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.

September 7, 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 ORDER; 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.

THE MAYOR AND CITY COUNCIL WELCOME YOUR ATTENDANCE, PUBLIC COMMENT RELATED TO THE ITEMS ON THE AGENDA AND CITIZEN PARTICIPATION ON ITEMS UNDER THE JURISDICTION OF THE CITY COUNCIL AT THIS MEETING. IF YOU WISH TO SPEAK, WE RESPECTFULLY ASK YOU TO COMPLETE AND SUBMIT A SPEAKER CARD TO THE CITY CLERK. CARDS ARE AVAILABLE ONLINE, IN THE CLERK'S OFFICE OR AT THE FRONT OF THE CHAMBERS AS YOU ENTER.

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

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

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

CEREMONIAL MATTERS

1. CALL TO ORDER
2. ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
3. INVOCATION – PASTOR KOZ ALIGHCHI, EVANGELICAL FRIENDS CHURCH
4. PLEDGE OF ALLEGIANCE
5. RECOGNITION OF THE CITIZEN OF THE MONTH
6. RECOGNITION OF THE TEAM OF THE QUARTER
7. RECOGNITION OF THE 9/11 REMEMBRANCE LAS VEGAS COMMITTEE

DRAFT

BUSINESS ITEMS - MORNING

PUBLIC COMMENT

8. 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

9. 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

10. For possible action to approve the Final Minutes by reference of the regular City Council meetings of August 3, 2011 and August 17, 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

11. For possible action to approve the Interlocal Agreement between the disparate jurisdictions of the City of Las Vegas, (fiscal agent) and Clark County as required by the Department of Justice/Bureau of Justice Assistance Edward Byrne Justice Assistance Grant (JAG) FY2011 Local Solicitation, Catalog of Federal Domestic Assistance (CFDA) #16.738 for funding to support all components of the criminal justice system ($1,273,801 U.S. Department of Justice, Bureau of Justice Assistance FY 2011 Local JAG Grant) - All Wards

BUILDING AND SAFETY - CONSENT

12. For possible action to approve an encroachment request for tree wells, doors and building facade from 220 N. 4TH Street LV, LLC, 200 N. 4th Street & CIM/LL Las Vegas, LLC, 221 N. 3rd Street LV, LLC, Garside Beth Etal, 201 N. 3rd Street LV, LLC, and CIM/LL Las Vegas, LLC, owners (southwest corner of 4th Street and Stewart Avenue, APN 139-34-510-019, 139-34-501-009, 139-34-514-007 thru -009) - Ward 5 (Barlow)

13. For possible action to approve an encroachment request for existing fences, landscaping and parking from School Board of Trustees, owner (northeast corner of El Parque Avenue and Los Altos Street, APN 162-06-701-001) - Ward 1 (Tarkanian)

14. For possible action to approve an encroachment request for three existing freestanding signs from Raymond Pistol, owner (1238, 1236 and 1232 South Las Vegas Boulevard, APN 162-03-112-012) - Ward 3 (Coffin)

FINANCE - PURCHASING & CONTRACTS CONSENT

15. For possible action to approve award of Agreement No. 110204-LD, Blanket Services Agreement for Design and Construction Management - Department of Public Works - Award recommended to: CAROLLO ENGINEERS (Not-to-Exceed $500,000 - Various Funds) - All Wards

16. For possible action to approve award of the First Amendment to Agreement No. 100196-DC, Blanket Services Agreement for Material Testing and Special Inspections - Department of Public Works - Award recommended to: NINYO & MOORE ($100,000 - Road and Flood Capital Projects Fund) - All Wards

DRAFT

17. For possible action to approve award of the First Amendment to Agreement No. 100207-DC, Blanket Services Agreement for Material Testing and Special Inspections - Department of Public Works - Award recommended to: KLEINFELDER WEST, INC. ($100,000 - Road and Flood Capital Projects Fund) - All Wards

18. For possible action to approve award of Agreement No. 11.1730.05-LED, Construction Manager at Risk Agreement for Jones and Valley View Corridor Improvements located from U.S. 95 to Sahara Avenue on Jones Boulevard and from U.S. 95 to Desert Inn Road on Valley View Boulevard and Oakey Storm Drain located between Cahlan Drive and Barnard Way and the construction conflicts and contingency reserve set by Finance - Department of Public Works - Award recommended to: LAS VEGAS PAVING CORPORATION ($24,276,300 - Road and Flood Capital Projects Fund) - Ward 1 (Tarkanian)

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 reallocate $6,550,000 of General Fund funding in the Fire Services Capital Project Fund from the Regional Public Safety Complex (RPSC) to the Parks & Leisure Activities Capital Project Fund to fund $2,550,000 for the Las Vegas Museum of Organized Crime and Law Enforcement (Museum Project) located at 300 South Stewart Avenue, and $4,000,000 to Construction Bid Reserve - Ward 5 (Barlow)

OPERATIONS AND MAINTENANCE - CONSENT

21. For possible action to approve an Interlocal Agreement between the City of Las Vegas, City of North Las Vegas and the Las Vegas Metropolitan Police Department for the emergency operations management joint facility use located at 7551 Sauer Drive, APN 138-15-201-002 - Ward 4 (Anthony)

PLANNING - BUSINESS SERVICES CONSENT

22. For possible action to approve a Special Event Alcoholic Beverage License for Hogs & Heifers Saloon/Michelle Dell subject to Health Dept. regulations, Location: 201 North 3rd Street, Suite 130, Dates: September 28 - October 2, 2011, Type: Special Event General, Event: Hogs & Heifers Bikefest 2011, Responsible Person in Charge: Bruce Heaton - Ward 5 (Barlow)

23. For possible action to approve a Special Event Alcoholic Beverage License for Prom Management Group, Inc. subject to the provisions of the fire code and Health Dept. regulations, Location: TPC Summerlin (golf course), 1700 Village Center Circle, Dates: September 26 - October 2, 2011, Type: Special Event General, Event: Justin Timberlake Shriner's Open, Responsible Person in Charge: Todd Hansen - Ward 2 (Wolfson)

24. For possible action to approve a Special Event Alcoholic Beverage License for German - American Social Club of Nevada, Location: Historic 5th Street School, 401 South 4th Street, Date: October 1, 2011, Type: Special Event General, Event: Oktoberfest, Responsible Person in Charge: Eugene Gries - Ward 3 (Coffin)

25. For possible action to approve an extension of a Temporary Massage Establishment License, Silver Spirit, LLC, dba Saffron Day Spa, 2400 South Jones Boulevard, Suite 14, Naranjit Kaur, Mgr, 50% and Robert E. Lee Reed II, Managing Mmbr, 50% - Ward 1 (Tarkanian)

PUBLIC WORKS - CONSENT

26. For possible action to approve an Interlocal Contract LAS09U05 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to provide funding to reimburse construction costs for Las Vegas Creek Channel – Parallel System, US-95, Rainbow Boulevard to I-15 ($5,628,281 – Road and Flood Capital Project Fund [CPF]) – Wards 1 and 5 (Tarkanian and Barlow)

27. For possible action to approve an Interlocal Contract LAS14C11 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to provide funding for engineering design of the Freeway Channel – Washington, MLK to Rancho Drive ($598,510 – Road and Flood Capital Project Fund [CPF]) – Ward 5 (Barlow)

DRAFT

28. For possible action to approve a Second Supplemental Interlocal Contract LAS22K08 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to change the name, change the scope and increase project funding in the amount of $229,549.98 for Las Vegas Wash – Grand Teton, Mountain Spa to Durango Drive ($229,549.98 – Road and Flood Capital Project Fund [CPF]) – Ward 6 (Ross)

29. For possible action to approve an Interlocal Contract LLD08A11 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to provide funding for construction of the local drainage improvements for Concord Street Storm Drain Improvements ($481,311 – Road and Flood Capital Project Fund [CPF]) – Ward 5 (Barlow)

30. For possible action to approve an Interlocal Contract 684 between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to fund the Entity Non-Project Specific Expenses project ($100,000 - RTC) - All Wards

31. For possible action to approve an Interlocal Contract 685 between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to provide funding for construction and design for Arterial Reconstruction Projects Fiscal Year 2012/2013 ($400,000 – Public Works Capital Project Fund [CPF]) – All Wards

32. For possible action to approve the Small Generator Interconnection Agreement between the City of Las Vegas and Nevada Power Company d/b/a NV Energy to facilitate electrical connection of the 3 Megawatt Photovoltaic Solar Facility located at 6211 Vegas Valley Drive (APN 161-10-701-015) to NV Energy's Transmission System ($992,000 Sanitation Enterprise Fund [EF]) - County

RESOLUTIONS - CONSENT

33. R-35-2011 - For possible action to approve a Resolution directing the City Treasurer to give notice of the sale of properties subject to the lien of a delinquent assessment in Special Improvement District 505 and in certain other districts and providing other matters properly relating thereto - All Wards

34. R-36-2011 - For possible action to approve a Resolution directing the City Treasurer to give notice of the sale of properties subject to the lien of a delinquent assessment in the Summerlin Special Improvement Districts and in certain other districts and providing other matters properly relating thereto - All Wards

DISCUSSION/ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

35. ABEYANCE ITEM - Discussion for possible action regarding the Fire Training Services Interlocal Agreement between Las Vegas Fire & Rescue (LVFR) and the North Las Vegas Fire Department (NLVFD) regarding joint and cooperative uses of fire training operations ($30,885 - General Fund) - All Wards

RESOLUTIONS - DISCUSSION

36. R-37-2011 - Discussion for possible action regarding a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) concerning an Interlocal Agreement between the City of Las Vegas and the City of Las Vegas Redevelopment Agency (RDA) for the RDA to provide funding for the reopening of F Street at I-15 ($2,500,000 - RDA Special Revenue Fund) - Ward 5 (Barlow) [NOTE: This item is related to RDA Item 5 (RA-6-2011)]

BOARDS & COMMISSIONS - DISCUSSION

37. ABEYANCE ITEM - PLANNING COMMISSION - For Possible Action - Byron A. Goynes - Term Expiration 6-2011

38. ABEYANCE ITEM - SENIOR CITIZENS ADVISORY BOARD - For Possible Action - Fran Drewrey - Term Expiration 6-2011

39. Discussion for possible action regarding member appointments to the City of Las Vegas Citizens Advisory Committee to the Las Vegas Redevelopment Agency - Wards 1, 3 and 5 (Tarkanian, Coffin and Barlow)

DRAFT

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

40. Bill No. 2011-32 - For Possible Action - Annexation No. ANX-41279 - Property location: At the southeast corner of Racel Street and Al Carrison Street; Petitioned by: Gilcrease Nature Sanctuary; Acreage: 9.33 acres; Zoned: R-A (County zoning), R-E (City equivalent). Sponsored by: Councilman Steven D. Ross

41. Bill No. 2011-33 - For Possible Action - Amends the Supplemental Document to the City's Administrative Code to repeal and replace the provisions pertaining to the Board of Appeals. Proposed by: Christopher Knight, Director of Building and Safety

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.

42. Bill No. 2011-34 – Amends the City's noise regulations to revise the process by which construction-related activity may be permitted between the hours of six p.m. and seven a.m. under certain circumstances. Proposed by: Christopher Knight, Director of Building and Safety

43. Bill No. 2011-35 – Authorizes under certain circumstances the use of metered parking without the need to activate the corresponding parking meter in the manner otherwise required. Sponsored by: Councilman Ricki Y. Barlow

CLOSED SESSION

44. Closed Session - A closed meeting in accordance with NRS 288.220 to discuss labor issues

1:00 P.M. - AFTERNOON SESSION

BUSINESS ITEMS - AFTERNOON

45. 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

HEARINGS - DISCUSSION

46. Public Hearing for possible action to consider the report of expenses to recover costs for abatement of nuisance located at 1820 Cedar Avenue in the amount of $1,634.50 (General Fund) and assess a maximum of $19,000 in daily civil penalties. PROPERTY OWNER: JAGUAR ASSOCIATED GROUP LLC - Ward 3 (Coffin)

47. Public Hearing for possible action to consider the report of expenses to recover costs for abatement of nuisance located at 4228 Middlesex Avenue in the amount of $1,416 (General Fund) and assess a maximum of $23,500 in daily civil penalties. PROPERTY OWNER: ERNEST CHAVEZ - Ward 3 (Coffin)

48. Public Hearing for possible action to consider the report of expenses to recover costs for abatement of nuisance located at 729 Weatherstone Drive in the amount of $2,080.50 (General Fund) and assess a maximum of $23,500 in daily civil penalties. PROPERTY OWNER: JOSE ALCALA - Ward 3 (Coffin)

49. Public Hearing for possible action to consider a request for a waiver and/or reduction of fees and/or civil penalties for the property located at 1908 Theresa Avenue in the amount up to $98,683. PROPERTY OWNER: BANK NEW YORK MELLON TRS - Ward 3 (Coffin)

50. Public Hearing for possible action to consider a request for a waiver and/or reduction of fees and/or civil penalties for the vacant lot located behind Glen Landing Avenue (APN 125-27-819-092) in the amount up to $50,825. PROPERTY OWNER: RES-NV SD LLC – Ward 6 (Ross)

DRAFT

51. Public Hearing for possible action to consider a request for a waiver and/or reduction of fees and/or civil penalties for the property located at 5733 Royal Castle Lane in the amount up to $45,200. PROPERTY OWNER: BANK U S NATIONAL ASSN TRS - Ward 6 (Ross)

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.

52. EOT-42567 - EXTENSION OF TIME - VARIANCE - APPLICANT/OWNER: CLOUDBREAK LAS VEGAS, LLC - For possible action on a request for an Extension of Time of a previously approved Variance (VAR-19666) TO ALLOW 158 PARKING SPACES WHERE 394 IS THE MINIMUM NUMBER OF SPACES REQUIRED FOR A PROPOSED EXPANSION OF AN EXISTING MULTI-FAMILY RESIDENTIAL/SINGLE ROOM OCCUPANCY ESTABLISHMENT AND SOCIAL SERVICE PROVIDER on 2.77 acres at 525 East Bonanza Road and 602 Encanto Drive (APNs 139-27-805-003 and 139-27-812-017), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

53. EOT-42568 - EXTENSION OF TIME RELATED TO EOT-42567 - VARIANCE - APPLICANT/OWNER: CLOUDBREAK LAS VEGAS, LLC - For possible action on a request for an Extension of Time of a previously approved Variance (VAR-19665) TO ALLOW A TEN FOOT SETBACK FROM A PRIMARY ARTERIAL STREET WHERE 44 FEET IS THE MINIMUM SETBACK REQUIRED; TO ALLOW A FRONT YARD SETBACK OF TEN FEET WHERE 20 FEET IS REQUIRED AND A SIDE YARD SETBACK OF 8.5 FEET WHERE 10 FEET IS REQUIRED; TO ALLOW A RESIDENTIAL ADJACENCY SETBACK OF 66.42 FEET TO THE FOURTH FLOOR WHERE 127.5 FEET IS THE MINIMUM SETBACK REQUIRED ON THE NORTH SIDE OF THE PROPERTY FOR A PROPOSED EXPANSION OF AN EXISTING MULTI-FAMILY RESIDENTIAL/SINGLE ROOM OCCUPANCY ESTABLISHMENT on 2.77 acres at 525 East Bonanza Road and 602 Encanto Drive (APNs 139-27-805-003 and 139-27-812-017), C-2 (General Commercial)Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

54. EOT-42569 - EXTENSION OF TIME RELATED TO EOT-42567 AND EOT-42568 - WAIVER - APPLICANT/OWNER: CLOUDBREAK LAS VEGAS, LLC - For possible action on a request for an Extension of Time of a previously approved Waiver (WVR-19668) OF TITLE 18.12.130 TO ALLOW ENCANTO DRIVE TO CONTINUE TO END IN A DEAD END STREET WHERE A CUL-DE-SAC IS REQUIRED at 525 East Bonanza Road and 602 Encanto Drive (APNs 139-27-805-003 and 139-27-812-017), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

55. EOT-42570 - EXTENSION OF TIME RELATED TO EOT-42567, EOT-42568 AND EOT-42569 - SPECIAL USE PERMIT - APPLICANT/OWNER: CLOUDBREAK LAS VEGAS, LLC - For possible action on a request for an Extension of Time of a previously approved Special Use Permit (SUP-19661) FOR A PROPOSED EXPANSION OF A SINGLE ROOM OCCUPANCY RESIDENCE at 525 East Bonanza Road and 602 Encanto Drive (APNs 139-27-805-003 and 139-27-812-017), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

56. EOT-42576 - EXTENSION OF TIME RELATED TO EOT-42567, EOT-42568, EOT-42569 AND EOT-42570 - SPECIAL USE PERMIT - APPLICANT/OWNER: CLOUDBREAK LAS VEGAS, LLC - For possible action on a request for an Extension of Time of a previously approved Special Use Permit (SUP-20052) FOR A PROPOSED SOCIAL SERVICE PROVIDER at 525 East Bonanza Road and 602 Encanto Drive (APNs 139-27-805-003 and 139-27-812-017), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

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57. EOT-42577 - EXTENSION OF TIME RELATED TO EOT-42567, EOT-42568, EOT-42569, EOT-42570 AND EOT-42576 - SITE DEVELOPMENT PLAN REVIEW - APPLICANT/OWNER: CLOUDBREAK LAS VEGAS, LLC - For possible action on a request for an Extension of Time of a previously approved Site Development Plan Review (SDR-19659) FOR A PROPOSED EXPANSION OF AN EXISTING MULTI-FAMILY RESIDENTIAL/SINGLE ROOM OCCUPANCY ESTABLISHMENT WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER STANDARD TO ALLOW A ONE-FOOT WIDE BUFFER ALONG A PORTION OF THE SOUTH PROPERTY LINE WHERE A 15-FOOT WIDE BUFFER IS REQUIRED; A SIX-FOOT WIDE BUFFER ALONG A PORTION OF THE EAST PROPERTY LINE WHERE AN EIGHT FOOT WIDE BUFFER IS REQUIRED; A THREE FOOT WIDE BUFFER ALONG A PORTION OF THE NORTH PROPERTY LINE WHERE AN EIGHT-FOOT WIDE BUFFER IS REQUIRED; AND A SIX-FOOT WIDE BUFFER ALONG THE WEST PROPERTY LINE WHERE AN EIGHT-FOOT WIDE BUFFER IS REQUIRED at 525 East Bonanza Road and 602 Encanto Drive (APNs 139-27-805-003 and 139-27-812-017), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

58. EOT-42573 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT/OWNER: WAGIH W. KAMAR - For possible action on a request for an Extension of Time of a previously approved Site Development Plan Review (SDR-34010) FOR A PROPOSED 3,018 SQUARE-FOOT CONVENIENCE STORE WITH FUEL PUMPS AND A WAIVER TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ON A PORTION OF THE SOUTH AND WEST PERIMETER WHERE EIGHT FEET IS THE MINIMUM REQUIRED AND TO ALLOW A WAIVER OF THE BUILDING PLACEMENT AND ORIENTATION STANDARDS on 0.58 acres at 3701 West Sahara Avenue (APN 162-07-512-010), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

59. EOT-42574 - EXTENSION OF TIME RELATED TO EOT-42573 - SPECIAL USE PERMIT - APPLICANT/OWNER: WAGIH W. KAMAR - For possible action on a request for an Extension of Time of a previously approved Special Use Permit (SUP-34006) FOR A BEER/WINE/COOLER OFF-SALE ESTABLISHMENT at 3701 West Sahara Avenue (APN 162-07-512-010), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

60. EOT-42575 - EXTENSION OF TIME RELATED TO EOT-42573 AND EOT-42574 - VARIANCE - APPLICANT/OWNER: WAGIH W. KAMAR - For possible action on a request for an Extension of Time of a previously approved Variance (VAR-34008) TO ALLOW A ZERO-FOOT SIDE YARD SETBACK WHERE 10 FEET IS THE MINIMUM REQUIRED AND TO ALLOW A RESIDENTIAL ADJACENCY SETBACK OF 20 FEET WHERE 57 FEET IS REQUIRED on 0.58 acres at 3701 West Sahara Avenue (APN 162-07-512-010), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

61. EOT-42602 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT: GEORGE RAINHART - OWNER: FNBN ASPEN, LLC - For possible action on a request for an Extension of Time of a previously approved Special Use Permit (SUP-34309) FOR A LIQUOR ESTABLISHMENT, TAVERN WITH A WAIVER TO ALLOW A 100-FOOT DISTANCE SEPARATION FROM A SIMILAR USE WHERE 1,500 FEET IS REQUIRED at the northeast corner of Sahara Avenue and Las Vegas Boulevard (APNs 162-04-813-070, 071, and 162-03-410-008), C-2 (General Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

62. EOT-42603 - EXTENSION OF TIME RELATED TO EOT-42602 - WAIVER - APPLICANT: GEORGE RAINHART - OWNER: FNBN ASPEN, LLC - For possible action on a request for an Extension of Time of a previously approved Waiver (WVR-34311) OF TITLE 18.12.130 TO ALLOW CINCINNATI STREET TO NOT TERMINATE IN A CUL-DE-SAC east of Las Vegas Boulevard (APNs 162-04-813-070, 071, and 162-03-410-008), C-2 (General Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

63. EOT-42605 - EXTENSION OF TIME RELATED TO EOT-42602 AND EOT-42603 - VARIANCE - APPLICANT: GEORGE RAINHART - OWNER: FNBN ASPEN, LLC - For possible action on a request for an Extension of Time of a previously approved Variance (VAR-34308) TO ALLOW A 98-FOOT TALL, 11,210 SQUARE-FOOT ROOF SIGN WHERE A MAXIMUM OF EIGHT FEET IN HEIGHT AND 150 SQUARE FEET IN AREA IS PERMITTED, AND TO ALLOW THE COMBINED AREA OF WALL AND ROOF SIGNAGE TO BE 79 PERCENT, 23 PERCENT, AND 101 PERCENT OF THE SOUTH, EAST, AND WEST ELEVATIONS RESPECTIVELY, WHERE A MAXIMUM OF 20 PERCENT PER ELEVATION IS PERMITTED on 2.17 acres at the northeast corner of Sahara Avenue and Las Vegas Boulevard (APNs 162-04-813-070, 071, and 162-03-410-008), C-2 (General Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

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64. EOT-42606 - EXTENSION OF TIME RELATED TO EOT-42602, EOT-42603 AND EOT-42605 - APPLICANT: GEORGE RAINHART - OWNER: FNBN ASPEN, LLC - For possible action on a request for an Extension of Time of a previously approved Site Development Plan Review (SDR-34306) FOR A PROPOSED TWO-STORY, 37,100 SQUARE-FOOT NON-RESTRICTED GAMING (CASINO) AND RETAIL ESTABLISHMENT WITH A WAIVER OF THE DOWNTOWN CENTENNIAL PLAN STREETSCAPE STANDARDS ON CINCINNATI STREET at the northeast corner of Sahara Avenue and Las Vegas Boulevard (APNs 162-04-813-070, 071, and 162-03-410-008), C-2 (General Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

65. EOT-42622 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT/OWNER: CHURCH LAKES LUTHERAN - For possible action on a request for an Extension of Time of a previously approved Site Development Plan Review (SDR-34602) FOR A PROPOSED 50-FOOT TALL, FOUR-STORY 33-UNIT SENIOR CITIZEN APARTMENTS; 41-UNIT ASSISTED LIVING APARTMENTS; 22-BED CONVALESCENT CARE FACILITY/NURSING HOME; CHILD CARE FACILITY, AND EXPANSION TO AN EXISTING CHURCH/HOUSE OF WORSHIP on 3.88 acres at 8200 West Sahara Avenue (APN 163-04-408-003), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL.

66. EOT-42623 - EXTENSION OF TIME RELATED TO EOT-42622 - SPECIAL USE PERMIT - APPLICANT/OWNER: CHURCH LAKES LUTHERAN - For possible action on a request for an Extension of Time of a previously approved Special Use Permit (SUP-34608) FOR PROPOSED ASSISTED LIVING APARTMENTS at 8200 West Sahara Avenue (APN 163-04-408-003), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL.

67. EOT-42624 - EXTENSION OF TIME RELATED TO EOT-42622 AND EOT-42623 - SPECIAL USE PERMIT - APPLICANT/OWNER: CHURCH LAKES LUTHERAN - For possible action on a request for an Extension of Time of a previously approved Special Use Permit (SUP-34606) FOR A PROPOSED CONVALESCENT CARE FACILITY/NURSING HOME at 8200 West Sahara Avenue (APN 163-04-408-003), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL.

68. EOT-42625 - EXTENSION OF TIME RELATED TO EOT-42622, EOT-42623 AND EOT-42624 - SPECIAL USE PERMIT - APPLICANT/OWNER: CHURCH LAKES LUTHERAN - For possible action on a request for an Extension of Time of a previously approved Special Use Permit (SUP-34604) FOR PROPOSED SENIOR CITIZEN APARTMENTS at 8200 West Sahara Avenue (APN 163-04-408-003), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL.

69. EOT-42626 - EXTENSION OF TIME RELATED TO EOT-42622, EOT-42623, EOT-42624 AND EOT-42625 - VARIANCE - APPLICANT/OWNER: CHURCH LAKES LUTHERAN - For possible action on a request for an Extension of Time of a previously approved Variance (VAR-34605) TO ALLOW 160 PARKING SPACES WHERE 205 ARE REQUIRED FOR A PROPOSED CHURCH/HOUSE OF WORSHIP EXPANSION; SENIOR CITIZEN APARTMENTS; ASSISTED LIVING APARTMENTS; CONVALESCENT CARE FACILITY/NURSING HOME, AND A CHILD CARE FACILITY on 3.88 acres at 8200 West Sahara Avenue (APN 163-04-408-003), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL.

PLANNING - DISCUSSION

70. SUP-41587 - ABEYANCE ITEM - 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.

71. ROC-41851 - ABEYANCE ITEM - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT: WEINGARTEN REALTY INVESTORS - OWNER: DECATUR 215, LLC - For possible action on a Request for a Review of Condition of a previously approved Site Development Plan Review (SDR-22582) TO DELETE CONDITION #5 THAT REQUIRED 24-HOUR SECURITY ON-SITE at 6101-6371 North Decatur Boulevard (APN 125-25-614-001), C-1 (Limited Commercial) Zone, Ward 6 (Ross). Staff recommends DENIAL.

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72. SUP-42254 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: GLORIELL HOLDINGS, LLC - OWNER: CHI HSUAN WU - For possible action on a request for a Special Use Permit FOR A BEER/WINE/COOLER ON-SALE ESTABLISHMENT WITHIN AN EXISTING 5,918 SQUARE-FOOT RESTAURANT at 2131 Rock Springs Drive (APN 138-22-610-012), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and Staff recommends APPROVAL.

73. VAC-42053 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on a petition to Vacate a portion of public right-of-way at the northeast corner 4th Street and Stewart Avenue, Ward 5 (Barlow). The Planning Commission (7-0 vote) and Staff recommends APPROVAL.

74. VAC-42246 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: THE HOWARD HUGHES COMPANY, LLC - For possible action on a petition to Vacate all public street right-of-way within a residential subdivision generally located at the southwest corner of Crossbridge Drive and Sky Vista Drive, Ward 2 (Wolfson). The Planning Commission (7-0 vote) and Staff recommends APPROVAL.

75. GPA-41777 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: RANCHO PROPERTIES, LLC - For possible action on a request for a General Plan Amendment FROM: O (OFFICE) and LI/R (LIGHT INDUSTRY/RESEARCH) TO: M (MEDIUM DENSITY RESIDENTIAL) on 9.92 acres at 3000 North Michael Way (APN 138-13-512-001), Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL.

76. ZON-41778 - REZONING RELATED TO GPA-41777 - PUBLIC HEARING - APPLICANT/OWNER: RANCHO PROPERTIES, LLC - For possible action on a request for a Rezoning FROM: O (OFFICE) AND C-M (COMMERCIAL/INDUSTRIAL) TO: R-3 (MEDIUM DENSITY RESIDENTIAL) on 9.92 acres at 3000 North Michael Way (APN 138-13-512-001), Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL.

77. SDR-41779 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-41777 AND ZON-41778 - PUBLIC HEARING - APPLICANT/OWNER: RANCHO PROPERTIES, LLC - For possible action on a request for a Site Development Plan Review FOR A 136-UNIT APARTMENT COMPLEX WITH A WAIVER TO ALLOW NO LANDSCAPE BUFFER ALONG PORTIONS OF THE NORTH PERIMETER WHERE SIX FEET IS REQUIRED on 9.92 acres at 3000 North Michael Way (APN 138-13-512-001), O (Office) and C-M (Commercial/Industrial) Zones [PROPOSED: R-3 (Medium Density Residential)], Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL.

78. MOD-42261 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: RIO VISTA PLAZA, LLC, ET AL - For possible action on a request for a Major Modification of a previously approved Rezoning (Z-0074-97) TO AMEND THE MASTER DEVELOPMENT PLAN TO ADD GENERAL PERSONAL SERVICE AND MASSAGE, ACCESSORY USES AS PERMITTED USES AND THE MASSAGE ESTABLISHMENT USE AS A PERMITTED USE WITH AN APPROVED SPECIAL USE PERMIT on 18.6 acres at 7007-7171 West Ann Road (APNs Multiple), PD (Planned Development) Zone, Ward 6 (Ross). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

79. SUP-42265 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: RIO VISTA PLAZA, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 260 SQUARE-FOOT MASSAGE ESTABLISHMENT IN CONJUNCTION WITH A 1,500 SQUARE-FOOT DAY SPA WITH A WAIVER TO ALLOW A DISTANCE SEPARATION OF 50 FEET FROM A RESIDENTIAL USE WHERE 400 FEET IS REQUIRED at 7045 West Ann Road, Suite #130 (APN 125-34-515-003), PD (Planned Development) Zone, Ward 6 (Ross). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

80. SUP-42182 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: BARNET LIBERMAN - OWNER: 305 LAS VEGAS, LLC - For possible action on a request for a Major Amendment of a previously approved Special Use Permit (SUP-20519) FOR A PROPOSED 24-STORY MIXED-USE DEVELOPMENT CONSISTING OF 33,000 SQUARE FEET OF COMMERCIAL SPACE, 1,150 RESIDENTIAL UNITS AND A 135-FOOT TALL PARKING STRUCTURE 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). The Planning Commission (5-0-2 vote) and Staff recommend APPROVAL.

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81. SDR-41600 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-42182 - PUBLIC HEARING - APPLICANT: BARNET LIBERMAN - OWNER: 305 LAS VEGAS, LLC - For possible action on a request for a Major Amendment of a previously approved Site Development Plan Review (SDR-20502) FOR A PROPOSED 24-STORY MIXED-USE DEVELOPMENT, INCLUDING 33,000 SQUARE FEET OF COMMERCIAL SPACE, 1,150 RESIDENTIAL UNITS, AND A 135-FOOT TALL PARKING STRUCTURE 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). The Planning Commission (5-0-2 vote) and Staff recommend APPROVAL.

82. SUP-41599 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: BARNET LIBERMAN - OWNER: LEAH PROPERTY, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT on 0.64 acres at the northeast corner of Casino Center Boulevard and Coolidge Avenue (APNs 139-34-410-056 through 059), C-2 (General Commercial) Zone, Ward 3 (Coffin). The Planning Commission (6-0-1 vote) and Staff recommend DENIAL.

83. SDR-41829 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-41599 - PUBLIC HEARING - APPLICANT: BARNET LIBERMAN - OWNER: LEAH PROPERTY, LLC - For possible action on a request for a Site Development Plan Review 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 on 0.64 acres at the northeast corner of Casino Center Boulevard and Coolidge Avenue (APNs 139-34-410-056 through 059), C-2 (General Commercial) Zone, Ward 3 (Coffin). The Planning Commission (6-0-1 vote) and Staff recommend DENIAL.

84. VAR-42175 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: SHIRLEY RITZ TRUST - For possible action on a request for a Variance TO ALLOW A FOUR-FOOT REAR YARD SETBACK FOR A PRIMARY STRUCTURE WHERE 15 FEET IS REQUIRED, TO ALLOW AN ACCESSORY STRUCTURE (CLASS II) TO BE LOCATED IN THE FRONT YARD AREA WHERE SUCH IS NOT PERMITTED AND TO ALLOW A THREE-FOOT, SIX-INCH HIGH SOLID WALL WITH A THREE-FOOT, SIX-INCH WROUGHT IRON TOP WHERE FIVE FEET IS THE MAXIMUM HEIGHT ALLOWED IN THE FRONT YARD on 0.20 acres at 2222 Ash Avenue (APN 139-35-713-035), R-1 (Single Family Residential) Zone, Ward 3 (Coffin). The Planning Commission (5-1-1 vote) recommends APPROVAL.

85. SUP-42225 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: I RENT B & E, LLC - For possible action on request for a Special Use Permit FOR A PROPOSED PAWN SHOP USE WITHIN AN EXISTING 6,039 SQUARE-FOOT COMMERCIAL BUILDING WITH WAIVERS TO ALLOW A 657-FOOT DISTANCE SEPARATION FROM A FINANCIAL INSTITUTION, SPECIFIED WHERE 1,000 FEET IS REQUIRED at 3500 West Sahara Avenue (APN 162-05-402-007), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and Staff recommend DENIAL.

86. SUP-42252 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: DOG BITES BACK, LLC - OWNER: WINNER PROPERTIES, LLC - For possible action on a request for a Special Use Permit FOR A 98 SQUARE-FOOT RETAIL ESTABLISHMENT WITH ACCESSORY PACKAGE LIQUOR OFF-SALE USE WITH A WAIVER TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A RELIGIOUS FACILITY WHERE 400 FEET IS REQUIRED at 9500 West Sahara Avenue (APN 163-06-816-015), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

87. SUP-42262 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: BEL AIR RG, LLC, ET AL - For possible action on a request for a Special Use Permit FOR A PROPOSED 15,263 SQUARE-FOOT MOTOR VEHICLE SALES (USED) USE at 1715 Fremont Street and 1735 Fremont Street (APNs 139-35-315-006 and 007), C-2 (General Commercial) Zone, Ward 3 (Coffin). Staff recommends DENIAL. The Planning Commission (4-2-1 vote) recommends APPROVAL.

88. SUP-42264 - SPECIAL USE PERMIT RELATED TO SUP-42262 - PUBLIC HEARING - APPLICANT/OWNER: BEL AIR RG, LLC, ET AL - For possible action on a request for a Special Use Permit FOR A PROPOSED 7,572 SQUARE-FOOT AUTO REPAIR GARAGE, MAJOR WITH WAIVERS TO ALLOW SERVICE BAYS TO FACE THE RIGHT-OF-WAY AND TO ALLOW VEHICLES TO BE PARKED ON THE PREMISES FOR THE PURPOSE OF OFFERING THE VEHICLES FOR SALE WHERE SUCH IS NOT ALLOWED at 1715 Fremont Street and 1735 Fremont Street (APNs 139-35-315-006 and 007), C-2 (General Commercial) Zone, Ward 3 (Coffin). Staff recommends DENIAL. The Planning Commission (4-2-1 vote) recommends APPROVAL.

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89. SDR-41770 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: SOK J. LIM - OWNER: JWB NEVADA INVESTMENT SERIES B, LLC - For possible action on a request for a Site Development Plan Review FOR THE CONVERSION OF A SINGLE FAMILY RESIDENCE TO A 1,488 SQUARE-FOOT OFFICE BUILDING WITH WAIVERS TO ALLOW LANDSCAPE BUFFER WIDTHS OF FIVE FEET ALONG THE WEST PERIMETER WHERE 15 FEET IS REQUIRED, THREE FEET ALONG THE NORTH PERIMETER WHERE FIVE FEET IS REQUIRED AND ZERO FEET ALONG A PORTION OF THE SOUTH PERIMETER WHERE FIVE FEET IS REQUIRED on 0.16 acres at 344 South Jones Boulevard (APN 138-36-210-011), P-R (Professional Office and Parking) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

90. SDR-41771 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: SOK J. LIM - OWNER: JWB NEVADA INVESTMENT SERIES C, LLC - For possible action on a request for a Site Development Plan Review FOR THE CONVERSION OF A SINGLE FAMILY RESIDENCE TO A 1,492 SQUARE-FOOT TUTORING CENTER, WITH WAIVERS TO ALLOW LANDSCAPE BUFFER WIDTHS OF ZERO FEET ALONG A PORTION OF THE NORTH AND SOUTH PERIMETERS WHERE FIVE FEET IS REQUIRED, AND SEVEN FEET ALONG THE WEST PERIMETER WHERE 15 FEET IS REQUIRED on 0.13 acres at 404 South Jones Boulevard (APN 138-36-210-017), P-R (Professional Office and Parking) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

91. SDR-42251 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: CLARK COUNTY SCHOOL DISTRICT - OWNER: SCHOOL BOARD OF TRUSTEES - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 79,513 SQUARE-FOOT PUBLIC SCHOOL (K-12) on 11.7 acres at 2800 Stewart Avenue (APN 139-36-303-001), C-V (Civic) Zone, Ward 3 (Coffin). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

92. ROC-42636 - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT/OWNER: NEW ALBERTSON'S, INC. - For possible action on a request for a Review of Condition of a previously approved Special Use Permit (U-0026-00) TO DELETE CONDITION #2 THAT STATES, " THE SALE OF INDIVIDUAL CONTAINERS OF ANY SIZE OF BEER, WINE COOLERS, OR SCREW CAP WINE IS PROHIBITED" at 8490 Farm Road (APN 125-17-610-011), TC (Town Center) Zone, Ward 6 (Ross). Staff recommends APPROVAL.

93. ROC-42637 - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT/OWNER: NEW ALBERTSON'S, INC. - For possible action on a request for a Review of Condition of a previously approved Special Use Permit (U-0027-00) TO DELETE CONDITION #2 THAT STATES, "THE SALE OF INDIVIDUAL CONTAINERS OF ANY SIZE OF BEER, WINE COOLERS OR SCREW CAP WINE IS PROHIBITED" at 8410 Farm Road (APN 125-17-610-014), TC (Town Center) Zone, Ward 6 (Ross). Staff recommends APPROVAL.

94. DIR-42621 - WATER FEATURE EXEMPTION - PUBLIC HEARING - APPLICANT/OWNER: GREAT WASH PARK, LLC - For possible action on a request TO ALLOW THE OPERATION OF A 1,004 SQUARE-FOOT WATER FEATURE at 400 South Rampart Boulevard (APN 138-32-601-003), C-2 (General Commercial) Zone, Ward 2 (Wolfson). Staff recommends APRPOVAL.

SET DATE

95. 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

96. 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

97. 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

DRAFT

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

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

SUBJECT:
CALL TO ORDER

City of Las Vegas

Agenda Item No.: **2.**

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

SUBJECT:
ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

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

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

SUBJECT:
INVOCATION – PASTOR KOZ ALIGHCHI, EVANGELICAL FRIENDS CHURCH

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

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

SUBJECT:
PLEDGE OF ALLEGIANCE

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: OFFICE OF COMMUNICATIONS
DIRECTOR: DAVID RIGGLEMAN

SUBJECT:
RECOGNITION OF THE CITIZEN OF THE MONTH

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: OFFICE OF COMMUNICATIONS
DIRECTOR: DAVID RIGGLEMAN

SUBJECT:
RECOGNITION OF THE TEAM OF THE QUARTER

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: OFFICE OF COMMUNICATIONS
DIRECTOR: DAVID RIGGLEMAN

SUBJECT:
RECOGNITION OF THE 9/11 REMEMBRANCE LAS VEGAS COMMITTEE

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

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 7, 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.: **9.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 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.: **10.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 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 meetings of August 3, 2011 and August 17, 2011

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

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

SUBJECT:
ADMINISTRATIVE:

For possible action to approve the Interlocal Agreement between the disparate jurisdictions of the City of Las Vegas, (fiscal agent) and Clark County as required by the Department of Justice/Bureau of Justice Assistance Edward Byrne Justice Assistance Grant (JAG) FY 2011 Local Solicitation, Catalog of Federal Domestic Assistance (CFDA) #16.738 for funding to support all components of the criminal justice system ($1,273,801 U.S. Department of Justice, Bureau of Justice Assistance FY 2011 Local JAG Grant) - All Wards

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $1,273,801.00
Funding Source: U.S. Department of Justice, Bureau of Justice Assistance FY 2011 Local Grant
Dept./Division: City Manager's Office

PURPOSE/BACKGROUND:
The City of Las Vegas acting as fiscal agent for a formulaic three-year grant for a total of $1,273,801 to fund criminal justice related programs. No matching funds are required. Of the funds allocated by the Department of Justice, Clark County will receive $382,696 for department programs, and the City of Las Vegas will receive $891,105, of which $523,399 will be passed through to local criminal justice programs approved by the Bureau of Justice. The interlocal agreement defines the roles and responsibilities of each party, including reporting requirements that meet the FY2011 Local JAG Grant Standards.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
1. Interlocal Agreement for Department of Justice/Bureau of Justice Assistance FY2011 Edward Byrne Justice Assistance Grant (JAG) Grant
2. Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY2011Local Solicitation CFDA #16.738

INTERLOCAL AGREEMENT 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 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FY2011 AWARD

This Interlocal Agreement is made and entered 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 FY2011 Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program ("JAG Program") 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, Justice Assistance Grant (JAG) Program: Local Solicitation CFDA #16.738).

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 Agreement to identify the applicant/fiscal agent of Grant Funds, as well as to determine the proper administration for the Grant Funds, including the procedure for the distribution and monitoring of the Grant Funds, rules regarding the permitted and prohibited use of Grant Funds pursuant to the FY2011 JAG Program, timetables for the submission of relative reports pursuant to the rules of the FY2011 JAG Program, and general 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 FY2011 Edward Byrne Memorial Justice Assistance Grant Formula Program.

B. Allocation of JAG Funds for Each Required Party

The Parties hereby acknowledge and agree that the allocation of funds in accordance with the Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: FY2011 Local Solicitation (attached hereto at Exhibit 1) and any other rules and regulations promulgated by the Department of Justice. Funding listed below is in accordance with the budget narrative from the final Edward Byrne Memorial JAG FY2011 Local Solicitation grant application submission to the Department of Justice:

City of Las Vegas (Fiscal Agent) Projects and Recommended Allocations:

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. 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.
3. 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.
4. 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 Agassi 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.
5. 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 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.

6. 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.

7. 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.

8. 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 how to gain practical 'daily life' knowledge about state-specific laws, possible sanctions for breaking state laws and how to acquire important life skills that can help youth refrain from participating in gang and other criminal activities.

9. 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 can learn preventative tools to help them refrain from gang and other criminal behavior.
10. 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.

The total recommended funding allocation for the City of Las Vegas applications and administration is: $891,105.

Clark County Projects and Recommended Allocations:

1. 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.

2. 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 abstain from participating in gang-related and other unlawful activities.
3. 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.

The total recommended funding allocation for Clark County applications is: $382,696.

C. Rules and Procedures for Administration of the JAG Program

It is the responsibility for every sub-recipient of this grant to become familiar and comply with the requirements from the Department of Justice. Failure by any Party to so execute will preclude the City of Las Vegas from submitting required reports to the Department of Justice, which may result in loss of all funds for all eligible entities. The City of Las Vegas, as fiscal agent, has established the following rules and procedures for the administration of the JAG Program in order to ensure compliance with United States Department of Justice, Bureau of Justice Assistance requirements:

1. Sub-recipients shall use the funds from this grant solely for the purposes listed in the grant application 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: 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), (*quoting*, Purpose Areas of the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY2011 Local Solicitation).
2. Sub-recipients agree that funds received from this grant "be tracked, accounted for, and reported on separately from all other funds (including DOJ grant funds and any other federal grants awarded for the same or similar purposes or programs). Recipients must also be prepared to track and report

on the specific outcomes and benefits attributable to use of FY2011 Local JAG funds. The accounting systems of all recipients and sub-recipients must ensure that funds from any award under this solicitation are not commingled with funds from any other source. Misuse of grant funds may result in a range of penalties, including suspension of current and future funds, suspension or debarment from federal grants, recoupment of monies provided under a grant, and civil and/or criminal penalties. "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," (*quoting*, Supplanting, Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY2011 Local Solicitation).

3. Sub-recipients agree to provide the City of Las Vegas with programmatic and fiscal reports no later than **five calendar days after the end of each calendar quarter** to comply with the grant guidelines, "In order to be eligible to receive funds under this solicitation, applicants must certify that they will satisfy the reporting requirements, which requires detailed reporting (including reporting on sub-awards) not later than **ten calendar days after the end of each calendar quarter,"** *(quoting*, Eligibility of Edward Byrne Memorial Justice Assistance Grant).

    a. "Recipient Reports- Not later than 10 days after the end of each calendar quarter, each recipient that received grant funds shall submit a report to that agency that contains--

(1) the total amount of federal funds received from that agency;

(2) the amount of federal funds received that were expended or obligated to projects or activities; and

(3) a detailed list of all projects or activities for which federal funds were expended or obligated, *including*--

(A) the name of the project or activity;

(B) a description of the project or activity;

(C) an evaluation of the completion status of the project or activity;

(D) an estimate of the number of jobs created and the number of jobs retained by the project or activity; and

(E) for infrastructure investments made by State and local governments, the purpose, total cost, and rationale of the agency for funding the infrastructure investment with funds made available under this Act, and name of the person to contact at the agency if there are concerns with the infrastructure investment.

(F) detailed information on any subcontracts or sub-grants awarded by the recipient to include the data elements required to comply with the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282), allowing aggregate reporting of awards $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 sub-awards 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 sub-recipients. 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 sub-awards will be made through the FFATA Sub-award Reporting System (FSRS), found at www.fsrs.gov/.

Applicants should anticipate that no sub-award of an award made under this solicitation may be made to a sub-recipient (other than an individual) unless the potential sub-recipient acquires and provides a Data Universal Numbering System (DUNS) number. (*quoting*, Notice of New Post-Award Reporting Requirements, Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY2011 Local Solicitation).

If the head of a Federal department or agency determines that it is necessary to waive the application of subsection (a) based on a finding under subsection (b), the head of the department or agency shall publish in the Federal Register a detailed written justification as to why the provision is being waived.

FY2011 Local Justice Assistance (JAG) grant recipients may expect that the information posted by OJP will identify grantees that are delinquent in their reporting. In addition, in keeping with standard OJP practice, grant recipients who do not submit required reports by the

due date will not be permitted to draw down funds thereafter, during the pendency of the delinquency, and may be subject to other appropriate actions by OJP, including, but not limited to, restrictions on eligibility for future OJP awards, restrictions on draw-down on other OJP awards, and suspension or termination of the award. Funding recipients may expect that a standard form and/or reporting mechanism may be available. Additional instructions and guidance regarding the required reporting will be provided as they become available. For planning purposes, however, all applicants should be aware of the following:

D. Distribution of the Grant Funds

The distribution of the Grant Funds, in accordance with the Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: FY12 Local Solicitation (attached hereto at Exhibit 1) and any other rules and regulations promulgated by the Department of Justice shall be as follows:

1. Prior to any disbursement of grant funds, each sub-recipient must provide written proof of a DUNS number and registration in the CCR database. Failure to provide written proof will result in forfeiture of the grant funds allocated to the sub-recipient.
2. Sub-recipient shall submit requests for reimbursement no later than **five calendar days after the end of each calendar quarter.**

3. The sub-recipient shall submit the request for reimbursement at the same time of submittal of programmatic and financial reports. Reports and reimbursement requests may be submitted electronically to the fiscal agent.
4. Failure to submit programmatic and financial reports no later than **five calendar days after the end of each calendar quarter will result in the forfeiture of the grant allocation to the sub-recipient**.
5. Sub-recipients will allow a designated representative of the fiscal agent to monitor, at any time or place, the programmatic and fiscal activities of the sub-recipient as they relate to this grant. Failure to comply will result in the forfeiture of the grant allocation to the sub-recipient.
6. Forfeiture of funds will require that representatives of all eligible entities of this grant come to a consensus of how the forfeited funds will be redistributed.
    a. A quarterly meeting will be scheduled after the end of each calendar quarter to ensure that all sub-recipient reports have been submitted, provide updated reporting requirements, or to reallocate forfeited funds.
    b. The fiscal agent will prepare a budget modification that will be submitted with the fiscal and programmatic reports, as required by the Byrne Memorial Justice Assistance Grant.

       Upon approval of the written budget modification by the Department of Justice, the redistributed funds will be available.

Failure by any Party to so execute will result in the forfeiture of the grant allocation to the sub-recipient.

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:

_____
Christopher Figgins, Chief Deputy District Attorney

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

CONTENTS

Overview 4

Deadlines: Registration and Application 4

Eligibility 4

JAG Program—Specific Information 4

Performance Measures 10

Notice of New Post-Award Reporting Requirements 11

How to Apply 11

What an Application Must Include: 13
- Application for Federal Assistance (SF-424) (Required)
- Program Narrative (Required)
- Budget and Budget Narrative (Required)
- Review Narrative (Required)
- Abstract (Required)
- Tribal Authorizing Resolution (If Applicable)
- Additional Attachments (If Applicable)
- Other Standard Forms (Optional)

Review Process 15

Additional Requirements 16

Application Checklist 17

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.: **12.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

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

SUBJECT:

For possible action to approve an encroachment request for tree wells, doors and building facade from 220 N. 4TH Street LV, LLC, 200 N. 4th Street & CIM/LL Las Vegas, LLC, 221 N. 3rd Street LV, LLC, Garside Beth Etal, 201 N. 3rd Street LV, LLC, and CIM/LL Las Vegas, LLC, owners (southwest corner of 4th Street and Stewart Avenue, APN 139-34-510-019, 139-34-501-009, 139-34-514-007 thru -009) - Ward 5 (Barlow)

Fiscal Impact

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

PURPOSE/BACKGROUND:

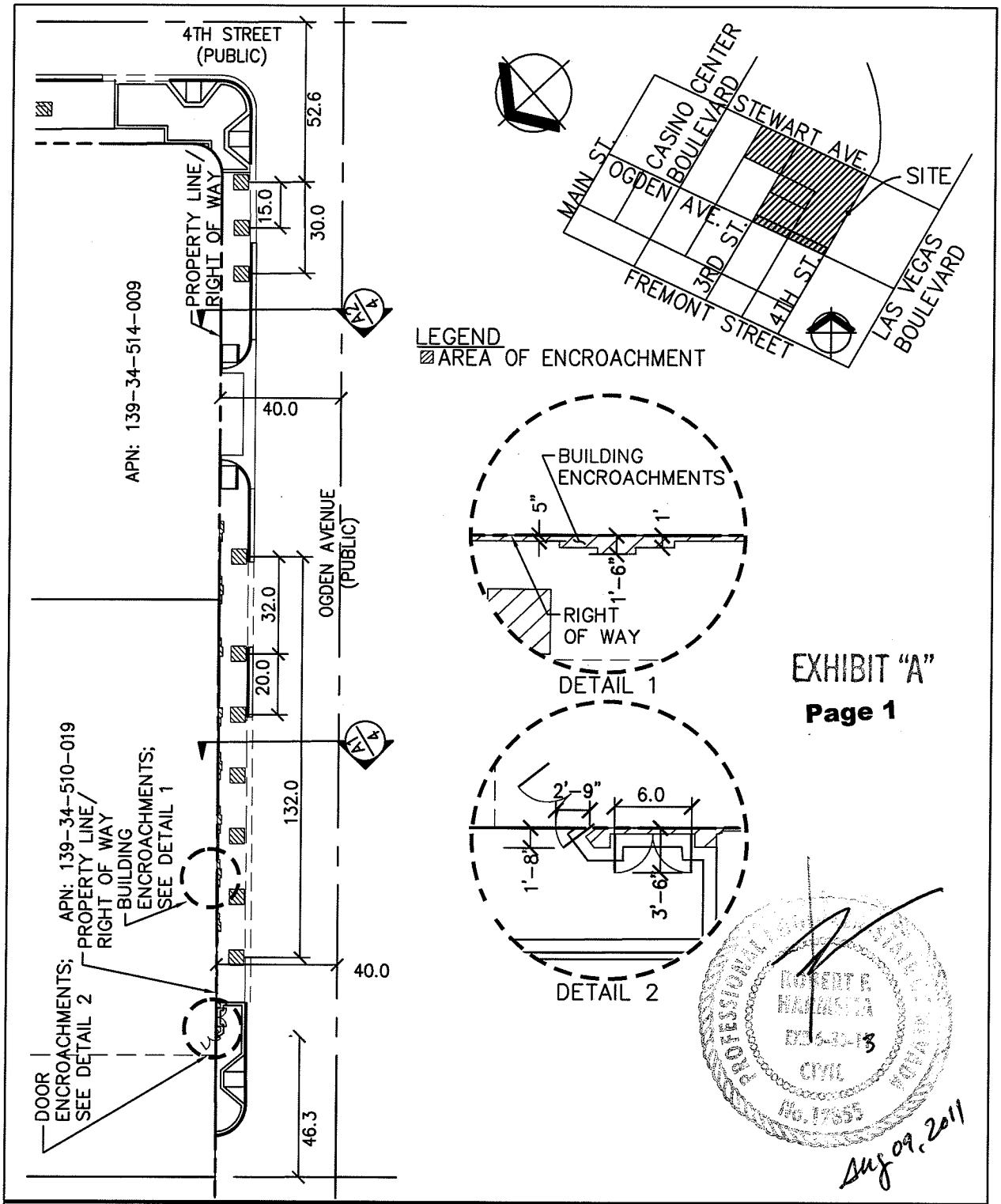
This request is for an encroachment that covers Ogden Avenue, Stewart Avenue and 4th Street. In the right-of-way there are 27 tree wells varying in size from 3 feet by 3 feet to 10 feet by 5 feet, 3 doors that open into the right-of-way and 11 areas where the building facade protrudes from 8 inches to 2 feet-7 inches into the right-of-way as described in the attached Exhibit A pages 1 thru 7.

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

Exhibit A



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AREA OF ENCROACHMENT EXHIBIT - OGDEN AVE.
LADY LUCK RENOVATION & EXPANSION EXHIBIT

LAS VEGAS
10649 JEFFREYS ST, HENDERSON, NV 89052
TEL: (702) 990-9300 FAX: (702) 990-9305
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CITY OF LAS VEGAS, NEVADA

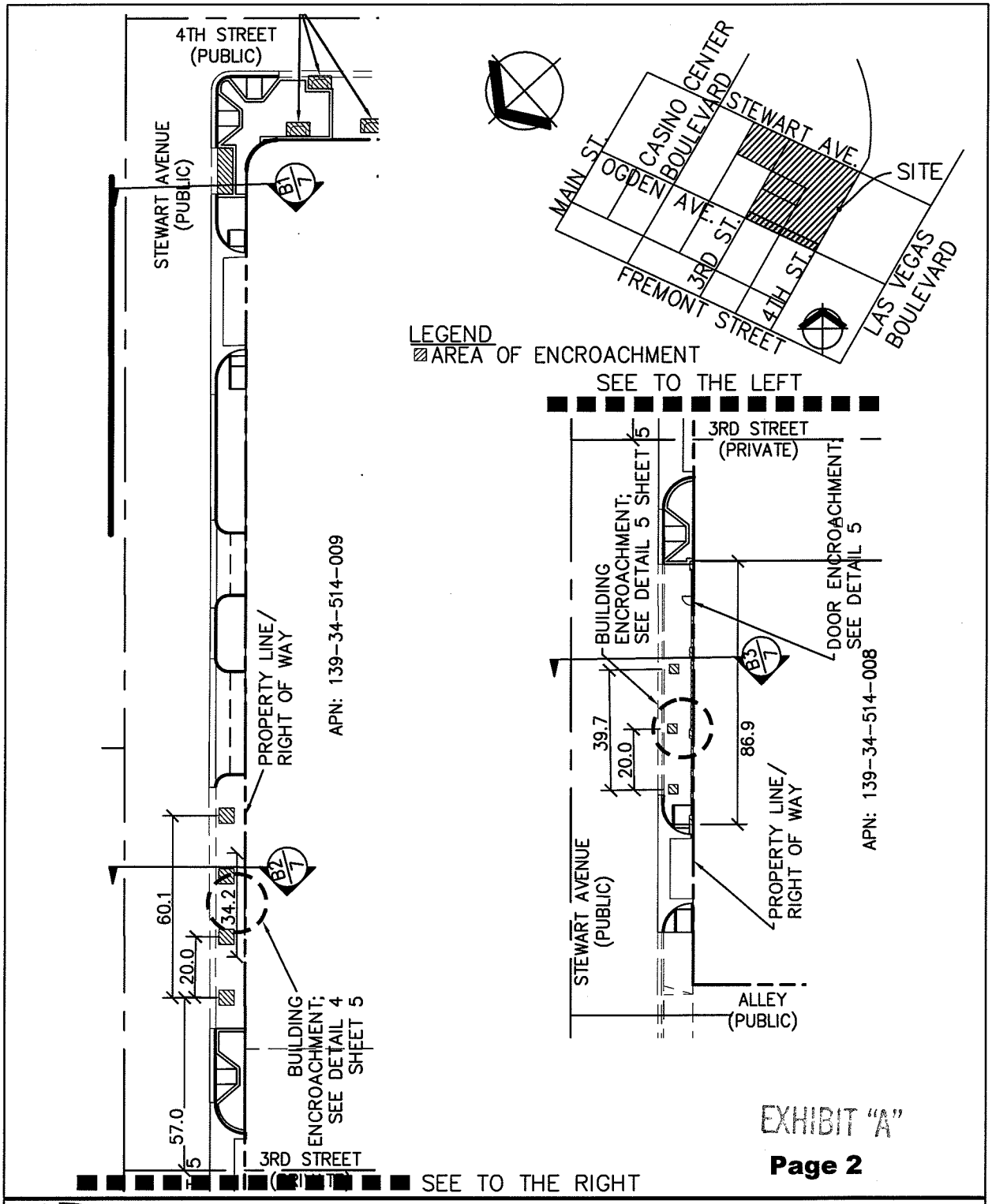

EXHIBIT "A"

Page 2

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AREA OF ENCROACHMENT EXHIBIT - STEWART AVE.
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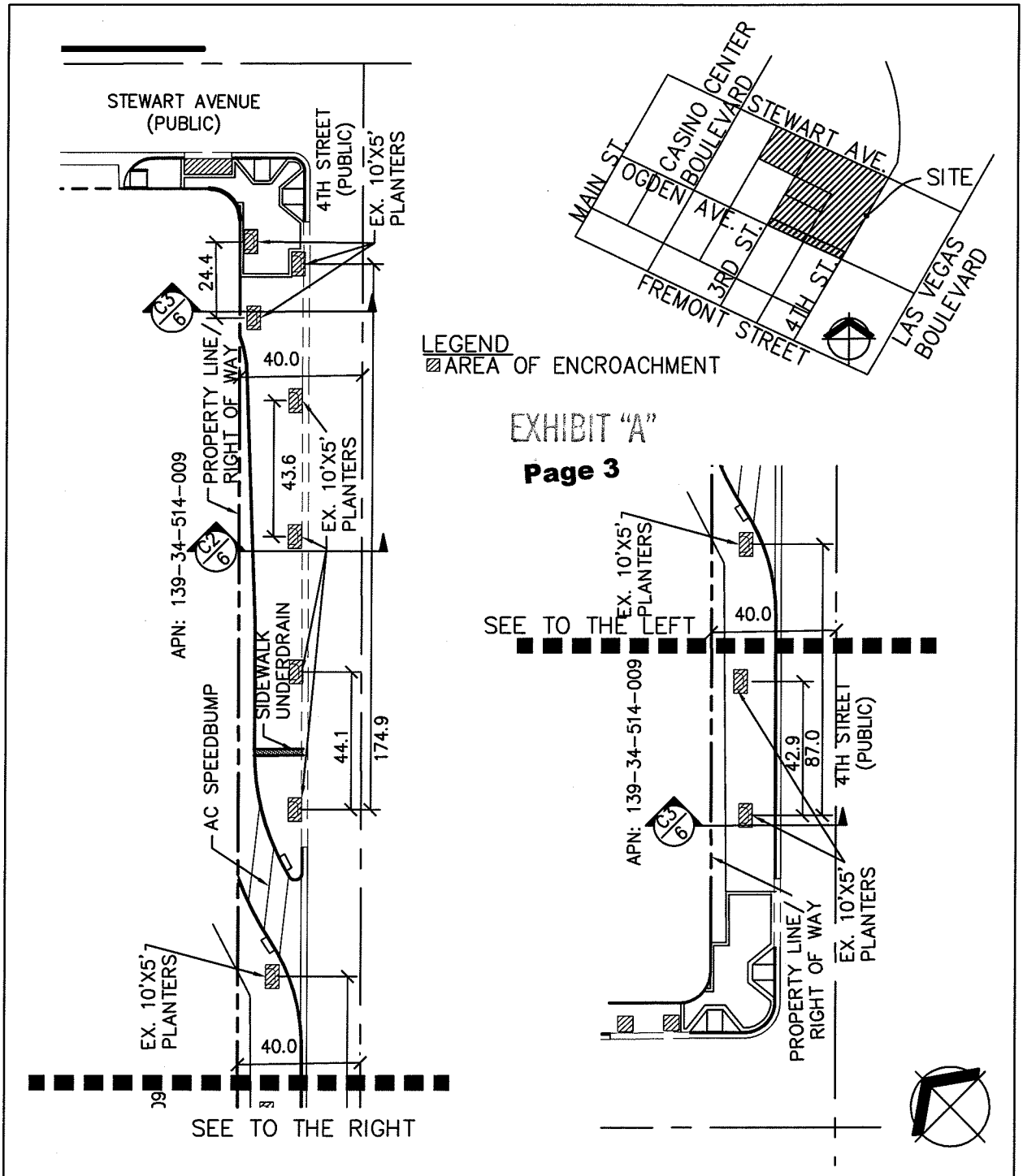

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AREA OF ENCROACHMENT EXHIBIT - 4TH STREET
LADY LUCK RENOVATION & EXPANSION EXHIBIT

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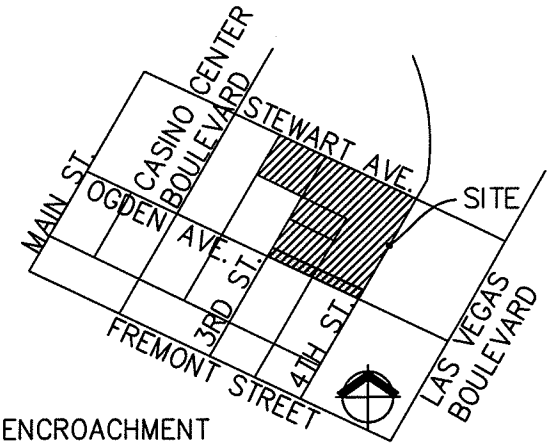
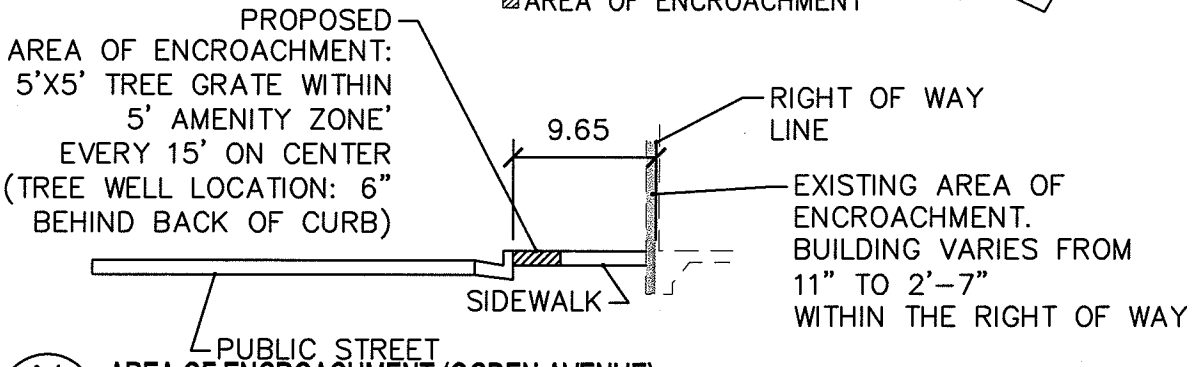
EXHIBIT "A"

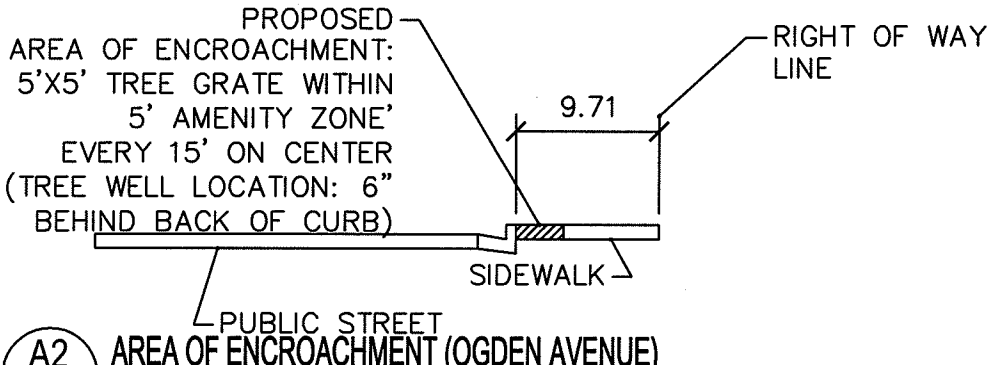
Page 4



LEGEND
▨ AREA OF ENCROACHMENT



A1/4 AREA OF ENCROACHMENT (OGDEN AVENUE)
NOT TO SCALE



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NOT TO SCALE



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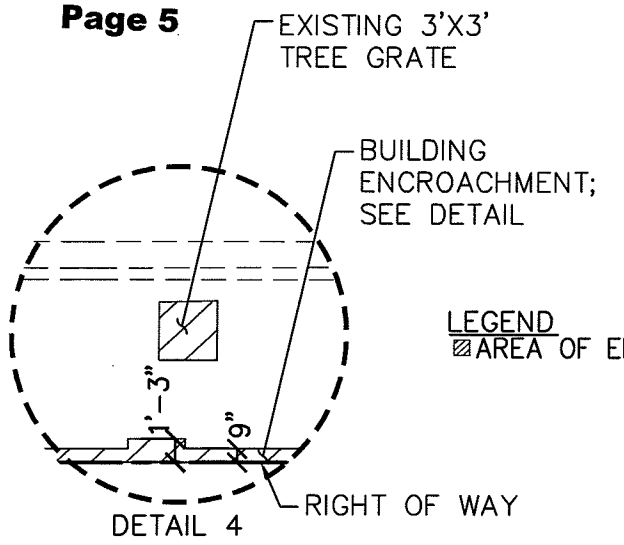
EXHIBIT "A"

Page 5



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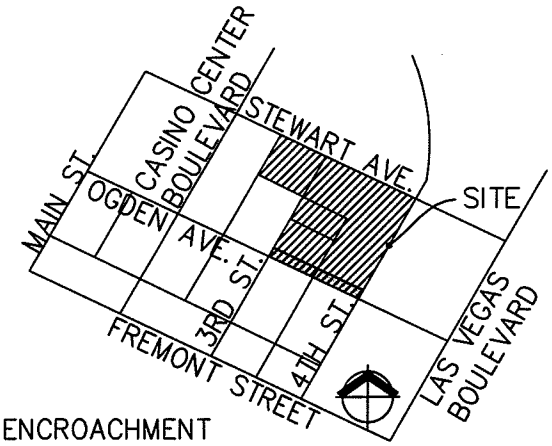

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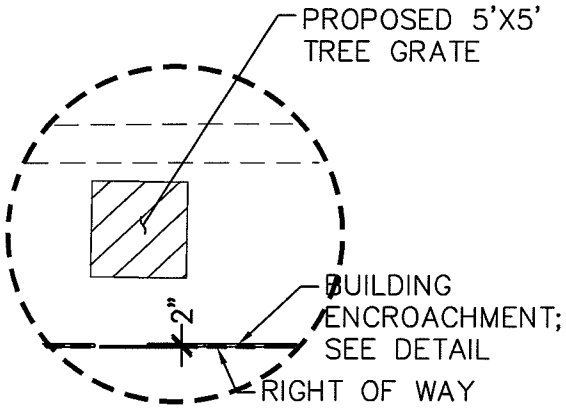

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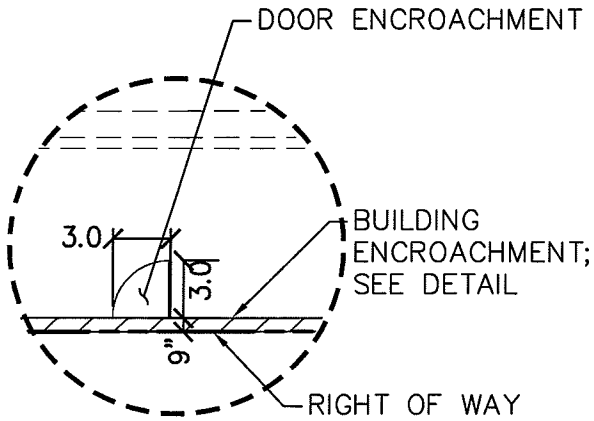

DETAIL 6



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RESORT OPERATIONS GAMING
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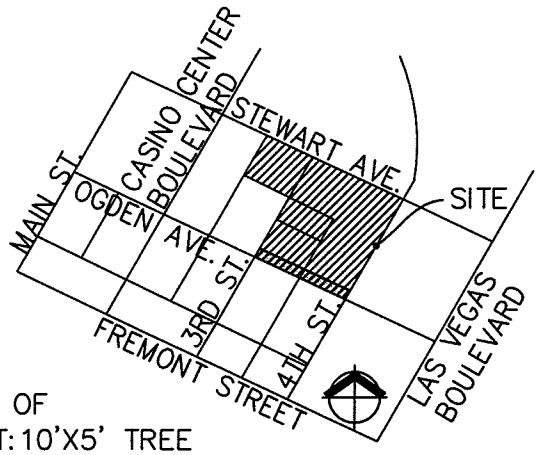
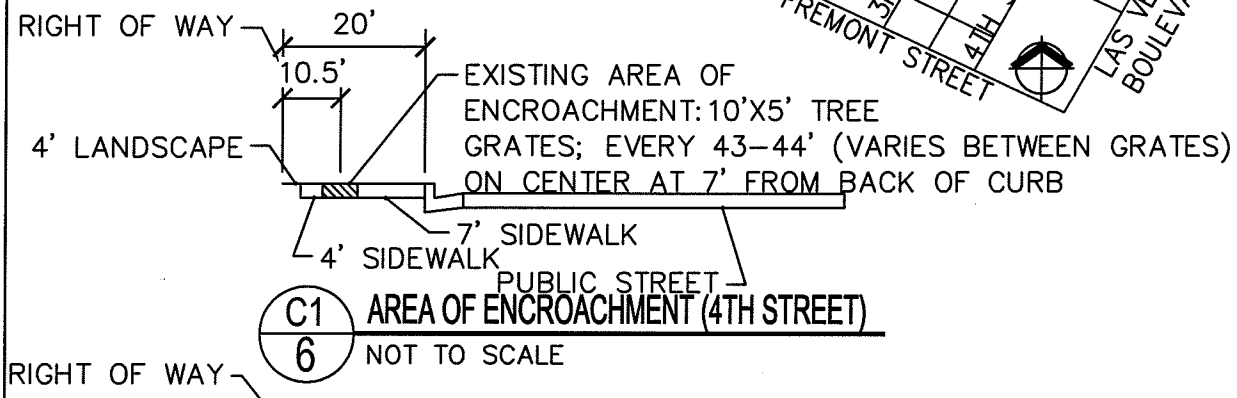
EXHIBIT "A"

Page 6

LEGEND

▨ AREA OF ENCROACHMENT





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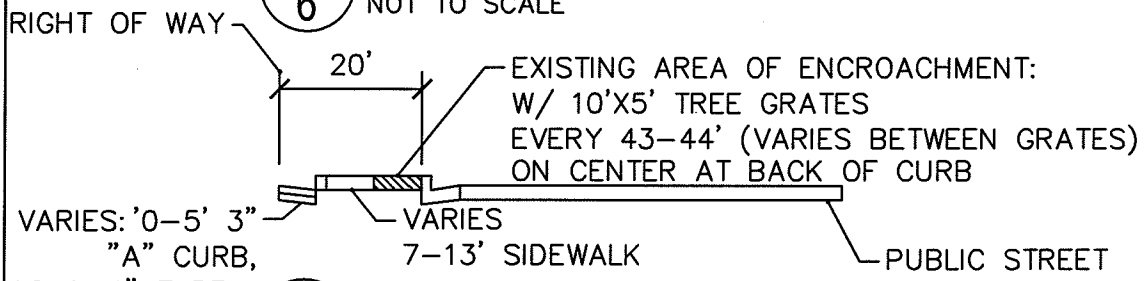

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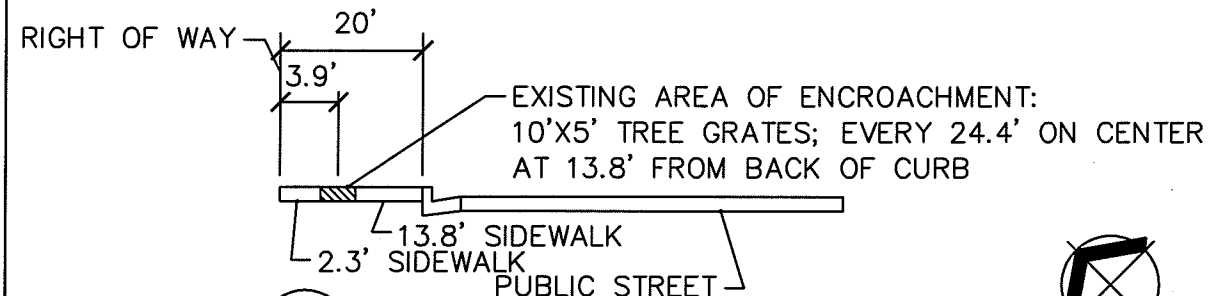

C3/6 AREA OF ENCROACHMENT (4TH STREET)

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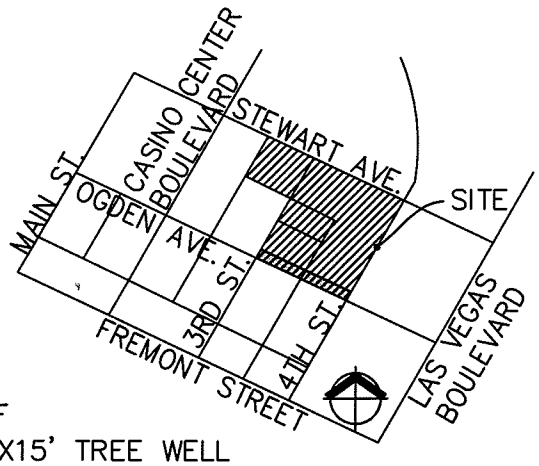
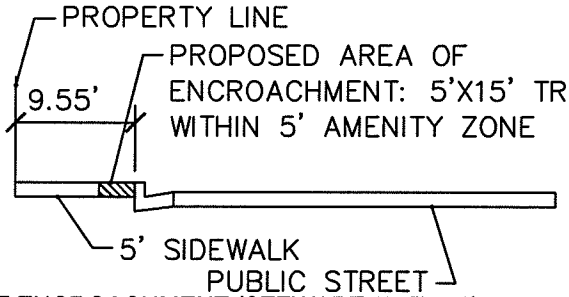
EXHIBIT "A"

Page 7

LEGEND

▨ AREA OF ENCROACHMENT





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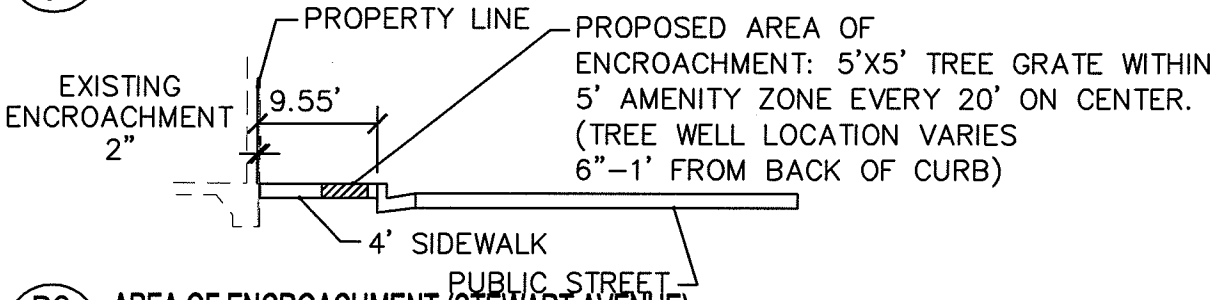
NOT TO SCALE



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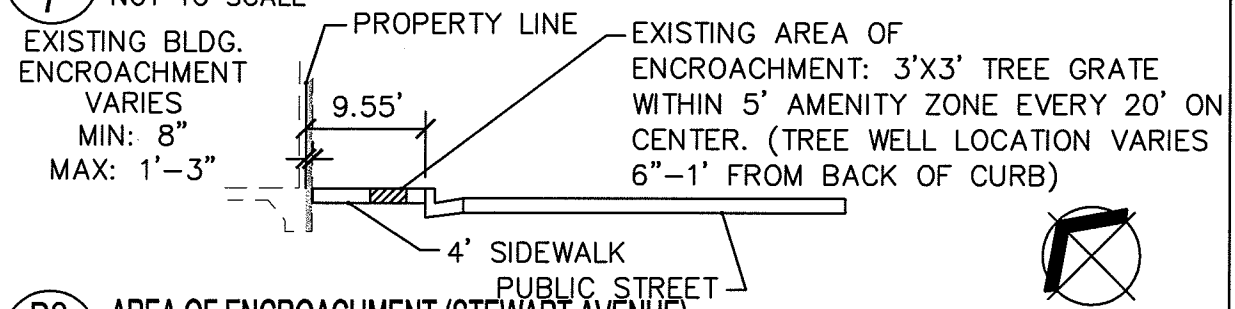

B3 / 7 AREA OF ENCROACHMENT (STEWART AVENUE)

NOT TO SCALE

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RESORT OPERATIONS GAMING
CITY OF LAS VEGAS, NEVADA

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

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

SUBJECT:
For possible action to approve an encroachment request for existing fences, landscaping and parking from School Board of Trustees, owner (northeast corner of El Parque Avenue and Los Altos Street, APN 162-06-701-001) - Ward 1 (Tarkanian)

Fiscal Impact

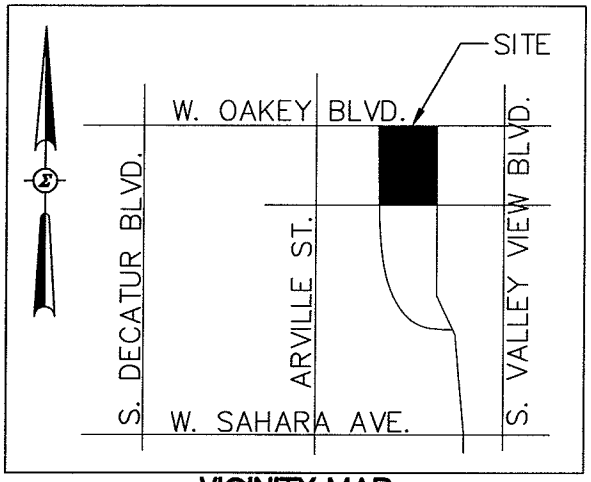
☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
This request is for an encroachment that covers the northwest corner of El Parque Avenue and Las Verdes Street. Located within the right-of-way are existing chain link fences, parking and landscaping consisting of trees, shrubs, ground cover and an irrigation system as described in the attached Exhibit A, pages 1 through 5.

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

BACKUP DOCUMENTATION:
Exhibit A

EXHIBIT A
Page 1

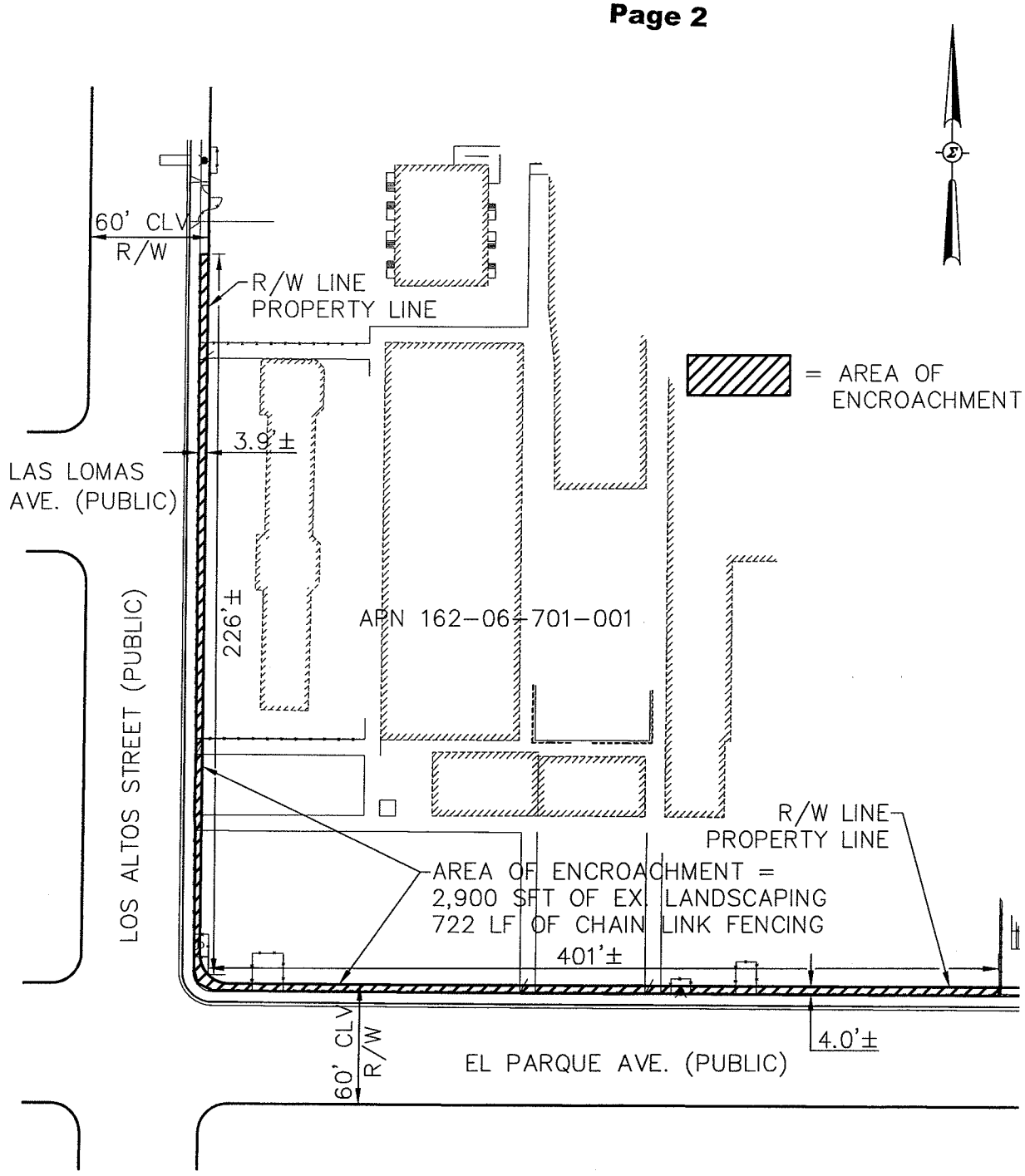


VICINITY MAP
N.T.S.

OVERALL PLAN
N.T.S.

SIGMA ENGINEERING SOLUTIONS, INC. WWW.SIGMANV.COM	**VEGAS VERDES ELEMENTARY SCHOOL** **HVAC AND SCHOOL MODERNIZATION** ENCROACHMENT EXHIBIT	JOB #10_0140 07/28/11 SHEET 1 OF 5

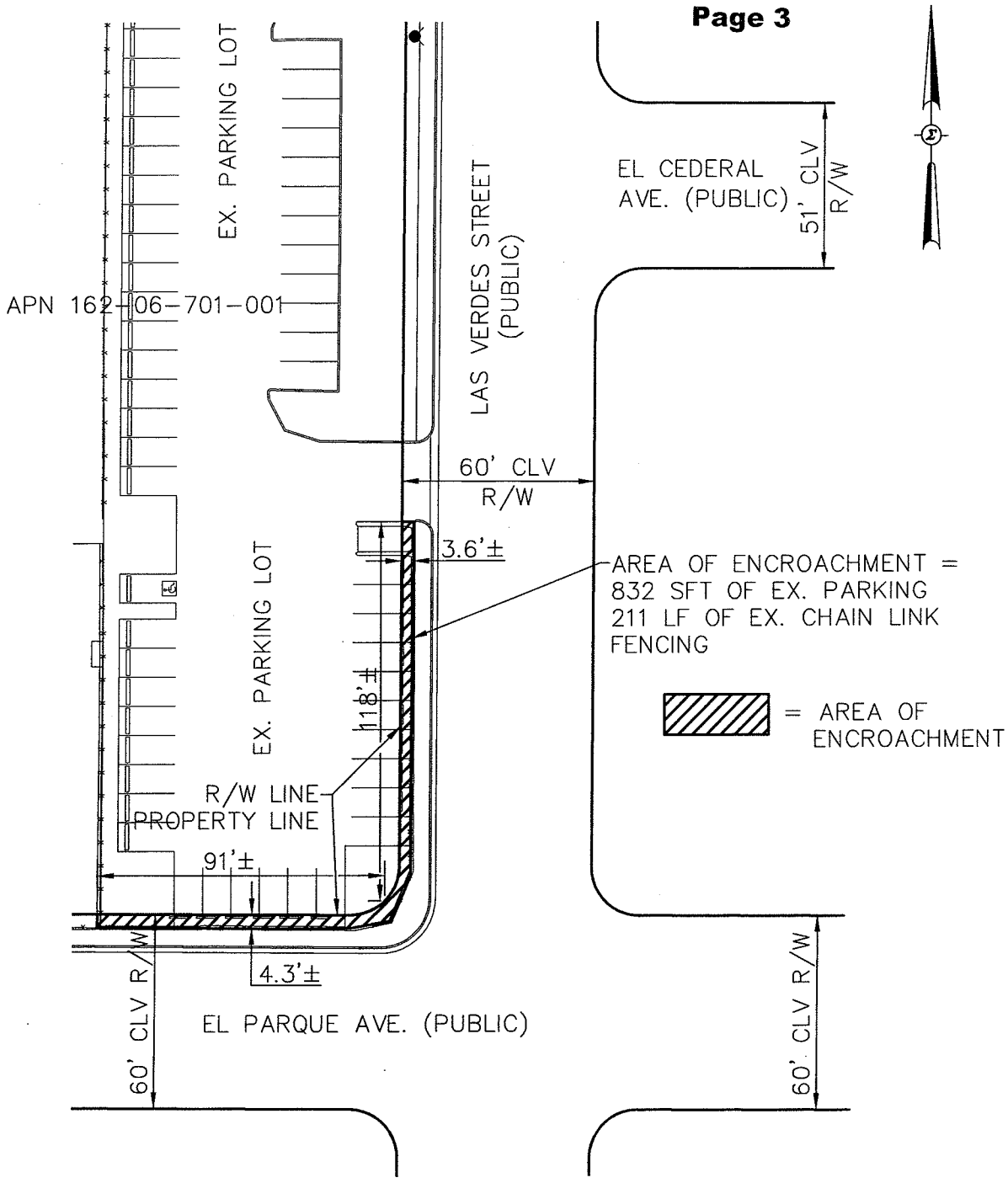
EXHIBIT A
Page 2



DETAIL B - EL PARQUE AVENUE AND LOS ALTOS STREET
1"=80'

SIGMA ENGINEERING SOLUTIONS, INC. WWW.SIGMANV.COM	VEGAS VERDES ELEMENTARY SCHOOL HVAC AND SCHOOL MODERNIZATION ENCROACHMENT EXHIBIT	JOB #10_0140 07/28/11 SHEET 3 OF 5

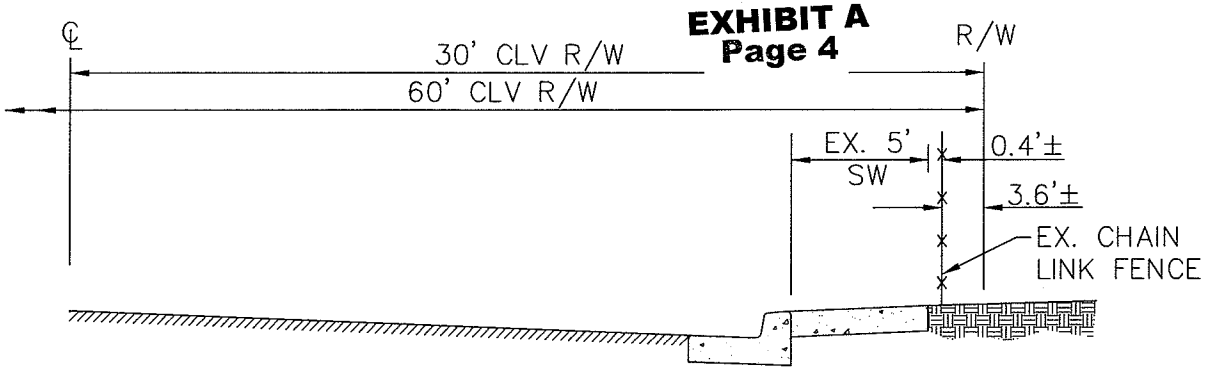
EXHIBIT A
Page 3



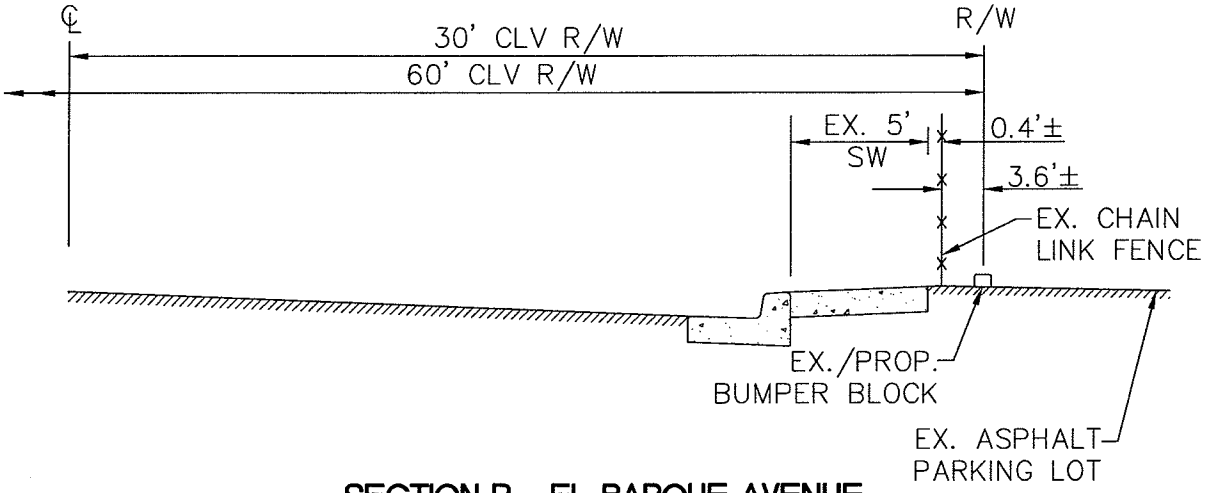
DETAIL A - EL PARQUE AVENUE
1"=50'

SIGMA ENGINEERING SOLUTIONS, INC. WWW.SIGMANV.COM	VEGAS VERDES ELEMENTARY SCHOOL HVAC AND SCHOOL MODERNIZATION ENCROACHMENT EXHIBIT	JOB #10_0140 07/28/11 SHEET 2 OF 5

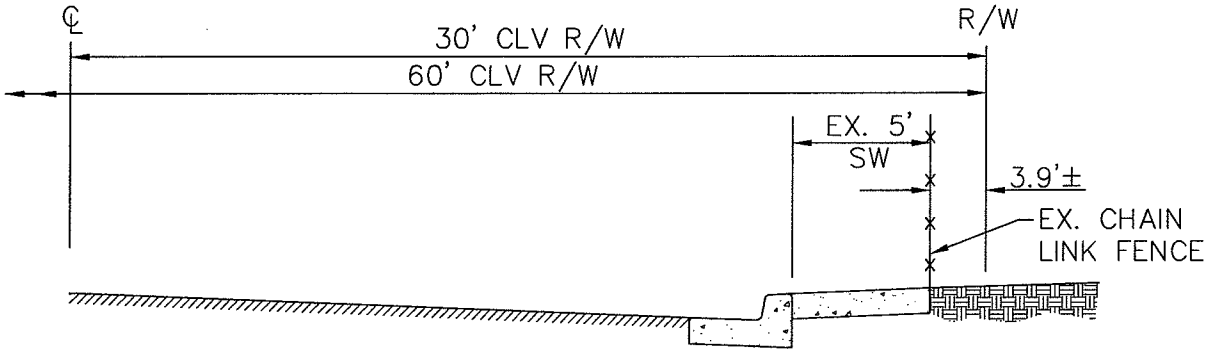
EXHIBIT A
Page 4



SECTION A - EL PARQUE AVENUE
N.T.S.

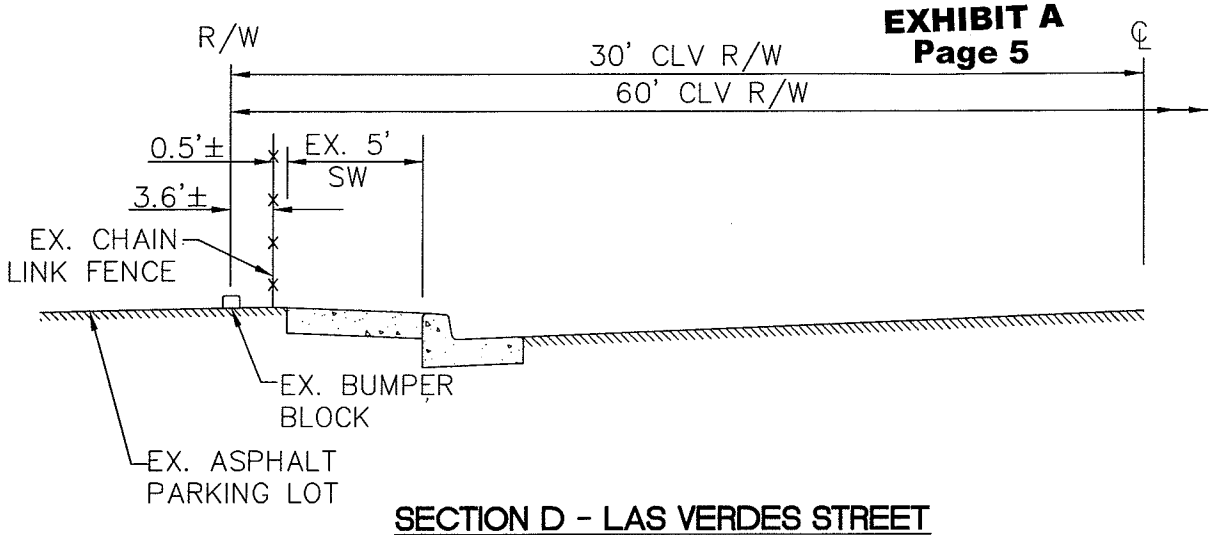


SECTION B - EL PARQUE AVENUE
N.T.S.



SECTION C - LOS ALTOS STREET
N.T.S.

SIGMA ENGINEERING SOLUTIONS, INC. WWW.SIGMANV.COM	**VEGAS VERDES ELEMENTARY SCHOOL HVAC AND SCHOOL MODERNIZATION** ENCROACHMENT EXHIBIT	JOB #10_0140 07/28/11 SHEET 4 OF 5



SECTION D - LAS VERDES STREET
N.T.S.

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

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

SUBJECT:

For possible action to approve an encroachment request for three existing freestanding signs from Raymond Pistol, owner (1238, 1236 and 1232 South Las Vegas Boulevard, APN 162-03-112-012) - Ward 3 (Coffin)

Fiscal Impact

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

☐ **Budget Funds Available**

Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:

This request is for three existing freestanding signs located on the subject site at 1238, 1236 and 1232 South Las Vegas Boulevard.

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. Exhibit A

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 7, 2011
DEPARTMENT: BUILDING AND SAFETY
ITEM DESCRIPTION: FOR POSSIBLE ACTION TO APPROVE AN ENCROACHMENT AGREEMENT WITH RAYMOND PISTOL, OWNER (1238, 1236, AND 1232 SOUTH LAS VEGAS BOULEVARD, 162-03-112-012) – WARD 3 (COFFIN)

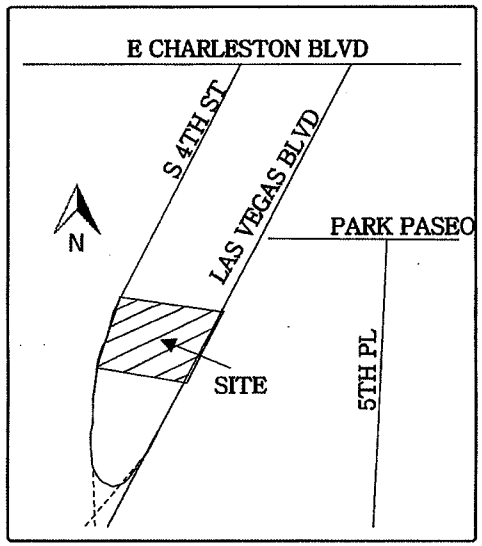
This request is for three existing freestanding signs located on the subject site at 1238, 1236 and 1232 South Las Vegas Boulevard.

Sign 1 is an existing freestanding sign at 1238 South Las Vegas Boulevard. The sign has multiple sign panels and is 48 feet tall with a total of 125 square feet of surface area. The bottom of the lowest sign panel is 18 feet above the sidewalk. The top most sign panel extends 4.5 feet into the right-of-way.

Sign 2 is an existing freestanding sign at 1236 South Las Vegas Boulevard. The sign is 20 feet tall, with a 6-foot 8-inch by 9-foot sign box totaling 53 square feet. The bottom of the sign is 12 feet above the sidewalk. The sign extends 1-foot into the right-of-way.

Sign 3 is an existing freestanding sign at 1232 South Las Vegas Boulevard. The sign is 17 feet tall and features a 12-foot by 6-foot sign box totaling 72 square-feet. The bottom of the sign is 12 feet above the sidewalk. The sign extends 1-foot into the right-of-way.

EXHIBIT "A"


E CHARLESTON BLVD
S 4TH ST
LAS VEGAS BLVD
PARK PASEO
N
SITE
5TH PL

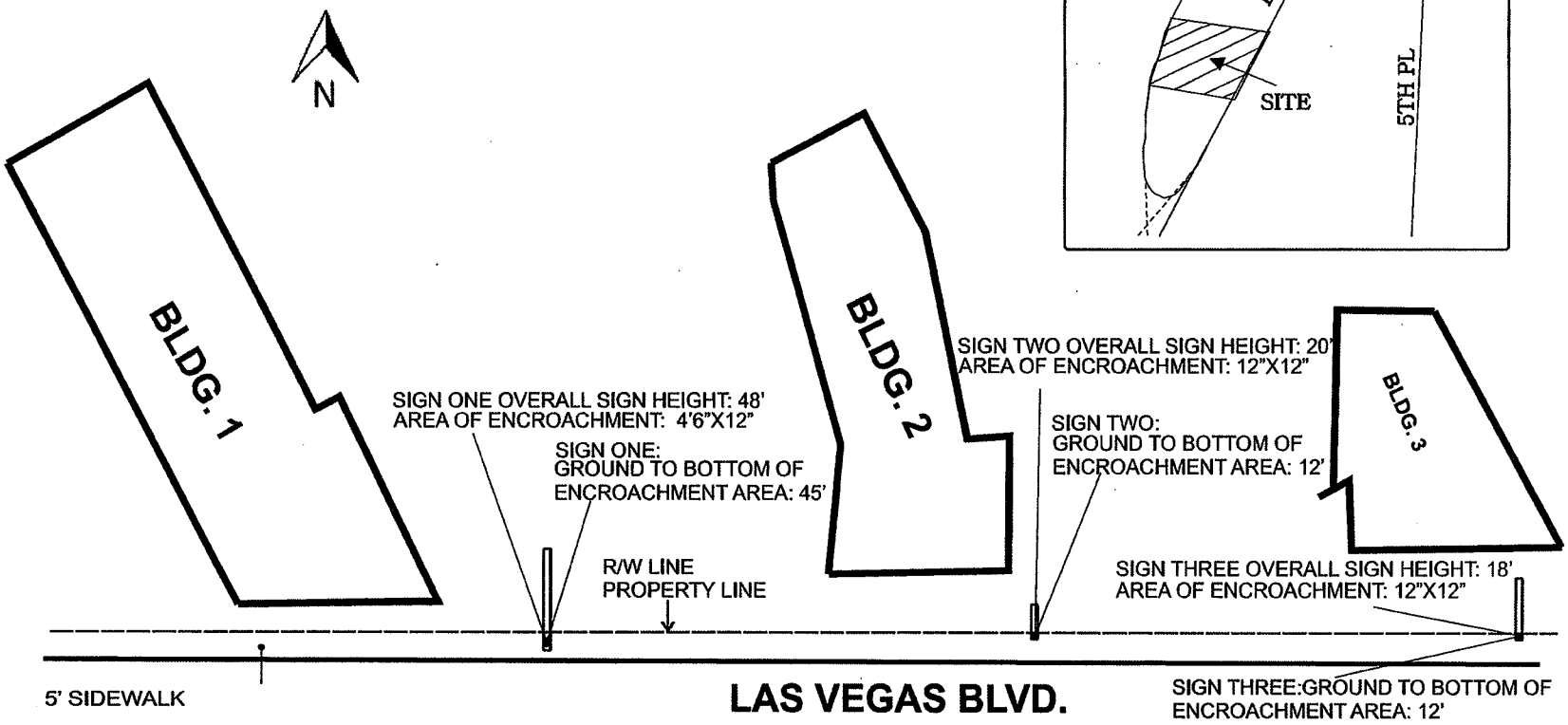

N
BLDG. 1
BLDG. 2
BLDG. 3
SIGN ONE OVERALL SIGN HEIGHT: 48'
AREA OF ENCROACHMENT: 4'6"X12"
SIGN ONE:
GROUND TO BOTTOM OF
ENCROACHMENT AREA: 45'
SIGN TWO OVERALL SIGN HEIGHT: 20'
AREA OF ENCROACHMENT: 12"X12"
SIGN TWO:
GROUND TO BOTTOM OF
ENCROACHMENT AREA: 12'
R/W LINE
PROPERTY LINE
SIGN THREE OVERALL SIGN HEIGHT: 18'
AREA OF ENCROACHMENT: 12"X12"
5' SIDEWALK
LAS VEGAS BLVD.
SIGN THREE:GROUND TO BOTTOM OF
ENCROACHMENT AREA: 12'

EXHIBIT "A"

SIGN #1

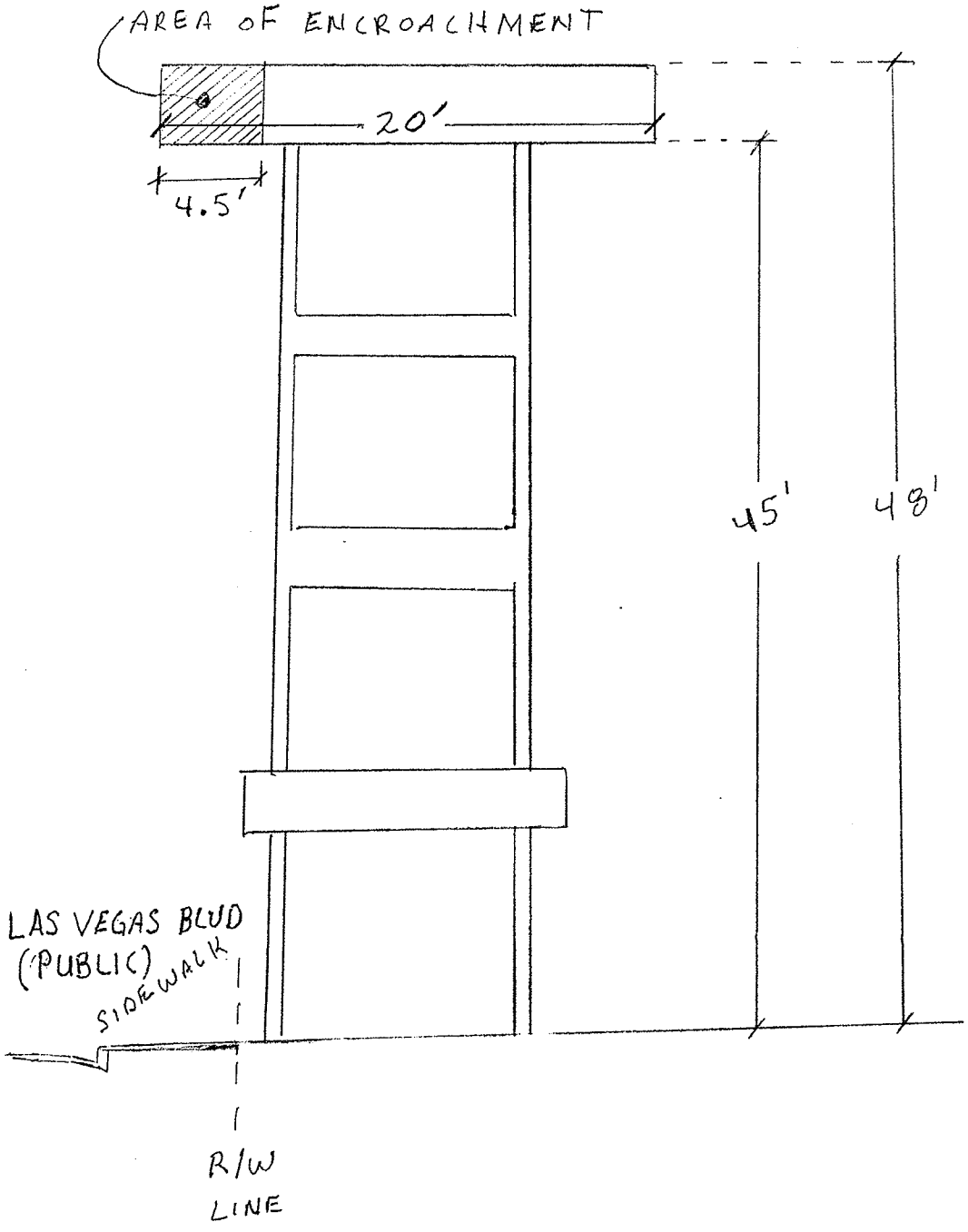


EXHIBIT "A"

SIGN #2

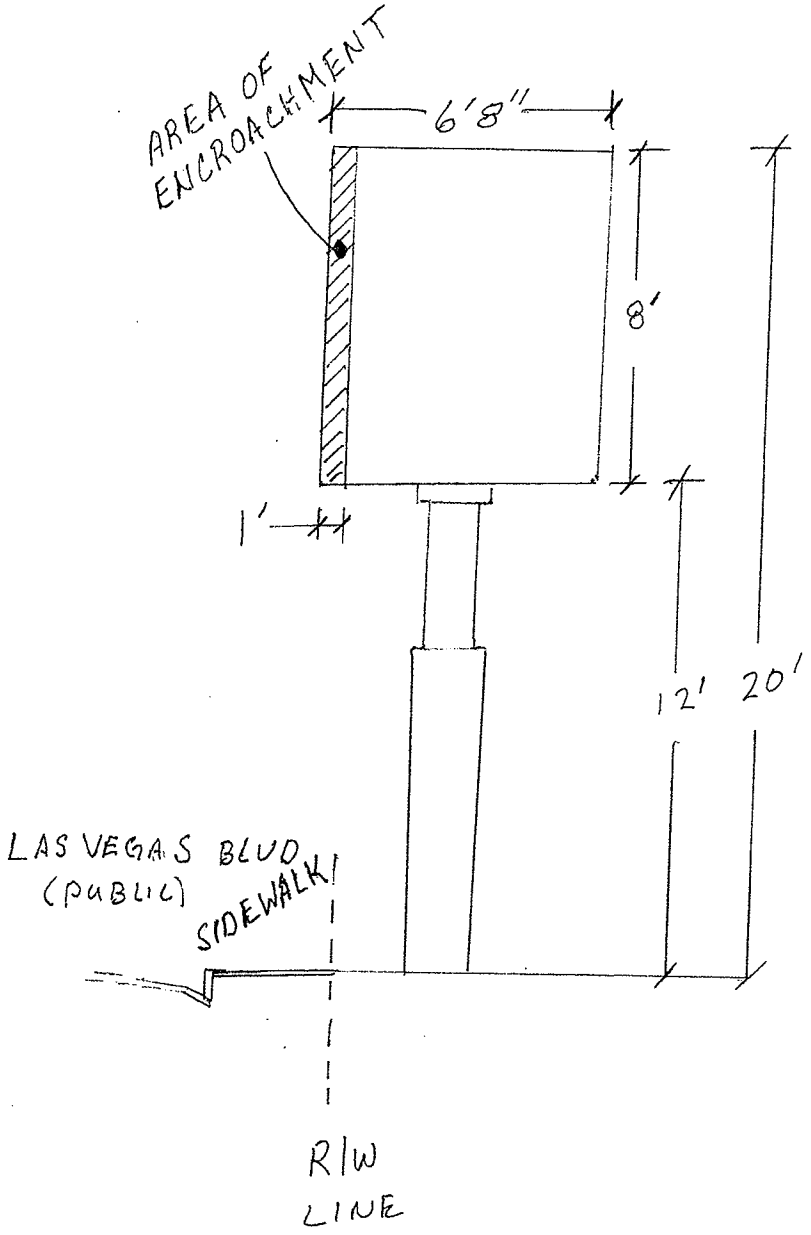
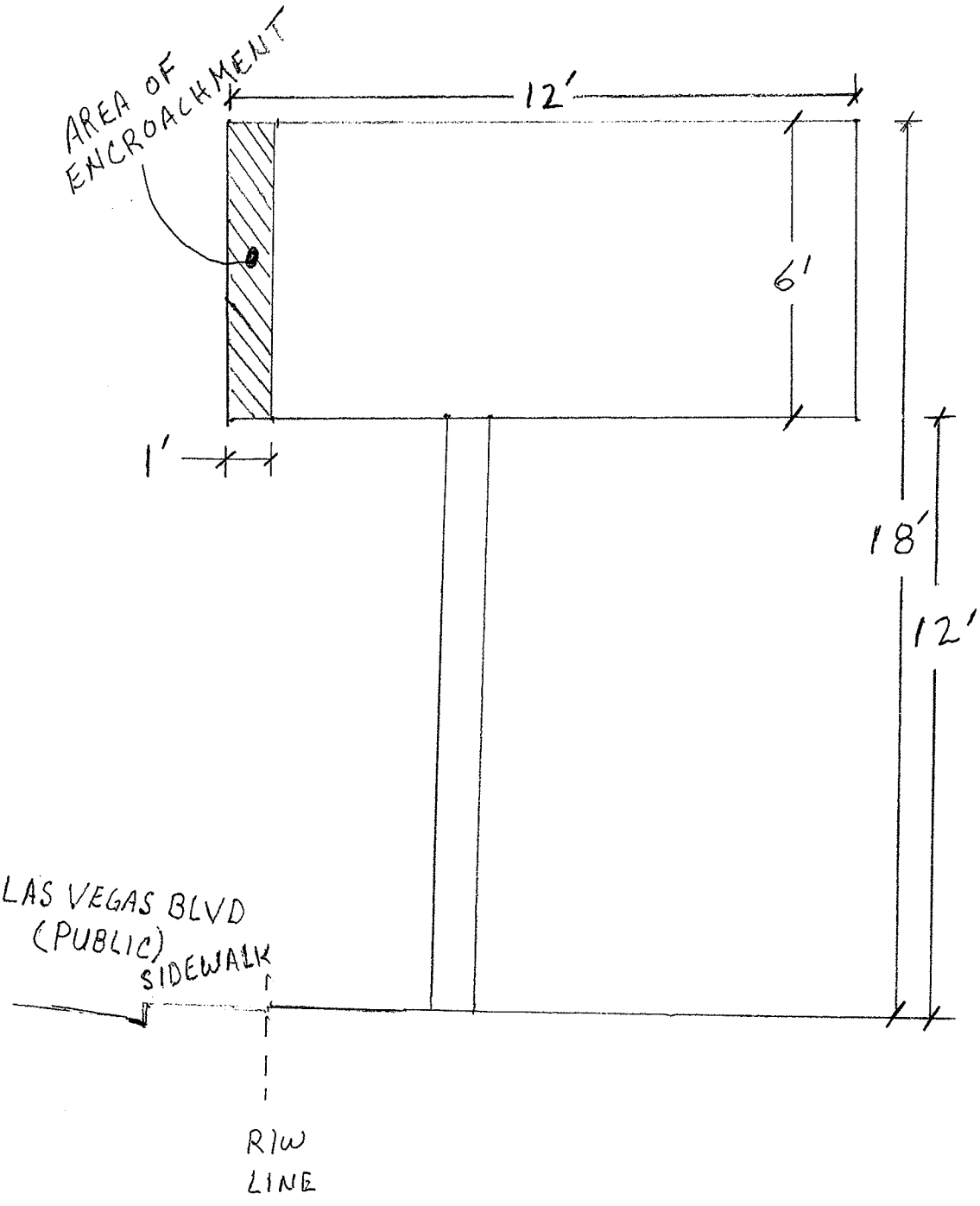


EXHIBIT "A"

SIGN #3



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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

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

SUBJECT:
For possible action to approve award of Agreement No. 110204-LD, Blanket Services Agreement for Design and Construction Management - Department of Public Works - Award recommended to: CAROLLO ENGINEERS (Not-to-Exceed $500,000 - Various Funds) - All Wards

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $500,000
Funding Source: Various Funds
Dept./Division: Public Works

PURPOSE/BACKGROUND:
This agreement will provide the City with the ability to issue individual task orders for design and construction management services in support of public works projects awarded by the City. This agreement will be available to City staff with the majority of the task orders being issued for use at the Water Pollution Control Facility located at 6005 East Vegas Valley Drive. This item is exempt from the competitive bidding process pursuant to NRS 332.115.1(b), Professional Services.

PCC: T. Boyce
POC: Eric Leveque, P.E. - (702) 792-3711

RECOMMENDATION:
That City Council approve award of Agreement No. 110204-LD, Blanket Services Agreement for Design and Construction Management to Carollo Engineers in the not-to-exceed amount of $500,000. Authority to execute the Agreement is given to the Purchasing Manager per R-48-2006.

BACKUP DOCUMENTATION:
1. Agreement No. 110204-LD
2. Certificate - Disclosure of Ownership/Principals

Blanket Services Agreement Format

USE THIS FORM OF AGREEMENT FOR

Consultants providing services for a number of projects whose scope has yet to be determined. Services may be any.

1. **BASE CONTRACT CHANGES**. If you need to make changes to the Agreement proceeding the signature blocks, do it first. Note that changes in this part of the Agreement require concurrence from the City Attorney's Office. Turn the protection off by going to Tools, Unprotect Document on the Word menu. Make the changes and then turn the protection back on by going to Tools, Protect Document, check Forms:, no password, OK.
   Changes in the Professional Services Agreement boilerplate made for this agreement: (1) Page One, Witnesseth Whereas paragraphs revised to show the intent of a blanket contract that has yet to identify the projects, (2) 1.01 Description of Consultant's Services revised to describe the task order process, (3) 1.05 Consultant's personnel increased to include those stated in the task orders, (4) 10.01 Suspension compensation is not keyed to the percentage completion of the project, and (5) 10.16 Site inspection revised to "prior to executing each Project Task Order" since project are unknown.
2. **TABLE INFO**. Fill in the information in the following table. Then click in the last box in the table below to run a macro that will update all the fields in the Agreement.
3. **SAVE**. Save your now customized contract file using a new file name in your project files location.
4. **CUSTOMIZE EXHIBITS**. Each of the Exhibits must be carefully reviewed and customized for each project. NOTE THAT THE STANDARD EXHIBITS DO NOT WORK FOR BLANKET AGREEMENTS IN MANY AREAS, such as fee schedule. Read each carefully and modify to fit the Blanket Contract format.

PROJECT SUMMARY

This summary page is for general reference use only and is **NOT** part of this Agreement.

Blanket Agreement Project Name	**Various projects related to the City's Capital Improvement Program**
Services Being Provided *(end with the word Services, i.e. Geotechnical Services)*	**Type of Services**
Total Not to Exceed Fee for this Blanket	**$500,000.00**
City Person Signing Agreement	**Kathy Rainey**
City's Representative	**City's Representative for this Blanket**
Consultant's Business Name Type of Business (see Exhibit G)	**Carollo Engineers, Inc.** **Corporation**
Consultant's Street Address City, State, Zip	**376 East Warm Springs Road, Suite 250** **Las Vegas, NV 89119**
Consultant Person Signing Agreement	**Eric Leveque**
Consultant Representative	**Eric Leveque**
	Click on this text to update the fields in the agreement.

EXHIBITS

Click on the exhibit letters below to jump to them for editing. To return to this page from the exhibits, click on the "Exhibit 'X'" heading at the top of each exhibit.

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 *(Automatically changes based on the Total Fee entered above.)*

EXHIBIT " H " PROJECT TASK ORDER

BLANKET SERVICES AGREEMENT
FOR
DESIGN SERVICES AND CONSTRUCTION MANAGEMENT

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 **CAROLLO ENGINEERS, INC.**, (the "Consultant"), a **Corporation,** whose address is **376 East Warm Springs Road, Suite 250, Las Vegas, NV 89119**.

W I T N E S S E T H:

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

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

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

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

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

SECTION ONE
CONSULTANT RESPONSIBILITIES

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION TWO
CITY RESPONSIBILITIES

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

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

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

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

SECTION THREE
CHANGES TO CONSULTANT'S SERVICES

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

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

SECTION FOUR
ADDITIONAL SERVICES OF CONSULTANT

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

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

SECTION FIVE
SUBCONSULTANT AGREEMENT

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

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

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

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

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

SECTION SIX
TERM OF AGREEMENT

6.01 ***Term.*** This Agreement shall commence on the day it is approved by the City (which date shall be inserted in the introductory paragraph of this Agreement) and shall remain in force until September 30, 2013, at which time the City may exercise their option to extend for an additional two (2) year term, unless terminated earlier pursuant to Section 10.02 or 10.03 of this Agreement. Such termination shall not release either party from any of its continuing obligations under this Agreement.

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

SECTION SEVEN
COMPENSATION AND TERMS OF PAYMENT

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

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

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

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

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

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

SECTION EIGHT
PERFORMANCE SCHEDULE

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

SECTION NINE
AUDIT: ACCESS TO RECORDS

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

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

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

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

SECTION TEN
MISCELLANEOUS PROVISIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10.04 ***Ownership of Documents.***

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

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

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

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

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

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. The Consultant shall maintain all insurance coverages specified in Section 10.05 for the duration of this Agreement and liability coverage as required by Section 10.05 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, prior to executing each Project Task Order, it has visited the location of the Project and has satisfied itself as to the general condition thereof and that the Consultant's compensation as provided for in the Agreement is just and reasonable compensation for performance hereunder including reasonably foreseen and foreseeable risks, hazards and difficulties in connection therewith based on such above-ground observations.

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

10.18 ***Notice.*** Any written notice required to be given under Sections 1.01 through 10.24 of this Agreement shall be deemed to have been given when the written notice is (i) received by the party to whom it is directed by personal service 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 reflects the current standard provisions for the City's Professional Services Agreement updated as of April 8, 2008.

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK

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

ATTEST

Beverly K. Bridges, MMC Date
City Clerk

APPROVED AS TO FORM

John S. Ridilla 8/9/11
Deputy City Attorney Date

John S. Ridilla
Deputy City Attorney

CITY OF LAS VEGAS

By_____
Kathleen C. Rainey, Manager, Purchasing & Contracts

CONSULTANT

By_____
~~Eric Leveque~~, Carollo Engineers, Inc.

Mary Clugun

By:_____
Russell Wachter, Carollo Engineers, Inc.

LIST OF EXHIBITS

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

EXHIBIT " A " SCOPE OF SERVICES

EXHIBIT " B " REQUIRED SUBMITTALS

EXHIBIT " C " PERFORMANCE SCHEDULE

EXHIBIT " D " FEE BREAKDOWN

EXHIBIT " E " ADDITIONAL COMPENSATION

EXHIBIT " F " KEY PERSONNEL LIST

EXHIBIT " G " DISCLOSURE OF OWNERSHIP/PRINCIPALS

EXHIBIT " H " PROJECT TASK ORDER

EXHIBIT "A"

SCOPE OF SERVICES

ARTICLE 100: GENERAL

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

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

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

END OF EXHIBIT "A"

EXHIBIT "B"

REQUIRED SUBMITTALS

ARTICLE 200: GENERAL

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

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

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

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

200.5 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: GENERAL

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

END OF EXHIBIT "C"

EXHIBIT "D"

FEE BREAKDOWN

ARTICLE 400: GENERAL

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

400.2 The total Blanket Agreement maximum not-to-exceed fee for all of the Project Task Orders is **$500,000.00.**

END OF EXHIBIT "D"

EXHIBIT "E"

ADDITIONAL COMPENSATION

ARTICLE 500: CONSULTANT HOURLY RATES

500.1 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
Senior Professional	$226	Per Hour
Lead Project Professional	$205	Per Hour
Project Professional	$189	Per Hour
Professional	$158	Per Hour
Assistant Professional	$125	Per Hour
Senior Technician	$137	Per Hour
Technician	$95	Per Hour
Document Processing/Clerical	$81	Per Hour

ARTICLE 501: ADDITIONAL SERVICES RATES

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

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

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

ARTICLE 502: REIMBURSABLE EXPENSES

502.1 The following Reimbursable Expenses are allowed:

REIMBURSABLE EXPENSE
Project Equipment and Communication Expenses: $9.50 per labor hour

502.2 For Reimbursable Expenses of the Consultant, the City shall compensate the Consultant a multiple of **one (1.0)** times the actual direct costs incurred by the Consultant. The multiplier includes all compensation for overhead and profit.

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

END OF EXHIBIT "E"

EXHIBIT "F"

KEY PERSONNEL LIST

ARTICLE 600: CITY PERSONNEL

600.1 CITY REPRESENTATIVE for this Blanket Agreement is John Bettencourt

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

ARTICLE 601: CONSULTANT'S PROJECT STAFF

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

601.1.1 CONSULTANT REPRESENTATIVE: Eric Leveque

601.1.2 RESPONSIBLE IN CHARGE PERSON
List name of individual Engineer as licensed: Eric Leveque

601.1.3 IN CHARGE PERSON'S STATE OF NEVADA LICENSE NUMBER
List Engineer license number: 013149

601.1.4 SENIOR PROFESSIONAL: Eric Leveque, Michael Fleury, Eric Gilmore, Greg Gould

601.1.5 LEAD PROJECT PROFESSIONAL(S): Keli Callahan

601.1.6 PROJECT PROFESSIONAL(S): Justin Fenton, Kevin Love, Mark Wing

601.1.7 PROFESSIONAL(S): Blake Gonska

601.1.8 SENIOR TECHNICIAN: Allen Evans

601.1.9 CLERICAL: Rynta Porter, Dawn Bertolani, Stacy Markezic

ARTICLE 602: CONSULTANT'S SUBCONSULTANTS

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

602.1.1 None. All work to be performed by Consultant employees.

END OF EXHIBIT "F"

EXHIBIT "G"

CERTIFICATE
DISCLOSURE OF OWNERSHIP/PRINCIPALS

1. Definitions

"City" means the City of Las Vegas.

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

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

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

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	Carollo Engineers, Inc.
Address	376 E. Warm Springs Rd, Suite 250 Las Vegas, NV 89119
Telephone	(702) 792-3711
EIN or DUNS	88-0899222

Block 2	**Description**
Subject Matter of Contract/Agreement:	
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.	Gary Deis, President/CEO	2700 Ygnacio Valley Road, Suite 300 Walnut Creek, CA 94598	(925) 932-1710
2.	Sarwan Wason, Senior Vice President	2700 Ygnacio Valley Road, Suite 300 Walnut Creek, CA 94598	(925) 932-1710
3.	Clark Clement, Senior Vice President	390 Intelocken Crescent, Suite 800 Denver, CO 80021	(303) 635-1220
4.	Mary Clyburn, Senior Vice President	14785 Preston Road, Suite 950 Dallas, TX 75254	(972) 239-9949
5.	Steven Hough, Senior Vice President	10540 Talbert Avenue, Suite 200 Fountain Valley, CA 92708	(714) 593-5100
6.	Ron Joost, Vice President	3033 North 44th Street, Suite 101 Phoenix, AZ 85018	(602) 263-9500
7.	Bob Eimstad, Executive Vice President	4380 SW Macadam, Suite 350 Portland, OR 97239	(503) 227-1885
8.	David Stringfield, Vice President	7580 N. Ingram Avenue, Suite 1600 Fresno, CA 93711	(559) 436-6616
9.	Rick Wheadon, Executive Vice President	1265 Fort Union Blvd., Suite 200 Salt Lake City, UT 84047	(801) 233-2500
10.	Mike Britten, Senior Vice President	2700 Ygnacio Valley Road, Suite 300 Walnut Creek, CA 94598	(925) 932-1710

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: 2

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: Certificate - Disclosure of Ownership/Principals

Date of Attached Document: May 4, 2011 Number of Pages: 3

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.

~~Eric Leveque~~ Mary Clyburn

8/15/11
Date

Subscribed and sworn to before me this 15 day of Aug 2011

Notary Public

JEAN SPRADLING
Notary Public, State of Nevada
Appointment No. 94-0051-1
My Appt. Expires May 17, 2014

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
11.	John Doller, Senior Vice President	3033 North 44th Street, Suite 101 Phoenix, AZ 85018	(602) 263-9500
12.	Bob Gillette, Senior Vice President	2500 Venture Oaks Way, Suite 320 Sacramento, CA 95833	(916) 565-4888
13.	Steve McDonald, Senior Vice President	2700 Ygnacio Valley Road, Suite 300 Walnut Creek, CA 94598	(925) 932-1710
14.	George Beliew, Vice President	7888 Mission Grove Parkway South, Suite 100 Riverside, CA 92508	(951) 776-3955
15.	John Fraser, Senior Vice President	390 Intelocken Crescent, Suite 800 Denver, CO 80021	(303) 635-1220
16.	Robert Hoffman, Vice President	2700 Ygnacio Valley Road, Suite 300 Walnut Creek, CA 94598	(925) 932-1710
17.	Patrick White, Senior Vice President	12592 W. Explorer Drive Suite 200 Boise, ID 83713	(208) 376-2288
18.	Gil Crozes, Vice President	10540 Talbert Avenue, Suite 200 Fountain Valley, CA 92708	(714) 593-5100
19.	Thom Kalkman, Vice President	2700 Ygnacio Valley Road, Suite 300 Walnut Creek, CA 94598	(925) 932-1710
20.	Jim Hagstrom, Executive Vice President	10540 Talbert Avenue, Suite 200 Fountain Valley, CA 92708	(714) 593-5100
21.	Ash Wason, Executive Vice President	10540 Talbert Avenue, Suite 200 Fountain Valley, CA 92708	(714) 593-5100
22.	B. Narayanan, Executive Vice President	2700 Ygnacio Valley Road, Suite 300 Walnut Creek, CA 94598	(925) 932-1710
23.	Eric Leveque, Senior Vice President	376 East Warm Springs Road, Suite 250 Las Vegas, NV 89119	(702) 792-3711
24.	Glen Middleton, Vice President	14785 Preston Road, Suite 950 Dallas, TX 75254	(972) 239-9949
25.	Craig Ashcroft, Senior Vice President	1265 Fort Union Blvd., Suite 200 Salt Lake City, UT 84047	(801) 233-2500
26.	Graham Juby, Vice President	10540 Talbert Avenue, Suite 200 Fountain Valley, CA 92708	(714) 593-5100
27.	Bob Cushing, Senior Vice President	401 N. Cattleman Road, Suite 306 Sarasota, FL 34232	(941) 371-9832
28.	Anthony Morroni, Senior Vice President	10822 West Toller Drive, Suite 200 Littleton, CO 80127	(303) 980-8260
29.	Robert Morroni, Senior Vice President	10822 West Toller Drive, Suite 200 Littleton, CO 80127	(303) 980-8260
30.	Bob Ardizzone, Vice President	3033 North 44th Street, Suite 101 Phoenix, AZ 85018	(602) 263-9500
31.	Dave Kraska, Vice President	2700 Ygnacio Valley Road, Suite 300 Walnut Creek, CA 94598	(925) 932-1710
32.	Ken Wilkins, Senior Vice President	2700 Ygnacio Valley Road, Suite 300 Walnut Creek, CA 94598	(925) 932-1710
33.	Larry Elliott, Senior Vice President	1301 International Parkway, Suite 160 Sunrise, FL 33323	(954) 837-0030
34.	Pat McCole, Vice President	7007 College Blvd., Suite 550 Overland Park, KS 66211	(913) 663-1788

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
35.	Rick Chan, Vice President	2700 Ygnacio Valley Road, Suite 300 Walnut Creek, CA 94598	(925) 932-1710
36.	Doug Lanning, Vice President	10540 Talbert Avenue, Suite 200 Fountain Valley, CA 92708	(714) 593-5100
37.	Walid Karam, Vice President	10540 Talbert Avenue, Suite 200 Fountain Valley, CA 92708	(714) 593-5100
38.	Russ Wachter, Senior Vice President	3033 North 44th Street, Suite 101 Phoenix, AZ 85018	(602) 263-9500
39.	Gary Meyerhoffer, Senior Vice President	10540 Talbert Avenue, Suite 200 Fountain Valley, CA 92708	(714) 593-5100
40.	Jim Meyerhoffer, Vice President	10540 Talbert Avenue, Suite 200 Fountain Valley, CA 92708	(714) 593-5100
41.	Scott Parker, Vice President	2500 Venture Oaks Way, Suite 320 Sacramento, CA 95833	(916) 565-4888
42.	Marco Aieta, Senior Vice President	390 Intelocken Crescent, Suite 800 Denver, CO 80021	(303) 635-1220
43.	Lou Carella, Senior Vice President	2700 Ygnacio Valley Road, Suite 300 Walnut Creek, CA 94598	(925) 932-1710
44.	Kathy Marks, Vice President	2500 Venture Oaks Way, Suite 320 Sacramento, CA 95833	(916) 565-4888
45.	Rick Shanley, Vice President	4380 SW Macadam, Suite 350 Portland, OR 97239	(503) 227-1885
46.	Dave Siebert, Vice President	3033 North 44th Street, Suite 101 Phoenix, AZ 85018	(602) 263-9500
47.	Steve Swanback, Vice President	2700 Ygnacio Valley Road, Suite 300 Walnut Creek, CA 94598	(925) 932-1710
48.	Bryant Bench, Senior Vice President	12592 W. Explorer Drive Suite 200 Boise, ID 83713	(208) 376-2288
49.	Amando Garza, Vice President	7580 N. Ingram Avenue, Suite 1600 Fresno, CA 93711	(559) 436-6616
50.	Brian Matson, Vice President	1218 Third Avenue, Suite 1600 Seattle, WA 98101	(206) 684-6532
51.	Paul Walker, Vice President	8911 Capitol of Texas Highway, Suite 2200 Austin, TX 78759	(512) 453-5383
52.	Lydia Holmes, Vice President	2700 Ygnacio Valley Road, Suite 300 Walnut Creek, CA 94598	(925) 932-1710
53.	David Sobeck, Vice President	3033 North 44th Street, Suite 101 Phoenix, AZ 85018	(602) 263-9500
54.	Scott Hoff, Vice President	14785 Preston Road, Suite 950 Dallas, TX 75254	(972) 239-9949
55.	Lyle Munce, Vice President	1301 International Parkway, Suite 160 Sunrise, FL 33323	(954) 837-0030
56.			
57.			
58.			

EXHIBIT "H"

PROJECT TASK ORDER

Number H- ___

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

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

Project Name:
Location:
Description:
Construction Cost Budget:

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

Section A - Scope of Services:

Section B – Required Submittals:

Section C – Performance Schedule:

Section D – Fee Breakdown:

Section E – Additional Compensation:.

Section F – Key Personnel List:

Section G – Disclosure:

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

Dated this _____ day of _____, _____.

By: _____
Consultant

By: _____
City

By: _____
Consultant

EXHIBIT "G"

CERTIFICATE
DISCLOSURE OF OWNERSHIP/PRINCIPALS

1. Definitions

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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

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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.

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Telephone	(702) 792-3711
EIN or DUNS	88-0899222

Block 2	**Description**
Subject Matter of Contract/Agreement:	
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**

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4.	Mary Clyburn, Senior Vice President	14785 Preston Road, Suite 950 Dallas, TX 75254	(972) 239-9949
5.	Steven Hough, Senior Vice President	10540 Talbert Avenue, Suite 200 Fountain Valley, CA 92708	(714) 593-5100
6.	Ron Joost, Vice President	3033 North 44th Street, Suite 101 Phoenix, AZ 85018	(602) 263-9500
7.	Bob Eimstad, Executive Vice President	4380 SW Macadam, Suite 350 Portland, OR 97239	(503) 227-1885
8.	David Stringfield, Vice President	7580 N. Ingram Avenue, Suite 1600 Fresno, CA 93711	(559) 436-6616
9.	Rick Wheadon, Executive Vice President	1265 Fort Union Blvd., Suite 200 Salt Lake City, UT 84047	(801) 233-2500
10.	Mike Britten, Senior Vice President	2700 Ygnacio Valley Road, Suite 300 Walnut Creek, CA 94598	(925) 932-1710

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: 2

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: Certificate - Disclosure of Ownership/Principals
Date of Attached Document: May 4, 2011 Number of Pages: 3

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.

