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: CAROLYN G. GOODMAN, MAYOR (At-Large)
COUNCILMAN STAVROS S. ANTHONY, MAYOR PRO TEM (Ward 4)
STEVE WOLFSON (Ward 2), LOIS TARKANIAN (Ward 1), STEVEN D. ROSS (Ward 6)
RICKI Y. BARLOW (Ward 5), BOB COFFIN (Ward 3)

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.

July 20, 2011

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. ITEMS LISTED ON THE AGENDA MAY BE TAKEN OUT OF THE ORDER PRESENTED; TWO OR MORE AGENDA ITEMS FOR CONSIDERATION MAY BE COMBINED; AND ANY ITEM ON THE AGENDA MAY BE REMOVED OR RELATED DISCUSSION MAY BE DELAYED AT ANY TIME.

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 – REVEREND MARY BREDLAU, GRACE IN THE DESERT EPISCOPAL CHURCH
4. PLEDGE OF ALLEGIANCE
5. RECOGNITION OF THE EMPLOYEE OF THE YEAR
6. RECOGNITION OF THE EMPLOYEE OF THE MONTH
7. RECOGNITION OF THE SENIOR OF THE QUARTER
8. RECOGNITION OF CHUCK BAKER FOR HIS WORK ON THE CITY'S DONATION STATIONS
9. RECOGNITION OF WEST PREP ACADEMY'S LAZARO CESAR JR. FOR ACADEMIC EXCELLENCE

BUSINESS ITEMS - MORNING

PUBLIC COMMENT

10. PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS ON THE AGENDA FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

BUSINESS ITEMS

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Action - Any items from the morning session that the Council, staff and/or the applicant wish to be stricken, tabled, withdrawn or held in abeyance to a future meeting may be brought forward and acted upon at this time

12. For possible action to approve the Final Minutes by reference of the regular City Council meeting of June 15, 2011

CONSENT AGENDA

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

ADMINISTRATIVE - CONSENT

13. For possible action to approve the Interlocal Agreement between the City of Las Vegas, Clark County, the Las Vegas Metropolitan Police Department, the City of Henderson and the City of North Las Vegas to implement Shared Computer Operations for Protection and Enforcement II (SCOPE II) for Fiscal Year 2012 ($45,458 - General Fund) - All Wards

14. For possible action to approve the Memorandum of Understanding (MOU) for the City of Las Vegas to act as fiscal agent for the Department of Justice/Bureau of Justice Assistance Byrne Justice Assistance Grant (JAG) Local Solicitation (CFDA #16.738) between the City of Las Vegas and Clark County for funding to support all components of the criminal justice system ($1,273,801 in eligible funding) - All Wards

ADMINISTRATIVE SERVICES - CONSENT

15. For possible action to approve the ratification of Patricia Truesdell in a Council support position as a Council Liaison to the Mayor ($48,000 annual salary/$18,620 benefits - General Fund)

16. For possible action to approve the ratification of Lora Kalkman in a Council support position as a Council Liaison to the Mayor ($48,000 annual salary/$18,620 benefits - General Fund)

BUILDING AND SAFETY - CONSENT

17. For possible action to approve an encroachment request from EVAPS, LLC, owner (400 South 4th Street) - Ward 5 (Barlow)

18. For possible action to approve an encroachment request for an existing elevated patio deck and landscaping from Oakbrook Realty & Investments II, LLC owner (321 South Casino Center Boulevard, APN 139-34-201-020) - Ward 3 (Coffin)

FINANCE - CONSENT

19. For possible action to approve Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments

20. For possible action to approve a report by the City Treasurer of the June 28, 2011 sale of properties subject to the lien of a delinquent assessment in Special Improvement Districts 505 - Ward 6 (Ross)

FINANCE - PURCHASING & CONTRACTS CONSENT

21. For possible action to approve award of Agreement No. 110220-DC, Prime Design Services Agreement for Rancho Drive Capacity Improvements, Decatur Boulevard to Rainbow Boulevard - Department of Public Works - Award recommended to: STANLEY CONSULTANTS, INC. ($1,900,000 - Road and Flood Capital Projects Fund) - Wards 5 and 6 (Barlow and Ross)

22. For possible action to approve award of Agreement No. 110225-EV, Blanket Services Agreement for Partnering Facilitation - Department of Public Works - Award recommended to: TOTAL QUALITY RESOURCES CORPORATION (not-to-exceed $100,000 - Various Funds)

23. For possible action to approve award of Modification No. 1 to Contract No. 07.1730.04-LED, Construction of the Bonanza Trail Phase II located west of Rainbow Boulevard along Westcliff Drive to Lorenzi Street and east of Jones Boulevard and north of US 95 to Decatur Boulevard - Department of Public Works - Award recommended to: WELLS CARGO, INC. ($350,000 - Parks and Leisure Activities Capital Projects Fund) - Wards 1 and 5 (Tarkanian and Barlow)

24. For possible action to approve award of Bid No. 11.1762.10-TRF (Revised), 2011 Annual Concrete Replacement and Asphalt Patching - Department of Operations and Maintenance - Award recommended to: DREW ASPHALT PAVING, INC. ($3,400,000 - Street Maintenance Special Revenue Fund) - All Wards

25. For possible action to approve award of Bid Lot 2 of Clark County Cooperative Bid No. 6022217-11, Traffic Lighting and Traffic Signal Poles - Department of Public Works - Award recommended to: VEGAS ELECTRIC SUPPLY ($635,318 - General Fund)

26. For possible action to approve award of Second Amendment to Agreement No. 06-11554, Engineering Design Services Agreement for Vegas Drive Roadway and Drainage Improvements from Shadow Mountain Place to Rancho Drive - Department of Public Works - Award recommended to: POGGEMEYER DESIGN GROUP, INC. ($136,000 - Road and Flood Capital Projects Fund) - Ward 5 (Barlow)

27. For possible action to approve award of Modification No. 1 Contract No. 09.1730.27-LED, ITS Communication Infrastructure Corridor 1A located on Charleston Boulevard from Desert Foothills Drive to Montclair Street, on Montclair Street from Charleston Boulevard to Del Rey Avenue and on Rainbow Boulevard from Sahara Avenue to Charleston Boulevard and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: LAS VEGAS ELECTRIC, INC. ($297,520 - Traffic Improvements Capital Projects Fund) - Wards 1 and 2 (Tarkanian and Wolfson)

28. For possible action to approve Modification No. 4 to Bid No. 08.15341.04-LED (Revised), Las Vegas Museum Phase 3 - Rehabilitation for the Las Vegas Museum of Organized Crime and Law Enforcement located at 300 Stewart Avenue and the construction conflicts and contingency reserve set by Finance - Department of Public Works - Award recommended to: APCO CONSTRUCTION ($303,621.05 - Parks and Leisure Activities Capital Projects Fund) - Ward 5 (Barlow)

FIRE & RESCUE - CONSENT

29. For possible action to approve the purchase of a replacement chassis for the current bomb squad vehicle bringing the vehicle into a safe weight compliance rating and extending the life of the unit ($71,881.25 – 2010 Urban Area Security International (UASI) Homeland Security Grant Program) - All Wards

OPERATIONS AND MAINTENANCE - CONSENT

30. For possible action to approve Angel Park Capital Improvement Agreement #5 between the City of Las Vegas and Angel Park Golf, LLC for the Angel Park Golf Course, 100 South Rampart Boulevard ($206,559.92 - Municipal Golf Course Enterprise Fund) - Ward 2 (Wolfson)

31. For possible action to approve a Right-of-Entry License from the Las Vegas Valley Water District to the City of Las Vegas for the Jones and Valley View Corridor Improvements Project located on Jones Boulevard, approximately 400 feet south of Evergreen Avenue, APN 138-35-807-001 - Ward 1 (Tarkanian)

PLANNING - BUSINESS SERVICES CONSENT

32. For possible action to approve a Special Event Alcoholic Beverage License subject to the provisions of the planning and fire codes for Peruvian Association of Las Vegas, Location: Italian American Social Club of Southern Nevada, 2333 East Sahara Avenue, Date: July 24, 2011, Type: Special Event Beer/Wine, Event: Peruvian Festival, Responsible Person in Charge: Benita Rivas-Metallo - Ward 3 (Coffin)

33. For possible action to approve a Change of Ownership and Change of Business Name on a non-operational Tavern License, From: Getdown, Inc., dba Back Door Lounge, To: OPA Las Vegas, LLC, dba PETRA, and extend the Temporary Tavern License for PETRA located at 440 South Rampart Boulevard, Suite 180, Demetrius Kouretas, Mgr, 50% and Daniel Kouretas, Mgr, 50% - Ward 2 (Wolfson)

34. For possible action to approve a new Restricted Gaming License subject to confirmation of approval by the Nevada Gaming Commission, Krowmaet Partners, LLC, dba Choices, 6720 West Cheyenne Avenue, Julie Rubino, Mmbr, 50% and Gerald Goscicki, Mmbr, 50% - Ward 4 (Anthony)

35. For possible action to approve a Non-restricted Gaming License subject to the provisions of the planning and fire codes and confirmation of approval by the Nevada Gaming Commission, NP Red Rock, LLC, db at El Cortez Sports Pool, 600 Fremont Street, Station Casinos, LLC, Sole Mmbr, 100%; Kevin Kelley, Pres; Thomas Friel, Sr VP, Treas; Richard Haskins, Sr VP, Secy; Scott Nielson, Sr VP; and Marc Falcone, Sr VP - Ward 5 (Barlow)

36. For possible action to approve a new Restricted Gaming License subject to the provisions of the planning and fire codes and confirmation of approval by the Nevada Gaming Commission, E-T-T, LLC, db at Desert Food Mart, 6100 West Charleston Boulevard, Herbst Gaming, LLC, Owner, 100%, Ferenc Szony, Mgr, and David Ross, Mgr - Ward 1 (Tarkanian)

37. For possible action to approve an extension of a Temporary Burglar Alarm Service License, CenturyTel Security Systems, Inc., dba CenturyLink Security, 504 Washington Street, CenturyLink, Inc., Owner, 100%, Jeffrey Oberschelp, VP, Gen Mgr, and Cassandra Ivy, Offsite Mgr - Louisiana

38. For possible action to approve a Special Event Alcoholic Beverage License for Royal Ballrooms LLC, Location: 3120 Sirius Avenue, Suite 107, Dates: July 29, 30, August 6, 13, 20, and 27, 2011, Type: Special Event Beer/Wine, Event: Private Birthday Parties, Responsible Person in Charge: Raul Escobar - Ward 1 (Tarkanian)

39. For possible action to approve a Change of Business Name for a Temporary Supper Club License, Maddin, Inc., dba From: Hotel California Restaurant and Cantina, To: Baja California Restaurant & Cantina, 1050 South Rampart Boulevard, James Maddin, Pres, Secy, Treas, Dir, 100% - Ward 2 (Wolfson)

40. For possible action to approve a new Restricted Gaming License subject to confirmation of approval by the Nevada Gaming Commission, Clayton@2005, Inc., dba 7 Eleven Food Store #15889, 3033 Arville Street, Dale Clayton, Pres, Dir, Franchise Mgr and Lori Clayton, Secy, Treas, Franchise Mgr - Ward 1 (Tarkanian)

PUBLIC WORKS - CONSENT

41. For possible action to approve a Third Supplemental Interlocal Contract 462c and Supplemental Interlocal Contract No. 5 - 501e between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to extend the project completion dates to June 30, 2015 for Sheep Mountain Corridor Study – Ward 6 (Ross)

42. For possible action to approve a Fifth Supplemental Interlocal Contract LLD12A04 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to extend the project completion date to December 31, 2011 for Local Drainage Improvements for Brush Street Storm Drain – Ward 1 (Tarkanian)

43. For possible action to approve a Fifth Supplemental Interlocal Contract LAS09V05 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to extend the project completion date to December 31, 2011 for Oakey Drain, Birch Street to Cahlan Drive – Ward 1 (Tarkanian)

44. For possible action to approve a Second Supplemental Interlocal Contract LAS05I08 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to extend the project completion date to December 31, 2011 for Oakey – Meadows Storm Drain, Phase I – Ward 1 (Tarkanian)

45. For possible action to approve a Sixth Supplemental Interlocal Contract LAS22C06 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to extend the project completion date to December 31, 2011 for Las Vegas Wash – Elkhorn Road, Rainbow Boulevard to Torrey Pines Drive – Ward 6 (Ross)

46. For possible action to approve an Agreement between City of Las Vegas and Las Vegas Valley Water District to allow construction access for the Valley View Widening at the Springs Preserve to widen a portion of Valley View Boulevard between Alta Drive and the US Highway 95 southerly right-of-way line and installing public bus turnouts with public bus shelters, new meandering trails and re-alignment of existing meandering trails and landscaping with associated irrigation systems - Ward 1 (Tarkanian)

47. For possible action to approve a First Supplemental Interlocal Contract LAS29A10 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to increase project funding and extend the project completion date to June 30, 2013 for Flamingo Wash, Boulder Highway North – Main Street ($70,000 - CCRFCD) - Ward 3 (Coffin)

48. For possible action to approve an Interlocal Contract between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) for the Annual Maintenance Work Program for Fiscal Year 2011-2012 ($2,050,000 - CCRFCD) - All Wards

DISCUSSION/ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

49. Report and update regarding the status of negotiations and concessions between the City of Las Vegas and the International Association of Fire Fighters (IAFF Local 1285) and all current labor organizations - All Wards

50. Report for possible action concerning the 2011 (76th) Session of the Nevada Legislature - All Wards

51. Report for possible action regarding progress made in the six Council priority areas - All Wards

52. Discussion for possible action regarding the Eighth Amendment to Project Management and Consulting Agreement by and between City Parkway V, Inc., City Parkway IV A, Inc., Office District Parking I, Inc., and Newland Real Estate Group, LLC, to extend the term of project management services through June 30, 2012 and reimburse Newland for their expenses per the Symphony Park Fiscal Year 2012 Business Plan for parcels located in Symphony Park at the intersection of Grand Central Parkway and Bonneville Avenue ($609,600 - Symphony Park Capital Projects Fund) - Ward 5 (Barlow)

PARKS, RECREATION AND NEIGHBORHOOD SERVICES - DISCUSSION

53. Discussion for possible action regarding the Neighborhood Partners Fund (NPF) Board recommendations to allocate $55,000 (General Fund) for 20 neighborhood projects - All Wards

PUBLIC WORKS - DISCUSSION

54. Discussion for possible action regarding a request to install one speed hump on Faywood Street between Mountainair Avenue and Grenville Avenue ($2,600 - Neighborhood Traffic Management Program) - Ward 2 (Wolfson)

BOARDS & COMMISSIONS - DISCUSSION

55. PLANNING COMMISSION - For Possible Action - Ric Truesdell, Vicki Quinn, Steven Evans and Byron A. Goynes - Term Expirations 6-2011

56. SENIOR CITIZENS ADVISORY BOARD - For Possible Action - Lance Moran, Robert Goldstein, Patti Brown, Fran Drewrey and Jean Zorn - Term Expirations 6-2011

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

57. Bill No. 2011-27 - ABEYANCE ITEM - For Possible Action - Exempts from the City's noise regulations certain activities within the district known as "18B The Las Vegas Arts District." Sponsored by: Councilman Gary Reese

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.

58. Bill No. 2011-28 - Updates the City's regulations pertaining to mobile food vendors to conform to other applicable regulations regarding the operational limitations for such vendors. Proposed by: Flinn Fagg, Director of Planning

59. Bill No. 2011-29 - Updates Chapter 6.06 of the Municipal Code relating to privileged licenses. Proposed by: Flinn Fagg, Director of Planning

60. Bill No. 2011-30 - Readopts LVMC 10.02.010 to make State misdemeanors City misdemeanors if committed within the City. Proposed by: Bradford R. Jerbic, City Attorney

NEW BILLS

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.

61. Bill No. 2011-31 - Removes the term limitations applicable to members of the Planning Commission. Sponsored by: Councilman Ricki Y. Barlow

1:00 P.M. - AFTERNOON SESSION

BUSINESS ITEMS - AFTERNOON

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

PLANNING

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 - 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.

63. EOT-41595 - EXTENSION OF TIME SITE DEVELOPMENT PLAN REVIEW - APPLICANT: BARNET LIBERMAN - OWNER: LEAH PROPERTY, LLC - For possible action on a request for an Extension of Time of a previously approved Site Development Plan Review (SDR-20492) FOR A 120-FOOT HIGH, 1,500 SPACE PARKING STRUCTURE WITH 12,000 SQUARE FEET OF GROUND FLOOR COMMERCIAL on 0.63 acres at the northeast corner of Casino Center Boulevard and Coolidge Avenue (APNs 139-34-410-056, 057, 058, and 059), C-2 (General Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

64. EOT-41596 - EXTENSION OF TIME SPECIAL USE PERMIT RELATED TO EOT-41595 - APPLICANT: BARNET LIBERMAN - OWNER: 305 LAS VEGAS, LLC - For possible action on a request for an Extension of Time 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 at the southwest corner of Charleston Boulevard and Fourth Street (APNs 162-03-115-001 and 002), C-1 (Limited Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

65. EOT-41597 - EXTENSION OF TIME SITE DEVELOPMENT PLAN REVIEW RELATED TO EOT-41595 AND EOT-41596 - APPLICANT: BARNET LIBERMAN - OWNER: 305 LAS VEGAS, LLC - For possible action on a request for an Extension of Time 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 on 2.67 acres at the southwest corner of Charleston Boulevard and Fourth Street (APNs 162-03-115-001 and 002), C-1 (Limited Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

66. EOT-42005 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT: FRESH & EASY NEIGHBORHOOD MARKET - OWNER: FACCHINO LABARBERA SAHARA, LLC - For possible action on a request for an Extension of Time of a previously approved Special Use Permit (SUP-27506) FOR A PROPOSED BEER/WINE/COOLER OFF-SALE ESTABLISHMENT WITHIN AN APPROVED 17,307 SQUARE-FOOT GROCERY STORE at 4580 West Sahara Avenue (APN 162-06-411-004), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

PLANNING - 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.

67. ZON-41545 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: BONNEVILLE BUNGALOWS, LLC - For possible action on a request for a Rezoning FROM: R-1 (LOW DENSITY RESIDENTIAL) AND P-R (PROFESSIONAL OFFICE AND PARKING) TO: P-O (PROFESSIONAL OFFICE) on 0.85 acres at 511, 515, 521 and 531 South 7th Street (APNs 139-34-710-042, 43, 44 and 139-34-810-018), Ward 3 (Coffin). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

68. VAR-41546 - VARIANCE RELATED TO ZON-41545 - PUBLIC HEARING - APPLICANT/OWNER: BONNEVILLE BUNGALOWS, LLC - For possible action on a request for a Variance TO ALLOW A LOT WIDTH OF 55 FEET WHERE 60 FEET IS THE MINIMUM REQUIRED on 0.17 acres at 511 South 7th Street (APN 139-34-710-042), R-1 (Single Family Residential) Zone [PROPOSED: P-O (Professional Office)], Ward 3 (Coffin). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

69. SUP-41586 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LUTHERAN SOCIAL SERVICES OF NEVADA - OWNER: HARSCH INVESTMENT PROPERTIES - For possible action on a request for a Special Use Permit FOR A PROPOSED 11,597 SQUARE-FOOT SOCIAL SERVICE PROVIDER at 73 Spectrum Boulevard (APN 139-36-811-008), M (Industrial) Zone, Ward 3 (Coffin). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

70. SUP-41592 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MARYETTA BREWER - OWNER: CONSTRUCTION GROUP, INC. - For possible action on a request for a Special Use Permit FOR A PROPOSED 1,275 SQUARE-FOOT SECONDHAND DEALER USE (HOUSEHOLD ITEMS) at 2187 North Decatur Boulevard, Suite #100 (APN 138-24-611-073), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

PLANNING - DISCUSSION

71. ROC-41902 - ABEYANCE ITEM - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT: VEGAS EXPRESS GAS MART #2, LLC - OWNER: PACPROP SERVICE, LLC – For possible action on a Request for a Review of Condition of a previously approved Special Use Permit (SUP-36779) TO DELETE CONDITION #5 WHICH STATES, "THE SALE OF SINGLE BEERS, MALT BEVERAGES, OR WINE COOLERS OF ANY SIZE WITH ALCOHOL BY VOLUME GREATER THAN 6% SHALL BE PROHIBITED. THE SALE OF WINES WITH AN ALCOHOL BY VOLUME OF GREATER THAN 16% SHALL BE PROHIBITED" at 4401 East Bonanza Road (APN 140-32-101-014), C-1 (Limited Commercial) Zone, Ward 3 (Coffin). Staff recommends DENIAL.

72. VAR-41321 - ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: JOHNNY PAPPAS - For possible action on a Request for a Variance TO ALLOW AN EXISTING 595 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS II) WITH A ZERO-FOOT SIDE YARD SETBACK WHERE THREE FEET IS REQUIRED, ZERO FEET OF SEPARATION FROM THE PRIMARY STRUCTURE WHERE SIX FEET IS REQUIRED, AND WHICH IS NOT AESTHETICALLY COMPATIBLE WITH THE PRIMARY STRUCTURE on 0.48 acres at 1125 Cashman Drive (APN 162-05-112-017), R-E (Residence Estates) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL.

73. SDR-41059 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: RIVER OF LIFE WORD MINISTRIES - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 4,428 SQUARE-FOOT CHURCH AND A 2,880 SQUARE-FOOT MODULAR CLASSROOM BUILDING WITH WAIVERS TO ALLOW NO LANDSCAPE BUFFERS ALONG THE NORTH, EAST AND WEST PERIMETERS WHERE EIGHT FEET IS REQUIRED AND A FIVE FOOT WIDE LANDSCAPE BUFFER ALONG THE SOUTH PERIMETER WHERE 15 FEET IS REQUIRED on 0.54 acres at 4944 Vegas Drive (APN 138-24-803-022), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

74. ZON-41044 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: DANIEL ROSS - For possible action on a request for a Rezoning FROM: R-3 (MEDIUM DENSITY RESIDENTIAL) TO: P-O (PROFESSIONAL OFFICE) on 0.26 acres at 424 South 7th Street (APN 139-34-710-029), Ward 3 (Coffin). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

75. SDR-41045 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-41044 - PUBLIC HEARING - APPLICANT/OWNER: DANIEL ROSS - For possible action on a request for a Site Development Plan Review FOR A COVERED PARKING LOT WITH WAIVERS TO ALLOW AN 11-FOOT WIDE LANDSCAPE BUFFER ALONG THE EAST PERIMETER WHERE 15 FEET IS REQUIRED , A FIVE-FOOT WIDE LANDSCAPE BUFFER ALONG THE WEST PERIMETER WHERE EIGHT FEET IS REQUIRED, AND A THREE-FOOT WIDE LANDSCAPE BUFFER ALONG A PORTION OF THE NORTH PERIMETER WHERE FIVE FEET IS REQUIRED on 0.26 acres at 424 South 7th Street (APN 139-34-710-029), R-3 (Medium Density Residential) Zone [PROPOSED: P-O (Professional Office)], Ward 3 (Coffin). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

76. VAR-41054 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: EVAPS, LLC, ET AL - For possible action on a request for a Variance TO ALLOW 160 PARKING SPACES WHERE 184 SPACES ARE REQUIRED on 0.65 acres at 400 South 7th Street (APN 139-34-701-009), C-1 (Limited Commercial) Zone, Ward 3 (Coffin). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

77. SDR-41047 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-41054 - PUBLIC HEARING - APPLICANT/OWNER: EVAPS, LLC - For possible action on a request for a Major Amendment to a previously approved Site Development Plan Review (SDR-39121) TO ELIMINATE ONE LEVEL OF REQUIRED PARKING CONSISTING OF 24 SPACES FROM AN UNDERGROUND GARAGE on 0.65 acres at 400 South 7th Street (APN 139-34-701-009), C-1 (Limited Commercial) Zone, Ward 3 (Coffin). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

78. ZON-41606 - REZONING - PUBLIC HEARING - APPLICANT: SDA INC. - OWNER: CITY OF LAS VEGAS - For possible action on a request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) TO: C-2 (GENERAL COMMERCIAL) on 0.47 acres at the southwest corner of Clark Avenue and Sixth Street (APNs 139-34-710-001, 139-34-310-063, and 076), Ward 3 (Coffin). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

79. VAC-41661 - VACATION RELATED TO ZON-41601 - PUBLIC HEARING - APPLICANT: SDA, INC. - OWNER: CITY OF LAS VEGAS - For possible action on a Petition to Vacate a portion of a public right-of-way of an alley from Clark Avenue south for 150 feet, Ward 3 (Coffin). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

80. SDR-41601 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-41606 AND VAC-41661 - PUBLIC HEARING - APPLICANT: SDA INC. - OWNER: CITY OF LAS VEGAS - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 62,000 SQUARE-FOOT OFFICE BUILDING AND A FIVE STORY PARKING GARAGE WITH WAIVERS OF THE DOWNTOWN CENTENNIAL PLAN TO ALLOW NO FACADE ALIGNMENT ON THE GROUND FLOOR WHERE SEVENTY PERCENT IS REQUIRED, TO ALLOW NO GROUND FLOOR RETAIL FOR THE PARKING GARAGE AND TO ALLOW THE MAIN ENTRY OF THE BUILDING TO NOT BE ARTICULATED IN THE DESIGN WHERE REQUIRED on 0.92 acres at the southeast corner of Las Vegas Boulevard and Clark Avenue (APNs 139-34-710-001, 139-34-310-061, 062, 63 and 076), Ward 3 (Coffin). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

81. VAR-41297 - VARIANCE - PUBLIC HEARING - APPLICANT: TOWER CONSULTING, INC. - OWNER: PECCOLE RANCH COMMUNITY ASSOCIATION - For possible action on a request for a Variance TO ALLOW A 12-FOOT HIGH CHAIN LINK FENCE WHERE EIGHT FEET IS MAXIMUM HEIGHT PERMITTED on 1.49 acres at 9501 Red Hills Road (APN 163-06-610-002), R-PD7 (Residential Planned Development - 7 Units Per Acre) Zone, Ward 2 (Wolfson). The Planning Commission (6-0-1 vote) and Staff recommend DENIAL.

82. SUP-41296 - SPECIAL USE PERMIT RELATED TO VAR-41297 - PUBLIC HEARING - APPLICANT: TOWER CONSULTING, INC. - OWNER: PECCOLE RANCH COMMUNITY ASSOCIATION - For possible action on a request for a Special Use Permit FOR A PROPOSED 85-FOOT HIGH WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN (MONOPINE) at 9501 Red Hills Road (APN 163-06-610-002), R-PD7 (Residential Planned Development - 7 Units Per Acre) Zone, Ward 2 (Wolfson). The Planning Commission (6-0-1 vote) and Staff recommend DENIAL.

83. VAR-41401 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: FATALEVICH FAMILY TRUST - For possible action on a request for a Variance TO ALLOW A TWO-FOOT DISTANCE SEPARATION BETWEEN A PROPOSED 1,167 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS II) AND THE MAIN DWELLING WHERE SIX FEET IS REQUIRED on 0.46 acres at 1900 Plantea Court (APN 163-04-718-005), R-E (Residence Estates) Zone, Ward 2 (Wolfson). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

84. VAR-41565 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: GINIE W. HARRIS - For possible action on a request for a Variance TO ALLOW AN EXISTING 528 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS I) TO HAVE A TWO-FOOT SIDE YARD SETBACK WHERE THREE FEET IS REQUIRED on 0.25 acres at 3324 Hastings Avenue (APN 139-32-401-007), R-E (Residence Estates) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

85. SUP-41564 - SPECIAL USE PERMIT RELATED TO VAR-41565 - PUBLIC HEARING - APPLICANT/OWNER: GINIE W. HARRIS - For possible action on a request for a Special Use Permit FOR AN EXISTING 528 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS I) at 3324 Hastings Avenue (APN 139-32-401-007), R-E (Residence Estates) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

86. VAR-41580 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: ROGELIO MACHUCA - For possible action on a request for a Variance TO ALLOW NO ADDITIONAL PARKING SPACES WHERE THREE ADDITIONAL SPACES ARE REQUIRED FOR A PROPOSED 2,175 SQUARE-FOOT OFFICE, MEDICAL on 0.11 acres at 1501 South Eastern Avenue (APN 162-01-210-040), P-R (Professional Office and Parking) Zone, Ward 3 (Coffin). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

87. RQR-41171 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: FISHER BROTHERS LAS VEGAS, LLC - For possible action on a Required Review of a previously approved Special Use Permit (U-0168-92) WHICH ALLOWED A 40-FOOT HIGH, 14-FOOT X 48-FOOT OFF-PREMISE SIGN at 2900 Sirius Avenue (APN 162-08-702-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (6-0-1 vote) and Staff recommend APPROVAL.

88. SUP-41278 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: BRIAN ALBISER - For possible action on a request for a Special Use Permit FOR A BAILBOND SERVICE USE at 1201 Stewart Avenue, Suite #2 (APNs 139-35-211-073 and 074), C-2 (General Commercial) Zone, Ward 5 (Barlow). The Planning Commission (7-0 vote) and Staff recommend DENIAL.

89. SUP-41289 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CHECK CITY - OWNER: ALECO ENTERPRISES, INC. - For possible action on a request for a Major Amendment to a previously approved Special Use Permit (SUP-19645) TO ALLOW 24-HOUR OPERATIONS FOR AN EXISTING AUTO TITLE LOAN ESTABLISHMENT AND FINANCIAL INSTITUTION, SPECIFIED WHERE HOURS OF OPERATION FROM 8:00 A.M.TO 11:00 P.M. ARE PERMITTED at 631 North Nellis Boulevard (APN 140-29-802-009), C-1 (Limited Commercial) Zone, Ward 3 (Coffin). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

90. SUP-41299 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: T-MOBILE - OWNER: AD AMERICA, INC. - For possible action on a request for a Special Use Permit FOR A PROPOSED 80-FOOT HIGH WIRELESS COMMUNICATION FACILITY, NON-STEALTH DESIGN (MONOPOLE) at 2400 Highland Drive (APN 162-04-402-004), M (Industrial) Zone, Ward 3 (Coffin). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

91. SUP-41569 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT:HAIM GABAY - OWNER: HS FAMILY LIMITED PARTNERSHIP - For possible action on a request for a Special Use Permit FOR A BEER/WINE/COOLER OFF-SALE ESTABLISHMENT USE WITHIN AN EXISTING 5,166 SQUARE-FOOT RETAIL ESTABLISHMENT at 316 Fremont Street (APN 139-34-510-025), C-2 (General Commercial) Zone, Ward 5 (Barlow). The Planning Commission (4-3 vote) recommends DENIAL. Staff recommends APPROVAL.

92. SUP-41570 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: HAIM GABAY - OWNER: L'CHAIM FREMONT ASSOCIATES, INC. - For possible action on a request for a Special Use Permit FOR A BEER/WINE/COOLER OFF-SALE ESTABLISHMENT USE WITHIN AN EXISTING 8,152 SQUARE-FOOT RETAIL ESTABLISHMENT at 300 Fremont Street (APN 139-34-510-023), C-2 (General Commercial) Zone, Ward 5 (Barlow). The Planning Commission (4-3 vote) recommends DENIAL. Staff recommends APPROVAL.

93. SUP-41583 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: COMMUNITY COUNSELING CENTER - OWNER: 714 EAST SAHARA AVENUE, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 17,088 SQUARE-FOOT FACILITY TO PROVIDE TESTING, TREATMENT OR COUNSELING FOR DRUG OR ALCOHOL ABUSE at 714 East Sahara Avenue (APN 162-03-801-056), C-1 (Limited Commercial) Zone, Ward 3 (Coffin). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

94. SUP-41584 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: COMMUNITY COUNSELING CENTER - OWNER: 714 EAST SAHARA AVENUE, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 17,088 SQUARE-FOOT SOCIAL SERVICE PROVIDER at 714 East Sahara Avenue (APN 162-03-801-056), C-1 (Limited Commercial) Zone, Ward 3 (Coffin). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

95. SUP-41587 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LIGHTSQUARED, INC. - OWNER: BAR ACQUISITIONS, LLC - For possible action on a request for a Special Use Permit FOR A CO-LOCATION ON AN EXISTING WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN (MONOPINE) at 3811 West Charleston Boulevard (APN 162-06-501-002) C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (6-1 vote) and Staff recommend APPROVAL.

96. SDR-41037 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: GARETH SPICER - For possible action on a request for a Major Amendment to an approved Site Development Plan Review (SDR-35518) FOR AN OFFICE, OTHER THAN LISTED, TO ELIMINATE LANDSCAPING IN THE RIGHT-OF-WAY ALONG THE WEST PERIMETER on 0.15 acre at 708 South Jones Boulevard (APN 138-36-316-007), P-R (Professional Office and Parking) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

97. SDR-41271 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: NEVADA STATE BANK - For possible action on a request for a Site Development Plan Review FOR A PROPOSED PARKING LOT WITH WAIVERS OF THE DOWNTOWN CENTENNIAL PLAN STREETSCAPE AND PARKING LOT LANDSCAPE REQUIREMENTS on 0.85 acres at 201 South 4th Street and 200 Las Vegas Boulevard South (APNs 139-34-610-023 and 139-34-610-031), C-2 (General Commercial) Zone, Ward 3 (Coffin). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

SET DATE

98. 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

99. 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

100. 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

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

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

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JULY 20, 2011

SUBJECT:
CALL TO ORDER

City of Las Vegas

Agenda Item No.: **2.**

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JULY 20, 2011

SUBJECT:
ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

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

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JULY 20, 2011

SUBJECT:
INVOCATION – REVEREND MARY BREDLAU, GRACE IN THE DESERT EPISCOPAL CHURCH

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

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JULY 20, 2011

SUBJECT:
PLEDGE OF ALLEGIANCE

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: OFFICE OF COMMUNICATIONS
DIRECTOR: DAVID RIGGLEMAN

SUBJECT:
RECOGNITION OF THE EMPLOYEE OF THE YEAR

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: OFFICE OF COMMUNICATIONS
DIRECTOR: DAVID RIGGLEMAN

SUBJECT:
RECOGNITION OF THE EMPLOYEE OF THE MONTH

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: OFFICE OF COMMUNICATIONS
DIRECTOR: DAVID RIGGLEMAN

SUBJECT:
RECOGNITION OF THE SENIOR OF THE QUARTER

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: OFFICE OF COMMUNICATIONS
DIRECTOR: DAVID RIGGLEMAN

SUBJECT:
RECOGNITION OF CHUCK BAKER FOR HIS WORK ON THE CITY'S DONATION STATIONS

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: OFFICE OF COMMUNICATIONS
DIRECTOR: DAVID RIGGLEMAN

SUBJECT:
RECOGNITION OF WEST PREPATORY ACADEMY'S LAZARO CESAR JR. FOR ACADEMIC EXCELLENCE

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

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JULY 20, 2011

SUBJECT:
PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS ON THE AGENDA FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

City of Las Vegas

Agenda Item No.: **11.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: CITY CLERK
DIRECTOR: BEVERLY K. BRIDGES

☐ **Consent** ☒ **Discussion**

SUBJECT:
BUSINESS ITEMS:

For Possible Action - Any items from the morning session that the Council, staff and/or the applicant wish to be stricken, tabled, withdrawn 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: JULY 20, 2011

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

SUBJECT:
BUSINESS ITEMS:

For possible action to approve the Final Minutes by reference of the regular City Council meeting of June 15, 2011

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: CITY MANAGER
DIRECTOR: ELIZABETH N. FRETWELL ☒ **Consent** ☐ **Discussion**

SUBJECT:
ADMINISTRATIVE:

For possible action to approve the Interlocal Agreement between the City of Las Vegas, Clark County, the Las Vegas Metropolitan Police Department, the City of Henderson and the City of North Las Vegas to implement Shared Computer Operations for Protection and Enforcement II (SCOPE II) for Fiscal Year 2012 ($45,458 - General Fund) - All Wards

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $45,458.00
Funding Source: General Fund
Dept./Division: Finance & Business Services

PURPOSE/BACKGROUND:
The Interlocal Agreement for Fiscal Year 2012 provides for implementation of SCOPE II to replace the original SCOPE application and the Wanted Vehicle System (WVS). The SCOPE II application is a criminal history repository and a vehicle history system that will be shared among the law enforcement agencies in the Las Vegas Valley. Clark County will direct the implementation on behalf of all of the local agencies. As indicated in the FY12 Interlocal Agreement, the City of Las Vegas will pay, as it did last year, a 6% share ($45,458) of the total cost of $763,088. However, it is anticipated that there may be additional (possibly substantial) costs for which the City will be responsible in future years.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
Interlocal Agreement for Fiscal Year 2012

INTERLOCAL AGREEMENT BETWEEN THE LAS VEGAS METROPOLITAN POLICE DEPARTMENT, THE COUNTY OF CLARK, THE CITY OF LAS VEGAS, THE CITY OF HENDERSON, AND THE CITY OF NORTH LAS VEGAS REGARDING FUNDING THE REPLACEMENT OF THE SHARED COMPUTER OPERATIONS FOR PROTECTION & ENFORCEMENT (SCOPE) SYSTEM, PHASES 0 THROUGH 3

This Interlocal Agreement is hereby made and entered into on this _____ day of _____, 2011 by and among the Las Vegas Metropolitan Police Department, a law enforcement agency serving the combined jurisdictional boundaries of the County of Clark and the City of Las Vegas, and the Cities of Las Vegas, Henderson, and North Las Vegas, and the County of Clark, each a political subdivision of the state of Nevada, hereinafter referred to individually as a "Party" or collectively as the "Parties."

W I T N E S S E T H:

WHEREAS the Shared Computer Operations for Protection and Enforcement (SCOPE) system was established in 1968 as Nevada's first criminal history repository of arrests, convictions, sex offender registry, probation and parole, warrants, incidents of missing persons, dead bodies, homicides, and citations; and evolved to house non-criminal information including work card, business licensing, carrying concealed weapon applications, protection orders, mental petition orders, and family court writs; and

WHEREAS the Wanted Vehicle System (WVS) was established in 1983 as Nevada's only system to contain information on stolen and recovered vehicles, vehicles used in the commission of a felony, bait vehicles, police impounds, private tows and repossessions, seized vehicles, hit and run suspect vehicles, lost/stolen license plates, contact messages and missing adults and juveniles associated with vehicles; and

WHEREAS the SCOPE application was written in an archaic computer assembler language and WVS was written in a 50-year-old third generation programming language that is facing imminent retirement, these systems can no longer meet the information sharing demands that are required of a pliable, efficient, and effective crime fighting tool; and

WHEREAS SCOPE cannot be modified to meet the needs of the criminal justice personnel that use the system because the technology resources to support SCOPE are no longer available and where technology resources for WVS are difficult to find and institutions of higher education are no longer teaching those skills; and

WHEREAS over 80 Federal, State, Local and Tribal law enforcement and justice agencies heavily rely on SCOPE and WVS as an integral part of the process of identifying, apprehending, detaining, prosecuting and incarcerating criminals; and

WHEREAS the Clark County Information Technology (CCIT) department has provided maintenance support of the SCOPE and WVS systems and has led the initiative for their replacement; and

WHEREAS grant funds have been obtained to develop a justice information sharing system (SCOPE II) as a replacement for the SCOPE and WVS systems; and

WHEREAS the RFP evaluation and vendor selection was conducted under the guidance and support of the steering committee that consists of primary users of the current SCOPE and WVS systems from the parties as well as the Nevada Department of Public Safety; and

WHEREAS the SCOPE II system meets current business requirements in regards to a justice information sharing system and a vendor (Analyst International Corporation) has been contracted to implement the SCOPE II system utilizing a custom solution that includes Microsoft technologies as well as various other known 3rd party technologies; and

WHEREAS the anticipated total of replacement, support, and maintenance costs for the SCOPE II system exceed the amount of available grant funds; and

WHEREAS the five (5) largest users of the SCOPE and WVS systems are the Las Vegas Metropolitan Police Department, Clark County, and the cities of Las Vegas, Henderson, and North Las Vegas; and

WHEREAS CCIT has provided and will continue to provide technology services and staff to manage the SCOPE II project as well as the maintenance and operation of the SCOPE II system as defined in Exhibit D (Service Level Agreement Between CCIT & SCOPE II Project Agencies);

NOW THEREFORE, for and in consideration of the mutual covenants set forth herein, the parties do hereby agree as follows:

1. The services to be performed shall be specifically described herein, and this agreement incorporates the following attachments:

Exhibit A:	FY12 Cost Allocations
Exhibit B-1:	SCOPE Replacement & Maintenance FY12 Total Cost Summary
Exhibit B-2:	SCOPE Replacement & Maintenance FY12 Total Cost By Agency
Exhibit B-3:	"Big 5" FY12 Total Cost Allocations
Exhibit C:	Byrne JAG Contributions
Exhibit D:	Service Level Agreement (SLA)
Exhibit E:	Exhibit E – SCOPE II Phases Details

2. Phase 0 of the SCOPE II project includes the project initiation, SCOPE system requirements definition, design releases, and a baseline implementation plan; and

3. Phase 1 of the SCOPE II project will include the test plan, training materials, SCOPE data migration, initial SCOPE II system pre-production releases, SCOPE II system data source integration, the initial SCOPE II system "go live", and a year of Tier 2 vendor support; and

4. Phase 2 of the SCOPE II project will include the WVS replacement system requirements definition, design, implementation plan, test plan, training materials, WVS data migration, the SCOPE II system "go live", SCOPE II system enhancements test plan and training materials, SCOPE II system enhancement releases, and a year of Tier 2 vendor support along with internal support transition to CCIT; and

5. Phase 3 of the SCOPE II project will include interfaces and customizations, test plan, training materials, data source integrations, and a year of Tier 2 vendor support along with internal support transition to CCIT; and

6. The Clark County IT and Finance departments are managing the replacement and associated finances of the SCOPE II system, respectfully; and

7. The Clark County Finance department will utilize specific SAP software project codes to isolate and identify all financial activity associated with the SCOPE II system as done currently; and

8. CCIT will continue to provide technology services and staff to manage the SCOPE II project as well as the maintenance and operation of the SCOPE II system as defined in Exhibit D (Service Level Agreement Between CCIT & SCOPE II Project Agencies);

9. The core hardware and software associated with the SCOPE II project will be located within the Clark County IT Operations Center facility; and

10. Support and maintenance is planned to be both in-house (i.e. Clark County) and contracted (Analyst International, Inc. and other 3rd-party technology support vendors); and

11. Clark County will invoice the respective parties on a quarterly basis for all actual project expenditures that occur from July 1, 2011 through June 30, 2012 under the cost sharing model as specified per agency in Exhibit A (Cost Allocations). The invoices will detail any amounts expended for the purpose of supporting the SCOPE II project, will be supported by proper evidence of the amounts paid, and will be due upon receipt.

12. The total amounts billed to each agency not to exceed the amount specified per agency in Exhibit A as determined by the estimated costs and cost sharing model detailed in Exhibits B-1 through B-3 (attached) unless the additional costs have been expressly approved in writing by all of the parties.

13. Should any additional agencies be added to this interlocal prior to its expiration, Exhibit A (Cost Allocations) will be amended to reallocate costs proportionately based on the methodology currently employed under Exhibit B-3 ("Big 5" FY12 Total Cost Allocations).

14. It is recognized that recommended allocations from the Byrne Justice Assistance Grant (JAG) were established as part of the local solicitation that included Clark County, the City of Las Vegas, the City of Henderson, and the City of North Las Vegas. Due to the SCOPE II project's consideration as a project of regional importance, those eligible agencies voluntarily

waived their recommended allocations in order to partially fund the overall cost of the SCOPE II project. As such, their recommended allocations will be, as part of this Agreement and as memorialized in the approved Byrne JAG interlocal, recognized as a contribution toward the costs of the project. Exhibit "C" defines the portions of the Byrne JAG allocations attributed to each respective agency in funding the SCOPE II project.

15. All non-grant supported expenditures incurred and revenues received from the parties will be accounted for by Clark County with a project code (via the assignment of an SAP internal order number) unique to the SCOPE II project.

16. This agreement will commence upon execution by the parties and continue until all payments due hereunder have been received and the County is fully reimbursed in accordance with this Agreement.

17. On or before December 31, 2011, the SCOPE II Steering Committee will evaluate the status of the project and the estimated costs to complete Phase 0 and 1 of the project, as well as whether to proceed with Phase 2 or 3 of the project in FY13.

18. This agreement will either be extended and amended to include projected FY13 costs or replaced with an Agreement to share anticipated costs among all entities utilizing the SCOPE II system. All participating agencies will review the agreement on April 1st of each year to begin discussions regarding the extension or amendment of the agreement effective the following July 1st.

19. Billing for usage of the current SCOPE system will continue per current agreements until which time a party no longer utilizes that system.

20. Any notice or other communication required under this Agreement (hereinafter referred to as "Notices") shall be in writing and either personally delivered or delivered by certified mail, return receipt requested, and deposited in the U.S. Mail, postage prepaid. The Notices shall be deemed received upon actual receipt. The Notices shall be directed to the parties at their respective addresses shown below:

To Las Vegas Metropolitan Police Department:	Las Vegas Metropolitan Police Dept. 3141 E. Sunrise Avenue Las Vegas, NV 89101 Attn: Director, Office of Finance/Budget Section
To Clark County:	Clark County PO Box 551212 500 S. Grand Central Pkwy. Las Vegas, NV 89155-1111 Attn: County Manager's Office

To City of Las Vegas:	City of Las Vegas 400 Stewart Avenue Las Vegas, NV 89101 Attn: Orlando Sanchez, Deputy City Manager
To City of Henderson	City of Henderson City Hall 240 Water Street P.O. Box 95050 MSC 211 Henderson, NV 89009-5050
To City of North Las Vegas	City of North Las Vegas 13012200 Civic Center Drive Lake Mead Boulevard North Las Vegas, NV 89030 Attn: Asst. Director Police Services

Any party may change its address by giving notice in writing to the others so that, thereafter, notices, demands and other correspondence shall be addressed and transmitted to the new address. Notices given in the manner described above shall be deemed delivered on the day of personal delivery or the date delivery of mail is first attempted.

21. No party shall assign this Agreement without first obtaining the prior written consent of the others.

22. This Agreement may not be amended or modified without consent by the governing body of each party except by a written instrument executed by the parties hereto.

23. This Agreement constitutes the entire agreement between the parties hereto with respect to the subject matter hereof, and supersedes all prior understandings or agreements between the parties.

24. This Agreement and each and every related document are to be governed by, and construed in accordance with, the laws of the State of Nevada.

25. Jurisdiction for judicial review under this Agreement shall rest exclusively with the Eighth Judicial District Court, County of Clark, State of Nevada.

26. Each party shall bear its own attorneys' fees and court costs in connection with any legal proceeding hereunder.

27. If any term, covenant, condition or provision of this Agreement, or the application thereof to any person or circumstance, shall to any extent be held by a court of competent jurisdiction, or rendered by the adoption of a statute, invalid, void or unenforceable, the remainder of the terms, covenants, conditions or provisions of this Agreement, or the application thereof to any person or circumstance, shall remain in full force and effect and shall in no way be affected, impaired or invalidated thereby.

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

PASSED, ADOPTED and APPROVED this ___ day of _____, 2011.

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

By:_____
DOUGLAS GILLESPIE, SHERIFF

ATTEST:

By:_____
ANNAMARIE ROBINSON, LVMPD FISCAL AFFAIRS COMMITTEE CLERK

APPROVED AS TO FORM:

By:_____
LIESL FREEDMAN, LVMPD GENERAL COUNSEL

PASSED, ADOPTED and APPROVED this ___ day of _____, 2011.

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, NEVADA

By _____
SUSAN BRAGER, CHAIR

ATTEST:

_____
DIANA ALBA, COUNTY CLERK

APPROVED AS TO FORM ONLY:
DAVID ROGER
DISTRICT ATTORNEY

By: _____
STEVEN SWEIKERT, Deputy District Attorney

PASSED, ADOPTED and APPROVED this ___ day of _____, 2011.

CITY OF LAS VEGAS

By:_____
CAROLYN G. GOODMAN, MAYOR

ATTEST:

By:_____
BEVERLY K. BRIDGES, CMC, CITY CLERK

APPROVED AS TO FORM:

By:_____
JAMES B. LEWIS, DEPUTY CITY ATTORNEY

PASSED, ADOPTED and APPROVED this ___ day of _____, 2011.

CITY OF HENDERSON

By:_____
ANDY A. HAFEN, MAYOR

By:_____
JUTTA G. CHAMBERS, CHIEF OF POLICE

ATTEST:

By:_____
SABRINA MERCADANTE, CMC, ACTING CITY CLERK

APPROVED AS TO FORM:

By:_____
CHRISTINE GUERCI-NYHUS, CITY ATTORNEY

PASSED, ADOPTED and APPROVED this ___ day of _____, 2011.

CITY OF NORTH LAS VEGAS

By:_____
SHARI L. BUCK, MAYOR

ATTEST:

By:_____
KAREN L. STORMS, CMC, CITY CLERK

APPROVED AS TO FORM:

By:_____
NICHOLAS G. VASKOV, CITY ATTORNEY

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: CITY MANAGER
DIRECTOR: ELIZABETH N. FRETWELL ☒ **Consent** ☐ **Discussion**

SUBJECT:
ADMINISTRATIVE:

For possible action to approve the Memorandum of Understanding (MOU) for the City of Las Vegas to act as fiscal agent for the Department of Justice/Bureau of Justice Assistance Byrne Justice Assistance Grant (JAG) Local Solicitation (CFDA #16.738) between the City of Las Vegas and Clark County for funding to support all components of the criminal justice system ($1,273,801 in eligible funding) - All Wards

Fiscal Impact

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

PURPOSE/BACKGROUND:
The City of Las Vegas is currently working on a regional, four-year grant for a total of $1,273,801 to fund justice related programs. No matching funds are required. The Memorandum of Understanding (MOU) is a document required by the Department of Justice to confirm regional collaboration. The City and Clark County jurisdictions have been identified as a disparate jurisdiction and must apply through a single proposal with one governmental entity designated as fiscal agent. This MOU is a required instrument in order to receive eligible funding.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
1. Memorandum of Understanding
2. Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY2011 Local Solicitation CFDA #16.738

MEMORANDUM OF UNDERSTANDING AMONG THE CITY OF LAS VEGAS and THE COUNTY OF CLARK, REGARDING THE DESIGNATION OF THE CITY OF LAS VEGAS AS THE APPLICANT/FISCAL AGENT PURSUANT TO THE UNITED STATES DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE 2011 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD

This Memorandum of Understanding (MOU) is made and executed into this ____day of _____, 2011, by and between The City of Las Vegas ("City") acting by and through its governing body, and the County of Clark ("County"), acting by and through its governing body. . The City and County, may hereinafter be referred to individually as a "Party" or collectively as the "Parties."

RECITALS

1. The City and County are each lawful political subdivisions of the State of Nevada.

2. There are grant funds available to the Parties under the United States Department of Justice, Bureau of Justice Assistance Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program ("JAG Program") Local Solicitation in the combined amount of $1,273,801 ("Grant Funds") for "the support of all components of the criminal justice system, from multi-jurisdictional drug and task forces to crime prevention and domestic violence programs, courts, corrections, treatment and justice information sharing initiatives. JAG funded projects may address crime through the provision of services directly to individuals and/or communities and by improving the effectiveness and efficiency of criminal justice systems, processes and procedures." (*quoting*, Overview of Edward Byrne Memorial Justice Assistance Grant).

3. The Parties have communicated and expressed a collective desire to apply for the Grant Funds through the JAG Program.

4. The Parties were certified by the Director of the Bureau of Justice Assistance as a JAG Disparate Jurisdiction, and because of this certification, the Parties must identify an

applicant/fiscal agent that will submit a joint application to the Department of Justice, Office of Justice Program's Bureau of Justice Assistance ("BJA") for joint funds.

5. The Parties intend for this MOU to identify the applicant/fiscal agent, as well as identify a timetable for the Parties to negotiate and execute an interlocal agreement to determine the proper administration for the Grant Funds, the procedure for distribution of the Grant Funds, the monitoring of the Grants Funds, including rules regarding the permitted and prohibited use of Grant Funds pursuant to the JAG Program, the submission of reports pursuant to the rules of the JAG Program, and oversight of the Grant Funds.

AGREEMENT

A. Identification of the Applicant/Fiscal Agent for the Grant Funds.

The Parties hereby agree that the **City of Las Vegas** is the Applicant/Fiscal Agent of the Grant Funds for purposes of the Edward Byrne Memorial Justice Assistance Grant Formula Program.

B. Interlocal Agreement Between the Parties Required.

The Parties hereby acknowledge and agree that by no later than September 7, 2011, the Parties will execute an interlocal agreement among one another that will provide the rules and procedures for the administration of the JAG Program and the distribution of the Grant Funds, in accordance with the United States Department of Justice, Bureau of Justice Assistance Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: Local Solicitation (attached hereto at Exhibit 1) and any other rules and regulations promulgated by the Department of Justice. The identified fiscal agent, Award

Distribution to each unit of local government, and the purposes for which the funds will be used are identified in Exhibit 2.

C. Deadline for Application.

For the Parties to qualify for the disbursement of the Grant Funds, this MOU must be executed by each of the Parties prior to the July 21, 2011 application deadline. Failure to submit this required information will result in an application being change requested in the Grants Management System (GMS) for inclusion of the missing information OR the attachment of a withholding special condition at the time of award if time does not permit for a change request process. (Note: The City of Las Vegas City Council is scheduled to approve the Memorandum of Understanding on July 20, 2011, and the Clark County Commission is scheduled to approve the MOU no later than August 2, 2011).

IN WITNESS WHEREOF, the Parties have set their hands the day and year last written below.

CITY OF LAS VEGAS

By: _____
Carolyn G. Goodman, Mayor Date

ATTEST:

_____
Beverly K. Bridges, MMC, City Clerk

APPROVED AS TO FORM:

_____
James B. Lewis, Deputy City Attorney

IN WITNESS WHEREOF, the Parties have set their hands the day and year last written below.

CLARK COUNTY

By: _____
Susan Brager, Commission Chair Date

ATTEST:

_____
Diana Alba, County Clerk

APPROVED AS TO FORM:

_____

Exhibit 1

Edward Byrne Memorial Justice Assistance Grant (JAG) FY2011 Local Solicitation

See Attachment:

Edward Byrne Memorial Justice Assistance Grant (JAG) FY2011 Local Solicitation)

Exhibit 2

Award Distribution, Identified Fiscal Agent and Funding Purposes

The City of Las Vegas has been identified as a disparate jurisdiction with Clark County, Nevada. The total eligible joint allocation is $1,273,801. The City of Las Vegas is the designated fiscal agent.

A public meeting of the Local Law Enforcement Advisory Committee (LLEAC) was held on June 28, 2011 to hear applicant presentations and to make relative allocation recommendations to be approved by the governing bodies of Clark County and the City of Las Vegas.

On July 6, 2011, the City of Las Vegas City Council Meeting was held and the Council received LLEAC allocation recommendations.

On July 19, 2011, the Clark County Commission will meet and Commissioners will consider the LLEAC allocation recommendations for the FY11 Local JAG funding.

The Memorandum of Understanding is scheduled to be heard by the City of Las Vegas City Council on July 20, 2011 and by Clark County Commission on August 2, 2011.

The following recommendations are pending formal approval by the governing bodies:

Total recommended funding allocations for the City of Las Vegas is: $367,706.
Total recommended funding allocations for Clark County applications is: $906,095.

Agency Recommendations:

1. The City of Las Vegas Municipal Court - $267,763 to fund for two years, Adult Drug Court operation enhancements with specific substance abuse treatment capacity expansions designed to enable non-violent offenders to successfully rehabilitate from substance abuse and/or co-occurring mental health disorders.

2. Clark County Justice Court - $103,333 to fund for one year, a court coordinator, who will: a.) screen and assess referred defendants for appropriateness and appropriate level of care; b.) provide case management services that include coordinating placement in treatment programs and referrals to ancillary services; and c.) provide the presiding Court Judge and team information necessary to make effective responses to participants' behavior.

3. Boys & Girls Clubs of Las Vegas - $50,000 to fund personnel and operations for the SMART Moves program, which provides youth referred by law enforcement agencies and intervention organizations, with gang awareness and resistance, conflict resolution and positive peer training.

4. Clark County Parks & Recreation - $50,000 to fund for one year, an aquatics prevention and education program at five urban aquatics facilities. Using an asset-based model of youth development, the Aquatics Prevention and Education Program is designed to provide at-risk youth (referred by the Clark County Gang Intervention, Clark County School District, Las Vegas Metropolitan Police Department and the Police Athletic League), with free swimming programs, which include education modules of special job preparation, relationship-building (anti-gang) and other self-improvement

training to help them refrain from participating in gang-related and other unlawful activities.

5. Las Vegas Metropolitan Police Department - $245,337 to purchase Electronic Control Devices (ECD) or "Tasers," and cartridges. The ECDs are used by law enforcement as a vital tool to incapacitate individuals, who present uncontrollable and/or threatening behaviors.

6. Southern Nevada Police Athletic League - $45,000 to fund for one year, operations of a Neighborhood Tennis Academy, through which at-risk youth (referred by Andre Aggassi Boys & Girls Club, the Las Vegas Metropolitan Police Department, Workforce Connections, Clark County Parks & Recreation) will be able to participate in a tennis program, which offers not only tennis instruction, but Leadership and Resiliency training, anti-gang and other self-development skills, and academic tutoring. JAG funding will also support memberships to the local Boys & Girls Clubs for program youth participants.

7. Nevada Child Seekers (Case Management/Victim Advocacy Program) - $48,529- to fund during the grant term, operations for the Missing Children Case Management/Victim Advocacy Program. Funding compensation percentages for a case manager (100%), executive director (40%), program manager (10%), and operations manager (25%) will facilitate operational efforts to locate and recover missing children. The case manager supported by the above-listed personnel, will serve as the liaison to all concerned in order to bring a missing child home. The case manager will perform surveillance, home and business visits and will make follow up calls to assist parents and law enforcement agencies in search efforts to locate and to return missing children to

their guardians. Funding will also support relative supplies and Education Outreach programs, which are designed to help educate parents and children on the warning signs of abductors.

8. Nevada Child Seekers (Statewide Abduction and Exploitation Prevention Education) - $43,100 to fund program operations to support Statewide Abduction and Exploitation Prevention Education Programs for children and families. The programs provide children education tools they need to prevent abduction.

9. Clark County District Attorney - $229,363 to help sustain for one year, compensation for two existing gang crime prosecutors for the Clark County District Attorney's Gang Unit.

10. Boys & Girls Clubs of Southern Nevada $50,000 to support personnel and operations for the Success Starts Here program - a prevention and education program for character development to help youth resist peer pressure to participate in gang and criminal activity. Program directors and aides will partner with local police departments and anti-gang task forces to present anti-gang education and offer alternatives to illegal drug use.

11. Project REAL (Play by the Rules) $22,900 to sustain for one year, personnel costs, teacher/law enforcement training for Clark County, promotional events and contractual costs for program publications.. Play by the Rules is primarily a Nevada middle school program taught by law enforcement/teacher teams to teach youth to gain practical 'daily life' knowledge about state-specific laws and to acquire important life skills, such as critical thinking, positive decision making, conflict resolution and problem solving.

12. Project REAL (Your Day in Court) $18,533 to sustain for one year, compensation for a program coordinator, transportation for participants to the US District Courthouse and

Regional Justice Center, student guidebooks and relative postage costs. The Your Day in Court program offers students of all ages the opportunity to tour local state and federal courthouses, so that the students learn preventative tools to help them refrain from gang and other criminal behavior.

13. City of Las Vegas $99,943 – to fund 8% of administrative costs for the FY11 JAG grant management activities, including compensation for one PTH management analyst position, and one PTH financial analyst position and one PTH clerical staff.

OMB No. 1121-0329

U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

The U.S. Department of Justice (DOJ), Office of Justice Programs' (OJP) Bureau of Justice Assistance (BJA) is pleased to announce that it is seeking applications for funding under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program. This program furthers the Department's mission by assisting state, local, and tribal efforts to prevent or reduce crime and violence.

Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2011 Local Solicitation

Eligibility

Applicants are limited to units of local government appearing on the FY 2011 JAG Allocations List. To view this list, go to www.ojp.usdoj.gov/BJA/grant/11jagallocations.html. For JAG program purposes, a unit of local government is: a town, township, village, parish, city, county, borough, or other general purpose political subdivision of a state; or, it may also be a federally recognized Indian tribe that performs law enforcement functions (as determined by the Secretary of the Interior). Otherwise a unit of local government may be any law enforcement district or judicial enforcement district established under applicable state law with authority to independently establish a budget and impose taxes. In Louisiana, a unit of local government means a district attorney or parish sheriff. In the District of Columbia or any United States Trust Territory, a unit of local government is any agency of the District of Columbia or federal government performing law enforcement functions for the District of Columbia or Trust Territories of the United States.

Deadline

Registration for this funding opportunity is required prior to application submission, by selecting the "Apply Online" button associated with the solicitation title in OJP's Grants Management System (GMS). (See "How to Apply," page 11.) All registrations and applications are due by 8:00 p.m. eastern time on July 21, 2011. (See "Deadlines: Registration and Application," page 4.)

Contact Information

For technical assistance with submitting the application, contact the Grants Management System Support Hotline at 1–888–549–9901, option 3, or via e-mail to GMS.HelpDesk@usdoj.gov.

Note: The GMS Support Hotline hours of operation are Monday–Friday from 6:00 a.m. to 12 midnight eastern time, except federal holidays.

For assistance with any other requirement of this solicitation, contact the BJA Justice Information Center at 1–877–927–5657, via e-mail to JIC@telesishq.com, or by live web chat. The BJA Justice Information Center hours of operation are 8:30 a.m. to 5:00 p.m. eastern time, and 8:30 a.m. to 8:00 p.m. eastern time, Monday through Friday, on the solicitation close date. You may also contact your State Policy Advisor: www.ojp.gov/BJA/resource/ProgramsOffice.html.

Release date: June 6, 2011

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Edward Byrne Memorial
Justice Assistance Grant (JAG) Program: Local Solicitation
CFDA #16.738

Overview

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program (42 U.S.C. 3751(a)) is the primary provider of federal criminal justice funding to state and local jurisdictions. JAG funds support all components of the criminal justice system, from multijurisdictional drug and gang task forces to crime prevention and domestic violence programs, courts, corrections, treatment, and justice information sharing initiatives. JAG-funded projects may address crime through the provision of services directly to individuals and/or communities and by improving the effectiveness and efficiency of criminal justice systems, processes, and procedures.

Deadlines: Registration and Application

Registration is required prior to submission. The deadline to register in GMS is 8:00 p.m. eastern time on July 21, 2011 and the deadline for applying for funding under this announcement is 8:00 p.m. eastern time on July 14, 2011. Please see the "How to Apply" section, page 6, for more details.

Eligibility

Please refer to the cover page of this solicitation for eligibility under this program.

JAG Program—Specific Information

Formula

Once each fiscal year's overall JAG Program funding level is determined, BJA partners with the Bureau of Justice Statistics (BJS) to begin a four step grant award calculation process which consists of:

1. Computing an initial JAG allocation for each state and territory, based on their share of violent crime and population (weighted equally).
2. Reviewing the initial JAG allocation amount to determine if the state or territory allocation is less than the minimum ("de minimus") award amount defined in the JAG legislation (0.25 percent of the total). If this is the case, the state or territory is funded at the minimum level, and the funds required for this are deducted from the overall pool of JAG funds. Each of the remaining states receives the minimum award plus an additional amount based on their share of violent crime and population.
3. Dividing each state's final award amount (except for the territories and District of Columbia) between state and local governments at a rate of 60 and 40 percent, respectively.
4. Determining local unit of government award allocations, which are based on their proportion of the state's three-year violent crime average. If a local eligible award amount is less than $10,000, the funds are returned to the state to be awarded to these

local units of government through the state agency. If the eligible award amount is $10,000 or more, then the local government is eligible to apply for a JAG award directly from BJA.

Award Amount

Eligible award amounts under JAG are posted annually to BJA's JAG web page: www.ojp.usdoj.gov/BJA/grant/jag.html.

All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law.

Purpose Areas

JAG funds may be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and criminal justice information systems for criminal justice that will improve or enhance such areas as:

- Law enforcement programs.
- Prosecution and court programs.
- Prevention and education programs.
- Corrections and community corrections programs.
- Drug treatment and enforcement programs.
- Planning, evaluation, and technology improvement programs.
- Crime victim and witness programs (other than compensation).

Note: The authorizing statute for the JAG Program provides that funds are to be used for the purposes above and notes that these purposes include all of the purposes previously authorized under the Edward Byrne Memorial State and Local Assistance Program (Byrne Formula) and the Local Law Enforcement Block Grant Program (LLEBG). This provision may be useful to applicants in understanding all of the allowable uses under the above purpose areas. For example, relying on this provision, it can be understood that the JAG Purpose Area "Prosecution and court programs" listed above, provides the states and local units of government with the authority to fund defender, judicial, pretrial, and court administration efforts as well as prosecution programs. For a listing of prior Byrne Formula and LLEBG purpose areas, see www.ojp.usdoj.gov/BJA/grant/byrnepurpose.html. Although these two programs have been eliminated, their prior purpose areas may be useful in appreciating the scope of the JAG purpose areas.

JAG funds may also be used to address key statutory requirements that may not be otherwise funded, including requirements from the state and federal level, such as addressing limited English proficiency requirements and other similar mandates.

Priorities

BJA recognizes that the downturn in the economy has resulted in significant pressures on state and local criminal justice systems. In these challenging times, shared priorities and leveraged resources can make a significant impact. In light of this, it is important to make SAAs and local JAG recipients aware of several areas of priority that may be of help in maximizing the effectiveness of the Byrne JAG funding at the state and local level.

As an overall framework for success, we encourage both state and local comprehensive justice planning, bringing all of the system stakeholders together, including law enforcement, courts, prosecutors, defenders, corrections officials, and other stakeholders to create a comprehensive and strategic justice plan to ensure coordination and a more effective justice system.

As a part of this strategic planning process, we strongly encourage state and local planners to consider programs that are evidence-based and have been proven effective; in a difficult budgetary climate, it is critical that dollars are spent on programs whose effectiveness is proven. However, we recognize that state and local programs can also be excellent laboratories for innovative programs that can be models for other states and localities addressing difficult problems. BJA has made resources available to SAAs and others to provide training and technical assistance in identifying and using evidence-based practices as the outcome of a comprehensive and strategic justice plan in the state or local community. We also strongly encourage SAAs and local recipients to use JAG funding to support, replicate and expand strategic efforts to assess system cost drivers and to make appropriate policy changes that can reduce system costs while not jeopardizing public safety. These efforts include justice reinvestment and court reengineering as well as others.

In addition to these overarching considerations and in addition to our longstanding and unwavering commitment to keeping violent crime at its lowest level in decades, the following priorities represent key areas where we will be focusing nationally and invite each state to join us in addressing these challenges as a part of our JAG partnership.

Counterterrorism and Information Sharing/Fusion Centers

A key priority for DOJ and, indeed, the entire Administration, is effective counterterrorism and terrorism prevention programs. We recognize that state and local law enforcement are critical partners in detecting, identifying, preventing, and disrupting acts of violence against the United States by both domestic and international extremist organizations. Preventing terrorism remains the first goal of DOJ's strategic plan and remains a priority for BJA. A key priority of the National Strategy on Information Sharing for preventing terrorism includes support for State and Major Urban Area fusion centers (fusion centers) to address gaps in achieving full implementation of Global's Baseline Capabilities for fusion centers. Through the partnership of the U.S. Department of Homeland Security and DOJ the support for these fusion centers also enhances a state's response to "all crimes" by improving information sharing and coordination with local law enforcement agencies.

Evidence-Based Programs or Practices

OJP considers programs and practices to be evidence-based when their effectiveness has been demonstrated by causal evidence (generally obtained through one or more outcome evaluations). Causal evidence documents a relationship between an activity or intervention (including technology) and its intended outcome, including measuring the direction and size of a change, and the extent to which a change may be attributed to the activity or intervention. Causal evidence depends on the use of scientific methods to rule out, to the extent possible, alternative explanations for the documented change. The strength of causal evidence, based on the factors described above, will influence the degree to which OJP considers a program or practice to be evidence-based.

Economic Crime
As our economy shows signs of recovery, it is essential that we not allow this progress to be thwarted by economic crime, including mortgage fraud, financial crimes, fraud, and intellectual property crimes that threaten our economic growth and stability.

Reentry and Smart Probation
In order to lessen the burden on what has been described as an overreliance on incarceration, it is essential that those who have served time can transition back into the community and into crime-free pro-social lives. To do this, we will emphasize smart and effective approaches to offender reentry and will support statewide and local efforts in justice reinvestment, which reduces costly spending on incarceration and reinvests a portion of the savings into other areas of the justice system without sacrificing accountability.

Indigent Defense
Another key priority area is ensuring that justice is truly done in the criminal justice system—the Attorney General has consistently stressed that the crisis in indigent defense reform is a serious concern of his, a concern which is shared by OJP and BJA. As a former prosecutor and judge, however, the Attorney General is also acutely aware that without adequate funding for the courts, prosecution, problem-solving courts, and other innovative, cost-saving alternatives to incarceration, true justice cannot be achieved.

Children Exposed To Violence
Last, but certainly not least, we must ensure that, in the context of our continued focus on addressing violent crime, children who are exposed to violence are responded to effectively so that these experiences do not risk the futures of these children and do not fuel the cycle of violence.

These priorities and others will be the focus of our efforts during FY 2011, and we invite you as a partner and grantee to join us in our efforts to address these critical issues.

Interoperable Communications
Grantees (including sub-grantees) that are using FY 2011 JAG Program funds to support emergency communications activities should comply with the *FY 2011 SAFECOM Guidance for Emergency Communication Grants,* including provisions on technical standards that ensure and enhance interoperable communications. Emergency communications activities include the purchase of Interoperable Communications Equipment and technologies such as voice-over-internet protocol bridging or gateway devices, or equipment to support the build out of wireless broadband networks in the 700 MHz public safety band under the Federal Communications Commission (FCC) Waiver Order. SAFECOM guidance can be found at www.safecomprogram.gov.

Grantees interested in developing a public safety broadband network in the 700 MHz band in their jurisdictions must adhere to the technical standards set forth in the FCC Waiver Order, or any succeeding FCC orders, rules, or regulations pertaining to broadband operations in the 700 MHz public safety band. The recipient shall also ensure projects support the Statewide Communication Interoperability Plan (SCIP) and are fully coordinated with the full-time Statewide Interoperability Coordinator (SWIC) in the state of the project. As the central coordination point for their state's interoperability effort, the SWIC plays a critical role, and can serve as a valuable resource. SWICs are responsible for the implementation of the SCIP through coordination and collaboration with the emergency response community. The U.S. Department of Homeland Security Office of Emergency Communications maintains a list of

SWICs for each of the 56 states and territories. Please contact OEC@hq.dhs.gov if you are not familiar with your state or territory's SWIC. If any future regulatory requirement (from the FCC or other governmental entity) results in a material technical or financial change in the project, the recipient should submit associated documentation, and other material, as applicable, for review by the SWIC to ensure coordination. Please note that for future year solicitations (FY 2012), BJA will require that the SWIC provide approval for changes in interoperable communication projects. Grantees should establish communications with the SWIC in their state or territory in the near future in order to ensure seamless coordination on all projects going forward.

Grantees (and sub-grantees) should provide a listing of all communications equipment purchased with grant award funding (plus the quantity purchased of each item) to their assigned BJA State Policy Advisor once items are procured during any periodic programmatic progress reports.

Responsibilities

The Chief Executive Officer (CEO) of an eligible unit of local government or other officer designated by the CEO must submit the application for JAG funds. A unit of local government receiving a JAG award will be responsible for the administration of the funds including: distributing the funds; monitoring the award; submitting quarterly financial status (SF-425) and performance metrics reports and annual programmatic reports; and providing ongoing oversight and assistance to any subrecipients of the funds.

Length of Awards

Awards are made in the first fiscal year of the appropriation and may be expended during the following 3 years, for a total grant period of 4 years. Extensions beyond this period may be made on a case-by-case basis at the discretion of the Director of BJA and must be requested via the Grants Management System (GMS) **no less than 30 days prior to the grant end date**.

Administrative Funds

A unit of local government may use up to 10 percent of the award, plus any interest accrued, for costs associated with administering JAG funds.

Disparate Certification

A disparate allocation occurs when a city or municipality is allocated one-and-one-half times (150 percent) more than the county, while the county bears more than 50 percent of the costs associated with prosecution or incarceration of the municipality's Part 1 violent crimes. A disparate allocation also occurs when multiple cities or municipalities are collectively allocated four times (400 percent) more than the county, and the county bears more than 50 percent of the collective costs associated with prosecution or incarceration of each municipality's Part 1 violent crimes.

- ★ Jurisdictions certified as disparate must identify a fiscal agent that will submit a **joint application** for the aggregate eligible allocation to all disparate municipalities. The joint application must determine and specify the award distribution to each unit of local government and the purposes for which the funds will be used. When beginning the JAG application process, a Memorandum of Understanding (MOU) that identifies which

jurisdiction will serve as the applicant/fiscal agent for joint funds, must be completed, and signed by the Authorized Representative for each participating jurisdiction. The signed MOU should be attached to the application. For a sample MOU, go to www.ojp.usdoj.gov/BJA/grant/jag11/11JAGMOU.pdf.

Governing Body Review

The applicant agency (fiscal agent in disparate situations) must make the grant application available for review by the governing body (or to the organization designated by the governing body) not fewer than 30 days before the application is submitted to BJA.

Public Comment

The applicant agency (the fiscal agent in disparate situations) must include a statement that the application was made public and that, to the extent of applicable law or established procedure, an opportunity to comment was provided to citizens and to neighborhood or community-based organizations.

Budget Information

Match Requirement

While match is not required with the JAG Program, match can be used as an effective strategy for states and units of local government to expand justice funds and build buy-in for local criminal justice initiatives.

Supplanting

Federal funds must be used to supplement existing funds for program activities and cannot replace or supplant nonfederal funds that have been appropriated for the same purpose. Supplanting is prohibited under JAG. Please see BJA's JAG web page and the updated JAG FAQs for examples of supplanting.

Trust Fund

Award recipients may drawdown JAG funds in advance. To do so, a trust fund must be established in which to deposit the funds. The trust fund may or may not be an interest-bearing account. If subrecipients draw down JAG funds in advance, they also must establish a trust fund in which to deposit funds. This trust fund requirement only applies to direct JAG award recipients as well as subrecipients that are not on a reimbursement basis.

Prohibited Uses

No JAG funds may be expended outside of JAG purpose areas. Even within these purpose areas, however, JAG funds cannot be used directly or indirectly for security enhancements or equipment for nongovernmental entities not engaged in criminal justice or public safety. Nor may JAG funds be used directly or indirectly to provide for any of the following matters unless BJA certifies that extraordinary and exigent circumstances exist, making them essential to the maintenance of public safety and good order:

- Vehicles (excluding police cruisers), vessels (excluding police boats), or aircraft (excluding police helicopters).
- Luxury items.
- Real estate.
- Construction projects (other than penal or correctional institutions).
- Any similar matters.

*For information related to requesting a waiver to use funds for any prohibited item, please refer to the updated JAG FAQs on BJA's JAG web page.

Reporting Requirements

Once an award is accepted, award recipients must submit quarterly financial status (SF-425) and annual performance reports through GMS.

In addition, applicants who receive funding under this solicitation must provide data that measures the results of their work. Please refer to "Performance Measures" below for further information.

Performance Measures

To assist in fulfilling the Department's responsibilities under the Government Performance and Results Act of 1993 (GPRA), P.L. 103-62, applicants who receive funding under this solicitation must provide data that measures the results of their work. **Quarterly performance metrics reports must be submitted through BJA's Performance Measurement Tool (PMT) web site: www.bjaperformancetools.org. The performance measure can be found at: www.bjaperformancetools.org/help/ARRAJAGandJAGCombinedIndicatorGrid.pdf.**

All JAG recipients should be aware that BJA is currently considering changes to the JAG performance reporting processes, including measures. While state administering agencies will play a role in the process, recipients are advised that the reporting requirements noted above may be subject to modification through this process.

Submission of performance measures data is not required for the application. Instead, applicants should discuss in their application their proposed methods for collecting data for performance measures. Please refer to the section "What an Application Must Include" (below) for additional information.

Note on project evaluations: Applicants that propose to use funds awarded through this solicitation to conduct project evaluations should be aware that certain project evaluations (such as systematic investigations designed to develop or contribute to generalizable knowledge) may constitute "research" for purposes of applicable DOJ human subjects protections. However, project evaluations that are intended only to generate internal improvements to a program or service, or are conducted only to meet OJP's performance measure data reporting requirements likely do not constitute "research." Applicants should provide sufficient information for OJP to determine whether the particular project they propose would either intentionally or unintentionally collect and/or use information in such a way that it meets the DOJ regulatory definition of research.

Research, for the purposes of human subjects protections for OJP-funded programs, is defined as, "a systematic investigation, including research development, testing, and evaluation, designed to develop or contribute to generalizable knowledge" (28 C.F.R. § 46.102(d)). For additional information on determining whether a proposed activity would constitute research, see the decision tree to assist applicants on the "Research and the Protection of Human Subjects" section of the OJP Other Requirements for OJP Applications" web page (www.ojp.usdoj.gov/funding/other_requirements.htm). Applicants whose proposals may involve a research or statistical component also should review the "Confidentiality" section on that web page.

Notice of New Post-Award Reporting Requirements

Applicants should anticipate that all recipients (other than individuals) of awards of $25,000 or more under this solicitation, consistent with the Federal Funding Accountability and Transparency Act of 2006 (FFATA), will be required to report award information on any first-tier subawards totaling $25,000 or more, and, in certain cases, to report information on the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients. Each applicant entity must ensure that it has the necessary processes and systems in place to comply with the reporting requirements should it receive funding. Reports regarding subawards will be made through the FFATA Subaward Reporting System (FSRS), found at www.fsrs.gov/.

Please note also that applicants should anticipate that no subaward of an award made under this solicitation may be made to a subrecipient (other than an individual) unless the potential subrecipient acquires and provides a Data Universal Numbering System (DUNS) number.

How to Apply

Applications are submitted through OJP's Grants Management System (GMS). GMS is a web-based, data-driven computer application that provides cradle to grave support for the application, award, and management of awards at OJP. Applicants must register in GMS for each specific funding opportunity and should begin the process immediately to meet the GMS registration deadline, especially if this is the first time using the system. Complete instructions on how to register and submit an application in GMS can be found at www.ojp.usdoj.gov/gmscbt/. If the applicant experiences technical difficulties at any point during this process, please e-mail GMS.HelpDesk@usdoj.gov or call 888–549–9901 (option 3), Monday–Friday from 6:00 a.m. to midnight eastern time, except federal holidays. OJP highly recommends that applicants start the registration process as early as possible to prevent delays in submitting an application package by the specified application deadline.

All applicants should complete the following steps:

1. **Acquire a DUNS number.** A DUNS number is required to submit an application in GMS. In general, the Office of Management and Budget requires that all applicants (other than individuals) for federal funds include a DUNS (Data Universal Numbering System) number in their application for a new award or renewal of an existing award. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving federal funds. The identifier is used for tracking purposes and to validate address and point of contact information for federal assistance applicants, recipients, and subrecipients. The DUNS number will be used throughout the grant life

cycle. Obtaining a DUNS number is a free, one-time activity. Obtain a DUNS number by calling Dun and Bradstreet at 866–705–5711 or by applying online at www.dnb.com. A DUNS number is usually received within 1-2 business days.

2. **Acquire or renew registration with the Central Contractor Registration (CCR) database.** OJP requires that all applicants (other than individuals) for federal financial assistance maintain current registrations in the Central Contractor Registration (CCR) database. The CCR database is the repository for standard information about federal financial assistance applicants, recipients, and subrecipients. Organizations that have previously submitted applications via Grants.gov are already registered with CCR, as it is a requirement for Grants.gov registration. Please note, however, that applicants must **update or renew their CCR registration annually** to maintain an active status. Information about CCR registration procedures can be accessed at www.ccr.gov.

3. **Acquire a GMS username and password**. A new user must create a GMS profile by selecting the "First Time User" link under the sign-in box of the GMS home page. For more information on how to register in GMS, go to www.ojp.usdoj.gov/gmscbt/.

4. **Verify the CCR registration in GMS.** OJP requests that all applicants verify their CCR registration in GMS. Once logged into GMS, please click the "CCR Claim" link on the left side of the default screen. Click the submit button to verify the CCR registration.

5. **Search for the funding opportunity on GMS.** After logging into GMS or completing the GMS profile for username and password, go to the "Funding Opportunities" link on the left side of the page. Please select the Bureau of Justice Assistance and the Edward Byrne Memorial Justice Assistance Grant (JAG) Program—Local Solicitation.

6. **Register by selecting the "Apply Online" button associated with the solicitation title.** The search results from step 5 will display the solicitation title along with the registration and application deadlines for this funding opportunity. Please select the "Apply Online" button in the "Action" column to register for this solicitation and create an application in the system.

7. **Submit an application consistent with this solicitation by following the directions in GMS.** Once submitted, GMS will display a confirmation screen stating the submission was successful. **Important:** In some instances, an applicant must wait for GMS approval before submitting an application. Applicants are urged to submit the application **at least 72 hours prior** to the due date of the application.

Note: OJP's Grants Management System (GMS) does not accept executable file types as application attachments. The disallowed file types include, but are not limited to, the following extensions: ".com," ".bat," ".exe," ".vbs," ".cfg," ".dat," ".db," ".dbf," ".dll," ".ini," ".log," ".ora," ".sys," and ".zip."

Experiencing Unforeseen GMS Technical Issues

If an applicant experiences unforeseen GMS technical issues beyond the applicant's control that prevent submission of its application by the deadline, the applicant must contact the Bureau of Justice Assistance Programs Office staff **within 24 hours after the deadline** and request approval to submit the application. At that time, BJA Programs Office staff will instruct the applicant to submit specific information detailing the technical difficulties. The applicant must e-

mail: a description of the technical difficulties, a timeline of submission efforts, the complete grant application, the applicant DUNS number, and GMS Help Desk tracking number(s) received. After the program office reviews all of the information submitted, and contacts the GMS Help Desk to validate the technical issues reported, OJP will contact the applicant to either approve or deny the request to submit a late application. If the technical issues reported cannot be validated, the application will be rejected as untimely.

The following conditions are not valid reasons to permit late submissions: (1) failure to begin the registration process in sufficient time, (2) failure to follow GMS instructions on how to register and apply as posted on its Web site, (3) failure to follow all of the instructions in the OJP solicitation, and (4) technical issues experienced with the applicant's computer or information technology (IT) environment.

Notifications regarding known technical problems with GMS, if any, are posted at the top of the OJP funding web page, www.ojp.usdoj.gov/funding/solicitations.htm.

What an Application Must Include

This section describes what an application is expected to include and sets out a number of elements. Applicants should anticipate that failure to submit an application that contains all of the specified elements may negatively affect the review of the application and, should a decision nevertheless be made to make an award, will result in the inclusion of special conditions that preclude access to or use of award funds pending satisfaction of the conditions.

OJP strongly recommends use of appropriately descriptive file names (e.g., "Program Narrative," "Budget and Budget Narrative," "Memoranda of Understanding," etc.) for all required attachments.

1. **Application for Federal Assistance (SF-424)**
   The SF-424 is a standard form required for use as a cover sheet for submission of pre-applications, applications, and related information. Grants.gov and GMS take information from the applicant's profile to populate the fields on this form.

2. **Program Narrative**
   Applicants **must** submit a program narrative that generally describes the proposed program activities for the four year grant period. The narrative must outline the type of programs to be funded by the JAG award and provide a brief analysis of the need for the programs. Narratives must also identify anticipated coordination efforts involving JAG and related justice funds. Certified disparate jurisdictions submitting a **joint application** must specify the funding distribution to each disparate unit of local government and the purposes for which the funds will be used.

   Failure to submit this required information will result in an application being returned in the Grants Management System (GMS) for inclusion of the missing information OR the attachment of a withholding of funds special condition at the time of award.

3. **Budget and Budget Narrative**
   Applicants **must** submit a budget and budget narrative outlining how JAG funds, including administrative funds if applicable, will be used to support and implement the program. This narrative should include a full breakdown of administrative costs, as well as an overview of

how funds will be allocated across approved JAG purpose areas. Applicants should utilize the following approved budget categories to label the requested expenditures: Personnel, Fringe Benefits, Travel, Equipment, Supplies, Consultants/Contracts, and an Other category. For informational purposes only, a sample budget form may be found at www.ojp.usdoj.gov/funding/forms/budget_detail.pdf. Failure to submit this required information will result in an application being change requested in the Grants Management System (GMS) for inclusion of the missing information OR the attachment of a withholding special condition at the time of award if time does not permit for a change request process.

Failure to submit this required information will result in an application being returned in the Grants Management System (GMS) for inclusion of the missing information OR the attachment of a withholding of funds special condition at the time of award.

4. **Review Narrative**
   Applicants **must** submit information documenting that the date the JAG application was made available for review to the governing body, or to an organization designated by that governing body, on a date not less than 30 days before the application was submitted to BJA. The attachment must also specify that an opportunity to comment was provided to citizens to the extent applicable law or established procedures make such opportunity available. Failure to submit this required information will result in an application being change requested in the Grants Management System (GMS) for inclusion of the missing information OR the attachment of a withholding special condition at the time of award if time does not permit for a change request process.

   Failure to submit this required information will result in an application being returned in the Grants Management System (GMS) for inclusion of the missing information OR the attachment of a withholding of funds special condition at the time of award.

5. **Abstract**
   Applicants **must** provide an abstract that includes the applicant's name, title of the project, goals of the project, and a description of the strategies to be used. In addition, above or below the abstract narrative, applicants **must identify up to five project identifiers** that would be associated with proposed project activities. The list of all identifiers can be found at www.ojp.usdoj.gov/BJA/grant/jag11/JAGIdentifiers.pdf. The abstract **must not** exceed a half-page, or 400-500 words.

   Failure to submit this required information will result in an application being returned in the Grants Management System (GMS) for inclusion of the missing information OR the attachment of a withholding of funds special condition at the time of award.

6. **Tribal Authorizing Resolution (if applicable)**
   If an application is being submitted by either (1) a tribe or tribal organization or (2) a third party proposing to provide direct services or assistance to residents on tribal lands, then a current authorizing resolution of the governing body of the tribal entity or other enactment of the tribal council or comparable governing body authorizing the inclusion of the tribe or tribal organization and its membership should be included with the application. In those instances when an organization or consortium of tribes proposes to apply for a grant on behalf of a tribe or multiple specific tribes, then the application should include a resolution from all tribes that will be included as a part of the services/assistance provided under the grant. A consortium of tribes for which existing consortium bylaws allow action without support from

all tribes in the consortium (i.e., without authorizing resolution or other enactment of each tribal governing body) may submit a copy of its consortium bylaws with the application in lieu of tribal resolutions.

7. **Additional Attachments (if applicable)**
   Jurisdictions certified as disparate **must** identify a fiscal agent that will submit a **joint application** for the aggregate eligible allocation to all disparate municipalities. The joint application **must** determine and specify the award distribution to each unit of local government and the purposes for which the funds will be used. When beginning the JAG application process, a Memorandum of Understanding (MOU) that identifies which jurisdiction will serve as the applicant/fiscal agent for joint funds, **must** be completed, and signed by the Authorized Representative for each participating jurisdiction. The signed MOU **must** be attached to the application. For a sample MOU, go to www.ojp.usdoj.gov/BJA/grant/jag11/11JAGMOU.pdf.

   Failure to submit this required information will result in an application being change requested in the Grants Management System (GMS) for inclusion of the missing information OR the attachment of a withholding special condition at the time of award if time does not permit for a change request process.

8. **Other Standard Forms**
   Additional forms that may be required in connection with an award are available on OJP's funding page at www.ojp.usdoj.gov/funding/forms.htm. For successful applicants, receipt of funds may be contingent upon submission of all necessary forms. Please note in particular the following forms.

   a. Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements (required to be submitted in GMS prior to the receipt of any award funds).

   b. Disclosure of Lobbying Activities (required for any applicant that expends any funds for lobbying activities; this form must be downloaded, completed, and then uploaded).

   c. Accounting System and Financial Capability Questionnaire (required for any applicant other than an individual that is a non-governmental entity and that has not received any award from OJP within the past 3 years; this form must be downloaded, completed, and then uploaded).

   d. Standard Assurances (required to be submitted in GMS prior to the receipt of any award funds).

Review Process

OJP is committed to ensuring a fair and open process for awarding grants. The Bureau of Justice Assistance reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with the solicitation.

Absent explicit statutory authorization or written delegation of authority to the contrary, all final grant award decisions will be made by the Assistant Attorney General (AAG).

Additional Requirements

Applicants selected for awards must agree to comply with additional legal requirements upon acceptance of an award. We strongly encourage you to review the information pertaining to these additional requirements prior to submitting your application. Additional information for each can be found at www.ojp.usdoj.gov/funding/other_requirements.htm.

- Civil Rights Compliance
- Faith-Based and Other Community Organizations
- Confidentiality
- Research and the Protection of Human Subjects
- Anti-Lobbying Act
- Financial and Government Audit Requirements
- National Environmental Policy Act (NEPA)
- DOJ Information Technology Standards (if applicable)
- Single Point of Contact Review
- Nonsupplanting of State or Local Funds
- Criminal Penalty for False Statements
- Compliance with Office of Justice Programs Financial Guide
- Suspension or Termination of Funding
- Nonprofit Organizations
- For-Profit Organizations
- Government Performance and Results Act (GPRA)
- Rights in Intellectual Property
- Federal Funding Accountability and Transparency Act (FFATA) of 2006
- Awards in excess of $5,000,000 – federal taxes certification requirement
- Active CCR Registration

Application Checklist
FY 2011 Edward Byrne Memorial Justice Assistance Grant (JAG) Program: Local Solicitation

The application checklist has been created to aid assist in developing an application.

Eligibility Requirement:

_____ The jurisdiction listed as the legal name on the application corresponds with the eligible jurisdiction listed on BJA's JAG web page

_____ The federal amount requested is within the allowable limit of the FY 2011 JAG Allocations List as listed on BJA's JAG web page

The Application Contains:

_____ Standard 424 Form (see page 13)

_____ Program Narrative (see page 13)

_____ Budget and Budget Narrative (see page 13)

_____ Review Narrative (the date the JAG application was made available to the governing body for review and that it was provided to the public for comment) (see page 14)

_____ Abstract (see page 14)

_____ Additional Attachment: Memorandum of Understanding (MOU), if in a funding disparity (see page 15)

_____ Tribal Authorizing Resolution (if applicable) (see page 14)

_____ Other Standard Forms as applicable (see page 15), including:

- _____ Disclosure of Lobbying Activities (if applicable)
- _____ Accounting System and Financial Capability Questionnaire (if applicable)

_____ DUNS Number (see page 11)

_____ CCR Registration (see page 12)

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

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

SUBJECT:
For possible action to approve the ratification of Patricia Truesdell in a Council support position as a Council Liaison to the Mayor ($48,000 annual salary/$18,620 benefits - General Fund)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $66,620
Funding Source: General Fund
Dept./Division: City Council - Mayor's Office

PURPOSE/BACKGROUND:
Pursuant to Section 3.020 of the City Charter, all Council positions are subject to ratification by the City Council. Positions in the Council offices require consistency, an established good rapport with constituents and other City staff, and the utmost in confidentiality. It is important for Council members to be able to establish and maintain a close working relationship with their staff in order to efficiently and effectively represent the City so that they can focus on the issues they were elected to address. Mayor Carolyn G. Goodman requested the appointment of Patricia Truesdell to the position of Council Liaison for the Mayor's Office.

RECOMMENDATION:
Approval of the appointment of Patricia Truesdell to the position of Council Liaison in the Mayor's Office as requested by Mayor Carolyn G. Goodman

BACKUP DOCUMENTATION:
None

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

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

SUBJECT:
For possible action to approve the ratification of Lora Kalkman in a Council support position as a Council Liaison to the Mayor ($48,000 annual salary/$18,620 benefits - General Fund)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $66,620
Funding Source: General Fund
Dept./Division: City Council - Mayor's Office

PURPOSE/BACKGROUND:
Pursuant to Section 3.020 of the City Charter, all Council positions are subject to ratification by the City Council. Positions in the Council offices require consistency, an established good rapport with constituents and other City staff, and the utmost in confidentiality. It is important for Council members to be able to establish and maintain a close working relationship with their staff in order to efficiently and effectively represent the City so that they can focus on the issues they were elected to address. Mayor Carolyn G. Goodman requested the appointment of Lora Kalkman to the position of Council Liaison for the Mayor's Office.

RECOMMENDATION:
Approval of the appointment of Lora Kalkman to the position of Council Liaison in the Mayor's Office as requested by Mayor Carolyn G. Goodman

BACKUP DOCUMENTATION:
None

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: BUILDING AND SAFETY
DIRECTOR: CHRIS KNIGHT ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve an encroachment request from EVAPS, LLC, owner (400 South 4th Street) - Ward 5 (Barlow)

Fiscal Impact

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

PURPOSE/BACKGROUND:
This request is for four balconies on the north side of the building, a portion of the decorative cornice on the roof and on the building, landscaping and an irrigation system.

RECOMMENDATION:
Approval. If approved, the applicant will be required to sign an Encroachment Agreement that has conditions of maintenance, liability and removal.

BACKUP DOCUMENTATION:
1. Agenda Memo
2. Encroachment Exhibit A - Balconies
3. Encroachment Exhibit B - Facade
4. Encroachment Exhibit C - Landscaping

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 20, 2011
DEPARTMENT: BUILDING AND SAFETY
ITEM DESCRIPTION: FOR POSSIBLE ACTION TO APPROVE AN ENCROACHMENT AGREEMENT WITH EVAPS, LLC, OWNER (400 SOUTH 4TH STREET, 139-34-701-009) – WARD 5 (BARLOW)

This request is for four balconies on the north side of the EVAPS Law Office Building, two on the fourth floor and two on the fifth floor. The fourth floor balconies are approximately 37 feet above the sidewalk and the fifth floor balconies are approximately 14 feet above the fourth floor balconies. Each balcony will be 20 feet long and 10 feet wide and will extend 9 feet into the airspace over Chef Andre Rochat Place. A portion of the roof cornice, 19.25 feet above the fifth floor balcony, 106.83 feet long and 2.33 feet wide, will extend into the airspace over the sidewalk on Chef Andre Rochat Place. A portion of the decorative cornice molding, 15 feet above the sidewalk on 7th Street, is approximately 142.75 feet long, 2 feet tall and 1 foot wide and will extend into the airspace on 7th Street. There are two strips of landscaping on Chef Andre Rochat Place and on 7th Street. On Chef Andre Rochat Place, the landscaping strip in the right-of-way is 2 feet by 115.33 feet adjacent to the building and the second strip is 7 feet by 29 feet along the back of curb. On 7th Street, the landscaping in the right-of-way is 2 feet by 105 feet adjacent to the building and the second strip is 156.87 feet along the back of curb, for a total of approximately 2,387 square feet of landscaping, consisting of a mixture of trees, landscaping, shrubs ground cover and an irrigation system.

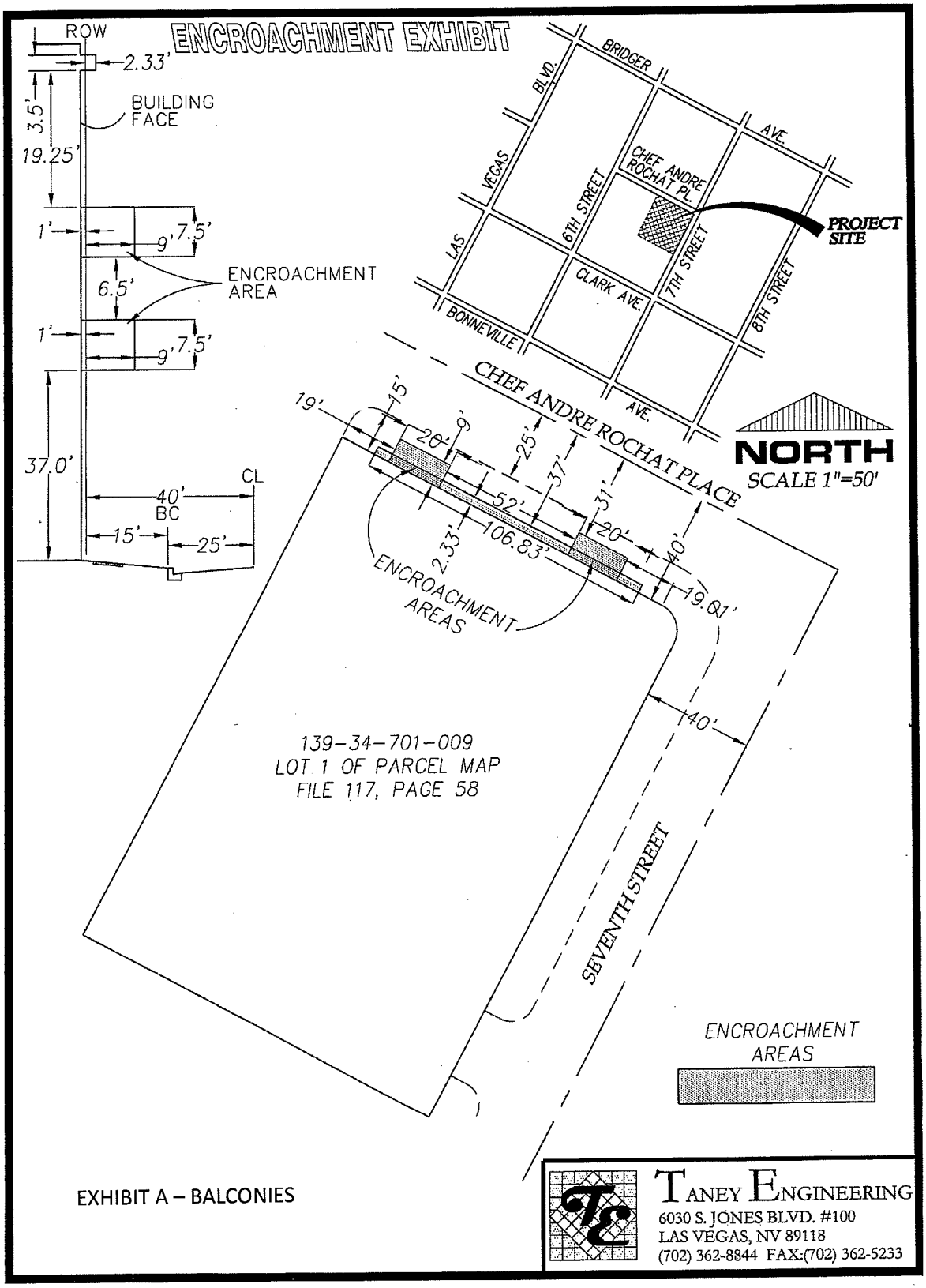


EXHIBIT A – BALCONIES

TANEY ENGINEERING
6030 S. JONES BLVD. #100
LAS VEGAS, NV 89118
(702) 362-8844 FAX:(702) 362-5233

ENCROACHMENT EXHIBIT

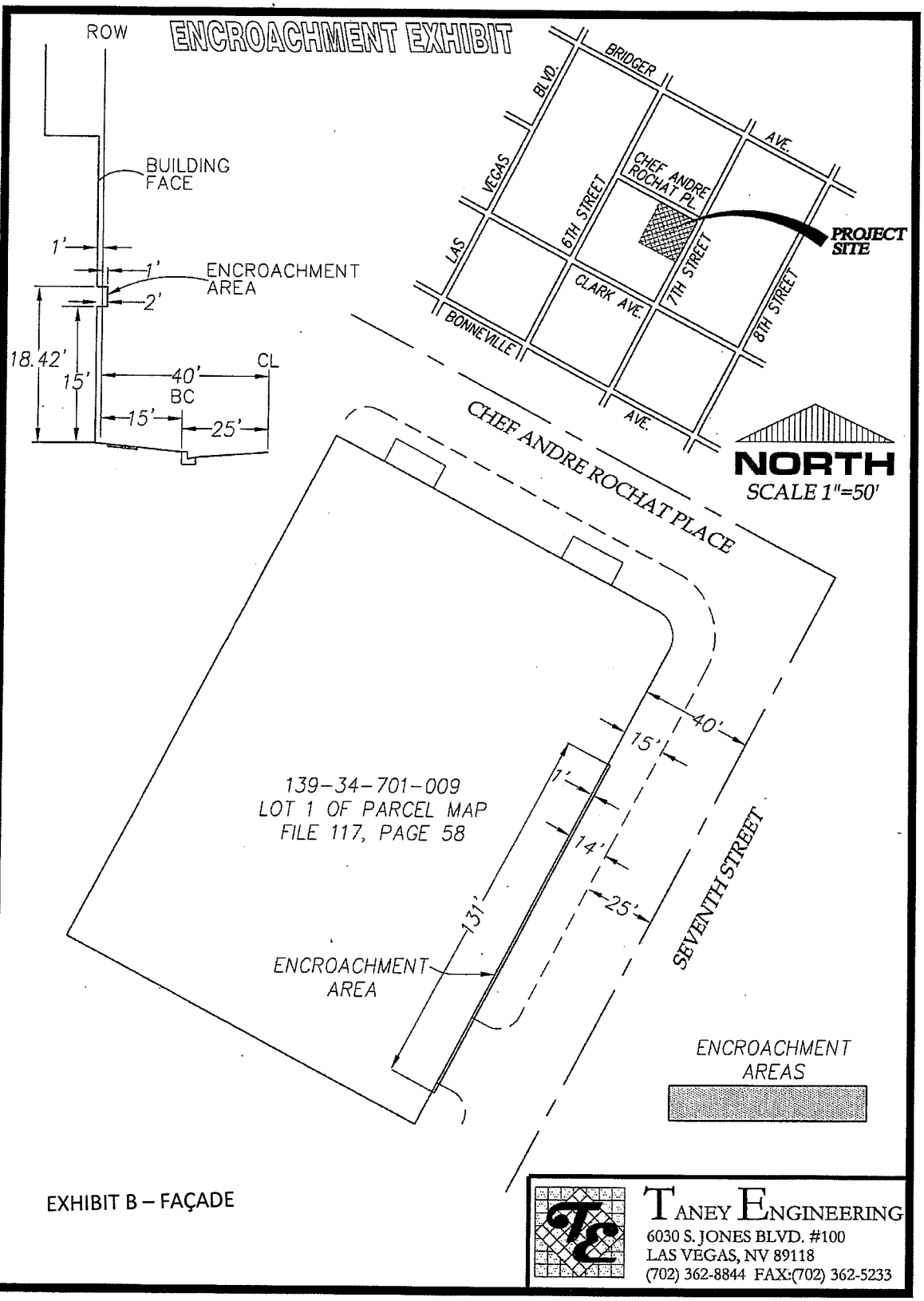
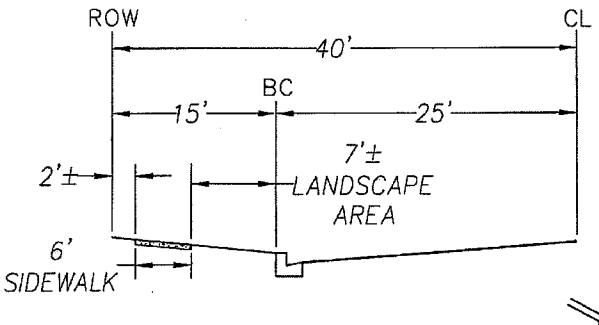


EXHIBIT B – FAÇADE

TANEY ENGINEERING
6030 S. JONES BLVD. #100
LAS VEGAS, NV 89118
(702) 362-8844 FAX:(702) 362-5233

ENCROACHMENT EXHIBIT





NORTH
SCALE 1"=50'

CHEF ANDRE ROCHAT PLACE

139-34-701-009
LOT 1 OF PARCEL MAP
FILE 117, PAGE 58

SEVENTH STREET

ENCROACHMENT AREAS

EXHIBIT C - LANDSCAPING

TANEY ENGINEERING
6030 S. JONES BLVD. #100
LAS VEGAS, NV 89118
(702) 362-8844 FAX:(702) 362-5233

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: BUILDING AND SAFETY
DIRECTOR: CHRIS KNIGHT ☒ **Consent** ☐ **Discussion**

SUBJECT:

For possible action to approve an encroachment request for an existing elevated patio deck and landscaping from Oakbrook Realty & Investments II, LLC owner (321 South Casino Center Boulevard, APN 139-34-201-020) - Ward 3 (Coffin)

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**

☐ **Budget Funds Available**

Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:

This request is for an existing elevated patio deck with hand rails, access ramp, stairs, outdoor seating, and landscaping. Upon recordation, this encroachment agreement will supersede the encroachment agreement dated December 26, 2007 and recorded on February 7, 2008: book / instrument # 20080207 – 0000613. The patio deck was not built according to the previously approved plans and encroachment agreement.

RECOMMENDATION:

Approval. If approved, the applicant will be required to sign an Encroachment Agreement that has conditions of maintenance, liability and removal.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Encroachment Exhibit "A"
3. Encroachment Agreement dated December 26, 2007

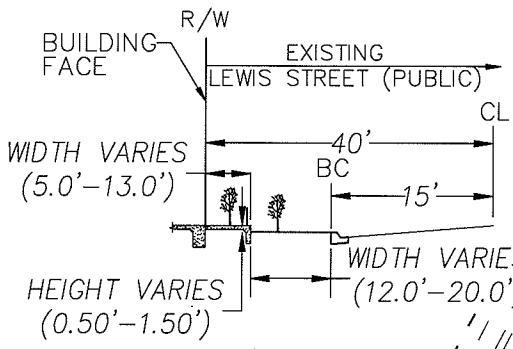
City of Las Vegas

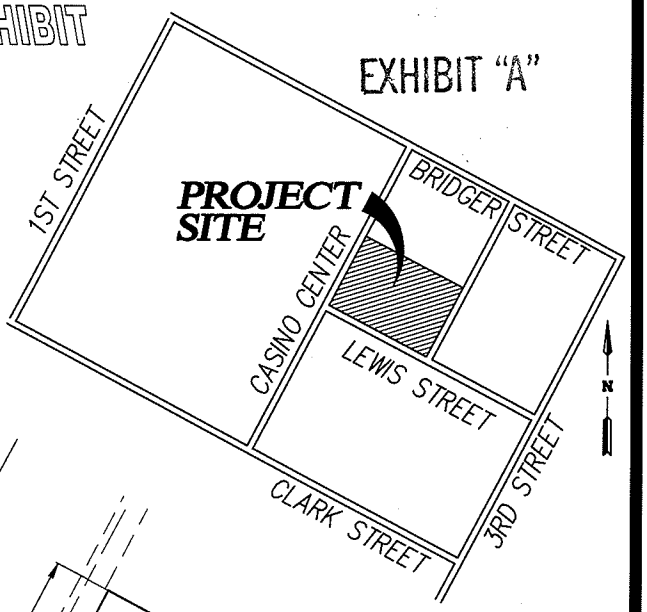
AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 20, 2011
DEPARTMENT: BUILDING AND SAFETY
ITEM DESCRIPTION: APPROVAL OF AN ENCROACHMENT AGREEMENT WITH OAKBROOK REALTY & INVESTMENTS II, LLC, OWNER (321 SOUTH CASINO CENTER BOULEVARD, APN 139-34-201-020) – WARD 3 (COFFIN)

This request is for an existing elevated patio deck with hand rails, access ramp, stairs, outdoor seating, and landscaping located on the south side of the Lewis Center Parking Garage. It is elevated to the grade of the entry/exit doors located along the south side of the building. It is approximately 100 feet long running east-west and extending 13 feet southward from the Lewis Center Parking Garage building towards Lewis Avenue, leaving an approximate 12 foot wide sidewalk area along the patio for through pedestrian passage. The deck is elevated above the adjacent sidewalk area approximately 7 inches at the western end of the patio to approximately 18 inches at the eastern end. There is an access ramp at the west end, a stair set at the east end, and two stair sets for access from the southern side evenly spaced along the south side of the patio. The outdoor seating will be placed in designated areas adjacent to the building as described in the Las Vegas Downtown Centennial Plan, will be used during business hours and brought indoors during non-business hours for storage. Upon recordation, this encroachment agreement will supersede the encroachment agreement dated December 26, 2007 and recorded on February 7, 2008: book / instrument # 20080207 – 0000613. The patio deck was not built according to the previously approved plans and encroachment agreement.

ENCROACHMENT EXHIBIT





NORTH
SCALE 1"=50'

CASINO CENTER BOULEVARD (PUBLIC)

47'
28'
28'
45'
ENCROACHMENT AREA (SEE TYPICAL TREE WELL)

139-34-201-020
LOT A OF PARCEL MAP
FILE 106, PAGE 38

7'
5'
8'
13'
40'
12'
15'
ENCROACHMENT AREA
3'
110'
LEWIS AVENUE (PUBLIC)

ENCROACHMENT AREAS

4.0'
4.0'
TYPICAL TREE WELL

TANEY ENGINEERING
6030 S. JONES BLVD. #100
LAS VEGAS, NV 89118
(702) 362-8844 FAX:(702) 362-5233

Receipt/Conformed Copy
Requestor:
LAS VEGAS CITY
02/07/2008 09:01:35 T20080021351
Book/Instr: 20080207-0000613
Agreement Page Count: 9
Fees: $22.00 N/C Fee: $0.00

APN: 139-34-201-020

ENCROACHMENT AGREEMENT
(Short-Term)

Debbie Conway
Clark County Recorder

THIS AGREEMENT, made and entered into this 26TH day of DEC, 2007, by and between the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada (hereinafter referred to as the "City"), and **LEWIS CENTER PARKING, LLC, 8910 WEST TROPICANA AVENUE, SUITE 3, LAS VEGAS, NEVADA, 89147** (hereinafter referred to as "Owner").

WITNESSETH

WHEREAS, the City owns the public right-of-way that is commonly known as **LEWIS AVENUE** and more particularly described in Exhibits "A" and "B" which are attached hereto and by this reference made a part hereof; and

COPY

WHEREAS, the Owner is the owner of certain real property located at **THE NORTHEAST CORNER OF LEWIS AVENUE AND CASINO CENTER BOULEVARD, LAND DEVELOPMENT PROJECT HANSEN # 18394, ENCROACHMENT HANSEN # 19530 (LEWIS CENTER PARKING GARAGE)** which adjoins said public right-of-way and is also described in Exhibits "A" and "B"; and

WHEREAS, the Owner has developed and improved said property in a manner which has encroached upon or into said described public right-of-way; and

WHEREAS, the parties hereto intend, by this Agreement, to evidence the consent of the City to said encroachment as authorized herein and to set forth the entire agreement of said parties with respect thereto.

NOW, THEREFORE, for and in consideration of the sum of Twenty Five Dollars ($25.00), the receipt of which is hereby acknowledged by the City, and of other good and sufficient considerations, the

City hereby authorizes and permits the encroachment into said described public right-of-way in accordance with, and the Owner agrees to the following terms, covenants, and conditions:

1. ENCROACHMENT AUTHORIZED: The City hereby permits a limited encroachment into said described public right-of-way, which encroachment shall be limited to the following:

RAMPS AND A PATIO DECK ON THE SOUTH SIDE OF THE BUILDING ON THE NORTH SIDE OF LEWIS AVENUE LOCATED AT THE NORTHEAST CORNER OF CASINO CENTER BOULEVARD AND LEWIS AVENUE. THE RAMP ON THE WEST SIDE OF THE PATIO DECK WILL RISE FROM SIDEWALK LEVEL TO APPROXIMATELY 18" WHERE IT WILL CONNECT TO AN APPROXIMATE 5' WIDE TO 12' WIDE PATIO DECK. THE PATIO DECK WILL EXTEND EASTWARD ALONG THE BUILDING TO CONNECT TO THE EASTERN RAMP THAT WILL DECREASE FROM A HEIGHT OF APPROXIMATELY 2' TO GROUND LEVEL. THE PATIO DECK WILL HAVE GUARDRAILS AND PORTIONS OF THE PATIO DECK WILL ENCOMPASS EXISTING LANDSCAPING. THERE WILL ALSO BE TWO SETS OF STAIRS LOCATED NEAR THE APPROXIMATE MIDDLE OF THE DECK.

Said encroachment is more particularly described in Exhibits "A" and "B". In the event that the City requires the submission of more detailed plans and drawings, such plans and drawings shall be identified as Exhibit(s) and shall be incorporated herein by this reference, and the encroachment herein permitted shall be further defined and limited by said Exhibit(s).

COPY

2. NATURE OF PERMIT: This Agreement shall not be deemed to transfer any real property interest of the City in and to said described public right-of-way. The rights of encroachment that are granted herein are in the nature of a permit only and are subject to termination by the City as provided for herein.

3. USE AUTHORIZED: This Agreement does not authorize any use of said described public right-of-way, or the airspace thereabove, other than for the use and maintenance of the improvements that are authorized therein, as the same are identified in Paragraph 1 above (the "Improvements" herein).

4. TERM: This Agreement shall become effective on the date it is filed and recorded at the Office of the County Recorder of Clark County, Nevada, and shall remain in effect until the same is terminated in accordance with Paragraph 9 hereof or until the Improvements cease to exist, at which time all of the rights that are enjoyed by the Owner by virtue hereof shall cease except as the parties hereto may otherwise agree in writing.

5. REPAIRS AND MAINTENANCE: The Owner, at its own cost and expense, shall maintain the Improvements in good repair and in a clean, good and safe condition at all times during the existence of this Agreement. In the event that the Owner fails or refuses to maintain the Improvements in a manner that is satisfactory to the City and further fails or refuses to take corrective action within forty-eight (48) hours after its receipt of written notice from the City so to do, the City, at its option, may perform or cause to be performed any repair or maintenance on the Improvements that it may deem necessary, and the Owner shall pay the cost thereof to the City upon demand. The failure of the Owner to pay the cost thereof within thirty (30) calendar days after its receipt of a written demand or invoice therefor from the City shall constitute a material breach of this Agreement.

6. INDEMNIFICATION: The Owner hereby agrees to indemnify, defend and save the City, its officers, agents and employees, harmless from and against any and all liability, loss, damage, cost, claim, lien, judgment or demand of any kind whatsoever which it or they may incur, suffer or be required to pay by reason of any death, disease or bodily injury that may result to any person or persons, or of any injury or damage to, or destruction or loss of use of, any property, which may arise as a result of, or incidental to, the entering into or performance of this Agreement, the existence or maintenance of the Improvements, the use or occupancy of the Improvements, or any act or omission of the Owner or its officers, agents, employees or contractors.

COPY

7. INSURANCE: (A) The Owner further agrees to secure and maintain, at a minimum and at its sole cost and expense, the following liability insurance coverages with respect to the maintenance and use of the Improvements, which coverages shall be maintained throughout the existence of this Agreement:

1. Personal injury liability for injury or death to one person: $1,000,000.00;
2. Personal injury liability for injury or death to any number of persons with respect to one occurrence: $1,000,000.00;
3. Property damage liability per occurrence: $1,000,000.00.

The City shall be named as an additional party insured under all of the liability coverages that are obtained with respect to the Improvements. The coverages that are required herein must be written by a company which is acceptable to the City and which is licensed to do business in the State of Nevada, and each policy with respect thereto shall provide that such coverages may not be canceled or materially altered without providing the City with sixty (60) calendar days' prior written notice of such cancellation or alteration.

(B) Within five (5) calendar days after the execution of this Agreement, and as a precondition to its continuing in force and effect, the Owner shall submit to the City a certificate of insurance

which evidences the required coverages. Such insurance coverages shall be so endorsed as to create the same liability on the part of the insurer that would exist if separate policies had been written for each the Owner and the City.

(C) In the event that any of the insurance coverages that are required herein is canceled, terminated, reduced or restricted, and the Owner fails to obtain equivalent replacement coverage before such cancellation, termination, reduction or restriction becomes effective, the City may terminate this Agreement in accordance with the provisions of Paragraph 9 hereof.

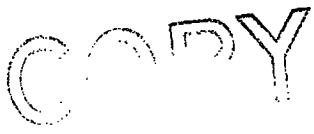
8. COMPLIANCE WITH LAWS AND REGULATIONS: The Owner further agrees that, during the existence of this Agreement, the maintenance and use of the Improvements, and the use of the space that will be occupied thereby, shall conform in every respect to all current and subsequently enacted building and related statutes, ordinances, codes, orders, resolutions, rules and regulations.

9. TERMINATION; RELOCATION: The City may terminate this Agreement and order the removal of the Improvements, or may order the relocation of the Improvements, for any reasons upon at least thirty (30) calendar days' written notice to the Owner. The removal or relocation of the Improvements shall be at the Owner's expense and shall be completed, in a manner satisfactory to the City, within ninety (90) calendar days after the Owner's receipt of such notice. If the Owner fails to remove or relocate the Improvements in a satisfactory and timely manner, the City shall have the right to cause the removal or relocation thereof at the Owner's expense. The Owner shall pay the costs of such removal or relocation within thirty (30) calendar days after its receipt of a written demand therefor from the City.

10. NOTICES: Any notice which is required or permitted to be given under this Agreement shall be delivered in person or mailed to the parties and addresses listed below:

TO THE CITY:

City of Las Vegas
City Manager's Office
400 Stewart Avenue
Las Vegas, Nevada 89101



TO THE OWNER:

LEWIS CENTER PARKING, LLC
8910 W. TROPICANA AVENUE, #3
LAS VEGAS, NV 89147

11. BINDING UPON SUCCESSORS: It is understood and agreed that the obligations that are imposed upon the Owner by this Agreement shall run with the land and shall be binding upon any subsequent owner, assign and transferee of, and any successor in interest (including any heir of any such person) to the property, as described in Exhibits "A" and "B", for whose benefit the encroachment herein is permitted.

12. RECORDATION: This Agreement shall be filed and recorded in the Office of the County Recorder of Clark County, Nevada.

13. HOLDS: In the event that this Agreement is not executed or not satisfactorily completed, and / or the $25.00 fee has not been paid, and / or proper insurance documentation has not been received by the City, holds can and will be placed on any related civil plan approval, permits of any kind, inspections, bond releases, and / or on the Certificate of Occupancy pertaining to the project named in this Agreement and / or on the parcel(s) listed in this Agreement.

14. PARAGRAPH HEADINGS: The paragraph headings, which appear herein, are for convenience of reference only and shall not be construed as defining, limiting or extending the scope or intent of the paragraphs to which they pertain.

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

CITY OF LAS VEGAS

OSCAR B. GOODMAN, Mayor

The "City"

COPY

Approved as to form:

John Ridilla 1/2/08

DATE

John Ridilla
Deputy City Attorney

ATTEST:

Beverly K. Bridges, CMC
~~Acting~~ City Clerk

LEWIS CENTER PARKING, LLC

By _____

The "Owner"

USE BLACK INK ONLY AND DO NOT WRITE WITHIN THE 1" BORDER

By B. Mahlo al Brown

Printed name of person signing above

CERTIFICATE

I, B. Mahlon Brown certify that I am a / the OWNER of the limited liability company named as Owner in the foregoing Agreement; that, B. Mahlon Brown who signed said Agreement on behalf of the Owner was then a / the Owner of that company; and that he or she was duly authorized to sign said Agreement for and in behalf of that company.

USE BLACK INK ONLY AND
DO NOT WRITE WITHIN THE 1" BORDER

Patricia Cook Brown
Witness

Patricia Cook Brown
Printed name of Witness

ATTENTION NOTARY: please notarize the signature of the above witness using black ink only and your stamp must be in black or dark blue ink and please do not write within the 1" border

STATE OF Oregon)
) Ss.
COUNTY OF Jackson)

COPY

On this 26 day of, December 2007, before me personally appeared, Patricia Cook Brown known or proved to me to be the person who executed the above instrument, who acknowledged that he is a / the Owner of, the company named as Owner above, and that he executed the foregoing instrument on behalf of said company for the purposes therein stated.

Amanda Dailey
NOTARY PUBLIC
IN AND FOR SAID COUNTY AND STATE

OFFICIAL SEAL
AMANDA DAILEY
NOTARY PUBLIC-OREGON
COMMISSION NO. 378265
MY COMMISSION EXPIRES MAR. 8, 2008

ATTENTION CLARK COUNTY: after recording please send to City of Las Vegas, Land Development, Attention Michael Rigsby, 731 South Fourth Street, Las Vegas, NV 89101

INDIVIDUAL ACKNOWLEDGMENT

State/Commonwealth of Oregon
County of Jackson } ss.

On this the 26 (Day) day of December (Month), 2007 (Year), before me, Amanda Dailey (Name of Notary Public), the undersigned Notary Public, personally appeared B. Mahlon Brown (Name(s) of Signer(s))

☐ personally known to me – **OR** –

☒ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same for the purposes therein stated.

COPY

OFFICIAL SEAL
AMANDA DAILEY
NOTARY PUBLIC-OREGON
COMMISSION NO. 378285
MY COMMISSION EXPIRES MAR. 8, 2008

WITNESS my hand and official seal.

Amanda Dailey
Signature of Notary Public

Amanda Dailey, Medford OR
Other Required Information (Printed Name of Notary, Residence, etc.)

Place Notary Seal and/or Any Stamp Above

OPTIONAL

Although the information in this section 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.

Description of Attached Document

Title or Type of Document: _____

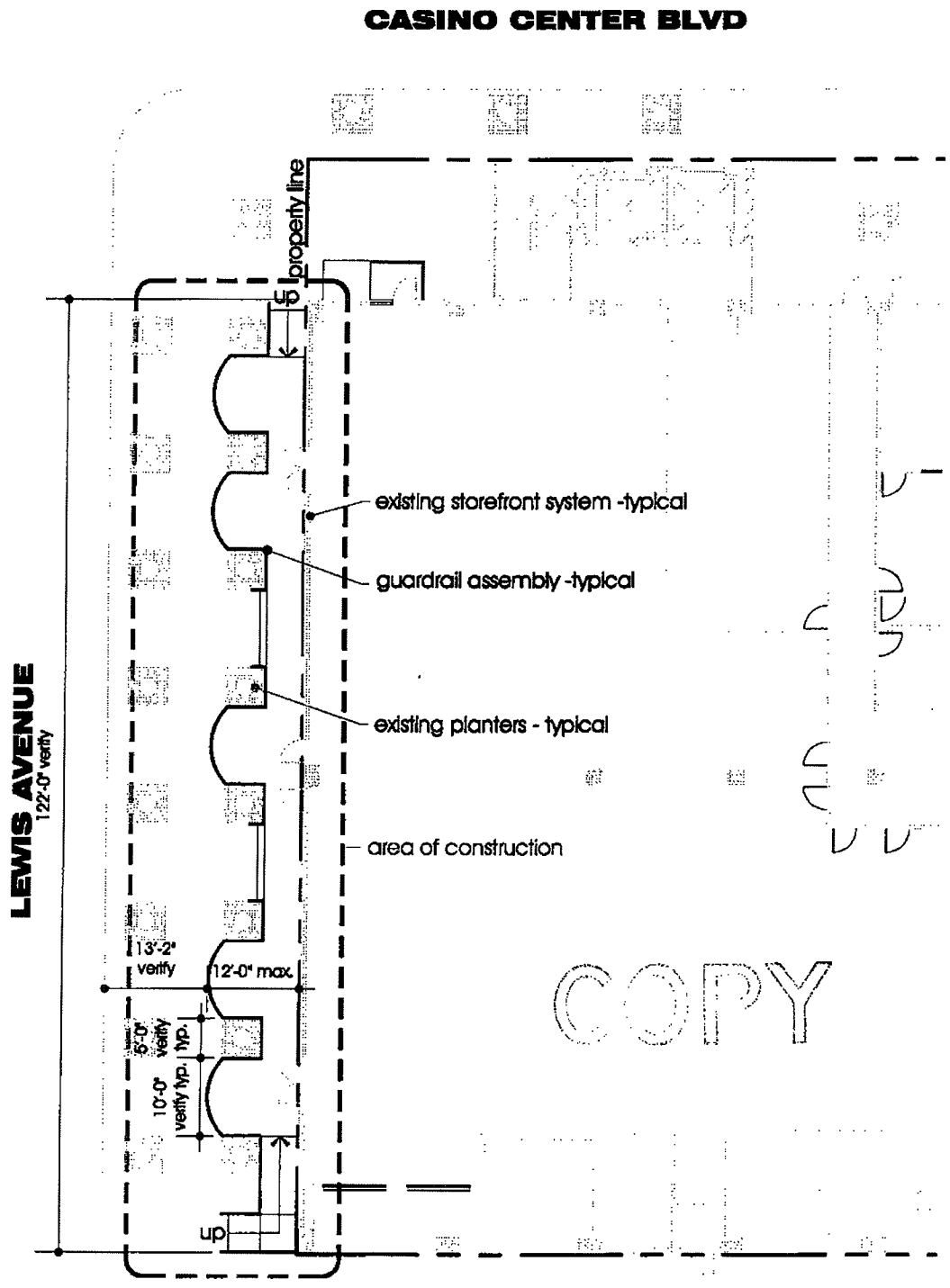
Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Right Thumbprint of Signer
Top of thumb here

© 2002 National Notary Association • 9350 De Soto Ave., P.O. Box 2402 • Chatsworth, CA 91313-2402 • www.NationalNotary.org
Item No. 5936 Reorder: Call Toll-Free 1-800 US NOTARY (1-800-876-6827)

EXHIBIT "A"

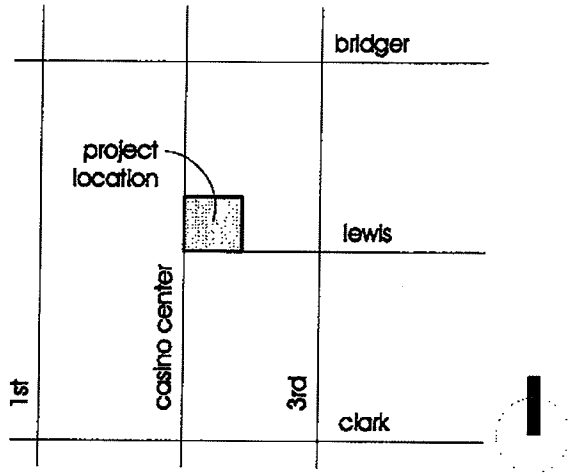


site plan

not to scale

EXHIBIT "B"

vicinity map



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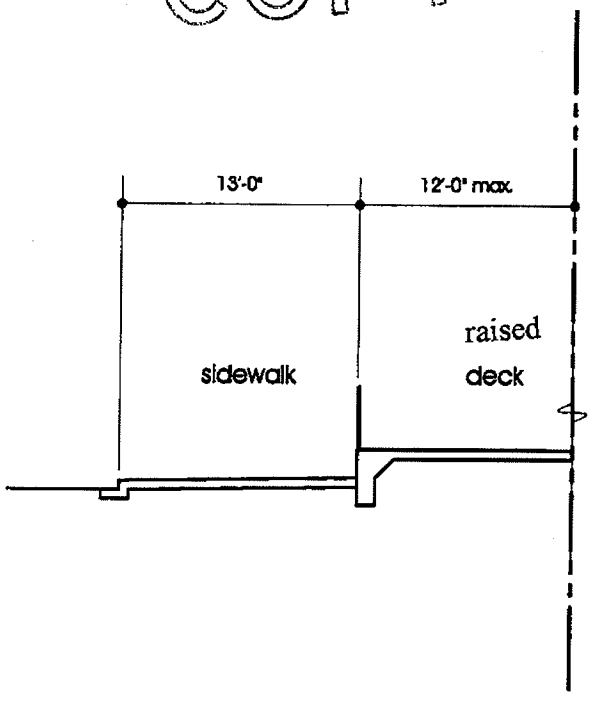

City of Las Vegas Agenda Item No.: **19.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: FINANCE
DIRECTOR: CANDACE FALDER ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $37,504,683.65
Funding Source: All Funds
Dept./Division: Finance Department

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 Department.

RECOMMENDATION:
None

BACKUP DOCUMENTATION:
Summary of Cash Expenditures for the period 06/16/11 - 06/30/11

City of Las Vegas

Summary of Cash Expenditures

For period of 06/16/11 to 06/30/11

Total Services & Materials Checks :	**$10,682,114.32**
Total Services & Materials EFT Payments :	**$11,961,964.66**
Total Wire Transfers:	**$8,686,116.81**
Total Payroll Checks:	**$6,174,487.86**
Grand Total:	**$37,504,683.65**

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

Candace Falder
Director of Finance

Beverly K. Bridges, MMC
City Clerk

On July 20, 2011 the City Council approved the above cash expenditures.

Carolyn G. Goodman
Mayor

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: FINANCE
DIRECTOR: CANDACE FALDER ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve a report by the City Treasurer of the June 28, 2011 sale of properties subject to the lien of a delinquent assessment in Special Improvement Districts 505 - Ward 6 (Ross)

Fiscal Impact

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

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

RECOMMENDATION:
Report only, no action required.

BACKUP DOCUMENTATION:
Report of Sale Memorandum from Candace Falder, Director of Finance

Memorandum

City of Las Vegas

Department of Finance

To: Mayor Carolyn G. Goodman
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steven D. Ross
Councilman Ricki Y. Barlow
Councilman Stavros S. Anthony
Councilman Bob Coffin

From: Candace Falder, Finance Director –Finance Department

Cc: Elizabeth N. Fretwell, City Manager
Orlando Sanchez, Deputy City Manager
Mark R. Vincent, Chief Officer
Karen Coyne, Chief Officer
Scott D. Adams, Chief Urban Redevelopment Officer
Brad Jerbic, City Attorney
Beverly K. Bridges, City Clerk

Date: July 6, 2011
Re: Report of Sale on Delinquent Parcels in SID Districts 505, and various districts

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

On May 4, 2011, the City Council approved the delinquency list and foreclosure notices were mailed to delinquent property owners for Special Improvement Districts 505 and various districts. On June 9, 2011 the first of three weekly publications of the Notice of Sale occurred. Of the 22 parcels publicized, 16 either paid their assessment current or paid it off in full prior to the June 28, 2011 sale; and certificates on 6 parcels were sold.

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

Parcel #	Certificate Buyer	Address	Amount
125-16-511-054	SAMUEL J. GREGORIO	10986 FLORENCE HILLS ST, LAS VEGAS, NV 89141	$1,253.71
125-16-613-009	ANTIONETTE ROMA REVOCABLE TRUST	4385 W MAULE AVE, LAS VEGAS, NV 89118	$568.09
125-16-614-046	EQUITY TRUST COMPANY CUSTODIAN FBO BOBBY MATSUMOTO IRA	225 BURNS RD, ELYRIA, OH 44035	$561.98
125-16-815-032	YVONNE HIGA	1701 E WINGATE ST, COVINA, CA 91724	$558.35
125-16-816-034	MICHELE ADAMS	1420 BROAD ARROW DR, LAS VEGAS, NV 89032	$513.00
125-16-822-028	WERNER A HELLMUTH OR WERNER A HELLMUTH FAMILY TRUST	2180 PINETOP LN #101, LAS VEGAS, NV 89119	$558.67

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: FINANCE
DIRECTOR: CANDACE FALDER ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve award of Agreement No. 110220-DC, Prime Design Services Agreement for Rancho Drive Capacity Improvements, Decatur Boulevard to Rainbow Boulevard - Department of Public Works - Award recommended to: STANLEY CONSULTANTS, INC. ($1,900,000 - Road and Flood Capital Projects Fund) - Wards 5 and 6 (Barlow and Ross)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $1,900,000
Funding Source: Road and Flood CPF
Dept./Division: Public Works

PURPOSE/BACKGROUND:
This agreement provides for the design of roadway, drainage and sewer improvements along Rancho Drive between Decatur Boulevard and Rainbow Boulevard. This item is exempt from the competitive bidding process pursuant to NRS 332.115.1(b), Professional Services.

PCC: D. Collins
POC: Michael E. Hunzinger - (702) 369-9396

RECOMMENDATION:
That City Council approve award of Agreement No. 110220-DC, Prime Design Services Agreement for Rancho Drive Capacity Improvements, Decatur Boulevard to Rainbow Boulevard to Stanley Consultants, Inc. in the amount of $1,900,000. Authority to execute the Agreement is given to the Purchasing Manager per R-48-2006.

BACKUP DOCUMENTATION:
1. Agreement No. 110220-DC
2. Certificate - Disclosure of Ownership/Principals

PRIME DESIGN SERVICES AGREEMENT
FOR
RANCHO DRIVE CAPACITY IMPROVEMENTS – DECATUR TO RAINBOW

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 **STANLEY CONSULTANTS, INC.**, (the "Consultant"), a corporation, whose address is **5820 S. Eastern Avenue, Suite 200, Las Vegas, Nevada, 89119**.

W I T N E S S E T H:

WHEREAS, the City intends to construct the Rancho Drive Capacity Improvements – Decatur to Rainbow (herein the "Project"); and

WHEREAS, 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.

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 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 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 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 including written permission to make changes or modifications to the plans.

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 including written permission to make changes or modifications to the plans. 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. The Consultant shall deliver to the City's authorized designated representative named in **Exhibit "B"** (Required Submittals) certificates indicating that such insurance is in effect before any services are provided under this Agreement and renewal certificates not less than 30 days prior to the expiration date of any policy.

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.

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 Mayor, Councilmen, officers, employees and agents (herein the "Indemnities"), 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") to the extent that such Claims are caused by the negligence, errors, omissions, recklessness or intentional misconduct of the Consultant, its employees, subcontractors, agents or anyone employed the Consultant's 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 brought against them, or any of them, which is caused by the negligence, errors, omissions, recklessness or intentional misconduct of the Consultant, its employees, subcontractors or agents, for and against which the Consultant is obligated to indemnify the Indemnitees pursuant to this Section, 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 or the Consultant's insurer fails to defend the Indemnities as required herein, the Indemnitees shall have the right, but not the obligation, to defend the same and, if the Consultant is adjudicated by the trier of fact to be liable, the Consultant agrees to pay the direct and incidental costs of such defense (including attorney fees and court costs) which is proportionate to the liability of the Consultant.

As used in this Section 10.06, "agents" means those persons who are directly involved in and acting on behalf of the City or the Consultant, as applicable, in furtherance of the contract or the public work to which the contract 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 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 or (ii) 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, City Clerk Date

APPROVED AS TO FORM

John S. Ridilla 6/14/11
Deputy City Attorney Date

John S. Ridilla
Deputy City Attorney

CONSULTANT

By_____
~~Gregory Gesicki, Stanley Consultants, Inc.~~
Michael E. Hunzinger, Senior Vice President
Stanley Consultants, Inc.

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

ARTICLE 100: GENERAL INFORMATION

100.1 Project Overview

100.1.1 Project Overview Description

The Scope of Services to be provided under the terms of this agreement addresses the design and preparation of Contract Drawings, including Special Provisions and Cost Estimate for roadway, drainage and sewer improvements along Rancho Drive between Decatur Boulevard and Rainbow Boulevard. The project limits span over 3 miles from the northern most intersection of Decatur Boulevard and Rancho Drive, north to Rainbow Boulevard and will require adequate transition between Rainbow Boulevard and US95. This project will interface with the "City of Las Vegas Rancho Drive and Decatur Boulevard Improvement project" at its south end, with extensive coordination between that project and the "City of Las Vegas Rancho Drive Capacity Improvements – Decatur to US95 project" to produce a contiguous, uniform design. The proposed improvements are located within Nevada Department of Transportation jurisdiction. Overhead power poles are located along the majority of the alignment.

Two design options will be prepared for the 30% submittal and are as follows:

Option A: Rancho Drive will be redesigned to include: construction of incomplete improvements (i.e. sawtooths, sidewalk, curb and gutter); 10' wide sidewalks where right-of-way is available (5' wide sidewalks where it's not); ADA sidewalk ramps; bus turnouts; turn lanes at major intersections; new streetlights, traffic signals and striping; preservation of existing sidewalk; median modifications to include beautification elements within the 14-foot wide median and reduced median widths at intersections; mill and overlay and removal/replacement of existing AC where necessary.
Option B: Rancho Drive will be redesigned to include: a fourth outside travel lane in both directions (for local transit services); reconstruction of curb and gutter and sidewalks (curb line moves in); ADA sidewalk ramps; bus turnouts; turn lanes at major intersections; new streetlights, traffic signals and striping; 10-foot wide sidewalks and include an amenity zone; median modifications to include beautification elements within the 14-foot wide median and reduced median widths at intersections; mill and overlay and removal/replacement of existing AC where necessary.

After the 30% design phase, this agreement will be based on Option A. If Option B is chosen, it will be covered with additional services.

Rancho Drive generally has 125-feet of existing right-of-way. Option A may be accommodated without extensive right-of-way acquisition. Option B may include right-of-way acquisition. Part of the 30% design will include right-of-way research to determine how much right-of-way may need to be acquired for either option. It is anticipated that right-of-way may be necessary to accommodate new turn lanes, bus turnouts, traffic signals, and drainage improvements. Temporary Construction Easements (AKA as Authorization to Enter Property) will be required.

Rancho Drive has areas that are identified as FEMA Flood Zone A, therefore a hydrologic and hydraulic design analysis following NDOT and City criteria will be required.

Previous sewer assessment testing has shown that sewer improvements are required and include rehabilitation of approximately 900 feet of 24-inch sewer, 1300 feet of 21-inch sewer and 1250 feet of 15-inch sewer. The rehabilitation of approximately 12 sewer manholes is also needed. In general, the sewer lines are located within Rancho Drive between Craig Road and Gowan Road. City of Las Vegas enterprise sanitation funds will be used for design and construction of these improvements.

Design funding is provided by the Regional Transportation Commission. Construction funding for this project has not yet been identified, however federal funding may be pursued.

100.2 Construction Cost Budget

100.2.1 Construction Cost Budget: To Be Determined, Section 1.08 Responsibility for Construction Document Revisions does not apply.

100.3 Project Contact Information

100.3.1 The City Engineer or their authorized representative is hereby designated as the City's Representative with respect to this Agreement. The City's 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. All inquiries concerning the project should be directed to the City Engineer or his

authorized representative and the Consultant should not contact internal units of the City unless directed to do so. This policy is effective throughout the life of the project.

100.3.2 The Consultant's Representative is hereby designated as the Consultant's Project Manager listed in Exhibit "F", who shall be responsible for the services required under this Agreement. All of the services specified by this Agreement shall be performed by the Consultant's Representative, or by the associates and employees identified in the Consultant's proposal provided that such associates and employees perform under the personal supervision of the Consultant's Representative. All employees identified in the Consultant's cost proposal shall be subject to approval by the City's Representative. Should the Consultant's Representative, or any associate or employee, be unable to complete his or her responsibility for any reason, the Consultant will replace the employee with a qualified person approved by the City. If the Consultant fails to make a required replacement within thirty (30) days, the City may terminate this Agreement for default.

100.4 Plan Control and Standards

100.4.1 All plans, designs, specifications and estimates shall conform to the City standard practices, which are based on the latest edition of the following documents:

100.4.1.1 Policy on Geometric Design of Highways and Streets (AASHTO)
100.4.1.2 Uniform Standard Specifications for Public Works' Construction, Off-Site Improvements, Clark County Area, Nevada
100.4.1.3 Uniform Standard Drawings for Public Works' Construction, Off-Site Improvements, Clark County Area, Nevada, Volume I and Volume II
100.4.1.4 Nevada Department of Transportation (NDOT) Standard Plans for Road and Bridge Construction and NDOT Standard Specifications for Road and Bridge Construction
100.4.1.5 Manual on Uniform Traffic Control Devices
100.4.1.6 Clark County Regional Flood Control District's Hydrologic Criteria and Drainage Design Manual
100.4.1.7 Las Vegas Valley Flood Control Master Plan Update (MPU), current edition
100.4.1.8 Central Neighborhood Flood Control Master Plan, Volume I & II, March 2005
100.4.1.9 Las Vegas Valley Water District (LVVWD) Rules and Regulations
100.4.1.10 Uniform Design and Construction Standards for Water Distribution Systems, Clark County, Nevada
100.4.1.11 Design and Construction Standards for Wastewater Collection Systems, Southern Nevada
100.4.1.12 Freeway and Arterial System of Transportation (FAST) standards

100.4.2 The design criteria for the following agencies will also be adhered to: City of Las Vegas Sanitary Sewer Planning, Traffic Engineering, and Flood Control; Clark County Regional Flood Control District ("CCRFCD"); Nevada Department of Transportation ("NDOT"); Las Vegas Valley Water District ("LVVWD"); and local utility providers.

100.5 Changes to Scope of Services

100.5.1 If increased scope or workload is encountered, the Consultant is to notify the City in writing and receive written confirmation to proceed prior to the performance of any work related to the increased scope or workload.

100.5.2 The City Engineer or their authorized representative may at any time, only by written order, make changes which may result in an increase or decrease in the services to be performed by the Consultant. If the changes requested by the City cause an increase or decrease in the cost or time required to perform any of the services required hereunder, an equitable adjustment shall be made in the compensation to be paid to the Consultant under Section Seven, or in the time of performance under Section Eight, or both, and this Agreement shall be modified in writing accordingly. Any claim for adjustment under this Section must be asserted in writing within thirty days from the date of receipt by the Consultant of written notification of the changes to the services to be provided by the Consultant unless the City grants in writing a further period of time. Failure to assert such claim within the time limit provided herein shall constitute a waiver of any right to seek any equitable adjustment in compensation with respect to that change.

100.6 Responsibilities of the Consultant

100.6.1 The Consultant shall provide a set of Plans and Special Provisions, for the project described in Section 100.1.1, that are whole and complete, technically accurate, biddable and constructible, meeting the City's reasonable needs and expectations. All design, re-design, coordination, permitting, quality control review, meeting attendance, bid phase assistance, travel, reproduction, computer use or similar items that could reasonably be anticipated which are not limited or excluded elsewhere in this contract or listed specially in additional services, shall be provided by the Consultant for the basic services fee agreed to herein whether they are specifically listed in this scope of services or not.

100.6.2 The Consultant agrees to include in all its subcontracts related to the Project, and require the same of all 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.

100.6.3 Where the Consultant specifies materials and equipment by brand names, provide two (2) or more brand names with model numbers for each item specified and state "or approved equal". Where less than two suitable brand names/model numbers are commercially available state "or approved equal" and provide required documentation per NRS requirements to support single source selection.

100.6.4 Prior to each design submittal, check all documents for technical accuracy, compliance with applicable codes and ordinances, complete incorporation of all design review comments, and coordination within and between design disciplines. Each submittal shall be in accordance with the appropriate submittal requirements listed herein. Incomplete submittals shall be rejected. All costs associated with the re-submittal shall be borne by the Consultant.

100.6.5 The Consultant shall without additional compensation correct or revise any error or deficiencies in the plans, drawings, specifications or other related documents prepared by the Consultant.

100.6.6 The Consultant shall be responsible for all coordination with its subconsultants. Each submittal to the City shall be organized by discipline and shall be thoroughly crosschecked to avoid conflicts between Consultant and subconsultant documents. Vague references to project requirements on other discipline's plans shall not be permitted. Where references to others' plans are necessary for direction, reference notes shall specifically state the drawing number or specification section, as appropriate. It shall be the Consultant's responsibility to advise each subconsultant of this requirement.

100.6.7 The professional services to be rendered by the Consultant under this Agreement shall be in conformance with applicable federal, state and local statutes, acts, rules, codes, ordinances, laws and regulations. These include but are not limited to the Americans with Disabilities Act (ADA) guidelines and requirements including conformance to any ADA provisions and guidelines that have been issued in "final form" regardless of their adoption by the Department of Justice, municipal ordinances, and any other applicable Federal, state and local acts, rules, laws or regulations.

100.6.8 All work, including but not limited to drawings, specifications, and calculations, shall be provided by the Consultant for each and every part of the Project. When complying with NRS 338.140 by listing multiple manufacturers in the specifications, the Consultant shall review options with the City and select the most available, standard, or economical manufacturer's model to fully engineer and include in the bid documents. Should the contractor propose one of the other manufacturers listed in the specifications after award, the cost of the other listed manufacturer's affect on the documents and the construction shall be borne by the contractor, except that the Consultant shall have the duty to cooperate with the contractor in reviewing the proposal for design compliance (including the contractor provided structural calculations) and providing revisions to the Consultant's documents as required to accommodate the proposed change. Such revisions to the Consultant's documents may be an Additional Service, which shall be approved in writing by the City prior to the Consultant making any revisions and charged to the contractor by change order.

100.6.9 The Consultant acknowledges the City's requirement to incorporate the City's "Instructions to Bidders", "General Conditions" and "Division One", incorporated herein by reference, into the Contract Documents prepared for bidding for the Project covered by this Agreement. The Consultant further agrees to perform in accordance with the obligations stated in these referenced documents and agrees to include this provision in all sub-consultant contracts. The Consultant acknowledges familiarity with the City's standard format, terms and conditions of these documents and that such document examples were made available to the Consultant upon request, prior to signing this Agreement.

100.6.10 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 in accordance with the terms of this Agreement and applicable law for the damages to the City caused by the Consultant's negligent act or omission committed in the performance of this Agreement.

100.6.11 Plan and Special Provision Production and Submission

100.6.11.1 All Drawings shall be prepared using AutoDesk's AutoCAD Release 2004 or newer release in accordance with industry accepted standards. Specifications shall be prepared in City standard format using the software program Microsoft Word 2000 or newer release. The use of any other software for drawings or specifications production requires prior written approval from the City's Representative.

100.6.11.2 All drawing submittals, except the final submittal, submitted by the Consultant will be printed on white bond paper. The final construction drawings will be printed on 4 mil, double matte mylar. All full size reproducible copies will be on 24" x 36" sheets (with 22" x 34" border) and all half size reproducible copies shall be on 11"x17" sheets (representing true half size of the full size plans). **Plans that do not meet these requirements will not be accepted.**

100.6.11.3 Special Provision format will follow the City standard provided to the Consultant. Special Provisions shall be stamped and signed by the appropriate design professional. **Special Provisions that do not meet these requirements will not be accepted.**

100.6.11.4 Within five business days of each hard copy design submittal, the Consultant will submit electronic files of the AutoCAD files, including drawings and data files, and an Adobe Portable Document Format (PDF) file, 11"x17" print size, for each plan sheet submitted. In addition, the Consultant will submit electronic files of the Special Provisions in Microsoft Word format and one comprehensive Adobe PDF file, with appropriate formatting, of the entire set of Special Provisions. All electronic files shall be submitted on either a CD-ROM or a DVD disk that can be read by any industry standard hardware. **If electronic files are not submitted within five business days of the hard copy design submittal, the City will consider the design submittal incomplete and may reject the submittal in its entirety. If rejected all costs for the resubmittal shall be borne by the Consultant.**

100.6.11.5 Prior to any electronic submittal, the Consultant shall, using commercially available software with current virus definitions, certify that electronic submittals are free of electronic "viruses", "worms", "Trojan horses", and other programs or data stored on the host computer or the electronic submittal. Should the City choose to check incoming electronic submittals for such afflictions, utilizing commercially available software and at the first indication of such an affliction, the entire electronic submittal will be considered unacceptable and will be returned to the Consultant. The Consultant shall remove the unwanted programs or data and further verify the integrity of the electronic submittal. The Consultant shall bear the expense of correction, checking and re-submittal and shall not be released from submittal requirements.

100.6.12 Cost Estimates

100.6.12.1 The Consultant shall prepare and provide a detailed Construction Cost Estimate with each submittal. The cost estimate shall be prepared in City standard format using the software program Microsoft Excel 2000 or newer release. The Consultant will provide unit costs, quantities and other estimating parameters for each component or work, reflecting current market conditions and costs. The Consultant will reconcile each successive estimate to the one provided at the preceding submittal. The Consultant shall incorporate appropriate contingencies based on the completed level of design. **If the cost estimate is not included in the design submittal, the City will consider the design submittal incomplete and may reject the submittal in its entirety. If rejected all costs for the resubmittal shall be borne by the Consultant.**

100.6.13 Construction Change Orders

The City has a formal construction contract change order approval process. Proposed change orders are negotiated and reviewed by City Engineering and Construction Management staff (and the construction management consultant when one has been retained). Change orders are then reviewed for approval by the City Change Order Committee. Part of that approval process will be checking a box on the Change Oder Tracking Form indicating the reason for the change order based on information available to the committee at that time. If the change order appears to relate to a consultant design deficiency then either the Reason Code box "E&O Value" or "E&O No Value" will be checked. "E&O" value will be checked if it appears the apparent design deficiency results in added cost to the project but all, or a substantial part, of that cost would have been incurred in the original bid if the deficiency did not exist. "E&O No Value" will be checked if it appears that little or no cost to the project would have occurred if the deficiency did not exist. The City may use this data, as well as any other relevant data, in exercising its rights under this agreement to seek compensation for Consultant errors and omissions.

The City will make reasonable efforts to copy all approved change orders (with the tracking form included) and construction change directives to the consultant In order to provide the consultant an opportunity to prevent similar instances from occurring on future projects, to allow the consultant to review the potential for similar instances to occur during the progress of this project (and to work with City and Contractor to minimize the potential for future financial impacts when possible regardless of the reason code box checked) and to give advance notice to Consultant to prepare for potential financial impacts to the Consultant and/or for the Consultant to provide documentation to the City as whether the appropriate reason code box has been checked.

There may, at times, be a benefit for the consultant to review change orders or construction change directives prior to final negotiation and approval. This could provide the consultant with an opportunity, prior to finalization, to determine that a proposed change order or construction change directive may be excessively priced, not a legitimate change in the scope of the Contractor's work, outside of the Consultant's scope of work, detrimental to the Consultant's design, uncoordinated with the Construction Documents, potentially harmful to public safety, or a violation of codes, laws and regulations. Therefore the City will make reasonable efforts to notify the consultant of possible change orders or construction change directives prior to final negotiation and approval. And to, when appropriate, request the

consultant to sign acknowledgement and concurrence on the final change order or construction change directive or to make formal revisions to the plans and/or specifications. However, given time constraints and the need to limit Contractor delay claims (that can often quickly exceed the cost of the change order), advance notice to the consultant is not always possible or practical. And, in fact, potential change order work, including force account work, is sometimes allowed to proceed prior to any change order being drafted or reason code applied by City.

100.6.14 The Consultant shall be responsible for performing all work necessary to complete the following schedule of work, more fully described in the following sections:

Upon written agreement with both parties an intermediate design submittal may be changed in definition of percentage complete without change to the basic service fee amounts (for example changing the 70% submittal to a 50% submittal). The written agreement would detail any resulting change in billing schedule. Should an additional submittal be requested by the City (for example adding a 50% submittal in addition to a 30% and a 90% submittal) this work would be paid for in accordance with Section 3.01, 3.02 and 7.02 of this Agreement.

100.6.14.1 Article 200 – Preliminary and General Items

100.6.14.2 Article 300 – 30% Design Phase

100.6.14.3 Article 400 – 70% Design Phase

100.6.14.4 Article 500 – 90% Design Phase

100.6.14.5 Article 600 – 100% Design Phase

100.6.14.6 Article 700 – Not Used

100.6.14.7 Article 800 – Not Used

100.6.14.8 Article 900 – Not Used

100.7 Responsibilities of the City

100.7.1 The City shall be responsible for the following:

100.7.1.1 Shall furnish a copy to, or make available for examination or use by, without a fee, the Consultant, any documents and data which the City has available including, reports, maps, plans, specifications, surveys, records, ordinances, codes, regulations, 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.

100.7.1.2 Access arrangements for the Consultant to enter upon City owned property as required to perform their services.

100.7.1.3 Acquire any property, authorizations to enter property, easements, or other project rights required to construct the Project.

100.7.1.4 Provide and conduct bidding activities, including printing and distribution of bid and construction documents, except as specifically required to be provided by the Consultant in this Scope of Work.

100.7.2 The City's Review Process

100.7.2.1 Upon receipt of any documents furnished by the Consultant, the City Representative shall conduct a preliminary review of such documents and determine whether the documents comply with the scope of the Project. After the preliminary review, if the City Representative determines that the documents are insufficient, inadequate, or incomplete, the City shall notify the Consultant and request documents which are professionally complete and appropriate for each service phase submitted. The decision by the City Representative in this matter shall be final.

100.7.2.2 If the City Representative determines, after requesting the Consultant to provide corrected and professionally complete Phase submittals, that the documents remain insufficient, inadequate, or incomplete, the City may: (i) declare the Consultant in default, or (ii) demand a letter of explanation from the Consultant as to the reason the furnished documents are insufficient, inadequate or incomplete. If the City elects

the second option, the Consultant, at Consultant's own expense, shall furnish additional sets of all documents that are sufficient, adequate and complete in the discretion of the City Representative for review by the City. The Consultant, at Consultant's own expense, shall attend any meeting, whether formal or informal, including the City Council meeting when requested by City to explain the reason the Consultant presented inadequate, insufficient, or incomplete documents to the City, and the delay, if any, that such submittal and re-submittal may cause in completion of the Project.

100.7.2.3 The City's review period in the Project Schedule shall not begin until the City Representative determines that the documents presented by Consultant fully comply with the requirements. After the City Representative determines that the documents comply with such requirements, the City shall begin a review of the documents.

100.7.2.4 After the City reviews the documents, one or several set(s) of the documents shall be returned to the Consultant with comments and corrections noted thereon. The Consultant shall make the changes necessitated by the corrections or other comments into the documents, and return the correction set(s) with the corrected documents, together with written responses to the City's correction(s), comments(s), and change(s), which state the action taken and reason for such action for each item presented by the City. Consultant will scan the written comments and provide them to the City by an FTP site or on a CD.

ARTICLE 200: PRELIMINARY AND GENERAL ITEMS

200.1 Project Management

200.1.1 Project management will include work necessary for communication and completion of the project tasks on time and within budget. The Consultant's Project Manager or their primary duties will not be reassigned without the written consent of the City's Project Manager. The Consultant's staff will have the training and expertise necessary for the work tasks to which they are assigned.

200.1.2 The Consultant will provide invoices in the standard format provided by the City's Representative. Invoices will be accompanied by a cover letter explaining the general status of the project, including at a minimum the work completed to date, the anticipated remaining efforts and required schedule changes; progress report form; supporting data for direct expenses (when specified expenses are allowed per Exhibit D, herein); and an updated project status report reflecting Scope of Work activities identified by the City Representative.

200.1.3 On a weekly basis, or a time frame approved by the City's Representative, the Consultant's Project Manager will update the City Representative with regards to the status of the project schedule, budget and general status/progress. This task is in addition to Design Progress Meetings and may be performed in a phone, email or mailed correspondence as approved by the City Representative.

200.2 Kick-Off Meeting and Design Progress Meetings

200.2.1 Consultant shall prepare an agenda and schedule and attend a kick-off meeting with the City and other agencies as required within ten calendar days of the issuance of the Notice to Proceed. This meeting will be held to review the scope of work, discuss data and information provided by the City, review the project schedule (prepared by the Consultant using Microsoft Project or software approved by the City's Representative), introduce key personnel, establish lines of communications and clarify the City's and other government agency requirements for the Project, and identify any missing data and information necessary to proceed with the Project. Within five business days following the kick-off meeting, the Consultant will prepare and distribute draft meeting minutes to the City's Project Manager and meeting attendees (an e-mail to the City's Representative of the draft minutes is acceptable). The Consultant shall prepare and distribute final meeting minutes after the draft meeting minutes are approved by the City's Representative.

200.2.2 Deliverables: **Project Kick-Off Meeting Agenda, Preliminary project schedule and copies for distribution at Kick-Off Meeting; Project Kick-Off Meeting Minutes.**

200.2.3 Consultant shall attend approximately twenty (20) progress/coordination meetings to be held with the City, other relevant agencies and utility companies. Design Progress meetings shall be conducted on a monthly basis, or a time frame approved by the City's Representative, at the City's offices and will be attended by the Consultant's Project Manager, Project Engineer and other key personnel as determined to be necessary. Consultant shall prepare an agenda for each of the progress meetings. Within five business days following the progress/coordination meeting, Consultant shall prepare and distribute draft meeting minutes to the City's Representative and meeting attendees (an email to the City's Project Manager and meeting attendees of the draft minutes is acceptable). The Consultant shall prepare and distribute final meeting minutes after the draft meeting minutes are approved by the City's Representative and after receipt of comments from all meeting attendees.

200.2.4 Deliverables: **Design Progress Meeting Agenda and copies for distribution at Design Progress Meetings; Design Progress Meeting Minutes.**

200.3 Utility and Agency Coordination

200.3.1 Consultant shall coordinate with all utilities and agencies having facilities within the limits of or adjacent to the Project throughout the duration of the project, this includes attendance to all related meetings. The Consultant will contact the utility companies and other governmental agencies early in the project to obtain information relating to the location, size and type of facilities owned by that Utility. Existing utilities shown on base mapping will be submitted to the utility companies by the Consultant to verify size and location. The Consultant shall determine the need to perform utility potholes to locate existing utilities that may interfere with the proposed improvements. The Consultant shall coordinate meetings with the affected utilities for timely resolutions to the utility conflicts. Refer to Section 300.4, Utility Potholing, or potholing requirements per this Contract.

200.3.1.1 Clark County Regional Flood Control District ("CCRFCD")

200.3.1.2 Clark County Department of Public Works

200.3.1.3 City of Las Vegas departments, including but not limited to, Fire Services, Flood Control, Parks, Collection System Planning, Traffic Engineering, Field Operations, and Land Development

200.3.1.4 Both City of Las Vegas Capital Project Management teams designing Rancho Capacity Improvements south of Decatur Boulevard to US95

200.3.1.5 Las Vegas Valley Water District ("LVVWD") and Southern Nevada Water Authority ("SNWA")

200.3.1.6 Freeway and Arterial System of Transportation ("FAST")

200.3.1.7 Utility providers, including but not limited to, Nevada Energy Transmission and Distribution, Century Link, Cox Communications, Southwest Gas Corporation, AT&T Fiber Optic Cable, American Fiber Systems (AFS)

200.3.1.8 Nevada Department of Transportation ("NDOT")

200.3.1.9 The City of North Las Vegas and

200.3.1.10 Other local and state agencies as required.

200.3.2 The Consultant shall prepare a utility conflict schedule and pothole plan to advise the City's Representative of any utility conflicts, coordinate utility requests for information, monitor status of proposed utility projects within the projects limits and meet as required with utility companies to resolve conflicts. Major utility relocation design plans may be required. Unless otherwise mentioned in this scope of services, major utility relocations will be paid for separately under Additional Services Tasks upon separate authorization by the City.

200.3.2.1 Preparation of minor utility relocation plans, by the Consultant and coordination for incorporation of those prepared by the Utility Companies themselves that were anticipated by the Consultant, or reasonably should have been, at the time of this agreement shall be considered incidental to this task and no other applicable design tasks.

200.3.2.2 Coordination with utilities, incorporation of utility plans, and preparation of designs by the Consultant in relation to new services, connections for City facilities (such as power service for street lights and traffic signals and water hookups for City irrigation lines) that were anticipated by the Consultant, or reasonably should have been, at the time of this agreement shall be considered incidental to this task and no other applicable design tasks.

200.3.2.3 Nothing in this section shall be construed as preventing this Exhibit "A" from specifically detailing the Consultant's scope for anticipated minor utility relocations and/or new service connections with individual tasks identified and associated man hours and costs shown in Exhibit "D" when warranted.

200.3.3 The Consultant shall coordinate with the City of Las Vegas' Land Development Services Section for current projects, encroachment agreements, covenants running with the land and any other mapping that may have an impact on the project.

200.3.4 The Consultant shall submit design plans for review from the various utility companies for the 30%, 70%, 90% and Pre-Final submittals.

200.3.5 The Consultant shall submit design plans for review and obtain approval signatures from the various utility companies on final mylar prints prior to submitting to the City of Las Vegas.

200.3.6 Consultant shall notify the City of any required utility, application, permit and review fees, which will be paid for by the City.

200.3.7 The City's Representative shall give approval of documents prior to being submitted to any regulatory agency for permit review and approval.

200.3.8 City Engineer's Office is NOT A REGULATORY AUTHORITY. The Consultant does hereby acknowledge, understand and agree that the City Engineer's Office, acting as the City's representative for purposes of the Project, does not have any control, authority or influence over the decisions or requirements of other departments of the City acting in a regulatory capacity including, but not limited to, the Building Department, Fire Department, and Planning Department of the City of Las Vegas. The City's representative acts in a capacity similar to that of a representative working for a private property owner which is to ensure that the City receives a quality product, delivered on schedule, for a fair price. Furthermore, the City Engineer's Office does not speak or act for any regulatory authority, nor does any regulatory authority speak or act for the City Engineer's Office. The Consultant agrees that its relationship with the regulatory authorities having jurisdiction over the Project is separate from its relationship with the City, and that the Consultant's interaction with each regulatory authority is to be conducted without assistance from the City.

200.3.9 Deliverables: **Utility and agency project coordination, utility and agency coordination meeting agendas & minutes, project plans to be sent to the utility companies at each design level (30%, 70%, 90% and 100%); and obtain final mylar drawing utility company approval signatures.**

200.4 Project Permits

During the design process, the Consultant shall provide a permit matrix which will determine the permits needed for the Project. Consultant shall prepare all correspondence and permit applications as required by the regulating agencies and assist the City in obtaining required permits. Any required permit not contemplated in this scope of work will be paid for separately under Additional Services upon separate authorization by the City.

The following permits are anticipated for this project:

- NDOT Occupancy Permit – The consultant will have a crucial role in coordination between the City and the Nevada Department of Transportation (NDOT) regarding Occupancy Permit issues. The Consultant shall apply for and obtain all necessary NDOT Occupancy Permits, including any time extensions, as applicable.

200.4.1 Deliverables: **One (1) Matrix of required permits updated at the 30%, 70% and 90% submittals; copies of correspondence with permit agencies; preparation of permit applications and response to comments necessary for permit approval.**

200.5 Accommodation of Federal Construction Funding

200.5.1 Perform research to determine available federal funding options and identify requirements and provide detailed information to the City to evaluate. Prepare a summary matrix of required environmental documentation, permits, approvals, processes, forms and approvals that would have to be completed to utilize federal funding. If the City determines to move forward during design with any additional studies, reports or permits necessary for federal funding work will be paid for separately under Additional Services upon separate authorization by the City.

ARTICLE 300 : 30% DESIGN PHASE

300.1 Survey

300.1.1 Control Survey. Control surveys for the project will include aerial panels and establishing a ground coordinate system. The control survey will be tied to the City's established horizontal and vertical control network. Existing monuments within the project limits will be tied into this control network. Consultant will establish roadway alignments from control information found in the field and record information.

300.1.2 Design Survey. Aerial mapping and field design surveys will be used to develop engineering base sheets and digital terrain models (DTM). All aerial mapping and DTM will be produced from aerials flown at an altitude to produce 1 inch to 40 feet horizontal scale with one-foot contour intervals per National Mapping Accuracy Standards. One-foot interval contours will be developed utilizing a digital terrain program and the aerial mapping. Topographic surveys of existing features will be completed in the field to supplement aerial mapping. Survey shall

extend 350 feet north of the project limits, 100 feet beyond the curb returns on minor intersecting streets, and 300 feet beyond the curb returns on major intersecting streets. Specifically these tasks shall include, but are not limited to, the following:

300.1.2.1 Research existing surveys, parcel maps, ownership records, and other records as necessary to obtain needed data in preparation of all existing rights-of-way and easements for control drawings. *Also included is work associated with resolving dual centerline issues as applicable.*

300.1.2.2 Set panel locations for control in obtaining aerial topography. Topographic mapping to be at 1″ = 40′ horizontal with a contour interval of 1-foot, based upon a published City benchmark

300.1.2.3 Establish both horizontal and vertical control for the Project including preparation of a horizontal control drawing sealed by a Nevada Professional Land Surveyor to identify, as a minimum, horizontal and vertical control points, Project alignment centerline indicating bearings, distances and control point coordinates

300.1.2.4 Establish Project coordinate system

300.1.2.5 All survey shall be in ground coordinates and tied to state plane coordinates (horizontal) and NAVD 88 (vertical) as determined by the most current adjustment of the City of Las Vegas Vertical Control Network.

300.1.2.6 Conduct field survey to identify and locate existing improvements as necessary to supplement aerial topography. Collect field survey data within the construction limits of the project, including but not limited to, existing edge of pavement, culvert and storm drain sizes and elevations, drop inlet locations, lengths and invert elevations, manhole lids and invert elevations, and gutter flow line, top of curb, back of sidewalk elevations, water valves, visible surface utilities including power pole location and diameter with guy wire location and pothole hubs. In areas where it is anticipated that storm drain construction will require full street reconstruction, obtain field survey shots at 50-foot intervals along the top of curbs and street centerline, plus shots at edges of driveways, transitions, and curb returns. Field survey shall extend a minimum of 100 feet for minor street intersections and 300 feet for major street intersections beyond curb returns of adjacent street. Survey shall extend 350 feet north of the project limits. Coordination with NDOT will be required to obtain construction drawings of the current construction project in Rancho Drive at Rainbow Boulevard.

300.1.2.7 The Consultant will coordinate any required private property access with the City's Representative.

300.1.3 Record of Survey. The Consultant shall provide a Record of Survey to be reviewed by City of Las Vegas' City Surveyor. City Surveyor must approve the Record of Survey prior to recordation with the Clark County Recorder. Research available record information, parcel maps, subdivision maps and records of survey to establish a record alignment of the Project. Use this record alignment as a basis to assist in locating existing monuments, during the field survey phase of this Project. **The City will not accept the 30% design submittal unless the Record of Survey is formally submitted and approved in writing by the City Surveyor.**

300.1.4 **Deliverables: The Consultant shall submit three (3) copies of the Draft Record of Survey to the City. Consultant shall address City review comments and submit Final Record of Survey to the City prior to recordation. The Consultant shall record the final approved Record of Survey with the Clark County Recorder.**

300.2 Right-of-Way

300.2.1 Consultant will gather and review right-of-way documentation from the Nevada Department of Transportation and the City, such as Right-of-Way Plats, Title Reports that are on file with the entity, Parcel Maps, Records of Survey, plats etc. and any other documentation necessary to identify and establish the right-of-way limits. Consultant will establish existing property lines and label all lots with the current owners name and Assessor's Parcel Number (APN). Consultant will identify any additional right-of-way to be acquired or easements to be granted. *Consultant will prepare right-of-way drawings for incorporation into the plan set that depicts existing rights-of-way and easements and proposed rights-of-way and easements.* Consultant shall coordinate with NDOT and the City's Right-of-Way Section in the preparation of a right-of-way property schedule (all rights to be obtained or vacated, easements, rights of entry, construction easements as well as current status of the City's acquisitions) and regularly review and redline this schedule as to current status in coordination with the City's Right-of-Way Section. Where existing property is to be disturbed by construction, Consultant shall prepare 8 ½″ X 11″ exhibits showing the location of Authorization to Enter Property (AEP)/Temporary Construction Easement (TCE) areas and include the nature of the construction. For all AEPs, TCEs, easements or rights-of-way that must be acquired for either design condition, consultant may be asked to prepare legal descriptions with property maps showing topographic areas, easements and vesting by the City and will be paid for separately under Additional Services Tasks upon separate authorization by the City.

300.2.2 The City will provide all Title Reports for properties in which right-of-way or easements will be required for the Project and as needed to prepare the existing right-of-way map.

300.2.3 30% Submittal. Consultant shall prepare two (2) right-of-way exhibits, one of Option A and one of Option B, at a legible scale that identify all existing right-of-way and easements, preliminary proposed right-of-way and easement acquisition and AEP/TCE's to be acquired; depict areas with color coding

300.2.4 70% Submittal. Consultant shall prepare 24" x 36" exhibits that shall show all needed right-of-way, easements, AEP/TCE's, etc. for the 70% level. The Consultant shall update the right-of-way property schedule, outlined in 300.2.1, to create an acquisition status table showing parcel numbers, acquisition type, acquisition status, property owner and contact information which will become the "acquisition status table".

300.2.5 90% Submittal. Consultant shall update the 24" x 36" exhibits to show the acquired right-of-way, easements and AEP/TCE's. The "acquisition status table" shall be updated and submitted to the City for review.

300.2.6 100% Submittal. Consultant shall update the 24" x 36" exhibits to show the acquired right-of-way, easements and AEP/TCE's. The "acquisition status table" shall be updated and submitted to the City for review. Consultant shall clearly identify, in the acquisition table, any right-of-way, easements or AEP/TCE's that have not been acquired and an explanation for not having acquired the right-of-way, easement or AEP/TCE's.

300.2.7 Prior to Bid. Prior to bid the Consultant shall cross check the right-of-way map verses the acquisition table and provide a letter summarizing the result of the check and identifying any right-of-way, easements or AEP/TCE's not yet acquired.

300.2.8 Right-of-Way Acquisition. The Consultant shall assist the City with the acquisition of right-of-way for design Option A. Right-of-Way acquisition for design Option B will be paid for under additional services.

300.2.9 Federal Process of Right-of-Way Setting. This task, if required, will be paid for under additional services for either design option.

300.2.10 Deliverables: Deliverables are as described in sections 300.2.1 – 300.2.6

300.3 Records Review, Information Research and Analysis of Data

300.3.1 Consultant shall review data and information from the City including assessor's maps, parcel maps, improvement plans, drainage studies, utility plans, geotechnical studies, aerial topographic mapping and land development mapping currently being processed by the City which will likely affect the Project. Consultant shall provide ongoing supplemental research of public records during Project development.

300.3.2 The Consultant will review all data collected to determine impact/significance with regard to the Project and incorporate useful information into the Project documents. The Consultant will also identify deficiencies in the data collected and make recommendations for additional information needed for the successful completion of the project.

300.3.3 The Consultant will conduct field investigations, as necessary during the length of the project, to determine the location of collection facilities, establishment of problem flooding areas, existing drainage facilities, utilities, street improvements and other appurtenant items that may help in the development of the Project design. The Consultant will take pictures during the field investigation to document field conditions throughout the Project.

300.4 Utility Potholing

300.4.1 Utility Potholing work for the Project shall include gathering horizontal and vertical location information (potholing) on subsurface utilities that may be in conflict with the Project improvements. A total of fifty (50) potholes are anticipated to be performed for this Project in order to complete the 30% design of option A and B. This task shall include the refinement of the utility conflict information, identification of utility relocation by others and incorporate subsurface utility engineering into the Contract Drawings. Potholes will be surveyed for horizontal location and shown on the plans. Patching of potholes will meet City of Las Vegas and NDOT (if applicable) requirements, including hot patches, polymer bag mix or concrete plug. No cold patches will be utilized. Additional potholing may be required after the 30% submittal and selection of a design option. Additional potholing will be paid for under additional services.

300.4.2 For utilities that are concrete encased, Consultant will require the pothole sub-consultant to perform two potholes: one to identify the top of the encasement and one to identify the bottom of the encasement. The two potholes will be performed on either side of the encasement to determine the width of the encasement.

300.4.3 Consultant shall provide full-time inspection during the pothole process to confirm that the sub-consultant has accurately located and correctly identified the utilities to be investigated.

300.4.4 **Deliverables: One (1) Matrix of utility conflicts and summary updated at the 70% and 90% submittals.**

300.5 **Geotechnical Investigation** - Consultant shall provide geotechnical services to include research, field investigation, material testing, and analysis to develop geotechnical recommendations for the design and reconstruction of the existing roadway.

300.5.1 It is anticipated that the Geotechnical Investigation Report(s) may include, but is not limited to the following:

- Review pertinent background data, including in-house geotechnical data, readily available geotechnical reports, stereoscopic aerial photographs, published geologic maps, soils data, and literature.
- Perform a site reconnaissance along the subject road alignments to evaluate the existing pavement conditions. Areas that exhibit significant pavement deterioration and cracking will be documented. Pavement cores will be taken at 300 to 500 foot centers to determine the actual existing pavement section(s) and substantiate the pavement rehabilitation or replacement recommendations.
- For field geotechnical investigations, a traffic control plan shall be formulated and submitted to the City for approval. Proper signage and barricading will be implemented for field studies.
- Boring depths shall be taken at 20-foot minimum depth. Laboratory testing on samples will be performed.
- Identify the corrosive characteristics of the soil.
- Locate ground water elevations at each of the borings if the groundwater level is above the bottom of the boring;
- Identify caliche and cemented soil deposits depth and make recommendations for excavation methods.
- Provide geotechnical recommendations for use in design of foundations, including allowable bearing capacity, passive pressure, coefficient of friction and estimated settlements, lateral resistance of the soil, recommendations for lateral support, excavated slope stability and data on excavated materials encountered and groundwater levels.
- Make recommendations for pavement sections, excavation and backfill requirements for bedding, pipe zone, trench backfill, asphalt pavement resurfacing and fill placement, suitability of existing soils for use as backfill materials and asphalt pavement. Where possible, maintain existing pavement structural section and limit recommendations to mill and overlay. Due to the variability of the soils expected to be encountered on the project site, and the existing site conditions, multiple pavement recommendations are anticipated. Make recommendation for cut/fill slopes and percent shrinkage for embankment.
- Make recommendations for type of cement for concrete in contact with onsite soils, structural recommendations, and other conditions applicable to the Project.
- Preparation of a hydro-geological report and groundwater samples with monitoring wells in areas where shallow groundwater is discovered may be necessary and will be considered an Additional Service.
- Make recommendation for trench patching.

300.5.2 The Consultant shall prepare a written report presenting the findings, conclusions, and geotechnical recommendations for the design and construction of the proposed improvements, including recommendations regarding pavement section thickness based on AASHTO design criteria, structural bearing capacity, earthwork and backfill requirements.

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

300.5.4 **Deliverables: The Consultant shall provide seven (7) bound copies of the draft and the final Geotechnical Investigation Reports to the City's Representative for review and one bound copy of the draft and the final Geotechnical Investigation Reports to the RTC.**

300.6 30% Design Phase Plans

300.6.1 Consultant shall prepare 30% plans and construction cost estimates for the following 2 design concepts (deviations are anticipated based upon research):

Option A – Design provides 3 lanes in each direction with possible addition of transit/right turn lanes wherever feasible from a reasonable cost/benefit standpoint; construction of all incomplete street segments (i.e. complete the sawtooths and missing sidewalk, curb, gutter, streetlights); this option assumes much of the existing curb line will be able to remain in place along with existing sidewalk except that the sidewalk will be widened to 10' where right-of-way is available or where sidewalk easements would appear feasible; upgrade existing/design all new ramps and pedestrian paths to meet ADA requirements and provide 48-inch

minimum clearance between obstructions; design at least a bus turnout for all existing bus stops; provide a design that maintains all existing right turn lanes and dual left turn lanes at intersections; new streetlights throughout (Centennial Standard) with new conduit, cable, pullboxes wherever necessary; replace existing traffic signal components wherever the new design warrants due to ADA improvement, widening, or lane layout changes; all median islands shall be enhanced to include beautification elements within all median 4' wide or greater and narrower median will be concrete fill; provide complete mill, overlay, and restripe/resigning of entire corridor and provide full depth removal/replacement of AC pavement where necessary; and sewer rehabilitation.

Option B – Design to match the concept "Complete Street Cross-Section" provided that includes 3 lanes in each direction and a 4th outside dedicated transit/continuous right turn lane; assume replacement/reconfiguration of all existing median islands; widening of existing sidewalk to 10' width or reconstruction of curb and gutter and replacement with new 10-foot wide sidewalk/amenity zone; new improvements and upgrades to all ramps and pedestrian paths to meet ADA requirements and provide 48-inch minimum clearance between obstructions; provide a design that retains dual lefts wherever they currently exist at intersections; new streetlights throughout (Centennial Standard); assumes full replacement of all existing traffic signals with new infrastructure; new medians to include beautification elements within all median 4' or wider; provide complete mill, overlay, restripe/resigning of entire corridor and include full depth removal/replacement of AC pavement where necessary; reconstruction of existing driveways and parking lots to accommodate new curb line; sewer rehabilitation; retaining walls.

300.6.2 Additional Traffic Improvements - Consultant shall provide analysis, calculations and layout for the following traffic improvements:

- Craig Road/Rancho Drive Intersection: Add an exclusive right turn lane eastbound with the transition starting just east of Torrey Pines. Add an exclusive right turn lane westbound, starting the transition just west of the Smith's driveway. Add eastbound far side bus turnout. Increase the left turn storage eastbound by modifying existing median about 100' further west to create more dual left turn storage.
- Cheyenne Avenue/Rancho Drive Intersection: Add bus turnouts eastbound and westbound. Add a westbound exclusive right turn lane and an eastbound exclusive right turn lane.
- Consultant shall provide design for signal undergrounds for 2 locations to be determined. The "signal underground plan" will include pullboxes, and a conduit ring.
- Consultant shall provide the design of "up to" 4 new "worm median islands". The locations will be determined after discussions with NDOT Safety staff during the preliminary design phase.
- Upgrade all existing streetlight and traffic signal service points that are currently pole mounted to 200 amp pad mount services.
- Provide FAST Interconnect upgrades/modifications as may be needed to maintain the new "Rancho ITS Improvements", which is expected to be existing at the time of construction.

300.6.3 Landscape Architectural Design – Consultant shall provide design by a licensed landscape architect to provide design concepts and final design for median hardscape and tree placement and spacing in amenity zone. This task includes tree type selection, all necessary irrigation design, and coordination with civil improvements.

300.6.4 Technical Drainage Report. The Consultant shall prepare a Draft Technical Drainage Study with recommendations, for both design options, in accordance with CCRFCD Hydrologic Criteria and Drainage Design Manual (HCDDM) and NDOT's Drainage Design Manual. The Consultant shall collect and review all previous studies and data pertaining to the project and perform a field review and evaluation of existing drainage facilities. The Consultant shall coordinate with NDOT Hydraulics Section and City of Las Vegas Public Works on the criteria and methodology to be used for the drainage analysis. The Technical Drainage Report shall incorporate the following information:

- Hydrologic models using HEC-1 to establish flows for both the "existing right-of-way design" and the "ultimate 120-foot right-of-way design" condition.
- A hydraulic model for the existing and proposed conveyance facilities using HEC-RAS, WSPG or other appropriate engineering software. The hydraulic models shall include hydraulic grade line, energy grade line, flow velocity and depth and other pertinent hydraulic parameters for the main storm drain line and laterals.
- Drop inlet sizing calculations.
- Provide complete Storm Drain Plan (including lateral plan and profiles) and Storm Drain Details.
- Flow split analysis at project intersections.
- Review of existing flood zones relative to proposed roadway and storm drain improvements.

- 10-year and dry lane hydraulic analysis to determine the facility sizing and to determine the RTC costs.
- CLOMR/LOMR, if required will be paid for under additional services.

Incorporate the location, depth of pipe, approximate slopes and inlet locations for storm drain requirements based on the results of the hydrologic review and hydraulic analysis into the Draft Technical Drainage Report.

300.6.4.1 Deliverables: **Submit six (6) copies of the Draft Technical Drainage Reports with recommendations to the City and two (2) copies of the Draft Technical Drainage Report to NDOT. Submit one (1) copy of the Draft Technical Drainage Report with recommendations to the CCRFCD for concurrence.**

300.6.5 **Sewer Rehabilitation Analysis -** Work includes approximately analysis of 900 feet of 24-inch sewer, 1300 feet of 21-inch sewer and 1250 feet of 15-inch sewer. Generally the sewer lines are located within Rancho Drive between Craig Road and Gowan Road. The rehabilitation of approximately 12 sewer manholes is also included. At the 30% design level, Consultant shall review condition assessment reports, evaluate rehabilitation options, and make recommendations for final design.

300.6.6 The 30% plans are to be prepared for the limits and configurations as agreed on and directed by the City of Las Vegas. The north arrow on all plan sheets shall point to the top or right side unless otherwise approved by the City. The plan and profile sheets shall be at 1″ = 40′ scale (or other scale as directed or approved by the Engineer) and appropriate vertical scale with stationing from left to right. All lettering shall be of sufficient size and clarity to permit easy reading when reduced to one-half (1/2) scale.

The 30% submittal will include, but is not limited to, the following for both design options A and B:

- Permit Matrix
- Record of Survey with approval from City Surveyor
- Right-of-Way Exhibit
- Utility Conflicts Matrix and Summary
- Draft Technical Drainage Study
- Draft Geotechnical Data Report Note, if a Hydrogeologic Report becomes necessary it will be paid for under additional services.
- 30% Design Phase Plans
- Identification of sewer rehabilitation work
- Alternatives analysis for design options A and B with recommendations
- 30% Construction Cost Estimate

The 30% submittal will culminate with a presentation of the alternatives to the City. The presentation will identify:

- The design criteria utilized
- A summary of the data collected
- Available right-of-way
- Drainage recommendations
- Permit requirements
- A summary of the two options including all recommended improvements
- A preliminary engineers estimate of construction costs for each option
- Funding options
- Recommendations for final design

300.6.7 Deliverables: **Submit fifteen (15) copies of the half scale plans (11″ x 17″) and two (2) copies of full size plans (24″ x 36″) to the City; Submit one (1) full size set and two (2) half size sets of the 30% Design Plans to the RTC and NDOT. Submit copies of 30% Option A plans to utilities (size determined by each individual Utility Company) as necessary for review by the utility companies. The Consultant will provide a distribution list. Presentation of results.**

300.7 30% Design Phase Construction Cost Estimate - a Preliminary construction cost estimate shall be prepared by the Consultant for the 30% submittal for both options.

300.7.1 Deliverables: **Submit a 30% cost estimate to the City in both hard copy and electronic format (excel spreadsheet, pdf format will not be accepted); Submit two (2) copies of the 30% cost estimate to the RTC and NDOT.**

300.8 All subsequent submittals shall be based on Option A. If design Option B is selected, subsequent design submittals shall be paid for under additional services.

ARTICLE 400: 70% DESIGN PHASE

400.1 70% Design Phase Submittal – Option A

400.1.1 **Technical Drainage Report Final.** The Consultant shall incorporate comments from the Draft Technical Drainage Report for Option a and incorporate them into a final submittal.

The Consultant shall compile all comments and written responses to comments along with all final design information, calculations and models and include in a stand-alone Final Technical Drainage Report to be used as a record for the basis of design for the project for Option A. The Final Technical Drainage Report shall include all information included in the Technical Drainage Report and all associated revisions made as applicable. This report will also include any information, calculations or models that were revised since the Initial Technical Drainage Report was submitted. The Consultant will provide a complete electronic submittal of the Final Technical Drainage Report with all associated input & output files, calculations and all associated revisions made as applicable.

400.1.2 **Deliverables: Submit six (6) copies of the Final Technical Drainage Reports with recommendations to the City and two (2) copies of the Final Technical Drainage Report to RTC and NDOT. Submit one (1) copy of the Final Technical Drainage Report with recommendations to the CCRFCD for concurrence.**

400.2 **Sewer Rehabilitation** – Work includes approximately 900 feet of 24-inch sewer, 1300 feet of 21-inch sewer and 1250 feet of 15-inch sewer. Generally the sewer lines are located within Rancho Drive between Craig Road and Gowan Road. The rehabilitation of approximately 12 sewer manholes is also needed.

400.3.1 **70% Design Phase Plans** – This submittal will include further refinement of 30% Design Phase Submittal and response to comments. Plans shall be identified with the level of design with Engineer's seal in accordance with NRS 625. The 70% plans shall include, but not limited to, the following:

400.3.1.1 City Standard Cover Sheet identifying Project Participants
400.3.1.2 Note sheet with plan index, vicinity map, benchmark, and basis of bearings
400.3.1.3 Notes Sheet with General Notes, LVVWD Notes, and City of Las Vegas Sewer, Traffic, Grading, Fire Department, Street Lighting, and Encroachment Permit Notes
400.3.1.4 Abbreviations and Symbols
400.3.1.5 Survey Control Plan identifying project limits, horizontal control for centerline and rights-of-way, monumentation and sheet index
400.3.1.6 Horizontal control for centerline and right-of-way with monumentation plan
400.3.1.7 Recorded Record of Survey as part of Horizontal Control Plan (to be included in all submittals hereafter as well)
400.3.1.8 Sheet Index with key map
400.3.1.9 Typical Cross Section Sheets
400.3.1.10 Removal Plans
400.3.1.11 Roadway Plan and Profiles
400.3.1.12 Construction Details
400.3.1.13 Storm Drain Plan and Profiles (including lateral plan and profiles)
400.3.1.14 Storm Drain Details
400.3.1.15 Sewer Rehabilitation Details
400.3.1.16 Utility Plans
400.3.1.17 Traffic Striping and Signing Plans
400.3.1.18 Traffic Lighting Plans
400.3.1.19 Traffic Signal Plans
400.3.1.20 Structural Drawings
400.3.1.21 Special Details as required for the Project
400.3.1.22 FAST Interconnect Plans

400.3.1.23 **Deliverables: Response to comments; Submit fifteen (15) copies of the half scale plans (11" x 17") and two (2) copies of full size plans (24" x 36") to the City; Submit one (1) full size set and two (2) half size sets of the 70% Design Plans to the RTC and NDOT. Submit copies of 70% Plans to utilities (size determined by each individual Utility Company) as necessary for review by the utility companies. The Consultant will provide a distribution list.**

400.4.1 70% Design Phase Construction Cost Estimate - a Project cost estimate broken out by funding source, bid item, and plan sheet shall be prepared by the Consultant. The cost estimate breakdown by funding source may include, but is not limited to, the following: RTC (may require further breakdown within this category, i.e. RTC-Q10, RTC-Arterial Restoration Fund, etc.), CCRFCD, CLV Sanitation, CLV Municipal Arts Fund.

400.4.2 Deliverables: **Submit the 70% cost estimate by funding source to the City in both hard copy and electronic format (excel spreadsheet, pdf format will not be accepted); Submit two (2) copies of the 70% cost estimate to the RTC and NDOT.**

400.5.1 70% Design Phase Special Provisions - The Project Special Provisions shall be submitted utilizing the City's standard boilerplate one-line set of Special Provisions provided. The Project Special Provisions shall use the same format as the *Uniform Standard Specifications for Public Works' Construction Off-Site Improvements Clark County Area Nevada.* All items of construction shown on the 70% Project Plans shall be represented in the Special Provisions as bid items utilizing the corresponding related specification section's nomenclature. The applicable items shall be described for the method of "Measurement" and "Payment" subsection for each section. Do not modify the City's format without prior approval by the City.

400.5.2 Deliverables: **Submit ten(10) copies of the bound Special Provisions to the City; Submit two (2) copies of the bound Special Provisions to RTC and NDOT.**

400.6.1 70% Walk Through - At the direction of the City, Consultant shall schedule a walkthrough of the Project with City of Las Vegas personnel and other stakeholders (as determined by the City) during the 70% Design Phase period. The Consultant will note any changes or adjustments to the plans as needed to fit field conditions and incorporate these changes into the 70% submittal.

400.6.2 Deliverables: **The Consultant shall submit a walk though Memorandum to the City's Representative to document field observations.**

ARTICLE 500: 90% DESIGN PHASE

500.1 90% Design Phase Submittal – Option A

500.1.1 90% Design Phase Plans – This submittal will include further refinement of the 70% plans (including any necessary structural details) to reflect 90% completion and response to comments. The 90% plans shall include all the utility conflicts and the resolutions. The 90% plans shall include project quantity tables broken down by individual plan sheet. The 90% plans shall include construction and right-of-way lines and all encroachments onto private property with proposed improvements. The owners name, property address and assessor parcel number shall be shown.

500.1.2 Deliverables: **Response to comments; Submit fifteen (15) copies of the half scale plans (11" x 17") and two (2) copies of full size plans (24" x 36") to the City; Submit one (1) full size set and two (2) half size sets of the 90% Design Plans to the RTC and NDOT. Submit copies of 90% Plans to utilities (size determined by each individual Utility Company) as necessary for review by the utility companies. The Consultant will provide a distribution list.**

500.2.1 90% Design Phase Construction Cost Estimate - a Project cost estimate broken out by funding source, bid item, and plan sheet shall be prepared by the Consultant. The cost estimate breakdown by funding source may include, but is not limited to, the following: RTC (may require further breakdown within this category, i.e. RTC-Q10, RTC-Arterial Restoration Fund, etc.), CCRFCD, CLV Sanitation, CLV Municipal Arts Fund.

500.2.2 Deliverables: **Submit the 90% cost estimate by funding source to the City in both hard copy and electronic format (excel spreadsheet, pdf format will not be accepted); Submit two (2) copies of the 90% cost estimate to RTC and NDOT.**

500.3.1 90% Design Phase Special Provisions - The Project Special Provisions shall be submitted utilizing the City's standard boilerplate one-line set of Special Provisions provided. The Project Special Provisions shall use the same format as the *Uniform Standard Specifications for Public Works' Construction Off-Site Improvements Clark County Area Nevada.* All items of construction shown on the 90% Project Plans shall be represented in the Special Provisions as bid items utilizing the corresponding related specification section's nomenclature. The applicable items shall be described for the method of "Measurement" and "Payment" subsection for each section. Do not modify the City's format without prior approval by the City.

500.3.2 Deliverables: **Submit ten (10) copies of the bound Special Provisions to the City; Submit two (2) copies of the bound Special Provisions to RTC and NDOT.**

500.4.1 90% Walk Through - At the direction of the City, Consultant shall schedule a walkthrough of the Project with City of Las Vegas personnel and other stakeholders (as determined by the City) during the 90% Design Phase period. An inventory of all items of work shown on the plans will be verified and compared to field conditions. The Consultant will note any changes or adjustments to the plans as needed to fit field conditions. The Consultant will note any changes or adjustments to the plans as needed to fit field conditions and incorporate these changes into the 100% Design Phase Submittal.

500.4.2 Deliverables: **The Consultant shall submit a walk though Memorandum to the City's Representative to document field observations.**

500.5.1 Bidability and Constructability (B&C) - Consultant shall coordinate with a City selected B&C consultant or City in-house B&C review team. The Consultant will provide the B&C consultant or in-house B&C review team with the 90% submittal and Final Design Report (and any other documents necessary to complete the B&C review). The City may also chose to provide the B&C consultant or in-house B&C review team with earlier submittals for review. Consultant shall attend meetings and respond to comments as required to resolve disagreements on B&C comments.

500.5.2 Deliverables: **The Consultant shall attend one (1) meeting and prepare a comment and response matrix and incorporate any design changes warranted by the Bidability and Constructability review.**

500.6.1 Public Meetings – Consultant shall attend and provide support to the City for three (3) public meetings and prepare graphic presentation materials, including 3 photographic renderings, and backup information as necessary.

500.6.2 Deliverables: **Board attendance; backup materials; presentation materials.**

500.7.1 The Consultant shall finalize all permit applications and submit all required permits to the appropriate agencies.

ARTICLE 600: 100% DESIGN PHASE

600.1 **100% Design Phase Submittal – Option A**

600.1.1 The 100% submittal shall include all the elements of Article 500 which shall be advanced to a completed level of design and shall incorporate comments from the 90% submittal. The 100% submittal will consist of two steps: (1) a **100% pre-final (bond) submittal** will be made for final comment by the City and RTC, and (2) the Consultant will incorporate all comments on the pre-final submittal into the **100% final (mylar) submittal**. Plan set mylars and copies sealed in accordance with NRS 625, sealed Special Provisions, including Bid Proposal and Construction Cost Estimate shall be submitted to the City. The Engineer's estimate broken out by bid item, plan sheet and funding source will be submitted as a Microsoft Excel Work Sheet electronic file. The Consultant shall coordinate with utility companies and obtain all utility signatures on the Cover Sheet and elsewhere in the plans as required. Consultant shall submit a pre-mylar bond set of the final plans before preparing mylars for this project.

600.1.2 Deliverables for the **100% Pre-Final (Bond) Submittal: Response to Comments; Submit one (1) full size set (24" X 36"); four (4) half size sets (11" X 17") of the 100% Pre-Final (Bond) Submittal to the City; two (2) bound copies of the Special Provisions and 100% Pre-final Cost Estimate by funding source to the City; Consultant shall determine if any utility companies require submittal of the 100% Pre-Final (Bond) submittal to obtain mylar signature and if so, submit accordingly.**

600.1.3 Deliverables for the **100% Final (mylar) Submittal: One set of 24" X 36" mylar plan sheets stamped and signed by a Nevada P.E. which includes the cover sheet containing all approval signatures; One set of original Special Provisions (unbound) stamped and signed by a Nevada P.E. and the Word document; One copy of the City Formatted Final Cost Estimate and Bid Schedule; One copy of the Plan Sheet Index as a single Word document. Additionally, submit two copies of the half scale plans, bound Special Provisions and 100% Final Cost Estimate to RTC and NDOT. Electronic copies of both the plans (AutoCAD format) and Special Provisions (Microsoft Word format) shall be submitted to the City. The Final Cost Estimate and Bid Schedule will be submitted as a Microsoft Excel Work Sheet electronic file.**

ARTICLE 700, 800 and 900: NOT USED

END OF EXHIBIT "A"

EXHIBIT "B"

REQUIRED SUBMITTALS

ARTICLE 200: GENERAL

200.1 When requested by the City electronic files shall accompany hard copies for all submittals referenced in this paragraph and unless otherwise directed by the City. All cost estimates shall be provided in Microsoft Excel format, all schedules in Microsoft Project format, all Special Provisions in Microsoft Word format, all Bid Schedules in Microsoft Excel format and all spreadsheets associated with additional service requests in Microsoft Excel format. Pdf submittals will not be accepted unless specifically requested by the City.

200.2 All submittal requirements are outlined in Exhibit A – Scope of Services. Consultant shall refer to deliverables or other submittal requirements outlined in Exhibit A.

200.3 Certificates of Insurance

The Consultant shall deliver to Insurance Tracking Services, Inc. (ITS), the City's authorized designated representative, a certificate of insurance with respect to each required policy to be provided by the Consultant under this Agreement. The required certificates must be signed by the authorized representative of the insurance company shown on the certificate with proof that such person is an authorized representative thereof, and is authorized to bind the named underwriter(s) and their company to the coverage, limits and termination provisions shown thereon.

Submit certificates of insurance to:

City of Las Vegas
C/O Insurance Tracking Services, Inc. (ITS)
P.O. Box 21919
Long Beach, CA 90801

Account Manager: Michael Palacios
Phone: (888) 435-2955 ext. 503 ● Fax: 562-435-2999
Email: michael.palacios@instracking.com

A certified, true and exact copy of each of the project specific insurance policies (including renewal policies) shall be provided to the City upon request.

The Consultant shall promptly deliver to ITS a certificate of insurance with respect to each renewal policy, as necessary to demonstrate the maintenance of the required insurance coverage for the terms specified herein. Such certificate shall be delivered to ITS not less than 30 days prior to the expiration date of any policy and bear a notation evidencing payment of the premium thereof.

END OF EXHIBIT "B"

EXHIBIT "C"

PERFORMANCE SCHEDULE

ARTICLE 300: NOTICE TO PROCEED

300.1 The start date for the Consultant's scope of services shall be, without any further notice requirement, the date of this Agreement signed by the parties. The Consultant shall perform the services required as expeditiously as is consistent with professional skill and care and the orderly progress of the Project. The Scope of Service set forth in this Agreement and the compensation to the Consultant for said Scope of Services is based upon the Consultant and the City each performing its responsibilities in a timely manner.

300.2 *Performance Schedule.* The parties hereto have agreed to a general performance schedule (the "Performance Schedule") which is set forth herein. Subsequent to the execution of this Agreement, the Consultant shall furnish to the City's Representative for approval a more detailed schedule of performance (herein the "Detailed Performance Schedule").

300.3 *Revised Performance Schedule.* If the Consultant's performance is delayed or the sequence of tasks changed, the Consultant shall notify the City's Representative in writing of the reasons for the delay or the change. The Consultant shall then prepare a revised General and Detailed Performance Schedule for submission to and approval by the City's Representative.

ARTICLE 301: PERFORMANCE SCHEDULE

301.1 The maximum allowed time to complete each phase of the work is shown in the following table:

PHASE	CALENDAR DAYS TO COMPLETE	REMARKS
30% DESIGN PHASE	180	
70% DESIGN PHASE	150	
90% DESIGN PHASE	120	
100% DESIGN PHASE	90	
BID PHASE	-	This service to be provided if construction funding becomes available
CONSTRUCTION PHASE	-	This service to be provided if construction funding becomes available
POST CONSTRUCTION PHASE	-	This service to be provided if construction funding becomes available
TOTAL CALENDAR DAYS TO COMPLETE:	**540**	

ARTICLE 302: DESIGN AND PERMITTING SCHEDULE DELAYS

302.1 The Consultant declares that they are experienced and knowledgeable with all governmental, agency, and utility company design approval processes, procedures, applications, fees, design standards, reviews, required corrective actions, and time schedules required for the Project, and that the schedule set forth for the Scope of Services is reasonable and achievable within these design approval parameters.

302.2 Although it is acknowledged that neither the City nor the Consultant have full control over these design approval processes, the Consultant shall be held accountable for any impacts to the City resulting from their actions or lack of actions, including but not limited to their failure to make timely submittals, their failure to routinely follow-up on submittals, their failure to notify the City of anticipated delays and required design changes, and their failure to process and re-submit comments and corrections received in a timely manner.

END OF EXHIBIT "C"

EXHIBIT "D"

FEE BREAKDOWN

ARTICLE 400: COMPENSATION AND TERMS OF PAYMENT

400.1 *General.* At the time of approval of this Agreement by the City Council, the City agrees to set aside one million nine hundred thousand dollars ($1,900,000.) as the total appropriation for the performance of this Agreement. In no event shall the total payments to the Consultant for the services (basic services and additional compensation) provided under this Agreement exceed the aforementioned amount appropriated without prior approval of the City.

400.2 *Compensation: Basic Services (Lump Sum by Task).* The City agrees to pay the lump sum amount attributable to each task and, if applicable, each subtask, set forth in Exhibit "A" which is completed by the Consultant. The Consultant agrees to complete each task and, if applicable, each subtask, for the amount of the lump sum set forth in Exhibit "D" regardless of the number of manhours which must be expended to complete the performance of this Agreement. The total payments to the Consultant for the completion of these tasks shall not exceed one million three hundred eighty eight thousand three hundred ninety five dollars ($1,388,395.) without prior written approval from the City. Such payment is based upon the individual lump sum amounts that are identified in Exhibit "D".

400.3 *Compensation: Additional Compensation.* For the additional services set forth in Exhibit "E," the City shall pay to the Consultant either a lump sum or an hourly fee based upon the hourly rates set forth in Exhibit "E" attached hereto, whichever is approved in writing by the City's Representative. Such payment shall not exceed five hundred eleven thousand six hundred five dollars ($511,605.) without the prior written approval of the City.

BASIC SERVICES FEE BREAKDOWN

TASK	DESCRIPTION	Project Principal	Project Manager	Principal Engineer	Senior Engineer	Engineer	Senior Designer	Designer	Graphics	Admin	Land Surveyor	Survey Crew	Hours Subtotal	Direct Expenses	Lump Sum Task Amounts
		$194	$199	$195	$135	$100	$120	$110	$75	$64	$173	$185			
200	PRELIMINARY AND GENERAL ITEMS														
200.1	Project Management	8	220	0	0	0	0	0	0	0	0	0	228	$0.00	$45,332.00
200.2	Kick-Off Meeting and Progress Meetings		80	8	120	0	0	0	40	40	0	0	288	$160.00	$35,360.00
200.3	Utility and Agency Coordination	0	60	8	80	80	80	60	0	100	0	0	448	$500.00	$53,000.00
200.4	Project Permits	0	20	0	40	0	0	60	0	0	0	0	120	$50.00	$16,030.00
200.5	Accommodation of Federal Funding		8	40	0	0	0	0	0	0	0	0	48	$0.00	$6,392.00
200	Subtotal Hours	8	388	56	240	80	80	120	40	140	0	0	1,112		
200	Subtotal Fee	$1,552.00	$73,232.00	$10,920.00	$32,400.00	$8,000.00	$7,200.00	$13,200.00	$3,000.00	$8,960.00	$0.00	$0.00		$660.00	$156,114.00
300	30% DESIGN PHASE Option A and B														
300.1	Survey	0	12	0	40	0	40	0	80	0	120	320	612	$21,880.00	$126,408.00
300.2	Right-of-Way	0	12	0	80	0	0	0	80	20	160	80	432	$0.00	$92,948.00
300.3	Records Review, Information Research and Analysis of Data	0	16	0	60	0	40	0	60	24	100	0	300	$0.00	$39,420.00
300.4	Utility Potholing	0	20	0	0	20	60	0	0	8	8	24	140	$47,500.00	$97,018.00
300.5	Geotechnical Investigation	2	30	0	0	0	0	40	0	4	0	0	76	$59,000.00	$70,914.00
300.6.1	30% Design Phase Plans	2	90	20	170	0	240	220	0	30	24	0	796	$1,500.00	$99,760.00
300.6.2	30% Traffic, Streetlights, Striping and Signage	0	16	56	40	0	80	40	0	0	0	0	208	$20,000.00	$50,519.00
300.6.3	Landscape	2	8	8	0	40	24	0	0	8	0	0	90	$16,000.00	$26,832.00
300.6.4	Drainage Report	0	20	0	80	0	0	40	0	20	0	0	160	$600.00	$21,060.00
300.6.5	Sewer Rehabilitation		12	40	40	0	24	40	0	4	0	0	160	$0.00	$23,124.00
300.6.6	Presentation	4	34	8	8	0	0	0	0	8	0	0	62	$200.00	$10,864.00
300.7	Opinion of Construction Cost	0	8	8	40	0	24	0	0	4	0	0	84	$0.00	$11,668.00
300	Subtotal Hours	10	248	137	558	60	512	380	220	130	412	424	3,091		
300	Subtotal Fee	$1,940.00	$49,352.00	$26,715.00	$75,330.00	$6,000.00	$61,440.00	$41,800.00	$16,500.00	$8,320.00	$71,276.00	$78,440.00		$167,660.00	$804,873.00
400	70% DESIGN PHASE Option A Only														
400.1.1	Detailed Hydraulic Analysis	0	20	0	80	40	60	0	0	4	0	0	204	$0.00	$26,336.00
400.1.2	Submit Final Drainage Report	2	4	0	20	0	8	0	0	0	0	0	34	$400.00	$5,244.00
400.2	Sewer Rehabilitation	2	20	90	0	60	120	0	0	8	0	0	300	$0.00	$42,830.00
400.3.1	70% Design Plans	2	60	80	180	80	240	200	120	24	40	0	1,026	$32,100.00	$160,564.00
400.4.1	70% Opinion of Construction Cost	0	8	8	80	0	40	0	0	8	0	0	124	$0.00	$16,564.00
400.5.1	70% Design Special Provisions	2	40	0	40	60	0	0	0	30	0	0	172	$300.00	$21,968.00
400.6.1	70% Walk Through	0	8	0	8	0	0	0	0	4	0	0	20	$0.00	$2,928.00
400	Subtotal Hours	8	160	178	388	240	468	200	120	78	40	0	1,880		
400	Subtotal Fee	$1,552.00	$31,840.00	$34,710.00	$52,380.00	$24,000.00	$56,160.00	$22,000.00	$9,000.00	$4,992.00	$6,920.00	$0.00		$32,800.00	$276,354.00
500	90% DESIGN PHASE Option A														
500.1.1	90% Design Phase Plans	2	40	80	120	80	220	200	60	20	40	0	862	$32,400.00	$141,646.00
500.2.1	90% Opinion of Construction Cost	2	16	0	40	0	40	0	0	8	0	0	106	$0.00	$14,264.00
500.3.1	90% Design Phase Special Provisions	2	40	0	40	40	0	0	0	40	0	0	162	$300.00	$20,608.00
500.4.1	90% Walk Through	0	8	0	8	0	0	0	0	4	0	0	20	$0.00	$2,928.00
500.5.1	Bidability and Constructability Meeting	4	8	0	12	0	40	0	0	8	0	0	72	$600.00	$8,900.00
500.6.1	Public Meetings	8	24	0	0	0	80	0	20	4	0	0	116	$400.00	$15,884.00
500.7.1	Final and Submit Permits	0	4	24	20	0	20	0	0	4	0	0	72	$50.00	$10,862.00
500	Subtotal Hours	18	140	104	240	120	360	200	80	88	40	0	1,410		
500	Subtotal Fee	$3,492.00	$27,860.00	$20,280.00	$32,400.00	$12,000.00	$45,600.00	$22,000.00	$6,000.00	$5,632.00	$6,920.00	$0.00		$33,750.00	$215,934.00
600	100% DESIGN PHASE Option A														
600.1.1	100% Plans, Specs and Estimate	2	100	60	140	80	200	180	40	40	20	0	862	$10,000.00	$121,708.00
600.1.2	100% Pre-Final (Bond) Submittal	0	20	0	0	0	24	0	0	0	0	0	44	$800.00	$7,660.00
600.1.3	100% Final (Mylar) Submittal	0	8	0	0	0	8	0	0	0	0	0	16	$400.00	$2,952.00
600	Subtotal Hours	2	128	60	140	80	232	180	40	40	20	0	922		
600	Subtotal Fee	$388.00	$25,472.00	$11,700.00	$18,900.00	$8,000.00	$27,840.00	$19,800.00	$3,000.00	$2,560.00	$3,460.00	$0.00		$11,200.00	$132,320.00
700	BID PHASE - Not Used														
700	Subtotal Hours	0	0	0	0	0	0	0	0	0	0	0	0		
700	Subtotal Fee	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00		$0.00	$0.00
800	CONSTRUCTION PHASE - Not Used														
800	Subtotal Hours	0	0	0	0	0	0	0	0	0	0	0	0		
800	Subtotal Fee	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00		$0.00	$0.00
900	POST CONSTRUCTION - Not Used														
900	Subtotal Hours	0	0	0	0	0	0	0	0	0	0	0	0		
900	Subtotal Fee	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00		$0.00	$0.00
	Total Basic Services Hours	46	1,044	535	1,566	580	1,652	1,080	500	476	512	424	8,415		
	Total Basic Services Fee	$8,924.00	$207,756.00	$104,325.00	$211,410.00	$58,000.00	$198,240.00	$118,800.00	$37,500.00	$30,464.00	$88,576.00	$78,440.00		$245,990.00	$1,388,305.00

END OF EXHIBIT "D"

EXHIBIT "E"

ADDITIONAL COMPENSATION

ARTICLE 500: Additional Compensation

500.1 Reimbursable Expenses. Reimbursable Expenses are not allowed.

500.2 Upon written authorization by the City, the Consultant shall provide "***General***" Additional Services which may include the following:

1. **Additional Design Services** – As required by the City, Consultant shall perform additional design services required for the Project. Listed below are items that may be considered as additional design services:

   Additional Meetings – As required by the City, Consultant shall attend, participate and support the City in additional project or public meetings.

   Additional Right-of-Way – As required by the City, Consultant shall prepare legal descriptions and exhibits in locations where additional right-of-way, easements or AEPs/TCEs are required for the Project; City shall provide title reports.

   Federal Funding Research – As required by the City, Consultant shall provide research to determine Federal Funding requirements and provide detailed information to the City to evaluate.

   Additional Traffic Improvements – As required by the City, Consultant shall provide additional traffic design services for a "HAWK" signal at a location to be determined.

   Waterline Design – As required by the City, Consultant shall provide plan and profile design of new, reconstructed, or relocated water pipelines.

   Major Utility Relocation- As requested by the City, Consultant shall provide utility relocation design and coordination with all utility companies. This task will include Subsurface Utility Engineering SUE.

   Additional Survey – As requested by the City, Consultant shall provide additional field survey necessary for completion of other additional design services.

   Artistic Elements - As requested by the City, Consultant shall provide additional design for artistic signage or artistic elements, incorporation of public involvement comments, and other work necessary.

   Additional Public Meetings – As requested by the City, Consultant shall attend Public Information meetings.

   Local Business and Property Owner Project Coordination – As requested by the City, Consultant shall prepare for and attend meetings with property owners that are affected by the proposed project right-of-way acquisition. These meetings will be attended by the appropriate City and Consultant's staff.

   BUY AMERICA(N) COMPLIANCE – As requested by the City, Consultant and subconsultants at all tiers shall Verify that each product model specified is in compliance with the appropriate Buy America or Buy American provisions. Verification shall generally consist of a copy of a letter, notice, or web page from the material manufacturer, supplier or vendor stating the specified material's compliance with the specific required Buy America(n) act or provision. Include the appropriate Buy America(n) requirement language in each specification section providing construction materials. Verify Contractor submittals provide evidence of compliance for products that the designer has not previously verified during design. Verify Contractor has submitted a certificate in proper form from the manufacturer if Buy America is required. Compile an organized written record of the construction material verifications for the Project and deliver this record to the City upon completion of the Project and upon request during the progress of the work. Remove and replace any foreign goods.

   Additional Roadway Design – As required by the City, Consultant shall provide additional roadway design plans.

   Environmental Clearance/Permits - As required by the City, Consultant shall prepare a Section 106, 404 permit, NEPA environmental assessment, groundwater discharge permit, or other necessary required environmental permit applications.

   Bid Phase Support Services – As requested by the City, the Consultant shall attend the pre-bid conference; respond to questions raised by bidders during the bidding process; draft required specifications, plan changes and clarifications for the City to include any addenda. The Consultant shall attend the bid opening and review the bid abstract and contractor qualifications. The Consultant will comment on any bid discrepancies, evidence of unbalanced bid or contractor concerns uncovered during reviews.

Construction Phase Support Services – As requested by the City, the Consultant shall attend the pre-construction meeting; review Contractor's submittals for manufacture certifications, installation instructions, shop drawings and service connections; attend construction progress meetings, as necessary; respond to Contractor's Request for Information (RFI); assist with the processing of change orders; review Contractor's submittals (such as shop drawings, value engineering items, sample products, etc.); visit construction site to examine construction work; review claims and resolution of claims; attend final walk through; and assist with the punch list preparation.

Record Drawings – As requested by the City, the Consultant shall produce record drawings based on redlines provided by the Contractor.

2. **Hydrogeologic Report** – As required by the City, Consultant shall prepare a hydrogeologic report and provide groundwater sampling and monitoring wells.
3. **CLOMR/LOMR** – As required by the City, Consultant shall prepare a CLOMR/LOMR for submittal to FEMA for review.
4. **Additional Utility Potholing** – As required by the City, Consultant shall provide additional utility potholing, prepare pothole location map and obtain information for subsurface utilities.

500.3 Upon written authorization by the City, the Consultant shall provide "***Option B***" Additional Services which may include the following:

1. **Additional Right-of-Way Acquisition for Option B** – As required by the City, Consultant shall assist the City in obtaining additional right-of-way as needed to construct the project.
2. **Additional Utility and Agency Coordination for Option B** – As requested by the City, Consultant shall assist the City with additional utility coordination and relocation design, and provide additional agency coordination as needed to construct the project.
3. **Additional Traffic Facility Design for Option B** – As requested by the City, Consultant shall provide additional traffic facility design to accommodate the addition of a fourth lane in each direction to provide for a transit lane/continuous right-turn lane.
4. **Additional Landscape and Irrigation Design for Option B** – As requested by the City, Consultant shall provide additional design for landscaping and irrigation, including preliminary landscaping design, determination of landscaping features (may include Art, plantings and associated improvements, rock mulch, or other treatments as determined by the City) and incorporation of public involvement comments, if any for Option B.
5. **70% Design Submittal for Option B** – As required by the City, Consultant shall prepare 70% plans and cost estimates for design Option B.
6. **90% Design Submittal for Option B** – As required by the City, Consultant shall prepare 90% plans and cost estimates for design Option B.
7. **100% Design Submittal for Option B** – As required by the City, Consultant shall prepare 100% plans and cost estimates for design Option B.
8. **Coordination with Property Owners for Option B** – As required by the City, Consultant shall coordinate with property owners to obtain AEP and to discuss modifications to driveways and parking lots.

ADDITIONAL SERVICES FEE BREAKDOWN

TASK	DESCRIPTION	Project Principal	Project Manager	Principal Engineer	Senior Engineer	Engineer	Senior Designer	Designer	Graphics	Admin	Land Surveyor	Survey Crew	HOURS SUBTOTAL	Direct Expenses	Lump Sum Task Amounts
		$194	$199	$195	$135	$100	$120	$110	$75	$64	$173	$185			
500.2	ADDITIONAL SERVICES - GENERAL														
500.2.01	Additional Design Services		70		61	41	38	40					250	$0.00	$35,225.00
	Additional Meetings														
	Additional Right-of-Way														
	Federal Funding Research														
	Additional Traffic Improvements														
	Waterline Design														
	Major Utility Relocations														
	Additional Survey														
	Artistic Elements														
	Additional Public Meetings														
	Local Business and Property Owner Project Coordination														
	Buy American Compliance														
	Additional Roadway Design														
	Environmental Clearance/Permits														
	Bid Phase Support Services														
	Construction Support Services														
	Record Drawings														
500.2.02	Hydrogeologic Report	0	24	0	40	0	0	0	0	20	0	0	84	$15,000.00	$26,456.00
500.2.03	CLOMR/LOMR	0	40	0	80	80	0	40	0	8	0	0	248	$0.00	$31,672.00
500.2.04	Additional Utility Potholing (30)	0	4	0	4	0	0	0	16	4	0	0	28	$30,000.00	$32,792.00
500.3	ADDITIONAL SERVICES - OPTION B														
500.3.01	Additional Right-of-Way Acquisition for Option B	0	24	0	80	0	120	0	0	40	160	40	464	$0.00	$67,616.00
500.3.02	Additional Utility and Agency Coordination for Option B		12	0	80	0	40	40	0	30	20	20	242	$0.00	$31,468.00
500.3.03	Additional Traffic Facility Design for Option B	0	40	0	100	0	120	80	0		0	0	340	$0.00	$44,660.00
500.3.04	Additional Landscape and Irrigation Design for Option B		24	60	40	0	120	0	0		0	0	244	$0.00	$36,276.00
500.3.05	70% Design Submittal for Option B	0	60	0	200	100	160	140	100		0	0	760	$0.00	$91,040.00
500.3.06	90% Design Submittal for Option B	0	40	0	180	80	140	120	60		0	0	620	$0.00	$74,760.00
500.3.07	100% Design Submittal for Option B	0	40	0	40	40	40	40	0	0	0	0	200	$0.00	$26,560.00
500.3.08	Coordination with Property Owners for Option B	0	40	0	0	0	0	0	0	80	0	0	120	$0.00	$13,080.00
	Total Additional Services - Hours	0	418	60	905	341	778	500	176	182	180	60	3,600		
	Total Additional Services - Fee	$0.00	$83,182.00	$11,700.00	$122,175.00	$34,100.00	$93,360.00	$55,000.00	$13,200.00	$11,648.00	$31,140.00	$11,100.00		$45,000.00	$511,605.00

END OF EXHIBIT "E"

EXHIBIT "F"

KEY PERSONNEL LIST

CITY PERSONNEL

Program Manager: Jeremy Leavitt
Project Manager: Gina Venglass

CONSULTANT'S PROJECT STAFF

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

Principal In Charge: Steve Shupp
Project Manager: Dan Bender

CONSULTANT'S SUB-CONSULTANTS

The following subconsultants will be contracted with and utilized by the Consultant to work on the Project.
Any changes require City approval.

Aerial Mapping:
Geotechnical: GEOtek
Potholing: TBE

END OF EXHIBIT "F"

EXHIBIT "G"

CERTIFICATE

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**
Stanley Consultants, Inc.
Name
5820 South Eastern Avenue, Las Vegas, NV 89110
Address
702.369.9396
Telephone
DUNS: 16-922-2424
EIN or DUNS

Block 2 **Description**
Subject Matter of Contract/Agreement:
Professional Services for the Rancho Drive-Pedestrian, Transit, and Traffic Improvement Project: Decatur to Rainbow.
RFP #:

Block 3 **Type of Business**							
☐	Individual	☐	Partnership	☐	Limited Liability Company	☒	Corporation

CERTIFICATE – DISCLOSURE OF OWNERSHIP/PRINCIPALS (CONTINUED)

Block 4 Disclosure of Ownership and Principals

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

	FULL NAME/TITLE	BUSINESS ADDRESS	BUSINESS PHONE
1.	Stanley Consultant Inc. is wholly owned by SC Companies.	5820 South Eastern Avenue Las Vegas, NV 89145	702.369.9396
2.	Ownership of SC Companies is provided on the following attachment.	225 Iowa Avenue Muscatine, Iowa 52761	563.264.6600
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

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

Daniel W. Bender, Office Manager

5/23/2011
Date

Subscribed and sworn to before me this 23rd day of May 2011

Deborah E Fralix
Notary Public

DEBORAH E FRALIX
Notary Public, State of Nevada
Appointment No. 09-10404-1
My Appt. Expires Jul 13, 2013

City of Las Vegas | Continuation of | 5/23/2011

EXIBIT G
DISCLOSURE of OWNERSHIP

SC COMPANIES, INC.
OVER 1% OWNERSHIP

Name	Office Address	Office Phone
Allchin, Steven	225 Iowa Avenue, Muscatine, IA 52761	563.264.6628
Badtram, Larry	225 Iowa Avenue, Muscatine, IA 52761	563.264.6475
Elliott, Marc	225 Iowa Avenue, Muscatine, IA 52761	563.264.6736
Foster, Gary	225 Iowa Avenue, Muscatine, IA 52761	563.264.6305
Hollatz, James	225 Iowa Avenue, Muscatine, IA 52761	563.264.6557
Hunzinger, Michael	1661 East Camelback Road, Suite 400, Phoenix, AZ 85016	602.333.2255
Johnson, J.	5775 Wayzata Blvd., Suite 300, Minneapolis, MN 55416	952.738.4330
Marlowe, Jack	8501 West Higgins Road, Suite 730, Chicago, IL 60631	773.714.2007
McAlister, Ian	PO Box 36255, Orange Villa Behind Shangri-La Hotel, Villa No. 3, City Between the Bridges, Abu Dhabi, UAE	971.2.558.9330
McKenna, Michael	225 Iowa Avenue, Muscatine, IA 52761	563.264.6477
Mullin, Patrick	225 Iowa Avenue, Muscatine, IA 52761	563.264.6328
Primrose, Stewart	225 Iowa Avenue, Muscatine, IA 52761	563.264.6319
Pruitt, L	225 Iowa Avenue, Muscatine, IA 52761	563.264.6311
Reischauer, Bennett	225 Iowa Avenue, Muscatine, IA 52761	563.264.6312
Roberts, Gayle	225 Iowa Avenue, Muscatine, IA 52761	563.264.6280
Roth, Brian	225 Iowa Avenue, Muscatine, IA 52761	563.264.6638
Rusch, Robert	225 Iowa Avenue, Muscatine, IA 52761	563.264.6384
Schebler, Steven	225 Iowa Avenue, Muscatine, IA 52761	563.264.6282
Schulte, Ronald	225 Iowa Avenue, Muscatine, IA 52761	563.264.6480
Smith, Richard	225 Iowa Avenue, Muscatine, IA 52761	563.264.6204
Stanley, Richard	225 Iowa Avenue, Muscatine, IA 52761	563.264.6868
Thomopulos, Gregs	225 Iowa Avenue, Muscatine, IA 52761	563.264.6645

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: FINANCE
DIRECTOR: CANDACE FALDER ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve award of Agreement No. 110225-EV, Blanket Services Agreement for Partnering Facilitation - Department of Public Works - Award recommended to: TOTAL QUALITY RESOURCES CORPORATION (not-to-exceed $100,000 - Various Funds)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $100,000
Funding Source: Various Funds
Dept./Division: Public Works/Engineering

PURPOSE/BACKGROUND:
This agreement provides for partnering facilitation services for various future capital improvement projects by the Public Works Department. This item is exempt from the competitive bidding process pursuant to NRS 332.115.1(b), Professional Services.

PCC: E. Vandyck
POC: Ron Portaro - (702) 610-1919

RECOMMENDATION:
That City Council approve Agreement No. 110225-EV, Blanket Services Agreement for Partnering Facilitation Services to Total Quality Resources Corporation in the not-to-exceed amount of $100,000. Authority to execute the Agreement is given to the Purchasing Manager per R-48-2006.

BACKUP DOCUMENTATION:
1. Agreement No. 110225-EV
2. Certificate - Disclosure of Ownership/Principals

BLANKET SERVICES AGREEMENT FOR PARTNERING FACILITATION

THIS AGREEMENT is made and entered into this _____ day of_____, _____, by and between the City of Las Vegas (herein the "City"), a municipal corporation within the State of Nevada, whose address is 400 Stewart Avenue, Las Vegas, Nevada, 89101, and **Total Quality Resources Corporation** (the "Consultant"), a **Corporation,** whose address is **3425 Cliff Shadows Parkway, Suite 130, Las Vegas Nevada 89129.**

WITNESSETH:

WHEREAS, the City intends to construct various related public works related projects as part of 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 the execution of this Agreement, the parties hereto intend 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.

WHEREAS, the City desires to retain the Consultant who will be responsible for providing the professional services more fully described below as specified in the Project Task Order issued in connection with a specific Project, and

WHEREAS, the Consultant possesses the special knowledge, skills and expertise to perform the services set forth below within the time required under this Agreement.

NOW, THEREFORE, in consideration of the above premises, the parties hereto agree to the following terms, conditions and covenants set forth below:

SECTION ONE
CONSULTANT RESPONSIBILITIES

1.01 ***Description of Consultant's Services.*** For the compensation set forth in Section Six (Compensation and Terms of Payment), the Consultant hereby agrees to perform the basic services set forth in the Scope of Services and to provide the submittals set forth in the Required Submittals, Exhibits A and B attached hereto and incorporated herein as a part of this Agreement, for each of the specific projects identified by the City In addition to the basic services, if so requested by the City for a specific project, the Consultant agrees to provide the additional services set forth in the Compensation Schedule, Exhibit C attached hereto and incorporated herein as a part of this Agreement. For each project whose services of the Consultant are needed by the City, the City will issue a Project Task Order on the form attached hereto as Exhibit E, attached hereto and incorporated herein as a part of this Agreement, which details the basic services, submittals and, if any, the additional services to be provided by the Consultant for the identified project.

1.02 ***Designation of Consultant Representative.*** The Consultant hereby appoints the individual identified in the Key Personnel List, Exhibit D attached hereto, as its Project representative (the "Consultant Representative"), who is authorized to act on behalf of the Consultant. The Consultant Representative shall serve as the point of contact concerning the performance of this Agreement. The Consultant Representative is responsible for ensuring that the services required under this Agreement and each Project Task Order are be performed only by the personnel identified in the Key Personnel List. If any person, or sub-consultant expected to provide any of the services required herein, is objectionable to the City for any reason, the Consultant shall, without additional compensation, replace such person or sub-consultant with someone acceptable to the City. 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 10.04 of this Agreement.

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 originally 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.

1.03 ***Correspondence Review.*** The Consultant Representative shall furnish the City Representative a copy of each correspondence, if any, sent to any contractor involved with the Project, or to any regulatory agency.

1.04 ***Cooperation with the City.*** The Consultant agrees that its officers, associates, employees and sub-consultants will cooperate with the City in providing the services under this Agreement and will, with advance notice, be 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 ***Designation of 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 is authorized to transmit instructions, receive information, interpret and define the City's policies and decisions concerning the services to be provided by the Consultant. The City Representative is not authorized to change or waive any of the provisions set forth in Sections 1.01 through 10.20 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 within 5 business days of receipt of such documents.

2.03 ***Cooperation with Consultant.*** The City, 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 the Consultant with access onto the Project site as may be required in order 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, 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 10.01 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
ADDITIONALSERVICES 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 that 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
TERM OF AGREEMENT

5.01 ***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 for two (2) years thereafter unless terminated earlier pursuant to Section 10.03 or 10.04 of this Agreement. Such termination shall not release either party

from any of its continuing obligations under this Agreement. The parties may extend this Agreement for a period of one (1) year by mutual agreement.

5.02 ***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 SIX
COMPENSATION AND TERMS OF PAYMENT

6.01 ***Compensation: Basic Services.*** For the services set forth in the Scope of Services, the City agrees to pay the Consultant at the hourly rates set forth in the Consultant Hourly Rates Section of the Compensation Schedule, Exhibit "C" attached hereto and incorporated herein as a part of this Agreement. The amount of compensation to be paid to the Consultant for the basic services will be set forth as a not to exceed amount in the Project Task Order issued for a specific project. The payment will be made after an invoice is submitted to the City in accordance with Section 6.04 of this Agreement.

6.02 ***Hourly Compensation: Additional Services.*** For any services not set forth in the Scope of Services, the City shall pay to the Consultant the fixed fee set forth in the Additional Services Rates Section of the Compensation Schedule, Exhibit "C" attached hereto, provided prior written approval for such services is given by the City Representative. The amount of compensation to be paid to the Consultant for the additional services will be set forth as a not to exceed amount in the Project Task Order issued for a specific project. The payment will be made after an invoice is submitted to the City in accordance with Section 6.04 of this Agreement.

6.03 ***Compensation: Reimbursable Expenses.*** The Consultant agrees that all of its direct and indirect expenses are included in the compensation provided for the Basic Services and Additional Services set forth above. Reimbursable expenses are not allowed under this Agreement.

6.04 ***Payment Invoicing.*** The Consultant must submit an invoice for payment for the services provided by the Consultant based on the manner or method of payment set forth in the Project Task Order, Exhibit E attached hereto and incorporated herein as a part of this Agreement.

(a) The Consultant shall submit an invoice to the City in accordance with the payment schedule set forth in Paragraph B-3 (Prices/Costs) above. All invoices should identify the following items:

(i) the date of the invoice and invoice number;
(ii) the purchase order number;
(iii) Agreement number and project task order number
(iv) the Agreement item against which charges are made;
(v) performance dates covered;
(vi) receipts for reimbursable expenses or travel expenses, if permitted; and
(vii) a copy of the Progress Report, signed or approved by City's Project Manager.

Upon reconciliation of all errors, corrections, credits, and disputes, payment to the Consultant will be made in full within 30 calendar days. **Any invoice received without a valid purchase order number will be returned unpaid to the Consultant.** The Consultant shall submit the original invoice to:

Department of Finance and Business Services
ATTN: Accounts Payable
City of Las Vegas
400 Stewart Ave.
Las Vegas, NV 89101 – 2986

(b) The Consultant shall forward a copy of the invoice to the City's Project Manager identified in Paragraph 9.02(a).

6.05 ***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 shall, within sixty (60) days of the City's acceptance, submit a final invoice to the City in the manner prescribed in 6.04, above.

SECTION SEVEN
PROPOSAL AND PERFORMANCE SCHEDULE

7.01 ***Proposal.*** Subsequent to the execution of this Agreement, the City will notify the Consultant of the need for its services in connection with a specific project of the City. Within 5 business days after the receipt of such notification, the Consultant shall submit to the Project Manager a cost proposal which shall include all cost elements required to perform the services requested by the City and a performance schedule for such services. If accepted by the Project Manager, the cost proposal and performance schedule shall be incorporated into a duly issued Project Task Order to the Consultant, which Project Task Order and requirement set forth therein shall become a part of this Agreement.

7.02 ***Performance.*** The Consultant shall perform and complete the services required under this Agreement and each duly issued Project Task Order. If performance of services is delayed, or submittals are not delivered by the deadline, outlined in the Project Task Order, the Consultant shall notify the City Representative in writing of the reason for the delay and include a plan which brings the Consultant's performance into compliance with the requirements of the Project Task Order.

SECTION EIGHT
AUDIT: ACCESS TO RECORDS

8.01 ***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 it 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.

8.02 ***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.

8.03 ***Period of Maintenance.*** The books, records and other documents created under 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.

8.04 ***Sub-contract Provisions.*** The Consultant agrees to include Sections 9.01 through 9.03 of this Agreement in all its sub-contracts directly related to performance of services specified in this Agreement, which are in excess of $10,000.

SECTION NINE
GENERAL PROVISIONS

9.01 ***Legal Notice*** [CAO-7/24/08]

(a) All legal notices required pursuant to the terms and conditions of this Agreement shall be in writing, unless an emergency situation dictates otherwise. Any notice required to be given under the terms of this Agreement shall be deemed to have been given when:

(i) received by the party to whom it is directed by hand delivery or personal service, or

(ii) transmitted by facsimile with confirmation of transmission, or

(iii) sent by U.S. mail via certified mail-return receipt requested at the following addresses:

FOR THE CITY: City of Las Vegas
Manager, Purchasing and Contracts
City Hall, First Floor
400 Stewart Avenue
Las Vegas, Nevada 89101-2986
Fax: (702) 384-9964

FOR THE CONSULTANT: Total Quality Resources Corporation
Ron M. Portaro
7958 Lookout Rock Circle
Las Vegas, Nevada 89129
Ph. 702-610-1919
Fax: 702-655-5860

(b) The parties shall provide written notification of any change in the information stated above.

(c) An original signed copy, via U. S. Mail, shall follow facsimile transmissions.

(d) For purposes of this Agreement, legal notice shall be required for all matters involving potential termination actions, litigation, indemnification, and unresolved disputes. This does not preclude legal notice for any other actions having a material impact on the Agreement.

(e) Routine correspondence should be directed to the Project Manager or the Consultant Representative, as appropriate.

9.02 ***Project Manager/Consultant Representative*** [CAO-7/24/08]

(a) The City designates John O'Connell, P.E., as the Project Manager for this Agreement. The City will provide written notice to the Consultant, should there be a subsequent Project Manager change. The Project Manager will be the Consultant's principal point of contact at the City regarding any matters relating to this Agreement, will provide all general direction to the Consultant regarding Agreement performance, and will provide guidance regarding the City's goals and policies. The Project Manager is not authorized to waive or modify any material scope of work changes or terms of the Agreement.

(b) The Consultant designates Ron Portaro as the Consultant Representative for this Agreement. The Consultant will provide written notice to the City, should there be a subsequent Consultant Representative change. The City has the right to assume that the Consultant Representative has full authority to act for the Consultant on all matters arising under or relating to this Agreement.

9.03 ***Warranty: Services*** [CAO-7/24/08] The Consultant warrants that the services shall be performed in full conformity with this Agreement, with the professional skill and care that would be exercised by those who perform similar services in the commercial marketplace, and in accordance with accepted industry practice. In the event of a breach of this warranty and/or in the event of non-performance and/or failure of the Consultant to perform the services in accordance with this Agreement, the Consultant shall, at no cost to the City, re-perform or perform the services so that the services conform to the warranty.

9.04 ***Intellectual Property Rights*** [CAO-7/24/08] All deliverables produced under this Agreement, as well as all data, notes, and documentation collected on behalf of the City, are exclusively the property of the City.

9.05 ***Licenses/Registrations*** [CAO-7/24/08] During the entire performance period of this Agreement, the Consultant shall maintain all federal, state, and local licenses, certifications and registrations applicable to the work performed under this Agreement, including maintaining an active City of Las Vegas business license.

9.06 ***Order of Precedence*** [CAO-7/24/08] In the event of a conflict between the specific language set forth in Sections 1 through 10 of this Agreement and any Attachment or Exhibit, the specific language in Sections 1 through 10 shall prevail. Any exception to this order of precedence will be addressed through specific language elsewhere in Sections 1 through 10.

SECTION 10
GENERAL CLAUSES

10.01 *Disputes* [CAO-7/25/08]

(a) For each claim or dispute arising between the parties under this Agreement, the parties shall attempt to resolve the matter through escalating levels of management. In the event the matter cannot be successfully resolved in this manner, the City is granted the right, regardless of which party is asserting the claim or dispute, to determine between arbitration or litigation as the forum in which the party desiring to proceed further shall file to resolve the claim or dispute. For any and all claims or disputes asserted by the Consultant, the Consultant shall notify the City of its intent to proceed further with the claim or dispute, and in response thereto, the City shall notify the Consultant as to its selected forum for resolution. For any and all claims or disputes asserted by the City, the City shall notify the Consultant in the notice of its intent to proceed with further resolution and in the same notice as to whether it has selected arbitration or litigation as the forum to resolve the claim or dispute. In the event arbitration is the designated forum, such arbitration shall be binding on the parties.

(b) If arbitration is selected by the City as the forum for further resolution, the claim or dispute shall be filed with the Nevada Arbitration Association or the American Arbitration Association under its then current Commercial Arbitration Rules, Expedited Procedures, regardless of the amount of the claim or dispute.

(c) The laws of the State of Nevada shall govern this Agreement and the venue for purposes of such litigation or arbitration shall be in the City.

10.02 *Notice of Delay* [CAO-7/24/08]

(a) If the timely performance of this Agreement is jeopardized by the non-availability of City provided personnel, data, or equipment, the Consultant immediately shall notify the City in writing of the facts and circumstances that are contributing to such delay. Upon receipt of this notification, the City will advise the Consultant in writing of the action which will be taken to remedy the situation.

(b) The Consultant shall advise the City in writing of an impending failure to meet established milestones or delivery dates based on the Consultant's failure to perform. Notice shall be provided as soon as the Consultant is aware of the situation; however, such notice shall not relieve the Consultant from any existing obligations regarding performance or delivery.

10.03 *Termination for Convenience* [CAO-7/24/08]

The City shall have the right at any time to terminate further performance of this Agreement, in whole or in part, for any reason whatsoever (including no reason). Such termination shall be effected by written notice from the City to the Consultant, specifying the extent and effective date of the termination. On the effective date of the termination, the Consultant shall terminate all work and take all reasonable actions to mitigate expenses. The Consultant shall submit a written request for incurred costs for services performed through the date of termination, and shall provide any substantiating documentation requested by the City. In the event of such termination, the City agrees to pay the Consultant within 30 days after receipt of a correct, adequately documented written request. The City's sole liability under this Paragraph is for payment of costs for services requested by the City and actually performed by the Consultant.

10.04 *Termination for Default* [CAO-11/9/09]

(a) The City may, by written notice of default to the Consultant, terminate this Agreement in whole or in part if the Consultant fails to:

(i) Perform the services under Section C (Statement of Work), including, if applicable, delivering any required software, goods, or documentation within the time specified in this Agreement or any extension;

(ii) Make progress, so as to endanger performance of this Agreement; or

(iii) Perform any of the other provisions of this Agreement.

(b) The City's right to terminate this Agreement under (a)(ii) and (a)(iii) above, may be exercised if the Consultant does not cure such failure within ten calendar days (or more if authorized by the City) after notice, specifying the failure, is provided pursuant to the Paragraph 9.011 (Legal Notice) of this Agreement.

(c) If the City terminates this Agreement for default in whole or in part, it may acquire, under reasonable terms and in the manner the City considers appropriate, services or goods similar to those terminated, and the Consultant shall be liable to the City for any excess costs for those services or goods. However, the Consultant shall continue the work not terminated.

(d) The Consultant shall not be liable for any excess costs if the failure to perform the Agreement arises from circumstances beyond the control and without the fault or negligence of the Consultant. These circumstances are limited to such causes as (1) acts of God or of the public enemy, (2) acts of governmental bodies, (3) fires, (4) floods, (5) epidemics, (6) quarantine restrictions, (7) labor strikes, (8) freight embargoes, or (9) unusually severe weather. The time of performance of the Consultant's obligations under this Agreement shall be extended by such period of enforced delay; provided, however, that such reasonably extended time period shall not exceed 60 days. If the foregoing circumstances result in a delay greater than 60 days, the City may terminate the affected portion of the Agreement pursuant to the terms of Paragraph 10.03 (Termination for Convenience).

(e) Either party may terminate this Agreement, in whole or in part, if the other party becomes insolvent or bankrupt or makes an assignment for the benefit or creditors, or if a receiver or trustee in bankruptcy is appointed for the other party, or if any proceeding in bankruptcy, receivership, or liquidation is instituted against the other party and is not dismissed within 30 days following commencement thereof.

(f) The City retains the right to terminate for default immediately should the Consultant fail to maintain the required levels of insurance, fail to comply with applicable local, state, and Federal statutes governing performance of these services, or fail to comply with statutes involving health or safety.

(g) In the event that the City fails to perform any of its obligations required under this Agreement, and the City does not remedy the failure after notice thereof is provided to the City by the Consultant pursuant to Paragraph 9.01 (Legal Notice) above, the Consultant shall have the right to treat the failure as a claim or dispute subject to the resolution provisions of Section 10.01 (Disputes) of this Agreement. During the period of such resolution, the Consultant shall continue with its performance under the Agreement.

10.05 ***Insurance***: [CAO-1/12/09]

(a) The Consultant shall procure and maintain, at its own expense, during the entire term of the Agreement, the following coverage(s):

(b) Commercial General Liability Insurance (bodily injury, property damage) with respect to the Consultant's agents assigned to the activities performed under this Agreement in a policy limit of not less than $1,000,000.00 per occurrence and $2,000,000.00 in the aggregate, for bodily injury (including death), personal injury and property damages. Such coverage shall be on an "occurrence" basis and not on a "claims made" basis, and be provided on either a Commercial General Liability or a Broad Form Comprehensive General Liability (including a Broad form CGL endorsement) insurance form. The form must be written on an ISO Form CG 00 01 10 01, or an equivalent form.

(c) Consultant must provide required insurance documentation to Insurance Tracking Services (ITS) immediately upon notification of selection. Award is conditional upon verification by ITS that all insurance requirements have been met. All policy certificates and endorsements are required to be issued by an agent authorized by that insurer and licensed by the State of Nevada. All required aggregate limits must be disclosed and amounts entered on the certificate(s) of insurance. The certificates must identify the Agreement number and the Agreement description. The Consultant shall maintain coverage for the duration of this Agreement, and any renewal periods, if applicable. The Consultant shall annually provide ITS with a certificate of insurance as evidence that all insurance requirements have been met. The Consultant and/or insurance carrier shall provide the City with a 30 day advance notice of policy modification, cancellation or erosion of insurance limits, sent by certified mail "return receipt requested".

Submit certificates of insurance to:

City of Las Vegas
C/O Insurance Tracking Services, Inc. (ITS)

P.O. Box 21919
Long Beach, CA 90801
Account Manager: Michael Palacios
Phone: (888) 435-2955 ext. 503 • Fax: 562-435-2999
Email: michael.palacios@instracking.com

A certified, true and exact copy of each of the project specific insurance policies (including renewal policies) required under this Section shall be provided to the City if so requested.

(d) The City, its officers and employees shall be named as additional insureds and such notation shall appear on the certificate of insurance furnished by the Consultant's insurance carrier. 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. Each insurance carrier's rating as shown in the latest Best's Key Rating Guide shall be fully disclosed and entered on the required certificate of insurance. The City requires insurance carriers to maintain a Best's Key rating of A VII, or higher. The adequacy of the insurance supplied by the Consultant, including the rating and financial health of each insurance carrier providing coverage, is subject to the approval of the City.

(e) All deductibles and self-insurance retentions shall be fully disclosed in the certificate of insurance. No deductible or self-insured retention may exceed $10,000.00 without the prior written approval of the City.

