave. (over 20 staff) is trained and capable of handling the additional work provided by the expansion as many of them work shifts at the old location as well. The hours of operation shall not change from the existing (8AM – 10PM). Additionally, the landlord at the existing location is unresponsive and creates a hardship for operations where the majority of businesses have left. Our lease in the old location is up Summer 2010 and we need to make our final move before the clock runs.

The County recorder's office will likely not update their files on the ownership of the building at 9500 West Sahara Ave. until such reasonable time has passed for their records to update. We will present the grant deed to the you as soon as reasonably possible.

Thank you in advance for your consideration.

Andrew Keroles
Director of Land Development
Winner Properties, L.L.C.
(702) 234-6622

VAR-37295
02/25/10 PC

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15 2009
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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0004279218 MAR 26 2010
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2010 MAR 30 A 11:10

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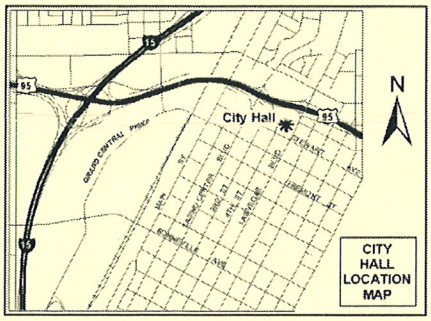
Official Notice of Public Hearing



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.

VAR-37295 & SUP-36961 & SDR-36962
City Council Meeting of 4/7/2010

Case: VAR-37295
16306411032
BOSWELL D KENT & ANN R FAMILY TR
2105 MADAGASCAR LN
LAS VEGAS NV 89117-5926

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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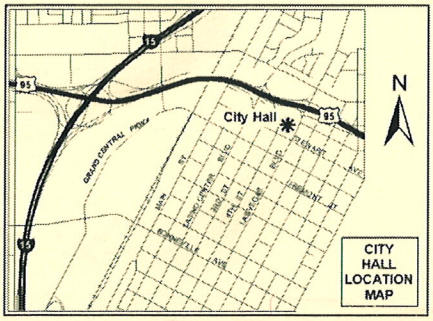

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VAR-37295 & SUP-36961 & SDR-36962
City Council Meeting of 4/7/2010

Office building expansions require more spaces, not less.

BAC

Case: VAR-37295
16307512045
KESSELMAN BRUCE A
2724 RENWICK CIR
LAS VEGAS NV 89117-0406

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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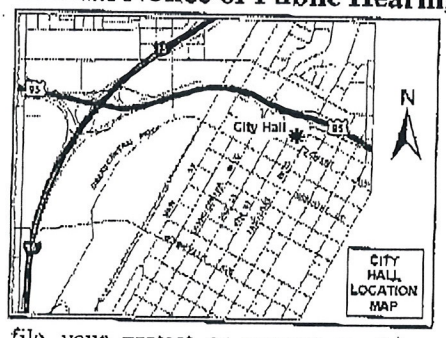

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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VAR-37295 & SUP-36961 & SDR-36962
City Council Meeting of 4/7/2010

Case: VAR-37295

16308113008
RADEF NANCY
2701 EAGLE SPRINGS CT
LAS VEGAS NV 89117-2411

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Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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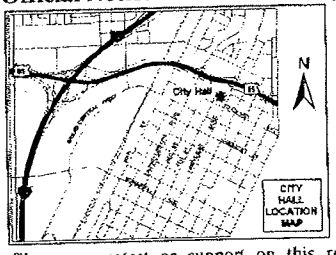

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-37295 & SUP-36961 & SDR-36962
City Council Meeting of 4/7/2010

Case: VAR-37295
16307513043
FEDERICO MICHAEL
2061 DIAMOND BAR DR
LAS VEGAS NV 89117-1930

03/27/2010 SAT 10:51 [TX/RX NO 7458] 001

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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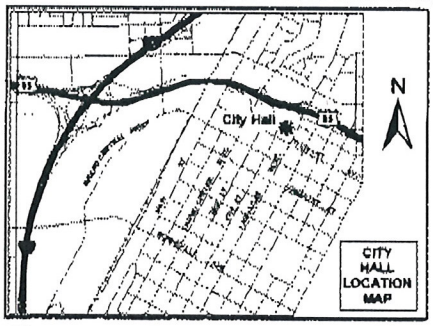

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☑ I SUPPORT this Request ☐ I OPPOSE this Request

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VAR-37295 & SUP-36961 & SDR-36962
City Council Meeting of 4/7/2010

Case: VAR-37295
16305315042
YONEMURA TOM M & YUKO 1980 TRUST
1924 BAY HILL DR
LAS VEGAS NV 89117-5732

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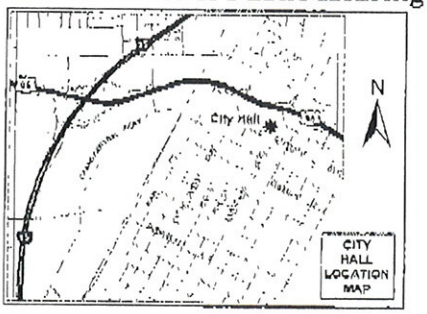
2010 MAR 29 A 8:06

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.

VAR-37295 & SUP-36961

Planning Commission Meeting of 2/25/2010

Case VAR-37295-LABELS
16305415171
THOMPSON JANA P
328 S BUFFALO DR #102
LAS VEGAS NV 89145-4990

LAVOS11 89145

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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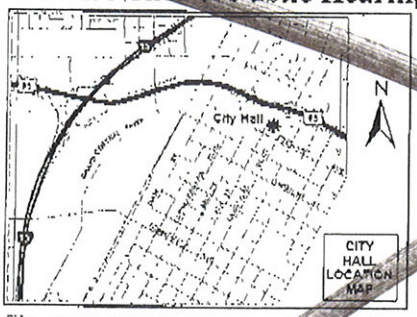
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-36962

Planning Commission Meeting of 2/25/2010

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FEB 24 2010

Case: SDR-36962-LABELS
16305415171
THOMPSON JANA P
328 S BUFFALO DR #102
LAS VEGAS NV 89145-4990

Submitted after final agenda
Date 2/24/10 Item 11P 4/2

LAVOS11 89145

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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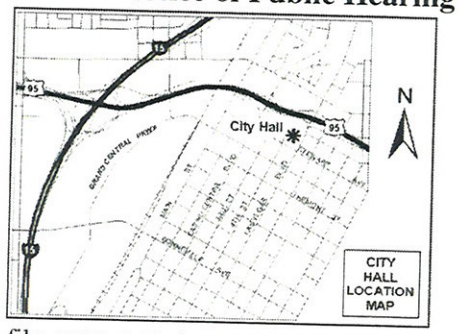
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-37295 & SUP-36961

Planning Commission Meeting of 2/25/2010

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10 FEB 18 PM 3:19
PLANNING AND DEVELOPMENT

Case: VAR-37295-LABELS

16306713051
BROWNE-AINGE BRICKEN
1816 SCENIC SUNRISE DR
LAS VEGAS NV 89117-7207

LAVDS11 89117

Submitted after final agenda
Date
Item 11P

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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0004279218
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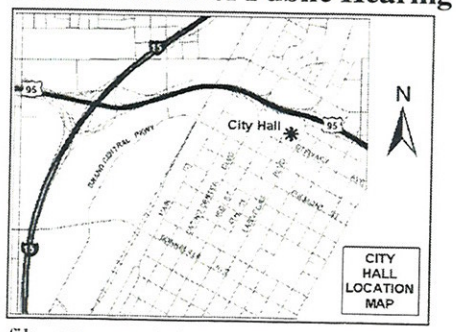
FEB 12 2010
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Not ENOUGH INFO. TO WHAT ITIS REZONED FOR.

Please use available blank space on card for your comments.

VAR-37295 & SUP-36961

Planning Commission Meeting of 2/25/2010

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PLANNING AND DEVELOPMENT

Case: VAR-37295-LABELS
163053114006
CALIBOSO MARIA LUISA M
1700 GLENWILLOW DR
LAS VEGAS NV 89117-5300

LAVDS11 89117

Submitted after final agenda
Date
Item 11P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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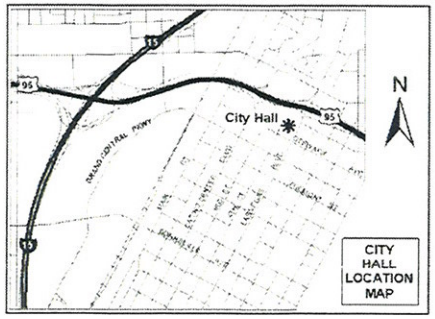

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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VAR-37295 & SUP-36961

Planning Commission Meeting of 2/25/2010

Case: VAR-37295-LABELS
16306711012
AYOTTE ALLYN A & FAM REV LIV TR
18582 VALLEY DR
VILLA PARK CA 92861-2814

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PLANNING & DEVELOPMENT

LAVDS11 92861

Submitted after final agenda
Date
Item 114

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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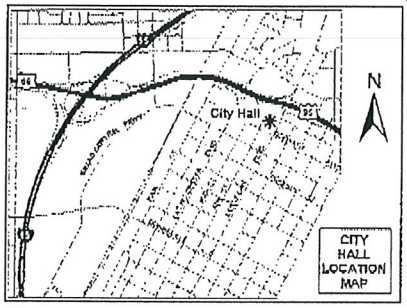

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.
VAR-37295 & SUP-36961
Planning Commission Meeting of 2/25/2010

Case: VAR-37295-LABELS
16306411037
NELSON RICHARD H & BELVA E
2212 MADAGASCAR LN
LAS VEGAS NV 89117-5927

THIS WOULD LEAVE NO PARKING SPACES FOR THE SUPPER CLUB OR ANY BUSINESSES NEAR IT!

LAVDS11 89117

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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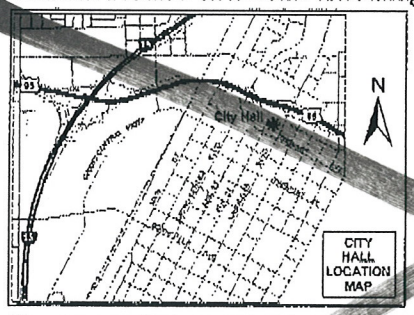

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.
SDR-36962
Planning Commission Meeting of 2/25/2010

Case: SDR-36962-LABELS
16306411037
NELSON RICHARD H & BELVA E
2212 MADAGASCAR LN
LAS VEGAS NV 89117-5927

RECEIVED
FEB 16 2010

LAVDS11 89117

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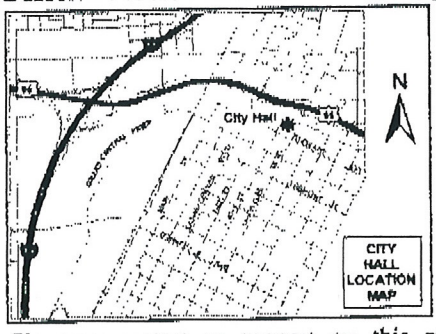
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested

Official Notice of Public Hearing



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VAR-37295 & SUP-36961

Planning Commission Meeting of 2/25/2010

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FEB 16 2010

Case: VAR-37295-LABELS

16305315042
YONEMURA TOM M & YUKO 1980 TRUST
1924 BAY HILL DR
LAS VEGAS NV 89117-5732

LAVOS11 89117

11A

02/16/2010 04:37 3103794740 T YONEMURA 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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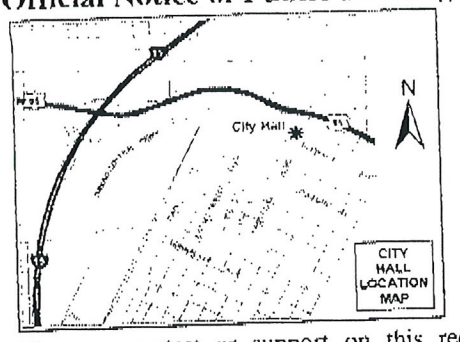
Return Service Requested

Official Notice of Public Hearing



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VAR-37295 & SUP-36961

Planning Commission Meeting of 2/25/2010

Case: VAR-37295-LABELS
16307512050
TOMSICH CAROL ELAINE REV TR
9333 HOLLYCREST DR
LAS VEGAS NV 89117-0409

LAUDS11 8917

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FEB 16 2010

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Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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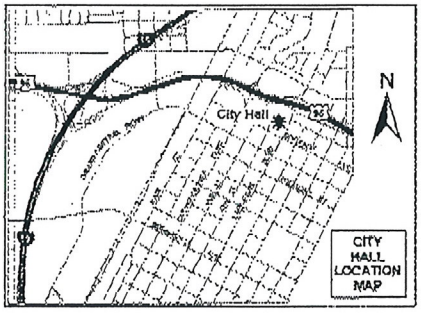
Official Notice of Public Hearing



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VAR-37295 & SUP-36961
Planning Commission Meeting of 2/25/2010

Case: VAR-37295-LABELS
16307510011
HORN SIDNEY W
9600 LAZY RIVER DR
LAS VEGAS NV 89117-0662

LAVEGAS 89117

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FEB 16 2010

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Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

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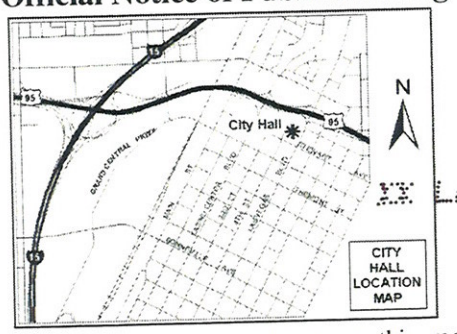
Official Notice of Public Hearing



LAS VEGAS NV 890 02-13-10

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☑ I SUPPORT this Request ☐ I OPPOSE this Request

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VAR-37295 & SUP-36961

Planning Commission Meeting of 2/25/2010

Case: VAR-37295-LABELS
163081140006
HAVAST TIMOTHY & KATHERYN M
2240 BELMONT
CASPER WY 82604-4672

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PLANNING AND DEVELOPMENT

LAVDS11 82604

Submitted after final agenda
Date
Item 11A

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Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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FIRST CLASS

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MAILED FROM ZIP CODE 89101

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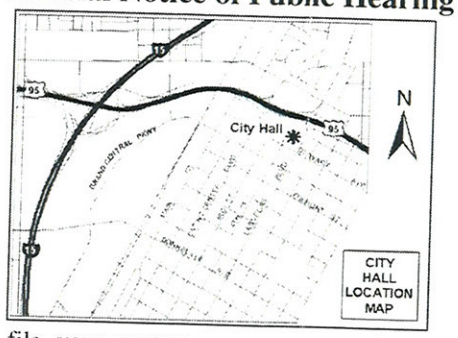
Official Notice of Public Hearing



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[X] I SUPPORT this Request
[ ] I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-37295 & SUP-36961
Planning Commission Meeting of 2/25/2010

RECEIVED
FEB 22 2010

Case: VAR-37295-LABELS
16308110022
LEASKAS PETER G
2728 TIDEWATER CT
LAS VEGAS NV 89117-2447

LAVDS11 89117

Submitted after final agenda
Date
Item 11A

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 ZIP CODE 89101

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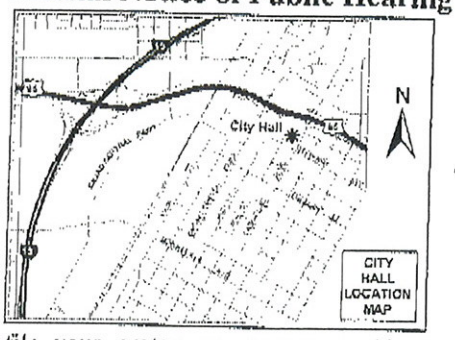

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-37295 & SUP-36961

Planning Commission Meeting of 2/25/2010

RECEIVED
FEB 22 2010

16306713052 Case: VAR-37295-LABELS
AVILA HEATHER T R
1812 SCENIC SUNRISE DR
LAS VEGAS NV 89117-7207

Submitted after final agenda
Date Item 11A

LAVDS11 89117

02/19/2010 13:49 7024327202 WEIGHT WATCHERS PAGE 01/01

City of Las Vegas Agenda Item No.: **81.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 7, 2010

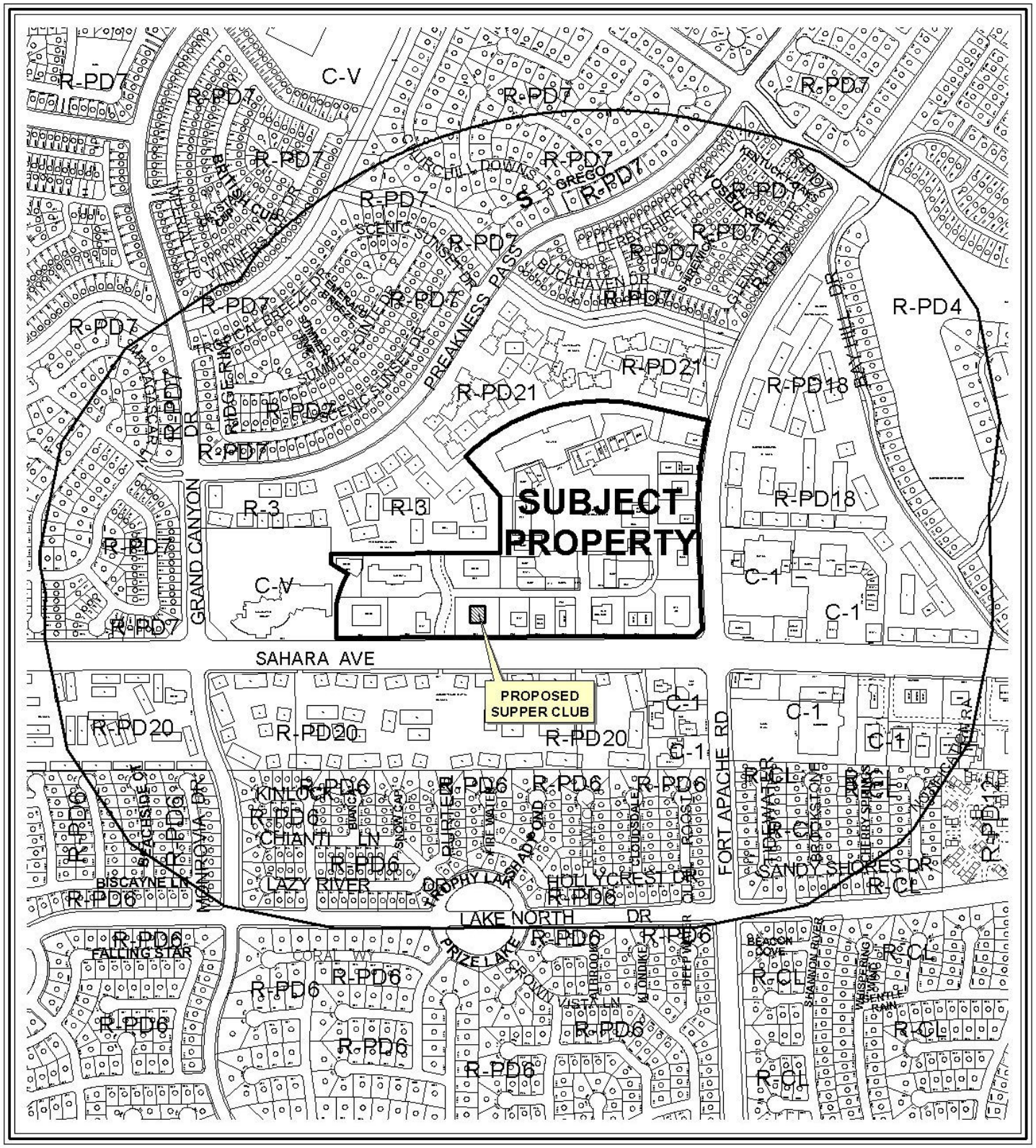
DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:
SUP-36961 - SPECIAL USE PERMIT RELATED TO VAR-37295 - PUBLIC HEARING - APPLICANT/OWNER: WINNER PROPERTIES, LLC - Request for a Major Amendment to an approved Special Use Permit (U-0038-98) TO ADD 2,820 SQUARE FEET OF BUILDING AREA AND OUTSIDE SEATING AREA TO AN EXISTING 7,265 SQUARE-FOOT SUPPER CLUB USE at 9500 West Sahara Avenue (APN 163-06-816-015), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**5**	**Planning Commission Mtg.**	**6**
City Council Meeting	**5**	**City Council Meeting**	**6**

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. Protest/Support Postcards
7. Backup Referenced from the February 25, 2010 Planning Commission Meeting Item #12



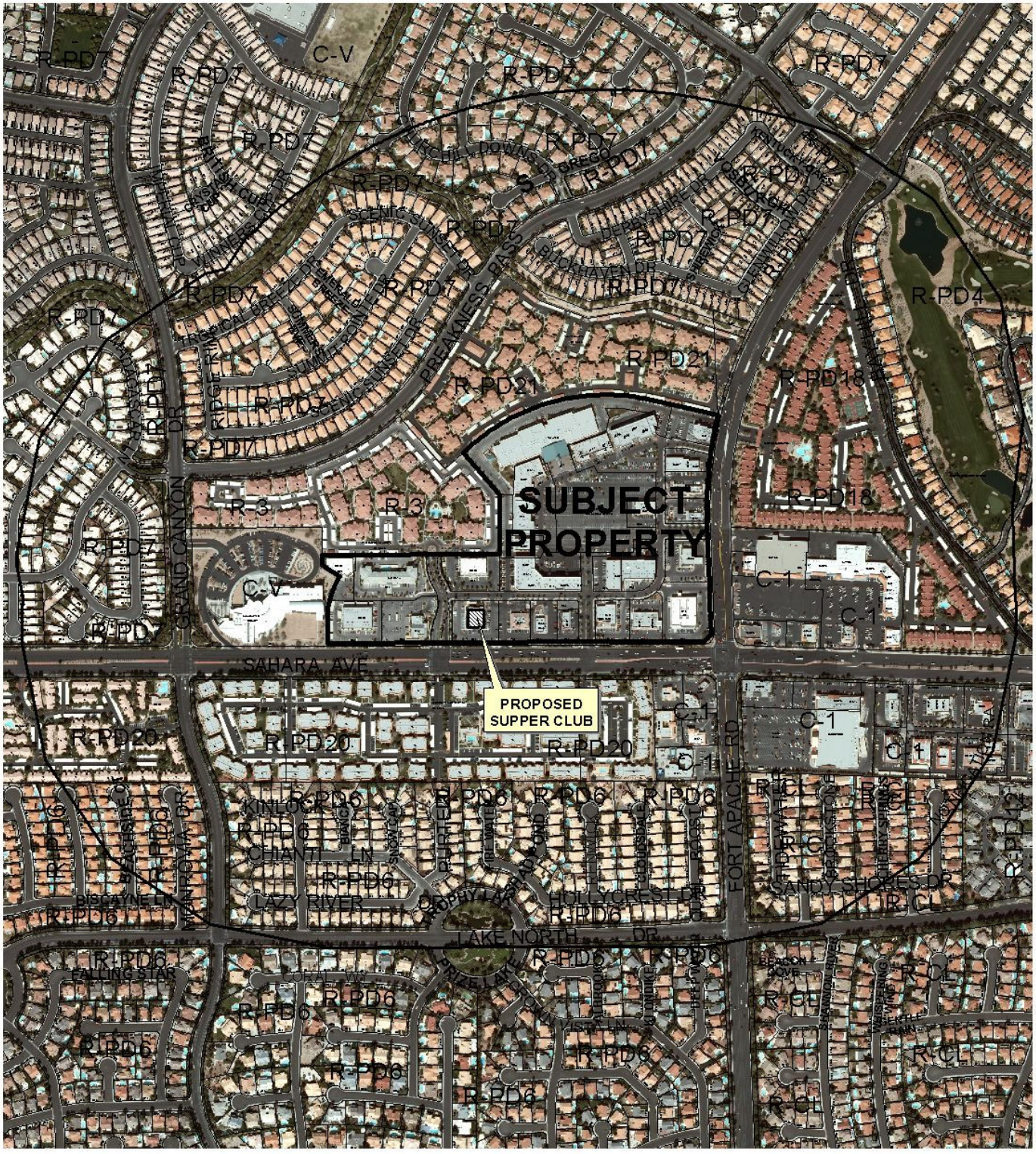
0 500 1000 Feet

CASE: **SUP-36961**

RADIUS: 1500 FT

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

N



0 500 1000 Feet

CASE: **SUP-36961**

RADIUS: 1500 FT

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

N



SUP-36961

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: APRIL 7, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-36961 - APPLICANT/OWNER: WINNER PROPERTIES, LLC

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions:

Planning and Development

1. Special Use Permits (U-0038-98) and (SUP-37062) shall be expunged.

2. Approval of and conformance to the conditions of approval for Site Development Plan Review (SDR-36962) and Variance (VAR-37295) shall be required, if approved.

3. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Supper Club use.

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.

SUP-36961 - Staff Report Page One
April 7, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site consists of an existing 7,265 square-foot Supper Club use at 9500 West Sahara Avenue. This is a request for a Major Amendment to an approved Special Use Permit (U-0038-98) to expand the existing Supper Club use to 10,085 square feet with a 2,820 square-foot expansion. The expansion includes 2,036 square feet of additional building area and 784 square feet of additional outdoor seating area. The proposed expansion requires the subject Special Use Permit and the related Site Development Plan Review (SDR-36962), as the use is being expanded by 39%. There is also an associated request for a parking Variance (VAR-37295). Staff recommends denial, as the request is inconsistent with Title 19. The site, as designed, will not accommodate required landscaping along the east side of the building, nor will it allow for sufficient parking throughout the commercial subdivision. If denied, the Supper Club use will remain as originally approved under Special Use Permits (U-0038-98) and (SUP-37062).

ISSUES

- Approval of an associated Site Development Plan Review (SDR-36962) to expand the existing building is necessary for this request to be approved.
- Approval of an associated Variance (VAR-37295) to allow no additional parking spaces where 36 additional parking spaces are required is necessary for this request to be approved.
- The applicant is expanding the existing Supper Club use by more than 10% or 2,820 square feet, which requires the subject Special Use Permit and the related Site Development Plan Review (SDR-36124) pursuant to Title 19.18 requirements.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales	
12/22/80	The City Council approved a request for Annexation (A-0018-80) of a parcel of land generally bounded by Sahara Avenue on the south, Hualapai Way on the west, Ducharme Avenue on the north and Durango Drive on the east, containing approximately 2,246 acres of land. Planning Commission and staff recommended approval.

02/15/89	The City Council approved a Rezoning (Z-0139-88) application for the reclassification of property from N-U (Non Urban) under Resolution of Intent to R-PD4 (Residential Planned Development - 4 Units Per Acre), P-R (Professional Office and Parking), C-1 (Limited Commercial), and C-V (Civic), to R-PD7 (Residential Planned Development- 7 Units Per Acre), R-3 (Medium Density Residence), and C-1 (Limited Commercial) for property generally located on the west side of Fort Apache Road, between Sahara Avenue and Charleston Boulevard. The Planning Commission and staff recommended approval.
07/14/97	The City Council approved a request for a Special Use Permit (U-0049-97) for a proposed Tavern in conjunction with restaurant on property located on the north side of Sahara Avenue, west of Fort Apache Road. Planning Commission and staff recommended approval.
	The City Council approved a request for a Special Use Permit (U-0050-97) for a proposed Tavern with a Waiver of the 1,500-foot distance separation requirement from an existing and proposed tavern on property located on the north side of Sahara Avenue, west of Fort Apache Road. Planning Commission and staff recommended approval.
10/27/97	The City Council approved a request for a Site Development Plan Review [Z-0139-88(19)] for a proposed 8,400 square-foot one story retail building located at 9310 West Sahara Avenue. The Planning Commission recommended approval of the request.
11/24/97	The City Council approved a request for a Site Development Plan Review [Z-0139-88(21)] for a proposed 16,708 square-foot one story drugstore with drive-through located on the northwest corner of Sahara Avenue and Fort Apache Road. The Planning Commission recommended approval of the request.
01/26/98	The City Council approved a request for a Special Use Permit (U-0128-97) for the sale of Packaged Liquor in conjunction with a proposed 16,708 square-foot drugstore on property located on the northwest corner of Sahara Avenue and Fort Apache Road. Planning Commission recommended approval.
03/23/98	The City Council approved a request for a Site Development Plan Review [Z-0139-88(23)] for a proposed 4,716 square-foot restaurant located on the north side of Sahara Avenue, west of Fort Apache Road. The Planning Commission recommended approval of the request.
04/27/98	The City Council approved a request for a Special Use Permit (U-0146-97) for a proposed three-story, non-gaming residence hotel, consisting of seventy-three one-bedroom units on property located on the north side of Sahara Avenue, west of Fort Apache Road. Planning Commission recommended approval.
	The City Council approved a request for a Special Use Permit (U-0020-98) for a Restaurant Service Bar in conjunction with a proposed 3,784 square-foot restaurant located at 9350 West Sahara Avenue. Planning Commission recommended approval.

05/11/98	The City Council approved a request for a Special Use Permit (U-0031-98) for the On-Premise sale of Beer and Wine in conjunction with a proposed restaurant located at 9350 West Sahara Avenue. Planning Commission recommended approval.
06/08/98	The City Council approved a request for a Special Use Permit (U-0038-98) for a proposed Supper Club in conjunction with a proposed 6,648 square-foot restaurant on property located on the north side of Sahara Avenue, west of Fort Apache Road. Planning Commission recommended approval.
06/08/98	The City Council approved a request for a Site Development Plan Review [Z-0139-88(24)] for a proposed 27,418 square-foot two-story retail and office building and a 33,207 square-foot two-story retail and office building located on the north side of Sahara Avenue, west of Fort Apache Road. The Planning Commission recommended approval of the request.
09/28/98	The City Council approved a request for a Special Use Permit (U-0080-98) for the On-Premise sale of Beer and Wine in conjunction with a proposed 2,160 square-foot restaurant located on the northwest corner of Fort Apache Road and Sahara Avenue. Planning Commission recommended approval.
	The City Council approved a request for a Site Development Plan Review [Z-0139-88(27)] for a proposed 4,212 square-foot commercial retail building located on the northwest corner of Sahara Avenue and Fort Apache Road. The Planning Commission recommended approval of the request.
10/12/98	The City Council approved a request for a Special Use Permit (U-0090-98) for a proposed Supper Club in conjunction with a proposed 6,990 square-foot restaurant on property located on the north side of Sahara Avenue approximately 1,400 feet west of Fort Apache Road.
10/16/98	The City Council approved a request for a Site Development Plan Review [Z-0139-88(29)] for a proposed 3,190 square-foot restaurant located on the north side of Sahara Avenue, west of Fort Apache Road. The Planning Commission recommended approval of the request.
11/09/98	The City Council approved a request for a Special Use Permit (U-0115-98) for a proposed Supper Club in conjunction with a proposed 8,802 square-foot restaurant on property located on the north side of Sahara Avenue, west of Fort Apache Road.
07/12/06	The City Council approved a Variance (VAR-12102) to allow 2,404 parking spaces where 2,440 is the minimum number of spaces required in conjunction with the addition of a 1,200 square-foot restaurant within the existing shopping center. The Planning Commission recommended approval and staff recommended denial.
01/22/10	The Planning and Development Department administratively approved a Minor Amendment (SUP-37062) to a previously approved Special Use Permit (U-0038-98) to allow alcohol service into an additional 617 square-feet of existing outdoor seating at an existing 6,648 square foot Supper Club at 9500 West Sahara Avenue.

02/25/10	The Planning Commission recommended approval of companion items VAR-37295 and SDR-36962 concurrently with this application. The Planning Commission (7-0 vote) to recommend APPROVAL (PC Agenda Item #12/gk).

Related Building Permits/Business Licenses	
07/15/98	A building permit (#98014454) was issued for a new restaurant Certificate of Occupancy at 9500 West Sahara Avenue. The building permit was finalized on 02/02/99.
	A building permit (#98014455) was issued for on-site improvements and hardscapes at 9500 West Sahara Avenue. The building permit was expired on 04/01/00.
09/02/98	A building permit (#98017819) was issued for on-site fire and water at 9500 West Sahara Avenue. The building permit was expired on 04/01/00.
11/09/98	A building permit (#98022139) was issued for patio addition for a restaurant at 9500 West Sahara Avenue. The building permit was expired on 04/01/00.
11/18/98	A building permit (#98022669) was issued for a sign at 9500 West Sahara Avenue. The building permit was finalized on 02/02/99.
12/17/98	A business license (#L21-00012) was issued for a Supper Club at 9500 West Sahara Avenue. The license was marked out on 12/08/09.
09/02/99	A building permit (#99017403) was issued for two illuminated wall signs at 9500 West Sahara Avenue. The building permit was finalized on 09/16/99.
11/13/09	A building permit (#151159) was issued for an illuminated wall sign at 9500 West Sahara Avenue. The building permit has not been finalized.
12/07/09	A temporary business license (#L21-92278) was issued for a Supper Club at 9500 West Sahara Avenue. The license is still active.
12/08/09	A business license (#R09-00907) was issued for a Restaurant seating 45 people or more at 9500 West Sahara Avenue. The license is still active.
Pre-Application Meeting	
09/16/09	A pre-application meeting was held where submittal requirements for a Site Development Plan Review were discussed. Topics discussed included: • Title 19 Zoning Code requirements • Application Materials and Documents • Meeting Dates and Deadlines
Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	

Field Check	
12/22/09	During a routine site inspection staff observed a well maintained commercial center.

Details of Application Request	
Site Area	
Gross Acres	1.06

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Apartments	M (Medium Density Residential)	R-PD21 (Residential Planned Development – 21 Units Per Acre), R-3 (Medium Density Residential)
South	Bank, Apartments	SC (Service Commercial), M (Medium Density Residential)	C-1 (Limited Commercial), R-PD20 (Residential Planned Development – 20 Units Per Acre)
East	Commercial Shopping Center	M (Medium Density Residential), SC (Service Commercial)	C-1 (Limited Commercial), R-PD18 (Residential Planned Development – 18 Units Per Acre)
West	Library, Church, Apartments	PF (Public Facilities), SC (Service Commercial), M (Medium Density Residential)	C-V (Civic), C-1 (Limited Commercial), R-3 (Medium Density 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	
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 19.08.050, the following development standards shall apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Width	100 Feet	205 Feet	Y
Min. Setbacks			
• Front	20 Feet	77 Feet	Y
• Side	10 Feet	73 Feet	Y
• Corner	15 Feet	78 Feet	Y
• Rear	20 Feet	31 Feet	Y
Max. Lot Coverage	50%	21%	Y
Max. Building Height	N/A	18 Feet	N/A
Trash Enclosure	Screened, Gated with a Roof or Trellis	Existing screened and gated trash enclosure	Y
Mech. Equipment	Screened	Screened	Y

Pursuant to Title 19.12.040, the following development standards shall apply:

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Parking Area	1 Trees/6 Space	10 Trees	9 Trees	N
Buffer: Min. Trees	1 Tree/30 Linear Feet	Zero Trees	Zero Trees	Y
TOTAL(Perimeter Trees)		Zero Trees	Zero Trees	Y
Wall Height	6-8 Feet Adjacent to Residential		No wall existing or proposed	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	
Commercial Center (Existing)	425,720 S.F.		2,406	34	2,324	80	
SubTotal			2,440		2,404*		
Supper Club	1,392 S.F.	1:50	28				
(Proposed Increase)	1,428 S.F.	1:200	8		0	0	
SubTotal			**34**	**2**			
TOTAL			**2,476**		**2,112****		N

*As approved by Variance (VAR-12102)
**Per physical inventory

ANALYSIS

As discussed in the accompanying Site Development Plan Review, the site, as designed, cannot accommodate the additional required parking spaces or required landscaping. A Variance (VAR-37295) from Title 19.10 parking requirements is required for relief from the parking space standards and an exception is required to allow no landscaping to buffer the building from the parking lot. Additionally, with the elimination of the existing landscape buffer, the applicant is proposing to eliminate five existing trees which requires the applicant to request another exception from Title 19.12.040 Parking Lot Landscape Standards. These difficulties with the site design and location indicate that the expanded use is not compatible with the existing adjacent land uses.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

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 existing Supper Club use is permitted in the C-1 (Limited Commercial) zoning district and is located within an existing commercial subdivision adjacent to similar uses, however, the proposed expansion results in inadequate landscaping and will not accommodate the additional required parking spaces. Thus, the expanded Supper Club use cannot be conducted in a manner that is harmonious and compatible with the surrounding uses.

2. **"The subject site is physically suitable for the type and intensity of land use proposed."**

   The existing Supper Club use is located within a commercial subdivision that was designed to accommodate a variety of uses; however, with the proposed expansion the use cannot provide the additional required parking spaces, making the subject site unsuitable for the intensity of the proposed Supper Club 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."**

   The site is accessed by Sahara Avenue, which is designated as a 100-Foot Primary Arterial by the Master Plan of Streets and Highways. The street provides adequate access to and from the subject property.

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 Special Use Permit will not compromise the public health, safety or welfare as a Supper Club use is subject to licensing and inspection by the City of Las Vegas. The Supper Club use is consistent with the existing SC (Service Commercial) General Plan designation.

5. **The use meets all of the applicable conditions per Title 19.04.**

   The Supper Club use fails to meet both Title 19.10 on-site parking standards and Title 19.12 Parking Lot Landscape Standards.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

NOTICES MAILED 1,489 (By City Clerk)

APPROVALS 6

PROTESTS 5

GK

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-36961** APN: 163-06-816-015

Name of Property Owner: Winner Properties, LLC

Name of Applicant: Same

Name of Representative: Dwayne R. Eshenbaugh

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: Antonio Accornero

Subscribed and sworn before me

This 26th day of January, 2010

Rhonda L. DiGennaro

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
RHONDA F. DIGENNARO
No: 99-56461-1
My Appointment Expires April 27, 2011

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Winner Properties, LLC.

Project Address (Location) 9500 West Sahara Ave.

Project Name Siena Italian Expansion **Proposed Use** Deli/ Market Addition

Assessor's Parcel #(s) 163-06-816-015 **Ward #** _____

General Plan: existing _____ proposed _____ **Zoning:** existing _____ proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Winner Properties, LLC **Contact** Joy Bustamante

Address 9601 Orient Express Ct **Phone:** (213) 760-9377 **Fax:** _____

City Las Vegas **State** NV **Zip** 89145

E-mail Address _____

APPLICANT Same **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

REPRESENTATIVE Dwayne R. Eshenbaugh **Contact** _____

Address 3225 Via Seranova **Phone:** (702) 522-9292 **Fax:** _____

City Henderson **State** NV **Zip** 89044

E-mail Address dwayne@drearchitecture.com

Property Owner Signature* _____

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

Print Name Antonio Accornero

Subscribed and sworn before me

This 26th day of January, 20 10.