~~Eric Leveque~~ Mary Clyburn

8/15/11
Date

Subscribed and sworn to before me this 15 day of Aug 2011

Notary Public

JEAN SPRADLING
Notary Public, State of Nevada
Appointment No. 94-0051-1
My Appt. Expires May 17, 2014

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

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

SUBJECT:
For possible action to approve award of the First Amendment to Agreement No. 100196-DC, Blanket Services Agreement for Material Testing and Special Inspections - Department of Public Works - Award recommended to: NINYO & MOORE ($100,000 - Road and Flood Capital Projects Fund) - All Wards

Fiscal Impact

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

PURPOSE/BACKGROUND:
On June 2, 2010 City Council approved Agreement No. 100196-DC for full service material testing and special inspections on a project by project basis through the issuance of Project Task Orders determined and approved by the Department of Public Works. This amendment provides for additional material testing and special inspections services for various projects. This item is exempt from the competitive bidding process pursuant to NRS 332.115.1(b), Professional Services.

PCC: D. Collins
POC: Fintan Gaffney - (702) 433-0330

RECOMMENDATION:
That City Council approve the First Amendment to Agreement No. 100196-DC, Blanket Services Agreement for Material Testing and Special Inspections to Ninyo & Moore in the amount of $100,000. Authority to execute the Amendment is given to the Purchasing Manager per R-48-2006.

BACKUP DOCUMENTATION:
1. First Amendment to Agreement No. 100196-DC
2. Certificate - Disclosure of Ownership/Principals

FIRST AMENDMENT

THIS FIRST AMENDMENT is made and entered into this _____ day of _____, 2011, by and between the City of Las Vegas, a municipal corporation of the State of Nevada (herein the "City"), and Ninyo and Moore, a Corporation (herein the "Consultant").

WHEREAS, the City and the Consultant have entered into an Agreement dated June 10, 2010, (herein the "Agreement"), retaining the services of the Consultant for Material Testing and Special Inspections services more fully described therein in connection with the improvements for various projects related to the City's Capital Improvement program (herein "Project") and,

WHEREAS, since entering into the Agreement, the City desires to modify the Agreement to add additional funds which will enable the Consultant to continue to provide material testing and special inspection services for various projects related to the City's Capital Improvement program.

NOW, THEREFORE, in consideration of the above premises, the parties hereto agree that the following changes shall be made to the Agreement:

1. REFERENCE: Exhibit "D" Fee Breakdown

   REVISE TO READ: The total compensation to be paid to the Consulant for performance of this Agreement including Basic Services, Additional Services, and Reimbursable Expenses is hereby amended to increase the total compensation of the entire Agreement by $100,000.00 from $250,000.00 to $350,000.00. Increase to total compensation may only be authorized by written amendment to this Agreement.

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\\\
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LEFT BLANK INTENTIONALLY

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All other provisions of the Agreement remain in force and effect.

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

CITY OF LAS VEGAS

By: _____
Kathleen C. Rainey, Manager
Purchasing and Contracts
"CITY"

NINYO and MOORE

By: _____
Fintan Gaffney
"CONSULTANT"

ATTEST:

_____
Beverly K. Bridges, MMC Date
City Clerk

APPROVED AS TO FORM:

John S. Ridilla 9/15/11
Deputy City Attorney Date
John S. Ridilla
Deputy City Attorney

EXHIBIT "G"

CERTIFICATE

DISCLOSURE OF OWNERSHIP/PRINCIPALS

1. **Definitions**

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

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

2. **Policy**

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

3. **Instructions**

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

4. **Incorporation**

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

Block 1 **Contracting Entity**	**Block 2** **Description**
Ninyo & Moore 6700 Paradise Rd., #E Las Vegas, NV 89119	Construction Management Services
Address: 702/433-0330	
Telephone: 33-0269828	
EIN:	**RFP#**

Block 3 *Type of Business*

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

CERTIFICATE – DISCLOSURE OF OWNERSHIP/PRINCIPALS
(CONTINUED)

Block 4 Disclosure of Ownership and Principals
In the space below, the Contracting Entity must disclose all principals (including partners) of the Contracting Entity, as well as persons or entities holding more than one-percent (1%) ownership interest in the Contracting Entity.

	FULL NAME/TITLE	BUSINESS ADDRESS	BUSINESS PHONE
1.	Avram Ninyo	5710 Ruffin Road San Diego, CA 92123	858/576-1000

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

Block 5 DISCLOSURE OF OWNERSHIP AND PRINCIPALS – ALTERNATE

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

Name of Attached Document: _____

Date of Attached Document: _____ Number of Pages: _____

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

_____
Name

3-1-10
Date

Subscribed and sworn to before me this 1st day of

March, ~~200~~ 2010

Louise T Kidd
Notary Public

Notary Public - State of Nevada
County of Clark
LOUISE T. KIDD
My Appointment Expires
No: 98-4924-1 June 16 2010

State of Nevada
County of Clark

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

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

SUBJECT:
For possible action to approve award of the First Amendment to Agreement No. 100207-DC, Blanket Services Agreement for Material Testing and Special Inspections - Department of Public Works - Award recommended to: KLEINFELDER WEST, INC. ($100,000 - Road and Flood Capital Projects Fund) - All Wards

Fiscal Impact

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

PURPOSE/BACKGROUND:
On June 22, 2010 City Council approved Agreement No. 100207-DC for full service material testing and special inspections on a project by project basis through the issuance of Project Task Orders determined and approved by the Department of Public Works. This amendment will provide for additional material testing and special inspections services for various projects. This item is exempt from the competitive bidding process pursuant to NRS 332.115.1(b), Professional Services.

PCC: D. Collins
POC: Steven Meyers - (702) 736-2936

RECOMMENDATION:
That City Council approve the First Amendment to Agreement No. 100207-DC, Blanket Services Agreement for Material Testing and Special Inspections to Kleinfelder West, Inc. in the amount of $100,000. Authority to execute the Amendment is given to the Purchasing Manager per R-48-2006.

BACKUP DOCUMENTATION:
1. First Amendment to Agreement No. 100207-DC
2. Certificate - Disclosure of Ownership/Principals

FIRST AMENDMENT

THIS FIRST AMENDMENT is made and entered into this _____ day of _____, 2011, by and between the City of Las Vegas, a municipal corporation of the State of Nevada (herein the "City"), and Kleinfelder West, Inc., a Corporation (herein the "Consultant").

WHEREAS, the City and the Consultant have entered into an Agreement dated June 22, 2010, (herein the "Agreement"), retaining the services of the Consultant for Material Testing and Special Inspection services more fully described therein in connection with various projects related to the City's Capital Improvement program (herein "Project") and,

WHEREAS, since entering into the Agreement, the City desires to modify the Agreement to add additional funds which will enable the Consultant to continue to provide material testing and special inspections services for various projects related to the City's Capital Improvement program.

NOW, THEREFORE, in consideration of the above premises, the parties hereto agree that the following changes shall be made to the Agreement:

1. REFERENCE: Exhibit "D" Fee Breakdown

   REVISE TO READ: The total compensation to be paid to the Consulant for performance of this Agreement including Basic Services, Additional Services, and Reimbursable Expenses is hereby amended to increase the total compensation of the entire Agreement by $100,000.00 from $250,000.00 to $350,000.00. Increase to total compensation may only be authorized by written amendment to this Agreement.

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All other provisions of the Agreement remain in force and effect.

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

CITY OF LAS VEGAS

By: _____
Kathleen C. Rainey, Manager
Purchasing and Contracts
"CITY"

Stanley Consultants Inc.

By: _____
Steven Myers, Vice President
"CONSULTANT"

ATTEST:

_____
Beverly K. Bridges, MMC Date
City Clerk

APPROVED AS TO FORM:

John S. Ridilla 8/15/11
Deputy City Attorney Date

John S. Ridilla
Deputy City Attorney

EXHIBIT "G"

CERTIFICATE

DISCLOSURE OF OWNERSHIP/PRINCIPALS

1. **Definitions**

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

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

2. **Policy**

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

3. **Instructions**

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

4. **Incorporation**

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

Block 1 Contracting Entity		**Block 2 Description**
Kleinfelder West Inc.		
6380 South Polaris Avenue		**Construction Materials Testing, Geotechnical and Environmental Services**
Address: **Las Vegas, Nevada 89118**		
Telephone **702-736-2936**		
EIN: **94-1532513**		**RFP# N/A**

Block 3 *Type of Business*

☐ Individual ☐ Partnership ☐ Limited Liability Company **X** Corporation ☐ Trust
☐ Other:

CERTIFICATE – DISCLOSURE OF OWNERSHIP/PRINCIPALS
(CONTINUED)

Block 4 Disclosure of Ownership and Principals
In the space below, the Contracting Entity must disclose all principals (including partners) of the Contracting Entity, as well as persons or entities holding more than one-percent (1%) ownership interest in the Contracting Entity.

	FULL NAME/TITLE	BUSINESS ADDRESS	BUSINESS PHONE
1.	Joseph L. Aldern, Regional Manager	1220 Research Drive, Suite B., Redlands, CA 92374	909-793-2691
2.	Karen E. Arpino-Shaffer, Vice President Corporate Business Development	215 1st Street, Cambridge, MA 02142	617-497-7800
3.	Saiid Behboodi, Sr. Principal Professional	9200 SW Nimbus Ave., Suite A. Beaverton, OR 97008	503-644-9447
4.	Stephen S. Boll, Vice President Corporate Business Development	3077 Fite Circle Sacramento, CA 95827	916-366-1701
5.	Robert M. Brandon, Vice President Corporate Business Development	215 1st Street Cambridge, MA 02142	617-497-7800
6.	Jeffrey L. Cannon, Sr. Principal Professional	3077 Fite Circle Sacramento, CA 95827	916-366-1701
7.	Joel G. Carson, Division Manager	3730 S. 149th Street, Suite 107 Omaha, NE 68144	402-331-2260
8.	Louise D'Amico, Vice President Business Administration	3077 Fite Circle Sacramento, CA 95827	916-366-1701
9.	R. Jeffrey Dunn, Technical Discipline Leader	1970 Broadway, Suite 710 Oakland, CA 94612	510-628-9000
10.	Paul J. Fensterer, Segment Manager	8300 Jeffeson NE, Suite B Albuquerque, NM 87113	505-344-7373
11.	Derek P. Fisher, Regional Manager	3 AAA Drive, First Floor Hamilton, NJ 08691	609-584-5271
12.	William C.B. Gates, Sr. Principal Professional	14710 NE 87th Street, Suite 100 Redmond, WA 98052	425-636-7900
13.	John Moossazadeh, Sr. Vice President	5015 Shoreham Place San Diego, CA 92122	858-320-2000
14.	Russell E. Erbes, Chief Technical Officer	10044 Granite Hill Drive Parker, CO 80134	303-840-4571
15.	John A. Baker, Sr. Vice President	3077 Fite Circle Sacramento, CA 95827	916-366-1701
16.	William C. Siegel, President & CEO	5015 Shoreham Place San Diego, CA 92122	858-320-2000

17.	Bartlett W. Patton, Sr. Vice President	2 Ada, Suite 250 Irvine, CA 92618	949-727-4466
18.	Larry M. Peterson, Chief Marketing Officer	2315 S. Cobalt Point Way Meridian, ID 83642	208-893-9700
19.	Russell O. Carey, Chief Administrative Officer	5015 Shoreham Place San Diego, CA 92122	858-320-2000

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

Block 5 DISCLOSURE OF OWNERSHIP AND PRINCIPALS – ALTERNATE

If the Contracting Entity, or its principals or partners, are required to provide disclosure (of persons or entities holding a ownership interest) under federal law (such as disclosure required by the Securities and Exchange Commission or th Employee Retirement Income Act), a copy of such disclosure may be attached to this Certificate in lieu of providing th 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

Steven M. Myers

Steven M. Myers, VP

March 29, 2010

Date

Subscribed and sworn to before me this 29 day of March, 2010

Elizabeth S. Hovanec

Elizabeth S. Hovanec, Notary Public

ELIZABETH S. HOVANEC
NOTARY PUBLIC - ARIZONA
PINAL COUNTY
My Comm. Exp.: May 23, 2010

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

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

SUBJECT:
For possible action to approve award of Agreement No. 11.1730.05-LED, Construction Manager at Risk Agreement for Jones and Valley View Corridor Improvements located from U.S. 95 to Sahara Avenue on Jones Boulevard and from U.S. 95 to Desert Inn Road on Valley View Boulevard and Oakey Storm Drain located between Cahlan Drive and Barnard Way and the construction conflicts and contingency reserve set by Finance - Department of Public Works - Award recommended to: LAS VEGAS PAVING CORPORATION ($24,276,300 - Road and Flood Capital Projects Fund) - Ward 1 (Tarkanian)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $24,276,300
Funding Source: Road and Flood CPF
Dept./Division: Public Works

PURPOSE/BACKGROUND:
This agreement will provide for construction services for road improvements including but not limited to roadway and intersection widening, bus turnouts, AC pavement and restriping, signal modifications, utility relocations, pedestrian pathways, trail improvements and storm drain improvements at the Oakey Storm Drain. Funding for this project is provided by the Regional Transportation Commission.

PCC: T. Fernandez
POC: Ryan Mendenhall - (702) 251-5800

RECOMMENDATION:
That City Council approve award of Agreement No. 11.1730.05-LED, Construction Manager at Risk for Jones and Valley View Corridor Improvements and Oakey Storm Drain Improvements to Las Vegas Paving Corporation in the amount of $24,276,300 and approve the construction conflicts and contingency reserve of $905,000. Authority to execute the Agreement is given to the Purchasing Manager per R-48-2006.

BACKUP DOCUMENTATION:
Agreement No. 11.1730.05-LED

OWNER-CMAR AGREEMENT FOR CONSTRUCTION SERVICES

This CONSTRUCTION MANAGER AT RISK CONSTRUCTION SERVICES AGREEMENT (the "Contract") is made and entered into as of, _____2011 between the City of Las Vegas, a municipal corporation of the State of Nevada (the "Owner"), and Las Vegas Paving, Inc., a corporation organized and existing under the laws of the State of Nevada and authorized to do business in the State of Nevada (the "Construction Manager at Risk" or "CMAR"). The Owner and the CMAR are sometimes individually referred to herein as "Party" and collectively as "Parties."

RECITALS

WHEREAS, the Owner intends to construct Jones & Valley View Corridor Improvements and Oakey Storm Drain Improvements (the "Project"),

WHEREAS, the Owner is authorized under NRS 338.169-338.1699 to contract with a qualified CMAR for an eligible public work following the selection procedures contained therein; and

WHEREAS, the Owner and CMAR have entered into an Agreement for Construction Manager at Risk Preconstruction Services for the Project; and

WHEREAS, the Owner desires to retain a contractor to perform construction services, and the CMAR desires to provide these services hereinafter set forth below;

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the Parties hereto, intending to be legally bound, agree as follows:

1. PROJECT DESCRIPTION. The Project consists of the construction more fully set forth and described in the Contract Documents.

2. CONSTRUCTION COVENANT. The CMAR hereby covenants and agrees to undertake and complete the Work (defined in the Contract Documents) in a good, substantial and workmanlike manner. The CMAR further agrees to provide the materials, labor, tools, and equipment necessary to properly and expeditiously complete the Work in strict accordance with the requirements of the Contract and other Contract Documents and to accept payment of the Contract Amount, subject to any adjustments under the terms of the Contract, as complete compensation therefore (including all of the expenses, direct or indirect, incurred by the CMAR in connection therewith).

3. CONTRACT AMOUNT. For furnishing all labor, materials, equipment, tools and services and for doing everything required by this Contract and the other Contract Documents, the Owner will pay and the CMAR shall accept the Contract Price, as defined in the General Conditions, which in no event shall exceed the Guaranteed Maximum Price of $ 24,276,300.

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The CMAR's Guaranteed Maximum Price (GMP) for the entire Work on the Project consists of:

A. Cost of Construction	$ 24,076,300.00	
B. CMAR's Contingency *	$ 200,000.00	
C. Total Guaranteed Maximum Price	$ 24,276,300.00	
	Owner	CMAR
Percentage Split of GMP Savings **	100%	0%

* The CMAR's contingency shall be used to address items, including and similar in nature to:

1. Subcontractor Default
2. Interfacing omissions between work categories
3. Schedule Performance
4. Replacement of defective work or work not constructed per construction documents
5. Insurance Deductibles
6. Liquidated damages
7. Items associated with errors/negligence of the CMAR
8. Buyout/savings/overruns
9. CMAR-Performed work overruns
10. Trade Coordination

The CMAR shall notify the Owner in writing of the intent to utilize the CMAR's contingency. Owner's written approval is required prior to any expenditures.

For items, including and similar in nature to those listed below, the cost will be split 50/50 between the CMAR Contingency and the Owner.

1. A/E Coordination issues within the drawings if the CMAR was paid for preconstruction services including constructability review (does not include trade coordination).
2. Owner or User required items not included in the GMP documents that were discussed and documented during the preconstruction phase.

** Savings includes underrun of the Total Guaranteed Maximum Price, including CMAR contingency remaining at the end of the Project; however, savings does NOT include unused allowances (if applicable) in the Total Guaranteed Maximum Price. One-hundred percent (100%) of the unused allowances shall be retained by the Owner.

4. DOCUMENT INCORPORATION. The Contract consists of this four page document and the following documents incorporated herein by this reference as a part hereof:

A. CMAR GMP Proposal, Exhibit "A" attached hereto
a. Resumes for Key Personnel
B. General Conditions, Exhibit "B" attached hereto
C. Technical Specifications, dated June 8, 2011 for Valley View Corridor Improvements, April 18, 2011 for Jones Corridor Improvements and May 2, 2011 for Oakey Storm Drain Cahlan to Barnard, Exhibit "C" attached hereto, and includes all accepted revisions up to July 28, 2011.
D. Drawings, dated June 8, 2011 for Valley View Corridor Improvements, April 18, 2011 for Jones Corridor Improvements and May 2, 2011 for Oakey Storm Drain Cahlan to Barnard, Exhibit "D" attached hereto, also includes all accepted revisions, up to July 28, 2011.
E. Geotechnical Reports, Exhibit "E" attached hereto

F. Prevailing Wage Rates, Exhibit "F" attached hereto
G. Federal Wages, Exhibit "G" if applicable
H. Special Requirements, Exhibit "H" if applicable

5. COMMENCEMENT AND COMPLETION DEADLINE. Time is of the essence in the performance and completion of this Contract. The CMAR shall commence the Work on the date set by the Owner in the Notice to Proceed, and shall achieve Substantial Completion of the entire Work within **455 calendar days** thereafter, subject to adjustments of this Contract Time as provided in the Contract Documents.

6. LIQUIDATED DAMAGES. The CMAR agrees that time is the essence of this Agreement and further agrees to satisfactorily complete the Work in accordance with the Contract Documents. If the CMAR shall neglect, fail, or refuse to complete the Work for any reason within the time specified for Substantial Completion in the Contract plus any adjustments to the Contract Time resulting from approved Change Orders, then the CMAR does hereby agree, as a part consideration for the awarding of this Contract, to pay to the Owner, as liquidated damages and not as a penalty, as follows:

- The sum of One Thousand Dollars and No Cents ($1,000) per calendar day in excess of the time allowed under this Contract that the CMAR fails to achieve Substantial Completion of the Project.

Liquidated damages shall not accrue after the date of Substantial Completion provided the CMAR completes all punch-list Work within the time limit stipulated in the Certificate of Substantial Completion. Liquidated damages shall accrue at the sum of One Thousand Dollars and No Cents ($1,000) per calendar day if the CMAR does not complete all punch-list Work within the time limit stipulated in the Certificate of Substantial Completion.

The said amounts are fixed and agreed on by and between the CMAR and the Owner because of the impracticability and extreme difficulty of fixing and ascertaining the true value of the damages which the Owner will sustain by failure of the CMAR to complete the Work on time, such as architectural and engineering inspection, supervision and contract administration, loss of revenue, cancellation costs for schedule performances, interest charges, delays caused to other construction activities of Owner by failure to perform this Contract, and other damages, some of which are indefinite and not susceptible of easy proof, said amount is agreed to be a reasonable estimate of the amount of damages which the Owner will sustain and said amount shall be deducted from any monies due or that may become due to the Contractor.

7. NOTICES. Any notice required to be given under the Contract shall be deemed to have been given when the notice is (i) delivered personally, or (ii) sent by facsimile machine and delivered by regular mail or certified mail, addressed as follows:

To the Owner:
City of Las Vegas
Kathleen C. Rainey
Purchasing & Contracts Manager
City Hall, First Floor
400 Stewart Avenue
Las Vegas, NV 89101-2986
Email: KRainey@LasVegasNevada.gov
Fax: (702) 464-5721

To the CMAR:
Las Vegas Paving Corporation
Ryan M. Mendenhall
4420 South Decatur Boulevard
Las Vegas, NV 89103-5803
Fax: (702) 251-1968

Any change in the addresses stated above shall be made in writing and delivered in the manner provided herein.

IN WITNESS WHEREOF, the Owner and the CMAR have made and executed this Agreement on the day and year first above written.

CITY OF LAS VEGAS

KATHLEEN C. RAINEY, Manager
Purchasing and Contracts
Department of Finance and Business Services

ATTEST:

BEVERLY K. BRIDGES, MMC
City Clerk

APPROVED AS TO FORM:

John S. Ridilla 8/17/11

Deputy City Attorney Date

John S. Ridilla
Deputy City Attorney

LAS VEGAS PAVING, INC.

By: _____

Name: _____

Title: _____

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 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: $40,656,908.13
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 08/01/11 - 08/15/11

	Check Dates	Total	
A/P & Travel Check Runs	08/01 - 08/15/11	9,093,021.69	
A/P Wire transfers	08/01 - 08/15/11	0.00	
Metro Check (wired)	08/01 - 08/15/11	9,834,299.92	
A/P EFT Payments	08/01 - 08/15/11	5,386,151.40	
Bi-State	08/01 - 08/15/11	0.00	
Inmate Trust	08/01 - 08/15/11	5934.66	
Muni Court	08/01 - 08/15/11	13,766.00	
Redevelopment	08/01 - 08/15/11	11,569.25	
BofA-LV Centennial	08/01 - 08/15/11	2,370.00	
Witness Fees	08/01 - 08/15/11	0.00	
Workers Comp	08/01 - 08/15/11	101,632.83	
Write offs to unclaimed monies	08/01 - 08/15/11	0.00	
		Payment Register Report Total :	**$24,448,745.75**

Payroll Check Runs			
Checks	08/01 - 08/15/11	$253,841.70	
Direct Deposit	08/01 - 08/15/11	$5,758,707.99	
Third Party	08/01 - 08/15/11	$18,767.01	
			$6,031,316.70
Electronic Payments/AP Wires			
	08/01 - 08/15/11	$10,176,845.68	
			$10,176,845.68
		Total Cash Expenditures	**$40,656,908.13**

City of Las Vegas

Summary of Cash Expenditures

For period of 08/01/11 to 08/15/11

Total Services & Materials Checks :	**$9,228,294.43**
Total Services & Materials EFT Payments :	**$5,386,151.40**
Total Wire Transfers:	**$20,011,145.60**
Total Payroll Checks:	**$6,031,316.70**
Grand Total:	**$40,656,908.13**

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 September 7, 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: SEPTEMBER 7, 2011

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

SUBJECT:
For possible action to reallocate $6,550,000 of General Fund funding in the Fire Services Capital Project Fund for the Regional Public Safety Complex (RPSC) to the Parks & Leisure Activities Capital Project Fund to fund $2,550,000 for the Las Vegas Museum of Organized Crime and Law Enforcement (Museum Project) located at 300 South Stewart Avenue, and $4,000,000 to Construction Bid Reserve - Ward 5 (Barlow)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $6,550,000
Funding Source: Fire Services CPF
Dept./Division: Finance Department

PURPOSE/BACKGROUND:
The FY12 Budget anticipated receiving $6M in Historical Tax Credits (HTC). The pursuit of the HTC is necessary to offset additional project costs incurred to meet the restoration guidelines established by the Secretary of the Interior's Standard for the treatment of historic buildings. The HTC will be received over a six-year period versus being received in FY12. The reallocation of funding plus additional costs of $550K for the transaction costs will insure the Museum Project is completed and the HTC are earned. HTC, when received, will be used to replenish funding of the RPSC.

RECOMMENDATION:
Staff recommends approval

BACKUP DOCUMENTATION:
None

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: OPERATIONS AND MAINTENANCE
DIRECTOR: LARRY HAUGSNESS ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve an Interlocal Agreement between the City of Las Vegas, City of North Las Vegas and the Las Vegas Metropolitan Police Department for the emergency operations management joint facility use located at 7551 Sauer Drive, APN 138-15-201-002 - Ward 4 (Anthony)

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division: Operations and Maintenance/Real Estate

PURPOSE/BACKGROUND:
The City of Las Vegas is the owner of the real property and improvements. The Entities will jointly operate and occupy the facility. The Las Vegas Valley Emergency Management Center is a multi jurisdictional and multi agency facility dedicated to the daily operations of the emergency management functions of preparedness, response, recovery and mitigation. The facility will also be used for the planning, training, and exercise activities in support of the emergency management goals and objectives. Each entity will operate under its own organizations authority.

RECOMMENDATION:
Staff recommends approval

BACKUP DOCUMENTATION:
Interlocal Agreement

INTERLOCAL AGREEMENT
BETWEEN CITY OF LAS VEGAS, NORTH LAS VEGAS,
AND LAS VEGAS METROPOLITAN POLICE DEPARTMENT
FOR THE EMERGENCY OPERATIONS MANAGEMENT JOINT FACILITY USE

This INTERLOCAL AGREEMENT ("Agreement") is hereby made and entered into as of the _____ day of _____, 2011, by and among the cities of Las Vegas ("Las Vegas") and North Las Vegas ("NLV"), each a political subdivision of the State of Nevada, and the Metropolitan Police Department ("Metro). Las Vegas, NLV, and Metro are collectively referred to herein singularly as "Entity" and collectively as "Entities."

RECITALS

WHEREAS, Las Vegas is the owner of certain real property and improvements, Assessor's Parcel Number 138-15-201-002, pursuant to BLM Patent # 27-2007-0003 from the United States Department of the Interior, Bureau of Land Management ("BLM") located at 7551 Sauer Drive in the City of Las Vegas, Nevada (the "Premises") and depicted on the Site Map attached here to as Exhibit "A"; and

WHEREAS, NRS 277.180 provides that two or more public agencies may enter into an interlocal agreement for the joint use of resources for the promotion and protection of the safety, welfare and property of the inhabitants of the Entities; and

WHEREAS, the Entities desire to jointly operate and occupy the Premises for the purpose of an Emergency Operations Center ("EOC") as hereafter described; and

NOW, THEREFORE, in consideration of the mutual terms, conditions and covenants hereinafter set forth, the Entities agree as follows:

AGREEMENT

INCORPORATION OF RECITALS. The foregoing Recitals are incorporated herein by reference and made a part of this Agreement.

USE OF PREMISES. The Entities will jointly operate and occupy the Premises for the EOC. The Las Vegas Valley Emergency Management Center is a multijurisdictional and multiagency facility dedicated to the daily operations of the emergency management functions of preparedness, response, recovery and mitigation. The Premises will also be used for the planning, training and exercise activities in support of the emergency management goals and objectives. Each entity will operate under its own organizations authority. Allocation of the Premises office space and parking requirements on the Premises for each Entity are detailed on Exhibit A.

TERM. This Agreement will commence upon its approval and signature below by the last Entity to approve and sign the Agreement, which date shall be entered in the first paragraph of this Agreement. This Agreement shall terminate on June 30, 2013 ("Termination Date") unless extended and/or amended by the Entities in writing.

TERMINATION. Any or all Entities may terminate their participation in this is Agreement upon the occurrence of any of the following: 1) Act of God event or manmade disaster that renders the Premises uninhabitable; 2) loss of grant or other funding necessary for maintaining operations in the Premises; or 3) loss of an Entity's ability to maintain staffing necessary to operate the Premises. Written notification by an Entity that desires to terminate its participation in this Agreement ("Early Termination Date") prior to the Termination Date shall be provided in writing to the other Entities a minimum of thirty (30) days prior to the Early Termination Date. This Agreement in its entirety may be terminated by written mutual consent of all Entities.

UTILITIES AND MAINTENANCE. Las Vegas shall be pay all utilities and building maintenance at the Premises, through grant funding from the United States Department of Homeland Security, throughout the term of this Agreement. Future funding beyond the Termination Date for utilities and maintenance is contingent on obtaining additional grant funding and/or a separate agreement for cost sharing between the Entities.

ALTERATIONS, ADDITIONS AND IMPROVEMENTS. At any time during the term and subject to the prior written approval of Las Vegas, the Entities may make alterations, additions or improvements in and to the interior of the Premises. Any such alteration, addition or improvement shall be performed in a workmanlike manner, in accordance with all applicable governmental regulations and requirements, and shall not weaken or impair the structural strength or lessen the value of the Premises. If the entities desire to expand the square footage of the Premises they must receive written authorization from Las Vegas. Any such alteration is subject to the approval of Las Vegas, which will not be unreasonably withheld.

All alterations, additions or improvements that may be erected or installed in or on the Premises shall become part thereof and the sole property of Las Vegas, except that all moveable fixtures that may be installed by the Entities shall be and remain its or their property and shall not become the property of Las Vegas if it is removed in a timely manner after abandonment or surrender of the Premises.

LIABILITY. The Entities will not waive and intend to assert available NRS Chapter 41 liability limitations in all cases. Contract liability of all Entities shall not be subject to punitive damages. To the extent applicable, actually contract damages for any breach shall be limited by NRS 353.260 and NRS 354.626.

INDEMNIFICATION. No Entity waives any right or defense to indemnification that may exist in law or equity.

FORCE MAJEURE. No Entity shall be deemed to be in violation of this Agreement if it prevented from performing any of its obligations hereunder due to strikes, failure of public transportation, civil or military authority, act of public enemy, accidents, fires, explosions, or acts of God, including, without limitation, earthquakes, floods, winds or storms. In such an event the intervening cause must not be through the fault of the Entity asserting such an excuse, and the excused Entity is obligated to perform in accordance with the terms of the Agreement after the intervening cause ceases.

NOTICES. Any notice, demand, request, or other instrument which may be or is required to be given under this Agreement shall be delivered in person or sent by United States certified or registered mail, postage prepaid, at the following addresses:

To Las Vegas:	City of Las Vegas Real Estate Section 333 N. Rancho Dr., 8th Floor Las Vegas, NV 89106 (702) 229-1021 phone
To NLV:	City of North Las Vegas Real Estate Section Attn: Solome Barton 2200 Civic Center Suite #130 North Las Vegas, NV 89030 (702) 633-1460 ext #3645 phone
To Metro:	LVMPD Attn: Charlotte Bible 400 S. Martin L King, Bldg B Las Vegas, NV 89106 (702) 828-3310 phone

Any Entity hereto may change its address by giving ten (10) days advance notice to the other Entities as provided herein.

ENTIRE AGREEMENT. This Agreement and the Exhibits attached hereto, set forth the entire agreement between the Entities and are incorporated herein. Any prior conversations or writings are merged herein and extinguished. No subsequent amendment to this Agreement shall be binding upon the Entities unless reduced to writing and signed by all Entities. The captions and section numbers appearing herein are inserted only as a matter of convenience and are not intended to define, limit, construe, or describe the scope or intent of any paragraph or subparagraph.

SURRENDER OF PREMISES. On the Termination Date or other authorized termination of this Agreement, the Entities shall vacate the Premises within thirty (30) days and surrender the Premises in the same condition as they were in at the commencement of this Agreement, except for additions, alterations or changes specifically authorized by Las Vegas and reasonable wear and tear. Before surrendering the Premises, the Entities shall remove all personal property and trade fixtures and such alterations or additions to the Premises made by the Entities as may be specified for removal by Las Vegas, and shall repair any damage caused by such property or the removal thereof. If an Entity fails to remove such personal property and fixtures upon the expiration or other authorized termination of this Agreement, the same shall be deemed abandoned and shall become the property of Las Vegas.

BREACH / REMEDIES. Failure of any Entity to perform any obligation of this Agreement shall be deemed a breach. Except as otherwise provided for by law or this Agreement, the rights and remedies of the Entities shall be exclusive and are in additional to any other rights and remedies provided by law or equity, including but not limited to actual damages, and to a prevailing party reasonable attorneys' fees and costs.

INDEPENDENT PUBLIC AGENCIES. The Entities are associated with each other only for the purposes and to the extent set forth in this Agreement, and in respect to performance of obligations pursuant to this Agreement, each Entity is and shall be a public agency separate and distinct from the

other Entities, subject only to the terms of this Agreement, shall have the sole right to supervise, manage, operate, control and direct performance of the details incident to its duties under this Agreement. Nothing contained in this Agreement shall be deemed or construed to create any type of relationship amongst the Entities, or to otherwise create any liability for one Entity whatsoever with respect to the indebtedness, liabilities and obligations of other Entities or any other party.

ASSIGNMENT. No Entity shall assign, transfer or delegate any rights, obligations or duties under this Agreement without prior written consent of all other Entities.

SEVERABILITY. If any provision in this Agreement is held to be unenforceable by a court of law or equity, this Agreement shall be constructed as if such provision did not exist and nonenforcebility of such provision shall not be held to render any other provision or provisions of this Agreement unenforceable.

WAIVER OF BREACH. Failure to declare a breach or the actual waiver of any particular breach of this Agreement or its material or nonmaterial terms by any Entity shall not operate as a waiver by other Entities of any of its rights or remedies as to any other breach.

MODIFICATION OR AMENDMENTS. No amendment, change or modification of this Agreement shall be valid unless in writing and signed by all Entities hereto.

GOVERNING LAW / JURISDICTION. This Agreement and the rights and obligations of the Entities hereto shall be governed by, and construed according to, the laws of the State of Nevada. The Entities consent to the jurisdiction of the Nevada district courts for enforcement of this Agreement.

PUBLIC RECORDS. Pursuant to NRS 239.010, information or documents may be open to public inspection and copying. The Entities have the duty to disclose unless a particular record is made confidential by law or a common law balancing of interests.

CONFIDENTIALITY. Each Entity shall keep confidential all information, in whatever form, produced, prepared, observed or received by that Entity to the extent that such information is confidential by law or otherwise required by this Agreement.

INSPECTION & AUDIT.

A. Books and Records. Each Entity agrees to keep and maintain under general accepted accounting principles full, true and complete records, agreements, books, and documents as are necessary to fully disclose to any other Entity, or their authorized representatives, upon audits or reviews, sufficient information to determine compliance with all state and federal regulations and statutes.

B. Inspection & Audit. Each Entity agrees that the relevant books, records (written, electronic, computer related or otherwise), including but not limited to relevant accounting procedures and practices of the Entity, financial statements and supporting documentation, and documentation related to the work product shall be subject, at any reasonable time, to inspection, examination, review, audit, and copying at any office or location where such records may be found, with or without notice by the other Entities or their authorized representatives.

C. Period of Retention. All books, records, reports, and statements relevant to this Agreement must be retained a minimum three years and for five years if any federal funds are used in this Agreement. The

retention period runs from the date of termination of this Agreement. Retention time shall be extended when an audit is scheduled or in progress for a period reasonably necessary to complete an audit and/or to complete any administrative and judicial litigation which may ensue.

PROPER AUTHORITY. The Entities hereto represent and warrant that the person executing this Agreement on behalf of each Entity has full power and authority to enter into this Agreement and that the Entities are authorized by law to perform the services set forth in this Agreement.

COUNTERPARTS / ELECTRONIC DELIVERY. This Agreement may be executed in counterparts, all such counterparts will constitute the same contract and the signature of any Entity 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 Entities hereto, regardless of whether originals are delivered thereafter.

IN WITNESS WHEREOF, the Entities hereto have executed this Agreement on the date set forth above.

SIGNATURES CONTINUED ON NEXT PAGES

INTERLOCAL AGREEMENT
BETWEEN CITY OF LAS VEGAS, NORTH LAS VEGAS, AND
LAS VEGAS METROPOLITAN POLICE DEPARTMENT
FOR THE EMERGENCY OPERATIONS MANAGEMENT JOINT FACILITY USE

City of Las Vegas Signature Page

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

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 8/10/11
Deputy City Attorney

John S. Ridilla
Deputy City Attorney

INTERLOCAL AGREEMENT
BETWEEN CITY OF LAS VEGAS, NORTH LAS VEGAS, AND
LAS VEGAS METROPOLITAN POLICE DEPARTMENT
FOR THE EMERGENCY OPERATIONS MANAGEMENT JOINT FACILITY USE

City of North Las Vegas Signature Page

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:_____
City Attorney

INTERLOCAL AGREEMENT
BETWEEN CITY OF LAS VEGAS, NORTH LAS VEGAS, AND
LAS VEGAS METROPOLITAN POLICE DEPARTMENT
FOR THE EMERGENCY OPERATIONS MANAGEMENT JOINT FACILITY USE

Las Vegas Metropolitan Police Department Signature Page

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

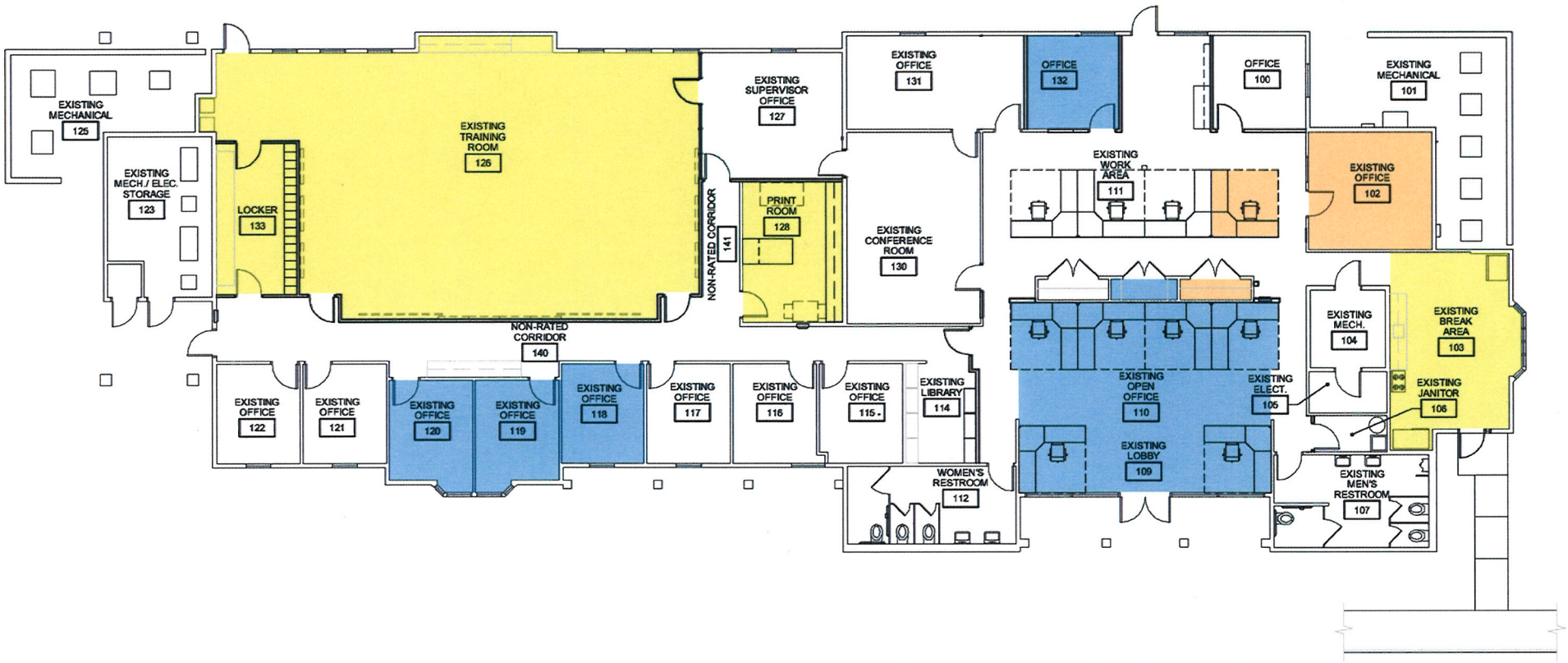
LAS VEGAS METROPOLITAN
POLICE DEPARTMENT

By: _____
Douglas Gillespie, Sheriff

By: _____
Annamarie Robinson
LVMPD Fiscal Affairs Committee Clerk

APPROVED AS TO FORM:

By: _____
Liesl Freedman
LVMPD General Counsel



AGENCY	PARKING NEEDED
METRO	14 SPACES
NLV	2 SPACES
COMMON	0 SPACES
CLV	REMAINING AVAILABLE

EXHIBIT 'A' - THE INTERLOCAL AGREEMENT

AUGUST 08, 2011

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve a Special Event Alcoholic Beverage License for Hogs & Heifers Saloon/Michelle Dell subject to Health Dept. regulations, Location: 201 North 3rd Street, Suite 130, Dates: September 28 - October 2, 2011, Type: Special Event General, Event: Hogs & Heifers Bikefest 2011, Responsible Person in Charge: Bruce Heaton - 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 Special Event Alcoholic Beverage License. Event times are 10:00 a.m. - 4:00 p.m. Estimated attendance is 10,000. Security provided by in house staff.

RECOMMENDATION:
Recommend approval subject to Health Dept. regulations.

BACKUP DOCUMENTATION:
None

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve a Special Event Alcoholic Beverage License for Prom Management Group, Inc., subject to the provisions of the fire code and Health Dept. regulations, Location: TPC Summerlin (golf course), 1700 Village Center Circle, Dates: September 26 - October 2, 2011, Type: Special Event General, Event: Justin Timberlake Shriner's Open, Responsible Person in Charge: Todd Hansen - 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 Special Event Alcoholic Beverage License. Estimated attendance is 5,000. Security provided by Nellis Air Force Base.

RECOMMENDATION:
Recommend approval subject to the provisions of the fire code and Health Dept. regulations.

BACKUP DOCUMENTATION:
None

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve a Special Event Alcoholic Beverage License for German - American Social Club of Nevada, Location: Historic 5th Street School, 401 South 4th Street, Date: October 1, 2011, Type: Special Event General, Event: Oktoberfest, Responsible Person in Charge: Eugene Gries - 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 4:00 p.m. - 10:00 p.m. Estimated attendance is 1,000. Security provided by Allied Barton Security Services and City Marshals.

RECOMMENDATION:
Recommend approval.

BACKUP DOCUMENTATION:
None

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve an extension of a Temporary Massage Establishment License, Silver Spirit, LLC, dba Saffron Day Spa, 2400 South Jones Boulevard, Suite 14, Naranjit Kaur, Mgr, 50% and Robert E. Lee Reed II, Managing Mmbr, 50% - Ward 1 (Tarkanian)

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 Massage Establishment 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.: **26.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: PUBLIC WORKS
DIRECTOR: JORGE CERVANTES ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve an Interlocal Contract LAS09U05 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to provide funding to reimburse construction costs for Las Vegas Creek Channel – Parallel System, US-95, Rainbow Boulevard to I-15 ($5,628,281 – Road and Flood Capital Project Fund [CPF]) – Wards 1 and 5 (Tarkanian and Barlow)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $5,628,281
Funding Source: Road and Flood CPF
Dept./Division: PW/City Engineer

PURPOSE/BACKGROUND:
On February 10, 2005 CCRFCD approved Resolution No. 05-1 to authorize the reimbursement of eligible construction costs for the Las Vegas Creek Channel – Parallel System. The City entered into an agreement with NDOT to fund a lump sum not to exceed $5,628,282 associated with the over-sizing of the drainage facilities in NDOT's US-95 widening project. On February 8, 2007 Amendment No. 1 to the Resolution was approved to change the programmed date of reimbursement for this project to fiscal year 2011/2012 of the fiscal year 2006/2007 Ten Year Construction Program. The Amendment specified that the City request funding reimbursement July 1, 2011. This Interlocal Contract will provide reimbursement funds for the NDOT agreement. The total cost of the contract shall not exceed $5,628,281. The CCRFCD approved this contract at their July 14, 2011 Board Meeting.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
Interlocal Contract LAS09U05

INTERLOCAL CONTRACT

LAS VEGAS CREEK CHANNEL – PARALLEL SYSTEM

THIS INTERLOCAL CONTRACT made and entered into as of the 14th day of July, 2011 by and between the Clark County Regional Flood Control District, hereinafter referred to as "DISTRICT", 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 Structures LCCH 0051, LCCH 0110, LCCH 0114, LCCH 0127, LCCH 0129, LCCH 0150, LCCH 0154, LCCH 0157, LCCH 0188, LCCH 0230, LCCH 0270, LCCH 0302, LCCH 0377, LCCH 0400, LCCH 0402, LCCH 0412, LCCH 0438, LCCH 0458, LCCH 0478, , LCCH 0513, LCCH 0518, LCCH 0534, LCCH 0543, LCLT 0000, LCRA 0000, LCRA 0004 and LCRA 0050, 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, Resolution No. 05-1 was approved by the Board on February 10, 2005 and Amendment No. 1 on February 8, 2007; and

WHEREAS, the PROJECT has regional flood control significance and is located in the same hydrographic area as the Las Vegas Valley.

NOW, THEREFORE, in consideration of the covenants, conditions, contracts, and promises of the parties hereto, the DISTRICT and the CITY agree to the following:

SECTION I - SCOPE OF THE PROJECT

This INTERLOCAL CONTRACT applies to construction associated with the Las Vegas Creek Channel – Parallel System. The Nevada Department of Transportation completed this project in December of 2007.

SECTION II - PROJECTS COSTS

The DISTRICT agrees to fund project costs within the limits specified below:

1. Construction at a cost not to exceed $5,628,281.

2. The total cost of this Contract shall not exceed $5,628,281 which includes all the items described in the paragraph above.

3. 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.

4. A written request must be made to the DISTRICT and a Supplemental Interlocal Contract approved by the Board to increase the total cost of the contract noted above prior to payment of any additional funds.

SECTION III - GENERAL

1. The Clark County Regional Flood Control District shall be shown on the title sheet of both the plans and the specifications as the funding agency.

2. Prior to submission of the first payment request, the Entity will submit to the District a construction schedule and cash flow projection. The CITY will take all reasonable steps possible to avoid delays in the construction of DISTRICT funded projects. Project delays more than four months, as measured from the award date, may be subject to a formal review by both the Technical Advisory Committee and the Board. At the review, the CITY will have an opportunity to present information relative to the delays, measures taken to avoid the delays and the likelihood of those delays continuing. The Board will make a determination, in view of the delays and limited available funding, whether project funding should continue. In the case that the Board chooses to discontinue funding, the Board may cancel any Interlocal Contract(s) associated with the project and discontinue funding for the remainder of the project. Funding already spent or appropriated by the CITY will not be required to be refunded to the DISTRICT. Project funding can be reconsidered at any time when the CITY can demonstrate that the project can proceed on an acceptable schedule.

3. The CITY will comply with the Local Purchasing Act, Chapter 332 and Public Works Projects, Chapter 338, of the Nevada Revised Statutes.

4. The CITY, its employees, and representatives shall at all times comply with all applicable laws, ordinances, statutes, rules, and regulations in effect at the time work is performed on the PROJECT.

5. The CITY will require appropriate financial security for the construction of the PROJECT.

6. The CITY shall provide all impacted entities and the DISTRICT with the opportunity to provide the CITY with input relative to the following processes:

scope of services development; consultant selection; design, construction and maintenance review; and monitoring of the effectiveness and impacts of facilities on flood flows.

7. Applicable portions of the current editions of the Policies and Procedures, the Hydrologic Criteria and Drainage Design Manual, and Uniform Regulations for the Control of Drainage adopted by the DISTRICT will apply in developing this PROJECT unless specifically superseded by this CONTRACT.

8. Purchases of right-of-way in excess of that actually needed for construction will not be allowed unless a comparison between the cost of excess acquisition and needed acquisition, including damages, indicates that benefits from such a transaction would result. Title to residual property will be vested in the name of the CITY. Revenues derived from the sale of these properties, less the cost of the sale of these properties, will be forwarded to the DISTRICT.

9. Administrative settlements and acceptance of counter offers involving right-of-way may only be made following a review and approval by the DISTRICT.

10. The DISTRICT will pay the CITY, or make payment directly to its contractor or its consultant, each month for project costs as outlined in SECTION II - PROJECT COSTS. Invoices must identify and allocate all costs to the categories noted below:

    a. Right-of-Way acquisition including appraisals, title and escrow, negotiations, legal fees, recording fees, etc.
    b. Predesign Engineering (all work prior to design, excluding right-of-way)
    c. Design Engineering
    d. Construction Engineering
    e. Construction (all work after award of construction contract)
    f. Environmental: costs incurred by the Lead Entity for the preparation of environmental documentation applicable to the project and costs incurred for the implementation of mitigation measures provided in an environmental document (e.g., EIS OR EA)
    g. Other including landscaping, flood insurance rate map amendments or revisions, etc.

11. Accurate documentation of all work performed and payments made will be maintained by the CITY for a period of three (3) years in hard copy form after final project approval and payment. Following the three year period, the CITY shall keep records for permanent storage in original form, in microfilm/fiche media, or an electronic format.

12. The DISTRICT reserves the right to review and/or audit all records pertaining to all projects both during and after project completion.

13. Up to the limits set forth in NRS Chapter 41, the CITY will indemnify and defend the DISTRICT against and from any and all claims and demands of whatsoever nature which arises out of allegations of negligence or misconduct of CITY officers, employees or agents, related to or under this Contract which results from injury to or death of any persons whomsoever, or against and from damage to or loss or destruction of property.

14. Any costs found to be improperly allocated to this PROJECT will be refunded by the CITY to the DISTRICT.

15. The items covered in SECTION II – PROJECT COSTS must be completed to the satisfaction of the DISTRICT prior to December 31, 2011. The DISTRICT may, at any time thereafter, grant extensions or terminate this CONTRACT after thirty (30) days notice.

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: _____
Carolyn G. Goodman, Mayor

Attest

By: _____
Beverly K. Bridges, MMC
City Clerk

Approved as to form

By: John S. Ridilla 8/3/11
Deputy City Attorney Date

John S. Ridilla
Deputy City Attorney

Date of District Action

July 14, 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 7/14/2011
Christopher Figgins Date
Chief Deputy District Attorney

CLARK COUNTY
REGIONAL FLOOD CONTROL DISTRICT

AGENDA ITEM

SUBJECT:

LAS VEGAS CREEK CHANNEL – PARALLEL SYSTEM
RESOLUTION NO. 05-1 – LAS09U05

RECOMMENDATION SUMMARY

STAFF: Approve.

TECHNICAL ADVISORY: Approve.

CITIZENS ADVISORY: Approve.

RFCD AGENDA
ITEM #16b
DATE: 02/10/05

CLARK COUNTY
REGIONAL FLOOD CONTROL DISTRICT

AGENDA ITEM

SUBJECT: RESOLUTION NO. 05-1 FOR CONSTRUCTION OF THE LAS VEGAS CREEK CHANNEL – PARALLEL SYSTEM
PETITIONER: CITY OF LAS VEGAS
RECOMMENDATION OF PETITIONER: IT IS RECOMMENDED THAT THE CLARK COUNTY REGIONAL FLOOD CONTROL DISTRICT APPROVE RESOLUTION NO. 05-1 FOR CONSTRUCTION OF THE LAS VEGAS CREEK CHANNEL – PARALLEL SYSTEM. (LAS09U05)

FISCAL IMPACT:

None

BACKGROUND:

The Nevada Department of Transportation (NDOT) has plans to widen US-95 between Rainbow Boulevard and Martin Luther King Boulevard as a part of their US-95 Widening project.

Funds for this project are programmed in fiscal year 2012/2013 of the fiscal year 2004/2005 Ten Year Construction Program. This resolution will allow NDOT to construct about $62 million dollars of the 100-year drainage facilities in US-95 between Rainbow Boulevard and Martin Luther King Boulevard with their US-95 widening project with the assurance that the District will reimburse City up to $5,628,282.00. The City will make a request for funding reimbursement in Fiscal Year 2012/2013.

Respectfully submitted,

TAC AGENDA ITEM # 13b Date: 01/27/05	RFCD AGENDA ITEM #16b Date: 02/10/05
CAC AGENDA ITEM # 13b Date: 01/31/05	

for Richard D. Goecke, Director
Department of Public Works

Regional Flood Control District
AGENDA ITEM DEVELOPMENT

Staff Discussion: Date: 01/18/05

RESOLUTION NO. 05-1 FOR CONSTRUCTION
LAS VEGAS CREEK CHANNEL – PARALLEL SYSTEM – LAS09U05

The City of Las Vegas has submitted a request for Resolution No. 05-1 for construction of the Las Vegas Creek Channel – Parallel System project.

The Nevada Department of Transportation (NDOT) has plans to widen US-95 between Rainbow Boulevard and Martin Luther King Boulevard as part of their US-95 Widening project.

Funding for this project is programmed in fiscal year 2012/2013 of the fiscal year 2004/2005 Ten Year Construction Program. This Resolution will allow NDOT to construct about $62 million dollars of the 100-year drainage facilities in US-95 between Rainbow Boulevard and Martin Luther King Boulevard with their US-95 widening project with the assurance that the District will reimburse the City up to $5,628,282 of the roughly $62,000,000 cost for drainage improvements on the project. The City will make a request for funding reimbursement in fiscal year 2012/2013.

Staff Recommendation:

Approve.

Discussion by Technical Advisory Committee: AGENDA #13b Date: 01/27/05

Recommendation:

Approve.

Discussion by Citizens Advisory Committee: AGENDA #13b Date: 01/31/05

Recommendation:

Approve.

021005 LAS09U-Resolution No 05-1-aid

LAS09U05

RESOLUTION NO. 05-1

TO AUTHORIZE THE REIMBURSEMENT OF ELIGIBLE CONSTRUCTION COSTS FOR THE LAS VEGAS CREEK CHANNEL - PARALLEL SYSTEM

WHEREAS, pursuant to Chapter 543, Nevada Revised Statues, the Board of Directors (Board) of the Clark County Regional Flood Control District (District) is authorized to approve a project to construct flood control improvements; and

WHEREAS, the flood control improvements proposed herein are facilities identified in the 2002 Master Plan Update as Structures LCCP 0000, LCCP 0061, 0104, 0173, 0243, 0350, 0408, 0452, 0453, and 0454 and commonly referred to as the Las Vegas Creek Channel – Parallel System, hereinafter referred to as "Project"; and

WHEREAS, the State of Nevada, acting through it's Department of Transportation (NDOT), plans to widen US-95 between the Rainbow Boulevard to Martin Luther King Boulevard; and

WHEREAS, the City desires to have NDOT construct 100-year drainage facilities in US-95 with their project in order to avoid significant future costs; and

WHEREAS, the City has programmed funding for the construction of the drainage facilities in fiscal year 2012/2013 in accordance with a project priority established through application of the District's Policies and Procedures; and

WHEREAS, NDOT is willing to proceed with construction of the drainage facilities at their initial cost; and

WHEREAS, the City intends to enter into an agreement with NDOT in part to make application to the District for funds not before July 2012 to reimburse NDOT for construction costs associated with the over-sizing of the drainage facilities in US-95 which will not exceed $5,628,282.00; and

WHEREAS, the City has made a project presentation to the Board and advisory committees demonstrating that the project meets all requirements for construction funding identified in the District's Policies and Procedures,

NOW THEREFORE, be it resolved by the DISTRICT:

1. Subject to the availability of funding and the allocation of funding by the DISTRICT to the construction of the Project, the District will consider funding the eligible construction costs incurred after September 28, 2003 for the Las Vegas Creek Channel – Parallel System in the amount not to exceed $5,628,282.00.

2. Funding will not be considered by the DISTRICT until at least July 1, 2012.

3. That the District's reimbursement to the City will be without interest based upon monthly submittal of invoices at the time eligible costs are incurred.

4. Upon application for funding, the DISTRICT will consider making funds available at the earliest opportunity based upon District Policies and Procedures. The DISTRICT reserves the right at its sole discretion to change the District's Ten Year Construction Program for funding.

5. This resolution shall be effective on its passage and approval and shall be effective until July 1, 2013.

PASSED, ADOPTED AND APPROVED this 10th day of February 2005.

BOARD OF DIRECTORS
CLARK COUNTY REGIONAL FLOOD CONTROL
DISTRICT, CLARK COUNTY, NEVADA

Lawrence L. Brown III

LAWRENCE L. BROWN, III, CHAIRMAN

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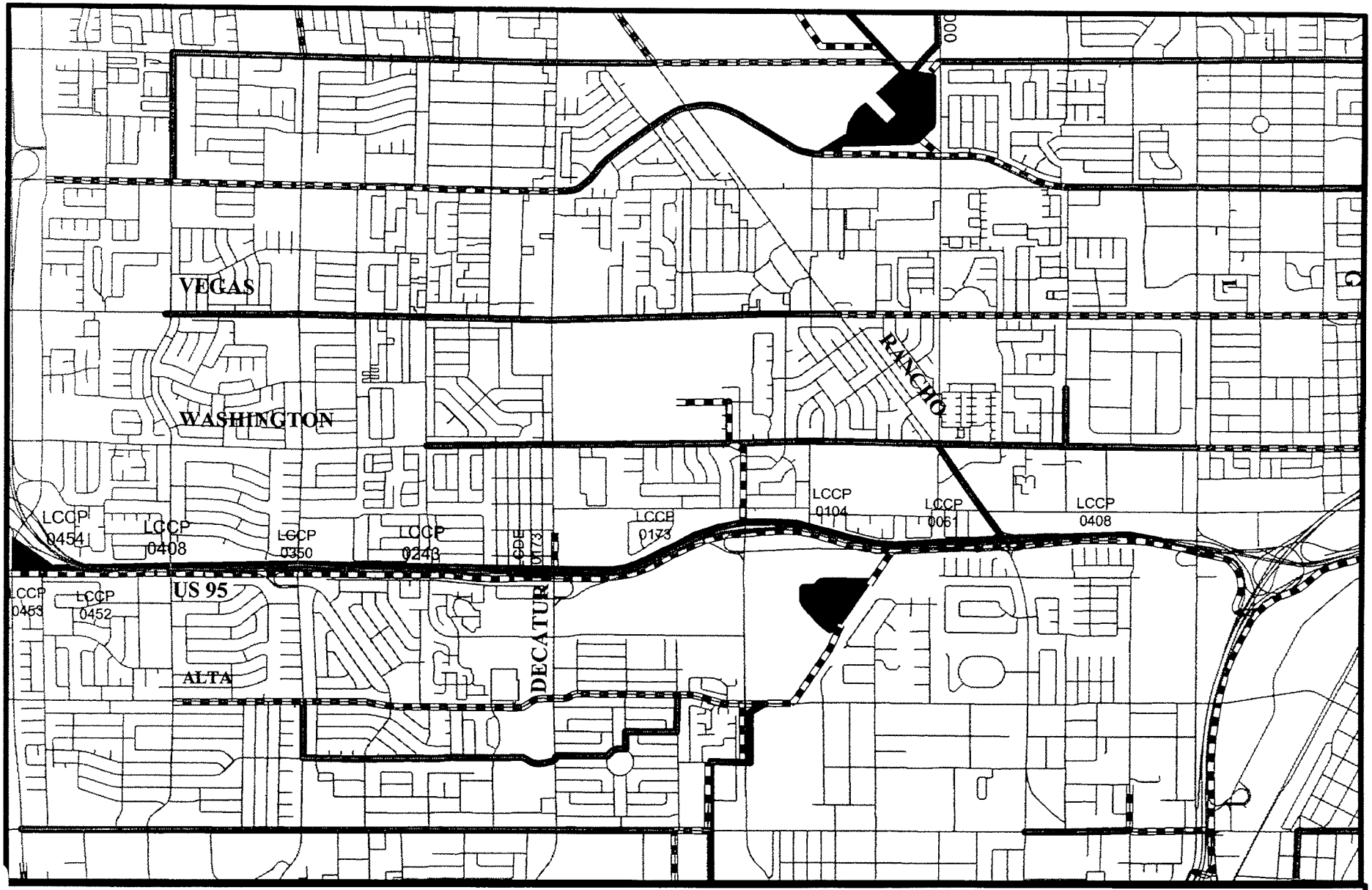

RES. NO 05-1
LAS09U05

EXHIBIT A

CLARK COUNTY
REGIONAL FLOOD CONTROL DISTRICT

AGENDA ITEM

SUBJECT:

LAS VEGAS CREEK CHANNEL – PARALLEL SYSTEM
AMENDMENT NO. 1 TO RESOLUTION NO. 05-1 – LAS09U05

RECOMMENDATION SUMMARY

STAFF: Approve.

TECHNICAL ADVISORY: Approve.

CITIZENS ADVISORY: Approve.

RFCD AGENDA
ITEM #14
DATE: 02/08/07

LAS09U05

CLARK COUNTY
REGIONAL FLOOD CONTROL DISTRICT

AGENDA ITEM

SUBJECT: RESOLUTION NO. 05-1 FOR CONSTRUCTION OF THE LAS VEGAS CREEK CHANNEL – PARALLEL SYSTEM
PETITIONER: CITY OF LAS VEGAS
RECOMMENDATION OF PETITIONER: IT IS RECOMMENDED THAT THE CLARK COUNTY REGIONAL FLOOD CONTROL DISTRICT APPROVE AMENDMENT NO. 1 TO RESOLUTION NO. 05-1 FOR CONSTRUCTION OF THE LAS VEGAS CREEK CHANNEL – PARALLEL SYSTEM. (LAS09U05)

FISCAL IMPACT:

None

BACKGROUND:
The City entered into an agreement with NDOT to fund a lump sum not to exceed $5,628,282.00 associated with the over-sizing of the drainage facilities in NDOT's US-95 widening project.

The City will make application to the District for funds not before July 1, 2011 and no later than June 30, 2012 to reimburse NDOT for costs associated with the over-sizing of the drainage facilities in US-95 which will not exceed $5,628,282.00.

The Nevada Department of Transportation (NDOT) has substantially completed the project to widen US-95 between Rainbow Boulevard and Martin Luther King Boulevard as a part of their US-95 Widening project.

Funds for this project were programmed in fiscal year 2012/2013 of the fiscal year 2004/2005 Ten Year Construction Program. This resolution will change the programmed date of reimbursement for this project to fiscal year 2011/2012 of the fiscal year 2006/2007 Ten Year Construction Program. The City will make a request for funding reimbursement July 1, 2011.

Respectfully submitted,

TAC AGENDA ITEM # 13 Date: 01/25/07	RFCD AGENDA ITEM # 14 Date: 02/08/07
CAC AGENDA ITEM # 13 Date: 01/29/07	

Charles Kajkowski, Director
Department of Public Works

Regional Flood Control District
AGENDA ITEM DEVELOPMENT

Staff Discussion: Date: 01/16/07

LAS VEGAS CREEK CHANNEL – PARALLEL SYSTEM (RESOLUTION NO. 05-1)
AMENDMENT NO. 1 TO RESOLUTION NO. 05-1 – LAS09U05

The City entered into an agreement with NDOT to fund a lump sum not to exceed $5,628,282.00 associated with the over-sizing of the drainage facilities in NDOT's US-95 widening project.

The City will make application to the District for funds not before July 1, 2011 and no later than June 30, 2012 to reimburse NDOT for costs associated with the over-sizing of the drainage facilities in US-95 which will not exceed $5,628,282.00.

The Nevada Department of Transportation (NDOT) has substantially completed the project to widen US-95 between Rainbow Boulevard and Martin Luther King Boulevard as a part of their US-95 Widening project. Funds for this project were programmed in fiscal year 2012/2013 of the fiscal year 2004/2005 Ten Year Construction Program. This resolution will change the programmed date of reimbursement for this project to fiscal year 2011/2012 of the fiscal year 2006/2007 Ten Year Construction Program. The City will make a request for funding reimbursement July 1, 2011.

This amendment no. 1 will change the effective date on its passage and approval from July 1, 2013 to July 1, 2012. The District Attorney has reviewed the contract.

Staff Recommendation:

Approve.

Discussion by Technical Advisory Committee: AGENDA #13 Date: 01/25/07

Recommendation:

Approve.

Discussion by Citizens Advisory Committee: AGENDA #13 Date: 01/29/07

Recommendation:

Approve.

020807 LAS09U-amndmt1-aid

LAS09U05

AMENDMENT NO. 1 to
RESOLUTION NO. 05-1

TO AUTHORIZE THE REIMBURSEMENT OF ELIGIBLE CONSTRUCTION COSTS FOR THE LAS VEGAS CREEK CHANNEL - PARALLEL SYSTEM

Resolution No. 05-1 shall be revised to read as follows:

WHEREAS, pursuant to Chapter 543, Nevada Revised Statues, the Board of Directors (Board) of the Clark County Regional Flood Control District (District) is authorized to approve a project to construct flood control improvements; and

WHEREAS, the flood control improvements proposed herein are facilities identified in the 2002 Flood Control Master Plan Update as Structures LCCP 0000, LCCP 0061, 0104, 0173, 0243, 0350, 0408 and 0454 and commonly referred to as the Las Vegas Creek channel – Parallel System; and

WHEREAS, the State of Nevada, acting through it's Department of Transportation (NDOT), plans to widen US-95 between the Rainbow Boulevard to Martin Luther King Boulevard.

WHEREAS, the City desires to have NDOT construct 100-year drainage facilities in US-95 with their project in order to avoid significant future costs; and

WHEREAS, the City has programmed funding for the construction of the drainage facilities in fiscal year 2011/2012 in accordance with a project priority established through application of the District's Policies and Procedures; and

WHEREAS, NDOT is willing to proceed with construction of the drainage facilities at their initial cost; and

WHEREAS, the City intends to enter into an agreement with NDOT in part to make application to the District for funds not before fiscal year 2011 to reimburse NDOT for costs associated with the over-sizing of the drainage facilities in US-95 which will not exceed $5,628,282.00; and

WHEREAS, Resolution No. 05-1 was approved on February 10, 2005.

WHEREAS, the City has made a project presentation to the Board and advisory committees demonstrating that the project meets all requirements for construction funding identified in the District's Policies and Procedures.

NOW THEREFORE, be it resolved by the DISTRICT:

1. Subject to the availability of funding and the allocation of funding by the District to the construction of the Project, the District will consider funding the eligible

construction costs incurred after September 28, 2003 for the Las Vegas Creek Channel – Parallel System in the amount not to exceed $5,628,282.00.

2. Funding will not be considered by the District until at least July 1, 2011.

3. Upon application for funding, the District will consider making funds available at the earliest opportunity based upon District Policies and Procedures. The District reserves the right at its sole discretion to change the District's priority list for funding.

4. This resolution shall be effective on its passage and approval and shall be effective until July 1, 2012.

PASSED, ADOPTED AND APPROVED this 8th day of February 2007.

BOARD OF DIRECTORS
CLARK COUNTY REGIONAL FLOOD CONTROL
DISTRICT, CLARK COUNTY, NEVADA

Lawrence L Brown III

LAWRENCE L. BROWN, III, CHAIRMAN

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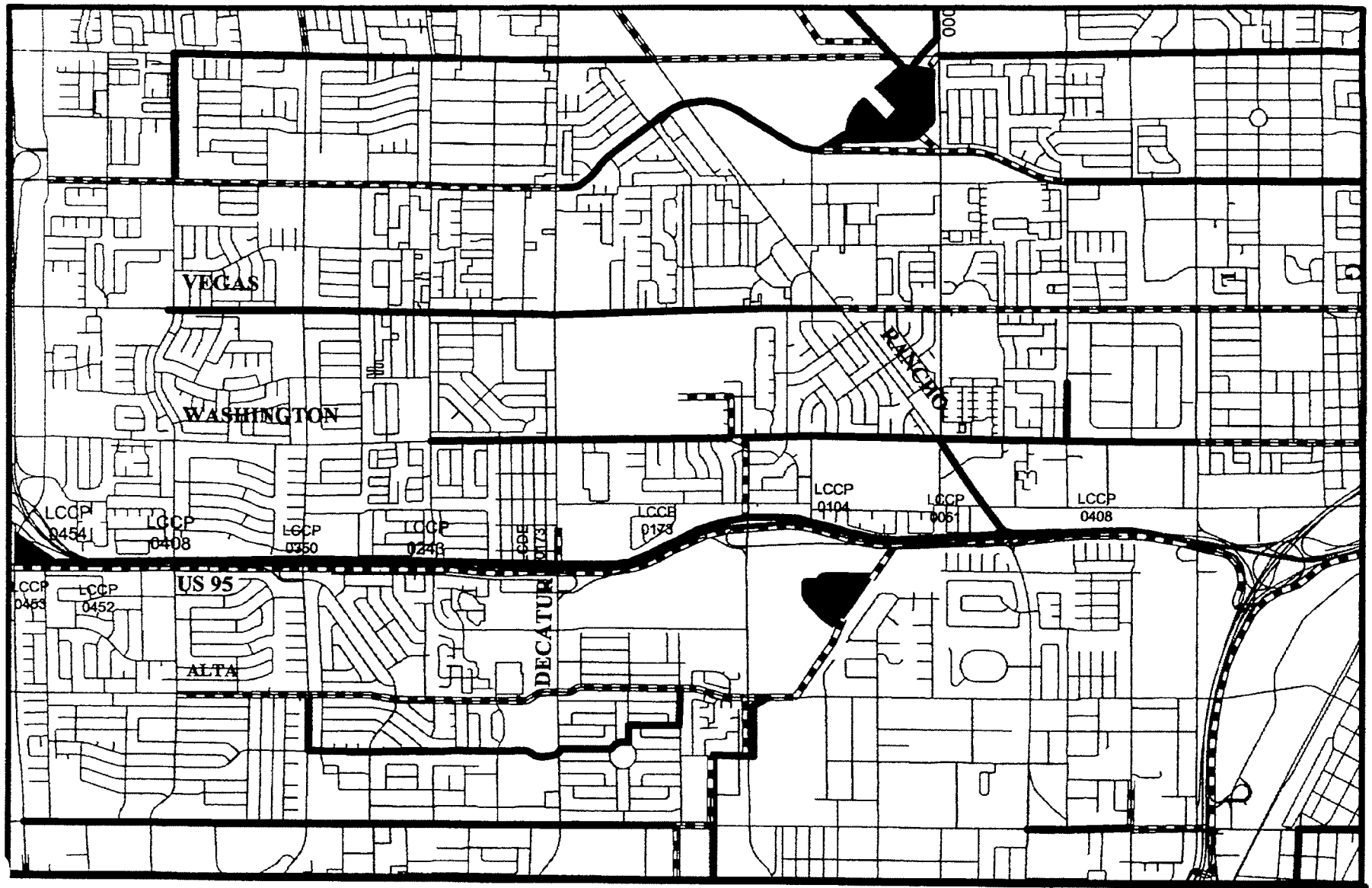
LAS09U05



LAS09U05

RES. NO 05-1
LAS09U05

Existing CCRFCD Favilities

Proposed CCRFCD Favilities

EXHIBIT A

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: PUBLIC WORKS
DIRECTOR: JORGE CERVANTES ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve an Interlocal Contract LAS14C11 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to provide funding for engineering design of the Freeway Channel – Washington, MLK to Rancho Drive ($598,510 – Road and Flood Capital Project Fund [CPF]) – Ward 5 (Barlow)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $598,510
Funding Source: Road and Flood CPF
Dept./Division: PW/City Engineer

PURPOSE/BACKGROUND:
Freeway Channel – Washington, MLK to Rancho Drive is described in the 2008 Master Plan Update as Facility Numbers LV15 0424, LV15 0472 and LV15 0474 and is identified in the CCRFCD's Ten-Year Construction Program with design scheduled to begin in FY 2011-2012. The proposed improvements include design of an 8' x 6' Reinforced Concrete Box (RCB), dual 66" Reinforced Concrete Pipes (RCP) and associated collection facilities along Washington between MLK and Rancho Drive. The total cost of the contract shall not exceed $598,510. The CCRFCD approved this contract at their July 14, 2011 Board Meeting.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
Interlocal Contract LAS14C11

INTERLOCAL CONTRACT

FREEWAY CHANNEL – WASHINGTON, MLK TO RANCHO DRIVE

THIS INTERLOCAL CONTRACT made and entered into as of the 14th day of July, 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 Numbers LV15 0424, LV15 0472 and LV15 0474, 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.

NOW, THEREFORE, in consideration of the covenants, conditions, contracts, and promises of the parties hereto, the DISTRICT and the CITY agree to the following:

SECTION I - SCOPE OF THE PROJECT

This INTERLOCAL CONTRACT applies to design associated with the Freeway Channel – Washington, MLK to Rancho Drive. The basic improvements shall consist of flood water facilities including pipes, channels, dikes, energy dissipators, channel structures, channel access and other appurtenances as may be necessary to control floodwaters. The improvements shall be funded through DISTRICT funds as herein described. This project is further identified and shown on the attached Exhibit "A".

SECTION II - PROJECTS COSTS

The DISTRICT agrees to fund project costs within the limits specified below:

1. The engineering and design shall not exceed $588,510.

2. Preparation of right-of-way drawings, descriptions, title reports of the right-of-way required, and appraisals at a cost not to exceed $5,000.

3. Environmental Mitigation in an amount not to exceed $5,000.

4. The total cost of this Contract shall not exceed $598,510 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

1. The Clark County Regional Flood Control District shall be shown on the title sheet of both the plans and the specifications as the funding agency.

2. The CITY will comply with the Local Purchasing Act, Chapter 332 and Public Works Projects, Chapter 338, of the Nevada Revised Statutes.

3. The CITY, its employees, and representatives shall at all times comply with all applicable laws, ordinances, statutes, rules, and regulations in effect at the time work is performed on the PROJECT.

4. The CITY will require appropriate financial security for the construction of the PROJECT.

5. The CITY shall provide all impacted entities and the DISTRICT with the opportunity to provide the CITY with input relative to the following processes: scope of services development; consultant selection; design, construction and maintenance review; and monitoring of the effectiveness and impacts of facilities on flood flows.

6. Applicable portions of the current editions of the Policies and Procedures, the Hydrologic Criteria and Drainage Design Manual, and Uniform Regulations for

the Control of Drainage adopted by the DISTRICT will apply in developing this PROJECT unless specifically superseded by this CONTRACT.

7. Purchases of right-of-way in excess of that actually needed for construction will not be allowed unless a comparison between the cost of excess acquisition and needed acquisition, including damages, indicates that benefits from such a transaction would result. Title to residual property will be vested in the name of the CITY. Revenues derived from the sale of these properties, less the cost of the sale of these properties, will be forwarded to the DISTRICT.

8. Administrative settlements and acceptance of counter offers involving right-of-way may only be made following a review and approval by the DISTRICT.

9. The DISTRICT will pay the CITY, or make payment directly to its contractor or its consultant, each month for project costs as outlined in SECTION II - PROJECT COSTS. Invoices must identify and allocate all costs to the categories noted below:

    a. Right-of-Way acquisition including appraisals, title and escrow, negotiations, legal fees, recording fees, etc.
    b. Predesign Engineering (all work prior to design, excluding right-of-way)
    c. Design Engineering
    d. Construction Engineering
    e. Construction (all work after award of construction contract)
    f. Environmental: costs incurred by the Lead Entity for the preparation of environmental documentation applicable to the project and costs incurred for the implementation of mitigation measures provided in an environmental document (e.g., EIS OR EA)
    g. Other including landscaping, flood insurance rate map amendments or revisions, etc.

10. Accurate documentation of all work performed and payments made will be maintained by the CITY for a period of three (3) years in hard copy form after final project approval and payment. Following the three year period, the CITY shall keep records for permanent storage in original form, in microfilm/fiche media, or an electronic format.

11. The DISTRICT reserves the right to review and/or audit all records pertaining to all projects both during and after project completion.

12. 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.

13. Any costs found to be improperly allocated to this PROJECT will be refunded by the CITY to the DISTRICT.

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.

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: _____
Carolyn G. Goodman, Mayor

Attest

By: _____
Beverly K. Bridges, MMC
City Clerk

Approved as to form

By: John S. Ridilla 8/9/11
Deputy City Attorney Date

John S. Ridilla
Deputy City Attorney

Date of District Action

July 14, 2011

Regional Flood Control District

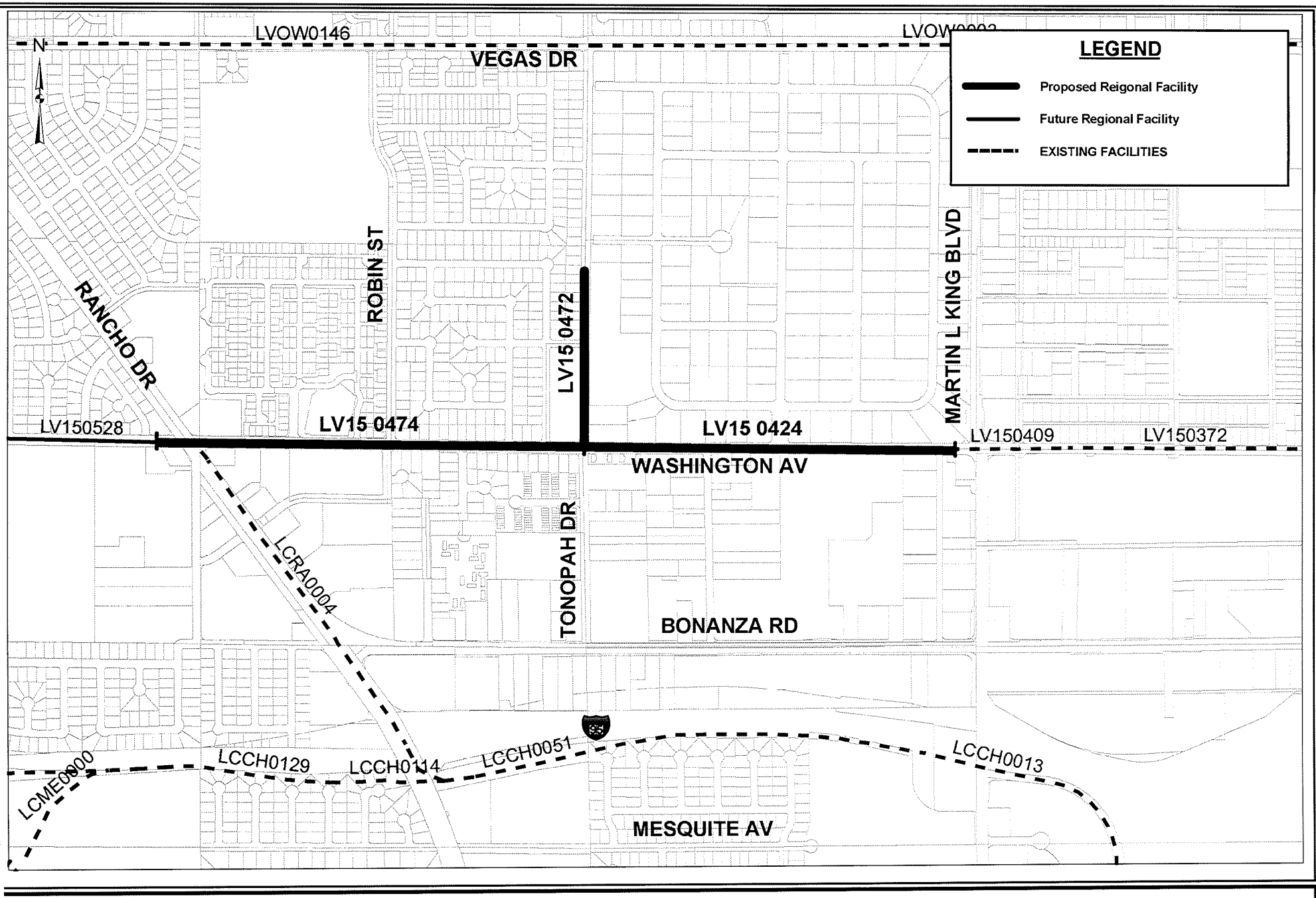
By: Lawrence L Brown III
LAWRENCE L. BROWN, III,
Chairman

Attest

By: Carolyn Frazier
Carolyn Frazier
Secretary to the Board

Approved as to Form

By: 7/14/2011
Christopher Figgins Date
Chief Deputy District Attorney



LAS14C11

EXHIBIT A

FREEWAY CHANNEL - WASHINGTON, MLK TO RANCHO DRIVE (LAS14C11)

JUNE 11

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: PUBLIC WORKS
DIRECTOR: JORGE CERVANTES ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve a Second Supplemental Interlocal Contract LAS22K08 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to change the name, change the scope and increase project funding in the amount of $229,549.98 for Las Vegas Wash – Grand Teton, Mountain Spa to Durango Drive ($229,549.98 – Road and Flood Capital Project Fund [CPF]) – Ward 6 (Ross)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $229,549.98
Funding Source: Road and Flood CPF
Dept./Division: PW/City Engineer

PURPOSE/BACKGROUND:
On August 14, 2008 and July 8, 2010 the CCRFCD entered into Interlocal Contracts with the City of Las Vegas to provide funding for the design for the Las Vegas Wash – Grand Teton, Buffalo Drive to Durango Drive and Las Vegas Wash – Grand Teton, Mountain Spa to Buffalo Drive, respectfully. The City requested that these two projects be collapsed into project LAS22K08 as Las Vegas Wash – Grand Teton, Mountain Spa to Durango Drive and that project number LAS22L08 be closed administratively. This Supplemental Interlocal Contract will add the Las Vegas Wash – Grand Teton, Buffalo Drive to Durango Drive to the scope of the project, and its remaining funds in the amount of $229,549.98 to the project's revised scope. The total cost of the contract shall not exceed $794,721.98. The CCRFCD approved this contract at their July 14, 2011 Board Meeting.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
Second Supplemental Interlocal Contract LAS22K08

SECOND SUPPLEMENTAL INTERLOCAL CONTRACT

LAS VEGAS WASH – GRAND TETON, MOUTNAIN SPA TO DURANGO DRIVE

THIS SECOND SUPPLEMENTAL INTERLOCAL CONTRACT made and entered into as of the 14th day of July, 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 Numbers LVMD 2632 and LVMD 2661, LVMD 2711, LVMD 2737, LVMD 2763, 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 DISTRICT approved an Interlocal Contract on August 14, 2008 and First Supplemental Interlocal Contract on July 8, 2010 to provide funds for the design of the PROJECT; and

WHEREAS, it is necessary to change the name, change the scope, and increase project funding; and

WHEREAS, the PROJECT has regional flood control significance and is located in the same hydrographic area as the Las Vegas Valley.

NOW, THEREFORE, in consideration of the covenants, conditions, contracts, and promises of the parties hereto, the DISTRICT and the CITY agree to the following:

SECTION I - SCOPE OF THE PROJECT

This INTERLOCAL CONTRACT applies to design associated with the Las Vegas Wash – Grand Teton, Mountain Spa to Durango Drive. The basic improvements shall consist of flood water facilities including pipes, channels, dikes, energy dissipators, channel structures, channel access and other appurtenances as may be necessary to control floodwaters. The improvements shall be funded through DISTRICT funds as herein described. This project is further identified and shown on the attached Exhibit "A".

SECTION II - PROJECTS COSTS

The DISTRICT agrees to fund project costs within the limits specified below:

1. The engineering and design shall not exceed $775,654.34.

2. Environmental Mitigation in an amount not to exceed $19,067.64.

3. The total cost of this Contract shall not exceed $794,721.98 which includes all the items described in the paragraphs above.

4. A written request must be made to the DISTRICT and approved by the Board to reallocate funds between phases of the project. No other approval by the Lead Entity is required.

5. A written request must be made to the DISTRICT and a Supplemental Interlocal Contract approved by the Board to increase the total cost of the contract noted above prior to payment of any additional funds.

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The reminder of the Interlocal Contract dated August 14, 2008 and First Supplemental Interlocal Contract dated July 8, 2010 shall remain unchanged.

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: _____
Carolyn G. Goodman, Mayor

Attest

By: _____
Beverly K. Bridges, MMC
City Clerk

Approved as to form

By: John S. Ridilla 8/9/11
Deputy City Attorney Date

John S. Ridilla
Deputy City Attorney

Date of District Action

July 14, 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 7/14/2011
Christopher Figgins Date
Chief Deputy District Attorney

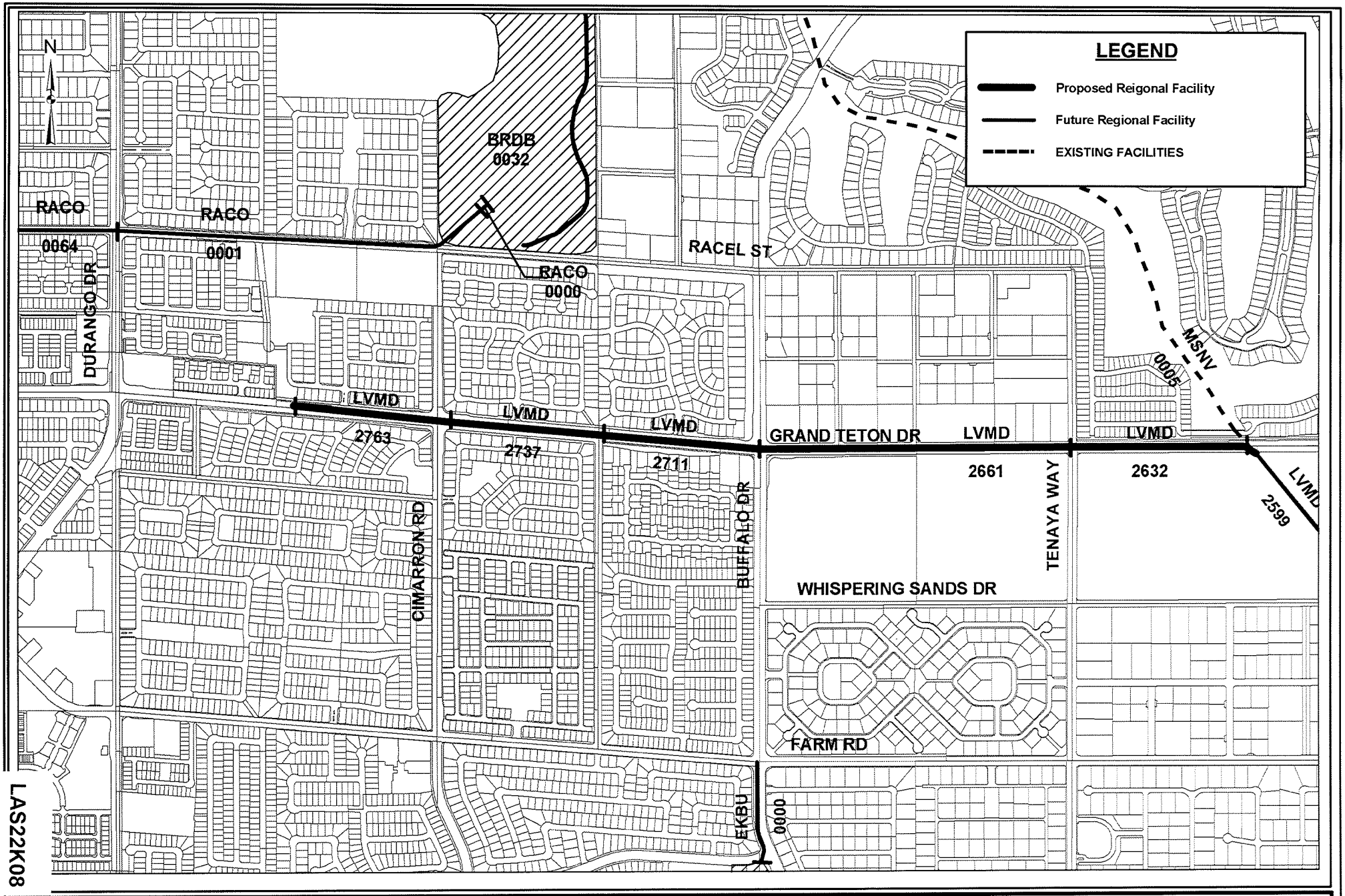

EXHIBIT A

JUNE 11

LAS VEGAS WASH - GRAND TETON, MOUNTAIN SPA TO DURANGO DRIVE (LAS22K08)

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: PUBLIC WORKS
DIRECTOR: JORGE CERVANTES ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve an Interlocal Contract LLD08A11 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to provide funding for construction of the local drainage improvements for Concord Street Storm Drain Improvements ($481,311 – Road and Flood Capital Project Fund [CPF]) – Ward 5 (Barlow)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $481,311
Funding Source: Road and Flood CPF
Dept./Division: PW/City Engineer

PURPOSE/BACKGROUND:
The Concord Street Storm Drain Improvements is a local drainage project that was submitted to the CCRFCD for consideration on April 14, 2011. The project complies with the CCRFCD's policies for Local Drainage projects and has staff approval for funding. The project is located within the Central Basin Watershed of the CCRFCD Master plan and is within a portion of the Las Vegas Wash – Lake Mead Conveyance System drainage area. The project is located in Concord Street between Balzar Avenue and Lake Mead Boulevard. This proposed local drainage participation project will construct a 36-inch Reinforced Concrete Pipe (RCP) storm drain system that will help reduce flooding to this older neighborhood. The proposed facilities will connect into the existing regional drainage facility in Lake Mead Boulevard (LVLM 0060). Matching funds in the amount of $49,992 have been approved by the City in the FY 2011/2012 Budget. The total cost of the CCRFCD contract shall not exceed $431,319. The CCRFCD approved this contract at their July 14, 2011 Board Meeting.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
Interlocal Contract LLD08A11

INTERLOCAL CONTRACT
FOR LOCAL DRAINAGE IMPROVEMENTS
CONCORD STREET STORM DRAIN

THIS INTERLOCAL CONTRACT made and entered into as of the 14th day of July, 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 PROJECT is identified and shown on the attached Exhibit "A"; 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 I – SCOPE OF THE PROJECT

This INTERLOCAL CONTRACT applies to all costs for construction to place in service the Concord Street Storm Drain. The basic improvements shall consist of flood water facilities including pipes, channels, dikes, energy dissipators, channel structures, channel access and other appurtenances as may be necessary to control floodwaters. The improvements shall be funded through DISTRICT funds as herein described. This project is further identified and shown on the attached Exhibit "A".

SECTION II – PROJECT COSTS

The DISTRICT agrees to fund PROJECT costs within the limits specified below:

1. Construction costs shall not exceed $431,319 or 100 percent of construction of the first quarter mile and 50 percent for the remainder of the project, whichever is less.
2. The total cost of this CONTRACT shall not exceed $431,319 which includes all Items described in Paragraph one above and funds will be made available after July 14, 2011.

SECTION III – GENERAL

1. The Clark County Regional Flood Control District shall be shown on the title sheet of both the plans and the specifications as the funding agency.

2. The CITY will use its best efforts to award the bid for this project by December 31, 2011. The CITY will take all reasonable steps possible to avoid delays in the construction of DISTRICT funded projects. Project delays more than four months, as measured from the

award date, may be subject to a formal review by both the Technical Advisory Committee and the District Board of Directors. At the review, the CITY will have an opportunity to present information relative to the delays, measures taken to avoid the delays and the likelihood of those delays continuing. The Board will make a determination, in view of the delays and limited available funding, whether project funding should continue. In the case that the Board chooses to discontinue funding, the Board may cancel any Interlocal Contract(s) associated with the project and discontinue funding for the remainder of the project. Funding already spent or appropriated by the CITY will not be required to be refunded to the District. Project funding can be reconsidered at any time when the CITY can demonstrate that the project can proceed on an acceptable schedule.

3. The CITY will comply with the Local Purchasing Act, Chapter 332 and Public Works Projects, Chapter 338, of Nevada Revised Statutes.

4. The CITY, its employees and representatives shall at all times comply with all applicable laws, ordinances, statutes, rules and regulations in effect at the time work is performed on the PROJECT.

5. The CITY will require appropriate financial security for construction of the PROJECT.

6. The CITY shall provide all impacted entities and the DISTRICT with the opportunity to provide the CITY with input relative to the following processes: scope of services development; consultant selection; design, construction and maintenance review; and monitoring of the effectiveness and impacts of facilities on flood flows.

7. Applicable portions of the current editions of the Policies and Procedures, the Hydrologic Criteria and Drainage Design Manual, and Uniform Regulations for the Control of Drainage adopted by the DISTRICT will apply in developing this PROJECT unless specifically superseded by the CONTRACT.

8. The DISTRICT will pay the CITY, for project costs as outlined in SECTION II – PROJECT COSTS. Invoices must identify and allocate all costs to the category noted below:

    a. Construction (all work after award of construction contract)

9. Accurate documentation of all work performed and payments made will be maintained by the CITY for a period of three (3) years in hard copy form after final project approval and payment. Following the three-year period, the CITY shall keep records for permanent storage in original form, in microfilm/fiche media, or an electronic format.

10. The DISTRICT reserves the right to review and/or audit all records pertaining to all projects both during and after project completion.

11. 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.

12. Any costs found to be improperly allocated to this PROJECT will be refunded by the CITY to the DISTRICT.

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13. 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.

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: _____
Carolyn G. Goodman, Mayor

Attest

By: _____
Beverly K. Bridges, MMC
City Clerk

Approved as to form

By: John S. Ridilla 8/9/11
Deputy City Attorney Date

John S. Ridilla
Deputy City Attorney

Date of District Action

July 14, 2011

Regional Flood Control District

By: Lawrence L. Brown III
LAWRENCE L. BROWN, III,
Chairman

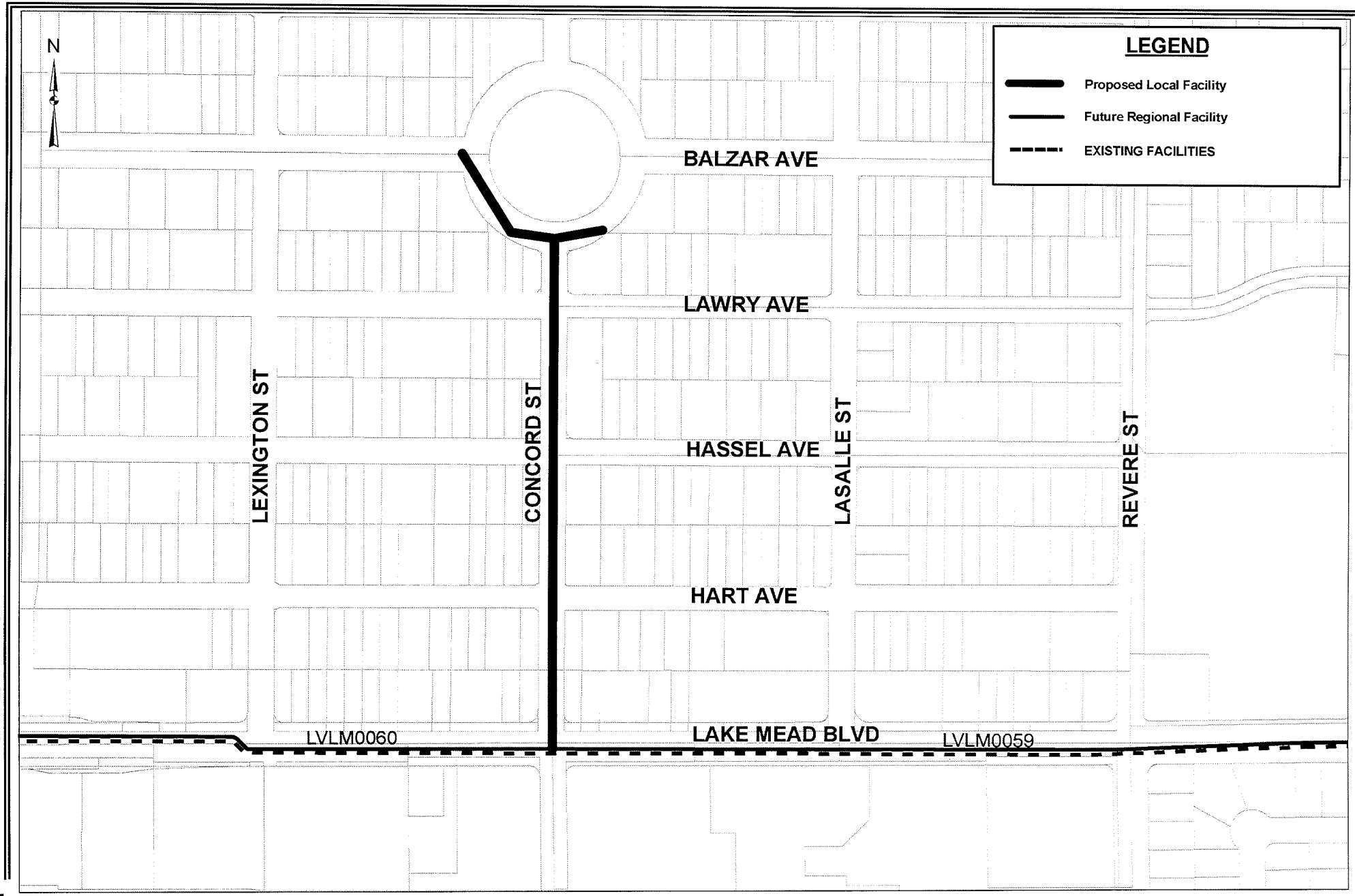
Attest

By: Carolyn Frazier
Carolyn Frazier
Secretary to the Board

Approved as to Form

By: Christopher Figgins 7/14/2011
Christopher Figgins Date
Chief Deputy District Attorney

LLD08A11



LLD08A11

EXHIBIT A

CONCORD STREET STORM DRAIN IMPROVEMENTS (LLD08A11)

JUNE 11

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: PUBLIC WORKS
DIRECTOR: JORGE CERVANTES ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve an Interlocal Contract 684 between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to fund the Entity Non-Project Specific Expenses project ($100,000 - RTC) - All Wards

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $100,000
Funding Source: RTC
Dept./Division: PW/City Engineer

PURPOSE/BACKGROUND:
The RTC approved an Interlocal Contract to fund the Entity Non-Project Specific Expenses (FY12) project. This interlocal contract applies to the reimbursement of non-project specific expenses to expedite RTC funded projects, and to allow for the reimbursement of expenses relating to RTC issues that are not attributable to a specific project. Total project funding shall not exceed $100,000. The RTC approved this contract at their July 14, 2010 Board Meeting.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
Interlocal Contract 684

ENTITY NON-PROJECT SPECIFIC EXPENSES

INTERLOCAL CONTRACT

THIS INTERLOCAL CONTRACT, made and entered into this 14 day of JULY, 2011, by and between the CITY OF LAS VEGAS, herein referred to as "ENTITY" and the Regional Transportation Commission of Southern Nevada hereinafter referred to as "RTC".

WITNESSETH

WHEREAS, pursuant to Chapter 373 of the Nevada Revised Statutes, a contract to enable the ENTITY to be reimbursed the cost of work related to RTC issues that are not attributable to a specific project has been approved; and,

WHEREAS, it is desired that the City of Las Vegas utilize this reimbursement to expedite RTC roadway projects.

NOW, THEREFORE, in consideration of the covenants, conditions, and promises of the parties to proceed with the implementation of the RTC reimbursement of non-project specific expenses as it is mutually understood and agreed as follows:

SECTION I - SCOPE OF PROJECT

This Interlocal Contract applies to the reimbursement of non-project specific expenses, by the ENTITY, to expedite RTC funded projects and to allow for the reimbursement of expenses related to work on RTC issues that are not attributable to a specific project.

SECTION II – PROJECT COSTS

The RTC agrees to provide funding within the limits specified below:

1. The work shall be performed by the ENTITY'S employees for work on RTC issues that are not attributable to a specific project.
2. The fully burdened rate for employee will be considered reimbursable.
3. Copies of time sheets showing the RTC street and highway projects or program development activities must be submitted with each invoice.

4. Employee's expenses for work on non-RTC street and highway activities or issues are not reimbursable.
5. All records pertinent to RTC reimbursable costs are subject to audit at RTC's request.
6. "Authorization to Proceed" for reimbursement described in Section I from the period of July 1, 2011 to June 30, 2012 shall not exceed $100,000.
7. A new contract and a request for an "Authorization to Proceed" will be required on an annual basis for ENTITY non-project specific expense reimbursement.

SECTION III – GENERAL

1. Typical activities that are included in this program include preparation of agenda items, capital improvements programs, final reports and attendance at RTC meetings.
2. Employment requirements and hiring procedures will be determined by the ENTITY.
3. All costs shall be reimbursed directly to the ENTITY.
4. It is understood and agreed that the purpose of this Interlocal Contract is to fund the reimbursement as hereinabove set forth.

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IN WITNESS WHEREOF, this Interlocal Contract is effective as of the date first set forth above.

Date of Commission Action:

July 14, 2011

REGIONAL TRANSPORTATION COMMISSION

BY: Lawrence L Brown III

LAWRENCE L. BROWN III, Chairman

Attest:

JECIA HUTCHINSON, Executive Assistant

Approved as to Form and Legality:

ZEV KAPLAN, General Counsel

Date of Council Action:

CITY OF LAS VEGAS

BY:

CAROLYN GOODMAN, Mayor

Attest:

BEVERLY K. BRIDGES, MMC
City Clerk

Approved as to Form ~~and Legality~~:

John S. Ridilla 8/4/11

Deputy City Attorney Date

John S. Ridilla
Deputy City Attorney

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: PUBLIC WORKS
DIRECTOR: JORGE CERVANTES ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve an Interlocal Contract 685 between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to provide funding for construction and design for Arterial Reconstruction Projects Fiscal Year 2012/2013 ($400,000 – Public Works Capital Project Fund [CPF]) – All Wards

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $400,000
Funding Source: Public Works CPF
Dept./Division: PW/City Engineer

PURPOSE/BACKGROUND:
The RTC approved an Interlocal Contract to provide funding for construction and engineering for Arterial Reconstruction Projects Fiscal Year 2012/2013. This Interlocal Contract applies to improvements associated with the annual restoration and preservation work to be completed to prolong the life of existing arterial roadways. This work will be performed under the annual maintenance plan. The RTC approved this contract at their July 14, 2011 Board Meeting.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
Interlocal Contract 685

INTERLOCAL CONTRACT
ARTERIAL RECONSTRUCTION PROJECTS
FISCAL YEAR 2012/2013

THIS INTERLOCAL CONTRACT made and entered into this 14 day of JULY, 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".

W I T N E S S E T H

WHEREAS, a Project to design, perform construction inspection and construct roadway improvements for CITY Arterial Reconstruction Program, hereinafter referred to as PROJECT, being located wholly within the CITY, has been approved by the RTC; and,

WHEREAS, the facilities upon which improvements will be completed are facilities eligible for RTC funding; and,

WHEREAS, the CITY is requesting fund for construction and engineering for the PROJECT.

NOW, THEREFORE, in consideration of the covenants, conditions, agreements, and promises of the parties hereto, the RTC authorizes the CITY to proceed with the Project as it is mutually agreed and understood, as follows:

SECTION I: SCOPE OF PROJECT

This Interlocal Contract applies to improvements associated with the Fiscal Year 2012/13 Annual Restoration and Preservation Projects. The basic improvements may include crack sealing, concrete repairs, pavement and base failure reconstructions, pavement resurfacing and re-profiling and traffic striping as necessary. Where applicable, wheel chair ramps will be installed at curb returns, ADA upgrades and temporary asphalt sidewalk installed in accordance with the RTC policy on sidewalk installation. Bike lanes and bike paths will be part of the striping of the finished roadway as long as the bike lane or path is part of the Bicycle and Pedestrian Element of the Regional Transportation Plan. The PROJECT is more specifically described in Exhibit "A" which is hereto and by this reference incorporated herein.

SECTION II: PROJECT COSTS

The RTC agrees to provide funds for project costs according to Section 6.1 REIMBURSEMENT COSTS of the Policies and Procedures Manual of the RTC within the limits specified below:

1. The total project cost for construction and engineering shall not exceed $400,000.

2. "Authorization to Proceed" will be granted for engineering design in an amount not to exceed $12,000 and for construction in an amount not to exceed $388,000, at the time written "Authorization to Proceed" is received from the RTC.

3. A written request must be made to the RTC and an additional supplemental interlocal contract approved to allow exceptions to the adopted policies and procedures of the RTC or the amount noted above prior to payment of any additional funds.

SECTION III: GENERAL

1. The title sheet of both the plans and specifications shall show the RTC as the funding agency. If construction funds are provided by sources other than the RTC, the plans, contract documents, special provisions, and Project signs shall also show the RTC as a funding agency.

2. Preliminary engineering, design and right-of-way engineering shall be performed by the CITY or by a consultant employed by the CITY.

3. The design, construction, right-of-way acquisition and contract administration of the Project shall comply with the requirements as set forth in the current "Policies and Procedures" of the RTC.

4. The CITY's Department of Public Works has a policy, which effectively prohibits utility cuts through the pavement for a period of five years after the completion of a project.

5. Upon completion of the construction of the Project, it shall be maintained by the CITY and no funding is provided by this Contract for such maintenance.

6. The Project must be completed to the satisfaction of the RTC prior to June 30, 2013. The RTC may, at any time thereafter, grant time extensions or terminate this Contract and require all sums advanced to the CITY be repaid.

7. It is understood and agreed that the purpose of this Interlocal Contract is to fund the Project as hereinabove set forth. It is further understood and agreed that the CITY is responsible for the design and construction of the Project and will hold the other parties to this Interlocal Contract and the RTC harmless for any liability therefore except the funding provided by this Interlocal Contract.

8. Should the construction funds be provided by sources other than the RTC, the CITY will reimburse the RTC for a percentage of the preliminary engineering and design costs associated with other funding sources, as mutually agreed upon by the RTC and the CITY.

IN WITNESS WHEREOF, this Interlocal Contract is effective as of the date first set forth above.

Date of Commission Action:

July 14, 11

REGIONAL TRANSPORTATION COMMISSION

BY: Lawrence L. Brown III

LAWRENCE L. BROWN III, Chairman

Attest:

JECIA HUTCHINSON, Executive Assistant

Approved as to Form and Legality:

ZEV KAPLAN, General Counsel

Date of Council Action:

CITY OF LAS VEGAS

BY:

CAROLYN GOODMAN, Mayor

Attest:

BEVERLY K. BRIDGES, MMC
City Clerk

Approved as to Form ~~and Legality:~~

John S. Ridilla 8/2/11

Deputy City Attorney Date

John S. Ridilla
Deputy City Attorney

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: PUBLIC WORKS
DIRECTOR: JORGE CERVANTES ☒ **Consent** ☐ **Discussion**

SUBJECT:
For possible action to approve the Small Generator Interconnection Agreement between the City of Las Vegas and Nevada Power Company d/b/a NV Energy to facilitate electrical connection of the 3 Megawatt Photovoltaic Solar Facility located at 6211 Vegas Valley Drive (APN 161-10-701-015) to NV Energy's Transmission System ($992,000 Sanitation Enterprise Fund [EF]) - County

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $992,000
Funding Source: Sanitation EF
Dept./Division: PW/Environmental

PURPOSE/BACKGROUND:
The City of Las Vegas is currently constructing a 3 Megawatt Photovoltaic Solar Facility, located at 6211 Vegas Valley Drive (APN 161-10-701-015). The construction of interconnection facilities is required to properly allow the discharge of the 3 Megawatt Photovoltaic Solar Facility into NV Energy's Transmission System. The interconnection facilities will house equipment for metering, electrical safety devices and communications. This agreement outlines the terms and conditions under which the City will interconnect with, and operate in parallel with, NV Energy's Transmission System.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
Small Generator Interconnection Agreement

SMALL GENERATOR INTERCONNECTION AGREEMENT

SERVICE AGREEMENT NO. #11-00071

Between

NEVADA POWER COMPANY d/b/a
NV ENERGY

And

CITY OF LAS VEGAS

Date _____

Table of Contents - SGIA

			SGIA Page No.
Article	**1.**	**Scope and Limitations of Agreement**	1
	1.1	Applicability	1
	1.2	Purpose	1
	1.3	No Agreement to Purchase or Deliver Power	1
	1.4	Limitations	2
	1.5	Responsibilities of the Parties	2
	1.6	Parallel Operation Obligations	3
	1.7	Metering	3
	1.8	Reactive Power	3
Article	**2.**	**Inspection, Testing, Authorization, and Right of Access**	4
	2.1	Equipment Testing and Inspection	4
	2.2	Authorization Required Prior to Parallel Operation	5
	2.3	Right of Access	5
Article	**3.**	**Effective Date, Term, Termination, and Disconnection**	6
	3.1	Effective Date	6
	3.2	Term of Agreement	6
	3.3	Termination	6
	3.4	Temporary Disconnection	6
		3.4.1 Emergency Conditions	7
		3.4.2 Routine maintenance, Construction, and Repair	7
		3.4.3 Forced Outages	8
		3.4.4 Adverse Operating Effects	8
		3.4.5 Modification of the Small Generating Facility	8
		3.4.6 Reconnection	8
Article	**4.**	**Cost Responsibility for Interconnection Facilities and Distribution Upgrades**	9
	4.1	Interconnection Facilities	9
	4.2	Distribution Upgrades	9
Article	**5.**	**Cost Responsibility for Network Upgrades**	9
	5.1	Applicability	9
	5.2	Network Upgrades	10
		5.2.1 Repayment of Amounts Advanced for Network Upgrades	10
	5.3	Special Provisions for Affected Systems	11
	5.4	Rights Under Other Agreements	11

			SGIA Page No.
Article	**6.**	**Billing, Payment, Milestones, and Financial Security**	12
	6.1	Billing and Payment Procedures and Final Accounting	12
	6.2	Milestones	12
	6.3	Financial Security Arrangements	13
Article	**7.**	**Assignment, Liability, Indemnity, Force Majeure, Consequential Damages, and Default**	13
	7.1	Assignment	13
	7.2	Limitation of Liability	14
	7.3	Indemnity	14
	7.4	Consequential Damages	15
	7.5	Force Majeure	15
	7.6	Default	16
Article	**8.**	**Insurance**	17
Article	**9.**	**Confidentiality**	17
Article	**10.**	**Disputes**	19
Article	**11.**	**Taxes**	19
Article	**12.**	**Miscellaneous**	19
	12.1	Governing Law, Regulatory Authority, and Rules	19
	12.2	Amendment	20
	12.3	No Third-Party Beneficiaries	20
	12.4	Waiver	20
	12.5	Entire Agreement	20
	12.6	Multiple Counterparts	21
	12.7	No Partnership	21
	12.8	Severability	21
	12.9	Security Arrangements	21
	12.10	Environmental Releases	21
	12.11	Subcontractors	22
	12.12	Reservation of Rights	22
Article	**13.**	**Notices**	23
	13.1	General	23
	13.2	Billing and Payment	23
	13.3	Alternative Forms of Notice	23
	13.4	Designated Operating Representative	24
	13.5	Changes to the Notice Information	24
Article	**14.**	**Signatures**	25

Small Generator Interconnection Agreement Attachments

Attachment 1: **Glossary of Terms**

Attachment 2: **Description and Costs of the Small Generating Facility, Interconnection Facilities, and Metering Equipment**

Attachment 3: **One-line Diagram Depicting the Small Generating Facility, Interconnection Facilities, Metering Equipment, and Upgrades**

Attachment 4: **Milestones**

Attachment 5: **Additional Operating Requirements for the Transmission Provider's Transmission System and Affected Systems Needed to Support the Interconnection Customer's Needs**

Attachment 6: **Transmission Provider's Description of its Upgrades and Best Estimate of Upgrade Costs**

This Interconnection Agreement ("Agreement") is made and entered into this ____day of _____, 2011, by Nevada Power Company d/b/a NV Energy ("Transmission Provider"), and City of Las Vegas ("Interconnection Customer") each hereinafter sometimes referred to individually as "Party" or both referred to collectively as the "Parties."

Transmission Provider Information

Transmission Provider: Nevada Power Company d/b/a NV Energy
Attention: Director, Transmission Policy & Contracts
Address: 6100 Neil Rd OR P.O. Box 10100
City: Reno State: NV Zip: 89520
Phone: (775)834-5877 Fax: (775)834-3047 E-mail: TransmissionPolicy@nvenergy.com

Interconnection Customer Information

Interconnection Customer: City of Las Vegas
Attention: David Mendenhall, Environmental Division Manager
Address: 6005 E. Vegas Valley Drive
City: Las Vegas State: NV Zip: 89142
Phone: (702) 229-6200 Fax: (702) 641-9738 E-mail: dmendenhall@lasvegasnevada.gov

Interconnection Customer Application No: Company 76

In consideration of the mutual covenants set forth herein, the Parties agree as follows:

Article 1. Scope and Limitations of Agreement

1.1 This Agreement shall be used for all Interconnection Requests submitted under the Small Generator Interconnection Procedures (SGIP) except for those submitted under the 10 kW Inverter Process contained in SGIP Attachment 5.

1.2 This Agreement governs the terms and conditions under which the Interconnection Customer's Small Generating Facility will interconnect with, and operate in parallel with, the Transmission Provider's Transmission System.

1.3 This Agreement does not constitute an agreement to purchase or deliver the Interconnection Customer's power. The purchase or delivery of power and other services that the Interconnection Customer may require will be covered under separate agreements. The Interconnection Customer will be responsible for separately making all necessary arrangements (including scheduling) for delivery of electricity with the applicable Transmission Provider.

1.4 Nothing in this Agreement is intended to affect any other agreement between the Transmission Provider and the Interconnection Customer.

1.5 Responsibilities of the Parties

1.5.1 The Parties shall perform all obligations of this Agreement in accordance with all Applicable Laws and Regulations, Operating Requirements, and Good Utility Practice.

1.5.2 The Interconnection Customer shall construct, interconnect, operate and maintain its Small Generating Facility and construct, operate, and maintain its Interconnection Facilities in accordance with the applicable manufacturer's recommended maintenance schedule, in accordance with this Agreement, and with Good Utility Practice.

1.5.3 The Transmission Provider shall construct, operate, and maintain its Transmission System and Interconnection Facilities in accordance with this Agreement, and with Good Utility Practice.

1.5.4 The Interconnection Customer agrees to construct its facilities or systems in accordance with applicable specifications that meet or exceed those provided by the National Electrical Safety Code, the American National Standards Institute, IEEE, Underwriter's Laboratory, and Operating Requirements in effect at the time of construction and other applicable national and state codes and standards. The Interconnection Customer agrees to design, install, maintain, and operate its Small Generating Facility so as to reasonably minimize the likelihood of a disturbance adversely affecting or impairing the system or equipment of the Transmission Provider or Affected Systems.

1.5.5 Each Party shall operate, maintain, repair, and inspect, and shall be fully responsible for the facilities that it now or subsequently may own unless otherwise specified in the Attachments to this Agreement. Each Party shall be responsible for the safe installation, maintenance, repair and condition of their respective lines and appurtenances on their respective sides of the point of change of ownership. The Transmission Provider and the Interconnection Customer, as appropriate, shall provide Interconnection Facilities that adequately protect the Transmission Provider's Transmission System, personnel,

and other persons from damage and injury. The allocation of responsibility for the design, installation, operation, maintenance and ownership of Interconnection Facilities shall be delineated in the Attachments to this Agreement.

1.5.6 The Transmission Provider shall coordinate with all Affected Systems to support the interconnection.

1.6 Parallel Operation Obligations

Once the Small Generating Facility has been authorized to commence parallel operation, the Interconnection Customer shall abide by all rules and procedures pertaining to the parallel operation of the Small Generating Facility in the applicable control area, including, but not limited to; 1) the rules and procedures concerning the operation of generation set forth in the Tariff or by the system operator for the Transmission Provider's Transmission System and; 2) the Operating Requirements set forth in Attachment 5 of this Agreement.

1.7 Metering

The Interconnection Customer shall be responsible for the Transmission Provider's reasonable and necessary cost for the purchase, installation, operation, maintenance, testing, repair, and replacement of metering and data acquisition equipment specified in Attachments 2 and 3 of this Agreement. The Interconnection Customer's metering (and data acquisition, as required) equipment shall conform to applicable industry rules and Operating Requirements.

1.8 Reactive Power

1.8.1 The Interconnection Customer shall design its Small Generating Facility to maintain a composite power delivery at continuous rated power output at the Point of Interconnection at a power factor within the range of 0.95 leading to 0.95 lagging, unless the Transmission Provider has established different requirements that apply to all similarly situated generators in the control area on a comparable basis. The requirements of this paragraph shall not apply to wind generators.

1.8.2 The Transmission Provider is required to pay the Interconnection Customer for reactive power that the Interconnection Customer provides or absorbs from the Small Generating Facility when the Transmission Provider requests the Interconnection Customer to operate its Small Generating Facility outside the range specified in article 1.8.1. In addition, if the Transmission Provider pays its own or affiliated generators for reactive power

Service within the specified range, it must also pay the Interconnection Customer.

1.8.3 Payments shall be in accordance with the Interconnection Customer's applicable rate schedule then in effect unless the provision of such service(s) is subject to a regional transmission organization or independent system operator FERC-approved rate schedule. To the extent that no rate schedule is in effect at the time the Interconnection Customer is required to provide or absorb reactive power under this Agreement, the Parties agree to expeditiously file such rate schedule and agree to support any request for waiver of the Commission's prior notice requirement in order to compensate the Interconnection Customer from the time service commenced.

1.9 Capitalized terms used herein shall have the meanings specified in the Glossary of Terms in Attachment 1 or the body of this Agreement.

Article 2. Inspection, Testing, Authorization, and Right of Access

2.1 Equipment Testing and Inspection

2.1.1 The Interconnection Customer shall test and inspect its Small Generating Facility and Interconnection Facilities prior to interconnection. The Interconnection Customer shall notify the Transmission Provider of such activities no fewer than five Business Days (or as may be agreed to by the Parties) prior to such testing and inspection. Testing and inspection shall occur on a Business Day. The Transmission Provider may, at its own expense, send qualified personnel to the Small Generating Facility site to inspect the interconnection and observe the testing. The Interconnection Customer shall provide the Transmission Provider a written test report when such testing and inspection is completed.

2.1.2 The Transmission Provider shall provide the Interconnection Customer written acknowledgment that it has received the Interconnection Customer's written test report. Such written acknowledgment shall not be deemed to be or construed as any representation, assurance, guarantee, or warranty by the Transmission Provider of the safety, durability, suitability, or reliability of the Small Generating Facility or any associated control, protective, and safety devices owned or controlled by the Interconnection Customer or the quality of power produced by the Small Generating Facility.

2.2 Authorization Required Prior to Parallel Operation

2.2.1 The Transmission Provider shall use Reasonable Efforts to list applicable parallel operation requirements in Attachment 5 of this Agreement. Additionally, the Transmission Provider shall notify the Interconnection Customer of any changes to these requirements as soon as they are known. The Transmission Provider shall make Reasonable Efforts to cooperate with the Interconnection Customer in meeting requirements necessary for the Interconnection Customer to commence parallel operations by the in-service date.

2.2.2 The Interconnection Customer shall not operate its Small Generating Facility in parallel with the Transmission Provider's Transmission System without prior written authorization of the Transmission Provider. The Transmission Provider will provide such authorization once the Transmission Provider receives notification that the Interconnection Customer has complied with all applicable parallel operation requirements. Such authorization shall not be unreasonably withheld, conditioned, or delayed.

2.3 Right of Access

2.3.1 Upon reasonable notice, the Transmission Provider may send a qualified person to the premises of the Interconnection Customer at or immediately before the time the Small Generating Facility first produces energy to inspect the interconnection, and observe the commissioning of the Small Generating Facility (including any required testing), startup, and operation for a period of up to three Business Days after initial start-up of the unit. In addition, the Interconnection Customer shall notify the Transmission Provider at least five Business Days prior to conducting any on-site verification testing of the Small Generating Facility.

2.3.2 Following the initial inspection process described above, at reasonable hours, and upon reasonable notice, or at any time without notice in the event of an emergency or hazardous condition, the Transmission Provider shall have access to the Interconnection Customer's premises for any reasonable purpose in connection with the performance of the obligations imposed on it by this Agreement or if necessary to meet its legal obligation to provide service to its customers.

2.3.3 Each Party shall be responsible for its own costs associated with following this article.

Article 3. Effective Date, Term, Termination, and Disconnection

3.1 Effective Date

This Agreement shall become effective upon execution by the Parties subject to acceptance by FERC (if applicable), or if filed unexecuted, upon the date specified by the FERC. The Transmission Provider shall promptly file this Agreement with the FERC upon execution, if required.

3.2 Term of Agreement

This Agreement shall become effective on the Effective Date and shall remain in effect for a period of ten years from the Effective Date or such other longer period as the Interconnection Customer may request and shall be automatically renewed for each successive one-year period thereafter, unless terminated earlier in accordance with article 3.3 of this Agreement.

3.3 Termination

No termination shall become effective until the Parties have complied with all Applicable Laws and Regulations applicable to such termination, including the filing with FERC of a notice of termination of this Agreement (if required), which notice has been accepted for filing by FERC.

3.3.1 The Interconnection Customer may terminate this Agreement at any time by giving the Transmission Provider 20 Business Days written notice.

3.3.2 Either Party may terminate this Agreement after Default pursuant to article 7.6.

3.3.3 Upon termination of this Agreement, the Small Generating Facility will be disconnected from the Transmission Provider's Transmission System. The termination of this Agreement shall not relieve either Party of its liabilities and obligations, owed or continuing at the time of the termination.

3.3.4 This provisions of this article shall survive termination or expiration of this Agreement.

3.4 Temporary Disconnection

Temporary disconnection shall continue only for so long as reasonably necessary under Good Utility Practice.

3.4.1 Emergency Conditions-- "Emergency Condition" shall mean a condition or situation: (1) that in the judgment of the Party making the claim is imminently likely to endanger life or property; or (2) that, in the case of the Transmission Provider, is imminently likely (as determined in a non-discriminatory manner) to cause a material adverse effect on the security of, or damage to the Transmission System, the Transmission Provider's Interconnection Facilities or the Transmission Systems of others to which the Transmission System is directly connected; or (3) that, in the case of the Interconnection Customer, is imminently likely (as determined in a non-discriminatory manner) to cause a material adverse effect on the security of, or damage to, the Small Generating Facility or the Interconnection Customer's Interconnection Facilities. Under Emergency Conditions, the Transmission Provider may immediately suspend interconnection service and temporarily disconnect the Small Generating Facility. The Transmission Provider shall notify the Interconnection Customer promptly when it becomes aware of an Emergency Condition that may reasonably be expected to affect the Interconnection Customer's operation of the Small Generating Facility. The Interconnection Customer shall notify the Transmission Provider promptly when it becomes aware of an Emergency Condition that may reasonably be expected to affect the Transmission Provider's Transmission System or other Affected Systems. To the extent information is known, the notification shall describe the Emergency Condition, the extent of the damage or deficiency, the expected effect on the operation of both Parties' facilities and operations, its anticipated duration, and the necessary corrective action.

3.4.2 Routine Maintenance, Construction, and Repair

The Transmission Provider may interrupt interconnection service or curtail the output of the Small Generating Facility and temporarily disconnect the Small Generating Facility from the Transmission Provider's Transmission System when necessary for routine maintenance, construction, and repairs on the Transmission Provider's Transmission System. The Transmission Provider shall provide the Interconnection Customer with five Business Days notice prior to such interruption. The Transmission Provider shall use Reasonable Efforts to coordinate such reduction or temporary disconnection with the Interconnection Customer.

3.4.3 Forced Outages

During any forced outage, the Transmission Provider may suspend interconnection service to effect immediate repairs on the Transmission Provider's Transmission System. The Transmission Provider shall use Reasonable Efforts to provide the Interconnection Customer with prior notice. If prior notice is not given, the Transmission Provider shall, upon request, provide the Interconnection Customer written documentation after the fact explaining the circumstances of the disconnection.

3.4.4 Adverse Operating Effects

The Transmission Provider shall notify the Interconnection Customer as soon as practicable if, based on Good Utility Practice, operation of the Small Generating Facility may cause disruption or deterioration of service to other customers served from the same electric system, or if operating the Small Generating Facility could cause damage to the Transmission Provider's Transmission System or Affected Systems. Supporting documentation used to reach the decision to disconnect shall be provided to the Interconnection Customer upon request. If, after notice, the Interconnection Customer fails to remedy the adverse operating effect within a reasonable time, the Transmission Provider may disconnect the Small Generating Facility. The Transmission Provider shall provide the Interconnection Customer with five Business Day notice of such disconnection, unless the provisions of article 3.4.1 apply.

3.4.5 Modification of the Small Generating Facility

The Interconnection Customer must receive written authorization from the Transmission Provider before making any change to the Small Generating Facility that may have a material impact on the safety or reliability of the Transmission System. Such authorization shall not be unreasonably withheld. Modifications shall be done in accordance with Good Utility Practice. If the Interconnection Customer makes such modification without the Transmission Provider's prior written authorization, the latter shall have the right to temporarily disconnect the Small Generating Facility.

3.4.6 Reconnection

The Parties shall cooperate with each other to restore the Small Generating Facility, Interconnection Facilities, and the Transmission Provider's Transmission

System to their normal operating state as soon as reasonably practicable following a temporary disconnection.

Article 4. Cost Responsibility for Interconnection Facilities and Distribution Upgrades

4.1 Interconnection Facilities

4.1.1 The Interconnection Customer shall pay for the cost of the Interconnection Facilities itemized in Attachment 2 of this Agreement. The Transmission Provider shall provide a best estimate cost, including overheads, for the purchase and construction of its Interconnection Facilities and provide a detailed itemization of such costs. Costs associated with Interconnection Facilities may be shared with other entities that may benefit from such facilities by agreement of the Interconnection Customer, such other entities, and the Transmission Provider.

4.1.2 The Interconnection Customer shall be responsible for its share of all reasonable expenses, including overheads, associated with (1) owning, operating, maintaining, repairing, and replacing its own Interconnection Facilities, and (2) operating, maintaining, repairing, and replacing the Transmission Provider's Interconnection Facilities.

4.2 Distribution Upgrades

The Transmission Provider shall design, procure, construct, install, and own the Distribution Upgrades described in Attachment 6 of this Agreement. If the Transmission Provider and the Interconnection Customer agree, the Interconnection Customer may construct Distribution Upgrades that are located on land owned by the Interconnection Customer. The actual cost of the Distribution Upgrades, including overheads, shall be directly assigned to the Interconnection Customer.

Article 5. Cost Responsibility for Network Upgrades

5.1 Applicability

No portion of this article 5 shall apply unless the interconnection of the Small Generating Facility requires Network Upgrades.

5.2 Network Upgrades

The Transmission Provider or the Transmission Owner shall design, procure, construct, install, and own the Network Upgrades described in Attachment 6 of this Agreement. If the Transmission Provider and the Interconnection Customer agree, the Interconnection Customer may construct Network Upgrades that are located on land owned by the Interconnection Customer. Unless the Transmission Provider elects to pay for Network Upgrades, the actual cost of the Network Upgrades, including overheads, shall be borne initially by the Interconnection Customer.

5.2.1 Repayment of Amounts Advanced for Network Upgrades

The Interconnection Customer shall be entitled to a cash repayment, equal to the total amount paid to the Transmission Provider and Affected System operator, if any, for Network Upgrades, including any tax gross-up or other tax-related payments associated with the Network Upgrades, and not otherwise refunded to the Interconnection Customer, to be paid to the Interconnection Customer on a dollar-for-dollar basis for the non-usage sensitive portion of transmission charges, as payments are made under the Transmission Provider's Tariff and Affected System's Tariff for transmission services with respect to the Small Generating Facility. Any repayment shall include interest calculated in accordance with the methodology set forth in FERC's regulations at 18 CFR § 35.19a(a)(2)(iii) from the date of any payment for Network Upgrades through the date on which the Interconnection Customer receives a repayment of such payment pursuant to this subparagraph. The Interconnection Customer may assign such repayment rights to any person.

5.2.1.1 Notwithstanding the foregoing, the Interconnection Customer, the Transmission Provider, and Affected System operator may adopt any alternative payment schedule that is mutually agreeable so long as the Transmission Provider and Affected System operator take one of the following actions no later than five years from the Commercial Operation Date: (1) return to the Interconnection Customer any amounts advanced for Network Upgrades not previously repaid, or (2) declare in writing that the Transmission Provider or Affected System operator will continue to provide payments to the Interconnection Customer on a dollar-for-dollar basis for the non-usage sensitive portion of transmission charges, or

develop an alternative schedule that is mutually agreeable and provides for the return of all amounts advanced for Network Upgrades not previously repaid; however, full reimbursement shall not extend beyond twenty (20) years from the commercial operation date.

5.2.1.2 If the Small Generating Facility fails to achieve commercial operation, but it or another generating facility is later constructed and requires use of the Network Upgrades, the Transmission Provider and Affected System operator shall at that time reimburse the Interconnection Customer for the amounts advanced for the Network Upgrades. Before any such reimbursement can occur, the Interconnection Customer, or the entity that ultimately constructs the generating facility, if different, is responsible for identifying the entity to which reimbursement must be made.

5.3 Special Provisions for Affected Systems

Unless the Transmission Provider provides, under this Agreement, for the repayment of amounts advanced to Affected System operator for Network Upgrades, the Interconnection Customer and Affected System operator shall enter into an agreement that provides for such repayment. The agreement shall specify the terms governing payments to be made by the Interconnection Customer to Affected System operator as well as the repayment by Affected System operator.

5.4 Rights Under Other Agreements

Notwithstanding any other provision of this Agreement, nothing herein shall be construed as relinquishing or foreclosing any rights, including but not limited to firm transmission rights, capacity rights, transmission congestion rights, or transmission credits, that the Interconnection Customer shall be entitled to, now or in the future, under any other agreement or tariff as a result of, or otherwise associated with, the transmission capacity, if any, created by the Network Upgrades, including the right to obtain cash reimbursements or transmission credits for transmission service that is not associated with the Small Generating Facility.

Article 6. Billing, Payment, Milestones, and Financial Security

6.1 Billing and Payment Procedures and Final Accounting

6.1.1 The Transmission Provider shall bill the Interconnection Customer for the design, engineering, construction, and procurement costs of Interconnection Facilities and Upgrades contemplated by this Agreement on a monthly basis, or as otherwise agreed by the Parties. The Interconnection Customer shall pay each bill within 30 calendar days of receipt, or as otherwise agreed to by the Parties.

6.1.2 Within three months of completing the construction and installation of the Transmission Provider's Interconnection Facilities and/or Upgrades described in the Attachments to this Agreement, the Transmission Provider shall provide the Interconnection Customer with a final accounting report of any difference between (1) the Interconnection Customer's cost responsibility for the actual cost of such facilities or Upgrades, and (2) the Interconnection Customer's previous aggregate payments to the Transmission Provider for such facilities or Upgrades. If the Interconnection Customer's cost responsibility exceeds its previous aggregate payments, the Transmission Provider shall invoice the Interconnection Customer for the amount due and the Interconnection Customer shall make payment to the Transmission Provider within 30 calendar days. If the Interconnection Customer's previous aggregate payments exceed its cost responsibility under this Agreement, the Transmission Provider shall refund to the Interconnection Customer an amount equal to the difference within 30 calendar days of the final accounting report.

6.2 Milestones

The Parties shall agree on milestones for which each Party is responsible and list them in Attachment 4 of this Agreement. A Party's obligations under this provision may be extended by agreement. If a Party anticipates that it will be unable to meet a milestone for any reason other than a Force Majeure Event, it shall immediately notify the other Party of the reason(s) for not meeting the milestone and (1) propose the earliest reasonable alternate date by which it can attain this and future milestones, and (2) requesting appropriate amendments to Attachment 4. The Party affected by the failure to meet a milestone shall not unreasonably withhold agreement to such an amendment unless it will suffer significant uncompensated economic or operational

harm from the delay, (2) attainment of the same milestone has previously been delayed, or (3) it has reason to believe that the delay in meeting the milestone is intentional or unwarranted notwithstanding the circumstances explained by the Party proposing the amendment.

6.3 Financial Security Arrangements

At least 20 Business Days prior to the commencement of the design, procurement, installation, or construction of a discrete portion of the Transmission Provider's Interconnection Facilities and Upgrades, the Interconnection Customer shall provide the Transmission Provider, at the Interconnection Customer's option, a guarantee, a surety bond, letter of credit or other form of security that is reasonably acceptable to the Transmission Provider and is consistent with the Uniform Commercial Code of the jurisdiction where the Point of Interconnection is located. Such security for payment shall be in an amount sufficient to cover the costs for constructing, designing, procuring, and installing the applicable portion of the Transmission Provider's Interconnection Facilities and Upgrades and shall be reduced on a dollar-for-dollar basis for payments made to the Transmission Provider under this Agreement during its term. In addition:

6.3.1 The guarantee must be made by an entity that meets the creditworthiness requirements of the Transmission Provider, and contain terms and conditions that guarantee payment of any amount that may be due from the Interconnection Customer, up to an agreed-to maximum amount.

6.3.2 The letter of credit or surety bond must be issued by a financial institution or insured reasonably acceptable to the Transmission Provider and must specify a reasonable expiration date.

Article 7. Assignment, Liability, Indemnity, Force Majeure, Consequential Damages, and Default

7.1 Assignment

This Agreement may be assigned by either Party upon 15 Business Days prior written notice and opportunity to object by the other Party; provided that:

7.1.1 Either Party may assign this Agreement without the consent of the other Party to any affiliate of the assigning Party with an equal or greater credit rating and with the legal authority and operational ability to satisfy the obligations of the assigning Party under this Agreement;

7.1.2 The Interconnection Customer shall have the right to assign this Agreement, without the consent of the Transmission Provider, for collateral security purposes to aid in providing financing for the Small Generating Facility, provided that the Interconnection Customer will promptly notify the Transmission Provider of any such assignment.

7.1.3 Any attempted assignment that violates this article is void and ineffective. Assignment shall not relieve a Party of its obligations, nor shall a Party's obligations be enlarged, in whole or in part, by reason thereof. An assignee is responsible for meeting the same financial, credit, and insurance obligations as the Interconnection Customer. Where required, consent to assignment will not be unreasonably withheld, conditioned or delayed.

7.2 Limitation of Liability

Each Party's liability to the other Party for any loss, cost, claim, injury, liability, or expense, including reasonable attorney's fees, relating to or arising from any act or omission in its performance of this Agreement, shall be limited to the amount of direct damage actually incurred. In no event shall either Party be liable to the other Party for any indirect, special, consequential, or punitive damages, except as authorized by this Agreement.

7.3 Indemnity

7.3.1 This provision protects each Party from liability incurred to third parties as a result of carrying out the provisions of this Agreement. Liability under this provision is exempt from the general limitations on liability found in article 7.2.