(f) If the Consultant fails to carry the required insurance, the City may (i) order the Consultant to stop further performance hereunder, declare the Consultant in breach, pursuant to Paragraph 10.04, terminate the Agreement if the breach is not remedied and, if permitted, assess liquidated damages, or (ii) purchase replacement insurance and withhold the costs or premium payments made from the payments due to the Consultant or charge the replacement insurance costs back to the Consultant.

(g) Any subcontractor or sub-consultant approved by the City shall be required to procure, maintain and submit proof of insurance to the City of the same insurance requirements as specified above, and as required in this paragraph.

(h) The Consultant is encouraged to purchase any additional insurance as it deems necessary.

(i) The Consultant is required to remedy all injuries to persons and damage or loss to any property of the City, caused in whole or in part by the Consultant, its subcontractors or anyone employed, directed or supervised by the Consultant.

(j) The policies required in 10.05(a) i-ii shall have a Waiver of Subrogation provision endorsement in favor of the City of Las Vegas.

10.06 ***Indemnification*** [CAO-7/24/08]

(a) In addition to the insurance requirements set forth in Paragraph 10.05 (Insurance), the Consultant shall protect, indemnify and hold harmless the City, its officers, employees, agents, and consultants (collectively herein the "City") harmless from any and all claims, liabilities, damages, losses, suits, actions, decrees, and judgments including, attorney's fees, court costs or other expenses of any and every kind or character (collectively herein the "Liabilities") which may be recovered from or sought against the City, as a result of, by reason of, or as a consequence of, any act or omission, negligent or otherwise, on the part of the Consultant, its officers, employees, or agents in the performance of the terms, conditions and covenants of the Agreement, regardless of whether the Liabilities were caused in part by the City.

(b) If a third party claim against the City for negligent performance by the Consultant is within the limits of its liability insurance and the insurance company has accepted the City's tender of defense, then the City will pay the Consultant what is due and owing to them, within the payment method specified in this Agreement. However, if the claim is greater than the coverage amount, the City, for its protection, may retain any money due and owing the Consultant under this Agreement, until the claim has been resolved. In the event no money is due and owing, the surety, if required, of the Consultant, may be held until all of the Liabilities have been settled and suitable evidence to that effect furnished to the City.

(c) It is expressly agreed that the Consultant shall defend the City, against the Liabilities and in the event that the Consultant fails to do so, the City shall have the right, but not the obligation, to defend the same and to charge all direct and incidental costs, including attorney's fees and court costs, to the Consultant.

10.07 ***Assignment*** [CAO-7/24/08] Neither party may assign their rights nor delegate their duties under this Agreement without the written consent of the other party. Such consent shall not be withheld unreasonably. Any assignment or delegation shall not relieve any party of its obligations under this Agreement.

10.08 ***Waiver*** [CAO-7/24/08] Waiver of any terms of this Agreement shall not be valid unless it is in writing signed by each party. The failure of the City to enforce any of the provisions of this Agreement, or to require performance of any of the provisions herein, shall not in any way be construed as a waiver of such provisions or to affect the validity of any part of this Agreement, or to affect the right of the City to thereafter enforce each and every provision of this Agreement. Waiver of any breach of this Agreement shall not be held to be a waiver of any other or subsequent breach of this Agreement.

10.09 ***Taxes/Compliance with Laws*** [CAO-7/24/08]

(a) The City is exempt from paying Sales and Use Taxes under the provisions of Nevada Revised Statutes 372.325(4), and Federal Excise Tax, under Registry Number 88-87-0003k. The Consultant shall pay all taxes, levies, duties and assessments of every nature and kind, which may be applicable to any work under this Agreement. The Consultant shall make any and all payroll deductions required by law. The Consultant agrees to indemnify and hold the City harmless from any liability on account of any and all such taxes, levies, duties, assessments and deductions.

(b) The Consultant, in the performance of the obligations of this Agreement, shall comply with all applicable laws, rules and regulations of all governmental authorities having jurisdiction over the performance of this Agreement including, but not limited to, the Federal Occupational Health and Safety Act, and all state and federal laws prohibiting and/or relating to discrimination by reason of race, sex, age, religion or national origin.

10.10 ***Consultant Warranties.*** The Consultant hereby represents and warrants that 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 Disclosure of Ownership/Principals, Attachment 1 attached hereto and incorporated herein as a part of this Agreement, 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 Disclosure of Ownership/Principals form, 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 Disclosure of Ownership/Principals form within fifteen (15) days of such change.

10.11 ***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 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.

10.12 ***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.

10.13 ***Applicable Law.*** This Agreement shall be construed and interpreted in accordance with the laws of the State of Nevada, County of Clark.

10.14 ***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.

10.15 ***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.

10.16 ***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 sub-consultant 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.

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

10.18 ***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.

10.19 ***Counterparts; Electronic Delivery.*** This Agreement may be executed in counterparts, all such counterparts will constitute the same Agreement 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.

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

ATTEST

Beverly K. Bridges, MMC, City Clerk Date

CITY OF LAS VEGAS

By_____
Kathleen C. Rainey, Manager, Purchasing & Contracts

APPROVED AS TO FORM

John S. Ridilla 6/29/11
Deputy City Attorney Date

John S. Ridilla
Deputy City Attorney

CONSULTANT

By_____
Ron M. Portaro, Total Quality Resources Date

LIST OF EXHIBITS

Any conditions 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	**COMPENSATION SCHEDULE**
EXHIBIT D	**KEY PERSONNEL LIST**
EXHIBIT E	**PROJECT TASK ORDER**

ATTACHMENT 1	**DISCLOSURE OF PRINCIPALS**
ATTACHMENT 2	**AFFIDAVIT OF SOLE PROPRIORTOR**
ATTACHMENT 3	**AFFIDAVIT OF REJECTION OF COVRAGE**

EXHIBIT "A"
SCOPE OF SERVICES

GENERAL: The Consultant shall provide the services needed to accomplish facilitation of the City's Capital Projects, which services may encompass some or all of the following:

(a) Partnering meeting of approximately 4 hours, the goal of which is to develop an understanding to the Project issues and concerns and to develop a dispute resolution procedure;

(b) Quarterly follow-up workshops, the goal of which is to identify and resolve issues and problems arising during the Project; and

(c) On-call Partnering Facilitation, the goal of which is to facilitate the resolution of a particular issue, problem or situation

The specific project, and a more detailed description of the facilitation services to be provided by the Consultant, will be set forth in the individual Project Task Order, Exhibit E attached hereto.

EXHIBIT "B"
REQUIRED SUBMITTALS

GENERAL

Deliverables

(a) The Consultant shall provide a sign-in sheet, Agenda and Minutes for deliverables 1 through 3.

(b) Additional deliverables may be delineated in an individual Task Order, dependent upon the needs of the City.

(c) All deliverables shall be submitted to the Project manager on acid-free white paper, 8-1/2 x 11 inches, suitable for photocopying and bound in booklet format, as appropriate.

(d)

Item No.	Description
1.	Partnering Workshop
2.	Quarterly Follow-Up Workshop
3.	On-Call Partnering Facilitation
4.	Progress Reports, as defined in the Individual Task Order

(e) It is understood that the City may make and distribute copies of the documentation, reports and meeting minutes as necessary in connection with the Project without incurring obligation for additional compensation.

(f) 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, and all Project activity since the last report current issues, and a forecast of upcoming activity.

EXHIBIT "C"
COMPENSATION SCHEDULE

A. CONSULTANT HOURLY RATES

The following hourly rates are to be used as the basis for negotiation of added and reduce 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
Lead Facilitator	$200	Per Hour
Support Facilitator	$150	Per Hour
Clerical	$45	Per Hour

B. ADDITIONAL SERVICES RATES

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

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

These fees are valid for the duration of the Project and include salary costs, equipment, overhead, administration and profit.

C. REIMBURSABLE EXPENSES

The following Reimbursable Expenses are allowed: **None authorized or anticipated as of the date of this Agreement**

EXHIBIT "D"
KEY PERSONNEL LIST

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

CONSULTANT REPRESENTATIVE: Ron M. Portaro

LEAD FACILATOR: Ron M. Portaro

SUPPORT FACILATOR: Curtis Scheppmann/Levi Parker

CLERICAL: Nancy Hallahan/Leah Portaro

EXHIBIT "E"
PROJECT TASK ORDER

(Number E-____)

Blanket Agreement Project Name:
Blanket Agreement Date:
Blanket Agreement Maximum Not-to-Exceed Fee: $100,000
Total Aggregate Fee Commitments Prior to this Task Order:
Amount of This Project Task Order:
Remaining Amount on Blanket Agreement:
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 an 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/Additional Instructions:
Estimated Budget:

The parties do hereby agree to the following additional terms and conditions for this Project Task Order: **State "None" if no additional terms and conditions are required.**

Section A – Scope of Services:Section B – Required Submittals:

Section C – Compensation:Section D – Key Personnel List:

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

Dated this _____ day of _____, _____.

City
By: _____

Consultant
By: _____

ATTACHMENT 1

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.

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	Total Quality Resources Corporation
Address	**3455 Cliff Shadows Parkway, Las Vegas NV 89129**
Telephone	702-610-1919
EIN or DUNS	88-0318507

Block 2	**Description**
	Facilitation Partnering / Dispute Resolution Professional Services
RFP #:	

Block 3	**Type of Business**						
☐	Individual	☐	Partnership	☐	Limited Liability Company	X	Corporation

CERTIFICATE – DISCLOSURE OF OWNERSHIP/PRINCIPALS

(CONTINUED)

Block 4 **Disclosure of Ownership and Principals**

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

	FULL NAME/TITLE	BUSINESS ADDRESS	BUSINESS PHONE
1.	Ron Michael Portaro	3455 Cliff Shadows Parkway Suite 150 Las Vegas NV 89129	702-610-1919
2.	Nancy Hallahan Portaro	3455 Cliff Shadows Parkway Suite 150 Las Vegas NV 89129	702-610-1919
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

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

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: N/A

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

1-10-2011

Subscribed and sworn to before me this 10th day of January, 2011

Gail D. Wilkinson
Notary Public

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
GAIL D. WILKINSON
Appt. No. 03-86561-1
My Appt. Expires March 6, 2011

ATTACHMENT 2
AFFIDAVIT OF SOLE PROPRIETOR

I, Ron M Portano, on behalf of my company, [illegible] Corporation

being duly sworn, depose and declare:

1. I am a Sole Proprietor;

2. I will not use the services of any employees in the performance of this contract, identified as Bid No. _____ / Contract No. _____ / CBE No. 110225-EV, entitled Partnering Facilitation;

3. I have elected to not be included in the terms, conditions, and provisions of NRS Chapters 616A-616D, inclusive; and

4. I am otherwise in compliance with the terms, conditions, and provisions of NRS Chapters 616A-616D, inclusive.

I release the City of Las Vegas from all liability associated with claims made against me and my company in the performance of this contract, that related to compliance with NRS Chapters 616A-616D, inclusive.

Signed this [illegible] day of June, 20[illegible]

Signature [signature]

State of Nevada)
) ss.
County of Clark)

Signed and sworn to (or affirmed) before me on this 8th day of June 20[illegible] by Ron Portano (name of person making statement)

[signature]
Notary Signature

STAMP AND SEAL

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
[illegible]

ATTACHMENT 3
AFFIDAVIT OF REJECTION OF COVERAGE

**AFFIDAVIT OF REJECTION OF COVERAGE
FOR WORKERS' COMPENSATION
UNDER NRS 616B.627 AND NRS 617.210**

In the State of Nevada, County of Clark, Ron Portano, being duly sworn, deposes and says:

1. I make the following assertions pursuant to NRS 616B.627 and NRS 617.210.
2. I am a sole proprietor who will not use the services of any employees in the performance of this Contract with the city of Las Vegas.
3. In accordance with the provisions of NRS 616B.659, I have not elected to be included within the terms, conditions and provisions of chapters 616A to 616D, inclusive, of NRS, relating thereto.
4. I am otherwise in compliance with the terms, conditions and provisions of chapters 616A to 616D, inclusive, of NRS.
5. In accordance with the provisions of NRS 617.225, I have not elected to be included within the terms, conditions and provisions of chapter 617 of NRS.
6. I am otherwise in compliance with the terms, conditions and provisions of chapter 617 of NRS.
7. I acknowledge that the city of Las Vegas will not be considered to be my employer or the employer of my employees, if any; and that the city of Las Vegas is not liable as a principal contractor to me or my employees, if any, for any compensation or other damages as a result of an industrial injury or occupational disease incurred in the performance of this Contract.

I, Ron Portano, do here swear under penalty of perjury that the assertions of this affidavit are true.

Signed this 22 day of JUNE, 20 11.

Signature _____

State of Nevada

County of County

Signed and sworn to (or affirmed) before me on this 22nd day of June, 2011,
by Ron Portano (name of person making statement).

Notary Signature Beth Hurley

STAMP AND SEAL

BETH HURLEY
Notary Public State of Nevada
No. 09-9270-1
My appt. exp. Feb. 9, 2013

ATTACHMENT 1

CERTIFICATE
DISCLOSURE OF OWNERSHIP/PRINCIPALS

1. **Definitions**

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"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**
Name Total Quality Resources Corporation	
Address **3455 Cliff Shadows Parkway,** **Las Vegas NV 89129**	
Telephone 702-610-1919	
EIN or DUNS 88-0316607	

Block 2	**Description**
Facilitation Partnering / Dispute Resolution Professional Services	
RFP #:	

Block 3	**Type of Business**						
☐	Individual	☐	Partnership	☐	Limited Liability Company	X	Corporation

CERTIFICATE – DISCLOSURE OF OWNERSHIP/PRINCIPALS

(CONTINUED)

Block 4 **Disclosure of Ownership and Principals**

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

	FULL NAME/TITLE	BUSINESS ADDRESS	BUSINESS PHONE
1.	Ron Michael Portaro	3455 Cliff Shadows Parkway Suite 150 Las Vegas NV 89129	702-510-1919
2.	Nancy Hallahan Portaro	3455 Cliff Shadows Parkway Suite 150 Las Vegas NV 89129	702-510-1919
3.			
4.			
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6.			
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10.			

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

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: N/A

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.

[signature]

Name

1-10-2011

Subscribed and sworn to before me this 10th day of January, 2011.

[signature]

Notary Public

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
GAIL D. WILKINSON
Appt. No. 03-80551-1
My Appt. Expires Mar ch 6, 2011

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: FINANCE
DIRECTOR: CANDACE FALDER ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve award of Modification No. 1 to Contract No. 07.1730.04-LED, Construction of the Bonanza Trail Phase II located west of Rainbow Boulevard along Westcliff Drive to Lorenzi Street and east of Jones Boulevard and north of US 95 to Decatur Boulevard - Department of Public Works - Award recommended to: WELLS CARGO, INC. ($350,000 - Parks and Leisure Activities Capital Projects Fund) - Wards 1 and 5 (Tarkanian and Barlow)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $350,000
Funding Source: Parks and Leisure Activities CPF
Dept./Division: Public Works

PURPOSE/BACKGROUND:
This modification will provide for new bike lanes between Charleston Boulevard and Jones Boulevard, survey work required to match the NDOT landscape enhancement project adjacent to US 95 and unforeseen structural components for the Decatur Boulevard pedestrian bridge.

PCC: D. Collins
POC: Guy Wells - (702) 876-5090

RECOMMENDATION:
That City Council approve award of Modification No. 1 to Contract No. 07.1730.04-LED, Construction of the Bonanza Trail Phase II to Wells Cargo, Inc. in the amount of $350,000. Authority to execute the Modification is given to the Purchasing Manager per R-48-2006.

BACKUP DOCUMENTATION:
Modification No. 1 to Contract No. 07.1730.04-LED

CITY OF LAS VEGAS CONTRACT MODIFICATION

DATE:_

BID# 07.1730.04-LED **PURCHASE ORDER #: 286488** SUPPLEMENT: MODIFICATION #1

NAME AND ADDRESS OF CONTRACTOR: **Wells Cargo, Inc.**
9127 W Russell Rd # 210
Las Vegas, NV 89148-1254

CONTRACT DESCRIPTION: **Construction of the Bonanza Trail Phase II project**

DESCRIPTION AND REASON FOR MODIFICATION: **Contract Modification is necessary due to the addition of new bike lanes between Charleston Boulevard and Jones Boulevard as requested by Ward 1, additional unforeseen structural components for the Decatur Boulevard pedestrian bridge, and additional survey work and grade adjustments necessary to match NDOTs landscape enhancement project adjacent to US95.**

PRICE OF THIS MODIFICATION (WRITTEN): **Three Hundred Fifty Thousand Dollars no cents** DOLLARS: **$350,000**

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

ORIGINAL COMPLETION DATE: August 1, 2011 NEW COMPLETION DATE: August 1, 2011

PRICE OF ORIGINAL CONTRACT:	**$4,889,440.75**	
PRICE OF ALL PREVIOUS MODIFICATIONS:	$0	(#_____through _____)
PRICE OF THIS MODIFICATION:	**$350,000**	
PRICE OF CONTRACT (INCLUDING THIS MODIFICATION):..	**$5,239,440.75**	

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)

6/20/11
(DATE)

ATTEST: _____
(CITY CLERK) (DATE)

WELLS CARGO, INC.

BY Kirt Robison 6-16-11
DATE

Project Manager
(TITLE)

_____
PURCHASING AND CONTRACTS MANAGER

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: FINANCE
DIRECTOR: CANDACE FALDER ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve award of Bid No. 11.1762.10-TRF (Revised), 2011 Annual Concrete Replacement and Asphalt Patching - Department of Operations and Maintenance - Award recommended to: DREW ASPHALT PAVING, INC. ($3,400,000 - Street Maintenance Special Revenue Fund) - All Wards

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $3,400,000
Funding Source: Street Maintenance SRF
Dept./Division: Operations and Maintenance

PURPOSE/BACKGROUND:
This requirement provides for removal and replacement of asphalt pavement, removal and replacement of sidewalks, curbs and gutters and other related work as directed by Operations and Maintenance as part of the annual maintenance program.

PCC: T. Fernandez
POC: Monte Drew - (702) 656-0220

RECOMMENDATION:
That City Council approve award of Bid No. 11.1762.10-TRF (Revised), Annual Concrete Replacement and Asphalt Patching to Drew Asphalt Paving, Inc. in the estimated annual amount of $3,400,000 from date of award through March 30, 2012 with four one-year options to renew. Authority to execute the Contract is given to the Purchasing Manager per R-48-2006.

BACKUP DOCUMENTATION:
Bid Abstract

11.1762.01-TRF (REVISED)
2011 Annual Concrete
Replacement & Asphalt Patching

				Drew Asphalt Paving, Inc		Aggerate Industries-SWR Inc		Mikon Construction Co, Inc.	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
202.05.01	SAWCUTTING OF BITUMINOUS PAVEMENT	L.F.	37,849	$0.55	$20,816.95	$0.75	$28,386.75	$1.40	$52,988.60
202.05.02	REMOVAL OF BITUMINOUS PAVEMENT	S.F.	192,919	$0.25	$48,229.75	$0.85	$163,981.15	$0.43	$82,955.17
202.05.03	REMOVAL OF CONCRETE CURB AND GUTTER	L.F.	10,521	$8.00	$84,168.00	$2.80	$29,458.80	$3.30	$34,719.30
202.05.04	REMOVAL OF CONCRETE RESIDENTIAL DRIVEWAY	S.F.	9,895	$4.00	$39,580.00	$0.65	$6,431.75	$1.75	$17,316.25
202.05.05	REMOVAL OF CONCRETE COMMERCIAL DRIVEWAY	S.F.	1,200	$4.00	$4,800.00	$1.10	$1,320.00	$3.25	$3,900.00
202.05.06	REMOVAL OF CONCRETE DEPRESSED ALLEY DRIVEWAY	S.F.	1,200	$4.00	$4,800.00	$1.10	$1,320.00	$3.25	$3,900.00
202.05.07	REMOVAL OF CONCRETE VALLEY GUTTER	S.F.	17,633	$4.00	$70,532.00	$1.53	$26,978.49	$3.40	$59,952.20
202.05.08	REMOVAL OF CONCRETE SIDEWALK AND RAMPS	S.F.	62,616	$2.00	$125,232.00	$0.61	$38,195.76	$1.43	$89,540.88
203.05.01	ROADWAY EXCAVATION	C.Y.	1,803	$19.80	$35,699.40	$20.97	$37,808.91	$14.60	$26,323.80
302.05.01	AGGREGATE BASE PREPARATION	S.F.	299,550	$0.10	$29,955.00	$0.09	$26,959.50	$0.38	$113,829.00
302.05.02	CONSTRUCT TYPE II AGGREGATE BASE COURSE	TON	2,693	$11.00	$29,623.00	$22.85	$61,535.05	$12.75	$34,335.75
404.05.01	CONSTRUCT 4" THICK HOT PLANTMIX RECYCLED BITUMINOUS PAVEMENT PATCH, TRAFFIC CATEGORY I, AC-30, TYPE 2 COARSE AGGREGATE	S.F.	8,810	$3.45	$30,394.50	$2.60	$22,906.00	$3.71	$32,685.10
404.05.02	CONSTRUCT 5" THICK HOT PLANTMIX RECYCLED BITUMINOUS PAVEMENT PATCH, TRAFFIC CATEGORY I, AC-30, TYPE 2 COARSE AGGREGATE	S.F.	26,911	$4.00	$107,644.00	$3.62	$97,417.82	$4.18	$112,487.98
404.05.03	CONSTRUCT 6" THICK HOT PLANTMIX RECYCLED BITUMINOUS PAVEMENT PATCH, TRAFFIC CATEGORY I, AC-30, TYPE 2 COARSE AGGREGATE	S.F.	8,892	$4.35	$38,680.20	$4.35	$38,680.20	$5.18	$46,060.56
404.05.04	CONSTRUCT 3" THICK HOT PLANTMIX RECYCLED BITUMINOUS PAVEMENT PATCH, TRAFFIC CATEGORY II, AC-30, TYPE 2 FINE AGGREGATE	S.F.	5,500	$3.25	$17,875.00	$2.49	$13,695.00	$2.52	$13,860.00

				Drew Asphalt Paving, Inc		Aggerate Industries-SWR Inc		Mikon Construction Co, Inc.	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
404.05.05	CONSTRUCT 4" THICK HOT PLANTMIX RECYCLED BITUMINOUS PAVEMENT PATCH, TRAFFIC CATEGORY II, AC-30, TYPE 2 FINE AGGREGATE	S.F.	5,000	$3.50	$17,500.00	$2.60	$13,000.00	$3.71	$18,550.00
404.05.06	CONSTRUCT 3" THICK HOT PLANTMIX RECYCLED BITUMINOUS PAVEMENT PATCH, TRAFFIC CATEGORY II, AC-30, TYPE 3 AGGREGATE	S.F.	131,487	$3.00	$394,461.00	$2.49	$327,402.63	$2.52	$331,347.24
406.05.01	EMULSIFIED ASPHALT PRIME COAT	S.F.	50,000	$0.10	$5,000.00	$0.12	$6,000.00	$0.04	$2,000.00
407.05.01	APPLY EMULSIFIED ASPHALT SEAL COAT	S.F.	50,000	$0.10	$5,000.00	$0.10	$5,000.00	$0.04	$2,000.00
511.05.01	CONSTRUCT CONCRETE 24" SIDEWALK DRAIN	EA.	4	$1,500.00	$6,000.00	$1,320.00	$5,280.00	$2,055.00	$8,220.00
511.05.02	CONSTRUCT CONCRETE 48" SIDEWALK DRAIN	EA.	4	$3,000.00	$12,000.00	$2,605.00	$10,420.00	$2,445.00	$9,780.00
609.05.01	ADJUST MANHOLE COVER AND CONSTRUCT CONCRETE COLLAR	EA.	11	$450.00	$4,950.00	$818.00	$8,998.00	$185.00	$2,035.00
613.05.01	CONSTRUCT 24 INCH "L" TYPE CURB AND GUTTER	L.F.	10,193	$6.50	$66,254.50	$16.25	$165,636.25	$16.65	$169,713.45
613.05.02	CONSTUCT MACHINE EXTRUDED 24 INCH "L" TYPE CURB AND GUTTER	L.F.	2,500	$13.75	$34,375.00	$11.80	$29,500.00	$11.55	$28,875.00
613.05.03	CONSTRUCT "ROLL" TYPE CURB AND GUTTER	L.F.	1,000	$11.75	$11,750.00	$15.00	$15,000.00	$16.65	$16,650.00
613.05.04	CONSTUCT CONCRETE RESIDENTIAL DRIVEWAY	S.F.	11,009	$7.00	$77,063.00	$4.30	$47,338.70	$6.85	$75,411.65
613.05.05	CONSTRUCT CONCRETE COMMERCIAL DRIVEWAY	S.F.	1,200	$8.00	$9,600.00	$11.20	$13,440.00	$8.55	$10,260.00
613.05.06	CONSTRUCT CONCRETE DEPRESSED ALLEY DRIVEWAY	S.F.	1,200	$8.00	$9,600.00	$6.85	$8,220.00	$8.55	$10,260.00
613.05.07	CONSTRUCT CONCRETE VALLEY GUTTER	S.F.	18,485	$7.50	$138,637.50	$8.80	$162,668.00	$9.45	$174,683.25
613.05.08	CONSTRUCT CONCRETE SIDEWALK	S.F.	37,009	$3.10	$114,727.90	$4.15	$153,587.35	$3.80	$140,634.20
613.05.09	CONSTRUCT CONCRETE SIDEWALK RAMP	S.F.	24,359	$3.34	**$81,359.06**	$5.25	$127,884.75	$5.25	$127,884.75
613.05.10	CONSTRUCT FIRE HYDRANT SHEAR PAD	EA.	10	$190.00	$1,900.00	$132.00	$1,320.00	$112.00	$1,120.00
613.05.11	CONSTRUCT STREETLIGHT CRASH CAP	EA.	50	$60.00	$3,000.00	$64.00	$3,200.00	$78.00	$3,900.00
613.05.12	EMBEDDED DETECTABLE TACTILE WARNING STRIPS (2'x4')	EA.	185	$176.00	$32,560.00	$125.00	$23,125.00	$220.00	$40,700.00
613.05.13	EMBEDDED DETECTABLE TACTILE WARNING STRIPS (2'x5')	EA.	30	$176.00	$5,280.00	$157.00	$4,710.00	$235.00	$7,050.00
623.05.01	CONSTRUCT NO. 3-1/2 PULL BOX	EA.	50	$284.00	$14,200.00	$397.00	$19,850.00	$77.00	$3,850.00
623.05.02	CONSTRUCT NO. 5 PULL BOX	EA.	20	$330.00	$6,600.00	$477.00	$9,540.00	$105.00	$2,100.00
623.05.03	CONSTRUCT NO. 7 PULL BOX	EA.	45	$525.00	$23,625.00	$597.00	$26,865.00	$220.00	$9,900.00

ITEM NO.	DESCRIPTION	U O M	QTY	Drew Asphalt Paving, Inc		Aggerate Industries-SWR Inc		Mikon Construction Co, Inc.	
				UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
623.05.04	RELOCATE EXISTING STREETLIGHT ELECTRICAL CONDUIT	L.F.	1200	$18.75	$22,500.00	$11.65	$13,980.00	$3.90	$4,680.00
623.05.05	CONSTRUCT 1-1/4" STREETLIGHT ELECTRICAL CONDUIT	L.F.	2,500	$16.04	$40,100.00	$14.20	$35,500.00	$4.90	$12,250.00
623.05.06	CONSTRUCT 2" STREETLIGHT ELECTRICAL CONDUIT	L.F.	1,000	$17.75	$17,750.00	$14.70	$14,700.00	$5.90	$5,900.00
623.05.07	INSTALL TRAFFIC LOOP DETECTOR	EA.	16	$784.00	$12,544.00	$452.00	$7,232.00	$620.00	$9,920.00
624.05.01	TRAFFIC CONTROL AND MAINTENANCE	F.A.	1	$60,000.00	$60,000.00	$60,000.00	$60,000.00	$60,000.00	$60,000.00
629.05.01	ADJUST VALVE BOX AND CONSTRUCT CONCRETE COLLAR	EA.	40	$190.00	$7,600.00	$465.00	$18,600.00	$145.00	$5,800.00
629.05.02	CONSTRUCT 1" SERVICE METER BOX (11"X20"X12")	EA.	75	$270.00	$20,250.00	$440.00	$33,000.00	$177.00	$13,275.00
629.05.03	CONSTRUCT 2" SERIVCE METER BOX (16"X29"X12")	EA.	15	$270.00	$4,050.00	$593.00	$8,895.00	$220.00	$3,300.00
	Total Base Bid Amount				**$1,948,266.76**		**$1,974,967.86**		**$2,036,904.13**
					Correct Total				
	Engineer's Estimate								
	Responsive Bidder				yes				
	Responsible Bidder				yes				
	Bidder's Preference Claimed?				Yes [redacted]		Yes or No		Yes or No

TO: Dept. Mngr. or Deisgnee Please review and approve recommended award to

Drew Asphalt Paving, Inc. in the amount of $ 1,948,266.76

Purchasing & Contracts Representative — 6-27-11 Date

Using Department Authorized Rep Signature — 6-27-11 Date

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: FINANCE
DIRECTOR: CANDACE FALDER ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve award of Bid Lot 2 of Clark County Cooperative Bid No. 6022217-11, Traffic Lighting and Traffic Signal Poles - Department of Public Works - Award recommended to: VEGAS ELECTRIC SUPPLY ($635,318 - General Fund)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $635,318
Funding Source: General Fund
Dept./Division: Public Works

PURPOSE/BACKGROUND:
This cooperative bid with Clark County will allow the City of Las Vegas to purchase traffic lighting and traffic signal poles to be used for replacement of damaged poles due to traffic accidents, projects for installation and modifications of traffic signal poles and general maintenance of existing traffic signal poles due to aging.

PCC: A. Green
POC: Scott Fowler - (702) 367-0980

RECOMMENDATION:
That City Council approve Bid Lot 2 of Clark County Cooperative Bid No. 6022217-11, Traffic Lighting and Traffic Signal Poles in the estimated annual amount of $635,318 from date of award through July 30, 2012 with four one-year options to renew. Authority to execute the Contract is given to the Purchasing Manager per R-48-2006.

BACKUP DOCUMENTATION:
Bid Abstract

Bid No. 602217-11
Street Lighting and Traffic Signal Poles

ITEM NUMBER	BILLING NUMBER	ITEM DESCRIPTION	APPROX. QUANTITY	Vegas Electric UNIT PRICE	Vegas Electric EXTENDED TOTAL	Crescent Electric UNIT PRICE	Crescent Electric EXTENDED TOTAL	HD Supply UNIT PRICE	HD Supply EXTENDED TOTAL	ANI of Nevada UNIT PRICE	ANI of Nevada EXTENDED TOTAL	Industries Power-Lite UNIT PRICE
11 GAUGE GALVANIZED STREETLIGHT POLE WITH 1 BOLT SIMPLEX												
100.1	1A-1	28' POLE HEIGHT	10	$631.00	$6,310.00	$637.71		$650.50	$6,505.00	$675.61	$6,756.10	$375.00
100.2	1A-2	30' POLE HEIGHT	300	$631.00	$189,300.00	$637.71	$191,313.00	$649.00	$194,700.00	$675.61	$202,683.00	$400.00
11 GAUGE GALVANIZED STREETLIGHT POLE WITH 3 BOLT SIMPLEX												
100.3	1B-1	26' POLE HEIGHT	5	$696.00	$3,480.00	$703.40	$3,517.00	$717.50	$3,587.50	$745.21	$3,726.05	$365.00
100.4	1B-2	28' POLE HEIGHT	5	$696.00	$3,480.00	$703.40	$3,517.00	$717.50	$3,587.50	$745.21	$3,726.05	$385.00
100.5	1B-3	30' POLE HEIGHT	15	$696.00	$10,440.00	$703.40	$10,551.00	$717.00	$10,755.00	$745.21	$11,178.15	$405.00
7 GAUGE GALVANIZED STREETLIGHT POLE WITH 1 BOLT SIMPLEX												
100.6	1C-1	30' POLE HEIGHT	10	$770.00	$7,700.00	$778.19	$7,781.90	$795.00	$7,950.00	$824.44	$8,244.40	$535.00
7 GAUGE GALVANIZED STREETLIGHT POLE WITH 3 BOLT SIMPLEX												
100.7	1D-1	30' POLE HEIGHT	10	$894.00	$8,940.00	$903.51	$9,035.10	$921.65	$9,216.50	$957.21	$9,572.10	$535.00
11 GAUGE GALVANIZED STREETLIGHT POLE WITH SAFETY BASE AND 3 BOLT SIMPLEX												
100.8	1E.1	30' POLE HEIGHT	10	$829.00	$8,290.00	$837.82	$8,378.20	$855.00	$8,550.00	$887.61	$8,876.10	$415.00
7 GAUGE GALVANIZED STREETLIGHT POLE WITH SAFETY BASE AND 3 BOLT SIMPLEX												
100.9	1F-1	30' POLE HEIGHT	10	$849.00	$8,490.00	$858.03	$8,580.30	$875.00	$8,750.00	$909.02	$9,090.20	$310.00
GALVANIZED LUMINAIRE MAST ARMS FOR STREETLIGHT POLE WITH 1 BOLT SIMPLEX												
100.10	1G-1	2" PIPE WITH STANDARD CURVATURE RISE, 8' LENGTH	200	$70.00	$14,000.00	$70.74	$14,148.00	$75.00	$15,000.00	$74.95	$14,990.00	$55.00
100.11	1G-2	STRAIGHT 2" PIPE WITHOUT RISE, 8' LENGTH	5	$59.00	$295.00	$59.63	$298.15	$65.00	$325.00	$63.18	$315.90	$55.00
GALVANIZED TAPERED TUBE LUMINAIRE MAST ARM FOR STREETLIGHT POLES WITH 3 BOLT												
100.12	1H-1	STANDARD CURVATURE RISE, 10' LENGTH	10	$220.00	$2,200.00	$222.34	$2,223.40	$226.80	$2,268.00	$235.55	$2,355.50	$95.00
100.13	1H-2	STANDARD CURVATURE RISE, 12' LENGTH	20	$225.00	$4,500.00	$227.39	$4,547.80	$232.00	$4,640.00	$240.91	$4,818.20	$105.00
100.14	1H-3	STANDARD CURVATURE RISE, 15' LENGTH	30	$298.00	$8,940.00	$301.17	$9,035.10	$307.00	$9,210.00	$319.06	$9,571.80	$120.00
100.15	1H-4	STANDARD CURVATURE RISE, 18' LENGTH	5	$326.00	$1,630.00	$329.47	$1,647.35	$335.00	$1,675.00	$349.05	$1,745.25	$175.00
STREETLIGHT POLE MISCELLANEOUS ITEMS												
100.16	1I-1	1" ANCHOR BOLT SET WITH 4 BOLTS, 8 NUTS AND 8 WASHERS	50	$63.00	$3,150.00	$63.67	$3,183.50	$64.95	$3,247.50	$67.46	$3,373.00	$75.00
100.17	1I-2	1-1/8" ANCHOR BOLT SET WITH 4 BOLTS, 8 NUTS AND 8 WASHERS	50	$161.00	$8,050.00	$162.71	$8,135.50	$155.95	$7,797.50	$172.39	$8,619.50	$100.00
100.18	1I-3	ANCHOR BOLT COVER	100	$24.00	$2,400.00	$24.26	$2,426.00	$25.00	$2,500.00	$25.69	$2,569.00	$40.00
100.19	1I-4	HANDHOLE COVER	200	$6.50	$1,300.00	$6.57	$1,314.00	$7.00	$1,400.00	$6.95	$1,390.00	$10.00
100.20	1I-5	SET OF 100 1" ANCHOR BOLT NUTS	2	$85.00	$170.00	$85.90	$171.80	$85.00	$170.00	$91.01	$182.02	$300.00
100.21	1I-6	SET OF 100 1-1/8" ANCHOR BOLT NUTS	2	$171.00	$342.00	$172.82	$345.64	$185.00	$370.00	$183.09	$366.18	$350.00
100.22	1I-7	SET OF 100 1" ANCHOR BOLT WASHERS	2	$23.00	$46.00	$23.24	$46.48	$24.50	$49.00	$24.62	$49.24	$60.00
100.23	1I-8	SET OF 100 1-1/8" ANCHOR BOLT WASHERS	2	$60.00	$120.00	$60.64	$121.28	$58.95	$117.90	$64.24	$128.48	$80.00
100.24	1I-9	ADD A SECOND 1 BOLT MAST ARM ATTACHMENT PLATE TO STREETLIGHT POLE	5	$31.00	$155.00	$31.33	$156.65	$31.95	$159.75	$33.19	$165.95	$15.00
100.25	1I-10	ADD A SECOND 3 BOLT MAST ARM ATTACHMENT PLATE TO STREETLIGHT POLE	30	$75.00	$2,250.00	$75.80	$2,274.00	$77.50	$2,325.00	$80.30	$2,409.00	$45.00
100.26	1I-11	SET OF 25 SLIP GASKETS FOR SAFETY BASE	2	$34.00	$68.00	$34.36	$68.72	$35.05	$70.10	$36.40	$72.80	$250.00
100.27	1I-12	1" X 6" SLIP BOLT SET FOR SAFETY BASE COMPLETE WITH 4 BOLTS, 8 NUTS, 8 WASHERS, AND SLIP GASKETS (PER SAFETY BASE DRAWING NO. S-8)	10	$88.00	$880.00	$88.94	$889.40	$90.75	$907.50	$95.28	$952.80	$40.00

TYPE XX GALVANIZED TRAFFIC SIGNAL (TS) POLE

Bid No. 602217-11
Street Lighting and Traffic Signal Poles

				Vegas Electric		Crescent Electric		HD Supply		ANI of Nevada		Industries Power-Lite
100.28	2A-1	20' TS POLE SHAFT, TYPE XX-20	2	$2,210.00	$4,420.00	$2,233.51	$4,467.02	$2,278.35	$4,556.70	$2,366.26	$4,732.52	$1,715.00
100.29	2A-2	30' TS POLE SHAFT, TYPE XX-30 WITH DUAL LUMINAIRE MOUNTING PLATE	10	$2,719.00	$27,190.00	$2,747.93	$27,479.30	$2,800.00	$28,000.00	$2,911.25	$29,112.50	$2,385.00
100.30	2A-3	10' TS MAST ARM, SLICK WITHOUT TENONS	2	$653.00	$1,306.00	$659.95	$1,319.90	$670.00	$1,340.00	$699.17	$1,398.34	$385.00
100.31	2A-4	15' TS MAST ARM, SLICK WITHOUT TENONS	2	$666.00	$1,332.00	$673.09	$1,346.18	$685.00	$1,370.00	$713.10	$1,426.20	$430.00
100.32	2A-5	20' TS MAST ARM, SLICK WITHOUT TENONS	2	$698.00	$1,396.00	$705.43	$1,410.86	$715.00	$1,430.00	$747.35	$1,494.70	$480.00
100.33	2A-6	25' TS MAST ARM, SLICK WITHOUT TENONS	4	$810.00	$3,240.00	$818.62	$3,274.48	$835.00	$3,340.00	$867.27	$3,469.08	$545.00
100.34	2A-7	30' TS MAST ARM, SLICK WITHOUT TENONS	4	$1,129.00	$4,516.00	$1,141.01	$4,564.04	$1,163.00	$4,652.00	$1,208.82	$4,835.28	$615.00
100.35	2A-8	35' TS MAST ARM, SLICK WITHOUT TENONS	4	$1,240.00	$4,960.00	$1,253.19	$5,012.76	$1,278.35	$5,113.40	$1,327.68	$5,310.72	$695.00
100.36	2A-9	40' TS MAST ARM, SLICK WITHOUT TENONS	4	$1,286.00	$5,144.00	$1,299.68	$5,198.72	$1,325.75	$5,303.00	$1,376.93	$5,507.72	$785.00
100.37	2A-10	45' TS MAST ARM, SLICK WITHOUT TENONS	4	$1,462.00	$5,848.00	$1,477.55	$5,910.20	$1,507.00	$6,028.00	$1,565.38	$6,261.52	$880.00
100.38	2A-11	PAINTED 20' TS POLE SHAFT, TYPE XX-20	1	$ $2,142.00	$2,142.00	$2,164.79	$2,164.79	$2,208.25	$2,208.25	$2,293.46	$2,293.46	$1,770.00
100.39	2A-12	PAINTED 30' TS POLE SHAFT, TYPE XX-30 WITH DUAL LUMINAIRE MOUNTING PLATE	8	$ $2,647.00	$21,176.00	$2,675.16	$21,401.28	$2,728.85	$21,830.80	$2,834.16	$22,673.28	$2,460.00
TYPE XX- PAINTED TRAFFIC SIGNAL (TS) POLE												
100.40	2B-1	20' TS POLE SHAFT, TYPE XX-20	1	$2,142.00	$2,142.00	$2,164.79	$2,164.79	$2,208.25	$2,208.25	$2,293.46	$2,293.46	$1,770.00
100.41	2B-2	30' TS POLE SHAFT, TYPE XX-30 WITH DUAL LUMINAIRE MOUNTING PLATE	4	$2,647.00	$10,588.00	$2,675.16	$10,700.64	$2,728.85	$10,915.40	$2,834.16	$11,336.64	$2,460.00
100.42	2B-3	35' TS MAST ARM, SLICK WITHOUT TENONS	4	$1,288.00	$5,152.00	$1,301.70	$5,206.80	$1,329.00	$5,316.00	$1,379.06	$5,516.24	$740.00
100.43	2B-4	40' TS MAST ARM, SLICK WITHOUT TENONS	4	$1,299.00	$5,196.00	$1,312.82	$5,251.28	$1,339.00	$5,356.00	$1,390.85	$5,563.40	$840.00
100.44	2B-5	45' TS MAST ARM, SLICK WITHOUT TENONS	4	$1,530.00	$6,120.00	$1,546.28	$6,185.12	$1,579.00	$6,316.00	$1,638.18	$6,552.72	$955.00
TYPE XX-A GALVANIZED TRAFFIC SIGNAL (TS) POLE												
100.45	2C-1	20' TS POLE SHAFT, TYPE XX-A-20	2	$3,580.00	$7,160.00	$3,618.09	$7,236.18	$3,690.00	$7,380.00	$3,833.13	$7,666.26	$2,155.00
100.46	2C-2	30' TS POLE SHAFT, TYPE XX-A-30 WITH DUAL LUMINAIRE MOUNTING PLATE	10	$5,363.00	$53,630.00	$5,420.05	$54,200.50	$5,528.85	$55,288.50	$5,742.20	$57,422.00	$2,880.00
100.47	2C-3	50' TS MAST ARM, SLICK WITHOUT TENONS	4	$1,849.00	$7,396.00	$1,868.67	$7,474.68	$1,905.00	$7,620.00	$1,979.74	$7,918.96	$1,265.00
100.48	2C-4	55' TS MAST ARM, SLICK WITHOUT TENONS	4	$2,697.00	$10,788.00	$2,725.69	$10,902.76	$2,780.00	$11,120.00	$2,887.69	$11,550.76	$1,425.00
100.49	2C-5	60' TS MAST ARM, SLICK WITHOUT TENONS	4	$3,531.00	$14,124.00	$3,568.56	$14,274.24	$3,640.00	$14,560.00	$3,780.67	$15,122.68	$1,595.00
TYPE XX-A PAINTED TRAFFIC SIGNAL (TS) POLE												
100.50	2D-1	20' TS POLE SHAFT, TYPE XX-A-20	1	$3,772.00	$3,772.00	$3,812.13	$3,812.13	$3,889.00	$3,889.00	$4,038.71	$4,038.71	$2,215.00
100.51	2D-2	30' TS POLE SHAFT, TYPE XX-A-30 WITH DUAL LUMINAIRE MOUNTING PLATE	4	$5,236.00	$20,944.00	$5,291.70	$21,166.80	$5,399.00	$21,596.00	$5,606.22	$22,424.88	$2,960.00
TYPE XX-B GALVANIZED TRAFFIC SIGNAL (TS) POLE												
100.52	2.00E-01	30' TS POLE SHAFT, TYPE XX-B-30 WITH DUAL LUMINAIRE MOUNTING PLATE	2	$7,484.00	$14,968.00	$7,563.62	$15,127.24	$7,715.00	$15,430.00	$8,013.18	$16,026.36	$4,225.00
100.53	2.00E-02	65' TS MAST ARM, SLICK WITHOUT TENONS	1	$5,146.00	$5,146.00	$5,200.74	$5,200.74	$5,305.00	$5,305.00	$5,509.86	$5,509.86	$2,265.00
100.54	2.00E-04	70' TS MAST ARM, SLICK WITHOUT TENONS	1	$5,278.00	$5,278.00	$5,334.15	$5,334.15	$5,441.00	$5,441.00	$5,651.19	$5,651.19	$2,450.00
100.55	2.00E-05	75' TS MAST ARM, SLICK WITHOUT TENONS	1	$5,318.00	$5,318.00	$5,374.57	$5,374.57	$5,482.00	$5,482.00	$5,694.02	$5,694.02	$2,665.00
100.56	2G-1	TS PEDESTRIAN POLE, TYPE 1-A	50	$428.00	$21,400.00	$432.55	$21,627.50	$441.00	$22,050.00	$458.26	$22,913.00	$180.00
100.57	2G-2	TS PEDESTRIAN POLE, TYPE 1-B	50	$432.00	$21,600.00	$436.60	$21,830.00	$445.00	$22,250.00	$462.54	$23,127.00	$160.00

Bid No. 602217-11
Street Lighting and Traffic Signal Poles

				Vegas Electric		Crescent Electric		HD Supply		ANI of Nevada		Industries Power-Lite
GALVANIZED TRAFFIC SIGNAL (TS) PEDESTRIAN POLES												
100.58	2H-1	TS PEDESTRIAN POLE, TYPE 1-A	4	$434.00	$1,736.00	$438.62	$1,754.48	$447.00	$1,788.00	$464.68	$1,858.72	$190.00
100.59	2H-2	TS PEDESTRIAN POLE, TYPE 1-B	4	$440.00	$1,760.00	$444.68	$1,778.72	$453.50	$1,814.00	$471.11	$1,884.44	$170.00
GALVANIZED LUMINAIRE MAST ARMS FOR TRAFFIC SIGNAL (TS) POLES												
100.60	2I-1	TAPERED STEEL TUBE WITH STANDARD CURVATURE RISE, 15' LENGTH WITH 3 BOLT SIMPLEX	20	$326.00	$6,520.00	$329.47	$6,589.40	$336.00	$6,720.00	$349.05	$6,981.00	$120.00
100.61	2I-2	STRAIGHT TAPERED STEEL TUBE WITHOUT RISE, 15' LENGTH WITH 3 BOLT SIMPLEX	10	$309.00	$3,090.00	$312.29	$3,122.90	$318.50	$3,185.00	$330.85	$3,308.50	$115.00
100.62	2J-1	TAPERED STEEL TUBE WITH STANDARD CURVATURE RISE, 15' LENGTH WITH 3 BOLT SIMPLEX	8	$355.00	$2,840.00	$358.78	$2,870.24	$365.00	$2,920.00	$380.10	$3,040.80	$135.00
100.63	2J-2	STRAIGHT TAPERED STEEL TUBE WITHOUT RISE, 15' LENGTH WITH 3 BOLT SIMPLEX	4	$339.00	$1,356.00	$342.61	$1,370.44	$349.50	$1,398.00	$362.97	$1,451.88	$115.00
PAINTED LUMINAIRE MAST ARMS FOR TRAFFIC SIGNAL (TS) POLES												
100.64	2K-1	TENON, LOOSE	40	$9.00	$360.00	$9.10	$364.00	$9.50	$380.00	$9.64	$385.60	$2.50
100.65	2K-2	BLANK COVER FOR TS POLE LUMINAIRE MAST ARM MOUNTING PLATE	10	$34.00	$340.00	$34.36	$343.60	$35.05	$350.50	$36.40	$364.00	$55.00
100.66	2K-3	ANCHOR BOLT SET FOR 1-A AND 1-B POLE, INCLUDING 4 BOLTS, 8 WASHERS AND 8 NUTS	50	$27.00	$1,350.00	$27.29	$1,364.50	$27.85	$1,392.50	$28.91	$1,445.50	$30.00
100.67	2K-4	ANCHOR BOLT SET FOR XX POLE, INCLUDING 4 BOLTS, 8 WASHERS AND 8 NUTS	20	$280.00	$5,600.00	$282.98	$5,659.60	$295.00	$5,900.00	$299.80	$5,996.00	$355.00
100.68	2K-5	ANCHOR BOLT SET FOR XX-A POLE, INCLUDING 4 BOLTS, 8 WASHERS AND 8 NUTS	20	$430.00	$8,600.00	$434.57	$8,691.40	$445.00	$8,900.00	$460.40	$9,208.00	$495.00
100.69	2K-6	ANCHOR BOLT SET FOR XX-B POLE, INCLUDING 4 BOLTS, 8 WASHERS AND 8 NUTS	2	$724.00	$1,448.00	$731.70	$1,463.40	$750.00	$1,500.00	$775.19	$1,550.38	$865.00
		TOTAL LOT 2:			**$635,318.00**		**$635,698.60**		**$654,777.05**		**$680,245.05**	**$54,692.50**

Corrected Totals

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: FINANCE
DIRECTOR: CANDACE FALDER ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve award of Second Amendment to Agreement No. 06-11554, Engineering Design Services Agreement for Vegas Drive Roadway and Drainage Improvements from Shadow Mountain Place to Rancho Drive - Department of Public Works - Award recommended to: POGGEMEYER DESIGN GROUP, INC. ($136,000 - Road and Flood Capital Projects Fund) - Ward 5 (Barlow)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $136,000
Funding Source: Road and Flood CPF
Dept./Division: Public Works

PURPOSE/BACKGROUND:
On March 21, 2007 City Council approve award of Agreement No. 06-11554 for design improvement to the roadway and drainage from Shadow Mountain Place to Rancho Drive. This amendment provides additional engineering services to design a relief sewer system and other related services to the design of the construction project.

PCC: T. Boyce
POC: Michael B. Holloway - (702) 255-8100

RECOMMENDATION:
That City Council approve Second Amendment to Agreement No. 06-11554, Engineering Design Services Agreement for Vegas Drive Roadway and Drainage Improvements from Shadow Mountain Place to Rancho Drive to Poggemeyer Design Group, Inc. in the amount of $136,000 bringing the total compensation amount to $1,501,049. Authority to execute the Amendment is given to the Purchasing Manager per R-48-2006.

BACKUP DOCUMENTATION:
1. Second Amendment to Agreement No. 06-11554
2. Certificate - Disclosure of Ownership/Principals

**SECOND AMENDMENT TO
ENGINEERING DESIGN SERVICES AGREEMENT WITH POGGEMEYER DESIGN GROUP, INC. FOR VEGAS DRIVE STORM DRAIN**

THIS SECOND AMENDMENT made and entered into as of the _____ day of _____, 2011, by and between the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada (herein the "CITY") and POGGEMEYER DESIGN GROUP, INC. (herein the "CONSULTANT")

WITNESSETH

WHEREAS, the CITY and the CONSULTANT have entered into an Engineering Design Services Agreement dated March 21, 2007 and a First Amendment to the Agreement dated January 19, 2011, (herein the "AGREEMENT"), retaining the services of the CONSULTANT for the design of the Vegas Drive Storm Drain (herein the "PROJECT"), and

WHEREAS, the CITY desires to modify the scope of that AGREEMENT to include additional engineering services to design a 15-inch diameter relief sewer in Vegas Drive from Shadow Mountain Place to Parkchester Drive, and to provide construction services support and other related services not included in the original or first amended scope of the PROJECT.

NOW, THEREFORE, the parties hereto agree that the following changes shall be made to the AGREEMENT:

1. Section Seven, Compensation and Terms of Payment, Paragraph 7.01 of the AGREEMENT is hereby amended to change the amount set aside as referenced therein from $1,365,049 to $1,501,049.

2. Section Seven, Compensation and Terms of Payment, Paragraph 7.02 of the AGREEMENT is hereby amended to change the amount referenced therein for Basic Services of the CONSULTANT from $1,177,213 to $1,302,213. Paragraph 7.03 of the AGREEMENT is hereby amended to change the not to exceed amount referenced therein for Additional Services of the CONSULTANT from $187,836 to $198,836.

3. Insert new Exhibit A-02, Scope of Services; Insert B-02 Additional Services, Exhibit C-02, Manpower Task Breakdown; Exhibit D-02, Cost Derivation; Exhibit E-02, Schedule and Exhibit G, Disclosure of Principals; all as attached hereto.

IN WITNESS WHEREOF, the parties have caused this SECOND AMENDMENT to the original AGREEMENT for the Vegas Drive Storm Drain project to be executed the day and year first above written.

CITY OF LAS VEGAS

KATHLEEN C. RAINEY, Manager
Purchasing and Contracts

"City"

ATTEST:

BEVERLY K. BRIDGES, MMC
City Clerk

APPROVED AS TO FORM:

John S. Ridilla 6/29/11
Deputy City Attorney Date

John S. Ridilla
Deputy City Attorney

POGGEMEYER DESIGN GROUP, INC.

By
LARRY V. CARROLL
Managing Principal Western Region

"Consultant"

EXHIBIT "A-02"
SCOPE OF SERVICES

BACKGROUND

On March 21, 2007, Poggemeyer Design Group, Inc. entered into an agreement with the City of Las Vegas to provide engineering design services, preparation of Contract Drawings, Special Provisions and Cost Estimates for the Vegas Drive Storm Drain project, Shadow Mountain Place to Rancho Drive. A detailed Scope of Services for the Project is included in the Engineering Design Services Agreement. On January 19, 2011, the First Amendment to the Agreement was executed to provide additional design services for the project including groundwater investigation for dewatering permit, additional potholing services for utility conflicts and modifications to the plans to remove RTC and SID funded improvements which will not be constructed with the project.

This Scope of Additional Services outlines additional work directed to be performed by the City that is necessary to successfully complete the project.

BASIC SERVICES TASKS

The following work is to be included in Basic Services:

TASK V (11) VEGAS DRIVE RELIEF SEWER

1. **Project Management**.
    a. Coordinate with CITY staff on relief sewer design, attend progress meetings, coordinate and manage sub-consultants, contract administration and invoicing.
2. **Relief Sewer Design.**
    a. Analyze Interaction of Relief Sewer with Existing Sewer
        i. Determine how relief sewer will be routed based on analyses of peak and minimum flows, topography, velocity in existing and relief sewer, available outlets and available head.
        ii. Evaluate hydraulic limitations of existing sewer, and analyze flow quantities in existing and relief sewer.
        iii. Coordinate with CLV on preferred alternative for relief sewer design, i.e., diverting flow between existing and relief sewer; flows in excess of predetermined quantity to be diverted; or predetermined flow from upper end of sewer system to be diverted into relief sewer.
        iv. Determine flow ratio between existing and relief sewer.
        v. Prepare hydraulic analysis. Coordinate with City on flow loss assumptions and backwater surcharge volume.
        vi. Prepare Backwater profiles/HGL profiles for sewer lines.
        vii. Confirm size of relief sewer.
    b. Design of Structure for Flow Distribution
        i. Depending on selected preferred alternative, design permanent or temporary/adjustable weir.
        ii. Design of junction chambers, structures or manholes.
    c. Horizontal Alignment
        i. Determine spacing requirement between existing and relief sewer, and total working area required for construction.

ii. Assess potential loading impact on existing sewer during construction (from heavy construction equipment, trench excavation, etc.)
iii. Assess area requirements for stockpiling of materials along sewer alignment.

d. Design Flows for Existing & Relief Sewer
   i. Prepare profiles at all connecting sewer manholes, changes in pipe sizes and slopes, and locations where changes in capacities will occur.

e. Vertical Alignment
   i. Determine spacing requirement between existing and relief sewer, and total working area required for construction.
   ii. Assess potential loading impact on existing sewer during construction (from heavy construction equipment).

f. Deliverables
   i. Three (3) full size (24" x 36") drawings and eight (8) half size (11" x 17") drawings will be submitted to the City for review prior to production of the Mylar drawings.
   ii. Three (3) full size (24" x 36") drawings will be provided of the sheets within County jurisdiction for submission to Clark County Public Works for amendment to the Clark County Encroachment Permit. Drawings will be wet-stamped by the engineer. All sheets within Clark County jurisdiction will have a signature block for Clark County Public Works and reference the Clark County Permit number
   iii. Upon acceptance of the pre-final bond plans, one set of mylar drawings and digital CAD files will be submitted to the City. The consultant shall obtain signatures for all of the utilities, Clark County Public Works, and Clark County Regional Flood Control District prior to submission to the City of Las Vegas.

3. Pavement, Utilities, and Traffic Design

a. Prepare construction Drawings and details for pavement rehabilitation, reinstallation of traffic items, and utility adjustments as needed.

b. Deliverables
   i. See section 11.2.f.

4. Specifications for Relief Sewer

a. Prepare technical specifications for the 15-inch relief sewer in Vegas Drive from Shadow Mountain Place to Parkchester Drive. The specs will address additionally impacted pavement, utilities and traffic facilities.

b. Deliverables
   i. Five (5) sets of special provisions will be submitted to the City with the plans from section 11.2.f.i
   ii. An additional (3) sets will be submitted for inclusion with the amendment application to the Clark County Encroachment Permit.

5. Cost Estimates for Relief Sewer

a. Prepare cost estimates for the 15-inch relief sewer in Vegas Drive from Shadow Mountain Place to Parkchester Drive (approximately 5,000 excluding connecting sewer lines). Cost estimates for additionally impacted pavement, utilities, and traffic items will be included.

b. Deliverables
   i. The final cost estimate and a cost breakdown by funding source will be provided in hard copy and in Excel format for review.

6. **Topographic Survey Update**
    a. Conduct additional topographic survey updates and shots as necessary to support the alignment design of the relief sewer. Survey work will also include surveys of pothole and boring locations required for the relief sewer design.
7. **Geotechnical Investigations**
    a. Conduct geotechnical investigations to support the proposed deep alignment for the relief sewer. Up to 10 borings are estimated.
    b. The geotechnical engineer shall review the data with respect to the proposed dewatering permit and update the permit application, as needed, for submission to the Nevada Division of Environmental Protection (NDEP) by City of Las Vegas.
    c. Three (3) copies of the geotechnical report will be provided to the City.
8. **Subsurface Utility Investigations**
    a. Conduct subsurface utility investigations (potholes) as needed to confirm potential utility conflicts with the proposed relief sewer design.
    b. Three (3) copies of the pothole data report with survey will be provided to the City.

EXHIBIT "B-02"
ADDITIONAL SERVICES

Additional Services

Upon written authorization by the CITY, the CONSULTANT shall provide additional services as needed for the PROJECT.

The following additional services of the CONSULTANT are added:

TASK VAS (12) CONSTRUCTION ADMINISTRATION

i. **VAS (12.a) Shop Drawing Review and Coordination with Construction Manager.** Review submittals in coordination with Construction Manager.

ii. **VAS (12.b) Request for Information.** Respond to Contractor's RFI's in coordination with Construction Manager. Conduct construction site investigation as required.

iii. **VAS (12.c) Final Project Walkthrough.** Participate with the City and the Contractor on the final walkthrough of the project.

iv. **VAS (12.d) Record Drawings.** Completion of Record Drawings from redlines provided by Contractor. CONSULTANT cannot warrant the accuracy of the Record Drawings in that they are from information provided by a third party.

EXHIBIT "C-02"
MANPOWER TASK BREAKDOWN

Date:	29-Jun-11		Labor Classification									
Time:	07:55 AM	Title:	Princ.	Project Mgr.	Project Engr.	Engr.	SrCAD Tech.	CAD Tech	Clerical	Surv. Crew	PLS Surv.	
		Code:	i	ii	iii	iv	v	vi	ix	x	xi	
			Projected Hours									Total Hours
Task	**Activity**											
	Basic Services											
V(11.1)	Project Management		2.0	15.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	17.0
V(11.2)	Relief Sewer Design		0.0	26.0	220.0	137.0	73.0	215.0	16.0	0.0	0.0	687.0
V(11.3)	Pavement, Utilities, and Traffic Design		0.0	6.0	20.0	16.0	0.0	24.0	0.0	0.0	0.0	66.0
V(11.4)	Specifications for Relief Sewer		0.0	8.0	30.0	0.0	0.0	0.0	8.0	0.0	0.0	46.0
V(11.5)	Cost Estimates for Relief Sewer		0.0	4.0	14.0	0.0	0.0	0.0	0.0	0.0	0.0	18.0
V(11.6)	Topographic Survey Update		0.0	2.0	0.0	0.0	0.0	0.0	0.0	12.0	24.0	38.0
V (11.7)	Geotechnical Investigation		0.0	2.0	0.0	0.0	0.0	0.0	0.0	6.0	10.0	18.0
V (11.8)	Subsurface Utility Investigations		0.0	2.0	0.0	0.0	0.0	0.0	0.0	8.0	12.0	22.0
	Basic Services Subtotal		**2.0**	**65.0**	**284.0**	**153.0**	**73.0**	**239.0**	**24.0**	**26.0**	**46.0**	**912.0**
	Additional Services											
VAS (12)	Construction Admin		0.0	20.0	40.0	20.0	0.0	0.0	15.7	0.0	0.0	95.7
	Additional Services Subtotal		**0.0**	**20.0**	**40.0**	**20.0**	**0.0**	**0.0**	**15.7**	**0.0**	**0.0**	**95.7**
	TOTAL		**2**	**85**	**324**	**173**	**73**	**239**	**40**	**26**	**46**	**1,008**

EXHIBIT "D-02"
COST DERIVATION

Date:	29-Jun-11		Labor Classification & Rate									Totals		
Time:	07:58 AM	Title:	Princ.	Project Mgr.	Project Engr.	Engr.	SrCAD Tech.	CAD Tech	Clerical	Surv. Crew	PLS Surv.			
		Code:	i	ii	iii	iv	v	vi	ix	x	xi	**Subtotal**	**Subtotal**	
		Rate:	161.00	145.00	126.00	106.00	94.00	84.00	60.00	172.00	117.00	**Labor Costs**	**Direct Costs**	**TOTAL**
Task	**Activity**													
	Basic Services													
V(11.1)	Project Management		322	2,175	0	0	0	0	0	0	0	2,497		2,497
V(11.2)	Relief Sewer Design		0	3,770	27,720	14,522	6,862	18,060	960	0	0	71,894		71,894
V(11.3)	Pavement, Utilities, and Traffic Design		0	870	2,520	1,696	0	2,016	0	0	0	7,102		7,102
V(11.4)	Specifications for Relief Sewer		0	1,160	3,780	0	0	0	480	0	0	5,420		5,420
V(11.5)	Cost Estimates for Relief Sewer		0	580	1,764	0	0	0	0	0	0	2,344		2,344
V(11.6)	Topographic Survey Update		0	290	0	0	0	0	0	2,064	2,808	5,162		5,162
V (11.7)	Geotechnical Investigation		0	290	0	0	0	0	0	1,032	1,170	2,492	10,019	12,511
V (11.8)	Subsurface Utility Investigations		0	290	0	0	0	0	0	1,376	1,404	3,070	15,000	18,070
	Basic Services Subtotal		**322**	**9,425**	**35,784**	**16,218**	**6,862**	**20,076**	**1,440**	**4,472**	**5,382**	**99,981**	**25,019**	**125,000**
	Additional Services													
VAS 12	Construction Admin		0	2,900	5,040	2,120	0	0	940	0	0	11,000	0	11,000
	Additional Services Subtotal		**0**	**2,900**	**5,040**	**2,120**	**0**	**0**	**940**	**0**	**0**	**11,000**	**0**	**11,000**
	TOTAL		**322**	**12,325**	**40,824**	**18,338**	**6,862**	**20,076**	**2,380**	**4,472**	**5,382**	**110,981**	**25,019**	**136,000**

EXHIBIT "E-02"
SCHEDULE

The following milestone dates have been established for the PROJECT:

Notice to Proceed 2nd Amendment	July 6, 2011
Relief Sewer Design (all A-02 tasks)	August 19, 2011
Pre-Mylar bond submitted	August 22, 2011
Final Submittal	September 18, 2011
Construction Admin complete (if authorized)	December 30, 2012

*Schedule assumes all CITY reviews are maximum of two (2) weeks.

EXHIBIT "G"
DISCLOSURE OF 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**
Name	Poggemeyer Design Group, Inc.
Address	6960 Smoke Rancho Road Suite 110 Las Vegas, NV 89128
Telephone	(702) 255-8100
EIN or DUNS	34-105-6617

Block 2	**Description**
Subject Matter of Contract/Agreement:	Vegas Drive Storm Drain (Shadow Mountain Place to Rancho Drive) Dated March 21, 2007
RFP #:	Agreement #06-11554

Block 3	**Type of Business**			
☐ Individual	☐ Partnership	☐ Limited Liability Company	☒ Corporation	

CERTIFICATE – DISCLOSURE OF OWNERSHIP/PRINCIPALS (CONTINUED)

Block 4 **Disclosure of Ownership and Principals**

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

	FULL NAME/TITLE	BUSINESS ADDRESS	BUSINESS PHONE
1	See Attached Disclosure of Ownershio		
2			
3			
4			
5			
6			
7			
8			
9			
10			

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

KIM M. WEBB
Notary Public State of Nevada
No. 93-3222-1
My appt. exp. Apr. 12, 2013

Larry V. Carroll

May 26, 2011
Date

Subscribed and sworn to before me this 26th day of May, 2011.

Kim M Webb
Notary Public

Disclosure of Ownership - Poggemeyer Design Group, Inc.

Jack A. Jones, P.E., Chairman	1168 N. Main St. Bowling Green, OH 43402-1309	419-352-1450
Larry V. Carroll, P.E., Co-Chairman Managing Principal Western Region	6960 Smoke Ranch Road, Ste. 110 Las Vegas, NV 89128-0427	702-255-8100
David S. Alexander, P.E., Principal Owner	6960 Smoke Ranch Road, Ste. 110 Las Vegas, NV 89128-0427	702-255-8100
Charlene M. Kerr, AICP, Principal Owner	10046 East Lake Road North East, PA 16428	814-725-4284
Michael B. Holloway, P.E., Principal Owner	1505 Becke Circle Las Vegas, NV 89104-3318	702-366-1660
Linda Amos, , Principal Owner	1168 N. Main St. Bowling Green, OH 43402-1309	419-352-1450
Michael Atherine, P.E., Principal Owner	1168 N. Main St Bowling Green, OH 43402-1309	419-352-1450
Tim Bock, P.E., Principal Owner	1168 N. Main St Bowling Green, OH 43402-1309	419-352-1450
Ken Maag, P.E., Principal Owner	935 Cleveland Ave Defiance, OH 43512-4016	419-782-3067
Randy Mielnik, AICP, Principal Owner	2262 N. Monroe St. Monroe, MI 48162-4254	734-384-1380
Doug Nusser, P.E., Principal Owner	1168 N. Main St. Bowling Green, OH 43402-1309	419-352-1450
David Saneholtz, P.E., Principal Owner	1168 N. Main St. Bowling Green, OH 43402-1309	419-352-1450
Troy Sonner, P.E., Principal Owner	1168 N. Main St. Bowling Green, OH 43402-1309	419-352-1450
Tom Stalter, P.E., Principal Owner	1168 N. Main St. Bowling Green, OH 43402-1309	419-352-1450
Paul Tacpanecatl, P.E., Principal Owner	1168 N. Main St Bowling Green, OH 43402-1309	419-352-1450
Gregory Telecky, P.E., Managing Principal Midwest Region	1168 N. Main St. Bowling Green, OH 43402-1309	419-352-1450
Richard Weaver, P.E., Principal Owner	935 Cleveland Ave. Defiance, OH 43512-4016	419-782-3067
Phillip Whaley, P.E., Principal Owner	1168 N. Main St. Bowling Green, OH 43402-1309	419-352-1450
JefferyYoder, P.E., Principal Owner	1168 N. Main St. Bowling Green, OH 43402-1309	419-352-1450
Scott Schroeder, P.E., Principal Owner	1168 N. Main St. Bowling Green, OH 43402-1309	419-352-1450
PDG ESOP (Employee Stock Ownership Plan)	1168 N. Main St. Bowling Green, OH 43402-1309	419-352-1450

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.

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	POGGEMEYER DESIGN GROUP, INC.
Address	6960 SMOKE RANCH RD STE 110, LAS VEGAS, NV 89128
Telephone	702-255-8100
EIN or DUNS	34-105-6617

Block 2 — Description

Subject Matter of Contract/Agreement:
VEGAS DRIVE, SHADOW MOUNTAIN PLACE TO RANCHO DRIVE DATED MARCH 21, 2007

RFP #: AGGREEMENT # 06-11554

Block 3 — Type of Business

☐ Individual ☐ Partnership ☐ Limited Liability Company ☒ Corporation

CERTIFICATE – DISCLOSURE OF OWNERSHIP/PRINCIPALS (CONTINUED)

Block 4 **Disclosure of Ownership and Principals**

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

	FULL NAME/TITLE	BUSINESS ADDRESS	BUSINESS PHONE
1.	MICHAEL B HOLLOWAY, PE MANAGING PRINCIPAL, WESTERN REGION	6960 SMOKE RANCH RD STE 110 LAS VEGAS, NV 89128-0427	702-255-8100 x 105
2.	LARRY V CARROLL, PE CO-CHAIRMAN	6960 SMOKE RANCH RD STE 110 LAS VEGAS, NV 89128-0427	702-255-8100 x 106
3.	DAVID S ALEXANDER, PE PRINCIPAL OWNER	6960 SMOKE RANCH RD STE 110 LAS VEGAS, NV 89128-0427	702-256-4335 x 112
4.	JACK A JONES, PE CHAIRMAN	1168 N MAIN ST BOWLING GREEN, OH 43402-1309	419-352-1450 x 315
5.	CHARLENE KERR, AICP PRINCIPAL OWNER	10046 E LAKE RD NORTH EAST, PA 16428	814-725-4284
6.	LINDA AMOS PRINCIPAL OWNER	1168 N MAIN ST BOWLING GREEN, OH 43402-1309	419-352-1450 x 334
7.	MICHAEL ATHERINE, PE PRINCIPAL OWNER	1168 N MAIN ST BOWLING GREEN, OH 43402-1309	419-352-1450 x 351
8.	TIM BOCK, PE PRINCIPAL OWNER	1168 N MAIN ST BOWLING GREEN, OH 43402-1309	419-352-1450 x 234
9.	KEN MAAG, PE PRINCIPAL OWNER	935 CLEVELAND AVE DEFIANCE, OH 43512-4016	419-782-3067
10.	RANDY MIELNIK, AICP PRINCIPAL OWNER	2262 N MONROE ST MONROE, MI 48162-4254	734-384-1380

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: N/A

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.

KIM M. WEBB
Notary Public State of Nevada
No. 93-3222-1
My appt. exp. Apr. 12, 2013

Michael B. Holloway
Name

11-23-2010
Date

Subscribed and sworn to before me this 23 day of November, 2010.

Kim M Webb
Notary Public

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: FINANCE
DIRECTOR: CANDACE FALDER ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve award of Modification No. 1 Contract No. 09.1730.27-LED, ITS Communication Infrastructure Corridor 1A located on Charleston Boulevard from Desert Foothills Drive to Montclair Street, on Montclair Street from Charleston Boulevard to Del Rey Avenue and on Rainbow Boulevard from Sahara Avenue to Charleston Boulevard and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: LAS VEGAS ELECTRIC, INC. ($297,520 - Traffic Improvements Capital Projects Fund) - Wards 1 and 2 (Tarkanian and Wolfson)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $297,520
Funding Source: Traffic Improvements CPF
Dept./Division: Public Works

PURPOSE/BACKGROUND:
This modification provides additional conduit replacement, removal and replacement of sidewalks, asphalt paving, traffic control and preparation for future installation of fiber optic cable. Funding for this project is provided by the Regional Transportation Commission.

PCC: T. Fernandez
POC: Ron Riddels, Jr. – (702) 362-6060

RECOMMENDATION:
That City Council approve Modification No. 1 to Contract No 09.1730.27-LED, ITS Communication Infrastructure Corridor 1A to Las Vegas Electric, Inc. in the amount of $297,520 and approve the construction conflicts and contingency reserve of $29,752. Authority to execute the Modification is given to the Purchasing Manager per R-48-2006.

BACKUP DOCUMENTATION:
Modification No. 1 to Contract No. 09.1730.27-LED

CITY OF LAS VEGAS CONTRACT MODIFICATION

DATE: July 5, 2011

BID 09.1730.27-LED **PURCHASE ORDER #:** 284981 SUPPLEMENT: MODIFICATION #1

NAME AND ADDRESS OF CONTRACTOR: **Las Vegas Electric, 3305 Meade Avenue, Las Vegas, NV 89102**

CONTRACT DESCRIPTION: **This project includes the installation of an Intelligence Transportation System (ITS) Communication Infrastructure which involves the installation and construction of Automatic Traffic Recovery (ATR) Stations, loop detectors and fiber optic communications. The improvements primary consist of equipment installation on new foundations, fiber optic conduit at various locations, installation of fiber optic communication cable in new and existing conduit, associated equipment to convert existing traffic signal controllers to digital technology, new installation or replacement of existing CCTV cameras and all associated work.**

DESCRIPTION AND REASON FOR MODIFICATION: **Contract Modification is necessary to add missing or replace broken conduit, upgrade pullboxes, remove and replace sidewalk and asphalt paving, traffic control, and prepare the undergrounds for future installation of fiber optic cable on Cheyenne Avenue from Clark County 215 to Tenaya Way and provide additional pavement replacement on Charleston Boulevard between Desert Foothills and Montclair where the pavement thickness was greater than provided in the base bid items and pavement quantities per location and number of locations lead to inefficiencies in construction installation and equipment utilization. The base bid rates provided for 4", 5" or 6" pavement and the actual thickness to be replaced was found to be between 8" and 12". Rather than 5-6 locations anticipated with half street pavement replacement, approximately 17 locations required pavement replacement with an area of 48 square feet. This requires specialized equipment which has to be mobilized by flat bed truck to/from each location. The pavement replacement on Charleston will be completed under force account based on actual time and materials and will include mill, sawcutting, remove and replace dense grade asphalt pavement, open grade, and pavement markings as needed to satisfy the conditions of the NDOT permit and requirements of the NDOT field inspector. The additional work on Cheyenne is requested as there is a pavement rehabilitation project underway on Cheyenne Avenue and installation of this work will coordinate with the street rehabilitation crews to avoid cutting the new pavement surface. The work on Cheyenne will be paid by extensions of quantities at the existing unit bid rates.**

PRICE OF THIS MODIFICATION (WRITTEN): **Two hundred ninety-seven thousand five hundred twenty and 00/100 dollars** DOLLARS: **$297,520.00**

TOTAL TIME EXTENSION FOR THIS MODIFICATION (WRITTEN): **One hundred calendar days** # DAYS: **100**

ORIGINAL COMPLETION DATE: **June 10, 2011** NEW COMPLETION DATE: **September 18, 2011**

PRICE OF ORIGINAL CONTRACT:	**$1,198,124.30**	
PRICE OF ALL PREVIOUS MODIFICATIONS:	$0	(#_____through _____)
PRICE OF THIS MODIFICATION:	**$ 297,520.00**	
PRICE OF CONTRACT (INCLUDING THIS MODIFICATION):..	**$1,495,644.30**	

1. This Modification 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.

2. 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
Deputy City Attorney

John S. Ridilla
(SIGNATURE)

7/6/11
(DATE)

ATTEST: _____
(CITY CLERK) (DATE)

_____
(NAME OF CONTRACTOR)

BY _____
DATE

_____
(TITLE)

_____
PURCHASING AND CONTRACTS MANAGER

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: FINANCE
DIRECTOR: CANDACE FALDER ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve Modification No. 4 to Bid No. 08.15341.04-LED (Revised), Las Vegas Museum Phase 3 - Rehabilitation for the Las Vegas Museum of Organized Crime and Law Enforcement located at 300 Stewart Avenue and the construction conflicts and contingency reserve set by Finance - Department of Public Works - Award recommended to: APCO CONSTRUCTION ($303,621.05 - Parks and Leisure Activities Capital Projects Fund) - Ward 5 (Barlow)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $303,621.05
Funding Source: Parks and Leisure Activities CPF
Dept./Division: Public Works

PURPOSE/BACKGROUND:
On July 1, 2009 City Council approved award of Bid No. 08.15341.04-LED (Revised) for rehabilitation of the Las Vegas Museum of Organized Crime and Law Enforcement. This modification provides for the repair and abatement of flooring, repair of historical marble and construction required to meet conditions specified by the National Parks Service.

PCC: T. Fernandez
POC: Joe Pelan - (702) 734-0198

RECOMMENDATION:
That City Council approve award of Modification No. 4 to Bid No. 08.15341.04-LED (Revised), Las Vegas Museum Phase 3 - Rehabilitation for the Las Vegas Museum of Organized Crime and Law Enforcement to APCO Construction in the amount of $303,621.05 for a total contract amount of $14,136,787.92 and increase the construction conflicts and contingency reserve by $696,378.95 to $3,481,211.08. Authority to execute the Modification is given to the Purchasing Manager per R-48-2006.

BACKUP DOCUMENTATION:
Modification No. 4 to Bid No. 08.15341.04-LED (Revised)

CITY OF LAS VEGAS CONTRACT MODIFICATION

DATE: July 20, 2011

BID# 08.15341.04-LED **PURCHASE ORDER #: 272635** SUPPLEMENT: MODIFICATION #4

NAME AND ADDRESS OF CONTRACTOR: **APCO Construction**
3840 N. Commerce Avenue
North Las Vegas, NV 89032

CONTRACT DESCRIPTION: Project consists of rehabilitation of a 1933 historic building in compliance with the United States Secretary of the Interior's Standards for Historic Rehabilitation. Work will include, but not be limited to, demolition and removal of hazardous materials, seismic retrofit, remodeling and historical rehabilitation and infrastructure for interactive museum tenant improvements. The existing building is cast in place concrete basement walls, columns, floors, and roof, while the above floors are multi with brick, with terra cotta, and sandstone veneers. Existing interior walls are hollow clay tile and plaster. Rehabilitation will also include interior plaster, finishes to include reinstalling existing material salvaged during prior demolition work and new terra cotta, marble, terrazzo, hardwood, cork, and other related work.

DESCRIPTION AND REASON FOR MODIFICATION: This modification is necessary for the repair and abatement of flooring, repair of historic marble, and other construction items required to meet the conditions of approval specified by the National Parks Service.

PRICE OF THIS MODIFICATION (WRITTEN): Three Hundred and Three Thousand, Six Hundred and Twenty One Dollars and Five Cents.

DOLLARS: $303,621.05

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

ORIGINAL COMPLETION DATE: 11/20/2010 NEW COMPLETION DATE: TBD

PRICE OF ORIGINAL CONTRACT:	$ 11,512,000.00	
PRICE OF ALL PREVIOUS MODIFICATIONS:	$ 2,321,166.87	(# 1 through #3)
PRICE OF THIS MODIFICATION:	$ 303,621.05	
PRICE OF CONTRACT (INCLUDING THIS MODIFICATION):	$ 14,136,787.92	

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
Deputy City Attorney

John S. Ridilla
SIGNATURE

7/11/11
DATE

ATTEST: _____
CITY CLERK DATE

_____
NAME OF CONTRACTOR

BY: _____
DATE

_____
NAME

_____
TITLE

_____
PURCHASING AND CONTRACTS MANAGER

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: FIRE & RESCUE
DIRECTOR: MIKE MYERS ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve the purchase of a replacement chassis for the current bomb squad vehicle bringing the vehicle into a safe weight compliance rating and extending the life of the unit ($71,881.25 – 2010 Urban Area Security International (UASI) Homeland Security Grant Program) - All Wards

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount: 71,881.25
Funding Source: 2010 UASI Homeland Security Grant Program
Dept./Division: Fire & Rescue

PURPOSE/BACKGROUND:
This purchase is an approved purchase through the 2010 UASI Homeland Security Grant Program. This will increase the current response vehicle weight carrying ability and bring the vehicle into a safe weight operating rating. The chassis of the unit will be replaced but the current box will be re-used. This will save approx $230,000 in costs, will extend the life of this response vehicle and allow the Bomb Squad team to increase the amount of critical equipment that is carried to an emergency scene.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
Freightliner Quote dated May 17, 2011

LAS VEGAS	INLAND EMPIRE	LOS ANGELES	SOUTH BAY	SAN DIEGO
Las Vegas Freightliner - Sterling - Western Star 3701 Freightliner Drive Las Vegas, NV 89031 702-643-0313	Los Angeles Freightliner - Western Star - Mitsubishi 13800 Valley Blvd. Fontana, CA 92335 909-510-4000	Los Angeles Freightliner 2429 South Peck Road Whittier, CA 90601 562-447-1200	Los Angeles Freightliner 18900 South Susana Road Long Beach, CA 90221 562-415-2200	San Diego Freightliner 9670 Waples Street San Diego, CA 92121 858-220-3300

☐ Inland Empire ☐ Las Vegas

☐ South Bay ☐ San Diego ☐ Los Angeles

Purchaser's Name City of Las Vegas Nevada **Stock #** To Order
Address 500 North Casino Center Blvd. **Date** 5/17/2011
City/State/Zip Las Vegas, NV 89101 **Bus Phone** 702-229-0072
County Clark **Fax Phone** 702-229-0149

Make	Year	Model	Color	Vehicle Type	
Freightliner	2011	M2 106	Red	4 Door Cab and Chassis	
Serial Number		**Mileage**		**To Be Delivered On Or About** 9/1/2011	
TBD					
Cash Price Of Base Vehicle					$83,402.00
Body Shop Quote to Swap Bodies and all Equipment					$11,052.00
				Prep Fee	
				Doc Fee	$399.00
				Total	$94,853.00
				California Tire Tax	
				FET	Exempt
				Sales Tax	Exempt
				Title Fee	$28.25
				O/S Delivery Fee	
				Total Cash Delivered Price	$94,881.25
Check#			**Cash Down Payment**		
Legal Owner					
Description Of Trade-In				**Appraisal Allow For Used Vehicle Trade**	$23,000.00
Make	**Model**	**Type**	**Year**	**Less Balance**	
Freightliner	M2	4 Door	2005	**Owing To**	$0.00
Eng. No.		**License No.**		**Amount Due**	
Serial No. U74412				**Upon Delivery**	$71,881.25

ONLY THOSE ITEMS AND SERVICES SPECIFICALLY WRITTEN ON THIS ORDER ARE INCLUDED IN THE STATED PRICE. ANY OTHER AGREEMENTS, UNLESS IN WRITING, ARE NOT BINDING ON SELLER.

The forst and second pages of this Order comprise the entire agreement affecting this purchase and no other agreement or understanding of any nature concerning this purchase has been made or entered into, or will be recognized. I hereby certify that no credit has been extended to me for the purchase of this motor vechicle except as appears in writing on the face of this agreement.

I have read and understand the second page of this agreement and agree to it as a part of this order the same as if it were printed above my signature. I certify that I am of legal age, or older, that I have legal capacity and authority to execute this agreement on behalf of my company, and hereby acknowledge receipt of a copy of this order.

Purchaser's Name **Sales Person**

Purchaser's Signature **Approved By:**

This order is not valid unless signed and accepted by dealer

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: OPERATIONS AND MAINTENANCE
DIRECTOR: LARRY HAUGSNESS ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve Angel Park Capital Improvement Agreement 5 between the City of Las Vegas and Angel Park Golf, LLC for the Angel Park Golf Course, 100 South Rampart Boulevard ($206,559.92 - Municipal Golf Course Enterprise Fund) - Ward 2 (Wolfson)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $206,559.92
Funding Source: Municipal Golf Course Enterprise Fund
Dept./Division: Operations and Maintenance/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 improve the parking lot, site preparation and remodel of a modular trailer, and remodel the patio 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 5

ANGEL PARK CAPITAL IMPROVEMENT AGREEMENT 5

THIS ANGEL PARK CAPITAL IMPROVEMENT AGREEMENT 5 ("Agreement") is entered into this _____day of _____, 2011 by and between the City of Las Vegas, a municipal corporation of the State of Nevada ("City") and Angel Park Golf, LLC, a Nevada limited liability company ("Golf Club").

RECITALS

WHEREAS, City and Golf Club entered into the Restated Management Agreement dated September 15, 1999 for the management of the Angel Park Golf Course ("Premises"), together with the First, Second, and Third Amendments thereto (collectively, the Restated Management Agreement and all Amendments are referred to herein as "Restated Agreement"); and

WHEREAS, Golf Club desires to construct various Angel Park Capital Improvements Projects to improve the Premises ("Improvements"); and

WHEREAS, City and Golf Club desire to provide the funding and financing arrangements to fund the cost of the projects to improve the Premises as outlined herein; and

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

AGREEMENT

1. Incorporation. The Recitals set forth above are incorporated by reference as if fully set forth herein.

2. 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 construction of the Improvements covered by this Agreement as cost effectively as possible. Accordingly, City will not require the posting of any bonds for the Improvements covered in this Agreement, except as provided in Section 6 below.

3. Construction. Golf Club shall construct the Improvements, including restoring any landscaping damaged during construction. Golf Club is responsible for all design work and for acquiring any and all permits required to construct the Improvements.

4. Capital Requests. Golf Club has requested the following Angel Park Capital Improvements Projects:

A. Remodel of the Angel Park patio;

B. Parking lot improvements consisting of patching and resealing; and

C. Site preparation and remodel of a modular trailer.

5. Funding. Golf Club has requested the use of the Land License Fee Funds in the estimated amount of Two Hundred Six Thousand Five Hundred Fifty Nine Dollars and 92/100 Cents ($206,559.92) for the construction of the Improvements ("Costs"). 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 City during Golf Club's usual business hours. Golf Club shall submit to City a detailed backup of all costs and expenses related to the construction of the Improvements, and not to exceed the Costs. City shall reimburse Golf Club for the Costs out of the Land License Fee Funds.

6. Indemnification. Golf Club shall protect, indemnify and hold City, its Mayor, Council Members, officers, employees and agents ("Indemnitees") harmless from any and all claims, damages, losses, expenses, suits, actions, decrees, liens, judgments, attorneys fees, and court costs ("Claims") which the Indemnitees, or any of them, may suffer as a result of the acts or omissions of the Golf Club, its officers, employees or agents, in performing this Agreements. 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 Golf Club, 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 City, naming City as Obligee, assuring performance of this provision. The bond shall be from a surety and in a form reasonably acceptable to the City Attorney. Thereafter, 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 named surety shall be responsible to pay off and remove such liens.

7. 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. City shall not assign this Agreement.

8. Ownership. The ownership of the Improvements constructed on the Premises shall remain with the Premises pursuant to the Restated Agreement.

9. Maintenance. 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 Restated Agreement.

10. Miscellaneous.

A. In the event of a conflict between any provision(s) of the Restated Agreement and this Agreement, this Agreement shall control.

B. Capitalized terms used in this Agreement and not otherwise defined herein have the meanings set forth in the Restated Agreement.

C. Golf Club represents and acknowledges that as of the date of this Agreement, Golf Club (i) is not in default under the terms of the Restated Agreement; (ii) has no defense, set off or counterclaim to the enforcement by City of the terms of the Restated Agreement; and (iii) is not aware of any action or inaction by City that would constitute an Event of Default by City under the Restated Agreement.

D. 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 and in a workmanlike manner.

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

By: _____
Carolyn G. Goodman, Mayor

Attest:

By: _____
Beverly K. Bridges MMC, City Clerk

Approved as to Form:

By: John S. Ridilla 6/8/11
Deputy City Attorney Date

John S. Ridilla
Deputy City Attorney

ANGEL PARK GOLF, LLC
A Nevada Limited Liability Company

By: 6.10.11
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: 6.10.11
David Bogue, Its Manager

Pacific Life Insurance Company
A Nebraska Corporation
Sole member of Las Vegas Golf I, LLC

By: _____

Name: DAVID HONERKAMP

Title: ASSITANT VICE PRESIDENT

By: _____

JOHN WALDECK
Assistant Secretary

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: OPERATIONS AND MAINTENANCE
DIRECTOR: LARRY HAUGSNESS ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve a Right-of-Entry License from the Las Vegas Valley Water District to the City of Las Vegas for the Jones and Valley View Corridor Improvements Project located on Jones Boulevard, approximately 400 feet south of Evergreen Avenue, APN 138-35-807-001 - Ward 1 (Tarkanian)

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division: Operations and Maintenance/Right-of-Way

PURPOSE/BACKGROUND:
This Right-of-Entry License is necessary to reconstruct a sidewalk and driveway approach on this parcel in conjunction with the Jones and Valley View Corridor Improvements Project. Legal Description: Being a portion of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of Section 35, Township 20 South, Range 60 East, Mount Diablo Meridian, City of Las Vegas, Clark County, Nevada.

RECOMMENDATION:
Staff recommends approval

BACKUP DOCUMENTATION:
1. Right-of-Entry License
2. Exhibit "A"

Clark County
APN: 138-35-807-001

RIGHT-OF-ENTRY LICENSE

This License is entered into this ____ day of _____, 2011 by and between the **LAS VEGAS VALLEY WATER DISTRICT,** a political subdivision of the State of Nevada, hereinafter the "LICENSOR" and **CITY OF LAS VEGAS, a Municipal Corporation of the County of Clark, State of Nevada**, hereinafter the "LICENSEE". The LICENSOR and the LICENSEE are sometimes hereinafter referred to individually as "Party" and collectively as the "Parties".

RECITALS

WHEREAS, the LICENSEE desires to enter onto real property owned by the LICENSOR, more particularly described as follows:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HERE OF

hereinafter referred to as the "Property," in order to reconstruct a sidewalk and driveway approach; and

WHEREAS, the LICENSOR is willing to allow the LICENSEE such access so long as it is properly assured that the LICENSOR will incur no liability, obligation, expense, claim, loss or other adverse consequence as a result of the LICENSEE'S actions and operations on the Property;

NOW THEREFORE, in the consideration of the mutual covenants and promises herein contained, and other good and valuable consideration, the value and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. The LICENSOR agrees to allow the LICENSEE'S employees, agents, consultants, contractors and representative to access those sections of its Property to reconstruct a sidewalk and driveway approach commencing on or about November 1, 2011 and ending on or about December 15, 2012.

2. The LICENSEE shall provide the LICENSOR a 72-hour notice before the LICENSEE'S employees, agents, consultants, contractors and representatives enter onto Property.

3. This License may be terminated at any time by either Party upon receipt of written notice.

4. The LICENSEE agrees to confine all necessary vehicular travel on and across LICENSOR'S Property utilizing existing roads and to those sections of the Property reasonably necessary to place aerial targets and to perform geotechnical exploration.

5. Reasonable precautions shall be exercised by the LICENSEE at all times to avoid damage to the Property and to minimize the disturbance of existing vegetation;

6. The LICENSEE agrees to provide the LICENSOR with any data/reports specific to the work as identified in the above Paragraph 4 upon written request from the LICENSOR.

7. The LICENSEE expressly warrants, covenants and represents that LICENSOR will not be liable for any injury, loss, claims, demands, expense, action, damages or otherwise threatened or actual, by a person or to property as a result of the LICENSEE'S activities upon or related to LICENSOR'S Property, or in connection with this License, or any matters related thereto, directly or indirectly.

8. All Notices, requests, consents and approvals under this License will be served or given only by certified mail, except in cases of emergency, in which case they will be confirmed by certified mail as specified below:

To LICENSOR: **Las Vegas Valley Water District**
Attention: Leanne Miller, Project Manager (M/S 95)
P. O. Box 99956
Las Vegas, Nevada 89193-9956
Telephone: (702) 691-LAND
Facsimile: 702-862-3343

To LICENSEE: **City of Las Vegas, Department of Public Works**
Attention: Jorge Cervantes, Director
333 North Rancho Drive, 9th Floor
Las Vegas, Nevada 89106

Clark County
APN: 138-35-807-001

IN WITNESS of the forgoing provisions, the LICENSOR and LICENSEE have executed this License as set forth below.

APPROVED AS TO FORM:

BY: _____
MARY E. MADDEN, ESQ.
Project Counsel

LAS VEGAS VALLEY WATER DISTRICT

BY: _____
SHAWN P. MOLLUS,
Director of LVVWD Engineering

APPROVED AS TO FORM:

BY: John S. Ridilla for
BRADFORD JERBIC
City Attorney
6/30/11
John S. Ridilla
Deputy City Attorney

CITY OF LAS VEGAS

BY: _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

BY: _____
BEVERLY K. BRIDGES, MMC, City Clerk

Clark County
APN: 138-35-807-001

STATE of _____)
) ss.
COUNTY of _____)

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

WITNESS my hand and official seal.

_____
Notary Public

_____
Notary Stamp/Seal Above

STATE of _____)
) ss.
COUNTY of _____)

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

WITNESS my hand and official seal.

_____
Notary Public

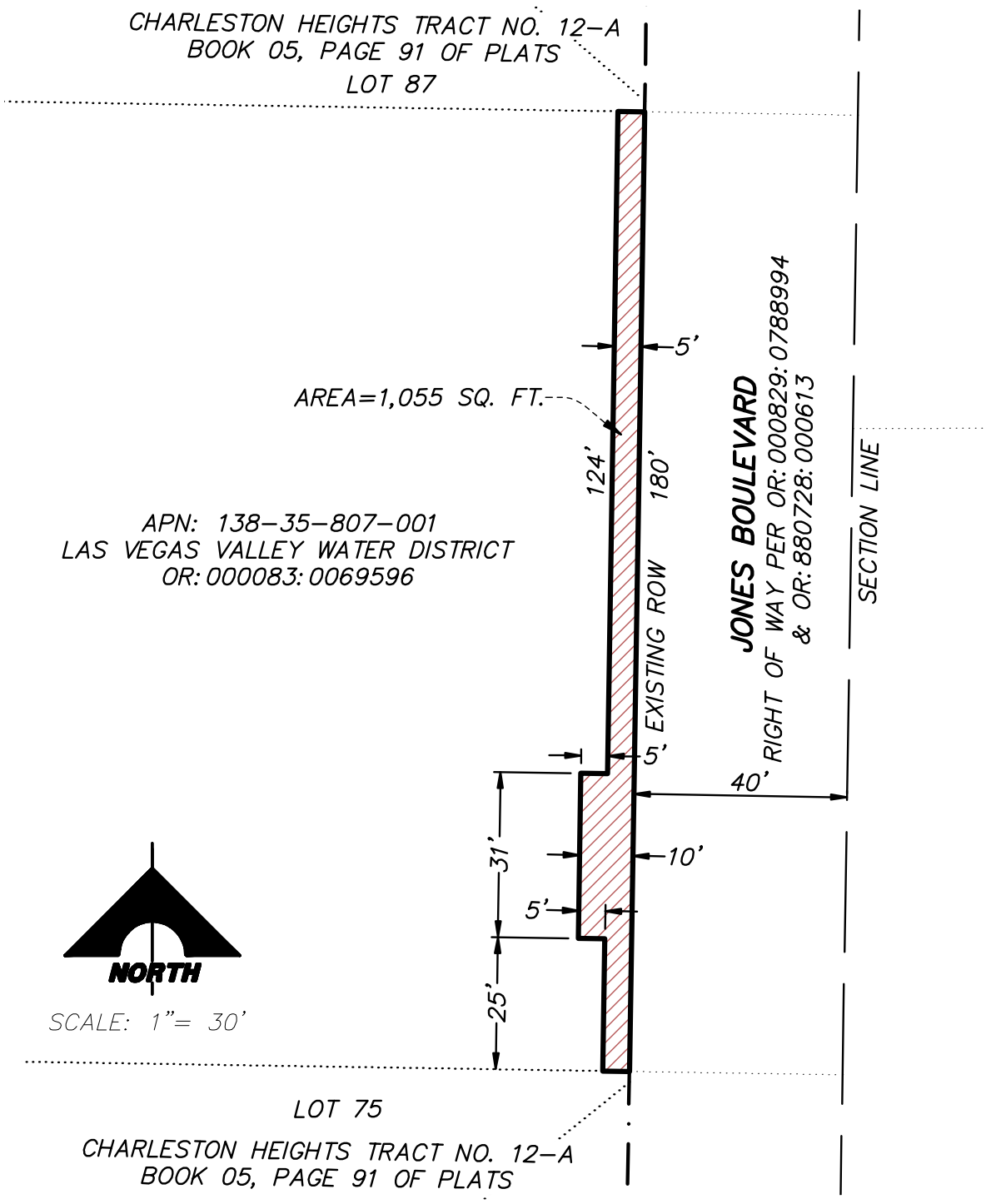
_____
Notary Stamp/Seal Above

APN 138-35-807-001
LAS VEGAS VALLEY WATER DISTRICT

EXHIBIT "A"
PAGE 1 OF 1

RIGHT OF ENTRY

A PORTION THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 35, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA



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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve a Special Event Alcoholic Beverage License subject to the provisions of the planning and fire codes for Peruvian Association of Las Vegas, Location: Italian American Social Club of Southern Nevada, 2333 East Sahara Avenue, Date: July 24, 2011, Type: Special Event Beer/Wine, Event: Peruvian Festival, Responsible Person in Charge: Benita Rivas-Metallo - Ward 3 (Coffin)

Fiscal Impact

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

PURPOSE/BACKGROUND:
For possible action to approve a Special Event Alcoholic Beverage License. Event time is 11 a.m. - 10:00 p.m. Estimated attendance is 300. Security provided by Peruvian Association staff.

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

BACKUP DOCUMENTATION:
None

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve a Change of Ownership and Change of Business Name on a non-operational Tavern License, From: Getdown, Inc., dba Back Door Lounge, To: OPA Las Vegas, LLC, dba PETRA, and extend the Temporary Tavern License for PETRA located at 440 South Rampart Boulevard, Suite 180, Demetrius Kouretas, Mgr, 50% and Daniel Kouretas, Mgr, 50% - Ward 2 (Wolfson)

Fiscal Impact

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

PURPOSE/BACKGROUND:
For possible action to approve a Change of Ownership and Change of Business Name on a non-operational Tavern License and approve the extension of a Temporary Tavern License.

RECOMMENDATION:
Recommend approval and give authority to 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.: **34.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve a new Restricted Gaming License subject to confirmation of approval by the Nevada Gaming Commission, Krowmaet Partners, LLC, dba Choices, 6720 West Cheyenne Avenue, Julie Rubino, Mmbr, 50% and Gerald Goscicki, Mmbr, 50% - Ward 4 (Anthony)

Fiscal Impact

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

PURPOSE/BACKGROUND:
For possible action to approve a new Restricted Gaming License for 15 slots.

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

BACKUP DOCUMENTATION:
None

City of Las Vegas Agenda Item No.: **35.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve a Non-restricted Gaming License subject to the provisions of the planning and fire codes and confirmation of approval by the Nevada Gaming Commission, NP Red Rock, LLC, db at El Cortez Sports Pool, 600 Fremont Street, Station Casinos, LLC, Sole Mmbr, 100%; Kevin Kelley, Pres; Thomas Friel, Sr VP, Treas; Richard Haskins, Sr VP, Secy; Scott Nielson, Sr VP; and Marc Falcone, Sr VP - Ward 5 (Barlow)

Fiscal Impact

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

PURPOSE/BACKGROUND:
For possible action to approve a Sports Pool Operator for a Non-restricted Gaming License.

RECOMMENDATION:
Recommend approval subject to the provisions of the planning and fire codes and confirmation of approval by the Nevada Gaming Commission.

BACKUP DOCUMENTATION:
None

City of Las Vegas Agenda Item No.: **36.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve a new Restricted Gaming License subject to the provisions of the planning and fire codes and confirmation of approval by the Nevada Gaming Commission, E-T-T, LLC, db at Desert Food Mart, 6100 West Charleston Boulevard, Herbst Gaming, LLC, Owner, 100%, Ferenc Szony, Mgr, and David Ross, Mgr - Ward 1 (Tarkanian)

Fiscal Impact

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

PURPOSE/BACKGROUND:
For possible action to approve a Slot Route Operator for new Restricted Gaming License for 5 slots.

RECOMMENDATION:
Recommend approval subject to the provisions of the planning and fire codes and confirmation of approval by the Nevada Gaming Commission.

BACKUP DOCUMENTATION:
None

City of Las Vegas Agenda Item No.: **37.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve an extension of a Temporary Burglar Alarm Service License, CenturyTel Security Systems, Inc., dba CenturyLink Security, 504 Washington Street, CenturyLink, Inc., Owner, 100%, Jeffrey Oberschelp, VP, Gen Mgr, and Cassandra Ivy, Offsite Mgr - Louisiana

Fiscal Impact

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

PURPOSE/BACKGROUND:
For possible action to approve an extension of a Temporary Burglar Alarm Service 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.: **38.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve a Special Event Alcoholic Beverage License for Royal Ballrooms LLC, Location: 3120 Sirius Avenue, Suite 107, Dates: July 29, 30, August 6, 13, 20, and 27, 2011, Type: Special Event Beer/Wine, Event: Private Birthday Parties, Responsible Person in Charge: Raul Escobar - Ward 1 (Tarkanian)

Fiscal Impact

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

PURPOSE/BACKGROUND:
For possible action to approve a Special Event Alcoholic Beverage License. Event times are 5:00 p.m. - 3:00 a.m. Security provided by Priority One Security.

RECOMMENDATION:
Recommend approval.

BACKUP DOCUMENTATION:
None

City of Las Vegas Agenda Item No.: **39.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve a Change of Business Name for a Temporary Supper Club License, Maddin, Inc., dba From: Hotel California Restaurant and Cantina, To: Baja California Restaurant & Cantina, 1050 South Rampart Boulevard, James Maddin, Pres, Secy, Treas, Dir, 100% - Ward 2 (Wolfson)

Fiscal Impact

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

PURPOSE/BACKGROUND:
For possible action to approve a Change of Business Name for a Temporary Supper Club License.

RECOMMENDATION:
Recommend approval.

BACKUP DOCUMENTATION:
None

City of Las Vegas Agenda Item No.: **40.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve a new Restricted Gaming License subject to confirmation of approval by the Nevada Gaming Commission, Clayton@2005, Inc., dba 7 Eleven Food Store #15889, 3033 Arville Street, Dale Clayton, Pres, Dir, Franchise Mgr and Lori Clayton, Secy, Treas, Franchise Mgr - Ward 1 (Tarkanian)

Fiscal Impact

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

PURPOSE/BACKGROUND:
For possible action to approve a new Restricted Gaming License for 5 slots.

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

BACKUP DOCUMENTATION:
None

City of Las Vegas Agenda Item No.: **41.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: PUBLIC WORKS
DIRECTOR: JORGE CERVANTES ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve a Third Supplemental Interlocal Contract 462c and Supplemental Interlocal Contract No. 5 - 501e between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to extend the project completion dates to June 30, 2015 for Sheep Mountain Corridor Study – Ward 6 (Ross)

Fiscal Impact

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

PURPOSE/BACKGROUND:
The RTC entered into an Interlocal Contract 462 with the City on February 12, 2004 and Supplemental Interlocal Contracts dated July 13, 2006 and July 12, 2007 for the environmental assessment for Sheep Mountain Parkway Corridor Study. The RTC entered into an Interlocal Contract 501 with the City on May 19, 2005 and Supplemental Interlocal Contracts dated December 14, 2006, June 14, 2007, June 12, 2008 and April 9, 2009 for the environmental assessment for Sheep Mountain Parkway Corridor Study. The Third Supplemental Interlocal Contract 462c and the Supplemental Interlocal Contract No. 5 - 501e will extend the project completion dates to June 30, 2015. Additional time is required to coordinate with the Bureau of Land Management and complete the Environmental Impact Statement (EIS) study. The RTC approved these contracts at their May 19, 2011 Board Meeting.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
1. Third Supplemental Interlocal Contract 462c
2. Supplemental Interlocal Contract No. 5 - 501e

THIRD SUPPLEMENTAL INTERLOCAL CONTRACT
SHEEP MOUNTAIN CORRIDOR STUDY

THIS THIRD SUPPLEMENTAL INTERLOCAL CONTRACT made and entered into this 19th day of May, 2011 by and between the CITY OF LAS VEGAS, a municipal corporation, hereinafter referred to as the "CITY" and the Regional Transportation Commission of Southern Nevada hereinafter referred to as "RTC".

WITNESSETH

WHEREAS, RTC approved an Interlocal Contract on February 12, 2004 and Supplemental Interlocal Contracts on July 13, 2006 and July 12, 2007 for a corridor study for Sheep Mountain Parkway located wholly within the CITY and approved by the Regional Transportation Commission.

WHEREAS, the RTC previously granted an "Authorization to Proceed" for Environmental Impact Statement (EIS) study; and,

WHEREAS, the CITY desires to extend the project completion date.

NOW, THEREFORE, in consideration of the covenants, conditions, agreements, and promises of the parties hereto, it is mutually agreed to supplement the Interlocal Contract for the Project as follows:

SECTION III – GENERAL paragraph 7 shall be revised to read as follows:

7. The project must be completed to the satisfaction of the RTC prior to June 30, 2015. The RTC may at any time thereafter grant time extensions or terminate this contract and require all sums advanced to the CITY be reimbursed.

The remainder of the interlocal contract dated February 12, 2004, and supplemental interlocal contracts dated July 13, 2006 and July 12, 2007 shall remain unchanged.

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IN WITNESS WHEREOF, this Third Supplemental Interlocal Contract is effective as of the date first set forth above.

Date of Commission Action:

5/19/11

REGIONAL TRANSPORTATION COMMISSION

BY: Laurence L Brown III

LAWRENCE L. BROWN III, Chairman

Attest:

Lisa Magnusson

LISA MAGNUSSON, Executive Assistant

Approved as to Form and Legality:

ZEV KAPLAN, General Counsel

Date of Council Action:

CITY OF LAS VEGAS

BY:

~~OSCAR B. GOODMAN, Mayor~~

CAROLYN G. GOODMAN, MAYOR

Attest:

BEVERLY K. BRIDGES, MMC
City Clerk

Approved as to Form ~~and Legality~~:

John S. Ridilla 6/3/11

Deputy City Attorney Date

SUPPLEMENTAL INTERLOCAL CONTRACT NO. 5
SHEEP MOUNTAIN CORRIDOR STUDY

THIS SUPPLEMENTAL INTERLOCAL CONTRACT NO. 5 made and entered into this 19th day of May, 2011 by and between the CITY OF LAS VEGAS, a municipal corporation, hereinafter referred to as the "CITY" and the Regional Transportation Commission of Southern Nevada hereinafter referred to as "RTC".

WITNESSETH

WHEREAS, RTC approved an Interlocal Contract on May 19, 2005 and a Supplemental Interlocal Contracts on December 14, 2006, June 14, 2007, June 12, 2008 and April 9, 2009 for a project to design, purchase right-of-way, perform construction inspection and construct roadway improvements planned for Sheep Mountain Parkway located wholly within the CITY, has been approved by the Regional Transportation Commission.

WHEREAS, the RTC previously granted an "Authorization to Proceed" for design and right-of-way other; and,

WHEREAS, the CITY desires to extend the project completion date.

NOW, THEREFORE, in consideration of the covenants, conditions, agreements, and promises of the parties hereto, it is mutually agreed to supplement the Interlocal Contract for the Project as follows:

SECTION III – GENERAL paragraph 7 shall be revised to read as follows:

7. The project must be completed to the satisfaction of the RTC prior to June 30, 2015. The RTC may at any time thereafter grant time extensions or terminate this contract and require all sums advanced to the CITY be reimbursed.

The remainder of the interlocal contract dated May 19, 2005, and supplemental interlocal contracts dated December 14, 2006, June 14, 2007, June 12, 2008 and April 9, 2009 shall remain unchanged.

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///

IN WITNESS WHEREOF, this Supplemental Interlocal Contract No. 5 is effective as of the date first set forth above.

Date of Commission Action:

5/19/11

REGIONAL TRANSPORTATION COMMISSION

BY: Lawrence L Brown III

LAWRENCE L. BROWN III, Chairman

Attest:

Lisa Magnusson

LISA MAGNUSSON, Executive Assistant

Approved as to Form and Legality:

ZEV KAPLAN, General Counsel

Date of Council Action:

CITY OF LAS VEGAS

BY:

~~OSCAR B. GOODMAN, Mayor~~

CAROLYN G. GOODMAN, MAYOR

Attest:

BEVERLY K. BRIDGES, MMC
City Clerk

Approved as to Form ~~and Legality~~:

John S. Ridilla 6/8/11

Deputy City Attorney Date

John S. Ridilla
Deputy City Attorney

City of Las Vegas Agenda Item No.: **42.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: PUBLIC WORKS
DIRECTOR: JORGE CERVANTES ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve a Fifth Supplemental Interlocal Contract LLD12A04 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to extend the project completion date to December 31, 2011 for Local Drainage Improvements for Brush Street Storm Drain – Ward 1 (Tarkanian)

Fiscal Impact

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

PURPOSE/BACKGROUND:
On June 10, 2004, the CCRFCD entered into an Interlocal Contract with the City to provide for funding for the construction of Local Drainage Improvements for Brush Street Storm Drain. The First Supplemental Interlocal Contract dated July 13, 2006 was approved to extend the project completion date. The Second Supplemental Interlocal Contract dated May 15, 2008 was approved to increase construction funding and extend the project completion date. The Third Supplemental Interlocal Contract dated May 21, 2009 was approved to increase construction funding and extend the project completion date. The Fourth Supplemental Interlocal Contract dated July 8, 2010 was approved to extend the project completion date. This Fifth Supplemental Interlocal Contract will extend the project completion date to December 31, 2011 to allow for project closeout. The CCRFCD approved this contract at their May 19, 2011 Board Meeting.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
Fifth Supplemental Interlocal Contract LLD12A04

FIFTH SUPPLEMENTAL INTERLOCAL CONTRACT

LOCAL DRAINAGE IMPROVEMENTS FOR BRUSH STREET STORM DRAIN

THIS FIFTH SUPPLEMENTAL INTERLOCAL CONTRACT, made and entered into as of the 19th day of May, 2011 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 PROJECT is identified and shown on the attached Exhibit "A"; and

WHEREAS, the Interlocal Contract dated June 10, 2004, First Supplemental Interlocal Contract dated July 13, 2006, Second Supplemental Interlocal Contract dated May 15, 2008, Third Supplemental Interlocal Contract dated May 21, 2009 and Fourth Supplemental Interlocal contract dated July 8, 2010 were entered into between the CITY and the DISRICT; and

WHEREAS, the CITY wishes to extend the project completion date; and

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 13 shall be revised to read as follows:

13. The items covered in SECTION II - PROJECT COSTS must be completed to the satisfaction of the DISTRICT prior to December 31, 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 June 10, 2004, First Supplemental Interlocal Contract dated July 13, 2006, Second Supplemental Interlocal Contract dated May 15, 2008, Third Supplemental Interlocal Contract dated May 21, 2009 and Fourth Supplemental Interlocal contract dated July 8, 2010 shall remain unchanged.

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

Date of Council Action

_____

Date of District Action

May 19, 2011

City of Las Vegas

By: _____
~~Oscar B. Goodman, Mayor~~
CAROLYN G. GOODMAN, MAYOR

Regional Flood Control District

By: Lawrence L. Brown III
LAWRENCE L. BROWN, III,
Chairman

Attest

By: _____
Beverly K. Bridges, MMC
City Clerk

Attest

By: Carolyn Frazier
Carolyn Frazier
Secretary to the Board

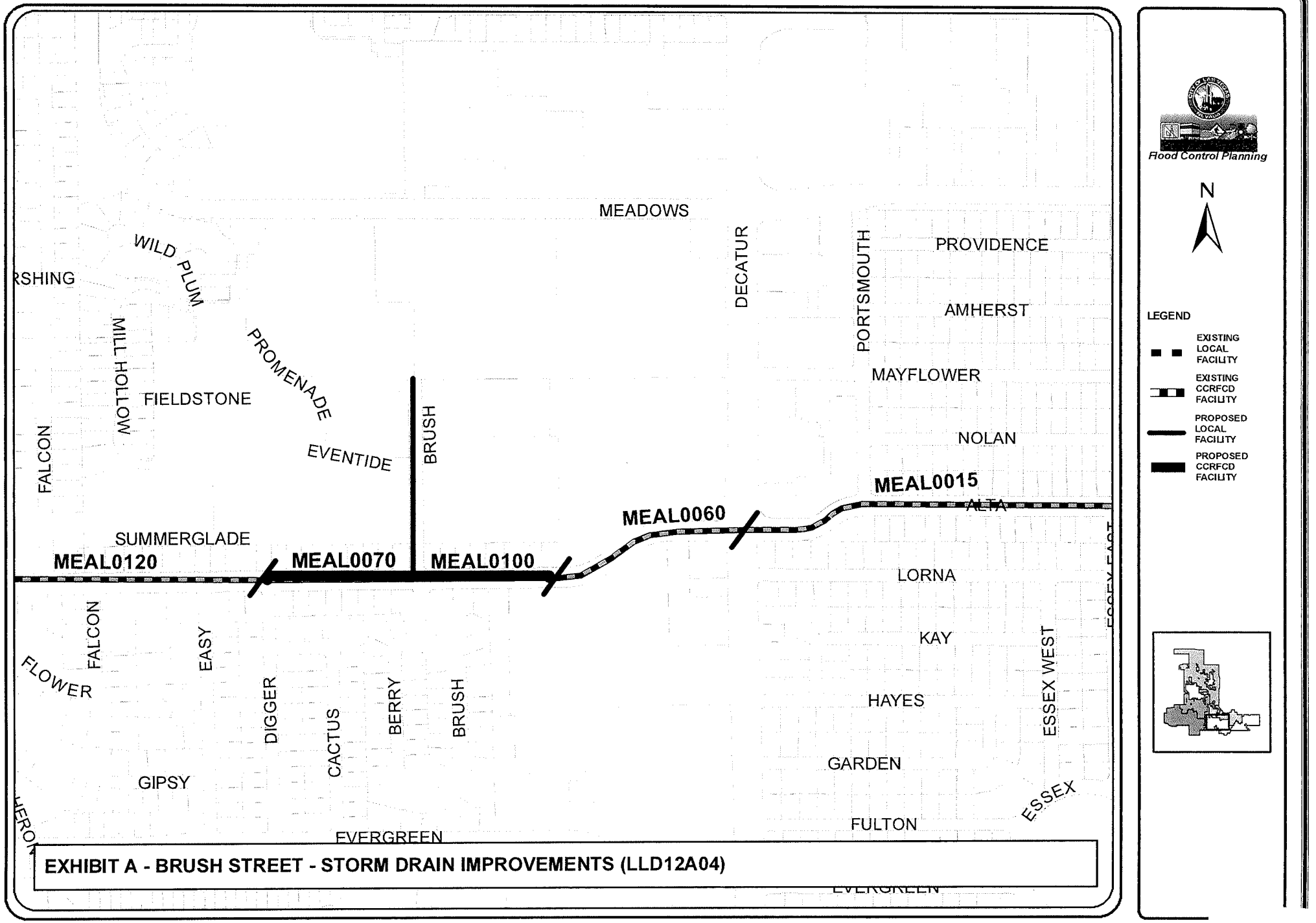
Approved as to form

By: John S. Ridilla 6/7/11
Deputy City Attorney Date

John S. Ridilla
Deputy City Attorney

Approved as to Form

By: 5/19/2011
Christopher Figgins Date
Chief Deputy District Attorney


MEADOWS
WILD PLUM
DECATUR
PORTSMOUTH
PROVIDENCE
AMHERST
MILL HOLLOW
PROMENADE
FIELDSTONE
MAYFLOWER
FALCON
BRUSH
EVENTIDE
NOLAN
MEAL0015
ALTA
MEAL0060
SUMMERGLADE
MEAL0120
MEAL0070
MEAL0100
LORNA
FALCON
EASY
KAY
ESSEX WEST
FLOWER
DIGGER
CACTUS
BERRY
BRUSH
HAYES
GARDEN
GIPSY
ESSEX
FULTON
EVERGREEN
EXHIBIT A - BRUSH STREET - STORM DRAIN IMPROVEMENTS (LLD12A04)
Flood Control Planning
N
LEGEND
EXISTING LOCAL FACILITY
EXISTING CCRFCD FACILITY
PROPOSED LOCAL FACILITY
PROPOSED CCRFCD FACILITY
F:\Depot\Engineering_Planning\Flood\ARCVIEW\Nominal Projects\Brush Street\Exhibit A - Brush Street Storm Drain 041609
Due to continuous development activity this map is for reference only.
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City of Las Vegas Agenda Item No.: **43.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: PUBLIC WORKS
DIRECTOR: JORGE CERVANTES ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve a Fifth Supplemental Interlocal Contract LAS09V05 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to extend the project completion date to December 31, 2011 for Oakey Drain, 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 CCRFCD entered into an Interlocal Contract with the City for the design of Oakey Drain, Birch Street to Cahlan Drive. On July 13, 2006, a First Supplemental Interlocal Contract was approved to increase funding associated with engineering design. On June 12, 2008, a Second Supplemental Interlocal Contract was approved to extend the project completion date. On October 9, 2008, a Third Supplemental Interlocal Contract was approved to increase funding associated with engineering design. On February 11, 2010 the Fourth Supplemental Interlocal Contract was approved to extend project completion date. This Fifth Supplemental Interlocal Contract will extend the project completion date to December 31, 2011 to allow for project closeout. The CCRFCD approved this contract at their May 19, 2011 Board Meeting.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
Fifth Supplemental Interlocal Contract LAS09V05

FIFTH SUPPLEMENTAL TO INTERLOCAL CONTRACT
OAKEY DRAIN, BIRCH STREET TO CAHLAN DRIVE

THIS FIFTH SUPPLEMENTAL INTERLOCAL CONTRACT made and entered into as of the 19th day of May, 2011 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, October 9, 2008, and February 11, 2010 were entered into between the CITY and the DISTRICT; and

WHEREAS, the CITY wishes to extend project completion date; and

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 December 31, 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, the First Supplemental Interlocal Contract dated July 13, 2006, the Second Supplemental Interlocal Contract dated June 12, 2008, the Third Supplemental Interlocal Contract dated October 9, 2008, and the Fourth Supplemental Interlocal Contract dated February 11, 2010 shall remain unchanged.

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IN WITNESS WHEREOF, the Parties have caused this Fifth 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~~
CAROLYN G. GOODMAN, MAYOR

Attest

By: _____
Beverly K. Bridges, MMC
City Clerk

Approved as to form

By: John S. Ridilla 6/7/11
Deputy City Attorney Date

John S. Ridilla
Deputy City Attorney

Date of District Action

May 19, 2011

Regional Flood Control District

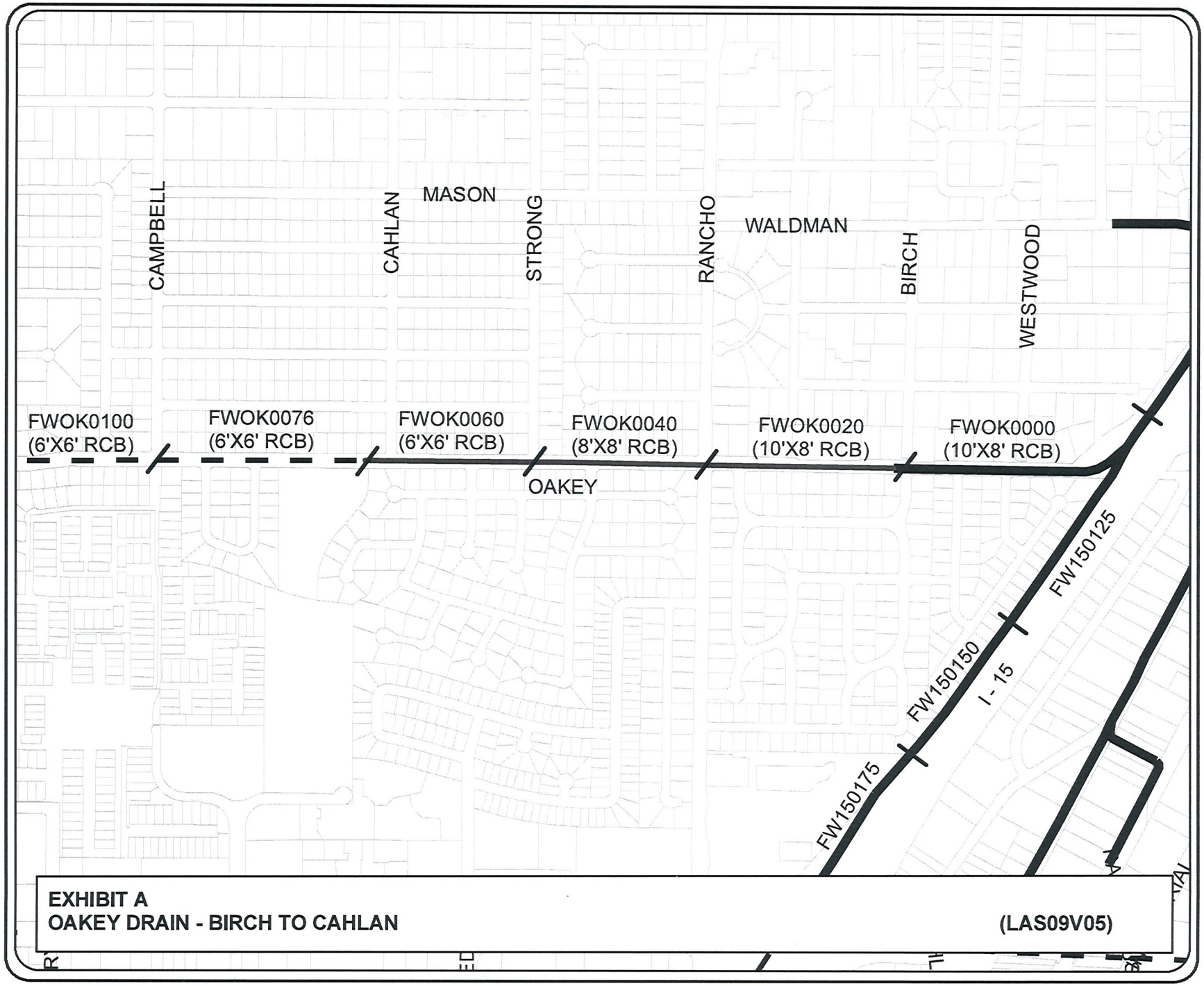
By: Lawrence L Brown III
LAWRENCE L. BROWN, III,
Chairman

Attest

By: Carolyn Frazier
Carolyn Frazier
Secretary to the Board

Approved as to Form

By: Chr Figgins 5/19/2011
Christopher Figgins Date
Chief Deputy District Attorney



Public Works
Flood Control Planning

N

LEGEND

- EXISTING STORM DRAIN
- FUTURE REGIONAL FACILITY
- PROPOSED REGIONAL STORM DRAIN FACILITY

EXHIBIT A
OAKEY DRAIN - BIRCH TO CAHLAN **(LAS09V05)**

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Due to continuous development activity this map is for reference only.

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LAS09V05

City of Las Vegas Agenda Item No.: **44.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: PUBLIC WORKS
DIRECTOR: JORGE CERVANTES ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve a Second Supplemental Interlocal Contract LAS05I08 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to extend the project completion date to December 31, 2011 for Oakey – Meadows Storm Drain, Phase I – Ward 1 (Tarkanian)

Fiscal Impact

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

PURPOSE/BACKGROUND:
On November 13, 2008 the CCRFCD entered into an Interlocal Contract with the City to provide funding for construction and construction management for the Oakey – Meadows Storm Drain, Phase I project. On January 14, 2010 the First Supplemental Contract was approved to decrease funding and extend project completion date. This Second Supplemental Interlocal Contract will extend the project completion date to December 31, 2011 to allow for project closeout. The CCRFCD approved this contract at their May 19, 2011 Board Meeting.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
Second Supplemental Interlocal Contract LAS05I08

SECOND SUPPLEMENTAL INTERLOCAL CONTRACT

OAKEY – MEADOWS STORM DRAIN, PHASE I

THIS SECOND SUPPLEMENTAL INTERLOCAL CONTRACT made and entered into as of the 19th day of May, 2011 by and between the Clark County Regional Flood Control District, hereinafter referred to as "DISTRICT" and the CITY OF LAS VEGAS, hereinafter referred to as "CITY".

W I T N E S S E T H

WHEREAS, pursuant to Chapter 543 of the Nevada Revised Statutes, the DISTRICT may approve a project to design and construct flood control improvements; and

WHEREAS, the flood control improvements proposed herein are the same as those generally identified in the 2008 Master Plan Update, as facilities LCME 0026, 0028, 0040 and 0070: MEOK 0000, 0017, and 0048: and MEPA 0022 and hereinafter referred to as PROJECT; and

WHEREAS, the PROJECT is identified and shown on the attached Exhibit "A"; and

WHEREAS, the PROJECT has been approved by the DISTRICT on its annual Ten Year Construction Program; and

WHEREAS, the PROJECT has regional flood control significance and is located in the same hydrographic area as the Las Vegas Valley; and

WHEREAS, the Interlocal Contract dated November 13, 2008 and First Supplemental Interlocal Contract dated January 14, 2010 were entered into between the CITY and the DISTRICT; and

WHEREAS, the City wishes to extend the project completion date; and

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 December 31, 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 November 13, 2008 and the First supplemental Interlocal Contract dated January 14, 2010 shall remain unchanged.

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

Date of Council Action

_____

City of Las Vegas

By: _____
~~Oscar B. Goodman, Mayor~~
CAROLYN G. GOODMAN, MAYOR

Attest

By: _____
Beverly K. Bridges, MMC
City Clerk

Approved as to form

By: John S. Ridilla 6/7/11
Deputy City Attorney Date

John S. Ridilla
Deputy City Attorney

Date of District Action

May 19, 2011

Regional Flood Control District

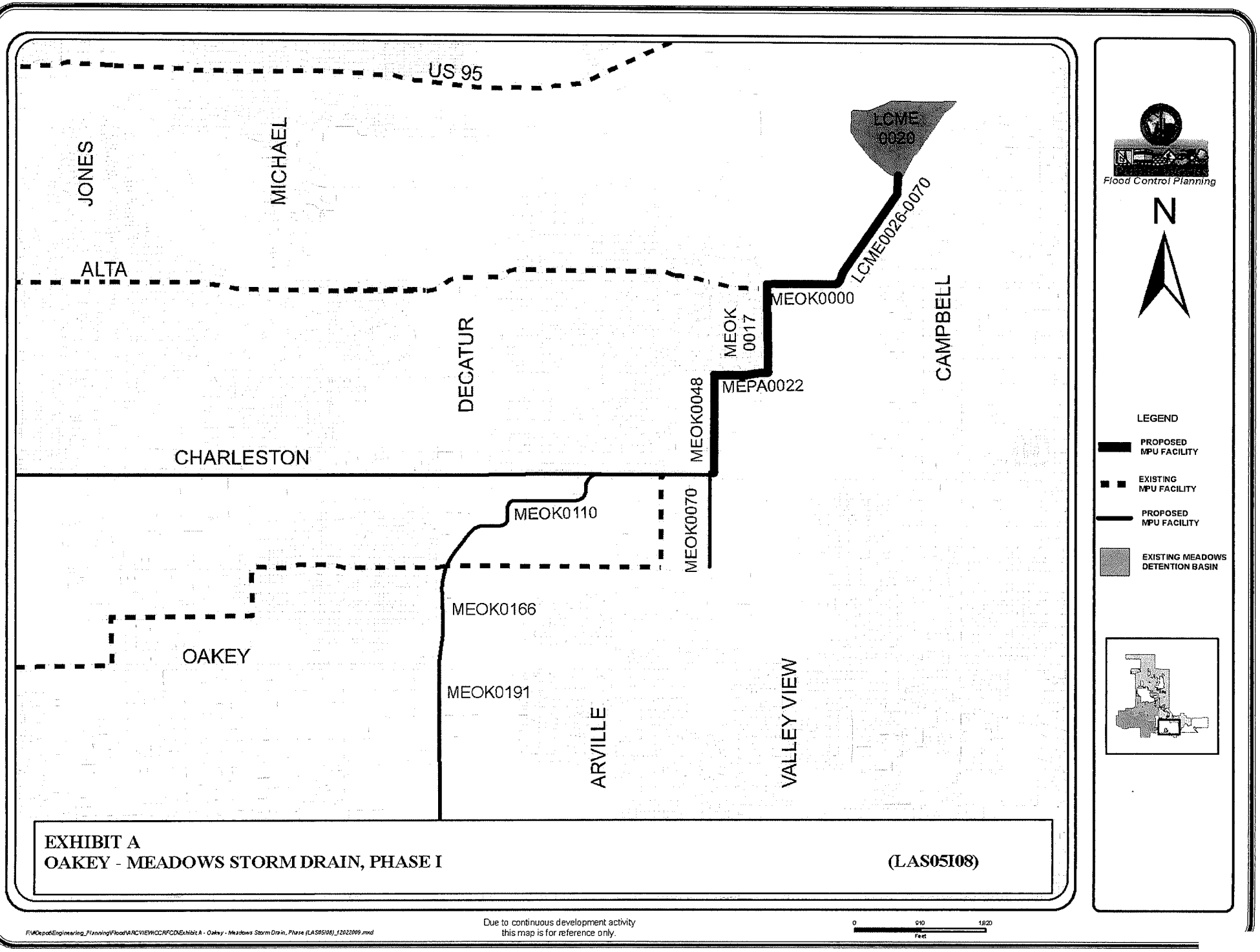
By: Lawrence L Brown III
LAWRENCE L. BROWN, III,
Chairman

Attest

By: Carolyn Frazier
Carolyn Frazier
Secretary to the Board

Approved as to Form

By: [signature] 5/19/2011
Christopher Figgins Date
Chief Deputy District Attorney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JONES
MICHAEL
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OAKEY
ARVILLE
VALLEY VIEW
CAMPBELL
LCME 0020
LCME0026-0070
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MEOK 0017
MEPA0022
MEOK0048
MEOK0070
MEOK0110
MEOK0166
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Flood Control Planning
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LEGEND
PROPOSED MPU FACILITY
EXISTING MPU FACILITY
PROPOSED MPU FACILITY
EXISTING MEADOWS DETENTION BASIN
EXHIBIT A
OAKEY - MEADOWS STORM DRAIN, PHASE I
(LAS05I08)
Due to continuous development activity this map is for reference only.
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LAS05I08

City of Las Vegas Agenda Item No.: **45.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: PUBLIC WORKS
DIRECTOR: JORGE CERVANTES ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve a Sixth Supplemental Interlocal Contract LAS22C06 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to extend the project completion date to December 31, 2011 for 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 CCRFCD entered into an Interlocal Contract for design associated with Las Vegas Wash – Elkhorn Road, Rainbow Boulevard to Torrey Pines Drive. The First Supplemental Interlocal Contract dated May 18, 2006 increased design funding. The Second Supplemental Interlocal Contract dated November 9, 2006 increased design funding and added a line item for right-of-way. The Third Supplemental Interlocal Contract dated December 13, 2007 extended the completion date. The Fourth Supplemental Interlocal Contract dated November 12, 2009 extended the project completion date. The Fifth Supplemental Interlocal Contract dated February 11, 2010 extended the project completion date. This Sixth Supplemental Interlocal Contract will extend the project completion date to December 31, 2011 to allow for project closeout. The CCRFCD approved this contract at their May 19, 2011 Board Meeting.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
Sixth Supplemental Interlocal Contract LAS22C06

SIXTH SUPPLEMENTAL INTERLOCAL CONTRACT
LAS VEGAS WASH
ELKHORN, RAINBOW BLVD. TO TORREY PINES DRIVE

THIS SIXTH SUPPLEMENTAL INTERLOCAL CONTRACT made and entered into as of the 19th day of May, 2011 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; and

WHEREAS, the Interlocal Contract dated January 12, 2006, First Supplemental Interlocal Contract dated May 18, 2006, Second Supplemental Interlocal Contract dated November 9, 2006, Third Supplemental Interlocal Contract dated December 13, 2007, Fourth Supplemental Interlocal Contract dated November 12, 2009 and Fifth supplemental Interlocal Contract dated February 11, 2010 were entered into between the CITY and the DISTRICT; and

WHEREAS, the CITY wishes to extend the project completion date; and

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 December 31, 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, the First Supplemental Interlocal Contract dated May 18, 2006, Second Supplemental Interlocal Contract dated November 9, 2006, Third Supplemental Interlocal Contract dated December 13, 2007, Fourth Supplemental Interlocal Contract dated November 12, 2009 and Fifth supplemental Interlocal Contract dated February 11, 2010 shall remain unchanged.

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IN WITNESS WHEREOF, the Parties have caused this Sixth 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~~ CAROLYN G. GOODMAN
MAYOR

Attest

By: _____
Beverly K. Bridges, CMC
City Clerk

Approved as to Form

By: John S. Ridilla 4/7/11
Deputy City Attorney Date

John S. Ridilla
Deputy City Attorney

Date of District Action

May 19, 2011

Regional Flood Control District

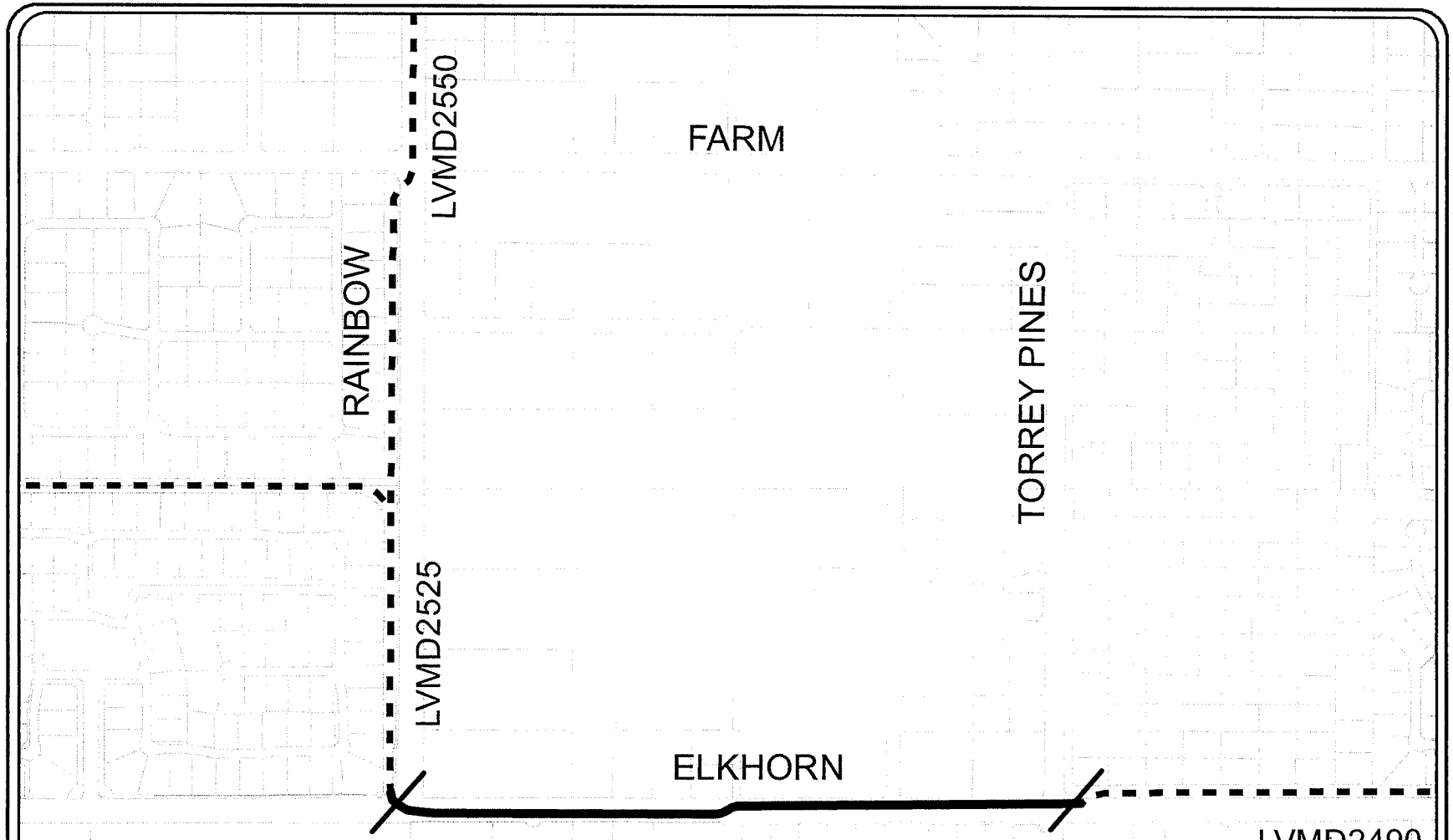
By: Lawrence L Brown III
Lawrence L. Brown, III
Chairman

Attest

By: Carolyn Frazier
Carolyn Frazier
Secretary to the Board

Approved as to Form

By: [signature] 5/19/2011
Christopher Figgins Date
Chief Deputy District Attorney



Flood Control Planning

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LEGEND

FUTURE REGIONAL FACILITY

PROPOSED REGIONAL STORM DRAIN FACILITY

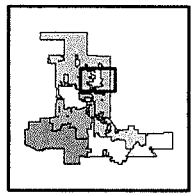

EXHIBIT A
LAS VEGAS WASH - ELKHORN, RAINBOW BLVD. TO TORREY PINES DRIVE **(LAS22C06)**

F:\lDepot\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.: **46.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: PUBLIC WORKS
DIRECTOR: JORGE CERVANTES ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve an Agreement between City of Las Vegas and Las Vegas Valley Water District to allow construction access for the Valley View Widening at the Springs Preserve to widen a portion of Valley View Boulevard between Alta Drive and the US Highway 95 southerly right-of-way line and installing public bus turnouts with public bus shelters, new meandering trails and re-alignment of existing meandering trails and landscaping with associated irrigation systems - Ward 1 (Tarkanian)

Fiscal Impact

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

PURPOSE/BACKGROUND:
The City of Las Vegas is at the 90% design phase for the Jones/Valley View Corridor Improvement project. This Agreement will allow the City to widen the east side of Valley View Boulevard between Alta Drive and US Highway 95; hence the Springs Preserve site. With the widening, the City will also be installing public bus turn-outs with public bus shelters; new meandering trails, re-alignment of existing meandering trails, and landscaping with associated irrigation systems.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
Agreement between City of Las Vegas and Las Vegas Valley Water District for Valley View Widening at the Springs Preserve

AGREEMENT
BETWEEN
CITY OF LAS VEGAS
AND
LAS VEGAS VALLEY WATER DISTRICT
FOR THE
VALLEY VIEW WIDENING AT THE SPRINGS PRESERVE

THIS AGREEMENT made and entered into by and between the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada, hereinafter called the "CITY", and the LAS VEGAS VALLEY WATER DISTRICT, a political subdivision of the State of Nevada, hereinafter called the "DISTRICT". The CITY and the DISTRICT are sometimes hereinafter referred to individually as "Party" and collectively as the "Parties."

RECITALS

WHEREAS, the DISTRICT is the owner of that real property commonly known as the SPRINGS PRESERVE "SP"; and

WHEREAS, the CITY is engaged in the widening of that portion of Valley View Boulevard generally located between Alta Drive and the U. S. Highway 95 southerly right-of-way line; and consists of installing public bus turnouts with public bus shelters, new meandering trails, re-alignment of existing meandering trails, and landscaping with associated irrigation systems, hereinafter called "IMPROVEMENTS", within the SP property and further referenced as Clark County Assessor Parcel Number 139-31-602-003; and

WHEREAS, new meandering trails, re-aligned meandering trails, and landscaping with associated irrigations systems will become part of the CITY's Bonanza Trail System, a public shared-use path; and

WHEREAS, the CITY has approved the construction of the above-noted IMPROVEMENTS at the SP and is willing to construct the same at its sole cost and expense; and

WHEREAS, the DISTRICT is willing to accept the construction of the noted IMPROVEMENTS within the SP; and

WHEREAS, it is necessary for the CITY to enter onto the SP property within the previously defined general limits of the project to construct the IMPROVEMENTS; 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. At CITY'S sole cost and expense to furnish all necessary materials, labor, and equipment for the design and construction of those IMPROVEMENTS to be located on the SP site, which may include, but not be limited to, landscaping with associated irrigation systems, new extensions of and to existing meandering trails, re-alignment of existing meandering trails, public bus turnouts with bus shelters, and removal, relocation or adjustment of DISTRICT-owned facilities. The location and type of said IMPROVEMENTS are identified on the CITY plan entitled, "CITY OF LAS VEGAS – JONES AND VALLEY VIEW CORRIDOR IMPROVEMENTS", hereinafter called "PLANS".

B. That in the event any changes and modifications to the IMPROVEMENTS are required during construction of the IMPROVEMENTS, the CITY, at its sole cost and expense, and with review and approval of the DISTRICT, will be required to re-design the PLANS for the completion of the construction of the IMPROVEMENTS on the SP, and amend this Agreement to reflect the same

C. That said IMPROVEMENTS shall be constructed in the location shown, and in accordance with the above mentioned PLANS, as approved by the DISTRICT, and any removal, relocation or adjustment of DISTRICT water facilities shall be in conformance with DISTRICT specifications.

D. 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 the actual construction start, and 24 hours in advance prior to an inspection of any part of the work, in order that the necessary inspection can be arranged.

E. That the CITY will provide the Manager of the SP a construction schedule of the IMPROVMENTS as soon as possible, once the Notice to Proceed has been issued to the CITY'S contractor. Notice shall be given to the Manager of the SP two (2) working days in advance of any construction, which may interfere with events scheduled to take place at the SP during the construction schedule of the IMPROVEMENTS.

F. At the CITY'S sole cost and expense, to perform all survey work necessary to ensure installation of the IMPROVEMENTS to the location and grades called for in the PLANS.

G. At the CITY'S sole cost and expense, to adjust, remove or relocate any third party facilities located on the SP due to the construction of the IMPROVEMENTS by the CITY. Said adjustment or relocation to another location on the SP must be approved by the DISTRICT and the third party so affected.

H. To provide the DISTRICT with the real property legal descriptions, prepared and wet stamped by a registered and licensed Professional Land Surveyor (PLS) or registered and licensed Professional Engineer (PE) in the State of Nevada for the following:

1. The dedication and conveyance of the necessary right-of-way to the CITY for the public bus turnouts or other right-of-way needed by the CITY for the widening of Valley View Boulevard via a Grant, Bargain and Sale Deed (GBS), prepared by the City and presented to the DISTRICT for execution.

2. The conveyance of easements to the Regional Transportation Committee of Southern Nevada (RTC) for the location, construction, maintenance, and final removal of the public bus shelters located adjacent to the public bus turnouts. Said easements shall be conveyed on an easement document prepared by the CITY or RTC and presented to the DISTRICT for execution. The terms of the easement document shall provide for advertising space on the bus shelters for the SP.

3. To replace, at the CITY'S sole expense, any real property interests held by any third party on the land owned by the DISTRICT for the relocation of any third party facilities, which are required to be relocated on the DISTRICT-owned property due to the construction of the IMPROVEMENTS at a location reasonably acceptable to the DISTRICT. Said real property interest conveyance documents shall be prepared by the CITY or the third party in a form acceptable to the third party affected by the necessary relocation of the third party facilities and presented to the DISTRICT for execution. The replacement and conveyance of any third party real property interests shall be no greater or more inclusive than existed prior to the construction of the IMPROVEMENTS, unless specifically approved by the DISTRICT.

I. That all work to be performed by the CITY or the CITY'S contractor within the boundaries of third party property interests granted by the DISTRICT or SP, shall be subject to the CITY or the CITY'S contractor, providing a minimum of 48-hours notice in advance of actual construction start, and 24 hours notice prior to an inspection of any part of the work to the third party, in order to coordinate such work and/or inspections and protect third party property interests.

J. That any existing DISTRICT water facilities, which are required to be relocated or adjusted, shall be located outside of driveways, driveway approaches or other areas subject to vehicular traffic. In the event DISTRICT 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 the DISTRICT'S requirements. If extraordinary conditions exist that would prevent compliance with this requirement, the CITY may submit a written request to the DISTRICT'S Engineering Services Division for a waiver of this requirement pursuant to the DISTRICT'S Service Rules.

K. Should any defective material or workmanship affecting the IMPROVEMENTS installed by the CITY be disclosed within one year of the date of completion and acceptance of the IMPROVEMENTS by the DISTRICT, the CITY shall immediately cause the defect to be corrected or shall reimburse the DISTRICT for its costs to correct said defect. For the purpose of this Agreement, failures including but not limited to, pavement settlement,

irrigation system leaks, landscaping failures, pedestrian trail surface failure or any leak or break in relocated or adjusted DISTRICT water facilities shall be considered conclusive evidence of defective materials and/or workmanship.

L. 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 final acceptance shall include providing the DISTRICT with all its right, title, and interest in and to the IMPROVEMENTS. The CITY shall warrant at the time of said final acceptance that there are no encumbrances for material and/or labor claims.

M. To require its contractor to protect all existing water facilities during construction and to promptly undertake the repair of damaged facilities upon authorization by the DISTRICT.

N. This agreement is subject to all prior valid and existing permits, contracts, leases, liens, reservations, conditions, encumbrances, claim or title, which may affect the property covered by this agreement.

ARTICLE II

DISTRICT AGREES:

A. To allow the CITY, or the CITY'S Contractor, ingress and egress to that area of SP property adjacent to Valley View Boulevard for the construction of the IMPROVEMENTS, as located and defined in the CITY'S approved PLANS.

B. That the Manager of the SP will provide the CITY, or the CITY'S contractor, a schedule of the events to take place at or on the SP during the scheduled period of construction of the IMPROVEMENTS.

C. That upon completion of construction of the IMPROVEMENTS and acceptance by the DISTRICT, and fulfillment by the CITY of all requirements of this Agreement, to thereafter own, operate, and maintain the IMPROVEMENTS, excluding bus turnouts and bus shelters, constructed pursuant to this Agreement

D. To provide the CITY:

1. An executed GBS Deed to provide the CITY with the necessary right-of-way for the public bus turnouts.

2. An executed easement document to the RTC for the public bus shelters adjacent to the public bus turnouts

3. Executed easement documents for replacement of any real property interests on the land owned by the DISTRICT or SP for relocation of any third party facilities due to the construction of the IMPROVEMENTS.

E. The new and re-aligned meandering trails constructed by the CITY shall become part of the existing meandering trail system on the SP and be designated as part of the CITY's shared-use path known as the Bonanza Trail.

F. This portion of the Bonanza Trail shall provide free, ample, unrestricted, and unencumbered use for pedestrian or multi-modal, non-motorized access, and such other uses as permitted by the CITY'S definition of shared-use to and for the Bonanza Trail system for public use, as if such access were being provided on public right-of-way.

ARTICLE III

IT IS MUTUALLY AGREED:

A. That the uses associated with the Bonanza Trail system, public bus turnouts, and public bus shelters, and being permitted by this agreement, are for the benefit of the general public.

B. All third party facilities relocated or adjusted by the CITY are the property of the respective third party and shall be owned, maintained, repaired, and removed/replaced by the third party.

C. That construction water shall only be provided through metered fire hydrants and/or metered service connections in accordance with the DISTRICT'S Service Rules.

D. 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. 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, judgments, 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 a consequence of the construction of the IMPROVEMENTS outlined in this Agreement.

E. That this Agreement represents the entire understanding of the CITY and the DISTRICT relative to the installation of the IMPROVEMENTS in conjunction with the CITY'S project.

F. 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.

G. That the laws of the State of Nevada will govern as to the interpretation, validity, and effect of this Agreement.

H. That each party shall not discriminate against employees or applicants based on race, color, religion, 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 Federal Civil Rights Commission setting forth these provisions. Each party further agrees that solicitations 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 Agreement on this _____ day of _____, 2011.

APPROVED: AS TO FORM

John S. Ridilla
Deputy City Attorney

By: John S. Ridilla for
BRADFORD JERBIC, City Attorney

ATTEST:

By: _____
BEVERLY K. BRIDGES, MMC, City Clerk

CITY OF LAS VEGAS

By: _____
CAROLYN G. GOODMAN, Mayor

APPROVED:

By: _____
CHARLES K. HAUSER, General Counsel

ATTEST:

By: _____
PATRICIA MULROY, Secretary

LAS VEGAS WATER DISTRICT

By: _____
STEVE SISOLAK, President
Board of Directors

City of Las Vegas Agenda Item No.: **47.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: PUBLIC WORKS
DIRECTOR: JORGE CERVANTES ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve a First Supplemental Interlocal Contract LAS29A10 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to increase project funding and extend the project completion date to June 30, 2013 for Flamingo Wash, Boulder Highway North – Main Street ($70,000 - CCRFCD) - Ward 3 (Coffin)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $70,000
Funding Source: CCRFCD
Dept./Division: PW/City Engineer

PURPOSE/BACKGROUND:
On October 14, 2010 the CCRFCD entered into an Interlocal Contract with the City for the design of Flamingo Wash, Boulder Highway North – Main Street project. This First Supplemental Interlocal Contract will increase project funding in the amount of $70,000 to allow for award of the contract and it will extend project completion date to June 30, 2013. The total cost of the project shall not exceed $320,000. The CCRFCD approved this contract at their May 19, 2011 Board Meeting.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
First Supplemental Interlocal Contract LAS29A10

FIRST SUPPLEMENTAL

INTERLOCAL CONTRACT

FLAMINGO WASH, BOULDER HIGHWAY NORTH – MAIN STREET

THIS FIRST SUPPLEMENTAL INTERLOCAL CONTRACT made and entered into as of the 19th day of May, 2011 by and between the Clark County Regional Flood Control District, hereinafter referred to as "DISTRICT", and the City of Las Vegas hereinafter referred to as "CITY".

W I T N E S S E T H

WHEREAS, pursuant to Chapter 543 of the Nevada Revised Statutes, the DISTRICT may approve a project to design and construct flood control improvements, and;

WHEREAS, the flood control improvements proposed herein are the same as those generally identified in the 2008 Master Plan Update as Facility Number FLBN 0342, 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; and

WHEREAS, an Interlocal Contract for the design of Flamingo Wash, Boulder Highway North – Main Street was entered into between the DISTRICT and the CITY on October 14, 2010; and

WHEREAS, the CITY wishes to increase project funding for engineering design and extend the project completion date; and

NOW, THEREFORE, in consideration of the covenants, conditions, contracts, and promises of the parties hereto, the DISTRICT and the CITY agree to the following:

SECTION II - PROJECTS COSTS

The DISTRICT agrees to fund project costs within the limits specified below:

1. The engineering and design shall not exceed $316,000.

2. Preparation of right-of-way drawings, descriptions, title reports of the right-of-way required, and appraisals at a cost not to exceed $2,000.

3. Environmental Mitigation in an amount not to exceed $2,000.

4. The total cost of this Contract shall not exceed $320,000 which includes all the items described in the paragraphs above.

5. 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.

6. 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, 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 30, 2013. 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 October 14, 2010 shall remain unchanged.

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

Date of Council Action

Date of District Action

May 19, 2011

City of Las Vegas

By: _____
~~Oscar B. Goodman, Mayor~~
CAROLYN G. GOODMAN, MAYOR

Regional Flood Control District

By: Lawrence L Brown III
Lawrence L. Brown, III,
Chairman

Attest

By: _____
Beverly K. Bridges, MMC
City Clerk

Attest

By: Carolyn Frazier
Carolyn Frazier
Secretary to the Board

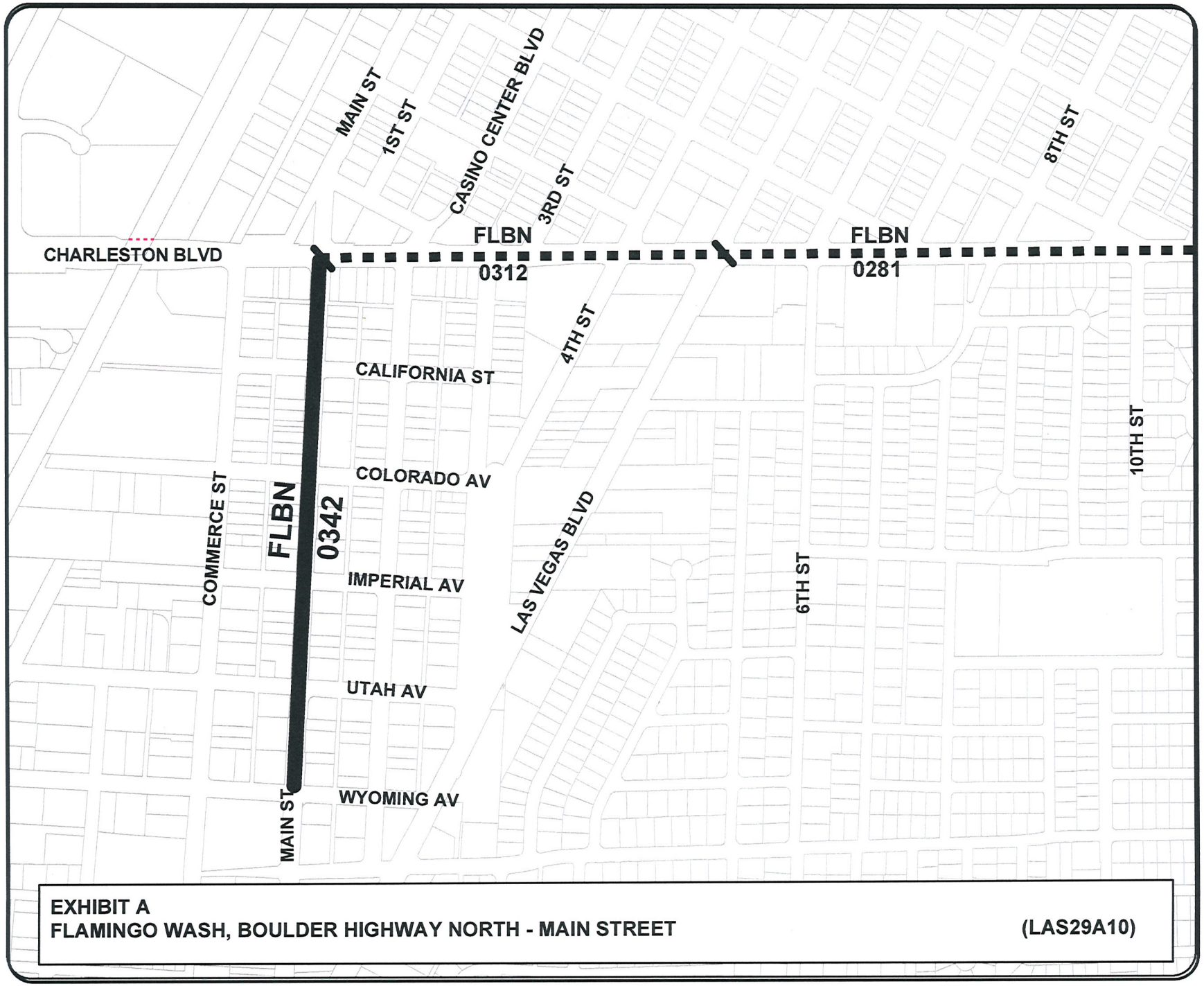
Approved as to Form

By: John S. Ridilla 10/7/11
Deputy City Attorney Date

John S. Ridilla
Deputy City Attorney

Approved as to Form

By: 5/17/2011
Christopher Figgins Date
Chief Deputy District Attorney



Public Works
Flood Control Planning

N

LEGEND

FUTURE STORM DRAIN

PROPOSED STORM DRAIN

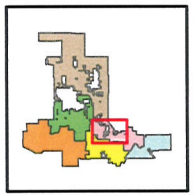


EXHIBIT A
FLAMINGO WASH, BOULDER HIGHWAY NORTH - MAIN STREET **(LAS29A10)**

F:\#Depot\Engineering_Planning\Flood\ARCVIEW\Exhibit A - FLAMINGO WASH, BOULDER HIGHWAY NORTH - MAIN STREET.mxd

Due to continuous development activity this map is for reference only.

0 360 720
Feet

LAS29A10

City of Las Vegas Agenda Item No.: **48.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: PUBLIC WORKS
DIRECTOR: JORGE CERVANTES ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve an Interlocal Contract between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) for the Annual Maintenance Work Program for Fiscal Year 2011-2012 ($2,050,000 – CCRFCD Capital Project Fund [CPF]) - All Wards

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $2,050,000
Funding Source: CCRFCD CPF
Dept./Division: PW/City Engineer

PURPOSE/BACKGROUND:
The Fiscal Year 2011-2012 Maintenance Work Program has been developed to maintain Regional Flood Control Facilities within the City of Las Vegas. The basic maintenance to the facilities will be in accordance with performance standards set forth in the current Clark County Regional Flood Control District's Operations and Maintenance Manual. The CCRFCD approved this contract at their June 9, 2011 Board Meeting. Total costs for the project shall not exceed $2,050,000.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
Interlocal Contract Annual Maintenance Work Program

INTERLOCAL CONTRACT
ANNUAL MAINTENANCE WORK PROGRAM

THIS CONTRACT, made and entered into this 9th day of June, 2011, by and between the CITY OF LAS VEGAS, a political subdivision of the State of Nevada, hereinafter referred to as "CITY", and the CLARK COUNTY REGIONAL FLOOD CONTROL DISTRICT, hereinafter referred to as "DISTRICT".

W I T N E S S E T H:

WHEREAS, pursuant to Chapter 543 of the Nevada Revised Statutes, the DISTRICT may approve and fund projects to maintain flood control improvements; and

WHEREAS, pursuant to NRS 277.180 any one or more public agencies may contract with one or more other public agencies to perform any governmental service, activity or undertaking which any of the public agencies is authorized by law to perform; and

WHEREAS, the CITY desires to maintain flood control improvements within the CITY in accordance with the maintenance program set forth herein, and hereinafter referred to as "Project"; and

WHEREAS, the facilities upon which maintenance will be done are facilities described in the DISTRICT'S Master Plan.

NOW, THEREFORE, in consideration of the covenants, conditions, agreements, and promises of the parties hereto, the DISTRICT authorizes the Project as it is mutually understood and agreed as follows:

SECTION I - SCOPE OF PROJECT

This Interlocal Contract applies to the maintenance of flood control facilities, which are identified in the DISTRICT'S Master Plan facilities including updates and amendments subsequently approved. The basic maintenance to the facilities will be in accordance with performance standards set forth in the current DISTRICT *Operations and Maintenance Manual.*

The Project is more specifically described in Exhibit "A" which is attached hereto and by this reference incorporated herein.

SECTION II - PROJECT COSTS

The DISTRICT agrees to make payment for Project costs within the limits specified below:

1. The Project costs shall not exceed $2,050,000.

The amounts allocated to each individual facility within the Project must be specified in Exhibit "A". Any changes to said allocated amounts must be approved by the DISTRICT'S Chief Engineer in accordance with Section 4.24 of the DISTRICT *Operations and Maintenance Manual.*

A written request must be made to the DISTRICT and a Supplemental Interlocal Contract approved to increase the amount noted above prior to payment of any additional funds.

2. The CITY and DISTRICT will comply with Section 4.12 of the *Operations and Maintenance Manual.* In accordance with said manual the CITY shall submit invoices together with a detailed summary report of the maintenance service performed. The CITY shall submit an invoice voucher in the manner prescribed by the DISTRICT. The vouchers shall include such information as is necessary for the DISTRICT to determine the nature of all expenditures. Each voucher will clearly indicate that it is for services rendered in performance under this contract. Each voucher will also be accompanied by a written certification from the CITY stating that it is for performance of maintenance activities under this contract and is composed of completed elements set forth in the annual work program.

All invoices must be submitted for payment to:

Clark County Regional Flood Control District
Accounts Payable
600 S. Grand Central Parkway, Suite 300
Las Vegas, Nevada 89106-4511

Payment shall be considered timely if made by the DISTRICT within 30 days. Pursuant to Section IV, Paragraph 8, the DISTRICT may, in its sole discretion, withhold payments to the CITY for services rendered if the CITY fails to satisfactorily comply with any term or condition of this contract and/or the DISTRICT *Operations and Maintenance Manual.*

SECTION III - PROJECT TIME

The CITY agrees to perform the Project to the satisfaction of the DISTRICT between July 1, 2011 and June 30, 2012. The DISTRICT may grant extensions or terminate this contract and require all sums advanced to the CITY to be repaid if the CITY fails to perform by said date.

SECTION IV - GENERAL

1. The CITY will complete the Project as set forth in Exhibit "A". The CITY staff personnel responsible for coordination of work under this contract are as listed below:

Jorge Cervantes, Director of Public Works

It is understood that staff named above will be responsible for work coordination throughout the period of this contract unless the DISTRICT is informed in writing of changes in these personnel assignments.

2. The CITY will comply with Local Purchasing Act, Chapter 332 and Public Works Projects, Chapter 338, of the Nevada Revised Statutes.

3. Applicable portions of the current editions of the *Operations and Maintenance Manual*, *Policies and Procedures Manual*, *Hydrologic Criteria and Drainage Design Manual*, and *Uniform Regulations for the Control of Drainage* adopted by the DISTRICT will apply unless specifically superseded by this CONTRACT.

4. It is the intent of the DISTRICT that scheduling of maintenance and repair of drainage and flood control facilities in general and Master Plan Facilities specifically be coordinated among member entities. Therefore, in those cases where Master Plan approved, and DISTRICT-funded projects have regional flood control significance impacting more than one member entity, the CITY will allow all impacted member entities an opportunity to review the maintenance schedule in order to coordinate maintenance efforts.

5. The Chief Engineer or designee of the DISTRICT shall be responsible for monitoring the performance of the CITY, approval for payment of billings and expenses submitted by the CITY and the acceptance of any report provided by the CITY. The CITY shall be responsible for monitoring performance of CITY staff or private contractors.

6. 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 payments. Following the three year period, the CITY shall keep records for permanent storage in original form, in microfilm/fiche media, or an electronic format.

7. The CITY shall provide right of access to its facilities to the DISTRICT or Chief Engineer at all reasonable times, in order to monitor and evaluate performance, compliance, and/or quality assurance under this contract.

8. In the event the CITY fails to perform the maintenance according to the standards specified in this contract and in the DISTRICT *Operations and Maintenance Manual,* the DISTRICT may perform or cause to be performed the maintenance necessary to assure proper operation of the facility. Costs incurred by the DISTRICT shall be reimbursed by the CITY or be deducted from the amount authorized by this contract. The DISTRICT may not exercise this right without giving the CITY specific written notice of the maintenance required and allowing the CITY 60 days within which to perform said maintenance. The notice required by this provision must be sent to:

Jorge Cervantes
Director of Public Works
City of Las Vegas
400 East Stewart Avenue
Las Vegas, Nevada 89101

9. The records of the CITY and/or private contractors pertaining to the subject matter of this contract shall at all reasonable times be subject to inspection and audit by the DISTRICT or an Agent of the DISTRICT.

10. If any provision of this contract shall be deemed in conflict with any statute or rule of law, such provision shall be deemed modified to be in conformance with said statute or rule of law.

11. The CITY, its employees, and representative shall at all times comply with all applicable laws, ordinances, statutes, rules, and regulations in effect at the time work is performed.

12. The CITY hereby agrees to reimburse the DISTRICT if funds are received from other sources for maintenance and repair of drainage and flood control facilities paid for by the DISTRICT.

13. The DISTRICT will not be responsible for any fines and/or penalties caused by the actions or inactions of CITY employees, consultants, contractors, or agents.

14. Any costs found to be improperly allocated to the Project will be refunded by the CITY to the DISTRICT.

15. It is specifically understood and agreed to by and between the parties hereto that it is not intended by any of the provisions of any part of this contract to create in the public or any member thereof a third party beneficiary hereunder, or to authorize anyone not a party to this contract to maintain a suit for personal injuries or property damage pursuant to the terms or provisions of this contract.

16. 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.

17. This agreement shall be construed and interpreted in accordance with the laws of the State of Nevada.

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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~~
CAROLYN G. GOODMAN, MAYOR

Attest

By: _____
Beverly K. Bridges, MMC
City Clerk

Approved as to Form

By: John S. Ridilla 6/28/11
Deputy City Attorney Date

John S. Ridilla
Deputy City Attorney

Date of District Action

June 9, 2011

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 June 9, 2011
Christopher Figgins Date
Chief Deputy District Attorney

CITY OF LAS VEGAS
MAINTENANCE WORK PLAN SUMMARY
FISCAL YEAR 2011-12

Master Plan Facility ID	MWP Facility Number	Facility Description	Cost
CACH, CABZ, CACN, LVBZ	LV51	Cedar Avenue Channel/Nellis System	$50,000.00
GONO, GOSO, GOOF, GOCR, GOLM, GOBU, GOBW, APDG, APOF, APP1, GOTE, GO02, APNO, APSP, APBE, APSO, APMD, GOL2, GOL4, APFH, APAD, APCB, APD3, GOWC, GODU, GOLB	LV52	Gowan/Angel Park/Lone Mountain System	$350,000.00
LVLM, LVSR, LV15, LVOW, LVRA, LVPK	LV53	Lake Mead/Smoke Ranch/Washington System	$550,000.00
LVMD	LV54	Las Vegas Wash System	$332,000.00
LCME, MECH, MEAL, MEPA, MEOK	LV55	Meadows/Oakey System	$118,000.00
LCLT, WAPR, FWUP, LVWH, FW15, FWOK, FWWL, FWCH, FWSH, LCLO, WAGC, CHRA, LCCH	LV56	Washington Avenue/Las Vegas Creek System	$350,000.00
RCHO, ANWE, RCHB, RCBC, EKDB, GOAN, CNGT, CNKC, EKHU, BCHU, TSDB, MSNV, LVMJ, LVDE, LVMD, CN95, EKBU	LV57	US 95/Outer Beltway/Ann Road System	$300,000.00
		TOTAL	$2,050,000.00

Exhibit A

Robert Welch
Project Manager

5/5/2011
Date

REGIONAL FLOOD CONTROL DISTRICT
MAINTENANCE WORK PROGRAM
ANNUAL BUDGET - FY 2011-12

MWP Facility #: LV51
Facility Name: Cedar Avenue Channel/Nellis System
MP Facility ID: CACH 0000 - 0148,
CABZ 0000 - 0010, CACN 0000 - 0049,
LVBZ 0166 - 0224

Entity: City of Las Vegas
Date Prepared: 5/5/2011

Force Account/ Contract		Activity	Work Plan Amount ($)	Amended Work Plan Amount ($)	Expended To Date ($)	Percent Complete	Scheduled Completion Date *
FA	03	Facility Assessment and Inventory	$15,000.00				Jun-12
FA	05	Inspect Channels	$5,000.00				
	06	Inspect Levees/Detention and Debris Basins					Jun-12
	08	Species Survey and Removal					
FA	10	Clean and Reshape Channels/Levees	$5,000.00				Jun-12
	15	Repair Lined Channel					
	20	Erosion Control and Repair					
	21	Provide/Maintain Dust Control					
	25	Clean Detention Debris Basins					
	35	Fence Repair					
	40	Vegetation Control - Chemical					
	45	Vegetation Control - Mechanical					
	50	Maintain Access Road					
FA	55	Clean & Inspect Inlet/Outlet Structures	$10,000.00				Jun-12
	60	Repair Inlet/Outlet Structures					
FA	65	Clean Storm Sewer Lines	$5,000.00				
	70	Storm Sewer Repair					
	75	Clean/Flush Culverts & Bridges					
FA	80	Miscellaneous Work Activities	$5,000.00				Jun-12
FA	85	Engineering	$5,000.00				Jun-12
		TOTALS	$50,000.00	$0.00	$0.00	0.0%	

Delays or Problem Areas:

Work completed during prior Fiscal Year:

Condition Assessment was performed. Routine maintenance work activities.

Work to be completed during current Fiscal Year:

Inspect and clean storm drain facilities (CABZ 0000 - 0010 and CACN 0000 - 0049). Perform condition assessment repairs. Routine maintenance work activities.

Consultant/Contractor: N/A

Project Manager: Robert Welch, P.E./Rosa Cortez, P.E. Phone Number: 229-6541

REGIONAL FLOOD CONTROL DISTRICT
MAINTENANCE WORK PROGRAM
ANNUAL BUDGET - FY 2011-12

MWP Facility #: LV52 Entity: City of Las Vegas

Facility Name: Gowan/Angel Pk/Lone Mtn System Date Prepared: 5/5/2011

MP Facility ID: GONO 0000 - 0225, GOSO 0000 - 0462, GODU 0000 - 0050, GOOF 0427 - 0775, GOCR 0180 - 0201, GOLB 0000 - 0030 GOLM 0000 - 0277, GOBU 0000 - 0085, GOBW 0000 - 0052, APDG 0000 - 0060, APOF 0000 - 0124, APP1 0000 - 0056, GOTE 0000 GO02 0000 - 0257, APNO 0000 - 0015, APSP 0000 - 0183, APBE 0000 - 0122, APSO 0000, APSO 0020, APSO 0204, APSO 0254, APSO 0255, APSO 0345, APMD 0027, APMD 0132, APMD 0190 - 0258, GOL2 0000 - 0014, APD3 0000 - 0021, GOWC 0000, GOL4 0000 - 0026, APFH 0000 - 0061, APAD 0000 - 0225, APCB 0000 - 0080

Force Account/ Contract		Activity	Work Plan Amount ($)	Amended Work Plan Amount ($)	Expended To Date ($)	Percent Complete	Scheduled Completion Date *
FA	03	Facility Assessment and Inventory	$65,000.00				Jun-12
FA	05	Inspect Channels	$20,000.00				Jun-12
FA	06	Inspect Levees/Detention and Debris Basins	$20,000.00				Jun-12
FA	08	Species Survey and Removal	$20,000.00				Jun-12
	10	Clean and Reshape Channels/Levees					
FA	15	Repair Lined Channel	$65,000.00				Jun-12
FA	20	Erosion Control and Repair	$20,000.00				Jun-12
	21	Provide/Maintain Dust Control					
FA	25	Clean Detention Debris Basins	$20,000.00				Jun-12
FA	35	Fence Repair	$20,000.00				Jun-12
	40	Vegetation Control - Chemical					
FA	45	Vegetation Control - Mechanical	$20,000.00				Jun-12
	50	Maintain Access Road					
FA	55	Clean & Inspect Inlet/Outlet Structures	$20,000.00				Jun-12
FA	60	Repair Inlet/Outlet Structures	$20,000.00				Jun-12
	65	Clean Storm Sewer Lines					
FA	70	Storm Sewer Repair	$20,000.00				Jun-12
FA	75	Clean/Flush Culverts & Bridges	$5,000.00				Jun-12
FA	80	Miscellaneous Work Activities	$10,000.00				Jun-12
FA	85	Engineering	$5,000.00				Jun-12
		TOTALS	$350,000.00	$0.00	$0.00	0.0%	

Delays or Problem Areas:

Work completed during prior Fiscal Year:

Performed condition assessment repairs and cleaning. Routine maintenance work activities.

Work to be completed during current Fiscal Year:

Graffiti and trash removal within the Gilmore Channel (GOLM 0150 - 0240). Continue condition assessment repair and cleaning. Clean and inspect detention basins. Update Emergency Action Plans for detention basins. Routine maintenance work activities.

Consultant/Contractor: N/A

Project Manager: Robert Welch, P.E./Rosa Cortez, P.E. Phone Number: 229-6541

REGIONAL FLOOD CONTROL DISTRICT
MAINTENANCE WORK PROGRAM
ANNUAL BUDGET - FY 2011-12

MWP Facility #: LV53
Facility Name: Lake Mead/Smoke Ranch/Washington System
MP Facility ID: LVLM 0336 - 0525, LVSR 0312 - 0525, LV15 0284 - 0409, LVOW 0000 - 0146, LVRA 0000 - 0066, LVPK 0000 - 0130

Entity: City of Las Vegas
Date Prepared: 5/5/2011

Force Account/ Contract		Activity	Work Plan Amount ($)	Amended Work Plan Amount ($)	Expended To Date ($)	Percent Complete	Scheduled Completion Date *
FA	03	Facility Assessment and Inventory	$533,000.00				Jun-12
FA	05	Inspect Channels	$2,500.00				Jun-12
	06	Inspect Levees/Detention and Debris Basins					
	08	Species Survey and Removal					
FA	10	Clean and Reshape Channels/Levees	$2,500.00				Jun-12
FA	15	Repair Lined Channel	$1,000.00				Jun-12
	20	Erosion Control and Repair					
	21	Provide/Maintain Dust Control					
	25	Clean Detention Debris Basins					
	35	Fence Repair					
	40	Vegetation Control - Chemical					
	45	Vegetation Control - Mechanical					
	50	Maintain Access Road					
FA	55	Clean & Inspect Inlet/Outlet Structures	$3,500.00				Jun-12
FA	60	Repair Inlet/Outlet Structures	$1,000.00				Jun-12
FA	65	Clean Storm Sewer Lines	$2,500.00				Jun-12
	70	Storm Sewer Repair					
	75	Clean/Flush Culverts & Bridges					
FA	80	Miscellaneous Work Activities	$1,000.00				Jun-12
FA	85	Engineering	$3,000.00				Jun-12
		TOTALS	$550,000.00	$0.00	$0.00	0.0%	

Delays or Problem Areas:

Work completed during prior Fiscal Year:
Routine maintenance work activities.

Work to be completed during current Fiscal Year:
Perform a condition assessment. Routine maintenance work activities.

Consultant/Contractor: N/A
Project Manager: Robert Welch, P.E./Rosa Cortez, P.E. Phone Number: 229-6541

REGIONAL FLOOD CONTROL DISTRICT
MAINTENANCE WORK PROGRAM
ANNUAL BUDGET - FY 2011-12

MWP Facility #: LV54
Facility Name: Las Vegas Wash System
MP Facility ID: LVMD 1069 - 1354

Entity: City of Las Vegas
Date Prepared: 5/5/2011

Force Account/ Contract		Activity	Work Plan Amount ($)	Amended Work Plan Amount ($)	Expended To Date ($)	Percent Complete	Scheduled Completion Date *
FA	03	Facility Assessment and Inventory	$25,000.00				Jun-12
FA	05	Inspect Channels	$20,000.00				Jun-12
FA	06	Inspect Levees/Detention and Debris Basins					
FA	08	Species Survey and Removal	$10,000.00				Jun-12
FA	10	Clean and Reshape Channels/Levees	$100,000.00				Jun-12
	15	Repair Lined Channel					
	20	Erosion Control and Repair					
	21	Provide/Maintain Dust Control					
	25	Clean Detention Debris Basins					
FA	35	Fence Repair	$20,000.00				Jun-12
	40	Vegetation Control - Chemical					
FA	45	Vegetation Control - Mechanical	$127,000.00				Jun-12
	50	Maintain Access Road					
	55	Clean & Inspect Inlet/Outlet Structures					
	60	Repair Inlet/Outlet Structures					
	65	Clean Storm Sewer Lines					
FA	70	Storm Sewer Repair	$5,000.00				Jun-12
FA	75	Clean/Flush Culverts & Bridges	$5,000.00				Jun-12
FA	80	Miscellaneous Work Activities	$10,000.00				Jun-12
FA	85	Engineering	$10,000.00				Jun-12
		TOTALS	$332,000.00	$0.00	$0.00	0.0%	

Delays or Problem Areas:

Work completed during prior Fiscal Year:

Routine maintenance work activities.

Work to be completed during current Fiscal Year:

Reshape the Las Vegas Wash between Washington Avenue and Charleston Boulevard (LVMD 1070 – 1178) to establish a baseline for sediment removal. Provide for vegetation control and erosion control along the Las Vegas Wash. Perform a condition assessment. Routine maintenance work activities.

Consultant/Contractor: N/A

Project Manager: Robert Welch, P.E./Rosa Cortez, P.E. Phone Number: 229-6541

REGIONAL FLOOD CONTROL DISTRICT
MAINTENANCE WORK PROGRAM
ANNUAL BUDGET - FY 2011-12

MWP Facility #: LV55
Facility Name: Meadows/Oakey System
MP Facility ID: LCME 0000 - 0085, MECH 0059 - 0420, MEAL 0000 - 0258, MEPA 0000 - 0025, MEOK 0000 - 0048

Entity: City of Las Vegas
Date Prepared: 5/5/2011

Force Account/ Contract		Activity	Work Plan Amount ($)	Amended Work Plan Amount ($)	Expended To Date ($)	Percent Complete	Scheduled Completion Date *
FA	03	Facility Assessment and Inventory	$30,000.00				Jun-12
	05	Inspect Channels					
	06	Inspect Levees/Detention and Debris Basins					
	08	Species Survey and Removal					
FA	10	Clean and Reshape Channels/Levees	$20,000.00				Jun-12
FA	15	Repair Lined Channel	$15,000.00				Jun-12
	20	Erosion Control and Repair					
	21	Provide/Maintain Dust Control					
FA	25	Clean Detention Debris Basins	$10,000.00				Jun-12
	35	Fence Repair					
	40	Vegetation Control - Chemical					
	45	Vegetation Control - Mechanical					
	50	Maintain Access Road					
FA	55	Clean & Inspect Inlet/Outlet Structures	$13,000.00				Jun-12
FA	60	Repair Inlet/Outlet Structures	$10,000.00				Jun-12
	65	Clean Storm Sewer Lines					
FA	70	Storm Sewer Repair	$5,000.00				Jun-12
FA	75	Clean/Flush Culverts & Bridges	$5,000.00				Jun-12
FA	80	Miscellaneous Work Activities	$5,000.00				Jun-12
FA	85	Engineering	$5,000.00				Jun-12
		TOTALS	$118,000.00	$0.00	$0.00	0.0%	

Delays or Problem Areas:

Work completed during prior Fiscal Year:
Perform condition assessment. Routine maintenance work activities.

Work to be completed during current Fiscal Year:
Continue condition assessment repair and cleaning. Update Emergency Action Plans for Detention Basins. Routine maintenance work activities.

Consultant/Contractor: N/A
Project Manager: Robert Welch, P.E./Rosa Cortez, P.E. Phone Number: 229-6541

REGIONAL FLOOD CONTROL DISTRICT
MAINTENANCE WORK PROGRAM
ANNUAL BUDGET - FY 2011-12

MWP Facility #: LV56
Facility Name: Washington Ave/Las Vegas Creek System
MP Facility ID: LCLT 0000 - 0034, WAPR 0000 - 0132, FWUP 0000 - 0100, LVWH 0086 - 0484, FW15 0000 - 0175, FWOK 0000 - 0060, FWWL 0000, FWCH 0000 - 0060, FWSH 0000, LCCH 0512 - 0543, LCLO 0000 - 0054, WAGC 0000 - 0060, CHRA 0000 - 0014

Entity: City of Las Vegas
Date Prepared: 5/5/2011

Force Account/ Contract		Activity	Work Plan Amount ($)	Amended Work Plan Amount ($)	Expended To Date ($)	Percent Complete	Scheduled Completion Date *
FA	03	Facility Assessment and Inventory	$20,000.00				Jun-12
	05	Inspect Channels					
	06	Inspect Levees/Detention and Debris Basins					
	08	Species Survey and Removal					
	10	Clean and Reshape Channels/Levees					
	15	Repair Lined Channel					
	20	Erosion Control and Repair					
	21	Provide/Maintain Dust Control					
	25	Clean Detention Debris Basins					
	35	Fence Repair					
	40	Vegetation Control - Chemical					
	45	Vegetation Control - Mechanical					
	50	Maintain Access Road					
	55	Clean & Inspect Inlet/Outlet Structures					
	60	Repair Inlet/Outlet Structures					
FA	65	Clean Storm Sewer Lines	$5,000.00				Jun-12
FA	70	Storm Sewer Repair	$5,000.00				Jun-12
FA	75	Clean/Flush Culverts & Bridges	$5,000.00				Jun-12
FA	80	Miscellaneous Work Activities	$115,000.00				Jun-12
FA	85	Engineering	$200,000.00				Jun-12
		TOTALS	$350,000.00	$0.00	$0.00	0.0%	

Delays or Problem Areas:

Work completed during prior Fiscal Year:
Routine maintenance work activities.

Work to be completed during current Fiscal Year:

Perform a condition assessment. Routine maintenance work activities.

Consultant/Contractor: N/A
Project Manager: Robert Welch, P.E./Rosa Cortez, P.E. Phone Number: 229-6541

REGIONAL FLOOD CONTROL DISTRICT
MAINTENANCE WORK PROGRAM
ANNUAL BUDGET - FY 2011-12

MWP Facility #: LV57

Facility Name: US95/OuterBeltway/Ann Road System

MP Facility ID: RCHO 0000 - 0071, ANWE 0127 - 0385, RCHB 0000 - 0062, RCBC 0004, LVMD 2507 - 2599, EKDB 0000 - 0070, GOAN 0000 - 0127, CNGT 0000 & 0118 - 0247, CNKC 0000 - 0024 EKHU 0000 - 0023, BCHU 0000 - 0054, TSDB 0000, MSNV 0000, LVMJ 0000, LVDE 0003 - 0027, CN95 0199 - 0333, EKBU 0000

Entity: City of Las Vegas

Date Prepared: 5/5/2011

Force Account/ Contract		Activity	Work Plan Amount ($)	Amended Work Plan Amount ($)	Expended To Date ($)	Percent Complete	Scheduled Completion Date
FA	03	Facility Assessment and Inventory	$20,000.00				Jun-12
	05	Inspect Channels					
	06	Inspect Levees/Detention and Debris Basins					
	08	Species Survey and Removal					
	10	Clean and Reshape Channels/Levees					
FA	15	Repair Lined Channel	$25,000.00				Jun-12
	20	Erosion Control and Repair					
	21	Provide/Maintain Dust Control					
FA	25	Clean Detention Debris Basins	$20,000.00				Jun-12
	35	Fence Repair					
	40	Vegetation Control - Chemical					
	45	Vegetation Control - Mechanical					
	50	Maintain Access Road					
FA	55	Clean & Inspect Inlet/Outlet Structures	$10,000.00				Jun-12
FA	60	Repair Inlet/Outlet Structures	$15,000.00				Jun-12
FA	65	Clean Storm Sewer Lines	$10,000.00				Jun-12
FA	70	Storm Sewer Repair	$150,000.00				Jun-12
FA	75	Clean/Flush Culverts & Bridges	$20,000.00				Jun-12
FA	80	Miscellaneous Work Activities	$10,000.00				Jun-12
FA	85	Engineering	$20,000.00				Jun-12
		TOTALS	$300,000.00	$0.00	$0.00	0.0%	

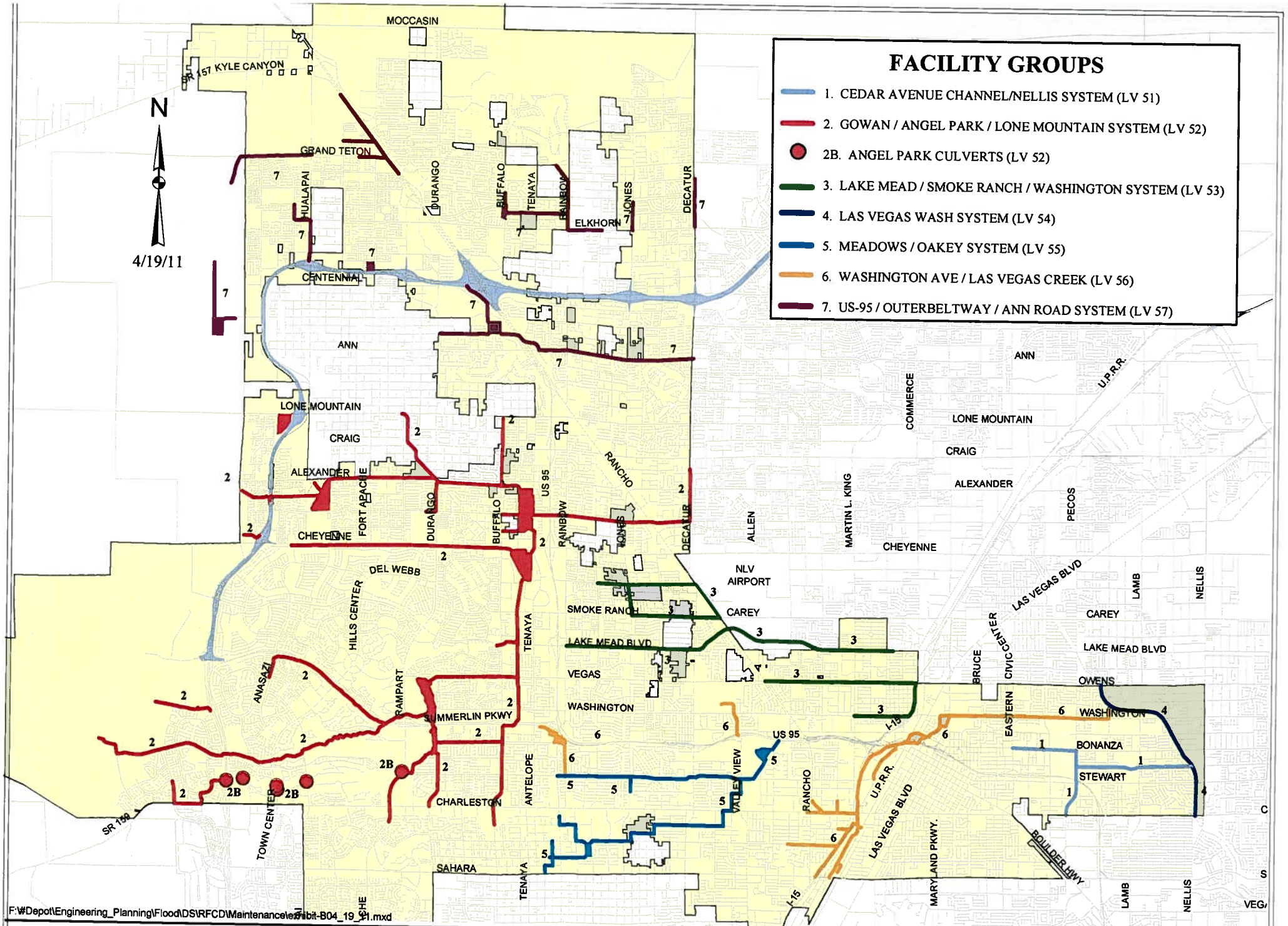
Delays or Problem Areas:

Work completed during prior Fiscal Year:
Routine maintenance work activities.

Work to be completed during current Fiscal Year:
Retrofit existing Centennial Center channel with ladders and signage (RCHB 0034). Perform a condition assessment. Update Emergency Action Plans for detention basins. Routine maintenance work activities.

Consultant/Contractor: N/A

Project Manager: Robert Welch, P.E./Rosa Cortez, P.E. Phone Number: 229-6541



OPERATION AND MAINTENANCE PROJECTS

EXHIBIT B

City of Las Vegas Agenda Item No.: **49.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: CITY MANAGER
DIRECTOR: ELIZABETH N. FRETWELL ☐ **Consent** ☒ **Discussion**

SUBJECT:
ADMINISTRATIVE:

Report and update regarding the status of negotiations and concessions between the City of Las Vegas and the International Association of Fire Fighters (IAFF Local 1285) and all current labor organizations – All Wards

Fiscal Impact

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

PURPOSE/BACKGROUND:
At the direction of the 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:
Report only; no action required

BACKUP DOCUMENTATION:
None

City of Las Vegas Agenda Item No.: **50.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: CITY MANAGER
DIRECTOR: ELIZABETH N. FRETWELL ☐ **Consent** ☒ **Discussion**

SUBJECT:
ADMINISTRATIVE:

Report for possible action concerning the 2011 (76th) Session of the Nevada Legislature - All Wards

Fiscal Impact

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

PURPOSE/BACKGROUND:
Staff will report on legislation passed during the 2011 (76th) Session of the Nevada Legislature

RECOMMENDATION:
It is recommended that the City Council accept the report and direct staff accordingly

BACKUP DOCUMENTATION:
None

City of Las Vegas Agenda Item No.: **51.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: CITY MANAGER
DIRECTOR: ELIZABETH N. FRETWELL ☐ **Consent** ☒ **Discussion**

SUBJECT:
ADMINISTRATIVE:

Report for possible action regarding progress made in the six Council priority areas - All Wards

Fiscal Impact

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

PURPOSE/BACKGROUND:
The Las Vegas City Council created priorities that provide a vision for the entire city. This report focuses on measurements that were developed for each priority that tell the story as to how the city is doing in each of the six identified areas.

RECOMMENDATION:
Accept report and direct staff as appropriate

BACKUP DOCUMENTATION:
None

City of Las Vegas Agenda Item No.: **52.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: CITY MANAGER
DIRECTOR: ELIZABETH N. FRETWELL ☐ **Consent** ☒ **Discussion**

SUBJECT:
ADMINISTRATIVE:

Discussion for possible action regarding the Eighth Amendment to Project Management and Consulting Agreement by and between City Parkway V, Inc., City Parkway IV A, Inc., Office District Parking I, Inc., and Newland Real Estate Group, LLC, to extend the term of project management services through June 30, 2012 and reimburse Newland for their expenses per the Symphony Park Fiscal Year 2012 Business Plan for parcels located in Symphony Park at the intersection of Grand Central Parkway and Bonneville Avenue ($609,600 - Symphony Park Capital Projects Fund) - Ward 5 (Barlow)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**

Amount: $609,600
Funding Source: Symphony Park Capital Projects Fund
Dept./Division: Economic and Urban Development/ED

PURPOSE/BACKGROUND:
Since December of 2005, the City of Las Vegas through its affiliate companies (City Parkway V, Inc., City Parkway IV A, Inc., and Office District Parking I, Inc.) has contracted with Newland Real Estate Group, LLC, to perform project management work related to Symphony Park. This Eighth Amendment extends the term of the agreement through June 30, 2012. Newland's scope of services has been increased for Fiscal Year 2012 to include construction management.

RECOMMENDATION:
Approval, and authorize the President of City Parkway V, Inc., City Parkway IV A, Inc., and Office District Parking I, Inc., to execute the Eighth Amendment to Project Management and Consulting Agreement.

BACKUP DOCUMENTATION:
1. Eighth Amendment to Project Management and Consulting Agreement
2. Newland Memo
3. Symphony Park Fiscal Year 2012 Business Plan
4. Disclosure of Principals

EIGHTH AMENDMENT TO
PROJECT MANAGEMENT AND CONSULTING AGREEMENT

THIS EIGHTH AMENDMENT TO PROJECT MANAGEMENT AND CONSULTING AGREEMENT ("Eighth Amendment") is entered into to be effective as of July 1, 2011 (the "Effective Date") by and between City Parkway V, Inc., a Nevada non-profit corporation ("City V"), City Parkway IV A, Inc., a Nevada non-profit corporation ("City IV") and Office District Parking I, Inc., a Nevada nonprofit corporation ("Office District") (City V, City IV and Office District are collectively referred to as, "Owner"), the City of Las Vegas, Nevada, a political subdivision of the State of Nevada ("City") and Newland Real Estate Group, LLC, a Delaware limited liability company ("Project Manager") formerly known as Newland Communities, LLC. City V, City IV, Office District and City are referred to collectively as the "City Parties" or individually as a "City Party" herein. The City Parties and Project Manager are referred to collectively as the "Parties" or individually as a "Party" herein.

RECITALS

A. The City Parties and Project Manager are the current parties to that certain Project Management and Consulting Agreement dated as of December 21, 2005 (the "Original Agreement"), as amended by that certain First Amendment to Project Management and Consulting Agreement (the "First Amendment"), that certain Second Amendment to Project Management and Consulting Agreement (the "Second Amendment"), that certain Third Amendment to Project Management and Consulting Agreement (the "Third Amendment"), those certain letter agreements dated October 12, 2006, September 7, 2007, and October 11, 2007, that certain Fourth Amendment to Project Management and Consulting Agreement dated as of November 7, 2007 (the "Fourth Amendment"), that certain Fifth Amendment to Project Management and Consulting Agreement (the "Fifth Amendment") dated as of June 18, 2008, that certain Sixth Amendment to Project Management and Consulting Agreement (the "Sixth Amendment") dated as of June 17, 2009, and that certain Seventh Amendment to Project Management And Consulting Agreement dated as of November 30, 2010 (the above referred to herein collectively as the "Agreement.")

B. The City Parties and Project Manager desire to amend the Agreement as set forth below.

C. Capitalized terms used in this Eighth Amendment and not otherwise defined herein shall have the meaning ascribed to such terms as set forth in the Agreement.

TERMS AND CONDITIONS

For valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City Parties and Project Manager hereby agree as follows:

1. Term of Agreement. The Term of the Agreement is hereby extended through and including June 30, 2012.

2. Limited Reimbursement of Certain Project Costs. Effective as of July 1, 2011, City Parties shall pay Project Manager as limited reimbursement by City Parties to Project Manager of those certain Project Costs specified below:

(a) $37,700.00 per month as reimbursement for a portion of the compensation payable to Project Manager's personnel responsible for the day to day oversight and management of the project;

(b) $3,770.00 per month as reimbursement for a portion of Project Manager's Las Vegas office overhead costs;

(c) Project Manager's regional staff rates per month for time directly expended in performance of Project Manager's duties and services pursuant to this Agreement, but not to exceed $12,000 for the period July 1, 2011 through June 30, 2012; and

(d) Project Manager's costs for supplies and general office expenses incurred in connection with the performance of Project Manager's duties and services pursuant to this Agreement, but not to exceed $3,000 for the period July 1, 2011 through June 30, 2012.

Except in connection with the specific items as set forth above, City Parties shall continue to pay and reimburse Project Manager for all Project Costs as provided in Section 5.6 of the Agreement, including Marketing and Public Relations costs, which shall not exceed $360,000 for FY 2012.

3. Extension of Term. Within 90 days prior to the expiration of the Term, the City Parties and Project Manager shall meet and confer to discuss a possible extension of the Term. If the Parties are interested in extending the Term, they shall negotiate the terms of such proposed extension of the Term for the 2013 Fiscal Year. If the terms of such proposed extension are acceptable to the Parties, they shall submit an amendment to the Agreement for approval by the Council. If the terms of such proposed extension are not acceptable to the Parties, the Term shall not be extended, and for the balance of the Term, Project Manager shall cooperate and work with City Parties regarding the winding up of Project Manager's services, the transition of management of the Project, and the turnover of Project Documentation and materials, as provided in the Agreement.

4. Additional Scope of Project Manager's Services. In addition to the current services provided by Project Manager under the Agreement, Project Manager shall provide the following additional project management and horizontal construction management services for the 2012 Fiscal Year for an additional fee of $137,376 payable as $11,448.00 per month:

- Phase IIA infrastructure bid and construction;
- Parcels M1/M2 park bid and construction;

- Management of federal brownfield grant funding;
- Management of Smith Center surface parking area (900 spaces) construction; and
- Management of front entry monument design, construction and installation.

5. Interpretation. The provisions of this Eighth Amendment and the Agreement shall be construed in a manner that harmonizes any perceived conflicts where possible. In the event of any conflict or inconsistency between the terms and conditions of this Eighth Amendment and the Agreement, the terms and conditions of this Eighth Amendment shall control.

6. Full Force and Effect. Except to the extent amended by this Eighth Amendment, the Agreement shall remain in full force and effect.

7. Counterparts. This Eighth Amendment may be executed in counterparts, each of which shall be deemed an original, and all of which together shall constitute one instrument.

[Signature Page Follows]

IN WITNESS WHEREOF, the City Parties and Project Manager have duly executed this Eighth Amendment to be effective as of the date set forth above.

OWNER:

CITY PARKWAY V, INC.
a Nevada non profit corporation

By: _____
Elizabeth N. Fretwell, President

CITY:

CITY OF LAS VEGAS, NEVADA
a political subdivision of the State of Nevada

By: _____
Carolyn G. Goodman, Mayor

CITY PARKWAY IV A, INC.
a Nevada non profit corporation

By: _____
Elizabeth N. Fretwell, President

OFFICE DISTRICT PARKING I, INC.
a Nevada non profit corporation

By: _____
Elizabeth N. Fretwell, President

APPROVED AS TO FORM:

J. Pandullo 4/11/11
Chief Deputy City Attorney

ATTEST:

By: _____
Beverly K. Bridges, MMC, City Clerk

PROJECT MANAGER:

NEWLAND REAL ESTATE GROUP, LLC
a Delaware limited liability company

By: _____
Rita Brandin, Senior Vice-President

NEWLAND™

MEMO

TO:	FROM:
JoAnn Crolli (City of Las Vegas)	Sam Gladstein
CC:	DATE:
Scott Carter	7/6/2011

SUBJECT: FY 2012 City Council Budget Request for Project Management and Marketing/PR

☐ URGENT X FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

JoAnn:

Per staff direction, we hereby submit budget requests for Project Management and Marketing/PR costs for fiscal year 2012. This memo is intended to act as supporting documentation to Newland's revised Project Management Agreement, which is intended to be presented to City Council for approval consideration on July 20, 2011.

Newland Project Management (Yearly)

Las Vegas Staff Payroll	$452,400 (Payable monthly at $37,700)
Las Vegas Overhead	$ 45,240 (Payable monthly at $3,770)
Regional Staff Support	$ 12,000 (Not to exceed; payable monthly)
Las Vegas Office Expenses	$ 3,000 (Not to exceed; payable monthly)
TOTAL	**$512,640**

Marketing & Public Relations (Yearly)

Total not to exceed	**$360,000**

6130 Elton Avenue, Las Vegas, NV 89107 | T. 702.220.8090 | F. 702.216.6001

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Newland Project Management Scope of Work (Yearly)

In addition to the items listed above under Project Management costs, Newland will perform the following additional scope of work:

- Phase IIA infrastructure bid and construction;
- Parcels M1/M2 park bid and construction;
- Management of federal brownfield grant funding;
- Management of Smith Center surface parking area (900 spaces) construction; and
- Management of front entry monument design, construction and installation.

TOTAL **$137,376 (Payable monthly at $11,448)**

FY 2012 GRAND TOTAL

$1,010,016

SYMPHONY PARK™

FY 2012
BUSINESS PLAN



With The Smith Center for the Performing Arts under construction, a luxury boutique hotel by Charlie Palmer in the works, and the Cleveland Clinic Lou Ruvo Center for Brain Health now seeing patients, Symphony Park is transforming downtown Las Vegas into a community of arts, ideas and world-class medicine.

CITY OF LAS VEGAS NEVADA

NEWLAND™

July 1, 2011

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SECTION 2 _____ PROJECT HISTORY

SECTION 3 _____ KEY GOALS & OBJECTIVES

SECTION 4 _____ LAND DISPOSITION

SECTION 5 _____ PROJECT FINANCIALS WITH PHASED DEVELOPMENT PROJECT SCHEDULE

SECTION 6 _____ MASTER PLAN

SECTION 7 _____ DESIGN GUIDELINES

SECTION 8 _____ MASTER ASSOCIATION PLANNING & COMMUNITY GOVERNANCE

SECTION 9 _____ MARKETING & PUBLIC RELATIONS SUMMARY

PROJECT VISION

Project Vision

CITY NEIGHBORHOOD

Symphony Park, an all-new planned urban mixed-use community, is taking shape on 61 acres in the heart of downtown Las Vegas. A harmonious blend of diverse developments, Symphony Park is Las Vegas' first true modern-day city neighborhood, designed to invigorate and dramatically enhance the downtown. As a city neighborhood with residences throughout, Symphony Park will also feature street-level retail and restaurants, multiple entertainment venues and a two-acre central park at the core of the community, just to the north of The Smith Center. The two-acre park is envisioned as a beautifully landscaped area that will host outdoor concerts, art shows and other outdoor festivals.

Located in the heart of downtown – just a few miles north of the famed Las Vegas Strip – Symphony Park is the next chapter in the history of this great American city. Encompassing an estimated 10 million square feet, Symphony Park is on track to become the single most important development in Las Vegas history. It is a place that will finally give those who live and work in Las Vegas the authentic and inclusive urban experience they have been seeking and that they deserve.

ECONOMIC AND REDEVELOPMENT PRIORITY

Symphony Park is a top economic development and redevelopment priority for the city of Las Vegas, led by the Mayor, the City Council and the Redevelopment Agency. In December 2005, the city of Las Vegas chose Newland, a leading national development company, to help create the master plan and to become the project manager. Through this dynamic public-private partnership, Symphony Park is conceived as a unique mixed-use city neighborhood primarily for those who live and work in Southern Nevada. With the Cleveland Clinic Lou Ruvo Center for Brain Health seeing patients and providing Las Vegas with a new exciting venue – its events center – and The Smith Center for the Performing Arts and the Discovery Children's Museum both under construction the vision of Symphony Park is becoming realized.

CULTURAL & ARTISTIC CENTER

As its name suggests, Symphony Park is poised to become the cultural and artistic center of Southern Nevada through The Smith Center for the Performing Arts. This magnificent facility, designed by David M. Schwarz to become the city's center of arts and culture for the next century, is the future performance home of Nevada Ballet Theatre, Las Vegas Philharmonic and first-run touring attractions. The addition of the Discovery Children's Museum on The Smith Center site adds to Symphony Park's substantial art and culture influence in the Las Vegas Valley.

MEDICAL DISTRICT

The Cleveland Clinic Lou Ruvo Center for Brain Health is dedicated to the research and treatment of neurodegenerative diseases, forging worldwide cooperative research networks to validate new treatments for prevention. Cleveland Clinic's growing presence in Symphony Park is not only building a stronger medical district but adding a world-class medical practice to the Las Vegas valley. Cleveland Clinic is the world's second largest group practice, employing 1,800 physicians and scientists in 120 medical specialties and sub-specialties.

SUSTAINABLE COMMUNITY

Marked by iconic architecture and a thoughtful community design plan, Symphony Park is also noted for its guiding principles of sustainability that have already earned it gold certification status through the LEED®-ND (Leadership in Energy and Environmental Design for Neighborhood Development) rating system of the U.S. Green Building Council.

APPEALING TO LOCALS AND TOURISTS

As a community conceived to enrich the lives of those who live and work in Southern Nevada, Symphony Park is a stand-out in a city where most major development caters to tourists. Home to the city's most important civic, cultural and medical facilities, Symphony Park's world-class offerings are equally appealing to locals and tourists alike – creating yet another reason to embrace Las Vegas as one of the most dynamic and exciting cities of the 21st century.

CENTRAL LOCATION

Located just east of I-15 and surrounded by neighboring major development, including the Clark County Government Center, World Market Center Las Vegas, Molasky Corporate Center and Las Vegas Premium Outlets, this community will further evolve downtown Las Vegas into a destination far beyond what exists today. The diverse mix of uses, high-density and architectural styles are creating an engaging and active community – so important to smart growth and green city centers.

KEY PROJECTS

Symphony Park is anchored by two key projects, the Cleveland Clinic Lou Ruvo Center for Brain Health and The Smith Center for the Performing Arts. The neighborhood enjoys a substantial art influence, as well as an impressive commitment to world-class medicine. In addition to these two catalytic facilities, Symphony Park will be the future home of the Discovery Children's Museum, a place dedicated to children and families with interactive, hands-on exhibits and programs; The Charlie Palmer, a luxury boutique hotel developed by renowned chef Charlie Palmer and City-Core Development; a first-class casino/hotel with significant retail space developed by Forest City; abundant street-side retail offerings; a two-acre

park also named Symphony Park; and urban style residences developed by Newland Communities. Approval of the Cordish Companies' Exclusive Negotiation Agreement (November 2010) to develop a multi-block entertainment district that could feature retail and live entertainment (known as a 'Live District') and to explore the feasibility of developing an arena on a substantial portion of Symphony Park's north end (five parcels, approximately 12.9 acres) will require further study as Cordish's plans solidify.

DOWNTOWN REVITALIZATION

Symphony Park is part of a larger redevelopment initiative in downtown Las Vegas and is being designed to connect with nearby entertainment, artistic and shopping venues. While Symphony Park's landmark anchors – The Smith Center for the Performing Arts and the Cleveland Clinic Lou Ruvo Center for Brain Health – are both destination drivers, efforts are underway to ensure and build connectivity with surrounding restaurants, bars, eateries, stores and museums to enhance the overall downtown experience.

SYMPHONY PARK

A confluence of art, architecture, science, business, commerce, retail and entertainment, Symphony Park is transforming not just the downtown Las Vegas skyline; it is creating a new downtown community for the growing population of Southern Nevadans drawn to the vibrancy of city life.

PROJECT HISTORY

Project History

July 19, 2000	City Council authorizes City staff to enter into negotiations With Shopco Advisory Group (representing Lehman Brothers) for the purchase of the 61-acre parcel; City willing to exchange 98 acres in the Las Vegas Technology Center plus $2 million
September 20, 2000	City Council authorizes staff to proceed with the developer selection process for the property; Council, in a separate action, voted to hold the agreement that would allow the City to acquire the land
September 25, 2000	Environmental Risk Management Report completed by Converse Consultants
October 4, 2000	City Council holds the agreement that allows the City to exchange 99 acres in the Las Vegas Technology Park plus $2 million for the 61.5 acres
October 18, 2000	City Council approves the agreement between PAMI and the City of Las Vegas for the acquisition of the 61.5-acre parcel located at Grand Central Parkway and Bonneville
December 8, 2000	Request for Qualification packets mailed
December 20, 2000	City Council given status report regarding RFQ's
December 29, 2000	Grant, Bargain, Sale Deed for the conveyance of the property is recorded with CPV as owners
March 3, 2001	Responses to the RFQ are due; staff receives 10 responses
July 5, 2001	City Council authorizes staff to enter into negotiations for 60 days with Southwest Sports Group
September 2001	City Parkway IV, Inc created to separate 56-acres, which is in the Gaming Overlay District, from City Parkway V, Inc.
January 2002	Performing Arts Analysis completed – JB Research Associates
	Market Analysis for Parkway Center Mixed-use Development completed – Economic Research Associates

February 2002	Academic Medical Center Study completed – The Innova Group and Ellerbe Becket
June 2002	Preliminary geotechnical studies completed – Converse Consultants; as the site originally designed with Academic Medical Center on the southern portion, preliminary geotechnical studies were carried out it two steps: South and North
September 2002	Trenching report completed -- Converse Consultants; 5-trenches were dug for eye witness representatives of the Reno Nevada Board of Regents so they could see the remediated nature of the soil on sight
	Risk-Based Evaluation completed – Converse Consultants; after completion of the market analysis, second risk-based evaluation completed to determine extent of future remediation requirements for proposed uses of hospital, residential and retail
October 2002	Letter from Steve Houchens and Doug Selby to Michael Cramer of Southwest Sports Realty terminating the Exclusive Negotiation Agreement
January 2003	City Council approves City Parkway to act as master developer and for Mayor Task Force to direct the master design of 100 S. Grand Central Parkway
February 2003	City Council approves City Parkway IV & V to hire Richard Oglesby as the Project Administrator for the site
March 2003	Design Workshop, RNL and Kimley-Horn are hired to design a master plan for the site
September 2003	City Council accepts Master Plan
May 2004	Environmental Management Negotiations with Union Pacific reinstated
	City Council approves trademark of Union Park
July 2004	Cleveland Clinic decides not to come to Las Vegas due to financial commitments in Cleveland
	Mayor and City Manager direct City Parkway V to prepare RFP to send to select master developers
September 2005	Related Cos. selected as developer for 61 acres per RFP

January 2005	City Council approves Exclusive Negotiation Agreement with Related Cos. for development of 61 Acres
	Mayor announces gift of land on site to Ruvo for Alzheimer's Clinic ($1.4 million or 2 acres)
March 2005	Las Vegas Performing Arts Center Foundation enters into agreement with Donald W. Reynolds Foundation for $45 million endowment plus $5 million grant
September 2005	City elects not to extend term of Exclusive Negotiation Agreement with Related. City acts as master developer
December 2005	City enters into agreement with Performing Arts Center Foundation
	City and Newland Communities enter into Project Management consultant agreement
February 2006	City enters into agreement with Lou Ruvo Brain Institute for development of Frank Gehry-designed center
May 2006	City approves business and development plans for Union Park submitted by Newland Communities
July 2006	City Council approves Exclusive Negotiation Agreement with Heritage-Nevada VIII, LLC, developer of the World Jewelry Center on Parcel E
October 2006	The Smith Center for the Performing Arts announces design team for performing arts center: Design Architect David M. Schwarz/Architectural Services, Inc.; Executive Architect HKS Architects; Theater Consultant Fisher Dachs Associates, Inc.; and Acoustical Designer Akustiks, LLC
November 2006	City Council approves Design Standards and Master Parcel Plan
February 2007	Lou Ruvo Brain Institute construction start
	Request for Proposal issued for Parcel J business hotel and office development
April 2007	City Council approves Exclusive Negotiation Agreement with Live/Work LLC and Zoe Property, LLC, developers (with Forest City) of casino/hotel and entertainment complex on Parcels P and Q
May 2007	City amends and restates agreement with Performing Arts Center Foundation

	City Council approves Exclusive Negotiation Agreement with Palmer City-Core Union Park Hotel LLC, developer of The Charlie Palmer boutique hotel on Parcel G
July 2007	City Council approves Amendment to the Exclusive Negotiation Agreement with Heritage-Nevada VIII, LLC, developer of the World Jewelry Center on Parcel E
	City Council approves Exclusive Negotiation Agreement with TAP Property Holdings of Nevada, LLC, developer of medical offices and business hotel on Parcel J
August 2007	Union Park the only project in Nevada accepted into Leadership in Energy and Environmental Design for Neighborhood Development (LEED®-ND) pilot program developed by the U.S. Green Building Council (USGBC)
October 2007	The Smith Center for the Performing Arts receives $100 million challenge grant from the Donald W. Reynolds Foundation
	City Council approves Extension and First Amendment to the Exclusive Negotiation Agreement with Palmer City-Core Union Park Hotel LLC, developer of The Charlie Palmer boutique hotel on Parcel G
November 2007	City Council approves Project Manager Disposition and Joint Development Agreement with Newland Communities LLC, developer of 2,600 residential units
December 2007	City Council approves Extension to the Exclusive Negotiation Agreement with TAP Property Holdings of Nevada, LLC, developer of medical offices and business hotel on Parcel J
January 2008	City Council approves Disposition and Development Agreement with Heritage-Nevada VIII, LLC, developer of the World Jewelry Center on Parcel E
	City Council approves a $1.71 million agreement with the Whiting-Turner Contracting Company to handle pre-construction services for The Smith Center for the Performing Arts
March 2008	City Council approves Disposition and Development Agreement with Palmer City-Core Union Park Hotel LLC, developer of The Charlie Palmer boutique hotel on Parcel G
	Request for Proposals issued for Parcel B mixed-use development

April 2008	Ceremonial groundbreaking celebration marks the commencement of phase one infrastructure construction for Union Park
	Request for Qualifications issued to potential landscape architectural firms for Symphony Park
May 2008	TAP Property Holdings of Nevada, LLC, developer of medical offices and business hotel on Parcel J (Access Medical), terminates their Exclusive Negotiation Agreement
June 2008	Request for Proposals issued for design competition for Symphony Park
July 2008	Union Park awarded Gold certification status under stage 2 by the U.S. Green Building Council (USGBC), through their Leadership in Energy and Environmental Design for Neighborhood Development (LEED®-ND) green building rating system
	City Council approves amendment to Newland Communities residential development agreement
August 2008	Symphony Park judging of design competition entries; project awarded to Design Workshop
October 2008	Request for Qualifications issued for Parcel J hotel development
November 2008	City Council approves Forest City Development Agreement to develop a casino/hotel entertainment complex
	Temporary Certificate of Occupancy issued for administrative offices of Lou Ruvo Brain Institute
	BRT project on Grand Central Parkway completed to Bonneville Avenue
February 2009	Cleveland Clinic and Lou Ruvo Brain Institute announce partnership. Institute renamed Cleveland Clinic Lou Ruvo Center for Brain Health
March 2009	Completion of Phase I infrastructure improvements
May 2009	City Council approves construction contracts for The Smith Center
	City Council approves name change from Union Park to Symphony Park to reflect significant role new community will play as cultural and artistic center

	Groundbreaking and construction start of The Smith Center for the Performing Arts on May 27
July 2009	Cleveland Clinic Lou Ruvo Center for Brain Health commences seeing patients
September 2009	City Council approves Exclusive Negotiation Agreement with Cleveland Clinic for four parcels (A2, B, J and K in the Medical District)
December 2009	City Council approves long term land lease of parcels P and Q to an affiliate of Forest City Enterprises for development of a casino/hotel on parcels P and Q and an agreement to convey the parcels to the affiliate at a future date
	City Council approves Community Charter for Symphony Park
February 2010	The Smith Center celebrates topping off their steel structure
March 2010	The community's primary entry street, formerly Discovery Drive, is re-named Symphony Park Avenue
May 2010	Cleveland Clinic Lou Ruvo Center for Brain Health building is completed with the opening of the event center
September 2010	The Smith Center announces that the Broadway touring production of "Wicked" will be part of its first season
November 2010	Donald W. Reynolds Discovery Center groundbreaking commences construction of the future home of the Discovery Children's Museum
	City Council approves Exclusive Negotiation Agreement with LV Entertainment Development LLC (an affiliate of Cordish Companies)to develop a "Live District" (multi-block entertainment district) and to determine feasibility of an arena on five parcels (D, E, F, O-1, O-2). Appropriate documentation to allow for the Cordish ENA is transacted
June 2011	City Council approves Development Agreement (DDA) with Cleveland Clinic for three parcels (A2, B, J/K in the Medical District)

SYMPHONY PARK PARCELS COMMITTED (IN DDA'S) AS OF JULY 2011

Parcel/ Status	Acreage	Developer	Program	Project Timeline
A-1 **CLOSED**	1.9	Keep Memory Alive (now known as The Cleveland Clinic Lou Ruvo Center for Brain Health)	67,000 square feet total; almost half dedicated to clinical care. Remaining is made up of Event Center; catering facility; administrative spaces	**DDA Executed: gifted in 2005** **Acquisition Date: gift from City** **Construction Start: Feb. 2007** **Completed: May 21, 2010**
A 2 **DDA**	2.29	Cleveland Clinic	Medical program	**DDA Executed: June 15, 2011** **Election Notice: Dec 2014** **Acquisition Date: Dec 2020** **Completion Target: TBD**
B **DDA**	5.15	Cleveland Clinic	Medical program	**ENA Executed: June 15, 2011** **Election Notice: Dec 2014** **Acquisition Date: Dec 2018** **Completion Target: TBD**
H/I **CLOSED**	4.75	The Smith Center for the Performing Arts Discovery Children's Museum	2,050 seats main theatre; education center with 300-seat cabaret theatre; 200-seat flexible studio theatre for rehearsals, children's and community events; home to NV Ballet Theatre and LV Philharmonic Interactive and hands-on exhibits and programs for children and families; housed in the Donald W. Reynolds Discovery Center	**DDA Executed: Dec. 2005** **Acquisition Date: gift from City** **Construction Start: May 2009** **Completion Target: Early 2012** **Construction Start: Nov. 2010** **Completion Target: Late 2012**
G **DDA**	3+	Charlie Palmer/Citi-Core	400+ room boutique hotel to include fine dining signature restaurant, spa, Hollywood-style pool and event and meeting rooms and facilities	**DDA Executed: Mar. 2008** **Acquisition Date: On or before Feb 2014** **Construction Start: Apr 2014** **Completion Target: TBD**
J/K **DDA**	2.22 2.59	Cleveland Clinic	Medical program	**DDA Executed: June 15, 2011** **Election Notice: Dec 2014** **Acquisition Date: Dec 2016** **Completion Target: TBD**
P/Q **CLOSED**	6.54	Forest City	1.6 million sf total with 1000 room casino hotel (1 million sf); 90,000 sf retail; 50,000 sf restaurants; plus meeting rooms, spa, pool	**DDA Executed: Nov. 2008** **Acquisition Date: Dec. 2009** **Construction Start: NA** **Completion Target: NA**
F **DDA**	2.16	Newland Communities	220 residential units; 15,000 sf street retail	**DDA Executed: June 18, 2008** **Acquisition Date: Jan 2019** **Construction Start: Apr 2019** **Completion Target: TBD**

Parcel/ Status	Acreage	Developer	Program	Project Timeline
C **DDA**	3.19	Newland Communities		**DDA Executed: June 18, 2008** **Acquisition Date: Jan 2017** **Construction Start: Apr 2017** **Completion Target: TBD**
D **DDA***	1.75	Newland Communities		**DDA Executed: June 18, 2008** **Acquisition Date: Jan. 2019** **Construction Start: Apr 2019** **Completion Target: TBD**
O-1 **DDA***	1.9 1.04	Newland Communities		**DDA Executed: June 18, 2008** **Acquisition Date: Jan 2019** **Construction Start: Apr 2019** **Completion Target: TBD**
N **DDA***	2.16	Newland Communities		**DDA Executed: June 18, 2008** **Acquisition Date: Jan 2017** **Construction Start: Apr 2017** **Completion Target: TBD**

***DDA currently in place. If Cordish DDA executed, Newland Communities will relinquish its rights under their DDA. However, Newland maintains first-right to re-acquire in the event of non-performance by Cordish.**

SYMPHONY PARK PARCELS IN EXCLUSIVE NEGOTIATION AGREEMENTS AS OF JULY 2011

Parcel/ Status	Acreage	Developer	Program	Project Timeline
D **ENA**	1.75	Cordish Companies	Live District and arena	**ENA Executed: Nov 17, 2010**
E **ENA**	5.4	Cordish Companies	Live District and arena	**ENA Executed: Nov 17, 2010**
F **ENA**	2.16	Cordish Companies	Live District and arena	**ENA Executed: Nov 17, 2010**
N **ENA**	2.16	Cordish Companies	Live District and arena	**ENA Executed: Nov 17, 2010**
O1 **ENA**	1.9	Cordish Companies	Live District and arena	**ENA Executed: Nov 17, 2010**
O2 **ENA**	1.08	Cordish Companies	Live District and arena	**ENA Executed: Nov 17, 2010**

KEY GOALS & OBJECTIVES

Key Goals and Objectives

A. LAND DISPOSITION

1. **Goal: Continue to market the one remaining parcel – parcel L – to potential developers.**

    - **Objective:** Notify potential developers when Cleveland Clinic medical program is publicly defined.
    - **Objective:** Secure developer for Parcel L and enter into a formal agreement.

2. **Goal: Nurture existing third-party developer relationships, revise agreements as appropriate, and manage development agreements to keep existing projects committed.**

    - **Objective:** Monitor all third-party developers' and proposed third-party developers' plans to ensure a balanced mixed-use program.
    - **Objective**: Manage remaining agreement documentation with The Smith Center on behalf of City Parkway V.
    - **Objective**: Liaison to City Council and City Council briefings

B. FINANCIALS WITH PHASED DEVELOPMENT PROJECT SCHEDULE

1. **Goal: Maximize City's contractual obligations within budget limitations.**

    - **Objective:** Complete oversight of all contracted scope.
    - **Objective:** Negotiate all contracts to maximize work effort and limit cost over-runs.

2. **Goal: Complete Phase II infrastructure improvements**

    - **Objective:** Manage the construction of Phase II infrastructure improvements, including contracting, Change Orders, accounting, etc., on behalf of CPV and City of Las Vegas.
    - **Objective:** Complete roadways and utilities by March 2012.
    - **Objective**: Complete required portion of box culvert to allow for pedestrian bridge by June 2012.
    - **Objective:** Assist City parking manager in monitoring costs and construction of temporary parking for PAC.

    NOTE: Target dates subject to change dependent on internal approvals.

3. **Goal: Refine current site management plan.**

    - **Objective:** Keep traffic flowing smoothly (vehicular, pedestrian and construction).
    - **Objective:** Continue managing homeless issue.

C. MASTER PLAN

1. **Goal: Preserve the integrity of the entitled Master Plan**

    - **Objective**: Coordinate Cordish's plans for a 'Live District' and an arena.

D. DESIGN GUIDELINES

1. **Goal: Monitor the Symphony Park Design Standards to determine if and when further changes are needed.**

    - **Objective:** Memorialize temporary parking lot guidelines for parcels not under construction.
    - **Objective:** Modify the requirement that trees installed into Symphony Park be a fixed box size. Tree size to be determined by tree caliper instead. Definition of caliper to be included in modifications.

2. **Goal: Continued representation on the Symphony Park Design Review Committee**

    - **Objective:** Review submissions and decisions and attend meetings.

E. SPMA PLANNING & COMMUNITY GOVERNANCE

1. **Goal: Manage the continuing design and bidding negotiation process for the M1 and M2 parcels and the entry monumentation.**

    - **Objective:** Negotiate lowest possible costs during the entire bidding process and apply savings toward the entry monument construction and installation.
    - **Objective:** Construction drawings to be completed in FY 2012.
    - **Objective:** Bidding process complete and contract awarded in FY 2012.

2. **Goal: Manage the installation of the park.**

    - **Objective:** Finalize technology and security Master Plans.
    - **Objective:** Complete installation of parcels M1 and M2.

3. **Goal: Operate the SPMA in an appropriate and legal manner given the current development demands.**

    - **Objective:** Determine which sections of the SPMA Operations Business Plan are appropriate to commence, based on timing of development.
    - **Objective:** Make further determination as to self-management or to issue an RFP for a management company.
    - **Objective:** Commence association operations.

F. MARKETING AND PUBLIC RELATIONS

1. **Goal: Capitalize on the recent positive trajectory of downtown successes and milestones, as well as upcoming achievements, by promoting positive news and developments.**

    - **Objective:** Take advantage of current momentum and continue strong (primary communications tool) public relations program for downtown and Symphony Park.
    - **Objective:** Reach out to key target audiences primarily through public relations, interactive experiences (Symphony Park Lecture Series and presentations) and online (website, downtown web pages and e-newsletters).

2. **Goal: Create cohesive and broad downtown messaging that links key projects and areas.**

    - **Objective**: Continue to build relationships with consumers, third-party developers, influencers, potential developers, stakeholders, business owners and media.
    - **Objective**: Expand downtown Las Vegas messaging to reflect the many landmark and significant projects to be completed in 2012.
    - **Objective**: Continue expanding downtown communications program.

3. **Goal: Continue to position Symphony Park as a leader in downtown development.**

    - **Objective**: Maintain current public relations activities for Symphony Park.
    - **Objective**: Continue Symphony Park third-party developer relations, including promotion of milestones, the Symphony Park Lecture Series and *Noteworthy*, the monthly e-blast.

LAND DISPOSITION

Land Disposition

SUMMARY

The 2011 fiscal year proved to be, once again, a financially difficult time in the United States with Las Vegas at the leading edge of this economic instability. But through all of the challenges that have arisen, Symphony Park remains one of the most important developments in downtown Las Vegas and has continued to evolve and grow.

With the completion of the Cleveland Clinic Lou Ruvo Center for Brain Health building's unique event center; Cleveland Clinic's Development Agreements to develop three more parcels at Symphony Park (A2, B, J/K); the groundbreaking of the future home of the Discovery Children's Museum, the Donald W. Reynolds Discovery Center building; and the design of the central park, the southern half of the site is almost completely committed – with only Parcel L remaining.

The parcels on the northern half of the site are predominately private projects that have encountered development delays due to the continued challenges within the credit markets – lending remains difficult for projects of this magnitude. As of April 2010, parcels P and Q have closed as part of the new City Hall transaction with the publicly-traded Forest City. The construction start for this project is still to be determined.

Also on the northern half of the site, an Exclusive Negotiation Agreement (ENA) has been approved for the Cordish Companies to potentially build a multi-block entertainment area ('Live District') and to explore the feasibility to build an arena on parcels D, E, F, O1 and O2.

As Cordish's plans become solidified, the Symphony Park Master Plan entitlement will need to be re-addressed and a modified plan submitted to City Council for approval. A mix of residential, commercial, hospitality/gaming and retail are currently reflected in the plan for the northern half of the site.

LAND DISPOSITION GOAL

An objective of the land disposition program for this fiscal year will be to continue to market the one remaining parcel – parcel L – to potential developers. In FY 2011 we identified a number of potential medical developers who have a strong interest in Symphony Park. However, in order for these developers to move forward, the Cleveland Clinic medical program (identifying the institutes offered in Las Vegas) must be finalized.

PARCEL STATUS TO-DATE

Two charts showing the status of the parcels to-date follow.

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O2 **ENA**	1.08	Cordish Companies	Live District and arena	**ENA Executed: Nov 17, 2010**

FY 2012 Strategy for Current Parcel Commitments

Retention of currently committed developers is the key goal for existing commitments in FY 2012, keeping existing projects committed and on track to close.

The team will continue to nurture the existing relationships with developers and hold them accountable for required deliverable tasks. In addition, on-going communication and interaction with developers will continue to insure they remain updated on project status and communications.

The team will provide assistance to the Cordish Companies as they begin to solidify their plans as outlined in the ENA to potentially build a 'Live District' and to explore the feasibility to build an arena on parcels D, E, F, O1 and O2 .

PROJECT FINANCIALS

Project Financials

LIFE OF PROJECT COSTS

Phase II Infrastructure

Continued budgetary constraints in fiscal year 2011 caused another delay in the completion of the Phase II infrastructure plans. While it was forecasted that construction would be underway and nearly completed by the end of the 2011 fiscal year, the timeline was extended to provide adequate time to evaluate the essential scope of the installation. As of April 2011, mylars are nearly completed and a notice to proceed is estimated for July 2011.

The decision has been made to move forward with a limited version of the Phase II infrastructure plan that includes the installation of City Parkway from its current completion point at the end of Phase I (southern portion of the site) to the northern-most portion of Symphony Park at Grand Central Parkway, including all necessary utilities. It has been further decided that the box culvert installation, which was noted in last year's business plan, will not be completed at this time. A minimal length of one hundred and twenty-five feet of the box culvert will be completed to allow for the installation of the pedestrian bridge from the new City Hall garage on Main Street to Parcel L on Symphony Park. Newland's responsibility will be to manage the Phase II infrastructure plan described above.

In addition to the Phase II infrastructure planned for this fiscal year, the completion of certain other tasks and the continued appropriation of remediation funds will also be managed. On the spreadsheet on the next page, these items are noted as "Minimal for PAC Opening". It was thus named because the City has a contractual obligation to complete each of these items prior to or in conjunction with the grand opening of The Smith Center for the Performing Arts (PAC).

The spreadsheet on the next page shows the sources and cash balances for Symphony Park financial accounts as of March 21, 2011, as well as the anticipated uses of these funds over the next fiscal year. Because of the City's reallocation of approximately eleven million dollars of Symphony Park budgets, there does not appear to be sufficient funds remaining to complete all desired tasks without the influx of additional funding, the removal of certain tasks, or locating an alternate source of funds within the City to transfer the remediation appropriation required for Parcels A2 and J (The funds for this remediation effort will not be required for a number of years.)

There is a potential for offsetting the noted shortfall through lower pricing within existing budgetary line items. Because this final costing determination may not be fully recognized prior to the commencement of FY 2012, the shortfall is listed in the FY 2012 budget request spreadsheet on an upcoming page of this business plan. In addition, other funding requirements such as project management costs, Symphony Park Master Association costs, marketing costs, and M1 and M2 Park operating and maintenance costs will be listed.

Phase III Infrastructure

Phase III infrastructure covers final coats of asphalt and installation of traffic lights across the development as well as conduit installations for service from a new electrical substation, etc. Each of these items will be performed on an as-needed basis as projects are completed. It is not anticipated that the project will need to expend any funds against Phase III in this fiscal year (with the exception of the one hundred and twenty five feet of the box culvert referenced above).

Phase II Design and Engineering

The Design and Engineering costs, which were approved as part of the FY 2010 business plan, are life-of-project costs. This means that the allocated funds continue to be utilized throughout the length of the project for specified purposes. To date, there is approximately $325,000 dollars remaining to commit. Although no additional budgeting is anticipated in FY 2012, it is likely that these funds will be depleted by the end of the fiscal year.

PROJECT MANAGER

Fiscal Year 2012

During the FY 2011 year, the project management staff was reduced significantly in size. In addition, the project manager agreed to a fixed-price contract, which went into effect in October 2010. Even with significant changes to staffing, the project management team was able to realize the full potential of their goals.

With the challenges of the current economic climate, the project management team has continued to reduce spending, including seeking out opportunities for free and/or discounted advertising as well as sponsorships, when appropriate. The team will continue to negotiate contracts for the highest work effort and limited cost.

The primary goal for the FY 2012 budgets is to maximize production output while minimizing costs. The FY 2012 budgets are forecasted through the end of the fiscal year and assume that the Project Management Agreement (PMA), which expires on June 30th, 2011, is extended through this fiscal year. In the event the agreement is not extended, certain expenditures may increase from those already budgeted due to alternatively chosen means of supervision. The costs include, but are not limited to, the cost to construct the M1 and M2 portions of the park, the cost to operate the Symphony Park Master Association, and marketing costs that are provided in-kind from the project manager's corporate offices (website hosting and technical maintenance, database management, E-Newsletter production and distribution, E-Blast production and distribution).

Marketing budgets were also significantly reduced last year. Despite the reductions, the team made every effort to be as resourceful as possible with appropriated funds and took a more targeted approach to marketing and public relations. The FY 2012 budgets are projected to be nearly identical to 2011 and the team will continue with a similar targeted marketing approach to that of last years.

BUDGETS

Fiscal Year 2012

The following spreadsheets reflect the required budgets and schedule for FY2012.

NEWLAND™

MEMO

TO:	FROM:
JoAnn Crolli (City of Las Vegas)	Sam Gladstein
CC:	DATE:
Scott Carter	7/11/2011

SUBJECT: FY 2012 City Council Budget Request for Project Management and Marketing/PR

☐ URGENT X FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

JoAnn:

Per staff direction, we hereby submit budget requests for Project Management and Marketing/PR costs for fiscal year 2012. This memo is intended to act as supporting documentation to Newland's revised Project Management Agreement, which is intended to be presented to City Council for approval consideration on July 20, 2011.

Newland Project Management

Las Vegas Staff Payroll	$452,400 (Payable monthly at $37,700)
Las Vegas Overhead	$ 45,240 (Payable monthly at $3,770)
Regional Staff Support	$ 12,000 (Not to exceed; payable monthly)
Las Vegas Office Expenses	$ 3,000 (Not to exceed; payable monthly)
TOTAL	**$512,640**

Marketing & Public Relations

Total not to exceed	**$360,000**

6130 Elton Avenue, Las Vegas, NV 89107 | T. 702.220.8090 | F. 702.216.6001

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Newland Project Management Additional Scope of Work

In addition to the items listed above under Project Management costs, Newland will perform the following additional scope of work:

- Phase IIA infrastructure bid and construction;
- Parcels M1/M2 park bid and construction;
- Management of federal brownfield grant funding;
- Management of Smith Center surface parking area (900 spaces) construction; and
- Management of front entry monument design, construction and installation.

TOTAL **$137,376 (Payable monthly at $11,448)**

FY 2012 GRAND TOTAL

$1,010,016

2012 Symphony Park Fiscal Year Budgets

June 30, 2011

MARKETING BUDGETS	FY 2011	FY 2012	
Signage	78,900	SEE DETAILED MARKETING BUDGET ON FOLLOWING PAGE	FY 2012 budget includes $60K to cover outstanding contracts from FY2011. Actual new budgeted funds equals $300K
Retainer/Program Management	60,000		
Media Placement	65,240		
Print/Production	35,000		
Website Maintenance and Updating	10,000		
Video	0		
Public Relations	31,000		
Special Events, Sponsorships, and Conferences	0		
Trademark Fees	20,000		
Symphony Park Brand Development	0		
Contingency	5,000		
TOTAL MARKETING	**305,140**	**360,000**	

PROJECT MANAGEMENT BUDGETS	FY 2011	FY 2012	
Project Manager Payroll	Actual Costs from FY 2011	452,400	Payable monthly at $37,700
Project Manager Overhead Costs		45,240	Payable monthly at $3,770
Project Manager Payroll - other (regional staff support)		12,000	Not to exceed; payable monthly against invoice
Project Manager office expenses		3,000	Not to exceed; payable monthly against invoice
TOTAL BUDGET	**573,500**	**512,640**	

Because FY 11 Project Management budgets were reduced part way into the operating year, actual numbers through March 31, as opposed to budgeted numbers, have been provided as a comparison reference to the requested budgets for FY 2012. FY 2011 closed on June 30, 2011.