Rhonda F. DiGennaro

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
RHONDA F. DIGENNARO
No: 99-56461-1
My Appointment Expires April 27, 2011

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SUP-36961
Meeting Date:	2/25/10
Total Fee:	1,280.00
Date Received:*	1/28/10
Received By:	

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

f:\depot\Application Packet\Application Form.pdf

MASTERPLAN PARKING DATA

APN NO: 163-06-816-015

PROPERTY SIZE: 1.06 ACRES (46,174 SQUARE FEET)

EXISTING FLOOR AREA: 6,648 SF + 1,108 (PATIO) = 7,756 SF
F.A.R. (FLOOR AREA RATIO): 7,756 S.F./ 46,174 S.F. = 0.17%

PROPOSED FLOOR AREA: 608 SF (DINING) + 1,428 (DELI) + 293 SF (PATIO) = 2,329 SF
COMBINED/TOTAL F.A.R.: 7,756 + 2,329/ 46,174 SF = 21%

DENSITY: N/A

PARKING ANALYSIS (TITLE 19 ZONING CODE, SECTION 19.04)
One space for each 50 S.F. of public seating and waiting area, including outdoor areas for seating and waiting, plus one space for each 200 s.f. of the total remaining gross floor area, with a minimum of 10 spaces required.

REQUIRED PARKING (ALL SPACES ARE 9'-0" X 19' - 0"):

NEW WEST DINING: 608 SF (/50 = 13 SPACES)
NEW EAST DELI: 1428 SF (/200 = 8 SPACES)
NEW PATIO: 293 SF (/50 = 6 SPACES)

TOTAL PARKING REQUIRED FOR NEW ADDITION: 27 SPACES

EXISTING 2006 VARIANCE: 2,404 SPACES
EXISTING PARKING: 2,440 SPACES

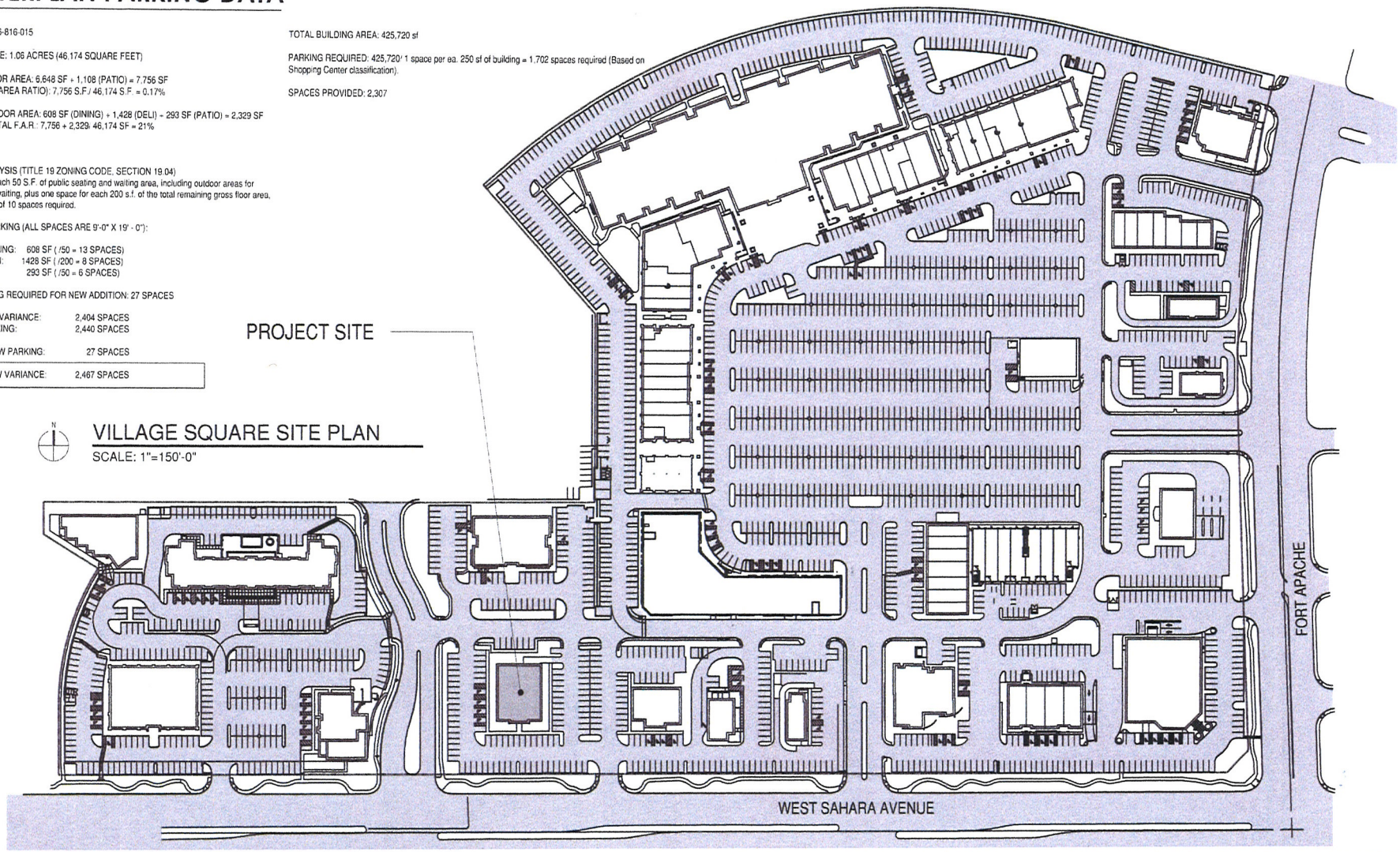
PROPOSED NEW PARKING: 27 SPACES

REQUIRED NEW VARIANCE: 2,467 SPACES

TOTAL BUILDING AREA: 425,720 sf

PARKING REQUIRED: 425,720/ 1 space per ea. 250 sf of building = 1,702 spaces required (Based on Shopping Center classification).

SPACES PROVIDED: 2,307



VILLAGE SQUARE SITE PLAN
SCALE: 1"=150'-0"

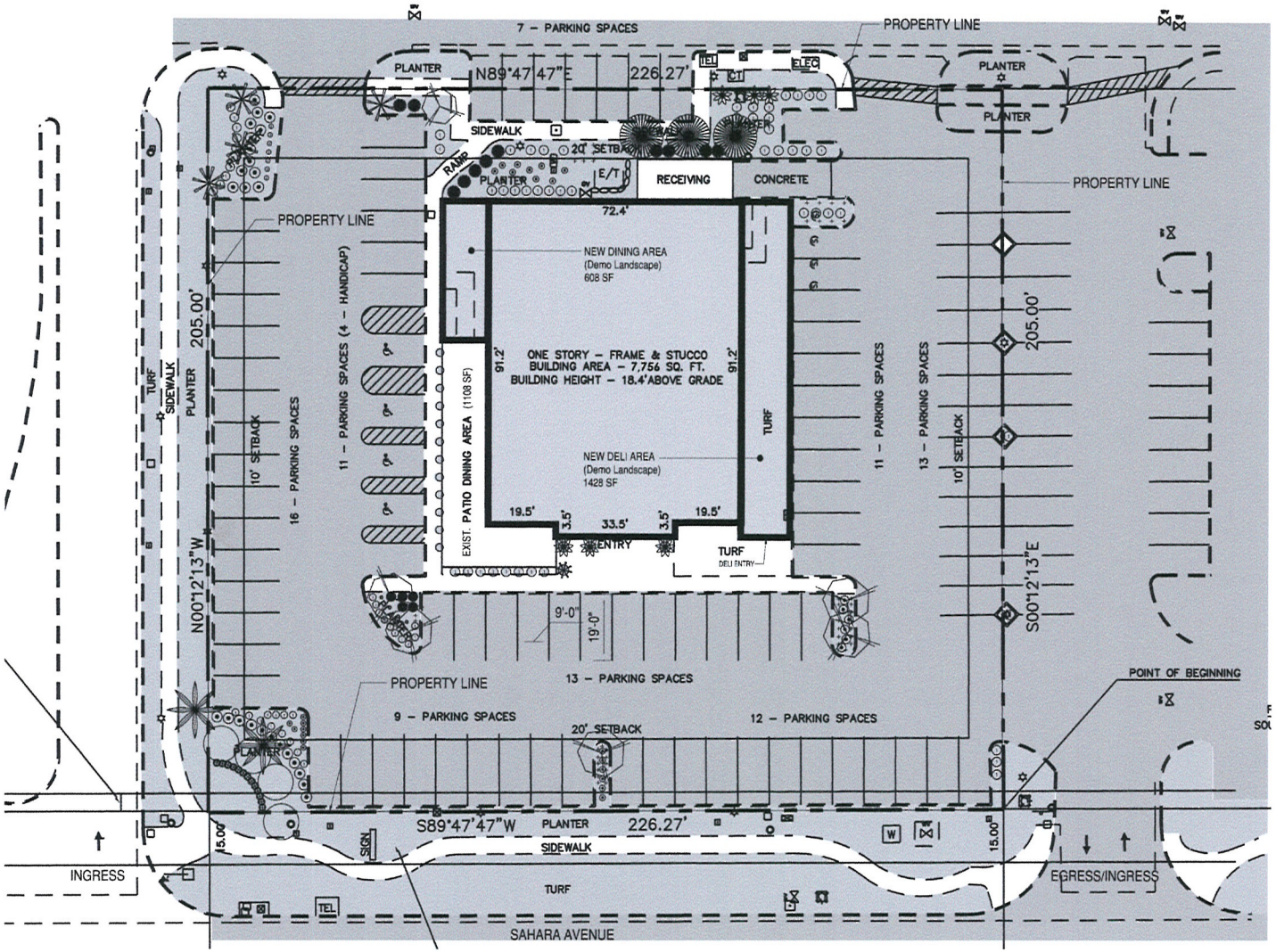
DWAYNE R. **ESHENBAUGH**, AIA, NCARB, LEED AP
Principal Architect

architecture | interiors | planning
CONNECT | CREATE | CULTIVATE
3225 Via Seranova | Henderson, Nevada 89044
702.522.9292 O | 702.332.7975 C

SIENNA DELI 9500 West Sahara Avenue Las Vegas, Nevada 89117	VILLAGE SQUARE OVERALL SITE PLAN		
	DRAWN BY DRE	SCALE	1"=150'-0"
	REVIEWED BY DRE		A1.01
	DATE ISSUED 1/28/2010		
	PROJECT NO. 09-101.00		NO.

RECEIVED
JAN 28 2010

SUP-36961
02/25/10 PC



SIENNA DELI SITE DATA

APN NO: 163-06-816-015

PROPERTY SIZE: 1.06 ACRES (46,174 SQUARE FEET)

EXISTING FLOOR AREA: 6,648 SF + 1,108 (PATIO) = 7,756 SF
F.A.R. (FLOOR AREA RATIO): 7,756 S.F./ 46,174 S.F. = 0.17%

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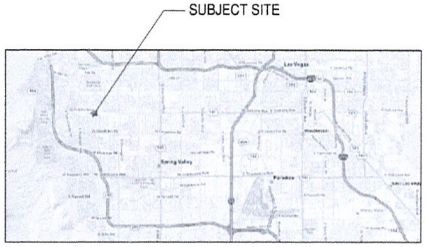
EXISTING 2006 VARIANCE:	2,404 SPACES
EXISTING PARKING:	2,440 SPACES
PROPOSED NEW PARKING:	27 SPACES
REQUIRED NEW VARIANCE:	2,467 SPACES

SIENNA DELI SITE PLAN
1" = 30'-0"



VICINITY MAP

NTS

DWAYNE R. **ESHENBAUGH**, AIA, NCARB, LEED AP
Principal Architect

architecture I interiors I planning
CONNECT I CREATE I CULTIVATE
3225 Via Seranova I Henderson, Nevada 89044
702.522.9292 O I 702.332.7975 C

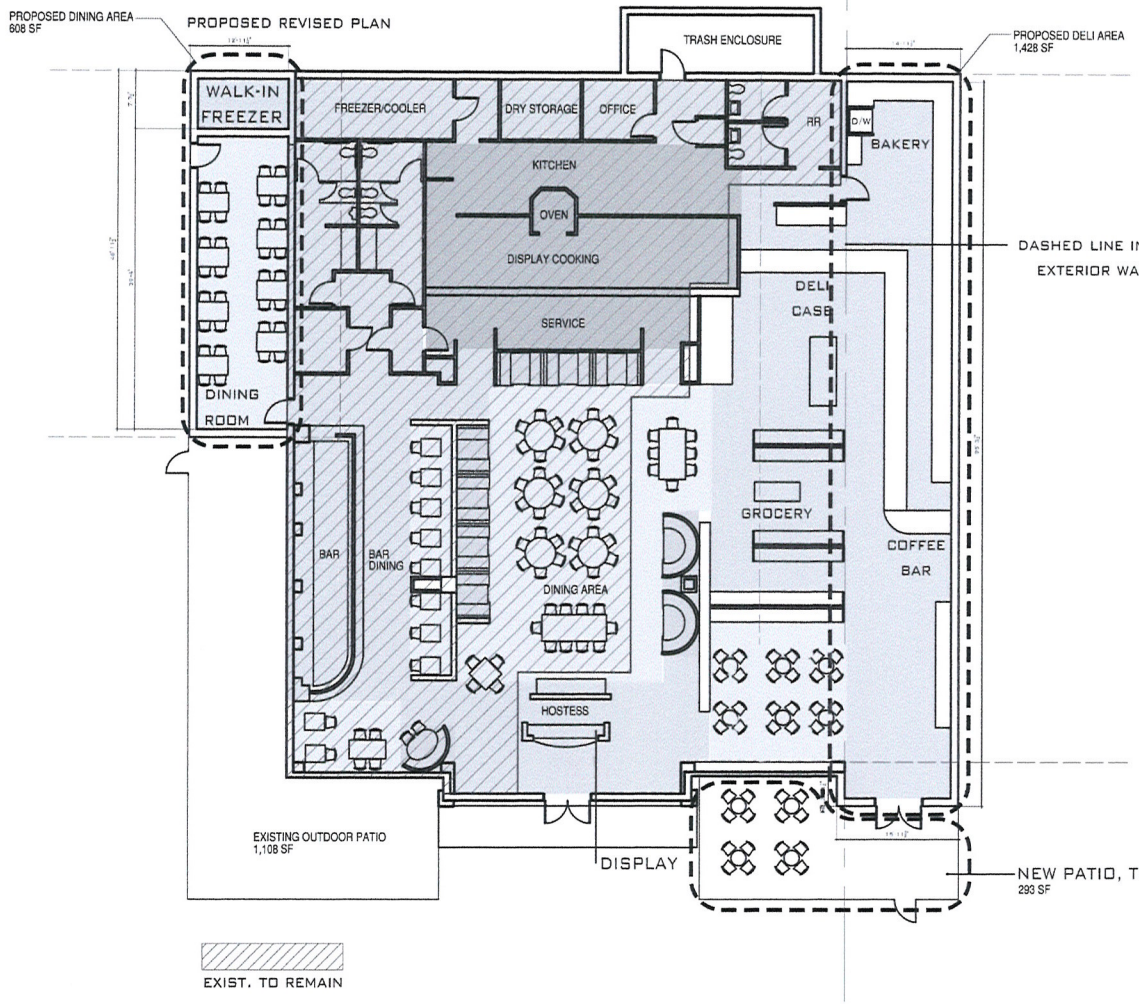
SUP-36961
02/25/10 PC

SITE PLAN

SIENNA DELI
9500 W. Sahara Avenue
Las Vegas, Nevada 89117

DRAWN BY	3FN	SCALE	1"=30'-0"
REVIEWED BY	DRE		
DATE ISSUED	1/29/2010		A1.02
PROJECT NO.	09-001.00		NO.

RECEIVED
JAN 28 2010



FLOOR PLAN

SCALE: 1/16"=1'-0"

FLOOR PLAN DATA

USE AND OCCUPANCY CLASSIFICATION PER 2006 IBC SECTION 302
GROUP A-2: ASSEMBLY USES INTENDED FOR FOOD AND/OR DRINK CONSUMPTION INCLUDING BUT NOT LIMITED TO:
BANQUET HALLS
NIGHT CLUBS
RESTAURANTS
TAVERNS AND BARS

TOTAL SQUARE FOOTAGE OF EXISTING AND PROPOSED = 6,648 + 1,108 (EXISTING PATIO) + 608 (NEW DINING) + 1,428 (NEW DELI) + 293 (NEW PATIO) = 10,085 SF

MAXIMUM ALLOWABLE FLOOR AREA ALLOWANCES PER OCCUPANT (2006 IBC - TABLE 1004.1.1)

BUSINESS AREAS (100 GSF Floor Area Per Occupant)
4261 GSF/ 100 = 43 OCCUPANTS

ASSEMBLY WITHOUT FIXED SEATS (15 Net SF - Unconcentrated
2189 NSF/ 15 = 146 OCCUPANTS

COMMERCIAL KITCHEN (200 GSF Floor Area Per Occupant)
1071 GSF/ 200 = 6 OCCUPANTS

FIXED BOOTH (PER SECTION 1004.7 - 1 Occupant per 24")
1032" TOTAL SEAT LENGTH/ 24" = 43 OCCUPANTS

TOTAL OCCUPANTS: 238

MAXIMUM DINING CAPACITY: 189 OCCUPANTS
ACTUAL DINING: 183 OCCUPANTS

LEGEND

- BUSINESS AREAS
- ASSEMBLY AREAS (WITHOUT FIXED SEATS)
- COMMERCIAL KITCHEN
- FIXED BOOTH

DWAYNE R. **ESHENBAUGH**, AIA, NCARB, LEED AP
Principal Architect

architecture I interiors I planning
CONNECT I CREATE I CULTIVATE
3225 Via Seranova I Henderson, Nevada 89044
702.522.9292 O I 702.332.7975 C

SUP-36961
02/25/10 PC

FLOOR PLAN

SIENNA DELI
9500 W. Sahara Avenue
Las Vegas, Nevada 89117

DRAWN BY	3FN	SCALE	1/16" = 1'-0"
REVIEWED BY	DRE		
DATE ISSUED	1/28/2010		A3.01
PROJECT NO.	06.001.00	NO.	

RECEIVED
JAN 28 2010



SUP-36961 - APPLICANT/OWNER: WINNER PROPERTIES, LLC
NORTHWEST CORNER OF FORT APACHE ROAD AND SAHARA AVENUE
APRIL 7, 2010 CITY COUNCIL

02/04/10



SUP-36961 - APPLICANT/OWNER: WINNER PROPERTIES, LLC
NORTHWEST CORNER OF FORT APACHE ROAD AND SAHARA AVENUE
APRIL 7, 2010 CITY COUNCIL

02/04/10



SUP-36961 - APPLICANT/OWNER: WINNER PROPERTIES, LLC
NORTHWEST CORNER OF FORT APACHE ROAD AND SAHARA AVENUE
APRIL 7, 2010 CITY COUNCIL

02/04/10



SUP-36961 - APPLICANT/OWNER: WINNER PROPERTIES, LLC
NORTHWEST CORNER OF FORT APACHE ROAD AND SAHARA AVENUE
APRIL 7, 2010 CITY COUNCIL

02/04/10



SUP-36961 - APPLICANT/OWNER: WINNER PROPERTIES, LLC
NORTHWEST CORNER OF FORT APACHE ROAD AND SAHARA AVENUE
APRIL 7, 2010 CITY COUNCIL

02/04/10



SUP-36961 - APPLICANT/OWNER: WINNER PROPERTIES, LLC
NORTHWEST CORNER OF FORT APACHE ROAD AND SAHARA AVENUE
APRIL 7, 2010 CITY COUNCIL

02/04/10

WINNER

PROPERTIES, L.L.C.

9601 Orient Express Ct.
Las Vegas, NV 89145
TEL: (702) 234-6622
FAX: (702) 657-1921

September 1, 2009

To Whom It May Concern:

Siena Deli was established in Las Vegas thirty years ago as a family-owned/ operated Italian deli, restaurant, and specialty market. In 2008, Winner Properties, L.L.C. purchased Siena Deli. As the town grew majority of the customer base has migrated to the west side of town, so on December 7, 2009 we are acquiring the building at 9500 West Sahara Ave. (formerly Bertolini's at Village Square) in order to keep our business easily accessible to our customers.

The existing use of the 9500 West Sahara Ave. facility is a fully functional restaurant/ supper club which is currently operational. We wish to make the following changes:

1) West side of building: remove existing grass and plants and expand the west wall of the building approximately 15' X 95' to add the Italian-style deli and small specialty market modeled after the current location at 2250 E. Tropicana, #20.
2) East side of building: remove existing grass and plants and expand east rear corner of the building approximately 13' X 43' to create a private dining room for meetings.

The building design is to match the existing Italian-themed elevations as shown in our submittal package. The landscape around the lot's perimeter shall be preserved so that visual impact of the change is minimized to passers-by. We expect seating occupancy to exceed the current 258 occupancy by approximately 35 seats or less because the existing private room and part of the dining room shall be lost to the market area.

We believe that these uses complement the adjacent land uses of the shopping center as well as the commercial and residential surroundings by better accommodating both the nearby commercial business-lunch needs at the deli as well as the current loyal customer base desiring authentic Italian food products which to our knowledge are not available in the Peccole Ranch area/ township.

SUP-36961
02/25/10 PC

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2009
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Parking in the Village Square Shopping Center is governed by a reciprocal parking easement for use with over 2000 spaces available in the Shopping Center. See attached parking easement documents.

The current staff at 9500 West Sahara Ave. (over 20 staff) is trained and capable of handling the additional work provided by the expansion as many of them work shifts at the old location as well. The hours of operation shall not change from the existing (8AM – 10PM). Additionally, the landlord at the existing location is unresponsive and creates a hardship for operations where the majority of businesses have left. Our lease in the old location is up Summer 2010 and we need to make our final move before the clock runs.

The County recorder's office will likely not update their files on the ownership of the building at 9500 West Sahara Ave. until such reasonable time has passed for their records to update. We will present the grant deed to the you as soon as reasonably possible.

Thank you in advance for your consideration.

Andrew Keroles
Director of Land Development
Winner Properties, L.L.C.
(702) 234-6622

SUP-36961
02/25/10 PC

RECEIVED
2009
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

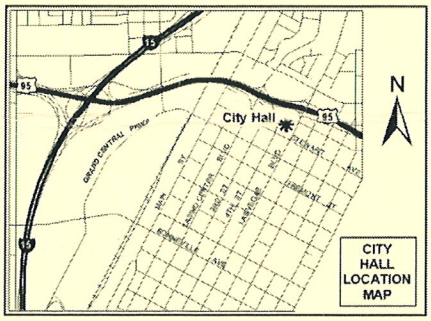
RECEIVED
CITY CLERK

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 MAR 26 2010
MAILED FROM ZIP CODE 89101

2010 MAR 30 A 11:10

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.

VAR-37295 & SUP-36961 & SDR-36962
City Council Meeting of 4/7/2010

Case: VAR-37295
16306411032
BOSWELL D KENT & ANN R FAMILY TR
2105 MADAGASCAR LN
LAS VEGAS NV 89117-5926

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

RECEIVED
CITY CLERK

PRESORTED FIRST CLASS

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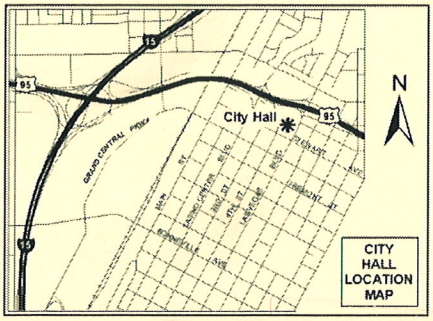
02 1M $ 00.41⁴
0004279218 MAR 26 2010
MAILED FROM ZIP CODE 89101

2010 MAR 30 A 11:10

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.

VAR-37295 & SUP-36961 & SDR-36962
City Council Meeting of 4/7/2010

Office building expansions require more spaces, not less.

BAC

Case: VAR-37295
16307512045
KESSELMAN BRUCE A
2724 RENWICK CIR
LAS VEGAS NV 89117-0406

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

RECEIVED
CITY CLERK

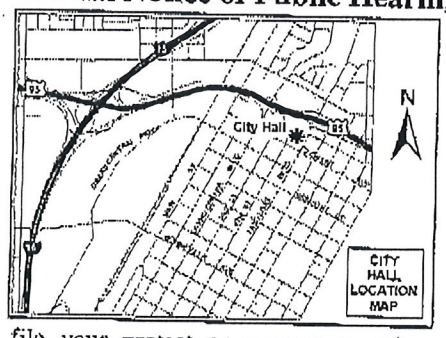
2010 MAR 29 A 8:11

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 MAR 26 2010
MAILED FROM ZIPCODE 89101

fax to 382-4803

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.

VAR-37295 & SUP-36961 & SDR-36962
City Council Meeting of 4/7/2010

Case: VAR-37295

16308113008
RADEF NANCY
2701 EAGLE SPRINGS CT
LAS VEGAS NV 89117-2411

RECEIVED
CITY CLERK

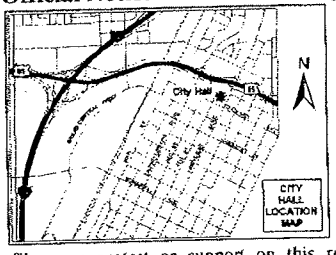
2010 MAR 27 A 11:53

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 $ 00.41⁴
0004279218 MAR 26 2010
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.

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-37295 & SUP-36961 & SDR-36962
City Council Meeting of 4/7/2010

Case: VAR-37295
16307513043
FEDERICO MICHAEL
2061 DIAMOND BAR DR
LAS VEGAS NV 89117-1930

03/27/2010 SAT 10:51 [TX/RX NO 7458] 001

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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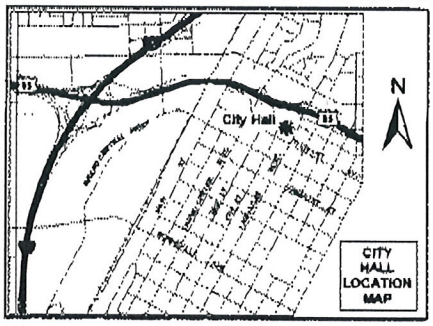
0004279218 MAR 26 2010
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



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Please use available blank space on card for your comments.

VAR-37295 & SUP-36961 & SDR-36962
City Council Meeting of 4/7/2010

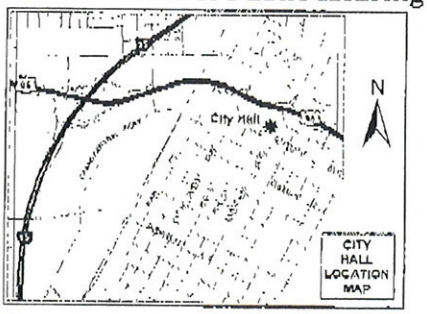
Case: VAR-37295
16305315042
YONEMURA TOM M & YUKO 1980 TRUST
1924 BAY HILL DR
LAS VEGAS NV 89117-5732

RECEIVED
CITY CLERK
2010 MAR 29 A 8:06

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.

VAR-37295 & SUP-36961

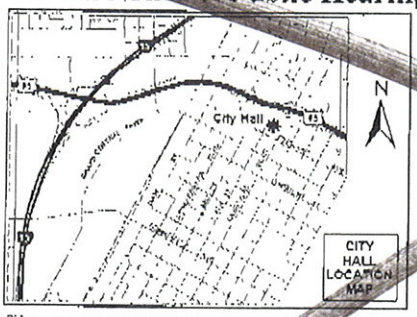
Planning Commission Meeting of 2/25/2010

Case VAR-37295-LABELS
16305415171
THOMPSON JANA P
328 S BUFFALO DR #102
LAS VEGAS NV 89145-4990

LAVOS11 89145

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-36962

Planning Commission Meeting of 2/25/2010

RECEIVED
FEB 24 2010

Case: SDR-36962-LABELS
16305415171
THOMPSON JANA P
328 S BUFFALO DR #102
LAS VEGAS NV 89145-4990

Submitted after final agenda
Date 2/24/10 Item 11P 4/2

LAVOS11 89145

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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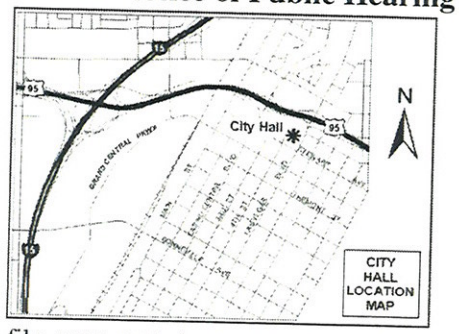
Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-37295 & SUP-36961

Planning Commission Meeting of 2/25/2010

RECEIVED
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PLANNING AND DEVELOPMENT

Case: VAR-37295-LABELS

16306713051
BROWNE-AINGE BRICKEN
1816 SCENIC SUNRISE DR
LAS VEGAS NV 89117-7207

LAVDS11 89117

Submitted after final agenda
Date
Item 11P

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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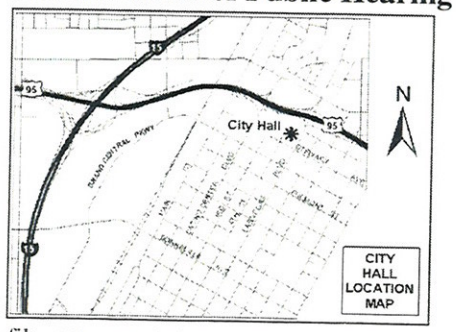
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Not ENOUGH INFO. TO WHAT ITIS REZONED FOR.

Please use available blank space on card for your comments.

VAR-37295 & SUP-36961

Planning Commission Meeting of 2/25/2010

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PLANNING AND DEVELOPMENT

Case: VAR-37295-LABELS
163053114006
CALIBOSO MARIA LUISA M
1700 GLENWILLOW DR
LAS VEGAS NV 89117-5300

LAVDS11 89117

Submitted after final agenda
Date
Item 11P

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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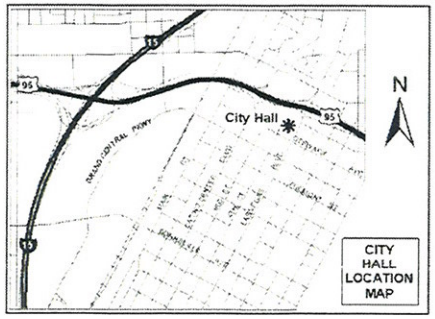
MAILED FROM ZIP CODE 89101

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.

VAR-37295 & SUP-36961

Planning Commission Meeting of 2/25/2010

Case: VAR-37295-LABELS
16306711012
AYOTTE ALLYN A & FAM REV LIV TR
18582 VALLEY DR
VILLA PARK CA 92861-2814

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10 FEB 24 PM 4:34
PLANNING & DEVELOPMENT

LAVDS11 92861

Submitted after final agenda
Date
Item 114

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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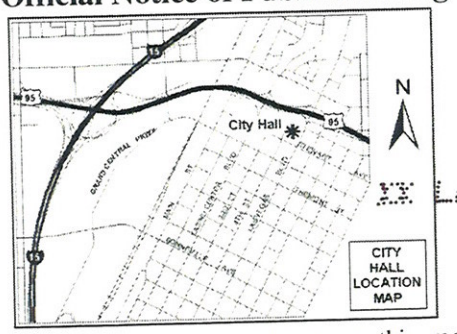
MAILED FROM ZIP CODE 89101

Return Service Requested

Official Notice of Public Hearing



LAS VEGAS NV 890 02-13-10

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☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-37295 & SUP-36961

Planning Commission Meeting of 2/25/2010

Case: VAR-37295-LABELS
163081140006
HAVAST TIMOTHY & KATHERYN M
2240 BELMONT
CASPER WY 82604-4672

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10 FEB 24 PM 4:33
PLANNING AND DEVELOPMENT

LAVDS11 82604

Submitted after final agenda
Date
Item 11A

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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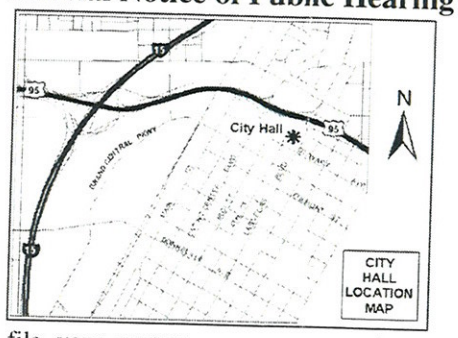
MAILED FROM ZIP CODE 89101

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.

VAR-37295 & SUP-36961
Planning Commission Meeting of 2/25/2010

RECEIVED
FEB 22 2010

Case: VAR-37295-LABELS
16308110022
LEASKAS PETER G
2728 TIDEWATER CT
LAS VEGAS NV 89117-2447

LAVDS11 89117

Submitted after final agenda
Date
Item 11A

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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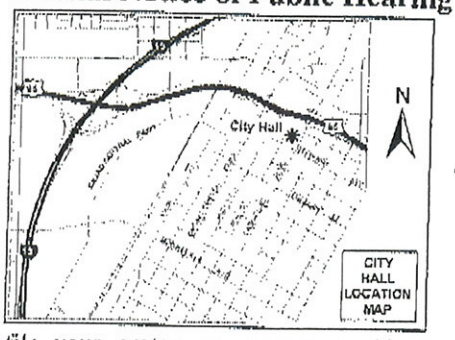
MAILED FROM ZIP CODE 89101

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.

VAR-37295 & SUP-36961

Planning Commission Meeting of 2/25/2010

RECEIVED
FEB 22 2010

16306713052 Case: VAR-37295-LABELS
AVILA HEATHER T R
1812 SCENIC SUNRISE DR
LAS VEGAS NV 89117-7207

Submitted after final agenda

Date Item 11A

LAVDS11 89117

02/19/2010 13:49 7024327202 WEIGHT WATCHERS PAGE 01/01

City of Las Vegas Agenda Item No.: **82.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 7, 2010

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

SUBJECT:

SDR-36962 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-37295 AND SUP-36961 – PUBLIC HEARING - APPLICANT/OWNER: WINNER PROPERTIES, LLC - Request for a Major Amendment to a previously approved Rezoning and Plot Plan Review (Z-0139-88) FOR A PROPOSED 2,036 SQUARE-FOOT ADDITION TO AN EXISTING 6,648 SQUARE-FOOT COMMERCIAL BUILDING at 9500 West Sahara Avenue (APN 163-06-816-015), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

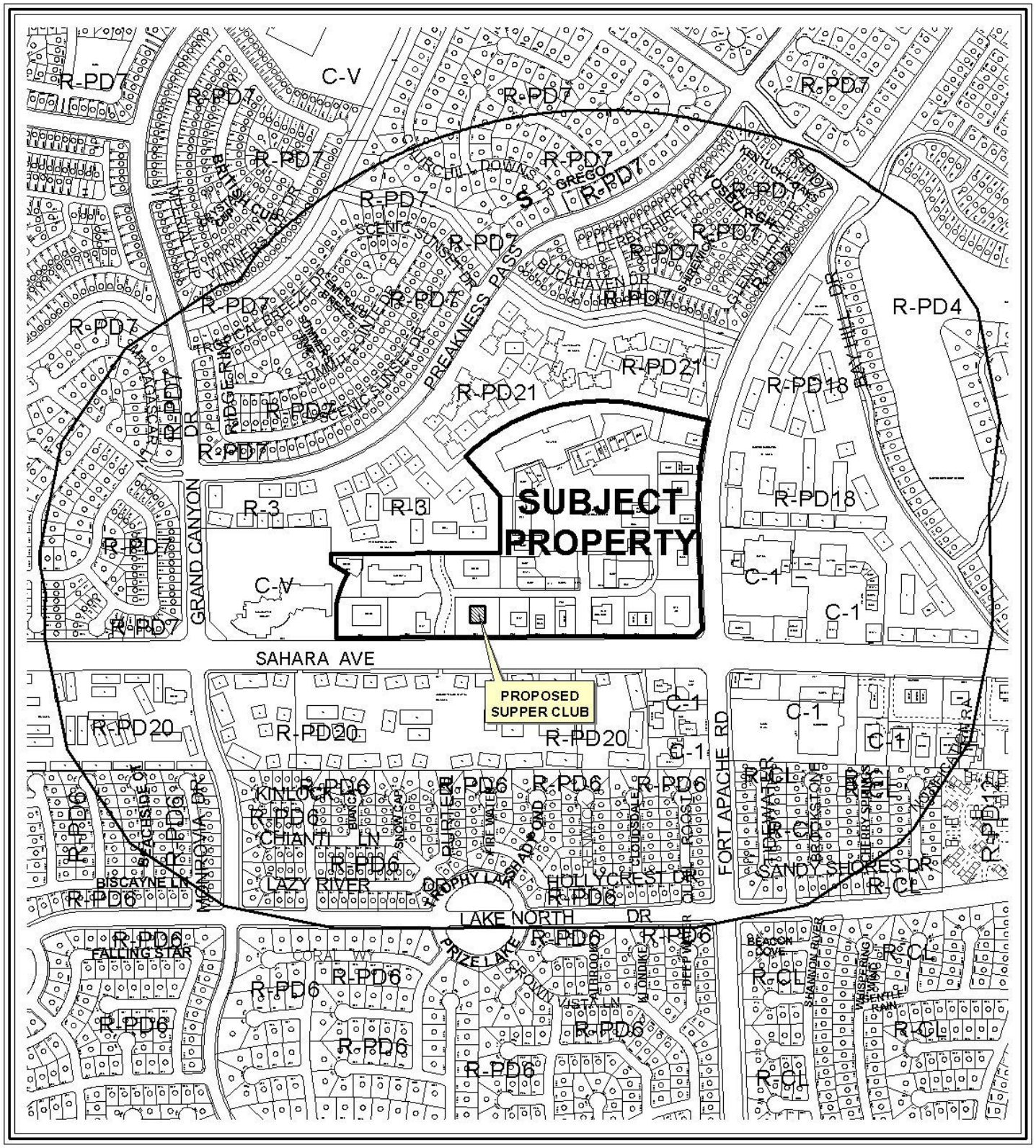
PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**5**	**Planning Commission Mtg.**	**4**
City Council Meeting	**5**	**City Council Meeting**	**6**

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 February 25, 2010 Planning Commission Meeting Item #13



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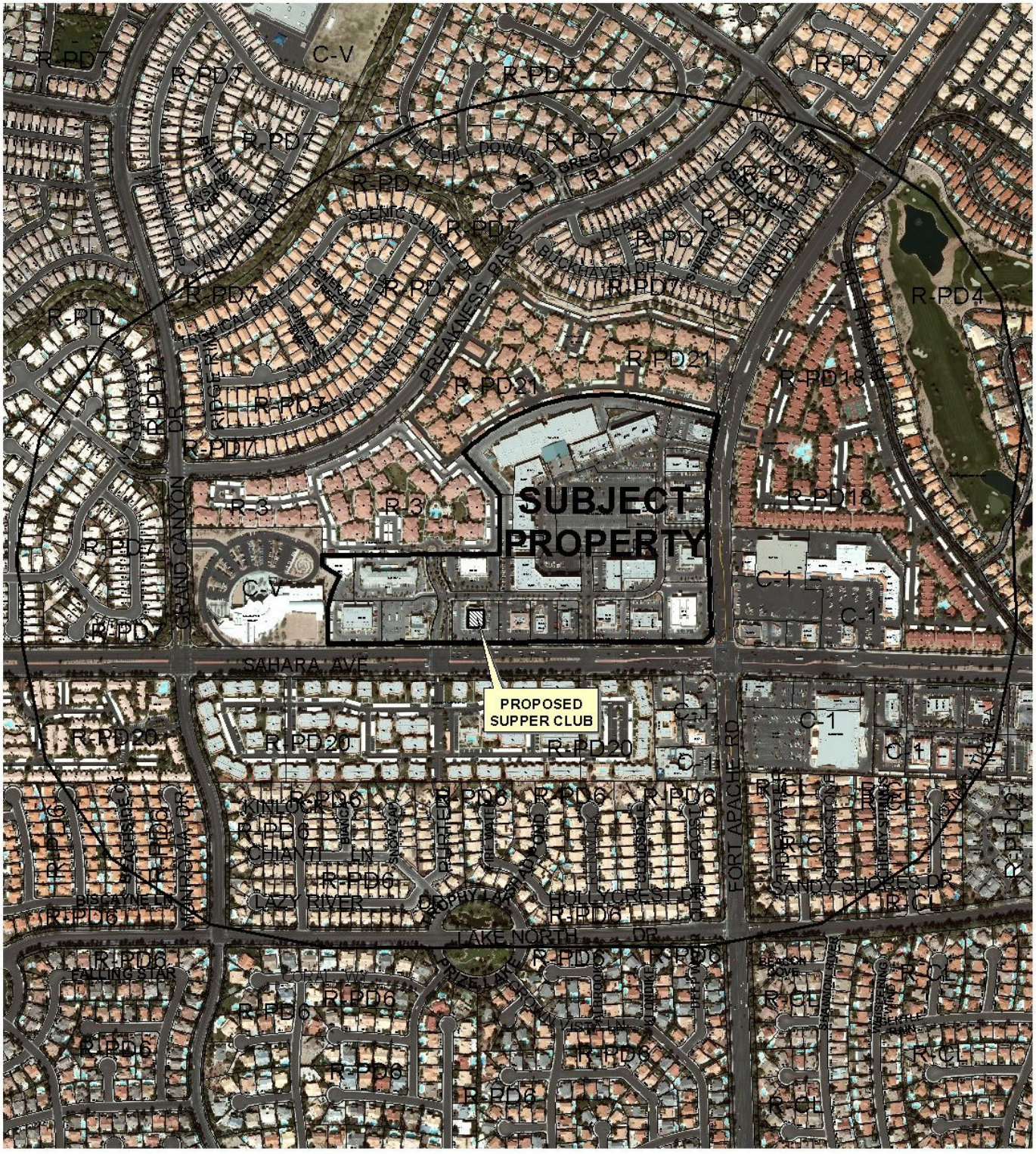
CASE: **SDR-36962**

RADIUS: 1500 FT

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

N



0 500 1000 Feet

CASE: **SDR-36962**

RADIUS: 1500 FT

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-36962 - APPLICANT/OWNER: WINNER PROPERTIES, LLC

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions:

Planning and Development

1. Conformance to the conditions of approval for Rezoning and Plot Plan Review (Z-0139-88), except as amended herein.

2. Approval of and conformance to the conditions of approval for Special Use Permit (SUP-36961) and Variance (VAR-37295) 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. All development shall be in conformance with the site plan and floor plan date stamped 01/28/10, the building elevations date stamped 01/26/10, and the landscape plan date stamped 01/10/10, except as amended by conditions herein.