7.3.2 The Parties shall at all times indemnify, defend, and hold the other Party harmless from, any and all damages, losses, claims, including claims and actions relating to injury to or death of any person or damage to property, demand, suits, recoveries, costs and expenses, court costs, attorney fees, and all other obligations by or to third parties, arising out of or resulting from the other Party's action or failure to meet its obligations under this Agreement on behalf of the indemnifying Party, except in cases of gross negligence or intentional wrongdoing by the indemnified Party.

7.3.3 If an indemnified person is entitled to indemnification under this article as a result of a claim by a third

party, and the indemnifying Party fails, after notice and reasonable opportunity to proceed under this article, to assume the defense of such claim, such indemnified person may at the expense of the indemnifying Party contest, settle or consent to the entry of any judgment with respect to, or pay in full, such claim.

7.3.4 If an indemnifying party is obligated to indemnify and hold any indemnified person harmless under this article, the amount owing to the indemnified person shall be the amount of such indemnified person's actual loss, net of any insurance or other recovery.

7.3.5 Promptly after receipt by an indemnified person of any claim or notice of the commencement of any action or administrative or legal proceeding or investigation as to which the indemnity provided for in this article may apply, the indemnified person shall notify the indemnifying party of such fact. Any failure of or delay in such notification shall not affect a Party's indemnification obligation unless such failure or delay is materially prejudicial to the indemnifying party.

7.4 Consequential Damages

Other than as expressly provided for in this Agreement, neither Party shall be liable under any provision of this Agreement for any losses, damages, costs or expenses for any special, indirect, incidental, consequential, or punitive damages, including but not limited to loss of profit or revenue, loss of the use of equipment, cost of capital, cost of temporary equipment or services, whether based in whole or in part in contract, in tort, including negligence, strict liability, or any other theory of liability; provided, however, that damages for which a Party may be liable to the other Party under another agreement will not be considered to be special, indirect, incidental, or consequential damages hereunder.

7.5 Force Majeure

7.5.1 As used in this article, a Force Majeure Event shall mean "any act of God, labor disturbance, act of the public enemy, war, insurrection, riot, fire, storm or flood, explosion, breakage or accident to machinery or equipment, any order, regulation or restriction imposed by governmental, military or lawfully established civilian authorities, or any other cause beyond a Party's control. A Force Majeure Event does not include an act of negligence or intentional wrongdoing."

7.5.2 If a Force Majeure Event prevents a Party from fulfilling any obligations under this Agreement, the Party affected

by the Force Majeure Event (Affected Party) shall promptly notify the other Party, either in writing or via the telephone, of the existence of the Force Majeure Event. The notification must specify in reasonable detail the circumstances of the Force Majeure Event, its expected duration, and the steps that the Affected Party is taking to mitigate the effects of the event on its performance. The Affected Party shall keep the other Party informed on a continuing basis of developments relating to the Force Majeure Event until the event ends. The Affected Party will be entitled to suspend or modify its performance of obligations under this Agreement (other than the obligation to make payments) only to the extent that the effect of the Force Majeure Event cannot be mitigated by the use of Reasonable Efforts. The Affected Party will use Reasonable Efforts to resume its performance as soon as possible.

7.6 Default

7.6.1 No Default shall exist where such failure to discharge an obligation (other than the payment of money) is the result of a Force Majeure Event as defined in this Agreement or the result of an act or omission of the other Party. Upon a Default, the non-defaulting Party shall give written notice of such Default to the defaulting Party. Except as provided in article 7.6.2, the defaulting Party shall have 60 calendar days from receipt of the Default notice within which to cure such Default; provided however, if such Default is not capable of cure within 60 calendar days, the defaulting Party shall commence such cure within 20 calendar days after notice and continuously and diligently complete such cure within six months from receipt of the Default notice; and, if cured within such time, the Default specified in such notice shall cease to exist.

7.6.2 If a Default is not cured as provided in this article, or if a Default is not capable of being cured within the period provided for herein, the non-defaulting Party shall have the right to terminate this Agreement by written notice at any time until cure occurs, and be relieved of any further obligation hereunder and, whether or not that Party terminates this Agreement, to recover from the defaulting Party all amounts due hereunder, plus all other damages and remedies to which it is entitled at law or in equity. The provisions of this article will survive termination of this Agreement.

Article 8. Insurance

8.1 The Interconnection Customer shall, at its own expense, maintain in force general liability insurance without any exclusion for liabilities related to the interconnection undertaken pursuant to this Agreement. The amount of such insurance shall be sufficient to insure against all reasonably foreseeable direct liabilities given the size and nature of the generating equipment being interconnected, the interconnection itself, and the characteristics of the system to which the interconnection is made. The Interconnection Customer shall obtain additional insurance only if necessary as a function of owning and operating a generating facility. Such insurance shall be obtained from an insurance provider authorized to do business in the State where the interconnection is located. Certification that such insurance is in effect shall be provided upon request of the Transmission Provider, except that the Interconnection Customer shall show proof of insurance to the Transmission Provider no later than ten Business Days prior to the anticipated commercial operation date. An Interconnection Customer of sufficient credit-worthiness may propose to self-insure for such liabilities, and such a proposal shall not be unreasonably rejected.

8.2 The Transmission Provider agrees to maintain general liability insurance or self-insurance consistent with the Transmission Provider's commercial practice. Such insurance or self-insurance shall not exclude coverage for the Transmission Provider's liabilities undertaken pursuant to this Agreement.

8.3 The Parties further agree to notify each other whenever an accident or incident occurs resulting in any injuries or damages that are included within the scope of coverage of such insurance, whether or not such coverage is sought.

Article 9. Confidentiality

9.1 Confidential Information shall mean any confidential and/or proprietary information provided by one Party to the other Party that is clearly marked or otherwise designated "Confidential." For purposes of this Agreement all design, operating specifications, and metering data provided by the Interconnection Customer shall be deemed Confidential Information regardless of whether it is clearly marked or otherwise designated as such.

9.2 Confidential Information does not include information previously in the public domain, required to be publicly submitted or

divulged by Governmental Authorities (after notice to the other Party and after exhausting any opportunity to oppose such publication or release), or necessary to be divulged in an action to enforce this Agreement. Each Party receiving Confidential Information shall hold such information in confidence and shall not disclose it to any third party nor to the public without the prior written authorization from the Party providing that information, except to fulfill obligations under this Agreement, or to fulfill legal or regulatory requirements.

9.2.1 Each Party shall employ at least the same standard of care to protect Confidential Information obtained from the other Party as it employs to protect its own Confidential Information.

9.2.2 Each Party is entitled to equitable relief, by injunction or otherwise, to enforce its rights under this provision to prevent the release of Confidential Information without bond or proof of damages, and may seek other remedies available at law or in equity for breach of this provision.

9.3 Notwithstanding anything in this article to the contrary, and pursuant to 18 CFR § 1b.20, if FERC, during the course of an investigation or otherwise, requests information from one of the Parties that is otherwise required to be maintained in confidence pursuant to this Agreement, the Party shall provide the requested information to FERC, within the time provided for in the request for information. In providing the information to FERC, the Party may, consistent with 18 CFR § 388.112, request that the information be treated as confidential and non-public by FERC and that the information be withheld from public disclosure. Parties are prohibited from notifying the other Party to this Agreement prior to the release of the Confidential Information to FERC. The Party shall notify the other Party to this Agreement when it is notified by FERC that a request to release Confidential Information has been received by FERC, at which time either of the Parties may respond before such information would be made public, pursuant to 18 CFR § 388.112. Requests from a state regulatory body conducting a confidential investigation shall be treated in a similar manner if consistent with the applicable state rules and regulations.

Article 10. Disputes

10.1 The Parties agree to attempt to resolve all disputes arising out of the interconnection process according to the provisions of this article.

10.2 In the event of a dispute, either Party shall provide the other Party with a written Notice of Dispute. Such Notice shall describe in detail the nature of the dispute.

10.3 If the dispute has not been resolved within two Business Days after receipt of the Notice, either Party may contact FERC's Dispute Resolution Service (DRS) for assistance in resolving the dispute.

10.4 The DRS will assist the Parties in either resolving their dispute or in selecting an appropriate dispute resolution venue (e.g., mediation, settlement judge, early neutral evaluation, or technical expert) to assist the Parties in resolving their dispute. DRS can be reached at 1-877-337-2237 or via the internet at http://www.ferc.gov/legal/adr.asp.

10.5 Each Party agrees to conduct all negotiations in good faith and will be responsible for one-half of any costs paid to neutral third-parties.

10.6 If neither Party elects to seek assistance from the DRS, or if the attempted dispute resolution fails, then either Party may exercise whatever rights and remedies it may have in equity or law consistent with the terms of this Agreement.

Article 11. Taxes

11.1 The Parties agree to follow all applicable tax laws and regulations, consistent with FERC policy and Internal Revenue Service requirements.

11.2 Each Party shall cooperate with the other to maintain the other Party's tax status. Nothing in this Agreement is intended to adversely affect the Transmission Provider's tax exempt status with respect to the issuance of bonds including, but not limited to, local furnishing bonds.

Article 12. Miscellaneous

12.1 Governing Law, Regulatory Authority, and Rules
The validity, interpretation and enforcement of this Agreement

and each of its provisions shall be governed by the laws of the state of Nevada (where the Point of Interconnection is located), without regard to its conflicts of law principles. This Agreement is subject to all Applicable Laws and Regulations. Each Party expressly reserves the right to seek changes in, appeal, or otherwise contest any laws, orders, or regulations of a Governmental Authority.

12.2 Amendment

The Parties may amend this Agreement by a written instrument duly executed by both Parties.

12.3 No Third-Party Beneficiaries

This Agreement is not intended to and does not create rights, remedies, or benefits of any character whatsoever in favor of any persons, corporations, associations, or entities other than the Parties, and the obligations herein assumed are solely for the use and benefit of the Parties, their successors in interest and where permitted, their assigns.

12.4 Waiver

12.4.1 The failure of a Party to this Agreement to insist, on any occasion, upon strict performance of any provision of this Agreement will not be considered a waiver of any obligation, right, or duty of, or imposed upon, such Party.

12.4.2 Any waiver at any time by either Party of its rights with respect to this Agreement shall not be deemed a continuing waiver or a waiver with respect to any other failure to comply with any other obligation, right, duty of this Agreement. Termination or default of this Agreement for any reason by Interconnection Customer shall not constitute a waiver of the Interconnection Customer's legal rights to obtain an interconnection from the Transmission Provider. Any waiver of this Agreement shall, if requested, be provided in writing.

12.5 Entire Agreement

This Agreement, including all Attachments, constitutes the entire agreement between the Parties with reference to the subject matter hereof, and supersedes all prior and contemporaneous understandings or agreements, oral or written, between the Parties with respect to the subject matter of this Agreement. There are no other agreements, representations, warranties, or covenants which constitute any part of the consideration for, or any condition to, either Party's compliance with its obligations under this Agreement.

12.6 Multiple Counterparts

This Agreement may be executed in two or more counterparts, each of which is deemed an original but all constitute one and the same instrument.

12.7 No Partnership

This Agreement shall not be interpreted or construed to create an association, joint venture, agency relationship, or partnership between the Parties or to impose any partnership obligation or partnership liability upon either Party. Neither Party shall have any right, power or authority to enter into any agreement or undertaking for, or act on behalf of, or to act as or be an agent or representative of, or to otherwise bind, the other Party.

12.8 Severability

If any provision or portion of this Agreement shall for any reason be held or adjudged to be invalid or illegal or unenforceable by any court of competent jurisdiction or other Governmental Authority, (1) such portion or provision shall be deemed separate and independent, (2) the Parties shall negotiate in good faith to restore insofar as practicable the benefits to each Party that were affected by such ruling, and (3) the remainder of this Agreement shall remain in full force and effect.

12.9 Security Arrangements

Infrastructure security of electric system equipment and operations and control hardware and software is essential to ensure day-to-day reliability and operational security. FERC expects all Transmission Providers, market participants, and Interconnection Customers interconnected to electric systems to comply with the recommendations offered by the President's Critical Infrastructure Protection Board and, eventually, best practice recommendations from the electric reliability authority. All public utilities are expected to meet basic standards for system infrastructure and operational security, including physical, operational, and cyber-security practices.

12.10 Environmental Releases

Each Party shall notify the other Party, first orally and then in writing, of the release of any hazardous substances, any asbestos or lead abatement activities, or any type of remediation activities related to the Small Generating Facility or the Interconnection Facilities, each of which may reasonably be expected to affect the other Party. The notifying Party shall (1) provide the notice as soon as practicable, provided such Party makes a good faith effort to provide the notice no later than 24 hours after such Party becomes aware of the occurrence, and (2) promptly furnish to the other Party copies of any

publicly available reports filed with any governmental authorities addressing such events.

12.11 Subcontractors

Nothing in this Agreement shall prevent a Party from utilizing the services of any subcontractor as it deems appropriate to perform its obligations under this Agreement; provided, however, that each Party shall require its subcontractors to comply with all applicable terms and conditions of this Agreement in providing such services and each Party shall remain primarily liable to the other Party for the performance of such subcontractor.

12.11.1 The creation of any subcontract relationship shall not relieve the hiring Party of any of its obligations under this Agreement. The hiring Party shall be fully responsible to the other Party for the acts or omissions of any subcontractor the hiring Party hires as if no subcontract had been made; provided, however, that in no event shall the Transmission Provider be liable for the actions or inactions of the Interconnection Customer or its subcontractors with respect to obligations of the Interconnection Customer under this Agreement. Any applicable obligation imposed by this Agreement upon the hiring Party shall be equally binding upon, and shall be construed as having application to, any subcontractor of such Party.

12.11.2 The obligations under this article will not be limited in any way by any limitation of subcontractor's insurance.

12.12 Reservation of Rights

The Transmission Provider shall have the right to make a unilateral filing with FERC to modify this Agreement with respect to any rates, terms and conditions, charges, classifications of service, rule or regulation under section 205 or any other applicable provision of the Federal Power Act and FERC's rules and regulations thereunder, and the Interconnection Customer shall have the right to make a unilateral filing with FERC to modify this Agreement under any applicable provision of the Federal Power Act and FERC's rules and regulations; provided that each Party shall have the right to protest any such filing by the other Party and to participate fully in any proceeding before FERC in which such modifications may be considered. Nothing in this Agreement shall limit the rights of the Parties or of FERC under sections 205 or 206 of the Federal Power Act and FERC's rules and regulations, except to the extent that the Parties otherwise agree as provided herein.

Article 13. Notices

13.1 General

Unless otherwise provided in this Agreement, any written notice, demand, or request required or authorized in connection with this Agreement ("Notice") shall be deemed properly given if delivered in person, delivered by recognized national currier service, or sent by first class mail, postage prepaid, to the person specified below:

If to the Interconnection Customer:

Interconnection Customer: City of Las Vegas
Attention: David Mendenhall, Environmental Division Manager
Address:6005 E. Vegas Valley Drive
City: Las Vegas State: NV Zip: 89142
Phone: (702) 229-6200 Fax: (702) 641-9738 Email: dmendenhall@lasvegasnevada.gov

If to the Transmission Provider:

Transmission Provider: Nevada Power Company d/b/a NV Energy
Attention: Director, Transmission Policy & Contracts
Address: 6100 Neil Road or PO Box 10100
City: Reno State: NV Zip: 89511
Phone: 775-834-5877 Fax: 775-834-3047 E-Mail: TransmissionPolicy@nvenergy.com

13.2 Billing and Payment

Billings and payments shall be sent to the addresses set out below:

Interconnection Customer: City of Las Vegas
Attention: David Mendenhall, Environmental Division Manager
Address:6005 E. Vegas Valley Drive
City: Las Vegas State: NV Zip: 89142
Phone: (702) 229-6200 Fax: (702) 641-9738 Email: dmendenhall@lasvegasnevada.gov

Transmission Provider: Nevada Power Company d/b/a NV Energy
Attention: Manager, Transmission Services
Address: 6100 Neil Road or PO Box 10100
City: Reno State: NV Zip: 89511
Phone: 775-834-5877 Fax: 775-834-3047 E-Mail: TransmissionServices@nvenergy.com

13.3 Alternative Forms of Notice

Any notice or request required or permitted to be given by either Party to the other and not required by this Agreement to be given in writing may be so given by telephone, facsimile or e-mail to the telephone numbers and e-mail addresses set out below:

If to the Interconnection Customer:

Interconnection Customer: City of Las Vegas
Attention: Charles Trushel, Management Analyst
Address:6005 E. Vegas Valley Drive
City: Las Vegas State: NV Zip: 89142
Phone: (702) 229-2417 Fax: (702) 641-9738

If to the Transmission Provider:

Transmission Provider:	Nevada Power Company d/b/a NV Energy
Attention:	Consultant
Address:	6100 Neil Road or PO Box 10100
City: Reno	State: NV Zip: 89511
Phone: 775-834-4802Fax:	775-834-3047 E-Mail: TransmissionPolicy@nvenergy.com

13.4 Designated Operating Representative

The Parties may also designate operating representatives to conduct the communications which may be necessary or convenient for the administration of this Agreement. This person will also serve as the point of contact with respect to operations and maintenance of the Party's facilities.

Interconnection Customer's Operating Representative:

Interconnection Customer: City of Las Vegas
Attention: Tim Laws, Wastewater Utilities Supervisor
Address:6005 E. Vegas Valley Drive
City: Las Vegas State: NV Zip: 89142
Phone: (702) 229-2233 Fax: (702) 641-9738

Transmission Provider's Operating Representative:

Transmission Provider:	Nevada Power Company d/b/a NV Energy
Attention:	Director, Electric System Control Operation
Address:	6100 Neil Road or PO Box 10100
City: Reno	State: NV Zip: 89511
Phone: 775-834-5874Fax:	775-834-3047 E-Mail: ESCCOperations@nvenergy.com

13.5 Changes to the Notice Information

Either Party may change this information by giving five Business Days written notice prior to the effective date of the change.

Article 14. Signatures

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their respective duly authorized representatives.

Nevada Power Company d/b/a NV Energy

By:_____
Mario Villar

Title: Vice President, Transmission

Date: _____

City of Las Vegas

Name: _____

Title: _____

Date: _____

Approved as to form

John S. Ridilla 7/18/11
John S. Ridilla Date
Deputy City Attorney

Attachment 1 to SGIA

Glossary of Terms

Affected System – An electric system other than the Transmission Provider's Transmission System that may be affected by the proposed interconnection.

Applicable Laws and Regulations – All duly promulgated applicable federal, state and local laws, regulations, rules, ordinances, codes, decrees, judgments, directives, or judicial or administrative orders, permits and other duly authorized actions of any Governmental Authority.

Business Day – Monday through Friday, excluding Federal Holidays.

Default – The failure of a breaching Party to cure its Breach under the Small Generator Interconnection Agreement.

Distribution System – The Transmission Provider's facilities and equipment used to transmit electricity to ultimate usage points such as homes and industries directly from nearby generators or from interchanges with higher voltage transmission networks which transport bulk power over longer distances. The voltage levels at which Distribution Systems operate differ among areas.

Distribution Upgrades – The additions, modifications, and upgrades to the Transmission Provider's Distribution System at or beyond the Point of Interconnection to facilitate interconnection of the Small Generating Facility and render the transmission service necessary to effect the Interconnection Customer's wholesale sale of electricity in interstate commerce. Distribution Upgrades do not include Interconnection Facilities.

Good Utility Practice – Any of the practices, methods and acts engaged in or approved by a significant portion of the electric industry during the relevant time period, or any of the practices, methods and acts which, in the exercise of reasonable judgment in light of the facts known at the time the decision was made, could have been expected to accomplish the desired result at a reasonable cost consistent with good business practices, reliability, safety and expedition. Good Utility Practice is not intended to be limited to the optimum practice, method, or act to the exclusion of all others, but rather to be acceptable practices, methods, or acts generally accepted in the region.

Governmental Authority – Any federal, state, local or other governmental regulatory or administrative agency, court, commission, department, board, or other governmental subdivision, legislature,

rulemaking board, tribunal, or other governmental authority having jurisdiction over the Parties, their respective facilities, or the respective services they provide, and exercising or entitled to exercise any administrative, executive, police, or taxing authority or power; provided, however, that such term does not include the Interconnection Customer, the Interconnection Provider, or any Affiliate thereof.

Interconnection Customer – Any entity, including the Transmission Provider, the Transmission Owner or any of the affiliates or subsidiaries of either, that proposes to interconnect its Small Generating Facility with the Transmission Provider's Transmission System.

Interconnection Facilities – The Transmission Provider's Interconnection Facilities and the Interconnection Customer's Interconnection Facilities. Collectively, Interconnection Facilities include all facilities and equipment between the Small Generating Facility and the Point of Interconnection, including any modification, additions or upgrades that are necessary to physically and electrically interconnect the Small Generating Facility to the Transmission Provider's Transmission System. Interconnection Facilities are sole use facilities and shall not include Distribution Upgrades or Network Upgrades.

Interconnection Request – The Interconnection Customer's request, in accordance with the Tariff, to interconnect a new Small Generating Facility, or to increase the capacity of, or make a Material Modification to the operating characteristics of, an existing Small Generating Facility that is interconnected with the Transmission Provider's Transmission System.

Material Modification – A modification that has a material impact on the cost or timing of any Interconnection Request with a later queue priority date.

Network Upgrades – Additions, modifications, and upgrades to the Transmission Provider's Transmission System required at or beyond the point at which the Small Generating Facility interconnects with the Transmission Provider's Transmission System to accommodate the interconnection of the Small Generating Facility with the Transmission Provider's Transmission System. Network Upgrades do not include Distribution Upgrades.

Operating Requirements – Any operating and technical requirements that may be applicable due to Regional Transmission Organization, Independent System Operator, control area, or the Transmission Provider's requirements, including those set forth in the Small Generator Interconnection Agreement.

Party or Parties – The Transmission Provider, Transmission Owner, Interconnection Customer or any combination of the above.

Point of Interconnection – The point where the Interconnection Facilities connect with the Transmission Provider's Transmission System.

Reasonable Efforts – With respect to an action required to be attempted or taken by a Party under the Small Generator Interconnection Agreement, efforts that are timely and consistent with Good Utility Practice and are otherwise substantially equivalent to those a Party would use to protect its own interests.

Small Generating Facility – The Interconnection Customer's device for the production of electricity identified in the Interconnection Request, but shall not include the Interconnection Customer's Interconnection Facilities.

Tariff – The Transmission Provider or Affected System's Tariff through which open access transmission service and Interconnection Service are offered, as filed with the FERC, and as amended or supplemented from time to time, or any successor tariff.

Transmission Owner – The entity that owns, leases or otherwise possesses an interest in the portion of the Transmission System at the Point of Interconnection and may be a Party to the Small Generator Interconnection Agreement to the extent necessary.

Transmission Provider – The public utility (or its designated agent) that owns, controls, or operates transmission or distribution facilities used for the transmission of electricity in interstate commerce and provides transmission service under the Tariff. The term Transmission Provider should be read to include the Transmission Owner when the Transmission Owner is separate from the Transmission Provider.

Transmission System – The facilities owned, controlled or operated by the Transmission Provider or the Transmission Owner that are used to provide transmission service under the Tariff.

Upgrades – The required additions and modifications to the Transmission Provider's Transmission System at or beyond the Point of Interconnection. Upgrades may be Network Upgrades or Distribution Upgrades. Upgrades do not include Interconnection Facilities.

Attachment 2 to SGIA

Description and Costs of the Small Generating Facility, Interconnection Facilities, and Metering Equipment

Equipment, including the Small Generating Facility, Interconnection Facilities, and metering equipment shall be itemized and identified as being owned by the Interconnection Customer, the Transmission Provider, or the Transmission Owner. The Transmission Provider will provide a best estimate itemized cost, including overheads, of its Interconnection Facilities and metering equipment, and a best estimate itemized cost of the annual operation and maintenance expenses associated with its Interconnection Facilities and metering equipment.

City of Las Vegas (CLV) – 5 MW – Photovoltaic

1. **Interconnection Customer's Interconnection Facilities (ICIF)**
   a. One (1) 12.47 kV Breaker on the high side of the CLV owned transformer
   b. One (1) 12.47 kV/480 V Step up Transformer located at the CLV plant site
      i. Transmission Provider to review configuration and specifications
   c. Generating Facility protection relays
   d. Design and build 12.47 kV generator lead line built at 3-1000mcm to the breaker in prefabricated switchgear enclosure at the Point of Ownership. Line to be built in accordance with Good Utility Practice.
   e. Interconnection Customer (IC) to provide space for two (2) standard 19 inch wide communication racks in a separate fenced area of IC's control enclosure for Transmission Provider (TP) personnel access only.
   f. IC will acquire all easements (permanent and temporary) associated with Interconnection Customer's plant and Transmission Provider's Interconnection Facilities, to include:
      i. Interconnection Customer Interconnection Facilities—inclusive of Generating Facility and all related plant facilities, wells, pumps, pipelines, roads, etc
      ii. Generator 12.47kV 3-1000mcm underground lead line
      iii. Interconnection Customer to coordinate with Transmission Provider prior to filing all permit applications
      iv. Interconnection Customer to use easement documents provided by Transmission Provider to obtain any easements as required. Transmission Provider will submit the application for the Clark County encroachment permit for the fiber and distribution installation
   g. Interconnection Customer will provide required easements to the Transmission Provider at no cost for all Transmission Provider facilities and access to those facilities using Transmission Provider's easement documents.
   h. Interconnection Customer to prepare subgrade for the prefabricated switchgear enclosure and all access roads per the recommendations of the geotechnical report. The approximate size of the required site is 60 feet by 60 feet. Transmission Provider will need to preapprove the site for the prefabricated switchgear enclosure.

i. Generating Facility Communication at Interconnection Customer plant– T-1 line (or equivalent) to accommodate:
   i. Provide telephone and phone line from TP's RTU area in the IC control enclosure to TP's Energy System Control Center (ESCC) that is specifically dedicated for TP's use.
   ii. One 4-wire voice grade data line or equivalent between new RTU at Generation facility and TP's Energy System Control Center (ESCC) that is specifically dedicated for TP's use
   iii. One dial up telephone line for the meter
   iv. 24 hour contact
   v. If the above telecommunication circuits are via copper circuits, then Optical Ground Protection Rise (OGPR) isolation is expected and is the responsibility of IC, per applicable industry standards

j. One (1) 125 VDC and One (1) 120 VAC load center breakers dedicated for TP communications use (20 amp minimum) located at the plant site
   i. IC to provide two (2) 1-1/4 inch conduits with pull strings from Interconnection Customer Control Room to metering at pre-fabricated switchgear enclosure. One conduit for 2-wire MODBUS RS-485 and analog phone line.
   ii. Provide 125V DC for SCADA located in IC control enclosure.

k. Detailed Communications and Protection Requirements are in Attachment 3 to the SGIA

2. Transmission Provider's Interconnection Facilities (TPIF)

a. One (1) prefabricated switchgear enclosure
   i. Inclusive of:
   ii. One (1) 12.47 kV breaker
   iii. One (1) switch
   iv. One (1) ION revenue quality meter
   v. Meter Class Potential Transformer's and Current Transformer's for meter at POI prefabricated switchgear enclosure.
   vi. One (1) SEL 351 Relay and One (1) SEL 2506
   vii. 48V DC battery and charger

b. One (1) pad mounted station service transformer adjacent to the prefabricated switchgear enclosure for station power

c. One (1) RTU located in IC's control enclosure

d. Install approximately 1.5 miles of fiber from POI to Winterwood feeder on existing overhead pole line, and install approximately 1300' of fiber in 1 4"conduit underground from pole P98580 to the switchgear enclosure.

e. One (1) 3-1000 MCM riser at pole located at pole P98580.

f. One (1) fiber riser at pole located at pole P98580.

g. Approximately 1300' of 3-1000 MCM cable in 1 of 2-6" conduits from pole P98580 to the switchgear enclosure

h. Miscellaneous Communication cables and link equipment

i. Review of Interconnection Customer Plant and 12.47 kV lead line protection

3. Network Upgrades:

a. Stand Alone Network Upgrades

(Description of such facilities including diagram, and details of Party(ies) responsible for design and construction of such required upgrades)

None

b. Network Upgrades

(Description of required upgrades to Transmission System that would be designed and constructed by Transmission Provider)

None

4. Distribution Upgrades:

(Description of all required upgrades to Transmission Provider's distribution facilities needed in order to interconnect the Generating Facilities)

a. One (1) voltage transformer on the line side of Winterwood 1220 breaker and upgrades relaying

5. Ownership:

Upon completion of construction, the Parties shall have ownership of the facilities as follows:

a. Interconnection Customer's Interconnection Facilities shall be owned by the Interconnection Customer.
b. Transmission Provider' Interconnection Facilities shall be owned by the Transmission Provider.
c. Stand Alone Network Upgrades shall be owned by the Transmission Provider.
d. Other Network Upgrades shall be owned by the Transmission Provider.
e. Distribution Upgrades shall be owned by the Transmission Provider.

6. Affected System Upgrades:

Affected System Upgrades – The following Affected System Upgrades have been determined to be needed in order to mitigate disturbances on and maintain the reliability of Affected Systems directly or indirectly interconnected to the Transmission System.

a. None

7. Operation and Maintenance Responsibilities:

Each Party's responsibilities for operation and maintenance of the Interconnection Facilities, Network Upgrades and Distribution Upgrades shall be:

Upon completion of construction, the Parties shall have responsibilities for operation and maintenance of the facilities as follows:

a. Interconnection Customer's Interconnection Facilities shall be operated and maintained by Interconnection Customer.

b. Transmission Providers' Interconnection Facilities shall be operated and maintained by Transmission Provider and paid for by Interconnection Customer.
c. Stand Alone Network Upgrades shall be operated and maintained by Transmission Provider.
d. Other Network Upgrades shall be operated and maintained by Transmission Provider.
e. Distribution Upgrades shall be operated and maintained by Transmission Provider.

8. Cost Estimates & Responsibilities:

a. Interconnection Customer's Interconnection Facilities: Interconnection Customer.

b. Transmission Provider's Interconnection Facilities (TPIF): **$949,000**

Prefabricated Enclosure at POI	$455,000
Install underground distribution from riser structure to POI	$147,000
Fiber from Winterwood to POI	$282,000
Metering at Interconnection Customer Site	$ 50,000
Land Services	$ 15,000
TOTAL (TPIF)	**$949,000**

All Costs will be trued to actual after the completion of the Project and all costs have been recorded.

c. Stand Alone Network Upgrades: $0 – Interconnection Customer.

d. Network Upgrades: None

e. Distribution Upgrades: **$43,000**

Voltage Transformer at Winterwood Substation	$ 43,000
TOTAL (DU)	**$ 43,000**

All Costs will be trued to actual after the completion of the Project and all costs have been recorded.

f. Affected System Upgrades: $0 – Interconnection Customer.

g. Other Costs: $0 – Interconnection Customer – Lands/easement costs.

Additional facilities related to the interconnection that have not been included in Attachment 2, or otherwise addressed herein, will be addressed through specified project meetings to be set up by the parties, and the design for any such facilities will be mutually agreed to by both of the parties.

Attachment 3 to SGIA

One-line Diagram Depicting the Small Generating Facility, Interconnection Facilities, Metering Equipment, and Upgrades, Communication and Protection Requirements.

City of Las Vegas – 5 MW – Photovoltaic

Point of Interconnection:
The Point of Interconnection shall be on the existing 12.47 kV Winterwood 1220 Line at Pole P98580. See Drawing A-1.

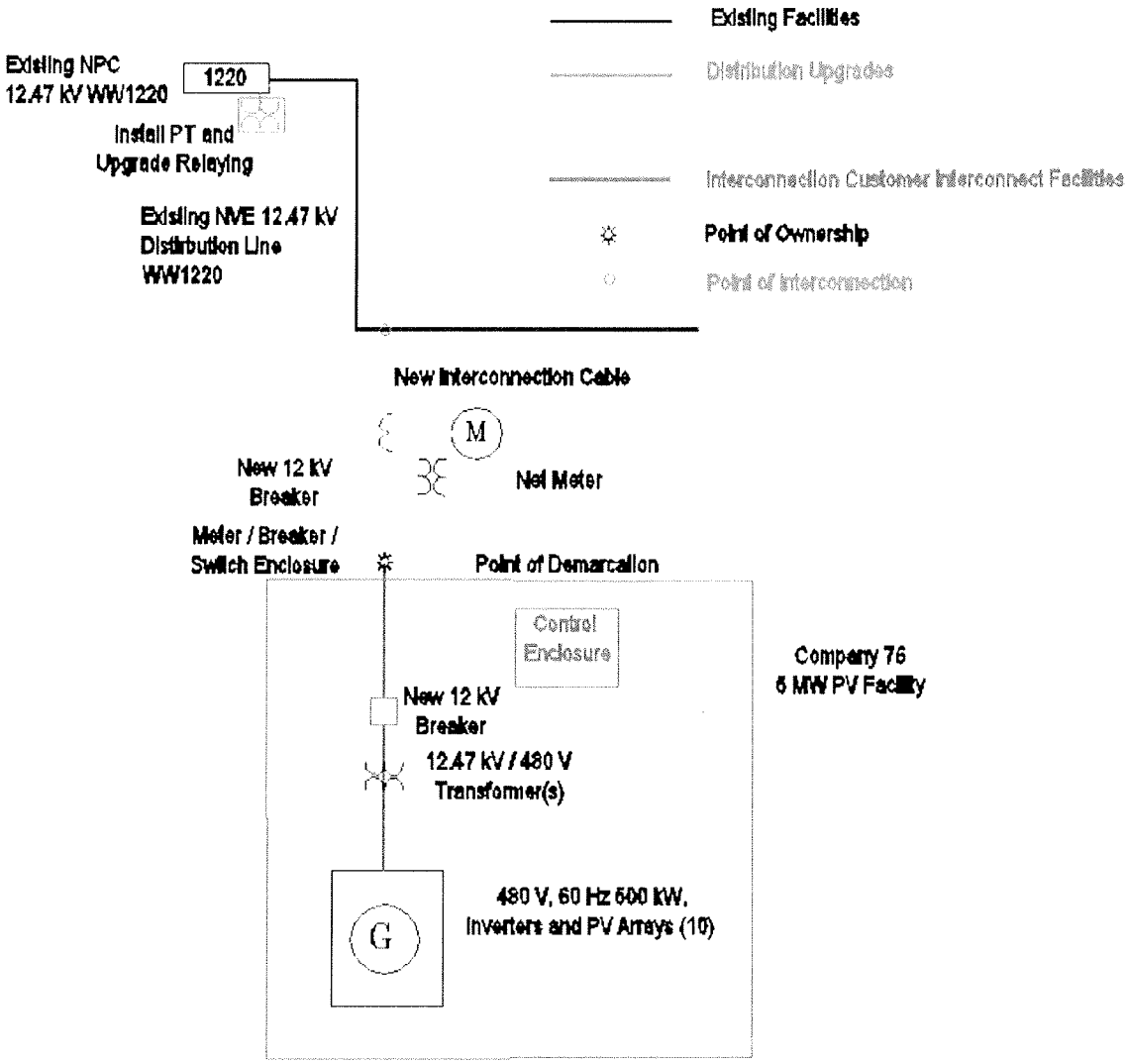
Point of Ownership:
The Point of Ownership shall be where the Interconnection Customer's 12.47 kV generator lead line terminates at the NV Energy owned prefabricated switchgear enclosure. See Drawing A-1.

Interconnection Service Type: Energy Resource Interconnection Service

Nominal Delivery Voltage: 480 V

Metering Voltage: 12.47kV

Drawing A-1 One-Line Diagram



Communications and Protection Requirements

a. Generating Facility telemetry outputs:
    i. Generator Plant total MW, MVar, 3-phase amps, 3-phase volts (L-G referred to L-L) and accumulated MWhr in and out. Fiber will be required between the meter and the Transmission Provider's RTU located in the IC's control enclosure.
b. Hard wired open/closed indication for transformer circuit breakers/circuit switchers to Transmission Provider's ESCC (Energy System Control Center)
c. Each feeder breaker status open/closed indication (assuming multiple feeders to the geographically dispersed generators)
d. Tripped/Reset indication of all GSU and line protection lockouts – totalized such that there is one indication per facility
e. One (1) SEL 2506 data possessor located in IC's switchgear for communications with TPIF's SEL 2506 located in switchgear enclosure.
f. Automatic Voltage Regulator (AVR) status – On/Off indication that the AVR is in Voltage Control Mode
g. Load Tap Changer (LTC) indication tap position and manual on/off indication (if GSU is equipped with LTC)
h. Note—Remote Terminal Unit (RTU) at POI breaker to which output will be delivered is to be designated as the Master RTU. The IC will supply an interface that will allow the Transmission Provider's RTU to be the Master (polling) device.
i. Generating Facility control points—NV Energy will require the following control points:
    ii. Trip control of generator's 12.47 kV breaker

a. Checklist of items that must be completed prior to proceeding with any energization for IC's:
    i. Review by NV Energy for coordination purposes of IC's protection settings
    ii. IC must perform both calibration and functional trip tests of its System Protection Facilities and report results back to NVE
    iii. Complete communications required
    iv. SCADA indications at plant substation operational with full NVE ESCC access
    v. Adequate voice communication at IC substation (cell or land line at sub)
    vi. NVE to trip-test IC's main interrupting device(s) from the RTU control point
    vii. IC to acknowledge in writing that all plant systems are adequately protected and have been tested
    viii. IC and NVE to have Start Up and Synchronization process meeting 1 day prior to Start Up and Synchronization event

Attachment 4 to SGIA

Milestones

In-Service Date: June 20, 2012

Critical milestones and responsibility as agreed to by the Parties:

City of Las Vegas Project Milestones		
Generator Interconnection Facilities ("IC or Generator")		Date
	IC to pursue all necessary permits	upon execution
	IC & TP to setup project meeting schedule	upon execution
	Project Initiation and Confirmation Mtg. (TP and IC)	within 30 days of execution
	IC to provide TPIF and DU costs to TP in cash in the amount of $566,000	8/15/2011
	IC to provide TPIF and DU costs to TP in cash in the amount of $426,000	12/1/2011
	IC Control Room Preliminary Design provided to TP	10/1/2011
	IC and TP to finalize Telemetry Points Requirements	10/1/2011
	Initiate application for telecom service	upon execution
	Provide Transformer specification data to TP	9/1/2011
	Provide Modified One-line with Scheme Descriptions and Relay Settings to TP	1/3/2012
	IC Control House for plant site delivery with cable trays for TP constuction and installation	1/15/2012
	Interconnection Customer to provide an LOC in the amount of the applicable 2012 CIAC rates for all TPIF Facilites	1/15/2012
	Right of Entries, Access Agreement, and other requireddocuments signed and provided to TP	8/26/2011
	Provide full access to POI Prefabrication enclosure incluing sub-grading complete	8/26/2011
	Provide Transformer testing data to TP	10/1/2011
	Provide dial up line for meter	1/10/2012
	Primary substation service power complete at control room	12/1/2011
	Provide AC and DC load centers dedicated for TP coomunications equipment	1/15/2012
	IC to provide operation plan for genertor start up	3/15/2012
	Generator Facility protection relays complete	3/15/2012
	Provide Ring Down line from Generator Control Room to TP's ESCC	3/15/2012
	Interconnection Facilities completed - Provide notice to TP	3/15/2012
	IC to initate generator pre-energization meeting (must be held at least 1 week prior to energization)	4/1/2012
	IC and TP to hold pre-energization meeting	4/9/2012
	Energize facilities	6/20/2012

Transmission Provider Interconnection Facilities ("TP")		
	IC & TP to setup project meeting schedule	within 30 days of execution
	Transmission Provider Interconnection Facilities Completed	Not earlier than 6/20/2012 provided that all necessary approvals by Governmental Authorities are received, Interconnection Customer's required facilities are constructed, tested and ready for service per IC milestones above, and the IC has provided required securities and notices to the TP per IC milestones above. (*)
	Energization of Facilities	Within one week after IC provides notification of propsed energization to TP

* All Milestone dates are dependent upon obtaining all necessary approvals from applicable regulatory agencies.

Attachment 5 to SGIA

Additional Operating Requirements for the Transmission Provider's Transmission System and Affected Systems Needed to Support the Interconnection Customer's Needs

The Transmission Provider shall also provide requirements that must be met by the Interconnection Customer prior to initiating parallel operation with the Transmission Provider's Transmission System.

The following shall be the additional operating requirements that must be met by generator interconnection customers prior to operating in parallel with the Transmission Provider's System.

1. **Operating Procedures**. Prior to energization and operation of the generating facility, the Interconnection Customer (IC) will be provided generator Electrical System Control Center (ESCC) operating procedure requirements that the IC must follow in order to interconnect its facilities to NV Energy's transmission system and to operate its interconnected facilities. The generator ESCC operation procedure requirements includes operating protocols and standards required to be followed by the IC related to, but not limited to, the following:
    a. Demarcation of ownership of facilities and assignment of responsibilities between the Transmission Provider (TP) and Interconnection Customer;
    b. Certification process for electrical system control center qualified personnel
    c. Process and procedures for switching operations
    d. Communication protocols for switching operations
    e. Generator synchronization procedures
    f. Notice requirements prior to undertaking switching activities
    g. Process and procedures for making modifications to equipment
    h. Minimum access rights requirements
    i. Outage coordination requirements
    j. Clearance procedures (i.e., lock-out/tag-out)
    k. Personnel training and orientation requirements
    l. General notification requirements

2. **Standards.** The IC will be required to meet the all applicable North American Electric Reliability Corporation (NERC) and/or Western Electricity Coordinating Council (WECC) reliability standards; as such standards may be amended from time to time. In addition, as these standards address facilities that may have a direct impact on the operation and reliability of the transmission system, each IC is required to provide the following information to the TP to demonstrate how the IC has satisfied the following NERC/WECC reliability requirements:
    a. Sabotage Reporting:
        a. CIP-001-1 R1

b. CIP-001-1 R2

b. Disturbance Reporting:
   a. EOP-004-1 R3

c. System Protection Coordination:
   a. PRC-001-01

d. Reliability Responsibilities and Authorities:
   a. TOP-001-1 R3
   b. TOP-001-1 R14

e. Normal Operations Planning:
   a. TOP-002-2 R3
   b. TOP-002-2 R14

f. Planned Outage Coordination:
   a. TOP-003-0 R2
   b. TOP-003-0 R3

g. Voltage and Reactive Control, Network Voltage:
   a. VAR-001 R3
   b. VAR-001 R4
   c. VAR-001 R6
   d. VAR-002-1 R1
   e. VAR-002-1 R2
   f. VAR-002-1 R3
   g. VAR-002-1 R4

h. Any other applicable NERC Standards, as adopted by the WECC, or NERC, or their successor organizations, and as such standards may be amended from time to time, as requested by the TP.

3. **Load Tap Changers (LTC).** The LTC may not be operated in Automatic mode. The IC is required to notify the TP in order to coordinate any proposed tap changes on the generator step-up unit transformer (GSU) load tap changer (LTC). No IC shall be permitted, expect under the direction of TP's ESCC, to change the tap on the GSU LTC.

4. **Remote Terminal Unit.** Prior to the initial Synchronization date, a Remote Terminal Unit, or equivalent data collection and transfer equipment must be installed to gather accumulated and instantaneous data to be telemetered to the location(s) designated by the Transmission Provider through the use of a dedicated point-to-point data circuit(s). The communication protocol for the data circuit(s) will be specified by the Transmission Provider. Instantaneous bi-directional real time power and reactive power flow information must be telemetered directly to the location(s) specified by the Transmission Provider.

5. **Under-Frequency and Over Frequency Conditions**. In the event of an under-frequency system disturbance, the Transmission System is designed to automatically activate a load-shedding program, pursuant to the requirements set forth by the WECC/NERC, or their successor organizations. The IC shall implement under-frequency and over-frequency relay set points for the Small Generating Facility as required by the WECC/NERC or their successor organizations, to ensure "ride through" capability of the generator on the Transmission System. The Small Generating Facility's response to frequency deviations of pre-determined magnitudes, both under-frequency and over-frequency deviations, shall be provided to the TP, and its response to frequency deviations shall be coordinated with the TP in accordance with Good Utility Practice. The term "ride through" as used herein shall mean the ability of a Generating Facility to stay connected to and synchronized with the Transmission System during system disturbances within a range of under-frequency and over-frequency conditions, as required in accordance with Good Utility Practice.

6. **Start Up and Synchronization Checklist.** Prior to proceeding with any Start Up and Synchronization activities for the IC's generating facility, the IC must complete the following checklist of items:
    a. Provide to TP IC's protection settings for review of IC's protection settings;
    b. Perform both calibration and functional trip tests of its System Protection Facilities and report results back to the TP;
    c. Complete required communications facilities;
    d. Provide demonstration of SCADA indications that the plant substation is operational and provides full TP's ESCC access;
    e. Demonstrate adequate voice communications systems at IC substation (*e.g.*, dedicated cell or land line at sub);
    f. Request that TP trip-test IC's main interrupting device(s) from the RTU control point;
    g. Provide TP with an acknowledgment in writing that all plant systems are adequately protected and have been tested;
    h. Request to have energization process meeting with TP at least 1 day prior to energization event.

Attachment 6 to SGIA

Transmission Provider's Description of its Upgrades and Best Estimate of Upgrade Costs

The Transmission Provider shall describe Upgrades and provide an itemized best estimate of the cost, including overheads, of the Upgrades and annual operation and maintenance expenses associated with such Upgrades. The Transmission Provider shall functionalize Upgrade costs and annual expenses as either transmission or distribution related.

Provided in Attachment 2 with the Interconnection Details

NVEnergy

EXHIBIT

Estimated Costs

Substation Work Order (Prefabricated Enclosure at PO and Voltage Transformers at Winterwood Substation)

Description	Estimated Cost
Substation Design/ Civil Design/Permitting/Survey/EMS/System Protection Design/Close Out	$ 45,348.00
Procurement/Material	$ 226,675.00
Construction	$ 111,611.00
Labor Overheads	$ 55,751.00
Transportation Overheads	$ 7,794.00
Material Overheads	$ 4,785.00
A&G Overheads	$ 15,345.00
Project Supervision	$ 30,691.00
Total Transmission	**$ 498,000.00**

Distribution Work Order (Install underground from pole riser to POI)

Description	Estimated Cost
Distribution Design	$ 3,816.00
Material	$ 9,244.00
Construction	$ 101,476.00
ROW Labor Directs	$ 2924.00
Labor Overheads	$ 4,498.00
Transportation Overheads	$ 2,032.00
A&G Overheads	$ 5,578.00
Project Supervision	$ 17,432.00
Total Distribution	**$ 147,000.00**

Telecommunications Work Order (Fiber from Winterwood to POI)

Description	Estimated Cost
Telecommunications Design/Close -out	$ 10,485.00
Procurement/Material	$ 75,328.00
Fiber Installation/ Construction	$ 121,217.00
Labor Overheads	$ 25,951.00
Transportation Overheads	4,320.00

Material Overheads	$ 3,811.00
A&G Overheads	$ 9,834.00
Project Supervision	$ 31,054.00
Total Telecommunications	**$ 282,000.00**

Metering Work Order (Metering at Interconnection Customer Site)

Description	Estimated Cost
Metering Design	$ 7,973.00
Procurement/Material	$ 18,412.00
Installation	$ 4,404.00
Labor Overheads	$ 10,140.00
Transportation Overheads	$ 2,068.00
Material Overheads	$ 921.00
A&G Overheads	$ 1,463.00
Project Supervision	$ 4, 619.00
Total Telecommunications	**$ 50,000.00**

Land Services Work Order

Description	Estimated Cost
ROW Labor and services	$ 7,947.00
Labor Overheads	$ 5,280.00
Transportation Overheads	$ 204.00
A&G Overheads	$ 377.00
Project Supervision	$ 1,192.00
Total Telecommunications	**$ 15,000.00**

Total Substation + Distribution + Telecommunications + Metering + Lands **$ 992,000.00**

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

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

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

SUBJECT:
RESOLUTIONS:

R-35-2011 - For possible action to approve a Resolution directing the City Treasurer to give notice of the sale of properties subject to the lien of a delinquent assessment in Special Improvement District 505 and in certain other districts and providing other matters properly relating thereto - All Wards

Fiscal Impact

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

PURPOSE/BACKGROUND:
NRS 271.545 states that when an assessment or installment relating to a special improvement district becomes delinquent, the City shall direct the City Treasurer to give notice of the sale of the property or properties subject to the lien of a delinquent installment or the entire assessment if the governing body has exercised its option to cause the whole amount of the unpaid principal to become due and payable.

RECOMMENDATION:
It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:
Resolution No. R-35-2011

RESOLUTION NO. _____

A RESOLUTION DIRECTING THE CITY TREASURER TO GIVE NOTICE OF THE SALE OF PROPERTIES SUBJECT TO THE LIEN OF A DELINQUENT ASSESSMENT IN CERTAIN DISTRICTS; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO

WHEREAS, the City has heretofore created the Special Improvement Districts identified in the Notice below (the Districts); and

WHEREAS, the City Council has directed and hereby reaffirms its direction to the City Treasurer to collect and enforce the assessments in the Districts in the manner provided by the Consolidated Local Improvements Law; and

WHEREAS, the assessment installments on certain properties in the Districts have not been made and are delinquent; and

WHEREAS, the City Council desires that the City Treasurer proceed with a notice of sale of the delinquent property as provided in Nevada Revised Statutes (NRS) 271.545.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAS VEGAS, NEVADA:

Section 1. The City Council hereby directs the City Treasurer to give notice of the sale of the properties subject to the lien of delinquent assessments in the Districts. The City Council hereby exercises its option to cause the whole amount of the unpaid principal of the assessments to become due and payable as provided in NRS 271.410 to the extent provided in the notice as set forth in Section 2. The sale shall take place at 2:00 p.m. on December 6, 2011 in the City Council Chambers, Las Vegas City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, which the Council hereby finds is a convenient location

Section 2. The notice of sale shall be substantially as follows:

(Form of Notice of Sale)

Notice is hereby given that the City Treasurer of the City of Las Vegas will at the hour of 2:00 pm. on December 6, 2011, the City Council Chambers, Las Vegas City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, sell the following parcels which are delinquent in the payment of assessments to the City of Las Vegas in the following Special Assessment Districts:

Name of Owner	Description of Property	District No.	Total Amount Due to Date of Sale **

[*insert in notice as published as mailed a list containing the information described in the above table headings for each delinquent parcel.*]

*(Applicable to parcels with a single * in District 505 only): Includes amount of unpaid delinquent assessment installment, accrued and delinquent interest to December 6, 2011, at a rate not exceeding 2 percent per month, penalties and collection costs, including attorney fees.

**(Applicable to all parcels in District 505 that do not have a single * above and all other parcels in Districts other than District No. 505): Includes full amount of unpaid assessment, accrued and delinquent interest to December 6, 2011, at a rate not exceeding 2 percent per month, penalties and collection costs, including attorney fees.

Each property described above will be sold to satisfy the total amount due thereon as is stated above, to the first person at the sale offering to pay the amount due on that property as is listed above. The sale shall be held, and purchasers at the sale shall receive certificates of sale, as provided in NRS 271.555 to NRS 271.575 and ordinances adopted by the City Council. The sale shall be continued from day to day as provided in NRS 271.555. The property sold is subject to redemption as provided in NRS 271.595. If not redeemed as provided in that Section, after expiration of the period of redemption, the City Treasurer will issue a deed to the property on demand of the certificate holder in the manner provided in NRS 271.595.

As provided in NRS 271.410, the City Council has exercised its option to have the whole amount of the unpaid principal of the assessment be due and payable immediately with respect to all of the above parcels except those parcels in District No. 505 designated with a single * above. As provided in NRS 271.410 , at any time prior to the date of sale the owner may pay the amount of delinquent installments with accrued interest, all penalties and costs of collection accrued including but not necessarily limited to any attorneys fees, and shall thereupon be restored the right to thereafter pay in installments in the same manner as if default had not been made. A property owner may obtain from the Las Vegas City Treasurer the amount that he is required to pay to the City in order to be restored to the right to pay his/her assessments in installments pursuant to NRS 271.410(2).

Please take Notice that according to records available to the City of Las Vegas, you are the owner of or have an interest in a mortgage, deed of trust, or other lien or other interest in one of the properties listed above. The City intends to conduct a sale of these properties in accordance with the provisions of the above notice and Nevada Revised Statutes. The sale is being held because the special assessments levied against the subject property have not been paid. Your ownership of or mortgage, deed of trust, other lien or other interest in the property could be adversely affected by the sale. Under Nevada law, deeds to property sold, which are issued after the period of redemption specified in NRS 271.595, convey the entire fee simple title to the property described, stripped of all liens and claims except the liens of other special assessments and general taxes. See NRS 271.600.

IN WITNESS WHEREOF, I have affixed my signature as of September 7, 2011.

/s/ Candace L. Falder
Finance Director

**Insert in mailed notice only.

(End of Form of Notice of Sale)

Section 3. The notice provided in Section 2 above shall be published once a week for 3 consecutive weeks prior to the date of sale and shall be mailed by first class mail, postage prepaid, at least 20 days before the sale to each owner of a parcel which is subject to sale as provided in the notice, and to each person who has a property interest in any of that property that is recorded, if that property interest could be adversely affected by the sale. The City Clerk is directed to make such publication and mailing. An affidavit of publication is hereby required to be filed with the City Clerk. The City Clerk shall also make out an affidavit that the mailing as described above has been made and file that affidavit in his/her records.

Section 4. The City Treasurer is directed to obtain the names and addresses of the property for which there is a delinquent assessment from the records of the County Assessor or such other source or sources as the City Clerk deems reliable. The list of names and addresses must have been revised within 12 months prior to the date of sale.

Section 5. The officers of the City are hereby authorized to take all action necessary to effectuate the provisions of this resolution.

Section 6. This resolution is effective on passage and approval.

PASSED, ADOPTED AND APPROVED September 7, 2011.

_____
Mayor

(SEAL)

_____
City Clerk

_____
Approved as to Form

STATE OF NEVADA)
):ss
CITY OF LAS VEGAS)

I, Beverly K. Bridges, the duly chosen, qualified City Clerk of Las Vegas (the "City"), in the State of Nevada, do hereby certify:

1. The foregoing pages are a true and correct copy of a resolution (the "Resolution") passed and adopted by the Council at a meeting of the Council held on September 7, 2011.

2. The adoption of the Resolution was duly moved and seconded and the Resolution was adopted by an affirmative vote of a majority of the members of the Council as follows:

Those Voting Aye:	Carolyn G. Goodman Stavros S. Anthony Steve Wolfson Lois Tarkanian Steven D. Ross Ricki Y. Barlow Bob Coffin
Those Voting Nay:	_____ _____
Those Absent:	_____ _____

3. The members of the Council were present at such meeting and voted on the passage of such resolution as set forth in such minutes.

4. The Resolution was approved and authenticated by the signature of the Mayor, sealed with the City seal, attested by the City Clerk and recorded in the minutes of the Council.

5. All members of the Council were given due and proper notice of the meeting. Pursuant to NRS 241.020, Nevada Revised Statutes, written notice of the meeting was given no later than 9:00 a.m. on the third working day before the meeting including the notice the time, place, location, and agenda of the meeting:

(a) By posting a copy of the notice not later than 9:00 a.m. on the third working day before the meeting at the principal office of the Council, or if there is no principal office, at the building in which the meeting is to be held, and at least three (3) other separate, prominent places within the jurisdiction of the Council, to wit:

(a) Court Clerk's Bulletin Board
City Hall Plaza, 2nd Floor Skybridge
Las Vegas, Nevada

(b) Court Clerk's Office Bulletin Board
City Hall Plaza
Las Vegas, Nevada

(c) Las Vegas-Clark County Library
833 Las Vegas Boulevard North
Las Vegas, Nevada

(d) Clark County Government Center
500 S. Grand Central Parkway
Las Vegas, Nevada

(e) Grant Sawyer Building
555 E. Washington Avenue
Las Vegas, Nevada

and

(b) By mailing a copy of the notice to each person, if any, who has requested notice of the meetings of the Council in the same manner in which notice is required to be mailed to a member of the Council. Such notice was delivered to the postal service no later than 9:00 a.m. on the third working day prior to the meeting.

6. A copy of the notice of each meeting was posted on the City's website no later than 9:00 a.m. on the third working day prior to each meeting.

7. Upon request, the Council provides at no charge, at least one copy of the agenda for its public meetings, any proposed resolution which will be discussed at the public meeting, and any other supporting materials provided to the Council for an item on the agenda, except for certain confidential materials and materials pertaining to closed meetings, as provided by law.

8. A copy of the notice so given of the meeting of the Council held on September 7, 2011 is attached to this certificate as Exhibit A.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City this September 7, 2011.

_____

Beverly K. Bridges, City Clerk

(SEAL)

EXHIBIT A

(Attach Notice and Agenda of Meeting)

EXHIBIT B

(Attach Affidavit of Publication of Notice of Sale)

EXHIBIT C

STATE OF NEVADA)
: ss.
COUNTY OF CLARK)

AFFIDAVIT OF MAILING
NOTICE OF SALE

The undersigned, Beverly K. Bridges, City Clerk of the City of Las Vegas, Nevada, hereby swears on oath or affirmation:

1. Pursuant to Section 3 of the resolution attached hereto, as evidenced by the affidavit attached as Exhibit 1 hereto, I caused to be mailed a notice in substantially the form attached hereto as Exhibit 2 to the persons described in paragraph 2 hereof on November 16 , 2011, being at least 20 days before the sale, which was held on December 6, 2011.

2. The Notice was mailed by certified mail to each owner of a parcel which was subject to the sale, and to each person who has a property interest in any of the property subject to the sale that is recorded in the records of the County Recorder.

3. Receipts from the certified mailing and this affidavit will be retained in the records of the City for the Districts identified in the Notice until all of the assessments for those Districts and all bonds pertaining thereto have been paid in full.

Dated this _____ ___, 2011.

_____
City Clerk

SUBSCRIBED AND SWORN TO before me this _____ ___, 2011, by Beverly K. Bridges, City Clerk, City of Las Vegas, Nevada.

_____
Notary Public

(SEAL)

EXHIBIT 1

STATE OF NEVADA)
:ss
COUNTY OF CLARK)

AFFIDAVIT OF MAILING
NOTICE OF SALE

The undersigned _____, the _____ of Assessment Management Group of the City of Las Vegas, Nevada, hereby swears on oath or affirmation:

1. Pursuant to Section 3 of the resolution attached hereto, I mailed a notice in substantially the form attached on the attachment hereto marked Exhibit 2 to the persons described in paragraph 2 hereof on November 16, 2011, being at least 20 days before the sale, which was held on December 6 , 2011.

2. The Notice was mailed by certified mail to each owner of a parcel which was subject to the sale, and to each person who has property interest in any of the property subject to the sale that is recorded in the records of the County Recorder.

3. Receipts from the certified mailing and this affidavit will be retained in the records of the City for the Districts identified in the Notice until all of the assessments for those Districts and all bonds pertaining thereto have been paid in full.

Dated this ____ day of _____, 2011.

_____
Title:_____

SUBSCRIBED AND SWORN TO before me this ____ day of _____, 2011 by _____, _____ of Assessment Management Group.

_____
Notary Public

(SEAL)

EXHIBIT II

(Attach copy of Notice as Mailed)

City of Las Vegas Agenda Item No.: **34.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

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

SUBJECT:
RESOLUTIONS:

R-36-2011 - For possible action to approve a Resolution directing the City Treasurer to give notice of the sale of properties subject to the lien of a delinquent assessment in the Summerlin Special Improvement Districts and in certain other districts and providing other matters properly relating thereto - All Wards

Fiscal Impact

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

PURPOSE/BACKGROUND:
NRS 271.545 states that when an assessment or installment relating to a special improvement district becomes delinquent, the City shall direct the City Treasurer to give notice of the sale of the property or properties subject to the lien of a delinquent installment or the entire assessment if the governing body has exercised its option to cause the whole amount of the unpaid principal to become due and payable.

RECOMMENDATION:
It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:
Resolution No. R-36-2011

RESOLUTION NO. _____

A RESOLUTION DIRECTING THE CITY TREASURER TO GIVE NOTICE OF THE SALE OF PROPERTIES SUBJECT TO THE LIEN OF A DELINQUENT ASSESSMENT; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

WHEREAS, the City has heretofore created Special Improvement District Nos.607, 707, 808, 809, and various other districts as identified in the Notice below (the "Districts"); and

WHEREAS, the City Council has directed and hereby reaffirms its direction to the City Treasurer to collect and enforce the assessments in the Districts in the manner provided by the Consolidated Local Improvements Law; and

WHEREAS, the assessment installments on certain properties in the Districts have not been made and are delinquent; and

WHEREAS, the City Council desires that the City Treasurer proceed with a notice of sale of the delinquent property as provided in Nevada Revised Statutes ("NRS") 271.545.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAS VEGAS, NEVADA:

Section 1. The City Council hereby directs the City Treasurer to give notice of the sale of the properties subject to the lien of delinquent assessments in the Districts. The City Council hereby exercises its option to cause the whole amount of the unpaid principal of the assessments to become due and payable as provided in NRS 271.410. The sale shall take place at 2:00 p.m. on January 24, 2012 in the City Council Chambers, Las Vegas City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, which the Council hereby finds is a convenient location.

Section 2. The notice of sale shall be substantially as follows:

(Form of Notice of Sale)

Notice is hereby given that the City Treasurer of the City of Las Vegas will at the hour of 2:00 p.m. on January 24, 2012, at the City Council Chambers, Las Vegas City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, sell the following parcels which are delinquent in the payment of assessments in the City's Special Assessment District Nos. 607, 707, 808, 809, and various others to the City of Las Vegas:

Name of Owner	**Description of Property**	**District No.**	**Total Amount Due to Date of Sale***

[*insert in notice as published as mailed a list containing the information described in the above table headings for each delinquent parcel.*]

* Includes the whole assessment, accrued interest upon the whole amount of unpaid principal to the date of delinquency, interest upon unpaid principal and accrued interest from the date of delinquency to January 24, 2012 at rate not exceeding 2 percent per month, penalties and collection costs, including attorney's fees.

Each property described above will be sold to satisfy the total amount due thereon as is stated above, to the first person at the sale offering to pay the amount due on that property as is listed above. The sale shall be held, and purchasers at the sale shall receive certificates of sale, as provided in NRS 271.555 to NRS 271.575 and ordinances adopted by the City Council. The sale shall be continued from day to day as provided in NRS 271.555. The property sold is subject to redemption as provided in NRS 271.595. If not redeemed as provided in that Section, after expiration of the period of redemption, the City Treasurer will issue a deed to the property on demand of the certificate holder in the manner provided in NRS 271.595.

The City Council has exercised its option to have the whole amount of the unpaid principal of the assessment be due and payable immediately with respect to the above parcels, as provided in NRS 271.410. As provided in that section, at any time prior to the date of sale the owner may pay the amount of delinquent installments with accrued interest, all penalties and costs of collection accrued including but not necessarily limited to any attorneys fees, and shall thereupon be restored the right to thereafter pay in installments in the same manner as if default had not been made.

A property owner may obtain from the Las Vegas City Treasurer the amount that he/she is required to pay to the City in order to be restored to the right to pay his/her assessments in installments pursuant to NRS 271.410(2).

PLEASE TAKE NOTICE that according to records available to the City of Las Vegas, you are the owner of or have an interest in a mortgage, deed of trust, or other lien or other interest in one of the properties listed above. The City intends to conduct a sale of these properties in accordance with the provisions of the above notice and Nevada Revised Statutes. The sale is being held because the special assessments levied against the subject property have not been paid. Your ownership of or mortgage, deed of trust, other lien or other interest in the property could be adversely affected by the sale. Under Nevada law, deeds to property sold, which are issued after the period of redemption specified in NRS 271.595, convey the entire fee simple title to the property described, stripped of all liens and claims except the liens of other special assessments and general taxes. See NRS 271.600.

IN WITNESS WHEREOF, I have affixed my signature as of September 7, 2011.

/s/ CANDACE L. FALDER
Finance Director

**Insert in mailed notice only.

(End of Form of Notice of Sale)

Section 3. The Notice provided in Section 2 above shall be published once a week for 3 consecutive weeks prior to the date of sale and shall be mailed by first class mail, postage prepaid, at least 20 days before the sale to each owner of a parcel which is subject to sale as provided in the Notice, and to each person who has a property interest in any of that property that is recorded, if that property interest could be adversely affected by the sale. The City Clerk is directed to make such publication and mailing. An affidavit of publication is hereby required to be filed with the City Clerk. The City Clerk shall also make out an affidavit that the mailing as described above has been made and file that affidavit in his/her records.

Section 4. The City Treasurer is directed to obtain the names and addresses of the property for which there is a delinquent assessment from the records of the County Assessor or such other source or sources as the City Clerk deems reliable. The list of names and addresses must have been revised within 12 months prior to the date of sale.

Section 5. The officers of the City are hereby authorized to take all action necessary to effectuate the provisions of this resolution.

Section 6. This resolution is effective on passage and approval.

PASSED, ADOPTED AND APPROVED this September 7, 2011.

_____
Mayor

(SEAL)

_____
Beverly K. Bridges, CMC, City Clerk

_____
Approved as to Form

STATE OF NEVADA)
:ss.
CITY OF LAS VEGAS)

I, Beverly K. Bridges, the duly chosen, qualified and City Clerk of Las Vegas (the "City"), in the State of Nevada, do hereby certify:

1. The foregoing pages are a true and correct copy of a resolution (the "Resolution") passed and adopted by the Council at a meeting of the Council held on September 7, 2011.

2. The adoption of the Resolution was duly moved and seconded and the Resolution was adopted by an affirmative vote of a majority of the members of the Council as follows:

Those Voting Aye:	Carolyn G. Goodman Stavros S. Anthony Steve Wolfson Lois Tarkanian Steven D. Ross Ricki Y. Barlow Bob Coffin
Those Voting Nay:	_____
	_____
Those Absent:	_____
	_____

3. The members of the Council were present at such meeting and voted on the passage of such resolution as set forth in such minutes.

4. The Resolution was approved and authenticated by the signature of the Mayor, sealed with the City seal, attested by the City Clerk and recorded in the minutes of the Council.

5. All members of the Council were given due and proper notice of the meeting. Pursuant to NRS 241.020, Nevada Revised Statutes, written notice of the meeting was given no later than 9:00 a.m. on the third working day before the meeting including the notice the time, place, location, and agenda of the meeting:

(a) By posting a copy of the notice not later than 9:00 a.m. on the third working day before the meeting at the principal office of the Council, or if there is no principal office, at the building in which the meeting is to be held, and at least three (3) other separate, prominent places within the jurisdiction of the Council, to wit:

(a) Court Clerk's Bulletin Board
City Hall Plaza, 2nd Floor Skybridge
Las Vegas, Nevada

(b) Court Clerk's Office Bulletin Board
City Hall Plaza
Las Vegas, Nevada

(c) Las Vegas-Clark County Library
833 Las Vegas Boulevard North
Las Vegas, Nevada

(d) Clark County Government Center
500 S. Grand Central Parkway
Las Vegas, Nevada

(e) Grant Sawyer Building
555 E. Washington Avenue
Las Vegas, Nevada

and

(b) By mailing a copy of the notice to each person, if any, who has requested notice of the meetings of the Council in the same manner in which notice is required to be mailed to a member of the Council. Such notice was delivered to the postal service no later than 9:00 a.m. on the third working day prior to the meeting.

6. A copy of the notice of each meeting was posted on the City's website no later than 9:00 a.m. on the third working day prior to each meeting.

7. Upon request, the Council provides at no charge, at least one copy of the agenda for its public meetings, any proposed resolution which will be discussed at the public meeting, and any other supporting materials provided to the Council for an item on the agenda,

except for certain confidential materials and materials pertaining to closed meetings, as provided by law.

8. A copy of the notice so given of the meeting of the Council held on September 7, 2011 is attached to this certificate as Exhibit A.

9. Attached hereto as Exhibit B is the Affidavit of Publication of Notice of Sale required by Section 3 of the Resolution.

10. Attached hereto as Exhibit C (including Exhibits I and II thereto) is the Affidavit of Mailing of Notice of Sale required by Section 3 of the Resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City this September 7, 2011.

.

_____

Beverly K. Bridges, CMC, City Clerk

(SEAL)

EXHIBIT A

(Attach Notice and Agenda of Meeting)

EXHIBIT B

(Attach Affidavit of Publication of Notice of Sale)

EXHIBIT C

STATE OF NEVADA	)	**AFFIDAVIT OF MAILING**
	: ss.	**NOTICE OF SALE**
COUNTY OF CLARK	)	**DISTRICTS 607, 707 808, 809 and VARIOUS OTHER DISTRICTS**

The undersigned, Beverly K. Bridges, City Clerk of the City of Las Vegas, Nevada, hereby swears on oath or affirmation:

1. Pursuant to Section 3 of the resolution attached hereto, as evidenced by the affidavit attached as Exhibit 1 hereto, I caused to be mailed a Notice in substantially the form attached hereto as Exhibit 2 to the persons described in paragraph 2 hereof on January 4, 2012 being at least 20 days before the sale, which was held on January 24, 2012.

2. The Notice was mailed by certified mail to each owner of a parcel which was subject to the sale, and to each person who has a property interest in any of the property subject to the sale that is recorded in the records of the County Recorder.

3. Receipts from the certified mailing and this affidavit will be retained in the records of the City for Districts 607, 707, 808, 809, and various other districts until all of the assessments for those Districts and all bonds pertaining thereto have been paid in full.

Dated this ___ day of _____, 2012.

_____
City Clerk

SUBSCRIBED AND SWORN TO before me this ____ day of _____, 2012, by Beverly K. Bridges, City Clerk, City of Las Vegas, Nevada.

_____
Notary Public

(SEAL)

EXHIBIT I

STATE OF NEVADA)
:ss.
COUNTY OF CLARK)

AFFIDAVIT OF MAILING NOTICE OF SALE

The undersigned _____, the _____ of Assessment Management Group of the City of Las Vegas, Nevada, hereby swears on oath or affirmation:

1. Pursuant to Section 3 of the resolution attached hereto, I mailed a Notice in substantially the form attached on the attachment hereto marked Exhibit 2 to the persons described in paragraph 2 hereof on January 4, 2012, being at least 20 days before the sale, which was held on January 24, 2012.

2. The Notice was mailed by certified mail to each owner of a parcel which was subject to the sale, and to each person who has property interest in any of the property subject to the sale that is recorded in the records of the County Recorder.

3. Receipts from the certified mailing and this affidavit will be retained in the records of the City for Districts 404, 707, 808, 809, and various other districts until all of the assessments for those Districts and all bonds pertaining thereto have been paid in full.

Dated this ___ day of _____, 2012.

.

ASSESSMENT MANAGEMENT GROUP

_____

Title:_____

SUBSCRIBED AND SWORN TO before me this ____ day of _____, 2012, by _____, _____ of Assessment Management Group.

_____

Notary Public

(SEAL)

EXHIBIT II

(Attach Copy of Notice as Mailed)

City of Las Vegas Agenda Item No.: **35.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

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

SUBJECT:
ADMINISTRATIVE:

ABEYANCE ITEM - Discussion for possible action regarding the Fire Training Services Interlocal Agreement between Las Vegas Fire & Rescue (LVFR) and the North Las Vegas Fire Department (NLVFD) regarding joint and cooperative uses of fire training operations ($30,885 – General Fund) – All Wards

Fiscal Impact

☐ **No Impact** ☒ **Augmentation Required**
☐ **Budget Funds Available**
Amount: $30,885
Funding Source: General Fund
Dept./Division: Fire Services / Support Division

PURPOSE/BACKGROUND:
This Fire Training Services Interlocal Agreement authorizes LVFR and NLVFD to enter into an agreement for the joint and cooperative use of fire training assets. LVFR and NLVFD have determined that it is currently most efficient and in the best interests of their respective citizens to operate a joint training center by appointing an Assistant Chief to oversee such joint training. This measure was also recommended in the Managing Partners report. This item was held in Abeyance from the August 17, 2011 City Council Meeting

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
Fire Training Services Interlocal Agreement

FIRE TRAINING SHARED SERVICES INTERLOCAL AGREEMENT BETWEEN THE CITY OF LAS VEGAS AND THE CITY OF NORTH LAS VEGAS

This Fire Training Shared Services Interlocal Agreement between the City of Las Vegas and the City of North Las Vegas (this "Agreement") is made by the City of Las Vegas, a municipal corporation of the State of Nevada ("Las Vegas") and the City of North Las Vegas, a municipal corporation of the State of Nevada ("North Las Vegas"), (singularly, a "Party" and collectively, the "Parties") and is dated, for reference, as of the date on which the last of the Parties approves this Agreement.

RECITALS

WHEREAS, NRS 277.180(1) authorizes any one or more public agencies to contract with any one or more other public agencies to perform any governmental service, activity or undertaking which any of the public agencies entering into the contract is authorized by law to perform;

WHEREAS, the City of Las Vegas and the City of North Las Vegas are each authorized by law to provide training to their respective firefighters; and

WHEREAS, the Parties have determined that it is currently most efficient and in the best interests of their respective citizens to operate a joint fire training operation by appointing an Assistant Chief (the "Assistant Chief") to oversee such joint fire training.

NOW, THEREFORE, in consideration of the mutual promises of this Agreement, and for other good and valuable consideration, the receipt and sufficiency the Parties acknowledge, the Parties agree as follows:

ARTICLE I
PROVISION OF TRAINING SERVICES

1.1 Training Services. The City of Las Vegas and the City of North Las Vegas shall jointly coordinate all training for all members of the City of Las Vegas Department of Fire and Rescue ("CLVFR") and the City of North Las Vegas Fire Department ("NLVFD") by nominating a member of the North Las Vegas Fire Department for promotion to the rank of Assistant Chief, and assigning such person to facilitate training for both fire departments pursuant to a plan to be created by a joint committee populated by members of each fire department.

Such person shall locate his primary office at the CLVFR Fire Training Center, 633 N. Mojave Rd, Las Vegas, NV, 89101 (the "Shared Services Training Chief" or "SSTC") upon approval of such nomination by the CLVFR Fire Chief as provided below.

(a) Appointment of SSTC. The SSTC shall be nominated by the NLVFD Fire Chief and approved by the CLVFR Fire Chief. If the respective Fire Chiefs cannot agree upon a Shared Services Training Chief, this agreement is null and void. If the SSTC chosen by

the Fire Chiefs vacates his position, the NLVFD shall nominate another person to fill the vacated position in writing to the CLVFR Fire Chief. If the CVLFR Fire Chief does not approve of the nomination within fourteen (14) calendar days of the nomination, this agreement is terminated at the close of business on the 14th calendar day after such nomination.

1.2 Operational Plan. The SSTC shall oversee any and all training of Las Vegas and North Las Vegas Firefighters as delineated in a shared services operational fire training plan (the "Operational Plan") to be drafted jointly by the Shared Services Training Oversight Committee ("SSTOC"). The SSTOC shall be comprised of one Deputy Chief from each entity, the SSTC, and one subject matter expert from each entity.

Such Operational Plan shall be approved by each Fire Chief within ninety (90) calendar days of the effective date of this Agreement, or this Agreement is null and void.

1.3 Interpretation of the Operational Plan; Amendment of the Operational Plan.

(a) Interpretation. If there is a conflict between the terms of this Agreement and the Operational Plan, the terms of this Agreement shall control.

(b) Amendment. The Operational Plan may only be amended upon submission of the proposed amendments to the SSTOC for review of such amendments and subsequent approval of the proposed amendments by each Fire Chief.

1.4 Command and Control; Independent Relationship. The Parties acknowledge that the SSTC is, and shall only be, an employee of the City of North Las Vegas for any and all purposes. This Agreement in no way shall be construed to interpret action or inaction by the SSTC as an action or inaction of an employee of the City of Las Vegas. The SSTC shall report to the North Las Vegas Fire Chief, but shall, upon direction by the North Las Vegas Fire Chief, respond to direction from the Las Vegas Fire Chief and his Deputy Fire Chiefs.

1.5 Other Services. The Assistant Chief shall only provide to the City of Las Vegas Fire Department those services as provided by, and within the scope of the Operational Plan. The SSTC is not an employee of the City of Las Vegas and shall not provide any other services for the City of Las Vegas.

ARTICLE II
PAYMENT OF EXPENSES

2.1 Consideration. The City of Las Vegas shall pay to the City of North Las Vegas a sum of money equal to the difference between the current North Las Vegas Fire Accreditation/ISO Coordinator title with total annual compensation of $126,039.00 and the current North Las Vegas Assistant Fire Chief title with total annual compensation of $156,924.00 if the nominated person is found to be PERS-Public Safety Eligible, or a total compensation of $137,792.00 if the nominated person is not found to be PERS

Public Safety Eligible, whether such sum is increased or decreased from year to year[1]. The City of Las Vegas will submit half of such salary difference on June 30th of each year and again on December 30th of each year.

No matter what salary or benefit increases may occur at the North Las Vegas Fire Department, the Parties agree and acknowledge that the City of Las Vegas shall not provide an increase of greater than 3% on an annual basis. For example, if the difference between the current NLV Assistant Chief total compensation package and the current Fire Accreditation/ISO Coordinator total compensation package exceeds a 3% increase on a year-to-year basis, the City of Las Vegas is only obligated to increase the payment to the City of North Las Vegas by 3%.

2.2 Reports and Audits. Either of the Parties may audit any expenses, budgets, costs, statistics, data, or other records retained by the SSTC by submitting its request to the Fire Chief of the other Party in writing. Each Party shall provide reasonable access to any records requested by any Party related to the SSTC. The Party requesting the audit bears the sole cost and expense for the audit including copying records, compiling data, or running reports not otherwise readily available.

ARTICLE III
TERMINATION

3.1 Notice of Intent to Terminate. Except as otherwise provided in this Agreement, the City Manager of either Party may terminate this Agreement by providing a written Notice of Intent to Terminate not less than one calendar year prior to proposed termination of the Agreement. Such notice shall be delivered prior to close of business on July 1 of the year prior to the proposed date of termination. For example, if one Party desired to terminate this relationship with the other Party in 2013, such notice would need to be delivered from the terminating Party to the receiving Party prior to July 1, 2012.

ARTICLE IV
GENERAL PROVISIONS

4.1 Indemnification.

(a) Indemnification of Las Vegas. As the SSTC is a North Las Vegas employee, North Las Vegas acknowledges full legal responsibility for its employee, except as otherwise provided herein. As such, North Las Vegas hereby agrees to fully indemnify,

[1] The City of Las Vegas will pay the difference in total compensation in either circumstance. However, the City of Las Vegas will only pay the difference between the current total compensation of $126,039.00 and the Non-PERS public safety eligible total compensation of $137,792.00 until such time as the City of North Las Vegas shows that the nominated person is PERS Public Safety eligible. If the nominated person is currently PERS Public Safety eligible, then nothing further is necessary. If the nominated person is not currently PERS Public Safety Eligible, then the City of North Las Vegas must receive approval from NV PERS for the transition from Non-Public safety eligible to Public Safety eligible before the City of Las Vegas will pay any additional monies.

pay any and all costs to defend and hold Las Vegas, its officers, employees and agents, harmless from and against any and all claims, damages, losses, expenses, suits, actions, decrees, judgments, awards, attorneys' fees and court costs for any claims against Las Vegas by any party related to the obligations, actions or inactions of the SSTC as provided by this Agreement. Such indemnification survives any termination or expiration of this Agreement.

(b) Exclusion to Full Indemnification by North Las Vegas. North Las Vegas shall not be required to indemnify, pay any and all costs to defend and hold Las Vegas, its officers, employees and agents, harmless from those claims, damages, losses, expenses, suits, actions, decrees, judgments, awards, attorneys' fees and court costs relating to actions by the SSTC when the claim, damage, loss, expense, suit, action, decree judgment, award, attorney's fee or court cost is directly related to actions or inactions of the SSTC when the SSTC is acting pursuant to and within the scope of the Operational Plan. The Parties agree that this exclusion is to be interpreted narrowly, and North Las Vegas shall only be permitted to deny indemnification is the action or lawsuit asserted is solely related to the Operational Plan.

4.2 Duration. This Agreement becomes effective upon approval of the Parties' governing bodies and remains in effect for four (4) years from the effective date.

4.3 Governing Law. The laws of the State of Nevada govern this Agreement.

4.4 Amendment. The Parties may amend this Agreement only by written agreement executed by the Parties.

4.5 Notice. A Party gives notice when it deposits the notice in the U.S. Mail, postage prepaid, or when it hand delivers the notice to the addresses below, simultaneously with a copy to the respective Parties' Fire Chief and attorney's offices:

LAS VEGAS:
City Manager
400 E. Stewart Avenue
Las Vegas, Nevada 89101

NORTH LAS VEGAS:
City Manager
2200 Civic Center Drive
North Las Vegas, Nevada 89030

4.6 No Third Party Beneficiaries. No party intends to benefit any person who is not named as a party to this Agreement, to assume any special duty to supervise the operations of another party, to provide for the safety of any specific person, or to assume any other duty other than that imposed by general law.

4.7 Counterparts. The Parties may execute this Agreement in counterparts.

SIGNATURE PAGE
TRAINING SERVICES INTERLOCAL AGREEMENT

CITY OF LAS VEGAS

By: _____ Date: _____
Carolyn Goodman, Mayor

ATTEST:

By: _____
Beverly Bridges, City Clerk, MMC

APPROVED AS TO FORM:
BRADFORD JERBIC, CITY ATTORNEY

By: _____
James B. Lewis, Deputy City Attorney

CITY OF NORTH LAS VEGAS

By: _____ Date: _____
Shari L. Buck, Mayor

ATTEST:

By: _____
Karen L. Storms, CMC, City Clerk

APPROVED AS TO FORM:

By: _____
Jeffrey Barr, Acting City Attorney

City of Las Vegas Agenda Item No.: **36.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: ECONOMIC AND URBAN DEVELOPMENT
DIRECTOR: WILLIAM ARENT ☐ **Consent** ☒ **Discussion**

SUBJECT:
RESOLUTIONS:

R-37-2011 - Discussion for possible action regarding a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) concerning an Interlocal Agreement between the City of Las Vegas and the City of Las Vegas Redevelopment Agency (RDA) for the RDA to provide funding for the reopening of F Street at I-15 ($2,500,000 - RDA Special Revenue Fund) - Ward 5 (Barlow) [NOTE: This item is related to RDA Item 5 (RA-6-2011)]

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**

Amount: $2,500,000
Funding Source: RDA Special Revenue Fund
Dept./Division: Economic and Urban Development/RDA

PURPOSE/BACKGROUND:
Pursuant to Section 32, Subsection 2 of the Nevada Assembly Bill 304 of the 2009 Nevada Legislature, the state has required the City of Las Vegas to contract for the design of the project to reopen F Street using $2,500,000 in funds from the Redevelopment Agency. This Resolution authorizes transfer of the Redevelopment Agency funds to the City of Las Vegas for this purpose.

RECOMMENDATION:
Staff recommends approval of this Resolution and to authorize its execution on behalf of the City.

BACKUP DOCUMENTATION:
Resolution No. R-37-2011

RESOLUTION NO._____

RESOLUTION CONSENTING TO THE UNDERTAKINGS OF THE CITY OF LAS VEGAS REDEVELOPMENT AGENCY REGARDING THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF LAS VEGAS REDEVELOPMENT AGENCY AND THE CITY OF LAS VEGAS TO PROVIDE FUNDING FOR THE REOPENING OF F STREET

WHEREAS, the City of Las Vegas Redevelopment Agency (the "RDA") adopted on March 5, 1986, that plan of redevelopment entitled, to-wit: the Redevelopment Plan for the Downtown Las Vegas Redevelopment Area pursuant to Ordinance 3218, which Redevelopment Plan has been subsequently amended on February 3, 1988, by Ordinance 3339; April 11, 1992, by Ordinance 3637, on November 4, 1996, by Ordinance 4036, on December 17, 2003, by Ordinance 5652 and on May 17, 2006, by Ordinance 5830 (the "Redevelopment Plan"); and

WHEREAS, the Redevelopment Plan identifies and designates an area within the corporate boundaries of the City of Las Vegas (the "Redevelopment Area") as in need of redevelopment in order to eliminate the environmental deficiencies and blight existing therein; and

WHEREAS, NRS 277.180 provides that any one or more public agencies may contract with any one or more other public agencies to perform any governmental service, activity, or undertaking which any of the public agencies entering into the contract is authorized by law to perform; and

WHEREAS, NRS 279.486 provides that an agency may, with the consent of the legislative body, pay all or part of the value of the land for and the cost of the construction of any building, facility, structure or other improvement and installation of any improvement which is publicly or privately owned and located within or without the redevelopment area; and

WHEREAS, the City intends to reopen F Street (herein the "Project") pursuant to Assembly Bill 304 (2009), which is an act relating to development making various changes pertaining to the preservation of historic neighborhoods; revising certain provisions concerning the Southern Nevada Enterprise Community; requiring the City of Las Vegas and the Nevada Department of Transportation to cooperate to reopen a certain street; and providing other matters properly relating thereto; and

WHEREAS, A.B.304 Section 32.2 requires the City of Las Vegas to contract to design the construction of the Project to reopen F Street up to a maximum of $2.5 million, using funds from the RDA for this purpose and the Nevada Department of Transportation to assist in funding any portion of the design cost exceeding $2.5 million; and

WHEREAS, under existing law, certain plans and zoning regulations must incorporate the consideration of certain policies, including the protection of existing neighborhoods and communities. (NRS 268.190, 278.02528, 278.0274, 278.150, 278.160, 278.170, 278.250); and

WHEREAS, the Project is located on F Street at I-15 and will encompass surface streets generally between Washington Avenue on the north, Bonanza Avenue on the south and D Street on the east. F Street will generally be the west limit. The Project will focus on reestablishing the through access of F Street under I-15; and

WHEREAS, the RDA is able to provide funds to the City to initiate the design of construction for the reopening of F Street, subject to the terms of an Interlocal Agreement, the form of which is attached hereto as Exhibit "A"; and

WHEREAS, the City is willing to accept such funding to reopen F Street on the terms and conditions set forth in the Interlocal Agreement, and pursuant to the amended Las Vegas 2020 Master Plan;

WHEREAS, the RDA has determined that the infrastructure improvements are of benefit to the redevelopment area or the immediate neighborhood in which the redevelopment area is located because the City's development is likely (1) to encourage the creation of new business or other appropriate development; (2) increase levels of human activity in the area around the Project; and (3) demonstrate greater social benefits to the community.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City Council of the City of Las Vegas hereby finds and determines that the Project is of benefit to the Redevelopment Area or the immediate neighborhood in which the Redevelopment Area is located; and

RESOLVED FURTHER, that the City Council of the City of Las Vegas hereby finds and determines there are no reasonable means of financing those improvements for the Project; and

RESOLVED FURTHER, that the City Council of the City of Las Vegas hereby consents to the undertakings of the RDA and the City in connection with the Interlocal Agreement for funding the development of the Project; and

RESOLVED FURTHER, that the City Council of the City of Las Vegas hereby approves the Interlocal Agreement attached as Exhibit "A" and authorizes the Mayor and City Clerk to execute the same and any documents related thereto.

THE FOREGOING RESOLUTION was passed, adopted and approved this _____ day of _____, 2011.

CITY OF LAS VEGAS

By: _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, MMC, City Clerk

APPROVED AS TO FORM:

J. Pandullo 8/17/11
Date

EXHIBIT "A"
INTERLOCAL AGREEMENT
BETWEEN THE CITY OF LAS VEGAS AND
THE CITY OF LAS VEGAS REDEVELOPMENT AGENCY TO PROVIDE FUNDING
FOR THE REOPENING OF F STREET PROJECT

THIS INTERLOCAL AGREEMENT is made and entered into this _____ day of _____, 2011 by and between the CITY OF LAS VEGAS, a municipal corporation within the State of Nevada ("City") and the CITY OF LAS VEGAS REDEVELOPMENT AGENCY, a public body in the State of Nevada ("RDA"). The City and RDA are individually referred to as a "Party" and collectively as the "Parties".

WITNESSETH:

WHEREAS, the City intends to reopen F Street (herein the "Project") pursuant to Assembly Bill (A.B.) 304 (2009), which is an act relating to development making various changes pertaining to the preservation of historic neighborhoods; revising certain provisions concerning the Southern Nevada Enterprise Community; requiring the City of Las Vegas and the Nevada Department of Transportation to cooperate to reopen a certain street; and providing other matters properly relating thereto; and

WHEREAS, A.B.304 Section 32.2 requires the City of Las Vegas to contract to design the construction of the project to reopen F Street up to a maximum of $2.5 million, using funds from the RDA for this purpose and the Nevada Department of Transportation to assist in funding any portion of the design cost exceeding $2.5 million; and

WHEREAS, under existing law, certain plans and zoning regulations must incorporate the consideration of certain policies, including the protection of existing neighborhoods and communities (NRS 268.190, 278.02528, 278.0274, 278.150, 278.160, 278.170, 278.250); and

WHEREAS, the RDA adopted on March 5, 1986, that plan of redevelopment entitled, to-wit: the Redevelopment Plan for the Downtown Las Vegas Redevelopment Area pursuant to Ordinance 3218, which Redevelopment Plan has been subsequently amended on February 3, 1988, by Ordinance 3339; April 11, 1992, by Ordinance 3637, on November 4, 1996, on December 17, 2003, by Ordinance 5652 and on May 17, 2006, by Ordinance 5830 (collectively the "Redevelopment Plan"); and

WHEREAS, pursuant to NRS 279.432 and Section III, Subsection H of the City of Las Vegas Redevelopment Plan, the City is authorized to take certain actions for the purpose of aiding and cooperating in the planning, undertaking, construction and operation of redevelopment projects located within the Redevelopment Area; and

WHEREAS, NRS 279.486 provides in effect that: (1) if the value of any land or cost of construction of any building, facility, structure or other improvement, or the installation of any improvement has been or will be paid or provided initially by the city, the agency may enter into a contract with the city under which it agrees to reimburse the city for all or a part of the value of

that land or of the cost of the building, facility, structure, other improvement, or both, by periodic payments over a period of years; and (2) the obligation of the agency under that contract constitutes an indebtedness of the agency which may be payable out of taxes levied and collected and allocated to the agency under paragraph 1(b) of subsection 1 of NRS 279.676 or out of any other available money; and

WHEREAS, NRS 279.486 permits an agency, with the consent of the city council, to pay all or a part of the value of land for the cost of the construction of any building, facility, structure or other improvement and the installation of any improvement which is publicly or privately owned within or without the redevelopment area; and

WHEREAS, NRS 277.180 provides that any one or more public agencies may contract with any one or more other public agencies to perform any governmental service, activity, or undertaking which any of the public agencies entering into the contract is authorized by law to perform; and

WHEREAS, the RDA has determined that it is in the best interests of the community and the mission of the RDA to provide funding for the reopening of F street for the general benefit of the community; and

WHEREAS, the RDA is able to provide funds to the City to initiate the design for construction for the reopening of F street, subject to the terms of this Interlocal Agreement; and

WHEREAS, the City is willing to accept such funding for the reopening of F Street on the terms and conditions set forth in this Interlocal Agreement, and pursuant to the Las Vegas 2020 Master Plan as amended.

NOW, THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1. The Project is located on F Street at I-15 and will encompass surface streets generally between Washington Avenue on the north, Bonanza Avenue on the south and D Street on the east. F Street will generally be the west limit. The Project will focus on reestablishing the through access of F Street under I-15.

2. The RDA shall provide the City with a contribution of Two Million and Five Hundred Thousand Dollars ($2,500,000) ("RDA Contribution Funds") to be utilized by the City for the Project. The RDA shall provide the RDA Contribution Funds to the City, provided that the City complies with the requirements of this Interlocal Agreement. The RDA shall not provide any additional funding for the Project other than the RDA Contribution Funds provided herein. The RDA funding shall be treated as a loan, advancement of money or indebtedness for purposes of NRS 279.676(1)(b).

3. The RDA's obligation to pay the funding shall be subordinate to all existing and future indebtedness and other financial obligations of the RDA for borrowed money whether evidenced by bonds, notes or agreements (such existing and future indebtedness and other financial obligations are herein referred to as the "Superior Lien Obligations".) The RDA hereby pledges to the payment of the obligations of this Interlocal Agreement the non-housing portion of

the taxes it receives pursuant to NRS 279.676 (b) after payment of the Superior Lien Obligations. The lien of the pledge made by this Section on the non-housing portion of such taxes is subordinate and junior to the lien of all Superior Lien Obligations of such taxes.

4. The RDA Contribution Funds provided herein shall be available to be disbursed to the City for a period of five (5) years from the date of this Interlocal Agreement ("Effective Date") unless, upon request by the City, the term is extended by the RDA Governing Board. Except for any provisions which survive the expiration or termination of this Interlocal Agreement or any extensions of the term, this Interlocal Agreement shall terminate upon the satisfactory completion of the Project to be funded by the RDA Contribution Funds or the fifth anniversary date from the Effective Date, whichever occurs first.

5. This Agreement is for the benefit of the Parties only. No person or entity is intended to ever be a third party beneficiary of this Agreement.

6. If either Party fails to make any payment due hereunder within the time specified herein, or either Party fails to abide by the provisions of this Agreement, this Agreement may be enforced by the other Party hereto in a court of competent jurisdiction to enforce the provisions of this Agreement, for damages or to obtain any other remedy that may be available in law or in equity, including specific performance of the provisions of this Agreement. The provisions of this Section are not intended as a limitation on the remedies that may be available in case of breach of this Agreement.

7. No failure or delay on the part of any Party to this Agreement to enforce the provisions hereof shall operate as a waiver thereof, nor shall a single or partial enforcement of any provision hereof preclude any other or further enforcement or exercise of any other right, power or remedy that any party of this Agreement may have.

8. Time is of the essence to this Agreement. Each Party agrees that it shall perform all of its obligations under this Agreement promptly when required.

9. This Agreement shall be binding upon and inure to the benefit of the Parties and their respective successors and their assigns. No assignment of this Agreement or any right or obligation hereunder by any of the Parties shall be valid unless the other Party consents to that assignment in writing.

10. This Agreement may be modified at any time by the Parties, but only by a written instrument signed by each of the Parties.

11. If any provision of this Agreement is deemed to be invalid or unenforceable, the invalidity or unenforceability shall not affect the remaining provisions of this Agreement that can be given effect without the invalid or unenforceable provision, and the Parties agree to replace the invalid or unenforceable provision with a valid provision which has as nearly as possible the same effect.

12. This Agreement may be executed in one or more counterparts, each of which shall be regarded as the original and all of which shall constitute the same agreement.

13. By approving and executing this Agreement, the City has authorized and consented to undertakings of the RDA and finding that these actions are in compliance with and furtherance of the Redevelopment Plan.

14. Any notice or other communication hereunder shall be transmitted to the attention of the respective Managers of the Parties at the following addresses:

City of Las Vegas, Nevada
400 Stewart Avenue
Las Vegas, Nevada 89101
Attn: City Manager

City of Las Vegas Redevelopment Agency
400 Stewart, 2nd Floor
Las Vegas, Nevada 89101
Attn: Chief Operations Officer

A copy of each notice to the other party shall also be sent to the attention of the Finance Director of the City and to the attention of the Chief Financial Officer of the RDA at the above addresses.

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. . .

. . .

IN WITNESS WHEREOF, the Parties have hereunto set their hands and seals as of the date first written above.

CITY OF LAS VEGAS
REDEVELOPMENT AGENCY

By: _____
Carolyn G. Goodman, Chairman

ATTEST:

_____
Beverly K. Bridges, MMC, Secretary

APPROVED AS TO FORM:

_____
Date

CITY OF LAS VEGAS

By: _____
Carolyn G. Goodman, Mayor

ATTEST:

_____
Beverly K. Bridges, MMC, City Clerk

APPROVED AS TO FORM:

_____
Date

City of Las Vegas Agenda Item No.: **37.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

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

SUBJECT:
BOARDS & COMMISSIONS:

ABEYANCE ITEM - PLANNING COMMISSION - For Possible Action - Byron A. Goynes - Term Expiration 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. Goynes was appointed by Councilman Barlow for a second full term on 6-20-2007. This item was held in Abeyance from the August 3, 2011 City Council meeting.

RECOMMENDATION:
Procedure for this Board is a recommendation by the appropriate member of Council with the approval of Council. Options are:
Councilman Barlow to appoint a member for this seat

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

RECEIVED
CITY CLERK
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

_____

For office use only

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.

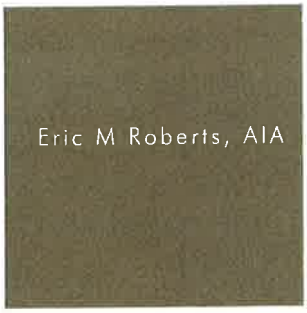
In the summer of 2005 Eric came to Las Vegas permanently as an employee of SHARCHITECTURE. One of his first tasks was to find Randy Lavigne and offer his services to help the local chapter of the AIA. He also quickly began working on his professional credentials and in August of 2005 he achieved LEED 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.

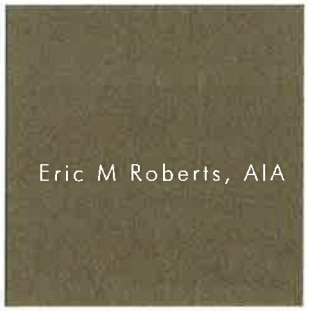


In the brief time that Eric has been working toward furthering the influence of architects on the state of Nevada's political landscape; architects have been asked to serve on Harry Reid's Blue Ribbon sustainability committee, the Governor's special budget committee and to testify on the floor of the 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.: **38.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

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

SUBJECT:
BOARDS & COMMISSIONS:

ABEYANCE ITEM - SENIOR CITIZENS ADVISORY BOARD - For Possible Action - Fran Drewrey - Term Expiration 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. Ms. Drewrey was appointed 9-5-2007 by Councilman Reese and is eligible for reappointment. This item was held in Abeyance from the August 3, 2011 City Council meeting.

RECOMMENDATION:
Procedure for this Board is a recommendation by the appropriate member of Council with the approval of Council. Options are:
Councilman Coffin to reappoint Ms. Drewrey 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.: **39.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

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

SUBJECT:
BOARDS & COMMISSIONS:

Discussion for possible action regarding member appointments to the City of Las Vegas Citizens Advisory Committee to the Las Vegas Redevelopment Agency - Wards 1, 3 and 5 (Tarkanian, Coffin and Barlow)

Fiscal Impact

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

PURPOSE/BACKGROUND:
The City of Las Vegas Citizens Advisory Committee to the Las Vegas Redevelopment Agency (CAC) is to act in an advisory capacity and to provide input to the Redevelopment Agency (RDA) and the City of Las Vegas (City) on matters relating to the RDA's proposed projects and programs. The CAC shall consist of nine members appointed by the City Council, who will serve without compensation. Members must work in the RDA area and/or live in or near the RDA area; they must represent small business owners, real estate, development, homeowners, renters/condo owners, educators along with a community member from each of the three Wards within the RDA area. Terms shall be for three years; with six members having initial staggered terms, and limited to two full and consecutive terms. The City Clerk received 23 qualified applicants for membership. The creation of the CAC and original by-laws were approved by the City Council on 8/4/2010. The CAC by-laws were amended on 12/1/2010 and 6/15/2011.

RECOMMENDATION:
Appoint representatives from the following categories from the List of Qualified Applicants: Small Business, Real Estate Professional, Development Community, Single Family Resident, Apartment/Condo Resident and Community members from Wards 1, 3 and 5.

BACKUP DOCUMENTATION:
1. List of Qualified Applicants
2. Second Amendment to By-Laws of the CAC

LIST OF MEMBERS IN NOMINATION
TO THE CITY OF LAS VEGAS
CITIZENS ADVISORY COMMITTEE
TO THE LAS VEGAS REDEVELOPMENT AGENCY
Updated: August 17, 2011

NAME	AFFILIATION	a. Small Business Owner	b. Real Estate Professional	c. Development Community	d. Single Family Resident	e. Apartment/ Condo Resident	f. Educator/ Community Leader	g. Ward 1 Representative	h. Ward 3 Representative	i. Ward 5 Representative
Bonaventure, James	Dtr. of Legal Affairs Culinary Workers Union								work	
Burch, Valencia	Child Care Subsidy Supervisor Las Vegas Urban League									Work
Cherry, Sam	Business Owner/Developer			work		home			work/ home	
Clary, Melissa R.	Veterans Affairs Management Analyst				home					
Cornthwaite, Michael	Business Owner	work							home	
Edwards, James K.	Manager, Resident Agent, Engineer					home				home
Fisher, Paul K.	Inspector Nevada Inspection Services	work								work
Flores, Michael R.	Rental Property Owner Landlord								work	
Harden, James M. Jr.	Project Manager/Mentor LV Urban League									work
Jewkes, David	Commercial Real Estate Broker		work							
Johnson, William G.	Business Co-Owner Retro Vegas	work							work/ home	

NAME	AFFILIATION	a. Small Business Owner	b. Real Estate Professional	c. Development Community	d. Single Family Resident	e. Apartment/ Condo Resident	f. Educator/ Community Leader	g. Ward 1 Representative	h. Ward 3 Representative	i. Ward 5 Representative
Kovacs, Albert Z.	Real Estate Attorney Brownstein Hyatt Farber Schreck		work							
Mack, Lois	Mediator Self-Employed	work			home					home
Muniz, Anthony Tyler	Volunteer Local 18b Collective								work/ home	
Napoleon, Louis J.	Retired Employment Trainer					home				home
Parks, Michael R.	Real Estate Professional					home			home	
Perez-Yunitis, Margarita	Customer Service Rep One Stop Motors							work		
Sprague, R. Brandon	Architect Aptus			work						
Stalk, Arnold PhD	Urban Design Consultant Self-Employed	work								work
Weaver, Christopher F.	General Partner Don Vicente Cigar Co.	work							work	
Welsh, Michael James	Business Owner Hillary Salon	work							work/ home	
Worthington, Richard S.	Developer Molasky Group of Companies			work						
Zurawski, Linda A.	Business Owner Independence Mint	work						home		

SECOND AMENDMENT TO BY-LAWS
CITY OF LAS VEGAS
CITIZENS ADVISORY COMMITTEE
TO THE LAS VEGAS REDEVELOPMENT AGENCY
(REVISED JUNE 15, 2011)

I. NAME

The name of the organization shall be the Citizens Advisory Committee to the Las Vegas Redevelopment Agency ("Redevelopment Agency") and City of Las Vegas ("City") (hereinafter referred to as the "Committee").

II. PURPOSE

The purpose of the Committee is to act in an advisory capacity and to provide input to the Redevelopment Agency and the City on matters relating to the Redevelopment Agency's proposed projects and programs.

The Committee is to represent the interests of the residents of each City Ward with Redevelopment Plan areas, renters, home owners, business owners, real estate professionals, educators and other stakeholders in key decisions relating to the Redevelopment Agency's Area and the Redevelopment Plan. The Committee gives the Redevelopment Agency staff input on its proposed projects and programs. The Committee may also propose new programs and projects for the consideration of the staff of the Redevelopment Agency. The Committee may be briefed each year on how the Redevelopment Agency annual and five year budget is derived from the Redevelopment Area and applied to the Plan as regards projects and programs, and the Committee may be updated occasionally throughout the year on the status of tax increment revenues. The Committee may provide input and may make recommendations to City staff and the Redevelopment Agency concerning the Redevelopment Area, and areas now outside the Plan area suitable for possible consideration for redevelopment in the future.

III. MEMBERSHIP

A. Number of Members

The Committee shall consist of nine (9) members who shall be appointed by the Las Vegas City Council. Members shall serve without compensation.

B. Composition of Committee

The Committee shall consist of the following:

a. One (1) small business owner or storefront business owner, who is active and whose business address is located in the Redevelopment Area.

b. One (1) licensed real estate professional which may include a real estate attorney or realtor who is active in real estate transactions, financing, or analysis and whose business address is located within the Redevelopment Area.

c. One (1) member from the development business community which may include an architect, developer or contractor active in building or developing projects in the Redevelopment Area and whose business address is located within the Redevelopment Area.

d. One (1) member who is a resident homeowner or primary dweller of a single family home located within 1,000 feet of the Redevelopment Area

e. One (1) member who is an apartment renter or condominium owner and resides within the Redevelopment Area.

f. One (1) member who is an educator or community leader working to benefit children who resides in or primarily works in the Redevelopment Area.

g. One (1) Ward 1 Community member, who resides in or whose business address is located in the Redevelopment Area and is selected by the Ward 1 Councilperson at the time of appointment.

h. One (1) Ward 3 Community member, who resides in or whose business address is located in the Redevelopment Area and is selected by the Ward 3 Councilperson at the time of appointment.

i. One (1) Ward 5 Community member, who resides in or whose business address is located in the Redevelopment Area and is selected by the Ward 5 Councilperson at the time of appointment.

C. Training of Committee Members

All new committee members must successfully complete an initial several hour training course. All members will take an annual refresher training course to review the same material, and get updates on any new redevelopment and city materials, policies, procedures and information relevant to the Committee.

The training will be led by senior members of the redevelopment agency and city staff. The subjects covered will include the concepts of American redevelopment, basis for American state's redevelopment law, the specifics of Nevada redevelopment laws, the creation and development of this redevelopment agency, the redevelopment plan and its components, how redevelopment works,

downtown and urban planning, commercial corridor planning and retail development, and concepts of community planning.

D. Vacancy on Committee

Whenever there is a vacancy on the Committee or the term of a member expires, or is terminated, his or her successor shall have the necessary qualifications so that the composition of the Committee as required by Section IIIB is maintained. Any person appointed by the City Council to fill a vacancy shall serve until the end of the unexpired term of his predecessor.

E. Terms of Appointment

a. Each of the members of the commission shall serve a term of three (3) years, except the three (3) members of Section III B d., e., and f. of the initial Committee shall serve a term of two (2) years, and the three (3) members of Section III B. g., h., and i. of the initial Committee shall serve a term of one (1) year, so that the terms of the membership shall be staggered.

b. No member may serve more than two (2) full consecutive three (3) terms. If applicable, a partial initial term of less than three (3) years of an unexpired portion of a term to which a member is appointed to fill shall not count towards the two (2) full consecutive three (3) year terms.

F. Resignation of Members

Any member may resign at any time by delivering a written resignation to the Chairman or Secretary of the Committee. The acceptance of any such resignation shall not be necessary to make the same effective.

G. Termination of Membership

If any member attends fewer than fifty percent of the meetings held within the twelve month period following the member's appointment or an anniversary date thereof or, without excuse, attends fewer than seventy-five percent of the meetings held within the twelve month period following the member's appointment or anniversary date thereof without authorization of the Chairman or Secretary, the Committee shall send a letter to the member suggesting his resignation. If said resignation is not forthcoming, the Committee may recommend to the City Council that the member be removed from the Committee. Pursuant to LVMC Section 2.52.030, the City Council shall notify the member to appear at the next regularly scheduled meeting of the City Council to show cause why the member should not be removed from office .have authority to remove a member by providing written notice of termination of membership to the member.

IV. OFFICERS

The officers of the Committee shall consist of a Chairman, Vice Chairman and Secretary. The above officers shall constitute the Executive Board.

V. ELECTION OF OFFICERS

The Chairman, Vice Chairman and Secretary shall be elected annually at the first regular meeting of the calendar year, except that in the case of the election of the first officers of the Committee, said election may occur at any meeting of the Committee following the first meeting. The officers shall be elected by a majority of the Committee members present at said meeting, the notice of which shall have specified such election. Unless an officer resigns, dies or is removed prior thereto, he shall hold office until his successor has been chosen.

The Director of the Economic and Urban Development Department of the City of Las Vegas or his/her designee shall serve as the recording secretary of the Committee at meetings. The recording secretary shall have neither voting privileges nor authority to execute documents on behalf of the Committee. The presence of the recording secretary shall not count towards a quorum at any meeting.

VI. RESIGNATION OF OFFICERS

Any officer may resign at any time by delivering a written resignation to the Chairman or Secretary of the Committee. The acceptance of any such resignation shall not be necessary to make the same effective.

VII. REMOVAL OF OFFICERS

Any officer may be removed with or without cause at any time by the affirmative vote of a majority of the members present at a regular or special meeting of the Committee, the notice of which shall have specified the proposed removal.

VIII. VACANCIES OF OFFICERS

Any vacancy in an office of Chairman, Vice-Chairman or Secretary may be filled for the unexpired portion of the term by the Committee.

IX. DUTIES OF OFFICERS

A. Chairman

It shall be the duty of the Chairman to act as presiding officer at all meetings unless he is incapacitated or unable to attend for any other reason. The Chairman may appoint subcommittees as deemed necessary. The Chairman shall have authority to execute documents on behalf of the Committee.

B. Vice Chairman

It shall be the duty of the Vice Chairman to preside at any meeting of the Committee and execute documents of behalf of the Committee in the absence of the Chairman.

C. Secretary

It shall be the duty of the Secretary to administer the affairs of the Committee including the overseeing the preparation of the minutes of the meetings by the recording secretary and attesting the execution of documents by the Chairman or Vice-Chairman. In the event that both the Chairman and Vice Chairman shall be incapacitated or otherwise unable to attend any regular or special meeting, the Secretary shall appoint another member to act as Chairman for that particular meeting.

X. MEETINGS

The Chairman shall call meetings of the Committee with at least five (5) business days notice to Committee members. All meetings and notices of meetings shall be in compliance with the Open Meeting Law set forth in NRS Chapter 241. The Director of the Economic and Urban Development Department or designee will assist the Committee with the preparation of the notices and agendas of the meetings

XI. QUORUM

The attendance of five (5) voting members of the Committee shall constitute a quorum at any meeting.

XII. ACTIONS

All determinations by the Committee shall be made on the basis of a majority vote of the members present. Decisions shall be determined either by a voice vote or a showing of hands at the discretion of the Chairman, except that any member including the Chairman shall have the right to demand a roll call vote upon any question. If a roll call is demanded, the specific vote of each member on the particular question shall be recorded in the Minutes of the meeting. Any tie vote shall constitute no action and a new motion may be made on the question at the same meeting. A second to a motion duly made is not required and all motions shall be voted upon. Robert's Rules of Order shall prevail in all cases that are not otherwise provided for in these By-Laws.

XIII. VOTING PRIVILEGES

All members of the Committee, including the Chairman, shall vote on all motions or resolutions presented before the Committee, unless a member(s) has a conflict of interest,

in which instance said member(s) shall abstain from voting. All members shall have the right to make a motion.

XIV. CONSTRUCTION OF BY-LAWS

Whenever the context so requires, the masculine shall include the feminine and neuter and the singular shall include the plural, and conversely. If any portion of these By-Laws shall be valid or inoperative, then so far as it is reasonable and possible:

A. The remainder of these By-Laws shall be considered valid and operative, and

B. Effect shall be given to the intent manifested by the portion held invalid or inoperative.

XV. ADOPTION AND AMENDMENTS

A. Adoption

These rules shall be adopted by a majority vote of the Las Vegas City Council at which the By-Laws are scheduled at a regular meeting for approval.

B. Amendments

These rules may be amended at any time by a majority vote of the members present at a Committee meeting provided such Amendments are not inconsistent with or in conflict with the City Charter or any Ordinance of the City of Las Vegas and provided further that any proposal to amend the Rules shall be presented to the Committee at a regular meeting, discussed and tabled, and be included on the Agenda for action by the Committee at the next regular meeting.

City of Las Vegas Agenda Item No.: **40.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC ☐ **Consent** ☒ **Discussion**

SUBJECT:
RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2011-32 - For Possible Action - Annexation No. ANX-41279 - Property location: At the southeast corner of Racel Street and Al Carrison Street; Petitioned by: Gilcrease Nature Sanctuary; Acreage: 9.33 acres; Zoned: R-A (County zoning), R-E (City equivalent). Sponsored by: Councilman Steven D. Ross

Fiscal Impact

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

PURPOSE/BACKGROUND:
The proposed ordinance annexes certain real property generally located at the southeast corner of Racel Street and Al Carrison Street. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (September 16, 2011) is set by this ordinance.

RECOMMENDATION:
ADOPTION at 9/7/2011 City Council meeting pursuant to the 8/16/2011 Recommending Committee Meeting.

First Reading 8/3/2011; First Publication – 8/25/2011

BACKUP DOCUMENTATION:
Bill No. 2011-32 and Location Map

BILL NO. 2011-32

ORDINANCE NO. _____

AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (ANX-41279)

Sponsored by: Councilman Steven D. Ross

Summary: Annexes property described generally as located at the southeast corner of Racel Street and Al Carrison Street.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are hereby extended to annex, include, and make a part of the City of Las Vegas, Nevada, the following described real property:

> Those portions of the South Half (S 1/2) of the Southwest Quarter (SW 1/4) of Section 9, Township 19 South, Range 60 East, M.D.M., in the City of Las Vegas, County of Clark, State of Nevada, being legal #1 legal #2 and legal #3 as described by GRANT, BARGAIN, SALE, WARRANTY DEED, recorded in Book 19961227 as Instrument Number 01902 of Clark County, Nevada Records, described as follows:
>
> COMMENCING at the south one sixteenth (S 1/16) central corner of said Section 9, said corner also being the centerline intersection of RACEL STREET (30.00 feet wide as measured from centerline thereof) and CIMARRON ROAD (40.00 feet wide as measured from centerline thereof); thence along the north line of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of said Section 9 and the centerline of RACEL STREET, North 86°45'58" West 681.13 feet to the POINT OF BEGINNING; thence departing said centerline along the east line of the legal #3 of the aforementioned GRANT, BARGAIN, SALE, WARRANTY DEED, South 00°05'29" East 30.05 feet to the south line of said RACEL STREET; thence

continuing South 00°05'29" East 451.22 feet to the north line of LOT 1 of the Parcel Map in File 103, Page 69 of Clark County, Nevada Records; thence along the north line of LOT 1 and LOT 2 of said Parcel Map, North 86°45'58" West 785.90 feet to the centerline of AL CARRISON STREET (30.00 feet wide as measured from the centerline thereof); thence along the centerline of said AL CARRISON STREET, North 06°23'36" West 135.15 feet; thence departing said centerline, North 86°32'34" West 66.53 feet to the southwest corner of legal #2 of said GRANT, BARGAIN, SALE, WARRANTY DEED; thence along west line of said legal #2, North 00°02'12" East 309.73 feet to a point of intersection with a curve on the south line of said RACEL STREET, the radial line bears North 64°11'11" East; thence continuing North 00°02'12" East 37.78 feet to the centerline of said RACEL STREET also being the north line of the South Half (S 1/2) of the Southwest Quarter (SW 1/4) of said Section 9; thence along said north line, South 86°45'58" East 185.46 feet to the Southwest one sixteenth (SW 1/16) corner of said Section 9; thence continuing along said north line and the centerline of said RACEL STREET, South 86°45'58" East 681.03 feet to the POINT OF BEGINNING.

BASIS OF BEARING: North 86°45'58" West being the north line of the South Half (S 1/2) of the Southwest Quarter (SW 1/4) of Section 9, Township 19 South, Range 60 East, M.D.M., as shown on Record of Survey in File 68, Page 42 of Clark County, Nevada Records.

Prepared by:
Brian Yu, PLS
Department of Operations and Maintenance
Right-of-Way, City of Las Vegas
333 N. Rancho Drive, 8th floor
Las Vegas, NV 89106
byu@lasvegasnevada.gov

SECTION 2: The City Council hereby determines that the described territory meets the requirements provided by law for annexation to the City for the following reasons:

A. The area to be annexed was contiguous to the City's boundaries at the time the annexation proceedings were instituted;

B. More than one-eighth (1/8) of the aggregate external boundaries of the area are contiguous to the City;

C. The territory proposed to be annexed is not included within the boundaries of another incorporated city or within the boundaries of any unincorporated town as those boundaries existed as of July 1, 1983;

D. The City is eligible to annex the described territory since the landowners have signed a petition constituting one hundred percent

(100%) of the owners of record of individual lots or parcels of land within the annexation area.

SECTION 3: The City will provide police protection through the Las Vegas Metropolitan Police Department, fire protection, street maintenance, and library services immediately upon annexation. Garbage collection by the company franchised by the City will also be provided immediately. The City sanitary sewer system will serve the proposed annexation area. Any connection to or extension of this sewer line to serve the annexation area shall be at the expense of the landowners. Other services, such as participation in the City's recreational programs, special education classes and programs, public works planning, building inspections, and other City services will also be available immediately. Utilities such as gas, electricity, telephone, and water are provided by private utility companies and other services to the area will not be affected by annexation. Street paving, curbs and gutters, sidewalks and street lights which are not in place at the time of annexation will be installed in the presently developed areas upon the request of the property owners and at their expense by means of special assessment districts. Such improvements will be extended into the undeveloped areas as development takes place and the need therefor arises, and will be located according to the needs of the area at that time. Such installations will also be made at the expense of the property owners, either by means of special assessment districts or as prerequisites to the approval of subdivision plats, building permits or other land use or development applications.

SECTION 4: The annexation of the described territory shall become effective on the 16th day of September, 2011, and on that date the City will have the funds appropriated in sufficient amount to finance the extension into the described territory of police protection, fire protection, street maintenance, street sweeping, and street lighting maintenance.

SECTION 5: The described territory, together with the inhabitants and property thereof, shall, from and after the 16th day of September, 2011, be subject to all debts, laws, ordinances and regulations in force in the City and shall be entitled to the same

privileges and benefits as other parts of the City, and shall be subject to municipal taxes levied by the City.

SECTION 6: The City Engineer is hereby instructed to cause to be prepared an accurate map or plat of the described territory and to record the map or plat, together with a certified copy of this ordinance, in the office of the County Recorder of Clark County, Nevada, which recording shall be done prior to the 16th day of September, 2011.

SECTION 7: The described territory, which previously has been zoned R-A (County of Clark classification), is hereby classified as R-E (City of Las Vegas classification), which is deemed to be the City equivalent of the County classification.

SECTION 8: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional, or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

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SECTION 9: All ordinances or parts of ordinances, sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

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

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 7-19-11
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": _____

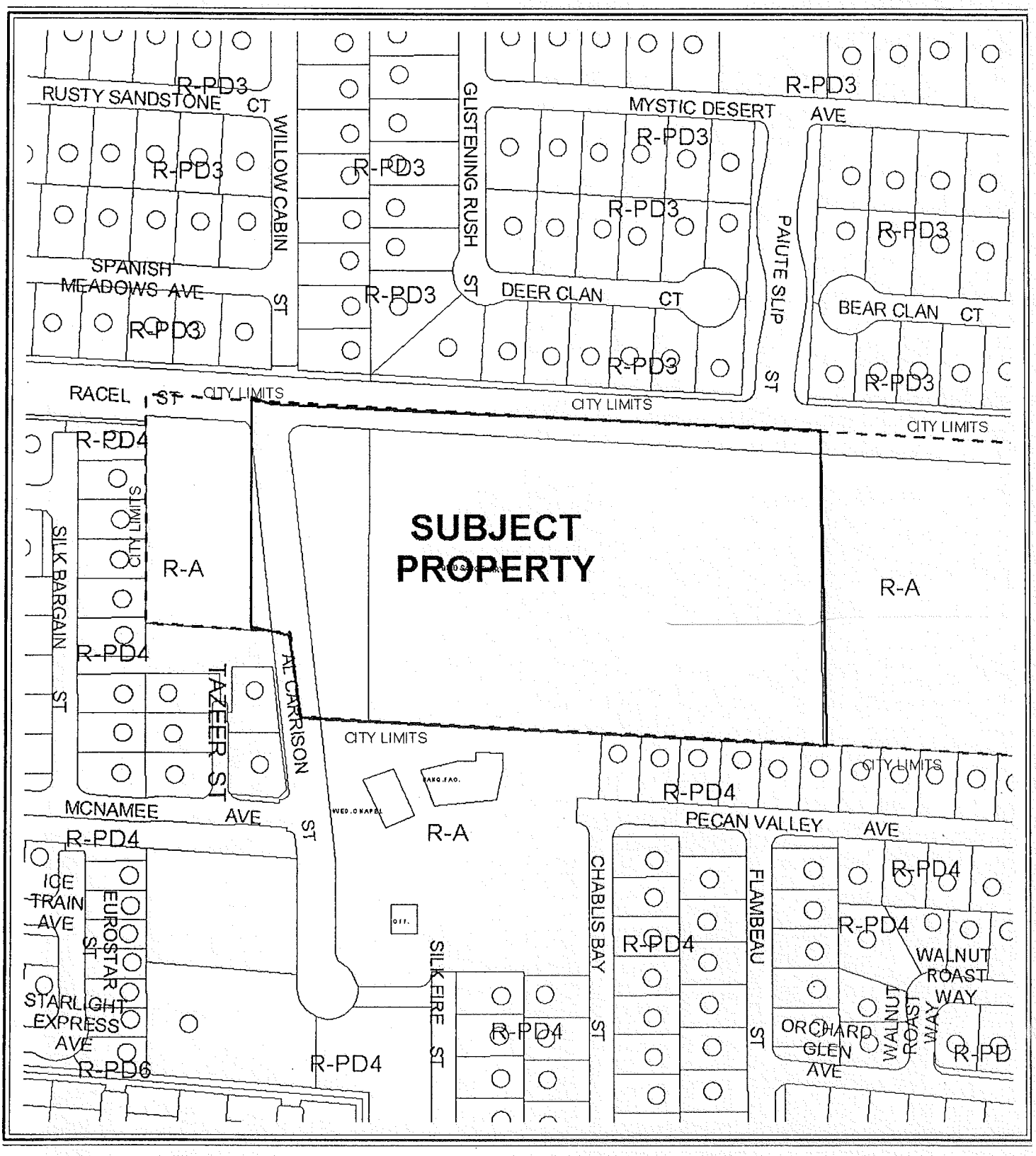
ABSENT: _____

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, MMC
City Clerk



CASE: **ANX-41279**

0 300 600 Feet

N

City of Las Vegas Agenda Item No.: **41.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC ☐ **Consent** ☒ **Discussion**

SUBJECT:
RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2011-33 - For Possible Action - Amends the Supplemental Document to the City's Administrative Code to repeal and replace the provisions pertaining to the Board of Appeals. Proposed by: Christopher Knight, Director of Building and Safety

Fiscal Impact

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

PURPOSE/BACKGROUND:
Last April the City Council adopted Ordinance No. 6140, which adopted an updated version of the City's Administrative Code pertaining to the administration of the City's building and technical codes. That ordinance included provisions establishing a board of appeals relating to the technical codes. This bill will replace the provisions regarding the board of appeals, establishing a board membership that will allow the board to function as the board of appeals for the technical codes and for the International Fire Code as well.

RECOMMENDATION:
ADOPTION at 9/7/2011 City Council meeting pursuant to the 8/16/2011 Recommending Committee Meeting.

First Reading 8/3/2011; First Publication – 8/25/2011

BACKUP DOCUMENTATION:
1. Bill No. 2011-33
2. Business Impact Statement

BILL NO. 2011-33

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE SUPPLEMENTAL DOCUMENT TO THE CITY'S ADMINISTRATIVE CODE TO REPEAL AND REPLACE THE PROVISIONS PERTAINING TO THE BOARD OF APPEALS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Christopher Knight, Director of Building and Safety

Summary: Amends the Supplemental Document to the City's Administrative Code to repeal and replace the provisions pertaining to the Board of Appeals.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: The document entitled "A Supplemental Document Amending the Uniform Administrative Code, 1997 Edition," which was most recently adopted by Ordinance No. 6140, is hereby amended as set forth in Section 2 of this Ordinance.

SECTION 2: Section 8 of the Supplemental Document referred to in Section 1 is hereby repealed and a new Section 8 is adopted in lieu thereof, reading as follows:

Section 8: Section 204 is hereby amended by deleting Section 204.1 and 204.2 and substituting therefor a new Section 204.1 and Subsections 204.1.1 through 204.1.7, reading as follows:

204.1 Board of Appeals. The Board of Appeals is created to hear and decide appeals of determinations made by the Building Official or Fire Marshal relative to the application and interpretation of the technical codes. The Board of Appeals is authorized to hear appeals relating to this Chapter and the technical codes, and to review proposed alternate materials and methods of construction. Members of the Board of Appeals shall be appointed by the Las Vegas City Council and, except as provided in the following sentence, shall serve a term of four years, or until their successors are appointed. With regard to the initial board membership, four members shall be appointed to three-year terms and the remainder to four-year terms. Members may be removed from office at any time by a majority vote of the City Council. Members shall serve without

compensation. No member shall sit in judgment regarding any matter concerning which the member has a direct financial interest.

204.1.1 Members. The members of the Board of Appeals shall be qualified by training and experience to decide matters pertaining to building construction and building service equipment, including matters pertaining to fire protection systems and hazards of fire, explosion and other hazardous conditions. The members shall not be employees of the City of Las Vegas, although the Building Official and Fire Marshal shall serve in an advisory capacity as ex-officio, non-voting members. The voting members of the Board of Appeals shall consist of the following:

1. One general contractor.
2. One electrical contractor or electrical engineer.
3. One mechanical or plumbing contractor.
4. One fire protection engineer.
5. One lay member.
6. One architect registered by the State of Nevada.
7. One structural engineer registered by the State of Nevada.
8. One fire protection system contractor.

204.1.2 Procedures. The Board of Appeals may adopt rules and procedures for conducting its hearings and investigations. A person (the appellant) who wishes to appeal a determination of the Building Official or Fire Marshal to the Board of Appeals shall submit a written request for appeal to the Building Official or Fire Marshal, as applicable. The Building Official or Fire Marshal, as applicable, shall provide the appellant a copy of the guidelines for preparing an appeal and a copy of any Board-adopted rules and procedures. The appellant is responsible to prepare the written appeal in compliance with the guidelines. In order to provide for timely hearing and resolution of appeals, the Building Official or Fire Marshal shall schedule a hearing before the Board upon

a determination of the Building Official or Fire Marshal that a written appeal is in substantial compliance with the Board guidelines for preparing an appeal. In addition to information and evidence submitted by the appellant, information and evidence may be submitted in support of the determination by the Building Official or Fire Marshal. The Board shall issue a written decision based on the evidence presented at the hearing. The decision shall be signed by the chairman of the Board and shall be filed with the Building Official or Fire Marshal, as applicable. A copy of the Board decision shall be delivered to the appellant in person or by U.S. Certified Mail.

204.1.3 Limitation and Scope of Authority. The Board of Appeals shall not have authority relative to the interpretation of the administrative provisions of this Chapter or the adopted administrative provisions of the technical codes, nor shall the Board be empowered to waive any requirements of this Chapter or the technical codes.

204.1.4 Tests. The appellant shall, at the appellant's expense, cause to be performed and produced any tests or research necessary to support appellant's claims before the Board of Appeals and any tests or research as may be required by the Board in its consideration of the claims of the appellant.

204.1.5 Liability. No member of the Board of Appeals shall be personally liable for any damage that may accrue to persons or property as a result of any good faith act or any good faith act omission in the discharge of the duties specified herein. Any suit brought against the Board or any member thereof resulting from such act or omission performed, or not performed, by a member of the Board acting in an official capacity in the performance of Board duties as specified in this Chapter shall be considered an act of the City of Las Vegas and shall be subject to all applicable immunities and rights conferred by law upon the City of Las Vegas, as well as subject to applicable City of Las Vegas liability self-insurance or insurance coverage.

204.1.6 Fees. In connection with any appeal under this Section 204, the appellant shall pay the applicable fees as set forth in the Fee Tables adopted under Section 304 of this Code, as adopted by the City.

204.1.7 Appeals under the Fire Code. The Board of Appeals may function as the Board of Appeals under Section 108 of the International Fire Code (IFC), as adopted by the City. When functioning as such, the Board of Appeals shall follow and be subject to the rules and procedures that govern under, or have been adopted pursuant to, the IFC. Appeals taken under the IFC shall be subject to all applicable rules, limitations, procedures and fees that have been adopted under the IFC.

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.

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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 7-19-11
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. 2011-33
(Amends the Supplemental Document to the City's Administrative Code to repeal and replace the provisions pertaining to the Board of Appeals)

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2011-33, that would amend the Supplemental Document to the City's Administrative Code to repeal and replace the provisions pertaining to the Board of Appeals.

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: July 19, 2011

City of Las Vegas Agenda Item No.: **42.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC ☐ **Consent** ☒ **Discussion**

SUBJECT:
RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2011-34 – Amends the City's noise regulations to revise the process by which construction-related activity may be permitted between the hours of six p.m. and seven a.m. under certain circumstances. Proposed by: Christopher Knight, Director of Building and Safety

Fiscal Impact

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

PURPOSE/BACKGROUND:
This bill will amend the City's noise regulations to revise the process by which construction-related activity may be permitted between the hours of six p.m. and seven a.m. under certain circumstances. The permit process previously was administered by the Planning Department. This bill will assign permitting responsibility to the Director of Building and Safety (or a designee) for building construction work and to the City Traffic Engineer (or a designee) for right-of-way improvement work.

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. 2011-34
2. Business Impact Statement
3. Comments by the Charleston Neighborhood Preservation submitted August 17, 2011

BILL NO. 2011-34

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CITY'S NOISE REGULATIONS TO REVISE THE PROCESS BY WHICH CONSTRUCTION-RELATED ACTIVITY MAY BE PERMITTED BETWEEN THE HOURS OF SIX P.M. AND SEVEN A.M. UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Christopher Knight, Director of Building and Safety

Summary: Amends the City's noise regulations to revise the process by which construction-related activity may be permitted between the hours of six p.m. and seven a.m. under certain circumstances.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 9, Chapter 16, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.16.030: The following acts, among others, are declared to be noise disturbances and noises in violation of, and unlawful under, this Chapter, but this enumeration shall not be deemed to be exclusive:

(A) The sounding of any horn or signal device on any automobile, motorcycle or bus while it is in motion except as a danger signal if another vehicle is approaching apparently out of control or, if in motion, only as a danger signal after the brakes have been or are being applied and the deceleration of the vehicle is intended, the creation by means of any such horn or signal device of any unreasonably loud or harsh sound or the sounding of such horn or device for an unnecessary and unreasonable period of time.

(B) Operating or playing, or permitting the operation or playing of, any radio, television, phonograph, stereo, drum, musical instrument, sound amplifier or similar device which produces, reproduces or amplifies sound in such a manner as to create a noise disturbance:

(1) To any person who resides or works in the vicinity. The operation or playing of such radio, television, phonograph, stereo, drum, musical instrument, sound amplifier or similar device in such a manner or at such a volume as to be plainly audible to the human ear at a distance of fifty feet from the source of the noise shall be prima facie evidence of a violation of this

Chapter; or

(2) At a distance of fifty feet from such radio, television, phonograph, stereo, drum, musical instrument, sound amplifier or similar device when it is played or operated in or on a motor vehicle that is on any public right-of-way or in any public space.

This subsection shall not apply to any noncommercial spoken language that is subject to Subsection (K) of this Section.

(C) Yelling, shouting, hooting, whistling or singing on the public streets, particularly between the hours of eleven p.m. and seven a.m., or at any time or place in such a manner or at such a volume as to annoy or disturb the quiet, comfort or repose of any person in any hospital, dwelling, hotel or any other type of residence or of any person in the vicinity.

(D) The keeping of any animal, bird or fowl which, by causing frequent or long-continued noise, disturbs the comfort or repose of any person in the vicinity.

(E) The use of any automobile or motorcycle so out of repair, so loaded or in such manner as to cause loud and unnecessary grating, grinding, rattling or other noises.

(F) The blowing of any steam whistle that is attached to any stationary boiler except to give notice of the time to begin or stop work, as a warning of fire or other danger or upon the request of the proper authorities of the City.

(G) The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor vehicle or motor boat engine except through a muffler or other sound dissipation device which will effectively prevent loud or explosive noises therefrom.

(H) The erection, including the excavation, demolition, alteration or repair of any building in any new or existing residential district, [or section,] or the excavation, construction or repair of any [street or highway] right-of-way improvements in any new or existing residential district [or section] other than between the hours of seven a.m. and six p.m., except in the case of urgent necessity in the interest of public health and safety and then only with a permit from the [Director of the Department of Planning and Development, which permit may be granted for a period not to exceed thirty days while the emergency continues. If the Director of the Department of Planning and Development should determine] designated official. Such a permit may be granted for a period not

to exceed thirty days while the condition of urgent necessity continues. Such a permit may be granted only upon a determination by the designated official that the public health and safety will not be impaired by the [erection, demolition, alteration or repair of any building, or by the excavation of any street or highway, in any new or existing residential district between the hours of six p.m. and seven a.m., and if he further determines] performance of the work between the hours of six p.m and seven a.m. and that loss or inconvenience would otherwise result to any party in interest [in such erection, demolition, alteration or excavation, he may grant a permit for such work to be performed between the hours of six p.m. and seven a.m. upon an application being made therefor] regarding the work. Such a permit may be granted only if application therefor is made at the time that the permit for such work is issued or at any time during the progress of such work. In connection with the permit process described in this Subsection, the designated official may establish such forms, policies and procedures as deemed necessary. For purposes of this Subsection, the "designated official" means:

(1) For work involving buildings, the Director of Building and Safety or a designee.

(2) For work involving right-of-way improvements, the City Traffic Engineer or a designee.

(I) The creation of any excessive noise on any street that is adjacent to any school, institution of learning, church or court while the same is in session, or is adjacent to any hospital, which unreasonably interferes with the working or sessions thereof or the persons therein.

(J) The loading, unloading, opening, closing or other handling of boxes, crates, containers, building materials, garbage cans or similar objects between the hours of eleven p.m. and seven a.m. in such a manner as to project a noise disturbance across the boundary of any residential real property.

(K) The use or operation for any purpose of a loudspeaker, public address system, or sound amplification device in connection with any radio, phonograph, tape recorder, microphone or similar device:

(1) In such a manner or at such a volume that it is plainly audible to the human ear at a distance of fifty feet or more from the source of the sound;

(2) Between the hours of eleven p.m. and seven a.m. on any public right-of-way or in any public space; or

(3) On a truck or other vehicle, either moving or standing, for advertising or any other purpose.

(L) The offering for sale or selling of anything by shouting or outcry within any residential or commercial area of the City.

(M) The repairing, rebuilding, modifying or testing of any motor vehicle, motorcycle or motorboat in such a manner as to project a noise disturbance across the boundary of any residential real property.