Additional Project Management Scope	FY 2011	FY 2012	
Phase IIA Infrastructure bid and construction management	N/A Not Previously Budgeted		Payable monthly at $11,448
Parcels M1/M2 park bid and construction management			
Management of federal brownfield grant funding			
Management of Smith Center surface parking area (900 spaces)			
Management of front entry monument design, construction,& installatio			
TOTAL BUDGET		**137,376**	

SYMPHONY PARK

Fund Balance / Sources and Uses

June 30, 2011

SYMPHONY PARK SOURCES OF FUNDS	CASH	BOND	TOTAL	
Project Account # WU8010		5,959,000	5,959,000	RDA BOND
Project Account # WU8014	2,010,000		2,010,000	INTEREST EARNED ON PHASE I BOND
Project Account # WU8017	3,495,991		3,495,991	INTERFUND LOAN
Project Account # WU7248		32,871,356	32,871,356	PHASE I BOND (RDA BACKED)
Project Account # WU7313		-	-	PW CONSTRUCTION MANAGEMENT
Project Account # WU7949	8,000,000		8,000,000	PHASE I CASH
	13,505,991	**38,830,356**	**52,336,347**	

SYMPHONY PARK USE OF FUNDS	CASH	BOND	ENCUMBERED	TOTAL
Funds Expended From Project Account # WU8010		-	-	-
Funds Expended From Project Account # WU8014	(1,725,104)		(1,085,253)	(2,810,357)
Funds Expended From Project Account # WU8017		(377,951)		(377,951)
Funds Expended From Project Account # WU7248		(31,564,747)	(1,878,424)	(33,443,171)
Funds Expended From Project Account # WU7313		(549,703)		(549,703)
Funds Expended From Project Account # WU7949	(5,962,133)		(395,857)	(6,357,990)
UNRECONCILED SOURCES	**(7,687,237)**	**(32,492,401)**	**(3,359,534)**	**(43,539,172)**

REMAINING SYMPHONY PARK FUNDS	CASH	BOND	ENCUMBERED	TOTAL
Subtotal	5,818,754	6,337,955	(3,359,534)	8,797,175
Encumbered Funds to be Made Available			459,197	
Newland Managed Phase II LOP budgets			335,000.00	335,000
Additional Earned Interest Project Account # WU7248	5,615			
AVAILABLE FUNDS	**5,824,369**	**6,337,955**	**(2,565,337)**	**9,596,987**

MINIMAL FOR PAC OPENING BUDGET	CASH	BOND	ENCUMBERED	TOTAL
Remediation Parcels A2 and J (reserved)	(2,361,480)			(2,361,480)
PAC Parking		(725,000)		(725,000)
Temp Striping, Lighting, Signage, Mobilization		(149,000)		(149,000)
Construction Contingency for PAC Parking and Temp		(103,400)		(103,400)
Public Works Plan Oversight Reviews		(91,000)		(91,000)
Construction of M1 and M2 (including monument)	(1,500,000)			(1,500,000)
Phase IIA Infrastructure		(3,460,000)		(3,460,000)
	(3,861,480)	(4,528,400)	-	(8,389,880)
REMAINING SYMPHONY PARK FUNDS	1,962,889	1,809,555	(2,565,337)	1,207,107

PROJECT MANAGEMENT COSTS	CASH	BOND	ENCUMBERED	TOTAL
Newland as Project Manager		(512,640.00)		(512,640)
Newland as Construction Manager on Phase IIA Infrastructure		(137,376.00)		(137,376)
Engineer Oversight on Phase IIA Infrastructure		(80,000.00)		(80,000)
SPMA Compliance	(35,000.00)			(35,000)
SPMA Maintenance (M1, M2, PAC Parking)	(346,291.00)			(346,291)
	(381,291)	(730,016)	-	(1,111,307)
REMAINING SYMPHONY PARK FUNDS	1,581,598	1,079,539	(2,565,337)	95,800

Remaining balance to be held as contingency

Symphony Park and Downtown Las Vegas
Proposed FY 2012 Marketing Budget

		2011						2012						SP	DWTN	GRAND
Task Description	**SP and/or DWTN**	**Jul**	**Aug**	**Sept**	**Oct**	**Nov**	**Dec**	**Jan**	**Feb**	**Mar**	**Apr**	**May**	**Jun**	**Total**	**Total**	**Total**
On-site Signage														27,840		27,840
New fence panel program (13-15 units)	SP				11,400									11,400		11,400
Sign and fence panel maintenance	SP			5,000			2,500			5,000				12,500		12,500
Flags (production of 28 mint green)	SP					1,500							1,500	3,000		3,000
Flag replacements	SP		110	110			110	110	125		125	125	125	940		940
Retainers/Program Management														54,000	90,000	144,000
FFW	SP	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	30,000		
FFW	Downtown	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000		48,000	
SSMM/NH	SP	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	24,000		
SSMM/NH	Downtown	3,500	3,500	3,500	3,500	3,500	3,500	3,500	3,500	3,500	3,500	3,500	3,500		42,000	
Media Placement														11,660	10,360	22,020
Local Newspapers/Biz papers	SP													0		
Ballet and Philharmonic programs	SP			2,800									2,800	5,600		
Search Engine marketing (SEM)	SP and Downtown				1,500	1,500	1,500	1,500	1,500	1,500				4,500	4,500	
Radio ads for lecture	SP									1,560				1,560		
Radio ads for lecture	Downtown				1560										1,560	
Lead generating media	Downtown	1,050			1,050			1,100			1,100				4,300	
Print Production Design														10,500	24,000	34,500
Marketing materials design/printing	SP			1,000			500		1,000		500	1,000		4,000		
Marketing materials design/printing	Downtown	2,500	2,500	2,500	1,500	1500		1,500	1,500	1,500					15,000	
Fence panel program	SP	2,500												2,500		
Photography/Illustrations	SP			1,000		1,000				1,000		1,000		4,000		
Photography/Illustrations	Downtown		1,500			1,500		1,500	1500	1,500		1,500			9,000	
Website/Online Development & Updating														0	30,000	30,000
Website Development (Downtown Pg)	SP													0		
Dvlpmnt (Online work & Facebk)	Downtown			10,000	10,000	10,000									30,000	
PR Hard Costs														8,300	9,000	17,300
Stock photography (FFW)	SP			250					250					500		
Photography/Illustrations (FFW)	Downtown		1,000				1,000					1,000			3,000	
Graphic design services (FFW)	Downtown														0	
Press Kit revisions	SP	600				600				600				1,800		
Press Kit printing/CD production	SP			500				500			500		500	2,000		
Lecture Series Hard Costs (FFW)	SP										4,000			4,000		
Lecture Series Hard Costs (FFW)	Downtown				5,000										5,000	
Misc. PR Hard Costs (FFW)	Downtown			500							500				1,000	
Trademark														8,500	13,000	21,500
Symphony Park	SP	1,000		1,000		1,500		1,000		2,000		2,000		8,500		
Slogan/logo	Downtown	3,000	3,000		1,500		1,500		2,000		1,000		1,000		13,000	
FY 2011 Remaining Committed Funds														30,000	30,000	60,000
Remaining budget	SP and Downtown	10,000	20,000	20,000	10,000									30,000	30,000	20,000
Contingency															2,840	2,840
Downtown program	Downtown			1,500			1,340								2,840	
TOTALS		**32,650**	**40,110**	**58,160**	**55,510**	**31,100**	**20,450**	**19,210**	**19,875**	**26,660**	**19,725**	**18,625**	**17,925**	**150,800**	**209,200**	**360,000**

Revised: 7/11/11

CITY PARKWAY V, OPERATING BUDGETS
Legal and Marketing...Operating Budget 98301

FY 2011 REMAINING COMMITTED MARKETING FUNDS

CONTRACTS AND PURCHASE ORDERS

July 2011

Commitment Detail	Contract $'s	Jul-10 Draw #50	Aug-10 Draw #51	Sep-10 Draw #52	Oct-10 Draw #53	Nov-10 Draw #54	Dec-10 Draw #55	Jan-11 Draw #56	Feb-11 Draw #57	Mar-11 Draw #58	Apr-11 Draw #59	May-11 Draw #60	Jun-11 Draw #61	Contract Balance
Cecilian Worldwide P.O. #UPC001-11	350.00													350.00
Chief Ingredient P.O. #UPC002-11	1,700.00			(1,700.00)										-
Lewis & Roca CA #08-002	6,647.34	(736.39)	(1,094.98)		(2,072.62)	(1,171.50)	(480.70)		(1,057.85)	(33.30)				(0.00)
Motvational Systems P.O. #UPC003-11	110.00		(110.00)											-
Faiss Foley Contract #8472	25.00	(25.00)												-
Faiss Foley Contract #8473	5,000.00	(5,000.00)												-
Cecilian Worldwide P.O. #UPC007-10	299.00		(299.00)											-
Cecilian Worldwide P.O. #UPC009-10	499.00		(499.00)											-
Cecilian Worldwide P.O. #UPC037-10	1,399.00		(1,399.00)											-
Sin City Mad Men P.O. #UPC062-10	480.00			(480.00)										-
Aerotech Specialist P.O. #UPC063-10	200.00	(200.00)												-
Faiss Foley Contract #9518 plus additional change order	69,000.00			(10,000.00)	(5,000.00)	(5,000.00)	(5,000.00)	(5,000.00)	(5,000.00)	(6,500.00)		(6,500.00)	(19,500.00)	1,500.00
Faiss Foley Contract # 9517	20,580.01				(300.00)		(2,579.63)		(150.00)	(81.00)		(1,185.38)	(6,320.00)	9,964.00
Busines Press P.O. #UPC004-11	1,000.00			(1,000.00)										-
Cecilian Worldwide P.O. #UPC005-11	150.00			(150.00)										-
Cecilian Worldwide P.O. #UPC006-11	500.00			(100.00)										400.00
Cecilian Worldwide P.O. #UPC008-11	300.00			(300.00)										-
Sin City Mad P.O. #UPC009-11	320.00			(320.00)										-
Nevada Ballet Theatre P.O. #UPC010-11	2,700.00			(2,700.00)										-
Salt Associates P.O. #UPC011-11	70.68			(70.68)										-
City of Las Vegas P.O. #UPC012-11	1,155.00			(1,155.00)										-
Lewis & Roca CA #08-002	106.40			(106.40)										-
Sin City Mad Men P.O. #UPC015-11	80.00						(80.00)							-
Motvational Systems P.O. #UPC016-11	110.00					(110.00)								-
Motivational Systems P.O. #UPC017-11	938.31					(938.31)								-
Sin City Mad Men Contract #9697 plus additional Change Order	53,000.00					(10,000.00)	(5,000.00)	(5,000.00)		(11,000.00)	(5,500.00)	(5,500.00)	(11,000.00)	-
Salt Associates P.O. #UPC018-11	265.00					(265.00)								-
Nevada Public Radio P.O. #UPC019-11	1,560.00						(1,560.00)							-
City of Las Vegas P.O. #UPC020-11	75.00				(75.00)									-
Wackenhut Corporation - Security Officer	62.32					(62.32)								-
Gladstein, Sam - Employee - Peanuts for Lecture Series	8.00					(8.00)								-
Sin City Mad Men P.O. #UPC024-11	320.00							(320.00)						-
Relocation Resources #UPC025-11	4,200.00								(1,050.00)		(1,050.00)		(1,050.00)	1,050.00
Veronica Lawlor #UPC026-11	4,000.00										(4,000.00)			-
Cecilian Worldwide #UPC027-11	1,650.00									(1,350.00)				300.00
Sin City Mad Men P.O #UPC028-11	80.00												(80.00)	-
Nevada Public Radio P.O. #UPC029-11	1,560.00										(1,560.00)			-
Salt & Associates Contract #10215	37,380.98										(19,893.10)			17,487.88
City of Las Vegas P.O. #UPC030-11	1,155.00								(1,155.00)					-
G4S Secure Solutions USA PO #UPC031-11	62.32										(62.32)			-
Salt & Associates PO #UPC032-11	659.41										(659.41)			-
Chief Ingredient Contract # 10218	9,000.00										(5,100.00)		(3,600.00)	300.00
Cecilian Worldwide #UPC033-11	2,250.00											(2,250.00)		-
CB&T - City of Las Vegas Business Revenue License	75.00										(75.00)			-
RGS Reprographic Solutions PO #UPC034-11	512.52											(512.52)		-
Motvational Systems P.O. #UPC035-11	110.00											(110.00)		-
Sin City Mad Men PO #UPC036-11	80.00												(80.00)	-
Cecilian Worldwide #UPC037-11	450.00													450.00
RNL PO #UPC038-11	800.00												(800.00)	-
Domain Name Registration - Development for Downtown PO #UPC039-11	161.10												(161.10)	-
Virgen Inc - Contract # 10598	7,000.00													7,000.00
Salt Associates P.O. #UPC040-11	3,873.55													3,873.55
Gordon Silver - Legal Services #UPC041-11	22,000.00											(40.00)	(1,809.11)	20,150.89
														-
														-
														-
TOTAL	231,595.29	(5,961.39)	(3,401.98)	(18,082.08)	(7,447.62)	(17,555.13)	(14,700.33)	(10,320.00)	(7,257.85)	(18,964.30)	(37,899.83)	(16,097.90)	(44,400.21)	62,826.32

NOTE: $60,000 to be carried into next fiscal year (FY 2012)

Cash Basis Budget Funds Remaining	$101,896.38
Remaining to Commit	39,070.06
Contract Balance	62,826.32

SCHEDULING

Fiscal Year 2012

The following schedule demonstrates a revised timelines for the critical tasks and closings at Symphony Park:

Symphony Park
Infrastructure and Development Schedule
March 29, 2011

ID	Task Name	Start	Finish
1	**Phase 1 Infrastructure**	**Mon 4/14/08**	**Fri 4/17/09**
2			
3	**Phase 2A Infra (Minimal PAC Opening)**	**Mon 7/14/08**	**Tue 2/28/12**
4	Remediation,CEM & GeoTech	Fri 7/16/10	Thu 12/30/10
5	Engineered Controls for PAC (Liquid Boot)	Fri 1/8/10	Mon 8/2/10
6	Utilities	Fri 7/16/10	Thu 12/30/10
7	PAC Parking (1200 spaces) (Not a part of Ph II A)	Thu 11/10/11	Tue 2/28/12
8	Landscaping around PAC Parking	Mon 8/29/11	Fri 12/30/11
9	Temp Striping, Lighting, Signage & Mobilization	Fri 7/16/10	Thu 12/30/10
10	Contruction Contingency (PAC Parking & Temp Striping, Signage, M	Mon 8/29/11	Fri 12/30/11
11	Newland Managed Items (Includes design fees for Symphony Park)	Fri 1/15/10	Fri 12/30/11
12	Site Security & Fencing	Fri 1/15/10	Fri 12/30/11
13	Public Works as Construction Manager	Mon 7/14/08	Fri 12/30/11
14	Construction of Symphony Park (M1, M2)	Mon 8/29/11	Fri 12/30/11
15	Temp Striping, Lighting, Signage & Mobilization	Mon 8/29/11	Fri 12/30/11
16	City Parkway Roadway and Utility Improvements	Fri 7/15/11	Fri 12/30/11
17	Install portion of Box Culvert past Pedestrian Bridge to north	Fri 7/15/11	Fri 12/30/11
18			
19	**Phase 2B Infrastructure**	**Mon 4/2/12**	**Tue 4/23/13**
20	Mylar	Mon 4/2/12	Mon 4/2/12
21	Notice To Proceed	Tue 4/3/12	Tue 7/17/12
22	**Phase 2B Infra Construction**	**Wed 7/18/12**	**Tue 4/23/13**
23	Phase II B Roadways, Utilities from bid tabs	Wed 7/18/12	Tue 4/23/13
24	Remediation & CEM	Wed 7/18/12	Tue 4/23/13
25	Construction Signage & Temp Striping	Wed 7/18/12	Tue 11/20/12
26	Construction Contingency	Wed 7/18/12	Tue 4/23/13
27	Install remainder of Box Culvert along RR Tracks	Wed 7/18/12	Tue 4/23/13
28	Box Culvert Contingency	Wed 7/18/12	Tue 4/23/13
29	Box Culvert Remediation	Wed 7/18/12	Tue 4/23/13
30			
31	**Phase 3 Infrastructure**	**Mon 1/14/13**	**Tue 10/15/13**
32	Mylar	Mon 1/14/13	Mon 1/14/13
33	Notice To Proceed	Tue 1/15/13	Tue 4/30/13
34	**Phase 3 Construction**	**Wed 5/1/13**	**Tue 10/15/13**
35	Engineering for DN-1 Substation	Wed 5/1/13	Tue 7/23/13
36	Off-site Power	Wed 5/1/13	Tue 10/15/13
37	Purchase & Install Mast Arms & Heads Traffic Signals	Wed 5/1/13	Tue 5/28/13
38	Install remainder of Box Culvert	Wed 5/1/13	Wed 5/1/13
39	Final 1" UTAC Surface	Wed 5/1/13	Tue 5/14/13
40	Fiber Optic Pull for Fast System	Wed 5/1/13	Tue 5/28/13
41	SPMA deficit funding requirement (2009-2014)	Wed 5/1/13	Tue 5/14/13
42			
43	**Third Party Develoment**	**Fri 1/8/10**	**Thu 9/1/22**
44	Parcel A1	Fri 1/8/10	Fri 4/30/10

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Symphony Park
Infrastructure and Development Schedule
March 29, 2011

ID	Task Name	Start	Finish
45	Parcel A2	Tue 9/1/20	Thu 9/1/22
46	Parcel B	Mon 9/3/18	Thu 9/3/20
47	Parcel C (Newland Communities)	Fri 9/1/17	Tue 10/1/19
48	Parcel D (Newland Communities)	Fri 9/1/17	Fri 8/30/19
49	Parcel E (World Jewelry Center)	Mon 10/2/17	Wed 10/2/19
50	Parcel F (Newland Communities)	Tue 10/3/17	Mon 11/2/20
51	Parcel G (Charlie Palmer)	Tue 12/2/14	Fri 12/2/16
52	Parcel H/I (Performing Arts Center)	Wed 5/5/10	Fri 3/2/12
53	Parcel J	Thu 12/1/16	Wed 1/2/19
54	Parcel K	Thu 12/1/16	Wed 1/2/19
55	Parcel L	Thu 12/1/16	Wed 1/2/19
56	Parcel N	Mon 6/3/19	Tue 6/1/21
57	Parcel O1	Tue 1/2/18	Thu 1/2/20
58	Parcel O2	Mon 6/3/19	Tue 6/1/21
59	Parcel P/Q (Live Works)	Mon 6/3/19	Tue 6/1/21
60			
61	**Symphony Park M3**	**Fri 1/15/10**	**Fri 12/30/11**
62	Approval of funding	Fri 1/15/10	Wed 3/31/10
63	Design Development of plans	Thu 4/1/10	Tue 8/31/10
64	Construction Drawings	Wed 9/1/10	Tue 1/4/11
65	Bidding Process	Wed 1/5/11	Mon 2/28/11
66	Construction	Fri 4/1/11	Fri 12/30/11

MASTER PLAN

Master Plan

OVERVIEW

Planning Principles for Symphony Park Master Plan

***Connectivity*:** Facilitate visual, physical, and social connections at the project internal pedestrian scale from block to block, and at the project external civic scale to surrounding uses and places.

Neighborhoods: Create an authentic urban place energized by the overlapping of smaller areas of like uses, shared environments, shared amenities, and sense of connection.

Mixed Use: Integrate multiple uses in both a vertical and horizontal manner to create a rich texture of human activity supportive of multiple lifestyles and urban intensity. Emphasize the pedestrian over the automobile. Create a great skyline.

A Great Public Realm: Ensure that the quality of everything outside building envelopes reinforces a positive urban social experience by creating pedestrian scaled blocks that emphasize walkability, green open spaces to contrast building density, high quality and lively streetscapes sensitive to pedestrian comfort in the desert, the opportunity for the arts to enrich daily life, and high quality maintenance to perpetuate the place.

A Model for Urban Infill Sustainability: Seek to heal the scars of former use by designing in harmony with environmental systems, emphasizing energy and water reduction, using materials and resources efficiently, creating healthy living environments and making opportunities for individuals and companies to live a sustainable lifestyle.

Success To-Date

Symphony Park's currently planned anchors, developments and amenities are fulfilling the planning principles of connectivity, neighborhoods, mixed use, a great public realm and urban infill sustainability:

- The Smith Center for the Performing Arts, the city's first performing arts center and home to the Las Vegas Philharmonic and Nevada Ballet Theatre anchors the central Civic District. Also home to Symphony Park, the 2+ acre central park within the heart of the community, providing the first large open space in downtown Las Vegas.

- Cleveland Clinic Lou Ruvo Center for Brain Health, Frank Gehry-designed international research facility for neurodegenerative diseases, anchors the Medical/Office District where future medical offices/clinics are planned.

- The Discovery Children's Museum, providing children and families interactive and hands-on exhibits and programs, is housed in the Donald W. Reynolds Discovery Center building adjacent to The Smith Center.

- The Charlie Palmer, 400-room boutique hotel by celebrated chef and hospitality entrepreneur (on north side of the park), is planned.

- Newland Communities plans to develop a variety of urban residences, offering a wide range of housing, including low, mid and high-rise condominiums, town homes, live/work residences, and apartments in varied price ranges.

- The entire community will be designed and built to ensure its sustainability for present and future generations. The only project in the state of Nevada to be accepted into the Leadership in Energy and Environmental Design for Neighborhood Development (LEED®-ND) national pilot program, Symphony Park was awarded Stage 2 gold level LEED®-ND certification status by the U.S. Green Building Council (USGBC) in July 2008. Third-party developers will also contribute to the sustainability of the community with their buildings required to achieve LEED® New Construction certification.

- Forest City plans to develop a 1.6 million square foot complex with a first-class 1,000 room hotel featuring gaming, retail, restaurants, spa and pool.

MASTER PLAN GOAL

Goal: Preserve the integrity of the currently entitled master plan

- **Objective:** Integrate Cordish's plans for a 'Live District' and an arena

- **Objective:** Monitor all third-party developers' and proposed third-party developers' plans to ensure a balanced mixed-use program.

- **Objective:** Manage design and installation and create operational plan for The Smith Center and Cleveland Clinic parking and its impacts to traffic both inside and outside of Symphony Park.

- **Objective:** Re-entitle the Symphony Park Master Plan in conjunction with finalization of Cordish's 'Live District' and arena plan, as well as any new development plans for parcel L.

Master Illustrative Site Plan



As of June 2011

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Target Development Program
Estimated Total Square Footage: 10 million

The target development program is currently defined below. This program may be modified as Cordish's plans become more specific.

Target Development Program as of March 1, 2010

Program	Units/Keys/Seats	Estimated SF
Office and Medical Parcels A1, A2, B, K, E		1.8 million
Residential Parcels B, C, D, F, L*, N, O1 and O2	3,094 units	4.5 million
Hotels (Non-Gaming) Parcels J* and G	Two – 800 keys total	675,000
Hotel/Retail Complex (Gaming) Parcels P/Q	1,000+ keys	1.6 million
Retail Throughout the community		475,000
Performing Arts Center Parcels H/I	2,050-seat main theatre 300-seat cabaret theatre 200-seat studio theatre	379,000
Outdoor Park Parcels M1, M2 and M3		+2 acres

*** Program assumptions based on entitled Master Plan as of 3/1/10.**

The above represents the currently entitle master plan. Changes to this entitlement may be requested by pending and future third-party developers.

DESIGN GUIDELINES

Design Guidelines

SYMPHONY PARK DESIGN STANDARDS

The only foreseen modifications to the Symphony Park Design Standards for FY 2012 are the development of temporary parking standards and modifying the tree requirements (tree size to be determined by tree caliper). Due to the temporary needs of The Smith Center for the Performing Arts to have parking available until structured parking at Symphony Park is sufficient to support their program, the City agreed to construct at-grade parking. This temporary parking will be situated along the eastern portion of the site on parcels K, L, M4, N and O1. The Cleveland Clinic is also in the process of constructing temporary parking. Therefore, temporary parking standards are being created.

A complete copy of the Symphony Park Design Standards can be found on the city of Las Vegas web site (http://www.lasvegasnevada.gov/Government/7598.htm).

SYMPHONY PARK DESIGN STANDARDS GOALS

Monitor the new Symphony Park Design Standards to determine if and when further changes are needed.

Memorialize temporary parking lot guidelines for parcels not under construction.

Modify the requirement that trees installed into Symphony Park be a fixed box size. Tree size will be determined by tree caliper instead. Definition of caliper will be included in modifications.

MASTER ASSOCIATION PLANNING & COMMUNITY GOVERNANCE

Master Association Planning & Community Governance

SYMPHONY PARK MASTER ASSOCIATION (SPMA)

Charter and Accompanying Documents

Since the publishing of the last business plan, the SPMA scope has been significantly reduced. Because the M3 portion of the park (the largest common-area) will be owned and operated by The Smith Center, CPV decided to revert the maintenance responsibility of the common areas around individual blocks back to each developer.

Symphony Park Master Association, Inc. (SPMA) Operations

Although the scope has been modified, the SPMA remains as the operations and management arm of the development. The SPMA continues to be compliant with all state requirements and is currently insured for liability and directors and officers insurance. The SPMA will begin to collect association dues in FY 2012 with the opening of The Smith Center.

SPMA GOALS

- **Manage the continuing design and bidding negotiation process for the park's M1 and M2 parcels and the entry monument.**
    - **Objective:** Negotiate lowest possible costs during the entire bidding process and apply savings toward the entry monument construction and installation.
    - **Objective:** Construction drawings to be completed in FY 2012.
    - **Objective:** Bidding process complete, contract awarded and construction completed in FY 2012.

Goal: manage the installation of the park.

- **Objective:** Finalize technology and security Master Plans.
- **Objective:** Complete installation of parcels M1 and M2.

The goal and objectives for the park are predicated on the retention of the current project management team. The team has been engaged in direct negotiations with contractors and is in the process of evaluating a hybrid construction management contract. This will entail the utilization of a general contractor on a fixed-cost basis while assisting the project manager in obtaining the lowest possible contractor bids. In the event the current project management team is not retained, the cost savings anticipated could be substantially impacted.

Goal: operate the SPMA in an appropriate and legal manner given the current development demands.

- **Objective:** Determine which sections of the SPMA Operations Business Plan are appropriate to commence based on timing of development.

- **Objective:** Make final determination as to self-management or to issue an RFP for a management company.

- **Objective:** Commence association operations.

PARCEL M4 AND THE PARK

The original Master Plan, approved by City Council in May 2006, reflected the inclusion of Parcel M4 as part of Symphony Park. Early conceptual designs reflected this parcel's purpose as a transition plaza. This plaza would provide a landing and a bridge to connect Symphony Park east across the Union Pacific Rail Road tracks to the then anticipated location of the new City Hall. Because the new City Hall was eventually located to the Queen of Hearts site, alternate plans for M4 have been considered. The ultimate disposition of M4 is dependent upon future CPV budgets. One potential plan is to construct a vehicular connection which would extend Symphony Park Avenue from Symphony Park across the tracks connecting to Main Street. However, due to current financing constraints, a vehicular connection is not in the works for FY 2012.



Symphony Park Entry Monument Rendering

Symphony Park Entry Monument Night Rendering



SPMA CHARTER

A revised Charter will be submitted to City Council for approval prior in FY 2011.

A complete copy of the Symphony Park Master Association Charter documents, recorded on December 16, 2009, can be found on the city of Las Vegas web site at:

- http://www5.lasvegasnevada.gov/sirepub/cache/2/nzhrl445d1ltqi45uz3s4245/303486201122010120453637.PDF).

MARKETING & PUBLIC RELATIONS SUMMARY

Marketing and Public Relations Summary

SITUATION ANALYSIS

Background

The city of Las Vegas is in the midst of a 20-year urban revitalization effort. Led by the Mayor, the City Council and the Las Vegas Redevelopment Agency (LVRDA), major projects including the Clark County Government Center (385,000 square feet), the Las Vegas Premium Outlets (539,000 square feet), the World Market Center Las Vegas (5.1 million square feet), and the Molasky Corporate Center (265,000 square feet of Class A office space) have already drastically changed the landscape of downtown Las Vegas and added new jobs to the market. The LVRDA has also helped smaller businesses open their doors in the Fremont East District and the Arts District, adding to the vitality of the downtown area.

Given the current economic downturn, much of the latest timing for revitalization efforts and development in the downtown area has been extended, including most of the privately funded Symphony Park projects.

Symphony Park

However, in spite of ongoing development delays, Symphony Park remains one of the most important elements of the City's downtown redevelopment efforts. This new planned city neighborhood is surrounded by the existing developments listed above and in the center of Las Vegas. Once complete, Symphony Park will be a high-density, walkable, mixed-use, sustainable, urban community. Elements of the project will include a broad mix of residential, commercial, hospitality and retail development, as well as two major civic projects, The Smith Center for the Performing Arts and the Cleveland Clinic Lou Ruvo Center for Brain Health.

The entire community will be designed and built to ensure its sustainability for present and future generations. The only project in the state of Nevada to be accepted into the Leadership in Energy and Environmental Design for Neighborhood Development (LEED®-ND) national pilot program, Symphony Park was awarded Stage 2 gold level LEED®-ND certification status by the U.S. Green Building Council (USGBC) in July 2008. Third-party developers will also contribute to the sustainability of the community with their buildings required to achieve LEED® New Construction certification.

Symphony Park amenities and third-party developers are world-class:

- The Smith Center for the Performing Arts, the city's first performing arts center and home to the Las Vegas Philharmonic and Nevada Ballet Theatre.
- Symphony Park, a 2+ acre central park within the heart of the community.
- Cleveland Clinic Lou Ruvo Center for Brain Health, Frank Gehry-designed building, anchor to the medical/office district, international research facility for neurodegenerative diseases.
- Cleveland Clinic, Exclusive Negotiation Agreement signed for four parcels.

- Discovery Children's Center, interactive, hands-on exhibits and programs for children and families.
- The Charlie Palmer, 400-room boutique hotel by celebrated chef and hospitality entrepreneur.
- A variety of urban residences by Newland Communities offer a wide range of housing, including low-, mid- and high-rise condominiums, town homes, live/work residences, and apartments in varied price ranges.
- A planned hotel/casino/entertainment and retail complex by Forest City.
- Cordish Exclusive Negotiation Agreement signed for five parcels to develop a 'Live District' and to determine feasibility of an arena.

The central vision for Symphony Park is "a city within a city" that ultimately complements all that Las Vegas already has to offer. Symphony Park will provide a lasting, meaningful contribution for permanent residents, locals and tourists alike that extends well beyond the immediate urgency of getting it built. It is a legacy for the Las Vegas community.

Importance of Downtown Las Vegas

A vibrant downtown core is essential to any city's well being. Las Vegas, like many U.S. cities, currently has many downtown areas with empty or run-down buildings – the visible aspects of urban blight. A healthy downtown is important to Symphony Park as a reflection of the community and its history, an ideal location for independent and arts businesses and a potential positive influence to the surrounding area's property values. Therefore, this plan addresses the importance of promoting downtown Las Vegas as part of the Symphony Park Marketing Plan.

During these early phases of the downtown renaissance, attention must be paid to re-positioning the entire area and communicating the strategy to stakeholders and devotees, while also communicating positive progress to the market at large.

Given that the image of downtown Las Vegas is still negative among many sectors of the market, and that skepticism about its future still exists, it is vitally important to broaden our marketing efforts to include the greater downtown area. Symphony Park should rightfully lead the charge, given its high profile and landmark projects that are already helping to improve the perception of downtown.

FY 2012 (July 2011 through June 2012) and Beyond

Symphony Park has already earned significant status as home to two of the city's most prominent and important facilities – The Smith Center for the Performing Arts and Cleveland Clinic Lou Ruvo Center for Brain Health.

Symphony Park, as fully envisioned, is still feeling the effects of the 2008 economic downturn and the disruption in the credit markets. Market conditions have impaired the private sector's ability to obtain funding in the immediate horizon, and, therefore, construction starts are delayed. However, phase I infrastructure improvements were completed in 2009, with phase II expected to move forward in 2011. This horizontal construction is possible through the City's commitment to funding the project.

At the time of this writing, Cleveland Clinic Lou Ruvo Center for Brain Health is the first fully completed building in Symphony Park. It officially opened in May 2010 with the opening of its event center venue. There are also three buildings in construction:

- The Smith Center for the Performing Arts, whose groundbreaking took place at the end of May 2009, and its education facility, the Boman Pavillion, will open in March 2012.

- Discovery Children's Museum, whose groundbreaking took place in August 2010, is projected to open in the latter part of 2012.

Symphony Park remains a phased development with all other projects projecting openings post-2012 and with a total project build-out estimated in 10-15 years.

MARKETING AND PUBLIC RELATIONS GOALS

Given the delayed timing of individual developments at Symphony Park, the recent announcement of Zappos.com's relocation to downtown, along with the growing importance of connecting Symphony Park to the greater downtown area, it is key to the project's future success that carefully chosen marketing communications remain in place to promote Symphony Park and the downtown area in general.

In FY 2012 there are three primary goals for the marketing and public relations programs:

- Capitalize on the recent positive trajectory of downtown successes and milestones, as well as upcoming achievements, by promoting positive news and developments

- Create cohesive and broad downtown messaging that links key projects and areas

- Continue to position Symphony Park as a leader in downtown redevelopment.

These goals will be achieved through a highly targeted approach, strategically using limited marketing funds to maintain a minimum level of awareness during this still economically challenging and transitional time.

MARKETING STRATEGIES & TACTICS

Key Marketing Strategies

- Take advantage of current momentum and continue strong public relations program for downtown and Symphony Park

- Reach out to key target audiences primarily through public relations, interactive experiences (the Symphony Park Lecture Series) and online

- Continue to build relationships with consumers, third-party developers, influencers, potential developers, stakeholders, business owners and media

- Expand downtown Las Vegas messaging to reflect the many landmark and significant projects to be completed in 2012

Key Marketing Tactics

Stakeholder Relationship Building

- Continue to engage key downtown business owners and operators via ongoing meetings to seek input, gather positive information that can be publicized and promote connectivity of downtown successes and projects
    - Develop informal focus groups for ongoing projects and programs

- Continue Symphony Park third-party developer relations
    - Work closely with partners' marketing staffs for deeper involvement and inclusion in public relations efforts
    - Include partners' successes/project/programs in Noteworthy and the Symphony Park Lecture series
    - Provide updates when appropriate

Key Public and Community Relations Initiatives

- Create an ongoing public relations campaign to promote downtown's positive news and to respond (when appropriate) to negative press
    - Tell the downtown story through successes of individual businesses
    - Capitalize on media opportunities
    - Focus attention on downtown through press releases and feature stories, including Symphony Park where appropriate
    - Promote the unique character of downtown – historic, cultural and artistic, business-oriented, local
    - Promote the value of downtown redevelopment as important to the health of both present and future Las Vegas

- Maintain current PR activities for Symphony Park
    - Press release announcements when appropriate
    - Publicize events and milestones
    - Media kit updates quarterly or when necessary

- Noteworthy – scope has been expanded to include news and updates on downtown as well as Symphony Park – generally four downtown-focused articles and three stories about Symphony Park.
    - Continue growing distribution and build database to expand reach

- Symphony Park Lecture Series(two times per year)
    - Dedicate one lecture to a topic germane to Symphony Park
    - Dedicate one lecture to a topic germane to downtown
    - Maintain quality of lectures and increase attendance
    - Build sponsorships for lectures

- Finalize the Downtown Tool Kit
    - Reference guide for City Council and city staff, downtown business owners and operators, Las Vegas Redevelopment Agency and media
    - Ensure consistency of messaging as it relates to downtown issues and progress
    - Increase public awareness of downtown progress and successes
    - Contents:

        - Background information on key projects, topics and issues pertaining to downtown
        - Event calendars and updates
        - Image files
        - Key media coverage
    - Distribution:
        - Electronic transmittal via email
        - Create distribution email and contact list that includes all key individuals from groups listed above
    - Update quarterly

Website and Online Programs

- Maintain, update and broaden www.symphonypark.com
    - Link to a downtown page potentially placed on the DLVA website
    - Utilize Search Engine Marketing (SEM) to promote the site and to build database
- Consider social media, specifically Facebook, for both Symphony Park and for the downtown campaign
- Consider a downtown mobile application device (downtown app) – to provide a map, info about the area and potentially coupon programs to drive traffic into the downtown area – potentially tied to the DLVA website

Creative Development, Advertising and Promotions

- Develop a downtown campaign to include logo and slogan
    - With input from key downtown stakeholders and business owners, develop a logo and slogan to be vetted with same stakeholders and business owners via focus groups. Objective is to create a memorable, engaging, fun and well-received identify for the "new downtown."
    - Launch a teaser campaign via social media to support the new slogan and logo
    - Consider seeking additional funding from downtown stakeholder/fan resources to create a line of merchandise that incorporates said logo and slogan.
    - As part of the campaign, cultivate downtown fans – high profile individuals who are publicly supportive of downtown.
        - Possible names include:
            - Tony Hsieh, Zappos
            - Brandon Flowers, The Killers
            - Quentin Abramo, Faciliteq
            - Tim Bavington, artist

- Serve as a promotions resource through public relations for small downtown businesses
    - Offer assistance with media outreach to promote events, product launches, business announcements
    - Offer public relations assistance to support ribbon-cuttings and grand openings

- Limit Symphony Park print advertising to ads in arts publications as support of this important aspect of the neighborhood

- Develop programs, such as a downtown section in the *Las Vegas Review-Journal*, to promote the downtown area and consider doing annually

- The extensive Symphony Park creative products developed in FY 2010 – collateral, print, *Noteworthy* (online email updates) format, web site – will be utilized in FY 2012.
    - Messages will continue to be expanded to include broader downtown information

- Identify co-branded events and marketing opportunities that allow Symphony Park to secure media exposure and elevate visibility for little to no cost.

Community and Stakeholder Relations

- Symphony Park collateral and presentation materials to be updated and reprinted as needed
    - Fact Sheet
    - Postcards
    - Noteworthy e-blasts
    - Presentation material for community outreach including PowerPoint presentations, Symphony Park pins, stand-up banners, etc.
    - Symphony Park pins and cards

- Continue to build targeted, grassroots presentations about Symphony Park to community groups, conventions, clubs, conferences and business organizations to position the development and to provide updates
    - Groups include a wide variety of organizations, such as NAIOP, Young Engineers, ULI, USGBC, APA, Rotary Clubs, media-sponsored events (like breakfast with In Business Las Vegas and the green awards by Las Vegas Business Press), and the Commercial Marketing Group
    - Continue to include more of downtown redevelopment successes in general into Symphony Park-specific presentations

- Continue to meet and collaborate with stakeholders to maintain open communication and to provide valuable ongoing promotions to them

- Identify opportunities with the Las Vegas Downtown Alliance

- Maximize third-party developer and downtown businesses milestones/special events with support, public relations and participation

- Continue to work closely with stakeholders' marketing staffs for deeper involvement in press releases, public relations pitches, advertising, collateral development and presentations

- Communicate promotional successes and publicity gained to stakeholders

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.

<table>
<tr><td>Block 1 Contracting Entity</td><td rowspan="5">Block 2 Description
Subject Matter of Contract/Agreement

Services for the Symphony Park

RFP#</td></tr>
<tr><td>Name
Newland Real Estate Group, LLC</td></tr>
<tr><td>Address
9820 Towne Centre Dr., Ste. 100, San Diego, CA 92121</td></tr>
<tr><td>Telephone
(858) 875-8124</td></tr>
<tr><td>EIN or DUNS
33-0824465</td></tr>
<tr><td colspan="2">Block 3 Type of Business

☐ Individual ☐ Partnership X Limited Liability Company ☐ Corporation ☐ Trust ☐ Other:</td></tr>
</table>

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.	American Newland Communities, LP	9820 Towne Centre Dr., Ste. 100, San Diego, CA 92121	(858) 875-8124
2.			
3.			
4.			
5.			
6.			
7.			
8.			

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

Block 5 **Disclosure of Ownership and Principals – Alternate**

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

Name of Attached Document: _____

Date of Attached Document: _____ Number of Pages: _____

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

Peter G. Brandin
Name

6/30/2011
Date

Subscribed and sworn to before me this 30th day of June, 2011

Notary Public

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
KYLE DANDY
No: 06-103431-1
My Appointment Expires Jan. 7, 2014

NEWLAND

June 30, 2011

Scott Carter
Office of Economic & Urban Development
400 Stewart Avenue, 2nd Floor
Las Vegas, NV 89101

VIA E-Mail
sdcarter@lasvegasnevada.gov

Re: Certificate – Disclosure of Ownership/Principals ("Disclosure")
Symphony Park Project
Newland Real Estate Group, LLC

Dear Scott:

The Contracting Entity named in the above Disclosure is Newland Real Estate Group, LLC, formerly known as Newland Communities, LLC. Newland Real Estate Group, LLC is a limited liability company whose sole member is American Newland Communities, LP ("ANC").

ANC has one general partner and two limited partners. I am providing a flowchart which reflects who those partners are.

Please contact me with any questions on this matter.

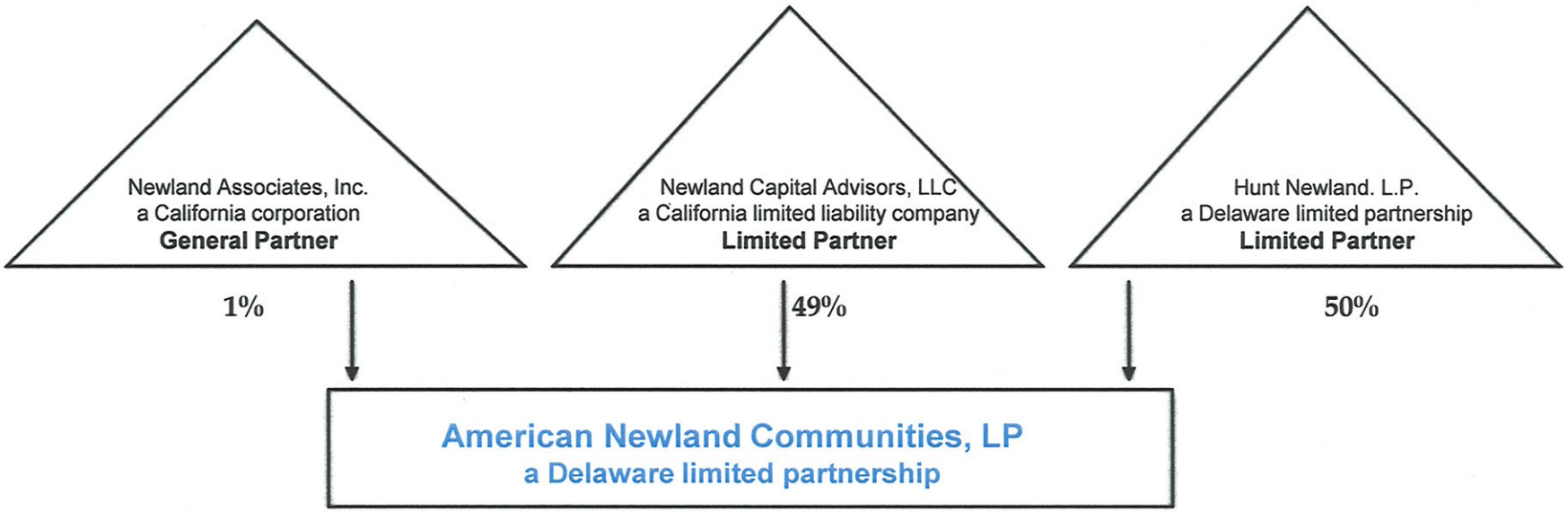
Yours very truly,
Newland Real Estate Group, LLC

Dee Valle
Corporate Secretary and
Senior Director, Legal Services

Enclosures

cc: R. Brandin
D. Hageman
S. Gladstein

American Newland Communities, LP
Hunt/Newland Ownership Structure



City of Las Vegas Agenda Item No.: **53.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: PARKS, RECREATION AND NEIGHBORHOOD SERVICES
DIRECTOR: STEPHEN K. HARSIN ☐ **Consent** ☒ **Discussion**

SUBJECT:
Discussion for possible action regarding the Neighborhood Partners Fund (NPF) Board recommendations to allocate $55,000 (General Fund) for 20 neighborhood projects - All Wards

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $55,000
Funding Source: General Fund
Dept./Division: PRNS/Neighborhood Services

PURPOSE/BACKGROUND:
The Neighborhood Partners Fund (NPF) Program was designed to encourage neighborhoods to take an active role in improving the quality of life in city of Las Vegas neighborhoods by enhancing the physical, public safety, cultural, recreational or educational conditions of a neighborhood. The program grants up to $5,000 to registered neighborhood groups (neighborhood associations and HOA's). This year's NPF project allocation of $55,000 will leverage a community match of $190,402 in volunteer labor, in-kind donations of goods and services and/or financial contributions.

RECOMMENDATION:
The Neighborhood Partners Fund Board recommends that the City Council approve the funding for 20 neighborhood projects totaling $55,000 and authorizes the Director of Parks, Recreation and Neighborhood Services to execute the agreements upon approval as to form by the City Attorney.

BACKUP DOCUMENTATION:
Agenda Memo

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 20, 2011
DEPARTMENT: PARKS, RECREATION AND NEIGHBORHOOD SERVICES
ITEM DESCRIPTION: Discussion for possible action regarding the Neighborhood Partners Fund (NPF) Board recommendations to allocate $55,000 (General Fund) for 20 neighborhood projects - All Wards

NPF BOARD RECOMMENDATIONS:

	Association Name	Ward	Award	Match
1.	*Artesian Heights Neighborhood Association* Hinson Avenue Beautification IV Project	1	500	1,276
2.	*James Down Towers Resident Council* Senior Community Engagement	1	4,800	5,474
3.	*Quail Estates West* Traffic Calming Project	1	3,000	7,105
4.	*Lakes Association HOA* 2011 Lakes Festival of Lights	2	3,500	34,303
5.	*Gateway District Association* Gateway Gallery—A Public Arts Collection	3	3,400	11,280
6.	*HABLE Neighborhood Association* Xyachimal Folkloric Gang Alternative Program	3	4,000	6,936
7.	*Southridge Neighborhood Association* Southbridge Beautification Project	3	600	2,135
8.	*Stupak Neighborhood Success Team* Stupak Back-to-School Fair	3	4,000	12,005
9.	*Buena Vista HOA* Wall Beautification and Parking Lot Safety Improvements	4	2,000	5,184
10.	*Archie Grant Resident Council* Security Screen Door Installation	5	4,500	16,986
11.	*Cultural Corridor Coalition* December to Remember	5	3,000	16,801
12.	*Rancho Manor N.A.* Alcove Fencing	5	900	2,719
13.	*Robert Gordon Plaza Resident Council* Social Time for Robert Gordon Seniors	5	3,000	5,110
14.	*Sherman Gardens Resident Council* Power of One	5	1,400	17,860
15.	*Westchester Manor HOA* Safety Project	5	1,000	2,780
16.	*Ashley Ridge HOA* Revitalization Family Park	6	3,000	10,711
17.	*Cascade HOA* Lighting Up Park 2	6	3,400	5,559
18.	*Four Winds* Power and Security Lighting Project	6	3,000	9,805
19.	*Hillstone Estates II HOA* Entryway Improvement	6	2,000	3,760
20.	*Willowdale Estates HOA* Community Security	6	4,000	12,613
	TOTAL		**$55,000**	**190,402**

City of Las Vegas Agenda Item No.: **54.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: PUBLIC WORKS
DIRECTOR: JORGE CERVANTES ☐ **Consent** ☒ **Discussion**

SUBJECT:
Discussion for possible action regarding a request to install one speed hump on Faywood Street between Mountainair Avenue and Grenville Avenue ($2,600 - Neighborhood Traffic Management Program) - Ward 2 (Wolfson)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $2,600
Funding Source: Neighborhood Traffic Management Program
Dept./Division: PW/Traffic Engineering

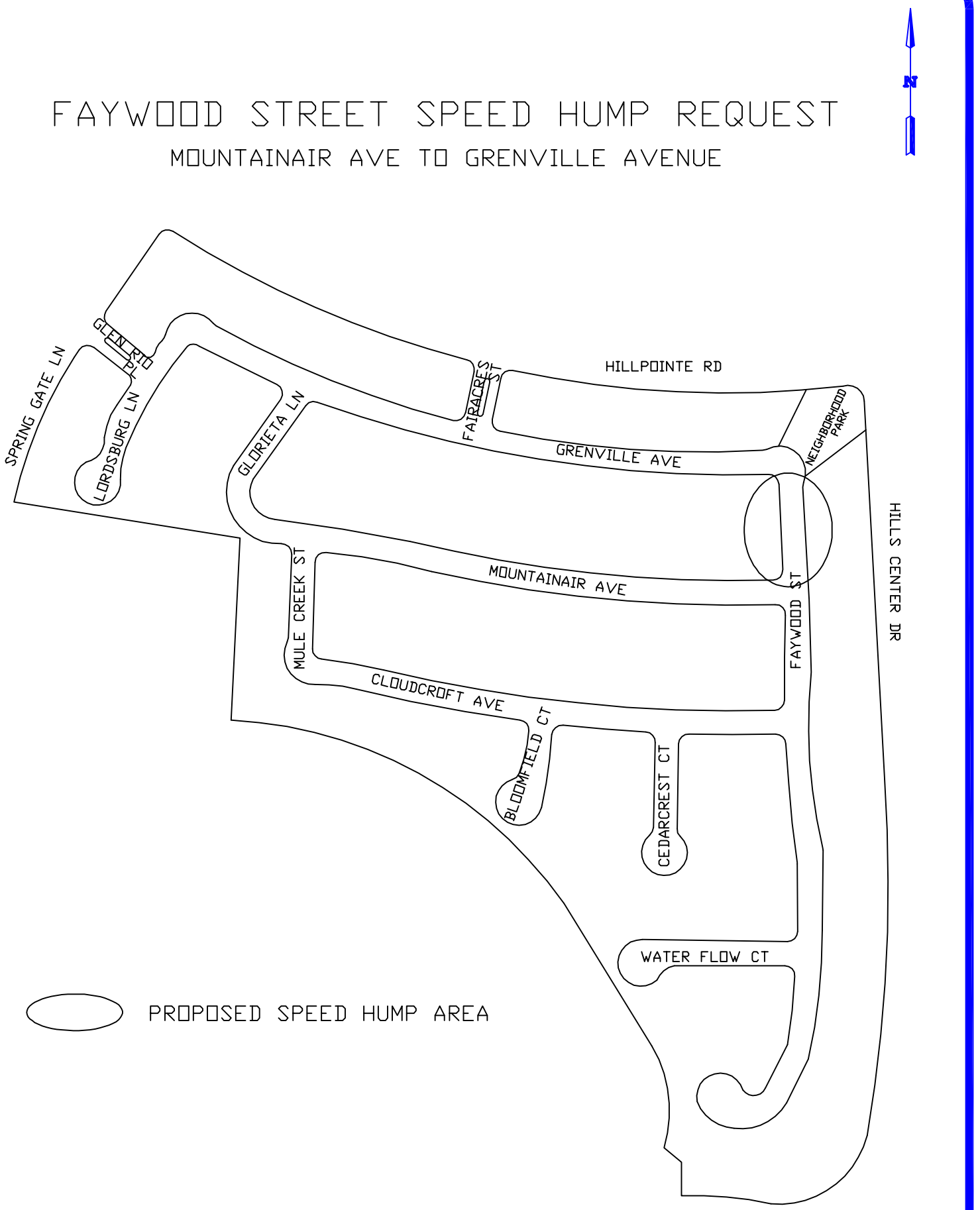
PURPOSE/BACKGROUND:
The Traffic Engineering Division received a request to install one speed hump on Faywood Street between Mountainair Avenue and Grenville Avenue. Studies conducted on this street showed that the 85th percentile speed was 34 mph and the volume of traffic was 367 vehicles per day. A total of 40 points is recommended for the installation of speed humps, and Faywood Street accumulated 9 points. Staff is recommending denial of the speed hump since the street did not meet the criteria. This street is not an emergency response route.

RECOMMENDATION:
Traffic and Parking Commission: Approval
Staff: Denial

BACKUP DOCUMENTATION:
Map

FAYWOOD STREET SPEED HUMP REQUEST

MOUNTAINAIR AVE TO GRENVILLE AVENUE



JUNE 2011

City of Las Vegas Agenda Item No.: **55.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

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

SUBJECT:
BOARDS & COMMISSIONS:

PLANNING COMMISSION - For Possible Action - Ric Truesdell, Vicki Quinn, Steven Evans and Byron A. Goynes - Term Expirations 6-2011

Fiscal Impact

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

PURPOSE/BACKGROUND:
The Mayor and each member of City Council appoint one member to this commission subject to ratification by the Council. The terms are concurrent with the term of office for the appointing City Council member. All members of this board must be City residents but are not required to reside in the specific Ward of the Councilmember making the appointment. Terms are four years with a limit of two full terms, and unexpired terms must be filled. This is a compensatory board. Mr. Truesdell was appointed by Mayor Goodman for a single full term, Mr. Evans by Councilman Reese for a second full term and Mr. Goynes by Councilman Barlow for a second full term on 6-20-2007. Ms. Quinn was appointed by Councilwoman Tarkanian to fill an unexpired term on 12-19-2007. Mr. Truesdell and Ms. Quinn are eligible for reappoint. Mr. Evans and Mr. Goynes are not eligible for reappointment until at least two years have elapsed from the end of their service.

RECOMMENDATION:
Procedure for this Board is a recommendation by the appropriate member of Council with the approval of Council. Options are:
Mayor Goodman to reappoint Mr. Truesdell OR appoint a new member
Councilwoman Tarkanian to reappoint Ms. Quinn OR appoint a new member
Councilman Coffin to appoint a new member
Councilman Barlow to appoint a new member

BACKUP DOCUMENTATION:
1. Current Listing and Authority
2. Board Interest Forms from Audrey Asselin, Trevor Hayes, Jennifer L. Taylor, Sam Cherry, Melissa R. Clary and Eric M. Roberts

Per Senate Bill 147, effective June 11, 2003, compensated boards meeting certain criteria are no longer required to file State Financial Disclosure Statements. This board meets that established criteria.

Planning Commission

	Name	Appointment Date	Expiration Date	Recommended By:
1	**Ric Truesdell** Mayor's Appointment Ward 2 Resident	7 /7 /2004 **Reapp: 6/20/2007**	6/1/2011	Mayor
2	**Vicki Quinn** Ward 1 Appointment Ward 1 Resident	12/19/2007 **Reapp: N/A**	6/1/2011	Tarkanian
3	**Glenn Trowbridge - Vice Chair** Ward 2 Appointment Ward 4 Resident	7 /5 /2005 **Reapp: 7/1/2009**	6/1/2013	Wolfson
4	**Steven Evans - Chairman** Ward 3 Appointment Ward 3 Resident	8 /1 /2001 **Reapp: 6/18/2003** **6/20/2007**	6/1/2011	Reese
5	**Gus Flangas** Ward 4 Appointment Ward 4 Resident	7 /15/2009 **Reapp: N/A**	6/1/2013	Anthony
6	**Byron A. Goynes** Ward 5 Appointment Ward 6 Resident	2 /16/2000 **Reapp: 5/16/2001** **6/18/2003** **6/20/2007**	6/1/2011	Barlow
7	**Todd L. Moody** Ward 6 Appointment Ward 6 Resident	9 /15/2010 **Reapp: N/A**	6/1/2013	Ross

AUTHORITY: NRS 278 - L.V.M.C. 2.44

Per L.V.M.C. 2.49.010, a person is not eligible to serve on this board unless he or she is a resident of the City of Las Vegas.

(11-15-95 Ord. 3940, Bill 95-73, removed restriction that PC members could hold no other public office - this restriction was previously removed by the Legislature from NRS.)
(Amended per Bill 2001-70, Ordinance 5346, adopted 8-1-2001, to indicate financial disclosure requirement)
(Amended per Bill 2001-145, Ordinance 5409 - First Amendment, adopted 1-2-2002, to increase compensation for members from $50.00 to $80.00 per meeting attended, effective October 1, 2001 per SB554)

TERM: 4 years (limited to 2 full terms; no former member who has completed two full terms will be eligible for appointment until at least two years from term expiration have elapsed.) **(LVMC 2.44.020; 1-19-2000 Ord. 5193, Revised the expiration of members' terms to run concurrent with the term of the elected official recommending their appointment)**
Must fill unexpired terms.

COMPENSATION: $80.00 per meeting attended

APPOINTED: 7 Members-each member of the City Council recommends one person for appointmen w/approval of Council. Terms are coterminous with the member making the recommendation **(Appointees may not be members of the elected governing body - NRS 278.040)**

NOTES: **MUST BE CITY OF LAS VEGAS RESIDENT.**

Per Senate Bill 147, effective June 11, 2003, compensated boards meeting certain criteria are no longer required to file State Financial Disclosure Statements. This board meets that established criteria.

MEETINGS: Meets 2nd Tuesday of each month, 6:00 PM, Council Chambers.

PURPOSE: The Planning Commission is advisory to the City Council on matters related to zoning and other related issues and serves as a final action board for Tentative and Final Maps.

City of Las Vegas
Board, Commission, or Committee Interest Form

Name: Audrey Asselin

Home Street Address: 7921 Aviano Pines

City: LV **NV** **ZIP Code:** 89129

Work Street Address: 1009 Whitney Ranch

City: Henderson **ZIP Code:** 89014

Employer: TRC **Occupation:** Civil Engineer

Home Phone Number: 702.655.1002 **Work Phone Number:** 702.248.6415

Other Phone Number: 702.499.2958 (cell) **Email Address:** aasselin@trcsolutions.com

Please list the boards, commissions, or committees that you are interested in serving on:

① Community Development Recommending Board,
② Conservation District of Southern Nevada, ③ Historic Preservation Commission, ④ Neon Museum Board,
⑤ Parks & Rec Advisory Commission
⑥ Planning Commission
⑦ Redevelopment Agency
⑧ Regional Flood Control District
⑨ Traffic & Parking Commission
⑩ Bus Bench/Shelter Constr. & Maint.

For office use only

CLV Y ✓ N ___

Ward 4

Date 2/9/09

Please list any boards, commissions, or committees that you serve on, or have served on in the past (Use additional pages, if necessary):

APWA Conference Committee

Please discuss your qualifications to serve on any boards, commissions, or committees (Use additional pages, if necessary):

(See Attached as well)

I have lived in the LV area for over 30 years and I have been a part of the growth & development of this town as a Civil Engineer for over 25 years. I care & I want to help.

Please list any of your relatives or friends that work for the entity in which you would be serving:

NA

Feel free to attach a resume to this form. Upon submitting this form, all information will be considered public information. This form will be kept on file for 6 months from date of submittal. It is the applicant's responsibility to submit a new form after that time. This form does not constitute an application for employment. Please do not to submit this form electronically. It should be printed, completed and mailed along with a letter and resume.

Please submit to:

City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

Fax: (702) 382-4803

**You may be required to be resident of the City of Las Vegas to serve certain boards, committees, or commissions.*

July 8, 2009

Attachment:

Qualifications to Serve on Boards, Commissions and or Committees:

I have lived in Las Vegas for 33 years and have been involved in the growth and development of the Las Vegas Valley Area with my career of over 25 years in the Civil Engineering and Land Development Industry.

I have been intimately involved in the Entitlement, Design and Construction Management aspects of Private Development as well as numerous Public Facilities here in the valley area.

I can bring the experience of working with Developers and Public Entities to the Boards, Commissions and Committees that I will serve on. My experience has taught me that positive, calculated growth within any entity, whether private business or community development or even personal goals, is paramount, not to just the survival of that entity, but is necessary to the well being and good health of that entity. I can hit the ground running, so to speak, with an understanding of development codes and planning experience and the understanding of what is an appropriate growth direction.

My goal of serving my community is to bring experience and leadership to a position that serves the City Council Members, my community and the greater good of the Las Vegas Valley.

I am in a position personally to be able to dedicate time and effort to the needs of my community, so I'm asking to be placed on any Board, Commission or Committee that may benefit from my experience.

Audrey Asselin, P.E.

7921 Aviano Pines Avenue
Las Vegas, Nevada 89129
702-499-2958

Experience

TRC (formerly V-Point)

Engineering Director ***4/2007 through present***

- Business Development
- Oversee of Project Entitlements, Project Design and Coordination
- Oversee of Production Group implementing Improvement Plans and all relevant reports and calculations
- Project Scheduling and Client Liaison
- Contract Negotiation, Extra Origination, Contract Management and Billing

Subdivision Acceptance LLC

Vice President of Operations ***8/2006 through 4/2007***

- Management of Company Start up and Client Base Marketing and Sales
- Business Development
- Oversee of Estimates and Cost Analysis
- General Management / Hiring

Centex Homes

Land Development Manager ***4/2004 through 7/2006***

- Oversight of Construction Management
- Management of Project Entitlements, Land Construction Budgets, Construction Schedules, Cash Flows and Contractor Performance
- Land Acquisition Analysis, Budgets, Schedules and Pro formas
- Responsibilities included:
  - Land Acquisition research and analysis to help determine profit potential
  - Land Acquisition Pro formas
  - Coordination and Management of Engineering Documents, Entitlements and schedules
  - Value Engineering of each facet of construction for Land Development
  - Contract Negotiation, Budget Management and Management of Cash Flow projections for Land Development
  - Management of Land Construction Schedule to meet the Master Schedule for Vertical Starts and Sales
  - Quarterly analysis of Budgets and the Costs to Complete the project to insure Land Costs were projected correctly through home sales
  - Bond exoneration and utility refund analysis in order to close out jobs and budgets
  - Bi-party and Tri-party contract and budget management
  - Training and protocol development for Forward Planning, Land Development Management and Field Operations

CVL Consultants, Inc

Senior Project Manager ***6/2002 through 4/2004***

- Oversee of Project Entitlements, Project Design and Coordination
- Oversee of Improvement Plans Production and all relevant reports as well as Final Maps
- Project Scheduling and Client Liaison
- Contract and Extra Origination and Contract Management

Civiltec, Inc

Project Manager ***3/1996 through 6/2002***

- Project Design and Coordination
- Tentative Map, Site Planning and Layout, Site Calc'ing and Zoning
- Field Note Reduction
- Sewer / Water Analysis with Report
- Coordination with Hydrology
- Storm Drain Calcs
- Computer Department Manager; Acad, Softdesk Standards
- Client/Architect Coordination and correspondence
- Final Mapping

At Home Mom ***2/1993 through 3/1996***

L.R. Nelson, Inc

Project Manager ***2/1991 through 2/1993***

- Project Design and Coordination
- Site Layout, Planning and Calculating
- Field Note Reduction
- Sewer / Water Analysis with Report
- Coordination with Hydrology and some Storm Drain Calcs
- Computer Department Manager; Acad, Softdesk Standards
- Construction Management in conjunction with Architect for 2 High Schools
- Client/Architect Coordination and correspondence

E. S. I.

Project Designer ***2/1989 through 2/1991***

- Project Design and Coordination
- Field Note Reduction
- Sewer / Water Analysis with Report
- Coordination with Hydrology, some Storm Drain Calcs

L.R. Nelson, Inc

Designer ***7/1987 through 2/1989***

S. E. A.
Drafter ***9/1985 through 7/1987***

J. M. Montgomery Engineers
Drafter and Runner ***9/1983 through 9/1985***

Relevant Construction Management Projects

- *Santa Bella 3 and 4 Single Family Residential (SFR) Development*
- *Tropical and Lawrence SFR*
- *Robindale Lindale North and South SFR*
- *Nelson Ranch and Nelson Ranch Pump Station SFR*
- *Edna Van Allen SFR*
- *Mesa Verde (Finished Lot Acquisition) SFR*

Relevant Design Projects

- *Mountain Falls South Master plan Residential Community, Pahrump*
- *First International Bank, Pahrump*
- *Spring Mt. Motorsports Park, Microtel, Pahrump*
- *Wheeler Pass RV Park, Pahrump*
- *Sanders Winery, Pahrump*
- *Gateway Master plan, Pahrump*
- *Duck Creek Apts*
- *Santa Bella 3 and 4 SFR*
- *Tesoro, Terracina, Terrasol Subdivisions*
- *La Cresenta and La Ventina Subdivisions*
- *Grand View Apartments*
- *Martinez Elementary School*
- *Black Mountain, Towncenter LDS Churches*
- *Copper Canyon, Willows At Sunrise, Willows At Lone Mountain Apartments Sites*
- *Edna Garden, Cottonwood At Sunrise, Cottonwood North, Horizon Heights, Fairway Pointe At Queensridge Subdivisions*
- *Horizon Marketplace, Green Valley Business Center, Simmons Market Place Commercial Sites*
- *Las Vegas, Durango, Silverado High Schools*
- *Tate and Snyder Office Building*
- *Valle Verde / Pittman Wash Bridge - Civil Design*
- *Buckingham Estates, South Shore Villas, Copper Ridge Subdivisions*
- *Pecos Road, Windmill Road, Pebble Road*

Education

University of Nevada, Las Vegas
Civil Engineering Major

Certifications / License

State Of Nevada
Professional Engineering License 18277

RECEIVED
CITY CLERK

2010 MAY 10 A 11:35

City of Las Vegas
Board, Commission, or Committee Interest Form

Name: Trevor Hayes

Home Street Address: 3108 Sonia Drive

City: Las Vegas **ZIP Code:** 89107

Work Street Address: ~~6060 Elton Ave, Suite A~~ 3108 Sonia Drive

City: Las Vegas **ZIP Code:** 89107

Employer: Cooper Levinson **Occupation:** Attorney

Home Phone Number: 308-9993 **Work Phone Number:** 366-1125

Other Phone Number: _____ **Email Address:** thayes@hayeslawnevada.com

Please list the boards, commissions, or committees that you are interested in serving on:

Planning Commission, ~~Redevelopment Agency~~, CPAC, ~~Downtown Design Review~~, Historic Preservation, Parks & Rec, Traffic & Parking, Community Development Recommending, Neon museum, Neighborhood Partners Fund, Arts

For office use only
CLV Y ✓ N ___
Ward 1
Date ~~5/10/2010~~ 5/11/2011

Please list any boards, commissions, or committees that you serve on, or have served on in the past (Use additional pages, if necessary):

City of Las Vegas Collaborative Team for Value Assessment Program Review

Please discuss your qualifications to serve on any boards, commissions, or committees (Use additional pages, if necessary):

Please list any of your relatives or friends that work for the entity in which you would be serving:

Feel free to attach a resume to this form. Upon submitting this form, all information will be considered public information. This form will be kept on file for 6 months from date of submittal. It is the applicant's responsibility to submit a new form after that time. This form does not constitute an application for employment. Please do not to submit this form electronically. It should be printed, completed and mailed along with a letter and resume.

Please submit to:

City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

Fax: (702) 382-4803

**You may be required to be resident of the City of Las Vegas to serve certain boards, committees, or commissions.*

Trevor Hayes
Addendum to Application

Please discuss your qualifications to serve on any boards, commissions, or committees:

I have been a Southern Nevada resident since 1992 and have always been interested in bettering the community. Many of my professional jobs have allowed me to take such a role (see attached résumé). After college, I worked as a newspaper reporter for the Associated Press and the Las Vegas Review-Journal before attending law school. After law school I began working for Lionel Sawyer & Collins as an administrative attorney, with a significant focus on local land use and state legislative matters.

The experience I gained representing the private sector before local governments has provided me with experience that would help me to serve the City of Las Vegas in a number of areas. I also represented another Southern Nevada city before the Nevada Legislature, providing me greater insight into city government. While my experience would assist me best on the Planning Commission, I am interested in serving on any of a number of boards.

Additionally, I am a 2005 graduate of the Las Vegas Citizens Leadership Academy. This program was run by the City of Las Vegas and introduced a group of citizens to a wide range of city departments.

Trevor Hayes

3108 Sonia Drive
Las Vegas, Nevada 89107
thayes@hayeslawnevada.com
(702) 308-9993

PROFESSIONAL EXPERIENCE:

Hayes Law — **Las Vegas, NV**
Attorney — September 2009 – Present
- Owner of a firm practicing administrative law, regulatory law, and legislative advocacy
- Representative clients include a $13 billion international technology company, a real estate developer, and a statewide trade association

Lionel Sawyer & Collins — **Las Vegas, NV**
Administrative Law Attorney/ Government Affairs Manager — May 2005 – September 2009
- Managed the state Legislative practice and Carson City office for the state's largest private law firm
- Represented more than 25 clients during two regular and three special sessions of the Legislature
- Drafted proposed legislation, testify before legislative committees, and work with legislators
- Advocated for clients in their interactions with state government entities, such as the Nevada Gaming Commission, Tax Commission, Transportation Authority, etc.
- Obtained permits, licenses, and entitlements from local governments
- Developed and implemented marketing strategies for the firm
- Teaching assistant to Bob Faiss in Boyd School of Law gaming law course
- *Super Lawyers* Rising Star, 2008, 2010, awarded to less than 2.5 percent of attorneys under age 40
- *Las Vegas Business Press* Rising Star of Business, 2007, one of 12 recipients
- Named a legislative standout by the Las Vegas Review-Journal, 2007

Meetings Media — **San Francisco, CA**
News/Features Editor — September 2001 – August 2002
- Wrote and edited stories, and managed a team of 20 freelance writers for travel industry magazines

Las Vegas Review-Journal — **Las Vegas, NV**
Staff Writer — January 2000 - August 2001
- As a business reporter, covered gaming, labor unions, technology, tourism, retail, and development
- As a suburban government reporter, covered Nevada's second and fourth largest cities
- Received Nevada Press Association, Honorable Mention for best business story

Associated Press — **Las Vegas, NV**
Reporter — October 1999 - January 2000
- Wrote breaking news and enterprise stories in Las Vegas for the world's largest news organization

The Resort at Summerlin — **Las Vegas, NV**
Public Relations Manager — *April 1999 – October 1999*
- Developed communication strategies, wrote press releases, and served as media contact

R & R Advertising — **Las Vegas, NV**
Assistant Account Executive — September 1998 – March 1999
- Wrote press releases, developed communications plans, and garnered media coverage for clients
- Received Association of Business Communicators Award of Merit for work on youth violence campaign

Freelance Writer — September 1997 - June 2003
- Wrote feature and news stories for local, regional and international publications
- Wrote a column of my experiences as a law student for vault.com

LEGAL INTERNSHIPS:

United States Attorney, Northern District of Illinois — **Chicago, IL**
Student Intern — Spring 2005
- Assisted attorneys in trial preparation through legal research and writing
- Prosecuted petty offense cases

Northwestern University School of Law — **Chicago, IL**
Bluhm Legal Clinic — Fall 2004
- Drafted motions, conducted investigations, and interviewed witnesses and clients
- Served as rapporteur at a legal aid conference in Africa, which resulted in a UN resolution

New York County (Manhattan) District Attorney — **New York, NY**
Intern — Summer 2004
- Sat second seat at a felony jury trial
- Assisted with and observed suspect interrogations, witness interviews, expert interviews, and trials
- Conducted research on substantive and procedural legal issues in preparation for trials

United States District Court, District of Nevada — **Las Vegas, NV**
Judicial Extern for Hon. James C. Mahan — Summer 2003
- Briefed the judge on civil and criminal cases and wrote bench memoranda and orders

Cook County State's Attorney — **Chicago, IL**
Legal Clerk — Summer 2003
- Honed legal research, writing and analysis by writing appellate briefs for the criminal appeals division

EDUCATION:

Northwestern University School of Law — **Chicago, IL**
Juris Doctor — May 2005
- International Team Project, visited Cuba, Thailand, and Cambodia as part of a comparative law course
- Elected by student body to serve as the Student Bar Association representative to the ABA
- Student Admissions Committee: Interviewed prospective students and planned admitted students' day
- Co-founder Media and Entertainment Law Society
- Illinois Bar Foundation scholarship recipient for Northwestern University School of Law
- Received ABA scholarship to attend the Forum on Communications Law annual conference

University of Nevada, Las Vegas — **Las Vegas, NV**
Bachelor of Arts, Communication Studies – Print Journalism
- Dean's Honor List
- President, Tau Kappa Epsilon social fraternity, named Brother of the Year and Most Inspirational
- Section-editor and staff writer for Rebel Yell student newspaper serving a student body of 20,000

PROFESSIONAL AND CIVIC AFFILIATIONS:
- Board Member, UNLV Alumni Association
- Founding Board Member, UNLV Greenspun School of Journalism Alumni Association
- Nevada Supreme Court Commission on Access to Justice, Subcommittee for Public Awareness
- Pro bono Volunteer, Children's Attorney Project at the Legal Aid Center of Southern Nevada
- Founding Board Member, Nevada Freedom of Information Coalition
- Founder and chairman, UNLV's Runnin' Rebel Ambassadors
- Co-chair of the State Bar of Nevada Young Lawyers Division Charity Golf Tournament
- Graduate, Las Vegas Citizens Leadership Academy
- Member, State Bar of Nevada

Please find attached a City of Las Vegas, board, commission, or committee interest form.

--
Trevor Hayes
3108 Sonia Drive
Las Vegas, NV 89107

Ph: 702-308-9993
Fax: 702-924-2573

City of Las Vegas
Board, Commission, or Committee Interest Form

2010 AUG 23 A 10:16
RECEIVED
CITY CLERK

Name: Jennifer L. Taylor

Home Street Address: 8158 Hawk Clan Court

City: Las Vegas **ZIP Code:** 89131

Work Street Address: 401 N. Buffalo Drive, Ste. 202

City: Las Vegas **ZIP Code:** 89145

Employer: Robertson & Vick, LLP **Occupation:** Attorney

Home Phone Number: _____ **Work Phone Number:** 247-4661

Other Phone Number: — **Email Address:** jtaylor@rvcdlaw.com

Please list the boards, commissions, or committees that you are interested in serving on:

Planning

For office use only
CLV (Y) N
Ward 6
Date 8/23/2010

Please list any boards, commissions, or committees that you serve on, or have served on in the past (Use additional pages, if necessary):

None

Please discuss your qualifications to serve on any boards, commissions, or committees (Use additional pages, if necessary):

See attached resume

Please list any of your relatives or friends that work for the entity in which you would be serving:

None

Feel free to attach a resume to this form. Upon submitting this form, all information will be considered public information. This form will be kept on file for 6 months from date of submittal. It is the applicant's responsibility to submit a new form after that time. This form does not constitute an application for employment. Please do not to submit this form electronically. It should be printed, completed and mailed along with a letter and resume.

Please submit to:

City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

Fax: (702) 382-4803

**You may be required to be resident of the City of Las Vegas to serve certain boards, committees, or commissions.*

JENNIFER L. TAYLOR

E-MAIL: JTAYLOR@RVCDLAW.COM
8158 HAWK CLAN COURT • LAS VEGAS, NV • 89131
(702) 247-4661

COMMUNITY ACTIVITIES

- Leadership Las Vegas, Las Vegas Chamber of Commerce – Class of 2010
- Nevada Conservation League – Board of Directors
- Northwest Residents for Responsible Growth: Co-founder, 2007. Currently reaching out to at least 2000 Northwest residents, homeowners associations and conservation groups.
- Suncrest Trails Community Association Board of Directors: President 2002 – 2005; Vice President: 2001 – 2002.
- Ms. Taylor assists her husband, Yale Yeandel, on numerous community, community college and high school theater projects where Mr. Yeandel serves as the scenic designer.
- Ms. Taylor assists her husband, Yale Yeandel, with fundraising, publicity and organizational activities for the Vicente Rodriquez Memorial Scholarship, established at both the College of Southern Nevada and UNLV in memory of Vicente Rodriquez, a stage hand who died in 2009 in a work related rigging accident.
- Poppy Foundation – volunteer

EXPERIENCE

1995 – Present
Attorney and Judicial Clerk

- Ms. Taylor moved to Nevada in 1995 to clerk for the Honorable Robert E. Rose, then Chief Justice of the Nevada Supreme Court. In 1996, Ms. Taylor became the law clerk to the Honorable Janet J. Berry, Washoe County District Court, upon Judge Berry's initial appointment to the bench. Ms. Taylor moved to Las Vegas in 1997. Since then, she has practiced complex civil litigation, in areas including environmental law, toxic torts, construction, construction defect, business litigation, personal injury and bankruptcy. Ms. Taylor has a full knowledge of Title 19, and has appeared on behalf of herself and neighbors on numerous items before City Council and Planning Commission.

POLITICAL ACTIVITY

- Ran for Las Vegas City Council Ward 6 in the 2009 Municipal Elections
    - Received 45.19 % of votes; received the Las Vegas Sun's endorsement in the race.

EDUCATION

- University of Houston Law Center
  - Juris Doctorate Cum Laude – 1995
  - Honors & Activities: Houston Law Review - Associate Editor; Dean's Scholarship Recipient; Woodard, Hall & Primam Award - Most Outstanding Associate Editor
- Southern Methodist University
  - Bachelor of Arts, English/Creative Writing - 1991
  - Honors & Activities: Dean's List 1989 -1991; Recipient of SMU Fiction Writing Award, 1991; Sigma Tau Delta - National English Honor Society

CHERRY DEVELOPMENT

900 S Las Vegas Blvd #120
Las Vegas, NV 89101

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2010 OCT -6 A 8:00

10-6-2010

To Whom It May Concern,

Please accept my interest form for the following boards:

The RDA Citizens Advisory Committee and The City of Las Vegas Planning Commission.

Sincerely,

Sam Cherry



2010 OCT -6 A 8:00
CITY CLERK
RECEIVED

City of Las Vegas
Board, Commission, or Committee Interest Form

Name: Sam Cherry

Home Street Address: 900 S Las Vegas Blvd

City: Las Vegas **ZIP Code:** 89101

Work Street Address: _____

City: _____ **ZIP Code:** _____

Employer: Self **Occupation:** Real Estate Developer

Home Phone Number: 702-630-1802 **Work Phone Number:** _____

Other Phone Number: _____ **Email Address:** Sam@Cherrylv.com

Please list the boards, commissions, or committees that you are interested in serving on:

Planning Commission

RDA - Citizens Advisory Committee

_____

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CLV Y ✓ N ___

Ward 3 District 203

Date 10/6/2010

Please list any boards, commissions, or committees that you serve on, or have served on in the past (Use additional pages, if necessary):

Please discuss your qualifications to serve on any boards, commissions, or committees (Use additional pages, if necessary):

EXTENSIVE BACKGROUND IN REAL ESTATE DEVELOPMENT AND SMALL BUSINESS OPERATIONS. SUCCESSFULLY BUILT THE FIRST RESIDENTIAL HIGH RISE IN THE CITY OF LAS VEGAS.

Please list any of your relatives or friends that work for the entity in which you would be serving:

Feel free to attach a resume to this form. Upon submitting this form, all information will be considered public information. This form will be kept on file for 6 months from date of submittal. It is the applicant's responsibility to submit a new form after that time. This form does not constitute an application for employment. Please do not to submit this form electronically. It should be printed, completed and mailed along with a letter and resume.

Please submit to:

City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

Fax: (702) 382-4803

**You may be required to be resident of the City of Las Vegas to serve certain boards, committees, or commissions.*

Melissa R. Clary
1400 Francis Avenue
Las Vegas, NV 89104
mclary121@gmail.com

December 20, 2010

City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

Attn.: City Clerk

My interest in the city of Las Vegas Planning Commission has prompted me to forward my resume and application for consideration.

I am currently a Ward 3 resident of the Huntridge Circle Neighborhood. My vision for what the neighborhood could become has inspired me to submit my name for consideration of appointment to the Planning Commission. Additionally, I see improvements and maintenance projects required in several Las Vegas neighborhoods to keep our quality of life high.

I have enclosed an application, resume and a summary of my qualifications. Thank you in advance for your consideration. Please contact me at the above address or call (702) 277-4566 (cell) as I would be happy to respond to any questions you may have.

Respectfully yours,

M. R. Clary

Melissa R. Clary

City of Las Vegas
Board, Commission, or Committee Interest Form

Name: Melissa R. Clary

Home Street Address: 1400 Francis Avenue

City: Las Vegas **ZIP Code:** 89104

Work Street Address: 7251 W. Lake Mead Blvd, Suite 200

City: Las Vegas **ZIP Code:** 89128

Employer: Workforce Connections **Occupation:** Project Development Mngr.

Home Phone Number: (702) 277-4566 **Work Phone Number:** —

Other Phone Number: — **Email Address:** mclary121@gmail.com

Please list the boards, commissions, or committees that you are interested in serving on:

Planning Commission, Audit Oversight Committee, Las Vegas Centennial Commission, Downtown Design Review Committee

For office use only

CLV Y ✓ N ___

Ward hm 3 wk. 1

tax district 200 both

Date 12/22/2010

Please list any boards, commissions, or committees that you serve on, or have served on in the past (Use additional pages, if necessary):

No prior city boards, commissions or committee membership.

Please discuss your qualifications to serve on any boards, commissions, or committees (Use additional pages, if necessary):

(see attachment)

Please list any of your relatives or friends that work for the entity in which you would be serving:

Friends: Courtney Mooney, Oscar Sida, Chanda Wills, Mark Howse, Susie Quintana, Melissa Benneman

Feel free to attach a resume to this form. Upon submitting this form, all information will be considered public information. This form will be kept on file for 6 months from date of submittal. It is the applicant's responsibility to submit a new form after that time. This form does not constitute an application for employment. Please do not to submit this form electronically. It should be printed, completed and mailed along with a letter and resume.

Please submit to:

City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

Fax: (702) 382-4803

**You may be required to be resident of the City of Las Vegas to serve certain boards, committees, or commissions.*

Ward 3 Resident Seeking Appointment to Planning Commission

Melissa R. Clary

1400 Francis Avenue
Las Vegas, NV 89104
(702) 277-4566 (c)
mclary121@gmail.com

Citizenship: United States of America Secondary Language: Spanish

PROFESSIONAL SUMMARY:

Effective leadership skills with acute ability to assess organizational performance and identify areas for improvement. Strong public communication skills translate effectively to fast-paced, highly-political, and administrative environments. Authored landmark recreation plans, guidelines and inventories for sensitive Las Vegas park land development and conservation. Adept in land use management policies and principles. Strong strategic perspective with expertise in community collaboration and building consensus among diverse publics. Proven abilities in budgeting and financial analysis for $150 million+ operating budgets. Experienced in grant and contract management research, preparation, and oversight. Mayor's honorary award for outstanding public service.

EDUCATION:

Project Management Professional (PMP), George Mason University, Arlington, VA, October 2010
Doctoral Coursework for Public Affairs, University of Nevada, Las Vegas, Las Vegas, NV, May 2009
Completed 12 credits of Ph.D. studies
Masters in Public Administration, University of Nevada, Las Vegas, Las Vegas, NV, May 2008
Paralegal Certificate, Business and Environmental Law, University of San Diego, San Diego, CA, August 2004
B. A., Communication, emphasis in Public Relations, San Diego State University, San Diego, CA, May 2004, Minor in Political Science
High School Diploma, Chaparral High School, Temecula, CA, May 2000

EMPLOYMENT HISTORY:

Project Development Manager
Workforce Connections November 2010-Present
7251 W. Lake Mead Blvd., Suite 200
Las Vegas, NV 89128

Manage the State Energy Sector Partnership (SESP) and the green workforce initiative for the agency.

- Serve as subject matter expert for State Energy Sector Partnership; facilitate community partnership collaborations with Nevada employers and developers for sustainable workforce development; serve as SESP spokesperson at community outreach events; promote energy efficiency and renewable energy business development and SESP participation.
- Manage SESP database for Department of Labor case management reporting system; maintain participant records for federal auditing; author procedural forms and methodology for green workforce operations.
- Author SESP marketing and information collaterals, including print and Web media; administer Web content and regular news updates.

Management and Program Analyst, GS 0343-13
United States Agency for International Development (USAID) February 2010-November 2010
Office of the Chief Information Officer (OCIO)
Budget and Capital Investment Planning Division
400 C Street, SW, Washington, DC 20547

Performed financial and budget management activities for USAID IT capital planning and investment projects.

- Authorized financial commitment transaction activities; conducted weekly reconciliation of commitments processed; ensured that all transactions posted and reconcile to the Agency's core financial system; monitors fund accounts to determine available balances, total commitments and obligations; briefed management on status of funds.
- Developed budget spend plans, proposals, and related correspondence for OCIO divisions; verified funds transferred to OCIO are accounted for, approved, and authorized; analyzed and identified spending discrepancies; developed corrective action plans, and informed management of areas requiring attention.
- Served as technical lead to contract staff in developing, evaluating, and maintaining USAID's IT Investment portfolio; formulated target spending amounts for Congressional budget submissions; administered division's internal website; maintained website and implemented modification requests; completed special project requests as needed for OCIO management.

Business Specialist II
City of Las Vegas January 2005-January 2010
Department of Leisure Services
749 Veterans Memorial Drive, Las Vegas, NV 89101
Promoted from Business Specialist I to Business Specialist II in June 2007

Administered capital construction planning and design program.

- Served as subject matter expert and contact for park, trail, and leisure campus capital improvement program; served as facilitator and city spokesperson at public town hall meetings and managed community relations regarding capital recreation program; obtained public support for highly sensitive development projects; served as contact for all media inquiries and radio, newspaper, and television interviews.
- Supervised 10 employees in park reservations and special event permitting operations for 70 parks and trail network; provided professional guidance to staff and applied human resources policies and procedures.
- Coordinated and administered the project budget, bid and purchasing processes; verified funding, reviewed pay requests for financial accuracy and process; informed management of project budget status and assisted in projecting and tracking expenditures and with financial issues; communicated with project consultants and contractors regarding invoices, payments, change orders, and project progress.
- Authored recreation land use master plans, guiding documents for open space, parks, leisure campus, and trail development, and annual Southern Nevada Public Lands Management Act Parks, Trails, and Natural Areas funding applications; managed planning, design, and construction of 40+ recreation projects.
- Prepared interagency contracts; authored supporting documentation including City Council agenda items, supplemental contracts and close outs; monitored compliance with contractual agreements; coordinated all financial accounting and reporting; provided oversight for grant management.
- Provided guidance and recommendations to executive management team regarding policies and ordinance changes; interpreted, applied, and enforced laws, codes, regulations, policies, and procedures; conducted research relating to operational metrics and capital improvement program using GIS mapping systems, financial budgeting systems and U.S. Census data.

Paralegal
Barker Law Group, APLC January 2004-January 2005
8880 Rio San Diego Drive, Suite 900, San Diego, CA 92108

Executed client relations activities and provided court filing assistance to five-attorney firm.

- Authored legal pleadings and other court documents and filings; instituted court calendaring schedule for firm's cases; authored deposition summaries for cases; prepared initial client consultation summaries.
- Designed quarterly client relations newsletters and mail pieces to foster client relationships; facilitated monthly workshops and seminars for firm; attended local networking functions on behalf of firm; served as co-chair and firm representative of July 2004 Public Relations Society of America "DelMartini" silent auction fundraising event; directed local media placement and advertising activities.
- Calculated monthly advertising expenditures and provided marketing insight to managing partner for firm's construction defect, insurance, corporate transactional law, and mediation programs; provided oversight and collaboration with contracted marketing firm.

Zoning Technician
County of San Diego April 2002-July 2004
Department of Planning and Land Use
5201 S. Ruffin Road, Suite B., San Diego, CA 92123

Advised public and new staff members regarding zoning and land use ordinances, policies, and procedures.

- Advised public of zoning and land use regulations and policies through zoning hotline, in-person meetings, and consultations; provided expedited service to San Diego homeowners impacted by 2003 wildfires.
- Maintained parcel documents and title recording program for zoning division by recording documents at County assessor on weekly basis; trained new staff members in recording processes.
- Drafted manuals, procedural, and guidance documents for staff regarding software systems and complex subdivision and general plan amendment submittal procedures; coordinated with Geographic Information Systems (GIS) staff on parcel updates and new map data; drafted zoning advisory letters and reports.
- Created zoning ordinance organization system for administrative publishing; served as team lead for publicly disseminated publishing of documents and materials.

Senior Staff Writer
The Daily Aztec August 2001-December 2003
San Diego State University
Education and Business Administration Building
San Diego, CA 92182

Managed oversight of city news content for San Diego State independent newspaper.

- Authored news content for nationally award-winning student newspaper; provided photography to accompany articles as needed; drafted editorial content for opinion editorial section, performed proofreading, style enhancement, and met weekly publishing deadlines for news assignments.
- Covered Enron financial controversy and United States entry into Iraq in featured work; work cited in national doctoral theses; articles reprinted through Associated Press wire in other national print publications; interviewed nationally-recognized faculty, staff, and politicians for news articles.

COMPUTER SKILLS:

Proficient in Geographic Information Systems (GIS), Oracle, E2 travel procurement system, Hansen, MTB-CTS federal staffing mainframe, Crystal Reports, Microsoft Office Suite 2003 and 2007, WordPerfect, Adobe Acrobat, Statistical Package for Social Sciences (SPSS), and Internet search engines. Experienced in Momentum financial systems, Lexis Nexis database software, Hot Docs and Juris legal software. Experienced in Macromedia Contribute, Adobe Photoshop, Dreamweaver and SharePoint.

PROFESSIONAL PUBLICATIONS:

Authored critique of *Consuming the Entrepreneurial City Image, Memory, Spectacle,* by Anne Cronin. *Public Administration Review*, (July-August 2010): 637-638. Print.
Technical Grant Writer, First Home Alliance, Washington, DC, 2010
Published author and presenter at Nevada Geographic Information Society Conference, Las Vegas, NV, 2006

PROFESSIONAL ASSOCIATIONS:

Active Member, Women in Politics, Washington, DC, 2010
Active Member, Interagency Mentorship Program, U.S. Department of State, 2010
Active Member and Past-Secretary, American Society for Public Administration (ASPA) 2008-Present
Graduate, Clark County Leadership Program, 2008
Active Member, Pi Alpha Alpha, National Honor Society for Public Affairs and Public Administration, 2008
Active Member, Toastmaster's International, 2006-Present
Active Member, National Recreation and Park Association (NRPA), 2005-Present
Active Member, Nevada Recreation and Park Society (NRPS), 2005-Present
Active Member, Nevada Geographic Information Society (NGIS), 2005
Recipient, Who's Who Among American Colleges and Universities, 2003

PROFESSIONAL DEVELOPMENT:

Community Advisor, Clark County School District, Las Vegas, NV, 2008
Speaker and presenter at International ESRI-GIS Conference, San Diego, CA, 2007
Public Speaking Principles, City of Las Vegas Organizational Development, Las Vegas, NV, 2006
Negotiation Principles, City of Las Vegas Organizational Development, Las Vegas, NV, 2006
Effective Municipal Capital Improvement Plans, College of Engineering, University of Wisconsin, Madison, 2006
High-Impact Communication Skills Development, Las Vegas, NV, 2006
Effective Management Strategies, Las Vegas, NV, 2006

AWARDS AND RECOGNITION:

Team Performance Award, Floyd Lamb Park Ranch House Renovation, City of Las Vegas, 2010
Individual Achievement Award, Mayor's Commendation for Continuing Public Service, City of Las Vegas, 2010
Team Performance Award, Sustainability Committee Leadership, City of Las Vegas, 2008
ASPA Scholarship for Academic Excellence, Southern Nevada Chapter, 2007
Copley Scholarship Award, San Diego State University School of Communication, 2003-2004
Staff Writer of the Month Award, *The Daily Aztec*, 2003
School of Communication Scholarship Award, San Diego State University School of Communication, 2001-2002

Attachment 1 - Qualifications for Melissa Clary

As a previous city of Las Vegas employee and a current city of Las Vegas resident, I am well-aware of the economic and social challenges facing our world-class city. Having lived in other exemplary cities such as San Diego, CA, Temecula, CA and Washington, D.C., I have learned about exciting community activities, businesses, and development projects that help make these places such wonderful places to live and work in. I aspire to see an improved sense of community in Las Vegas, similar to the camaraderie I felt in these other cities; residents should no longer question whether a community exists here. I live and work in our city and want to continue my service as a board, commission or committee member. In particular, I am most interested in participating as a Planning Commissioner, as the commission emphasizes my enthusiasm for land use planning, neighborhood characteristics and design.

As a Business Specialist for the Department of Leisure Services, I managed more than 40 parks, trails, and community recreation center design and construction projects. I acquired millions in grant funding (e.g. Southern Nevada Public Land Management Act funds, National Recreation and Park Association grants, Department of Commerce Broadband Technology funds) for the city during my five-year tenure and facilitated numerous partnerships related to community development projects in the city. I maintain friendly relationships with citizens and special interest groups from my work on various city projects throughout each ward.

I also bring a breadth of federal government experience from my time spent in Washington, D.C. working for the United States Agency for International Development (USAID). I work well with diverse populations and people from all ethnic backgrounds as evident in my time spent working with USAID employees from more than 86 countries. I am well-versed in financial and budgetary practices, open meeting laws and the Freedom of Information Act; therefore, I understand the transparency required of board meetings and members' decision-making.

My current work as a Project Development Manager with Workforce Connections, Southern Nevada's Workforce Investment Board, features my strength in building partnerships from the ground up. I manage the State Energy Sector Partnership grant to promote workforce development in energy renewable and energy efficiency sectors. The goal of the partnership is to advance Nevada's green economy and to reduce our dependence on fossil fuels and energy imports from out of state. The networking and relationship-building I perform on a daily basis is essential to my future leadership on a city of Las Vegas board.

I feel my education and career experience combined with my city of Las Vegas residency and vision for our community make me a terrific candidate for a city board, commission, or committee. I am excited about the prospect to serve Las Vegans and look forward to an appointment opportunity by my Councilmember.

SH
ARCHITECTURE
7373 Peak Drive Suite 250 Las Vegas Nevada 89128
p.702.363.2222 f.702.363.6060 www.sh-architecture.com

Re: Board, Commission, or Committee Interest

To Whom It May Concern:

Enclosed you will find a completed interest form to serve on a committee for the City of Las Vegas. I have also attached a short resume for further background. I have been a resident of Las Vegas for the past 7 years and have served the community through various outreach and non-profit programs. I am a father of 5 and engaged in the future of our great City. I believe that civic engagement is a duty for all who are able so that our community can benefit from the time, skills and talents of our citizenry.

I look forward to speaking with somebody regarding the positions listed on the form or other positions that are in need of assistance. Please feel free to contact me with any questions or requests regarding this application, my contact information is listed on the interest form attached.

Sincerely,

SHARCHITECTURE
Eric M Roberts, AIA, NCARB, LEED AP
Vice President

RECEIVED
CITY CLERK
2011 JUN 13 A 11:13

City of Las Vegas
Board, Commission, or Committee Interest Form

Name: ERIC M ROBERTS, AIA

Home Street Address: 9285 SPIDERLILY COURT

City: LAS VEGAS **ZIP Code:** 89149

Work Street Address: 7373 PEAK DRIVE, SUITE 250

City: LAS VEGAS **ZIP Code:** 89128

Employer: SH ARCHITECTURE **Occupation:** ARCHITECT

Home Phone Number: 254-7602 **Work Phone Number:** 363-2222

Other Phone Number: 498-3658 **Email Address:** EROBERTS@SH-ARCHITECTURE.COM

Please list the boards, commissions, or committees that you are interested in serving on:

PLANNING COMMISSION

DOWNTOWN DESIGN REVIEW

HISTORIC PRESERVATION COMMISSION

For office use only

CLV Y ✓ N ___

Ward 6

Date 6/13/2011

Please list any boards, commissions, or committees that you serve on, or have served on in the past (Use additional pages, if necessary):

AIA LAS VEGAS EXECUTIVE BOARD

AIA NEVADA EXECUTIVE BOARD

Please discuss your qualifications to serve on any boards, commissions, or committees (Use additional pages, if necessary):

REGISTERED ARCHITECT STATE OF NEVADA

LEADERSHIP IN ENERGY & ENVIRONMENTAL DESIGN ACCREDITED PROFESSIONAL

MASTERS DEGREE IN ARCHITECTURE WITH FOCUS ON SUSTAINABLE DESIGN

SMALL BUSINESS OWNER

Please list any of your relatives or friends that work for the entity in which you would be serving:

Feel free to attach a resume to this form. Upon submitting this form, all information will be considered public information. This form will be kept on file for 6 months from date of submittal. It is the applicant's responsibility to submit a new form after that time. This form does not constitute an application for employment. Please do not to submit this form electronically. It should be printed, completed and mailed along with a letter and resume.

Please submit to:

City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

Fax: (702) 382-4803

**You may be required to be resident of the City of Las Vegas to serve certain boards, committees, or commissions.*

AIA Nevada Young architect award 2010

Eric M Roberts, AIA, NCARB, LEED AP



EMPLOYER
SHARCHITECTURE

EDUCATION
Master of Architecture, University of Idaho

PROFESSIONAL AFFILIATIONS
AIA
USGBC
Vistage
SolarNV
Green Chamber of Commerce

COMMUNITY SERVICE
Boy Scouts of America
Cub Scouts
Little League Baseball
Habitat for Humanity
Friends of Nevada Wilderness

BIO

Eric Roberts came to Las Vegas as an intern architect in the summer of 2004. His work for SHARCHITECTURE (then Swisher Hall) included opportunities to be exposed to the AIA in Las Vegas. The last two years of his college career were spent as AIAS President of the University of Idaho Chapter; through this experience his dedication to the profession and the AIA as an organization was solidified.

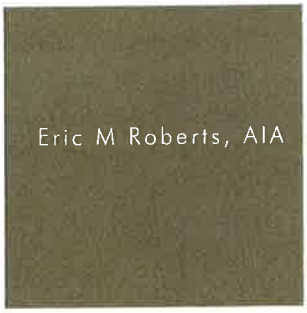
In the summer of 2005 Eric came to Las Vegas permanently as an employee of SHARCHITECTURE. One of his first tasks was to find Randy Lavigne and offer his services to help the local chapter of the AIA. He also quickly began working on his professional credentials and in August of 2005 he achieved LEED accredited professional status and proposed a plan to have his entire firm achieve the same status within two years. This commitment and paradigm shift at the firm was recognized by the AIA in 2007 when SHARCHITECTURE was awarded the Sustainable Practices Award. Late in 2005 Eric was nominated to serve as the Associates Director for AIA Nevada for 2006. During this formative year Eric was exposed to the breadth of the services provided and the ideals considered by the AIA.

In April of 2006 he served as co-chairman of the Energy and Resources committee during the Blueprint for Nevada 24 hour charette. Soon Eric was one of the voices promoting the Blueprint for Nevada to local and federal elected officials on behalf of the AIA. The document that became the culmination of the Blueprint charette has been presented dozens of times in various settings. It has become a mold for local policy and chapter direction. It has become a touchstone that is referred to and refined. Eric was an integral part of its creation.

By the end of 2006 Eric was recognized as an emerging professional with a distinct interest in the legislative and policy efforts of the AIA. He was nominated in the fall to serve as the State Government Network representative for AIA Nevada. The State Government Network is an assembly of representatives from every state and United State protectorate that comes together to discuss and unify national policy for the AIA. Eric has served Nevada as it's representative to this committee since early 2007.

In 2008 Eric was asked to increase his service to the AIA by assuming the duties of the State IDP coordinator. He also ran successfully for the position of Associate Director of AIA Las Vegas. Eric spearheaded the revival of the AIA Nevada Political Action committee. Through his efforts, AIA Nevada held a successful legislative day in Carson City with State elected officials and helped provide vital feedback to a bill on the floor of the legislature that would affect bidder preference for Nevada architects. Eric's voice has been heard clearly and frequently as an advocate for "citizen architects" and the political involvement of the profession.

Currently, Eric is directing AIA Nevada's most recent PAC efforts and the second phase of the AIA Nevada "Pencil Ready" campaign. This work involves collaboration with the AGC, ASLA, IDLA, and the ACEC to lobby for the design and construction industry. A few short years ago,





this type of collaboration was not yet possible because AIA Nevada had not yet found its political voice. Thanks to the hard work and passion of Eric Roberts, these collaborative relationships are furthering the practice of architecture in Nevada.

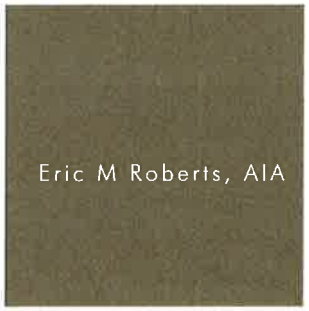


In the brief time that Eric has been working toward furthering the influence of architects on the state of Nevada's political landscape; architects have been asked to serve on Harry Reid's Blue Ribbon sustainability committee, the Governor's special budget committee and to testify on the floor of the state legislature in support of bills affecting architecture. Eric was also able to get the AIA Nevada PAC started and has raised nearly $1000 in three short months! Our executive director -Randy Lavigne- was even invited to be Harry Reid's special guest for the State of the Union address in 2010!



Throughout the past five years Eric has also been an annual mentor for High School students in the High School Design Awards program. He has been published in the National Associates Committee newsletter twice as well as in the AIA Las Vegas "Forum" newsletter. He has served on the AIA Committee on the Environment, the AIA Golf Tournament committee as well as various other sub-committees and panels.

In 2010, Eric achieved his lifelong dream of becoming a licensed architect. Through perseverence and dedication to completing the difficult task of IDP and the ARE examinations, Eric was able to realize this dream.



In addition to Eric's service to his profession and the AIA, Eric spends much of his spare time with his wife and five children. Eric has been a little league baseball coach for the past four years, a Cubmaster for the Cub scouts for the past three years and dedicates time to serve as a member of the College of Art and Architecture advisory committee at the University of Idaho. Eric has also maintained an aggressive professional career and is now the Vice President of SHARCHITECTURE, one of the largest architecture firms in the state of Nevada.

City of Las Vegas Agenda Item No.: **56.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

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

SUBJECT:
BOARDS & COMMISSIONS:

SENIOR CITIZENS ADVISORY BOARD - For Possible Action - Lance Moran, Robert Goldstein, Patti Brown, Fran Drewrey and Jean Zorn - Term Expirations 6-2011

Fiscal Impact

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

PURPOSE/BACKGROUND:
Each of the six members of Council has one coterminous appointment with the appointee residing in the respective member of Council Ward; the Mayor has two coterminous appointments with members residing in two different Wards. Members may serve for an uninterrupted period not longer than eight years (two terms). No member may serve concurrently on any other board or commission established by resolution or ordinance, other than one which may be established on a temporary basis. Mr. Moran was originally appointed on 2-2-2005 to fill an unexpired term and reappointed for a full term 9-5-2007 by Mayor Goodman. Mr. Goldstein was originally appointed on 9-17-2007 by Mayor Goodman. Ms. Brown was appointed to fill an unexpired term on 8-20-2008 by Councilwoman Tarkanian. Ms. Drewrey and Ms. Zorn were appointed 9-5-2007 by Councilman Reese and Councilman Barlow respectively. Only Mr. Moran is no longer eligible for reappointment.

RECOMMENDATION:
Procedure for this Board is a recommendation by the appropriate member of Council with the approval of Council. Options are:
Mayor Goodman to make a new appointment to replace Mr. Moran and to either reappoint Mr. Goldstein OR appoint a new member
Councilwoman Tarkanian to reappoint Ms. Brown OR appoint a new member
Councilman Coffin to reappoint Ms. Drewrey OR appoint a new member
Councilman Barlow to reappoint Ms. Zorn OR appoint a new member

BACKUP DOCUMENTATION:
1. Current Listing and Authority
2. Board Interest Forms from Sanje Sedera and Megan Heryet

3-29-2011

SENIOR CITIZENS' ADVISORY BOARD

	MEMBERS	ADDRESS	ZIP CODE	ORIGINAL APPT.	TERM EXPIRES
1.	MORAN, LANCE **(Goodman's recommendation)** (Filled unexpired term of Al Gallego) **(*Originally Ward 4 Resident. Changed to Ward 2 by Ord. 5843 adopted 8-2-2006)**	2025 Summer Cove Ct. #101 **(Ward 2 Resident)**	89134	2-02-2005 **(Reappt. 9-5-2007)**	6-2011
2.	GOLDSTEIN, ROBERT **(Goodman's recommendation)**	4650 N. Rainbow, #1036 **(Ward 6 Resident)**	89108	9-17-2007	6-2011
3.	BROWN, PATTI **(Tarkanian's recommendation)** (Fills unexpired term of Pauline Kennedy)	900 So. Brush, #424 **(Ward 1 Resident)**	89107	8-20-2008	6-2011
4.	EVANS, BETTY **(Wolfson's recommendation)**	829 Majestic Oak Street **(Ward 2 Resident)**	89145	4-6-2006 **(Reappt. 6-17-2009)**	6-2013
5.	DREWREY, FRAN **(Reese's recommendation)**	3901 Stewart Avenue, #68 **(Ward 3 Resident)**	89110	9-05-2007	6-2011
6.	HENKIN, MEL **(Anthony's recommendation)**	7909 Ben Hogan Drive **(Ward 4 Resident)**	89149	8-5-2009	6-2013
7.	ZORN, JEAN **(Barlow's recommendation)**	1028 North 1st Street **(Ward 5 Resident)**	89106	9-05-2007	6-2011
8.	MOORE, MICKEY LEE **(Ross's recommendation)**	7616 Roop Street **(Ward 6 Resident)**	89131	6-17-2009	6-2013

AUTHORITY: LVMC 2.46 (Ordinance #5206 Adopted 4-19-2000)
Per L.V.M.C. 2.49.010, a person is not eligible to serve on this board unless he or she is a resident of the City of Las Vegas.

MEMBERS: 8 members appointed by the City Council.
Mayor nominates 2 persons for appointment residing in 2 different Wards
Each Councilmember nominates 1 person for appointment (Persons nominated must reside in Ward represented by Councilmember making nomination)
No member may serve concurrently on any other board or commission which is established by resolution or ordinance, other than one which may be established on a temporary basis only.

TERM: Serve for an uninterrupted period not longer than eight years (2 terms) (Term to be coterminous with City Councilmember, but may serve until a successor is appointed)
*In August of 2009, the City Attorney gave an opinion that members who have served two four-year terms and then had a break in service are eligible for reappointment.

NOTES: Must be a City Resident
NO FINANCIAL DISCLOSURE REQUIREMENT

DEPT. SUPPORT: Parks, Recreation and Neighborhood Services (Designated as Department Liaison Per Bill 2002-129, Ordinance 5549, Adopted by City Council on 12/4/2002)

RECEIVED
CITY CLERK

2008 NOV 20 A 10:40

City of Las Vegas
Board, Commission, or Committee Interest Form

Name: Sanje Sedera 9/7/2010

Home Street Address: ~~1128 Triumph Ct~~ 1413 Strike Jumper Court

City: Las Vegas **ZIP Code:** ~~89117~~ 89108

Work Street Address: 6585 High Street #211

City: Las Vegas **ZIP Code:** 89113

Employer: First United Mortgage **Occupation:** Sr. Loan officer

Home Phone Number: 702-461-8655 **Work Phone Number:** 702-921-1800

Other Phone Number: _____ **Email Address:** Sedera@aol.com

Please list the boards, commissions, or committees that you are interested in serving on:

1/ Citizen Review Board 4/ Neighborhood partners fun board

2/ Community Development Recommending Board 5/ Senior Citizen Law project Adv. Board

3/ Las Vegas Housing Authority 6/ Senior Citizen Advisory Board

For office use only

CLV Y ✓ N ___

Ward ~~2~~ 1 9/7/2010

Date ~~11/21/08~~

Please list any boards, commissions, or committees that you serve on, or have served on in the past (Use additional pages, if necessary):

Please refer to the resume.

Please discuss your qualifications to serve on any boards, commissions, or committees (Use additional pages, if necessary):

Please refer to the attached letter & resume

Please list any of your relatives or friends that work for the entity in which you would be serving: N/A

Feel free to attach a resume to this form. Upon submitting this form, all information will be considered public information. This form will be kept on file for 6 months from date of submittal. It is the applicant's responsibility to submit a new form after that time. This form does not constitute an application for employment. Please do not to submit this form electronically. It should be printed, completed and mailed along with a letter and resume.

Please submit to:

City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

Fax: (702) 382-4803

**You may be required to be resident of the City of Las Vegas to serve certain boards, committees, or commissions.*

11-17-2008

Sanje Sedera
1128 Triumph Court
Las Vegas, NV 89117

City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

To whom it may concern:

I have been a resident of Las Vegas since 1995 and have been a strong advocate in senior care, equality in education, helping the homeless community and well being of battered children and women. My passion to help them has drawn me to " Shade Tree, Salvation Army and Blind Center". In last ten years I have done my best to help this disadvantage community on regular basis. Few times per month I visit the homeless shelters with hot Pizza and I am known as the "Pizza Man" among the homeless community.

I have organized relief efforts for countries, which have faced with catastrophic natural disasters. I was the chief organizer for relief efforts involving the cyclone Ngris in Burma in 2008 and Tsunami relief efforts involving Sri Lanka in 2004.

I currently serve as the Chairman of the Asian American Democratic Caucus, Vice President of South Asian Chamber of Commerce, Vice President of Summerlin Lions Club and board member of numerous professional and civic organizations.

Professionally I have been a mortgage broker and a real estate broker for over 12 years. I have been partner of a venture capital company and co-own a childcare and pre-school.

I strongly believe I have more to offer to this wonderful city. I would like to serve in any committee that you believe that I could serve best for our community.

I would really appreciate if you could contact me at 702-461-8655 for a brief meeting.

Thank you.

Sanje Sedera

SANJE SEDERA
1128 Triumph Court
Las Vegas, Nevada 89117
Phone (702) 461-8655 Fax (702) 873-2143
Email: sedera@aol.com

WORK HISTORY

Sr. Loan Officer, First United Mortgage Company
6585 High Street, Las Vegas, NV 89113 (October 1st 2008 to Present)

Originate and fund commercial and residential loans, while providing outstanding customer service.

Sr. Loan Officer, Cornerstone Mortgage Company,
7942 W.Sahara Ave. Las Vegas, NV 89117 (March1st, 2001 to October 2008)

Trained Jr. Loan Officers on modern sales techniques. Managed a sales team of 22 loan officers. Originated and funded commercial and residential loans, while providing outstanding customer service.

Broker/ Salesman, Elite Realty
7448 W. Sahara Ave., Las Vegas, NV 89117 (May 2007 to Present)

Preformed commercial and residential real estate transactions while maintaining exceptional customer relations.

Loan Officer, Northern Pacific Mortgage Company (March 1st 1999 to March 1st 2001)

Originated and funded commercial and residential loans. Top loan officer in year 2000.

Loan Officer, Green Tree Financial (March 1st 1998 to March 1st 1999)

Originated residential loans. Top loan officer in year 1998.

President, Little Round Up Pre-School and Day Care (June 1st 2004 to Present)
3700 Vegas Drive, Las Vegas, NV 89108

Manage and operate pre-school and day care facility while adhering to city and county standards. Manage the employee relations to provide better working environment and higher productivity.

EDUCATION AND TRAINING

Bachelor of Arts in Management and CIS– Idaho State University 1994
Associate Degree in CIS – Institute of Technological Studies, Sri Lanka 1991
Real Estate Broker license - Nevada since June 2007
Real Estate Loan Officer License - Nevada since March 1996

AWARDS AND AFFILIATIONS

Vive President- South Asian Chamber of Commerce, Las Vegas, Nevada
Vice President - Summerlin Lions Club, Las Vegas, Nevada
President – Asian American Democratic Caucus, Las Vegas, Nevada
Co- Chair- Nevada Partners for relief – Rebuild Burma, Las Vegas, Nevada
Secretary / Treasurer – Desert Democrats Toast Masters Club
Service Coordinator – Las Vegas Sai Baba Center
Charter President/ Treasurer – Sri Lanka Cricket and Recreation Club
Active Member of United States Tennis Association
Recipient of American Field Service Award to Australia

REFERENCES

Will be provided upon request

Megan Heryet
2312 San Jose Ave.
Las Vegas, NV 89104

RECEIVED
CITY CLERK

2010 SEP 28 P 12: 11

September 27, 2010

City Clerk
City of Las Vegas
400 Stewart Ave.
Las Vegas, NV 89101

To Whom It May Concern:

I am writing to express interest in serving on the Senior Citizen Law Project Advisory Board or Senior Citizen Advisory Board. These boards deal with issues very important to me and my education and skills are a perfect match.

Please find enclosed interest form and resume, which describe my experience in the gerontology, aging and senior advocacy fields. I have particular interest and experience in adult guardianship, having spent five years working with private professional guardians, the Clark County public guardian and elder law attorneys. I also spent 2 ½ years researching Nevada adult guardianship law as part of my senior project at UNLV.

Thank you very much for your consideration.

Sincerely,

Megan Heryet

Enclosure

RECEIVED
CITY CLERK

2010 SEP 28 P 12:11

City of Las Vegas
Board, Commission, or Committee Interest Form

Name: Megan Heryet

Home Street Address: 2312 San Jose Ave.

City: Las Vegas **ZIP Code:** 89104

Work Street Address: 6655 W Sahara Ave #B200

City: Las Vegas **ZIP Code:** 89146

Employer: Self / The Ambder Agency **Occupation:** REALTOR

Home Phone Number: _____ **Work Phone Number:** 702.616.9180

Other Phone Number: 702.280.6002 **Email Address:** megan.heryete gmail.com

Please list the boards, commissions, or committees that you are interested in serving on:

Senior Citizen Law Project Advisory Board, Senior Citizens Advisory Board

For office use only

CLV Y ✓ N ___

Ward 3

Date 9/28/2010

Please list any boards, commissions, or committees that you serve on, or have served on in the past (Use additional pages, if necessary):

n/a

Please discuss your qualifications to serve on any boards, commissions, or committees (Use additional pages, if necessary):

please see attached

Please list any of your relatives or friends that work for the entity in which you would be serving:

none

Feel free to attach a resume to this form. Upon submitting this form, all information will be considered public information. This form will be kept on file for 6 months from date of submittal. It is the applicant's responsibility to submit a new form after that time. This form does not constitute an application for employment. Please do not to submit this form electronically. It should be printed, completed and mailed along with a letter and resume.

Please submit to:

City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

Fax: (702) 382-4803

**You may be required to be resident of the City of Las Vegas to serve certain boards, committees, or commissions.*

Bachelor's degree with an emphasis in gerontology

Academic Certificate in Gerontology

Broad interdisciplinary educational background including psychology, sociology, healthcare administration and social work as it applies to seniors

Senior project involved 2 ½ years researching and analyzing adult guardianship law in Nevada

Practicum with the Clark County Public Guardian's office, including administrative tasks and direct contact with seniors

Hospice volunteer since 2007

Five years experience working with private professional guardians, elder law attorneys and guardianship court in the real estate field

Five years experience as an assistant to a personal property appraiser working with private professional guardians, trust officers and elder law attorneys

Passion for senior and aging issues affecting Nevadans

MEGAN HERYET

2312 San Jose Ave. Las Vegas, NV 89104

megan.heryet@gmail.com ◆ 702-280-6002

PROFILE

- Self-motivated and accept challenges readily
- Exceptional organizational, analytical, writing, interpersonal skills
- Innovative, creative, and resourceful
- Practical abilities in working in diverse environments

EDUCATION

University of Nevada Las Vegas — **Las Vegas, NV**
B.A. in Interdisciplinary Studies — *Spring 2006 –Fall 2009*
Academic Certificate in Gerontology

- Areas of concentration: Gerontology and Spanish language
- Coursework: Psychology, sociology, healthcare administration and social work as it applies to aging populations

Clark County Public Guardian's Office — **Las Vegas, NV**
Estate Case Manager Practicum — *Jan 2009 –Mar 2009*

- Conducted interviews with referrals submitted by external agencies and current wards to assess needs of vulnerable adults
- Maintained concise, accurate records of visits and interviews
- Initiated applications for federal and state assistance of eligible wards
- Followed up on interviews and interventions and communicated findings to case management staff

WORK EXPERIENCE

The Anhder Agency — **Las Vegas, NV**
Licensed Real Estate Agent — *Apr 2006 – present*
REALTOR

- Established and maintained professional client base, primarily private professional guardians
- Communicated between property owners/guardians and family members, lawyers and other real estate professionals
- Coordinated inspections, appraisals, court dates and closings for clients and their families
- Maintained accurate and detailed records including online listings

Star Nursery — **N. Las Vegas, NV**
Landscape Design and Sales — *Apr 2006 – Jan 2007*

- Managed landscaping design and projects with values ranging from $500 to $10,000
- Performed needs analysis and advised clients and designed landscapes to client specifications and needs
- Liaison between client, contractor, and landscaping teams

Pacific Coast Home and Garden — **San Luis Obispo, CA**
Receiving Manager, Floor Supervisor — *Oct 2000 – July 2005*

- Lead a team of 15 employees and managed closing operations at the largest garden center on the Central Coast
- Managed all aspects of receiving department
- Scheduled receipt of merchandise, checking-in and delivery to floor
- Maintained accurate records ensuring accurate billing and inventory
- Coordinated special orders between sales floor, wholesaler and customer

VOLUNTEER

Family Home Hospice — **Las Vegas, NV**
Volunteer — *Aug 2007 – Aug 2008*, *Aug 2010-present*

- Provide respite, companionship and emotional support to hospice patients and their families
- Perform routine tasks and errands for home bound seniors
- Assisted planning and presenting of annual memorial

Odyssey Hospice — **Las Vegas, NV**
Volunteer — *Aug 2008 – June 2009*

- Provide respite, companionship and emotional support to hospice patients and their families

SKILLS

Computer: Proficient in Microsoft Word, Excel, PowerPoint and typing 40-50 WPM.

City of Las Vegas Agenda Item No.: **57.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC ☐ **Consent** ☒ **Discussion**

SUBJECT:
RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2011-27 - ABEYANCE ITEM - For Possible Action - Exempts from the City's noise regulations certain activities within the district known as "18B The Las Vegas Arts District." Sponsored by: Councilman Gary Reese

Fiscal Impact

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

PURPOSE/BACKGROUND:
Events that are authorized by a special event permit from the City are currently exempt from the City's noise regulations. Likewise with events that take place at businesses within the Downtown Entertainment Overlay District that have an alcoholic beverage license. This bill will extend a similar exemption to certain events within the district known as "18B The Las Vegas Arts District," subject to specified time limitations. This item was held in Abeyance from the July 6, 2011 City Council meeting.

RECOMMENDATION:
ADOPTION at 7/6/2011 City Council meeting pursuant to the 6/14/2011 Recommending Committee Meeting.

First Reading – 6/1/2011; First Publication 6/23/2011

BACKUP DOCUMENTATION:
1. Bill No. 2011-27
2. Business Impact Statement

BILL NO. 2011-27

ORDINANCE NO. _____

AN ORDINANCE TO EXEMPT FROM THE CITY'S NOISE REGULATIONS CERTAIN ACTIVITIES WITHIN THE DISTRICT KNOWN AS "18B THE LAS VEGAS ARTS DISTRICT," AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Gary Reese

Summary: Exempts from the City's noise regulations certain activities within the district known as "18B The Las Vegas Arts District."

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 9, Chapter 16, Section 40, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.16.040: None of the terms or prohibitions that are contained in this Chapter shall apply to or be enforced against:

(A) Any vehicle that belongs to, or is used by, the City or its authorized garbage collection contractor while it is engaged in any necessary public business;

(B) The excavation or repair, or both, of streets, highways or bridges that are made during the night by or on behalf of the City, Clark County or the State, if the public welfare and convenience renders it impracticable to perform such work during the day;

(C) The emission of sound to alert persons to the existence of an emergency;

(D) Sounds that are emitted in the performance of emergency work;

(E) Any event that:

(1) Is authorized by a special event permit issued by the City; or

(2) Takes place on the premises of a business that is licensed pursuant to Chapter 6.50 and is located within the Downtown Entertainment Overlay District, as described in LVMC [19.06.120; or] 19.10.120;

(F) The exempt portion of any event that takes place on the premises of a business that is licensed as an urban lounge pursuant to Chapter 6.50 and is located within 18B The Las Vegas Arts District, as described in the Las Vegas 2020 Master Plan. The "exempt portion" of an event includes event activities that do not extend beyond ten p.m. on Sunday through Thursday and, for

events beginning on Friday and Saturday evenings, do not extend beyond one a.m. the following morning; or

[(F)] (G) Civic functions, including without limitation parades, concerts, athletic events, group use of public facilities and other public gatherings for which a license or permit has been issued pursuant to any chapter of this Code.

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 _____, 2011.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 5-16-11
_____
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2011, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2011, 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. 2011-27
(Exempts from the City's noise regulations certain activities within the district known as "18B The Las Vegas Arts District")

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2011-27, that would exempt from the City's noise regulations certain activities within the district known as "18B The Las Vegas Arts District."

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.

No comments solicited

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:

Potential cost and time savings to affected businesses no longer required to obtain a special event permit

Direct effects:

Potential cost and time savings to affected businesses no longer required to obtain a special event permit

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

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: May 17, 2011

City of Las Vegas Agenda Item No.: **58.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC ☐ **Consent** ☒ **Discussion**

SUBJECT:
RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2011-28 - Updates the City's regulations pertaining to mobile food vendors to conform to other applicable regulations regarding the operational limitations for such vendors. Proposed by: Flinn Fagg, Director of Planning

Fiscal Impact

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

PURPOSE/BACKGROUND:
This bill will update the City's regulations pertaining to mobile food vendors to conform to other applicable regulations, including the City's zoning regulations and the regulations of the Southern Nevada Health District.

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. 2011-28
2. Business Impact Statement

BILL NO. 2011-28

ORDINANCE NO. _____

AN ORDINANCE TO UPDATE THE CITY'S REGULATIONS PERTAINING TO MOBILE FOOD VENDORS TO CONFORM TO OTHER APPLICABLE REGULATIONS REGARDING THE OPERATIONAL LIMITATIONS FOR SUCH VENDORS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Flinn Fagg, Director of Planning

Summary: Updates the City's regulations pertaining to mobile food vendors to conform to other applicable regulations regarding the operational limitations for such vendors.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 6, Chapter 55, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.55.010: As used in this Chapter, unless the context otherwise requires, the following terms shall have the meanings which are ascribed to them, as follows:

[(A)] "Employee" means a person who works for or under the direction of, on behalf of, or as an agent of a licensee.

[(B)] "Health District" means the Southern Nevada Health District.

[(C)] "Mobile food vendor" means a person who offers for sale or sells food items by means of a vehicle.

[(D)] "Licensee" means the holder of an mobile food vendor business license issued by the Department.

[(E)] "Metro" means the Las Vegas Metropolitan Police Department.

[(F)] "Vehicle" means a motorized [or non-motorized vehicle, including a push cart or other similar] vehicle.

[(G)] "Vend" means to sell or offer to sell food products from a vehicle.

SECTION 2: Title 6, Chapter 55, Section 40, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.55.040: (A) An application for a mobile food vendor license must be made upon forms

provided by the Department. In addition to the information required under LVMC Chapter 6.02, the applicant shall provide the following:

(1) A description of the selling methods to be used and the nature of the products or services to be offered;

(2) Proof of filing with the State of Nevada Department of Taxation;

(3) A health permit for each vehicle, documentation that the vehicle is eligible for such permit, and a health card for each operator (all issued by the Health District);

(4) A copy of a valid, unexpired Nevada vehicle registration, if applicable, for each vehicle; and

(5) Such other information or documentation as the Department may require in order to establish the applicant's suitability and fitness for approval.

(B) In order to obtain a mobile food vendor license, each principal of the business must apply for and obtain approval for suitability in accordance with LVMC Chapter 6.06, subject to the payment of [an investigative fee of fifty dollars.] the applicable fees.

SECTION 3: Title 6, Chapter 55, Section 70, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.55.070: (A) Except as otherwise provided in Subsection (B) of this Section, no mobile food vendor shall:

(1) Have any exclusive right to any location upon the streets, sidewalks, alleys, or public grounds of the City; or

(2) [Vend at any location for a period greater than thirty minutes; or

(3)] Vend in any congested area where the operation will impede pedestrian or vehicle traffic.

(B) The provisions of Subsection (A) of this Section do not apply to the operation of a mobile food vendor at a particular location if and to the extent the vendor is operating at that location pursuant to a contractual arrangement with the City.

(C) Mobile food vendors shall comply with all applicable Health District regulations.

SECTION 4: Title 6, Chapter 55, Section 130, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

SECTION 5: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 6: Whenever in this ordinance any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than $1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

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SECTION 7: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2011.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 6-20-11
_____
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2011, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2011, 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 _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, MMC
City Clerk

BUSINESS IMPACT STATEMENT
BILL NO. 2011-28
(Updates the City's regulations pertaining to mobile food vendors to conform to other applicable regulations regarding the operational limitations for such vendors)

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2011-28, that would update the City's regulations pertaining to mobile food vendors to conform to other applicable regulations regarding the operational limitations for such vendors.

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.

No comments were solicited. The ordinance is clarifying in nature and should have no different impact on vendors than existing provisions

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:

Conforms language to other regulations and to existing practice

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

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: June 20, 2011

City of Las Vegas Agenda Item No.: **59.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC ☐ **Consent** ☒ **Discussion**

SUBJECT:
RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2011-29 - Updates Chapter 6.06 of the Municipal Code relating to privileged licenses.
Proposed by: Flinn Fagg, Director of Planning

Fiscal Impact

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

PURPOSE/BACKGROUND:
This bill will update Chapter 6.06 of the Municipal Code relating to privileged licenses. Included are modifications regarding changes to existing licenses, modifications that are designed to incorporate existing City practices. Also included are modifications that streamline the process of certain license-related approvals.

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. 2011-29
2. Business Impact Statement

BILL NO. 2011-29

ORDINANCE NO. _____

AN ORDINANCE TO UPDATE CHAPTER 6.06 OF THE MUNICIPAL CODE RELATING TO PRIVILEGED LICENSES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Flinn Fagg, Director of Planning

Summary: Updates Chapter 6.06 of the Municipal Code relating to privileged licenses.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 6, Chapter 6, Section 50, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

SECTION 2: Title 6, Chapter 6, Section 70, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.06.070: (A) The application for approval for suitability shall be filed with the Department [of Business Activity] on forms acceptable to the Department. The applicant shall furnish all the information required by the Department, including but not limited to:

(1) The applicant's personal and family history;

(2) <u>If requested by the Department,</u> [The] <u>the</u> applicant's present and past financial position and history;

(3) The applicant's criminal history and civil and administrative litigation history;

(4) The applicant's education, training, employment, business and professional history; and

(5) The applicant's past and proposed affiliation with the licensee.

(B) The Department is authorized to require disclosure of any information that reasonably relates to the applicant's qualification, acceptability or fitness for an approval for suitability.

SECTION 3: Title 6, Chapter 6, Section 80, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.06.080: (A) The application must be signed and verified by the applicant under oath.

(B) The applicant shall submit to fingerprinting and photographing, shall authorize the City in writing to obtain information from the past and present employers, criminal justice agencies, financial institutions, Federal, State and local governments and agencies, and other persons and entities, and shall consent in writing to the release of such information to the City for use in connection with the application for approval for suitability and other City business regulations. The applicant shall also sign a release of claims and a hold harmless agreement to the City for its use of the information provided by the applicant or discovered during any investigation thereof.

(C) Each applicant for a license within the following categories shall be subject to the provisions of Subsection (D) of this Section:

(1) Adult nightclub establishment;

(2) Alcoholic beverage;

(3) Burglar alarm services;

(4) [Child care facility;

(5)] Erotic dance establishment;

[(6)] (5) Gaming;

[(7)] (6) Ice cream truck;

[(8)] (7) Locksmith and safe mechanic;

[(9)] (8) Martial arts instruction;

[(10)] (9) Massage establishment;

[(11)] (10) Mobile food vendor;

[(12)] (11) Pawnbroker;

[(13)] (12) Psychic arts and science;

[(14)] (13) Reflexology;

[(15)] (14) Secondhand dealer;

[(16)] (15) Teenage dancehall or teenage nightclub; and

[(17)] (16) Wedding chapel.

(D) In the case of the license categories listed in Subsection (C) of this Section,

applicants are required to submit to fingerprinting for purposes of a fingerprint check through the Federal Bureau of Investigation (FBI). In each such case:

(1) A complete set of fingerprints will be taken and will be forwarded to the Central Repository for Nevada Records of Criminal History.

(2) The Central Repository for Nevada Records of Criminal History is authorized to submit the fingerprints to the FBI for its report and to exchange fingerprint data with the FBI.

(3) The purpose for the submission of fingerprints is to allow for a State and Federal criminal records investigation regarding the applicant to determine suitability for licensing relative to the specified type of business.

(E) The provisions of Subsections (C) and (D) of this Section are adopted under the authority of, and consistent with, NRS 239B.010(1)(a) and Public Law 92-544, and should be read and interpreted in connection therewith.

SECTION 4: Title 6, Chapter 6, Section 110, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.06.110: (A) Except as otherwise provided in Subsection (B), [After] after receipt of [the] a completed application for a license or approval for suitability, the Director shall refer the [matter] application to Metro for investigation.

(B) The Director shall have the discretion not to refer an application to Metro if the applicant has been investigated by Metro in connection with licensing or suitability approval within one year before the application was submitted, or if the Director otherwise determines that such referral is not necessary or appropriate.

(C) Upon completion of [the] any investigation[,] or a determination made pursuant to Subsection (B), the Director shall submit the application to the City Council for its [actions.] action.

(D) In the event the City Council has issued a temporary license pursuant to this Chapter[,] pending an investigation by Metro, the Director may, upon receipt of Metro's completed investigation, submit the application for a license to the City Council for its action at any time prior to the expiration of the temporary license.

SECTION 5: Title 6, Chapter 6, Section 125, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.06.125: (A) Once initial approval for suitability [has been made] regarding principals of a particular licensee has been granted by the City Council, subsequent applications for approval for suitability regarding that licensee may be referred by the Director to Metro for investigation.

(B) Upon completion of Metro's investigation, if any, the Director may take such action as deemed appropriate, including approval, conditional approval or denial of the application for approval for suitability.

(C) An applicant may appeal the decision of the Director in accordance with the provisions of LVMC 6.02.110.

SECTION 6: Title 6, Chapter 6, Section 130, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.06.130: [Notwithstanding Section 6.06.050, the] The Director may waive for one or more principals [from] the requirement of approval for suitability, provided that at least one principal other than a manager must be subject to the requirement of an approval for suitability. Any principal [who] for whom the requirement has been so waived may later be required at the discretion of the Director to apply and be found suitable in order to continue his or her association with the business.

SECTION 7: Title 6, Chapter 6, Section 200, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.06.200: (A) The applicant has a continuing duty and obligation to notify the Department [in writing within fifteen days] of additions, deletions, changes or modifications in the information furnished the Department, and this duty continues as long as a valid license or approval for suitability remains in effect. Such notification must be given at least fifteen days in advance of such additions, deletions, changes or modifications where it possible to do so. Otherwise, notification must be given as soon as possible and in no event later than fifteen days following the addition, deletion, change or modification.

(B) [The Director shall send a written notice requiring that an application for a new business license be filed by a licensee if the Director determines that the reported changes in the

information from that contained in the licensee's original application or subsequent information updates constitutes a substantial change in the business operations from those originally or subsequently approved.

(C) A licensee shall file a new business license application with the Department, within fifteen days after receiving the Director's written request. Upon receipt of the new application, the Director shall place it on the next available City Council agenda for review and action, subject to the requirements of the Nevada open meeting law.] The notification required by Subsection (A) shall be in the form of a new business license application filed with the Department. Upon receipt of an application, the Department shall determine whether the changes can be approved by administrative action or whether action by the City Council is required pursuant to LVMC 6.06.210. If Council action is required, the application will be placed on the next available Council agenda following the completion of all necessary reviews by City departments and outside agencies.

[(D)] (C) In cases where a licensee has significantly altered its business operations, [The] the Director may require a licensee to suspend its [altered business] operations until the City Council has acted upon [a] the licensee's new license application. [Notice of the suspension shall be included in the notice required pursuant to Subsection (B) of this Section.]

[(E)] (D) A licensee shall not continue or resume its altered operations if the City Council finds that [they are] the licensee is in violation of the provisions of LVMC 6.02.090 and 6.02.330 through 6.02.350, or for other good cause [they] finds that continued business operations should not be permitted.

SECTION 8: Title 6, Chapter 6, Section 210, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.06.210: Prior approval must be obtained [from the City Council] for a licensee or [a holder of approval] person approved for suitability to do any of the following acts:

(A) Convey the license from one person to another[;] or establish the license in a different entity;

(B) [Change the location of a license from one premises to another premises within the City limits;

(C) Change the name of the business operating under a license; or

(D)] Transfer any ownership interest or voting control to a person who, because of the transfer, would be required to be approved for suitability[.] ;

(C) Alter the licensed business operations in a significant way from the operations previously approved;

(D) Change the location of a license from one premises to another premises within the City limits;

(E) Change the name of the business operating under a license.

Such prior approval may be granted by the Director in the case of the changes described in Subsections (D) and (E), but must be granted by the City Council otherwise.

SECTION 9: Title 6, Chapter 6, Section 230, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

SECTION 10: Title 6, Chapter 6, Section 240, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.06.240: Each licensee must notify the Department [of Finance and Business Services] at least thirty days prior to transferring or recognizing the transfer of any ownership interest or voting control which results in a person acquiring an ownership interest or voting control equal to or greater than ten percent of the entire ownership in or voting control of the licensee or prior to subjecting any of its assets, income or revenue to any security interest or other encumbrance.

SECTION 11: Title 6, Chapter 6, Section 250, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.06.250: (A) A licensee may be subject to disciplinary action as set forth in Sections 6.02.330 through 6.02.360.

(B) A principal approved for suitability may be subject to disciplinary action by the City Council for good cause, which may include, but is not limited to:

(1) The application is incomplete or contains false, misleading or fraudulent statements with respect to any information required in the application;

(2) The principal fails to satisfy any qualification or requirement imposed

by this Code, or other local, State or Federal law or regulation pertaining to the particular approval for suitability sought or held;

(3) The principal illegally resides in the United States;

(4) The principal is or has engaged in a business, trade or profession without a valid license, permit, approval for suitability or work card when he knew that one was required or under such circumstances that he reasonably should have known one was required;

(5) The principal has been subject, in any jurisdiction, to disciplinary action of any kind against a license, permit, approval for suitability or work card to the extent that such disciplinary action reflects on the qualification, acceptability or fitness to be approved for suitability;

(6) The principal has committed acts which would constitute a crime involving moral turpitude or involving any Federal, State or local law or regulation relating to the same or a similar business[;]. For purposes of this Paragraph, a crime involving moral turpitude is one that necessarily involves any of the following: an intent to defraud; intentional dishonesty for personal gain; intentional causing of serious injury to another person; the sale of narcotics or possession of narcotics with intent to sell; or a sexual offense as described in NRS 179D.097;

(7) When substantial information exists which tends to show that the principal is dishonest or corrupt;

(8) The principal lacks sufficient financial, technical or educational ability or experience to conduct or perform the activity for which approval for suitability is sought;

(9) The principal, or his or her employees or those acting on their behalf, violates any condition upon which approval for suitability was granted;

(10) The principal has engaged in deceptive practices upon the public; or

(11) The principal suffers from a legal disability under the laws of the State.

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: 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 14: 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 _____, 2011.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 6/22/11
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2011, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2011, 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 _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, MMC
City Clerk

BUSINESS IMPACT STATEMENT
BILL NO. 2011-29
(Updates Chapter 6.06 of the Municipal Code relating to privileged licenses)

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2011-29, that would update Chapter 6.06 of the Municipal Code relating to privileged 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.

No comments were solicited. The ordinance is primarily clarifying and simplifying in nature, with a number of provisions being amended to conform to current practice

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:

Some licensing-related processes are simplified and expedited

Direct effects:

Some licensing-related processes are simplified and expedited

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

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: June 20, 2011

City of Las Vegas Agenda Item No.: **60.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC ☐ **Consent** ☒ **Discussion**

SUBJECT:
RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2011-30 - Readopts LVMC 10.02.010 to make State misdemeanors City misdemeanors if committed within the City. Proposed by: Bradford R. Jerbic, City Attorney

Fiscal Impact

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

PURPOSE/BACKGROUND:
Pursuant to LVMC 10.02.010, any offense that constitutes a misdemeanor under State law is also a misdemeanor under City law if it is committed within the corporate boundaries of the City. This permits prosecution of such an offense in Municipal Court. In order to assure that LVMC 10.02.010 is interpreted to incorporate State-law changes made during the 76th Session of the Nevada Legislature, LVMC 10.02.010 should be readopted. This bill will accomplish that objective.

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. 2011-30
2. Business Impact Statement

BILL NO. 2011-30

ORDINANCE NO. _____

AN ORDINANCE TO READOPT THE MUNICIPAL CODE PROVISION MAKING STATE-LAW MISDEMEANORS CITY MISDEMEANORS IF COMMITTED WITHIN THE CITY.

Proposed by: Bradford R. Jerbic, City Attorney

Summary: Readopts LVMC 10.02.010 to make State misdemeanors City misdemeanors if committed within the City.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

WHEREAS, the Charter of the City of Las Vegas declares that any offense made a misdemeanor by the laws of the State of Nevada shall also be a misdemeanor in the City of Las Vegas whenever such offense is committed within the boundaries of the City; and

WHEREAS, the City Council has reaffirmed that declaration by means of the adoption of LVMC 10.02.010; and

WHEREAS, a number of criminal laws were enacted or amended by the Nevada Legislature during its 76th Session, some of which became effective upon passage and approval, and others of which become effective upon October 1, 2011, or upon some other date specified within those laws; and

WHEREAS, the City Council desires by this Ordinance to readopt LVMC 10.02.010 to include within its purview, to the extent affirmative action to do so is necessary, all the State misdemeanor laws which have been enacted by the Nevada State Legislature.

NOW, THEREFORE, BASED UPON THE FOREGOING, THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

. . .

. . .

. . .

. . .

. . .

. . .

SECTION 1: Title 10, Chapter 2, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby readopted.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2011.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed
_____
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2011, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2011, 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 _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, MMC
City Clerk

BUSINESS IMPACT STATEMENT
BILL NO. 2011-30
(Readopts LVMC 10.02.010 to make State misdemeanors City misdemeanors if committed within the City)

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2011-30, that would readopt LVMC 10.02.010 to make State misdemeanors City misdemeanors if committed within the City.

1. The following constitutes a description of the number of the manner in which comment was solicited from affected businesses, a summary of their responses and an explanation of the manner in which other interested persons may obtain a copy of the summary.

Not applicable

2. The estimated economic effect of the proposed rule on businesses, including, without limitation, both adverse and beneficial effects, and both direct and indirect effects:

Adverse effects:

None

Beneficial effects:

None

Direct effects:

None

Indirect effects:

None

3. The following constitutes a description of the methods the local government considered to reduce the impact of the proposed rule on businesses and a statement regarding whether any, and if so which, of these methods were used:

Not applicable

4. The governing body estimates the annual cost to the local government for enforcement of the proposed rule is:

No additional cost

5. If the proposed rule provides for a new fee or increases an existing fee, the total annual amount expected to be collected is:

Not applicable

6. If the proposed rule provides for a new fee or increases an existing fee, the money generated by the new fee or increase in existing fee will be used by the local government to:

Not applicable

7. If the proposed rule includes provisions that duplicate or are more stringent that federal, state or local standards regulating the same activity, the following explains when such duplicative or more stringent provisions are necessary:

Not applicable

Date: June 20, 2011

City of Las Vegas Agenda Item No.: **61.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC ☐ **Consent** ☒ **Discussion**

SUBJECT:
NEW BILL:

Bill No. 2011-31 - Removes the term limitations applicable to members of the Planning Commission. Sponsored by: Councilman Ricki Y. Barlow

Fiscal Impact

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

PURPOSE/BACKGROUND:
Under current ordinance provisions, members of the Planning Commission may not be reappointed so as to continue uninterrupted service after they have served two consecutive full four-year terms. This bill will repeal that limitation.

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. 2011-31
2. Business Impact Statement

BILL NO. 2011-31

ORDINANCE NO. _____

AN ORDINANCE TO REMOVE THE TERM LIMITATIONS APPLICABLE TO MEMBERS OF THE PLANNING COMMISSION, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Ricki Y. Barlow

Summary: Removes the term limitations applicable to members of the Planning Commission.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 2, Chapter 44, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

2.44.020: (A) Except as otherwise provided in Subsection (B) of this Section, the term of each appointed member shall be four years or until his successor takes office, and any vacancy occurring otherwise than through the expiration of term must be filled for the unexpired term.

(B) Each member of the City Council shall be entitled to recommend one person for appointment to the Planning Commission, subject to the approval of the Council. Recommendations shall be on a rotating basis, in the order agreed upon by the Council. If in a particular case the Council does not vote to appoint the recommended person, the member of the Council who made the recommendation shall be entitled to make successive recommendations until a recommended person is appointed by the Council. Beginning with appointments which are to become effective on or after the effective date of the ordinance codified in this Section, the term of each member of the Planning Commission is coterminous with the term of the member of the Council who recommended the appointment. If the recommending Council member resigns from office before the expiration of his or her term, the corresponding member of the Planning Commission may continue to serve until the office is next filled by election. If the office of the recommending Council member becomes vacant before the expiration of the term for any other reason, the corresponding member of the Planning Commission may continue to serve for the duration of the original term.

(C) [No incumbent member or former member who has served at least two consecutive full four-year terms shall be eligible for appointment to a further term until at least two

years have elapsed since the expiration of his or current term or most recent term, as the case may be.

(D)] Members may be removed after a public hearing, by a majority vote of the City Council, for inefficiency, neglect of duty or malfeasance in office.

SECTION 2: This Ordinance shall become effective the day following its publication, but shall be deemed effective as of August 1, 2011.

SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 4: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2011.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 6-30-11
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2011, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2011, 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 _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, MMC
City Clerk

BUSINESS IMPACT STATEMENT
BILL NO. 2011-31
(Removes the term limitations applicable to members of the Planning Commission)

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2011-31, that would remove the term limitations applicable to members of the Planning Commission.

1. The following constitutes a description of the number of the manner in which comment was solicited from affected businesses, a summary of their responses and an explanation of the manner in which other interested persons may obtain a copy of the summary.

Not applicable

2. The estimated economic effect of the proposed rule on businesses, including, without limitation, both adverse and beneficial effects, and both direct and indirect effects:

Adverse effects:

None

Beneficial effects:

None

Direct effects:

None

Indirect effects:

None

3. The following constitutes a description of the methods the local government considered to reduce the impact of the proposed rule on businesses and a statement regarding whether any, and if so which, of these methods were used:

Not applicable

4. The governing body estimates the annual cost to the local government for enforcement of the proposed rule is:

No additional cost

5. If the proposed rule provides for a new fee or increases an existing fee, the total annual amount expected to be collected is:

Not applicable

6. If the proposed rule provides for a new fee or increases an existing fee, the money generated by the new fee or increase in existing fee will be used by the local government to:

Not applicable

7. If the proposed rule includes provisions that duplicate or are more stringent that federal, state or local standards regulating the same activity, the following explains when such duplicative or more stringent provisions are necessary:

Not applicable

Date: June 30, 2011

City of Las Vegas Agenda Item No.: **62.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

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

SUBJECT:

For Possible Action - Any items from the afternoon session that the Council, staff and /or the applicant wish to be stricken, tabled, withdrawn 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: JULY 20, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

☒ **Consent** ☐ **Discussion**

SUBJECT:

EOT-41595 - EXTENSION OF TIME SITE DEVELOPMENT PLAN REVIEW - APPLICANT: BARNET LIBERMAN - OWNER: LEAH PROPERTY, LLC – For possible action on a request for an Extension of Time of a previously approved Site Development Plan Review (SDR-20492) FOR A 120-FOOT HIGH, 1,500 SPACE PARKING STRUCTURE WITH 12,000 SQUARE FEET OF GROUND FLOOR COMMERCIAL on 0.63 acres at the northeast corner of Casino Center Boulevard and Coolidge Avenue (APNs 139-34-410-056, 057, 058, and 059), C-2 (General Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

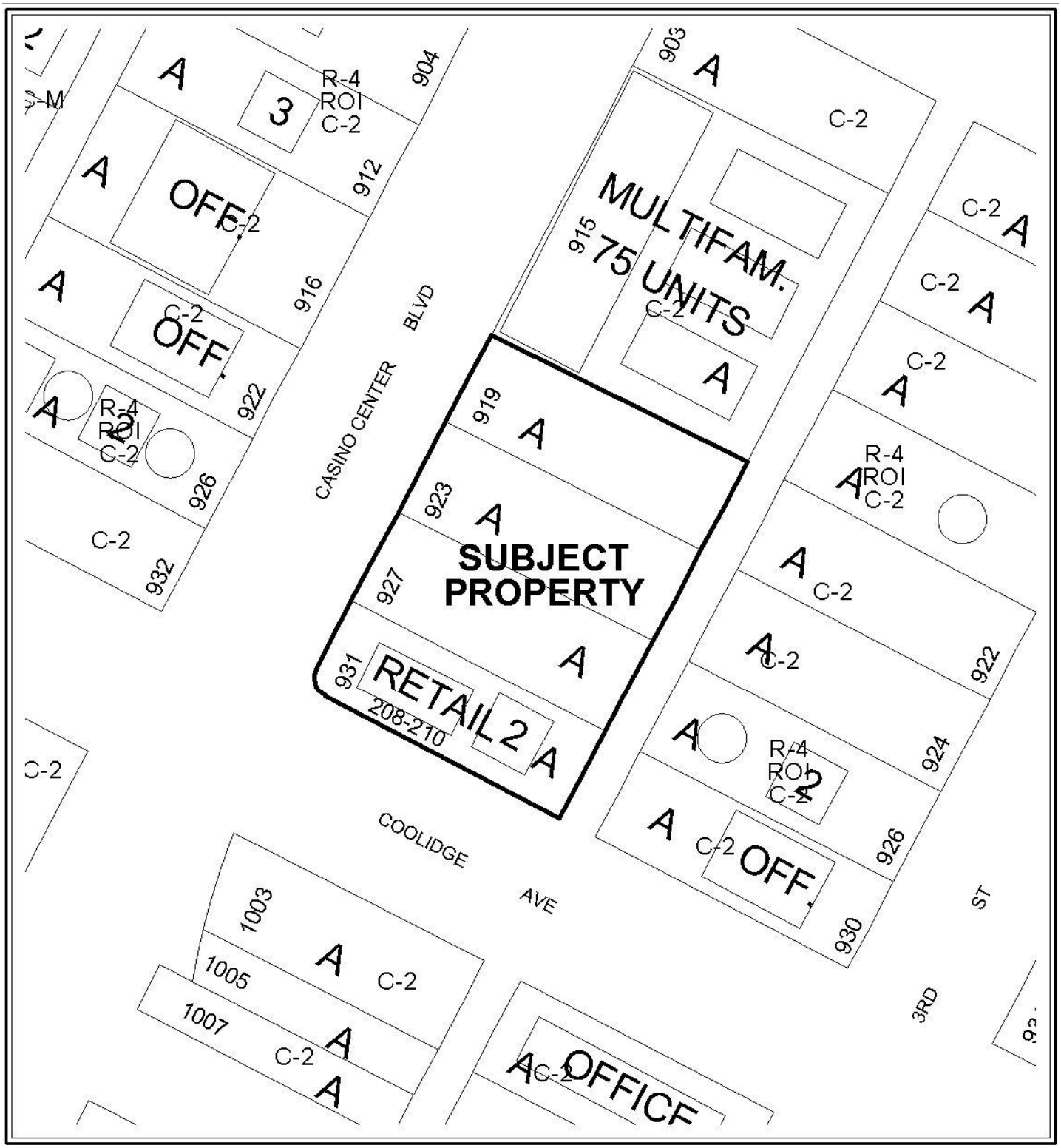
PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions:

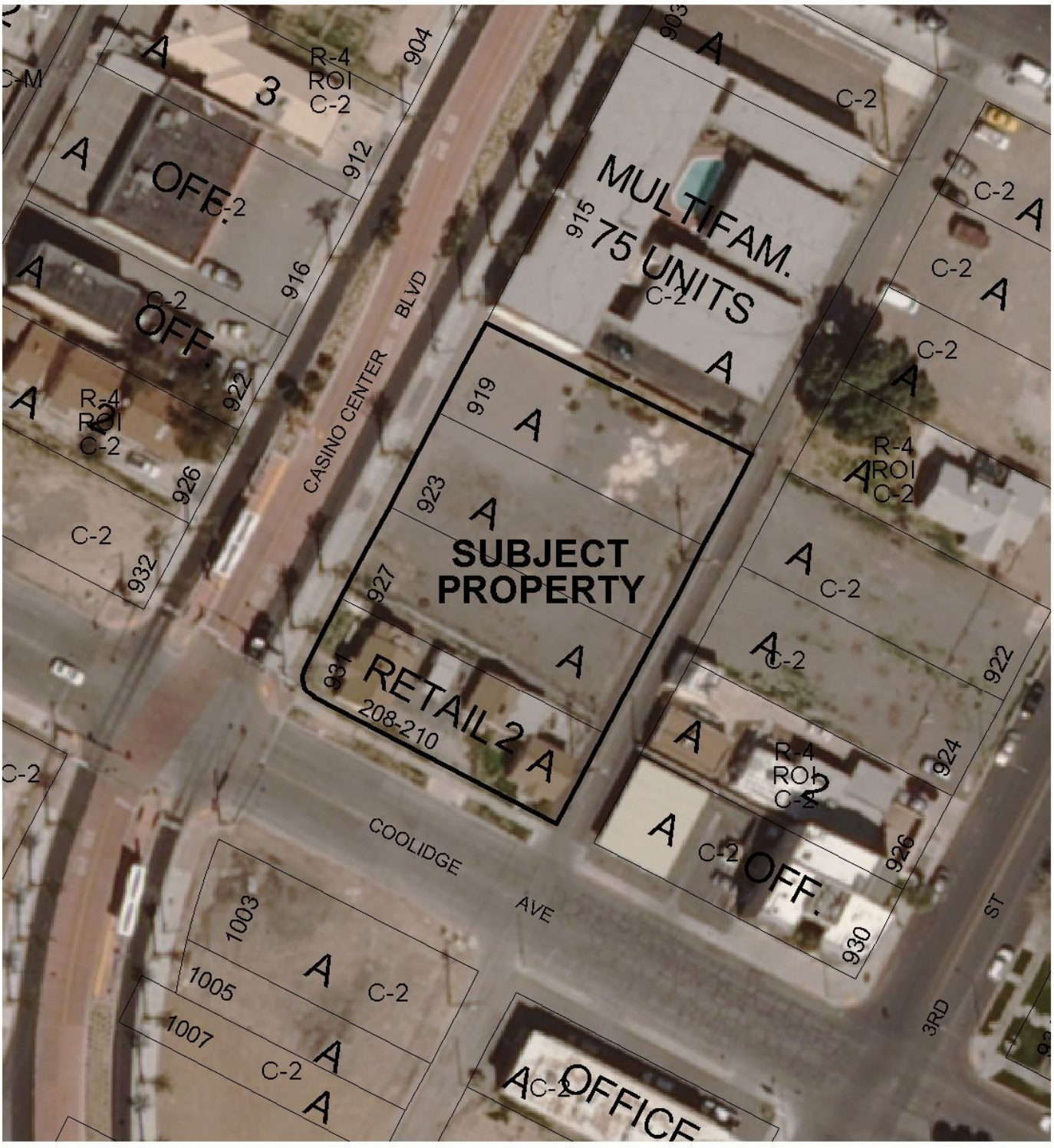
BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report - EOT-41595
3. Supporting Documentation
4. City Council Approval Letter for SDR-20492
5. Justification Letter



CASE: EOT-41595

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)



0 100 200 Feet

CASE: EOT-41595

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 20, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: BARNET LIBERMAN - OWNER: 305 LAS VEGAS, LLC

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

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
EOT-41595	Staff recommends APPROVAL, subject to conditions:	None

**** CONDITIONS ****

EOT-41595 CONDITIONS

Planning

1. This Site Development Plan Review (SDR-20492) shall expire on May 16, 2013 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-20492) and all other site related actions as required by the Department of Planning and department of Public Works.

DS

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site is currently occupied by a retail establishment with the remaining land undeveloped. A Site Development Plan Review (SDR-20492) was previously approved for a 120-foot tall, 1,500 space parking structure with 12,000 square feet of ground floor commercial space at the northeast corner of Casino Center Boulevard and Coolidge Avenue. No plans have been submitted for review nor have any building permits been issued for the proposed project. The applicant recently submitted new plans for a Special Use Permit (SUP-41599) and Site Development Plan Review (SDR-41829) for a 16-story mixed-use development at the subject site that is scheduled to be heard at the August 9, 2011 Planning Commission meeting.

The applicant is requesting an Extension of Time for the Site Development Plan Review (SDR-20492) as they are not at a stage in the project to request building permits, pending approval of the new entitlements. There has been a change in land use and development for a new office and retail development for property located southwest of the subject site. The Site Development Plan Review (SDR-20492) does not negatively affect the recent changes in land use and development; therefore, staff is recommending approval of this request with a two-year time limit.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
12/15/64	The City Council approved a request for Rezoning (Z-0100-64) from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial), C-2 (General Commercial) and C-V (Civic) to C-2 (General Commercial) for approximately 230 acres generally located on property bounded by Main Street to the west, Bonanza Road on the north, Las Vegas Boulevard on the east and Charleston on the south. The Planning Commission recommended approval.
09/23/04	The Planning Commission approved a request for a Site Development Plan Review (SDR-4999) for a proposed 153,100 square-foot mixed development on 1.38 acres adjacent to the north side of Coolidge Avenue between Casino Center Boulevard and 3rd Street. Staff recommended approval.
05/16/07	The City Council approved a request for a Site Development Plan Review (SDR-20492) for a 120-foot high, 1,500 space parking structure with 12,000 square feet of ground floor commercial on 0.63 acres at the northeast corner of Casino Center Boulevard and Coolidge Avenue. The Planning Commission and staff recommended approval.

Related Relevant City Actions by P&D, Fire, Bldg., etc	
04/15/09	The City Council approved a request for an Extension of Time (EOT-33723) of a previously approved Site Development Plan Review (SDR-20492) for a 120-foot high, 1,500 space parking structure with 12,000 square feet of ground floor commercial on 0.63 acres at the northeast corner of Casino Center Boulevard and Coolidge Avenue. Staff recommended approval.
08/09/11	The Planning Commission is scheduled to hear a request for a Special Use Permit (SUP-41599) for a proposed 16-story mixed-use development on 0.64 acres at the northeast corner of Casino Center Boulevard and Coolidge Avenue. Staff is recommending denial.
	The Planning Commission is scheduled to hear a related request for a Site Development Plan Review (SDR-41829) for a proposed 16-story mixed-use development, including 16,000 square feet of commercial space and 330 multi-family residential units and a waiver of the Downtown Centennial Plan Streetscape standards.

Most Recent Change of Ownership	
11/07/06	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
11/04/83	A business license (G04-01039) was issued for a Retail Establishment at 931 S. Casino Center Boulevard. The license is still active.
There have not been any building permits issued for the proposed project.	

Pre-Application Meeting
A pre-application meeting was not required, nor was one held.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Details of Application Request	
Site Area	
Gross Acres	0.63

Surrounding Property	*Existing Land Use Per Title 19.04*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	Undeveloped Land; Retail Establishment with Proposed Parking Structure and Commercial Establishments	MXU (Mixed-Use)	C-2 (General Commercial)
North	Multi-Family Units	MXU (Mixed-Use)	C-2 (General Commercial)
South	Undeveloped Land	MXU (Mixed-Use)	C-2 (General Commercial)
East	Offices and Undeveloped Land	MXU (Mixed-Use)	R-4 (High Density Residential) with a Resolution of Intent to C-2 (General Commercial) and C-2 (General Commercial)
West	Offices and Undeveloped Land	MXU (Mixed-Use)	R-4 (High Density Residential) with a Resolution of Intent to C-2 (General Commercial) and C-2 (General Commercial)

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area			
Downtown Centennial Plan (18B Las Vegas Arts District)	X		Y
Special Purpose and Overlay Districts	***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
Las Vegas Redevelopment Plan Area	X		Y
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-20492) for a 120-foot tall, 1,500 space parking structure with 12,000 square feet of ground floor commercial space at the northeast corner of Casino Center Boulevard and Coolidge Avenue. No plans have been submitted for review nor have any building permits been issued for the proposed project. The applicant recently submitted new plans for a Special Use Permit (SUP-41599) and Site Development Plan Review (SDR-41829) for a 16-story mixed-use development at the subject site that is scheduled to be heard at the August 9, 2011 Planning Commission meeting.

Title 19.16.100 of the Unified Development Code deems a Site Development Plan Review exercised upon the issuance of a building permit for the principal structure on site.

FINDINGS

The Site Development Plan Review (SDR-20492) has not met Title 19.16.100 requirements to exercise the entitlement as no building permits have yet to be issued. The applicant is requesting an Extension of Time as they are not at a stage in the project to request building permits, pending the approval of the new entitlements. There has been a change in land use and development in the surrounding area that includes a new office and retail development located southwest of the subject site. The Site Development Plan Review (SDR-20492) does not negatively affect the recent changes in land use and development; therefore, staff is recommending approval of this request with a two-year time limit. Conformance to the conditions of approval of the Site Development Plan Review (SDR-20492) shall be required.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **EOT-41595** APN: 139-34-410-056, 057, 058, 059

Name of Property Owner: Leah Property LLC

Name of Applicant: Barnet Liberman

Name of Representative: APTUS

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 28TH day of APRIL, 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

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Extension of Time for SUP 20492

Project Address (Location) 330 E. Charleston

Project Name The Royale at Casino Center **Proposed Use** Mixed use

Assessor's Parcel #(s) 139-34-410-056, 057 ,058 ,059 **Ward #** 3- Reese

General Plan: existing MXU proposed n/a **Zoning:** existing C-2 proposed n/a

Commercial Square Footage 16,000 **Floor Area Ratio**

Gross Acres .64 **Lots/Units** 330 **Density**

Additional Information

PROPERTY OWNER Leah Property LLC **Contact** Barnet Liberman

Address 421 Hudson Street **Phone:** (212) 243-1320 **Fax:** (212) 243-7305

City New York **State** NY **Zip** 10014

E-mail Address barnetlib@aol.com

APPLICANT Barnet Liberman **Contact** Barnet Liberman

Address 421 Hudson Street **Phone:** (212) 243-1320 **Fax:** (212) 243-7305

City New York **State** NY **Zip** 10014

E-mail Address barnetlib@aol.com

REPRESENTATIVE APTUS **Contact** Kristen Neuman

Address 1200 S. 4th Street, Suite 206 **Phone:** (702) 839-1200 **Fax:** (702) 839-1212

City Las Vegas **State** NV **Zip** 89104

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 BARNET L LIBERMAN

Subscribed and sworn before me

This 28TH day of APRIL, 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 14

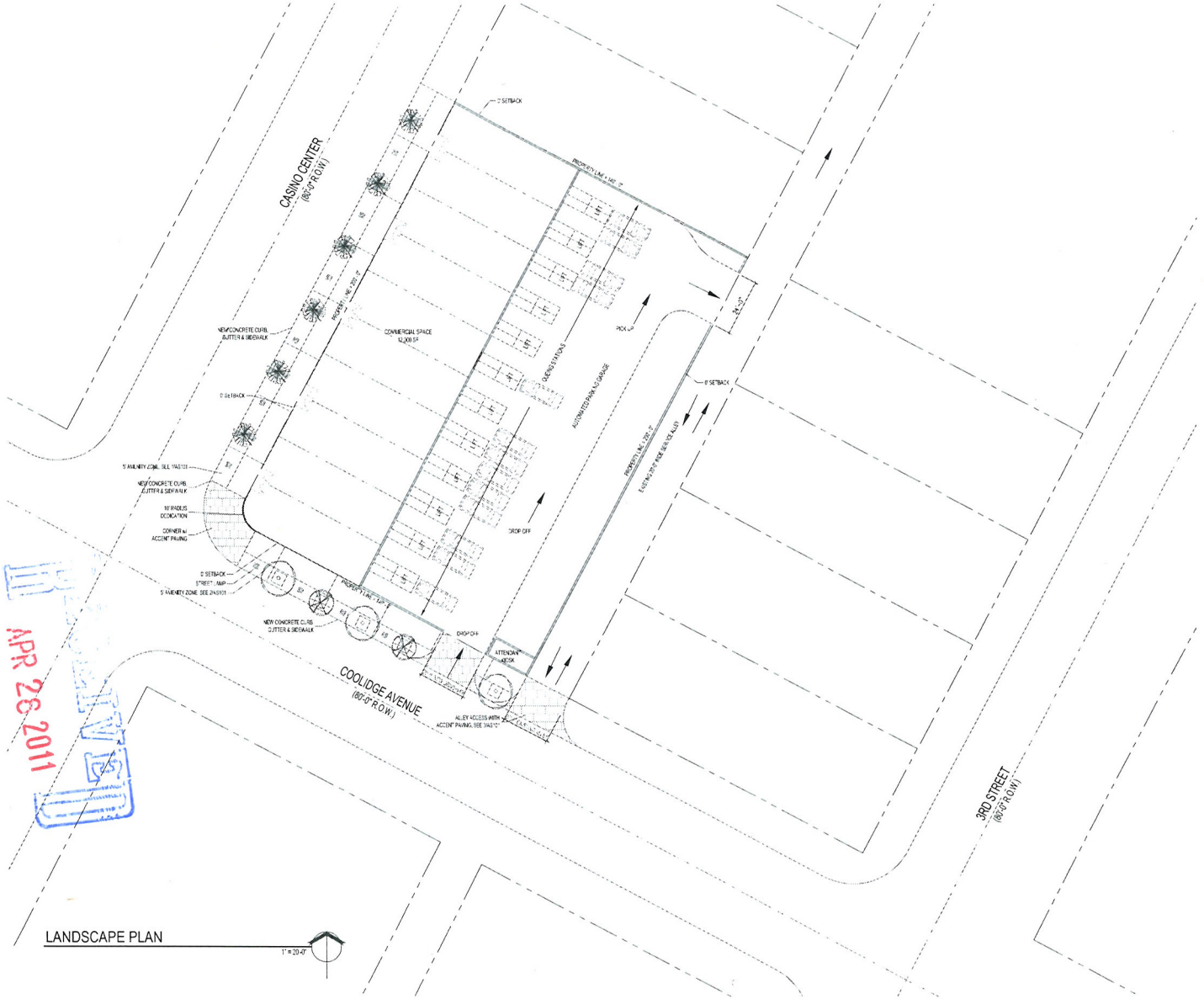
FOR DEPARTMENT USE ONLY

Case #	EOT-41595
Meeting Date:	7/20/11
Total Fee:	$300
Date Received:*	4/28/11
Received By:	

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

Revised 10/27/08

f:\depot\Application Packet\Application Form.pdf



APR 28 2011

Landscape Legend

SYMBOL	COMMON NAME	SIZE	QTY.
	DESERT MOOR DATE PALM	36" Box	6
	SHOESTRING ACACIA	36" Box	2
	SOUTHERN LIVE OAK	36" Box	3
	TEXAS RANGER AND WHITE CLOUD TEXAS RANGER MIX	10 Gal.	12
	SILK MIMOSA	10 Gal.	9
	DESERT CASSIA	10 Gal.	18
	BRONZE SEDGE & DEER GRASS 50-50 Mix	10 Gal.	19

DECORATIVE GRAVEL - 1/2" MINUS SANDSTONE
NO TURF

APTUS|Architecture
1245 Seventh Ave Service
Suite 206
Las Vegas, Nevada 89104
P 702 839 1205
F 702 839 1213
info@aptusarchitecture.com

Aquarius Parking
Site Development Review
Casino Center and Coolidge Avenue
Las Vegas, Nevada 89104

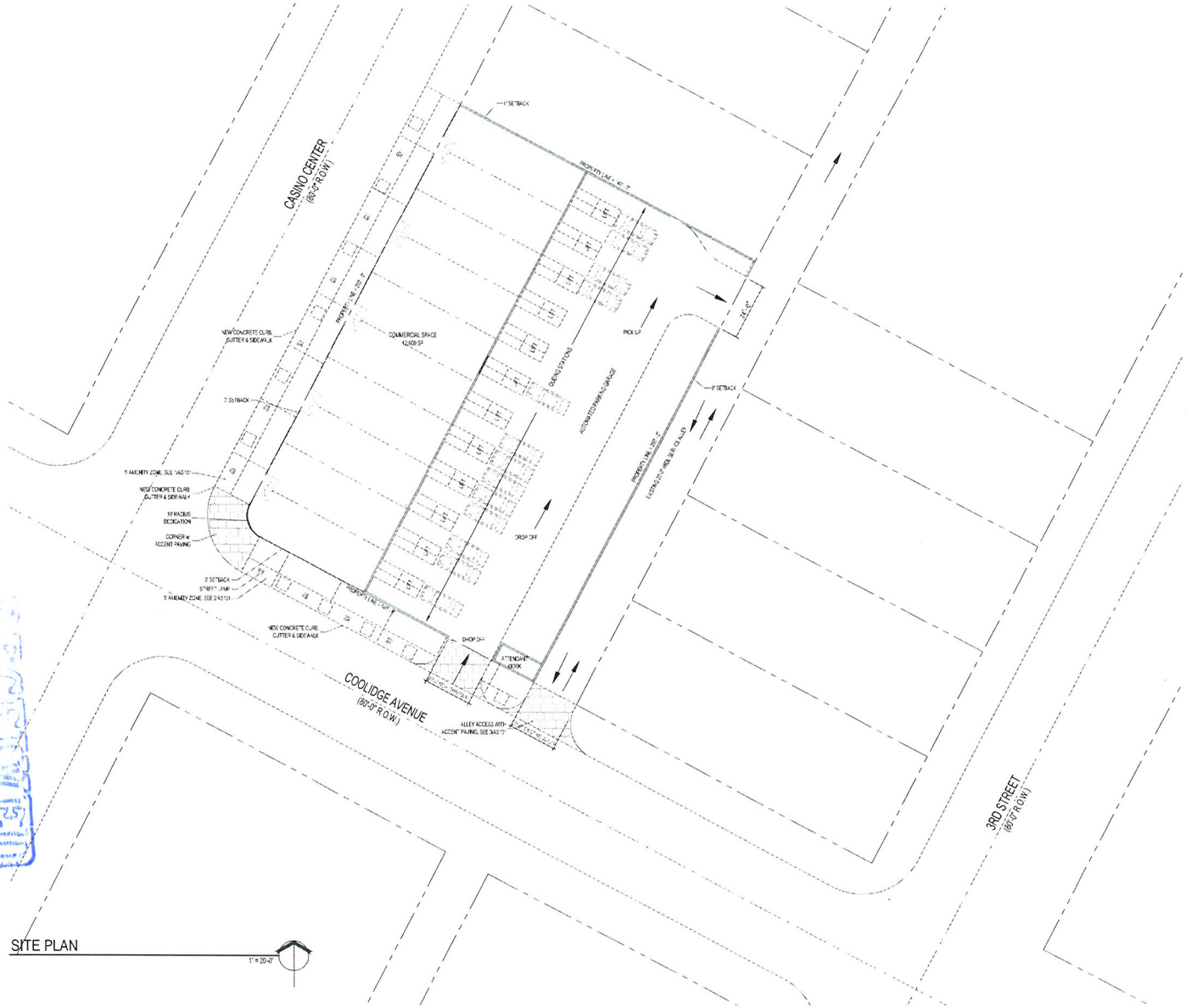
City of Las Vegas SDR, SUP, RZ, VAC Submittal 3.13.07

LANDSCAPE PLAN

L102

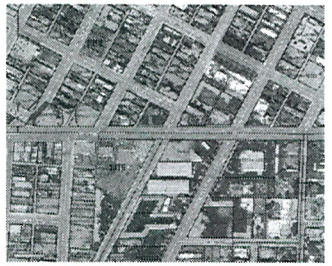
EOT-41595

06.177 LV Land Partners



SITE PLAN

1" = 20'-0"



LOCATION MAP

N.T.S.

Site Zoning & Data

SITE DATA

PARCEL NUMBER	139-34-410-056, 057, 058, 059
JURISDICTION	CITY OF LAS VEGAS, 89104
EXISTING ZONING	C-2
SITE AREA	27,443 NSF 63 NET ACRES

SETBACKS - (BUILDING)

	REQ'D	PROVIDED
FRONT	10'-0"	0'-0"
INTERIOR SIDE	10'-0"	0'-0"
SIDE STREET	10'-0"	0'-0"
REAR	10'-0"	0'-0"

MAX HEIGHT	N/A
ACTUAL HEIGHT	120'-0"
LOT COVERAGE ALLOWED	N/A
ACTUAL LOT COVERAGE	99.8%

BUILDING AREA

BUILDING AREAS:	
COMMERCIAL	12,000 SF
AUTOMATED PARKING STRUCTURE	15,400 SF
TOTAL	27,400 SF

PARKING COUNTS

PROVIDED	1,500 SPACES

APR 28 2011

APTUS Architecture

Aquarius Parking

Site Development Review

Casino Center and Coolidge Ave.
Las Vegas, Nevada 89104

City of Las Vegas SDR, SUP, RZ, VAC Submittal 3.13.07

SITE PLAN

AS102

06.177 LV Land Partners

EOT-41595

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

May 18, 2007

Mr. David Mitchell
Live Work, LLC
41 East 60th Street, 6th Floor
New York, New York 10022

RE: SDR-20492 – SITE DEVELOPMENT PLAN REVIEW
CITY COUNCIL MEETING OF MAY 16, 2007
RELATED TO ZON-20507, SUP-20519, VAC-20522 AND SDR-20502

Dear Mr. Mitchell:

The City Council at a regular meeting held May 16, 2007 APPROVED the request for a Site Development Plan Review FOR A 120-FOOT HIGH 1,500 SPACE PARKING STRUCTURE WITH 12,000 SQUARE FEET OF GROUND FLOOR COMMERCIAL on 0.63 acres at the northeast corner of Casino Center Boulevard and Coolidge Avenue (APNs 139-34-410-056, 057, 058 and 059), C-2 (General Commercial) Zone and R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on May 17, 2007. This approval is subject to:

Planning & Development

1. Conformance to the Conditions of Approval for Rezoning (Z-0100-64) shall be required, 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.

3. All development shall be in conformance with the site plan, date stamped 04/06/07, and the landscape plan and building elevations, date stamped 03/13/07, except as amended by conditions herein.

4. Recordation of a reversionary parcel map or administrative joining consolidating the parcels on the site prior to issuance of any building or grading permits.

5. All proposed signage locations as depicted on the building elevations, date stamped 03/13/07, must be for on-premise advertising only. Off-premise advertising signs will require separate approval through the Special Use Permit application process. All signage must meet the applicable requirements of the Downtown Centennial Plan and Title 19. All signage requires the issuance of a building permit.

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

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

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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 application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan: all tree heights are to be included in the landscape legend to ensure compliance with the Downtown Centennial Plan's minimum streetscape standards.

7. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

8. 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.

9. 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).

10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of 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. 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.

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15. 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.

16. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

17. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the Casino Center/3rd Street Realignment Project, Casino Center Bus Rapid Transit Project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.

18. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Las Vegas Downtown Centennial Plan Standards concurrent with development of this site, except as amended by Conditions of Approval herein.

19. Submit a Reversionary Map for this site or coordinate with the City Surveyor to determine an acceptable mapping method; comply with the recommendations of the City Surveyor.

20. Landscape and maintain all unimproved rights-of-way, if any, on Casino Center Boulevard and Coolidge 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.

21. Submit an Encroachment Agreement for all landscaping, if any, located in the Casino Center Boulevard and Coolidge Avenue public right-of-way adjacent to this site prior to occupancy of this site.

22. Submit an application for a deviation from Standard Drawing #222a for the driveways accessing this site from Coolidge Avenue. Revise the on-site circulation pattern to ingress from the alley and egress onto Coolidge Avenue.

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EOT-41595

23. 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.

Sincerely,

Angela Crolli

Angela Crolli
Deputy City Clerk II for
Beverly K. Bridges, CMC, Acting City Clerk

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

Mr. Barnett Liberman
Live Work, LLC
421 Hudson Street
New York, New York 10014

Ms. Kristen Neuman
Aptus Architecture
1200 South 4th Street, Suite #206
Las Vegas, Nevada 89104

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EOT-41595

APTUS

April 28, 2011

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

APN: 162-03-115-001 and 002
139-34-410-056, 057, 058 and 059

Re: Extension of Time for:
SDR-20502
SUP-20519
SDR-20492

To Whom It May Concern:

We respectfully submit this request for an Extension of Time for the aforementioned applications. The owner is still moving forward with this project but it is not at a stage yet to apply for building permits. We are requesting an extension of time for 2 years.

The owner desires to provide much needed and obtainable rental housing within the downtown area of the city. To compliment approximately 1,100 condominium residences for rent will be almost 70,000 square feet of commercial space. This residential and commercial development will be an asset to the City of Las Vegas by helping to spur additional revitalization and reinforcing redevelopment in an area which has already begun a transformation.

We have made every attempt to try and follow City of Las Vegas Title 19 as well as the Centennial Plan as closely as possible in the design and layout of this site. We hope that you will join us in our attempt to bring much-needed high caliber product into downtown and to Las Vegas residents.

Respectfully Submitted,

Kristen G. Neuman, AIA
APTUS

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EOT-41595

Architecture
Engineering
Planning
Interiors
Landscape

Las Vegas
1200 South 4th Street
Suite 206
Las Vegas, Nevada 89104
P 702.839.1200
F 702.839.1213

Riverside
3750 Sante Fe Avenue
Suite 106
Riverside, California 92507
P 951.823.0555
F 951.823.0550

aptusgroup.com

City of Las Vegas Agenda Item No.: **64.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☒ **Consent** ☐ **Discussion**

SUBJECT:

EOT-41596 - EXTENSION OF TIME RELATED TO EOT-41595 - SPECIAL USE PERMIT - APPLICANT: BARNET LIBERMAN - OWNER: 305 LAS VEGAS, LLC - For possible action on a request for an Extension of Time 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 at the southwest corner of Charleston Boulevard and Fourth Street (APNs 162-03-115-001 and 002), C-1 (Limited Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

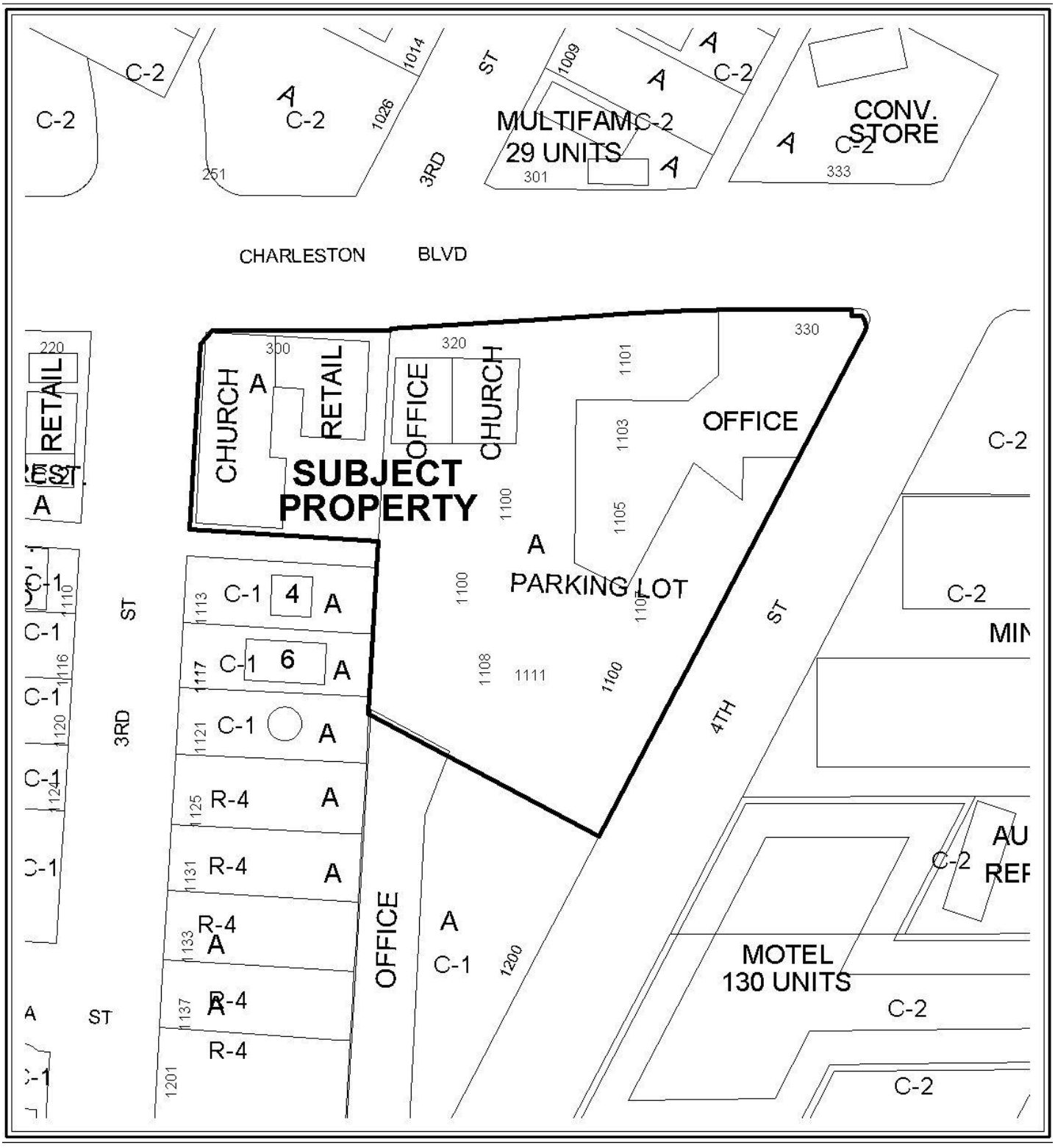
PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:

1. Location and Aerial Maps – EOT-41596 and EOT-41597
2. Conditions and Staff Report – EOT-41596 and EOT-41597
3. Supporting Documentation
4. City Council Approval Letter for SUP-20519
5. Justification Letter



0 100 200 Feet

CASE: EOT-41596 AND EOT-41597

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

N



CASE: EOT-41596 AND EOT-41597

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

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 20, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: BARNET LIBERMAN - OWNER: 305 LAS VEGAS, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
EOT-41596	Staff recommends APPROVAL, subject to conditions:	None
EOT-41597	Staff recommends APPROVAL, subject to conditions:	None

** CONDITIONS **

EOT-41596 CONDITIONS

Planning

1. This Special Use Permit (SUP-20519) shall expire on May 16, 2013 unless another Extension of Time is approved by the City Council.

2. Conformance to the conditions of approval of the Special Use Permit (SUP-20519) and all other site related actions as required by the Department of Planning and Department of Public Works.

EOT-41597 CONDITIONS

Planning

1. This Site Development Plan Review (SDR-20502) shall expire on May 16, 2013 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-20502) and all other site related actions as required by the Department of Planning and Department of Public Works.

DS

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site is currently occupied by offices, retail establishments, a church and a parking lot. A Special Use Permit (SUP-20519) and Site Development Plan Review (SDR-20502) were previously approved for the property for 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 and Fourth Street. No plans have been submitted for review nor have any building permits been issued for the proposed development. On August 9, 2011, the Planning Commission is scheduled to hear requests for Major Amendments (SDR-41600 and SUP-42182) to increase the total square footage of commercial space, increase the number of residential units, and add a parking structure to the proposed development.

The applicant is requesting an Extension of Time as they are not at a stage in the project to request building permits, pending a decision on the new entitlements. There have been changes in land use and development in the surrounding area that includes mixed-use projects located to the west and southwest of the subject site. The approved Special Use Permit (SUP-20519) and Site Development Plan Review (SDR-20502) will not negatively affect the new development; therefore, staff is recommending approval of these requests.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
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 Fourth Street. The Planning Commission and staff recommended approval.
05/16/07	The City Council approved a request for 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 Fourth Street. The Planning Commission and staff recommended approval.
	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.
	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.

Related Relevant City Actions by P&D, Fire, Bldg., etc	
	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 and staff recommended approval.
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 Fourth Street. Staff recommended approval.
	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.
05/28/09	The Planning and Development Department approved a request for a Minor Amendment (SDR-34113) to a previously approved Site Development Plan Review (SDR-20502) that allowed a 12-story mixed-use development including 58,000 square feet of commercial space and 1,100 residential condominium units on 2.67 acres at the southwest corner of Charleston Boulevard and Fourth Street.
12/11/09	The Planning and Development Department administratively approved a request for an Extension of Time (EOT-36621) of a previously approved Petition to Vacate (VAC-29235) which vacated an alley and a public access easement at 300 and 330 East Charleston Boulevard.
12/01/10	The Planning and Development Department administratively approved a request for an Extension of Time (EOT-40171) of a previously approved Petition to Vacate (VAC-29235) which vacated an alley and a public access easement at 300 and 330 East Charleston Boulevard.
08/09/11	The Planning Commission is scheduled to hear requests for Major Amendments (SDR-41600 and SUP-42182) to previously approved Site Development Plan Review (SDR-20502) and Special Use Permit (SUP-20519) to increase the total square footage of commercial space, increase the number of residential units and add a parking structure to the proposed development located at the southwest corner of Charleston Boulevard and Fourth Street.

Most Recent Change of Ownership	
05/02/07	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
08/20/96	A business license (M01-05281) was issued for an Aquarium Cleaner at 330 East Charleston Boulevard, Suite 201. The license is still active.
11/15/06	A business license (Q13-00972) was issued for a Law Firm at 320 East Charleston Boulevard, Suite 203. The license is still active.
08/15/07	A business license (Q13-00786) was issued for a Law Firm at 330 East Charleston Boulevard, Suite 204. The license is still active.
11/24/08	A business license (Q19-00121) was issued for an Investigative Firm at 300 East Charleston Boulevard, Suite 105. The license is still active.
07/08/09	A business license (Q13-01228) was issued for a Law Firm at 320 East Charleston Boulevard, Suite 105. The license is still active.
10/06/09	A business license (Q13-00290) was issued for a Law Firm at 300 East Charleston Boulevard, Suite 105. 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, Suite 204. The license is still active.
03/12/10	A business license (M18-04979) was issued for an Event Promoter at 320 East Charleston Boulevard, Suite 104. The license is still active.
03/16/10	A business license (R23-00416) was issued for a Recreational Instructor at 320 East Charleston Boulevard, Suite 103. The license is still active.
03/25/10	A business license (Q13-01303) was issued for a Law Firm at 330 East Charleston Boulevard, Suite 204. The license is still active.
04/26/10	A business license (Q13-01225) was issued for a Law Firm at 330 East Charleston Boulevard. The license is still active.
04/28/11	A business license (Q13-92067) was issued for a Law Firm at 330 East Charleston Boulevard, Suite 100. The license is still active.
05/03/11	A business license (Q13-01401) was issued for a Law Firm at 300 East Charleston Boulevard, Suite 105. The license is still active.
06/06/11	A business license (Q13-01405) was issued for a Law Firm at 330 East Charleston Boulevard, Suite 100. The license is still active.
06/07/11	A business license (Q13-01406) was issued for a Law Firm at 330 East Charleston Boulevard, Suite 100. The license is still active.
There have not been any plans submitted for review or building permits issued for the proposed project.	

Pre-Application Meeting
A pre-application meeting was not required, nor was one held.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Details of Application Request	
Site Area	
Gross Acres	2.67

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Offices, Parking Lot, Retail Establishments, Church	C (Commercial)	C-1 (Limited Commercial)
North	Convenience Store, Multi-Family Residences	C (Commercial)	C-2 (General Commercial)
South	Offices, Apartments	C (Commercial) and MXU (mixed-Use)	C-1 (Limited Commercial)
East	Convenience Store and Mini-Storage Facility	C (Commercial)	C-2 (General Commercial)
West	Retail Establishment, Restaurant	C (Commercial)	C-2 (General Commercial)
	Offices	MXU (Mixed-Use)	C-1 (Limited Commercial)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area			
Downtown Centennial Plan (18B Las Vegas Arts District)	X		Y
Special Purpose and Overlay Districts	***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
Las Vegas Redevelopment Plan Area	X		Y
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-20519) and 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 at the southwest corner of Charleston Boulevard and Fourth Street. No plans have been submitted for review nor have any building permits been issued for the proposed development. On August 9, 2011, the Planning Commission is scheduled to hear requests for Major Amendments (SDR-41600 and SUP-42182) to increase the total square footage of commercial space, increase the number of residential units, and add a parking structure to the proposed development.

Title 19.16.110 and 19.16.100 of the Unified Development Code deem a Special Use Permit and Site Development Plan Review exercised upon the issuance of a building permit.

FINDINGS

The Special Use Permit (SUP-20519) and Site Development Plan Review (SDR-20502) have not met the requirements outlined in Title 19.16 to exercise the entitlements as no building permits have yet to be issued for the proposed project. The applicant is requesting an Extension of Time as they are not at a stage in the project to request building permits, pending a decision on the new entitlements. There have been changes in land use and development in the surrounding area that includes mixed-use projects located to the west and southwest of the subject site. The approved Special Use Permit (SUP-20519) and Site Development Plan Review (SDR-20502) will not negatively affect the new development; therefore, staff is recommending approval of these requests with a two-year time limit. Conformance to the conditions of approval of the Special Use Permit (SUP-20519) and Site Development Plan Review (SDR-20502) shall be required.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **EOT-41596** APN: 162-03-115-001 and 002

Name of Property Owner: 305 Las Vegas LLC

Name of Applicant: Barnet Liberman

Name of Representative: APTUS

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 28th day of April, 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

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Extension of Time for SUP 20519

Project Address (Location) 330 E. Charleston

Project Name Aquarius Apartments **Proposed Use** Mixed use

Assessor's Parcel #(s) 162-03-115-001 and 002 **Ward #** 3- Reese

General Plan: existing MXU proposed n/a **Zoning:** existing C-2 proposed n/a

Commercial Square Footage 58,000 **Floor Area Ratio**

Gross Acres 2.67 **Lots/Units** 1,100 **Density**

Additional Information

PROPERTY OWNER 305 Las Vegas LLC **Contact** Barnet Liberman

Address 421 Hudson Street **Phone:** (212) 243-1320 **Fax:** (212) 243-7305

City New York **State** NY **Zip** 10014

E-mail Address barnetlib@aol.com

APPLICANT Barnet Liberman **Contact** Barnet Liberman

Address 421 Hudson Street **Phone:** (212) 243-1320 **Fax:** (212) 243-7305

City New York **State** NY **Zip** 10014

E-mail Address barnetlib@aol.com

REPRESENTATIVE APTUS **Contact** Kristen Neuman

Address 1200 S. 4th Street, Suite 206 **Phone:** (702) 839-1200 **Fax:** (702) 839-1212

City Las Vegas **State** NV **Zip** 89104

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 BARNET L LIBERMAN

Subscribed and sworn before me

This 28TH day of APRIL, 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

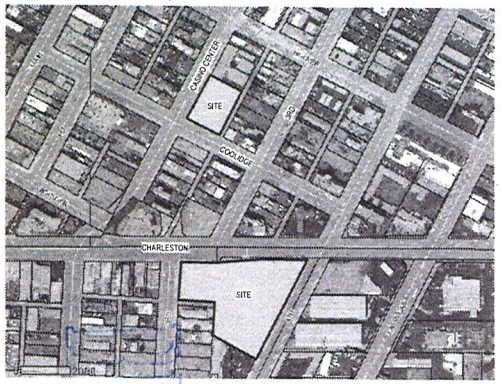
Case #	EOT-41596
Meeting Date:	7.20.11
Total Fee:	$300
Date Received:*	4/28/11
Received By:	

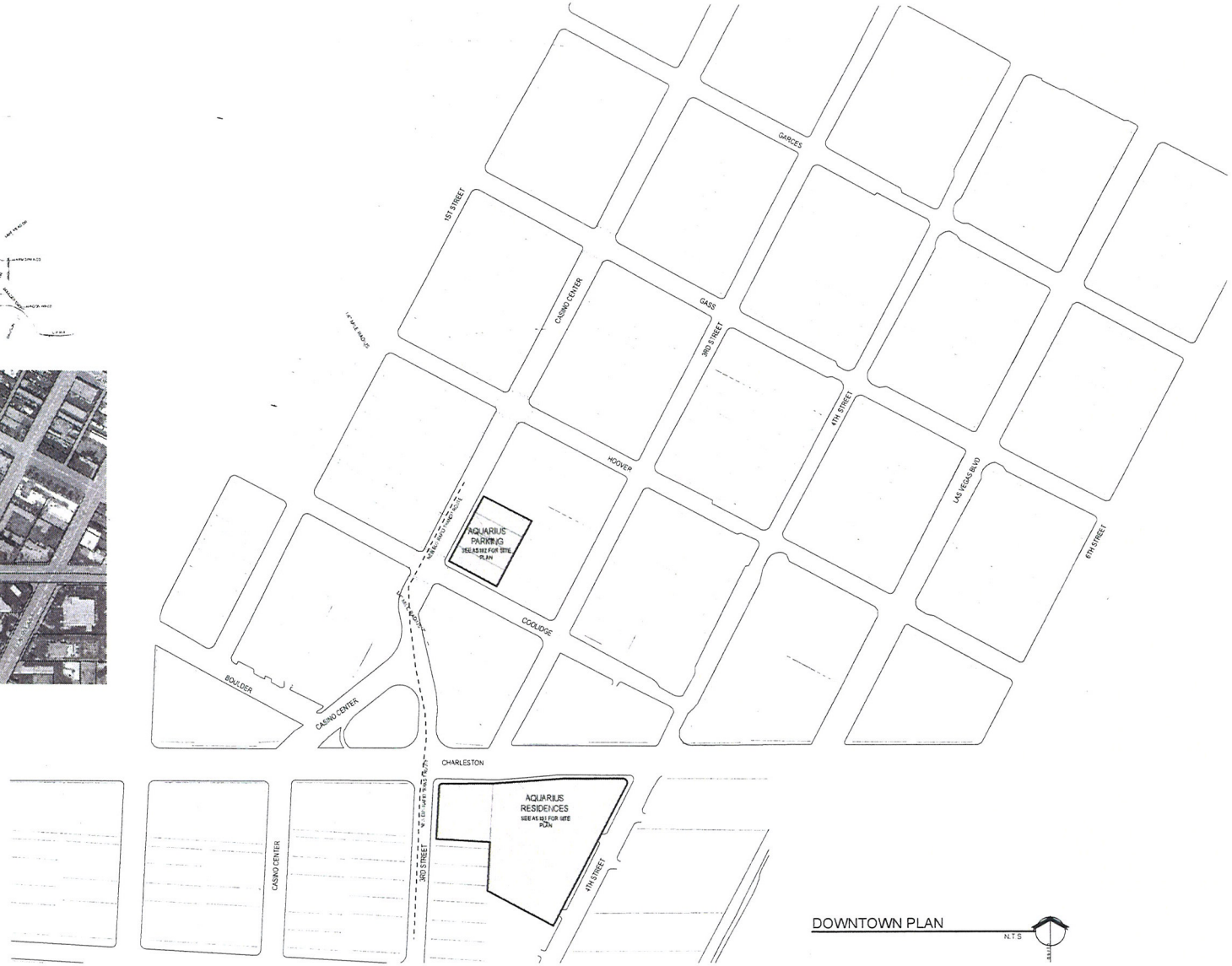
*The application will not be deemed complete until the submitted materials have been reviewed by the Department of Planning for consistency with applicable sections of the Zoning Ordinance.

f:\depot\Application Packet\Application Form.pdf

Revised 10/27/08







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APTUS Architecture
1200 South 4th Street
Suite 206
Las Vegas, Nevada 89104
P 702.839.1200
F 702.839.1213

Aquarius Residences

Charleston and 4th Street
Las Vegas, Nevada 89104

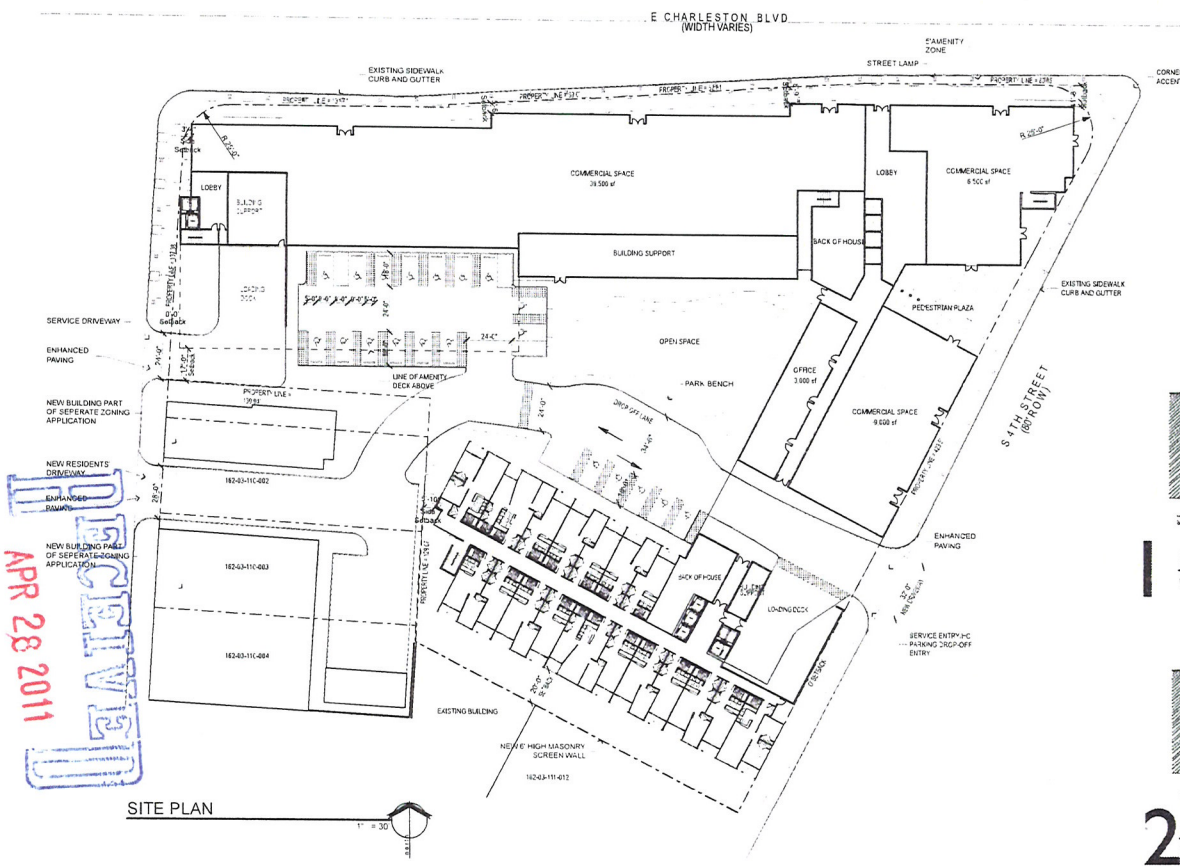
City of Las Vegas SDR SUP RZ VAC Submittal 3 13 07

SITE PLAN

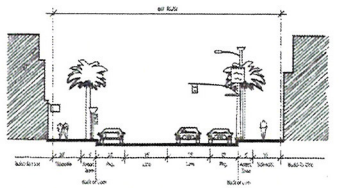
AS100

06 177 LV Land Partners

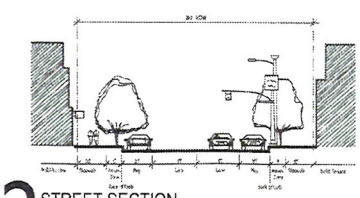
EOT-41596



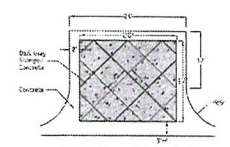
SITE PLAN



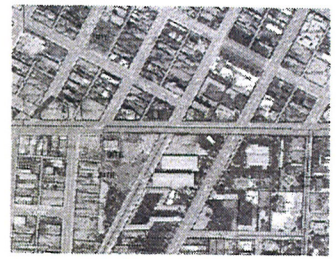
1 STREET SECTION
(North - South)
N.T.S.



2 STREET SECTION
(East-West)
N.T.S.



3 RADIUS DRIVEWAY / ALLEY STANDARD
N.T.S.



Site 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)

	REQD	PROVIDED
FRONT	10'-0"	3'-6", 8'-9 1/2", 11'-3 1/2"
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.	8.10
DU/ACRE	412

PARKING COUNTS

BUILDING AREA REQUIRED PARKING	PROVIDED
UNITS 1,100 UNITS = 1,100 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

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1200 South 4th Street
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Las Vegas, Nevada 89104
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F 702.839.1213

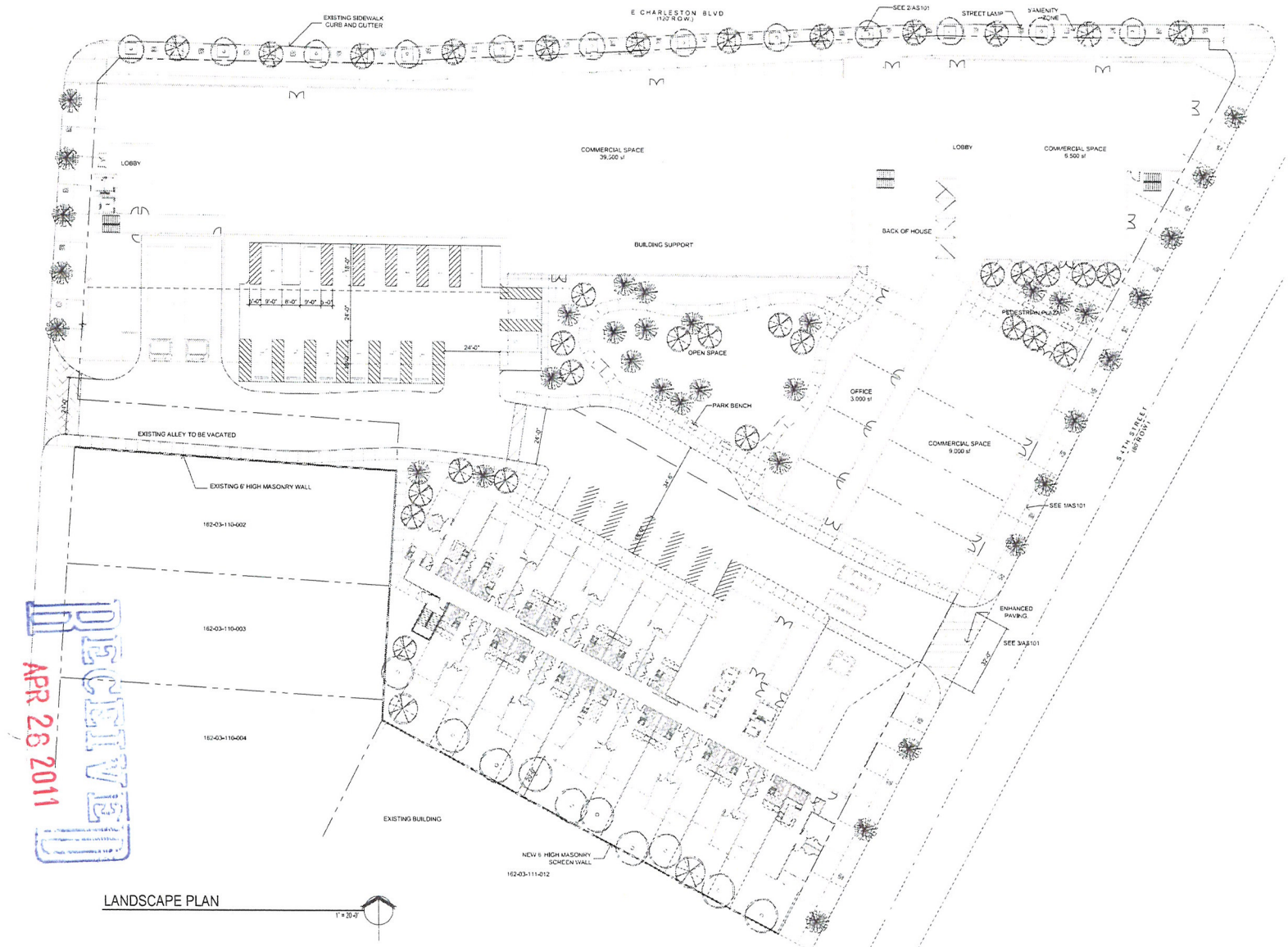
Aquarius Residences
Site Development Review
Charleston and 4th Street
Las Vegas, Nevada 89104

City of Las Vegas SDR SUP RZ VAC Submittal 3.13.07
City of Las Vegas SDR SUP RZ VAC Submittal (REV) 4.6.07
City of Las Vegas SDR SUP RZ VAC Submittal (REV) 4.8.09

SITE PLAN
AS101

06.177 Aquarius Residences

EOT-41596



LANDSCAPE PLAN
1" = 20'-0"

Landscape Legend

SYMBOL	COMMON NAME	SIZE	QTY
	DESERT MOR DATE PALM	30" Box	33
	SHOESTRING ACACIA	36" Box	32
	SOUTHERN LIVE OAK	36" Box	25
	TEXAS RANGER AND WHITE CLOUD TEXAS RANGER VAR	10 Gal.	42
	SILK MIMOSA	10 Gal.	31
	DESERT CASSIA	10 Gal.	66
	BRONZE SEDGE & DEER GRASS SOD MIX	10 Gal.	39

DECORATIVE GRAVEL - 1/2" MINUS SANDSTONE
NO TURF

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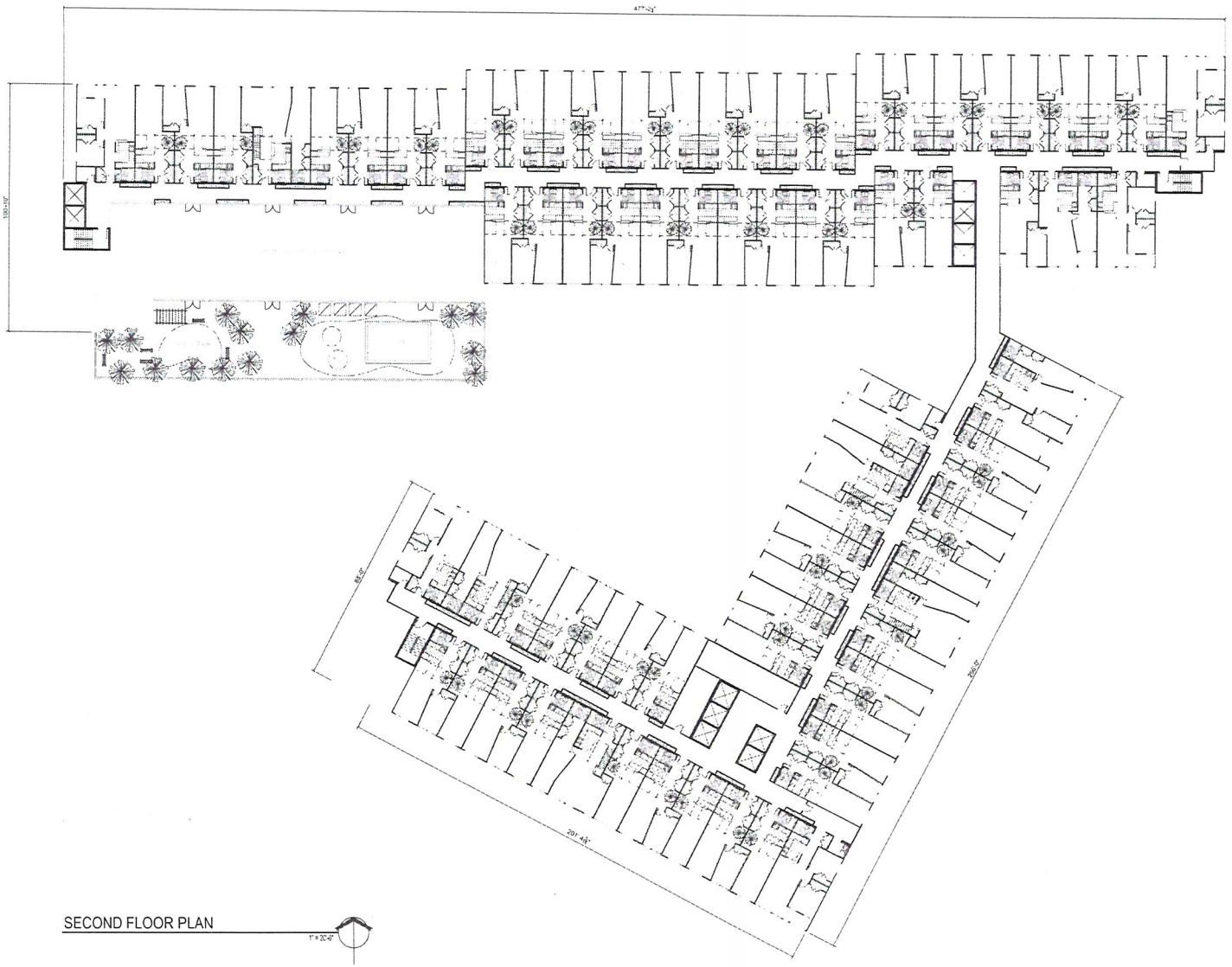
LANDSCAPE PLAN
L101

06.177 LV Land Partners

EOT-41596



SECOND FLOOR PLAN

1" = 20'-0"

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APTUS Architecture

Aquarius Residences

Site Development Review

Charleston and 4th Street
Las Vegas, Nevada 89104

City of Las Vegas SDR, SUP, RZ, VAC Submittal 3.13.07

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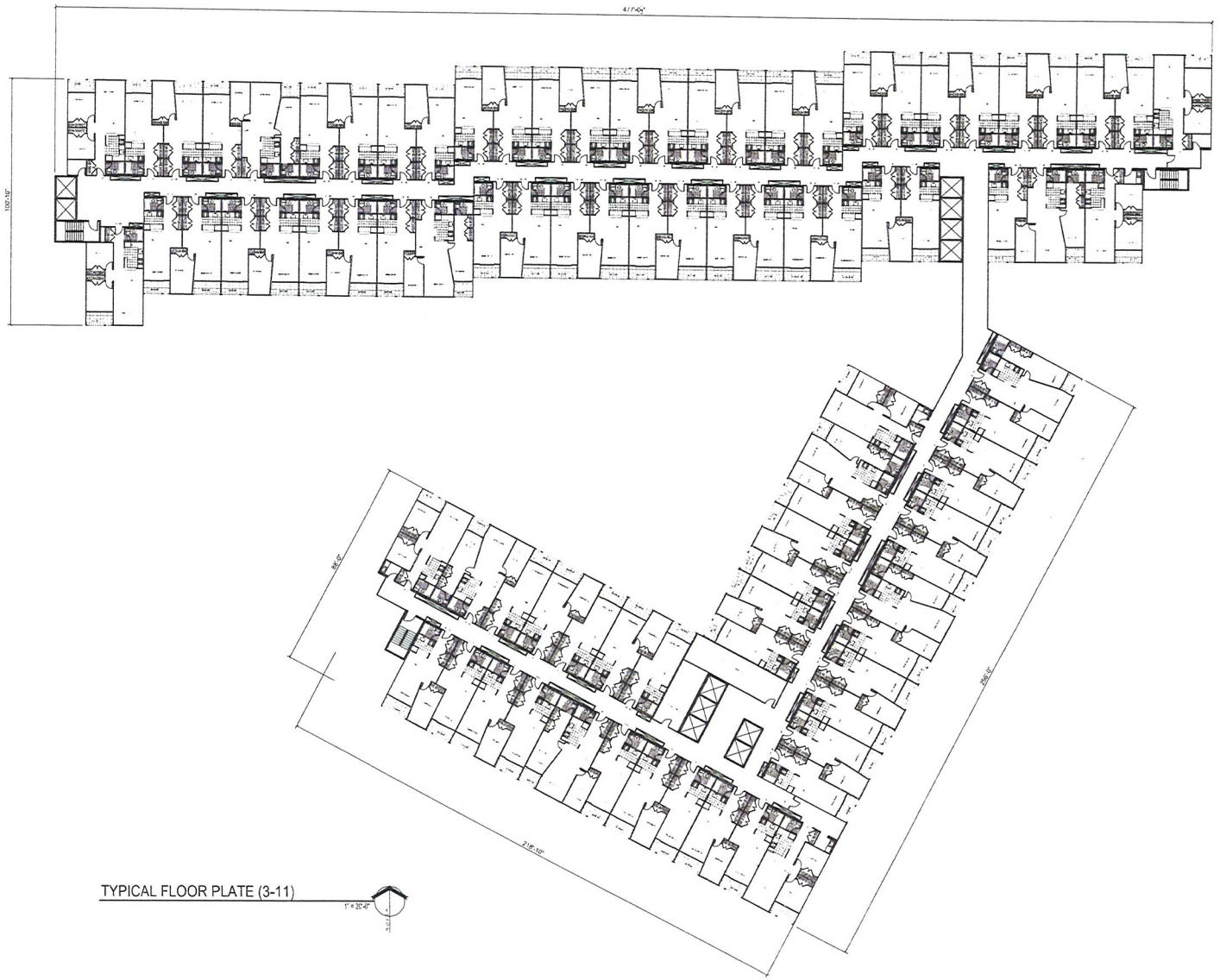
SECOND FLOOR PLAN

A100

EOT-41596



TYPICAL FLOOR PLATE (3-11)

1" = 20'-0"

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Aquarius Residences
Site Development Review
Charleston and 4th Street
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City of Las Vegas SDR SUP RZ VAC Submittal 3.13.07

TYPICAL FLOOR PLATE

A101

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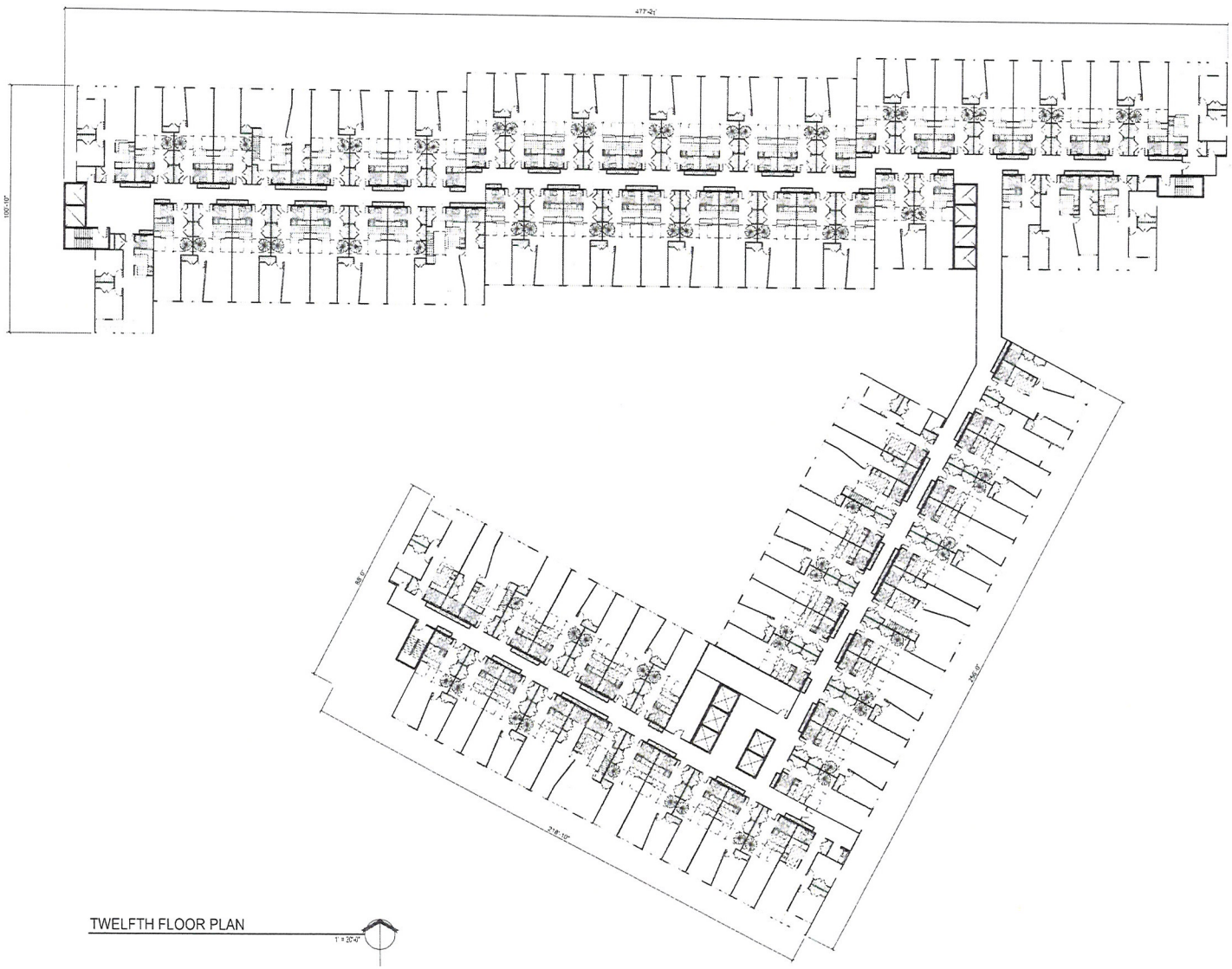

TWELFTH FLOOR PLAN

1" = 20'-0"

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TWELFTH FLOOR PLAN

A102

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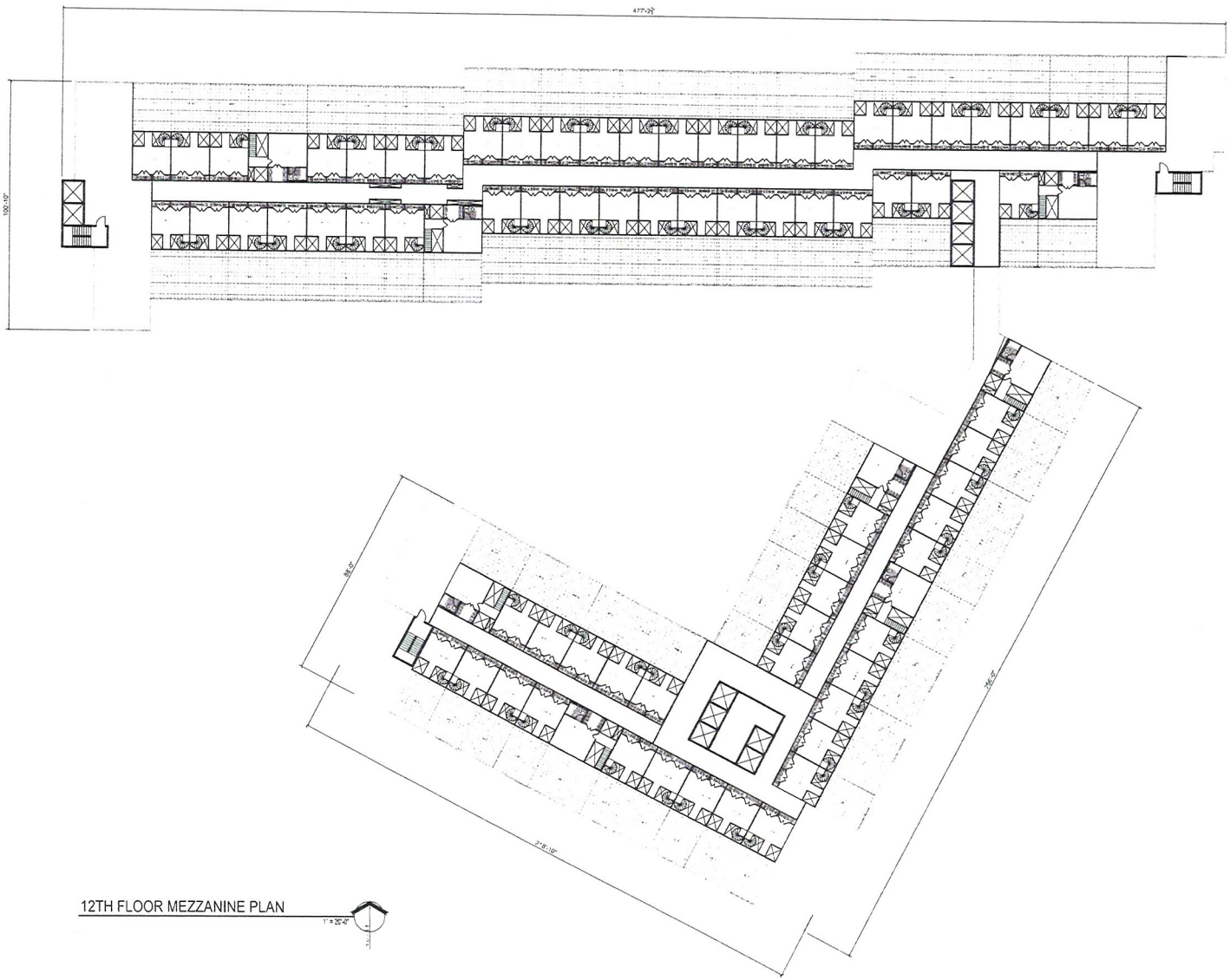
EOT-41596



12TH FLOOR MEZZANINE PLAN

1" = 20'-0"

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12TH FLOOR MEZZANINE PLAN

A103

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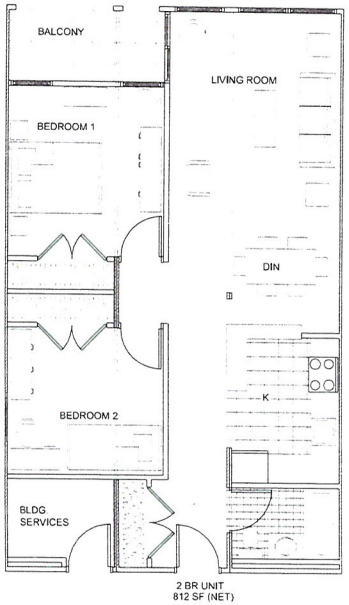
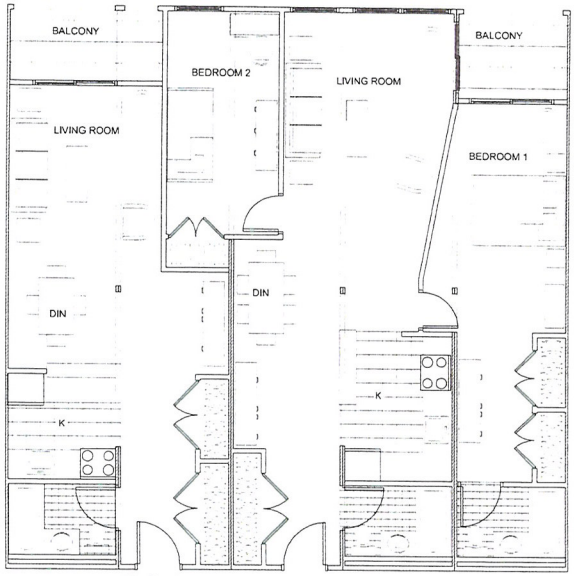
EOT-41596

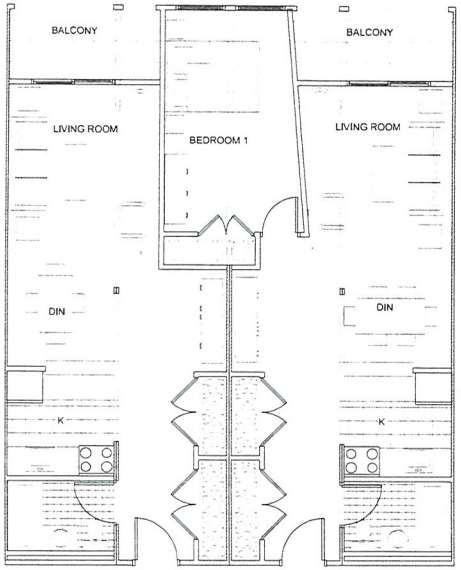


2 BR UNIT
812 SF (NET)



STUDIO UNIT
469 SF (NET)

2 BR UNIT
957 SF (NET)



STUDIO UNIT
469 SF (NET)

1BR UNIT
637 SF (NET)

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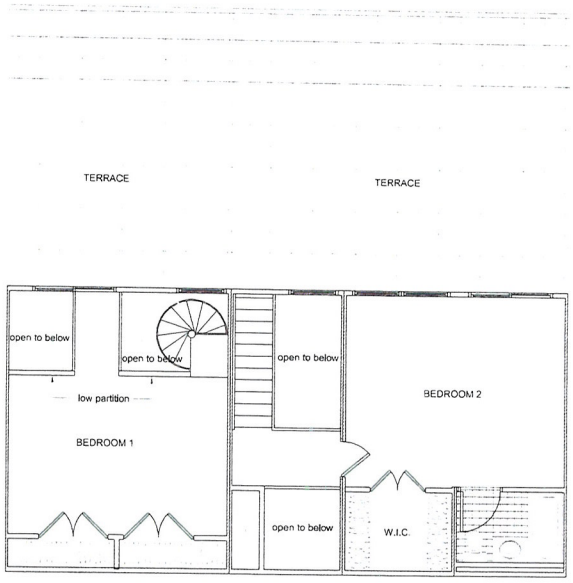
AQUARIUS
UNIT PLANS

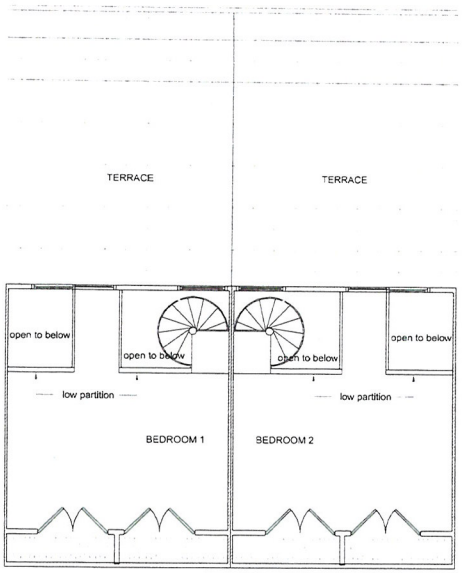
A120

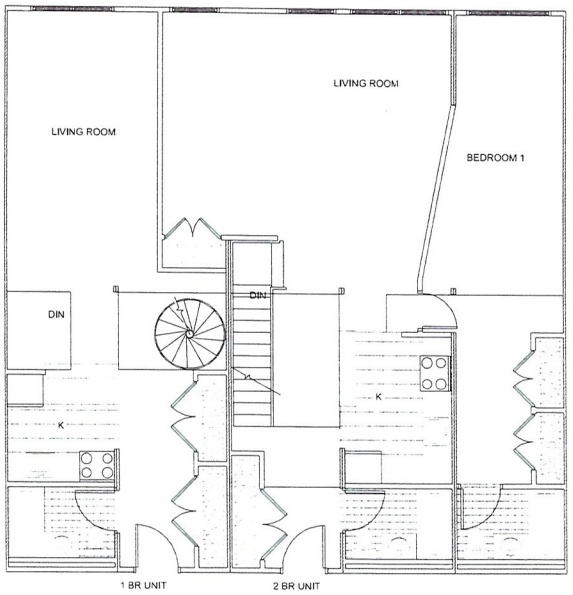
36.177 LV Land Partners

EOT-41596

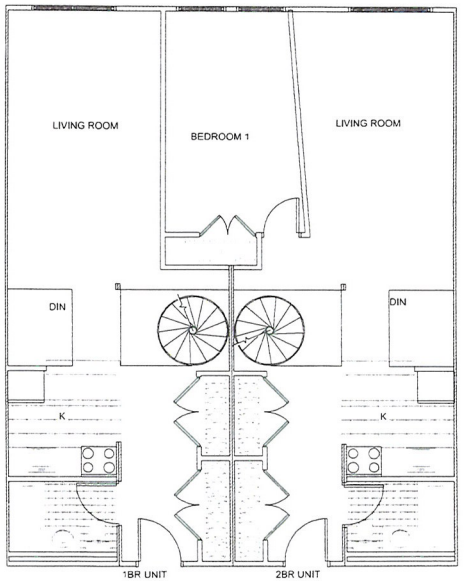


12TH FLOOR MEZZANINE PLANS





12TH FLOOR PLANS



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City of Las Vegas SDR, SUP, RZ, VAC Submittal 3.13.07

TWO-STORY
UNIT PLANS

A121

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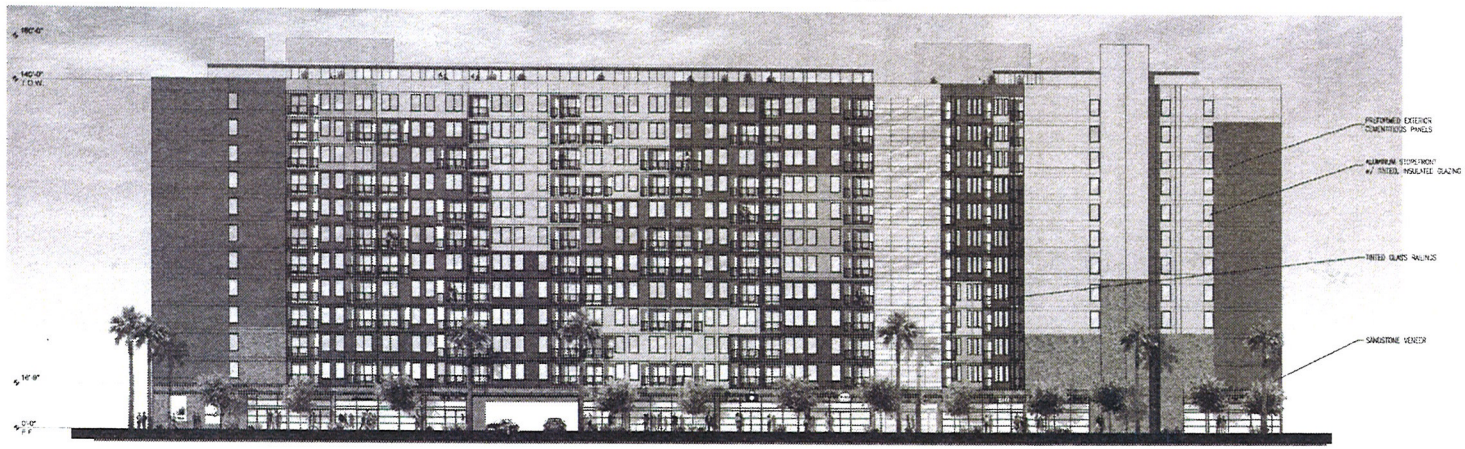
EOT-41596



NORTH ELEVATION

1"=20'-0"



EAST ELEVATION

1"=20'-0"

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City of Las Vegas SDR, SUP, RZ, VAC Submittal 3.13.07

ELEVATIONS

A200

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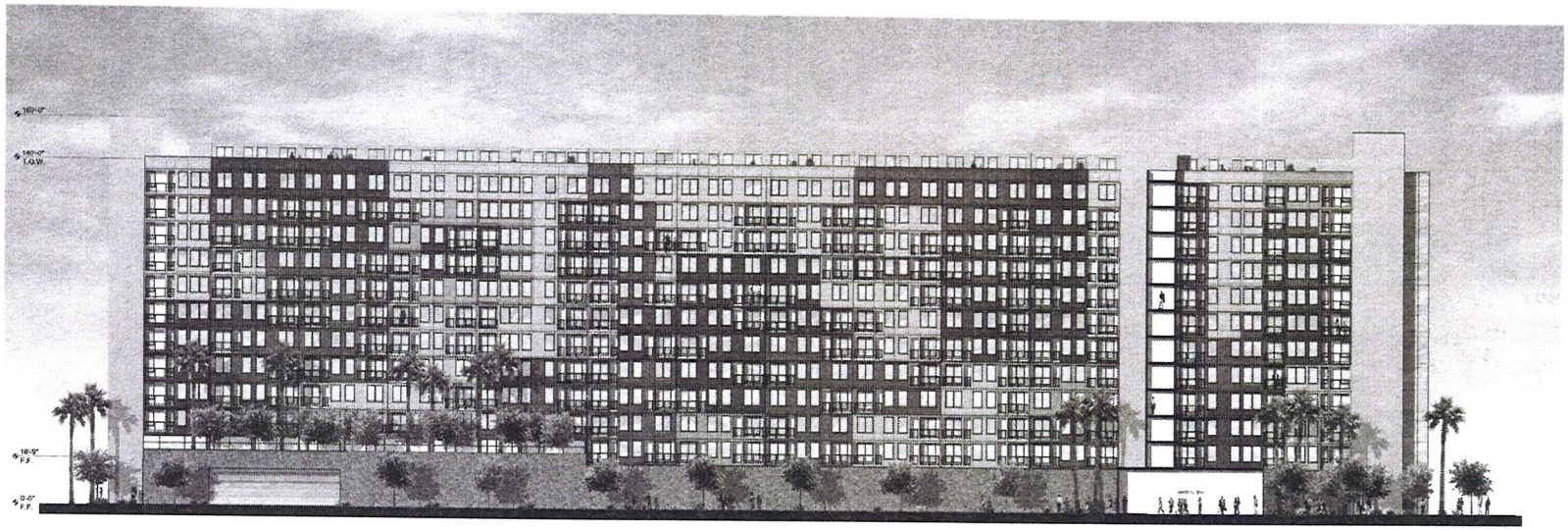
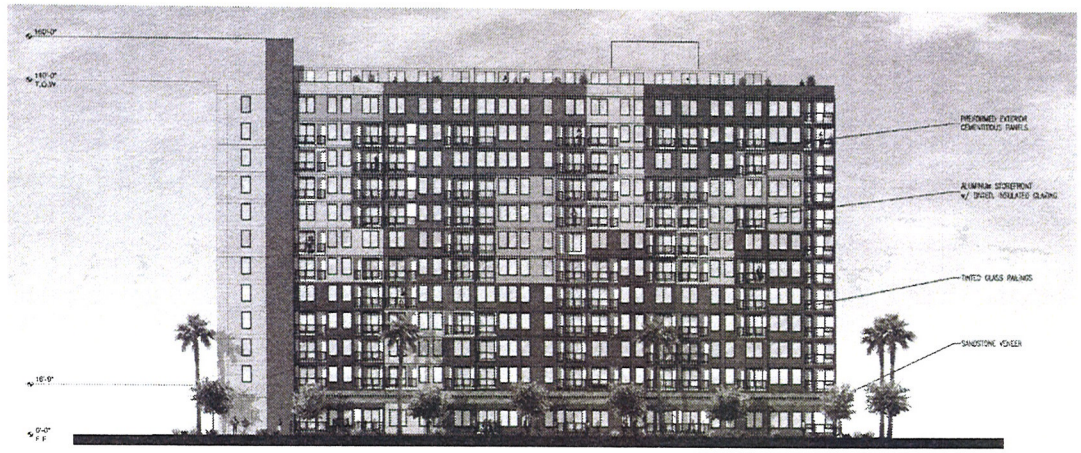


SOUTH COURTYARD ELEVATION
1"=20'-0"



SOUTH ELEVATION
1"=20'-0"

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ELEVATIONS
A201

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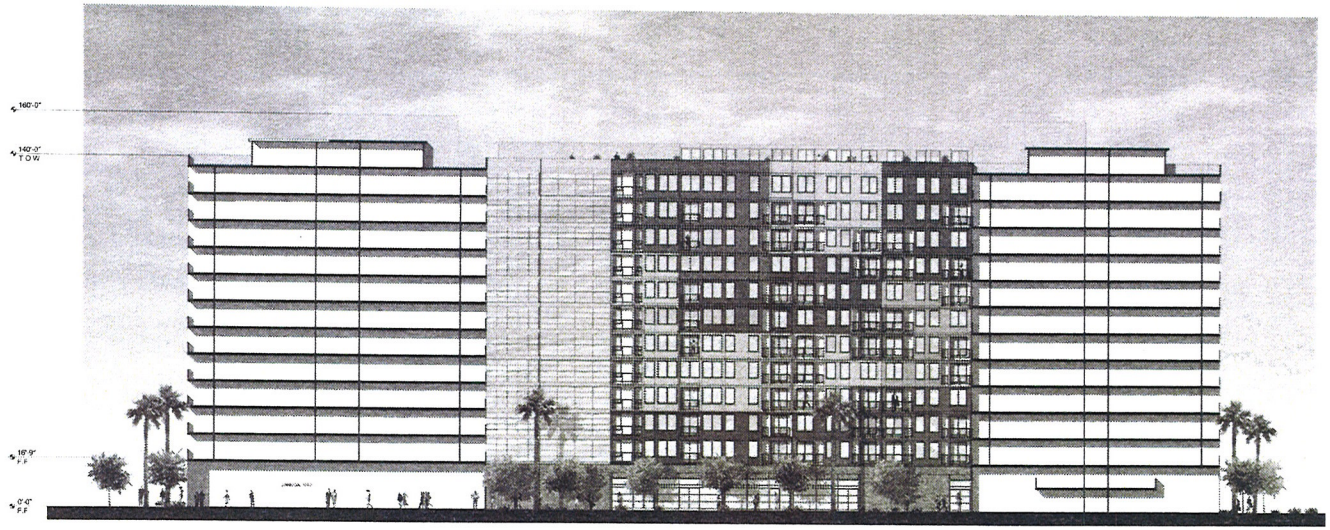
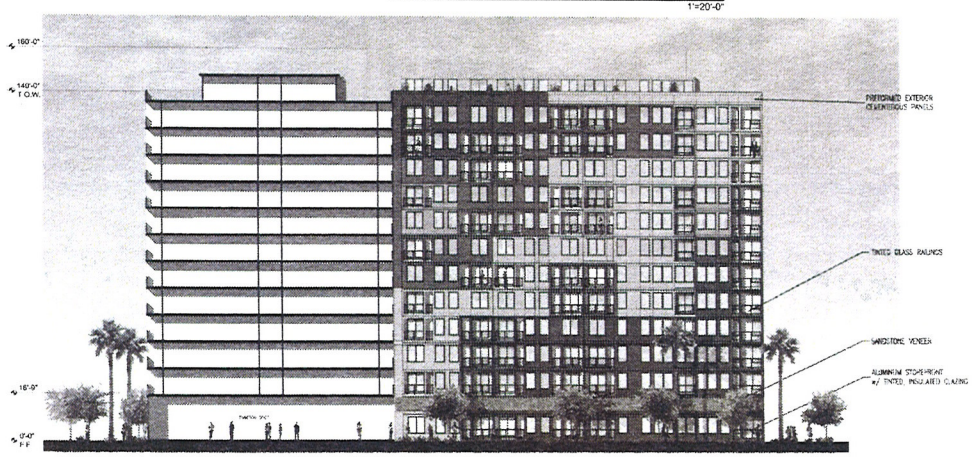


WEST COURTYARD ELEVATION
1"=20'-0"



NORTH COURTYARD ELEVATION
1"=20'-0"

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1200 South 4th Street
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mike@aptusarchitecture.com

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Las Vegas, Nevada 89104

City of Las Vegas SDR, SUP, RZ, VAC Submittal 3.13.07

ELEVATIONS

A202

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EOT-41596

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

May 18, 2007

Mr. David Mitchell
Live Work, LLC
41 East 60th Street, 6th Floor
New York, New York 10022

RE: SUP-20519 – SPECIAL USE PERMIT
CITY COUNCIL MEETING OF MAY 16, 2007
RELATED TO ZON-20507, VAC-20522, SDR-20502 AND SDR-20492

Dear Mr. Mitchell:

The City Council at a regular meeting held May 16, 2007 APPROVED the request for a Special Use Permit FOR 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 and Fourth Street (APNs 162-03-115-001 and 002), P-R (Professional Office and Parking), C-1 (Limited Commercial), and C-2 (General Commercial) Zones [PROPOSED: C-1 (Limited Commercial)]. The Notice of Final Action was filed with the Las Vegas City Clerk on May 17, 2007. This approval is subject to:

Planning & Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-20507), Vacation (VAC-20522) and Site Development Plan Review (SDR-20502) shall be required.

2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Sincerely,

Angela Crolli
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

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EOT-41596

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

Mr. Barnett Liberman
Live Work, LLC
421 Hudson Street
New York, New York 10014

Ms. Kristen Neuman
Aptus Architecture
1200 South 4th Street, Suite #206
Las Vegas, Nevada 89104

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EOT-41596

APTUS

April 28, 2011

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

APN: 162-03-115-001 and 002
139-34-410-056, 057, 058 and 059

Re: Extension of Time for:
SDR-20502
SUP-20519
SDR-20492

Architecture
Engineering
Planning
Interiors
Landscape

To Whom It May Concern:

We respectfully submit this request for an Extension of Time for the aforementioned applications. The owner is still moving forward with this project but it is not at a stage yet to apply for building permits. We are requesting an extension of time for 2 years.

The owner desires to provide much needed and obtainable rental housing within the downtown area of the city. To compliment approximately 1,100 condominium residences for rent will be almost 70,000 square feet of commercial space. This residential and commercial development will be an asset to the City of Las Vegas by helping to spur additional revitalization and reinforcing redevelopment in an area which has already begun a transformation.

We have made every attempt to try and follow City of Las Vegas Title 19 as well as the Centennial Plan as closely as possible in the design and layout of this site. We hope that you will join us in our attempt to bring much-needed high caliber product into downtown and to Las Vegas residents.

Respectfully Submitted,

Kristen G. Neuman, AIA
APTUS

Las Vegas
1200 South 4th Street
Suite 206
Las Vegas, Nevada 89104
P 702.839.1200
F 702.839.1213

Riverside
3750 Sante Fe Avenue
Suite 106
Riverside, California 92507
P 951.823.0555
F 951.823.0550

aptusgroup.com

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EOT-41596

City of Las Vegas Agenda Item No.: **65.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☒ **Consent** ☐ **Discussion**

SUBJECT:

EOT-41597 - EXTENSION OF TIME SITE DEVELOPMENT PLAN REVIEW RELATED TO EOT-41595 AND EOT-41595 - APPLICANT: BARNET LIBERMAN - OWNER: 305 LAS VEGAS, LLC - For possible action on a request for an Extension of Time 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 on 2.67 acres at the southwest corner of Charleston Boulevard and Fourth Street (APNs 162-03-115-001 and 002), C-1 (Limited Commercial) Zone, Ward 3 (Coffin). 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. Consolidated Backup
2. Supporting Documentation
3. City Council Approval Letter for SDR-20502
4. Justification Letter

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **EOT-41597** APN: 162-03-115-001 and 002

Name of Property Owner: 305 Las Vegas LLC

Name of Applicant: Barnet Liberman

Name of Representative: APTUS

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 28TH day of APRIL, 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

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Extension of Time for SDR 20502

Project Address (Location) 330 E. Charleston

Project Name Aquarius Apartments **Proposed Use** Mixed use

Assessor's Parcel #(s) 162-03-115-001 and 002 **Ward #** 3- Reese

General Plan: existing MXU proposed n/a **Zoning:** existing C-2 proposed n/a

Commercial Square Footage 58,000 **Floor Area Ratio**

Gross Acres 2.67 **Lots/Units** 1,100 **Density**

Additional Information

PROPERTY OWNER 305 Las Vegas, LLC **Contact** Barnet Liberman

Address 421 Hudson Street **Phone:** (212) 243-1320 **Fax:** (212) 243-7305

City New York **State** NY **Zip** 10014

E-mail Address barnetlib@aol.com

APPLICANT Barnet Liberman **Contact** Barnet Liberman

Address 421 Hudson Street **Phone:** (212) 243-1320 **Fax:** (212) 243-7305

City New York **State** NY **Zip** 10014

E-mail Address barnetlib@aol.com

REPRESENTATIVE APTUS **Contact** Kristen Neuman

Address 1200 S. 4th Street, Suite 206 **Phone:** (702) 839-1200 **Fax:** (702) 839-1212

City Las Vegas **State** NV **Zip** 89104

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 BARNET L LIBERMAN

Subscribed and sworn before me

This 28TH day of APRIL, 20 11.