5. An Exception from Title 19.10.010(J)(11)(e) is hereby approved to allow a zero-foot buffer along the east side of the building where a five-foot wide landscape buffer or five-foot wide sidewalk is required to provide a buffer between the building and parking lot.

6. An Exception from Title 19.10.010 is hereby approved to allow nine parking lot landscape trees where ten trees are required.

7. 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.

8. 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).

9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

11. 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.

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. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

14. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

15. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.

16. Site development to comply with all applicable conditions of approval for Z-139-88 and all other site-related actions.

SDR-36962 - Staff Report Page One
April 7, 2010 - City Council Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site consists of an existing 6,648 square-foot Supper Club building within an existing commercial subdivision at 9500 West Sahara Avenue. This is a request for a Major Amendment to an approved Rezoning and Plot Plan Review (Z-0139-88) to expand the existing commercial building to 8,684 square-feet with a 2,036 square-foot addition. This request will increase the building area and required parking; therefore a Major Amendment to the approved Rezoning and Plot Plan Review (Z-0139-88) is required. The applicant is requesting, as part of this review, Exceptions of the Parking Lot Landscape Standards. Associated requests have been submitted for a Special Use Permit (SUP-36961) to expand an existing Supper Club use and a Variance (VAR-37295) for parking. A Variance (VAR-12102) for parking was previously approved for the entire commercial subdivision, but the proposed expansion will further increase the parking deficiency on the commercial site, and a new parking Variance is required. Staff recommends denial, as the request is inconsistent with Title 19. The site as designed will not allow for landscaping along the east side of the building, nor will it allow for sufficient parking throughout the commercial subdivision. If denied, the pad site will remain as originally approved under Rezoning and Plot Plan Review (Z-0139-88).

ISSUES

- Approval of a companion Variance (VAR-37295) to allow no additional parking spaces where 36 parking spaces are required is necessary for this request to be approved.
- The applicant is requesting an Exception of Title 19.10.010(J)(11)(e) Parking Lot Landscaping Standards to allow a parking lot to directly abut a building where a minimum five-foot wide landscape buffer or five-foot wide sidewalk should be used to buffer buildings from parking lots.
- The applicant is requesting an Exception of Title 19.10.010 to allow nine parking lot trees where 10 trees are required.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales	
12/22/80	The City Council approved a request for Annexation (A-0018-80) of a parcel of land generally bounded by Sahara Avenue on the south, Hualapai Way on the west, Ducharme Avenue on the north and Durango Drive on the east, containing approximately 2,246 acres of land. Planning Commission and staff recommended approval.

GK

02/15/89	The City Council approved a Rezoning (Z-0139-88) application for the reclassification of property from N-U (Non Urban) under Resolution of Intent to R-PD4 (Residential Planned Development - 4 Units Per Acre), P-R (Professional Office and Parking), C-1 (Limited Commercial), and C-V (Civic), to R-PD7 (Residential Planned Development- 7 Units Per Acre), R-3 (Medium Density Residence), and C-1 (Limited Commercial) for property generally located on the west side of Fort Apache Road, between Sahara Avenue and Charleston Boulevard. The Planning Commission and staff recommended approval.
07/14/97	The City Council approved a request for a Special Use Permit (U-0049-97) for a proposed Tavern in conjunction with restaurant on property located on the north side of Sahara Avenue, west of Fort Apache Road. Planning Commission and staff recommended approval.
	The City Council approved a request for a Special Use Permit (U-0050-97) for a proposed Tavern with a Waiver of the 1,500-foot distance separation requirement from an existing and proposed tavern on property located on the north side of Sahara Avenue, west of Fort Apache Road. Planning Commission and staff recommended approval.
10/27/97	The City Council approved a request for a Site Development Plan Review [Z-0139-88(19)] for a proposed 8,400 square-foot one story retail building located at 9310 West Sahara Avenue. The Planning Commission recommended approval of the request.
11/24/97	The City Council approved a request for a Site Development Plan Review [Z-0139-88(21)] for a proposed 16,708 square-foot one story drugstore with drive-through located on the northwest corner of Sahara Avenue and Fort Apache Road. The Planning Commission recommended approval of the request.
01/26/98	The City Council approved a request for a Special Use Permit (U-0128-97) for the sale of Packaged Liquor in conjunction with a proposed 16,708 square-foot drugstore on property located on the northwest corner of Sahara Avenue and Fort Apache Road. Planning Commission recommended approval.
03/23/98	The City Council approved a request for a Site Development Plan Review [Z-0139-88(23)] for a proposed 4,716 square-foot restaurant located on the north side of Sahara Avenue, west of Fort Apache Road. The Planning Commission recommended approval of the request.
04/27/98	The City Council approved a request for a Special Use Permit (U-0146-97) for a proposed three-story, non-gaming residence hotel, consisting of seventy-three one-bedroom units on property located on the north side of Sahara Avenue, west of Fort Apache Road. Planning Commission recommended approval.
	The City Council approved a request for a Special Use Permit (U-0020-98) for a Restaurant Service Bar in conjunction with a proposed 3,784 square-foot restaurant located at 9350 West Sahara Avenue. Planning Commission recommended approval.

05/11/98	The City Council approved a request for a Special Use Permit (U-0031-98) for the On-Premise sale of Beer and Wine in conjunction with a proposed restaurant located at 9350 West Sahara Avenue. Planning Commission recommended approval.
06/08/98	The City Council approved a request for a Special Use Permit (U-0038-98) for a proposed Supper Club in conjunction with a proposed 6,648 square-foot restaurant on property located on the north side of Sahara Avenue, west of Fort Apache Road. Planning Commission recommended approval.
	The City Council approved a request for a Site Development Plan Review [Z-0139-88(24)] for a proposed 27,418 square-foot two-story retail and office building and a 33,207 square-foot two-story retail and office building located on the north side of Sahara Avenue, west of Fort Apache Road. The Planning Commission recommended approval of the request.
09/28/98	The City Council approved a request for a Special Use Permit (U-0080-98) for the On-Premise sale of Beer and Wine in conjunction with a proposed 2,160 square-foot restaurant located on the northwest corner of Fort Apache Road and Sahara Avenue. Planning Commission recommended approval.
	The City Council approved a request for a Site Development Plan Review [Z-0139-88(27)] for a proposed 4,212 square-foot commercial retail building located on the northwest corner of Sahara Avenue and Fort Apache Road. The Planning Commission recommended approval of the request.
10/12/98	The City Council approved a request for a Special Use Permit (U-0090-98) for a proposed Supper Club in conjunction with a proposed 6,990 square-foot restaurant on property located on the north side of Sahara Avenue approximately 1,400 feet west of Fort Apache Road.
10/16/98	The City Council approved a request for a Site Development Plan Review [Z-0139-88(29)] for a proposed 3,190 square-foot restaurant located on the north side of Sahara Avenue, west of Fort Apache Road. The Planning Commission recommended approval of the request.
11/09/98	The City Council approved a request for a Special Use Permit (U-0115-98) for a proposed Supper Club in conjunction with a proposed 8,802 square-foot restaurant on property located on the north side of Sahara Avenue, west of Fort Apache Road.
07/12/06	The City Council approved a Variance (VAR-12102) to allow 2,404 parking spaces where 2,440 is the minimum number of spaces required in conjunction with the addition of a 1,200 square-foot restaurant within the existing shopping center. The Planning Commission recommended approval and staff recommended denial.
01/22/10	The Planning and Development Department administratively approved a Minor Amendment (SUP-37062) to a previously approved Special Use Permit (U-0038-98) to allow alcohol service into an additional 617 square-feet of existing outdoor seating at an existing 6,648 square foot Supper Club at 9500 West Sahara Avenue.

02/25/10	The Planning Commission recommended approval of companion items VAR-37295 and SUP-36961 concurrently with this application. The Planning Commission (7-0 vote) to recommend APPROVAL (PC Agenda Item #13/gk).

Related Building Permits/Business Licenses	
07/15/98	A building permit (#98014454) was issued for a new restaurant Certificate of Occupancy at 9500 West Sahara Avenue. The building permit was finalized on 02/02/99.
	A building permit (#98014455) was issued for on-site improvements and hardscapes at 9500 West Sahara Avenue. The building permit was expired on 04/01/00.
09/02/98	A building permit (#98017819) was issued for on-site fire and water at 9500 West Sahara Avenue. The building permit was expired on 04/01/00.
11/09/98	A building permit (#98022139) was issued for patio addition for a restaurant at 9500 West Sahara Avenue. The building permit was expired on 04/01/00.
11/18/98	A building permit (#98022669) was issued for a sign at 9500 West Sahara Avenue. The building permit was finalized on 02/02/99.
12/17/98	A business license (#L21-00012) was issued for a Supper Club at 9500 West Sahara Avenue. The license was marked out on 12/08/09.
09/02/99	A building permit (#99017403) was issued for two illuminated wall signs at 9500 West Sahara Avenue. The building permit was finalized on 09/16/99.
11/13/09	A building permit (#151159) was issued for an illuminated wall sign at 9500 West Sahara Avenue. The building permit has not been finalized.
12/07/09	A temporary business license (#L21-92278) was issued for a Supper Club at 9500 West Sahara Avenue. The license is still active.
12/08/09	A business license (#R09-00907) was issued for a Restaurant seating 45 people or more at 9500 West Sahara Avenue. The license is still active.
Pre-Application Meeting	
09/16/09	A pre-application meeting was held where submittal requirements for a Site Development Plan Review were discussed. Topics discussed included: • Title 19 Zoning Code requirements • Application Materials and Documents • Meeting Dates and Deadlines
Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	

Field Check	
12/22/09	During a routine site inspection staff observed a well maintained commercial center.

Details of Application Request	
Site Area	
Gross Acres	1.06 Acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Apartments	M (Medium Density Residential)	R-PD21 (Residential Planned Development – 21 Units Per Acre), R-3 (Medium Density Residential)
South	Bank, Apartments	SC (Service Commercial), M (Medium Density Residential)	C-1 (Limited Commercial), R-PD20 (Residential Planned Development – 20 Units Per Acre)
East	Commercial Shopping Center	M (Medium Density Residential), SC (Service Commercial)	C-1 (Limited Commercial), R-PD18 (Residential Planned Development – 18 Units Per Acre)
West	Library, Church, Apartments	PF (Public Facilities), SC (Service Commercial), M (Medium Density Residential)	C-V (Civic), C-1 (Limited Commercial), R-3 (Medium Density 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	
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 19.08.050, the following development standards shall apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Width	100 Feet	205 Feet	Y
Min. Setbacks			
• Front	20 Feet	77 Feet	Y
• Side	10 Feet	73 Feet	Y
• Corner	15 Feet	78 Feet	Y
• Rear	20 Feet	31 Feet	Y
Max. Lot Coverage	50%	21%	Y
Max. Building Height	N/A	18 Feet	N/A
Trash Enclosure	Screened, Gated with a Roof or Trellis	Existing screened and gated trash enclosure	Y
Mech. Equipment	Screened	Screened	Y

Pursuant to Title 19.12.040, the following development standards shall apply:

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Parking Area	1 Trees/6 Space	10 Trees	9 Trees	N
Buffer: Min. Trees	1 Tree/30 Linear Feet	Zero Trees	Zero Trees	Y
TOTAL(Perimeter Trees)		Zero Trees	Zero Trees	Y
Wall Height	6-8 Feet Adjacent to Residential		No wall existing or proposed	Y

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	
Commercial Center (Existing)	425,720 S.F.		2,406	34	2,324	80	
SubTotal			2,440		2,404*		

GK

Supper Club	1,392 S.F.	1:50	28				
(Proposed Increase)	1,428 S.F.	1:200	8		0	0	
SubTotal			**34**	**2**			
TOTAL			**2,476**		**2,112****		N

*As approved by Variance (VAR-12102)
** Per physical inventory

Exceptions		
Requirement	**Request**	**Staff Recommendation**
Title 19.10.010(J)(11)(e) A minimum five-foot wide landscape buffer or sidewalk shall be used to buffer buildings from parking spaces.	Zero-Feet	Denial
10 Parking Lot Trees	9 parking lot trees	Denial

ANALYSIS

Per Title 19.18.050(H), this Major Amendment to a previously approved Rezoning and Plot Plan Review (Z-0139-88) is required, as the proposed expansion will increase the building by 31% in floor area, from 6,648 square feet to 8,684 square feet. The proposed expansion will accommodate additional dining area for the existing Supper Club use.

The site complies with all Title 19 requirements with the exception of required parking and landscaping. A parking Variance (VAR-12102) was approved by City Council in 2006 to allow 2,404 parking spaces where 2,440 parking spaces were required. The expansion will require an additional 36 parking spaces, which cannot be accommodated on the site, thus creating an increase in parking deficiency. A companion Variance (VAR-37295) has been submitted to address this issue.

Per Title 19.10.010(J), no parking lot shall directly abut any building. The applicant is requesting an Exception to allow a zero-foot buffer along the east side of the building where a five-foot wide landscape buffer or a five-foot wide sidewalk is required to buffer the building from parking spaces. The elimination of the existing landscape buffer will result in the loss of five trees from the existing site and will negatively impact the aesthetics of the site. The loss of required trees within the landscape necessitates another Exception to allow nine parking lot trees where ten trees are required. The proposed expansion of an existing commercial building requires various deviations from standards including exceptions of landscaping and an increased deficiency in parking; therefore, denial of this request is recommended.

FINDINGS

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

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

   The proposed expansion to the existing commercial building will not allow for required parking lot landscaping, nor will it meet the minimum required parking of Title 19.04, which is inconsistent with other development in the vicinity.

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 site, as proposed, will not meet the minimum required parking of Title 19.04, and the elimination of a required landscape buffer within the parking area will negatively impact the aesthetics of the site. The inconsistencies with standards are a result of site design and not physical characteristics of the site itself, and therefore cannot be supported.

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

   The site is accessed by Sahara Avenue, a 100-foot Primary Arterial, as designated by the Master Plan of Streets and Highways. The site provides adequate access and circulation for pedestrians and vehicles.

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

   The building materials are appropriate for the area and the city. The applicant is requesting Exceptions to allow a zero-foot buffer where a 5-foot wide landscape buffer or 5-foot wide sidewalk is required and to allow 9 parking lot landscaping trees where ten trees are required. The elimination of the required buffer zone and trees will negatively impact the aesthetics of the subject property.

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 depict design and materials that will provide an aesthetically acceptable building and are compatible with the neighboring properties.

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

The proposed development is subject to permit review and inspection; therefore, appropriate measures will be taken to protect health, safety, and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

NOTICES MAILED 1,489 (By City Clerk)

APPROVALS 4

PROTESTS 5

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-36962** APN: 163-06-816-015

Name of Property Owner: Winner Properties, LLC

Name of Applicant: Same

Name of Representative: Dwayne R. Eshenbaugh

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: Antonio Accornero

Subscribed and sworn before me

This 26th day of January, 2010

Rhonda F. Digennaro

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
No: 99-56461-1 RHONDA F. DIGENNARO
My Appointment Expires April 27, 2011

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Winner Properties, LLC.

Project Address (Location) 9500 West Sahara Ave.

Project Name Siena Italian Expansion **Proposed Use** Deli/ Market Addition

Assessor's Parcel #(s) 163-06-816-015 **Ward #** _____

General Plan: existing _____ proposed _____ **Zoning:** existing _____ proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Winner Properties, LLC **Contact** Joy Bustamante

Address 9601 Orient Express Ct **Phone:** (213) 760-9377 **Fax:** _____

City Las Vegas **State** NV **Zip** 89145

E-mail Address _____

APPLICANT Same **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

REPRESENTATIVE Dwayne R. Eshenbaugh **Contact** _____

Address 3225 Via Seranova **Phone:** (702) 522-9292 **Fax:** _____

City Henderson **State** NV **Zip** 89044

E-mail Address dwayne@drearchitecture.com

Property Owner Signature* _____

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

Print Name Antonio Accornero

Subscribed and sworn before me

This 26th day of January, 20 10.

Rhonda L DiGennaro

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
RHONDA F. DIGENNARO
No: 99-56461-1
My Appointment Expires April 27, 2011

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SDR-36962
Meeting Date:	2/25/10
Total Fee:	1,030.00
Date Received:*	1/28/10
Received By:	

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

MASTERPLAN PARKING DATA

APN NO: 163-06-816-015

PROPERTY SIZE: 1.06 ACRES (46,174 SQUARE FEET)

EXISTING FLOOR AREA: 6,648 SF + 1,108 (PATIO) = 7,756 SF
F.A.R. (FLOOR AREA RATIO): 7,756 S.F./ 46,174 S.F. = 0.17%

PROPOSED FLOOR AREA: 608 SF (DINING) + 1,428 (DELI) + 293 SF (PATIO) = 2,329 SF
COMBINED/TOTAL F.A.R.: 7,756 + 2,329/ 46,174 SF = 21%

DENSITY: N/A

PARKING ANALYSIS (TITLE 19 ZONING CODE, SECTION 19.04)
One space for each 50 S.F. of public seating and waiting area, including outdoor areas for seating and waiting, plus one space for each 200 s.f. of the total remaining gross floor area, with a minimum of 10 spaces required.

REQUIRED PARKING (ALL SPACES ARE 9'-0" X 19' - 0"):

NEW WEST DINING: 608 SF (/50 = 13 SPACES)
NEW EAST DELI: 1428 SF (/200 = 8 SPACES)
NEW PATIO: 293 SF (/50 = 6 SPACES)

TOTAL PARKING REQUIRED FOR NEW ADDITION: 27 SPACES

EXISTING 2006 VARIANCE: 2,404 SPACES
EXISTING PARKING: 2,440 SPACES

PROPOSED NEW PARKING: 27 SPACES

REQUIRED NEW VARIANCE: 2,467 SPACES

TOTAL BUILDING AREA: 425,720 sf

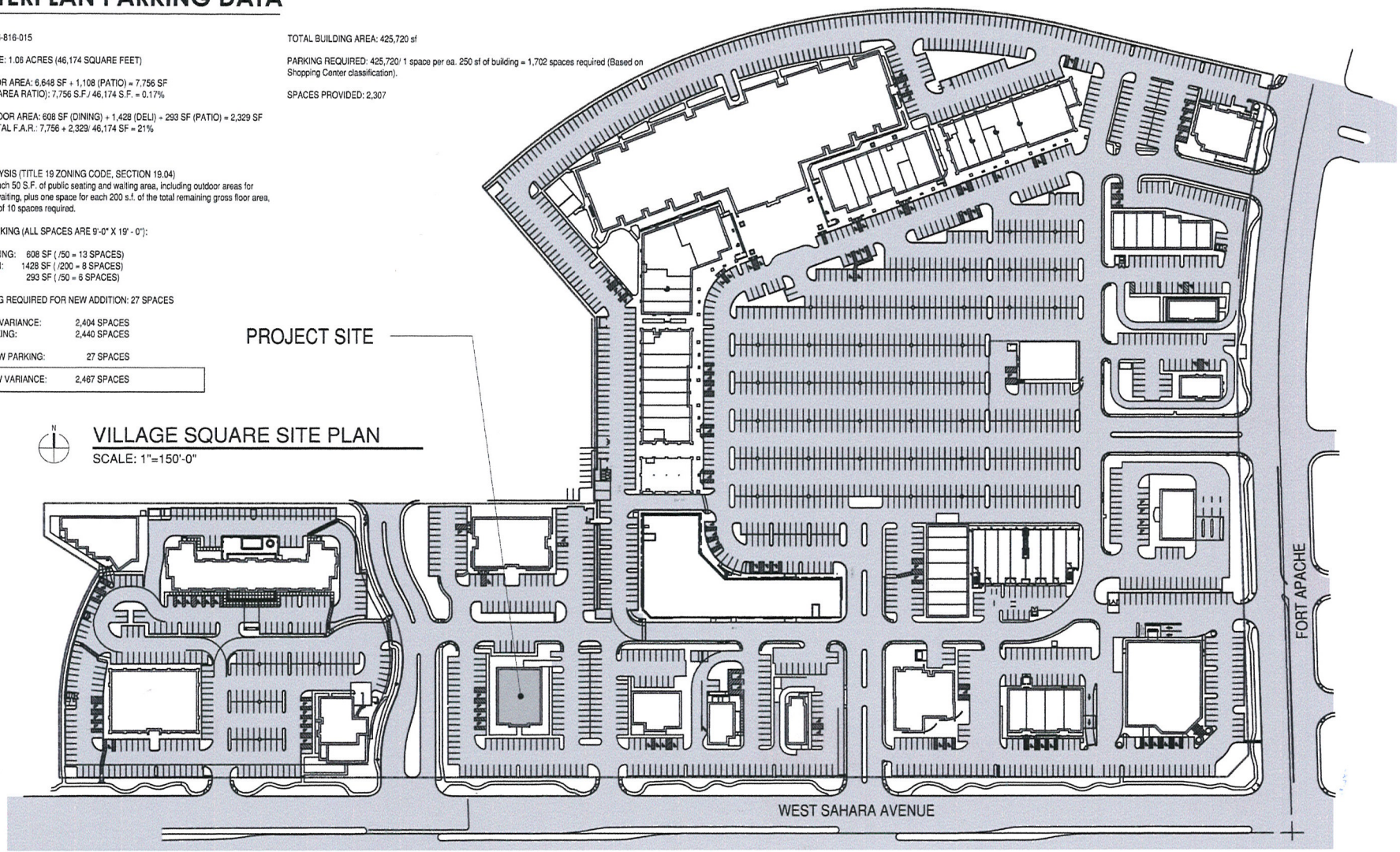
PARKING REQUIRED: 425,720/ 1 space per ea. 250 sf of building = 1,702 spaces required (Based on Shopping Center classification).

SPACES PROVIDED: 2,307

PROJECT SITE

VILLAGE SQUARE SITE PLAN

SCALE: 1"=150'-0"



DWAYNE R. **ESHENBAUGH**, AIA, NCARB, LEED AP
Principal Architect

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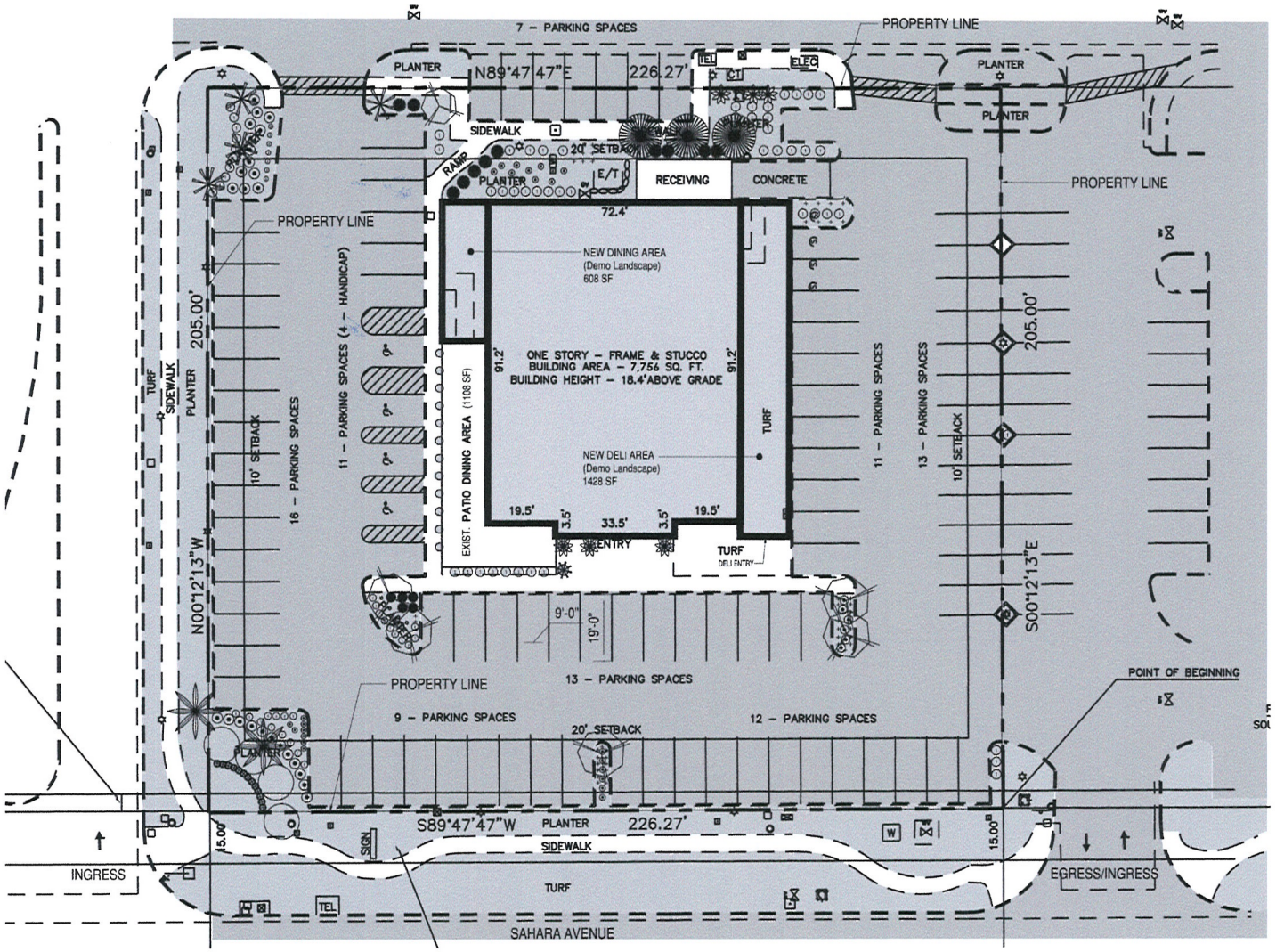
3225 Via Seranova I Henderson, Nevada 89044
702.522.9292 O I 702.332.7975 C

	VILLAGE SQUARE OVERALL SITE PLAN
SIENNA DELI 9500 West Sahara Avenue Las Vegas, Nevada 89147	DRAWN BY DRE REVIEWED BY DRE DATE ISSUED 1/28/2010 PROJECT NO 09-401.00 SCALE 1"=150'-0" A1.01 NO.

SDR-36962
02/25/10 PC

RECEIVED
JAN 28 2010



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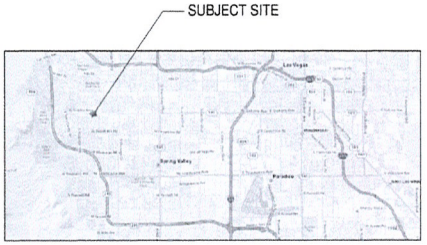
SIENNA DELI SITE PLAN
1" = 30'-0"



VICINITY MAP

NTS

DWAYNE R. **ESHENBAUGH**, AIA, NCARB, LEED AP
Principal Architect

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02/25/10 PC

SITE PLAN

SIENNA DELI
9500 W. Sahara Avenue
Las Vegas, Nevada 89117

DRAWN BY	3FN	SCALE	1"=30'-0"
REVIEWED BY	DRE		
DATE ISSUED	1/28/2010		A1.02
PROJECT NO.	09-001.00		NO.

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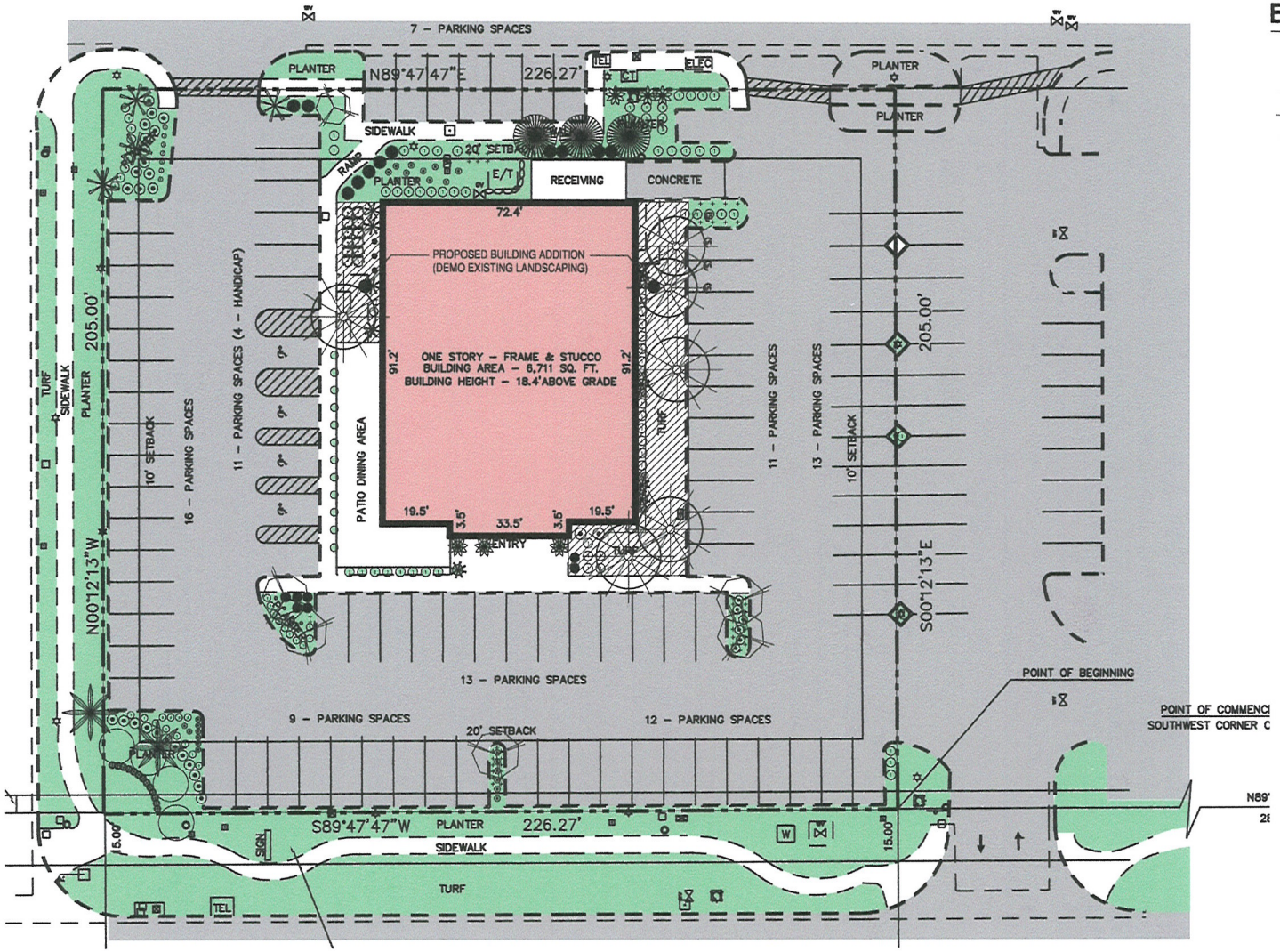

EXISTING ON-SITE PLANT LEGEND

SPECIES	NUMBER and SIZE
MEXICAN SYCAMORE	6 - 15 GALLON TREES (ALL WILL BE REMOVED FOR NEW CONSTRUCTION).
GLOSSY PRIVIT	6 - 24" BOX TREES
CANARY ISLAND DATE PALM	1 - ON PROPERTY - 25' BTH
MONDALE PINE	3 - 24" BOX
PLUM TREE	3 - 24" BOX
MEXICAN FAN PALM	12 - 15 GALLON (8 - IN POTS WILL BE REMOVED FOR NEW CONSTRUCTION).
SAGO PALM	3 - 15 GALLON
TEXAS RANGER	18 - 15 GALLON (2 - WILL BE REMOVED FOR NEW CONSTRUCTION).
INDIA HAWTHORNE	88 - 15 GALLON (23 - WILL BE REMOVED FOR NEW CONSTRUCTION).
DAYLILLY	70 - 1 GALLON (2 - WILL BE REMOVED FOR NEW CONSTRUCTION).
WHEELERS DWARF	42 - 15 GALLON (14 - WILL BE REMOVED FOR NEW CONSTRUCTION).
CONCRETE PLANTER	21 - 5 WILL BE REMOVED FOR THE NEW CONSTRUCTION).
ROSEMARY	12 - 15 GALLON
DESERT MARIGOLD	13 - 15 GALLON
TEXANUM PRIVIT	4 - 5 GALLON
ROSE BUSH	7 - 15 GALLON

NOTE: ALL LANDSCAPING IN COMMON AREAS TO REMAIN UNDISTURBED. THE ONLY LANDSCAPING TO BE REMOVED IS IN THE TWO AREAS IDENTIFIED WITH CROSS HATCH FOR THE NEW CONSTRUCTION.