(N) The intentional sounding or permitting the sounding outdoors of any fire, burglar or civil defense alarm, siren, whistle or similar stationary emergency signaling device except for emergency purposes or for the testing, between the hours of eight a.m. and six p.m., of:

(1) A stationary emergency signaling device; provided, however, that each such test shall be performed at the same time of day, and any such testing shall use only the minimum cycle test time, which, in no event, shall exceed sixty seconds.

(2) The complete emergency signaling system, including the functioning of the signaling device and the personnel response to the signaling device; provided, however, that such testing shall not be performed more than once in each calendar month.

(O) The sounding or permitting the sounding of any exterior burglar alarm or any motor vehicle burglar alarm unless such alarm is automatically terminated within fifteen minutes after its activation.

SECTION 2: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,

invalid or ineffective.

SECTION 3: Whenever in this ordinance any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than $1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

SECTION 4: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

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

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 8-3-11
_____
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. 2011-34
(Amends the City's noise regulations to revise the process by which construction-related activity may be permitted between the hours of six p.m. and seven a.m. under certain circumstances)

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2011-34, that would amend the City's noise regulations to revise the process by which construction-related activity may be permitted between the hours of six p.m. and seven a.m. under certain circumstances.

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: August 3, 2011

CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

Phone/Fax: 702-877-2438

To: CLV Mayor and Council
From: CNP
Date: 8/15/11
Re: certain Agenda items from the 8/16/11 LV City Council AGENDA

46. Please identify 4 different Civil Service Trustee topics which may be administered from this City Charter Article 10.

50. We appreciate, but are disappointed in the persistence to maintain 1 individual in a specific position by removing Term Limits from the law. Such a proposal in its self provides the strongest evidence that such a fight is usurping the representation which our elected peers are to provide.

CNP suggests that the Planning Commission positions be eliminated and those current duties be directly fulfilled by our elected City Council persons.

>NEW BILLS definition as stated does NOT define what excepts *"Emergency Bills"* OR whether a single person OR what group determines that status. Are they exempted from being read? From being recorded? From not being referred to the current Planning Commission? From public testimony? Or?????????????!

CNP is aghast at the inclusion of *EMERGENCY* bills with those bills stricken or tabled. Please provide the definition of *EMERGENCY* in CLV Council terms.

CNP suggests Council Emergency terms & Mission Statement grace the "intentionally blank" page.

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54. Bill No. 2011-35- Please list and number each "certain *circumstance*".

67. Please REMOVE Bill SUP-41908 from this One Motion-One Vote.
CNP did not understand what the "foot distance" separation of liquor stores is, BUT clearly this Liquor Establishment is wall to wall with another Liquor Establishment, 300 ft. too close to a Religious Facility and 160 ft. too close to a School. Is skid-row zoning the intent in such 'approvals'?

68. Please REMOVE Bill SUP-41932 from this One Motion-One Vote.
Have any examples of the INTERNATIONAL CULTURE CONNECTION (APPAREL) been seen by our council or planning? CNP is reminded of a clothing store on W. Charleston some years ago and the money, time and effort required to undo that approval.

Plz continue to page two

46,60,53,54,67,6
77,81
85,86
87

Submitted at City Council
Date 8/17/11 Item
By: Juanita Clark

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

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81. VAR-41303-CNP agrees with the CLV Planning Commission for approval of these improvements at this location and consider them an asset to this area of our Las Vegas.

85. VAR-41903-CNP wholeheartedly agree with the Planning Commission.

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87. SUP-41880—At Planning Commission, CNP heard no conditions or reasons for government to deny this business man the right to display his product. Scooters are compact, colorful, and even essential in this economy.
Having new motors on our streets and byways compared to those held together by bailing wire is a splendid addition to our traffic flow.
Our tragic L.V. economy is eager (desperate may be more realistic) for a business to display their scooter merchandise. CNP requests that this Special use permit be allowed.

Note that jack-o-lanterns are now available-more choices in August!
Our Mayor and Council are the most spiffy in the county! ☺ (maybe the State!)

June Ingram, President—Charleston Neighborhood Preservation and BOARD

June Ingram
C N P President

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Bushforth Jeanine Sweany-Julia Whaun-Jean Withers-Others

City of Las Vegas Agenda Item No.: **43.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC ☐ **Consent** ☒ **Discussion**

SUBJECT:
RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2011-35 – Authorizes under certain circumstances the use of metered parking without the need to activate the corresponding parking meter in the manner otherwise required.
Sponsored by: Councilman Ricki Y. Barlow

Fiscal Impact

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

PURPOSE/BACKGROUND:
Existing ordinance provisions do not specifically authorize metered public parking to be used without meter activation. It has been determined that additional flexibility regarding the use of such parking would be helpful. This bill will authorize the City Manager or a designee to establish policies under which such parking may be used without the need for meter activation. Examples include making such parking available by agreement or in connection with special events whereby appropriate payment can be made without the need for meter activation.

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. 2011-35
2. Business Impact Statement
3. Comments by the Charleston Neighborhood Preservation submitted August 17, 2011

BILL NO. 2011-35

ORDINANCE NO. _____

AN ORDINANCE TO AUTHORIZE UNDER CERTAIN CIRCUMSTANCES THE USE OF METERED PARKING WITHOUT THE NEED TO ACTIVATE THE CORRESPONDING PARKING METER IN THE MANNER OTHERWISE REQUIRED, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Ricki Y. Barlow

Summary: Authorizes under certain circumstances the use of metered parking without the need to activate the corresponding parking meter in the manner otherwise required.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 11, Chapter 54, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 110, reading as follows:

11.54.110: Notwithstanding any other provision of this Title pertaining to metered parking, the City Manager or a designee may establish and implement a policy under which specific parking spaces or parking space areas within a City-owned parking lot may be used without the need to activate the corresponding parking meter in the manner otherwise required.

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 _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 8-3-11
_____
Date

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ABSENT: _____

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By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
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City Clerk

BUSINESS IMPACT STATEMENT
BILL NO. 2011-35
(Authorizes under certain circumstances the use of metered parking without the need to activate the corresponding parking meter in the manner otherwise required)

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2011-35, that would authorize under certain circumstances the use of metered parking without the need to activate the corresponding parking meter in the manner otherwise required.

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:

Possible benefit to businesses needing additional public parking

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:

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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:

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Not applicable

Date: August 3, 2011

CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

Phone/Fax: 702-877-2438

To: CLV Mayor and Council
From: CNP
Date: 8/15/11
Re: certain Agenda items from the 8/16/11 LV City Council AGENDA

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Plz continue to page two

46,60,53,54,67,6
77,81
85,86
87

Submitted at City Council
Date 8/17/11 Item
By: Juanita Clark

BOARD & ADVISORY MEMBERS
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Bushforth Jeanine Sweany-Julia Whaun-Jean Withers-Others

City of Las Vegas Agenda Item No.: **44.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: HUMAN RESOURCES
DIRECTOR: DAN TARWATER ☐ **Consent** ☒ **Discussion**

SUBJECT:
Closed Session - A closed meeting in accordance with NRS 288.220 to discuss labor issues

Fiscal Impact

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

PURPOSE/BACKGROUND:
To discuss labor issues

RECOMMENDATION:
None

BACKUP DOCUMENTATION:
None

City of Las Vegas Agenda Item No.: **45.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 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.: **46.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

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

SUBJECT:
Public Hearing for possible action to consider the report of expenses to recover costs for abatement of nuisance located at 1820 Cedar Avenue in the amount of $1,634.50 (General Fund) and assess a maximum of $19,000 in daily civil penalties. PROPERTY OWNER: JAGUAR ASSOCIATED GROUP LLC - Ward 3 (Coffin)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $1,634.50
Funding Source: General Fund
Dept./Division: Building and Safety/Neighborhood Response

PURPOSE/BACKGROUND:
The condition of the property was a public hazard and an attractive nuisance. The Department of Building and Safety declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed, the Department of Building and Safety hired Weaver Construction to board all open doors and windows, remove all trash, debris, high grass and weeds, and apply herbicide. To date, there have been six (6) inspections conducted at this location. The estimated value of the property based on Zillow.com is $31,500.

RECOMMENDATION:
That the City Council: Approve the report of expenses to include $790 invoice for Weaver Construction, $118.50 administrative fee, and $726 in reinspection fees (including late fees) for a total of $1,634.50, and consider assessing a maximum of $19,000 in daily civil penalties to be recorded on or after April 30, 2012.

BACKUP DOCUMENTATION:
1. Agenda Memo
2. Location Maps
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Liens

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: September 7, 2011
DEPARTMENT: Building and Safety
ITEM DESCRIPTION: Public Hearing for possible action to consider the report of expenses to recover costs for abatement of nuisance located at 1820 Cedar Avenue in the amount of $1,634.50 (General Fund) and assess a maximum of $19,000 in daily civil penalties. PROPERTY OWNER: JAGUAR ASSOCIATED GROUP LLC – Ward 3 (Coffin)

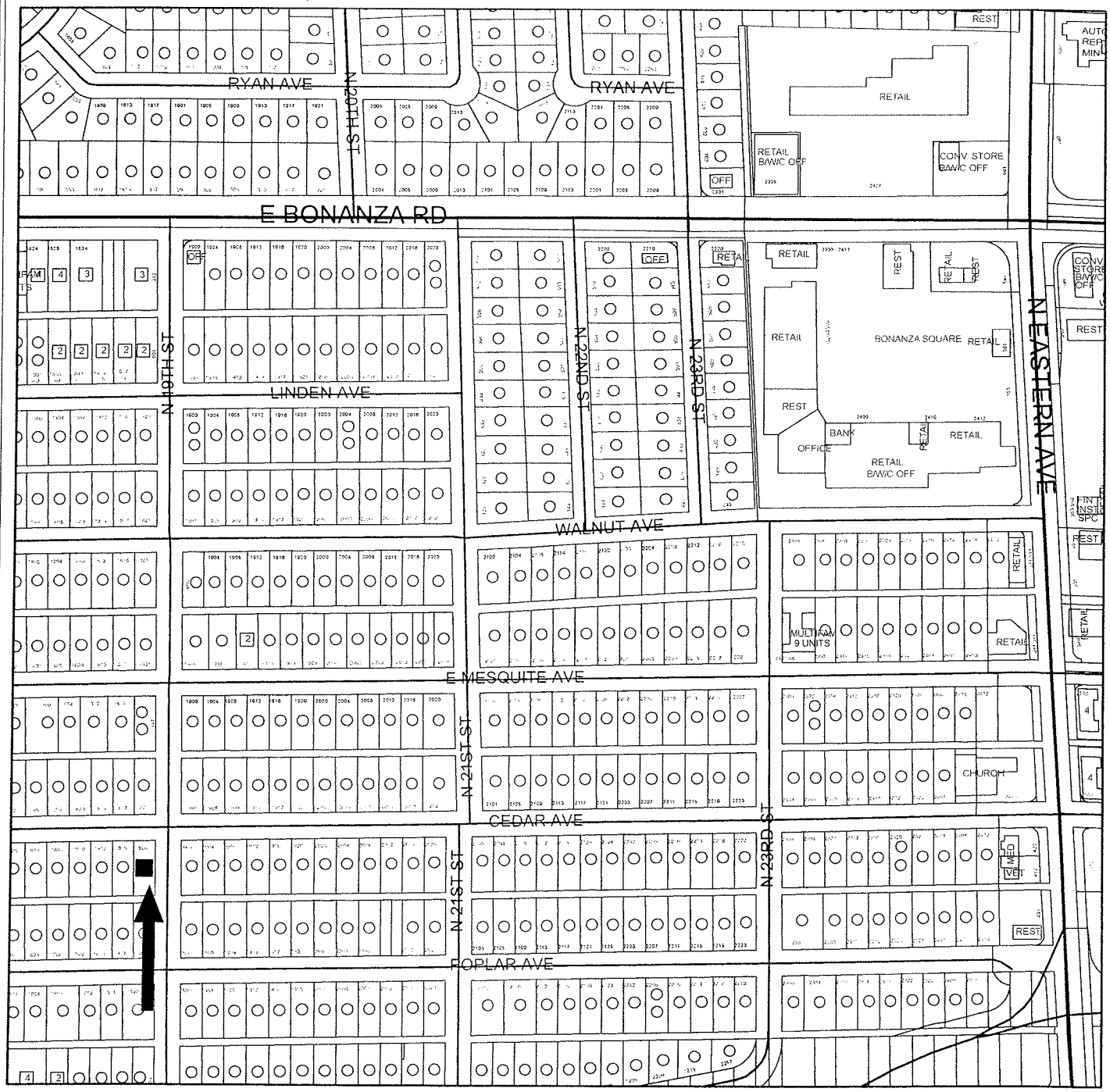
Weaver Construction completed work on June 6, 2011 at a cost of $790; $726 in reinspection fees (with late fees); plus a 15% administrative fee for a total of $1,634.50.

Today's public hearing is to consider the Report of Expenses filed by the Department of Building and Safety and to hear any objections thereto. Under the Uniform Code for the Abatement of Nuisance and Civil Penalties, the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

If the Lien is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.

1820 CEDAR AVENUE
CROSS STREETS - BONANZA//EASTERN

City of Las Vegas Vicinity Map



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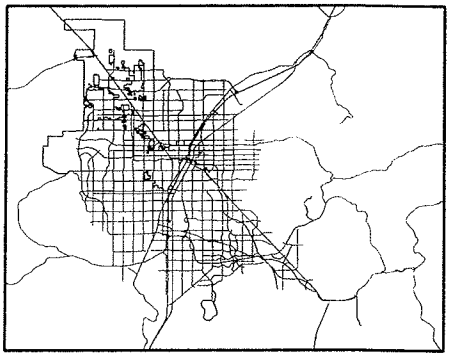


GIS maps are normally produced only to meet the needs of the City Due to continuous development activity this map is for reference only

Geographic Information System

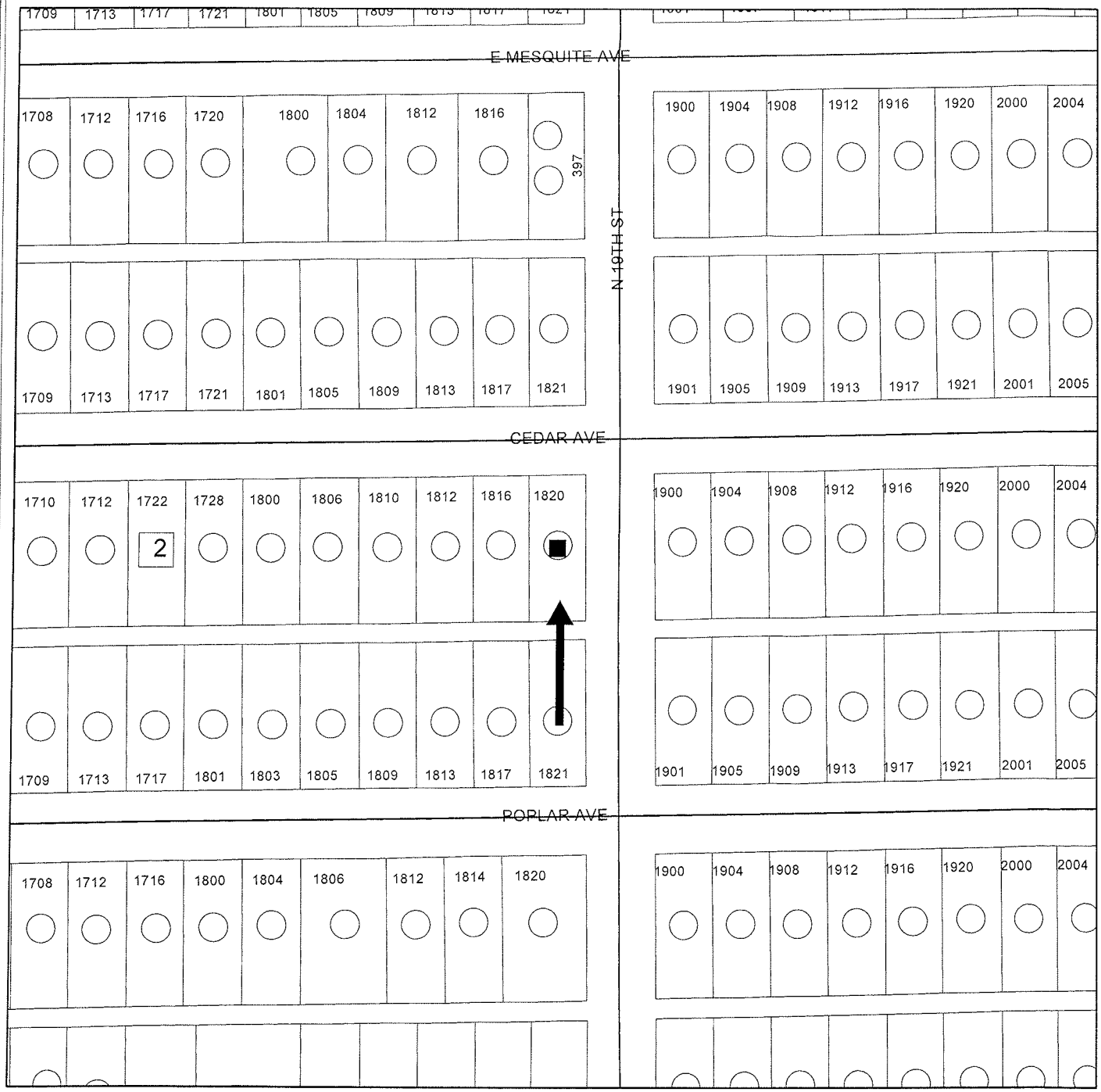
Planning & Development Dept

702-229-6301

PLANNING & DEVELOPMENT

1820 CEDAR AVENUE
CROSS STREETS - BONANZA//EASTERN

City of Las Vegas Vicinity Map



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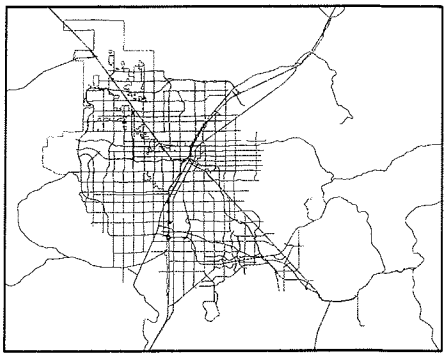

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept
702-229-6301

PLANNING & DEVELOPMENT

Memorandum

City of Las Vegas
Building and Safety Department

To: Beverly Bridges, MMC, City Clerk

From: Vicki R. Ozuna, Acting Manager – Neighborhood Response Division

CC: File

Date: August 11, 2011

Re: Report of Expenses for the abatement of nuisance located at 1820 Cedar Avenue - Ward 3 (Coffin)

LVMC Ordinance 5873 authorizes the City of Las Vegas to assess and collect a re-inspection fee of $120.00 if the nuisance violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of $180.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection. In addition, LVMC 9.04.020 and 9.040.040 authorizes the city to assess a civil penalty concurrently with the re-inspection fees assessed. On the 2nd re-inspection a $180 re-inspection fee + a $150.00 civil penalty will be assessed; on the 3rd re-inspection a $180 re-inspection fee + a $300.00 civil penalty will be assessed; on the 4th re-inspection and any future re-inspections will be assessed a $180 re-inspection fee + a $500.00 civil penalty. Additionally, every person who causes or maintains a public nuisance, or who willfully omits or refuses to perform any legal duty relating to the abatement of such nuisance (1) shall be guilty of a misdemeanor; (2) shall be liable civilly to the City and, upon such findings shall be responsible to pay civil penalties of not more than five hundred ($500.00) dollars per day, or for commercial properties; civil penalties of not more than one thousand ($1000.00) per day, for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. The $500.00 or $1000 daily civil penalty will be determined at the discretion of the city council. Any and all unpaid fees are subject to collection and/or liens.

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Nuisance," the Department of Building and Safety caused the above-referenced property to be corrected by boarding all open doors and windows, removing all trash, debris, high grass and weeds, and applying herbicide. The abatement was completed by Weaver Construction on June 6, 2011 at a cost of $790.00, which was accepted by the Department of Building and Safety.

Contract Amount Breakdown:	
Board all open doors and windows.	$255.00
Remove all trash and debris.	$300.00
Remove all high grass and weeds, and apply herbicide.	$235.00
AMOUNT DUE:	$790.00
Administrative Processing Fee:	$118.50
Sub-Total:	$908.50
Reinspection Fees (w/late fees):	$726.00
TOTAL AMOUNT DUE:	**$1,634.50**
Daily Civil Penalties – 38 days @ $500 a day (including civil penalty fees already assessed) April 30, 2011 to June 6, 2011	**$19,000.00**
MAXIMUM TOTAL:	**$20,634.50**
OWNER OF RECORD	JAGUAR ASSOCIATED GROUP LLC
PROPERTY ABATED:	1820 Cedar Avenue
	Las Vegas, NV 89101
ASSESSOR PARCEL:	139-35-610-012
LEGAL DESCRIPTION:	BOULDER DAM HOMESITE ADD
	TRACT #02
	PLAT BOOK 1 PAGE 76
	LOT 23 BLOCK 1 & LOT 24

VRO:ld

WEAVER CONSTRUCTION
"GENERAL ENGINEERING"
2590 NORTH NELLIS BLVD.
LAS VEGAS, NEVADA 89115

EXHIBIT A

DISCLOSURE OF PRINCIPALS

The principals and partners of Weaver Construction and all persons and entities holding more than a 1% interest in Weaver Construction or any principal of Weaver Construction are the following:

FULL NAME	BUSINESS ADDRESS	BUSINESS PHONE
1. Phil Weaver	2590 N. Nellis Blvd. LV, NV	644-1088
2.		
3.		
4.		
5.		
6.		

Continue list until full and complete disclosure is made

I certify under penalty of perjury, that the foregoing list is full and complete.

Weaver Construction

BY: Phyllis Weaver
Phyllis Weaver, Office Mgr.

Subscribed and sworn to before me
this 28 day of October, 1999.

Stephanie D. Dunn
Notary Public

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
STEPHANIE D. DUNN
Appt. No. 91-2737-1
My Appointment Expires March 1, 2000

LAS VEGAS CITY COUNCIL

CAROLYN G. GOODMAN
MAYOR

STAVROS S. ANTHONY
MAYOR PRO TEM

STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW
BOB COFFIN

ELIZABETH N. FRETWELL
CITY MANAGER

NOTICE OF PUBLIC HEARING

SEPTEMBER 7, 2011

Pursuant to Las Vegas Municipal Code for the Abatement of Dangerous Buildings/Nuisance Code and/or Housing Code, NOTICE IS HEREBY GIVEN THAT ON **WEDNESDAY, SEPTEMBER 7, 2011,** at the hour of **1:00 P.M.** in the City Council Chambers, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the REPORT OF EXPENSES submitted by the Director of Building and Safety for:

> Abatement of the violations on the property located at **1820 CEDAR AVENUE – Case No. 99163**. The Director of Building and Safety certifies that the sum of **$1,634.50** was expended and Civil Penalties in the sum of **$19,000.00** may be imposed for a total of **$20,634.50**. Owner of record at time of abatement: **JAGUAR ASSOCIATED GROUP LLC – WARD 3 (COFFIN)**

If the City Council is satisfied with the report, it may order a lien of assessment recorded against the property. Any person affected by the proposed charge may file a written protest with the City Clerk any time prior to the hearing. Each protest must contain a description of the property and the grounds for the protest.

BEVERLY K. BRIDGES
CITY CLERK

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

City of Las Vegas
Department of Building and Safety
Code Enforcement Case Report

Case # 99163

1820 CEDAR AVE - Map # 02426-36 Parcel 13935610012

Owner Information:

JAGUAR ASSOCIATED GROUP L L C
10855 EMPIRE RD
LAFAYETTE, CO 80026-8894

Zoning Information: R-1(SINGLE FAMILY RESIDENTIAL)

Case Comments: Open & accessible. Vagrants.

Case Assigned To:

Follow Up Inspection Date:

Date Case Opened: March 16, 2011

Ward: 3

Date Case Resolved: June 14, 2011

Source: CITZ

Property Info/Status: HOA: N Vacant: N Foreclosure: N Secure: N

Violations:

Violation

Violation Date	Status/Completed Date	Location

Comments

AB-006: 16.08.010 UDB SEC 403

3/29/11 COMPLIED 06/09/11 All points of entry

Secure all structures to City of Las Vegas specifications. Presently residence and detached garage has been vandalized and is open and accessible.

AN-003: 9.04.010 (4) REFUSE & WASTE

3/29/11 OPEN All areas

Remove all refuse and waste from all areas of property. Maintain at all times. Includes large amount of broken glass, loose trash, dumped debris within structures.

AN-006: 9.04.010(7)(A) HIGH VEGETATION

3/29/11 OPEN All yards

Remove all high grass or weeds over 8" inches from all visible areas of property and maintain. Cut, maintain, apply herbicide and also includes sidewalk area bordering residence.

Chronology of Events:

March 29, 2011 **Insp#: 1101687**

17) Residence vacant, no pool, no power, vandalized. Signs of trespassers sleeping within both structures. Boards ripped off windows and doors. Presently residence and detached garage has been vandalized and is open and accessible. Refuse, Includes large amount of broken glass, loose trash, dumped debris within structures. High weeds, Cut, maintain, apply herbicide and also includes sidewalk area bordering residence. cn1 posted and mailed to owner: JAGUAR ASSOCIATED GROUP L L C
10855 EMPIRE RD
LAFAYETTE CO 80026-8894, cb 4/9.

March 29, 2011 **CORRECTION NOTICE ISSUED**

April 13, 2011 **Insp#: 1106357**

17) Pix, assess fee $120, switch to N&O.

April 19, 2011	**NOTICE AND ORDER REQUEST**
	17) N&O to 21 with photos, no indications of foreclosure. No info in MERS. No telephone info for: Jaguar Associated.
April 20, 2011	**NOTICE AND ORDER PROCESSING**
	21)refer to 17 for posting , mailings done
April 20, 2011	**NOTICE AND ORDER ISSUED**
April 27, 2011	**Insp#: 1113982**
	17) Pix, assess fee, proceed with abatement.
April 28, 2011	**BID REQUEST BY OFFICER**
	21)refer file to office staff-JR for bids contractor
April 28, 2011	**BID PREPERATION**
	Bid prep.
April 28, 2011	**BID REQUEST SENT**
	RFQ sent to contractors. Bids due 05-05-11.
May 04, 2011	**RECORDED DOCUMENT**
	Ld) Recorded N&O dated 4/20/11
May 09, 2011	**BID RECEIVED**
	Recorded & Scanned bids received: 1)Weaver=$790; 2)Blast=$1050.
May 09, 2011	**10 DAY NOTICE PROCESSING**
	10 Day sent. File given to #17 for posting.
May 09, 2011	**ADMINSTRATIVE**
	Bid approval given to #21.
May 09, 2011	**10 DAY BEFORE ABATEMENT NOTICE**
May 10, 2011	**Insp#: 1120244**
	17) Posted, 10- days, still accessible,
May 24, 2011	**PROCEED WITH ABATEMENT**
	21)refer to office JR to proceed contractor abatement
May 24, 2011	**Insp#: 1124960**
	17) No change, award bid.
May 25, 2011	**ADMINSTRATIVE**
	Emailed DSS requesting approval to proceed with PO. Pending.
May 25, 2011	**ADMINSTRATIVE**
	Received approval from DSS to proceed with PO. PO requested. Pending.
May 31, 2011	**BID AWARDED TO CONTRACTOR**
	Award letter sent to Weaver. Pending start date.
June 01, 2011	**ADMINSTRATIVE**
	Received start date from #21. June 8,2011.

June 01, 2011	**VIDEO REQUEST**
	Video request given to #21.
June 02, 2011	**PRE-ABATEMENT VIDEO**
	21)photos in cc items file video in f drive
June 06, 2011	**ADMINSTRATIVE**
	Completion received from Weaver.
June 06, 2011	**VIDEO REQUEST**
	After video requested by #21.
June 09, 2011	**Insp#: 1130689**
June 14, 2011	**POST-ABATEMENT VIDEO**
	21)post video in f drive photos in cc items file
June 14, 2011	**ADMINSTRATIVE**
	#21 approval to pay invoice. Sanned & recorded invoice. File given to #21.
June 14, 2011	**REFERRED**
	21) refer file to LD to place on CC agenda

Fees:

Fee Name	Amount	Status	Fee Added	Fee Paid
RESIDENTIAL INSPECTION FEE	$120.00	U	04/13/2011	
RESIDENTIAL REINSPECTION FEE	$180.00	U	04/27/2011	
FIRST RESIDENTIAL CIVIL PENALTY	$150.00	U	04/27/2011	
RESIDENTIAL REINSPECTION FEE	$180.00	U	05/10/2011	
SECOND RESIDENTIAL CIVIL PENALTY	$300.00	U	05/10/2011	
THIRD RESIDENTIAL CIVIL PENALTY	$500.00	U	05/24/2011	
RESIDENTIAL REINSPECTION FEE	$180.00	U	05/24/2011	
LATE FEE	$12.00	U	05/28/2011	
LATE FEE	$18.00	U	06/11/2011	
NUISANCE ABATEMENT FEE	$790.00	U	06/14/2011	
ADMINISTRATIVE	$118.50	U	06/14/2011	

Total Amount Due: **$2,548.50**

Total Amount Paid: **$** -

Bid Information:

BIDNO	ABATETYPE	CONTRACTOR	STATUS	RECEIVED
1	NUISANCE	WEAVER	A	5/5/11

Bid Amount: 790.00
Bid Award Date: 5/31/11
Contractor Start Date:
Description:
Board all open doors/windows. Cut remove grass/weeds trash/debris. Apply herbicide.

1	NUISANCE	BLAST JANITORIAL	NA	5/5/11

Bid Amount: 1,050.00
Bid Award Date:
Contractor Start Date:
Description:

APN 139-35-610-012

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **JAGUAR ASSOCIATED GROUP LLC**
Reputed Owner(s) at time of abatement.

Assessor's Parcel No.: **139-35-610-012**
Commonly known as: **1820 Cedar Avenue**
Legal Description: **BOULDER DAM HOMESITE ADD**
TRACT #02
PLAT BOOK 1 PAGE 76
LOT 23 BLOCK 1 & LOT 24

On **June 6, 2011**, as provided in the Title 9, Chapter 4, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due and proper notification.

Expenses costs and fees ("Actual Cost") in the amount of **$1,634.50** were incurred by the City of Las Vegas in the above-referenced nuisance abatement procedure. Additionally, pursuant to Municipal Code 9.04.120, civil penalties in the amount of **$19,000.00** were approved against the property for violations(s) of Municipal Code 9.04.010. The Las Vegas City Council, at a duly noticed public hearing held on **September 7, 2011** ordered the above Actual Cost in the amount of **$1,634.50**, be immediately assessed against the property by means of this Lien of Assessment with the lien duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this Lien of Assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

NOTE: The City Council ordered the above civil penalties in the amount of **$19,000.00** be assessed against the property by recording a Lien of Assessment on or after **April 30, 2012**.

_____
BEVERLY K. BRIDGES, MMC, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
)
COUNTY OF CLARK)

BEVERLY K. BRIDGES, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

_____
BEVERLY K. BRIDGES, MMC, City Clerk

Subscribed and sworn to before me this ____ day of _____, 2011

_____
NOTARY PUBLIC, in and for said County and State

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF BUILDING AND SAFETY
333 N RANCHO DRIVE, LAS VEGAS, NV 89106 Case #99163

APN 139-35-610-012

NOTICE AND CLAIM OF LIEN OF ASSESSMENT
TO: **JAGUAR ASSOCIATED GROUP LLC**
Reputed Owner(s) at time of abatement.

Assessor's Parcel No.: **139-35-610-012**
Commonly known as: **1820 Cedar Avenue**
Legal Description: **BOULDER DAM HOMESITE ADD**
TRACT #02
PLAT BOOK 1 PAGE 76
LOT 23 BLOCK 1 & LOT 24

On **June 6, 2011**, as provided in the Title 9, Chapter 9, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Pursuant to Municipal Code 9.040.120, civil penalties in the amount of **$19,000.00** were levied against the property as for violation(s) of Municipal Code 9.04.010.

The Las Vegas City Council, at a duly noticed public hearing held on **September 7, 2011** ordered the above charges in the amount of **$19,000.00**, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

_____
BEVERLY K. BRIDGES, MMC, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
)
COUNTY OF CLARK)

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_____
BEVERLY K. BRIDGES, MMC, City Clerk

Subscribed and sworn to before me this ____ day of _____, 2011

_____
NOTARY PUBLIC, in and for said County and State

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF BUILDING AND SAFETY
333 N RANCHO DRIVE, LAS VEGAS, NV 89106 Case #99163

City of Las Vegas Agenda Item No.: **47.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

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

SUBJECT:
Public Hearing for possible action to consider the report of expenses to recover costs for abatement of nuisance located at 4228 Middlesex Avenue in the amount of $1,416 (General Fund) and assess a maximum of $23,500 in daily civil penalties. PROPERTY OWNER: ERNEST CHAVEZ - Ward 3 (Coffin)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $1,416
Funding Source: General Fund
Dept./Division: Building and Safety/Neighborhood Response

PURPOSE/BACKGROUND:
The condition of the property was a public hazard and an attractive nuisance. The Department of Building and Safety declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed, the Department of Building and Safety hired Construction Group International to board all open doors and windows on Unit C. To date, there have been seven (7) inspections conducted at this location. The estimated value of the property based on Zillow.com is $133,300.

RECOMMENDATION:
That the City Council: Approve the report of expenses to include $600 invoice for Construction Group International, $90 administrative fee, and $726 in reinspection fees (with late fees) for a total of $1,416 and consider assessing a maximum of $23,500 in daily civil penalties to be recorded on or after April 30, 2012.

BACKUP DOCUMENTATION:
1. Agenda Memo
2. Location Maps
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Liens

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: September 7, 2011
DEPARTMENT: Building and Safety
ITEM DESCRIPTION: Public Hearing and possible action to consider the report of expenses to recover costs for abatement of nuisance located at 4228 Middlesex Avenue in the amount of $1,416 (General Fund) and assess a maximum of $23,500 in daily civil penalties. PROPERTY OWNER: ERNEST CHAVEZ – Ward 3 (Coffin)

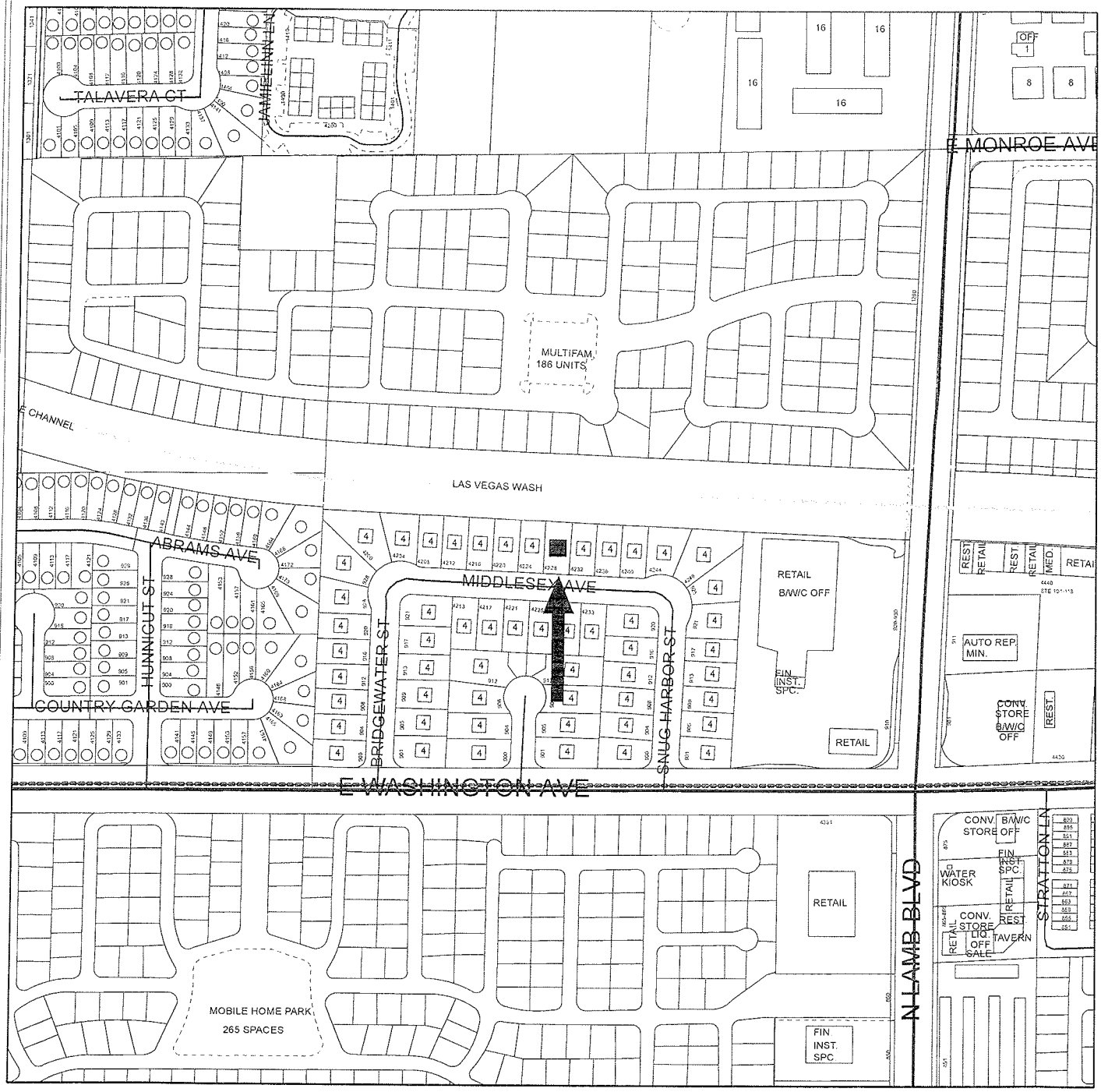
Construction Group International completed work on June 15, 2011 at a cost of $600; $726 in reinspection fees (with late fees); plus a 15% administrative fee for a total of $1,416.

Today's public hearing is to consider the Report of Expenses filed by the Department of Building and Safety and to hear any objections thereto. Under the Uniform Code for the Abatement of Nuisance and Civil Penalties, the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

If the Lien is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.

4228 MIDDLESEX AVENUE
CROSS STREETS - LAMB//WASHINGTON

City of Las Vegas Vicinity Map



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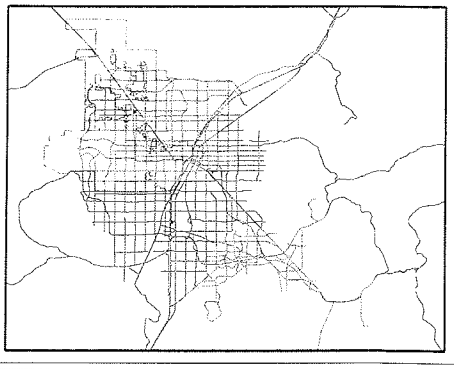

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Geographic Information System
Planning & Development Dept.
702-229-6301

PLANNING & DEVELOPMENT

4228 MIDDLESEX AVENUE
CROSS STREETS - LAMB//WASHINGTON

City of Las Vegas Vicinity Map



N

0 70 140 280 Feet

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Geographic Information System

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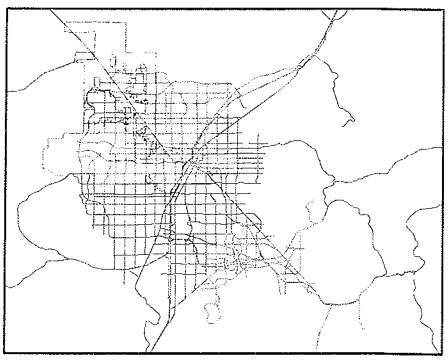
PLANNING & DEVELOPMENT



Memorandum

City of Las Vegas
Building and Safety Department

To: Beverly Bridges, MMC, City Clerk

From: Vicki R. Ozuna, Acting Manager – Neighborhood Response Division

CC: File

Date: August 11, 2011

Re: Report of Expenses for the abatement of nuisance located at 4228 Middlesex Avenue - Ward 3 (Coffin)

LVMC Ordinance 5873 authorizes the City of Las Vegas to assess and collect a re-inspection fee of $120.00 if the nuisance violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of $180.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection. In addition, LVMC 9.04.020 and 9.040.040 authorizes the city to assess a civil penalty concurrently with the re-inspection fees assessed. On the 2nd re-inspection a $180 re-inspection fee + a $150.00 civil penalty will be assessed; on the 3rd re-inspection a $180 re-inspection fee + a $300.00 civil penalty will be assessed; on the 4th re-inspection and any future re-inspections will be assessed a $180 re-inspection fee + a $500.00 civil penalty. Additionally, every person who causes or maintains a public nuisance, or who willfully omits or refuses to perform any legal duty relating to the abatement of such nuisance (1) shall be guilty of a misdemeanor; (2) shall be liable civilly to the City and, upon such findings shall be responsible to pay civil penalties of not more than five hundred ($500.00) dollars per day, or for commercial properties; civil penalties of not more than one thousand ($1000.00) per day, for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. The $500.00 or $1000 daily civil penalty will be determined at the discretion of the city council. Any and all unpaid fees are subject to collection and/or liens.

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Nuisance," the Department of Building and Safety caused the above-referenced property to be corrected by boarding all open doors and windows on Unit C. The abatement was completed by Construction Group International on June 15, 2011 at a cost of $600.00, which was accepted by the Department of Building and Safety.

Contract Amount Breakdown:	
Board all open doors and windows.	$600.00
AMOUNT DUE:	$600.00
Administrative Processing Fee:	$90.00
Sub-Total:	$690.00
Reinspection Fees (w/late fees):	$726.00
TOTAL AMOUNT DUE:	**$1,416.00**
Daily Civil Penalties – 47 days @ $500 a day (including civil penalty fees already assessed) April 30, 2011 to June 15, 2011	**$23,500.00**
MAXIMUM TOTAL:	**$24,916.00**
OWNER OF RECORD	ERNEST CHAVEZ
PROPERTY ABATED:	4228 Middlesex Avenue
	Las Vegas, NV 89110
ASSESSOR PARCEL:	140-30-610-016
LEGAL DESCRIPTION:	VILLAGE AT WASHINGTON
	PLAT BOOK 28 PAGE 9
	LOT 16 BLOCK 1

VRO:ld

Construction Group International
6255 McLeod Drive, Suite 19
Las Vegas, NV 89120

Disclosure of Principals

The principals and partners of *Construction Group International* and all persons and entities holding more than 1% interest in *Construction Group International* or any principal of *Construction Group International* are the following:

	Full Name	Business Address	Business Phone
1.	Mark A. Mansell	1684 142nd AVE NE BLDG. E Bellevue, WA 98022	425 452 2618
2.			
3.			
4.			
5.			
6.			
7.			

Continue list until full and complete disclosure is made.

I certify under penalty of perjury, that the foregoing list is full and complete.

Construction Group International

By: _____

State of Nevada }
} ss:
County of Clark }

Subscribed and sworn to before me, a Notary Public,
on this 16th day of March, 2009.

Notary Public - State of Nevada
County of Clark
ROBIN A. TUTTLE
My Appointment Expires
No: 00-61974-1 December 16, 2011

_____
Notary Public in and for Clark County,
State of Nevada

LAS VEGAS CITY COUNCIL

CAROLYN G. GOODMAN
MAYOR

STAVROS S. ANTHONY
MAYOR PRO TEM

STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW
BOB COFFIN

ELIZABETH N. FRETWELL
CITY MANAGER

NOTICE OF PUBLIC HEARING

SEPTEMBER 7, 2011

Pursuant to Las Vegas Municipal Code for the Abatement of Dangerous Buildings/Nuisance Code and/or Housing Code, NOTICE IS HEREBY GIVEN THAT ON **WEDNESDAY, SEPTEMBER 7, 2011,** at the hour of **1:00 P.M.** in the City Council Chambers, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the REPORT OF EXPENSES submitted by the Director of Building and Safety for:

> Abatement of the violations on the property located at **4228 MIDDLESEX AVENUE – Case No. 99415**. The Director of Building and Safety certifies that the sum of **$1,416.00** was expended and Civil Penalties in the sum of **$23,500.00** may be imposed for a total of **$24,916.00**. Owner of record at time of abatement: **ERNEST CHAVEZ – WARD 3 (COFFIN)**

If the City Council is satisfied with the report, it may order a lien of assessment recorded against the property. Any person affected by the proposed charge may file a written protest with the City Clerk any time prior to the hearing. Each protest must contain a description of the property and the grounds for the protest.

BEVERLY K. BRIDGES
CITY CLERK

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

City of Las Vegas
Department of Building and Safety
Code Enforcement Case Report

Case # 99415

4228 MIDDLESEX AVE - Map # 02328-48 Parcel 14030610016

Owner Information:

CHAVEZ ERNEST
4717 N 96TH AVE
PHOENIX, AZ 85037-1061

Zoning Information: R-3(MEDIUM DENSITY RESIDENTIAL)

Case Comments: Two units of this building have fire damage. B & S have requested we check out property

Case Assigned To:

Follow Up Inspection Date:

Date Case Opened: March 22, 2011

Ward: 3

Date Case Resolved: June 13, 2011

Source: B&S

Property Info/Status: HOA: N Vacant: N Foreclosure: N Secure: N

Violations:

Violation

Violation Date **Status/Completed Date** **Location**
Comments

AB-006: 16.08.010 UDB SEC 403
3/24/11 OPEN All points of entry
Secure all structures to City of Las Vegas specifications. Secure all points of entry, Unit C is presently open and accessible,

Chronology of Events:

March 24, 2011 **Insp#: 1103762**

17) Secure all points of entry, Unit C is presently open and accessible, A&B occupied and C is empty. cn1 mailed to owner to: CHAVEZ ERNEST
4717 N 96TH AVE
PHOENIX AZ 85037-1061

March 24, 2011 **CORRECTION NOTICE ISSUED**

April 04, 2011 **Insp#: 1104818**

17) Pix, assess fee, $120. No change, Cn2 mailed to owner: Chavez. cb 4/11

April 04, 2011 **CORRECTION NOTICE ISSUED**

April 13, 2011 **Insp#: 1109173**

17) Pix, assess fee, switch to N&O.

April 19, 2011 **NOTICE AND ORDER REQUEST**

17) To 21 with pix, bottom 2 apts of 4 plex are occupied, top two have fire damage, apt C is accessible. Residence does not appear to be in foreclosure, no valid info for owner: Chavez.

April 20, 2011 **NOTICE AND ORDER PROCESSING**

21)refer file to 17 for posting mailing done

April 20, 2011	NOTICE AND ORDER ISSUED
April 28, 2011	Insp#: 1113783
	17) Pix, No change, proceed with abatement.
May 02, 2011	BID PREPERATION
	21)refer to office staff JR for contractor bids to secure unit # C only
May 02, 2011	BID PREPERATION
	Bid prep.
May 02, 2011	BID REQUEST SENT
	RFQ sent to contractors. Bids due 05-09-11
May 04, 2011	RECORDED DOCUMENT
	Ld) Recorded N&O dated 4/20/11
May 10, 2011	ADMINSTRATIVE
	Bid approval given to #21.
May 10, 2011	BID RECEIVED
	Recorded and scanned bids received: 1)CGI=$600; 2)Lunas=$630
May 10, 2011	10 DAY NOTICE PROCESSING
	10 day sent. File given to #17 for posting.
May 10, 2011	10 DAY BEFORE ABATEMENT NOTICE
May 11, 2011	Insp#: 1120947
	17) Posted, 10-day.
May 23, 2011	Insp#: 1126129
	17) Award bid.
May 24, 2011	PROCEED WITH ABATEMENT
	21)refer file to office JR to cont with contractor abatement
May 24, 2011	ADMINSTRATIVE
	Emailed DSS for approval to proceed with PO. Pending.
May 25, 2011	ADMINSTRATIVE
	Received email from DSS to proceed with PO request. Pending.
May 31, 2011	BID AWARDED TO CONTRACTOR
	Bid awarded to CGI. Award letter sent. Pending start date.
June 02, 2011	ADMINSTRATIVE
	Start date of 6/6/11 received from #21.
June 02, 2011	VIDEO REQUEST
	Before video request from #21.
June 13, 2011	Insp#: 1130241
	17) Apts have been boarded. Close

June 22, 2011	VIDEO REQUEST	
	After Video request from #21.	
June 27, 2011	ADMINSTRATIVE	
	Invoice received & data put into Details Tab. File given to #21.	
June 28, 2011	REFERRED	
	21)refer file office staff LD to place on CC agenda	

Fees:

Fee Name	Amount	Status	Fee Added	Fee Paid
RESIDENTIAL INSPECTION FEE	$120.00	U	04/04/2011	
RESIDENTIAL REINSPECTION FEE	$180.00	U	04/13/2011	
FIRST RESIDENTIAL CIVIL PENALTY	$150.00	U	04/13/2011	
SECOND RESIDENTIAL CIVIL PENALTY	$300.00	U	04/28/2011	
RESIDENTIAL REINSPECTION FEE	$180.00	U	04/28/2011	
LATE FEE	$12.00	U	05/19/2011	
THIRD RESIDENTIAL CIVIL PENALTY	$500.00	U	05/23/2011	
RESIDENTIAL REINSPECTION FEE	$180.00	U	05/23/2011	
LATE FEE	$18.00	U	05/28/2011	
ADMINISTRATIVE	$90.00	U	06/27/2011	
NUISANCE ABATEMENT FEE	$600.00	U	06/27/2011	

Total Amount Due: **$2,330.00**

Total Amount Paid: $ -

Bid Information:

BIDNO	ABATETYPE	CONTRACTOR	STATUS	RECEIVED
1	NUISANCE	CGI	A	5/9/11

Bid Amount: 600.00
Bid Award Date: 5/31/11
Contractor Start Date:
Description:
Board all open doors/windows UNIT #C ONLY.

1	NUISANCE	LUNAS	NA	5/9/11

Bid Amount: 630.00
Bid Award Date:
Contractor Start Date:
Description:

APN 140-30-610-016

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **ERNEST CHAVEZ**
Reputed Owner(s) at time of abatement.

Assessor's Parcel No.: **140-30-610-016**
Commonly known as: **4228 Middlesex Avenue**
Legal Description: **VILLAGE AT WASHINGTON**
PLAT BOOK 28 PAGE 9
LOT 16 BLOCK 1

On **June 15, 2011**, as provided in the Title 9, Chapter 4, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due and proper notification.

Expenses costs and fees ("Actual Cost") in the amount of **$1,416.00** were incurred by the City of Las Vegas in the above-referenced nuisance abatement procedure. Additionally, pursuant to Municipal Code 9.04.120, civil penalties in the amount of **$23,500.00** were approved against the property for violations(s) of Municipal Code 9.04.010. The Las Vegas City Council, at a duly noticed public hearing held on **September 7, 2011** ordered the above Actual Cost in the amount of **$1,416.00**, be immediately assessed against the property by means of this Lien of Assessment with the lien duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this Lien of Assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

NOTE: The City Council ordered the above civil penalties in the amount of **$23,500.00** be assessed against the property by recording a Lien of Assessment on or after **April 30, 2012**.

_____
BEVERLY K. BRIDGES, MMC, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
)
COUNTY OF CLARK)

BEVERLY K. BRIDGES, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

_____
BEVERLY K. BRIDGES, MMC, City Clerk

Subscribed and sworn to before me this ____ day of _____, 2011

_____
NOTARY PUBLIC, in and for said County and State

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF BUILDING AND SAFETY
333 N RANCHO DRIVE, LAS VEGAS, NV 89106 Case #99415

APN 140-30-610-016

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **ERNEST CHAVEZ**
Reputed Owner(s) at time of abatement.

Assessor's Parcel No.: **140-30-610-016**
Commonly known as: **4228 Middlesex Avenue**
Legal Description: **VILLAGE AT WASHINGTON**
PLAT BOOK 28 PAGE 9
LOT 16 BLOCK 1

On **June 15, 2011**, as provided in the Title 9, Chapter 9, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Pursuant to Municipal Code 9.040.120, civil penalties in the amount of **$23,500.00** were levied against the property as for violation(s) of Municipal Code 9.04.010.

The Las Vegas City Council, at a duly noticed public hearing held on **September 7, 2011** ordered the above charges in the amount of **$23,500.00**, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

_____
BEVERLY K. BRIDGES, MMC, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
)
COUNTY OF CLARK)

BEVERLY K. BRIDGES, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

_____
BEVERLY K. BRIDGES, MMC, City Clerk

Subscribed and sworn to before me this ____ day of _____, 2011

_____
NOTARY PUBLIC, in and for said County and State

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF BUILDING AND SAFETY
333 N RANCHO DRIVE, LAS VEGAS, NV 89106 Case #99415

City of Las Vegas Agenda Item No.: **48.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

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

SUBJECT:
Public Hearing for possible action to consider the report of expenses to recover costs for abatement of nuisance located at 729 Weatherstone Drive in the amount of $2,080.50 (General Fund) and assess a maximum of $23,500 in daily civil penalties. PROPERTY OWNER: JOSE ALCALA - Ward 3 (Coffin)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $2,080.50
Funding Source: General Fund
Dept./Division: Building and Safety/Neighborhood Response

PURPOSE/BACKGROUND:
The condition of the property was a public hazard and an attractive nuisance. The Department of Building and Safety declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed, the Department of Building and Safety hired Construction Group International to demolish accessory structure in rear yard, secure rear doors and windows, remove all trash, debris, grass, weeds, and apply herbicide. To date, there have been six (6) inspections conducted at this location. The estimated value of the property based on Zillow.com is $80,200.

RECOMMENDATION:
That the City Council: Approve the report of expenses to include $1,350 invoice for Construction Group International, $202.50 administrative fee, and $528 in reinspection fees (with late fees) for a total of $2,080.50 and consider assessing a maximum of $23,500 in daily civil penalties to be recorded on or after April 30, 2012.

BACKUP DOCUMENTATION:
1. Agenda Memo
2. Location Maps
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Liens

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: September 7, 2011
DEPARTMENT: Building and Safety
ITEM DESCRIPTION: Public Hearing for possible action to consider the report of expenses to recover costs for abatement of nuisance located at 729 Weatherstone Drive in the amount of $2,080.50 (General Fund) and assess a maximum of $23,500 in daily civil penalties. PROPERTY OWNER: JOSE ALCALA – Ward 3 (Coffin)

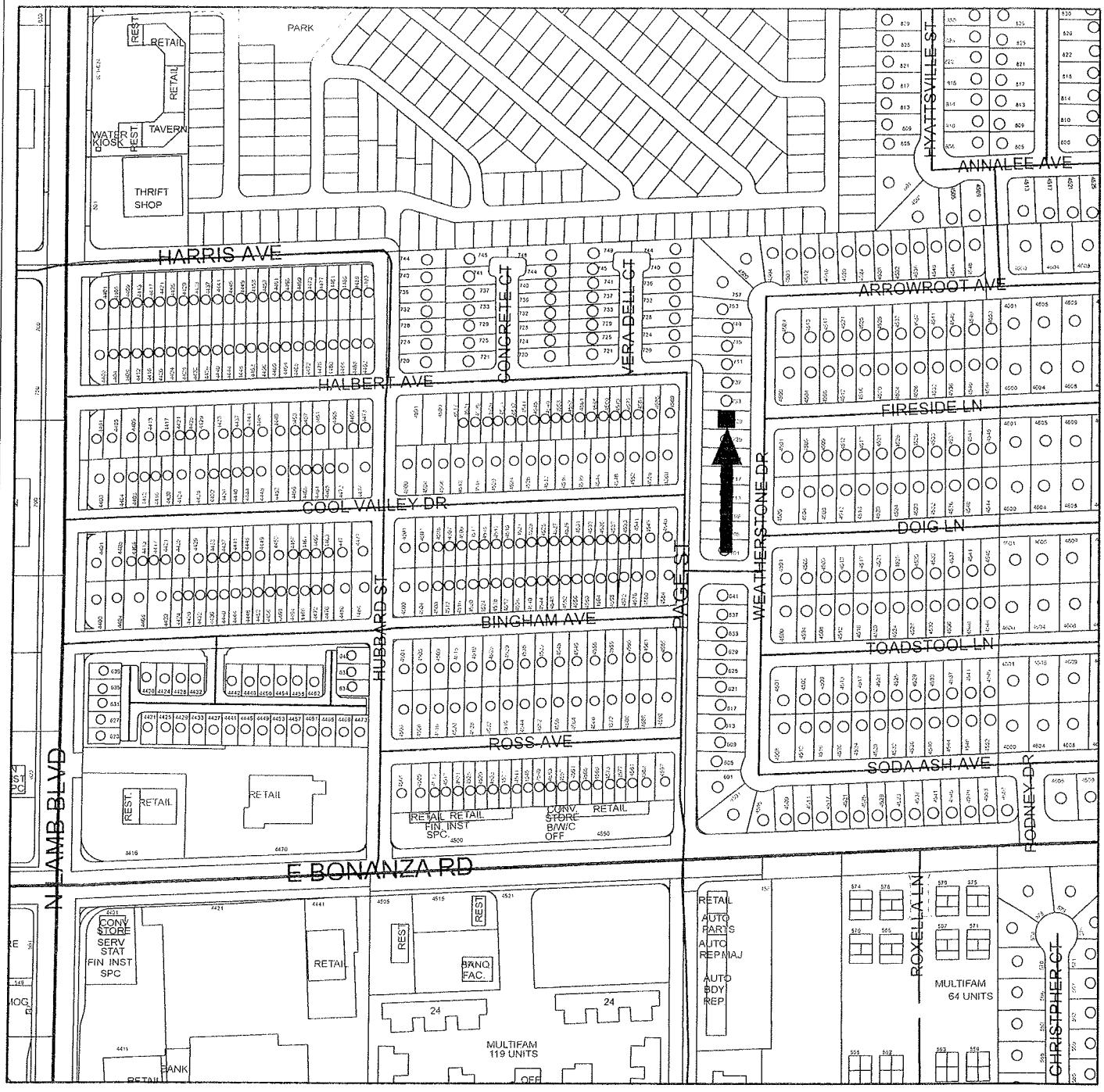
Construction Group International completed work on June 15, 2011 at a cost of $1,350; $528 in reinspection fees (with late fees); plus a 15% administrative fee for a total of $2,080.50.

Today's public hearing is to consider the Report of Expenses filed by the Department of Building and Safety and to hear any objections thereto. Under the Uniform Code for the Abatement of Nuisance and Civil Penalties, the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

If the Lien is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.

729 WEATHERSTONE DRIVE
CROSS STREETS - BONANZA//LAMB

City of Las Vegas Vicinity Map

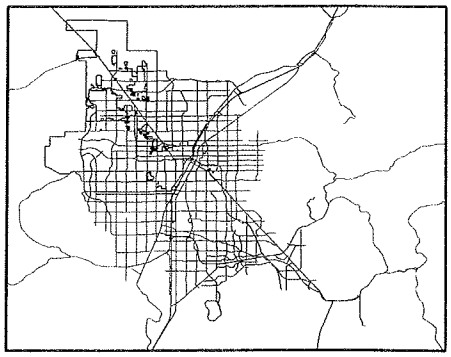


N

0 175 350 700 Feet

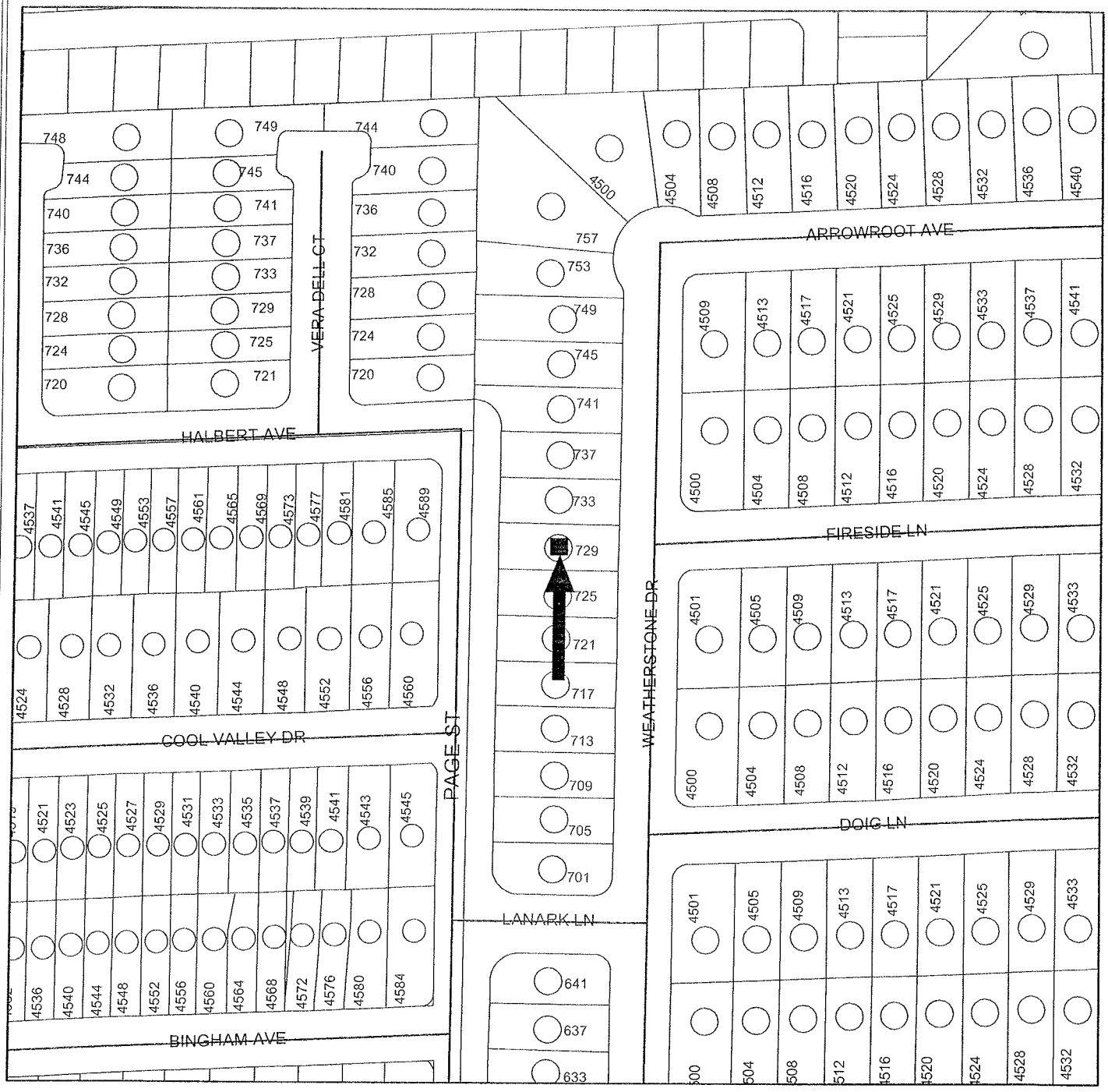
GIS maps are normally produced only to meet the needs of the City
Due to continuous development activity this map is for reference only
Geographic Information System
Planning & Development Dept
702-229-6301

PLANNING & DEVELOPMENT
CITY OF LAS VEGAS



729 WEATHERSTONE DRIVE
CROSS STREETS - BONANZA//LAMB

City of Las Vegas Vicinity Map



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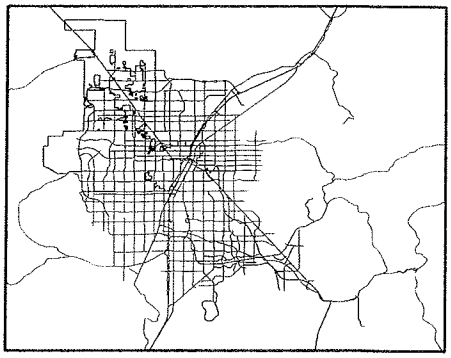
0 70 140 280 Feet



GIS maps are normally produced only to meet the needs of the City Due to continuous development activity this map is for reference only

Geographic Information System
Planning & Development Dept
702-229-6301

PLANNING & DEVELOPMENT

Memorandum

City of Las Vegas
Building and Safety Department

To: Beverly Bridges, MMC, City Clerk

From: Vicki R. Ozuna, Acting Manager – Neighborhood Response Division

CC: File

Date: August 11, 2011

Re: Report of Expenses for the abatement of nuisance located at 729 Weatherstone Drive - Ward 3 (Coffin)

LVMC Ordinance 5873 authorizes the City of Las Vegas to assess and collect a re-inspection fee of $120.00 if the nuisance violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of $180.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection. In addition, LVMC 9.04.020 and 9.040.040 authorizes the city to assess a civil penalty concurrently with the re-inspection fees assessed. On the 2nd re-inspection a $180 re-inspection fee + a $150.00 civil penalty will be assessed; on the 3rd re-inspection a $180 re-inspection fee + a $300.00 civil penalty will be assessed; on the 4th re-inspection and any future re-inspections will be assessed a $180 re-inspection fee + a $500.00 civil penalty. Additionally, every person who causes or maintains a public nuisance, or who willfully omits or refuses to perform any legal duty relating to the abatement of such nuisance (1) shall be guilty of a misdemeanor; (2) shall be liable civilly to the City and, upon such findings shall be responsible to pay civil penalties of not more than five hundred ($500.00) dollars per day, or for commercial properties; civil penalties of not more than one thousand ($1000.00) per day, for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. The $500.00 or $1000 daily civil penalty will be determined at the discretion of the city council. Any and all unpaid fees are subject to collection and/or liens.

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Nuisance," the Department of Building and Safety caused the above-referenced property to be corrected by demolishing accessory structure in rear yard, securing rear doors and windows, removing all trash, debris, grass, weeds, and applying herbicide. The abatement was completed by Construction Group International on June 15, 2011 at a cost of $1,350.00, which was accepted by the Department of Building and Safety.

Contract Amount Breakdown:	
Demolish accessory structure, remove all trash, debris, grass, weeds, and apply herbicide.	$1,180.00
Secure rear doors/windows.	$170.00
AMOUNT DUE:	$1,350.00
Administrative Processing Fee:	$202.50
Sub-Total:	$1,552.50
Reinspection Fees (w/late fees):	$528.00
TOTAL AMOUNT DUE:	**$2,080.50**
Daily Civil Penalties – 47 days @ $500 a day (including civil penalty fees already assessed) April 30, 2011 to June 15, 2011	**$23,500.00**
MAXIMUM TOTAL:	**$25,580.50**
OWNER OF RECORD	JOSE ALCALA
PROPERTY ABATED:	729 Weatherstone Drive
	Las Vegas, NV 89110
ASSESSOR PARCEL:	140-29-413-143
LEGAL DESCRIPTION:	SUNWOOD-TRACT 2
	PLAT BOOK 42 PAGE 91
	LOT 34 BLOCK B

VRO:ld

Construction Group International
6255 McLeod Drive, Suite 19
Las Vegas, NV 89120

Disclosure of Principals

The principals and partners of *Construction Group International* and all persons and entities holding more than 1% interest in *Construction Group International* or any principal of *Construction Group International* are the following:

	Full Name	Business Address	Business Phone
1.	Mark A. Marcell	18684 142nd Ave NE	425 487 2618
2.		Bldg. E	
3.		Woodinville, WA 98072	
4.			
5.			
6.			
7.			

Continue list until full and complete disclosure is made.

I certify under penalty of perjury, that the foregoing list is full and complete.

Construction Group International

By: [signature]

State of Nevada }
} ss:
County of Clark }

Subscribed and sworn to before me, a Notary Public, on this 19th day of March, 2009.

Notary Public - State of Nevada
County of Clark
ROBIN A. TUTTLE
My Appointment Expires
December 16, 2011
No: 00-61974-1

[signature]
Notary Public in and for Clark County,
State of Nevada

LAS VEGAS CITY COUNCIL

CAROLYN G. GOODMAN
MAYOR

STAVROS S. ANTHONY
MAYOR PRO TEM

STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW
BOB COFFIN

ELIZABETH N. FRETWELL
CITY MANAGER

NOTICE OF PUBLIC HEARING

SEPTEMBER 7, 2011

Pursuant to Las Vegas Municipal Code for the Abatement of Dangerous Buildings/Nuisance Code and/or Housing Code, NOTICE IS HEREBY GIVEN THAT ON **WEDNESDAY, SEPTEMBER 7, 2011,** at the hour of **1:00 P.M.** in the City Council Chambers, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the REPORT OF EXPENSES submitted by the Director of Building and Safety for:

> Abatement of the violations on the property located at **729 WEATHERSTONE DRIVE– Case No. 99747.** The Director of Building and Safety certifies that the sum of **$2,080.50** was expended and Civil Penalties in the sum of **$23,500.00** may be imposed for a total of **$25,580.50.** Owner of record at time of abatement: **JOSE ALCALA – WARD 3 (COFFIN)**

If the City Council is satisfied with the report, it may order a lien of assessment recorded against the property. Any person affected by the proposed charge may file a written protest with the City Clerk any time prior to the hearing. Each protest must contain a description of the property and the grounds for the protest.

BEVERLY K. BRIDGES
CITY CLERK

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

City of Las Vegas
Department of Building and Safety
Code Enforcement Case Report

Case # 99747

729 WEATHERSTONE DR - Map # 02329-83 Parcel 14029413143

Owner Information:

JOSE ALCALA
729 WEATHERSTONE DR
LAS VEGAS, NV 89110-5436

Zoning Information: R-CL(SINGLE FAMILY COMPACT-LOT)

Case Comments: possibly open accessible junk vehicle on site

Case Assigned To:

Follow Up Inspection Date:

Date Case Opened: March 31, 2011

Ward: 3

Date Case Resolved: June 14, 2011

Source: CAR

Property Info/Status: HOA: N Vacant: N Foreclosure: N Secure: N

Violations:

Violation

Violation Date **Status/Completed Date** **Location**
Comments

AB-005: UAC 301.1 PERMITS REQUIRED
3/31/11 OPEN Rear
Obtain all required permits for un-permitted structure or remove & obtain demolition permit. Remove detached 2 room structure in rear yard which is presently open and accessible.

AN-003: 9.04.010 (4) REFUSE & WASTE
3/31/11 COMPLIED 06/14/11 All areas
Remove all refuse and waste from all areas of property. Maintain at all times. Includes loose trash, piled dead vegetation, any piled debris.

AN-006: 9.04.010(7)(A) HIGH VEGETATION
3/31/11 OPEN All yards
Remove all high grass or weeds over 8" inches from all visible areas of property and maintain. Cut, maintain, apply herbicide.

AN-009: 9.04.010 (7)(D) DILAPIDATED
3/31/11 COMPLIED 06/14/11 Side
Reattach fallen side gate, repair if needed so that it is functional.

AZ-004: 19.04.020 (A) ACCESSORY USES
3/31/11 OPEN Driveway
Remoive green Cadillac NV 338smx from property. Vehicle storage is not permitted at vacant residences.

Chronology of Events:

March 31, 2011 **CORRECTION NOTICE ISSUED**

March 31, 2011 **Insp#: 1107596**

17) Vacant house with lockbox, residence secure, no pool. Added 2 room stucco playhouse in rear. Remove detached 2 room structure in rear yard which is presently open and accessible.Huigh weeds, trash. Reattach fallen side gate, repair if needed so that it is functional. Remoive green Cadillac NV 338smx from property. Vehicle storage is not permitted at vacant residences. cn1 posted and mailed to owner at service address, cn 4/11

April 13, 2011	**Insp#: 1107864**
	17) Pix, asses fee, no change, switch to N&O. Cn1 still posted, neighbors have not moved veh off dwy.
April 19, 2011	**NOTICE AND ORDER REQUEST**
	17) To 21 with pix. Residence does not have foreclosure info at this time nor valid contact info for owner: Jose Alcala.
April 20, 2011	**NOTICE AND ORDER PROCESSING**
	21)REFER TO 17 FOR POSTING MAILING DONE
April 20, 2011	**NOTICE AND ORDER ISSUED**
April 28, 2011	**Insp#: 1113833**
	17) Pix, assess fee. Posted vehicle for tow because I believe it is stored by adjacebnt neighbors to give them opportunity to move. proceed with abatement.
May 02, 2011	**BID REQUEST BY OFFICER**
	21)refer file to office staff JR to obtain bids
May 02, 2011	**BID PREPERATION**
	Bid prep.
May 02, 2011	**BID REQUEST SENT**
	RFQ sent to contractors. Bids due 05-09-11.
May 10, 2011	**BID RECEIVED**
	One bid received from CGI. Emailed TG to received approval to proceed with one bid.
May 10, 2011	**BID RECEIVED**
	Recorded & scanned bids received: 1)CGI=$1180
May 10, 2011	**ADMINSTRATIVE**
	Received email from TG to proceed with one bid from CGI.
May 10, 2011	**ADMINSTRATIVE**
	Bid approval given to #21.
May 10, 2011	**10 DAY NOTICE PROCESSING**
	10 day sent. File given to #17 for posting.
May 10, 2011	**10 DAY BEFORE ABATEMENT NOTICE**
May 11, 2011	**Insp#: 1120689**
	17) Vehicle removed. 10-day posted.
May 23, 2011	**Insp#: 1126172**
	17) Award bid.
May 24, 2011	**PROCEED WITH ABATEMENT**
	21)refer to office staff JR to continue abatement
May 24, 2011	**ADMINSTRATIVE**
	Emailed DSS for approval to proceed with PO.
May 25, 2011	**ADMINSTRATIVE**
	Received email from DSS to proceed with PO request.

May 25, 2011	ADMINSTRATIVE	
	PO requested. Pending DSS approval.	
May 31, 2011	BID AWARDED TO CONTRACTOR	
	Bid awarded to CGI. Award letter send. Pending start date.	
June 06, 2011	PROCEED WITH ABATEMENT	
	21)rear of property now open/accessible- spoke to contractor/Rob he will secure for 170.00 added to original quote.	
June 06, 2011	VIDEO REQUEST	
	Before Video requested form #21.	
June 14, 2011	Insp#: 1130252	
	17) Secure and clean, dumpser in front of residence full. Minimal trash in rear that cant fit in dumpster now. 95% complete. Close	
June 15, 2011	ADMINSTRATIVE	
	Per #21. Project completed.	
June 15, 2011	VIDEO REQUEST	
	After Video Request from #21.	
June 16, 2011	POST-ABATEMENT VIDEO	
	21)post photos in cc items file and copies in f drive-tony	
June 27, 2011	ADMINSTRATIVE	
	Invoice received & date put into Details. File given to #21.	
June 28, 2011	REFERRED	
	21)refer file to office staff LD to place on CC agenda	

Fees:

Fee Name	Amount	Status	Fee Added	Fee Paid
RESIDENTIAL INSPECTION FEE	$120.00	U	04/13/2011	
RESIDENTIAL REINSPECTION FEE	$180.00	U	04/28/2011	
FIRST RESIDENTIAL CIVIL PENALTY	$150.00	U	04/28/2011	
RESIDENTIAL REINSPECTION FEE	$180.00	U	05/23/2011	
SECOND RESIDENTIAL CIVIL PENALTY	$300.00	U	05/23/2011	
LATE FEE	$12.00	U	05/28/2011	
LATE FEE	$18.00	U	06/12/2011	
NUISANCE ABATEMENT FEE	$1,350.00	U	06/27/2011	
ADMINISTRATIVE	$202.50	U	06/27/2011	

Total Amount Due: **$2,512.50**

Total Amount Paid: $ -

Bid Information:

BIDNO	ABATETYPE	CONTRACTOR	STATUS	RECEIVED
1	NUISANCE	CGI	A	5/9/11

Bid Amount: 1,180.00
Bid Award Date: 5/31/11
Contractor Start Date:

Description:

Demolish accessory structure in rear.Obtain all permits. Cut/remove all grass/weeds/refuse/waste

APN 140-29-413-143

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **JOSE ALCALA**
Reputed Owner(s) at time of abatement.

Assessor's Parcel No.: **140-29-413-143**
Commonly known as: **729 Weatherstone Drive**
Legal Description: **SUNWOOD-TRACT 2**
PLAT BOOK 42 PAGE 91
LOT 34 BLOCK B

On **June 15, 2011**, as provided in the Title 9, Chapter 4, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due and proper notification.

Expenses costs and fees ("Actual Cost") in the amount of **$2,080.50** were incurred by the City of Las Vegas in the above-referenced nuisance abatement procedure. Additionally, pursuant to Municipal Code 9.04.120, civil penalties in the amount of **$23,500.00** were approved against the property for violations(s) of Municipal Code 9.04.010. The Las Vegas City Council, at a duly noticed public hearing held on **September 7, 2011** ordered the above Actual Cost in the amount of **$2,080.50**, be immediately assessed against the property by means of this Lien of Assessment with the lien duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this Lien of Assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

NOTE: The City Council ordered the above civil penalties in the amount of **$23,500.00** be assessed against the property by recording a Lien of Assessment on or after **April 30, 2012**.

_____
BEVERLY K. BRIDGES, MMC, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
)
COUNTY OF CLARK)

BEVERLY K. BRIDGES, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

_____
BEVERLY K. BRIDGES, MMC, City Clerk

Subscribed and sworn to before me this ____ day of _____, 2011

_____
NOTARY PUBLIC, in and for said County and State

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF BUILDING AND SAFETY
333 N RANCHO DRIVE, LAS VEGAS, NV 89106 Case #99747

APN 140-29-413-143

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **JOSE ALCALA**
Reputed Owner(s) at time of abatement.

Assessor's Parcel No.: **140-29-413-143**
Commonly known as: **729 Weatherstone Drive**
Legal Description: **SUNWOOD-TRACT 2**
PLAT BOOK 42 PAGE 91
LOT 34 BLOCK B

On **June 15, 2011**, as provided in the Title 9, Chapter 9, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Pursuant to Municipal Code 9.040.120, civil penalties in the amount of **$23,500.00** were levied against the property as for violation(s) of Municipal Code 9.04.010.

The Las Vegas City Council, at a duly noticed public hearing held on **September 7, 2011** ordered the above charges in the amount of **$23,500.00**, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

_____
BEVERLY K. BRIDGES, MMC, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
)
COUNTY OF CLARK)

BEVERLY K. BRIDGES, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

_____
BEVERLY K. BRIDGES, MMC, City Clerk

Subscribed and sworn to before me this ____ day of _____, 2011

_____
NOTARY PUBLIC, in and for said County and State

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF BUILDING AND SAFETY
333 N RANCHO DRIVE, LAS VEGAS, NV 89106 Case #99747

City of Las Vegas Agenda Item No.: **49.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

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

SUBJECT:
Public Hearing for possible action to consider a request for a waiver and/or reduction of fees and/or civil penalties for the property located at 1908 Theresa Avenue in the amount up to $98,683. PROPERTY OWNER: BANK NEW YORK MELLON TRS - Ward 3 (Coffin)

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division: Building and Safety/Neighborhood Response

PURPOSE/BACKGROUND:
Today's hearing is a request from Bank of New York Mellon Trust, owner, to consider a request for a waiver and/or reduction of fees imposed on the parcel at the City Council meetings on September 17, 2008 and February 17, 2010. There were two abatement actions conducted on this property June 22, 2008 and October 19, 2009. The liens were recorded at Clark County Recorder's Office on October 2, 2008 and February 24, 2010. Building and Safety received a Request for Waiver and/or Reduction of Civil Penalties Application dated June 24, 2011 from Bank of New York Mellon Trust requesting the civil penalties be waived.

RECOMMENDATION:
No Recommendation.

BACKUP DOCUMENTATION:
1. Agenda Memo
2. Request for Waiver and Reduction Application
3. Location Maps
4. Spreadsheet of Charges Accrued
5. Notice of Public Hearing

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: September 7, 2011
DEPARTMENT: Building and Safety
ITEM DESCRIPTION: Public Hearing for possible action to consider a request for a waiver and/or reduction of fees and/or civil penalties for the property located at 1908 Theresa Avenue in the amount up to $98,683. PROPERTY OWNER: BANK NEW YORK MELLON TRS – Ward 3 (Coffin)

Today's hearing is a request from Bank of New York Mellon Trust, owner, to consider a waiver and/or reduction of fees imposed on the parcel at the City Council meetings on September 17, 2008 and February 17, 2010. There were two abatement action conducted on this property June 22, 2008 and October 19, 2009. The liens were recorded at Clark County Recorder's Office on October 2, 2008 and February 24, 2010. Building and Safety received a Request for Waiver and/or Reduction of Civil Penalties Application dated June 24, 2011 from Bank of New York Mellon Trust requesting the civil penalties be waived.

Fees associated with the two abatements and inspections total $3,887.50. Total owed on the cases including civil penalties is $98,683. To date, a payment of $2,104.50 has been paid on this property.

Request for a Waiver and/or Reduction of Civil Penalties
Application

BUILDING AND SAFETY Development Services Center

SUBMIT APPLICATION TO:
City of Las Vegas / Neighborhood Response Division
Attn: Devin S. Smith
333 N. Rancho Dr.
Las Vegas, NV 89107
Voice: 702-229-4888 -- Fax: 702-382-4341

Please type and/or print
Submit only one signed original

Date of Application: 6/24/11

Location and/or address of subject property:

Nearest major intersection: Washington / Eastern

Street Address: 1908 Theresa Ave

Parcel Number: 139-26-610-067

Applicant's Address/Contact Information:
Name: Bank of NY Mellon trust
(please check the following the applies)
X Owner ☐ Purchaser ☐ Agent ☐ Other *(explain)*_____
Street Address/PO Box: 400 natural way
City: Simi Valley State: CA Zip Code: 93065
Phone No:_____ E-mail:_____ Fax No: 702 966-3906

Property Owner's Address/Contact Information: (if different from applicant):
Name:_____
Street Address/PO Box:_____
City:_____ State:_____ Zip Code:_____
Phone No:_____ E-mail:_____ Fax No:_____

Amount of City of Las Vegas Lien on the Property: $ 98,815.00

Amount requested to be considered for waiving and/or reduced? $ 98815.00

Signature of Applicant: _____ Claudia Alvear, As Authorized Representative Date: 6.24.11

Signature of Owner: _____ Date:_____

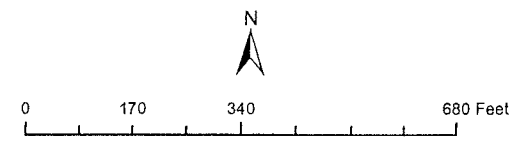
For Office Use Only:
Council Ward:_____; Case/File Number:_____; Council Action date of Lien:_____

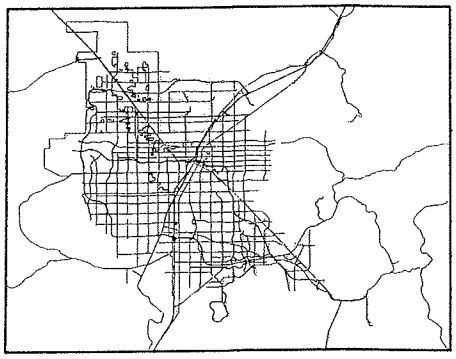
Chris 877-2500
Keller Williams

1908 THERESA AVENUE
CROSS STREETS - EASTERN//WASHINGTON

City of Las Vegas Vicinity Map





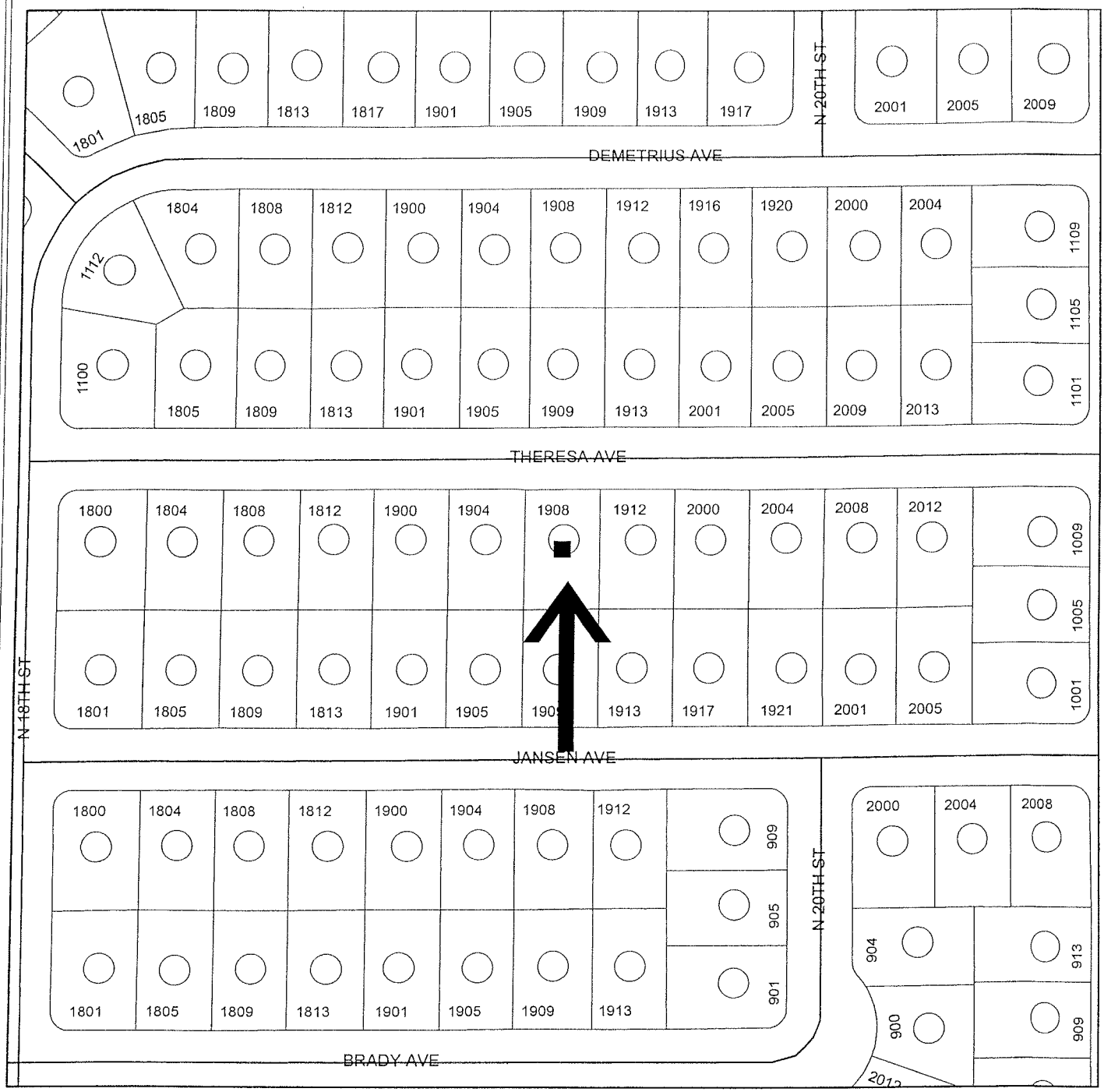


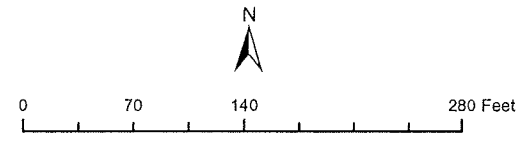
GIS maps are normally produced only to meet the needs of the City
Due to continuous development activity this map is for reference only
Geographic Information System
Planning & Development Dept
702-229-6301

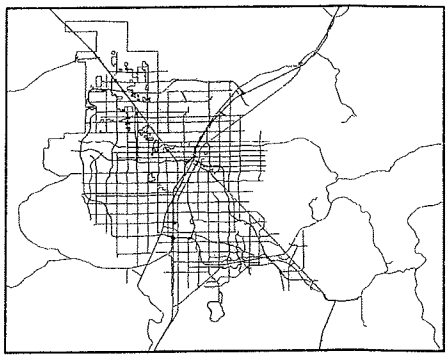
PLANNING & DEVELOPMENT

1908 THERESA AVENUE
CROSS STREETS - EASTERN//WASHINGTON

City of Las Vegas Vicinity Map







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Planning & Development Dept.
702-229-6301

PLANNING & DEVELOPMENT

Case #61553
Associated Fees and Civil Penalties
Four (4) inspections with three (3) failed inspections.

Inspections	Date	Fees	Late Fee	Penalties per failed inspection	Totals
1st – failed	1/23/08	No charge			
2nd – failed	2/21/08	$120	$12		
3rd – failed	3/25/08	$180	$18	$150	
4th – passed	10/23/08	No charge			
Sub-Total		$300	$30	$150	$480.00
Abatement Costs		$1,2500.00			$1,250.00
15% Administrative Fee		$187.50			$187.50
Boarded Building Certificate		$325.00			$325.00
Daily Civil Penalties		$64,350.00			$64,350.00
Paid Amounts		$1,437.50			$1,437.50
Outstanding Amounts					$65,155.00

Case #80173
Associated Fees and Civil Penalties
Six (6) inspections with four (4) failed inspections.

Inspections	Date	Fees	Late Fee	Penalties per failed inspection	Totals
1st – failed	7/24/09	No charge			
2nd – partial passed	7/25/09	No charge			
3rd – failed	8/6/09	$120	$12		
4th – failed	8/20/09	$180	$18	$150	
5th – failed	9/5/09	$180	$18	$300	
6th – passed	10/28/09	No charge			
Sub-Total		$480	$48	$450	$978.00
Abatement costs		$580.00			$580.00
15% Administrative Fee		$87.00			$87.00
Daily Civil Penalties	$32,550.00				$32,550.00
Paid Amounts					$667.00
Outstanding Amounts					$33,528.00

Total fees and penalties associated with the property $98,683.00

LAS VEGAS CITY COUNCIL

CAROLYN G. GOODMAN
MAYOR

STAVROS S. ANTHONY
MAYOR PRO TEM

STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW
BOB COFFIN

ELIZABETH N. FRETWELL
CITY MANAGER

NOTICE OF PUBLIC HEARING

SEPTEMBER 7, 2011

Pursuant to Las Vegas Municipal Code for the Abatement of Dangerous Buildings/Nuisance Code and/or Housing Code, NOTICE IS HEREBY GIVEN THAT ON **WEDNESDAY, SEPTEMBER 7, 2011,** at the hour of **1:00 P.M.** in the City Council Chambers, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the REPORT OF EXPENSES submitted by the Director of Building and Safety for:

> Waiver and/or reduction of abatement costs, daily civil penalties and accrued interest for the violations on the property located at **1908 THERESA AVENUE – Case Nos. 61553/80173**. The Director of Building and Safety certifies that abatement costs, daily civil penalties and accrued interest in the total sum of **$98,683 (after payment of $2,104.50)** were imposed. Owner of record: **BANK NEW YORK MELLON TRS – WARD 3 (COFFIN)**

If the City Council is satisfied with the report, it may order a lien of assessment recorded against the property. Any person affected by the proposed charge may file a written protest with the City Clerk any time prior to the hearing. Each protest must contain a description of the property and the grounds for the protest.

BEVERLY K. BRIDGES
CITY CLERK

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

City of Las Vegas Agenda Item No.: **50.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

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

SUBJECT:
Public Hearing for possible action to consider a request for a waiver and/or reduction of fees and/or civil penalties for the vacant lot located behind Glen Landing Avenue (APN 125-27-819-092) in the amount up to $50,825. PROPERTY OWNER: RES-NV SD LLC – Ward 6 (Ross)

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division: Building and Safety/Neighborhood Response

PURPOSE/BACKGROUND:
Today's hearing is a request from Rialto Capital Advisors, owner, to consider a request for a waiver and/or reduction of fees imposed on the parcel at the City Council meeting on February 17, 2010. The case was generated on July 6, 2009. There were two abatement actions conducted on this property October 19, 2009 and April 27, 2011. The lien for the October 19, 2009 abatement was recorded at Clark County Recorder's Office on February 24, 2010, and the fees were paid on the April 27, 2011 abatement. There is also a previous case that was opened August 15, 2008 for the same issues. The issues were abated, but there is an outstanding balance of $2,374 comprised of inspection fees and civil penalties. Building and Safety received a Request for Waiver and/or Reduction of Civil Penalties Application dated June 21, 2011 from Rialto Capital Advisors requesting the civil penalties be waived.

RECOMMENDATION:
No Recommendation.

BACKUP DOCUMENTATION:
1. Agenda Memo
2. Request for Waiver and Reduction Application
3. Location Maps
4. Spreadsheet of Charges Accrued
5. Notice of Public Hearing

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: September 7, 2011
DEPARTMENT: Building and Safety
ITEM DESCRIPTION: Public Hearing for possible action to consider a request for a waiver and/or reduction of fees and/or civil penalties for the vacant lot located behind Glen Landing Avenue (APN 125-27-819-092) in the amount up to $50,825.
PROPERTY OWNER: RES-NV SD LLC – Ward 6 (Ross)

Today's hearing is a request from Rialto Capital Advisors, owner, to consider a waiver and/or reduction of fees imposed on the parcel at the City Council meeting on October 19, 2009. The case was generated on July 6, 2009. There were two abatement action conducted on this property October 19, 2009 and April 27, 2011. The lien for the October 19, 2009 abatement was recorded at Clark County Recorder's Office on February 24, 2010, and the fees were paid on the April 27, 2011 abatement. Building and Safety received a Request for Waiver and/or Reduction of Civil Penalties Application dated June 21, 2011 from Rialto Capital Advisors requesting the civil penalties be waived.

Fees associated with the October 19, 2009 abatement and inspections total $3,401. Total owed on the case including civil penalties is $48,451. There is also a previous case that was opened August 15, 2008 for the same issues. The issues were abated, but there is an outstanding balance of $2,374 comprised of inspection fees and civil penalties. The total owed on both cases is $50,825.

Request for a Waiver and/or Reduction of Civil Penalties
Application

BUILDING AND SAFETY
Development Services Center

SUBMIT APPLICATION TO:
City of Las Vegas / Neighborhood Response Division
Attn: Devin S. Smith
333 N. Rancho Dr.
Las Vegas, NV 89107
Voice: 702-229-4888 -- Fax: 702-382-4341

Please type and/or print
Submit only one signed original

Date of Application: June 21st, 2011

Location and/or address of subject property:

Nearest major intersection: Ann Road & Balsam St.

Street Address: 5695 Balsam Street

Parcel Number: 125-27-819-092

Applicant's Address/Contact Information:
Name: Kivalto Capital Advisors
(please check the following the applies)
☒ Owner ☐ Purchaser ☐ Agent ☐ Other *(explain)*
Street Address/PO Box: 2490 Paseo Verde Parkway Suite #120
City: Henderson State: NV Zip Code: 89074
Phone No: (702) 821-4881 E-mail: Paul.Kenner@Kivaltocapital.com Fax No: (702) 736-9200

Property Owner's Address/Contact Information: (if different from applicant):
Name:
Street Address/PO Box:
City: State: Zip Code:
Phone No: E-mail: Fax No:

Amount of City of Las Vegas Lien on the Property: $ 48,451.00

Amount requested to be considered for waiving and/or reduced? $ 48,451.00

Signature of Applicant: Date: 6-21-2011

Signature of Owner: Date: 6-21-2011

For Office Use Only:
Council Ward: ; Case/File Number: ; Council Action date of Lien:

Nuisance Abatement # 71691
$1500.00

Describe why the applicant is requesting a waiver/reduction:

The applicant, Rialto Capital Advisors in partnership with the FDIC, worked with the previous owner of the property (APN# 125-27-819 092) to complete the Toscana residential project. Like so many in the current economical climate of Las Vegas, the past owner was not able to move forward with their development plans and subsequently the property was foreclosed upon in 2011. It was not until roughly March 2011 that a new deed for the property was recorded and notices like the City of Las Vegas' Abatement fees and fines began to be received by the new owner. Rialto, along with the FDIC, respectfully requests to have this $48,451.00 fine (Case # 79641) waived since it occurred over 18 months prior to the Foreclosure Sale and our ultimate ownership of this property. The actual abatement work that was complete in association with this case was valued at only $1,500. We will pay the most current Nuisance Abatement Fine of $3,795.00 for fines and penalties for abatement issues occurring on this property within the past year.

Describe the existing condition/situation of the subject property:

The property is an eleven acre residential property subdivided for the development of a 90 lot residential community named Toscana. The past owner had started the development of the lots by grading the property, constructing the wet utilities and had started the electrical underground work when construction activities were halted. Since that time, no additional development work has been pursued to finish the land development portion of this project. In general the property looks disheveled with numerous piles of soil and dumped material from unknown origins scattered throughout the project.

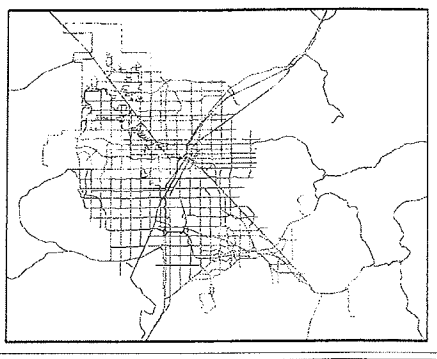
Describe the immediate plans for the property, including any planned improvements:

The City of Las Vegas has a performance bond from the past owner and its surety company totally $599,000 to complete the off-site public improvements that were started for this project. It is our intention to work with Public Works to work through the existing bonding issues with the project and complete all of the necessary land development improvements needed to complete this subdivision. At such time, we plan to market the project to home builders so that the property can become a vibrant part of the neighborhood.

PARCEL #125-27-819-092
VACANT LOT BEHIND GLEN LANDING AVE
CROSS STREETS - ANN//RAINBOW

City of Las Vegas Vicinity Map





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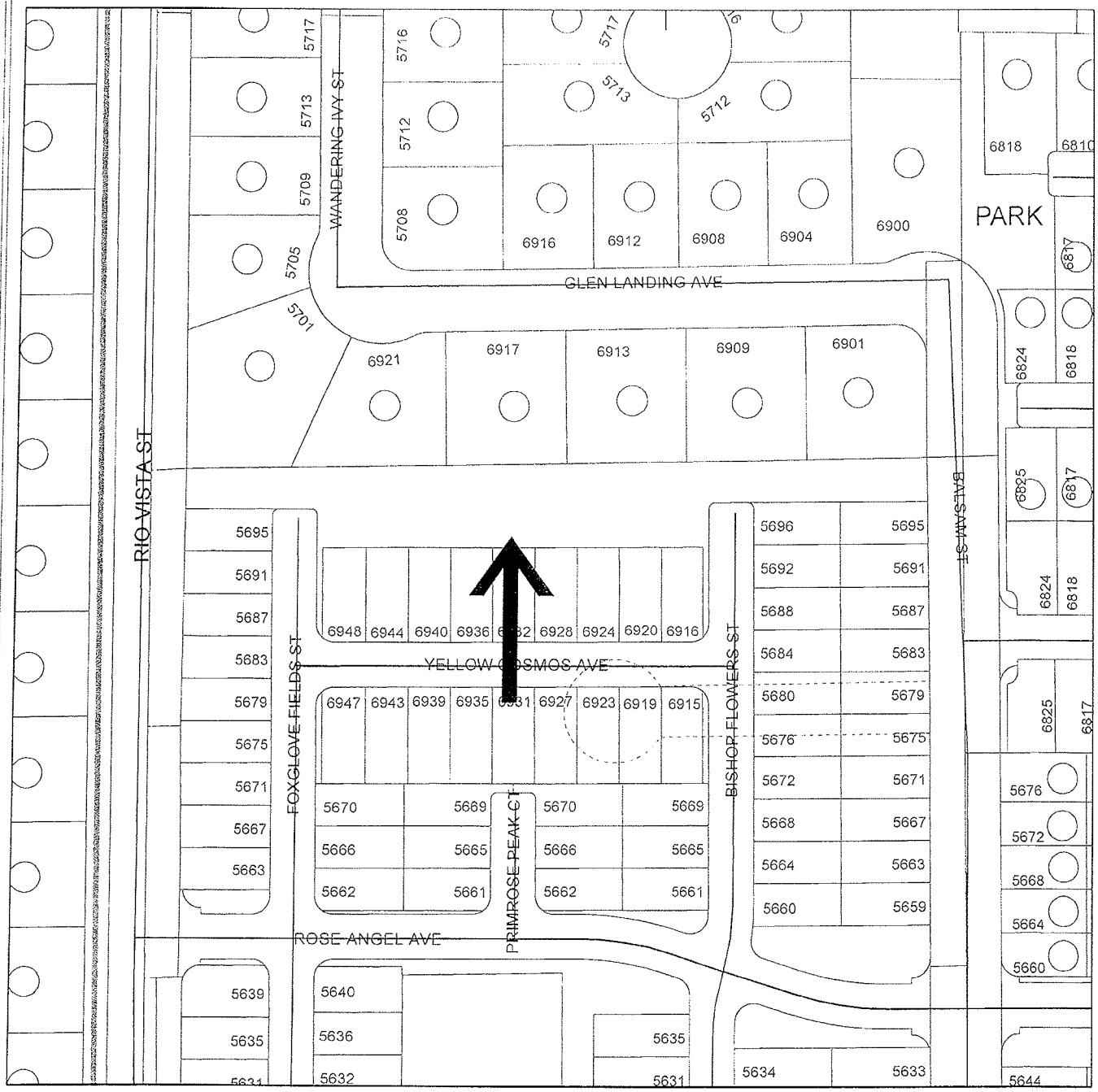
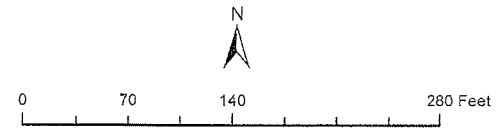
702-229-6301

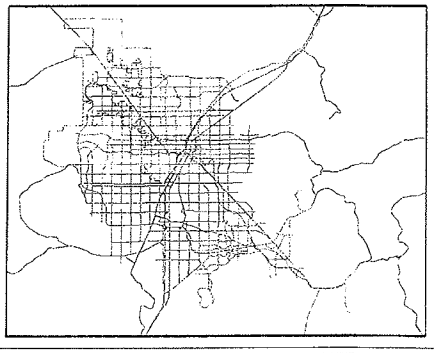
PLANNING & DEVELOPMENT

PARCEL #125-27-819-092
VACANT LOT BEHIND GLEN LANDING AVE
CROSS STREETS - ANN//RAINBOW

City of Las Vegas Vicinity Map







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Geographic Information System
Planning & Development Dept
702-229-6301

PLANNING & DEVELOPMENT

Case # 79641

Associated Fees and Civil Penalties

Seven (7) inspections with four(4) failed inspections.

Inspections	Date	Fees	Late Fee	Penalties per failed inspection	Totals
1st – Failed	7/9/2009	No charge			
2nd – Partial Pass	7/14/2009	No Charge			
3rd – Failed	7/28/2009	$120	$12		
4th – Failed	8/18/2009	$180	$18	$150	
5th – Failed	9/1/2009	$180	$18	$300	
6th- Failed	10/14/2009	$180	$18	$500	
7th – Passed	10/16/2009				
Sub-Total		**$660**	**$66**	**$950**	**$1676.00**
Abatement Costs		$1500.00			**$1500.00**
15% Administrative Fee		$225.00			**$225.00**
Daily Civil Penalties		$45,050.00			**$45,050.00**
Outstanding Amounts					**$48,451.00**

Case # 68779

Associated Fees and Civil Penalties

Seven (7) inspections with six (6) failed inspections.

Inspections	Date	Fees	Late Fee	Penalties per failed inspection	Totals
1st – failed	8/15/2008	No charge			
2nd - failed	8/26/2008	$120	$12		
3rd – failed	9/9/2008	$180	$18	$150	
4th – failed	9/23/2008	$180	$18	$300	
5th – failed	10/13/2008	$180	$18	$500	
6th – failed	6/12/2008	$180	$18	$500	
7th - passed	9/9/2008				
Sub-Total		$840	$84	$1450	$2374.00

Case # 96291

Associated Fees and Civil Penalties

Nine (9) inspections with six (6) failed inspections.

Inspections	Date	Fees	Late Fee	Penalties per failed inspection	Totals
1st – failed	11/19/2010	No charge			
2nd - failed	12/7/2010	$120	$12		
3rd – failed	12/21/2010	$180	$18	$150	
4th – failed	1/3/12011	$180	$18	$300	
5th – failed	2/28/2011	$180	$18	$500	
6th – failed	3/14/2011	$180	$18	$500	
7th – failed	3/30/2011	$180	$18	$500	
8th – status check	4/28/2011				
9th - passed	5/17/2011				
Sub-Total		$1020.00	$102	$1950	$3072.00
Abatement Costs		$629.00			629.00
Administrative Fee		$94.35			94.35
Total					$3795.35
Amount Paid					-$3795.35
Amount Outstanding					$0.00

Total fees and penalties associated with the property:

Case #79641	**$ 48,451.00**
Case #68779	**$ 2374.00**
Case #96291	**$ 0.00**
Total:	**$50,825.00**

LAS VEGAS CITY COUNCIL

CAROLYN G. GOODMAN
MAYOR

STAVROS S. ANTHONY
MAYOR PRO TEM

STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW
BOB COFFIN

ELIZABETH N. FRETWELL
CITY MANAGER

NOTICE OF PUBLIC HEARING

SEPTEMBER 7, 2011

Pursuant to Las Vegas Municipal Code for the Abatement of Dangerous Buildings/Nuisance Code and/or Housing Code, NOTICE IS HEREBY GIVEN THAT ON **WEDNESDAY, SEPTEMBER 7, 2011,** at the hour of **1:00 P.M.** in the City Council Chambers, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the REPORT OF EXPENSES submitted by the Director of Building and Safety for:

> Waiver and/or reduction of abatement costs, daily civil penalties and accrued interest for the violations on the property located at **VACANT LOT BEHIND GLEN LANDING AVENUE – APN 125-27-819-092 – Case Nos. 79641/68779/96291**. The Director of Building and Safety certifies that abatement costs, daily civil penalties and accrued interest in the total sum of **$50,825.00 (after payment of $3,795.35)** were imposed. Owner of record: **RES-NV SD LLC – WARD 6 (ROSS)**

If the City Council is satisfied with the report, it may order a lien of assessment recorded against the property. Any person affected by the proposed charge may file a written protest with the City Clerk any time prior to the hearing. Each protest must contain a description of the property and the grounds for the protest.

BEVERLY K. BRIDGES
CITY CLERK

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

City of Las Vegas Agenda Item No.: **51.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

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

SUBJECT:
Public Hearing for possible action to consider a request for a waiver and/or reduction of fees and/or civil penalties for the property located at 5733 Royal Castle Lane in the amount up to $45,200. PROPERTY OWNER: BANK U S NATIONAL ASSN TRS - Ward 6 (Ross)

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division: Building and Safety/Neighborhood Response

PURPOSE/BACKGROUND:
Today's hearing is a request from U S Bank, owner, to consider a request for a waiver and/or reduction of fees imposed on the parcel at the City Council meeting on June 17, 2009. There was one abatement action conducted on this property December 30, 2008. The lien was recorded at the Clark County Recorder's Office on June 22, 2009. Building and Safety received a Request for Waiver and/or Reduction of Civil Penalties Application dated June 15, 2011 from U S Bank requesting the civil penalties be waived.

RECOMMENDATION:
No Recommendation.

BACKUP DOCUMENTATION:
1. Agenda Memo
2. Request for Waiver and Reduction Application
3. Location Maps
4. Spreadsheet of Charges Accrued
5. Notice of Public Hearing

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: September 7, 2011
DEPARTMENT: Building and Safety
ITEM DESCRIPTION: Public Hearing for possible action to consider a request for a waiver and/or reduction of fees and/or civil penalties for the property located at 5733 Royal Castle Lane in the amount up to $45,200. PROPERTY OWNER: BANK U S NATIONAL ASSN TRS – Ward 6 (Ross)

Today's hearing is a request from U S Bank, owner, to consider a waiver and/or reduction of fees imposed on the parcel at the City Council meeting on June 17, 2009. There was one abatement action conducted on this property December 30, 2008. The lien was recorded at Clark County Recorder's Office on June 22, 2009. Building and Safety received a Request for Waiver and/or Reduction of Civil Penalties Application dated June 15, 2011 from U S Bank requesting the civil penalties be waived.

Fees associated with the two abatements and inspections total $2,889.20. Total owed on the cases including civil penalties is $45,200. To date, a payment of $2,889.20 has been paid on this property.

Request for a Waiver and/or Reduction of Civil Penalties
Application

BUILDING & SAFETY

SUBMIT APPLICATION TO:
City of Las Vegas / Neighborhood Response Division
Attn: Devin S. Smith
333 N. Rancho Dr.
Las Vegas, NV 89107
Voice: 702-229-4888 -- Fax: 702-382-4341

Please type and/or print
Submit only one signed original

Date of Application: 6/15/11

Location and/or address of subject property:

Nearest major intersection: Ann / Rainbow

Street Address: 5133 Royal Castle Ln

Parcel Number: 125-27-811-024

Applicant's Address/Contact Information:
Name: U.S. Bank N.A. as trustee for the Certificateholders of Harborview mortgage Loan trust 2005-08
(please check the following the applies)
X Owner ☐ Purchaser ☐ Agent ☐ Other *(explain)*
Street Address/PO Box:
City: State: Zip Code:
Phone No: E-mail:* Fax No:
* REO.Curative.title@BankofAmerica.com

Property Owner's Address/Contact Information: (If different from applicant):
Name:
Street Address/PO Box:
City: State: Zip Code:
Phone No: E-mail: Fax No:

Amount of City of Las Vegas Lien on the Property: $ 45,200.00

Amount requested to be considered for waiving and/or reduced? $ 1,000

Signature of Applicant: Date:

Signature of Owner: Date: 6/15/11
Tammie Robedeau

For Office Use Only:
Council Ward: ; Case/File Number: ; Council Action date of Lien:

Describe why the applicant is requesting a waiver/reduction:
(You may attach additional sheets if needed.)

Foreclosure sale date: 3/30/11
The bank did not have authority to enter property and correct code violations until after Foreclosure. code violations in this payoff demand Predate Banks ownership of property.

Describe the existing condition/situation of the subject property:
(You may attach additional sheets if needed.)

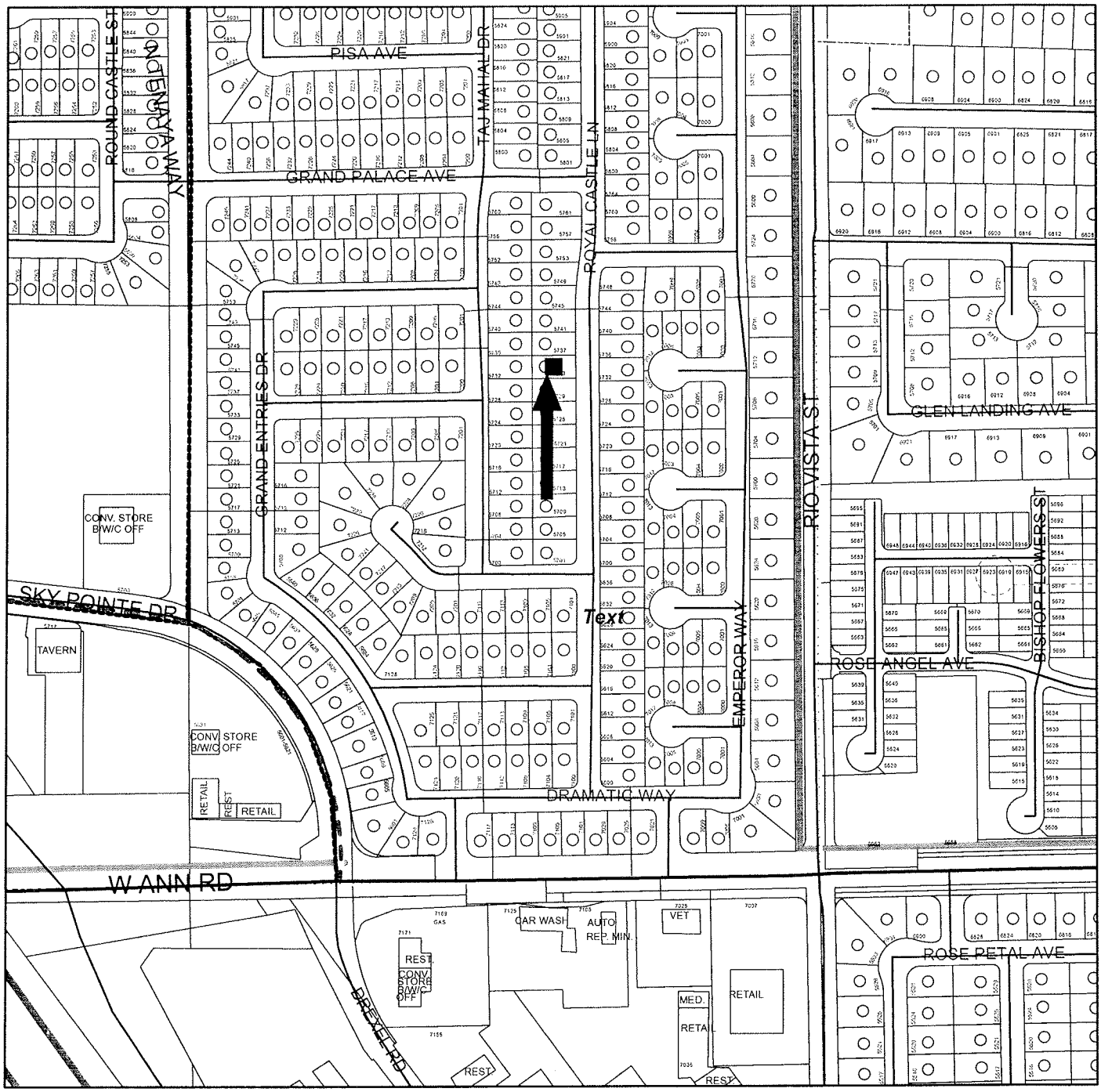
Typical Foreclosure property with a lot of junk/trash/belongings Left behind. 1 Broken CR window. Unmaintained yard areas

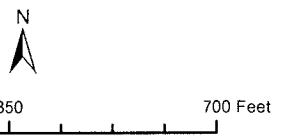
Describe the immediate plans for the property, including any planned improvements: *(You may attach additional sheets if needed.)*

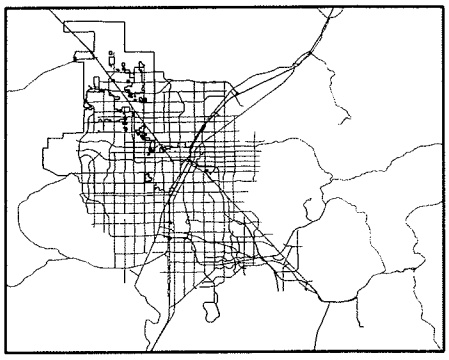
Plans for Initial Services to include trash out/ Sales clean/ initial landscaping Spruce up only. No p/annual improvements

5733 ROYAL CASTLE LANE
CROSS STREETS - ANN//RIO VISTA

City of Las Vegas Vicinity Map





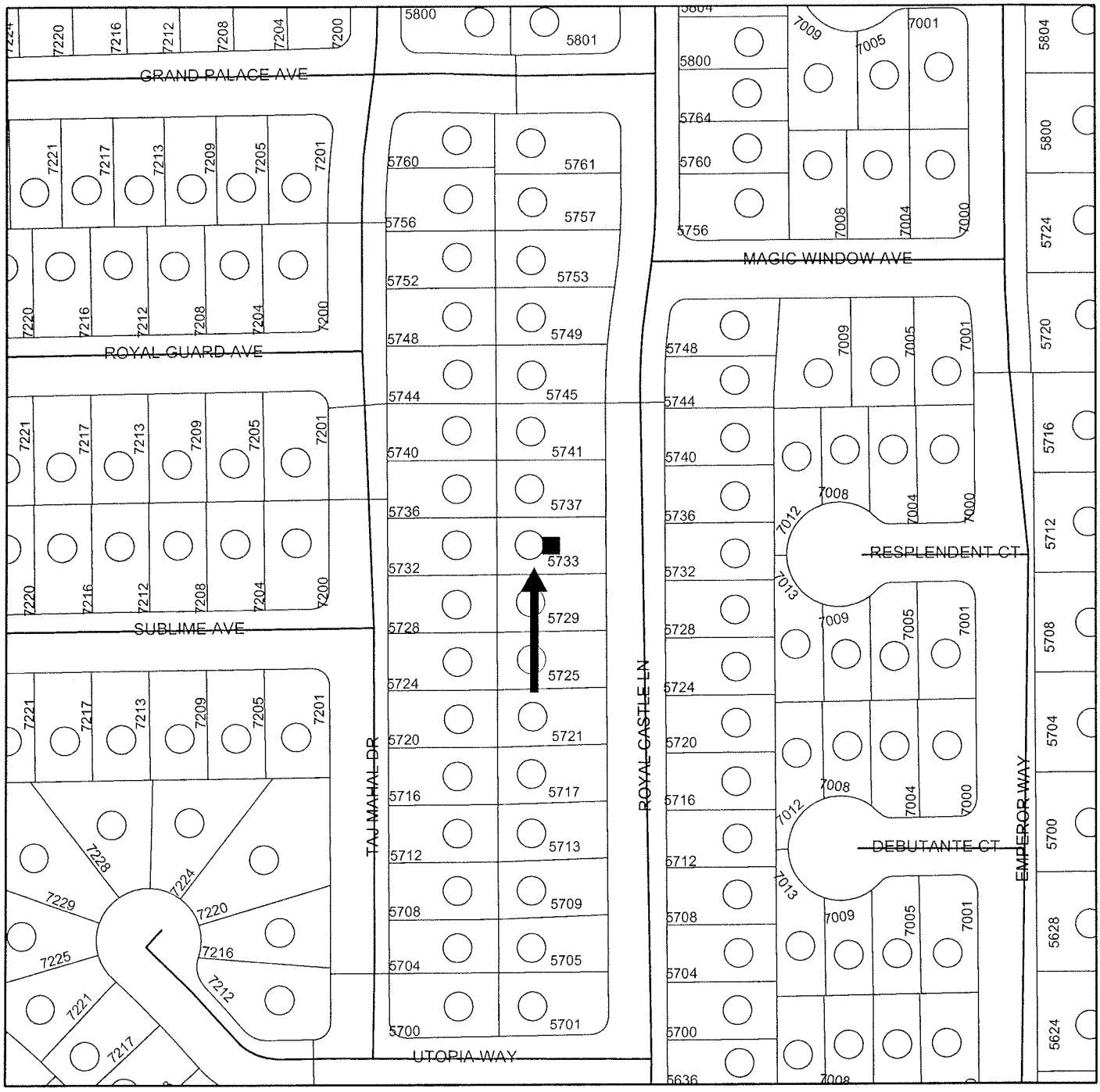


GIS maps are normally produced only to meet the needs of the City
Due to continuous development activity this map is for reference only
Geographic Information System
Planning & Development Dept
702-229-6301

PLANNING & DEVELOPMENT

5733 ROYAL CASTLE LANE
CROSS STREETS - ANN//RIO VISTA

City of Las Vegas Vicinity Map



GIS maps are normally produced only to meet the needs of the City Due to continuous development activity this map is for reference only
Geographic Information System
Planning & Development Dept.
702-229-6301

PLANNING & DEVELOPMENT

Associated Fees and Civil Penalties

Seven (7) inspections with (6) failed inspections.

Inspections	Date	Fees	Late Fee	Penalties per failed inspection	Paid Fees & Penalties
1st – failed	9/4/2008	No Charge			
2nd - failed	9/15/2008	$120			
3rd – failed	9/23/2008	$180		$150	
4th – failed	10/13/2008	$180		$300	
5th – failed	11/10/2008	$180		$500	
6th - failed	11/21/2008	$180		$500	
7th – Passed	1/5/2009	No Charge			
Abatement Costs		$448.00			
15% Administrative Fee		67.20			
Daily Civil Penalties Assessed				$45200.00	
Total Fees & Penalties Paid					2889.20

Total Fee's Assessed	**$ 840.00**
Total Civil Penalties Assessed	**$1450.00**
Abatement Cost	**$448.00**
Administrative Fee 15%	**$67.20**
Daily Civil Penalties Assessed	**$45200.00**
Paid Fees	**-$2889.20**
Total Remaining Due	**$45200.00**

LAS VEGAS CITY COUNCIL

CAROLYN G. GOODMAN
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NOTICE OF PUBLIC HEARING

SEPTEMBER 7, 2011

Pursuant to Las Vegas Municipal Code for the Abatement of Dangerous Buildings/Nuisance Code and/or Housing Code, NOTICE IS HEREBY GIVEN THAT ON **WEDNESDAY, SEPTEMBER 7, 2011,** at the hour of **1:00 P.M.** in the City Council Chambers, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the REPORT OF EXPENSES submitted by the Director of Building and Safety for:

> Waiver and/or reduction of abatement costs, daily civil penalties and accrued interest for the violations on the property located at **5733 ROYAL CASTLE LANE – Case No. 69442.** The Director of Building and Safety certifies that abatement costs, daily civil penalties and accrued interest in the total sum of **$45,200.00 (after payment of $2,889.20)** were imposed. Owner of record: **BANK US NATIONAL ASSN TRS – WARD 6 (ROSS)**

If the City Council is satisfied with the report, it may order a lien of assessment recorded against the property. Any person affected by the proposed charge may file a written protest with the City Clerk any time prior to the hearing. Each protest must contain a description of the property and the grounds for the protest.

BEVERLY K. BRIDGES
CITY CLERK

CITY OF LAS VEGAS
400 STEWART AVENUE
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City of Las Vegas Agenda Item No.: **52.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

☒ **Consent** ☐ **Discussion**

SUBJECT:

EOT-42567 - EXTENSION OF TIME - VARIANCE - APPLICANT/OWNER: CLOUDBREAK LAS VEGAS, LLC - For possible action on a request for an Extension of Time of a previously approved Variance (VAR-19666) TO ALLOW 158 PARKING SPACES WHERE 394 IS THE MINIMUM NUMBER OF SPACES REQUIRED FOR A PROPOSED EXPANSION OF AN EXISTING MULTI-FAMILY RESIDENTIAL/SINGLE ROOM OCCUPANCY ESTABLISHMENT AND SOCIAL SERVICE PROVIDER on 2.77 acres at 525 East Bonanza Road and 602 Encanto Drive (APNs 139-27-805-003 and 139-27-812-017), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

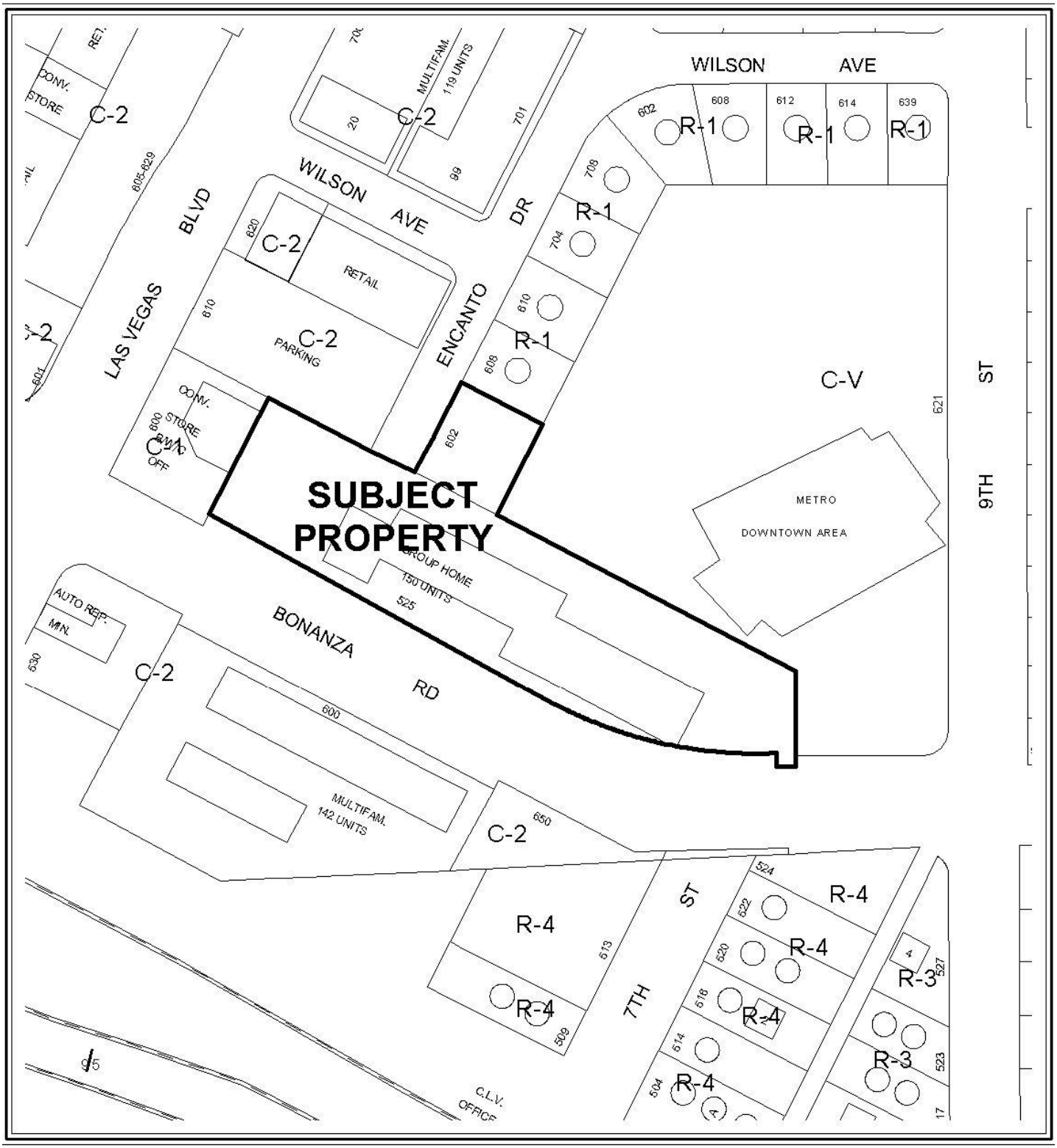
PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:

1. Location and Aerial Maps - EOT-42567, EOT-42568, EOT-42569, EOT-42570, EOT-42576 and EOT-42577
2. Conditions and Staff Report - EOT-42567, EOT-42568, EOT-42569, EOT-42570, EOT-42576 and EOT-42577
3. Supporting Documentation
4. City Council Approval Letter for VAR-19666
5. Justification Letter - EOT-42567, EOT-42568, EOT-42569, EOT-42570, EOT-42576 and EOT-42577



CASE: **EOT-42567; EOT-42568; EOT-42569**
EOT-42570; EOT-42576; EOT-42577

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N



0 100 200 Feet

CASE: EOT-42567; EOT-42568; EOT-42569
EOT-42570; EOT-42576; EOT-42577

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: SEPTEMBER 7, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: CLOUDBREAK LAS VEGAS, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
EOT-42567 **EOT-42568** **EOT-42569** **EOT-42570** **EOT-42576** **EOT-42577**	Staff recommends APPROVAL, subject to conditions:	None

** CONDITIONS **

EOT-42567 CONDITIONS

Planning

1. This Variance (VAR-19666) shall expire on August 15, 2013 unless another Extension of Time is approved by the City Council.

2. Conformance to the conditions of approval of the Variance (VAR-19666) and all other site related actions as required by the Department of Planning and Department of Public Works.

DS

EOT-42568 CONDITIONS

Planning

1. This Variance (VAR-19665) shall expire on August 15, 2013 unless another Extension of Time is approved by the City Council.

2. Conformance to the conditions of approval of the Variance (VAR-19665) and all other site related actions as required by the Department of Planning and Department of Public Works.

EOT-42569 CONDITIONS

Planning

1. This Waiver (WVR-19668) shall expire on August 15, 2013 unless another Extension of Time is approved by the City Council.

2. Conformance to the conditions of approval of the Waiver (WVR-19668) and all other site related actions as required by the Department of Planning and Department of Public Works.

EOT-42570 CONDITIONS

Planning

1. This Special Use Permit (SUP-19661) shall expire on August 15, 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-19661) and all other site related actions as required by the Department of Planning and Department of Public Works.

EOT-42576 CONDITIONS

Planning

1. This Special Use Permit (SUP-20052) shall expire on August 15, 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-20052) and all other site related actions as required by the Department of Planning and Department of Public Works.

EOT-42577 CONDITIONS

Planning

1. This Site Development Plan Review (SDR-19659) shall expire on August 15, 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-19659) and all other site related actions as required by the Department of Planning and Department of Public Works.

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site currently has a single room occupancy establishment with previous approvals for a Site Development Plan Review (SDR-19659) for the expansion of the existing structure with waivers of perimeter landscaping buffer standards, a Waiver (WVR-19668) to allow Encanto Drive to continue to remain a dead end street, Variances (VAR-19665 and VAR-19666) to allow reduced setbacks and a reduction of the required number of parking spaces, and Special Use Permits (SUP-19661 and SUP-20052) for the expansion of the existing facility and for a Social Service Provider at 525 East Bonanza Road and 602 Encanto Drive. No plans have been submitted for review, nor have any building permits been issued for the proposed project. Since the approval of the assorted entitlements in August 2007, there has been new development in the surrounding area that includes a Metropolitan Police Department Substation to the east, and a Museum to the north. The applicant is requesting an Extension of Time to allow the economy to improve so that they can secure financing for the proposed project. Staff finds that the proposed project will not negatively affect the new development in the surrounding area; therefore, is recommending approval with a two-year time limit.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
08/15/07	The City Council approved a request for Rezoning (ZON-21991) from R-1 (Single Family Residential) to C-2 (General Commercial) on 0.21 acres at 602 Encanto Drive. The Planning Commission recommended approval; staff recommended denial.
	The City Council approved a related request for a Waiver (WVR-19668) of Title 18.12.130 to allow Encanto Drive to continue to end in a dead end street where a cul-de-sac is required.
	The City Council approved a related request for a Variance (VAR-19665) to allow a ten-foot setback from a primary arterial street where 44 feet is the minimum setback required; to allow a front yard setback of ten feet where 20 feet is required and a side yard setback of 8.5 feet where 10 feet is required; to allow a residential adjacency setback of 66.42 feet to the fourth floor where 127.5 feet is the minimum setback required on the north side of the property for a proposed expansion of an existing multi-family residential/single room occupancy establishment.
	The City Council approved a relate request for a Variance (VAR-19666) to allow 158 parking spaces where 394 is the minimum number of spaces required for a proposed expansion of an existing multi-family residential/single room occupancy establishment and social service provider.

Related Relevant City Actions by P&D, Fire, Bldg., etc	
08/15/07	The City Council approved a related request for a Special Use Permit (SUP-19661) for a proposed expansion of a single room occupancy residence.
	The City Council approved a related request for a Special Use Permit (SUP-20052) for a proposed Social Service Provider.
	The City Council approved a related request for a Petition to Vacate (VAC-19669) the southern 101 feet of Encanto Drive, commencing approximately 97 feet south of the intersection of Encanto Drive and Wilson Avenue.
	The City Council approved a related request for a Site Development Plan Review (SDR-19659) for a proposed expansion of an existing multi-family residential/single room occupancy establishment with waivers of the perimeter landscape buffer standards to allow a one-foot wide buffer along a portion of the south property line where a 15-foot wide buffer is required; a six-foot wide buffer along a portion of the east property line where an eight-foot wide buffer is required; a three-foot wide buffer along a portion of the north property line where an eight-foot wide buffer is required; and a six-foot wide buffer along the west property line where an eight-foot wide buffer is required.
11/06/08	The Planning and Development Department administratively approved a request for an Extension of Time (EOT-30355) of a previously approved Vacation (VAC-19669) that vacated the southern 101 feet of Encanto Drive, commencing approximately 97 feet south of the intersection of Encanto Drive and Wilson Avenue.
09/14/09	The Planning and Development Department administratively approved a request for an Extension of Time (EOT-35354) of a previously approved Vacation (VAC-19669) that vacated the southern 101 feet of Encanto Drive, commencing approximately 97 feet south of the intersection of Encanto Drive and Wilson Avenue.
09/16/09	The City Council approved a request for an Extension of Time (EOT-35349) of a previously approved Waiver (WVR-19668) of Title 18.12.130 to allow Encanto Drive to continue to end in a dead end street where a cul-de-sac is required. Staff recommended approval.
	The City Council approved a related request for an Extension of Time (EOT-35351) of a previously approved Variance (VAR-19665) to allow a ten-foot setback from a primary arterial street where 44 feet is the minimum setback required; to allow a front yard setback of ten feet where 20 feet is required and a side yard setback of 8.5 feet where 10 feet is required; to allow a residential adjacency setback of 66.42 feet to the fourth floor where 127.5 feet is the minimum setback required on the north side of the property for a proposed expansion of an existing multi-family residential/single room occupancy establishment.

	The City Council approved a related request for an Extension of Time (EOT-35350) of a previously approved Variance (VAR-19666) to allow 158 parking spaces where 394 is the minimum number of spaces required for a proposed expansion of an existing multi-family residential/single room occupancy establishment and social service provider.

Related Relevant City Actions by P&D, Fire, Bldg., etc	
09/16/09	The City Council approved a related request for an Extension of Time (EOT-35352) of a previously approved Special Use Permit (SUP-19661) for a proposed expansion of a single room occupancy residence.
	The City Council approved a related request for an Extension of Time (EOT-35492) of a previously approved Special Use Permit (SUP-20052) for a proposed Social Service Provider.
	The City Council approved a related request for an Extension of Time (EOT-35353) of a previously approved Site Development Plan Review (SDR-19659) for a proposed expansion of an existing multi-family residential/single room occupancy establishment with waivers of the perimeter landscape buffer standards to allow a one-foot wide buffer along a portion of the south property line where a 15-foot wide buffer is required; a six-foot wide buffer along a portion of the east property line where an eight-foot wide buffer is required; a three-foot wide buffer along a portion of the north property line where an eight-foot wide buffer is required; and a six-foot wide buffer along the west property line where an eight-foot wide buffer is required.

Most Recent Change of Ownership	
12/30/03	A deed was recorded for a change in ownership for APN 139-27-805-003.
12/21/06	A deed was recorded for a change in ownership for APN 139-27-812-017.