_____

Notary Public in and for said County and State

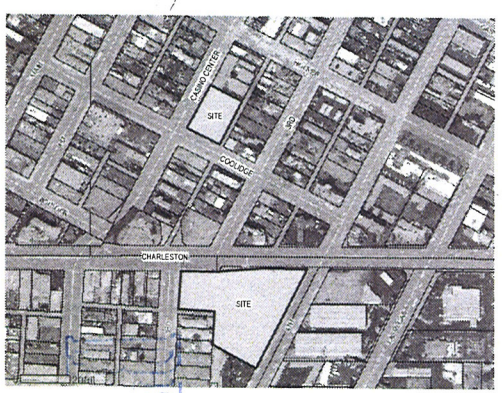
JANET GRONIERI
Notary Public, State of New York
No. 31-4501747
Qualified in New York County
Commission Expires May 31, 20 11

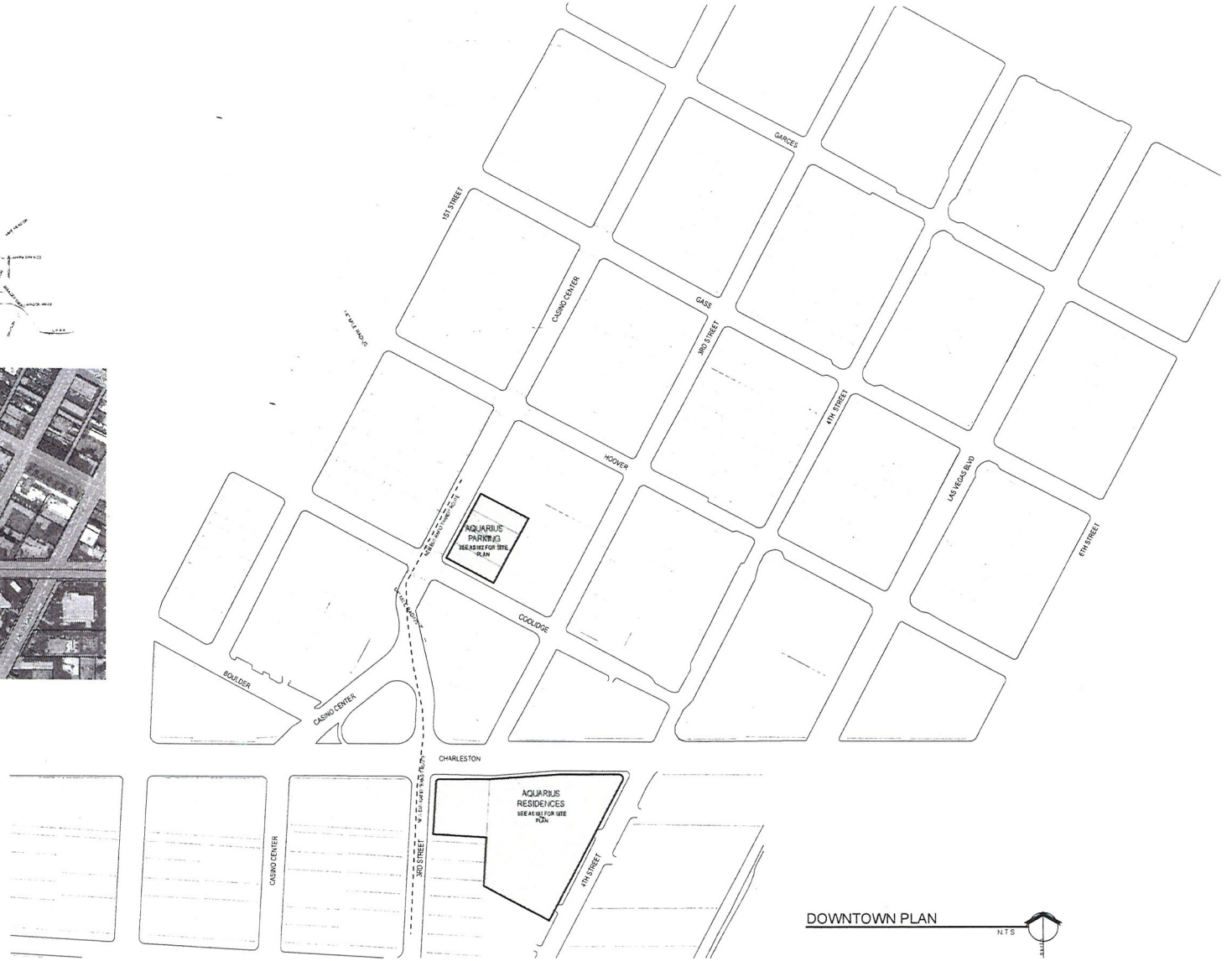
FOR DEPARTMENT USE ONLY

Case #	EOT-41597
Meeting Date:	7/20/11
Total Fee:	$300
Date Received:*	4/28/11
Received By:	

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







DOWNTOWN PLAN N.T.S

APR 26 2011

Aquarius Residences

Charleston and 4th Street
Las Vegas, Nevada 89104

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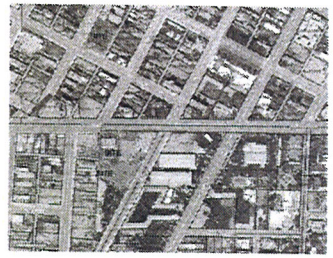
City of Las Vegas SDR SUP RZ VAC Submittal 3 11 07

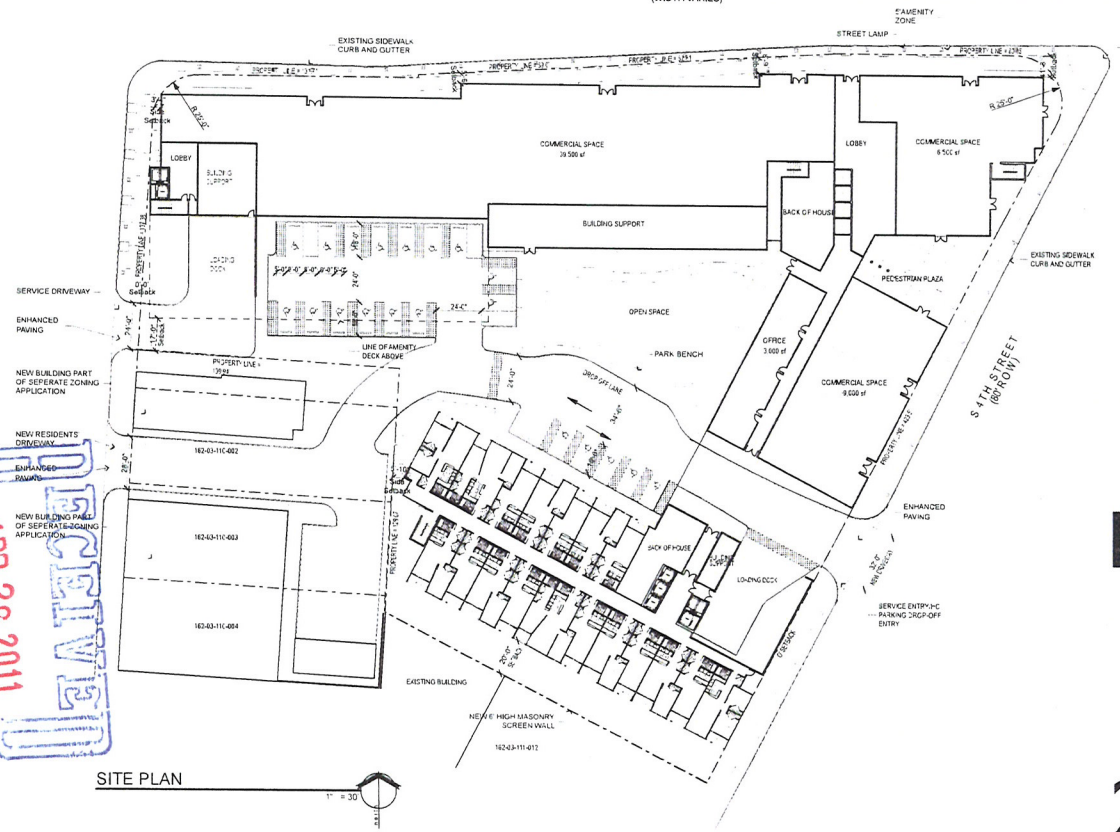
SITE PLAN

AS100

06 177 LV Land Partners

EOT-41597





SITE PLAN

1" = 30'

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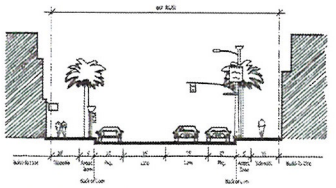
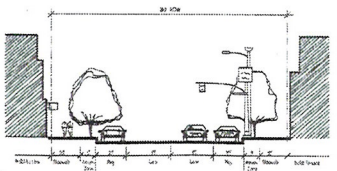
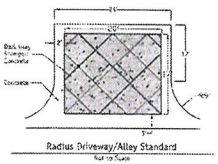


1 STREET SECTION
(North - South)
N.T.S



2 STREET SECTION
(East-West)
N.T.S



3 RADIUS DRIVEWAY / ALLEY STANDARD
N.T.S

Site 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)

	REQD	PROVIDED
FRONT	10'-0"	5'-0", 8'-3", 11'-3"
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	431
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 = 1,100 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/ CODELUGE PARKING STRUCTURE		1,360

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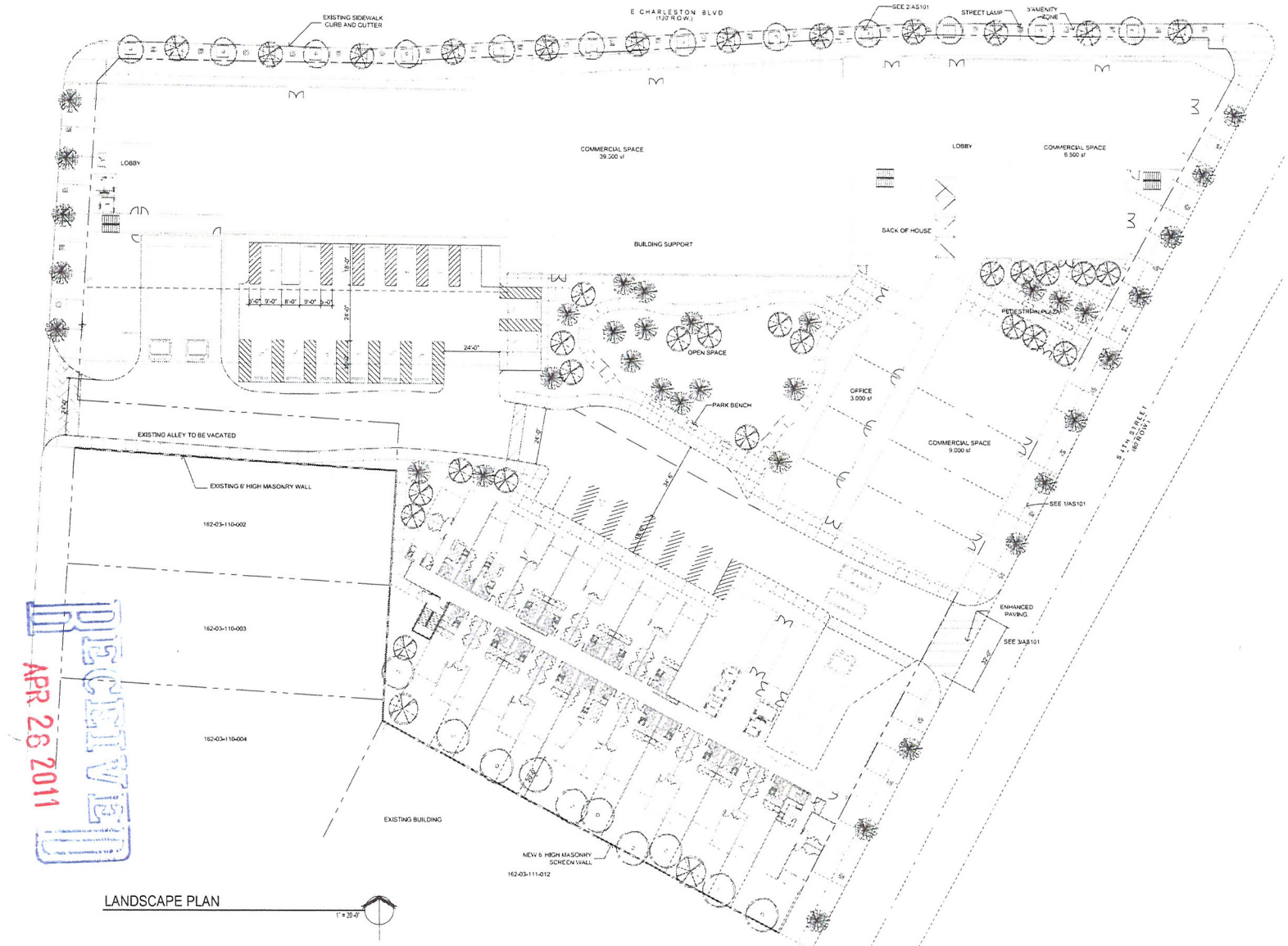
City of Las Vegas SDR SUP RZ VAC Submittal 3.13.07
City of Las Vegas SDR SUP RZ VAC Submittal (REV 1) 4.6.07
City of Las Vegas SDR SUP RZ VAC Submittal (REV 2) 4.8.09

SITE PLAN

AS101

06.17.** Aquarius Residences

EOT-41597



LANDSCAPE PLAN

1" = 20'-0"

Landscape Legend

SYMBOL	COMMON NAME	SIZE	QTY
	DESERT FAN PALM	30" Box	15
	SHOESTRING ACACIA	24" Box	32
	SOUTHERN LIVE OAK	24" Box	25
	TEXAS RANGER AND WHITE CLOUD TEXAS RANGER MIX	10 Gal.	42
	SILK VERONICA	10 Gal.	31
	DESERT CASSIA	10 Gal.	66
	BRONZE SEDGE & DEER GRASS 95/5 MIX	10 Gal.	39

DECORATIVE GRAVEL - 1/2" MINUS SANDSTONE
NO TURF

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Aquarius Residences

Site Development Review

Charleston and 4th Street
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LANDSCAPE PLAN

L101

06.177 LV Land Partners

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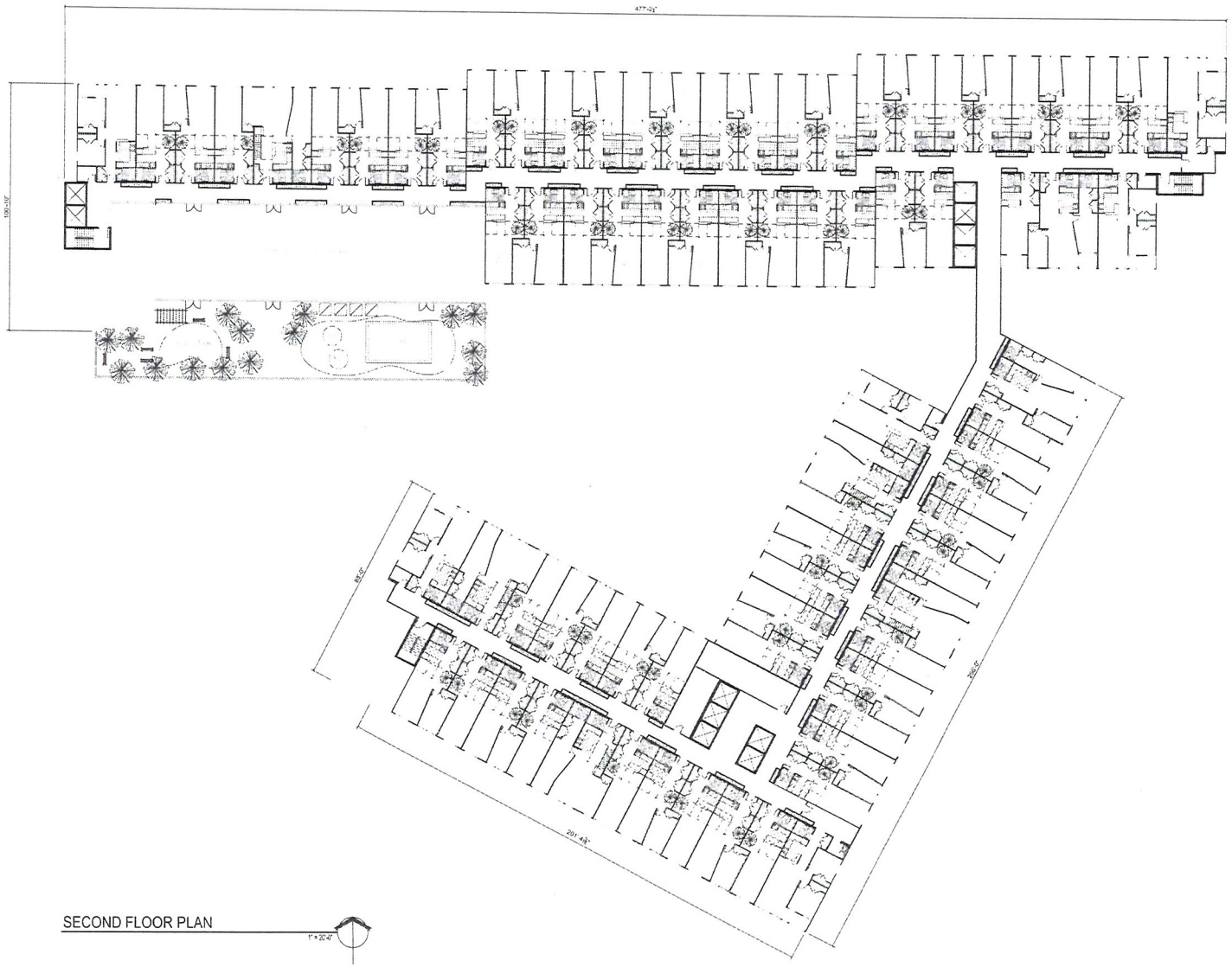

SECOND FLOOR PLAN

1" = 20'-0"

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SECOND FLOOR PLAN

A100

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TYPICAL FLOOR PLATE (3-11)

1" = 20'-0"

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City of Las Vegas SDR SUP 47Z, vAC Submittal 3.13.07

TYPICAL FLOOR PLATE

A101

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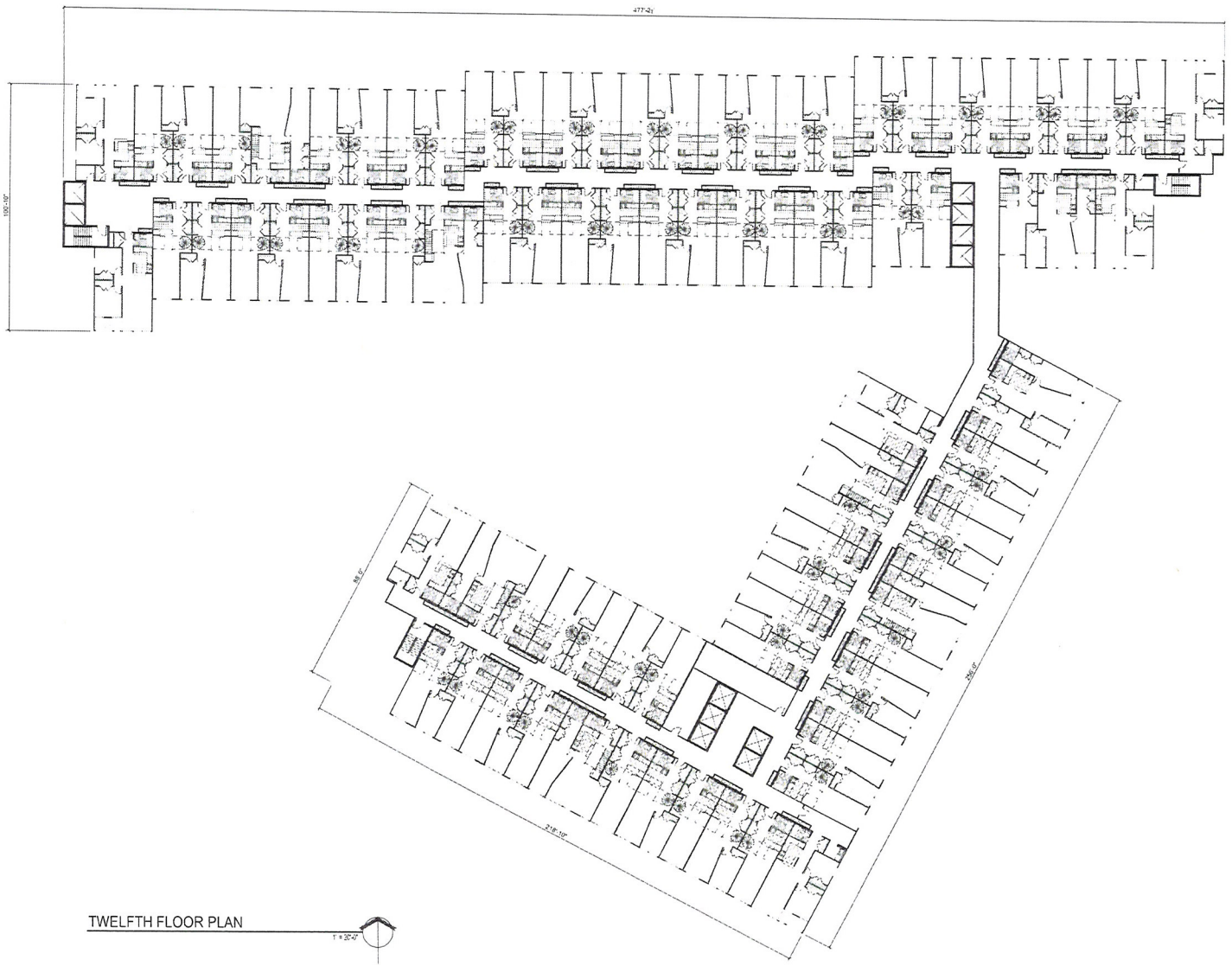

TWELFTH FLOOR PLAN

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City of Las Vegas SDR, SUP, RZ, VAC Submittal 31307

TWELFTH FLOOR PLAN

A102

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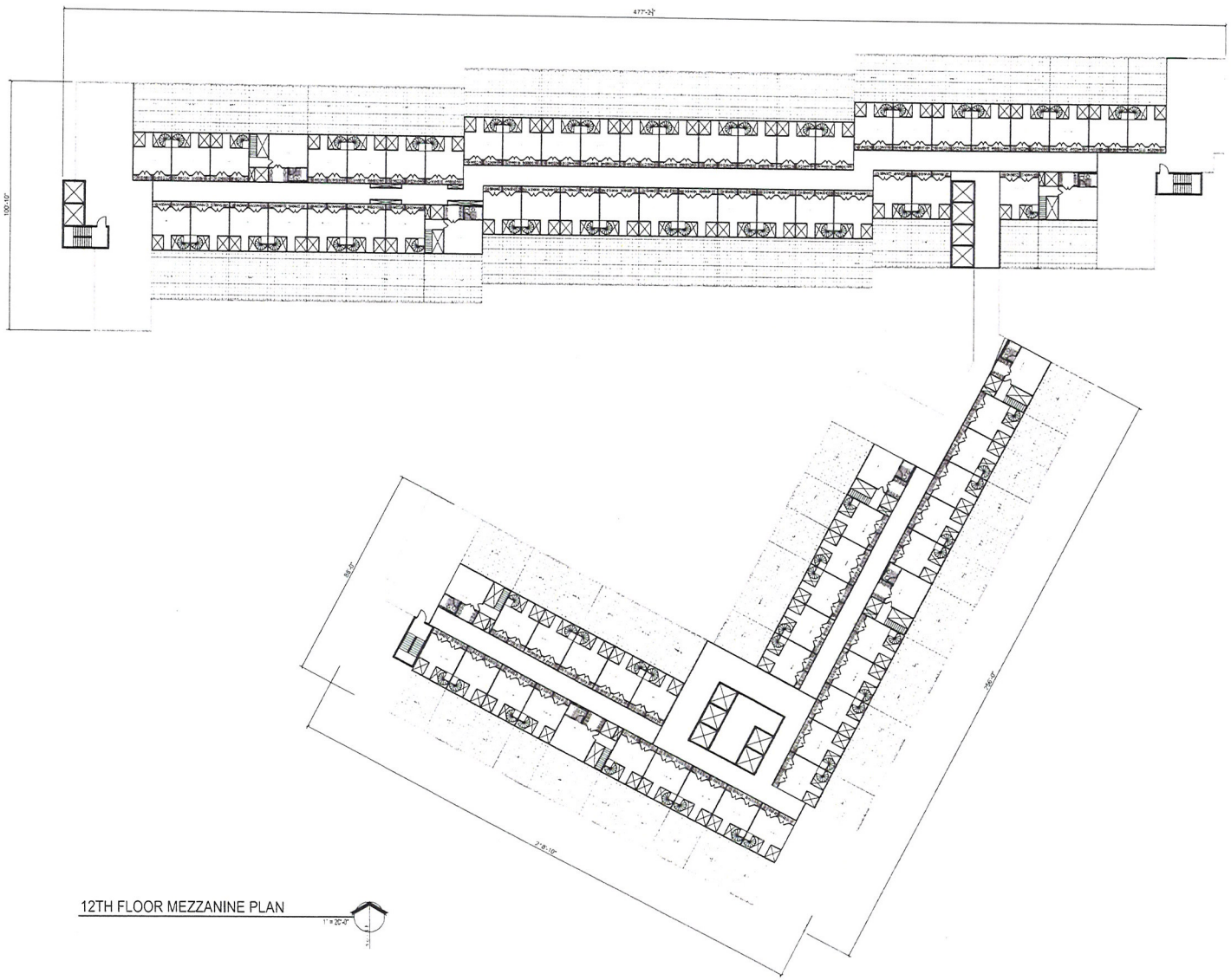

12TH FLOOR MEZZANINE PLAN

1" = 20'-0"

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12TH FLOOR MEZZANINE PLAN

A103

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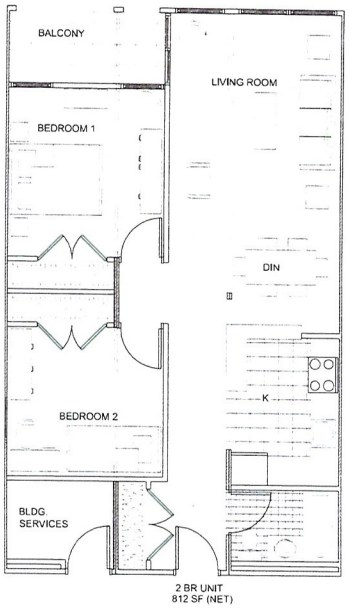
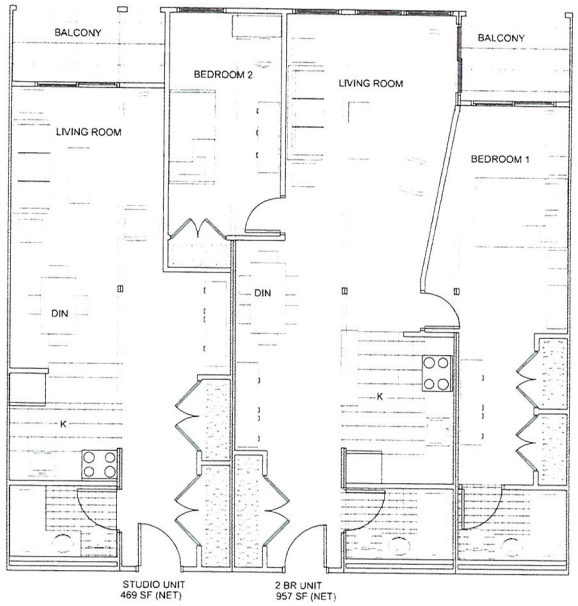
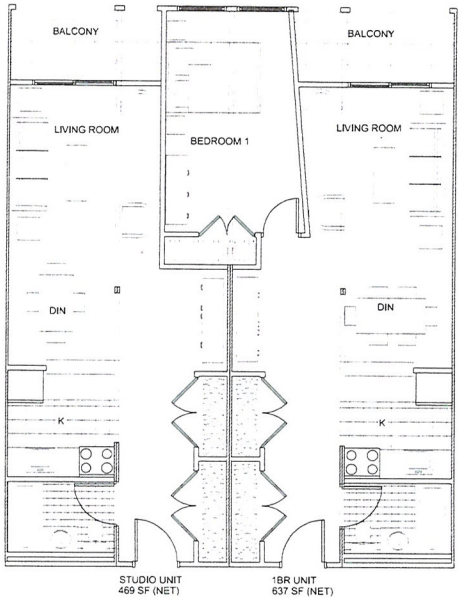


2 BR UNIT
812 SF (NET)



STUDIO UNIT
469 SF (NET)

2 BR UNIT
957 SF (NET)



STUDIO UNIT
469 SF (NET)

1BR UNIT
637 SF (NET)

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AQUARIUS
UNIT PLANS

A120

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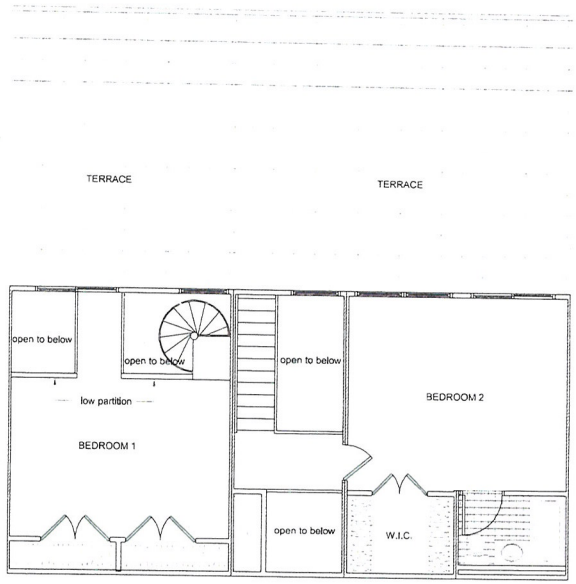
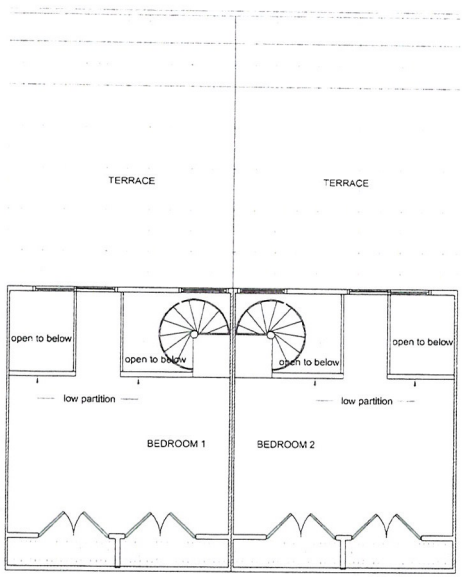
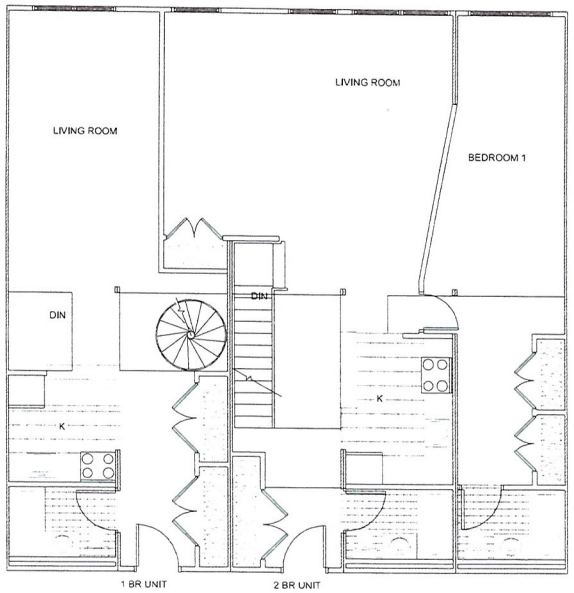
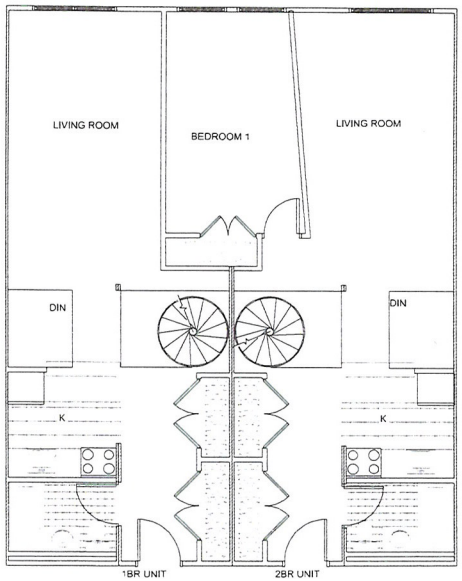


12TH FLOOR MEZZANINE PLANS





12TH FLOOR PLANS



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TWO-STORY
UNIT PLANS

A121

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NORTH ELEVATION

1"=20'-0"



EAST ELEVATION

1"=20'-0"

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ELEVATIONS

A200

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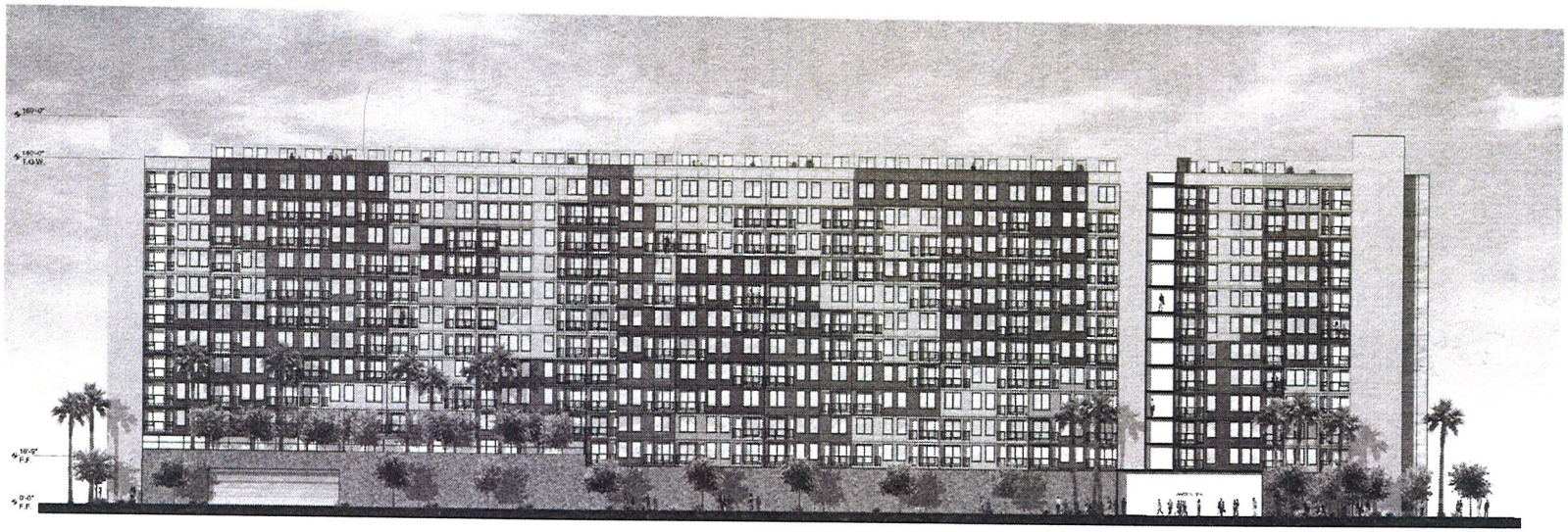

SOUTH COURTYARD ELEVATION
1"=20'-0"



SOUTH ELEVATION
1"=20'-0"

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ELEVATIONS
A201

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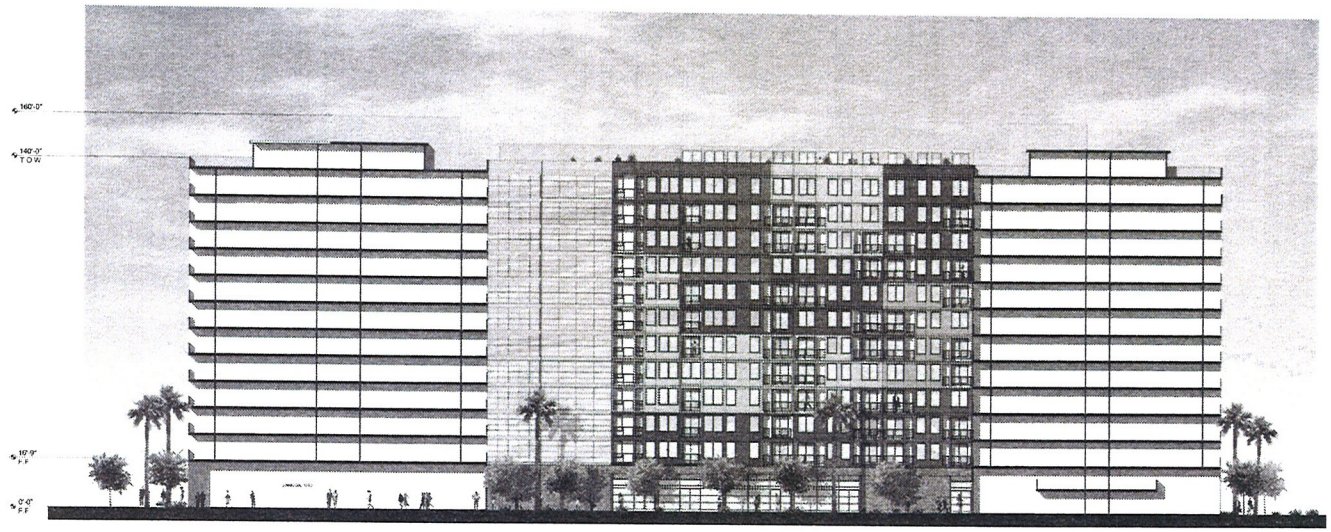
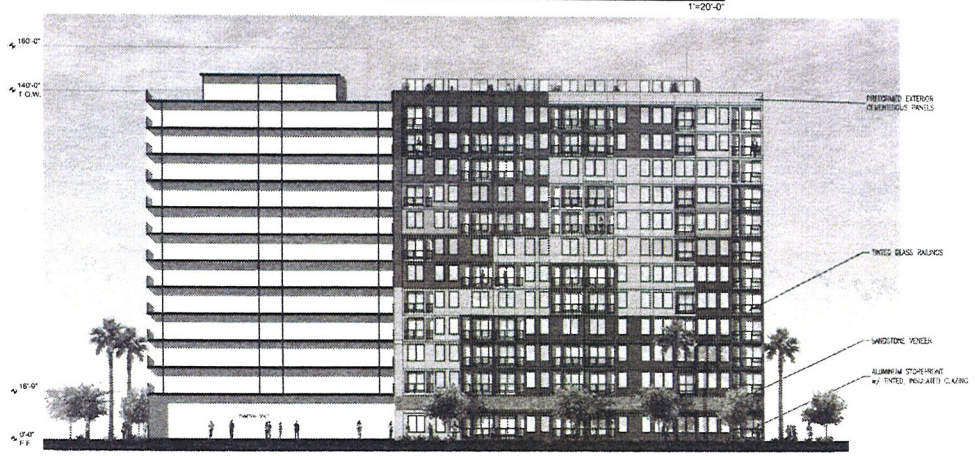


WEST COURTYARD ELEVATION
1"=20'-0"



NORTH COURTYARD ELEVATION
1"=20'-0"

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ELEVATIONS
A202

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LAS VEGAS CITY COUNCIL

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STEVEN D. ROSS
BRENDA J. WILLIAMS
INTERIM

DOUGLAS A. SELBY
CITY MANAGER

May 18, 2007

Mr. David Mitchell
Live Work, LLC
41 East 60th Street, 6th Floor
New York, New York 10022

RE: SDR-20502 – SITE DEVELOPMENT PLAN REVIEW
CITY COUNCIL MEETING OF MAY 16, 2007
RELATED TO ZON-20507, SUP-20519, VAC-20522 AND SDR-20492

Dear Mr. Mitchell:

The City Council at a regular meeting held May 16, 2007 APPROVED the request for a Site Development Plan Review FOR A 12-STORY MIXED-USE DEVELOPMENT INCLUDING 58,000 SQUARE FEET OF COMMERCIAL SPACE AND 1,100 RESIDENTIAL CONDOMINIUM UNITS on 2.67 acres at the southwest corner of Charleston Boulevard and Fourth Street (APNs 162-03-115-001 and 002), P-R (Professional Office And Parking), C-1 (Limited Commercial) and C-2 (General Commercial) Zones [PROPOSED: C-1 (Limited Commercial)]. The Notice of Final Action was filed with the Las Vegas City Clerk on May 17, 2007. This approval is subject to:

Planning & Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-20507), Special Use Permit (SUP-20519), and Vacation (VAC-20522) shall be required.

2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All development shall be in conformance with the site plan, date stamped 04/06/07, and the landscape plan and building elevations, date stamped 03/13/07, except as amended by conditions herein.

4. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include

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

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the following changes from the conceptual landscape plan: add two palm trees to the south of the South 4th Street entry drive to bring the number and maximum distance into compliance with the Downtown Centennial plan. Further, tabulate all tree heights along with the quantities and sizes.

5. 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.

6. 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).

7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

9. 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.

10. 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.

11. 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.

12. 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.

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13. 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.

14. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

15. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the Casino Center/3rd Street Realignment Project, Casino Center Bus Rapid Transit Project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.

16. Submit a Petition of Vacation for all right-of-way and public access and/or utility easements in conflict with this site plan. The Order of Vacation must record prior to recordation of a Final Map for this site.

17. Prior to the submittal of a Tentative Map or civil construction drawings for this site, whichever occurs first, a sewer relocation and abandonment plan for all public sewers in conflict with this site shall be submitted and approved by the Collection Systems Section of the Department of Public Works. All existing public sewer easements in conflict with this site shall be vacated prior to the recordation of a Final Map for this site and new public sewer easements granted as necessary. Sewer service to existing downstream parcels shall be maintained during relocation.

18. Landscape and maintain all unimproved rights-of-way, if any, on 3rd Street, 4th Street and Charleston Boulevard adjacent to this site. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

19. Submit an Encroachment Agreement for all landscaping, if any, located in the 3rd Street, 4th Street and Charleston Boulevard public right-of-way adjacent to this site prior to occupancy of this site.

20. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Charleston Boulevard public right-of-way adjacent to this site.

21. Submit an application for a deviation from Standard Drawing #222a for the driveways accessing this site from 3rd and 4th Streets.

22. 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.

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23. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-20507 and all other applicable site-related actions.

Sincerely,

Angela Crolli

Angela Crolli
Deputy City Clerk II for
Beverly K. Bridges, CMC, Acting City Clerk

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

Mr. Barnett Liberman
Live Work, LLC
421 Hudson Street
New York, New York 10014

Ms. Kristen Neuman
Aptus Architecture
1200 South 4th Street, Suite #206
Las Vegas, Nevada 89104

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APTUS

April 28, 2011

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

Architecture
Engineering
Planning
Interiors
Landscape

APN: 162-03-115-001 and 002
139-34-410-056, 057, 058 and 059

Re: Extension of Time for:
SDR-20502
SUP-20519
SDR-20492

To Whom It May Concern:

We respectfully submit this request for an Extension of Time for the aforementioned applications. The owner is still moving forward with this project but it is not at a stage yet to apply for building permits. We are requesting an extension of time for 2 years.

The owner desires to provide much needed and obtainable rental housing within the downtown area of the city. To compliment approximately 1,100 condominium residences for rent will be almost 70,000 square feet of commercial space. This residential and commercial development will be an asset to the City of Las Vegas by helping to spur additional revitalization and reinforcing redevelopment in an area which has already begun a transformation.

We have made every attempt to try and follow City of Las Vegas Title 19 as well as the Centennial Plan as closely as possible in the design and layout of this site. We hope that you will join us in our attempt to bring much-needed high caliber product into downtown and to Las Vegas residents.

Respectfully Submitted,

Kristen G. Neuman

Kristen G. Neuman, AIA
APTUS

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Las Vegas, Nevada 89104
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Riverside
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Suite 106
Riverside, California 92507
P 951.823.0555
F 951.823.0550

aptusgroup.com

EOT-41597

City of Las Vegas Agenda Item No.: **66.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☒ **Consent** ☐ **Discussion**

SUBJECT:

EOT-42005 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT: FRESH & EASY NEIGHBORHOOD MARKET - OWNER: FACCHINO LABARBERA SAHARA, LLC - For possible action on a request for an Extension of Time of a previously approved Special Use Permit (SUP-27506) FOR A PROPOSED BEER/WINE/COOLER OFF-SALE ESTABLISHMENT WITHIN AN APPROVED 17,307 SQUARE-FOOT GROCERY STORE at 4580 West Sahara Avenue (APN 162-06-411-004), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

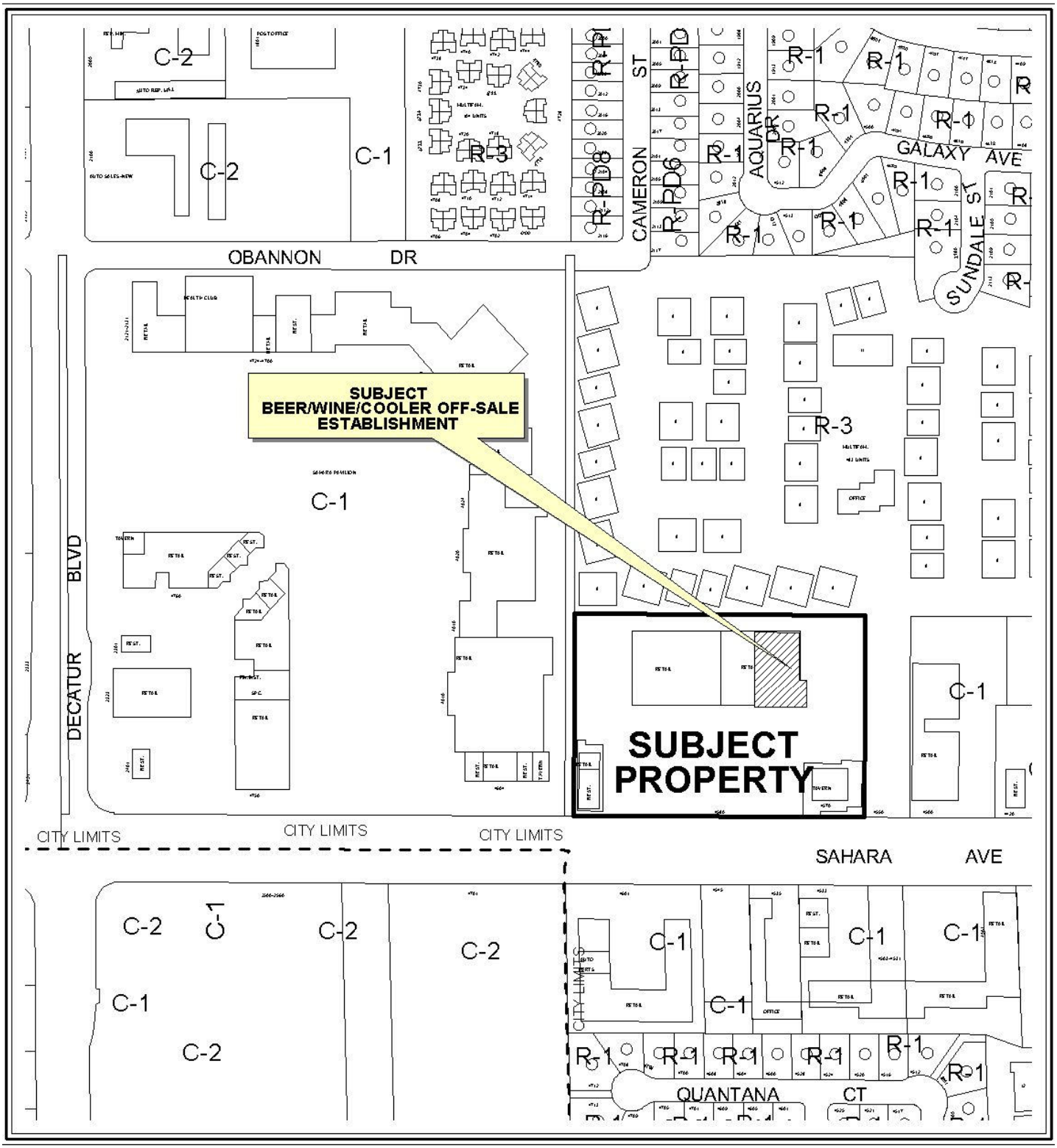
PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

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 SUP-27506
5. City Council Approval Letter for EOT-38422
6. Justification Letter



0 200 400 Feet

CASE: EOT-42005

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

N



0 200 400 Feet

CASE: EOT-42005

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 20, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: FRESH & EASY NEIGHBORHOOD MARKET - OWNER: FACCHINO LABARBERA SAHARA, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
EOT-42005	Staff recommends APPROVAL, subject to conditions:	None

** CONDITIONS **

EOT-42005 CONDITIONS

Planning

1. This Special Use Permit (SUP-27506) shall expire on June 4, 2013 unless another Extension of Time is approved by the City Council.

2. Conformance to the conditions of approval of the Special Use Permit (SUP-27506) and all other site related actions as required by the Department of Planning and department of Public Works.

DS

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site is currently occupied by a 17,307 square-foot retail establishment with previous approval for a Special Use Permit (SUP-27506) for beer/wine/cooler off-sale at 4580 West Sahara Avenue. Plan Check #26601 was processed for a retail store with all city departments approving the plans. Numerous building permits have been issued and finalized for the establishment. A business license (L10-00316) was approved on 04/21/11, but marked inactive on the same day as the business was not yet ready to open. The applicant is requesting an extension of time as the property was recently sold to a new owner. Staff is recommending approval of this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
01/24/08	The Planning and Development Department approved a request for an Administrative Site Development Plan Review (SDR-25837) for proposed modifications to an existing shopping center on 6.15 acres at 4580 West Sahara Avenue.
06/04/08	The City Council approved a request for a Special Use Permit (SUP-27506) for a proposed Beer/Wine/Cooler Off-Sale Establishment within an approved 17,307 square-foot Grocery Store at 4680 West Sahara Avenue, Ste 150. The Planning Commission recommended approval.
06/17/09	The City Council approved a request for an Extension of Time (EOT-34161) of a previously approved Special Use Permit (SUP-27506) for a proposed Beer/Wine/Cooler Off-Sale Establishment within an approved 17,307 square-foot Grocery Store at 4680 West Sahara Avenue, Ste 150. Staff recommended approval.
07/21/10	The City Council approved a request for an Extension of Time (EOT-38422) of a previously approved Special Use Permit (SUP-27506) for a proposed Beer/Wine/Cooler Off-Sale Establishment within an approved 17,307 square-foot Grocery Store at 4680 West Sahara Avenue, Ste 150. Staff recommended approval.

Most Recent Change of Ownership	
10/18/10	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
06/20/08	Plan Check #26601 was processed for tenant improvements for a retail establishment and certificate of occupancy. The plans have been approved by all city departments.
04/21/11	A Business license (L10-00316) was approved and deemed inactive for beer/wine/cooler off-sale at 4580 West Sahara Avenue, Ste 150 as the business was not yet ready to open.
Numerous building permits have been issued and finalized for a retail establishment at 4580 West Sahara Avenue.	

Pre-Application Meeting
A pre-application meeting was not required, nor was one held.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Details of Application Request	
Site Area	
Gross Acres	6.15

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Grocery Store	SC (Service Commercial)	C-1 (Limited Commercial)
North	Multi-Family Residences	M (Medium Density Residential)	R-3 (Medium Density Residential)
South	Retail Establishments, Restaurants, Offices	SC (Service Commercial)	C-1 (Limited Commercial)
East	Retail Establishments	SC (Service Commercial)	C-1 (Limited Commercial)
West	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area		X	N/A
Special Purpose and Overlay Districts	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

This is the third request for an Extension of Time of a previously approved Special Use Permit (SUP-27506) for a proposed beer/wine/cooler off-sale establishment within an approved 17,307 square-foot grocery store at 4580 West Sahara Avenue. Plan Check #26601 was processed for a retail store on 06/20/08 with all city departments approving the plans. Numerous building permits have been issued and finalized for the grocery store. A business license (L10-00316) was approved on 04/21/11, but marked inactive on the same day as the business was not yet ready to open.

Title 19.16.110 of the Unified Development Code deems a Special Use Permit exercised upon the issuance of a business license for the use.

FINDINGS

The Special Use Permit (SUP-27506) has not met the requirements as outlined in Title 19.16.110 as a business license has not been issued (marked out as not ready to open). The applicant is requesting an Extension of Time as the property was recently sold and additional time is required for the new owner to move forward with the proposed use. Staff is recommending approval with a two-year time limit. Conformance to the conditions of approval of the Special Use Permit (SUP-27506) shall be required.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

DS

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **EOT-42005** APN: 162-06-411-004

Name of Property Owner: SAHARA CROSSING, L.P.

Name of Applicant: fresh & easy neighborhood market

Name of Representative: BRADSHAW & ASSOCIATES

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: JOHN STEWART

Subscribed and sworn before me

This 14th day of April, 2011

_____

Notary Public in and for said County and State

HEATHER STRONG
Notary Public State of Nevada
No. 06-107806-1
My Appt Exp. July 26, 2014

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: EXTENSION OF TIME ON EOT-38422

Project Address (Location) 4580 WEST SAHARA AVENUE, LAS VEGAS, NV 89102

Project Name fresh & easy neighborhood market **Proposed Use** GROCERY STORE

Assessor's Parcel #(s) 162-05411-004 **Ward #** 1

General Plan: existing SC proposed SC **Zoning:** existing C-1 proposed C-1

Commercial Square Footage 61,125 **Floor Area Ratio** .05

Gross Acres 6.15 **Lots/Units** 1 **Density** N/A

Additional Information BEER/WINE/COOLER OFF-SALE ESTABLISHMENT (SUP-27506)

PROPERTY OWNER SAHARA CROSSING, L.P. **Contact** JOHN STEWART

Address 8375 WEST FLAMINGO ROAD, SUITE 200 **Phone:** (702) 368-5800 **Fax:** (702) 368-5801

City LAS VEGAS **State** NV **Zip** 89147

E-mail Address jstewart@julietlasvegas.com

APPLICANT fresh &easy neighborhood market **Contact** TOM SCORER

Address 2120 PARK PLACE, SUITE 200 **Phone:** (310) 867-0418 **Fax:**

City EL SEGUNDO **State** CA **Zip** 90245

E-mail Address tom.scorer@freshandeasy.com

REPRESENTATIVE BRADSHAW & ASSOCIATES **Contact** LENI SKAAR

Address 2815 WEST LAKE MEAD BLVD., SUITE 102 **Phone:** (702) 321-5609 **Fax:** (702) 647 6024

City NORTH LAS VEGAS **State** NV **Zip** 89032

E-mail Address leni.skaar@yahoo.com

Property Owner Signature* JOHN STEWART

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

Print Name JOHN STEWART

Subscribed and sworn before me

This 14th day of April, 20 11.

Notary Public in and for said County and State

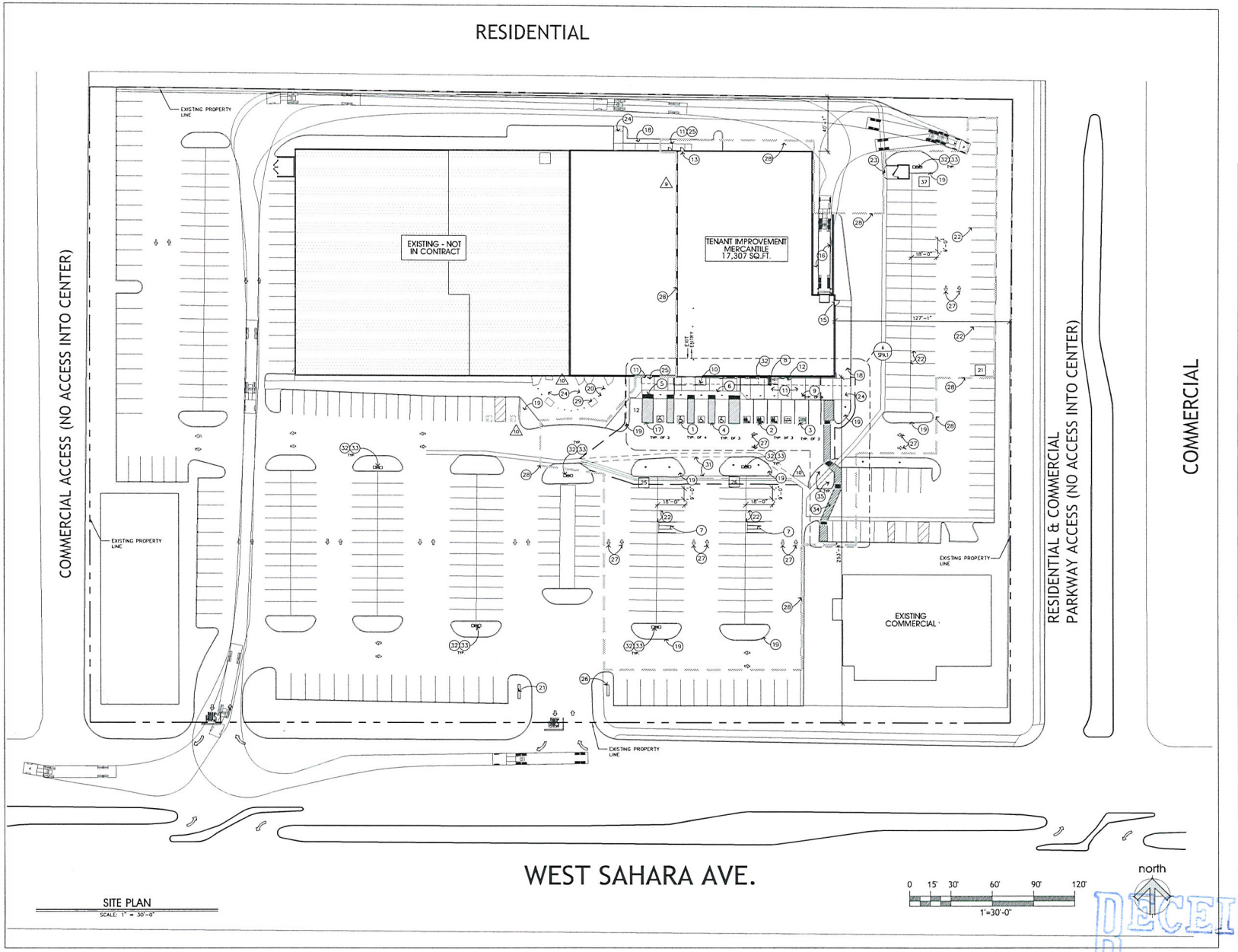
HEATHER STRONG
Notary Public State of Nevada
No. 06-107806-1
My Appt. Exp. July 26, 2014

FOR DEPARTMENT USE ONLY

Case #	EOT-42005
Meeting Date:	7-20-11
Total Fee:	$ 800.00
Date Received:*	6-2-11
Received By:	

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

Revised 10/27/08



DRAKE COOPER
496 SOUTH BROADWAY
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FAX: 303-825-7200

Stantec
Stantec Architecture Inc.
1137 N. McDowell Blvd. Petaluma, CA U.S.A. 94954
Tel: 707.765.1660 Fax: 707.765.9908 www.stantec.com

KEY NOTES:

1. NEW ACCESSIBLE PARKING STALLS – SEE DETAIL 02/SP1
2. NEW ADULT/CHILD PARKING STALLS – SEE DETAIL 06/SP2
3. NEW HYBRID PARKING STALLS – SEE DETAIL 03/SP2
4. NEW ACCESSIBLE AISLE 5' X 18' – SEE DETAIL 04/SP1
5. NEW ACCESSIBLE CURB RAMP WITH 3' TACTILE WARNING (1:12 SLOPE)– THICKNESS TO MATCH EXISTING, VERIFY WITH SOILS REPORT FOR THICKNESS AND PSI. SEE SPECIFICATIONS FOR REINFORCING. – SEE DETAILS 01/SP1, 04/SP1, 06/SP1, 10/SP1 (VERIFY WITH LOCAL CODES FOR REQUIREMENTS)
6. NEW 7" CONCRETE SLAB WITH 6' WIDE TACTILE WARNING (1:12 SLOPE)THICKNESS TO MATCH EXISTING, VERIFY WITH SOILS REPORT FOR THICKNESS AND PSI. SEE SPECIFICATIONS FOR REINFORCING.– SEE DETAILS 04/SP1, 12/SP1 (VERIFY WITH LOCAL CODES FOR REQUIREMENTS)
7. NEW CART CORRAL – 05/SP1
8. NEW CART STORAGE RAILING +1-1/2" DIAL. PIPE RAIL TO 42" A.F.G.
9. NEW PARKING SIGN BOLLARDS, BASE 12" DIA., 36" HIGH IN LIEU OF WHEEL STOPS – SEE DETAILS 06/SP1, 3/SP1
10. NEW TRASH RECEPTACLE – SEE SPECIFICATIONS
11. NEW CONCRETE WALK TO MATCH EXISTING – SEE DETAILS 01,04,06,10/SP1
12. NEW BIKE RACK – SEE DETAIL 11/SP1
13. NEW EMERGENCY EXIT DOOR
14. EXISTING 6" HIGH VERTICAL CONCRETE CURB
15. LOADING DOCK MAN DOOR
16. EXISTING LOADING DOCK & TRUCK WELL
17. NEW 8' X 18' ACCESSIBLE AISLE – SEE DETAIL 04/SP1
18. EXISTING LANDSCAPE PLANTER
19. EXISTING LANDSCAPE MEDIAN
20. EXISTING BOLLARDS
21. EXISTING SHOPPING CENTER PYLON
22. EXISTING PARKING SPACES TO BE RESTRIPED
23. EXISTING TRASH ENCLOSURE
24. EXISTING CONCRETE WALK WAY
25. REMOVE EXISTING LANDSCAPE BED AND PROVIDE NEW CONCRETE SLAB TO MATCH EXISTING SLOPE
26. NEW WELCOME & THANK YOU SIGN PROVIDED BY OTHERS
27. NEW PAINTED TRAFFIC ARROWS – SEE DETAIL 07/SP1
28. LIMIT OF CONSTRUCTION
29. EXISTING BUILDING ENTRY COLUMN TO REMAIN
30. NEW CONCRETE PAD
31. RELOCATED 3' WIDE VALLEY GUTTER 1/A
32. EXISTING LIGHT TO REMAIN
33. CUSTOMER PARKING ONLY SIGNAGE MOUNTED ON LIGHT POLE, SEE DETAIL 8/SP1.
34. NEW STRIPED ACCESSIBLE PATH OF TRAVEL
35. EXISTING TREES TO REMAIN 1/A

SITE DATA:

ACCESSIBLE PARKING STALLS	4
ADULT/CHILD STALLS	3
PARKING STALLS	
HYBRID PARKING STALLS	2
STANDARD PARKING STALLS	100
TOTAL PARKING STALLS	109

CONSTRUCTION :
Do not use drawing for construction unless initialed

No.	DATE:	REVISIONS:
1	01/18/2008	PERMIT
2	03/15/2008	CLIENT REV. & DA
3	06/03/2008	PLAN COORDINATION
4	06/16/08	ADDITIONAL CITY COMMENTS
5	08/01/08	VALUE ENGINEERING REVISIONS
6	09/12/2008	DESIGN REVISIONS
7	11/19/2008	DESIGN REVISIONS

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STORE # LV020091NE01

SAHARA and DECATUR
4580 W. SAHARA AVE.
LAS VEGAS, NV

SHEET TITLE: SHOPPING CENTER SITE PLAN

SPA

RECEIVED
JUN 02 2011

EOT-42005

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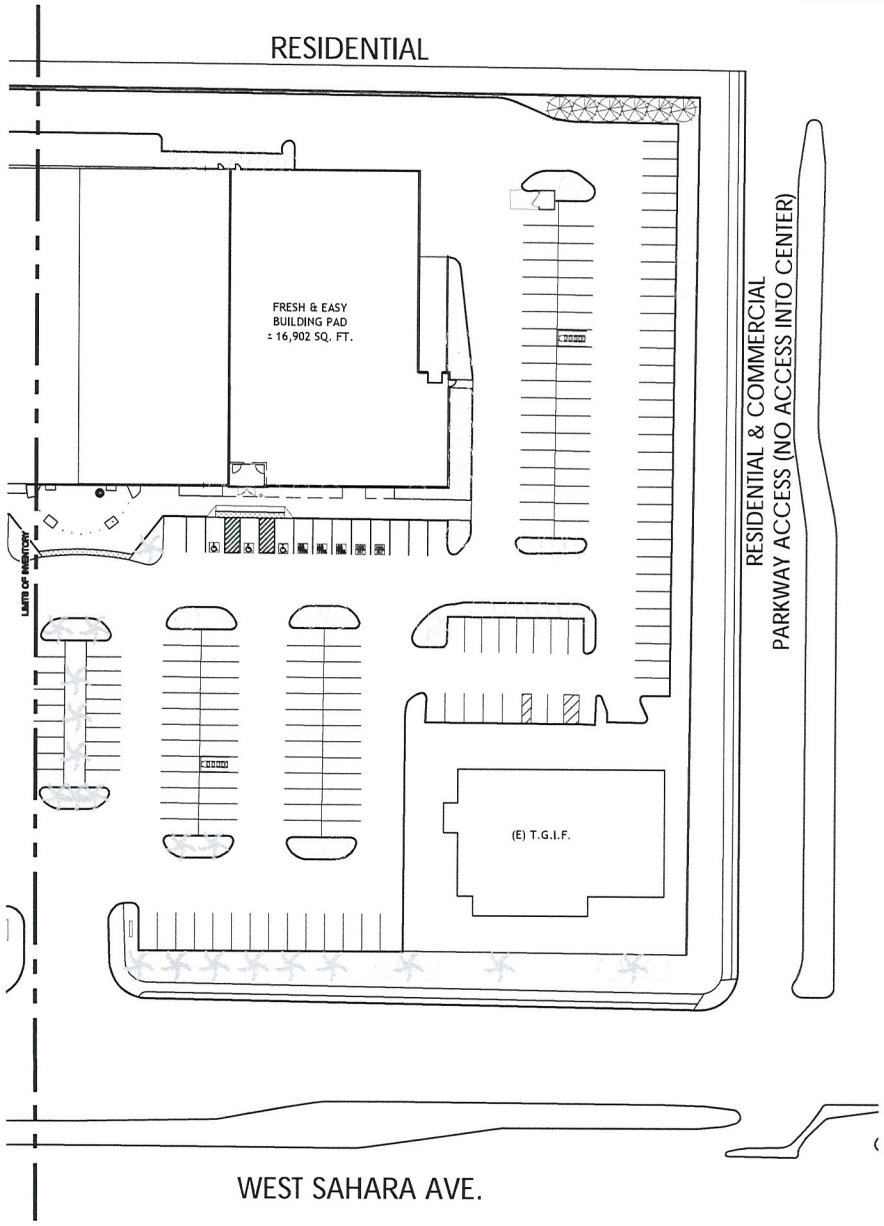

PLANT SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME
	EXISTING TREES	
	EXISTING WASHINGTONIA ROBUSTA	EXISTING MEXICAN FAN PALM
	EXISTING PINUS ELDARICA	EXISTING MONDEL PINE
	EXISTING NERIUM OLEANDER	EXISTING OLEANDER
	EXISTING LIGUSTRUM LUCIDUM	EXISTING GLOSSY PRIVET
	EXISTING CERCIS OCCIDENTALIS	EXISTING WESTERN REDBUD
	EXISTING RAPHIOLEPIS	EXISTING HAWTHORN

EXISTING TREE INVENTORY PLAN

SCALE: SCALE

JWZUNINO & ASSOCIATES
LANDSCAPE ARCHITECTURE
LAND PLANNING
3791 South Jones Blvd.
Las Vegas Nevada 89146
Phone (702) 253-9390
Fax (702) 253-1016
E-Mail jwz@wzuno.com

DRAKE DESIGN GROUP
496 SOUTH BROADWAY
DENVER, COLORADO 80209
PH: 303-825-8500
FAX: 303-825-7200

RHL DESIGN GROUP INC.
PROJECT MANAGEMENT SERVICES
1127 NORTH McDOWELL BLVD.
PETALUMA, CALIFORNIA 94954
(707) 765-1660

JOHN. W. JOHNSON, ARCHITECT
1137 NORTH McDOWELL BLVD.,
PETALUMA, CALIFORNIA 94954
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F (707) 765.9908

CONSTRUCTION:
Do not use drawing for construction unless initialed

No	DATE	INITIALS
1	--	--
2	--	--
3	--	--
4	--	--
5	--	--

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LV020091NE01

SAHARA and DECATUR
5055 W. SAHARA AVE.
LAS VEGAS, NV

SHEET TITLE:

NORTH

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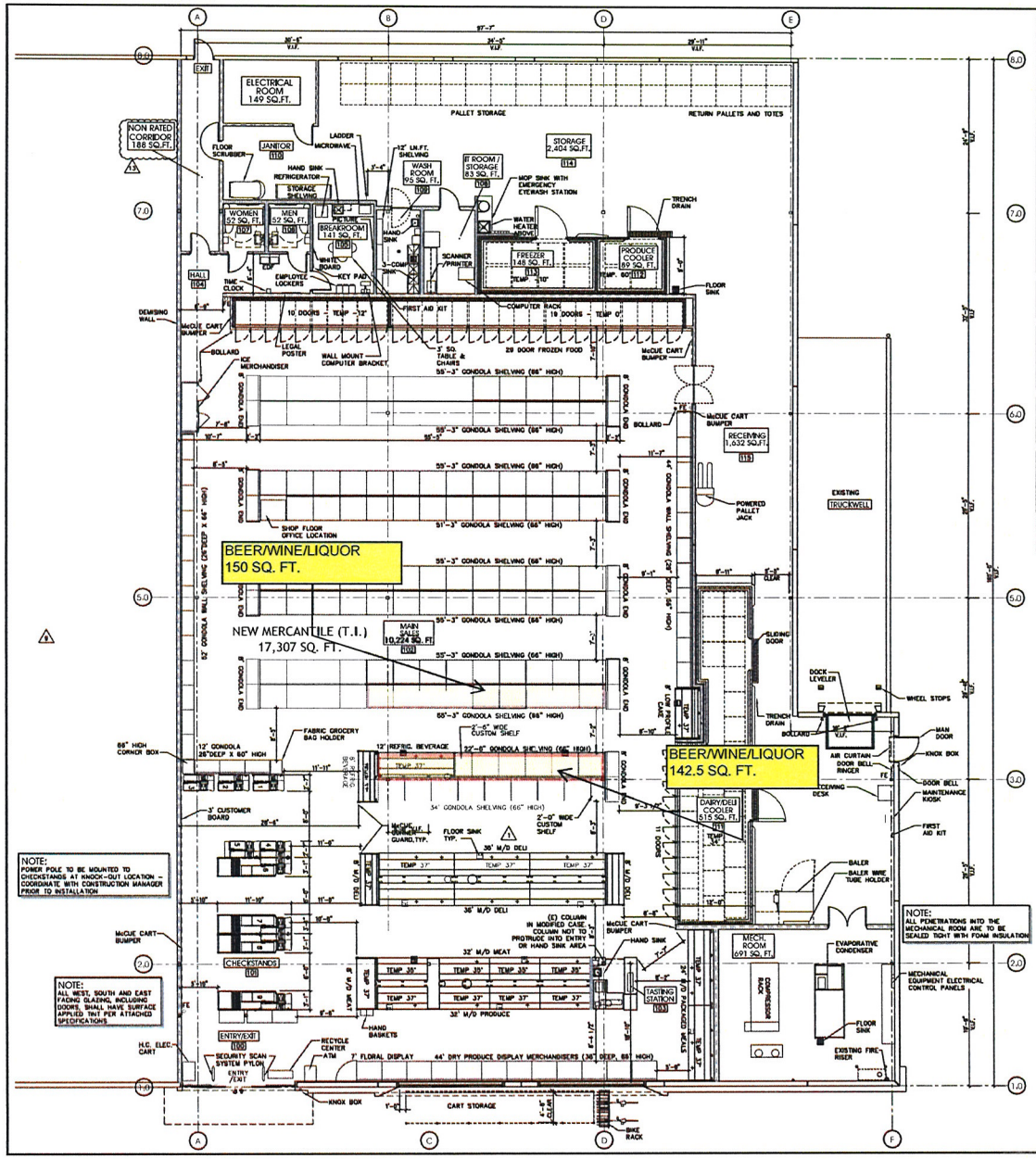
JUN 02 2011

EOT-42005



A FIXTURE PLAN
SCALE: 1/8" = 1'-0"

north

FIXTURE PLAN SUMMARY

STORE LOCATION:	5055 West Sahara Avenue	Proposed	Prototype	Difference
City, State:	Las Vegas, Nevada 89146			
Date:	11.18.08			
BUILDING	Building Ground Floor (Sq. Ft.)	16,616	13,969	2,647
	Mechanical Room (at ground floor) and/or Platform (Sq.Ft.)	691	667	-20
	TOTAL BUILDING (SQ.FT.)	17,307	14,926	2,381
	Sales Area (Sq.Ft.)	10,224	10,244	-20
	SALES AREA / BLDG. GROUND FLOOR (%)	61.5%	73.2%	-11.7%
	Backroom Area (Rec. Rm. Storage & Receiving)(Sq.Ft.)	4,162	1,887	2,275
	BACKROOM AREA / BLDG. GROUND FLOOR (%)	25.4%	13.8%	11.5%
SHELVING	Grocery Shelving (Deep)	435.50	435.50	0.00
	Grocery Shelving (Standard)	90	90	0
	Alcohol Shelving (Deep)	62	62	0.00
	Bakery Shelving	44	44	0
	HBA Shelving	60	60	0
	TOTAL SHELVING (LIN.FT.)	692	692	0
CASES	Refrigerated Deli / Dairy	156	156	0
	Refrigerated Produce	32	32	0
	Refrigerated Meat / Seafood	32	32	0
	Refrigerated Beer / Wine	12	12	0
	Refrigerated Bakery	8	8	0
	Frozen Foods (2 Doors) + Ice	80	80	0
	TOTAL CASES (LIN.FT.)	320	320	0
FIXTURES	Produce	44	44	0
	Floral	12	12	0
	TOTAL FIXTURES (LIN.FT.)	56	56	0
TOTAL LINEAR FOOTAGES (CASES, FIXTURES & SHLV'G)		1,068	1,068	0
REFRIG.& FREEZER BOX'S	Dairy / Deli Cooler	515	497	18
	Produce Cooler	89	89	0
	Freezer	148	148	0
	TOTAL REFRIG./FREEZER STORAGE (SQ.FT.)	752	734	18
ROOMS	Breakroom	144	126	18
	IT Room	83	83	0
	Wash Room	95	93	2
	Women's Restroom	52	46	6
	Men's Restroom	52	46	6
	Non rated Corridor	319	130	189
	TOTAL ROOM SIZES (SQ.FT.)	745	524	221

APPROVAL SIGNATURES

NAME:	DATE

REVISIONS

DELTA #	DESCRIPTION	DATE

Prepared By: db

REVISED 11/18/2008

DRAKE Design Partnership
498 SOUTH BROADWAY
DENVER, COLORADO 80209
PH: 303-825-8900
FAX: 303-825-7200

Stantec
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1137 N. McDowell Blvd. Petaluma, CA U.S.A. 94954
Tel. 707.765.1660 Fax. 707.765.8908 www.stantec.com

CONSTRUCTION: Do not use drawing for construction unless initialed

NO.	DATE	REVISION
1	01/18/2008	PERMIT
2	03/15/2008	CLIENT REV. & QUA
3	08/01/08	VALUE ENGINEERING REVISIONS
4	09/12/2008	DESIGN REVISIONS
5	12/11/08	DESIGN REVISION

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STORE # LV020091NE01

SAHARA and DECATUR
4580 W. SAHARA AVE.
LAS VEGAS, NV

SHEET TITLE: FIXTURE PLAN

PROJECT NO.: DRAD7018.2 | 11/07/07
DRAWN BY:
CHECKED BY:
DATE:
SCALE:
PLOT DATE:
PROTOTYPE 5.31.14.07

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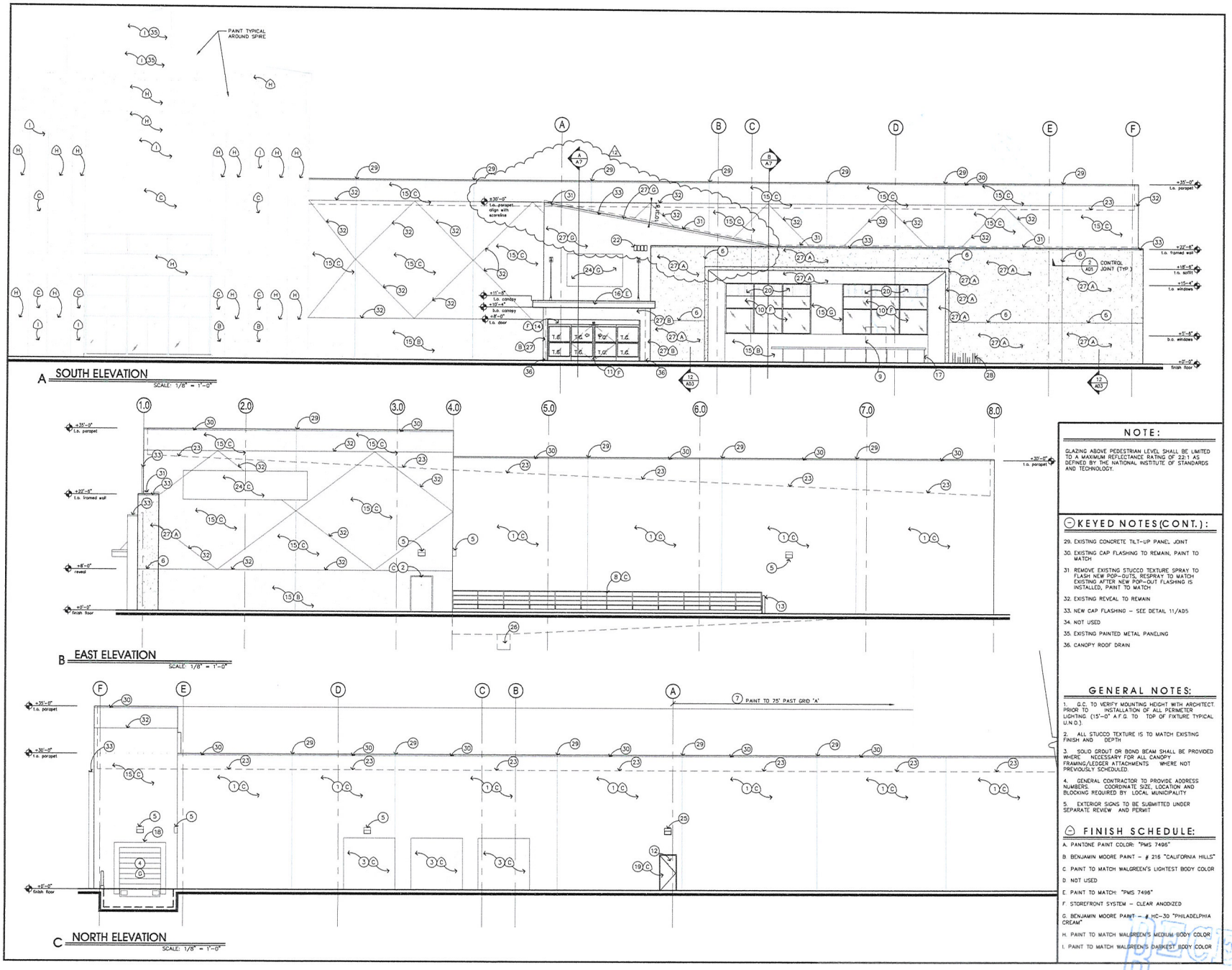
JUN 02 2011

EOT-42005



NOTE:

GLAZING ABOVE PEDESTRIAN LEVEL SHALL BE LIMITED TO A MAXIMUM REFLECTANCE RATING OF 22:1 AS DEFINED BY THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.

KEYED NOTES (CONT.):

29. EXISTING CONCRETE TILT-UP PANEL JOINT
30. EXISTING CAP FLASHING TO REMAIN, PAINT TO MATCH
31. REMOVE EXISTING STUCCO TEXTURE SPRAY TO FLASH NEW POP-OUTS, RESPRAY TO MATCH EXISTING AFTER NEW POP-OUT FLASHING IS INSTALLED, PAINT TO MATCH
32. EXISTING REVEAL TO REMAIN
33. NEW CAP FLASHING – SEE DETAIL 11/A05
34. NOT USED
35. EXISTING PAINTED METAL PANELING
36. CANOPY ROOF DRAIN

GENERAL NOTES:

1. G.C. TO VERIFY MOUNTING HEIGHT WITH ARCHITECT PRIOR TO INSTALLATION OF ALL PERIMETER LIGHTING (15'-0" A.F.G. TO TOP OF FIXTURE TYPICAL U.N.O.).
2. ALL STUCCO TEXTURE IS TO MATCH EXISTING FINISH AND DEPTH
3. SOLID GROUT OR BOND BEAM SHALL BE PROVIDED WHERE NECESSARY FOR ALL CANOPY FRAMING/LEDGER ATTACHMENTS WHERE NOT PREVIOUSLY SCHEDULED.
4. GENERAL CONTRACTOR TO PROVIDE ADDRESS NUMBERS. COORDINATE SIZE, LOCATION AND BLOCKING REQUIRED BY LOCAL MUNICIPALITY
5. EXTERIOR SIGNS TO BE SUBMITTED UNDER SEPARATE REVIEW AND PERMIT

FINISH SCHEDULE:

A. PANTONE PAINT COLOR: "PMS 7496"
B. BENJAMIN MOORE PAINT – # 216 "CALIFORNIA HILLS"
C. PAINT TO MATCH WALGREEN'S LIGHTEST BODY COLOR
D. NOT USED
E. PAINT TO MATCH: "PMS 7496"
F. STOREFRONT SYSTEM – CLEAR ANODIZED
G. BENJAMIN MOORE PAINT – # HC-30 "PHILADELPHIA CREAM"
H. PAINT TO MATCH WALGREEN'S MEDIUM BODY COLOR
I. PAINT TO MATCH WALGREEN'S DARKEST BODY COLOR

DRAKE Cooper
406 SOUTH BROADWAY
DENVER, COLORADO 80209
PH: 303-825-8500
FAX: 303-825-7200

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KEYED NOTES:

1. EXISTING CONCRETE TILT-UP PANELS
2. EXISTING MAN DOOR
3. (E) EXISTING ROLL UP DOORS TO BE REMOVED AND OPENINGS PREPPED FOR INFILL. SEE B/A0.0 AND STRUCTURAL DRAWINGS
4. EXISTING LOADING DOCK AND ROLL UP DOOR
5. EXISTING LIGHT FIXTURE TO REMAIN
6. NEW STUCCO CONTROL JOINT, USG #100
7. LIMIT OF WORK
8. NEW PIPE GUARD RAIL
9. REMOVE EXISTING DOOR AND INFILL WITH CONCRETE– SEE STRUCTURAL DRAWINGS
10. CUT OPENING IN EXISTING CONCRETE TILT-UP PANEL TO ACCOMMODATE NEW ALUMINUM STOREFRONT WINDOW SYSTEM – 1" INSULATED GLAZING WITH LOW 'E' COATING – FINISH CLEAR ANODIZED, SEE STRUCTURAL DRAWINGS
11. CUT OPENING IN EXISTING CONCRETE TILT-UP PANEL TO ACCOMMODATE NEW AUTOMATIC SLIDING ENTRY / EXIT DOOR – SEE SPECIFICATIONS – CLEAR ANODIZED FINISH – SEE DOOR SCHEDULE – SEE STRUCTURAL DRAWINGS
12. CUT OPENING IN EXISTING CONCRETE TILT-UP PANEL TO ACCOMMODATE NEW HOLLOW METAL DOOR– SEE SPECIFICATIONS– PAINT TO MATCH ADJACENT WALL COLOR– SEE DOOR SCHEDULE – SEE STRUCTURAL DRAWINGS
13. NEW PIPE BOLLARD
14. BREAK METAL
15. SYNTHETIC STUCCO SYSTEM OVER EXISTING TILT-UP CONCRETE PANELS
16. METAL CANOPY – SEE STRUCTURAL
17. GALVANIZED STEEL PIPE RAIL FOR CART STORAGE
18. EXISTING DOCK SEAL
19. NEW HOLLOW METAL DOOR – SEE SHEET A5
20. WINDOW GLAZING
21. ALL WEST, SOUTH AND EAST AING GLAZING, INCLUDING DOORS, SHALL HAVE SURFACE APPLIED TINT PER ATTACHED SPECIFICATIONS
22. G.C. TO PROVIDE AND INSTALL RAISED CHANNEL ADDRESS NUMBERS – G.C. TO COORDINATE THE ADDRESS NUMBER SIZE AND LOCATION WITH GOVERNMENTAL OFFICIALS
23. DASHED LINE INDICATES BOTTOM OF ROOF DECK ELEVATION – SEE STRUCTURAL
24. SIGN LOCATION – UNDER SEPARATE PERMIT – COORDINATE WITH OWNERS SIGN SUBCONTRACTOR – PROVIDE BLOCKING PER SIGN SUBCONTRACTOR
25. FULLY SHIELDED EXTERIOR WALL MOUNTED LIGHT FIXTURE – SEE ELECTRICAL DRAWINGS
26. EXISTING SUMP PIT AND TRUCK WELL
27. SYNTHETIC STUCCO OVER 5/8" EXTERIOR GRADE PLYWOOD, OVER EXISTING TILT-UP CONCRETE WALL
28. NEW BIKE RACK, CONTRACTOR TO INSTALL PER SPECIFICATIONS, SEE DETAIL 11/SP1

CONSTRUCTION:
Do not use drawing for construction unless initialed

No.	DATE	REVISION
1	01/18/2008	PERMIT
2	03/15/2008	CLIENT REV. & QA
3	03/15/2008	CITY COMMENTS
4	06/03/2008	PLAN COORDINATION
5	06/01/08	VALUE ENGINEERING REVISIONS
6	09/12/08	DESIGN REVISIONS
7	12/05/2008	DESIGN REVISIONS

fresh & easy

STORE # LV020091NED1

SAHARA and DECATUR
4580 W. SAHARA AVE.
LAS VEGAS, NV

SHEET TITLE:
EXTERIOR ELEVATIONS

ARCHITECT'S PROJ. NO.: DRK07016.0 11/07/07
DRAWN BY:
APPROVED BY:
DATE ISSUED:
REV. 1 ISSUED ON:
REV. 2 ISSUED ON:
CLIENT RELEASE NOTE: PROTOTYPE 5-11-1440
SCALE:

DWG. NO.
A3

F:\Project\A-B-C-D\DRK\DRK07016.0\SHEETS_Const\DRK07016.0 A3.dwg, Dimscale:1, LTScale:0.7, Plot:[Time,Dec05,2008-04:38pm, Login:WPaxton,Xref
Pre-plot:[JAN 02, 2008 10:03-Bosswpp] Xrefs:"Xref DRK07016.0 Title Block"-Xref DRK07016.0 Elevations Images

EOT-42005

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JUN 02 2011

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

097536

June 6, 2008

Mr. Michael Labarbera
Facchino Labarbera Sahara LLC
18770 Cox Avenue
Saratoga, California 95070

RE: SUP-27506 – SPECIAL USE PERMIT
CITY COUNCIL MEETING OF JUNE 4, 2008

Dear Mr. Labarbera:

The City Council at a regular meeting held June 4, 2008 APPROVED the request for a Special Use Permit FOR A PROPOSED BEER/WINE/COOLER OFF-SALE ESTABLISHMENT WITHIN AN APPROVED 17,307 SQUARE-FOOT GROCERY STORE located at 4580 West Sahara Avenue (APN: 162-06-411-004), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on June 5, 2008. This approval is subject to:

Planning & Development

1. Conformance to all minimum requirements under LVMC Title 19.04.010 for Beer/Wine/Cooler Off-Sale Establishment use, including parking requirements.

2. Conformance to the conditions for Rezoning (Z-0057-87) and Site Development Plan Review (SDR-25837).

3. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

4. Approval of this Special Use Permit does not constitute approval of a liquor license.

5. The sale of individual containers of any size of beer, or wine coolers is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.

6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

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EOT-42005

7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Sincerely,

Lean. Coleman

Lean Coleman
Deputy City Clerk II for
Beverly K. Bridges, CMC, City Clerk

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

Mr. Jon Hardy
Drake Real Estate Services
496 South Broadway
Denver, Colorado 80209

Ms. Leni Skaar
Bradshaw & Associates, Inc.
3753 Howard Hughes Parkway, Suite #200
Las Vegas, Nevada 89169

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LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

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STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW
STAVROS S. ANTHONY

ELIZABETH N. FRETWELL
CITY MANAGER

July 22, 2010

Mr. Michael Labarbera
Facchino Labarbera Sahara, LLC
873 Blossom Hill Road
San Jose, California 95123

RE: EOT-38422 - EXTENSION OF TIME
CITY COUNCIL MEETING OF JULY 21, 2010

Dear Mr. Labarbera:

The City Council at a regular meeting held July 21, 2010 APPROVED the request for an Extension of Time of a previously approved Special Use Permit (SUP-27506) FOR A PROPOSED BEER/WINE/COOLER OFF-SALE ESTABLISHMENT WITHIN AN APPROVED 17,307 SQUARE-FOOT GROCERY STORE at 4580 West Sahara Avenue (APN 162-06-411-004), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on July 22, 2010. This approval is subject to:

Planning and Development

1. This Special Use Permit (SUP-27506) shall expire on June 4, 2011 unless another Extension of Time is approved by the City Council.

2. Conformance to the conditions of approval of the Special Use Permit (SUP-27506) and all other site related actions as required by the Planning and Development Department and the Department of Public Works.

Sincerely,

Angela Crolli

Angela Crolli
Deputy City Clerk II for
Beverly K. Bridges, MMC, City Clerk

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JUN - 2 2011

cc: Mr. Adam Mayfield
Fresh & Easy Neighborhood Market
2120 Park Place, Suite #200
El Segundo, California 90245

Ms. Leni Skaar
Bradshaw & Associates
2815 West Lake Mead Boulevard, Suite #102
North Las Vegas, Nevada 89032

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

VOICE 702.229.6011
TTY 702.386.9108
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FM-0044-08-09

EOT-42005

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BRADSHAW & ASSOCIATES

Zoning • Variances
Special Use

A Land Use Consulting Company

May 31, 2011

Dear Madam or Sir,

On behalf of my client, Fresh & Easy Neighborhood Market, I am requesting a 2-year Extension of Time on EOT-38422, which was approved by the City Council on July 21, 2010 and allows a Beer/Wine Cooler Off-Sale Establishment within an approved grocery store at 4580 West Sahara Avenue. The Assessors Parcel Number is 162-06-411-004.

This site is leased by Fresh & Easy Neighborhood Market and has recently been sold to a new owner. It is Fresh & Easy's expectation that this new owner will improve and actively market the entire commercial property in such a manner that the site will become an economically viable location for our Neighborhood Market to operate.

Thank you, for your consideration of this request.

Yours truly,

Leni Skaar

Leni Skaar

RECEIVED
JUN - 2 2011

EOT-42005

City of Las Vegas Agenda Item No.: **67.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: JULY 20, 2011

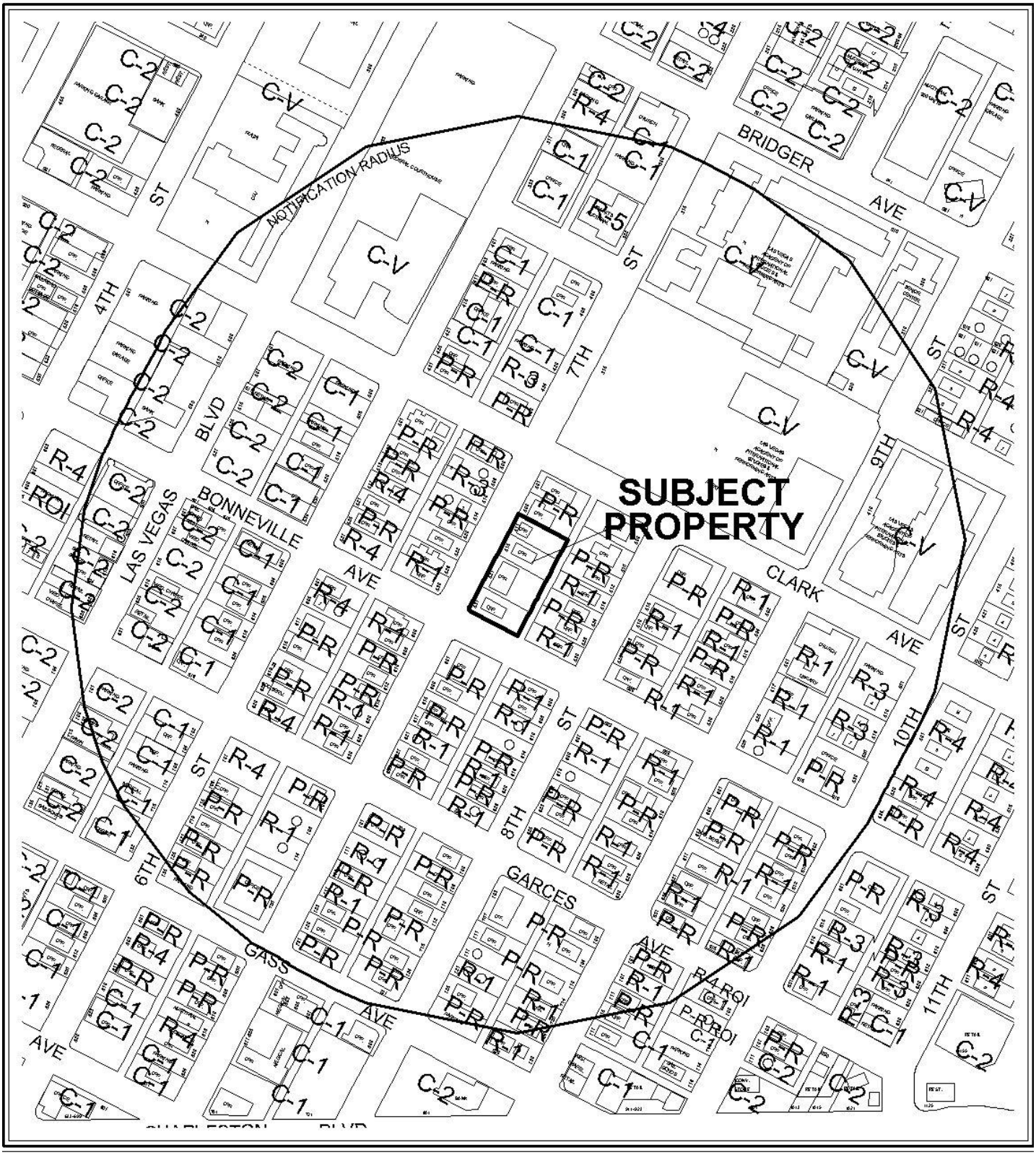
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
ZON-41545 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: BONNEVILLE BUNGALOWS, LLC - For possible action on a request for Rezoning FROM: R-1 (LOW DENSITY RESIDENTIAL) AND P-R (PROFESSIONAL OFFICE AND PARKING) TO: P-O (PROFESSIONAL OFFICE) on 0.85 acres at 511, 515, 521 and 531 South 7th Street (APNs 139-34-710-042, 43, 44 and 139-34-810-018), Ward 3 (Coffin). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**1**	**Planning Commission Mtg.**	**6**
City Council Meeting	**0**	**City Council Meeting**	**1**

RECOMMENDATION:
The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps - ZON-41545 and VAR-41546
2. Conditions and Staff Report - ZON-41545 and VAR-41546
3. Supporting Documentation
4. Photos - ZON-41545 and VAR-41546
5. Justification Letter - ZON-41545 and VAR-41546
6. Support Postcard – ZON-41545 and VAR-41546
7. Backup referenced from the June 14, 2011 Planning Commission Meeting Items – ZON-41545 and VAR-41546



0 300 600 Feet

CASE: **ZON-41545 AND VAR-41546**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-1 (LOW DENSITY RESIDENTIAL) AND P-R (PROFESSIONAL OFFICE AND PARKING)

PROPOSED ZONING OF SUBJECT PROPERTY: P-O (PROFESSIONAL OFFICE)

N



0 300 600 Feet

CASE: **ZON-41545 AND VAR-41546**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-1 (LOW DENSITY RESIDENTIAL) AND P-R (PROFESSIONAL OFFICE AND PARKING)

PROPOSED ZONING OF SUBJECT PROPERTY: P-O (PROFESSIONAL OFFICE)

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 20, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: BONNEVILLE BUNGALOWS, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
ZON-41545	Staff recommends APPROVAL.	VAR-41546
VAR-41546	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

VAR-41546 CONDITIONS

Planning

1. Approval of Rezoning (ZON-41545), shall be required, if approved.

2. Conformance to the approved conditions for Variance (V-0160-90).

3. A Site Development Plan Review application must be approved prior to the use as a commercial property.

4. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.

5. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

YK

Staff Report Page One
July 20, 2011 - City Council Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a proposal to rezone 511, 515, 521 and 531 South Seventh Street from R-1 (Single Family Residential) and P-R (Professional Office and Parking District) to P-O (Professional Office). This request also includes Variance (VAR-41546) to allow a P-O (Professional Office) district to have a lot width of 55 feet where 60 feet is the minimum required for the parcel located at 511 South Seventh Street. These properties are located in the Historic Las Vegas High School neighborhood that has become a popular location for attorney and accounting firms to locate. The properties located at 515 and 521 had previously approved Variances to allow commercial offices in an R-1 (Single Family Residential) district but have since expired. This area is designated as Mixed Use under the General Plan that permits professional offices. With the approval of the accompanying Variance, this project meets the minimum requirements of Title 19 for the requested rezoning designation; therefore, staff recommends approval. If denied, the properties would remain as currently zoned.

ISSUES

- 511 South Seventh Street requires a Variance to allow a P-O (Professional Office) lot to be 55 feet wide where 60 feet is the minimum required by code.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
08/06/80	The Board of Zoning Adjustment approved a Variance (V-0047-80) to allow a public relations firm in an R-1 (Single Family Residential) district at 521 South Seventh Street. Staff recommended approval.
03/28/91	The Board of Zoning Adjustment approved a Variance (V-0148-89) to allow a commercial business to locate in an R-1 (Single Family Residential) zone at 531 South Seventh Street. Staff recommended approval.
01/24/91	The Board of Zoning Adjustment approved a Variance (V-0160-90) to allow a commercial business to locate in an R-1 (Single Family Residential) zone and to allow an addition to have a side yard setback of one foot on the north perimeter where a minimum of five feet is required at 511 South Seventh Street. Staff recommended approval.
08/18/93	The City Council approved a Rezoning (ZON-0062-93) from R-1 (Single Family Residential) to P-R (Professional Office and Parking District) for property at 515 South Seventh Street. The Planning Commission and staff recommended approval.
06/14/11	The Planning Commission voted (7-0) to recommend APPROVAL of companion items ZON-41545 and VAR-41546 (PC Agenda Items 7-8/yk).

YK

Most Recent Change of Ownership	
03/28/11	A deed was recorded for a change in ownership of all four parcels.

Related Building Permits/Business Licenses	
09/27/00	A Business License (A02-00681-A-093876) for Advertising was issued for 521 South Seventh Street. This license was marked as out-of-business on 01/21/09.
03/29/11	A Business license (Q13-01392-3-153301) for a Law Firm was issued for 515 South Seventh Street. This license is active.

Pre-Application Meeting	
04/13/11	Staff met with the applicants and reviewed the requirements to rezone the four properties. It was discovered that a Variance would be required for 511 South Seventh Street, since that lot doesn't meet the 60-foot minimum lot width for P-O (Professional Office) designation. Site Development Plan Reviews will be submitted at a later date.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
05/05/11	Staff visited the sites and found four well maintained structures. No issues were noted at this time.

Details of Application Request	
Site Area	
Net Acres	0.85

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Vacant	MXU (Mixed Use)	P-R (Professional Office and Parking District) R-1 (Single Family Residential)
North	Office	MXU (Mixed Use)	P-R (Professional Office and Parking District)

YK

South	Office	MXU (Mixed Use)	P-R (Professional Office and Parking District)
East	Office	MXU (Mixed Use)	P-R (Professional Office and Parking District)
West	Office	MXU (Mixed Use)	P-R (Professional Office and Parking District)
	Single Family Residential		R-1 (Single Family Residential)
	Multi-Family Residential		R-3 (Medium Density Residential)

Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
H (Historic Designation)-Las Vegas High School Neighborhood	X		Y
Live/Work Overlay District	X		N/A
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Street Width (Feet)***	***Compliance with Street Section***
Seventh Street	N/A	N/A	80	N/A

ANALYSIS

The site is located within the Las Vegas High School Historic District. When the survey was conducted in 1988, the properties at 511 and 515 met the architectural criteria to contribute to the historic designation of the neighborhood. The properties at 521 and 531 did not contribute to the historic designation since the exterior of the structures had been greatly modified from the original construction.

The project encompasses four contiguous parcels of developed land each with a single family structure on them. The vast majority of properties in this downtown neighborhood have been converted from Single Family Residential properties to Professional Office use over the past decade. When Title 19 was updated, one of the changes was the classification name of P-R (Professional Office/Parking) to P-O (Professional Office). Since the applicant owned all four adjoining parcels it was decided that the rezoning application should apply to all in order to bring them into conformance with the current code.

The character of the neighborhood has become professional office use but has maintained a residential appearance. The owner has indicated that it is their intent to maintain this character for these four properties. Approval of this Rezoning will bring these parcels into conformance with the General Plan, which designates them as MXU (Mixed Use). For this reason, staff recommends approval.

FINDINGS (ZON-41545)

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. **The proposal conforms to the General Plan.**

   The proposed Rezoning to P-O (Professional Office) will bring the subject properties into conformance with the General Plan, which currently designates the properties MXU (Mixed Use).

2. **The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.**

   The potential uses allowed in the proposed P-O (Professional Office) District are appropriate for the area, which is developed with predominantly converted single-family residences into offices.

3. **Growth and development factors in the community indicate the need for or appropriateness of the rezoning.**

   The subject properties are located in the Historic Las Vegas High School Neighborhood that has seen most of the single family residences converted to professional office uses over the past decade. The continued demand for office space in this area makes the requested rezoning appropriate.

4. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.**

These properties are located on Seventh Street in downtown which has a fully developed grid pattern that will provide adequate capacity to meet the needs of development on the subject parcels.

FINDINGS (VAR-41546)

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."

Evidence of a unique or extraordinary circumstance has been presented, in that the applicant has not created a self-imposed hardship. The area has dramatically changed over the past few decades from a single family residential neighborhood to a professional office neighborhood. Many of the original lot widths for the residential properties do not meet the minimum lot widths for professional office uses that dominate the area. The General Plan supports conversion to commercial use even though some lots do not meet the minimum width requirements. In view of this hardship imposed by the site's physical characteristics, it is concluded that the applicant's hardship is not preferential in nature, and it is thereby within the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 37

NOTICES MAILED 182 (By City Clerk)

APPROVALS 6

PROTESTS 1

YK

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-41545** APN: 139-34-710-042,043, & 044; 139-34-810-018

Name of Property Owner: Bonneville Bungalows LLC

Name of Applicant: Bonneville Bungalows LLC, Judean A Schmidt, Manager

Name of Representative: Robert S (Bob) Genzer, Genzer Consulting

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: _____

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APR 25 2011
City of Las Vegas

Signature of Property Owner: Judean A. Schmidt

State of Nevada
County of Clark

Print Name: JUDEAN A. SCHMIDT

Subscribed and sworn before me

This 21st day of April, 2011

Notary Public in and for said County and State

TRINA YOUNGBLOOD
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 04-09-14
Certificate No: 10-2050-1

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Rezoning

Project Address (Location) 511, 515, 521 and 531 S. Seventh St.

Project Name 7th and Bonneville Office Conversion **Proposed Use** Offices

Assessor's Parcel #(s) 13934710042, 043, & 044; 13934810018 **Ward #** 3

General Plan: existing MU proposed MU **Zoning:** existing R-1, P-R proposed P-O

Commercial Square Footage n/a **Floor Area Ratio** n/a

Gross Acres 0.88 **Lots/Units** 4 **Density** n/a

Additional Information Three of the four lots were previously used as offices by Use Variance case numbers V-160-90, V-47-80 and V-148-89. 515 S. 7th is currently an office.

PROPERTY OWNER Bonneville Bungalows LLC **Contact** Gary Morse

Address 1304 Grand Ave. **Phone:** (415) 699-5856 **Fax:** (415) 453-3757

City San Rafael **State** CA **Zip** 94901-2233

E-mail Address gpmorse@comcast.net

APPLICANT Bonneville Bungalows LLC **Contact** Judean A Schmidt, Manager

Address 8965 S. Eastern Ave., Suite 300 **Phone:** (702) 898-1395 **Fax:** (702) 463-2989

City Las Vegas **State** NV **Zip** 89123

E-mail Address mjschmidthouse@yahoo.com

REPRESENTATIVE Genzer Consulting **Contact** Bob Genzer

Address 9612 Hawksbill Ct. **Phone:** (702) 281-7496 **Fax:** (702) 254-4733

City Las Vegas **State** NV **Zip** 89117-0646

E-mail Address GenzerConsulting@cox.net

Property Owner Signature* Judean A. Schmidt

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

Print Name JUDEAN A. SCHMIDT

State of Nevada; County of Clark

Subscribed and sworn before me

This 21st day of April, 2011.

Notary Public in and for said County and State

TRINA YOUNGBLOOD
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 04-09-14
Certificate No: 10-2050-1

FOR DEPARTMENT USE ONLY

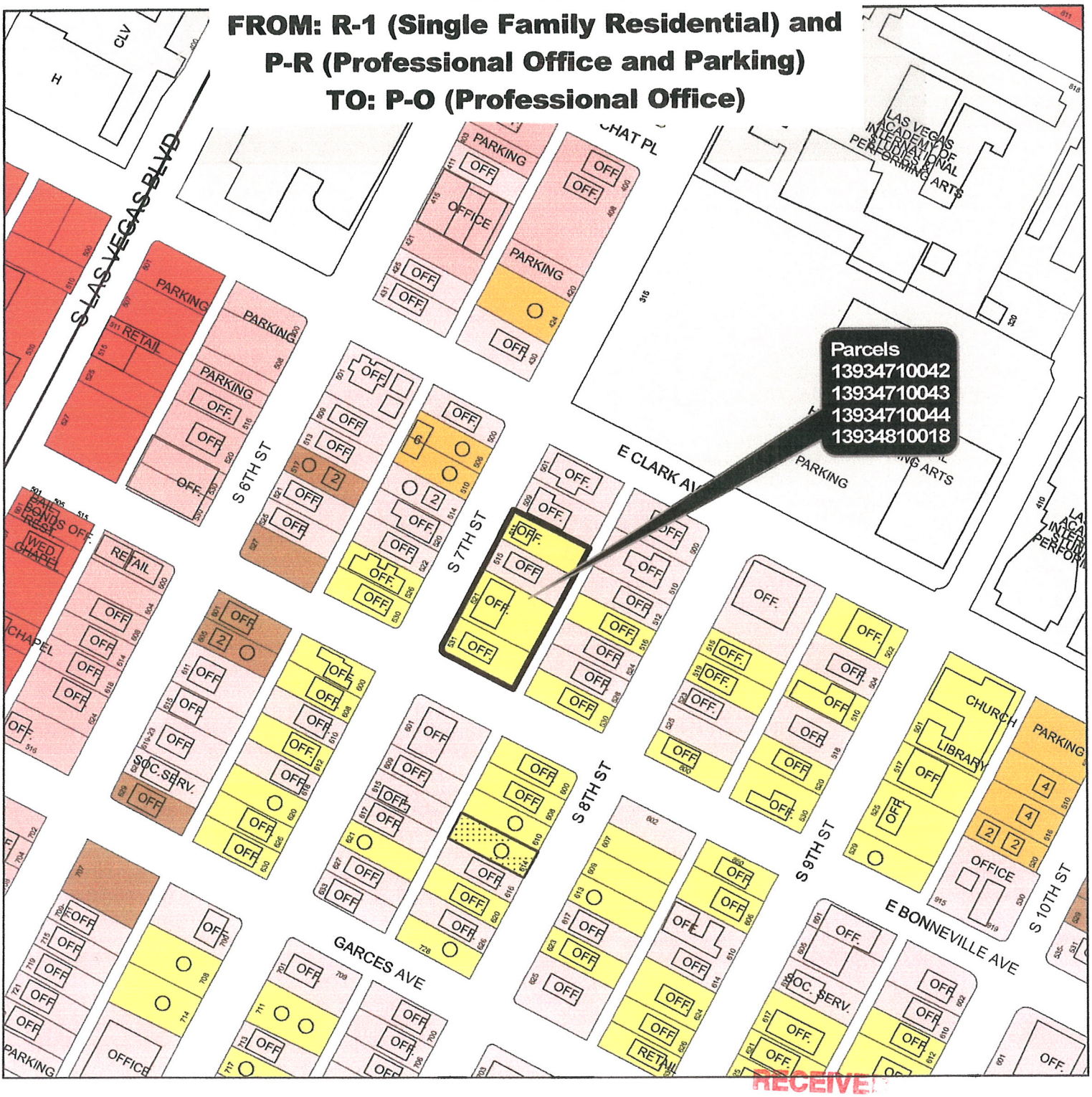
Case #	ZON-41545
Meeting Date:	~~6-14-11~~ 6-14-11
Total Fee:	~~$350.00~~ $200.00
Date Received:*	4-25-11
Received By:	FS.

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

511, 515, 521 & 531 S. Seventh St.

Location Map - Zoning

FROM: R-1 (Single Family Residential) and P-R (Professional Office and Parking)
TO: P-O (Professional Office)



- ROI Zoning
- U - (GPA Designation) Undeveloped
- R-A - Ranch Acres
- R-E - Residence Estates
- R-D - Single-Family Residential-Restricted
- R-PD - Residential Planned Development
- R-1 - Single Family Residential
- R-CL - Single-Family Compact-Lot
- R-2 - Medium-Low Density Residential
- R-3 - Medium Density Residential
- R-4 - High Density Residential
- R-5 - Apartment
- R-MH - Mobile/Manufactured Home Residence
- R-MHP - Residential Mobile/Manufactured Home Park
- P-R - Profesional Offices and Parking
- N-S - Neighborhood Service
- O - Office
- C-D - Designed Commercial
- C-1 - Limited Commercial
- C-2 - General Commercial
- C-PB - Planned Business Park
- C-M - Commercial/Industrial
- M - Industrial
- C-V - Civic
- P-C - Planned Community
- T-D - Traditional Development
- PD - Planned Development
- TC - Town Center

ZON-41545

RECEIVED
APR 25 2011
City of Las Vegas

N

0 130 260 520 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

DEPARTMENT OF PLANNING



ZON-41545 & VAR-41546 - APPLICANT/OWNER: BONNEVILLE BUNGALOWS, LLC
511, 515, 521 AND 531 SOUTH 7TH STREET

05/05/11



ZON-41545 & VAR-41546 - APPLICANT/OWNER: BONNEVILLE BUNGALOWS, LLC
511, 515, 521 AND 531 SOUTH 7TH STREET

05/05/11

April 20, 2011

Mr. Flinn Fagg, AICP, Acting Director
City of Las Vegas
Department of Planning
330 N. Rancho Dr.
Las Vegas, NV 89106

Re: 511, 515, 521 and 531 S. Seventh St.
APN: 139-34-710-042, 043, 044 & 139-34-810-018

Dear Mr. Fagg:

This letter is submitted as justification for an application for Rezoning for the above listed properties, and for a Variance for lot width for 511 S. Seventh St. The parcels are located in Ward 3, on the east side of Seventh Street, adjacent to, and north of Bonneville Avenue, both 80 foot wide rights-of-way. The surrounding area is a mixture of residential, office, and public facilities, with numerous conversions of existing residential properties to offices in recent years. The City of Las Vegas Southeast Sector Land Use Map designates these properties for Mixed Use which includes the (O) Office category.

The request is to change the existing R-1 (Single Family Residential) and P-R (Professional Office and Parking) zoning to the new P-O (Professional Office) category in accordance with the existing General Plan designation. A review of city records shows that each of the three R-1 properties was the subject of an approved Use Variance, however the business licenses at each location have subsequently expired and per city code, reinstatement of the Use Variance is not possible as over a year has lapsed in each case. A copy of the historical information provided by staff is attached for reference. The applicant acknowledges that Site Development Plan Review applications are required for 511 and 521 S. Seventh as per the e-mail received from Doug Rankin on March 15th. Those applications will be submitted as tenants are identified for each parcel.

In order to obtain the requested zoning for the parcel at 511 S. Seventh a Variance is required because the existing lot is 55 feet wide where 60 feet is the minimum in the P-O zone. This is not an uncommon situation in this area as the original lot widths are 25 feet and over the years numerous lots have been combined, either partially or in total. As a result, lot widths in this area are anything but uniform. This lot is fully developed with landscaping and parking to match the three adjacent commonly owned parcels. Approval of the requested Variance will not create any adverse affects on the surrounding properties.

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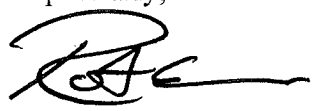
APR 25 2011
City of Las Vegas
ZON-41545
VAR-41546

As the applicants representative for these applications I will be happy to provide any additional information you may require or respond to any questions you may have. Thank you for your consideration.

Respectfully,



Robert S Genzer
Genzer Consulting

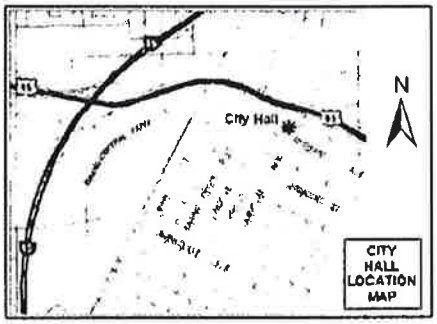
ZON-41545
VAR-41546

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 JUL 07 2011
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.

ZON-41545 & VAR-41546
City Council Meeting of 7/20/2011

RECEIVED
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CITY CLERK

GARCES VENTURES LLC
%R FINVARB
1065 KANE CONCOURSE #201
BAY HARBOR ISLANDS FL
33154-2100

APN#13934311143

109 FROFN11 33154

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

CITY OF LAS VEGAS

ONE MOTION / ONE VOTE

Planning and Development Department
Case Planning Division
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106
(702) 229-6301 Phone (702) 385-7268 Fax

SUBJECT: **ZON-41545 - APPLICANT/OWNER: BONNEVILLE BUNGALOWS, LLC**

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the ***JUNE 14, 2011*** Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

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Please sign and date that you have read and agree to the conditions and return to our office by 5:00PM ***JUNE 13, 2011***.

Gary P. Morse — Signature

6/7/11 — Date

Gary P. Morse — Please Print Name

Bonneville Bungalows LLC — Company Name

Sincerely,

Steve Gebeke, AICP
Planning Supervisor
Case Planning Division

RECEIVED
JUN - 7 2011

CITY OF LAS VEGAS

ONE MOTION / ONE VOTE

Planning and Development Department
Case Planning Division
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106
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Judean A. Schmidt — Signature

6/7/2011 — Date

JUDEAN A. SCHMIDT — Please Print Name

BONNEVILLE BUNGALOWS LLC — Company Name

Sincerely,

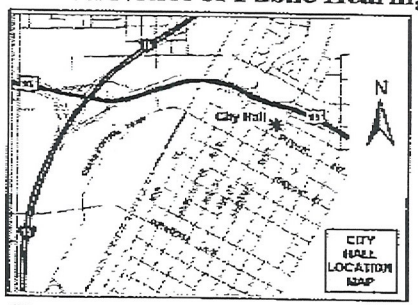
RECEIVED
JUN - 7 2011

Steve Gebeke, AICP
Planning Supervisor
Case Planning Division

7

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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.

ZON-41545 & VAR-41546

Planning Commission Meeting of 6/14/2011

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES

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RECEIVED
JUN - 6 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: ZON-41545

13934701006
BAKER LAW OFFICES P C
500 S 8TH ST
LAS VEGAS NV 89101-7003

89 ORDONII 8910I

06-Jun-2011 12:45 PM Baker Law Offices 7026473034

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

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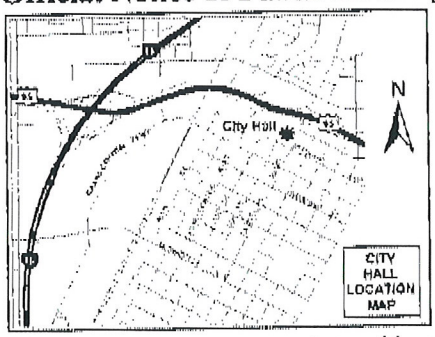
Official Notice of Public Hearing



RECEIVED
JUN - 6 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

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Please use available blank space on card for your comments.

ZON-41545 & VAR-41546
Planning Commission Meeting of 6/14/2011

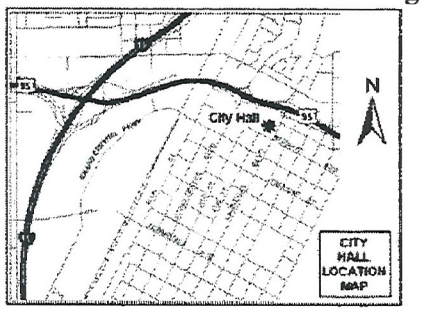
Case: ZON-41545
13934810072
724 S 9TH STREET GROUP L L C
8036 AVALON ISLAND ST
LAS VEGAS NV 89139-6188

SP ORIGINAL 69155

Jun 06 2011 8:21AM MHS 702-382-2925 page 1

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

Return Service Requested
Official Notice of Public Hearing



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ZON-41545 & VAR-41546

Planning Commission Meeting of 6/14/2011

30 DRDGN11 89101

PRESORTED FIRST CLASS

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RECEIVED
JUN - 6 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: ZON-41545

13934810045
P A C HOLDINGS L L C
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617 S 8TH ST #A
LAS VEGAS NV 89101-7082

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

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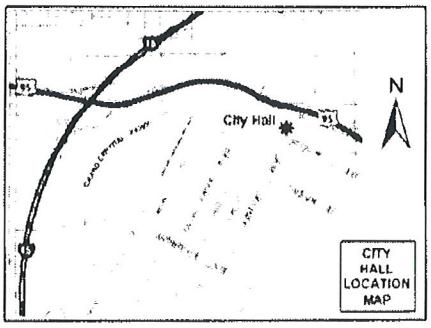
Return Service Requested
Official Notice of Public Hearing



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JUN - 7 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

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ZON-41545 & VAR-41546
Planning Commission Meeting of 6/14/2011

Case ZON-41545
13934311142
GARCES VENTURE L L C
%R FINVARB
1065 KANE CONCOURSE #201
BAY HARBOR ISLANDS FL 33154-2100

109 DRDGN11 33154

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

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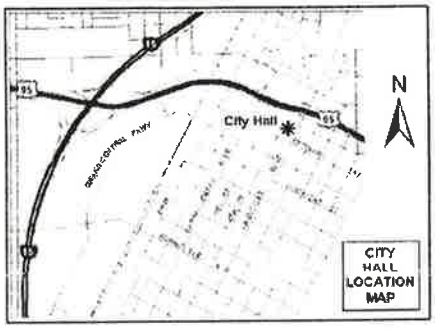
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Return Service Requested
Official Notice of Public Hearing



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Please use available blank space on card for your comments.

ZON-41545 & VAR-41546
Planning Commission Meeting of 6/14/2011

Case: ZON-41545
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3204 PLAZA DE RAFAEL
LAS VEGAS NV 89102-4024

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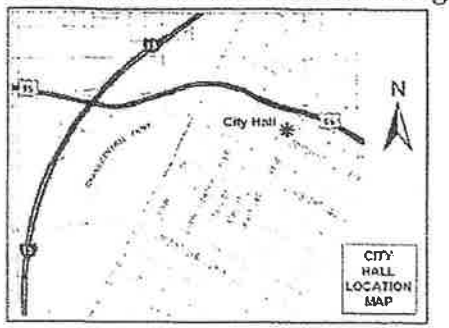
Jun 07 11 10:22a Wonson Kim 5626976979 p.1

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

Return Service Requested
Official Notice of Public Hearing



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Please use available blank space on card for your comments.

ZON-41545 & VAR-41546
Planning Commission Meeting of 6/14/2011

Case: ZON-41545

13934810093
KIM FAMILY TRUST
2101 S WATSON ST
LA HABRA CA 90631-9518

97 ORIGINAL 90631

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JUN - 8 2011

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City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

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Return Service Requested
Official Notice of Public Hearing



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Please use available blank space on card for your comments.

ZON-41545 & VAR-41546

Planning Commission Meeting of 6/14/2011

Case. ZON-41545
13934710044
OAK HOLDINGS L L C ETAL
1304 GRAND AVE
SAN RAFAEL CA 94901-2233

2 DRDCN11 94901

RECEIVED
JUN - 7 2011

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A

City of Las Vegas Agenda Item No.: **68.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
VAR-41546 - VARIANCE RELATED TO ZON-41545 - PUBLIC HEARING - APPLICANT/OWNER: BONNEVILLE BUNGALOWS, LLC - For possible action on a request for a Variance TO ALLOW A LOT WIDTH OF 55 FEET WHERE 60 FEET IS THE MINIMUM REQUIRED on 0.17 acres at 511 South 7th Street (APN 139-34-710-042), R-1 (Single Family Residential) Zone [PROPOSED: P-O (Professional Office)], Ward 3 (Coffin). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**1**	**Planning Commission Mtg.**	**6**
City Council Meeting	**0**	**City Council Meeting**	**1**

RECOMMENDATION:
The Planning Commission (7-0 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation
3. Support Postcard
4. Backup referenced from the June 14, 2011 Planning Commission Meeting Item – VAR-41546

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-41546** APN: 139-34-710-042,043, & 044; 139-34-810-018

Name of Property Owner: Bonneville Bungalows LLC

Name of Applicant: Bonneville Bungalows LLC, Judean A Schmidt, Manager

Name of Representative: Robert S (Bob) Genzer, Genzer Consulting

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: Judean A. Schmidt

State of Nevada
County of Clark Print Name: JUDEAN A SCHMIDT

Subscribed and sworn before me

This 21st day of April, 2011

_____
Notary Public in and for said County and State

TRINA YOUNGBLOOD
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 04-09-14
Certificate No: 10-2050-1

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Variance

Project Address (Location) 511 S. Seventh St.

Project Name 7th and Bonneville Office Conversion **Proposed Use** Office

Assessor's Parcel #(s) 139-34-710-042 **Ward #** 3

General Plan: existing MU proposed MU **Zoning:** existing R-1, P-R proposed P-O

Commercial Square Footage n/a **Floor Area Ratio** n/a

Gross Acres 0.17 **Lots/Units** 1 **Density** n/a

Additional Information Variance is to allow the existing lot to be converted to an office use with a width of 55 feet where 60 feet is required in the P-O zone.

PROPERTY OWNER Bonneville Bungalows LLC **Contact** Gary Morse

Address 1304 Grand Ave. **Phone:** (415) 699-5856 **Fax:** (415) 453-3757

City San Rafael **State** CA **Zip** 94901-2233

E-mail Address gpmorse@comcast.net

APPLICANT Bonneville Bungalows LLC **Contact** Judean A Schmidt, Manager

Address 8965 S. Eastern Ave., Suite 300 **Phone:** (702) 898-1395 **Fax:** (702) 463-2989

City Las Vegas **State** NV **Zip** 89123

E-mail Address mjschmidthouse@yahoo.com

REPRESENTATIVE Genzer Consulting **Contact** Bob Genzer

Address 9612 Hawksbill Ct. **Phone:** (702) 281-7496 **Fax:** (702) 254-4733

City Las Vegas **State** NV **Zip** 89117-0646

E-mail Address GenzerConsulting@cox.net

Property Owner Signature* Judean A. Schmidt

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

Print Name JUDEAN A. SCHMIDT

State of Nevada; County of Clark

Subscribed and sworn before me

This 21st day of April, 2011.

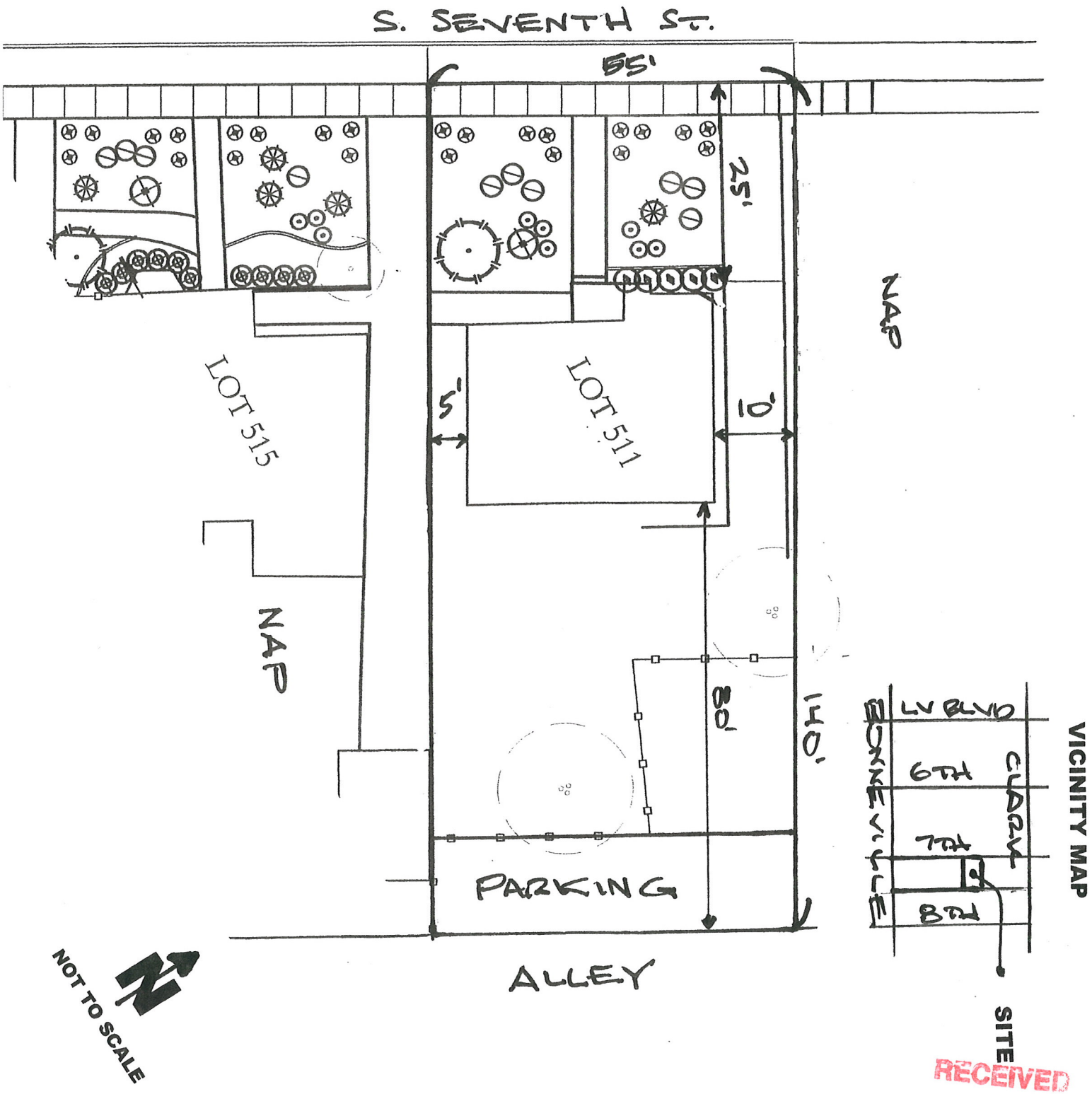
Notary Public in and for said County and State

TRINA YOUNGBLOOD
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 04-09-14
Certificate No: 10-2050-1

FOR DEPARTMENT USE ONLY

Case #	VAR-41546
Meeting Date:	6-14-11
Total Fee:	$30.00
Date Received:*	4-25-11
Received By:	F.S.

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



RECEIVED
APR 25 2011
City of Las Vegas

SITE PLAN FOR LOT WIDTH VARIANCE
PROPERTY LOCATED AT 511 S. SEVENTH ST.
LAS VEGAS, NV
APN: 139-34-710-042
APPLICANT: BONNEVILLE BUNGALOWS LLC

VAR-41546

Please refer to ZON-41545 for related Protest/Support Postcards.

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

CITY OF LAS VEGAS

ONE MOTION / ONE VOTE

Planning and Development Department
Case Planning Division
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106
(702) 229-6301 Phone (702) 385-7268 Fax

SUBJECT: **VAR-41546 - APPLICANT/OWNER: BONNEVILLE BUNGALOWS, LLC**

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Judean A. Schmidt — Signature

6/7/2011 — Date

JUDEAN A. SCHMIDT — Please Print Name

BONNEVILLE BUNGALOWS, LLC — Company Name

RECEIVED
JUN - 7 2011

Sincerely,

Steve Gebeke, AICP
Planning Supervisor
Case Planning Division

8

CITY OF LAS VEGAS

ONE MOTION / ONE VOTE

Planning and Development Department
Case Planning Division
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106
(702) 229-6301 Phone (702) 385-7268 Fax

SUBJECT: **VAR-41546 - APPLICANT/OWNER: BONNEVILLE BUNGALOWS, LLC**

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Gary P. Morse — Signature

6/7/11 — Date

Gary P. Morse — Please Print Name

Bonneville Bungalows LLC — Company Name

Sincerely,

RECEIVED
JUN - 7 2011

Steve Gebeke, AICP
Planning Supervisor
Case Planning Division

City of Las Vegas Agenda Item No.: **69.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: JULY 20, 2011

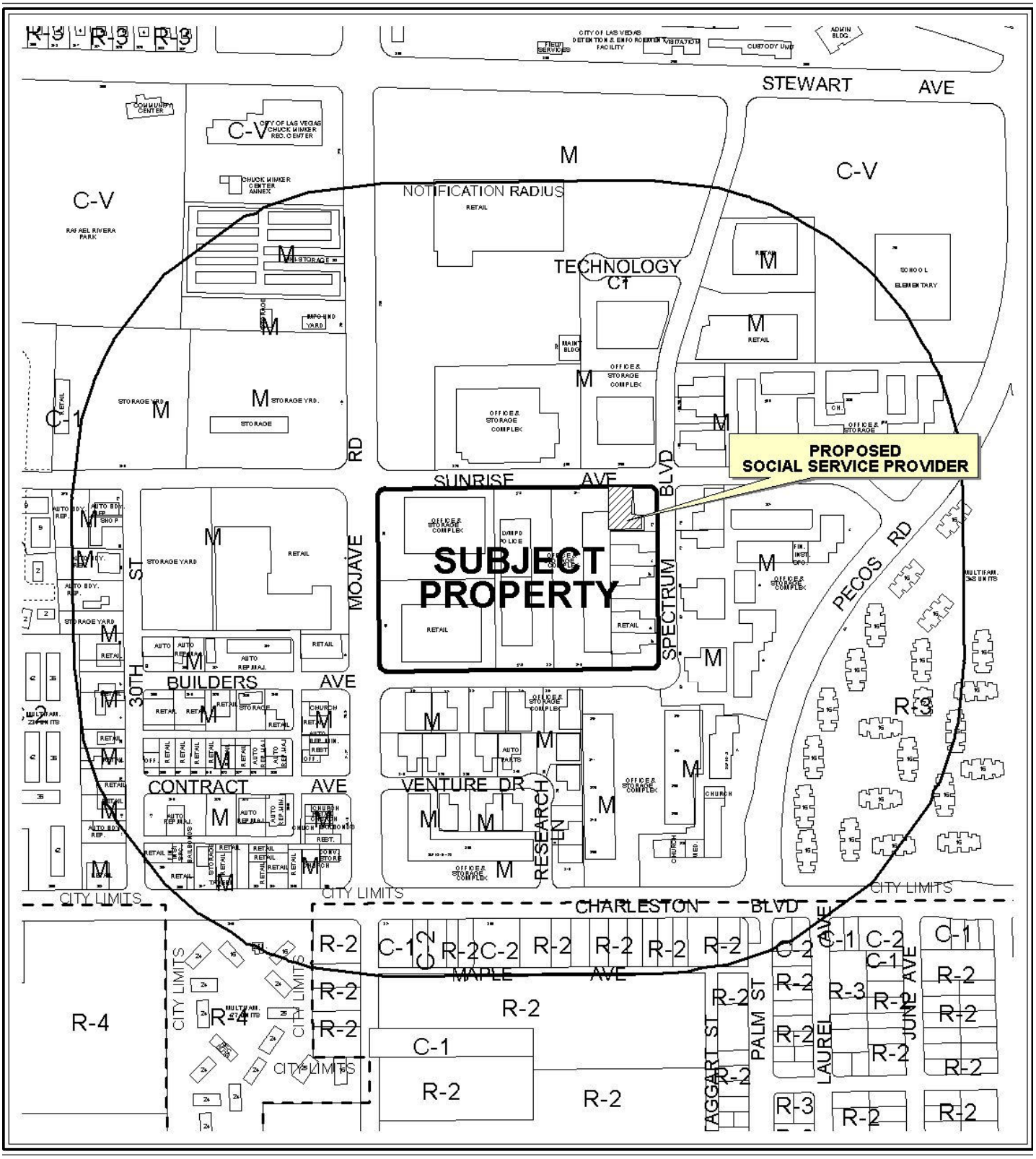
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
SUP-41586 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LUTHERAN SOCIAL SERVICES OF NEVADA - OWNER: HARSCH INVESTMENT PROPERTIES - For possible action on a request for a Special Use Permit FOR A PROPOSED 11,597 SQUARE-FOOT SOCIAL SERVICE PROVIDER at 73 Spectrum Boulevard (APN 139-36-811-008), M (Industrial) Zone, Ward 3 (Coffin). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**5**	**Planning Commission Mtg.**	**1**
City Council Meeting	**1**	**City Council Meeting**	**1**

RECOMMENDATION:
The Planning Commission (7-0 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards
7. Backup referenced from the June 14, 2011 Planning Commission Meeting Item – SUP-41586



0 300 600 Feet

CASE: **SUP-41586**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



0 300 600 Feet

CASE: **SUP-41586**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 20, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: LUTHERAN SOCIAL SERVICES OF NEVADA - OWNER: HARSCH INVESTMENT PROPERTIES

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-41586	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-41586 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Social Service Provider use.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Department.

4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed Social Service Provider within an existing 11,597 square-foot building at 73 Spectrum Boulevard. The proposed Social Service Provider use complies with all Title 19.04 requirements, and can be conducted in a manner that is harmonious and compatible with existing surrounding development and land uses; therefore, staff recommends approval. If the Special Use Permit request is denied, the proposed Social Service Provider use cannot be located within the subject site.

ISSUES

- A Social Service Provider use is permitted in the M (Industrial) zoning district with the approval of a Special Use Permit.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
06/14/11	The Planning Commission voted (7-0) to recommend APPROVAL (PC Agenda Item 14/rg).

Most Recent Change of Ownership	
02/18/98	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
07/30/90	A building permit (#90076759) was issued for a Shell Building at 73 Spectrum Boulevard. The permit was finalized on 03/01/91.
04/22/04	A building permit (#04009391) was issued for Tenant Improvement to add partition to create one new office at 73 Spectrum Boulevard. The permit was finalized on 06/25/04.
04/06/11	A building permit (#180339) was issued for a Tenant Improvement Remodel at 73 Spectrum Boulevard. The permit has not been finalized.

Pre-Application Meeting	
04/05/11	A pre-application meeting was held with the applicant where the submittal requirements for a Special Use Permit for a Social Service Provider use were discussed.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
05/05/11	A site visit by staff noted a well maintained property that is currently vacant.

Details of Application Request	
Site Area	
Net Acres	0.52

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Vacant	LI/R (Light Industrial/Research)	M (Industrial)
North	Building Maintenance Service and Sales	LI/R (Light Industrial/Research)	M (Industrial)
South	Employment Agency	LI/R (Light Industrial/Research)	M (Industrial)
East	Office, Other than Listed	LI/R (Light Industrial/Research)	M (Industrial)
West	Food Processing	LI/R (Light Industrial/Research)	M (Industrial)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area		X	N/A
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Street Width (Feet)*	*Compliance with Street Section*
Spectrum Boulevard	N/A	N/A	60	N/A

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

Parking Requirement							
Use	*Gross Floor Area or Number of Units*	*Required*			*Provided*		*Compliance*
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Warehouse	191,600 SF	1/1000 SF	192				
Office	34,400 SF	1/300 SF	115				
Social Service Provider (Proposed)	6,088 SF	1/300 SF	21				
Thriftshop (Proposed)	5,509 SF	1/250 SF	22				
TOTAL SPACES REQUIRED			350		409		Y
Regular and Handicap Spaces Required			341	9	390	19	Y

ANALYSIS

A Social Service Provider use is defined by Title 19.20.020 as "a facility that provides assistance to persons with limited ability for self-care, but for whom medical care is not a major element. The term includes a facility that provides assistance concerning psychological problems, employment, learning disabilities or physical disabilities, but does not include a rescue mission or homeless shelter, or an adult day care center." The applicant has indicated that they will provide their clients with an emergency food pantry, home care, emergency rental, utility assistance, supportive housing, referral services and employment services.

Currently, the applicant is operating a Social Service Provider use at 51 North Pecos Road, with an approved Special Use Permit (SUP-26576), and an active business license (N41-00028) issued since 07/14/06. There have been no complaints from the surrounding neighborhood regarding the use. The requested Special Use Permit is for a change of location to 73 Spectrum Boulevard. The proposed Social Service Provider will have 12 employees and will serve approximately 55 clients on a daily basis. The hours of operation are Monday through Friday, 7:30 a.m. to 5:30 p.m. The submitted floor plan depicts a Thriftshop. The applicant has indicated that this use will be for its clients while they are visiting their food pantry. The Thriftshop use is permitted, as it complies with the minimum conditional use requirements per Title 19.04, in the M (Industrial) zoning district.

Comments were received from the Las Vegas Valley Water District (LVVWD), and include the following: Existing 1" meter without backflow prevention. Backflow protection is required for this use per NAC 445A.67195. Civil plans will need to be submitted to LVVWD.

The Social Service Provider use can be conducted in a manner that is harmonious and compatible with the existing uses and future surrounding land uses; therefore, staff recommends approval with conditions.

FINDINGS (SUP-41586)

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 Social Service Provider use will be located within an existing Industrial Park. The proposed use can be conducted in a manner that is harmonious and compatible with the uses at the existing site 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 Social Service Provider 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.**

   Site access to the property is provided from Spectrum Boulevard. This street is sufficient in size to accommodate the needs of the proposed Social Service Provider 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.**

   Approval of a Special Use Permit for this use at this location will not compromise the public, health, safety, or welfare, as the use is subject to licensing and inspections by the City of Las Vegas.

5. The use meets all of the applicable conditions per Title 19.04.

There are no minimum use requirements for a Social Service Provider use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 30

NOTICES MAILED 81 (By City Clerk)

APPROVALS 1

PROTESTS 5

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-41586** APN: 139-36-811-008

Name of Property Owner: HARSCH INVESTMENT PROPERTIES

Name of Applicant: LUTHERAN SOCIAL SERVICES OF NEVADA

Name of Representative: ARMENA MKHITARYAN

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: JOHN D. RAMOUS

Subscribed and sworn before me

This 14 day of April, 2011

_____

Notary Public in and for said County and State

RUTH BRENDA ALVARADO
Notary Public State of Nevada
No. 04-91364-1
My appt. exp. Aug. 20, 2012

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APR 28 2011

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) 73 Spectrum Blvd.

Project Name _____ **Proposed Use** Social Service Provider

Assessor's Parcel #(s) 139-36-811-008 **Ward #** 3

General Plan: existing L/R proposed No Change **Zoning:** existing M-Ind. proposed No change

Commercial Square Footage 11,597 SF **Floor Area Ratio** _____

Gross Acres 0.52 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER HARSCH INVESTMENT PROPERTIES **Contact** _____

Address 3111 Valley View #K101 **Phone:** 362-1410 **Fax:** 368-2930

City Las Vegas **State** NV **Zip** 89102

E-mail Address johnr@harsch.com

APPLICANT Lutheran Social Services of Nevada **Contact** Paula Rammer

Address 51 N. Pecos Rd., Suites 109-113 **Phone:** 639-1730 **Fax:** 639-1736

City Las Vegas, **State** NV **Zip** 89101

E-mail Address paula@lssnv.org

REPRESENTATIVE Armena Mkhitaryan **Contact** Same as Representative

Address 51 N. Pecos Rd., Suites 109-113 **Phone:** 639-1730 **Fax:** 639-1736

City Las Vegas **State** NV **Zip** 89101

E-mail Address armena@lssnv.org

Property Owner Signature* _____

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

Print Name John Ramous

Subscribed and sworn before me

This 27th day of April, 20 11.

_____

Notary Public in and for said County and State

RUTH BRENDA ALVARADO
Notary Public State of Nevada
No. 04-91364-1
My appt. exp. Aug. 20, 2012

FOR DEPARTMENT USE ONLY

Case #	SUP-41586
Meeting Date:	6-14-11 PC
Total Fee:	$1,030
Date Received:*	4-28-11
Received By:	

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

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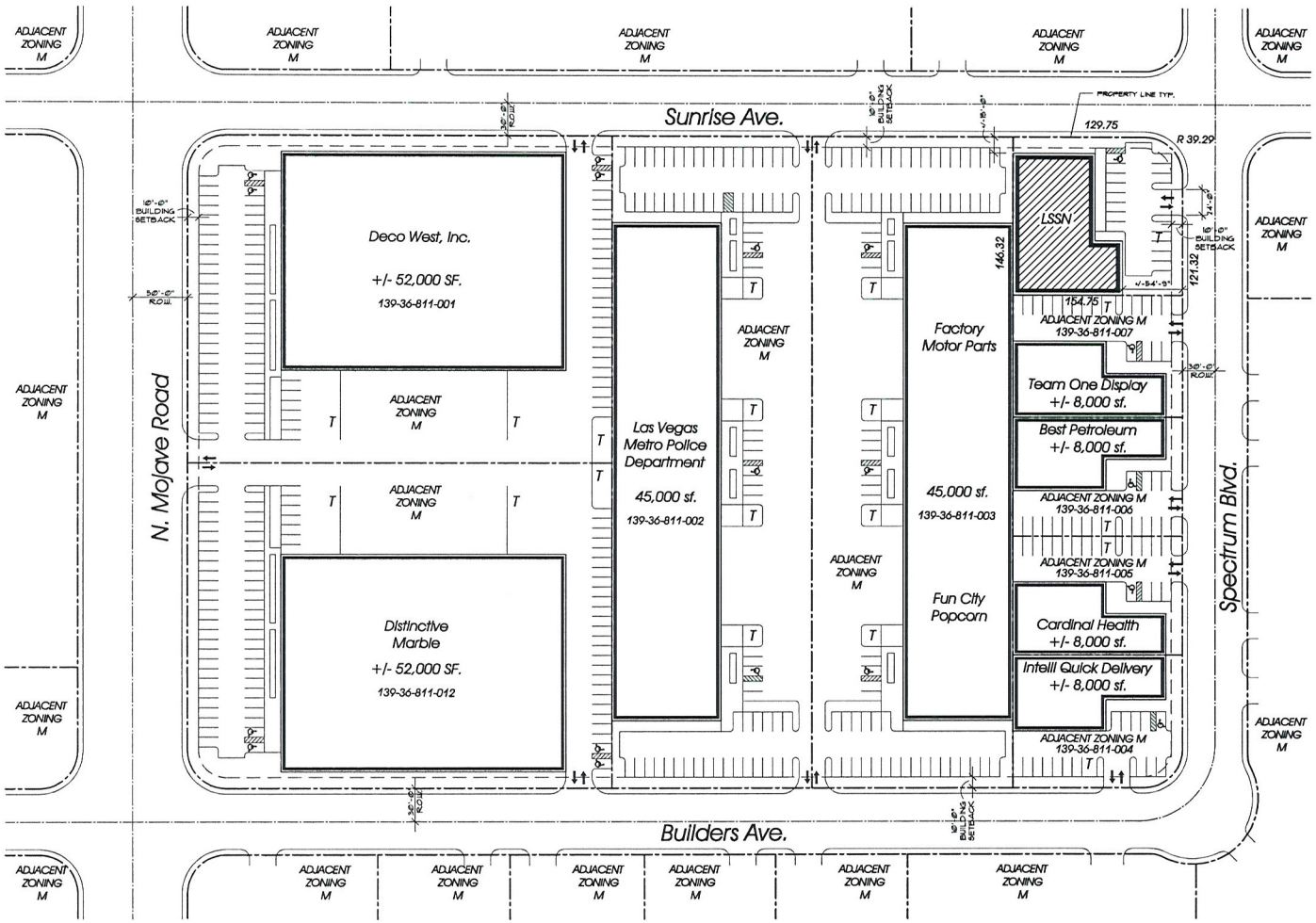
Revised 10/27/08



Master Site Plan

Scale: 1" = 50'-0"

Site Data

ASSESSORS PARCEL NUMBER (APN)	139-36-811-008
CURRENT ZONING	INDUSTRIAL DISTRICT (M)

Site Area Data

SITE GROSS	+/- .52 ACRES / +/- 22,330 S.F.
SITE COVERAGE	52% PERCENT

Building & Parking Data:

PARCEL	AREA	RATIO Warehouse 1/1000	RATIO Office 1/300	RATIO Food Pantry Thrift Store 1/250	REQ'D	PROVIDED
LUTHERAN SOCIAL SERVICES OF NV.		-	21	22	43	15
139-36-811-008	11,597 SF	-	6,088 SF.	5,509 SF.		
TEAM ONE DISPLAY		7	4	-	11	18
139-36-811-007	8,000 SF.	6,800 SF.	1,200 SF.	-		
BEST PETROLEUM		7	4	-	11	18
139-36-811-006	8,000 SF.	6,800 SF.	1,200 SF.	-		
CARDINAL HEALTH		7	4	-	11	18
139-36-811-005	8,000 SF.	6,800 SF.	1,200 SF.	-		
INTELLI QUICK DELIVERY		7	4	-	11	15
139-36-811-004	8,000 SF.	6,800 SF.	1,200 SF.	-		
Factory Motor Parts & FUN CITY		40	17	-	57	75
139-36-811-003	45,000 SF.	40,000 SF.	5,000 SF.	-		
LAS VEGAS METRO POLICE DEPT.		36	30	-	66	74
139-36-811-002	45,000 SF.	36,000 SF.	9,000 SF.	-		
Deco West, Inc.		43	26	-	69	88
139-36-811-001	52,000 SF	44,200 SF.	7,800 SF.	-		
DISTINCTIVE MARBLE		43	26	-	69	88
139-36-811-012	52,000 SF	44,200 SF.	7,800 SF.	-		
Total	237,597 SF				348	409 SPACES

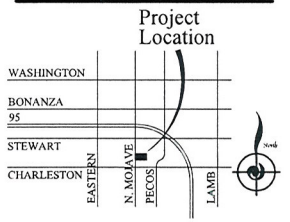
REQUIRED HANDICAP STALLS	9
PROVIDED HANDICAP STALLS	19

Owner / Developer

LUTHERAN SOCIAL SERVICES OF NEVADA
51 N PECOS ROAD, SUITES 109-113
LAS VEGAS, NEVADA 89101

OWNER REPRESENTITIVE:
ARMENA MKHITARYAN, MPA

Vicinity Map



Misc 2011

NORTH

Note: This Design is Conceptual in Nature and No Guarantee of its accuracy is implied.

Lutheran Social Services of Nevada

73 Spectrum Blvd. - Las Vegas, Nevada 89101

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April 26, 2011
Las Vegas, Nevada

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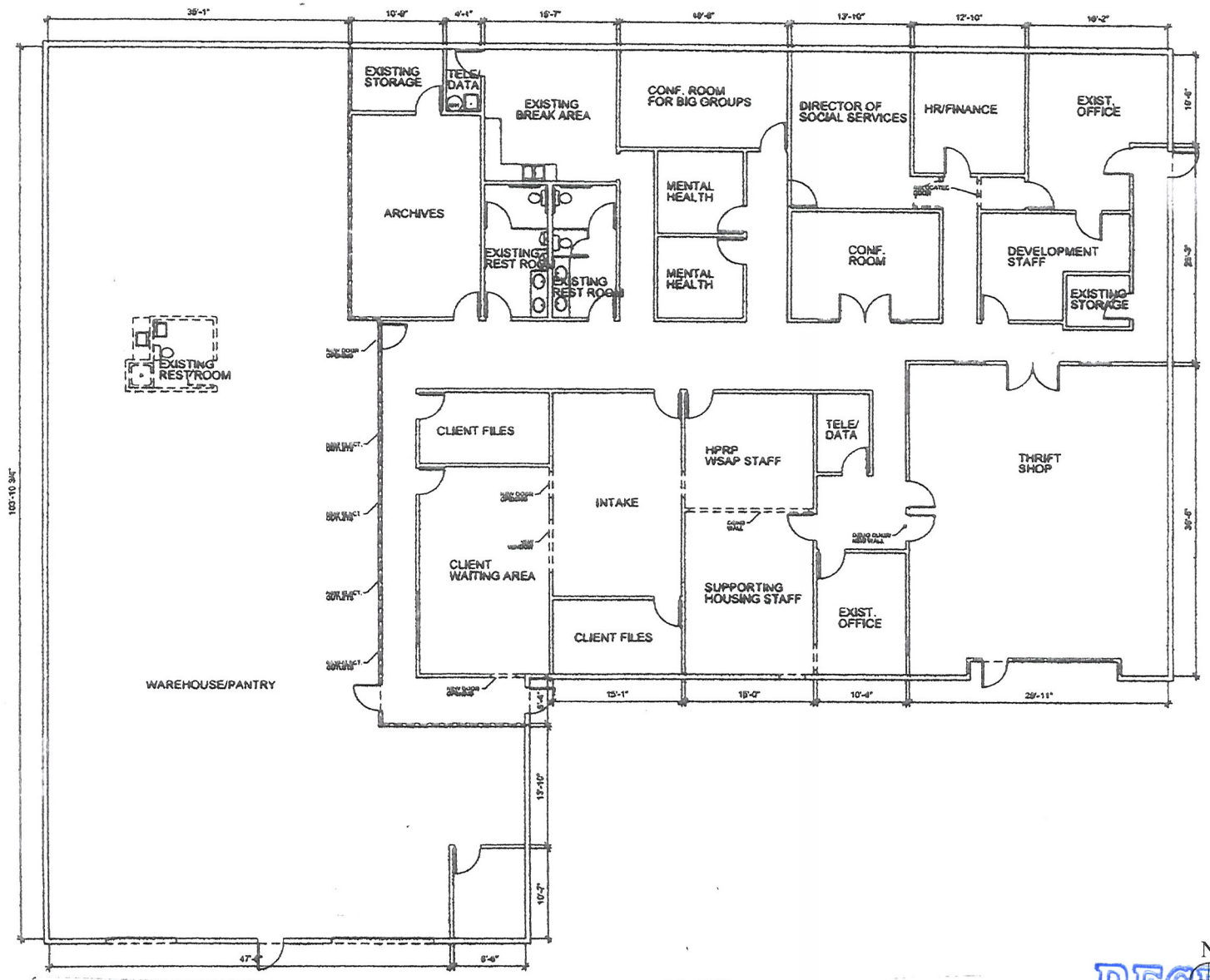
SUP-41586

Indigo Architecture, Inc.
(702) 456-2772



1 OVERALL FLOOR PLAN

N

SCALE: N.T.S

SUITE SUMMARY

JURISDICTION: N.L.V. SPRINKLERED: YES
APN# 139-36-710-007 OCCUPANCY: B, S-1
DECK HEIGHT: 18'-0" OFFICE S.F.: 7,132 S.F.
TRUSS HEIGHT: 14'-0" WAREHOUSE S.F.: 4,465 S.F.
TOTAL S.F.: 11,597 S.F.

HARSCH INVESTMENT PROPERTIES
211 S. RAMPART BLVD., SUITE 270, LAS VEGAS, NEVADA 89145
PHONE: (702) 443-2676, FAX: (702) 364-1643

FLOOR PLAN

AS-BUILTS
73 SPECTRUM BLVD.
LAS VEGAS, NEVADA 89101

AS-BUILT DRAWINGS FROM 07-13-10 MS

NOTICE
THESE DRAWINGS HAVE BEEN PREPARED IN WHOLE OR IN PART, ON THE BASIS OF INFORMATION COMPILED IN A SITE SURVEY PROVIDED BY DESIGN'S EDGE. THE CONTRACTOR SHALL REVIEW AND VERIFY ANY MODIFICATIONS MADE TO THESE DOCUMENTS AS A RESULT CAREFUL EXAMINATION OF ACTUAL CONSTRUCTION DIFFICULTIES ENCOUNTERED PRIOR TO THE START OF CONSTRUCTION AND DURING THE CONNECTION OF SUBSEQUENT CONSTRUCTION

DESIGN'S EDGE
LAS VEGAS, NEVADA 89145
Email: Designsedge@gmail.com Phone (702) 300-7247

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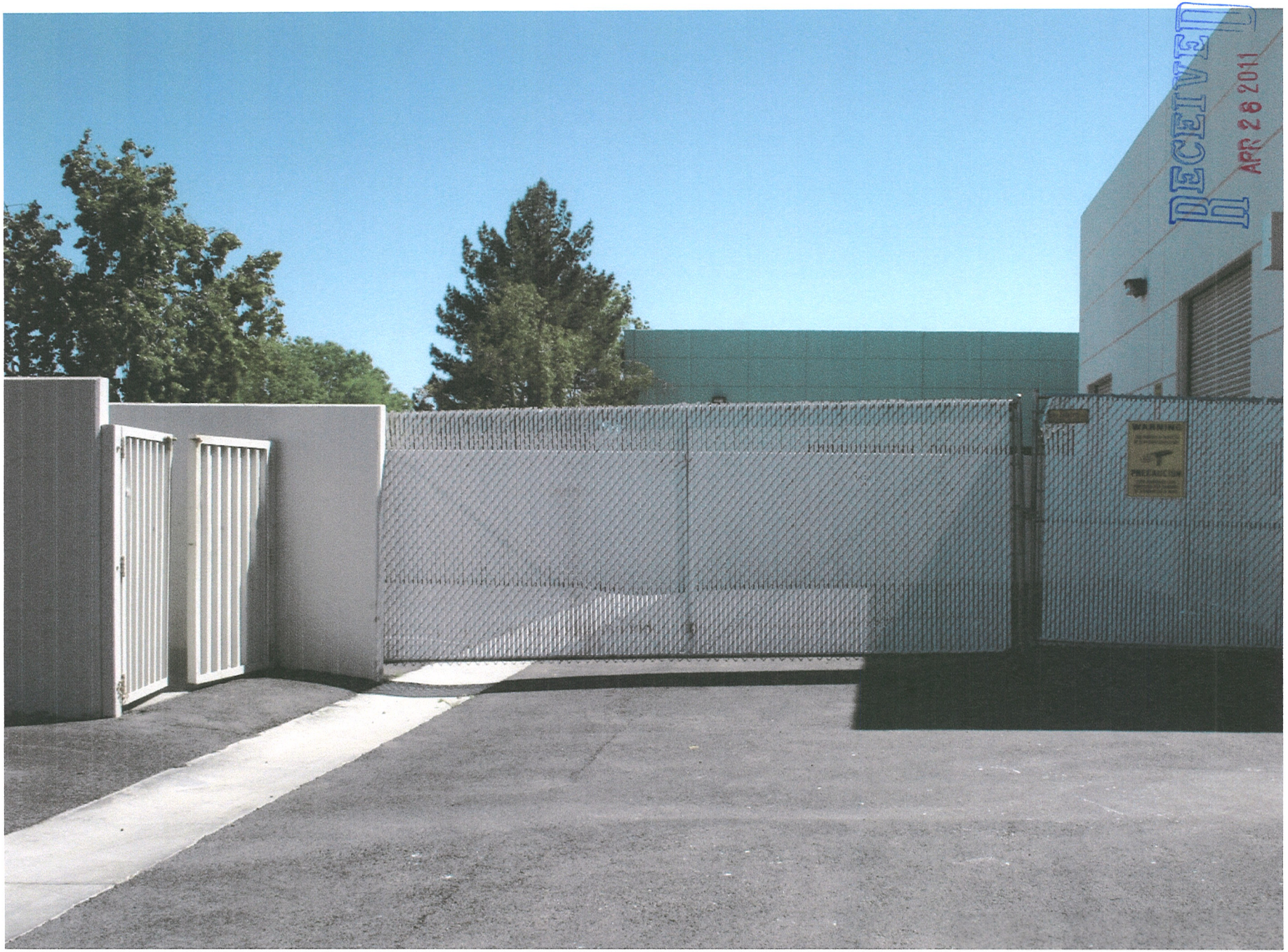

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SUP-41586 - APPLICANT: LUTHERAN SOCIAL SERVICES OF NEVADA - OWNER: HARSCH INVESTMENT PROPERTIES
73 SPECTRUM BOULEVARD

05/05/11



SUP-41586 - APPLICANT: LUTHERAN SOCIAL SERVICES OF NEVADA - OWNER: HARSCH INVESTMENT PROPERTIES
73 SPECTRUM BOULEVARD

05/05/11



SUP-41586 - APPLICANT: LUTHERAN SOCIAL SERVICES OF NEVADA - OWNER: HARSCH INVESTMENT PROPERTIES
73 SPECTRUM BOULEVARD

05/05/11

LUTHERAN SOCIAL SERVICES
OF NEVADA

Celebrating thirteen years of serving and caring for people in need…

April 26, 2011

Mailing Address:
P.O. Box 2079
Las Vegas, NV
89125

Physical Address:
51 North Pecos Rd Suite
109-113
Las Vegas, NV 89101

Contact Information:
702-639-1730 (Phone)
702-639-1736 (Fax)

Executive Board
David Knowlton
Board President

Sonia Vermeys, Esq.
President Elect

Ron Bjokne
Treasurer

Hyla Winters
Secretary

Board Members
Donna Hall
Kirk Kaplan, Esq.
Robin Smith
Carey Miller
Kimberly Wanker, Esq.
Elmo Douglass

Executive Director
Armena Mkhitaryan, MPA

City of Las Vegas
Department of Planning
333 N. Rancho Drive
Las Vegas, NV

To Whom It May Concern:

LSSN is proposing to move our offices from 51 N. Pecos, Suites 109-113, Las Vegas to 73 Spectrum Blvd., Las Vegas. This move is within the "Spectrum" complex and a very short distance from our current location. We are a Social Services Provider and have Special Use Permit, SUP-26576.

LSSN provides an emergency food pantry, home care, emergency rental and utility assistance, supportive housing, referral services, and employment services to our clients. We also offer classes in resume writing skills, interview skills, job search skills and financial literacy training and budgeting workshops. We assist those who are in need as a result of homelessness, unemployment, domestic violence, etc. Our "Break and Empower" plan is part of the positive contribution to the lives of every individual that steps through our door. We are in the process of opening a Thrift Store which will sell second-hand articles to our current clients while they are visiting our Food Pantry. LSSN has procedures in place to address client overflow which includes well-placed signage and a dedicated staff member when the need arises.

When our business is located at 73 Spectrum Blvd., it should not significantly increase traffic on the surrounding streets, and it will not present a problem to the safety of local residents or properties in the area. For over three years, we have been at our current office at 51 North Pecos. LSSN has not experienced any traffic problems plus our clients and neighbors are pleased with our quiet, professional conduct. We will be introducing ourselves to our neighbors and letting them know that we are part of the community.

We have 12 employees. We serve approximately 55 clients on a daily basis. Our business hours are Monday thru Friday, 7:30 a.m. to 5:30 p.m. Our web site is www.lssnv.org

If I can be of any assistance in this matter, feel free to contact me directly.

Very truly yours,

Armena Mkhitaryan
Executive Director

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SUP-41586

P. 001/001

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2011 JUL 11 P 1

City of Las Vegas
Office Of The City Clerk
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Las Vegas, Nevada 89101

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By

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-41586

City Council Meeting of 7/20/2011

LINCOLN CENTER PROPERTIES L L C
1176 MAIN ST #100
IRVINE CA 92614-6767

APN#13936710021

92 FRDFN11 92614

JUL-11-2011 MON 01:33 PM

07/11/2011 MON 12 41 [TX/RX NO 9748] 001

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Office Of The City Clerk
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Las Vegas, Nevada 89101

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-41586
City Council Meeting of 7/20/2011

FELDMAN SAM TRUST
FELDMAN ROBERT L TRS
800 N RAINBOW BLVD #208
LAS VEGAS NV 89107-1193

APN#13936414008

25 FORM 1 8107

07/08/2011 FRI 13:35 [TX/RX NO 9709] 002

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

CITY OF LAS VEGAS

ONE MOTION / ONE VOTE

Planning and Development Department
Case Planning Division
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106
(702) 229-6301 Phone (702) 385-7268 Fax

SUBJECT: **SUP-41586 - APPLICANT: LUTHERAN SOCIAL SERVICES OF NEVADA - OWNER: HARSCH INVESTMENT PROPERTIES**

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the ***JUNE 14, 2011*** Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

Enclosed please find the proposed conditions of approval. If you agree to these conditions, please sign this form and fax it to ***Carman Burney at (702) 385-7268***. If there is no one present at the Planning Commission meeting who wants to discuss this item, you will not be called to the podium to discuss the case. However, you must be present in case any Planning Commissioner or member of the public wants to discuss the item. If you have any questions, please contact my office at (702) 229-6301.

Please sign and date that you have read and agree to the conditions and return to our office by 5:00PM ***JUNE 13, 2011***.

Signature

6/7/11
Date

Armina Mkhitaryan
Please Print Name

Lutheran Social Services of Nevada
P.O. Box 2079
Las Vegas, NV 89125-2079

Lutheran Social Service of NV
Company Name

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JUN - 7 2011

Sincerely,

Steve Gebeke, AICP
Planning Supervisor
Case Planning Division

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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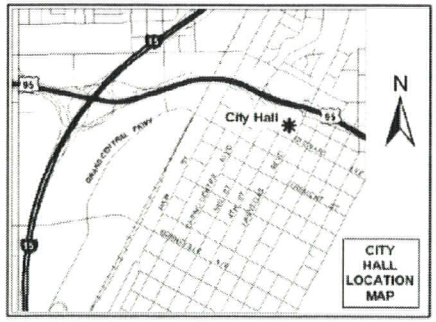

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-41586

Planning Commission Meeting of 6/14/2011

Case: SUP-41586
13936710021
LINCOLN CENTER PROPERTIES L L C
1176 MAIN ST #100
IRVINE CA 92614-6767

P

92 DRDFN11 92614

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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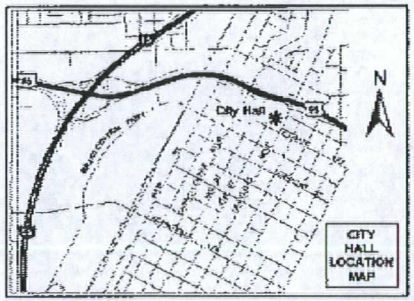

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-41586
Planning Commission Meeting of 6/14/2011

Case: SUP-41586
13936710021
LINCOLN CENTER PROPERTIES L L C
1176 MAIN ST #100
IRVINE CA 92614-6767

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Development Services Center
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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

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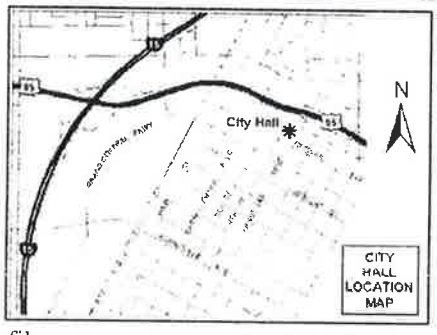

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-41586

Planning Commission Meeting of 6/14/2011

Case: SUP-41586

13936414001
W S BUILDERS INC
%J WETTERLING
3010 BUILDERS AVE
LAS VEGAS NV 89101-4904

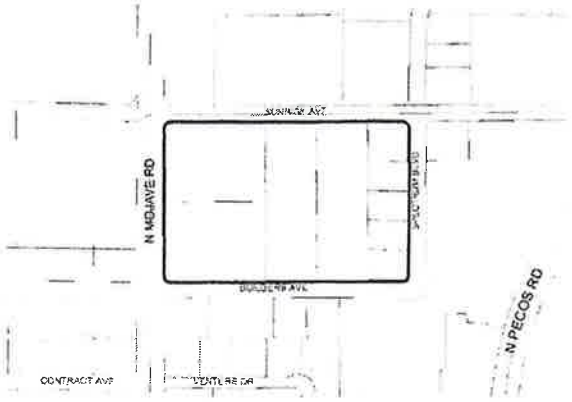
30 DRDFN11 89101

Application Information

SUP-41586 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LUTHERAN SOCIAL SERVICES OF NEVADA - OWNER: HARSCH INVESTMENT PROPERTIES - Request for a Special Use Permit FOR A PROPOSED 11,597 SQUARE-FOOT SOCIAL SERVICE PROVIDER at 73 Spectrum Boulevard (APN 139-36-811-008), M (Industrial) Zone, Ward 3 (Reese).

They may bring an undesirable element into our business neighborhood resulting in increased crime and vagrancy.

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	***June 14, 2011***
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

14P

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 Department of Planning, Case Planning Division, Development Services Center, 333 North Rancho Drive, 3rd Floor, Las Vegas, Nevada 89106. 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.

P. 002/002

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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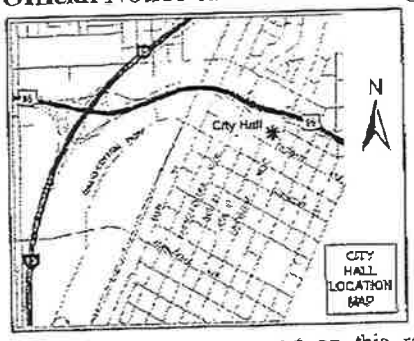
Official Notice of Public Hearing



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 Department of Planning, Case Planning Division 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-41586

Planning Commission Meeting of 6/14/2011

PRESORTED FIRST CLASS

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Case: SUP-41586
13936710021
LINCOLN CENTER PROPERTIES L L C
1176 MAIN ST #100
IRVINE CA 92614-5767

JUN-14-2011 TUE 10:36 AM

06/14/2011 TUE 09:43 [TX/RX NO 9587] 002

City of Las Vegas
Department of Planning
Development Services Center
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Las Vegas, Nevada 89106

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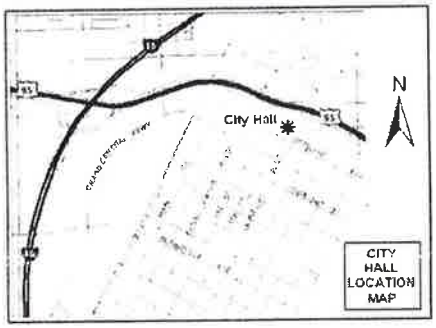

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PLANNING & DEVELOPMENT

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-41586
Planning Commission Meeting of 6/14/2011

Case: SUP-41586
13936414002
W S BUILDERS INC
%ELDEN ELECTRIC INC
%J WETTERLING
3010 BUILDERS AVE
LAS VEGAS NV 89101-4904

30 DRDFN11 89101

Application Information

SUP-41586 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LUTHERAN SOCIAL SERVICES OF NEVADA - OWNER: HARSCH INVESTMENT PROPERTIES - Request for a Special Use Permit FOR A PROPOSED 11,597 SQUARE-FOOT SOCIAL SERVICE PROVIDER at 73 Spectrum Boulevard (APN 139-36-811-008), M (Industrial) Zone, Ward 3 (Reese).

They may bring an undesirable element into our business neighborhood. resulting in increased crime and vagrancy.

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	***June 14, 2011***
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

14P

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City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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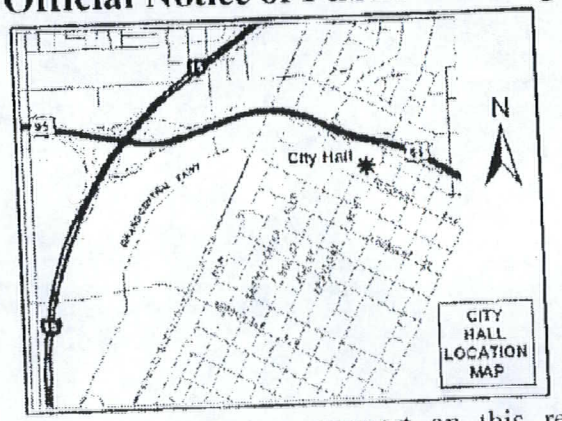

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☒ I SUPPORT this Request

☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-41586

Planning Commission Meeting of 6/14/2011

Case: SUP-41586

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FELDMAN SAM TRUST
800 N RAINBOW BLVD #208
LAS VEGAS NV 89107-1193

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City of Las Vegas Agenda Item No.: **70.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: JULY 20, 2011

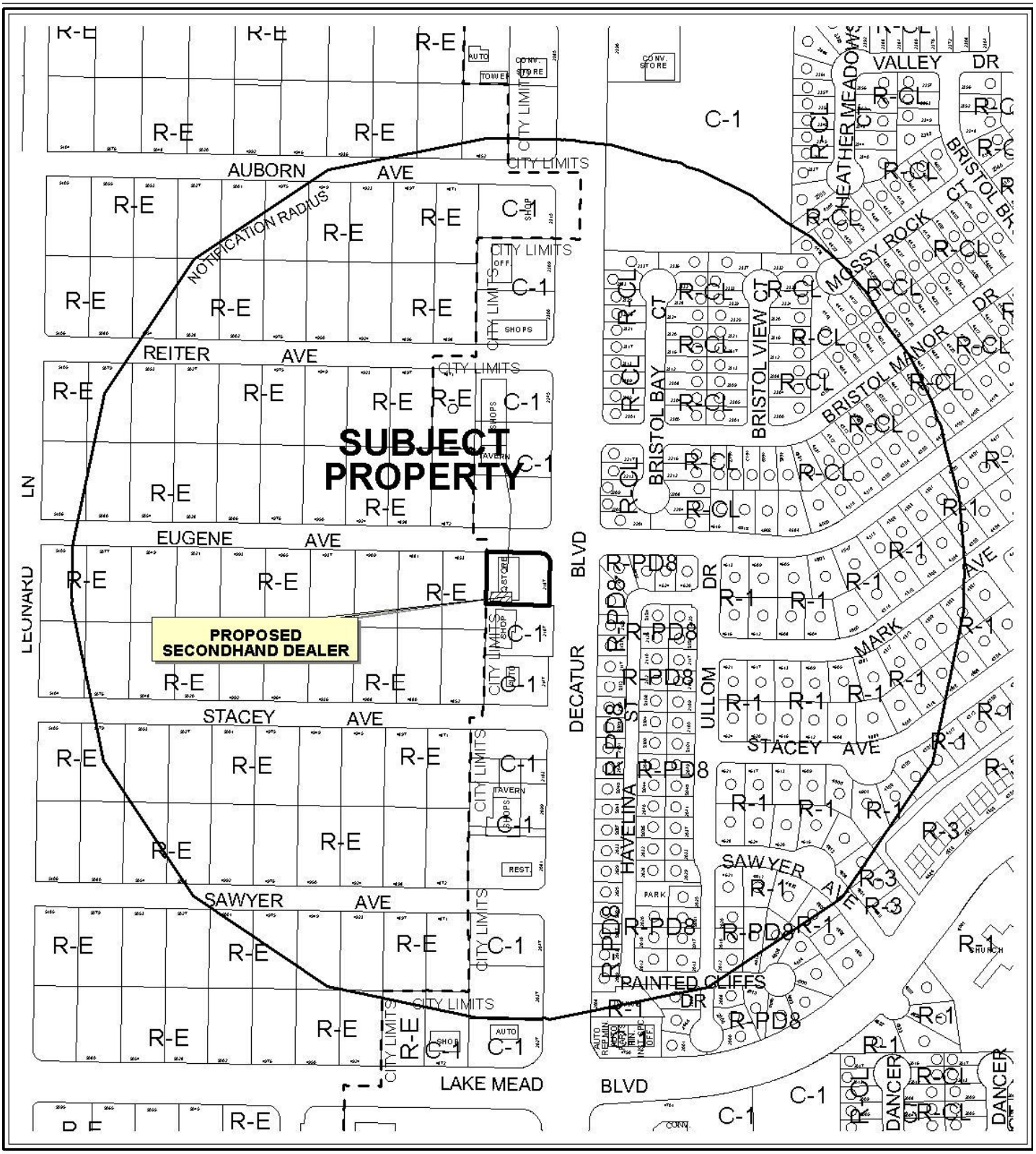
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
SUP-41592 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MARYETTA BREWER - OWNER: CONSTRUCTION GROUP, INC. - For possible action on a request for a Special Use Permit FOR A PROPOSED 1,275 SQUARE-FOOT SECONDHAND DEALER USE (HOUSEHOLD ITEMS) at 2187 North Decatur Boulevard, Suite #100 (APN 138-24-611-073), 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.	**2**	**Planning Commission Mtg.**	**2**
City Council Meeting	**2**	**City Council Meeting**	**2**

RECOMMENDATION:
The Planning Commission (7-0 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo
5. Justification Letter
6. Protest/Support Postcards
7. Backup referenced from the June 14, 2011 Planning Commission Meeting Item – SUP-41592



CASE: **SUP-41592**

RADIUS: 1000 FT

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



0 300 600 Feet

CASE: **SUP-41592**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 20, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: MARYETTA BREWER - OWNER: CONSTRUCTION GROUP, INC.

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

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-41592	Staff recommends APPROVAL, subject to conditions:	N/A

**** CONDITIONS ****

SUP-41592 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Secondhand Dealer use.

2. Conformance to the approved conditions for Rezoning (ZON-1787), Variance (VAR-1859), Variance (VAR-5812) Special Use Permit (SUP-9863) and Site Development Plan Review (SDR-1789).

3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.

4. There shall be no external drop-off or outside storage of secondhand merchandise on the site.

5. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Staff Report Page One
July 20, 2011 - City Council Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed 1,275 square-foot Secondhand Dealer (Household Items) use within a 5,250 square-foot General Retail Store located at 2187 North Decatur Boulevard, Suite #100. The subject location of the proposed use is a vacant suite within a General Retail Store. Staff recommends approval of this request, as it can be conducted in a manner that is compatible with the surrounding uses as conditioned. In addition, the subject site is able to accommodate a variety of uses. If this application is denied, the suite would remain vacant.

ISSUES

- A Secondhand Dealer use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.
- No external drop-off or storage of secondhand merchandise is proposed.
- A Project of Regional Significance is required for this application and was submitted. No comments were received from other jurisdictions.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
05/07/03	The City Council approved a Rezoning (ZON-1787) for the reclassification of property from U (Undeveloped) [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial); Variance (VAR-1859) to reduce the required amount of on-site parking from 29 to 19 spaces and to reduce Residential Adjacency Standards from 62.5 feet to 20 feet; and a Site Development Plan Review (SDR-1789) for a proposed 5,250 square-foot retail commercial development and a Waiver of a number of standards relating to parking location, perimeter landscaping and setbacks located on 0.44 acres at the southwest corner of Eugene Street and Decatur Boulevard. The Planning Commission and staff recommended approval.
03/02/05	The City Council approved a Variance (VAR-5812) to allow a trash enclosure to be zero feet from a protected residential property where residential adjacency standards require a minimum of 50 feet for an approved retail development. The Planning Commission recommended approval and staff recommended denial.

01/18/06	The City Council approved a Special Use Permit (SUP-9863) for a Package Liquor Off-Sale Establishment at 2187 North Decatur Boulevard, Suite #140. The Planning Commission and staff recommended approval.
06/14/11	The Planning Commission voted (7-0) to recommend APPROVAL (PC Agenda Item 15/jg).

Most Recent Change of Ownership	
04/25/05	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
06/14/04	A building permit (4015276) was issued for a Certificate of Completion of a shell building at 2187 North Decatur Boulevard. The permit was finaled on 03/08/06.
11/17/05	A building permit (5008038) was issued for a Certificate of Completion of a Speculative Suite at 2187 North Decatur Boulevard Suite #130. The permit was finaled on 03/15/06.
11/17/05	A building permit (5008035) was issued for a Certificate of Completion of a Speculative Suite at 2187 North Decatur Boulevard Suite #100. The permit was finaled on 03/27/06.
	A building permit (5008036) was issued for a Certificate of Completion of a Speculative Suite at 2187 North Decatur Boulevard Suite #110. The permit was finaled on 03/27/06.
	A building permit (5008037) was issued for a Certificate of Completion of a Speculative Suite at 2187 North Decatur Boulevard Suite #120. The permit was finaled on 03/27/06.
03/17/06	A building permit (6002156) was issued for a Non-Work Certificate of Occupancy at 2187 North Decatur Boulevard Suite #130. The permit was finaled on 04/17/06.
06/21/06	A business license (L15-00059) was issued for Package Liquor at 2187 North Decatur Boulevard Suite #130. The license was marked out of business on 04/20/10.
06/27/06	A business license (C05-02506) was issued for a Tobacco Dealer at 2187 North Decatur Boulevard Suite #130. The license is currently active.
02/13/07	A business license (M06-02925) was issued for a Miscellaneous Sales at 2187 North Decatur Boulevard Suite #130. The license is currently active.
04/19/10	A business license (L15-00059) was issued for Package Liquor at 2187 North Decatur Boulevard Suite #130. The license is currently active.
04/20/10	A business license (C23-00082) was issued for a Check Cashing Limited at 2187 North Decatur Boulevard Suite #130. The license is currently active.
	A business license (S15-00096) was issued for a Smoke Shop at 2187 North Decatur Boulevard Suite #130. The license is currently active.

Pre-Application Meeting	
04/19/11	A pre-application meeting was held with the applicant where the submittal requirements for a Special Use Permit for a Secondhand Dealer use were discussed.

Neighborhood Meeting
A neighborhood meeting is not required for this application, nor was one held.

Field Check	
05/05/11	A site visit noted a General Retail Store, Other Than Listed (3,500 Square-Feet or More) to be clean and free of trash, debris and graffiti.

Details of Application Request	
Site Area	
Net Acres	0.44

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	General Retail Store, Other Than Listed (3,500 Square Feet or More)	SC (Service Commercial)	C-1 (Limited Commercial)
North	Undeveloped	SC (Service Commercial)	C-1 (Limited Commercial)
South	General Retail Store, Other Than Listed (3,500 Square Feet or More)	SC (Service Commercial)	C-1 (Limited Commercial)
East	Single Family Detached	ML (Medium Low Density Residential)	R-PD8 (Residential Planned Development – 8 Units per Acre)
West	Clark County (Single Family Detached)	RN (Rural Neighborhood) - Clark County	R-E (Rural Estates Residential) - Clark County

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area		X	N/A
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (70 feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance	X		Y

DEVELOPMENT STANDARDS

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Street Width (Feet)*	*Compliance with Street Section*
Decatur Boulevard	Primary Arterial	Master Plan of Streets and Highways	115	Y*

*Per the Master Plan of Streets and Highways, the street width is 100 feet.

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

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
General Retail Store, Other Than Listed (3,500 Square Feet or More) Existing	5,250 S.F.	1/175 S.F.	30				
General Retail Store, Other Than Listed (3,500 Square Feet or More) To Be Removed	(-1,275 S.F.)	1/175 S.F.	(-8)				

Secondhand Dealer (Proposed)	1,275 S.F.	1/250 S.F.	6				
TOTAL SPACES REQUIRED			19*		20		Y
Regular and Handicap Spaces Required			18	1	19	1	Y

** **Per Approved Variance (VAR-1859***

ANALYSIS

A Secondhand Dealer is defined by Title 19 as "a specialty shop which deals solely in one kind of used commodity with no new commodities, or a business in which the sale of secondhand or used articles is incidental to the sale of new articles of the same kind." A condition has been to ensure that there will be no external drop-off or storage of secondhand merchandise.

The subject site is located in the Airport Overlay District (70 feet) and will not have a negative impact to the Overlay District.

Comments were received from the Las Vegas Valley Water District, and include the following: Existing 1" meter with 1" RPPA. No fireline. If a fireline is to be added, civil plans will need to be submitted to LVVWD.

The proposed use meets all of the minimum Special Use Permit requirements of Title 19.04 for a Secondhand Dealer, and can be conducted in a manner that is harmonious and compatible with existing surrounding land uses. Therefore, staff recommends approval with conditions.

FINDINGS (SUP-41592)

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 use will be located within a General Retail Store, Other Than Listed (3,500 Square Feet or More). The proposed use can be conducted in a manner that is harmonious and compatible with the uses in the existing site and with the uses on adjacent properties.

2. **The subject site is physically suitable for the type and intensity of land use proposed.**

   The site is physically suitable for this type of use and the intensity is appropriate in this area of the City. Ample site access is provided and adequate parking is being provided in accordance with the approved Variance (VAR-1859).

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 subject site is accessed by Decatur Boulevard. Decatur Boulevard is sufficient to accommodate the number of vehicular trips associated with the proposed use.

4. **Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.**

   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.

5. **The use meets all of the applicable conditions per Title 19.04.**

   The proposed use meets all applicable requirements for Secondhand Dealer and complies with the minimum Special Use Permit Requirements.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

NOTICES MAILED 386 (By City Clerk)

APPROVALS 2

PROTESTS 2

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-41592** APN: 138-24-611-073

Name of Property Owner: CONSTRUCTION GROUP, INC.

Name of Applicant: House of Bargains

Name of Representative: Mary Brewer

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: FRED SHAKIB, President

Subscribed and sworn before me

This 21 day of APRIL, 2011

_____

Notary Public in and for said County and State

NOBUO HIRAKO
Commission # 1832404
Notary Public - California
Los Angeles County
My Comm. Expires Feb 5, 2013

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APR 28 2011

Revised 11-14-06

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DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Second hand dealer / thrift Store

Project Address (Location) 2187 N. Decatur Blvd #160, Las Vegas, NV. 89108

Project Name House of Bargains **Proposed Use** C1

Assessor's Parcel #(s) 138-24-611-073 **Ward #** 5 - Barlow

General Plan: existing X proposed _____ **Zoning:** existing X proposed _____

Commercial Square Footage 1200 sqft **Floor Area Ratio** _____

Gross Acres .44 **Lots/Units** 4 units **Density** _____

Additional Information _____

PROPERTY OWNER Construction Group Inc **Contact** Sherry / Fred

Address 4405 Medley Pl **Phone:** 818 326-6766 **Fax:** _____

City Encino **State** Ca **Zip** 91316-4344

E-mail Address _____

APPLICANT Maryetta Brewer **Contact** Myself

Address 2187 N. Decatur Blvd #100 **Phone:** 217-1885 **Fax:** 1-866-521-3765

City Las Vegas **State** NV **Zip** 89108

E-mail Address mbrewer5175@embarqmail.com

REPRESENTATIVE _____ **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

CONSTRUCTION GROUP, INC.

Property Owner Signature* _____

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

Print Name FRED SHAKIB, President

Subscribed and sworn before me

This 21 day of APRIL, 20 11.

_____

Notary Public in and for said County and State

NOBUO HIRAKO
Commission # 1832404
Notary Public - California
Los Angeles County
My Comm. Expires Feb 5, 2013

FOR DEPARTMENT USE ONLY

Case #	SUP-41592
Meeting Date:	6/14/11
Total Fee:	$1,030
Date Received:*	4/28/11
Received By:	

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

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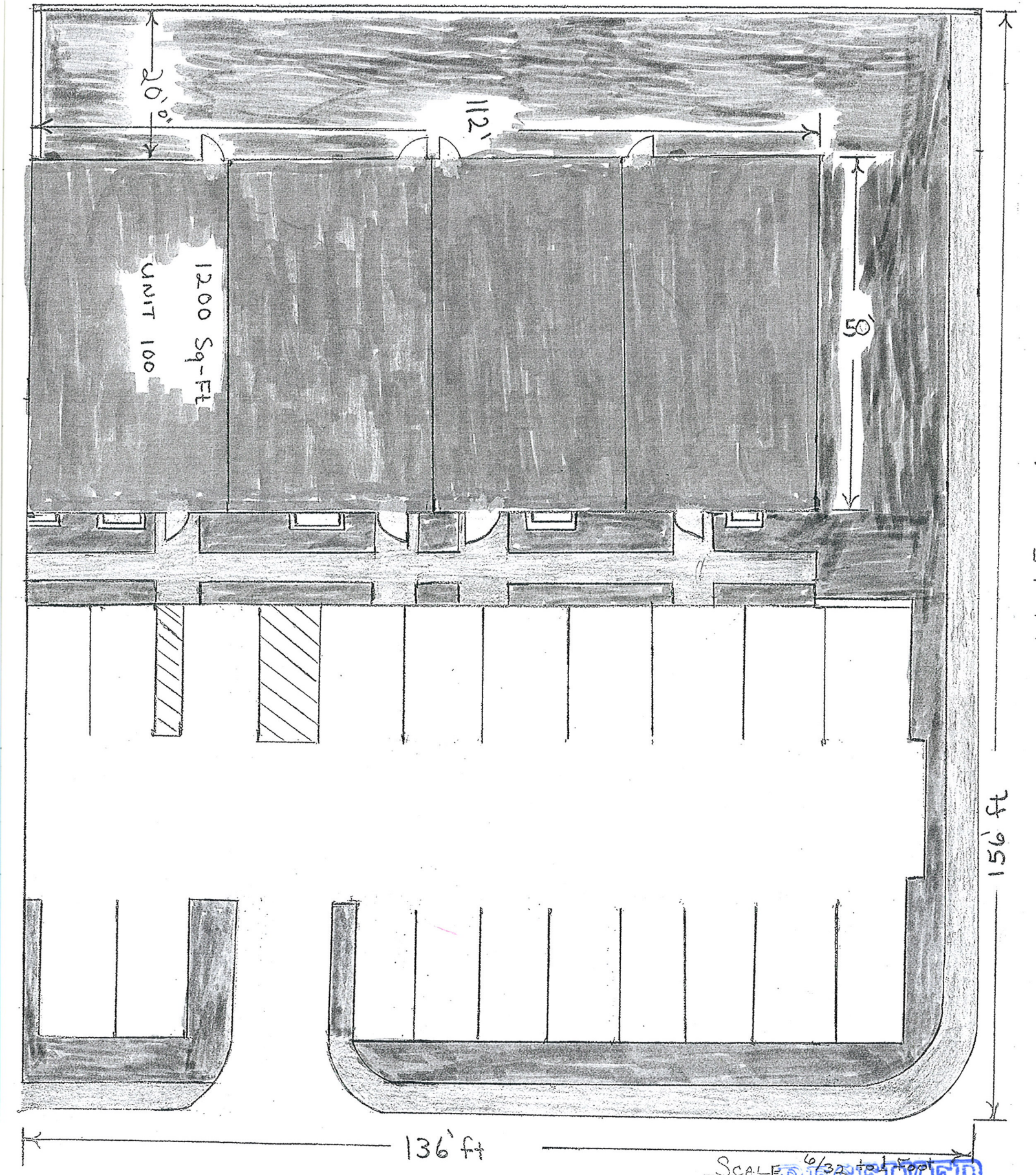
Revised 10/27/08



2187 North Decatur Blvd

NORTH

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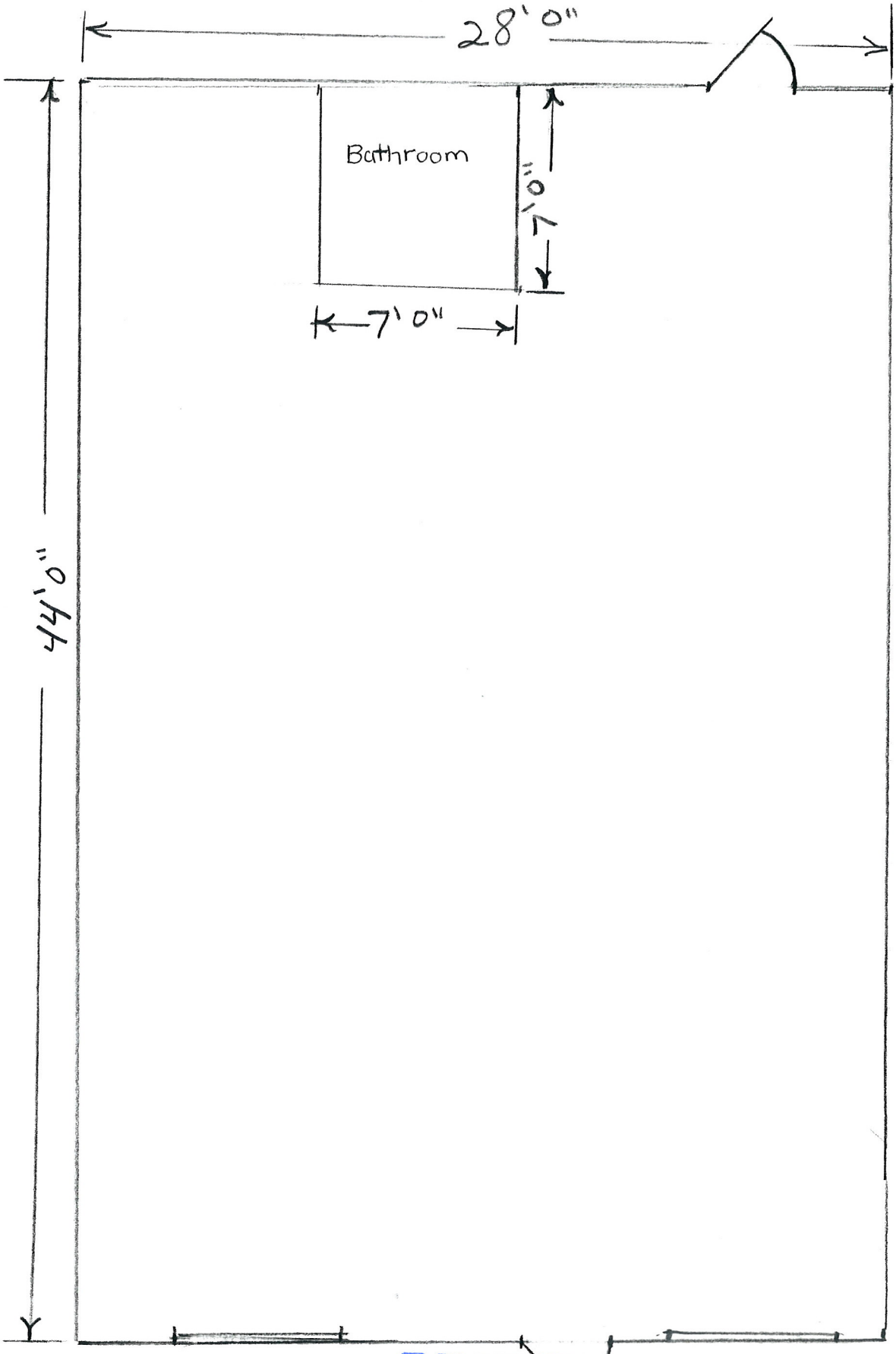
SUP-41592



1/4" = 1 Foot Scale

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SUP-41592

FLOOR PLAN
2187 N. Decatur Bl
#100



SUP-41592 - APPLICANT: MARYETTA BREWER - OWNER: CONSTRUCTION GROUP, INC.
2187 NORTH DECATUR BOULEVARD, SUITE #100

05/05/11

JUSTIFICATION LETTER

April 28, 2011

I'm applying for a special use permit license for a second hand dealer store selling new & use items. The intended use of the property is to sell quality new & use household items, clothing, appliances, electronics, jewelry, and other new & use items. Items are picked up & drop off by me are other delivery personal. We will be offer quality, affordable products to the community. Our hours of operation will be 7 days a week between the hours of 10am-6pm. My spouse and I will be the ones operating the business in the beginning. We plan to have other part-time employees working once we get up and going. As far as the connectivity to other adjacent parcels right next to our propose location south of the property there is a furniture store that the parking lot are adjacent to each other allowing access to exit and enter to Decatur. To the question of the propose project having walkable access for residents. There is walkable access allowing residents in the community access through the property to conduct their everyday routine daily activities. Allowing them access to and from public transportation and other recreation activities. As to the plans floor plan that was submitted we have not decided on how the store will be displayed inside so my floor plan just show an open floor plan with the bath. I hope that is sufficient enough.

Thanks you,

Maryetta Brewer

Maryetta Brewer

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APR 28 2011
SUP-41592

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-41592
City Council Meeting of 7/20/2011

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LANGEL ANDREW J & JANICE FAM TR
5106 EUGENE
LAS VEGAS NV 89108-3000

APN#13824511069

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24 PROPHIT 89108

07/08/2011 FRI 11:18 [TX/RX NO 9

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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City Council Meeting of 7/20/2011

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BAKER DIANNA S & RONALD R
4501 MARK AVE
LAS VEGAS NV 89108-2873

APN#13919213016

24 PROPHIT 89108

002
IVIE ANDDRSON
7023634486
07/09/2011 07:53 FAX 7023634486

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-41592
City Council Meeting of 7/20/2011

RECEIVED
CITY CLERK
2011 JUL 11 A 7:03

IVIE RHONDA H
4962 N PIONEER WY
LAS VEGAS NV 89149-5848

APN#13824611064

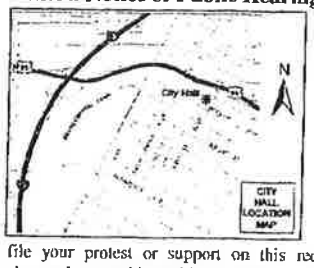
31 FRDFN11 89149

07/09/2011 SAT 06:56 [TX/RX NO 9713] 002

001
IVIE ANDDRSON
07/09/2011 07:53 FAX 7023634486

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

Return Service Requested
Official Notice of Public Hearing



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☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-41592
City Council Meeting of 7/20/2011

RECEIVED
CITY CLERK
2011 JUL 11 A 7:03

$ 00.41

IVIE RHONDA
4962 N PIONEER WY
LAS VEGAS NV 89149-5848

APN#13824611063

FAX 382-4803

31 FRDFN11 89149

07/09/2011 SAT 06:56 [TX/RX NO 9713] 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

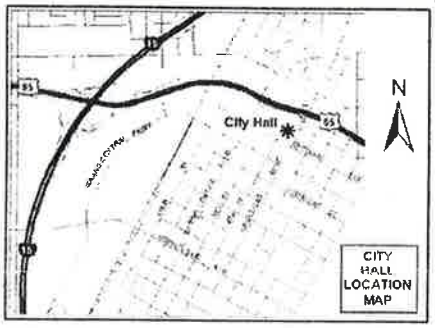
City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 JUN 02 2011
MAILED FROM ZIP CODE 89101

RECEIVED
JUN 14 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

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 Department of Planning, Case Planning Division 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-41592
Planning Commission Meeting of 6/14/2011

Case: SUP-41592
13824611017
SPRADA PAUL M
4908 STACEY AVE
LAS VEGAS NV 89108-3072

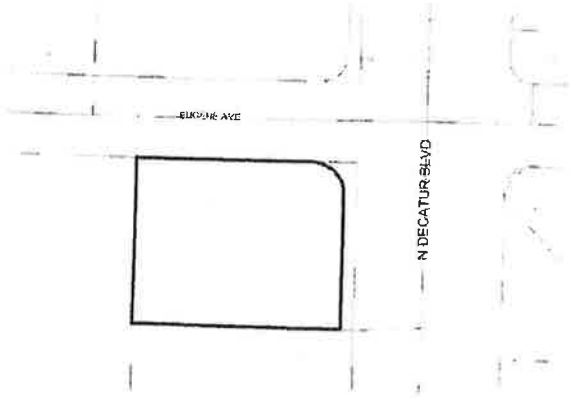
24 0RDPM1 89108

Application Information

SUP-41592 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MARYETTA BREWER - OWNER: CONSTRUCTION GROUP, INC. - Request for a Special Use Permit FOR A PROPOSED 1,275 SQUARE-FOOT SECONDHAND DEALER USE (HOUSEHOLD ITEMS) at 2187 North Decatur Boulevard, Suite #100 (APN 138-24-611-073), C-1 (Limited Commercial) Zone, Ward 5 (Barlow).

DON'T NEED ANOTHER JUNK PEDDLER IN NEIGHBOR HOOD GOT ENOUGH WITH USED APPLIANCE PLACE 2 BLOCKS AWAY

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	***June 14, 2011***
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

15P

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 Department of Planning, Case Planning Division, Development Services Center, 333 North Rancho Drive, 3rd Floor, Las Vegas, Nevada 89106. 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.

Jun. 08 2011 08:50AM P1 PHONE NO. :
FROM : Panasonic FAX SYSTEM

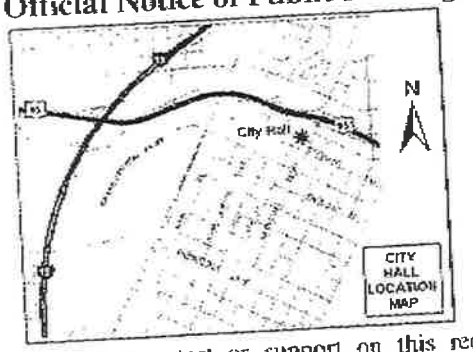
City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 JUN02 2011
MAILED FROM ZIPCODE 89101

Return Service Requested

Official Notice of Public Hearing



RECEIVED
JUN - 8 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-41592

Planning Commission Meeting of 6/14/2011

Case: SUP-41592

13824611054
GOLDIN GERALD E
5001 SAWYER AVE
LAS VEGAS NV 89108-3057

24 DRDPN11 89106

157

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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0004279218 JUN02 2011
MAILED FROM ZIP CODE 88101

Return Service Requested
Official Notice of Public Hearing



RECEIVED
JUN - 7 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

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[X] I SUPPORT this Request [ ] I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-41592
Planning Commission Meeting of 6/14/2011

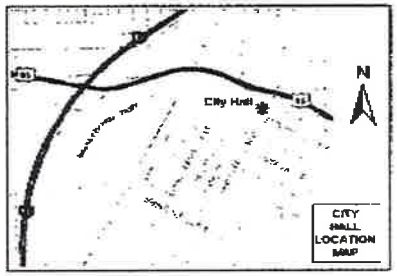
Case: SUP-41592
13624611060
2027 NORTH DECATUR L L C
5243 W CHARLESTON BLVD #8
LAS VEGAS NV 89146-1304

15A

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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-41592

Planning Commission Meeting of 6/14/2011

RECEIVED
JUN - 8 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case SUP-41592
13919213023
UTTER ROBERT L & SANDRA J
4609 MARK AVE
LAS VEGAS NV 89108-2846

24 ORDFN11 8S10S

2011-06-06 09:42 ROBERT UTTER 17026477131>> 17023828558 P 1/1

154

City of Las Vegas Agenda Item No.: **71.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:

ROC-41902 - ABEYANCE ITEM - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT: VEGAS EXPRESS GAS MART #2, LLC - OWNER: PACPROP SERVICE, LLC – For possible action on a Request for a Review of Condition of a previously approved Special Use Permit (SUP-36779) TO DELETE CONDITION #5 WHICH STATES, "THE SALE OF SINGLE BEERS, MALT BEVERAGES, OR WINE COOLERS OF ANY SIZE WITH ALCOHOL BY VOLUME GREATER THAN 6% SHALL BE PROHIBITED. THE SALE OF WINES WITH AN ALCOHOL BY VOLUME OF GREATER THAN 16% SHALL BE PROHIBITED" at 4401 East Bonanza Road (APN 140-32-101-014), C-1 (Limited Commercial) Zone, Ward 3 (Coffin). Staff recommends DENIAL.

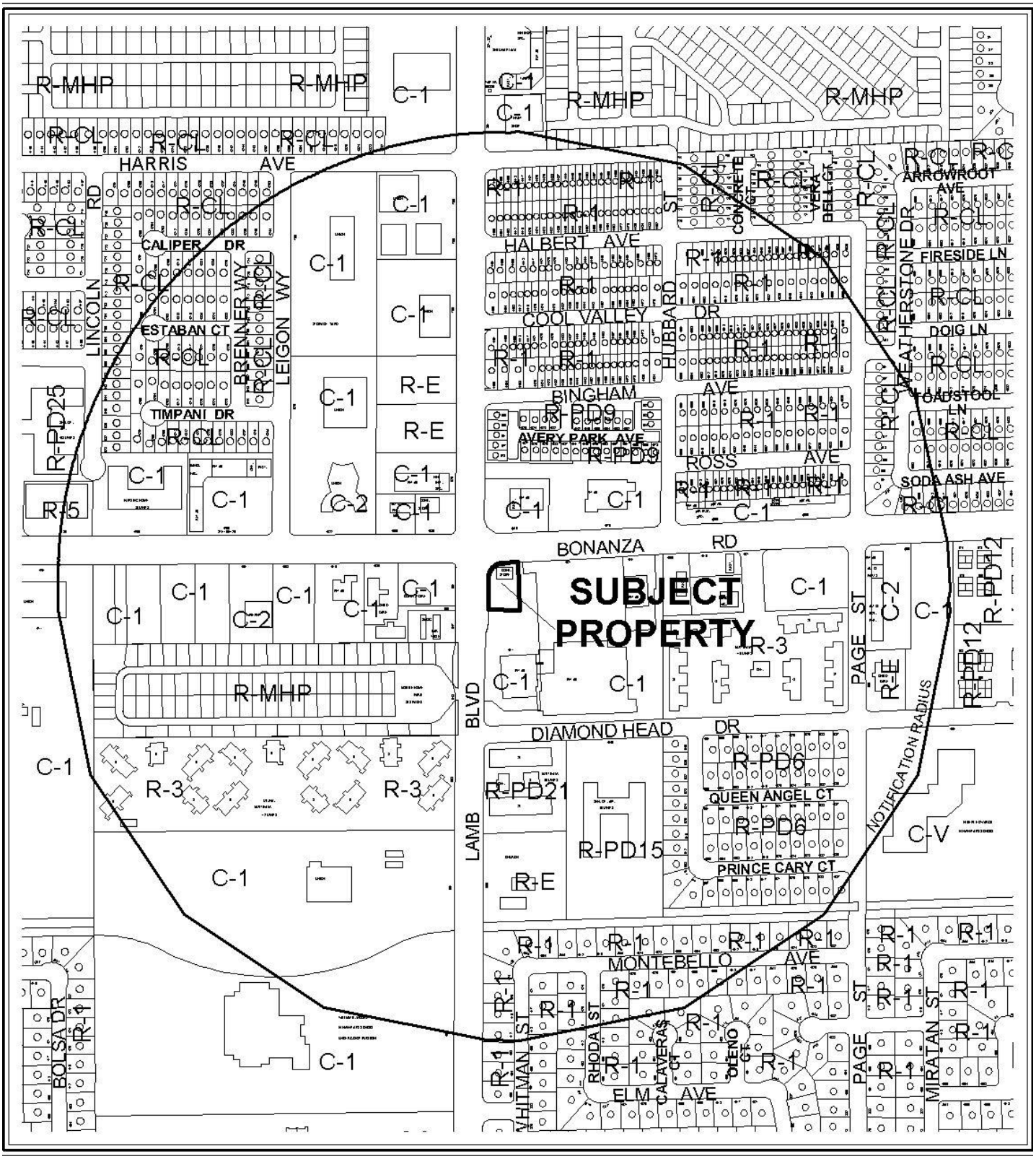
PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**3**	**City Council Meeting**	**3**

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 SUP-36779
5. Justification Letter
6. Protest/Support Postcards



0 600 1200 Feet

CASE: **ROC-41902**

RADIUS: 1500 FT

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

N



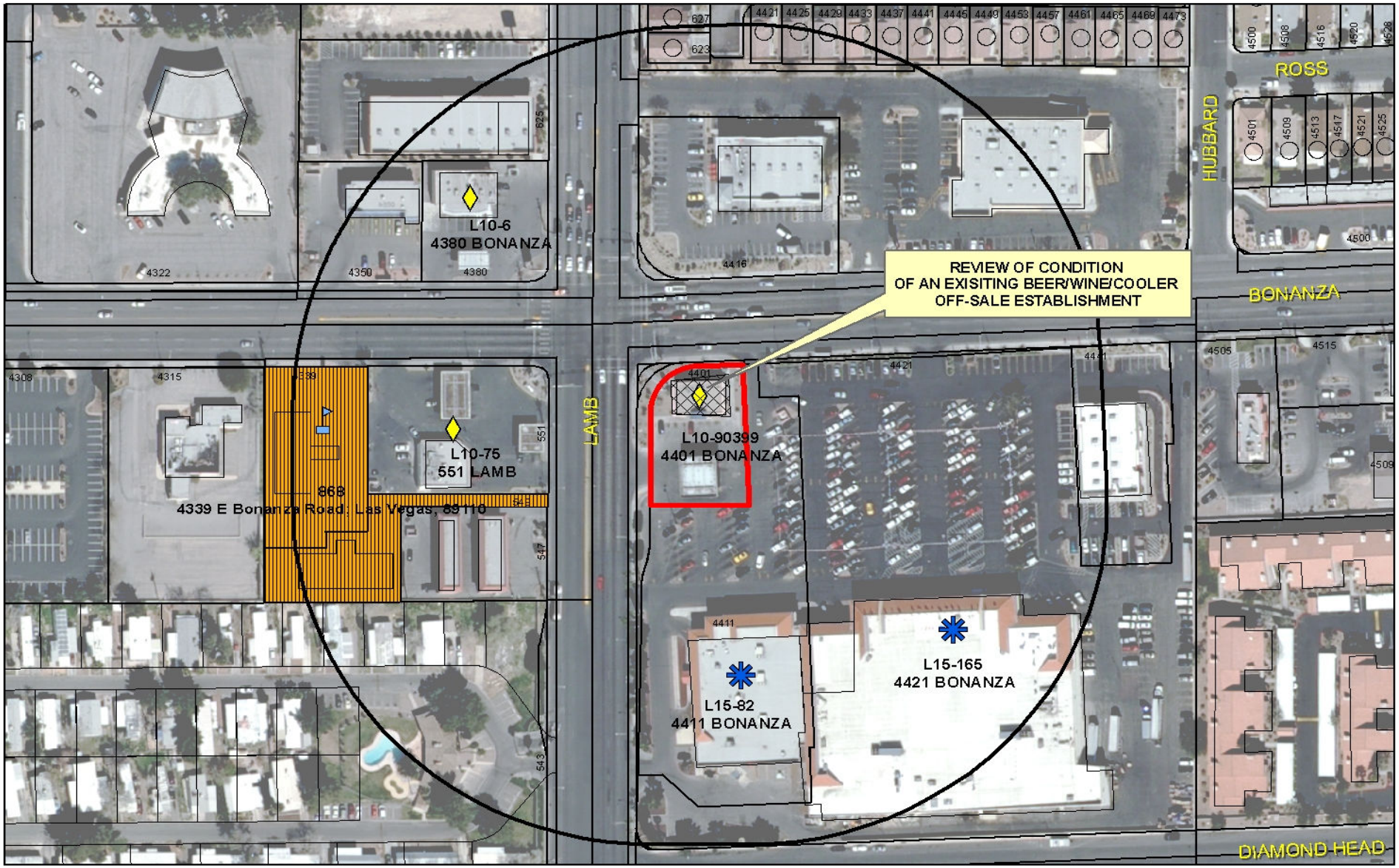
0 600 1200 Feet

CASE: **ROC-41902**

RADIUS: 1500 FT

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

N



ROC-41902

Business Licenses

- Child Care/ Children Facility
- Beer/Wine/Cooler On Sale
- Beer/Wine/Cooler Off Sales
- Beer/Wine/Cooler On-Off Sale
- Package Liquor Sales
- Supper Club/ Restaurant Service Bar
- Tavern
- RELIGIOUS
- CITY PARKS
- SCHOOLS
- Subject Property
- 400 foot buffer

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 20, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: VEGAS EXPRESS GAS MART #2, LLC - OWNER: PACPROP SERVICE, LLC

THIS ITEM WAS HELD IN ABEYANCE FROM THE JULY 6, 2011 CITY COUNCIL MEETING

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

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
ROC-41902	Staff recommends DENIAL, if approved subject to conditions:	None

**** CONDITIONS ****

ROC-41902 CONDITIONS

Planning

1. Condition #5 of Special Use Permit (SUP-36779) shall be deleted.

2. Conformance to the conditions of approval of Special Use Permit (SUP-36779) and all other site related actions as required by the Department of Planning and Department of Public Works.

DS

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site is occupied by a Convenience Store located at 4401 East Bonanza Road. The applicant is requesting a Review of Condition of a previously approved Special Use Permit (SUP-36779) to delete condition #5, which states, "The sale of single beers, malt beverages or wine coolers of any size with alcohol by volume greater than 6% shall be prohibited. The sale of wines with an alcohol by volume greater than 16% shall be prohibited."

There is a school, two (2) package liquor establishments, and two (2) other convenience stores with beer/wine/cooler off-sale within 400 feet of the subject site. The proposed removal of this condition is not appropriate as the intensification of the use through the increased availability of higher alcohol-by-volume products would add to the already saturated market within a confined area, in addition to its close proximity to a protected use.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
07/19/00	The City Council approved a request for a Special Use permit (U-0069-00) for Gasoline Sales and for a Site Development Plan Review for a proposed 2,029 square-foot Albertson's Convenience Store on the southeast corner of Bonanza Road and Lamb Boulevard. The Planning Commission recommended approval.
02/21/01	The City Council approved a request for a Special Use Permit (U-0139-00) for the sale of beer and wine for off-premise consumption on the southeast corner of Bonanza Road and Lamb Boulevard. The Planning Commission recommended approval.
11/26/08	The Planning and Development Department approved a request for a Parcel Map (PMP-32228) technical review on 2.06 acres located at the southeast corner of Bonanza Road and Lamb Boulevard. The Mylar was released for recordation on 04/13/09, but no recordation date is annotated.
02/17/10	The City Council approved a request for a Special Use Permit (SUP-36779) for a proposed Beer/Wine/Cooler Off-Sale establishment within an existing 2,032 square-foot Convenience Store and a waiver to allow a 120-foot distance separation from a child care facility where 400 feet is required at 4401 East Bonanza Road. The Planning Commission recommended approval; staff recommended denial.
07/12/11	The Planning Commission is scheduled to hear a request for a Special Use Permit (SUP-41901) for a Check Cashing Service, Limited within an existing 2,032 square-foot Convenience Store at 4401 East Bonanza Road.

Most Recent Change of Ownership	
08/20/09	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
02/16/11	A building permit (181665) was issued for a sign at 4401 East Bonanza Road. The permit has not yet been finalized.
03/15/11	A business license (C05-90401) was issued for Tobacco Sales at 4401 East Bonanza Road. The license is still active.
03/15/11	A business license (C15-90400) was issued for a Convenience Store at 4401 East Bonanza Road. The license is still active.
03/15/11	A business license (L10-90399) was issued for Beer/Wine/Cooler Off-Sale at 4401 East Bonanza Road. The license is still active.
03/16/11	A temporary business license (S05-90402) was issued for a Service Station at 4401East Bonanza Road.
03/31/11	A business license (C20-91499) was filed for Convention Tax at 4401 East Bonanza Road. The license has not yet been issued.
03/31/11	A business license (G01-91498) was filed for Restricted Gaming at 4401 East Bonanza Road. The license has not yet been issued.
04/07/11	A temporary business license (N02-90493) was issued for a Non-Depository Lender at 4401 East Bonanza Road.
05/04/11	A building permit (1870870 was issued for tenant improvements to create a storage room at 4401 East Bonanza Road. The permit has not yet been finalized.

Pre-Application Meeting	
05/19/11	A pre-application meeting was held with the applicant to discuss the submittal requirements for a Review of Condition of a previously approved Special Use Permit (SUP-36779) to delete Condition #5 to allow the sale of single beers, malt beverages or wine coolers of any size with alcohol by volume greater than 6%; and to allow the sale of wines with alcohol by volume of greater than 16%.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
06/02/11	Staff conducted a field check of the subject site and found the area clean and neat in appearance with no discrepancies noted.

DS

Details of Application Request	
Site Area	
Gross Acres	0.38

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)
North	Restaurant; Retail Establishments	SC (Service Commercial)	C-1 (Limited Commercial)
South	Retail Establishments; Financial Institution, General	SC (Service Commercial)	C-1 (Limited Commercial)
East	Retail Establishments; Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
West	Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area		X	N/A
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

This is a request for a Review of Condition of a previously approved Special Use Permit (SUP-36779) to delete condition #5 that states, "The sale of single beers, malt beverages, or wine coolers of any size with alcohol by volume greater than 6% shall be prohibited. The sale of wine with an alcohol by volume greater than 16% shall be prohibited." There has been no negative police activity at the site. There is a school, two (2) package liquor establishments, and two (2) other convenience stores with beer/wine/cooler off-sale within 400 feet of the subject site.

FINDINGS

The proposed removal of this condition is not appropriate as the intensification of the use through the increased availability of higher alcohol-by-volume products would add to the already saturated market within a confined area, in addition to its close proximity to a protected use (school). By allowing the sale of products with greater alcohol percentages could have a negative effect on the surrounding areas; therefore, staff is recommending denial of this request.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 998 (By Planning)

APPROVALS 3

PROTESTS 3

DS

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **ROC-41902** APN: 140-32-101-014

Name of Property Owner: Pacprop Service, LLC

Name of Applicant: Vegas Express Gas Mart # 2, LLC

Name of Representative: Matt Ricciardella

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: Steve Glusker

Subscribed and sworn before me A. G. Fyffe

This 19th day of May, 2011

_____

Notary Public in and for said County and State

Los Angeles, California

A. G. FYFFE
Commission # 1810171
Notary Public - California
Los Angeles County
My Comm. Expires Aug 19, 2012

Revised 11-14-06

f:\depot\Application Packet\Statement of Financial Interest.pdf

RECEIVED
MAY 25 2011

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Vegas Express Gas Mart #2, LLC

Project Address (Location) 4401 E Bonanza Road

Project Name Review of Condition of Special Use Permit **Proposed Use**

Assessor's Parcel #(s) 140-32-101-014 **Ward #** 3-Reese

General Plan: existing X proposed **Zoning:** existing proposed

Commercial Square Footage 2032 **Floor Area Ratio**

Gross Acres 0.38 **Lots/Units** **Density**

Additional Information

PROPERTY OWNER Pacprop Service LLC **Contact** Steve Glusker

Address 12100 Wilshire Blvd. #1025 **Phone:** 3104470707 **Fax:** 3104470936

City Los Angeles **State** CA **Zip** 90025

E-mail Address steve@ppgla.com

APPLICANT Vegas Express Gas Mart #2 LLC **Contact** Matt Ricciardella

Address 4401 E Bonanza Rd **Phone:** 702 507 1607 **Fax:** 702 6666-8616

City Las Vegas **State** NV **Zip** 89110

E-mail Address mricciardella@gmail.com

REPRESENTATIVE Matt Ricciardella **Contact**

Address 2009 Amber Stone Ct. **Phone:** 502-810-3165 **Fax:** 702 6666-8616

City Las Vegas **State** NV **Zip** 89134

E-mail Address mricciardella@gmail.com

Property Owner Signature* [signature]

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

Print Name Steve Glusker

Subscribed and sworn before me

This 19th day of May, 20 11.

[signature]

Notary Public in and for said County and State

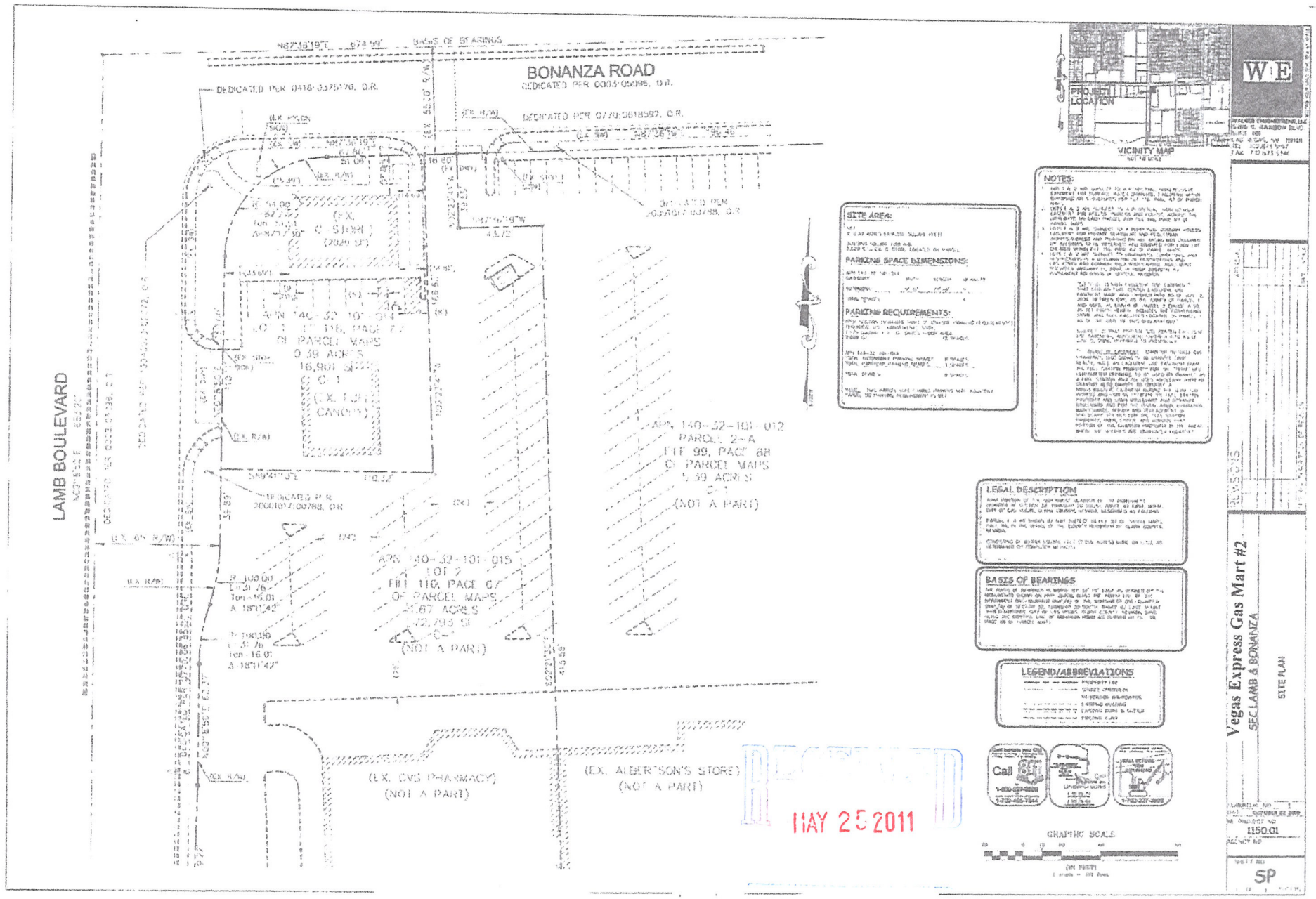
A. G. FYFFE
Commission # 1810171
Notary Public - California
Los Angeles County
My Comm. Expires Aug 19, 2012

FOR DEPARTMENT USE ONLY

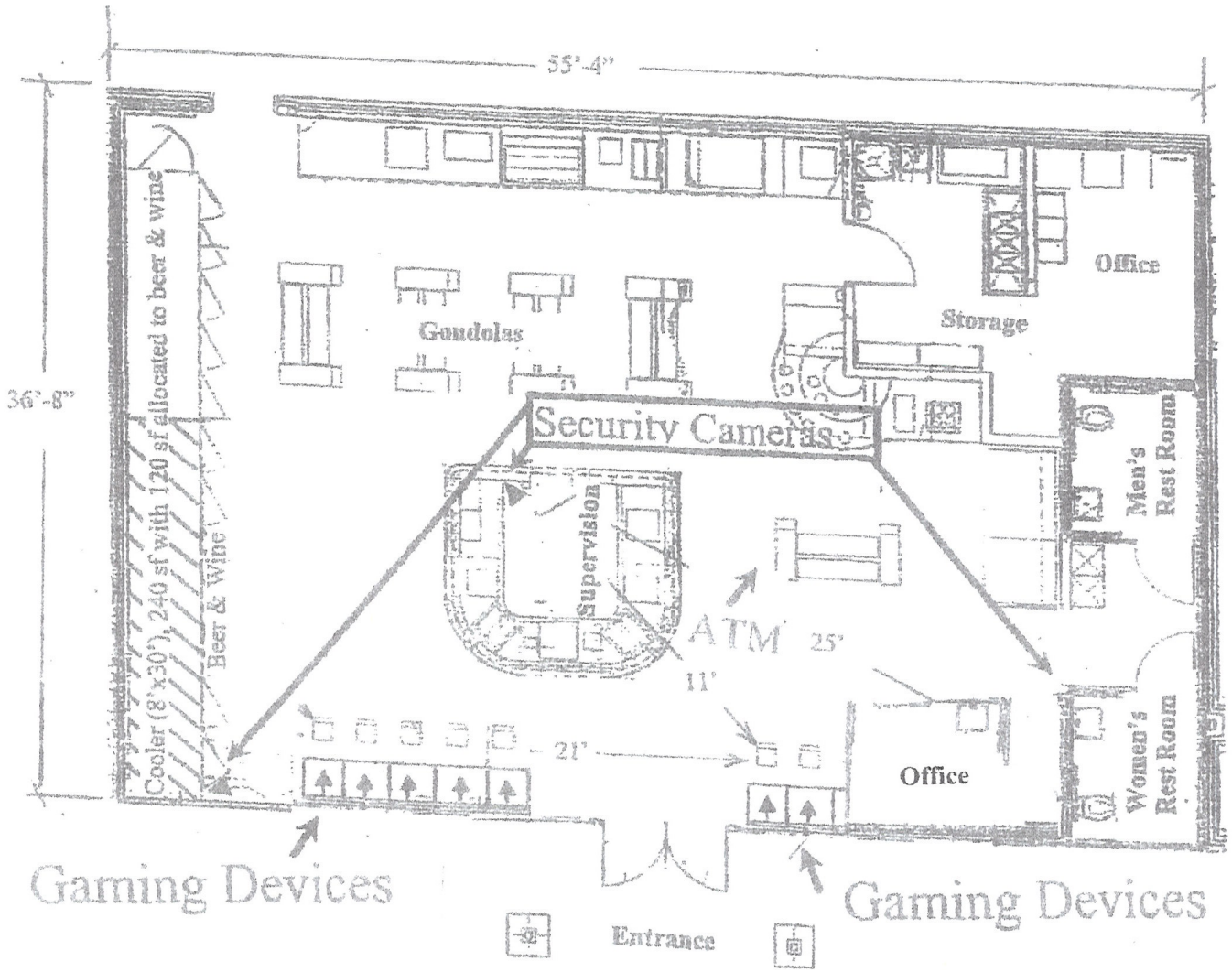
Case #	ROC-41902
Meeting Date:	7-06-11 CC
Total Fee:	1090.00
Date Accepted:	5-25-11
Accepted By:	IFmail

*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.

RECEIVED
MAY 25 2011


BONANZA ROAD
LAMB BOULEVARD
BASIS OF BEARINGS
(EX. C-STORE)
(2020 SF)
APN 140-32-101-014
LOT 1 FILE 116, PAGE 67
OF PARCEL MAPS
0.39 ACRES
16,901 SF
C-1
(EX. FUEL CANOPY)
APN 140-32-101-012
PARCEL 2-A
FILE 99, PAGE 88
OF PARCEL MAPS
5.39 ACRES
C-1
(NOT A PART)
APN 140-32-101-015
LOT 2
FILE 116, PAGE 67
OF PARCEL MAPS
1.67 ACRES
72,793 SF
C-1
(NOT A PART)
(EX. CVS PHARMACY)
(NOT A PART)
(EX. ALBERTSON'S STORE)
(NOT A PART)
SITE AREA:
PARKING SPACE DIMENSIONS:
PARKING REQUIREMENTS:
NOTES:
LEGAL DESCRIPTION
BASIS OF BEARINGS
LEGEND/ABBREVIATIONS
GRAPHIC SCALE
VICINITY MAP
PROJECT LOCATION
W E
Vegas Express Gas Mart #2
SEC LAMB & BONANZA
SITE PLAN
1150.01
SP
MAY 25 2011

ROC-41902



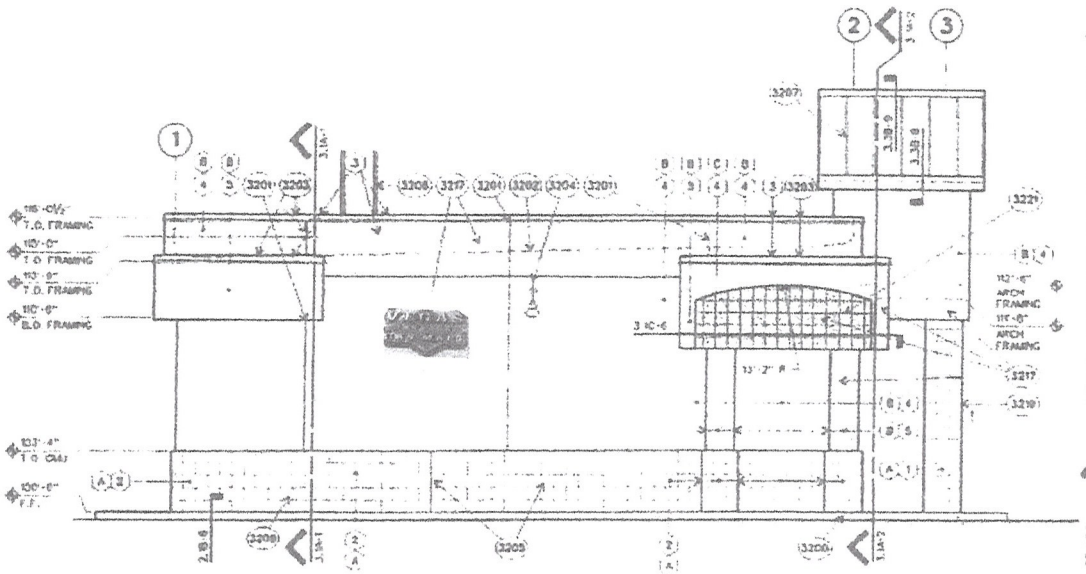
Vegas Express Gas Mart #2
4401 E. Bonanza Road
Las Vegas, NV 89110

RECEIVED
MAY 25 2011

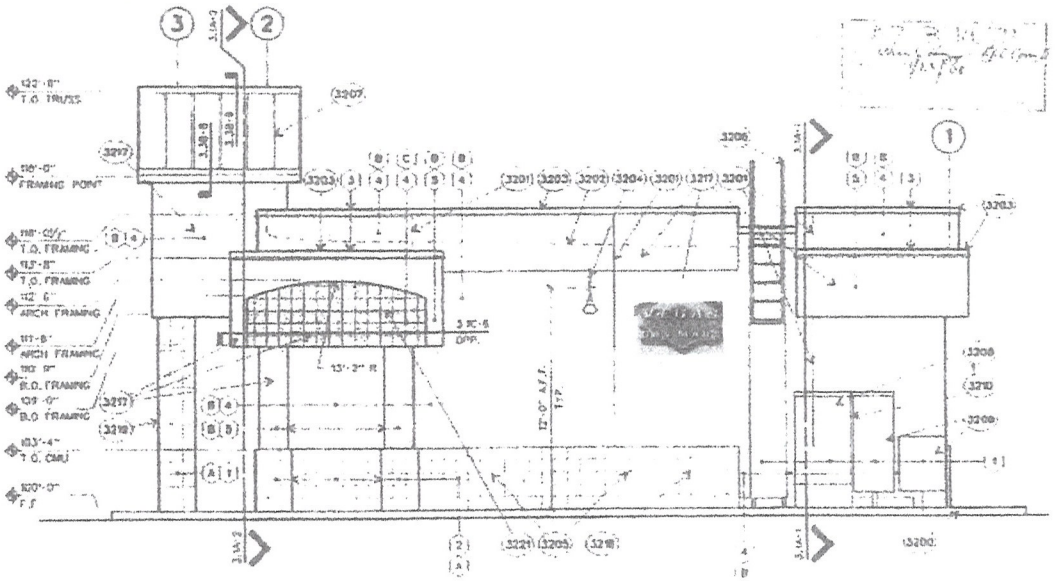
Scale: 1/8th inch = 1 foot
December 9, 2009
Maximum Occupancy 68

Total Area	2,032 sf
Storage	444 sf
Cooler	240 sf
Retail	1,348 sf

ROC-41902



1 LEFT ELEVATION
1/4" = 1'-0"
REF: 3.2A-1



3 SCHEDULE OF KEYED NOTES
REF: 3.2A & 3.2B

3200 CONC. CURB & WALK REF: 1.2C-1
3201 E.I.F.S. CONTROL JOINT TYP. REF: 3.1C-8
3202 ROOF LINE BEYOND
3203 GALVANIZED METAL COPING, PAINT, REF: 3.3A-1
3204 LIGHT FIXTURE REF: 7.1A-1 MOUNT CENTER OF WALL ESCUTCHEON AT 112'-0"
3205 SPLIT FACE CMU VENEER, PAINT, TYP REF: 3.2B-4
3206 ALUMINUM LADDER, PAINT, REF: 3.9D-4
3207 STANDING SEAM METAL ROOF, RE: 3.2B-4
3208 FUEL AND LIGHTING CONTROL CABINET W/ SPRAY, RE: 7.1A-1 & 7.2B-1, PAINT
3209 ELEC. PANEL, PAINT, RE: 3.2B-4
3210 INSTALL 20 GA. G.I. CLOSURE BETWEEN ELEC. CABINETS, REF: 3.3A-6
3211 SCUPPER, PAINT, TYP., RE: 3.2B-4 & 3.3B-4
3212 WALL VENT, RE: 3.1C-1
3213 EMERGENCY PUMP SHUTOFF, RE: 7.2A-1
3214 ALUMINUM STOREFRONT ENTRANCE, RE: 3.8A-2 & 3.8A-3
3215 OVERFILL ALARM HORN AND SHUTOFF SWITCH, RE: 7.2A-1
3216 SIGN BY OTHERS, PROVIDE BLOCKING
3217 INTEGRAL COLOR E.I.F.S. OVER #15 BUILDING FELT, RE: 3.2B-4
3218 WALL CONTROL JOINT, TYP., RE: 3.1C-5
3219 CMU COLUMN, PAINT, RE: 3.2B-4
3220 CANOPY ACCESS DOOR, RE: 3.1C-4
3221 E.I.F.S. SCORE JOINT AT 8" O.C. EA. WAY, RE: 3.1C-8

4 SCHEDULE OF EXTERIOR MATERIALS & FINISHES
REF: 3.2A & 3.2B

MATERIAL / FINISH

COLOR CODE SCHEDULE

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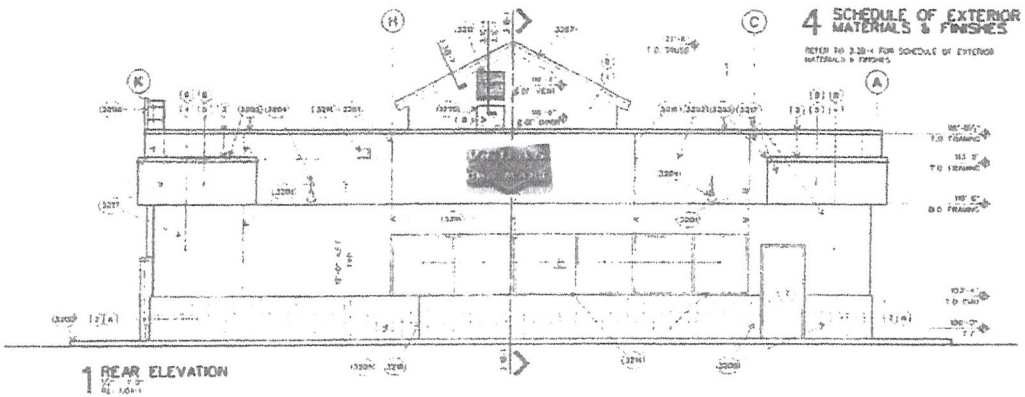
ROC-41902

3 SCHEDULE OF KEYED NOTES

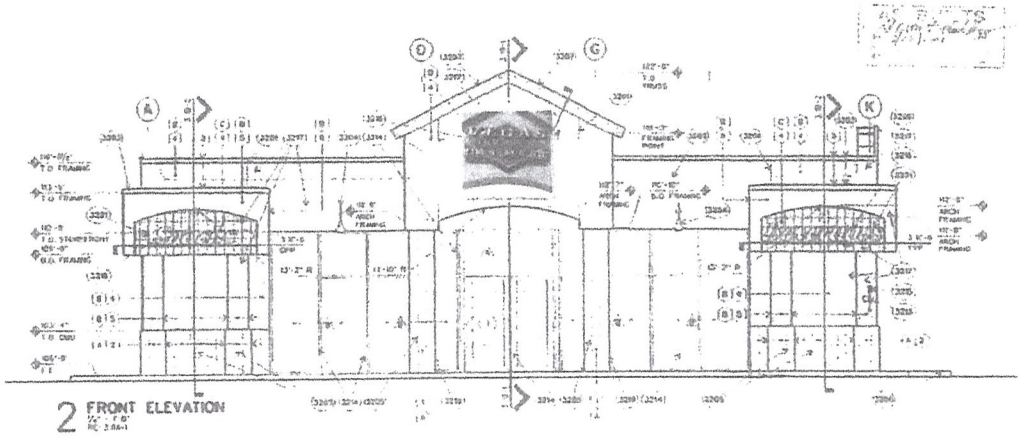
REFER TO 3.3A-3 FOR SCHEDULE OF KEYED NOTES

4 SCHEDULE OF EXTERIOR MATERIALS & FINISHES

REFER TO 3.3A-4 FOR SCHEDULE OF EXTERIOR MATERIALS & FINISHES



1 REAR ELEVATION



2 FRONT ELEVATION

MAY 25 2011

ROC-41902

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 10, 2010

Mr. Steve Glusker
PacProp Service, LLC
12100 Wilshire Blvd., Ste. 1025
Los Angeles, California 90025

RE: SUP-36779 – SPECIAL USE PERMIT
CITY COUNCIL MEETING OF FEBRUARY 17, 2010

Dear Mr. Glusker:

The City Council at a regular meeting held February 17, 2010 APPROVED the request for a Special Use Permit FOR A PROPOSED BEER/WINE/COOLER OFF-SALE ESTABLISHMENT WITHIN AN EXISTING 2,032 SQUARE-FOOT CONVENIENCE STORE AND A WAIVER TO ALLOW A 120-FOOT DISTANCE SEPARATION FROM A CHILD CARE FACILITY WHERE 400 FEET IS REQUIRED at 4401 East Bonanza Road (APN 140-32-101-014), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on February 18, 2010. This approval is subject to:

Added Condition

A. There shall be a six-month review at City Council after the opening of the business.

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Beer/Wine/Cooler Off-Sale use.

2. Approval of this Special Use Permit does not constitute approval of a liquor license.

3. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

4. All beer and wine coolers shall remain in their original manufacturer's configuration of four- or six-packs.

5. The sale of single beers, malt beverages, or wine coolers of any size with alcohol by volume greater than 6% shall be prohibited. The sale of wines with an alcohol by volume of greater than 16% shall be prohibited.

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

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

Fld-0044-08-09

Printed with environmentally friendly soy ink.

ROC-41902

6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Sincerely,

Angela Crolli
Deputy City Clerk II for
Beverly K. Bridges, MMC, City Clerk

M. Margo Wheeler, AICP
Director
Planning and Department

cc: Mr. Bruce I. Familian
Nevada City Partners, LLC
4534 West Hacienda Avenue, Ste. A
Las Vegas, Nevada 60015

Ms. Jennifer Roberts
Lionel Sawyer & Collins
300 South 4th Street, #1700
Las Vegas, Nevada 89101

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JUSTIFICATION LETTER

May 23, 2011

ADDRESS: 4401 E Bonanza Rd Las Vegas NV 89110

BUSINESS: Vegas Express Gas Mart #2, LLC

OWNERS: Matt Ricciardella & Sabah Boles

RE: Special Use Permit (SUP-36779) Removal of condition #5

Since opening Vegas Express Gas Mart #2 (a gas station/convenience store) on March 10th 2010 we have had an overwhelming amount of our customers request for various brands of single beers/malt beverages that exceed 6% alcohol by volume. Per condition #5 on our special use permit our business is prohibited from selling single beers/malt beverages that exceeds 6% alcohol by volume. Therefore we would like to respectfully request from the City of Las Vegas Planning Commission that condition #5 be removed from SUP -36779. In these economic times it is crucial that we can service our customers by providing them with the products they desire. If not we will continue to lose our valuable customers to our competitors: Arco gas station/convenience store 551 N Lamb, Circle K gas station/convenience store 4380 E Bonanza Rd, CVS 4421 E Bonanza Rd, & Walgreens 4470 E Bonanza Rd, all whom are located on the intersection of Bonanza & Lamb and all whom are permitted to sell single beers/malt beverages that exceed 6% alcohol by volume. Thank You in advance for your consideration of this issue.

Sincerely,

Matt Ricciardell/owner

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ROC-41902

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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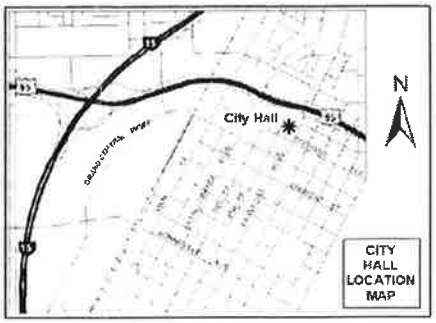

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☐ I SUPPORT this Request ☑ I OPPOSE this Request

Please use available blank space on card for your comments.

ROC-41902
City Council Meeting of **07/06/2011**

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Case ROC-41902

14032112042
SMITH MARIA L & SONIA S
4536 QUEEN ANGEL CT
LAS VEGAS NV 89110-3306

Application Information

ROC-41902 - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT: VEGAS EXPRESS GAS MART #2, LLC - OWNER: PACPROP SERVICE, LLC - Request for a Review of Condition of a previously approved Special Use Permit (SUP-36779) TO DELETE CONDITION #5 WHICH STATES, "THE SALE OF SINGLE BEERS, MALT BEVERAGES, OR WINE COOLERS OF ANY SIZE WITH ALCOHOL BY VOLUME GREATER THAN 6% SHALL BE PROHIBITED. THE SALE OF WINES WITH AN ALCOHOL BY VOLUME OF GREATER THAN 16% SHALL BE PROHIBITED" at 4401 East Bonanza Road (APN 140-32-101-014), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

NO. THERE ARE MANY KIDS AND FAMILIES HERE. THEY SELL BEER-AND-WINE. EVERY 2- BLOCKS IN EVERY DIRECTION. IF YOU KEEP ALLOWING THESE LIQUOR

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	City Council
Date:	***July 6, 2011***
Time:	1:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals there of with the City Clerk, 1st Floor, City Hall, 400 Stewart Avenue, Las Vegas, Nevada 89101. For further information, please call 702-229-6301 (TDD 702-386-9108), http://www.lasvegasnevada.gov.

PERMITS, IT'S GOING TO RUIN OUR NEIGHBORHOOD. SCHOOLS ARE VERY CLOSE TO THE PLACE WHERE THEY WANT THE PERMIT. SOME PERMITS SHOULD EVEN BE REVOKED!

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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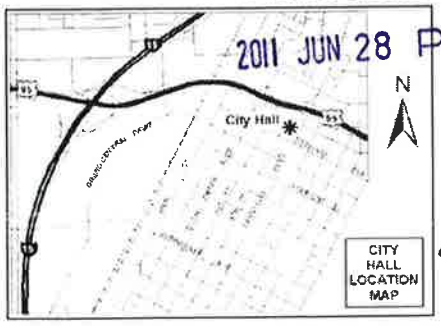

TOO MANY KIDS AND SCHOOLS!!!

THIS IS GOING TO RUIN OUR NEIGHBORHOOD!