N

LANDSCAPING SITE PLAN

1" = 30'-0"

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SDR-36962

02/25/10 PC

BASED ON A.L.T.A. SURVEY
BASED ON AERIAL PHOTO
BASED ON SITE VISIT & PHOTOS

LANDSCAPE AS-BUILT

SIENNA DELI
LANDSCAPE AS-BUILT
9500 W. SAHARA AVE.
Las Vegas, NV 89117

DRAWN BY	DRE	SCALE	1"= 30'-0"
REVIEWED BY	DRE		L1.01
DATE ISSUED	January 11, 2010		
PROJECT NO.	09-001-00		NO

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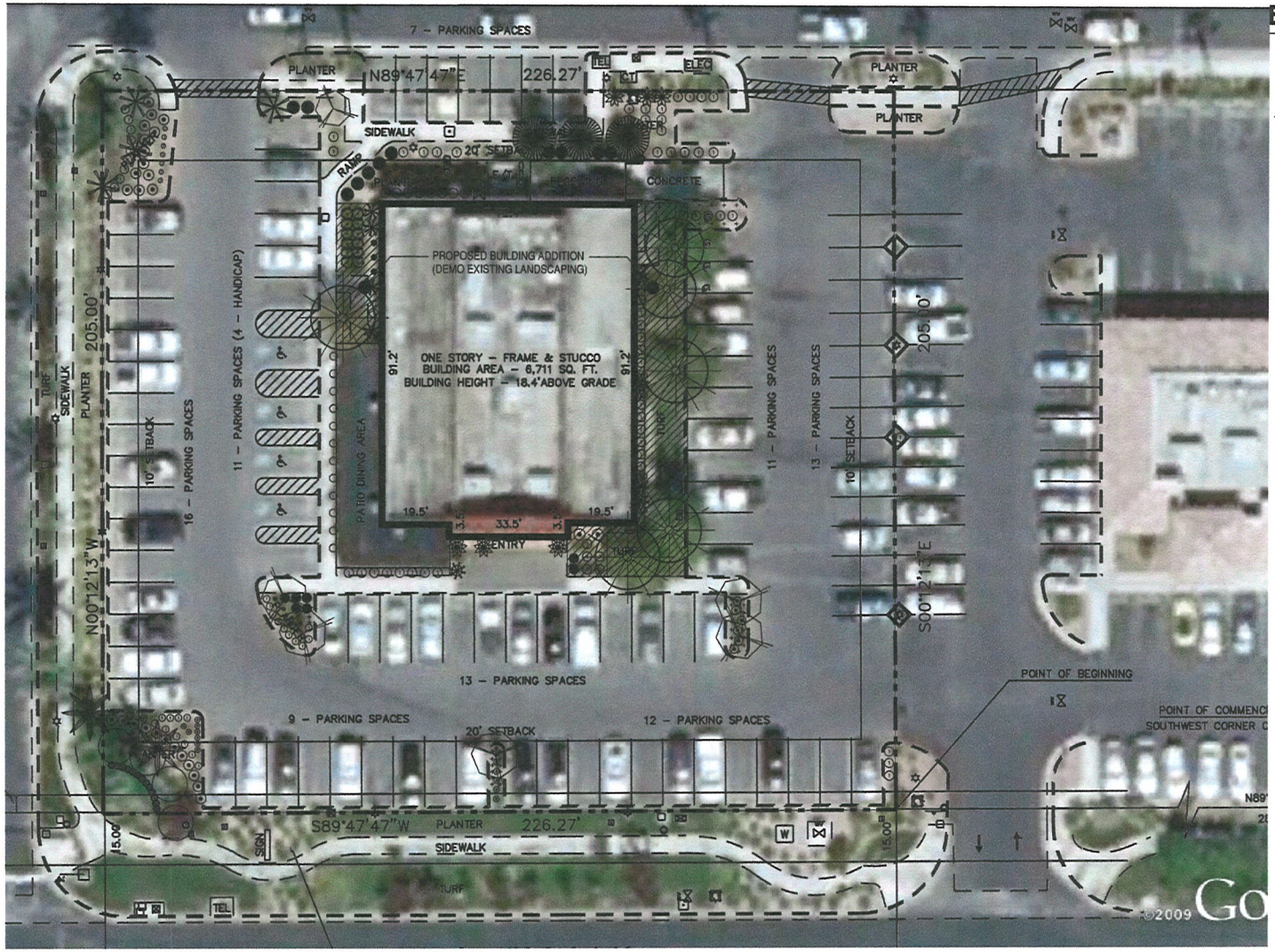
JAN 10 2010



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1" = 30'-0"

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BASED ON A.L.T.A. SURVEY
BASED ON AERIAL PHOTO
BASED ON SITE VISIT & PHOTOS

LANDSCAPE AS-BUILT

SIENNA DELI
LANDSCAPE AS-BUILT
9500 W. SAHARA AVE.
Las Vegas, NV 89117

DRAWN BY	DRE	SCALE	1"= 30'-0"
REVIEWED BY	DRE		
DATE ISSUED	January 11, 2010		L1.01
PROJECT NO.	09-001.00	NO.	1

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02/25/10 PC

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702.522.9292 O I 702.332.7975 C

BASED ON A.L.T.A. SURVEY
BASED ON AERIAL PHOTO
BASED ON SITE VISIT & PHOTOS

LANDSCAPE PHOTOS

SIENNA DELI
LANDSCAPE AS-BUILT
9500 W. SAHARA AVE.
Las Vegas, NV 89117

DRAWN BY	DRE	SCALE	NTS
REVIEWED BY	DRE		
DATE ISSUED	1/11/2010		L1.00
PROJECT NO.	09-001.00	1 NO.	1

SDR-36962
02/25/10 PC

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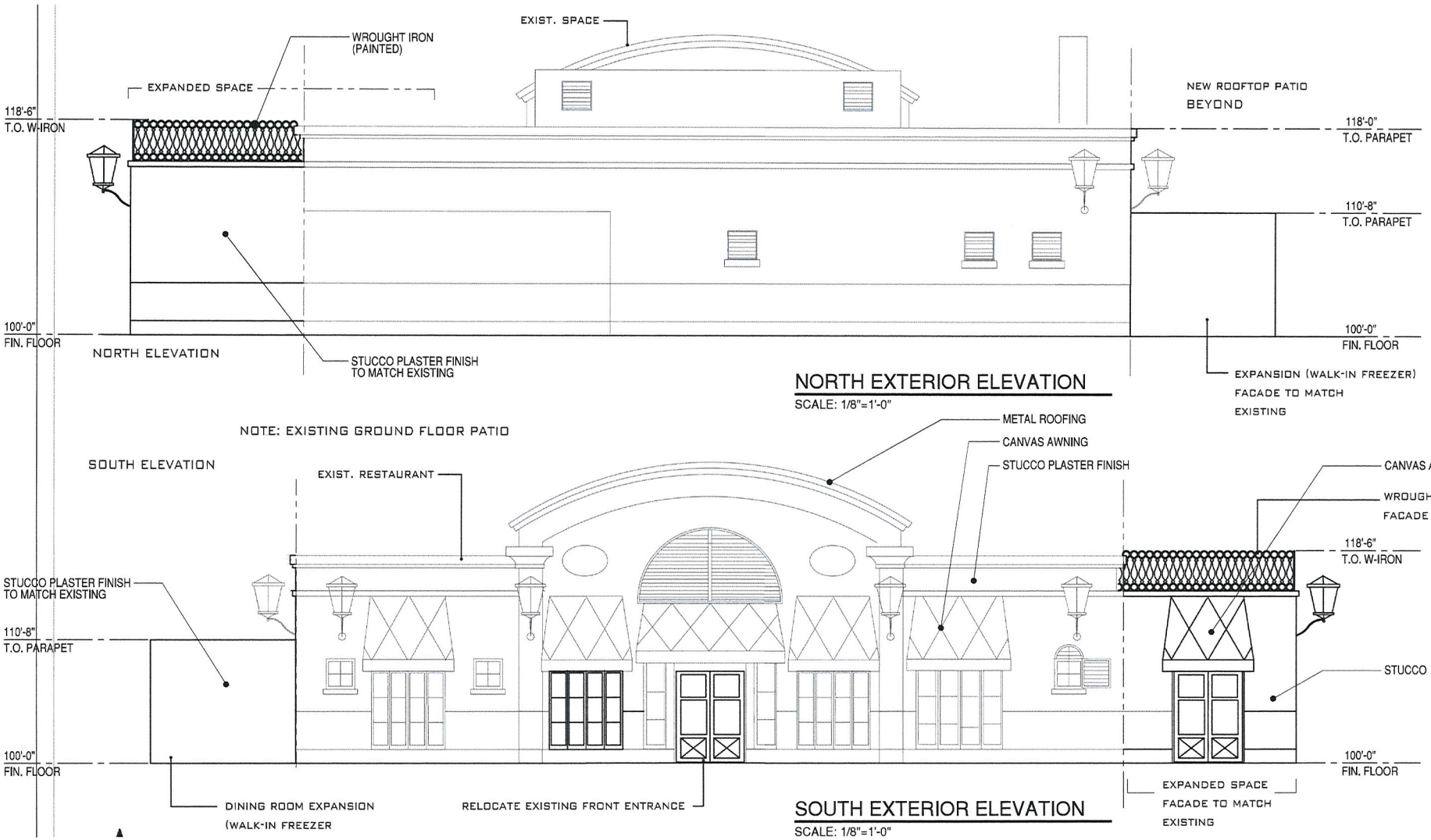

NORTH EXTERIOR ELEVATION

SCALE: 1/8"=1'-0"

SOUTH EXTERIOR ELEVATION

SCALE: 1/8"=1'-0"

DWAYNE R. **ESHENBAUGH**, AIA, NCARB, LEED AP
Principal Architect

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3225 Via Seranova I Henderson, Nevada 89044
702.522.9292 O I 702.332.7975 C

SIENNA DELI 9500 W. Sahara Avenue Las Vegas, Nevada 89117	EXTERIOR BUILDING ELEVATIONS
DRAWN BY 3FN	SCALE 1/8" = 1'-0"
REVIEWED BY DRE	A2.01
DATE ISSUED 1/26/2010	NO.
PROJECT NO. 09-001.00	

SDR-36962
02/25/10 PC

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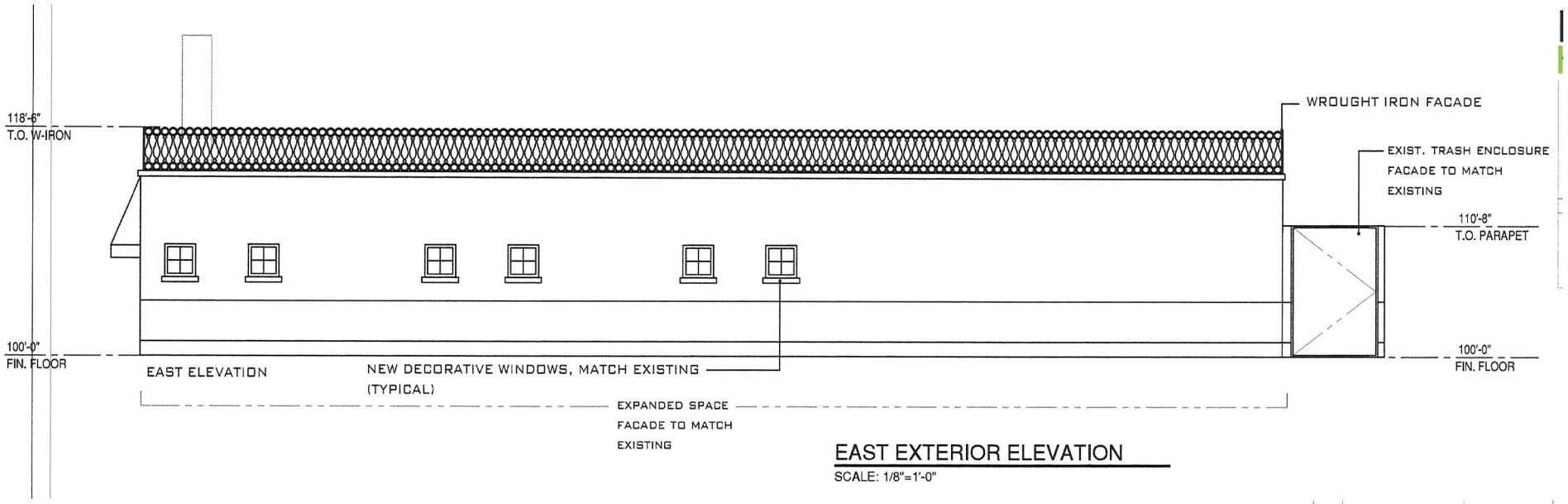
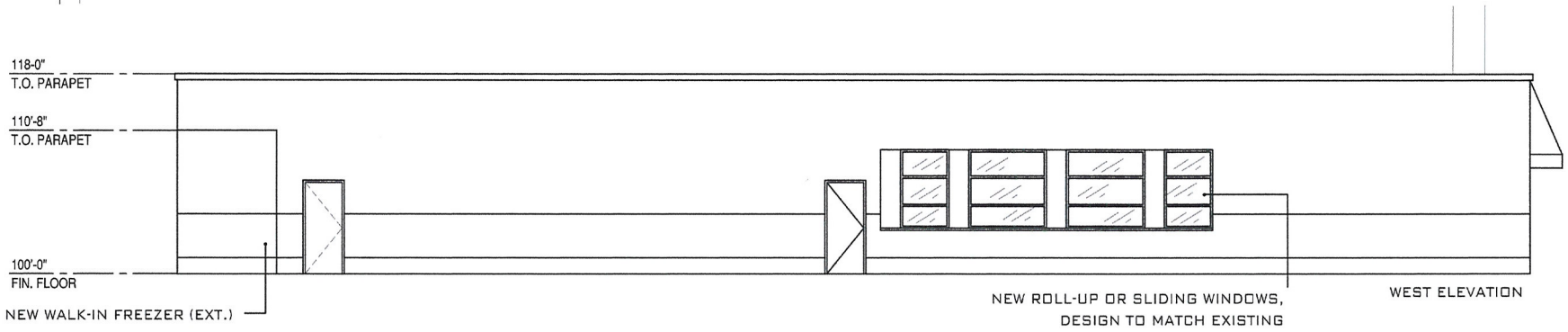
JAN 26 2010



EAST EXTERIOR ELEVATION

SCALE: 1/8"=1'-0"



WEST EXTERIOR ELEVATION

SCALE: 1/8"=1'-0"

SIENNA DELI

DWAYNE R. **ESHENBAUGH**, AIA, NCARB, LEED AP
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3225 Via Seranova I Henderson, Nevada 89044
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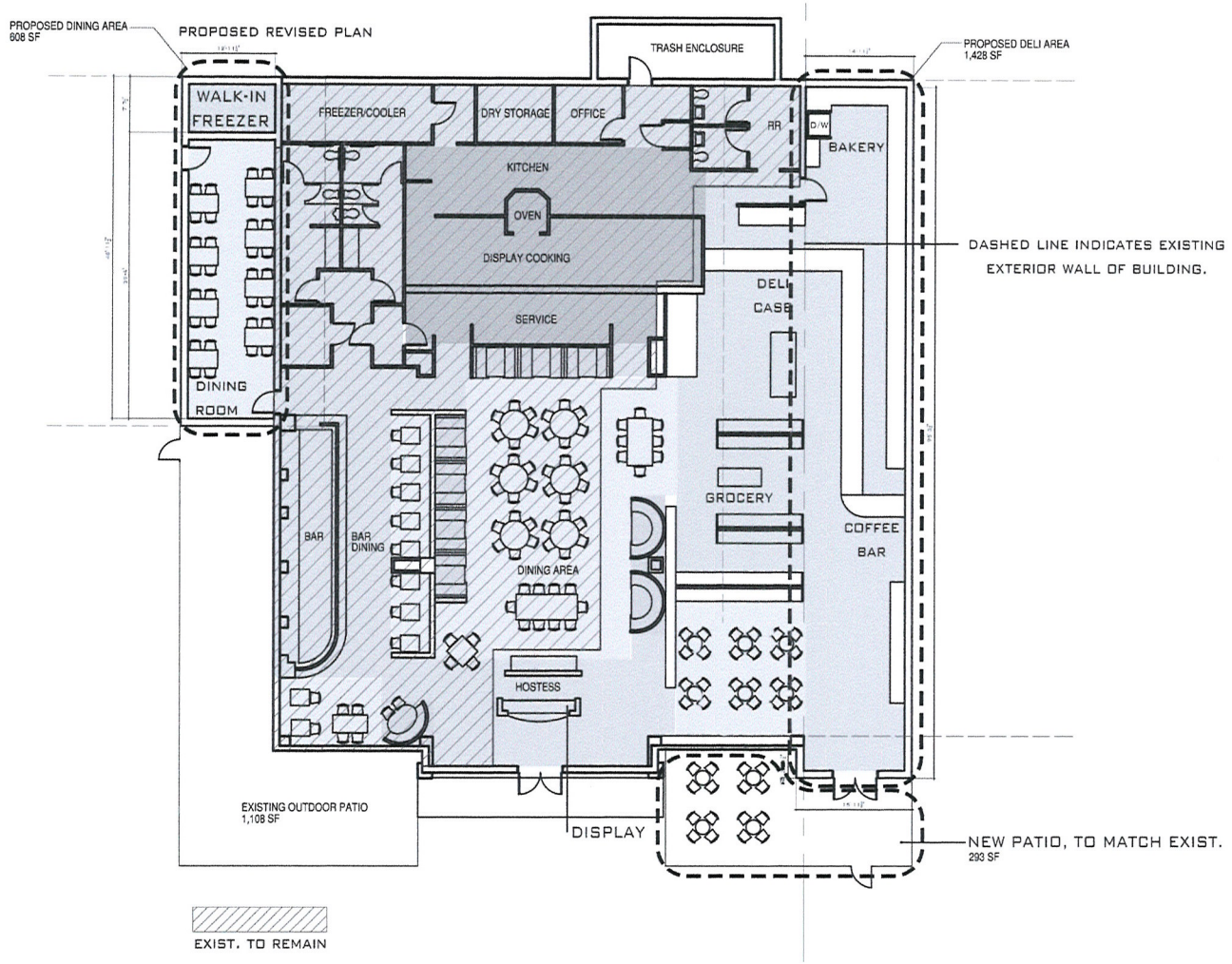
	EXTERIOR BUILDING ELEVATIONS			
SIENNA DELI 9500 W. Sahara Avenue Las Vegas, Nevada 89117	DRAWN BY	3FN	SCALE	1/8" = 1'-0"
	REVIEWED BY	DRE		A2.02
	DATE ISSUED	1/26/2010		NO.
	PROJECT NO.	09-001.00		

RECEIVED
JAN 26 2010

SDR-36962
02/25/10 PC



FLOOR PLAN

SCALE: 1/16"=1'-0"

FLOOR PLAN DATA

USE AND OCCUPANCY CLASSIFICATION PER 2006 IBC SECTION 302
GROUP A-2: ASSEMBLY USES INTENDED FOR FOOD AND/OR DRINK CONSUMPTION INCLUDING BUT NOT LIMITED TO:
- BANQUET HALLS
- NIGHT CLUBS
- RESTAURANTS
- TAVERNS AND BARS

TOTAL SQUARE FOOTAGE OF EXISTING AND PROPOSED = 6,648 + 1,108 (EXISTING PATIO) + 608 (NEW DINING) + 1,428 (NEW DELI) + 293 (NEW PATIO) = 10,085 SF

MAXIMUM ALLOWABLE FLOOR AREA ALLOWANCES PER OCCUPANT (2006 IBC - TABLE 1004.1.1)

BUSINESS AREAS (100 GSF Floor Area Per Occupant)
4261 GSF/ 100 = 43 OCCUPANTS

ASSEMBLY WITHOUT FIXED SEATS (15 Net SF - Unconcentrated
2189 NSF/ 15 = 146 OCCUPANTS

COMMERCIAL KITCHEN (200 GSF Floor Area Per Occupant)
1071 GSF/ 200 = 6 OCCUPANTS

FIXED BOOTH (PER SECTION 1004.7 - 1 Occupant per 24")
1032" TOTAL SEAT LENGTH/ 24" = 43 OCCUPANTS

TOTAL OCCUPANTS: 238

MAXIMUM DINING CAPACITY: 189 OCCUPANTS
ACTUAL DINING: 183 OCCUPANTS

LEGEND

- BUSINESS AREAS
- ASSEMBLY AREAS (WITHOUT FIXED SEATS)
- COMMERCIAL KITCHEN
- FIXED BOOTH

DWAYNE R. **ESHENBAUGH**, AIA, NCARB, LEED AP
Principal Architect

architecture I interiors I planning
CONNECT I CREATE I CULTIVATE
3225 Via Seranova I Henderson, Nevada 89044
702.522.9292 O I 702.332.7975 C

SDR-36962
02/25/10 PC

SIENNA DELI
9500 W. Sahara Avenue
Las Vegas, Nevada 89117

FLOOR PLAN

DRAWN BY	3FN	SCALE	1/16" = 1'-0"
REVIEWED BY	DRE		A3.01
DATE ISSUED	1/28/2010		
PROJECT NO.	09-001.00		NO

RECEIVED
JAN 28 2010



SDR-36962 - APPLICANT/OWNER: WINNER PROPERTIES, LLC
NORTHWEST CORNER OF FORT APACHE ROAD AND SAHARA AVENUE
APRIL 7, 2010 CITY COUNCIL

02/04/10



SDR-36962 - APPLICANT/OWNER: WINNER PROPERTIES, LLC
NORTHWEST CORNER OF FORT APACHE ROAD AND SAHARA AVENUE
APRIL 7, 2010 CITY COUNCIL

02/04/10



SDR-36962 - APPLICANT/OWNER: WINNER PROPERTIES, LLC
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APRIL 7, 2010 CITY COUNCIL

02/04/10



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02/04/10



SDR-36962 - APPLICANT/OWNER: WINNER PROPERTIES, LLC
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APRIL 7, 2010 CITY COUNCIL

02/04/10



SDR-36962 - APPLICANT/OWNER: WINNER PROPERTIES, LLC
NORTHWEST CORNER OF FORT APACHE ROAD AND SAHARA AVENUE
APRIL 7, 2010 CITY COUNCIL

02/04/10

WINNER

PROPERTIES, L.L.C.

9601 Orient Express Ct.
Las Vegas, NV 89145
TEL: (702) 234-6622
FAX: (702) 657-1921

September 1, 2009

To Whom It May Concern:

Siena Deli was established in Las Vegas thirty years ago as a family-owned/ operated Italian deli, restaurant, and specialty market. In 2008, Winner Properties, L.L.C. purchased Siena Deli. As the town grew majority of the customer base has migrated to the west side of town, so on December 7, 2009 we are acquiring the building at 9500 West Sahara Ave. (formerly Bertolini's at Village Square) in order to keep our business easily accessible to our customers.

The existing use of the 9500 West Sahara Ave. facility is a fully functional restaurant/ supper club which is currently operational. We wish to make the following changes:

1) West side of building: remove existing grass and plants and expand the west wall of the building approximately 15' X 95' to add the Italian-style deli and small specialty market modeled after the current location at 2250 E. Tropicana, #20.
2) East side of building: remove existing grass and plants and expand east rear corner of the building approximately 13' X 43' to create a private dining room for meetings.

The building design is to match the existing Italian-themed elevations as shown in our submittal package. The landscape around the lot's perimeter shall be preserved so that visual impact of the change is minimized to passers-by. We expect seating occupancy to exceed the current 258 occupancy by approximately 35 seats or less because the existing private room and part of the dining room shall be lost to the market area.

We believe that these uses complement the adjacent land uses of the shopping center as well as the commercial and residential surroundings by better accommodating both the nearby commercial business-lunch needs at the deli as well as the current loyal customer base desiring authentic Italian food products which to our knowledge are not available in the Peccole Ranch area/ township.

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PLANNING & DEVELOPMENT

Parking in the Village Square Shopping Center is governed by a reciprocal parking easement for use with over 2000 spaces available in the Shopping Center. See attached parking easement documents.

The current staff at 9500 West Sahara Ave. (over 20 staff) is trained and capable of handling the additional work provided by the expansion as many of them work shifts at the old location as well. The hours of operation shall not change from the existing (8AM – 10PM). Additionally, the landlord at the existing location is unresponsive and creates a hardship for operations where the majority of businesses have left. Our lease in the old location is up Summer 2010 and we need to make our final move before the clock runs.

The County recorder's office will likely not update their files on the ownership of the building at 9500 West Sahara Ave. until such reasonable time has passed for their records to update. We will present the grant deed to the you as soon as reasonably possible.

Thank you in advance for your consideration.

Andrew Keroles
Director of Land Development
Winner Properties, L.L.C.
(702) 234-6622

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DEC 15 2009
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

SDR-36962
02/25/10 PC

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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0004279218 MAR 26 2010
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2010 MAR 30 A 11:10

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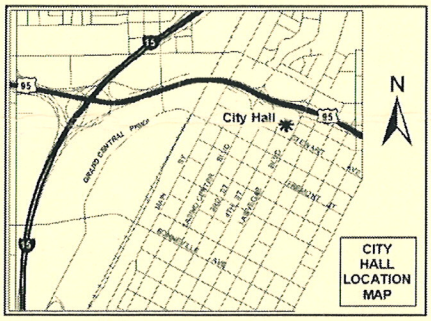
Official Notice of Public Hearing



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.

VAR-37295 & SUP-36961 & SDR-36962
City Council Meeting of 4/7/2010

Case: VAR-37295
16306411032
BOSWELL D KENT & ANN R FAMILY TR
2105 MADAGASCAR LN
LAS VEGAS NV 89117-5926

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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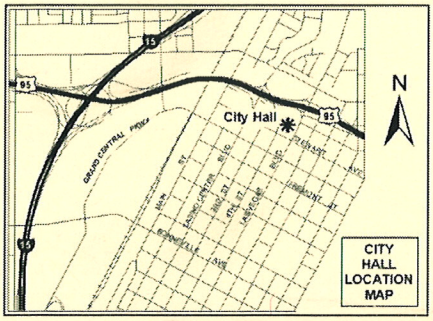

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VAR-37295 & SUP-36961 & SDR-36962
City Council Meeting of 4/7/2010

Office building expansions require more spaces, not less.

BAC

Case: VAR-37295
16307512045
KESSELMAN BRUCE A
2724 RENWICK CIR
LAS VEGAS NV 89117-0406

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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CITY CLERK

2010 MAR 29 A 8:11

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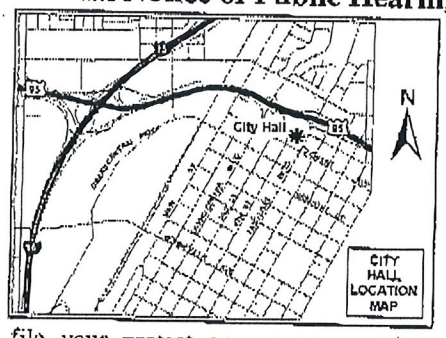

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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VAR-37295 & SUP-36961 & SDR-36962
City Council Meeting of 4/7/2010

Case: VAR-37295

16308113008
RADEF NANCY
2701 EAGLE SPRINGS CT
LAS VEGAS NV 89117-2411

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2010 MAR 27 A 11:53

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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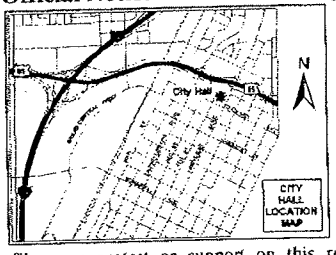

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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VAR-37295 & SUP-36961 & SDR-36962
City Council Meeting of 4/7/2010

Case: VAR-37295
16307513043
FEDERICO MICHAEL
2061 DIAMOND BAR DR
LAS VEGAS NV 89117-1930

03/27/2010 SAT 10:51 [TX/RX NO 7458] 001

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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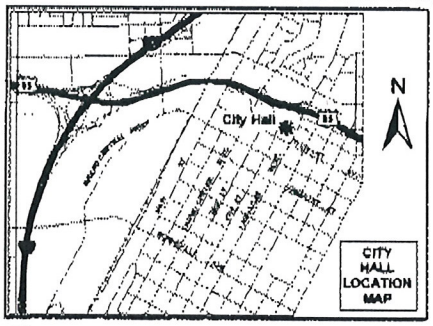

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VAR-37295 & SUP-36961 & SDR-36962
City Council Meeting of 4/7/2010

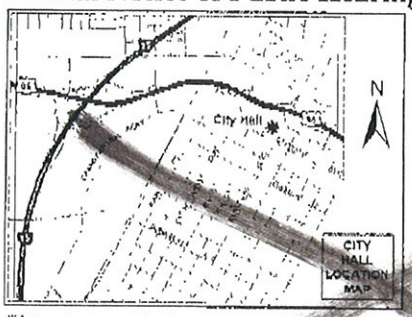
Case: VAR-37295
16305315042
YONEMURA TOM M & YUKO 1980 TRUST
1924 BAY HILL DR
LAS VEGAS NV 89117-5732

RECEIVED
CITY CLERK
2010 MAR 29 A 8:06

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.

VAR-37295 & SUP-36961

Planning Commission Meeting of 2/25/2010

Case VAR-37295-LABELS
16305415171
THOMPSON JANA P
328 S BUFFALO DR #102
LAS VEGAS NV 89145-4990

LAUCS11 89145

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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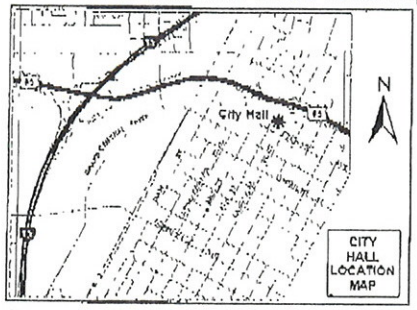
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SDR-36962

Planning Commission Meeting of 2/25/2010

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FEB 24 2010

Case: SDR-36962-LABELS
16305415171
THOMPSON JANA P
328 S BUFFALO DR #102
LAS VEGAS NV 89145-4990

Submitted after final agenda
Date Item 13

LAUCS11 89145

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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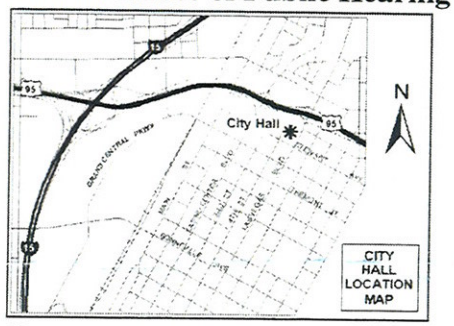

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SDR-36962

Planning Commission Meeting of 2/25/2010

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10 FEB 18 PM 3:19
PLANNING AND DEVELOPMENT

Case: SDR-36962-LABELS

16306713051
BROWNE-AINGE BRICKEN
1816 SCENIC SUNRISE DR
LAS VEGAS NV 89117-7207

LAVDS11 89117

Submitted after final agenda
Date
Item 34

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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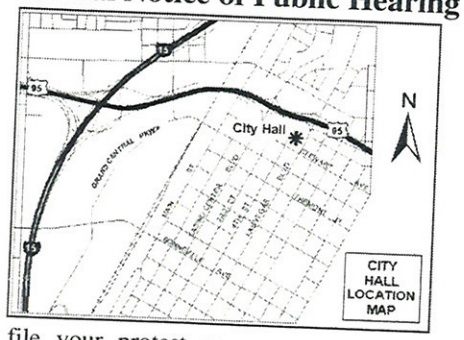

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-36962

Planning Commission Meeting of 2/25/2010

16306711012 Case: SDR-36962-LABELS
AYOTTE ALLYN A & FAM REV LIV TR
18582 VALLEY DR
VILLA PARK CA 92861-2814

RECEIVED
10 FEB 24 PM 4:34
PLANNING & DEVELOPMENT

LAUDS11 92861

Submitted after final agenda
Date
Item 134

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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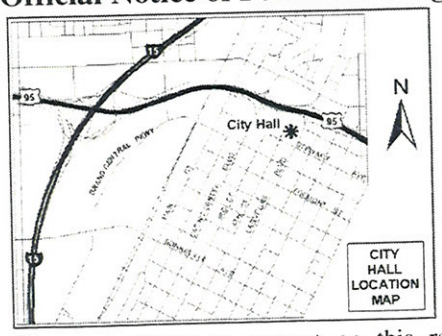

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

there's not enough info as to what it's being rezoned for.

Please use available blank space on card for your comments.

SDR-36962

Planning Commission Meeting of 2/25/2010

RECEIVED
10 FEB 24 PM 4:33
PLANNING AND DEVELOPMENT

Case: SDR-36962-LABELS
16305311006
CALIBOSO MARIA LUISA M
1700 GLENWILLOW DR
LAS VEGAS NV 89117-5300

LAVDS11 89117

Submitted after final agenda
Date
Item 30

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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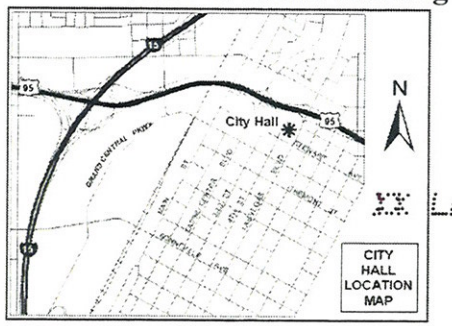

XX LAS VEGAS NV 890 02-13-10

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☑ I SUPPORT this Request ☐ I OPPOSE this Request

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SDR-36962

Planning Commission Meeting of 2/25/2010

Case: SDR-36962-LABELS
163981 14006
HAVASI TIMOTHY & KATHERYN M
2240 BELMONT
CASPER WY 82604-4672

PLANNING AND DEVELOPMENT
10 FEB 24 PM 4:33
RECEIVED

LAVDP11 82604

Submitted after final agenda
Date
Item 34

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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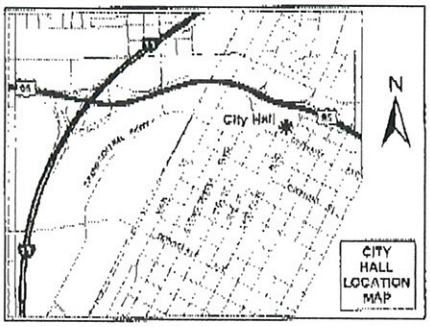

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-36962

Planning Commission Meeting of 2/25/2010

Case: SDR-36962-LABELS
16306713052
AVILA HEATHER T R
1812 SCENIC SUNRISE DR
LAS VEGAS NV 89117-7207

LAUDS11 89117

RECEIVED
FEB 22 2010

Submitted after final agenda
Date Item 13A

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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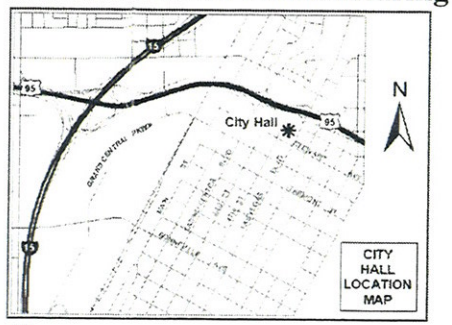
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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SDR-36962

Planning Commission Meeting of 2/25/2010

PRESORTED FIRST CLASS

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0004279218 FEB 12 2010
MAILED FROM ZIPCODE 89101

RECEIVED
FEB 22 2010

Case: SDR-36962-LABELS

16308110022
LEASKAS PETER G
2728 TIDEWATER CT
LAS VEGAS NV 89117-2447

LAVDS11 89117

Submitted after final agenda
Date
Item 13A

City of Las Vegas Agenda Item No.: **83.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 7, 2010

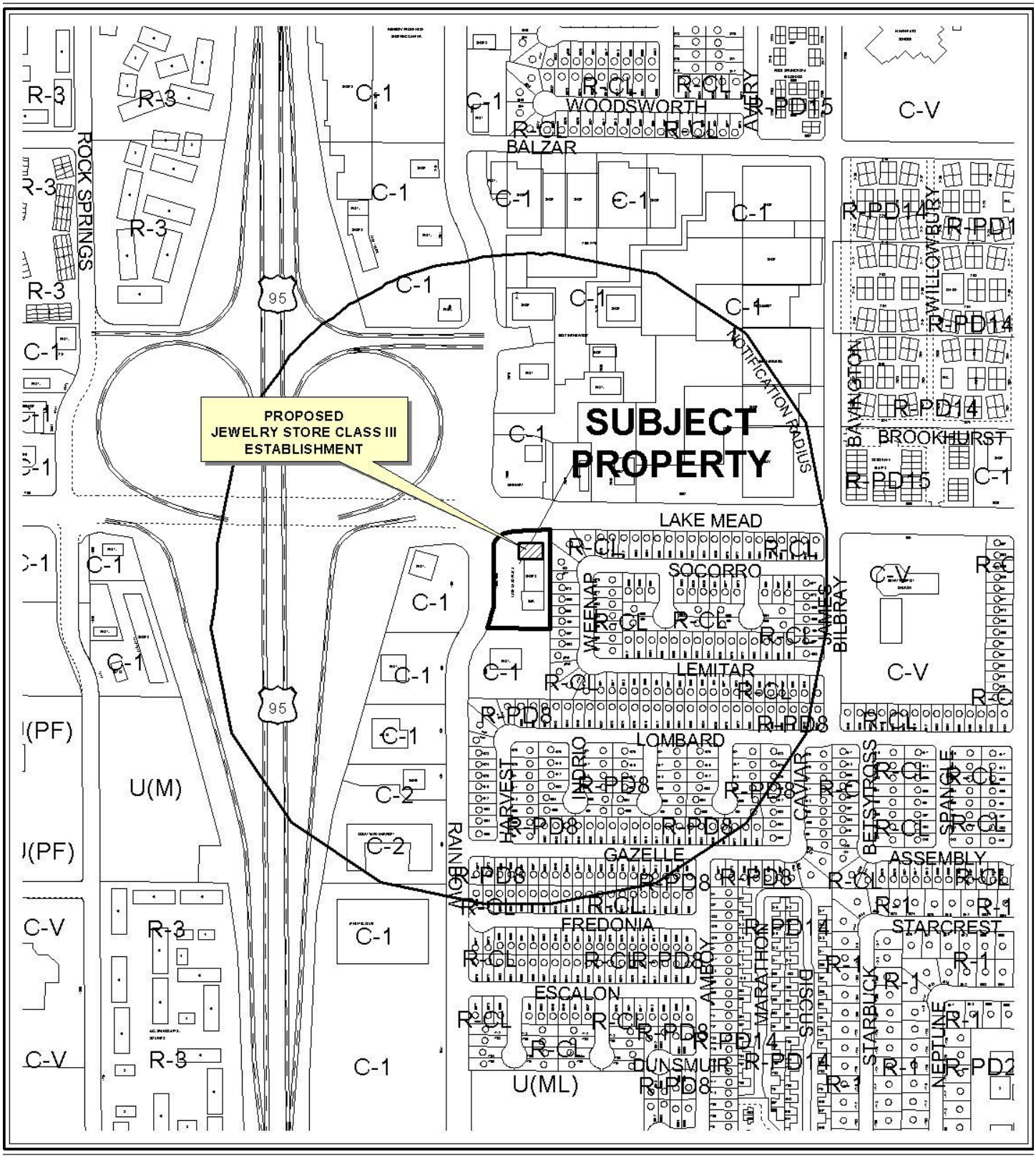
DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:
VAR-37296 - VARIANCE - PUBLIC HEARING - APPLICANT: CHECK CITY - OWNER: BECKER & SONS, LLC - Request for a Variance to ALLOW 119 PARKING SPACES WHERE 132 SPACES ARE REQUIRED at 1990 North Rainbow Boulevard (APN 138-23-301-002), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**1**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL, subject to conditions:

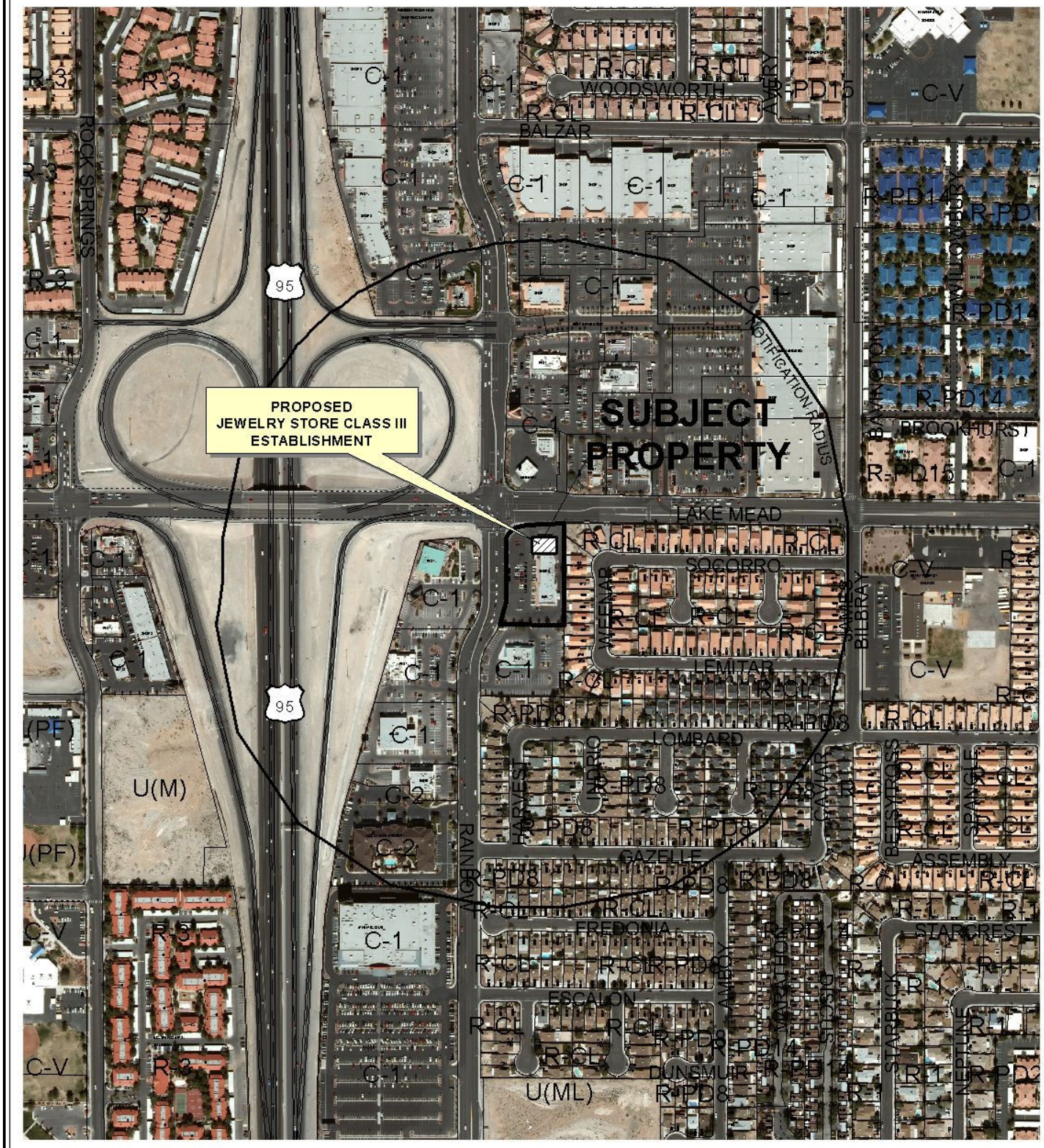
BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Backup Referenced from the February 25, 2010 Planning Commission Meeting Item #14



CASE: **VAR-37296**

RADIUS: 1000 FT

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



CASE: **VAR-37296**

RADIUS: 1000 FT

0 500 1000 Feet

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-37296- APPLICANT: CHECK CITY - OWNER: BECKER & SONS

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (6-0-1 vote/gf) recommends APPROVAL, subject to conditions:

Planning and Development

1. Conformance to the conditions for Special Use Permit (SUP-37153) if approved.

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.