Related Building Permits/Business Licenses	
12/23/10	A business license (A07-01795) was issued for Apartments at 525 East Bonanza Road. The license is still active.
01/04/11	A business license (M06-03179) was issued for Miscellaneous Services at 525 East Bonanza Road. The license is still active.
03/16/11	A business license (N41-00040) was issued for a Non-Profit Social Service Provider at 525 East Bonanza Road. The license is still active.
03/16/11	A business license (N42-00004) was issued for Intermediary Housing at 525 East Bonanza Road. The license is still active.
There have not been any plans submitted for review nor have any building permits been issued for the proposed project	

DS

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	2.77

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Residential/Single Room Occupancy Establishment	MXU (Mixed-Use)	C-2 (General Commercial)
North	Single Family Residences	MXU (Mixed-Use)	R-1 (Single Family Residential)
	Retail Establishments and Parking Lot	MXU (Mixed-Use)	C-2 (General Commercial)
South	Apartments	MXU (Mixed-Use)	C-2 (General Commercial)
East	Government Facility	PF (Public Facilities)	C-V (Civic)
West	Convenience Store	MXU (Mixed-Use)	C-1 (Limited Commercial)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area			
Downtown North Plan	X		Y
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		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

This is the second request for Extensions of Time of previously approved entitlements for property located at 525 East Bonanza Road and 602 Encanto Drive that includes a Site Development Plan Review (SDR-19659) for the expansion of an existing Multi-Family Residential/Single-Room Occupancy establishment with waivers of perimeter landscaping buffer standards to allow a one-foot wide buffer along a portion of the south property line where 15 feet is required, a six-foot wide buffer along a portion of the east property line where eight feet is required, a three-foot wide buffer along a portion of the north property line where eight feet is required, and a six-foot wide buffer along the west property line where eight feet is required; a

Waiver (WVR-19668) to allow Encanto Drive to continue to remain a dead end street where a cul-de-sac is required; Variances (VAR-19665 and VAR-19666) to allow a 10-foot setback from a primary arterial street where 44 feet is the minimum required, to allow a front yard setback of 10 feet where 20 feet is required, a side yard setback of 8.5 feet where 10 feet is required, a residential adjacency setback of 66.42 feet to the fourth floor where 127.5 feet is the minimum required on the north side of the property, and to allow 158 parking spaces where 394 spaces are the minimum required; and Special Use Permits (SUP-19661 and SUP-20052) to allow the expansion of the facility and for a Social Service provider.

No plans have been submitted for review, nor have any building permits been issued for the proposed project. Since the approval of the assorted entitlements in August 2007, there has been new development in the surrounding area that includes a Metropolitan Police Department Substation to the east, and a Museum to the north.

Title 19.16 of the Unified Development Code deems a Site Development Plan Review, Waiver, Variance, and Special Use Permit exercised upon the issuance of a building permit for new construction.

FINDINGS

The Site Development Plan Review (SDR-19659), Waiver (WVR-19668), Variances (VAR-19665 and VAR-19666), and Special Use Permits (SUP-19661 and SUP-20052) have not been exercised in accordance with the requirements of Title 19.16 as no building permits have been issued. The applicant is requesting an Extension of Time to allow the economy to improve so that they can secure financing for the proposed project. Staff finds that the proposed project will not negatively affect the new development in the surrounding area; therefore, is recommending approval of this request with a two-year time limit. Conformance to the conditions of approval of the entitlements shall be required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 0

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

DS

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **EOT-42567** APN: 139-27-805-003 & 139-27-812-017

Name of Property Owner: Cloudbreak Las Vegas, LLC

Name of Applicant: Cloudbreak Las Vegas, LLC

Name of Representative: Cloudbreak Las Vegas, LLC

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☒ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Randy Bishop

Subscribed and sworn before me Lynda Armenta

This 14th day of July, 20 11

Lynda Armenta, Notary Public

Notary Public in and for said County and State

LYNDA ARMENTA
Commission # 1864644
Notary Public - California
Los Angeles County
My Comm. Expires Sep 12, 2013

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Variance 19666

Project Address (Location) 525 E. Bonanza Road

Project Name U.S. Vets at the Meadows **Proposed Use** SRO

Assessor's Parcel #(s) 139-27-805-003 & 139-27-812-017 **Ward #** 5

General Plan: existing SC,PF proposed ____ **Zoning:** existing C-2, R-1 proposed C-2

Commercial Square Footage 124,857 **Floor Area Ratio** 1.41

Gross Acres 2.77 **Lots/Units** ____ **Density** ____

Additional Information ____

PROPERTY OWNER Cloudbreak Las Vegas, LLC **Contact** Randy Bishop

Address 414 S. Marengo Ave **Phone:** (310) 568-9100 **Fax:** (310) 568-9191

City Pasadena **State** CA **Zip** 91101-3113

E-mail Address rbishop@cantwell-anderson.com

APPLICANT Cloudbreak Las Vegas, LLC **Contact** Randy Bishop

Address 414 S. Marengo Ave **Phone:** (310) 568-9100 **Fax:** (310) 568-9191

City Pasadena **State** CA **Zip** 91101-3113

E-mail Address rbishop@cantwell-anderson.com

REPRESENTATIVE Cloudbreak Las Vegas, LLC **Contact** Randy Bishop

Address 414 S. Marengo Ave **Phone:** (310) 568-9100 **Fax:** (310) 568-9191

City Pasadena **State** CA **Zip** 91101-3113

E-mail Address rbishop@cantwell-anderson.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 Randall Bishop

Subscribed and sworn before me Lynda Armenta

This 14th day of July, 20 11.

Lynda Armenta Notary Public

Notary Public in and for said County and State

LYNDA ARMENTA
Commission # 1864644
Notary Public -- California
Los Angeles County
My Comm. Expires Sep 12, 2013

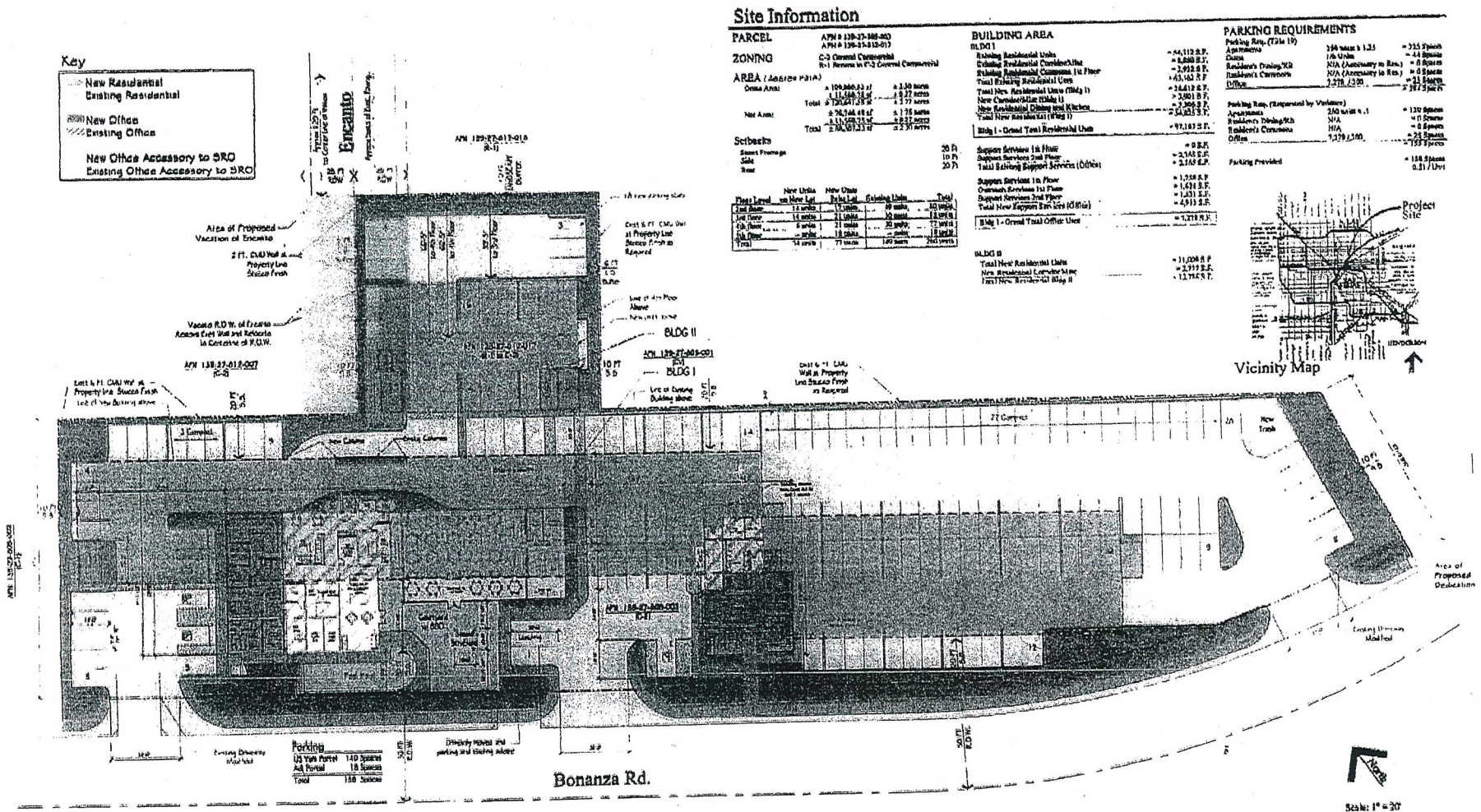
Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	~~VAR~~ FOT-42567
Meeting Dat	9-7-11
Total Fee:	300
Date Received:*	7-19-11
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.

f:\depot\Application Packet\Application Form.pdf



Conceptual Site Plan - Scheme G

RECEIVED

JUL 19 2011

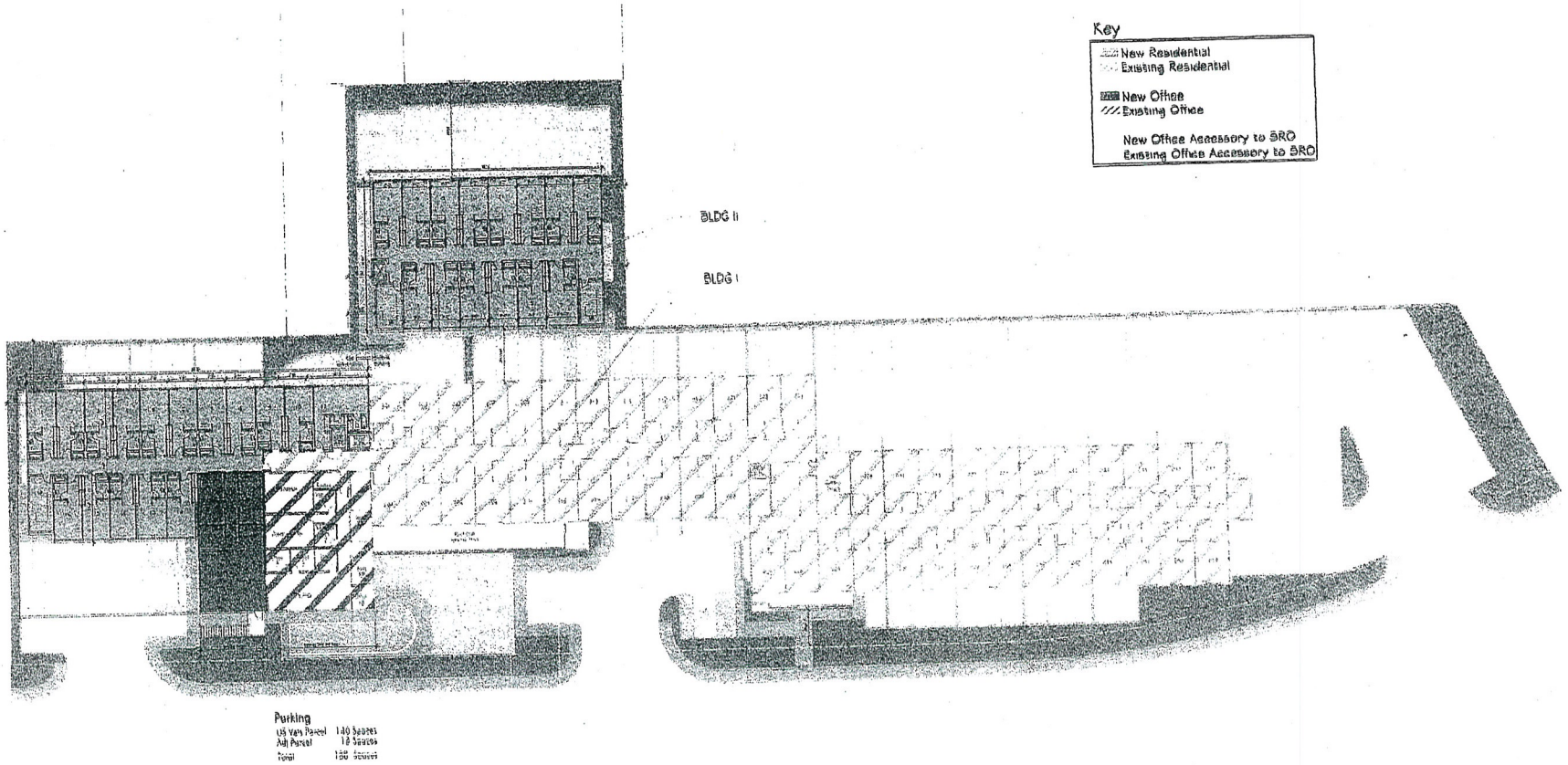
Cloudbreak Las Vegas, LLC

US Vets at the Meadows - Addition

Las Vegas, Nevada

Perkins F1

EOT-42567
EOT-42568
EOT-42569
EOT-42570
EOT-42576
EOT-42577



Conceptual 2nd Floor Plan

Scale: 1" = 20'-0"

Project # 05029 February 02, 2007

RECEIVED

JUL 19 2011

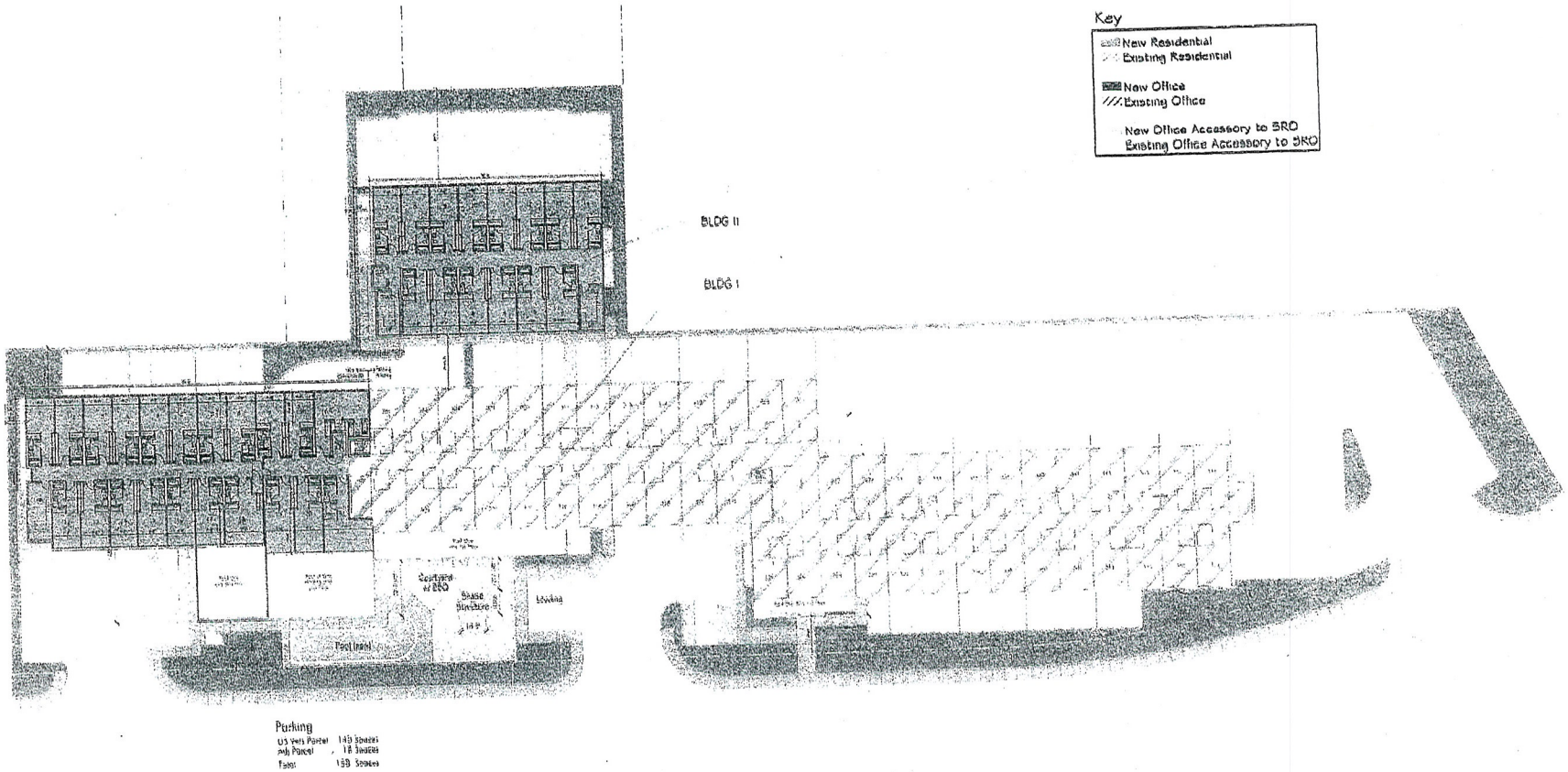
Cloudbreak Las Vegas, LLC

US Vets at the Meadows - Addition

Las Vegas, Nevada

Rahman F2

EOT-42567 EOT-42568
EOT-42569 EOT-42570
EOT-42576 EOT-42577



Scale: 1" = 20'-0"

Project # 903029 February 02, 2007

Conceptual 3rd Floor Plan

Cloudbreak Las Vegas, LLC

US Vets at the Meadows - Addition

Las Vegas, Nevada

RECEIVED

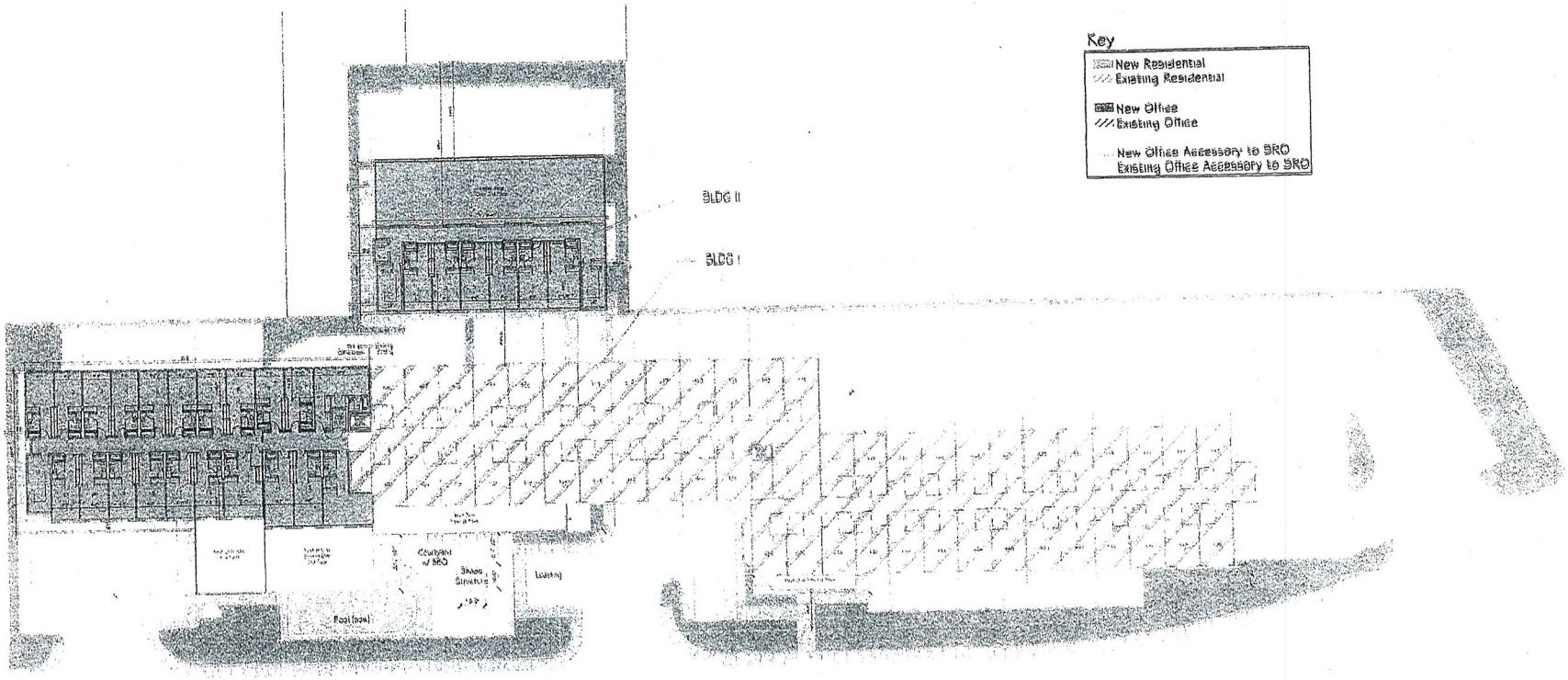
JUL 19 2011

Pulman

F3

EOT-42567
EOT-42569
EOT-42576

EOT-42568
EOT-42570
EOT-42577



Conceptual 4th Floor Plan

Scale: 1" = 20'-0"

0 20 40

Project # 905029 February 02, 2007

RECEIVED

JUL 19 2011

Cloudbreak Las Vegas, LLC

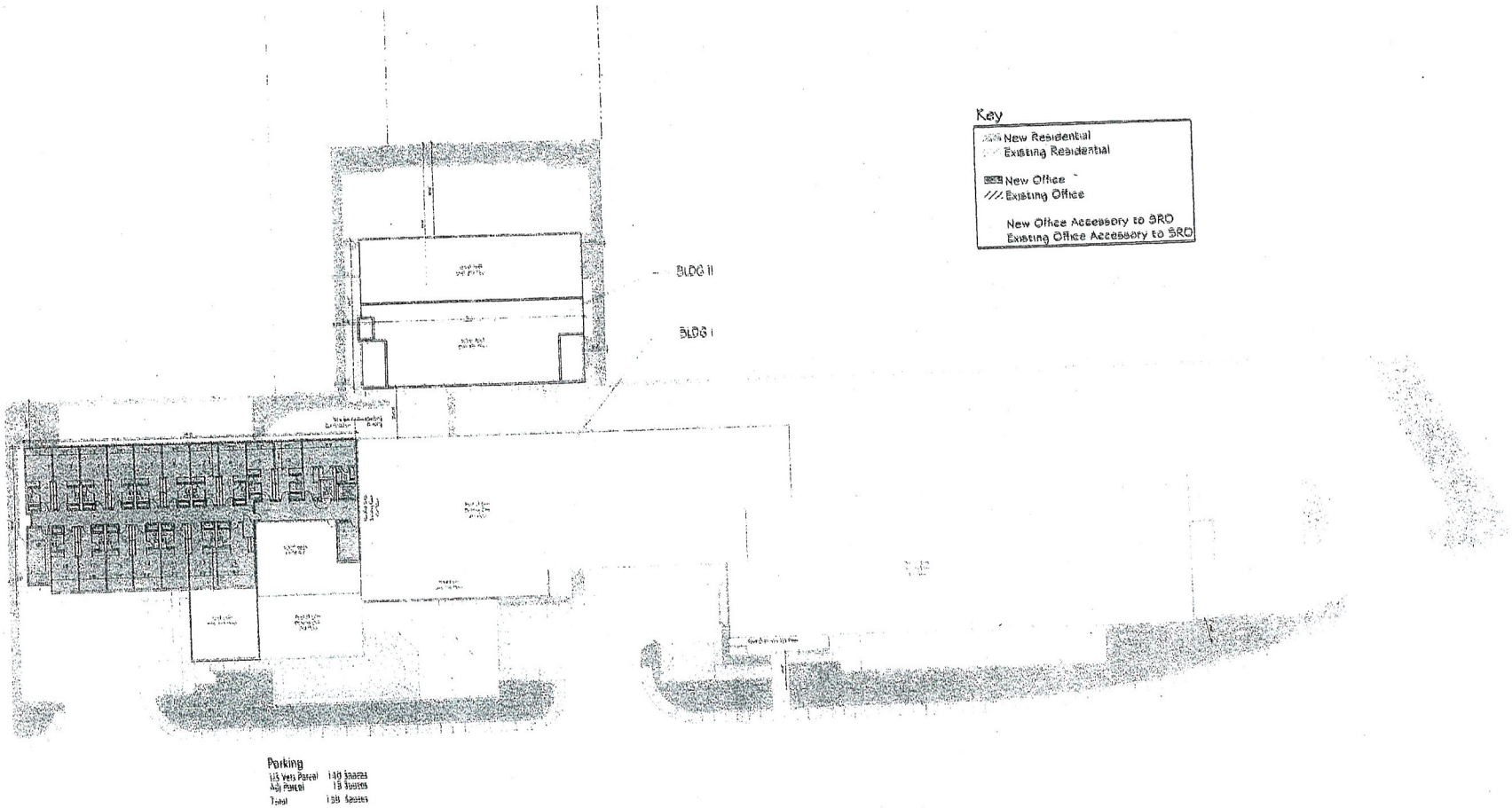
US Vets at the Meadows - Addition

Las Vegas, Nevada

Perkins

F4

EOT-42567 EOT-42568
EOT-42569 EOT-42570
EOT-42576 EOT-42577



Scale: 1" = 20'-0"

Project # 035029 February 02, 2007

Conceptual 5th Floor Plan

RECEIVED

JUL 19 2011

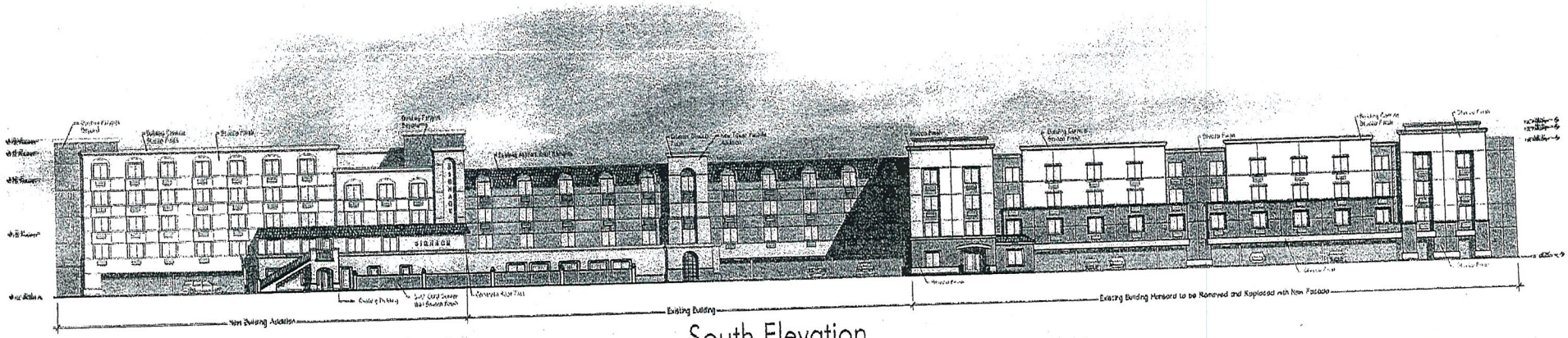
Cloudbreak Las Vegas, LLC

US Vets at the Meadows - Addition

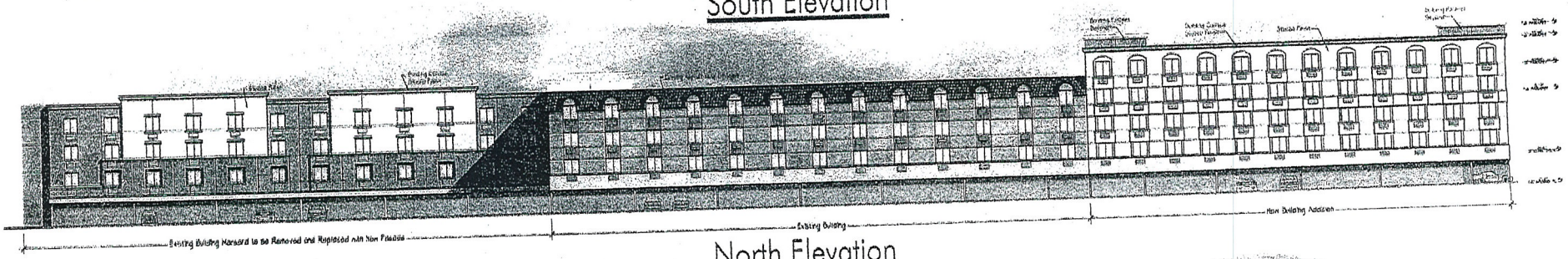
Las Vegas, Nevada

Perkins F5

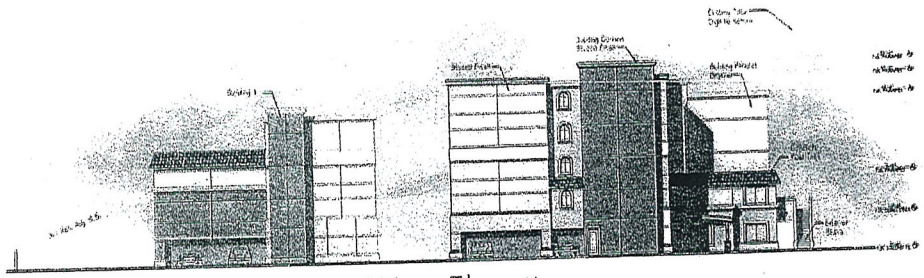
EOT-42567 EOT-42568
EOT-42569 EOT-42570
EOT-42576 EOT-42577



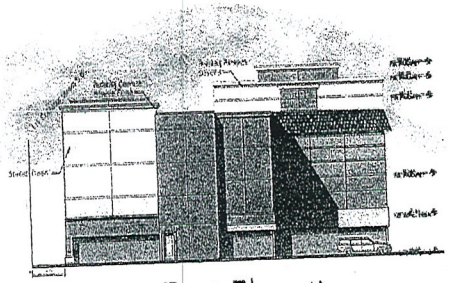
South Elevation



North Elevation



West Elevation



East Elevation

Scale: 1/16" = 1'-0"

Project # 905029

June 20, 2011

RECEIVED

JUL 19 2011

Conceptual Elevations Building 1

Cloudbreak Las Vegas, LLC

US Vets at the Meadows - Addition

Las Vegas, Nevada

Perlman E1

EOT-42567 **EOT-42568**
EOT-42569 **EOT-42570**
EOT-42576 **EOT-42577**

AS 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

August 17, 2007

Mr. Randy Bishop
Cloudbreak Las Vegas, LLC
733 South Hindry Avenue
Inglewood, California 90301

RE: VAR-19666 - VARIANCE
CITY COUNCIL MEETING OF AUGUST 15, 2007
RELATED TO ZON-21991, WVR-19668, VAR-19665, SUP-19661, SUP-20052, SUP-20822, VAC-19669 AND SDR-19659

Dear Mr. Bishop:

The City Council at a regular meeting held August 15, 2007 APPROVED the request for a Variance TO ALLOW 158 PARKING SPACES WHERE 394 IS THE MINIMUM NUMBER OF SPACES REQUIRED FOR A PROPOSED EXPANSION OF AN EXISTING MULTI-FAMILY RESIDENTIAL/SINGLE ROOM OCCUPANCY ESTABLISHMENT AND SOCIAL SERVICE PROVIDER on 2.77 acres at 525 East Bonanza Road and 602 Encanto Drive (APNs 139-27-805-003 and 139-27-812-017), C-2 (General Commercial) and R-1 (Single Family Residential) Zones [PROPOSED: C-2 (General Commercial)]. The Notice of Final Action was filed with the Las Vegas City Clerk on August 16, 2007. This approval is subject to:

Planning & Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-21991), Waiver (WVR-19668), Variance (VAR-19665), Special Use Permit (SUP-19661), Special Use Permit (SUP-20052), Vacation (VAC-19669) and Site Development Plan Review (SDR-19659) shall be required.

2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

Sincerely,

Angela Crolli

Angela Crolli
Deputy City Clerk II for
Beverly K. Bridges, CMC, City Clerk

cc: See Attached List

EOT-42567

(OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. of Fire Services

Ms. Sue Gray
Perlman Design Group
2230 Corporate Circle, Suite #200
Henderson, Nevada 89074

EOT-42567

CLOUDBREAK LAS VEGAS LLC
414 S. Marengo Ave
Pasadena, CA 91101-3113

July 9, 2011

City of Las Vegas
Department of Planning
333 N. Rancho Drive
Las Vegas, NV 89106

RE: Special Use Permit # SUP-19661
Special Use Permit # SUP-20052
Site Development Plan Review # SDR- 19659
Variance # VAR-19665
Variance # VAR-19666
Waiver # WVR-19668
Vacation # VAC-19669

Gentlemen:

This letter is to offer the reasons for the time extensions being requested for the above referenced entitlements.

The financing mechanism employed to assemble many affordable and special needs housing has been affected by the downturn of the financial climate. This collapse of the bond and tax credit financing market has prevented the proposed project to obtain the required financing to go forward.

As the economic climate has deteriorated, the need for projects such as ours continues to increase. The proposed project continues to be feasible and as the economic climate gradually improves, financing for the proposed project will become available again.

Sincerely,

RECEIVED
JUL 19 2011

Randall Bishop, Manager
Cloudbreak Las Vegas, LLC

EOT-42567 EOT-42568
EOT-42569 EOT-42570
EOT-42576 EOT-42577

City of Las Vegas Agenda Item No.: **53.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

☒ **Consent** ☐ **Discussion**

SUBJECT:

EOT-42568 - EXTENSION OF TIME RELATED TO EOT-42567 - VARIANCE - APPLICANT/OWNER: CLOUDBREAK LAS VEGAS, LLC - For possible action on a request for an Extension of Time of a previously approved Variance (VAR-19665) TO ALLOW A TEN FOOT SETBACK FROM A PRIMARY ARTERIAL STREET WHERE 44 FEET IS THE MINIMUM SETBACK REQUIRED; TO ALLOW A FRONT YARD SETBACK OF TEN FEET WHERE 20 FEET IS REQUIRED AND A SIDE YARD SETBACK OF 8.5 FEET WHERE 10 FEET IS REQUIRED; TO ALLOW A RESIDENTIAL ADJACENCY SETBACK OF 66.42 FEET TO THE FOURTH FLOOR WHERE 127.5 FEET IS THE MINIMUM SETBACK REQUIRED ON THE NORTH SIDE OF THE PROPERTY FOR A PROPOSED EXPANSION OF AN EXISTING MULTI-FAMILY RESIDENTIAL/SINGLE ROOM OCCUPANCY ESTABLISHMENT on 2.77 acres at 525 East Bonanza Road and 602 Encanto Drive (APNs 139-27-805-003 and 139-27-812-017), C-2 (General Commercial)Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Consolidated Backup
2. Supporting Documentation
3. City Council Approval Letter for VAR-19665

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-42568 APN: 139-27-805-003 & 139-27-812-017

Name of Property Owner: Cloudbreak Las Vegas, LLC

Name of Applicant: Cloudbreak Las Vegas, LLC

Name of Representative: Cloudbreak Las Vegas, LLC

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☒ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Randy Bishop

Subscribed and sworn before me Lynda Armenta

This 14th day of July, 20 11

Lynda Armenta, Notary Public

Notary Public in and for said County and State

LYNDA ARMENTA
Commission # 1864644
Notary Public - California
Los Angeles County
My Comm. Expires Sep 12, 2013

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Variance 19665

Project Address (Location) 525 E. Bonanza Road

Project Name U.S. Vets at the Meadows **Proposed Use** SRO

Assessor's Parcel #(s) 139-27-805-003 & 139-27-812-017 **Ward #** 5

General Plan: existing SC,PF proposed _____ **Zoning:** existing C-2, R-1 proposed C-2

Commercial Square Footage 124,857 **Floor Area Ratio** 1.41

Gross Acres 2.77 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Cloudbreak Las Vegas, LLC **Contact** Randy Bishop

Address 414 S. Marengo Ave **Phone:** (310) 568-9100 **Fax:** (310) 568-9191

City Pasadena **State** CA **Zip** 91101-3113

E-mail Address rbishop@cantwell-anderson.com

APPLICANT Cloudbreak Las Vegas, LLC **Contact** Randy Bishop

Address 414 S. Marengo Ave **Phone:** (310) 568-9100 **Fax:** (310) 568-9191

City Pasadena **State** CA **Zip** 91101-3113

E-mail Address rbishop@cantwell-anderson.com

REPRESENTATIVE Cloudbreak Las Vegas, LLC **Contact** Randy Bishop

Address 414 S. Marengo Ave **Phone:** (310) 568-9100 **Fax:** (310) 568-9191

City Pasadena **State** CA **Zip** 91101-3113

E-mail Address rbishop@cantwell-anderson.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 Randall Bishop

Subscribed and sworn before me Lynda Armenta

This 14th day of July, 20 11.

Lynda Armenta, Notary Public

Notary Public in and for said County and State

LYNDA ARMENTA
Commission # 1864644
Notary Public -- California
Los Angeles County
My Comm. Expires Sep 12, 2013

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	EOT-42568
Meeting Date	9-7-11
Total Fee:	300
Date Received:*	7-19-11
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.

f:\depot\Application Packet\Application Form.pdf

AS 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

August 17, 2007

Mr. Randy Bishop
Cloudbreak Las Vegas, LLC
733 South Hindry Avenue
Inglewood, California 90301

RE: VAR-19665 - VARIANCE
CITY COUNCIL MEETING OF AUGUST 15, 2007
RELATED TO ZON-21991, WVR-19668, VAR-19666, SUP-19661, SUP-20052, SUP-20822, VAC-19669 AND SDR-19659

Dear Mr. Bishop:

The City Council at a regular meeting held August 15, 2007 APPROVED the request for a Variance TO ALLOW A TEN FOOT SETBACK FROM A PRIMARY ARTERIAL STREET WHERE 44 FEET IS THE MINIMUM SETBACK REQUIRED; TO ALLOW A FRONT YARD SETBACK OF TEN FEET WHERE 20 FEET IS REQUIRED AND A SIDE YARD SETBACK OF 8.5 FEET WHERE 10 FEET IS REQUIRED; TO ALLOW A RESIDENTIAL ADJACENCY SETBACK OF 66.42 FEET TO THE FOURTH FLOOR WHERE 127.5 FEET IS THE MINIMUM SETBACK REQUIRED ON THE NORTH SIDE OF THE PROPERTY FOR A PROPOSED EXPANSION OF AN EXISTING MULTI-FAMILY RESIDENTIAL/SINGLE ROOM OCCUPANCY ESTABLISHMENT on 2.77 acres at 525 East Bonanza Road and 602 Encanto Drive (APNs 139-27-805-003 and 139-27-812-017), C-2 (General Commercial) and R-1 (Single Family Residential) Zones [PROPOSED: C-2 (General Commercial)]. The Notice of Final Action was filed with the Las Vegas City Clerk on August 16, 2007. This approval is subject to:

Planning & Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-21991), Waiver (WVR-19668), Variance (VAR-19666), Special Use Permit (SUP-19661), Special Use Permit (SUP-20052), Vacation (VAC-19669) and Site Development Plan Review (SDR-19659) shall be required.

OF LAS VEGAS
400 STEWART AVENUE
AS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

EOT-42568

2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

Sincerely,

Angela Crolli

Angela Crolli
Deputy City Clerk II for
Beverly K. Bridges, CMC, City Clerk

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. of Fire Services

Ms. Sue Gray
Perlman Design Group
2230 Corporate Circle, Suite #200
Henderson, Nevada 89074

EOT-42568

City of Las Vegas Agenda Item No.: **54.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☒ **Consent** ☐ **Discussion**

SUBJECT:
EOT-42569 - EXTENSION OF TIME RELATED TO EOT-42567 AND EOT-42568 - WAIVER - APPLICANT/OWNER: CLOUDBREAK LAS VEGAS, LLC - For possible action on a request for an Extension of Time of a previously approved Waiver (WVR-19668) OF TITLE 18.12.130 TO ALLOW ENCANTO DRIVE TO CONTINUE TO END IN A DEAD END STREET WHERE A CUL-DE-SAC IS REQUIRED at 525 East Bonanza Road and 602 Encanto Drive (APNs 139-27-805-003 and 139-27-812-017), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation
3. City Council Approval Letter for WVR-19668

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-42569 APN: 139-27-805-003 & 139-27-812-017

Name of Property Owner: Cloudbreak Las Vegas, LLC

Name of Applicant: Cloudbreak Las Vegas, LLC

Name of Representative: Cloudbreak Las Vegas, LLC

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☒ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Randy Bishop

Subscribed and sworn before me Lynda Armenta

This 14th day of July, 2011

Lynda Armenta, Notary Public

Notary Public in and for said County and State

LYNDA ARMENTA
Commission # 1864644
Notary Public - California
Los Angeles County
My Comm. Expires Sep 12, 2013

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Waiver 19668

Project Address (Location) 525 E. Bonanza Road

Project Name U.S. Vets at the Meadows **Proposed Use** SRO

Assessor's Parcel #(s) 139-27-805-003 & 139-27-812-017 **Ward #** 5

General Plan: existing SC,PF proposed _____ **Zoning:** existing C-2, R-1 proposed C-2

Commercial Square Footage 124,857 **Floor Area Ratio** 1.41

Gross Acres 2.77 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Cloudbreak Las Vegas, LLC **Contact** Randy Bishop

Address 414 S. Marengo Ave **Phone:** (310) 568-9100 **Fax:** (310) 568-9191

City Pasadena **State** CA **Zip** 91101-3113

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Address 414 S. Marengo Ave **Phone:** (310) 568-9100 **Fax:** (310) 568-9191

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REPRESENTATIVE Cloudbreak Las Vegas, LLC **Contact** Randy Bishop

Address 414 S. Marengo Ave **Phone:** (310) 568-9100 **Fax:** (310) 568-9191

City Pasadena **State** CA **Zip** 91101-3113

E-mail Address rbishop@cantwell-anderson.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 Randall Bishop

Subscribed and sworn before me Lynda Armenta

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Commission # 1864644
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Los Angeles County
My Comm. Expires Sep 12, 2013

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	EOT-42569
Meeting Date	9-7-11
Total Fee:	300
Date Received:*	7-19-11
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.

f:\depot\Application Packet\Application Form.pdf

AS VEGAS CITY COUNCIL

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MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW

DOUGLAS A. SELBY
CITY MANAGER

August 17, 2007

Mr. Randy Bishop
Cloudbreak Las Vegas, LLC
733 South Hindry Avenue
Inglewood, California 90301

RE: WVR-19668 - WAIVER
CITY COUNCIL MEETING OF AUGUST 15, 2007
RELATED TO ZON-21991, VAR-19665, VAR-19666, SUP-19661, SUP-20052, SUP-20822, VAC-19669 AND SDR-19659

Dear Mr. Bishop:

The City Council at a regular meeting held August 15, 2007 APPROVED the request for a Waiver of Title 18.12.130 TO ALLOW ENCANTO DRIVE TO CONTINUE TO END IN A DEAD END STREET WHERE A CUL-DE-SAC IS REQUIRED at 525 East Bonanza Road and 602 Encanto Drive (APNs 139-27-805-003 and 139-27-812-017), C-2 (General Commercial) and R-1 (Single Family Residential) Zones [PROPOSED: C-V (Civic)]. The Notice of Final Action was filed with the Las Vegas City Clerk on August 16, 2007. This approval is subject to:

Planning & Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-21991), Variance (VAR-19665), Variance (VAR-19666), Special Use Permit (SUP-19661), Special Use Permit (SUP-20052), Vacation (VAC-19669) and Site Development Plan Review (SDR-19659) shall be required.

2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

Public Works

3. Prior to the submittal of any construction plans or the issuance of any permits, submit a plan for the termination of Encanto Drive acceptable to the City Engineer. The termination shall be constructed with curb, gutter and sidewalk and shall be constructed with a radius that accommodates street sweepers.

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
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EOT-42569

4. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of any construction plans, the issuance of any permits or the submittal of a map for this site. The design and layout of all onsite private circulation and access drives, and the termination of Encanto Drive, shall meet the approval of the Department of Fire Services.

5. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-21991 and Site Development Plan Review SDR-19659 and all other applicable site-related actions.

Sincerely,

Angela Crolli
Deputy City Clerk II for
Beverly K. Bridges, CMC, City Clerk

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. of Fire Services

Ms. Sue Gray
Perlman Design Group
2230 Corporate Circle, Suite #200
Henderson, Nevada 89074

EOT-42569

City of Las Vegas Agenda Item No.: **55.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

☒ **Consent** ☐ **Discussion**

SUBJECT:

EOT-42570 - EXTENSION OF TIME RELATED TO EOT-42567, EOT-42568 AND EOT-42569 - SPECIAL USE PERMIT - APPLICANT/OWNER: CLOUDBREAK LAS VEGAS, LLC - For possible action on a request for an Extension of Time of a previously approved Special Use Permit (SUP-19661) FOR A PROPOSED EXPANSION OF A SINGLE ROOM OCCUPANCY RESIDENCE at 525 East Bonanza Road and 602 Encanto Drive (APNs 139-27-805-003 and 139-27-812-017), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:

1. Consolidated Backup
2. Supporting Documentation
3. City Council Approval Letter for SUP-19661

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-42570 APN: 139-27-805-003 & 139-27-812-017

Name of Property Owner: Cloudbreak Las Vegas, LLC

Name of Applicant: Cloudbreak Las Vegas, LLC

Name of Representative: Cloudbreak Las Vegas, LLC

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☒ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Randy Bishop

Subscribed and sworn before me Lynda Armenta

This 14th day of July, 2011

Lynda Armenta, Notary Public

Notary Public in and for said County and State

LYNDA ARMENTA
Commission # 1864644
Notary Public - California
Los Angeles County
My Comm. Expires Sep 12, 2013

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit 19661

Project Address (Location) 525 E. Bonanza Road

Project Name U.S. Vets at the Meadows **Proposed Use** SRO

Assessor's Parcel #(s) 139-27-805-003 & 139-27-812-017 **Ward #** 5

General Plan: existing SC,PF proposed _____ **Zoning:** existing C-2, R-1 proposed C-2

Commercial Square Footage 124,857 **Floor Area Ratio** 1.41

Gross Acres 2.77 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Cloudbreak Las Vegas, LLC **Contact** Randy Bishop

Address 414 S. Marengo Ave **Phone:** (310) 568-9100 **Fax:** (310) 568-9191

City Pasadena **State** CA **Zip** 91101-3113

E-mail Address rbishop@cantwell-anderson.com

APPLICANT Cloudbreak Las Vegas, LLC **Contact** Randy Bishop

Address 414 S. Marengo Ave **Phone:** (310) 568-9100 **Fax:** (310) 568-9191

City Pasadena **State** CA **Zip** 91101-3113

E-mail Address rbishop@cantwell-anderson.com

REPRESENTATIVE Cloudbreak Las Vegas, LLC **Contact** Randy Bishop

Address 414 S. Marengo Ave **Phone:** (310) 568-9100 **Fax:** (310) 568-9191

City Pasadena **State** CA **Zip** 91101-3113

E-mail Address rbishop@cantwell-anderson.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 Randall Bishop

Subscribed and sworn before me Lynda Armenta

This 14th day of July, 20 11.

Lynda Armenta Notary Public

Notary Public in and for said County and State

LYNDA ARMENTA
Commission # 1864844
Notary Public -- California
Los Angeles County
My Comm. Expires Sep 12, 2013

FOR DEPARTMENT USE ONLY

Case #	EOT-42570
Meeting Da	9-7-11
Total Fee:	300
Date Received:*	7-19-11
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.

Revised 10/27/08

f:\depot\Application Packet\Application Form.pdf

AS 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

August 17, 2007

Mr. Randy Bishop
Cloudbreak Las Vegas, LLC
733 South Hindry Avenue
Inglewood, California 90301

RE: SUP-19661 – SPECIAL USE PERMIT
CITY COUNCIL MEETING OF AUGUST 15, 2007
RELATED TO ZON-21991, WVR-19668, VAR-19665, VAR-19666, SUP-20052, SUP-20822, VAC-19669 AND SDR-19659

Dear Mr. Bishop:

The City Council at a regular meeting held August 15, 2007 APPROVED the request for a Special Use Permit FOR A PROPOSED EXPANSION OF A SINGLE ROOM OCCUPANCY RESIDENCE at 525 East Bonanza Road and 602 Encanto Drive (APNs 139-27-805-003 and 139-27-812-017), C-2 (General Commercial) and R-1 (Single Family Residential) Zones [PROPOSED: C-V (Civic)]. NOTE: C-2 (GENERAL COMMERCIAL) IS REQUESTED. The Notice of Final Action was filed with the Las Vegas City Clerk on August 16, 2007. This approval is subject to:

Planning & Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-21991), Variance (VAR-19665), Variance (VAR-19666), Special Use Permit (SUP-20052), Vacation (VAC-19669), Waiver (WVR-19668), and Site Development Plan Review (SDR-19659) 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, City Clerk

cc: See Attached List

EOT-42570

OF LAS VEGAS
40 EWART AVENUE
AS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. of Fire Services

Ms. Sue Gray
Perlman Design Group
2230 Corporate Circle, Suite #200
Henderson, Nevada 89074

EOT-42570

City of Las Vegas Agenda Item No.: **56.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☒ **Consent** ☐ **Discussion**

SUBJECT:
EOT-42576 - EXTENSION OF TIME RELATED TO EOT-42567, EOT-42568, EOT-42569 AND EOT-42570 - SPECIAL USE PERMIT - APPLICANT/OWNER: CLOUDBREAK LAS VEGAS, LLC - For possible action on a request for an Extension of Time of a previously approved Special Use Permit (SUP-20052) FOR A PROPOSED SOCIAL SERVICE PROVIDER at 525 East Bonanza Road and 602 Encanto Drive (APNs 139-27-805-003 and 139-27-812-017), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation
3. City Council Approval Letter for SUP-20052

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-42576 APN: 139-27-805-003 & 139-27-812-017

Name of Property Owner: Cloudbreak Las Vegas, LLC

Name of Applicant: Cloudbreak Las Vegas, LLC

Name of Representative: Cloudbreak Las Vegas, LLC

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☒ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Randy Bishop

Subscribed and sworn before me Lynda Armenta

This 14th day of July, 2011

Lynda Armenta, Notary Public

Notary Public in and for said County and State

LYNDA ARMENTA
Commission # 1864644
Notary Public - California
Los Angeles County
My Comm. Expires Sep 12, 2013

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit 20052

Project Address (Location) 525 E. Bonanza Road

Project Name U.S. Vets at the Meadows **Proposed Use** SRO

Assessor's Parcel #(s) 139-27-805-003 & 139-27-812-017 **Ward #** 5

General Plan: existing SC,PF proposed _____ **Zoning:** existing C-2, R-1 proposed C-2

Commercial Square Footage 124,857 **Floor Area Ratio** 1.41

Gross Acres 2.77 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Cloudbreak Las Vegas, LLC **Contact** Randy Bishop

Address 414 S. Marengo Ave **Phone:** (310) 568-9100 **Fax:** (310) 568-9191

City Pasadena **State** CA **Zip** 91101-3113

E-mail Address rbishop@cantwell-anderson.com

APPLICANT Cloudbreak Las Vegas, LLC **Contact** Randy Bishop

Address 414 S. Marengo Ave **Phone:** (310) 568-9100 **Fax:** (310) 568-9191

City Pasadena **State** CA **Zip** 91101-3113

E-mail Address rbishop@cantwell-anderson.com

REPRESENTATIVE Cloudbreak Las Vegas, LLC **Contact** Randy Bishop

Address 414 S. Marengo Ave **Phone:** (310) 568-9100 **Fax:** (310) 568-9191

City Pasadena **State** CA **Zip** 91101-3113

E-mail Address rbishop@cantwell-anderson.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 Randall Bishop

Subscribed and sworn before me Lynda Armenta

This 14th day of July, 20 11.

Lynda Armenta, Notary Public

Notary Public in and for said County and State

LYNDA ARMENTA
Commission # 1864644
Notary Public -- California
Los Angeles County
My Comm. Expires Sep 12, 2013

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	EOT-42576
Meeting Da	7-7-11
Total Fee:	300
Date Received:*	7-14-11
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.

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AS 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

August 17, 2007

Mr. Randy Bishop
Cloudbreak Las Vegas, LLC
733 South Hindry Avenue
Inglewood, California 90301

RE: SUP-20052 – SPECIAL USE PERMIT
CITY COUNCIL MEETING OF AUGUST 15, 2007
RELATED TO ZON-21991, WVR-19668, VAR-19665, VAR-19666, SUP-19661, SUP-20822, VAC-19669 AND SDR-19659

Dear Mr. Bishop:

The City Council at a regular meeting held August 15, 2007 APPROVED the request for a Special Use Permit FOR A PROPOSED SOCIAL SERVICE PROVIDER at 525 East Bonanza Road and 602 Encanto Drive (APNs 139-27-805-003 and 139-27-812-017), C-2 (General Commercial) and R-1 (Single Family Residential) Zones [PROPOSED: C-V (Civic)]. NOTE: C-2 (GENERAL COMMERCIAL) IS REQUESTED. The Notice of Final Action was filed with the Las Vegas City Clerk on August 16, 2007. This approval is subject to:

Planning & Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-21991), Variance (VAR-19665), Variance (VAR-19666), Special Use Permit (SUP-19661), Vacation (VAC-19669), Waiver (WVR-19668), and Site Development Plan Review (SDR-19659) 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, City Clerk

cc: See Attached List

EOT-42576

OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. of Fire Services

Ms. Sue Gray
Perlman Design Group
2230 Corporate Circle, Suite #200
Henderson, Nevada 89074

EOT-42576

City of Las Vegas Agenda Item No.: **57.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

☒ **Consent** ☐ **Discussion**

SUBJECT:

EOT-42577 - EXTENSION OF TIME RELATED TO EOT-42567, EOT-42568, EOT-42569, EOT-42570 AND EOT-42576 - SITE DEVELOPMENT PLAN REVIEW - APPLICANT/OWNER: CLOUDBREAK LAS VEGAS, LLC - For possible action on a request for an Extension of Time of a previously approved Site Development Plan Review (SDR-19659) FOR A PROPOSED EXPANSION OF AN EXISTING MULTI-FAMILY RESIDENTIAL/SINGLE ROOM OCCUPANCY ESTABLISHMENT WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER STANDARD TO ALLOW A ONE-FOOT WIDE BUFFER ALONG A PORTION OF THE SOUTH PROPERTY LINE WHERE A 15-FOOT WIDE BUFFER IS REQUIRED; A SIX-FOOT WIDE BUFFER ALONG A PORTION OF THE EAST PROPERTY LINE WHERE AN EIGHT FOOT WIDE BUFFER IS REQUIRED; A THREE FOOT WIDE BUFFER ALONG A PORTION OF THE NORTH PROPERTY LINE WHERE AN EIGHT-FOOT WIDE BUFFER IS REQUIRED; AND A SIX-FOOT WIDE BUFFER ALONG THE WEST PROPERTY LINE WHERE AN EIGHT-FOOT WIDE BUFFER IS REQUIRED at 525 East Bonanza Road and 602 Encanto Drive (APNs 139-27-805-003 and 139-27-812-017), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:

1. Consolidated Backup
2. Supporting Documentation
3. City Council Approval Letter for SDR-19569

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-42577 APN: 139-27-805-003 & 139-27-812-017

Name of Property Owner: Cloudbreak Las Vegas, LLC

Name of Applicant: Cloudbreak Las Vegas, LLC

Name of Representative: Cloudbreak Las Vegas, LLC

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☒ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Randy Bishop

Subscribed and sworn before me Lynda Armenta

This 14th day of July, 2011

Lynda Armenta, Notary Public

Notary Public in and for said County and State

LYNDA ARMENTA
Commission # 1864644
Notary Public - California
Los Angeles County
My Comm. Expires Sep 12, 2013

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Site Development Plan Review 19659

Project Address (Location) 525 E. Bonanza Road

Project Name U.S. Vets at the Meadows **Proposed Use** SRO

Assessor's Parcel #(s) 139-27-805-003 & 139-27-812-017 **Ward #** 5

General Plan: existing SC,PF proposed ____ **Zoning:** existing C-2, R-1 proposed C-2

Commercial Square Footage 124,857 **Floor Area Ratio** 1.41

Gross Acres 2.77 **Lots/Units** ____ **Density** ____

Additional Information ____

PROPERTY OWNER Cloudbreak Las Vegas, LLC **Contact** Randy Bishop

Address 414 S. Marengo Ave **Phone:** (310) 568-9100 **Fax:** (310) 568-9191

City Pasadena **State** CA **Zip** 91101-3113

E-mail Address rbishop@cantwell-anderson.com

APPLICANT Cloudbreak Las Vegas, LLC **Contact** Randy Bishop

Address 414 S. Marengo Ave **Phone:** (310) 568-9100 **Fax:** (310) 568-9191

City Pasadena **State** CA **Zip** 91101-3113

E-mail Address rbishop@cantwell-anderson.com

REPRESENTATIVE Cloudbreak Las Vegas, LLC **Contact** Randy Bishop

Address 414 S. Marengo Ave **Phone:** (310) 568-9100 **Fax:** (310) 568-9191

City Pasadena **State** CA **Zip** 91101-3113

E-mail Address rbishop@cantwell-anderson.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 Randall Bishop

Subscribed and sworn before me Lynda Armenta

This 14th day of July, 20 11.

Lynda Armenta, Notary Public

Notary Public in and for said County and State

LYNDA ARMENTA
Commission # 1864644
Notary Public -- California
Los Angeles County
My Comm. Expires Sep 12, 2013

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	EOT-42577
Meeting Date:	~~9-21-00~~ 9.7.11 cc clb
Total Fee:	300
Date Received:*	~~7-19-11~~
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.

f:\depot\Application Packet\Application Form.pdf

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
1 STEWART AVENUE
L. EGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

September 27, 2007

Mr. Randy Bishop
Cloudbreak Las Vegas, LLC
733 South Hindry Avenue
Inglewood, California 90301

RE: SDR-19659
CITY COUNCIL MEETING OF AUGUST 15, 2007
RELATED TO ZON-21991, WVR-19668, VAR-19665, VAR-19666;
SUP-19661, SUP-20052, SUP-20822 AND VAC-19669

Dear Mr. Bishop:

The City Council at a regular meeting held August 15, 2007 APPROVED the request for a Site Development Plan Review FOR A PROPOSED EXPANSION OF AN EXISTING MULTI-FAMILY RESIDENTIAL/SINGLE ROOM OCCUPANCY ESTABLISHMENT on 2.77 acres at 525 East Bonanza Road and 602 Encanto Drive (APNs 139-27-805-003 and 139-27-812-017), C-2 (General Commercial) and R-1 (Single Family Residential) Zones [PROPOSED: C-V (Civic)]. NOTE: C-2 (GENERAL COMMERCIAL) IS REQUESTED AND WAIVERS OF THE PERIMETER LANDSCAPE BUFFER STANDARD TO ALLOW A ONE-FOOT WIDE BUFFER ALONG A PORTION OF THE SOUTH PROPERTY LINE WHERE A 15-FOOT WIDE BUFFER IS REQUIRED; A SIX-FOOT WIDE BUFFER ALONG A PORTION OF THE EAST PROPERTY LINE WHERE AN EIGHT FOOT WIDE BUFFER IS REQUIRED; A THREE FOOT WIDE BUFFER ALONG A PORTION OF THE NORTH PROPERTY LINE WHERE AN EIGHT-FOOT WIDE BUFFER IS REQUIRED; AND A SIX-FOOT WIDE BUFFER ALONG THE WEST PROPERTY LINE WHERE AN EIGHT-FOOT WIDE BUFFER IS REQUIRED. The Notice of Final Action was filed with the Las Vegas City Clerk on August 16, 2007. This approval is subject to:

Planning & Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-21991), Waiver (WVR-19668), Variance (VAR-19665), Variance (VAR-19666) Special Use Permit (SUP-19661), Special Use Permit (SUP-20052) and Vacation (VAC-19669) shall be required.

2. Recordation of a reversionary parcel map or administrative joining consolidating the parcels on the site prior to issuance of any building or grading permits.

EOT-42577

3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

4. All development shall be in conformance with the site plan, date stamped 05/15/07; landscape plan, date stamped 03/09/07; and building elevations, date stamped 07/12/07, except as amended by conditions herein.

5. A Waiver from LVMC 19.12.040 is hereby approved, to allow a perimeter landscape buffer of one foot along the southern property line where 15 feet are required.

6. A Waiver from LVMC 19.12.040 is hereby approved, to allow a perimeter landscape buffer of as little as three feet along the interior property lines as indicated on the landscape plan, date stamped 03/09/07, where eight feet is required.

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.

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. Any property line wall shall be decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

13. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

EOT-42577

14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

16. A Petition of Vacation, such as VAC-19669, shall be recorded for the full width of Encanto Drive adjacent to Assessor's Parcel Number 139-27-812-017 prior to the issuance of any permits for this site or the recordation of a map, whichever may occur first. Any improvements required as a result of the vacation, including relocation of the existing block wall along the western edge of Encanto Drive, shall be included in the construction drawings and shall be constructed concurrent with development of this site. In addition, a Waiver of Title 18.12.130, such as WVR-19668, shall be approved to allow Encanto Drive to terminate with a dead-end prior to the issuance of any permits for this site. If a Vacation and/or Waiver are not approved, dedication and construction of a cul-de-sac meeting current City Standards at the end of Encanto Drive will be required concurrent with development and a revised site plan shall be submitted to the City reflecting these improvements.

17. Dedicate additional right-of-way adjacent to this southeast corner of this site to provide for a uniform right-of-way width on Bonanza Road prior to the issuance of any permits; coordinate with the Right-of-Way Section of the Department of Public Works for assistance in the preparation of appropriate documents.

18. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.

19. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

20. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved

Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

21. 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.

22. Submit an application for a deviation from Standard Drawing #222a for the driveways accessing this site from Bonanza Road.

23. Landscape and maintain all unimproved right-of-way, if any, on Bonanza Road 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.

24. Submit an Encroachment Agreement for all landscaping, if any, located in the Bonanza Road public right-of-way adjacent to this site prior to occupancy of this site.

25. Site development to comply with all applicable conditions of approval for Waiver WVR-19668 and all other applicable site-related actions.

Sincerely,

Angela Crolli
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

Ms. Sue Gray
Perlman Design Group
2230 Corporate Circle, Suite #200
Henderson, Nevada 89074

City of Las Vegas Agenda Item No.: **58.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

☒ **Consent** ☐ **Discussion**

SUBJECT:

EOT-42573 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT/OWNER: WAGIH W. KAMAR - For possible action on a request for an Extension of Time of a previously approved Site Development Plan Review (SDR-34010) FOR A PROPOSED 3,018 SQUARE-FOOT CONVENIENCE STORE WITH FUEL PUMPS AND A WAIVER TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ON A PORTION OF THE SOUTH AND WEST PERIMETER WHERE EIGHT FEET IS THE MINIMUM REQUIRED AND TO ALLOW A WAIVER OF THE BUILDING PLACEMENT AND ORIENTATION STANDARDS on 0.58 acres at 3701 West Sahara Avenue (APN 162-07-512-010), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

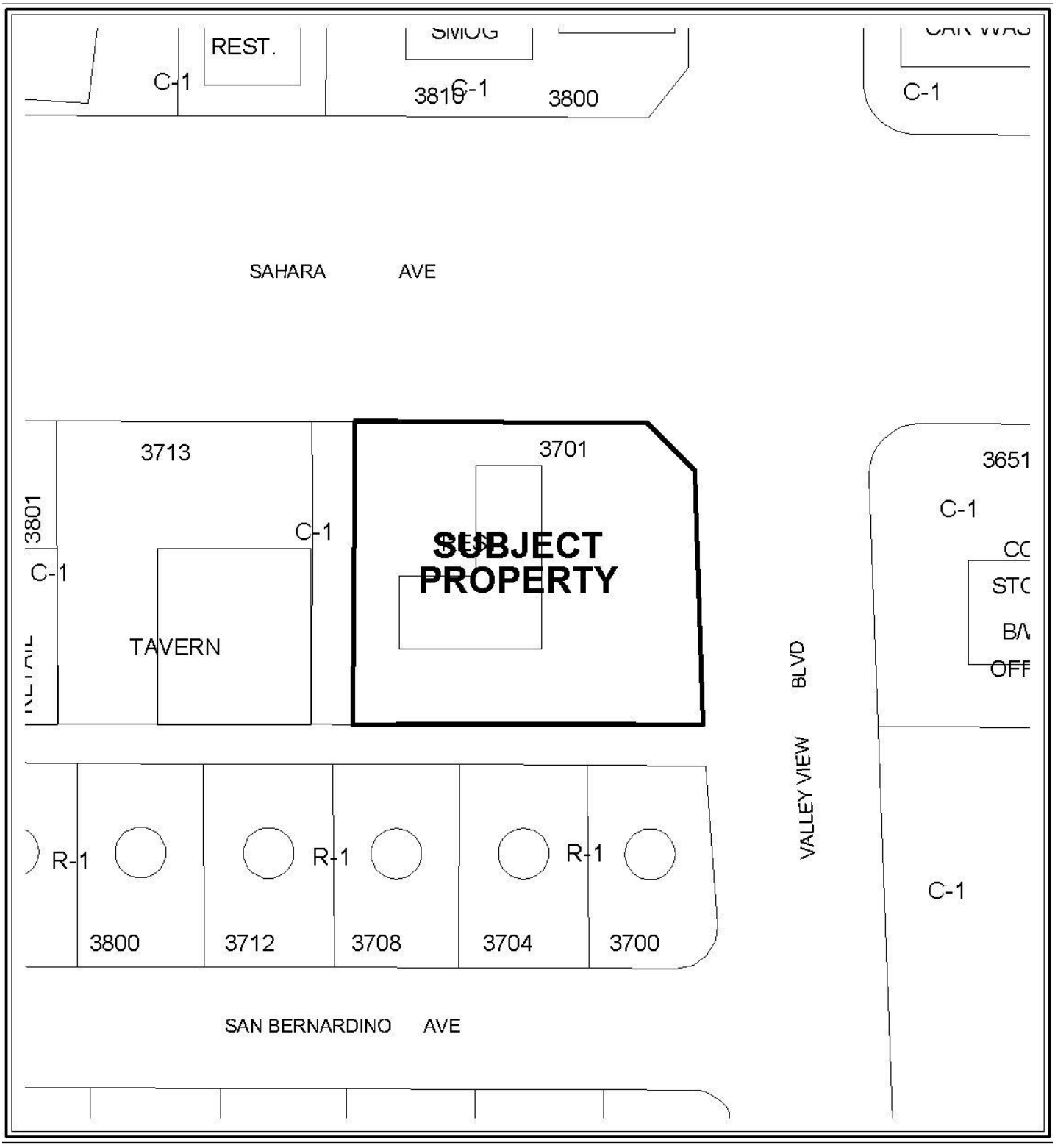
PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:

1. Location and Aerial Maps – EOT-42573, EOT-42574 and EOT-42575
2. Conditions and Staff Report - EOT-42573, EOT-42574 and EOT-42575
3. Supporting Documentation
4. City Council Approval Letter for SDR-34010
5. Justification Letter - EOT-42573, EOT-42574 and EOT-42575

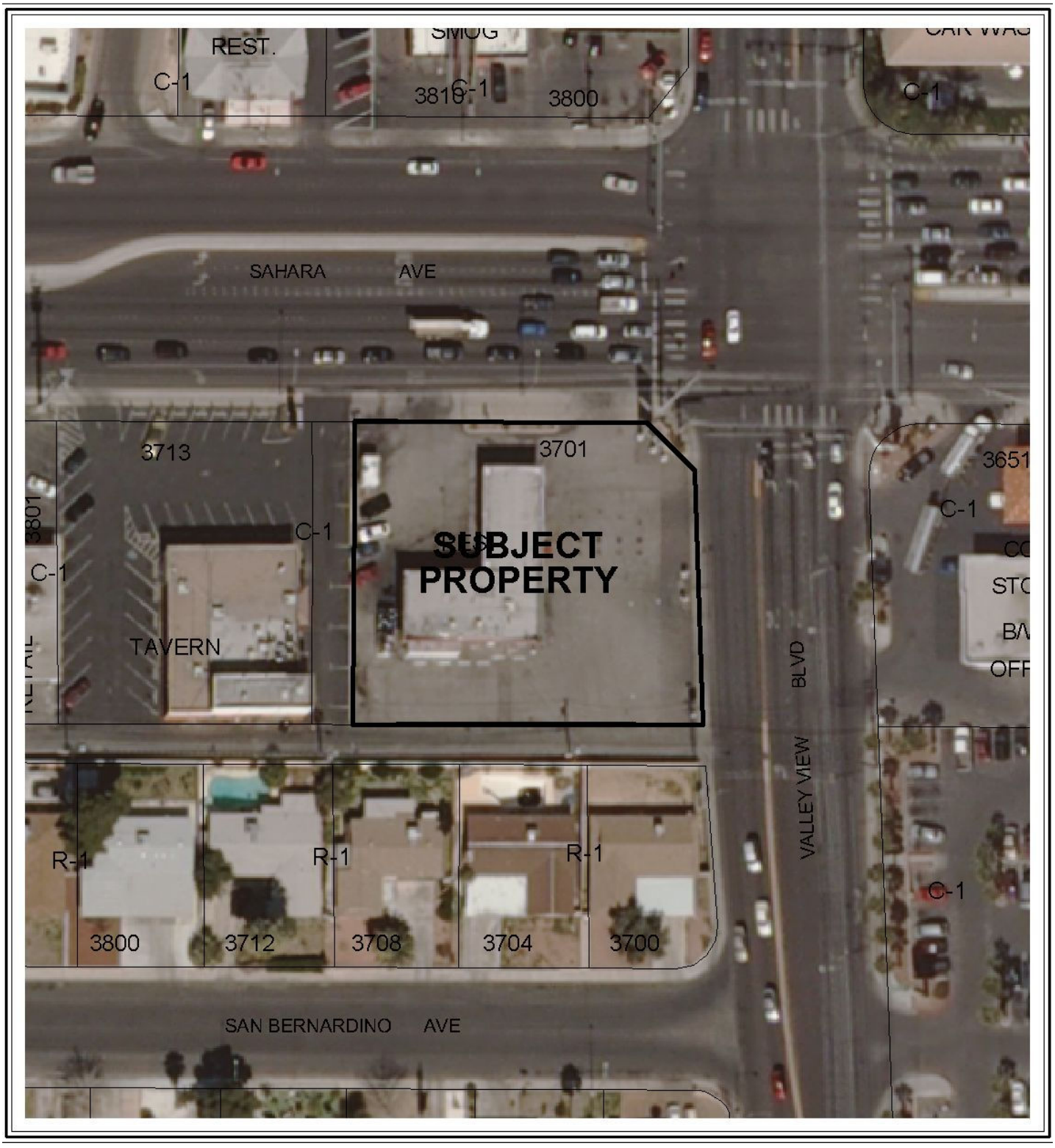


CASE: EOT-42573; EOT-42574; EOT-42575

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

0 100 200 Feet

N



CASE: **EOT-42573; EOT-42574; EOT-42575**

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

0 100 200 Feet

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: SEPTEMBER 7, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: WAGIH W. KAMAR

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
EOT-42573, EOT-42574, EOT-42575	Staff recommends APPROVAL, subject to conditions:	None

** CONDITIONS **

EOT-42573 CONDITIONS

Planning

1. This Site Development Plan Review (SDR-34010) shall expire on October 7, 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-34010) and all other site related actions as required by the Department of Planning and Department of Public Works.

EOT-42574 CONDITIONS

Planning

1. This Special Use Permit (SUP-34006) shall expire on October 7, 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-34006) and all other site related actions as required by the Department of Planning and Department of Public Works.

DS

EOT-42575 CONDITIONS

Planning

1. This Variance (VAR-34008) shall expire on October 7, 2013 unless another extension of time is approved by the City Council.

2. Conformance to the conditions of approval of the Variance (VAR-34008) and all other site related actions as required by the Department of Planning and Department of Public Works.

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site is currently occupied by an existing structure utilized for an Auto Repair Garage, Minor at 3701 West Sahara Avenue. A Variance (VAR-34008), Special Use Permit (SUP-34006), and Site Development Plan Review (SDR-34010) were previously approved for the property to allow a zero-foot side yard setback and residential adjacency setback of 20 feet for a Convenience Store with fuel pumps and beer/wine/cooler off-sale. On 06/29/11, Plan Check #42306 was processed for the construction of the Convenience Store, but permits have yet to be issued as the plans are currently being reviewed by various City departments.

The applicant is requesting an Extension of Time to allow time for the plans to be approved and permits issued with an anticipated construction start date within the next six months to a year. Staff is recommending approval with a two-year time limit to allow for unexpected delays in the plans review and permitting process.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
10/07/09	The City Council approved a request for a Variance (VAR-34008) to allow a zero-foot side yard setback where 10 feet is the minimum required and to allow a residential adjacency setback of 20 feet where 57 feet is required on 0.58 acres at the southwest corner of Sahara Avenue and Valley View Boulevard. The Planning Commission and staff recommended denial.
	The City Council approved a related request for a Special Use Permit (SUP-34006) for a beer/wine/cooler off-sale establishment.
	The City Council approved a related request for a Site Development Plan Review (SDR-34010) for a proposed 2,400 square-foot Convenience Store with Fuel Pumps and a waiver to allow a zero-foot landscape buffer on a portion of the south and west perimeter where eight feet is the minimum required and to allow a waiver of the building placement and orientation standards.

Most Recent Change of Ownership	
06/29/10	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
08/27/10	A business license (G02-00861) was issued for an Auto Repair Garage, Minor at 3701 West Sahara Avenue. The license is still active.
05/18/11	A business license (O07-00049) was issued for a Hot Dog Cart at 3701 West Sahara Avenue. The license is still active.
06/27/11	A building permit (190713) was processed for a new building at 3701 West Sahara Avenue. The permit has not yet been issued as the plans are being reviewed.
06/29//11	Plan Check #42306 was processed for a Convenience Store at 3701 West Sahara Avenue. The plans are currently being reviewed by various City departments.

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	0.58

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Auto Repair Garage, Minor with approval for a new Convenience Store with Fuel Pumps	SC (Service Commercial)	C-1 (Limited Commercial)
North	Smog Testing Facility	SC (Service Commercial)	C-1 (Limited Commercial)
South	Single Family Residences	L (Low Density Residential)	R-1 (Single Family Residential)
East	Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)
West	Tavern	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			
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

ANALYSIS

This is the first request for an Extension of time of a previously approved Variance (VAR-34008), Special Use Permit (SUP-34006), and Site Development Plan Review (SDR-34010) for a proposed Convenience Store with fuel pumps at 3701 West Sahara Avenue. There is currently an Auto Repair Garage, Minor operating on the site. On 06/29/11, Plan Check #42306 was processed for the construction of the Convenience Store, but permits have yet to be issued as the plans are currently being reviewed by various City departments.

Title 19.16.140, 19.16.110, and 19.16.100 of the Unified Development Code deems a Variance, Special Use Permit, and Site Development Plan Review exercised upon the issuance of a building permit for new construction.

FINDINGS

The Variance (VAR-34008), Special Use Permit (SUP-34006) and Site Development Plan Review (SDR-34010) have not been exercised in accordance with the requirements of Title 19.16 as no permits have been issued for the proposed Convenience Store. The applicant is requesting an Extension of Time to allow time for the plans to be approved and permits issued with an anticipated construction start date within the next six months to a year. As there has been no new development or changes in land use in the surrounding area, staff is recommending approval with a two-year time limit. Conformance to the conditions of approval of the Variance (VAR-34008), Special Use Permit (34006) and Site Development Plan Review (SDR-34010) shall be required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 0

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

DS

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **EOT-42573** APN: 162-07-512-010

Name of Property Owner: Wagih Kamar

Name of Applicant: Owner

Name of Representative: Genie Knisely

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: Wagih Kamar

Print Name: Wagih Kamar

Subscribed and sworn before me

State of Nevada County of Clark

This 14 day of July, 20 11

Notary Public in and for said County and State

ARLYNN S. CAHILL
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 05-07-2012
Certificate No: 00-61699-1

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JUL 19 2011
City of Las Vegas

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: EOT FOR SDR-34010

Project Address (Location) 3701 W SAHARA AVE

Project Name ARCO AM/PM **Proposed Use** C-Store

Assessor's Parcel #(s) 162-07-512-010 **Ward #** _____

General Plan: existing _____ proposed _____ **Zoning:** existing C-1 proposed C-1

Commercial Square Footage 2400 **Floor Area Ratio** 25%

Gross Acres 0.58 **Lots/Units** 1 **Density** _____

Additional Information 2400 SF C-Store w/6 pump gas canopy

PROPERTY OWNER WAQIH W KAMAR **Contact** Waqih KAMAR

Address 2020 Red Rock St **Phone:** 702 533613 **Fax:** 702 948 5109

City Las Vegas **State** Nevada **Zip** 89146

E-mail Address WAQIH55@gmail.com

APPLICANT owner **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

REPRESENTATIVE gk3 architecture **Contact** gemie Krisely

Address 2111 Edgewood Ave **Phone:** 9320455 **Fax:** 9320456

City LV **State** NV **Zip** 89102

E-mail Address gemie@gk3architecture.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 WAGIH KAMAR

Subscribed and sworn before me

This 18th day of July, 20 11.

_____

Notary Public in and for said County and State

JOAN E. JOHNSON
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 12-19-2012
Certificate No: 01-66482-1

FOR DEPARTMENT USE ONLY

Case #	EOT-42573
Meeting Date:	9/7/11
Total Fee:	$300.
Date Received:*	7/19/11
Received By:	

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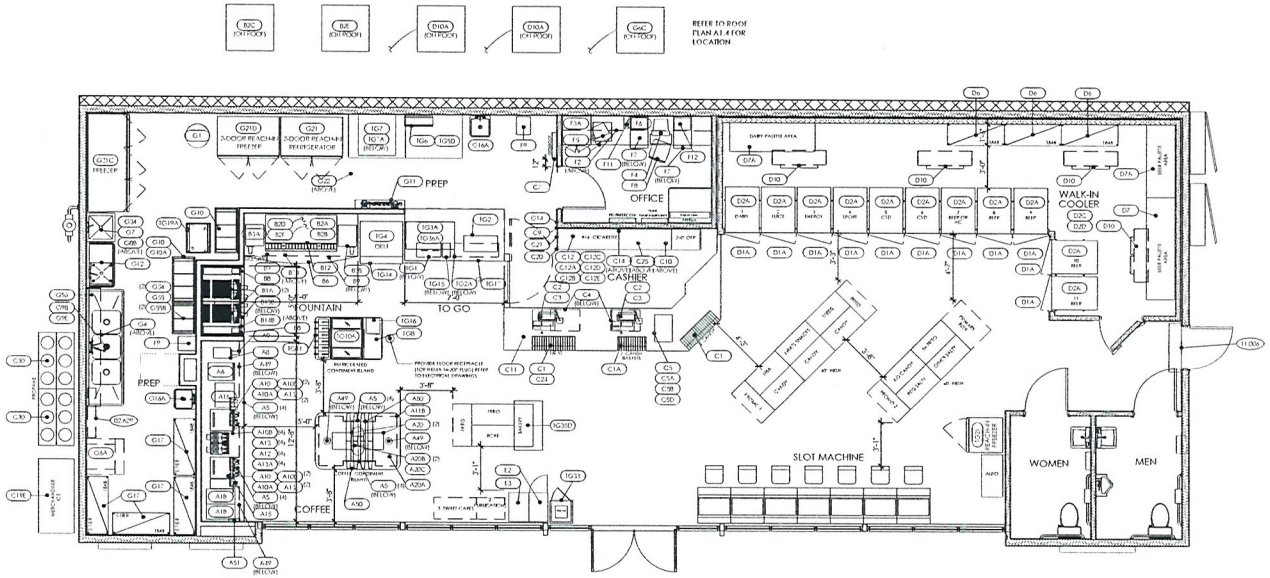
City of Las Vegas

*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 EQUIPMENT PLAN
1/4"=1'-0"

N

GENERAL NOTES:

A. FOR EQUIPMENT SCHEDULE REFER TO SHEET Q2.1
B. FOR INTERIOR EQUIPMENT ELEVATIONS REFER TO SHEETS A2.3, A2.4 AND A2.5

KEYED NOTES:

02.429 BACKFLOW PREVENTOR & WATER METER
~~10.705 FIRE SPRINKLER RISER~~
11.006 INSTALL FLY FAN PER MANUFACTURE'S RECOMMENDATIONS. FLY FAN SHALL BE PRICED AND INSTALLED AS A SITE SPECIFIC OPTION.

gk3 architecture
2111 EDGEWOOD AVENUE
LAS VEGAS, NEVADA 89102
Tel. (702) 932-0455 • Fax (702) 932-0456
Mobile (702) 250-9416
kevin@gk3architecture.com
gamie@gk3architecture.com
WWW.GK3ARCHITECTURE.COM

OWNERS:
WAGIH KAMAR
2901 N. RANCHO DR.
LAS VEGAS, NV
89130
TEL.:
(702) 533-3013

ampm

PROJECT:
C-STORE REBUILD
3701 WEST SAHARA AVE
LAS VEGAS, NV
89102
APN: 162 07 512 010

SEAL:

REVISIONS

NO.	DESCRIPTION

SHEET TITLE:
EQUIPMENT PLAN

SCALE: AS NOTED
DATE: 05-05-11
ISSUED FOR: PERMIT
SHEET: Q1.1

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EOT-42574
EOT-42577
EOT-42578

EQUIPMENT SCHEDULE

AREA	NO.	QTY	ITEM / DESCRIPTION	VENDOR	MODEL NUMBER	V	PH	AMP	KVA	HP	PLUMBING SUPPLY POC COLD	HOT	WASTE SIZE	REMARKS	SUPPLIED BY	INSTALL BY
COFFEE AREA	A18	2	CAPPUCCINO MAKER	BUNN	#MX 35+	120V	1	15	1.800		1/4			UNIT WITH CORD & NEMA 5-15 PLUG		
	A5	16	COFFEE CUP HOLDERS (Under Counter)	IMPRESSIONS / SHOPCO	C2410C18											
	A9	1 LOT	COFFEE CABINETS	IMPRESSIONS / SHOPCO	MULTIPLE #5 - SEE CUT SHEETS											
	A10	2	DUAL SOFT HEAT BREWER	BUNN	#27900.0038	120/208V	1	28.9	5.9		1/4					
	A10A	2	DUAL DRIP TRAY	BUNN	#27150											
	A10B	6	FAUCET COVERS	BUNN	COVER W/ DECALS #07187.0001											
	A11B	1	REGULAR COFFEE CONDIMENT ISLAND 72"x48"	IMPRESSIONS/SHOPCO	#BP-C00-CCHREG/ BP-2 CCDPIRX											
	A12	2	SINGLE SOFT HEAT STAND	BUNN	#1 SH STAND 27825.0003	120V	1	.8	0.0?					UNIT WITH CORD & NEMA 5-15 PLUG		
	A13	6	SINGLE SOFT HEAT SERVER	BUNN	#SH SERVER 27850.0004											
	A13A	2	ONE POSITION DRIP TRAY KIT	BUNN	#26830.0000											
	A15	1	LATTE STEAMER	BUNN	#FMD-1 SET 00.0196											
	A20	2	COFFEE CONDIMENT ORGANIZER	PLASTICS & PRODUCTS	#CCBP-16									FOR CONDIMENT SENIOR & REGULAR		
	A20A	2	SHELF	PLASTICS & PRODUCTS	#BPLH-3									FOR CONDIMENT SENIOR & REGULAR		
	A20B	2	SYRUP RACK	PLASTICS & PRODUCTS	#SPP-916FS									FOR CONDIMENT SENIOR & REGULAR		
	A20C	1	BRIDGE	PLASTICS & PRODUCTS	#SPB-55									FOR CONDIMENT SENIOR & REGULAR		
	A47	4	TRASH RECEPTACLE (BELOW COUNTER)	IMPRESSIONS/SHOPCO										INCLUDED IN CABINETRY		
	A50	2	BLACK & CHROME NAPKIN HOLDER	WASSERSTROM/TRAEX	#6512-06											
	A51	1	COFFEE TIMER	PRINCE CASTLE	#740-112PM	120V	1	.083 MAX	.01 MAX					UNIT WITH CORD & NEMA 5-15 PLUG		
	A6	1	ICED LATTE (4 HEAD)	BUNN	JDF-4	120V	1	6			3/8					
	A8	1	ICED CUPHOLDER	PLASTICS & PRODUCTS	CLS-BP-718	120V	1	15	1.800		1/4			UNIT WITH CORD & NEMA 5-15 PLUG		
	A16	1	COFFEE CREAMER DISPENSER	CREAMISER	#400 4 HEAD DISPENSER											
FOUNTAIN	B1A	2	FROZEN BEVERAGE DISPENSER	CORNELIUS	VIPER HIGH OUTPUT FROZEN 3 FLAVOR											
	B2A	1	FOUNTAIN ICE MAKER (CUBED) W/ AUTOMATIC CLEANING SYSTEM	MANITOWOC	#SY-1074C #AUCS	120V	1				1/2		1/2"	UNIT WITH CORD & NEMA 5-15 PLUG		
	B2B	1	FOUNTAIN ICE MAKER (CRUSHED/CRUNCH)	SCOTSMAN	#N0922A-A									UNIT WITH CORD & NEMA 5-15 PLUG		
	B2C	1	ICE MAKER REMOTE CONDENSING UNIT	MANITOWOC	#CVD-1085	208V	1	12.5						FOR ITEM #B2A		
	B2D	1	20 LINE KIT	MANITOWOC	#RT-20-R-404A									FOR ITEM #B2A		
	B2E	1	ICE MAKER REMOTE CONDENSING UNIT	SCOTSMAN	#NME954RHS-A/C	208V	1	6.0		1 1/2	1/2		3/4"	FOR ITEM #B2B		
	B2F	1	20 LINE KIT	MANITOWOC	#RT-20-R-404A									FOR ITEM #B2B		
	B3A	1	FOUNTAIN CUP AND LID DISPENSER (LEFT)	IMPRESSIONS	#BP-PP-F00-VCD-L											
	B3B	1	FOUNTAIN CUP AND LID DISPENSER (RIGHT)	IMPRESSIONS	#BP-PP-F00-VCD-R											
	B6	1	FOUNTAIN CABINETRY	IMPRESSIONS/SHOPCO	MULTIPLE #5 - SEE CUT SHEETS											
	B7B	1	GRAPHIC DISPLAY BOARD - NON-ILLUMINATED	DURA COLOR	45.5"x96"											
	B8	2	FCB LID/STRAW DISPENSER	ICEE												
	B9	2	CABINET TRASH RECEPTACLE	IMPRESSIONS/SHOPCO	INCLUDED IN FTN											
	B12	1	20-VALVE ICE/BEVERAGE DISPENSER	SERVEND/MANITOWOC	#MDH-402-20 IC 20PB Q1/ KITS Q1/SL3/CLS	120V					1/2		3/4"	UNIT WITH CORD & NEMA 5-15 PLUG		
	B13B	1	60" FCB CART	IMPRESSIONS/SHOPCO	#BP-F00-FCB60									ON CASTERS		
	B14B	1	FCB GRAPHIC FOR 60" CART - NON-ILLUMINATED	DURA COLOR	59.x45.5"											
CASHIER	C1	2	CASHIER CABINET W/ IMPULSE SHELVING - 3-0	IMPRESSIONS/SHOPCO	SEE CUT SHEETS											
	C1A	1	CASHIER CABINET W/ IMPULSE SHELVING - 2-0	IMPRESSIONS/SHOPCO	SEE CUT SHEETS											
	C2	2	CASH REGISTERS/POS	RADIANT	STANDARD	120V								UNIT WITH CORD & NEMA 5-15 PLUG		
	C3	2	INTERCOM TO FUEL POSITIONS	3M	#D-120 / PART # 78-6911-4796-7 SERIAL # 24"0011634, 78-8117-3900-8 w/4 station cord	120V								UNIT WITH CORD & NEMA 5-15 PLUG		
	C4	2	UNDER-COUNTER CIGARETTE DRAWER	IMPRESSIONS/SHOPCO	#BP-300-CIGCPU34A/TBD											
	C5	1	SAFE - CASH VALIDATOR	NFL	#V2C CONTROLLER AUTOBANK	120V								UNIT WITH CORD & NEMA 5-15 PLUG		
	C5A	1	SAFE - COIN DROP	NFL	#DBC AUTOBANK	120V								UNIT WITH CORD & NEMA 5-15 PLUG		
	C5B	1	KEYPAD	NFL	#EPP											
	C5D	1	PRINTER	NFL	#OM-100	120V								UNIT WITH CORD & NEMA 5-15 PLUG		
	C7	1	TANK MONITOR EQUIPMENT	VEEDEROOT	VR-TLS 350	120V								UNIT WITH CORD & NEMA 5-15 PLUG		
	C10	1 LOT	SMOKELESS TOBACCO BACK BAR RACKING	AMERICAN DISPLAY/PHILIP MORRIS	VENDOR											
	C11	1 LOT	CASHIER COUNTER	IMPRESSIONS/SHOPCO	MULTIPLE #5 - SEE CUT SHEETS											
	C12	1 LOT	CIGARETTE BACK BAR RACKING	AMERICAN DISPLAY	VENDOR											
	C12A	1 LOT	3' TOP SIGN LARGE	AMERICAN DISPLAY	VENDOR											
	C12B	1 LOT	3' WATERFALL SHELVES	PHILIP MORRIS	VENDOR											
	C12C	1 LOT	3' 4 SHELF PACK MODULESPACK SHELVES	PHILIP MORRIS	VENDOR											
	C12D	1 LOT	3' TOBACCO SHELF	PHILIP MORRIS	VENDOR											
	C12E	1 LOT	ACCESSORIES KIT	AMERICAN DISPLAY/PHILIP MORRIS	VENDOR											
	C20	1 LOT	CIGARETTE BACK BAR STORAGE CABINETS	AMERICAN DISPLAY	VENDOR											
	C21	1	CIGARETTE BACK BAR MILLWORK VALANCE (WOP)	IMPRESSIONS/SHOPCO	10-6"											
	C21A	1	CIGARETTE BACK BAR MILLWORK VALANCE (EOP)	IMPRESSIONS/SHOPCO	9'-6"											
	C24	1	MEAT SNACK RACK	SHOPCO												
	C25	1	SNUFF COOLER	RJ REYNOLDS												
COOLER	D1A	11	WALK-IN COOLER GLASS DOORS ASSEMBLY DISPLAY	ANTHONY INTERNATIONAL	101X									30"x75" SILVER FINISH, LED LIGHTING		
	D2A	11	WALK-IN COOLER - 30"x26" DEEP SHELVES	ANTHONY INTERNATIONAL										WHITE FINISH, BLUE TAG MOLDING, STEAL POSTS, 7 SHELVES PER DOOR		
	D2C		COOLER/FREEZER SHELF TAG MOLDING STRIPS	HUBERT	BEIGE COLOR									NOT SHOWN ON PLAN		
	D2D		COOLER DOOR LED LIGHTS	ANTHONY INTERNATIONAL	OPTIMAX											
	D6	2	COOLER SHELVING SYSTEM	WASSERSTROM	METRO #A1848NK3											
	D7	3	PLASTIC STORAGE PLATFORMS	WASSERSTROM	POWER SHELF BLACK 8'-0"											
	D7A	2	PLASTIC STORAGE PLATFORMS	WASSERSTROM	POWER SHELF BLACK 5-5.5"											
	D10	4	WALK-IN COOLER EVAPORATOR	HEATCRAFT	SEE SHEET Q1.2											
	D10A	2	WALK-IN COOLER CONDENSING UNIT	HEATCRAFT	SEE SHEET Q1.2											
		BULK	PRICE RAILS & GUIDES	PTI / LLC	TF/DEMARK TO VERIFY EXACT PACKAGE											
ATM	E2	1	ATM-ACCESS CASH	FAMATM	#FAM 1098	120V	1	2.5	0.300					UNIT WITH CORD & NEMA 5-15 PLUG		
	E3	1	ENHANCED FINANCIAL SERVICE	FAMATM	#FAM 109C	120V	1	2.5	0.300					UNIT WITH CORD & NEMA 5-15 PLUG		
OFFICE	F1	1 LOT	MANAGER'S DESK	IMPRESSIONS/SHOPCO	MULTIPLE #5 - SEE CUT SHEETS									8'-6" COUNTERTOP W/ LEGS		
	F2	1 LOT	SHELVING ABOVE DESK	WASSERSTROM	METRO ERECTA SHELF ASSEMBLY									(4)1236C SHELVING W/ (4) 97SC & (8)MPSC MOUNTING BRACKETS		
	F3A	1	LOCKING STORAGE CABINET	FACMASTERS/WASSERSTROM	4576132									16 x 5' SILVER FINISH, LED LIGHTING		
	F4	1	COMPUTER SYSTEM	BOS	COMPUTER XP BXO	120V								UNIT WITH CORD & NEMA 5-15 PLUG		
	F5	1	CCTV-RECORDER/DVR/MONITOR	HAVCO	# 1KCS16-105-16 Camera system, # 2016ANA-TTR-POS 16-RECORDER, #4500 Camera, #Clinton CE-17190 LCD Monitor	120V								UNIT WITH CORD & NEMA 5-15 PLUG PROVIDED BY G.C		
	F6	1	SATELLITE INTERFACE	HUGHES												
	F7	2	FILE CABINET	WASSERSTROM	ANDERSON HICKEY #WH1162912											
	F8	1	MANAGER CHAIR	FRANCHISEE												
	F9	2	EMPLOYEE LOCKERS	FACMASTERS/WASSERSTROM	516x746									6 TIER LOCKER, 1 WIDE WITH HASP HANDLE, 15X15X18		
	F11	1	UPS BATTERY BACKUP			120V								UNIT WITH CORD & NEMA 5-15 PLUG		
	F12	1	PRINTER			120V								UNIT WITH CORD & NEMA 5-15 PLUG		
				WASSERSTROM	#471112											

AREA	NO.	QTY	ITEM / DESCRIPTION	VENDOR	MODEL NUMBER	V	PH	AMP	KVA	HP	PLUMBING SUPPLY POC COLD	HOT	WASTE SIZE	REMARKS	SUPPLIED BY	INSTALL BY
BACKROOM	G1	1	BULK CO2 FOR POST MIX	GC	LIQUIDATOR 100 CO2 SYSTEM NUCO2 LF 100-0000											
	G4	1 LOT	DRYING RACK	METRO	SMARTWALL + BACK GRID											
	G7	1	MOP SINK	WASSERSTROM	FIAT #MSB 2424						1/2"	1/2"	3"	W/ #830 AA FAUCET		
	G8B	1	TANKLESS WATER HEATER	GC	RINNAI #2532 FFUC						3/4"			3/4 GAS CONNECTION		
	G9B	1	3 POSITION SINK W/ 18" BOWLS (1) DRAINBOARD (PPS30-1/2)	WASSERSTROM CUSTOM									2"	W/ LEVER DRAIN		
	G9E	1	PRE-RINSE FAUCET	FISHER	#2210						1/2	1/2"		W/ #2910-12 ADD-ON FAUCET		
	G10	2	BAG-IN-BOX	MANITOWOC	#3026343 (20 HEAD)											
	G10A	1	WATER BOOSTER	MANITOWOC	#3025343	120V								UNIT WITH CORD & NEMA 5-15 PLUG		
	G11	1	WATER PURIFICATION SYSTEM	EVERPURE	#EV9437-10						3/4"					
	G12	1	VEGETABLE SINK 38x23 1/2	WASSERSTROM	#D431-09 C W/ FAUCET #N113-8006											
	G14	1	FIRE EXTINGUISHER	WASSERSTROM	FIVE#, TYPE ABC, MOUNT @ 48" A.F.F											
	G16A	2	HAND SINK	SELECT STAINLESS	PLSHS-1-ESLR						1/2"	1/2"	2"	W/ FAUCET, LEVER DRAIN, OVERFLOW		
	G21	1	2-DOOR REACH-IN REFRIGERATOR	TRAULSEN	#G20010									UNIT WITH CORD & NEMA 5-15P PLUG		
	G21C	1	3-DOOR REACH-IN FREEZER	TRAULSEN	#G31310									UNIT WITH CORD & NEMA 14-20 PLUG		
	G21D	1	2-DOOR REACH-IN FREEZER	TRAULSEN	#G22010											
	G22	1	OVEN HOOD	CAPTIVE AIRE	#BP-2292	120V								CONTROL PANEL FURNISHED BY CAPTIVE AIRE		
	G34	1	MOP RACK	WASSERSTROM	RUBBERMAID #1992											
	G54	2	CARBONATOR	MANITOWOC		120V					3/8"			UNIT WITH CORD & NEMA 5-15 PLUG		
	G55	1	5-BARREL FCB BAG N BOX/(2) INSTALL KIT	ICEE	FBD #12-2474-0007											
	G55B	2	5-BARREL BUCK N BOOST TRANSFORMER	ICEE	FBD #14-0378-0001											
	G56	1	ECO LAB SYSTEM													
TO GO	TG1	1	MICROWAVE OVEN	TURBO AIR	TMW-1100E									UNIT WITH CORD & NEMA 5-15 PLUG		
	TG2	1	NACHO RACK	GEHL										ARCO "NACHO" RACK		
	TG2A	2	UNDERCOUNTER NACHO RACK	SHOPCO												
	TG3A	1	FOOD WARMER	HATCO	#LFST-41	120/240V	1	14.6	2.15					UNIT WITH CORD & NEMA 14-20 PLUG		
	TG4	1	FREESTANDING DELI CASE	STRUCTURAL CONCEPT	#OASB C03678R											
	TG5D	1	PREP TABLE	WASSERSTROM	METAL MASTERS #T36485B											
	TG6	1	BUN TOASTER	PRINCE CASTLE	#197	115V	1	13	1.6					UNIT WITH CORD & NEMA 5-15 PLUG		
	TG7	1	CONVECTION OVEN	DELUXE EQUIPMENT	#HSM-6-6	120/240V	1	39.5	6.22					UNIT WITH CORD & NEMA 14-20 PLUG		
	TG7A	1	CONVECTION OVEN COOLING STAND (8 TRAY)	DELUXE EQUIPMENT	#HSM-CRB 0670-25028									ON CASTERS		
	TG8	1	CHILI AND CHEESE DISPENSER	GEHL'S DUAL HOT TOP		120V	1	1.7	0.20					UNIT WITH CORD & NEMA 5-15 PLUG		
	TG10A	1	REFRIGERATED CONDIMENT ISLAND	WASSERSTROM CUSTOM	CUSTOM: 59 1/4"x36"	120V								SELF-CONTAINED		
	TG11	1	CONDIMENT DISPENSER	SERVER PRODUCTS	#07721											
	TG14	1	3' DELICASE HANGING FRUIT BASKET	WASSERSTROM	#BSKTW836									ATTACHED TO #TG4		
	TG15	1	TO GO BOX HOLDER	CALIFORNIA QUALITY PLASTICS												
	TG16	1	UTENSIL HOLDER	CALIFORNIA QUALITY PLASTICS												
	TG17	1 LOT	TO GO CABINETRY	IMPRESSIONS/SHOPCO	MULTIPLE # 5 - SEE CUT SHEETS											
	TG19A	1	SMALLWARES PACKAGE		SEE SHEET Q2.3											
	TG21	1	MASTER-BILT (1-GLASS DOOR) DISPLAY FREEZER	MASTER BILT	#BLG-27HD	208								UNIT WITH CORD & NEMA 14-20P PLUG		
	TG33	1	TRASH RECEPTACLE AND TRAY HOLDER	IDL	DCA244262-1											
	TG35D	1	FREE STANDING BAKERY CASE	HUSSMANN	METRO SUPER ERECTA #1848NC	120V								UNIT PROVIDED WITH CORD AND PLUG		
	TG36A	1	HATCO MENU BOARD	IDL WORLD WIDE	IDL-4 HATCO (HATCO MENU KIT LARGE)											
SHELVING	G17	4	SHELVING	WASSERSTROM	METRO SUPER ERECTA #1860NC											
	G17A	1	SHELVING	WASSERSTROM	METRO SUPER ERECTA #1248NC											
	G17B	1	SHELVING	WASSERSTROM												
		BULK	GONDOLA	SHOPCO												
		1	BARRELS	IRP / IOWA ROTOCAST PLASTIC	IRP-650 (SINGLE P-1 BARREL/ICE VAULT)											
OPTIONAL	G19E	1	ICE MERCHANDISER	TBD												
	G30	2	PROPANE TANKS	T.B.D.												
	G6A OPT 2	1	ICE MAKER WITH BAGGING STATION	SCOTSMAN	REMOTE PACKAGE									BACKROOM 600LB REMOTE CUBE BAGGING ICE STATION. INCLUDE THE FOLLOWING: (1) BG510 ICE BAGGER (1) C0630MP32-A REMOTE CUBER ICE MAKER 600 LB (1) B530S STORAGE BINS 550 LB (1) 18 AG CASE OF 1,000 BAGS (1) KSEALER TAPE SEALER (1) RTE40 PRECHARGED R-404A TUBING 40 FT		
	G6C	1	ICE MAKER REMOTE CONDENSING UNIT	SCOTSMAN	(1) ERC311-32A REMOTE CONDENSER	208V		7.1			1/2"		3/4"			
WOR ONLY	C9	1 LOT	SLATWALL & END PANELS (WOR)	IMPRESSIONS/SHOPCO	10-6"											

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PROJECT:
C-STORE
REBUILD
3701 WEST
SAHARA AVE
LAS VEGAS, NV
89102
APN: 162 07 512 010

SEAL:

REVISIONS	
NO.	DESCRIPTION

SHEET TITLE:
EQUIPMENT SCHEDULE

SCALE: AS NOTED
DATE: 05-05-11
ISSUED FOR: PERMIT
SHEET: Q2.1

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EOT-42575
EOT-42574
EOT-42573

SITE INFORMATION:

APN: 162 07 512 010
SITE AREA: 0.58 ACRES (25,265 SF)
ZONING: C-1 (LIMITED COMMERCIAL DISTRICT)
SUBDIVISION: LAS VERDES HGTS 6 UNIT #5
LOT BLOCK: LOT:1 BLOCK:1

C-STORE AREA: 2,400 SF
FUEL CANOPY (UNDER SEPARATE PERMIT) : 3,674 SF
LOT COVERAGE: 25%

PARKING ANALYSIS:

CONVENIENCE STORE: 1 SPACE PER 250 SF

CONVENIENCE STORE:	2,400 SF/250=	9.6 SPACES
TOTAL REQUIRED:		10 SPACES
TOTAL PROVIDED:		12 SPACES

•11 REGULAR SPACES• 1 VAN ACCESSIBLE SPACE AS APPROVED

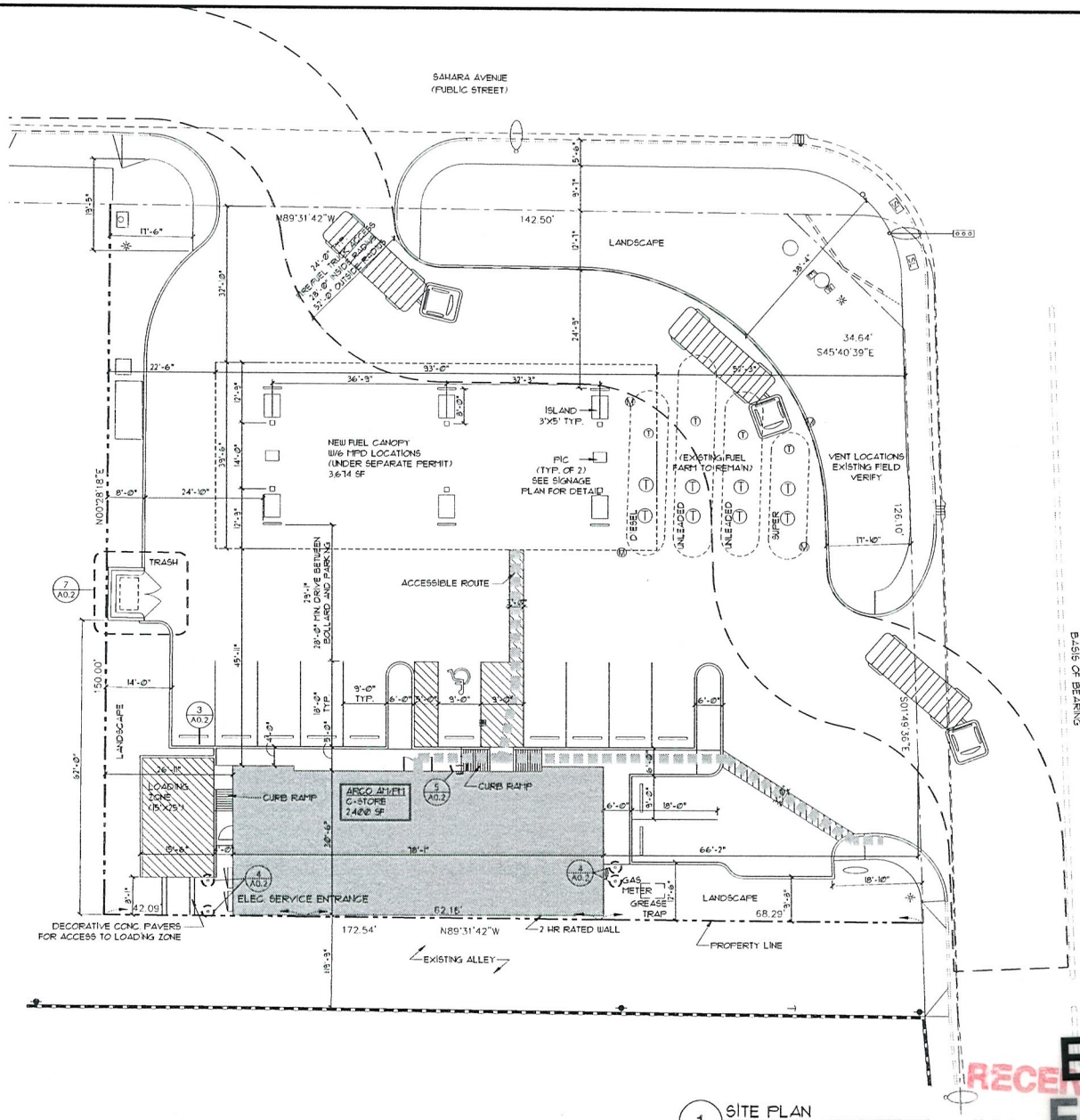
GENERAL NOTES:

1. THE CONTRACTOR SHALL NOTIFY UNDERGROUND SERVICES FORTY -EIGHT HOURS PRIOR TO EXCAVATION.

2. ALL GRADING SHALL BE DONE IN ACCORDANCE WITH THE ENGINEERED GRADING REQUIREMENTS OF THE 2006 INTERNATIONAL BUILDING CODE AS AMENDED BY THE SOUTHERN NEVADA AMENDMENTS.

3. ACCESSIBLE PARKING SPACES, ACCESS AISLES, AND PASSENGER LOADING ZONES SHALL HAVE SURFACE SLOPES NOT STEEPER THAN 2% IN ALL DIRECTIONS.

4. ALL ACCESSIBLE ROUTES ARE TO BE STRIPED AND HAVE ALL SLOPES IN THE DIRECTION OF TRAVEL 5% MAXIMUM WITH CROSS SLOPES OF 2% MAXIMUM.



1 SITE PLAN
3/32"=1'-0"

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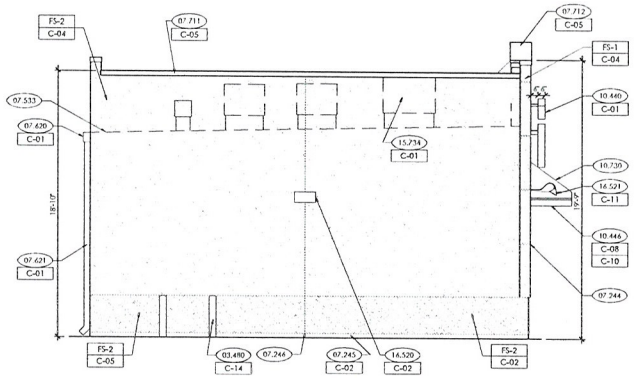
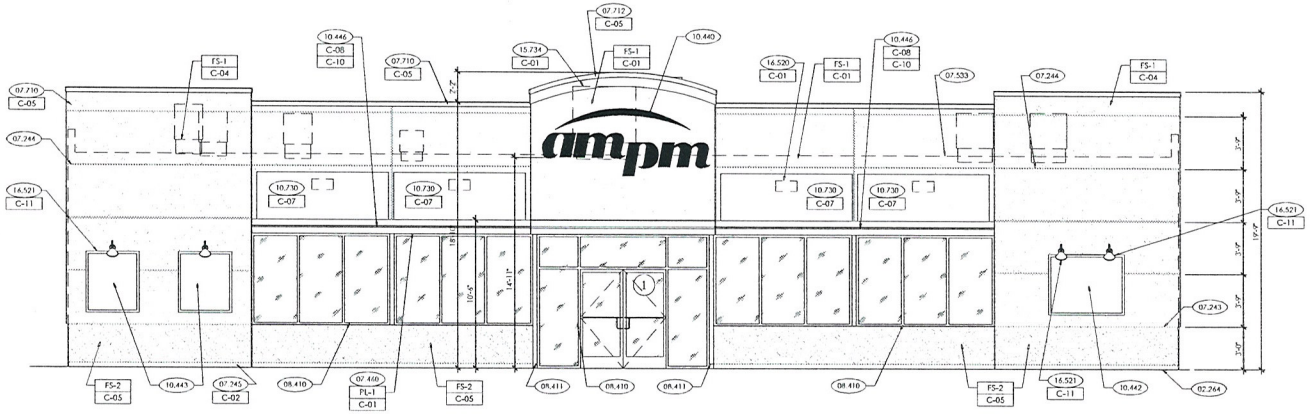


2 LEFT (EAST) ELEVATION
1/4"=1'-0"



1 FRONT (NORTH) ELEVATION
1/4"=1'-0"

GENERAL NOTES:

A. REVEAL LOCATIONS IN FINISH SYSTEM SHOWN ARE TO ALIGN AS CLOSELY AS POSSIBLE.
B. DIMENSIONS ARE TO THE CENTERLINE OF REVEALS

KEYED NOTES:

07.244 GRADE. REFER TO CIVIL PLAN
07.243 TERMINATION REFER TO DETAIL **13/A5.1**
07.244 1" REVEAL IN FINISH REFER DETAIL **4/A5.1**
07.245 4" BREAK METAL BASE. SEE DETAIL **5/A5.1**
07.246 CONTROL JOINT IN FINISH SYSTEM. MAXIMUM 20'-0" O.C.
07.460 ACM PANEL
07.533 APPROXIMATE ROOF LINE
07.621 3"x5" 22 GA. GALVANIZED PREFINISHED METAL DOWNSPOUT
07.710 SHOP FORMED PREFINISHED METAL COPING. REFER TO DETAIL **1/A5.1**
07.711 SHOP FORMED PREFINISHED METAL COPING CAP. REFER TO **2/A5.1**
07.712 PRE-FINISHED 22 GA. METAL FLASHING
08.410 ALUMINUM ENTRANCE AND STOREFRONT SYSTEM. REFER TO **A5.3** & SPEC
08.411 ALUMINUM CLADDING (OMIT @ SIM.)
10.440 INTERNALLY ILLUMINATED SIGN. BY SIGNAGE CONTRACTOR
10.442 64"Wx54"H POP FOSTER. BY SIGNAGE CONTRACTOR
10.443 45"Wx52"H POP FOSTER. BY SIGNAGE CONTRACTOR
10.446 VINYL DECAL APPLIED TO ACM PANEL REFER TO GRAPHIC SCHEDULE ON SHEET **Q2.2**
10.730 ALUMINUM FRAME FABRIC AWNING - SUNBRELLA ORANGE - 4609-0000. REFER TO SHEET **4/A3.2**
15.734 ROOF MECHANICAL UNITS
16.520 EXTERIOR LIGHT. REFER TO LIGHTING PLAN SHEET **E1.3**
16.521 GOOSENECK LIGHTING FIXTURES

EXTERIOR FINISHES:

PL-1	ALUMINUM ACM PANEL
FS-1	EXTERIOR INSULATION AND FINISH SYSTEM PROVIDE CONTROL JOINTS AS SHOWN
FS-2	DIRECT APPLIED FINISH SYSTEM

EXTERIOR PAINTS:

C-01	COLOR: BP PEARL - RAL 1013 ICI #A0083 "INDIAN LEGEND"
C-02	COLOR: BP DARK PEARL ICI #A0747 "DESERT VALLEY"
C-04	COLOR: ampm TAN ICI #A0717 "INDIAN CORN"
C-05	COLOR: ampm DARK TAN ICI #A1741 "ONION SKIN TAN"
C-06	COLOR: ampm YELLOW PMS 116C
C-07	COLOR: SUNBRELLA ORANGE #4609-0000
C-08	COLOR: ampm RED PMS 032C
C-09	COLOR: ampm PURPLE PANTONE PURPLE
C-10	COLOR: ampm BLUE PMS 072C
C-11	COLOR: BP HIGH HIDING WHITE ICI BP HIGH HIDING WHITE (CUSTOM)
C-14	COLOR: OMEGA YELLOW ICI #A0775

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PROJECT:
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APN: 162 01 512 010

SEAL:

REVISIONS

NO.	DESCRIPTION

SHEET TITLE:
ELEVATIONS FRONT (NORTH) & LEFT (EAST)

SCALE: AS NOTED
DATE: 05-05-11
ISSUED FOR: PERMIT

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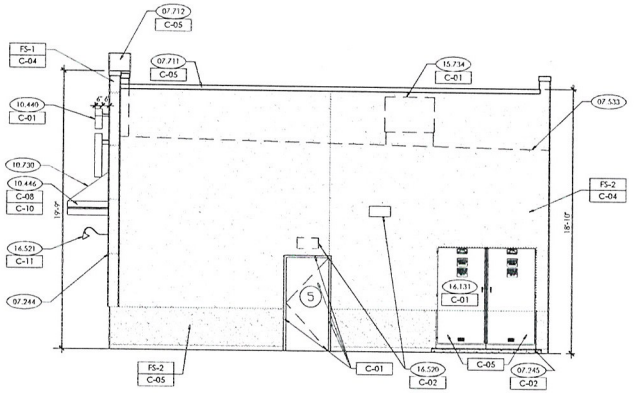
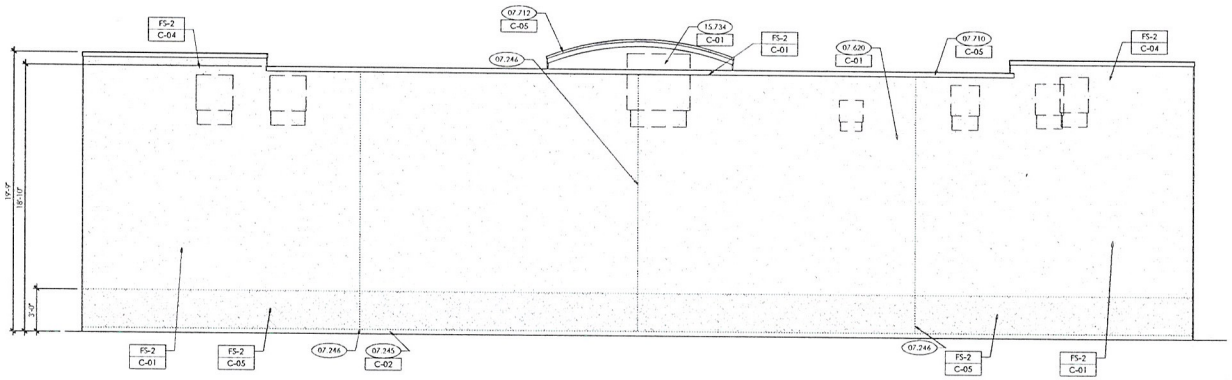


2 RIGHT (WEST) ELEVATION
1/4"=1'-0"



1 REAR (SOUTH) ELEVATION
1/4"=1'-0"

GENERAL NOTES:

A. REVEAL LOCATION IN FINISH SYSTEM SHOWN ARE TO ALIGN AS CLOSELY AS POSSIBLE.
B. DIMENSIONS ARE TO THE CENTERLINE OF REVEALS.

KEYED NOTES:

02.264 GRADE. REFER TO CIVIL PLAN
03.480 STEEL BOLLARD
07.243 TERMINATION REFER TO DETAIL 13/A5.1
07.244 1" REVEAL IN FINISH REFER DETAIL 4/A5.1
07.245 4" BREAK METAL BASE. SEE DETAIL 5/A5.1
07.246 CONTROL JOINT IN FINISH SYSTEM. MAXIMUM 20'-0" O.C.
07.440 ACM PANEL
07.533 APPROXIMATE ROOF LINE
07.620 4" PRE-FINISHED 22 GA. METAL GUTTER. REFER TO DETAIL 8/A5.1
07.621 3"x5" 22 GA. GALVANIZED PREFINISHED METAL DOWNSPOUT
07.710 SHOP FORMED PREFINISHED METAL COPING. REFER TO DETAIL 1/A5.1
07.711 SHOP FORMED PREFINISHED METAL COPING CAP. REFER TO 2/A5.1
07.712 PRE-FINISHED 22 GA. METAL FLASHING
08.416 OPTION 1B - ALTERNATE EXIT DOOR
10.440 INTERNALLY ILLUMINATED SIGN. BY SIGNAGE CONTRACTOR
10.443 45"WX57"H POP POSTER. BY SIGNAGE CONTRACTOR
10.446 VINYL DECAL APPLIED TO ACM PANEL REFER TO GRAPHIC SCHEDULE ON SHEET Q2.2
15.734 ROOF MECHANICAL UNITS
16.131 ELECTRICAL CABINETS. REFER TO SHEET E1.2
16.520 EXTERIOR LIGHT. REFER TO LIGHTING PLAN SHEET E1.3
16.521 GOOSENECK LIGHTING FIXTURES

EXTERIOR FINISHES:

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FS-1	EXTERIOR INSULATION AND FINISH SYSTEM PROVIDE CONTROL JOINTS AS SHOWN
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EXTERIOR PAINTS:

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ELEVATIONS REAR (SOUTH) & LEFT (WEST)

SCALE:
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A2.2

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EOT-42573

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. Contractor to verify all conditions and any discrepancy is to be reported to the Owner prior to work in that area.

3. Contractor shall verify the location of all underground utilities.

4. Contractor is responsible for all permits, coordination, scheduling, utility verification and damage to other trades and/or utilities.

5. 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 this work.

6. Contractor shall be responsible for rough grades surrounding all structures, walks and site amenity areas. Landscape contractor shall provide finish grading in planting areas to insure positive drainage away from all structures.

7. Plant quantities on the plant schedule are for convenience of the contractor only. Verify counts.

8. All plant material shall conform to nursery standards according to American Association of Nurserymen, Inc. and shall be free from all pests, eggs, diseases, and shall be representative of species in size, quality, form, color and not root bound, damaged or substandard in any way.

9. 10% of each plant material species shall be tagged with botanical name from the nursery or supplier, tags shall remain on plant material until final acceptance.

10. Landscape contractor shall install decomposed granite in all planter areas. Prior to installation of decomposed granite, apply one application of pre-emergent herbicide (Surflan or Equal). After placement of decomposed granite, apply a second application of pre-emergent herbicide over decomposed granite. Apply pre-emergent herbicide following manufacturer's recommendation.

11. When caliche is encountered during planting pit excavation: If impervious layer is less then 6" thick, remove completely. If layer is 6"-18" thick, punch a hole through the layer. Place a 4" diameter PVC pipe chimney filled with 3/8" pea gravel through the caliche layer to the bottom of planting pit. If layer is greater than 18" enlarge the planting pit as indicated in the details.

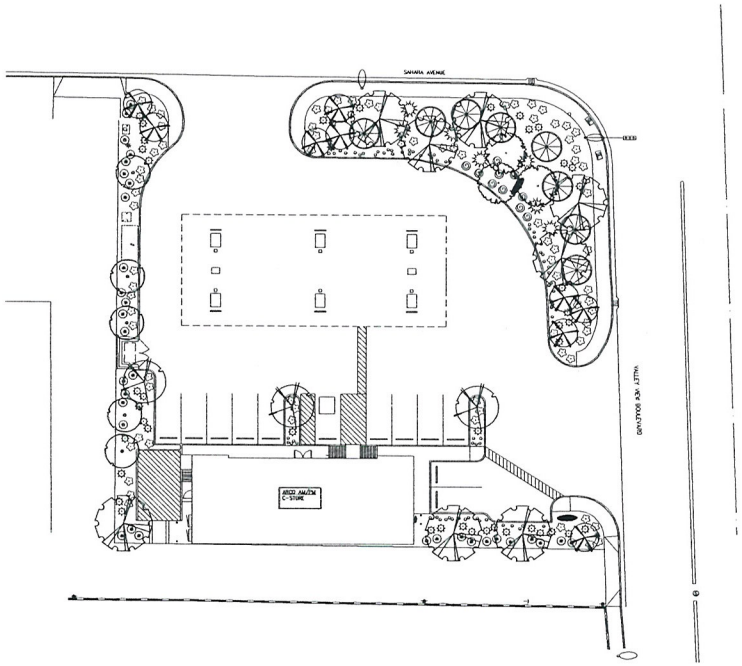
12. Prior to commencement of maintenance period contractor shall submit a watering/ maintenance schedule to the Landscape Architect for approval.

ROOT BARRIER NOTE:

All trees planted within five feet (5') of a sidewalk or wall shall have a root barrier installed adjacent to the sidewalk or wall extending a minimum of fifteen feet (10') in either direction from the center of the tree. No trees shall be planted within three feet (3') of the Right of Way (ROW).

SITE VISIBILITY ZONE

All shrubs planted within the site visibility zone shall not exceed two feet (2').



PLANTING SYMBOL LEGEND

SYMBOL	BOTANICAL/COMMON NAME	SYMBOL	BOTANICAL/COMMON NAME
	MULGA TREE		BLUE RANGER
	SHOESTRING ACACIA		CREEPING ACACIA
	DESERT MUSEUM PALO VERDE		SIERRA GOLD DALEA
	RIO SALADO DESERT WILLOW		NEW GOLD LANTANA
	MEXICAN FAN PALM		GERMANDER
			DESERT SPOON
			RED YUCCA
	DECOMPOSED GRANITE IN ALL PLANTER AREAS, 2" DEEP		ANGELITA DAISY

BOTANICAL NAME	COMMON NAME	QTY	SIZE (MINIMUM) CAL.	HGT.	SPRD.	COND	DTL	REMARKS
TREES								
Acacia aneura	MULGA TREE	6	1 1/2"	7'	4'	24" BOX	3/L-3	TREE STANDARD
Acacia stenophylla	SHOESTRING ACACIA	3	1 1/2"	8'	4'	24" BOX	2/L-3	TREE STANDARD
Parkinsonia x 'Desert Museum'	DESERT MUSEUM PALO VERDE	6	1 1/2"	8'	6'	24" BOX	1/L-3	MULTI-TRUNKED
Chilopsis linearisensis 'Pink Dawn'	RIO SALADO DESERT WILLOW	3	1"	6'	4'	24" BOX	1/L-3	MULTI-TRUNKED
Washingtonia robusta	MEXICAN FAN PALM	9				BARE ROOT	1/L-3	3-4" 3-10' 3-12'
SHRUBS								
Leucophyllum zygophyllum	BLUE RANGER	30		12"	12"	5 GAL.	3/L-3	
Acacia redolens 'Desert Carpet'	CREEPING ACACIA	8		12"	12"	5 GAL.	3/L-3	
Dalea capitata 'Sierra gold'	SIERRA GOLD DALEA	10		6"	12"	1 GAL.	3/L-3	
Lantana x 'New Gold'	NEW GOLD LANTANA	54		12"	12"	5 GAL.	3/L-3	
Teucrium chamaedrys	GERMANDER	0		6"	6"	1 GAL.	3/L-3	
Dasylirion wheeleri	DESERT SPOON	7		12"	12"	5 GAL.	3/L-3	
Hesperaloe parviflora	RED YUCCA	36		12"	12"	5 GAL.	3/L-3	
Hymenoxys acaulis	ANGELITA DAISY	88		6"	6"	1 GAL.	3/L-3	

PLANT SCHEDULE — NOTE: PLANT QUANTITIES ARE FOR REFERENCE ONLY, EXACT PLANT COUNTS ARE THE RESPONSIBILITY OF THE CONTRACTOR. ALL PLANTS MUST HAVE NURSERY TAG SHOWING TRADEMARK.

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PLANTING PLAN
SCALE 1" = 20'-0"
NORTH

EOT-42575
EOT-42574
EOT-42573

Harridt Landscape Architecture
P.O. Box 93562
Las Vegas Nevada 89193
Tel 702.269.7606 Fax 702.269.7538

M FENG
955 TEMPLE VIEW DR.
LAS VEGAS, NV 89110
TEL. (702) 375-7084
FAX. (702) 243-2058

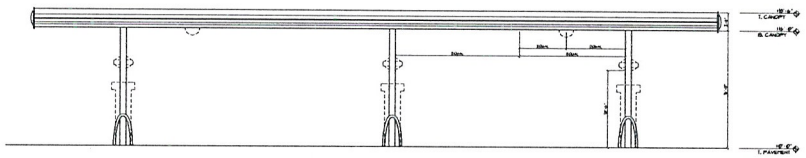
PLANTING PLAN

CONVIENCE STORE
SAHARA AVE AND VALLEY VIEW BLVD
LAS VEGAS, NEVADA 89102

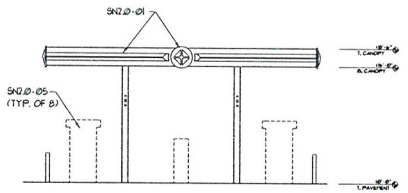
REVISIONS		
number	date	description

project number	2112S
date	6/30/11
scale	
drawn	ETM
checked	RDM

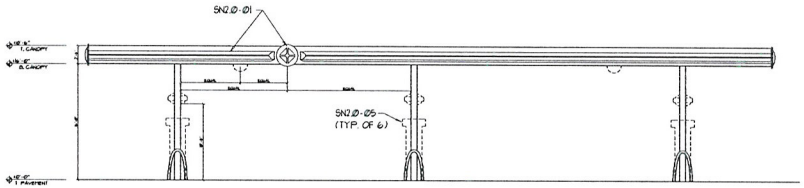
Sheet Number
L-1



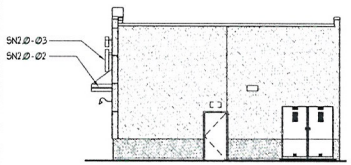
7 SOUTH CANOPY ELEVATION
1/8"=1'-0"



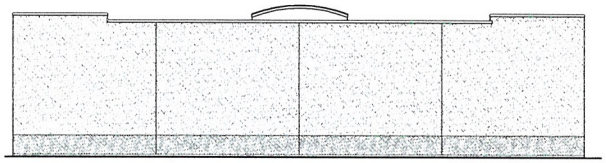
8 EAST CANOPY ELEVATION
1/8"=1'-0"
(NO SPARK ON WEST ELEVATION)



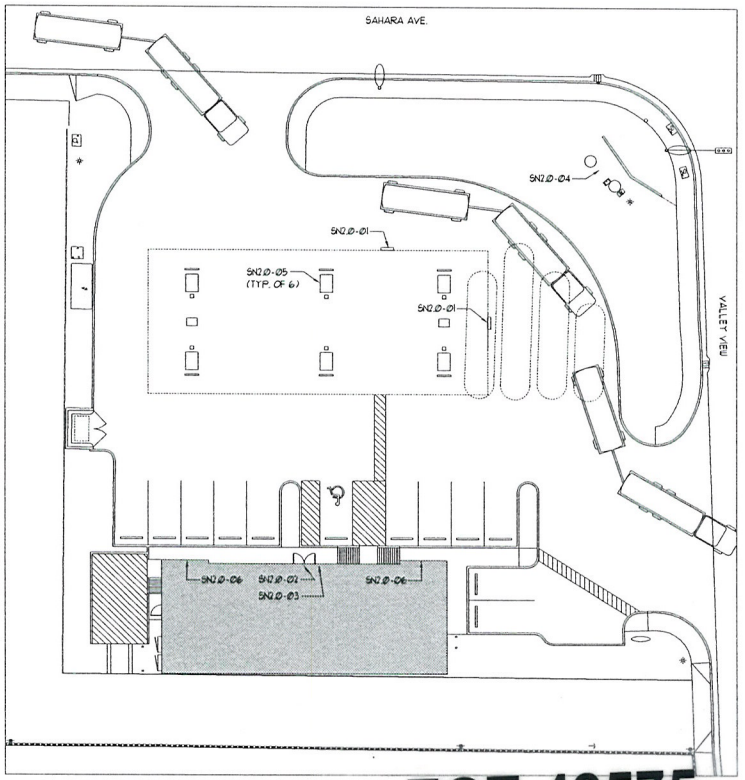
6 NORTH CANOPY ELEVATION
1/8"=1'-0"



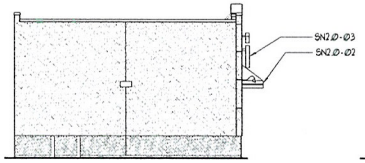
5 WEST BUILDING ELEVATION
1/8"=1'-0"



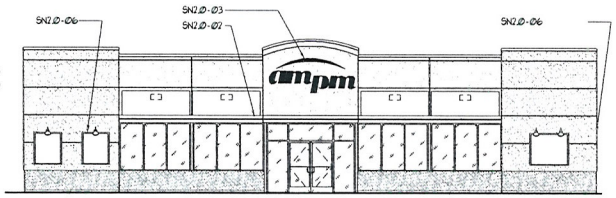
4 NORTH BUILDING ELEVATION
1/8"=1'-0"



1 SITE PLAN
1/16"=1'-0"



3 EAST BUILDING ELEVATION
1/8"=1'-0"



2 SOUTH BUILDING ELEVATION
1/8"=1'-0"

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EOT-42575
EOT-42574
EOT-42573

gk3 architecture
2111 EDGEWOOD AVENUE
LAS VEGAS, NEVADA 89102
Tel. (702) 832-0455 • Fax (702) 832-0456
Mobile (702) 256-0418
• kevin@gk3architecture.com
• gevin@gk3architecture.com
WWW.GK3ARCHITECTURE.COM

OWNER:
WAGIH KAMAR
2901 N. RANCHO DR.
LAS VEGAS, NV
89130
TEL.:
(702) 533-3013

ampm

PROJECT:
C-STORE REBUILD
3701 WEST SAHARA AVE
LAS VEGAS, NV
89102
APN: 162 07 512 010

SEAL:

REVISIONS

NO.	DESCRIPTION

SHEET TITLE:
SIGNAGE PLAN

SCALE:
AS NOTED

DATE:
05-05-11

ISSUED FOR:
PERMIT

SHEET:
SN1.0

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

October 27, 2009

Mr. Thanh Pham
Pham Capital, LLC
3701 West Sahara Avenue
Las Vegas, Nevada 89102

RE: SDR-34010 – SITE DEVELOPMENT PLAN REVIEW
CITY COUNCIL MEETING OF OCTOBER 7, 2009
RELATED TO VAR-34008 AND SUP-34006

Dear Mr. Pham:

The City Council at a regular meeting held October 7, 2009, APPROVED the request for a Site Development Plan Review FOR A PROPOSED 3,018 SQUARE-FOOT CONVENIENCE STORE WITH FUEL PUMPS AND A WAIVER TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ON A PORTION OF THE SOUTH AND WEST PERIMETER WHERE EIGHT FEET IS THE MINIMUM REQUIRED AND TO ALLOW A WAIVER OF THE BUILDING PLACEMENT AND ORIENTATION STANDARDS on 0.58 acres at the southwest corner of Sahara Avenue and Valley View Boulevard (APN 162-07-512-010), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on October 8, 2009. This approval is subject to:

Added Conditions

A. The convenience store shall not exceed 2,400 square feet in size.

B. A revised site plan depicting all parking on site shall be submitted to Planning and Development Department prior to or at the time of submittal for building permit.

Planning and Development

1. Conformance to the conditions for Special Use Permit (SUP-34006) and Variance (VAR-34008), 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, landscape plan, floor plan and building elevations date stamped 09/17/09, except as amended by conditions herein.

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

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4. A Waiver from Title 19.18.050 Commercial and Industrial District Development Standards to allow no Building Placement and Orientation Standards where buildings on corner lots are to be oriented to the corner and to the street fronts is hereby approved.

5. A Waiver from Title 19.12 Landscape and Buffer Standards to allow a zero-foot landscape buffer on a portion of the south and west perimeter where eight feet is the minimum required is hereby approved.

6. No signage is permitted as a part of the subject application; a building permit is required for all signage, if approved.

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.

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.

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EOT-42573

14. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

15. Dedicate an additional six feet of right-of-way for a total half-street width of 81 feet on Sahara Avenue adjacent to this site prior to the issuance of any permits. Relocation of existing curb line on Sahara Avenue is not required at this time.

16. Dedicate an additional 31.5 feet of right-of-way for a total radius of 54 feet on the southwest corner of Sahara Avenue and Valley View Boulevard prior to the issuance of any permits. This condition shall be modified if the applicant submits information acceptable to Staff that shows a portion of any existing private signage or building is located on or over the area being requested for dedication.

17. Remove all substandard public street and alley improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

18. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

19. Landscape and maintain all unimproved rights-of-way on Sahara Avenue and Valley View Boulevard adjacent to this site.

20. As appropriate, submit an Encroachment Agreement to the City of Las Vegas and/or obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Valley View Boulevard and Sahara Avenue public rights of way adjacent to this site prior to the issuance of any permits.