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

ROC-41902
City Council Meeting of **07/06/2011**

ROC-41902 Occupant
El Adobe Estates Mobile Home Park
825 North Lamb Boulevard, Space 295
Las Vegas, Nevada 89110

p.1

702-453-5924

Jong Mu Kim

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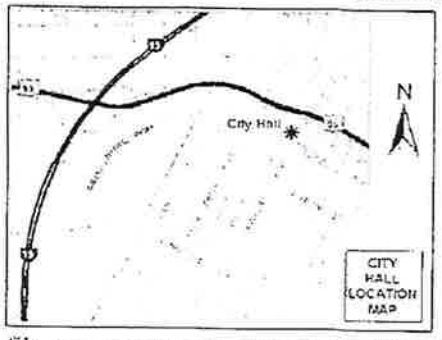

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

ROC-41902
City Council Meeting of **07/06/2011**

XXXX-XX-XX LV NV 89XXX

Case ROC-41902
14032210004
MAHON PATRICK J & COLLENE C
4520 MONTEBELLO AVE
LAS VEGAS NV 89110-3389

22 DRDFM11 8911O

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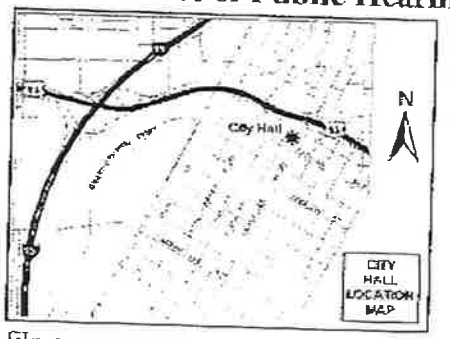

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☑ I SUPPORT this Request ☐ I OPPOSE this Request

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ROC-41902
City Council Meeting of **07/06/2011**

89025-24-11 LV NV 891XX

14032101014 Case: ROC-41902
PACPROP SERVICE L L C
12100 WILSHIRE BLVD #1025
LOS ANGELES CA 90025-7129

89 DEPOSIT 90025

06/29/2011 16:36 3104470936

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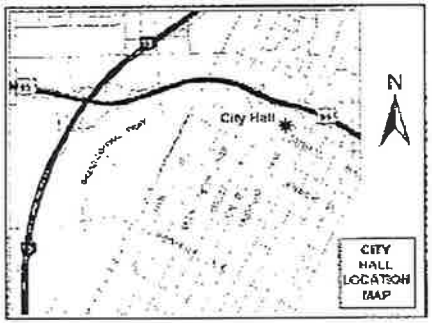

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☑ I SUPPORT this Request ☐ I OPPOSE this Request

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ROC-41902
City Council Meeting of **07/06/2011**

Case: ROC-41902
14032101012
LAMANZA L L C
%PACIFIC PPTY GROUP
12100 WILSHIRE BLVD #1025
LOS ANGELES CA 90025-7129

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PAGE 01/01

P 1/1

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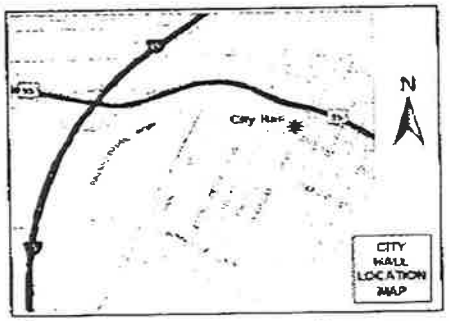

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

ROC-41902
City Council Meeting of **07/06/2011**

2011-06-27 09:33 Robin Pyne 7024535999 >>

ROC-41902 Occupant
El Adobe Estates Mobile Home Park
825 North Lamb Boulevard, Space 201
Las Vegas, Nevada 89110

City of Las Vegas Agenda Item No.: **72.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: JULY 20, 2011

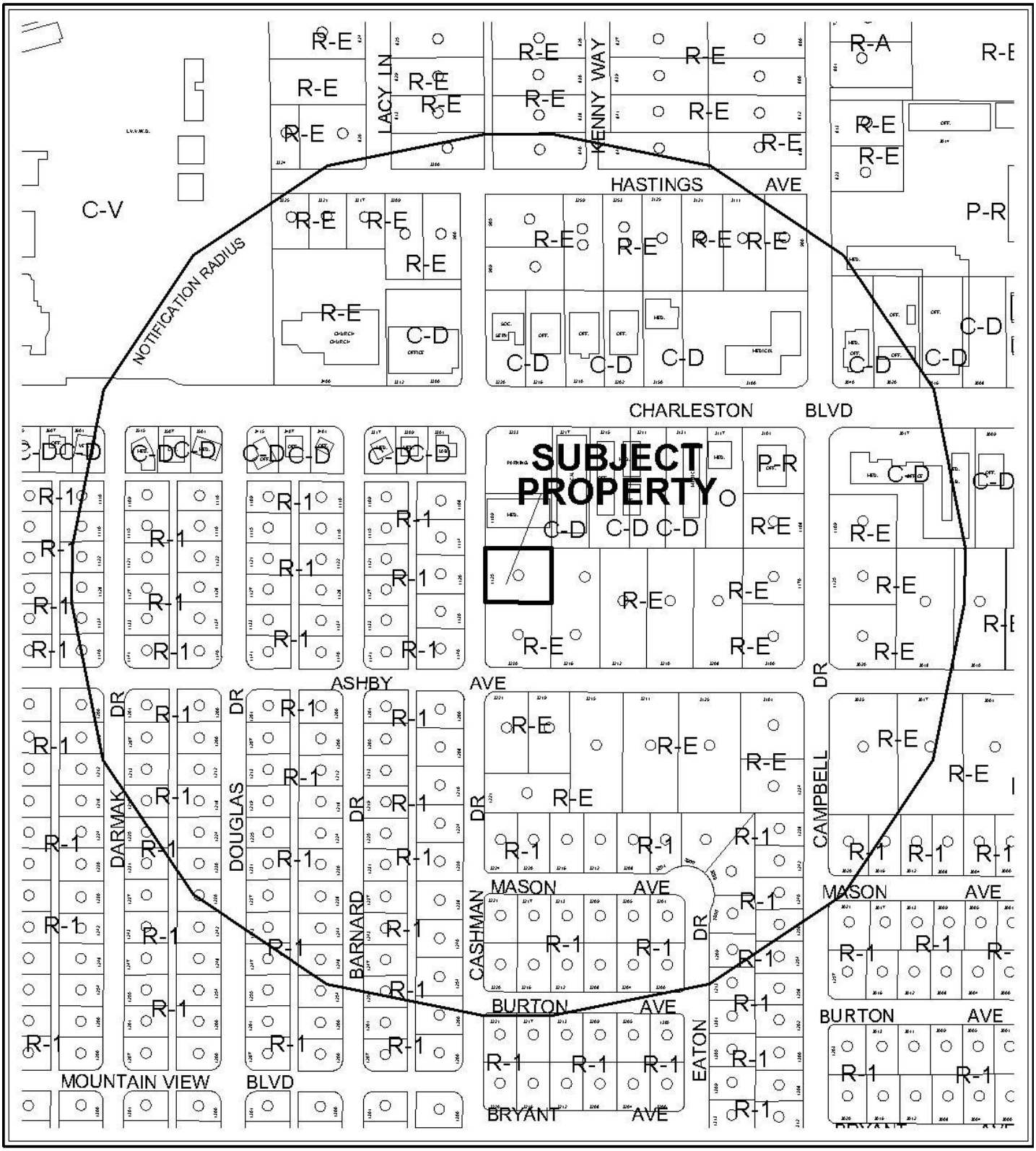
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
VAR-41321 - ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: JOHNNY PAPPAS – For possible action on a Request for a Variance TO ALLOW AN EXISTING 595 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS II) WITH A ZERO-FOOT SIDE YARD SETBACK WHERE THREE FEET IS REQUIRED, ZERO FEET OF SEPARATION FROM THE PRIMARY STRUCTURE WHERE SIX FEET IS REQUIRED, AND WHICH IS NOT AESTHETICALLY COMPATIBLE WITH THE PRIMARY STRUCTURE on 0.48 acres at 1125 Cashman Drive (APN 162-05-112-017), R-E (Residence Estates) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**9**	**Planning Commission Mtg.**	**9**
City Council Meeting	**8**	**City Council Meeting**	**2**

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL, subject to conditions: This item was held in Abeyance from the July 6, 2011 City Council Meeting.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards and Protest Letter
7. Backup referenced from the May 10, 2011 Planning Commission Meeting Item VAR-41321



CASE: **VAR-41321**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

0 300 600 Feet

N



CASE: **VAR-41321**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

0 300 600 Feet

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 20, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: JOHNNY PAPPAS

THIS ITEM WAS HELD IN ABEYANCE FROM THE JULY 6, 2011 CITY COUNCIL MEETING AT THE REQUEST OF COUNCILWOMAN TARKANIAN

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

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-41321	Staff recommends DENIAL, if approved subject to conditions:	

**** CONDITIONS ****

VAR-41321 CONDITIONS

Planning

1. An administrative review shall be required one year after issuance of a building permit.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

YK

Staff Report Page One
July 20, 2011 - City Council Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is requesting to install a carport adjacent to the north side of the residence at 1125 Cashman Drive. This is a single-family residence in an R-E (Residence Estates) zoning district. The property has a previously approved Variance for reduced side yard setbacks on the south side of the property for the expansion of a garage. The applicant states that he has a large collection of classic automobiles and requires the structure to protect them from the elements. He also states that this request would improve the appearance of his residence by removing automobiles from the semi-circular front driveway.

No evidence of a hardship has been presented to justify the requested variance. A variance has already been approved for a similar reason on the south side of the property. For these reasons, staff recommends denial. If denied, the existing structure would need to be removed.

ISSUES

- A Variance is required to permit a zero-foot side yard setback where three feet is the minimum required and to allow zero feet between buildings where a minimum of six feet is required.
- A side yard setback Variance has previously been approved for a garage expansion on the south side of the property.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
06/19/02	The City Council approved a General Plan Amendment (GPA-0047-01) to amend portions of the Southeast Sector map of the General Plan in the general vicinity of the Charleston Boulevard/Rancho Drive intersection from SC (Service Commercial) to O (Office); from R (Rural Density Residential) to DR (Desert Rural Density Residential); from O (Office) to DR (Desert Rural Density Residential) and from L (Low Density Residential) to DR (Desert Rural Density Residential). The Planning Commission and staff recommended approval.
10/27/92	The Board of Adjustments approved Variance (V-0144-92) for the addition of a garage with a four-foot side yard setback where 10 feet was the minimum permitted at 1125 Cashman Drive. Staff recommended denial.
01/04/11	The City of Las Vegas Code Enforcement issued a notice of violation (#97078) for building a carport without a building permit. The case is currently open and pending the results of a Variance request.

YK

05/10/11	The Planning Commission voted (6-1/tm) to recommend APPROVAL (PC Agenda Item 23/yk).
06/15/11	The City Council voted to hold item VAR-41321 in abeyance to the July 6, 2011 City Council Meeting.

Most Recent Change of Ownership	
04/08/09	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
No relevant activity on file.

Pre-Application Meeting	
03/04/11	Staff reviewed the requirements for a Variance application with the applicant for an Accessory Structure (Class II) with reduced side yard setbacks.

Neighborhood Meeting
No neighborhood meeting was required, nor was one held.

Field Check	
03/31/11	Staff visited the site and found several vehicles parked in the driveway with one on jacks being repaired. A steel framed structure has been installed without permits where the setback Variance is needed.

Details of Application Request	
Site Area	
Net Acres	0.48

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Single Family Residence	DR (Desert Rural Density Residential)	R-E (Residence Estates)
North	Medical Office	O (Office)	C-D (Designed Commercial)
South	Single Family Residence	DR (Desert Rural Density Residential)	R-E (Residence Estates)
East	Single Family Residence	DR (Desert Rural Density Residential)	R-E (Residence Estates)
West	Single Family Residence	L (Low Density Residential)	R-1 (Single Family Residential)

YK

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.06.060 , the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	20,000 SF	20,800 SF	Y
Min. Lot Width	100 Feet	130 Feet	Y
Min. Setbacks (Accessory Structures)			
• Front	N/A	N/A	N/A
• Side	3 Feet	0 Feet	N
• Corner	N/A	N/A	N/A
• Rear	3 Feet	70 Feet	Y
Min. Distance Between Buildings	6 Feet	0 Feet	N
Max. Building Height	35 Feet or two stories but no higher than primary structure	12 Feet	Y

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Street Width (Feet)*	*Compliance with Street Section*
Cashman Drive	N/A	N/A	50	N/A

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

Parking Requirement							
Use	*Gross Floor Area or Number of Units*	*Required*			*Provided*		*Compliance*
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Single Family Residential	One Unit	Two unimpeded spaces	2				
TOTAL SPACES REQUIRED			2		3		Y

YK

ANALYSIS

The proposed project will not impact the Airport Overlay that exists. The property is also in the Rural Preservation Overlay District where the intent is to maintain less intense residential uses then normally found in urban areas. Reducing the side yard setback does not foster this goal as reduced setbacks will provide an appearance of greater density in the area.

This property has already been granted a Variance to reduce the side yard setback to expand the garage on the south side of the property. That Variance was to allow a three-foot setback where 10 feet was the minimum permitted. The reason given at the time was to house the applicant's collection of classic cars. Ownership has since changed to the current applicant who is applying for a similar Variance for the north side of the property for the same reason.

The steel frame of the proposed structure has already been installed without a building permit. The applicant was cited for installing a structure without the proper permits. When the applicant applied for the permits, he was denied due to not providing the minimum side yard setback of three feet nor the minimum six-foot distance separation from the primary dwelling. The applicant is requesting a Variance for both.

If the request were to be granted, it would leave only a three-foot wide path to the rear of the property. This could become problematic in case of an emergency. The proposed structure will also have an industrial aesthetic that does not match the primary dwellings architectural style and will be visible from the public right-of-way.

An alternative would be to extend the driveway along the north side of the property to the rear yard and install the structure where all setbacks could be maintained and would not be visible from the right-of-way. Therefore, staff recommends denial, since an alternative is available and no evidence of hardship has been provided.

FINDINGS (VAR-41321)

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 an accessory structure that does not meet the minimum side yard setback and is not aesthetically compatible with the primary structure. 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 21

NOTICES MAILED 203 (By City Clerk)

APPROVALS 2

PROTESTS 8

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-41321** APN: 162-05-112-017

Name of Property Owner: Johnny Pappas

Name of Applicant: Johnny Pappas

Name of Representative: Nanette Ellis

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: John Pappas

Print Name: Johnny Pappas

Subscribed and sworn before me

This 22 day of March, 2011

Tania Ertel

Notary Public in and for said County and State

TANIA ERTEL
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 02-20-2012
Certificate No: 04-89578-1

RECEIVED
MAR 28 2011

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Variance

Project Address (Location) 1125 Cashman Dr., Las Vegas, Nv 89102.

Project Name _____ **Proposed Use** Residential

Assessor's Parcel #(s) 162-05-112-017 **Ward #** _____

General Plan: existing Res. proposed _____ **Zoning:** existing Res. proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Johnny Pappas **Contact** Nanette Ellis
Address 1125 Cashman Dr. **Phone:** 702-327-3953 **Fax:** _____
City Las Vegas, Nevada **State** _____ **Zip** 89102
E-mail Address ellisrealty55@gmail.com

APPLICANT Johnny Pappas **Contact** Nanette Ellis
Address 1125 Cashman Drive **Phone:** 7023273953 **Fax:** _____
City Las Vegas **State** Nv **Zip** 89102
E-mail Address ellisrealty55@gmail.com

REPRESENTATIVE Nanette Ellis **Contact** Nanette Ellis
Address 1125 Cashman Drive **Phone:** 702-327-3953 **Fax:** _____
City Las Vegas **State** Nv **Zip** 89102
E-mail Address ellisrealty55@gmail.com

Property Owner Signature* [signature]

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

Print Name Johnny Pappas

RECEIVED
MAR 28 2011

Subscribed and sworn before me

This 22 day of March, 20 11.

Tania Ertel

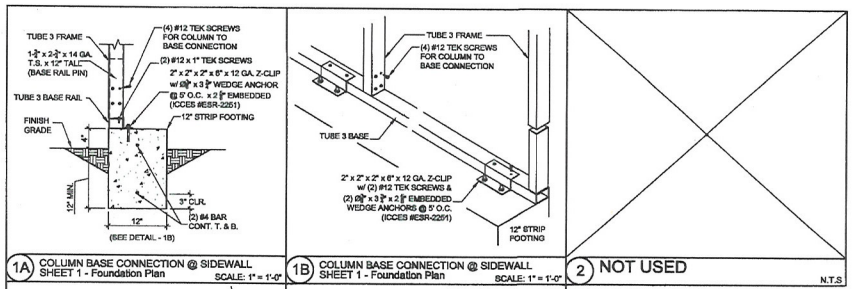
Notary Public in and for said County and State

TANIA ERTEL
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 02-20-2012
Certificate No: 04-89578-1

FOR DEPARTMENT USE ONLY

Case #	VAR-41321
Meeting Date:	5/10/11
Total Fee:	$830
Date Accepted:	3/28/11
Accepted By:	BJS

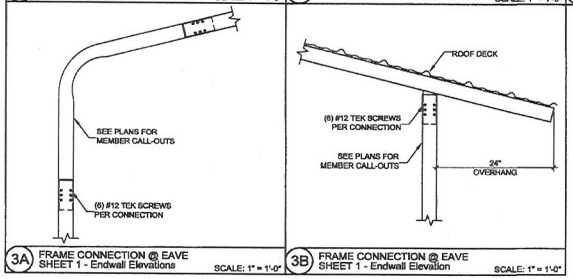
The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development for consistency with applicable sections for the Zoning Ordinance.



1A COLUMN BASE CONNECTION @ SIDEWALL
SHEET 1 - Foundation Plan
SCALE: 1" = 1'-0"

1B COLUMN BASE CONNECTION @ SIDEWALL
SHEET 1 - Foundation Plan
SCALE: 1" = 1'-0"

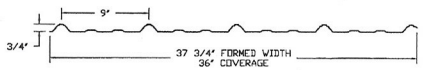
2 NOT USED



3A FRAME CONNECTION @ EAVE
SHEET 1 - Endwall Elevations
SCALE: 1" = 1'-0"

3B FRAME CONNECTION @ EAVE
SHEET 1 - Endwall Elevation
SCALE: 1" = 1'-0"

SCHEDULE:		
ROOF	29 GA. GRANDRIB 3	GRADE 80
TUBE 3	2" X 2" X 14 GA. TUBE	Fy = 65 ksi.
TUBE 3	2" X 3" X 15 GA. TUBE	Fy = 65 ksi.
FOUNDATIONS:		
STRIP FOOTINGS	WIDTH	DEPTH
	12"	12"



29 GA., GRANDRIB 3
Ix=.010 in.^4/ft.
Sx=.0160 in.^3/ft.
Fy=80 ksi.
DECK PROFILE



2" x 3" x 14 GA. TS
Ix=0.881 in.^4/ft.
Sx=0.587 in.^3/ft.
Fy=55 ksi.
TUBE 3

2" x 3" x 15 GA. TS
Ix=0.896 in.^4/ft.
Sx=0.598 in.^3/ft.
Fy=65 ksi.
TUBE 3

GENERAL STRUCTURAL NOTES

1 CODE:
2006 International Building Code
2002 American Iron and Steel Institute Handbook of Cold-Formed Steel Design

2 Loads:
Roof Live Load = 20 PSF

Basic Wind Speed = 90 mph , Importants Factor (I) = 1.0 , Exposure = C

Seismic Use Group = I, Seismic Design Category = D, R = 3.5
Basic Seismic – force – resisting System:
Lateral : Light framed walls with shear panels.
Longitudinal: Light framed walls with shear panels.
Analysis Proceedure: Equivalent Lateral Force Procedure

3 Foundations:
Allowable soil bearing value is 1000 PSF at 12" below finish grade or existing natural grade, whichever is the lower elevation. Round or square column footing embedment depths for footings do not apply to locations where walls of the hole will not stand without supplemental support, or where UNCOMPACTED fill of organic fill material exists. Design lateral soil pressure per IBC section 1804.2 for Class 5 soils.

Note:
In lieu of 4" A.B.C., the slab may be built upon an adequate base material that is properly compacted. Undersigned Engineer assumes no responsibility for the adequacy of the sub base.

4 Concrete:
All concrete herein required shall be done in accordance with ACI Standard 318–05, "Specifications for Structural Concrete for Buildings", which is hereby made a part of these documents, with the following modifications:

Para 2.1.2 Cement shall comply with ASTM C150, Type II, and shall contain no flyash.
Para 3.2 F'c shall be 2,500 PSI minimum for all concrete at 28 days for all concrete.
Para 4.1.3 The use of earth cuts for forms is permitted.
Para 5.2 Reinforcing shall be new billeted steel complying with ASTM A615, Grade 40.

Concrete shall be thoroughly consolidated by suitable means during placement and shall be thoroughly worked around reinforcement and embedded fixtures and into corners of the forms.
Curing of concrete shall be in accordance with sections 1905.11.1 through 1905.11.3.

5 Structural Steel:
All structural steel shall be ASTM A36 (Fy=36,000 PSI) or ASTM A 572 GRADE 50 (Fy=50,000PSI); All pipe shall be ASTM A 501 (Fy= 36,000 PSI) or ASTM A53, Type 'E' or 'S' grade 'B' (Fy= 36,000 PSI). All tubular steel shall be ASTM a500 (Fy=46,000 PSI). All bolts shall be ASTM A325. Latest AISC and AWS codes apply. All construction per latest AISC handbook. All expansion bolts to have current I.C.C.E.S. approval.

All welding to be performed at Absolute Steel's fabrication shop by welders holding valid certificates, and having current experience in welding as required. Certificates shall be those issued by an accepted testing agency. All welding per American Welding Society Standards.
All welding by E70 series low hydrogen rods. (Use E90 for ASTM A706 – grade 40 reinforcing bars).

DO NOT DRILL, NOTCH, OR FIELD WELD ANY STEEL MEMBERS WITHOUT PRIOR APPROVAL OF THE STRUCTURAL ENGINEER.

6 Drawing sealing requirement
These drawings are to be wet sealed by the engineer. All copies shall bear wet seals.
If a copy of this drawing is disturbed without the proper wet seal the drawing is considered invalid. The duplication or copying of this drawing could mean the original drawing has been modified from its original content. All liability is removed from the below wet sealed.

7 Steel Decking / Screw Fasteners:
Steel roof deck shall conform to the specifications of the steel deck institute. FY = 80 KSI.
Screw connections to framing members shall be not less than noted below:
1. All Panel End Laps use (6) #12–14 screws per sheet. All Panel Intermediate supports use (3) #12–14 screws per sheet.
2. Panel to run continuous over minimum two spans
3. Minimum spacing of screws shall not be less than 3 diameters.
4. The head of the screw or washer shall have a diameter, de of not less than 5/16" washers shall be at least 0.05 "thick"
5. Wall Construction: #12 screws @ 9" o.c. field, and 4 1/2" o.c. edges (ICC–ES APPROVED).

All screws shall conform to SAE J78 provisions of structural screws.

8 Light Gauge Structural Steel Framing:
All structural steel framing material and its erection shall be in accordance with the latest edition of the American Iron and Steel Institute "Specifications for the Design of Cold Formed Steel Structural Members".

All welding to be performed at Absolute Steel's fabrication shop by welders holding valid certificates, and having current experience in welding as required. Certificates shall be those issued by an accepted testing agency. All welding per American Welding Society Standards.

DO NOT DRILL, NOTCH, OR FIELD WELD ANY STEEL MEMBERS WITHOUT PRIOR APPROVAL OF THE STRUCTURAL ENGINEER.

Structural steel members are furnished to a specified minimum yield point greater than 55 KSI. The grade and the ASTM specification number or other specification designation shall be indicated by painting, decal, tagging or other suitable means on each lift or bundle of fabricated elements.

Gage No.	12	14	16	18	20	22	24	26	29	30
Design Thickness, Inches	0.1046	0.0747	0.0598	0.0478	0.0359	0.0299	0.0239	0.0179	0.0135	0.0120

9 Contractor:
The contractor must submit in writing any requests for modifications to the plans and specifications and no structural changes from the approved plans shall be made in the field, unless prior to making changes, written approval is obtained from the engineer. Shop drawings submitted the engineer for review do not constitute "in writing" unless it is noted that specific changes are being requested. If changes are made without written approval, such changes shall be the legal and financial responsibility of the contractor or sub–contractors involved and it shall be their responsibility to replace or repair the condition as directed by the engineer.

Contractor shall provide all temporary bracing, shoring, guying or other means to avoid excessive stresses and to hold structural elements in place during erection. The provisions shall remain in position until sufficient permanent members are erected to insure the safety of the partially erected structures. The contract structural drawings and specifications represent the finished structure. Observation visits to the site by the structural engineer shall not include inspection of the above items.

The above notes and specifications shall meet or exceed all state and local code requirements before erection.

The undersigned engineer will not supervise the fabrication or erection of this structure.

RECEIVED
MAR 28 2011

DOUGLAS M. MCNALLEN
Exp. 12/31/11
CIVIL
NEVADA PROFESSIONAL ENGINEER
No. 010751

1/2/11

ABSOLUTE STEEL
5001 East Mitchell Road · Chandler, AZ 85226 · 480-785-1818

ABSOLUTE STEEL
16' x 35' x 11'" SONORAN CARPORT
John Pappas
1125 Cashman Drive
Las Vegas, NV 89102

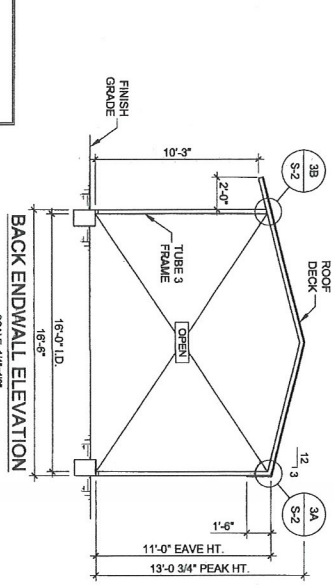
PROFILES, & DETAILS

DESIGN: FSJR
DRAWN: MD
CHECK: KM
DATE: 11/16/10

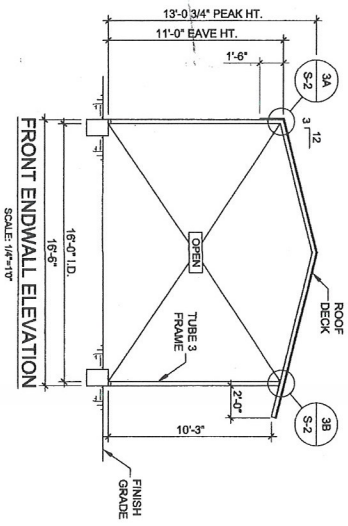
SHEET 2 OF 2
JOB 1-7444

VAR-41321

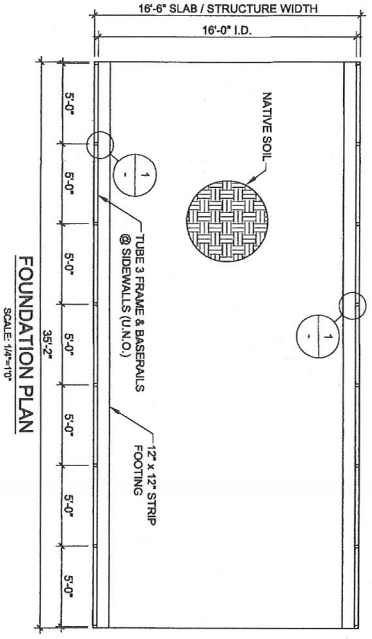
SCHEDULE:		
ROOF	29 GA. GRANDRIB 3	GRADE 80
TUBE 3	2" X 2" X 14 GA. TUBE	Fy = 85 ksi.
TUBE 3	2" X 3" X 16 GA. TUBE	Fy = 65 ksi.
FOUNDATIONS:		
STRIP FOOTINGS	WIDTH 12"	DEPTH 12"



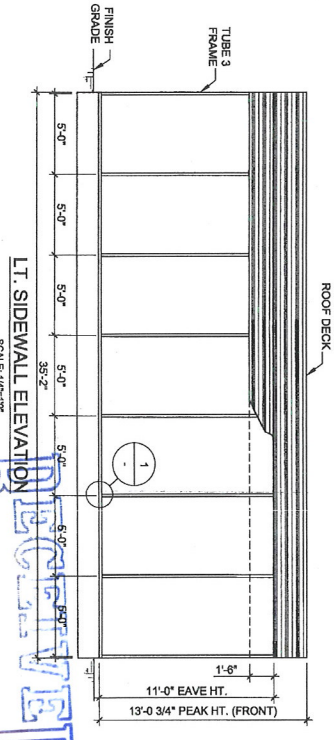
BACK ENDWALL ELEVATION
SCALE: 1/4"=1'0"



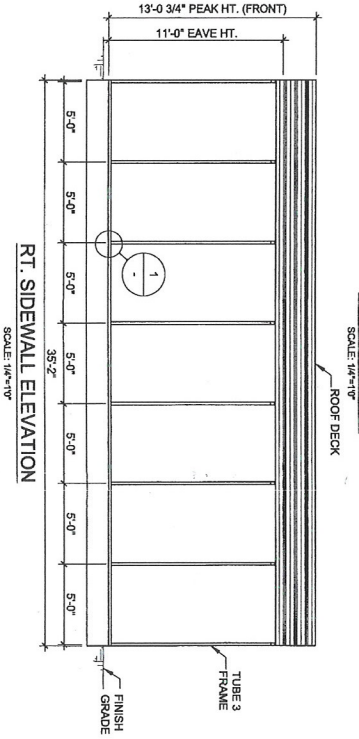
FRONT ENDWALL ELEVATION
SCALE: 1/4"=1'0"



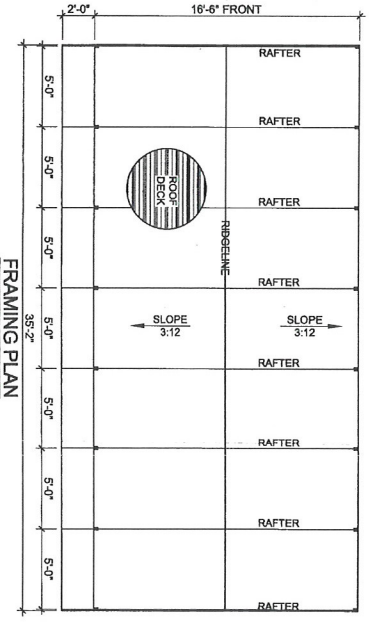
FOUNDATION PLAN
SCALE: 1/4"=1'0"



LT. SIDEWALL ELEVATION
SCALE: 1/4"=1'0"



RT. SIDEWALL ELEVATION
SCALE: 1/4"=1'0"



FRAMING PLAN
SCALE: 1/4"=1'0"

RECEIVED
MAR 28 2011

VAR-41321

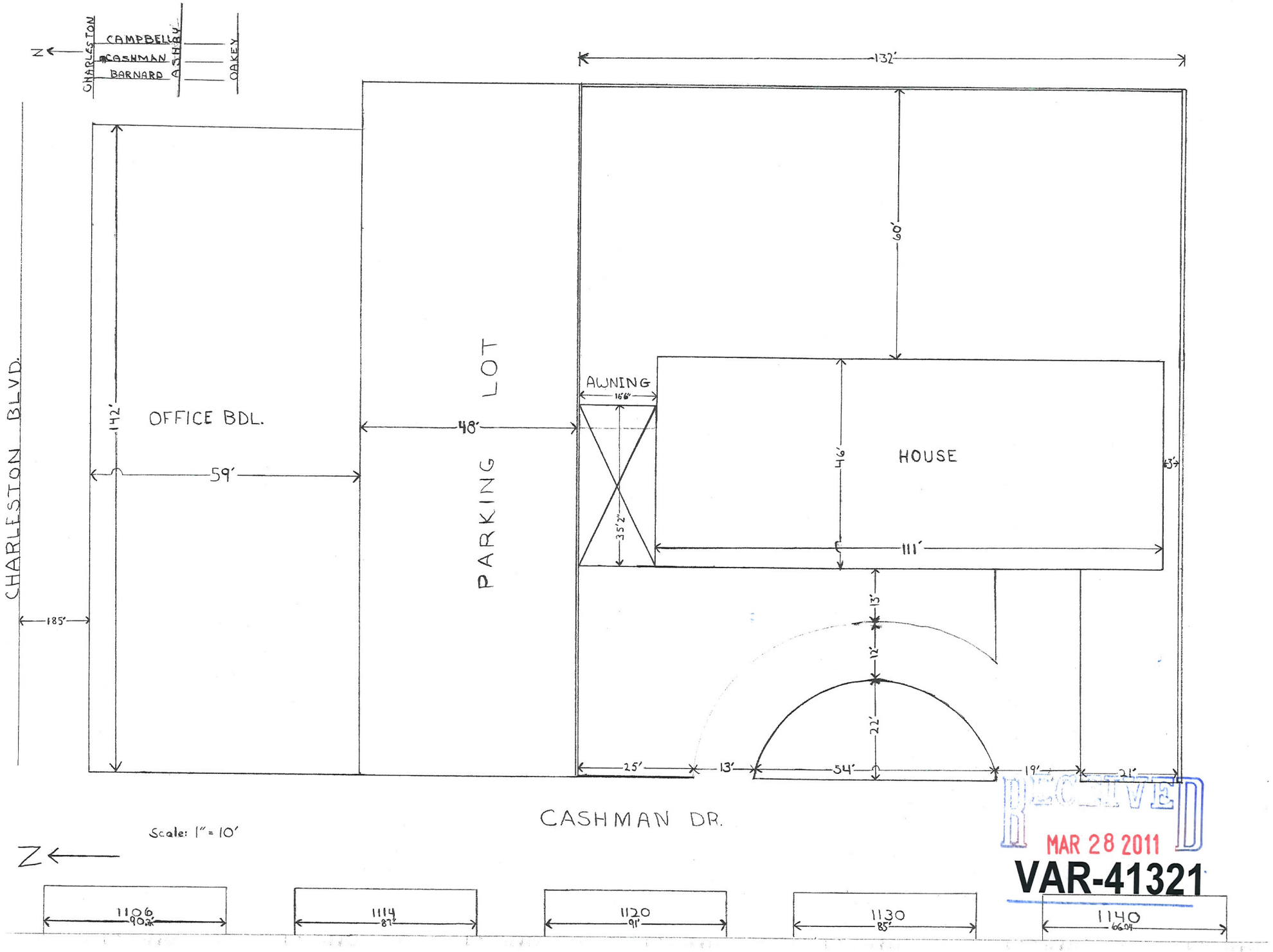


SHEET	DESIGN:	FSJR
1	DRAWN:	MD
OF 2	CHECK:	KM
JOB I-7444	DATE:	11/16/10

FRAMING PLAN, FOUNDATION PLAN, & ELEVATIONS

ABSOLUTE STEEL
16' x 35' x 11'" SONORAN CARPORT
John Pappas
1125 Cashman Drive
Las Vegas, NV 89102

ABSOLUTE STEEL
5908 East Mineral Road : Gaudalupe, AZ 85283 - 480-768-1818



RECEIVED
MAR 28 2011
VAR-41321



VAR-41321 - APPLICANT/OWNER: JOHNNY PAPPAS
1125 CASHMAN DRIVE

03/31/11



VAR-41321 - APPLICANT/OWNER: JOHNNY PAPPAS
1125 CASHMAN DRIVE

03/31/11



VAR-41321 - APPLICANT/OWNER: JOHNNY PAPPAS
1125 CASHMAN DRIVE

03/31/11



VAR-41321 - APPLICANT/OWNER: JOHNNY PAPPAS
1125 CASHMAN DRIVE

03/31/11



VAR-41321 - APPLICANT/OWNER: JOHNNY PAPPAS
1125 CASHMAN DRIVE

03/31/11

TO City Las Vegas Planning & Development
333 N. Rancho
Las Vegas, Nevada

February 15, 2011

RE: Justification letter
Property location: 1125 Cashman Drive
Las Vegas, Nv 89102

To Whom It May Concern:

This letter is to serve as the justification for the non attached steel shade building on the North side of my house.

This structure is for shade of my vehicles and to take them from the driveway thereby making the front of my house look nicer without the clutter of vehicles.

Should you have any questions please do not hesitate to contact me at 702-327-3953.

Sincerely,

Johnny J Pappas

RECEIVED
MAR 28 2011

VAR-41321

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 JUN02 2011
MAILED FROM ZIPCODE 89101

RECEIVED CITY CLERK
2011 JUN -7 A 11:34

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.

I oppose this because of the lack of a setback and because its not "compatible" with the house. If it was going to look like the house on "math" I would not oppose.

VAR-41321
City Council Meeting of 6/15/2011

EMMINGER PETER M
1813 STONEHAVEN DR
LAS VEGAS NV 89108-2051

APN#16205114005

24 DRDFM11 89108

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

PRESORTED FIRST CLASS

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02 1M $ 00.41⁴
0004279218 JUN02 2011
MAILED FROM ZIPCODE 89101

2011 JUN -7 A 11:34
RECEIVED CITY CLERK

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-41321
City Council Meeting of 6/15/2011

OLSEN ERIC R
HIGGINS MARY E
3211 ASHBY AVE
LAS VEGAS NV 89102-1959

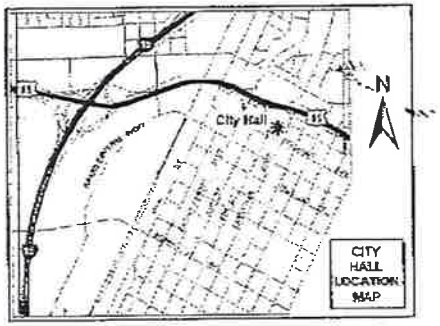
APN#16205115015

32 DRDFM11 89102

106

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-41321
City Council Meeting of 6/15/2011

32 DRDFN11 89102

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 JUN 02 2011
MAILED FROM ZIP CODE 89101

LULL GREGORY K & ALLISON K
3204 MASON AVE
LAS VEGAS NV 89102-1937

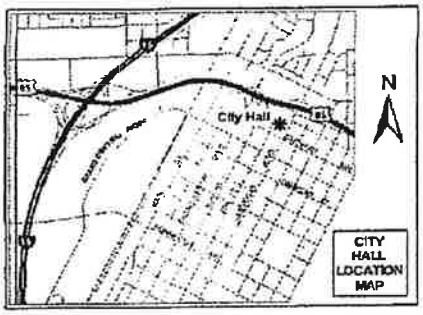
APN#16205116006

RECEIVED CITY CLERK
2011 JUN -9 A 10:07

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

RECEIVED
JUN 13 2011

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-41321
City Council Meeting of 6/15/2011

RECEIVED
2011 JUN 14 10:16
CITY CLERK

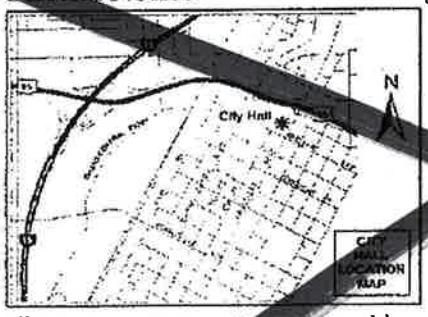
PENNPLUS L L C
1770 WESTWIND RD
LAS VEGAS NV 89146-0301

APN#16205110016

89146 ORDFN11

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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 Department of Planning, Case Planning Division 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-41587
Planning Commission Meeting of 6/14/2011

Case: SUP-41587

16205110016
PENNPLUS L L C
1770 WESTWIND RD
LAS VEGAS NV 89146-0301

89146030301 C048

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 JUN02 2011
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-41321
City Council Meeting of 6/15/2011

2011 JUN -6 P 2:

RECEIVED CITY CLERK

DAVIS JUANITA L
2657 WINDMILL PKWY #384
HENDERSON NV 89074-3384

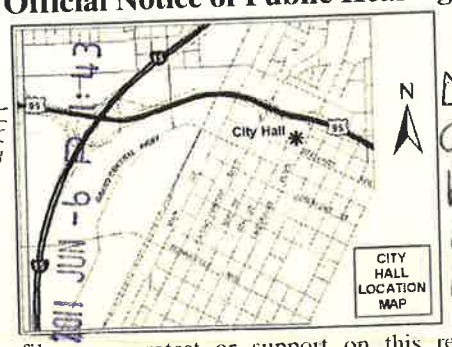
APN#16205114003

HE IS TURNING THIS RESIDENTIAL NEIGHBORHOOD IN TO TRASH. IT LOOKS LIKE A USED CAR DEALERSHIP CARS & PEOPLE IN + OUT ALL DAY

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

Return Service Requested

Official Notice of Public Hearing



RECEIVED CITY CLERK 2011 JUN -6 P 1:43

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-41321

City Council Meeting of 6/15/2011

DO NOT APPROVE PLEASE

32 DRDFN11 89102

PPAS - Request
QUARE-FOOT
ZERO-FOOT
S REQUIRED,
E PRIMARY
AND WHICH
WITH THE
Cashman Drive
Zone, Ward 1

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	City Council
Date:	***June 15, 2011***
Time:	1:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

, file written objections thereto or approvals thereof with the City Clerk, 1st Floor, City Hall, 400 Stewart
ise call (702) 229-6311 (TDD 386-9108) or go to http://www.lasvegasnevada.gov.

HE IS REPAIRING CARS IN THE 3 CAR GARAGE. STOP IT PLEASE

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 JUN02 2011
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-41321
City Council Meeting of 6/15/2011

2011 JUN -6 P 1:43
CITY CLERK

KATIC LISA MARIE & BOSKI
1201 BARNARD DR
LAS VEGAS NV 89102-1803

APN#16205114016

32 DRDFM11 89102

Application Information

VAR-41321 - APPLICANT/OWNER: JOHNNY PAPPAS - Request for a Variance TO ALLOW AN EXISTING 595 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS II) WITH A ZERO-FOOT SIDE YARD SETBACK WHERE THREE FEET IS REQUIRED, ZERO FEET OF SEPARATION FROM THE PRIMARY STRUCTURE WHERE SIX FEET IS REQUIRED, AND WHICH IS NOT AESTHETICALLY COMPATIBLE WITH THE PRIMARY STRUCTURE on 0.48 acres at 1125 Cashman Drive (APN 162-05-112-017), R-E (Residence Estates) Zone, Ward 1 (Tarkanian).

OF COURSE IT ISN'T COMPATIBLE - LOOK AT HIS HOUSE (11) HAH

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	City Council
Date:	***June 15, 2011***
Time:	1:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 1st Floor, City Hall, 400 Stewart Avenue, Las Vegas, Nevada, 89101. For further information, including the full staff report, please call (702) 229-6311 (TDD 386-9108) or go to http://www.lasvegasnevada.gov.

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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2011 JUN -9 A 10:42

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-41321
City Council Meeting of 6/15/2011

JACKSON SHELLEY KAY
1247 DOUGLAS DR
LAS VEGAS NV 89102-1815

APN#16205210021

32 ORDFN11 89102

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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JUN02 2011
MAILED FROM ZIPCODE 89101

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Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-41321
City Council Meeting of 6/15/2011

2011 JUN -6 A 6:56
CITY CLERK

ALDON
3202 W CHARLESTON BLVD
LAS VEGAS NV 89102-1932

APN#13932403012

06/03/2011 FRI 13:51 [TX/RX NO 9526] 001

June 8, 2011

City Clerk
1st Floor, City Hall
400 Stewart Ave.
Las Vegas, NV 89101

Protest

Re: Variance # 41321

I expressed my disapproval of this variance request when it went before the Planning Commission and I again object to this variance.

Even after the Planning Commission recommended denial Mr. Pappas continues to have an excessive (5 or more) number of vehicles in the driveway. Several of this vehicles are unlicensed and in various states of repair. Additionally there is a constant stream of vehicles coming and going to this home, some of which remain for some kind of maintenance/repair. The home already has a three car garage which usage is unknown as the doors have not been observed open.

Further he has let the landscaping die and has not replaced any vegetation making the property unseemly.

I suspect if this variance is granted there will be additional vehicles stored and/or worked on at this address.

RECEIVED
2011 JUN -9 A 10:55
CITY CLERK

Sincerely,

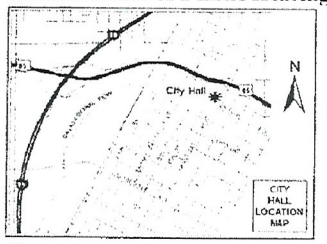
William L. Dempsey
3217 Mason Ave.
Las Vegas, NV 89102

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

p.1
702 361 5443
May 01 11 11:23a serge

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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-41321

Planning Commission Meeting of 5/10/2011

Case: VAR-41321

16205113019
BARRELLO LOURDES & MANUEL
7854 WISHING WELL RD
LAS VEGAS NV 89123-2013

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City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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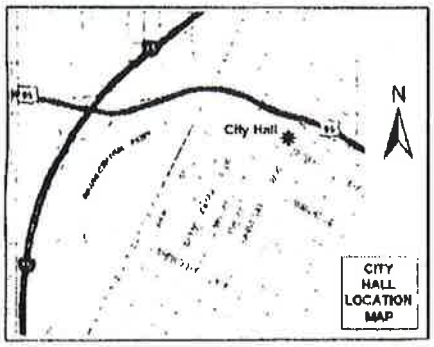

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-41321
Planning Commission Meeting of 5/10/2011

Case VAR-41321
16205110038
MALIGNAGGI CARMEL 2010 REV TR
70 PATRICIA DR
NEW CITY NY 10956-2009

4 BRDFN11 10956

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City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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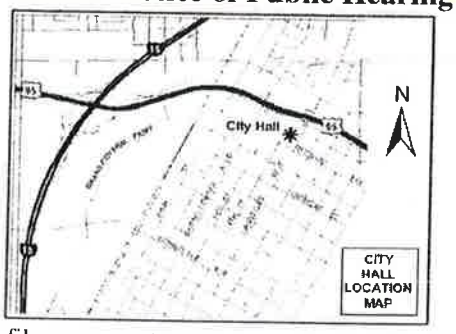
Official Notice of Public Hearing



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VAR-41321
Planning Commission Meeting of 5/10/2011

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: VAR-41321

16205114005
EMMINGER PETER M
1813 STONEHAVEN DR
LAS VEGAS NV 89108-2051

24 BRDFM11 89106

Application Information

VAR-41321 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: JOHNNY PAPPAS - Request for a Variance TO ALLOW AN EXISTING 595 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS II) WITH A ZERO-FOOT SIDE YARD SETBACK WHERE THREE FEET IS REQUIRED, ZERO FEET OF SEPARATION FROM THE PRIMARY STRUCTURE WHERE SIX FEET IS REQUIRED, AND WHICH IS NOT AESTHETICALLY COMPATIBLE WITH THE PRIMARY STRUCTURE on 0.48 acres at 1125 Cashman Drive (APN 162-05-112-017), R-E (Residence Estates) Zone, Ward 1 (Tarkanian).

I would request that any approved structure be required to "fit in" and be compatible with the main house and neighborhood.

Peter Emminger

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting: Planning Commission
Date: *May 10, 2011*
Time: 6:00 P.M.
Location: City Council Chambers
400 Stewart Avenue
Las Vegas, Nevada

23P

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 Department of Planning, Case Planning Division, Development Services Center, 333 North Rancho Drive, 3rd Floor, Las Vegas, Nevada 89106. 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.

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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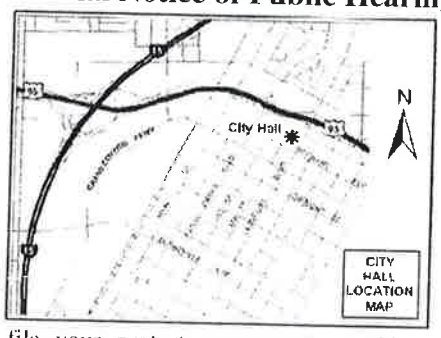

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

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☐ I SUPPORT this Request
☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-41321
Planning Commission Meeting of 5/10/2011

16205213002 Case: VAR-41321
PITZER DOUGLAS & DOROTHY LIV TR
3216 BURTON AVE
LAS VEGAS NV 89102-2056

32 BRDFN1 89102

Application Information

VAR-41321 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: JOHNNY PAPPAS - Request for a Variance TO ALLOW AN EXISTING 595 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS II) WITH A ZERO-FOOT SIDE YARD SETBACK WHERE THREE FEET IS REQUIRED, ZERO FEET OF SEPARATION FROM THE PRIMARY STRUCTURE WHERE SIX FEET IS REQUIRED, AND WHICH IS NOT AESTHETICALLY COMPATIBLE WITH THE PRIMARY STRUCTURE on 0.48 acres at 1125 Cashman Drive (APN 162-05-112-017), R-E (Residence Estates) Zone, Ward 1 (Tarkanian).

This House looks to us like he is running a business in a residential area - Too many cars - Too many men around. Needs Cleaned UP!!!

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting: Planning Commission
Date: *May 10, 2011*
Time: 6:00 P.M.
Location: City Council Chambers
400 Stewart Avenue
Las Vegas, Nevada

23P

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City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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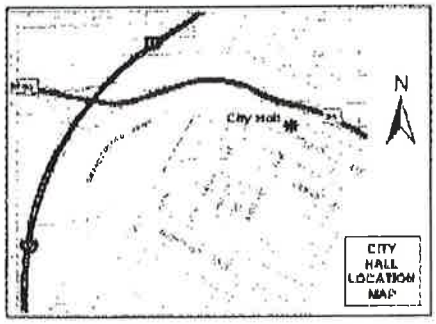
Official Notice of Public Hearing



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VAR-41321

Planning Commission Meeting of 5/10/2011

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: VAR-41321
16205116005
O'HARA STEPHEN G SR
840 S RANCHO #4-562
LAS VEGAS NV 89106-3837

23P

26 BRDFN11 89106

May-07-11 05:53P O'Hara 702 877 9709 P.01

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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Official Notice of Public Hearing



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VAR-41321
Planning Commission Meeting of 5/10/2011

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: VAR-41321
16205213003
HUMPHREY JOHN E & MARY L
3212 BURTON AVE
LAS VEGAS NV 89102-2056

32 8RDFM11 89102

Application Information

VAR-41321 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: JOHNNY PAPPAS - Request for a Variance TO ALLOW AN EXISTING 595 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS II) WITH A ZERO-FOOT SIDE YARD SETBACK WHERE THREE FEET IS REQUIRED, ZERO FEET OF SEPARATION FROM THE PRIMARY STRUCTURE WHERE SIX FEET IS REQUIRED, AND WHICH IS NOT AESTHETICALLY COMPATIBLE WITH THE PRIMARY STRUCTURE on 0.48 acres at 1125 Cashman Drive (APN 162-05-112-017), R-E (Residence Estates) Zone, Ward 1 (Tarkanian).

THIS PROPERTY LOOKS LIKE A JUNKYARD NOW. I SUSPECT THE ADDITION OF AN "ACCESSORY STRUCTURE" WILL RESULT IN MORE OF THE SAME.

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	***May 10, 2011***
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

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City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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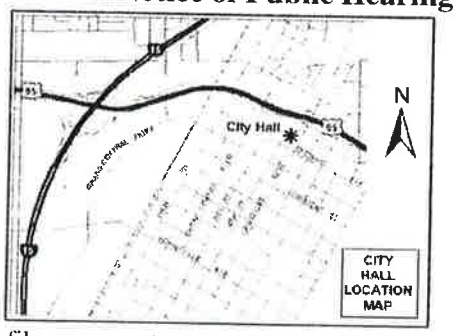

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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VAR-41321
Planning Commission Meeting of 5/10/2011

RECEIVED
MAY 4 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: VAR-41321

16205116012
STARBUCK RENATE R
3205 MASON AVE
LAS VEGAS NV 89102-1936

32 BRDFN11 89102

Application Information

VAR-41321 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: JOHNNY PAPPAS - Request for a Variance TO ALLOW AN EXISTING 595 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS II) WITH A ZERO-FOOT SIDE YARD SETBACK WHERE THREE FEET IS REQUIRED, ZERO FEET OF SEPARATION FROM THE PRIMARY STRUCTURE WHERE SIX FEET IS REQUIRED, AND WHICH IS NOT AESTHETICALLY COMPATIBLE WITH THE PRIMARY STRUCTURE on 0.48 acres at 1125 Cashman Drive (APN 162-05-112-017), R-E (Residence Estates) Zone, Ward 1 (Tarkanian).

FRONT YARD FULL OF CARS WITH MISSING PARTS. ALL DEAD GRASS. USED AS A BODY SHOP

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	*May 10, 2011*
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

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City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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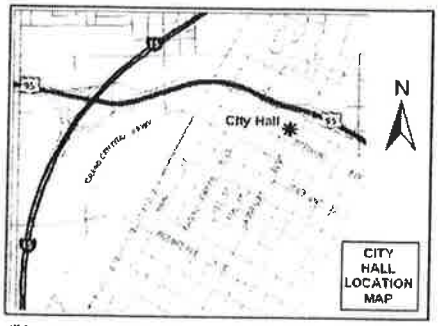

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-41321
Planning Commission Meeting of 5/10/2011

Case: VAR-41321
16205116011
STARBUCK RENATA
3205 MASON
LAS VEGAS NV 89102-1936

32 8RDFM11 89102

Application Information

VAR-41321 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: JOHNNY PAPPAS - Request for a Variance TO ALLOW AN EXISTING 595 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS II) WITH A ZERO-FOOT SIDE YARD SETBACK WHERE THREE FEET IS REQUIRED, ZERO FEET OF SEPARATION FROM THE PRIMARY STRUCTURE WHERE SIX FEET IS REQUIRED, AND WHICH IS NOT AESTHETICALLY COMPATIBLE WITH THE PRIMARY STRUCTURE on 0.48 acres at 1125 Cashman Drive (APN 162-05-112-017), R-E (Residence Estates) Zone, Ward 1 (Tarkanian). FRONT YARD FULL of DEAD LANDSCAPING FULL of CARS JACKED UP AND WITH MISSING PARTS — NOT ZONED FOR CAR BODY SHOP

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting: Planning Commission
Date: *May 10, 2011*
Time: 6:00 P.M.
Location: City Council Chambers
400 Stewart Avenue
Las Vegas, Nevada

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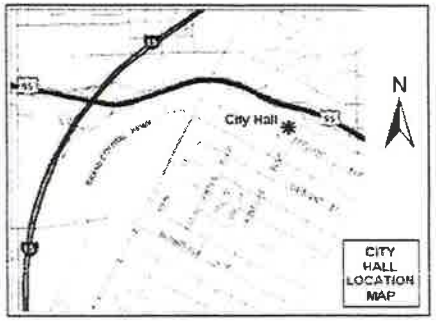
City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

Return Service Requested
Official Notice of Public Hearing



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VAR-41321

Planning Commission Meeting of 5/10/2011

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: VAR-41321
16205116015
DEMPSEY WILLIAM & BEVERLY LIV TR
3217 MASON AVE
LAS VEGAS NV 89102-1936

32 BRDFN11 89102

23P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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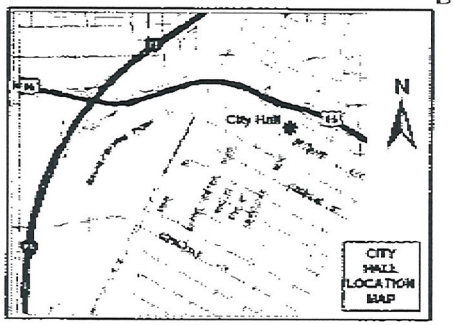
Official Notice of Public Hearing



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 Department of Planning, Case Planning Division at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

[X] I SUPPORT this Request

[ ] I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-41321

Planning Commission Meeting of 5/10/2011

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
FITNEY BOWES
02 1M $ 00.41⁴
0004279218 APR 28 2011
MAILED FROM ZIP CODE 89101

Case: VAR-41321

16205112017
PAPPAS JOHNNY J
1125 CASHMAN DR
LAS VEGAS NV 89102-1911

32 BRDFN11 89102

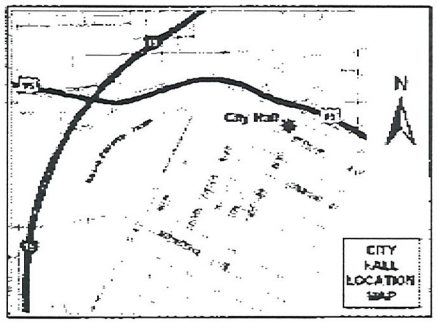
RECEIVED
MAY - 2 2011

23A

MAY-2-2011 02:31 FROM: TO:3857268 P.1/1

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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-41321

Planning Commission Meeting of 5/10/2011

RECEIVED
MAY - 2 2011

234

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 APR 28 2011
MAILED FROM ZIP CODE 89101

Case VAR-41321
16205111010
K M X I 2000 LIVING TRUST
1125 CASHMAN DR
LAS VEGAS NV 89102-1911

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED
FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
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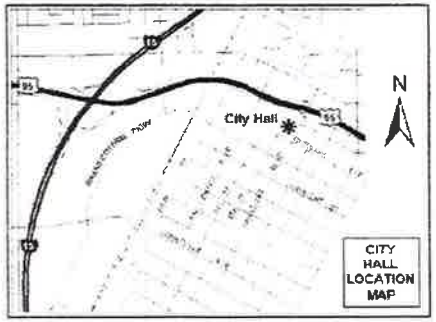
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-41321

Planning Commission Meeting of 5/10/2011

RECEIVED
MAY 4 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: VAR-41321
16205210021
JACKSON SHELLEY KAY
1247 DOUGLAS DR
LAS VEGAS NV 89102-1815

89102 BRDFN11

23A

Teresita Regina Carmack

1108 Cashman Drive

Las Vegas, Nv 89102

May 2, 2011

RE: 1125 Cashman Drive

Variance for Awning

To Whom It May Concern:

My neighbor Johnny Pappas is in the process of applying for a variance for the awning on the side of his home. I am totally in favor of his being approved.

It looks as though it will be a nice awning for his home.

Sincerely,

Teresita Regina Carmack

Submitted at Planning Commission

Date 5/10/11 Item 23

By Johnny Pappas

Ben O Peralta

1130 Cashman Drive

Las Vegas, Nevada 89102

May 6, 2011

RE: 1125 Cashman Drive

Variance to Property

To Whom It May Concern:

I have no objections whatsoever to my neighbor across the street from placing an awning on the side of his property.

I understand that this takes a variance to do so and I am in agreement to his being granted the variance.

Sincerely, Ben Peralta

Lon Bronson

1114 Cashman Drive

LasVegas, Nv 89102

May 2, 2011

RE: 1125 Cashman Drive

Variance for Awning

To Whom It May Concern:

I am in support of my neighbor, Mr. Johnny Pappas, residing at 1125 Cashman Drive, Las Vegas, Nevada 89012, obtaining a variance to construct the awning on the north side of his property.

This awning shall only enhance his property .

Sincerely,

Lon Bronson

Steven A. Holper, M.D., P.C.

3233 W Charleston Blvd, Ste 202

Las Vegas, Nevada 89102

May 9, 2011

RE: 1125 Cashman Drive

Variance to Property

To Whom It May Concern:

I am the Tenant that is directly adjacent to the property referenced above. I am in favor of the awning structure that is being placed behind me.

I understand that this takes a variance to do so and I am in agreement to his being granted the variance.

Sincerely,

Dr. Steven Holper

Wumosy LLC

3233 W Charleston Blvd.

Las Vegas, Nevada 89102

April 5, 2011

RE: 1125 Cashman Drive

Variance to Property

To Whom It May Concern:

I have no objections whatsoever to my adjacent neighbor to the south of me, Mr. Johnny Pappas, constructing an awning on the north side of his property

I understand that this takes a variance to do so and I am in agreement to his being granted the variance.

Sincerely,

M.D Michael Monroe

manager WUMOSY LLC

Steve Goldman

1120 Cashman Drive

Las Vegas, Nv 89102

April 31, 2011

RE: 1125 Cashman Drive

Variance for Awning

To Whom It May Concern:

Please be advised that I am in support of my neighbor, Mr. Johnny Pappas, directly across the street from me at the above referenced address obtaining a variance to construct the awning on the north side of his property.

The construction overlaps the roof to look as though it is part of his house. Also, Mr. Pappas has informed me that he is painting the awning the same color s his house.

He is in the process of landscaping the front yard and it shall be a beautiful property once it is totally completed, the awning included.

I do not see any reason to deny Mr. Pappas the variance as we are the ones who have to look at his property everyday.

Sincerely,

Steve Golden



City of Las Vegas Agenda Item No.: **73.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: JULY 20, 2011

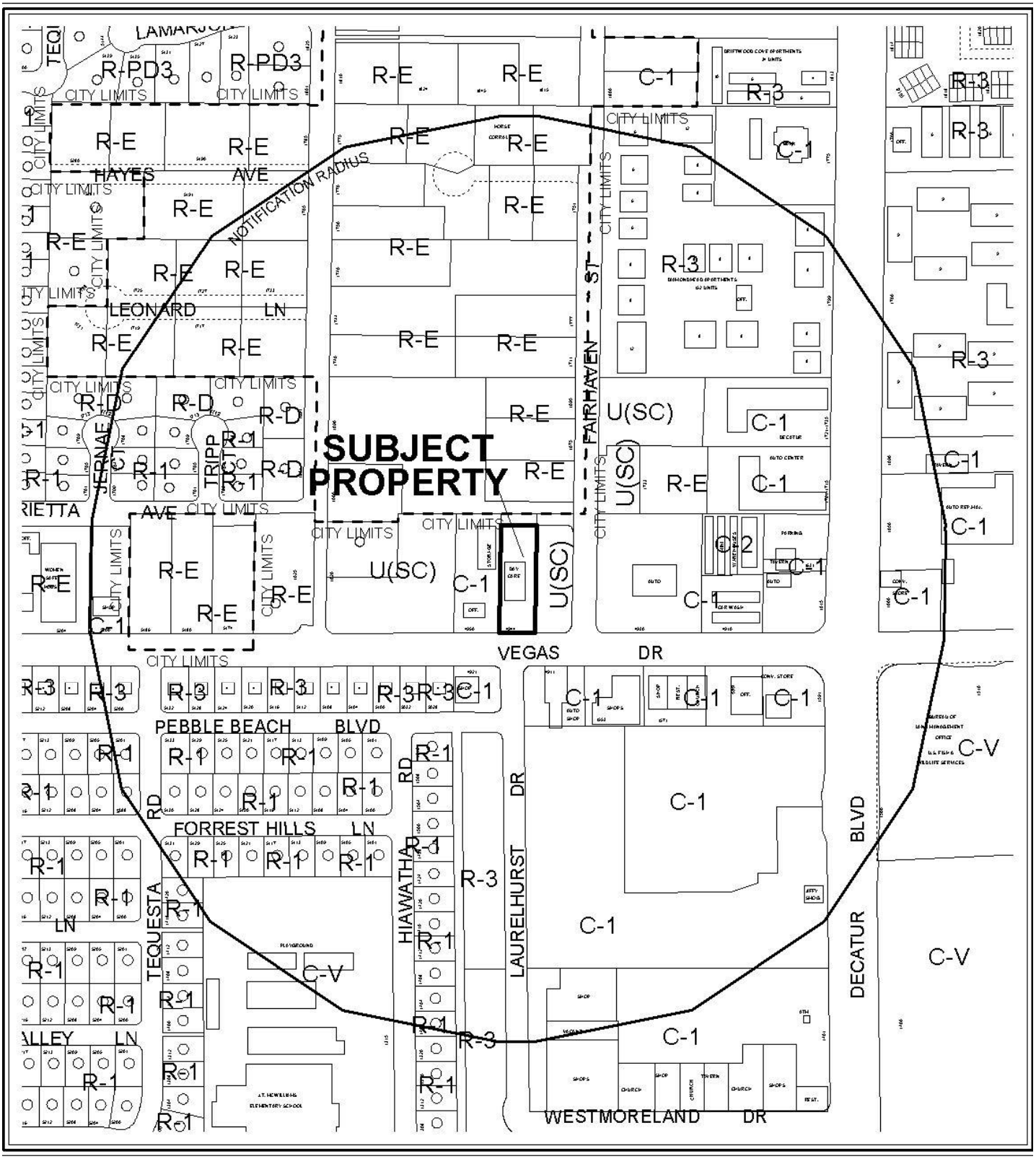
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
SDR-41059 – ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: RIVER OF LIFE WORD MINISTRIES - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 4,428 SQUARE-FOOT CHURCH AND A 2,880 SQUARE-FOOT MODULAR CLASSROOM BUILDING WITH WAIVERS TO ALLOW NO LANDSCAPE BUFFERS ALONG THE NORTH, EAST AND WEST PERIMETERS WHERE EIGHT FEET IS REQUIRED AND A FIVE FOOT WIDE LANDSCAPE BUFFER ALONG THE SOUTH PERIMETER WHERE 15 FEET IS REQUIRED on 0.54 acres at 4944 Vegas Drive (APN 138-24-803-022), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**4**	**Planning Commission Mtg.**	**4**
City Council Meeting	**0**	**City Council Meeting**	**2**

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 and Support Letter - June 15, 2011 City Council Meeting
7. Backup referenced from the May 10, 2011 Planning Commission Meeting Item SDR-41059



CASE: **SDR-41059**

RADIUS: 1000 FT

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



0 300 600 Feet

CASE: **SDR-41059**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 20, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: RIVER OF LIFE WORD MINISTRIES

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-41060	Staff recommends DENIAL, if approved subject to conditions:	
VAR-41216	Staff recommends DENIAL, if approved subject to conditions:	
SDR-41059	Staff recommends DENIAL, if approved subject to conditions:	VAR-41060 VAR-41216

** CONDITIONS **

SDR-41059 CONDITIONS

Planning

1. The modular shall be painted to match the existing church.

2. The modular structure shall comply with all ADA accessibility requirements.

3. Conformance to the Conditions of Approval for Variances (VAR-41060 and VAR-41216) shall be required.

4. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.

5. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 02/28/11, except as amended by conditions herein.

YK

6. A Waiver from Title 19.12.040 is hereby approved, to allow no landscape buffers along the north, south, and west perimeters, and no landscaping for the first approximately 100 feet of the east perimeter from the front property line, but landscaping shall comply with Title 19.12 requirements after that.

7. Any changes based upon right-of-way, traffic or drainage studies or street improvements required by the city or public utilities shall not reduce the widths of perimeter landscape buffers, height of walls or quantities of plant materials from that on submitted landscape plans date stamped 02/28/11. Any changes based upon subsequently submitted studies must be accommodated elsewhere on the site.

8. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

9. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

10. 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. Installed landscaping shall not impede visibility of any traffic control device.

11. 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).

12. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

14. 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.

15. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

16. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

17. Prior to the issuance of any permits for this site, provide proof of a perpetual 24-foot wide legal access across parcel #138-24-803-033 and parcel #138-24-803-032 for the proposed fire access road. Additionally, to ensure the required fire access to this site, walls or barriers shall not be allowed between assessor parcel numbers #138-24-803-033 and #138-24-803-032 for the entire width of the approved fire access route. Alternatively, the proposed building shall be sprinkled and meet the requirements of the Fire Department.

18. Remove all substandard sidewalk improvements, if any, adjacent to this site and replace with new sidewalk meeting current City Standards concurrent with on-site development activities as shown on the approved Site Plan. The existing "pan" style driveways may remain until they are reconstructed to align with Laurelhurst Drive.

19. The owner shall sign a Covenant Running with Land agreement for the future construction of a single driveway per Uniform Standard Drawing #222a that will be aligned with Laurelhurst Drive and will accommodate the future signalization of this driveway prior to the approval of construction drawings for this site or the recordation of a map, whichever may occur first. Provide traffic signal easements as required per the Traffic Engineering Section of the Department of Public Works to accommodate the future signalization of this driveway.

20. 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.

21. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the Vegas Storm Drain project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.

22. 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.

Staff Report Page One
July 20, 2011 - City Council Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant has submitted a request to install a 2,880 square-foot modular structure at the rear of the parcel with a zero-foot rear yard setback. After conducting research of the site, staff determined that the existing use was never issued a Building & Safety Department Certificate of Occupancy for a Church and therefore is not legal. The result is that the project will be reviewed in its entirety as a proposed new use. This finding resulted in the need for two Variances and a Site Development Plan Review with two Waivers and three Exceptions.

The applicant has informed staff that they have agreements with the owners of adjacent parcels to the east and west of the site for additional parking. However, the parcel to the east is not developed for a commercial parking lot and thus cannot be utilized for parking. The parcel to the west only has four legal parking spaces and doesn't have any excess parking spaces to permit overflow parking for the church. Staff recommends denial of all three applications, as the facts clearly indicate that the site is not large enough to accommodate the proposed use. If denied, the church would not be permitted to operate at this location and the accessory structure would not be allowed to be installed.

ISSUES

- A Variance (VAR-41060) was approved by City Council on 06/15/11 to allow a zero foot rear setback where 20 feet is required.
- A Variance (VAR-41216) was approved by City Council on 06/15/11 to allow 11 parking spaces where 21 are required.
- Waivers are required to allow for zero perimeter landscape buffers along the north, west and east perimeters and to allow a five foot wide landscape buffer along the south perimeter where 15-feet are required.
- Exceptions are required to allow zero perimeter trees where three are required along the south perimeter landscape buffer, to allow no parking lot screening where parking lot screening from the right-of-way is required and to allow zero landscaped islands in the parking lot where four are required.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
07/21/04	The City Council approved a Special Use Permit (SUP-4382) for a Social Service Provider at 4944 Vegas Drive. The Planning Commission and Staff recommended approval. The permit was not acted on and no Extension of Time application was made therefore the permit expired on 07/21/05.

YK

07/21/04	The City Council approved a Variance (VAR-4397) to allow 11 parking spaces where 16 are required for a Kinder Care Business at 4944 Vegas Drive. The Planning Commission and Staff recommended approval. The Variance expired on 07/21/04 when on action was taken.
05/10/11	The Planning Commission voted (7-0) to recommend APPROVAL of companion items VAR-41060, VAR-41216 and SDR-41059 (PC Agenda Items 14-16/yk).
06/15/11	The City Council approved Variances for parking (VAR-41216) and rear yard setback (VAR-41060), but abeyed an associated Site Development Plan Review (SDR-41059) for a church.

Most Recent Change of Ownership	
06/01/06	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
No relative permits are on file.

Pre-Application Meeting	
02/09/11	Staff reviewed requirements for installing a modular structure on the rear of the parcel. A Variance is required to allow a zero rear setback and Waivers of the perimeter landscape buffers on the north, west and east sides. A floor plan of the primary structure is required to evaluate the parking requirements. The modular will be required to be sprinkled per Fire Department unless the rear was paved along with an access road to the modular structure. Upon further review it was determined a Variance would be needed for parking as no Building Department Certificate of Occupancy was ever issued for a Church use on the site.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
03/03/11	Staff visited the site and found the church is utilizing the parcel to the east as an illegal parking and storage lot.

Details of Application Request	
Site Area	
Net Acres	0.54

Surrounding Property	*Existing Land Use Per Title 19.04*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	Church	SC (Service Commercial)	C-1 (Limited Commercial)
North	Single-Family Residential	R (Residential) Clark County	R-E (Residence Estates) Clark County
South	Retail	SC (Service Commercial)	C-1 (Limited Commercial)
East	Undeveloped	SC (Service Commercial)	U(Undeveloped)
West	Office/Storage	SC (Service Commercial)	C-1 (Limited Commercial)

Special Purpose and Overlay Districts	*Yes*	*No*	*Compliance*
A-O (Airport Overlay) District 105 Feet	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08.050, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	N/A	23,850 SF	N/A
Min. Lot Width	100 Feet	90 Feet	N/A
Min. Setbacks			
• Front	20 Feet	76 Feet	Y
• Side	10 Feet	10 Feet	Y
• Corner	15 Feet	N/A	N/A
• Rear	20 Feet	0 Feet	N
Min. Distance Between Buildings	6 Feet	44 Feet	Y
Max. Lot Coverage	50 %	28 %	Y
Max. Building Height	N/A	N/A	N/A
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	N	N
Mech. Equipment	Screened	N	N

Pursuant to Title 19.12, the following standards apply:

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	1 Tree	0 Trees	N
• South	1 Tree / 30 Linear Feet	3 Trees	2 Trees	N
• East	1 Tree / 20 Linear Feet	10 Trees	8 Trees	N
• West	1 Tree / 30 Linear Feet	10 Trees	2 Trees	N
TOTAL PERIMETER TREES		**24 Trees**	**12 Trees**	**N**
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	6 Trees	0 Trees	N
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	8 Feet		0 Feet	N
• South	15 Feet		5 Feet	N
• East	8 Feet		0 Feet	N
• West	8 Feet		0 Feet	N
Wall Height	6 to 8 Feet Adjacent to Residential		N	N

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Street Width (Feet)***	***Compliance with Street Section***
Vegas Drive	Secondary Collector	Master Plan of Streets and Highways	80	Y

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

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Church	2,020 SF	1 per 100 SF non-fixed seating in gathering area	21				
TOTAL SPACES REQUIRED			21		10		N

YK

Regular and Handicap Spaces Required			20	1	10	1	N
Loading Spaces			N/A				N/A

Waivers		
Requirement	***Request***	***Staff Recommendation***
An Eight Foot wide Landscape Buffer on all interior lot lines is required.	To allow a zero-foot landscape buffer along north, east and west interior lot perimeters.	Denial
A 15 foot wide Landscape Buffer is required adjacent to rights-of-way.	To allow a five-foot landscape buffer along the south perimeter.	Denial

Exceptions		
Requirement	***Request***	***Staff Recommendation***
Parking lots shall be screened from adjacent roadways by a low wall or berm with a maximum height of thirty inches.	To allow no parking lot screening.	Denial
To install a landscape island at the end of each row of parking spaces.	To allow no landscape islands at the end of each row of parking spaces.	Denial
To install one tree for every 30 linear feet along the south perimeter landscape buffer.	To allow no trees where three are required.	Denial

ANALYSIS

The applicant states they operate a Church on the proposed site. However, no Certificate of Occupancy for a Church Use at 4944 Vegas Drive has ever been applied for by the applicant or issued by the City of Las Vegas Building and Safety Department and therefore is an illegal use. With this fact, the application is therefore being reviewed for a Site Development Plan Review for a Church with the addition of a structure consisting of four modular units. The proposed Church use requires 21 parking spaces per Title 19.04. Since only 11 parking spaces are provided, a 50% Variance for parking was required. The applicant is proposing to install the modular accessory structure on the rear property line. This required the approval of an additional Variance to allow a zero-foot rear yard setback where a minimum of 20 feet is required. Both Variances were approved by City Council on 06/15/11.

During discussions with the applicant and subsequent site visits, it was discovered that the Church has agreements with adjacent property owners on both the east and west sides for additional parking. Neither of these parcels is currently able to legally allow this parking to take place. The parcel on the west only has four parking spaces to handle the office and storage uses on that site. There are no excess spaces available for additional uses. The parcel on the east is an undeveloped vacant lot. In order for this parcel to legally be available for commercial use, a Site Development Plan Review would need to be approved for a commercial parking lot. No plans have been submitted as of this submittal and therefore the parking taking place on this site is illegal.

The existing parking lot does not meet Title 19 design standards. Specifically, there is no screening from the right-of-way and no landscaped islands for every six parking spaces. In addition to not meeting the minimum parking standards, the site does not meet the minimum perimeter landscape buffers or have the required trash enclosure. The mechanical equipment is not screened and is visible from the Vegas Drive right-of-way. If these Exceptions are not approved, the required perimeter landscape shall be installed, the trash enclosure shall be enclosed with a roof or trellis and the landscape islands shall be installed in the parking lot.

The applicant notes that they are in the process of acquiring the landlocked parcel to the north. Although this parcel is not included in this request, Public Works has the following comment:

> We note that this Site Plan incorporates parcel # 138-24-803-032 (northerly parcel) which is a land locked parcel and is not owned by River of Life Word Ministries at this time. We also note that this Site Plan proposes fire access across parcel #138-24-803-033 (northeasterly parcel) which they also do not own at this time. If perpetual legal access across parcel #138-24-803-033 and parcel #138-24-803-032 cannot be obtained, the Fire Department will require the proposed building to be sprinkled. If parcel #138-24-803-032 can be obtained, we recommend that the Planning Department impose the conditions that states "The applicant shall coordinate with the City Surveyor and other city staff to determine the most appropriate mapping action necessary to consolidate the existing lots. The mapping action shall be completed and recorded prior to the issuance of any building permits."

Condition fifteen has been added to address this concern.

The addition of the modular units would only compound the parking shortage. Instead of the modular units being added to the site, the proposed area could be used as additional parking thus alleviating the parking shortage for a Church.

The proposed Church Use is too intense for the size of the parcel. The requested Site Development Plan Review with Waivers, Exceptions and two Variances clearly illustrates that this is not an appropriate site for the use. Staff recommends denial of all three applications.

FINDINGS (SDR-41059)

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 use is not compatible with adjacent development in that it would create a demand for more parking then the site can accommodate. This could create parking pressures on adjacent parcels.

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;**

   This project is not consistent with Title 19 which is illustrated by the multiple Variance, Waiver and Exceptions being requested.

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

   The lack of required parking could have a negative impact on adjacent roadways and neighborhood traffic during peak demand periods when Church services and events take place.

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

   The lack of appropriate landscape plants and materials will have a negative effect on the area.

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

   The modular units are not aesthetically compatible with the primary structure on the site.

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

   The proposed Church and accessory structure is subject to permit review and inspection. Appropriate measures must be met prior to the certification of building occupancy in order to protect the health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 21

NOTICES MAILED 129 (By City Clerk)

APPROVALS 6

PROTESTS 4

YK

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-41059 APN: 138-24-803-022

Name of Property Owner: RIVER OF LIFE WORD MINISTRIES

Name of Applicant: RIVER OF LIFE WORD MINISTRIES

Name of Representative: THOMAS HELLUMSS

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: Sullivan R. Causey Sr

Print Name: Sullivan R. Causey, Sr.

Subscribed and sworn before me

This 16th day of March, 20 11

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
VICKIE K. DWYER
My Appointment Expires
May 1, 2011
No: 07-3000-1

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: SITE Development PLAN Review

Project Address (Location) 4944 Vegas Drive

Project Name RIVER OF LIFE WORD MINISTRIES **Proposed Use** CHURCH

Assessor's Parcel #(s) 138-24-803-022 **Ward #** 5

General Plan: existing SC proposed N/A **Zoning:** existing C-1 proposed N/A

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres .53 **Lots/Units** 1 **Density** _____

Additional Information _____

PROPERTY OWNER River of Life Word Ministries **Contact** Pastor Sullivan Causey Sr.

Address 4944 Vegas Drive **Phone:** (702) 258-9673 **Fax:** (702) 258-9264

City Las Vegas **State** NV **Zip** 89108

E-mail Address _____

APPLICANT River of Life Word Ministries **Contact** Pastor Sullivan Causey Sr.

Address 4944 Vegas Drive **Phone:** (702) 258-9673 **Fax:** (702) 258-9264

City Las Vegas **State** NV **Zip** 89108

E-mail Address _____

REPRESENTATIVE DWYER ENGINEERING **Contact** THOMAS HELLUMS

Address 7310 SMOKE RANCH ROAD, SUITE E **Phone:** (702) 254-2200 **Fax:** (702) 254-2236

City LAS VEGAS **State** NV **Zip** 89128

E-mail Address thellums@dwyerengineering.com

Property Owner Signature* Sullivan R Causey Sr

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

Print Name Sullivan R. Causey, Sr.

Subscribed and sworn before me

This 16th day of March, 20 11.

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
VICKIE K. DWYER
My Appointment Expires
May 1, 2011
No: 07-3000-1

FOR DEPARTMENT USE ONLY

Case #	SDR-41059
Meeting Date:	4-12-11 PC
Total Fee:	$1,030
Date Received:*	2-28-11
Received By:	Greg K.

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

Revised 10/27/08

f:\depot\Application Packet\Application Form.pdf

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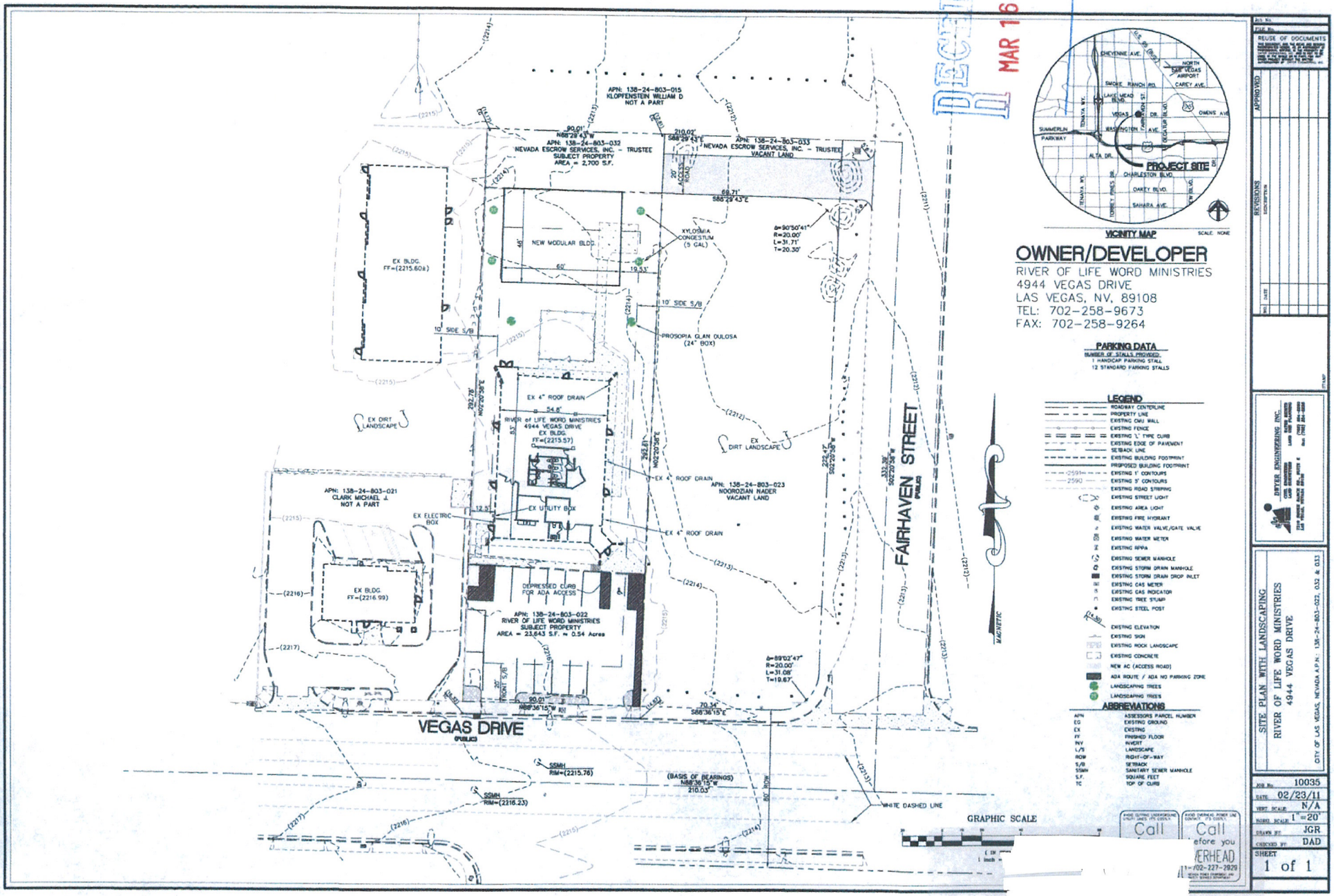
MAR 16 2011



VICINITY MAP SCALE: NONE

OWNER/DEVELOPER

RIVER OF LIFE WORD MINISTRIES
4944 VEGAS DRIVE
LAS VEGAS, NV. 89108
TEL: 702-258-9673
FAX: 702-258-9264

PARKING DATA
NUMBER OF STALLS PROVIDED:
1 HANDICAP PARKING STALL
12 STANDARD PARKING STALLS

LEGEND
ROADWAY CENTERLINE
PROPERTY LINE
EXISTING CMU WALL
EXISTING FENCE
EXISTING 'L' TYPE CURB
EXISTING EDGE OF PAVEMENT
SETBACK LINE
EXISTING BUILDING FOOTPRINT
PROPOSED BUILDING FOOTPRINT
2591 EXISTING 1' CONTOURS
2590 EXISTING 5' CONTOURS
EXISTING ROAD STRIPING
EXISTING STREET LIGHT
EXISTING AREA LIGHT
EXISTING FIRE HYDRANT
EXISTING WATER VALVE/GATE VALVE
EXISTING WATER METER
EXISTING RPPA
EXISTING SEWER MANHOLE
EXISTING STORM DRAIN MANHOLE
EXISTING STORM DRAIN DROP INLET
EXISTING GAS METER
EXISTING GAS INDICATOR
EXISTING TREE STUMP
EXISTING STEEL POST
EXISTING ELEVATION
EXISTING SIGN
EXISTING ROCK LANDSCAPE
EXISTING CONCRETE
NEW AC (ACCESS ROAD)
ADA ROUTE / ADA NO PARKING ZONE
LANDSCAPING TREES
LANDSCAPING TREES

ABBREVIATIONS

APN	ASSESSORS PARCEL NUMBER
EG	EXISTING GROUND
EX	EXISTING
FF	FINISHED FLOOR
INVERT	INVERT
L/S	LANDSCAPE
ROW	RIGHT-OF-WAY
S/B	SETBACK
SSMH	SANITARY SEWER MANHOLE
S.F.	SQUARE FEET
TC	TOP OF CURB

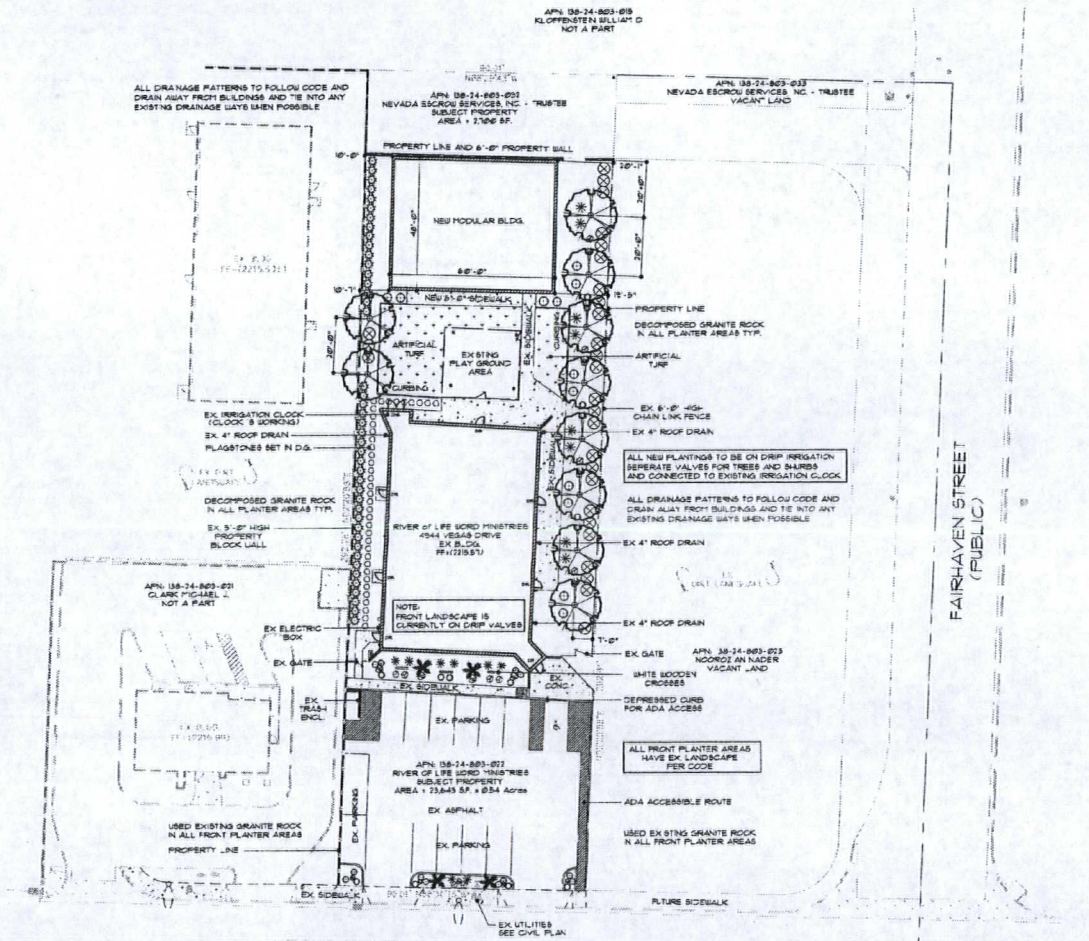
Call before you DIG 1-702-227-2929

DRYER ENGINEERING, INC.

SITE PLAN WITH LANDSCAPING
RIVER OF LIFE WORD MINISTRIES
4944 VEGAS DRIVE
CITY OF LAS VEGAS, NEVADA A.P.N.: 138-24-803-022, 032 & 033

JOB No.	10035
DATE	02/23/11
VERT. SCALE	N/A
HORIZ. SCALE	1"=20'
DRAWN BY	JGR
CHECKED BY	DAD
SHEET	1 of 1

SDR-41059



PLANT SCHEDULE

SYM.	QTY.	SIZE	SCIENTIFIC NAME	COMMON NAME
PALMS				
TREES	4	24" Box	Chamaerops rusilis	Mediterranean fan palm
SHRUBS	10	24" Box	Rhus lancea	African sumac (Multi-trunk) (Spaced 20'-0" as req'd. per code)
	16	5 Gal	Dasylirion wheeleri	Desert spoon
	24	5 Gal	Hesperaloe parviflora	Red yucca
	27	5 Gal	Leucophyllu frutescens	Green Texas ranger (purple)
	43	5 Gal	Nerium oleander	Oleander (Magenta and white)
GROUND COVERS				
	14	3 Gal	Lantana sp.	Yellow gold lantana
	14	3 Gal	Lantana sp.	Purple lantana
MATERIALS				
	4,130 SF.		DECOMPOSED GRANITE IN ALL PLANTER AREAS 2" DEPTH(TYP.) COLOR: 3/8" SCREENED MOJAVE GOLD OR EQUAL	
	1346 SF.		ARTIFICIAL TURF (OWNER TO PICK TYPE OF TURF) PER CODE	
	10 L.F.		4" GREY CONCRETE CURBING	
	38		3/4" FLAGSTONES SET IN D.G. GOLD GRANITE COLOR	
			EXISTING GOLD GRANITE BOULDERS IN FRONT AREA LANDSCAPE	
			ALL TREES WITHIN 5'-0" OF ALL WALLS AND S DEWALKS TO HAVE ROOT-BARRERS BETWEEN (TYP.)	
			ALLOW ALL FLOWERING PLANT MATERIAL AT LEAST ONE FULL GROWING SEASON TO ESTABLISH THERE ROOT SYSTEMS BEFORE FLOWERS WILL APPEAR. (TYP.)	
			SEE ARCHITECTURAL PLAN FOR SITE LIGHTING	
			CONTRACTOR TO FIELD VERIFY ALL PLANT QUANTITIES AND MATERIAL AMOUNTS PRIOR TO INSTALLATION.	

GENERAL PLANTING NOTES:

1. THE CONTRACTOR SHALL CAREFULLY STUDY THE DRAWINGS, AND SHALL CAREFULLY EXAMINE THE SITE AND SHALL BE AWARE OF ALL EXISTING WORK AND CONDITIONS THAT COULD POSSIBLY AFFECT HIS WORK.
2. THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES.
3. THE CONTRACTOR IS RESPONSIBLE FOR ALL PERMITS, COORDINATION, SCHEDULING, UTILITY VERIFICATION AND DAMAGES HE CAUSES TO OTHER TRADES AND/OR UTILITIES.
4. THE CONTRACTOR SHALL COMPLY WITH ALL LAWS, RULES AND REGULATIONS OF ALL AUTHORITIES HAVING JURISDICTION OVER THE PREMISES. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS FOR HIS WORK.
5. THE OWNER SHALL BE RESPONSIBLE FOR ROUGH GRADES SURROUNDING ALL BUILDINGS, WALKS AND SITE AMENITY AREAS. THE LANDSCAPE CONTRACTOR SHALL PROVIDE FINISH GRADING IN PLANTING AREAS TO INSURE POSITIVE DRAINAGE AWAY FROM ALL STRUCTURES. FINISH GRADE FOR ALL PLANTING AREAS SHALL BE 1-1/2" BELOW ADJACENT PAVING.
6. PLANT QUANTITIES ON THIS LIST ARE FOR THE CONVENIENCE OF THE CONTRACTOR ONLY, AND NEED TO BE VERIFIED.
7. ALL PLANT MATERIALS SHALL CONFORM TO NURSERY STANDARDS ACCORDING TO AMERICAN ASSOCIATION OF NURSERYMEN, INC. AND SHALL BE FREE FROM PESTS, EGGS, DISEASES, AND BE REPRESENTATIVE OF SPECIES IN SIZE, QUALITY, FORM, SO...ORAN' ROOT BOUND, DAMAGED OR SUBSTANDARD IN ANY WAY.
8. 10% OF EACH PLANT MATERIAL SPECIES IS TO BE TAGGED WITH BOTANICAL NAME FROM NURSERY OR SUPPLIER. TAGS TO REMAIN ON PLANT MATERIAL UNTIL FINAL ACCEPTANCE.
9. THE LANDSCAPE CONTRACTOR IS TO SPRAY ALL DECOMPOSED GRANITE AREAS WITH A PRE-EMERGENT 'SUR-PLAY I OR EQUAL, APPLY PER MANUFACTURES SPECS.
10. WHEN CALICHE IS ENCOUNTERED DURING PLANT PIT EXCAVATION DO AS FOLLOWS:
    - IF IT'S PREVIOUS LAYER IS LESS THAN 6" THICK REMOVE COMPLETELY
    - IF LAYER IS 6"-18" THICK, PUNCH A HOLE THROUGH THE LAYER. PLACE 4" DIAMETER PVC PIPE CHIMNEY FILLED WITH 3/8" PEA GRAVEL THROUGH CALICHE LAYER TO THE BOTTOM OF PLANTING PIT.
    - IF LAYER IS GREATER THEN 18" ENLARGE THE PLANTING PIT TO TWICE THAT OF THE ROOT BALL AND TWICE THE WIDTH OF THE ROOT BALL AS WELL.
11. ALL TREES WITHIN 5'-0" OF A SIDEWALK, WALKWAY, OR PAVEMENT SHALL HAVE A ROOT SHIELD/BARRIER DESIGNED TO DIRECT ROOT GROWTH DOWNWARD AND AWAY FROM ALL THESE ELEMENTS, AS REQUIRED BY CODE.
12. ALL TREES TO BE STAKED WITH (2) 2-1/2" DIA. LODGE POLE STAKES USING A TIE WIRE W/RUBBER TUBE. THE WIRE IS TO BE TWISTED TOGETHER 4 TO 5 TIMES AROUND EACH LODGE POLE. PLACE LODGE POLES PERPENDICULAR TO PREVAILING WINDS.
13. ALL SHRUBS AND TREES TO HAVE A SLOW RELEASE FERTILIZER TABLET A" BOTTOM OF ROOT BALL WHEN PLANTED. USE 1 TABLET FOR ALL SHRUBS 1-5 GALLON AND USE 3 TABLETS FOR ALL TREES 15-36" BOX.
14. EACH TREE AND SHRUB SHALL BE PLANTED WITH A MIN MIXTURE OF 30% NATIVE MATERIAL AND 10% AMENDED BACKFILL MIXTURE. AFTER PLANTING WATER EACH MATERIAL TO SETTLE BACKFILL AS NEEDED.

GENERAL MAINTENANCE NOTE:

THE LANDSCAPE CONTRACTOR WILL PROVIDE LANDSCAPE MAINTENANCE FROM THE TIME OF INSTALLATION FOR THE FIRST YEAR, PROVIDED THAT THEY DO LANDSCAPE MAINTENANCE. IF NOT, THE OWNER WILL PROVIDE A LOCAL LICENSED CONTRACTOR WHO DOES LANDSCAPE MAINTENANCE AFTER THE LANDSCAPE CONTRACTOR'S WARRANTY PERIOD IS OVER. (OR THE LANDSCAPE MAINTENANCE WILL BE PROVIDED BY THE CHURCH MEMBERS)

NOTE:

THESE DRAWINGS ARE SCHEMATIC AND NEED TO BE FIELD VERIFIED PRIOR TO INSTALLATION. ALL NEWLY GRADED AREAS ARE TO HAVE PROPER DRAINAGE AS REQUIRED BY CODE.

MAINTAIN POSITIVE DRAINAGE AWAY FROM ALL STRUCTURES AND FOLLOW EXISTING DRAINAGE PATTERNS SEE CIVIL PLAN FOR DRAINAGE PATTERN

Call before you DIG 1-800-227-2600

Call UnderGround 1-702-486-7511 1-702-629-9811

Call before you DIG 1-702-455-7540

REVISIONS:

NORTH:

LICENSURE:

PLAN: LANDSCAPE PLAN

RIVER OF LIFE WORD MINISTRIES
4944 VEGAS DRIVE
LAS VEGAS, NV 89108

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S2 DESIGN STUDIO, LLC
PROFESSIONAL LANDSCAPE DESIGN

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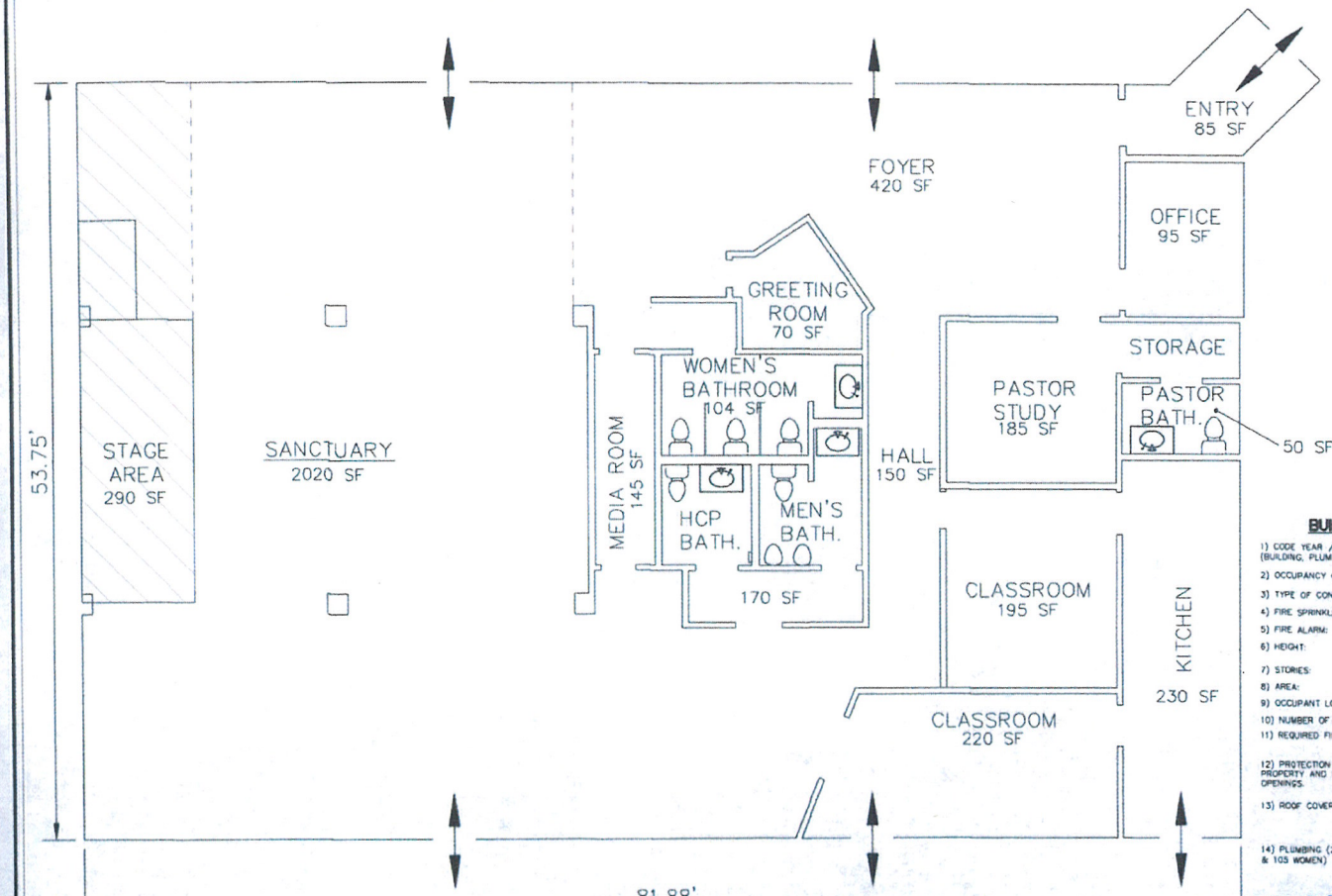
JUN 2 8 2011

REVIEWED BY: HS
DRAWN BY: TS
DATE: 06/27/11
SCALE: 1" = 20'-0"
SHEET NUMBER: L-1.0

SCANNED 6/28/11

SDR-41059
REVISED

RIVER OF LIFE WORD MINISTRIES
4944 VEGAS DRIVE
CITY OF LAS VEGAS, NEVADA
APN: 138-24-803-022 & 032



EXISTING CHURCH
RIVER OF LIFE WORD MINISTRIES
APPROXIMATE BUILDING AREA=4430 SF



VICINITY MAP SCALE: NONE

OWNER/DEVELOPER

RIVER OF LIFE WORD MINISTRIES
4944 VEGAS DRIVE
LAS VEGAS, NV, 89108
TEL: 702-258-9673
FAX: 702-258-9264

ZONING DATA

ZONING CLASSIFICATION: THE PROPERTY IS ZONED C-1

SETBACKS: THE CURRENT ZONING CODE REQUIRES:
FRONT: A 20 FOOT MINIMUM INTERIOR SIDE: A 10 FOOT MINIMUM
REAR: A 20 FOOT MINIMUM CORNER SIDED: A 15 FOOT MINIMUM
MAX BUILDING HEIGHT: NA (PER TITLE 19)

PARKING DATA

1 SPACE/100 SF SANCTUARY = 21 SPACES

BUILDING CODE ANALYSIS FOR PLAN SUBMITTAL

1) CODE YEAR / TYPE (BUILDING, PLUMBING, MECHANICAL, ELECTRICAL, FIRE)	CITY ORDINANCE-2006
2) OCCUPANCY CLASSIFICATION:	A-3
3) TYPE OF CONSTRUCTION:	V-B
4) FIRE SPRINKLERS:	NO FIRE SPRINKLER SYSTEM
5) FIRE ALARM:	NO FIRE ALARM
6) HEIGHT:	ALLOWABLE: NA (TITLE 19), ACTUAL: 25 FEET 1 STORY (TABLE 503 IBC)
7) STORIES:	ALLOWABLE: 1 STORY, ACTUAL: 1 STORY
8) AREA:	ALLOWABLE: 6000 SF, ACTUAL: 4300 SF
9) OCCUPANT LOAD:	210 SEATS
10) NUMBER OF EXITS:	REQUIRED: 2, PROVIDED: 7
11) REQUIRED FIRE RESISTANCE OF EXTERIOR WALLS	TYPE V CONSTRUCTION (ANY APPROVED MATERIAL) WOOD AND STUCCO
12) PROTECTION OF OPENINGS DUE TO LOCATION ON PROPERTY AND MAXIMUM AREA OF EXTERIOR WALL OPENINGS:	THE SUBJECT BUILDING IS AT LEAST 30 FEET FROM ALL OTHER SURROUNDING STRUCTURES AND BUILDINGS.
13) ROOF COVERING MATERIAL	ALLOWABLE: EFFECTIVE AGAINST LIGHT FIRE-TEST EXPOSURE: (CLASS C) ACTUAL: HOT MOP AND SHINGLES.
14) PLUMBING (210 OCCUPANCY TOTAL, i.e., 105 MEN & 105 WOMEN)	WATER CLOSET: MEN - 1, WOMEN - 2 LAVATORY: MEN - 1, WOMEN - 2 DRINKING FOUNTAIN: 1

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MAR 16 2011

REUSE OF DOCUMENTS

APPROVED

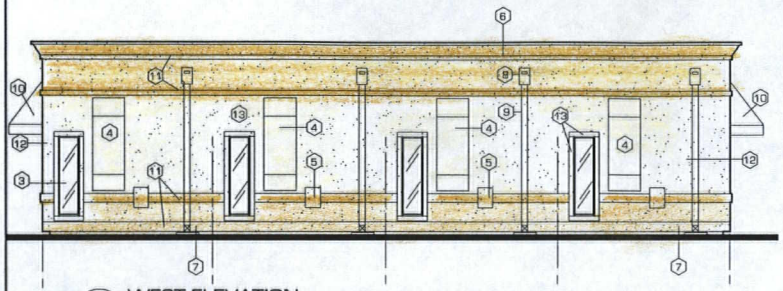
REVISIONS
NO. DATE DESCRIPTION

DYER ENGINEERING, INC.

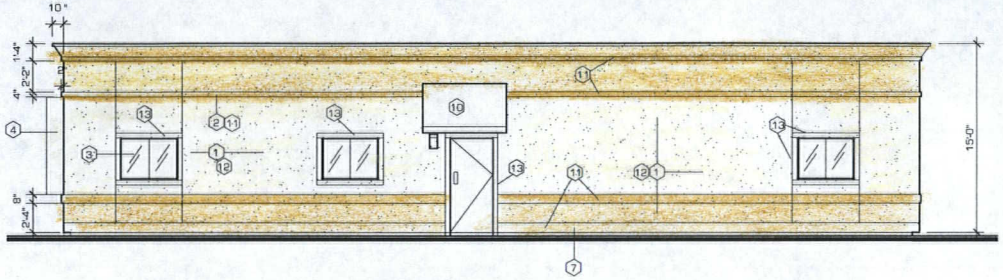
BUILDING CODE ANALYSIS EXHIBIT
RIVER OF LIFE WORD MINISTRIES
4944 VEGAS DRIVE
CITY OF LAS VEGAS, NEVADA A.P.N.: 138-24-803-022 & 032

JOB No.	10035
DATE	03/16/11
VERT. SCALE:	N/A
HORIZ. SCALE:	1/4"= 1'
DRAWN BY:	JGR
CHECKED BY:	DAD
SHEET	1 of 1

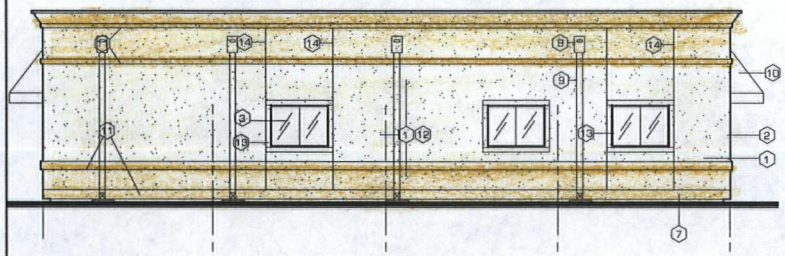
SDR-41059



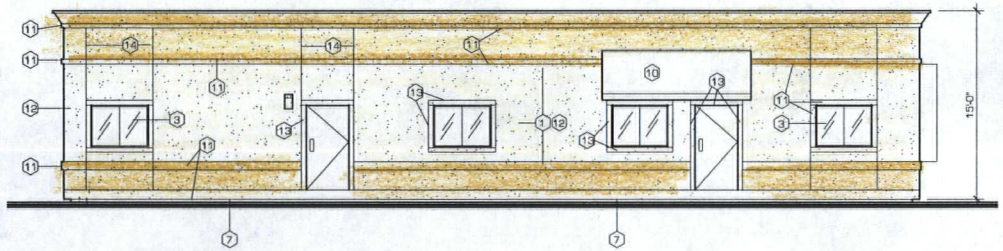
2 WEST ELEVATION
SCALE 1/4" = 1'-0"



3 SOUTH ELEVATION...ENTRY
SCALE 1/4" = 1'-0"



1 EAST ELEVATION
SCALE 1/4" = 1'-0"



4 NORTH ELEVATION
SCALE 1/4" = 1'-0"

KEY NOTES

1. EXISTING T 1-11 WOOD SIDING TO BE REPLACED WITH STUCCO FINISH , MATCH CHURCH BLDG. COLORS / STUCCO FINISH
2. EXISTING WOOD TRIM , TO BE REMOVED , ADD STUCCO FINISH
3. EXISTING ALUMINUM FIXED WINDOW
4. EXISTING WALL PACK A/C HEATING UNIT
5. EXISTING ELECTRICAL SERVICE ENTRANCE
6. EXISTING METAL ROOFING TO BE HIDDEN BY NEW STUCCO PARAPET WALLS ,
7. NEW FOUNDATION , SEE STRUCTURAL PLANS , NO RAMPS REQUIRED , SLAB ON GRADE ,
8. ROOF SCUPPERS , PAINTED TO MATCH STUCCO COLORS
9. METAL DOWNSPOUTS PAINTED TO MATCH STUCCO COLORS
10. CANVAS AWNING OVER DOOR WITH ALUMINUM FRAMEWORK
11. STUCCO POP OUTS , 2" PROJECTION , PAINTED GOLD TRIM COLOR TO MATCH CHURCH DETAILS
12. ALL FEILD STUCCO COLOR TO BE WHITE TO MATCH CHURCH
13. ADD STUCCO POP-OUT SURROUNDS AT ALL DOORS AND WINDOWS 4" WIDE X 2" THICK , PAINT GOLD COLOR TO MATCH CHURCH COLOR
14. STUCCO EXPANSION CONTROLL JOINT

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NAC. 623.780

REVISIONS	BY:
1	L.J.

OSCAR O'KEEFE ARCHITECT
10001 W. PEACE WAY , SUITE #2292
LAS VEGAS, NV 89147
PHONE: 461-4848
FAX: (702) 876-0248
E-MAIL: OOKOSCAR@AOL.COM

TITLE: CLASSROOM BUILDING ...ELEVATIONS

PROJECT: CLASSROOM BUILDING FOR "RIVER OF LIFE" WORD MINISTRIES

ADDRESS: 4944 VEGAS DRIVE CITY OF LAS VEGAS

DRAWN: OKEEFE
CHECKED: OKEEFE
DATE: 2-14-2011
SCALE: AS SHOWN
JOB NO.
SHEET: A-2

RECEIVED
JUL 05 2011

SDR-41059
REVISED



SDR-41059 – APPLICANT/OWNER: RIVER OF LIFE WORD MINISTRIES
4944 VEGAS DRIVE

03/03/11



SDR-41059 – APPLICANT/OWNER: RIVER OF LIFE WORD MINISTRIES
4944 VEGAS DRIVE

03/03/11



SDR-41059 – APPLICANT/OWNER: RIVER OF LIFE WORD MINISTRIES
4944 VEGAS DRIVE

03/03/11



SDR-41059 – APPLICANT/OWNER: RIVER OF LIFE WORD MINISTRIES
4944 VEGAS DRIVE

03/03/11



SDR-41059 – APPLICANT/OWNER: RIVER OF LIFE WORD MINISTRIES
4944 VEGAS DRIVE

03/03/11

Submitted at Planning Commission

Date 5/10/11 Item 14-16

By David Dugger

1944
RIVER OF LIFE FOR PRAYER



DWYER ENGINEERING, INC.
CIVIL ENGINEERS, LAND SURVEYORS, WATER RIGHTS, LAND USE PLANNING

March 1, 2011

City of Las Vegas
Planning Department
333 N. Rancho Drive
Las Vegas, NV 89106

Re: River of Life Word Ministries, APN 139 24-803-022
Justification Letter for Variance & Waiver

This letter is a formal request for approval of a variance for a zero lot line setback on the rear property line of the parcel at 4944 Vegas Drive. This letter is also a request for a waiver for zero (0') foot landscaping where eight (8') feet is required on the 30' of exposed North property line and for 50' on the East & West property lines. To offset this request, two trees will be installed in the area not included in the waiver.

The adjacent properties (APN: 139-24-803-032 and 033) were created for right-of-way purposes but were never dedicated. The property owner, Nevada Escrow Services Inc., is a defunct business and the property is now addressed as Clark County, 500 S. Grand Central Parkway, Las Vegas, NV. Clark County has confirmed it is not right-of-way and suggested the Church file for adverse possession which the Church is currently doing.

The approval of the zero lor line set back and the landscape waiver will permit the existing lot to be more fully utilized.

The applicant will be providing new landscaping in the rear of the property.

We request this variance be approved.

RECEIVED
MAR – 3 2011

Sincerely,
DWYER ENGINEERING, INC.

David A. Dwyer, P.E.
Principal

SDR-41059
REVISED

7310 SMOKE RANCH ROAD, SUITE E ▪ LAS VEGAS, NV 89128 ▪ (702) 254-2200 ▪ fax: (702) 254-2236
www.dwyerengineering.com ▪ email: dwyereng@lvcm.com

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-41060, VAR-41216 & SDR-41059
City Council Meeting of 6/15/2011

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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MAILED FROM ZIPCODE 89101

2011 JUN -8 P 1:05
RECEIVED CITY CLERK

FRIENDLY FORD INC
660 N DECATUR BLVD
LAS VEGAS NV 89107-1918

APN#13919401004

25 ORDFN11 89107

103-105

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-41060, VAR-41216 & SDR-41059
City Council Meeting of 6/15/2011

J & A CENTENOSL L C
1200 RIVERSIDE DR
LAS VEGAS NV 89106-1414

APN#13825512015

RECEIVED
CITY CLERK

2011 JUN -7 P 1:59

06/07/2011 TUE 12:58 [TX/RX NO 9554] 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



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[X] I SUPPORT this Request [ ] I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-41060, VAR-41216 & SDR-41059
City Council Meeting of 6/15/2011

2011 JUN -6 A 6:55
CITY CLERK

NOOROZIAN NADER
901 NOOROZIAN CT
LAS VEGAS NV 89107-3747

APN#13824803023

25 ORDFN11 89107

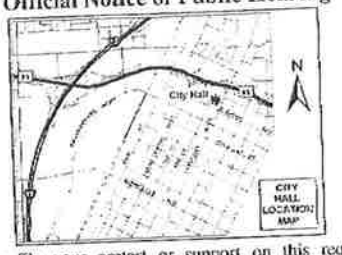
06/04/2011 SAT 13:55 [TX/RX NO 9531] 001

PAGE 01/01
D&D LAWNMAITENANCE
05/03/2011 16:43 7028770578
06/03/2011 FRI 15:51 [TX/RX NO 9529] 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



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☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-41060, VAR-41216 & SDR-41059

City Council Meeting of 6/15/2011

24 ORDFN1 1 89108

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES

02 1M $ 00.41[4]
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MAILED FROM ZIP CODE 89101

SANTIAGO-REYES ARISTEO
1719 LEONARD LN
LAS VEGAS NV 89108-2369

APN#13824801014

2011 JUN -6 A 6:55

CITY CLERK

CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

Phone/Fax: 702-877-2438

TO: CLV MAYOR, MAYOR-PRO-TEM and EACH COUNCILPERSON
FROM: CNP
DATE: 14 June 2011
RE: SELECTED CLV COUNCIL AGENDA ITEMS for 6/15/11

103, 104, 105: VAR-41060, VAR-41216, and SDR-41059—
YES is our request For Approval of this facility in this location.
We welcome such a facility as this in our area, considering it an asset in all ways.

#106: VAR-41321-
We heartily agree with the Planning Commission that this can comfortably be approved.

#110: SUP-41266-
YES, we agree that Planning Commission provided diligent research, gleaning approving information for the Special Use Permit as requested.

#113: SUP-41298-
CNP does NOT agree with the Planning Commission. We request approval based on the number of similar approvals in our neighborhood and request this site be approved.

#114: EOT-41551-
CNP requests that the Mayor and City Council follow the Denial recommendation of staff.

#115: ROC-41544-
CNP is speaking for approval of the request For deletion of CONDITION #2 for this business. The neighborhood can utilize the services of this well run walking- distance facility.

#116: ROC-41709-
Approval of the request for deletion of CONDITION #2 is the assessment of CNP at this location.

KUDOS TO our Mayor GOODMAN !!!#!
and Mayor Pro Tem REESE!!!#!
for their legacies of commitment, standards, and diligence!
~~EACH OF YOU LEFT MIGHTY FOOTPRINTS~ ~

June Ingram, CNP President and BOARD

June Ingram

Submitted at City Council
Date 6-15-2011 Item Nos. 103-105, 106, 110, 113, 116

BOARD & ADVISORY MEMBERS
Dennis Ardine-Vicki Arnold-Dick Bratton-Erna Clark-Juanita Clark-Miriam Een- Danielle Hanslip-Rose Honrath-June Ingram-Rick Johnson-Jolanta Krol-Rod &Betty Larsen- Geno &Pearl Lonardo-Flo Montalvo-Dorothy Orr-Jim Seward-Pamela Stancliffe-Tim Volz-Marcus Gobel-Ginger Norton-Denise Reitz-Layne Rushforth-Jeanine Sweany-Julia Whaun-Jean Withers-Others

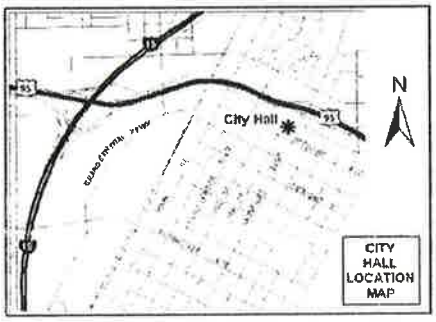
NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 MAR 31 2011
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



How can the city allow so many variances for one project!

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning, Case Planning Division 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.

SDR-41059
Planning Commission Meeting of 4/12/2011

Lila Bringhurst

Case: SDR-41059
13824803016
BRINGHURST LILA
P O BOX 3041
FREMONT CA 94539-0304

94 89044 94539

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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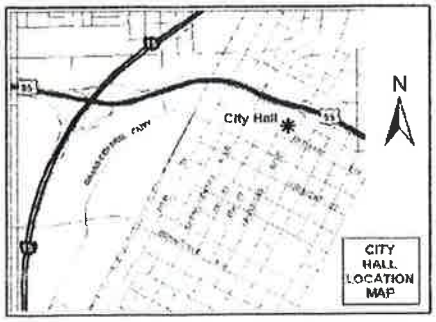

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☐ I SUPPORT this Request ■ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-41059
Planning Commission Meeting of 4/12/2011

Case: SDR-41059
13824803006
EWING MARY K
1750 LEONARD LN
LAS VEGAS NV 89108-2321

24 89044 89108

Yorgo Kagafas

From: roger parent [reachin2reachout@gmail.com]
Sent: Friday, April 15, 2011 10:24 PM
To: Yorgo Kagafas
Cc: Ricki Y. Barlow
Subject: river of life

To whom it may concern,

I live at 1695 fairhaven st. Las Vegas ,NV, 89108. My home is 2 houses down from the river of life church. I would appreciate not granting the variance's they are seeking as they are already filling the street with cars on Sundays. Their property is to small for their needs. If they need to expand they should move to a larger property rather than disregarding the codes.

Please call me with any questions

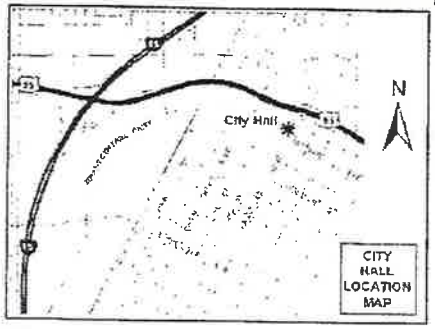
thanks,

Roger Parent
702.808.9715

SDR-41059
P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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-41059

Planning Commission Meeting of 4/12/2011

RECEIVED
APR - 5 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SDR-41059

13824803023
NOOROZIAN NADER
901 NOOROZIAN CT
LAS VEGAS NV 89107-3747

25 89044 89107

City of Las Vegas Agenda Item No.: **74.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: JULY 20, 2011

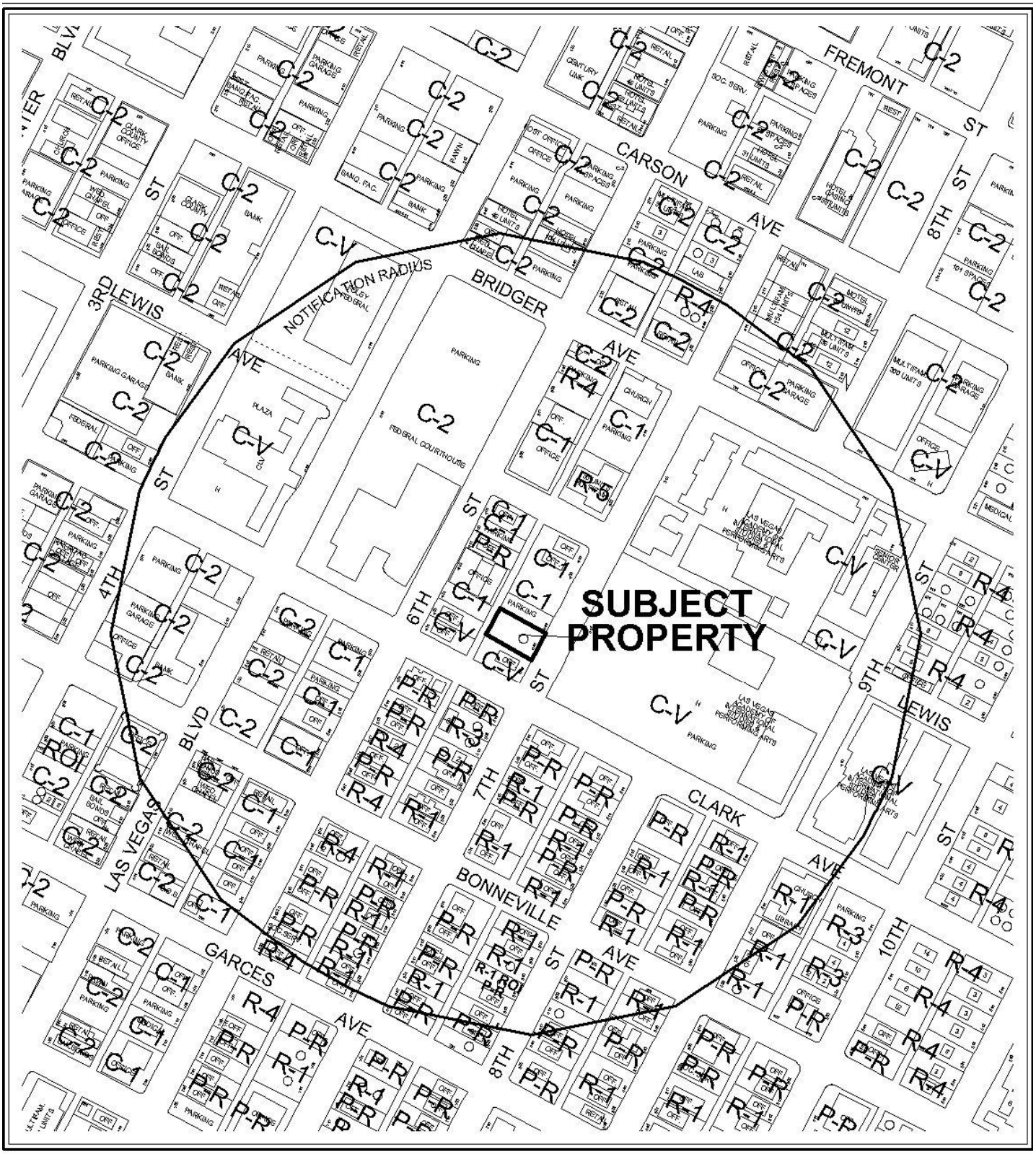
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
ZON-41044 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: DANIEL ROSS - For possible action on a request for a Rezoning FROM: R-3 (MEDIUM DENSITY RESIDENTIAL) TO: P-O (PROFESSIONAL OFFICE) on 0.26 acres at 424 South 7th Street (APN 139-34-710-029), Ward 3 (Coffin). 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	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
The Planning Commission (7-0 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps - ZON-41044 and SDR-41045
2. Conditions and Staff Report - ZON-41044 and SDR-41045
3. Supporting Documentation
4. Photos - ZON-41044 and SDR-41045
5. Justification Letter - ZON-41044 and SDR-41045
6. Backup referenced from the June 14, 2011 Planning Commission Meeting Items – ZON-41044 and SDR-41045



0 300 600 Feet

CASE: **ZON-41044 AND SDR-41045**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: P-O (PROFESSIONAL OFFICE)

N



0 300 600 Feet

CASE: **ZON-41044 AND SDR-41045**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: P-O (PROFESSIONAL OFFICE)

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 20, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: DANIEL ROSS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
ZON-41044	Staff recommends APPROVAL.	
SDR-41045	Staff recommends APPROVAL, subject to conditions:	ZON-41044

** CONDITIONS **

SDR-41045 CONDITIONS

Planning

1. Approval of Rezoning (ZON-41044) shall be required, if approved.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All development shall be in conformance with the site plan date stamped 05/16/11, the elevations date stamped 03/22/11, and the sizes and species of the plantings specified on the landscape plan date stamped 02/24/11, except as amended by conditions herein.

4. A Waiver from Title 19.12 is hereby approved, to allow a 13-foot wide landscape buffer along the east perimeter where 15 feet is required, a five-foot wide landscape buffer along the west perimeter where eight feet is required, and a three-foot wide buffer along a portion of the north perimeter where five feet is required.

5. An Exception to Title 19.12 is hereby approved, to allow eight 24-inch box trees within the perimeter landscape buffers where 14 trees are required.

6. Any changes based upon right-of-way, traffic or drainage studies or street improvements required by the city or public utilities shall not reduce the widths of perimeter landscape buffers from that on submitted site plans date stamped 05/16/11 or the sizes and species of the plantings specified on the landscape plan date stamped 02/24/11. Any changes based upon subsequently submitted studies must be accommodated elsewhere on the site.

7. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

8. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

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. Installed landscaping shall not impede visibility of any traffic control device and shall match the proposed landscape buffers shown on the provided site plans date stamped 05/16/11.

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. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

13. Remove all substandard sidewalk improvements, if any, adjacent to this site and replace with new sidewalk meeting current City Standards concurrent with on-site development activities as shown on the approved Site Plan.

14. The proposed new driveway accessing this site from 7th Street as depicted on the approved Site Plan is hereby approved as a deviation from standards from Standard Drawing #222a. Any further deviations, if any, to width, ingress/egress radii, or throat depth will require separate approval from the City Engineer.

15. Landscape and maintain all unimproved right-of-way on 7th Street adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

16. Submit an Encroachment Agreement for all landscaping located in the 7th Street public right-of-way adjacent to this site prior to occupancy of this site. The installation and maintenance of all landscaping in the public right of way shall be the responsibility of the adjacent property owner(s) and shall be transferred with the sale of the property for the entire term of the Encroachment Agreement.

17. 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.

** STAFF REPORT **

PROJECT DESCRIPTION

This request is a proposal to rezone a 0.26-acre undeveloped lot to P-O (Professional Office) and construct a covered 25-space parking lot at 424 South 7th Street. The site had previously maintained a Single Family, Detached dwelling, but it was demolished in 2010 after extensive fire damage. The intent of this parking lot is to provide overflow parking for the proposed offices at 400 South 7th Street. If denied, the property would remain as zoned and undeveloped.

ISSUES

- Waivers of the perimeter landscape buffer standards are required to allow a three-foot buffer where a five-foot buffer is required along the north property line, an 11-foot buffer where 15 feet is required along the east property line, and a five-foot buffer where an eight-foot wide buffer is required along the west property line.
- An Exception is required to allow eight 24-inch box trees where 14 trees are required in the perimeter buffers. Staff supports the exception, as the parking area will be covered and the northern planter would be difficult to maintain. Trees will be provided within the right-of-way adjacent to the site.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
06/14/11	The Planning Commission voted (7-0) to recommend APPROVAL of companion items ZON-41044 and SDR-41045 (PC Agenda Items 29-30/mh).

Most Recent Change of Ownership	
11/27/95	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
09/24/10	Building Permit #172759 was issued for the demolition of a fire-damaged single family residence.

Pre-Application Meeting	
02/23/11	A pre-application meeting was held with staff to discuss the submittal requirements for a Rezoning request and related Site Development Plan Review for a proposed parking lot.

Neighborhood Meeting
A neighborhood meeting is not required for this type of request, nor was one held.

Field Check	
03/31/11	A Field Check was performed by staff, where it was noted that the site had no structures and was free of trash and debris.

Details of Application Request	
Site Area	
Net Acres	0.26

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Undeveloped	C (Commercial)	R-3 (Medium Density Residential) PROPOSED: P-O (Professional Office)
North	Parking Lot	C (Commercial)	C-1 (Limited Commercial)
South	Office	C (Commercial)	P-R (Professional Office and Parking)
East	High School	PF (Public Facilities)	C-V (Civic)
West	Office	C (Commercial)	C-1 (Limited Commercial) P-R (Professional Office and Parking)

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area		X	N/A
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
H (Historic Designation)	X		Y
Live/Work Overlay District	X		N/A
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y or N
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to 19.08.050, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Width	60 Feet	75 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side (North)	5 Feet	6 Feet	Y
• Side (South)	5 Feet	8 Feet	Y
• Rear	0 Feet	5 Feet	Y
Max. Building Height	Lesser of 2 Stories or 35 feet, whichever is less	12 Feet	Y

Pursuant to Title 19.10, the following standards apply:

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Buffer Trees:				
• North	1 Tree / 30 Linear Feet	5 Trees	0 Trees	N
• South	1 Tree / 30 Linear Feet	5 Trees	6 Trees	Y
• East	1 Tree / 20 Linear Feet	2 Trees	2 Trees	Y
• West	1 Tree / 30 Linear Feet	2 Trees	0 Trees	N
TOTAL PERIMETER TREES		**14 Trees**	**8 Trees**	**N**
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	5 Feet		3 Feet	N
• South	5 Feet		8 Feet	Y
• East	15 Feet		11 Feet	N
• West	8 Feet		5 Feet	N

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Street Width (Feet)*	*Compliance with Street Section*
7th Street	N/A	N/A	80	N/A

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

Parking Requirement				
Use	***Gross Floor Area or Number of Units***	***Provided***		
		Parking Ratio	*Parking*	
			Regular	Handicapped
Parking Lot	-	-		
TOTAL SPACES			25	
Regular and Handicap Spaces Required			24	1

Waivers		
Requirement	***Request***	***Staff Recommendation***
A 15-foot wide landscape buffer along the public right-of-way.	An 11-foot wide landscape buffer along 7Th Street	Approval
A five-foot wide landscape buffer along the interior lot line.	A three-foot wide landscape buffer along a portion of the north interior lot line.	Approval
An eight-foot wide landscape buffer along the interior lot line.	A five-foot wide landscape buffer along a portion of the west interior lot line.	Approval

ANALYSIS

The proposed 25-space Parking Lot is a permissible use in the proposed P-O (Professional Office) zoning district and is compatible with the existing C (Commercial) land use designation. The proposed parking canopies meet the required development requirements for height and setbacks. In addition to the Waiver requests, the applicant is also requesting an Exception to allow seven clusters of four five-gallon shrubs in place of five 24-inch box trees. Staff supports these requests, as the narrowness of the lot does not provide enough width to accommodate adequate landscape buffers and parking-aisle depth. The provided landscaping is of sufficient amount and placement to remain consistent with nearby development.

The Rezoning request is consistent with the General Plan for this area, which calls for commercial land uses. This request would complete the transition of this block from residential to commercial uses. Staff therefore recommends approval of the Rezoning request.

MH

Staff recommends approval of the Site Development Plan Review with conditions, as the proposal is consistent with the surrounding development.

FINDINGS (ZON-41044)

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. **The proposal conforms to the General Plan.**

   The proposed Parking Lot use is compatible with the P-O (Professional Office) zoning district and conforms to the existing C (Commercial) land use designation.

2. **The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.**

   The proposed Parking Lot use is compatible with the surrounding Office uses and the subject site meets the P-O (Professional Office) lot width requirements.

3. **Growth and development factors in the community indicate the need for or appropriateness of the rezoning.**

   The subject site is the last remaining residentially zoned property on this street block. All of the properties to the north of this site have been rezoned to the C-1 (Limited Commercial) zoning district and the remaining property to the south is zoned P-R (Professional and Parking). The change to commercial uses has created a need for parking and the proposed parking lot use is in response to this need.

4. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.**

   Seventh Street provides suitable access to the subject site, which is also served by an additional 20-foot wide alley way.

FINDINGS (SDR-41045)

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 25-space covered Parking Lot is compatible with the surrounding Office uses located throughout the immediate neighborhood.

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

The proposed covered parking lot meets the P-O (Professional Office) zoning district development standards in respect to the property setbacks and structure height. A Waiver to the required landscape buffer widths and an exception has been requested to address the minor deficiencies on site. Staff recommends approval of the requested Waiver and Exception as the applicant has minimized these deficiencies with landscaping that accommodates the pedestrian along 7th Street.

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

The project is located downtown, where a fully developed grid traffic pattern has been established. The adjacent streets of Las Vegas Boulevard, Clark Avenue and Sixth Streets are capable of handling the traffic generated by this project.

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

The landscape materials are deficient for this proposal; however, the applicant has requested a Waiver and Exception to address this issue. Staff supports these requests, as the provided landscaping is presented in a manner consistent with the landscaping provided in the surrounding area.

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

The proposed parking lot is aesthetically harmonious and compatible with adjacent developments.

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

The development will be subject to requirements of the International Building Code and The Title 19 Unified Development Code; therefore, it will not compromise the public health, safety and welfare or the overall objectives of the General Plan.

NOTICES MAILED 138 (By City Clerk)

APPROVALS 1

PROTESTS 1

MH

Go to Planning's web page | Print | Clear

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-41044** APN: 139-34-710-029

Name of Property Owner: Daniel Ross

Name of Applicant: Daniel Ross

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: Daniel Ross

Print Name: DANIEL ROSS

Subscribed and sworn before me

This 24th day of February 20 11

Dawn M Leno Brown

Notary Public in and for said County and State

NOTARY PUBLIC
DAWN M. LENO-BROWN
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. JULY 6, 2013
No: 05-97966-1

RECEIVED
FEB 24 2011

Go to Planning's web page | Print Form | Clear Form

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Zone Change from R-3 to C-1

Project Address (Location) 424 S. 7th Street

Project Name EVAPS Law Office **Proposed Use** Parking

Assessor's Parcel #(s) 139-34-710-029 **Ward #** 3 - Reese

General Plan: existing _____ proposed _____ **Zoning:** existing R-3 proposed C-1

Commercial Square Footage 0 **Floor Area Ratio** 0

Gross Acres 0.26 **Lots/Units** 0 **Density** 0

Additional Information _____

PROPERTY OWNER Daniel Ross **Contact** Daniel Ross

Address 46 E. Victory Road **Phone:** 7023880924 **Fax:** -

City Henderson **State** NV **Zip** 89015

E-mail Address -

APPLICANT same as property owner **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

REPRESENTATIVE DesignCell Architecture **Contact** Scott Brown

Address 10777 W. Twain Ave. #125 **Phone:** 7024031575 **Fax:** 8774031575

City Las Vegas **State** NV **Zip** 89135

E-mail Address scott@designcell.cc

Property Owner Signature* Daniel Ross

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

Print Name DANIEL ROSS

Subscribed and sworn before me

This 24th day of February, 20 11.

Dawn M. Leno Brown

Notary Public in and for said County and State

NOTARY PUBLIC
DAWN M. LENO-BROWN
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. JULY 6, 2013
No: 05-97966-1

FOR DEPARTMENT USE ONLY

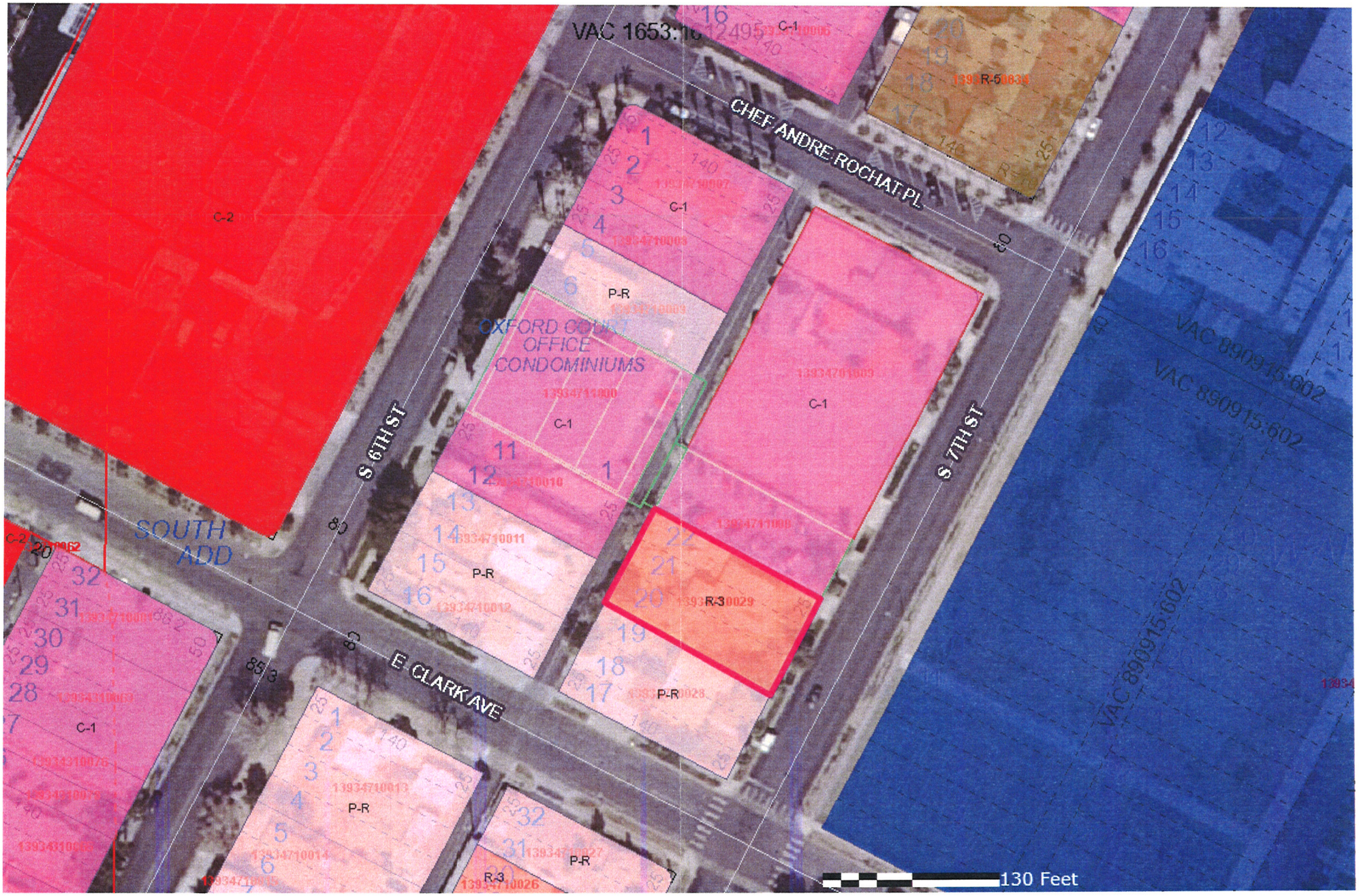
Case #	ZON-41044
Meeting Date:	4/12/11
Total Fee:	1200.00
Date Received:*	2-24-11
Received By:	JFmed

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

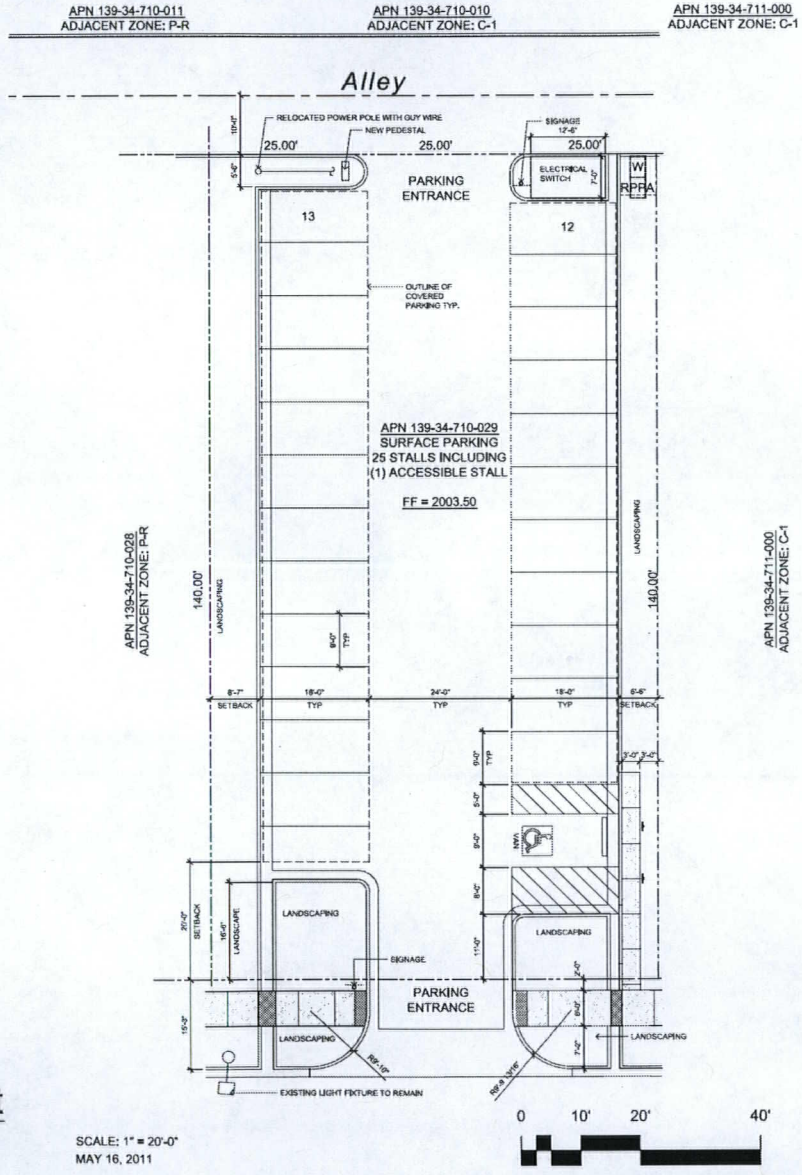
RECEIVED
FEB 24 2011

f:\depot\Application Packet\Application Form.pdf

Revised 10/27/08



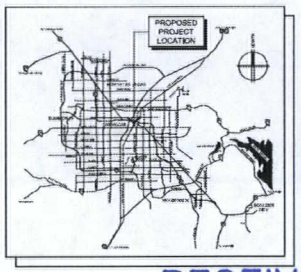
ZON-41044
SDR-41045



SITE DATA

APN	139-34-710-029
SITE AREA (NET)	10,500 SF
CURRENT ZONING	R-3
PROPOSED ZONING	C-1
BUILDING AREAS:	N/A
PARKING PROVIDED:	24 SPACES (ALL COVERED)
	1 VAN ACCESSIBLE SPACE
TOTAL	25 SPACES

VICINITY MAP



RECEIVED

MAY 16 2011

Satellite Parking Lot

424 S. 7th Street
LAS VEGAS, NEVADA 89101

SCALE: 1" = 20'-0"
MAY 16, 2011

designcell
10777 W.TWAIN AVE, STE 125 T 702-403-1575
LAS VEGAS, NV 89135 WWW.DESIGNCELL.CC

DR01

SITE PLAN

REVISED

ZON-41044
SDR-41045
REVISED



ZON-41044 & SDR-41045 – APPLICANT/OWNER: DANIEL ROSS
424 SOUTH 7TH STREET

03/03/11



ZON-41044 & SDR-41045 – APPLICANT/OWNER: DANIEL ROSS
424 SOUTH 7TH STREET

03/03/11

designcell ARCHITECTURE

EVAPS Law Office Building
Project # 10 016
Page 1 of 1

February 24, 2011

CLV Planning & Development
731 South Fourth Street
Las Vegas, NV 89101
Phone: (702) 229-6301
Fax: (702) 474-7463

Re: Zone Change and Site Development Plan Review
APN: 139-34-710-029

To whom it may concern:

The purpose of this letter is a request a Zone Change and Site Development Plan Review for the property located at 424 South 7th Street in Las Vegas, Nevada 89101.

Architectural plans depict 25 covered parking stalls with adjacent landscaping. The applicant's intention is to install surface parking and lease the spaces to the adjacent land owner to support their proposed law office project. In order to develop the site as a satellite parking lot, the parcel will need to be re-zoned from R-3 to C-1. The rezone is consistent with development in the downtown area, as every other parcel on this block has already been re-zoned to C-1.

The applicant has structured a lease agreement with the property owner at 400 S. 7th Street. The lease has a ten year term, with a 9 year option, and first right of refusal to purchase the property.

A driveway entrance will be provided from both 7th Street and the Alley. A waiver of standard is requested for the driveway entrance from 7th Street as shown on the site plan. Please refer to the attached site plan.

Required landscaping, conforming to Title 19, will be provided on the property, and is shown on the landscape plan. A landscape buffer of 8'-0" is provided along the property line to the south where the new development is adjacent to a less intensive use. A waiver for the front landscape setback along 7th Street is requested to allow 13' where 15' is required. Please refer to the attached landscape plan.

We appreciate your assistance in moving forward with these modifications to the previously approved project.

Sincerely,

Scott L. Brown, NCARB
Principal
DesignCell, LLC

RECEIVED
FEB 24 2011
ZON-41044
SDR-41045

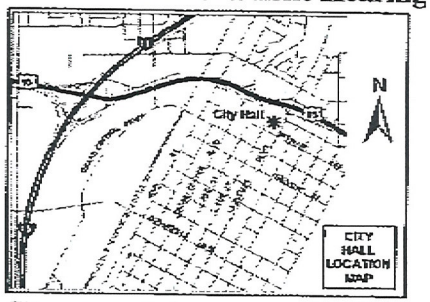
10777 W TWAIN AVE LAS VEGAS, NV 89135 T 702-403-1575 F 702-403-1575 www.DESIGNCELL.CC

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
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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 Department of Planning, Case Planning Division 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.

ZON-41044 & SDR-41045

Planning Commission Meeting of 6/14/2011

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES

02 1M $ 00.41⁴
0004279218 JUN02 2011
MAILED FROM ZIP CODE 89101

RECEIVED
JUN - 6 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: ZON-41044

13934701006
BAKER LAW OFFICES P C
500 S 8TH ST
LAS VEGAS NV 89101-7003

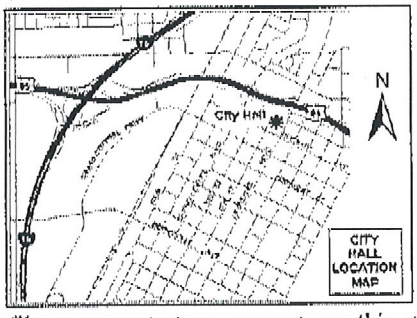
06-Jun-2011 12:45 PM Baker Law Offices 7026473034

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 JUN 02 2011
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



RECEIVED
JUN - 6 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning, Case Planning Division 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.

ZON-41044 & SDR-41045
Planning Commission Meeting of 6/14/2011

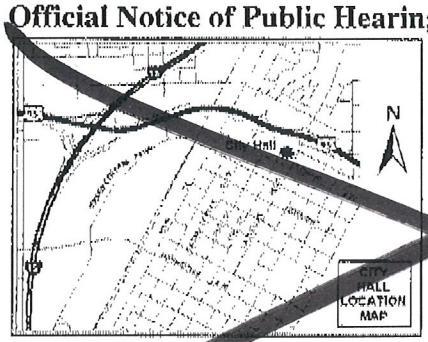
Case: ZON-41044
13934611046
SENIOR NEVADA BENEFIT GROUP L P
1600 BECKE CIR
LAS VEGAS NV 89104-3322

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 JUN 02 2011
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 Department of Planning, Case Planning Division 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-41054 & SDR-41047
Planning Commission Meeting of 6/14/2011

Case: VAR-41054
13934611046
SENIOR NEVADA BENEFIT GROUP L P
1600 BECKE CIR
LAS VEGAS NV 89104-3322

City of Las Vegas Agenda Item No.: **75.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
SDR-41045 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-41044 - PUBLIC HEARING - APPLICANT/OWNER: DANIEL ROSS - For possible action on a request for a Site Development Plan Review FOR A COVERED PARKING LOT WITH WAIVERS TO ALLOW AN 11-FOOT WIDE LANDSCAPE BUFFER ALONG THE EAST PERIMETER WHERE 15 FEET IS REQUIRED , A FIVE-FOOT WIDE LANDSCAPE BUFFER ALONG THE WEST PERIMETER WHERE EIGHT FEET IS REQUIRED, AND A THREE-FOOT WIDE LANDSCAPE BUFFER ALONG A PORTION OF THE NORTH PERIMETER WHERE FIVE FEET IS REQUIRED on 0.26 acres at 424 South 7th Street (APN 139-34-710-029), R-3 (Medium Density Residential) Zone [PROPOSED: P-O (Professional Office)], Ward 3 (Coffin). 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	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
The Planning Commission (7-0 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

Go to Pla...ing's web page | Print | Clear

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-41045** APN: 139-34-710-029

Name of Property Owner: Daniel Ross

Name of Applicant: Daniel Ross

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: Daniel Ross

Print Name: DANIEL ROSS

CLARK COUNTY, NEVADA
Subscribed and sworn before me

This 24 day of FEB., 2011

Gregg W. Wood
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
GREGRY W. WOOD
No: 00-64380-1
My Appointment Expires Sept. 1, 2012

Go to Planning's web page | Print Form | Clear Form

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Site Development Plan Review

Project Address (Location) 424 S. 7th Street

Project Name EVAPS Law Office **Proposed Use** parking

Assessor's Parcel #(s) 139-34-710-029 **Ward #** 3 - Reese

General Plan: existing _____ proposed _____ **Zoning:** existing R-3 proposed C-1

Commercial Square Footage 0 **Floor Area Ratio** 0

Gross Acres 0.26 **Lots/Units** 0 **Density** 0

Additional Information _____

PROPERTY OWNER Daniel Ross **Contact** Daniel Ross

Address 46 E. Victory Road **Phone:** 7023880924 **Fax:** -

City Henderson **State** NV **Zip** 89015

E-mail Address -

APPLICANT same as owner **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

REPRESENTATIVE DesignCell Architecture **Contact** Scott Brown

Address 10777 W. Twain Ave. #125 **Phone:** 7024031575 **Fax:** 8774031575

City Las Vegas **State** NV **Zip** 89135

E-mail Address scott@designcell.cc

Property Owner Signature* Daniel Ross

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

Print Name DANIEL ROSS

Subscribed and sworn before me

This 24th day of February, 2011.

Dawn M Leno Brown

Notary Public in and for said County of Clark

24th February 2011

DMLB

Revised 10/27/08

NOTARY PUBLIC
DAWN M. LENO-BROWN
STATE OF NEVADA COUNTY OF CLARK
MY APPOINTMENT EXP. JULY 6, 2013
No: 05-97966-1

RECEIVED
FEB 24 2011

FOR DEPARTMENT USE ONLY

Case #	SDR-41045
Meeting Date:	4-12-11
Total Fee:	1030.00
Date Received:*	2-24-11
Received By:	JFmw

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

f:\depot\Application Packet\Application Form.pdf

City of Las Vegas Agenda Item No.: **76.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: JULY 20, 2011

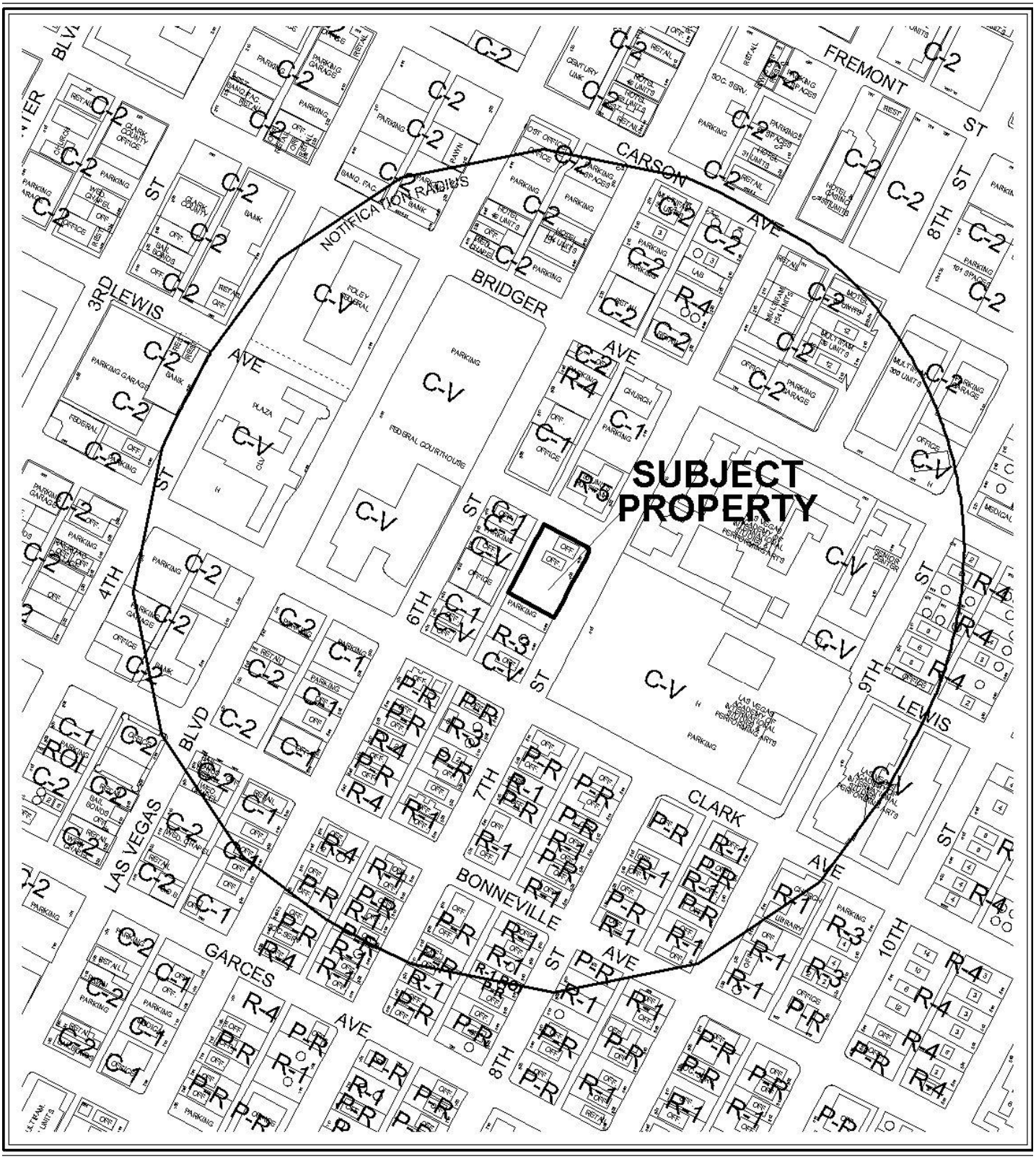
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
VAR-41054 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: EVAPS, LLC, ET AL - For possible action on a request for a Variance TO ALLOW 160 PARKING SPACES WHERE 184 SPACES ARE REQUIRED on 0.65 acres at 400 South 7th Street (APN 139-34-701-009), C-1 (Limited Commercial) Zone, Ward 3 (Coffin). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**1**	**Planning Commission Mtg.**	**1**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps - VAR-41054 and SDR-41047
2. Conditions and Staff Report - VAR-41054 and SDR-41047
3. Supporting Documentation
4. Photos - VAR-41054 and SDR-41047
5. Justification Letter - VAR-41054 and SDR-41047
6. Backup referenced from the June 14, 2011 Planning Commission Meeting Items – VAR-41054 and SDR-41047



CASE: **VAR-41054 AND SDR-41047**

RADIUS: 1000 FT

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



0 300 600 Feet

CASE: **VAR-41054 AND SDR-41047**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 20, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: EVAPS, LLC - OWNER: EVAPS LLC, ET AL

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-41054	Staff recommends DENIAL, if approved subject to conditions:	SDR-41047
SDR-41047	Staff recommends DENIAL, if approved subject to conditions:	VAR-41054

** CONDITIONS **

VAR-41054 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-41047) shall be required, if approved.

2. Conformance to the approved conditions for Variance (VAR-39122) and Site Development Plan Review (SDR-39121).

3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.

4. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SDR-41047 CONDITIONS

Planning

1. Conformance to the approved conditions for Variance (VAR-39122) and Site Development Plan Review (SDR-39121).

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (VAR-41054) shall be required, if approved.

3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. 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 05/16/11, except as amended by conditions herein.

5. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

7. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

8. 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.

9. Site development to comply with all previous conditions of approval for SDR-39121 and all other site-related actions.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a requested amendment of an approved Site Development Plan Review (SDR-39121) for a five-story, 120-foot tall, 55,132 square-foot Office building to remove one level of subterranean parking. Included with this major amendment is a related Variance (VAR-41054) to allow 160 parking spaces where 184 spaces are required. The applicant has provided no evidence of unique or extraordinary circumstances pursuant to Title 19.18.070 that substantiate these requests and staff is recommending denial. If denied, the property will remain entitled to its originally approved configuration.

ISSUES

- The proposed subterranean parking structure for the 55,132 square-foot Office building has been modified, reducing the onsite parking from 184 parking spaces to 160 spaces.
- The previously approved Site Development Plan Review and related Variances were recommended for approval at the 10/21/12 Planning Commission and the City Council on 12/01/10.
- There are no proposed changes to the approved building elevations, floor plans, landscaping, or building materials.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
09/20/06	The City Council approved a Rezoning (ZON-15045) from R-3 (Medium Residential) to C-1 (Limited Commercial); a Site Development Plan Review (SDR-15043) for a proposed 23,613 square-foot Office building with a Waiver of perimeter landscape buffer width requirements; a Waiver of the street tree planting requirements; a Variance (VAR-15048) to allow 55 percent lot coverage where 50 percent is the maximum lot coverage allowed; a Variance (VAR-15596) to reduce the front yard setback of 10 feet where 20 feet is the minimum setback required; and a Variance (VAR-15049) to allow 58 parking spaces where 79 spaces is the minimum required on 0.64 acres at the subject site. The planning Commission had no recommendation; staff recommended denial.

09/25/08	The Planning Commission heard the requests for a Site Development Plan Review (SDR-29051) for a five-story Mixed Use development with 52,498 square feet of commercial space and seven residential units; a Special Use Permit (SUP-29306) for a Mixed Use development; and a Variance (VAR-29730) to allow 100% lot coverage where 50% is allowed and to allow no setbacks where a 10-foot front yard setback, a 15-foot corner side yard setback, a 10-foot side yard setback, and a 20-foot rear yard setback are required. These items were forwarded to the City Council with no recommendation. Staff recommended denial. NOTE: These items were tabled at the 11/05/2008 City Council.
10/15/08	The City Council approved the request for an Extension of Time (EOT-29831) of an approved Rezoning (ZON-15045) from R-3 (Medium Density Residential) and R-3 (Medium Density Residential) under Resolution of Intent to P-R (Professional Office and Parking) to C-1 (Limited Commercial) on 0.64 acres at the southwest corner of Seventh Street and Chef Andre Rochat Place. Staff recommended approval.
07/23/10	The technical review for a Reversionary Map (PMP-38638) was approved by Planning and Development staff for a reversion to acreage for four lots, approximately .65 acres. The mylar of the map was been released for recordation on 9/13/10, but the map has not been recorded.
12/01/10	The City Council approved the request for a Site Development Plan Review (SDR-39121) for a proposed five-story, 120-foot tall, 55,132 square-foot Office building with Waivers of the perimeter landscape buffer width requirements to allow zero-foot buffers where 15 feet is required on the north and east perimeters and eight feet is required on the south and west perimeters and a related Variance (VAR-39122) to allow zero-foot setbacks where a 10-foot side yard, 15-foot corner side yard, and 20-foot front and rear yard setbacks are required, and to allow 86% lot coverage where 50% lot coverage is the maximum allowed on 0.65 acres at 400 South 7th Street. The Planning Commission recommended approval on 10/21/10 with staff recommending denial.
06/14/11	The Planning Commission voted (7-0) to recommend APPROVAL of companion items VAR-41054 and SDR-41047 (PC Agenda Items 31-32/mh).

Most Recent Change of Ownership	
03/02/10	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
There are no active business licenses or building permits related to the subject site at this time.

Pre-Application Meeting	
02/23/11	A pre-application meeting was held with staff to discuss the submittal requirements for the modification of the approved Site Development Plan Review (SDR-39121).

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

Field Check	
03/03/11	A Field Check was performed by staff with the following observations: • There are two vacant single-family homes on two undeveloped lots on the proposed site.

Details of Application Request	
Site Area	
Net Acres	0.81

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Undeveloped	C (Commercial)	C-1 (Limited Commercial)
North	Apartments	C (Commercial)	C-1 (Limited Commercial)
South	Undeveloped (Proposed Parking Lot)	C (Commercial)	R-3 (Medium Density Residential)
East	High School	PF (Public Facilities)	C-V (Civic)
West	Offices	C (Commercial)	C-1 (Limited Commercial)

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
H (Historic Designation)	X		Y
Live/Work Overlay District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

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

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Office	55,132	1:300 SF	184				
TOTAL SPACES REQUIRED			184		160		N
Regular and Handicap Spaces Required			178	6	152	6	N
Percent Deviation			13%				

ANALYSIS

The applicant has requested modifications to the approved Site Development Plan Review (SDR-39121), which consists of the removal of one level of subterranean parking that provided 24 parking spaces. As such, a related Variance is now required to address the parking deficiency. There are no proposed changes to the building height, floor area, setbacks, or landscaping from what was approved under the original Site Development Plan Review (SDR-39121) or Variance (VAR-39122). Because this requested modification to remove the subterranean parking level will make the approved development non-compliant with the Title 19.04 Parking Requirements, staff recommends denial as this proposal is self-imposed and preferential in nature.

FINDINGS (VAR-41054)

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 modifying the approved Site Development Plan Review (SDR-39121) to remove 24 parking spaces where the original approval is in 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.

FINDINGS (SDR-41047)

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 amendment to the approved Site Development Plan Review (SDR-39121) creates a 24-parking space deficiency, and with the approved Variance (VAR-39122), will not be compatible with the intensity of adjacent Office uses.

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 amendment to the approved Office building is not consistent with the Title 19.04 Parking Requirements as it creates a substantial parking deficiency. The approved Site Development Plan Review (SDR-39121) accommodates all of the required parking.

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

   Site access and circulation remain consistent with what was approved under SDR-39121 and does not negatively impact adjacent roadways or neighborhood traffic.

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

   The building and landscape materials remain consistent with what was approved under SDR-39121 and are appropriate for the area and for the City.

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, design characteristics remain consistent with what was approved under SDR-39121.

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

   If approved, the proposed development will be subject to inspection during both building construction and business licensing and will therefore not compromise the public health, safety and general welfare.

NOTICES MAILED 127 (By City Clerk)

APPROVALS 1

PROTESTS 1

MH

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-41054** APN: 139-34-701-009

Name of Property Owner: EVAPS LLC

Name of Applicant: EVAPS LLC

Name of Representative: DesignCell Architecture

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: ROBERT T. EGLET

Subscribed and sworn before me

This 24th day of February 2011

Dawn M Leno Brown

Notary Public in and for said County and State

NOTARY PUBLIC
DAWN M. LENO-BROWN
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. JULY 6, 2013
No: 05-97966-1

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Parking Variance

Project Address (Location) 400 S. 7th Street LV, NV 89101

Project Name EVAPS Law Office **Proposed Use** Office

Assessor's Parcel #(s) 139-34-701-009 **Ward #** 3 - Reese

General Plan: existing _____ proposed _____ **Zoning:** existing C-1 proposed C-1

Commercial Square Footage 55,132 SF **Floor Area Ratio** _____

Gross Acres 0.64 **Lots/Units** N/A **Density** N/A

Additional Information Expansion of previously approved project SDR-39121 & VAR-39122

PROPERTY OWNER EVAPS LLC **Contact** Robert Eglet

Address 400 S. 4th Street #600 **Phone:** (702) 450-5400 **Fax:** (702) 450-5451

City Las Vegas **State** NV **Zip** 89101

E-mail Address _____

APPLICANT - same as owner - **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

REPRESENTATIVE DesignCell Architecture **Contact** Scott Brown

Address 10777 W. Twain Ave. #125 **Phone:** (702) 403-1575 **Fax:** (877) 403-1575

City Las Vegas **State** NV **Zip** 89135

E-mail Address scott@designcell.cc

Property Owner Signature* _____

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

Print Name Robert Eglet

Subscribed and sworn before me

This 23rd day of February, 20 11

_____

Notary Public in and for said County and State

NOTARY PUBLIC
County of Clark-State of Nevada
CHRISTINA HUTT
No. 06-107299-1
My Appointment Expires July 7, 2014

RECEIVED
FEB 24 2011

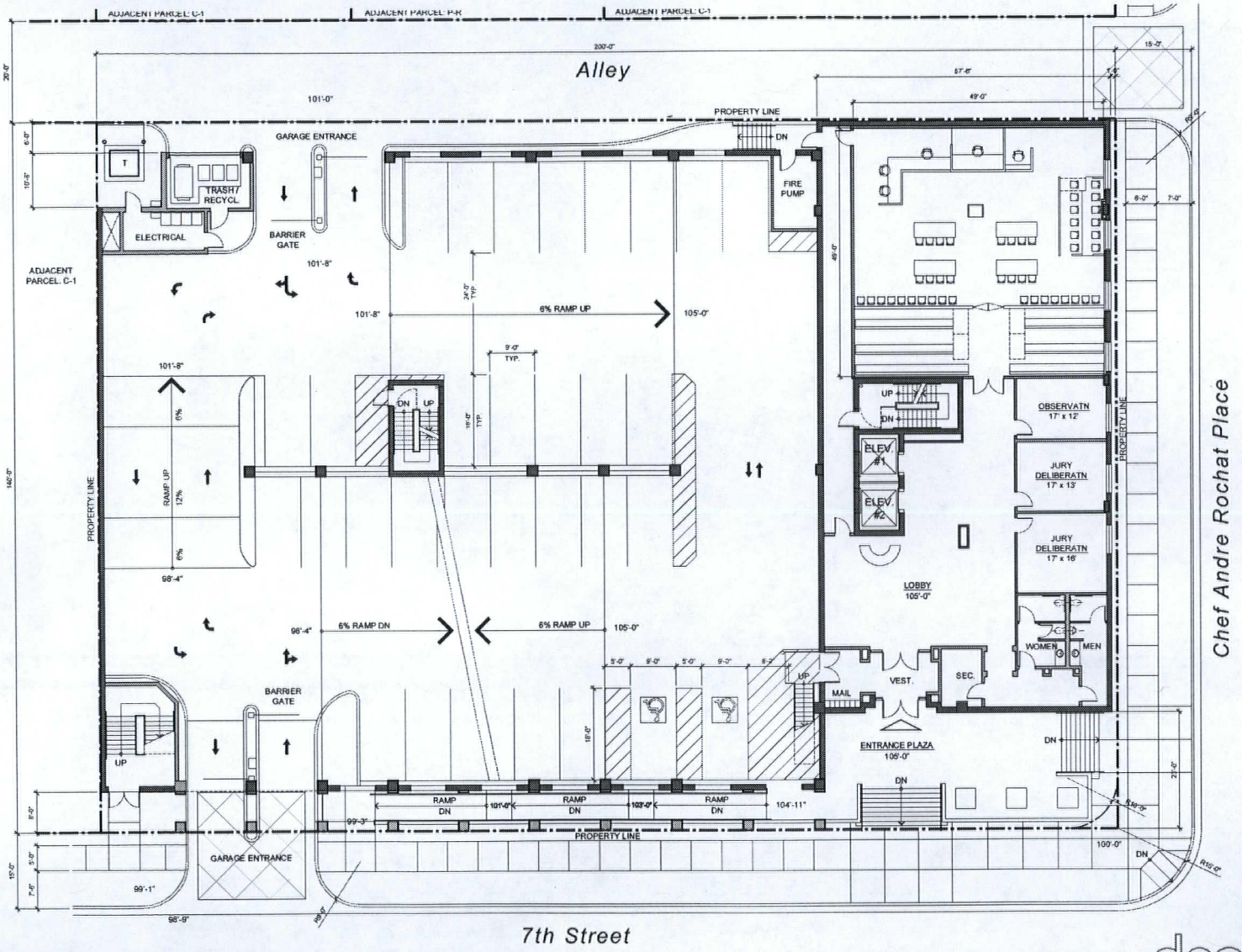
FOR DEPARTMENT USE ONLY

Case #	VAR-41054
Meeting Date:	4-12-11
Total Fee:	830.00
Date Received:*	2-24-11
Received By:	JFrue

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

Revised 10/27/08

f:\depot\Application Packet\Application Form.pdf



EVAPS Law Offices

SWC OF 7th & CHEF ANDRE ROCHAT
LAS VEGAS, NEVADA 89101

SITE PLAN / FIRST FLOOR PLAN

SCALE: 1" = 20'-0"
MAY 16, 2010

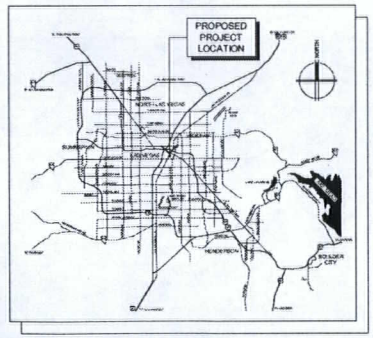
0 10' 20' 40'

1 LEVEL

SITE DATA

APN #	139-34-710-030 139-34-710-031 139-34-710-032 139-34-710-033	
CURRENT ZONING	C-1	
SITE AREA (NET)	28,000 SF	
BUILDING AREAS:		
OFFICE (GROSS):	LEVEL 1	6,587 SF
	LEVEL 2	N/A
	LEVEL 3	16,553 SF
	LEVEL 4	15,996 SF
	LEVEL 5	15,996 SF
TOTAL OFFICE:		55,132 SF GROSS
PARKING GARAGE:	LEVEL 2	14,100 SF
	LEVEL 1	17,600 SF
	LEVEL P1	24,500 SF
	LEVEL P2	17,500 SF
TOTAL PARKING GARAGE:		73,700 SF GROSS
PARKING REQUIRED:		
OFFICE (GROSS) (1/300 SF):		184 SPACES
OF WHICH ACCESSIBLE:		6 SPACES (1 VAN)
PARKING PROVIDED:		
REGULAR:		146 SPACES
COMPACT:		8 SPACES (4.5%)
ACCESSIBLE:		6 SPACES (INCL. 1 VAN)
TOTAL:		160 SPACES
F.A.R (OFFICE+PKG. GARAGE) / SITE:		4.9

VICINITY MAP



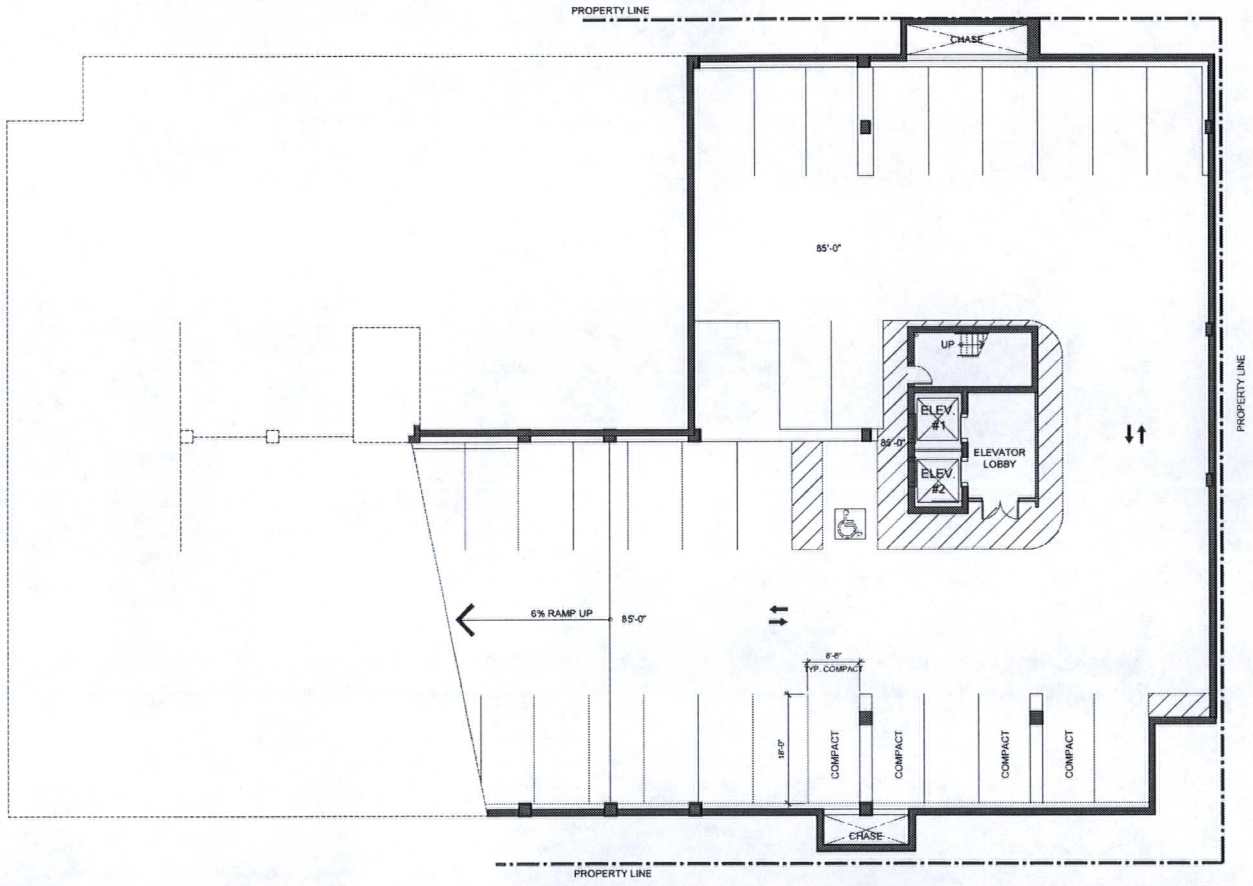
designcell
10777 W.TWAIN AVE, STE 125 T 702.403.1515
LAS VEGAS, NV 89135 WWW.DESIGNCELL.CC

DR01

RECEIVED
MAY 16 2011

VAR-41054
SDR-41047
REVISED

P2 LEVEL



RECEIVED
MAY 16 2011

EVAPS Law Offices

SWC OF 7th & CHEF ANDRE ROCHAT
LAS VEGAS, NEVADA 89101

BASEMENT LEVEL 2 FLOOR PLAN

SCALE: 1" = 20'-0"
MAY 16, 2010

0 10' 20' 40'

designcell
10777 W.TWAIN AVE, STE 125 T 702-403-1575
LAS VEGAS, NV 89135 WWW.DESIGNCELL.CC

DR07

VAR-41054
SDR-41047
REVISED



VAR-41054 & SDR-41047 – APPLICANT: EVAPS, LLC - OWNER: EVAPS, LLC, ET AL
400-420 SOUTH 7TH STREET

03/03/11



VAR-41054 & SDR-41047 – APPLICANT: EVAPS, LLC - OWNER: EVAPS, LLC, ET AL
400-420 SOUTH 7TH STREET

03/03/11



VAR-41054 & SDR-41047 – APPLICANT: EVAPS, LLC - OWNER: EVAPS, LLC, ET AL
400-420 SOUTH 7TH STREET

03/03/11



VAR-41054 & SDR-41047 – APPLICANT: EVAPS, LLC - OWNER: EVAPS, LLC, ET AL
400-420 SOUTH 7TH STREET

03/03/11



VAR-41054 & SDR-41047 – APPLICANT: EVAPS, LLC - OWNER: EVAPS, LLC, ET AL
400-420 SOUTH 7TH STREET

03/03/11



VAR-41054 & SDR-41047 – APPLICANT: EVAPS, LLC - OWNER: EVAPS, LLC, ET AL
400-420 SOUTH 7TH STREET

03/03/11

designcell ARCHITECTURE

EVAPS Law Office Building
Project # 10 016
Page 1 of 1

February 24, 2011

CLV Planning & Development
731 South Fourth Street
Las Vegas, NV 89101
Phone: (702) 229-6301
Fax: (702) 474-7463

Re: Major Amendment to SDR-39121 for a Law Office Building
APN: 139-34-701-009

To whom it may concern:

The purpose of this letter is a request to modify the previously approved SDR-39121 for the proposed Law Office Building located at 400 South 7th Street in Las Vegas, Nevada 89101.

The original design for this project had two (2) levels of subterranean parking extending down to a depth of 25' below street level. During the design development stage, a geotechnical (soils) report was completed for this parcel. Groundwater was encountered at an extremely shallow depth of -10' below the surface. The project then went out to bid and it was quickly realized that the lowest parking level was economically unfeasible to construct.

As a result, the applicant structured a deal with the neighboring property owners to use their lots for parking. The parking garage was then reduced from four (4) levels to three (3) levels: one (1) subterranean level and two (2) levels above grade. To accommodate the additional parking spaces required, all three (3) remaining levels of the parking garage were extended 50' to the south onto the 420 S. 7th street property. Please refer to the attached floor plans. The applicant will prepare a reversionary parcel map to combine the additional property into one property on which the building will be located.

The new parking garage houses 178 spaces where 184 were previously approved. In addition, per Z-72-80, 17 satellite parking spaces were approved on 420 S. 7th for the use of the office building located at 415 S. 6th Street. The new parking garage will have to accommodate the existing spaces as well as the required spaces for the EVAPS Law Office. Therefore, 201 spaces are required where only 178 are provided. A parking variance is requested for this deficiency of 23 parking spaces. The applicant will prepare a perpetual parking easement within the parking garage for the 17 spaces signed by both property owners.

To alleviate this reduction in parking, the applicant has also structured a lease agreement with the property owner at 424 S. 7th Street. The lease has a ten year term, with a 9 year option, and first right of refusal to purchase the property. This site will be surfaced parked and contain 25 parking spaces. A separate application will be submitted for an SDR and Zone change for this property.

By a separate application we are also requesting a variance for the required setbacks and site coverage. The proposed design requires zero lot setbacks on all sides. This meets the spirit and a language of the urban area. Zero setbacks as an element of urban site development is a requirement in the adjacent downtown centennial office core district. Site coverage of 86% is proposed (where 50% is allowed by code) and meets the spirit of code language for urban areas. In this context setback and lot coverage code conformance would result in substantially less viable project.

We appreciate your assistance in moving forward with these modifications to the previously approved project.

Sincerely,

Scott L. Brown, NCARB
Principal
DesignCell, LLC

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FEB 24 2011

VAR-41054
SDR-41047

10777 W. TWAIN AVE. LAS VEGAS, NV 89135 T. 702-403-1575 F. 702-403-1575 WWW.DESIGNCELL.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

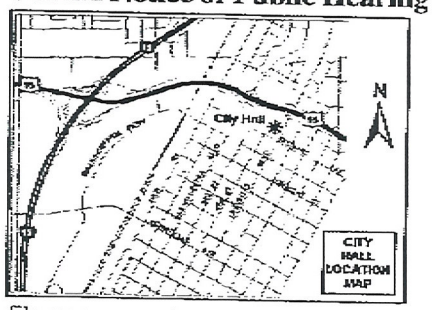
1/4

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED
FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M
0004279218
$ 00.414
JUN02 2011
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 Department of Planning, Case Planning Division 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-41054 & SDR-41047

Planning Commission Meeting of 6/14/2011

RECEIVED
JUN - 6 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: VAR-41054

13934701006
BAKER LAW OFFICES P C
500 S 8TH ST
LAS VEGAS NV 89101-7003

89101 DRDFN11 89101

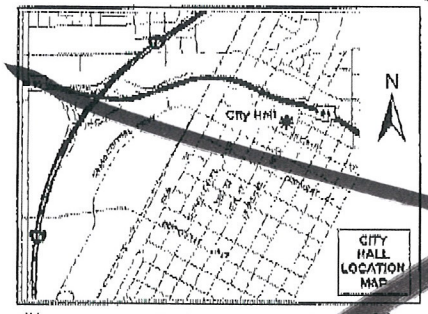
06-Jun-2011 12:45 PM Baker Law Offices 7026473034

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 JUN02 2011
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.

ZON-41044 & SDR-41045
Planning Commission Meeting of 6/14/2011

Case: ZON-41044
13934611046
SENIOR NEVADA BENEFIT GROUP L P
1600 BECKE CIR
LAS VEGAS NV 89104-3322

ZP ORIGINAL 89104

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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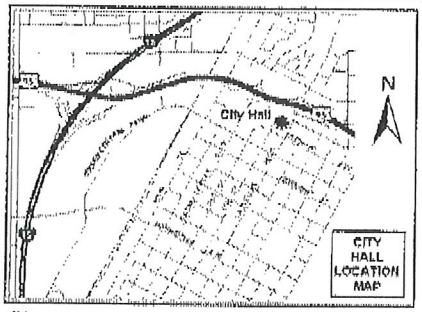
MAILED FROM ZIPCODE 89101

Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-41054 & SDR-41047
Planning Commission Meeting of 6/14/2011

RECEIVED
JUN - 6 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: VAR-41054
13934611046
SENIOR NEVADA BENEFIT GROUP L P
1600 BECKE CIR
LAS VEGAS NV 89104-3322

ZP ORIGINAL 89104

City of Las Vegas Agenda Item No.: **77.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
SDR-41047 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-41054 - PUBLIC HEARING - APPLICANT/OWNER: EVAPS, LLC - For possible action on a request for a Major Amendment to a previously approved Site Development Plan Review (SDR-39121) TO ELIMINATE ONE LEVEL OF REQUIRED PARKING CONSISTING OF 24 SPACES FROM AN UNDERGROUND GARAGE on 0.65 acres at 400 South 7th Street (APN 139-34-701-009), C-1 (Limited Commercial) Zone, Ward 3 (Coffin). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**1**	**Planning Commission Mtg.**	**1**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-41047** APN: 139-34-701-009

Name of Property Owner: EVAPS LLC

Name of Applicant: EVAPS LLC

Name of Representative: DesignCell Architecture

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: Robert T. Eglet

RECEIVED
FEB 24 2011

Subscribed and sworn before me

This 24th day of February, 2011

Dawn M. Leno-Brown

Notary Public in and for said County and State

NOTARY PUBLIC
DAWN M. LENO-BROWN
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. JULY 6, 2013
No: 05-97966-1

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Site Development Plan Review

Project Address (Location) 400 S. 7th Street LV, NV 89101

Project Name EVAPS Law Office **Proposed Use** Office

Assessor's Parcel #(s) 139-34-701-009 **Ward #** 3 - Reese

General Plan: existing _____ proposed _____ **Zoning:** existing C-1 proposed C-1

Commercial Square Footage 55,132 SF **Floor Area Ratio** _____

Gross Acres 0.64 **Lots/Units** N/A **Density** N/A

Additional Information Expansion of previously approved project SDR-39121 & VAR-39122

PROPERTY OWNER EVAPS LLC **Contact** Robert Eglet

Address 400 S. 4th Street #600 **Phone:** (702) 450-5400 **Fax:** (702) 450-5451

City Las Vegas **State** NV **Zip** 89101

E-mail Address _____

APPLICANT - same as owner - **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

REPRESENTATIVE DesignCell Architecture **Contact** Scott Brown

Address 10777 W. Twain Ave. #125 **Phone:** (702) 403-1575 **Fax:** (877) 403-1575

City Las Vegas **State** NV **Zip** 89135

E-mail Address scott@designcell.cc

Property Owner Signature* _____

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

Print Name Robert Eglet

Subscribed and sworn before me

This 23rd day of February, 20 11.

_____

Notary Public in and for said County and State

NOTARY PUBLIC
County of Clark-State of Nevada
CHRISTINA HUTT
No. 06-107299-1
My Appointment Expires July 7, 2014

FOR DEPARTMENT USE ONLY

Case #	SDR-41047
Meeting Date:	4/12/11
Total Fee:	1030.00
Date Received:*	2-24-11
Received By:	JFmed

RECEIVED
FEB 24 2011

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

City of Las Vegas Agenda Item No.: **78.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: JULY 20, 2011

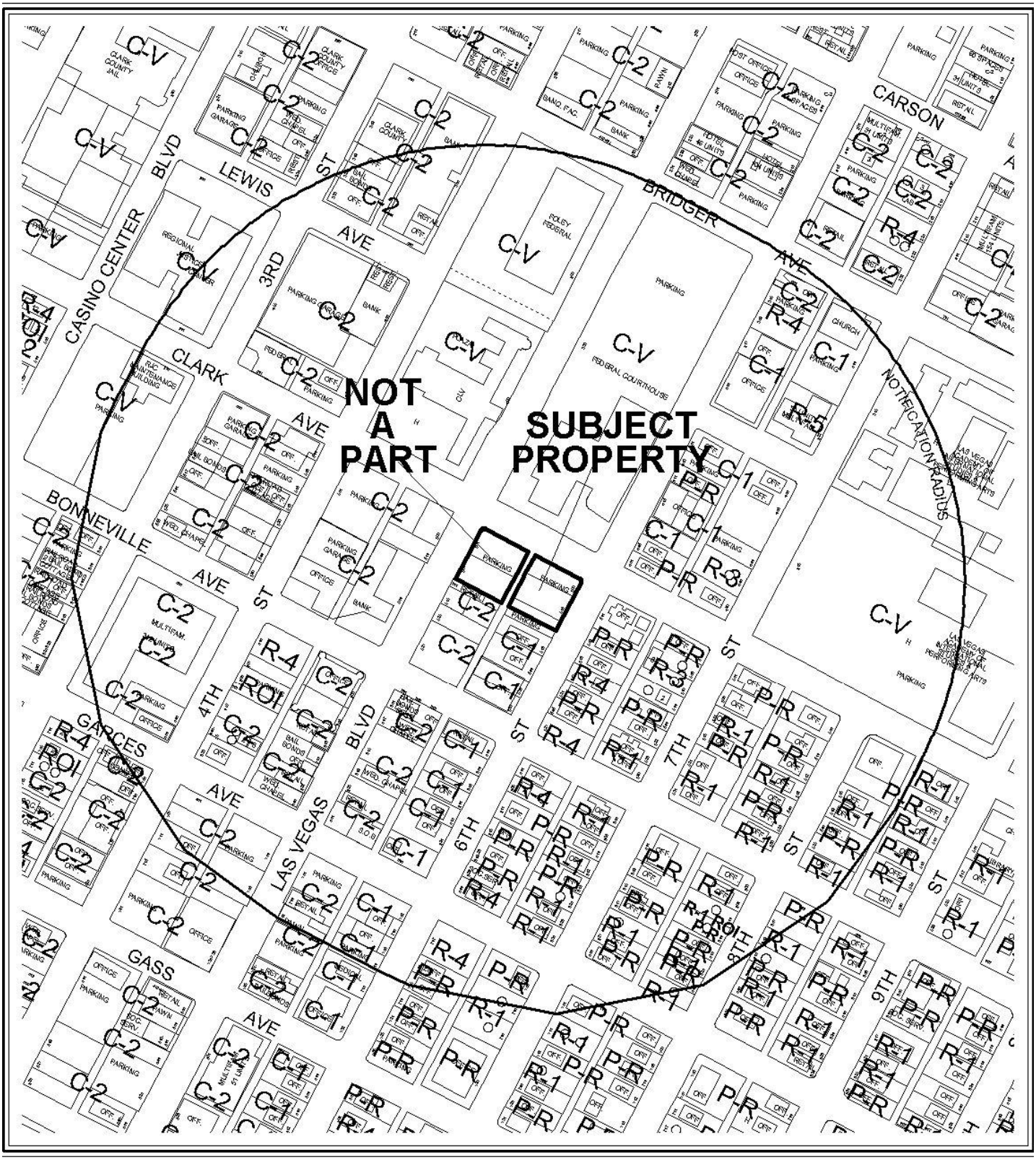
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
ZON-41606 - REZONING - PUBLIC HEARING - APPLICANT: SDA INC. - OWNER: CITY OF LAS VEGAS - For possible action on a request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) TO: C-2 (GENERAL COMMERCIAL) on 0.47 acres at the southwest corner of Clark Avenue and Sixth Street (APNs 139-34-710-001, 139-34-310-063, and 076), Ward 3 (Coffin). 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	**0**	**City Council Meeting**	**2**

RECOMMENDATION:
The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps - ZON-41606
2. Conditions and Staff Report - ZON-41606, VAC-41661 and SDR-41601
3. Supporting Documentation
4. Photos - ZON-41606, VAC-41661 and SDR-41601
5. Justification Letter - ZON-41606, VAC-41661 and SDR-41601
6. Support Postcards - ZON-41606 and SDR-41601
7. Backup referenced from the June 14, 2011 Planning Commission Meeting Items – ZON-41606 and SDR-41601



0 300 600 Feet

CASE: **ZON-41606**

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N



0 300 600 Feet

CASE: **ZON-41606**

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 20, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: SDA INC. - OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
ZON-41606	Staff recommends APPROVAL.	
VAC-41661	Staff recommends APPROVAL, subject to conditions:	
SDR-41601	Staff recommends APPROVAL, subject to conditions:	ZON-41606 VAC-41661

** CONDITIONS **

VAC-41661 CONDITIONS

1. The limits of this Petition of Vacation shall be defined as approximately the northerly 150 feet of the public alley between Las Vegas Boulevard South and 6th Street, bounded by Clark Avenue and Bonneville Avenue. The final layout of the area vacated shall accommodate minimum turning radii for a SU-30 design vehicle.

2. A sanitary sewer abandonment plan for the public sewer in the alley requesting to be vacated must be submitted to and approved by the Department of Public Works. This Order of Vacation may record in phases to accommodate the abandonment of the public sewer in the alley.

3. A Public Drainage Easement shall be retained over the entire area to be vacated through this Petition of Vacation. Alternatively, a Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.

4. Prior to the recordation of this Order of Vacation a public vehicular and pedestrian access easement and related public easements connecting the alley to 6th Street shall be granted.

5. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of the Order of Vacation.

6. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.

7. All development shall be in conformance with code requirements and design standards of all City Departments.

8. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

9. If the Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

SDR-41601 CONDITIONS

Planning

1. Approval for Rezoning (ZON-41606) shall be required, if approved.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All development shall be in conformance with the site plan, landscape plan and building elevations, date stamped 05/12/11, except as amended by conditions herein.

4. A Waiver from Downtown Centennial Plan Section VII(A)(3)(e) is hereby approved, to allow no retail on the ground floor of a parking garage.

5. A Waiver from Downtown Centennial Plan Section VII(A)(5)(e) is hereby approved, to allow the main entrance to not be architecturally integrated into the front of the building.

6. A Waiver from Downtown Centennial Plan Section VII(A)(1)(a) is hereby approved, to allow a portion of the street elevations to not have a minimum of seventy percent alignment along the property line.

7. Any changes based upon right-of-way, traffic or drainage studies or street improvements required by the city or public utilities shall not reduce the widths of perimeter landscape buffers, height of walls or quantities of plant materials from that on submitted landscape plans date stamped 05/12/11. Any changes based upon subsequently submitted studies must be accommodated elsewhere on the site.

8. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

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. Installed landscaping shall not impede visibility of any traffic control device.

10. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

11. The applicant shall coordinate with the City Surveyor and other city staff to determine the most appropriate mapping action necessary to consolidate the existing lots. The mapping action shall be completed and recorded prior to the issuance of any building permits.

12. 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).

13. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

14. All utility boxes exceeding 27 cubic feet in size shall comply with the provisions of the Downtown Centennial Plan.

15. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

16. A Comprehensive Construction Staging Plan shall be submitted to the Department of Planning 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.

17. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

18. A Petition of Vacation, such as VAC-41661, for the purpose of vacating the alley shall record prior to the issuance of any off-site permits for this site.

19. Remove all substandard sidewalk improvements and unused driveways adjacent to this site and replace with new improvements meeting current Downtown Centennial Standards as amended 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.

20. Prior to the submittal of any improvement drawings, meet with the Sanitary Sewer Planning Section of the Department of Public Works to determine an acceptable connection to the existing sewer line in Clark Avenue.

21. The proposed new driveway accessing this site from Clark Avenue is hereby approved as a deviation from standards. Any further deviations, if any, to width, ingress/egress radii, or throat depth will require separate approval from the City Engineer.

22. Vehicles shall not be allowed to enter the site from Las Vegas Boulevard unless the applicant can demonstrate to the satisfaction of the Traffic Engineer that a design vehicle can negotiate the turn without intruding into adjacent lanes and that proper throat depth is provided.

23. The proposed security gate within the alley area must be located completely out of the pubic right-of-way and public access easement.

24. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the "Bonneville-Clark one way couplet phase 2" 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 on Clark Avenue, 6th Street and Las Vegas Boulevard South adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

26. Submit an Encroachment Agreement for all landscaping and private improvements located in the Clark Avenue, 6th Street, and Las Vegas Boulevard South public rights-of-way adjacent to this site prior to occupancy of this site. The installation and maintenance of all landscaping in the public right of way shall be the responsibility of the adjacent property owner(s) and shall be transferred with the sale of the property for the entire term of the Encroachment Agreement.

27. 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.

28. 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.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a five-story office building with an attached five-level parking garage to replace a current parking lot on five parcels at the southeast corner of Las Vegas Boulevard and Clark Avenue. The project is being privately developed to house the Federal Government's Immigration Customs and Enforcement (I.C.E.) offices. This project requires a Rezoning application to change the three parcels along Sixth Street to C-2 (General Commercial) so remapping of all five parcels can take place. A Vacation of part of the alley is required as is a Site Development Plan Review application. There are three waivers from the Downtown Centennial Plan development standards requested. All three of the waivers are justified due to the federal design criteria for the I.C.E. facility and are supported by staff.

The overall project is in conformance with the General Plan and the Las Vegas Redevelopment Plan. With the exception of the three waivers that have been justified, the plan is in substantial compliance with the Downtown Centennial Plan standards. For these reasons, staff recommends approval of all three applications. If denied, the project could not proceed without revised applications being submitted and approved.

ISSUES

- A Vacation of a section of the alley is required for this project. Staff supports this request.
- A Waiver from the Downtown Centennial Plan to allow no retail on the ground floor of a parking garage is required. Staff supports this request.
- A Waiver from the Downtown Centennial Plan to allow the main entrance to not be architecturally integrated into the front of the building is required. Staff supports this request.
- A Waiver from the Downtown Centennial Plan to allow street elevations to not be aligned along the front property line where a minimum of seventy percent alignment along the property line is required. Staff supports this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
11/02/56	The City Council approved Rezoning (Z-0008-56) from R-1 (Single Family Residential) and R-3 (Medium Density Residential) to P-1 (Parking District) on .39 acres on the southwest corner of Clark Avenue and Sixth Street as part of a larger request. The Planning Commission and staff recommended approval.
06/14/11	The Planning Commission voted (7-0) to recommend APPROVAL of companion items ZON-41606, VAC-41661 and SDR-41601 (PC Agenda Items 33-35/yk).

YK

Most Recent Change of Ownership	
08/18/93	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
There are no building permits or business licenses on file for these parcels.

Pre-Application Meeting	
04/21/11	Staff reviewed the requirements for a Rezoning, Site Development Plan Review and Vacation applications required for the project. It was noted that in order for staff to support the Vacation request, an easement would be required to continue the alley to the east connecting with Sixth Street. It was also noted that five Waivers of the Downtown Centennial Plan would be required. The five parcels would be required to be remapped into one parcel.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
05/05/11	Staff visited the site and found a paved parking lot on the five parcels. The property was well maintained.

Details of Application Request	
Site Area	
Net Acres	0.92

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Parking Lot	C (Commercial)	C-2 (General Commercial)
			C-1 (Limited Commercial)
North	Government Facility	PF (Public Facilities)	C-V (Civic)
South	Office	C (Commercial)	C-1 (Limited Commercial)
	Vacant		C-2 (General Commercial)

YK

East	Office	C (Commercial)	P-R (Professional Office and Parking)
West	Undeveloped	C (Commercial)	C-2 (General Commercial)

Master Plan Areas	***Yes***	***No***	***Compliance***
Downtown Centennial Plan	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Live/Work Overlay	X		N/A
Las Vegas Boulevard Scenic Byway Overlay District	X		Y
Downtown Centennial Plan Overlay (Office Core District)			
Trails (Scenic Byway)	X		Y
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Downtown Centennial Plan, the following standards apply:

Standard	***Required/Allowed***	***Provided***	***Compliance***
Min. Lot Width	100 Feet	150 Feet	Y
Min. Setbacks			
• Front	70% at 0 Feet	20 Feet	N
• Side	0 Feet	26 Feet	Y
• Corner	70% at 0 Feet	20 Feet	N
• Rear	0 Feet	0 Feet	Y
Max. Building Height	No Limit	75 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Enclosed	Y
Mech. Equipment	Screened	Screened	Y

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Street Width (Feet)***	***Compliance with Street Section***
Las Vegas Boulevard	Primary Arterial	Master Plan of Streets and Highways	85	Y

Clark Avenue	Secondary Collector	Master Plan of Streets and Highways	80	Y
Sixth Street	N/A	N/A	80	N/A

Downtown Centennial Plan Streetscape Requirements

Streetscape Standards	***Required***	***Provided***	***Compliance***
Las Vegas Boulevard	• Five-foot amenity zone • Ten-foot-wide sidewalk • 25-foot tall Deglet-Noor Date Palm on center in 30-foot increments	• Five-foot amenity zone • Ten-foot-wide sidewalk • 25-foot tall Deglet-Noor Date Palm on center in 30-foot increments	Y
Sixth Street	• Five-foot amenity zone • Ten-foot-wide sidewalk • 36-inch box shade tree on center in 15-20 feet intervals	• Five-foot amenity zone • Ten-foot-wide sidewalk • 36-inch box shade tree on center in 15-20 feet intervals	Y
Clark Avenue	• Five-foot amenity zone • Ten-foot-wide sidewalk • 36-inch box shade tree on center in 15-20 feet intervals	• Five-foot amenity zone • Ten-foot-wide sidewalk • 36-inch box shade tree on center in 15-20 feet intervals	Y

Parking Requirement - Downtown							
Use	***Gross Floor Area or Number of Units***	***Base Parking Requirement***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Office	62,000 Sq. Ft.	1:300	207				
TOTAL SPACES REQUIRED			207		158		N
Regular and Handicap Spaces Required			200	7	152	6	N
Loading Spaces	62,000 Sq. Ft.	3:50,00 Sq. Ft. + 1 for every 100,000 after	4		3		N

YK

Waivers		
Requirement	***Request***	***Staff Recommendation***
To have some retail on the ground floor of a parking garage.	To allow no retail on the ground floor of a parking garage.	Approval
To have the main entrance architecturally integrated into the front of the building.	To allow the main entrance to not be architecturally integrated into the front of the building.	Approval
To have the street elevations align with the property line for seventy percent of the frontage.	To allow a portion of the street elevations to not have a minimum of 70 percent alignment along the property line.	Approval

ANALYSIS

This project is proposed to house the Federal Government's Immigration Custom and Enforcement Office for Southern Nevada. The Homeland Security Department has specific design standards for this type of federal facility that contradict the City's design standards; therefore, three waivers are required. Although this proposal is an office building, it will function similarly to a secured detention facility. This use requires that the main entrance be secured and therefore is not designed to be a prominent feature on the front of the building as required by the Downtown Centennial Plan. For security concerns, the building must be set back from the property line by at least 20 feet and thus dictates the second waiver request. The third request is for the elimination of a retail component on the ground floor of the parking garage. As this will be a secured facility with controlled access to the parking garage, it is not advisable to encourage traffic around the building. Since the three waivers are a direct result of federal standards, staff supports the requests.

The site is located within the Downtown Centennial Plan Overlay, which permits deviations from Title 19 commercial parking standards. The project is under-parked by 49 spaces. The parking demand for this facility will not generate the number of trips a standard office building would require, as it is primarily a detention facility. To offset this deficiency, there is additional parking available on the street in the general area and a parking garage for public use located one block to the west of the site. For these reasons, staff supports the reduced number of parking spaces provided.

The Las Vegas Valley Water District (LVVWD) had the following comment: No existing service is provided to property but the LVVWD does have an existing water main in the alley that would need to be relocated if the applicant desires to vacate the alley.

The building has a modern façade with a decorative metal panel eyebrow and horizontal banding that carries around on all four sides of the building. The northwest corner of the building is enhanced with two-story high smooth precast concrete projection arches. This feature not only adds an interesting architectural element to the building, but also acts as an additional layer of security for the facility. Decorative wall sconces are inset within the projections, which add a lighting element to the facade. The overall design complements the federal courthouse located just to the north of the project.

The applicant worked with staff to design a project that met the Federal Government design standards with minimal deviation from the City's design standards. The result was a nearly 50 percent reduction in the number of waivers required.

The parking garage is attached to the building with a windowless ground floor façade. The elevation is broken up with textured precast concrete wall panels painted in a checker-like pattern. The garage is accessed via a guarded entrance off Clark Avenue. There is also a secured gate off of the alley. An exit-only gate is located on the northwest corner of the property with direct access to Las Vegas Boulevard.

A portion of the alley is being vacated for this project. To allow continued use of the alley for the remainder of the block, the applicant is providing a non-revocable vehicular and pedestrian access easement along the southeastern portion of the site. This will allow the alley to continue to the east terminating at Sixth Street. A minimum 20-foot turning radius will be maintained were the alley gate is located.

This project will enhance downtown and adheres to the General Plan and Las Vegas Redevelopment Plan goals and objectives. The design also meets the Downtown Centennial Design standards with the exception of the three waivers needed due to federal design guidelines. For these reasons, staff recommends approval of all three applications.

FINDINGS (ZON-41606)

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. **The proposal conforms to the General Plan.**

   The proposed Rezoning to C-2 (General Commercial) will bring the subject properties into conformance with the General Plan, which currently designates the properties C (Commercial).

2. **The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.**

The potential uses allowed in the proposed C-2 (General Commercial) District are appropriate for the area.

3. **Growth and development factors in the community indicate the need for or appropriateness of the rezoning.**

   The subject site is located on Las Vegas Boulevard in the Downtown Centennial Plan area in the heart of the downtown office district. The continued demand for office space in this area makes the requested rezoning appropriate.

4. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.**

   This project is located on Las Vegas Boulevard in downtown, which has a fully developed grid pattern that will provide adequate capacity to meet the needs of development on the subject parcel.

FINDINGS (SDR-41601)

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 office building and parking garage are compatible with the development in the area.

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;**

   This project is consistent with the General Plan and the Downtown Centennial Plan Standards with the exception of the requested Waivers that are needed for the specific purpose of the project.

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

   The project is located downtown where a fully developed grid traffic pattern has been established. The adjacent streets of Las Vegas Boulevard, Clark Avenue and Sixth Streets are capable of handling the traffic generated by this project.

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

   The building and landscape materials are appropriate for the downtown area.

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

   This project is aesthetically harmonious and compatible with adjacent developments.

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

   The development will be subject to requirements of the International Building Code and therefore will not compromise the public health, safety and welfare or the overall objectives of the General Plan.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 37

NOTICES MAILED 180 (ZON-41606 & SDR-41601 – By City Clerk))
0 (VAC-41661 – By City Clerk)

APPROVALS 1

PROTESTS 1

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-41606** APN: 139-34-710-001, 139-34-310-061, -62, 63, 76

Name of Property Owner: City of Las Vegas Redevelopment

Name of Applicant: SDA Inc.

Name of Representative: 10 Nine Design Group

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.

RECEIVED
MAY -2 2011

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Elizabeth N. Fretwell

Print Name: Elizabeth N. Fretwell

Subscribed and sworn before me

This 2 day of May, 20 11

Notary Public in and for said County and State

KIM A. BARRERA
Notary Public State of Nevada
No. 99-50021-1
My appt. exp. Oct. 25, 2014

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Re-Zoning

Project Address (Location) SEC Clark Ave and S. Las Vegas Blvd

Project Name U.S. Immigration and Customs Enforcement **Proposed Use** Office

Assessor's Parcel #(s) 13934710001, 13934310061,-062,63,76 **Ward #** 3

General Plan: existing C proposed N/A **Zoning:** existing C-1/C-2 proposed C-2

Commercial Square Footage 62,000 **Floor Area Ratio**

Gross Acres **Lots/Units** **Density**

Additional Information

PROPERTY OWNER City of Las Vegas Redevelopment **Contact** Elizabeth N. Fretwell

Address 400 Stewart Ave **Phone:** (702) 229-6501 **Fax:**

City Las Vegas **State** NV **Zip** 89101

E-mail Address

APPLICANT SDA Inc. **Contact** Steve Biogiatti

Address 5655 South Yosemite **Phone:** (303) 220-0500 **Fax:** (303) 220-0596

City Greenwood Village **State** CO **Zip** 80111

E-mail Address

REPRESENTATIVE 10 Nine Design Group **Contact** Moriah Curran

Address 3579 Red Rock St **Phone:** (702) 278-0072 **Fax:** (702) 258-6326

City Las Vegas **State** NV **Zip** 89103

E-mail Address mcurran@10nine.com

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MAY -2 2011

Property Owner Signature* Elizabeth N Fretwell

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

Print Name Elizabeth N. Fretwell

Subscribed and sworn before me

This 2 day of May, 20 11.

Notary Public in and for said County

KIM A. BARRERA
Notary Public State of Nevada
No. 99-50021-1
My appt. exp. Oct. 25, 2014

FOR DEPARTMENT USE ONLY

Case #	ZON-41606
Meeting Date:	6-14-11
Total Fee:	1200
Date Received:*	4-28-11
Received By:	FS

*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

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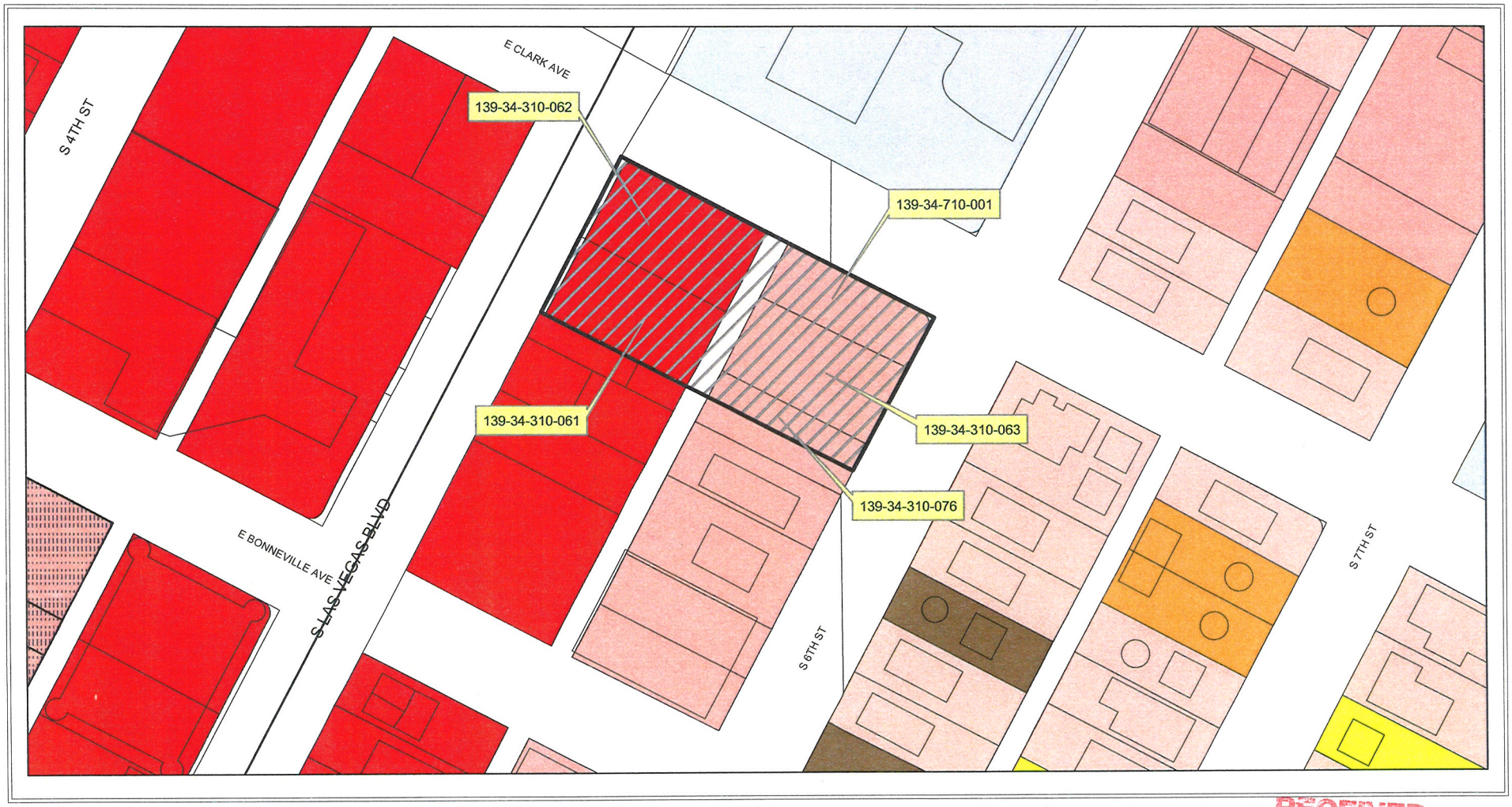

Rezoning

U.S. Immigration Customs Enforcement Agency Office Building

APN:	*Current*	*Proposed*
139-34-310-062	*C-2*	*C-2*
139-34-310-061	*C-2*	*C-2*
139-34-710-001	*C-1*	*C-2*
139-34-310-063	*C-1*	*C-2*
139-34-310-076	*C-1*	*C-2*
Alley Vacation	*ROW*	*C-2*

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APR 28 2011
City of Las Vegas

ZON-41606

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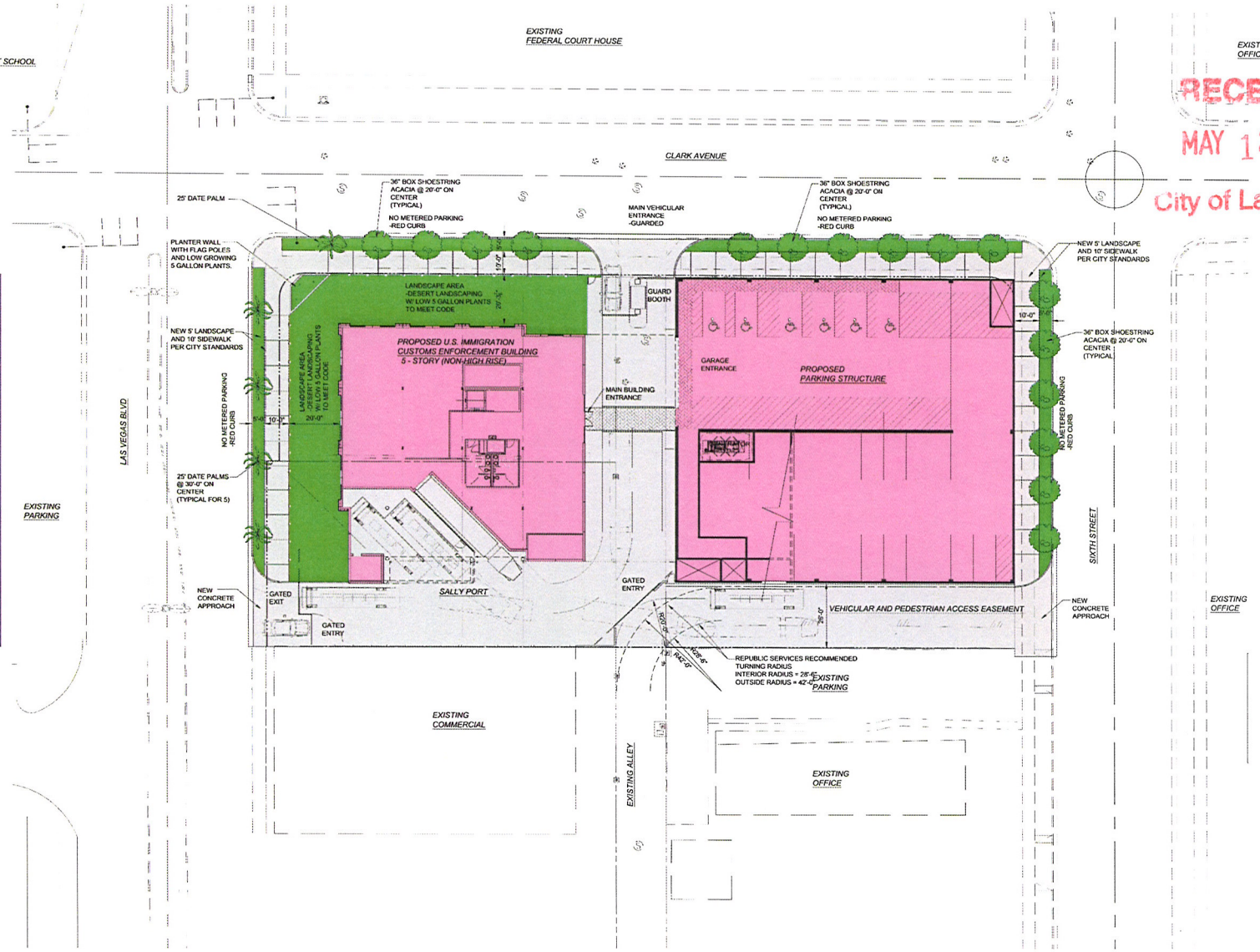

SITE INFORMATION:	
JURISDICTION:	CITY OF LAS VEGAS
DISTRICT:	REDEVELOPMENT
USE:	OFFICE
SITE SIZE:	APPROX. 1.03 ACRES (44,680 SF)
BUILDING AREA:	
FIRST FLOOR (OFFICE)	9,000 S.F.
SECOND - FIFTH FLOORS	13,158 S.F.
TOTAL BUILDING AREA	61,632 S.F.
PARKING GARAGE FIRST FLOOR:	16,750 S.F.
TOTAL BUILDING FOOTPRINT AREA:	25,750 S.F.
FLOOR AREA RATIO: 25,750 SF / 44,680 SF	58.0%
PARKING ANALYSIS:	
OFFICE: 1 / 300 = 61,632 / 300 =	206 SPACES
TOTAL REQUIRED PARKING:	206SPACES
PARKING PROVIDED:	172 SPACES
H.C. SPACES: 151-200 =	6 REQUIRED 6 PROVIDED

PRELIMINARY SITE / LANDSCAPE PLAN
SCALE: 1" = 20'-0"

ZON-41606 VAC-41661
SDR-41601 REVISED

Key Plan

Issued For:	Date:
Review	10.22.20
Planning	04.28.20
Planning Resubmittal	05.11.20

RECEIVED
MAY 12 2011
City of Las Vegas

Drawn	BJ
Checked	BJ
Approved	BJ

SDA INC
5655 South Yosemite Street
Suite 301
Greenwood Village, CO 80111
P. (775) 322-2229
F. (775) 220-0596

3579 Red Rock Street
Las Vegas, Nevada 89103
P.(702) 870-7076
F.(702) 256-6326

Project Title
ICE
U.S. IMMIGRATION & CUSTOMS ENFORCEMENT
Las Vegas Blvd.
Las Vegas, Nevada

Sheet Title
Preliminary Site / Landscape Plan

Project Number
210018

Sheet Number
AS1.0

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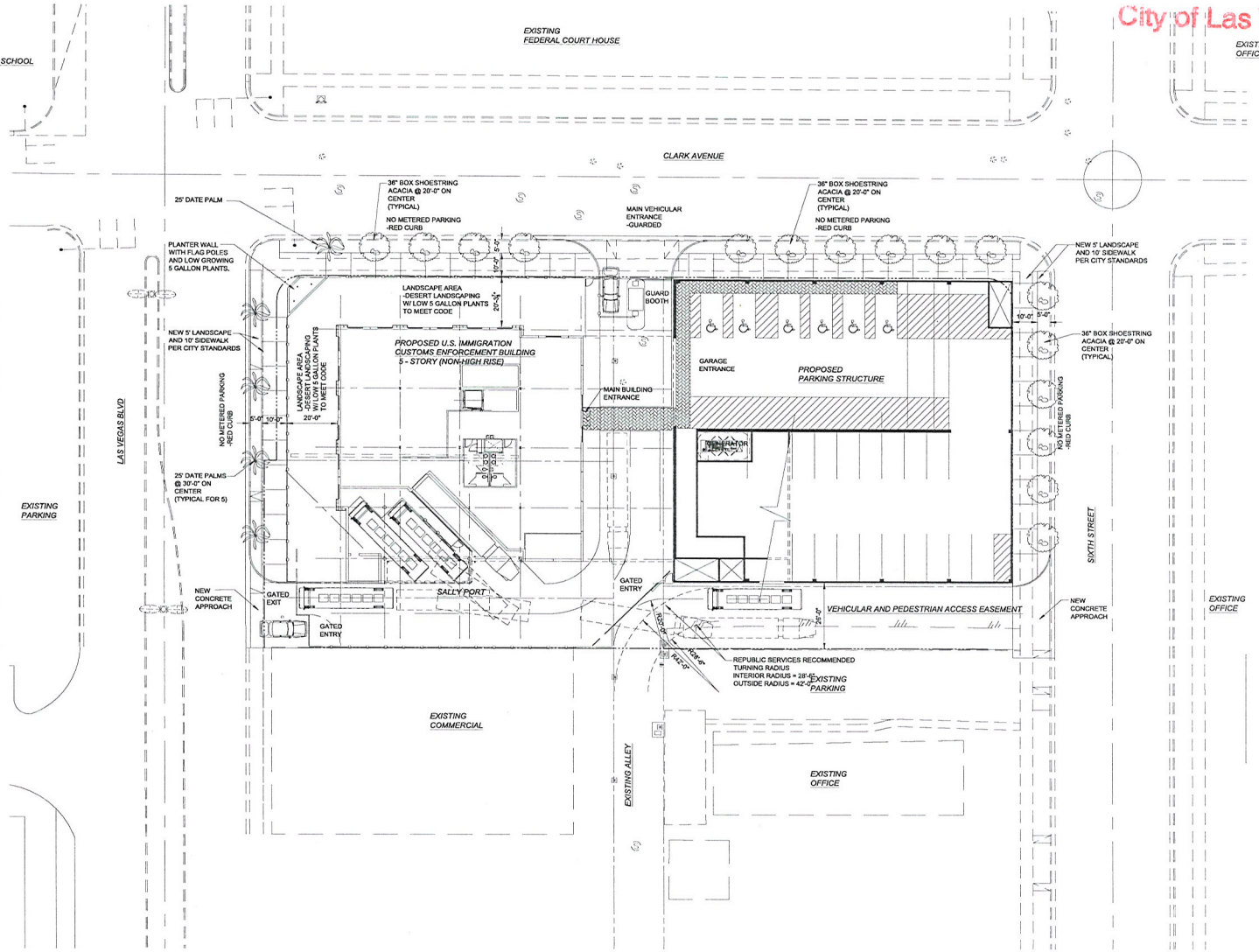
MAY 12 2011
City of Las Vegas



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SCALE: 1" = 20'-0"

ZON-41606 VAC-41661
SDR-41601 REVISED

Key Plan

Issued For:	Date:
Review	10.22.201
Planning	04.26.201
Planning Resubmittal	05.11.201

Drawn BJ
Checked BJ
Approved BJ

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Las Vegas, Nevada

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MAY 12 2011
City of Las Vegas

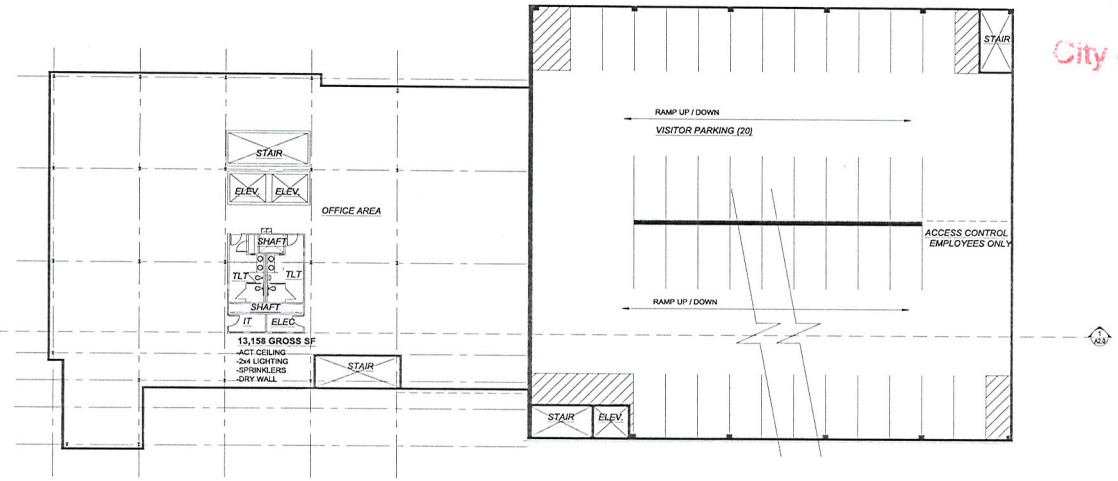


CONCEPTUAL NORTHEAST VIEW

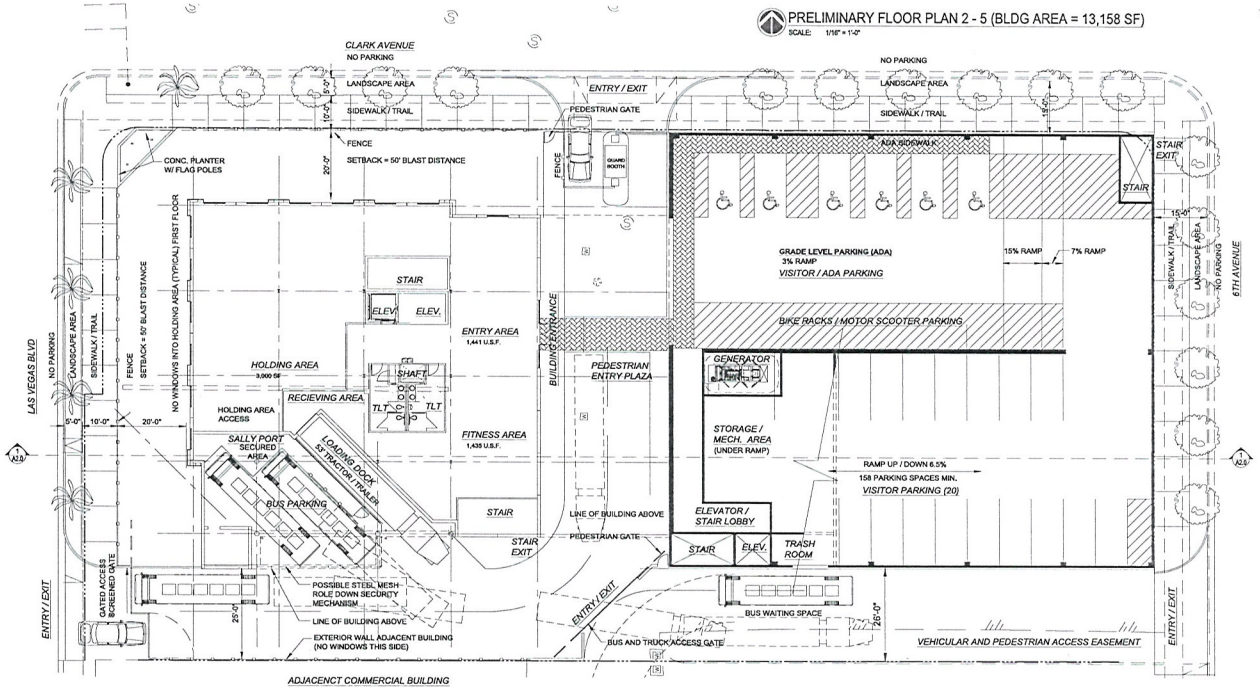


CONCEPTUAL SOUTHEAST VIEW

AREA CALCULATIONS	
FIRST FLOOR	9,000 GROSS SF
SECOND FLOOR	13,158 GROSS SF
THIRD FLOOR	13,158 GROSS SF
FOURTH FLOOR	13,158 GROSS SF
FIFTH FLOOR	13,158 GROSS SF
TOTAL GROSS AREA	61,632 GROSS SF
RENTABLE AREA (-5 TO 8%)	58,500 +/- RENTABLE SF
USABLE AREA (-15 TO 18%)	51,000 +/- USABLE SF



PRELIMINARY FLOOR PLAN 2 - 5 (BLDG AREA = 13,158 SF)
SCALE: 1/16" = 1'-0"



PRELIMINARY FLOOR / SITE PLAN (RENTABLE BLDG SF GOAL = 58,909 SF)
SCALE: 1/16" = 1'-0"

ZON-41606 VAC-41661
SDR-41601 REVISED

Issued For:	Date:
Review	12.16.20
Review	12.31.20
Review	02.21.201
Review	02.25.201
Review	02.26.201
Review	10.06.201
Review	10.12.201
Review	10.22.201
Planning Submittal	04.26.201
Drawn	BJ
Checked	BJ
Approved	BJ

SDA INC
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DESIGN GROUP

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Las Vegas Blvd.
Las Vegas, Nevada

Sheet Title
Preliminary Plans

Project Number
210018

Sheet Number
A1.0

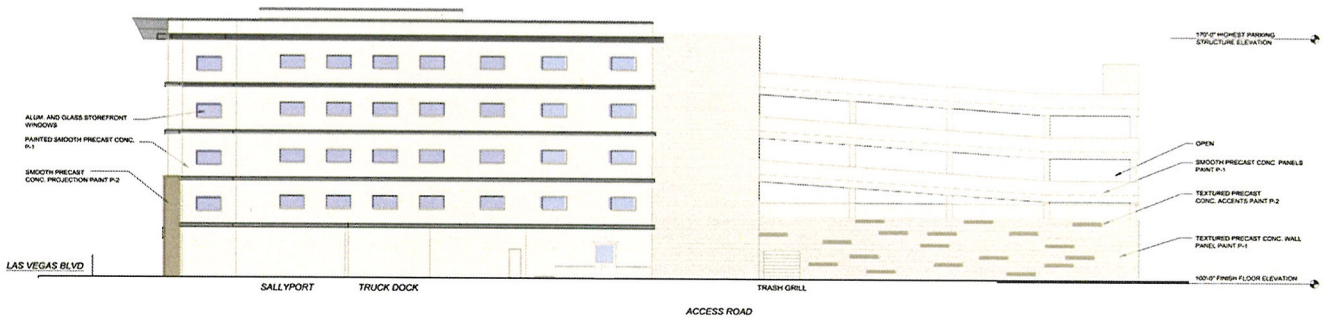
2/9/10base for revit.dwg / ICE PLAN (2) - 05/11/2011 - 2:05pm - BJ4.dwg / B2ACE.dwg / 210018ACPLocal#1.dwg / 210018ACPLocal#1.dwg / 210018ACPLocal#1

EXTERIOR FINISH SCHEDULE

EXT. PAINT #1 (P-1):	MAIN WALL COLOR: BENJAMIN MOORE - PALE ALMOND
EXT. PAINT #2 (P-2):	ACCENT - BENJAMIN MOORE - SEDONA BROWN
ALUM. WINDOW FRAMES / DOORS:	ANODIZED CLEAR ALUM.
GLASS:	OLDCASTLE GLASS 1" BLUE 2000T #2 OVER SOLAR BAND 60 #3 -FINAL SAMPLE APPROVAL BY ARCHITECT AND OWNER.
PREFINISHED METAL	STEEL GRAY TO MATCH ALUM. WINDOWS.

PAINT P-1

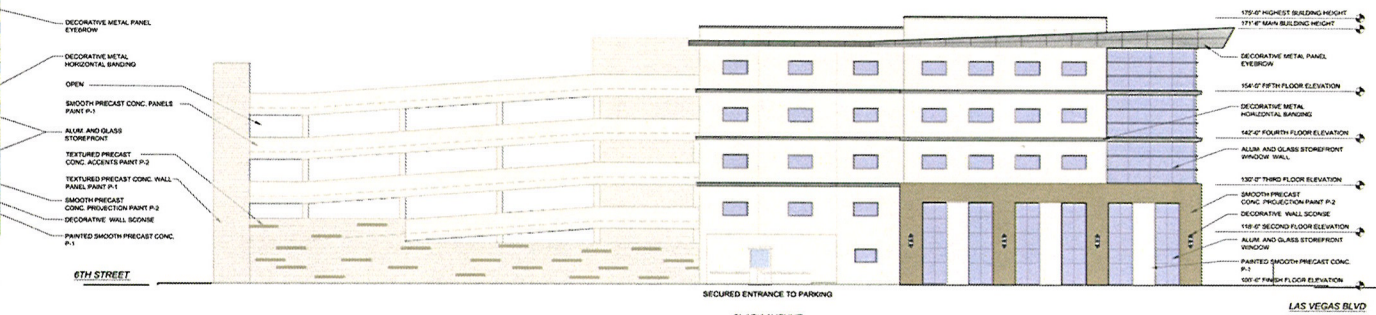
PAINT P-2



4 A2.0 PRELIMINARY SOUTH ELEVATION
SCALE: 1/16" = 1'-0"



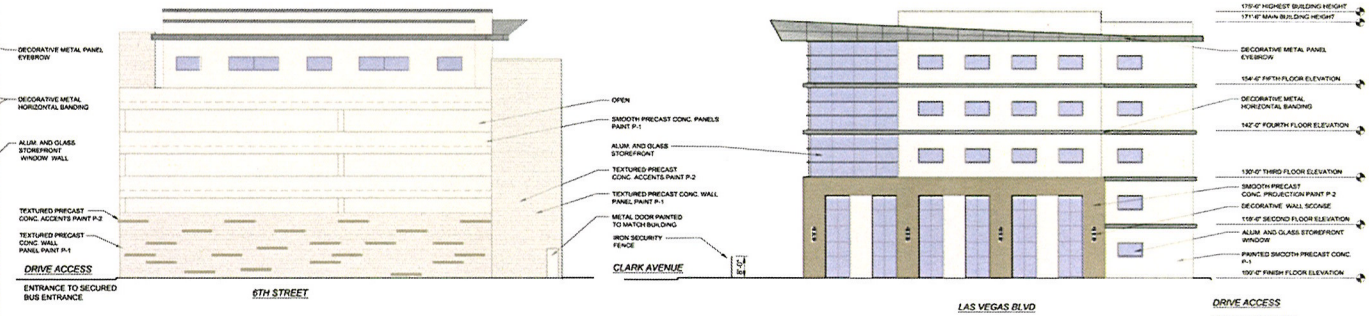
CONCEPTUAL NORTHEAST VIEW



3 A2.0 PRELIMINARY NORTH ELEVATION
SCALE: 1/16" = 1'-0"



CONCEPTUAL SOUTHEAST VIEW



2 A2.0 PRELIMINARY EAST ELEVATION
SCALE: 1/16" = 1'-0"

1 A2.0 PRELIMINARY WEST ELEVATION
SCALE: 1/16" = 1'-0"

Key Plan

Issued For:	Date
Review	12.16.20
Review	12.05.20
Planning Submittal	04.28.20

Drawn: BJ
Checked: BJ
Approved: BJ

SDA INC
5655 South Yosemite Street
Suite 301
Greenwood Village, CO 80111
P. (775) 322-2229
F. (775) 220-0596

3579 Red Rock Street
Las Vegas, Nevada 89103
P.(702) 870-7076
F.(702) 256-6326

Project Title
ICE
U.S. IMMIGRATION & CUSTOMS ENFORCEMENT
Las Vegas Blvd.
Las Vegas, Nevada

Sheet Title
Preliminary Elevations

Project Number
210018

Sheet Number
A2.0

ZON-41606 VAC-41661
SDR-41601 REVISED

2090\Base for revit.dwg / ICE ELEVATIONS - 05\11\2011 - 10.20am - B24.dwg / B24ICE.dwg / 2100\18ACPL\sa#1\ndoc\ORIGINAL SUBMITTAL.dwg / 2090\18ACPL\sa#1\ndoc\ORIGINAL SUBMITTAL.dwg / 2100

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MAY 12 2011
City of Las Vegas

EXTERIOR FINISH SCHEDULE

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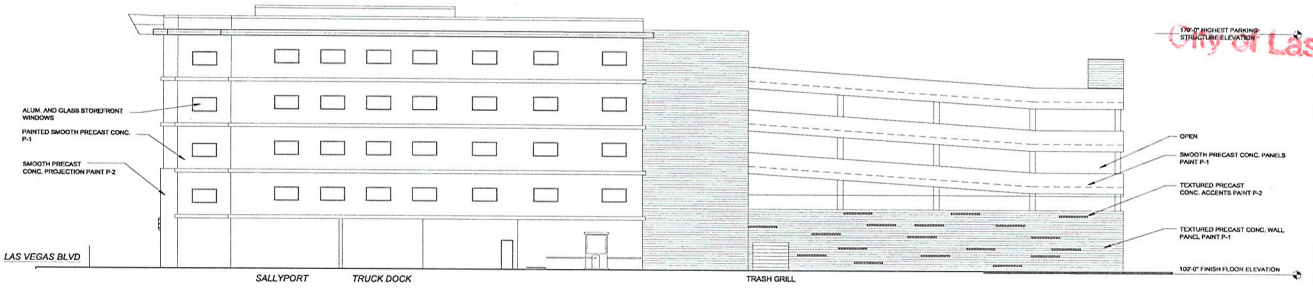
PAINT P-1 PAINT P-2



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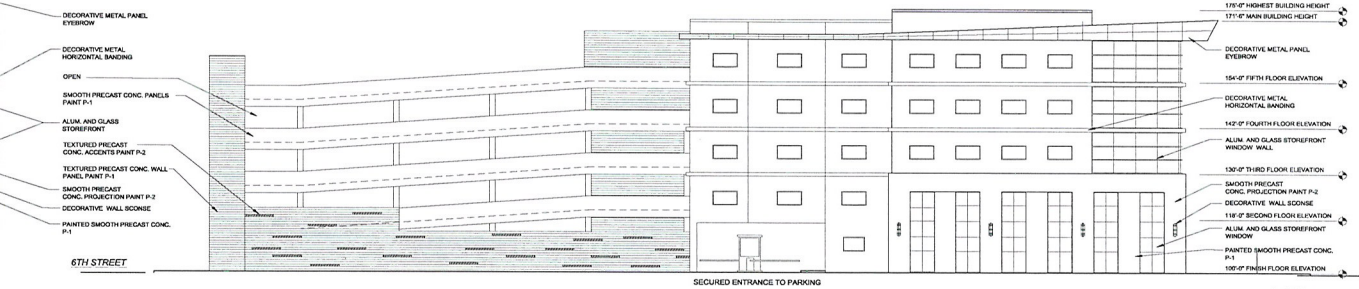

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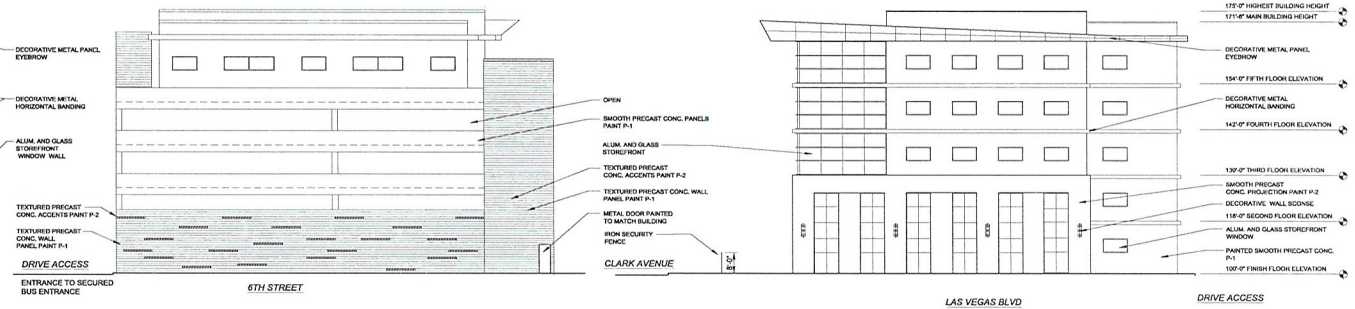

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SDA INC.
5655 South Yosemite Street
Suite 301
Greenwood Village, CO 80111
P. (775) 322-2229
F. (775) 220-0596

DESIGN GROUP
3579 Red Rock Street
Las Vegas, Nevada 89103
P.(702) 870-7076
F.(702) 258-6328

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ZON-41606 VAC-41661
SDR-41601 REVISED

2009100date for revLdwg / ICE ELEVATIONS - 05/11/2011 - 1:15pm - B24.dwg / B24ICE.dwg / 210018ACPLotsB#1.dwg / 210018ACPLotsB#1.dwg / 210018ACPLotsB#1

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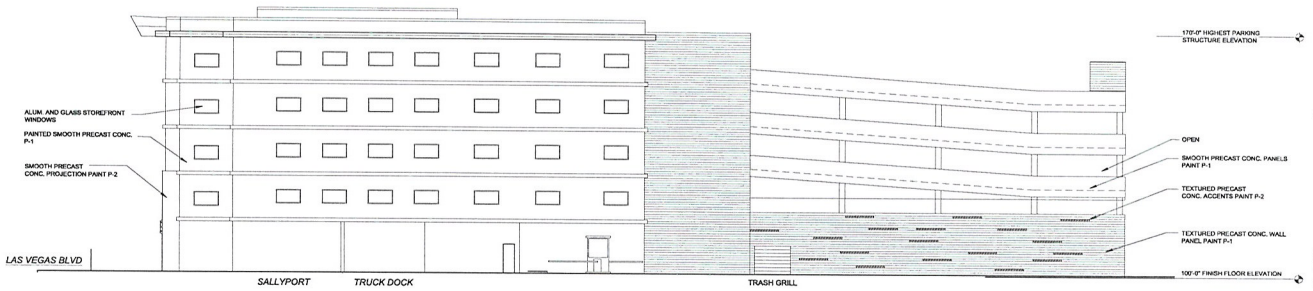

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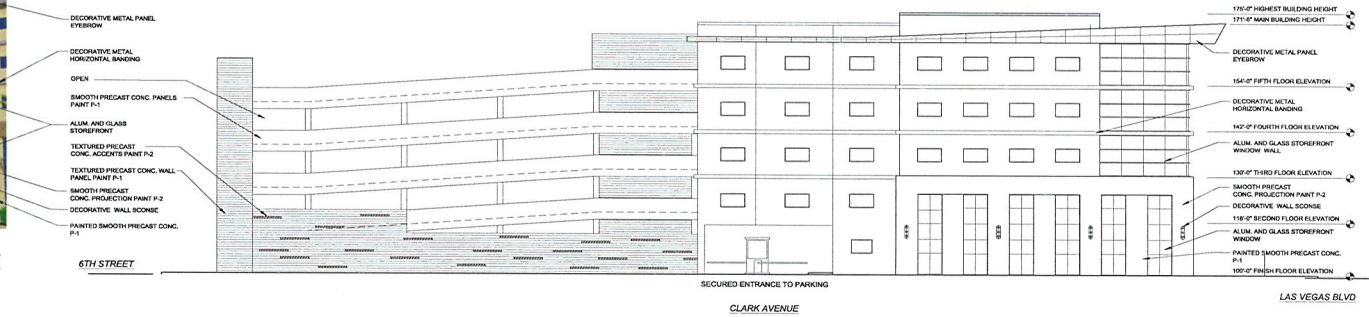

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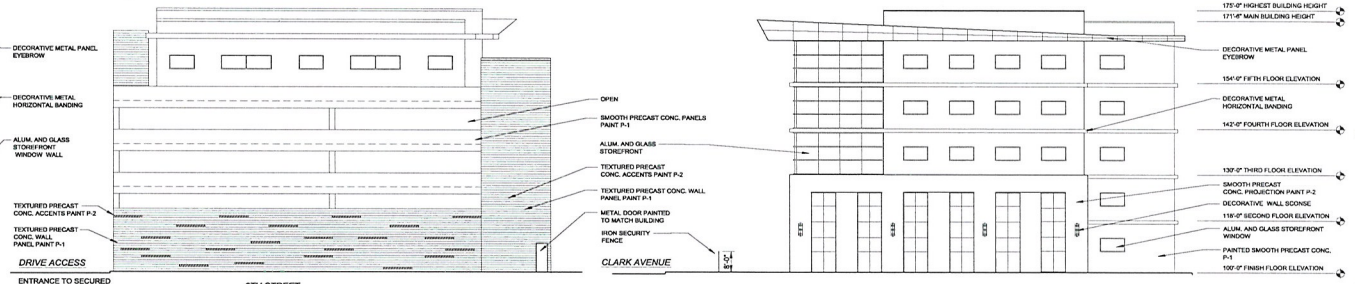

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ZON-41606 VAC-41661
SDR-41601 REVISED

20901\base for revit.dwg / ICE ELEVATIONS - 05/11/2011 - 1:15pm - B24.dwg / B24ICE.dwg / 210018ACPLocal#1.dwg / 210018ACPLocal#1.dwg / 210018ACPLocal#1\robo#ORIGINAL SUBMITTAL.dwg / 20901APX_10xA2 81\robo\revised 10.06.10.dwg



ZON-41606, VAC-41661 & SDR-41601 – APPLICANT: SDA, INC. - OWNER: CITY OF LAS VEGAS
SOUTHWEST CORNER OF CLARK AVENUE AND SIXTH STREET

05/05/11



ZON-41606, VAC-41661 & SDR-41601 – APPLICANT: SDA, INC. - OWNER: CITY OF LAS VEGAS
SOUTHWEST CORNER OF CLARK AVENUE AND SIXTH STREET

05/05/11



ZON-41606, VAC-41661 & SDR-41601 – APPLICANT: SDA, INC. - OWNER: CITY OF LAS VEGAS
SOUTHWEST CORNER OF CLARK AVENUE AND SIXTH STREET

05/05/11

DESIGN GROUP

RECEIVED
MAY 12 2011
City of Las Vegas

May 11, 2011

Planning and Development Department
731 South 4th Street
Las Vegas, NV 89101

RE: JUSTIFICATION LETTER FOR PROPOSED IMMIGRATION CUSTOMS ENFORCEMENT BUILDING LOCATED ON THE SE CORNER OF LAS VEGAS BLVD AND CLARK.