VAR-37296 - Staff Report Page One
April 7, 2010 - City Council Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Variance to allow 119 parking spaces where 132 spaces are required for a Jewelry Store, Class III use within an existing Auto Title Loan and Financial Institution, Specified at 1990 North Rainbow Boulevard. This represents a 10% deviation from standard. Staff cannot support the Variance request, as a Jewelry Store, Class III use has a more intense parking requirement than the existing uses. If this application is denied, the associated Special Use Permit (SUP-37153) must be denied.

ISSUES

- Approval of this request is necessary for the approval of Special Use Permit (SUP-37153) for a Jewelry Store, Class III within an existing Auto Title Loan and Financial Institution, Specified.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales	
10/03/84	The City Council approved a Rezoning (Z-0042-84) from N-U (Non-Urban) to C-1 (Limited Commercial) on the subject property as part of a larger request. The Planning Commission recommended
02/5/86	The City Council approved an extension of time [Z-0042-84(1)] for an approved Rezoning (Z-0042-84) on the subject site. The Planning Commission recommended approval.
02/4/87	The City Council approved an extension of time [Z-0042-84(2)] for an approved Rezoning (Z-0042-84) on the subject site. The Planning Commission recommended approval.
04/20/88	The City Council approved an extension of time [Z-0042-84(3)] for an approved Rezoning (Z-0042-84) on the subject site. The Planning Commission recommended approval.
10/12/89	The Planning Commission approved a request for a Plot Plan and Building Elevation Review [Z-0042-84(4)] for a proposed Gas Station Convenience Store on the subject site.
04/8/90	The City Council approved an extension of time [Z-0042-84(5)] for an approved Rezoning (Z-0042-84) on the subject site. The Planning Commission recommended approval.
07/22/91	The City Council approved a request for a Variance (V-0111-91) to allow 110 parking spaces where 121 parking spaces are required on property located at the southeast corner of Lake Mead Boulevard.

01/19/07	The City Council approved a Special Use Permit (SUP-19296) request for a proposed Auto Title Loan Establishment and a Waiver of the 200-foot distance separation requirement from residentially zoned property. The Planning Commission recommended approval, whereas staff recommended denial.
04/01/09	The City Council approved a Variance (VAR-32995) request for a Variance to allow 119 parking spaces where 126 are required on a parking impaired site. The Planning Commission recommended approval, whereas staff recommended denial.
02/25/10	The Planning Commission recommended approval of companion item SUP-37153 concurrently with this application. Staff recommends DENIAL. The Planning Commission (6-0-1 vote/gf) recommends APPROVAL.
Related Building Permits/Business Licenses	
08/22/07	A building permit (#92503) for a Tenant Improvement to an existing commercial building was issued for the subject Auto Title Loan and Financial Institution, Specified at 1990 North Rainbow Boulevard. The project was completed on 12/21/07.
11/08/07	A business license (C21-00182) was issued for a Check Cashing Service at 1990 North Rainbow Boulevard. The license was marked out of business on 07/24/09.
04/17/09	A business license (W10-00266) was issued for a Wire Service at 1990 North Rainbow Boulevard. The license is still active.
10/13/09	A business license (N02-00087) was issued for a Non-Depository Lender at 1990 North Rainbow Boulevard. The license is still active.
Pre-Application Meeting	
12/02/09	Description A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for a Jewelry Store, Class III were discussed. The topics included: • The submittal of application materials, meeting dates, and deadlines were discussed at the pre-application meeting. • A Variance application is required due to the parking requirement for the Jewelry Store, Class III use.
Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	

Field Check	
01/21/10	Window signage exceeds 20 percent of the window area. The hours of operation are posted on the storefront window, and indicate 7:00 a.m. to 11:00 p.m.

Details of Application Request	
Site Area	
Gross Acres	1.66

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
East	Single-Family Residence	ML (Medium Low Residential)	R-CL (Single Family Compact-Lot)
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			
A-O (Airport Overlay) District (140-foot)	X		Y
Trails			
Pedestrian Path	X		Y
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	
Restaurant, with Service Bar	1,485 SF	1:50 SF Public Area	30				
	1,515 SF	1:200 SF Non-Public	8				
Jewelry Store, Class III	3,240 SF	1:175 SF	18				

Dry Cleaners	1,000 SF	1:250 SF	4				
Nail Salon	8 stations	2 per station	16				
Liquor Establishment (Tavern)	2,330 SF	1:50 SF Public Area	47				
	1,700 SF	1:200 SF Non-Public	9				
SubTotal			127	5	114	5	N
TOTAL			132		119		N
Percent Deviation			10%				

ANALYSIS

A total of 132 parking spaces are required on the subject site per Title 19.10 Parking Standards for the existing and proposed uses. The site plan depicts 119 parking spaces, including five handicap spaces, which is a 10% deviation from standard. The proposed use will be located within an existing Auto Title Loan and Financial Institution, Specified, where the parking requirement is one space per 250 square feet. The Jewelry Store, Class III use has a parking requirement of one space per 175 square feet, resulting in an increase of six spaces, which is the subject of this request. A previously approved Variance (VAR-32995) allowed 119 parking spaces where 126 parking spaces were required. The applicant has provided no evidence of unique or extraordinary circumstances pursuant to Title 19.18.070(L) that would substantiate the Variance request; therefore, staff recommends denial.

FINDINGS

In accordance with the provisions of Title 19.18.070(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature.

Additionally, Title 19.18.070(L) states:

> "Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing a use that is too intense for the site to accommodate. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

NOTICES MAILED 251 (By City Clerk)

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-37296 APN: 138-23-301-002 – aportion of

Name of Property Owner: Becker & Sons, LLC

Name of Applicant: Check City

Name of Representative: Check City

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: ERNEST A BECKER JR 2-22-10

Subscribed and sworn before me

This 22nd day of February, 2010

Debra S. Alston

Notary Public in and for said County and State

DEBRA S. ALSTON
Notary Public State of Nevada
No. 03-84766-1
My appt. exp. Oct. 10, 2011

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-37296 APN: 138-23-301-002

Name of Property Owner: Becker & Sons

Name of Applicant: Check City

Name of Representative: Check City

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): _____ _____

APN: _____

Signature of Property Owner: By _____
Its: Manager

Print Name: Barry W. Becker

Subscribed and sworn before me

This 23 day of December, 2009

Melissa Hamilton
Notary Public in and for said County and State

NOTARY PUBLIC
MELISSA HAMILTON
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. APRIL 25, 2012
No: 08-6528-1

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: SUP for Class III Jewelry

Project Address (Location) 1990 N. Rainbow Blvd, 89108

Project Name Check City **Proposed Use** Class III Jewelry

Assessor's Parcel #(s) 138-23-301-002 - a portion of **Ward #**

General Plan: existing NC proposed NC **Zoning:** existing C-1 proposed C-1

Commercial Square Footage **Floor Area Ratio**

Gross Acres **Lots/Units** **Density**

Additional Information Adding use of gold purchase to existing financial institution

PROPERTY OWNER Becker & Sons, LLC **Contact** Ernie Becker Jr.

Address 8090 S. Durango. ste 115 **Phone:** 395-9244 **Fax:** 395-9

City Las Vegas **State** NV **Zip** 89113

E-mail Address

APPLICANT Check City **Contact** Jim Marchesi

Address 2640 Crimson Canyon **Phone:** (702) 258-8888 **Fax:**

City Las Vegas **State** nv **Zip** 89128

E-mail Address jtskee@aol.com

REPRESENTATIVE Check City **Contact** Jim Marchesi

Address 2640 Crimson Canyon **Phone:** (702) 258-8888 **Fax:**

City Las Vegas **State** NV **Zip** 89128

E-mail Address

Property Owner Signature* [signature]

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

Print Name ERNEST A BECKER JR 2-22-10

Subscribed and sworn before me

This 22nd day of February, 20 10.

[signature]

Notary Public in and for said County and State

DEBRA S. ALSTON
Notary Public State of Nevada
No. 03-84766-1
My appt. exp. Oct. 10, 2011

FOR DEPARTMENT USE ONLY

Case # VAR-37296
Meeting Date:
Total Fee:
Date Received:*
Received By:

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

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: SUP for Class III Jewelry

Project Address (Location) 1974 N. Rainbow

Project Name Check City **Proposed Use** Class III Jewelry

Assessor's Parcel #(s) 138-23-301-002 **Ward #** _____

General Plan: existing NC proposed NC **Zoning:** existing C-1 proposed C-1

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information Adding use of gold purchase to existing financial institution

PROPERTY OWNER Becker & Sons. **Contact** _____

Address 50 S. Jones **Phone:** _____ **Fax:** _____

City Las Vegas **State** NV **Zip** 89107

E-mail Address Cmartin@Beckerlv.com

APPLICANT Check City **Contact** Jim Marchesi

Address 2640 Crimson Canyon **Phone:** (702) 258-8888 **Fax:** _____

City Las Vegas **State** nv **Zip** 89128

E-mail Address jtskee@aol.com

REPRESENTATIVE Check City **Contact** Jim Marchesi

Address 2640 Crimson Canyon **Phone:** (702) 258-8888 **Fax:** _____

City Las Vegas **State** NV **Zip** 89128

E-mail Address jtskee@aol.com

Becker & Sons

Property Owner Signature* By: _____
Barry W. Becker, Manager

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

Print Name Barry W. Becker,

Subscribed and sworn before me

This 23 day of DECEMBER, 20 09.

Melissa Hamilton

Notary Public in and for said County and State

NOTARY PUBLIC
MELISSA HAMILTON
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. APRIL 25, 2012
No: 08-6528-1

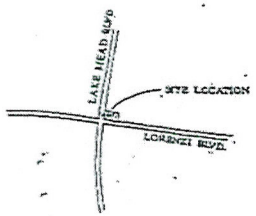
FOR DEPARTMENT USE ONLY

Case #	VAR-37296
Meeting Date:	2/25/10
Total Fee:	830.00
Date Received:*	01/29/10
Received By:	

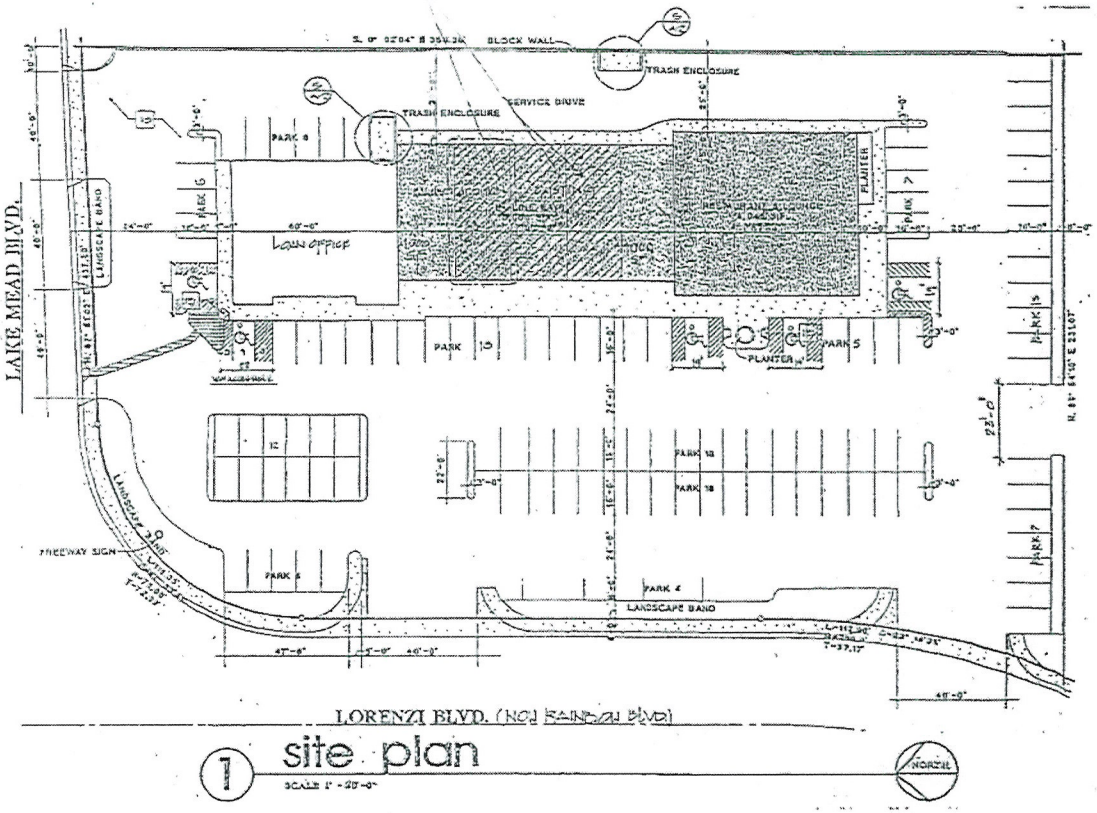
*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

SHEET INDEX

CO SITE PLAN, 2006 IBC CODE ANALYSIS, PROJECT DATA
A-1 FLOOR PLAN OF EXISTING RESTAURANT, LIST OF EQUIPMENT
A-2 FLOOR PLAN OF EXISTING ADDITION, FINISH SCHED.
A-3 REFLECTED CEILING PLAN, CEILING SWAY BRACE
M-1 AIR CONDITIONING PLAN
M-2 HOOD DETAILS
E-1 POWER PLAN FOR ADDITION, PANEL SCHED, ELEC LEGEND
E-2 LIGHTING PLAN FOR ADDITION, INTERIOR LIGHTING COMPLIANCE
P-1 PLUMBING PLAN, HOT, COLD & GAS PIPING



3 location
N.T.S.



1 site plan
SCALE 1" = 20'-0"

PARKING REQUIRED:

LAWN OFFICE	1 PER 250 SF (1,000 + 2,000) = 3,000 SF ÷ 250 12 SPACES REQUIRED	25%
PET CLEANING	1 PER 250 SF 100 ÷ 250 = 4 SPACES REQUIRED.	8.4%
RESTAURANT	(48+63 SF ÷ 50 = 24.09 SPACES REQUIRED (PARK 14); 3000 SF − 1434.63 SF = 1565.37 SF 1565.37 ÷ 220 = 7.57+24.09=31.66 = 32 SPACES REQUIRED.	25.2%
SIDEWALK	1 PER BLDG. EXISTING BLDGS. 8 8 x 2 = 16 SPACES REQUIRED.	8.4%
DRINKING ESTABLISHMENT	1 PER 50 SF SERVICE AREA + 1 PER EMPLOYEE 752 (SERVICE AREA) SF 4040 SF = 3288 3288 ÷ 50 = 66 SPACES + 6 EMPLOYEES (1 PER EACH SHIFT) = 72 SPACES REQUIRED.	34%

15+4+32+16+67 = 134 SPACES REQUIRED
117 SPACES PROVIDED
INCLUDING 5 HANDICAP SPACES.

Ø INDICATES 8' X 16' SPACES – ALL OTHERS ARE 9' X 16'

2 PROJECT INFORMATION

APPLICABLE BUILDING CODE – IBC 2006:

PROPOSED USE: RESTAURANT
OCCUPANCY CLASSIFICATION: A-2 — CHAP. 3 SECTION 302
TYPE OF CONSTRUCTION: 5B — CHAP. 6 SECTION 602-5
FIRE SPRINKLERS YES/NO: YES
STORIES: ONE
LOT AREA:
BUILDING AREA (TENANT): 3000 SQ. FT.

OCCUPANT LOAD: SECTION 1004 TABLE 1004.1.1

		LOAD FACTOR	OCCUPANT LOAD
BLDG.	SF. 3,000		
DINING	SF. 1434.63 = (12+5.09+23)	15	(82+10) = 123.09
KITCHEN	SF. 1040.52	200	5.20
RESTROOM	SF. 204.80	100	2.04
HALLWAYS	SF. 217.34	100	2.17
PATIO	SF. 52.71	30	1.75
			134 + 1 = 135

EXITING REQUIREMENTS — CHAP. 10 TABLE 1003 & 1004

EXIT DOORS = OCCUPANT LOAD x 0.2	133 x 0.2 = 27
EXIT WIDTH REQUIRED	27
EXIT WIDTH PROVIDED	2 DOORS 2@36 = 216

PLUMBING FIXTURES — CHAP. 29 TABLE 2901, 2902 TABLE 2902.1

	MEN	WOMEN
W.C. REQUIRED	2	2
W.C. PROVIDED	1+1 UNISEX	2
LAVATORY REQUIRED	1	2
LAVATORY PROVIDED	1	2

PARKING

EXISTING PROVIDED BY BLDG. COMPLEX

ENERGY COMPLIANCE STATEMENT

BUILDING ENVELOPE IS EXISTING AND WILL NOT BE ALTERED BY THIS PROJECT.

VAR-37296
02/25/10 PC

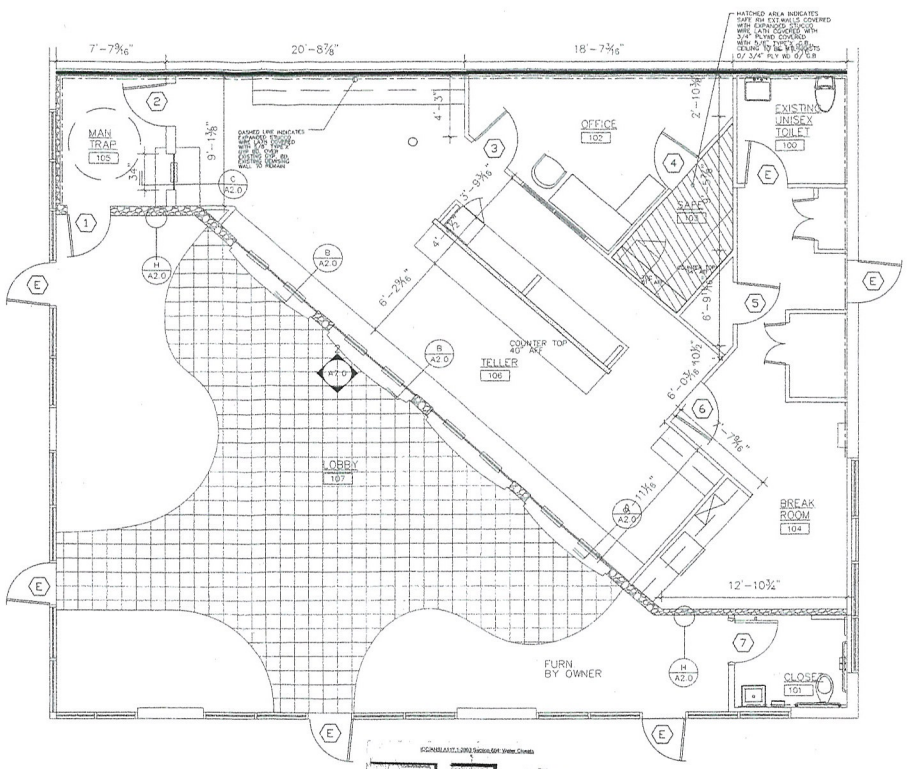
RECEIVED
JAN 29 2010

REVISIONS	BY
1 DEC 2nd HR	

PIN KAO THAI RESTAURANT
TENANT IMPROVEMENT
1478 RAINBOW BLVD. LAS VEGAS, NEVADA 89146

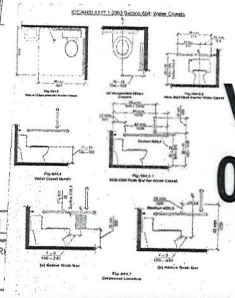
Gilbert Management & Construction
3345 W. Eagle Mountain, Suite 51 Las Vegas, NV 89102
Tel: 702-258-5916 License # 0066556 Fax: 702-368-6061

DRAWN M.P.
CHECKED
DATE OCT 2009
SCALE 1"=20'-0"
JOB NO.
SHEET CO.
OF SHEETS



A FLOOR PLAN

1/4" = 1'-0"



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OCT 05 2007
CITY OF LAS VEGAS
PERMITS

VAR-37296

02/25/10 PC

DOOR SCHEDULE

DOOR NO.	DOOR SIZE W	H	T	MAT'L	TYPE	GLASS	LOUVER W	H	FRAME MAT'L	TYPE	DETAILS	HWD SET NO.	ROOM SIGN	LABEL	REMARKS
1	3'-0"	6'-8"	1 3/4"	MTL					MTL			4			
2	3'-0"	6'-8"	1 3/4"	MTL					MTL			4			
3	3'-0"	6'-8"	1 3/4"	WD					MTL			2			
4	3'-0"	6'-8"	1 3/4"	WD					MTL			5			
5	3'-0"	6'-8"	1 3/4"	WD					MTL			6			
6	3'-0"	6'-8"	1 3/4"	WD					MTL			2			

HARDWARE

HW-1
1.5 PR HINGES BB1279 X 4.5NRP US26D
1 EA LOCK DORMBOLT US26D
1 EA CLOSER-CRASH PA US26D
1 EA KICK PLATE 10X34 US26D
1 EA STOP 430 US26D
1 EA DEADBOLT US26D

HW-2
1.5 PR HINGES BB1279 X 4.5NRP US26D
1 EA LATCH DIAPHRAGHES US26D
1 EA STOPS 411 US26D

HW-3
1.5 PR HINGES BB1279 X 4.5X4.5 US26D
1 EA LOCK 9405 US26D
1 EA STOPS 411 US26D

HW-4
1.5 PR HINGES BB1279 X 4.5NRP US26D
1 EA LOCK DORMBOLT US26D
1 EA CLOSER-CRASH PA US26D
1 EA KICK PLATE 10X34 US26D
1 EA STOPS 430 US26D

HW-5
1.5 PR HINGES BB1279 X 4.5X4.5 US26D
1 EA DEADBOLT US26D
1 EA KICK PLATE 10X34 US26D
1 EA STOPS 411 US26D

HW-6
1.5 PR HINGES BB1279 X 4.5X4.5 US26D
1 EA LOCK TIMELOCK US26D
1 EA DEADLOCK B460 US26D
1 EA DOORVIEWER 698 US26D
1 EA STOPS 411 US26D

ROOM FINISH SCHEDULE

ROOM NUMBER	ROOM NAME	FLOORS	BASE	WALLS	CEILINGS	REMARKS
100	EXISTING TOILET					
101	CLOSET					
102	OFFICE					
103	SAFE					
104	BREAK ROOM					
105	WALL TILE					
106	TELLER					
107	LOBBY					

PUBLIC RESTROOMS AVAILABLE UPON REQUEST

H SIGN DETAIL N.T.S.

B FRAMING DETAIL N.T.S.

B1 FRAMING DETAIL N.T.S.

A FRAMING DETAIL N.T.S.

B FRAMING DETAIL N.T.S.

D FRAMING DETAIL N.T.S.

C FRAMING DETAIL N.T.S.

G FRAMING DETAIL N.T.S.

F FRAMING DETAIL N.T.S.

E BOX SECTION HEADER DETAIL SCALE 3" = 1'-0"

RECEIVED
JAN 29 2010
06D-1034

06D-1034

REV	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		

DRAWING STATUS
- ☐ PRELIMINARY
- ☐ BLDG DEPT SUBMIT
- ☐ APPROVED
- ☐ REDLINE COMPLETION
- ☐ FINAL CHECK
- ☐ ISSUED FOR CONSTRUCTION

DATE INITIALS

CONSULTANT:

DESIGNED D.D.
DRAWN NGC
CHECKED D.D.
FILE
DATE 02/25/2007

ALL DRAWINGS, SPECIFICATIONS AND COPIES THEREOF FURNISHED BY THE ARCHITECT ARE AND SHALL REMAIN HIS SOLE PROPERTY. THEY ARE TO BE USED ONLY WITH RESPECT TO THIS PROJECT, AND NOT TO BE USED ON ANY OTHER PROJECT WITH EXCEPTION OF ONE CONTRACT SET FOR EACH PARTY TO THE BUILDING CONTRACT. SUCH DOCUMENTS ARE TO BE RETURNED OR SUITABLY ACCOUNTED FOR TO THE ARCHITECT ON REQUEST AT THE COMPLETION OF THE PROJECT. SUBMISSION OR DISTRIBUTION TO MEET OFFICIAL REGULATORY REQUIREMENTS OR FOR OTHER PURPOSES IN CONNECTION WITH THIS PROJECT IS NOT TO BE CONSTRUED AS PUBLICATION IN DEROGATION OF THE ARCHITECTS COMMON LAW COPYRIGHTS OR OTHER RESERVED RIGHTS. ANY USE OR REPRODUCTION OF THIS DRAWING, IN WHOLE OR IN PART, BY ANY MEANS WHATSOEVER, IS STRICTLY PROHIBITED EXCEPT WITH THE SPECIFIC WRITTEN CONSENT OF DAVID L. DOWNEY P.C.

DO NOT SCALE THIS DRAWING

DAVID L. DOWNEY P.C.
ARCHITECT
4075 WEST DESERT INN RD. SUITE A
LAS VEGAS NEVADA 89103
(702) 245 8221 email downeyinc@aol.com

Tenant Improvement For

TENAYA & CHEYENNE
7350 WEST CHEYENNE
Suite 112
Las Vegas, Nevada

STAMP

DAVID L. DOWNEY — REGISTERED — 12250 — 12/31/07 — ARCHITECT — STATE OF NEVADA

PLANS APPROVED CONSTRUCTION
Building & Safety Dept.
City of Las Vegas, Nevada

SHEET NO. A2.0

OCT 10 2007

Shows fire/smoke dampers, FS/damper, Mechanical, Electrical, Plumbing, Fire Alarm, Fire Protection Plans to be submitted separately.

SCALE AS NOTED


TONY ROMA'S
1990
CINTAS
RECEIVED
JAN 29 2010
VAR-37296
02/25/10 PC



RECEIVED
JAN 29 2010

VAR-37296
02/25/10 PC



VAR-37296 - APPLICANT: CHECK CITY - OWNER: BECKER & SONS, LLC
1990 NORTH RAINBOW BOULEVARD
FEBRUARY 25, 2010 PLANNING COMMISSION

01/22/10



VAR-37296 - APPLICANT: CHECK CITY - OWNER: BECKER & SONS, LLC
1990 NORTH RAINBOW BOULEVARD
FEBRUARY 25, 2010 PLANNING COMMISSION

01/22/10

LA Stewart Consulting
2211 Rampart #130
Las Vegas, NV 89124
(702) 499-6469-Cell
(702) 946-0857-fax

VAR-37296
02/25/10 PC

January 28, 2010

Romeo Gumarang, Planner I
City of Las Vegas, Planning & Development
739 South Fourth Street
Las Vegas, NV. 89101

RE: 1990 Rainbow

Dear Mr Gumarang :

Please accept this letter as our request for a variance for parking on the above referenced site.

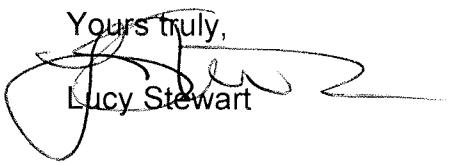
Check City believes this to be another service for their existing customers. Below is the parking calculation for the previous variance. With the new requirement of calculating the parking at one space per 175 square feet (3,060 SF 1:175 SF =18) an additional 5 spaces is required.

Parking Requirement

Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Restaurant, with Service Bar	1,485 SF	1:50 SF Public Area	30				
	1,515 SF	1:200 SF Non-Public	8				
Financial Institution, Specified	3,060 SF	1:250 SF	13				
Dry Cleaners	1,000 SF	1:250 SF	4				
Nail Salon	8 stations	2 per station	16				
Liquor Establishment (Tavern)	2,330 SF	1:50 SF Public Area	47				
	1,700 SF	1:200 SF Non-Public	9				
SubTotal			121	5	114	5	
TOTAL	12,100 sq. ft		126		119		N
Percent Deviation					6 %		N

This is an existing building and the size and shape of the property will not allow for additional parking spaces. Check City is already providing this service in Clark County and has found no increase in demand for their parking. Because this is a service for existing customers, additional parking will not be necessary. Thank you for your consideration.

Yours truly,



Lucy Stewart

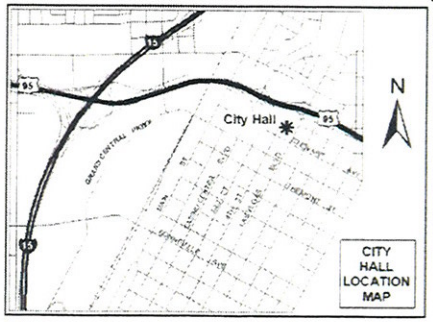
VAR-37296
02/25/10 PC

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 $ 00.41⁴
0004279218 FEB 12 2010
MAILED FROM ZIP CODE 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.

VAR-37296 & SUP-37153
Planning Commission Meeting of 2/25/2010

Case: VAR-37296-LABELS
138233100 83
HUTCHESON WILLIAM F & JOSEPHINE
1972 WEENAP DR
LAS VEGAS NV 89108-2783

PLANNING AND DEVELOPMENT
10 FEB 24 PM 4:33
RECEIVED

LAVDS11 89108

Submitted after final agenda
Date 2/24/10 Item 4 PM

City of Las Vegas Agenda Item No.: **84.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 7, 2010

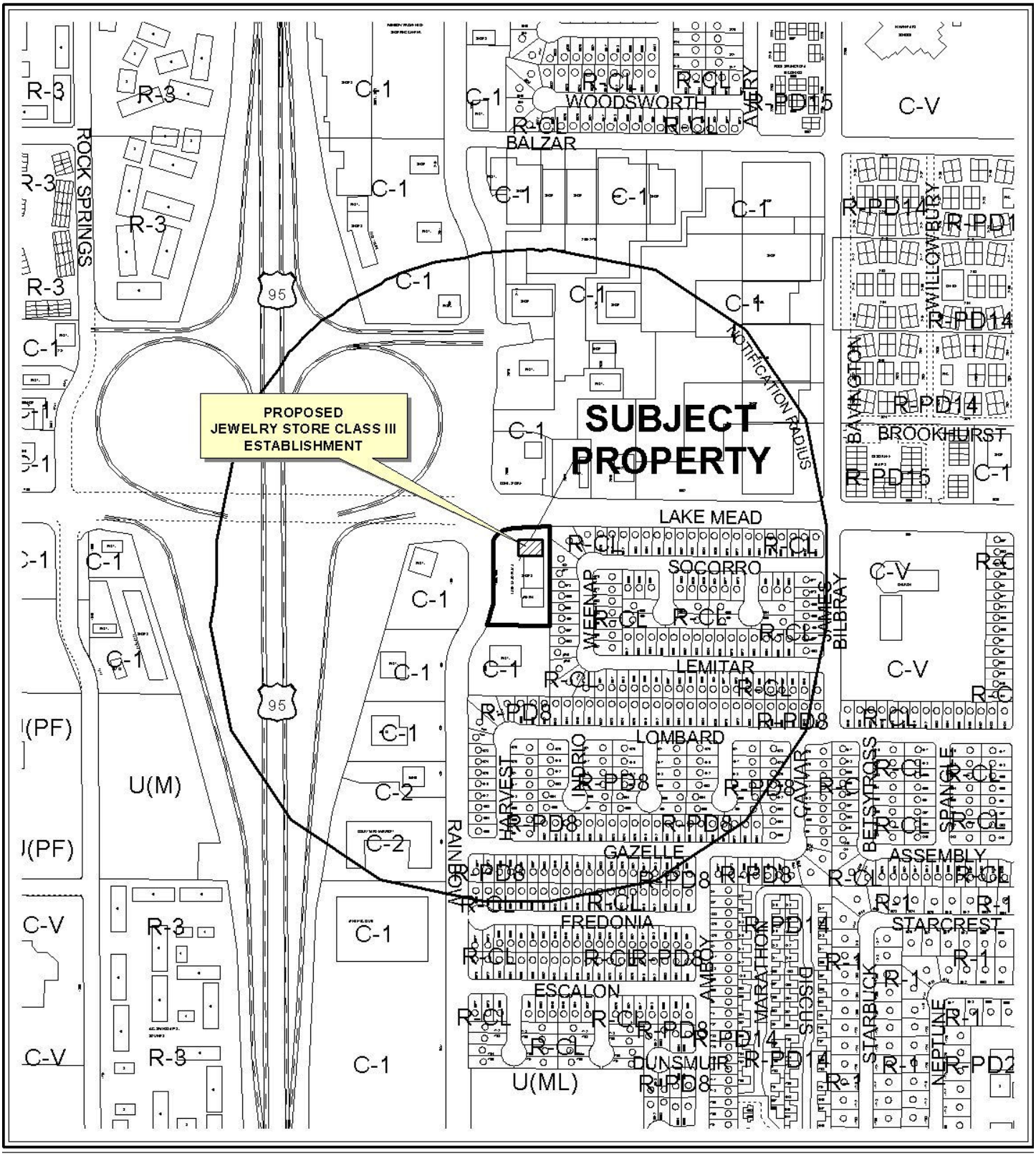
DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:
SUP-37153- SPECIAL USE PERMIT RELATED TO VAR-37296 - PUBLIC HEARING - APPLICANT: CHECK CITY - OWNER: BECKER & SONS, LLC - Request for a Special Use Permit TO ADD A JEWELRY STORE, CLASS III USE TO AN EXISTING 3,240 SQUARE-FOOT AUTO TITLE LOAN AND FINANCIAL INSTITUTION, SPECIFIED at 1990 North Rainbow Boulevard (APN 138-23-301-002), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**1**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (6-0-1 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. City Council Approval Letter for SUP-19296
7. Backup referenced from the February 25, 2010 Planning Commission Meeting Item #15



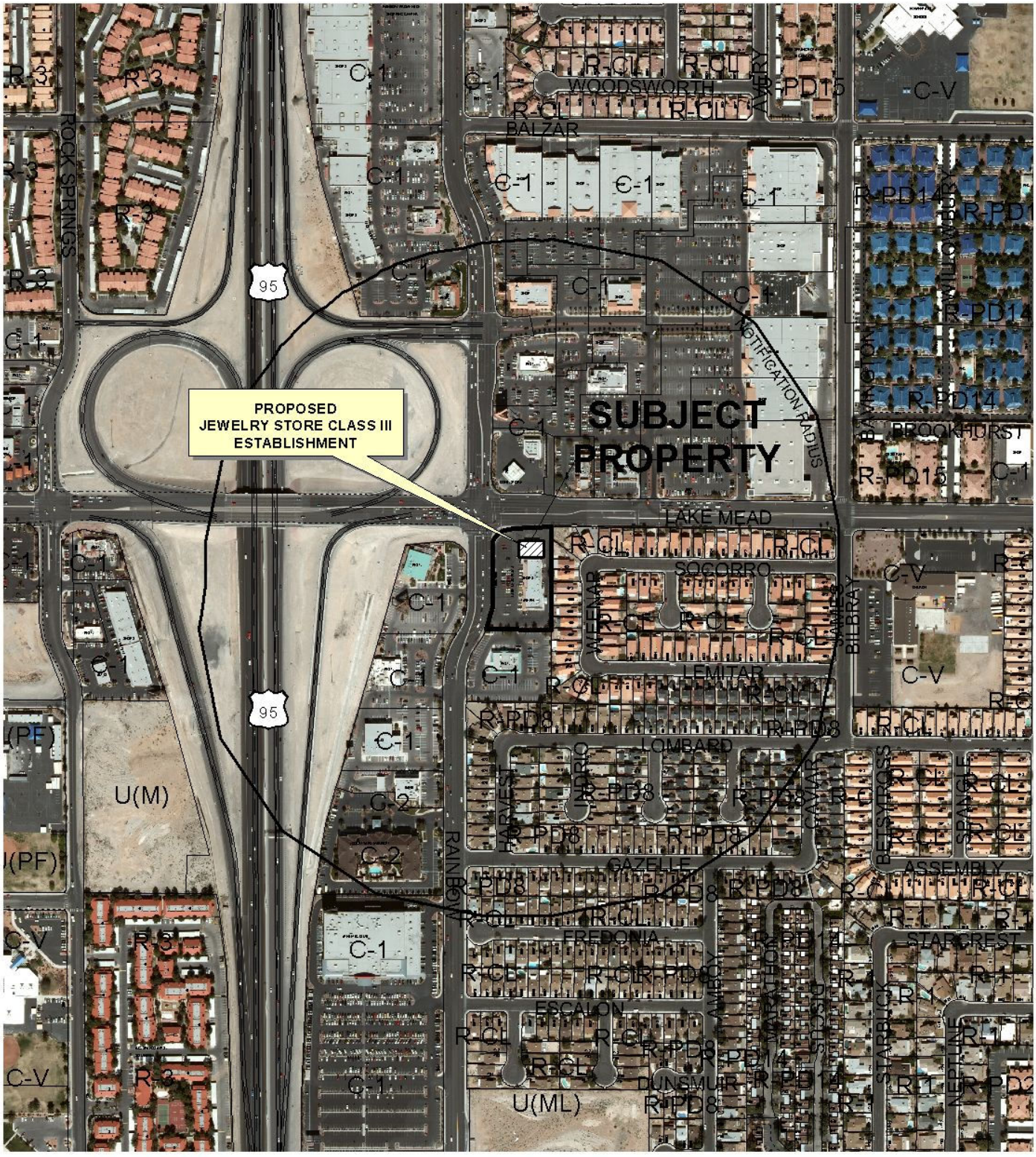
CASE: **SUP-37153**

RADIUS: 1000 FT

0 500 1000 Feet

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

N



CASE: **SUP-37153**

RADIUS: 1000 FT

0 500 1000 Feet

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-37153- APPLICANT: CHECK CITY - OWNER: BECKER & SONS

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (6-0-1 vote/gf) recommends APPROVAL, subject to conditions:

Planning and Development

1. Compliance with all conditions of previously approved Special Use Permit (SUP-19296) shall be required.

2. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Jewelry Store, Class III use.