21. 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.

22. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

Sincerely,

Lean Coleman
Deputy City Clerk II for
Beverly K. Bridges, MMC, City Clerk

M. Margo Wheeler, AICP
Director
Planning and Development Department

cc: See attached list

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City of Las Vegas
EOT-42573

cc: Mr. James R. Adams
American West Petroleum
8681 W. Sahara Avenue, Ste. #280
Las Vegas, Nevada 89117

Mr. Ken Ballard
Suzana Rutar Architect
1950 E. Warm Springs Road
Las Vegas, Nevada 89119

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2111 Edgewood Ave. • Las Vegas, NV 89102
Phone: 702 932 0455 Fax: 702 932 0456

gk³ architecture

ARCHITECTURE • PLANNING • INTERIOR DESIGN

July 19, 2011

City of Las Vegas
Planning & Development Department
731 S. Fourth Street
Las Vegas, NV 89101

Justification Statement for 3701 West Sahara

Ladies and Gentlemen:

GK³ Architecture, on behalf of Mr. K, S LV LLC is requesting the review and approval of an extension of time for:SDR-34010, SUP-34006 and VAR-34008 for the rebuild of the South West corner of Sahara Ave. and Valley View Blvd. The site design includes a 6 pump Gas Station with a 2,400 SF convenience store. The existing auto maintenance building and canopy will be removed and new structures will be built. The site design is consistent with originally approved plans. The building entrance, site parking and fuel canopy face Sahara Ave. The site layout utilizes the building to buffer the traffic from the single family residential to the South. The project meets City of Las Vegas parking and landscape requirements.

The building permit application was submitted 06-27-2011, the permit application numbers are: 190713 and 190714. Since obtaining original approval 10-27-2009, the current owner has completed the purchase the property, obtained Arco Am/Pm franchise approval and has had the construction documents completed. The project is scheduled to begin construction with-in 6 months time and be fully improved with-in 1 year. This site plan conforms with the development pattern in the surrounding area and is an appropriate use for this corner site. The benefits for the project are to support the goals of the City of Las Vegas by creating a stable, identifiable and functional commercial district. The uses are supportive and compatible with the neighboring land uses and this will be an asset to the area.

The approval of the proposed design would not constitute a grant of any special privilege. The building would not allow a use or activity which is not permitted without a special use permit in the C-1 Zone, and would pose no adverse effect to public health, safety, or welfare.

Thank you for your consideration of these matters.

Sincerely,

Gemie M. Knisely, RA

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EOT-42575
EOT-42574
EOT-42573

gk³
ARCHITECTURE • PLANNING • INTERIOR DESIGN
USA 3856 Badgerbrook St., Las Vegas, NV 89129 Tel. 702.932-0455 Fax 702.932-[illegible]
EMAIL kevin@gk3architecture.com • gemie@gk3architecture

City of Las Vegas Agenda Item No.: **59.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

☒ **Consent** ☐ **Discussion**

SUBJECT:

EOT-42574 - EXTENSION OF TIME RELATED TO EOT-42573 - SPECIAL USE PERMIT - APPLICANT/OWNER: WAGIH W. KAMAR - For possible action on a request for an Extension of Time of a previously approved Special Use Permit (SUP-34006) FOR A BEER/WINE/COOLER OFF-SALE ESTABLISHMENT at 3701 West Sahara Avenue (APN 162-07-512-010), 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. Consolidated Backup
2. Supporting Documentation
3. City Council Approval Letter for SUP-34006

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

APPLICATION / PETITION FORM

Application/Petition For: EOT FOR SUP-34006

Project Address (Location) 3701 W. Sahara Ave

Project Name Arco Am/Pm **Proposed Use** C-store

Assessor's Parcel #(s) 162-07-512-010 **Ward #** _____

General Plan: existing _____ proposed _____ **Zoning:** existing C-1 proposed C-1

Commercial Square Footage 2400 **Floor Area Ratio** 25%

Gross Acres 0.58 **Lots/Units** 1 **Density** _____

Additional Information 2400 SF C-store w/6 pump gas canopy

PROPERTY OWNER Wagih W. Kamar **Contact** Wagih Kamar

Address 2020 Red Rock st **Phone:** 702 533-3013 **Fax:** 702 948-5109

City Las Vegas 89146 **State** Nevada **Zip** 89146

E-mail Address Wagih55@gmail.com

APPLICANT OWNER **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

REPRESENTATIVE GK3 Architecture **Contact** Gemie Krisely

Address 2111 Edgewood **Phone:** 932-0455 **Fax:** 932-0456

City LV **State** NV **Zip** 89102

E-mail Address gemie@gk3architecture.com

Property Owner Signature* Wagih Kamar

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Wagih Kamar

Subscribed and sworn before me State of Nevada County of Clar.

This 14 day of July, 20 11.

_____

Notary Public in and for said County and State

ARLYNN S. CAHILL
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 05-07-2012
Certificate No: 00-61699-1

FOR DEPARTMENT USE ONLY

Case #	EOT-42574
Meeting Date:	9/7/11 C.C.
Total Fee:	$300
Date Received:*	7/19/11
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

f:\depot\Application Packet\Application Form.pdf

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **EOT-42574** APN: 162 07 512 010

Name of Property Owner: Wagih Kamar

Name of Applicant: owner

Name of Representative: Gemie Knisely

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: Wagih Kamar

Print Name: Wagih Kamar

Subscribed and sworn before me
State of Nevada County of Clark
This 14 day of July, 20 11

Notary Public in and for said County and State

ARLYNN S. CAHILL
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 05-07-2012
Certificate No: 00-61699-1

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City of Las Vegas

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



CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

October 12, 2009

Mr. Thanh Pham
Pham Capital, LLC
3701 West Sahara Avenue
Las Vegas, Nevada 89102

RE: SUP-34006 – SPECIAL USE PERMIT
CITY COUNCIL MEETING OF OCTOBER 7, 2009
RELATED TO VAR-34008 AND SDR-34010

Dear Mr. Pham:

The City Council at a regular meeting held October 7, 2009, APPROVED the request for a Special Use Permit FOR A BEER/WINE/COOLER OFF-SALE ESTABLISHMENT at the southwest corner of Sahara Avenue and Valley View Boulevard (APN 162-07-512-010), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on October 8, 2009. This approval is subject to:

Planning and Development

1. Conformance to all minimum requirements under LVMC Title 19.04.010 for a Beer/Wine/Cooler Off-Sale use, including parking requirements.

2. Approval of and conformance to the conditions for Variance (VAR-34008) and Site Development Plan Review (SDR-34010), if approved.

3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

4. Approval of this Special Use Permit does not constitute approval of a liquor license.

5. All beer and wine coolers shall remain in their original manufacturer's configuration of four or six-packs.

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.

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EOT-42574

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7. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

8. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Sincerely,

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

cc: Mr. James R. Adams
American West Petroleum
8681 W. Sahara Avenue, Ste. #280
Las Vegas, Nevada 89117

Mr. Ken Ballard
Suzana Rutar Architect
1950 E. Warm Springs Road
Las Vegas, Nevada 89119

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EOT-42574

City of Las Vegas Agenda Item No.: **60.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☒ **Consent** ☐ **Discussion**

SUBJECT:
EOT-42575 - EXTENSION OF TIME RELATED TO EOT-42573 AND EOT-42574 - VARIANCE - APPLICANT/OWNER: WAGIH W. KAMAR - For possible action on a request for an Extension of Time of a previously approved Variance (VAR-34008) TO ALLOW A ZERO-FOOT SIDE YARD SETBACK WHERE 10 FEET IS THE MINIMUM REQUIRED AND TO ALLOW A RESIDENTIAL ADJACENCY SETBACK OF 20 FEET WHERE 57 FEET IS REQUIRED on 0.58 acres at 3701 West Sahara Avenue (APN 162-07-512-010), 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. Consolidated Backup
2. Supporting Documentation
3. City Council Approval Letter for VAR-34008

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-42575** APN: 162 07 512 010

Name of Property Owner: Wagih Kamar

Name of Applicant: Owner

Name of Representative: Gemie Knisely

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: Wagih Kamar

Print Name: Wagih Kamar

Subscribed and sworn before me
State of Nevada County of Clark
This 14 day of July, 20 11

Mary J. Cahill
Notary Public in and for said County and State

ARLYNN S. CAHILL
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 05-07-2012
Certificate No: 00-61699-1

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DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: EOT FOR VAR-34008

Project Address (Location) 3701 W SAHARA AVE

Project Name ARCO Am/Pm **Proposed Use** C-Store

Assessor's Parcel #(s) 162-07-512-010 **Ward #** _____

General Plan: existing _____ proposed _____ **Zoning:** existing C-1 proposed C-1

Commercial Square Footage 2400 **Floor Area Ratio** 25%

Gross Acres 0.58 **Lots/Units** 1 **Density** _____

Additional Information 2400 SF C-Store w/6 pump gas canopy

PROPERTY OWNER WAGIH W KAMAR **Contact** Wagih KAMAR

Address 2020 Red Rock St **Phone:** 702 533613 **Fax:** 702 948 5109

City LAS Vegas 89146 **State** NEVADA **Zip** 89146

E-mail Address WAGIH55@gMAIL.com

APPLICANT OWNER **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

REPRESENTATIVE GK3Architecture **Contact** Gemie Knisely

Address 2111 Edgewood **Phone:** 932 0455 **Fax:** 932 0456

City LV **State** NV **Zip** 89102

E-mail Address gemie@gk3architecture.com

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City of Las Vegas

Property Owner Signature* _____

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name WAGIH KAMAR

Subscribed and sworn before me

This 18th day of July, 20 11.

Joan E Johnson

Notary Public in and for said County and State

JOAN E. JOHNSON
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 12-19-2012
Certificate No: 01-66482-1

JOAN E. JOHNSON
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 12-19-2012
Certificate No: 01-66482-1

FOR DEPARTMENT USE ONLY

Case #	EOT-42575
Meeting Date:	9/7/11 CC
Total Fee:	$300 —
Date Received:*	7/19/11
Received By:	BS

*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.

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



October 12, 2009

Mr. Thanh Pham
Pham Capital, LLC
3701 West Sahara Avenue
Las Vegas, Nevada 89102

RE: VAR-34008 - VARIANCE
CITY COUNCIL MEETING OF OCTOBER 7, 2009
SUP-34006 AND SDR-34010

Dear Mr. Pham:

The City Council at a regular meeting held October 7, 2009, APPROVED the request for a Variance TO ALLOW A ZERO-FOOT SIDE YARD SETBACK WHERE 10 FEET IS THE MINIMUM REQUIRED AND TO ALLOW A RESIDENTIAL ADJACENCY SETBACK OF 20 FEET WHERE 57 FEET IS REQUIRED on 0.58 acres at the southwest corner of Sahara Avenue and Valley View Boulevard (APN 162-07-512-010), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on October 8, 2009. This approval is subject to:

Planning and Development

1. Approval of and conformance to the conditions for Special Use Permit (SUP-34006) and Site Development Plan Review (SDR-34010), if approved.

2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

Sincerely,

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

cc: Mr. James R. Adams
American West Petroleum
8681 W. Sahara Avenue, Ste. #280
Las Vegas, Nevada 89117

Mr. Ken Ballard
Suzana Rutar Architect
1950 E. Warm Springs Road
Las Vegas, Nevada 89119

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

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JUL 19 2011
City of Las Vegas

EOT-42575

Printed with environmentally friendly soy ink.

City of Las Vegas Agenda Item No.: **61.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

☒ **Consent** ☐ **Discussion**

SUBJECT:

EOT-42602 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT: GEORGE RAINHART - OWNER: FNBN ASPEN, LLC - For possible action on a request for an Extension of Time of a previously approved Special Use Permit (SUP-34309) FOR A LIQUOR ESTABLISHMENT, TAVERN WITH A WAIVER TO ALLOW A 100-FOOT DISTANCE SEPARATION FROM A SIMILAR USE WHERE 1,500 FEET IS REQUIRED at the northeast corner of Sahara Avenue and Las Vegas Boulevard (APNs 162-04-813-070, 071, and 162-03-410-008), C-2 (General Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

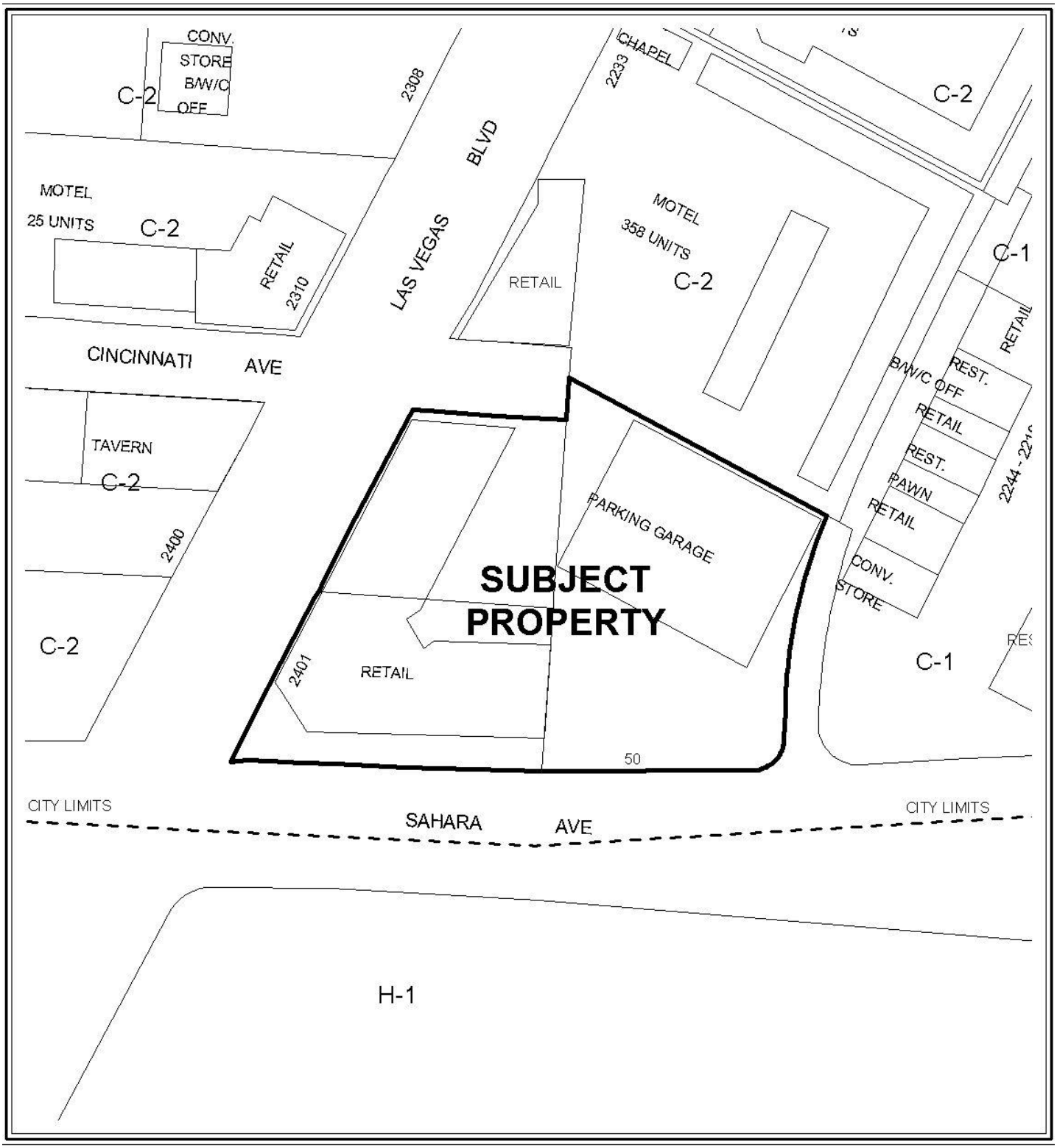
PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:

1. Location and Aerial Maps - EOT-42602, EOT-42603, EOT-42605 and EOT-42606
2. Conditions and Staff Report - EOT-42602, EOT-42603, EOT-42605 and EOT-42606
3. Supporting Documentation
4. City Council Approval Letter for SUP-34309
5. Justification Letter - EOT-42602, EOT-42603, EOT-42605 and EOT-42606

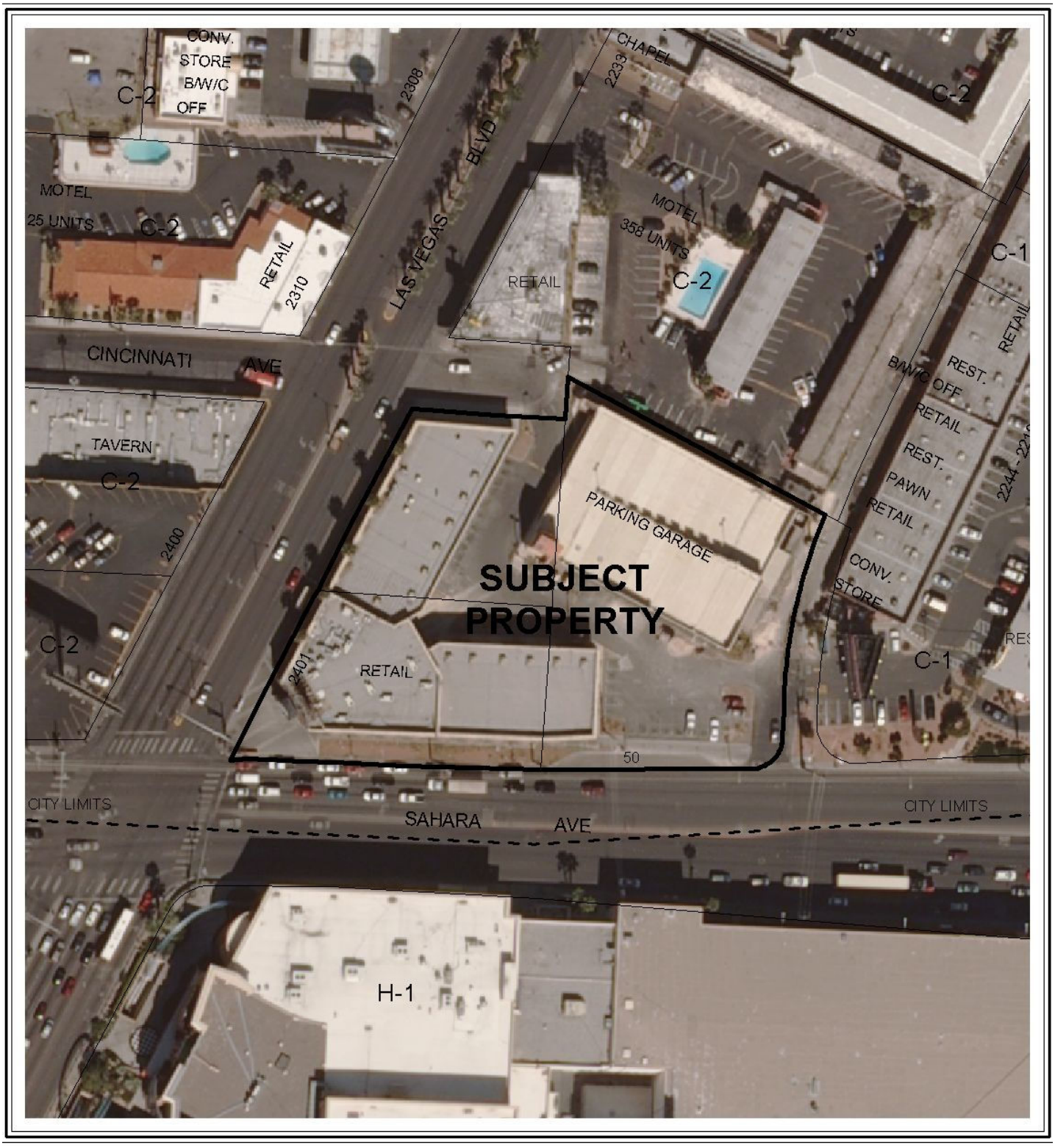


CASE: **EOT-42602; EOT-42603; EOT-42605; EOT-42606**

0 100 200 Feet

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N



CASE: **EOT-42602; EOT-42603; EOT-42605; EOT-42606**

0 100 200 Feet

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: SEPTEMBER 7, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: GEORGE RAINHART - OWNER: FNBN ASPEN, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
EOT-42602 **EOT-42603** **EOT-42605** **EOT-42606**	Staff recommends APPROVAL, subject to conditions:	None

** CONDITIONS **

EOT-42602 CONDITIONS

Planning

1. This Special Use Permit (SUP-34309) shall expire on August 5, 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-34309) and all other site related actions as required by the department of Planning and Department of Public Works.

EOT-42603 CONDITIONS

Planning

1. This Waiver (WVR-34311) shall expire on August 5, 2013 unless another Extension of Time is approved by the City Council.

2. Conformance to the conditions of approval of the Waiver (WVR-34311) and all other site related actions as required by the Department of Planning and Department of Public Works.

EOT-42605 CONDITIONS

Planning

1. This Variance (VAR-34308) shall expire on August 5, 2013 unless another Extension of Time is approved by the City Council.

2. Conformance to the conditions of approval of the Variance (VAR-34308) and all other site related actions as required by the Department of Planning and Department of Public Works.

EOT-42606 CONDITIONS

Planning

1. This Site Development Plan Review (SDR-34306) shall expire on August 5, 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-34306) and all other site related actions as required by the Department of Planning and Department of Public Works.

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site is currently occupied by a vacant building and parking garage located at the northeast corner of Sahara Avenue and South Las Vegas Boulevard. The applicant received previous approval for a Site Development Plan Review (SDR-34306) for Non-Restricted Gaming (Casino) and a retail establishment with waivers of the Downtown Centennial Plan Streetscape requirements, a Special Use Permit (SUP-34309) for a Liquor Establishment (Tavern) with a waiver to allow reduced separation from a similar use, a Waiver (WVR-34311) of Title 18.12.130 to allow Cincinnati Street not to terminate in a cul-de-sac east of Las Vegas Boulevard, and a Variance (VAR-34308) to allow a roof sign to exceed the maximum height and area and the combined area of wall and roof signs on the south, east and west elevations to exceed standards.

No plans have been submitted for review, nor have any building permits been issued. Additionally, there are no active business licenses issued for the subject site. The applicant is requesting Extensions of Time of the above entitlements as the current economic climate has delayed financing, though they are anticipating the demolition of the existing structures by Fall 2011. As the surrounding area has not experienced any significant change in land use or development, 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	
08/05/09	The City Council approved a request for a Waiver of Title 18.12.130 (WVR-34311) to allow Cincinnati Street to not terminate in a cul-de-sac east of Las Vegas Boulevard. The Planning Commission and staff recommended approval.
	The City Council approved a related request for a Variance (VAR-34308) to allow a 98-foot tall, 11,210 square-foot roof sign where a maximum of eight feet in height and 150 square feet in area is permitted, and to allow the combined area of wall and roof signage to be 79 percent, 23 percent, and 101 percent of the south, east, and west elevations respectively, where a maximum of 20 percent per elevation is permitted. Staff recommended denial.
	The City Council approved a related request for a Special Use Permit (SUP-34309) for a Liquor Establishment (Tavern) with a waiver to allow a 100-foot distance separation from a similar use where 1,500 feet is required.

Related Relevant City Actions by P&D, Fire, Bldg., etc	
08/05/09	The City Council approved a related request for a Site Development Plan Review (SDR-34306) for a proposed two-story, 37,100 square-foot Non-Restricted Gaming (Casino) and Retail establishment with a waiver of the Downtown Centennial Plan Streetscape standards on Cincinnati Street.
06/04/10	The Department of Planning administratively approved a request for a Minor Amendment (SDR-38274) to a previously approved Site Development Plan Review (SDR-34306) for façade modifications and a construction phasing plan at the northeast corner of Sahara Avenue and Las Vegas Boulevard. Staff recommended approval.
03/17/11	A Code Enforcement case (99237) was processed for weeds, trash, and glass on property at 2423 South Las Vegas Boulevard. The case is still open.

Most Recent Change of Ownership	
10/15/10	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
There have not been any plans submitted for review, nor have there been any building permits issued for the proposed project.
There are no active business licenses issued for the subject sites.

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	2.17

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Vacant Building and Parking Garage	C (Commercial)	C-2 (General Commercial)

North	Retail Establishment, Motel	C (Commercial)	C-2 (General Commercial)
South	Clark County	Clark County	Clark County
East	Shopping Center	C (Commercial)	C-1 (Limited Commercial)

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
West	Retail Establishments, Tavern	C (Commercial)	C-2 (General Commercial)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area			
Beverly Green / Southridge Neighborhood	X		Y
Downtown Centennial Plan (Northern Strip Gateway)	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
Downtown Centennial Plan Overlay District	X		Y
G-O (Gaming Enterprise Overlay) District	X		Y
A-O (Airport Overlay) District (175 feet)	X		Y
Las Vegas Boulevard Scenic Byway Overlay District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
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 first request for Extension of Time of previous entitlements that includes a Site Development Plan Review (SDR-34306) for a proposed two-story, 37,100 square-foot Non-Restricted Gaming (Casino) and Retail Establishment with waivers of the Downtown Centennial Plan streetscape standards on Cincinnati Street; a Special Use Permit (SUP-34309) for a Liquor Establishment (Tavern) with a waiver to allow a 100-foot distance separation from a similar use when 1,500 feet is required; a Waiver of Title 18.12.130 requirements to allow Cincinnati Street

not to terminate in a cul-de-sac on the east side of Las Vegas Boulevard; and a Variance (VAR-34308) to allow a 98-foot tall, 11,210 square-foot roof sign where a maximum of eight feet in height and 150 square feet in area is permitted, and to allow the combined area of wall and roof signage to be 79 percent, 23 percent, and 101 percent of the south, east, and west elevations respectively, where a maximum of 20 percent per elevation is permitted. No plans have been submitted for review, nor have any building permits been issued. Additionally, there are no active business licenses issued for the subject site. There have not been any significant changes in land use or new development in the surrounding areas. There is an open Code Enforcement case (99237) that was processed on 03/17/11 for weeds, trash, and broken glass on property.

Title 19.16 of the Unified Development Code deems a Site Development Plan Review, Special Use Permit, Waiver, and Variance exercised upon the issuance of a building permit for new construction.

FINDINGS

The Site Development Plan Review (SDR-34306), Special Use Permit (SUP-34309), Waiver (WVR-34311), and Variance (VAR-34308) have not been exercised in accordance with the requirements of Title 19.16 as no building permits have been issued. The applicant is requesting Extensions of Time of the above entitlements as the current economic climate has delayed financing, though they are anticipating the demolition of the existing structures by Fall 2011. As the surrounding area has not experienced any significant change in land use or development, 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-34306), Special Use Permit (SUP-34309), Waiver (WVR-34311), and Variance (VAR-34308) shall be required.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **EOT-42602** APN: 162-04-813-070, 071 and 162-03-410-008

Name of Property Owner: FNBN ASPEN, LLC

Name of Applicant: George Rainhart

Name of Representative: Kaempfer Crowell Renshaw Gronauer & Fiorentiono

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____Yes ___X___No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Donald E. Wallace

Subscribed and sworn before me

This 18th day of July, 2011

_____

Notary Public in and for said County and State

TERI D. FORBES
Notary Public State of Utah
My Commission Expires on:
April 08, 2012
Comm. Number: 573538

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JUL 21 2011

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Extension of Time SUP-34309

Project Address (Location) Sahara and Las Vegas Boulevard

Project Name Aspen Highland **Proposed Use** _____

Assessor's Parcel #(s) 162-04-813-070, 071 and 162-03-410-008 **Ward #** 3

General Plan: existing _____ proposed _____ **Zoning:** existing C2 proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER FNBN ASPEN, LLC **Contact** D. Wallace

Address 299 S. Main Street, Suite 220 **Phone:** 801-490-1004 **Fax:** _____

City Salt Lake City **State** Utah **Zip** 84111

E-mail Address dwallace@sorensongm.com

APPLICANT George Rainhart **Contact** George Rainhart

Address 2325 San Pedro N.E. **Phone:** 505-884-9110 **Fax:** _____

City Alburquerque **State** New Mexico **Zip** 87110

E-mail Address _____

REPRESENTATIVE Kaempfer Crowell, et al. **Contact** Tom Amick

Address 8345 West Sunset Road, Suite 250 **Phone:** 702-792-7000 **Fax:** 702-796-7181

City Las Vegas **State** Nevada **Zip** 89113

E-mail Address TDA@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 Donald E. Wallace

Subscribed and sworn before me

This 18th day of July, 2011.

_____

Notary Public in and for said County and State

TERI D. FORBES
Notary Public State of Utah
My Commission Expires on:
April 08, 2012
Comm. Number 573538

FOR DEPARTMENT USE ONLY

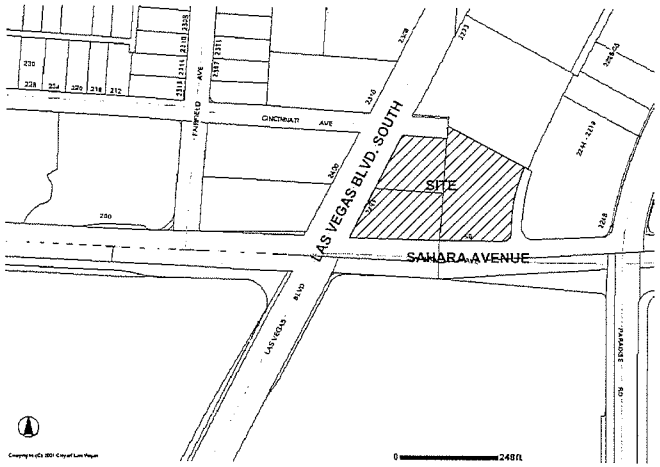
Case #	EOT-42602
Meeting Date:	9-07-11
Total Fee:	300.00
Date Received:*	7-21-11
Received By:	JFM

*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.

JUL 21 2011

Revised 10/27/08

f:\depot\Application Packet\Application Form.pdf



VICINITY MAP

PHASING DESCRIPTION:
PHASE 1 INCLUDES THE FOLLOWING:

1. DEMOLITION OF EXISTING BLACK COLORED CASINO/RETAIL BUILDING.
2. REACTIVATION OF THE EXISTING 131 SPACE PARKING STRUCTURE.
3. DEDICATION OF R.O.W. ALONG SAHARA AVE.
4. CONSTRUCTION OF FINAL PHASE 2 DECORATIVE SIDEWALKS AND SPECIAL LANDSCAPING CONSISTANT WITH THE DOWNTOWN CENTENIAL PLAN. THIS WORK WILL ALSO BE USED FOR PHASE 2.
5. COMPLETE A REVERSIONARY MAP TO ELIMINATE LOT LINES AND CREATE ONE PARCEL.
6. RELOCATION OF OVERHEAD ELECTRICAL POWER LINES ALONG SAHARA AVE, UNDERGROUND. MAJOR OVERHEAD LINES WILL REMAIN PER NEVADA POWER.
7. CONSTRUCTION OF ADDITIONAL PAVEMENT ALONG SAHARA AVE.
8. CONSTRUCTION OF A ONE STORY BUILDING HOUSING A PHARMACY, AND CASINO. THE ROOF WILL BE CONSTRUCTED TO ACCOMODATE THE FUTURE SECOND FLOOR LOADS AT THE LEVEL OF THE FUTURE PEDESTRIAN BRIDGES.
9. CONSTRUCTION OF MARQUE ANIMATED VIDEO SIGN WRAPPING THE CORNER.
10. CONSTRUCTION OF LOADING AREA AND REFUSE COMPACTOR AREA, SURFACE PARKING AND PHARMACY PICK-UP WINDOW.

PROPOSED SIGN AREA TABULATION					APPROVED AREA
FACADE	FACADE S.F.	SIGN TYPE & S.F.	TOTAL SIGN S.F.	% SIGNAGE	
NORTH	±3,295 S.F.	TYPE 4: ±376 S.F.	±376 S.F.	±11%	±1,781 S.F.
SOUTH	±6,041 S.F.	TYPE 2: ±2,175 S.F. TYPE 3: ±925 S.F. TYPE 4: ±2,056 S.F. + 518 S.F. ROOF SIGN	±5,674 S.F.	±94%	±8,802 S.F.
EAST	±6,160S.F.	TYPE 4: ±290 S.F.	±290 S.F.	±5%	±1,640 S.F.
WEST	±5,868 S.F.	TYPE 2: ±2,175 S.F. TYPE 3: ±925 S.F. TYPE 4: ±1,744 S.F. + 518 S.F. ROOF SIGN	±5,362 S.F.	±94%	±8,867 S.F.
		TOTAL SIGNAGE	±11,702 S.F.		±21,110 S.F.
SIGN TYPE DISCRIPTIONS: TYPE 1: NOT USED. TYPE 2: NON-VIDEO COLORED LED DISPLAY. TYPE 3: LED FULL MOTION VIDEO DISPLAY. 30-60 MM RESOLUTION. TYPE 4: LED FULL MOTION VIDEO DISPLAY. 10 MM RESOLUTION					(-)9,408 S.F. DIFFERENCE PROPOSED

PARKING

REQUIRED PARKING* BY 19.04 TABLE 2 FOR INFORMATION ONLY
*DUE TO THE LOCATION OF THIS PROJECT THIS SITE IS NOT REQUIRED TO PROVIDE ON SITE PARKING.

WALGREENS/PHARMACY	13100 / 250 = 53
MEZZANINE STORAGE	5000 / 250 = 20
CASINO W/MEZZANINE	9000 / 90 = 100
TOTAL GRND FL. &MEZZ	173
FUTURE 2ND FLOOR:	
RESTAURANT:	
DINING	3000 / 250 = 12
SERVICE	3000 / 250 = 12
RETAIL	4000 / 250 = 16
TOTAL FUTURE 2ND FL.	40
TOTAL AT FULL BUILDOUT	213

173 - 6.3% = 162 (INITIAL BUILDOUT REDUCTION REQ'D.)
213 - 24% = 162 SPACES (FULL BUILDOUT REDUCTION REQ'D.)

24% PARKING REDUCTION REQUESTED FOR FULL BUILDOUT BECAUSE PEDESTRIAN TRAFFIC TO THIS SITE OFFSETS NEED FOR ONSITE PARKING.

PROVIDED PARKING
131 (EXISTING GARAGE) + 31 SURFACE = 162 SPACES
(INCLUDING 7 H.C.)

SITE ZONING

SITEAREA: 2.17 Acres (94,525s.f.)
Parcel Number: 162-04-813-070
162-04-813-071
162-03-410-008
Site Address: 2423 S. Las Vegas Blvd.
2417 S. Las Vegas Blvd.
Jurisdiction: Las Vegas -89104
City Ward: -
Zoning Class:
Existing: General Commercial District (C-2)
Proposed: General Commercial District (C-2)
Special Use Permit:
Downtown Overlay District
included within the Las Vegas Downtown
Centennial Plan
Yard Setbacks Wavier: Front: 0 feet
Interior side: 0 feet
Rear: 0 feet
Height: - feet
+/- 18,600 S.F.

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BUILDING AREA:

FIRST FLOOR AND MEZZANINES:
PHARMACY 13100 S.F.
PHARMACY MEZZANINE 5000 S.F.
CASINO W/MEZZANINE 9000 S.F.
FIRST FLOOR AND MEZZANINES
TOTAL: 27100 S.F.

FUTURE SECOND FLOOR:
RESTAURANT AND RETAIL 10,000 S.F.
FIRST, FUTURE SECOND & MEZZANINES
TOTAL: 27100 + 10,000 = 37100 S.F.

DRAWING INDEX

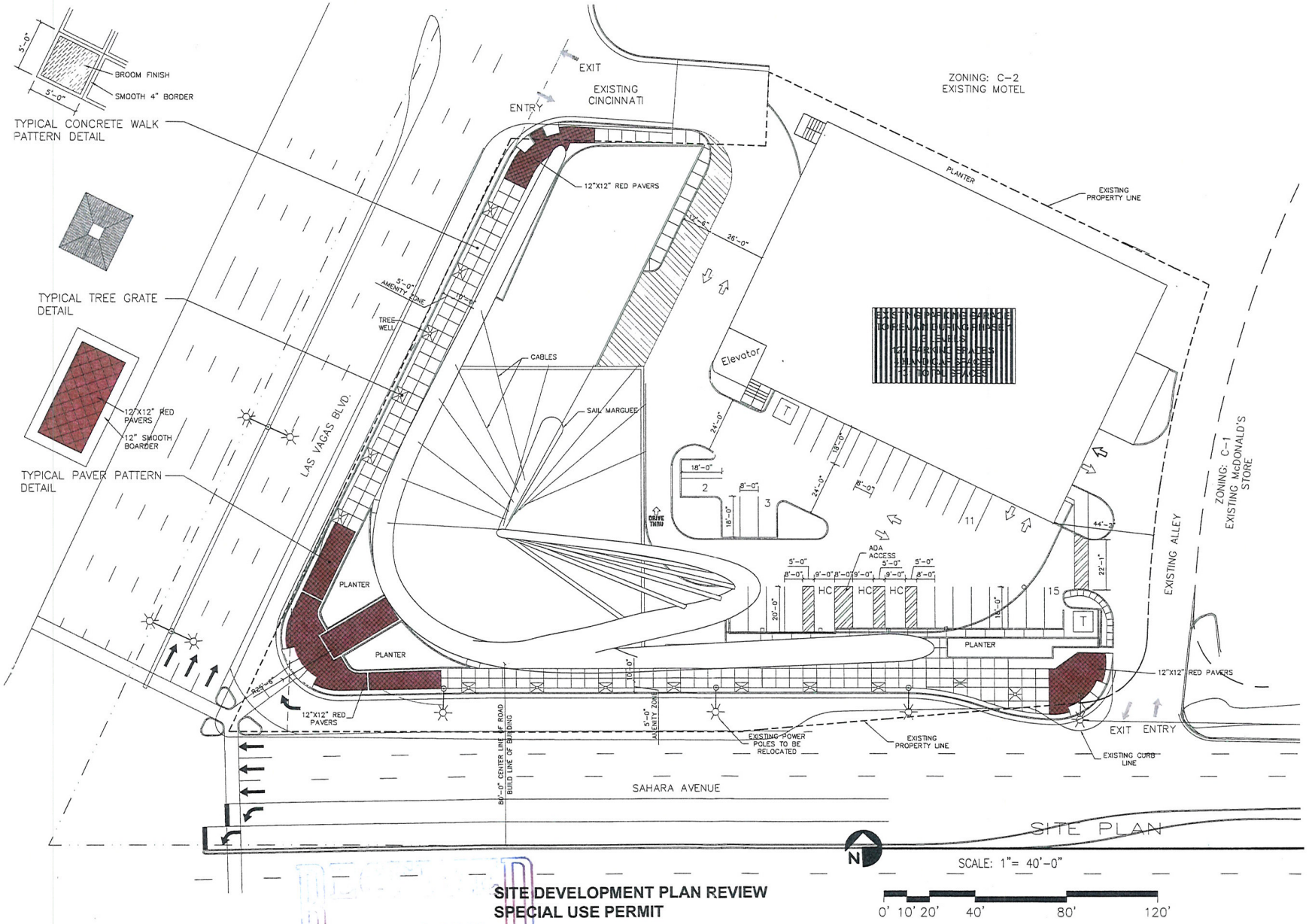
AC	COVER SHEET
AS1.0	SITE PLAN
L1.1	LANDSCAPE PLAN
A1.0	CASINO AND WALGREENS GROUND FLOOR PLAN
A1.1	MEZZANINE PLAN
A1.2	FUTURE SECOND FLOOR PLAN
A2.1	SOUTH ELEVATION
A2.2	WEST ELEVATION
A2.3	NORTH ELEVATION
A2.4	EAST ELEVATION
A3.1	BUILDING SECTION

REV	DATE	BY	REVISION
1			
2			
3			
4			
5			

GEORGE RAINHART, ARCHITECT AND ASSOCIATES P.C.
2325 SAN PEDRO NE., SUITE 2-B
ALBUQUERQUE, NEW MEXICO 87110
PHONE (505) 884-9110 FAX (505) 837-9877

PROJECT TITLE: SAHARA AND LAS VEGAS BLVD.
2417 SOUTH LAS VEGAS BOULEVARD
LAS VEGAS, NEVADA 89104
PROJECT MANAGER: GRA
DRAWN: CJM
CHECKED: GRA
SHEET TITLE: COVER SHEET-PHASE 1
DATE: 2.10.2009
SCALE:
SHEET: AC

EOT-42602 EOT-42603
EOT-42605 EOT-42606



SITE DEVELOPMENT PLAN REVIEW
SPECIAL USE PERMIT

RECEIVED
JUL 21 2011

EOT-42602 EOT-42603
EOT-42605 EOT-42606

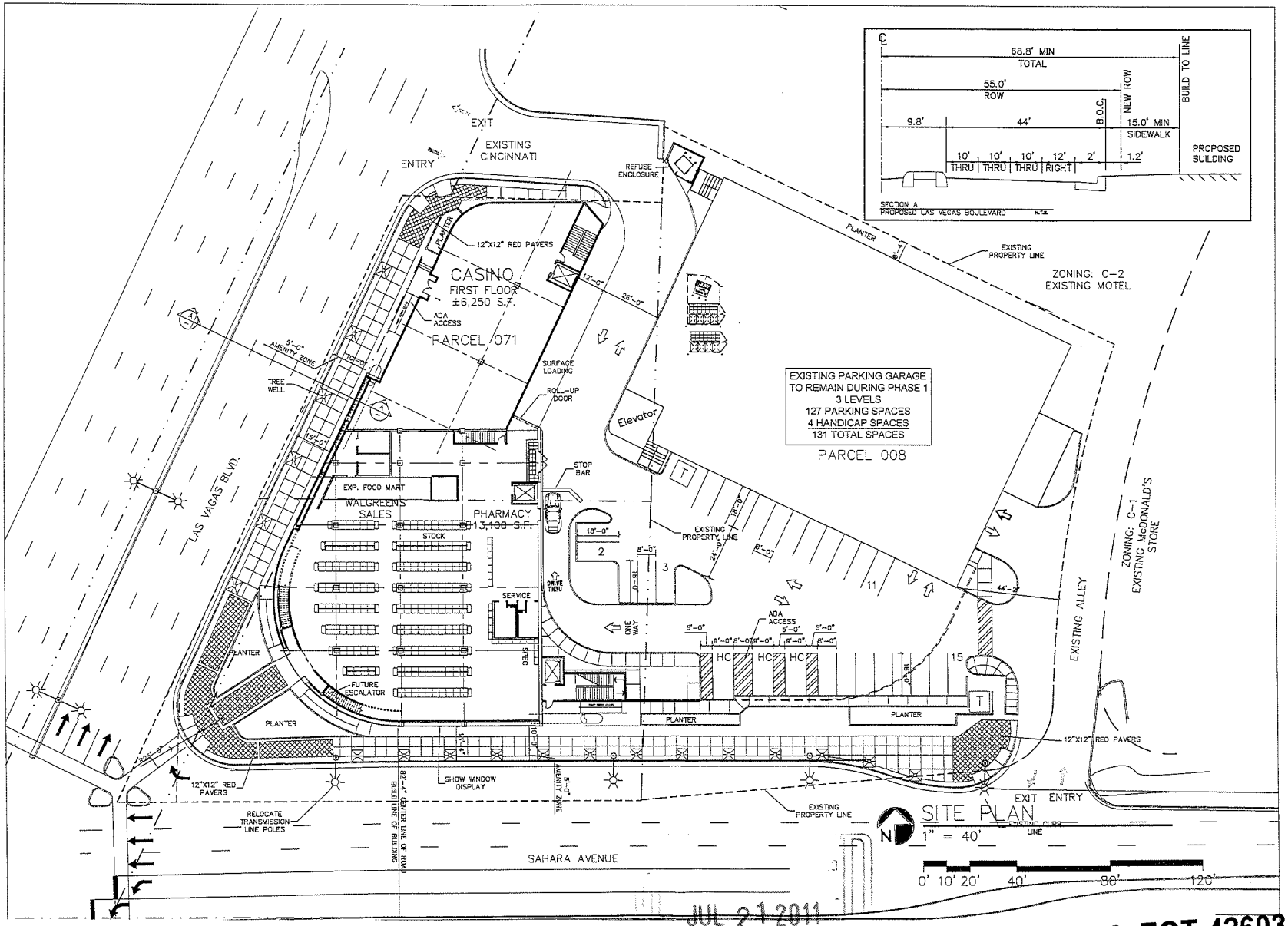
REV	DATE	BY	REVISION
1			
2			
3			
4			
5			

GEORGE RAINHART, ARCHITECT AND ASSOCIATES P.C.
2325 SAN PEDRO NE., SUITE 2-B
ALBUQUERQUE, NEW MEXICO 87110
PHONE (505) 884-9110 FAX (505) 837-9877

PROJECT TITLE: SAHARA AND LAS VEGAS BLVD.
2427 SOUTH LAS VEGAS BOULEVARD
LAS VEGAS, NEVADA 89104

PROJECT MANAGER: GEORGE RAINHART
JOB NO.: 0709
DRAWN BY: JCS
SHEET TITLE: SITE PLAN

DATE: 2.10.2009
SCALE: -
SHEET NO.: AS1.0



JUL 21 2011

EOT-42602 EOT-42603
EOT-42605 EOT-42606

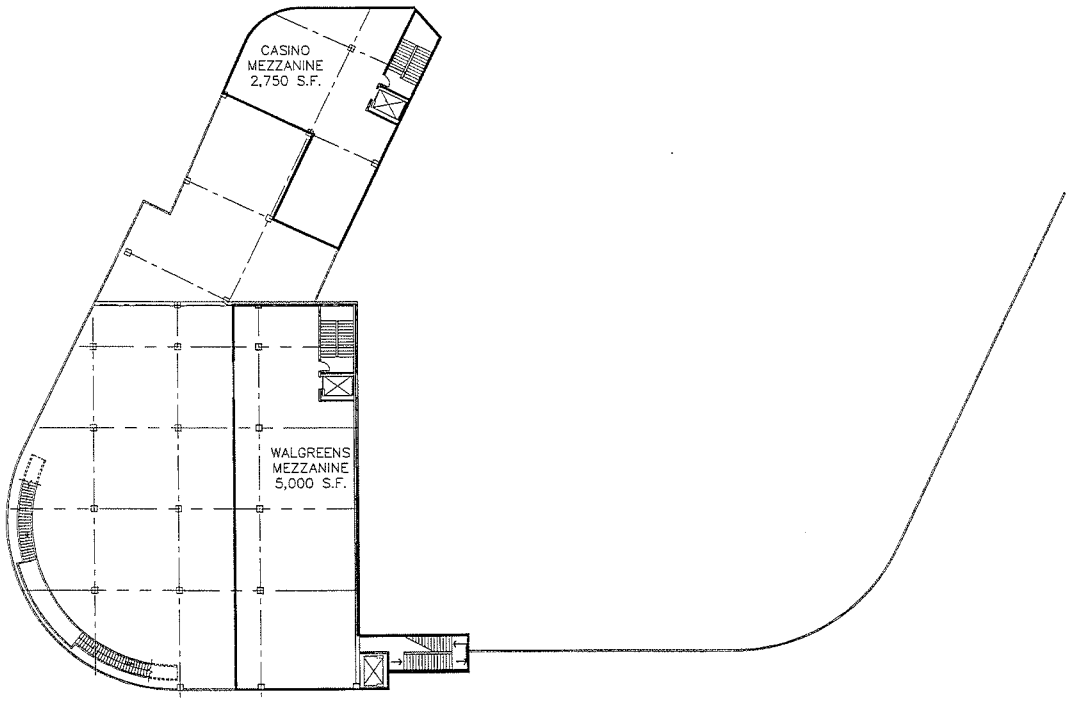
REV	DATE	BY	REVISION

GEORGE RAINHART, ARCHITECT AND ASSOCIATES P.C.
2325 SAN PEDRO NE., SUITE 2-5
ALBUQUERQUE, NEW MEXICO 87110
PHONE (505) 884-9110 FAX (505) 837-9877

PROJECT TITLE
SAHARA AND LAS VEGAS BLVD.
2127 SOUTH LAS VEGAS BOULEVARD
LAS VEGAS, NEVADA 89104

PROJECT MANAGER: George Rainhart, AIA
DRAWN BY: JCS
JOB NO.: 0734
SHEET TITLE: GROUND FLOOR PLAN

DATE: 6.9.2009
SCALE:
SHEET: A1.0



WALGREENS MEZZANINE PLAN

SCALE: 1"= 40'-0"

0' 10' 20' 40' 80' 120'

JUL 21 2011

REV	DATE	BY	REVISION
1			
2			
3			
4			
5			

GEORGE RAINHART, ARCHITECT AND ASSOCIATES P.C.
2325 SAN PEDRO NE, SUITE 2-B
ALBUQUERQUE, NEW MEXICO 87110
PHONE (505) 884-9110 FAX (505) 837-9877

PROJECT TITLE
SAHARA AND LAS VEGAS BLVD.
2127 SOUTH LAS VEGAS BOULEVARD
LAS VEGAS, NEVADA 89104

JOB NO. 0914

DRAWN BY: JCS

PROJECT MANAGER: George Rainhart, AIA

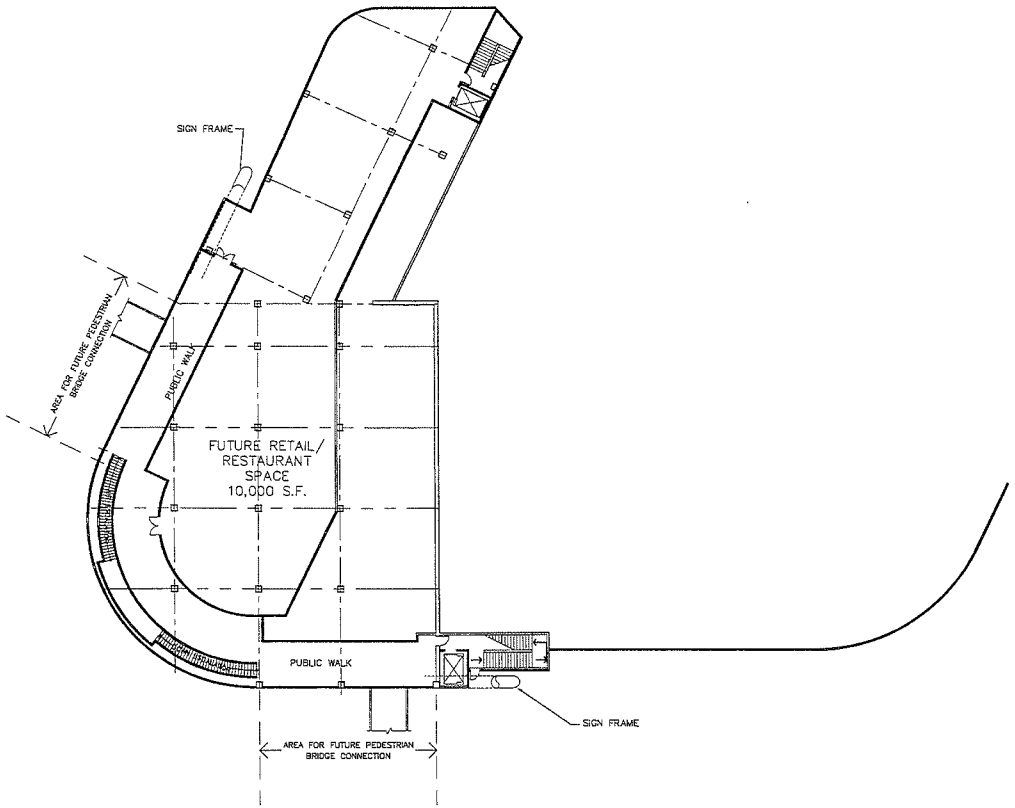
SHEET TITLE
MEZZANINE PLAN

DATE: 2.10.2009

SCALE:

sheet
A1.1

EOT-42602 EOT-42603
EOT-42605 EOT-42606



JUL 21 2011

FUTURE RESTAURANT/RETAIL
SECOND FLOOR PLAN

N

SCALE: 1"= 40'-0"

0' 10' 20' 40' 80' 120'

REV	DATE	BY	REVISION
1			
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GEORGE RAINHART, ARCHITECT AND ASSOCIATES P.C.
2325 SAN PEDRO NE., SUITE 2-B
ALBUQUERQUE, NEW MEXICO 87110
PHONE (505) 884-9110 FAX (505) 837-9877

PROJECT TITLE
SAHARA AND LAS VEGAS BLVD.
2127 SOUTH LAS VEGAS BOULEVARD
LAS VEGAS, NEVADA 89104

JOB NO. 0104

DRAWN BY: JCS

PROJECT MANAGER
George Rainhart, AA

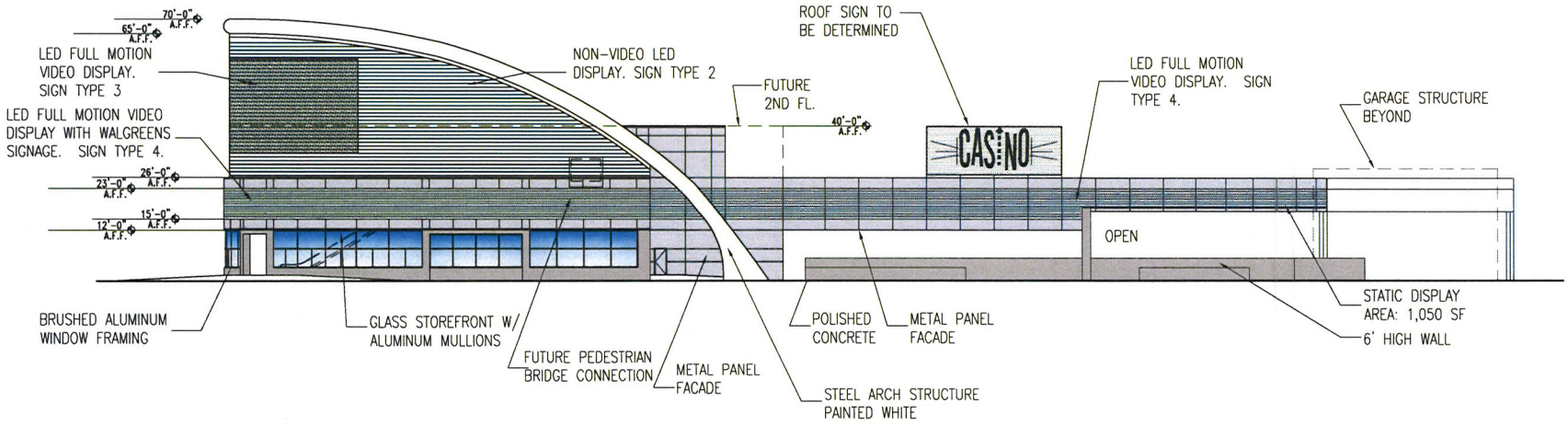
SHEET TITLE
FUTURE SECOND FLOOR PLAN

DATE: 2.10.2009

SCALE: -

sheet- A1.2 of-

EOT-42602 EOT-42603
EOT-42605 EOT-42606



SOUTHERN ELEVATION

1" = 30'

0' 15' 30' 60' 90' 120'

RECEIVED
AUG 03 2011

EOT-42602 EOT-42603
EOT-42605 EOT-42606

REV	DATE	BY	REVISION
1			
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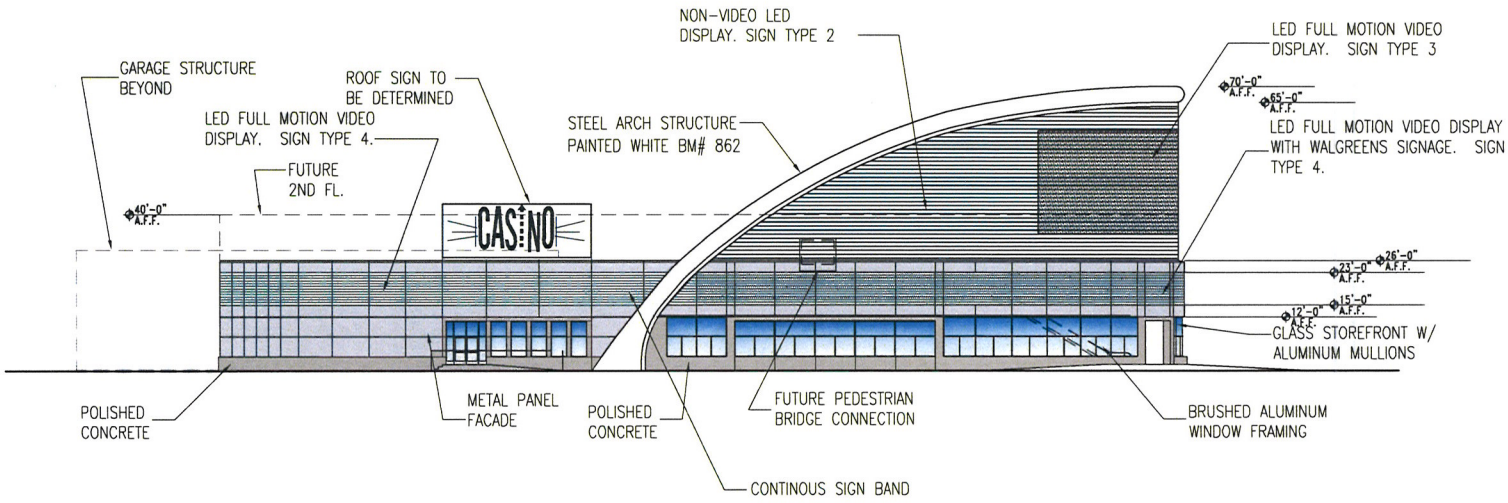
GEORGE RAINHART, ARCHITECT AND ASSOCIATES P.C.
2325 SAN PEDRO NE., SUITE 2-B
ALBUQUERQUE, NEW MEXICO 87110
PHONE (505) 884-9110 FAX (505) 837-9877

PROJECT TITLE
SAHARA AND LAS VEGAS BLVD.
2427 SOUTH LAS VEGAS BOULEVARD
LAS VEGAS, NEVADA 89104

PROJECT MANAGER: George Rainhart, AIA
JOB NO.: 0726
DRAWN BY: JCS

SHEET TITLE
SOUTHERN ELEVATION

DATE: 3.30.2010
SCALE: 1" = 30'-0"
SHEET NO.: A2.1
OF:



WESTERN ELEVATION

1" = 30'

0' 15' 30' 60' 90' 120'

RECEIVED
AUG 03 2011

EOT-42602 EOT-42603
EOT-42605 EOT-42606

REV	DATE	BY	REVISION

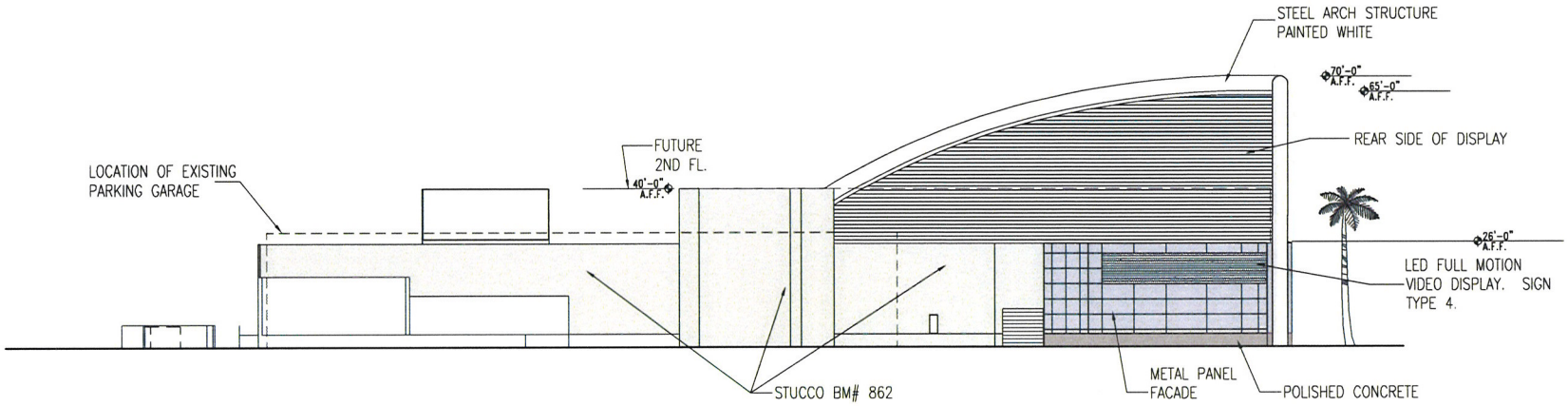
GEORGE RAINHART, ARCHITECT AND ASSOCIATES P.C.
2325 SAN PEDRO NE., SUITE 2-B
ALBUQUERQUE, NEW MEXICO 87110
PHONE (505) 884-9110 FAX (505) 837-9877

PROJECT TITLE
SAHARA AND LAS VEGAS BLVD.
2427 SOUTH LAS VEGAS BOULVARD
LAS VEGAS, NEVADA 89104

PROJECT MANAGER: George Rainhart, AIA
JOB NO. 0735
DRAWN BY: JCS

SHEET TITLE
WESTERN ELEVATION

DATE: 3.30.2010
SCALE: 1" = 30'-0"
sheet- A2.2 of-



NORTHERN ELEVATION

1" = 30'

0' 15' 30' 60' 90' 120'

RECEIVED
AUG 03 2011

EOT-42602 ~~EOT-42603~~
EOT-42605 EOT-42606

REV	DATE	BY	REVISION
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GEORGE RAINHART, ARCHITECT AND ASSOCIATES P.C.
2325 SAN PEDRO NE., SUITE 2-B
ALBUQUERQUE, NEW MEXICO 87110
PHONE (505) 884-9110 FAX (505) 837-9877

PROJECT TITLE
SAHARA AND LAS VEGAS BLVD.
2427 SOUTH LAS VEGAS BOULVARD
LAS VEGAS, NEVADA 89104

PROJECT MANAGER
George Rainhart, AIA

JOB NO.
0934

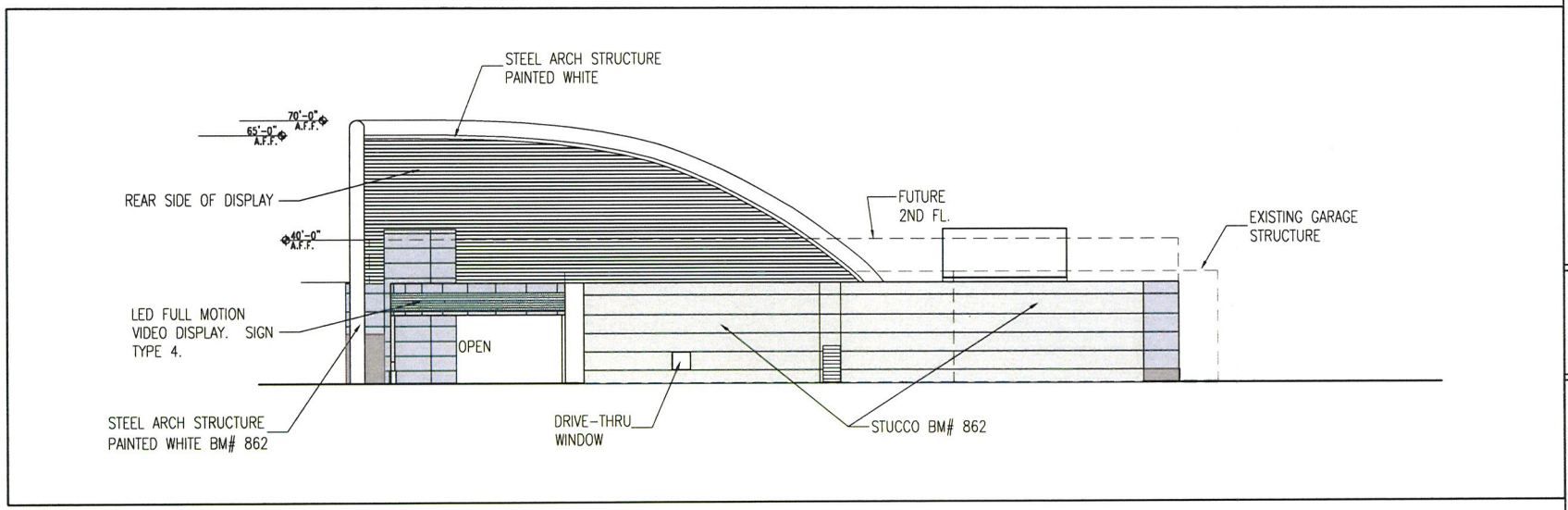
DRAWN BY:
JCS

SHEET TITLE
NORTHERN ELEVATION

DATE:
3.30.2010

SCALE:
1" = 30'-0"

sheet-
A2.3
of-



EASTERN ELEVATION

1" = 30'

0' 15' 30' 60' 90' 120'

RECEIVED
AUG 03 2011

EOT-42602 EOT-42603
~~EOT-42605~~ EOT-42606

REV	DATE	BY	REVISION
1			
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6			

GEORGE RAINHART, ARCHITECT AND ASSOCIATES P.C.
2325 SAN PEDRO NE., SUITE 2-B
ALBUQUERQUE, NEW MEXICO 87110
PHONE (505) 884-9110 FAX (505) 837-9877

PROJECT TITLE: SAHARA AND LAS VEGAS BLVD.
247 SOUTH LAS VEGAS BOULEVARD
LAS VEGAS, NEVADA 89101

PROJECT MANAGER: George Rainhart AIA

JOB NO.: 378

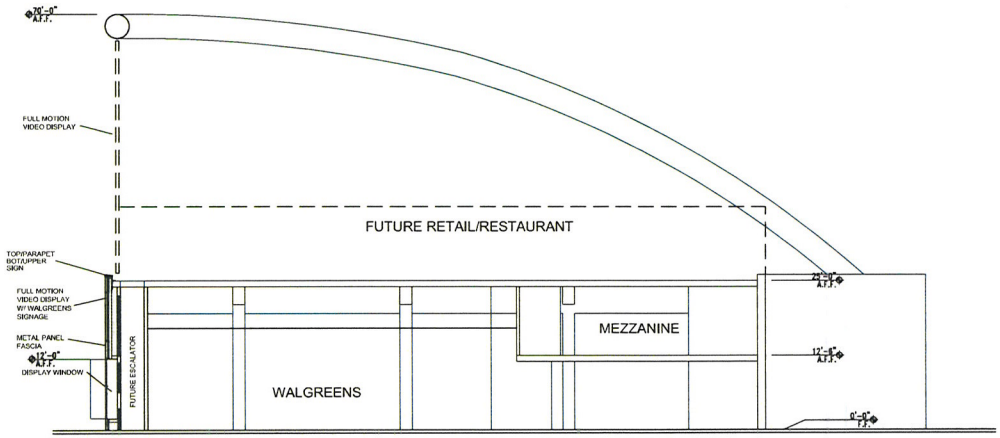
DRAWN BY: JCS

SHEET TITLE: EASTERN ELEVATION

DATE: 3.30.2010

SCALE: 1" = 30'-0"

SHEET: A2.4 of-



SECTION

1" = 20'

0' 10' 20' 40' 60' 80'

RECEIVED
AUG 03 2011

REV	DATE	BY	REVISION
1			
2			
3			
4			
5			

GEORGE RAINHART, ARCHITECT AND ASSOCIATES P.C.
2325 SAN PEDRO NE., SUITE 2-B
ALBUQUERQUE, NEW MEXICO 87110
PHONE (505) 884-9110 FAX (505) 837-9877

PROJECT TITLE
SAHARA AND LAS VEGAS BLVD.
2427 SOUTH LAS VEGAS BOULVARD
LAS VEGAS, NEVADA 89104

PROJECT MANAGER: George Rainhart, AIA
JOB NO.: 2136
DRAWN BY: JCS
SHEET TITLE: SECTION

DATE: 3.30.2010
SCALE: 1" = 20'-0"
sheet: A3.1 of-

EOT-42602 EOT-42603
EOT-42605 EOT-42606

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

August 7, 2009

Mr. Jeff Scanlon
Aspen Highlands Holdings, LLC
14362 North Frank Loyd Wright Blvd
Scottsdale, Arizona 85260

RE: SUP-34309 - SPECIAL USE PERMIT
CITY COUNCIL MEETING OF AUGUST 5, 2009
RELATED TO VAR-34308 AND WVR-34311

Dear Mr. Scanlon:

The City Council at a regular meeting held August 5, 2009 APPROVED the request for a Special Use Permit FOR A LIQUOR ESTABLISHMENT, TAVERN WITH A WAIVER TO ALLOW A 100-FOOT DISTANCE SEPARATION FROM A SIMILAR USE WHERE 1,500 FEET IS REQUIRED at the northeast corner of Sahara Avenue and Las Vegas Boulevard (APNs 162-04-813-070, 071 and 162-03-410-008), C-2 (General Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on August 6, 2009. This approval is subject to:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Liquor Establishment, Tavern use.

2. Approval of and conformance to the Conditions of Approval for Waiver (WVR-34311), and Site Development Plan Review (SDR-34306) shall be required.

3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

4. Approval of this Special Use Permit does not constitute approval of a liquor license.

5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

JUL 21 2011

EOT-42602

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6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Sincerely,

Doreen Araujo
Deputy City Clerk II for
Beverly K. Bridges, CMC, City Clerk

cc: Mr. George Rainhart
2325 San Pedro NE, Ste. 2B
Albuquerque, New Mexico 87110

Mr. Christopher Kaempfer
KKBR & F
3800 Howard Hughes Pkwy, 7th Floor
Las Vegas, Nevada 89169

JUL 21 2011

KAEMPFER CROWELL

KAEMPFER CROWELL RENSHAW GRONAUER & FIORENTINO

ATTORNEYS AT LAW

LAS VEGAS OFFICE

THOMAS D. AMICK
tamick@kcnvlaw.com
702.693.4265

LAS VEGAS OFFICE
8345 West Sunset Road
Suite 250
Las Vegas, NV 89113
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
50 West Liberty Street
Suite 900
Reno, NV 89501
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

July 19, 2011

VIA HAND DELIVERY

Mr. Steve Gebeke
PLANNING & DEVELOPMENT
City of Las Vegas
731 South Fourth Street
Las Vegas, Nevada 89101

RE: Aspen Highlands, LLC – NEC Sahara & Las Vegas Boulevard
Justification Letter – First Extension of Time
SDR-34306; SUP-34306; VAR-34308; WVR-34311

Dear Mr. Gebeke:

As you know, this office represents the applicant, Aspen Highlands, LLC, in the above-referenced application. We are requesting an Extension of Time of the entitlements granted by the Las Vegas City Council at its August 9, 2011 hearing. We would also bring your attention to the administrative approval of the minor amendment to the approved Site Development Plan Review (SDR-38274), dated June 4, 2010, wherein there were some minor revisions on the approved building area square footage and approved signage. We are seeking an extension of time of all of the original applications including those revisions approved as part of the minor amendment to the approved Site Development Plan Review (SDR-38274).

You will recall that the applicant is proposing a Walgreen's with a pharmacy, casino, restaurant/tavern and retail space. The project will still be constructed in accordance with the previously approved plans, including the June 4, 2010 minor amendment. Parking will still be provided in the existing parking structure. The applicant believes that the project is still very viable and is now in a position to move forward with construction in the near future.

The project has been designed to include the principles of the Downtown Centennial Plan Design Standards. The proposed theme and signage are still what is contemplated in the signage illumination standards of the Las Vegas Boulevard Scenic Byway overlay district.

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EOT-42602 EOT-42603
EOT-42605 EOT-42606

KAEMPFER CROWELL

The applicant is still very desirous of moving this project forward and would respectfully request staff consideration of this first extension of time for the above-referenced applications. Please do not hesitate to contact this office with any further questions or concerns. Thank you.

Sincerely,

KAEMPFER CROWELL RENSHAW
GRONAUER & FIORENTINO

Thomas D. Amick

TDA/eed

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EOT-42602 EOT-42603
EOT-42605 EOT-42606

City of Las Vegas Agenda Item No.: **62.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

☒ **Consent** ☐ **Discussion**

SUBJECT:

EOT-42603 - EXTENSION OF TIME RELATED TO EOT-42602 - WAIVER - APPLICANT: GEORGE RAINHART - OWNER: FNBN ASPEN, LLC - For possible action on a request for an Extension of Time of a previously approved Waiver (WVR-34311) OF TITLE 18.12.130 TO ALLOW CINCINNATI STREET TO NOT TERMINATE IN A CUL-DE-SAC east of Las Vegas Boulevard (APNs 162-04-813-070, 071, and 162-03-410-008), 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. Consolidated Backup
2. Supporting Documentation
3. City Council Approval Letter for WVR-34311

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: **EOT-42603** APN: 162-04-813-070, 071 and 162-03-410-008

Name of Property Owner: FNBN ASPEN, LLC

Name of Applicant: George Rainhart

Name of Representative: Kaempfer Crowell Renshaw Gronauer & Fiorentiono

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes __X__ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Donald E. Wallace

Subscribed and sworn before me

This 18th day of July, 2011

_____

Notary Public in and for said County and State

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Revised 11-14-06

TERI D. FORBES
Notary Public State of Utah
My Commission Expires on:
April 08, 2012
Comm. Number: 573538

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393052.1

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Extension of Time WV-34311

Project Address (Location) Sahara and Las Vegas Boulevard

Project Name Aspen Highland **Proposed Use** _____

Assessor's Parcel #(s) 162-04-813-070, 071 and 162-03-410-008 **Ward #** 3

General Plan: existing _____ proposed _____ **Zoning:** existing C2 proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER FNBN ASPEN, LLC **Contact** D. Wallace

Address 299 S. Main Street, Suite 220 **Phone:** 801-490-1004 **Fax:** _____

City Salt Lake City **State** Utah **Zip** 84111

E-mail Address dwallace@sorensongm.com

APPLICANT George Rainhart **Contact** George Rainhart

Address 2325 San Pedro N.E. **Phone:** 505-884-9110 **Fax:** _____

City Alburquerque **State** New Mexico **Zip** 87110

E-mail Address _____

REPRESENTATIVE Kaempfer Crowell, et al. **Contact** Tom Amick

Address 8345 West Sunset Road, Suite 250 **Phone:** 702-792-7000 **Fax:** 702-796-7181

City Las Vegas **State** Nevada **Zip** 89113

E-mail Address TDA@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 Donald E. Wallace

Subscribed and sworn before me

This 18th day of July, ~~20~~ 2011.

_____

Notary Public in and for said County and State

TERI D. FORBES
Notary Public State of Utah
My Commission Expires on:
April 08, 2012
Comm. Number: 573538

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	EOT-42603
Meeting Date:	9-7-11 (CC)
Total Fee:	300.00
Date Received:*	9-21-11
Received By:	JFM

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

f:\depot\Application Packet\Application Form.pdf

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JUL 21 2011

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

August 7, 2009

Mr. Jeff Scanlon
Aspen Highlands Holdings, LLC
14362 North Frank Loyd Wright Blvd
Scottsdale, Arizona 85260

RE: WVR-34311 - WAIVER
CITY COUNCIL MEETING OF AUGUST 5, 2009
RELATED TO VAR-34308

Dear Mr. Scanlon:

The City Council at a regular meeting held August 5, 2009 APPROVED the request for a Waiver of Title 18.12.130 TO ALLOW CINCINNATI STREET TO NOT TERMINATE IN A CUL-DE-SAC east of Las Vegas Boulevard (APNs 162-04-813-070, 071 and 162-03-410-008), C-2 (General Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on August 6, 2009. This approval is subject to:

Planning and Development

1. Approval of and conformance to the conditions for Rezoning Variance (VAR-34308), Special Use Permit (SUP-34309) and Site Development Plan Review (SDR-34306), if approved.

2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

Public Works

3. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of any construction plans, the issuance of any permits or the recordation of a map for this site. The termination of the public street shall meet the approval of the Department of Fire Services.

4. Submit a plan for the termination of Cincinnati Avenue acceptable to the City Engineer. Such plan shall address curb, gutter, sidewalk, and radius requirements.

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EOT-42603

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

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5. Site development to comply with all applicable conditions of approval for Site Development Plan Review SDR-34306 and all other applicable site-related actions.

Sincerely,

Doreen Araujo
Deputy City Clerk II for
Beverly K. Bridges, CMC, City Clerk

cc: Mr. George Rainhart
2325 San Pedro NE, Ste. 2B
Albuquerque, New Mexico 87110

Mr. Christopher Kaempfer
KKBR & F
3800 Howard Hughes Pkwy, 7th Floor
Las Vegas, Nevada 89169

JUL 21 2011

EOT-42603

City of Las Vegas Agenda Item No.: **63.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

☒ **Consent** ☐ **Discussion**

SUBJECT:

EOT-42605 - EXTENSION OF TIME RELATED TO EOT-42602 AND EOT-42603 - VARIANCE - APPLICANT: GEORGE RAINHART - OWNER: FNBN ASPEN, LLC - For possible action on a request for an Extension of Time of a previously approved Variance (VAR-34308) TO ALLOW A 98-FOOT TALL, 11,210 SQUARE-FOOT ROOF SIGN WHERE A MAXIMUM OF EIGHT FEET IN HEIGHT AND 150 SQUARE FEET IN AREA IS PERMITTED, AND TO ALLOW THE COMBINED AREA OF WALL AND ROOF SIGNAGE TO BE 79 PERCENT, 23 PERCENT, AND 101 PERCENT OF THE SOUTH, EAST, AND WEST ELEVATIONS RESPECTIVELY, WHERE A MAXIMUM OF 20 PERCENT PER ELEVATION IS PERMITTED on 2.17 acres at the northeast corner of Sahara Avenue and Las Vegas Boulevard (APNs 162-04-813-070, 071, and 162-03-410-008), 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. Consolidated Backup
2. Supporting Documentation
3. City Council Approval Letter for VAR-34308

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: **EOT-42605** APN: 162-04-813-070, 071 and 162-03-410-008

Name of Property Owner: FNBN ASPEN, LLC

Name of Applicant: George Rainhart

Name of Representative: Kaempfer Crowell Renshaw Gronauer & Fiorentiono

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes __X__ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Donald E. Wallace

Subscribed and sworn before me

This 18th day of July, 2011

_____

Notary Public in and for said County and State

Salt Lake County Utah

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JUL 21 2011

Revised 11-14-06

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393052.1

TERI D. FORBES
Notary Public State of Utah
My Commission Expires on:
April 08, 2012
Comm. Number: 573538

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Extension of Time VAR-34308

Project Address (Location) Sahara and Las Vegas Boulevard

Project Name Aspen Highland **Proposed Use** _____

Assessor's Parcel #(s) 162-04-813-070, 071 and 162-03-410-008 **Ward #** 3

General Plan: existing _____ proposed _____ **Zoning:** existing C2 proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER FNBN ASPEN, LLC **Contact** D. Wallace

Address 299 S. Main Street, Suite 220 **Phone:** 801-490-1004 **Fax:** _____

City Salt Lake City **State** Utah **Zip** 84111

E-mail Address dwallace@sorensongm.com

APPLICANT George Rainhart **Contact** George Rainhart

Address 2325 San Pedro N.E. **Phone:** 505-884-9110 **Fax:** _____

City Alburquerque **State** New Mexico **Zip** 87110

E-mail Address _____

REPRESENTATIVE Kaempfer Crowell, et al. **Contact** Tom Amick

Address 8345 West Sunset Road, Suite 250 **Phone:** 702-792-7000 **Fax:** 702-796-7181

City Las Vegas **State** Nevada **Zip** 89113

E-mail Address TDA@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 Donald E. Wallace

Subscribed and sworn before me

This 18th day of July, 20 11.

_____

Notary Public in and for said County and State

TERI D. FORBES
Notary Public State of Utah
My Commission Expires on:
April 08, 2012
Comm. Number: 573538

FOR DEPARTMENT USE ONLY

Case #	EOT-42605
Meeting Date:	9-7-11
Total Fee:	300.00
Date Received:*	7-21-11
Received By:	JFmed

*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.

JUL 21 2011

Revised 10/27/08

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LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW
STAVROS S. ANTHONY

ELIZABETH N. FRETWELL
CITY MANAGER

August 7, 2009

Mr. Jeff Scanlon
Aspen Highlands Holdings, LLC
14362 North Frank Loyd Wright Blvd
Scottsdale, Arizona 85260

RE: VAR-34308 - VARIANCE
CITY COUNCIL MEETING OF AUGUST 5, 2009

Dear Mr. Scanlon:

The City Council at a regular meeting held August 5, 2009 APPROVED the request for a Variance TO ALLOW A 507-FOOT TALL, 28,856 SQUARE-FOOT ROOF SIGN WHERE A MAXIMUM OF EIGHT FEET IN HEIGHT AND 150 SQUARE FEET IN AREA IS PERMITTED, AND TO ALLOW THE COMBINED AREA OF WALL AND ROOF SIGNAGE TO BE 56% OF THE SOUTH ELEVATION WHERE A MAXIMUM OF 20% PER ELEVATION IS PERMITTED on 2.17 acres at the northeast corner of Sahara Avenue Las Vegas Boulevard (APN 162-04-813-070, 071 and 163-03-410-008), C-2 (General Commercial) Zone, Ward 3 (Reese). NOTE: THIS APPLICATION HAS BEEN AMENDED TO ALLOW A 98-FOOT TALL, 11,210 SQUARE-FOOT ROOF SIGN WHERE A MAXIMUM OF EIGHT FEET IN HEIGHT AND 150 SQUARE FEET IN AREA IS PERMITTED, AND TO ALLOW THE COMBINED AREA OF WALL AND ROOF SIGNAGE TO BE 79%, 23% AND 101% OF THE SOUTH, EAST AND WEST ELEVATIONS, RESPECTIVELY, WHERE A MAXIMUM OF 20% PER ELEVATION IS PERMITTED.. The Notice of Final Action was filed with the Las Vegas City Clerk on August 6, 2009. This approval is subject to:

Planning and Development

1. The approval is pursuant to the submitted plans dated stamped June 19, 2009

2. No off-premise advertising shall be allowed on the signage at any time.

3. Approval of, and conformance to the conditions for Waiver (WVR-34311), Special Use Permit (SUP-34309) and Site Development Plan Review (SDR-34306), if approved.

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

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4. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

Sincerely,

Doreen Araujo
Deputy City Clerk II for
Beverly K. Bridges, CMC, City Clerk

cc: Mr. George Rainhart
2325 San Pedro NE, Ste. 2B
Albuquerque, New Mexico 87110

Mr. Christopher Kaempfer
KKBR & F
3800 Howard Hughes Pkwy, 7th Floor
Las Vegas, Nevada 89169

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City of Las Vegas Agenda Item No.: **64.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☒ **Consent** ☐ **Discussion**

SUBJECT:
EOT-42606 - EXTENSION OF TIME RELATED TO EOT-42602, EOT-42603 AND EOT-42605 - APPLICANT: GEORGE RAINHART - OWNER: FNBN ASPEN, LLC - For possible action on a request for an Extension of Time of a previously approved Site Development Plan Review (SDR-34306) FOR A PROPOSED TWO-STORY, 37,100 SQUARE-FOOT NON-RESTRICTED GAMING (CASINO) AND RETAIL ESTABLISHMENT WITH A WAIVER OF THE DOWNTOWN CENTENNIAL PLAN STREETSCAPE STANDARDS ON CINCINNATI STREET at the northeast corner of Sahara Avenue and Las Vegas Boulevard (APNs 162-04-813-070, 071, and 162-03-410-008), 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. Consolidated Backup
2. Supporting Documentation
3. City Council Approval Letter for SDR-34306

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

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EOT-42606 APN: 162-04-813-070, 071 and 162-03-410-008

Name of Property Owner: FNBN ASPEN, LLC

Name of Applicant: Goerge Rainhart

Name of Representative: 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 ___X___No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

FNBN ASPEN, LLC
BY: FNBN CMLCON I LLC, its Manager
BY: SGH FNB VENTURES, LLC, its Manager
BY: SORENSON GROUP MANAGEMENT, LLC, its Manager
Signature of Property Owner: _____

Print Name: Donald E. Wallace
COO/General Counsel

Subscribed and sworn before me

This 2nd day of June, 2011

_____
Notary Public in and for said County and State

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TERI D. FORBES
Notary Public State of Utah
My Commission Expires on:
April 08, 2012
Comm. Number: 573538

Revised 11-14-06

f:\depot\Application Packet\Statement of Financial Interest.doc

393052.1

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Extension of Time SDR-34306

Project Address (Location) Sahara and Las Vegas Boulevard

Project Name Aspen Highland **Proposed Use** _____

Assessor's Parcel #(s) 162-04-813-070, 071 and 162-03-410-008 **Ward #** 3

General Plan: existing _____ proposed _____ **Zoning:** existing C2 proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER FNBN ASPEN, LLC **Contact** D. Wallace

Address c/o D. Wallace, ~~4393 Riverboat Road~~ 299 S. Main St. Suite 2200 **Phone:** 8014901004 **Fax:** 84111

City Salt Lake City **State** Utah **Zip** ~~84123-2503~~

E-mail Address dwallace@sorensongm.com

APPLICANT George Rainhart **Contact** George Rainhart

Address 2325 San Pedro N.E. **Phone:** 505-884-9110 **Fax:** _____

City Albuquerque **State** New Mexico **Zip** 87110

E-mail Address _____

REPRESENTATIVE Kaempfer Crowell Renshaw Gronauer & Fiorentino **Contact** Tom Amick

Address 8345 West Sunset Road, Suite 250 **Phone:** 702-792-7000 **Fax:** 702-796-7181

City Las Vegas **State** Nevada **Zip** 89113

E-mail Address TDA@kcnvlaw.com

FNBN ASPEN, LLC
BY: FNBN CMLCON I LLC, its Manager
BY: SGH FNB VENTURES, LLC, its Manager
BY: SORENSON GROUP MANAGEMENT, LLC, its Manager

Property Owner Signature* _____ 6/22/2011

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Donald E. Wallace COO/General Counsel

Subscribed and sworn before me

This 22nd day of June, 2011.

_____

Notary Public in and for said County and State

TERI D. FORBES
Notary Public State of Utah
My Commission Expires on:
April 08, 2012
Comm. Number: 573538

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	EOT-42606
Meeting Date:	9-7-11
Total Fee:	300.00
Date Received:*	7-21-11
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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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

August 7, 2009

Mr. Jeff Scanlon
Aspen Highlands Holdings, LLC
14362 North Frank Loyd Wright Blvd
Scottsdale, Arizona 85260

RE: SDR-34306 - SITE DEVELOPMENT PLAN REVIEW
CITY COUNCIL MEETING OF AUGUST 5, 2009
RELATED TO VAR-34308, WVR-34311, SUP-34309 AND SUP-34310

Dear Mr. Scanlon:

The City Council at a regular meeting held August 5, 2009 APPROVED the request for a Site Development Plan Review FOR A PROPOSED TWO-STORY, 37,100 SQUARE-FOOT NON-RESTRICTED GAMING (CASINO) AND RETAIL ESTABLISHMENT WITH A WAIVER OF THE DOWNTOWN CENTENNIAL PLAN STREETSCAPE STANDARDS ON CINCINNATI STREET at the northeast corner of Sahara Avenue and Las Vegas Boulevard (APNs 162-04-813-070, 071 and 162-03-410-008), C-2 (General Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on August 6, 2009. This approval is subject to:

Planning and Development

1. Approval of, and conformance to the conditions for Waiver (WVR-34311), Variance (VAR-34308), and Special Use Permit (SUP-34309), 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 and landscape plan, date stamped 04/24/09, and building elevations, date stamped 06/19/09, except as amended by conditions herein.

4. A Waiver from the Downtown Centennial Streetscape Standards is hereby approved, to allow a seven-foot sidewalk and no landscaping along Cincinnati Street.

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

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5. A revised site plan and landscape plan shall be submitted to and approved by the Planning and Development Department, prior to or at the time application is made for a building permit, depicting the Sahara Avenue streetscape in conformance to the Downtown Centennial Plan, including shade trees of at least 36-inch box size spaced at 15 to 20-foot intervals. Trees of a minimum 24" box size shall be planted at 30-foot intervals along the north side of the existing parking garage, and one tree within the existing planter on the east side of the garage, with four, five-gallon shrubs for every required tree. In addition, the interior surface parking area shall be redesigned so that all parking spaces are accessible without the need to enter or exit spaces via the proposed drive-through.

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.

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, and the Downtown Centennial Plan.

11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

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.

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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 Merger and Re-Subdivision Map or other mapping is necessary; comply with the recommendations of the City Surveyor.

15. Dedicate a 54 foot radius at the northeast corner of Sahara Avenue and Las Vegas Boulevard. Alternatively, the 54 feet may be granted as a roadway and pedestrian access easement. Also, dedicate an additional 20 feet of right-of-way and grant an appropriate 10 foot roadway and pedestrian access easement along Sahara Avenue adjacent to this site. In addition, dedicate an additional 10 feet of right-of-way and grant an appropriate 15 foot roadway and pedestrian access easement along Las Vegas Boulevard adjacent to this site. Dedications and construction shall be in accordance with Standard Drawings #201.1 and #245.1 for dedicated right turn lanes and dual left turn lanes, and Standard Drawings #234.1, #234.2, and #234.3 for bus turnouts, unless otherwise allowed by the City Engineer.

16. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Downtown Centennial Plan Standards concurrent with development of this site.

17. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a and shall intersect the adjacent streets at a 90 degree angle, unless otherwise allowed by the City Traffic Engineer. The driveway along Sahara Avenue, shall also receive approval from the Nevada Department of Transportation.

18. This site shall be designed to accommodate future pedestrian access bridges. All submitted drawings shall show connection points and annotate this feature as "FUTURE PEDESTRIAN ACCESS BRIDGE".

19. Coordinate the connection to public sewer line, in Sahara Avenue, with the Collection Systems Planning Section of the Department of Public Works. All required public sewer easements, if any, necessary to connect this site to the existing public sewer system shall be provided to the City prior to City approval of sewer construction plans, or the issuance of any off-site permits. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits or the recordation of a Final Map for this site.

20. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for this facility. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

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21. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site concurrent with development. 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.

22. Obtain an Encroachment Agreement for all landscaping and private improvements in the public right-of-way, if any, adjacent to this site prior to the issuance of any permits.

23. Aerial encroachment into the public right-of-way shall not be permitted.

24. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Sahara Avenue public right-of-way, if any, adjacent to this site prior to the issuance of any permits.

25. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings, or the recordation of a Final Map for this site, whichever may occur first, as required by the Department of Public Works. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site.

26. 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. 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.

27. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City

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EOT-42606

Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

Sincerely,

Doreen Araujo

Doreen Araujo
Deputy City Clerk II for
Beverly K. Bridges, CMC, City Clerk

cc: Mr. George Rainhart
2325 San Pedro NE, Ste. 2B
Albuquerque, New Mexico 87110

Mr. Christopher Kaempfer
KKBR & F
3800 Howard Hughes Pkwy, 7th Floor
Las Vegas, Nevada 89169

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EOT-42606

City of Las Vegas Agenda Item No.: **65.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

☒ **Consent** ☐ **Discussion**

SUBJECT:

EOT-42622 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT/OWNER: CHURCH LAKES LUTHERAN - For possible action on a request for an Extension of Time of a previously approved Site Development Plan Review (SDR-34602) FOR A PROPOSED 50-FOOT TALL, FOUR-STORY 33-UNIT SENIOR CITIZEN APARTMENTS; 41-UNIT ASSISTED LIVING APARTMENTS; 22-BED CONVALESCENT CARE FACILITY/NURSING HOME; CHILD CARE FACILITY, AND EXPANSION TO AN EXISTING CHURCH/HOUSE OF WORSHIP on 3.88 acres at 8200 West Sahara Avenue (APN 163-04-408-003), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL.

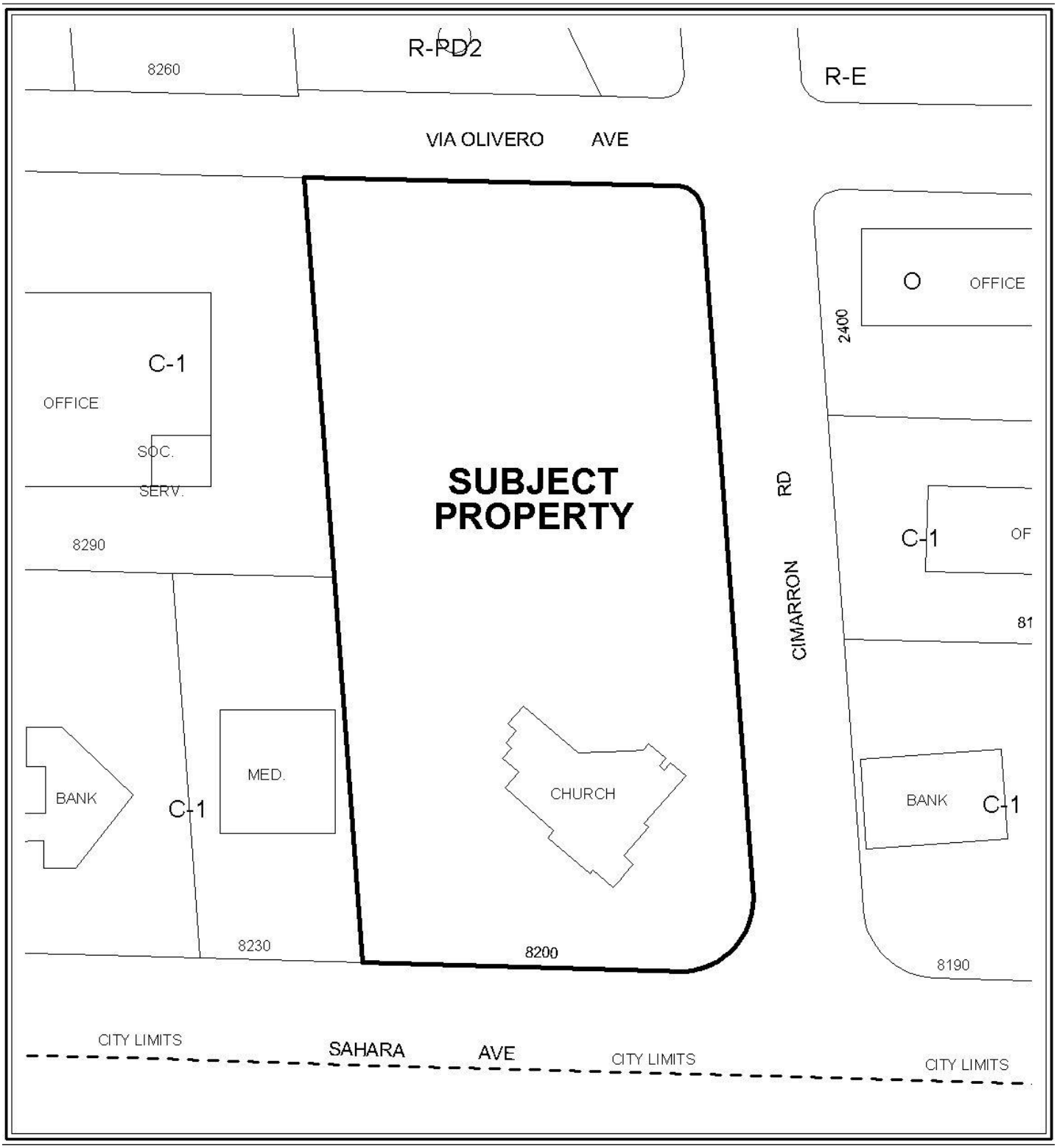
PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:

1. Location and Aerial Maps - EOT-42622, EOT-42623, EOT-42624, EOT-42625 and EOT-42626
2. Conditions and Staff Report - EOT-42622, EOT-42623, EOT-42624, EOT-42625 and EOT-42626
3. Supporting Documentation
4. City Council Approval Letter for SDR-34602
5. Justification Letter - EOT-42622, EOT-42623, EOT-42624, EOT-42625 and EOT-42626

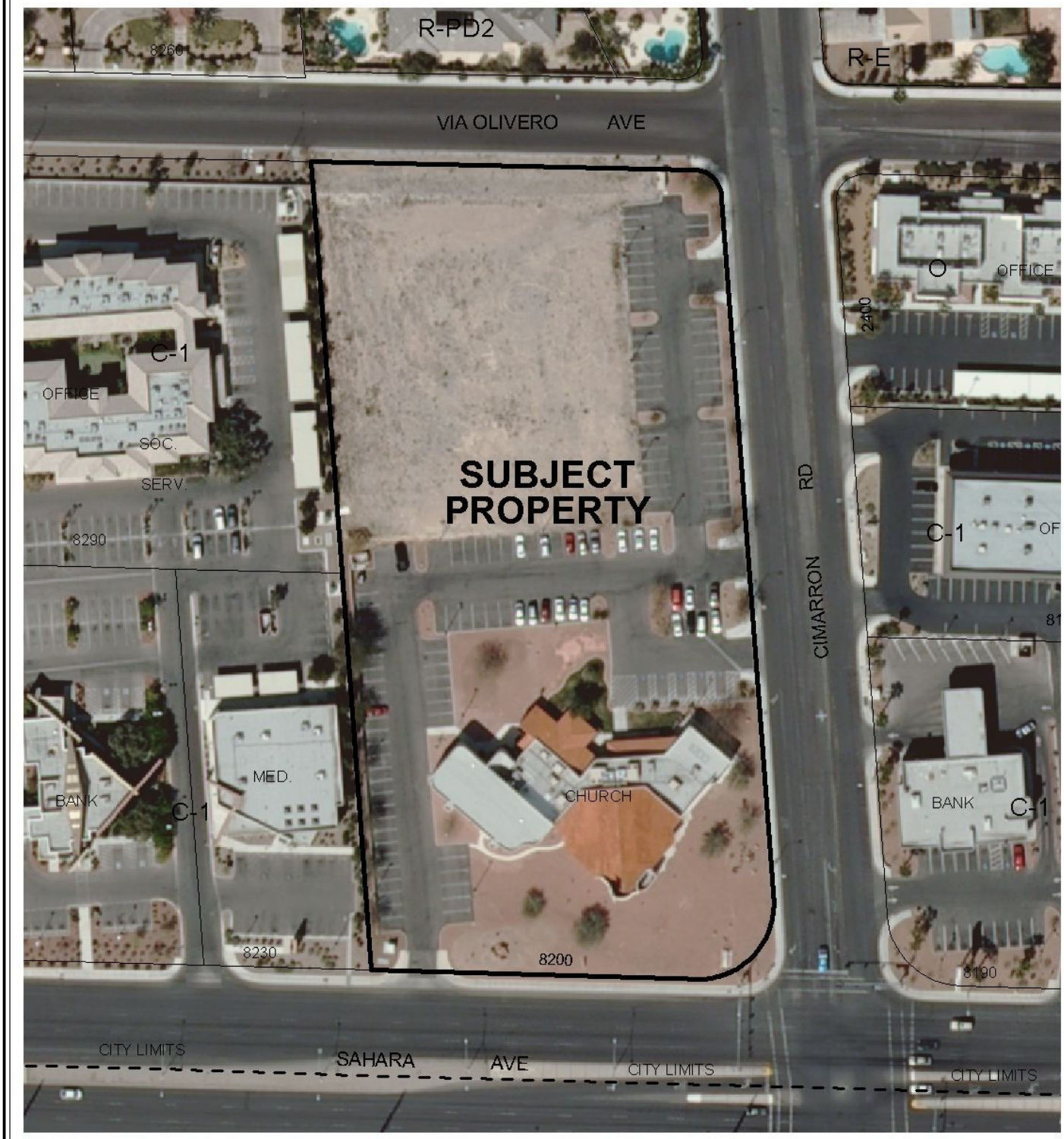


0 100 200 Feet

CASE: EOT-42622; EOT-42623; EOT-42624; EOT-42625; EOT-42626

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

N



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CASE: EOT-42622; EOT-42623; EOT-42624; EOT-42625; EOT-42626

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: SEPTEMBER 7, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: CHURCH LAKES LUTHERAN

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

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
EOT-42622 **EOT-42523** **EOT-42624** **EOT-42625** **EOT-42626**	Staff recommends APPROVAL, subject to conditions:	None

**** CONDITIONS ****

EOT-42622 CONDITIONS

Planning

1. This Site Development Plan Review (SDR-34602) shall expire on August 5, 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-34602) and all other site related actions as required by the Department of Planning and Department of Public Works.

EOT-42623 CONDITIONS

Planning

1. This Special Use Permit (SUP-34608) shall expire on August 5, 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-34608) and all other site related actions as required by the Department of Planning and Department of Public Works.

DS

EOT-42624 CONDITIONS

Planning

1. This Special Use Permit (SUP-34606) shall expire on August 5, 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-34606) and all other site related actions as required by the Department of Planning and Department of Public Works.

EOT-42625 CONDITIONS

Planning

1. This Special Use Permit (SUP-34604) shall expire on August 5, 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-34604) and all other site related actions as required by the Department of Planning and Department of Public Works.

EOT-42626 CONDITIONS

Planning

1. This Variance (VAR-34605) shall expire on August 5, 2013 unless another Extension of Time is approved by the City Council.

2. Conformance to the conditions of approval of the Variance (VAR-34605) and all other site related actions as required by the Department of Planning and Department of Public Works.

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site is currently occupied by an existing Church/House of Worship located at 8200 West Sahara Avenue. The applicant received previous approval for a Site Development Plan Review (SDR-34602), three (3) Special Use Permits (SUP-34608, SUP-34606, and SUP-34604), and a Variance (VAR-34605) for an expansion to the existing Church/House of Worship, new Senior Citizen Apartments, Assisted Living Apartments, Convalescent Care Facility/Nursing Home, and a Child Care Facility with 160 parking spaces where 205 are required. No plans have been submitted for review, nor have any building permits been issued. The applicant is requesting four-year Extensions of Time for the above entitlements due to the economic slowdown. As there have not been any significant changes in land use or development in the surrounding areas, staff is recommending approval with a two-year time limit.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
08/05/09	The City Council approved a request to Amend a portion of the Southwest Sector Plan of the General Plan (GPA-34600) from R (Rural Density Residential) to SC (Service Commercial) on 1.12 acres at 8200 West Sahara Avenue. The Planning Commission and staff recommended approval.
	The City Council approved a related request for Rezoning (ZON-34601) from C-V (Civic) to C-1 (Limited Commercial) on 3.88 acres.
	The City Council approved a related request for a Variance (VAR-34605) to allow 160 parking spaces where 205 are required for a proposed Church/House of Worship expansion; Senior Citizen Apartments; Assisted Living Apartments; Convalescent Care Facility/Nursing Home; and a Child Care Facility. Staff recommended denial.
	The City Council approved a related request for a Special Use Permit (SUP-34604) for proposed Senior Citizen Apartments.
	The City Council approved a related request for a Special Use Permit (SUP-34606) for a proposed Convalescent Care Facility/Nursing Home.
	The City Council approved a related request for a Special Use Permit (SUP-34608) for proposed Assisted Living Apartments.

Related Relevant City Actions by P&D, Fire, Bldg., etc	
08/05/09	The City Council approved a related request for a Site Development Plan Review (SDR-34602) for a proposed 50-foot tall, four-story 33-unit Senior Citizen Apartments; 41-unit Assisted Living Apartments; 22-bed Convalescent Care Facility/Nursing Home; Child Care Facility; and expansion to an existing Church/House of Worship. Staff recommended denial.
06/14/11	A Code Enforcement case (102953) was processed for missing trees and bushes from landscape requirements, condition #3 of Site Development Plan Review (SDR-1968). The case is still open.

Most Recent Change of Ownership	
01/20/95	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
There have not been any plans submitted for review, nor have any building permits been issued for the proposed project.
There are no active business licenses issued for the subject site.

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	3.88

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Church/House of Worship	SC (Service Commercial)	C-1 (Limited Commercial)

North	Single Family Residences	DR (Desert Rural)	R-PD2 (Residential Planned Development- 2 Units per Acre)
South	Clark County	Clark County	Clark County
East	Offices	SC (Service Commercial)	O (Office)
	Offices, Financial Institution- Specified	SC (Service Commercial)	C-1 (Limited Commercial)
Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
West	Offices, Social Service Provider, Financial Institution- Specified	O (Office) and 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 first request for Extensions of Time of previous entitlements for 8200 West Sahara Avenue that includes a Site Development Plan Review (SDR-34602) with Special Use Permits for a 50-foot tall, four-story, 33-unit Senior Citizen Apartments (SUP-34604), 41-unit Assisted Living Apartments (SUP-34608), 22-bed Convalescent Care Facility/Nursing Home (SUP-34606), Child Care Facility, and an expansion to an existing Church/House of Worship; and a Variance (VAR-34605) to allow 160 parking spaces where 205 are required for the proposed uses. No plans have been submitted for review, nor have any building permits been issued. There have not been any significant changes in land use or new development in the surrounding area.

Title 19.16 of the Unified Development Code deems a Site Development Plan Review, Special Use Permit, and variance exercised upon the issuance of a building permit for new construction.

FINDINGS

The Site Development Plan Review (SDR-34602), Special Use Permits (SUP-34604, SUP-34608, SUP-34606), and Variance (VAR-34605) have not been exercised in accordance with the requirements of Title 19.16 as no building permits have been issued. The applicant is requesting a four-year Extension of Time due to the economic slowdown. As there have not been any significant changes in land use or development in the surrounding areas, staff is recommending approval with a two-year time limit. Conformance to the conditions of approval of the Site Development Plan Review (SDR-34602), Special Use Permits (SUP-34604, SUP-34608, SUP-34606), and Variance (VAR-34605) shall be required.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **EOT-42622** APN: 163-04-408-003

Name of Property Owner: Church Lakes Lutheran

Name of Applicant: Church Lakes Lutheran

Name of Representative: Kaempfer, Crowell, Renshaw, Gronauer & Fiorentino - Christopher Kaempfer

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes ___X__ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: ROBERT J. SISTEK, TREASURER
THE LAKES LUTHERAN CHURCH

Subscribed and sworn before me

This 19 day of July, 2011

_____
Notary Public in and for said County and State

ERICA A. BENSON
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 06-18-2012
Certificate No: 04-90212-1

Revised 11-14-06

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PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: SDR 34602 - 1st EOT

Project Address (Location) 8200 West Sahara

Project Name Church Lakes Lutheran Senior Housing Project **Proposed Use** Senior Housing

Assessor's Parcel #(s) 163-04-408-003 **Ward #** 2

General Plan: existing _____ proposed _____ **Zoning:** existing CV proposed C1

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres 3.88 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Church Lakes Lutheran **Contact** Mark Myers

Address 8200 W. Sahara **Phone:** _____ **Fax:** _____

City Las Vegas **State** NV **Zip** 89117

E-mail Address _____

APPLICANT Church Lakes Lutheran **Contact** Mark Myers

Address 8200 W. Sahara **Phone:** _____ **Fax:** _____

City Las Vegas **State** NV **Zip** 89117

E-mail Address _____

REPRESENTATIVE Kaempfer Crowell Renshaw Gronauer & Fiorentino **Contact** Christopher L. Kaempfer

Address 8345 W. Sunset Road **Phone:** 792-7000 **Fax:** 796-7181

City Las Vegas **State** NV **Zip** 89113

E-mail Address _____

Property Owner Signature* Carole M. Larkins

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name CAROLE M. LARKINS

State of Nevada, County of Clark

Subscribed and sworn before me

This 27 day of June, 20 11.

Maria Livio Huber

Notary Public in and for said County and State of Nevada

Clark

MARIA LIVIO HUBER
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 02-24-13
Certificate No: 97-0710-1

FOR DEPARTMENT USE ONLY

Case #	EOT-42622
Meeting Date:	9/7/11 CC
Total Fee:	$300
Date Received:*	7/25/11
Received By:	BMS

*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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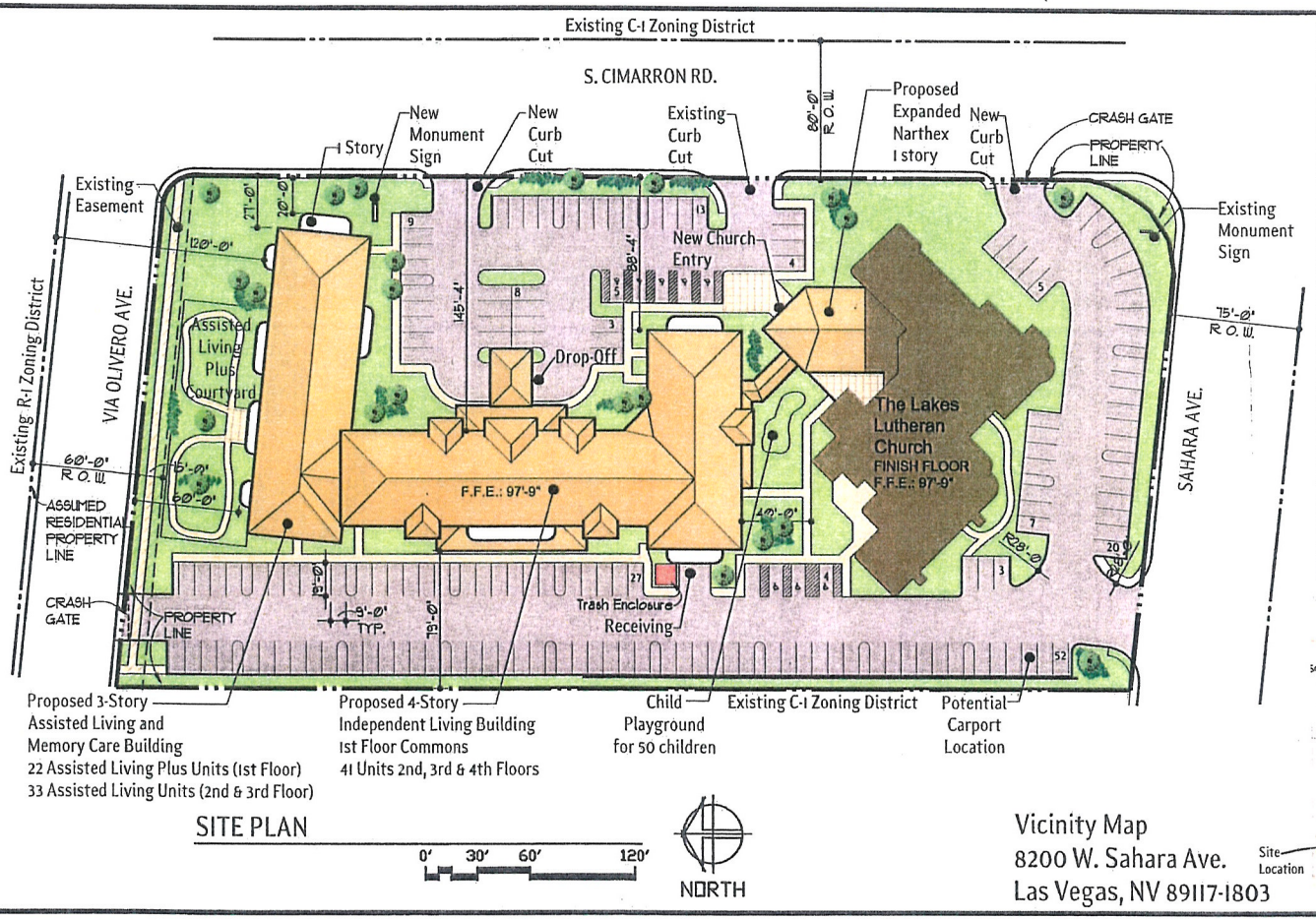
Revised 10/27/08



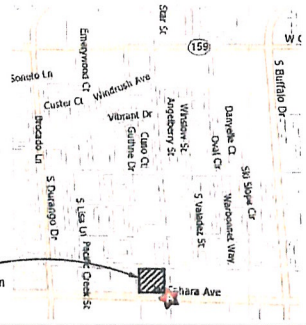
SITE PLAN

0' 30' 60' 120'

NORTH

Total Site Acreage:	3.89 Acres
New Square Footage:	100,943
Church Square Footage:	13,808
Site Floor/Area Ratio:	1.53

Parking Spaces	
Existing:	125
33 Assisted Living Units @ 1 space/3 residents	= 11 spaces
41 Senior Apartments @ .75 spaces/unit	= 31 spaces
22 Assisted Living Plus Units @ 1 space/6 beds	= 4 spaces
1 space for each employee (on large shift)	= 17 spaces
3 spaces for use by Medical Professionals	= 3 spaces
Daycare (for 50kids +staff)	= 13 spaces
Church (previously approved)	= 123 spaces
Spaces Required:	202
Spaces Proposed:	160
Handicapped Required:	6
Handicapped Proposed:	8



Vicinity Map
8200 W. Sahara Ave.
Las Vegas, NV 89117-1803

Randal L. Peek
Architect
1255 Energy Park Drive
St. Paul, MN 55108-5118

The Lakes Lutheran Church
Senior Housing
Las Vegas, NV

ECUMEN
Living fully after 50.

Commission No.	21752-09035
Drawn by	WI, LJH
Date	5/22/09
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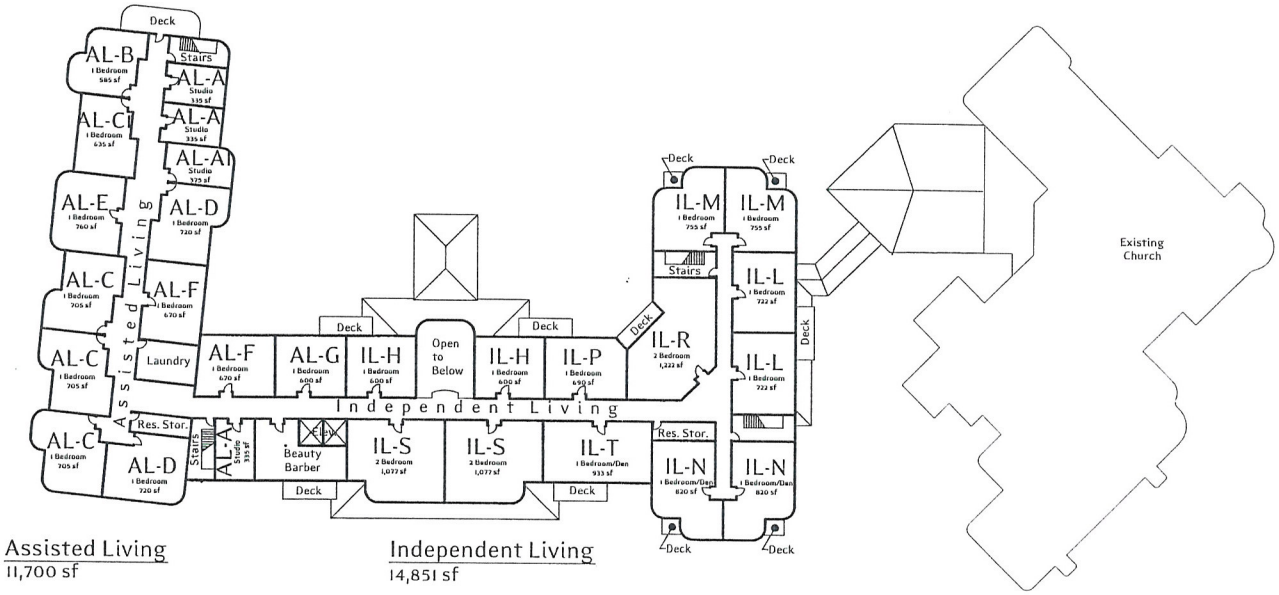

Assisted Living
11,700 sf

Independent Living
14,851 sf

SECOND FLOOR PLAN

30,530 GSF

0' 20' 40' 80'

NORTH

Randal L. Peek
Architect
1255 Energy Park Drive
St. Paul, MN 55108-5118

The Lakes Lutheran Church
Senior Housing
Las Vegas, NV

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Commission No.	21752-09035
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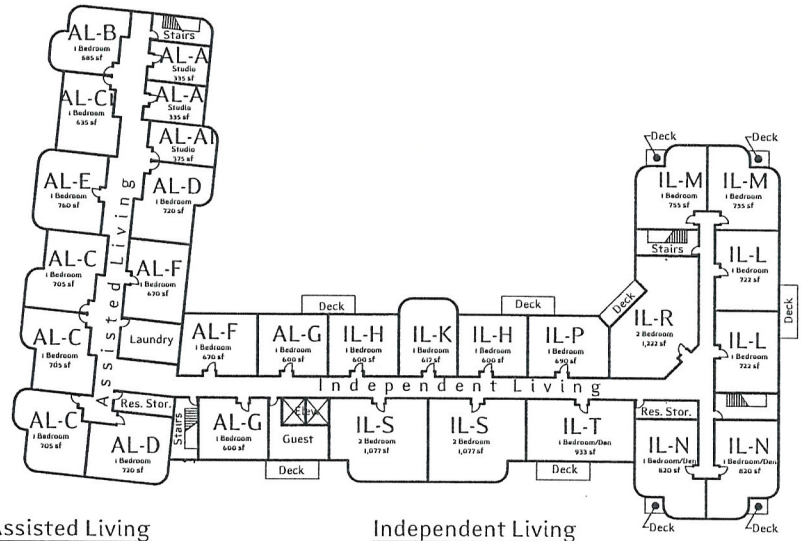

Assisted Living
11,965 sf

Independent Living
15,203 sf

THIRD FLOOR PLAN

30,530 GSF

0' 20' 40' 80'

NORTH

Randal L. Peek
Architect
1255 Energy Park Drive
St. Paul, MN 55108-5118

The Lakes Lutheran Church
Senior Housing
Las Vegas, NV

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Living fully after 50.

Commission No.	21752-09035
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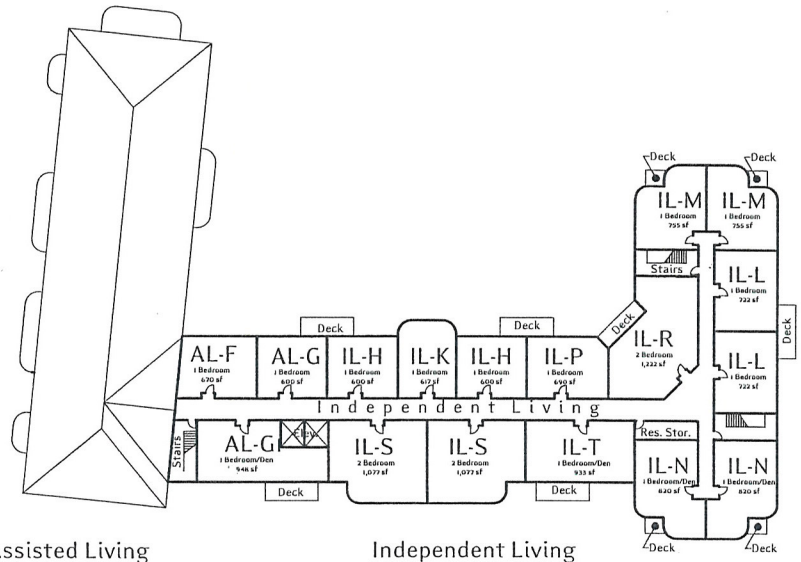

Assisted Living
2,218 sf

Independent Living
14,855 sf

Apartment Mix								
Independent Living								
unit	unit type	NSF	1st Floor	2nd Floor	3rd Floor	4th Floor	TOTAL	Total NSF
H	1 Bedroom	600		2	2	2	6	3,600
K	1 Bedroom	617		0	1	1	2	1,234
L	1 Bedroom	722		2	2	2	6	4,332
M	1 Bedroom	755		2	2	2	6	4,530
N	1 Bedroom	820		2	2	2	6	4,920
P	1 Bedroom	690		1	1	1	3	2,070
R	2 Bedroom	1222		1	1	1	3	3,666
S	2 Bedroom	1077		2	2	2	6	6,462
T	1 Bedroom/Den	933		1	1	1	3	2,799
	TOTAL:			13	14	14	**41**	33,613
Assisted Living								
A	Studio	335		3	2		5	1,675
A1	Studio	375		1	1		2	750
B	1 Bedroom	585		1	1		2	1,170
C	1 Bedroom	705		3	3		6	4,230
C1	1 Bedroom	635		1	1		2	1,270
D	1 Bedroom	720		2	2		4	2,880
E	1 Bedroom	760		1	1		2	1,520
F	1 Bedroom	670		2	2	1	5	3,350
G	1 Bedroom	600		1	2	1	4	2,400
G1	1 Bedroom/Den	948		0	0	1	1	948
	TOTAL:			15	15	3	**33**	20,193
Assisted Living Plus								
V	Studio	245	2				2	490
W	Studio	330	1				1	330
X	Studio	330	7				7	2,310
Y	Studio	335	12				12	4,020
	TOTAL:		22				**22**	7,150
	Square Footage / Function							
			1st Floor	2nd Floor	3rd Floor	4th Floor	Total NSF	
	Assisted Living Plus		12,059				12,059	
	Assisted Living			11,700	11,965	2,218	25,883	
	Independent Living			14,851	15,203	14,855	44,909	
	Town Center		15,516				15,516	
	Narthex & Link		2,576				2,576	
	TOTAL:		30,151	26,551	27,168	17,073	**100,943**	

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FOURTH FLOOR PLAN

16,970 GSF

0' 20' 40' 80'

NORTH

Randal L. Peek
Architect
1255 Energy Park Drive
St. Paul, MN 55108-5118

The Lakes Lutheran Church
Senior Housing
Las Vegas, NV

ECUMEN™
Living fully after 50.

Commission No.	21752-09035
Drawn by	WI, LJH
Date	5/22/09
Sheet	

EOT-42622 EOT-42623
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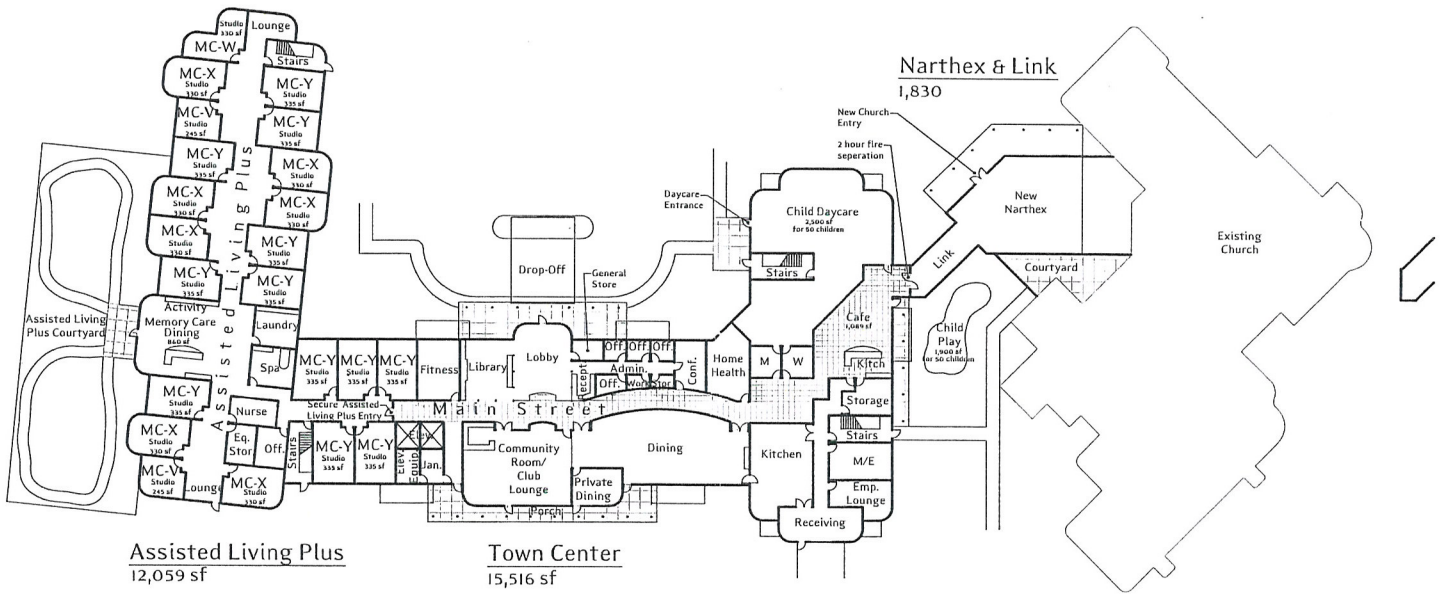
EOT-42626



FIRST FLOOR PLAN

32,938 GSF

0′ 20′ 40′ 80′

NORTH

Randal L. Peek
Architect
1255 Energy Park Drive
St. Paul, MN 55108-5118

The Lakes Lutheran Church
Senior Housing
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Commission No.	21752-09035
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Date	5/22/09
Sheet	

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EOT-42624 EOT-42625
EOT-42626

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



CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

September 3, 2009

Mr. Mark Myers
Church Lakes Lutheran
8200 West Sahara Avenue
Las Vegas, Nevada 89117

RE: SDR-34602 - SITE DEVELOPMENT PLAN REVIEW
CITY COUNCIL MEETING OF AUGUST 5, 2009
RELATED TO GPA-34600, ZON-34601, VAR-34605, SUP-34604, SUP-34606 AND SUP-34608

Dear Mr. Myers:

The City Council at a regular meeting held August 5, 2009 APPROVED the request for a Site Development Plan Review FOR A PROPOSED 50-FOOT TALL, FOUR-STORY 33-UNIT SENIOR CITIZEN APARTMENTS; 41-UNIT ASSISTED LIVING APARTMENTS; 22-BED CONVALESCENT CARE FACILITY/NURSING HOME; CHILD CARE FACILITY AND EXPANSION TO AN EXISTING CHURCH/HOUSE OF WORSHIP on 3.88 acres at 8200 West Sahara Avenue (APN 163-04-408-003), C-V (Civic) Zone [PROPOSED: C-1 (Limited Commercial)]. The Notice of Final Action was filed with the Las Vegas City Clerk on August 6, 2009. This approval is subject to:

Planning and Development

1. Conformance to the conditions for Special Use Permits (SUP-34604, 34606 and 34608) Variance (VAR-34605), and Site Development Plan Review (SDR-1968), 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 and building elevations, date stamped 05/26/09, and landscape plan date stamped 05/28/09, except as amended by conditions herein.

4. The Child Care Center hours of operation shall be between 6:30 AM to 6:00 PM, Monday through Friday.

5. The southernmost driveway on Cimarron Road and the driveway on Via Olivero Avenue are denoted as having crash gates. Access via these driveways shall be limited to emergency vehicles only.

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EOT-42622

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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: Provide four, five-gallon shrubs for each required tree within landscape buffer areas and parking lot landscape islands. A total of 13, 24-inch box trees shall be provided within the south landscape buffer area and 24, 24-inch box trees shall be provided within the east landscape buffer area, spaced a maximum of 20 feet on-center. Pursuant to Title 19.12.040(B)(1), all required trees along the north perimeter shall be provided within the required 15-foot landscape buffer. Pursuant to Title 19.12.040(B)(5), ground covers shall be installed in all landscaped areas. Provide Parking Lot screening in accordance with the requirements of Title 19.10.010(J)(11) for all parking areas visible from a public right-of-way. The final palette of trees planted on the north property line shall be reviewed by Planning and Development to ensure fast-growing year-round coverage to screen.

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 luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

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EOT-42622

14. 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.

15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

16. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. There shall be no sidewalk installed on the south side of Via Olivero Avenue.

17. The proposed driveway located at the emergency access gates shall be designed, located, and constructed in accordance with Standard Drawing #224.

18. Landscape and maintain all unimproved rights-of-way on Sahara Avenue, Cimarron Road, and Via Olivero Avenue 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.

19. Submit an Encroachment Agreement for all landscaping, if any, located in the Sahara Avenue, Cimarron Road, and Via Olivero Avenue public rights-of-way adjacent to this site prior to occupancy of this site.

20. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

Sincerely,

Doreen Araujo
Deputy City Clerk II for
Beverly K. Bridges, MMC, City Clerk

M.Margo Wheeler, AICP
Director
Planning and Development Department

cc: Mr. Christopher Kaempfer
KKBR&F
3800 Howard Hughes Parkway, 7th Floor
Las Vegas, Nevada 89169

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EOT-42622

KAEMPFER CROWELL

KAEMPFER CROWELL RENSHAW GRONAUER & FIORENTINO

ATTORNEYS AT LAW
LAS VEGAS OFFICE

ANTHONY J. CELESTE
aceleste@kcnvlaw.com
702.693.4215

LAS VEGAS OFFICE
8345 West Sunset Road
Suite 250
Las Vegas, NV 89113
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
5585 Kietzke Lane
Reno, NV 89511
Tel: 775.852.3900
Fax: 775.852.3982

CARSON CITY OFFICE
510 W. Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

July 25, 2011

VIA HAND DELIVERY

City of Las Vegas
PLANNING & DEVELOPMENT DEPARTMENT
333 N. Rancho Drive
Las Vegas, NV 89106

Re: ***Justification Letter – Church Lakes Lutheran***
Extension of Time for VAR 34605, SUP 34604, SUP 34606, SUP 34608, & SDR 34602
APN: 163-04-408-003

To Whom It May Concern:

Please be advised this office represents Church Lakes Lutheran (the "Applicant"), in the above referenced matter. The Applicant is requesting an extension of time for property generally located on the northwest corner of Sahara Avenue and Cimarron Road, more particularly known as assessor's parcel number 163-04-408-003 (the "Site").

On or about August 5, 2009, the City approved SDR 34602 allowing for a 50 foot tall, four story 33 unit senior citizen apartments; 41 unit assisted living apartments; 22 bed convalescent care facility/nursing home; child care facility; and expansion to an existing church/house of worship at the Site. In conjunction with the approval of SDR 34602, the City also approved (1) a zone change to C-1 via ZON 34601; (2) a special use permit for senior citizen apartments via SUP 34604; (3) a special use permit for assisted living apartments via 34608; (4) a special use permit for a convalescent care facility/nursing home via 34606; (5) a variance to allow 165 parking spaces where 205 are required via VAR 34605; and (6) an update to the general plan via GPA 34600. The Applicant is requesting an additional four (4) years to preserve the entitlement outlined above because of the economic slow down. Additionally, there have been no substantial changes in the area since approval of the entitlements. As a result, this first extension of time is appropriate.

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EOT-42622 EOT-42623
EOT-42624 EOT-42625
EOT-42626

KAEMPFER
CROWELL

We thank you in advance for your time and consideration of this matter. If you have any additional questions or concerns, please feel free to contact us.

Sincerely,

KAEMPFER CROWELL RENSHAW GRONAUER & FIORENTINO

Anthony J. Celeste

AJC/

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EOT-42626

City of Las Vegas Agenda Item No.: **66.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

☒ **Consent** ☐ **Discussion**

SUBJECT:

EOT-42623 - EXTENSION OF TIME RELATED TO EOT-42622 - SPECIAL USE PERMIT - APPLICANT/OWNER: CHURCH LAKES LUTHERAN - For possible action on a request for an Extension of Time of a previously approved Special Use Permit (SUP-34608) FOR PROPOSED ASSISTED LIVING APARTMENTS at 8200 West Sahara Avenue (APN 163-04-408-003), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). 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 SUP-34608

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

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EOT-42623 APN: 163-04-408-003

Name of Property Owner: Church Lakes Lutheran

Name of Applicant: Church Lakes Lutheran

Name of Representative: Kaempfer, Crowell, Renshaw, Gronauer & Fiorentino - Christopher Kaempfer

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____Yes __X__No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: ROBERT J. SISTEK, TREASURER
THE LAKES LUTHERAN CHURCH

Subscribed and sworn before me

This 19 day of July, 2011

_____
Notary Public in and for said County and State

ERICA A. BENSON
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 06-18-2012
Certificate No: 04-90212-1

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PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: SUP 34608 - 1st EOT

Project Address (Location) 8200 West Sahara

Project Name Church Lakes Lutheran Senior Housing Project **Proposed Use** Senior Housing

Assessor's Parcel #(s) 163-04-408-003 **Ward #** 2

General Plan: existing _____ proposed _____ **Zoning:** existing CV proposed C1

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres 3.88 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Church Lakes Lutheran **Contact** Mark Myers

Address 8200 W. Sahara **Phone:** _____ **Fax:** _____

City Las Vegas **State** NV **Zip** 89117

E-mail Address _____

APPLICANT Church Lakes Lutheran **Contact** Mark Myers

Address 8200 W. Sahara **Phone:** _____ **Fax:** _____

City Las Vegas **State** NV **Zip** 89117

E-mail Address _____

REPRESENTATIVE Kaempfer Crowell Renshaw Gronauer & Fiorentino **Contact** Christopher L. Kaempfer

Address 8345 W. Sunset Road **Phone:** 792-7000 **Fax:** 796-7181

City Las Vegas **State** NV **Zip** 89113

E-mail Address _____

Property Owner Signature* Carole M. Larkins

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name CAROLE M. LARKINS

State of Nevada, County of Clark

Subscribed and sworn before me

This 27 day of June, 20 11.

Maria Livio Huber

Notary Public in and for said County and State of Nevada Clark

MARIA LIVIO HUBER
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 02-24-13
Certificate No: 97-0710-1

FOR DEPARTMENT USE ONLY

Case #	E.O.T. 4263
Meeting Date:	9/7/11 CC.
Total Fee:	$ 300
Date Received:*	7/25/11
Received By:	BG

*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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Las Vegas

Revised 10/27/08

LAS VEGAS CITY COUNCIL

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LOIS TARKANIAN
STEVEN D. ROSS
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ELIZABETH N. FRETWELL
CITY MANAGER

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

August 7, 2009

Mr. Mark Myers
Church Lakes Lutheran
8200 West Sahara Avenue
Las Vegas, Nevada 89117

RE: SUP-34608 - SPECIAL USE PERMIT
CITY COUNCIL MEETING OF AUGUST 5, 2009
RELATED TO GPA-34600, ZON-34601, VAR-34605, SUP-34604
AND SUP-34606

Dear Mr.Myers:

The City Council at a regular meeting held August 5, 2009 APPROVED the request for a Special Use Permit FOR PROPOSED ASSISTED LIVING APARTMENTS at 8200 West Sahara Avenue (APN 163-04-408-003), C-V (Civic) Zone [PROPOSED: C-1 (Limited Commercial)]. The Notice of Final Action was filed with the Las Vegas City Clerk on August 6, 2009. This approval is subject to:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for Assisted Living Apartments use.