To Whom this May Concern:

SDA Inc. is proposing a new five story, approximately 62,000 SF, office building with a five story parking structure to include approximately 158 parking spaces. This proposed development will be located on the south east corner of Las Vegas Blvd and Clark and will be the future home of the Immigration Customs Enforcement (ICE) agency of the federal government. The land for this project is being purchased from the City of Las Vegas. The land sale has been approved by City Council and the purchase will be finalized in the next couple of months. The land being purchased is on two different sides of an existing alley. As part of this submittal, we are requesting that the existing alley be vacated to make a continuous parcel.

The development is required to meet all the security requirements of the federal government which include guarded / gated vehicular entries, security measures at the pedestrian entry of the building, perimeter protection, and blast resistant exterior walls. The project also requires that all on street parking spaces on Las Vegas Blvd and Clark along the boundaries of this site be eliminated and to be secured by an eight foot tall wrought iron fence capable of with standing

The first floor will be used for a main lobby with security, a fitness facility, holding cells, sally port for buses, and a loading dock. Floors 2 through 5 will be regular office areas. The parking garage will accommodate the accessible parking on the first level, and regular parking on floors 2 - 5.

3579 Red Rock Street
Las Vegas, Nevada 89103

P. (702) 870-7076
F. (702) 258-6326
www.10NINE.com

ZON-41606 VAC-41661
SDR-41601 REVISED

The building was designed to complement the surrounding buildings with precast concrete exterior walls, clear anodized aluminum window frames with blue tinted glass, and metal decorative accents to match the window frame color.

The waivers requested from the downtown centennial plan are the following:

a.) 70% façade alignment along Las Vegas Boulevard. This is due to setback requirements of the tenant.

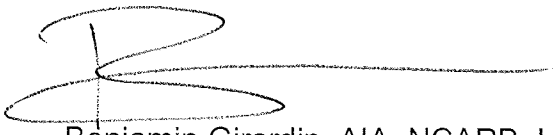
b.) Parking Garage to have ground floor retail. This is due to the requirements of the tenant to be a secure site.

c.) Main entry of the building from the street shall be appropriately articulated in the design. The entry is under between the parking structure and the building. This is due the tenants requirements for a single secure entry area into the building.

d.) Architectural details shall be carried on all sides of the building. We believe this building to be appropriately designed with more elaborate architectural elements on the main corner of Clark and Las Vegas Blvd. The side of the building that faces the alley is less elaborate to control cost and the parking structure is a separate element of the design.

We are requesting your support of this project and believe that it will be a great addition to downtown Las Vegas. Please contact me if you need any additional information or have any questions.

Respectfully Submitted,



Benjamin Girardin, AIA, NCARB, LEED AP
Principal Architect

ZON-41606 VAC-41661
SDR-41601 REVISED

3579 Red Rock Street
Las Vegas, Nevada 89103

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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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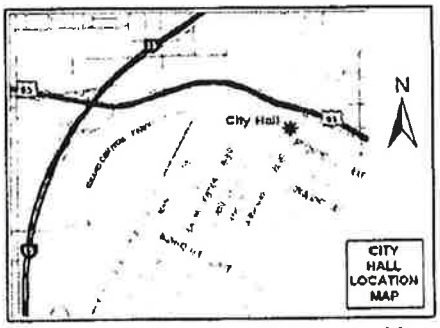
MAILED FROM ZIP CODE 89101

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.

ZON-41606 & SDR-41601
City Council Meeting of 7/20/2011

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CITY CLERK
2011 JUL 11 P 12:23

GARCES VENTURE L LC
%R FINVARB
1065 KANE CONCOURSE #201
BAY HARBOR ISLANDS FL
33154-2100

APN#13934311143

109 FRDFN11 33154

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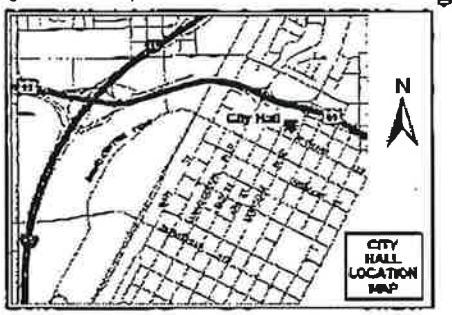
2011 JUL 11 A 10:45

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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[X] I SUPPORT this Request

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ZON-41606 & SDR-41601
City Council Meeting of 7/20/2011

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MAILED FROM ZIP CODE 89101

B L & G
%K LEAVITT
601 E BRIDGER AVE
LAS VEGAS NV 89101-5805

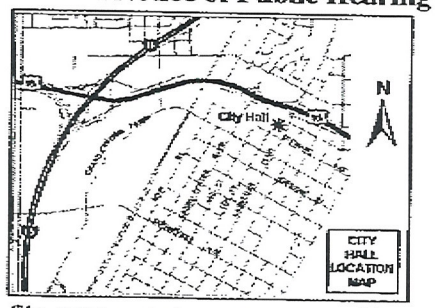
APN#13934710002

30 FRDFN11 89101

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
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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 Department of Planning, Case Planning Division 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.

ZON-41606 & SDR-41601

Planning Commission Meeting of 6/14/2011

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JUN - 6 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: ZON-41606

13934701006
BAKER LAW OFFICES P C
500 S 8TH ST
LAS VEGAS NV 89101-7003

30 DRDCH11 89101

06-Jun-2011 12:45 PM Baker Law Offices 7026473034

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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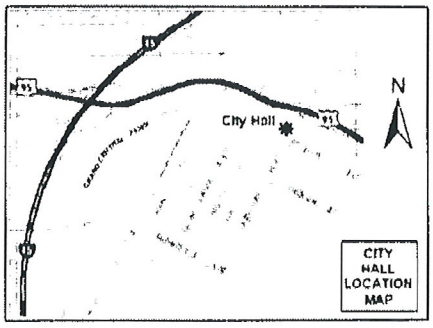

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

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ZON-41606 & SDR-41601

Planning Commission Meeting of 6/14/2011

Case ZON-41606
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GARCES VENTURE L L C
%R FINVARB
1065 KANE CONCOURSE #201
BAY HARBOR ISLANDS FL 33154-2100

109 DRCSM11 1 33154

City of Las Vegas Agenda Item No.: **79.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: JULY 20, 2011

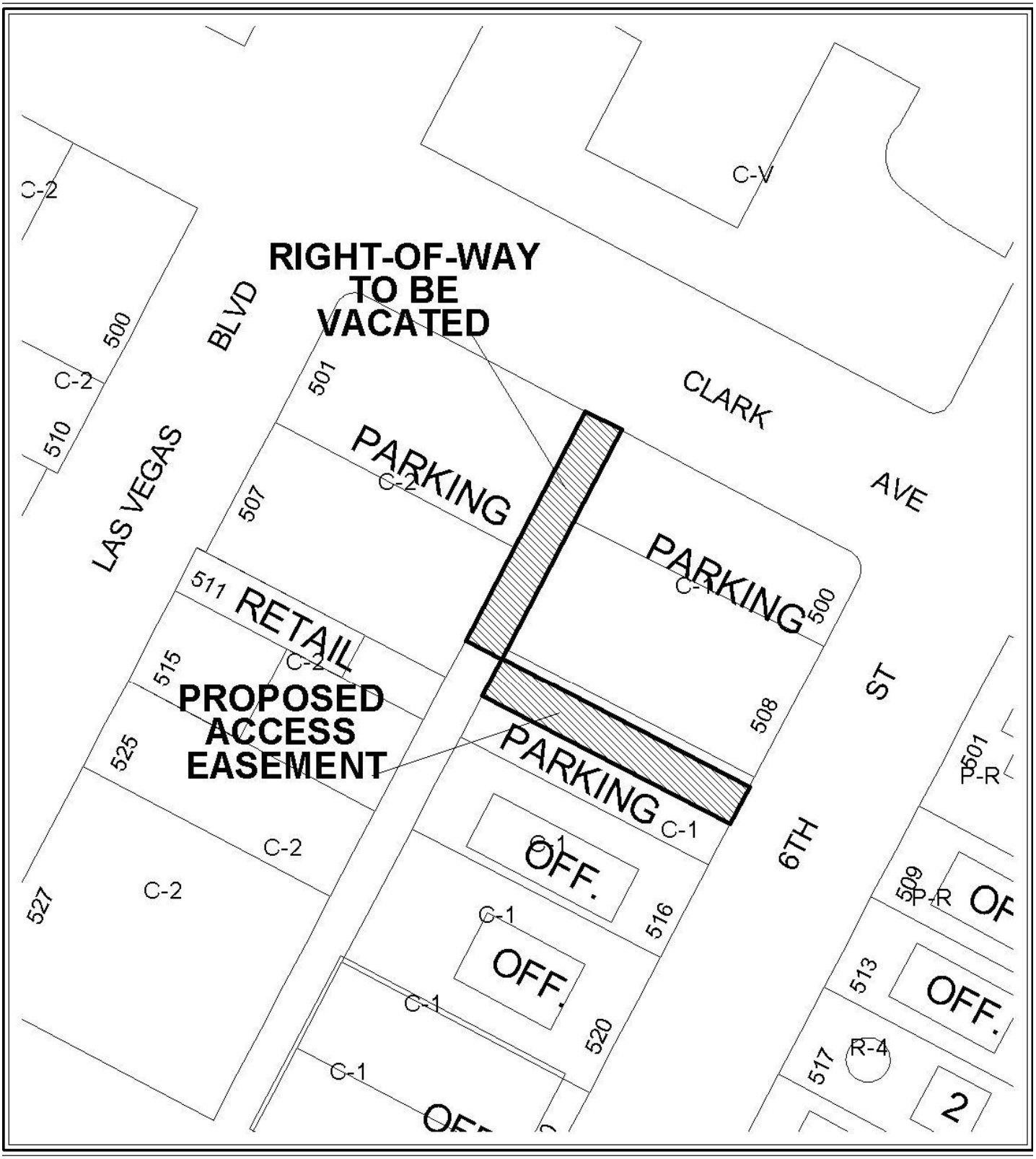
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
VAC-41661 - VACATION RELATED TO ZON-41601 - PUBLIC HEARING - APPLICANT: SDA, INC. - OWNER: CITY OF LAS VEGAS - For possible action on a request for a Petition to Vacate a portion of a public right-of-way of an alley from Clark Avenue south for 150 feet, Ward 3 (Coffin). 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	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
The Planning Commission (7-0 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Location and Aerial Maps
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the June 14, 2011 Planning Commission Meeting Item – VAC-41661



CASE: **VAC-41661**

0 50 100 Feet



CASE: **VAC-41661**

0 50 100 Feet

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAC-41661** APN: 139-34-710-001, 139-34-310-061, -62, 63, 76

Name of Property Owner: City of Las Vegas Redevelopment

Name of Applicant: SDA Inc.

Name of Representative: 10 Nine Design Group

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: Elizabeth N. Fretwell

Print Name: Elizabeth N. Fretwell

Subscribed and sworn before me

This 2 day of May, 20 11

Notary Public in and for said County and State

KIM A. BARRERA
Notary Public State of Nevada
No. 99-50021-1
My appt. exp. Oct. 25, 2014

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MAY 03 2011
City of Las Vegas

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

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MAY -4 2011

APPLICATION / PETITION FORM

Application/Petition For: Vacation

Project Address (Location) SEC Clark Ave and S. Las Vegas Blvd

Project Name U.S. Immigration and Customs Enforcement **Proposed Use** Office

Assessor's Parcel #(s) 13934710001, 13934310061,-062,63,76 **Ward #** 3

General Plan: existing C proposed N/A **Zoning:** existing C-1/C-2 proposed C-2

Commercial Square Footage 62,000 **Floor Area Ratio**

Gross Acres **Lots/Units** **Density**

Additional Information

PROPERTY OWNER City of Las Vegas Redevelopment **Contact** Elizabeth N. Fretwell

Address 400 Stewart Ave **Phone:** (702) 229-6501 **Fax:**

City Las Vegas **State** NV **Zip** 89101

E-mail Address

APPLICANT SDA Inc. **Contact** Steve Biogiatti

Address 5655 South Yosemite **Phone:** (303) 220-0500 **Fax:** (303) 220-0596

City Greenwood Village **State** CO **Zip** 80111

E-mail Address

REPRESENTATIVE 10 Nine Design Group **Contact** Moriah Curran

Address 3579 Red Rock St **Phone:** (702) 278-0072 **Fax:** (702) 258-6326

City Las Vegas **State** NV **Zip** 89103

E-mail Address mcurran@10nine.com

Property Owner Signature* Elizabeth N. Fretwell

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

Print Name Elizabeth N. Fretwell

Subscribed and sworn before me

This 2 day of May, 20 11.

Kim A Barr

Notary Public in and for said County

KIM A. BARRERA
Notary Public State of Nevada
No. 99-50021-1
My appt. exp. Oct. 25, 2014

FOR DEPARTMENT USE ONLY

Case #	VAC-4161
Meeting Date:	6-14-11
Total Fee:	1000
Date Received:*	5-3-11
Received By:	RS

*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

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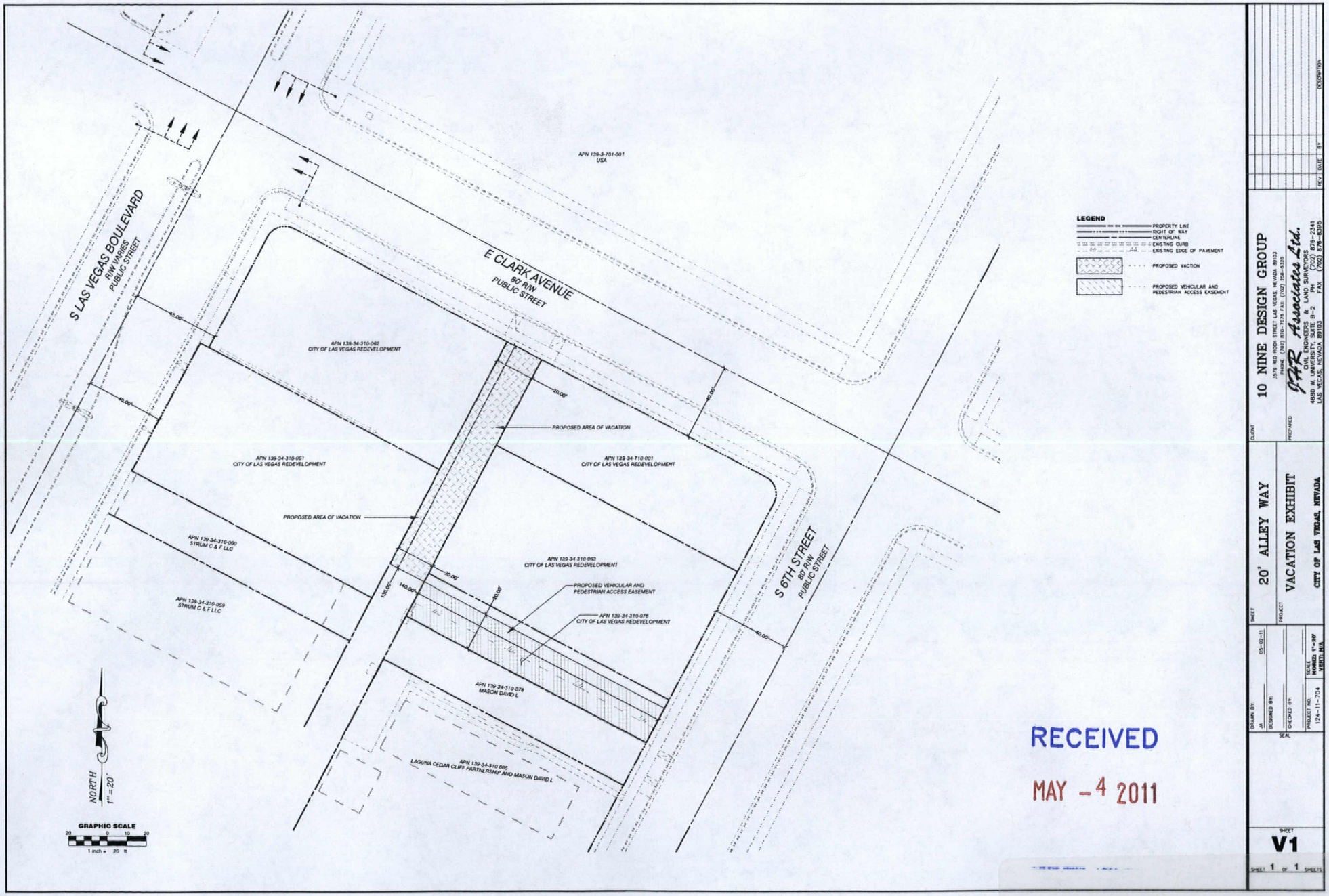

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MAY - 4 2011

CLIENT
10 NINE DESIGN GROUP
3579 RED ROCK STREET LAS VEGAS, NEVADA 89103
PHONE: (702) 870-7076 FAX: (702) 258-6326

PREPARED
JFR Associates Ltd.
CIVIL ENGINEERS & LAND SURVEYORS
4880 W. UNIVERSITY, SUITE B-2 PH (702) 876-2341
LAS VEGAS, NEVADA 89103 FAX (702) 876-8395

SHEET
20' ALLEY WAY

PROJECT
VACATION EXHIBIT
CITY OF LAS VEGAS, NEVADA

DRAWN BY: JA
DESIGNED BY:
CHECKED BY:
PROJECT NO. 124-11-704
SCALE HORIZ: 1"=20' VERT: N/A
05-02-11

SEAL

SHEET
V1
SHEET 1 OF 1 SHEETS

REV	DATE	BY	DESCRIPTION

VAC-41661

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

NEVADA LEGAL SERVICES

530 South 6th Street
Las Vegas, NV 89101
Phone: (702) 386-0404
Fax (702) 388-1641

216 N. Pratt Ave.
Carson City, NV 89701
Phone (775) 883-0404
Toll Free 1-800-323-8666
Fax (775) 883-7074

650 Tahoe Street
Reno, NV 89509-1654
Phone (775) 284-3491
Fax (775) 284-3497

May 19, 2011

Stephen Biagiotti
President, SCA Inc.
The Denver Tech Center
5655 S. Yosemite Street, Ste. 301
Greenwood Village CO 80111

Re: Las Vegas ICE US Government Building

Dear Mr. Biagiotti:

Thank you for taking the time to meet with me and tell me about the construction project that is planned for our block. As I told you during our meeting, Nevada Legal Services has no objection to the diversion of the back alley as part of your construction project. Access to our site does not rely on the alley. We have access from Bonneville Avenue and do not use the alley except as a short cut to walk to the Federal Court House.

If you need anything further, please let me know.

Sincerely,

AnnaMarie Johnson

AnnaMarie Johnson
Executive Director

LSC United Way

RECEIVED
MAY 31 2011

VAC-41661

Dave Mason Realty

Commercial Real Estate

May 21, 2011

To: SDA INC.

Regarding: ICE U.S. Government Building/Ally Traffic Redirection

To Whom it may concern,

I own the building at 516 Sixth Street, just to the south of his new proposed building and I have met with Stephen M. Biagiotti regarding the modifications to the ally represented on a plan he provided me. I told him I had no objections to the project and asked that in lieu of a fence between our properties that he provide landscape. He agreed (subject to City approval) and I am in agreement of his project.

Respectfully Yours,

David Mason

RECEIVED

MAY 31 2011

1137 S. Rancho Dr., Ste. 120
Las Vegas, NV 89102
Ph: (702) 386-8686 Fax: (702) 386-9839

VAC-41661

Palace Motels, Inc.
718 E. Franklin Ave.
Las Vegas, NV 89104

June 10, 2011

Mr. Stephen M. Biagiotti, President
SDA, Inc.
The Denver Tech Center
5655 South Yosemite Street, Suite 301
Greenwood Village, CO 80111
(303) 589-3082
s.biagiotti@sdavrg.com

Support

Dear Stephen:

We have discussed your proposal for the Las Vegas ICE U.S. Government Building/Alley Traffic Re-direction located on the northeast corner of Clark and Las Vegas Blvd. with the remaining family members of our corporation. We are all in agreement on vacation of your portion of the alley between Las Vegas Blvd. and 6th St. as illustrated on your 20' Alley Way Vacation Exhibit.

Based on the following facts, we believe that your project will be a plus for us and therefore have no objection to your alley way vacation and re-direction proposal.

1. Although the alley portion ending on Clark will be closed, we will be able to use the easement for alley traffic connecting with 6th St.

2. Your placement of underground power lines to the transformer just south of your property will be an advantage to development of our property.

3. Your building will be staffed primarily by technical, professional, and administrative managers, attorneys and their support staff

Sincerely,

RECEIVED
JUN 13 2011

Jodi A. Dewey
Secretary, Palace Motel, Inc.

34A

City of Las Vegas Agenda Item No.: **80.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: JULY 20, 2011

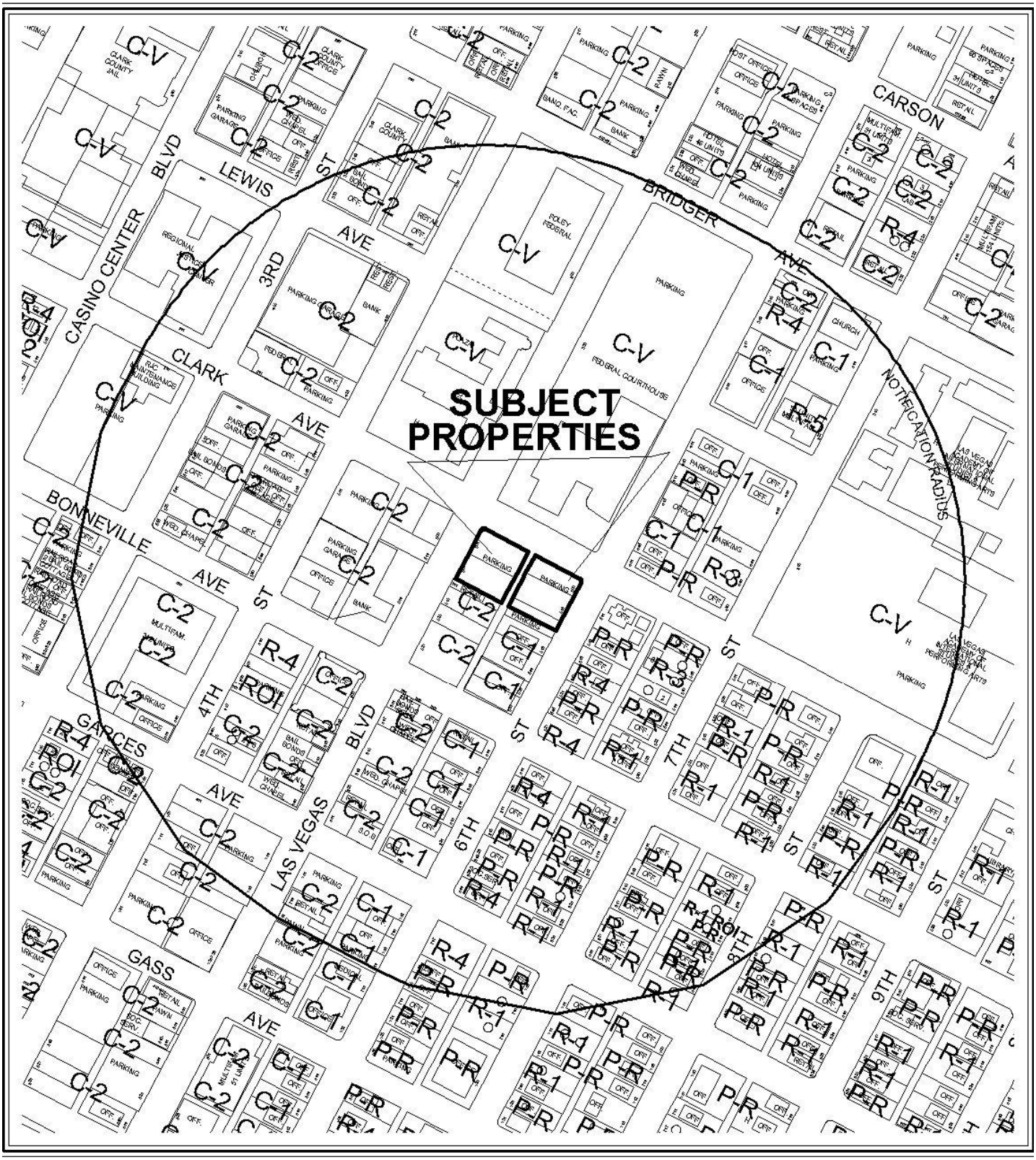
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
SDR-41601 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-41606 AND VAC-41661 - PUBLIC HEARING - APPLICANT: SDA INC. - OWNER: CITY OF LAS VEGAS - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 62,000 SQUARE-FOOT OFFICE BUILDING AND A FIVE STORY PARKING GARAGE WITH WAIVERS OF THE DOWNTOWN CENTENNIAL PLAN TO ALLOW NO FACADE ALIGNMENT ON THE GROUND FLOOR WHERE SEVENTY PERCENT IS REQUIRED, TO ALLOW NO GROUND FLOOR RETAIL FOR THE PARKING GARAGE AND TO ALLOW THE MAIN ENTRY OF THE BUILDING TO NOT BE ARTICULATED IN THE DESIGN WHERE REQUIRED on 0.92 acres at the southeast corner of Las Vegas Boulevard and Clark Avenue (APNs 139-34-710-001, 139-34-310-061, 062, 63 and 076), Ward 3 (Coffin). 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	**0**	**City Council Meeting**	**2**

RECOMMENDATION:
The Planning Commission (7-0 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Location and Aerial Maps
3. Supporting Documentation
4. Support Postcards



0 300 600 Feet

CASE: **SDR-41601**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL) AND C-2 (GENERAL COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N



0 300 600 Feet

CASE: **SDR-41601**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL) AND C-2 (GENERAL COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-41601** APN: 139-34-710-001, 139-34-310-061, -62, 63, 76

Name of Property Owner: City of Las Vegas Redevelopment

Name of Applicant: SDA Inc.

Name of Representative: 10 Nine Design Group

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: _____

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MAY -2 2011

Signature of Property Owner: Elizabeth N Fretwell

Print Name: Elizabeth N. Fretwell

Subscribed and sworn before me

This 2 day of May, 20 11

Notary Public in and for said County and State

KIM A. BARRERA
Notary Public State of Nevada
No. 99-50021-1
My appt. exp. Oct. 25, 2014

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Site Development Plan Review

Project Address (Location) SEC Clark Ave and S. Las Vegas Blvd

Project Name U.S. Immigration and Customs Enforcement **Proposed Use** Office

Assessor's Parcel #(s) 13934710001, 13934310061,-062,63,76 **Ward #** 3

General Plan: existing C proposed N/A **Zoning:** existing C-1/C-2 proposed C-2

Commercial Square Footage 62,000 **Floor Area Ratio**

Gross Acres **Lots/Units** **Density**

Additional Information

PROPERTY OWNER City of Las Vegas Redevelopment **Contact** Elizabeth N. Fretwell

Address 400 Stewart Ave **Phone:** (702) 229-6501 **Fax:**

City Las Vegas **State** NV **Zip** 89101

E-mail Address

APPLICANT SDA Inc. **Contact** Steve Biogiatti

Address 5655 South Yosemite **Phone:** (303) 220-0500 **Fax:** (303) 220-0596

City Greenwood Village **State** CO **Zip** 80111

E-mail Address

RECEIVED
MAY -2 2011

REPRESENTATIVE 10 Nine Design Group **Contact** Moriah Curran

Address 3579 Red Rock St **Phone:** (702) 278-0072 **Fax:** (702) 258-6326

City Las Vegas **State** NV **Zip** 89103

E-mail Address mcurran@10nine.com

Property Owner Signature* Elizabeth N Fretwell

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

Print Name Elizabeth N. Fretwell

Subscribed and sworn before me

This 2 day of May, 20 11.

Notary Public in and for said County and State

KIM C. BARRERA
Notary Public State of Nevada
No. 99-50021-1
My appt. exp. Oct. 25, 2014

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SDR-41601
Meeting Date:	6-14-11
Total Fee:	1030.00
Date Received:*	4-28-11
Received By:	FS

*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.

Please refer to ZON-41606 for related Protest/Support Postcards.

City of Las Vegas Agenda Item No.: **81.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: JULY 20, 2011

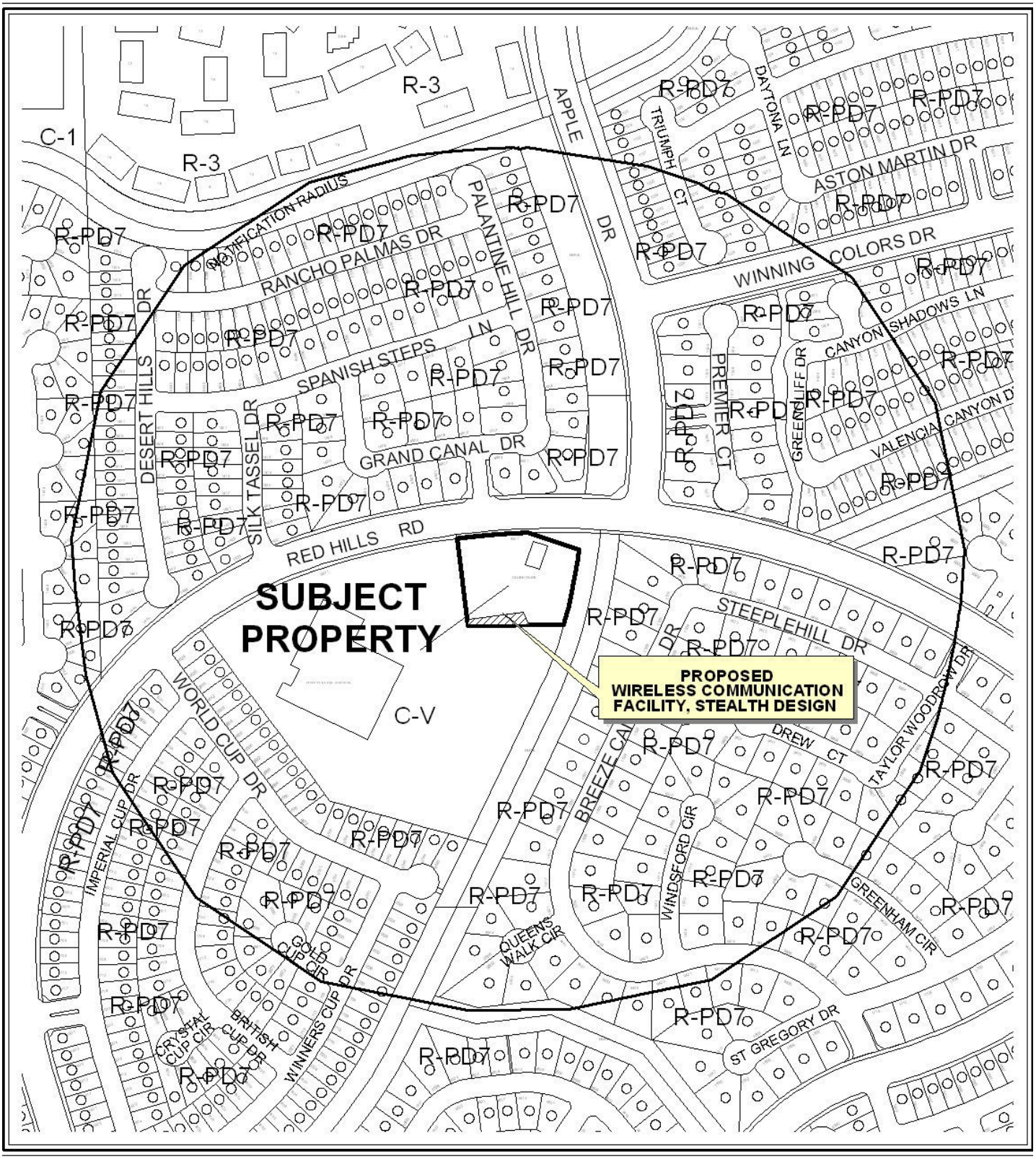
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
VAR-41297 - VARIANCE - PUBLIC HEARING - APPLICANT: TOWER CONSULTING, INC. - OWNER: PECCOLE RANCH COMMUNITY ASSOCIATION - For possible action on a request for a Variance TO ALLOW A 12-FOOT HIGH CHAIN LINK FENCE WHERE EIGHT FEET IS MAXIMUM HEIGHT PERMITTED on 1.49 acres at 9501 Red Hills Road (APN 163-06-610-002), R-PD7 (Residential Planned Development - 7 Units Per Acre) Zone, Ward 2 (Wolfson). The Planning Commission (6-0-1 vote) and Staff recommend DENIAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**17**	**Planning Commission Mtg.**	**1**
City Council Meeting	**3**	**City Council Meeting**	**2**

RECOMMENDATION:
The Planning Commission (6-0-1 vote) and Staff recommend DENIAL.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps - VAR-41297 and SUP-41296
2. Conditions and Staff Report - VAR-41297 and SUP-41296
3. Supporting Documentation
4. Photos - VAR-41297 and SUP-41296
5. Justification Letter - VAR-41297 and SUP-41296
6. Protest/Support Postcards – VAR-41297 and SUP-41296
7. Backup referenced from the June 14, 2011 Planning Commission Meeting Items – VAR-41297 and SUP-41296



0 300 600 Feet

CASE: **VAR-41297 AND SUP-41296**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE) ZONE

N



0 300 600 Feet

CASE: **VAR-41297 AND SUP-41296**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE) ZONE

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 20, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: TOWER CONSULTING, INC. - OWNER: PECCOLE RANCH COMMUNITY ASSOCIATION

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-41297	Staff recommends DENIAL, if approved subject to conditions:	SUP-41296
SUP-41296	Staff recommends DENIAL, if approved subject to conditions:	VAR-41297

** CONDITIONS **

VAR-41297 CONDITIONS

Planning

1. Conformance to the approved conditions for Special Use Permit (SUP-41296) shall be required, if approved.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18.070. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. The applicant shall ensure proper maintenance is conducted on the fabric screening to repair any and all damage, or to replace the screening if necessary.

4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-41296 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Wireless Communication Facility, Stealth Design use.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18.060. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. The Wireless Communication Facility and its associated equipment and facility 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 communications monopole and its associated equipment and facility.

4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed 85-foot tall (top of branches) Wireless Communication Facility, Stealth Design (Monopine) on a site that has an existing clubhouse and associated recreational amenities for a residential planned development located at 9501 Red Hills Road. The proposed facility will accommodate up to four carriers. The initial installation will provide 12 antennas at the 77-foot centerline. In addition, the placement of the facility will require the removal of two (2) existing pine trees from the southern perimeter of the site. An associated Variance request will also be considered, as the applicant is requesting a 12-foot tall chain link fence with fabric screening, where Title 19.12.075 limits the height to eight feet and does not consider the use of chain link fencing as an acceptable screen or perimeter wall for commercial uses, unless approved as part of an overall development plan. As proposed, the use cannot be conducted in a harmonious manner; therefore staff is recommending denial of the Special Use Permit and Variance. If the application is denied, the Wireless Communication Facility will have to be designed or relocated to comply with Title 19 requirements.

ISSUES

- The subject site is within a residentially planned development surrounded by single family residential homes with an elementary school located to the west of the property. The facility is not aesthetically compatible with the surrounding development and would exceed the height of any buildings or trees within the community.

- Although the fencing surrounding the existing tennis court is chain link with fabric screening, extending the same fencing to the perimeter of the site is not appropriate, and will not be compatible with the surrounding adjacent uses. The requested Variance is not due to a unique or extraordinary circumstance, but is instead a self-imposed hardship that an alternative design would allow conformance to Title 19.18 requirements.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
05/12/09	The Planning and Development Department denied a request for a Minor Site Development Plan Review (SDR-34366) for a proposed 60-foot tall Wireless Communication Facility, Stealth Design (Light Pole) at 9501 Red Hills Road.
03/15/11	The Planning and Development Department denied a request for a Minor Site Development Plan Review (SDR-41097) for a proposed 85-foot tall (top of the branches) Wireless Communication Facility, Stealth Design (Monopine) at 9501 Red Hills Road.

05/10/11	The Planning Commission held in abeyance a request for a Variance (VAR-41297) to allow a 12-foot high chain link fence where 8 feet is the maximum permitted; and a request for a Special Use Permit (SUP-41296) for a proposed 85-foot tall Wireless Communication Facility, Stealth Design (Monopine) at 9501 Red Hills Road. These items are held until 6/14/11 to allow the applicant time to submit photo simulation drawings of the proposed facility.
06/14/11	The Planning Commission voted (6-0-1/tm) to recommend DENIAL of companion items VAR-41297 and SUP-41296 (PC Agenda Items 16-17/ds).

Most Recent Change of Ownership	
01/26/96	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
There have not been any recent building permits or business licenses issued for the subject site.

Pre-Application Meeting	
03/16/11	A pre-application meeting was held with the applicant to discuss the submittal requirements for a Special Use Permit and Variance for a proposed Wireless Communication Facility, Stealth Design (Monopine) at 9501 Red Hills Road.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
04/06/11	A field check of the subject site was conducted by staff and found no trash/debris with the amenities and landscape areas being well maintained. No discrepancies were noted.

Details of Application Request	
Site Area	
Gross Acres	1.49

Surrounding Property	*Existing Land Use Per Title 19.04*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	Community Center, Private (Accessory)	PR-OS (Parks/Recreation/Open Space)	R-PD7 (Residential Planned Development- 7 Units per Acre)
North	Single Family Residences	ML (Medium-Low Density Residential)	R-PD7 (Residential Planned Development- 7 Units per Acre)
South	Elementary School	PF (Public Facility)	C-V (Civic)
	Single Family Residences	ML (Medium-Low Density Residential)	R-PD7 (Residential Planned Development- 7 Units per Acre)
East	Single Family Residences	ML (Medium-Low Density Residential)	R-PD7 (Residential Planned Development- 7 Units per Acre)
West	Elementary School	PF (Public Facility)	C-V (Civic)
	Single Family Residences	ML (Medium-Low Density Residential)	R-PD7 (Residential Planned Development- 7 Units per Acre)

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area			
Peccole Ranch	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
R-PD (Residential Planned Development) District			Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

The subject property is located in a residentially planned zoning district with an existing club house and associated recreational amenities on site. The initial installation will provide 12 antennas at the 77-foot centerline. In addition, the placement of the facility will require the removal of two (2) existing pine trees from the southern perimeter of the site. An associated Variance request will also be considered, as the applicant is requesting a 12-foot tall chain link fence with fabric screening, where Title 19.12.075 limits the height to eight feet and does not consider the use of chain link fencing as an acceptable screen or perimeter wall for commercial uses.

As the proposed Wireless Communication Facility would be located within a residential community, it exceeds the height of existing buildings and trees in the surrounding area. Additionally, the arid climate in Las Vegas may necessitate regular maintenance of the proposed fabric screening to repair/replace damaged areas. As the facility is not aesthetically compatible with the surrounding development, and the Variance is a self imposed hardship, staff is recommending denial.

FINDINGS (VAR-41297)

In accordance with the provisions of Title 19.18.070, the 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 12-foot tall chain link fencing with fabric screening. Alternative wall design 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.

FINDINGS (SUP-41296)

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 subject site is within a residentially planned development surrounded by single family residential homes with an elementary school located to the west of the property. The proposed facility (and future carriers) will result in a negative visual impact upon the surrounding community. As such, the use cannot be conducted in a harmonious manner and is not compatible with existing neighboring land uses; therefore staff is recommending denial of this application.

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 intensity of the proposed use, as the facility will be greater in height than surrounding trees and structures. In addition, as new antennas/carriers co-locate on the facility, the Wireless Communication Facility would create a visual intrusion to the residential properties neighboring the property.

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 Red Hills Road, an 80-foot right-of-way. This street provides adequate access to and from the subject site.

4. **Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.**

   Approval of this Special Use Permit will not compromise public health, safety, or welfare as the proposed Wireless Communication Facility, Stealth Design use will be subject to regular inspections.

5. **The use meets all of the applicable conditions per Title 19.04**

   The use does not meet all conditional use regulations per Title 19.04, making this request for a Special Use Permit necessary.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

NOTICES MAILED 402 (By City Clerk)

APPROVALS 1

PROTESTS 17

DS

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-41297** APN: 163-06-610-002

Name of Property Owner: Peccole Ranch Community Assn.

Name of Applicant: Tower Consulting, Inc.

Name of Representative: Chris Wener

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: _____

RECEIVED
MAR 28 2011

Signature of Property Owner: Richard D Layton

Print Name: Richard D. Layton

Subscribed and sworn before me

This 24 day of March, 2011

Janet M Porter
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
JANET M. PORTER
Appt. No. 02-77952-1
My Appt. Expires Dec. 21, 2013

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Variance

Project Address (Location) 9501 Red Hills Rd., Las Vegas, NV 89117

Project Name Peccole Ranch **Proposed Use** Wireless Site

Assessor's Parcel #(s) 163-06-610-002 **Ward #** 2

General Plan: existing OS proposed n/a **Zoning:** existing R-PD7 proposed n/a

Commercial Square Footage n/a **Floor Area Ratio** n/a

Gross Acres n/a **Lots/Units** n/a **Density** n/a

Additional Information 80' Wireless Communications Facility, Stealth Design. Variance for 12' chain link fence to match existing where 8' is permitted.

PROPERTY OWNER Peccole Ranch Community Assn **Contact** Jan Porter

Address 9501 Red Hills Rd. **Phone:** (702) 255-3551 **Fax:** (702) 243-5819

City Las Vegas **State** NV **Zip** 89117

E-mail Address jan@peccoleran.com

APPLICANT Tower Consulting, Inc. **Contact** Chris Wener

Address 8905 W. Post Rd., Suite 100 **Phone:** (702) 339-9112 **Fax:** (702) 367-8733

City Las Vegas **State** NV **Zip** 89148

E-mail Address cwener@spectrumse.com

REPRESENTATIVE Chris Wener **Contact** Chris Wener

Address 8905 W. Post Rd., Suite 100 **Phone:** (702) 339-9112 **Fax:** (702) 367-8733

City Las Vegas **State** NV **Zip** 89148

E-mail Address cwener@spectrumse.com

Peccole Ranch Community Association

Property Owner Signature* Richard D. Layton

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

Print Name Richard Layton

Subscribed and sworn before me

This 24 day of March, 2011.

Janet M Porter

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
JANET M. PORTER
Appt. No. 02-77862-1
My Appt. Expires Dec. 21, 2013

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	VA R-41297
Meeting Date:	5/10/11 PC
Total Fee:	$830.00
Date Received:*	3/24/11
Received By:	RECEIVED MAR 28 2011

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

f:\depot\Application Packet\Application Form.pdf

TOWER CONSULTING, INC.

8905 W. POST ROAD SUITE 100
LAS VEGAS, NEVADA 89148
PHONE: (702) 367-7705

OMNIPOINT DBA T-Mobile

PECCOLE RANCH
TCI-028/VG08373E

9501 RED HILLS ROAD
LAS VEGAS, NEVADA 89117

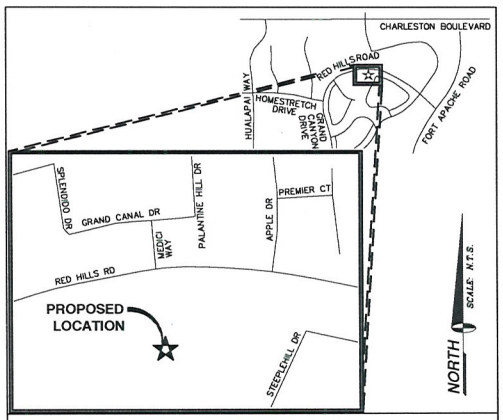
THE PROPOSED TOWER CONSULTING, INC. PROJECT INCLUDES:

- INSTALLATION OF AN 80' MONOPINE WITH BRANCHES NOT TO EXCEED 85'
- INSTALLATION OF 12' CHAINLINK FENCE WITH FABRIC SCREENING TO MATCH EXISTING
- INSTALLATION OF (2) 5' WIDE X 7' HIGH CHAINLINK GATES WITH FABRIC SCREENING TO MATCH EXISTING

THE PROPOSED T-MOBILE PROJECT INCLUDES:

- INSTALLATION OF (12) T-MOBILE ANTENNAS AT A 77' CENTERLINE
- INSTALLATION OF T-MOBILE OUTDOOR EQUIPMENT ON A 10' X 20' CONCRETE PAD

PROJECT DESCRIPTION



VICINITY MAP

APPLICANT/LESSEE
TOWER CONSULTING, INC.
8905 W. POST ROAD SUITE 100
LAS VEGAS, NEVADA 89148

CONTACT: CHRIS WENER
PHONE: (702) 339-9112

T-MOBILE
4175 S. RILEY ST., STE. 101
LAS VEGAS, NEVADA 89147

CONTACT:
BOB VORLICEK
PHONE: (702) 822-2802

PROPERTY INFORMATION

OWNER:	PECCOLE RANCH COMMUNITY ASSOCIATION 9501 RED HILLS ROAD LAS VEGAS, NEVADA 89117
CONTACT: PHONE:	JAN PORTER (702) 255-3351
AREA OF CONSTRUCTION:	2240± SQ. FT.
OCCUPANCY TYPE:	S-2
CONSTRUCTION TYPE:	V-B
CURRENT ZONING:	RESIDENTIAL PLANNED DEVELOPMENT DISTRICT (R-PD7)
JURISDICTION:	CITY OF LAS VEGAS
APN:	163-06-610-002
HANDICAP REQUIREMENTS:	FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. HANDICAPPED ACCESS NOT REQUIRED.

PROJECT INFORMATION

EQUIPMENT LOCATION:	☐ OUTDOOR ☐ INDOOR ■ N/A
EQUIPMENT SHELTER:	☐ YES ■ NO
ANTENNA LOCATION:	☐ NEW MONOPINE ☐ SELF SUPPORT TOWER ☐ EXISTING MONOPINE ☐ ROOF TOP ☐ EXISTING TOWER ■ OTHER: NO ANTENNAS, TOWER ONLY

PROJECT SUMMARY

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES.

1. INTERNATIONAL BUILDING CODE 2006 W/STATE AMENDMENTS
2. UNIFORM MECHANICAL CODE 2006
3. ANSI/EIA-222-F LIFE SAFETY CODE
4. UNIFORM PLUMBING CODE 2006
5. NATIONAL ELECTRIC CODE 2005
6. LOCAL BUILDING CODE(S)
7. CITY AND/OR COUNTY ORDINANCES
8. UNIFORM FIRE CODE 2003

CODE COMPLIANCE

CIVIL ENGINEER
SPECTRUM SURVEYING & ENGINEERING
8905 W POST RD., SUITE 100
LAS VEGAS, NEVADA 89148
CHRIS WENER
PHONE: (702) 367-7705
FAX: (702) 367-8733

STRUCTURAL ENGINEER:
T.B.D.

ELECTRICAL ENGINEER:
SPECTRUM SURVEYING & ENGINEERING
8905 W POST RD., SUITE 100
LAS VEGAS, NEVADA 89148
RICHARD TOMASIELLO
PHONE: (702) 363-9530

SURVEYOR:
SPECTRUM SURVEYING & ENGINEERING
8905 W POST RD., SUITE 100
LAS VEGAS, NEVADA 89148
CHRIS WENER
PHONE: (702) 367-7705
FAX: (702) 367-8733

PROJECT TEAM

SHEET	DESCRIPTION	REV.
T1	TITLE SHEET	2
A1	SITE PLAN	2
A2	SITE DETAIL	2
A3	EAST & WEST ELEVATIONS	2

ISSUED FOR: ZONING

SHEET INDEX

TITLE	SIGNATURE	DATE
RF ENGINEER		
REAL ESTATE		
PROPERTY OWNER		
ZONING APPROVAL		
CONSTRUCTION DIRECTOR		
ADDITIONAL APPROVAL		

APPROVAL LIST

VAR-41297
SUP-41296

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MAR 24 2011

TOWER CONSULTING, INC.
8905 W. POST ROAD SUITE 100
LAS VEGAS, NEVADA 89148
PHONE: (702) 367-7705

OMNIPOINT DBA T-Mobile
4175 S. RILEY ST., STE. 101
LAS VEGAS, NEVADA 89147

PROJECT INFORMATION:
PECCOLE RANCH
TCI-028/VG08373E
9501 RED HILLS ROAD
LAS VEGAS, NEVADA 89117

CURRENT ISSUE DATE:
03/22/11

ISSUED FOR:
ZONING

REV.:	DATE:	DESCRIPTION:	BY:
2	03/22/11	ZONING REVISIONS	R.R.
1	01/21/11	100% ZONING	R.S.
0	09/23/09	90% ZONING	R.S.

PLANS PREPARED BY:
SPECTRUM
SURVEYING & ENGINEERING
8905 W POST RD., SUITE 100
LAS VEGAS, NEVADA 89148
PH. (702) 367-7705
FAX (702) 367-8733

DRAWN BY:	CHK.:	APV.:
R. SAN JUAN	M. CEFALU	C. WENER

LICENSURE:

SHEET TITLE:
TITLE SHEET

SHEET NUMBER:	REVISION:
T1	2

TCI-028

LEGAL DESCRIPTION

BEING LOT 15-2 AS SHOWN BY MAP THEREOF ON FILE IN FILE 64, PAGE 25 OF PARCEL MAPS IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA; LYING WITHIN THE SOUTH HALF (S1/2) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION 6, TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA.

BASIS OF BEARINGS

A FIELD SURVEY WAS PERFORMED ON JUNE 3, 2009.

SOUTH 36°49'19" EAST, BEING THE CENTERLINE OF WORLD CUP DRIVE AS SHOWN BY MAP THEREOF ON FILE IN BOOK 46, PAGE 99 OF PLATS IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA.

BENCHMARK

CITY OF LAS VEGAS VERTICAL CONTROL NO. 9LV19 NNW6
BEING A RIVET AND PLATE IN TOP OF CURB LOCATED ON THE SOUTH EAST CORNER OF CHARLESTON BOULEVARD AND TOWN CENTER DRIVE.

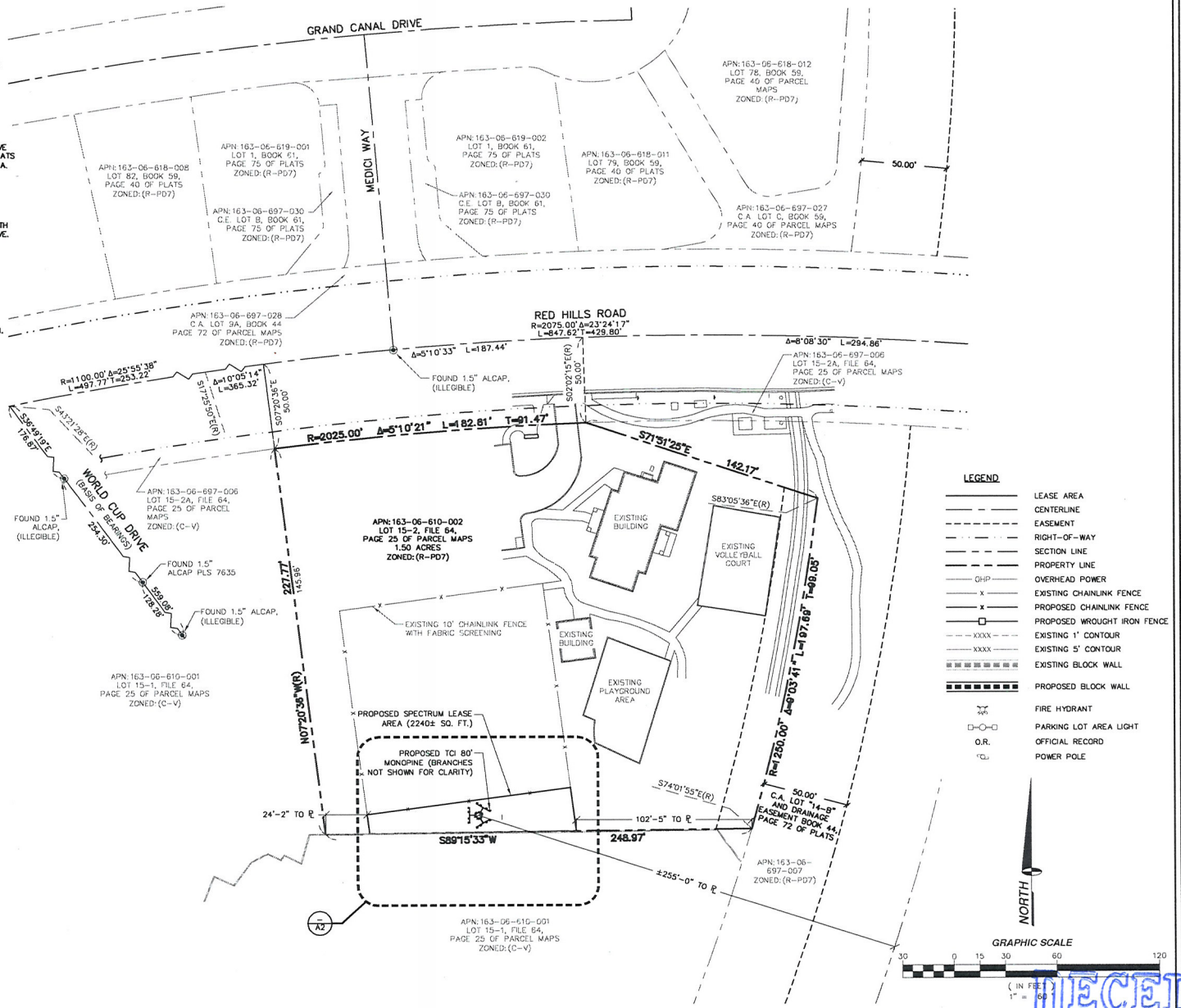
ELEVATION: 3004.34 FEET (NAVD 1988)
915.724 METERS (NAVD 1988)

FLOOD NOTE

AS SCALED FROM FLOOD INSURANCE RATE MAP NO. 32003C2145E, DATED SEPTEMBER 27, 2002 AND PER SAID MAP: ZONE X, AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

NOTES & TITLE REPORT EXCEPTIONS

SPECTRUM SURVEYING & ENGINEERING HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE. NO ABSTRACT OF TITLE, NOR TITLE COMMITMENT, NOR RESULTS OF TITLE SEARCHES WERE FURNISHED BY THE CLIENT.



LEGEND

- LEASE AREA
- CENTERLINE
- EASEMENT
- RIGHT-OF-WAY
- SECTION LINE
- PROPERTY LINE
- OHP — OVERHEAD POWER
- EXISTING CHAINLINK FENCE
- PROPOSED CHAINLINK FENCE
- PROPOSED WROUGHT IRON FENCE
- EXISTING 1' CONTOUR
- EXISTING 5' CONTOUR
- EXISTING BLOCK WALL
- PROPOSED BLOCK WALL
- FIRE HYDRANT
- PARKING LOT AREA LIGHT
- O.R. — OFFICIAL RECORD
- POWER POLE

SITE PLAN

SCALE: 1" = 60' 1

TOWER CONSULTING, INC.
8905 W. POST ROAD SUITE 100
LAS VEGAS, NEVADA 89148
PHONE: (702) 367-7705

OMNIPOINT dba T-Mobile
4175 S. RILEY ST., STE. 101
LAS VEGAS, NEVADA 89147

PROJECT INFORMATION:

PECCOLE RANCH
TCI-028/VG08373E

9501 RED HILLS ROAD
LAS VEGAS, NEVADA 89117

CURRENT ISSUE DATE: 03/22/11

ISSUED FOR: ZONING

REV.:	DATE:	DESCRIPTION:	BY:
2	03/22/11	ZONING REVISIONS	R.R.
1	01/21/11	100% ZONING	R.S.
0	09/23/09	90% ZONING	R.S.

PLANS PREPARED BY:

SPECTRUM
SURVEYING & ENGINEERING
8905 W POST RD., SUITE 100
LAS VEGAS, NEVADA 89148
PH. (702) 367-7705
FAX (702) 367-8733

DRAWN BY:	CHK.:	APV.:
R. SAN JUAN	M. CEFALU	C. WENER

LICENSURE:

SHEET TITLE: SITE PLAN

SHEET NUMBER: A1 REVISION: 2

TCI-028

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SUP-41296

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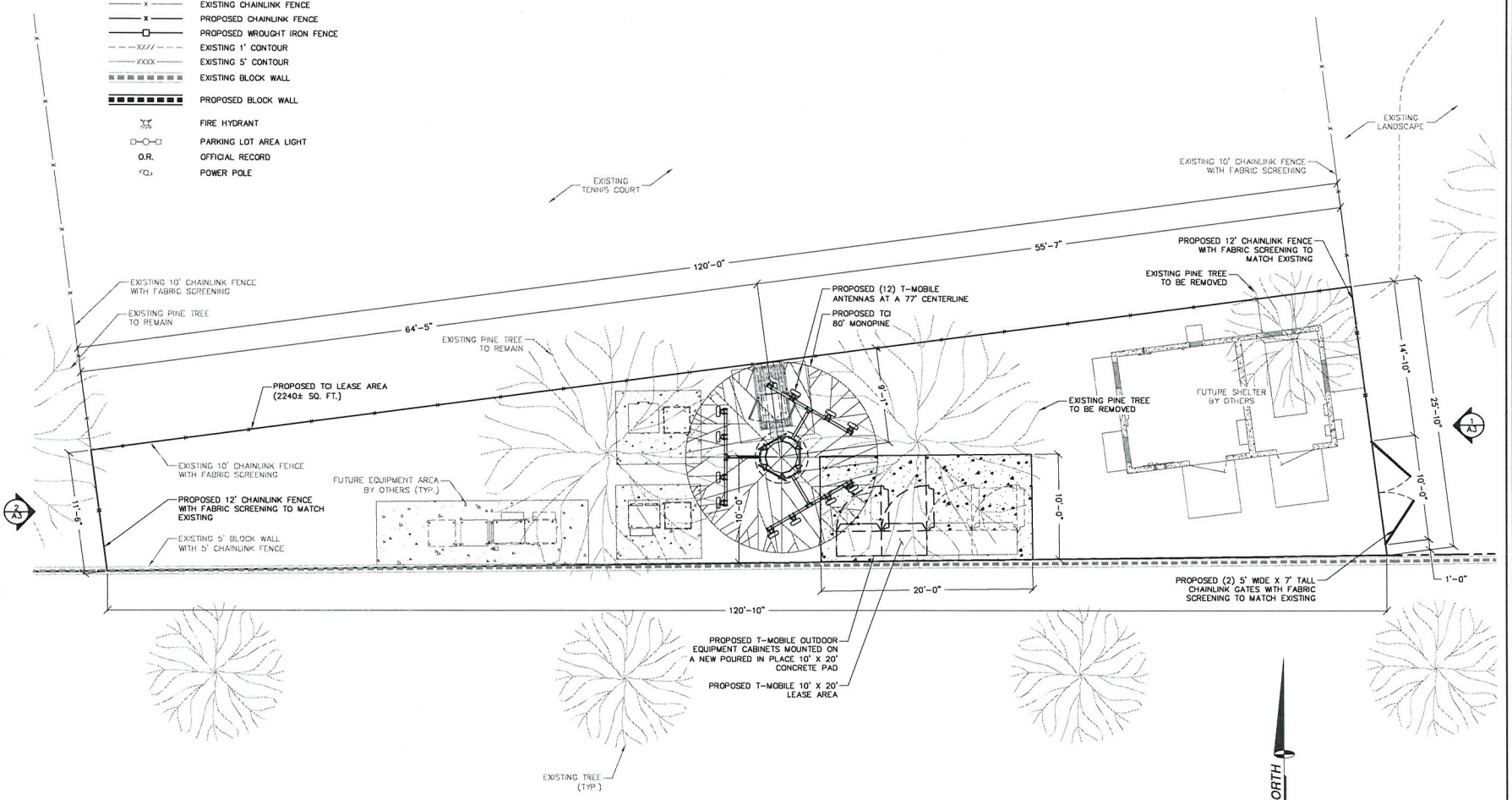

SITE DETAIL

SCALE: 1" = 10'

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TOWER CONSULTING, INC.
8905 W. POST ROAD SUITE 100
LAS VEGAS, NEVADA 89148
PHONE: (702) 367-7705

OMNIPOINT
T-Mobile
4175 S. RILEY ST., STE. 101
LAS VEGAS, NEVADA 89147

PROJECT INFORMATION:

PECCOLE RANCH
TCI-028/VG08373E

9501 RED HILLS ROAD
LAS VEGAS, NEVADA 89117

CURRENT ISSUE DATE:
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PLANS PREPARED BY:

SPECTRUM
SURVEYING & ENGINEERING
8905 W POST RD., SUITE 100
LAS VEGAS, NEVADA 89148
PH. (702) 367-7705
FAX (702) 367-8733

DRAWN BY:	CHK.:	APV.:
R. SAN JUAN	M. CEFALU	C. WENER

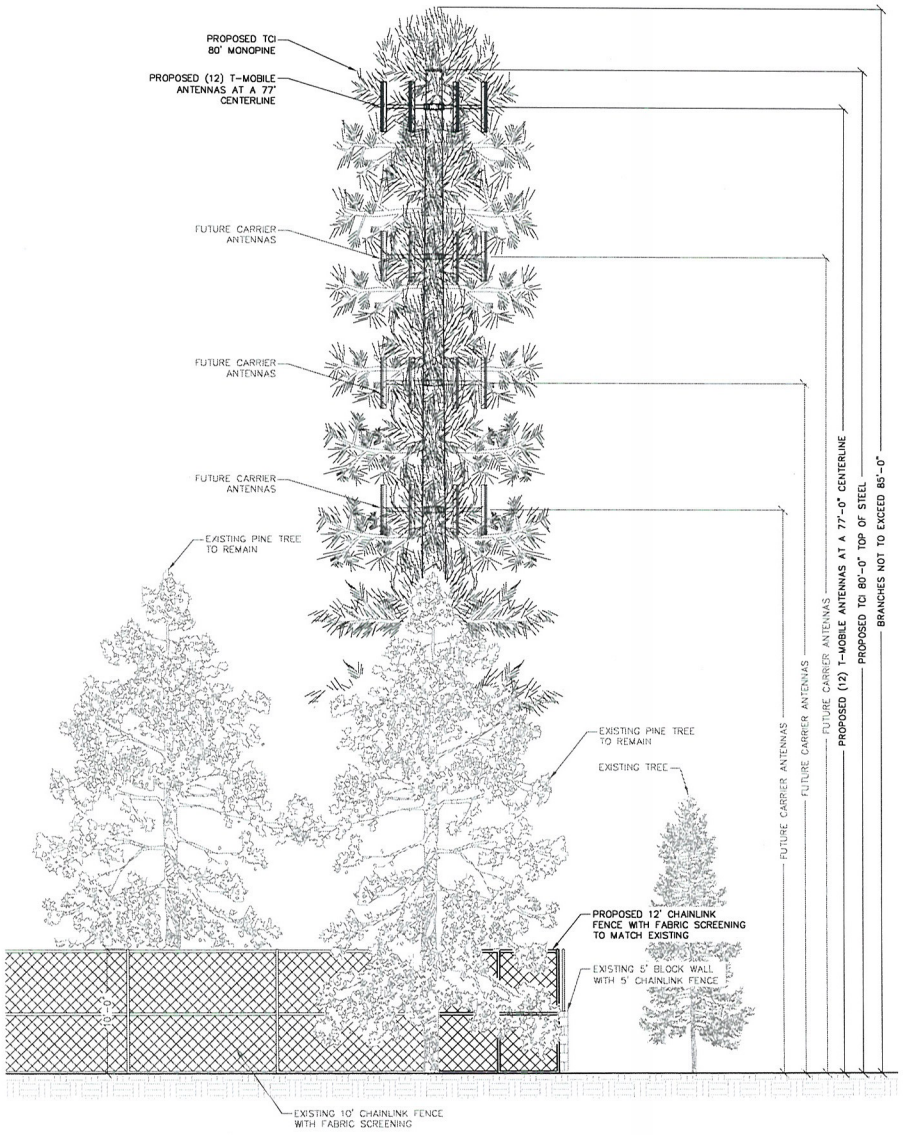
LICENSURE:

SHEET TITLE:
SITE DETAIL

SHEET NUMBER: A2

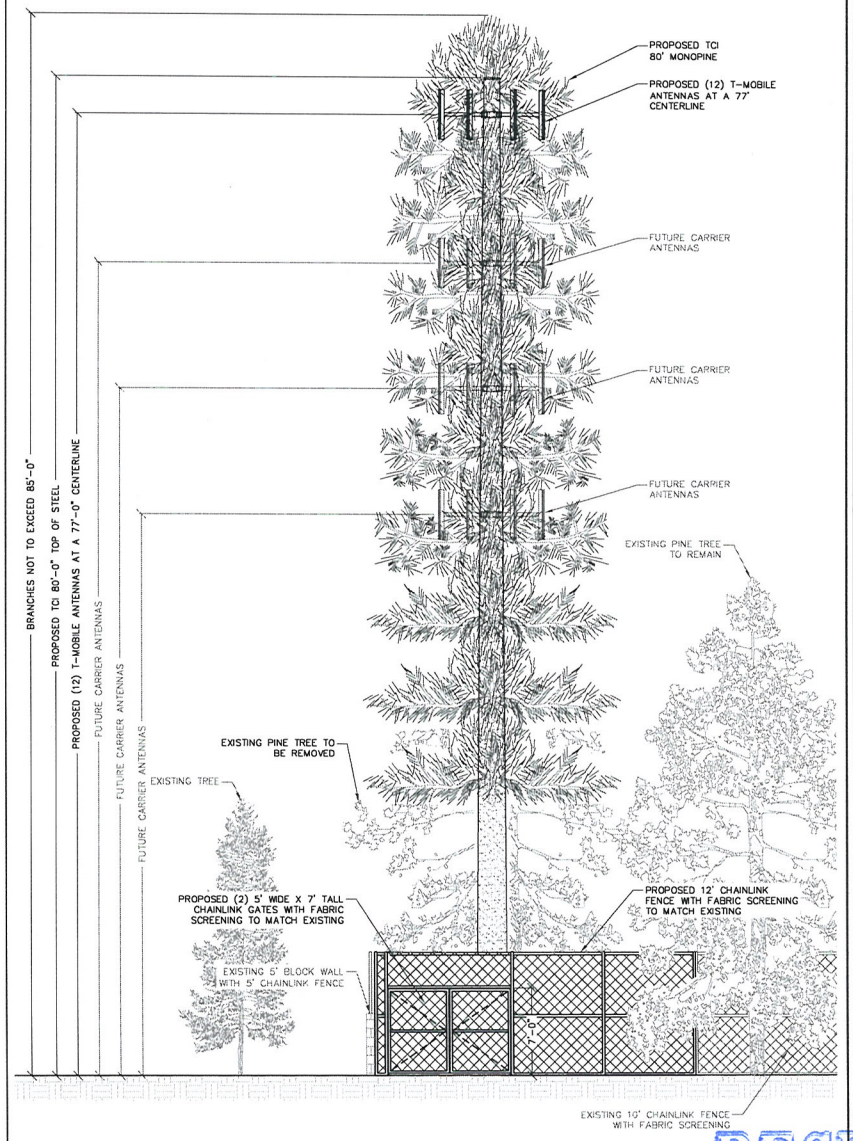
REVISION: 2

TCI-028



WEST ELEVATION

SCALE: 1" = 10' 2



EAST ELEVATION

SCALE: 1" = 10' 1

TOWER CONSULTING, INC.
8905 W. POST ROAD SUITE 100
LAS VEGAS, NEVADA 89148
PHONE: (702) 367-7705

OMNIPOINT
T-Mobile
4175 S. RILEY ST., STE. 101
LAS VEGAS, NEVADA 89147

PROJECT INFORMATION:

PECCOLE RANCH
TCI-028/VG08373E

9501 RED HILLS ROAD
LAS VEGAS, NEVADA 89117

CURRENT ISSUE DATE:

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ISSUED FOR:

ZONING

REV.:	DATE:	DESCRIPTION:	BY:
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PLANS PREPARED BY:

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SURVEYING & ENGINEERING
8905 W POST RD., SUITE 100
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PH. (702) 367-7705
FAX (702) 367-8733

DRAWN BY:	CHK.:	APV.:
R. SAN JUAN	M. CEFALU	C. WENER

LICENSURE:

SHEET TITLE:

EAST & WEST
ELEVATIONS

SHEET NUMBER: A3 REVISION: 2

TCI-028

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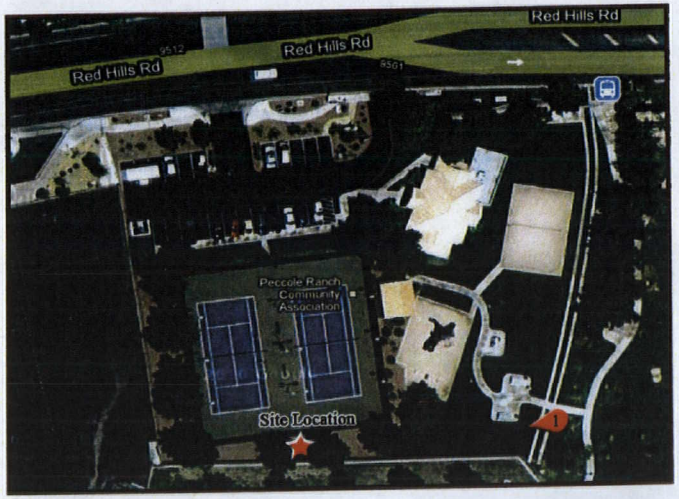
PECCOLE RANCH 9501 RED HILLS ROAD LAS VEGAS, NEVADA 89117

VIEW 1



LOCATION



EXISTING



PROPOSED

MAR 0 2 2011

SPECTRUM
8905 W. POST ROAD SUITE 100 LAS VEGAS, NEVADA 89148
OFFICE: (702) 367-7705
FAX: (702) 367-8733

TOWER CONSULTING, INC.
8905 W. POST ROAD SUITE 100 LAS VEGAS, NEVADA 89148
OFFICE: (702) 367-7705, FAX: (702) 367-8733

VAR-41297
SUP-41296



VAR-41297 & SUP-41296 - APPLICANT: TOWER CONSULTING, INC. - OWNER: PECCOLE RANCH COMMUNITY ASSOCIATION
9501 RED HILLS ROAD

03/31/11



VAR-41297 & SUP-41296 - APPLICANT: TOWER CONSULTING, INC. - OWNER: PECCOLE RANCH COMMUNITY ASSOCIATION
9501 RED HILLS ROAD

03/31/11



VAR-41297 & SUP-41296 - APPLICANT: TOWER CONSULTING, INC. - OWNER: PECCOLE RANCH COMMUNITY ASSOCIATION
9501 RED HILLS ROAD

03/31/11



VAR-41297 & SUP-41296 - APPLICANT: TOWER CONSULTING, INC. - OWNER: PECCOLE RANCH COMMUNITY ASSOCIATION
9501 RED HILLS ROAD

03/31/11

8905 West Post Road, Suite 100
Las Vegas, Nevada 89148
telephone: (702) 367-7705 ext 219
facsimile (702) 367-8733
mobile (702) 985-1964

February 25, 2011

City of Las Vegas, Planning & Development Department
Attn: Margo Wheeler, Director
333 N. Rancho Drive
Las Vegas, NV 89106

re: APN 163-06-610-002; Tower Consulting, Inc., site TCI-028 Peccole Ranch

To Whom it May Concern:

Pursuant to Section 19A.04.040(C) of the Zoning Code of the City of Las Vegas, enclosed please find an application for Conditional Use Permit and Variance for a proposed facility at 9501 Red Hills Road, Las Vegas, Nevada, the location of the Peccole Ranch Community Center. TCI proposes to construct a "monopine-type," multi-user tower. I have enclosed drawings that illustrate the proposal and photographs of the location.

The proposal qualifies for administrative approval for the following reasons:

- Variance to allow 12' high chain link fence to match existing
- *"No residential use may exist on the property."* The property is used exclusively as a recreation and community center for the Peccole Ranch development.
- Because the tower is designed to appear as a pine tree, it is *"a wireless communication facility that is designed to blend into the surrounding environment…*[such as] *tower alternative structures…*[and] *other camouflaging techniques…."*
- The proposed facility is not *"within an area designated as a Historic Preservation District…."* The subject parcel is zoned R-PD7.
- *"The design and location of the proposed facility must be deemed by the Director to be compatible with surrounding uses, and the facility must include appropriate screening and landscaping to ensure such compatibility."* TCI proposes to construct a facility that appears as a pine tree. This design was selected to blend with the natural pine trees on the property. TCI's ground equipment would be located within a chain link fence with fabric screening to match the existing tennis court fencing height and style.

Please contact me if I may assist your consideration in any way.

Sincerely,

Damien Huggard

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VAR-41297
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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-41297 & SUP-41296
City Council Meeting of 7/20/2011

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2011 JUL 11 A 10:25

HABERMAN LIVING TRUST
HABERMAN DAVID M & LORETTA A
9416 STEEPLEHILL DR
LAS VEGAS NV 89117-7270

APN#16306614005

PAGE. 1/ 1

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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2011 JUL 11 A 7:03

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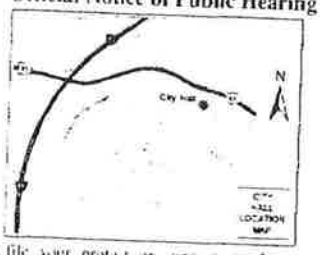

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☐ I SUPPORT this Request

☑ I OPPOSE this Request

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VAR-41297 & SUP-41296

City Council Meeting of 7/20/2011

DESHAZER RANDAL A & MICHELLE L
1308 PREMIER CT
LAS VEGAS NV 89117-7134

APN#16306517007

Jul.09.2011 12:23 PM

07/09/2011 SAT 11:37 [TX/RX NO 9717] 001

p.1
1 702 869 1773
Jul 08 2011 4:41PM AAA Sheron Zinn
07/08/2011 FRI 15:14 [TX/RX NO 9710] 001

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 JUL 07 2011
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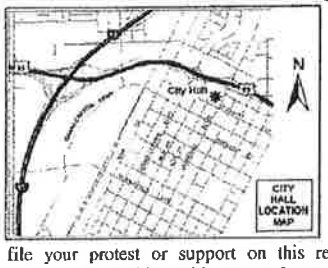
Official Notice of Public Hearing



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Please use available blank space on card for your comments.

VAR-41297 & SUP-41296
City Council Meeting of 7/20/2011

ZINN SHERON H
1316 PALANTINE HILL DR
LAS VEGAS NV 89117-0855

APN#16306520049

I Strongly oppose allowing a 12-Foot high fence and/or 85 foot wireless structure to be built

Sheron Zinn 232-5179

18 FROFM11 89117

2011 JUL 11 A 7:02

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CITY CLERK

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2011 JUL 11 A 8:58

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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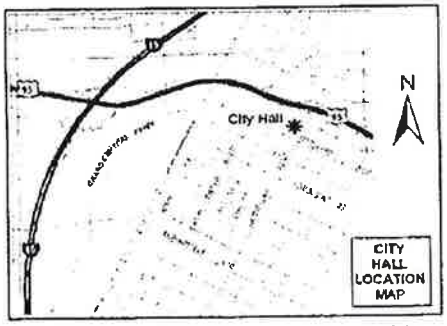

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-41297 & SUP-41296

City Council Meeting of 7/20/2011

CONKLIN JOHN & JOAN
1324 PALANTINE HILL DR
LAS VEGAS NV 89117-0855

APN#16306519011

18 FRDFN11 89117

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2011 JUL 11 A 7:03

City of Las Vegas
Office Of The City Clerk
500 Stewart Avenue
Las Vegas, Nevada 89101

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JUL 07 2011
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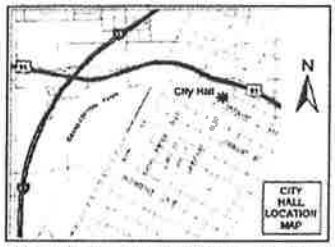

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

ZAR-41297 & SUP-41296
City Council Meeting of 7/20/2011

MACKIE DUNCAN RAND
1512 IMPERIAL CUP DR
LAS VEGAS NV 89117-0804

APN#16306611048

18 FRDFN11 89117

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

Attention: Carmen Busney

From: Karen Simons, 1613 St. Katherine Cr. Las Vegas, NV 891147

Re: Peccole Ranch Cell Phone Tower

I oppose the placement of a cell phone tower in the proposed location in Peccole Ranch.

First of all, I have excellent cell phone service from Verizon; thus negating Peccole Ranch's claim that current coverage is limited for all carriers and requires placement in the community.

Secondly, it is within approximately 1000 feet of an elementary school. EMR exposure to children during school hours will very high, expecially when they play near the baseball diamond.

Third, Churchill Estates is the closest subdivision and will be directly exposed to higher EMR levels. This will affect their health as well as lower property values.

Finally, the cell phone tower may be placed at business locations such as the Smith shopping Center or Village Square. This will protect residents from long term exposure of electromagnetic radiation exposure as well as minimize the eyesore of the cell phone tower.

Please consider my objections.

Thank you.

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JUN 14 2011
VAR-41297
SUP-41296 P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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0004279218 APR 28 2011
MAILED FROM ZIP CODE 89101

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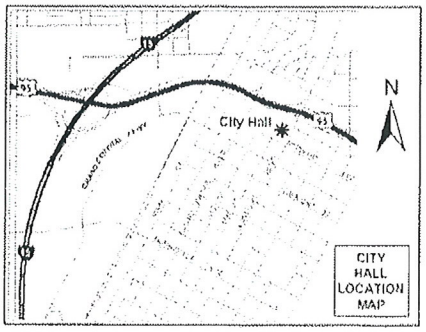

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MAY 3 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning, Case Planning Division 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-41297 & SUP-41296

Planning Commission Meeting of 5/10/2011

Case: VAR-41297
16306712024
MAJETICH FAMILY TRUST
9433 CHURCHILL DOWNS DR
LAS VEGAS NV 89117-7223

18 BRDFN11 89117

21-22
P

May 01 2011 12:19PM AAA Sheron Zinn 1 702 869 1773 p.1

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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MAILED FROM ZIP CODE 89101

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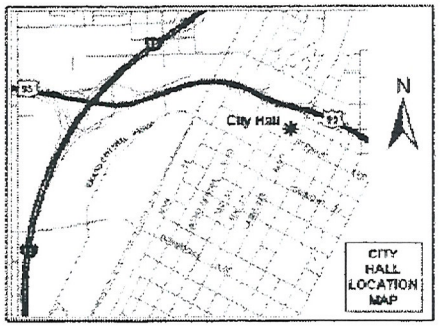
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-41297 & SUP-41296

Planning Commission Meeting of 5/10/2011

Case: VAR-41297

16306520049
ZINN SHERON H
1316 PALANTINE HILL DR
LAS VEGAS NV 89117-0855

Strongly oppose!!
Sheron Zinn

RECEIVED
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91-22
R

May 04 11 02:08p BOB AND LESLIE KOST 7022430215 p.2

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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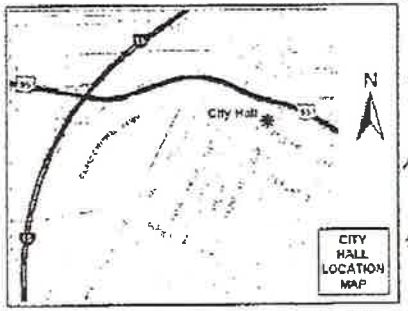

AS RESIDENTS OF PECOLE RANCH FOR OVER 15 YRS, WE WOULD LIKE TO GO ON RECORD STATING OUR OPPOSITION TO THE REVERSE VARIANCE THAT WOULD ALLOW AN 85 FT CELL TOWER IN OUR DEVELOPMENT.

PECOLE RANCH IS A PEACEFUL, TREE LINED NEIGHBORHOOD WITH WALKING PATHS AND AN ELEMENTARY SCHOOL, THIS IS NOT A PLACE FOR A CELL TOWER.

THERE IS COMMERCIAL PROPERTY BORDERING PECOLE RANCH THAT IS MORE SUITABLE TO THIS TYPE OF DEVELOPMENT THEN RUINING THE LOOK OF AN ESTABLISHED NEIGHBORHOOD, JUST EAST OF SAHARA & FORT APACHE ARE TWO ESTABLISHED CELL TOWERS, IT IS NOT NECESSARY TO BUILD WITH A RESIDENTIAL AREA— KEEP NEIGHBORHOODS FOR FAMILIES AND NOT DEVELOPMENT,

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-41297 & SUP-41296

Planning Commission Meeting of 5/10/2011

Case: VAR-41297

16306614009
KOST FAMILY TRUST
9432 STEEPLEHILL DR
LAS VEGAS NV 89117-7270

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002

05/09/2011 13:31 FAX

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PLANNING & DEVELOPMENT

City of Las Vegas
Department of Planning
Development Services Center
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Las Vegas, Nevada 89106

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Certainly there must be more suitable locations for an 85-foot high communication tower than the middle of a residential community.

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-41297 & SUP-41296

Planning Commission Meeting of 5/10/2011

Case: VAR-41297
16306614019
SWAIN FAMILY TRUST
1605 BREEZE CANYON DR
LAS VEGAS NV 89117-7247

P.02

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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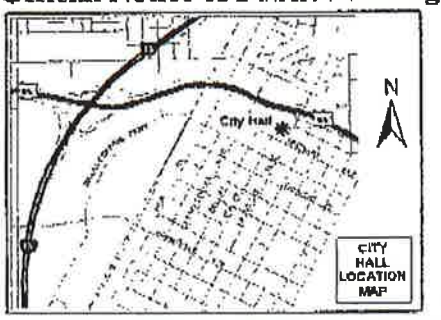

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VAR-41297 & SUP-41296

Planning Commission Meeting of 5/10/2011

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: VAR-41297

16306616012
COLUCCI DUANE A
9421 VALENCIA CANYON DR
LAS VEGAS NV 89117-7133

21-22 P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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VAR-41297 & SUP-41296

Planning Commission Meeting of 5/10/2011

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MAY 9 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: VAR-41297

16306618016
REILLY MICHAEL D & TAKAKO M
1417 PALANTINE HILL DR
LAS VEGAS NV 89117-0857

Why build a Cell tower next to a El. School where Kids will clim on fence & be in danger. Peccole Ranch does not need a eye sore Mr. Wolfson. If all resdents in Peccole Ranch knew what is going on they would oppose. Mail one card out that looks like junk mail it goes in the trash. STOP THIS TOWER Thank you

2-23-9

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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FIRST CLASS

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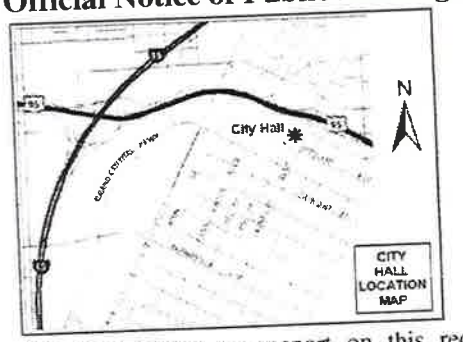

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-41297 & SUP-41296

Planning Commission Meeting of 5/10/2011

Case: VAR-41297

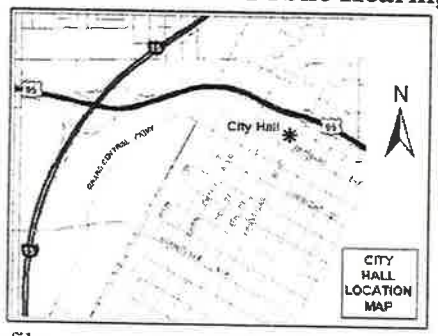
16306615006
LISTER WILLIAM J FAMILY TRUST
1408 PREMIER CT
LAS VEGAS NV 89117-7139

16 89117

21-22 P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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VAR-41297 & SUP-41296

Planning Commission Meeting of 5/10/2011

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: VAR-41297

16306618015
SHIHADEH PAUL E
1409 PALANTINE HILL DR
LAS VEGAS NV 89117-0857

18 BRDFN11 89117

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City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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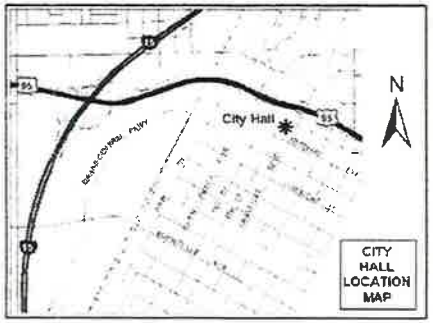

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-41297 & SUP-41296
Planning Commission Meeting of 5/10/2011

WE FEEL THIS SHOULDN'T BE PUT UP IN A RESIDENTIAL AREA. PROPERTY VALUES ARE DROPPING DAILY AND THIS WOULD HURT VALUES EVEN MORE, THERE ARE MANY VACANT LOTS e.g. SAHARA + HUALAPAI THAT COULD BE USED FOR THIS.
THANK YOU.

Case: VAR-41297
16306520026
SAVA RICHARD A & ROSEANN M
9637 RANCHO PALMAS DR
LAS VEGAS NV 89117-0848

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

LB BROFN11 89117

21-22 P

City of Las Vegas
Department of Planning
Development Services Center
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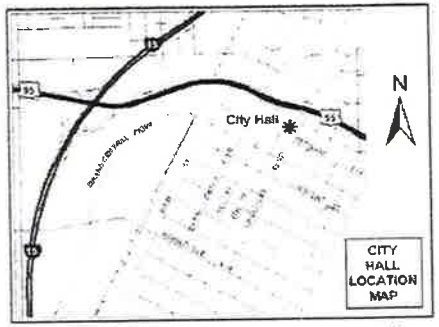
Las Vegas, Nevada 89106

Return Service Requested

Official Notice of Public Hearing



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☒ I OPPOSE this Request

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VAR-41297 & SUP-41296

Planning Commission Meeting of 5/10/2011

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: VAR-41297
16306614053
SUTHERLAND T B QUAL PERS RES TR
9401 DREW CT
LAS VEGAS NV 89117-7273

21-22 P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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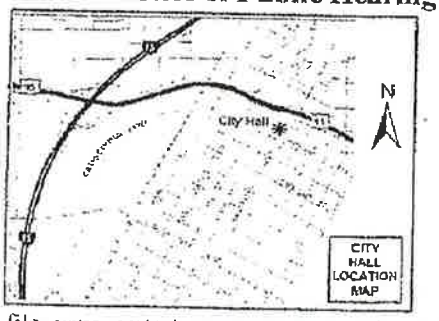

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-41297 & SUP-41296
Planning Commission Meeting of 5/10/2011

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

16306614022 Case: VAR-41297

LAS VEGAS NV 89117-7247

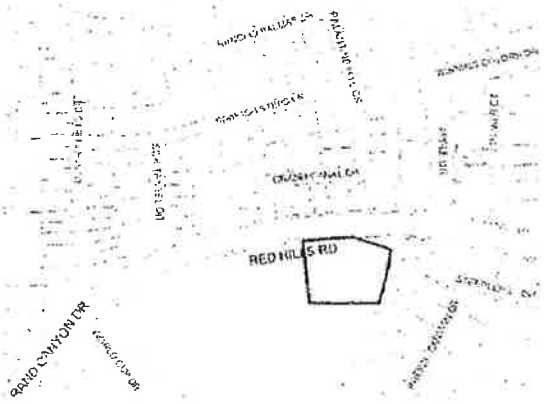
LA BROFMIL 89117

Application Information

VAR-41297 - VARIANCE - PUBLIC HEARING - APPLICANT: TOWER CONSULTING, INC. - OWNER: PECCOLE RANCH COMMUNITY ASSOCIATION - Request for a Variance TO ALLOW A 12-FOOT HIGH CHAIN LINK FENCE WHERE EIGHT FEET IS MAXIMUM HEIGHT PERMITTED on 1.49 acres at 9501 Red Hills Road (APN 163-06-610-002), R-PD7 (Residential Planned Development - 7 Units Per Acre) Zone, Ward 2 (Wolfson).

SUP-41296 - SPECIAL USE PERMIT RELATED TO VAR-41297 - PUBLIC HEARING - APPLICANT: TOWER CONSULTING, INC. - OWNER: PECCOLE RANCH COMMUNITY ASSOCIATION - Request for a Special Use Permit FOR A PROPOSED 85-FOOT HIGH WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN (MONOPINE) at 9501 Red Hills Road (APN 163-06-610-002), R-PD7 (Residential Planned Development - 7 Units Per Acre) Zone, Ward 2 (Wolfson).

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	***May 10, 2011***
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 Department of Planning, Case Planning Division, Development Services Center, 333 North Rancho Drive, 3rd Floor, Las Vegas, Nevada 89106. 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.

21-22 P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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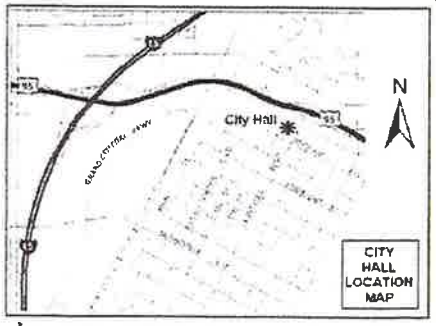

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-41297 & SUP-41296

Planning Commission Meeting of 5/10/2011

PLEASE LET ME KNOW HOW TO BE PLACED ON THE LIST TO ADDRESS THE MEETING.

18 BRDFN11 89117

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: VAR-41297

16306614022
SLOTTA MARK
1617 BREEZE CANYON DR
LAS VEGAS NV 89117-7247

2-22
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RE: Opposition to SUP-41296

Although residents of Peccole Ranch are required to notify their neighbors regarding any construction projects or altering of the landscape, we were not afforded the same courtesy by the Community Association who negotiated a business venture with a cellular phone company to construct an 85-foot high wireless communication facility. It was never addressed in the Community Association newsletter so residents were not included in a decision which impacts their collective rights and interests. Instead, a few select people on the Homeowner's Association Board found a way to create rental revenue without doing a comprehensive cost/benefit analysis assessing how it would affect the overall ambience of the vicinity.

The proposed location is not only in the middle of the Peccole Ranch common park area (tennis courts, toddler playground, sand volleyball, walking path, Frisbee area, exercise apparatus, barbeque with picnic table and benches, clubhouse) but is directly adjacent to the Clarence Piggott Elementary School's playground. It also borders the basketball courts and grassy field used by children during school recess, scheduled outdoor activity, and by those enrolled in the City of Las Vegas Safekey After-school Program who rely heavily on these recreational amenities.

Hopefully, SUP-41296 will be denied by the City of Las Vegas Planning Commission, but if not, may this discussion be delayed until it can be appropriately addressed with the Clarence Piggott Elementary School's Staff (and parents) who should be informed since children will be playing within just a few feet of this proposed communication facility? If there's a perception the airwaves might be a potential health hazard, it will cloud the enjoyment of those desiring a safe place to enjoy much needed and desirable leisure activities. It's assumed the beautiful trees adorning the path between the school and the Peccole Ranch common area will have to be removed to make way for the installation.

Peccole Ranch residents are prohibited from having antennas on their own properties, so it's hypocritical of the Board to suggest an 85-foot tower with 6 to 8 foot antenna sticks be placed in this picturesque area which also serves as a community park for many Las Vegas citizens. To minimize potential conflict between homeowners and the Peccole Ranch Community Association, it might be best to adhere to the same expectations currently outlined in the bylaws. By allowing this type of tower with antennas, with possible additional sectors, rays, two way radio or microwave systems, this could set a precedent for homeowners who might request the same privilege to enhance their own personal use of audio and visual equipment.

If this type of wireless communication facility is ***really*** necessary, there are commercial locations on the south end of Peccole Ranch and on all four quadrants of the community which might be considered instead. At least these locations are not under the ethical obligation of the Homeowner Association's governing documents regarding the restriction of antennas – described as a type of visual nuisance or obstruction which would harm property values for those residents who live within close view.

As a member of the Peccole Ranch Homeowners Association, due to fear of retribution, and to avoid any potential harassment from those few on the Board in favor of this business arrangement, I prefer to remain anonymous and maintain a peaceful coexistence.

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JUN - 6 2011

Thank you for your time and consideration.

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

RESIDENTIAL AREAS SHOULD NOT HAVE THIS TOWER

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 APR 28 2011
MAILED FROM ZIPCODE 89101

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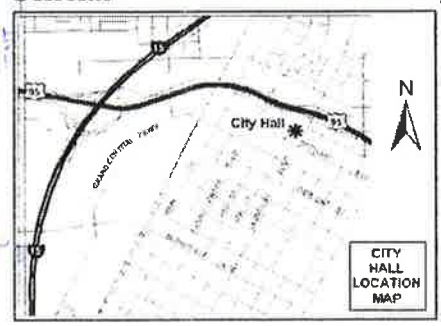

THIS IS BAD!!
CELL TOWER @ THE PARK/HOA Property!!
BY THE SCHOOL

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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VAR-41297 & SUP-41296
Planning Commission Meeting of 5/10/2011

Case VAR-41297
16306614044
HAMANN ALOHA NUI FAMILY TRUST
9811 W CHARLESTON BLVD #2785
LAS VEGAS NV 89117-7528

"LOOK AT THE MAP. ON THE OTHER SIDE.

1B 89074-1-89117

Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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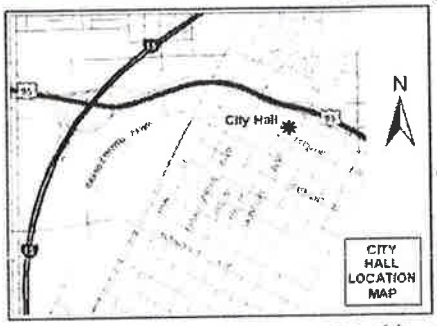

AS RESIDENTS OF PECCOLE RANCH FOR OVER 15 YRS, WE WOULD LIKE TO GO ON RECORD STATING OUR OPPOSITION TO THE PETITIONS VARIANCE THAT WOULD ALLOW AN 85 FT CELL TOWER IN OUR DEVELOPMENT.

PECCOLE RANCH IS A PEACEFUL, TREE LINED NEIGHBORHOOD WITH WALKING PATHS AND AN ELEMENTARY SCHOOL; THIS IS NOT A PLACE FOR A CELL TOWER.

THERE IS COMMERCIAL PROPERTY BORDERING PECCOLE RANCH THAT IS MORE SUITABLE TO THIS TYPE OF DEVELOPMENT THEN RUINING THE LOOK OF AN ESTABLISHED NEIGHBORHOOD. JUST EAST OF SAHARA & FORT APACHE ARE TWO ESTABLISHED CELL TOWERS, IT IS NOT NECESSARY TO BUILD WITHIN A RESIDENTIAL AREA - KEEP NEIGHBORHOODS FOR FAMILIES AND NOT DEVELOPMENT.

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VAR-41297 & SUP-41296
Planning Commission Meeting of 5/10/2011

Case: VAR-41297
16306614009
KOST FAMILY TRUST
9432 STEEPLEHILL DR
LAS VEGAS NV 89117-7270

RECEIVED MAY 9 2011 PLANNING & DEVELOPMENT

21-22 2P

1B 89074-1-89117

Carman Burney

From: Chrystal L. Jacobs
Sent: Monday, May 02, 2011 6:57 AM
To: Carman Burney
Subject: FW: Internet Submission - VAR-41297 & SUP-41296

-----Original Message-----
From: nk5062@hotmail.com [mailto:nk5062@hotmail.com]
Sent: Saturday, April 30, 2011 3:51 PM
To: Planning Internet Email
Subject: Internet Submission - VAR-41297 & SUP-41296

Citizen Name: William & Nancy Kost

Email: nk5062@hotmail.com

IP Address: 70.180.134.57

Comments: As 16 year residents of Peccole Ranch we are strongly opposed at the request to erect a 12 foot fence on 1.49 acres within our master planned community.
Peccole Ranch is a master planned community with well developed walking paths, community areas and should remain the peaceful community we moved into.
There is commerical development on Sahara/Fort Apache, Charleston/Rampart and west of Hulalpi that is better suited for this type of construction.
What is the benefit of erecting this structure in our development with so many other suitable areas available.
Please reconsider moving this structure to another area.
Thank you

Date: 4/30/2011 3:51:08 PM

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Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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UNITED STATES POSTAGE
PITNEY BOWES
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APR 28 2011
MAILED FROM ZIPCODE 89101

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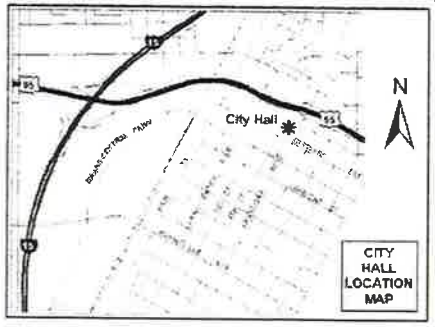
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning, Case Planning Division 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-41297 & SUP-41296
Planning Commission Meeting of 5/10/2011

RECEIVED
MAY 9 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: VAR-41297

16306512036
MITOK GERALD W JR
1217 DAYTONA LN
LAS VEGAS NV 89117-7112

16 89117

A 22-22

City of Las Vegas Agenda Item No.: **82.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

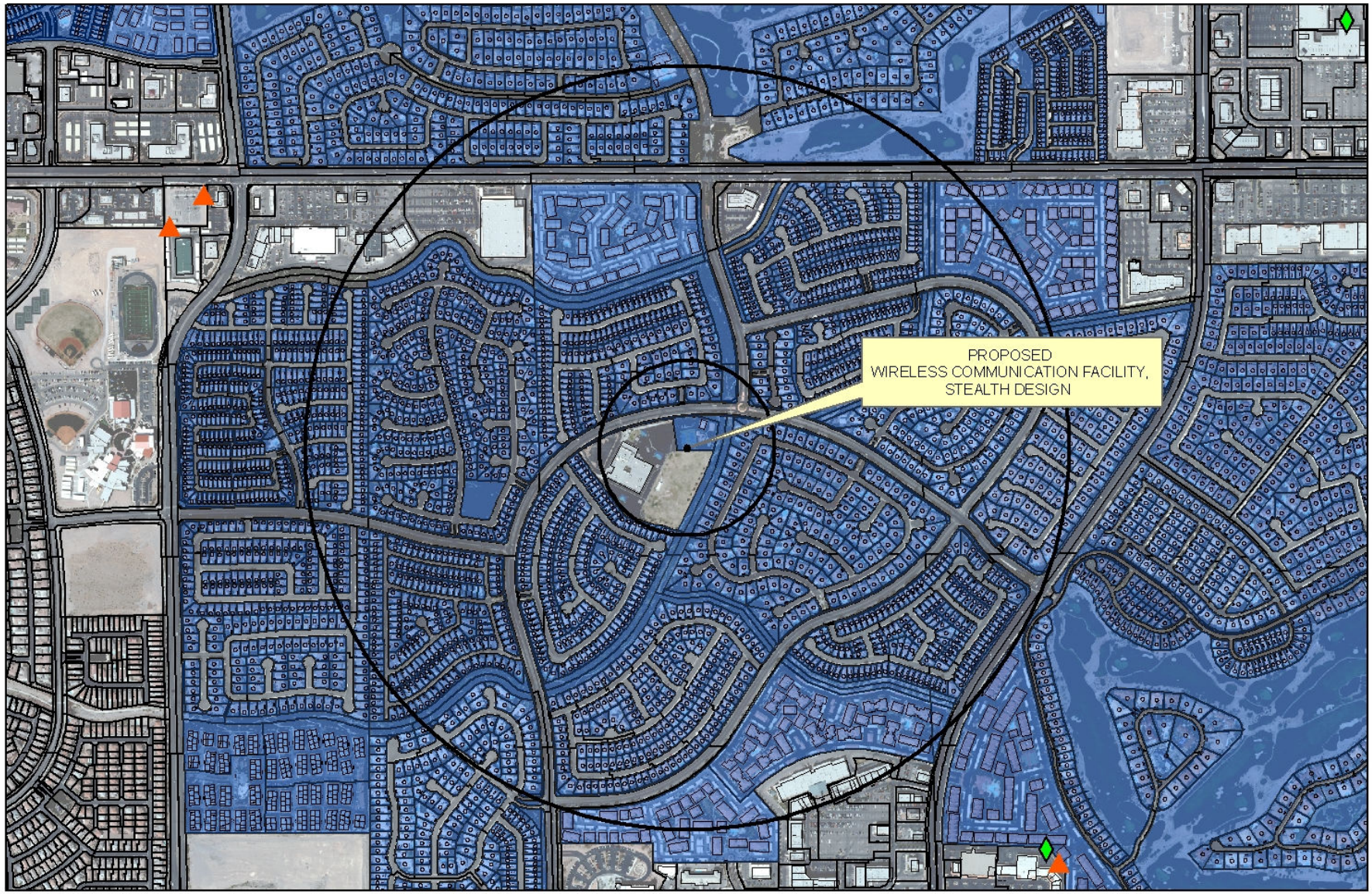
SUBJECT:
SUP-41296 - SPECIAL USE PERMIT RELATED TO VAR-41297 - PUBLIC HEARING - APPLICANT: TOWER CONSULTING, INC. - OWNER: PECCOLE RANCH COMMUNITY ASSOCIATION - For possible action on a request for a Special Use Permit FOR A PROPOSED 85-FOOT HIGH WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN (MONOPINE) at 9501 Red Hills Road (APN 163-06-610-002), R-PD7 (Residential Planned Development - 7 Units Per Acre) Zone, Ward 2 (Wolfson). The Planning Commission (6-0-1 vote) and Staff recommend DENIAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**17**	**Planning Commission Mtg.**	**1**
City Council Meeting	**3**	**City Council Meeting**	**2**

RECOMMENDATION:
The Planning Commission (6-0-1 vote) and Staff recommend DENIAL.

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Special Map
3. Supporting Documentation
4. Protest/Support Postcards

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.



SUP-41296
Wireless Facility

Wireless Facility Locations

Non-Stealth

Stealth

Subject Cell Tower

Residential Property

600ft &
1/2 mile Buffer

0 600 1,200 2,400 Feet

N

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-41296** APN: 163-06-610-002

Name of Property Owner: Peccole Ranch Community Assn.

Name of Applicant: Tower Consulting, Inc.

Name of Representative: Chris Wener

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: Richard D. Layton

Print Name: Richard D. Layton

Subscribed and sworn before me

This 22 day of February, 2011

Janet M Porter

Notary Public in and for said County and State

Clark Nevada

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
JANET M. PORTER
Appt. No. 02-77952-1
My Appt. Expires Dec. 21, 2013

RECEIVED
MAR 24 2011

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) 9501 Red Hills Rd., Las Vegas, NV 89117

Project Name Peccole Ranch **Proposed Use** Wireless Site

Assessor's Parcel #(s) 163-06-610-002 **Ward #** 2

General Plan: existing OS proposed n/a **Zoning:** existing R-PD7 proposed n/a

Commercial Square Footage n/a **Floor Area Ratio** n/a

Gross Acres n/a **Lots/Units** n/a **Density** n/a

Additional Information 80' Wireless Communications Facility, Stealth Design

PROPERTY OWNER Peccole Ranch Community Assn. **Contact** Jan Porter

Address 9501 Red Hills Rd **Phone:** (702) 255-3551 **Fax:** (702) 243-5819

City Las Vegas **State** NV **Zip** 89117

E-mail Address jan@peccoleran.com

APPLICANT Tower Consulting, Inc. **Contact** Chris Wener

Address 8905 W. Post Rd., Suite 100 **Phone:** (702) 339-9112 **Fax:** (702) 367-8733

City Las Vegas **State** NV **Zip** 89148

E-mail Address cwener@spectrumse.com

REPRESENTATIVE Chris Wener **Contact** Chris Wener

Address 8905 W. Post Rd., Suite 100 **Phone:** (702) 339-9112 **Fax:** (702) 367-8733

City Las Vegas **State** NV **Zip** 89148

E-mail Address cwener@spectrumse.com

Property Owner Signature* Richard D Layton

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

Print Name Richard D. Layton

Subscribed and sworn before me

This 22 day of February, 2011.

Janet M Porter

Notary Public in and for said County and State Clark NV

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
JANET M. PORTER
Appt. No. 02-77952-1
My Appt. Expires Dec. 21, 2013

FOR DEPARTMENT USE ONLY

Case #	SUP-41296
Meeting Date:	5/10/11 PC
Total Fee:	~~$1030~~ 530
Date Received:*	3/24/11
Received By:	

RECEIVED
MAR 24 2011

*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

Please refer to VAR-41297 for related Protest/Support Postcards.

City of Las Vegas Agenda Item No.: **83.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: JULY 20, 2011

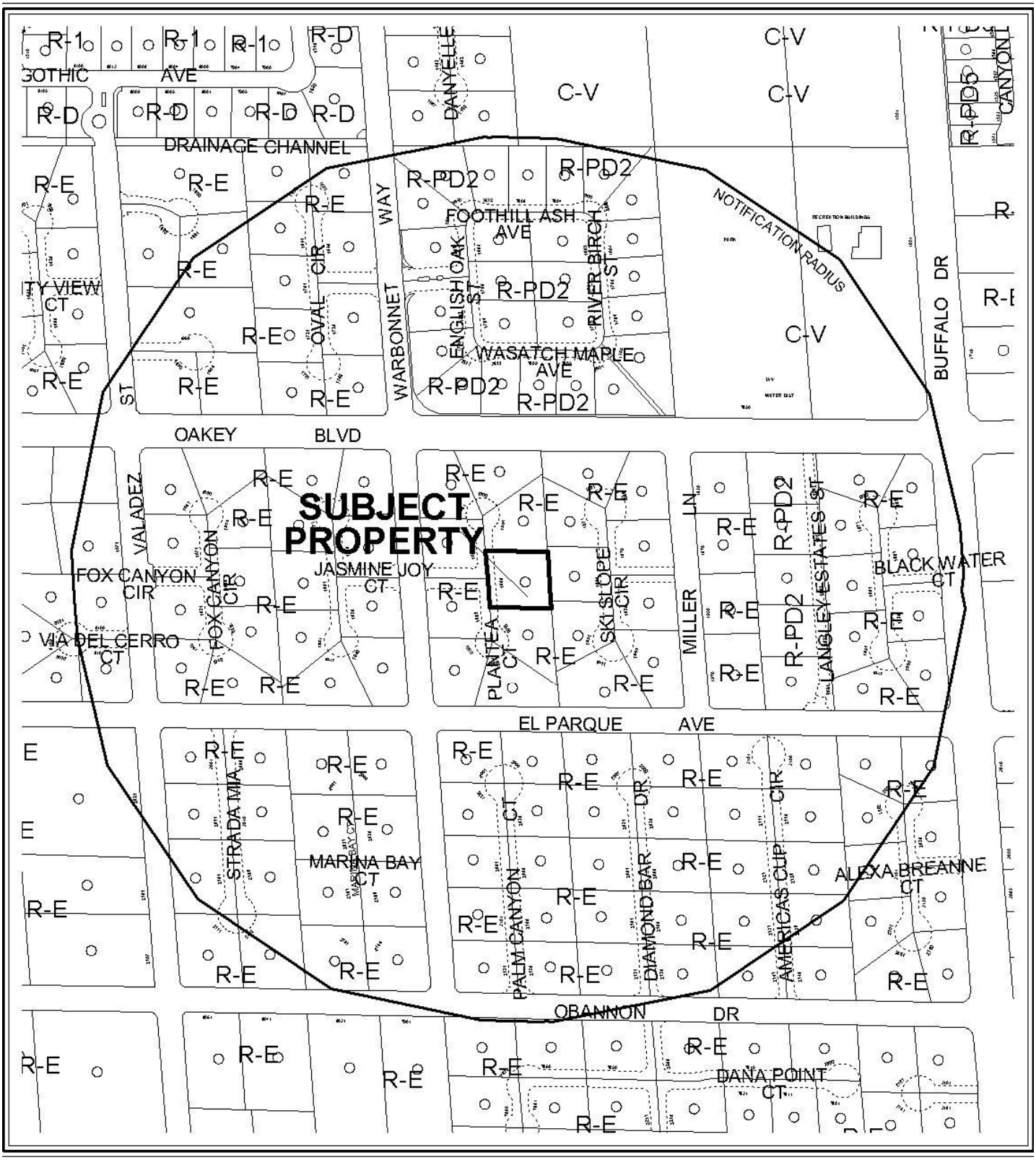
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
VAR-41401 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: FATALEVICH FAMILY TRUST - For possible action on a request for a Variance TO ALLOW A TWO-FOOT DISTANCE SEPARATION BETWEEN A PROPOSED 1,167 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS II) AND THE MAIN DWELLING WHERE SIX FEET IS REQUIRED on 0.46 acres at 1900 Plantea Court (APN 163-04-718-005), R-E (Residence Estates) Zone, Ward 2 (Wolfson). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**3**	**Planning Commission Mtg.**	**0**
City Council Meeting	**1**	**City Council Meeting**	**1**

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo
5. Justification Letter
6. Protest/Support Postcards
7. Backup referenced from the June 14, 2011 Planning Commission Meeting Items – VAR-41401



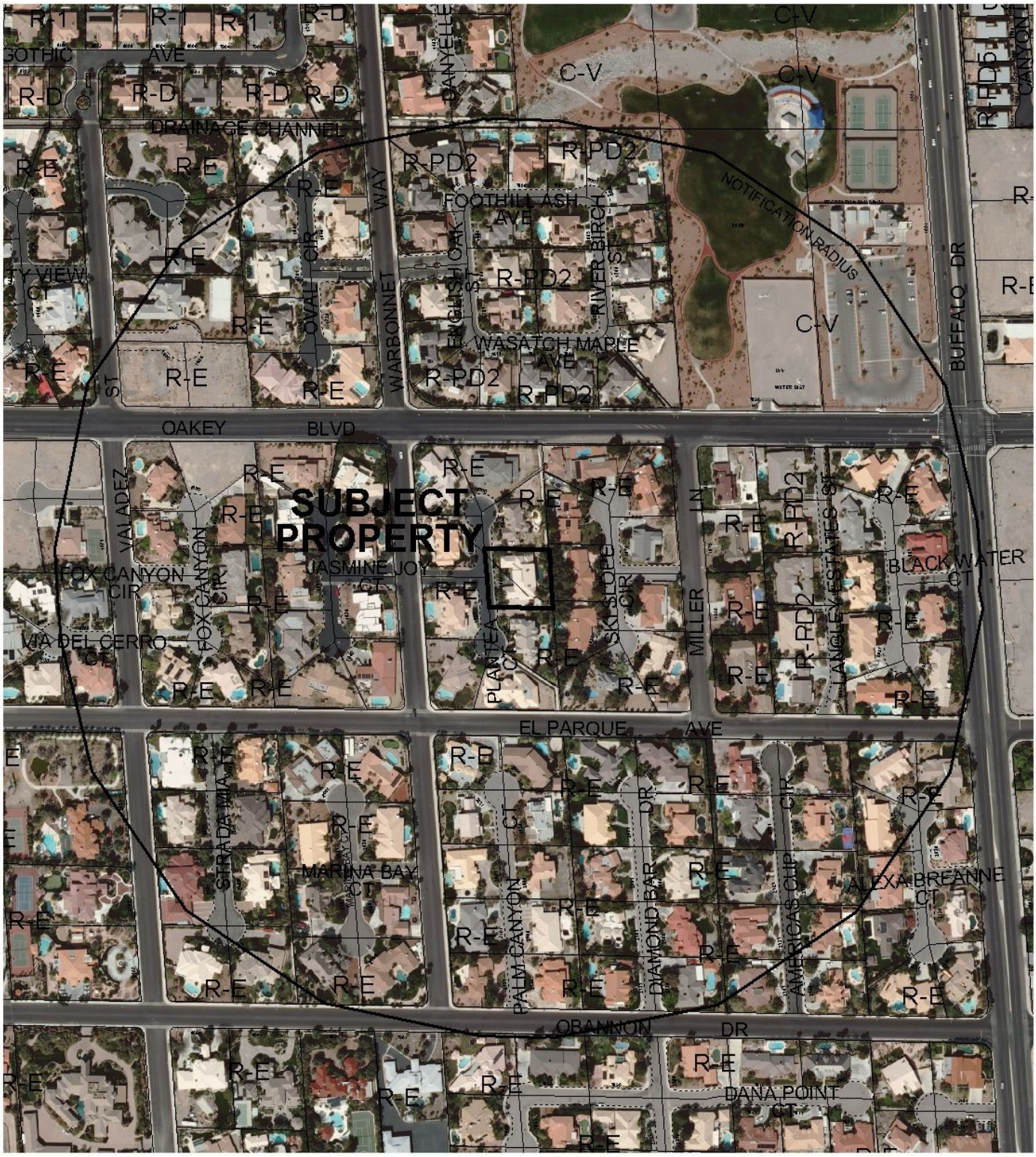
0 300 600 Feet

CASE: **VAR-41401**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

N



0 300 600 Feet

CASE: **VAR-41401**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 20, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: FATALEVICH FAMILY TRUST

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-41401	Staff recommends DENIAL, if approved subject to conditions:	N/A

** CONDITIONS **

VAR-41401 CONDITIONS

Planning

1. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

3. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Staff Report Page One
July 20, 2011 - City Council Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

A 1,167 square-foot Accessory Structure (Class II) is proposed in the side yard on the south side of the main dwelling. The subject property at 1900 Plantea Court contains an existing 6,303 square-foot dwelling. The proposed Class II accessory structure will have a two-foot distance separation from the main dwelling. Staff recommends denial, as the use does not comply with Title 19 requirements for an Accessory Structure (Class II) use. If this application is denied, the proposed Accessory Structure (Class II) will not be permitted on the property.

ISSUES

- A Variance is required to allow a two-foot distance separation between Accessory Structure (Class II) and the main dwelling.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
10/24/95	The Board of Zoning Adjustment approved a request for a Variance (V-0152-95) to allow the following: A) a single family dwelling with a front yard setback of 40.68 feet where 50 feet is the minimum setback required on property located at 1900 Lisa Dennis Court (now Plantea Court); B) a single family dwelling with a front yard setback of 45.35 feet where 50 feet is the minimum setback required on property located at 1804 Lisa Dennis Court (now Plantea Court) C) a single family dwelling with a rear yard setback of 20 feet where 43.45 feet is the minimum setback required on property located at 1801 Lisa Dennis Court (now Plantea Court). The Planning Department staff recommended was denial.
11/23/98	The City Council approved a request for a General Plan Amendment (GPA-0027-98) to Amend a portion of the Southwest Sector of the General Plan on properties bounded by Holmby Channel, Via Olivero Avenue, Rainbow Boulevard, and Durango Drive, from R (Rural Density Residential) to DR (Desert Rural Density Residential). The Planning Commission and staff recommended approval.
01/04/06	The City Council approved a request for a Special Use Permit (SUP-9859) for a proposed Guest House/Casita at 1900 Plantea Court. The Planning Commission recommended approval and the Department of Planning staff recommended denial. The entitlement had expired on 08/26/09.
06/14/11	The Planning Commission voted (7-0) to recommend APPROVAL (PC Agenda Item 36/rg).

Most Recent Change of Ownership	
03/23/09	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
12/04/95	A building permit (#95389536) was issued for Single Family, Detached Residence at 1900 Lisa Dennis Court (now Plantea Court). The permit was finalized on 07/24/96.

Pre-Application Meeting	
03/10/11	A pre-application meeting was held with the applicant where the submittal requirements for a Variance for a proposed garage were discussed. The distance separation between the proposed Accessory Structure (Class II) and the main dwelling is 2 feet. The property currently has a three-foot easement parallel to the south property line and the building will require must be at three feet from the property line.

Neighborhood Meeting
A neighborhood meeting was not held, nor was one required.

Field Check	
05/05/11	A site visit by staff noted that the property is well maintained.

Details of Application Request	
Site Area	
Net Acres	0.47

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Single Family, Detached	DR (Desert Rural Density Residential)	R-E (Residence Estates)
North	Single Family, Detached	DR (Desert Rural Density Residential)	R-E (Residence Estates)
South	Single Family, Detached	DR (Desert Rural Density Residential)	R-E (Residence Estates)
East	Single Family, Detached	DR (Desert Rural Density Residential)	R-E (Residence Estates)
West	Single Family, Detached	DR (Desert Rural Density Residential)	R-E (Residence Estates)

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area		X	N/A
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District	X		Y
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08.040, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	20,000 SF	20,405 SF	Y
Min. Lot Width	100 Feet	137 Feet	Y
Min. Setbacks (Accessory Structure)			
• Front	Not Allowed	N/A	N/A
• Side (South)	3 Feet	3 Feet	Y
• Rear	3 Feet	25 Feet	Y
Min. Distance Between Buildings	6 feet	2 feet	N
Max. Building Height	32.5 feet	18 feet	Y

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Street Width (Feet)*	*Compliance with Street Section*
Plantea Court	N/A	N/A	40	N/A

ANALYSIS

An Accessory Structure (Class II) use is defined by Title 19.20.020 as "an accessory structure which is located on the same lot as a principal structure, is detached therefrom, is incidental or subordinate thereto, and does not qualify as an "Accessory Structure (Class I)." The applicant is proposing a 1,167 square-foot detached Class II accessory structure that will be utilized as a recreation vehicle garage and will be accessed with an existing driveway from Plantea Court. The property contains an existing 6,303 square-foot Single Family Dwelling and is located within the Rural Preservation Overlay District. The proposed development conforms to the requirements of the district.

The request for a Variance is required, as the proposed Accessory Structure (Class II) does not meet the minimum distance separation from the main dwelling. The distance separation is two feet between the Class II accessory structure and the main dwelling. Pursuant to Title 19.08.040, detached accessory structures must be separated a minimum distance of six feet from the main dwelling. No characteristics of the property prevent the Accessory Structure (Class II) from being designed to meet Title 19 standards; therefore, staff recommends denial of the request for a Variance. If this request is approved, it is subject to conditions.

FINDINGS (VAR-41401)

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 an Accessory Structure (Class II) that is too wide within an area of the property that is too narrow for the proposed structure. Reduction in the width or relocation of the Accessory Structure (Class II) 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.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 14

NOTICES MAILED 159 (By City Clerk)

APPROVALS 0

PROTESTS 3

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-41401** APN: 163-04-718-005

Name of Property Owner: Fatalevich Family Trust, Arkady Fatalevich and Marjorie Fatalevich

Name of Applicant: Alec Fatalevich

Name of Representative: Montgomery Consulting Engineers

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: Alec Fatalevich

Print Name: ARKADY FATALEVICH

State of Nevada, County of Clark

Subscribed and sworn before me

This 30TH day of March, 2011 by Arkady & Fatalevich AK

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
ROBERT JERBIC
No: 11-3915-1
My Appointment Expires Jan. 18, 2015

RECEIVED
APR 07 2011

Revised 11-14-06

f:\de...ial Interest.pdf

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: VARIANCE

Project Address (Location) 1900 PLANTEA CT., LAS VEGAS, NV 89117

Project Name FATALEVICH **Proposed Use** RV GARAGE

Assessor's Parcel #(s) 163-04-718-005 **Ward #** 2-WOLFSON

General Plan: existing DR proposed _____ **Zoning:** existing R-E proposed _____

Commercial Square Footage NA **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER FATALEVICH FAMILY TRUST **Contact** ALEC FATALEVICH

Address 1900 PLANTEA CT **Phone:** (415) 730-5300 **Fax:** _____

City LAS VEGAS **State** NV **Zip** 89117

E-mail Address alec@cmppstudios.com

APPLICANT same (see above) **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

REPRESENTATIVE Montgomery Consulting Engineers **Contact** Elicia Montgomery

Address 9640 W Tropicana Ave, Ste 115 **Phone:** (702) 219-5656 **Fax:** (702) 251-9566

City Las Vegas **State** NV **Zip** 89147

E-mail Address elicia@montgomeryengineers.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 ARKADY FATALEVICH

State of Nevada, County of Clark

Subscribed and sworn before me

This 30th day of March, 20 11.

by Arkady I. Fatalevich

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
ROBERT JERBIC
No: 11-3915-1
My Appointment Expires Jan. 18, 2015

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	VAR-41401
Meeting Date:	6-14-11
Total Fee:	$ 830.00
Date Received:*	4-7-11
Received By:	

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

RECEIVED
APR 07 2011

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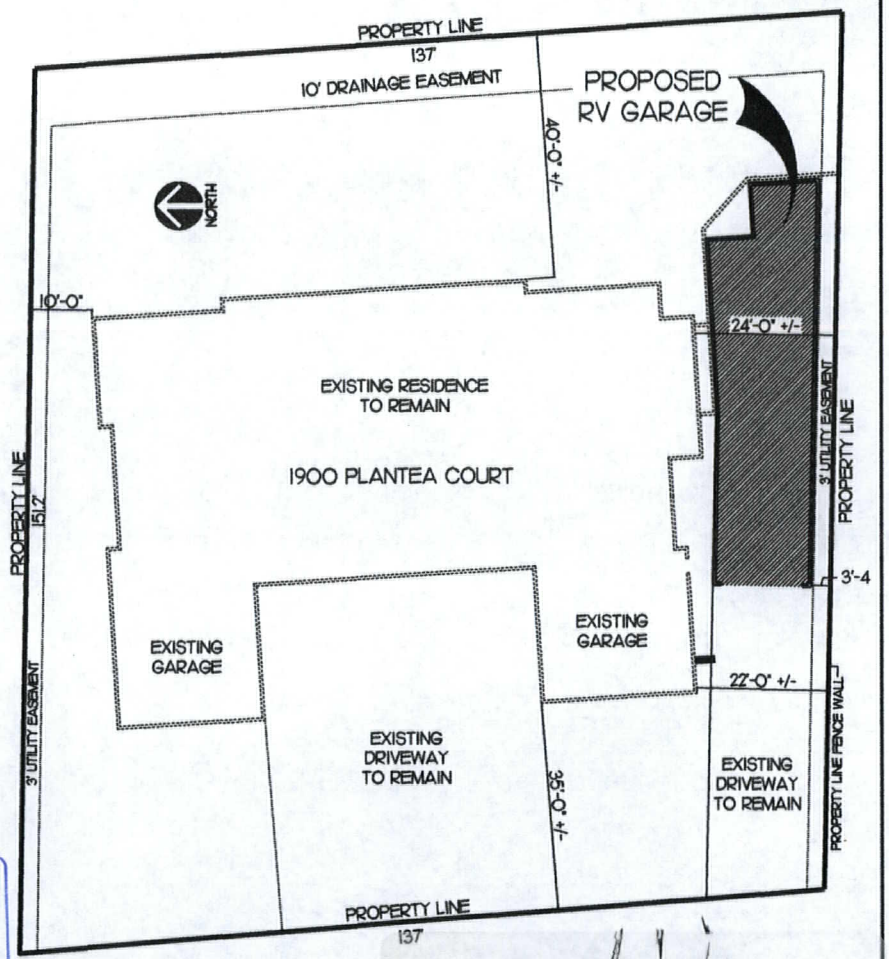
SQUARE FOOTAGES		
FIRST FLOOR (LIVING)	4,093	S.F.
FIRST FLOOR (GARAGE)	504	S.F.
FIRST FLOOR (FOOTPRINT)	4,597	S.F.
SECOND FLOOR LIVING	2,210	S.F.
TOTAL LIVING	6,303	S.F.
NEW DETACHED RV GARAGE	1,167	S.F.

Job No:	344-001
Job Name:	1900 Plantea
Revision:	.
Sheet No:	A1



VICINITY MAP
N.T.S.

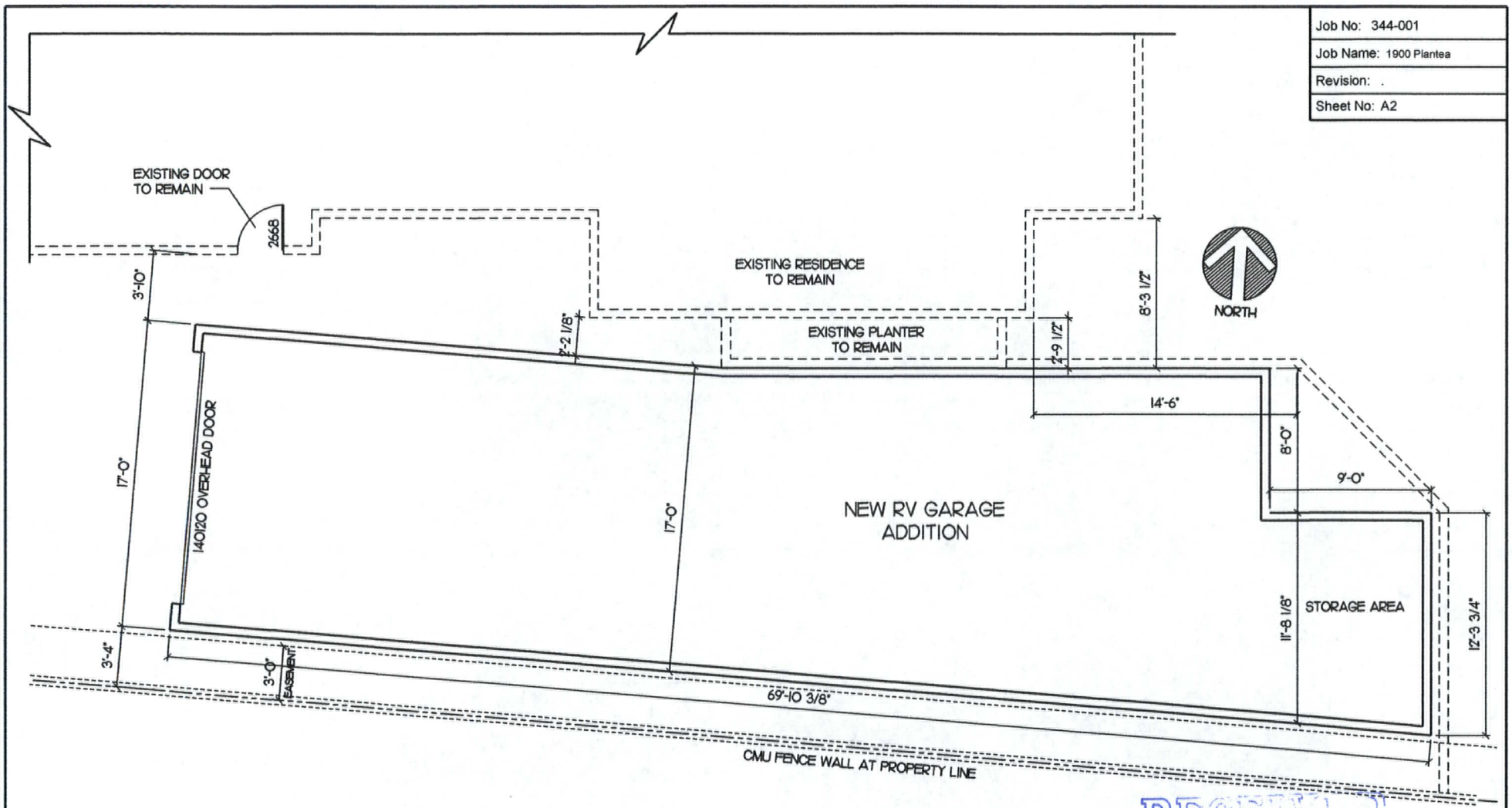


SITE PLAN
N.T.S.

RECEIVED
MAY 13 2011

VAR-41401
REVISED

Job No:	344-001
Job Name:	1900 Plantea
Revision:	.
Sheet No:	A2



FLOOR PLAN

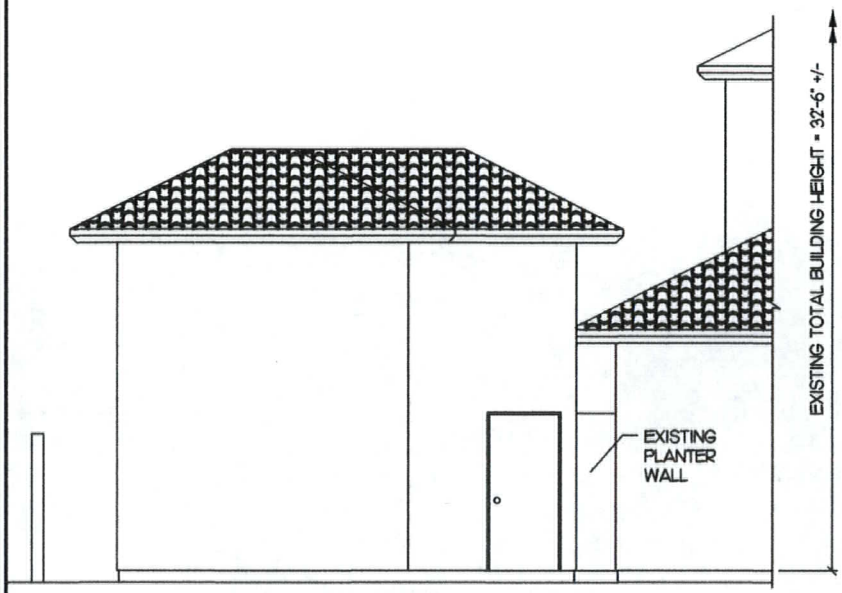
SCALE: 1/8" = 1'-0"

RECEIVED
MAY 19 2011

VAR-41401

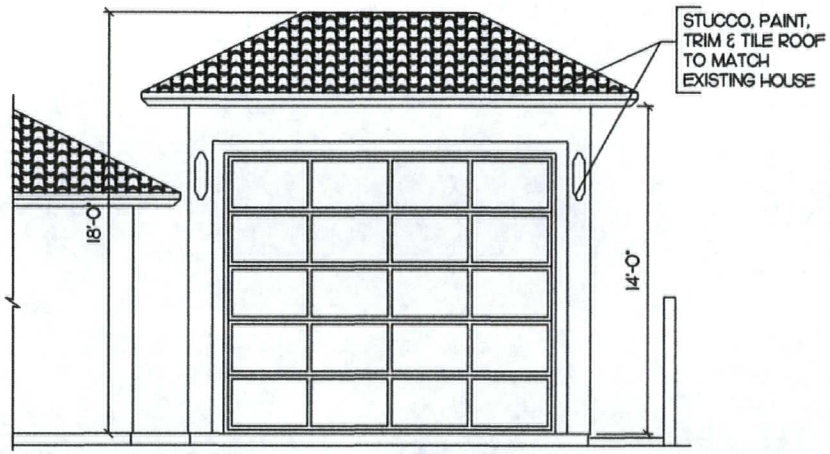
REVISED

Job No:	344-001
Job Name:	1900 Plantea
Revision:	.
Sheet No:	A3



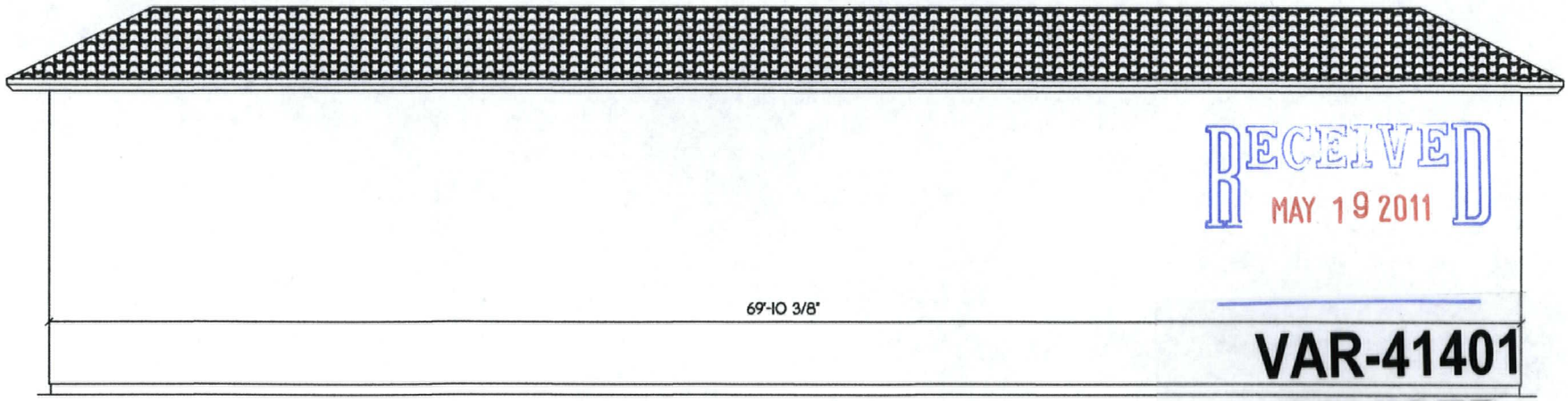
EAST ELEVATION

SCALE: 1/8" = 1'-0"



WEST ELEVATION

SCALE: 1/8" = 1'-0"



SOUTH ELEVATION

SCALE: 1/8" = 1'-0"

RECEIVED
MAY 19 2011

VAR-41401

REVISED



VAR-41401 – APPLICANT/OWNER: FATALEVICH FAMILY TRUST
1900 PLANTEA COURT

05/05/11

Alec Fatalevich
1900 Plantea CT
Las Vegas, NV 89117
Cell: 415 730 5300

May 17, 2011

Dear Planning Department/City of Las Vegas,

This is a request for a variance to build an RV Garage 2'-0" from my existing house. I will maintain a 3'-4" setback from the south property line.

My ability to build an RV garage was critical to my decision to purchase this house. Without the variance, there is not enough room to build a structure big enough to house my RV.

Also, we have a temporary storage shed in the area we are building in and it will be removed prior to construction.

Thank you for your consideration,

Very truly yours,

Alec Fatalevich

RECEIVED
MAY 19 2011

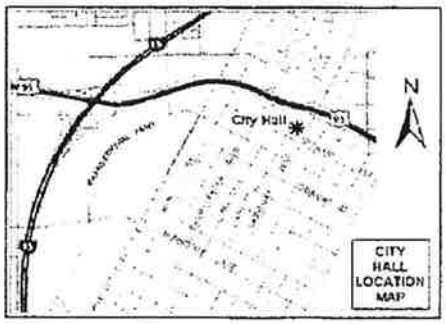
VAR-41401
REVISED

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

RECEIVED
CITY CLERK

2011 JUL 11 A 7:03

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-41401
City Council Meeting of 7/20/2011

SANDTRAVEL L L C
7901 OBANNON DR
LAS VEGAS NV 89117-1979

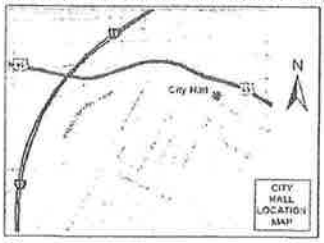
APN#16304802007

RECEIVED
CITY CLERK

2011 JUL 11 A 7:03

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.

[X] I SUPPORT this Request

[ ] I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-41401

City Council Meeting of 7/20/2011

SONDENO FAMILY LIVING TRUST
SONDENO DUDLEY J & CYNTHIA TRS
2111 AMERICAS CUP CIR
LAS VEGAS NV 89117-1925

APN# 1630471 6004

18 FRDFN11 89117

07/09/2011 SAT 09:47 [TX/RX NO 9716] 001

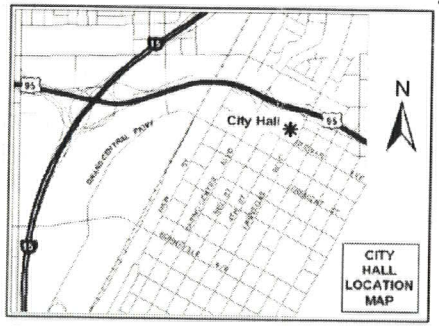
Jul 09 11 10:45a

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M
0004279218
$ 00.41⁴
JUN 02 2011
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 Department of Planning, Case Planning Division 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-41401

Planning Commission Meeting of 6/14/2011

Case: VAR-41401

16304702006
KRAMAROV MARINA & BATIA
3864 BROADMEAD ST
LAS VEGAS NV 89147-1055

P

35 ORDFN11 89147

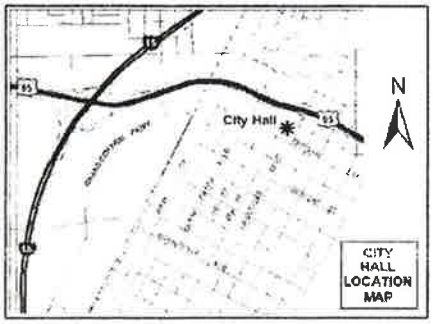
City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 JUN 02 2011
MAILED FROM ZIPCODE 89101

RECEIVED
JUN 14 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

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.

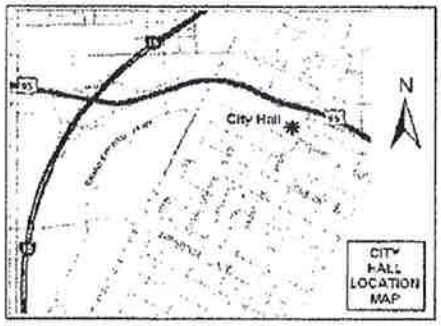
VAR-41401
Planning Commission Meeting of 6/14/2011

. Case: VAR-41401
16304715009
B C K O LIVING TRUST
2100 DIAMOND BAR DR
LAS VEGAS NV 89117-1952

36 P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

Return Service Requested
Official Notice of Public Hearing



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Case: VAR-41401
16304716002
MOTLAGH MOJTABA R
2131 AMERICAS CUP CIR
LAS VEGAS NV 89117-1925

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-41401
Planning Commission Meeting of 6/14/2011

RECEIVED
JUN - 9 2011

36P

City of Las Vegas Agenda Item No.: **84.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: JULY 20, 2011

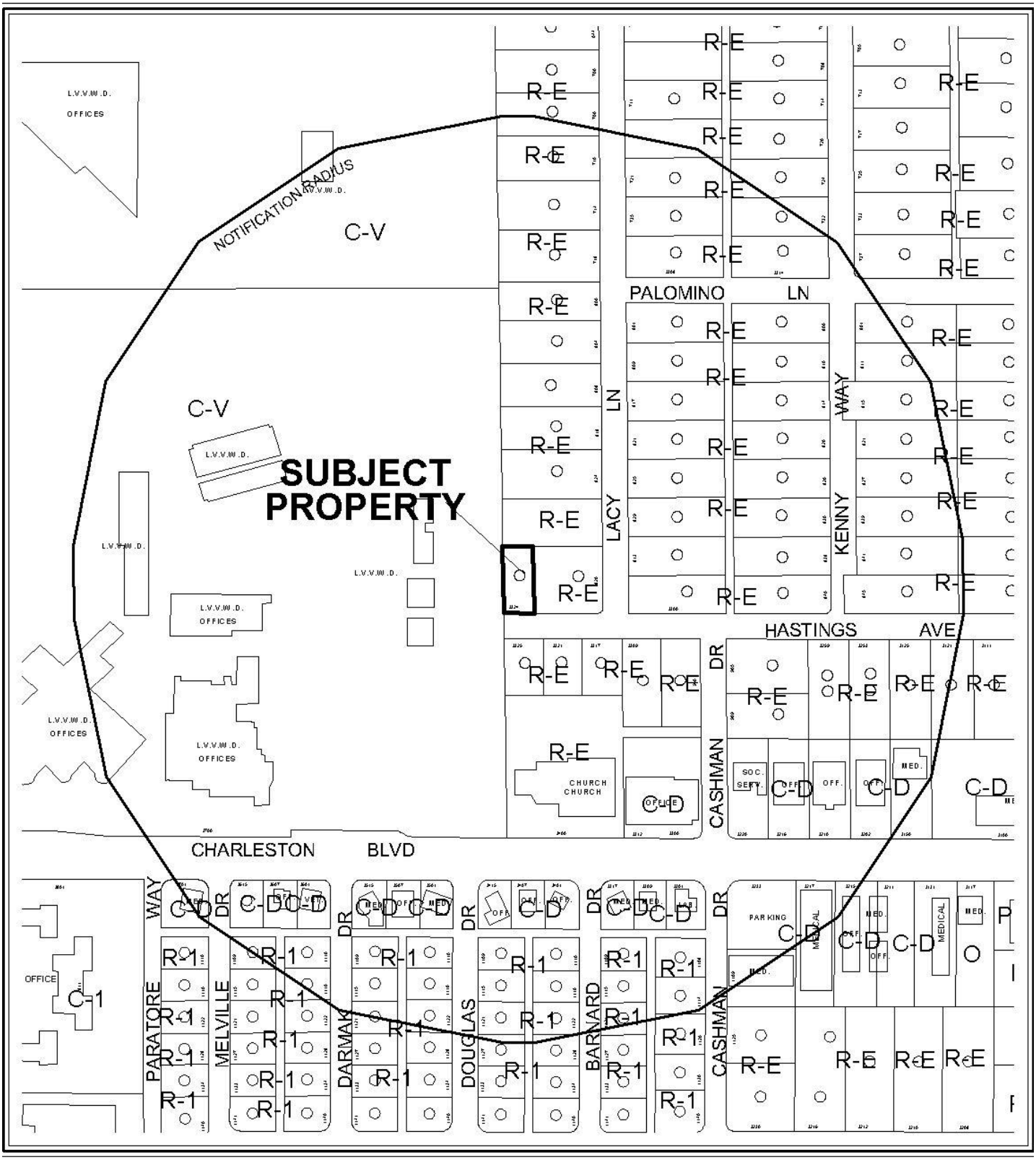
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
VAR-41565 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: GINIE W. HARRIS - Request for a Variance TO ALLOW AN EXISTING 528 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS I) TO HAVE A TWO-FOOT SIDE YARD SETBACK WHERE THREE FEET IS REQUIRED on 0.25 acres at 3324 Hastings Avenue (APN 139-32-401-007), R-E (Residence Estates) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**2**
City Council Meeting	**0**	**City Council Meeting**	**1**

RECOMMENDATION:
The Planning Commission (7-0 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps - VAR-41565 and SUP-41564
2. Conditions and Staff Report - VAR-41565 and SUP-41564
3. Supporting Documentation
4. Photos - VAR-41565 and SUP-41564
5. Justification Letter - VAR-41565 and SUP-41564
6. Support Postcard – VAR-41565 and SUP-41564
7. Backup referenced from the June 14, 2011 Planning Commission Meeting Item – VAR-41565 and SUP-41564



0 300 600 Feet

CASE: **VAR-41565 AND SUP-41564**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

N



0 300 600 Feet

CASE: **VAR-41565 AND SUP-41564**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 20, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: GINIE W. HARRIS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-41565	Staff recommends APPROVAL, subject to conditions:	
SUP-41564	Staff recommends APPROVAL, subject to conditions:	VAR-41565

** CONDITIONS **

VAR-41565 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-41564) shall be required, if approved.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-41564 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for an Accessory Structure (Class I) use.

2. Approval of and conformance to the Conditions of Approval for Variance (VAR-41565) shall be required.

3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.

4. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is requesting to convert an existing 528 square-foot detached garage to an Accessory Structure (Class I). The existing structure encroaches eight inches into the required three-foot side yard setback of the property. Since this request does not jeopardize the health, safety and general welfare of the citizenry and the applicant has provided evidence of a unique or extraordinary circumstance related to the size and width of the lot, staff is recommending approval of these requests for a Variance and Special Use Permit. If denied, the applicant may be required to remove the structure as a building permit will not be able to be issued without an approved Variance.

ISSUES

- An Accessory Structure (Class I) is permitted in the R-E (Residence Estates) zoning district with the approval of a Special Use Permit.
- A Variance is required to allow a two-foot, two-inch setback where a three-foot setback from the side yard is required.
- In regards to the Title 19.08.040 Single-Family Residential District Development Standards, the existing lot is legally, nonconforming as the 11,000 square-foot size and 71-foot width does not meet the minimum 20,000 square-foot lot size or 100-foot lot-width for the R-E (Residence Estates) zoning district.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
06/14/11	The Planning Commission voted (7-0) to recommend APPROVAL of companion items VAR-41565 and SUP-41564 (PC Agenda Items 41-42/mh).

Most Recent Change of Ownership	
08/11/10	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
01/22/07	A building Permit (#80219) issued over-the-counter for relocation of existing garage from Henderson. This permit did not receive a final inspection.
07/31/07	A building Permit (#94960) processed for a 528 square-foot casita at 3324 Hastings Avenue. This permit was not issued.

Pre-Application Meeting	
04/25/11	A pre-application meeting was held with the applicant to discuss the process of converting an existing detached garage to an Accessory Structure (Class I). The applicant was notified of the requirement for a Variance to allow a two-foot side yard setback where a three-foot setback is required.

Neighborhood Meeting
A Neighborhood Meeting is not required, nor was one held.

Field Check	
05/05/11	Staff visited the site and found a Single Family, Detached dwelling with extensive landscaping and fencing. The existing Accessory Structure is not visible from the public right-of-way. The site appears to have suitable parking for at least three spaces with no visible issues noted with the property.

Details of Application Request	
Site Area	
Net Acres	0.25

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Single Family, Detached	DR (Desert Rural Density Residential)	R-E (Residence Estates)
North	Undeveloped	DR (Desert Rural Density Residential)	R-E (Residence Estates)
South	Single Family, Detached	DR (Desert Rural Density Residential)	R-E (Residence Estates)
East	Single Family, Detached	DR (Desert Rural Density Residential)	R-E (Residence Estates)
West	Utility Installation, Other Than Listed	PF (Public Facilities)	C-V (Civic)

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area		X	N/A
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08.040, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	20,000 SF	11,058 SF	N
Min. Lot Width	100 Feet	71 Feet	N
Min. Setbacks (Accessory Structure)			
• Side	3 Feet	2 Feet	N
• Rear	3 Feet	4 Feet	Y
• Primary Structure	6 Feet	20 Feet	Y
Max. Building Height	12 Feet	10 Feet	Y
50% of the 2,223 SF Primary Structure	1,111 SF	528 SF	Y

Pursuant to Title 19.04, 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	
Single Family, Detached	1 Unit	2 spaces	2	N/A		N/A	
Accessory Structure (Class I)	1 Unit	1 space	1				
TOTAL SPACES REQUIRED			3		3		Y

ANALYSIS

The proposed Accessory Structure, Class I use requires a Special Use Permit in the R-E (Residence Estates) zoning district with the following Minimum Special Use Permit Requirements: (1) The size of the lot or parcel must exceed 6,500 square feet, and (2) Unless the principal dwelling is owner-occupied, a Class I accessory structure may not be offered or occupied as a rental unit. The existing lot does exceed the minimum 6,500 square-foot requirement for the Accessory Structure (Class I) use. The principal dwelling is currently owner-occupied. In regards to the Title 19.08.040 Single-Family Residential District Development Standards, the existing lot is legally nonconforming, as the 11,000 square-foot size and 71-foot width do not meet the minimum 20,000 square-foot lot size or 100-foot lot-width for the R-E (Residence Estates) zoning district. The visual impact of the proposed use is minimized by its location and size and is not visible from the street. As such, staff recommends approval of the requested Variance and Special Use Permit for the requested Accessory Structure, Class I use.

FINDINGS (VAR-41565)

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."

Evidence of a unique circumstance has been presented, in that the existing property is an irregularly shaped lot with a property width that is 71 feet wide where a minimum 100-foot width is typically required, thereby creating a lot which narrows significantly and impacts the ability for development on the lot. This condition was created prior to the development standard when the subject lot was subdivided from the parent lot to the east and does not jeopardize the health, safety and general welfare of the citizenry; therefore staff recommends approval of this request.

FINDINGS (SUP-41564)

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 Accessory Structure (Class I) use will occur within an existing detached garage, and is compatible with the DR (Desert Rural Density Residential) General Plan designation and R-E (Residence Estates) zoning district. The proposed use can be conducted in a manner that is harmonious and compatible with the existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.

2. **The subject site is physically suitable for the type and intensity of land use proposed.**

   The subject site is physically suitable for the type and intensity of land use proposed. The 528 square-foot accessory structure is 23 percent of the 2,223 square-foot principal dwelling unit. The main aggregate total of the ground floor area of the proposed accessory structure covers 15 percent of the rear yard. The existing structure encroaches into the three-foot side yard setback by eight-inches. A Variance accompanies this request and is recommended for approval due to the unique narrowness of the lot created when the lot was subdivided.

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 Hastings Avenue, a 60-foot wide local street, located within a residential subdivision. The proposed use is not expected to affect traffic in the area and the right-of-way will be adequate to accommodate it and the existing uses on the 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 Accessory Structure (Class I) use will not jeopardize the public health, safety or welfare, as it will be subject to permit review and inspection prior to completion.

5. The use meets all of the applicable conditions per Title 19.04.

The proposed Accessory Structure (Class I) use meets the two conditions of Title 19.04, in that the 11,058 square-foot lot exceeds the minimum 6,500 square-foot lot-size requirement and that the property owner resides within the primary structure.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

NOTICES MAILED 109 (By City Clerk)

APPROVALS 1

PROTESTS 0

MH

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-41565** APN: 139-32-401-007

Name of Property Owner: GiNie W. Harris

Name of Applicant: same

Name of Representative: same

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: GiNie W. Harris

Print Name: GiNie W Harris

Subscribed and sworn before me

This 26 day of April, 20 11

Notary Public in and for said County and State

BILL LENHART
NOTARY PUBLIC
STATE OF NEVADA
Appt No 93-4139-1
My Appt Expires Sep 1, 2013

RECEIVED
APR 27 2011

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Possible Variance

Project Address (Location) 3324 Hastings Ave, LV, NV 89107

Project Name Harris Renovations **Proposed Use** _____

Assessor's Parcel #(s) 139-32-401-007 **Ward #** 1

General Plan: existing X proposed _____ **Zoning:** existing R-E proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER GINie W. Harris **Contact** _____

Address 3324 Hastings Ave **Phone:** 4605436 **Fax:** 8787669

City Las Vegas, NV **State** NV **Zip** 89107

E-mail Address _____

APPLICANT Same **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

REPRESENTATIVE Same **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

Property Owner Signature* GINie W. Harris

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

Print Name GINie W. Harris

Subscribed and sworn before me

This 26 day of April, 20 11.

Notary Public in and for said County and State

BILL LENHART NOTARY PUBLIC STATE OF NEVADA Appt. No. 98-4138-1 My Appt. Expires Sep 1, 2013

FOR DEPARTMENT USE ONLY

Case #	VAR-41565
Meeting Date:	6-14-11 PC
Total Fee:	#830
Date Accepted:	4-27-11
Accepted By:	

RECEIVED APR 27 2011

*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.

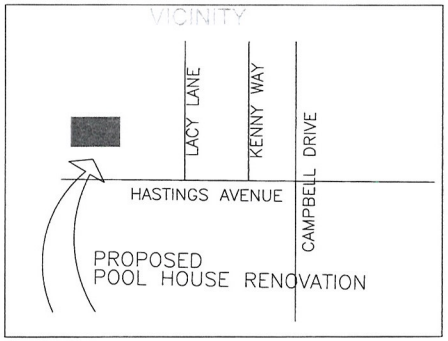
POOL HOUSE RENOVATIONS

FOR

HARRIS RESIDENCE

3324 HASTINGS AVE.

LAS VEGAS, NEVADA 89107



SHEET LOG

CP	COVER PAGE
SITE-1	SITE PLAN & PROJECT DATE
D-1	DEMOLITION PLAN
A-1	FLOOR PLAN WITH DOOR SCHEDULE AND WINDOW SCHEDULE
A-2	EAST-WEST ELEVATIONS
A-3	NORTH ELEVATIONS
A-4	SOUTH ELEVATIONS
S-1	TYPICAL WALL ELEVATIONS AND DETAILS
E-1	ELECTRICAL FLOOR PLAN AND PANEL SCHEDULE
M-1	MECHANICAL-RCP PLAN
P1	PLUMBING PLAN

GINIE HARRIS
(OWNER/BUILDER)
3324 HASTINGS AVE.
LAS VEGAS, NEVADA 89107

SHEET TITLE: OWNER/ BUILDER
POOL HOUSE
DEMOLITION PLAN

DRAWN
CHECKED
DATE
SCALE
JOB NO.
SHEET

TITLE

RECEIVED
APR 27 2011

VAR-41565

SUP-41564

06/12/07 GARAGE CONVERSION

GENERAL CONSTRUCTION NOTES:

1. ALL NEW WALLS SHALL BE 2"X4" W/ 1/2" GYPSUM TAPED AND FINISHED FOR PAINT CHOSEN BY OWNER CORNER BEAD SHALL BE 3/4" ROUND (typ.)
2. STUCCO FINISH ON THE EXTERIOR TO REMAIN INTACT.
3. ALL WALL AND CEILING FIBERGLASS AND STYROFOAM INSULATION TO REMAIN INTACT.
4. ALL NEW INTERIOR DOORS SHALL BE 2'-8" X 6'-8".
5. ALL INTERIOR FINISHES, CABINETS AND SHELVING SHALL BE BY OWNER AND VERIFIED PRIOR TO INSTALL.
6. PROVIDE MOISTURE-PROOF GREEN BOARD IN BATHROOM.
7. PROVIDE TILE BACKING BOARD AT WALLS AND CEILINGS OF SHOWER AREA.
8. SHOWER WALLS AND CEILING SHALL BE TILED AS SPECIFIED BY OWNER.
9. FLOOR FINISHES SHALL BE AS SPECIFIED BY OWNER.
10. ATTIC SPACE TO HAVE PULL DOWN LADDER FOR STORAGE AS SPECIFIED BY OWNER.

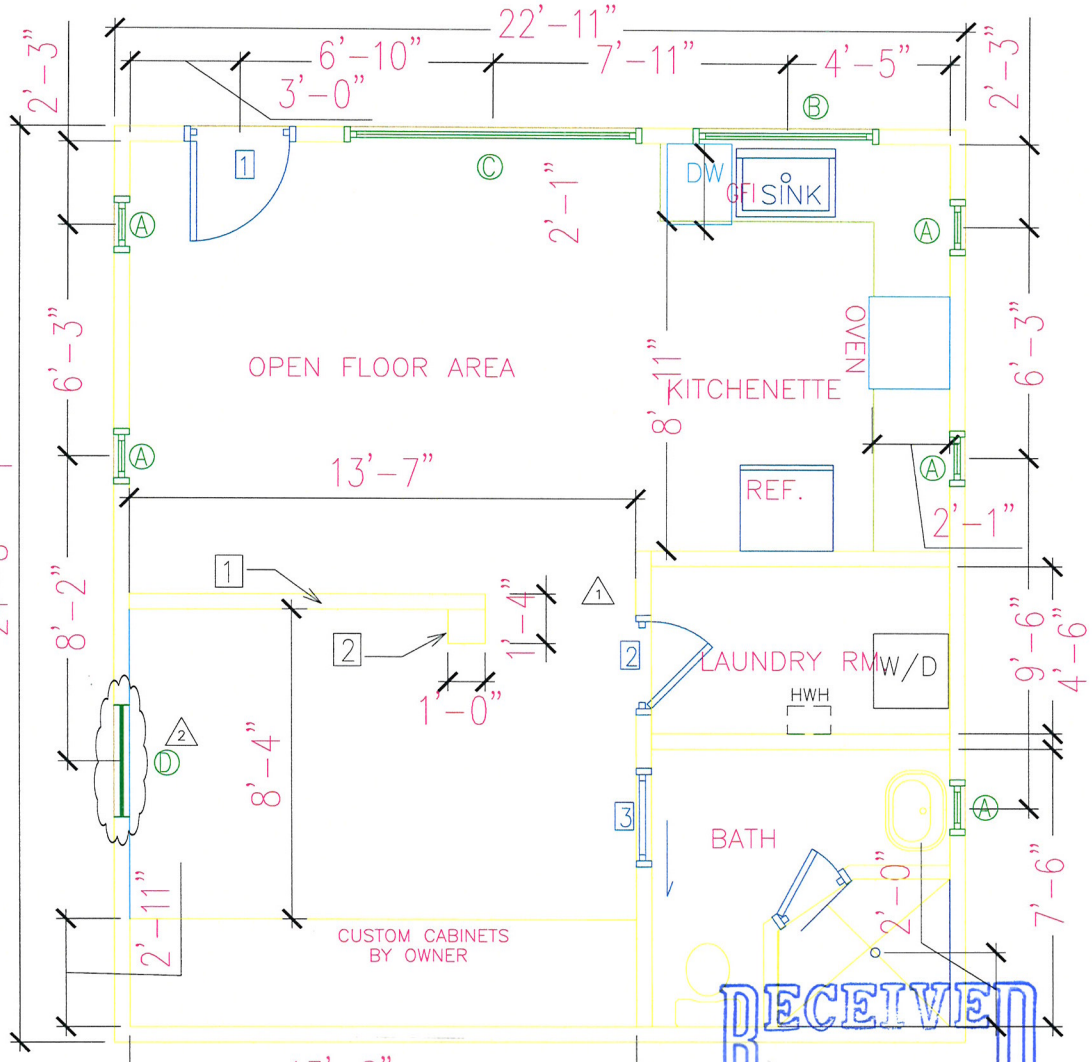
△1 1. HALF WALL FROM ORIGINAL SUBMITTAL TO REMAIN

△2 2. 3'-0" x 5'-0" WINDOW ADDED FOR EGRESS

1	2" X 4" X 5'6" HGT.WOOD STUD WALL, STUDS @ 16" O.C. DRYWALL T/F,PAINTED
2	2" X 4" X 3'6" HGT.WOOD STUD WALL, STUDS @ 16" O.C. DRYWALL T/F,PAINTED

N

NEW FLOOR PLAN
SCALE: 3/4" = 1'-0"



DOOR SCHEDULE

SIZE (W X HGT.)	TYPE	LOCATION	EXISITING/NEW/DEMO
1. 3'-0" X 6'-8"X 1-3/8"	SC WOOD DOOR	ENTRY DOOR	EXISTING
2. 2'-8" X 6'-8" X 1-3/8"	WOOD DOOR	LAUNDRY ROOM	NEW
3. 2'-8" X 6'-8" X 1-3/8"	WOOD DOOR	BATHROOM	NEW POCKET DOOR

WINDOW SCHEDULE

SIZE (W X L)	TYPE	LOCATION	EXISITING/NEW/DEMO
A. 1'-0" X 1'-6	ALUM. FRAME DOUBLE PANE	VARIOUS	NEW
B. 5'-0" X 4'-0	ALUM. FRAME SINGLE PANE	KITCHEN	EXISTING TO REMAIN
C. 8'-0" X 6'-0	ALUM. FRAME SINGLE PANE	LIVING SPACE	EXISTING TO REMAIN
D. 3'-0" X 3'-0	ALUM. FRAME DOUBLE PANE	SITTING AREA	NEW

NOTES:
SCHEDULED SIZES FOR DOORS AND WINDOWS TAKE PRECEDENT OVER SCALED MEASUREMENTS
CENTER OF DOOR AND WINDOW DIMENSIONS ARE SHOWN ON THE FLOOR PLANS

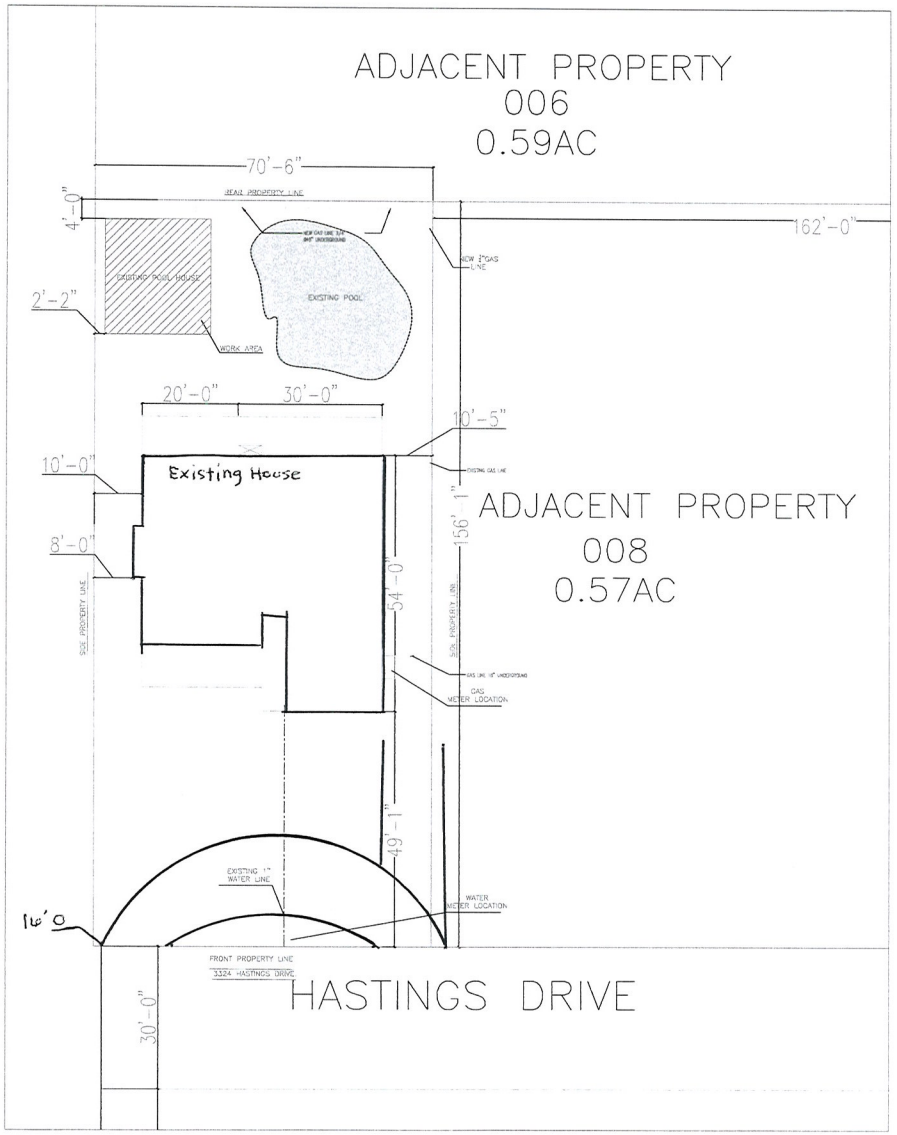
RECEIVED
APR 27 2011

VAR-41565
SUP-41564

GINIE HARRIS
(OWNER/BUILDER)
3324 HASTINGS AVE.
LAS VEGAS, NEVADA 89107

SHEET TITLE: OWNER / BUILDER POOL HOUSE RENOVATION NEW FLOOR PLAN

DRAWN
CHECKED
DATE
SCALE
JOB NO.
SHEET
A-1



SITE PLAN
SCALE: 1"=20' 0"

OWNER/BUILDER TO VERIFY AND CO-ORDINATE ALL UNDERGROUND UTILITY LOCATIONS AND TRENCHES WITH ALL SUB-CONTRACTORS PRIOR TO EXCAVATIONS

PROJECT DATA:

CODE ANALYSIS: IBC 2006

ZONING:	RESIDENTIAL
ASSESSOR'S PARCEL NO.	139-32-401-007
CONSTRUCTION TYPE:	VB

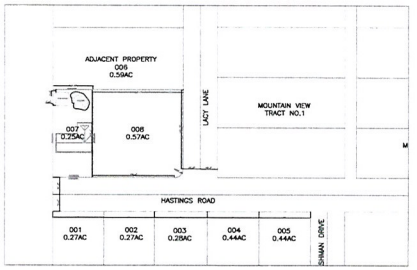
NOTE:

THIS PROJECT SHALL COMPLY WITH THE 2006 IBC, 2006 UMC AND UPC AND 2005 NEC, THE 2006 IECC, AND THE CITY OF LAS VEGAS CODE AMENDMENTS.

LOT SIZE	0.25 Acres
PRIMARY RES.	2223 S.F.
GARAGE	528 S.F.
PRIMARY RESIDENCE HGT.	15 FT.

NO CHANGE TO EXISTING MAIN RESIDENCE
RENOVATING POOL HOUSE ONLY!

VICINITY MAPS





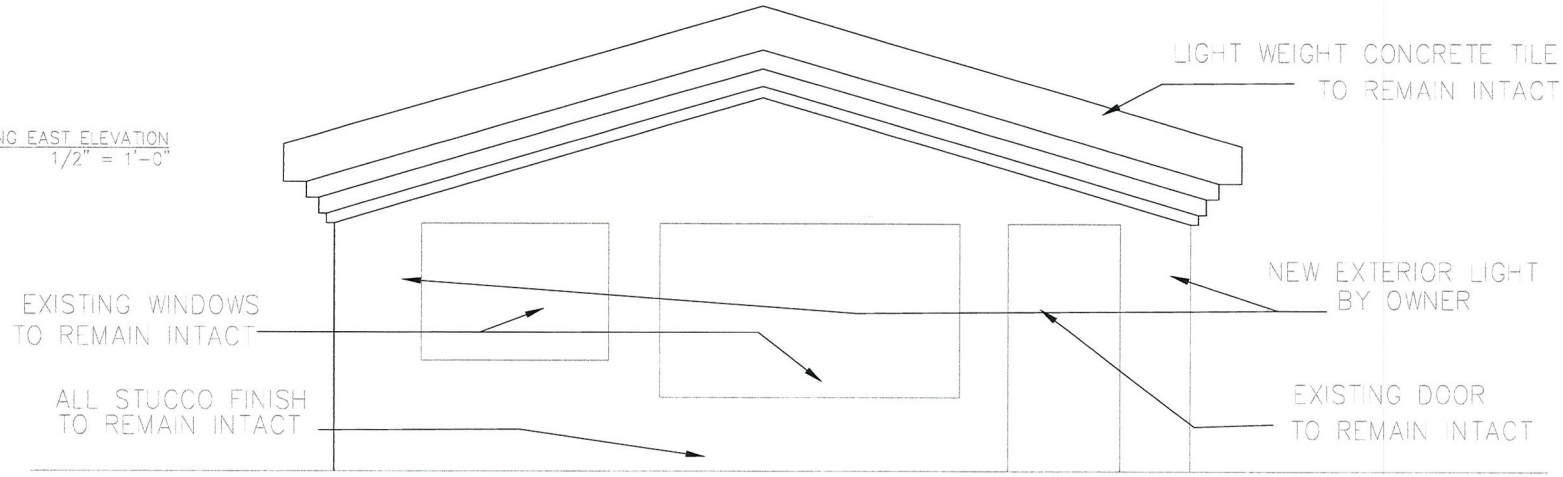
N

GINIE HARRIS
(OWNER/BUILDER)
3324 HASTINGS AVE.
LAS VEGAS, NEVADA 89107

SHEET TITLE: OWNER/ BUILDER SITE PLAN
DRAWN
CHECKED
DATE
SCALE
JOB NO.
SHEET: SITE

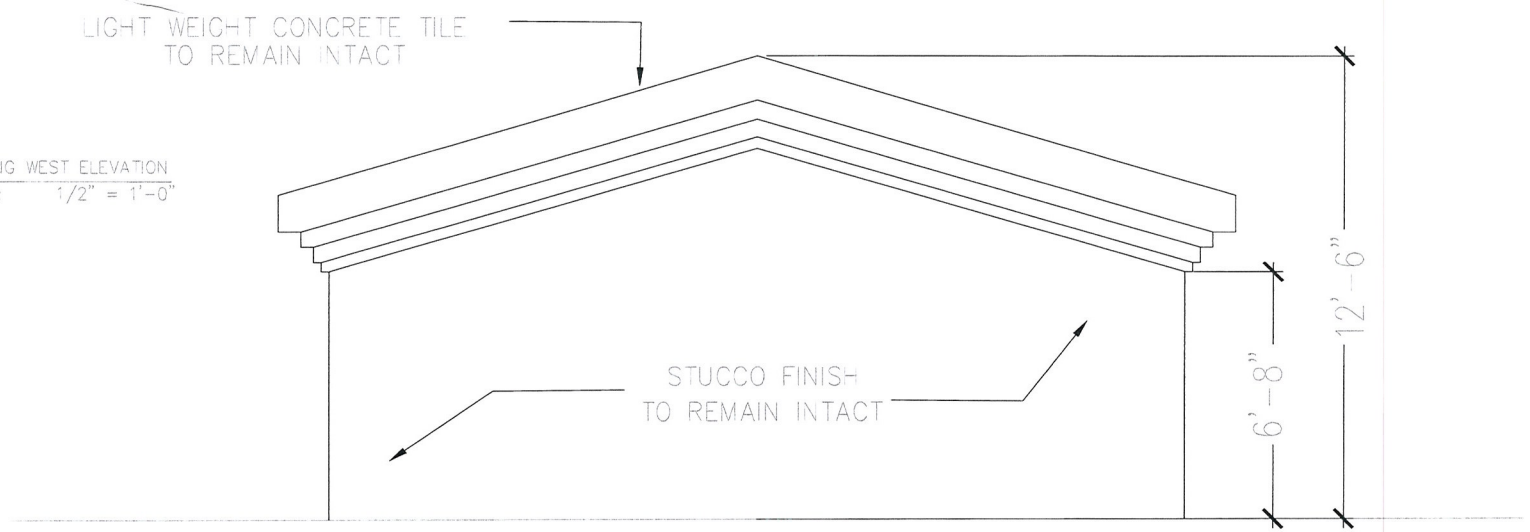
RECEIVED
APR 27 2011
VAR-41565
SUP-41564

EXISITING EAST ELEVATION
SCALE: 1/2" = 1'-0"



TYPICAL NOTE:
EXISITING EAST AND WEST ELEVATIONS TO REMAIN INTACT

EXISTING WEST ELEVATION
SCALE: 1/2" = 1'-0"

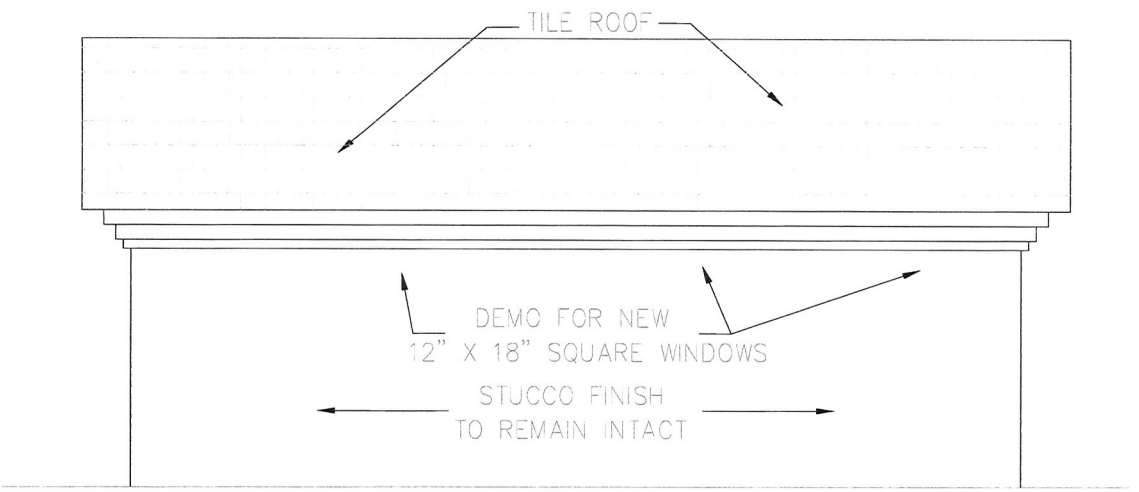


GINIE HARRIS
(OWNER/BUILDER)
3524 HASTINGS AVE.
LAS VEGAS, NEVADA 89107

SHEET TITLE: OWNER/ BUILDER
POOL HOUSE
EAST/WEST ELEVATIONS
DRAWN
CHECKED
DATE
SCALE
JOB NO.
SHEET

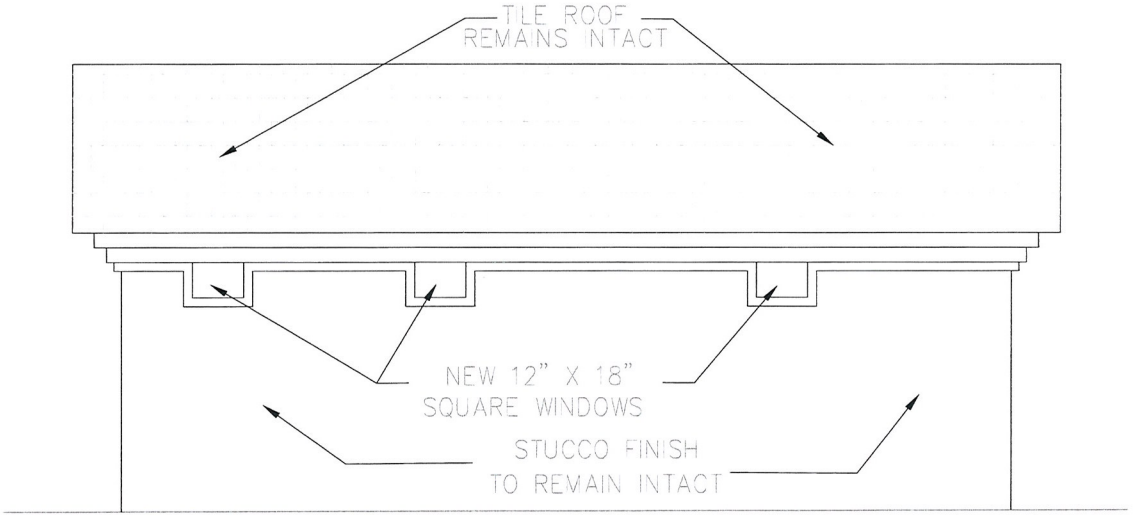
A-2

RECEIVED
APR 27 2011
VAR-41565
SUP-41564



EXISITING SOUTH ELEVATION
SCALE: 1/2" = 1'-0"

TYPICAL NOTE:
EXISITING EAST AND WEST ELEVATIONS TO REMAIN INTACT



NEW SOUTH ELEVATION
SCALE: 1/2" = 1'-0"

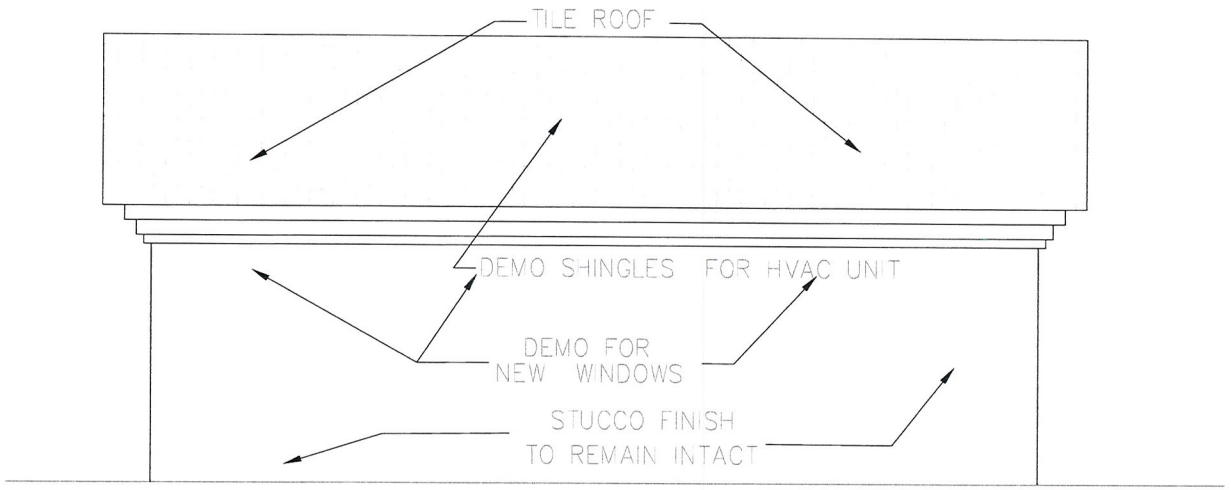
GINIE HARRIS
(OWNER/BUILDER)
3324 HASTINGS AVE.
LAS VEGAS, NEVADA 89107

SHEET TITLE: OWNER/ BUILDER POOL HOUSE SOUTH ELEVATIONS
DRAWN
CHECKED
DATE
SCALE
JOB NO.
SHEET
A-3

VAR-41565
SUP-41564

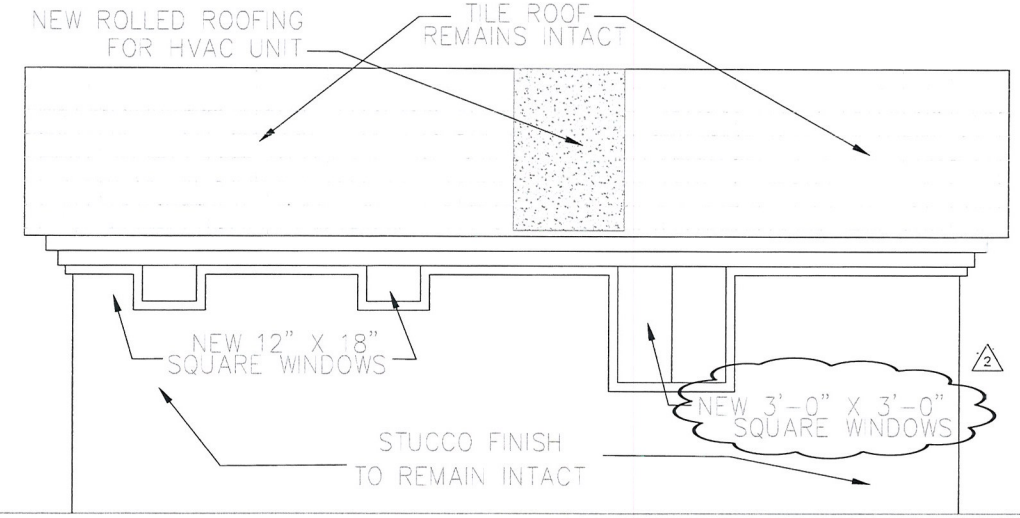
RECEIVED
APR 27 2011

EXISITING NORTH ELEVATION
SCALE: 3/4" = 1'-0"



TYPICAL NOTE:
EXISITING EAST AND WEST ELEVATIONS TO REMAIN INTACT

NEW NORTH ELEVATION
SCALE: 3/4" = 1'-0"



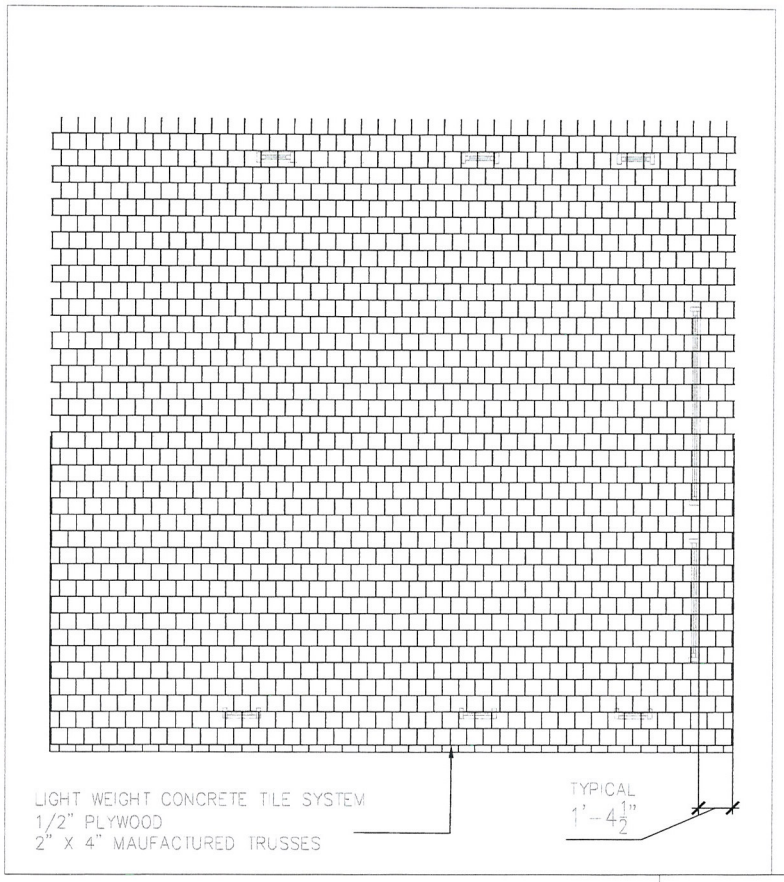
2 2. 3'-0" x 5'-0" WINDOW ADDED FOR EGRESS

GINIE HARRIS
(OWNER/BUILDER)
3324 HASTINGS AVE.
LAS VEGAS, NEVADA 89107

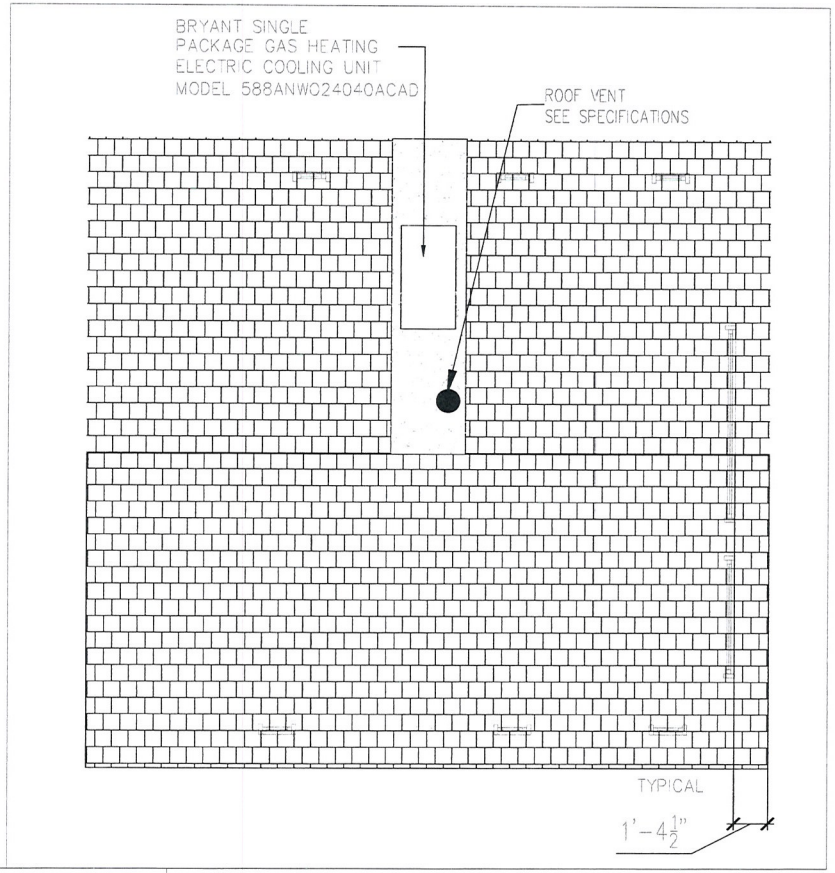
SHEET TITLE: OWNER/ BUILDER POOL HOUSE NORTH ELEVATIONS
DRAWN
CHECKED
DATE
SCALE
JOB NO.
SHEET
A-4

RECEIVED
APR 27 2011
VAR-41565
SUP-41564

TYPICAL NOTE: EXISITING ROOFING SYSTEM TO REMAIN INTACT EXCEPT TO EXTENT SHOWN



EXISITING ROOF PLAN
SCALE: 1/2" = 1'-0"



NEW ROOF PLAN
SCALE: 1/2" = 1'-0"

ROOF VENT SPECIFICATIONS

Brand Master Flow
Model # PR1D
Color/Finish Mill
Material Steel
Size 15 in. Dia.
Assembled Depth (In Inches) 10.75
Assembled Height (In Inches) 30.75
Assembled Weight (In LBS) 20.0
Assembled Width (In Inches) 30.5
Dome Material Galvanized Steel
Type Power Roof Ventilation
UPC CODE 050206888056
Ventilation Type Pro 1 Mill Roof Mount Vent

ROOF VENT SHALL BE EQUAL IN COMPLIANCE WITH CITY OF LAS VEGAS REQUIREMENTS

GINIE HARRIS
(OWNER/BUILDER)
3324 HASTINGS AVE.
LAS VEGAS, NEVADA 89107

SHEET TITLE: OWNER/ BUILDER POOL HOUSE SOUTH ELEVATIONS
DRAWN
CHECKED
DATE
SCALE
JOB NO.
SHEET
A-5

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APR 27 2011
VAR-41565
SUP-41564









RECEIVED
APR 27 2011

VAR-41565

SUP-41564







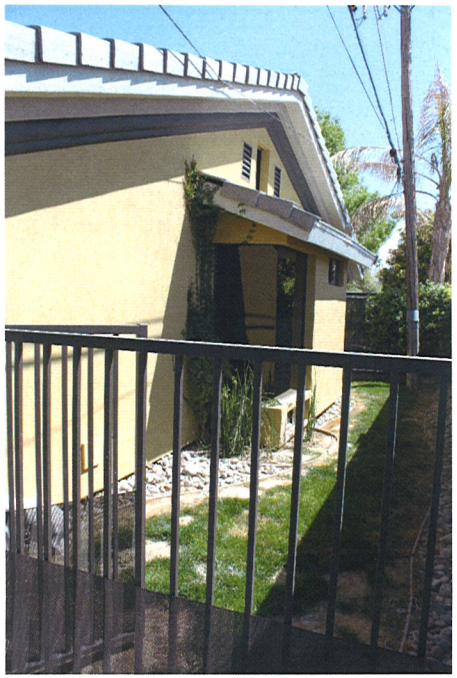


VAR-41565
SUP-41564









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APR 27 2011

~~VAR-41565~~
SUP-41564









VAR-41565

SUP-41564

RECEIVED
APR 27 2011









RECEIVED
APR 27 2011

VAR-41565

SUP-41564









RECEIVED
APR 27 2011

VAR-41565

SUP-41564





RECEIVED
APR 27 2011

VAR-41565

SUP-41564



VAR-41565 & SUP-41564 – APPLICANT/OWNER: GINIE W. HARRIS
3324 HASTINGS AVENUE

05/05/11

April 26, 2011

Steve Swanton
Mike Howe
Department of Planning
333 North Rancho Drive
Las Vegas, NV 89106

RE:

Proposed Class 1 Structure
APN #139-32-401-007
Special Use Permit
Possible Variance

To Whom It May Concern;

My name is GiNie' W Harris, homeowner at 3324 Hastings Ave, L.V., NV 89107. I am writing this justification letter to you for an approval of a special use permit and a possibly variance.

In 1996 the above property was purchased from HD Houston who owned the property as parcel number 030-310-025 which was once a 1.0 acre parcel. In March of 1968 the parcel went from a 1.0 acre to .82 acre and then assigned a new parcel #139-32-401-007 as a .25 acre lot. Prior to this time at the far southwest corner there was a existing garage that went with the original house located on the corner of Hastings and Lacy Lane which was HD Houston's primary house. The story goes from HD Houston that sometime after 1968 someone owed him money and as payment he received a house that was moved from Henderson to the Northwest corner behind the house he was occupying (that at one time was the 1.0 acre parcel). I believe this happened sometime in the late 1970's. It's been told he had let family and friends live in this house which is now 3324 Hastings throughout the years until he sold his primary residence and then moved into 3324 Hastings himself where he stayed until we purchased it in 1996 directly from him. Originally the existing garage was for the Hastings & Lacy Lane corner property and when the property received its current APN the existing garage went with the back house (3324 Hastings Ave).

Prior to submitting plans for permits to turn the existing garage to a pool house I paid for the city building inspector to come out, assess the structure and give recommendations to move forward with the conversion. At this time I was told to submit my plans and I wouldn't need a variance since it is an existing structure that had been there long before we purchased the property. I submitted my plans and have receive all my approvals (permit #94960) when after the fact I was told that I would need a special use permit and possibly a variance. I'm asking the committee to please research the previous parcel #030-310-025 to confirm the existence of this garage and approve the special use permit without the need of the variance.

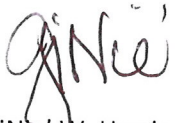
RECEIVED
APR 27 2011

VAR-41565
SUP-41564

This existing garage already had an electrical panel, front windows, front door, toilet/sewer line, and a water line that was all there when we purchased the house. For a long time it has been an eye sore as a storage unit. We would like to contribute to the beautification of our neighborhood by finishing off the structure with HVAC, insulation, drywall, and a kitchen making it accessible for the pool use and/or guest quarters.

Thank you for your time in advance and your attention to this approval.

Sincerely,



GiNie' W. Harris
Homeowner
702-460-5436

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APR 27 2011

VAR-41565
SUP-41564

PAGE 01/01

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

Return Service Requested
Official Notice of Public Hearing

RECEIVED
CITY CLERK
2011 JUL 11 P 12 23

PRESORTED
FIRST CLASS



UNITED STATES POSTAGE
PITNEY BOWES
02 1M
0004279216
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JUL 07 2011
MAILED FROM ZIPCODE 89101



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-41565 & SUP-41564

City Council Meeting of 7/20/2011

ON TIME SYSTEMS L L C
3407 W CHARLESTON BLVD
LAS VEGAS NV 89102-1837

APN#16205110045

32 FRDFN11 89102

07/11/2011 11:01 7028781840

07/11/2011 MON 10 00 [TX/RX NO 9741] 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
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED
FIRST CLASS

UNITED STATES POSTAGE
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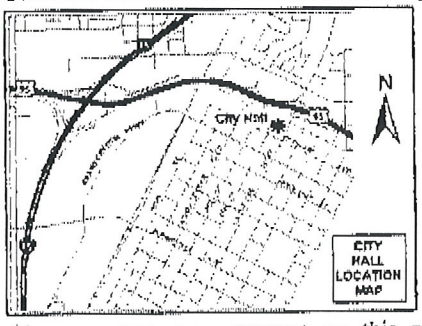
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



RECEIVED
JUN - 6 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning, Case Planning Division at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

[X] I SUPPORT this Request [ ] I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-41565 & SUP-41564

Planning Commission Meeting of 6/14/2011

Case: VAR-41565

13932403012
ALDON
3202 W CHARLESTON BLVD
LAS VEGAS NV 89102-1932

32 ORIGINAL 89102

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED
FIRST CLASS

UNITED STATES POSTAGE
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MAILED FROM ZIPCODE 89101

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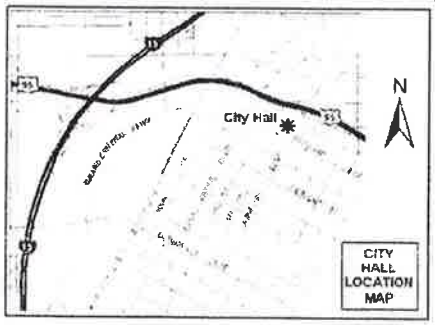
11 JUN -9 PM 12:26
DEVELOPMENT

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 Department of Planning, Case Planning Division 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-41565 & SUP-41564
Planning Commission Meeting of 6/14/2011

Case: VAR-41565
13932410015
CHAPMAN ROSE FAMILY TRUST
3226 WEBER CT
LAS VEGAS NV 89121-5762

41-42
A

City of Las Vegas Agenda Item No.: **85.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: JULY 20, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
SUP-41564 - SPECIAL USE PERMIT RELATED TO VAR-41565 - PUBLIC HEARING - APPLICANT/OWNER: GINIE W. HARRIS - For possible action on a request for a Special Use Permit FOR AN EXISTING 528 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS I) at 3324 Hastings Avenue (APN 139-32-401-007), R-E (Residence Estates) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**2**
City Council Meeting	**0**	**City Council Meeting**	**1**

RECOMMENDATION:
The Planning Commission (7-0 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation
3. Support Postcard

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-41564** APN: 139-32-401-007

Name of Property Owner: GiNie W. Harris

Name of Applicant: Same

Name of Representative: Same

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: GiNie W. Harris

Print Name: GiNie W. Harris

Subscribed and sworn before me

This 26 day of APRIL, 20 11

Notary Public in and for said County and State

BILL LENHART
NOTARY PUBLIC
STATE OF NEVADA
Appt. No 93-4139-1
My Appt. Expires Sep 1, 2013

RECEIVED
APR 27 2011

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) 3324 Hastings Ave, LV, NV 89107

Project Name Harris Renovations **Proposed Use** _____

Assessor's Parcel #(s) 139-32-401-007 **Ward #** 1

General Plan: existing X proposed _____ **Zoning:** existing R-E proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER GiNie W Harris **Contact** _____

Address 3324 Hastings Ave. **Phone:** 702 4005436 **Fax:** 702 8787669

City Las Vegas **State** NV **Zip** 89107

E-mail Address _____

APPLICANT Same **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

REPRESENTATIVE Same **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

Property Owner Signature* GiNie W Harris

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

Print Name GiNie W Harris

Subscribed and sworn before me

This 26 day of APRIL, 20 11

Notary Public in and for said County and State

BILL LENHART
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 93-0139-1
My Appt. Expires Sep 1, 2013

FOR DEPARTMENT USE ONLY

Case #	SUP-41564
Meeting Date:	6-14-11 PC
Total Fee:	$1,030
Date Accepted:	4-27-11
Accepted By:	

RECEIVED
APR 27 2011

*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.

Please refer to VAR-41565 for related Protest/Support Postcards.

City of Las Vegas Agenda Item No.: **86.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: JULY 20, 2011

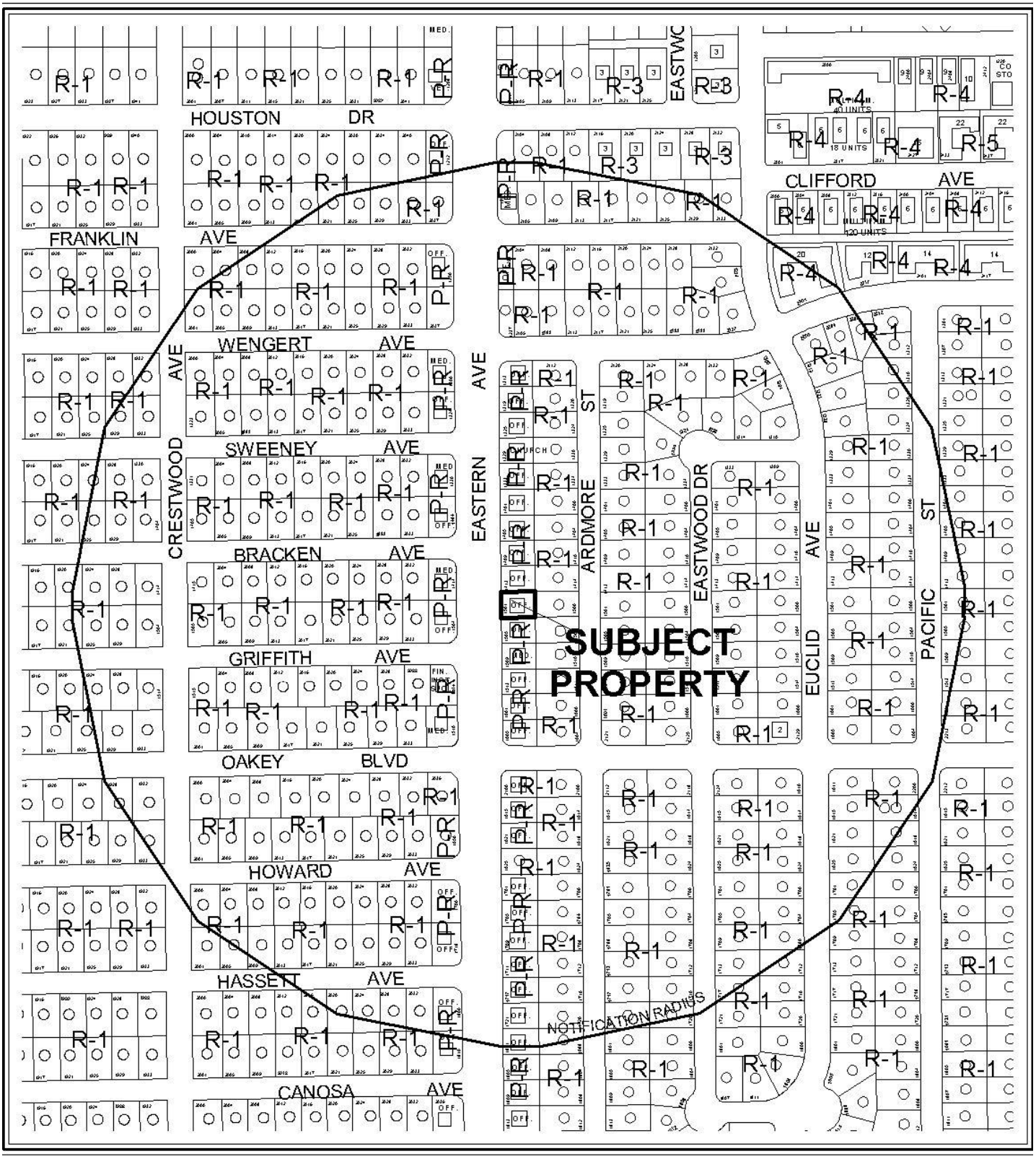
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting ☐ **Consent** ☒ **Discussion**

SUBJECT:
VAR-41580 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: ROGELIO MACHUCA - For possible action on a request for a Variance TO ALLOW NO ADDITIONAL PARKING SPACES WHERE THREE ADDITIONAL SPACES ARE REQUIRED FOR A PROPOSED 2,175 SQUARE-FOOT OFFICE, MEDICAL on 0.11 acres at 1501 South Eastern Avenue (APN 162-01-210-040), P-R (Professional Office and Parking) Zone, Ward 3 (Coffin). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**1**	**Planning Commission Mtg.**	**1**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions:

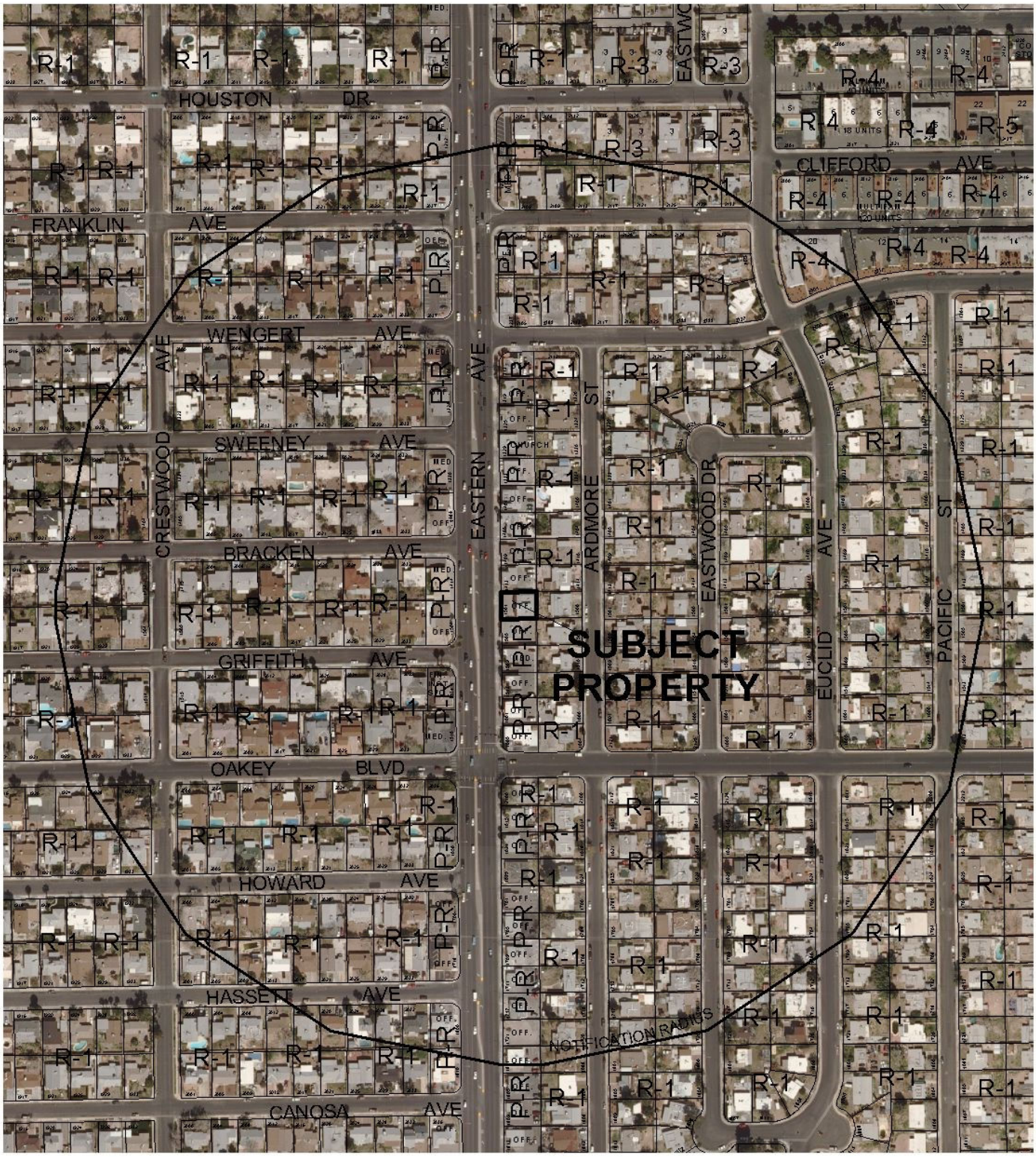
BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Backup referenced from the June 14, 2011 Planning Commission Meeting Item – VAR-41580



CASE: **VAR-41580**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: P-R (PROFESSIONAL OFFICE AND PARKING)



0 300 600 Feet

CASE: **VAR-41580**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: P-R (PROFESSIONAL OFFICE AND PARKING)

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 20, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: ROGELIO MACHUCA

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-41580	Staff recommends DENIAL, if approved subject to conditions:	N/A

** CONDITIONS **

VAR-41580 CONDITIONS

Planning

1. Conformance to the approved conditions for Rezoning (Z-0027-86) and Variance (V-0040-86).

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. The parking lot shall be restriped within 90 days of final approval.

4. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Variance to allow no additional parking spaces where three additional parking spaces are required for a proposed Medical Office use located at 1501 South Eastern Avenue. The subject site was a former Office, Other than Listed (Mortgage Broker) and has been vacant since 06/30/10. The applicant is proposing a 2,175 square-foot Office, Medical use which is a permitted in the P-R (Professional Office and Parking) zoning district. As the subject site is a parking-impaired development and the applicant is proposing a more intense use, only the additional parking for the change of use is required. As the applicant cannot provide the additional three spaces, and no evidence of unique or extraordinary circumstances pursuant to Title 19.18.070 that would substantiate the requested variance; therefore, staff recommends denial of this request. If this request is approved, it is subject to conditions.

ISSUES

- A portion of the existing parking lot is located within Eastern Avenue right-of-way and can accommodate up to four parking spaces, of which three would be standard parking spaces and one compact space. These spaces exist but cannot be counted towards the onsite parking requirement.
- The subject site is parking impaired per Title 19.10.010. A Variance is required for the three additional spaces required for the change of use.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
04/24/86	The Board of Zoning Adjustment approved a Variance (V-0040-86) to allow a five-foot rear yard setback where 15 feet is required at 1501 South Eastern Avenue. The Department of Planning staff recommended approval.
05/21/86	The City Council approved a request for Rezoning (Z-0027-86) from R-1 (Single Family Residential) to P-R (Professional Office and Parking) at 1501 South Eastern Avenue. The Planning Commission recommended approval. The Department of Planning staff recommended denial.
05/17/06	The City Council approved a General Plan Amendment (GPA-12043) to amend a portion of the Southeast Sector Plan of the General Plan from SC (Service Commercial) and L (Low Density Residential) to O (Office) at 1501 South Eastern Avenue as part of a larger request. The Planning Commission and staff recommended approval.
06/14/11	The Planning Commission voted (7-0) to recommend APPROVAL (PC Agenda Item 45/jg).

Most Recent Change of Ownership	
01/31/11	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
07/11/86	A building permit (9081) was issued for a 2,150 square-foot office building at 1501 South Eastern Avenue. There is no final building inspection on record.
02/03/04	A business license (M18-02804) was issued for a Management or Consulting Service at 1501 South Eastern Avenue. The license was marked out of business on 10/20/08.
04/11/07	A business license (Q16-00608) was issued for a Mortgage Broker at 1501 South Eastern Avenue. The license was marked out of business on 10/20/08.
10/05/07	A business license (M15-03484) was issued for a Computer sales and Service at 1501 South Eastern Avenue. The license was marked out of business on 10/20/08.
10/16/07	A business license (B20-01344) was issued for a Business Support Service at 1501 South Eastern Avenue. The license was marked out of business on 10/20/08.
09/15/08	A business license (M18-04526) was issued for a Management or Consulting Service at 1501 South Eastern Avenue. The license was marked out of business on 10/15/09.
04/14/09	A business license (Q13-01198) was issued for a Law Office at 1501 South Eastern Avenue. The license was marked out of business on 10/15/09.
06/29/09	A business license (Q16-00723) was issued for a Mortgage Broker at 1501 South Eastern Avenue. The license was marked out of business on 06/30/10.

Pre-Application Meeting	
04/20/11	A pre-application meeting was held with the applicant where the submittal requirements for a Variance were discussed.

Neighborhood Meeting
A neighborhood meeting is not required for this application, nor was one held.

Field Check	
05/05/11	During a field check staff noted a vacant office building free of trash and debris.

Details of Application Request	
Site Area	
Net Acres	0.11

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Office, Other than Listed	O (Office)	P-R (Professional Office and Parking)
North	Office, Other than Listed	O (Office)	P-R (Professional Office and Parking)
South	Office, Other than Listed	O (Office)	P-R (Professional Office and Parking)
East	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
West	Office, Other than Listed	O (Office)	P-R (Professional Office and Parking)
	Office, Medical		

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area		X	N/A
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Street Width (Feet)***	***Compliance with Street Section***
Eastern Avenue	Primary Arterial	Master Plan of Streets and Highways	105	Y*

*Per the Master Plan of Streets and Highways, the street width is 100 feet.

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

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Existing Office, Other than Listed	(-2,175 SF)	1/300 S.F.	(-8)				
Office, Medical (Proposed)	2,175 S.F.	1/200 for first 2,000 S.F. then 1 for each additional 175 S.F.	10 1				
TOTAL SPACES REQUIRED			11		4		N*
Regular and Handicap Spaces Required			10	1	3	1	N*
Percent Deviation			64%				

*The subject site is parking impaired per Title 19.10.010. A Variance is required for the three additional spaces required for the change of use.

ANALYSIS

Pursuant to Title 19.10.010 the subject site is parking-impaired, as the current use requires eight parking spaces, but only four spaces exist on site. The proposed use would require 11 parking spaces. As a parking impaired site, a variance is only required for the three additional parking spaces are required for the change of use. The site plan depicts the first 20 feet of the existing parking lot within the Eastern Avenue right-of-way. The right-of-way portion can accommodate four parking spaces, of which three would be standard parking spaces and one compact space. These spaces currently exist, but cannot be counted towards the onsite parking requirement.

The requested Variance constitutes a 100% deviation from the three required additional parking spaces. As the subject site's useable parking lot area is 28 feet wide by 60 feet long, a condition has been added to restripe the parking lot to provide one handicapped van accessible space and three standard parking spaces, pursuant to Title 19.10 standards. The applicant has indicated that a bus stop is approximately 100 feet from the proposed Medical Office and can accommodate the customers' mode of transportation. Staff recommends denial of this request as the applicant has provided no evidence of unique or extraordinary circumstances pursuant to Title 19.18.070 that would substantiate the requested variance. If this Variance is approved, it is subject to conditions.

FINDINGS (VAR-41580)

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 more intense use that increases the parking requirement when the site cannot accommodate the required amount of parking. Alternatively the site could remain an Office, Other Than Listed, or applicant could decrease the size of the Office, Medical use, which 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.

NOTICES MAILED 417 (By City Clerk)

APPROVALS 1

PROTESTS 1

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-41580** APN: 162-01-210-040

Name of Property Owner: Rogelio Machuca

Name of Applicant: Rogelio Machuca

Name of Representative: Rogelio Machuca

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: Rogelio Machuca

Print Name: Rogelio Machuca

State of NV
County of Clark
Subscribed and sworn before me

This 26 day of April, 2011

_____
Notary Public in and for said County and State

MEL SALAZAR
Notary Public, State of Nevada
Appointment No. 11-3935-1
My Appt. Expires Dec 20, 2014

RECEIVED
APR 27 2011

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Parking Variance

Project Address (Location) 1501 S. EASTERN

Project Name Machuca Family Medicine **Proposed Use** Medical office

Assessor's Parcel #(s) 162-01-210-040 **Ward #** 3

General Plan: existing X proposed ____ **Zoning:** existing P-R proposed P-R

Commercial Square Footage 2175 **Floor Area Ratio** ____

Gross Acres 0.11 **Lots/Units** ____ **Density** ____

Additional Information ____

PROPERTY OWNER Rogelio Machuca **Contact** ____

Address 4273 Green hill Dr. **Phone:** 702-234-1691 **Fax:** ____

City Las vegas **State** NV **Zip** 89121

E-mail Address Rogelio machuca@yahoo.com.

APPLICANT SAME AS PROPERTY OWNER **Contact** ____

Address ____ **Phone:** ____ **Fax:** ____

City ____ **State** ____ **Zip** ____

E-mail Address ____

REPRESENTATIVE Self **Contact** ____

Address ____ **Phone:** ____ **Fax:** ____

City ____ **State** ____ **Zip** ____

E-mail Address ____

Property Owner Signature* Rogelio Machuca

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

Print Name Rogelio Machuca

State of NV County of CLARK

Subscribed and sworn before me

This 26 day of April, 20 11.

Notary Public in and for said County and State

MEL SALAZAR
Notary Public, State of Nevada
Appointment No. 11-3835-1
My Appt. Expires Dec 20, 2014

FOR DEPARTMENT USE ONLY

Case #	VAR-41580
Meeting Date:	6/14/11 PC
Total Fee:	$830
Date Received:*	4-27-11
Received By:	

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

RECEIVED
APR 27 2011

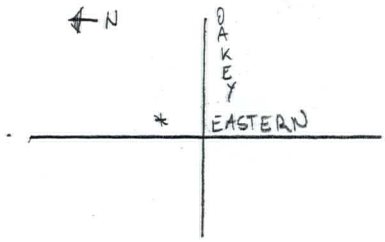
Revised 10/27/08

Site Plan

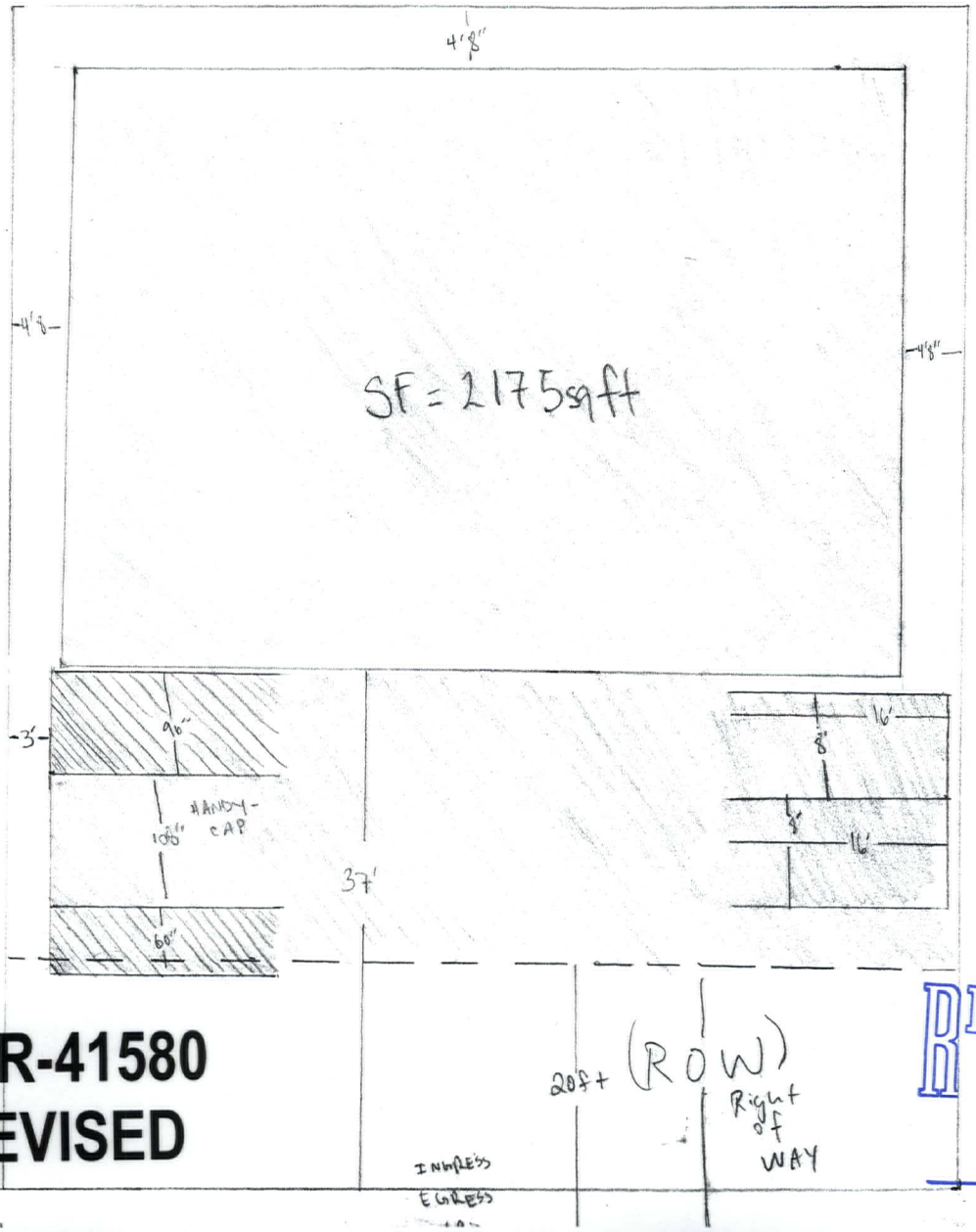
1501 S. EASTERN

1 inch = 10 feet

N



R-1



VAR-41580
REVISED

RECEIVED
MAY 16 2011

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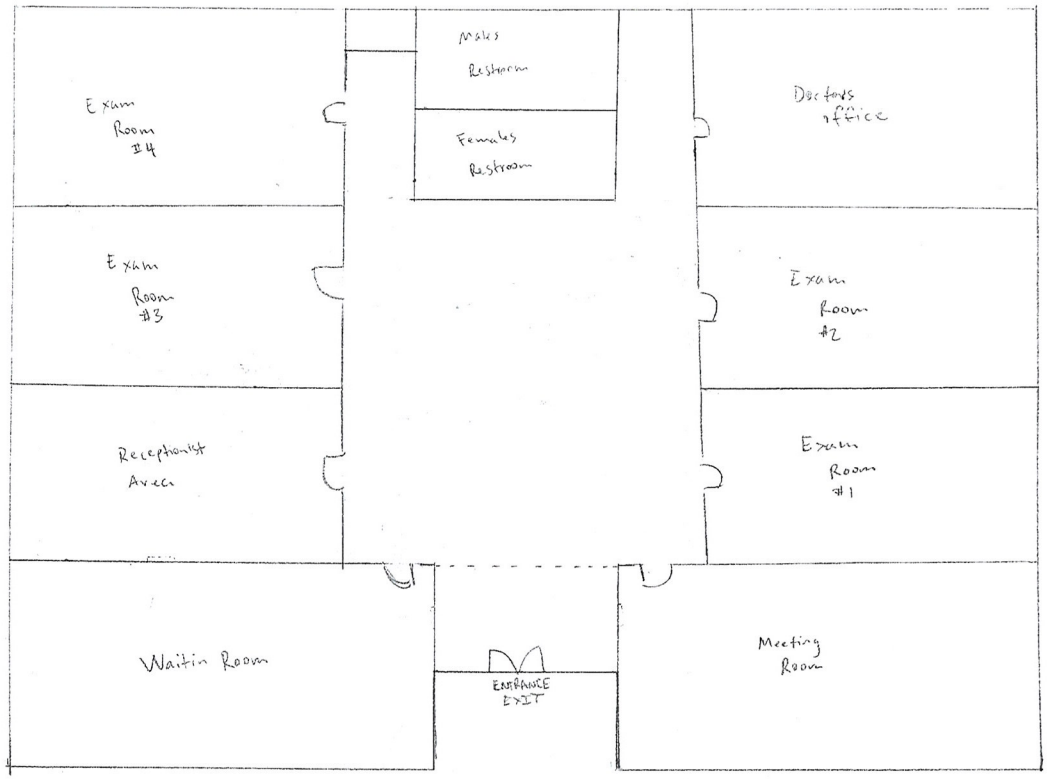
1 inch = 5 feet



Maximum occupancy = 22

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APR 27 2011
VAR-41580



VAR-41580 – APPLICANT/OWNER: ROGELIO MACHUCA
1501 SOUTH EASTERN AVENUE

05/05/11



VAR-41580 – APPLICANT/OWNER: ROGELIO MACHUCA
1501 SOUTH EASTERN AVENUE

05/05/11

To the Planning Commission:

My passion has always been to serve the community I was raised in since I was 6 months old, Las Vegas, Nevada. I have traveled across the country to earn my education. I earned my undergraduate degree from Southern Utah University and my medical degree from the University of Nebraska. When it came to choosing a specialty, I knew I wanted to be a Family Physician where I could do the most good for my community. Naturally, I wanted to return to Las Vegas, NV, specifically University Medical Center for my medical training. I have volunteered at multiple health fairs and have worked with the Spanish speaking community on educating individuals about the adverse outcomes that may arise from going to unlicensed physicians and "botanicas" (herbal store fronts that sell illegally smuggled medications out of the back of the store).

As June 30th, 2011 approaches, the day my three year residency ends, I would continue to work to serve my community and offer affordable access of care for patients that are in need; as this is a proactive approach against the black market medical service that is dangerous and threatens lives in our community. I have purchased a building that I would like to convert to a medical clinic in a community where there is a huge need for a primary care physician. Most of the residents in this community are uninsured or underinsured.

I am asking for a variance to add no additional parking spaces where three additional spaces are required. The current parking spaces are more than sufficient as I will see four to five patients per hour devoting appropriate time for each patients' needs. There will be a constant flux of parking. Also there is a bus stop approximately 100 feet from the building that could accommodate the area's need with mass transportation. Because 20 feet has been designated as right of way on Eastern avenue, approximately 50 percent of my available parking has been designated as such creating a non-self imposed hardship. The medical office will be a hub for community outreach, healthcare, economic development, and community service to state a few positives the medical office will bring to the community.

Thank you for your consideration.

Respectfully,

Rogelio Machuca, M.D.

RECEIVED
11 MAY 17 AM 9:57
PLANNING AND DEVELOPMENT

VAR-41580
REVISED

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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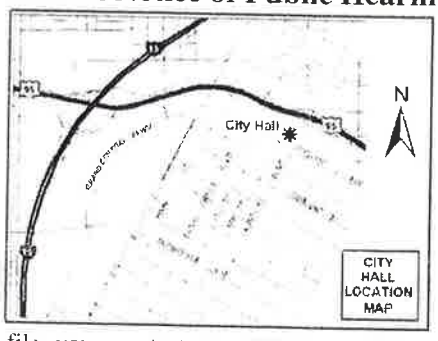
DEVELOPMENT

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 Department of Planning, Case Planning Division 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-41580
Planning Commission Meeting of 6/14/2011

16202616018
DEVRIES KENNETH
2033 BRACKEN AVE
LAS VEGAS NV 89104-3611

Case: VAR-41580

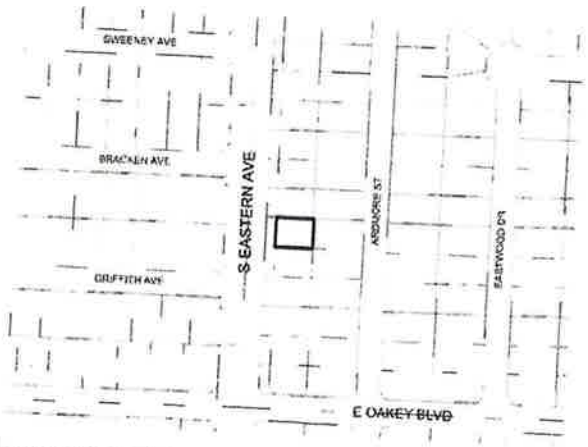
27 ORIGINAL 89104

Application Information

VAR-41580 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: ROGELIO MACHUCA - Request for a Variance TO ALLOW NO ADDITIONAL PARKING SPACES WHERE THREE ADDITIONAL SPACES ARE REQUIRED FOR A PROPOSED 2,175 SQUARE-FOOT OFFICE, MEDICAL on 0.11 acres at 1501 South Eastern Avenue (APN 162-01-210-040), P-R Professional Office and Parking) Zone, Ward 3 (Reese).

WHAT YOU NEED TO PASS IS COLOR CODE - IT LOOK LIKE MEXICO ON EASTERN —

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting: Planning Commission
Date: *June 14, 2011*
Time: 6:00 P.M.
Location: City Council Chambers
400 Stewart Avenue
Las Vegas, Nevada

45 P

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
n objection thereto or approval thereof with the Department of Planning, Case Planning Division, Development Services Center, 333 North Rancho Drive, 3rd Floor, Las Vegas, Nevada 89106. Final
n 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
cil. 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,
: call (702) 229-6301 (TDD 386-9108) or go to http://www.lasvegasnevada.gov.

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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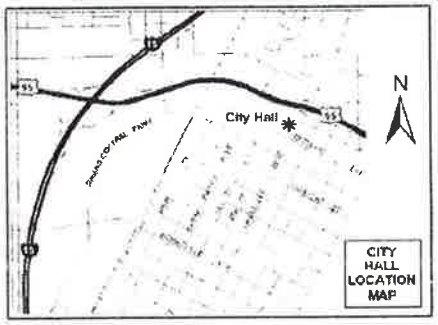
0004279218 JUN 02 2011
MAILED FROM ZIPCODE 89101

RECEIVED
JUN 14 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

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-41580
Planning Commission Meeting of 6/14/2011

Case: VAR-41580
16201210089
SMEDRA BONNIE
853 DIAMOND RIDGE CIR
CASTLE ROCK CO 80108-7812

2 DPDCM11 80108

45
A

City of Las Vegas Agenda Item No.: **87.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: JULY 20, 2011

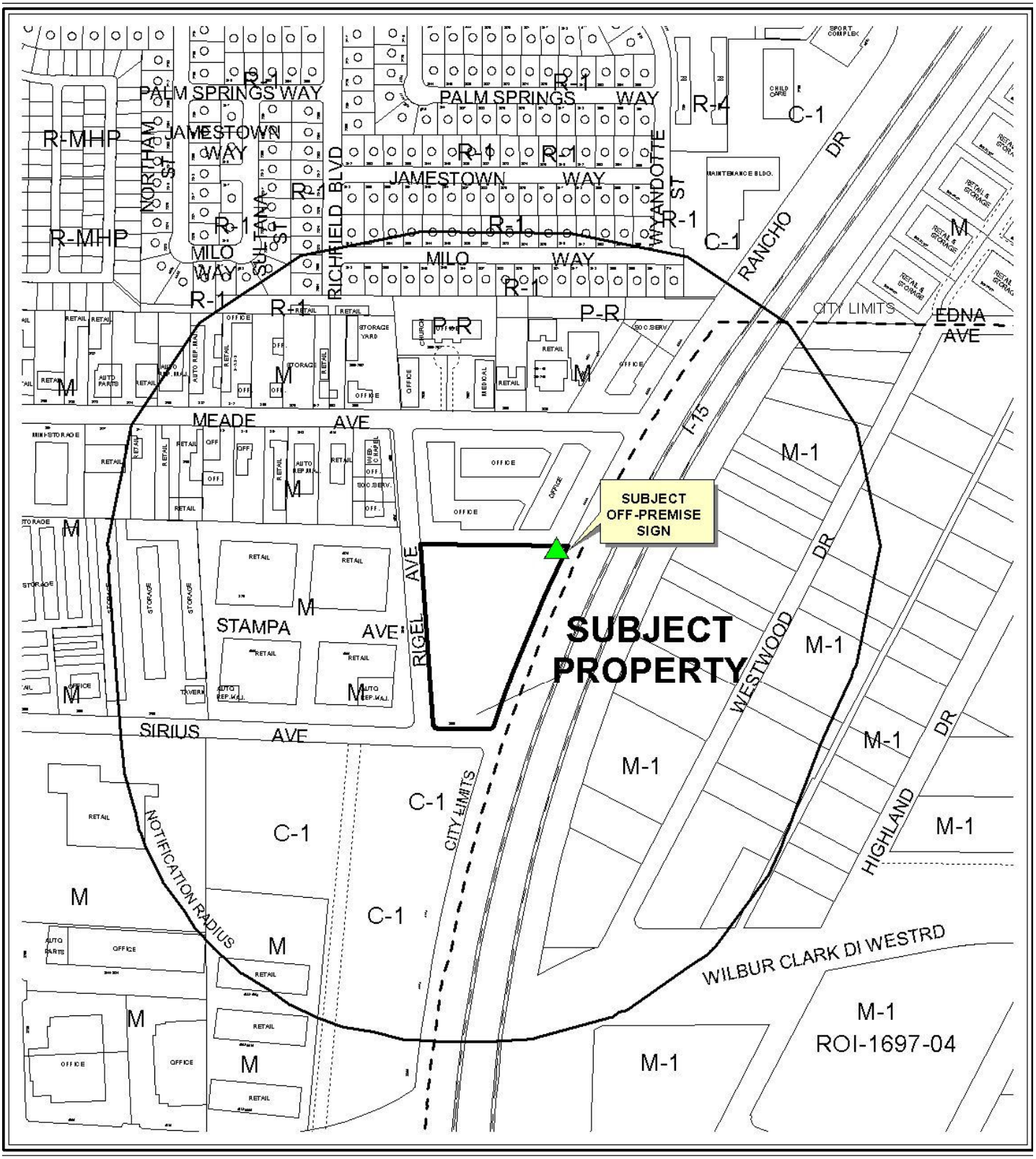
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
RQR-41171 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: FISHER BROTHERS LAS VEGAS, LLC - For possible action on a Required Review of a previously approved Special Use Permit (U-0168-92) WHICH ALLOWED A 40-FOOT HIGH, 14-FOOT X 48-FOOT OFF-PREMISE SIGN at 2900 Sirius Avenue (APN 162-08-702-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (6-0-1 vote) and Staff recommend APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**3**	**Planning Commission Mtg.**	**6**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
The Planning Commission (6-0-1 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. City Council Approval Letter for RQR-26324
6. Backup referenced from the June 14, 2011 Planning Commission Meeting Item – RQR-41171



0 300 600 Feet

CASE: **RQR-41171**

RADIUS: 1000 FEET

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

N



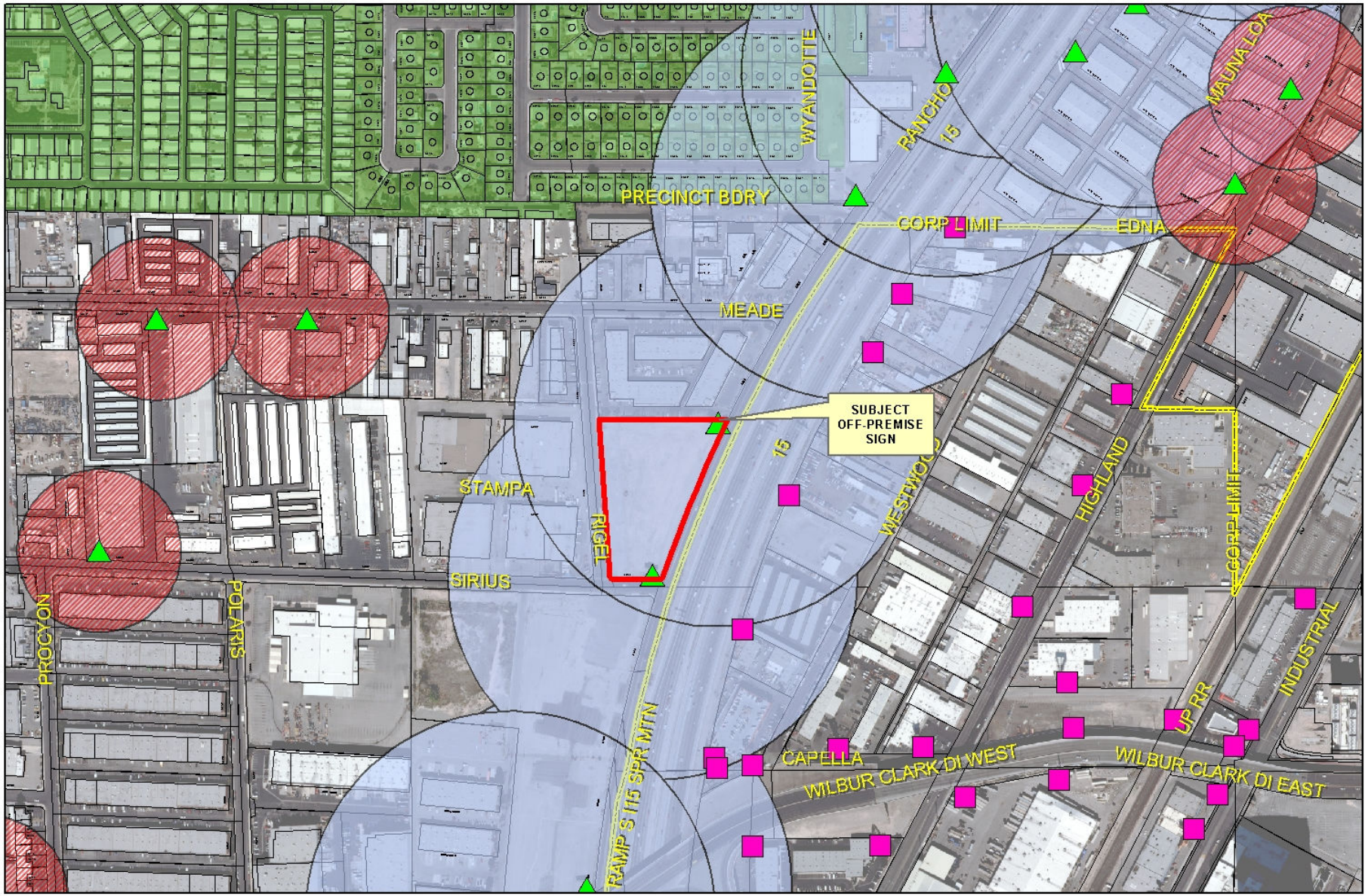
0 300 600 Feet

CASE: **RQR-41171**

RADIUS: 1000 FEET

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

N



RQR-41171

- Subject Parcel
- City of Las Vegas Billboard Location
- Clark County Billboard Location

City of Las Vegas Billboard Data

- 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 - PLANNING

CITY COUNCIL MEETING DATE: JULY 20, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: FISHER BROTHERS LAS VEGAS, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
RQR-41171	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

RQR-41171 CONDITIONS

Planning

1. Conformance to the approved conditions for Special Use Permit (U-0168-92).

2. This Special Use Permit shall be reviewed in three (3) years, at which time the City Council may require the Off-Premise Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Sign be removed.

3. The sign faces shall be reduced to comply with the 14-foot by 48-foot size approved by Special Use Permit (U-0168-92) within 30 days of final approval.

4. The Off-Premise Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Sign.

5. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Sign.

6. 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.

7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Staff Report Page One
July 20, 2011 - City Council Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a Required Three-Year Review of an approved Special Use Permit (U-0168-92), which allowed a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 2900 Sirius Avenue. This is the fourth Required Review since the initial approval of the Special Use Permit (U-0168-92). The Off-Premise Sign meets all provisions of Title 19 and conditions in the area have not changed significantly since the previous approval. However, one sign face has been enlarged without the required entitlements or permits and exceeds the approved dimensions of 14 feet by 48 feet. Therefore, staff recommends denial.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
12/18/74	The Board of City Commissioners approved a Rezoning (Z-0056-74) from R-E (Residence Estates) to M (Industrial) on a property located north of Sirius Avenue between Interstate 15 and Rigel Avenue. The Planning Commission recommended approval.
11/22/83	The Planning Commission approved a Plot Plan Review [Z-0056-74(1)] to allow construction of a family entertainment complex to consist of two 18-hole miniature golf courses, a 50-game video arcade, a four flumed tubular water side, a two-flumed speed water slide, a nine-cage soft and hardball batting tent, a two-man and four-man "hi-ball" game, assorted kiddie rides including a "ball-crawl" and a central fast-food eatery on nine acres of land on property generally located on Rancho Road, between Sirius Avenue and Meade Avenue.
09/12/92	The City Council approved the Special Use Permit (U-0168-92) to allow a 40-foot tall, 14-foot by 48-foot Off Premise Sign on a property located at 2900 Sirius Avenue. The Board of Zoning Adjustment and staff recommended approval.
06/15/94	The City Council approved a Variance (V-0058-94) to allow a 40-foot tall, 14-foot by 48-foot Off-Premise Sign to be located 600 feet from another Off-Premise Sign where 750 feet is required at 2900 Sirius Avenue. The Board of Zoning Adjustment recommended approval, whereas the Planning Department staff recommended denial.
11/10/97	The City Council approved a Required Five Year Review [U-0168-92 (1)] of an approved Special Use Permit (U-0168-92), which allowed a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 2900 Sirius Avenue. The Planning Commission and staff recommended approval.

02/19/03	The City Council approved a Required Five Year Review (RQR-1143) of an approved Special Use Permit (U-0168-92), which allowed a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 2900 Sirius Avenue. The Planning Commission and staff recommended approval.
11/03/04	The City Council approved a General Plan Amendment (GPA-5097) to amend a portion of the Southeast Sector Plan of the General Plan from LI/R (Light Industrial/Research) to SC (Service Commercial) at the northwest corner of Rancho Drive and Sirius Avenue. The Planning Commission and staff recommended approval.
	The City Council approved related Rezoning (ZON-5103) from M (Industrial) to C-1 (Limited Commercial) on a property to the northwest corner of Rancho Drive and Sirius Avenue. The Planning Commission and staff recommended approval. The entitlement has expired as of 11/03/07.
	The City Council approved related Special Use Permit (SUP-5107) and Site Development Plan Review (SDR-5104) for a 50-story Mixed-Use Condominium project with 20,000 square feet of Retail uses adjacent to the northwest corner of Rancho Road and Sirius Avenue. The Planning Commission and staff recommended approval. This entitlement has expired as of 11/03/07.
05/17/06	The City Council approved a request to change the Future Land Use designation (GPA-9219) to Commercial; Mixed Use, Industrial, or Public Facilities on various parcels located within the proposed Las Vegas Redevelopment Plan Area and within the proposed Redevelopment Plan Expansion Area, which included the subject sites. The Planning Commission and staff recommended approval.
10/04/06	The City Council approved a request for an Extension of Time (EOT-16028) of an approved Rezoning (ZON-5103) from M (Industrial) to C-1 (Limited Commercial) on 5.25 acres adjacent to the northwest corner of Rancho Drive and Sirius Avenue. The Planning Department staff recommended approval. This entitlement has expired as of 11/03/07.
	The City Council approved a request for an Extension of Time (EOT-16026) of an approved Special Use Permit (SUP-5107) that allowed a 50-story, 560-foot tall Mixed-Use development on 5.25 acres adjacent to the northwest corner of Rancho Drive and Sirius Avenue. Planning Department staff recommended approval. This entitlement has expired as of 11/03/07.
	The City Council approved a request for an Extension of Time (EOT-16027) of an approved Site Development Plan Review (SDR-5104) that allowed a 50-story, 560-foot tall Mixed-Use Development containing 700 residential units and 20,000 square feet of Retail use on 5.25 acres adjacent to the northwest corner of Rancho Drive and Sirius Avenue. The Planning Department staff recommended approval. This entitlement has expired as of 11/03/07.

05/07/08	The City Council approved a Required Review (RQR-26324) of an approved Special Use Permit (U-0168-92) which allowed a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 2900 Sirius Avenue. The Planning Commission and staff recommended approval.
01/07/09	The City Council approved a Required Review (RQR-30584) of a previously approved Variance (V-0058-94) to allow a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 600 feet from another Off-Premise Sign where 750 feet is the minimum separation required at 2900 Sirius Avenue. The Planning Commission and staff recommended approval.
01/25/11	The Planning Commission approved the request for a Site Development Plan Review (SDR-40437) for a Commercial Recreation/Amusement (Outdoor) Facility with waivers of all development and landscape requirements on 9.27 acres at 3012 South Rancho Drive and 2900 Sirius Avenue. The Planning Development staff recommended approval.
05/10/11	The Planning Commission voted to hold a Required Review (RQR-41171) of a previously approved Special Use Permit (U-0168-92) to allow a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 2900 Sirius Avenue in abeyance to the June 14, 2011 Planning Commission meeting at the applicant's request.
06/14/11	The Planning Commission voted (6-0-1/vq) to recommend APPROVAL (PC Agenda Item 22/rg).

Most Recent Change of Ownership	
09/07/05	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
08/04/94	A building permit (#94342863) was issued to relocate an existing sign to the northeast corner on the property located at 2900 Sirius Avenue (U-0168-92). The permit was finalized on 03/06/95.
08/11/94	A building permit (#94343626) was issued for an Off-Premise Sign located at the southeast corner on the property located at 2900 Sirius Avenue (V-0058-94). The permit was finalized on 09/21/94.

Pre-Application Meeting
A pre-application meeting is not required, nor was one held.

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

Field Check	
05/19/11	A field check was conducted by staff, where it was noted one sign face has been enlarged.