3. Approval of and conformance to the conditions for Variance (VAR-37296) shall be required.

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.

RG

SUP-37153 - Staff Report Page One
April 7, 2010 - City Council Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit to add a Jewelry Store, Class III use within an existing 3,240 square-foot Auto Title Loan and Financial Institution, Specified at 1990 North Rainbow Boulevard. The use will allow the option to buy broken or discarded gold jewelry on premise. There is no resale of the jewelry; it is not a loan, but a purchase of the jewelry for gold. Staff recommends denial of the proposed use, as it does not meet the minimum parking requirements for a Jewelry Store, Class III use of Title 19.04. If denied the Auto Title Loan and Financial Institution, Specified would remain as it is.

ISSUES

- Approval of an associated Variance (VAR-37296) to allow 119 parking spaces where 132 are required is necessary to approve this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
10/03/84	The City Council approved a Rezoning (Z-0042-84) from N-U (Non-Urban) to C-1 (Limited Commercial) on the subject property as part of a larger request. The Planning Commission recommended
02/05/86	The City Council approved an extension of time [Z-0042-84(1)] for an approved Rezoning (Z-0042-84) on the subject site. The Planning Commission recommended approval.
02/04/87	The City Council approved an extension of time [Z-0042-84(2)] for an approved Rezoning (Z-0042-84) on the subject site. The Planning Commission recommended approval.
04/20/88	The City Council approved an extension of time [Z-0042-84(3)] for an approved Rezoning (Z-0042-84) on the subject site. The Planning Commission recommended approval.
10/12/89	The Planning Commission approved a request for a Plot Plan and Building Elevation Review [Z-0042-84(4)] for a proposed Gas Station Convenience Store on the subject site.
04/08/90	The City Council approved an extension of time [Z-0042-84(5)] for an approved Rezoning (Z-0042-84) on the subject site. The Planning Commission recommended approval.
07/22/91	The City Council approved a request for a Variance (V-0111-91) to allow 110 parking spaces where 121 parking spaces are required on property located at the southeast corner of Lake Mead Boulevard.

01/19/07	The City Council approved a Special Use Permit (SUP-19296) request for a proposed Auto Title Loan Establishment and a Waiver of the 200-foot distance separation requirement from residentially zoned property. The Planning Commission recommended approval, whereas staff recommended denial.
04/01/09	The City Council approved a Variance (VAR-32995) request for a Variance to allow 119 parking spaces where 126 are required on a parking impaired site. The Planning Commission recommended approval, whereas staff recommended denial.
02/25/10	The Planning Commission recommended approval of companion item SUP-37153 concurrently with this application. Staff recommends DENIAL. The Planning Commission (6-0-1 vote/gf) recommends APPROVAL.

Related Building Permits/Business Licenses	
08/22/07	A building permit (#92503) for a Tenant Improvement to an existing commercial building was issued for the subject Auto Title Loan and Financial Institution, Specified at 1990 North Rainbow Boulevard. The project was completed on 12/21/07.
11/08/07	A business license (C21-00182) was issued for a Check Cashing Service at 1990 North Rainbow Boulevard. The license was marked out of business on 07/24/09.
04/17/09	A business license (W10-00266) was issued for a Wire Service at 1990 North Rainbow Boulevard. The license is still active.
10/13/09	A business license (N02-00087) was issued for a Non-Depository Lender at 1990 North Rainbow Boulevard. The license is still active.
Pre-Application Meeting	
12/02/09	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for a Jewelry Store, Class III were discussed. The topics included: • The submittal of application materials, meeting dates, and deadlines were discussed at the pre-application meeting. • A Variance application is required due to the parking requirement for the Jewelry Store, Class III use.
Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	
Field Check	
01/21/10	Window signage exceeds 20 percent of the window area. The hours of operation are posted on the storefront window, and indicate 7:00 a.m. to 11:00 p.m.

Details of Application Request	
Site Area	
Gross Acres	1.66

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
East	Single-Family Residence	ML (Medium Low Residential)	R-CL (Single Family Compact-Lot)
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			
A-O (Airport Overlay) District (140-foot)	X		Y
Trails			
Pedestrian Path	X		Y
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	
Restaurant, with Service Bar	1,485 SF	1:50 SF Public Area	30				
	1,515 SF	1:200 SF Non-Public	8				
Jewelry Store, Class III	3,240 SF	1:175 SF	18				

RG

Dry Cleaners	1,000 SF	1:250 SF	4				
Nail Salon	8 stations	2 per station	16				
Liquor Establishment (Tavern)	2,330 SF	1:50 SF Public Area	47				
	1,700 SF	1:200 SF Non-Public	9				
SubTotal			127	5	114	5	
TOTAL			132		119		N

ANALYSIS

This is a request for a Special Use Permit for a Jewelry Store, Class III use within an existing 3,240 square-foot Auto Title Loan and Financial Institution, Specified. A Jewelry Store, Class III use is defined by Title 19.20.020 as a "store which buys and sells scrap precious metals for marketing as a commodity in bar form or in other than jewelry form, or which buys and sells precious metal bars and coins that are sold as a commodity rather than for numismatic purposes. This may include operations similar to a new jewelry store." The proposed use is within the guideline of the permissible use definition. The applicant will buy used jewelry as a way to acquire gold, but no resale of the jewelry is involved.

The parking requirement for the existing Auto Title Loan and Financial Institution, Specified, is one space per 250 square feet. The proposed Jewelry, Class III use has a more intense parking requirement of one space per 175 square feet, which will result in a net increase of six spaces. As the increased number of spaces cannot be accommodated on the site, an associated Variance (VAR-37296) has been requested to address the issue. The proposed use will be located within an established Auto Title Loan and Financial Institution, Specified, and the proposed use is more parking intensive, staff recommends denial.

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 Jewelry Store Class III use can be harmonious and compatible with the uses in the existing site and with the commercial uses on adjacent properties.

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 the proposed, as is evidenced by the request for a Variance to allow 119 parking spaces where 132 spaces are required. The proposed use will be operated in conjunction with the existing business.

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."**

   Site access is provided from Lake Mead Boulevard, a 100-foot Primary Arterial and Rainbow Boulevard, an 80-foot Secondary Arterial as designated in the Master Plan of Streets and Highways. These streets provide adequate access to and from the subject property.

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 is consistent with the General Plan and will be subject to state and City of Las Vegas business and licensing requirements and will be monitored to ensure public safety and welfare is protected.

5. **The use meets all of the applicable conditions per Title 19.04.**

   The proposed store complies with the Minimum Special Use Permit requirements for the use. There are no distance separation requirements for a Jewelry Store, Class III use.

PC ACTION
The Planning Commission added condition #1 as shown.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

NOTICES MAILED 251 (By City Clerk)

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-37153 APN: 138-23-301-002 – a portion of

Name of Property Owner: Becker & Sons, LLC

Name of Applicant: Check City

Name of Representative: Check City

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: ERNEST A BECKER JR

2-22-10

Subscribed and sworn before me

This 22nd day of February, 2010

Debra Dalston

Notary Public in and for said County and State

DEBRA S. ALSTON
Notary Public State of Nevada
No. 03-84766-1
My appt. exp. Oct. 10, 2011

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-37153** APN: 138-23-301-002

Name of Property Owner: Becker & Sons

Name of Applicant: Check City

Name of Representative: Check City

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): _____ _____

APN: _____

RECEIVED
JAN 12 2010

Signature of Property Owner: By: _____
Its: Manager

Print Name: Barry W. Becker

Subscribed and sworn before me

This 23 day of December, 2009

Melissa Hamilton
Notary Public in and for said County and State

NOTARY PUBLIC
MELISSA HAMILTON
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. APRIL 25, 2012
No: 08-6528-1

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: SUP for Class III Jewelry

Project Address (Location) 1990 N. Rainbow Blvd, 89108

Project Name Check City **Proposed Use** Class III Jewelry

Assessor's Parcel #(s) 138233010022 - a portion of **Ward #** _____

General Plan: existing NC proposed NC **Zoning:** existing C-1 proposed C-1

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information Adding use of gold purchase to existing financial institution

PROPERTY OWNER Becker & Sons, LLC **Contact** Ernie Becker Jr.

Address 8090 S Durango ste 115 **Phone:** 375-9244 **Fax:** 375-4155

City Las Vegas **State** NV **Zip** 89113

E-mail Address _____

APPLICANT Check City **Contact** Jim Marchesi

Address 2640 Crimson Canyon **Phone:** (702) 258-8888 **Fax:** _____

City Las Vegas **State** nv **Zip** 89128

E-mail Address jtskee@aol.com

REPRESENTATIVE Check City **Contact** Jim Marchesi

Address 2640 Crimson Canyon **Phone:** (702) 258-8888 **Fax:** _____

City Las Vegas **State** NV **Zip** 89128

E-mail Address _____

Property Owner Signature* _____

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

Print Name ERNEST A BECKER JR 2-22-10

Subscribed and sworn before me

This 22nd day of February, 20 10.

Debra Alston

Notary Public in and for said County and State

DEBRA S. ALSTON
Notary Public State of Nevada
No. 03-84766-1
My appt. exp. Oct. 10, 2011

FOR DEPARTMENT USE ONLY

Case # SUP-37153
Meeting Date:
Total Fee:
Date Received:*
Received By:

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

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: SUP for Class III Jewelry

Project Address (Location) 1974 N. Rainbow / 1990

Project Name Check City **Proposed Use** Class III Jewelry

Assessor's Parcel #(s) 138-23-301-002 **Ward #** _____

General Plan: existing NC proposed NC **Zoning:** existing C-1 proposed C-1

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information Adding use of gold purchase to existing financial institution

PROPERTY OWNER Becker & Sons. **Contact** _____

Address 50 S. Jones **Phone:** _____ **Fax:** _____

City Las Vegas **State** NV **Zip** 89107

E-mail Address Cmartin@Beckerlv.com

APPLICANT Check City **Contact** Jim Marchesi

Address 2640 Crimson Canyon **Phone:** (702) 258-8888 **Fax:** _____

City Las Vegas **State** nv **Zip** 89128

E-mail Address jtskee@aol.com

REPRESENTATIVE Check City **Contact** Jim Marchesi

Address 2640 Crimson Canyon **Phone:** (702) 258-8888 **Fax:** _____

City Las Vegas **State** NV **Zip** 89128

E-mail Address jtskee@aol.com

Becker & Sons

Property Owner Signature* By: _____
Barry W. Becker, Manager

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

Print Name Barry W. Becker,

Subscribed and sworn before me

This 23 day of DECEMBER, 20 09.

Melissa Hamilton

Notary Public in and for said County and State

NOTARY PUBLIC
MELISSA HAMILTON
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. APRIL 25, 2012
No: 08-6528-1

FOR DEPARTMENT USE ONLY

Case #	SUP-37153
Meeting Date:	2/25/2010
Total Fee:	1030.00
Date Received:*	1/12/10
Received By:	MRey

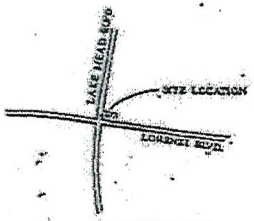
*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

Revised 10/27/08

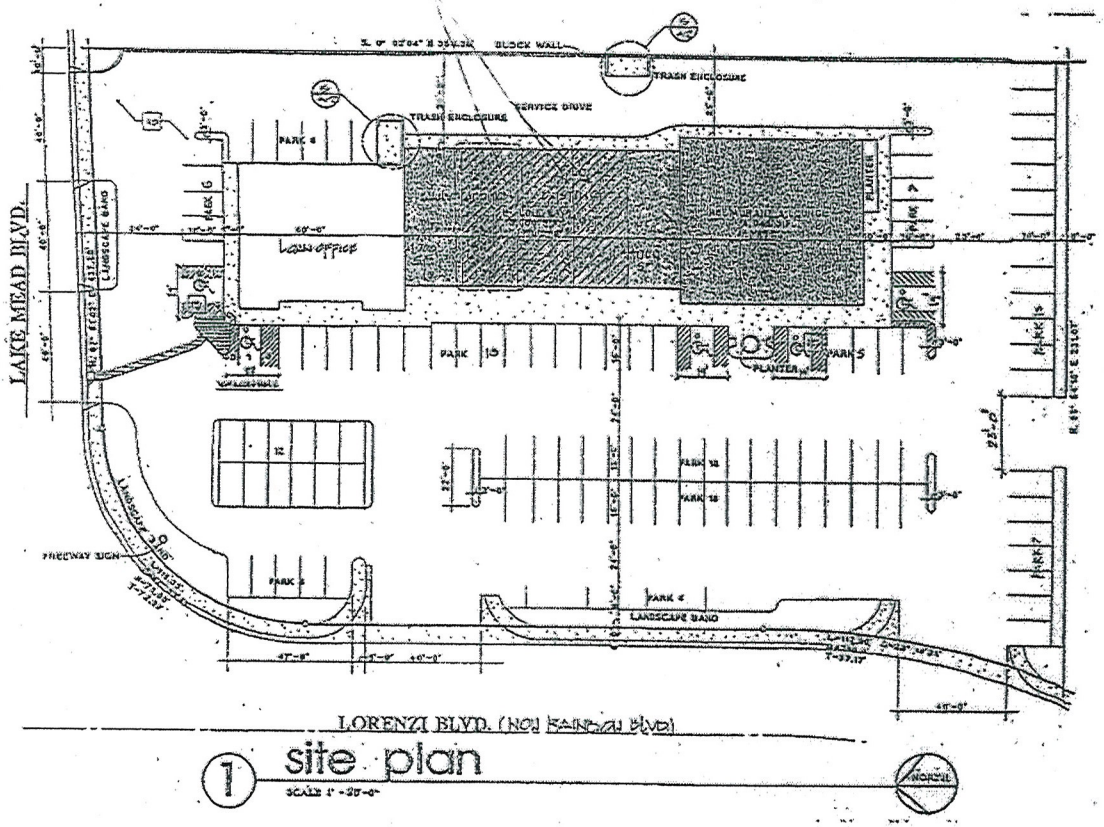
F:\depot\Application Packet\Application Form.pdf

SHEET INDEX

T-0 SITE PLAN, CODE ISSUE, ANALYSIS, PROJECT DATA
A-1 FLOOR PLAN OF EXISTING RESTAURANT, LIST OF EQUIPMENT
A-2 FLOOR PLAN OF EXISTING ADDITION, FINISH SCHED.
A-3 REFLECTED CEILING PLAN, CEILING SYSTEM SPACE
M-1 AIR CONDITIONING PLAN
M-2 HOOD DETAILS
E-1 POWER PLAN FOR ADDITION, PANEL SCHED, ELEC. LEGEND
E-2 LIGHTING PLAN FOR ADDITION, EMERGENCY LIGHTING COMPLIANCE
P-1 PLUMBING PLAN, HOT, COLD & GAS PIPING



3 location
N.T.S.



1 site plan
SCALE 1" = 20'-0"

PARKING REQUIRED:

LAWN OFFICE	1 PER 250 SF (4+4+4+4+2)=3200 SF ÷ 250 = 13 SPACES REQUIRED	25%
DAY CARE/VA	1 PER 250 SF 400 ÷ 250 = 2 SPACES REQUIRED.	8.4%
RESTAURANT	[1 PER 3 SF OF SEATING AREA + 1 PER EMPLOYEE ON LARGEST SHIFT] 3200 SF - 1400 SF = 1800 SF; 1800 SF ÷ 3 = 600 + 20 EMPLOYEES = 620 SPACES REQUIRED.	25.2%
SIDEWALK	1 PER BANK, PLUS 1 PER 3 3+3=6 SPACES REQUIRED.	8.4%
DENTIST ESTABLISHMENT	[1 PER 30 SF OF SERVICE AREA + 1 PER EMPLOYEE ON LARGEST SHIFT (TECHNICIAN)] 1200 SF ÷ 30 = 40 + 3 EMPLOYEES = 43 SPACES + 4 EMPLOYEES ON SHIFT EACH, 4 + 4 = 8 SPACES REQUIRED.	34%

13+4+35+16+67 = 135 SPACES REQUIRED
117 SPACES PROVIDED
INCLUDING 3 HANDICAP SPACES.

INDICATES 8' X 18' SPACES - ALL OTHERS ARE 9' X 18'

2 PROJECT INFORMATION

APPLICABLE BUILDING CODE - IBC 2006

PROPOSED USE: RESTAURANT
OCCUPANCY CLASSIFICATION: A-2 CHAP. 3 SECTION 303
TYPE OF CONSTRUCTION: 5B CHAP. 6 SECTION 602-5
FIRE SPRINKLERS YES/NO: YES
STORIES: ONE
LOT AREA:
BUILDING AREA (TENANT): 3,200 SQ. FT.

OCCUPANT LOAD: SECTION 1004 TABLE 1004.1.1			LOAD FACTOR	OCCUPANT LOAD
BLDG.	SF.	3,200		
DINING	SF.	[444.03+(1295.67+221)]	15	(97+44+123=264
KITCHEN	SF.	1040.52	200	5.20
RESTROOM	SF.	204.80	100	2.04
HALLWAYS	SF.	217.54	100	2.17
PATIO	SF.	527.71	30	1.75
				15+264=279

EXITING REQUIREMENTS — CHAP. 10 TABLE 1003 & 1004

EXIT DOORS = OCCUPANT LOAD x 0.2	279 x 0.2 = 56
EXIT WIDTH REQUIRED	56"
EXIT WIDTH PROVIDED	4 DOORS @ 36" = 216"

PLUMBING FIXTURES — CHAP. 29 TABLE 2901, FIXTURE TABLE 2902.1

	MEN	WOMEN
W.C. REQUIRED	1	1
W.C. PROVIDED	1+1 UNISEX	
LAVATORY REQUIRED	1	1
LAVATORY PROVIDED		

PARKING
EXISTING PROVIDED BY BLDG. COMPLEX

ENERGY COMPLIANCE STATEMENT
BUILDING ENVELOPE IS EXISTING AND WILL NOT BE ALTERED BY THIS PROJECT.

RECEIVED
JAN 29 2010

SUP-37153
REVISED
02/25/10 PC

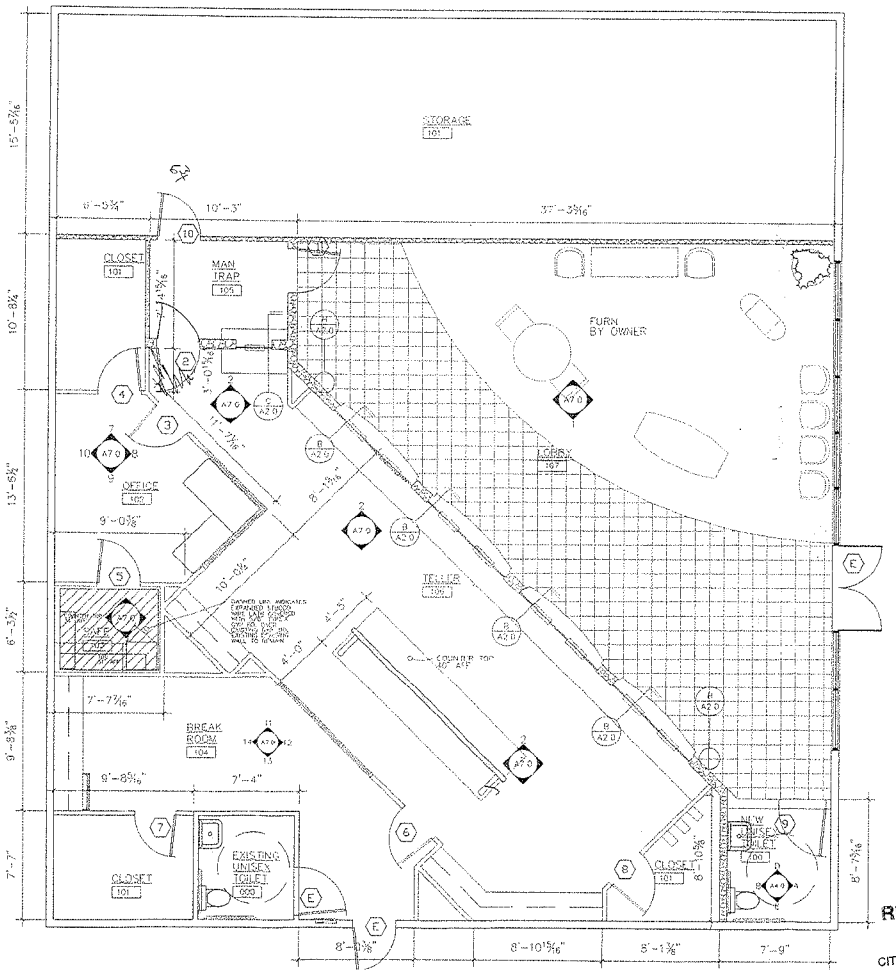
REVISIONS	BY
1 CC 2nd HR	

Management & Construction
3345 W. Sahara Avenue, Suite 51 Las Vegas, NV 89102
Tel: 702-258-9516 License # 0066656 Fax: 702.369.4044

PIN KAOW THAI RESTAURANT
TENANT IMPROVEMENT
1178 (NOW) FAIRVIEW LANDING HENDERSON

DRAWN BY: UNKNOWN
DATE: 06/1 2006
SCALE: 1"=20'-0"
JOB NO.
SHEET: CO.

RECEIVED
JAN 12 2010



A FLOOR PLAN
1/4" = 1'-0"

DOOR SCHEDULE

DOOR NO.	DOOR SIZE W	DOOR SIZE H	DOOR SIZE T	DOOR MATL	DOOR TYPE	DOOR GLASS	FRAME LOUVER W	FRAME LOUVER H	FRAME MATL	FRAME TYPE	FRAME DETAILS	HWD SET NO	ROOM SIGN	LABEL	REMARKS
1	3'-0"	7'-0"	1 3/4"	MTL					MTL			6			
2	3'-0"	6'-8"	1 3/4"	MTL					MTL			4			
3	3'-0"	6'-8"	1 3/4"	WD					MTL			5			
4	3'-0"	6'-8"	1 3/4"	WD					MTL			5			
5	3'-0"	6'-8"	1 3/4"	WD					MTL			5			
6	3'-0"	6'-8"	1 3/4"	WD					MTL			2			

PUBLIC RESTROOMS AVAILABLE UPON REQUEST

H SIGN DETAIL
NTS

ROOM FINISH SCHEDULE

ROOM NUMBER	ROOM NAME	FLOORS	BASE	WALLS	CEILINGS	REMARKS
100	OFFICE					
101	STORAGE					
102	CLOSET					
104	BREAK ROOM					
105	MAN TRAP					
106	TELLER					
107	LOBBY					

B FRAMING DETAIL
NTS

B1 FRAMING DETAIL
NTS

A FRAMING DETAIL
NTS

B FRAMING DETAIL
NTS

D FRAMING DETAIL
NTS

C FRAMING DETAIL
NTS

G FRAMING DETAIL
NTS

F FRAMING DETAIL
1" = 1'-0"

E BOX SECTION HEADER DETAIL
SCALE: 3" = 1'-0"

06D-1034

06D-1034

RECEIVED
CITY OF LAS VEGAS
PERMITS

HARDWARE

FINISH SCHEDULE

REV	DATE	DESCRIPTION
1		
2		
3		
4		
5		

DRAWING STATUS
- ☐ PRELIMINARY
- ☐ BLDG DEPT SUBMIT
- ☐ APPROVED
- ☐ PERMIT COMPILATION
- ☐ FINAL CHECK
- ☐ ISSUED FOR CONSTRUCTION

DATE

CONSULTANT

DESIGNED D.D.
DRAWN NGC
CHECKED D.D.
FILE
DATE 02/25/2007

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DO NOT SCALE THIS DRAWING

DAVID L. DOWNEY P.C.
ARCHITECT
4075 WEST DESERT INN RD SUITE A
LAS VEGAS NEVADA 89103
(702) 245 9221 email downeyinc@aol.com

Tenant Improvement For
RAINBOW & LAKE MEADE
9701 S. RAINBOW
Las Vegas, Nevada

STAMP
DAVID L. DOWNEY 2256 12/31/07 REGISTERED ARCHITECT STATE OF NEVADA

PLANS APPROVED
ADJUSTMENT SHEET
BY
DATE AUG 22 2007

A2.0

Done Not Include Structural Drawings
Plans Not Included In This Set
Plans Not Approved For Permit
Plans Not Approved For Construction

SCALE AS NOTED



RECEIVED
JAN 12 2010

SUP-37153
02/25/10 PC



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JAN 12 2010

SUP-37153
02/25/10 PC


1990
RECEIVED
JAN 12 2010
SUP-37153
02/25/10 PC



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JAN 12 2010

SUP-37153
02/25/10 PC



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JAN 12 2010

SUP-37153
02/25/10 PC



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JAN 12 2010

SUP-37153
02/25/10 PC



SUP-37153 - APPLICANT: CHECK CITY - OWNER: BECKER & SONS, LLC
1990 NORTH RAINBOW BOULEVARD
FEBRUARY 25, 2010 PLANNING COMMISSION

01/22/10



SUP-37153 - APPLICANT: CHECK CITY - OWNER: BECKER & SONS, LLC
1990 NORTH RAINBOW BOULEVARD
FEBRUARY 25, 2010 PLANNING COMMISSION

01/22/10

LA Stewart Consulting
2211 Rampart #130
Las Vegas, NV 89124
(702) 499-6469-Cell
(702) 946-0857-fax

January 12, 2010

City of Las Vegas, Planning & Development
739 South Fourth Street
Las Vegas, NV. 89101

RE: APN 138-23-301-002, 1910 N. Rainbow

Dear Sir or Madam:

Please accept this letter as our request for a Special Use Permit to allow the existing Check City Payday & Auto Title Loan store to purchase gold on the premises. Recently there have been several commercials on TV for gold purchase where the customer requests an envelope, places their broken or discarded gold jewelry in the envelope and send it to the company. In turn, the company send the customer a check for approximately 10-15 cents on the dollar.

.

Check City would like to do something similar, only with more controls and a better situation for the customer. The customer brings the jewelry to the store and it is weighed and the customer walks away with a check for approximately 60-65 cents on the dollar-5 times more than if they mailed it. Also, the customer has control because they actually hand it over to a person, not a post office. In addition, it is held for 30 days so if the customer changes their mind they can return and get their jewelry back. Also, every purchase is reported to Metro on a daily basis. There is no resale of the jewelry, it is not a loan but a purchase of the jewelry for the gold. It will be an incidental use to the main business and is considered just another service for the customer. Please contact me with any questions regarding this matter. Thank you for your consideration in this matter.

Yours truly,

Lucy Stewart
LA Stewart Consulting

RECEIVED
JAN 12 2010
SUP-37153
02/25/10 PC



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
BRENDA J. WILLIAMS
INTERIM

DOUGLAS A. SELBY
CITY MANAGER

April 20, 2007

Mr. Ernest Becker, Jr.
Becker & Sons
50 South Jones Boulevard, Suite #100
Las Vegas, Nevada 89107

RE: SUP-19296 – SPECIAL USE PERMIT
CITY COUNCIL MEETING OF APRIL 18, 2007

Dear Mr. Becker:

The City Council at a regular meeting held April 18, 2007 APPROVED the request for a Special Use Permit FOR A PROPOSED AUTO TITLE LOAN ESTABLISHMENT AND A WAIVER OF THE 200 FOOT MINIMUM DISTANCE SEPARATION REQUIREMENT FROM RESIDENTIAL ZONED PROPERTY at 1990 North Rainbow Boulevard (APN 138-23-301-002), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on April 19, 2007. This approval is subject to:

Planning & Development

1. Conformance to the conditions for Rezoning (Z-0042-84), if approved.

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.

Sincerely,

Ydoleena Yturralde
Deputy City Clerk II for
Beverly K. Bridges, CMC, Acting City Clerk

cc: See Attached List

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

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

SUP-37153
04/07/10 CC

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

Mr. Ryan Marchesi
Check City
6820 West Charleston Boulevard
Las Vegas, Nevada 89115

Ms. Lucy Stewart
LAS Consulting
856 East Sahara Avenue, Suite #201
Las Vegas, Nevada 89104

SUP-37153
04/07/10 CC

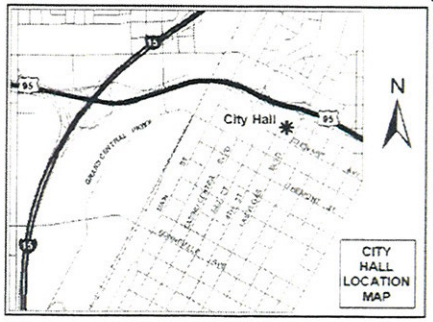
NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

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 $ 00.41⁴
0004279218 FEB 12 2010
MAILED FROM ZIP CODE 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.

VAR-37296 & SUP-37153
Planning Commission Meeting of 2/25/2010

Case: VAR-37296-LABELS
138233100 83
HUTCHESON WILLIAM F & JOSEPHINE
1972 WEENAP DR
LAS VEGAS NV 89108-2783

PLANNING AND DEVELOPMENT
10 FEB 24 PM 4:33
RECEIVED

LAVDS11 89108

Submitted after final agenda
Date 2/24/10 Item 4 PM

City of Las Vegas Agenda Item No.: **85.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 7, 2010

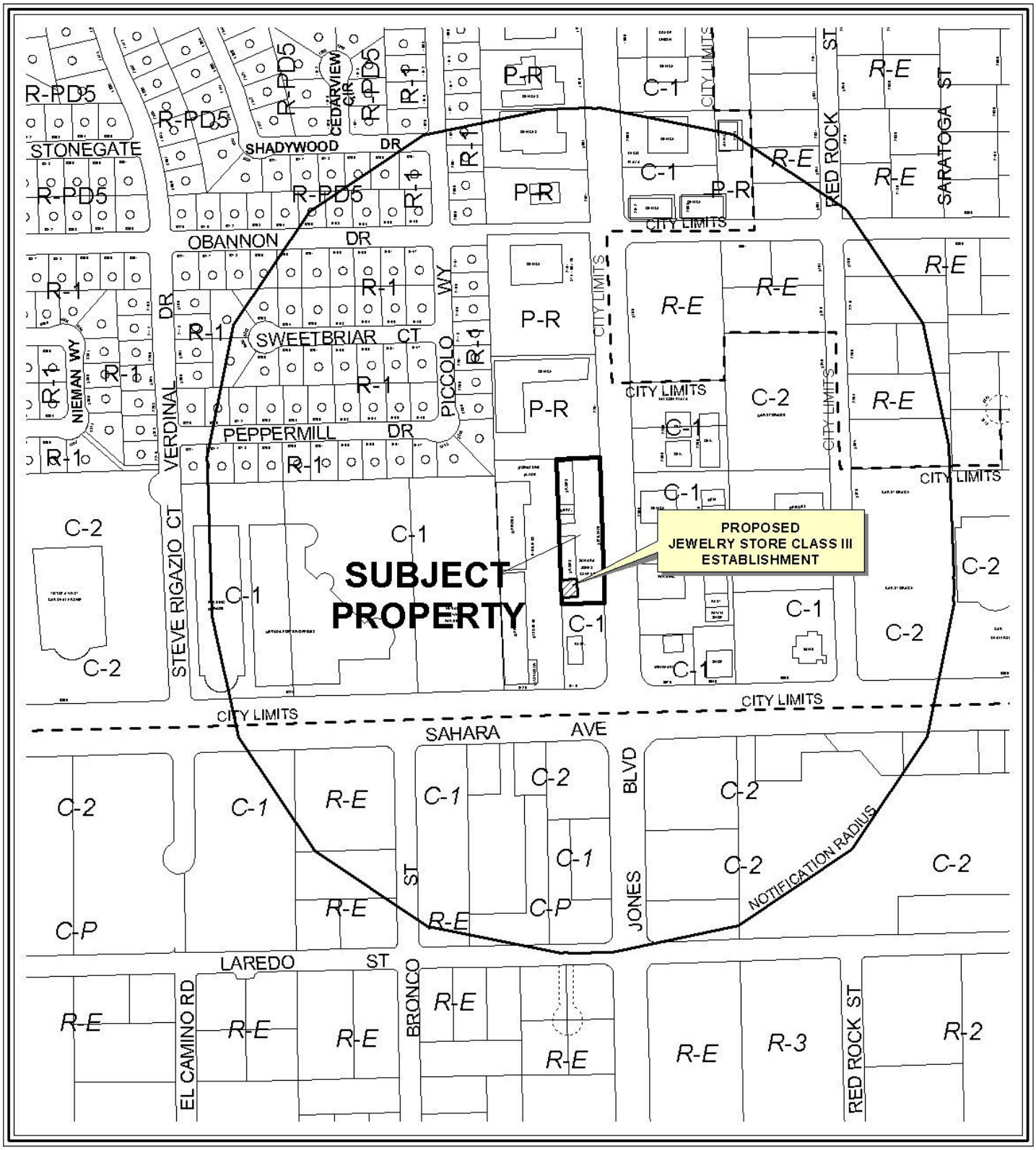
DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:
VAR-37297 - VARIANCE - PUBLIC HEARING - APPLICANT: CHECK CITY - OWNER: NEWBERG GROUP, LLC - Request for a Variance to ALLOW 85 PARKING SPACES WHERE 91 SPACES ARE REQUIRED at 2475 South Jones Boulevard, Suite #2 (APN 163-02-802-006), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**1**	**Planning Commission Mtg.**	**0**
City Council Meeting	**1**	**City Council Meeting**	**1**

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (6-0-1 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/Support Postcards
7. Backup referenced from the February 25, 2010 Planning Commission Meeting Item #16



0 500 1000 Feet

CASE: **VAR-37297**

RADIUS: 1000 FT

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

N



0 500 1000 Feet

CASE: **VAR-37297**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-37297 - APPLICANT: CHECK CITY - OWNER: NEWBERG GROUP, LLC

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (6-0-1 vote/gf) recommends APPROVAL, subject to conditions:

Planning and Development

1. The handicap parking spaces marking and signage shall be adequately maintained.

2. Conformance to the conditions for Special Use Permit (SUP-37155).

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. A revised site plan depicting existing site conditions shall be submitted prior to the approval of a business license.

VAR-37297 - Staff Report Page One
April 7, 2010 - City Council Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Variance to allow 85 parking spaces where 91 parking spaces are required at an existing Auto Title Loan and Financial Institution, Specified at 2475 South Jones Boulevard, Suite #2. The applicant is proposing to add a Jewelry Store, Class III use, which will increase the parking requirement by six spaces. The applicant has created a self-imposed hardship by proposing a use that is too intense for the site to accommodate; therefore, staff is recommending denial. If denied, the existing Auto Title Loan and Financial Institution, Specified facility will remain unaltered.

ISSUE

- The existing site is parking impaired with 85 spaces provided where 98 are required by current Title 19.10 standards. The proposed use will result in an increase in the parking required by six spaces, which is the subject of this Variance request.
- Approval of the request is required to approve an associated request for a Special Use Permit (SUP-37155) for a Jewelry Store, Class III use.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
04/05/89	The City Council approved a Rezoning (Z-0008-89) to C-1 (Limited Commercial on this site. The Planning and Development Department recommended approval.
04/07/04	The City Council accepted the applicant's request to withdraw without prejudice a request for a Special Use Permit (SUP-3479) for a proposed 40 foot tall, 14 foot by 48 foot, Off-Premise sign at 2475 South Jones Boulevard. The Planning Commission and staff recommended denial.
12/07/06	A deed was recorded for change of ownership.
Related Building Permits/Business Licenses	
05/19/99	A building permit (#99009708) was issued for an interior remodel at 2475 South Jones Boulevard Suite #2. The project was completed on 05/20/99.
02/08/02	A building permit (#2002256) was issued for a tenant improvement certificate of occupancy at 2475 South Jones Boulevard Suite #2. The project was completed on 05/15/02.
05/30/02	A business license (C21-00116) was issued for a check cashing establishment at 2475 South Jones Boulevard Suite #2. The license expired on 07/24/09.

05/30/02	A business license (W10-00025) was issued for a wire transfer at 2475 South Jones Boulevard Suite #2. The license was marked out of business on 12/31/09.
11/26/02	A business license (N02-00086) was issued for a non depository lender at 2475 South Jones Boulevard Suite #2. The license is still active.
02/25/10	The Planning Commission recommended APPROVAL of companion item SUP-37155 concurrently with this application. Staff recommends DENIAL. The Planning Commission (6-0-1 vote/gf) recommends APPROVAL (PC Agenda Item #16)
Pre-Application Meeting	
12/02/09	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for a Jewelry Store, Class III were discussed topics included: • The minimum Special Use Permit Requirements. • The application materials and documents. • The meeting dates and deadlines. • No Waivers are required as a part of the request.
Neighborhood Meeting	
A neighborhood meeting is not required for this application, nor was one held.	
Field Check	
01/21/10	Staff conducted a site visit and observed the following: • An existing and well maintained check cashing establishment. • The hours of operation listed on the store front door indicate 7 a.m. to 11 p.m.

Details of Application Request	
Site Area	
Gross Acres	1.18

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Commercial Center	S-C (Service Commercial)	C-1 (Limited Commercial)
North	Offices	O (Office)	P-R (Professional Offices and Parking)
South	Restaurant	S-C (Service Commercial)	C-1 (Limited Commercial)
East	Commercial Center	S-C (Service Commercial)	C-1 (Limited Commercial)
West	Offices	S-C (Service Commercial)	C-1 (Limited Commercial)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan		X	
Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts		X	N
Trails		X	N
Rural Preservation Overlay District		X	N
Development Impact Notification Assessment	X		Y
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	
Jewelry Store, Class III	3440 SF	1:175 SF	20	5			N
Office	6020 SF	1:300 SF					
Beauty Saloon	10 Stations	3:Stations	30				
General Retail	3440 SF	1:175 SF	5				
Office, Medical	1720 SF	1:200 SF	9				
SubTotal			**99**	**5**	**83**	**2**	**N**
TOTAL (with handicap spaces)			**104***		**85**		**N**
Percent Deviation			7 %				N

* The existing site is parking impaired, per Title 19.10.0.0.10 (C).

ANALYSIS

The existing site is parking impaired, per Title 19.10.010 (C), with 85 spaces provided where 98 spaces are required by the current Title 19.10 standards. The proposed use will be located within an existing Auto Title Loan and Financial Institution, Specified where the parking requirement is one space per 250 square feet. The proposed Jewelry Store, Class III use has a parking requirement of one space per 175 square feet, resulting in an increase in the parking required by six spaces, or a 7% deviation, which is the subject of this variance request. A condition has been added requiring submittal of a site plan depicting the existing conditions of the site. The applicant has provided no evidence of unique or extraordinary circumstances pursuant to Title 19.18.070(L) that would substantiate the Variance request; therefore, staff recommends denial.