2. Approval of and conformance to the Conditions of Approval for Special Use Permits (SUP-34606 and SUP-34608), Variance (VAR-34605) and Site Development Plan Reviews (SDR-1968 and SDR-34602), if approved.

3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Sincerely,

Doreen Araujo

Doreen Araujo
Deputy City Clerk II for
Beverly K. Bridges, CMC, City Clerk

cc: See attached

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JUL 25 2011
City of Las Vegas

EOT-42623

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cc: Mr. Christopher Kaempfer
KKBR&F
3800 Howard Hughes Parkway, 7th Floor
Las Vegas, Nevada 89169

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EOT-42623

City of Las Vegas Agenda Item No.: **67.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

☒ **Consent** ☐ **Discussion**

SUBJECT:

EOT-42624 - EXTENSION OF TIME RELATED TO EOT-42622 AND EOT-42623 - SPECIAL USE PERMIT - APPLICANT/OWNER: CHURCH LAKES LUTHERAN - For possible action on a request for an Extension of Time of a previously approved Special Use Permit (SUP-34606) FOR A PROPOSED CONVALESCENT CARE FACILITY/NURSING HOME at 8200 West Sahara Avenue (APN 163-04-408-003), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). 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 SUP-34606

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

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **EOT-42624** APN: 163-04-408-003

Name of Property Owner: Church Lakes Lutheran

Name of Applicant: Church Lakes Lutheran

Name of Representative: Kaempfer, Crowell, Renshaw, Gronauer & Fiorentino - Christopher Kaempfer

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes ___X__ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: ROBERT J. SISTEK, TREASURER
THE LAKES LUTHERAN CHURCH

Subscribed and sworn before me

This 19 day of July, 2011

Notary Public in and for said County and State

ERICA A. BENSON
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 06-18-2012
Certificate No: 04-90212-1

Revised 11-14-06

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City of Las Vegas

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: SUP 34606 - 1st EOT

Project Address (Location) 8200 West Sahara

Project Name Church Lakes Lutheran Senior Housing Project **Proposed Use** Senior Housing

Assessor's Parcel #(s) 163-04-408-003 **Ward #** 2

General Plan: existing _____ proposed _____ **Zoning:** existing CV proposed C1

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres 3.88 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Church Lakes Lutheran **Contact** Mark Myers

Address 8200 W. Sahara **Phone:** _____ **Fax:** _____

City Las Vegas **State** NV **Zip** 89117

E-mail Address _____

APPLICANT Church Lakes Lutheran **Contact** Mark Myers

Address 8200 W. Sahara **Phone:** _____ **Fax:** _____

City Las Vegas **State** NV **Zip** 89117

E-mail Address _____

REPRESENTATIVE Kaempfer Crowell Renshaw Gronauer & Fiorentino **Contact** Christopher L. Kaempfer

Address 8345 W. Sunset Road **Phone:** 792-7000 **Fax:** 796-7181

City Las Vegas **State** NV **Zip** 89113

E-mail Address _____

Property Owner Signature* Carole M. Larkins

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name CAROLE M. LARKINS

State of Nevada, County of Clark

Subscribed and sworn before me

This 27 day of June, 20 11.

Maria Livio Huber

Notary Public in and for said County and State of Nevada

MARIA LIVIO HUBER
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 02-24-13
Certificate No: 97-0710-1

FOR DEPARTMENT USE ONLY

Case #	EOT-42624
Meeting Date:	9/7/11 CC.
Total Fee:	$300 —
Date Received:*	7/25/11
Received By:	Bcs.

*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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LAS VEGAS CITY COUNCIL

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CITY MANAGER

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

August 7, 2009

Mr. Mark Myers
Church Lakes Lutheran
8200 West Sahara Avenue
Las Vegas, Nevada 89117

RE: SUP-34606 - SPECIAL USE PERMIT
CITY COUNCIL MEETING OF AUGUST 5, 2009
RELATED TO GPA-34600, ZON-34601, VAR-34605
AND SUP-34604

Dear Mr. Myers:

The City Council at a regular meeting held August 5, 2009 APPROVED the request for a Special Use Permit FOR A PROPOSED CONVALESCENT CARE FACILITY/NURSING HOME at 8200 West Sahara Avenue (APN 163-04-408-003), C-V (Civic) Zone [PROPOSED: C-1 (Limited Commercial)]. The Notice of Final Action was filed with the Las Vegas City Clerk on August 6, 2009. This approval is subject to:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Convalescent Care Facility/Nursing Home use.

2. Approval of and conformance to the Conditions of Approval for Special Use Permits (SUP-34604 and SUP-34608), Variance (VAR-34605) and Site Development Plan Reviews (SDR-1968 and SDR-34602), if approved.

3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Sincerely,

Doreen Araujo
Deputy City Clerk II for
Beverly K. Bridges, CMC, City Clerk

cc: See attached

175630

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JUL 25 2011
City of Las Vegas
EOT-42624
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cc: Mr. Christopher Kaempfer
KKBR&F
3800 Howard Hughes Parkway, 7th Floor
Las Vegas, Nevada 89169

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EOT-42624

City of Las Vegas Agenda Item No.: **68.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

☒ **Consent** ☐ **Discussion**

SUBJECT:

EOT-42625 - EXTENSION OF TIME RELATED TO EOT-42622, EOT-42623 AND EOT-42624 - SPECIAL USE PERMIT - APPLICANT/OWNER: CHURCH LAKES LUTHERAN - For possible action on a request for an Extension of Time of a previously approved Special Use Permit (SUP-34604) FOR PROPOSED SENIOR CITIZEN APARTMENTS at 8200 West Sahara Avenue (APN 163-04-408-003), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). 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 SUP-34604

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: **EOT-42625** APN: 163-04-408-003

Name of Property Owner: Church Lakes Lutheran

Name of Applicant: Church Lakes Lutheran

Name of Representative: Kaempfer, Crowell, Renshaw, Gronauer & Fiorentino - Christopher Kaempfer

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes ___X__ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: ROBERT J. SISTEK, TREASURER
THE LAKES LUTHERAN CHURCH

Subscribed and sworn before me

This 19 day of July, 2011

_____
Notary Public in and for said County and State

ERICA A. BENSON
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 06-18-2012
Certificate No: 04-90212-1

Revised 11-14-06

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PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: SUP 34604 - 1st EOT

Project Address (Location) 8200 West Sahara

Project Name Church Lakes Lutheran Senior Housing Project **Proposed Use** Senior Housing

Assessor's Parcel #(s) 163-04-408-003 **Ward #** 2

General Plan: existing _____ proposed _____ **Zoning:** existing CV proposed C1

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres 3.88 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Church Lakes Lutheran **Contact** Mark Myers

Address 8200 W. Sahara **Phone:** _____ **Fax:** _____

City Las Vegas **State** NV **Zip** 89117

E-mail Address _____

APPLICANT Church Lakes Lutheran **Contact** Mark Myers

Address 8200 W. Sahara **Phone:** _____ **Fax:** _____

City Las Vegas **State** NV **Zip** 89117

E-mail Address _____

REPRESENTATIVE Kaempfer Crowell Renshaw Gronauer & Fiorentino **Contact** Christopher L. Kaempfer

Address 8345 W. Sunset Road **Phone:** 792-7000 **Fax:** 796-7181

City Las Vegas **State** NV **Zip** 89113

E-mail Address _____

Property Owner Signature* Carole M. Larkins

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Carole M. Larkins

State of Nevada, County of Clark

Subscribed and sworn before me

This 27 day of June, 20 11.

Maria Livio Huber

Notary Public in and for said County and State of Nevada

MARIA LIVIO HUBER
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 02-24-13
Certificate No: 97-0710-1

FOR DEPARTMENT USE ONLY

Case #	EOT-4/26/25
Meeting Date:	9/7/11 CC.
Total Fee:	$300
Date Received:*	7/25/11
Received By:	BCS

*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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LAS VEGAS CITY COUNCIL

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RICKI Y. BARLOW
STAVROS S. ANTHONY

ELIZABETH N. FRETWELL
CITY MANAGER



August 7, 2009

Mr. Mark Myers
Church Lakes Lutheran
8200 West Sahara Avenue
Las Vegas, Nevada 89117

RE: SUP-34604 - SPECIAL USE PERMIT
CITY COUNCIL MEETING OF AUGUST 5, 2009
RELATED TO GPA-34600, ZON-34601 and VAR-34605

Dear Mr. Myers:

The City Council at a regular meeting held August 5, 2009 APPROVED the request for a Special Use Permit FOR PROPOSED SENIOR CITIZEN APARTMENTS at 8200 West Sahara Avenue (APN 163-04-408-003), C-V (Civic) Zone [PROPOSED: C-1 (Limited Commercial)]. The Notice of Final Action was filed with the Las Vegas City Clerk on August 6, 2009. This approval is subject to:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for Senior Citizen Apartments use.

2. Approval of and conformance to the Conditions of Approval for Special Use Permits (SUP-34606 and SUP-34608), Variance (VAR-34605) and Site Development Plan Reviews (SDR-1968 and SDR-34602), if approved.

3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

4. Sign and record a deed restriction with language determined to be satisfactory by the City Attorney which restricts the use of the site to an age-restricted community for those persons 55 years of age or older, to the full extent of the law.

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

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EOT-42625

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5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Sincerely,

Doreen Araujo

Doreen Araujo
Deputy City Clerk II for
Beverly K. Bridges, CMC, City Clerk

cc: Mr. Christopher Kaempfer
KKBR&F
3800 Howard Hughes Parkway, 7th Floor
Las Vegas, Nevada 89169

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EOT-42625

City of Las Vegas Agenda Item No.: **69.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

☒ **Consent** ☐ **Discussion**

SUBJECT:

EOT-42626 - EXTENSION OF TIME RELATED TO EOT-42622, EOT-42623, EOT-42624 AND EOT-42625 - VARIANCE - APPLICANT/OWNER: CHURCH LAKES LUTHERAN - For possible action on a request for an Extension of Time of a previously approved Variance (VAR-34605) TO ALLOW 160 PARKING SPACES WHERE 205 ARE REQUIRED FOR A PROPOSED CHURCH/HOUSE OF WORSHIP EXPANSION; SENIOR CITIZEN APARTMENTS; ASSISTED LIVING APARTMENTS; CONVALESCENT CARE FACILITY/NURSING HOME, AND A CHILD CARE FACILITY on 3.88 acres at 8200 West Sahara Avenue (APN 163-04-408-003), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). 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 VAR-34605

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

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **EOT-42626** APN: 163-04-408-003

Name of Property Owner: Church Lakes Lutheran

Name of Applicant: Church Lakes Lutheran

Name of Representative: Kaempfer, Crowell, Renshaw, Gronauer & Fiorentino - Christopher Kaempfer

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes ___X__ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: ROBERT J. SISTEK, TREASURER
THE LAKES LUTHERAN CHURCH

Subscribed and sworn before me

This 19 day of JULY, 2011

Notary Public in and for said County and State

ERICA A. BENSON
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 06-18-2012
Certificate No: 04-90212-1

Revised 11-14-06

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PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: VAR 34605 - 1st EOT

Project Address (Location) 8200 West Sahara

Project Name Church Lakes Lutheran Senior Housing Project **Proposed Use** Senior Housing

Assessor's Parcel #(s) 163-04-408-003 **Ward #** 2

General Plan: existing _____ proposed _____ **Zoning:** existing CV proposed C1

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres 3.88 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Church Lakes Lutheran **Contact** Mark Myers

Address 8200 W. Sahara **Phone:** _____ **Fax:** _____

City Las Vegas **State** NV **Zip** 89117

E-mail Address _____

APPLICANT Church Lakes Lutheran **Contact** Mark Myers

Address 8200 W. Sahara **Phone:** _____ **Fax:** _____

City Las Vegas **State** NV **Zip** 89117

E-mail Address _____

REPRESENTATIVE Kaempfer Crowell Renshaw Gronauer & Fiorentino **Contact** Christopher L. Kaempfer

Address 8345 W. Sunset Road **Phone:** 792-7000 **Fax:** 796-7181

City Las Vegas **State** NV **Zip** 89113

E-mail Address _____

Property Owner Signature* Carole M. Larkins

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name CAROLE M. LARKINS

State of Nevada, County of Clark

Subscribed and sworn before me

This 27 day of June, 20 11.

Maria Livio Huber

Clark

Notary Public in and for said County and State of Nevada

MARIA LIVIO HUBER
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 02-24-13
Certificate No: 97-0710-1

FOR DEPARTMENT USE ONLY

Case #	EOT-92626
Meeting Date:	9/7/11 CC
Total Fee:	$300
Date Received:*	7/25/11
Received By:	Bos

*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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LAS VEGAS CITY COUNCIL

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MAYOR

GARY REESE
MAYOR PRO TEM

STEVE WOLFSON
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STAVROS S. ANTHONY

ELIZABETH N. FRETWELL
CITY MANAGER



CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

August 7, 2009

Mr. Mark Myers
Church Lakes Lutheran
8200 West Sahara Avenue
Las Vegas, Nevada 89117

RE: VAR-34605 – VARIANCE
CITY COUNCIL MEETING OF AUGUST 5, 2009
RELATED TO GPA-34600 AND ZON-34601

Dear Mr. Myers:

The City Council at a regular meeting held August 5, 2009 APPROVED the request for a VARIANCE TO ALLOW 160 PARKING SPACES WHERE 205 ARE REQUIRED FOR A PROPOSED CHURCH/HOUSE OF WORSHIP EXPANSION; SENIOR CITIZEN APARTMENTS; ASSISTED LIVING APARTMENTS; CONVALESCENT CARE FACILITY AND A CHILD CARE FACILITY on 3.88 acres at 8200 West Sahara Avenue (APN 163-04-408-003), C-V (Civic) Zone [PROPOSED: C-1 (Limited Commercial)]. The Notice of Final Action was filed with the Las Vegas City Clerk on August 6, 2009. This approval is subject to:

Planning and Development

1. Conformance to the Conditions of Approval for Special Use Permits (SUP-34604, SUP-34606 and SUP-34608) and Site Development Plan Reviews (SDR-1968 and SDR-34602), if approved.

2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. The Child Care Center use shall be limited to a maximum of 50 children.

4. The use of the Barber/Beauty Shop shall be limited to only on-site residents.

Sincerely,

Doreen Araujo

Doreen Araujo
Deputy City Clerk II for
Beverly K. Bridges, CMC, City Clerk

cc: See attached list

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JUL 25 2011
City of Las Vegas

EOT-42626

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cc: Mr. Christopher Kaempfer
KKBR&F
3800 Howard Hughes Parkway, 7th Floor
Las Vegas, Nevada 89169

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City of Las Vegas

EOT-42626

City of Las Vegas Agenda Item No.: **70.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

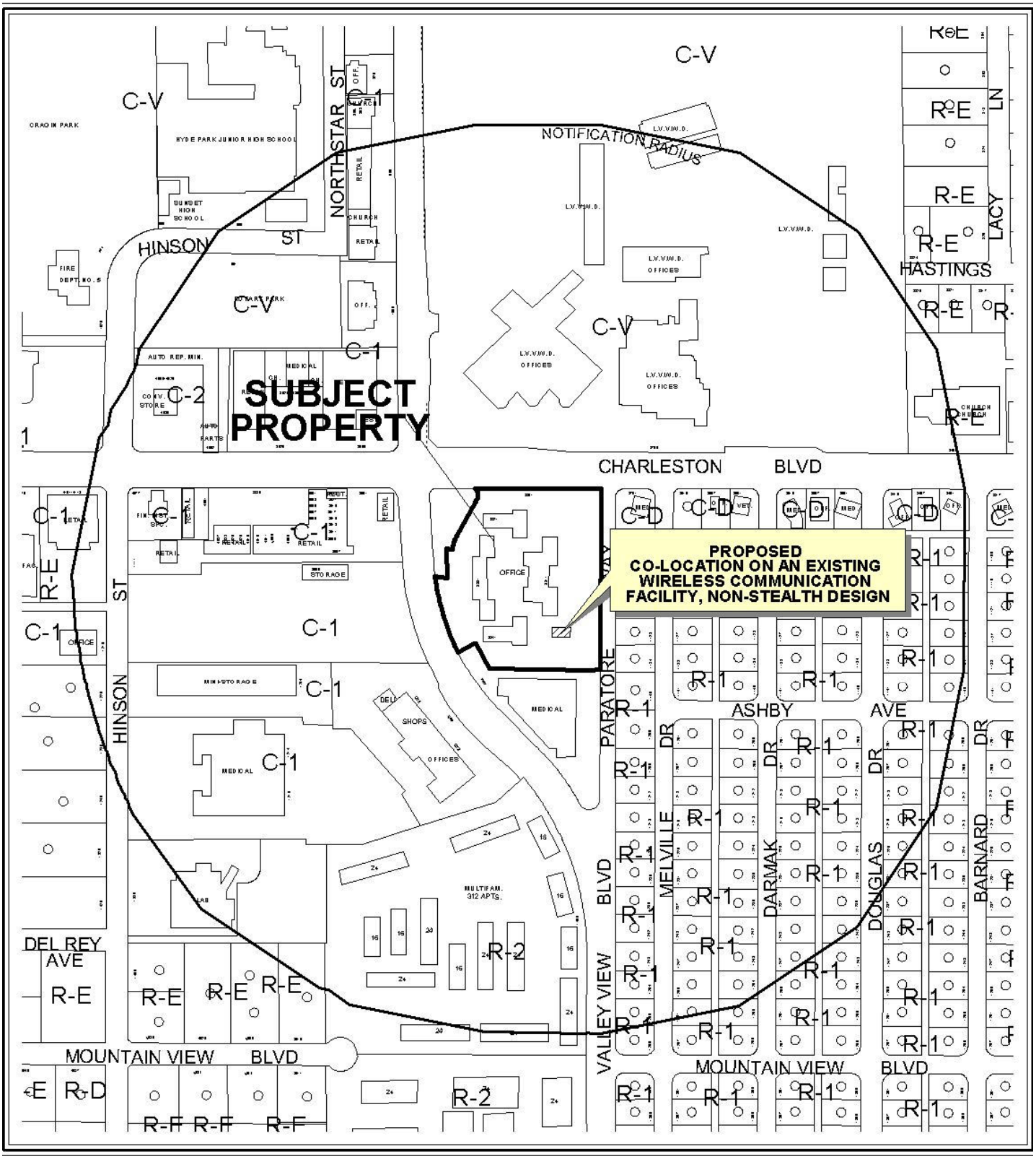
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
SUP-41587 - ABEYANCE ITEM - 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	**3**	**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. Request to Withdraw - Submitted by Applicant
4. Supporting Documentation
5. Photos
6. Justification Letter
7. Protest/Support Postcards – July 20, 2011 City Council Meeting
8. Backup referenced from the June 14, 2011 Planning Commission Meeting Item – SUP-41587



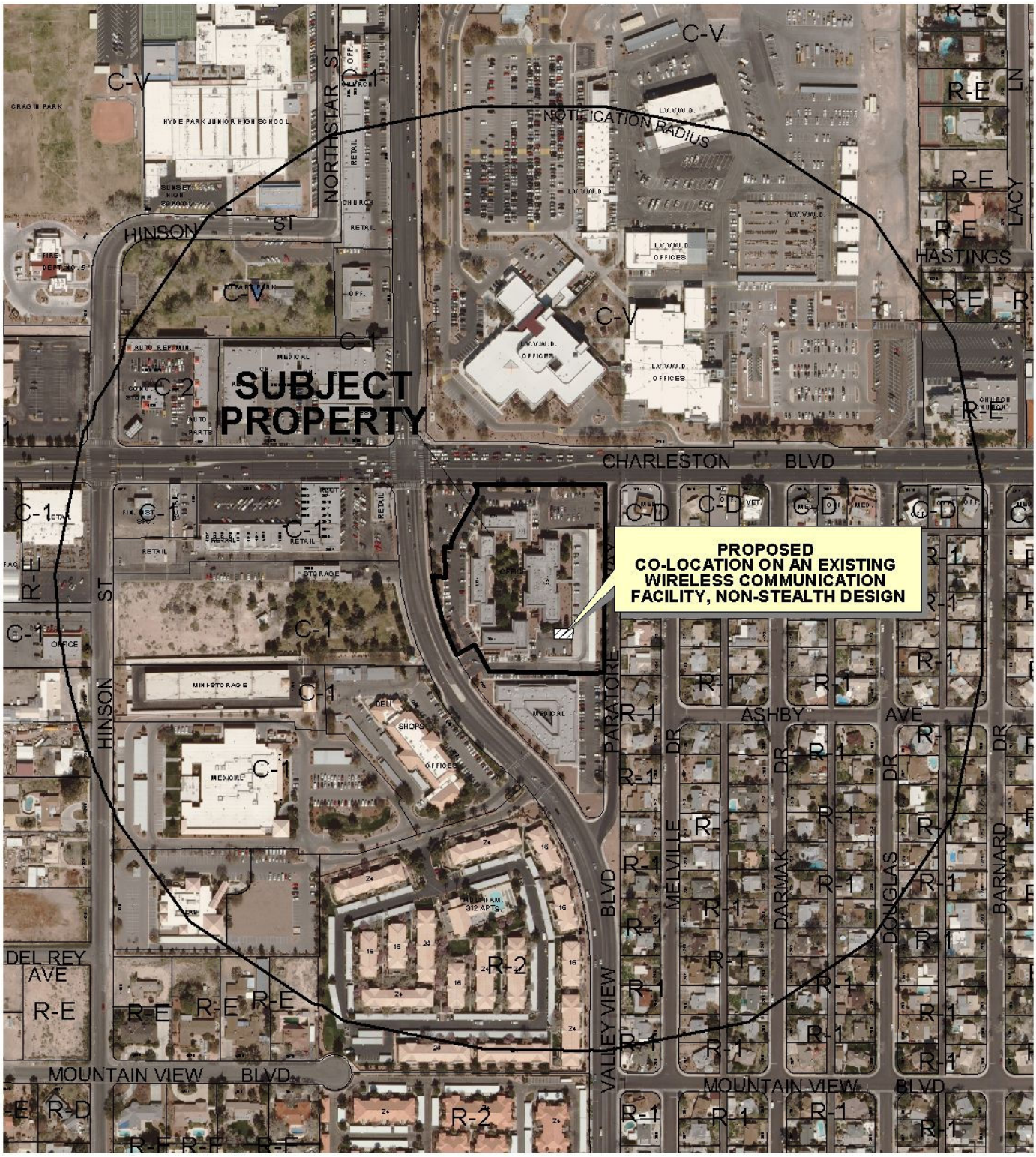
0 300 600 Feet

CASE: **SUP-41587**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

N



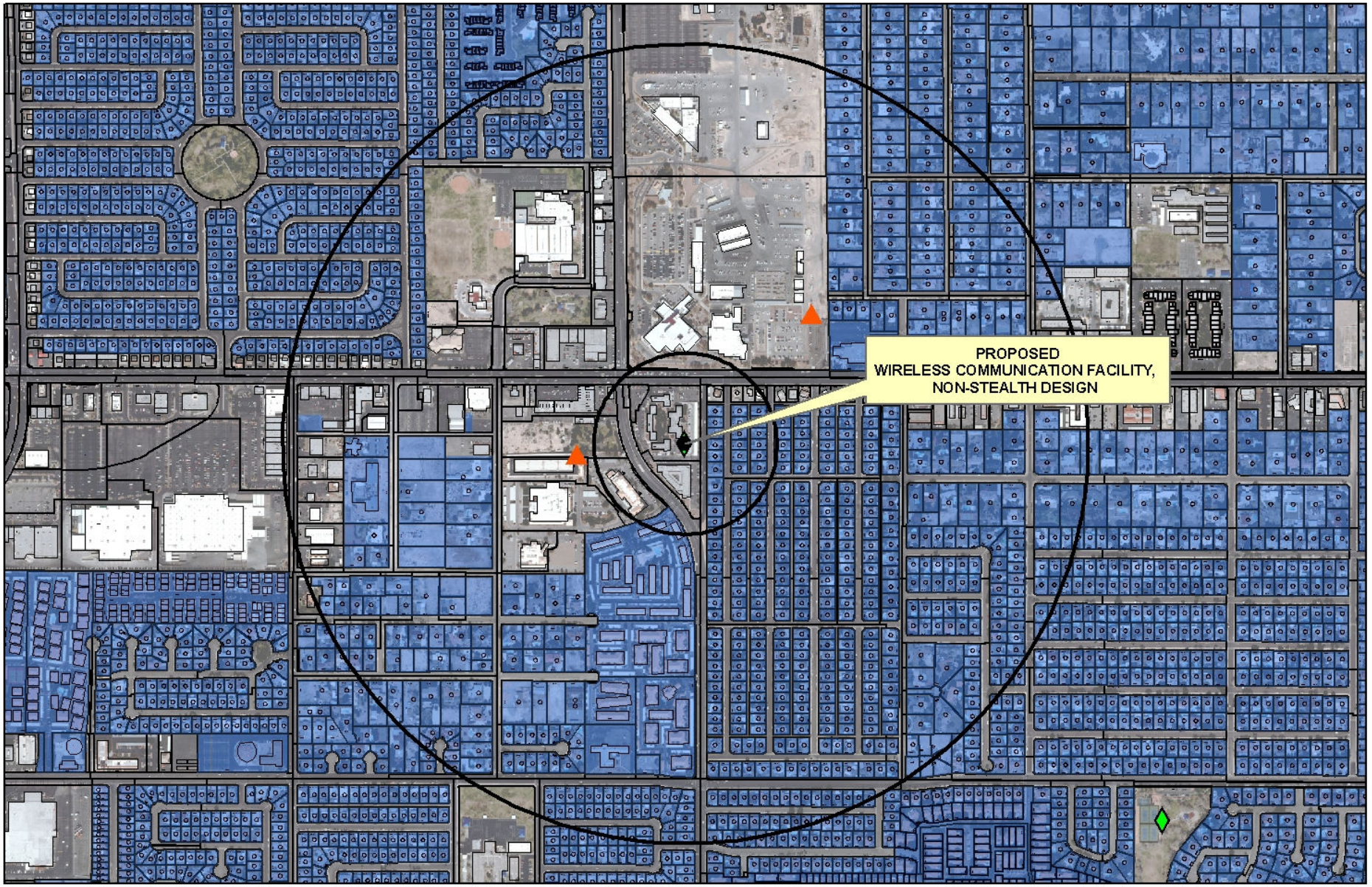
0 300 600 Feet

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: SEPTEMBER 7, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: LIGHTSQUARED, INC. - OWNER: BAR ACQUISITIONS, LLC

THE APPLICANT REQUESTS THIS ITEM BE WITHDRAWN FROM THE SEPTEMBER 7, 2011 CITY COUNCIL AGENDA

**** 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 Page One
September 7, 2011 - City Council Meeting

** 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).
07/20/11	The City Council voted (7-0) to hold this item in abeyance to the August 3, 2011 City Council meeting.
08/03/11	The City Council voted (6-1-0) to hold this item in abeyance to the September 7, 2011 City Council meeting.

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 1

PROTESTS 3

Nora Lares

Subject: FW: SUP-41587 - 09/07/11 CC

From: Steve Gebeke
Sent: Monday, July 25, 2011 7:08 AM
To: Carman Burney
Cc: Flinn Fagg
Subject: FW: SUP-41587

This item was abeyed at the last CC meeting when the applicant did not show. They have decided to withdraw it.

From: Cary Warren [mailto:cary.warren@powderriverdev.com]
Sent: Thursday, July 21, 2011 1:18 PM
To: Steve Gebeke
Subject: RE: SUP-41587

Steve,

I returned your telephone call before seeing this email. You may disregard my voicemail message.

Please remove the item from the calendar and withdraw the application as well. LightSquared is no longer interested in the location.

Cary Warren
Project Manager
Powder River Development Services, LLC
701 N. Green Valley Parkway, Ste 200
Henderson, NV 89074
310.985.3555 mobile
www.powderriverdev.com

POWDER RIVER
Development Services, LLC

From: Steve Gebeke [mailto:sgebeke@LasVegasNevada.GOV]
Sent: Thursday, July 21, 2011 9:27 AM
To: cary.warren@powderriverdev.com
Subject: SUP-41587

Cary-

Sorry about the poor phone connection earlier, but here is the info that I needed to provide to you.

This is a Special Use Permit for a collocation on a wireless facility located at 3811 W Charleston Blvd in Las Vegas, NV. It was heard at the City Council meeting this past Wednesday, but as there was no one present for the applicant, the item was held in abeyance to the 08/03 meeting. There were some questions regarding the appearance of the structure and what might be done to improve it. If you would contact Kim Reid at 702-229-2299, she can facilitate a meeting with the Councilwoman prior to the 08/03 meeting to discuss the issues. Thanks.

Steve Gebeke, AICP

Planning Supervisor
City of Las Vegas
Department of Planning
(702) 229-5410 Office
(702) 385-7268 Fax

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

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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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Revised 10/27/08

f:\depot\Application Packet\Application Form.pdf

811
Know what's **below.**
Call before you dig.

Nokia Siemens Networks

LightSquared

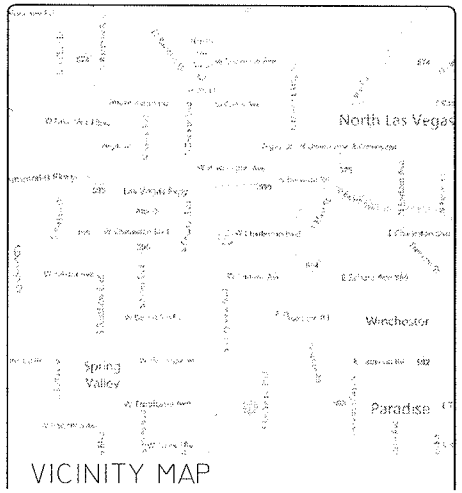
Paratore and Charleston
TMUSNVLVGS0156-C1
(TowerCo NV2068)

3811 W. Charleston Blvd
Las Vegas, NV 89102

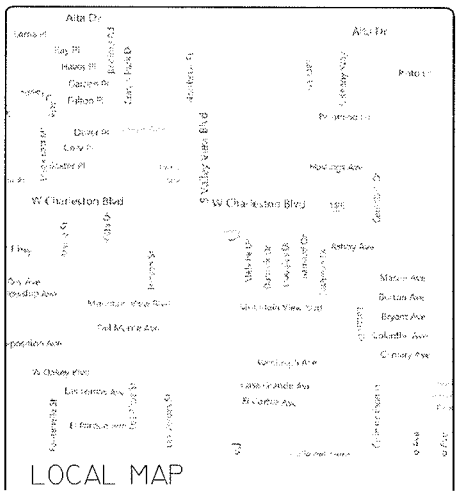
APPLICANT INFO:
LightSquared LP, A Delaware Limited Partnership
10802 Parkridge Blvd.
Reston, VA 20191

PROJECT MANAGER:
Powder River Development Services, LLC
701 N. Green Valley Parkway, Suite 200
Henderson, NV 89074
Phone: 702.990.3295
Contact: Cary Warren

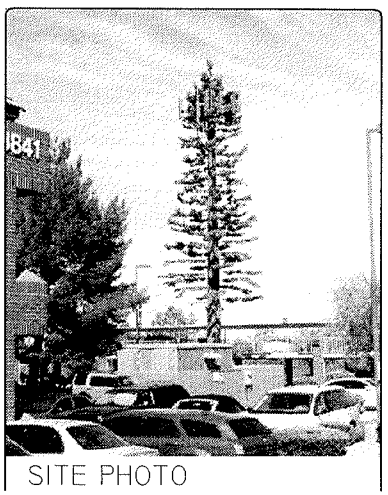
ENGINEER:
Powder River Development Services, LLC.
100 E. Shenango Street
Sharpsville, PA 16150
Phone: 724 962 5999 Fax: 724 962 6009
Contact: Mark Thompson



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

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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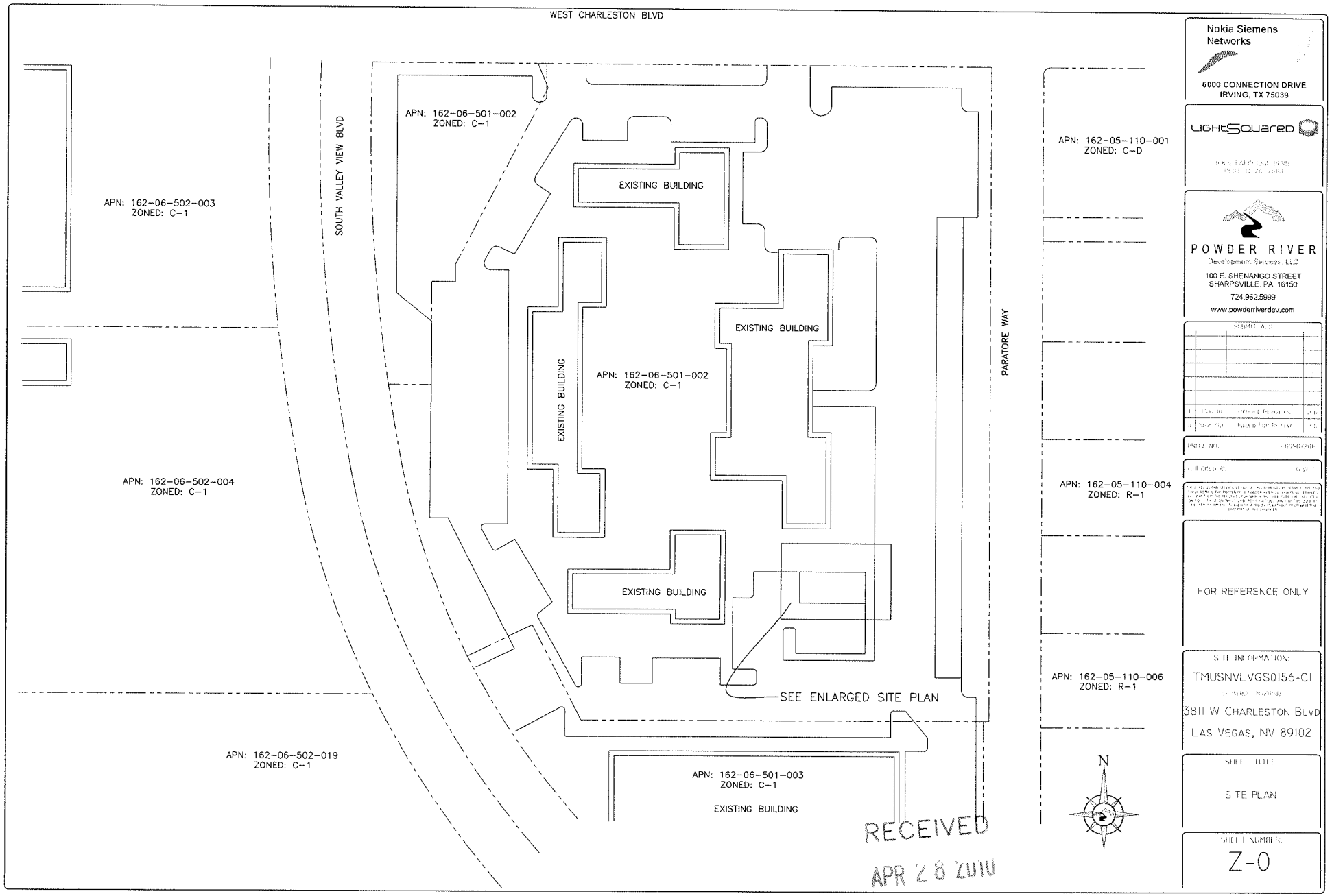
SUP-41587


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
ZONED: C-D
APN: 162-05-110-004
ZONED: R-1
APN: 162-05-110-006
ZONED: R-1
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LightSquared
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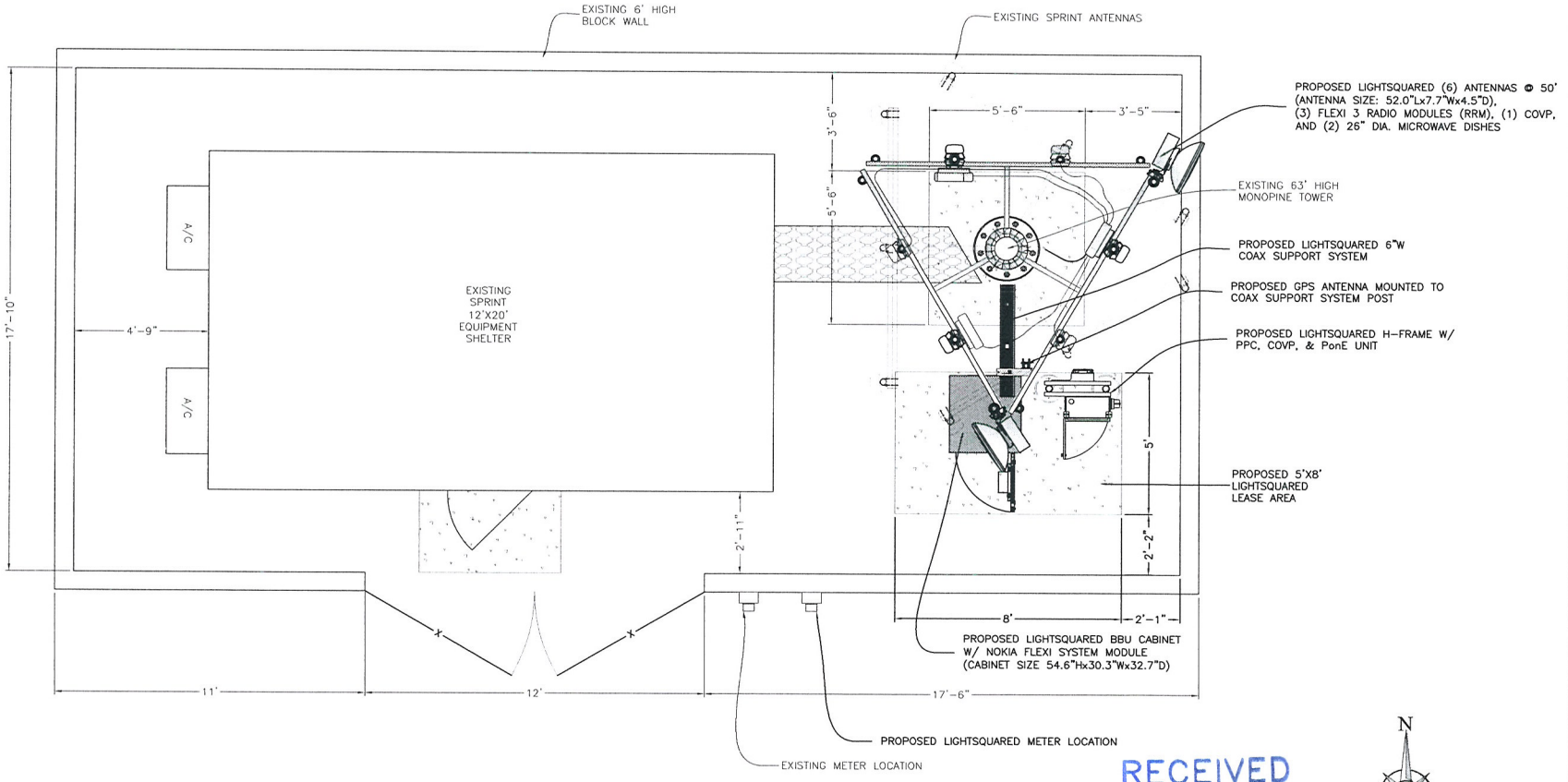
Development Services, LLC
100 E. SHENANGO STREET
SHARPSVILLE, PA 16150
724.962.5999
www.powderriverdev.com
FOR REFERENCE ONLY
SITE INFORMATION:
TMUSNVLVGS0156-C1
3811 W CHARLESTON BLVD
LAS VEGAS, NV 89102
SITE PLAN
Z-0

SUP-41587



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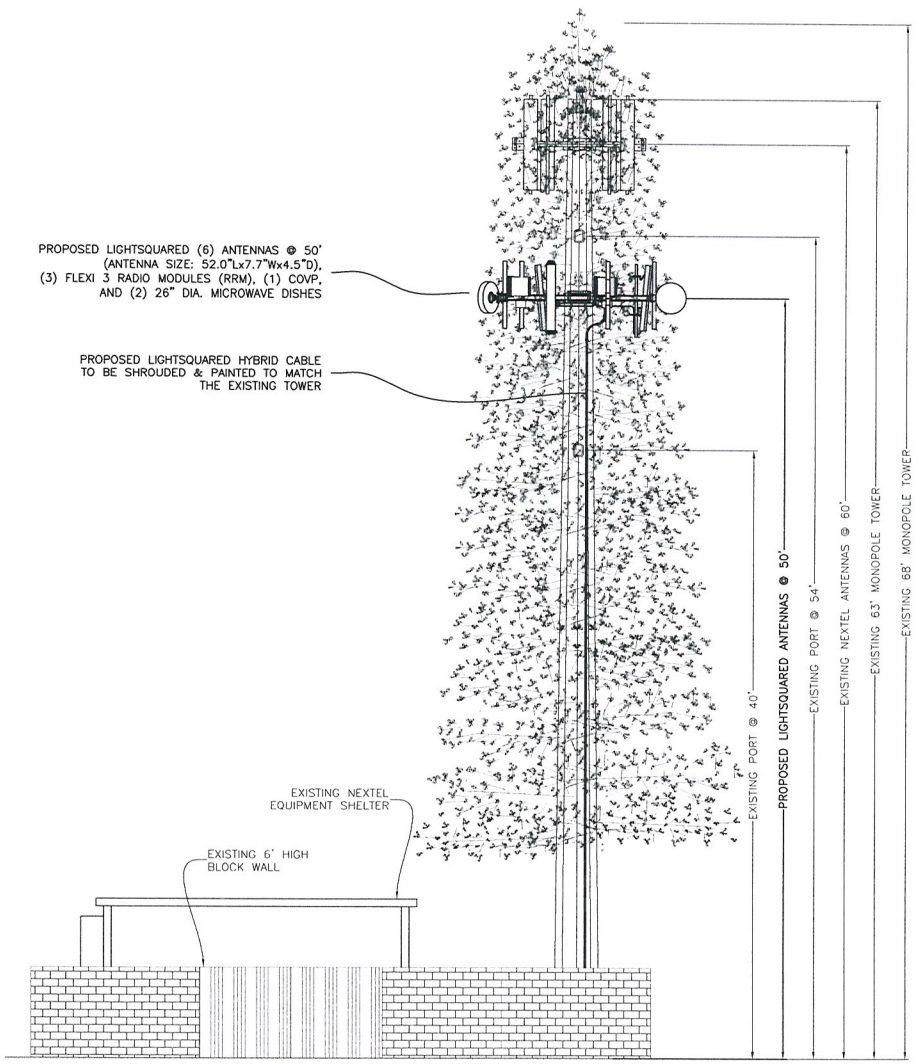
IRVING, TX 75039

LightSquared
10332 FAIRFORDGE BLVD
RESTON, VA 20191

POWDER RIVER
Development Services, LLC
100 E. SHENANGO STREET
SHARPSVILLE, PA 16150
724.962.5999
www.powderriverdev.com

SUBMITTALS



1 SOUTH ELEVATION

SCALE:
2" 0 2" 4" 6"
1/8"=1' (11x17)
1/4"=1' (24x36)

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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

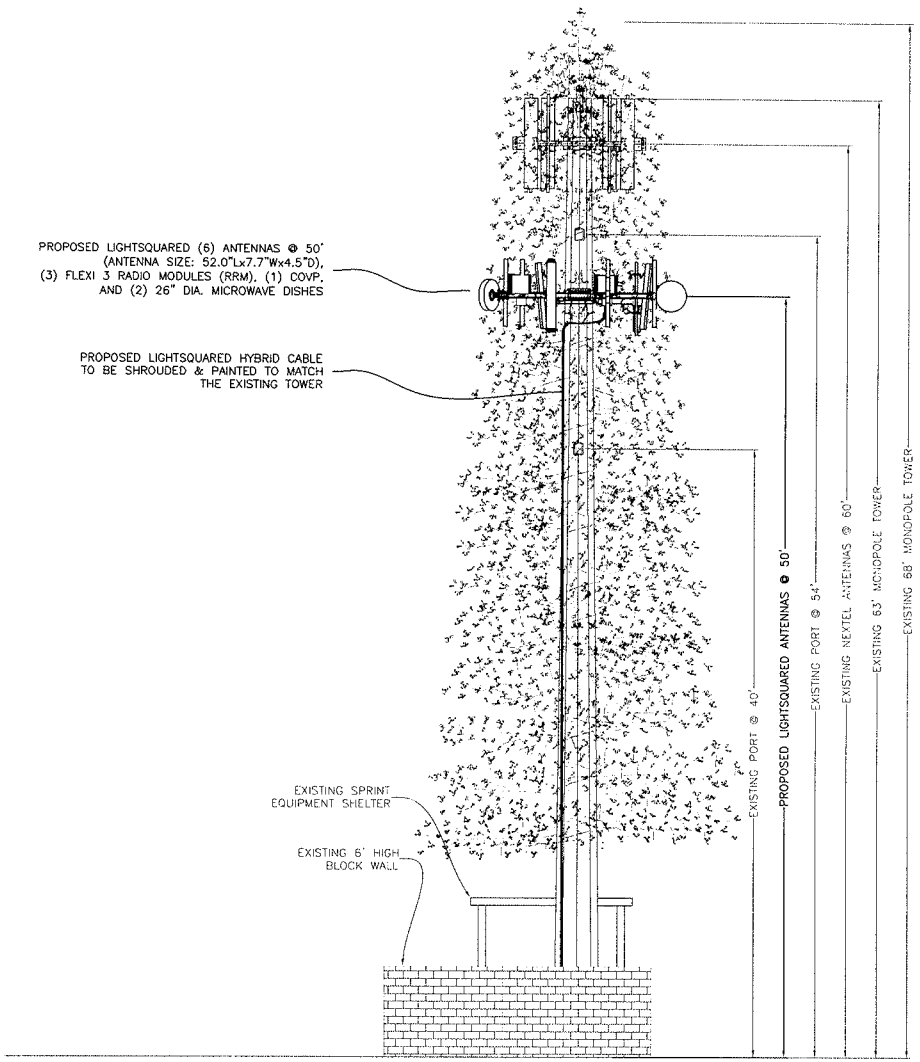
PROJ. NO.: [illegible]
CHECKED BY: G.W.C.

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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Nokia Siemens Networks
6000 CONNECTION DRIVE
IRVING, TX 75039

LightSquared

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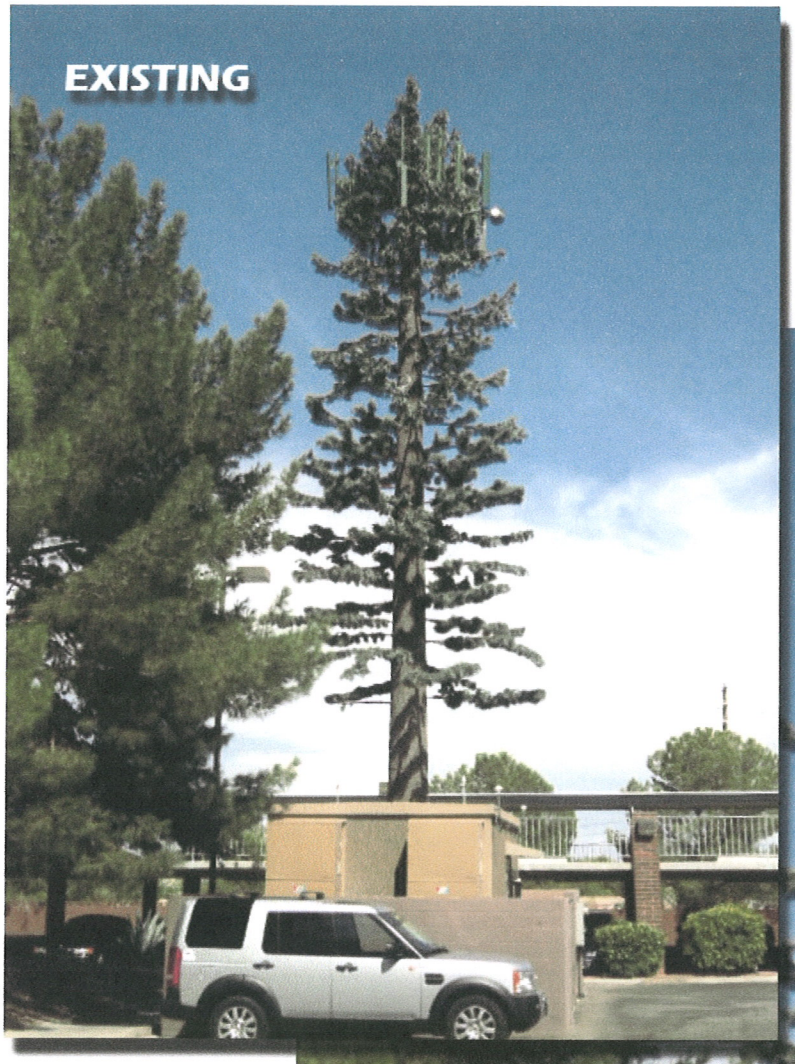
724.962.5999
www.powderriverdev.com

SITE INFORMATION
TMUSNVLVGS0156-C1
3811 W CHARLESTON BLVD
LAS VEGAS, NV 89102

SHEET TITLE
ELEVATION

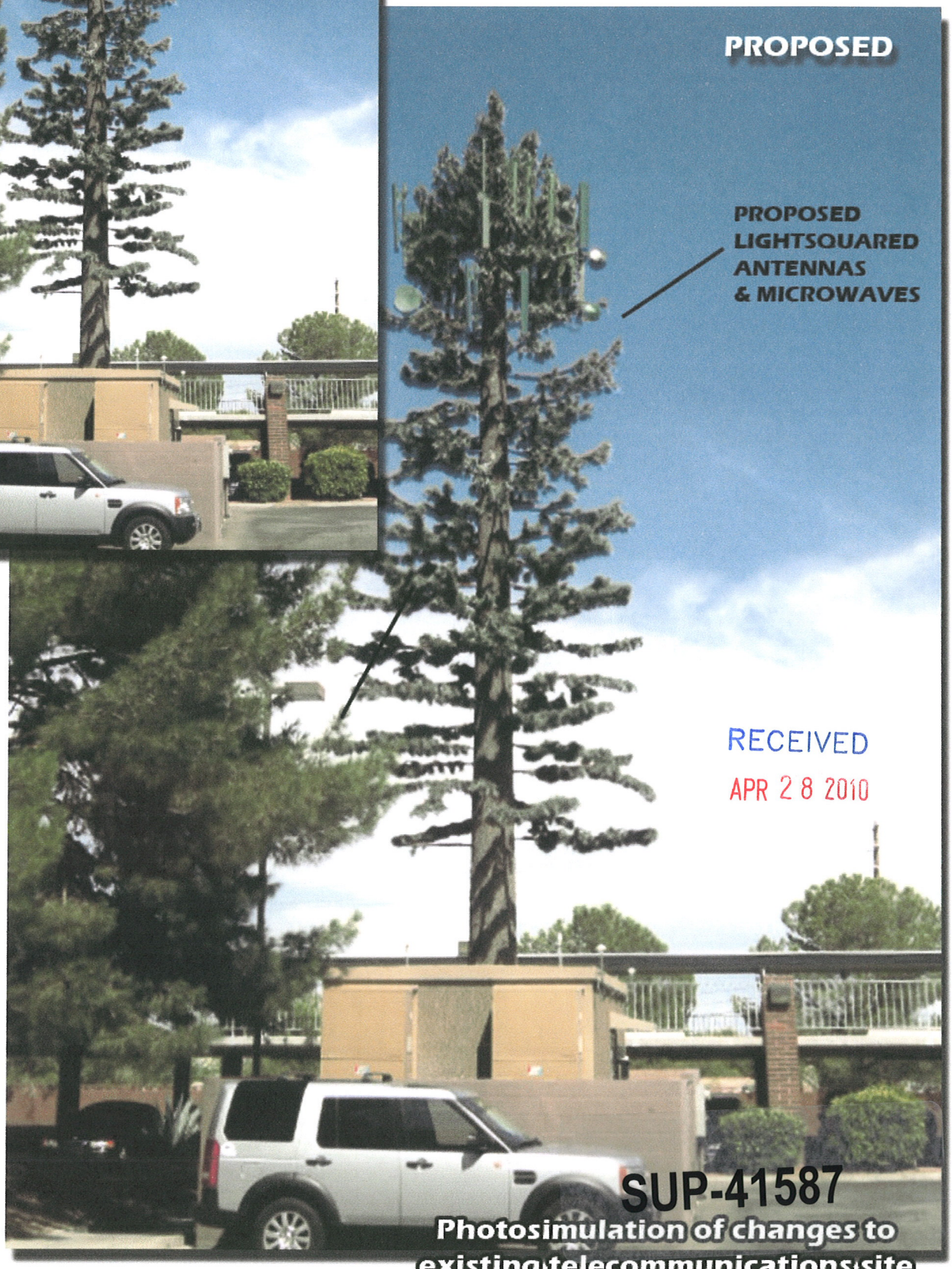
SHEET NUMBER
Z-3

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

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SUP-41587
POWDER RIVER
Development Services, LLC

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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CITY CLERK

PRESORTED
FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
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

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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



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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

BARRELLO LOURDES & MANUEL
7864 WISHING WELL RD
LAS VEGAS NV 89123-2013

APN#16205113019

29 FRDFN11 89123

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Consultant Medical Electr
Jul 18 11 02:05a
07/18/2011 MON 10:46 [TX/RX NO 9815] 001

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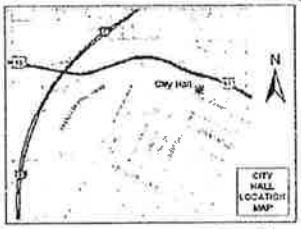
City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

Return Service Requested
Official Notice of Public Hearing



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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

NEALY JESS H III
1236 DOUGLAS DR
LAS VEGAS NV 89102-1816

APN#16205113039

32 FRDFNIA 89102

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

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2011 JUL 11 P 12 23

PRESORTED FIRST CLASS

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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

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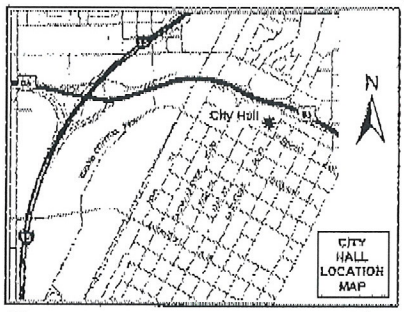
Return Service Requested
Official Notice of Public Hearing



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.

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

PRESORTED
FIRST CLASS

UNITED STATES POSTAGE
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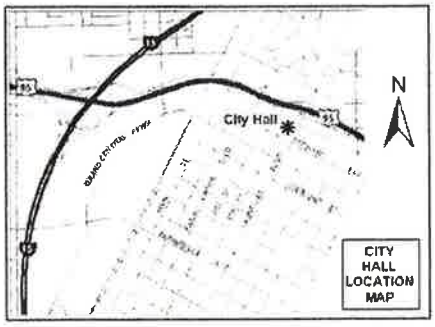
Return Service Requested
Official Notice of Public Hearing



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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

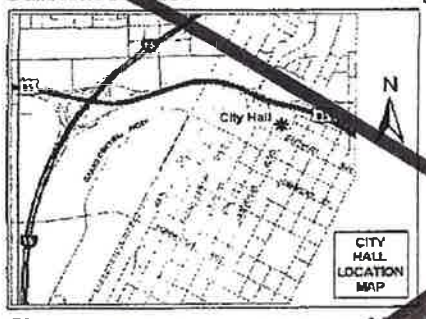
Please use available blank space on card for your comments.

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

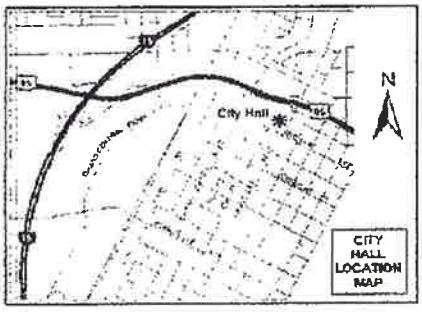
PENNPLUS L L C
1770 WESTWIND RD
LAS VEGAS NV 89146-0301

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

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City of Las Vegas Agenda Item No.: **71.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

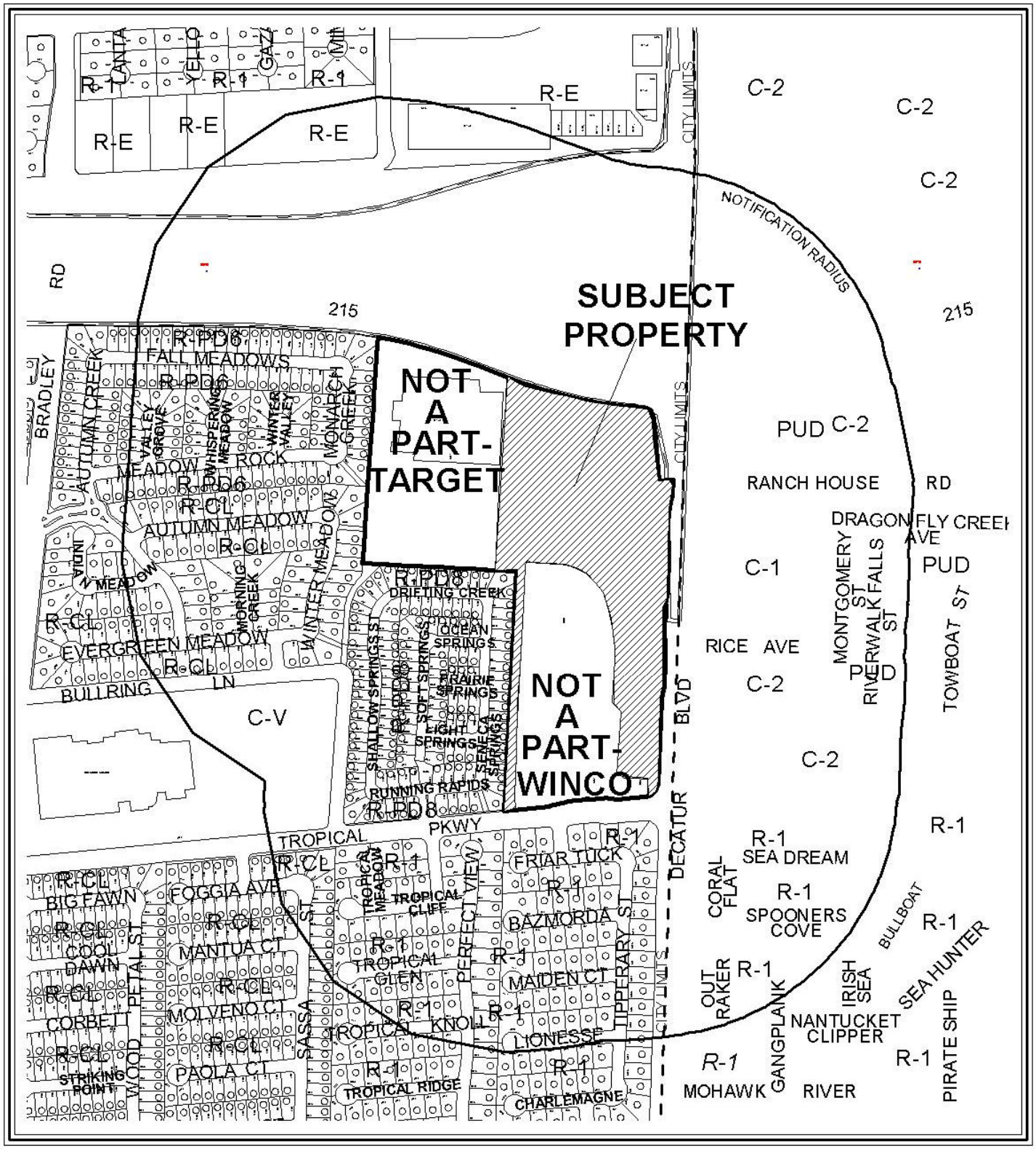
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
ROC-41851 – ABEYANCE ITEM - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT: WEINGARTEN REALTY INVESTORS - OWNER: DECATUR 215, LLC – For possible action on a Request for a Review of Condition of a previously approved Site Development Plan Review (SDR-22582) TO DELETE CONDITION #5 THAT REQUIRED 24-HOUR SECURITY ON-SITE at 6101-6371 North Decatur Boulevard (APN 125-25-614-001), C-1 (Limited Commercial) Zone, Ward 6 (Ross). Staff recommends DENIAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**12**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Request for Abeyance – Submitted by Applicant
4. Supporting Documentation
5. City Council Approval Letter for SDR-22582
6. Planning Commission Approval Letter for SDR-40223
7. Justification Letter
8. Protest Postcards – July 6, 2011 City Council Meeting



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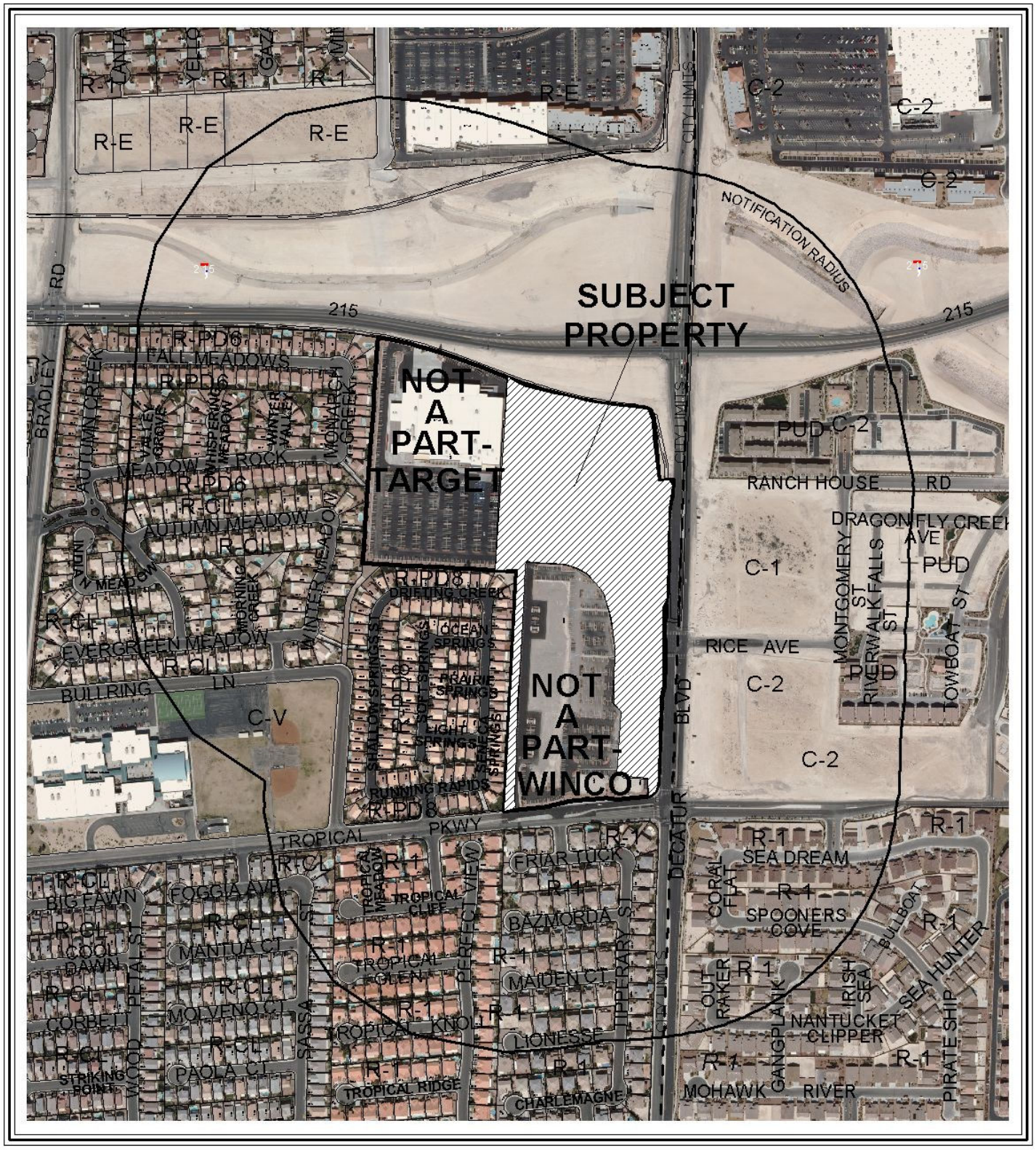
CASE: **ROC-41851**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)



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CASE: **ROC-41851**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: SEPTEMBER 7, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: WEINGARTEN REALTY INVESTORS - OWNER: DECATUR 215, LLC

THIS ITEM WAS HELD IN ABEYANCE FROM THE AUGUST 3, 2011 CITY COUNCIL MEETING AT THE REQUEST OF COUNCILMAN ANTHONY

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

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
ROC-41851	Staff recommends DENIAL, if approved subject to conditions:	None

**** CONDITIONS ****

ROC-41851 CONDITIONS

Planning

1. Condition Number 5 of Site Development Plan Review (SDR-22582) shall be deleted.

2. Conformance to the conditions of approval of the Site Development Plan Review (SDR-22582) and all other site related actions as required by the Department of Planning and Department of Public Works.

DS

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Review of Condition to delete Condition #5 of a previously approved Site Development Plan Review (SDR-22582) that required 24-hour security on-site for a 458,053 square-foot retail shopping center located at the northwest corner of Decatur Boulevard and Tropical Parkway. Numerous building permits have been issued for the shopping center. There is currently one retail establishment (Target) open for business. A Site Development Plan Review (SDR-40223) was approved on 01/25/11 for a proposed 94,683 square-foot grocery store as part of the shopping center with plans (Plan Check #41561) submitted for review on 04/27/11.

Though Target currently provides their own security and the proposed grocery store (to open in 2012) will have their own security, there is no provision in the Site Development Plan Review (SDR-22582) or an established process to monitor whether existing businesses provide security or decide to terminate it. Additionally, as only two businesses within the shopping center will be open by 2012, deleting the requirement for 24-hour security leaves a lack of security for the remaining areas not yet constructed; therefore, staff is recommending denial of this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
12/08/97	The City Council approved a request for Rezoning (Z-0109-97) from R-E (Residence Estates) and R-E (Residence Estates) under Resolution of Intent to R-PD8 (Residential Planned Development- 8 Units per Acre) to C-1 (Limited Commercial) on property located on the west side of Decatur Boulevard between Centennial Parkway and Tropical Parkway for a proposed 298,603 square-foot commercial shopping center. The Planning Commission recommended approval.
06/06/01	The City Council approved a request to amend a portion of the Centennial Hills Sector Plan of the General Plan (GPA-0008-01) from M (Medium Density Residential) to SC (Service Commercial) for 3.6 acres located on the south side of the northern beltway alignment, approximately 630 feet west of Decatur Boulevard. The Planning Commission recommended approval.
	The City Council approved a related request for Rezoning (Z-0018-01) from R-E (Residence Estates) under Resolution of Intent to R-PD8 (Residential Planned Development – 8 Units per Acre) to C-1 (Limited Commercial).
07/06/11	The City Council voted (7-0) to hold this item in abeyance to the August 3, 2011 City Council meeting.
08/03/11	The City Council voted (7-0) to hold this item in abeyance to the September 7, 2011 City Council meeting.

Related Relevant City Actions by P&D, Fire, Bldg., etc	
07/05/01	The City Council approved a request for a Site Development Plan Review [(Z-0018-01(1), Z-0109-97(1), and Z-0110-97(2)] for a proposed 262,640 square-foot retail commercial development on 27.6 acres on the south side of the northern beltway alignment, west of Decatur Boulevard. The Planning Commission recommended approval.
08/20/03	The City Council approved a request for an Extension of Time (EOT-2504) of a previously approved Rezoning (Z-0018-01) from R-E (Residence Estates) under Resolution of Intent to R-PD8 (Residential Planned Development – 8 Units per Acre) to C-1 (Limited Commercial) on 3.6 acres adjacent to the south side of the northern beltway alignment, approximately 630 feet west of North Decatur Boulevard. Staff recommended approval.
	The City Council approved a related request for an Extension of Time (EOT-2502) of a previously approved Site Development Plan Review [(Z-0018-01(1), Z-0109-97(1), and Z-0110-97(2)] for a proposed 262,640 square-foot retail commercial development.
05/19/04	The City Council approved a request for a Petition to Vacate (VAC-4012) a public sewer and drainage easement generally located west of Decatur Boulevard, north of Tropical Parkway. The Planning Commission and staff recommended approval.
08/12/04	The Planning Commission approved a request for a Tentative Map (TMP-3624) for a two-lot commercial subdivision on 27.38 acres adjacent to the northwest corner of Decatur Boulevard and Tropical Parkway. Staff recommended approval.
07/20/05	The City Council approved a request for an Extension of Time (EOT-6798) of a previously approved Rezoning (Z-0018-01) from R-E (Residence Estates) to C-1 (Limited Commercial) on 3.6 acres adjacent to the south side of the northern beltway alignment, approximately 630 feet west of Decatur Boulevard. Staff recommended approval.
	The City Council approved a related request for an Extension of Time (EOT-6799) of a previously approved Site Development Plan Review [(Z-0018-01(1), Z-0109-97(1), and Z-0110-97(2)] for a proposed 262,640 square-foot retail commercial development.
06/06/07	The City Council approved a request for an Extension of Time (EOT-20771) of a previously approved Rezoning (Z-0018-01) from R-E (Residence Estates) to C-1 (Limited Commercial) on 3.6 acres adjacent to the south side of the northern beltway alignment, approximately 630 feet west of Decatur Boulevard. Staff recommended approval.
09/19/07	The City Council approved a request to amend a portion of the Northwest Sector Plan of the General Plan (GPA-22584) from M (Medium Density Residential) to SC (Service Commercial) on 9.05 acres on the south side of CC 215, approximately 730 feet west of Decatur Boulevard. The Planning Commission and staff recommended approval.

09/19/07	The City Council approved a request for Rezoning (ZON-22583) from R-E (Residence Estates) under Resolution of Intent to R-PD15 (Residential Planned Development- 15 Units per Acre) to C-1 (Limited Commercial).
	The City Council approved a request for a Site Development Plan Review (SDR-22582) for a 458,053 square-foot retail center. The Planning Commission recommended approval: staff recommended denial.
11/29/07	The Planning Commission approved a request for a Tentative Map (TMP-25055) for a one-lot commercial subdivision on 36.43 acres at the northwest corner of Decatur Boulevard and Tropical Parkway. Staff recommended approval.
12/05/07	The City Council approved a request for a Review of Condition (ROC-25100) to remove Condition #1 of an approved Extension of Time (EOT-20771) which stated that this Rezoning (Z-0018-01) shall expire on June 6, 2008 unless another Extension of Time is approved on 3.6 acres at the northwest corner of Decatur Boulevard and Tropical Parkway. Staff recommended approval.
02/20/08	The City Council approved a request for a Master Sign Plan (MSP-25930) for an approved 458,053 square-foot retail center on 36.43 acres at the northwest corner of Decatur Boulevard and Tropical Parkway. The Planning Commission and staff recommended approval.
04/16/08	The City Council approved a request for a Petition to Vacate (VAC-26687) a portion of Decatur Boulevard, a 30-foot access, drainage and public sewer easement, a 43-foot public drainage, access, public sewer easement and a 56-foot public drainage easement generally located at the northwest corner of Decatur Boulevard and Tropical Parkway. The Planning Commission and staff recommended approval.
04/28/08	The Planning and Development Department approved a request for a Final Map Technical Review (FMP-27567) for "Decatur & Tropical." The map was recorded on 06/25/08, CLV Drawing #107Y4968.
01/25/11	The Planning Commission approved a request for a Special Use Permit (SUP-40225) for an Accessory Package Liquor Off-Sale establishment use within a proposed 94,683 square-foot grocery store at 6101 North Decatur Boulevard. The Planning Commission and staff recommended approval.
	The Planning Commission approved a related request for a Variance (VAR-40226) to allow an eight-foot solid wall in the front yard where a five-foot wall with two feet solid and three feet open is the maximum height allowed.
	The Planning Commission approved a related request for a Site Development Plan Review (SDR-40223) for a proposed 94,683 square-foot grocery store operating 24-hours, seven days a week, with a waiver to allow a 10-foot perimeter landscape buffer along the south property line where 15 feet is required.

Most Recent Change of Ownership	
N/A	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
06/11/08	Plan Check #27601 was issued for onsite improvements- trash enclosures at 6101 North Decatur Boulevard. The plans were approved by applicable departments.
09/29/09	A business license (G11-00021) was issued for General Merchandise Sales at 6371 North Decatur Boulevard. The license is still active.
09/29/09	A business license (Q04-00106) was issued for a Pharmacy Firm at 6371 North Decatur Boulevard. The license is still active.
03/24/11	Plan Check #40972 was issued for alternative materials and methods at 6101 North Decatur Boulevard. The plans were approved by applicable departments.
04/27/11	Plan Check #41561 was processed for a Grocery Store at 6101 North Decatur Boulevard. The plans are still being reviewed by various departments.
Numerous permits have been issued and finalized for the proposed shopping center.	

Pre-Application Meeting	
03/17/11	A pre-application meeting was held with the applicant to discuss the submittal requirements for a Review of Condition of a previously approved Site Development Plan Review (SDR-22582) to delete condition #5.

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 landscaping areas being properly maintained with no trash/debris in the surrounding areas. No discrepancies were noted.

Details of Application Request	
Site Area	
Gross Acres	25.26

Surrounding Property	*Existing Land Use Per Title 19.12*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	Partially Developed Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	I-215	ROW (Right-of-Way)	ROW (Right-of-Way)
South	Single Family Residences	ML (Medium-Low Density Residential)	R-1 (Single Family Residences)
East	Undeveloped Land and Single Family Residences	North Las Vegas	North Las Vegas
West	Retail Establishment	SC (Service Commercial)	C-1 (Limited Commercial)
	Single Family Residences	M (Medium Density Residential)	R-PD8 (Residential Planned Development- 8 Units per Acre)

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 applicant is requesting a Review of Condition to delete Condition #5 of a previously approved Site Development Plan Review (SDR-22582) that required 24-hour security on-site for a 458,053 square-foot retail shopping center located at the northwest corner of Decatur Boulevard and Tropical Parkway. The City Council requested condition #5 as a condition of approval in the Site Development Plan Review (SDR-22582) due to security concerns by the surrounding community. Numerous building permits have been issued for the shopping center. There is currently one retail establishment (Target) open for business. A Site Development Plan Review (SDR-40223) was approved on 01/25/11 for a proposed 94,683 square-foot grocery store as part of the shopping center with plans (Plan Check #41561) submitted for review on 04/27/11.

The Target store provides security during their hours of operation. The proposed grocery store (anticipated opening in 2012) will be open 24-hours a day, seven days a week and will provide their own security. No other Site Development Plan Reviews have been approved for the retail shopping center.

FINDINGS

Though Target currently provides their own security and the proposed grocery store (to open in 2012) will have their own security, there is no provision in the Site Development Plan Review (SDR-22582) or an established process to monitor whether existing businesses provide security or decide to terminate it. Additionally, as only two businesses within the shopping center will be open by 2012, deleting the requirement for 24-hour security leaves a lack of security for the remaining areas not yet constructed; therefore, staff is recommending denial of this request.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

NOTICES MAILED 659 (By Planning)

APPROVALS 0

PROTESTS 12

From: Doug Rankin
To: Agenda Items; Carman Burney
Cc: Flinn Fagg; Deborah Sullivan; Steve Gebeke
Subject: ROC-41851 request for abeyance
Date: Monday, August 22, 2011 8:37:52 AM

Please note the request below.

Please note that starting Monday, January 24th the Planning & Development Department will have moved to our new location at 333 N. Rancho Drive (at Bonanza Rd.). We appreciate your patience as we relocate our offices.

Doug Rankin, AICP
Planning Manager
City of Las Vegas
229-5408

From: Lance Sherwood [mailto:LSherwood@Weingarten.com]
Sent: Thursday, August 18, 2011 8:13 AM
To: Doug Rankin
Cc: Michelle Thackston
Subject: RE: Decatur 215 - 24 Hour Security Neighborhood Meeting

Doug:

Weingarten formally requests that the ROC for 24 –hour security at Decatur 215 be held over to the September 21st City Council Meeting.

Thanks for your help.

Sincerely,

Lance

Lance L. Sherwood, LEED® AP BD+C
Senior Development Manager

WEINGARTEN REALTY
4440 North 36th Street, Suite 200 | Phoenix, AZ 85018
602.217.8863 O | 602.513.0278 C | 602.263.8852 F
People-to-People. Coast-to-Coast.

From: Doug Rankin [mailto:drankin@LasVegasNevada.GOV]
Sent: Thursday, August 18, 2011 7:12 AM
To: Lance Sherwood
Cc: Michelle Thackston
Subject: RE: Decatur 215 - 24 Hour Security Neighborhood Meeting

If you could provide me a formal request to hold the item to the September 21st City Council Meeting, I will ensure it is forward to the Clerk's Office so that the City Council may act upon it.

Please note that starting Monday, January 24th the Planning & Development Department will have moved to our new location at 333 N. Rancho Drive (at Bonanza Rd.). We appreciate your patience as we relocate our offices.

Doug Rankin, AICP
Planning Manager
City of Las Vegas
229-5408

From: Lance Sherwood [mailto:LSherwood@Weingarten.com]
Sent: Wednesday, August 17, 2011 4:50 PM
To: Doug Rankin
Cc: Michelle Thackston
Subject: RE: Decatur 215 - 24 Hour Security Neighborhood Meeting

Doug:

Can we push council to late September? I am going to be traveling quite a bit in the near future. My schedule should clear up by then.

Thanks,

Lance

Lance L. Sherwood, LEED® AP BD+C
Senior Development Manager

WEINGARTEN REALTY
4440 North 36th Street, Suite 200 | Phoenix, AZ 85018
602.217.8863 O | 602.513.0278 C | 602.263.8852 F
People-to-People. Coast-to-Coast.

From: Doug Rankin [mailto:drankin@LasVegasNevada.GOV]
Sent: Monday, August 15, 2011 4:13 PM
To: Lance Sherwood
Subject: RE: Decatur 215 - 24 Hour Security Neighborhood Meeting

Reminder we need 15 days prior to the neighborhood meeting date to get notice out. Thanks.

Please note that starting Monday, January 24th the Planning & Development Department will have moved to our new location at 333 N. Rancho Drive (at Bonanza Rd.). We

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **ROC-41851** APN: 125-25-614-002

Name of Property Owner: DECATUR 215, LLC

Name of Applicant: WEINGARTEN REALTY INVESTORS

Name of Representative: LANCE L. SHERWOOD

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: Timothy M. Frakes

Subscribed and sworn before me

This 20th day of May, 2011

_____

Notary Public in and for said County and State

CATHY A. MARINE
Notary Public - Arizona
Maricopa County
My Commission Expires
April 14, 2014

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DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: REVIEW OF CONDITION #5 OF SDR-22582

Project Address (Location) 6101-6371 NORTH DECATUR BOULEVARD

Project Name DECATUR 215 **Proposed Use** NO CHANGE PROPOSED

Assessor's Parcel #(s) 125-25-614-002 **Ward #** 6-ROSS

General Plan: existing SC proposed _____ **Zoning:** existing C-1 proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres 16.19 **Lots/Units** 1 **Density** _____

Additional Information _____

PROPERTY OWNER DECATUR 215, LLC **Contact** LANCE L. SHERWOOD

Address P.O. BOX 924133 **Phone:** 602.513.0278 **Fax:** _____

City HOUSTON **State** TX **Zip** 77292-4133

E-mail Address LSHERWOOD@WEINGARTEN.COM

APPLICANT WEINGARTEN REALTY INVESTORS **Contact** LANCE L. SHERWOOD

Address 4440 N. 36TH STREET #200 **Phone:** 602.513.0278 **Fax:** _____

City PHOENIX **State** AZ **Zip** 85018

E-mail Address LSHERWOOD@WEINGARTEN.COM

REPRESENTATIVE SAME **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **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 Timothy M. Fratus

Subscribed and sworn before me

This 20th day of May, 20 11.

Cathy A. Marine

Notary Public in and for said County and State

CATHY A. MARINE
Notary Public - Arizona
Maricopa County
My Commission Expires
April 14, 2014

FOR DEPARTMENT USE ONLY

Case #	ROC-41851
Meeting Date:	7/6/11
Total Fee:	$830.00
Date Received:*	5-23-11
Received By:	

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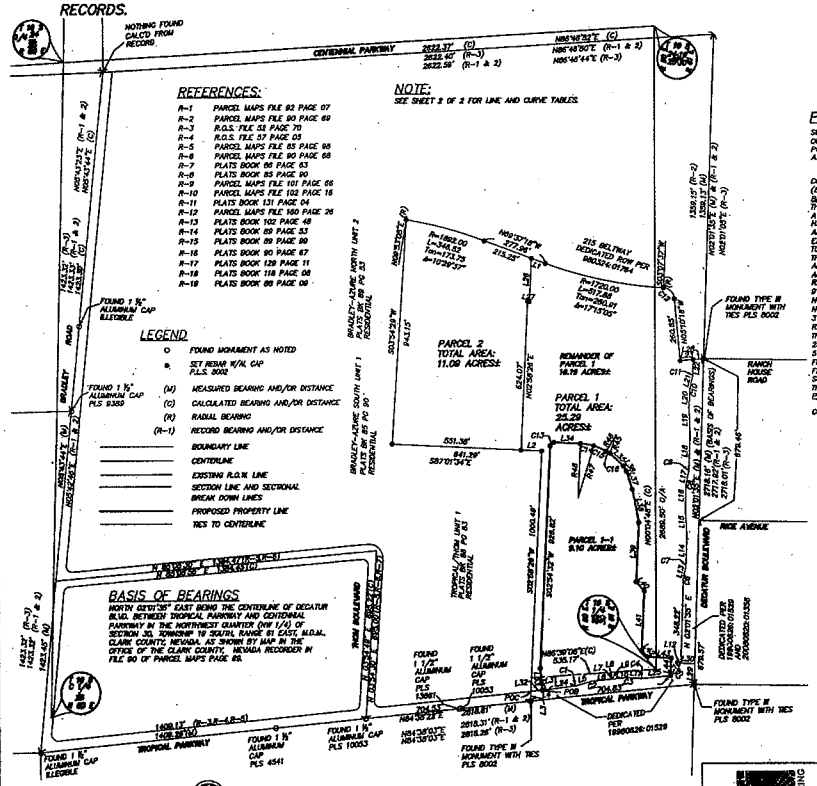
*The application will not be deemed complete until the submitted materials have been reviewed by the Department of Planning for consistency with applicable sections of the Zoning Ordinance.

Revised 10/27/08

RECORD OF SURVEY

DECATUR & TROPICAL

SITUATE IN THE NORTHEAST QUARTER (NE 1/4) OF SECTION 25, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M. AND THE NORTHWEST QUARTER (NW 1/4) OF SECTION 30, TOWNSHIP 19 SOUTH, RANGE 61 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, BEING A PORTION OF LOT 1 AS SHOWN IN BOOK 140 OF PLATS, PAGE 0042, CLARK COUNTY OFFICIAL RECORDS, ALSO BEING A PORTION OF PARCEL 1 AS SHOWN IN FILE 174 OF SURVEYS, PAGE 16, CLARK COUNT OFFICIAL RECORDS.


CENTENNIAL PARKWAY
TROPICAL PARKWAY
DECATUR BOULEVARD
RANCHO HOUSE ROAD
RICE AVENUE
BRADLEY ROAD
PARCEL 2 TOTAL AREA: 11.09 ACRES±
REMAINDER OF PARCEL 1 16.19 ACRES±
PARCEL 1 TOTAL AREA: 25.29 ACRES±
PARCEL 1-1 9.10 ACRES±
POB
POC
NOTHING FOUND CALC'D FROM RECORD
FOUND 1 ½" ALUMINUM CAP ILLEGIBLE
FOUND 1 ½" ALUMINUM CAP PLS 10053
FOUND 1 ½" ALUMINUM CAP PLS 4541
FOUND TYPE III MONUMENT WITH TIES PLS 8002
DEDICATED PER BOOK/PAGE 01329
DEDICATED PER INSTRUMENT 20080602:04356
215 BELTWAY DEDICATED ROW PER BOOK/PAGE 01749
BRADLEY-ALPINE SOUTH UNIT 1 PLAT BK 85 PG 30 RESIDENTIAL
BRADLEY-ALPINE NORTH UNIT 2 PLAT BK 85 PG 33 RESIDENTIAL
TROPICAL TOWN UNIT 1 PLAT BK 88 PG 83 RESIDENTIAL
N 89°46'32" E 2622.37' (M)
N 89°46'44" E 2622.59' (R-3)
S 89°46'32" W 1408.30' (M)
1408.13' (R-3)
S 89°46'32" W 1408.30' (M)
S 89°46'44" W 1408.13' (R-3)
N 00°13'28" E 2642.65' (M)
N 00°13'16" E 2642.65' (R-3)
S 00°13'28" W 2642.65' (M)
S 00°13'16" E 2642.65' (R-3)
N 89°46'32" E 2622.37' (C)
2622.59' (R-3)
2622.59' (R-1 & 2)
N 89°46'50" E (R-1 & 2)
N 89°46'44" E (R-3)
N 89°46'32" E 1408.30' (M)
1408.13' (R-3)
S 89°46'32" W 1408.30' (M)
1408.13' (R-3)
S 89°46'44" W 1408.13'

RECORD OF SURVEY

DECATUR & TROPICAL

SITUATE IN THE NORTHEAST QUARTER (NE 1/4) OF SECTION 25, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M. AND THE NORTHWEST QUARTER (NW 1/4) OF SECTION 30, TOWNSHIP 19 SOUTH, RANGE 61 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, BEING A PORTION OF LOT 1 AS SHOWN IN BOOK 140 OF PLATS, PAGE 0042, CLARK COUNTY OFFICIAL RECORDS, ALSO BEING A PORTION OF PARCEL 1 AS SHOWN IN FILE 174 OF SURVEYS, PAGE 16, CLARK COUNT OFFICIAL RECORDS.

LINE TABLE

LINE	BEARING	LENGTH
L1	N59°37'18"W	62.71'
L2	S87°01'34"E	89.91'
L3	S02°58'26"W	60.43'
L4	S84°38'22"W	76.90'
L5	S74°51'10"W	68.17'
L6	S84°38'22"W	80.00'
L7	S05°21'38"E	3.00'
L8	S84°38'22"W	5.00'
L9	S05°21'38"E	3.00'
L10	S84°38'22"W	65.00'
L11	S85°06'08"E	51.96'
L12	N87°58'23"W	5.00'
L13	S72°14'03"W	51.96'
L14	N62°01'38"E	118.48'
L15	S02°36'20"E	123.83'
L16	N62°01'38"E	53.92'
L17	S12°14'03"W	51.96'
L18	N62°01'38"E	154.12'
L19	S01°58'23"E	106.58'
L20	N63°17'58"E	75.78'
L21	S12°51'14"W	51.97'
L22	N72°01'38"E	64.54'
L23	N62°01'38"E	113.37'
L24	N84°38'22"E	115.36'
L25	N02°58'26"E	181.70'
L26	S87°01'34"E	7.67'
L27	N85°48'02"E	45.27'
L28	S02°01'38"W	64.90'
L29	S87°58'23"E	50.00'
L30	S84°38'47"W	27.20'
L31	S84°38'22"W	48.88'
L32	S08°17'28"E	91.08'
L33	N87°01'34"W	113.33'
L34	N45°58'26"E	78.38'
L35	N21°02'34"W	25.01'
L36	N18°13'38"W	79.65'
L37	N11°08'18"W	141.26'
L38	N02°58'26"E	245.30'
L39	N42°01'34"W	52.80'
L40	N02°58'26"E	246.83'
L41	N42°01'34"W	35.97'
L42	N87°01'34"W	102.53'
L43	N02°58'26"E	71.78'
R45	S18°22'17"W	82.11'
R46	S31°05'40"W	82.11'
R47	N17°13'43"E	222.48'
R48	N02°36'52"E	222.48'

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	TANGENT
C1	20.00	2.87	8°30'20"	1.49
C2	30.00	5.12	9°47'13"	2.57
C3	30.00	5.34	10°12'26"	2.68
C4	20.00	3.56	10°12'26"	1.78
C5	54.00	77.86	82°36'27"	47.45
C6	25.00	4.45	10°12'26"	2.23
C7	25.00	4.45	10°12'26"	2.23
C8	25.00	4.45	10°12'26"	2.23
C9	25.00	4.45	10°12'26"	2.23
C10	25.00	4.17	9°33'49"	2.09
C11	25.00	4.72	10°49'40"	2.37
C12	50.00	71.36	81°47'05"	43.24
C13	15.00	23.56	90°00'00"	15.00
C14	227.49	58.03	14°36'51"	29.17
C15	239.40	57.94	13°51'57"	29.11
C16	83.11	18.23	12°33'23"	9.15
C17	54.00	8.29	8°47'55"	4.65
C18	54.00	68.97	72°45'23"	39.78

Mark Lee Quigley PLS 5/22/11

SHEET 2 OF 2

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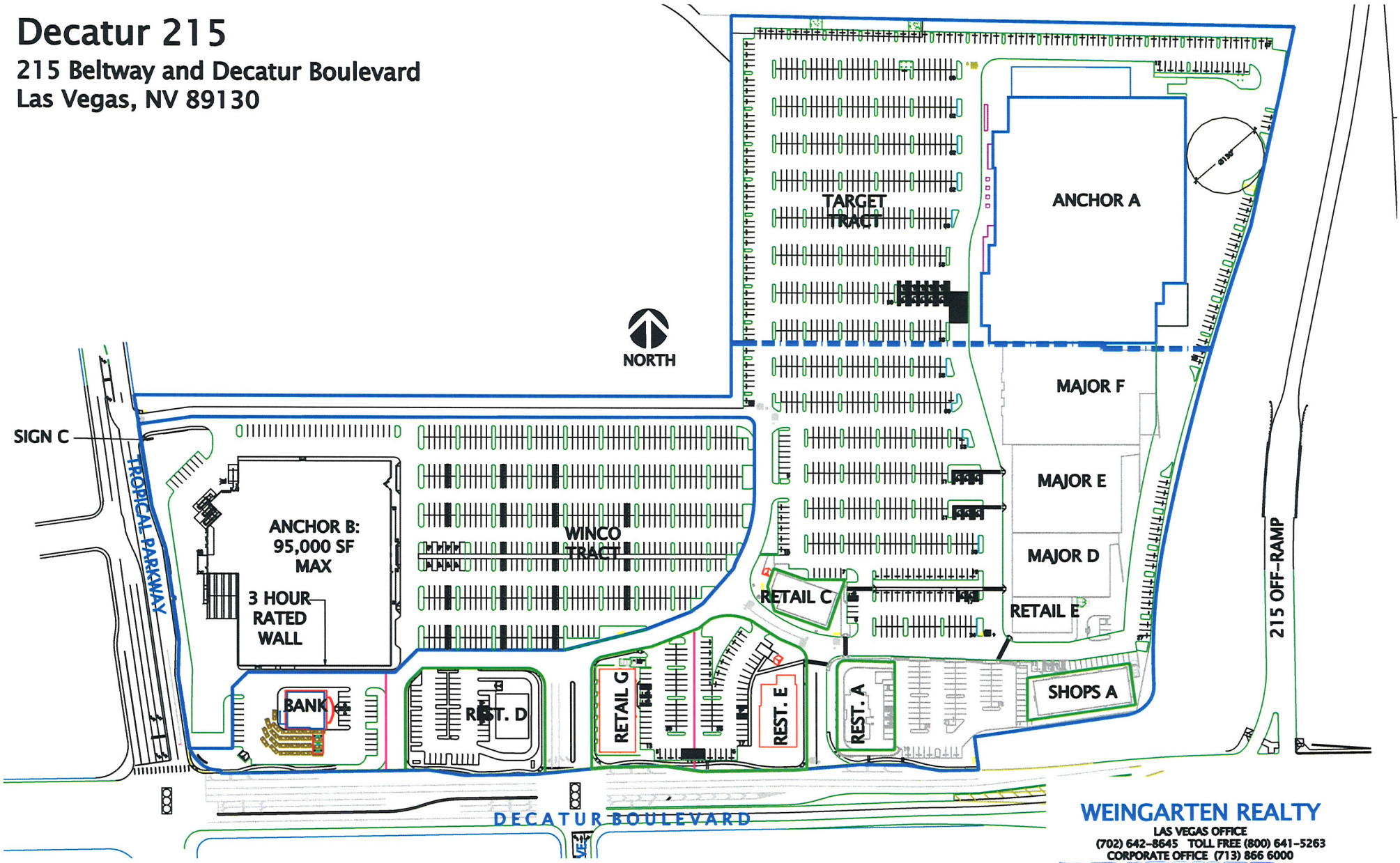
183-0073

ROC-41851

Decatur 215

215 Beltway and Decatur Boulevard
Las Vegas, NV 89130



This site plan is presented solely for the purpose of identifying the approximate location and size of the building presently contemplated by the owner. Building sizes, site dimensions, access and parking areas, existing leases locations and identities are subject to change without notice and at the owners discretion. Unit numbers as indicated are not necessarily the actual suite numbers and are intended for use as a reference only.

Land Area: 1,586,891 sf./ 36.43 Acres
Building Area: 374,297 sf.
Parking: 1,953 Spaces @ 5.22 /1000sf.

Scale: 1"=100'
Rev.: 02-14-2011

WEINGARTEN REALTY
LAS VEGAS OFFICE
(702) 642-8645 TOLL FREE (800) 641-5263
CORPORATE OFFICE (713) 866 6000
www.weingarten.com

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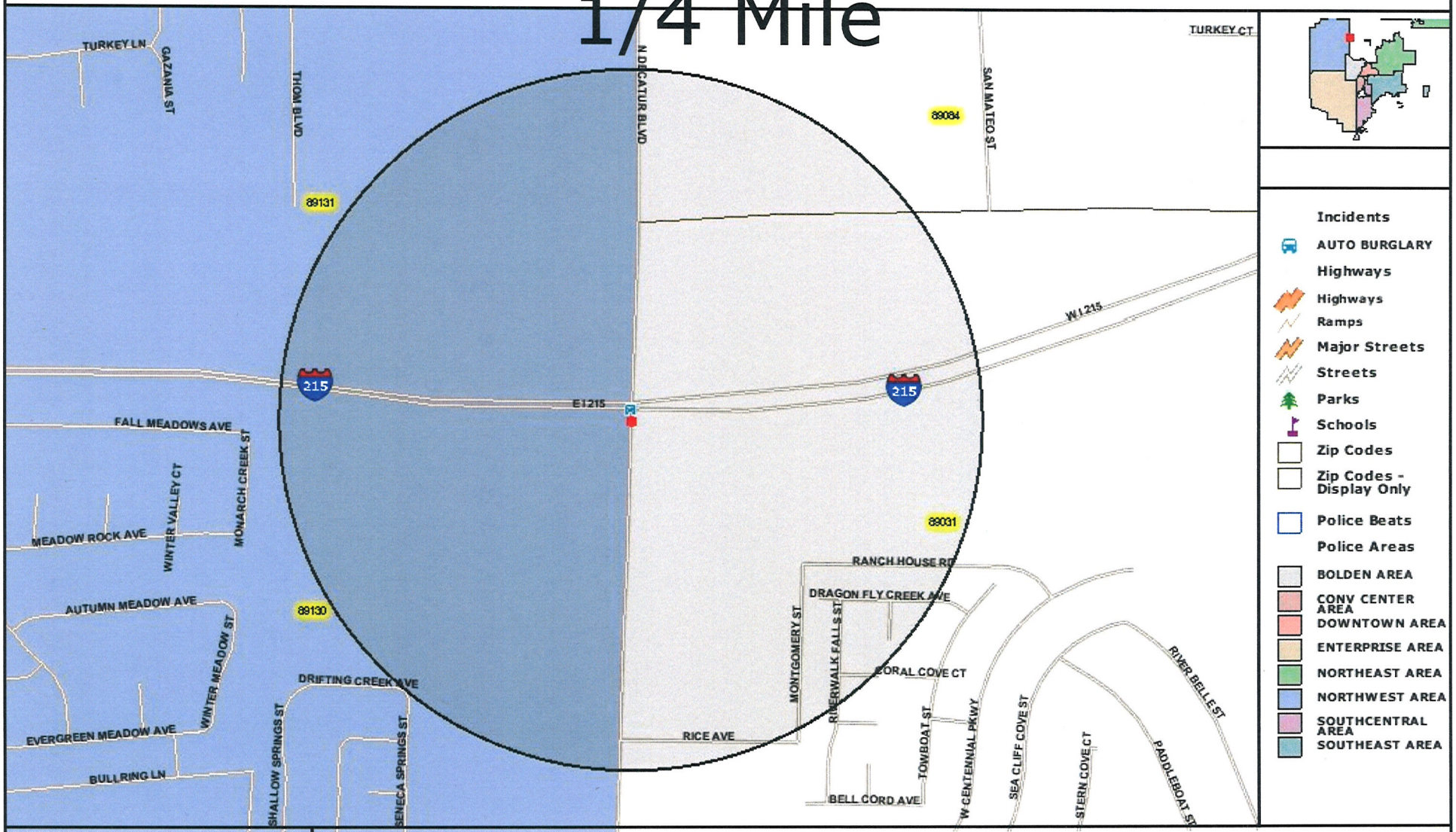
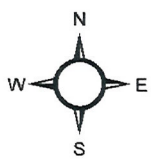
Crime
1/4 Mile





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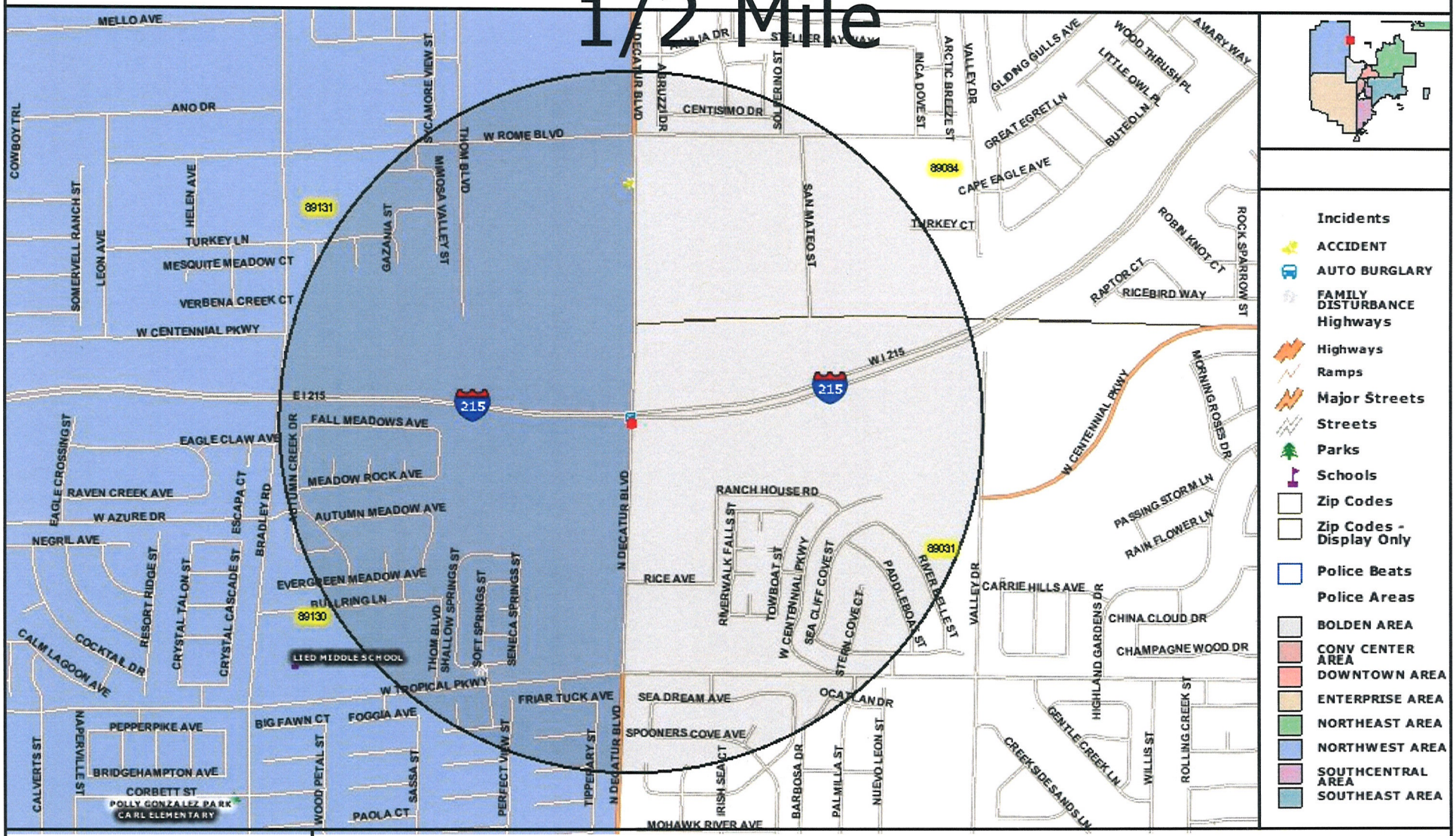
ROC-41851 zero

Crime
1/2 Mile



Incidents
- ACCIDENT
- AUTO BURGLARY
- FAMILY DISTURBANCE

Highways
- Highways
- Ramps
- Major Streets
- Streets
- Parks
- Schools
- Zip Codes
- Zip Codes - Display Only
- Police Beats

Police Areas
- BOLDEN AREA
- CONV CENTER AREA
- DOWNTOWN AREA
- ENTERPRISE AREA
- NORTHEAST AREA
- NORTHWEST AREA
- SOUTHCENTRAL AREA
- SOUTHEAST AREA

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Summary Report		
Crime Type	**Total**	**Chart**
AUTO BURGLARY	1	
Grand Total	**1**	

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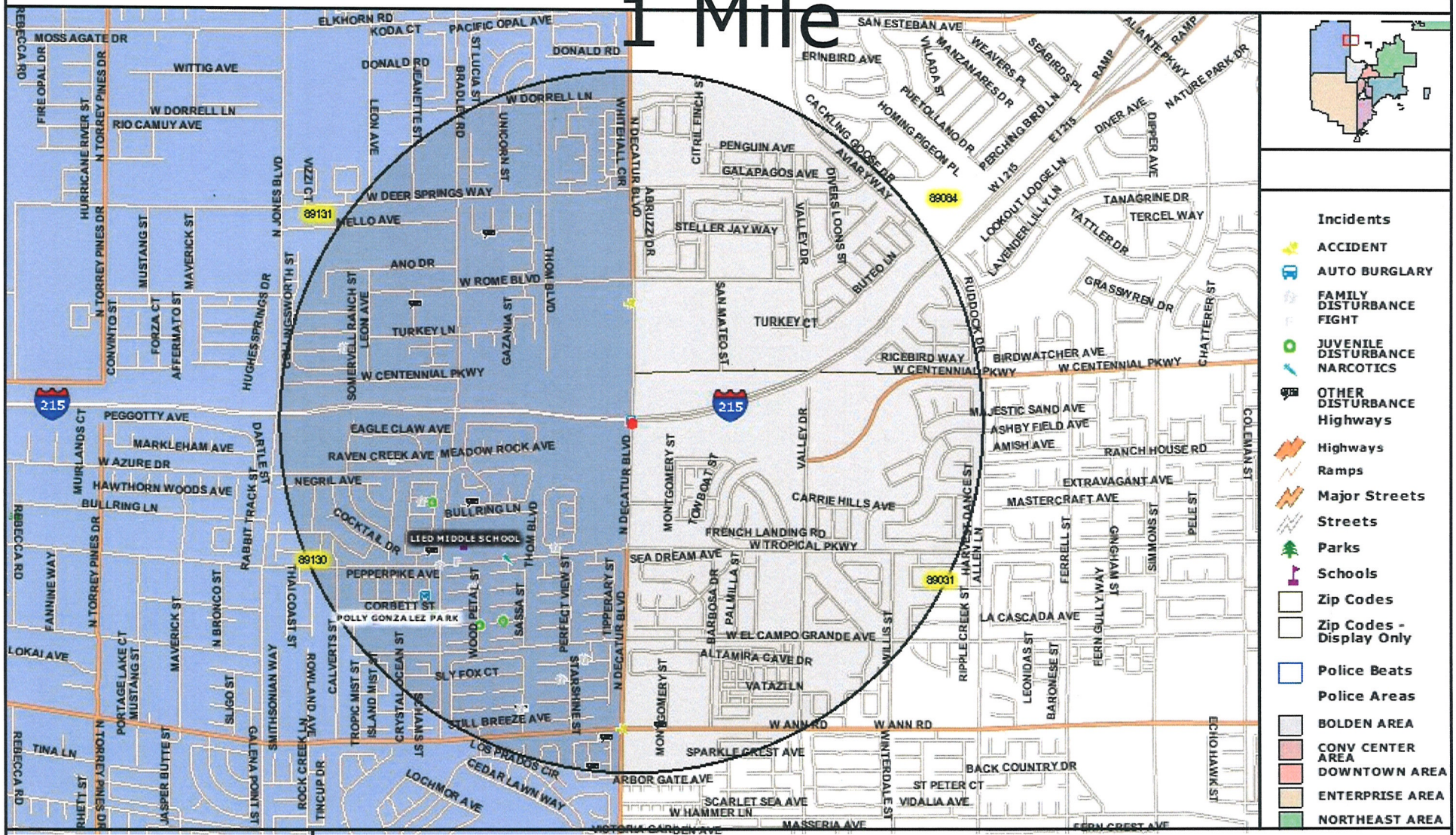
Crime
1 Mile



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1 mile

Summary Report		
Crime Type	**Total**	**Chart**
ACCIDENT (TRAFFIC)	2	
AUTO BURGLARY	2	
FAMILY DISTURBANCE	14	
FIGHT	1	
JUVENILE DISTURBANCE	3	
NARCOTICS	1	
OTHER DISTURBANCE	6	
Grand Total	**29**	

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Detailed Incident Report (Sorted Ascending By Crime Type)					
#	Case #	Crime Type	Date	Time	100 Block
1	LLV110205003154	ACCIDENT (TRAFFIC)	20110205	17:45:50	6500 HUNDRED BLOCK OF N DECATUR BLVD
2	LLV110219001787	ACCIDENT (TRAFFIC)	20110219	11:22:35	W ANN RD&N DECATUR BLVD
3	LLV110207002469	AUTO BURGLARY	20110207	15:30:06	N DECATUR BLVD&E I 215
4	LLV110223000986	AUTO BURGLARY	20110223	07:29:33	5900 HUNDRED BLOCK OF OAKTON ST
5	LLV110130002983	FAMILY DISTURBANCE	20110130	17:49:12	W ANN RD&N DECATUR BLVD
6	LLV110208002002	FAMILY DISTURBANCE	20110208	12:52:25	BRADLEY RD&W TROPICAL PKWY
7	LLV110209003512	FAMILY DISTURBANCE	20110209	18:34:33	5500 HUNDRED BLOCK OF RAINCREEK AVE
8	LLV110210000612	FAMILY DISTURBANCE	20110210	04:49:25	5500 HUNDRED BLOCK OF RAINCREEK AVE
9	LLV110210002784	FAMILY DISTURBANCE	20110210	16:07:03	5400 HUNDRED BLOCK OF BRIDGEHAMPTON AVE
10	LLV110211004362	FAMILY DISTURBANCE	20110211	20:58:59	5600 HUNDRED BLOCK OF RAVEN CREEK AVE
11	LLV110212003683	FAMILY DISTURBANCE	20110212	19:09:26	5500 HUNDRED BLOCK OF RAINCREEK AVE
12	LLV110215003807	FAMILY DISTURBANCE	20110215	20:52:29	4900 HUNDRED BLOCK OF SPARKLING SKY AVE
13	LLV110215003841	FAMILY DISTURBANCE	20110215	21:01:34	5000 HUNDRED BLOCK OF FROZEN SPRINGS CT
14	LLV110220001769	FAMILY DISTURBANCE	20110220	10:44:57	5800 HUNDRED BLOCK OF MCLENNAN RANCH AVE
15	LLV110222003787	FAMILY DISTURBANCE	20110222	18:57:25	5000 HUNDRED BLOCK OF RUNNING RAPIDS AVE
16	LLV110222004724	FAMILY DISTURBANCE	20110222	23:26:30	5300 HUNDRED BLOCK OF COOL DAWN CT
17	LLV110226001946	FAMILY DISTURBANCE	20110226	12:26:15	5100 HUNDRED BLOCK OF YELLOW DAWN CT
18	LLV110226003689	FAMILY DISTURBANCE	20110226	19:42:32	5500 HUNDRED BLOCK OF RAINCREEK AVE
19	LLV110215002301	FIGHT	20110215	14:31:36	5300 HUNDRED BLOCK OF W TROPICAL PKWY
20	LLV110222002564	JUVENILE DISTURBANCE	20110222	14:15:16	5400 HUNDRED BLOCK OF RAINCREEK AVE
21	LLV110226003710	JUVENILE DISTURBANCE	20110226	19:45:29	5200 HUNDRED BLOCK OF PAOLA CT
22	LLV110226004229	JUVENILE DISTURBANCE	20110226	21:34:35	5800 HUNDRED BLOCK OF WOOD PETAL ST
23	LLV110209004738	NARCOTICS	20110209	23:57:45	CAPUA ST&W TROPICAL PKWY
24	LLV110205003258	OTHER DISTURBANCE	20110205	18:10:26	5300 HUNDRED BLOCK OF EVERGREEN MEADOW AVE
25	LLV110211003735	OTHER DISTURBANCE	20110211	18:29:20	5300 HUNDRED BLOCK OF BLUE EVERGREEN AVE
26	LLV110212001998	OTHER DISTURBANCE	20110212	12:15:51	4800 HUNDRED BLOCK OF MINTURN AVE
27	LLV110212002275	OTHER DISTURBANCE	20110212	13:47:54	6000 HUNDRED BLOCK OF CRYSTAL CASCADE ST
28	LLV110214002249	OTHER DISTURBANCE	20110214	13:17:46	5100 HUNDRED BLOCK OF YELLOW DAWN CT
29	LLV110219004355	OTHER DISTURBANCE	20110219	22:34:53	6500 HUNDRED BLOCK OF HELEN AVE

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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

November 9, 2007

Mr. Phillip Nourafchan
Decatur IV, LLC
3110 South Durango Drive, Suite #203
Las Vegas, Nevada 89117

RE: SDR-22582 – SITE DEVELOPMENT PLAN REVIEW
CITY COUNCIL MEETING OF SEPTEMBER 19, 2007
RELATED TO GPA-22584 AND ZON-22583

Dear Mr. Nourafchan:

The City Council at a regular meeting held September 19, 2007 APPROVED the request for a Site Development Plan Review FOR A 458,053 SQUARE FOOT RETAIL CENTER on 36.43 acres at the northwest corner of Decatur Boulevard and Tropical Parkway (APNs 125-25-501-010, 125-25-601-022, and 125-25-601-023), C-1 (Limited Commercial) Zone and R-E (Residence Estates) Zone under Resolution of Intent to R-PD15 (Residential Planned Development - 15 Units Per Acre) [PROPOSED: C-1 (Limited Commercial)]. The Notice of Final Action was filed with the Las Vegas City Clerk on September 20, 2007. This approval is subject to:

Added Conditions:

A. The driveway that aligns with Rice Avenue shall be designed to allow a maximum of two northbound left turning movements and shall have a minimum unimpeded throat depth of 250 feet.

B. The northern most driveway on Decatur Boulevard shall be designed with a width that allows a delivery truck to not encroach into the egress driveway lane. The design shall accommodate a WB-50 turning sweep.

C. The developer shall construct a barrier system across the westernmost drive aisle adjacent to the "Anchor" structure limiting access to passenger vehicles only, but prohibiting access to larger trucks and vans. The barrier shall be designed to accommodate emergency vehicles access acceptable to City Fire Services, without the need for electronic operation. The barrier system shall be maintained in good operating condition by property owner or association.

Planning & Development

1. Approval of and conformance to the Conditions of Approval for General Plan Amendment (GPA-22584) and Rezoning (ZON-22583) shall be required.

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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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, landscape plan and building elevations date stamped 09/13/07, except as amended herein.

4. Submission of a commercial subdivision map consolidating the parcels prior to the issuance of any building or grading permits shall be required.

5. 24-Hour security shall be provided on-site upon the issuance of building permits by the Building and Safety Department. No business licenses shall be issued for the site prior to the submittal of documentation that substantiates compliance with this condition.

6. Delivery hours shall be limited to Monday through Saturday from the hours of 6:00 a.m. to 9:00 p.m.

7. Hours of operation for this development shall be: Friday and Saturday – 6:00 A.M. to 1:00 A.M. and Sunday through Thursday - 6:00 A.M. to midnight.

8. Deleted at City Council.

9. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan: all spacing requirements of LVMC Title 19.12.040 shall be met; specifically, along Tropical Parkway all perimeter trees shall be planted a maximum of 20 feet on center, unless in conformance with an approved alternative. Further, the technical landscape plan shall include a detailed tabulation of the total number of trees provided per species and that total amount shall be equal to or greater than the minimum requirements as outlined in LVMC Title 19.10.010 (J)(11)(c) and LVMC Title 19.12040.

10. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

11. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for a building permit, to reflect the changes herein. The required perimeter and interior screening walls, per LVMC Title 19.08.050 and LVMC Title 19.12.075 must be indicated on the plan and a detail that illustrates the height and material to be used noted.

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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 meet the standards of LVMC Title 19.12.040.

15. Shoebox lighting shall be used throughout the entire development. 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.

16. A Master Sign Plan shall be submitted for approval by the City of Las Vegas prior to the issuance of a Certificate of Occupancy for any building on the site and prior to the issuance of any sign permits.

17. Deleted at City Council.

18. 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.

19. 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.

20. 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.

21. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

22. Deleted at City Council.

23. Deleted at City Council.

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ROC-41851

Public Works

24. Submit a Petition of Vacation for the existing access easements, public sewer and public drainage easements that conflict with this site plan. The Order of Vacation shall record prior to the issuance of any building permits adjacent to or overlying the areas encumbered by such existing easements.

25. Dedicate appropriate rights-of-way in accordance with Standard Drawing 201.1 for dedicated left or right-turn lanes and Standard Drawings 234.1, 234.2 and 234.3 for bus turnouts prior to the issuance of any permits adjacent to this site unless specifically identified in writing as not required in the approved Traffic Impact Analysis.

26. Construct half-street improvements on Decatur Boulevard, including appropriate overpaving (if legally able) and Tropical Parkway adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system 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.

27. A minimum of two lanes of asphalt pavement on the major access street(s) adjacent to this site, and a working sanitary sewer connection shall be in place prior to final inspection of any units within this development. Full permanent improvements on all major access streets, including all required landscaped areas between the perimeter wall and adjacent public street, shall be constructed and accepted by the City prior to issuance of any building permits beyond 50% of all units within this development. All off-site improvements adjacent to this site, including all required landscaped areas between the perimeter walls and adjacent public streets, shall be constructed and accepted prior to issuance of building permits beyond 75%. The above thresholds notwithstanding, all required improvements shall be constructed within 24 months of approval of construction drawings. No partial bond releases will be allowed until all perimeter roadway improvements are in place.

28. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.

29. Submit an application to the Land Development section of the Department of Public Works for a deviation from Standard Drawing #222a for the driveways accessing this site.

30. Landscape and maintain all unimproved rights-of-way, if any, on Decatur Boulevard and Tropical Parkway 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.

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35. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. Approval of this Site Plan does not constitute approval of any deviations. We note that meandering sidewalk is shown adjacent to Decatur Boulevard.

36. Coordinate with the Clark County Department of Public Works to discuss any impacts to this site plan from the I-215 Beltway. Provide documentation from Clark County to the City of Las Vegas Land Development Section that this condition has been satisfied prior to the approval of any construction drawings.

37. Coordinate with the City of North Las Vegas Public Works Department to discuss traffic control (traffic signals and median openings) on Decatur Boulevard. Provide documentation from the City of North Las Vegas to the City of Las Vegas Land Development Section that this condition has been satisfied prior to the approval of any construction drawings. Developer shall construct a traffic signal at the intersection of Decatur Boulevard and Tropical Parkway concurrent with first phase of construction of offsite improvements adjacent to this site. In addition, if the approved Traffic Impact Analysis identifies Decatur Boulevard/Rice Avenue as a signalized intersection, developer shall construct full traffic signal at that intersection. Traffic signals shall not be activated until approved by the City Traffic Engineer.

38. The driveway proposed on Decatur Boulevard shall align with Rice Avenue.

39. Tropical Parkway shall be posted "No Parking" adjacent to this site.

40. Coordinate with the City Traffic Engineer regarding modifications of the median on Tropical Parkway to restrict left turning movements out, but allow left turning movements into the proposed driveway access. Comply with the recommendations of the City Traffic Engineer.

Sincerely,

Angela Crolli
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. James Stroh
1955 Pama Lane
Las Vegas, Nevada 89119

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LAS VEGAS CITY COUNCIL

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MAYOR

GARY REESE
MAYOR PRO TEM

STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW
STAVROS S. ANTHONY

ELIZABETH N. FRETWELL
CITY MANAGER

January 31, 2011

CORRECTED LETTER

Mr. Lance Sherwood
Decatur 215, LLC
44440 North 36th Street, Suite #200
Phoenix, Arizona 85018

RE: SDR-40223 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-40226 AND SUP-40225
PLANNING COMMISSION MEETING OF JANUARY 25, 2011

Dear Mr. Sherwood:

Your request for a Major Amendment of a previously approved Site Development Plan Review (SDR-22582) FOR A PROPOSED 94,683 SQUARE-FOOT GROCERY STORE OPERATING 24-HOURS, SEVEN DAYS A WEEK, WITH A WAIVER TO ALLOW A 10-FOOT PERIMETER LANDSCAPE BUFFER ALONG THE SOUTH PROPERTY LINE WHERE 15 FEET IS REQUIRED on a portion of 25.29 acres at 6101 North Decatur Boulevard (APN 125-25-614-001), C-1 (Limited Commercial) Zone, Ward 6 (Ross), was considered by the Planning Commission on January 25, 2011.

The Planning Commission voted to ***APPROVE*** your request, subject to the following:

Planning and Development

1. Delivery hours for the Grocery Store with Accessory Package Liquor Off-Sales use shall be seven days a week, 6:00 a.m. to 12:00 a.m.

2. Delivery trucks shall not access to/from Tropical Parkway.

3. There shall be "No Delivery Truck Access" signage posted at the Tropical Parkway entrance/exit.

4. Delivery trucks shall access to/from Rice Avenue.

5. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-40223) and Variance (VAR-40226) shall be required, if approved.

6. Conformance to the conditions of approval for Master Sign Plan (MSP-25930) and Site Development Plan Review (SDR-22582).

7. This approval shall be void two years from the date of final approval unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

FM-0044-08-09

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ROC 40851

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8. All development shall be in conformance with the site plan date stamped: 01/03/2011 and the landscape plan, floor plans and building elevations date stamped 11/15/2010 except as amended by conditions herein.

9. A Waiver from Title 19.12 is hereby approved, to allow a 10-foot wide landscape buffer where a 15-foot wide landscape buffer is required.

10. Prior to the issuance of Building Permits, the applicant shall revise the Site Plans to reflect a five-foot wide loading zone on each side of a designated Handicapped parking space and at least one eight-foot wide loading zone for Van Accessible Handicapped parking spaces, where required.

11. 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 11/15/2010. Any changes based upon subsequently submitted studies must be accommodated elsewhere on the site.

12. 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.

13. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

14. 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: Five-gallon vining plants such as Cat's Claw or Hacienda Creeper planted 20-feet on-center adjacent to the southern face of the wall fronting Tropical Parkway.

15. 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).

16. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

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17. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

18. 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.

19. 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.

20. Hours of operation for the Grocery Store with Accessory Package Liquor Off-Sales use shall be seven days a week – 24 hours per day.

21. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

22. An update to the previously approved Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or the submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved update to the Traffic Impact Analysis prior to occupancy of the 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.

23. An Update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of construction drawings or the submittal of a Final Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

24. Comply with all applicable previous conditions of approval for ZON-22583, SDR-22582, the Decatur and Tropical Subdivision Map and all other site-related actions.

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ROC-40851

This action by the Planning Commission on **January 25, 2011** is final unless a written appeal is filed with the City Clerk within ten days of the date of the Planning Commission's decision as allowed by code or there is a review action filed by the City Council within the same time period. For additional information on appeals or review requests please access http://www.lasvegasnevada.gov/CheckStatus/DevelopmentApp.htm, or contact the Department of Planning and Development at 702.229.6301 after ***February 7, 2011***. No building permits or business licenses related to these items shall be issued prior to the expiration of the required ten day waiting period, or until any filed appeal is resolved pursuant to LVMC Title 19.18.

Sincerely,

Steve Gebeke, AICP
Planning Supervisor
Case Planning Division

SG:clb

cc: Mr. Ty Morrison
WinCo Foods
650 North Armstrong Place
Boise, Idaho 83704

Mr. Perry Shea
Shea Carr Jewell
2102 Carriage Drive, Southwest Building H
Olympia, Washington 98502

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MAY 23 2011

ROC-40851

WEINGARTEN REALTY

860 South Rancho Dr., Suite 10
Las Vegas, Nevada 89106
800.641.5263
702.642.5673 Fax
www.weingarten.com

March 4, 2011

City of Las Vegas Nevada
Department of Planning
333 N. Rancho Dr.
Las Vegas, NV.

Re: Request for Variance of Security Requirement
Decatur 215 Shopping Center – Hwy. 215 at N. Decatur Blvd.
Las Vegas, Nevada

To Whom It May Concern:

Please accept this Justification Letter from owner, DECATUR 215, LLC, a Delaware limited liability company, registered as a foreign limited liability company in the State of Nevada as DECATUR 215 OF NEVADA, LLC, using Weingarten Realty Investors, a Texas real estate investment trust, as its Manager, asking for a variance to delete requirement #5 in document SDR-22582 Site Development Plan Review asking for 24 hour, 7 days per week security.

To support this variance request, I present the following information for consideration:

1. Winco Grocery (Opening in 2012) will be open 24/7 and will be providing their own security for those same hours;

2. Target currently supplies their own security during their open hours;

3. Crime is extremely low in this area. The Las Vegas Metro Police Department reports in the last 30 days the following:

   (a) Within 1 mile - 29 incidents, broken down as follows:

   (i) 14 – family disturbances;
   (ii) 6 – "other" disturbances;
   (iii) 3 – juvenile disturbances;
   (iv) 2 – traffic accidents;
   (v) 1 – fight; and
   (vi) 1 – narcotic call.

   (b) Within ½ mile: 1 incident (auto accident).

   (c) Within ¼ mile: 0 incidents.

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ROC-41851

Weingarten Realty Investors (the "trust") is an unincorporated trust organized under the Texas Real Estate Investment Trust Act. Neither the shareholders of the trust, nor its trust managers, officers, employees or other agents are personally, corporately or individually liable for any debt, act, omission or obligation of the trust, and all persons having claims of any kind against the trust must look solely to the property of the trust for the enforcement of their rights.

WEINGARTEN REALTY

860 South Rancho Dr., Suite 10
Las Vegas, Nevada 89106
800.641.5263
702.642.5673 Fax
www.weingarten.com

Support for Variance Request cont'd:

4. Owner would be forced to pay an annual cost of $145,833 to provide this 24/7 security in a low crime area for a shopping center that would already have two forms of security present.

For your convenience, I am attaching the Pre-application conference request, a copy of the SDR-22582 review, Las Vegas Metro Police Department maps and statistics and Weingarten Realty (Manager) site plan of subject location.

If you need any additional information, or I can be of any other assistance in securing this variance, please do not hesitate to contact me at 702-259-7935 or you can reach me by email at smcmasters@weingarten.com. Thank you, in advance, for your consideration of this request.

Sincerely,

DECATUR 215, LLC
a Delaware limited liability company,
registered as a foreign limited liability company
in the State of Nevada as:
DECATUR 215 OF NEVADA, LLC

By: Weingarten Realty Investors,
a Texas real estate investment trust,
Its Manager

Susan L. McMasters
Regional Property Manager

SLM/dar
Attachments as stated

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ROC-41851

Weingarten Realty Investors (the "trust") is an unincorporated trust organized under the Texas Real Estate Investment Trust Act. Neither the shareholders of the trust, nor its trust managers, officers, employees or other agents are personally, corporately or individually liable for any debt, act, omission or obligation of the trust, and all persons having claims of any kind against the trust must look solely to the property of the trust for the enforcement of their rights.

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400 Stewart Avenue
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2011 JUN 27 P 12:45

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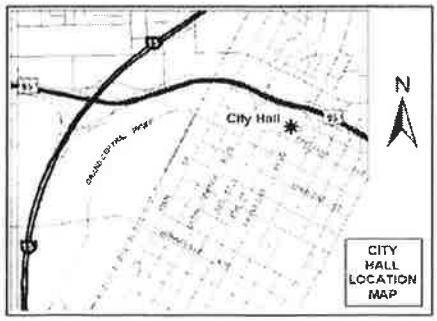

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

ROC-41851
City Council Meeting of **07/06/2011**

Case: ROC-41851
12525712060
SMITH JAMES D & BETTY J
5013 TROPICAL CLIFF AVE
LAS VEGAS NV 89130-7223

89130

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Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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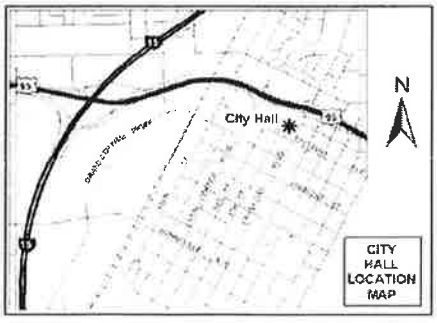

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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ROC-41851
City Council Meeting of **07/06/2011**

Case: ROC-41851
12525611029
GRAF MICHELLE B
6028 SHALLOW SPRINGS ST
LAS VEGAS NV 89130-7028

89130

City of Las Vegas
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400 Stewart Avenue
Las Vegas, Nevada 89101

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2011 JUN 27 P 12:33

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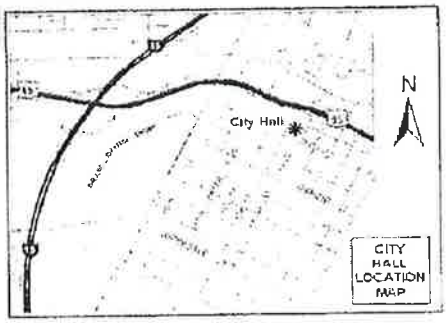

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ROC-41851
City Council Meeting of **07/06/2011**

XXOC-24-11 LV NV 891XX

Case: ROC-41851
12430315106
[redacted]
4709 SEA DREAM AVE
NO LAS VEGAS NV 89031-3485

06/26/2011 23:03 8391134 JOHNSON PAGE 01

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Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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2011 JUN 27 P 12:33

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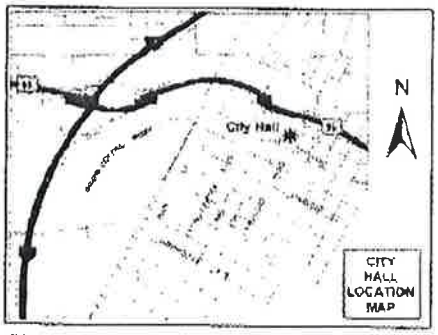

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☐ I SUPPORT this Request ☑ I OPPOSE this Request

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ROC-41851
City Council Meeting of **07/06/2011**

XXOC-24-11 LV NV 891XX

TARGET HAS ALREADY BEEN BROKEN INTO. I THINK IT WOULD BE A MISTAKE NOT TO HAVE SECURITY AT NIGHT.