Details of Application Request	
Site Area	
Net Acres	4.39

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Vacant	SC (Service Commercial)	M (Industrial)
North	Office/Retail	C (Commercial)	M (Industrial)
South	Vacant	C (Commercial)	C-1 (Limited Commercial)
East	I-15	ROW (Right-of-Way)	ROW (Right-of-Way)
West	Retail Auto Repair Garage, Major	LI/R (Light Industry/Research)	M (Industrial)

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

DEVELOPMENT STANDARDS

Per sign standards contained in Title 19.14:

Standards	***Code Requirement***	***Provided***	***Compliance***
Location	No Off-Premise Sign may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas	Not within Exclusionary Zone or Public Right-of-Way.	Yes
Zoning	Off-Premise Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	Zoned M (Industrial)	Yes
Area	No Off-Premise Signs shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	One sign face has been enlarged and exceeds 672 square feet.	No
Height	No higher than 40 feet from grade at the point of construction	40 feet	Yes
Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view.	No additional screening is necessary.	Yes
Off-Premise Sign	At least 750 feet to another Off Premise Sign	There is another billboard on the subject site, 600 feet to the South.	Yes*
Off-Premise Sign	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	Nearest residential is over 1350 feet away	Yes

Other	All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	The sign is a free standing sign on a presently undeveloped parcel.	Yes

**An approved Variance (V-0058-94) allowed for an Off Premise Sign to be located 600 feet from another Off Premise sign where a 750-foot distance separation was required.*

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Street Width (Feet)***	***Compliance with Street Section***
Rancho Drive	Secondary Collector	Master Plan of Streets and Highways	80	Y
Sirius Avenue	N/A	N/A	60	N/A
Rigel Avenue	N/A	N/A	60	N/A
Meade Avenue	N/A	N/A	60	N/A

ANALYSIS

This is the fourth review of the subject Off-Premise Sign located at 2900 Sirius Avenue. The subject site is located within the Airport Overlay District, with a 175-foot height restriction. The existing Off-Premise Sign is 40 feet and complies with the requirements of the Overlay District. The Off-Premise Sign is located within the vacant property. A field check was conducted by staff on May 19, 2011, where it was observed one sign face has been enlarged.

FINDINGS (RQR-41171)

The subject sign conforms to the requirements of Title 19 and conditions of approval of Special Use Permit (U-0168-92). Conditions in the area have not changed significantly since approval of the Special Use Permit. However, one sign face has been enlarged without the required entitlements or permits and exceeds the approved dimensions of 14 feet by 48 feet; therefore, staff recommends denial.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

NOTICES MAILED 61 (By City Clerk)

APPROVALS 3

PROTESTS 6

RG

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-41171** APN: 162-08-702-002

Name of Property Owner: Fisher Brothers Las Vegas LLC

Name of Applicant: Fisher Brothers Las Vegas LLC

Name of Representative: LIONEL SAWYER + COLLINS

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

☐ Yes ☑ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: WINSTON FISHER

Subscribed and sworn before me

This 25TH day of February, 2011

_____

Notary Public in and for said County and State

SUSAN ALARIO
Notary Public, State of New York
No. 01AL6204933
Qualified in Kings County
Term Expires April 27, 2013

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MAR 10 2011

Revised 11-14-06

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DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Required review of U-0168-92 (reference prior review RQR 26324)

Project Address (Location) 2900 Sirius Avenue, Las Vegas, Nevada 89102

Project Name Formerly the Scandia Family Fun Center **Proposed Use** Mixed Use

Assessor's Parcel #(s) 162-08-702-002 **Ward #** 1 - Lois Tarkanian

General Plan: existing ~~SC~~ SC proposed _____ **Zoning:** existing ~~C-1~~ C-1 proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres 5.32 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Fisher Brothers Las Vegas, LLC **Contact** Eric Klemperer

Address 299 Park Avenue, 42nd Floor **Phone:** (212) 224-0358 **Fax:** _____

City New York **State** NY **Zip** 10171

E-mail Address EKLEMPERER@FISHERBROTHERS.com

APPLICANT Fisher Brothers Las Vegas LLC **Contact** Eric Klemperer

Address 299 Park Avenue, 42nd Floor **Phone:** (212) 224-0358 **Fax:** _____

City New York **State** NY **Zip** 10171

E-mail Address EKLEMPERER@FISHERBROTHERS.com

REPRESENTATIVE Lionel Sawyer & Collins **Contact** Lucas Tucker / Paul Larsen

Address 300 South 4th Street, Ste. 1700 **Phone:** (702) 383-8872 **Fax:** (702) 383-8845

City Las Vegas **State** NV **Zip** 89101

E-mail Address ltucker@lionelsawyer.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 WINSTON FISHER

Subscribed and sworn before me

This 25TH day of February, 20 11.

Susan Alario

Notary Public in and for said County and State

SUSAN ALARIO
Notary Public, State of New York
No. 01AL6204933
Qualified in Kings County
Term Expires April 27, 2013

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	RQR-41171
Meeting Date:	~~5/18/11 CC~~ 5/10/11 PC
Total Fee:	$800
Date Received:*	3/10/11
Received By:	

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

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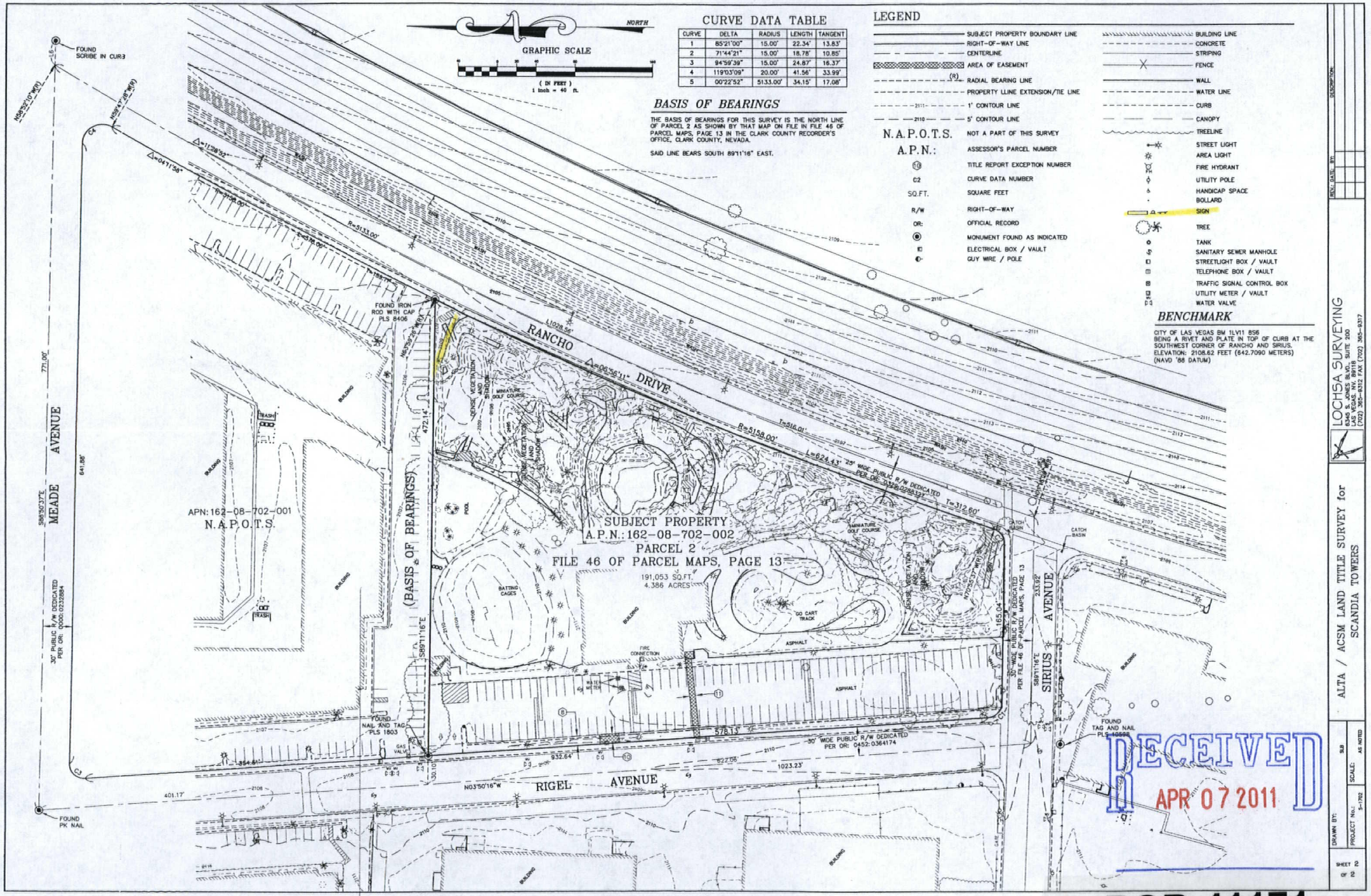

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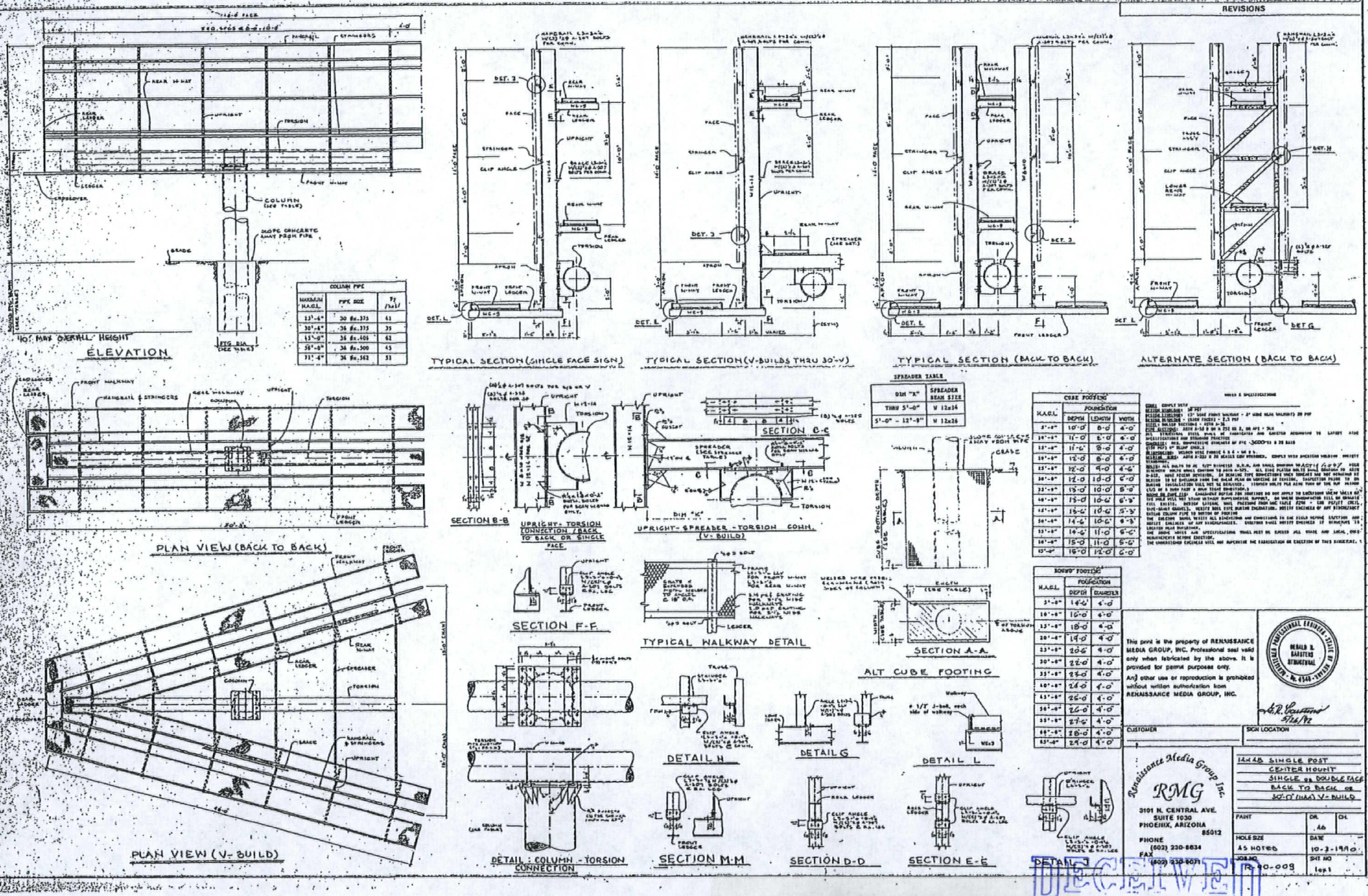

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MAR 10 2011

RQR-41171



RQR-41171 - APPLICANT/OWNER: FISHER BROTHERS LAS VEGAS, LLC
2900 SIRIUS AVENUE

06/06/11



RQR-41171 - APPLICANT/OWNER: FISHER BROTHERS LAS VEGAS, LLC
2900 SIRIUS AVENUE

06/06/11

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
TDD 702 386.9108
www.lasvegasnevada.gov

June 5, 2008

Mr. Sonny Bilbar
Fisher Brothers Las Vegas, LLC
299 Park Avenue, 42nd Floor
New York, New York 10171

RE: RQR-26324 – REQUIRED REVIEW
CITY COUNCIL MEETING OF MAY 7, 2008

Dear Mr. Bilbar:

The City Council at a regular meeting held May 7, 2008 APPROVED the Required Review of an approved Special Use Permit (U-0168-92) WHICH ALLOWED A 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING SIGN (BILLBOARD) at 2900 Sirius Avenue (APN 162-08-418-002), M (Industrial) Zone. NOTE: THE CORRECT APN IS 162-08-702-002. THE SIGN IN REVIEW IS LOCATED AT THE NORTHEAST CORNER OF THE PROPERTY. ADDITIONAL NOTE: THE OWNER/APPLICANT IS FISHER BROTHERS LAS VEGAS, LLC.. 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 Special Use Permit shall be reviewed in three (3) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign be removed.

2. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit 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-41171

5. Deleted at City Council.

6. Any existing conditions of previous SDR approvals for the site regarding the billboard remain in effect.

7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Sincerely,

Lean Coleman
Deputy City Clerk II for
Beverly K. Bridges, CMC, City Clerk

M. Margo Wheeler, AICP
Director
Planning and Development Department

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

Mr. Lucas Tucker
Lionel Sawyer & Collins
1400 Bank of America Plaza
300 South 4th Street
Las Vegas, Nevada 89101

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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
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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0004279218 APR 28 2011
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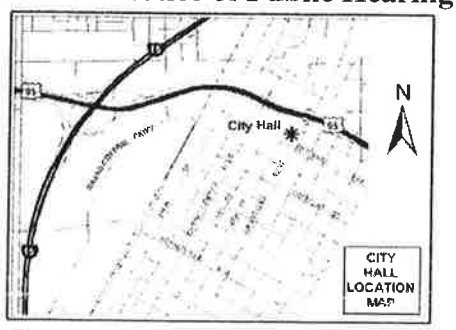

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning, Case Planning Division at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☑ I OPPOSE this Request

Please use available blank space on card for your comments.

RQR-41171
Planning Commission Meeting of 5/10/2011

Case: RQR-41171
16208703001
MARTIN ROBERT E & KAYE
7045 LAREDO ST
LAS VEGAS NV 89117-3021

Application Information

RQR-41171 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: FISHER BROTHERS LAS VEGAS, LLC - Required Review of a previously approved Special Use Permit (U-0168-92) WHICH ALLOWED A 40-FOOT HIGH, 14-FOOT X 48-FOOT OFF-PREMISE SIGN at 2900 Sirius Avenue (APN 162-08-702-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

We Don't want Any more Bill Board Signs!

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	***May 10, 2011***
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

29P

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 Department of Planning, Case Planning Division, Development Services Center, 333 North Rancho Drive, 3rd Floor, Las Vegas, Nevada 89106. 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.

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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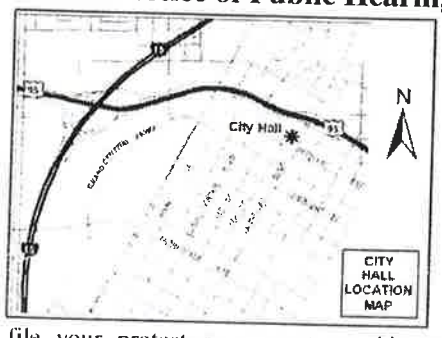

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☐ I SUPPORT this Request

☑ I OPPOSE this Request

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RQR-41171

Planning Commission Meeting of 5/10/2011

16208303008 Case: RQR-41171
MARTIN ROBERT E & KAYE B
7045 LAREDO
LAS VEGAS NV 89117-3021

18 BRDFN11 89117

Application Information

RQR-41171 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: FISHER BROTHERS LAS VEGAS, LLC - Required Review of a previously approved Special Use Permit (U-0168-92) WHICH ALLOWED A 40-FOOT HIGH, 14-FOOT X 48-FOOT OFF-PREMISE SIGN at 2900 Sirius Avenue (APN 162-08-702-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

No more Bill Boards!

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	***May 10, 2011***
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

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Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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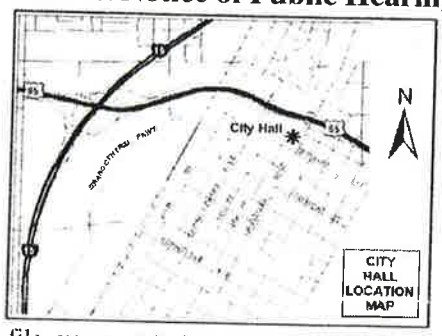

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RQR-41171
Planning Commission Meeting of 5/10/2011

Case: RQR-41171
16208301017
MARTIN ROBERT E & KAYE
7045 LAREDO
LAS VEGAS NV 89117-3021

Application Information

RQR-41171 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: FISHER BROTHERS LAS VEGAS, LLC - Required Review of a previously approved Special Use Permit (U-0168-92) WHICH ALLOWED A 40-FOOT HIGH, 14-FOOT X 48-FOOT OFF-PREMISE SIGN at 2900 Sirius Avenue (APN 162-08-702-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

We Do Not need Any more Bill Board Signs and There is A Bill Board Sign About 500 Feet From There. Why Do They Keep Reaping. We Don't Want Any More Signs!!!

Thank You

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting: Planning Commission
Date: *May 10, 2011*
Time: 6:00 P.M.
Location: City Council Chambers
400 Stewart Avenue
Las Vegas, Nevada

ZP

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May-03-2011 01:51pm From-FISHER BROTHERS +2129406234 T-542 P.001/001 F-546

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epartment of Planning
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53 North Rancho Drive, 3rd Floor
as Vegas, Nevada 89106

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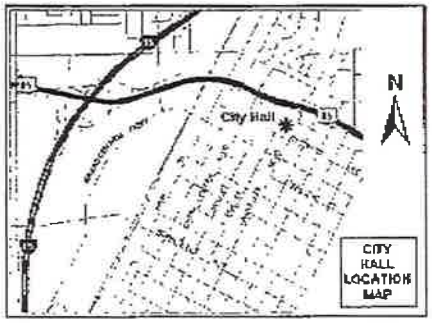

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lanning Commission Meeting of 5/10/2011

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PLANNING & DEVELOPMENT

Case: ROR-41171
16208212018
L V RESIDENTIAL HOLDINGS L L C
%FISHER BROTHERS
299 PARK AVE 42ND FL
NEW YORK NY 10171-4299

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May-03-2011 01:51pm From-FISHER BROTHERS +2129406234 T-542 P.001/001 F-545

of Las Vegas
artment of Planning
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North Rancho Drive, 3rd Floor
Vegas, Nevada 89106

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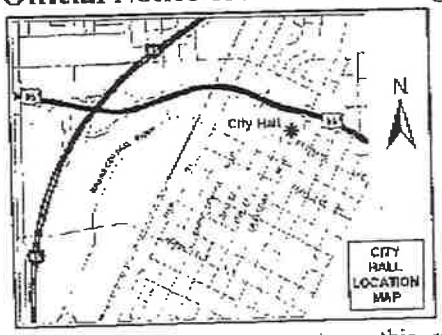

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[X] I SUPPORT this Request
[ ] I OPPOSE this Request

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Case: RQR-41171
16208610072
SOUTHERN NV RENTAL HOLDINGS LLC
%FISHER BROTHERS
299 PARK AVE 42ND FL
NEW YORK NY 10171-4299

29A

May-03-2011 01:50pm From-FISHER BROTHERS +2129406234 T-541 P.001/001 F-544

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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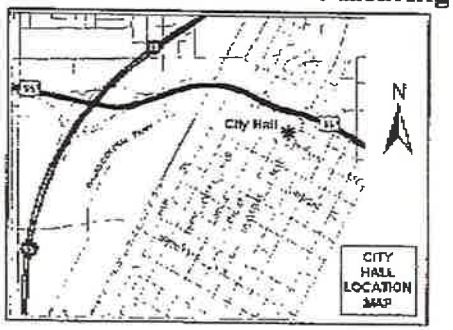

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☐ I SUPPORT this Request ☐ I OPPOSE this Request

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RQR-41171
Planning Commission Meeting of 5/10/2011

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Case: RQR-41171
16208610061
SOUTHERN NV RENTAL HOLDINGS LLC
299 PARK AVE 42ND FLOOR
NEW YORK NY 10171-4299

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City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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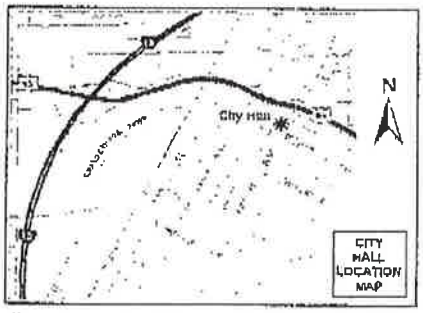

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RQR-41171
Planning Commission Meeting of 5/10/2011

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MAY 3 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: RQR-41171

16208701008
TAOS LAND COMPANY LLC
%FISHER BROTHERS
299 PARK AVE 42ND FL
NEW YORK NY 10171-4299

29A

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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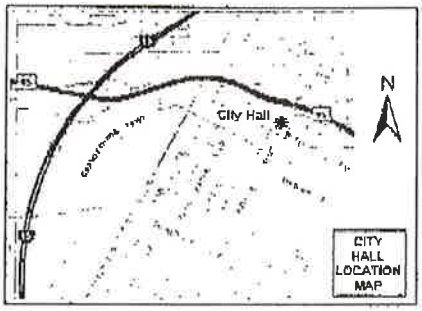
0004279218 APR 28 2011
MAILED FROM ZIP CODE 89101

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 Department of Planning, Case Planning Division at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

[X] I SUPPORT this Request [ ] I OPPOSE this Request

Please use available blank space on card for your comments.

RQR-41171
Planning Commission Meeting of 5/10/2011

RECEIVED
MAY 3 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: RQR-41171
16208603003
PARADISE LAS VEGAS L L C
%FISHER BROTHERS
299 PARK AVE 42ND FL
NEW YORK NY 10171-4299

29A

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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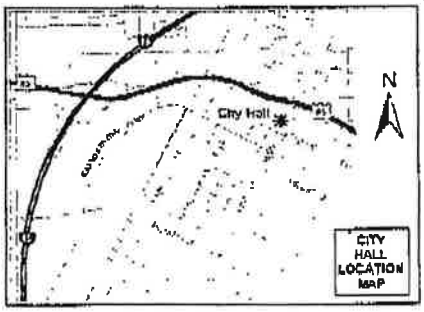

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

RQR-41171
Planning Commission Meeting of 5/10/2011

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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MAILED FROM ZIP CODE 89101

Case: RQR-41171
16208610060
SOUTHERN NV RENTAL HOLDINGS
%FISHER BROTHERS
299 PARK AVE 42ND FL
NEW YORK NY 10171-4299

29A

2 BRDFN11 10171

City of Las Vegas Agenda Item No.: **88.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: JULY 20, 2011

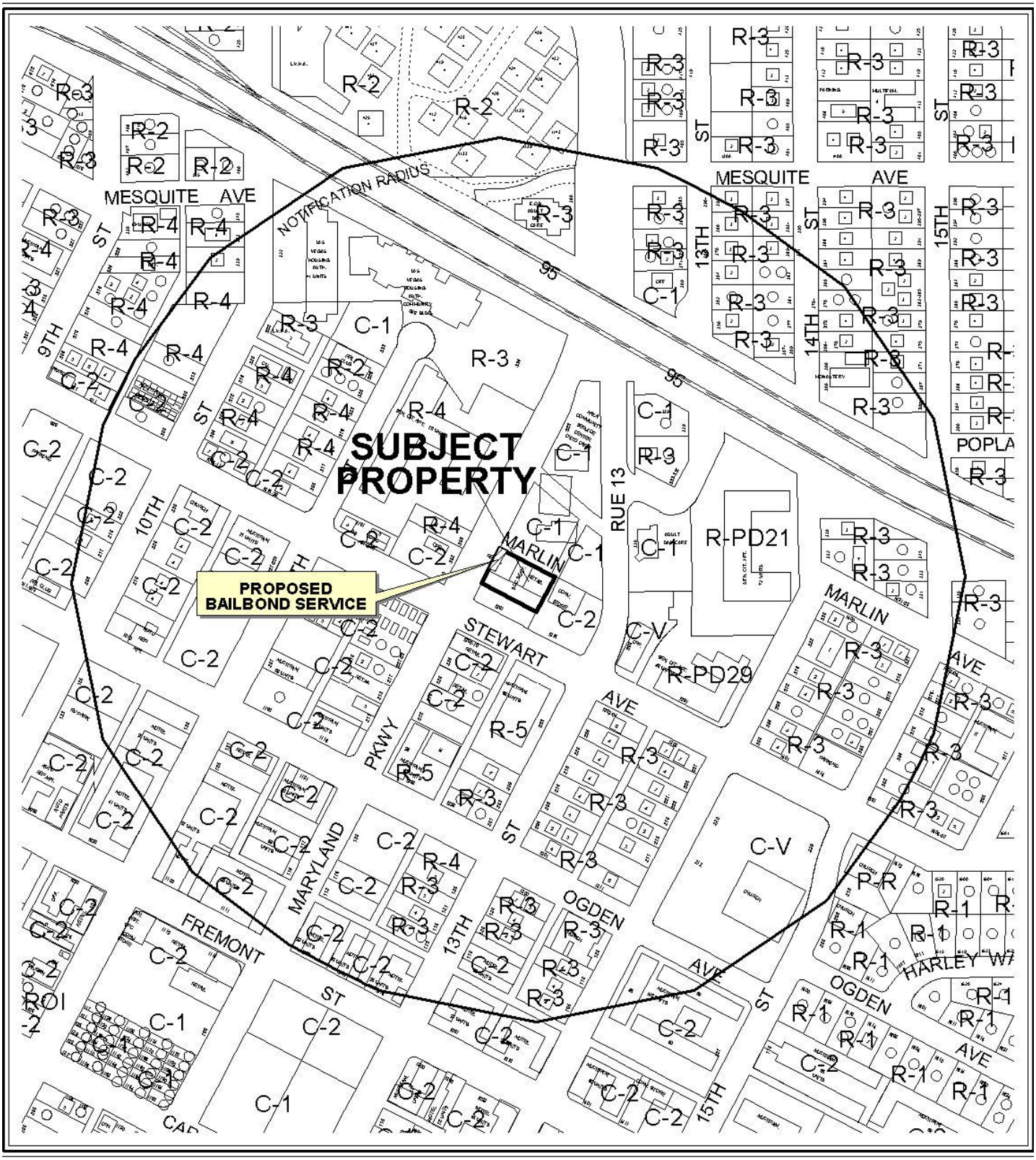
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
SUP-41278 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: BRIAN ALBISER - For possible action on a request for a Special Use Permit FOR A BAILBOND SERVICE USE at 1201 Stewart Avenue, Suite #2 (APNs 139-35-211-073 and 074), C-2 (General Commercial) Zone, Ward 5 (Barlow). The Planning Commission (7-0 vote) and Staff recommend DENIAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**3**	**Planning Commission Mtg.**	**0**
City Council Meeting	**2**	**City Council Meeting**	**0**

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. Photo
5. Justification Letter
6. Protest Postcards
7. Backup referenced from the June 14, 2011 Planning Commission Meeting Item – SUP-41278



CASE: **SUP-41278**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)



0 300 600 Feet

CASE: **SUP-41278**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 20, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: BRIAN ALBISER

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-41278	Staff recommends DENIAL, if approved subject to conditions:	

** CONDITIONS **

SUP-41278 CONDITIONS

Planning

1. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

3. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

YK

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed Bailbond Service located at 1201 Stewart Avenue, Suite 2 in an existing strip mall. The applicant is proposing to operate a 1,000 square-foot Bailbond Service office at the subject location. Currently, the suite is vacant. The proposed Bailbond Service is not compatible and harmonious with the existing surrounding land uses as this service is better located near the Regional Justice Center, Federal Courthouse and Jail; therefore, staff is recommending denial of this request.

ISSUES

- A Bailbond Service is permitted in a C-2 (General Commercial) district with an approved Special Use Permit.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
06/13/63	The City Council approved Rezoning (Z-0096-63) from R-4 (High Density Residential) to C-2 (General Commercial) at 1201 Stewart Avenue. The Planning Commission and Staff recommended approval.
06/14/11	The Planning Commission voted (7-0) to recommend DENIAL (PC Agenda Item 23/yk).

Most Recent Change of Ownership	
03/08/02	A deed was recorded for a change in ownership for both parcels (APNs 139-35-211-073 and 074).

Related Building Permits/Business Licenses	
04/14/03	A Business License (M01-04235-4-060221) was issued for a Janitorial Service at 1201 Stewart Avenue, Suite 2. Went out of business on 07/10/09.
01/26/10	A Business License (C11-09560-I-135584) was issued for a Contractor at 1201 Stewart Avenue, Suite 2. License is still active.
06/01/10	A Business License (M01-08903-1-129525) was issued for a Janitorial Service at 1201 Stewart Avenue, Suite 2.
07/08/10	A Business License (L33-01087-G-143524) was issued for Lawn Maintenance at 1201 Stewart Avenue, Suite 2.
08/09/10	A Business License (M01-10513-2-150616) was issued for a Janitorial Service at 1201 Stewart Avenue, Suite 2.

Staff Report Page Two
July 20, 2011 - City Council Meeting

Pre-Application Meeting	
03/14/11	Staff reviewed the requirements for a Special Use Permit application for a Bailbond Service with the applicant.

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

Field Check	
03/31/11	Staff visited the site and found a well maintained small strip mall development.

Details of Application Request	
Site Area	
Net Acres	0.49

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	General Retail	MXU (Mixed Use)	C-2 (General Commercial)
North	Office	MXU (Mixed Use)	C-1 (Limited Commercial)
South	General Retail	MXU (Mixed Use)	C-2 (General Commercial)
	Multi-Family Residential		R-5 (Apartment)
East	Convenience Store	MXU (Mixed Use)	C-2 (General Commercial)
West	Multi-Family Residential	MXU (Mixed Use)	R-4 (High Density Residential)
	Office		C-2 (General Commercial)

Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Live/Work Overlay District	X		N/A
Trails		X	NA
Rural Preservation Overlay District		X	NA
Las Vegas Redevelopment Plan Area		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

YK

DEVELOPMENT STANDARDS

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

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Bailbond Service	1,000 sq. ft.	1 space per 300 sq. ft.	4				
Convenience Store	1,000 sq. ft.	1 space per 175 sq. ft.	6				
Retail	1,500 sq. ft.	1 space per 175 sq. ft.	9				
Office	750 sq. ft.	1 space per 300 sq. ft.	3				
Barbershop	1 Chair	2 space per Chair	2				
Laundromat	2,000 sq. ft.	1 space per 250 sq. ft.	8				
TOTAL SPACES REQUIRED			32		25		Y *
Regular and Handicap Spaces Required			30	2	23	2	Y

- The site is parking impaired.

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Street Width (Feet)***	***Compliance with Street Section***
Stewart Avenue	Secondary Collector	Master Plan of Streets and Highways	80	Y
Maryland Parkway	Secondary Collector	Master Plan of Streets and Highways	80	Y

ANALYSIS

The proposed Bailbond Service will be located in Suite #2 that most recently housed the offices of a home and landscape maintenance business. The property is parking impaired and has seven parking space impairment based on the existing uses and standards. The proposed Bailbond Service is a less intense use than the previous use and therefore the parking is acceptable as it exists.

The entire strip mall and parking lot are located on two adjacent parcels (139-35-211-073 and 074). It is recommended that these two parcels should be remapped into one parcel to avoid future development issues.

Currently there are four active business licenses attached to this address. Staff conducted a site visit and found the suite to be vacant. It is unknown if these businesses relocated or went out of business.

The subject site is located in the Live/Work and Las Vegas Redevelopment Plan Overlays. This project will not be impacted by either one. The proposed use as a Bailbond Service requires a Special Use Permit within the C-2 (General Commercial) zone. There are no special conditions or minimum requirements related to the proposed use as a Bailbond Office. These types of services are better located near the Regional Justice Center, Federal Courthouse and Jail; therefore, staff recommends denial.

FINDINGS (SUP-41278)

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 surrounding land use is intended for commercial and retail uses. The proposed use as a Bailbond Service is not harmonious with the surrounding development.

2. **The subject site is physically suitable for the type and intensity of land use proposed.**

   The site is physically suitable for the type and intensity of 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 proposed Bailbond Service is located within a commercial strip mall that has access to Maryland Parkway and Stewart Avenue, both of which are identified on the Master Plan of Streets and Highways as 80-foot Secondary Collectors. These roads have adequate capacity to serve the proposed use.

4. **Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.**

   The proposed Bailbond Service is a state licensed business, and the site would be subject to inspections. Therefore, it would not compromise public health and safety.

5. **The use meets all of the applicable conditions per Title 19.04.**

   There are no minimum requirements associated with the proposed Bailbond Service use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 33

NOTICES MAILED 175 (By City Clerk)

APPROVALS 0

PROTESTS 2

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-41278** APN: 139-35-511-073

Name of Property Owner: Brian Albiser

Name of Applicant: Jackson Hamilton

Name of Representative: _____

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Brian Albiser

Subscribed and sworn before me

This 17th day of March, 2011

_____

Notary Public in and for said County and State

CATALINA VILLANUEVA
Notary Public State of Nevada
No. 02-74766-1
My appt. exp. July 15, 2013

RECEIVED
MAR 23 2011
City of Las Vegas

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Jackson Hamilton

Project Address (Location) 1201 Stewart - Suite 2 - 89101

Project Name Innocent Bail Bond **Proposed Use** Bail Bond Service / Office

139-35-211-013

Assessor's Parcel #(s) 202 - Block 5 - Lot 5 **Ward #** 5 Barlow

General Plan: existing X proposed _____ **Zoning:** existing C-2 proposed _____

Commercial Square Footage 1,000 Sq Ft (±) **Floor Area Ratio** _____

Gross Acres .5 **Lots/Units** 8 **Density** _____

Additional Information _____

PROPERTY OWNER Brian Albiser **Contact** _____

Address 805 Shetland Rd **Phone:** (702) 271-4231 **Fax:** _____

City Las Vegas **State** N.V **Zip** 89107

E-mail Address BAlbiser@AOL.Com

APPLICANT Same **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

REPRESENTATIVE _____ **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

X

Property Owner Signature* Brian Albiser

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

Print Name Brian Albiser

Subscribed and sworn before me

This 17th day of March, 20 11.

Notary Public in and for said County and State

CATALINA VILLANUEVA
Notary Public State of Nevada
No. 02-74766-1
My appt. exp. July 15, 2013

FOR DEPARTMENT USE ONLY

Case #	Sup-41278
Meeting Date:	5-10-11
Total Fee:	1030
Date Received:*	3-23-11
Received By:	F.S.

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

Revised 10/27/08

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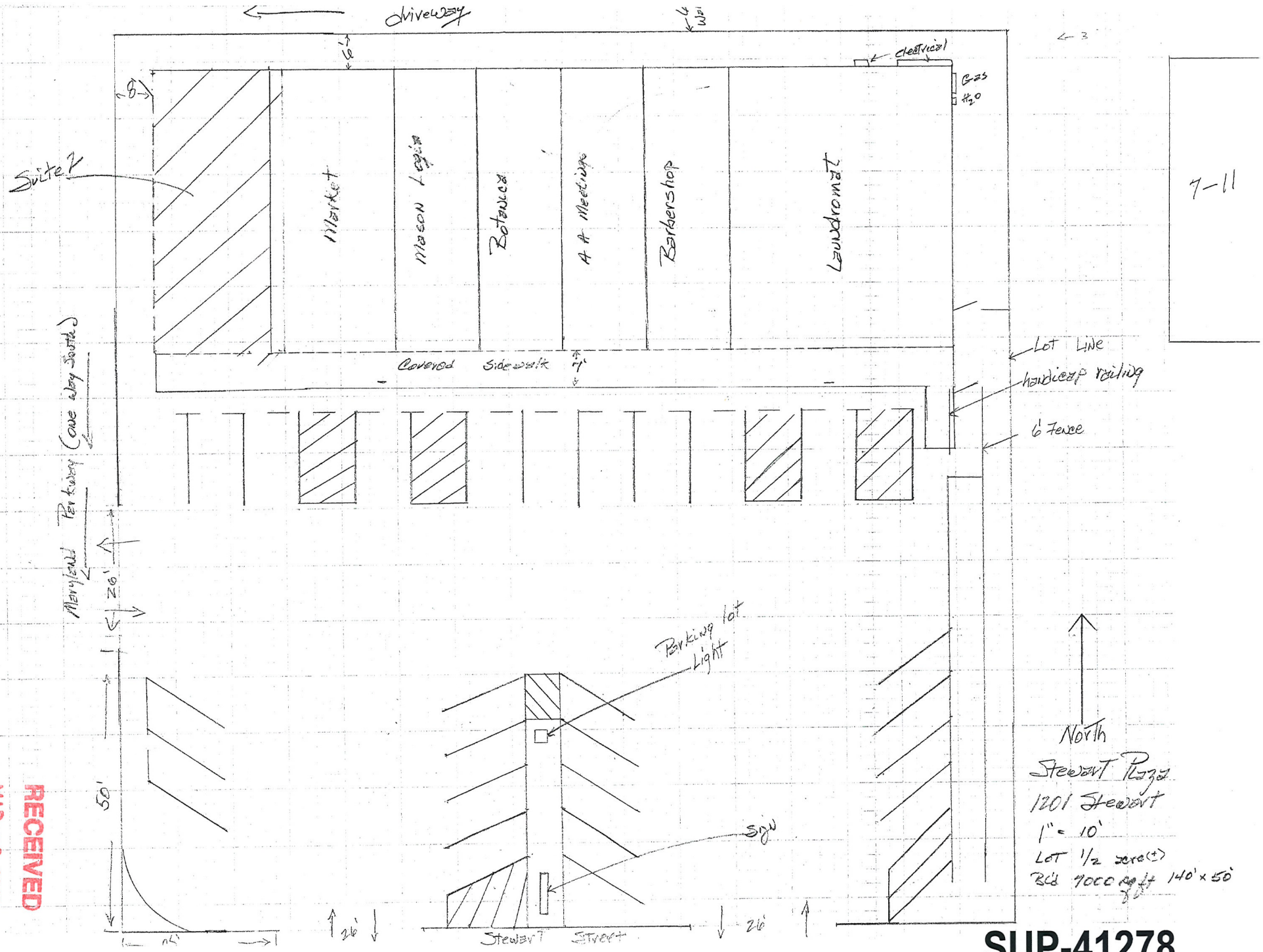

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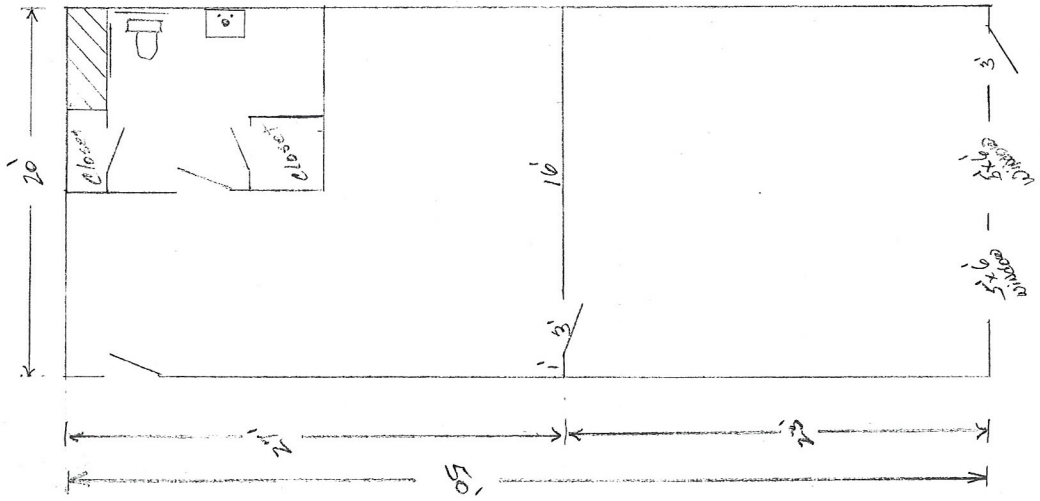
City of Las Vegas

SUP-41278



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MAR 23 2011
City of Las Vegas

SUP-41278



SUP-41278 - APPLICANT/OWNER: BRIAN ALBISER
1201 STEWART AVENUE, SUITE #2

03/31/11

BRIAN ALBISER

805 Shetland road
Las Vegas, Nevada 89102
Phone (702) 878-5309
Cell (702) 271-4231
Balbiser@aol.com

March 22, 2011

To Whom it May Concern:

Re: Prospective tenant Jackson Hamilton - "Innocent Bail Bonds Inc."

This justification letter is written in response to the Planning Departments pre-application conference request form for a special use permit.

In looking at all the foreclosures, bankruptcies and un-employment, I realize that landlords such as myself need to take advantage of any opportunity to rent a vacant space. Fortunately Mr. Jackson Hamilton, owner of "Innocent Bail Bonds" has chosen to relocate his office to my center replacing "Escretorio Publico" an accountant who had occupied the space for many years.

The on-site parking requirement is the same 4 spaces. Total tenant parking requirements indicate 30 spaces are needed, twenty seven are available. The fact that the Mason's lodge and Alcoholics Anonymous only meet in the evening when other businesses are closed mitigates parking demand.

Sincerely,

Brain Albiser
Owner, Stewart Plaza,
1201 Stewart,
Las Vegas, Nevada 89101.

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MAR 23 2011
City of Las Vegas

SUP-41278

RECEIVED
CITY CLERK

2011 JUL 11 A 7:03

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

PRESORTED FIRST CLASS

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PITNEY BOWES
02 1M $ 00.41⁴
0004279218 JUL 07 2011
MAILED FROM ZIP CODE 89101

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-41278
City Council Meeting of 7/20/2011

LAUTEREN H C LTD
P O BOX 370323
LAS VEGAS NV 89137-0323

APN#13935212028

59 FRDFN11 89137

07/09/2011 SAT 15:52 [TX/RX NO 9718] 001

001/001

RECEIVED
CITY CLERK

2011 JUL 11 A 7:07

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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0004279218 JUL 07 2011
MAILED FROM ZIPCODE 89101

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Please use available blank space on card for your comments.

SUP-41278
City Council Meeting of 7/20/2011

LAUTEREN HERB E
P O BOX 370323
LAS VEGAS NV 89137-0323

APN#13935212027

59 FRDFN11 89137

07/09/2011 16:54 FAX

07/09/2011 SAT 15:57 [TX/RX NO 9721] 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
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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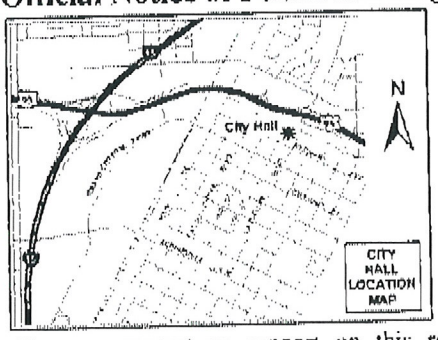

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CITY OF LAS VEGAS
PLANNING & DEV.

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Please use available blank space on card for your comments.

SUP-41278

Planning Commission Meeting of 5/10/2011

Case: SUP-41278

13935210019
NELSON FAMILY TRUST
5030 ALTA CANYADA RD
LA CANADA CA 91011-1735

37P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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FIRST CLASS

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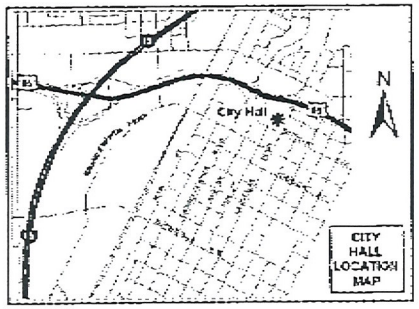

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-41278

Planning Commission Meeting of 5/10/2011

RECEIVED
MAY 3 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SUP-41278

13935211018
HOME OWNERSHIP INVEST MGT CORP
%F FARMAND
2417 EVERGREEN FOREST CT
WILDWOOD MO 63011-1841

2 BRDFN11 63011

378

MAY-03-2011(TUE) 08:01 AA MORTGAGE CORP. (FAX)6362078244 P.001/001

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

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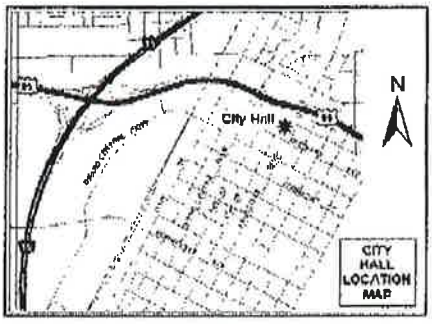

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-41278

Planning Commission Meeting of 5/10/2011

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MAY 4 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SUP-41278

13935210004
NELSON FAMILY TRUST
5030 ALTA CANYON RD
LA CANADA CA 91011-1735

9101 81735 C005

37P

City of Las Vegas Agenda Item No.: **89.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: JULY 20, 2011

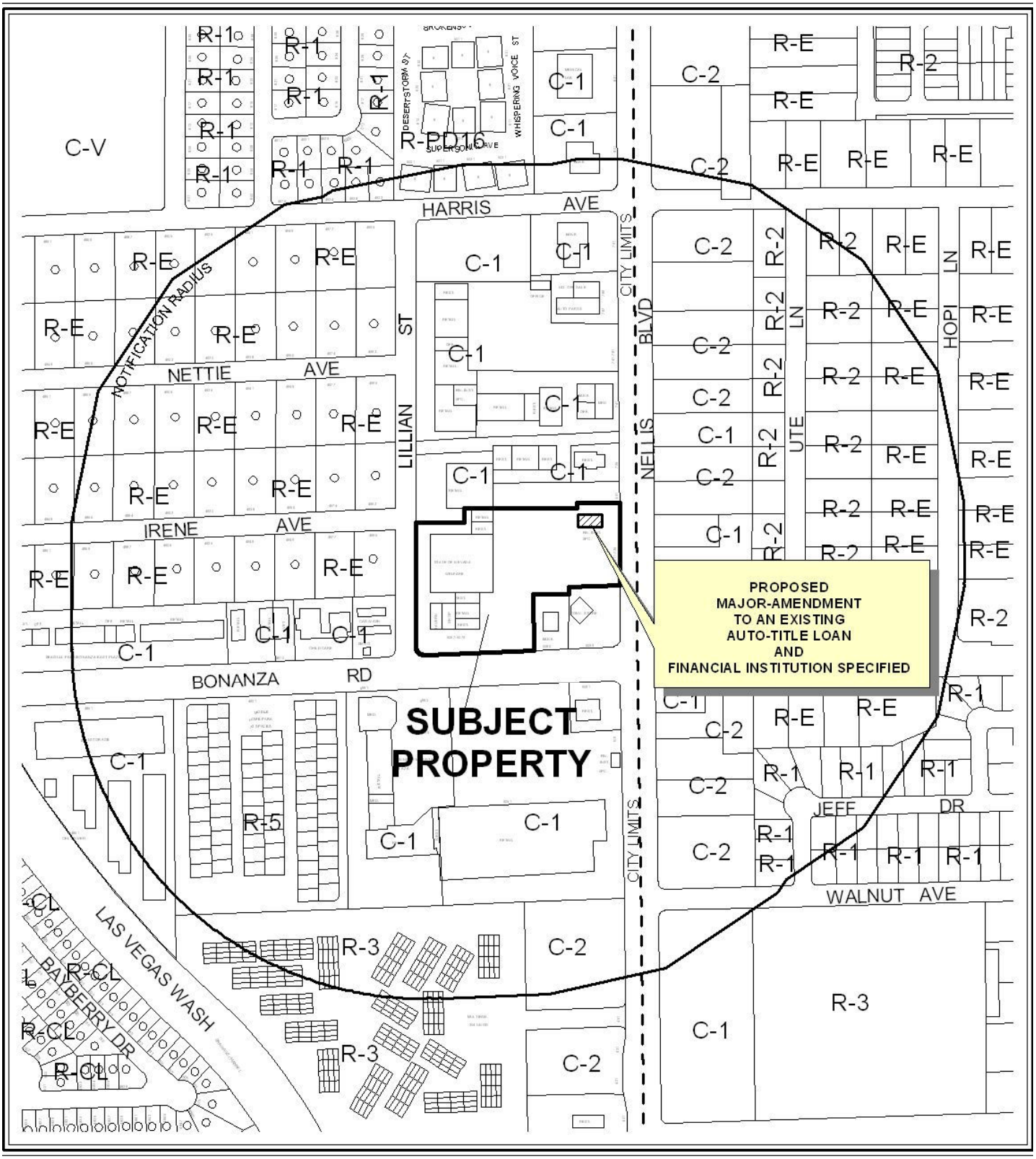
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
SUP-41289 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CHECK CITY - OWNER: ALECO ENTERPRISES, INC. - For possible action on a request for a Major Amendment to a previously approved Special Use Permit (SUP-19645) TO ALLOW 24-HOUR OPERATIONS FOR AN EXISTING AUTO TITLE LOAN ESTABLISHMENT AND FINANCIAL INSTITUTION, SPECIFIED WHERE HOURS OF OPERATION FROM 8:00 A.M.TO 11:00 P.M. ARE PERMITTED at 631 North Nellis Boulevard (APN 140-29-802-009), C-1 (Limited Commercial) Zone, Ward 3 (Coffin). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**5**	**Planning Commission Mtg.**	**1**
City Council Meeting	**2**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions:

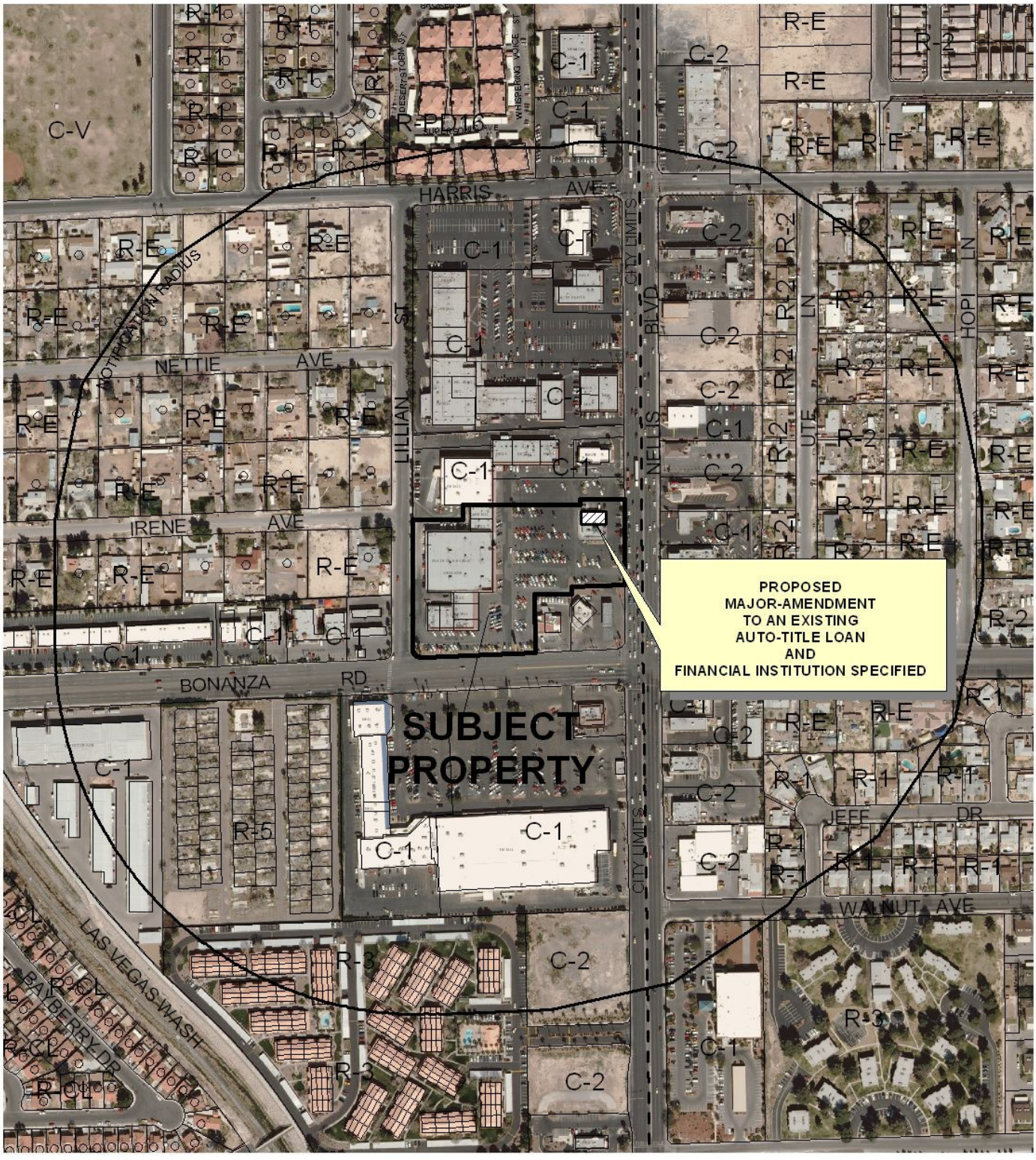
BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest Postcards
7. Backup referenced from the June 14, 2011 Planning Commission Meeting Item – SUP-41289



CASE: **SUP-41289**

RADIUS: 1000 FT

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



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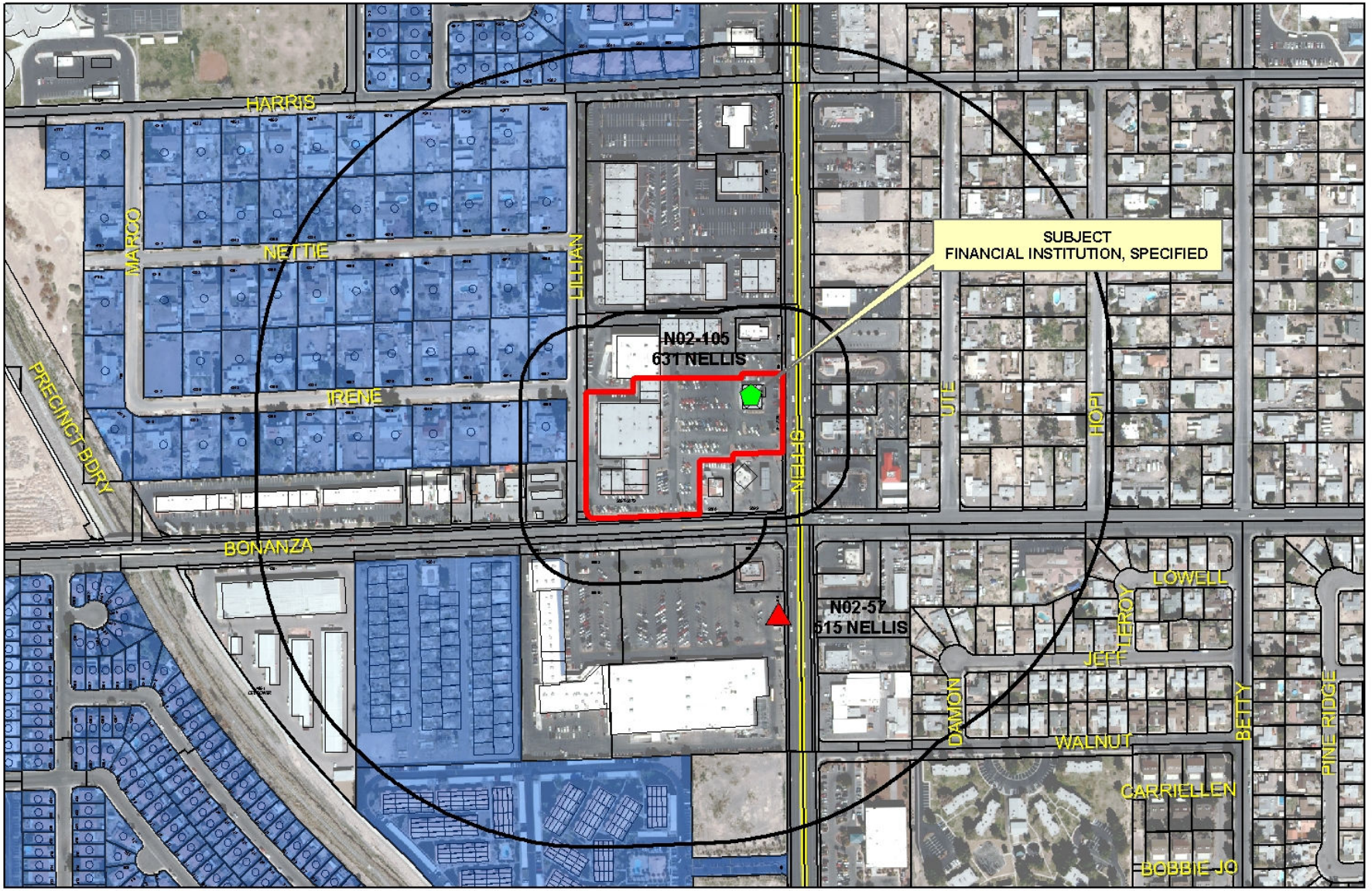

SUP-41289
Financial Institution

Financial Business Locations

- Financial Institution, Specified
- Pawnshops
- Automobile Title Loan

- Subject Property
- Residential Property
- 200ft & 1000ft Buffer

0 250 500 1,000 Feet

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 20, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: CHECK CITY - OWNER: ALECO ENTERPRISES, INC.

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-41289	Staff recommends DENIAL, if approved subject to conditions:	N/A

** CONDITIONS **

SUP-42189 CONDITIONS

Planning

1. A waiver is granted to allow hours of operation to be 24 hours per day.

2. Conformance to the approved conditions for Special Use Permit (SUP-19645) and Site Development Plan Review (SDR-19648), except as amended herein.

3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. 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.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Major Amendment of a previously approved Special Use Permit (SUP-19645) to allow 24-hour operations at an existing Auto Title Loan and Financial Institution, Specified located at 631 North Nellis Boulevard. Staff is recommending denial of this application because the proposed use cannot be conducted in a manner that is harmonious and compatible with existing surrounding land uses, as evidenced by the request to extend the hours of operation from 8:00 a.m. to 11:00 p.m. If this request is denied, the existing Auto Title Loan and Financial Institution, Specified hours of operation will remain from 8:00 a.m. to 11:00 p.m.

ISSUES

- Approval of a Major Amendment of Special Use Permit (SUP-19645) is required to extend the hours of operation to 24 hours at an existing Auto Title Loan and Financial Institution, Specified where the hours of operation allowed are from 8:00 a.m. to 11:00 p.m.
- This item has been deemed a Project of Regional Significance.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
09/06/72	The City Council approved a Rezoning (Z-0062-72) from R-E (Residence Estates) to C-1 (Limited Commercial) on approximately 10 acres on the northwest corner of Bonanza Road and Nellis Boulevard. Planning Commission and staff recommended approval.
08/10/78	The Planning Commission considered a request for a Plot Plan Review (Z-0062-72) to allow a shopping center on property located at the northwest corner of Nellis Boulevard and Bonanza Road.
04/18/07	The City Council approved a Special Use Permit (SUP-19645) for an Auto Title Loan and Financial Institution, Specified, with a Waiver to allow a distance separation of 60 feet from residential zoned property where 200 feet is required and a Waiver to allow a distance separation of 100 feet from an existing financial institution, specified where 1,000 feet is required at 631 North Nellis Boulevard. Planning Commission and staff recommended approval.

04/18/07	The City Council approved a Major Amendment (SDR-19648) to approved Site Development Plan Review (Z-0062-72) for a 1,500 square foot addition to an existing 2,009 square foot commercial building with drive-through to be sited within an existing shopping center at 631 North Nellis Boulevard. The Planning Commission and staff recommended approval.
05/19/10	The City Council approved a Special Use Permit (SUP-37626) to add a Jewelry Store, Class III use within an existing 3,509 square-foot Auto Title Loan Establishment at 631 North Nellis Boulevard. The Planning Commission and staff recommended approval.
05/10/11	The Planning Commission voted to hold Special Use Permit (SUP-41289) to allow 24-hour operation for an existing Auto Title Loan and Financial Institution, Specified where hours of operation from 8:00 a.m. to 11:00 p.m. are permitted at 631 North Nellis Boulevard in abeyance to the June 14, 2011 Planning Commission meeting at the applicant's request.

Most Recent Change of Ownership	
02/27/97	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
12/07/01	A building permit (#01021239) was issued for Certificate of Occupancy - Tenant Improvement for an office building at 631 North Nellis Boulevard. The permit was finaled on 4/02/02.
09/11/01	A business license (C21-01122) was issued for a Check Cashing/Deferred Deposit at 631 North Nellis Boulevard. The license was marked out of business on 8/05/09.
08/20/02	A business license (F14-00047) was issued for an Auto Title Loan at 631 North Nellis Boulevard. The business license was reclassified as (N02-00105) Non-Depository Lender and Auto Title Loan on 09/10/09.
11/01/07	A building permit (#07003121) was issued for Certificate of Completion for a 1,500 square-foot office building addition with drive-through at 631 North Nellis Boulevard. The permit was finaled on 6/25/08.
07/09/08	A building permit (#118085) was issued for a Tenant Improvement at 631 North Nellis Boulevard. The permit was finaled on 1/02/09.
05/28/09	A business license (W10-00316) was issued for a Wire Service at 631 North Nellis Boulevard. The license is currently active.
09/10/09	A business license (N02-00105) was issued for a Non-Depository Lender and Auto Title Loan business at 631 North Nellis Boulevard. The license is currently active.
02/11/10	A Code Enforcement case (#97952) was created for illegal signage and a 24 hour business, where from 8:00 a.m. to 11 p.m. is the minimum requirement at 631 North Nellis Boulevard. The case is currently active.

Pre-Application Meeting	
03/07/11	A pre-application meeting was held with the applicant where the submittal requirements for a Major Amendment to a Special Use Permit to modify the hours of operation to 24 hours.

Neighborhood Meeting
A Neighborhood Meeting is not required for this application, nor was one held.

Field Check	
03/31/11	During a site inspection staff observed the trash dumpster located outside the trash enclosure and the enclosure doors open. All illegal and unpermitted signage has been removed.

Details of Application Request	
Site Area	
Net Acres	4.56

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
East	Shopping Center	Clark County	Clark County
West	Single-Family Residential	R (Rural Density Residential)	R-E (Residential Estates)
	Car Wash and Auto Smog Check	SC (Service Commercial)	C-1 (Limited Commercial)

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area		X	N/A
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance	X		Y

DEVELOPMENT STANDARDS

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Street Width (Feet)*	*Compliance with Street Section*
Bonanza Road	Primary Arterial	Master Plan of Streets and Highways	100	Y
Nellis Boulevard	Primary Arterial	Master Plan of Streets and Highways	100	Y

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
		Required			*Provided*		*Compliance*
			Parking		*Parking*		
Use	*Gross Floor Area or Number of Units*	*Parking Ratio*	Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	54,556 SF	1:250 SF	219		266		Y
TOTAL SPACES REQUIRED			219		266		Y
TOTAL (With Handicapped)			212	7	259	7	Y

ANALYSIS

Prior to 2003, a Special Use Permit was not required for Financial Institution, Specified and Auto Title Loan uses and set hours of operation were not part of the requirements. A business license for a Financial Institution, Specified was issued in 2001, and operated on a 24-hour basis. The applicant was subsequently approved for a Special Use Permit (SUP-19645) on 04/18/07 for an Auto Title Loan and Financial Institution, Specified, which limited the applicant's hours from 8:00 a.m. to 11:00 p.m. Waivers of the distance separation from residentially zoned property and

a similar use were approved as part of this Special Use Permit. The applicant continued to operate as a 24-hour business until a code enforcement case (#97952) was opened and the applicant was informed of the approved hours of operation. The applicant is now requesting a Major Amendment to Special Use Permit (SUP-19645) to allow 24-hour operations at the existing site. As the majority of businesses in the immediate area do not have 24-hour operations and the applicant has provided no adequate justification for this request, staff recommends denial with conditions.

FINDINGS (SUP-41289)

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 use cannot 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, due to hours of operation requested and the proximity to residential zoned property.

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, but the expansion of hours of operation of the existing Financial Institution, Specified and Auto Title Loan uses is not appropriate.

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 subject site is accessed by Bonanza Road and Nellis Boulevard. Both streets are sufficient to accommodate the amount of vehicular trips associated with the proposed use.

4. **Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.**

   Approval of the Special Use Permit is consistent with the General Plan, and will not compromise the public health, safety, or welfare.

5. The use meets all of the applicable conditions per Title 19.04.

The proposed use does not meet all Minimum Special Use Permit Requirements pursuant to Title 19.04. The applicant is requesting to expand the hours of operation to 24 hours, where 8:00 a.m. to 11:00 p.m. is allowed.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 7

NOTICES MAILED 224 (By City Clerk)

APPROVALS 1

PROTESTS 5

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-41289** APN: 140-29-802-009

Name of Property Owner: Aleco Enterprises Inc

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: Robert Muraleash

Subscribed and sworn before me

This 14th day of March, 2011

Sylvia Daves Grieb

Notary Public in and for said County and State

SYLVIA DAVES GRIEB
COMM. #1884670
NOTARY PUBLIC - CALIFORNIA
LOS ANGELES COUNTY
My Comm. Expires Apr. 27, 2014

RECEIVED
MAR 24 2011

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: an amendment current special use permit to allow 24 hours

Project Address (Location) NWC Nellis & Bonanza -- 631 N Nellis

Project Name Check City **Proposed Use** _____

Assessor's Parcel #(s) 140-29-802-009 **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 an amendment to the special use permit to allow 24 hours

PROPERTY OWNER Aleco Enterprises Inc **Contact** Robert Munakash

Address 12111 La Casa Ln **Phone:** (310) 459-7645 **Fax:** _____

City Los Angeles **State** CA **Zip** 90049

E-mail Address _____

APPLICANT Check City **Contact** Jim Marchesi, Manager

Address 2640 Crimson Canyon Dr. **Phone:** (702) 258-8888 **Fax:** (702) 880-7779

City Las Vegas **State** NV **Zip** 89128

E-mail Address jtskee@aol.com

REPRESENTATIVE LAS CONSULTING **Contact** LUCY STEWART

Address 101 CONVENTION CTR #1002 **Phone:** (702) 258-8888 **Fax:** 946-0857

City Las Vegas **State** NV **Zip** 89109

E-mail Address STEWPLAN@AOL.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 Robert Munakash

Subscribed and sworn before me

This 7th day of March, 20 11.

Sylvia Daves Grieb

Notary Public in and for said County and State

SYLVIA DAVES GRIEB
COMM. #1884670
NOTARY PUBLIC - CALIFORNIA
LOS ANGELES COUNTY
My Comm. Expires Apr. 27, 2014

BCT4

FOR DEPARTMENT USE ONLY

Case #	SUP-41289
Meeting Date:	5/10/11 PC
Total Fee:	$1,030
Date Received:*	3/24/11
Received By:	

RECEIVED
MAR 24 2011

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

Revised 10/27/08

SHEET INDEX

A1 PROJECT DATA and SITE PLAN
A2 EXISTING FLOOR PLAN, PROPOSED FLOOR PLAN
A3 FOUNDATION PROFILE, FOUNDATION DETAILS, ROOF PLAN
A4 REFLECTED CEILING PLAN, CEILING DETAILS
A5 EXTERIOR ELEVATIONS
A6 EXTERIOR ELEVATIONS
A7 CROSS SECTION, TYPICAL DETAILS

S- STRUCTURAL PLANS

E- ELECTRICAL PLANS

M- MECHANICAL PLANS

P- PLUMBING PLANS

GENERAL NOTES

1. THESE DRAWINGS DO NOT INCLUDE THE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. SAFETY OF ALL PARTIES PRESENT ON THE JOBSITE IS THE CONTRACTOR'S JURISDICTION.

2. WRITTEN DIMENSIONS ALWAYS TAKE PRECEDENCE OVER SCALE ON THE CONSTRUCTION DOCUMENTS. DO NOT SCALE.

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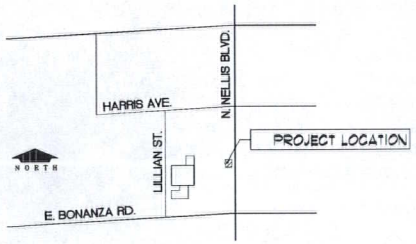
VICINITY MAP



ADA COMPLIANCE

WITH SPECIFIC RESPECT TO DESIGN REQUIREMENTS OF THE AMERICANS WITH DISABILITIES ACT OF 1990 OR CERTIFIED STATE OR LOCAL ACCESSIBILITY REGULATION (ADA) WE REPRESENT THAT THESE DRAWINGS AND SPECIFICATIONS HAVE BEEN PREPARED IN THE REGULAR COURSE OF OUR PROFESSIONAL SERVICE TO THE BEST OF OUR KNOWLEDGE IN CONFORMANCE WITH KNOWN PUBLISHED, AND PREVAILING INTERPRETATION AND PRACTICES AT THE TIME OF DESIGN. COMPLIANCE WITH ADA IS A LEGAL MATTER AND NOT A DESIGN RESPONSIBILITY. THE CLIENT ACKNOWLEDGES THAT THE REQUIREMENTS OF THE ADA WILL BE SUBJECT TO VARIOUS AND POSSIBLY CONTRADICTORY INTERPRETATIONS. THE DESIGN PROFESSIONAL, THEREFORE, WILL USE HIS REASONABLE PROFESSIONAL EFFORTS AND JUDGMENT TO INTERPRET APPLICABLE ADA REQUIREMENTS AND OTHER FEDERAL, STATE AND LOCAL LAWS, RULES, CODE ORDINANCES AND REGULATIONS AS THEY APPLY TO THE PROJECT. THE DESIGN PROFESSIONAL, HOWEVER, CANNOT AND DOES NOT WARRANT OR GUARANTEE THAT THE CLIENT'S PROJECT WILL COMPLY WITH ALL INTERPRETATIONS OF THE ADA REQUIREMENTS AND/OR THE REQUIREMENTS OF OTHER FEDERAL, STATE AND LOCAL LAWS, RULES, CODES, ORDINANCES AND REGULATIONS AS THEY APPLY TO THIS PROJECT.

PROJECT DATA

MUNICIPAL JURISDICTION: LAS VEGAS, NEVADA

PROPOSED PROJECT DESCRIPTION:

1500 SF TENANT ADDITION TO EXISTING STRUCTURE.

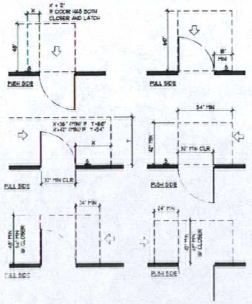
I.B.C.	2006 EDITION
ALLOWABLE FLOOR AREA:	9,000 SQ. FT.
OCCUPANCY:	GROUP B
OCCUPANCY LOAD:	1500 SQ. FT. @ 1:100 = 15 OCCUPANTS
CONSTRUCTION TYPE:	V-B
NUMBER OF STORIES:	1
BUILDING HEIGHT:	25'-0" (ACTUAL)
SPRINKLERS:	YES
EXITS REQUIRED:	2
PARKING:	1500 SQ. FT. @ 1:250 = 6 USE EXISTING 220 SPACES

EXISTING SHELL BLDG

CONCRETE SLAB ON GRADE 2X FRAMED WALLS
BITUMIN ROOF ON WOOD DECK PRE-MFR'D ROOF TRUSSES

I.B.C.	2003 EDITION
OCCUPANCY:	B
CONSTRUCTION TYPE:	V-B
TENANT SPACE:	2000 SQ FT
BUILDING HEIGHT:	NONE (1 STORY)

CLEARANCES AT DOORS

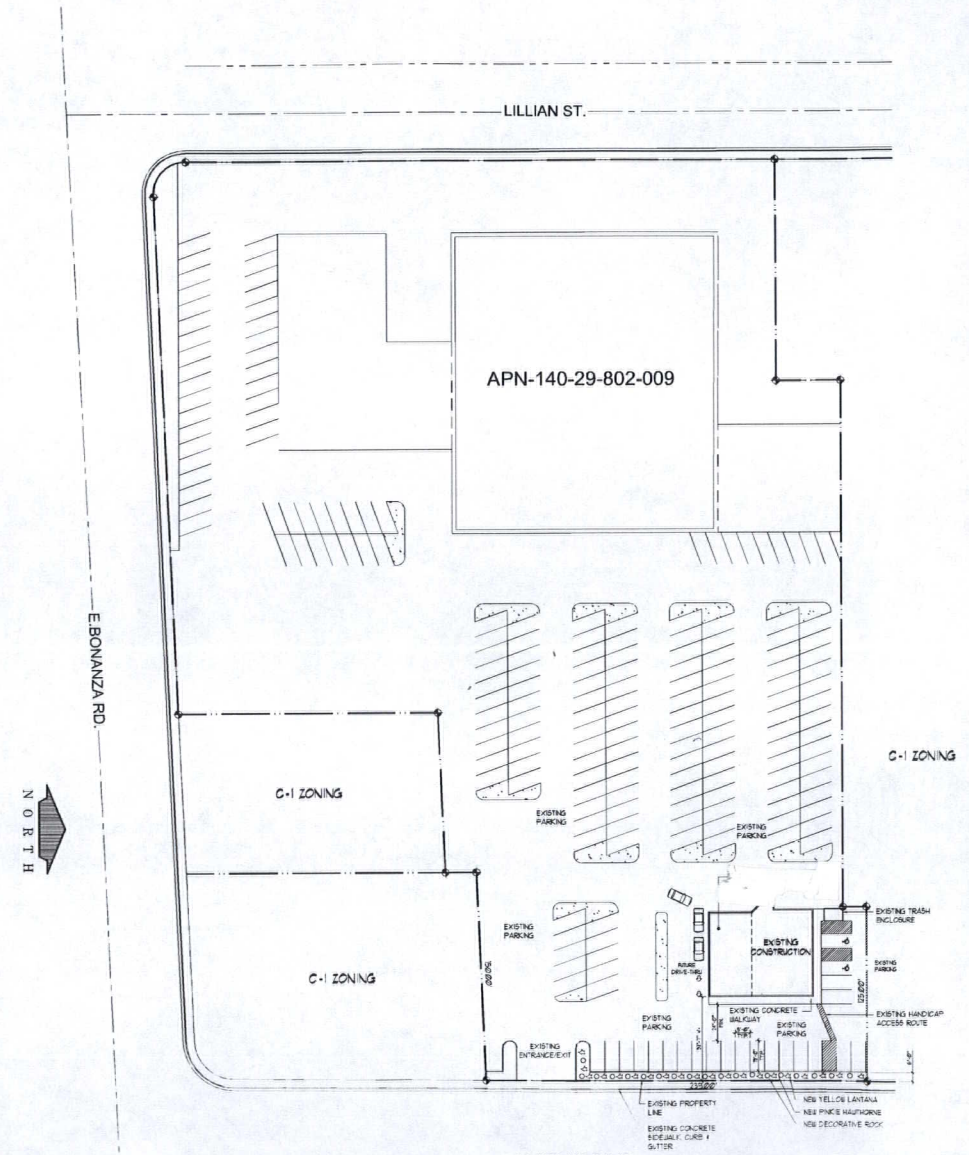


3 MINIMUM LOCATION WHERE OCCURS

NOTE: THE SWEEP PERIOD FOR DOOR CLOSERS SHALL BE ADJUSTED SUCH THAT FROM AN OPENING POSITION OF 70 DEGREES THE DOOR WILL TAKE AT LEAST 1.5 SECONDS TO ARRIVE AT A POINT 3" FROM THE LATCH.

A
A1

SITE PLAN W/ LANDSCAPE



PLANTING LIST

SUP-41289

RECEIVED
MAR 24 2011

REVISIONS

Timothy R. Neal Architect
NCARB
6129 Glamorous Ct. N. Las Vegas, Nevada 89031
phone: (702) 646-8004

PROPOSED ADDITION FOR:
631 NORTH NELLIS BLVD.
LAS VEGAS, NEVADA

DATE 2-22-07

A1	PROJECT DATA and SITE PLAN
A2	EXISTING FLOOR PLAN, PROPOSED FLOOR PLAN
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A4	REFLECTED CEILING PLAN, CEILING DETAILS
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SHEET INDEX

1. THESE DRAWINGS DO NOT INCLUDE THE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. SAFETY OF ALL PARTIES PRESENT ON THE JOBSITE IS THE CONTRACTOR'S JURISDICTION.

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5. UNLESS NOTED OTHERWISE, THE GENERAL CONTRACTOR SHALL PAY FOR ALL FEES, LICENSES, PERMITS AND INSPECTIONS REQUIRED FOR PROPER EXECUTION OF THE WORK.

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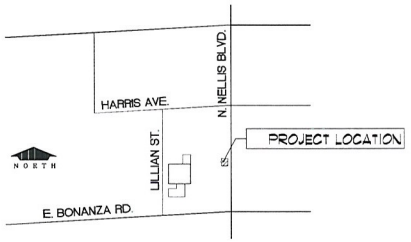
GENERAL NOTES



VICINITY MAP

WITH SPECIFIC RESPECT TO DESIGN REQUIREMENTS OF THE AMERICANS WITH DISABILITIES ACT OF 1990, OR CERTIFIED STATE OR LOCAL ACCESSIBILITY REGULATION (ADA), WE REPRESENT THAT THESE DRAWINGS AND SPECIFICATIONS HAVE BEEN PREPARED IN THE REGULAR COURSE OF OUR PROFESSIONAL SERVICE TO THE BEST OF OUR KNOWLEDGE IN CONFORMANCE WITH KNOWN PUBLISHED AND PREVAILING INTERPRETATION AND PRACTICES AT THE TIME OF DESIGN. COMPLIANCE WITH ADA IS A LEGAL MATTER AND NOT A DESIGN RESPONSIBILITY. THE CLIENT ACKNOWLEDGES THAT THE REQUIREMENTS OF THE ADA WILL BE SUBJECT TO VARIOUS AND POSSIBLY CONTRADICTORY INTERPRETATIONS. THE DESIGN PROFESSIONAL, THEREFORE, WILL USE HIS REASONABLE PROFESSIONAL EFFORTS AND JUDGMENT TO INTERPRET APPLICABLE ADA REQUIREMENTS AND OTHER FEDERAL, STATE AND LOCAL LAWS, RULES, CODE ORDINANCES AND REGULATIONS AS THEY APPLY TO THE PROJECT. THE DESIGN PROFESSIONAL HOWEVER, CANNOT AND DOES NOT WARRANT OR GUARANTEE THAT THE CLIENT'S PROJECT WILL COMPLY WITH ALL INTERPRETATIONS OF THE ADA REQUIREMENTS AND/OR THE REQUIREMENTS OF OTHER FEDERAL, STATE AND LOCAL LAWS, RULES, CODES, ORDINANCES AND REGULATIONS AS THEY APPLY TO THIS PROJECT.

ADA COMPLIANCE

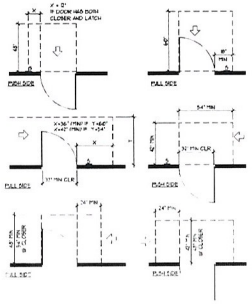
MUNICIPAL JURISDICTION: LAS VEGAS, NEVADA

PROPOSED PROJECT DESCRIPTION:
1500 SF. TENANT ADDITION TO EXISTING STRUCTURE

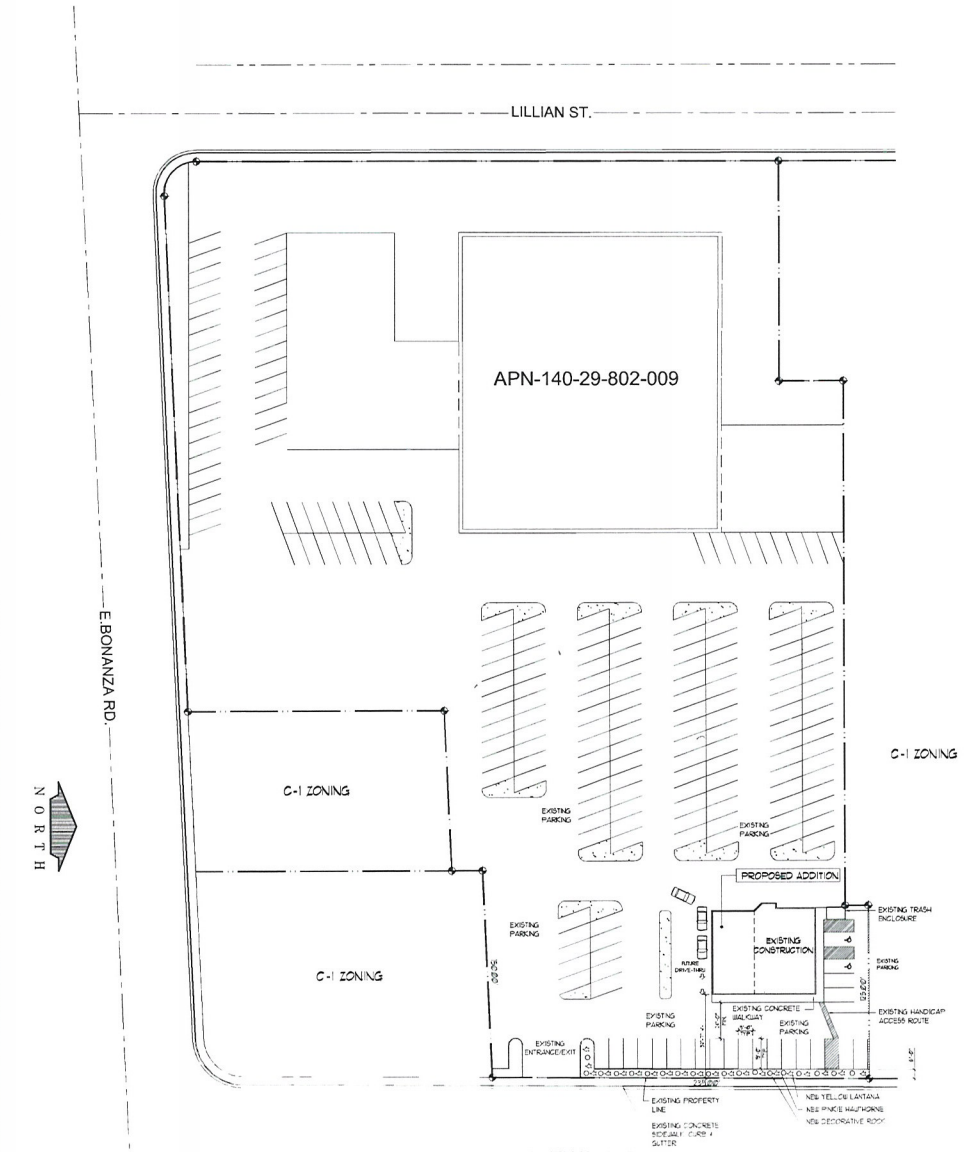
I.B.C.	2006 EDITION
ALLOWABLE FLOOR AREA:	9000 SQ. FT.
OCCUPANCY:	GROUP B
OCCUPANCY LOAD:	1500 SQ. FT. @ 1/100 = 15 OCCUPANTS
CONSTRUCTION TYPE:	V-B
NUMBER OF STORIES:	1
BUILDING HEIGHT:	25'-0" (ACTUAL)
SPRINKLERS:	YES
EXITS REQUIRED:	2
PARKING:	1500 SQ. FT. @ 1/250 = 6 USE EXISTING 330 SPACES

EXISTING SHELL BLDG.
CONCRETE SLAB ON GRADE W/ REINFORCED WALLS
BITUMEN ROOF ON WOOD TRUSS W/ WOOD TILE ROOF

I.B.C.	2006 EDITION
OCCUPANCY:	B
CONSTRUCTION TYPE:	V-B
BUILDING AREA:	4,500 SQ. FT.
BUILDING HEIGHT:	25'-0"



EXIT DOOR LOCATIONS WHERE OCCUPIED THE SHEET TRAVEL DISTANCE TO EXIT DOORS SHALL BE LIMITED SUCH THAT FROM ANY POINT OF TRAVEL NO MORE THAN THREE DOORS WILL BE REQUIRED TO EXIT THE BUILDING.



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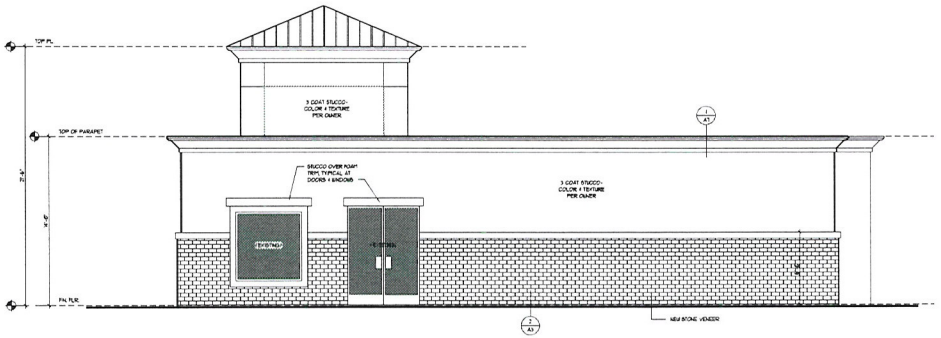
DATE: 2-22-07



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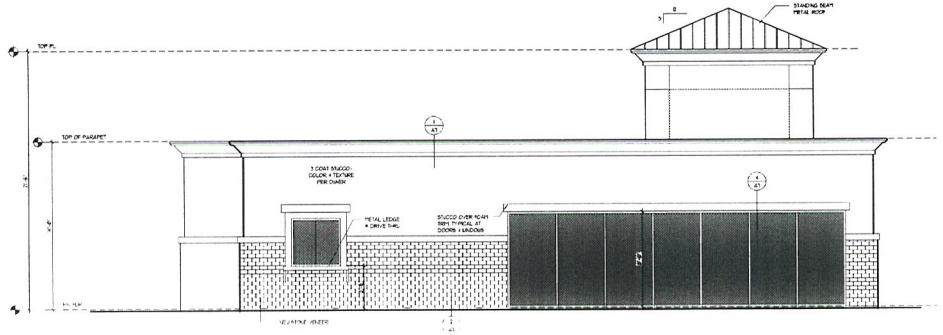
A6

RIGHT SIDE ELEVATION



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LEFT SIDE ELEVATION

SUP-41289

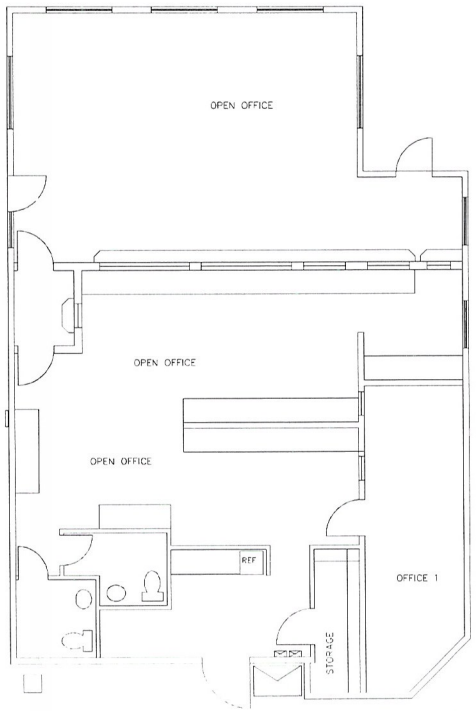
RECEIVED
MAR 24 2011

REVISIONS

Timothy R. Neal Architect
N C A R B
6129 Glamorous Ct. N. Las Vegas, Nevada 89031
phone: (702) 646-8004

PROPOSED TENANT IMPROVEMENT/ADDITION FOR:
CHECK CITY
631 NORTH NELLIS BLVD.
LAS VEGAS, NEVADA

DATE 11/6/06
SHEET No



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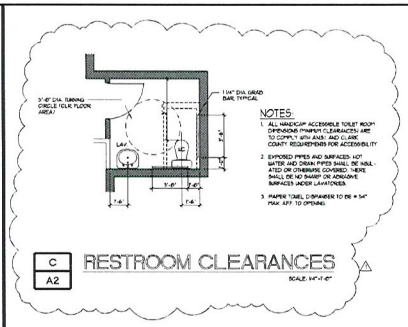

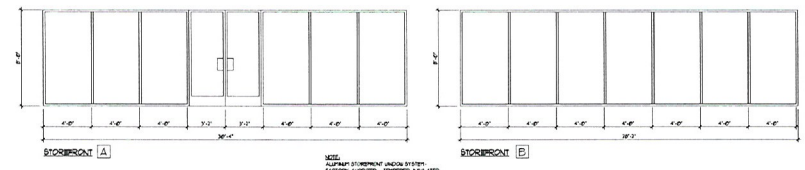

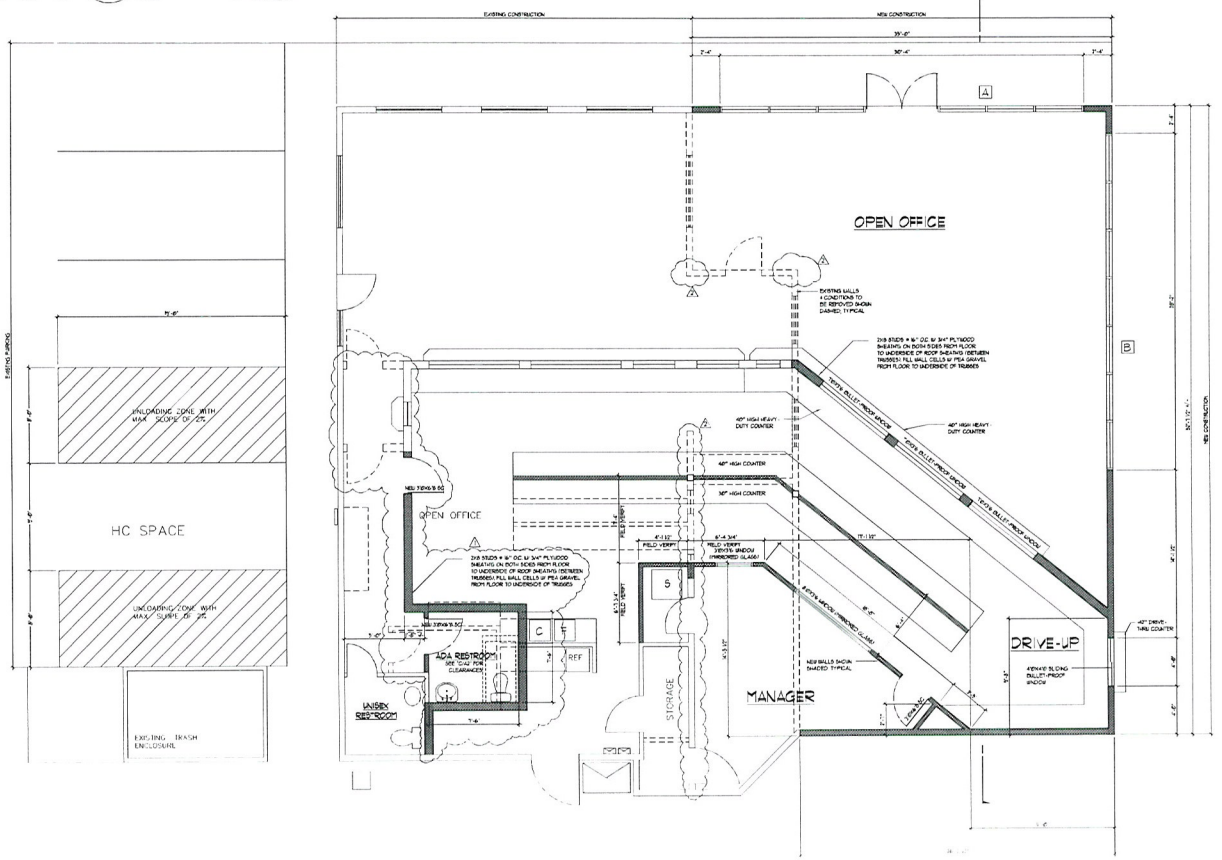

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MAR 24 2011

REVISIONS

1	11/6/06	CITY OF LAS VEGAS
2	09/06/06	CITY OF LAS VEGAS
3		
4		

Timothy R. Neal Architect
NCARB
6129 Glamorous Ct. N. Las Vegas, Nevada 89031
phone: (702) 646-8004

PROPOSED TENANT IMPROVEMENT/ADDITION FOR:
CHECK CITY
631 NORTH NELLIS BLVD.
LAS VEGAS, NEVADA

DATE 11/6/06
SHEET No.



- APPLICANT: CHECK CITY - OWNER: ALECO ENTERPRISES, INC.
631 NORTH NELLIS BOULEVARD

RECEIVED
03/18/10
MAR 24 2010

SUP-41289



APPLICANT: CHECK CITY - OWNER: ALECO ENTERPRISES, INC.
631 NORTH NELLIS BOULEVARD

RECEIVED
03/18/10
MAR 24 2011
SUP-41289



- APPLICANT: CHECK CITY - OWNER: ALECO ENTERPRISES, INC.
631 NORTH NELLIS BOULEVARD

RECEIVED
03/18/10
MAR 24 2011

SUP-41289



- APPLICANT: CHECK CITY - OWNER: ALECO ENTERPRISES, INC.
631 NORTH NELLIS BOULEVARD

RECEIVED
03/18/10
MAR 24 2011

SUP-41289



SUP-41289 - APPLICANT: CHECK CITY - OWNER: ALECO ENTERPRISES, INC.
631 NORTH NELLIS BOULEVARD

03/31/11



SUP-41289 - APPLICANT: CHECK CITY - OWNER: ALECO ENTERPRISES, INC.
631 NORTH NELLIS BOULEVARD

03/31/11



SUP-41289 - APPLICANT: CHECK CITY - OWNER: ALECO ENTERPRISES, INC.
631 NORTH NELLIS BOULEVARD

03/31/11

LA Stewart Consulting
c/o Twainy Associates
101 Convention Center Drive #1002
Las Vegas, NV 89109
(702) 499-6469-Cell
(702) 946-0857-fax

March 23, 2011

City of Las Vegas, Planning & Development
739 South Fourth Street
Las Vegas, NV. 89101

RE: APN 140-29-802-009, 631 N. Nellis ***Major Amendment to SUP for 24 hour service SUP19645***

Dear Sir or Madam:

Please accept this letter as our request for a Special Use Permit to allow an existing Check City Payday & Auto Title Loan store to request a major amendment to the special use permit for the financial institution, other, to allow 24 hour operation at this location. Check City has been in business at this location for 9 years. When the business opened in 2002, the hours of operation varied, depending on the demand, anywhere from 6-12:00 to 24 hours.

The City of Las Vegas amended its zoning ordinance in 2003 to regulate financial institutions, including regulating the hours of operation. Because the store was in existence before the City changed the code regarding payday loan businesses (financial institution, specified per the zoning ordinance), it became a legal non-conforming use. In 2007 we applied for a use permit to expand and improve the existing store at the NWC of Nellis and Bonanza. That application modernized the façade to the company's current prototype, with earth tone colors and stone work.

The business has operated with expanded business hours and as a 24 hour business for over 9 years with no issues at all. We did not realize that when we were approved for the new use permit the new

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MAR 24 2011

SUP-41289

restrictive hours of operation would apply, otherwise we would have asked for a waiver at that time. Code enforcement has been targeting all payday loan businesses regarding their signage, and when they came to the 611 N. Nellis store they noticed the signage for 24 hours, and gave them a notice of violation. Check City would like to maintain the 24 hour operation to retain their clients and to be competitive with Money Tree down the street that is also 24 hours. Since the business has been operating for so long, with no impact to adjacent properties and neighbors, this amendment will have no impact on the area.

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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MAR 24 2011

SUP-41289

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CITY CLERK
2011 JUL 11 A 7:03

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-41289

City Council Meeting of 7/20/2011

29 FRDFN11 89123

PRESORTED FIRST CLASS
UNITED STATES POSTAGE
$ 00.41⁴
0004279216 JUL 07 2011
MAILED FROM ZIPCODE 89107

AS BEFORE —
THERE IS NO public demand or need for this type of operation — THIS will Result IN CRIME IN ACTION!!!

WINTER THOMAS & KUMIKO FAMILY
WINTER THOMAS E & KUMIKO TRS
8300 FAIRFIELD AVE
LAS VEGAS NV 89123-2206

APN#14028410146

07/08/2011 FRI 19:34 [TX/RX NO 9712] 001

PAGE 01
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07/10/2011 12:54

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
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JUL 07 2011
MAILED FROM ZIPCODE 89101

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-41289
City Council Meeting of 7/20/2011

LAPLANTE LORRAINE A LIVING TRUST
LAPLANTE LORRAINE A TRS
5209 HARRIS AVE
LAS VEGAS NV 89110-2540

APN#14028410049

2011 JUL 11 A 7:07

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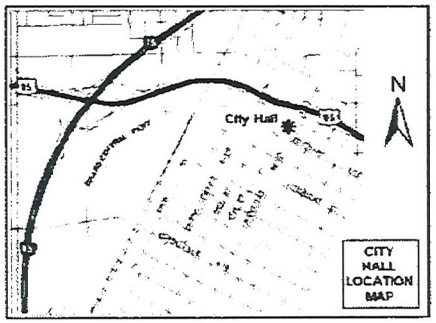
CITY CLERK

07/10/2011 SUN 12:54 [TX/RX NO 9723] 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
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

Return Service Requested
Official Notice of Public Hearing



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MAILED FROM ZIP CODE 89101

THIS IS ANOTHER CRIME SCENE WAITING to happen. WHAT could possibly justify the need for this type of operation 24 Hours/DAY?

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 Department of Planning, Case Planning Division 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-41289
Planning Commission Meeting of 5/10/2011

Case: SUP-41289
14028410023
WINTER THOMAS & KUMIKO FAMILY TR
8300 FAIRFIELD AVE
LAS VEGAS NV 89123-2206

29 BRDFN11 89123

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MAY - 2 2011

38P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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FIRST CLASS

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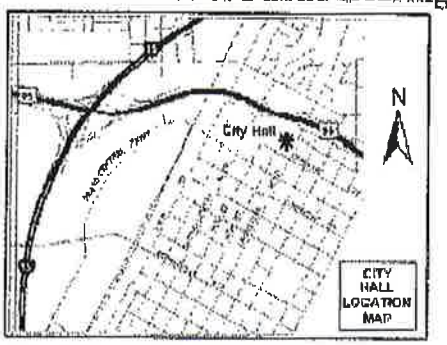
Return Service Requested

Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-41289

Planning Commission Meeting of 5/10/2011

Case: SUP-41289

14033101004
DOWNEAST L L C
5245 E BONANZA RD
LAS VEGAS NV 89110-3601

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MAY -4 2011

38P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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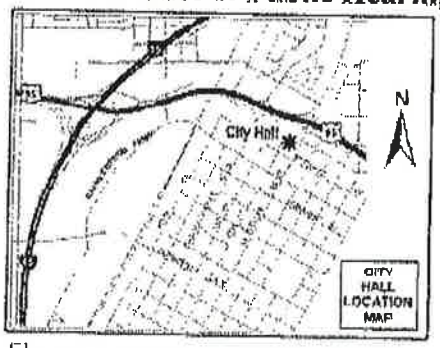
Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-41289

Planning Commission Meeting of 5/10/2011

Case: SUP-41289

14033101016
CREATIVE BEGINNINGS INC
%F IRISH
5245 E BONANZA RD
LAS VEGAS NV 89110-3601

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MAY -4 2011

38P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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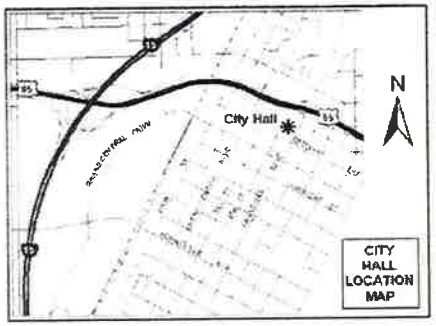
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-41289
Planning Commission Meeting of 5/10/2011

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MAY 9 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SUP-41289
14029810034
BROCKETT JAMES E & FRANKIE L
1424 N HOLLYWOOD BLVD
LAS VEGAS NV 89110-2006

22 BRDFN1 89110

38P

PAGE 01
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City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

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MAILED FROM ZIP CODE 89101

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SUP-41289

Planning Commission Meeting of 5/10/2011

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MAY 9 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

14028410049 Case: SUP-41289
LAPLANTE LORRAINE A LIVING TRUST
5209 HARRIS AVE
LAS VEGAS NV 89110-2540

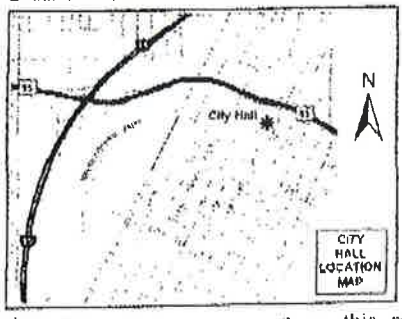
3dp

22 BRDFN11 89110

Faxed 5/8/11

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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-41289
Planning Commission Meeting of 5/10/2011

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MAY 9 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SUP-41289
14033110042
LICKO DAN L SR & JOANNE E
5231 JEFF DR
LAS VEGAS NV 89110-3617

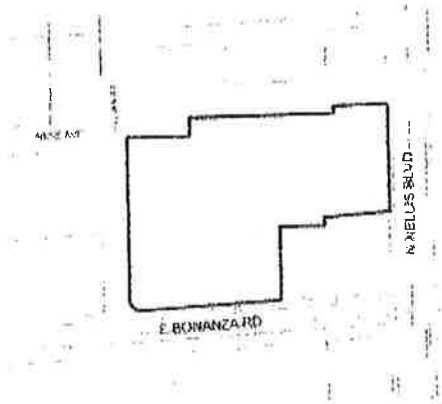
22 BRDFN11 89110

Application Information

SUP-41289 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CHECK CITY - OWNER: ALECO ENTERPRISES, INC. - Request for a Major Amendment to a previously approved Special Use Permit (SUP-19645) TO ALLOW 24-HOUR OPERATIONS FOR AN EXISTING AUTO TITLE LOAN ESTABLISHMENT AND FINANCIAL INSTITUTION, SPECIFIED WHERE HOURS OF OPERATION FROM 8:00 A.M.TO 11:00 P.M. ARE PERMITTED at 631 North Nellis Boulevard (APN 140-29-802-009), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

Maybe employment will come my way!

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	*May 10, 2011*
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 written objection thereto or approval thereof with the Department of Planning, Case Planning Division, Development Services Center, 333 North Rancho Drive, 3rd Floor, Las Vegas, Nevada 89106. Fin 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 Ci 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 repo please call (702) 229-6301 (TDD 386-9108) or go to http://www.lasvegasnevada.gov.

38A

City of Las Vegas Agenda Item No.: **90.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: JULY 20, 2011

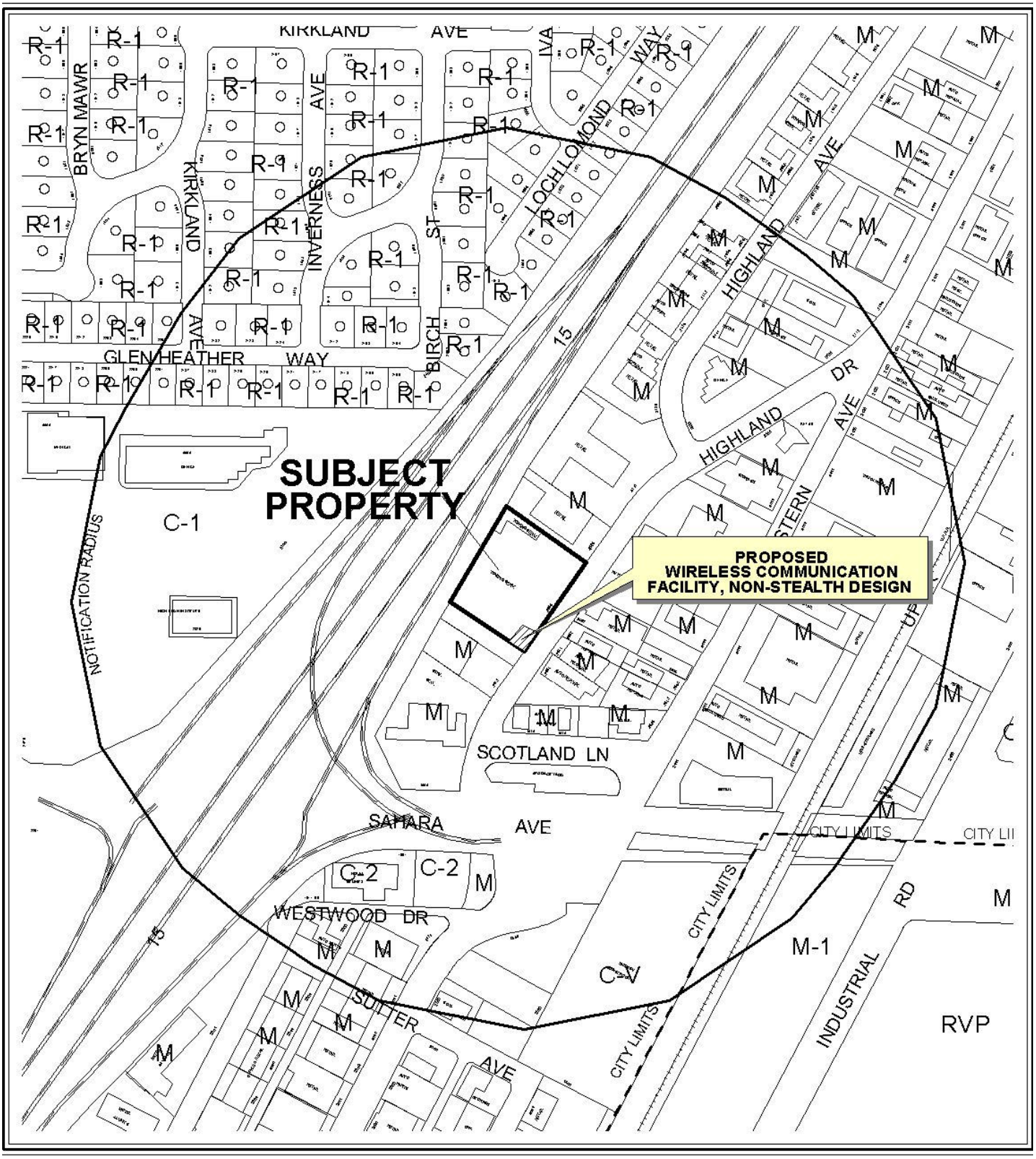
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
SUP-41299 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: T-MOBILE - OWNER: AD AMERICA, INC. - For possible action on a request for a Special Use Permit FOR A PROPOSED 80-FOOT HIGH WIRELESS COMMUNICATION FACILITY, NON-STEALTH DESIGN (MONOPOLE) at 2400 Highland Drive (APN 162-04-402-004), M (Industrial) Zone, Ward 3 (Coffin). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**2**	**Planning Commission Mtg.**	**3**
City Council Meeting	**2**	**City Council Meeting**	**1**

RECOMMENDATION:
The Planning Commission (7-0 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards
7. Backup referenced from the June 14, 2011 Planning Commission Meeting Item – SUP-41299



0 300 600 Feet

CASE: **SUP-41299**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



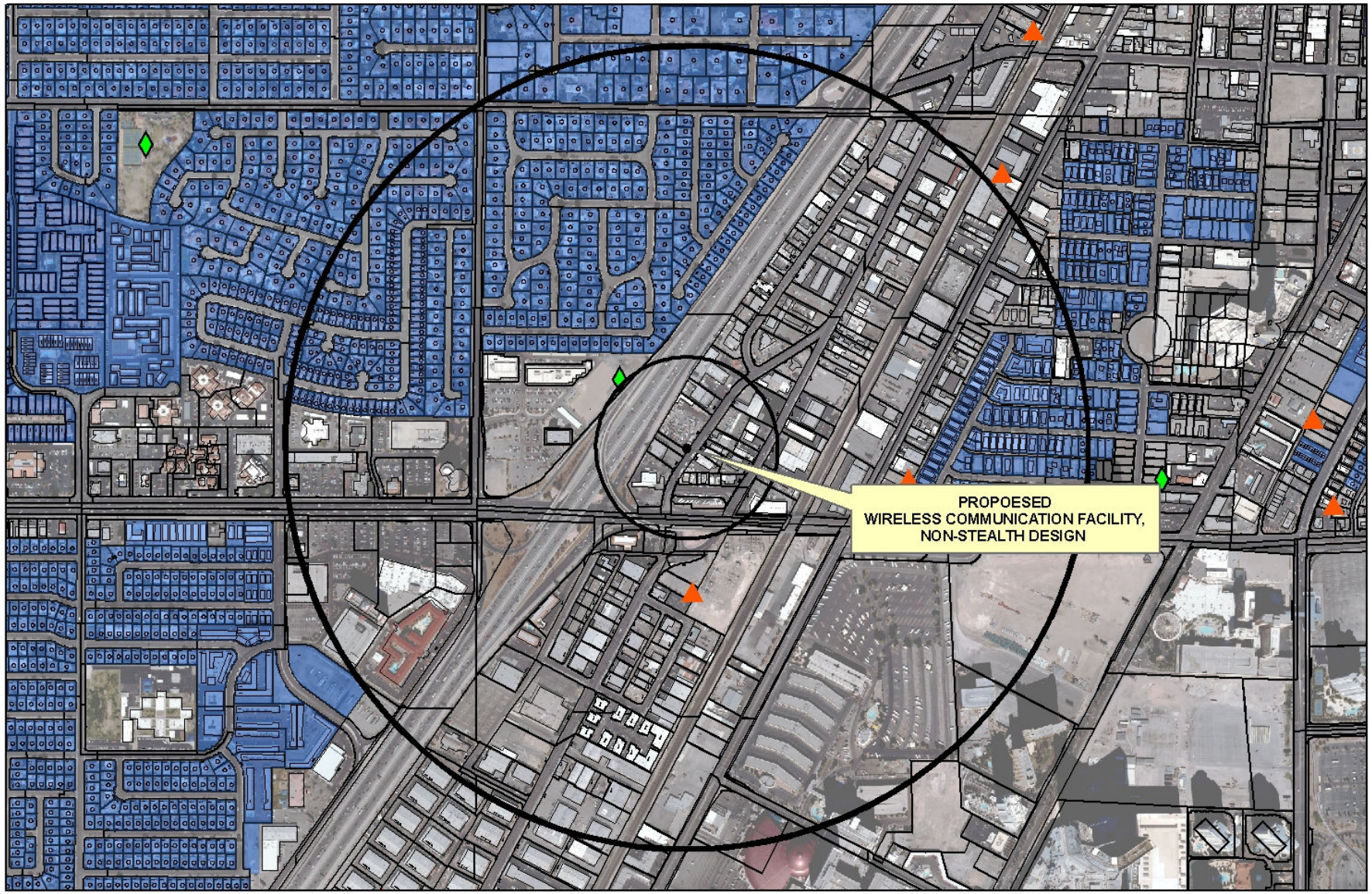
0 300 600 Feet

CASE: **SUP-41299**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



SUP-41299
Wireless Facility

Wireless Facility Locations

- Non-Stealth
- Stealth

- Subject Cell Tower
- Residential Property
- 600ft & 1/2 mile Buffer

0 500 1,000 2,000 Feet

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 20, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: T-MOBILE - OWNER: AD AMERICA, INC.

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-41299	Staff recommends APPROVAL, subject to conditions:	None

** CONDITIONS **

SUP-41299 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Wireless Communication Facility, Non-Stealth Design use.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 16. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. The Wireless Communication Facility and its associated equipment and facility 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 communications monopole and its associated equipment and facility.

4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Staff Report Page One
July 20, 2011 - City Council Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This was originally a request for a Special Use Permit for a proposed 80-foot tall Wireless Communication Facility, Non-Stealth Design (Monopole) on a site that has an existing Auto Towing Service at 2400 Highland Drive. The plans have been revised to depict a 75-foot tall monopole design with the antenna located within the pole. The site is located in an industrial area adjacent to I-15. The proposed facility will accommodate up to four carriers. The applicant is proposing to provide an enclosure with an eight-foot tall block wall to screen the facility with two four-foot wide metal gates for entry/exit. The proposed use can be conducted in a manner that is harmonious with the existing and future surrounding land uses; therefore staff recommends approval of this request. If the application is denied, the proposed Wireless Communications Facility will not be permitted.

ISSUES

The proposed Wireless Communication Facility, Non-Stealth Design (Monopole) complies with all Title 19.12 minimum Special Use Permit requirements for the use.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
1/12/61	The Board of City Commissioners approved a request for Rezoning (Z-0064-60) from R-1 (Single Family Residence) to M-1 (Light Industry) on property generally located between Oakey and San Francisco (Sahara Avenue) from the Union Pacific Railroad to the proposed freeway (Interstate 15).
05/17/06	The City Council approved a request to change the Future Land Use Designation (GPA-9219) to Commercial, Mixed Use, Industrial or Public Facilities on various parcels located within the proposed Las Vegas Redevelopment Plan area and within the proposed Redevelopment Plan expansion area. The Planning Commission and staff recommended approval.
02/02/11	The Planning and Development Department denied a request for a Minor Site Development Plan Review (SDR-40808) to install a new 80-foot tall Wireless Communication Facility, Non-Stealth Design (Monopole) with twelve (12) antennas at the 77-foot centerline with one (1) GPS antenna near the base of the facility; in addition to installing an eight (8) foot tall block wall compound at 2400 Highland Drive.
06/14/11	The Planning Commission voted (7-0) to recommend APPROVAL (PC Agenda Item 25/ds).

DS

Most Recent Change of Ownership	
07/19/05	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
11/30/06	A business license (A29-00071) was issued for an Auto Towing Service at 2400 Highland Drive. The license is still active.
There has been no recent building permits issue for the subject site.	

Pre-Application Meeting	
03/21/11	A pre-application meeting was held with the applicant to discuss the submittal requirements for a Special Use Permit for the proposed Wireless Communication Facility, Non-Stealth Design (Monopole) with the associated equipment.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
04/06/11	Staff conducted a field check of the subject site and found it free of trash/debris with a chain link fence with screening and barbed-wire along the top portion surrounding the site.

Details of Application Request	
Site Area	
Net Acres	1.65

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Auto Towing Service	LI/R (Light Industry/Research)	M (Industrial)
North	Retail Establishments	LI/R (Light Industry/Research)	M (Industrial)
South	Service Station	LI/R (Light Industry/Research)	M (Industrial)

East	RV Park, Retail Establishments, Auto Repair Garage-Minor and Major	LI/R (Light Industry/Research)	M (Industrial)
West	ROW (Right-of-Way): I-15	ROW (Right-of-Way)	ROW (Right-of-Way)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area		X	N/A
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (175 feet)	X		Y
Live/Work Overlay District	X		Y
Trails		N	N/A
Rural Preservation Overlay District		N	N/A
Las Vegas Redevelopment Plan Area	Y		Y
Development Impact Notification Assessment		N	N/A
Project of Regional Significance		N	N/A

ANALYSIS

The applicant is proposing a 75-foot tall Wireless Communication Facility, Non-Stealth Design (Monopole) that will accommodate up to four carriers on property occupied by an Auto Towing Service. An eight-foot tall block wall enclosure will be constructed to screen the equipment, with two, four-foot metal gates for entry/exit. The proposal meets the minimum Special Use Permit requirements for a Wireless Communication Facility, Non-Stealth Design as listed in Title 19.12. No additional parking is required beyond that which is required for the principal use on the site.

FINDINGS (SUP-41299)

In order to approve a Special Use Permit application, per Title 19.16.110 of the Unified Development Code, 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 use can be conducted in a manner that is harmonious and compatible with the existing and future surrounding land uses, as projected by the General Plan.

2. The subject site is physically suitable for the type and intensity of land use proposed.

The subject site is physically suitable for the type and intensity of 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.

Access to the site is provided via Highland Drive, an 80-foot Frontage Street as designated by the Master Plan of Streets and Highways. This street provides adequate access to/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 this Special Use Permit will not compromise public health, safety, or welfare as the proposed Wireless Communication Facility, Non-Stealth Design use, nor will it be inconsistent with the overall objectives of the General Plan.

5. The use meets all of the applicable conditions per Title 19.12.

The proposed Wireless Communication Facility, Non-Stealth Design use meets the minimum requirements of Title 19.12.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

NOTICES MAILED 102 (By City Clerk)

APPROVALS 3

PROTESTS 2

DS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-41299** APN: 1962-04-402-004

Name of Property Owner: John Bielinski

Name of Applicant: T-Mobile

Name of Representative: Spectrum Surveying & Engineering

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: JOHN BIELINSKI

Subscribed and sworn before me

This 19th day of January, 20 11

Josephine L. Devine

Notary Public in and for said County and State

JOSEPHINE L. DEVINE
Notary Public State of Nevada
No. 07-4909-1
My appt. exp. Sept. 25, 2011

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PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) 2400 Highland Drive

Project Name VG08690B Storage Yard **Proposed Use** _____

Assessor's Parcel #(s) 162-04-402-004 **Ward #** _____

General Plan: existing _____ proposed _____ **Zoning:** existing _____ proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER AD America Inc. **Contact** John Bielinski

Address 2310 Highland Drive. **Phone:** 696-0473 **Fax:** _____

City Las Vegas **State** NV **Zip** 89102

E-mail Address _____

APPLICANT T-Mobile **Contact** D Huggard

Address 4175 S. Riley Street Ste 101 **Phone:** _____ **Fax:** _____

City Las Vegas **State** NV **Zip** 89147

E-mail Address _____

REPRESENTATIVE Spectrum Surveying & Engineering **Contact** D. Huggard

Address 8905 W. Post Road, Suite 100 **Phone:** 367-7705 x228 **Fax:** 367-8733

City Las Vegas **State** NV **Zip** 89148

E-mail Address dhuggard@spectrumse.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 JOHN V BIELINSKI

Subscribed and sworn before me

This 14th day of January, 20 11.

_____

Notary Public in and for said County and State

JOSEPHINE L. DEVINE
Notary Public State of Nevada
No. 07-4909-1
My appt. exp. Sept. 25, 2011

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SUP-41299
Meeting Date:	5/10/11 PC
Total Fee:	$530
Date Received:*	3/24/11
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.

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f:\depot\Application Packet\Application Form.pdf

OMNIPOINT DBA T··Mobile®

STORAGE YARD
VG08690B

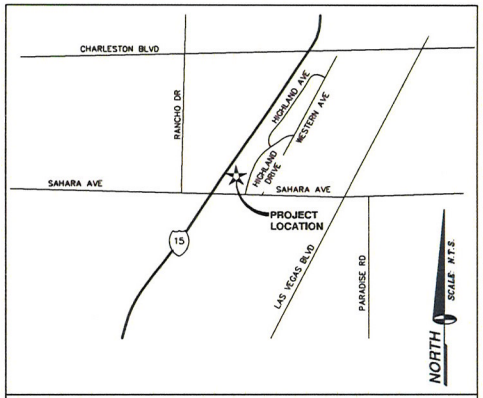
2400 HIGHLAND DRIVE
LAS VEGAS, NEVADA 89102

PROJECT DESCRIPTION

THE PROPOSED PROJECT INCLUDES:

- INSTALLATION OF PANEL ANTENNAS AT A 72' CENTERLINE MOUNTED IN A NEW 75' CANISTER TOWER
- INSTALLATION OF A T-MOBILE RADIO EQUIPMENT ON A CONCRETE PAD
- INSTALLATION OF ONE GPS ANTENNA
- COAXIAL CABLE RUNS FROM RADIOS TO ANTENNAS
- NEW TELEPHONE CONDUIT RUN TO CABINETS
- NEW 200A DEDICATED ELECTRICAL SERVICE TO METER
- INSTALLATION OF AN 8' BLOCK WALL
- INSTALLATION OF (2) 4' WIDE SOLID METAL GATES

VICINITY MAP



APPLICANT/LESSEE
T-MOBILE
4175 S. RILEY ST., STE. 101
LAS VEGAS, NEVADA 89147

PROPERTY INFORMATION

OWNER:	AD AMERICA INC J. BIELINSKI 2310 HIGHLAND DR. LAS VEGAS, NEVADA 89102
CONTACT: PHONE:	JOHN BIELINSKI (702) 696-0473
AREA OF CONSTRUCTION:	500± SQ. FT.
OCCUPANCY TYPE:	U
CONSTRUCTION TYPE:	V-B
CURRENT ZONING:	INDUSTRIAL DISTRICT (M)
JURISDICTION:	CITY OF LAS VEGAS
ELEVATION:	2052.03'
APN:	162-04-402-004
HANDICAP REQUIREMENTS:	FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. HANDICAPPED ACCESS NOT REQUIRED.

PROJECT INFORMATION

EQUIPMENT LOCATION:	■ OUTDOOR	□ INDOOR
EQUIPMENT SHELTER:	□ YES	■ NO

ANTENNA LOCATION:
- ■ NEW MONOPOLE
- □ SELF SUPPORT TOWER
- □ EXISTING MONOPOLE
- □ ROOF TOP
- □ EXISTING TOWER
- □ OTHER

PROJECT SUMMARY

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES.

1. INTERNATIONAL BUILDING CODE 2006 W/STATE AMENDMENTS
2. UNIFORM MECHANICAL CODE 2006
3. ANSI/EIA-222-F LIFE SAFETY CODE
4. UNIFORM PLUMBING CODE 2006
5. NATIONAL ELECTRIC CODE 2005
6. LOCAL BUILDING CODE(S)
7. CITY AND/OR COUNTY ORDINANCES
8. UNIFORM FIRE CODE 2000

CODE COMPLIANCE

CIVIL ENGINEER
SPECTRUM SURVEYING & ENGINEERING
8905 W POST RD., SUITE 100
LAS VEGAS, NEVADA 89148
CHRIS WENER
PHONE: (702) 367-7705
FAX: (702) 367-8733

STRUCTURAL ENGINEER:
T.B.D.

ELECTRICAL ENGINEER:
SPECTRUM SURVEYING & ENGINEERING
8905 W POST RD., SUITE 100
LAS VEGAS, NEVADA 89148
RICHARD TOMASIELLO
PHONE: (702) 363-9530

SURVEYOR:
SPECTRUM SURVEYING & ENGINEERING
8905 W POST RD., SUITE 100
LAS VEGAS, NEVADA 89148
CHRIS WENER
PHONE: (702) 367-7705
FAX: (702) 367-8733

PROJECT TEAM

SHEET	DESCRIPTION	REV.
T1	TITLE SHEET	3
A1	SITE PLAN	3
A2	SITE DETAIL, ANTENNA & CABLE SCHEDULE AND ANTENNA LAYOUT	3
A3	ELEVATIONS	3

ISSUED FOR: ZONING

SHEET INDEX

TITLE	SIGNATURE	DATE
RF ENGINEER		
OPE PROJECT MANAGER		
LANDLORD		
FIELD ENGINEER		
DEVELOPMENT SUPERVISOR		
CONSTRUCTION PROJECT MANAGER		
FIELD OPS MANAGER		

APPROVAL LIST

OMNIPOINT for T··Mobile·
4175 S. RILEY ST., STE. 101
LAS VEGAS, NEVADA 89147

PROJECT INFORMATION:
STORAGE YARD
VG08690B
2400 HIGHLAND DRIVE
LAS VEGAS, NEVADA 89102

CURRENT ISSUE DATE: 06/02/11

ISSUED FOR: ZONING

REV.:	DATE:	DESCRIPTION:	BY:
3	06/02/11	ZONING REVISION	J.B.
2	02/04/11	ZONING REVISION	J.C.
1	01/12/11	100% ZONING	J.C.
0	12/16/10	90% ZONING	J.C.

PLANS PREPARED BY:
SPECTRUM
SURVEYING & ENGINEERING
8905 W POST RD., SUITE 100
LAS VEGAS, NEVADA 89148
PH. (702) 367-7705
FAX (702) 367-8733

DRAWN BY:	CHK.:	APV.:
J. CAPULE	M. CEFALU	C. WENER

LICENSURE:

SHEET TITLE: TITLE SHEET

SHEET NUMBER:	REVISION:
T1	3

VG08690B

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SUP-41299
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LEGAL DESCRIPTION

THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN A GRANT, BARGAIN & SALE DEED RECORDED IN BOOK 20050719 AS INSTRUMENT NO. 02179 ALSO BEING LOT TWO (2) AS SHOWN BY MAP THEREOF ON FILE IN FILE 10, PAGE 42 OF MAPS IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA; LYING WITHIN THE SOUTH HALF (S1/2) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 4, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA.

BASIS OF BEARINGS:

NORTH 32°03'45" WEST, BEING THE CENTERLINE OF HIGHLAND AVENUE AS SHOWN BY MAP THEREOF ON FILE IN FILE 88, PAGE 54 OF MAPS IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA.

BENCHMARK

CITY OF LAS VEGAS VERTICAL CONTROL #OLV11 4S4 BEING A RIVET & PLATE IN TOP OF CURB AT NORTHEAST CORNER OF SAHARA AVENUE AND TAM ROAD.

ELEVATION: 2052.03 FEET (NAVD 1988)
625.460 METERS (NAVD 1988)

FLOOD NOTE

AS SCALED FROM FLOOD INSURANCE RATE MAP NO. 32003C2170E, DATED SEPTEMBER 27, 2002. AND PER SAID MAP: FLOOD ZONE "X". AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

NOTES & TITLE REPORT EXCEPTIONS

ONLY THOSE EXCEPTION(S) LISTED IN TITLE REPORT NO. 5107007497, DATED JANUARY 12, 2011, PREPARED BY CHICAGO TITLE COMPANY, WHICH ARE NOT SOLELY FINANCIAL IN NATURE AND WHICH REFERENCE A DOCUMENT CONTAINING A SUFFICIENT LEGAL DESCRIPTION OF AREAS AFFECTED BY SAID DOCUMENT WERE CONSIDERED FOR THIS SURVEY AND RE-LISTED BELOW. ITEM NUMBERS CORRESPOND TO ITEM NUMBERS IN SAID TITLE REPORT.

3. RESERVATIONS, MINERAL RIGHTS, AND EXCLUSIONS IN THE PATENT FROM THE STATE OF NEVADA.
RECORDED: JANUARY 6, 1928; BOOK 12 OF DEEDS PAGE 465, DOC NO. 27268 OF OFFICIAL RECORDS.
AFFECTS ENTIRE SUBJECT PROPERTY.

4. TERMS AND PROVISIONS AS CONTAINED IN AN INSTRUMENT, ENTITLED: RECIPROCAL EASEMENTS AGREEMENT
RECORDED: JULY 1, 1976 IN BOOK 637 OF OFFICIAL RECORDS, DOC NO. 596108
AFFECTS ENTIRE SUBJECT PROPERTY.

5. EASEMENTS, DEDICATIONS AND OTHER MATTERS AS SHOWN ON THE RECORDED MAP REFERRED ON FILE IN FILE 10 OF PARCEL MAPS, PAGE 42 OF OFFICIAL RECORDS.
AFFECTS ENTIRE SUBJECT PROPERTY.

6. TERMS AND PROVISIONS AS CONTAINED IN AN INSTRUMENT ENTITLED BILL NO. 96-85 ORDINANCE NO. 4036
EXECUTED BY CITY OF LAS VEGAS/JAN LAVERTY JONES, MAYOR
RECORDED NOVEMBER 22nd 1996 IN BOOK 961122 OF OFFICIAL RECORDS, DOC NO. 00847
AFFECTS ENTIRE SUBJECT PROPERTY.

7. RECORD OF SURVEY, PERFORMED BY ALLEN L. HAGEN AND FILED IN FILE 100 OF SURVEY, AT PAGE 66 AND RECORDED FEBRUARY 18, 1999 IN BOOK 990218 OF OFFICIAL RECORDS, DOC NO. 00976
DOES NOT AFFECT SUBJECT PROPERTY.

8. RECORD OF SURVEY, PERFORMED BY ALLEN L. HAGEN AND FILED IN FILE 135 OF SURVEY, AT PAGE 08 AND RECORDED DECEMBER 31, 2003 IN BOOK 20031231 OF OFFICIAL RECORDS, DOC NO. 01220.
DOES NOT AFFECT SUBJECT PROPERTY.

10. TERMS AND PROVISIONS AS CONTAINED IN AN INSTRUMENT,
ENTITLED: BILL NO. 2006-25 ORDINANCE NO. 5830 AN ORDINANCE TO ADOPT AN AMENDED AND RESTATED REDEVELOPMENT PLAN, WHICH INCLUDES ADDITIONAL PROPERTY WITHIN THE PLAN, AND TO PROVIDE FOR OTHER RELATED MATTERS.
RECORDED: JUNE 2, 2006 IN BOOK 20060602 OF OFFICIAL RECORDS, DOC NO. 0001395.
AFFECTS ENTIRE SUBJECT PROPERTY.

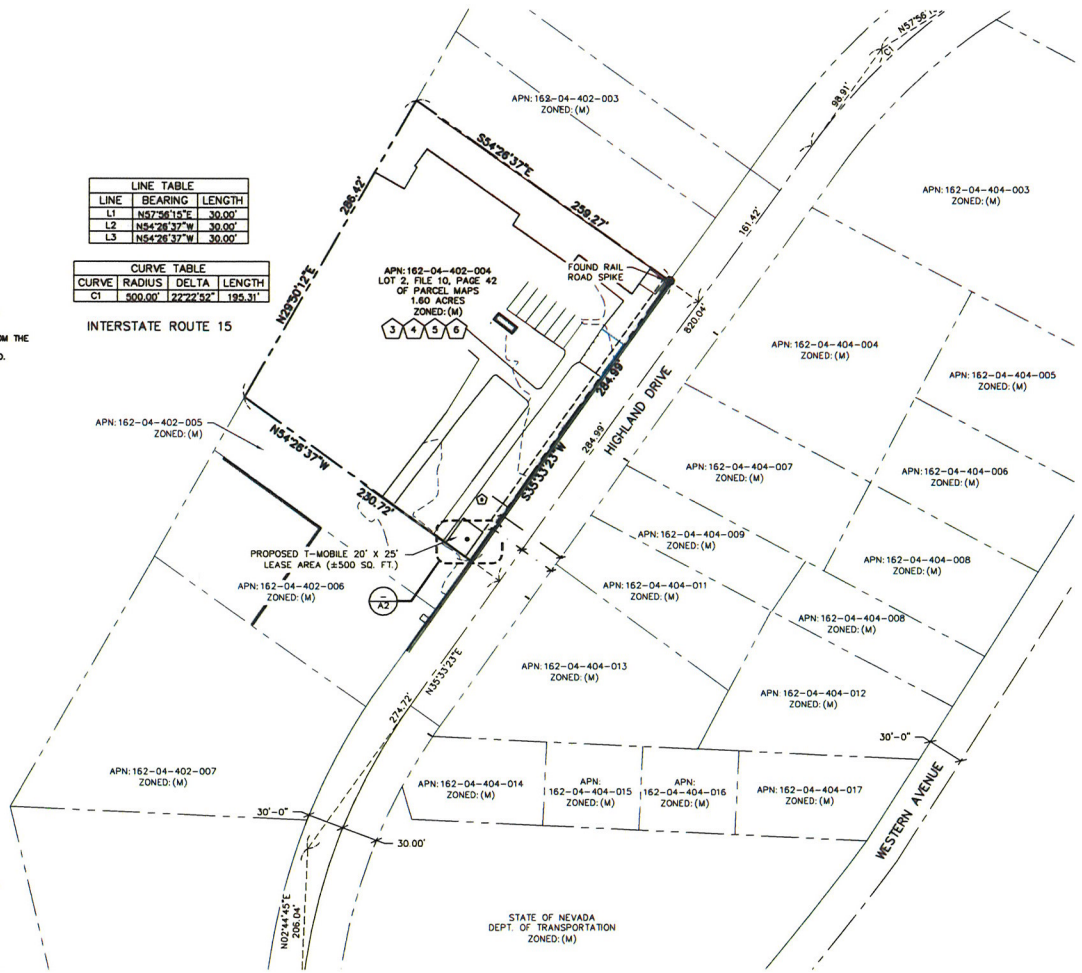
LEGENDS

BEING A PORTION OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN A GRANT, BARGAIN & SALE DEED RECORDED IN BOOK 20050719 AS INSTRUMENT NO. 02179 ALSO BEING LOT TWO (2) AS SHOWN BY MAP THEREOF ON FILE IN FILE 10, PAGE 42 OF MAPS IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA; LYING WITHIN THE SOUTH HALF (S1/2) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 4, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA. DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL, SAID POINT LYING ON THE NORTHWESTERLY RIGHT-OF- WAY LINE OF HIGHLAND DRIVE (30.00 FEET WIDE); THENCE DEPARTING SAID NORTHWESTERLY RIGHT-OF-WAY LINE ALONG THE SOUTHERLY LINE OF SAID PARCEL, NORTH 54°26'37" WEST, 20.00 FEET; THENCE DEPARTING THE SOUTHERLY LINE OF SAID PARCEL, NORTH 35°33'23" EAST, 25.00 FEET; THENCE SOUTH 54°26'37" EAST, 20.00 FEET TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID HIGHLAND DRIVE; THENCE ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, SOUTH 35°33'23" WEST, 25.00 FEET TO THE **POINT OF BEGINNING**.

LINE TABLE		
LINE	BEARING	LENGTH
L1	N57°36'15"E	30.00'
L2	N54°26'37"W	30.00'
L3	N54°26'37"W	30.00'

CURVE TABLE			
CURVE	RADIUS	DELTA	LENGTH
C1	500.00'	22°22'52"	195.31'



LEGEND

- LEASE AREA
- CENTERLINE
- EASEMENT
- RIGHT-OF-WAY
- SECTION LINE
- PROPERTY LINE
- OHP — OVERHEAD POWER
- x — EXISTING FENCE
- x — PROPOSED FENCE
- XXXX — EXISTING 1' CONTOUR
- XXXX — EXISTING 5' CONTOUR
- EXISTING BLOCK WALL
- PROPOSED BLOCK WALL
- FIRE HYDRANT
- PARKING LOT AREA LIGHT
- O.R. OFFICIAL RECORD
- POWER POLE

NORTH

GRAPHIC SCALE
50 0 25 50 100 200
(IN FEET)
1" = 100'

SITE PLAN

SCALE: 1" = 100' 1

OMNIPOINT dba T-Mobile
4175 S. RILEY ST., STE 101
LAS VEGAS, NEVADA 89147

PROJECT INFORMATION:
STORAGE YARD
VG08690B
2400 HIGHLAND DRIVE
LAS VEGAS, NEVADA 89102

CURRENT ISSUE DATE:
06/02/11

ISSUED FOR:
ZONING

REV.:	DATE:	DESCRIPTION:	BY:
3	06/02/11	ZONING REVISION	J.B.
2	02/04/11	ZONING REVISION	J.C.
1	01/12/11	100% ZONING	J.C.
0	12/16/10	90% ZONING	J.C.

PLANS PREPARED BY:
SPECTRUM
SURVEYING & ENGINEERING
8905 W POST RD., SUITE 100
LAS VEGAS, NEVADA 89148
PH. (702) 367-7705
FAX (702) 367-8733

DRAWN BY:	CHK.:	APV.:
J. CAPULE	M. CEFALU	C. WENER

LICENSURE:

SHEET TITLE:
SITE PLAN

SHEET NUMBER: A1
REVISION: 3
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ANTENNA LAYOUT

SCALE: NONE 3



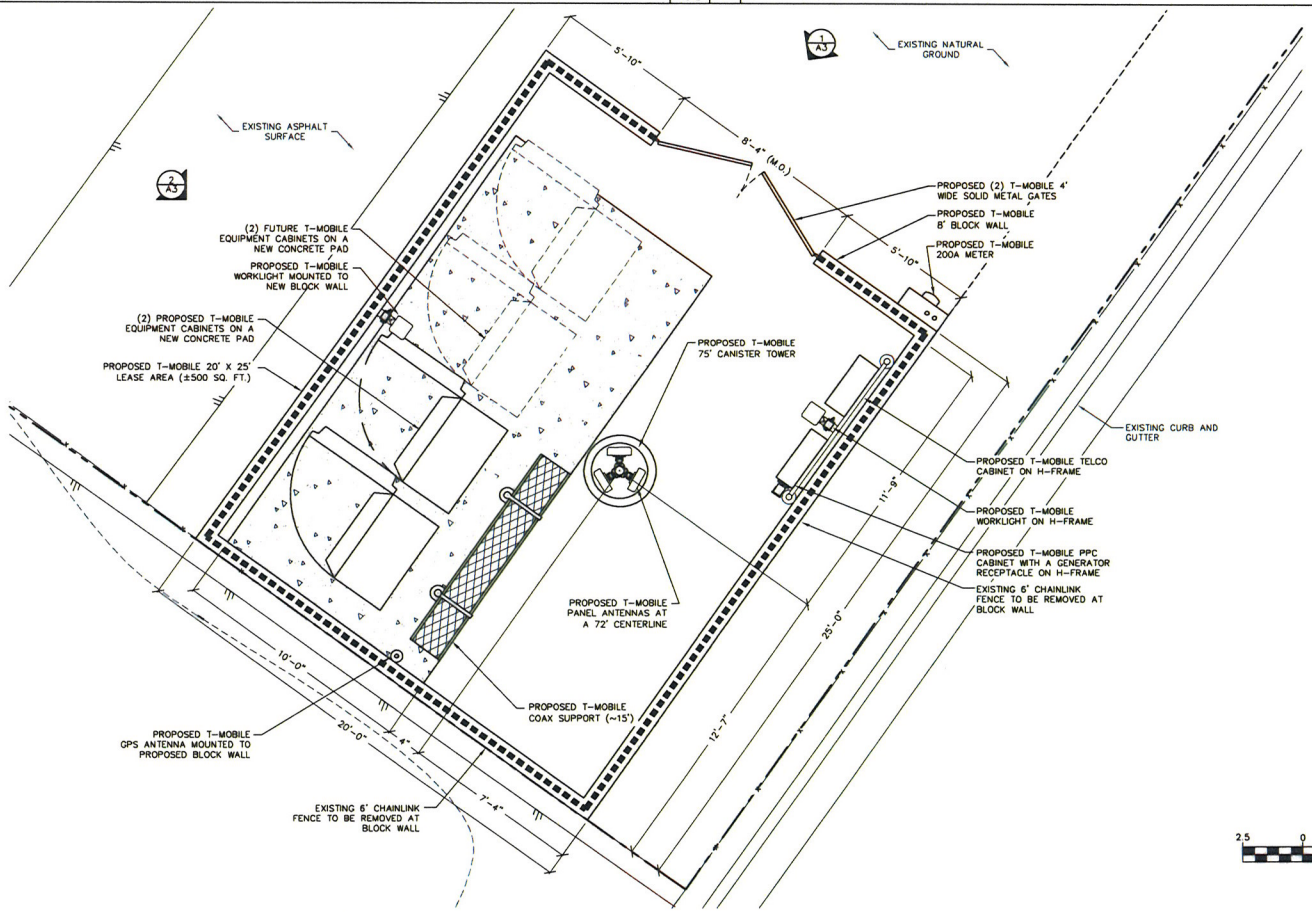
ANTENNA AND CABLE SCHEDULE

SCALE: NONE 2

ANTENNA SECTOR	AZIMUTH	ANTENNA MAKE/MODEL	COAXIAL CABLE LENGTH	CABLE SIZE	COLOR CODE	RAD CENTER	TOP JUMPER LENGTH	BOTTOM JUMPER LENGTH	COMMENTS
SECTOR A	0°	DR65-19XXDPQ	90' X 8	7/8" COAX		77'	5'	6' (10' MAX)	
SECTOR B	120°	DR65-19XXDPQ	90' X 8	7/8" COAX		77'	5'	6' (10' MAX)	
SECTOR C	240°	DR65-19XXDPQ	90' X 8	7/8" COAX		77'	5'	6' (10' MAX)	
GPS	N/A	TRUE POSITION	30' X 1	1/2" COAX			N/A	N/A	
LMU	N/A	TRUE POSITION	N/A	N/A			N/A	N/A	

NOTE: CONTRACTOR TO FIELD VERIFY CABLE LENGTHS PRIOR TO ORDERING, FABRICATION, OR INSTALLATION OF CABLES.

EQUIPMENT	QUANTITY	EQUIPMENT CABINETS MAKE/MODEL	LATITUDE (NAD83)	LONGITUDE (NAD83)	LATITUDE (WGS84)	LONGITUDE (WGS84)	GROUND LEVEL (AMSL)	COMMENTS
ERICSSON	2	RBS-2106 (OUTDOOR)	N/A	N/A	N/A	N/A	N/A	



SITE DETAIL

SCALE: 1" = 5' 1

OMNIPOINT for T-Mobile
4175 S. RILEY ST., STE. 101
LAS VEGAS, NEVADA 89147

PROJECT INFORMATION:

STORAGE YARD
VG08690B

2400 HIGHLAND DRIVE
LAS VEGAS, NEVADA 89102

CURRENT ISSUE DATE:

06/02/11

ISSUED FOR:

ZONING

REV.:	DATE:	DESCRIPTION:	BY:
3	06/02/11	ZONING REVISION	J.B.
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PLANS PREPARED BY:

SPECTRUM
SURVEYING & ENGINEERING
8905 W POST RD., SUITE 100
LAS VEGAS, NEVADA 89148
PH. (702) 367-7705
FAX (702) 367-8733

DRAWN BY:	CHK.:	APV.:
J. CAPULE	M. CEFALU	C. WENER

LICENSURE:

SHEET TITLE:

SITE DETAIL, ANTENNA & CABLE SCHEDULE AND ANTENNA LAYOUT

SHEET NUMBER: A2 REVISION: 3

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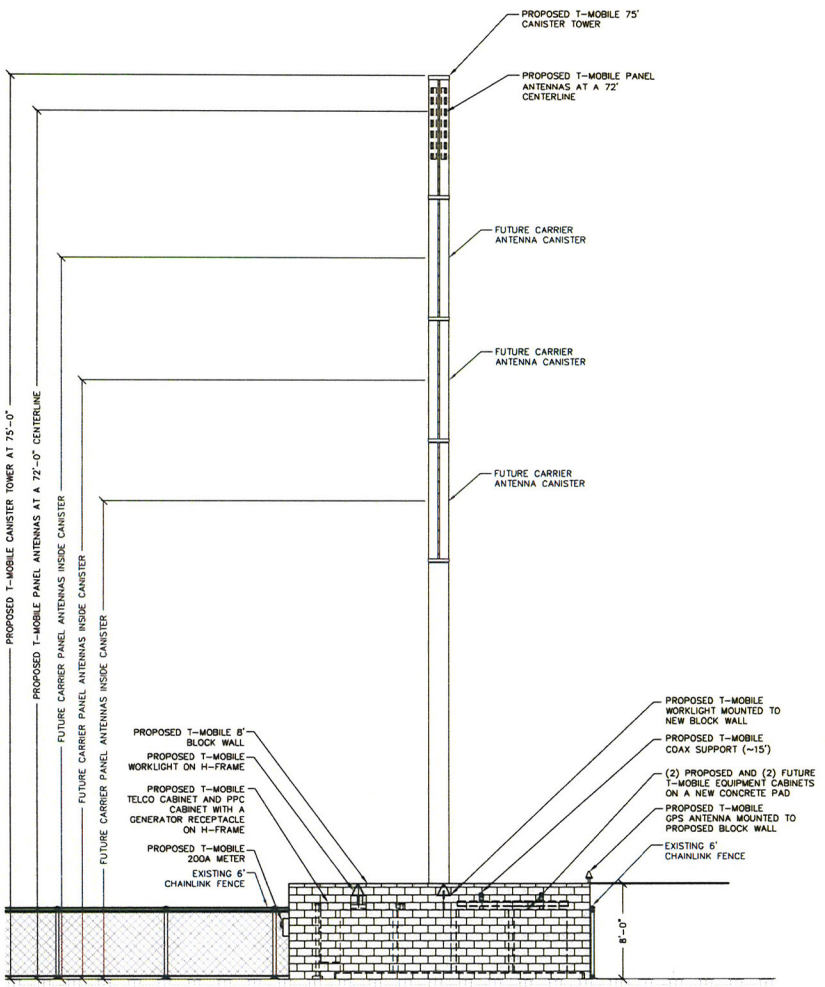
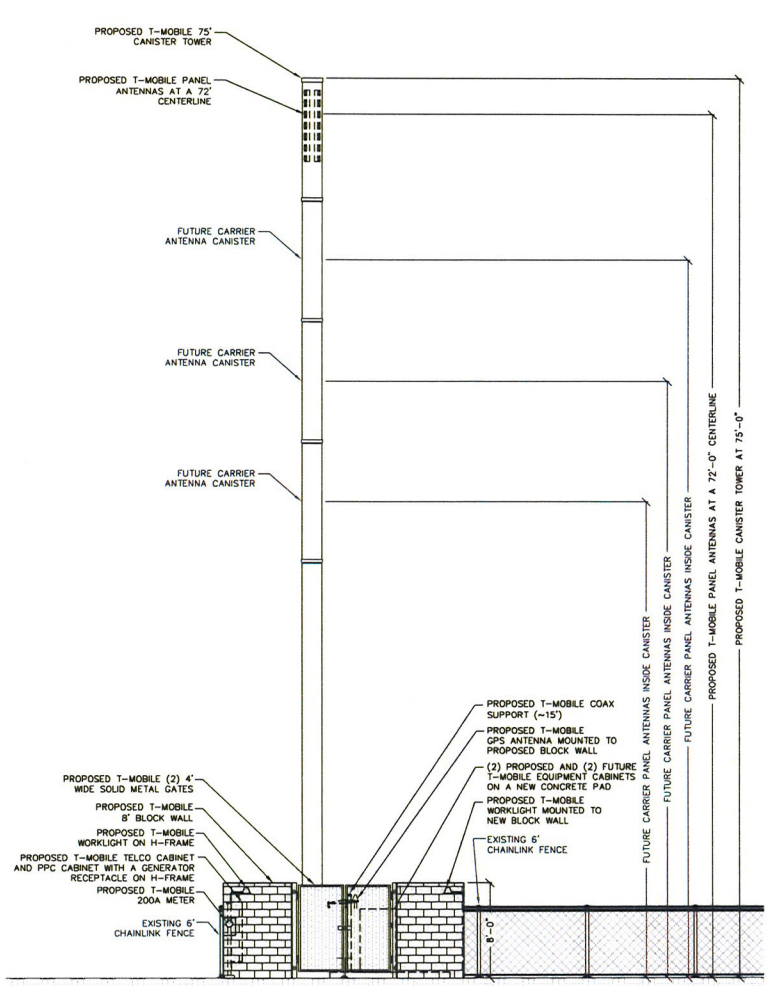


NORTHWEST ELEVATION

SCALE: 1" = 10' 2



NORTHEAST ELEVATION

SCALE: 1" = 10' 1

OMNIPOINT dba T-Mobile

4175 S. RILEY ST., STE. 101
LAS VEGAS, NEVADA 89147

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PH. (702) 367-7705
FAX (702) 367-8733

DRAWN BY:	CHK.:	APV.:
J. CAPULE	M. CEFALU	C. WENER

LICENSURE:

SHEET TITLE:

ELEVATIONS

SHEET NUMBER: A3

REVISION: 3

VG08690B

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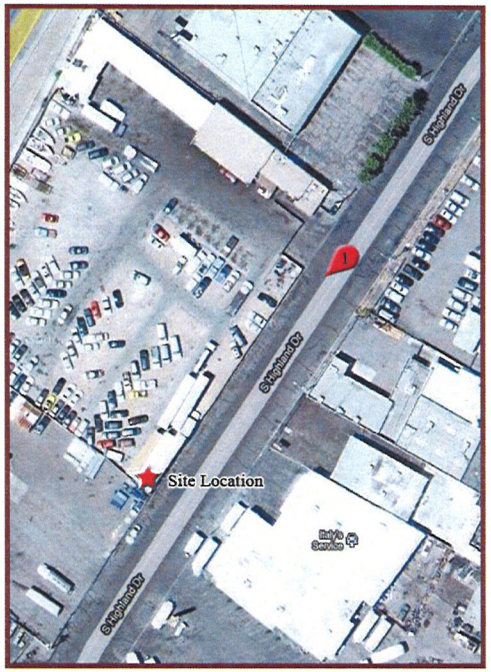
SUP-41299
REVISED

STORAGE YARD 2400 HIGHLAND DRIVE LAS VEGAS, NEVADA 89102

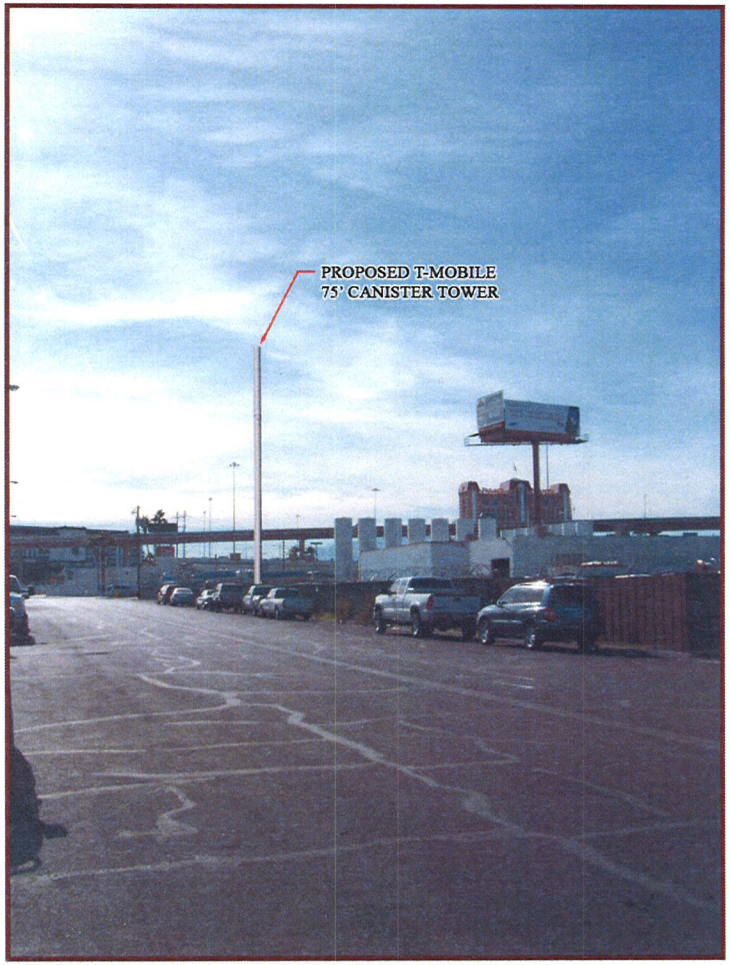
VIEW 1



LOCATION



EXISTING



PROPOSED

SPECTRUM
8905 W. POST ROAD SUITE 100 LAS VEGAS, NEVADA 89148
OFFICE: (702) 367-7705
FAX: (702) 367-8733

T··Mobile···
4175 S. RILEY STREET STE. 101 LAS VEGAS, NEVADA 89147

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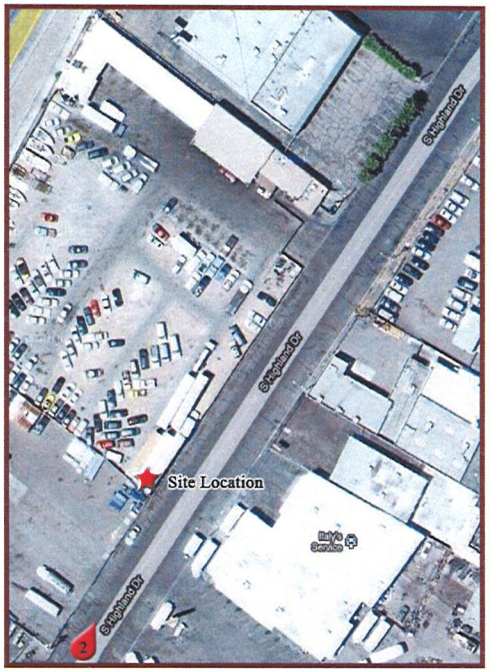
SUP-41299
REVISED

STORAGE YARD 2400 HIGHLAND DRIVE LAS VEGAS, NEVADA 89102

VIEW 2



LOCATION



EXISTING



PROPOSED

SPECTRUM
8905 W. POST ROAD SUITE 100 LAS VEGAS, NEVADA 89148
OFFICE: (702) 367-7705
FAX: (702) 367-8733

T··Mobile···
4175 S. RILEY STREET STE. 101 LAS VEGAS, NEVADA 89147

RECEIVED
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SUP-41299
REVISED



SUP-41299 - APPLICANT: T-MOBILE - OWNER: AD AMERICA, INC.
2400 HIGHLAND DRIVE

03/31/11



SUP-41299 - APPLICANT: T-MOBILE - OWNER: AD AMERICA, INC.
2400 HIGHLAND DRIVE

03/31/11



SUP-41299 - APPLICANT: T-MOBILE - OWNER: AD AMERICA, INC.
2400 HIGHLAND DRIVE

03/31/11

SPECTRUM

7351 W. Charleston Blvd., Suite 120
Las Vegas, NV 89117
Phone: 702.367.7705
Fax: 702.367.8733

March 15, 2011

City of Las Vegas
731 S. Forth Street
Las Vegas, NV 89101

Reference: Zoning Approval Request
T-Mobile Site VG08690B

Spectrum Surveying & Engineering, on behalf of T-Mobile USA, is submitting a request for a Special Use Permit to allow the construction of a telecommunications facility on a Industrial District (M) zoned parcel. The proposed site location is at 2400 Highland Drive, parcel number 162-04-402-004. This geographic location was selected by T-Mobile USA as a desirable location to work within their existing network of antennas and towers. T-Mobile USA proposes to construct an 80' monopole type multi-user telecommunications tower within an 8' block wall compound. The subject parcel is an existing automobile towing facility. Per the provisions in the City of Las Vegas code, this tower is being proposed as a multi-use tower in order to accommodate additional carriers that will most likely seek additional coverage in the area after the proposed I-15 widening project.

The proposed antennas are required to provide adequate coverage to customers using wireless services in the area. Businesses, governments, emergency services and the general public are all users of cellular technology. The installation of this facility will enhance service coverage and reliability for users in the City of Las Vegas. The Federal Communications Commission determined the wireless system serves the national interest and directly and indirectly benefits all members of the public.

The approval of this application is consistent with the zoning code and does not grant any special privileges above and beyond those of other properties in the vicinity. In addition the approval will not be detrimental to the health, safety or general welfare of persons residing or working in the neighborhood, or injurious to property, resources, or improvements in the vicinity, nor will create any additional impact to the traffic system in the area.

Sincerely,
Spectrum Surveying & Engineering

Damien Huggard
Project Manager

RECEIVED
MAR 24 2011
SUP-41299

RECEIVED
CITY CLERK

2011 JUL 11 P 12:23

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

PRESORTED
FIRST CLASS

UNITED STATES POSTAGE
02 1M
0004279218
$ 00.41⁴
JUL 07 2011
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-41299

City Council Meeting of 7/20/2011

JEWELER'S 401K PFT SHR PL & TR
2400 WESTERN AVE
LAS VEGAS NV 89102-4816

APN#16204406011

32 FRDFN11 89102

07/11/2011 MON 09:54 [TX/RX NO 9738] 001

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CITY CLERK

2011 JUL 11 P 12:23

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-41299

City Council Meeting of 7/20/2011

YERUSHALMI PROPERTIES V L L C
2400 WESTERN AVE
LAS VEGAS NV 89102-4816

APN#16204404005

32 FRDFN11 89102

07/11/2011 MON 09:57 [TX/RX NO 9739] 001

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-41299
City Council Meeting of 7/20/2011

RECEIVED
CITY CLERK
2011 JUL 11 A 7:02

FELDMAN SAM TRUST
FELDMAN HOBERT L TRS
800 N RAINBOW BLVD #208
LAS VEGAS NV 89107-1193

APN#16204301010

89107

p.1 702-948-5001 Samson Equities Jul 08 11 02:35p

07/08/2011 FRI 13:35 [TX/RX NO 8700] 002

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

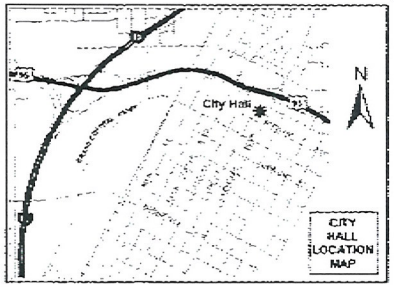
City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

$00.41

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 Department of Planning, Case Planning Division 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-41299

Planning Commission Meeting of 5/10/2011

Case: SUP-41299

16204402001
MY SISTER'S COMPANY L L C
1220 ALDERTON LN
LAS VEGAS NV 89144-6523

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MAY - 2 2011

HIP

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

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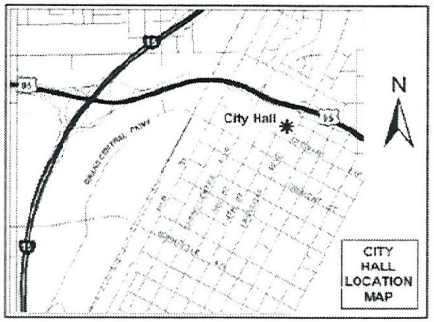

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-41299

Planning Commission Meeting of 5/10/2011

Case: SUP-41299
16204406009
FLEMING KENNETH E & JOY C LIV TR
1841 NEWPORT BAY DR
LAS VEGAS NV 89117-2057

NIXIE 891 5C 1 00 05/13/11
RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD
BC: 89106370303 *0779-10793-05-39

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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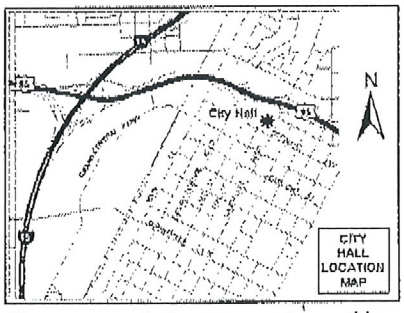
MAILED FROM ZIPCODE 89101

Return Service Requested
Official Notice of Public Hearing



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Case: SUP-41299

16204402002
AD AMERICA INC
2310 HIGHLAND DR
LAS VEGAS NV 89102-4809

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-41299
Planning Commission Meeting of 5/10/2011

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MAY -2 2011

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City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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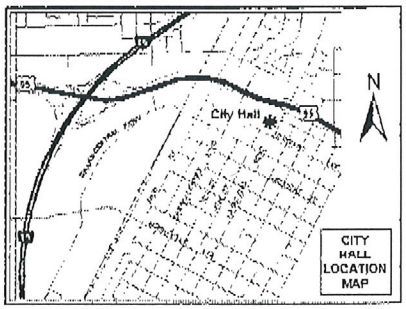
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-41299

Planning Commission Meeting of 5/10/2011

Case: SUP-41299

16204402003
A D AMERICA INC
2310 HIGHLAND DR
LAS VEGAS NV 89102-4809

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City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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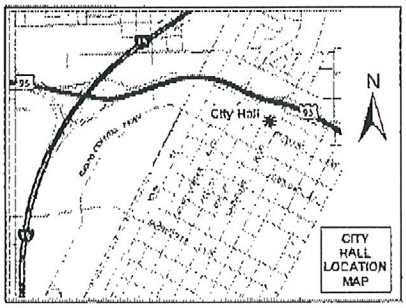
Official Notice of Public Hearing



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☒ 1 SUPPORT this Request ☐ 1 OPPOSE this Request

Please use available blank space on card for your comments.

SUP-41299

Planning Commission Meeting of 5/10/2011

Case: SUP-41299

16204402004
AD AMERICA INC
%J BIELINSKI
2310 HIGHLAND DR
LAS VEGAS NV 89102-4809

32 BRDFN11 89102

RECEIVED
MAY -2 2011

H1A

City of Las Vegas Agenda Item No.: **91.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: JULY 20, 2011

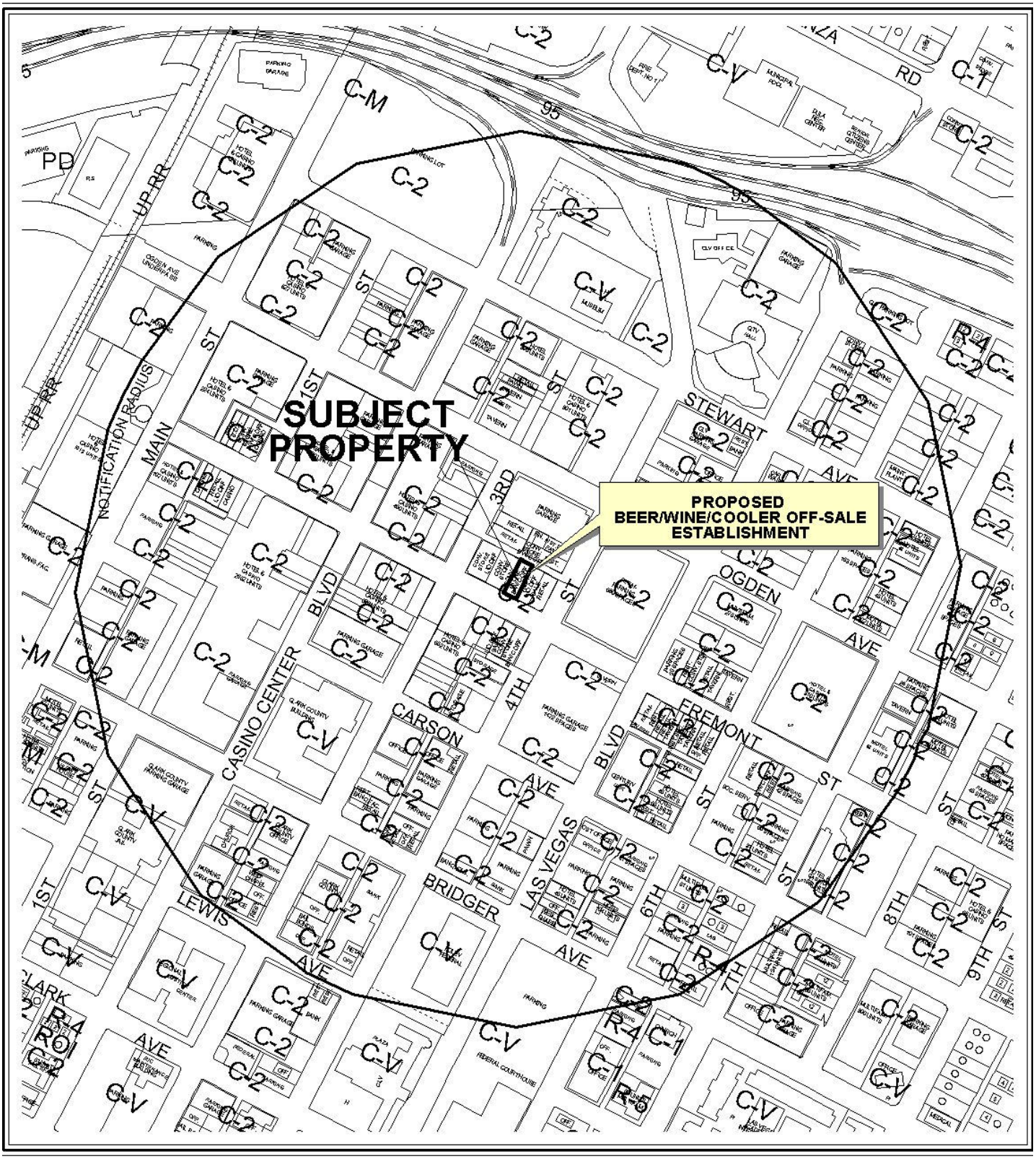
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
SUP-41569 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT:HAIM GABAY - OWNER: HS FAMILY LIMITED PARTNERSHIP - For possible action on a request for a Special Use Permit FOR A BEER/WINE/COOLER OFF-SALE ESTABLISHMENT USE WITHIN AN EXISTING 5,166 SQUARE-FOOT RETAIL ESTABLISHMENT at 316 Fremont Street (APN 139-34-510-025), C-2 (General Commercial) Zone, Ward 5 (Barlow). The Planning Commission (4-3 vote) recommends DENIAL. Staff recommends APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**7**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
The Planning Commission (4-3 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo
5. Justification Letter
6. Protest Postcards
7. Backup referenced from the June 14, 2011 Planning Commission Meeting Items – SUP-41569 and SUP-41570



0 300 600 Feet

CASE: **SUP-41569**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N



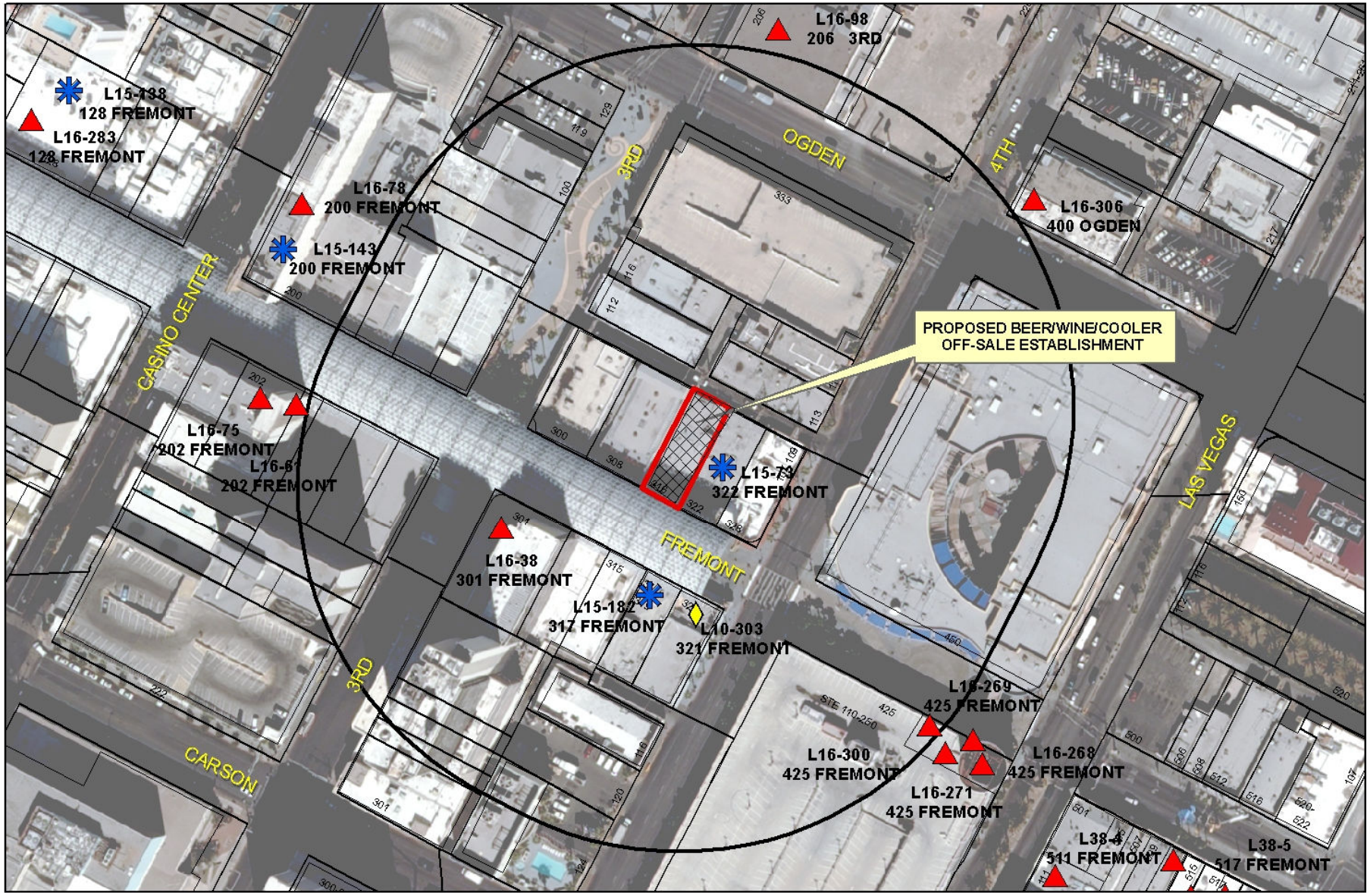
0 300 600 Feet

CASE: **SUP-41569**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N



SUP-41569

Business Licenses

- Child Care/ Children Facility
- Beer/Wine/Cooler On Sale
- Beer/Wine/Cooler Off Sales
- Beer/Wine/Cooler On-Off Sale
- Package Liquor Sales
- Supper Club/ Restaurant Service Bar
- Tavern
- RELIGIOUS
- CITY PARKS
- SCHOOLS
- Subject Property
- 400 foot buffer

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 20, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT:HAIM GABAY - OWNER: HS FAMILY LIMITED PARTNERSHIP

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-41569	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-41569 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Beer/Wine/Cooler Off-Sale use.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. Approval of this Special Use Permit does not constitute approval of a liquor license.

4. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

5. All beer and wine coolers shall remain in the original manufacturer's configuration intended for resale.

6. The sale of single beers, malt beverages, or wine coolers of any size with alcohol by volume greater than 6% shall be prohibited. The sale of wines with an alcohol by volume of greater than 16% shall be prohibited.

7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Staff Report Page One
July 20, 2011 - City Council Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit to allow a Beer/Wine/Cooler Off-Sale use within an existing 5,166 square-foot convenience store at 316 Fremont Street. The Beer/Wine/Cooler Off-Sale use will be ancillary to the existing store. No Waivers are required for this request. The City Council approved a previous Special Use Permit (SUP-36558) for a Beer/Wine/Cooler Off-Sale use at this location on January 20, 2010, but it expired before the application could meet the business license requirements for the use.

This request meets all minimum Special Use Requirements and can be conducted in a compatible and harmonious manner within a convenience store and with similar uses along Fremont Street; therefore staff recommends approval. If denied, no beer, wine or coolers could be sold at this location.

ISSUES

- The sale of Beer/Wine/Cooler Off-Sale use is permitted in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
12/16/64	The City Council approved a Rezoning (Z-0100-64) from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial) for approximately 230 acres generally located on property bound by Main Street to the west, Bonanza Road on the north, Las Vegas Boulevard on the east, and Charleston Boulevard on the south. The Planning Commission and staff recommended approval.
01/24/95	The Board of Zoning and Adjustment approved a request for a Variance (V-0187-94) to allow a 197 square-foot freestanding sign where 150 square-feet is the maximum area allowed; and to allow the sign to be a height of 46 feet where 40 feet is the maximum height allowed at 316 Fremont Street.

01/20/10	The City Council approved Special Use Permit (SUP-36558) for a Beer/Wine/Cooler Off-Sale use at 316 Fremont Street. The Planning Commission and staff recommended approval.
01/20/11	The Special Use Permit (SUP-36558) for a Beer/Wine/Cooler Off-Sale use at 316 Fremont Street expired without being exercised.
06/14/11	The Planning Commission voted (4-3/gf/bg/rt) to recommend DENIAL (PC Agenda Item48/yk).

Most Recent Change of Ownership	
11/21/02	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
05/22/89	A Building Permit (#89023441) was issued for interior demolition at 316 Fremont Street. The permit was marked inactive on 11/18/92.
02/15/95	A Building Permit (#95367306) was issued for two illuminated sign cabinets at 316 Fremont Street. The permit was finalized on 03/09/95.
05/30/02	A Building Permit (#2009676) was issued for a sign at 316 Fremont Street. The permit expired on 12/21/03.
12/23/03	A Building Permit (#3027066) was issued for a sign at 316 Fremont Street. The permit was finalized on 02/11/04.
02/27/04	A Building Permit (#4004356) was issued for tenant improvements at 316 Fremont Street. The permit expired on 12/04/05.
09/17/09	A Business License (#C05-02665) was issued for a Tobacco Dealer at 316 Fremont Street. The license remains active.
	A Business License (#C15-00379) was issued for a Convenience Store at 316 Fremont Street. The license remains active.

Pre-Application Meeting	
04/12/11	Staff met with the applicant and reviewed the requirements for a Special Use Permit application. The applicant was reminded that the minimum requirements for a Convenience store would have to be met at all times.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
05/05/11	Staff visited the site and found a well maintained convenience store in operation. The area in and around the site was clean. The site is only accessible by foot.

YK

Details of Application Request	
Site Area	
Net Acres	0.14

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Convenience Store	C (Commercial)	C-2 (General Commercial)
North	General Retail	C (Commercial)	C-2 (General Commercial)
South	General Retail	C (Commercial)	C-2 (General Commercial)
East	General Retail	C (Commercial)	C-2 (General Commercial)
West	General Retail	C (Commercial)	C-2 (General Commercial)

Master Plan Areas	***Yes***	***No***	***Compliance***
Downtown Centennial Plan	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
A-O (Airport Overlay) District (200 Feet)	X		Y
Downtown Casino Overlay District	X		Y
Live/Work Overlay District	X		N/A
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Parking Requirement - Downtown							
Use	***Gross Floor Area or Number of Units***	***Base Parking Requirement***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Convenience Store	5,166 Sq. Ft.	1:175 GFA	30				
TOTAL SPACES REQUIRED			30		0		N
Regular and Handicap Spaces Required			28	2	0	0	N

YK

Projects located within the Las Vegas Downtown Centennial Plan area are not subject to the automatic application of parking requirements. However, the above table should be used to illustrate the requirements of an analogous project in another location in the City. The analysis should take a number of factors into consideration when discussing parking availability, including pedestrian access, nearby parking structures, on-street parking, etc.

ANALYSIS

This request is for a Special Use Permit for a proposed Beer/Wine/Cooler Off-Sale use within an existing 5,166 square-foot convenience store at 316 Fremont Street. The applicant indicates that they will sell beer and wine as an additional item within the store. The site is located within the Las Vegas Downtown Centennial Plan area, which is not subject to the automatic application of parking requirements. Adequate parking is located in several parking structures within walking distance of the store. No Waivers are required with this request.

The proposed Beer/Wine/Cooler Off-Sale Establishment Use can only be located in a general store that meets the definition of a grocery store, drug store, convenience store or specialty store. This project doesn't meet the definition of a grocery store, drug store or convenience store. The applicant therefore must meet the requirements of a specialty store which is defined by Title 6 as a retail store located within a commercial center that:

1. Has at least eighteen thousand square feet of gross floor area;

2. Has at least eleven thousand five hundred square feet of floor space dedicated to the sale and display of furniture, glassware, kitchenware and other household goods;

3. Has at least three thousand six hundred square feet of floor space dedicated to the sale and display of gourmet foods and non-alcoholic beverages; and

4. Maintains an inventory of beer, wine and coolers with a wholesale value of at least twenty-five thousand dollars.

The applicant indicates that they will meet these criteria; therefore, staff recommends approval.

FINDINGS (SUP-41569)

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 Beer/Wine/Cooler Off-Sale use is ancillary to an existing general retail store and is adjacent to similar uses along Fremont Street. The proposed use is compatible with surrounding land uses.

2. **The subject site is physically suitable for the type and intensity of land use proposed.**

   The subject site is currently operated as a convenience store. Similar alcohol related uses are common in this area of the City. The subject site is physically suitable to accommodate the proposed 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 location of the subject site is on the Pedestrian-only portion of Fremont Street. The site will be accessed primarily by pedestrian traffic.

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 request will not be inconsistent with or compromise the public health, safety, and welfare or overall objectives of the General Plan.

5. **The use meets all of the applicable conditions per Title 19.04.**

   The proposed Beer/Wine/Cooler Off-Sale use meets all of the applicable conditions per Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 36

NOTICES MAILED 172 (By City Clerk)

APPROVALS 0

PROTESTS 7

YK

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-41569** APN: _____

Name of Property Owner: HS FAMILY LP V HSCHMIOT

Name of Applicant: Ham Gabay

Name of Representative: Nieves Alvarez

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: Vern J Christensen Trustee

Print Name: Vern J Christensen

Subscribed and sworn before me

This 20th day of April, 2011

Shari High

Notary Public in and for said County and State

SHARI HIGH
Notary Public, State of Nevada
Appointment No. 05-97773-1
My Appt. Expires June 6, 2013

RECEIVED
APR 27 2011
City of Las Vegas

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Crazy Ely Western Village DBA COYOTE

Project Address (Location) 316 Fremont st. L.V. NV. 89101

Project Name COYOTE **Proposed Use** Beer/wine/cooler off sale.

Assessor's Parcel #(s) 139-34-510-025 **Ward #** 5

General Plan: existing C proposed - **Zoning:** existing C2 proposed -

Commercial Square Footage 6500 **Floor Area Ratio** 5500

Gross Acres 0.14 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER HS FAMILY LPY HSCHMIOT **Contact** _____

Address 714 Lacy LN **Phone:** _____ **Fax:** _____

City Las Vegas NV **State** NV **Zip** 89107

E-mail Address _____

APPLICANT HAIM GABAY **Contact** _____

Address 6130 W. FLAMINGO RD # 402 **Phone:** (702) 382-3005 **Fax:** (702) 382-7005

City LAS VEGAS **State** NV **Zip** 89103

E-mail Address haimgabay@hotmail.com

REPRESENTATIVE Nieves Alvarez **Contact** _____

Address 2700 Trotwood LN **Phone:** (702) 287-2048 **Fax:** 382-7005

City Las Vegas **State** NV **Zip** 89108

E-mail Address western321@hotmail.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 Vern J Christensen

Subscribed and sworn before me

This 20th day of April, 20 11.

_____

Notary Public in and for said County and State

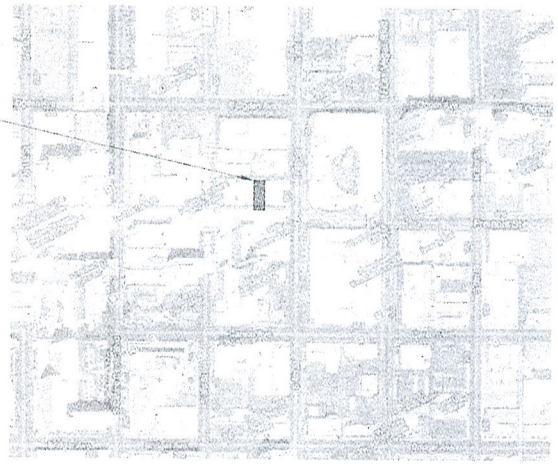
SHARI HIGH
Notary Public, State of Nevada
Appointment No. 05-97773-1
My Appt. Expires June 6, 2013

SHARI HIGH
Notary Public, State of Nevada
Appointment No. 05-97773-1
My Appt. Expires June 6, 2013

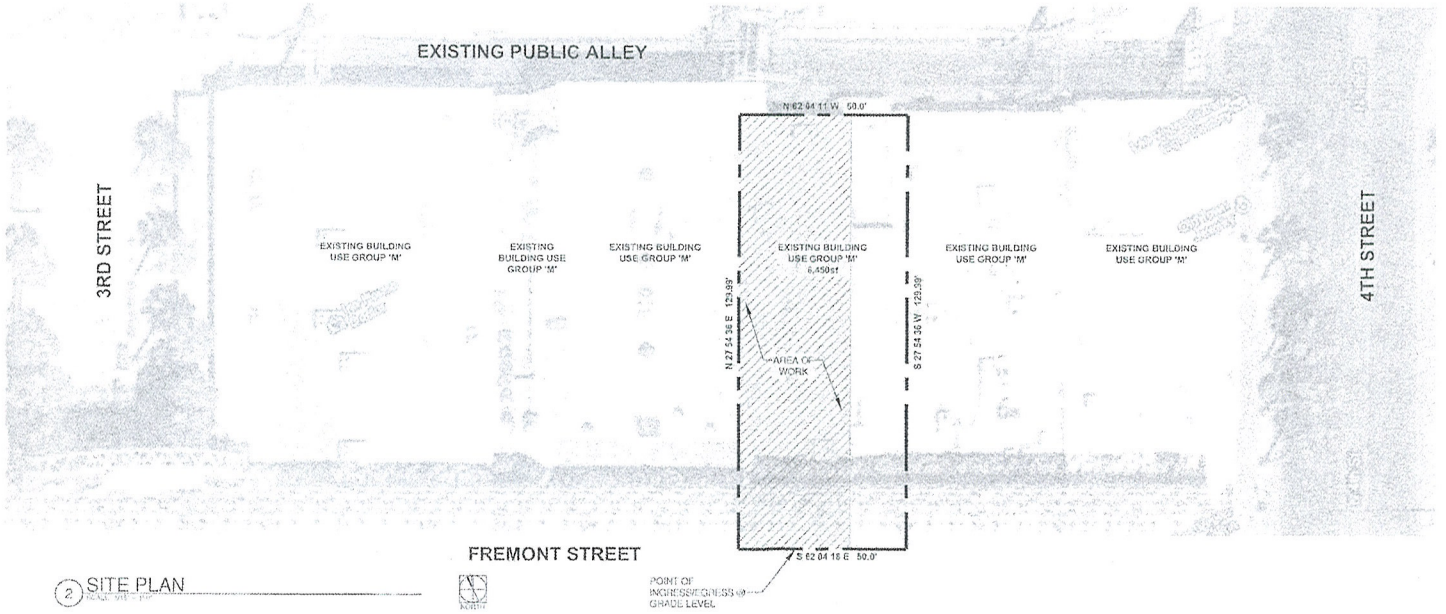
FOR DEPARTMENT USE ONLY

Case #	SUP-41569
Meeting Date:	6-14-11
Total Fee:	1280
Date Received:*	4-27-11
Received By:	KS

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



1 VICINITY MAP



2 SITE PLAN

ERIK CHUDY ARCHITECTURE.

(702) 882-2903
erikchudy.com
erik@erikchudy.com

Consultant

Client

Project
Coyote
316 East Fremont Street
Las Vegas, NV

Owner

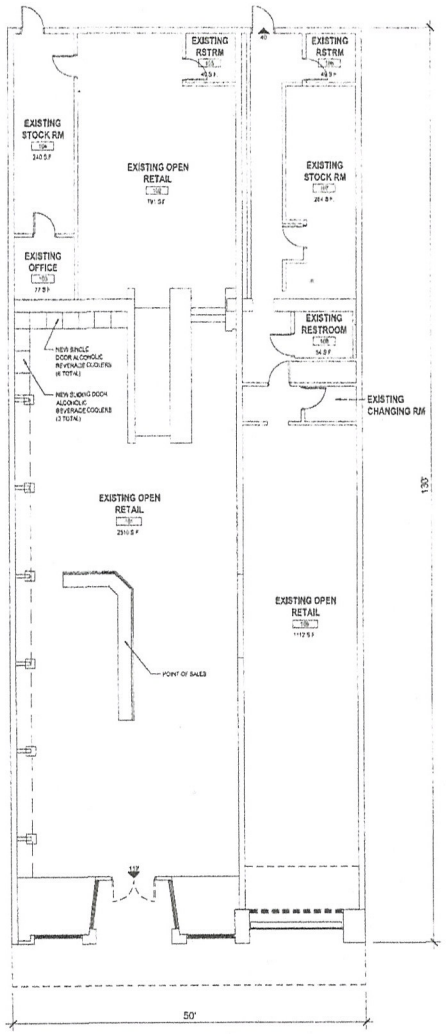
Revisions
No. Date Issue

Drawing Title
VICINITY MAP, PLAN & EXISTING SITE PLAN

Project # 2011036
Issue FOR SUBMITTAL
Date 04.15.2011 Scale AS NOTED

Sheet
AS101

RECEIVED
APR 27 2011
SUP-41569
City of Las Vegas



1 A1.00 EXISTING FLOOR PLAN
SCALE:1/8"=1'-0"

NEW TENANT IMPROVEMENT - OCCUPANT LOAD

OCCUPANCY LOAD:

101 - EXISTING OPEN RETAIL	= 2510	SF/30	=	83	occs.
102 - EXISTING OPEN RETAIL	= 791	SF/30	=	26	occs.
103 - EXISTING OFFICE	= 77	SF/100	=	1	occs.
104 - EXISTING STOCK ROOM	= 240	SF/300	=	1	occs.
105 - EXISTING RESTROOM	= 49	SF/100	=	1	occs.
106 - EXISTING RESTROOM	= 49	SF/100	=	1	occs.
107 - EXISTING STOCK ROOM	= 284	SF/300	=	1	occs.
108 - EXISTING RESTROOM	= 54	SF/100	=	1	occs.
109 - EXISTING OPEN RETAIL	= 1112	SF/30	=	37	occs.
NEW TOTAL INTERIOR FLOOR AREA: 5,166 SF				152	occs.

BUILDING EGRESS ANALYSIS:

BASED ON THE 2006 I.B.C.
BUILDING EXITS REQUIRED

CRITERIA:
ALL PORTIONS OF THE BUILDING OCCUPIED SIMULTANEOUSLY EXCEPT :

- STORAGE ROOMS
- TOILET ROOMS
- CORRIDORS
- MECHANICAL AND ELECTRICAL ROOMS

EGRESS WIDTH MULTIPLIERS IS .20 PER IBC T1005.1
APPROVED UNDER PERMIT #: _____

OCCUPANT LOAD =	152
EXITS PROVIDED =	2
MIN. REQ. EXIT WIDTH = 152 X .20 =	30.40"
WIDTH PROVIDED =	108.0"

231 west charleston boulevard
suite one hourly
las vegas, NV 89107
office: 702.669.2068
fax: 702.668.2069
web: www.hgsbuilds.com

PROJECT
COYOTE INTERIOR REMODEL
300 EAST FREMONT STREET
LAS VEGAS, NEVADA

SHEET TITLE
EXISTING FLOOR PLAN

REVISIONS	DATE
1 ORIGINAL SUBMITTAL	09-21-09

DATE	09-21-2009
SCALE:	AS INDICATED
DRAWN:	D. YORKE
JOB NO:	09-040

SHEET
A1.00

RECEIVED
APR 27 2011
City of Las Vegas

SUP-41569



SUP-41569 - APPLICANT: HAIM GABAY - OWNER: HS FAMILY LIMITED PARTNERSHIP
316 FREMONT STREET

06/20/11

ATT YORGO

CRAZY ELY WESTERN VILLAGE LLC
DBA COYOTE
316 FREMONT ST
LAS VEGAS NV 89101
MARCH 03, 2011

TO WHOM IT MAY CONCERN:

CRAZY ELY WESTERN VILLAGE LLC DBA (COYOTE) IS AN EXISTING RETAIL/GIFT CONVENIENCE STORE WITH 6 EMPLOYEES, HOUR OF OPERATION FROM 9AM TO MIDNIGHT.
WHERE WE WILL SELL BEER AND WINE PRODUCTS (OFF PREMISES CONSUMPTION) IN ORDER TO ENHANCE OUR PRODUCTIVITY AND OUR BOTTOM LINE.

THANK YOU

HAIM GABAY

RECEIVED
MAY -4 2011

SUP-41569

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

Fremont East™
DOWNTOWN LAS VEGAS

Commissioner Evans: Protest

Please let this letter serve as an official protest from the Fremont East Entertainment District for the proposed SUP 41569 & SUP 41570 for a BEER/WINE/COOLER license at 300 Fremont Street & 316 Fremont Street, applicant Haim Gabay.

As we currently have many challenges in our district with the illegal consumption of alcoholic beverages on the streets and sidewalks, as well as the litter, loitering, and loss of revenues, we are against any and all new off-premise liquor or beer/wine licenses in our immediate area. These establishments often violate city ordinances and create only negative consequences for the stakeholders that are striving to improve this area.

Let this letter serve as a protest from all of the following board members and stakeholders; Mike Nolan (El Cortez), John Tippins (ST Residential/The Ogden), Artemus Ham (property owner), Frank Elam (property owner), Jonathan Jossel (Tamares/Plaza Hotel/ Vegas Club/ Western Hotel), Andrew Wheatley (Vanguard Lounge), Richard Sturman (property owner), and myself Michael Cornthwaite (Emergency Arts/ The Beat Coffeehouse/ Downtown Cocktail Room).

Please do not hesitate to call me with any questions you may have.

Regards,

Michael Cornthwaite
Fremont East Entertainment District - Secretary

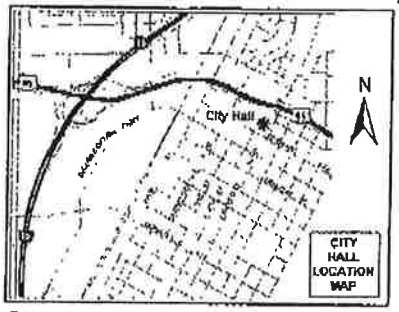
Submitted at Planning Commission
Date 6/14/2011 Item 48 & 49
by Chair Evans

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.414
0004279218 JUN 02 2011
MAILED FROM ZIPCODE 89101

Return Service Requested
Official Notice of Public Hearing



RECEIVED
JUN - 7 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning, Case Planning Division 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-41569

Planning Commission Meeting of 6/14/2011

Case: SUP-41569
13934111064
CITY OF LAS VEGAS REDEVELOPMENT
%FINANCE DEPT
425 FREMONT ST
LAS VEGAS NV 89101-5620

89101

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

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0004279218 JUN 02 2011
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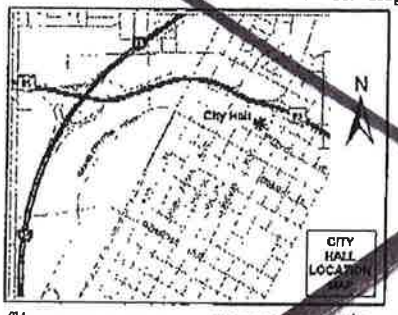
Official Notice of Public Hearing



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Please use available blank space on card for your comments.

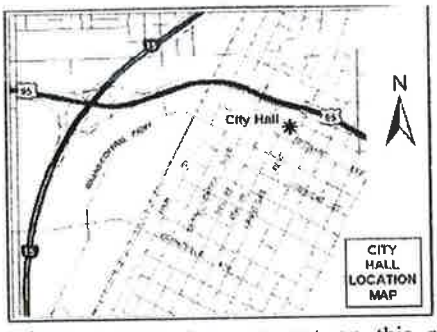
SUP-41570

Planning Commission Meeting of 6/14/2011

Case: SUP-41570
13934111064
CITY OF LAS VEGAS REDEVELOPMENT
%FINANCE DEPT
425 FREMONT ST
LAS VEGAS NV 89101-5620

89101

48P



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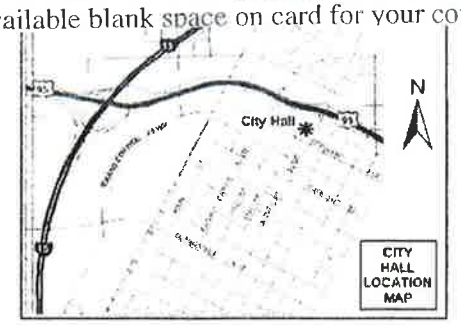
Please use available blank space on card for your comments.

RECEIVED 11 JUN -9 PM 12:29 DEVELOPMENT

Case: SUP-41569
13934111032
GRANITE PROPERTIES IV L L C
%S BURNSTINE
111 N 1ST ST
LAS VEGAS NV 89101-2912



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Please use available blank space on card for your comments.

RECEIVED 11 JUN -9 PM 12:29 DEVELOPMENT

Case: SUP-41569
13934111031
GRANITE PROPERTIES I L L C
111 NORTH 1ST ST
LAS VEGAS NV 89101-2912



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

RECEIVED 11 JUN -9 PM 12:29 DEVELOPMENT

Case: SUP-41569
13934111030
GRANITE PROPERTIES II L L C
111 N FIRST ST
LAS VEGAS NV 89101-2912

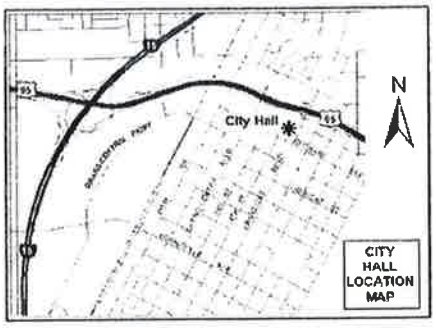
SUP-41569

Planning Commission Meeting of 6/14/2011

30 DRDFN11 89101

48
3P

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-41569

Planning Commission Meeting of 6/14/2011

RECEIVED 11 JUN -9 PM 12:29 DEVELOPMENT

Case: SUP-41569
13934111027
GRANITE PROPERTIES IA L L C
111 N 1ST ST
LAS VEGAS NV 89101-0000

30 DRDFN11 89101

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-41569

Planning Commission Meeting of 6/14/2011

Case: SUP-41569
13934111029
GRANITE PROPERTIES II L L C
%GRANITE GAMING GROUP LLC
111 NORTH FIRST ST
LAS VEGAS NV 89101-2912

30 DRDFN11 89101

appropriate box below and return this card in an envelope with postage to the Department of Planning, Case Planning Division 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-41569

Planning Commission Meeting of 6/14/2011

Case: SUP-41569
13934111035
STOCKER HAROLD J & MAYME V TR
%H PASTOR CASINO
115 N 1ST ST
LAS VEGAS NV 89101-2912

30 DRDFN11 89101

48
3P

City of Las Vegas Agenda Item No.: **92.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: JULY 20, 2011

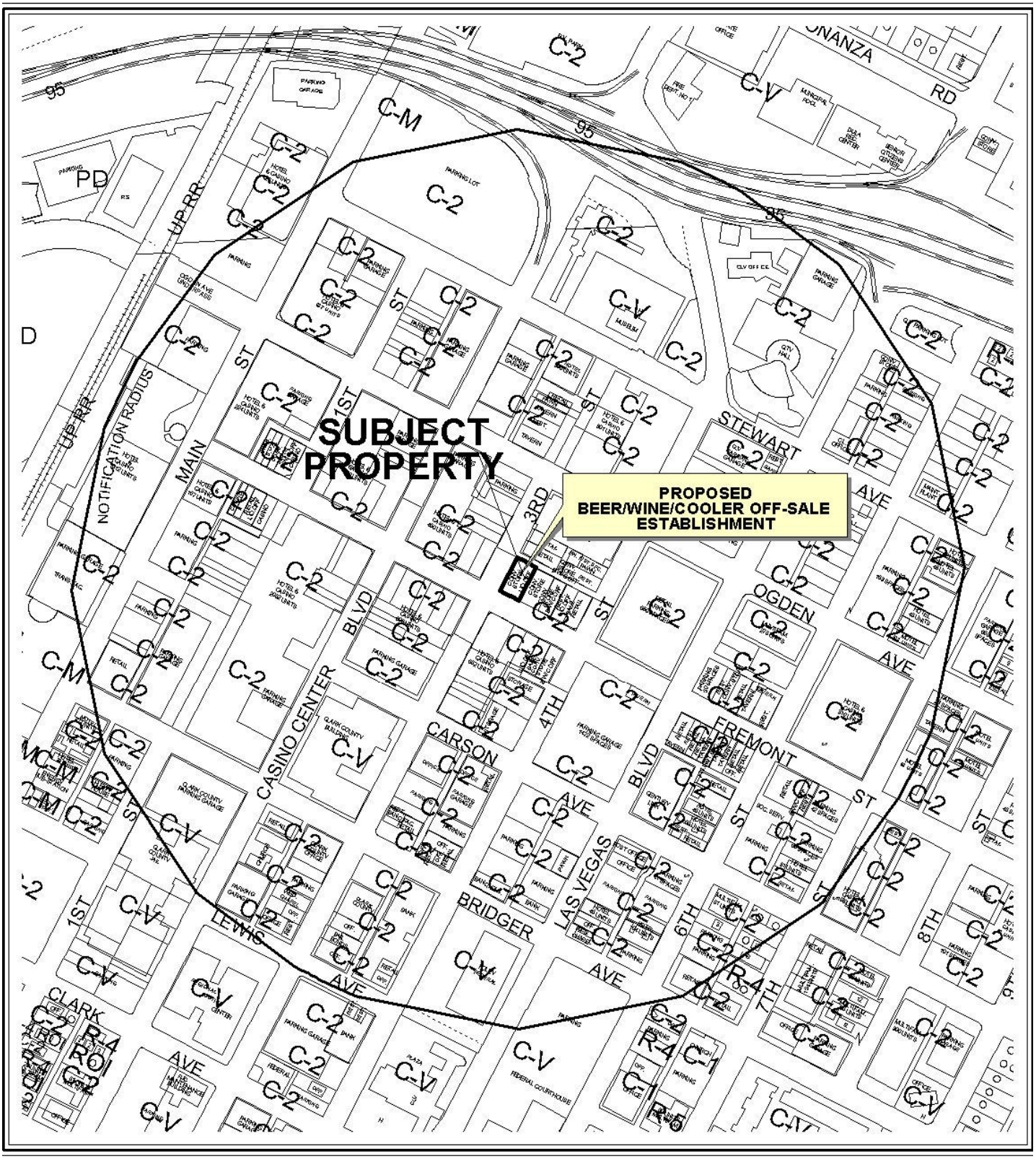
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
SUP-41570 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: HAIM GABAY - OWNER: L'CHAIM FREMONT ASSOCIATES, INC. - For possible action on a request for a Special Use Permit FOR A BEER/WINE/COOLER OFF-SALE ESTABLISHMENT USE WITHIN AN EXISTING 8,152 SQUARE-FOOT RETAIL ESTABLISHMENT at 300 Fremont Street (APN 139-34-510-023), C-2 (General Commercial) Zone, Ward 5 (Barlow). The Planning Commission (4-3 vote) recommends DENIAL. Staff recommends APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**7**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
The Planning Commission (4-3 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Backup referenced from the June 14, 2011 Planning Commission Meeting Item – SUP-41570



0 300 600 Feet

CASE: **SUP-41570**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N



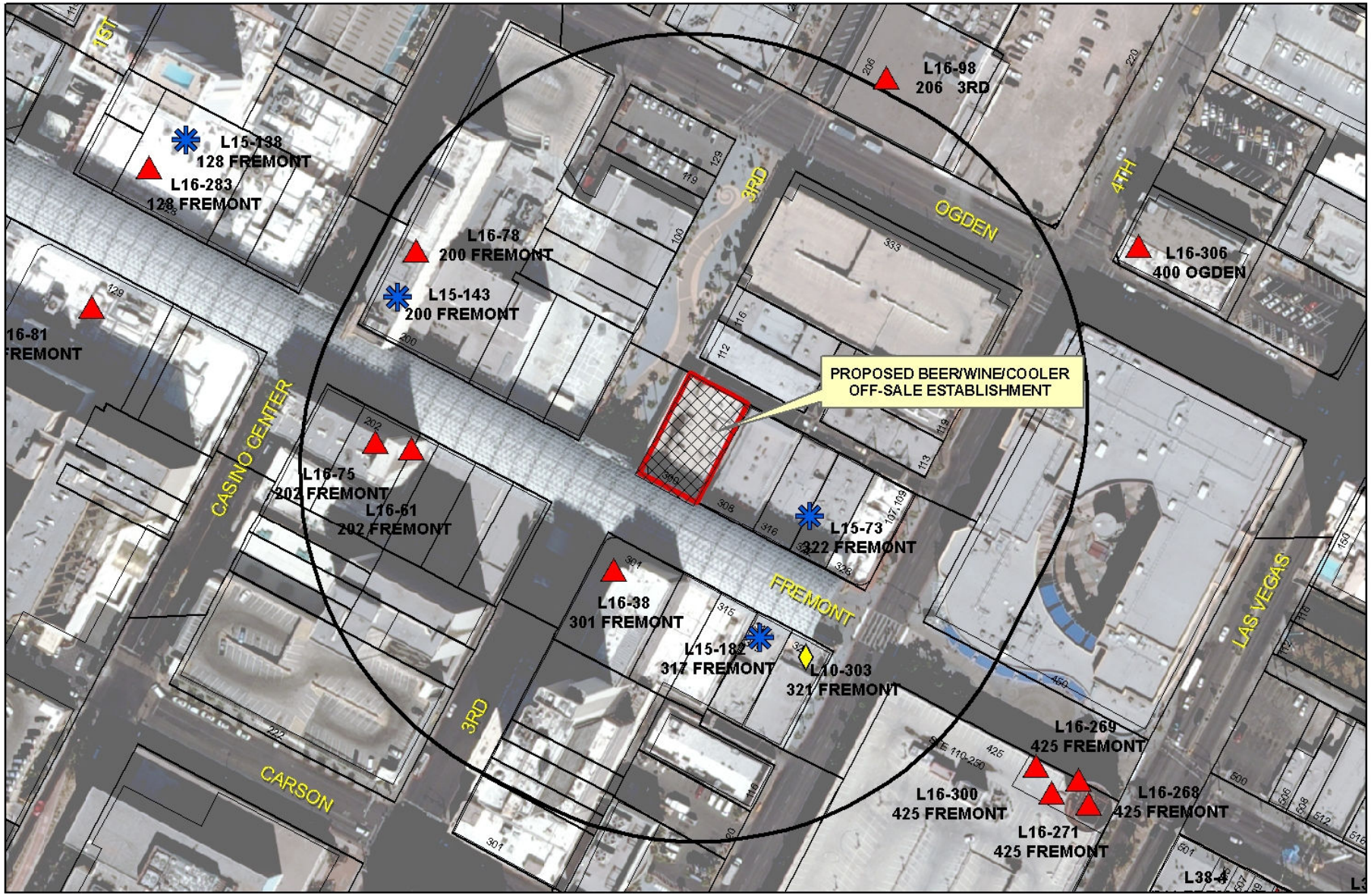
0 300 600 Feet

CASE: **SUP-41570**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N



SUP-41570

Business Licenses

- Child Care/ Children Facility
- Beer/Wine/Cooler On Sale
- Beer/Wine/Cooler Off Sales
- Beer/Wine/Cooler On-Off Sale
- Package Liquor Sales
- Supper Club/ Restaurant Service Bar
- Tavern
- RELIGIOUS
- CITY PARKS
- SCHOOLS
- Subject Property
- 400 foot buffer

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 20, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: HAIM GABAY - OWNER: L'CHAIM FREMONT ASSOCIATES, INC.

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-41570	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-41570 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for Beer/Wine/Cooler Off-Sale use.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. Approval of this Special Use Permit does not constitute approval of a liquor license.

4. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

5. All beer and wine coolers shall remain in the original manufacturer's configuration intended for resale.

6. The sale of single beers, malt beverages, or wine coolers of any size with alcohol by volume greater than 6% shall be prohibited. The sale of wines with an alcohol by volume of greater than 16% shall be prohibited.

7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Staff Report Page One
July 20, 2011 - City Council Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit to allow a Beer/Wine/Cooler Off-Sale use within an existing 7,755 square-foot retail store at 300 Fremont Street. The Beer/Wine/Cooler Off-Sale use will be ancillary to the existing store. No Waivers are needed as a part of this request. The sale of individual containers is consistent with previous approvals along this portion of Fremont Street.

This request meets all minimum Special Use Requirements and can be conducted in a compatible and harmonious manner within a retail store and with similar uses along Fremont Street; therefore staff recommends approval. If denied, no beer, wine or coolers could be sold at this location.

ISSUES

- The sale of Beer/Wine/Cooler Off-Sale use is permitted in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
12/16/64	The City Council approved a Rezoning (Z-0100-64) from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial) for approximately 230 acres generally located on property bound by Main Street to the west, Bonanza Road on the north, Las Vegas Boulevard on the east, and Charleston Boulevard on the south. The Planning Commission and staff recommended approval.
01/14/10	The Planning Commission recommended approval of a Special Use Permit (SUP-36562) for a Package Liquor Off-Sale Establishment within an existing 8,152 square-foot establishment at 300 Fremont Street. Staff recommended approval. This case was withdrawn without prejudice before being heard by City Council.
06/14/11	The Planning Commission voted (4-3/gf/bg/rt) to recommend DENIAL (PC Agenda Item 49/yk).

Most Recent Change of Ownership	
06/30/10	A deed was recorded for a change in ownership.

YK

Related Building Permits/Business Licenses	
08/10/09	A Business License (#C05-02661) was issued for a Tobacco Dealer at 300 Fremont Street. The license remains active.
08/10/09	A Business License (#G04-07088) was issued for Gifts and Novelties at 300 Fremont Street. The license remains active.
10/27/09	A Business License (#L15-92442) was issued for Package Liquor at 300 Fremont Street. The license was marked as out-of-business on 10/06/10.

Pre-Application Meeting	
04/12/11	Staff met with the applicant and reviewed the requirements for a Special Use Permit application. The applicant was reminded that the minimum requirements for a Convenience store would have to be met at all times.

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

Field Check	
05/05/11	Staff visited the site and found an active convenience store. The store was well maintained.

Details of Application Request	
Site Area	
Net Acres	0.23

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Convenience Store	C (Commercial)	C-2 (General Commercial)
North	General Retail	C (Commercial)	C-2 (General Commercial)
South	General Retail	C (Commercial)	C-2 (General Commercial)
East	General Retail	C (Commercial)	C-2 (General Commercial)
West	Hotel/Casino	C (Commercial)	C-2 (General Commercial)

YK

Master Plan Areas	***Yes***	***No***	***Compliance***
Downtown Centennial Plan	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
A-O (Airport Overlay) District (200 Feet)	X		Y
Downtown Centennial Plan Overlay (Central Casino Core District)	X		Y
Live/Work Overlay District	X		N/A
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Parking Requirement - Downtown							
Use	***Gross Floor Area or Number of Units***	***Base Parking Requirement***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
General Retail Store, Other Than Listed (3500 Square Feet or More)	7,755 Sq. Ft.	1:175 GFA	45				
TOTAL SPACES REQUIRED			45		0		N
Regular and Handicap Spaces Required			43	2	0	0	N

Projects located within the Las Vegas Downtown Centennial Plan area are not subject to the automatic application of parking requirements. However, the above table should be used to illustrate the requirements of an analogous project in another location in the City. The analysis should take a number of factors into consideration when discussing parking availability, including pedestrian access, nearby parking structures, on-street parking, etc.

ANALYSIS

This request is for a Special Use Permit for a proposed Beer/Wine/Cooler Off-Sale use within an existing 7,755 square-foot retail store at 300 Fremont Street. The applicant indicates that they will sell beer and wine as an additional item within the store. The sale of individual containers is consistent with previous approvals in the area and is a common business practice for merchants along this portion of Fremont Street. The site is located within the Las Vegas Downtown Centennial Plan area, which is not subject to the automatic application of parking requirements. Adequate parking is located in several parking structures within walking distance of the store. No Waivers are required with this request.

YK

The proposed Beer/Wine/Cooler Off-Sale Establishment Use can only be located in a general store that meets the definition of a grocery store, drug store, convenience store or specialty store. This project doesn't meet the definition of a grocery store, drug store or convenience store. The applicant therefore must meet the requirements of a specialty store which is defined by Title 6 as a retail store located within a commercial center that:

1. Has at least eighteen thousand square feet of gross floor area;

2. Has at least eleven thousand five hundred square feet of floor space dedicated to the sale and display of furniture, glassware, kitchenware and other household goods;

3. Has at least three thousand six hundred square feet of floor space dedicated to the sale and display of gourmet foods and non-alcoholic beverages; and

4. Maintains an inventory of beer, wine and coolers with a wholesale value of at least twenty-five thousand dollars.

The applicant indicates that they will meet these criteria; therefore, staff recommends approval.

FINDINGS (SUP-41569)

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 Beer/Wine/Cooler Off-Sale use is ancillary to an existing retail store and is adjacent to similar uses along Fremont Street. The proposed use is compatible with surrounding land uses.

2. **The subject site is physically suitable for the type and intensity of land use proposed.**

   The subject site is currently operated as a general retail store. Similar alcohol related uses are common in this area of the City. The subject site is physically suitable to accommodate the proposed 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 location of the subject site is on the Pedestrian-only portion of Fremont Street. The site will be accessed primarily by pedestrian traffic.

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 request will not be inconsistent with or compromise the public health, safety, and welfare or overall objectives of the General Plan.

5. **The use meets all of the applicable conditions per Title 19.04.**

   The proposed Beer/Wine/Cooler Off-Sale use meets all of the applicable conditions per Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 35

NOTICES MAILED 169 (By City Clerk)

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-41570 APN: _____

Name of Property Owner: L'CHAIM FREMONT ASSOCIATES

Name of Applicant: HAIM GABAY

Name of Representative: NIEVES ALVAREZ

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.

RECEIVED
APR 27 2011
City of Las Vegas

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Haim Gabay

Subscribed and sworn before me

This 14th day of April, 2011

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
EVELYN VALDEZ
Appt. No. 03-81899-1
My Appt. Expires June 15, 2011

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: FABULOUS VEGAS LLC

Project Address (Location) 300 FREMONT ST LV NV 89101

Project Name FABULOUS VEGAS GIFTS **Proposed Use** _____

Assessor's Parcel #(s) 139-34-510-023 **Ward #** 5

General Plan: existing C proposed _____ **Zoning:** existing C 2 proposed _____

Commercial Square Footage 9500 **Floor Area Ratio** 7500

Gross Acres .16 ACRES **Lots/Units** 4 **Density** _____

Additional Information _____

PROPERTY OWNER L'chaim Fremont Associates **Contact** HAIM GABAY

Address 6130 W. FLAMINGO RD # 402 **Phone:** (702) 382-3005 **Fax:** (702) 382-7005

City LAS VEGAS **State** NEVADA **Zip** 89103

E-mail Address haimgabay@hotmail.com

APPLICANT HAIM GABAY **Contact** _____

Address 6130 W. FLAMINGO RD # 402 **Phone:** (702) 382-3005 **Fax:** (702) 382-7005

City LAS VEGAS **State** NEVADA **Zip** 89103

E-mail Address haimgabay@hotmail.com

REPRESENTATIVE NIEVES ALVAREZ **Contact** _____

Address 6130 W. FLAMINGO RD # 402 **Phone:** (702) 287-2048 **Fax:** (702) 382-7005

City LAS VEGAS **State** NEVADA **Zip** 89103

E-mail Address nellyal12@hotmail.com

Property Owner Signature* [signature]

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

Print Name HAIM GABAY

Subscribed and sworn before me

This 14th day of April, 2011.

[signature]

Notary Public in and for said County and State

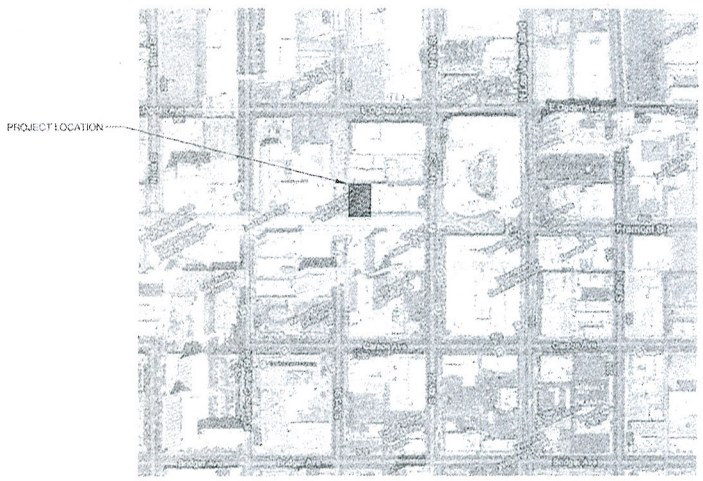
NOTARY PUBLIC
STATE OF NEVADA
County of Clark
EVELYN VALDEZ
Appt. No. 03-81899-1
My Appt. Expires June 15, 2011

Revised 10/27/08

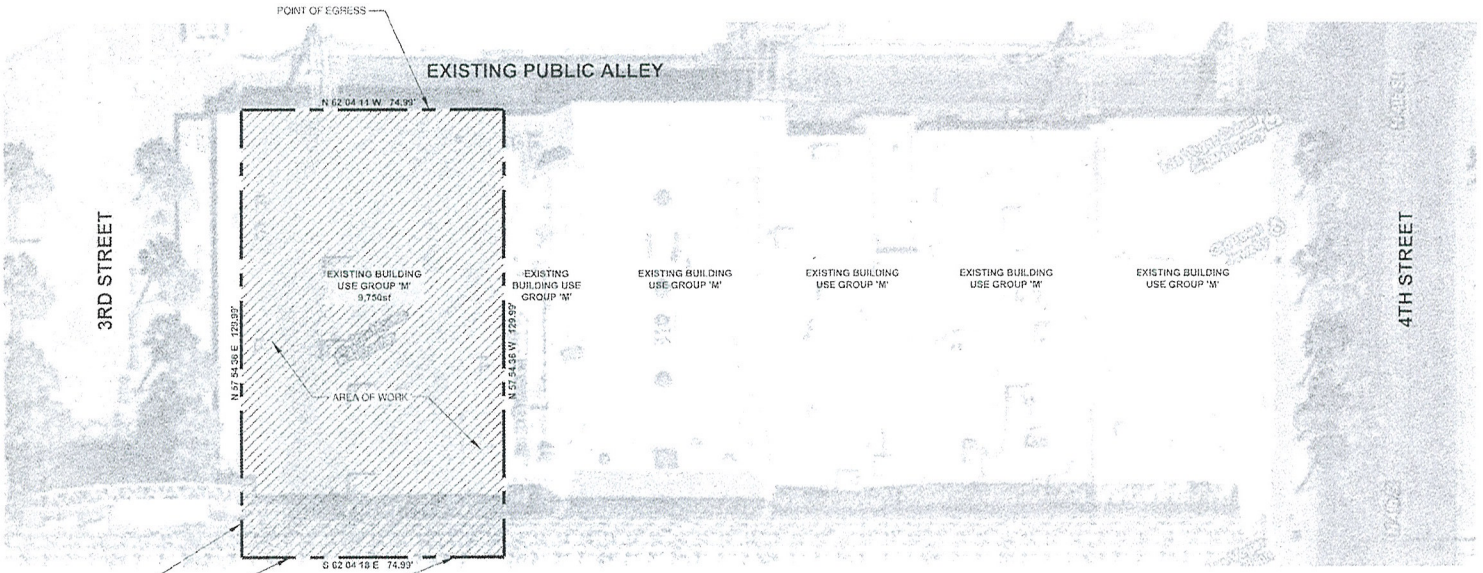
FOR DEPARTMENT USE ONLY

Case #	SUP-41570
Meeting Date:	6-14-11
Total Fee:	~~1280~~ 1280
Date Received:*	4-27-11
Received By:	JB

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



1 VICINITY MAP
SCALE: 1" = 250'-0"



2 SITE PLAN
SCALE: 1/16" = 1'-0"

ERIK CHUDY ARCHITECTURE.

(702) 882-2903
erikchudy.com
erik@erikchudy.com

Consultant:

Seal:

Project:
Fabulous Las Vegas
Jewelry & Gifts
300 East Fremont Street
Las Vegas, NV

Owner:

Revisions:

No.	Date	Issue

Drawing Title:
VICINITY MAP, PLAN & EXISTING SITE PLAN

Project #: 2011008
Issue: FOR SUBMITTAL
Date: 04.15.2011 Scale: AS NOTED
Filename:
Sheet:

AS101

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City of Las Vegas

RECEIVED
APR 27 2011
City of Las Vegas

NEW TENANT IMPROVEMENT - OCCUPANT LOAD					
OCCUPANCY LOAD:					
101 - EXISTING OPEN RETAIL	= 7755	SF/30	=	259	occs.
102 - EXISTING STORAGE	= 277	SF/300	=	1	occs.
103 - EXISTING RESTROOM	= 63	SF/100	=	1	occs.
104 - EXISTING STORAGE	= 57	SF/300	=	1	occs.
NEW TOTAL INTERIOR FLOOR AREA: 8,152 SF				262	occs.

BUILDING EGRESS ANALYSIS:

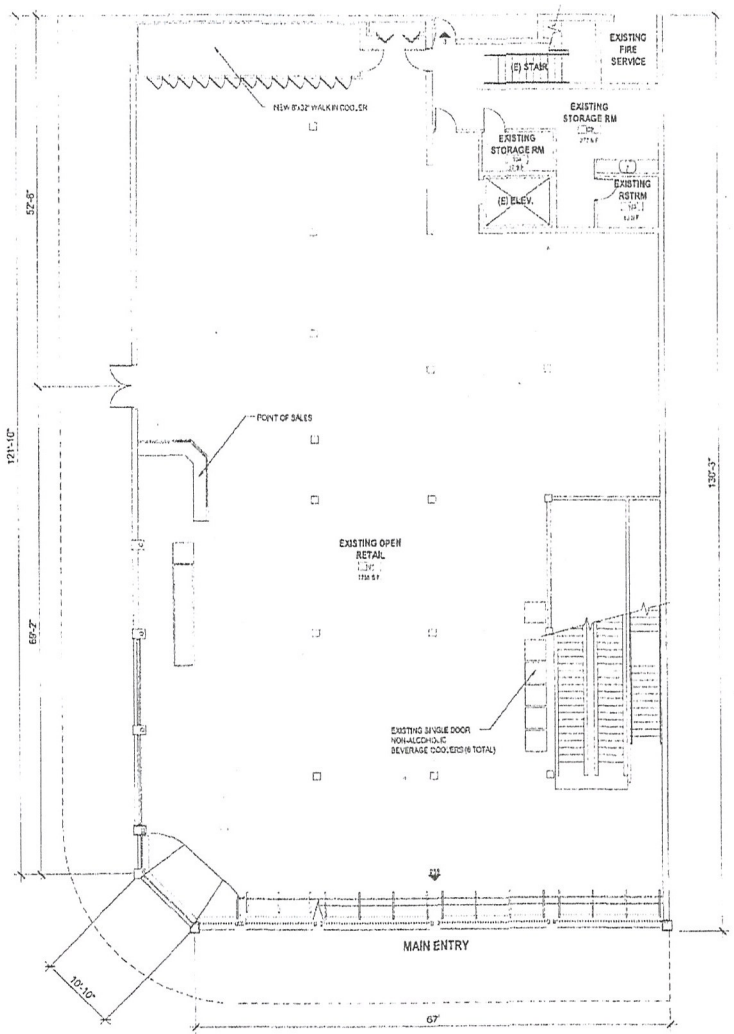
BASED ON THE 2006 I.B.C.
BUILDING EXITS REQUIRED

CRITERIA:
ALL PORTIONS OF THE BUILDING OCCUPIED SIMULTANEOUSLY EXCEPT :

- STORAGE ROOMS
- TOILET ROOMS
- CORRIDORS
- MECHANICAL AND ELECTRICAL ROOMS

EGRESS WIDTH MULTIPLIERS IS .20 PER IBC T1005.1
APPROVED UNDER PERMIT #: _____

OCCUPANT LOAD =	262
EXITS PROVIDED =	2
MIN. REQ. EXIT WIDTH = 262 X .20 =	52.40"
WIDTH PROVIDED =	972.0"



1 / A1.00 EXISTING FLOOR PLAN
SCALE: 1/8"=1'-0"

tkg
231 West Charleston Boulevard
Las Vegas, NV 89102
office: 702.385.2080
fax: 702.385.2091
web: www.tkgdesign.com

PROJECT
FABULOUS LAS VEGAS JEWELRY & GIFTS
300 EAST FREMONT STREET
LAS VEGAS, NEVADA

SHEET TITLE
DESIGN REVIEW - EXISTING FLOOR PLAN

REVISIONS	DATE
1 ORIGINAL SUBMITTAL	04-21-11

DATE: 03-21-2011
SCALE: AS INDICATED
DRAWN: D. YORKE
JOB NO: 09-032

SHEET
A1.00

SUP-41570



SUP-41570 - APPLICANT: HAIM GABAY - OWNER: L'CHAIM FREMONT ASSOCIATES, INC
300 FREMONT STREET

05/05/11

FABULOUS VEGAS GIFTS
300 FREMONT ST
LAS VEGAS NV 89101
APRIL 13 , 2011

TO WHOM IT MAY CONCERN:

FABULOU VEGAS GIFTS LLC IS AN EXISTING RETAIL/GIFTCONVENIENCE STORE LOCATED AT 300 FREMONT ST LAS VEGAS NEVADA 89101 WITH 12 EMPLOYEES, HOURS OF OPERATION FROM 8AM TO 2AM.
WHERE WE WILL SELL PACKAGE LIQUOR (UNDER A RESTRICTION RULE)
IN ORDER TO ENHANCE OUR PRODUCTIVITY AND OUR BOTTOM LINE,
BACK ON 2009 WE APPLY AND THEN WE WITHDRAW THE APPLICATION BECAUSE THE CITY COUNSIL DENIED ON OUR APPLICATION, NOW WE RE APPLYING AGAIN FOR A SPECIAL USE PERMIT

THANK YOU



HAIM GABAY

RECEIVED
APR 27 2011
City of Las Vegas
SUP-41570

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
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 JUN 02 2011
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 Department of Planning, Case Planning Division 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-41569

Planning Commission Meeting of 6/14/2011

Case: SUP-41569
13934111064
CITY OF LAS VEGAS REDEVELOPMENT
%FINANCE DEPT
425 FREMONT ST
LAS VEGAS NV 89101-5620

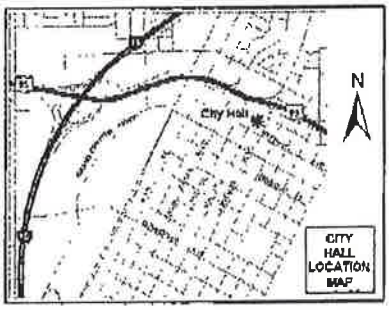
30 DRDFN11 89101

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 JUN 02 2011
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



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JUN - 7 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning, Case Planning Division 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-41570

Planning Commission Meeting of 6/14/2011

Case: SUP-41570
13934111064
CITY OF LAS VEGAS REDEVELOPMENT
%FINANCE DEPT
425 FREMONT ST
LAS VEGAS NV 89101-5620

30 DRDFN11 89101

49 P

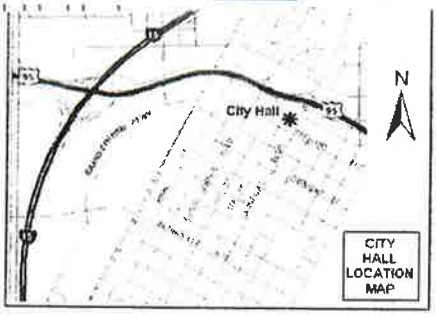


If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning, Case Planning Division at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact 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.

13934111029 Case: SUP-41570
GRANITE PROPERTIES II L L C
%GRANITE GAMING GROUP LLC
111 NORTH FIRST ST
LAS VEGAS NV 89101-2912



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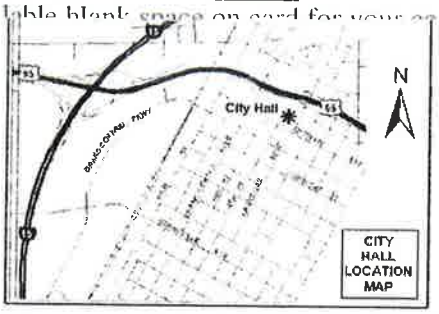
☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

13934111035 Case: SUP-41570
STOCKER HAROLD J & MAYME V TR
%H PASTOR CASINO
115 N 1ST ST
LAS VEGAS NV 89101-2912



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

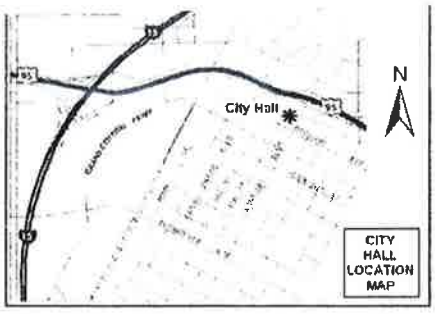
13934111027 Case: SUP-41570
GRANITE PROPERTIES IA L L C
111 N 1ST ST
LAS VEGAS NV 89101-0000

SUP-41570

Planning Commission Meeting of 6/14/2011

30 DRDFN11 89101

49
3P



RECEIVED
11 JUN -9 PM 12:28
PLANNING & DEVELOPMENT

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-41570

Planning Commission Meeting of 6/14/2011

Case: SUP-41570
13934111032
GRANITE PROPERTIES IV L L C
%S BURNSTINE
111 N 1ST ST
LAS VEGAS NV 89101-2912

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 Department of Planning, Case Planning Division 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-41570

Planning Commission Meeting of 6/14/2011

Case: SUP-41570
13934111031
GRANITE PROPERTIES I L L C
111 NORTH 1ST ST
LAS VEGAS NV 89101-2912

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 Department of Planning, Case Planning Division 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-41570

Planning Commission Meeting of 6/14/2011

Case: SUP-41570
13934111030
GRANITE PROPERTIES II L L C
111 N FIRST ST
LAS VEGAS NV 89101-2912

H9
3P

City of Las Vegas Agenda Item No.: **93.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: JULY 20, 2011

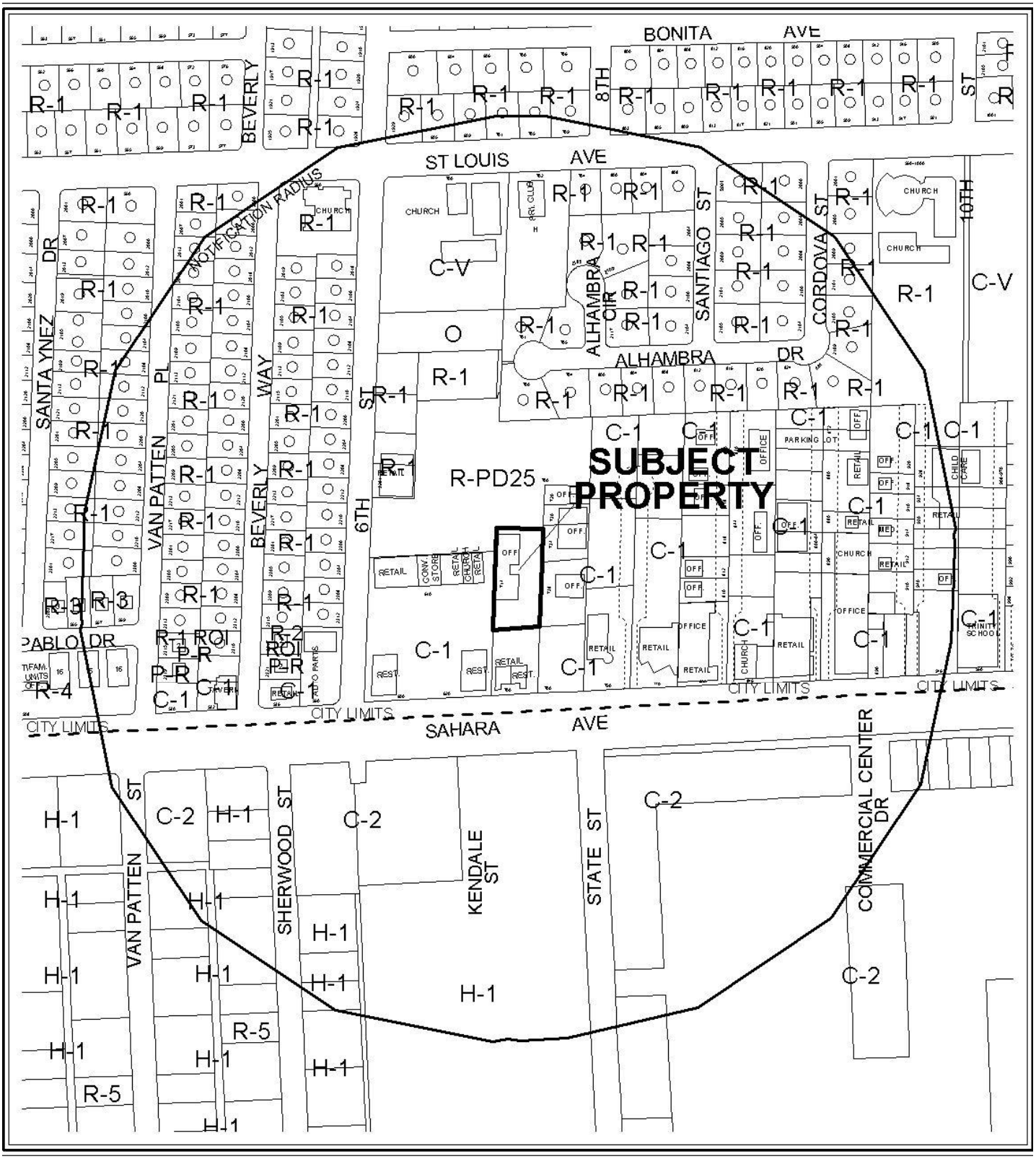
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
SUP-41583 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: COMMUNITY COUNSELING CENTER - OWNER: 714 EAST SAHARA AVENUE, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 17,088 SQUARE-FOOT FACILITY TO PROVIDE TESTING, TREATMENT OR COUNSELING FOR DRUG OR ALCOHOL ABUSE at 714 East Sahara Avenue (APN 162-03-801-056), C-1 (Limited Commercial) Zone, Ward 3 (Coffin). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**8**	**Planning Commission Mtg.**	**1**
City Council Meeting	**3**	**City Council Meeting**	**0**

RECOMMENDATION:
The Planning Commission (7-0 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo
5. Justification Letter
6. Protest Postcards
7. Backup referenced from the June 14, 2011 Planning Commission Meeting Item – SUP-41583



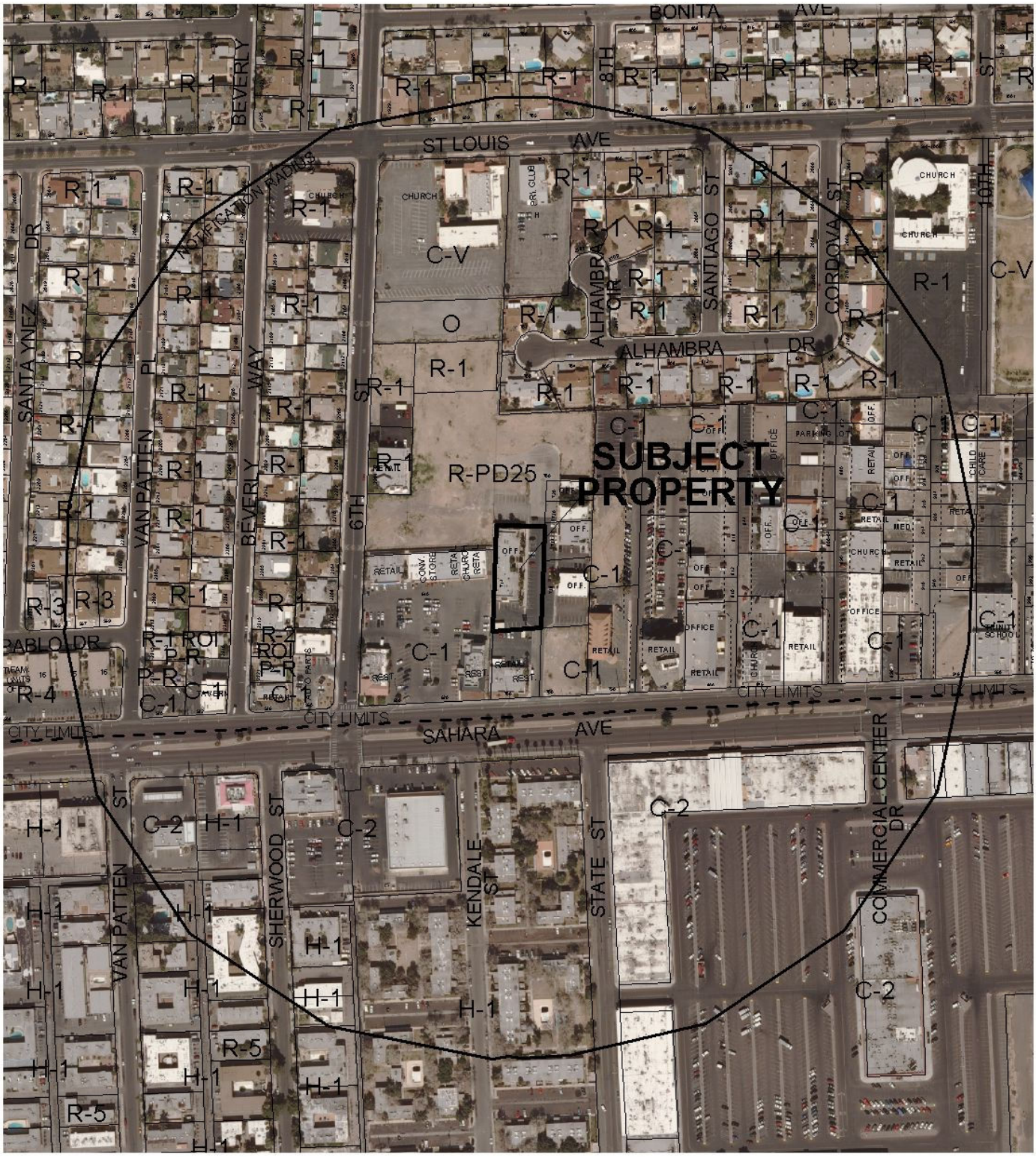
0 300 600 Feet

CASE: **SUP-41583**

RADIUS: 1000 FT

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

N



0 300 600 Feet

CASE: **SUP-41583**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 20, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: COMMUNITY COUNSELING CENTER - OWNER: 714 EAST SAHARA AVENUE, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-41583	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-41583 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Facility to provide Testing, Treatment or Counseling for Drug or Alcohol Abuse use.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Department.

4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed 17,088 square-foot Facility to Provide Testing, Treatment or Counseling for Drug and Alcohol Abuse use at 714 East Sahara Avenue. The proposed use complies with all Title 19.04 requirements and can be conducted in a manner that is harmonious and compatible with existing surrounding development and land uses; therefore, staff recommends approval with conditions. If this application is denied, the proposed Facility to Provide Testing, Treatment or Counseling for Drug and Alcohol Abuse use cannot be located within the subject site, nor can a business license be obtained for the use at this location.

ISSUES

- A Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.
- This item has been deemed a Project of Regional Significance. No comments were received from other agencies.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
05/17/06	The City Council approved 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.
06/14/11	The Planning Commission voted to recommend APPROVAL a Special Use Permit (SUP-41584) for a proposed 17,088 square-foot Social Service Provider use at 714 East Sahara Avenue.
06/14/11	The Planning Commission voted (7-0) to recommend APPROVAL (PC Agenda Item 50/rg).

Most Recent Change of Ownership	
07/29/09	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
09/27/73	A building permit (#13144) was issued for an Office Building at 714 East Sahara Avenue. The permit was finalized on 03/25/74.
04/02/90	A business license (N35-00003) was issued for Family Counseling at 714 East Sahara Avenue, Suite #101. The license issuance was for a change of location from 1120 Almond Tree Lane to 714 East Sahara Avenue.
04/21/11	A building permit (#186205) was issued for non-work certificate of occupancy for an Office at 714 East Sahara Avenue. The permit was finalized on 04/27/11.

Pre-Application Meeting	
04/21/11	A pre-application meeting was held with the applicant to discuss the submittal requirements for a Special Use Permit for a Facility to provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse. The Special Use Permit request will require a Project of Regional Significance form since the site is located within 500 feet of unincorporated Clark County. The site plan indicates 36 parking spaces and the previous use of the building was Office, Other than Listed. Pursuant to Title 19.10.010, the subject site is a Parking-Impaired Development. The proposed use will be transferring from 1120 Almond Tree Lane.

Neighborhood Meeting	
05/31/11	A neighborhood meeting was held at 1140 Almond Tree Lane, Suite #312, Las Vegas, NV 89104 at 6:00 p.m. There were two members of the public, five representatives for the applicant and a member of the Planning and Development staff present. • The applicant briefly reviewed the proposed use and the history of their operation. • The members of the public who were in attendance stated that the applicant had been a good neighbor, and that they were supportive of the applications.

Field Check	
05/05/11	A site visit by staff noted that the office building and property are well maintained.

Details of Application Request	
Site Area	
Net Acres	0.66

Surrounding Property	*Existing Land Use Per Title 19.04*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	Office	C (Commercial)	C-1 (Limited Commercial)
North	Undeveloped	SC (Service Commercial)	R-PD25 (Residential Planned Development – 25 Units per Acre)
South	General Retail	C (Commercial)	C-1 (Limited Commercial)
East	Office	C (Commercial)	C-1 (Limited Commercial)
West	Undeveloped	SC (Service Commercial)	R-PD25 (Residential Planned Development – 25 Units per Acre)
	Shopping Center	C (Commercial)	C-1 (Limited Commercial)

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area			
Beverly Green / Southridge Neighborhood	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
A-O (Airport Overlay) District (175 feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance	X		Y

DEVELOPMENT STANDARDS

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Street Width (Feet)*	*Compliance with Street Section*
Sahara Avenue	Primary Arterial	Master Plan of Streets and Highways	140*	Y

*Per Master Plan of Streets and Highways, the street width is 100 feet.

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

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse	17,088 SF	1/300 SF	57				
TOTAL SPACES REQUIRED			57		34		Y*
Regular and Handicap Spaces Required			54	3	32	2	Y*

*Pursuant to Title 19.10.010 (C), the site is a parking-impaired development.

ANALYSIS

A Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse is defined by Title 19.20.020 as "a facility that: 1) Operates under or is subject to the provisions of NRS Title 40 and, by means of certified detoxification technicians or otherwise, provides care or treatment related to the physical and mental effects of the abuse of alcohol or drugs, or the effects of alcohol or drug dependency; or 2) Provides court-ordered or court-sanctioned testing, analysis, treatment or counseling related to the physical and mental effects of the abuse of alcohol or drugs, or the effects of alcohol or drug dependency." The applicant has indicated that the proposed use offers substance abuse treatment to those who are mandated to attend through the courts and those self-referred who need a support system to help them remain sober and addiction-free.

The applicant has been operating at 1120 Almond Tree Lane for 19 years. The request for the Special Use Permit is for a change of location at 714 East Sahara Avenue, due to fire damage at 1120 Almond Tree Lane. The proposed Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse use employs 43 people and will serve 500 clients monthly. There were not service calls to the Las Vegas Metropolitan Police Department at both locations. There were Code Enforcement cases at 1120 Almond Tree Lane and all cases have been resolved, and there are no Code Enforcement violations at 714 East Sahara Avenue.