FINDINGS

In accordance with the provisions of Title 19.18.070(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.18.070L states:
"Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing to a use that is too intense for the existing site to accommodate. A less intense use would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

PC ACTION
The Planning Commission added condition #1.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

NOTICES MAILED 120 (By City Clerk)

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-37297** APN: 163-03-802-006

Name of Property Owner: Newberg Group LLC

Name of Applicant: Check City

Name of Representative: Check City

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: Robert A. Newberg

Print Name: ROBERT A. NEWBERG

Subscribed and sworn before me

This _____ day of _____, 20____

See attached

Notary Public in and for said County and State

CALIFORNIA JURAT WITH AFFIANT STATEMENT

☑ See Attached Document (Notary to cross out lines 1–6 below)
☐ See Statement Below (Lines 1–5 to be completed only by document signer[s], *not* Notary)

1
2
3
4
5
6

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

State of California

County of San Luis Obispo

Subscribed and sworn to (or affirmed) before me on this

29th (Date) day of December (Month), 2009 (Year), by

(1) Robert A Newberg (Name of Signer),

proved to me on the basis of satisfactory evidence to be the person who appeared before me (.) (,)

(and

(2) _____ (Name of Signer),

proved to me on the basis of satisfactory evidence to be the person who appeared before me.)

Signature Joyce L Seat (Signature of Notary Public)

JOYCE L. SEAT
COMM. #1870922
NOTARY PUBLIC-CALIFORNIA
SAN LUIS OBISPO COUNTY
My Comm. Expires December 9, 2013

SM01 SM01

Place Notary Seal Above

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Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Further Description of Any Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

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Top of thumb here	Top of thumb here

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VAR-37297
02/25/10 PC

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: SUP for Class III Jewelry

Project Address (Location) 2475 Jones Blvd. Ste B, 2, 3

Project Name Check City **Proposed Use** Class III Jewelry

Assessor's Parcel #(s) 163-03-802-006 **Ward #** _____

General Plan: existing NC proposed NC **Zoning:** existing C-1 proposed C-1

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information Adding use of gold purchase to existing financial institution

PROPERTY OWNER Newberg Group LLC **Contact** BOB NEWBERG

Address 2671 Carpenter Canyon **Phone:** 805 544-5225 **Fax:** 805 544-3260

City San Luis Obispo **State** CA **Zip** 93401

E-mail Address RNEWBERG@MSN.COM.

APPLICANT Check City **Contact** Jim Marchesi

Address 2640 Crimson Canyon **Phone:** (702) 258-8888 **Fax:** _____

City Las Vegas **State** nv **Zip** 89128

E-mail Address jtskee@aol.com

REPRESENTATIVE Check City **Contact** Jim Marchesi

Address 2640 Crimson Canyon **Phone:** (702) 258-8888 **Fax:** _____

City Las Vegas **State** NV **Zip** 89128

E-mail Address jtskee@aol.com

Property Owner Signature* Robert A Newberg

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

Print Name ROBERT A. NEWBERG

Subscribed and sworn before me

This _____ day of _____, 20 _____.

See attached

Notary Public in and for said County and State

FOR DEPARTMENT USE ONLY

Case #	VAR-37297
Meeting Date:	2/25/10
Total Fee:	$830.00
Date Received:*	01/29/10
Received By:	

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

CALIFORNIA JURAT WITH AFFIANT STATEMENT

☑ See Attached Document (Notary to cross out lines 1–6 below)
☐ See Statement Below (Lines 1–5 to be completed only by document signer[s], *not* Notary)

1
2
3
4
5
6

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

State of California

County of San Luis Obispo

Subscribed and sworn to (or affirmed) before me on this

29th (Date) day of December (Month), 2009 (Year), by

(1) Robert A Newberg (Name of Signer),

proved to me on the basis of satisfactory evidence to be the person who appeared before me (.) (,)

(and

(2) _____ (Name of Signer),

proved to me on the basis of satisfactory evidence to be the person who appeared before me.)

Signature Joyce L Seat (Signature of Notary Public)

JOYCE L. SEAT
COMM. #1870922
NOTARY PUBLIC-CALIFORNIA
SAN LUIS OBISPO COUNTY
My Comm. Expires December 8, 2013

SM01 SM01

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Further Description of Any Attached Document

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Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

RIGHT THUMBPRINT OF SIGNER #1	RIGHT THUMBPRINT OF SIGNER #2
Top of thumb here	Top of thumb here

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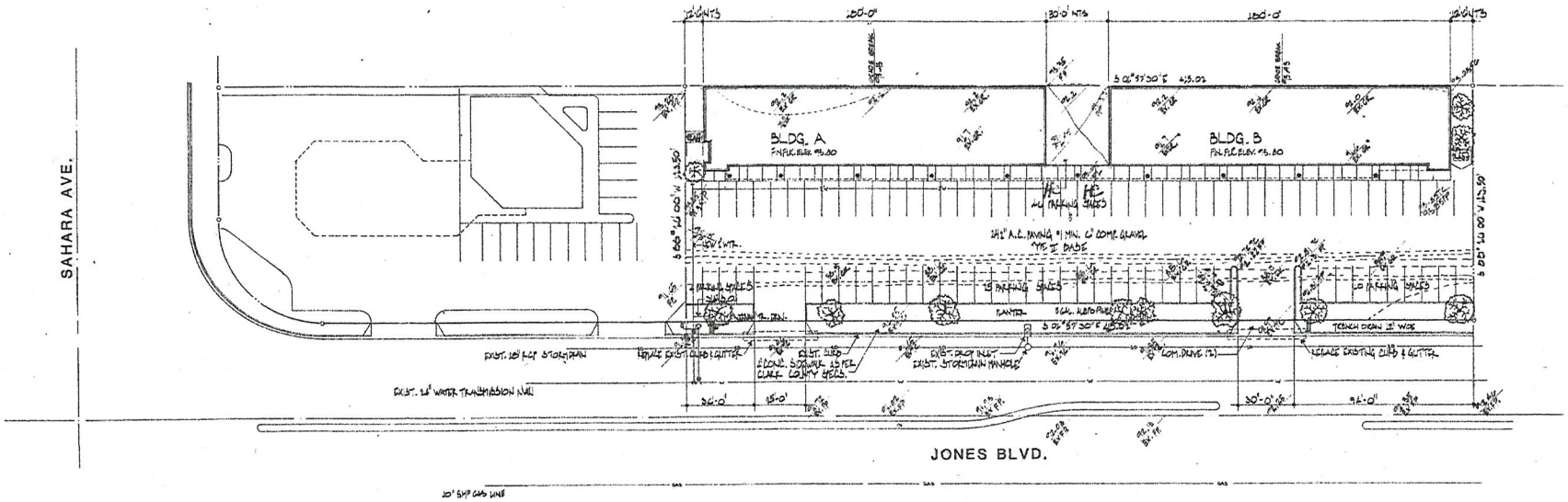


SITE PLAN

1" = 30'-0"

Parking Analysis SUP 37155

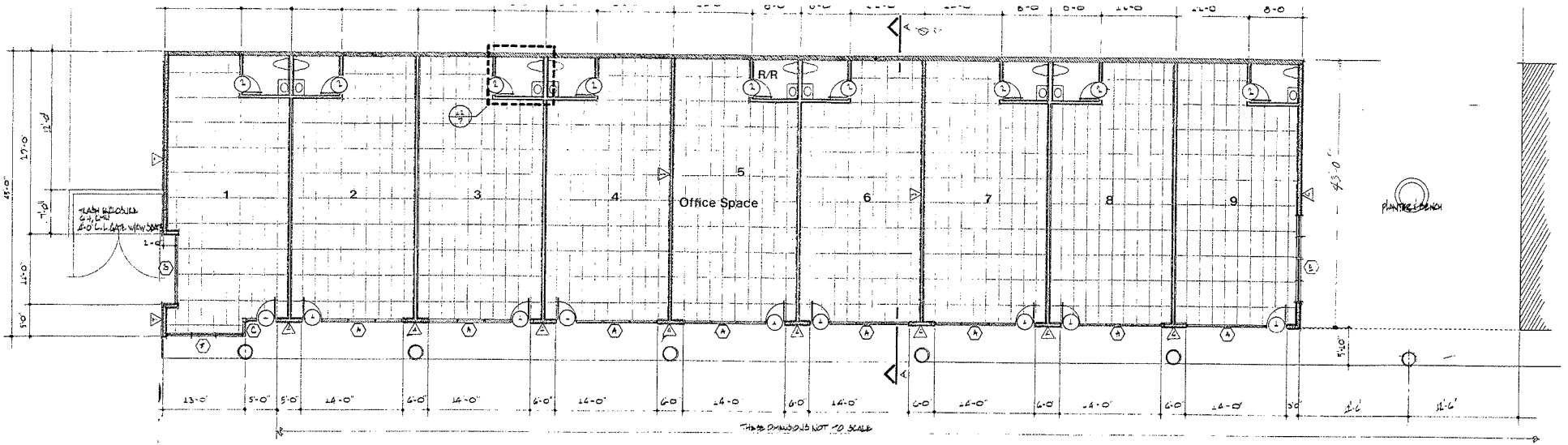
Suites 1,2,3 – Check City 3440 square feet /175 square feet = 19.6
Suite 4-Private Office 860 square ft /300=2.8
Suite 5,6-Beauty & Best 1720 sq.ft/175=9.8
Suite 7,8,9 Help U Sell (Real Estate) 3440 sq ft /300=11.5
Suite 10, 11- vacant 1720 sq.ft/175=9.8
Suite 12-Dress Shop-860 sq.ft./175=4.9
Suite 13-Dentist-860 sq.ft./200=4.3
Suite 14-Bra Store 860 sq.ft. /175=4.0
Suite 15 Insurance 860 sq.ft/300=2.8
Suite 16.17 Chiropractor -1720 sq.ft./200=8.6
Suite 18 Farmer's Insurance 860 sq.ft./300=2.8
Total - 81.8 or 82 parking spaces required, 75 provided

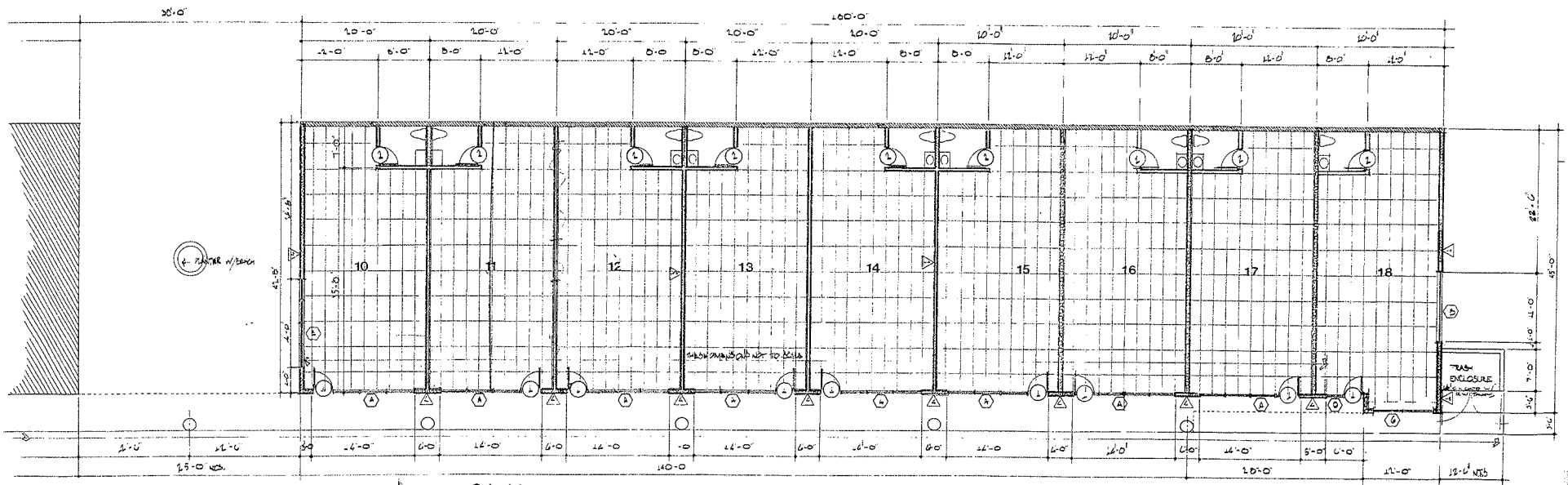
THAT PORTION OF THE SOUTHEAST QUARTER (SE ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 2 TOWNSHIP 2; SOUTH RANGE 20 EAST; MDB & M. DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 2; THENCE NORTH 0° 57' 30" WEST A DISTANCE OF 330.00 FT. THENCE SOUTH 89° 32' 00" WEST A DISTANCE OF 30.00 FT. TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF JONES BOULEVARD (100.00 FT. WIDE), SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89° 32' 00" WEST A DISTANCE OF 128.50 FT.; THENCE NORTH 0° 57' 30" EAST A DISTANCE OF 415.02 FT TO A POIN ON THE WESTERLY RIGHT-OF-WAY LINE OF THE AFOREMENTIONED JONES BOULEVARD; THENCE SOUTH 0° 57' 30" EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 415.02 FT. TO THE TRUE POINT OF BEGINNING.

VAR-37297
02/25/10 PC

RECEIVED
JAN 29 2010





Window Schedule

(A) 4'-0" x 7'-0" FIXED 400 WINDOW SYS. W/MED. BRONZE ANODIZED FRAME & MED. BRONZE ... SIDE GL. TEMPERED AS PER ELEVATIONS

(B) 2'-0" x 2'-0" FIXED 400 WINDOW W/MED. BRONZE ANO... SIDE GL.

(C) 5'-0" x 7'-0" FIXED 400 WINDOW SYS. W/MED. BRONZE ... SIDE GL. TEMPERED

(D) 6'-0" ... WINDOW SYS. W/MED. ... TEMPERED ... SIDE GL. TEMPERED

Door Schedule

(1) 3'-0" x 7'-0" NARROW STILE ALUM. DOOR W/ 1/4" TEMPERED GLASS HARDWARE: TOP & BOTTOM PIVOTS & FLOOR CONCEALED CLOSER, CYLINDER LOCK. ALUM. ASH FULL ALUM. THRESHOLD, FLOOR & STOP

(2) 3'-0" x 7'-0" x 1 3/4" HOLLOW CORE WOOD DOOR (ASH FACE) STAINED HARDWARE: 1 1/2 PR. BUTTS, PRIVACY LOCKSET, WALL BUMPER 2 x 5 3/4" H.M. FRAME

VAR-37297
02/25/10 PC

Patrick Kevin

Floor Plan 1/8" = 1'-0"

DRAWN BY:
DATE:
PROJECT NO:


CHECK CITY
YDAY LOANS
PAYDAY LOANS
Check City
CHEC
VAR-37297
02/25/10 PC


HHH-25136
300
VAR-37297
02/25/10 PC



VAR-37297 - APPLICANT: CHECK CITY - OWNER: NEWBERG GROUP, LLC
2475 SOUTH JONES BOULEVARD, SUITE #2
FEBRUARY 25, 2010 PLANNING COMMISSION

01/22/10



VAR-37297 - APPLICANT: CHECK CITY - OWNER: NEWBERG GROUP, LLC
2475 SOUTH JONES BOULEVARD, SUITE #2
FEBRUARY 25, 2010 PLANNING COMMISSION

01/22/10

LA Stewart Consulting
2211 Rampart #130
Las Vegas, NV 89124
(702) 499-6469-Cell
(702) 946-0857-fax

January 28, 2010

City of Las Vegas, Planning & Development
739 South Fourth Street
Las Vegas, NV. 89101

RE: 2478 S. Jones

Dear Sir or Madam:

Please accept this letter as our request for a variance for parking on the above referenced site.

Check City believes this to be another service for their existing customers. The parking required for a Class III Jewelry store is 1 space per 175 square feet, requiring an additional 7 parking spaces.

This is an existing building and the size and shape of the property will not allow for additional parking spaces. Check City is already providing this service in Clark County and has found no increase in demand for their parking. Because this is a service for existing customers, additional parking will not be necessary.

Below is the parking calculations for the center:
Suites 1,2,3 – Check City 3440 square feet /175 square feet = 19.6
Suite 4-Private Office 860 square ft /300=2.8
Suite 5,6-Beauty & Best 1720 sq.ft/175=9.8
Suite 7,8,9 Help U Sell (Real Estate) 3440 sq ft /300=11.5
Suite 10, 11- vacant 1720 sq.ft/175=9.8
Suite 12-Dress Shop-860 sq.ft./175=4.9
Suite 13-Dentist-860 sq.ft./200=4.3
Suite 14-Bra Store 860 sq.ft. /175=4.0
Suite 15 Insurance 860 sq.ft/300=2.8
Suite 16.17 Chiropractor -1720 sq.ft./200=8.6
Suite 18 Farmer's Insurance 860 sq.ft./300=2.8
Total - 81.8 or 82 parking spaces required, 75 provided

Yours truly,

Lucy Stewart

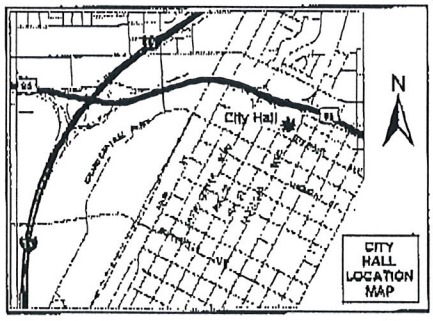
VAR-37297
02/25/10 PC

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 $ 00.41⁴
0004279218 MAR 26 2010
MAILED FROM ZIP CODE 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.

VAR-37297 & SUP-37155
City Council Meeting of 4/7/2010

2010 MAR 30 A 8:53
RECEIVED
CITY CLERK

1909 SOUTH JONES PROPERTIES
1909 S JONES BLVD #A
LAS VEGAS NV 89146-1260

APN#16302802008

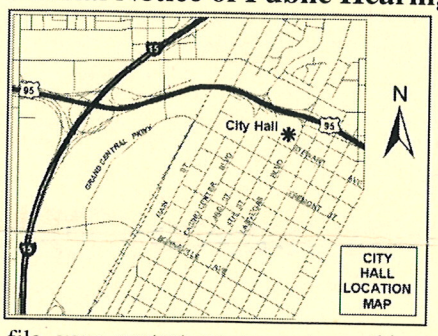
RECEIVED
CITY CLERK

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M
0004279218
$ 00.41⁴
MAR 26 2010
MAILED FROM ZIP CODE 89101

2010 MAR 30 A 11:10

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.

VAR-37297 & SUP-37155

City Council Meeting of 4/7/2010

FREEDMAN RALPH J & MARGARETA
2215 S RED ROCK ST
LAS VEGAS NV 89146-3116

APN#16301401004

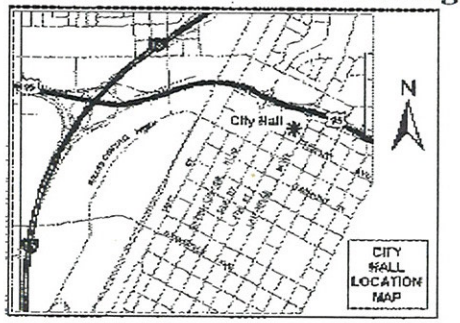
NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAL SERVICE
02 1M $ 00.41⁴
0004279218 FEB 12 2010
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.

VAR-37297 & SUP-37155

Planning Commission Meeting of 2/25/2010

Case: VAR-37297-LABELS
16302721006
VANDERMAY MONTY K & MAUREEN C
2021 S JONES BLVD
LAS VEGAS NV 89146-3137

Submitted after final agenda
Date 2/9/10 Item 16

RECEIVED
FEB 10 2010

City of Las Vegas Agenda Item No.: **86.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 7, 2010

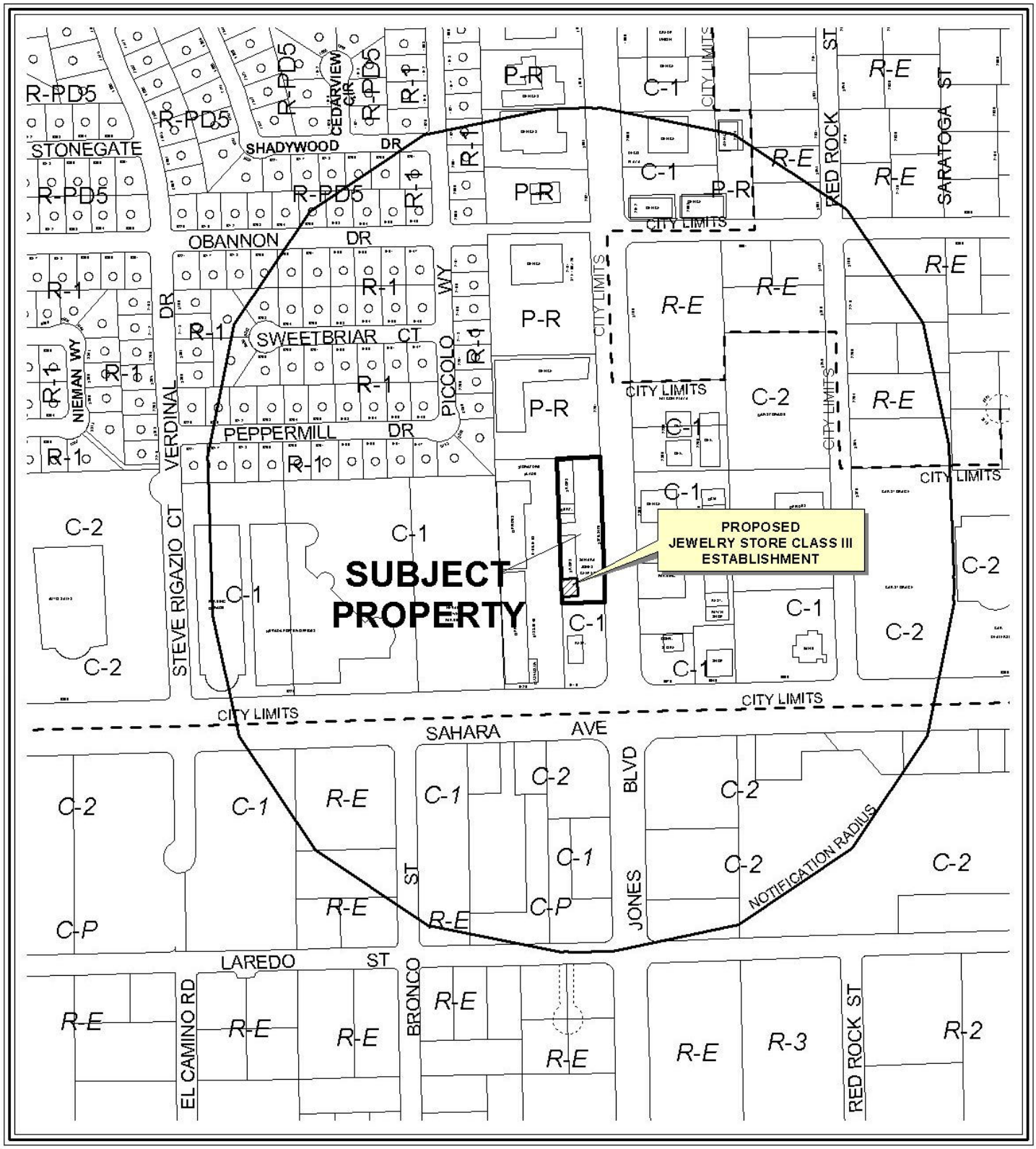
DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:
SUP-37155 - SPECIAL USE PERMIT RELATED TO VAR-37297 - PUBLIC HEARING - APPLICANT: CHECK CITY - OWNER: NEWBERG GROUP, LLC - Request for a Special Use Permit FOR A JEWELRY STORE, CLASS III USE WITHIN AN EXISTING 3,308 SQUARE-FOOT AUTO TITLE LOAN AND FINANCIAL INSTITUTION, SPECIFIED at 2475 South Jones Boulevard, Suite #2 (APN 163-02-802-006), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**1**	**Planning Commission Mtg.**	**0**
City Council Meeting	**1**	**City Council Meeting**	**1**

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (6-0-1 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/Support Postcards
7. Backup Referenced from the February 25, 2010 Planning Commission Meeting Item #17



0 500 1000 Feet

CASE: **SUP-37155**

RADIUS: 1000 FT

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

N



0 500 1000 Feet

CASE: **SUP-37155**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-37155 - APPLICANT: CHECK CITY - OWNER: NEWBERG GROUP, LLC

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (6-0-1 vote/gf) recommends APPROVAL, subject to conditions:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Jewelry Store, Class III use.

2. Approval of and conformance to the conditions for Variance (VAR-37297) shall be required.

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. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-37155 - Staff Report Page One
April 7, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This application is a request for a Special Use Permit to add a Jewelry Store, Class III use within an existing 3,308 square-foot Auto Title Loan and Financial Institution, Specified at 2475 South Jones Boulevard, Suite #2. The use will allow the option to buy broken or discarded gold jewelry on premise. There is no resale of the jewelry; it is not a loan, but a purchase of the jewelry for gold. Staff recommends denial of the request, as the site cannot accommodate the increased minimum parking requirement for a Jewelry Store, Class III use. If denied the Auto Title Loan and Financial Institution, Specified would remain as it is.

ISSUES

- Approval of a companion Variance (VAR-37297) to allow 85 parking spaces where 91 parking spaces are required is necessary for this request to be approved.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
04/05/89	The City Council approved a Rezoning (Z-0008-89) to C-1 (Limited Commercial on this site. The Planning and Development Department recommendation was for approval.
04/07/04	The City Council accepted the applicant's request to withdraw without prejudice a request for a Special Use Permit (SUP-3479) for a proposed 40 foot tall, 14 foot by 48 foot, Off-Premise sign at 2475 South Jones Boulevard. The Planning Commission and staff recommended denial.
12/07/06	A deed was recorded for change of ownership.
Related Building Permits/Business Licenses	
05/19/99	A building permit (#99009708) was issued for an interior remodel at 2475 South Jones Boulevard Suite 2. The project was completed on 05/20/99.
02/08/02	A building permit (#2002256) was issued for a tenant improvement certificate of occupancy at 2475 South Jones Boulevard Suite 2. The project was completed on 05/15/02.
05/30/02	A business license (C21-00116) was issued for a check cashing establishment at 2475 South Jones Boulevard Suite 2. The license expired on 07/24/09.
05/30/02	A business license (W10-00025) was issued for a wire transfer at 2475 South Jones Boulevard Suite 2. The license was marked out of business on 12/31/09.

11/26/02	A business license (N02-00086) was issued for a non depository lender at 2475 South Jones Boulevard Suite 2. The license is still marked active.
05/13/09	A business license (W10-00303) was issued for a wire transfer at 2475 South Jones Boulevard Suite 2. The license is still marked active.
02/25/10	The Planning Commission recommended APPROVAL of companion item VAR-37297 concurrently with this application. Staff recommends DENIAL. The Planning Commission (6-0-1 vote/gf) recommends APPROVAL (PC Agenda Item #17)
Pre-Application Meeting	
12/02/09	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for a Jewelry Store, Class III were discussed topics included: • The minimum Special Use Permit Code Requirements. • The application materials and documents. • The meeting dates and deadlines. • No Waivers are required as a part of the request.
Neighborhood Meeting	
A neighborhood meeting is not required for this application, nor was one held.	
Field Check	
01/21/10	Staff conducted a site visit and observed the following: • An existing and well maintained check cashing establishment. • The hours of operation listed on the store front door indicate that the hours of operation were from 7 a.m. to 11 p.m. Title 19.04 requires the operational hours to be 8 a.m. to 11 p.m.

Details of Application Request	
Site Area	
Gross Acres	1.18

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Commercial Center	S-C (Service Commercial)	C-1 (Limited Commercial)
North	Offices	O (Office)	P-R (Professional Offices and Parking)
South	Restaurant	S-C (Service Commercial)	C-1 (Limited Commercial)
East	Commercial Center	S-C (Service Commercial)	C-1 (Limited Commercial)
West	Offices	S-C (Service Commercial)	C-1 (Limited Commercial)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan		X	
Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts		X	N
Trails		X	N
Rural Preservation Overlay District		X	N
Development Impact Notification Assessment	X		Y
Project of Regional Significance	X		Y

DEVELOPMENT STANDARDS

Parking Requirement							
	Gross Floor Area or Number of Units	*Required*			*Provided*		*Compliance*
			Parking		*Parking*		
Use		*Parking Ratio*	Regular	Handi-capped	Regular	Handi-capped	
Jewelry Store, Class III	3440 SF	1:175 SF	20	5			N
Office	6020 SF	1:300 SF					
Beauty Saloon	10 Stations	3:Stations	30				
General Retail	3440 SF	1:175 SF	5				
Office, Medical	1720 SF	1:200 SF	9				
SubTotal			**99**	**5**	**83**	**2**	**N**
TOTAL (with handicap spaces)			**104***		**85**		**N**
Percent Deviation			7 %				N

* The existing site is parking impaired, per Title 19.10.0.0.10 (C).

ANALYSIS

This is a request for a Special Use Permit for a Jewelry Store, Class III use within an existing 3,308 square-foot Auto Title Loan and Financial Institution, Specified at 2475 South Jones Boulevard, Suite #2. A Jewelry Store, Class III use is defined by Title 19.20.020 as a "store which buys and sells scrap precious metals for marketing as a commodity in bar form or in other than jewelry form, or which buys and sells precious metal bars and coins that are sold as a commodity rather than for numismatic purposes. This may include operations similar to a new jewelry store." The proposed use is within the guideline of the permissible use definition, as the applicant will buy used jewelry as a way to acquire gold, but no resale of the jewelry is involved.

The parking requirement for the existing Auto Title Loan and Financial Institution, Specified, is one space per 250 square feet. The proposed Jewelry, Class III use has a more intense parking requirement of one space per 175 square feet, which will result in a net increase of six spaces for the existing site. As the increased number of spaces cannot be accommodated on the site, an associated Variance (VAR-37297) has been requested to address the issue.

As the proposed use is more intense and the existing site cannot accommodate the increased number of parking spaces required, staff recommends denial.

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 Jewelry Store Class III use can be conducted in a manner that is harmonious and compatible with the uses in the existing site and with the commercial uses on adjacent properties.

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 the proposed, as is evidenced by the request for a Variance to allow 85 parking spaces where 91 spaces are required. The proposed use will be operated in conjunction with the existing business.

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."**

   Site access is provided from Jones Boulevard, a 100-foot Primary Arterial as designated in the Master Plan of Streets and Highways. This street provides adequate access to and from the subject property.

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 the proposed Special Use Permit will not compromise the public health, safety and general welfare, as the use will be subject to regular inspections for business licensing.

5. The use meets all of the applicable conditions per Title 19.04.

The proposed use complies with the Minimum Special Use Permit requirements and there are no distance separation requirements for a Jewelry Store, Class III use. However, the proposed use is more parking intensive for a site that is already parking impaired.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

NOTICES MAILED 120 (By City Clerk)

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number **SUP-37155** APN: 163-08-802-006

Name of Property Owner: Newberg Group LLC

Name of Applicant: Check City

Name of Representative: Check City

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: Robert A. Newberg

Print Name: ROBERT A. NEWBERG

Subscribed and sworn before me

This ____ day of _____, 20____

See attached

Notary Public in and for said County and State

RECEIVED
JAN 12 2010

CALIFORNIA JURAT WITH AFFIANT STATEMENT

☑ See Attached Document (Notary to cross out lines 1–6 below)
☐ See Statement Below (Lines 1–5 to be completed only by document signer[s], *not* Notary)

1
2
3
4
5
6 _____ _____

Signature of Document Signer No. 1 — Signature of Document Signer No. 2 (if any)

State of California

County of San Luis Obispo

Subscribed and sworn to (or affirmed) before me on this

29th (Date) day of December (Month), 2009 (Year), by

(1) Robert A Newberg (Name of Signer),

proved to me on the basis of satisfactory evidence to be the person who appeared before me (.) (,)

(and

(2) _____ (Name of Signer),

proved to me on the basis of satisfactory evidence to be the person who appeared before me.)

Signature Joyce L Seat (Signature of Notary Public)

JOYCE L. SEAT
COMM. #1870922
NOTARY PUBLIC-CALIFORNIA
SAN LUIS OBISPO COUNTY
My Comm. Expires December 6, 2013

SM01 SM01

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Further Description of Any Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

RIGHT THUMBPRINT OF SIGNER #1	RIGHT THUMBPRINT OF SIGNER #2
Top of thumb here	Top of thumb here

RETURNED

JAN 6 2010

©2007 National Notary Association • 9350 De Soto Ave., P.O. Box 2402 • Chatsworth, CA 91313-2402 • www.NationalNotary.org Item #5910 Reorder: Call Toll-Free 1-800-876-6827

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: SUP for Class III Jewelry

Project Address (Location) 2875 Jones Blvd. # 2

Project Name Check City **Proposed Use** Class III Jewelry

Assessor's Parcel #(s) 163-02-802-006 **Ward #** 2W

General Plan: existing NC proposed NC **Zoning:** existing C-1 proposed C-1

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information Adding use of gold purchase to existing financial institution

NEWBERG-FLORELLO

PROPERTY OWNER Newberg Group LLC **Contact** BOB NEWBERG

Address 2671 Carpenter Canyon **Phone:** 805 544-5225 **Fax:** 805 544-3260

City San Luis Obispo **State** CA **Zip** 93401

E-mail Address RNEWBERG@MSN.COM

APPLICANT Check City **Contact** Jim Marchesi

Address 2640 Crimson Canyon **Phone:** (702) 258-8888 **Fax:** _____

City Las Vegas **State** nv **Zip** 89128

E-mail Address jtskee@aol.com

REPRESENTATIVE Check City **Contact** Jim Marchesi

Address 2640 Crimson Canyon **Phone:** (702) 258-8888 **Fax:** _____

City Las Vegas **State** NV **Zip** 89128

E-mail Address jtskee@aol.com

Property Owner Signature* Robert A Newberg

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

Print Name ROBERT A. NEWBERG

Subscribed and sworn before me

This _____ day of _____, 20 _____.

See Attached

Notary Public in and for said County and State

FOR DEPARTMENT USE ONLY

Case #	SUP - 37155
Meeting Date:	2/25/2014
Total Fee:	$10308
Date Received:*	11/2/2018
Received By:	MRC

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

CALIFORNIA JURAT WITH AFFIANT STATEMENT

☑ See Attached Document (Notary to cross out lines 1–6 below)
☐ See Statement Below (Lines 1–5 to be completed only by document signer[s], *not* Notary)

1
2
3
4
5
6 _____ _____

Signature of Document Signer No. 1 | Signature of Document Signer No. 2 (if any)

State of California

County of San Luis Obispo

Subscribed and sworn to (or affirmed) before me on this

29th (Date) day of December (Month), 20 09 (Year), by

(1) Robert A Newberg (Name of Signer),

proved to me on the basis of satisfactory evidence to be the person who appeared before me (.) (,)

(and

(2) _____ (Name of Signer),

proved to me on the basis of satisfactory evidence to be the person who appeared before me.)

Signature Joyce L Seat (Signature of Notary Public)

JOYCE L. SEAT
COMM. #1870922
NOTARY PUBLIC-CALIFORNIA
SAN LUIS OBISPO COUNTY
My Comm. Expires December 6, 2013

SM01 SM01

Place Notary Seal Above

OPTIONAL

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Further Description of Any Attached Document

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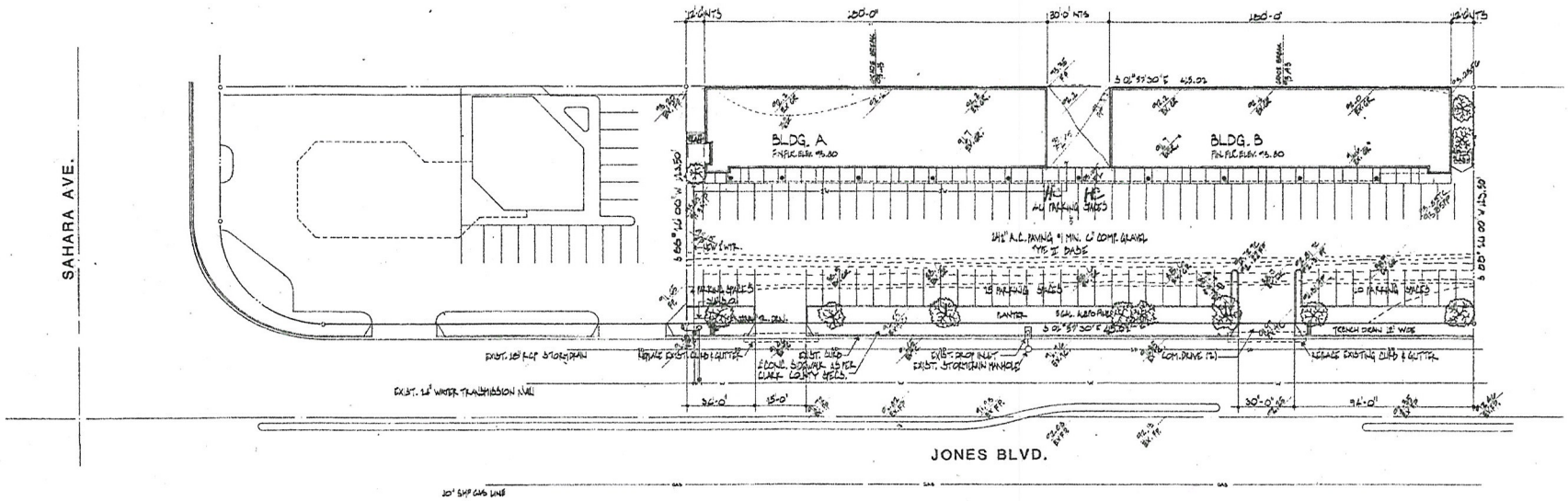
Signer(s) Other Than Named Above: _____

RIGHT THUMBPRINT OF SIGNER #1	RIGHT THUMBPRINT OF SIGNER #2
Top of thumb here	Top of thumb here

©2007 National Notary Association • 9350 De Soto Ave., P.O. Box 2402 • Chatsworth, CA 91313-2402 • www.NationalNotary.org Item #5910 Reorder: Call Toll-Free 1-800-876-6827



SITE PLAN

1" = 30'-0"

NORTH

THAT PORTION OF THE SOUTHEAST QUARTER (SE¼) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION 2 TOWNSHIP 2, SOUTH RANGE 20 EAST; M.D.B.&M. DESCRIBED AS FOLLOWS:

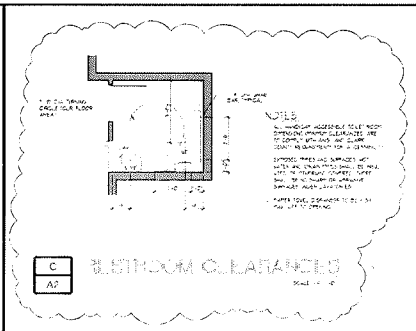
COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 2; THENCE NORTH 01° 51' 30" WEST A DISTANCE OF 330.00 FT. THENCE SOUTH 88° 15' 00" WEST A DISTANCE OF 50.00 FT. TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF JONES BOULEVARD (100.00 FT. WIDE), SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 88° 15' 00" WEST A DISTANCE OF 128.80 FT.; THENCE NORTH 01° 51' 30" EAST A DISTANCE OF 415.02 FT TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF THE AFOREMENTIONED JONES BOULEVARD; THENCE SOUTH 01° 51' 30" EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 415.02 FT. TO THE TRUE POINT OF BEGINNING.