The proposed location at 714 East Sahara Avenue contains an existing 17,088 square-foot, two-story office building. The submitted floor plans indicates both stories will be utilized by the proposed use. The site plan indicates 34 parking spaces and the required parking is for 57 spaces by current parking standards. Pursuant to Title 19.10.010 (C), the site is a parking impaired development, and the proposed use's parking requirement is the same as the previous use, which was Office, Other than Listed; therefore, no additional parking is required.

Comments were received from the Las Vegas Valley Water District (LVVWD), and include the following: Existing 2" meter with 2" DCVA. If fire flow requirements change, potential meter and backflow changes may be required. If fire flow changes, civil plans will need to be submitted to LVVWD.

The subject property is located within the Beverly Green/Southridge Neighborhood and Airport Overlay District with 175-foot height restrictions. The proposed use would not have a negative impact relating to the Special Area Plan and Overlay District. There are no issues, goal or strategies outlined in the Beverly Green/Southridge Neighborhood Plan that relate to the proposed use. The Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse use can be conducted in a manner that is harmonious and compatible with the existing uses and future surrounding land uses; therefore, staff recommends approval with conditions.

FINDINGS (SUP-41583)

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 Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse will be located within an existing office building. The proposed use can be conducted in a manner that is harmonious and compatible with the uses at the existing site 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 Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse 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.**

Site access to the property is provided from Sahara Avenue via a 40-foot wide easement. This street is sufficient in size to accommodate the needs of the proposed use.

4. **Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.**

   Approval of a Special Use Permit for this use will not compromise the public, health, safety, or welfare, as the use is subject to licensing and inspections by the City of Las Vegas.

5. **The use meets all of the applicable conditions per Title 19.04.**

   There are no minimum use requirements for a Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 14

NOTICES MAILED 207 (By City Clerk)

APPROVALS 1

PROTESTS 8

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-41583** APN: 162-03-801-056

Name of Property Owner: 714 E. Sahara Ave. LLC

Name of Applicant: Community Counseling Center

Name of Representative: Ron Lawrence Community Counseling Center

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

☐ **Yes** ☒ **No**

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

City Official: n/a

Partner(s): n/a n/a

APN: n/a

Signature of Property Owner: Kevin Ellis

Print Name: KEVIN ELLIS AUTHORIZED AGENT FOR ICA MORTGAGE CAPITAL LLC, OWNER OF 714 E. SAHARA LLC

Subscribed and sworn before me

This 22nd day of April, 2011

Kenna S. DeBlase - Johnson, KS

Notary Public in and for said County and State

KENNA S. DEBLASE
Notary Public, State of Kansas
My Appt. Expires 6-6-2013

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APR 28 2011

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Community Counseling Center

Project Address (Location) 714 E Sahara Ave., Las Vegas, NV 89104

Project Name Community Counseling Center **Proposed Use** ~~alcohol abuse~~ Facility to provide testing, treatment or counseling for drug or

Assessor's Parcel #(s) 162-03-801-056 **Ward #** 3

General Plan: existing C proposed N/A **Zoning:** existing C-1 proposed N/A

Commercial Square Footage 12,000 **Floor Area Ratio** N/A

Gross Acres .66 **Lots/Units** N/A **Density** N/A

Additional Information N/A

PROPERTY OWNER 714 E. Sahara Avenue, LLC **Contact** ICA Mortgage Capital LLC

Address 10740 Nall Avenue, Suite 215 **Phone:** (913) 649-0705 **Fax:** (312) 873-4152

City Overland Park **State** KS **Zip** 66211

E-mail Address KevinE@icadv.com

APPLICANT Community Counseling Center **Contact** Ron Lawrence

Address 714 E Sahara Ave **Phone:** (702) 369-8700 **Fax:** (702) 369-8489

City Las Vegas **State** NV **Zip** 89104

E-mail Address CCC@CCCOFSN.org

REPRESENTATIVE Community Counseling Center **Contact** Ron Lawrence

Address 714 E Sahara Ave **Phone:** (702) 369-8700 **Fax:** (702) 369-8489

City Las Vegas **State** NV **Zip** 89104

E-mail Address ronlawrence89104@yahoo.com

Property Owner Signature* Kevin Ellis

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

Print Name Kevin Ellis auth. agent ICA Mortgage Capital LLC

CO TRUSTEE OF ICA 2006 LOAN TRUST II

Subscribed and sworn before me

This 22nd day of April, 20 11.

Kenna S. DeBlase - Johnson, KS

Notary Public in and for said County and State

KENNA S. DEBLASE
Notary Public, State of Kansas
My Appt. Expires 10-8-2013

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SUP-41583
Meeting Date:	6/14/11 PC
Total Fee:	$1,030
Date Received:*	4-28-11
Received By:	

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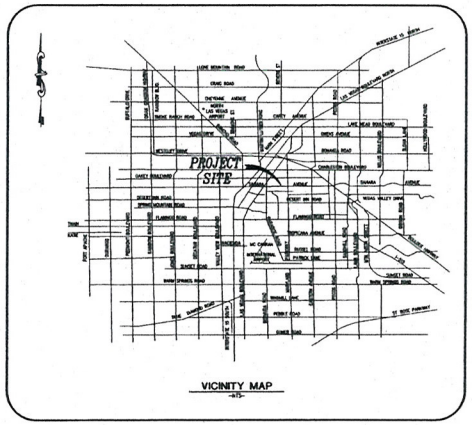
BY APR 28 2011

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



VICINITY MAP
-NTS-

PARKING

34	REGULAR SPACES
2	HANDICAP SPACES
36	TOTAL SPACES

THE ABOVE PARKING COUNTS REPRESENTS PARKING SPACES LOCATED ON DESCRIBED PROPERTY

SETBACK, HEIGHT & BULK RESTRICTIONS

PER CITY OF LAS VEGAS, NEVADA ZONING CODE

ZONE C-1	LIMITED COMMERCIAL DISTRICT
FRONT SETBACK	20 FEET
INTERIOR SIDE SETBACK	10 FEET
CORNER SIDE SETBACK	15 FEET
REAR SETBACK	20 FEET
BUILDING HEIGHT	4/A
LOT COVERAGE	50 PERCENT

EASEMENTS

EXCEPTION NO.5 – PATENT EASEMENT FROM THE STATE OF NEVADA, RECORDED JANUARY 3, 1908, IN BOOK "Y" OF MISCELLANEOUS RECORDS, PAGES 377 AND 388 OF LINCOLN COUNTY, NEVADA OFFICIAL RECORDS.

AFFECTS ALL OF DESCRIBED PROPERTY – NOT ABLE TO PLOT.

EXCEPTION NO.6 – EASEMENT IN FAVOR OF NEVADA POWER COMPANY, RECORDED APRIL 12, 1962 IN BOOK 353 AS INSTRUMENT NO. 285433 OF OFFICIAL RECORDS.

SHOWN ON SURVEY

EXCEPTION NO.7 – RIGHT OF WAY & EASEMENT IN FAVOR OF LAS VEGAS VALLEY WATER DISTRICT, RECORDED FEBRUARY 19, 1964 IN BOOK 515 AS INSTRUMENT NO. 414805 OF OFFICIAL RECORDS.

SHOWN ON SURVEY

EXCEPTION NO.8 – RIGHT OF WAY & EASEMENT IN FAVOR OF LAS VEGAS VALLEY WATER DISTRICT, RECORDED FEBRUARY 19, 1964 IN BOOK 515 AS INSTRUMENT NO. 414806 OF OFFICIAL RECORDS.

SHOWN ON SURVEY

EXCEPTION NO.9 – COVENANTS, CONDITIONS AND PROVISIONS IN DECLARATION OF EASEMENTS, RECORDED AUGUST 1, 1968, IN BOOK 891 AS INSTRUMENT NO. 715756 AND AMENDED SEPTEMBER 3, 1968 IN BOOK 897 AS INSTRUMENT NO. 720230 OF OFFICIAL RECORDS.

SHOWN ON SURVEY

EXCEPTION NO.10 – RIGHT OF WAY & EASEMENT IN FAVOR OF LAS VEGAS VALLEY WATER DISTRICT, RECORDED AUGUST 23, 1968 IN BOOK 895 AS INSTRUMENT NO. 718629 OF OFFICIAL RECORDS.

SHOWN ON SURVEY

EXCEPTION NO.11 – RIGHT OF WAY & EASEMENT IN FAVOR OF SOUTHWEST GAS CORPORATION, RECORDED MARCH 22, 1974 IN BOOK 411 AS INSTRUMENT NO. 370138 OF OFFICIAL RECORDS.

SHOWN ON SURVEY

EXCEPTION NO.12 – RIGHT OF WAY & EASEMENT IN FAVOR OF NEVADA POWER COMPANY, RECORDED FEBRUARY 7, 1996 IN BOOK 960207 AS INSTRUMENT NO. 00796 OF OFFICIAL RECORDS.

AFFECTS ALL OF PARCEL I – NOT ABLE TO PLOT

SURVEYOR'S COMMENTS

1. THE CERTIFYING SURVEYOR HAS NOT MADE AN INDEPENDENT TITLE SEARCH AND HAS RELIED SOLELY ON SUPPLIED DOCUMENTATION SHOWN IN A PRELIMINARY TITLE REPORT PROVIDED BY NATIONAL TITLE COMPANY, ORDER NO. 269346 DATED AUGUST 28, 2006 AND SPECIFICALLY DISCLAIMS ANY ITEMS NOT SHOWN WHICH MAY OR MAY NOT BE OF PUBLIC RECORD THAT MIGHT AFFECT THE PROPERTY SHOWN ON THIS SURVEY.
2. ADDRESS: 714 EAST SAHARA AVENUE, LAS VEGAS, NEVADA 89104
3. TOTAL AREA OF SUBJECT PROPERTY: 28,136 S.F. OR 0.646 ACRES, MORE OR LESS.
4. ASSESSOR'S PARCEL NUMBER: 162-03-801-056
5. SUBJECT PROPERTY HAS EVIDENCE OF RECENT CONSTRUCTION
6. SUBJECT PROPERTY HAS NO OBSERVABLE EVIDENCE OF BEING USED AS A SOLID WASTE DEPOSITORY, DUMP, OR LANDFILL.
7. SUBJECT PROPERTY HAS NO OBSERVABLE EVIDENCE OF CEMETERIES OR BURIAL GROUNDS.
8. THERE ARE NO ENCROACHMENTS ON DESCRIBED PROPERTY. EXISTING WALLS RUN ALONG DESCRIBED PROPERTY LINES

SURVEYOR'S CERTIFICATE

TO ZGMUNT AMARETTI, JOANNA M. RYBAK, ICA MORTGAGE CAPITAL, LLC, AND NATIONAL TITLE COMPANY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MASE UNDER THE DIRECT SUPERVISION AND CONTROL OF THE UNDERSIGNED IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2005, AND INCLUDES ITEMS 2, 3, 4, 6, 7(a), 7(b)(1), 8, 9, 10, 11(a), 13, 14, 16, AND 18 OF TABLE A THEREOF AND PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION. UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF NEVADA, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN. THIS SURVEY WAS COMPLETED ON OCTOBER 5, 2006.

JERRY A. COOK, JR.
PROFESSIONAL LAND SURVEYOR
NEVADA CERTIFICATE NO. 9388

10/05/2006
DATE

PROFESSIONAL LAND SURVEYOR – STATE OF NEVADA – JERRY A. COOK, JR. – CERTIFICATE NO. 9388 – RENEWAL DATE 12-31-06

10/5/06

FLOOD INSURANCE DATA

FLOOD ZONE DESIGNATION "X" PER F.E.M.A. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 32003C2170 E, DATED SEPTEMBER 27, 2002.

ZONE "X" – AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

(THE ABOVE STATEMENT IS FOR INFORMATION ONLY AND THE SURVEYOR ASSUMES NO LIABILITY FOR THE CORRECTNESS OF THE CITED MAP OR THE LOCATION OF THE FLOOD ZONE BOUNDARY. IN ADDITION, THE ABOVE STATEMENT DOES NOT REPRESENT THE SURVEYOR'S OPINION OF THE PROBABILITY OF FLOODING.)

LEGAL DESCRIPTION

PARCEL I

THAT PORTION OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 3, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.B. & M., DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST (SW) CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 3, AS SHOWN ON SURVEY RECORDED IN FILE 18, PAGE 72; THENCE NORTH 02°11'58" EAST ALONG THE WEST LINE OF THE SAID SOUTHEAST QUARTER (SE 1/4) A DISTANCE OF 50.19 FEET TO A POINT ON THE NORTH LINE OF SAHARA AVENUE; THENCE NORTH 87°12'48" EAST ALONG THE NORTH LINE OF SAHARA AVENUE, A DISTANCE OF 331.25 FEET TO A POINT; THENCE NORTH 02°11'58" EAST, A DISTANCE OF 150.57 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 02°11'58" EAST, A DISTANCE OF 253.13 FEET TO A POINT; THENCE SOUTH 88°00'33" EAST, A DISTANCE OF 112.83 FEET TO A POINT; THENCE SOUTH 01°59'27" WEST, A DISTANCE OF 243.63 FEET TO A POINT; THENCE SOUTH 87°12'48" WEST, A DISTANCE OF 114.13 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL II

A NON-EXCLUSIVE RIGHT OF WAY AND EASEMENT WITH THE RIGHT OF INGRESS AND EGRESS OVER THE FOLLOWING DESCRIBED PARCEL:

THAT PORTION OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 3, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.B. & M., DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST (SW) CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 3; THENCE NORTH 2°11'58" EAST ALONG THE WEST LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 3, A DISTANCE OF 50.19 FEET TO A POINT ON THE NORTH LINE OF SAHARA AVENUE; THENCE NORTH 87°12'48" EAST ALONG THE SAID NORTH LINE OF SAHARA AVENUE, A DISTANCE OF 420.86 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 1°59'27" EAST, A DISTANCE OF 150.84 FEET TO A POINT; THENCE NORTH 88°00'33" WEST, A DISTANCE OF 14.00 FEET TO A POINT; THENCE NORTH 1°59'27" EAST, A DISTANCE OF 361.76 FEET TO A POINT; THENCE FROM A TANGENT WHOSE BEARING IS THE LAST DESCRIBED COURSE TURNING TO THE LEFT ALONG A CURVE HAVING A RADIUS OF 20.00 FEET AND SUBTENDING A CENTRAL ANGLE OF 32°27'42", AN ARC LENGTH OF 11.33 FEET TO A POINT ON A TANGENT REVERSE CURVE; THENCE TURNING TO THE RIGHT ALONG SAID TANGENT REVERSE CURVE HAVING A RADIUS OF 44.00 FEET AND SUBTENDING A CENTRAL ANGLE OF 212°27'42" AN ARC LENGTH OF 163.16 FEET TO A POINT; THENCE SOUTH 1°59'27" WEST, A DISTANCE OF 393.60 FEET TO A POINT, THENCE NORTH 88°00'33" WEST, A DISTANCE OF 14.00 FEET TO A POINT; THENCE SOUTH 1°59'27" WEST, A DISTANCE OF 149.16 FEET TO A POINT ON THE SAID NORTH LINE OF SAHARA AVENUE; THENCE SOUTH 87°12'48" WEST, A DISTANCE OF 50.17 FEET TO THE TRUE POINT OF BEGINNING.

REVISIONS

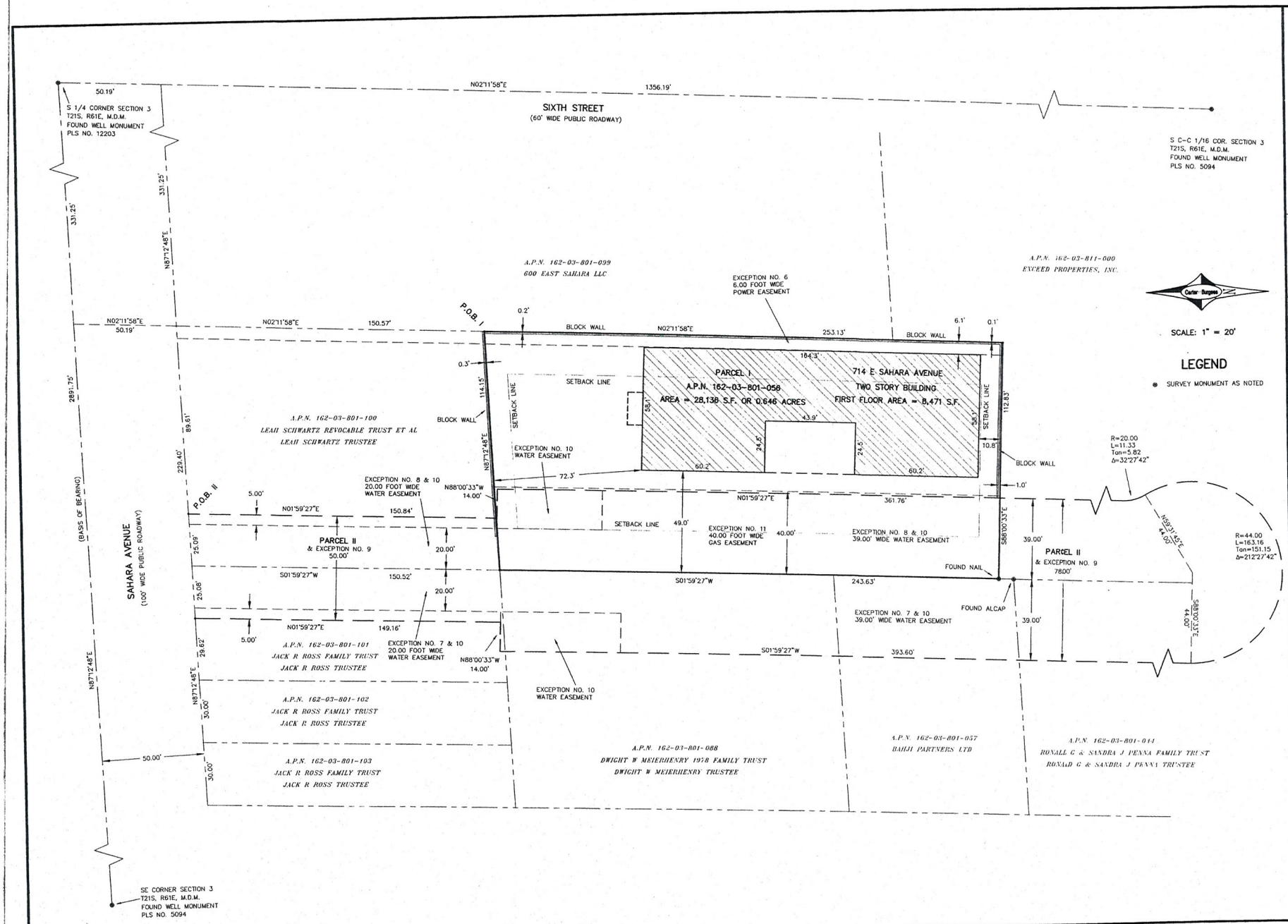
No.	Date	CHKD	APPD

DESIGNED: ___ SJC
DRAWN: ___ SJC
CHECKED: ___ SJC
JOB NO: 041174
SCALE: 1"=20'
HORIZ: 1"=20'
DATE: 10-05-06

Carter :: Burgess
6655 Bermuda Road
Las Vegas, NV 89119
(702) 938-5400 Fax (702) 938-5454

PROJECT: 714 EAST SAHARA AVENUE
DESCRIPTION: ALTA/ACSM LAND TITLE SURVEY
SHEET 1 1 OF 3

RECEIVED
APR 28 2011
SUP-41583



REVISIONS

No.	Date		CHKD	APPD

DESIGNED: —
DRAWN: JAC
CHECKED: JAC
JOB NO: 241774
SCALE: 1"=20'
DATE: 10-05-06

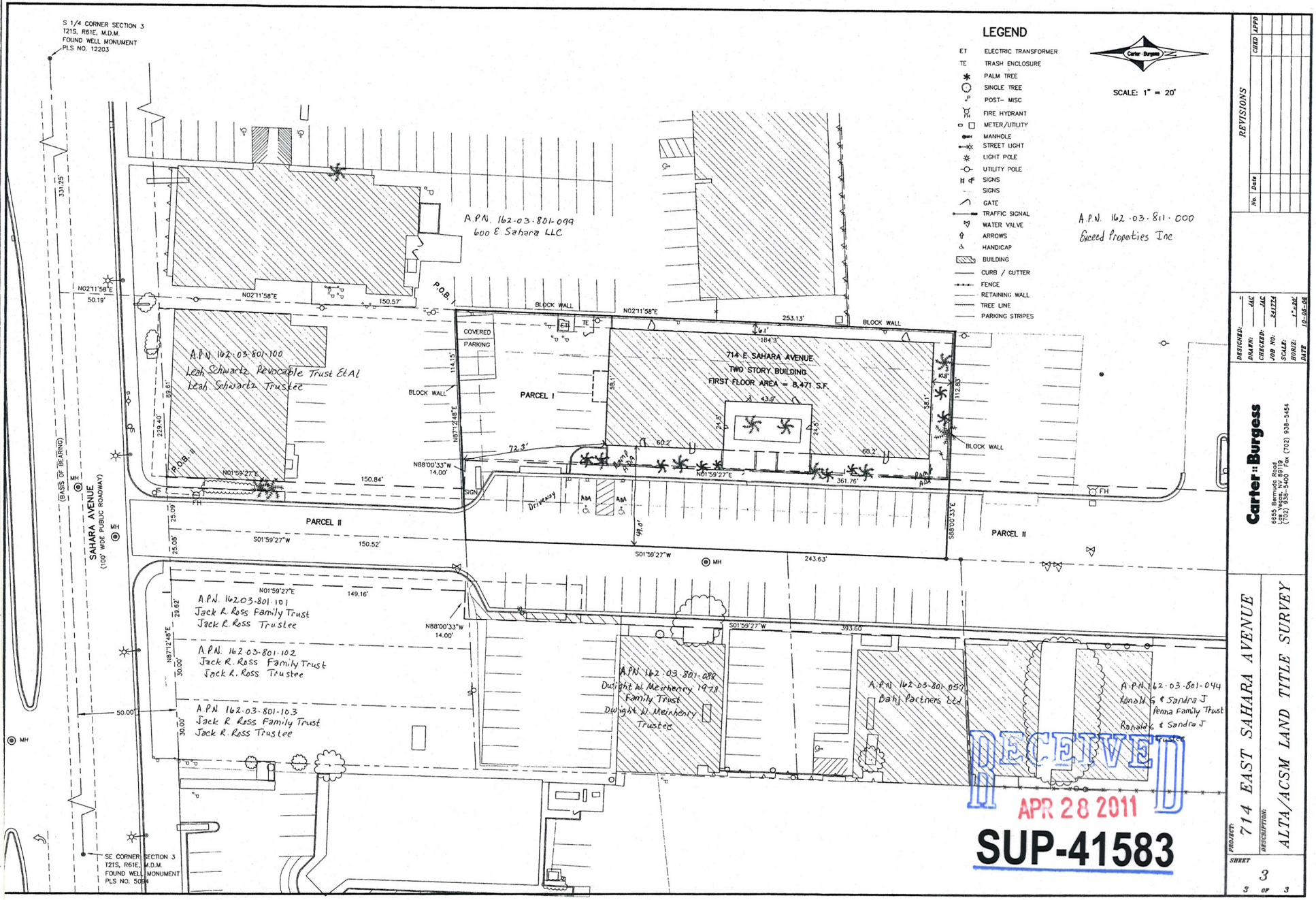
Carter::Burgess
6655 Bermuda Road
Las Vegas, NV 89119
(702) 938-5400 Fax (702) 938-5454

PROJECT: 714 EAST SAHARA AVENUE

DESCRIPTION: ALTA/ACSM LAND TITLE SURVEY

SHEET 2 OF 3

RECEIVED
APR 28 2011
SUP-41583



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APR 28 2011
SUP-41583

REVISIONS

No.	Date	CHKD	APPD

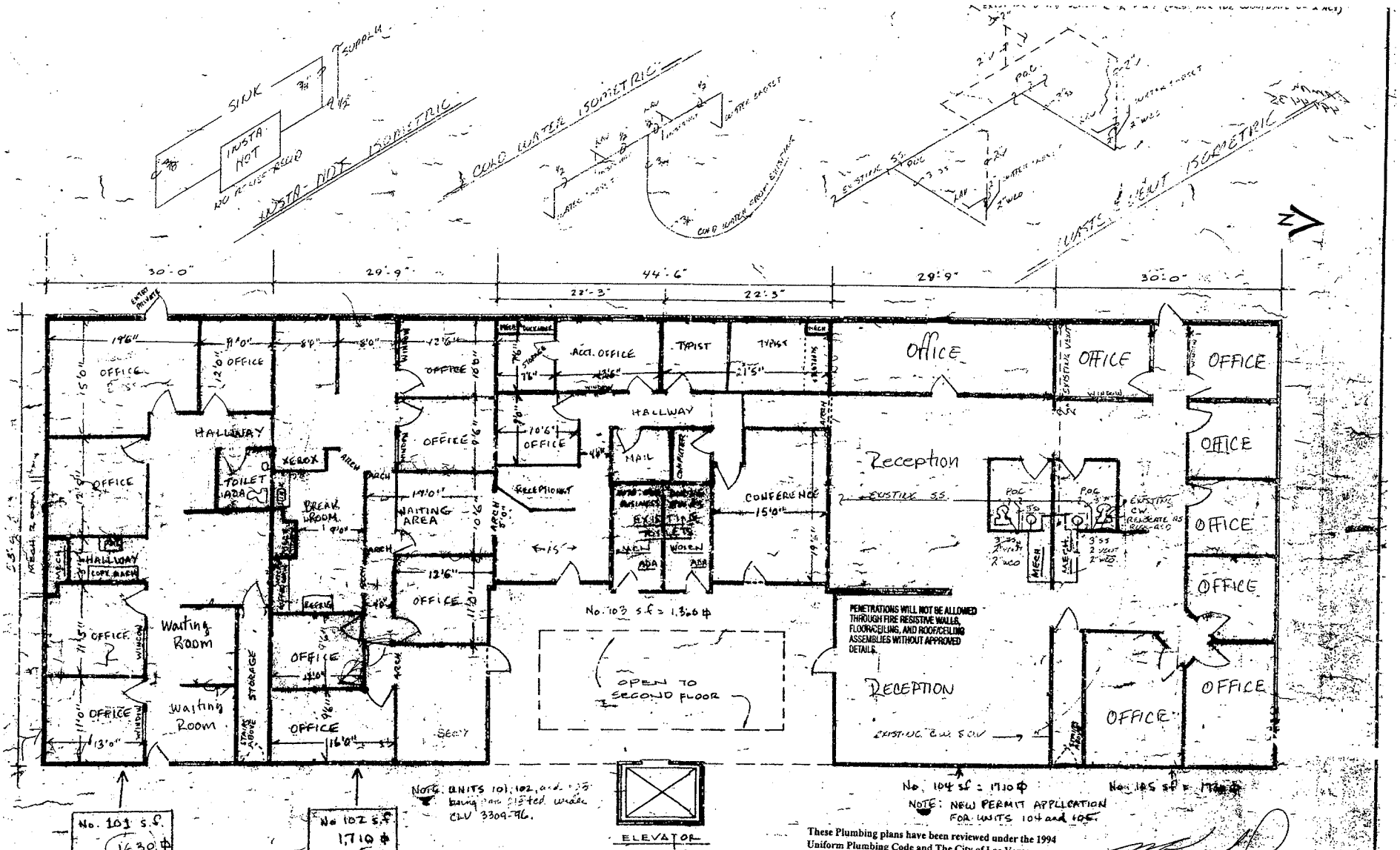
DESIGNED: -
DRAWN: JAC
CHECKED: JAC
JOB NO: 241774
SCALE: 1"=20'
HORIZ:
DATE: 10-05-08

Carter::Burgess
6655 Bermuda Road
Las Vegas, NV 89119
(702) 938-5400 Fax (702) 938-5454

PROJECT: 714 EAST SAHARA AVENUE

DESCRIPTION: ALTA/ACSM LAND TITLE SURVEY

SHEET 3 OF 3



These Plumbing plans have been reviewed under the 1994 Uniform Plumbing Code and The City of Las Vegas Supplemental Plumbing Code -Ordinance No. 3910. All Installations shall comply with these documents.

FIRST FLOOR

714 E. SAHARA

PLUMBING NOTES

1. WASTE AND VENTS TO BE P.V.C.
2. WATER PIPING BELOW GRADE TO BE "K" ABOVE SLAB TO BE "M"
3. WATER AND SEWER PIPING TO BE FROM EXISTING STUBS AS SHOWN.
4. VENT EACH FIXTURE PER CHAPTER #9 1994 UPC.
5. INSTALL DRAINAGE SYSTEM PER CHAPTER #7 1994 UPC
6. FIELD [illegible] ALL P.O.C. FOR WATER AND SEWER
7. ALL [illegible] MUST COMPLY W/ 1994 [illegible]

PLUMBING NOTES

8. ALL FIXTURES MUST COMPLY WITH ALL LOCAL CODES AND ORDINANCES / #3910 SECTION 403.2
9. WHERE APPLICABLE, ALL [illegible]

SUP-41583

CONTRACTOR'S SIGNATURE
MICHAEL KNAUFF
BUILDER PLUMBING

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APR 28 2011

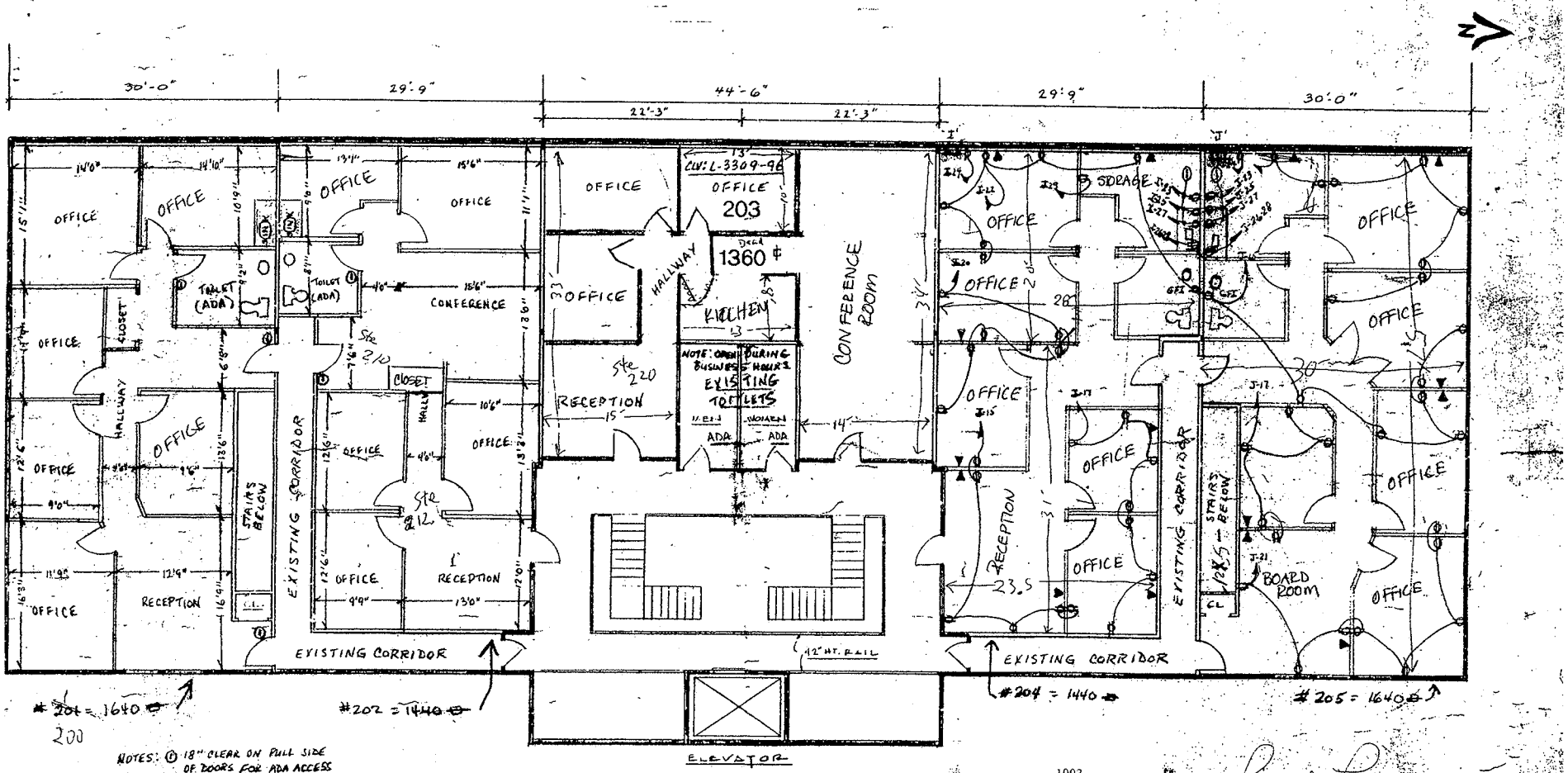
FLOOR PLAN - 1ST			
SCALE: 1/8"=1'-0"	APPROVED BY: PERSONAL BUILDING SVC NV #0032497	DRAWN BY: KEN	
DATE: 1/6/97		REVISED	
714 E. SAHARA BLDG.			
FIRST FLOOR		DRAWING NUMBER: P-1	

NOTES

ALL A/C UNITS, A/H's, PANELS, SUB-FEEDERS, MSB, HALL WAY REST Rm's AND EXTERIOR LIGHTING IS EXISTING SEPARATE CIRCUITS, WITH GFCI RECEPTICALS EACH.

GFCI PROTECTION REQUIREMENTS. ALL 125 VOLT OUTLETS: ON BUILDING EXTERIOR TO 6 FT. 6 IN. GRADE ACCESS, AND ON ROOFS EXCLUDING DWELLINGS; IN GARAGES; IN BATHROOMS INCLUDING CIRCUIT TO FIXTURES WITHIN 8 FT. VERTICAL 3 FT. HORIZONTAL ZONE OF TUBS AND SHOWERS; AND WITHIN 6 FT. OF ANY SINKS.

- ⊕ - DUPLEX RECEPTICAL
- ⊕ - 208 V WATER HTR.
- ⊙ - 75 W. RECESSED INSUL. RATED
- + - CEILING FAN OUTLET
- ▲ - TELEPHONE OUTLET
- Comb. EXIST. EMER. BATT. BACK UP
- PANEL BOARD


30'-0"
29'-9"
44'-6"
22'-3"
22'-3"
29'-9"
30'-0"
OFFICE
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SUP-41583 - APPLICANT: COMMUNITY COUNSELING CENTER - OWNER: 714 EAST SAHARA AVENUE, LLC
714 EAST SAHARA AVENUE

05/05/11

community
COUNSELING CENTER
OF SOUTHERN NEVADA
A NONPROFIT/PRIVATE CORPORATION

April 19, 2011

RE: Community Counseling Center
Business License #: N35-00003

To Whom It May Concern:

Community Counseling Center (CCC) is a non-profit, outpatient counseling center that provides counseling services for mental health issues such as assault, anger management, depression, and grief. CCC began as a reaction to the AIDS pandemic and the lack of therapeutic services available to those that are affected/infected by HIV/AIDS.

Additionally, in response to the needs of the Southern Nevada community, CCC also offers substance abuse treatment to those who are mandated to attend through the courts and those self-referred who need a support system to help them remain sober and addiction free. With a staff of 43 employees, we gladly treat families, groups, and individuals and approximately five hundred clients depend on our services monthly. The majority of our clients are under or uninsured and receive services at a reduced rate as determined by a State approved Sliding-Fee Scale. We are funded by the Department of Health and Human Services, Substance Abuse Prevention and Treatment Agency for our substance abuse treatment program and our co-occurring (diagnosis of both mental health and substance abuse) program for $1,350,000.00 annually. We are funded by Clark County Social Services and the City of Las Vegas Neighborhood Services for treatment of clients infected/affected by HIV dealing with substance abuse issues for approximately $400,000.00 annually. We are contracted with TANF (Welfare) to provide services for substance abuse issues for clients on welfare. Child Protective Services (one of our largest referring agencies) refers clients for mental health, substance abuse and family counseling. We are also contracted with Federal Parole and Probation and Pre-trial services for treatment of Federal parolees. Additionally, Community Counseling Center was granted $1.7 million dollars from Clark County for building reconstruction. To date, Community Counseling Center is the only counseling center in Las Vegas to have received national accreditation from the Council on Accreditation and is also accredited by United Way.

Community Counseling Center, however, does not and has never treated sex-offenders or violent criminals, though we have treated victims of such crimes.

CCC has been in operation for over twenty-one years. Nineteen of those years were spent at the same address at 1120 Almond Tree Lane, Las Vegas, Nevada. CCC owns that building, and we are about two years from paying off our mortgage. It was our intention that we would remain at that location for many years to come.

On December 26th, 2010, Community Counseling Center suffered a fire at the hands of an arsonist. Thankfully, the agency was closed for the holiday so no staff or clients were present and, therefore, no physical injuries occurred. However, the damage to our building caused us to immediately seek a new office location in order to continue operation. It was our hope that we could find a place temporarily while the building was repaired. However, it was discovered that our building contained asbestos. This finding required our building to be tested and cleaned before the repair efforts could even begin. This further delayed our hopes of moving quickly back into our building. The asbestos has been removed and the building has been cleaned. While the majority of the building is now functional, repair work on the fire damaged area is just now beginning. It is likely that it will take several months before the building can be restored to its full functionality.

In an effort to find temporary office space, we began leasing the property at 714 E. Sahara Ave. Suite #101, Las Vegas, Nevada 89104. This property is less than half a mile away from our original location and is still accessible to the bus routes used by a large number of our clients. Though it meets our needs, many clients and staff prefer our

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former building, but as stated above, we will have to remain at our temporary location for several months. That approximation of time, of course, is only if everything goes as planned.

The services that CCC provides greatly benefit the Las Vegas community. Our existence as an agency, regardless of our location, does not pose any hindrance or threat to neighboring businesses. Rather, our presence is an example of why non-profits struggle to serve its clients even amid adversity and hardship. We reestablished operations only six days after the fire ravaged our building. Even then, our staff rallied to continue services to the many clients intent on resuming their daily sessions. All of our counselors are licensed or certified by the State of Nevada and authorized to provide treatment. CCC is funded in part by city, state, and federal funds and a majority of those funds are strictly set aside for substance abuse services. Without the ability to provide substance abuse counseling, more than half of our staff is currently unable to do their jobs, and many of our clients are left without services.

We are requesting two Special Use Permits. A "Social Service Provider" Special Use Permit and a "Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse" Special Use Permit to allow us to provide outpatient mental health and substance abuse counseling for individual counseling and group counseling sessions. Please consider that CCC did not wish to move to a new location, even temporarily, but was forced to move due to the emergent nature of being victimized by a violent crime. With our former building decimated by the arsonist, we still consider ourselves to be in an "emergency operation status". It is understood that the process of acquiring a Special Use Permit for substance abuse treatment could take as long as three months and that, even then, one may not be granted. We are hoping that the City of Las Vegas has established allowances for businesses who face similar predicaments, and that a resolution can be made which will expedite our plea. The sooner we can obtain our business license, the sooner we can resume our substance abuse services and regain our foothold as a fully productive agency serving the Las Vegas community.

Community Counseling Center was begun as a response to a community crisis and, twenty-one years later, finds itself in a crisis of its own. Please aid the agency staff and the clients we serve by providing a timely resolution to allow us to continue our services and grant us a Social Service Provider Special Use Permit and a Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse Special Use Permit.

Thank you for your time.

Sincerely,

Ronald W Lawrence

Ronald W. Lawrence, MS, MFT, LADC-S
Executive Director

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MAY 12 2011

SUP-41583
REVISED

Community Counseling Center
Grant Awards Chart

Grant	Monthly Amount	Annual Amount	Purpose	Grant Cycle	Administering Agency
SAPTA	$ 69,823.00	$ 837,880.00	Substance Abuse Tx	07/09-06/10	Substance Abuse Prevention & Treatment Agency
RW C	$ 2,248.75	$ 40,185.00	HIV Counseling (women/families emphasized)	03/09-02/10	University Medical Center
Prevention (P5)	$ 7,500.00	$ 90,000.00	HIV Prevention Hispanic	01/10-12/10	Southern Nevada Health District
RW A	$ 15,130.00	$ 181,562.01	HIV Substance Abuse and Mental Health	03/10-02/11	Clark County Social Services
TANF Contract	$ 666.00	$ 8,000.00	Substance Abuse for persons on Welfare	07/10-06/11	State of Nevada Welfare Department
Federal Probation Contract	$ 5,000.00	$ 60,000.00	Substance Abuse/Mental Health	01/10-12/10	US District Court
CDBG-Mental Health	$ 2,298.00	$ 39,577.00	Mental Health	07/10-06/11	City of LV Neighborhood Services
City of LV-HOPWA	$ 7,175.00	$ 86,100.00	HIV Service	07/10-06/11	City of LV Neighborhood Services
MGM/Mirage Voice	$ 5,297.00	$ 63,563.00	Family Mental Health	07/10-06/11	MGM Mirage
RW B	$ 5,500.00	$ 66,000.00	Outreach/Conference	03/10-02/11	State of Nevada Community Health
Recovery Act STOP Grant			Women in Trauma	07/09-12/10	State of Nevada Office of the Attorney General
SAPTA COD	$ 42,917.00	$ 515,000.00	Mental Health/Substance Abuse Tx	07/10-06/11	Substance Abuse Prevention & Treatment Agency
United Way			Mental Health	01/10-12/10	United Way of Southern Nevada
Catholic Healthcare West			Mental Health	01/10-12/10	CHW Community Grants
Sex Assault Provider		$49,861.00	Sexual Assault Victims only	9/1/10-12/31/11	State of Nevada Office of the Attorney General
CDBG Reconstruction		$1,700,000.00	Building Reconstruction	7/1/2011	Clark County
Total:	**$ 163,554.75**	**$ 2,899,848.01**			
				updated 5.04.11	

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City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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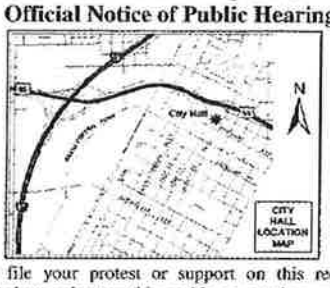

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-41583
City Council Meeting of 7/20/2011

MY BROTHER-IN-LAW'S CO L L C
%MY SISTER'S COMPANY L L C
1220 ALDERTON LN
LAS VEGAS NV 89144-6523

APN#16203801089

67 FRDFN11 89144

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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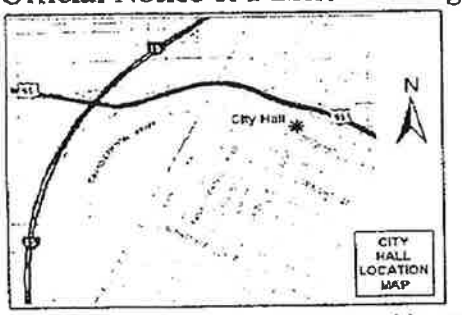

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SUP-41583
City Council Meeting of 7/20/2011

TUMA SAMIR & GRACE I
QUSSINY MICHAEL & BAYAN
9246 MEMORIAL DR
HOUSTON TX 77024-5817

APN#16210112001

99 PROFMIL 77024

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

7136865072 p.1

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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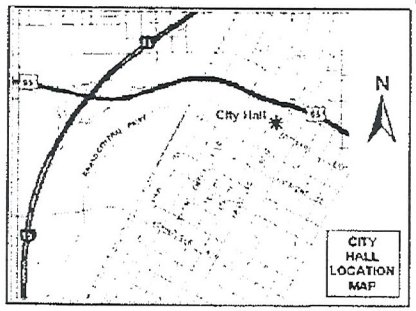
Official Notice of Public Hearing



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SUP-41583

Planning Commission Meeting of 6/14/2011

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SUP-41583

16210112001
TUMA SAMIR & GRACE I
9246 MEMORIAL DR
HOUSTON TX 77024-5817

93 DRDFM1 77024

Jun 06 11 05:50p Tuma

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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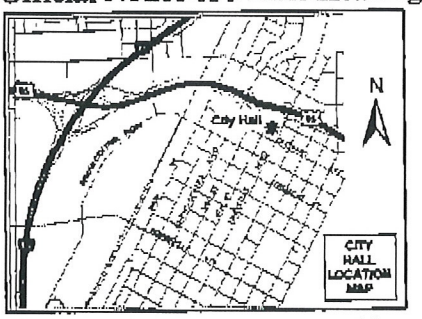

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☐ I SUPPORT this Request

☑ I OPPOSE this Request

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SUP-41583
Planning Commission Meeting of 6/14/2011

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JUN - 6 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SUP-41583
16203421019
LEAVITT JACK FAMILY TR DISTR TR
601 E BRIDGER AVE
LAS VEGAS NV 89101-5805

SO DRDFN11 89101

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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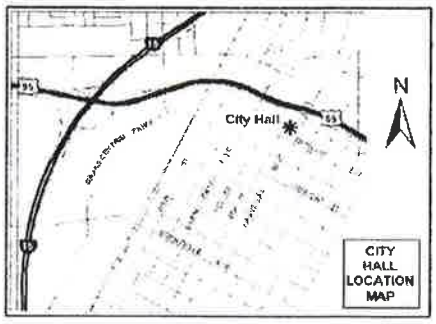

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SUP-41583

Planning Commission Meeting of 6/14/2011

No No No

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

16203420003 Case: SUP-41583
BEAN SUZANNE L
2012 BEVERLY WY
LAS VEGAS NV 89104-2727

MAP

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 Department of Planning, Case Planning Division 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.

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SUP-41583

Planning Commission Meeting of 6/14/2011

16210501002 Case: SUP-41583
T W J PALMS L L C
%FLORIDA EAST COAST REALTY
100 S BISCAYNE BLVD #900
MIAMI FL 33131-2031

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SUP-41583

Planning Commission Meeting of 6/14/2011

Case: SUP-41583
16203419017
PROCK SR FAMILY TRUST
6680 ISOLATED AVE
LAS VEGAS NV 89110-5156

22 DRDFM11 8910

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City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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PLANNING & DEVELOPMENT

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☑ I OPPOSE this Request

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SUP-41583

Planning Commission Meeting of 6/14/2011

Case: SUP-41583

16203421005
DAPHNEY IRREVOCABLE TRUST
4769 SPINDLERIDGE CIR
LAS VEGAS NV 89147-5272

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City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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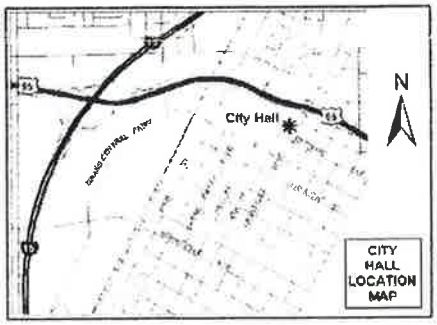

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-41583
Planning Commission Meeting of 6/14/2011

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JUN - 8 2011

Case: SUP-41583
16203810012
ZULEY RANDALL B & MIGNON M
2105 ALHAMBRA CIR
LAS VEGAS NV 89104-2910

50 P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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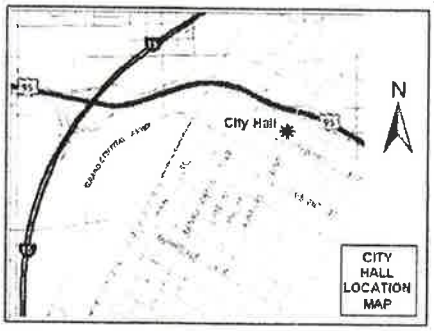

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Please use available blank space on card for your comments.

SUP-41583

Planning Commission Meeting of 6/14/2011

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JUN - 8 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT
Case: SUP-41583

16203419006
BAEZ LEO P & CONSUELO R
2105 VAN PATTEN PL
LAS VEGAS NV 89104-2755

50 A

City of Las Vegas Agenda Item No.: **94.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: JULY 20, 2011

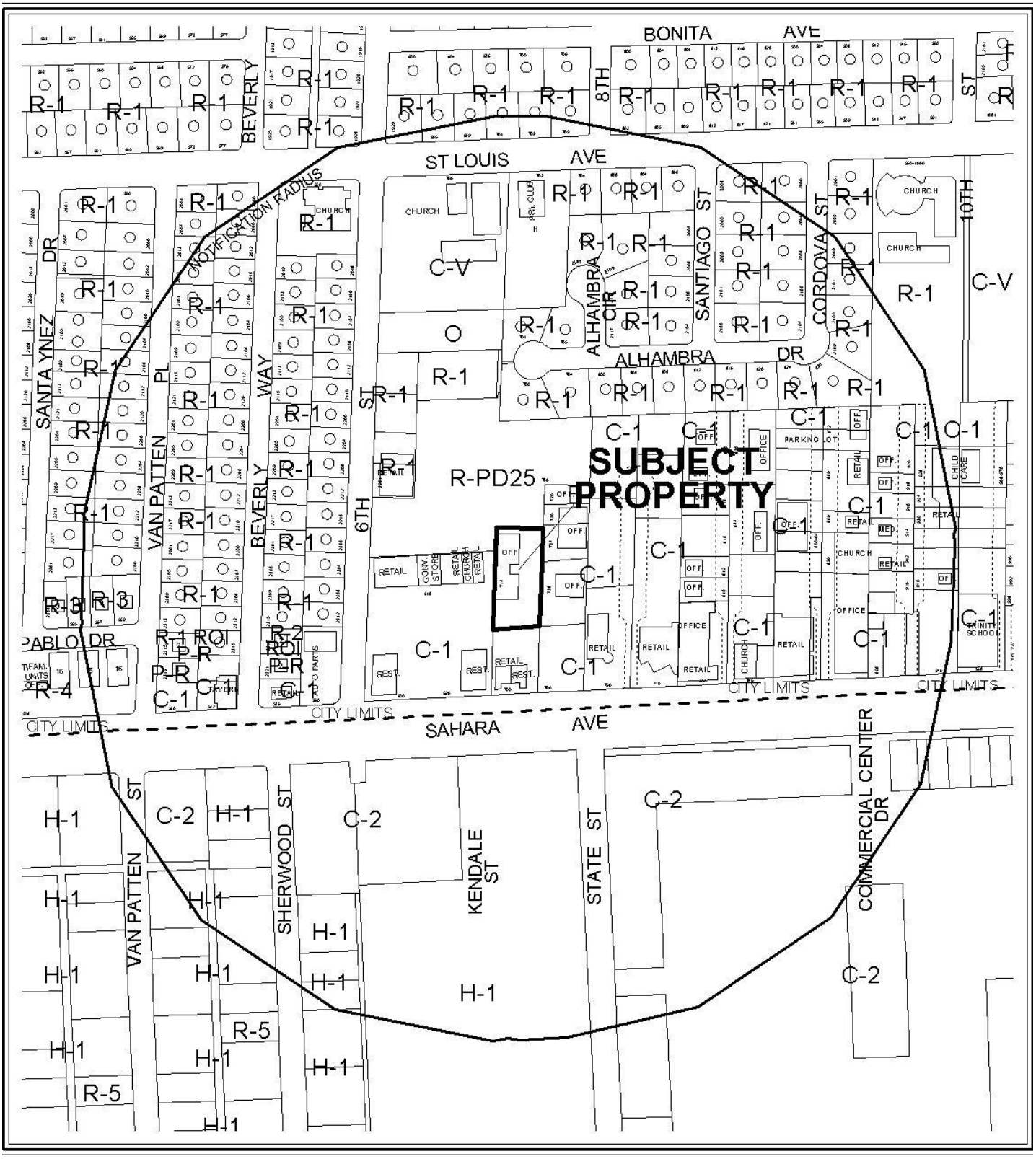
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
SUP-41584 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: COMMUNITY COUNSELING CENTER - OWNER: 714 EAST SAHARA AVENUE, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 17,088 SQUARE-FOOT SOCIAL SERVICE PROVIDER at 714 East Sahara Avenue (APN 162-03-801-056), C-1 (Limited Commercial) Zone, Ward 3 (Coffin). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**2**	**Planning Commission Mtg.**	**0**
City Council Meeting	**2**	**City Council Meeting**	**0**

RECOMMENDATION:
The Planning Commission (7-0 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo
5. Justification Letter
6. Protest Postcards
7. Backup referenced from the June 14, 2011 Planning Commission Meeting Item – SUP-41584



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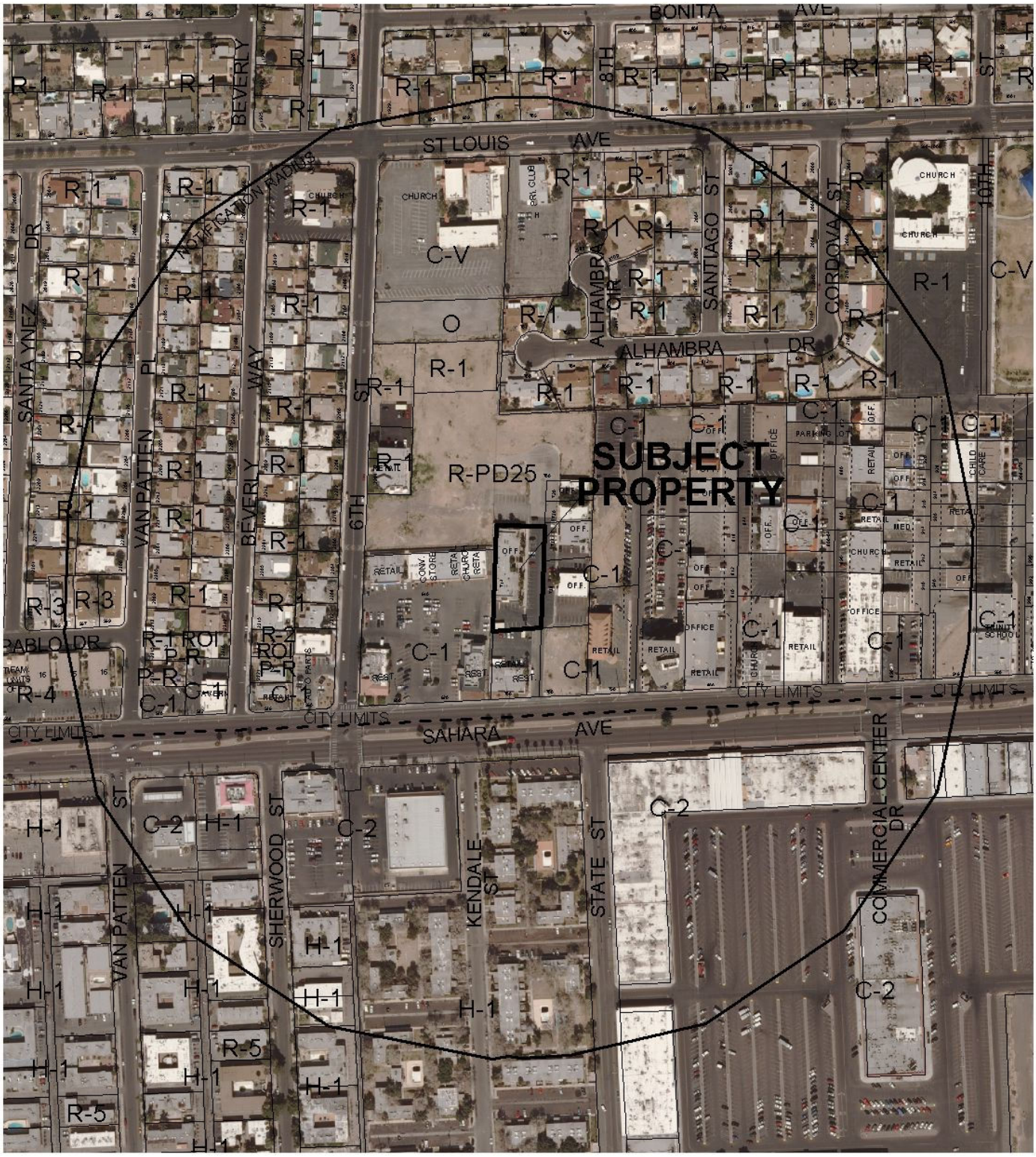
CASE: **SUP-41584**

RADIUS: 1000 FT

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

N



0 300 600 Feet

CASE: **SUP-41584**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 20, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: COMMUNITY COUNSELING CENTER - OWNER: 714 EAST SAHARA AVENUE, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-41584	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-41584 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Social Service Provider use.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Department.

4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed 17,088 square-foot Social Service Provider use at 714 East Sahara Avenue. The proposed use complies with all Title 19.04 requirements and can be conducted in a manner that is harmonious and compatible with existing surrounding development and land uses; therefore, staff recommends approval with conditions. If this application is denied, the proposed Social Service Provider use cannot be located within the subject site, nor can a business license be obtained for the use at this location.

ISSUES

- A Social Service Provider use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.
- This item has been deemed a Project of Regional Significance. No comments were received from other agencies.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
05/17/06	The City Council approved 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.
06/14/11	The Planning Commission voted to recommend APPROVAL of a Special Use Permit (SUP-41583) for a proposed 17,088 square-foot Facility to provide Testing, Treatment or Counseling for Drug or Alcohol Abuse use at 714 East Sahara Avenue.
06/14/11	The Planning Commission voted (7-0) to recommend APPROVAL (PC Agenda Item 51/rg).

Most Recent Change of Ownership	
07/29/09	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
09/27/73	A building permit (#13144) was issued for an Office Building at 714 East Sahara Avenue. The permit was finalized on 03/25/74.
04/02/90	A business license (N35-00003) was issued for Family Counseling at 714 East Sahara Avenue, Suite #101. The license issuance was for a change of location from 1120 Almond Tree Lane to 714 East Sahara Avenue.
04/21/11	A building permit (#186205) was issued for non-work certificate of occupancy for an Office at 714 East Sahara Avenue. The permit was finalized on 04/27/11.

Pre-Application Meeting	
04/21/11	A pre-application meeting was held with the applicant to discuss the submittal requirements for a Special Use Permit for a Social Service Provider. The Special Use Permit request will require a Project of Regional Significance form since the site is located within 500 feet of unincorporated Clark County. The site plan indicates 36 parking spaces and the previous use of the building was Office, Other than Listed. Pursuant to Title 19.10.010, the subject site is a Parking-Impaired Development. The proposed use will be transferring from 1120 Almond Tree Lane.

Neighborhood Meeting	
05/31/11	A neighborhood meeting was held at 1140 Almond Tree Lane, Suite #312, Las Vegas, NV 89104 at 6:00 p.m. There were two members of the public, five representatives for the applicant and a member of the Planning and Development staff present. • The applicant briefly reviewed the proposed use and the history of their operation. • The members of the public who were in attendance stated that the applicant had been a good neighbor, and that they were supportive of the applications.

Field Check	
05/05/11	A site visit by staff noted that the office building and property are well maintained.

Details of Application Request	
Site Area	
Net Acres	0.66

Surrounding Property	*Existing Land Use Per Title 19.04*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	Office	C (Commercial)	C-1 (Limited Commercial)
North	Undeveloped	SC (Service Commercial)	R-PD25 (Residential Planned Development – 25 Units per Acre)
South	Retail	C (Commercial)	C-1 (Limited Commercial)
East	Office	C (Commercial)	C-1 (Limited Commercial)
West	Undeveloped	SC (Service Commercial)	R-PD25 (Residential Planned Development – 25 Units per Acre)
	Shopping Center	C (Commercial)	C-1 (Limited Commercial)

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area			
Beverly Green / Southridge Neighborhood	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
A-O (Airport Overlay) District (175 feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance	X		Y

DEVELOPMENT STANDARDS

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Street Width (Feet)*	*Compliance with Street Section*
Sahara Avenue	Primary Arterial,	Master Plan of Streets and Highways	140*	Y

*Per Master Plan of Streets and Highways, the street width is 100 feet.

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

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Social Service Provider	17,088 SF	1/300 SF	57				
TOTAL SPACES REQUIRED			57		34		Y*
Regular and Handicap Spaces Required			54	3	32	2	Y*

*Pursuant to Title 19.10.010 (C), the site is a parking-impaired development.

ANALYSIS

A Social Service Provider use is defined by Title 19.20.020 as "a facility that provides assistance to persons with limited ability for self-care, but for whom medical care is not a major element. The term includes a facility that provides assistance concerning psychological problems, employment, learning disabilities or physical disabilities, but does not include a rescue mission or homeless shelter, or an adult day care center." The applicant provides supportive services to individuals with mental health, assault, anger management and family counseling.

The applicant has been operating at 1120 Almond Tree Lane for 19 years. The request for the Special Use Permit is for a change of location to 714 East Sahara Avenue, due to fire damage at 1120 Almond Tree Lane. The proposed Social Service Provider use employs 43 people and will serve 500 clients monthly. There were not service calls to the Las Vegas Metropolitan Police Department at both locations. There were Code Enforcement cases at 1120 Almond Tree Lane and all cases have been resolved, and there are no Code Enforcement violations at 714 East Sahara Avenue

The proposed location at 714 East Sahara Avenue contains an existing 17,088 square-foot, two-story office building. The submitted floor plans indicates both stories will be utilized by the proposed use. The site plan indicates 34 parking spaces and the required parking is for 57 spaces by current parking standards. Pursuant to Title 19.10.010 (C), the site is parking-impaired development, and the proposed use's parking requirement is the same as the previous use as Office, Other than Listed; therefore, no additional parking is required.

Comments were received from the Las Vegas Valley Water District (LVVWD), and include the following: Existing 2" meter with 2" DCVA. If fire flow requirements change, potential meter and backflow changes may be required. If fire flow changes, civil plans will need to be submitted to LVVWD.

The subject property is located within the Beverly Green/Southridge Neighborhood and Airport Overlay District with 175 feet height restrictions. The proposed use would not have a negative impact relating to the Special Area Plan and Overlay District. There are no issues, goal or strategies outlined in the Beverly Green/Southridge Neighborhood Plan that relate to the proposed use. The Social Service Provider use can be conducted in a manner that is harmonious and compatible with the existing uses and future surrounding land uses; therefore, staff recommends approval with conditions.

FINDINGS (SUP-41584)

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 Social Service Provider use will be located within an existing office building. The proposed use can be conducted in a manner that is harmonious and compatible with the uses at the existing site 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 Social Service Provider 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.**

   Site access to the property is provided from Sahara Avenue via a 40-foot wide easement. This street is sufficient in size to accommodate the needs of the proposed Social Service Provider 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.**

   Approval of a Special Use Permit for this use will not compromise the public, health, safety, or welfare, as the use is subject to licensing and inspections by the City of Las Vegas.

5. The use meets all of the applicable conditions per Title 19.04.

There are no minimum use requirements for a Social Service Provider use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 14

NOTICES MAILED 207 (By City Clerk)

APPROVALS 0

PROTESTS 2

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-41584** APN: 162-03-801-056

Name of Property Owner: 714 E. Sahara Ave. LLC

Name of Applicant: Community Counseling Center

Name of Representative: Ron Lawrence Community Counseling Center

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

☐ **Yes** ☒ **No**

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

City Official: n/a

Partner(s): n/a n/a

APN: n/a

Signature of Property Owner: Kevin Ellis

Print Name: Kevin Ellis Authorized Agent for ICA Mortgage Capital LLC owner of 714 E Sahara LLC

Subscribed and sworn before me

This 22nd day of April, 2011

Kenna S. DeBlase-Johnson, KS

Notary Public in and for said County and State

KENNA S. DEBLASE
Notary Public, State of Kansas
My Appt. Expires 6-5-2013

RECEIVED
APR 28 2011

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Community Counseling Center

Project Address (Location) 714 E Sahara Ave., Las Vegas, NV 89104

Project Name Community Counseling Center **Proposed Use** social service provider

Assessor's Parcel #(s) 162-03-801-056 **Ward #** _____

General Plan: existing C proposed N/A **Zoning:** existing C-1 proposed N/A

Commercial Square Footage 12,000 **Floor Area Ratio** N/A

Gross Acres .66 **Lots/Units** N/A **Density** N/A

Additional Information N/A

PROPERTY OWNER 714 E. Sahara Avenue, LLC **Contact** ICA Mortgage Capital LLC

Address 10740 Nall Avenue, Suite 215 **Phone:** (913) 649-0705 **Fax:** (312) 873-4152

City Overland Park **State** KS **Zip** 66211

E-mail Address KevinE@icadv.com

APPLICANT Community Counseling Center **Contact** Ron Lawrence

Address 714 E Sahara Ave **Phone:** (702) 369-8700 **Fax:** (702) 369-8489

City Las Vegas **State** NV **Zip** 89104

E-mail Address CCC@CCCOFSN.org

REPRESENTATIVE Community Counseling Center **Contact** Ron Lawrence

Address 714 E Sahara Ave **Phone:** (702) 369-8700 **Fax:** (702) 369-8489

City Las Vegas **State** NV **Zip** 89104

E-mail Address ronlawrence89104@yahoo.com

Property Owner Signature* Kevin Ellis

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

Print Name Kevin Ellis auth. agent ICA Mortgage Capital LLC COTRUSTEE OF ICA 2006 LOAN TRUST II

Subscribed and sworn before me

This 22nd day of April, 20 11.

Kenna S. DeBlase

Notary Public in and for said County and State Johnson, Kansas

KENNA S. DEBLASE
Notary Public, State of Kansas
My Appt. Expires 6-8-2013

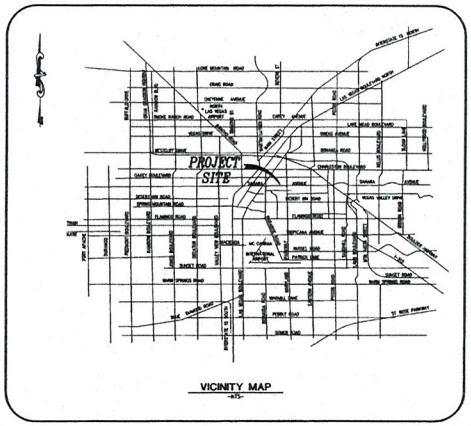
Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SUP-41584
Meeting Date:	6/14/11 PC
Total Fee:	$1,030
Date Received:*	4-28-11
Received By:	

RECEIVED
APR 28 2011

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



VICINITY MAP

EASEMENTS

EXCEPTION NO.5 – PATENT EASEMENT FROM THE STATE OF NEVADA, RECORDED JANUARY 3, 1908, IN BOOK "Y" OF MISCELLANEOUS RECORDS, PAGES 377 AND 388 OF LINCOLN COUNTY, NEVADA OFFICIAL RECORDS.

AFFECTS ALL OF DESCRIBED PROPERTY – NOT ABLE TO PLOT.

EXCEPTION NO.6 – EASEMENT IN FAVOR OF NEVADA POWER COMPANY, RECORDED APRIL 12, 1962 IN BOOK 353 AS INSTRUMENT NO. 285433 OF OFFICIAL RECORDS.

SHOWN ON SURVEY

EXCEPTION NO.7 – RIGHT OF WAY & EASEMENT IN FAVOR OF LAS VEGAS VALLEY WATER DISTRICT, RECORDED FEBRUARY 19, 1964 IN BOOK 515 AS INSTRUMENT NO. 414805 OF OFFICIAL RECORDS.

SHOWN ON SURVEY

EXCEPTION NO.8 – RIGHT OF WAY & EASEMENT IN FAVOR OF LAS VEGAS VALLEY WATER DISTRICT, RECORDED FEBRUARY 19, 1964 IN BOOK 515 AS INSTRUMENT NO. 414806 OF OFFICIAL RECORDS.

SHOWN ON SURVEY

EXCEPTION NO.9 – COVENANTS, CONDITIONS AND PROVISIONS IN DECLARATION OF EASEMENTS, RECORDED AUGUST 1, 1968, IN BOOK 891 AS INSTRUMENT NO. 715756 AND AMENDED SEPTEMBER 3, 1968 IN BOOK 897 AS INSTRUMENT NO. 720230 OF OFFICIAL RECORDS.

SHOWN ON SURVEY

EXCEPTION NO.10 – RIGHT OF WAY & EASEMENT IN FAVOR OF LAS VEGAS VALLEY WATER DISTRICT, RECORDED AUGUST 23, 1968 IN BOOK 895 AS INSTRUMENT NO. 718629 OF OFFICIAL RECORDS.

SHOWN ON SURVEY

EXCEPTION NO.11 – RIGHT OF WAY & EASEMENT IN FAVOR OF SOUTHWEST GAS CORPORATION, RECORDED MARCH 22, 1974 IN BOOK 411 AS INSTRUMENT NO. 3701.38 OF OFFICIAL RECORDS.

SHOWN ON SURVEY

EXCEPTION NO.12 – RIGHT OF WAY & EASEMENT IN FAVOR OF NEVADA POWER COMPANY, RECORDED FEBRUARY 7, 1996 IN BOOK 960207 AS INSTRUMENT NO. 00796 OF OFFICIAL RECORDS.

AFFECTS ALL OF PARCEL I – NOT ABLE TO PLOT

PARKING

34	REGULAR SPACES
2	HANDICAP SPACES
36	TOTAL SPACES

THE ABOVE PARKING COUNTS REPRESENTS PARKING SPACES LOCATED ON DESCRIBED PROPERTY

SURVEYOR'S COMMENTS

1. THE CERTIFYING SURVEYOR HAS NOT MADE AN INDEPENDENT TITLE SEARCH AND HAS RELIED SOLELY ON SUPPLIED DOCUMENTATION SHOWN IN A PRELIMINARY TITLE REPORT PROVIDED BY NATIONAL TITLE COMPANY, ORDER NO. 269346 DATED AUGUST 28, 2006 AND SPECIFICALLY DISCLAIMS ANY ITEMS NOT SHOWN WHICH MAY OR MAY NOT BE OF PUBLIC RECORD THAT MIGHT AFFECT THE PROPERTY SHOWN ON THIS SURVEY.
2. ADDRESS: 714 EAST SAHARA AVENUE, LAS VEGAS, NEVADA 89104
3. TOTAL AREA OF SUBJECT PROPERTY: 28,136 S.F. OR 0.646 ACRES, MORE OR LESS.
4. ASSESSOR'S PARCEL NUMBER: 162-03-801-056
5. SUBJECT PROPERTY HAS EVIDENCE OF RECENT CONSTRUCTION
6. SUBJECT PROPERTY HAS NO OBSERVABLE EVIDENCE OF BEING USED AS A SOLID WASTE DEPOSITORY, DUMP, OR LANDFILL.
7. SUBJECT PROPERTY HAS NO OBSERVABLE EVIDENCE OF CEMETERIES OR BURIAL GROUNDS.
8. THERE ARE NO ENCROACHMENTS ON DESCRIBED PROPERTY. EXISTING WALLS RUN ALONG DESCRIBED PROPERTY LINES

SURVEYOR'S CERTIFICATE

TO ZGMUNT AMARETTI, JOANNA M. RYBAK, ICA MORTGAGE CAPITAL, LLC, AND NATIONAL TITLE COMPANY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MASE UNDER THE DIRECT SUPERVISION AND CONTROL OF THE UNDERSIGNED IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2005, AND INCLUDES ITEMS 2, 3, 4, 6, 7(a), 7(b)(1), 8, 9, 10, 11(a), 13, 14, 16, AND 18 OF TABLE A THEREOF AND PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF NEVADA, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN. THIS SURVEY WAS COMPLETED ON OCTOBER 5, 2006.

JERRY A. COOK, JR.
PROFESSIONAL LAND SURVEYOR
NEVADA CERTIFICATE NO. 9388

10/05/2006
DATE

PROFESSIONAL LAND SURVEYOR – STATE OF NEVADA – JERRY A. COOK, JR. – EXPIRES 12-31-08 – 9388

10/5/06

SETBACK, HEIGHT & BULK RESTRICTIONS

PER CITY OF LAS VEGAS, NEVADA ZONING CODE

ZONE C-1	LIMITED COMMERCIAL DISTRICT
FRONT SETBACK	20 FEET
INTERIOR SIDE SETBACK	10 FEET
CORNER SIDE SETBACK	15 FEET
REAR SETBACK	20 FEET
BUILDING HEIGHT	4/A
LOT COVERAGE	50 PERCENT

FLOOD INSURANCE DATA

FLOOD ZONE DESIGNATION "X" PER F.E.M.A. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 32003C2170 E, DATED SEPTEMBER 27, 2002.

ZONE "X" – AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

(THE ABOVE STATEMENT IS FOR INFORMATION ONLY AND THE SURVEYOR ASSUMES NO LIABILITY FOR THE CORRECTNESS OF THE CITED MAP OR THE LOCATION OF THE FLOOD ZONE BOUNDARY. IN ADDITION, THE ABOVE STATEMENT DOES NOT REPRESENT THE SURVEYOR'S OPINION OF THE PROBABILITY OF FLOODING.)

LEGAL DESCRIPTION

PARCEL I

THAT PORTION OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 3, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.B. & M., DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST (SW) CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 3, AS SHOWN ON SURVEY RECORDED IN FILE 18, PAGE 72; THENCE NORTH 02°11'58" EAST ALONG THE WEST LINE OF THE SAID SOUTHEAST QUARTER (SE 1/4) A DISTANCE OF 50.19 FEET TO A POINT ON THE NORTH LINE OF SAHARA AVENUE; THENCE NORTH 87°12'48" EAST ALONG THE NORTH LINE OF SAHARA AVENUE, A DISTANCE OF 331.25 FEET TO A POINT; THENCE NORTH 02°11'58" EAST, A DISTANCE OF 150.57 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 02°11'58" EAST, A DISTANCE OF 253.13 FEET TO A POINT; THENCE SOUTH 88°10'33" EAST, A DISTANCE OF 112.83 FEET TO A POINT; THENCE SOUTH 01°59'27" WEST, A DISTANCE OF 243.63 FEET TO A POINT; THENCE SOUTH 87°12'48" WEST, A DISTANCE OF 114.13 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL II

A NON-EXCLUSIVE RIGHT OF WAY ANC EASEMENT WITH THE RIGHT OF INGRESS AND EGRESS OVER THE FOLLOWING DESCRIBED PARCEL:

THAT PORTION OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 3, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.B. & M., DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST (SW) CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 3; THENCE NORTH 2°11'58" EAST ALONG THE WEST LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 3, A DISTANCE OF 50.19 FEET TO A POINT ON THE NORTH LINE OF SAHARA AVENUE; THENCE NORTH 87°12'48" EAST ALONG THE SAID NORTH LINE OF SAHARA AVENUE, A DISTANCE OF 420.86 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 1°59'27" EAST, A DISTANCE OF 150.84 FEET TO A POINT; THENCE NORTH 88°00'33" WEST, A DISTANCE OF 14.00 FEET TO A POINT; THENCE NORTH 1°59'27" EAST, A DISTANCE OF 361.78 FEET TO A POINT; THENCE FROM A TANGENT WHOSE BEARING IS THE LAST DESCRIBED COURSE TURNING TO THE LEFT ALONG A CURVE HAVING A RADIUS OF 20.00 FEET AND SUBTENDING A CENTRAL ANGLE OF 32°27'42", AN ARC LENGTH OF 11.33 FEET TO A POINT ON A TANGENT REVERSE CURVE; THENCE TURNING TO THE RIGHT ALONG SAID TANGENT REVERSE CURVE HAVING A RADIUS OF 44.00 FEET AND SUBTENDING A CENTRAL ANGLE OF 212°27'42" AN ARC LENGTH OF 163.16 FEET TO A POINT; THENCE SOUTH 1°59'27" WEST, A DISTANCE OF 393.60 FEET TO A POINT; THENCE NORTH 88°00'33" WEST, A DISTANCE OF 14.00 FEET TO A POINT; THENCE SOUTH 1°59'27" WEST, A DISTANCE OF 149.16 FEET TO A POINT ON THE SAID NORTH LINE OF SAHARA AVENUE; THENCE SOUTH 87°12'48" WEST, A DISTANCE OF 50.17 FEET TO THE TRUE POINT OF BEGINNING.

REVISIONS

No.	Date	CHKD	APPVD

DESIGNED: —
DRAWN: JAC
CHECKED: JAC
JOB NO: 8431.24
SCALE: 1"=80'
DGN#: —
DATE: 10-05-06

Carter :: Burgess
6855 Bermuda Road
Las Vegas, NV 89119
(702) 938-5400 Fax (702) 938-5454

PROJECT: 714 EAST SAHARA AVENUE

DESCRIPTION: ALTA/ACSM LAND TITLE SURVEY

SHEET 1 OF 3

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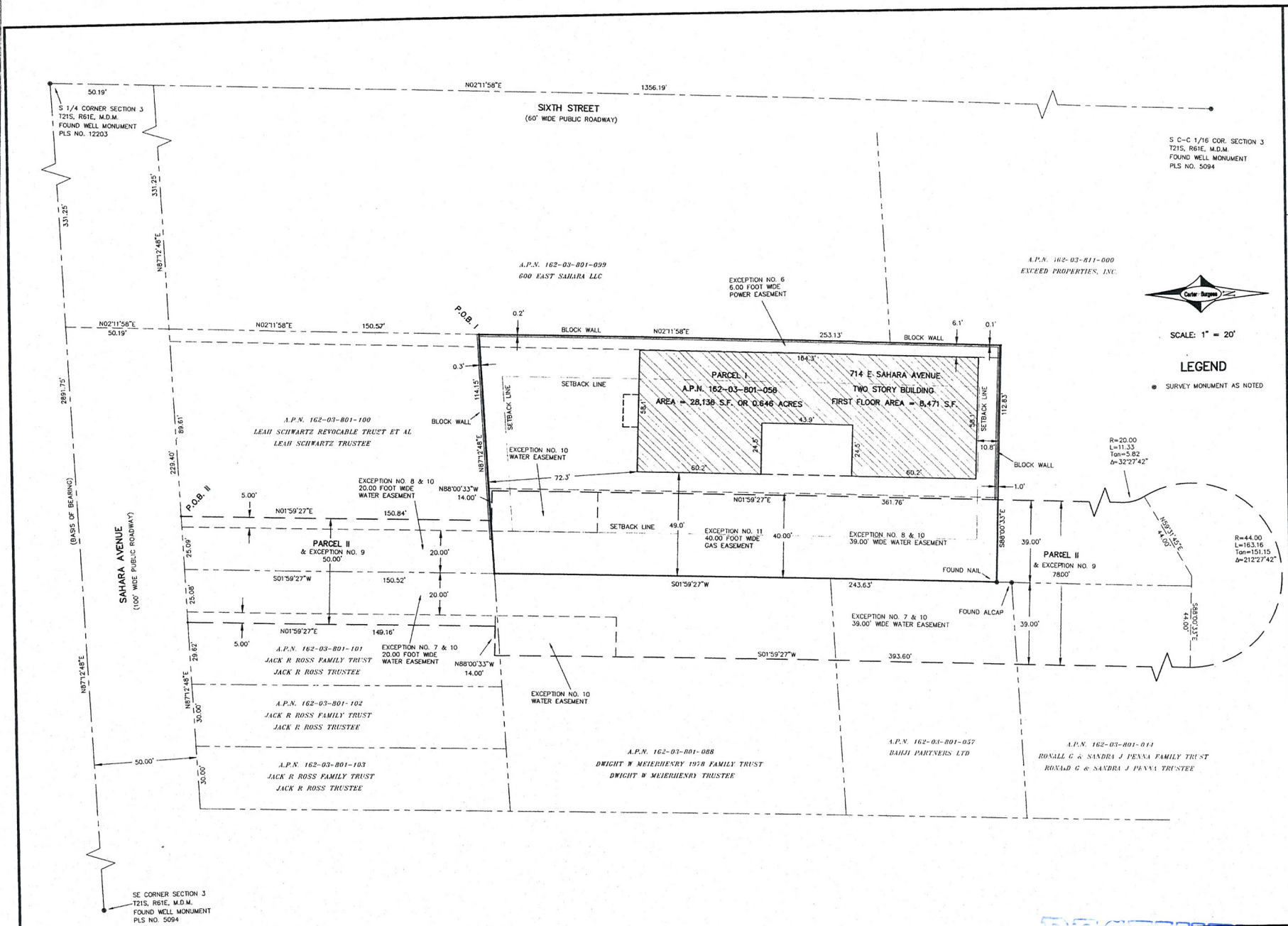
APR 28 2011
SUP-41584



REVISIONS

No.	Date	CHKD	APPD

DESIGNED: —
DRAWN: JAC
CHECKED: JAC
JOB NO: 241774
SCALE: 1"=20'
DATE: 10-05-06

Carter::Burgess
6655 Bermuda Road
Las Vegas, NV 89119
(702) 938-5400 Fax (702) 938-5454

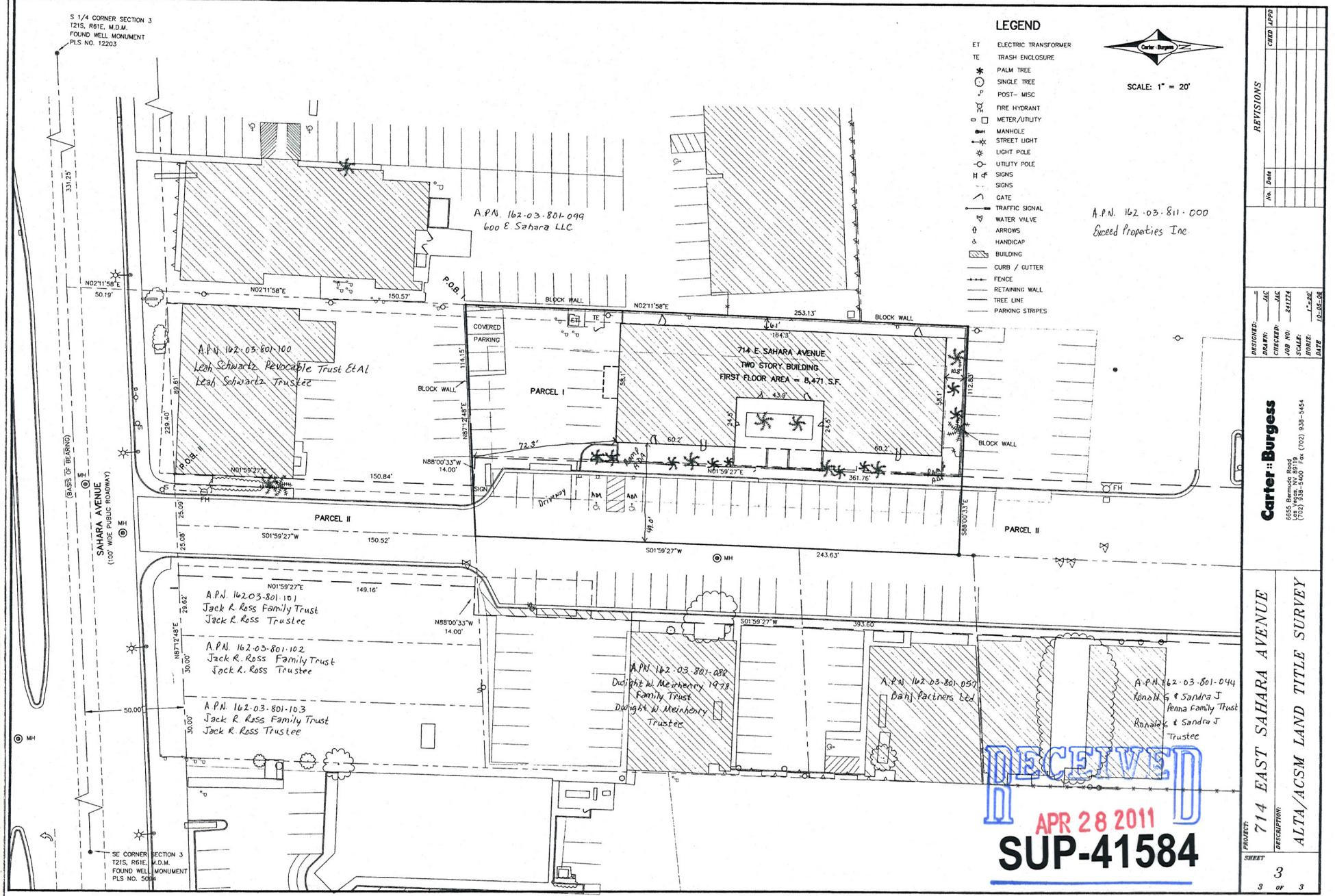
PROJECT: 714 EAST SAHARA AVENUE

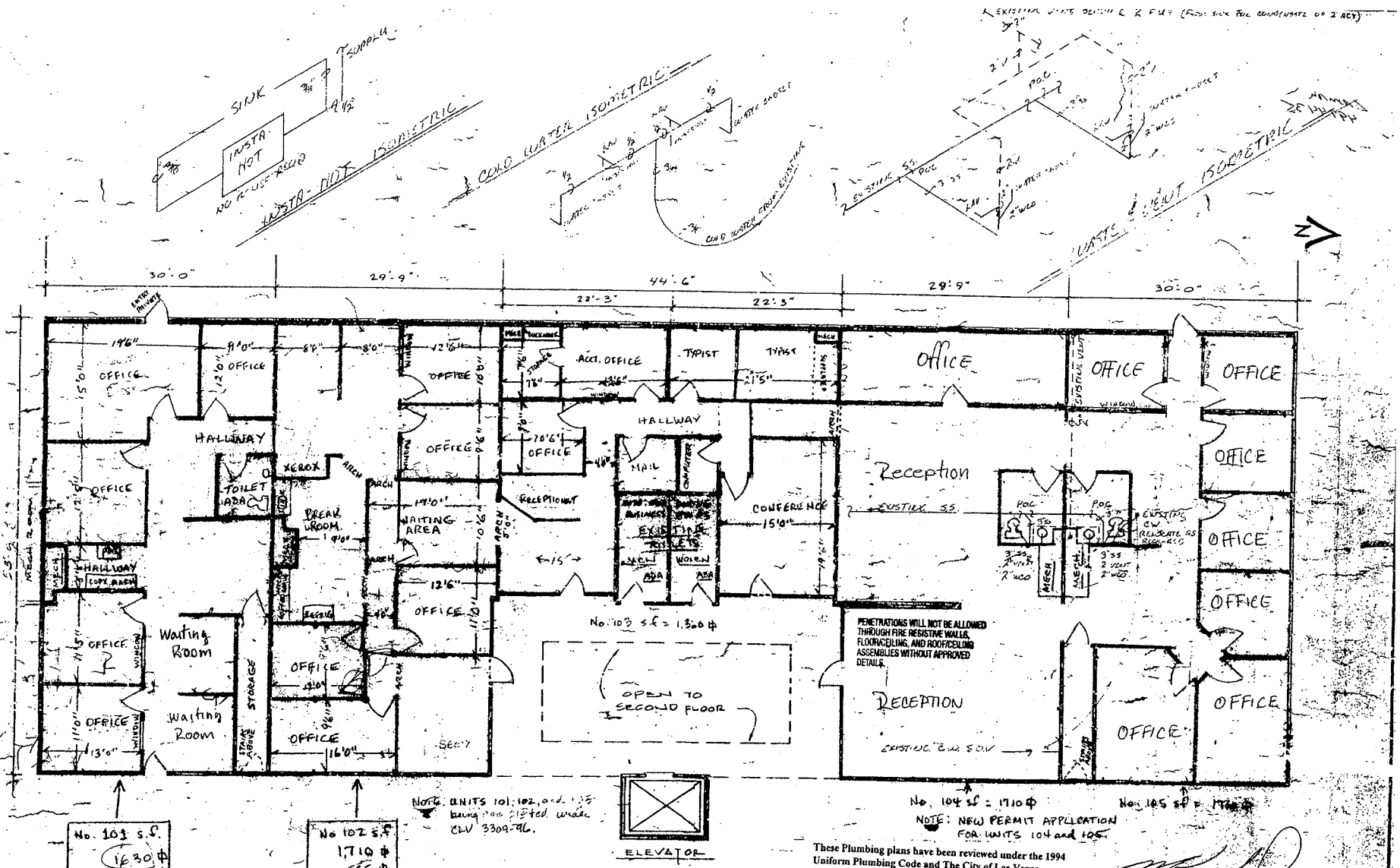
DESCRIPTION: ALTA/ACSM LAND TITLE SURVEY

SHEET 2 OF 3

RECEIVED
APR 28 2011

SUP-41584


S 1/4 CORNER SECTION 3
T21S, R61E, M.D.M.
FOUND WELL MONUMENT
PLS NO. 12203
LEGEND
ET ELECTRIC TRANSFORMER
TE TRASH ENCLOSURE
PALM TREE
SINGLE TREE
POST- MISC
FIRE HYDRANT
METER/UTILITY
MANHOLE
STREET LIGHT
LIGHT POLE
UTILITY POLE
SIGNS
SIGNS
GATE
TRAFFIC SIGNAL
WATER VALVE
ARROWS
HANDICAP
BUILDING
CURB / GUTTER
FENCE
RETAINING WALL
TREE LINE
PARKING STRIPES
SCALE: 1" = 20'
A.P.N. 162-03-801-099
600 E. Sahara LLC
A.P.N. 162-03-811-000
Exceed Properties Inc
A.P.N. 162-03-801-100
Leah Schwartz Revocable Trust Et Al
Leah Schwartz Trustee
714 E. SAHARA AVENUE
TWO STORY BUILDING
FIRST FLOOR AREA = 8,471 S.F.
PARCEL I
PARCEL II
COVERED PARKING
BLOCK WALL
P.O.B. 1
P.O.B. 2
SAHARA AVENUE
(100' WIDE PUBLIC ROADWAY)
(BASIS OF BEARING)
A.P.N. 162-03-801-101
Jack R. Ross Family Trust
Jack R. Ross Trustee
A.P.N. 162-03-801-102
Jack R. Ross Family Trust
Jack R. Ross Trustee
A.P.N. 162-03-801-103
Jack R. Ross Family Trust
Jack R. Ross Trustee
A.P.N. 162-03-801-098
Dwight W. Meinhenry 1978
Family Trust
Dwight W. Meinhenry
Trustee
A.P.N. 162-03-801-057
Bahj Partners Ltd
A.P.N. 162-03-801-044
Ronald G & Sandra J
Penna Family Trust
Ronald G & Sandra J
Trustee
SE CORNER SECTION 3
T21S, R61E, M.D.M.
FOUND WELL MONUMENT
PLS NO. 5058
RECEIVED
APR 28 2011
SUP-41584
REVISIONS
No. Date CHKD APPD
DESIGNED: JAC
DRAWN: JAC
CHECKED: JAC
JOB NO: 241224
SCALE: 1"=20'
DATE: 10-05-10
Carter :: Burgess
6555 Bermuda Road
Las Vegas, NV 89119
(702) 938-5400 Fax (702) 938-5454
PROJECT: 714 EAST SAHARA AVENUE
DESCRIPTION: ALTA/ACSM LAND TITLE SURVEY
SHEET 3 OF 3



These Plumbing plans have been reviewed under the 1994 Uniform Plumbing Code and The City of Las Vegas Supplemental Plumbing Code -Ordinance No. 3910. All Installations shall comply with these documents.

FIRST FLOOR

714 E. SAHARA

PLUMBING NOTES

1. WASTE AND VENTS TO BE PVC
2. WATER PIPING BELOW GRADE TO BE "K" ABOVE SLAB TO BE "M"
3. WATER AND SEWER PIPING TO BE FROM EXISTING STUBS AS SHOWN.
4. VENT EACH FIXTURE PER CHAPTER #9 1994 UPC
5. INSTALL DRAINAGE SYSTEM PER CHAPTER #7 1994 UPC
6. FIELD [illegible] ALL POC FOR WATER AND SEWER
7. ALL [illegible] MUST COMPLY W/ 1994 [illegible]

PLUMBING NOTES

8. ALL FIXTURES MUST COMPLY WITH ALL [illegible] ORDINANCES / F 3410 SECTION 403.2
9. [illegible]

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CONTRACTOR'S SIGNATURE
MICHAEL KNAUFF

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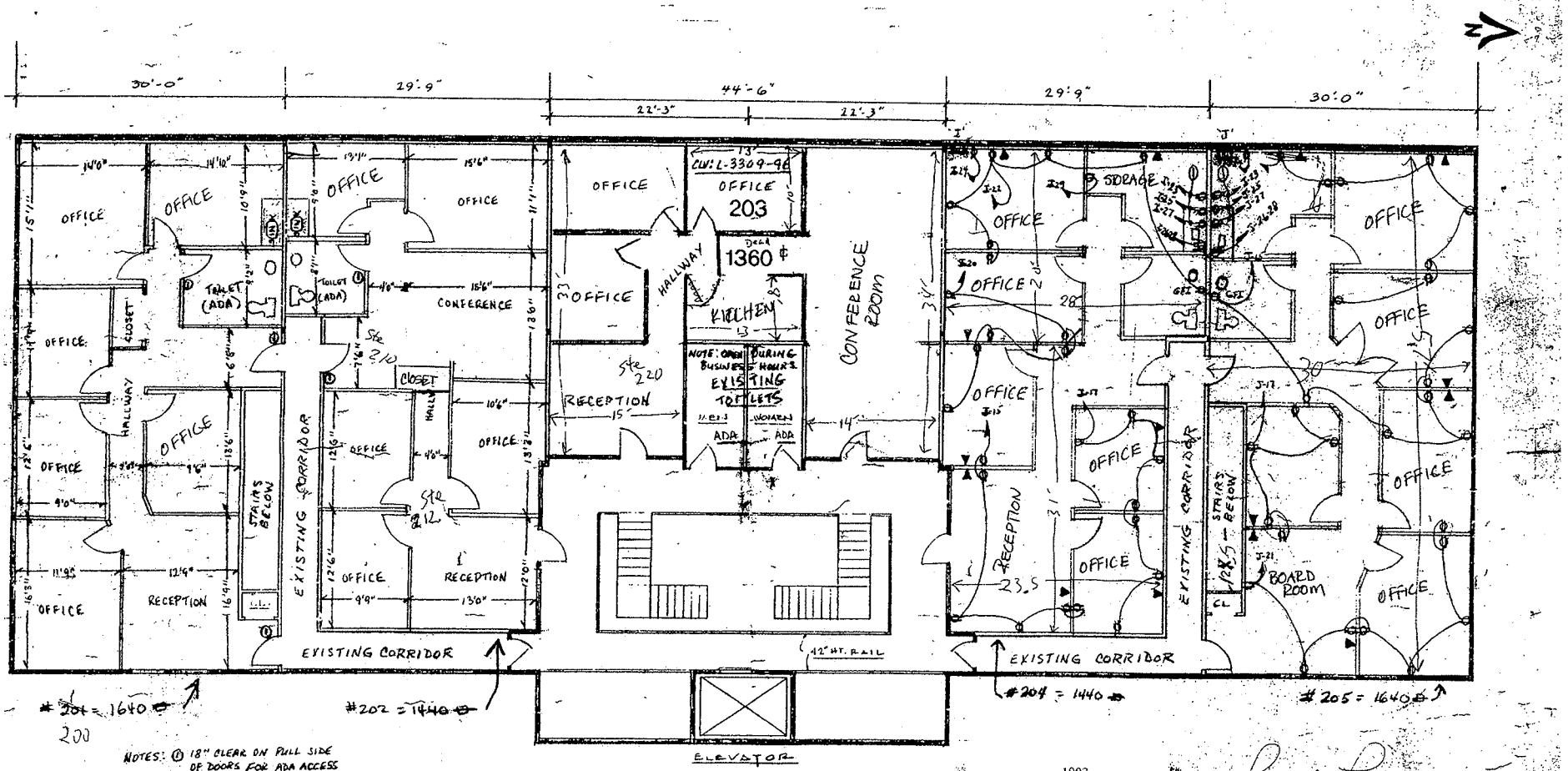
FLOOR PLAN		1ST
SCALE: 1/8"=1'-0"	APPROVED BY: [illegible]	DRAWN BY: KEH
DATE: 1/6/97	NV #0032999	REVISED
714 E. SAHARA BLDG.		
FIRST FLOOR		DRAWING NUMBER: P-1

ALL A/C UNITS, A/H's, PANELS, SUB-FEEDERS, 'MSB', HALL WAY REST Rm's
AND EXTERIOR LIGHTING IS EXISTING
) SEPARATE CIRCUITS, WITH GFCI RECEPTICAL'S EACH.

GFCI PROTECTION REQUIREMENTS:
ALL 125 VOLT OUTLETS: ON BUILDING EXTERIOR TO 6 FT. 6 IN. GRADE ACCESS, AND ON ROOFS EXCLUDING DWELLINGS; IN GARAGES; IN BATHROOMS INCLUDING CIRCUIT TO FIXTURES WITHIN 8 FT. VERTICAL 3 FT. HORIZONTAL ZONE OF TUBS AND SHOWERS; AND WITHIN 6 FT. OF ANY SINKS.

- DUPLEX RECEPTICAL
- 208 V WATER HTR.
- 75 W RECESSED INSUL. RATED
- CEILING FAN OUTLET
- TELEPHONE OUTLET
- COMB. EXIST. EMER. BATT. BACK UP
- PANEL BOARD



NOTES: ① 18" CLEAR ON PULL SIDE OF DOORS FOR ADA ACCESS
PINK EXISTING WALLS
YELLOW NEW WALLS

SECOND FLOOR
714 E. SAHARA

SUITES 204-205 TI'S

1993
NATIONAL
ELECTRICAL CODE
AND
A SUPPLEMENTAL DOCUMENT
COMPLETING THE ELECTRICAL COD
OF THE CITY OF LAS VEGAS, NEVADA

BY ORDINANCE NO. 3626
PASSED, ADOPTED AND APPROVED ON
DECEMBER 7, 1992

SUP-41584

CONTRACTOR'S SIGNATURE
POSER ELECTRIC INC. PH 7337285 MASTER 0146

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SCALE: 1/8" = 1'-0"	APPROVED BY: PERSONAL BUILDING SVC. NV. #0032999	DRAWN BY: KE
DATE: 10/15/96		REVISED
714 E. SAHARA BLDG		
SECOND FLOOR		DRAWING NUMBER E-1



SUP-41584 - APPLICANT: COMMUNITY COUNSELING CENTER - OWNER: 714 EAST SAHARA AVENUE, LLC
714 EAST SAHARA AVENUE

05/05/11

community
COUNSELING CENTER
OF SOUTHERN NEVADA
A NONPROFIT/PRIVATE CORPORATION

April 19, 2011

RE: Community Counseling Center
Business License #: N35-00003

To Whom It May Concern:

Community Counseling Center (CCC) is a non-profit, outpatient counseling center that provides counseling services for mental health issues such as assault, anger management, depression, and grief. CCC began as a reaction to the AIDS pandemic and the lack of therapeutic services available to those that are affected/infected by HIV/AIDS.

Additionally, in response to the needs of the Southern Nevada community, CCC also offers substance abuse treatment to those who are mandated to attend through the courts and those self-referred who need a support system to help them remain sober and addiction free. With a staff of 43 employees, we gladly treat families, groups, and individuals and approximately five hundred clients depend on our services monthly. The majority of our clients are under or uninsured and receive services at a reduced rate as determined by a State approved Sliding-Fee Scale. We are funded by the Department of Health and Human Services, Substance Abuse Prevention and Treatment Agency for our substance abuse treatment program and our co-occurring (diagnosis of both mental health and substance abuse) program for $1,350,000.00 annually. We are funded by Clark County Social Services and the City of Las Vegas Neighborhood Services for treatment of clients infected/affected by HIV dealing with substance abuse issues for approximately $400,000.00 annually. We are contracted with TANF (Welfare) to provide services for substance abuse issues for clients on welfare. Child Protective Services (one of our largest referring agencies) refers clients for mental health, substance abuse and family counseling. We are also contracted with Federal Parole and Probation and Pre-trial services for treatment of Federal parolees. Additionally, Community Counseling Center was granted $1.7 million dollars from Clark County for building reconstruction. To date, Community Counseling Center is the only counseling center in Las Vegas to have received national accreditation from the Council on Accreditation and is also accredited by United Way.

Community Counseling Center, however, does not and has never treated sex-offenders or violent criminals, though we have treated victims of such crimes.

CCC has been in operation for over twenty-one years. Nineteen of those years were spent at the same address at 1120 Almond Tree Lane, Las Vegas, Nevada. CCC owns that building, and we are about two years from paying off our mortgage. It was our intention that we would remain at that location for many years to come.

On December 26th, 2010, Community Counseling Center suffered a fire at the hands of an arsonist. Thankfully, the agency was closed for the holiday so no staff or clients were present and, therefore, no physical injuries occurred. However, the damage to our building caused us to immediately seek a new office location in order to continue operation. It was our hope that we could find a place temporarily while the building was repaired. However, it was discovered that our building contained asbestos. This finding required our building to be tested and cleaned before the repair efforts could even begin. This further delayed our hopes of moving quickly back into our building. The asbestos has been removed and the building has been cleaned. While the majority of the building is now functional, repair work on the fire damaged area is just now beginning. It is likely that it will take several months before the building can be restored to its full functionality.

In an effort to find temporary office space, we began leasing the property at 714 E. Sahara Ave. Suite #101, Las Vegas, Nevada 89104. This property is less than half a mile away from our original location and is still accessible to the bus routes used by a large number of our clients. Though it meets our needs, many clients and staff prefer our

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SUP-41584
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former building, but as stated above, we will have to remain at our temporary location for several months. That approximation of time, of course, is only if everything goes as planned.

The services that CCC provides greatly benefit the Las Vegas community. Our existence as an agency, regardless of our location, does not pose any hindrance or threat to neighboring businesses. Rather, our presence is an example of why non-profits struggle to serve its clients even amid adversity and hardship. We reestablished operations only six days after the fire ravaged our building. Even then, our staff rallied to continue services to the many clients intent on resuming their daily sessions. All of our counselors are licensed or certified by the State of Nevada and authorized to provide treatment. CCC is funded in part by city, state, and federal funds and a majority of those funds are strictly set aside for substance abuse services. Without the ability to provide substance abuse counseling, more than half of our staff is currently unable to do their jobs, and many of our clients are left without services.

We are requesting two Special Use Permits. A "Social Service Provider" Special Use Permit and a "Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse" Special Use Permit to allow us to provide outpatient mental health and substance abuse counseling for individual counseling and group counseling sessions. Please consider that CCC did not wish to move to a new location, even temporarily, but was forced to move due to the emergent nature of being victimized by a violent crime. With our former building decimated by the arsonist, we still consider ourselves to be in an "emergency operation status". It is understood that the process of acquiring a Special Use Permit for substance abuse treatment could take as long as three months and that, even then, one may not be granted. We are hoping that the City of Las Vegas has established allowances for businesses who face similar predicaments, and that a resolution can be made which will expedite our plea. The sooner we can obtain our business license, the sooner we can resume our substance abuse services and regain our foothold as a fully productive agency serving the Las Vegas community.

Community Counseling Center was begun as a response to a community crisis and, twenty-one years later, finds itself in a crisis of its own. Please aid the agency staff and the clients we serve by providing a timely resolution to allow us to continue our services and grant us a Social Service Provider Special Use Permit and a Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse Special Use Permit.

Thank you for your time.

Sincerely,

Ronald W Lawrence

Ronald W. Lawrence, MS, MFT, LADC-S
Executive Director

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Community Counseling Center
Grant Awards Chart

Grant	Monthly Amount	Annual Amount	Purpose	Grant Cycle	Administering Agency
SAPTA	$ 69,823.00	$ 837,880.00	Substance Abuse Tx	07/09-06/10	Substance Abuse Prevention & Treatment Agency
RW C	$ 2,248.75	$ 40,185.00	HIV Counseling (women/families emphasized)	03/09-02/10	University Medical Center
Prevention (P5)	$ 7,500.00	$ 90,000.00	HIV Prevention Hispanic	01/10-12/10	Southern Nevada Health District
RW A	$ 15,130.00	$ 181,562.01	HIV Substance Abuse and Mental Health	03/10-02/11	Clark County Social Services
TANF Contract	$ 666.00	$ 8,000.00	Substance Abuse for persons on Welfare	07/10-06/11	State of Nevada Welfare Department
Federal Probation Contract	$ 5,000.00	$ 60,000.00	Substance Abuse/Mental Health	01/10-12/10	US District Court
CDBG-Mental Health	$ 2,298.00	$ 39,577.00	Mental Health	07/10-06/11	City of LV Neighborhood Services
City of LV-HOPWA	$ 7,175.00	$ 86,100.00	HIV Service	07/10-06/11	City of LV Neighborhood Services
MGM/Mirage Voice	$ 5,297.00	$ 63,563.00	Family Mental Health	07/10-06/11	MGM Mirage
RW B	$ 5,500.00	$ 66,000.00	Outreach/Conference	03/10-02/11	State of Nevada Community Health
Recovery Act STOP Grant			Women in Trauma	07/09-12/10	State of Nevada Office of the Attorney General
SAPTA COD	$ 42,917.00	$ 515,000.00	Mental Health/Substance Abuse Tx	07/10-06/11	Substance Abuse Prevention & Treatment Agency
United Way			Mental Health	01/10-12/10	United Way of Southern Nevada
Catholic Healthcare West			Mental Health	01/10-12/10	CHW Community Grants
Sex Assault Provider		$49,861.00	Sexual Assault Victims only	9/1/10-12/31/11	State of Nevada Office of the Attorney General
CDBG Reconstruction		$1,700,000.00	Building Reconstruction	7/1/2011	Clark County
Total:	**$ 163,554.75**	**$ 2,899,848.01**			
				updated 5.04.11	

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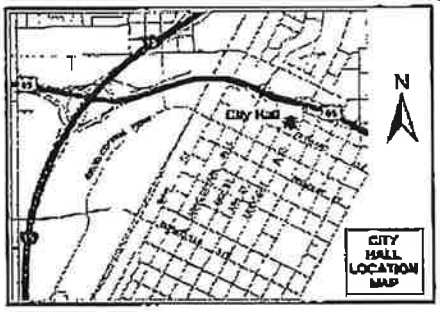
CITY CLERK
2011 JUL 11 A 10:45

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 JUL 07 2011
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-41584
City Council Meeting of 7/20/2011

LEAVITT JACK FAMILY TR DISTR TR
LEAVITT K MICHAEL TRS
601 E BRIDGER AVE
LAS VEGAS NV 89101-5805

APN#16203421019

30 FROFN11 89101

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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CITY CLERK
2011 JUL 11 A 8:59

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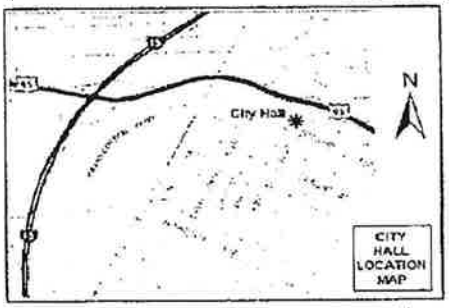

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Please use available blank space on card for your comments.

SUP-41584
City Council Meeting of 7/20/2011

TUMA SAMIR & GRACE I
QUSSINY MICHAEL & BAYAN
9246 MEMORIAL DR
HOUSTON TX 77024-5817

APN#16210112001

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
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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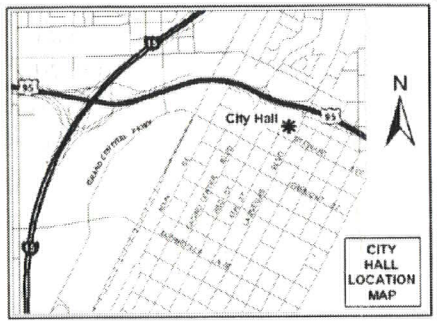
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



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 Department of Planning, Case Planning Division 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-41584
Planning Commission Meeting of 6/14/2011

RECEIVED
JUN 15 2011

Case: SUP-41584
16203715005
SKONIECZNY HENRY J
705 E ST LOUIS AVE
LAS VEGAS NV 89104-2822

27 DRDFN11 89104

P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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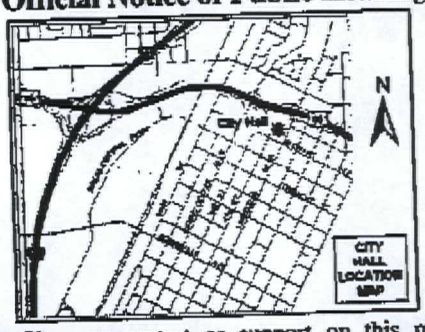
MAILED FROM ZIP CODE 89101

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.

SUP-41584
Planning Commission Meeting of 6/14/2011

Case: SUP-41584
16203421019
LEAVITT JACK FAMILY TR DISTR TR
601 E BRIDGER AVE
LAS VEGAS NV 89101-5805

30 DRDFN11 89101

RECEIVED
JUN - 6 2011

City of Las Vegas Agenda Item No.: **95.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: JULY 20, 2011

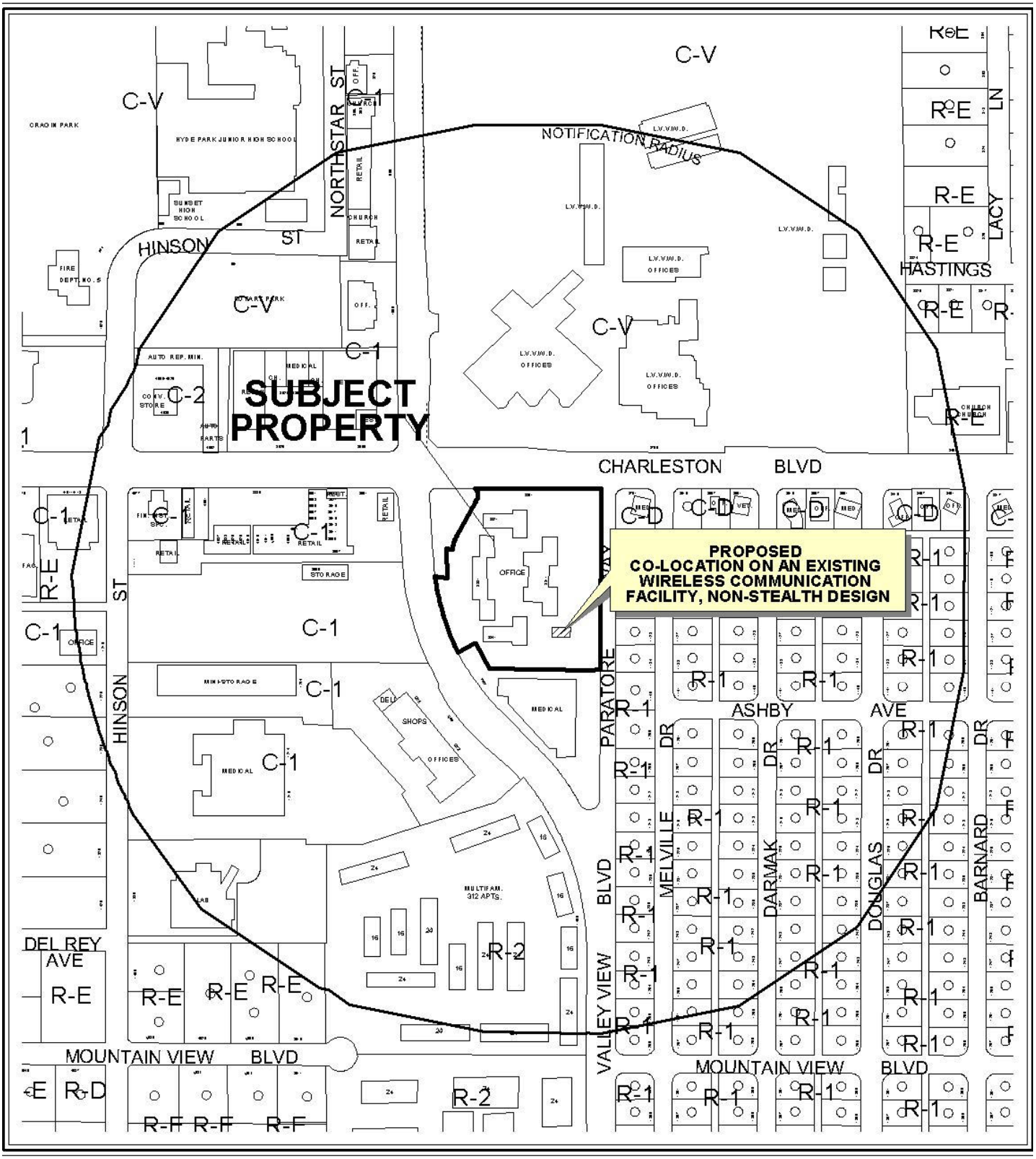
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
SUP-41587 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LIGHTSQUARED, INC. - OWNER: BAR ACQUISITIONS, LLC - For possible action on a request for a Special Use Permit FOR A CO-LOCATION ON AN EXISTING WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN (MONOPINE) at 3811 West Charleston Boulevard (APN 162-06-501-002) C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (6-1 vote) and Staff recommend APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**3**	**Planning Commission Mtg.**	**0**
City Council Meeting	**1**	**City Council Meeting**	**1**

RECOMMENDATION:
The Planning Commission (6-1 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards
7. Backup referenced from the June 14, 2011 Planning Commission Meeting Item – SUP-41587



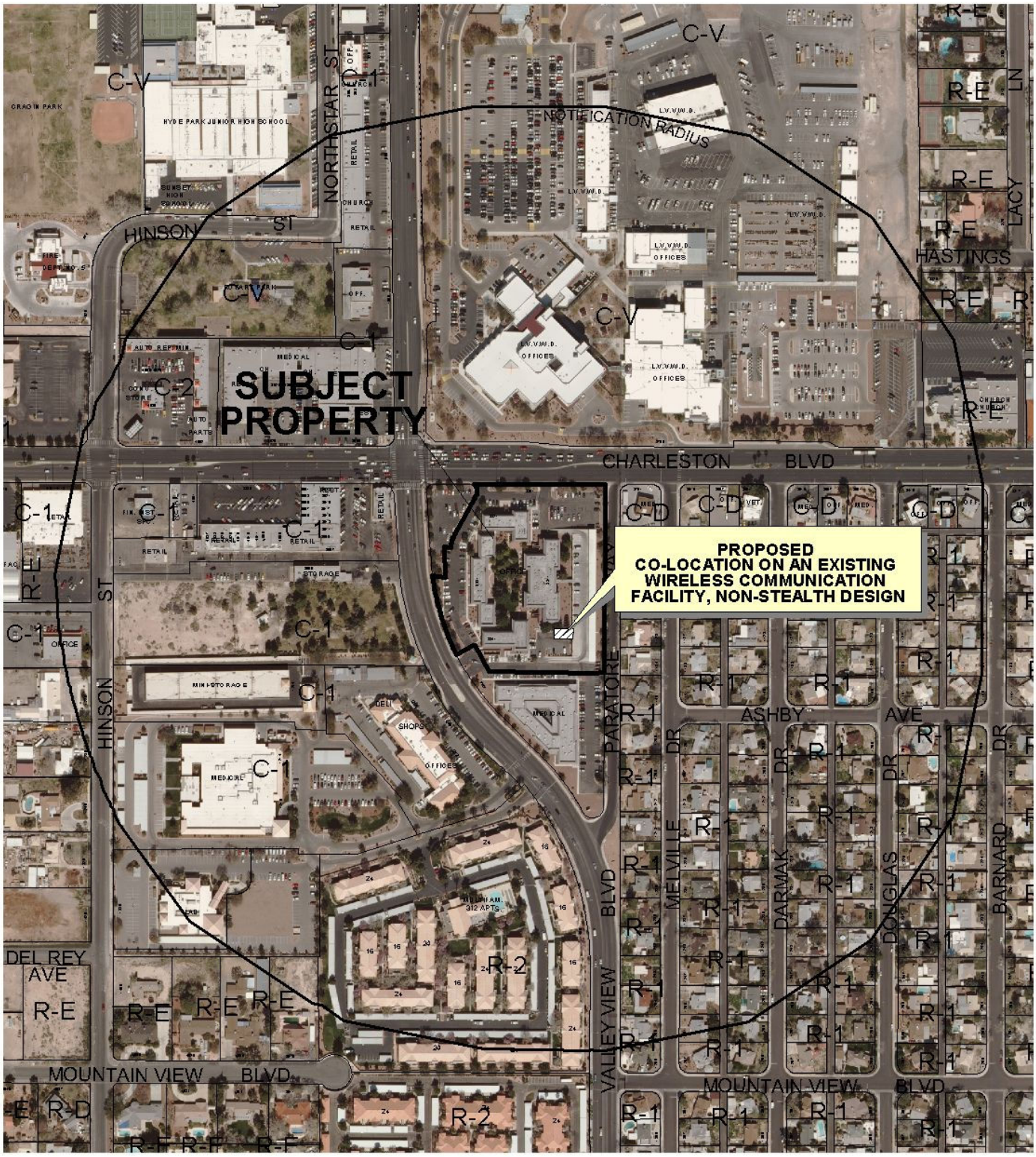
0 300 600 Feet

CASE: **SUP-41587**

RADIUS: 1000 FT

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

N



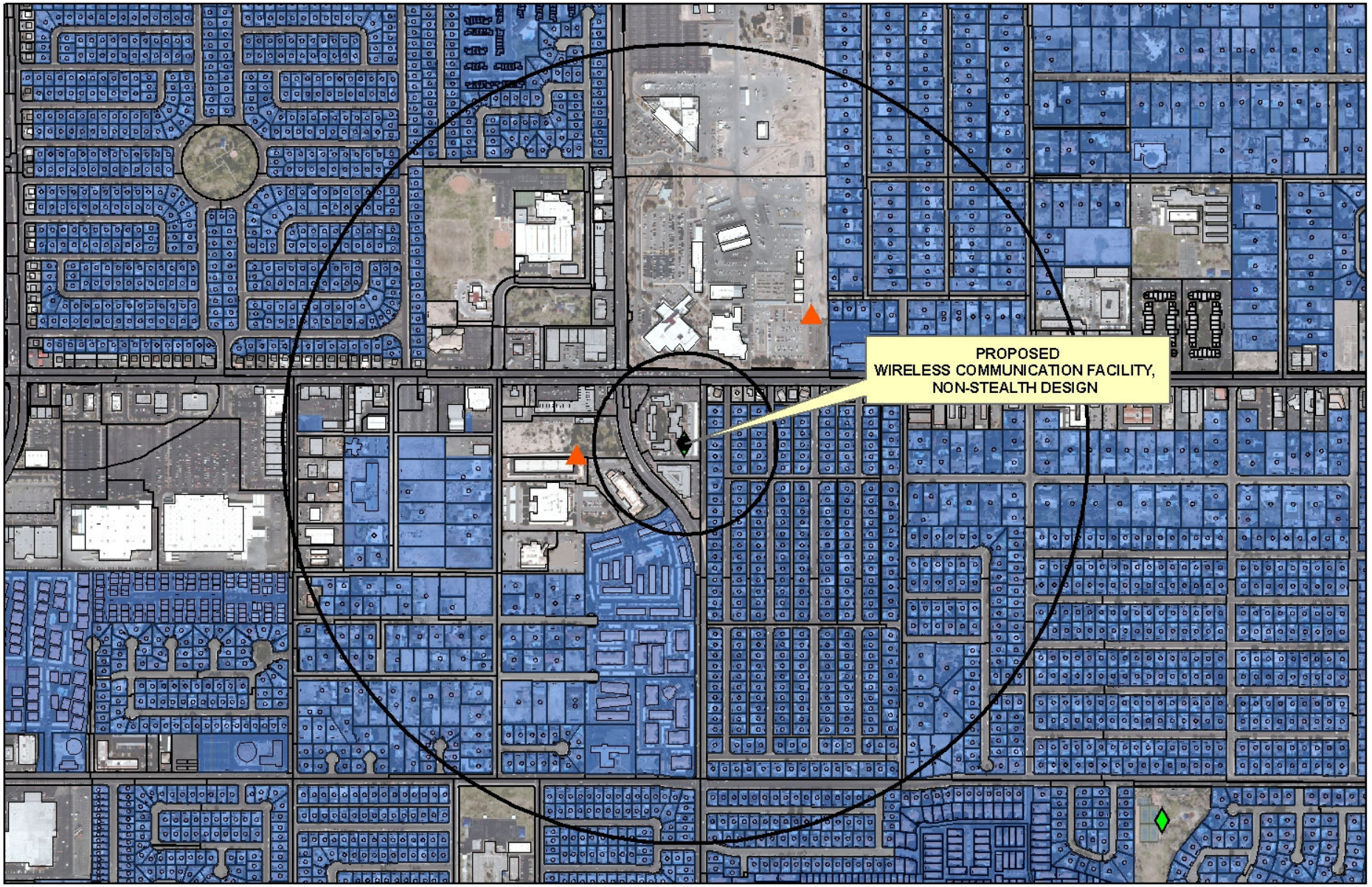
0 300 600 Feet

CASE: **SUP-41587**

RADIUS: 1000 FT

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

N



SUP-41587
Wireless Facility

Wireless Facility Locations

Non-Stealth

Stealth

Subject Cell Tower

Residential Property

600ft & 1/2 Mile Buffer

0 550 1,100 2,200 Feet

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 20, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: LIGHTSQUARED, INC. - OWNER: BAR ACQUISITIONS, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-41587	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-41587 CONDITIONS

Planning

1. Conformance to all minimum requirements under LVMC Title 19.04.010 for a Wireless Communication Facility, Stealth Design use.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

4. The communications monopole and its associated equipment and facility 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 communications monopole and its associated equipment and facility.

5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for the collocation of six (6) new antennas, three (3) radio remote modules, two (2) 26-inch microwave dish antennas, and one (1) COVP at the 50-foot centerline on an existing 65-foot tall Wireless Communication Facility, Stealth Design (Monopine). The cellular facility is located on the site of an existing two-story Office complex on the southeast corner of Charleston Boulevard and Valley View. Staff recommends approval of this request, as the additional antennas avoid oversaturation of this type of use by maximizing the existing stealth-designed tower. If denied, the additional antennas will not be permitted on the subject facility.

ISSUES

- The existing Wireless Communication Facility, Stealth Design (Monopine) is approximately 715 feet from the closest Communication Facility, Non-Stealth facility.
- The proposed collocation will have a negligible visual impact on the nearby residential development, which is 150 feet to the east.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
03/30/05	A request for a Minor Site Development Plan Review (SDR-19726) to allow a proposed 65-foot tall Wireless Communication Facility, Stealth Design (Monopine) at 3811 West Charleston Boulevard was administratively approved.
04/09/09	A request for a Minor Site Development Plan Review (SDR-33553) was approved for the co-location of three (3) antennas and three (3) microwave dish antennas on an existing 65-foot tall Wireless Communication Facility, Stealth Design (Monopine) at 3811 West Charleston Boulevard was administratively denied.
02/10/11	A request for a Minor Site Development Plan Review (SDR-39259) to remove three (3) existing antennas; install six (6) new Argus panel antennas and nine (9) new DAP heads all at approximately the 58-foot centerline of an existing 65-foot tall Wireless Communication Facility, Stealth Design (Monopine) at 3811 West Charleston Boulevard was administratively denied.
04/12/11	A request for a Minor Site Development Plan Review (SDR-40805) to install six (6) new antennas, three (3) radio remote modules, two (2) 26-inch microwave dish antennas, and one (1) COVP at the 50-foot centerline of an existing 65-foot tall Wireless Communication Facility, Stealth Design (Monopine) at 3811 West Charleston Boulevard was administratively denied.

06/14//11	The Planning Commission voted (6-1/rt) to recommend APPROVAL (PC Agenda Item 52/mh).

Most Recent Change of Ownership	
07/06/07	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
08/03/05	A Building Permit (#05005306) was issued for construction of a 65-foot tall Wireless Communication Facility, Stealth Design at 3811 West Charleston Boulevard. This permit was not finaled.
03/18/2009	A Building Permit (#135834) was issued for the collocation and modification of antennas on existing on a 65-foot tall Wireless Communication Facility, Stealth Design at 3811 West Charleston Boulevard.
11/17/10	A Building Permit (#05005306) was renewed to complete the final inspection of a 65-foot tall Wireless Communication Facility, Stealth Design at 3811 West Charleston Boulevard. This facility received its final inspection on 12/01/10.

Pre-Application Meeting	
02/24/11	A pre-application meeting was held on the indicated date. The following items were noted: • The reason for Special Use Permit being based upon the appeal of the Minor Site Development Plan Review (SDR-40805). • Proximity to existing cellular facilities on the subject site.

Neighborhood Meeting
A neighborhood meeting is not required for this type of request, nor was one held.

Field Check	
05/05/11	A Field Check was performed by staff where it was found that the subject site and Wireless Communication Facility, Stealth Design were free of graffiti and properly maintained.

Details of Application Request	
Site Area	
Net Acres	4.6

Surrounding Property	*Existing Land Use Per Title 19.04*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	Office, Other Than Listed	SC (Service Commercial)	C-1 (Limited Commercial)
North	Utility Installation, Other Than Listed	PF (Public Facilities)	C-V (Civic)
South	Medical Office	SC (Service Commercial)	C-1 (Limited Commercial)
East	Medical Office	O (Office)	C-D (Designed Commercial)
	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
West	General Retail, Greater than 3,500 SF	SC (Service Commercial)	C-1 (Limited Commercial)
	Mini Storage Facility		

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area		X	N/A
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

The proposed collocation of six (6) new antennas, three (3) radio remote modules, two (2) 26-inch microwave dish antennas, and one (1) COVP at the 50-foot centerline on an existing 65-foot tall Wireless Communication Facility, Stealth Design (Monopine) cellular facility is presented in a manner that is consistent with the existing design of the facility. The antennas are visually screened with faux branches that are no more discernable than the overall structure itself. Staff supports the requested collocation of antennas, as it avoids the oversaturation of the use and reduces the negative impact on surrounding residential development by placing additional equipment in a sensitive manner on an existing facility.

FINDINGS (SUP-41587)

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 use is harmonious and compatible with existing surrounding residential land uses. The proposed collocation of additional antennas is presented in a manner that is consistent with the design of the existing Monopine. The land use remains the same as what is currently in use as it is not visually obnoxious and intrusive to the adjacent residential developments.

2. **The subject site is physically suitable for the type and intensity of land use proposed.**

   The subject site is physically suitable for the proposed collocation of antennas on an existing Wireless Communication Facility, Stealth (Monopine) facility. The additional antennas will have little impact to the overall quality of life for the existing residences and multi-family developments.

3. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

   The site is accessed from Charleston Boulevard, a 100-foot Primary Arterial as designated by the Master Plan of Streets and Highways. There is no anticipated change in traffic flow created by the addition of antennas to an existing Wireless Communication Facility, Stealth facility.

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 Special Use Permit is consistent with the General Plan, and will not compromise the public health, safety, or welfare.

5. **The use meets all of the applicable conditions per Title 19.04.**

   The proposed collocation of antennas meets the minimum requirements for a Wireless Communication Facility, Stealth Design (Monopine) as the site has been determined to be compatible with surrounding uses.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 21

NOTICES MAILED 144 (By City Clerk)

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-41587 APN: 162-06-501-002

Name of Property Owner: BAR Charleston Acquisitions, LLC

Name of Applicant: LightSquared, Inc.

Name of Representative: Cary Warren Powder River Development Services

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 M. Anderson

Print Name: Robert M. Anderson

Subscribed and sworn before me, Carley Hummel.

This 4th day of March, 20 11

Orange County, California

Notary Public in and for said County and State

Carley Hummel

CARLEY HUMMEL
Commission # 1896788
Notary Public - California
Orange County
My Comm. Expires Jul 25, 2014

RECEIVED
APR 28 2010

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Wireless Communication Facility - Stealth Design

Project Address (Location) 3811 West Charleston Blvd.

Project Name TMUSNVLVGS0156-C1 **Proposed Use** Wireless Telecom

Assessor's Parcel #(s) 162-06-501-002 **Ward #** 1

General Plan: existing _____ proposed _____ **Zoning:** existing _____ proposed _____

Commercial Square Footage N/A **Floor Area Ratio** N/A

Gross Acres 4.5 **Lots/Units** N/A **Density** N/A

Additional Information The addition of 6 panel antennas and related radio equipment at a 50' centerline on an existing stealth monopine.

PROPERTY OWNER Bar Acquisitions, LLC **Contact** _____

Address 151 Kalmus Dr., #A-102 **Phone:** _____ **Fax:** _____

City Costa Mesa **State** CA **Zip** 92626-5900

E-mail Address _____

APPLICANT LightSquared, Inc. **Contact** Chris McGee

Address 701 N. Green Valley Parkway **Phone:** _____ **Fax:** _____

City Henderson **State** NV **Zip** 89074

E-mail Address chris.mcgee@lightsquared.com

REPRESENTATIVE Powder River Development Services **Contact** ~~Norm MacLeod~~ Cary Warren

Address ~~701 N. Green Valley Parkway, STE 279~~ 2580 Pine Prairie Ave **Phone:** ~~(949) 235-8812~~ 310-985-3555 **Fax:** (310) 943-2468

City Henderson **State** NV **Zip** ~~89074~~ 89052

E-mail Address ~~norm.macleod@powderriverdev.com~~ Cary.Warren@powderriverdev.com

Property Owner Signature* Robert M. Anderson

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

Print Name Robert M. Anderson

Subscribed and sworn before me

This 4th day of March, 20 11.

Orange County, California

Notary Public in and for said County and State Carley Hummel

CARLEY HUMMEL
Commission # 1896788
Notary Public - California
Orange County
My Comm. Expires Jul 25, 2014

FOR DEPARTMENT USE ONLY

Case #	SUP-41587
Meeting Date:	6/14/11
Total Fee:	$1,030
Date Received:*	4/28/11
Received By:	Romeo

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

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APR 28 2011

Revised 10/27/08

f:\depot\Application Packet\Application Form.pdf

811
Know what's **below.**
Call before you dig.

Nokia Siemens Networks

LightSquared

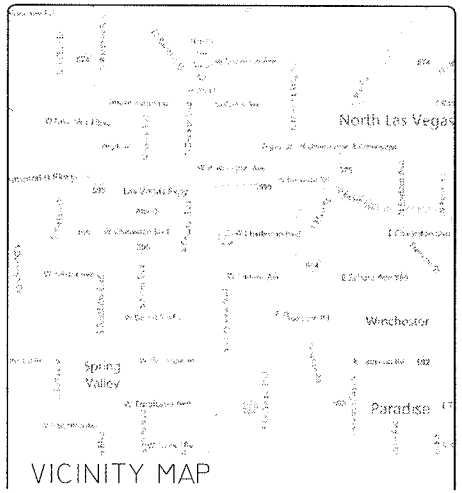
Paratore and Charleston
TMUSNVLVGS0156-C1
(TowerCo NV2068)

3811 W. Charleston Blvd
Las Vegas, NV 89102

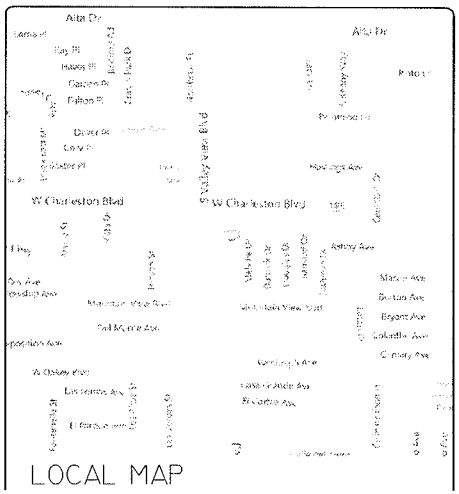
APPLICANT INFO:
LightSquared LP, A Delaware Limited Partnership
10802 Parkridge Blvd.
Reston, VA 20191

PROJECT MANAGER:
Powder River Development Services, LLC
701 N. Green Valley Parkway, Suite 200
Henderson, NV 89074
Phone: 702.990.3295
Contact: Cary Warren

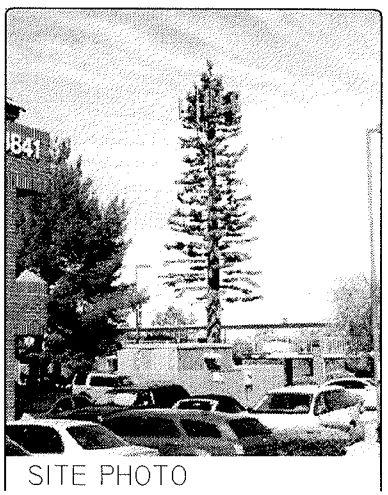
ENGINEER:
Powder River Development Services, LLC.
100 E. Shenango Street
Sharpsville, PA 16150
Phone: 724 962 5999 Fax: 724 962 6009
Contact: Mark Thompson



VICINITY MAP



LOCAL MAP


SITE PHOTO

GEOGRAPHIC COORDINATES:

SHEET INDEX

[illegible]	[illegible]

TOWER OWNER:
TowerCo, LLC
Contact Name: Tim Brown
5000 Valleystone Dr. Suite 200
Cary, NC Ph. 949.242.8782
TowerCo Site Number NV2068

PROPERTY OWNER:
[illegible]

UTILITY COMPANIES:
[illegible]

PROJECT DATA:
NEW EQUIPMENT AND NEW ANTENNAS ON AN EXISTING STEALTH POLE
[illegible]

APPROVAL:

OWNER	DATE
RF ENGINEERING	DATE
GENERAL CONTRACTOR	DATE
PROJECT MANAGER	DATE
MANAGER OF CONSTRUCTION	DATE

Nokia Siemens Networks
6000 CONNECTION DRIVE
IRVING, TX 75039

LightSquared
[illegible]

POWDER RIVER
Development Services, LLC
100 E. SHENANGO STREET
SHARPSVILLE, PA 16150
724.962.5999
www.powderriverdev.com

REVISIONS

[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]

PROJ. NO. [illegible]

CHECKED BY [illegible]

SITE INFORMATION:
TMUSNVLVGS0156-C1
[illegible]
3811 W Charleston Blvd
Las Vegas, NV 89102

SHEET TITLE
TITLE SHEET

SHEET NUMBER:
T-1

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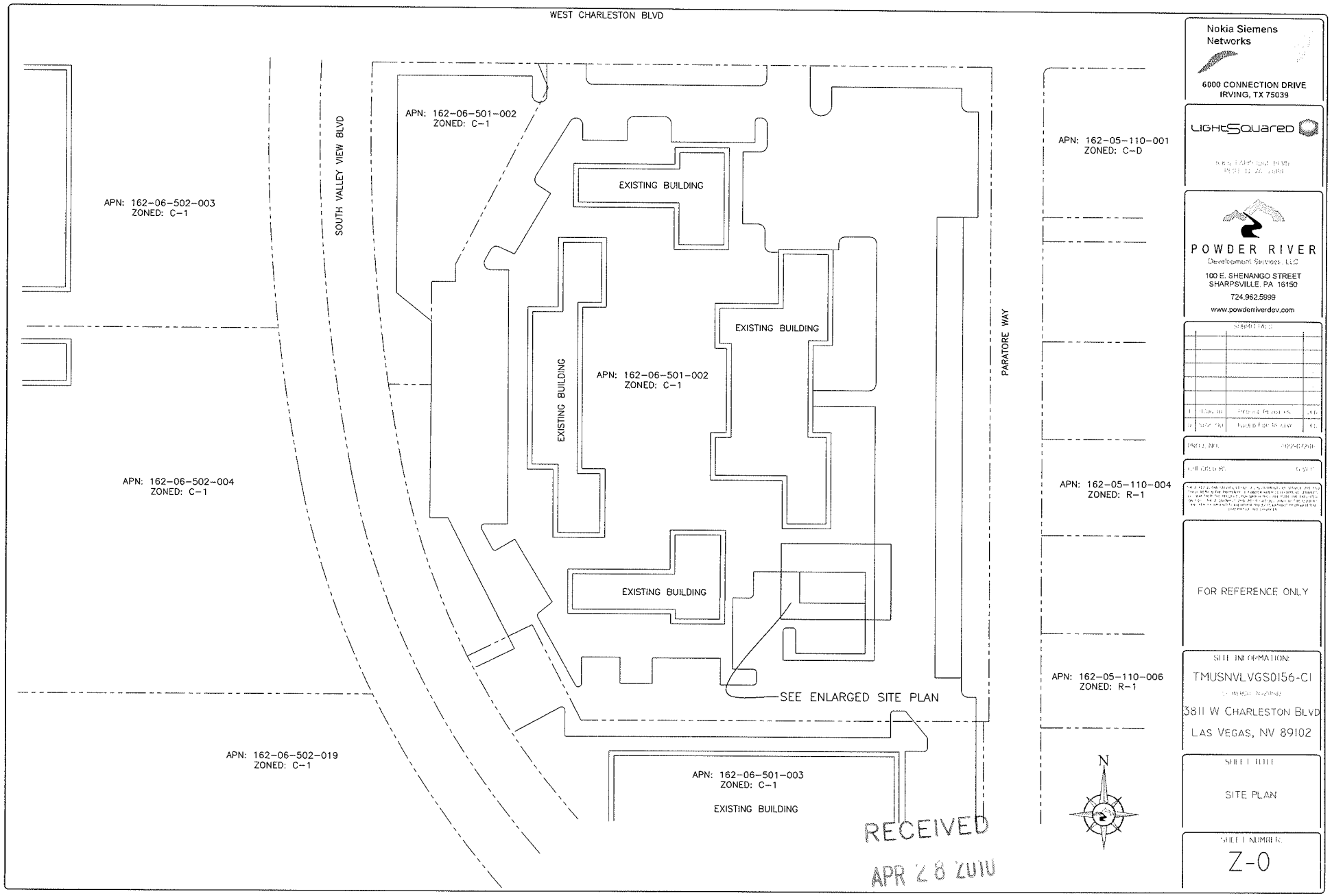
APR 28 2010

SUP-41587


WEST CHARLESTON BLVD
SOUTH VALLEY VIEW BLVD
PARATORE WAY
APN: 162-06-502-003
ZONED: C-1
APN: 162-06-502-004
ZONED: C-1
APN: 162-06-502-019
ZONED: C-1
APN: 162-06-501-002
ZONED: C-1
EXISTING BUILDING
EXISTING BUILDING
EXISTING BUILDING
EXISTING BUILDING
APN: 162-06-501-002
ZONED: C-1
SEE ENLARGED SITE PLAN
APN: 162-06-501-003
ZONED: C-1
EXISTING BUILDING
APN: 162-05-110-001
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APN: 162-05-110-006
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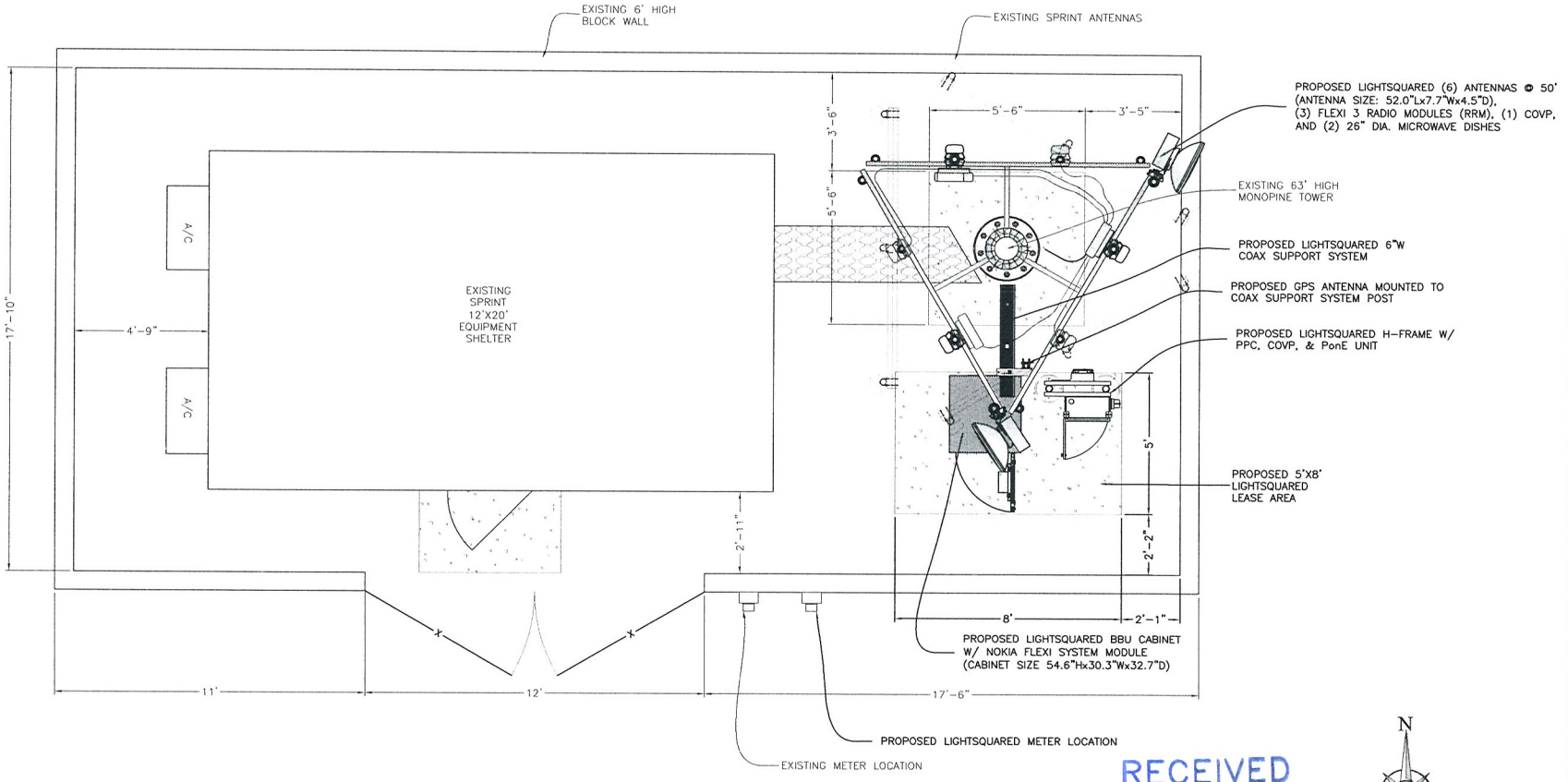
SHARPSVILLE, PA 16150
724.962.5999
www.powderriverdev.com
FOR REFERENCE ONLY
SITE INFORMATION:
TMUSNVLVGS0156-C1
3811 W CHARLESTON BLVD
LAS VEGAS, NV 89102
SITE PLAN
Z-0

SUP-41587



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APR 28 2010

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6000 CONNECTION DRIVE
IRVING, TX 75039

LightSquared
10332 FAIRFORDGE BLVD
RESTON, VA 20191

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SHARPSVILLE, PA 16150
724.962.5999
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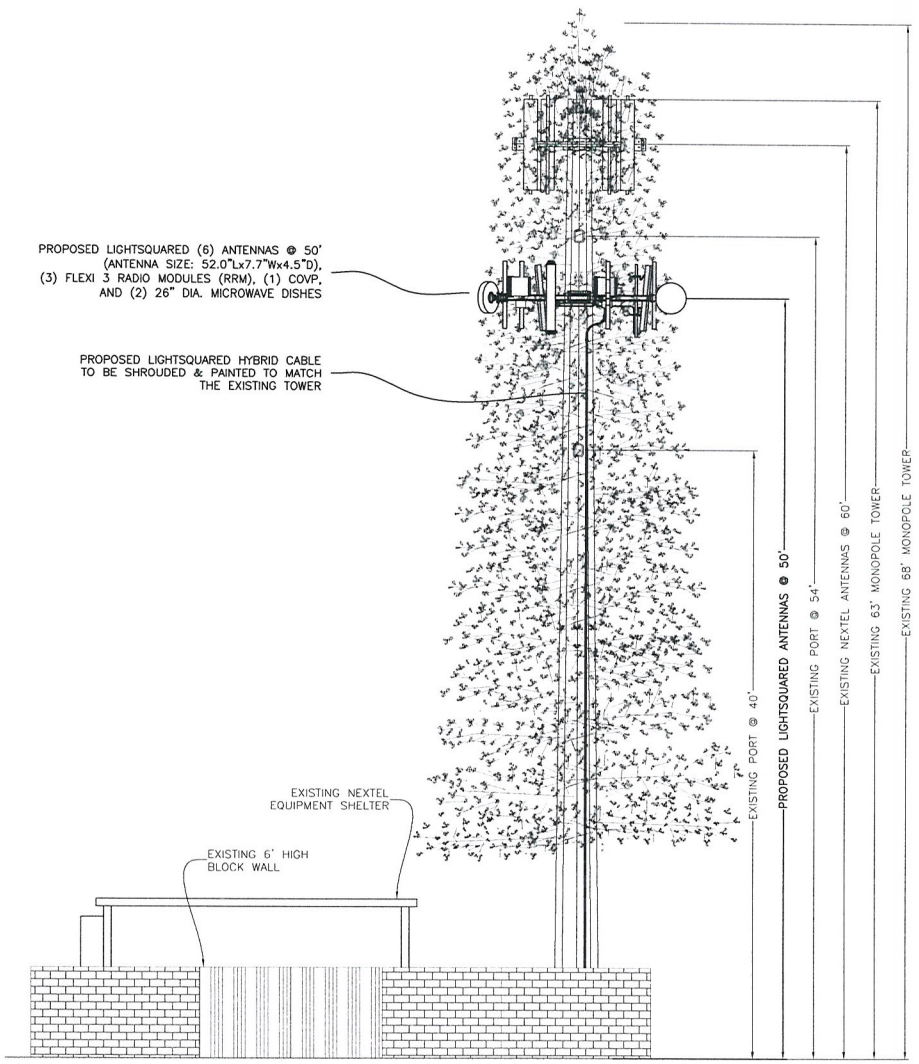
SUBMITTALS



1 SOUTH ELEVATION

SCALE:
2" 0 2" 4" 6"
1/8"=1' (11x17)
1/4"=1' (24x36)

RECEIVED
APR 28 2010

Nokia Siemens Networks
6000 CONNECTION DRIVE
IRVING, TX 75039

LightSquared
[illegible]

POWDER RIVER
Development Services, LLC
100 E. SHENANGO STREET
SHARPSVILLE, PA 16150
724.962.5999
www.powderriverdev.com

SUBMITTALS

1	11/04/10	REQUIRE REVISIONS	JED
0	10/27/10	ISSUED FOR REVIEW	JED

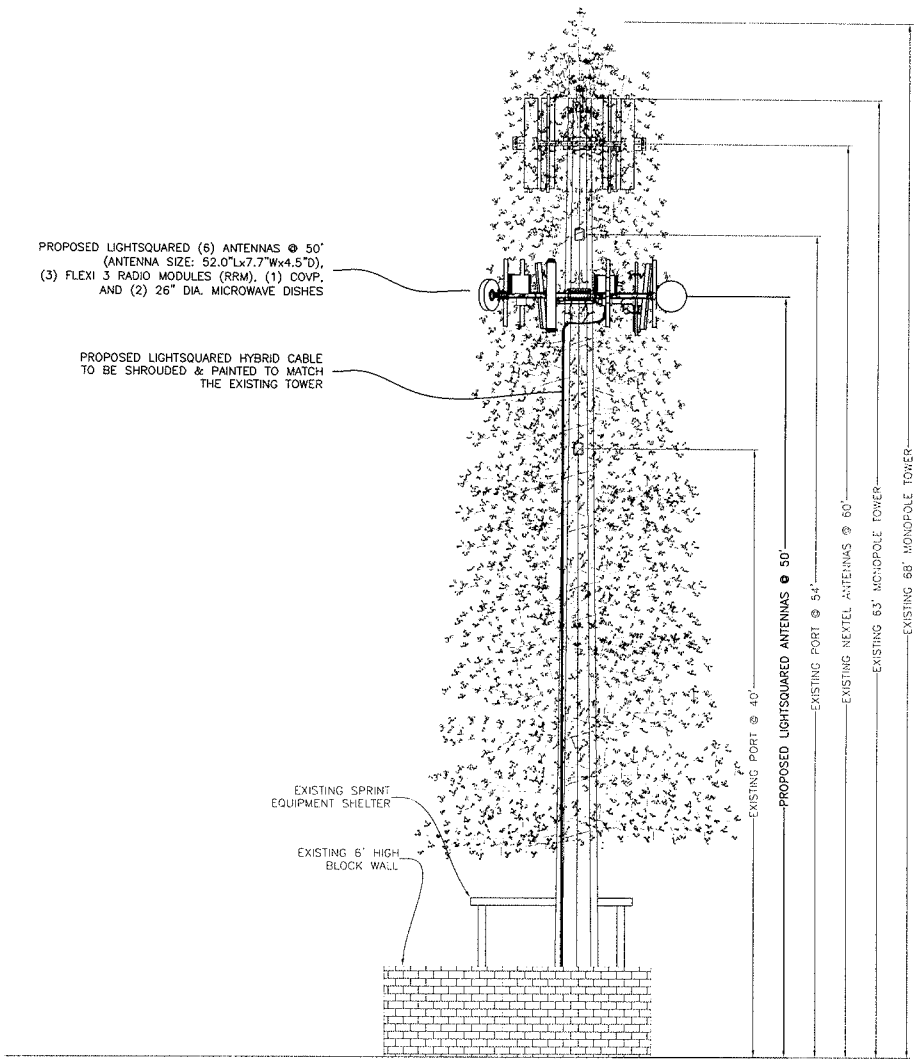
PROJ. NO.: [illegible]
CHECKED BY: G.W.C.

SITE INFORMATION:
TMUSNVLVGS0156-C1
(T-MOBILE NV2094)
3811 W CHARLESTON BLVD
LAS VEGAS, NV 89102

SHEET TITLE:
ELEVATION

SHEET NUMBER:
Z-2

SUP-41587



1 EAST ELEVATION

SCALE:
2' 0 2' 4' 6'
1/8"=1' (11x17)
1/4"=1' (24x36)

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LightSquared

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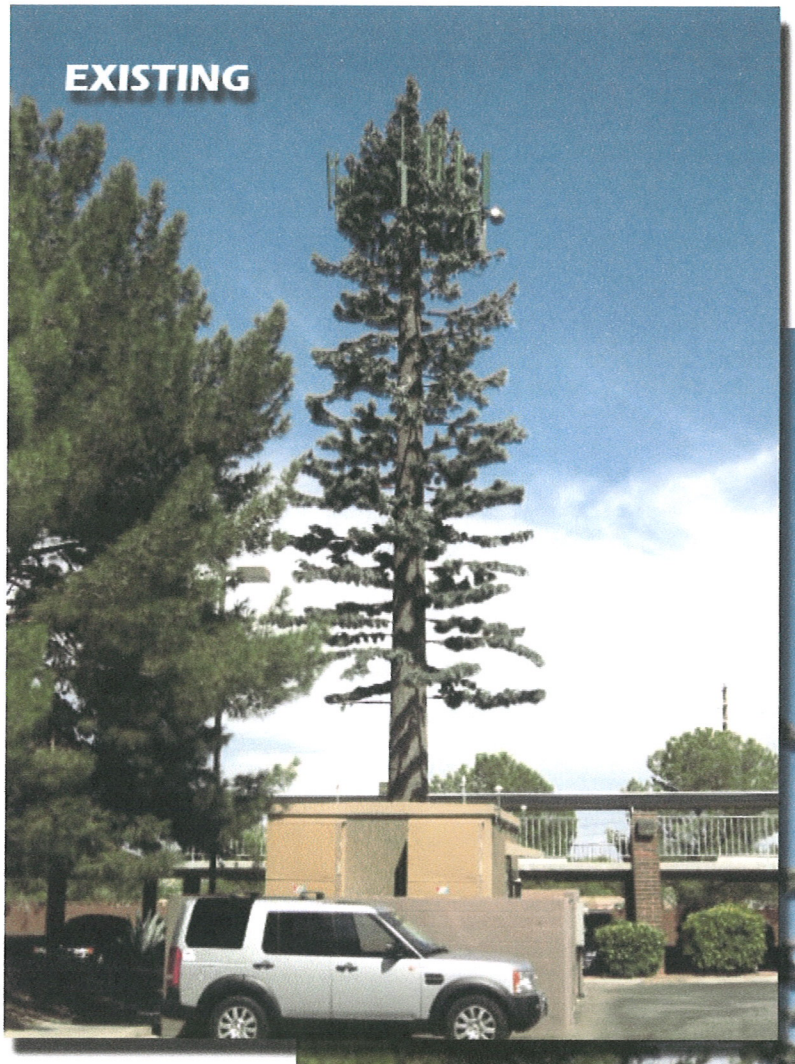
SITE INFORMATION
TMUSNVLVGS0156-C1
3811 W CHARLESTON BLVD
LAS VEGAS, NV 89102

SHEET TITLE
ELEVATION

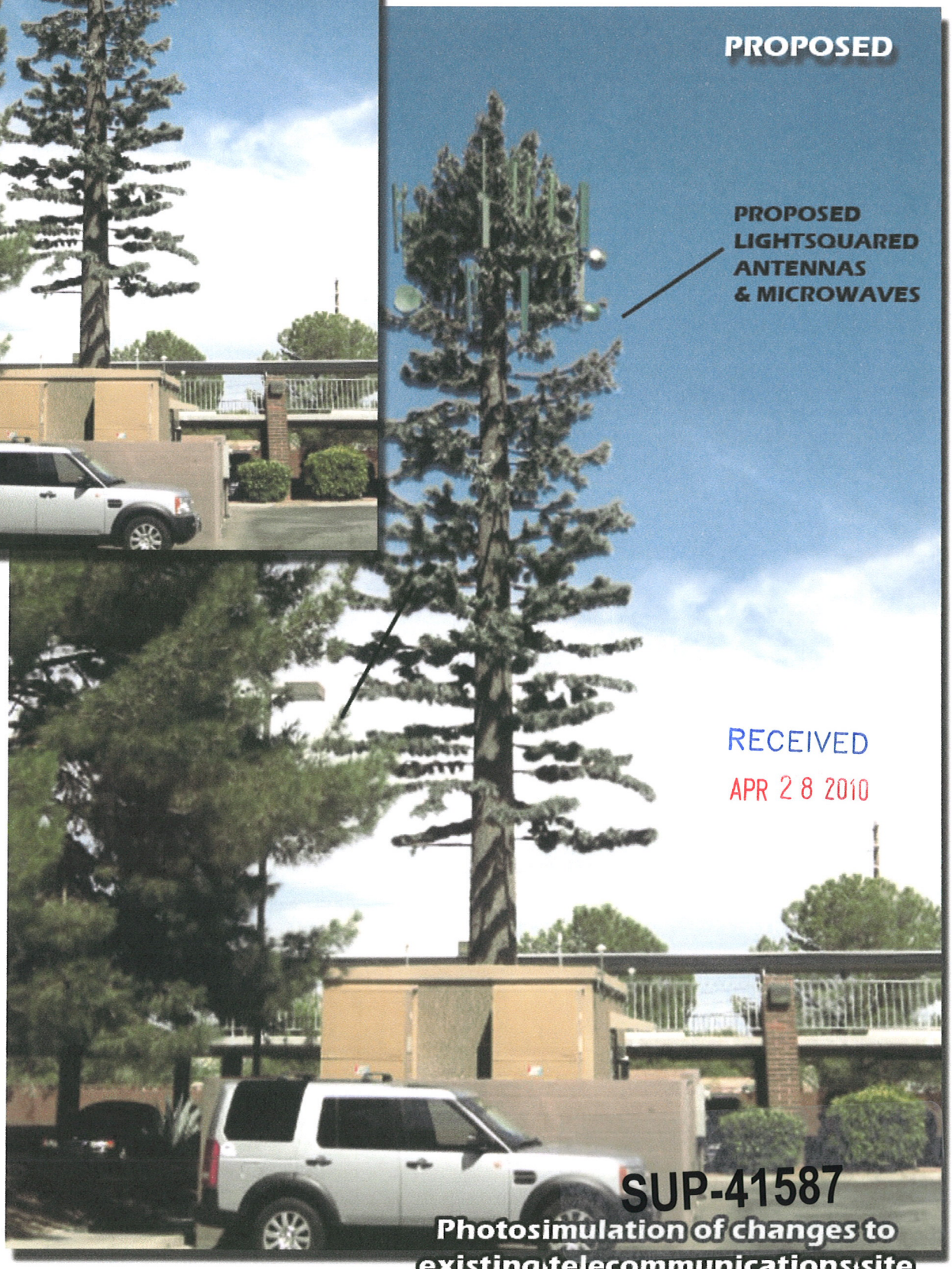
SHEET NUMBER
Z-3

SUP-41587



LightSquared

TMUSNVLVGS0156-C1
Paratore and Charleston



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(This documnt is provided for illustrative purposes only)

POWDER RIVER

SUP-41587
Photosimulation of changes to existing telecommunications site



SUP-41587 - APPLICANT: LIGHTSQUARED, INC. - OWNER: BAR ACQUISITIONS, LLC
3811 WEST CHARLESTON BOULEVARD

05/05/11



SUP-41587 - APPLICANT: LIGHTSQUARED, INC. - OWNER: BAR ACQUISITIONS, LLC
3811 WEST CHARLESTON BOULEVARD

05/05/11

LightSquared

City of Las Vegas
Planning and Development
731 S 4th Street
Las Vegas, NV 89101

RE: Special Use Permit / 3811 W. Charleston Blvd. APN#162-06-501-002
LightSquared LP Project TMUSNVLVGS0156-C1

Dear Community Development,

LightSquared LP is submitting a request for a Special Use Permit on the above mentioned project site. LightSquared is a wireless provider; operating to provide LTE services (data) through the proposed collocation located at 3811 W. Charleston Blvd. The subject site is currently zoned C-1 and located within office building development. LightSquared is proposing to colocate six (6) panel antennas within the existing 68' monopine at an elevation of 50'. To best conceal its tower mounted equipment, LightSquared is proposing to mount the panel antennas within the existing branches of the monopine similar to the existing antenna installation currently in place.

- Proposed is the installation of six (6) antennas, three (3) radio modules and two (2) microwave dishes to be mounted within the branches of the existing monopine at the 50' level of the approved 68' stealth monopine.
- The related ground mounted base station cabinet will be located adjacent to the monopine within the existing compound and will be hidden from public view behind the existing CMU wall.
- As seen in the photo simulation and plans; all of the proposed antennas at the 50' level will be mounted within the existing monopine branches and painted to match the existing facility.

LightSquared believes the collocation of their installation meets the intent of the Henderson zoning code by:

- The monopine collocation installation reduces visual impact to the surrounding properties and neighboring community.
- Alleviating proliferation of additional wireless facilities throughout the community by collocating with existing facilities.
- Locating wireless communication antennas on existing stealth structures such as the monopine.
- The installation does not increasing the height of an existing communications tower.

LightSquared believes the proposed collocation will be generally unnoticeable given the stealth appearance of the existing facility and the concealment of the proposed panels installed within the branches of the monopine. The installation will not be detrimental to the surrounding area as the location is in an area away from the general public generally going unnoticed and necessary for the increased operations of LightSquared's communications facility coverage necessities.

Please let me know if the City of Las Vegas has any questions or comments regarding the proposed LightSquared project

Sincerely,

Norman MacLeod
Representative for LightSquared LP

RECEIVED
APR 28 2010

SUP-41587
POWDER RIVER
Development Services, LLC

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
0004279218
$ 00.41⁴
JUL 07 2011
MAILED FROM ZIP CODE 89101

2011 JUL 11 P 12:29

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-41587

City Council Meeting of 7/20/2011

E S K LIVING TRUST
KENNEDY ERVA S TRS
1247 MELVILLE DR
LAS VEGAS NV 89102-1821

APN#16205210005

32 PROPM11 89102

94

PAGE 01/01

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

Return Service Requested
Official Notice of Public Hearing

RECEIVED
CITY CLERK
2011 JUL 11 P 12 23

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JUL 07 2011
MAILED FROM ZIPCODE 89101



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-41587

City Council Meeting of 7/20/2011

ON TIME SYSTEMS L L C
3407 W CHARLESTON BLVD
LAS VEGAS NV 89102-1637

APN#16205110045

32 FRDFN11 89102

07/11/2011 11:00 7028781840

07/11/2011 MON 09:59 [TX/RX NO 9740] 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
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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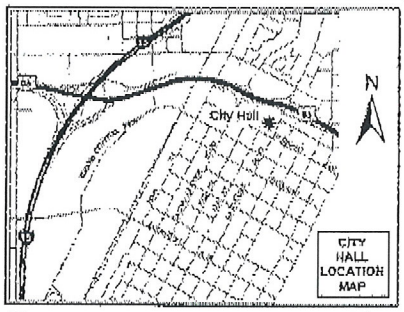
MAILED FROM ZIPCODE 89101

Return Service Requested
Official Notice of Public Hearing



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JUN - 6 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning, Case Planning Division 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-41587
Planning Commission Meeting of 6/14/2011

Case: SUP-41587
16205114003
DAVIS JUANITA L
2657 WINDMILL PKWY #384
HENDERSON NV 89074-3384

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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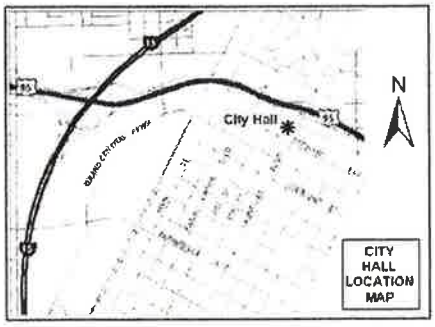

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JUN - 8 2011

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Case: SUP-41587

16205210005
E S K LIVING TRUST
1247 MELVILLE DR
LAS VEGAS NV 89102-1821

☐ I SUPPORT this Request

☒ I OPPOSE this Request

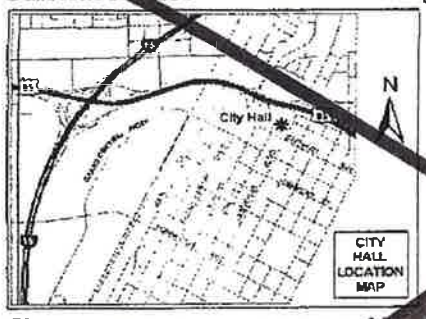
Please use available blank space on card for your comments.

SUP-41587
Planning Commission Meeting of 6/14/2011

52P

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-41321
City Council Meeting of 6/15/2011

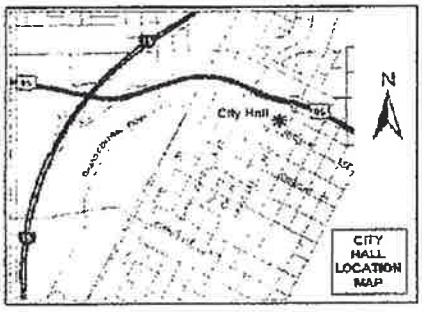
PENNPLUS L L C
1770 WESTWIND RD
LAS VEGAS NV 89146-0301

APN#16205110016

56 ORDFN11 89146

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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-41587
Planning Commission Meeting of 6/14/2011

Case: SUP-41587
16205110016
PENNPLUS L L C
1770 WESTWIND RD
LAS VEGAS NV 89146-0301

RECEIVED
JUN 13 2011

52P

89146$0301 C048

City of Las Vegas Agenda Item No.: **96.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: JULY 20, 2011

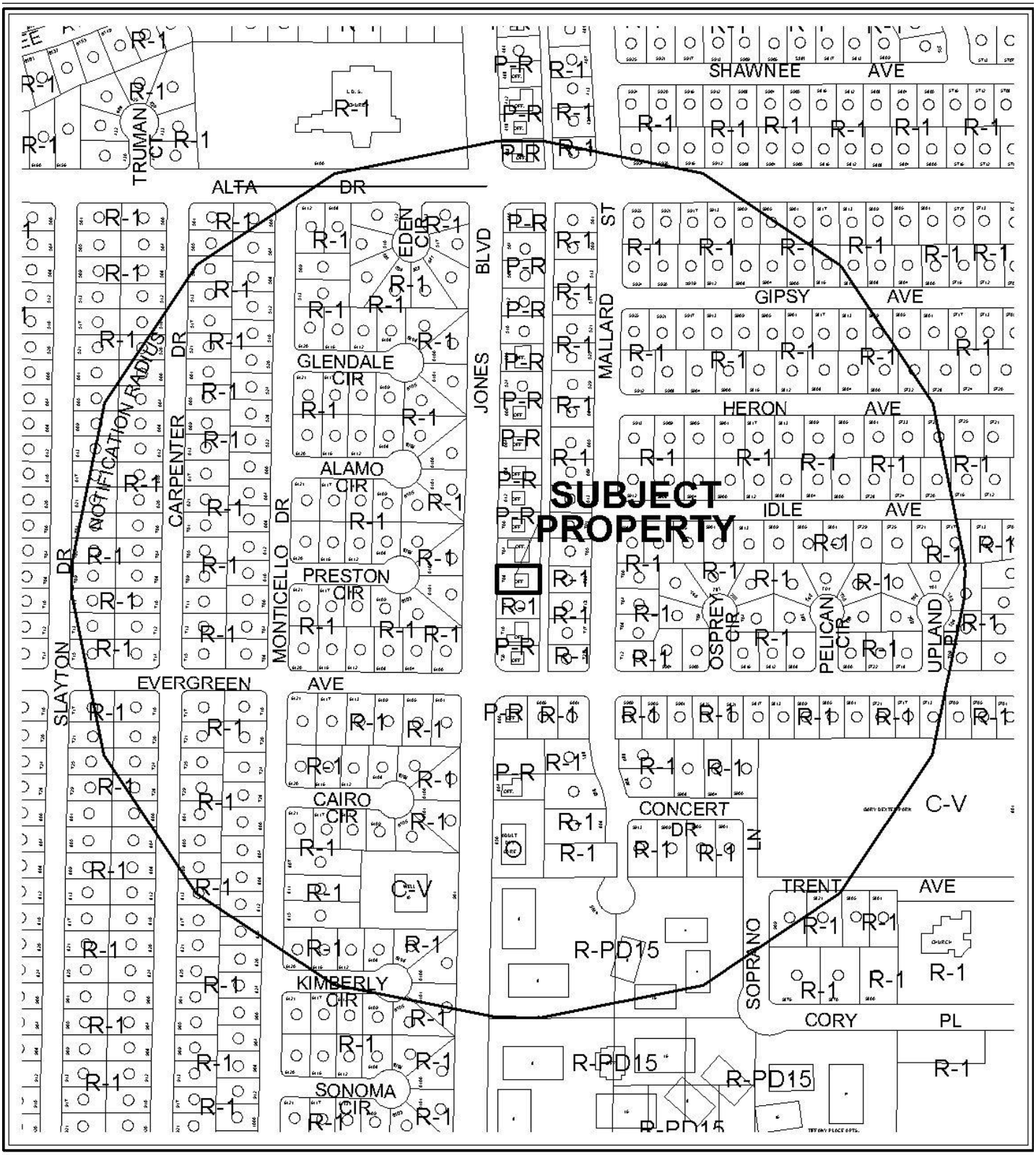
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
SDR-41037 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: GARETH SPICER - For possible action on a request for a Major Amendment to an approved Site Development Plan Review (SDR-35518) FOR AN OFFICE, OTHER THAN LISTED, TO ELIMINATE LANDSCAPING IN THE RIGHT-OF-WAY ALONG THE WEST PERIMETER on 0.15 acre at 708 South Jones Boulevard (APN 138-36-316-007), P-R (Professional Office and Parking) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**1**	**Planning Commission Mtg.**	**6**
City Council Meeting	**0**	**City Council Meeting**	**1**

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Planning Commission Approval Letter for SDR-35518
6. Justification Letter
7. Support Postcard
8. Backup referenced from the June 14, 2011 Planning Commission Meeting Item – SDR-41037



0 300 600 Feet

CASE: **SDR-41037**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: P-R (PROFESSIONAL OFFICE AND PARKING)

N



0 300 600 Feet

CASE: **SDR-41037**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: P-R (PROFESSIONAL OFFICE AND PARKING)

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JUNE 14, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: GARETH SPICER

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SDR-41037	Staff recommends DENIAL, if approved subject to conditions:	N/A

** CONDITIONS **

SDR-41037 CONDITIONS

Planning

1. The Phototinia shall be replaced with five-gallon Hawthornes.

2. Conformance to the approved conditions for Site Development Plan Review (SDR-35518), except as amended herein.

3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.

4. All development shall be in conformance with the site plan, landscape plan, elevation plan and floor plan date stamped 05/24/11, except as amended by conditions herein.

5. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device. The technical landscape plan shall include the following changes from the conceptual landscape plan to provide non-vegetative ground covers with rocks and small stones, crushed rock and bark, with a depth of two-inch in all areas between the proposed office building and sidewalk adjacent to the parking lot.

8. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

9. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

10. If on-street parking is not already prohibited adjacent to this site, submit a written request to the City Traffic Engineer to eliminate parking on Jones Boulevard adjacent to this site prior to the issuance of any permits.

11. Landscape and maintain all unimproved right-of-way on Jones Boulevard adjacent to this site. Alternatively, hard surface all unimproved right-of-way on Jones Boulevard if allowed by the Planning and Development Department and/or required by the Nevada Department of Transportation prior to the issuance of a business license. Maintain all such improvements in perpetuity. All landscaping and private improvements installed with this project shall be situated and maintained so as not to create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

12. Obtain an Occupancy Permit from the Nevada Department of Transportation (NDOT) for all driveways or other private improvements in the Jones Boulevard public right-of-way adjacent to this site prior to constructing any improvements within NDOT jurisdiction.

13. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.

14. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing final grade elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

Staff Report Page One
July 20, 2011 - City Council Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Major Amendment of a previously approved Site Development Plan Review (SDR-35518) which allowed for the conversion of an existing 1,688 square-foot single-family residence to an Office, Other than Listed at 708 South Jones Boulevard. The request is to eliminate the five-foot landscape strip within the right-of-way along Jones Boulevard and to reduce the building area from 1,688 square feet to 1,490 square feet. A waiver was previously approved through SDR-35518, which allowed the 10-foot wide west perimeter buffer with a five-foot wide landscape planter strip behind the curb in the right-of-way along Jones Boulevard. The proposed removal of the landscape strip along Jones Boulevard is not consistent with the landscape standards of Title 19, which require 15 feet of landscaping adjacent to rights-of-way; therefore, staff recommends denial of this request. If this request is denied, the subject site is subject to the approved Site Development Plan Review (SDR-35518).

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
04/06/05	The City Council approved a request for Rezoning (ZON-5769) from R-1 (Single-Family Residential) zone to P-R (Professional Office and Parking) at 708 South Jones Boulevard. The Planning Commission recommended approval, the Planning Department staff recommended denial. The Rezoning (ZON-5769) expired on 04/06/07.
	The City Council approved a Site Development Plan Review (SDR-5770) for a 1,688 square-foot commercial use at 708 South Jones Boulevard. Planning Commission recommended approval, and the Planning Department staff recommended denial.
05/17/06	The City Council approved a General Plan Amendment (GPA-12156) request to amend a portion of the Southeast and a portion of the Southwest Sector Plan of the General Plan from SC (Service Commercial), L (Low Density Residential), and M (Medium Density Residential) to O (Office). The Planning Commission and staff recommended approval.
07/01/09	Ordinance #6046 was approved by the City Council to amend the official zoning map atlas of the City of Las Vegas, changing the zoning of the site from R-1 (Single Family Residential) to P-R (Professional Office and Parking).
09/24/09	The Planning Commission approved a Site Development Plan Review (SDR-35518) for the proposed conversion of a Single Family Residence to a 1,688 square-foot Office building

05/10/11	The Planning Commission voted to hold a Site Development Plan Review (SDR-41037) of a previously approved Site Development Plan Review (SDR-35518) to eliminate landscaping in the right-of-way in abeyance to the June 14, 2011 Planning Commission meeting at the applicant's request.
06/14/11	The Planning Commission voted (7-0) to recommend APPROVAL (PC Agenda Item 27/rg).

Most Recent Change of Ownership	
02/05/02	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
09/29/04	A business license (M13-03096) was issued for computer sales and service at 708 South Jones Boulevard. The business license is still active.
12/19/05	A building permit (#05008955) was issued for re-location of an existing sign at 708 South Jones Boulevard. The sign was finalized on 05/31/06.

Pre-Application Meeting	
09/22/11	A pre-application meeting was held with the applicant. Staff reviewed the requirements for submittal for a Major Amendment to a previously approved Site Development Plan Review (SDR-35518).

Neighborhood Meeting
A neighborhood meeting was not held, nor was one required.

Field Check	
03/31/11	A field check by staff noted the subject property is well maintained with the exception of the lack of landscaping in the front or side yard setbacks and no parking lot striping.

Details of Application Request	
Site Area	
Net Acres	0.15

Surrounding Property	*Existing Land Use Per Title 19.04*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	Office	O (Office)	P-R (Professional Office and Parking)
North	Office	O (Office)	P-R (Professional Office and Parking)
South	Single Family, Detached	O (Office)	R-1 (Single Family Residential)
East	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
West	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area		X	N/A
Special Purpose and Overlay Districts	***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
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to SDR-35518, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	N/A	6,534 SF	Y
Min. Lot Width	60 Feet	64 Feet	Y
Min. Setbacks			
• Front	20 Feet	27 Feet	Y
• Side (North)	5 Feet	6.2 Feet	Y
• Side (South)	5 Feet	7.8 Feet	Y
• Rear	15 Feet	29 Feet	Y
Max. Lot Coverage	50 %	26 %	Y
Trash Enclosure	Y	Alley Pick-Up	Y

Pursuant to SDR-35518, the following standards apply:

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Buffer Trees:				
• North	1 Tree / 30 Linear Feet	4 Trees	3 Trees	Y
• South	1 Tree / 20 Linear Feet	5 Trees	5 Trees	Y
• West	1 Tree / 20 Linear Feet	3 Trees	1 Tree	N
TOTAL PERIMETER TREES		**17 Trees**	**11 Trees**	**N**
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	2 Trees	2 Trees	Y
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	5 Feet		Zero Feet	N
• South	5 Feet		6.2 Feet	Y
• West	15 Feet		Zero Feet	N
Wall Height	6 to 8 Feet Adjacent to Residential		6	Y

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Street Width (Feet)***	***Compliance with Street Section***
Jones Boulevard	Secondary Collector	Master Plan of Streets and Highways	80	Y

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

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Office, Other than Listed	1,490 SF	1/300 SF	5				
TOTAL SPACES REQUIRED			5		7		Y
Regular and Handicap Spaces Required			4	1	6	1	Y

ANALYSIS

The subject site is located within the Airport Overlay District with a height restriction of 200 feet. The proposed development would not have a negative impact relating to the overlay district, as the existing building would not result in an increase in the building height. A Site Development Plan Review (SDR-35518) was previously approved for the proposed conversion of a Single Family Residence to an office building, with waivers of the perimeter landscape buffers. The request is a Major Amendment of the previously approved Site Development Plan Review to replace the approved five-foot wide landscape strip along Jones Boulevard with concrete and to reduce the building area from 1,688 square feet to 1,490 square feet. Since the approval of SDR-35518, no building permits have been issued for the conversion. Although no building permits have been issued to complete the conversion, a business has been operating at this location.

The site plan indicates no landscape buffer along the east side of the property, where parking spaces are proposed with an alley access to the parking lot. The request for a waiver of the landscape buffer through SDR-35518 was not required. The proposed site and landscape plan depict a new concrete infill that matches the existing sidewalk along Jones Boulevard and eliminates the five-foot wide landscape planter. Initially, no other changes to the property were proposed.

A revised site and landscape plan submitted on May 23, 2011 that depicts the reduction of the garage space from 450 square feet to 252 square feet. The rest of the existing building area has not changed. As a result in the garage size reduction, a revised floor and elevation plans were also submitted. The proposed elevation depicts the change of the reduction of the existing garage. The elevation plan depicts the face of the wall without any materials or relief, such as the inclusion of beltlines, pilasters, recesses, or popouts. There are no windows incorporated to the new wall design. The building will not maintain the appearance of a single family residence and will not be compatible with the existing adjacent residential properties to the south, east, and west

The proposed change to the landscape strip along Jones Boulevard is not consistent with the landscape standards of Title 19. Title 19.12 requires 15 feet of landscape buffer area adjacent to right-of-way. The 10-foot planter was approved because the site would then contain 15 feet of landscaping with the additional five feet of landscaping within the right-of-way. A waiver was approved through Site Development Plan Review (SDR-35518), which allowed the 10-foot wide west perimeter buffer with a five-foot wide landscape planter strip behind the curb along Jones Boulevard; therefore, staff recommends denial of this request.

FINDINGS (SDR-41037)

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 development will not be compatible with existing P-R (Professional Office and Parking) zoned office developments to the north. The building elevation will not maintain the appearance of a single family detached dwelling, the site will not be compatible with existing adjacent single-family residential properties to the south, west and east.

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;**

   A landscape waiver along the west perimeter landscaping buffer was previously approved to allow a 10-foot wide buffer on the subject property with the five-foot wide landscape planter strip along Jones Boulevard. The proposed site and landscape plan depicts the elimination of the landscape planter strip along Jones Boulevard, which does not comply with the intent of Title 19.12.

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

   The site will have access to Jones Boulevard, which is adequate to serve the proposed use. The main parking is located in the rear of the property through an existing 20-foot wide alley to the east, which allows ingress/egress onto Evergreen Avenue. These site access and on-site circulation will not negatively impact adjacent roadways or neighborhood traffic.

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

   Building and landscape materials are appropriate for the area and the City of Las Vegas.

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 building elevations indicate the reduced garage size. The building will not maintain the appearance of a single family residence and will not be compatible with the existing adjacent residential properties to the south, east, and west

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

   The site will be subject to inspection by the City and will not compromise the health, safety, and general welfare of the public.

NOTICES MAILED 346 (By City Clerk)

APPROVALS 6

PROTESTS 1

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-41037** APN: 138-36-316-007

Name of Property Owner: GARETH SPICER

Name of Applicant: GARETH SPICER

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: N/A

Partner(s): _____

APN: _____

Signature of Property Owner: _____

Print Name: GARETH SPICER

State of Nevada, County of Clark
Subscribed and sworn before me

This 28th day of September, 2010

Michelle Youn
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MICHELLE YOUN
No: 08-7630-1
My Appointment Expires Aug. 5, 2012

RECEIVED
FEB 24 2011

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: SITE PLAN REVIEW

Project Address (Location) 708 S. JONES LV NV 89107

Project Name JONES PARKING LOT **Proposed Use** OFFICE

Assessor's Parcel #(s) 138-36-316-007 **Ward #** 1

General Plan: existing OFFICE proposed _____ **Zoning:** existing PR proposed _____

Commercial Square Footage 1680 **Floor Area Ratio** _____

Gross Acres .15 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER GARETH SPICER **Contact** _____

Address 708 S JONES **Phone:** 498645 **Fax:** 8706333

City LAS VEGAS **State** NEVADA **Zip** 89107

E-mail Address GARETH@VEGASCOMPUDOC.COM

APPLICANT SAME AS **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City ABOVE **State** _____ **Zip** _____

E-mail Address _____

REPRESENTATIVE _____ **Contact** _____

Address SAME AS **Phone:** _____ **Fax:** _____

City ABOVE **State** _____ **Zip** _____

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 Gareth SPICER

Subscribed and sworn before me

This 28th day of September, 2010.

Michelle Youn

State of Nevada, County of Clark

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MICHELLE YOUN
No: 08-7630-1
My Appointment Expires Aug. 5, 2012

FOR DEPARTMENT USE ONLY

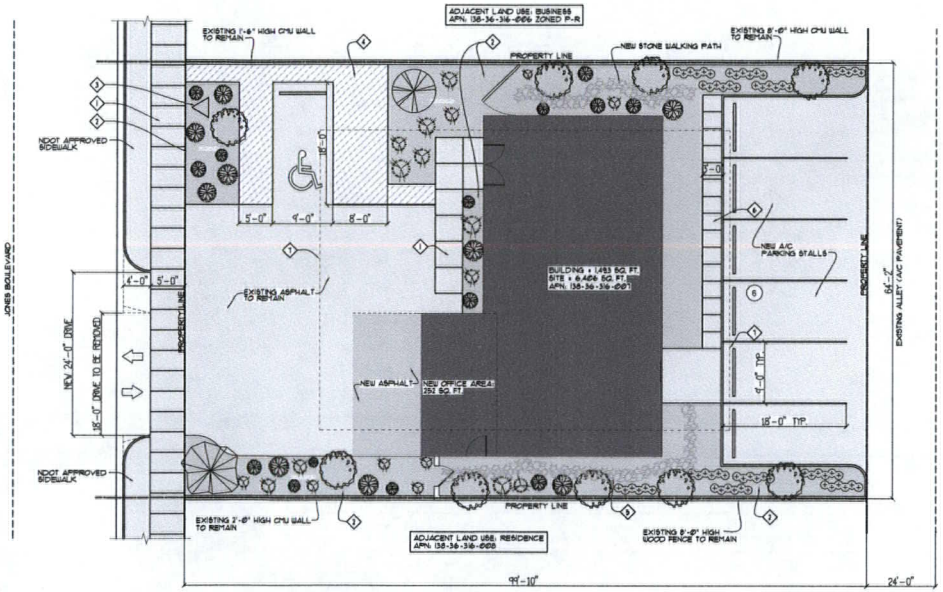
Case #	SDR-4037
Meeting Date:	4/12/11
Total Fee:	$830
Date Received:*	2/24/11
Received By:	BS

*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.

RECEIVED
FEB 24 2011

Revised 10/27/08

f:\depot\Application Packet\Application Form.pdf



01 ARCHITECTURAL SITE PLAN
SCALE: 1/8" = 1'-0"

KEYNOTES

1	EXISTING CONCRETE SIDEWALK TO REMAIN
2	NEW LANDSCAPING AREA
3	EXISTING MONUMENT SIGN
4	HANDICAP ACCESS AISLE, VAN ACCESSIBLE STALL AND ACCESS TO THE PUBLIC WAY. PAINTED ON EXISTING A/C PAVING
5	EXISTING STONE WALKING PATH TO REMAIN
6	NEW 3'-0" WIDE CONCRETE SIDEWALK
7	SETBACK LINE (C-1 ZONE: FRONT 20', SIDE 10' AND REAR 20')

PROJECT DATA

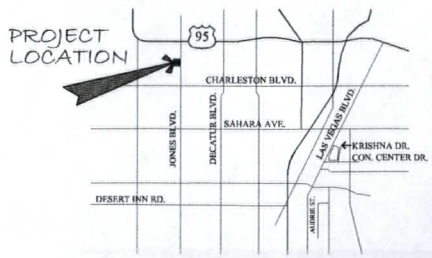
APN: 138-36-316-001	
ZONING:	
CURRENT ZONING R-1	
PROPOSED ZONING C-1	
CURRENT GENERAL PLAN S-C	
PROPOSED GENERAL PLAN S-C	
SIZE:	
BUILDING = 1238 SQ. FT.	
GARAGE = 450 SQ. FT.	
TOTAL = 1688 SQ. FT.	
SITE = .19 ACRES	
PARKING:	
REQUIRED = 7 (1 SPACE PER 250 SQ. FT.)	
PROVIDED = 7 SPACES INCLUDING 1 HANDICAP	
DENSITY:	
EXISTING = 26.4% OF SITE	

LANDSCAPE SCHEDULE

SYMBOL	COMMON NAME	BOTANICAL NAME	SIZE	# / NOTES
	CHASTE	VITEX AGNUS CASTUS	24" BOX	9
	PHOTINA	PHOTINA FRASER	5 GAL.	17
	TAM JUNIPER	JUNIPERUS SABINA TAMARISCOPOLIA	5 GAL.	18
ALL AREAS	CRUSHED GRANITE	SEE GENERAL LANDSCAPE NOTES	SEE NOTES	SEE PLAN
	INDIA HAWTHORN	RAPHIOLEPIS INDICA "SPRINGTIME"	5 GAL.	25
	ALEPPO PINE	PINUS HALEPENSIS	24" BOX	1
	SHOESTRING ACACIA	ACACIA STENOPHYLLA	84" BOX	1

GENERAL LANDSCAPE NOTES

1. ALL PLANTER AREAS NOT OTHERWISE NOTED TO HAVE A 3" DECOMPOSED GRANITE (MAUVE IN COLOR "PURPLE MIST") o/ BLACK LANDSCAPE FABRIC AS GROUND COVER AROUND PLANTS AND SHRUBS (SIZE 3/4" - 1" dia.)
2. ALL PLANTING AREAS TO BE PROPERLY PREPARED AND FERTILIZED TO SUSTAIN LIFE AND GROWTH FOR SIX (6) MONTHS AFTER INSTALLATION.
3. SUPPLY AND INSTALL ALL PIPING, FITTINGS, VALVES, HEADS, TIMERS, WIRING, ETC. NECESSARY TO PROVIDE A PROPER AUTOMATIC IRRIGATION SYSTEM TO ALL PLANTING AREAS ADEQUATE TO ALLOW VIGOROUS PLANT LIFE, HEALTH AND GROWTH. IRRIGATION SUB-CONTRACTOR TO PROVIDE DETAILED IRRIGATION PLAN TO G/C FOR REVIEW AND APPROVAL.
4. PROVIDE ROOT SHIELDS WHERE TREES ARE WITHIN 5' OF A WALL OR SIDEWALK.
5. PROVIDE GRASS FREE WELL FOR ALL TREES WITH EXTRUDED CONCRETE LANDSCAPE CURBING AND CRUSHED GRANITE GROUND COVER.



SDR-41037
REVISED

REVISIONS:

PROJECT: COMPUDOC TENANT IMPROVEMENT

PROJECT ADDRESS: 708 S. JONES BLVD - LAS VEGAS, NEVADA

GROTHE CONSTRUCTION
CONSTRUCTION

LICENSE NO. 52524

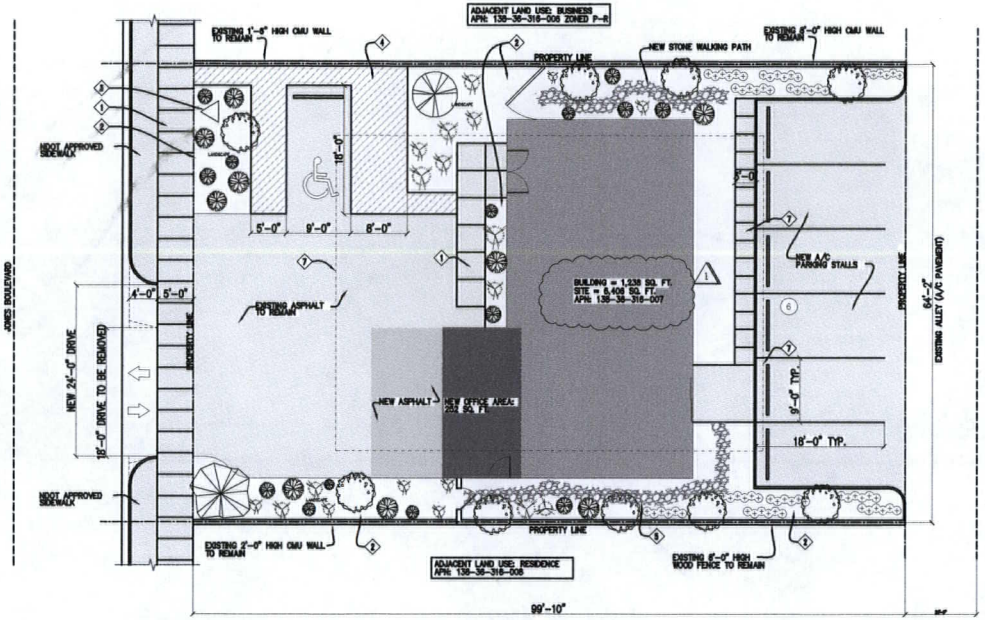
SIGNATURE:

PLOT: 4.20.11

DRAWN: BP

SHEET A0.12

ARCHITECTURAL SITE PLAN



01 ARCHITECTURAL SITE PLAN
SCALE : 1/8" = 1'-0"

KEYNOTES

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2	NEW LANDSCAPING AREA
3	EXISTING MONUMENT SIGN
4	HANDICAP ACCESS AISLE. VAN ACCESSIBLE STALL AND ACCESS TO THE PUBLIC WAY. PAINTED ON EXISTING A/C PAVING
5	EXISTING STONE WALKING PATH TO REMAIN
6	NEW 3'-0" WIDE CONCRETE SIDEWALK
7	SETBACK LINE (C-1 ZONE; FRONT 20', SIDE 10' AND REAR 20')

PROJECT DATA

APN: 138-36-316-007
ZONING:
CURRENT ZONING R-1
PROPOSED ZONING C-1
CURRENT GENERAL PLAN S-C
PROPOSED GENERAL PLAN S-C
SIZE:
BUILDING = 1,238 SQ. FT.
GARAGE = 252 SQ. FT.
TOTAL = 1,490 SQ. FT.
SITE = .05 Acres
PARKING:
REQUIRED = 7 (1 SPACE PER 250 SQ. FT.)
PROVIDED = 7 SPACES INCLUDING 1 HANDICAP
DENSITY:
EXISTING = 26.4% OF SITE

LANDSCAPE SCHEDULE

SYMBOL	COMMON NAME	BOTANICAL NAME	SIZE	# / NOTES
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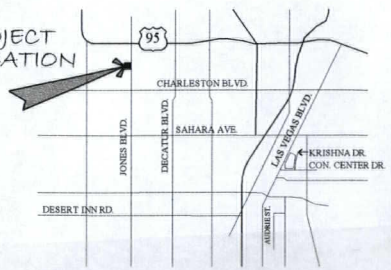
5. PROVIDE GRASS FREE WELL FOR ALL TREES WITH EXTRUDED CONCRETE LANDSCAPE CURBING AND CRUSHED GRANITE GROUND COVER.

RECEIVED
MAY 24 2011



REVISIONS:
1 05.24.11 CLV COMMENTS

PROJECT:
COMPUDOC
TENANT IMPROVEMENT

PROJECT ADDRESS:
708 S. JONES BLVD
LAS VEGAS, NEVADA

GROTHE CONSTRUCTION
CONSTRUCTION

LICENSE NO.
52524

SIGNATURE:

PLOT: 4.20.11
DRAWN: BP

SHEET
A0.12

ARCHITECTURAL SITE PLAN

SDR-41037
SUPPLEMENTAL

KEYNOTES

1	EXISTING CONCRETE SIDEWALK TO REMAIN
2	NEW LANDSCAPING AREA
3	EXISTING MONUMENT SIGN
4	HANDICAP ACCESS AISLE. VAN ACCESSIBLE STALL AND ACCESS TO THE PUBLIC WAY. PAINTED ON EXISTING A/C PAVING
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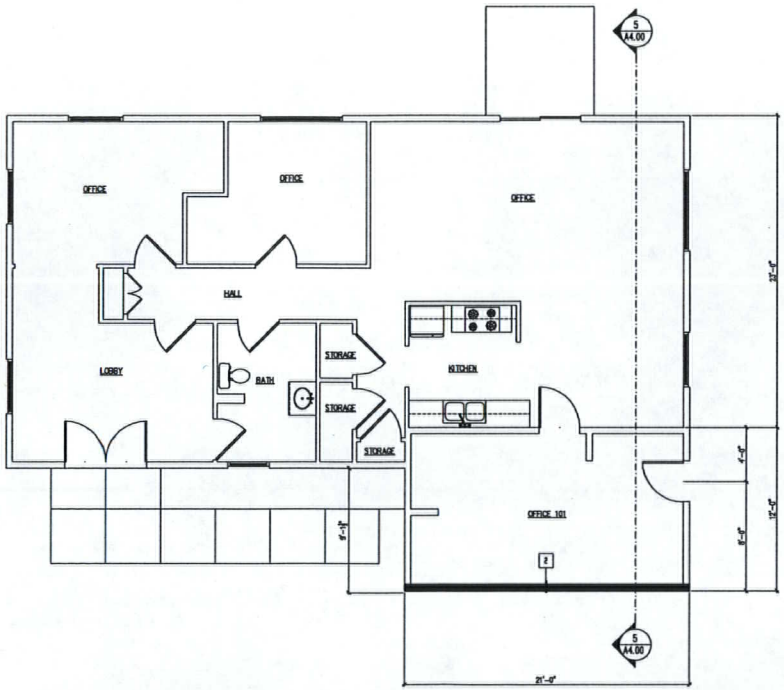
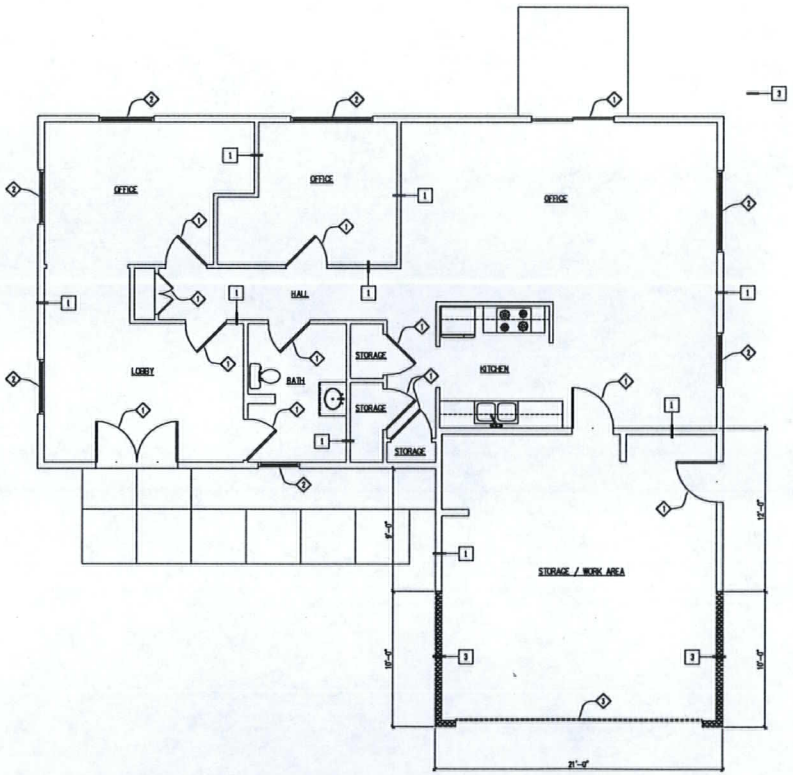


02 PROPOSED FLOOR PLAN
SCALE : 1/4" = 1'-0"



01 EXISTING FLOOR / DEMOLITION PLAN
SCALE : 1/4" = 1'-0"

DEMOLITION PLAN + PROPOSED FLOOR PLAN

REVISIONS:
1 05.24.11 CLV COMMENTS

PROJECT:
COMPUDOC
TENANT IMPROVEMENT

PROJECT ADDRESS:
708 S. JONES BLVD
LAS VEGAS, NEVADA

GROTHE CONSTRUCTION
CONSTRUCTION

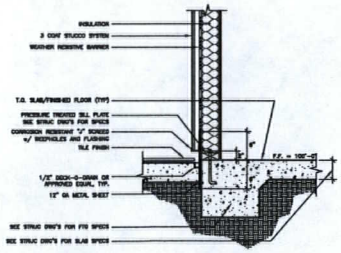
LICENSE NO. 52524
SIGNATURE:

PLOT: 4.20.11
DRAWN: BP

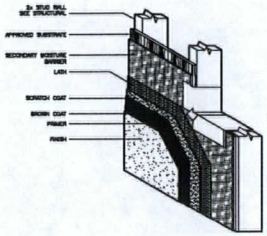
SHEET A2.00

RECEIVED
MAY 24 2011

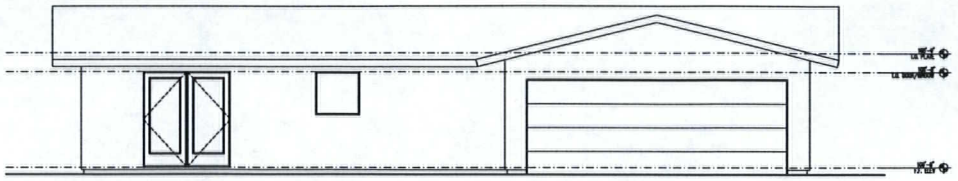
SDR-41037
SUPPLEMENTAL



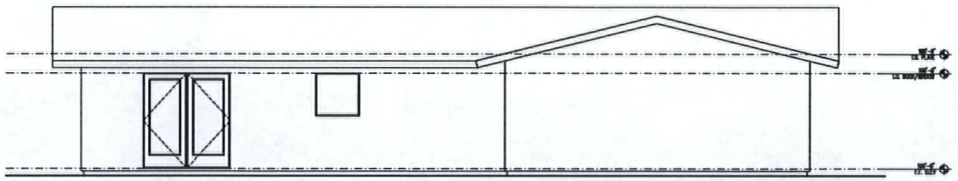
B WEEP SCREED at HARDSCAPE
SCALE : 1" = 1'-0"



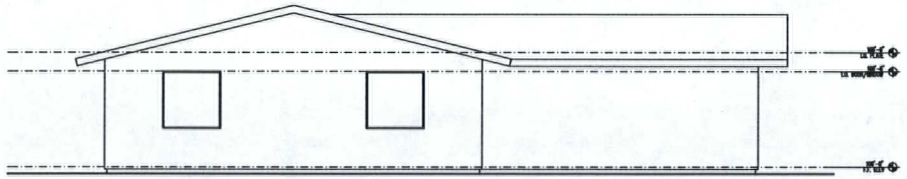
A THREE COAT STUCCO SYSTEM
SCALE : 1" = 1'-0"



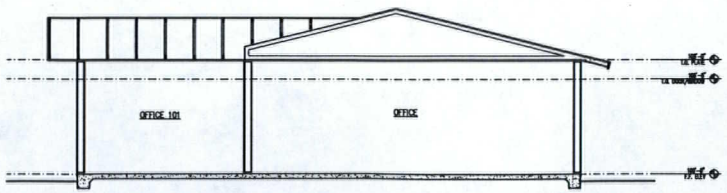
01 EXISTING FRONT ELEVATION
SCALE : 1/4" = 1'-0"



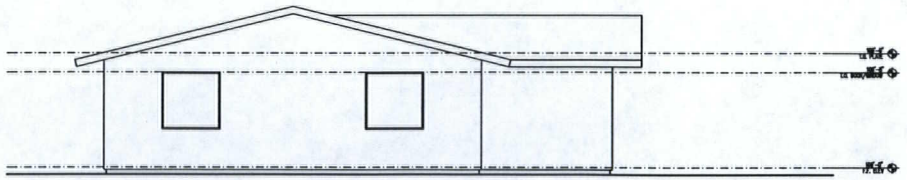
02 PROPOSED FRONT ELEVATION
SCALE : 1/4" = 1'-0"



03 EXISTING LEFT ELEVATION
SCALE : 1/4" = 1'-0"



05 BUILDING SECTION
SCALE : 1/4" = 1'-0"



04 PROPOSED LEFT ELEVATION
SCALE : 1/4" = 1'-0"

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MAY 2 4 2011

SDR-41037
SUPPLEMENTAL

REVISIONS:
05.24.11 CLV COMMENTS

PROJECT :
COMPUDOC
TENANT IMPROVEMENT
PROJECT ADDRESS:
708 S. JONES BLVD
-
LAS VEGAS, NEVADA

GROTHE CONSTRUCTION
CONSTRUCTION
LICENSE NO. 52524
SIGNATURE:

PLOT: 4.20.11
DRAWN: BP

SHEET A4.00

ELEVATIONS, SECTIONS, + DETAILS


SDR-41037


394 SZM
SDR-41037



SDR-41037


TOYOTA
SDR-41037


708
CompuDoc
Computer
Sales & Service
Windows - Apple
Laptop - Desktop
Repair
871-1881
704
708 S. JONES
SDR-41037


708
SOUTH JONES
CompuDoc
Computer
Sales & Service
Windows - Apple
Laptop - Desktop
Repair
871-1881
708 S. JONES
SDR-41037


SDR-41037


708 S. JONES
708
CompuDoc
Computer Sales & Service
Windows - Apple
Laptop - Desktop
Repair
871-1881
SDR-41037


708
SOUTH JONES
CompuDoc
Computer
Sales & Service
Windows - Apple
Laptop - Desktop
Repair
871-1881
BERNSTEIN
704
SDR-41037


SDR-41037



SDR-41037 - APPLICANT/OWNER: GARETH SPICER
708 SOUTH JONES BOULEVARD

03/03/11



SDR-41037 - APPLICANT/OWNER: GARETH SPICER
708 SOUTH JONES BOULEVARD

03/03/11



SDR-41037 - APPLICANT/OWNER: GARETH SPICER
708 SOUTH JONES BOULEVARD

03/03/11



SDR-41037 - APPLICANT/OWNER: GARETH SPICER
708 SOUTH JONES BOULEVARD

03/31/11



SDR-41037 - APPLICANT/OWNER: GARETH SPICER
708 SOUTH JONES BOULEVARD

03/31/11



SDR-41037 - APPLICANT/OWNER: GARETH SPICER
708 SOUTH JONES BOULEVARD

03/31/11

PLANNING & DEVELOPMENT
DEVELOPMENT SERVICES CENTER
731 S. Fourth Street
Las Vegas, NV 89101

Voice: 702-229-6301
Fax: 702-474-0352
TTY 702-386-9108
www.lasvegasnevada.gov



Mayor
Oscar B. Goodman

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

City Manager
Elizabeth N. Fretwell

07101-001-06-09

October 1, 2009

CORRECTED LETTER

Mr. Gareth Spicer
708 South Jones Boulevard
Las Vegas, Nevada 89015

RE: SDR-35518 - SITE DEVELOPMENT PLAN REVIEW

Dear Mr. Spicer:

Your request for a Site Development Plan Review FOR THE PROPOSED CONVERSION OF A SINGLE FAMILY RESIDENCE TO A 1,688 SQUARE-FOOT OFFICE BUILDING WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS TO ALLOW A TEN-FOOT BUFFER ALONG THE WEST PERIMETER WHERE 15 FEET IS REQUIRED AND A ZERO-FOOT BUFFER ALONG PORTIONS OF THE NORTH PERIMETER WHERE FIVE FEET IS REQUIRED on 0.15 acres at 708 South Jones Boulevard (APN 138-36-316-007), P-R (Professional Offices and Parking) Zone, Ward 1 (Tarkanian), was considered by the Planning Commission on September 25, 2009.

The Planning Commission voted to ***APPROVE*** your request, subject to the following:

Planning and Development

1. The building elevation and free-standing sign shall be painted earth-tone, subject to approval of Planning and Development staff.

2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All development shall be in conformance with the floor plan date stamped 08/07/09 and the site plan and landscape plan date stamped 08/28/09, except as amended by conditions herein.

4. A Waiver from Title 19.12.040 is hereby approved, to allow a ten-foot wide landscape buffer along the west property line where fifteen feet is required and to allow a zero-foot wide landscape buffer along a portion of the north property line where five feet is required.

5. An Exception from Title 19.12.040 is hereby approved, to allow a stone walking path within the north and south perimeter landscape buffers where trees, shrubs, and groundcover is required.

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 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.

SDR-41037

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. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; comply with the recommendations of the City Surveyor.

15. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

16. If on-street parking is not already prohibited adjacent to this site, submit a written request to the City Traffic Engineer to eliminate parking on Jones Boulevard adjacent to this site prior to the issuance of any permits.

17. Landscape and maintain all unimproved right-of-way on Jones Boulevard adjacent to this site. Alternatively, hard surface all unimproved right-of-way on Jones Boulevard if allowed by the Planning and Development Department and/or required by the Nevada Department of Transportation prior to the issuance of a business license. Maintain all such improvements in perpetuity. All landscaping and private improvements installed with this project shall be situated and maintained so as not to create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

18. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Jones Boulevard public right-of-way adjacent to this site.

19. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.

20. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing final grade elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

This action by the Planning Commission on **September 24, 2009** is final unless a written appeal is filed with the City Clerk within ten days of the date of the Planning Commission's decision or there is a review action filed by the City Council within the same time period. The Notice of Final Action was filed with the Las Vegas City Clerk on ***September 25, 2009***.

Sincerely,

Douglas J. Rankin, AICP
Planning Manager
Case Planning Division

DR:clb

cc: Ms. Kristine Czach
GGW Architects
7625 Dean Martin Drive
Las Vegas, Nevada 89139

SDR-41037

COMPUDOC

Compudoc
708 S. Jones Blvd
Las Vegas, Nv
89107
(702) 871-1881

To Whom it may concern at the City of Las Vegas:

We respectfully request that our SDR is moved to the May 10th agenda. We will be complying with all landscape requirements by the city and have already complied with the "color of the building" requirement. However we will be requesting that the 5' area in the NDOT right of way located on Jones Blvd frontage be paved in NDOT approved sidewalk as all businesses have done as they have converted their zoning. For at least 5 miles in both north and south directions on Jones , all business have concreted their side walk directly in front of their buildings. Percentage wise, our landscape architect has stated there is more than enough landscape area to meet city standards without landscaping the sidewalk. We are not asking any different than what all of the other properties have done along Jones Blvd. Thank you.

Sincerely

Gareth Spicer

RECEIVED
APR 05 2011

SDR-41037
REVISED

RECEIVED
CITY CLERK

2011 JUL 11 P 3:12

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
FIRST CLASS
02 1M $ 00.41⁴
0304279218 JUL 07 2011
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.

SDR-41037

City Council Meeting of 7/20/2011

ESCAPE PROPERTIES L L C
520 S JONES BLVD
LAS VEGAS NV 89107-3641

APN#13836310006

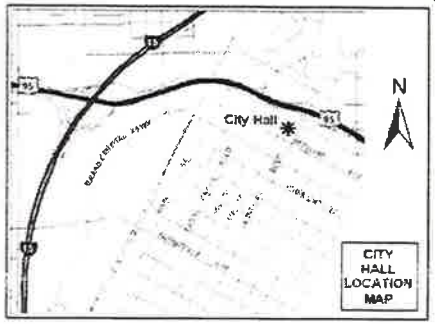
25 FRDFN11 89107

07/11/2011 MON 14:12 [TX/RX NO 9752] 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
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SDR-41037

Planning Commission Meeting of 5/10/2011

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SDR-41037
13836317053
WHITE CLOUD TRUST
300 MANOR ST
LAS VEGAS NV 89145-5366

28 BRDFN11 89145

440

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

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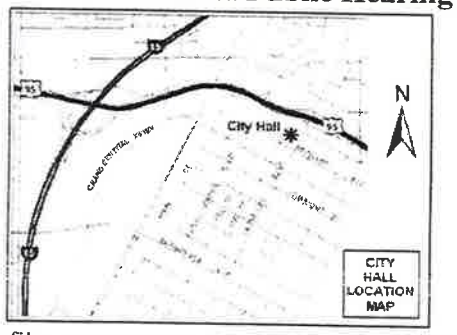
Official Notice of Public Hearing



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☒ I SUPPORT this Request

☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-41037

Planning Commission Meeting of 5/10/2011

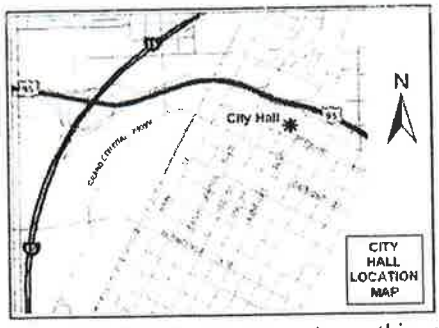
Case: SDR-41037

13836316025
ERTEL LAWRENCE R & LENORE
5808 IDLE AVE
LAS VEGAS NV 89107-3639

5 BRDPN11 89107

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

Return Service Requested
Official Notice of Public Hearing



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SDR-41037

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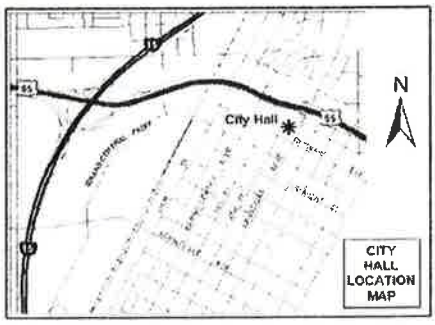
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SDR-41037
13836401001
ERICKSON FAMILY REVOCABLE TRUST
1289 BARTONSHIRE WY
ROCKVILLE MD 20854-6101

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

Return Service Requested
Official Notice of Public Hearing



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SDR-41037

Planning Commission Meeting of 5/10/2011

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SDR-41037
13836314050
DAWSON DOROTHY A LIVING TRUST
5816 GIPSY AVE
LAS VEGAS NV 89107-3655

25 APR 11 89107

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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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

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SDR-41037

13836314012
TITUS LIVING TRUST
5909 GIPSY AVE
LAS VEGAS NV 89107-3660

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

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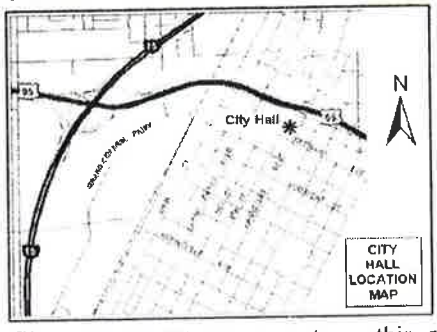
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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MAY 9 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SDR-41037

13836311002
LAMEK NICHOLAS E & MARGARET E
5925 ALTA DR
LAS VEGAS NV 89107-3604

SDR-41037
Planning Commission Meeting of 5/10/2011

25 APR 11 89107

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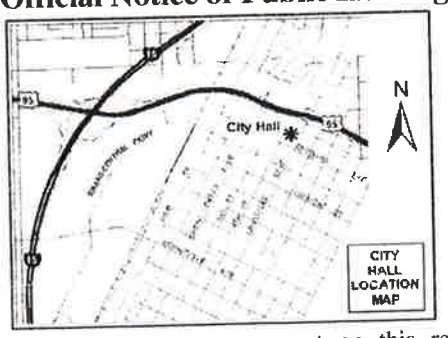
City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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-41037
Planning Commission Meeting of 5/10/2011

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MAY 9 2011
CITY OF LAS VEGAS
PLANNING & DEVELO...

Case: SDR-41037
13836310003
BICKMORE JOHN J & DIANE T REV TR
2149 W RIVER EDGE LN
ST GEORGE UT 84770-1829

2 BRDFN11 84770

44
A

City of Las Vegas Agenda Item No.: **97.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: JULY 20, 2011

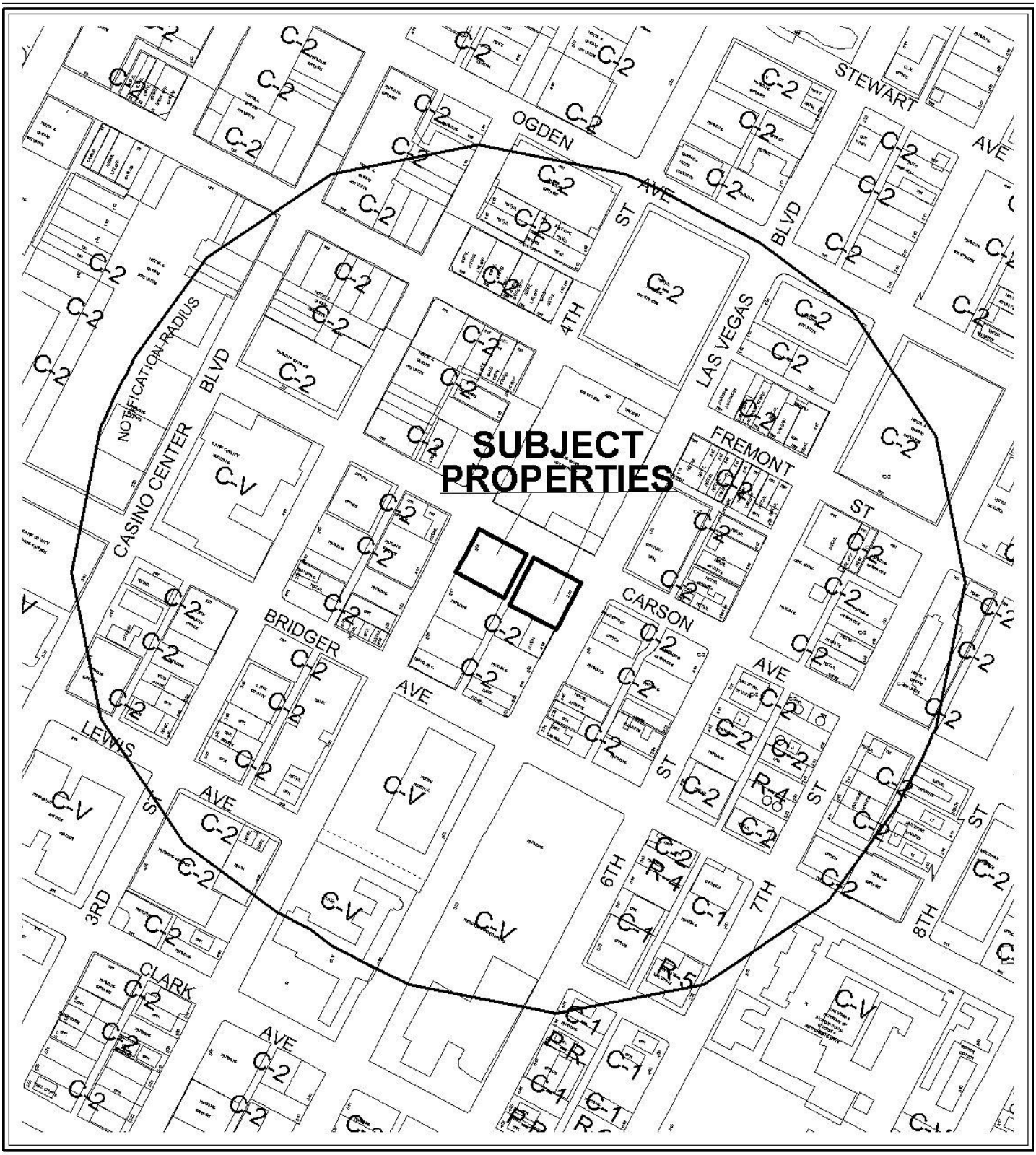
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
SDR-41271 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: NEVADA STATE BANK - For possible action on a request for a Site Development Plan Review FOR A PROPOSED PARKING LOT WITH WAIVERS OF THE DOWNTOWN CENTENNIAL PLAN STREETSCAPE AND PARKING LOT LANDSCAPE REQUIREMENTS on 0.85 acres at 201 South 4th Street and 200 Las Vegas Boulevard South (APNs 139-34-610-023 and 139-34-610-031), C-2 (General Commercial) Zone, Ward 3 (Coffin). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**1**	**Planning Commission Mtg.**	**1**
City Council Meeting	**1**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest Postcard
7. Backup referenced from the June 14, 2011 Planning Commission Meeting Item – SDR-41271



0 300 600 Feet

CASE: **SDR-41271**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N



0 300 600 Feet

CASE: **SDR-41271**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 20, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: NEVADA STATE BANK

** STAFF RECOMMENDATION **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SDR-41271	Staff recommends DENIAL, if approved subject to conditions:	

** CONDITIONS **

SDR-41271 CONDITIONS

Planning

1. The landscape shall be 36-inch box Ash Trees along Carson Avenue and Date Palms along Las Vegas Boulevard as required by the Downtown Centennial Plan.

2. Conformance to conditions of approval of Z-0100-64.

3. All development shall be in conformance with the site plan and landscape plan, date stamped 05/31/11 except as amended by conditions herein.

4. A Waiver from all Downtown Centennial Plan Streetscape and Parking Lot Landscape Requirements is hereby approved.

5. Prior to use, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

YK

7. A revised site plan shall be submitted to and approved by the Department of Planning, prior to or at the time application is made for any permits, depicting conformance to the minimum dimensional standards of Title 19.10. for drive aisles and parking spaces.

8. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.

9. 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.

10. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

11. Dedicate an additional 5 feet of right-of-way for a total half-street width of 45 feet on Las Vegas Boulevard South, a 10 foot radius on the southeast corner of Fourth Street and Carson Avenue, and a 10 foot radius on the southwest corner of Carson Avenue and Las Vegas Boulevard South adjacent to this site prior to the issuance of any permits.

12. Remove all substandard sidewalk improvements and unused driveways adjacent to this site and replace with new improvements meeting current City Standards as amended herein concurrent with development of this site. The existing driveways shown on Fourth Street and Carson Avenue may remain as constructed. 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.

13. All landscaping and private improvements, if any, 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.

14. Submit an Encroachment Agreement for all landscaping and private improvements located in the Carson Avenue and Las Vegas Boulevard South public rights-of-way adjacent to this site prior to occupancy of this site. The installation and maintenance of all landscaping in the public right of way shall be the responsibility of the adjacent property owner(s) and shall be transferred with the sale of the property for the entire term of the Encroachment Agreement.

15. 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 drainage ways as recommended.

Staff Report Page One
July 20, 2011 - City Council Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a proposal for commercial parking on two lots located in the center of downtown Las Vegas. The applicant is requesting Waivers of the Downtown Centennial Plan Streetscape and Parking Lot Landscape standards. The applicant intends to utilize the property until it is sold and therefore does not want to install the minimum improvements required. The Downtown Centennial Plan does permit temporary parking lots for up to 36 months; however, all streetscape amenities are required. If approved as proposed without the required streetscape improvements, the development would have a long-term negative effect on the National Downtown Las Vegas Boulevard Scenic Byway and the Central Casino Core District; therefore, staff recommends denial. If denied, the site could not be utilized until another Site Development Plan Review was submitted and approved.

ISSUES

- This project requires a Waiver of the Downtown Centennial Plan Streetscape and Parking Lot Landscape Standards.
- This property is located on the National Downtown Las Vegas Boulevard Scenic Byway.
- The applicant installed the paved parking lot without an approved Site Development Plan Review or required permits after being informed of the requirements of the Downtown Centennial Plan and Title 19.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
08/23/60	The City Council approved Rezoning (Z-0037-60) from C-1 (Limited Commercial) to C-2 (General Commercial) for 201 South Fourth Street (139-34-610-031).
03/03/65	The City Council approved Rezoning (Z-0100-64) from R-4 (High Density Residential) to C-2 (General Commercial) for 200 Las Vegas Boulevard South (139-34-610-023). The Planning Commission and Staff recommended approval.
06/18/08	Code Enforcement issued a Citation (#66843) for a vacant building and graffiti at 200 South Las Vegas Boulevard. It was closed as resolved on 08/11/08.

YK

08/19/08	Code Enforcement issued a Citation (#93778) for illegal banners on a vacant building at 200 South Las Vegas Boulevard. It was closed as resolved on 09/03/10.
11/10/10	Code Enforcement issued a Citation (#96149) for an illegal parking lot at 200 South Las Vegas Boulevard. The case was closed in error on 01/13/11.
02/10/11	Code Enforcement issued a Citation (#97958) for an illegal parking lot at 200 South Las Vegas Boulevard. Case is open pending outcome of Site Development Plan Review (SDR-41271).
05/10/11	The Planning Commission voted to hold this item in abeyance to the June 14, 2011 Planning Commission meeting.
06/14/11	The Planning Commission voted (7-0) to recommend APPROVAL (PC Agenda Item 28/yk).

Most Recent Change of Ownership	
09/28/59	A deed was recorded for a change in ownership for 139-34-610-031.
12/10/79	A deed was recorded for a change in ownership for 139-34-610-023.

***Related Building Permits/Business Licenses (*139-34-610-031)**	
09/02/10	The Building Department issued a permit (#171339) to demolish a vacant bank building at 201 South Fourth Street. The permit was finalized 11/01/10.

***Related Building Permits/Business Licenses (*139-34-610-023)**	
09/02/10	The Building Department issued a permit (#171338) to demolish a vacant bank building at 200 South Las Vegas Boulevard. The permit was finalized 11/01/10.

Pre-Application Meeting	
03/02/11	Staff reviewed the requirements for a Site Development Plan Review application and the need for Waivers of the Downtown Centennial Plan Streetscape and Parking Lot Landscape Standards.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
03/31/11	Staff conducted a site visit to both lots and found them to be paved and stripped for parking. No landscape was present.

YK

Details of Application Request	
Site Area	
Net Acres for 139-34-610-031	0.41
Net Acres 139-34-610-023	0.43

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
13934610031	Undeveloped	C (Commercial)	C-2 (General Commercial)
North	Parking Garage	C (Commercial)	C-2 (General Commercial)
South	Parking lot	C (Commercial)	C-2 (General Commercial)
East	Undeveloped	C (Commercial)	C-2 (General Commercial)
West	Retail Office	C (Commercial)	C-2 (General Commercial)

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
13934610023	Undeveloped	C (Commercial)	C-2 (General Commercial)
North	Parking Garage	C (Commercial)	C-2 (General Commercial)
South	Pawn Shop	C (Commercial)	C-2 (General Commercial)
East	Office Post Office	C (Commercial)	C-2 (General Commercial)
West	Undeveloped	C (Commercial)	C-2 (General Commercial)

Master Plan Areas	***Yes***	***No***	***Compliance***
Downtown Centennial Plan	X		N
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
A-O (Airport Overlay) District 200 Feet	X		Y
Central Casino Core District	X		Y
Live/Work Overlay District	X		N/A
Las Vegas Boulevard Scenic Byway Overlay District (139-34-610-023) only.	X		N/A

YK

Trails (139-34-610-023) only.	X		Y
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		N
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Downtown Centennial Plan Central Casino Core District, the following standards apply:

Streetscape and Parking Lot Landscaping Standards				
Standards (139-34-610-031)	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Streetscape Trees:				
• North	1 Tree / 20 Linear Feet	7 Trees	1 Trees	N
• South	1 Tree / 0 Linear Feet	0 Trees	0 Trees	Y
• East	1 Tree / 0 Linear Feet	0 Trees	0 Trees	Y
• West	1 Tree / 30 Linear Feet	5 Trees	6 Trees	Y
TOTAL STREETSCAPE TREES		**12 Trees**	**7 Trees**	**N**
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	20 Trees	0 Trees	N

Pursuant to Downtown Centennial Plan Central Casino Core District, the following standards apply:

Streetscape and Parking Lot Landscaping Standards				
Standards (139-34-610-023)	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Streetscape Trees:				
• North	1 Tree / 20 Linear Feet	7 Trees	0 Trees	N
• South	1 Tree / 0 Linear Feet	0 Trees	0 Trees	Y
• East	1 Tree / 30 Linear Feet	5 Trees	0 Trees	N
• West	1 Tree / 0 Linear Feet	0 Trees	0 Trees	Y
TOTAL STREETSCAPE TREES		**12 Trees**	**0 Trees**	**N**
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	19 Trees	0 Trees	N

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Street Width (Feet)*	*Compliance with Street Section*
Carson Avenue	Secondary Collector	Master Plan of Streets and Highways	80	Y
Fourth Street	Secondary Collector	Master Plan of Streets and Highways	80	Y
Las Vegas Boulevard	Primary Arterial	Master Plan of Streets and Highways	85	N

Waivers		
Requirement	***Request***	***Staff Recommendation***
Provide one shade tree for every six spaces in landscaped islands.	To provide no trees or landscape islands	Denial
A minimum of ten square feet of landscaped surface area must be provided for each parking space.	To provide no landscape surface.	Denial
A five-foot wide amenity zone adjacent to all streets.	To provide no amenity zone	Denial
To provide a 10-foot wide sidewalk along Las Vegas Boulevard.	To provide an eight-foot wide sidewalk along Las Vegas Boulevard.	Denial
To provide a 10-foot wide sidewalk along 4th Street.	To provide a five-foot wide sidewalk along 4th Street.	Denial
To provide a five-foot perimeter landscape buffer.	To provide no perimeter landscape buffers.	Denial

ANALYSIS

This project is located in the Central Casino Core District of the Downtown Centennial Plan along the nationally designated Downtown Las Vegas Boulevard Scenic Byway. The project is also located within the Live/Work and Airport Overlay areas, but these are not impacted by the project. As indicated by the location, it is in a high profile area in the center of Downtown.

In November 2010 a citation was issued for an illegal parking lot. At that time, the applicant indicated that it was not interested in fully developing the lots as the intent was to sell them. Staff informed the applicant that the lots could not be legally used until the proper applications were submitted, approved and all required permits obtained. The applicant chose not to submit the required applications and continued to utilize the lots for commercial parking. As a result, another citation was issued for continued illegal use of the property in February 2011. The applicant was again informed that a Site Development Plan Review would have to be submitted and approved before the lots could be utilized for commercial purposes.

The applicant is requesting to be able to continue to utilize the lots for commercial parking without developing them to the minimum standards called for in the Downtown Centennial Plan. Seven existing trees are located at the subject site along 4th Street and Carson Avenue. The applicant has provided revised plans depicting an additional thirteen 24-inch boxed Ash trees along Carson Avenue and four, 25-feet tall Mexican Fan Palm trees along Las Vegas Boulevard. However, the proposed trees are not placed in the amenity zone where the Downtown Centennial Plan requires them. In addition, the Mexican Fan Palm trees are not an acceptable replacement for the required Deglet-Noor Palm trees along Las Vegas Boulevard. Also, the proposed trees are not located in the amenity zone at the back of the curb as required. The sole justification provided by the applicant is the desire to maintain a source of income from the property until it is sold for future development. No reason has been provided that indicates that the applicant is not able to implement the required minimum standards other than it does not want to incur the expense.

It is very important that these lots be developed to the minimum standards, given the high profile location of the parcels. The east perimeter is adjacent to the nationally designated Scenic Byway. Unless the minimum standards are maintained, this designation could be removed by the Federal government, who oversees the National Scenic Byway program.

Although Public Works is limited in its authority to comment regarding on-site traffic circulation issues that do not affect the public right-of-way, it has noted that the submitted site plan does not meet the parking lot drive aisle standards of title 19.10. The angle shown on the submitted site plan is 30 degrees, but spaces are actually at a 60 degree angle. Per 19.10.010.J.2, drive aisles for one-way 60 degree parking spaces must be a minimum of 15 feet wide and the drive aisles provided are only 12 feet wide. Due to the narrowed width of these drive aisles and the fact that they do not meet current standards, Public Works can foresee vehicles having difficulty with backing out of these spaces. A condition of approval has been added to require conformance to the minimum dimensional standards of Title 19.10.

There has been no reasonable justification for the requested Waivers offered; therefore, staff does not support them. If these applications are approved, these parking lots could be used for an extended period of time without the minimum standards ever implemented. This would have a negative effect on the area and hinder the redevelopment efforts the City has been promoting in downtown for over a decade.

FINDINGS (SDR-41271)

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;**

   Commercial parking lots are compatible with the adjacent development; however, failure to provide required minimum streetscape and parking lot landscaping negates the compatibility.

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;**

   Due to the many requested Waivers, this project is not consistent with the minimum design and landscape standards established by the Downtown Centennial Plan or Redevelopment Plan.

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

   This project will not have a negative impact on adjacent roadways. The project has access to one primary arterial and two secondary collector streets that are all capable of handling the access and circulation of the project.

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

   The absence of landscape materials is not appropriate for the downtown area of the City.

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;**

   This project is not aesthetically pleasing for the area due to the lack of minimum landscape being installed. It will not be harmonious or compatible with development in the area.

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

   All development will require permits and inspections that will maintain the public health, safety and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 37

NOTICES MAILED 124 (By City Clerk)

APPROVALS 1

PROTESTS 1

YK

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-41271 APN: 139-34-610-023 and 031

Name of Property Owner: Nevada State Bank

Name of Applicant: Nevada State Bank

Name of Representative: Tabitha Fiddyment - Kaempfer Crowell Renshaw Gronauer & Fiorentino

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 XX 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: Terry Shirey

Subscribed and sworn before me

This 15th day of MARCH, 2011

Michele J. DeSio

Notary Public in and for said County and State

MICHELE J. DESIO
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 08-26-2011
Certificate No: 03-83949-1

Revised 11-14-06

f:\depot\Application Packet\Statement of Financial Interest.doc

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MAR 23 2011

979092.1 AMP 16230.1

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Site Development Plan Review

Project Address (Location) 2001 South 4th and 200 Las Vegas Blvd. So.

Project Name Parking Lot **Proposed Use** Parking Lot

Assessor's Parcel #(s) 139-34-610-023 and 031 **Ward #** 3

General Plan: existing C-2 proposed n/a **Zoning:** existing C-2 proposed n/a

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres .85± **Lots/Units** _____ **Density** _____

Additional Information See attached justification letter

PROPERTY OWNER Nevada State Bank **Contact** N/A

Address P.O. Box 990 **Phone:** _____ **Fax:** _____

City Las Vegas **State** NV **Zip** 89125

E-mail Address _____

APPLICANT Nevada State Bank **Contact** N/A

Address P.O. Box 990 **Phone:** _____ **Fax:** _____

City Las Vegas **State** NV **Zip** 89125

E-mail Address _____

REPRESENTATIVE Kaempfer Crowell Renshaw Gronauer & Fiorentino **Contact** Tabitha Fiddyment

Address 8345 West Sunset Rd **Phone:** 792-7000 **Fax:** 796-7181

City Las Vegas **State** NV **Zip** 89113

E-mail Address tfiddyment@kcnvlaw.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 Terry Shirey

Subscribed and sworn before me

This 15th day of MARCH, 20 11.

_____

Notary Public in and for said County and State

MICHELE J. DESIO
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 08-26-2011
Certificate No: 03-83949-1

FOR DEPARTMENT USE ONLY

Case #	SDR-41271
Meeting Date:	5-10-11
Total Fee:	$1030.00
Date Received:*	3-23-11
Received By:	JFREWD

*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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Revised 10/27/08

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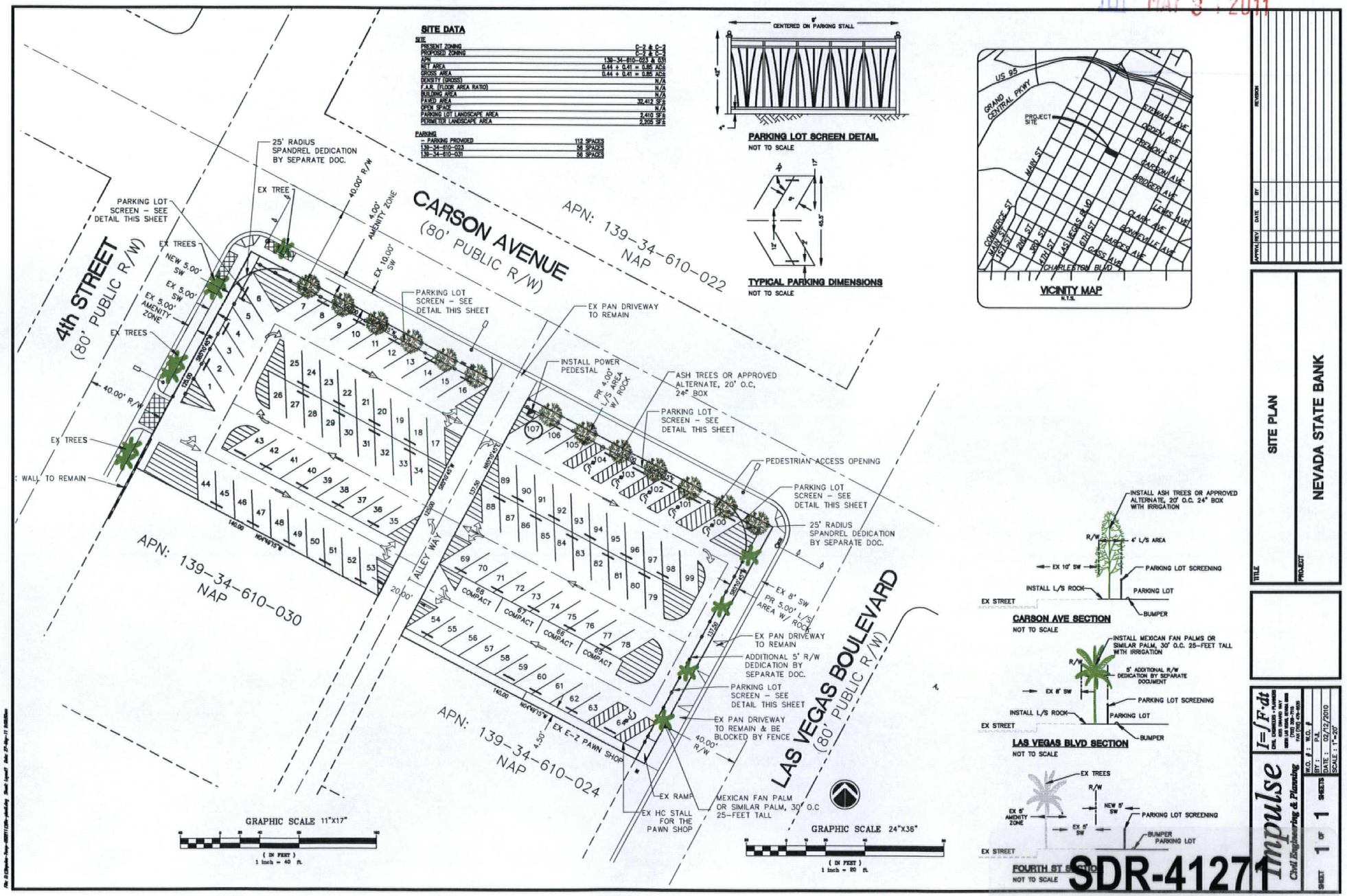
MAY 31 2011



SDR-41271

REVISED



SDR-41271 - APPLICANT/OWNER: NEVADA STATE BANK
201 SOUTH 4TH STREET AND 200 LAS VEGAS BOULEVARD SOUTH

03/31/11



SDR-41271 - APPLICANT/OWNER: NEVADA STATE BANK
201 SOUTH 4TH STREET AND 200 LAS VEGAS BOULEVARD SOUTH

03/31/11



SDR-41271 - APPLICANT/OWNER: NEVADA STATE BANK
201 SOUTH 4TH STREET AND 200 LAS VEGAS BOULEVARD SOUTH

03/31/11

KAEMPFER CROWELL

KAEMPFER CROWELL RENSHAW GRONAUER & FIORENTINO

ATTORNEYS AT LAW

LAS VEGAS OFFICE

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tfiddyment@kcnvlaw.com
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Suite 140
Reno, NV 89511
Tel: 775.852.3900
Fax: 775.882.0257

CARSON CITY OFFICE
510 W. Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

March 22, 2011

City of Las Vegas
Department of Planning & Development
333 S. Rancho Road
Las Vegas, Nevada 89106

Re: Justification Letter – Site Development Plan Review for a Temporary Parking Lot
Nevada State Bank
APN # 139-34-610-023 & 031

To Whom It May Concern:

This office represents the applicant in the above-referenced matter. This application is a site development plan review for a temporary parking lot on approximately .85 acres generally located on the southeast corner of Carson and 4th Street.

The site is currently owned by Nevada State Bank ("Bank"). The Bank foreclosed on the property and demolished the improvements as they were blighted and essentially condemnable. As the Bank is not in the business of developing property, they have been attempting to sell the site since they were forced to recover the asset. However, to date, the Bank has not been able to sell the property. Consequently, the Bank is proposing to utilize the site on an interim basis as a 112 stall temporary parking lot.

The Bank is aware that the City is working to address the parking demands in Downtown Las Vegas and the proposed use would aide in the solution until it is sold and redeveloped. Further, the Bank is not a developer and in the event the site is not utilized as a parking lot it will remain a vacant lot, and despite the Bank's best efforts invariably become an attraction for trash disposal and loitering. Even if the Bank secures the site, eliminating these nuisances is nearly impossible.

The Bank is further proposing to waive the requirements of the Downtown Centennial Plan with respect to landscaping and offsite improvements. Again, the proposed use is temporary and compliance with the Downtown Centennial Plan can be required at the time redevelopment occurs. The Bank is only proposing the parking lot use as a temporary solution to aide in addressing current parking demands and prevent the site from becoming an undesirable nuisance. The Bank is willing to accept a condition that this use be reviewed on a regular basis to insure the property is appropriately maintained.

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SDR-41271

KAEMPFER
CROWELL

We appreciate your kind consideration of our request. Please feel free to contact me should you have any questions or concerns. Thank you

Sincerely,

KAEMPFER CROWELL RENSHAW
GRONAUER & FIORENTINO

Tabitha D. Fiddyment

TF/ll

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MAR 23 2011

SDR-41271

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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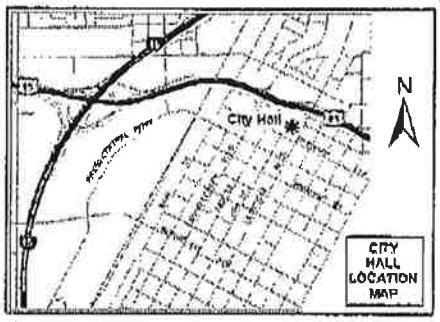
0004279218 JUL 07 2011
MAILED FROM ZIPCODE 89101

Return Service Requested
Official Notice of Public Hearing



DOWNTOWN LANDSCAPING IS VERY IMPORTANT!
PLEASE DO NOT WAIVE
THANK YOU

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.

SDR-41271
City Council Meeting of 7/20/2011

SENIOR NEVADA BENEFIT GROUP L P
1600 BECKE CIR
LAS VEGAS NV 89104-3322

APN#13934611043

RECEIVED CITY CLERK 2011 JUL 11 A 7:02

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
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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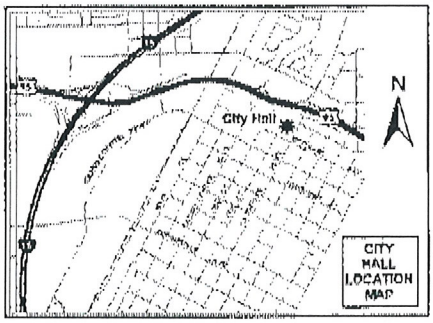
Return Service Requested

Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning, Case Planning Division 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.

SDR-41271 LANDSCAPING IS VERY IMPORTANT!

Planning Commission Meeting of 5/10/2011

Case: SDR-41271
13934611046
SENIOR NEVADA BENEFIT GROUP L P
1600 BECKE CIR
LAS VEGAS NV 89104-3322

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MAY -2 2011

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City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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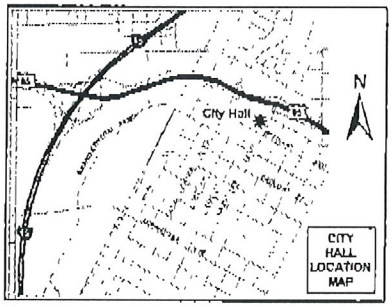
MAILED FROM ZIP CODE 89101

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.

SDR-41271

Planning Commission Meeting of 5/10/2011

Case: SDR-41271
13934610022
FREMONT ST EXPERIENCE PARKING
425 FREMONT ST
LAS VEGAS NV 89101-5620

30 BRDFN11 89101

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City of Las Vegas Agenda Item No.: **98.**

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JULY 20, 2011

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

City of Las Vegas Agenda Item No.: **99.**

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JULY 20, 2011

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.: **100.**

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JULY 20, 2011

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