Parking Analysis SUP 37155

Suites 1,2,3 – Check City 3440 square feet /175 square feet = 19.6
Suite 4-Private Office 860 square ft /300=2.8
Suite 5,6-Beauty & Best 1720 sq.ft/175=9.8
Suite 7,8,9 Help U Sell (Real Estate) 3440 sq ft /300=11.5
Suite 10, 11- vacant 1720 sq.ft/175=9.8
Suite 12-Dress Shop-860 sq.ft./175=4.9
Suite 13-Dentist-860 sq.ft./200=4.3
Suite 14-Bra Store 860 sq.ft. /175=4.0
Suite 15 Insurance 860 sq.ft/300=2.8
Suite 16.17 Chiropractor -1720 sq.ft./200=8.6
Suite 18 Farmer's Insurance 860 sq.ft./300=2.8
Total - 81.8 or 82 parking spaces required, 75 provided

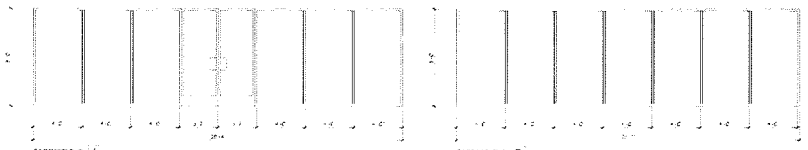
SUP-37155
REVISED
02/25/10 PC

RECEIVED
JAN 29 2010



C
A2

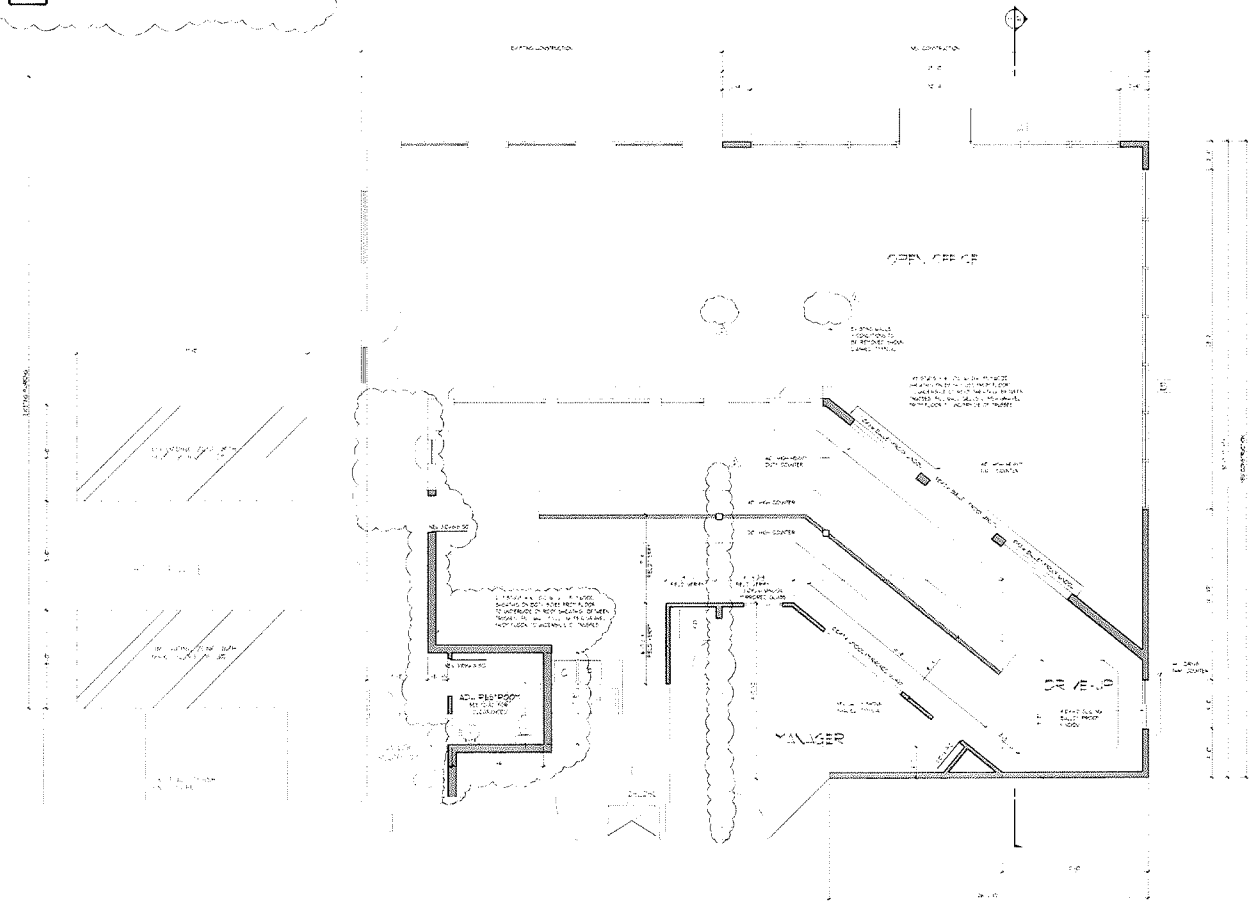
RESTROOM CLEARANCES



STOREFRONT A

STOREFRONT B





OPEN OFFICE

MANAGER

RECEIVED

JAN 12 2010

SUP-37155

02/25/10 PC

A
A2

FLOOR PLAN-EXISTING

B
A2

FLOOR PLAN-PROPOSED


CHECK CITY
YDAY LOANS
PAYDAY LOANS
Check City
CHEC
RECEIVED
JAN 12 2010
RECEIVED
JAN 12 2010
SUP-37155
02/25/10 PC

E


RECEIVED
JAN 12 2010
SUP-37155
02/25/10 PC
S & W



SUP-37155 - APPLICANT: CHECK CITY - OWNER: NEWBERG GROUP, LLC
2475 SOUTH JONES BOULEVARD, SUITE #2
FEBRUARY 25, 2010 PLANNING COMMISSION

01/22/10



SUP-37155 – APPLICANT: CHECK CITY – OWNER: NEWBERG GROUP, LLC
2475 SOUTH JONES BOULEVARD, SUITE #2
FEBRUARY 25, 2010 PLANNING COMMISSION

01/22/10

LA Stewart Consulting
2211 Rampart #130
Las Vegas, NV 89124
(702) 499-6469-Cell
(702) 946-0857-fax

January 12, 2010

City of Las Vegas, Planning & Development
739 South Fourth Street
Las Vegas, NV. 89101

RE: APN 163-02-802-006, 2475 S. Jones

Dear Sir or Madam:

Please accept this letter as our request for a Special Use Permit to allow the existing Check City Payday & Auto Title Loan store to purchase gold on the premises. Recently there have been several commercials on TV for gold purchase where the customer requests an envelope, places their broken or discarded gold jewelry in the envelope and send it to the company. In turn, the company send the customer a check for approximately 10-15 cents on the dollar.
.
Check City would like to do something similar, only with more controls and a better situation for the customer. The customer brings the jewelry to the store and it is weighed and the customer walks away with a check for approximately 60-65 cents on the dollar-5 times more than if they mailed it. Also, the customer has control because they actually hand it over to a person, not a post office. In addition, it is held for 30 days so if the customer changes their mind they can return and get their jewelry back. Also, every purchase is reported to Metro on a daily basis. There is no resale of the jewelry, it is not a loan but a purchase of the jewelry for the gold. It will be an incidental use to the main business and is considered just another service for the customer. Please contact me with any questions regarding this matter. Thank you for your consideration in this matter.

Yours truly,

Lucy Stewart
LA Stewart Consulting

RECEIVED
JAN 12 2010

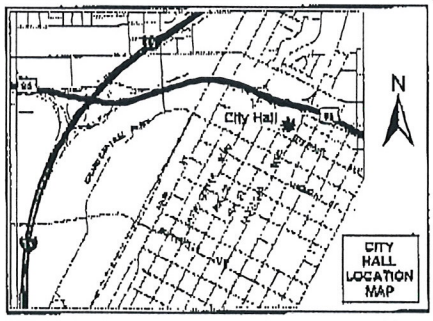
SUP-37155
02/25/10 PC

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 $ 00.41⁴
0004279218 MAR 26 2010
MAILED FROM ZIP CODE 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.

VAR-37297 & SUP-37155
City Council Meeting of 4/7/2010

2010 MAR 30 A 8:53
RECEIVED
CITY CLERK

1909 SOUTH JONES PROPERTIES
1909 S JONES BLVD #A
LAS VEGAS NV 89146-1260

APN#16302802008

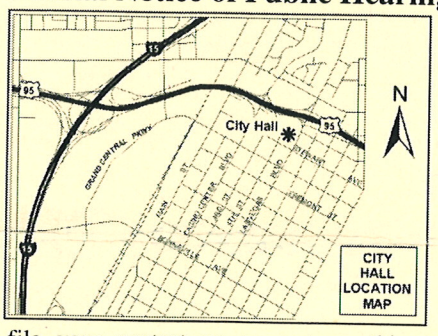
RECEIVED
CITY CLERK

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M
0004279218
$ 00.41⁴
MAR 26 2010
MAILED FROM ZIP CODE 89101

2010 MAR 30 A 11:10

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.

VAR-37297 & SUP-37155

City Council Meeting of 4/7/2010

FREEDMAN RALPH J & MARGARETA
2215 S RED ROCK ST
LAS VEGAS NV 89146-3116

APN#16301401004

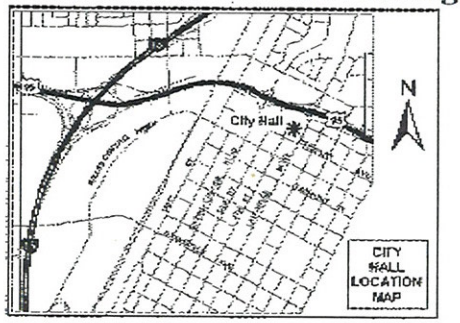
NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAL SERVICE
02 1M $ 00.41⁴
0004279218 FEB 12 2010
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.

VAR-37297 & SUP-37155

Planning Commission Meeting of 2/25/2010

Case: VAR-37297-LABELS
16302721006
VANDERMAY MONTY K & MAUREEN C
2021 S JONES BLVD
LAS VEGAS NV 89146-3137

Submitted after final agenda
Date 2/9/10 Item 16

RECEIVED
FEB 10 2010

City of Las Vegas Agenda Item No.: **87.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 7, 2010

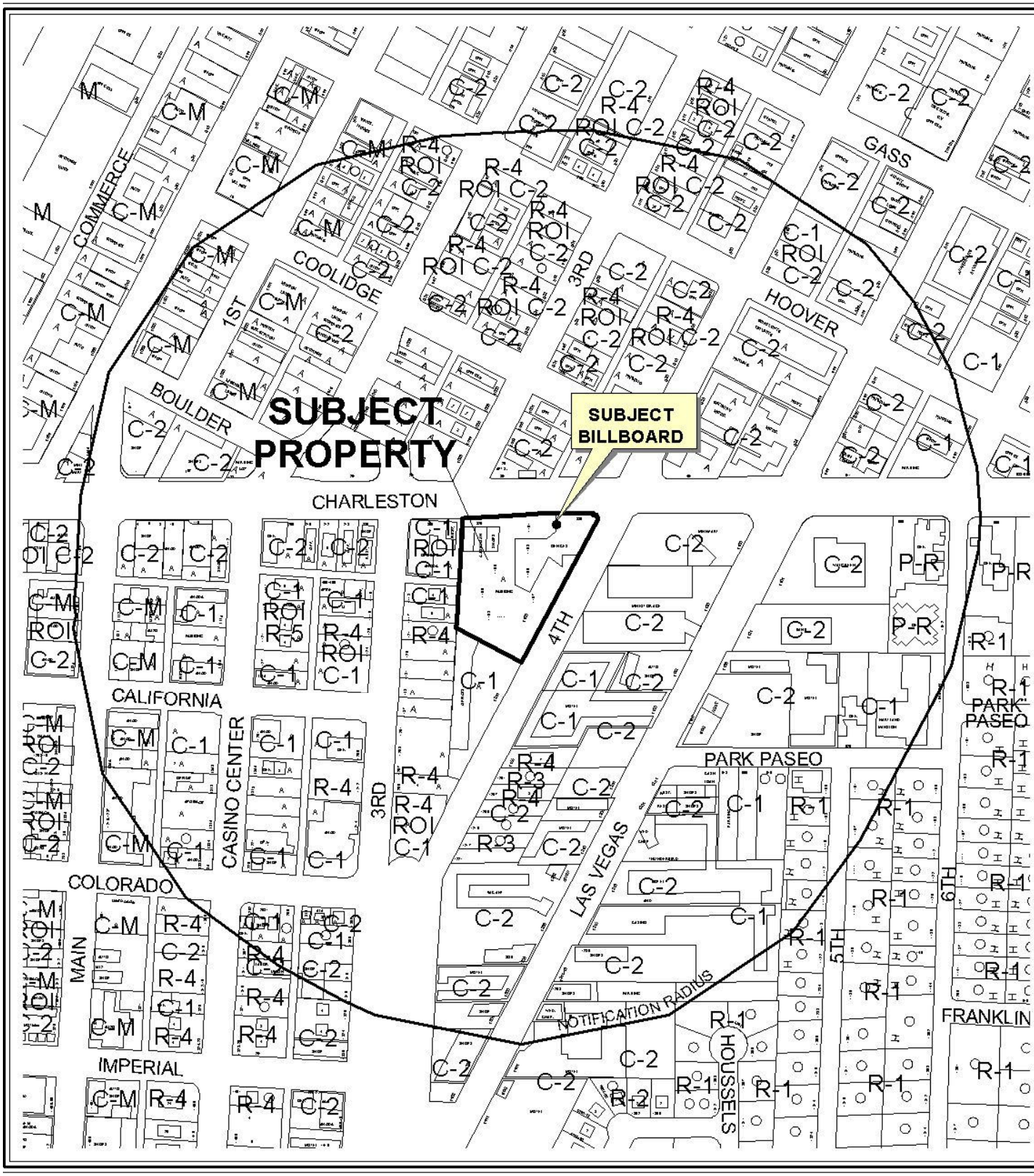
DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:
RQR-37490 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: CBS OUTDOOR - OWNER: 305 LAS VEGAS, LLC - Required Review of an approved Special Use Permit (U-0008-96) FOR A 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN (BILLBOARD) at 330 East Charleston Boulevard (APN 162-03-115-001), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**6**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. City Council Approval Letter for RQR-32942
5. Protest Postcards



CASE: **RQR-37490**

RADIUS: 1000 FT

0 300 600 Feet

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

N



CASE: **RQR-37490**

RADIUS: 1000 FT

0 300 600 Feet

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

N



RQR-37490

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
- Residential Zoned Property
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-37490 - APPLICANT: CBS OUTDOOR - OWNER: 305 LAS VEGAS, LLC

** CONDITIONS **

Staff recommends DENIAL, if approved subject to conditions:

Planning and Development

1. Conformance to the conditions for Special Use Permit (U-0008-96).

2. This Special Use Permit shall be placed on an agenda closest to April 3, 2013 at which time the City Council may require the Off-Premise Sign (Billboard) 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 Sign (Billboard) is removed.

3. The Off-Premise Sign (Billboard) 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 Sign (Billboard).

4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit (U-0008-98) 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.

RQR-37490 - Staff Report Page One
April 7, 2010 - City Council Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This Required Review is for a previously approved Special Use Permit (U-0008-96) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign located at 330 East Charleston Boulevard. Though the Special Use Permit was approved for a 14-foot by 48-foot sign, the actual size of the sign is only 14 feet by 24 feet. The sign is located on property shared with offices, retail establishments, and a parking lot. Building permit #96013641 was issued for the installation of the billboard sign, which received an approved final inspection on 09/17/96. The sign faces and supporting structure are in good condition. There are new entitlements approved for the subject site and properties in the surrounding areas that include a mixed-use development for the subject site and parcel to the west, and a Hotel- Residence (extended stay) to the east.

Staff finds that though the sign is in good condition and has an approved final inspection, the location of the sign is not conducive to the redevelopment and revitalization proposed for the property and surrounding area; therefore, is recommending denial of this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
05/18/95	The City Council approved a request for Rezoning (Z-0037-94) from R-1 (Single Family Residential) to C-1 (Limited Commercial) of property generally located at the southwest corner of Charleston Boulevard and 4th Street. The Planning Commission recommended approval on 04/28/94.
04/03/96	The City Council approved a request for a Special Use Permit (U-0008-96) for a 14-foot by 48-foot Off-Premise Sign at the southwest corner of Charleston Boulevard and 4th Street. The Board of Zoning Adjustment recommended denial on 02/02/96.
10/01/03	The City Council approved a request for a Site Development Plan Review (SDR-2784) for a 12,103 square-foot Office Building on a portion of 2.18 acres adjacent to the southwest corner of Charleston Boulevard and 4th Street. The Planning Commission recommended approval on 08/28/03.
05/16/07	The City Council approved a request for a Rezoning (ZON-20507) from P-R (Professional Office and Parking), C-1 (Limited Commercial) and C-2 (General Commercial) to C-1 (Limited Commercial) on 2.67 acres at the southwest corner of Charleston Boulevard and 4th Street. The Planning Commission recommended approval on 04/26/07.
	The City Council approved a related request for a Special Use Permit (SUP-20519) for a 12-story mixed use development including 58,000 square feet of commercial space and 1,100 residential condominium units.

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
05/16/07	The City Council approved a related request for a Petition to Vacate (VAC-20522) a 20-foot service alley and access easement generally located east of 3rd Street commencing approximately 137 feet south of the southeast corner of 3rd Street and Charleston Boulevard.
	The City Council approved a related request for a Site Development Plan Review (SDR-20502) for a 12-story mixed-use development including 58,000 square feet of commercial space and 1,100 residential condominium units.
11/05/08	The City Council approved a request for a Petition to Vacate (VAC-29235) an alley and a public access easement at 300 and 330 East Charleston Boulevard. The Planning Commission recommended approval on 09/25/08.
04/15/09	The City Council approved a request for an Extension of Time (EOT-33725) of a previously approved Rezoning (ZON-20507) from P-R (Professional Office and Parking), C-1 (Limited Commercial) and C-2 (General Commercial) to C-1 (Limited Commercial) on 2.67 acres at the southwest corner of Charleston Boulevard and 4th Street.
	The City Council approved a related request for an Extension of Time (EOT-33724) of a previously approved Special Use Permit (SUP-20519) for a 12-story mixed use development including 58,000 square feet of commercial space and 1,100 residential condominium units.
	The City Council approved a related request for an Extension of Time (EOT-33726) of a previously approved Site Development Plan Review (SDR-20502) for a 12-story mixed-use development including 58,000 square feet of commercial space and 1,100 residential condominium units.
05/20/09	The City Council approved a request for a Required Review (RQR-32942) of a previously approved Special Use Permit (U-0008-96) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 330 East Charleston Boulevard. Note: Sign is 14-foot by 24-foot.
05/28/09	The Planning and Development Department approved a request for a Minor Site Development Plan Review (SDR-34113) that allowed a 12-story mixed-use development including 58,000 square feet of commercial space and 1,100 residential condominium units at the southwest corner of Charleston Boulevard at 4th Street.
12/11/09	The Planning and Development Department approved a request for an Extension of Time (EOT-36621) of a previously approved Vacation (VAC-29235) which vacated the alley and a public access easement at 300 and 330 East Charleston Boulevard.
Related Building Permits/Business Licenses	
07/09/96	A building permit (96013641) was issued for the installation of a billboard sign with electric at 330 East Charleston Boulevard. The permit was finalized on 09/17/96.
08/20/96	A business license (M01-05281) was issued for a Cleaning Service (Aquariums) at 330 East Charleston Boulevard, Ste 201. The license is still active.

04/18/97	A building permit (97007816) was issued for service for a billboard at 330 East Charleston Boulevard. The permit was finalized on 04/28/97.
Related Building Permits/Business Licenses	
09/19/06	A business license (P27-00381) was issued for Registration Services at 330 East Charleston Boulevard, Ste 201. The license is still active.
08/15/07	A business license (Q13-00786) was issued for a Law Firm at 330 East Charleston Boulevard, Ste 204. The license is still active.
04/14/09	A business license (B20-01626) was issued for Business Support Services at 330 East Charleston Boulevard, Ste 202. The license is still active.
06/24/09	A business license (Q13-01225) was issued for a Law Office at 330 East Charleston Boulevard. The license is still active.
11/19/09	A business license (Q01-00931) was issued for a Real Estate Broker at 330 East Charleston Boulevard, Ste 204. 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 is not required for this type of application, nor was one held.	

Field Check
Staff conducted a filed check of the subject site with the following observations: • The subject billboard had no embellishments, animated signage or electronic displays. • The sign faces and supporting structure appeared in good condition. • All structural elements have been properly screened from public view.

Details of Application Request	
Site Area	
Gross Acres	2.66

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Offices, Retail Establishments, and parking	C (Commercial)	C-1 (Limited Commercial)
North	Retail Establishments and Apartments	C (Commercial)	C-2 General Commercial)
South	Offices	C (Commercial)	C-1 (Limited Commercial)
East	Mini Storage Facility	C (Commercial)	C-2 (General Commercial)

West	Retail Establishment and Restaurant	C (Commercial)	C-1 (Limited Commercial)

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Area Plan			
Downtown Centennial Plan (Arts District)	X		N
Las Vegas Redevelopment Plan	X		Y
Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
Live/Work 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 second Required Review of a previously approved Special Use Permit (U-0008-96) for a 40-foot tall, 14-foot by 24-foot Off-Premise Sign located at 330 East Charleston Boulevard. The sign is positioned on property shared with offices, retail establishments, a parking lot, and is located within the Downtown Centennial Plan, Arts District. A research of the building permit activity revealed that a sign permit (96013641) was issued for the installation of the billboard sign, which received an approved final inspection on 09/17/96 under the address of 330 East Charleston Boulevard. Staff conducted a field check of the subject site and found the sign faces in good condition and supporting structure free of graffiti and bird feces.

Since the approval of the Special Use Permit (U-0008-96) for the Off-Premise Sign, new entitlements (SUP-20519, VAC-20522, VAC-29235, SDR-20502, and SDR-34113) have been approved for the subject site that include a proposed 12-story mixed-use development with subsequent Extension of Times (EOT-33724, EOT-33725, EOT-33726, and EOT-36621).

FINDINGS

The sign is located in a C-1 (Limited Commercial) zoning district within the Downtown Centennial Plan, Arts District. The Arts District permits Off-Premise Signs with a Special Use Permit, and in addition to the requirements of Title 19, Off-Premise Signs shall be directly mounted to and flush with the wall of a structure and shall not be freestanding, mounted on top

of a roof, or project past the walls or roof of a building. Staff finds that though the sign is in good condition and has an approved final inspection, the sign does not conform with the Downtown Centennial Plan, Arts District requirements and is not conducive to the redevelopment and revitalization proposed for the property and surrounding areas; therefore, staff is recommending denial of this request.

NOTICES MAILED 421 (By Planning)

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-37490** APN: 162-03-115-001

Name of Property Owner: 305 Las Vegas LLC

Name of Applicant: CBS Outdoor

Name of Representative: 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: BARNET L LIBERMAN

Subscribed and sworn before me

This 12 day of FEBRUARY, 2010

_____

Notary Public in and for said County and State

JANET GRONIERI
Notary Public, State of New York
No. 31-4501747
Qualified in New York County
Commission Expires May 31, 2011

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Required Review

Project Address (Location) 330 E Charleston Blvd

Project Name _____ **Proposed Use** _____

Assessor's Parcel #(s) 162-03-115-001 **Ward #** 3

General Plan: existing _____ proposed _____ **Zoning:** existing C-1 proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres 2.18 **Lots/Units** _____ **Density** _____

Additional Information Required review of existing billboard

PROPERTY OWNER 305 Las Vegas LLC **Contact** Sarah Moore

Address 421 Hudson Street **Phone:** (212) 486-4444 **Fax:** (212) 588-0286

City New York **State** NY **Zip** 10014

E-mail Address _____

APPLICANT CBS Outdoor **Contact** Scott Christensen

Address 1731 Workman Street **Phone:** (323) 276-7382 **Fax:** (323) 225-0240

City Los Angeles **State** CA **Zip** 90031

E-mail Address scott.christensen@cbsoutdoor.com

REPRESENTATIVE The Skancke Company **Contact** Ryan Arnold

Address 2620 Regatta Drive Suite 102 **Phone:** (702) 870-7068 **Fax:** (702) 541-9563

City Las Vegas **State** NV **Zip** 89128

E-mail Address ryan@skancke.net

Property Owner Signature* X _____

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

Print Name BARNET L LIEBERMAN

Subscribed and sworn before me

This 12 day of FEBRUARY, 20 11.

_____

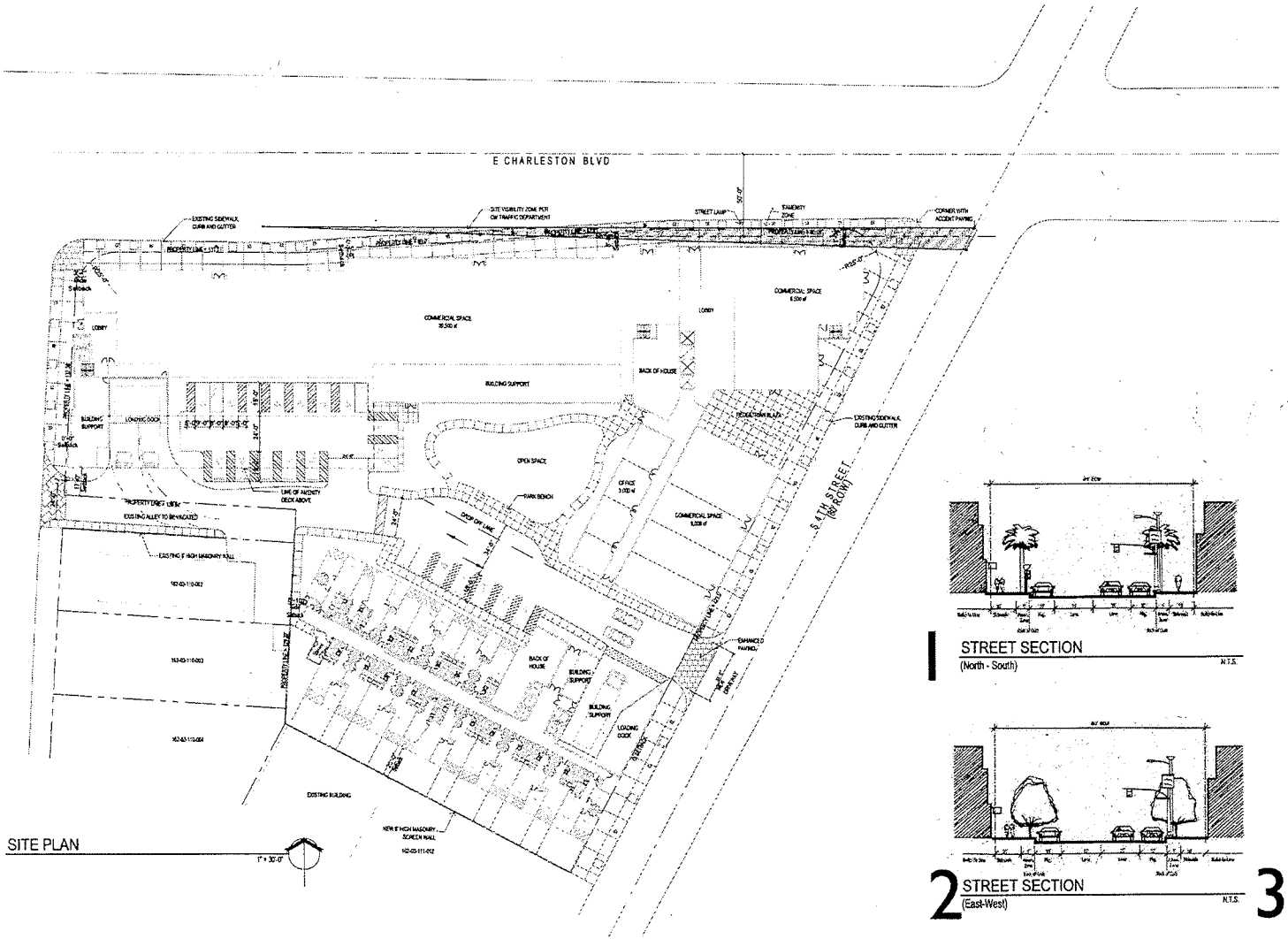
Notary Public in and for said County and State

JANET GRONIERI
Notary Public, State of New York
No. 31-4501747
Qualified in New York County
Commission Expires May 31, 20 11

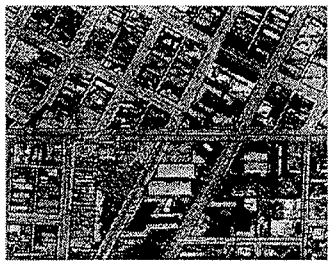
FOR DEPARTMENT USE ONLY

Case #	ROR-37490
Meeting Date:	~~3-17-10~~ 4/7
Total Fee:	800
Date Received:*	2-23-10
Received By:	TS

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



SITE PLAN



Site Zoning & Data

SITE DATA

PARCEL NUMBER	162-03-115-001, 002
JURISDICTION	CITY OF LAS VEGAS, 89104
EXISTING ZONING	PR, C-1 AND C-2
PROPOSED ZONING	C-1
SITE AREA	116,305 NSF 2.67 NET ACRES

SETBACKS - (BUILDING)

	REQ'D	PROVIDED
FRONT	10'-0"	9'-8", 8'-8½", 11'-3½"
INTERIOR SIDE	10'-0"	5'-0"
SIDE STREET	10'-0"	0', 3'-4"
REAR	10'-0"	20'-0"

MAX HEIGHT	N/A
ACTUAL HEIGHT	160'
LOT COVERAGE ALLOWED	N/A
ACTUAL LOT COVERAGE	70%

BUILDING AREA

BUILDING AREAS:	
COMMERCIAL	58,000 SF
RESIDENTIAL	917,000 SF
TOTAL	975,000 SF

UNITS

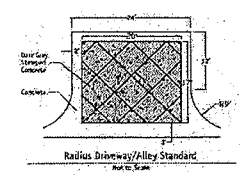
STUDIO UNITS	450
1 BEDROOM UNITS	430
2 BEDROOM UNITS	220
TOTAL UNITS	1,100
F.A.R.	8.19
DU/ACRE	412

PARKING COUNTS

BUILDING AREA	REQUIRED PARKING	PROVIDED
UNITS	1,100 UNITS + 1,120 SPACES	
COMMERCIAL SPACE	58,000/ 250 = 232 SPACES	
HANDICAP PARKING (ON SITE)		2% OF TOTAL UNITS
TOTAL REQUIRED		1,332
TOTAL PROVIDED IN CASINO CENTER/ COOLIDGE PARKING STRUCTURE		1,500

1 STREET SECTION
(North - South)
N.T.S.

2 STREET SECTION
(East-West)
N.T.S.



3 RADIUS DRIVEWAY / ALLEY STANDARD
N.T.S.

SITE PLAN / GROUND FLOOR PLAN

APTUS Architecture

Aquarius Residences
Site Development Review
Charleston and 4th Street
Las Vegas, Nevada 89104

RQR-37490
04/07/10 CC

Las Vegas SDR, SUP, RZ, VAC Submittal 3.13.07
Las Vegas SDR, SUP, RZ, VAC Submittal (REV. 1) 4.007

AS101

04.177 LV Land Partners

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LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

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MAYOR PRO TEM

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DAVID W. STEINMAN
(INTERIM)

ELIZABETH N. FRETWELL
CITY MANAGER



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

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

June 2, 2009

Ms. Sarah Moore
305 Las Vegas, LLC
421 Hudson Street
New York, New York 10014-3646

RE: RQR-32942 – REQUIRED REVIEW
CITY COUNCIL MEETING OF MAY 20, 2009

Dear Ms. Moore:

The City Council at a regular meeting held May 20, 2009 APPROVED the Required Review of an approved Special Use Permit (U-0008-96) FOR A 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN (BILLBOARD) at 330 East Charleston Boulevard (APN 162-03-115-001), C-2 (General Commercial) Zone. NOTE: THE SIGN IS 14-FOOT BY 24-FOOT. The Notice of Final Action was filed with the Las Vegas City Clerk on May 21, 2009. This approval is subject to:

Planning and Development

1. Conformance to the conditions for Special Use Permit (U-0008-96).

2. This Special Use Permit shall be placed on an agenda closest to April 3, 2010 at which time the City Council may require the Off-Premise Sign (Billboard) 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 Sign (Billboard) is removed.

3. The Off-Premise Sign (Billboard) 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 Sign (Billboard).

4. 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.

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RQR-37490

Printed with environmentally friendly soy ink

04/07/10 CC

5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Sincerely,

Gabriela Portillo-Brenner
Deputy City Clerk II for
Vicky Darling, Chief Deputy City Clerk

M. Margo Wheeler, AICP
Director
Planning and Development Department

cc: Mr. Scott Christensen
CBS Outdoor
1731 Workman Street
Los Angeles, California 90031

Mr. Ryan Arnold
The Skancke Company
2620 Regatta Drive, Suite #102
Las Vegas, Nevada 89128

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City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
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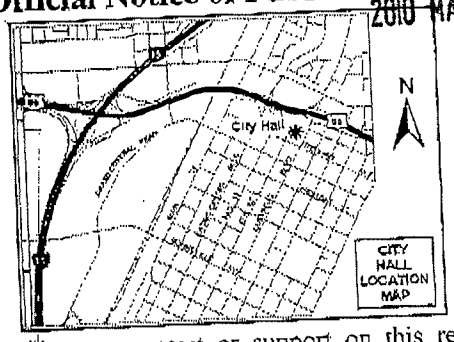
Official Notice of Public Hearing

2010 MAR 30 P 1:51



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

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RQR-37490

City Council Meeting of **04/07/2010**

2010 MAR 30 P 1:51

CITY CLERK

Case: RQR-37490

13933811020
CARJACK PROPERTIES L L C
%J SOLOMON
ONE E CHARLESTON BLVD
LAS VEGAS NV 89104-1087

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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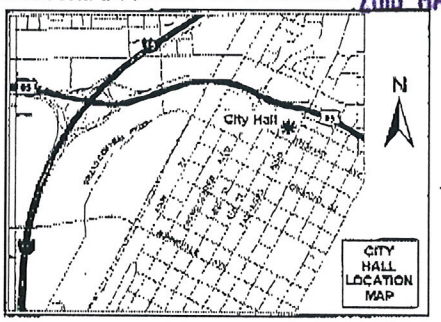

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RQR-37490
City Council Meeting of **04/07/2010**

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2010 MAR 30 P 1:35

Case: RQR-37490

13933811021
C & J PROPERTIES L L C
1 E CHARLESTON BLVD
LAS VEGAS NV 89104-1087

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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0004279216 MAR 24 2010
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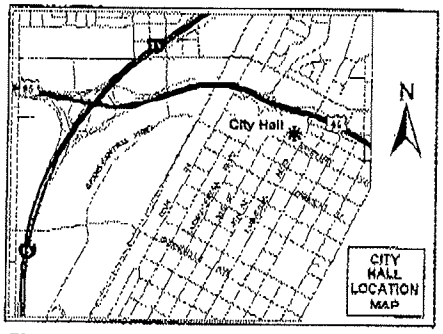

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RQR-37490
City Council Meeting of **04/07/2010**

Case: RQR-37490

13934411021
PARK JI-YOON
505 HARVARD AVE
SANTA CLARA CA 95051-6015

2010 MAR 27 A 9:45
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CITY CLERK

2010 MAR 29 A 8:06

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Las Vegas, Nevada 89101

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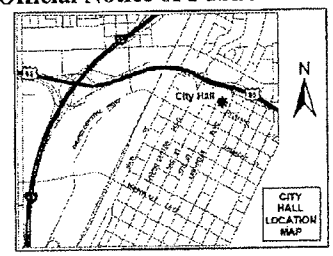

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RQR-37490
City Council Meeting of **04/07/2010**

Case: RQR-37490
13934411030
SOHO 614 TRUST
%RS SOLUTIONS INC
435 MANDERLEY CT
LAS VEGAS NV 89123-3705

Mar 28 2010 9:49 GI HOLDINGS GROUP, INC 702-645-8945 p.1
03/28/2010 SUN 11:08 [TX/RX NO 7464] 001

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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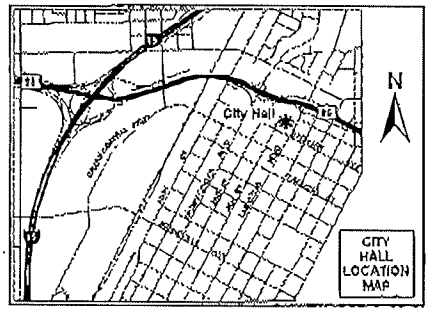

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RQR-37490
City Council Meeting of **04/07/2010**

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Case: RQR-37490
13934410099
CAVIGLIA DENNIS G & C M MARTL TR
%D HECKETHORN
4181 SQUAW CREEK CT
LAS VEGAS NV 89120-3872

y of Las Vegas
fice Of The City Clerk
) Stewart Avenue
s Vegas, Nevada 89101

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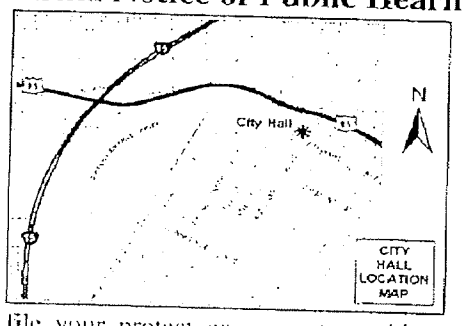
Official Notice of Public Hearing



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☐ I SUPPORT this Request

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R-37490

Council Meeting of **04/07/2010**

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2010 MAR 29 P 4:26

13934412084 Case: RQR-37490
SHEN JOHN CHEN & ANITA M
1214 BLUE HERON CIR
ANTIOCH IL 60002-6402

City of Las Vegas Agenda Item No.: **88.**

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 7, 2010

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

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 7, 2010

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

City of Las Vegas Agenda Item No.: **90.**

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 7, 2010

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