Case: ROC-41851
12525613001
JOHNSON ELLA B
6109 SHALLOW SPRINGS ST
LAS VEGAS NV 89130-7049

PO BOX 8391134

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2011 JUN 27 P 1:24

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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

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ROC-41851

City Council Meeting of **07/06/2011**

12525612044 Case ROC-41851
MATTOS ANDREW M
5016 MORNING CREEK CT
LAS VEGAS NV 89130-7010

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2011 JUN 27 A 7:04

XXD6-24-11 LV NV 891XX

Case: ROC-41851
12430110083
ELLIS CHRISTOPHER L & KIMBERLY J
4650 RANCH HOUSE RD #60
NO LAS VEGAS NV 89031-4612

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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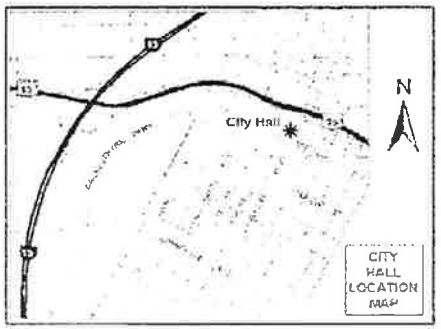

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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ROC-41851

City Council Meeting of **07/06/2011**

47 DRDFN11 89031

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2011 JUN 28 P 2:27

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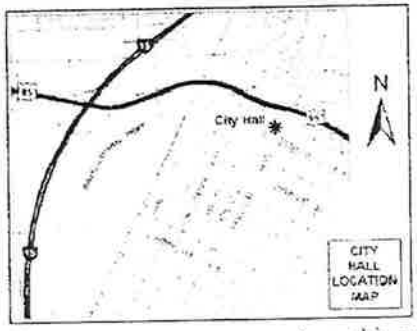

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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ROC-41851
City Council Meeting of **07/06/2011**

XXOS-24-11 LV NV 891XX

Case: ROC-41851
12525712065
STAHL ROBERT & BRIAR
5028 TROPICAL CLIFF AVE
LAS VEGAS NV 89130-7224

TO ORDFN11 89130

From 7026669142 1.832.426.7781 Tue Jun 28 14:55:31 2011 MST Page 1 of 1

06/28/2011 TUE 12:59 [TX/RX NO 9652] 001

City of Las Vegas
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400 Stewart Avenue
Las Vegas, Nevada 89101

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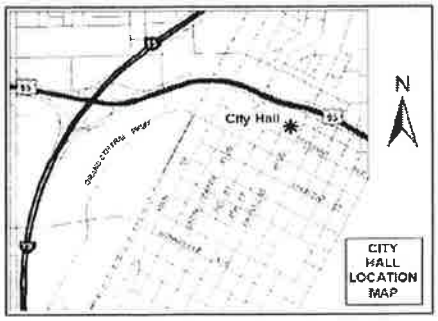

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

ROC-41851
City Council Meeting of **07/06/2011**

Case: ROC-41851
12525613013
BALL STEVEN C & NORMA L
1420 PEERLESS PL #108
LOS ANGELES CA 90035-2868

89 DROPMIL 90035

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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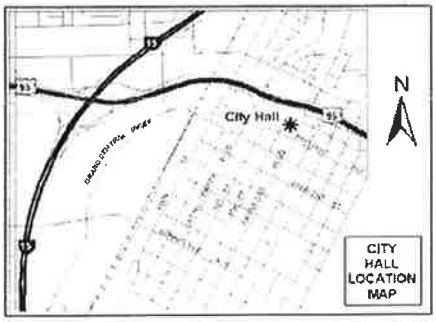

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

ROC-41851
City Council Meeting of **07/06/2011**

Case: ROC-41851
12525714001
KURTZ STEPHEN M & PATRICIA A
4862 FRIAR TUCK AVE
LAS VEGAS NV 89130-7294

70 DROPMIL 89130

City of Las Vegas Agenda Item No.: **72.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

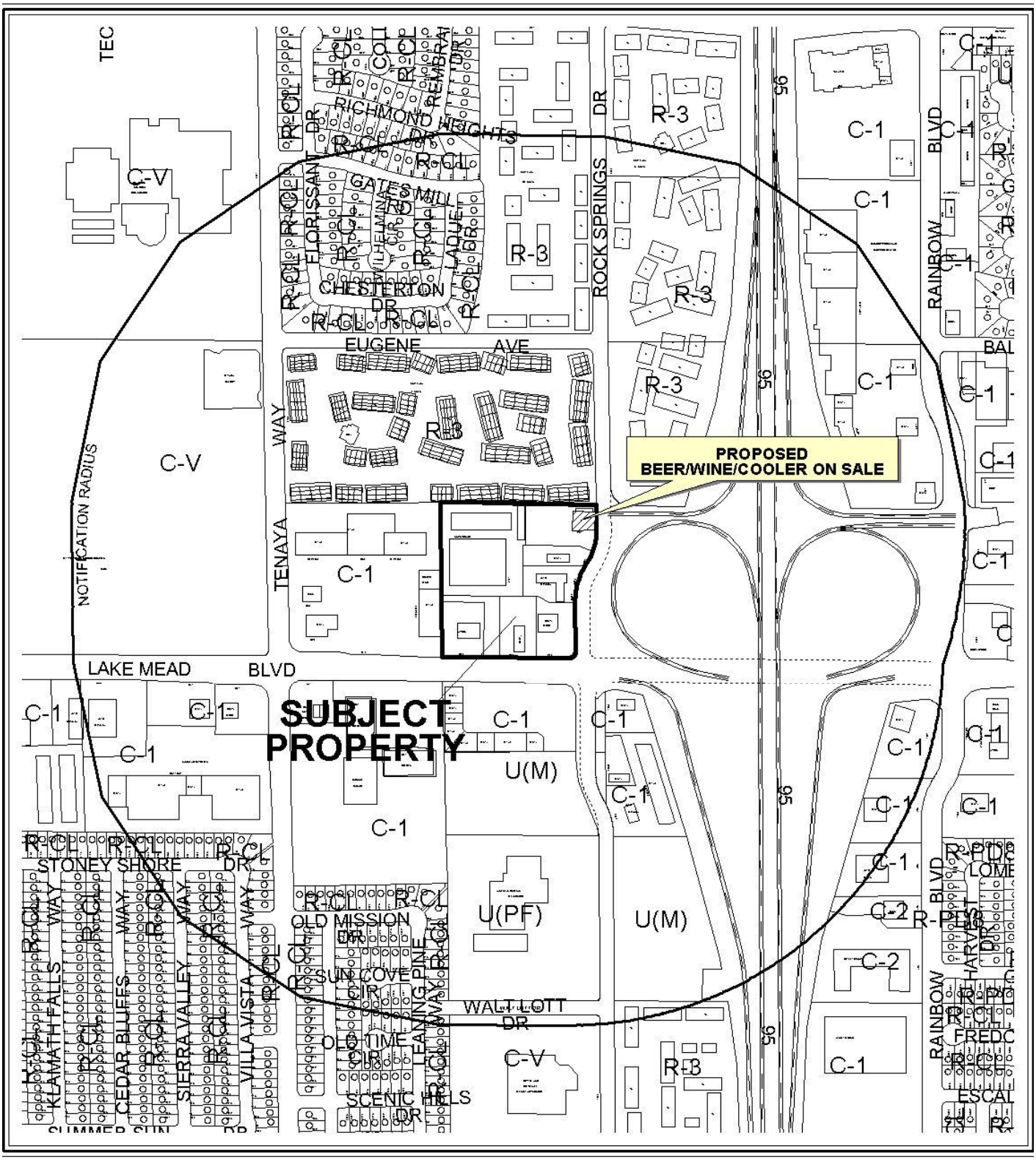
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
SUP-42254 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: GLORIELL HOLDINGS, LLC - OWNER: CHI HSUAN WU - For possible action on a request for a Special Use Permit FOR A BEER/WINE/COOLER ON-SALE ESTABLISHMENT WITHIN AN EXISTING 5,918 SQUARE-FOOT RESTAURANT at 2131 Rock Springs Drive (APN 138-22-610-012), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and Staff 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:
The Planning Commission (7-0 vote) and Staff recommends APPROVAL, subject to conditions:

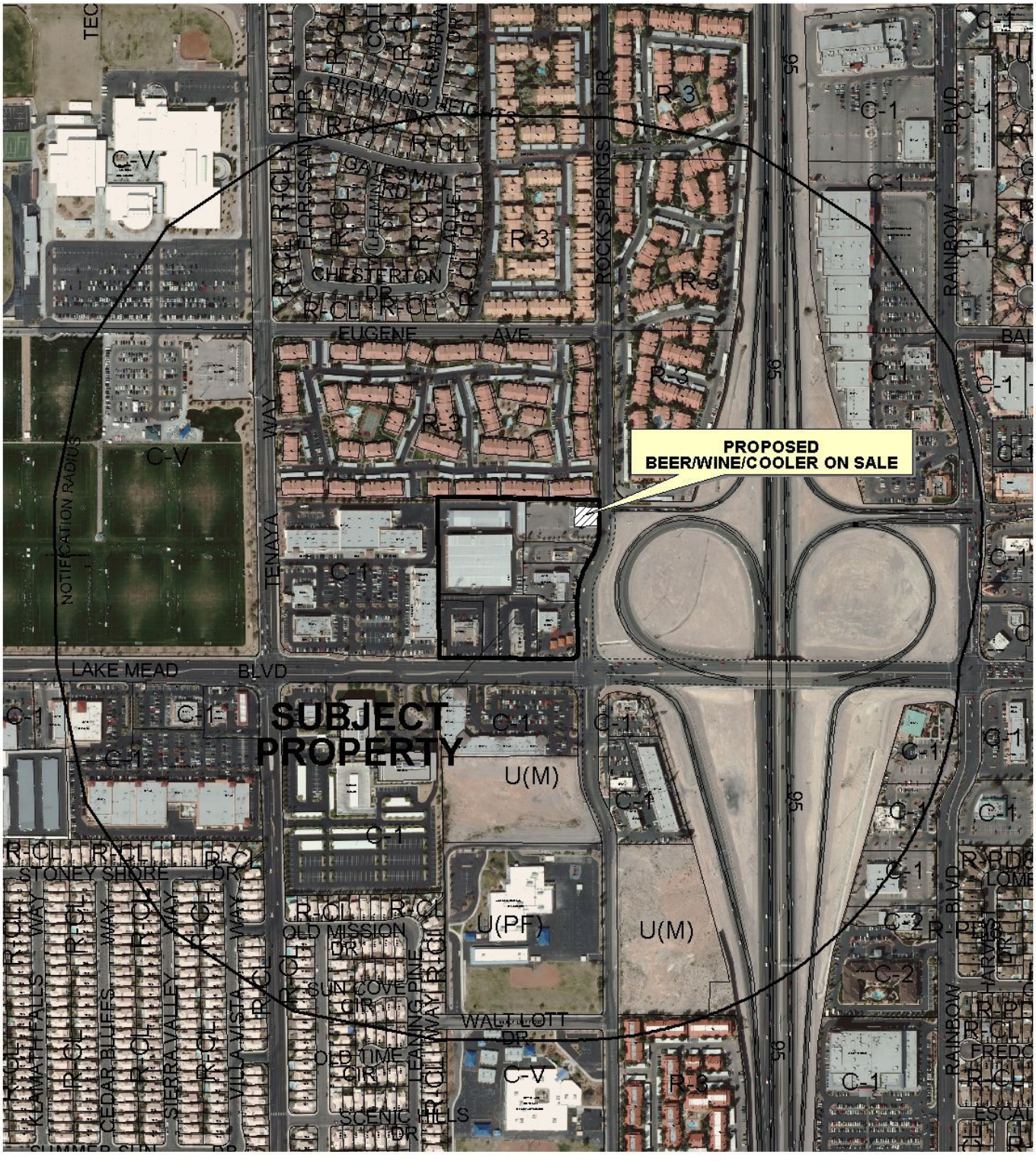
BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Backup referenced from the August 9, 2011 Planning Commission Meeting Item – SUP-42254



CASE: **SUP-42254**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)



0 300 600 Feet

CASE: **SUP-42254**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

N



SUP-42254

Business Licenses

- Tavern
- Supper Club/ Restaurant Service Bar
- Beer/Wine/Cooler On Sale
- Child Care/ Children Facility
- RELIGIOUS
- CITY PARKS
- SCHOOLS
- Subject Property
- 400 foot buffer
- N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: SEPTEMBER 7, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: GLORIELL HOLDINGS, LLC - OWNER: CHI HSUAN WU

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

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-42254	Staff recommends APPROVAL, subject to conditions:	N/A

**** CONDITIONS ****

SUP-42254 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Beer/Wine/Cooler On-Sale Establishment use.

2. Conformance to the approved conditions for Variance (V-0150-96) and Site Development Plan Review [Z-0074-84(18)].

3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

4. Approval of this Special Use Permit does not constitute approval of a liquor license.

5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

6. 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
September 7, 2011 - City Council Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit to allow a proposed Beer/Wine/Cooler On-Sale Establishment use within an existing 5,945 square-foot restaurant at 2131 Rock Springs Drive. The proposed use complies with all Title 19.12 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 Beer/Wine/Cooler On-Sale Establishment use cannot be located within the subject property, nor can a business license for alcohol use be obtained for the use at this location.

ISSUES

- A Beer/Wine/Cooler On-Sale Establishment use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
11/21/84	The City Council approved a request for Rezoning (Z-0074-84) from N-U (Non-Urban) to R-CL (Single Family Compact Lot), R-3 (Limited Multiple Residence) and C-1 (Limited Commercial) as part of a large request. This subject site is located at the northwest corner of Lake Mead Boulevard and Rock Springs Drive. The Planning Commission and staff recommended approval.
12/17/96	The Board of Zoning Adjustment approved a request for a Variance (V-0156-96) to allow 80 parking spaces where 139 parking spaces are required for a proposed 5,500 square-foot restaurant on property located at 2001-2005 Rock Springs Drive. The Department of Planning staff had no objection to the request.
02/27/97	The Planning Commission approved a request for a Site Development Plan Review [Z-0074-84(18)] on property located on the west side of Rock Spring Drive, north of Lake Mead Boulevard for a proposed 5,560 square-foot restaurant. The Department of Planning staff had no objection to the request.
08/09/11	The Planning Commission voted (7-0) to recommend APPROVAL (PC Agenda Item #7/rg)

Most Recent Change of Ownership	
04/19/02	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
08/20/97	A building permit (#97017284) was issued for a New Building for Certificate of Occupancy at 2131 Rock Springs Drive. The permit was finalized on 01/30/98.
06/15/99	A building permit (#99011777) was issued for Tenant Improvement for Certificate of Occupancy at 2131 Rock Springs Drive. The permit was finalized on 07/16/99.
10/14/02	A business license (R09-01171) was issued for a Restaurant at 2131 Rock Springs Drive. The license was marked out of business on 02/08/10.
12/02/10	A business license (R09-01592) was issued for a Restaurant at 2131 Rock Springs Drive. The license is currently active.
06/28/11	A business license (L09-93339) was filed for a Beer/Wine/Cooler On Sale at 2131 Rock Springs Drive. The license has not been reviewed by the Department of Planning.

Pre-Application Meeting	
06/06/11	A pre-application meeting was held with the applicant, where the submittal requirements for a Special Use Permit for a proposed Beer/Wine/Cooler On-Sale Establishment use were discussed. The proposed use can only be served in conjunction with a meal.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
06/30/11	A site visit by staff noted that the subject site had graffiti on the wall of the existing building. A broken window was observed along the south side of the building.

Details of Application Request	
Site Area	
Net Acres	1.11

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Restaurant, 2,000 sq. ft. or more (without Drive-Through)	SC (Service Commercial)	C-1 (Limited Commercial)

North	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)
South	Restaurant, 2,000 sq. ft. or more (without Drive-Through)	SC (Service Commercial)	C-1 (Limited Commercial)
East	US-95 on/off ramp	Right-of-way	Right-of-way
West	Mini-Storage Facility	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			
A-O (Airport Overlay) District (175 feet)		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***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Rock Springs Drive	N/A	N/A	60	N/A

Pursuant to Title 19.08 and 19.12, 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	
Restaurant	2,300 SF seating area	1/50 SF	46				
	3,645 SF remaining area	1/200 SF	19				
TOTAL SPACES REQUIRED			65		80		Y
Regular and Handicap Spaces Required			62	3	76	4	Y

RG

ANALYSIS

A Beer/Wine/Cooler On-Sale Establishment use is defined per Title 19.18.020 as "an establishment whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers for consumption only in connection with a meal on the premises where the same is sold, and is operated in connection with a restaurant in which 30 or more people may be served with meals at any one time at tables or stools." The applicant currently has an operating business license for a restaurant with seats available for 180 guests. No additional parking is required beyond that which is required for the principal use on the site. The proposed use will be located within an existing restaurant and meets the minimum distance separation requirements. The proposed use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses; therefore, staff recommends approval.

FINDINGS (SUP-42254)

In order to approve a Special Use Permit application, per Title 19.16.110(L) 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 an existing restaurant and meets the minimum distance separation requirements. The proposed use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses.

2. **The subject site is physically suitable for the type and intensity of land use proposed.**

   The subject site is physically suitable for the type and intensity of the proposed use. The proposed Beer/Wine/Cooler On-Sale Establishment use on-site parking requirement does not require additional parking required beyond that which is required for the principal use on the site.

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 Rock Springs Drive. 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 the 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 19.12.

The proposed use complies with the Minimum Special Use Permit Requirements for a Beer/Wine/Cooler On-Sale Establishment use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

NOTICES MAILED 226 (By City Clerk)

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-42254** APN: 138-22-610-012

Name of Property Owner: CHI HSUAN WU.

Name of Applicant: GLORIELL HOLDINGS, LLC

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: Chi Hsuan Wu.

Print Name: CHI HSUAN WU.

Subscribed and sworn before me

This 7th day of June, 2011

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
BENJAMIN W. NERO II
No: 10-1673-1
My Appointment Expires Feb. 23, 2014

RECEIVED
JUN 23 2011
City of Las Vegas

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: SPECIAL USE PERMIT BEER/WINE-COOLER ON-SALE EST.

Project Address (Location) 2131 ROCK SPRINGS DR. LAS VEGAS, NV 89128

Project Name PANCIT-ADOBO FILIPINO RESTAURANT **Proposed Use** _____

Assessor's Parcel #(s) 138-22-610-012 **Ward #** 1-TARKANIAN

General Plan: existing √SC proposed NO CHANGE **Zoning:** existing C1 proposed NO CHANGE

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres 1.13 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER CHI HSIAN WU. **Contact** _____

Address 76 Copper Fountain st **Phone:** 360-2225 **Fax:** _____

City Las Vegas **State** N.V. **Zip** 89138

E-mail Address _____

APPLICANT GLORIA ROSELL-ENSLER (GLORIELL HOLDINGS, LLC) **Contact** GLORIA ROSELL-ENSLER

Address 9904 CHARLEMONT DR **Phone:** 702-452-3626 **Fax:** _____

City LAS VEGAS, NV **State** NV **Zip** 89134

E-mail Address MABUHAY@PANCIT-ADOBO.COM

REPRESENTATIVE _____ **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

Property Owner Signature* Chi Hsian Wu.

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name CHI HSIAN WU.

Subscribed and sworn before me

This 7th day of June, 20 11.

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
BENJAMIN W. NERO II
No: 10-1673-1
My Appointment Expires Feb. 23, 2014

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SUP-42254
Meeting Date:	8/9/11
Total Fee:	$1,280
Date Received:*	6/23/11
Received By:	BMS

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

f:\depot\Application Packet\Application Form.pdf

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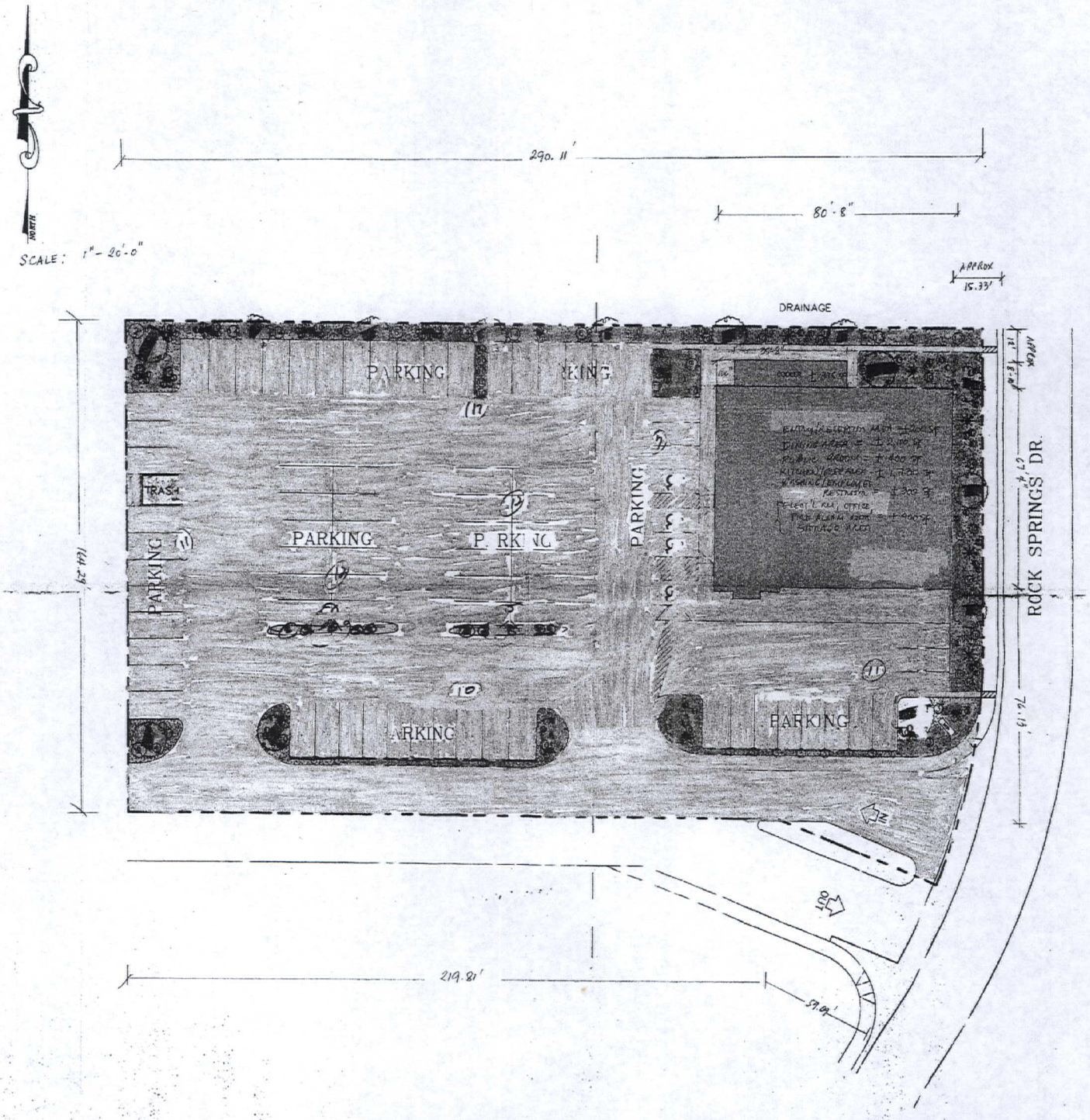
JUN 23 2011
City of Las Vegas



PANCIT-ADOBO FILIPINO RESTAURANT

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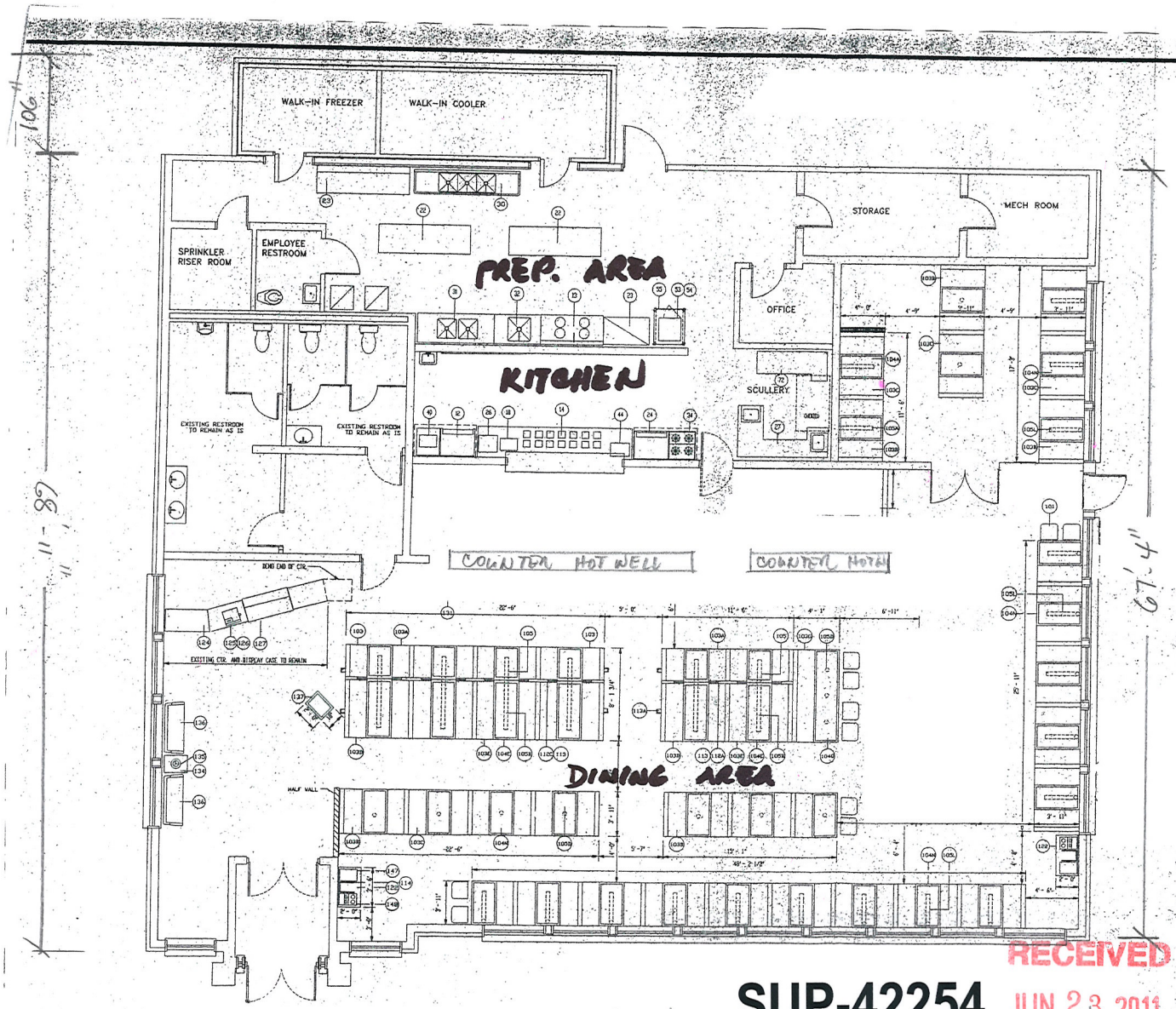
SUP-42254
REVISED



FURNITURE SCHEDULE

ITEM #	QTY.	DESCRIPTION	SUPPLIED BY	SET IN PLACE BY
101	LOT	OWNER:	STAINLESS	OWNER
103	4	60" SINGLE WIDTH PREMIER	STAINLESS	OWNER
103A	4	120" DOUBLE WIDTH PREMIER	STAINLESS	OWNER
103B	10	48" SINGLE WIDTH PREMIER	STAINLESS	OWNER
103C	20	96" DOUBLE WIDTH PREMIER	STAINLESS	OWNER
103D	4	96" SINGLE WIDTH PREMIER	STAINLESS	OWNER
103E	4	96" DOUBLE WIDTH PREMIER	STAINLESS	OWNER
104	1	96" SLOTTED PREMIER	STAINLESS	OWNER
104A	2	24"x48" TABLE TOP 3-SIDED W/FIXTURE END	STAINLESS	OWNER
104C	6	24"x30" TABLE TOP 3-SIDED W/FIXTURE END & DIVIDERS	STAINLESS	OWNER
104B	28	24"x48" TABLE TOP 4-SIDED W/FIXTURE END	STAINLESS	OWNER
104D	1	24"x48" TABLE TOP 4-SIDED W/FIXTURE END	STAINLESS	OWNER
105	1	42" CANTILEVER BRACKET	STAINLESS	OWNER
105A	2	42" CANTILEVER BRACKET	STAINLESS	OWNER
105B	6	60" CANTILEVER BRACKET	STAINLESS	OWNER
105D	14	96"x12" (2) TABLE SHOES (17"x20")	STAINLESS	OWNER
105E	3	MOP-HOOK	STAINLESS	OWNER
105A	17	96"x12" (2) TABLE SHOE (W/CANTILEVER FOR 42" TABLES)	STAINLESS	OWNER
112A	1	11'-6" DBL FACE WALL PANEL W/LIFT-OUT DIVIDER	STAINLESS	OWNER
112C	3	20'-2" DBL FACE WALL PANEL W/LIFT-OUT DIVIDER	STAINLESS	OWNER
113	4	10 3/8" x 82 1/4" STICKY GLASS PANEL	STAINLESS	OWNER
113A	3	(2)TY LIFT-OUT DIVIDER HOLDERS	STAINLESS	OWNER
114	3	MENU HOLDER	STAINLESS	OWNER
115C	1	7'-0"HIGH 3" DIA. FIN-SHAPED PANELS SEE PLAN F/SIZE	STAINLESS	OWNER
116H	1	7'-0"HIGH 3" DIA. FIN-SHAPED PANELS SEE PLAN F/SIZE	STAINLESS	OWNER
122	3	WAITRESS SERVICE STATION SEE PLAN F/SIZE	STAINLESS	OWNER
123	1	HOT FOOD BUFFET/SOUP & SALAD BAR	STAINLESS	OWNER
124		CASHIER CABINETS EXISTING	OWNER	OWNER
125		CASH REGISTER SYSTEM	E.B.R.I.	OWNER
126		REFRIGERATION UNITS	E.B.R.I.	OWNER
127		BAKERY DISPLAY CASE	EXISTING	OWNER
131	1	CARRY OUT COUNTER	STAINLESS	OWNER
134	1	WAITING AREA TABLES	E.B.R.I.	OWNER
135		TABLE CAMPS	E.B.R.I.	G. C.
136	2	SINK SEAT "FASHION SEAL" W.U.B.O.	STAINLESS	OWNER
137	1	HOSTESS STATION SEE PLAN F/SIZE	STAINLESS	OWNER
144	LOT	WINDOW SILL	G. C.	G. C.
145	1	DECOR PACKAGE	OWNER	OWNER
146	1	GIFT SHOP	STAINLESS	OWNER
147		CABLE SYSTEM	E.B.R.I.	OWNER
148	3	SILVERWARE HOLDERS (2 HOT SHOWN)	STAINLESS	OWNER
148A	LOT	MISCELLANEOUS	STAINLESS	OWNER

SEATING & TABLE SCHEDULE

TABLE TOP STYLES	TOP QTY.	SEAT QTY.
SINGLES	000	000
2 TOPS	6	12
3 TOPS	000	000
4 TOPS	32	128
5 TOPS	0	0
6 TOPS	6	36
TOTALS:	44	176
SEATING TO TABLES RATIO		0

RECEIVED
JUN 23 2011
City of Las Vegas

SUP-42254

PANCIT - ADDED FR. 4257.

2131 ROCK SPRINGS RD.
LAS VEGAS, NV.

SCALE: 1/4"=1'-0"



SUP-42254 - APPLICANT: GLORIELL HOLDINGS, LLC - OWNER: CHI HSUAN WU
2131 ROCK SPRINGS DRIVE

06/30/11



SUP-42254 - APPLICANT: GLORIELL HOLDINGS, LLC - OWNER: CHI HSUAN WU
2131 ROCK SPRINGS DRIVE

06/30/11

June 20, 2011

Pancit Adobo Filipino Restaurant
2131 Rock Springs Dr
Las Vegas, NV 89128
(702) 372-3585

Department of Planning
333 Rancho Dr.
Las Vegas, NV

Re: Justification Letter for Special Use Permit

To whom it may concern:

Pancit Adobo Filipino Restaurant seeks a special use permit in efforts of attaining a beer and wine license through the City. Pancit Adobo is an established full service restaurant located on 2131 Rock Springs Dr that has been open since the last week of October, 2010. Currently the hours of operation are from 10:30 am to 9 pm daily serving breakfast, lunch, dinner, desserts and party trays. Patrons have the option of taking out food or dining in with seating approximately amounting to 170 which include additional seating in a private banquet room.

The purpose of on-site sale of beer and wine is to increase daily revenue as well as foot traffic to keep the restaurant afloat during these economic times. There will be some entertainment at night such as singing and karaoke on selected nights and live music on other nights which start at 9:00 pm. All beer and wine /wine coolers will be sold with meals/food. No additional development to the facility is required since the business is already functioning. The anticipated schedule of operation will be daily from 11 am to 3 am. To facilitate the later hours, additional staff will be hired. There are two on-site managers, one of which will always be on the premises at any given time.

Hopefully, you will grant us the required Special Use Permit soon. Should you need more information, please don't hesitate to contact me at (702) 452-3626 or (702) 372-3585.

Sincerely,

Gloria Rosell-Ensler

Manager

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JUN 23 2011
City of Las Vegas

SUP-42254

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-42254 - APPLICANT: GLORIELL HOLDINGS, LLC - OWNER: CHI HSUAN WU**

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the ***AUGUST 9, 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 ***AUGUST 8, 2011***.

Signature

08-04-11
Date

GLORIA ROSELL-ENSLEY
Please Print Name

GLORIELL HOLDINGS, LLC
Company Name

RECEIVED
AUG 04 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

PRESORTED
FIRST CLASS

UNITED STATES POSTAGE
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JUL 28 2011
MAILED FROM ZIP CODE 89101

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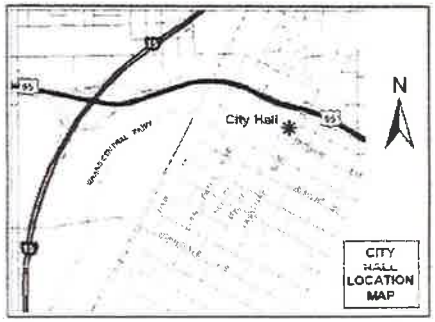
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

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-42254

Planning Commission Meeting of 8/9/2011

Case: SUP-42254

13822310042
CLARK RUSSELL & NADIA FAMILY TR
CLARK RUSSELL P TRS ETAL
7300 STONEY SHORE DR
LAS VEGAS NV 89128-3031 89128-3031

1 1 FRDFM11 89128

7P

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LVICC
7025155310
08/01/2011 15:06

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-42254

Planning Commission Meeting of 8/9/2011

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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0004279216 JUL 28 2011
MAILED FROM ZIPCODE 89101

AUG – 6 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SUP-42254
13822710016
MORAN SHAUNA M
1924 LEANING PINE WY
LAS VEGAS NV 89128-3173 89128-3173

14

City of Las Vegas Agenda Item No.: **73.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

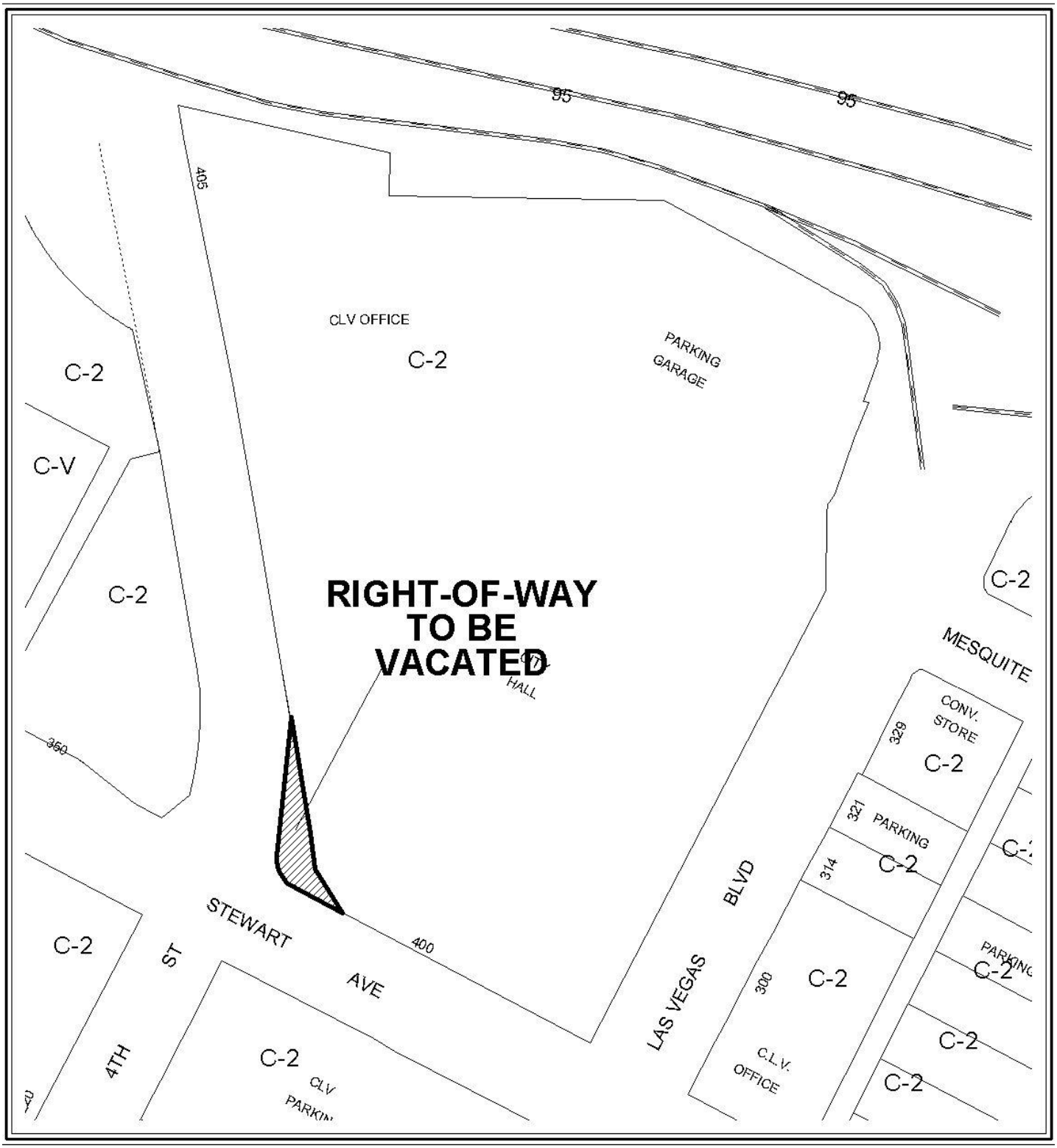
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
VAC-42053 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on a petition to Vacate a portion of public right-of-way at the northeast corner 4th Street and Stewart Avenue, Ward 5 (Barlow). The Planning Commission (7-0 vote) and 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:
The Planning Commission (7-0 vote) and Staff 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



CASE: **VAC-42053**

0 100 200 Feet

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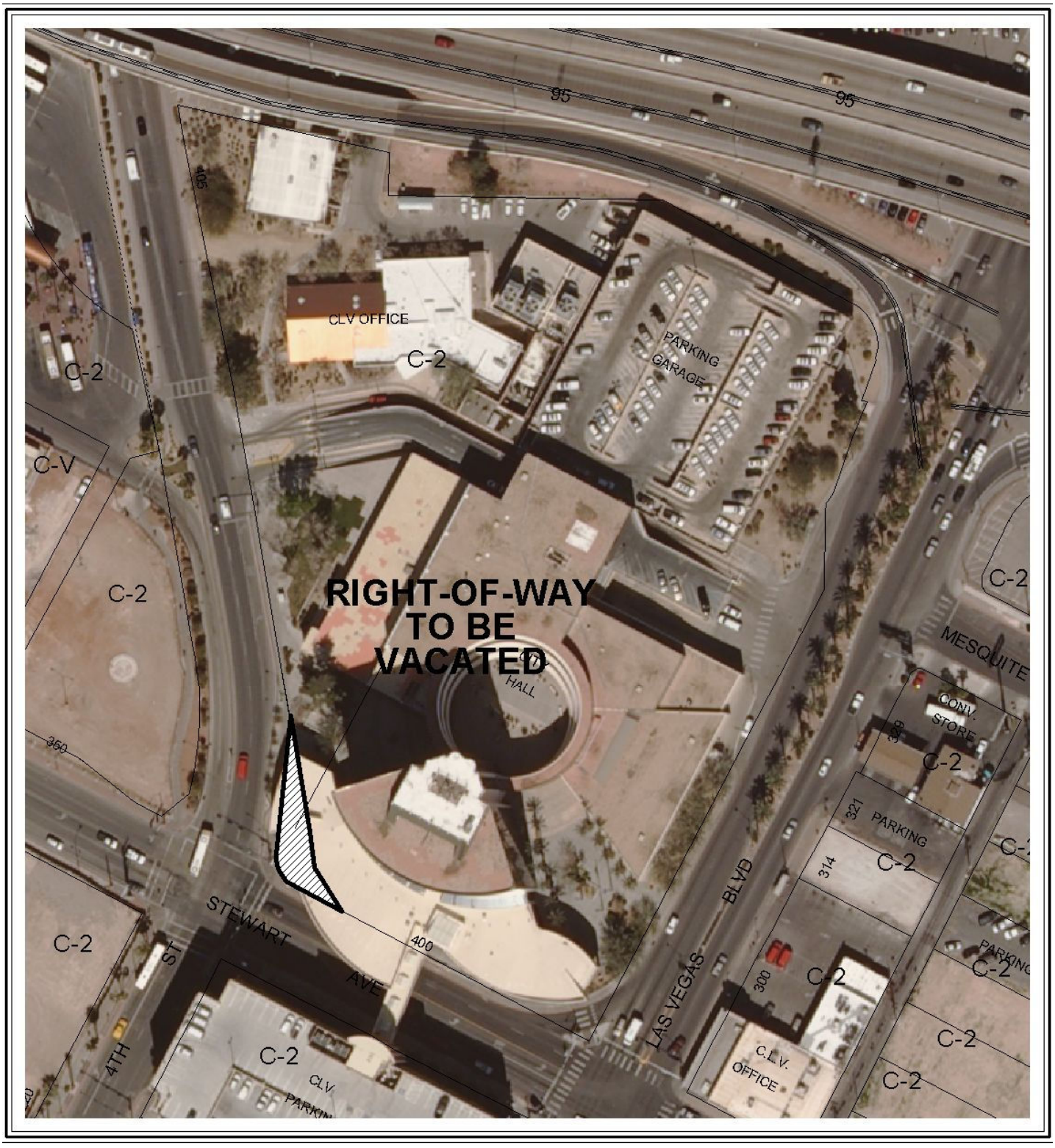

CASE: **VAC-42053**

0 100 200 Feet

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: SEPTEMBER 7, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAC-42053	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

VAC-42053 CONDITIONS

1. The limits of this Petition of Vacation shall be defined as the northeast corner of Fourth Street and Stewart Avenue as shown on recorded document OR:0104:082945.

2. 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.

3. All development shall be in conformance with code requirements and design standards of all City Departments.

4. 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.

5. 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.

RG

6. 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.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a petition to vacate an existing portion of the right-of-way located at the northeast corner of 4th Street and Stewart Avenue. The purpose of the vacation is to clean up the right-of-way boundaries to coincide with the actual roadway improvements, and staff recommends approval.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
06/07/11	The Department of Planning administratively approved a request for Parcel Map (PMP-41493) for two commercial lots on a property located on the northwest and southwest corners Stewart Avenue and Las Vegas Boulevard. The Final Map has not been recorded.
08/09/11	The Planning Commission voted (7-0) to recommend APPROVAL (PC Agenda Item # 8/rg)

Most Recent Change of Ownership
No change of ownership can be located for the subject site.

Related Building Permits/Business Licenses
No relevant building permit or licensing history exists pertaining to this request.

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	
06/30/11	A site visit by staff noted that the right-of-way contained an existing sidewalk.

Surrounding Property	*Existing Land Use Per Title 19.12*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	4th Street	Right-of-way	Right-of-way
North	Government Facility	MXU (Mixed-Use)	C-2 (General Commercial)
South	Parking Garage	C (Commercial)	C-2 (General Commercial)
East	Government Facility	MXU (Mixed-Use)	C-2 (General Commercial)
West	Vacant	MXU (Mixed-Use)	C-2 (General Commercial)

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area			
Downtown Centennial Plan	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
Downtown Centennial Plan Overlay District	X		Y
A-O (Airport Overlay) District	X		Y
Live/Work Overlay District	X		Y
Las Vegas Boulevard Scenic Byway 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

LEGAL DESCRIPTION

Those portions of land as described by that certain quitclaim deed recorded February 26, 1971 in Book 104 as Instrument no. 82945, Official Records, Clark County, Nevada, and by that certain "Resolution Approving Occupancy" recorded January 16, 1970 in Book 4 as Instrument no. 2484, Official Records, Clark County, Nevada, situated in Northeast Quarter (NE ¼) of Section 34, Township 20 South, Range 61 East, M.D.M., City of Las Vegas, Clark County, Nevada, being more particularly described as follows: Commencing at the Centerline intersection of "Las Vegas Boulevard" and "Stewart Avenue" as shown by that certain Record of Survey on file in File 104 of Surveys, Page 88, Official Records, Clark County, Nevada; thence along the centerline of said "Stewart Avenue", north 27.55'15" east, 40.00 feet to the northerly right-of-way of said "Stewart Avenue" and the point of beginning of the herein described tract; thence along said northerly right-of-way, north 62.04'45" west, 47.81 feet to the beginning of a 25.00

foot radius curve, concave to the east; thence northerly along said 25.00 foot radius curve to the right through a central angle of 67.29'29" (the long chord of which bears north 28.20'00" west, 27.78 feet) for an arc length of 29.45 feet; thence north 05.24'44" east, 85.36 feet to the beginning of a 210.00 foot radius curve, concave to the east; thence northerly along said long chord of which bears north 08.08'40" east, 20.02 for an arc length of 20.03 feet to the beginning of a 160.00 foot radius reverse curve concave to the west to which a radial line bears south 79.07'24" east; thence northerly along said 160.00 foot radius reverse curve to the left through a central angle of 3.01'10" (the long chord of which bears north 9.22'01" east, 8.43 feet) for an arc length of 8.43 feet; thence south 09.45'19" east, 126.59 feet; thence south 31.40'43" east, 41.35 feet to the point of beginning.

ANALYSIS

The Vacation is necessary due to excess public right-of-way on 4th Street. Vacating a portion of the right-of-way would coincide with the actual roadway improvements.

As no conflicts with any city requirements and Special Area Plans would be created by the vacation, staff recommends approval of the petition to vacate, with conditions.

The Department of Public Works presents the following information concerning this request to vacate certain public street rights-of-way:

A. Does this vacation request result in uniform or non-uniform right-of-way widths? *It will result in a uniform right-of-way width which coincides with the actual improvements.*

B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, since no street improvements will be affected.*

C. Does it appear that the vacation request involves only excess right-of-way? *Yes.*

D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, the recordation of the City Hall Parcel Map.*

E. Does this vacation request eliminate public street access to any abutting parcel? *No.*

F. Does this vacation request result in a conflict with any existing City requirements? *No.*

G. Does the Department of Public Works have an objection to this vacation request? *No.*

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 32

NOTICES MAILED 0 (By City Clerk)

APPROVALS 0

PROTESTS 0

RG

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-42053 APN: 139-34-501-003

Name of Property Owner: City of Las Vegas

Name of Applicant: Jorge Cervantes, Director of Public Works

Name of Representative: Barton T. Anderson

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: Barton T Anderson (for Jorge Cervantes)

Print Name: Barton T. Anderson for Jorge Cervantes

Subscribed and sworn before me

This 7th day of June, 2011

Kevin Cerny

Notary Public in and for said County and State

KEVIN CERNY
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 04-90775-1
MY APPT. EXPIRES JULY 29, 2012

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JUN 07 2011

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Vacation of Public Right-of-Way

Project Address (Location) 4th Street north of Stewart Avenue

Project Name _____ **Proposed Use** Redevelopment

Assessor's Parcel #(s) 139-34-501-003 **Ward #** 5

General Plan: existing _____ proposed _____ **Zoning:** existing _____ proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information Vacate excess right-of-way on 4th Street to conform the right-of-way to the existing roadway improvements preparatory to sale of parcel.

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2011 JUN -8 P 12:08
CITY CLERK

PROPERTY OWNER City of Las Vegas **Contact** Jorge Cervantes

Address 400 E. Stewart Avenue **Phone:** (702) 229-2198 **Fax:** _____

City Las Vegas **State** NV **Zip** 89101

E-mail Address _____

APPLICANT Jorge Cervantes **Contact** Bart Anderson

Address 400 E. Stewart Avenue **Phone:** (702) 229-2198 **Fax:** _____

City Las Vegas **State** NV **Zip** 89101

E-mail Address jcervantes@lasvegasnevada.gov

REPRESENTATIVE Barton T. Anderson **Contact** Bart Anderson

Address 400 E. Stewart Avenue **Phone:** (702) 229-2198 **Fax:** _____

City Las Vegas **State** NV **Zip** 89101

E-mail Address banderson@lasvegasnevada.gov

Property Owner Signature* Barton T. Anderson (for Jorge Cervantes)

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Barton T. Anderson for Jorge Cervantes

Subscribed and sworn before me

This 7th day of June, 20 11.

Kevin Cerny

Notary Public in and for said County and State

KEVIN CERNY
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 04-90775-1
MY APPT. EXPIRES JULY 29, 2012

FOR DEPARTMENT USE ONLY

Case #	VAC-42053
Meeting Date:	8/9/11
Total Fee:	
Date Received:*	6-7-11
Received By:	

DISTRIBUTED
JUN 07 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

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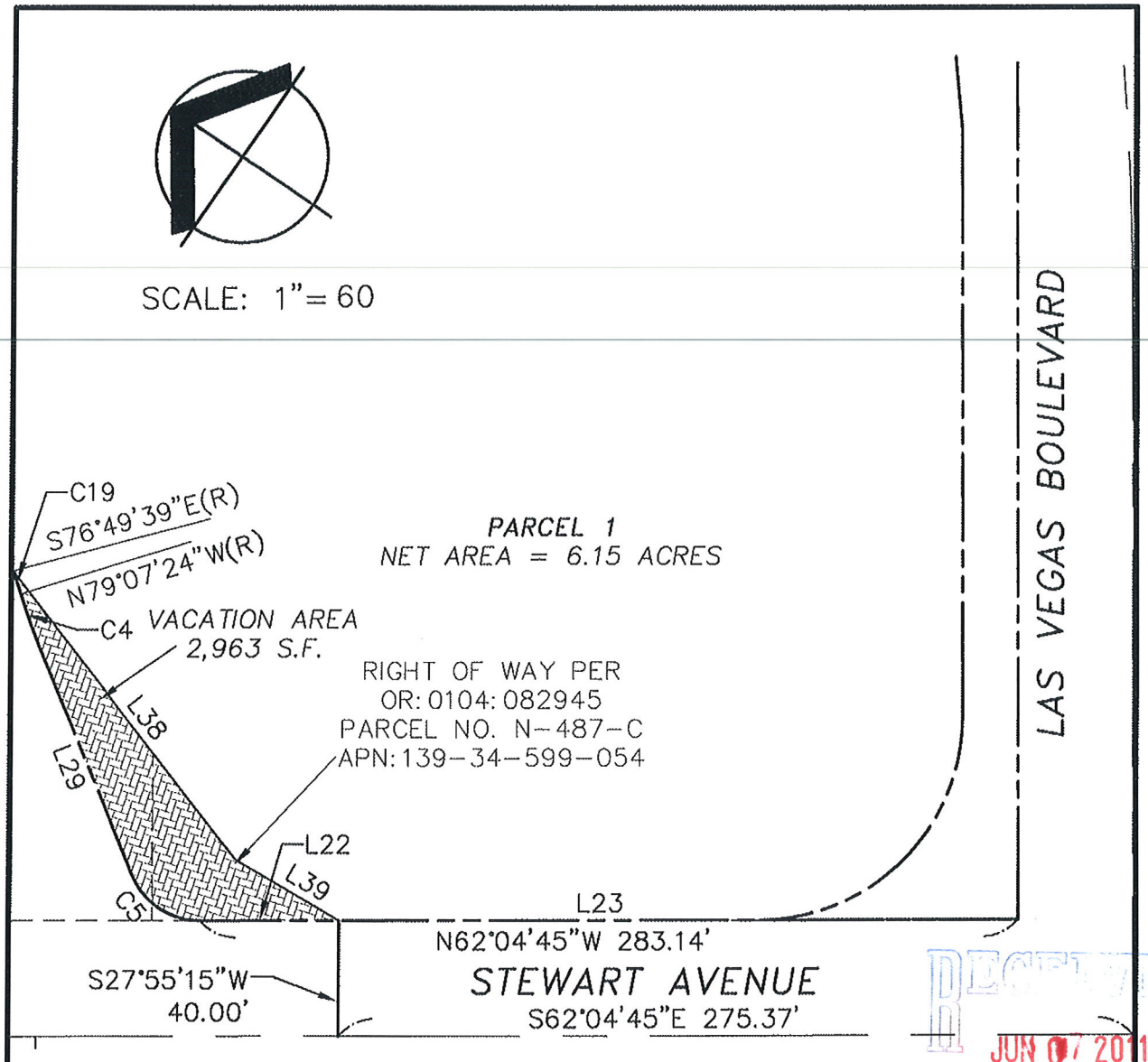

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BASIS OF BEARINGS

NORTH 62°04'45" WEST, BEING THE CENTERLINE OF A PORTION OF STEWART AVENUE AS SHOWN BY MAP IN THE OFFICE OF THE CLARK COUNTY, NEVADA RECORDER IN BOOK 112, PAGE 0041 OF PARCEL MAPS.

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VACATION EXHIBIT
4TH STREET

CITY OF LAS VEGAS - CITY HALL
LAS VEGAS, NEVADA

PROJECT NO.	3119614
DATE:	5/18/2011
BY:	TJB
SCALE:	1"=50'
SHEET NO.	1 OF 2

VAC-42053

COURSE TABLE:

Line #	Length	Bearing
L22	47.81'	S62° 04' 45"E
L23	145.80'	S62° 04' 45"E
L29	85.36'	N5° 24' 44"E
L38	126.59'	S9° 45' 19"E
L39	41.35'	N31° 40' 43"W

CURVE TABLE:

CURVE #	LENGTH	RADIUS	DELTA	CHORD	BEARING
C4	20.03	210.00'	5°27'52"	20.02'	S8°08'40"W
C5	29.45	25.00'	67°29'29"	27.78'	S28°20'00"E
C19	8.43	160.00'	3°01'10"	8.43'	N9°22'01"E

LEGEND:

— EXISTING BOUNDARY LINE

— EXISTING CENTERLINE

— EXISTING RIGHT-OF-WAY LINE

— SECTIONAL LINE



— RIGHT-OF-WAY DEDICATION AREA



— RIGHT-OF-WAY VACATION AREA

APN — ASSESSOR'S PARCEL NUMBER

S.F. — SQUARE FEET

N.A.P.O.T.S. — NOT A PART OF THIS SURVEY

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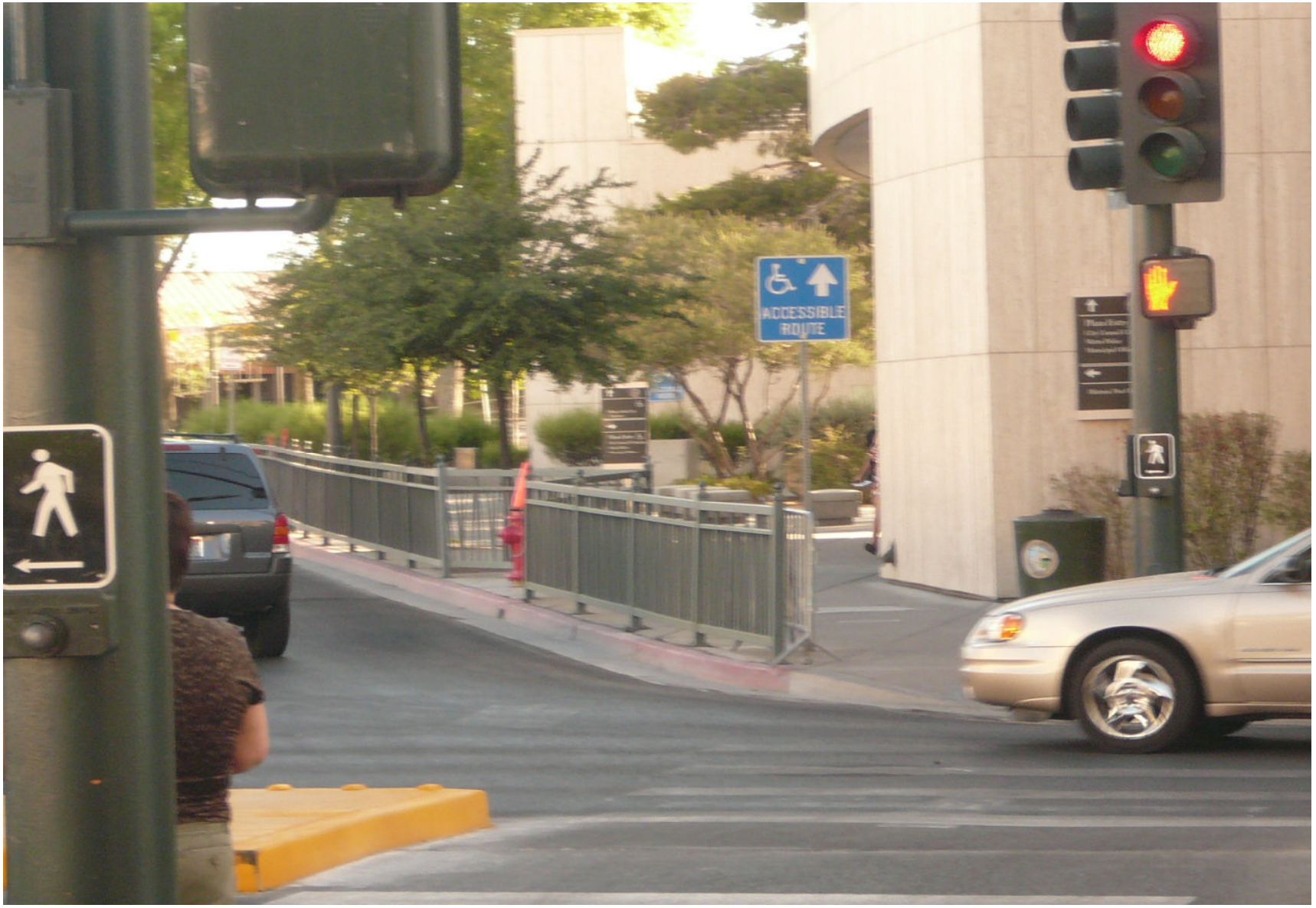
VACATION EXHIBIT
4TH STREET

CITY OF LAS VEGAS - CITY HALL
LAS VEGAS, NEVADA

PROJECT NO.	3119614
DATE:	5/18/2011
BY:	TJB
SCALE:	1"=50'
SHEET NO.	2 OF 2

VAC-42053



VAC-42053- APPLICANT/OWNER: CITY OF LAS VEGAS
NORTHEAST CORNER OF STEWART AVENUE AND FOURTH STREET

06/30/11

To whom it may concern:

The Department of Public Works requests a Petition of Vacation of excess public rights-of-way on 4th Street, north of Stewart Avenue, adjacent to the current City Hall. The City is in the process of transferring ownership of the City Hall parcel to private ownership, and this petition will clean up the right-of-way boundaries to coincide with the actual roadway improvements.

Thank you,

Barton T. Anderson, P.E.
Engineering Project Manager, Development Coordination
City of Las Vegas Department of Public Works

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VAC-42053

City of Las Vegas Agenda Item No.: **74.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

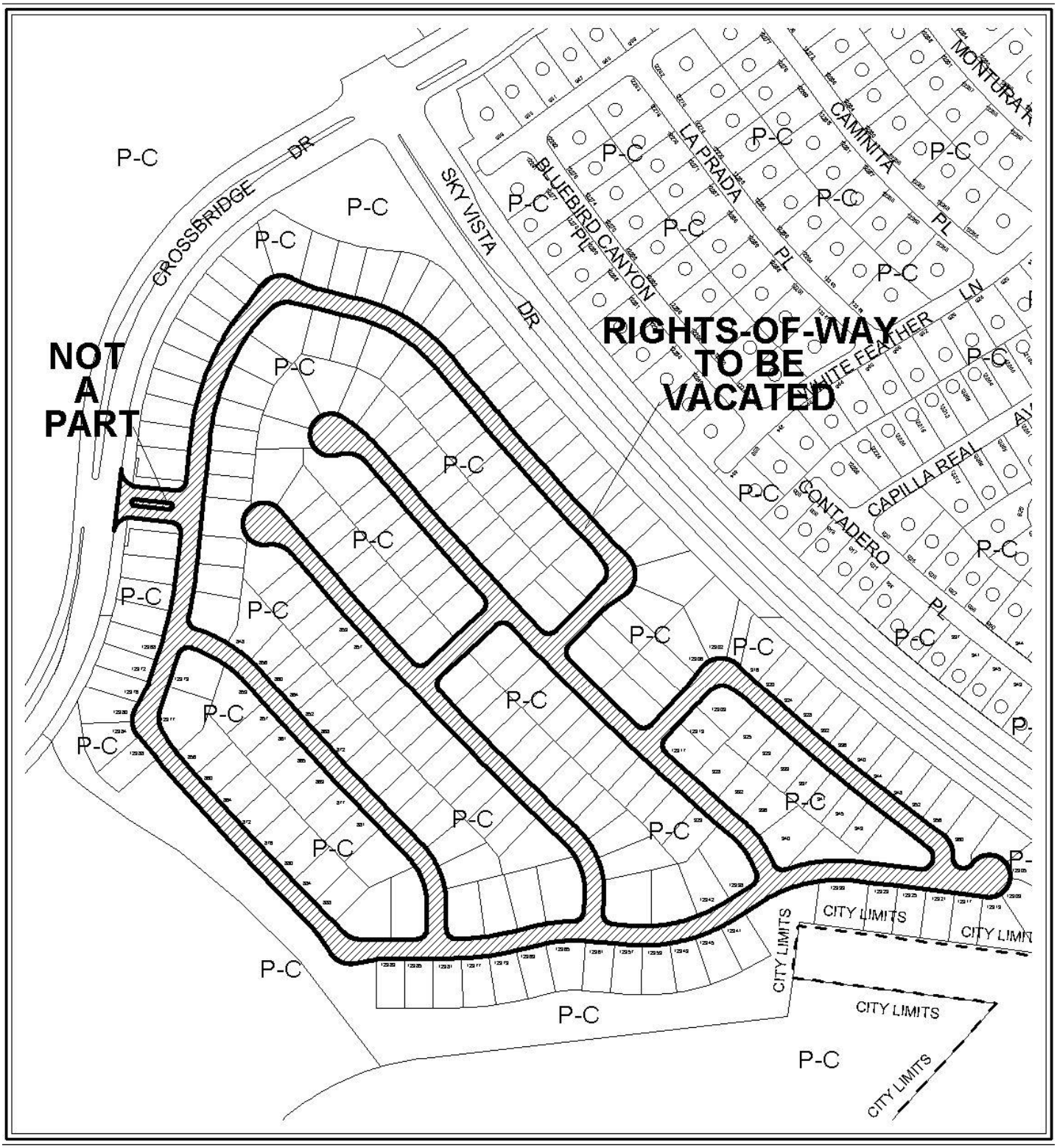
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
VAC-42246 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: THE HOWARD HUGHES COMPANY, LLC - For possible action on a petition to Vacate all public street right-of-way within a residential subdivision generally located at the southwest corner of Crossbridge Drive and Sky Vista Drive, Ward 2 (Wolfson). The Planning Commission (7-0 vote) and Staff recommends APPROVAL.

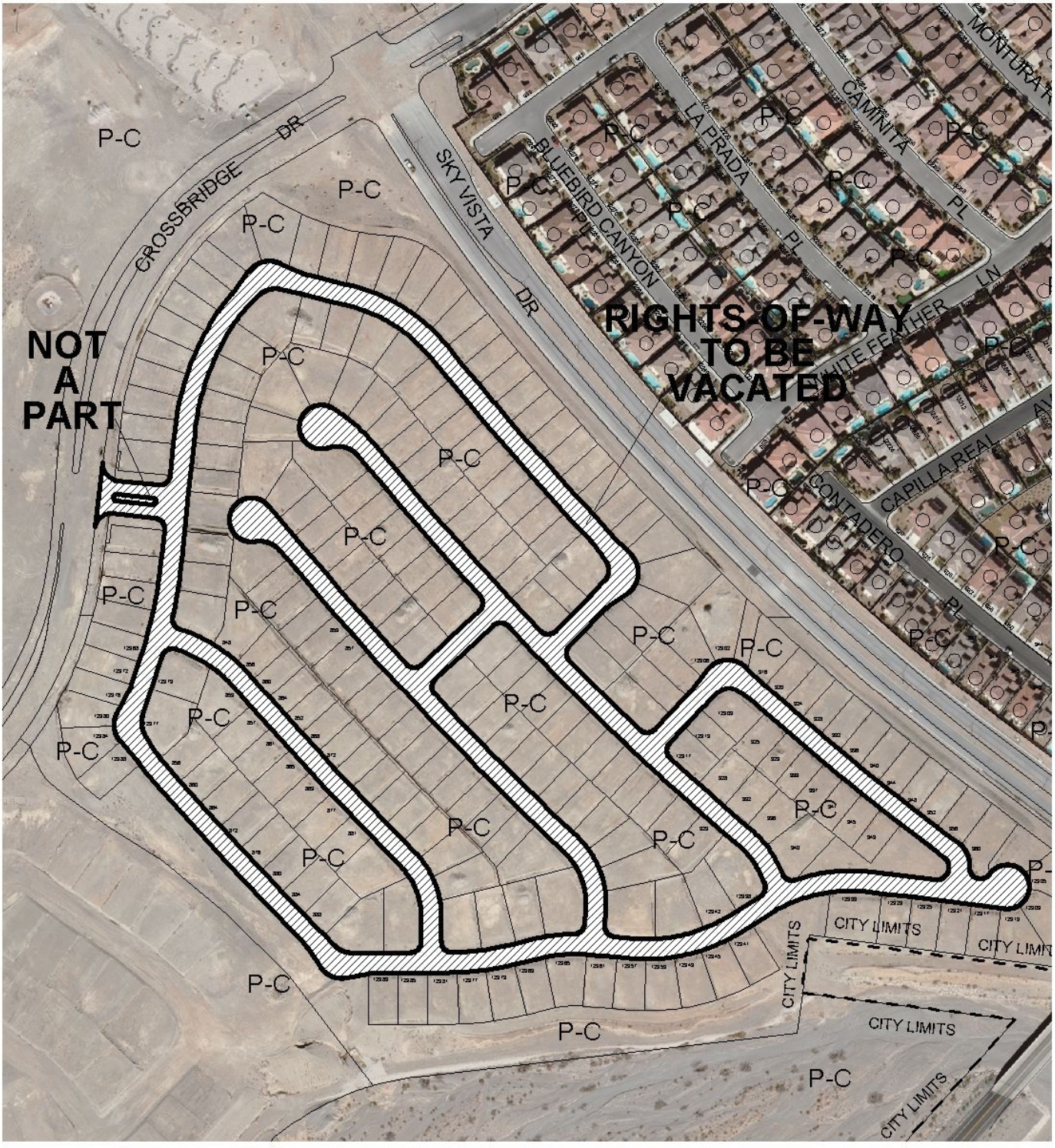
PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
The Planning Commission (7-0 vote) and Staff 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 August 9, 2011 Planning Commission Meeting Item – VAC-42246



CASE: **VAC-42246**



0 100 200 Feet

CASE: **VAC-42246**

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: SEPTEMBER 7, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: THE HOWARD HUGHES COMPANY, LLC

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

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAC-42246	Staff recommends APPROVAL, subject to conditions:	N/A

**** CONDITIONS ****

VAC-42246 CONDITIONS

1. The limits of this Petition of Vacation shall be defined as all the public streets and unused public easements granted with "Summerlin Village 24 Parcel A Silver Creek A common-interest community" recorded as Book 135 Page 71 of Plats.

2. Reserve a Public Sewer Easement across all rights-of-way to be vacated. Alternatively, meet with the Sanitary Sewer Planning Section of the Department of Public Works to determine where public sewer alignments must be reserved.

3. Coordinate with the Land Development Section of the Department of Building and Safety to determine how to close, abandon, or modify all open permits related to this site prior to the mylar submittal of this map. Comply with the recommendations of the Land Development Section.

4. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of this Final Map. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.

5. The Order of Vacation shall record concurrent with the recordation of a Reversionary Map. The recordation of a map such as FMP-42158 may be used to satisfy this condition.

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.

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant proposes to vacate 7.24 acres of public street right-of-way within a residential subdivision generally located at the southwest corner of Crossbridge Drive and Sky Vista Drive. This request is required for reversion to acreage of approximately 42.98 acres. Reversion of this subdivision back to acreage would allow future development of the site in conformance to the Summerlin Development Standards Manual. Staff recommends approval, with conditions. If denied, the approved residential subdivision could not be reverted back to acreage and the submitted Final Map (FMP-42158) could not be approved.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
01/27/97	The City Council approved a request for Annexation [A-0020-96(A)] for 8,318 acres of property located along the west side of the Beltway, between Charleston Boulevard and Lake Mead Boulevard, including the subject site, with an effective date of 02/28/97. The Planning Commission and staff recommended approval.
	The City Council approved a Development Agreement (DA-0001-96) for this site as a part of a larger request. The Planning Commission and staff recommended approval.
	The City Council approved a request for Rezoning (Z-0119-96) on 8,318 acres of property located along the west side of the Beltway, between Charleston Boulevard and Lake Mead Boulevard, including the subject site, from N-U (Non-Urban) to P-C (Planned Community). The Planning Commission and staff recommended approval.
05/05/04	The City Council approved a Master Development Review (MDR-3867) to establish land use designations within Summerlin Village 24, comprising 502 acres adjacent to the west side of Sky Vista Drive, between Alta Drive and Charleston Boulevard. The Planning Commission and staff recommended approval.
05/13/04	The Planning Commission approved a request for a Tentative Map (TMP-4175) for a 20-lot mixed-use subdivision on 502.2 acres adjacent to the west side of Sky Vista Drive, between Alta Drive and Charleston Boulevard (a portion of APN: 137-22-000-010).
05/19/04	The City Council approved a revision (DIR-3934) to the Summerlin Development Standards Manual, dated February 10, 2004. The Planning Commission and staff recommended approval.

07/13/06	The Planning Commission approved a request for a Tentative Map (TMP-13892) for a 246-lot residential development on 40.1 acres at the intersection of Charleston Boulevard and Sky Vista Drive.
01/18/07	A Final Map (FMP-14224) was submitted for a 237-lot single-family residential subdivision on 42.99 acres at the southwest corner of Crossbridge Drive and Sky Vista Drive. The Final Map was recorded on 02/08/07.
06/22/11	A Final Map (FMP-42158) was submitted review for reversion to acreage of approximately 42.98 acres at the southwest corner of Crossbridge Drive and Sky Vista Drive. The application is currently in review.
08/09/11	The Planning Commission voted (7-0) to recommend APPROVAL (PC Agenda Item #9/jg)

Most Recent Change of Ownership	
12/18/97	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
No building permits or business licenses have been issued for this subdivision.

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	
06/30/11	A site visit by staff noted an undeveloped residential subdivision that is clean and free of debris.

Details of Application Request	
Site Area	
Net Acres	7.24

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Undeveloped	SF3 (Single Family Detached)	P-C (Planned Community)
North	Undeveloped	SF3 (Single Family Detached)	P-C (Planned Community)

South	Undeveloped	Red Rock Conservation Area	P-C (Planned Community)
East	Single Family Residential	SF3 (Single Family Detached)	P-C (Planned Community)
West	Undeveloped	COS (Community Open Space)	P-C (Planned Community)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area			
Summerlin	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
P-C (Planned Community) 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

LEGAL DESCRIPTION

The subject property is legally described as the following:

The street right-of-way as dedicated per that certain Final Map Titled "Summerlin Village 24 Parcel A Silver Creek, a common-interest community", recorded in Book 135, Page 71 of plats on file at the Clark County, Nevada Recorder's Office, described as Desert Bridge Avenue, Middle Creek Street, Elmstone Place, Riverlawn Place, Bruckner Lane, Keyport Lane, Fanwood Lane, Glenhaven Place, Valley Chase Avenue, Cherry Glen Place, Haven Oaks Place and Bluffwood Place.

ANALYSIS

This is a request to Vacate 7.24 acres of public street right-of-way within a residential subdivision associated with Summerlin Village 24, Parcel A, Silver Creek generally located at the southwest corner of Crossbridge Drive and Sky Vista Drive. The applicant has indicated that the Vacation is necessary to process a Reversionary Final Map (FMP-42158) to convert the mapped lots within Book 135, Page 71 back to acreage.

As no conflicts with any city requirements would be created by vacation, staff recommends approval of the Petition to Vacate, with conditions.

The Department of Public Works presents the following information concerning this request to vacate certain public street rights-of-way.

A. Does this vacation request result in uniform or non-uniform right-of-way widths? *It will result in the elimination of public streets internal to a subdivision that has requested to revert to acreage the previously subdivided land which created the public streets.*

B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, since this is internal to a subdivision.*

C. Does it appear that the vacation request involves only excess right-of-way? *Yes. If the previously recorded subdivision is reverted to acreage all public streets will be considered excess right-of-way.*

D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, a request to revert "Summerlin Village 24 Parcel A Silver Creek" to acreage has been submitted under FMP-42158.*

E. Does this vacation request eliminate public street access to any abutting parcel? *No.*

F. Does this vacation request result in a conflict with any existing City requirements? *No.*

G. Does the Department of Public Works have an objection to this vacation request? *No.*

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

NOTICES MAILED 0 (By City Clerk)

APPROVALS 0

PROTESTS 0

JG

COPY

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-42246 APN: see attached

Name of Property Owner: The Howard Hughes Company, LLC, A Delaware LLC

Name of Applicant: Same as Owner

Name of Representative: G. C. Wallace, Inc./Paul Burn, PLS

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: Kevin T. Orrock

Subscribed and sworn before me

This 10th day of May, 2011

Stella Clark

Notary Public in and for said County and State

STELLA CLARK
Notary Public-State of Nevada
APPT. NO. 06-107247-1
My App. Expires June 07, 2014

Revised 11-14-06

f:\depot\Application Packet\Statement of Financial Interest.pdf

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JUN 22 2011

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137-34-416-001-83 (83)
164-03-112-84-103 (19)
164-03-112-104-237 (133)
164-03-415-804 (1)
164-03-415-007 (1)

Total 237

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DEPARTMENT OF PLANNING

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APPLICATION / PETITION FORM

Application/Petition For: Vacation Street Right of Way

Project Address (Location) CrossBridge Drive and Sky Vista Drive- Summerlin

Project Name Reversionary Parcel Map **Proposed Use** _____

Assessor's Parcel #(s) See attached **Ward #** _____

General Plan: existing _____ proposed _____ **Zoning:** existing _____ proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres 42.98 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER The Howard Hughes Company LLC **Contact** Glenn Lowrimore

Address 10801 West Charleston Blvd. 3RD Floor **Phone:** 791-4600 **Fax:** 791-4660

City Las Vegas **State** Nevada **Zip** 89146

E-mail Address jlowrimore@howardhughes.com

APPLICANT Same as Above **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

REPRESENTATIVE G.C. Wallace, Inc. **Contact** Paul Burn, PLS

Address 1555 South Rainbow Blvd **Phone:** 702-804-2060 **Fax:** 702-804-2299

City Las V gas **State** Nevada **Zip** 89135

E-mail Address pburn@gcwallace.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 KEVIN T. ORROCK

Subscribed and sworn before me

This 10th day of May, 20 11.

Stella Clark

Notary Public in and for said County and State

STELLA CLARK
Notary Public-State of Nevada
APPT. NO. 06-107247-1
My App. Expires June 07, 2014

FOR DEPARTMENT USE ONLY

Case #	VAC-42246
Meeting Date:	8/9/11
Total Fee:	$1,000
Date Received:*	6/22/11
Received By:	[signature]

RECEIVED
JUN 22 2011

*Th... til the ... the ...cable

f:\depot\Application Packet\Applica... .pdf

Revised 10/27/08



VAC-42246 - APPLICANT/OWNER: THE HOWARD HUGHES COMPANY, LLC
SOUTHWEST CORNER OF CROSSBRIDGE DRIVE AND SKY VISTA DRIVE

06/30/11



VAC-42246 - APPLICANT/OWNER: THE HOWARD HUGHES COMPANY, LLC
SOUTHWEST CORNER OF CROSSBRIDGE DRIVE AND SKY VISTA DRIVE

06/30/11

G. C. WALLACE COMPANIES
ENGINEERS | PLANNERS | SURVEYORS

G. C. WALLACE, INC.

Writer's Contact Information:

62024-810-01

July 6, 2011

Planning Department
City of Las Vegas
333 Rancho Drive
Las Vegas, Nevada
89101

Re: Justification for Reversionary Map and Vacation of Street Right of Way
FMP 42158 and Vac-42246

To Whom It May Concern:

On behalf of The Howard Hughes Company, Limited Partnership, G. C. Wallace, Inc., (GCW) is submitting a request for a Reversionary Final Map and Vacation of Street Right of Way. We are submitting these applications per the request of the City of Las Vegas.

Please feel free to call me at 804-2126 if you need any additional information or have any questions.

Very truly yours,

G. C. WALLACE, INC.

Cyndee Miller

Cyndee Miller,
Project Coordinator

Enclosures

C: File
Josh Johnson, GCW

RECEIVED
JUL 07 2011
VAC-42246

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: **VAC-42246 - APPLICANT/OWNER: THE HOWARD HUGHES COMPANY, LLC**

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the ***AUGUST 9, 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 ***AUGUST 8, 2011***.

HOWARD HUGHES

Signature

8-5-2011
Date

GLENN LOWRIMORE
Please Print Name

HOWARD HUGHES CORP
Company Name

RECEIVED
AUG - 8 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Sincerely,

Steve Gebeke, AICP
Planning Supervisor
Case Planning Division

City of Las Vegas Agenda Item No.: **75.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

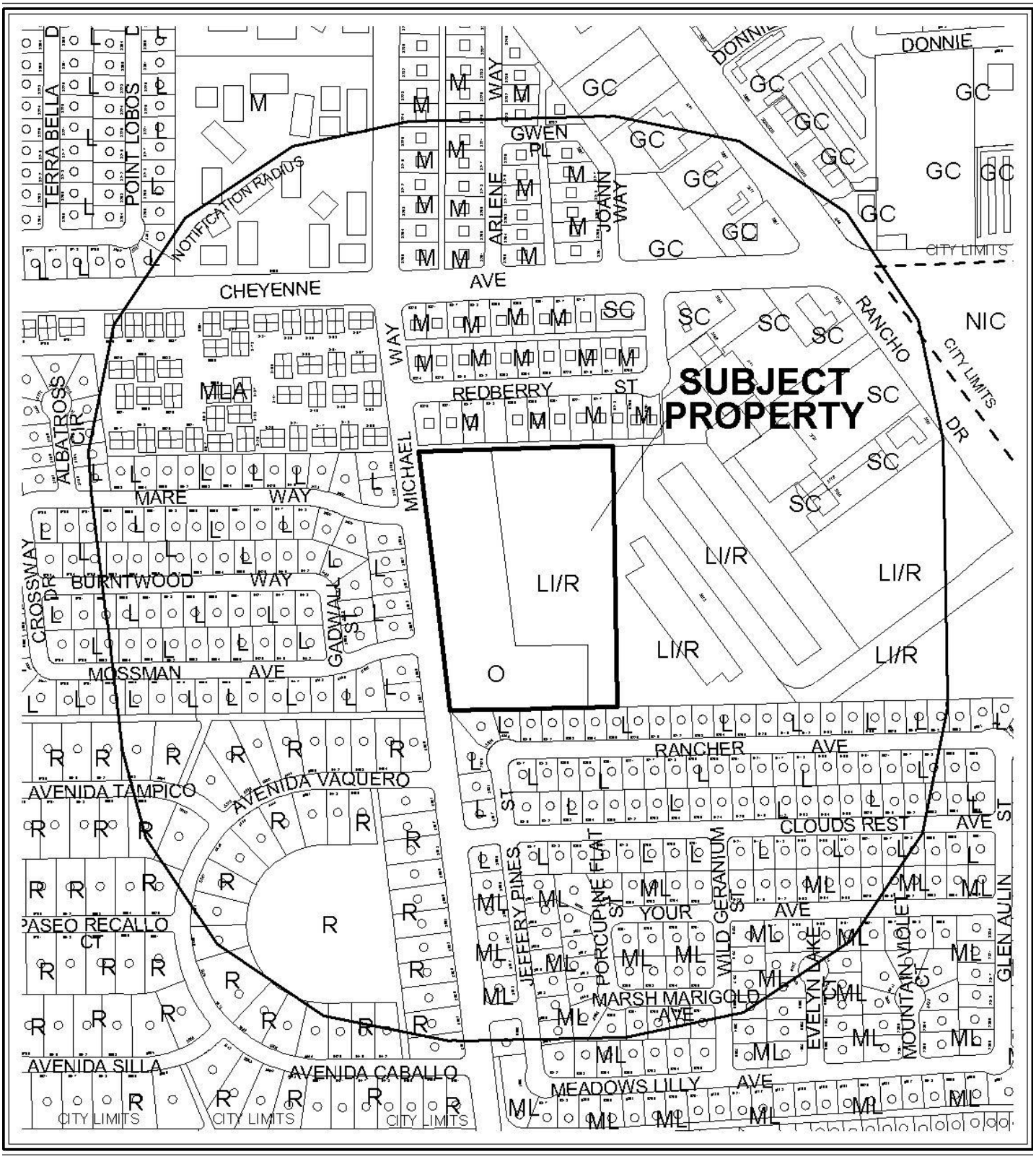
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
GPA-41777 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: RANCHO PROPERTIES, LLC - For possible action on a request for a General Plan Amendment FROM: O (OFFICE) and LI/R (LIGHT INDUSTRY/RESEARCH) TO: M (MEDIUM DENSITY RESIDENTIAL) on 9.92 acres at 3000 North Michael Way (APN 138-13-512-001), Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**13**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report - GPA-41777, ZON-41778 and SDR-41779
3. Supporting Documentation
4. Photos - GPA-41777, ZON-41778 and SDR-41779
5. Justification Letter - GPA-41777, ZON-41778 and SDR-41779
6. Backup referenced from the August 9, 2011 Planning Commission Meeting Items – GPA-41777 and ZON-41778



0 300 600 Feet

CASE: **GPA-41777**

RADIUS: 1000 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

O (OFFICE) AND LI/R (LIGHT INDUSTRY/RESEARCH)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

M (MEDIUM DENSITY RESIDENTIAL)

N



0 300 600 Feet

CASE: **GPA-41777**

RADIUS: 1000 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

O (OFFICE) AND LI/R (LIGHT INDUSTRY/RESEARCH)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

M (MEDIUM DENSITY RESIDENTIAL)

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: SEPTEMBER 7, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: RANCHO PROPERTIES, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
GPA-41777	Staff recommends DENIAL.	
ZON-41778	Staff recommends DENIAL.	GPA-41777
SDR-41779	Staff recommends DENIAL, if approved subject to conditions:	GPA-41777 ZON-41778

** CONDITIONS **

SDR-41779 CONDITIONS

Planning

1. The applicant shall provide notification to residents that the project is located within the Airport Overlay District.

2. Approval of a General Plan Amendment (GPA-41777) and Rezoning (ZON-41778) 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 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

4. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 05/12/11, except as amended by conditions herein.

5. A Waiver from Title 19.06.110 is hereby approved, to allow no landscape buffer along portions of the north perimeter where six feet is required.

6. An Exception from Title 19.06.110 is hereby approved, to allow no trees in the parking lot where required due to a sewer easement and to have nine fewer additional parking lot trees than required.

7. An Exception from Title 19.06.110 is hereby approved, to allow 126 total perimeter trees for the project.

8. Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77. No Building Permit or other construction permit shall be issued for any structure greater than 35 feet above the surface of land that, based upon the FAA's 7460 airspace determination (the outcome of filing the FAA Form 7460-1) would (a) constitute a hazard to air navigation, (b) would result in an increase to minimum flight altitudes during any phase of flight (unless approved by the Department of Aviation), or (c) would otherwise be determined to pose a significant adverse impact on airport or aircraft operations.

9. 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.

10. 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.

11. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

12. 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.

13. Air conditioning units shall not be mounted on rooftops.

14. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.08.040.

15. 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.

16. 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.

17. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

18. Construct all incomplete half-street improvements on Michael Way adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

19. Remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

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. No new permanent structures or landscaping taller than 3 feet shall be allowed within the existing 20-foot public sewer easement granted by Plat Book 95 Page 52.

22. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or the submittal of any construction drawings for 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.

23. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant has requested to change the General Plan and Zoning on 9.92 undeveloped acres in order to construct a 136-unit apartment complex. The property is currently planned for use as LI/R (Light Industry/Research). The location near the end of the primary runway at North Las Vegas Airport and being in the final approach path for aircraft tends to support the current land use designation. The Clark County Department of Aviation has notified staff of its strong opposition to changing the use to allow a residential development. Staff supports the reasoning and recommends denial of the requests. If denied, the property would remain designated for LI/R (Light Industry/Research) development and no residential component could be built.

ISSUES

- A Waiver is required to allow a zero-foot landscape buffer along a portion of the north perimeter where six feet is required. Staff supports the request as it is adjacent to an alley.
- An Exception is required to allow no parking lot shade trees where required due to an existing sewer easement. Staff supports the request as the design of the project prohibits this requirement from being met.
- An Exception is required to allow 126 perimeter trees where 133 are required. Staff supports the request as the existing sewer easement prohibits this requirement from being met.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
1962	The City Council approved Annexation (A-0003-62), which included the property located at 3000 North Michael Way.
12/15/76	The Board of Adjustments approved Variance a(V-0091-76) to allow two horses per lot on property zoned R-D (Residential Development) at 3000 North Michael Way. Staff had no objection to the request.
03/20/91	The City Council approved Rezoning (Z-0009-91) from R-E (Residence Estates) and C-2 (General Commercial) to C-M (Commercial Industrial) for an office commercial park at 3000 North Michael Way. The Planning Commission and staff recommended approval. The 2-year Resolution of Intent expired without being exercised.

12/20/95	The City Council approved Rezoning (Z-0090-95) from R-E (Residence Estates) and C-2 (General Commercial) to C-M (Commercial Industrial) for an office commercial park and mini-storage facility at 3000 North Michael Way. The Planning Commission and staff recommended approval. The 1-year Resolution of Intent and several Extensions Of Time expired without being exercised.
08/11/97	The City Council approved Rezoning (Z-0036-97) from R-E (Residence Estates) to C-M (Commercial Industrial) for an office park at 3000 North Michael Way. Condition 7 prohibited all but emergency access off of Michael Way. The Planning Commission recommended denial and staff recommended approval.
08/09/11	The Planning Commission voted (5-1-1/bg/gf) to recommend APPROVAL (PC Agenda Items #11, 12 & 13/yk)

Most Recent Change of Ownership	
11/18/10	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
11/02/07	Code Enforcement issued a citation (#59473) for trash and illegal dumping at 3000 North Michael Way. The case was closed on 11/15/07.
07/09/08	Code Enforcement issued a citation (#67556) for a damaged utility box at 3000 North Michael Way. The case was closed on 07/10/08.
08/13/10	Code Enforcement issued a citation (#93631) for noise at 3000 North Michael Way. The case was closed on 08/17/10.
11/17/10	Code Enforcement issued a citation (#96307) for trash at 3000 North Michael Way. The case was closed on 11/18/10.

Pre-Application Meeting	
04/06/11	Staff met with the applicant and reviewed the requirements for a General Plan Amendment, Rezoning and Site Development Plan Review application for a proposed apartment complex.

Neighborhood Meeting	
06/09/11	A neighborhood meeting was held. Four members of the public attended and were evenly split, two to two on the project. The two who were not in favor of the project expressed concerns regarding increased crime and traffic that generally come with higher density developments. They also felt that the existing zoning was an appropriate buffer for the area.

Field Check	
06/02/11	Staff visited the site and found a fenced, clean undeveloped lot.

Details of Application Request	
Site Area	
Net Acres	9.92

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Undeveloped	LI/R (Light Industrial/Research)	O (Office)
		Proposed: M (Medium Density Residential)	C-M (Commercial/Industrial)
			Proposed: R-3 (Medium Density Residential)
North	Single Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)
South	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
East	Retail	LI/R (Light Industrial/Research)	C-M (Commercial/Industrial)
	Office		
West	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)

Master Plan Areas	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts	X		Y
A-O (Airport Overlay) District (35 Feet)	X		Y
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 Title 19.06.110, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	6,500 SF	432,466 SF	Y
Dwelling Units per Acre	13-50 Units Per Acre	14 Units Per Acre	Y
Min. Setbacks			
• Front	10 Feet	23 Feet	Y
• Side	5 Feet	20 Feet	Y
• Rear	20 Feet	50 Feet	Y
Min. Distance Between Buildings	10 Feet	20 Feet	Y
Max. Lot Coverage	N/A	N/A	N/A
Max. Building Height	55 Feet	24 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated and roofed	Y
Mech. Equipment	Screened	Screened	Y

Residential Adjacency Standards	*Required/Allowed*	*Provided*	*Compliance*
3:1 proximity slope	41.65 Feet	41.65 Feet	Y
Adjacent development matching setback	20 Feet	41 Feet	Y
Trash Enclosure	50 Feet	80 Feet	Y

Pursuant to Title 19.06.110, the following standards apply:

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	30 Trees	26 Trees	N
• South	1 Tree / 20 Linear Feet	26 Trees	25 Trees	N
• East	1 Tree / 20 Linear Feet	40 Trees	39 Trees	N
• West	1 Tree / 20 Linear Feet	37 Trees	36 Trees	N
TOTAL PERIMETER TREES		**133 Trees**	**126 Trees**	**N**
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	38 Trees	20 Trees	N

LANDSCAPE BUFFER WIDTHS			
Min. Zone Width			
• North	6 Feet	0 Feet	N
• South	6 Feet	20 Feet	Y
• East	6 Feet	6 Feet	Y
• West	10 Feet	15 Feet	Y
Wall Height	6 to 8 Feet Adjacent to Residential	6 Feet	Y

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Michael Way	Secondary Collector	Master Plan of Streets and Highways	80	Y

Pursuant to Title 19.08 and 19.12, 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	
2 Bedroom Apartments	80	1 per 1.75 du	140				
3 Bedroom Apartments	56	1 per 2.0 du	112				
Visitor	136	1 per six units	23				
TOTAL SPACES REQUIRED			275		409		Y
Regular and Handicap Spaces Required			1		1		Y

Waivers		
Requirement	***Request***	***Staff Recommendation***
To provide a six foot wide landscape buffer along the north perimeter.	To allow no landscape buffer along a portion of the north perimeter.	Approval

YK

Exceptions		
Requirement	***Request***	***Staff Recommendation***
To require 1 tree at the end of each parking lot row and 1 tree for each 6 uncovered parking spaces.	To allow no trees in the parking lot where required due to a sewer easement and to have 9 fewer additional parking lot trees.	Approval
To have 1 perimeter tree every 20 foot on center for a total of 133 perimeter trees.	To allow 126 total perimeter trees.	Approval

ANALYSIS

The applicant is requesting that the General Plan and Zoning be changed to allow a 136-unit multi-family residential project to be built where the General Plan and current Zoning allow only commercial and light industrial uses to be located. The Clark County Department of Aviation (CCDOA) has expressed concerns with the project and believes that commercial and light industrial uses would be the best suited for the parcel as currently permitted. Specifically, the CCDOA had the following comments:

"Federal Aviation Regulations (Title 14, Part 77) require that the Federal Aviation Administration (FAA) be notified before the construction or alteration of any building or structure greater than 200 feet in height (77.13(a)(1)) or that will exceed a slope of 100:1 for a distance of 20,000 feet from the nearest point of any airport runway greater than 3,200 feet in length (77.13(a)(2)(i)). Such notification allows the FAA to determine what impact, if any, the proposed development will have upon navigable airspace, and allows the FAA to determine where the development requires obstruction marking or lighting.

The proposed development will exceed the 100:1 notice requirement for the North Las Vegas Airport (VGT). Therefore, as required by 14 CFR Part 77, a condition has been added that the FAA must be notified of the proposed construction or alteration.

The CCDOA is also concerned about the proposed residential nature of the project. The project is located approximately one-half mile from, and directly adjacent to preferred flight patterns for VGT. The subject property is exposed to significant single-event aircraft over-flight noise, and many aircraft are at very low altitudes above it. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade VGT to meet future air traffic demand. CCDOA stresses that the current zoning is appropriate for non-residential uses. The FAA will no longer provide remedial noise mitigation measures for

incompatible development impacted by aircraft operations for projects constructed after October 1, 1998. A commercial project would be more compatible with existing and future airport operations. If the project is approved, CCDOA suggests that the owner provide a stand-alone noise disclosure statement to the renter of each unit, and that the completed and recorded noise disclosure statements be forwarded to the CCDOA office. Staff recommends denial of the project in support of the concerns raised by the CCDOA.

The project requires the approval of a Waiver of the north perimeter landscape buffer. This waiver is for the areas where the trash enclosures are located. Since this perimeter is adjacent to an alley and only a minimum amount of landscaping is involved with the request, staff supports the waiver.

The two Exceptions are needed due to an existing sewer easement that crosses the parcel. Since trees cannot be planted over this easement, staff supports the request.

There is a multi-family development north of the proposal that was constructed in 1983, before the North Las Vegas Airport became busy. That project is just to the north of the primary flight path of aircraft landing at the airport. There are also single family neighborhoods to the west and south of the proposed project. The homes are all single story structures.

The current land use and zoning designations provide an appropriate buffer between the airport and the residential neighborhoods. Low flying aircraft will have less of a negative impact on such uses then a residential project would experience. There have been several aircraft accidents in the past few years that had a direct impact on residential neighborhoods in the area. An additional residential neighborhood would not be prudent land use planning. As such, staff recommends denial of the applications.

FINDINGS (GPA-41777)

Section 19.16.030(I) of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. **The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,**

   A residential project is not compatible with the industrial/research land use adjacent along the east perimeter. The fact that low flying aircraft will continue to be present and actually increase with the growth of the airport also makes residential uses incompatible for the site.

2. **The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,**

   A residential zoning designation is not compatible with the adjacent industrial use to the east.

3. **There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and**

   This is an infill project surrounded by a completely built urban environment. The available infrastructure is adequate to accommodate the project.

4. **The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.**

   There are no other applicable plans for this area.

FINDINGS (ZON-41778)

In order to approve a Rezoning application, pursuant to Title 19.16.090(L), the Planning Commission or City Council must affirm the following:

1. **The proposal conforms to the General Plan.**

   This project does not conform to the General Plan and a subsequent General Plan Amendment accompanies this request.

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.**

   A high density residential project is not compatible with the surrounding land uses, specifically the North Las Vegas Airport.

3. **Growth and development factors in the community indicate the need for or appropriateness of the rezoning.**

   There is currently an abundance of vacant residential properties in the community and thus these conditions do not support the request at this time.

4. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.**

   The project would be serviced by Michael Way, an 80-foot wide Secondary Collector.

FINDINGS (SDR-41779)

In order to approve a Site Development Plan application, per Title 19.16.100(E) 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;**

   A high density residential project is not compatible at this location, due to the low flying aircraft landing at the North Las Vegas Airport. In addition, a residential project is not compatible with adjacent industrial land uses to the 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;**

   The proposed development is not consistent with Title 19.08 as is evidenced by the required waivers and exceptions.

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

   Michael Way, an 80-foot wide Secondary Collector right-of-way, is adequate to handle the traffic generated by the proposed development.

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

   The proposed drought-resistant landscape plants and building material are appropriate for 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 design of the project is aesthetically appropriate for the area and will not be obnoxious in appearance.

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

   The project will require permits and inspections and thus the public health, safety and welfare will be protected. A condition has been added to notify the FAA via a Form 7460-1, which will allow the FAA to make a determination as to whether the proposed development will constitute a hazard to air navigation.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

NOTICES MAILED 345 (By City Clerk)

APPROVALS 0

PROTESTS 13

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-41777** APN: 138-13-512-001

Name of Property Owner: Rancho Properties, L.L.C.

Name of Applicant: Rancho Properties, L.L.C.

Name of Representative: Ernest A. Becker, IV

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☒ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Ernest A. Becker, IV

Subscribed and sworn before me

This 11th day of May, 2011

Debra S. Alston

Notary Public in and for said County and State

DEBRA S. ALSTON
Notary Public State of Nevada
No. 03-84766-1
My appt. exp. Oct. 10, 2011

RECEIVED
MAY 12 2011

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: GPA: amend from O & L1/R to M

Project Address (Location) 3000 N Michael Way, Las Vegas Nevada

Project Name Crystal Park Apartment Homes **Proposed Use** apartments

Assessor's Parcel #(s) 138-13-512-001 **Ward #** 5-Barlow

General Plan: existing O&L1/R proposed M **Zoning:** existing O&L1/R proposed R-3

Commercial Square Footage n/a **Floor Area Ratio**

Gross Acres 9.92 **Lots/Units** 136 units **Density** 14.2 per acre

Additional Information

PROPERTY OWNER Rancho Properties, L.L.C. **Contact** Ernest A. Becker, IV

Address 8090 S Durango Dr. Ste 115 **Phone:** (702) 395-9244 **Fax:** (702) 395-4155

City Las Vegas **State** NV **Zip** 89113

E-mail Address eabj@beksgroup.com

APPLICANT Rancho Properties, L.L.C. **Contact** Ernest A. Becker, IV

Address 8090 S DURANGO DR. STE 115 **Phone:** (702) 395-9244 **Fax:** (702) 395-4155

City Las Vegas **State** NV **Zip** 89113

E-mail Address eabj@beksgroup.com

REPRESENTATIVE Rancho Properties, L.L.C. **Contact** Brian T. Becker/Ernest A. Becker IV

Address 8090 S Durango Dr., Ste 115 **Phone:** (702) 395-9244 **Fax:** (702) 395-4155

City Las Vegas **State** NV **Zip** 89113

E-mail Address eabj@beksgroup.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 Ernest A. Becker, IV

Subscribed and sworn before me

This 11th day of May, 2011.

_____

Notary Public in and for said County and State

DEBRA S. ALSTON
Notary Public State of Nevada
No. 03-84766-1
My appt. exp. Oct. 10, 2011

FOR DEPARTMENT USE ONLY

Case #	GPA-41777
Meeting Date:	7-12-11
Total Fee:	$ 2,000.00
Date Received:*	5-12-11
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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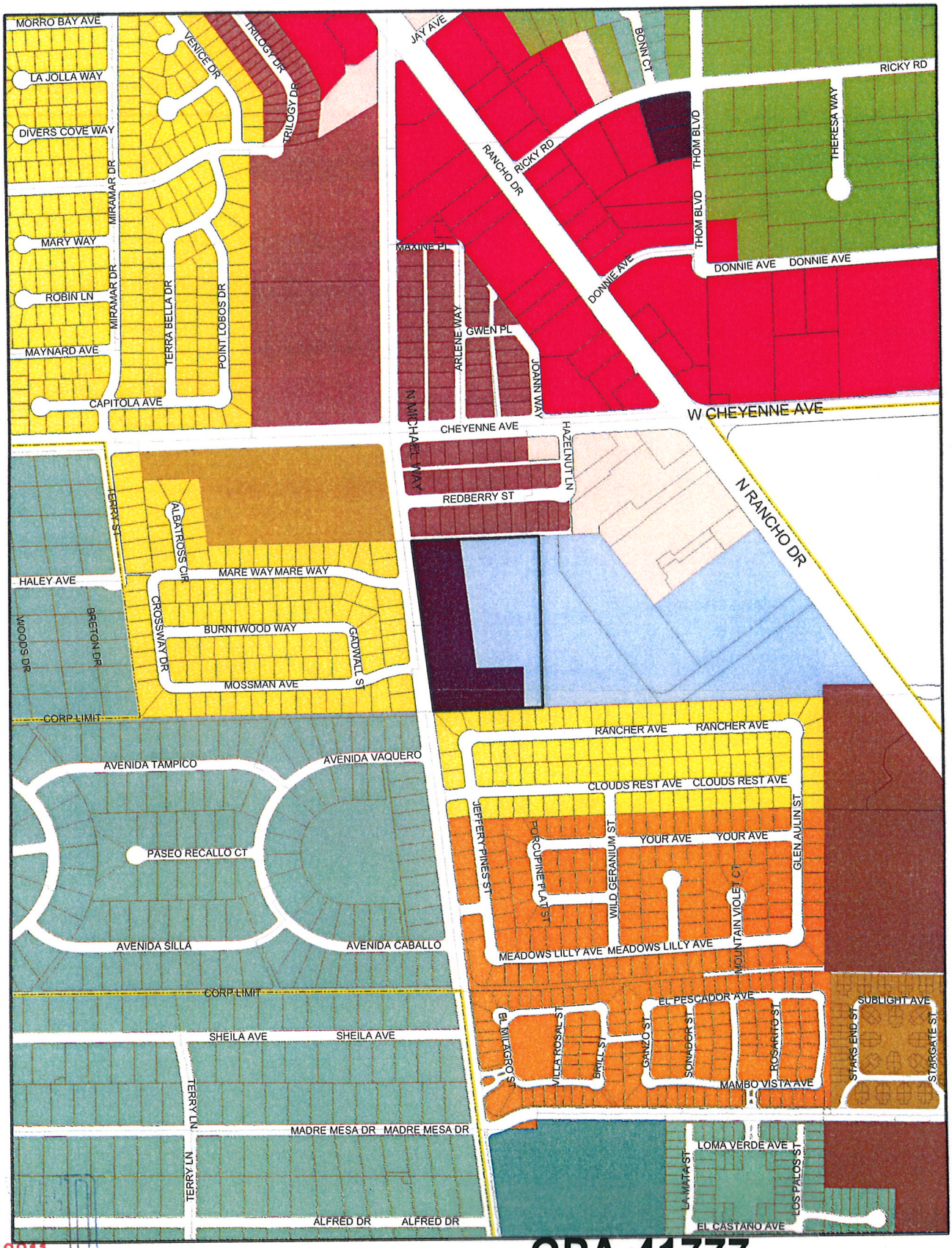
CITY OF LAS VEGAS
PLANNING DEPARTMENT

GENERAL PLAN AMENDMENT Parcel: 138-13-512-001



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GENERAL PLAN AMENDMENT

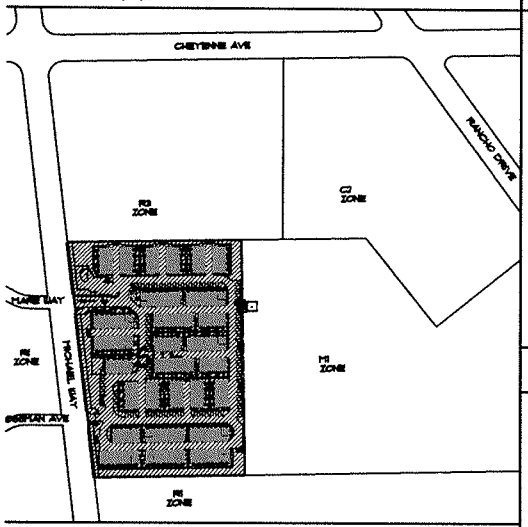
GPA-41777 FROM LI/R AND O TO M

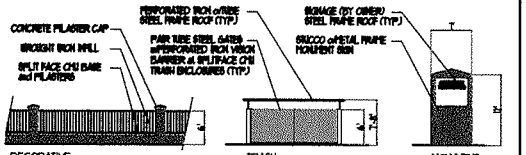
- Rural Neighborhood Preservation
- Rural Estates
- Desert Rural
- Rural
- Low
- Medium - Low
- Medium - Low Attached
- Medium
- High
- Office
- Service Commercial
- General Commercial
- Tourist Commercial
- Las Vegas Medical District
- Light Industrial / Research
- Planned Community Development
- Downtown Redevelopment Area
- Park / Recreation / Open Space
- Public Facility
- Public Facility - School
- Public Facility - Clark County
- Town Center
- Resource Conservation
- Downtown - Commercial
- Downtown - Mixed Use
- Not in City
- Subject Parcel
- City Limits

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 Systems Planning & Development Dept. 702-229-6301

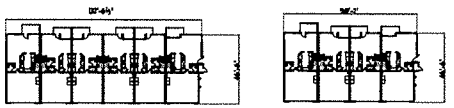
Printed: April 25, 2011

VICINITY PLAN

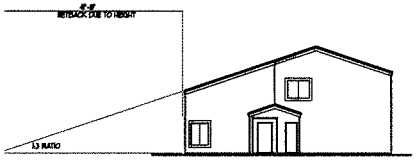




SITE ELEMENTS



BUILDING CONFIGURATION



2) R1 ADJACENCY SETBACK

PROJECT DATA

REQUIRED ZONING: R3

EXISTING ZONING: C2

TOTAL UNITS: 134 UNITS

(36) 2 BED UNITS — 868 SF (INCLUDING GARAGE)
(36) 3 BED UNITS (FRONT) — 1,145 SF (INCLUDING GARAGE)
(36) 3 BED UNITS (BACK) — 1,145 SF (INCLUDING GARAGE)

MANAGER OFFICE — 1,200 SF

PARKING REQUIRED:
(36) 2 BED AT 1.5/UNIT — 168
(36) 3 BED AT 2/UNIT — 72
VISITOR AT 1/4 UNITS — 33
MANAGER OFFICE AT 1/200 — 7
TOTAL — 280

PARKING PROVIDED: 136 OPEN SPACES
272 GARAGE SPACES
408 TOTAL
(INCLUDES 1 VAN ACCESSIBLE SPACE)

(NOTE ONLY ONE ACCESSIBLE SPACE REQUIRED FOR MANAGER OFFICE ONLY - ALL LIVING UNITS ARE 2 STORY and THERE ARE NO ELEVATORS - THEREFORE NO REQUIREMENT FOR AN ACCESSIBLE UNIT ENTRY PER FAIR HOUSING ACT DESIGN MANUAL GUIDELINES)

DENSITY: 4.7 UNITS / SF (NET) ACRE
14.2 UNITS PER ACRE

PLANT LEGEND

TREES	SIZE	QUANTITY (perimeter)	QUANTITY (interior)
LAGERSTROEMIA INDICA 'MUSKOGEE'	24" BOX	42	9
ACACIA BAILEYANA 'PURPUREA'	24" BOX	31	8
CHITALPA TASHKENTENSIS 'PINK DREAM'	24" BOX	12	3
ACACIA STENOPHYLLA	24" BOX	6	9
PISTACHIO CHINENSIS	8 FT.	6	3
PYRUS CALLERYANA 'CHANTICLEER'	24" BOX	15	1
PISTACHIO CHINENSIS	24" BOX	26	12
	TOTAL	136 (134 REQ'D)	56

NOTE: 2" CALIPER TREES SHALL BE PROVIDED AT A RATE OF 1 TREE PER 40 LINEAR FEET OF STREET FRONTAGE (EXCLUDING DRIVE AISLE OPENINGS) OR EQUIVALENT AS APPROVED BY PLANNING DIRECTOR

SHRUBS and GROUND COVER			
MYOPORUM PARVIFOLIUM 'PUTAH CREEK'	30 GAL	1	3
LEUCOPHYLLUM FRUTESCENS	5 GAL	29	22
LEUCOPHYLLUM FRUTESCENS 'GREEN CLOUD'	5 GAL	36	63
RUSSELIA EQUISETIFORMIS	5 GAL	28	36
ROSMARINUS OFFICINALIS 'PROSTRATUS'	5 GAL	31	41
ROSMARINUS OFFICINALIS	5 GAL	30	21
LAVANDULA STOECHAS 'OTTO QUAST'	5 GAL	4	12
LEUCOPHYLLUM LANGMANIAE	5 GAL	15	46
MUHLENBERGIA RIGENS	5 GAL	127	12
PENNISETUM PENICILLATA 'FAIRY TAILS'	5 GAL	126	109
	TOTAL	546 (536 REQ'D)	369

NOTE: 1 SHRUB/GROUND COVER SHALL BE PROVIDED AT A RATE OF 4 SHRUBS FOR EVERY REQUIRED TREE

TRACHELOSPERMUM JASMINOIDES	1 GAL	62	46

DECORATIVE LANDSCAPE BOULDERS

NOTE: ALL INTERIOR LANDSCAPE AREAS SHALL BE PROVIDED WITH AN AUTOMATIC IRRIGATION SYSTEM. FINAL COLOR SELECTION TO BE APPROVED BY PLANNING DIRECTOR

IRRIGATION

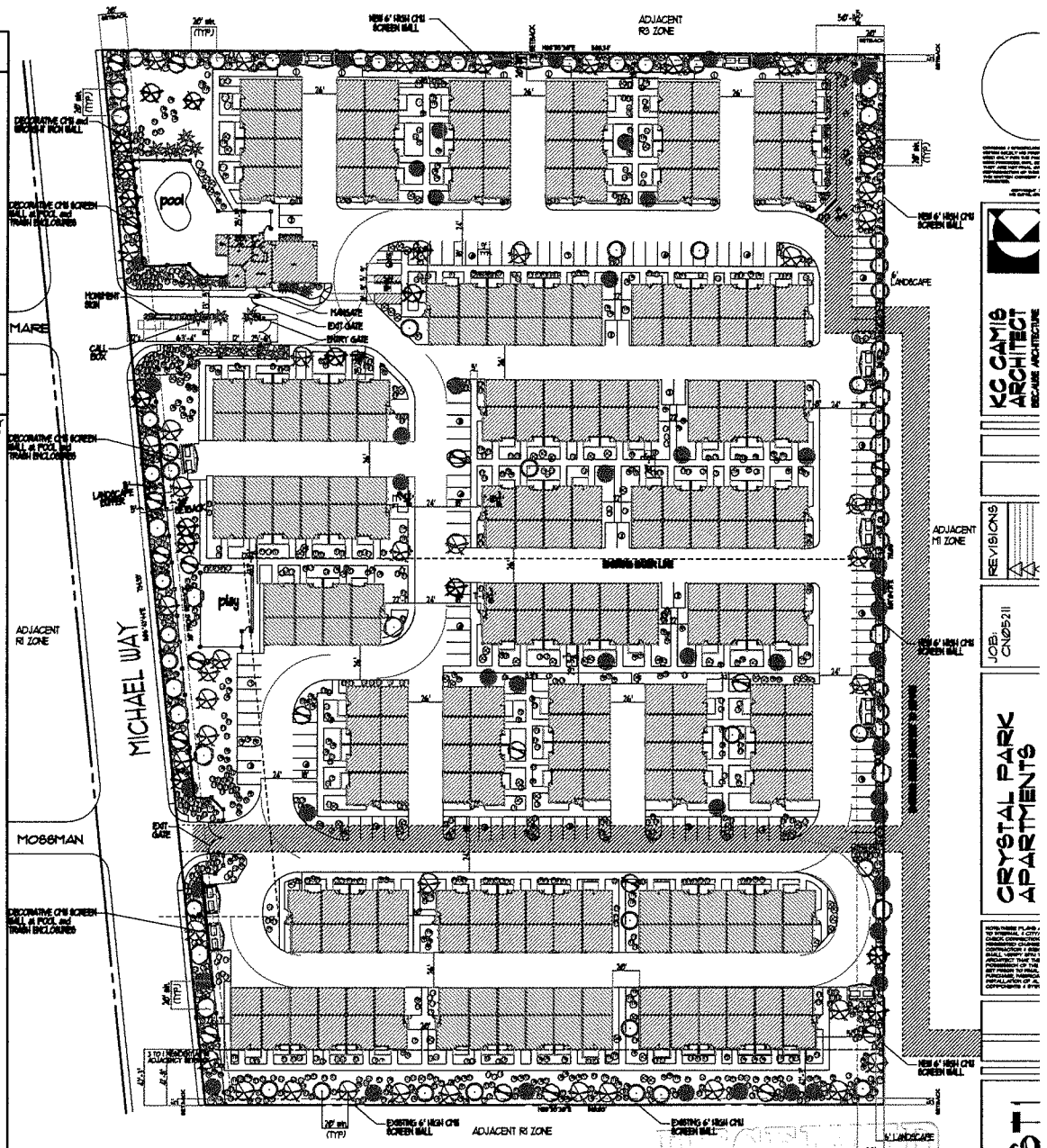
EMITTERS:

TREES - (3) RAINBIRD TURBO-XC (GPH-6M) PER TREE

SHRUBS - (2) RAINBIRD TURBO-XC (GPH-6M) PER SHRUB

NOTES:

1. ALL 24-VOLT WIRING SHALL BE 14 IP DIRECT BURIAL SOLID COPPER.
2. ALL SPLICE AND DIRECT BURIAL WIRING UNDER PAVEMENT SHALL BE SLEEVED IN SCHEDULE 40 PVC SLEEVES. SLEEVES SHALL BE TWICE THE DIAMETER OF PIPE SLEEVED.
3. CONTRACTOR SHALL INSTALL ALL 24-VOLT WIRING FROM CONTROLLERS TO ALL VALVES IN MAIN LINE TRENCH. IF WIRING LEAVES MAIN LINE TRENCH, ENCLOSED IN 3/4" CLASS 315 PVC PIPE.
4. INDIVIDUAL EMITTERS ARE NOT SHOWN ON DRAWINGS FOR CLARITY. SEE SCHEDULE FOR NUMBER OF EMITTERS PER PLANT AND COORDINATE WITH LANDSCAPE INSTALLER TO DETERMINE TOTAL QUANTITY OF EMITTERS.
5. DISTRIBUTION PIPE FOR DRIP (EMITTER) SYSTEM SHALL BE 3/4" CLASS 315 PVC (MIN.)



1) SITE PLAN (SHOWING LANDSCAPE)
SCALE: 1" = 40'-0"

GPA-41777 ZON-41778
SDR-41779

MAY 12 2011

KC CAMIS ARCHITECT
REVISIONS
JOB: CN05211
CRYSTAL PARK APARTMENTS
ST1

PLANT LEGEND

TREES	SIZE	QUANTITY (perimeter)	QUANTITY (interior)
MYRTLE BLUEBERRY *EUCALYPTUS compta*	24" BOX	49	1
BLUEBERRY ACACIA *ACACIA stenophylla*	24" BOX	31	8
REDBUD ASH *FRAXINUS Velutina*	24" BOX	12	3
SWEET ACACIA *ACACIA farnesiana*	24" BOX	6	5
MEXICAN FAN PALM *WASHINGTONIA robusta*	8 FT.	6	3
PURPLE LEAF PLUM *PRUNUS cerasifera*	24" BOX	8	7
MEXICAN PALO VERDE *PARKINSONIA aculeata*	24" BOX	26	8
	TOTAL	136 (84 REQ'D)	35

NOTE: 2" CALIPER TREES SHALL BE PROVIDED AT A RATE OF 1 TREE PER 40 LINEAR FEET OF PERIMETER LANDSCAPE AREA. TREES SHALL BE PLANTED TO MAINTAIN AVERAGE AT LOCATIONS WHERE TREE PLACEMENT IS CONSTRAINED.

SHRUBS and GROUND COVER			
SAGO PALM *CYCAS revoluta*	15 GAL	1	3
TEXAS RANGER *LEUCOPHYLLUM frutescens*	5 GAL	65	22
TEXAS RANGER (GREEN CLOUD) *LEUCOPHYLLUM frutescens*	5 GAL	36	6
FOUNTAIN GRASS *PENNISETUM setaceum*	5 GAL	28	16
DESERT SPOON *DASYLIRION wheeleri*	5 GAL	11	6
ROSEMARY *ROSMARINUS officinalis*	5 GAL	30	21
DESERT SPOON *DASYLIRION wheeleri*	5 GAL	4	12
TEXAS PRIVET *FORESTIERA pubescens*	5 GAL	15	65
RED YUCCA *HESPERALOE parviflora*	5 GAL	51	12
AGAVE VICTORIA *AGAVE victoriae-reginae*	5 GAL	26	26
	TOTAL	346 (336 REQ'D)	109

NOTE: 1 SHRUB/GROUND COVER SHALL BE PROVIDED AT A RATE OF 4 SHRUBS FOR EVERY REQUIRED TREE

TEXAS RED LANTANA *LANTANA horrida/camara*	1 GAL	83	83

DECORATIVE LANDSCAPE BOULDERS

NOTE: ALL SHRUB AND GROUND COVER TO BE "LOW WATER USE" PLANT MATERIAL AS DESIGNATED BY CITY OF MESA.

IRRIGATION

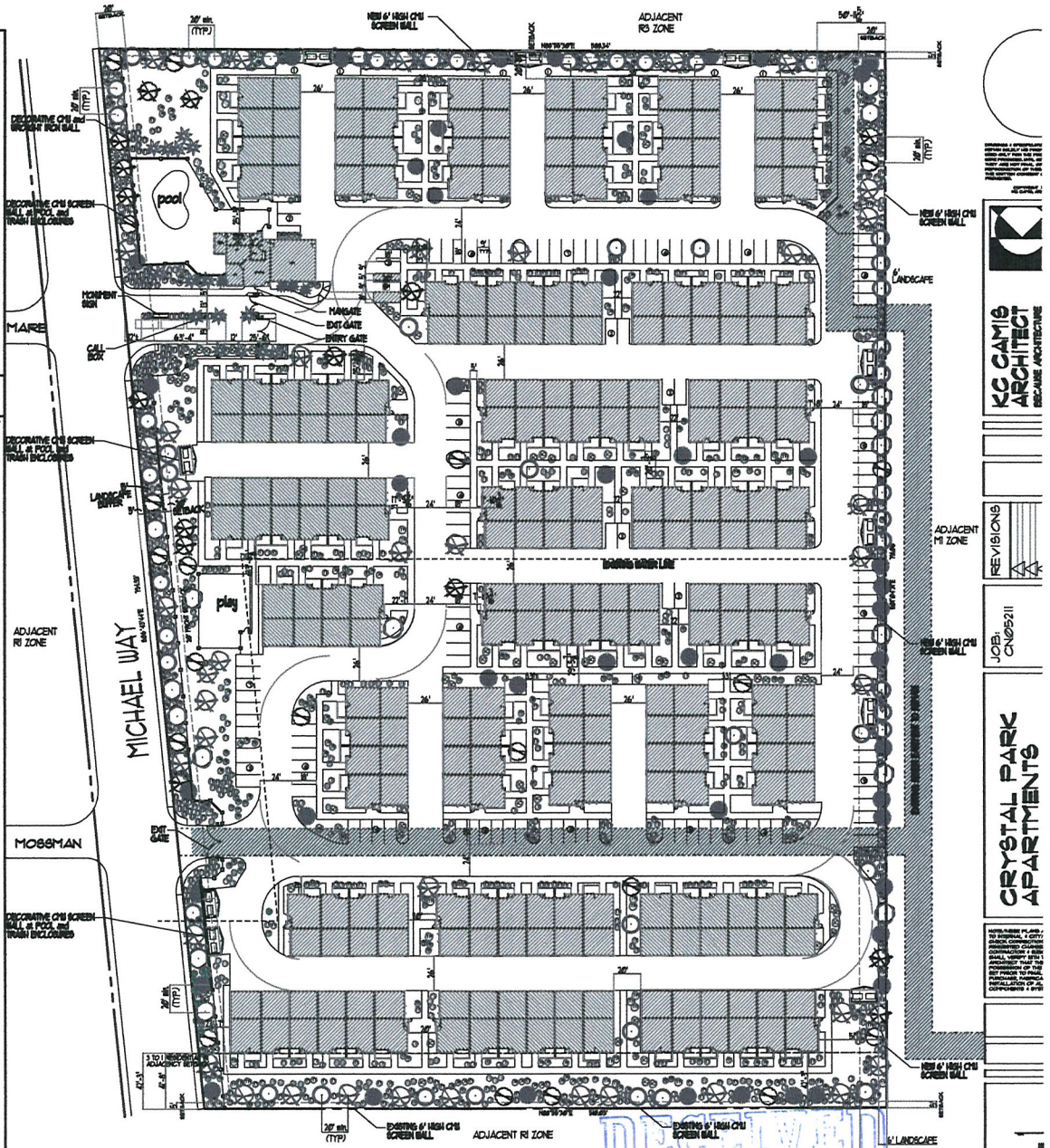
EMITTERS

TREES - (3) HARDIE TURBO-4C (DPU-68) PER TREE

SHRUBS - (1) HARDIE TURBO-4C (DPU-68) PER SHRUB

NOTES:

1. ALL 24-VOLT WIRING SHALL BE #14 UF DIRECT BURIAL, SOLID COPPER.
2. ALL PIPING AND DIRECT BURIAL WIRING UNDER PAVEMENT SHALL BE SLEEVED IN SCHEDULE 40 PVC SLEEVES. SLEEVE SHALL BE TWICE THE DIAMETER OF PIPE BEING SLEEVED.
3. CONTRACTOR SHALL INSTALL ALL 24-VOLT WIRING FROM CONTROLLERS TO ALL VALVES IN MAIN LINE TRENCH. IF WIRING LEAVES TUBELINE TRENCH, ENCLOSED IN 3/4" CLASS 200 PVC PIPE.
4. INDIVIDUAL EMITTERS ARE NOT SHOWN ON DRAWINGS FOR CLARITY. SEE SCHEDULE FOR NUMBER OF EMITTERS PER PLANT AND COORDINATE WITH LANDSCAPE INSTALLER TO DETERMINE TOTAL QUANTITY OF EMITTERS.
5. DISTRIBUTION PIPE FOR DRIP EMITTERS SYSTEM SHALL BE ¾" CLASS 200 PVC (MIN.)



1 LANDSCAPE PLAN
SCALE: 1" = 40'-0"

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SDR-41779

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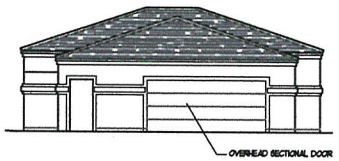
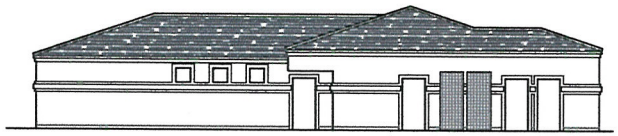
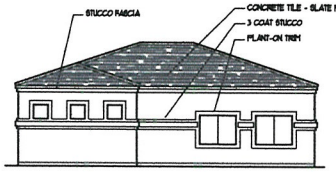
KC CAMIS ARCHITECT
REVISIONS
JOB: CM0511
CRYSTAL PARK APARTMENTS
L1



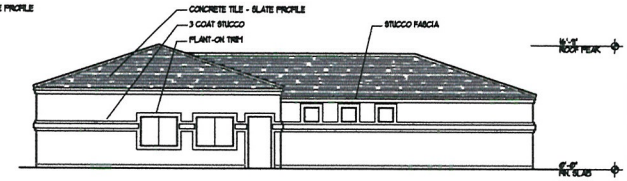
SIDE ELEVATION (MGR)
SCALE: 1/8" = 1'-0"



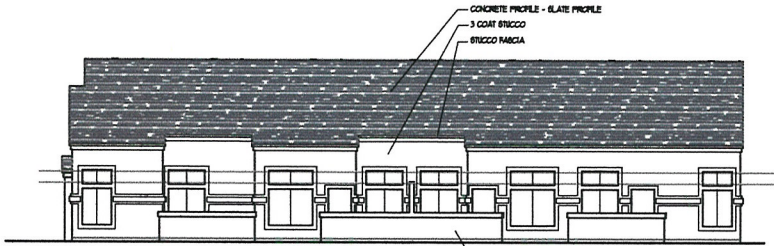
BACK ELEVATION (MGR)
SCALE: 1/8" = 1'-0"



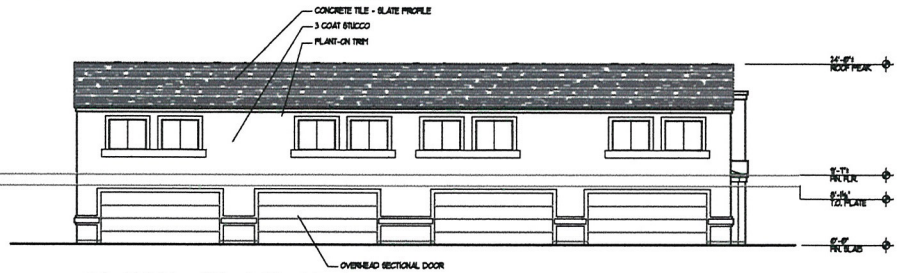
SIDE ELEVATION (MGR)
SCALE: 1/8" = 1'-0"



FRONT ELEVATION (MGR)
SCALE: 1/8" = 1'-0"



FRONT ELEVATION (4 PLEX)
SCALE: 1/8" = 1'-0"



BACK ELEVATION (4 PLEX)
SCALE: 1/8" = 1'-0"

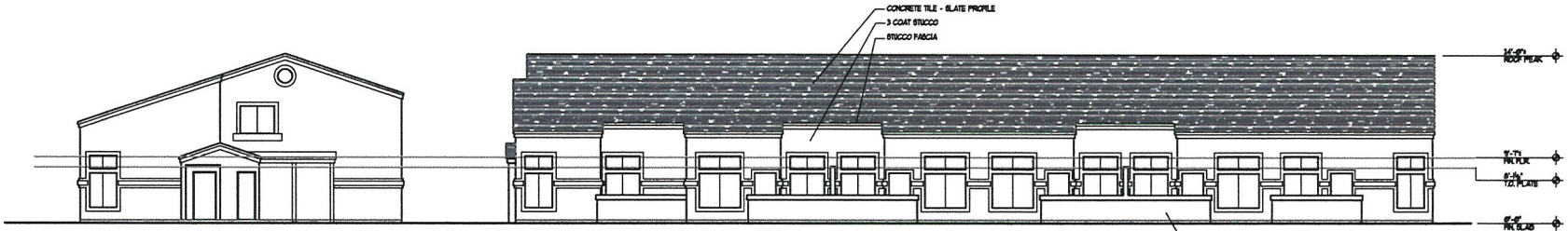
COLOR/MATERIAL

STUCCO FIELD
FRAZEE CL7164D <SAHARA>

TRIM/FASCIA/DOORS
FRAZEE CL7136N <ALMOST OCHRE>

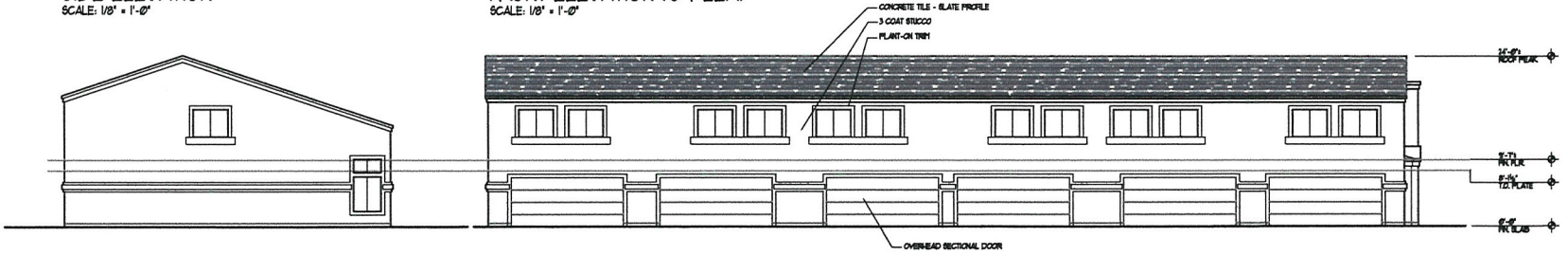
ROOF
CONCRETE TILE - SLATE PROFILE
DESERT TAN

WINDOWS
VINYL CLAD - WHITE



SIDE ELEVATION
SCALE: 1/8" = 1'-0"

FRONT ELEVATION (6 PLEX)
SCALE: 1/8" = 1'-0"



SIDE ELEVATION
SCALE: 1/8" = 1'-0"

BACK ELEVATION (6 PLEX)
SCALE: 1/8" = 1'-0"

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SDR-41779

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KC CAMIS ARCHITECT

REVISIONS

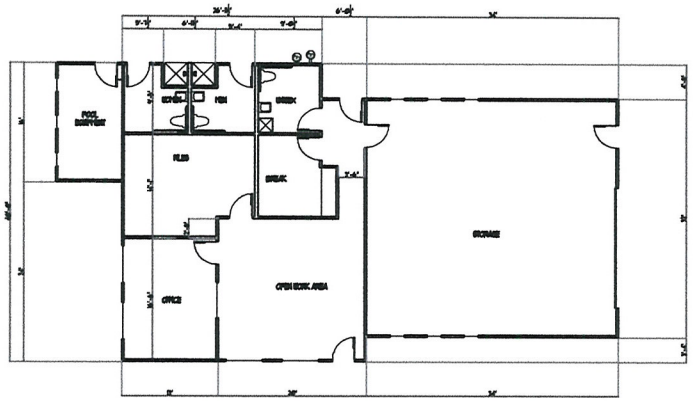
JOB:

CRYSTAL PARK APARTMENTS

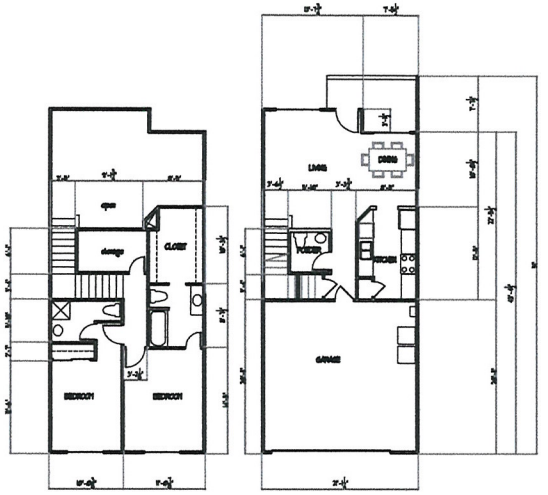
A1

SIDE ELEVATION
SCALE: 1/8" = 1'-0"

BACK ELEVATION (6 PLEX)
SCALE: 1/8" = 1'-0"

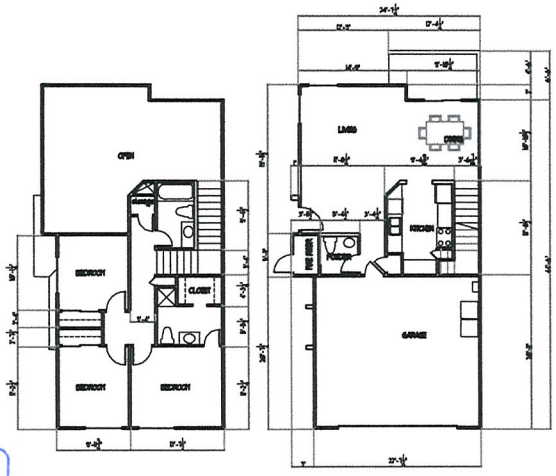


MANAGERS OFFICE



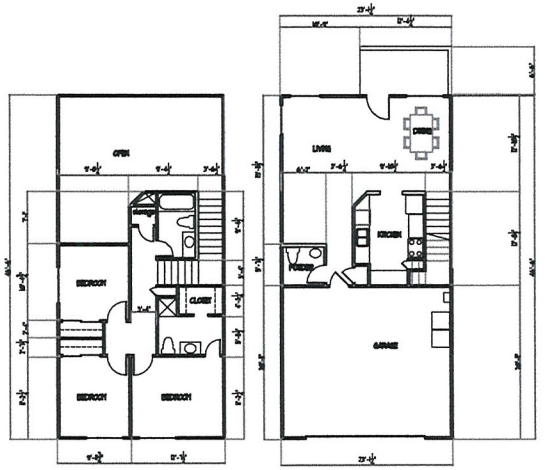
2nd FLOOR

1st FLOOR
TYP. INTERIOR UNIT
(2 BEDROOM)



2nd FLOOR

1st FLOOR
FRONT END UNIT
(3 BEDROOM)



2nd FLOOR

1st FLOOR
BACK END UNIT
(3 BEDROOM)

FLOOR PLAN (BACK END UNIT)
SCALE: 1/8" = 1'-0"

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SDR-41779

4

KC CAMIS ARCHITECT

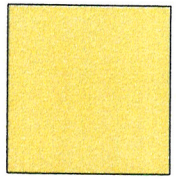
REVISIONS

JOB:

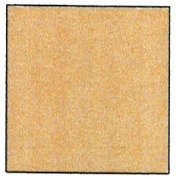
CRYSTAL PARK APARTMENTS

A2

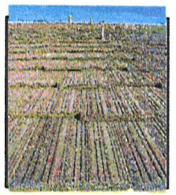
COLOR/MATERIALS BOARD



(A) STUCCO FIELD
FRAZEE CL2764D 'SAHARA'

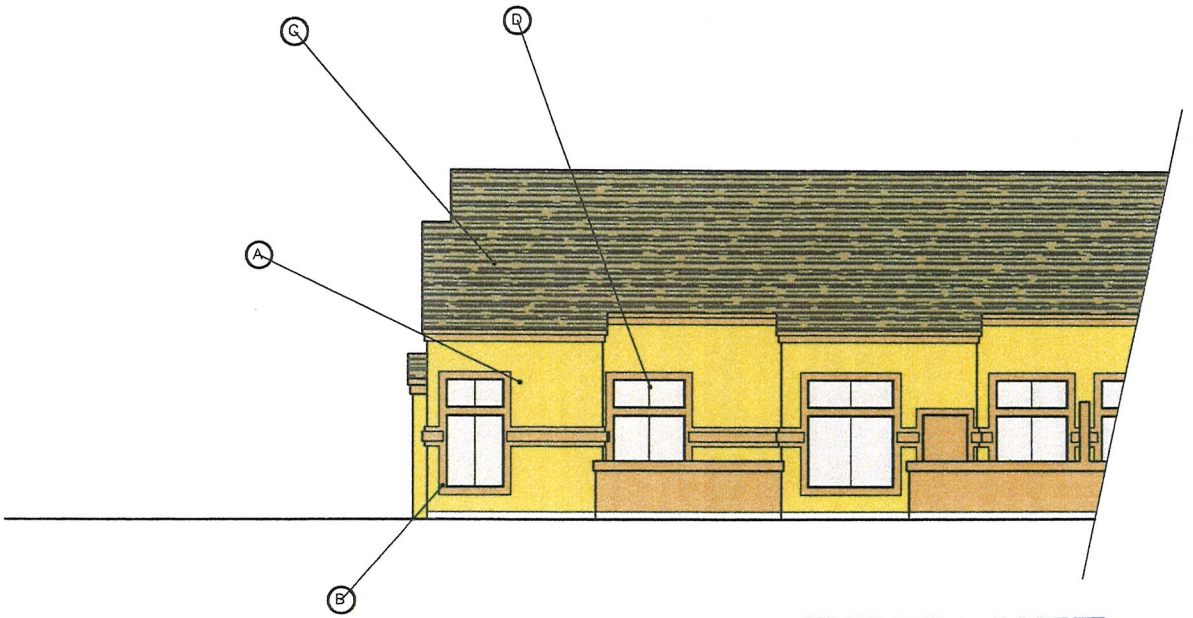


(B) TRIM
FRAZEE CL2736N 'ALMOST OCHRE'



(C) ROOF
SLATE PROFILE CONCRETE TILE
DESERT TAN

(D) GLAZING
CLEAR DUO PANE GLAZING



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KC CAMIS ARCHITECT

REVISIONS

JOB:

DATE:

CRYSTAL PARK APARTMENTS

Entrance to Development with electronic gate



Submitted at Planning Commission

Date 7/12/2011 Item 20-22

Rear of Apartment Homes showing garage entrance



END Elevation of Building and built in 2 car garage



Front of Apartment Homes with walkway, landscaping and front entrance



Swimming pool area with Jacuzzi





GPA-41777, ZON-41778 & SDR-41779 - APPLICANT/OWNER: RANCHO PROPERTIES, LLC
3000 NORTH MICHAEL WAY

06/02/11



GPA-41777, ZON-41778 & SDR-41779 - APPLICANT/OWNER: RANCHO PROPERTIES, LLC
3000 NORTH MICHAEL WAY

06/02/11

BEKS GROUP LLC

May 6, 2011

City of Las Vegas
Department of Planning
333 N Rancho Drive
Las Vegas NV 89106

Re: Justification Letter
Department of Planning applications
ZON, GPA, and SDR

Subject: Crystal Park Apartment Homes
3000 N Michael Way
APN 138-13-512-001

Dear Sir or Madame;

In conjunction with the above referenced applications, please let this letter serve as the required Justification Letter to the applications.

Issue, Information, and Findings. We are proposing to develop two-story apartment homes on the subject 9.92 vacant land parcel noted above consisting of 80 two-bedroom units and 56 three-bedroom units with two-car garages (136 total units).

The land is currently designated as O (office) and L1/R (light industrial/research) and would need to be re-designated for Medium Density Residential and Apartment (R-3). The subject land is mostly surrounded by residential areas (R-3 to the north, R-1 to the south, and R-1 to the west) and we feel apartment homes would be better suited for this parcel and more compatible with the surrounding properties than the business park we would otherwise propose. An apartment home project would generate substantially fewer people present on the property at a given time, which would mean far less traffic and therefore less noise, and other traffic related problems for the surrounding residents than a business park.

Tables noting the number of people present on a given day, the number of open and/or garaged parking spaces, and the amount of traffic (i.e., number of trips) the proposed apartment homes as differentiated from an otherwise proposed business park on the same parcel are stated below:

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SDR-41779

8090 S. Durango Drive, Suite 115 | Las Vegas, Nevada 89113 | *phone* 702.395.9244 | [illegible] | www.beksgroup.com

Residents/Employees/Service Personnel	*Proposed Apartment Homes*	*Current proposed Light Industrial/Office project ("Business Park")*
Estimated Number of Residents/Employees/Service Personnel on a given day	520	1,360

Parking Spaces	*Proposed Apartment Homes*	*Current proposed Light Industrial/Office project ("Business Park")*
Number of regular open parking spaces	135	*506
Number of parking spaces enclosed in garages	272	0

* based on current proposed twelve 2-story office buildings with 16 offices per building for a total of 192 offices

**Traffic: number of trips*	*Proposed Apartment Homes*	*Current proposed Light Industrial/Office project ("Business Park")*
Average Day, number of trips	948	2,145
AM Peak Hours, number of trips	71	185
PM Peak Hours, number of trips	93	193

*See Traffic Generation report attached

The ingress and egress at the north end of the apartment homes project and a second egress would be quite a distance away from the existing residential houses on the south side of the project. Our proposed apartment home plan would keep the majority of the parking away from those houses and there would be less traffic and less traffic noise than would occur from the allowed 192 offices.

These apartment home units will be an asset to the neighborhood and will provide large units with 2-car garages. Large units of this nature are lacking in this area. We estimate the rent to be in the approximate range from $975 to $1,200 per month. We anticipate this project will introduce a higher living environment much more compatible with the single family homes in the area than a business park.

The leasing/management office for the project would be located at the northwest area of the property far away from the residential homes along the south and west property line adjacent to Michael Way, 80' from a right-of-way and a 20' from a

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GPA-41777 ZON-41778 SDR-41779

dedicated alley. Office hours for the on-site office would be Monday through Friday 8:00 a.m. to 5:00 p.m. plus Saturdays 10:00 a.m. to 2:00 p.m.

Number of employees/residents. The number of residents would be 239.36 persons, based on the U. S Census Bureau 1990 results as provided by the City of Las Vegas Environmental Impact Assessment, 1.76 persons multiplied by 136 units.

Hours of operation. Office hours for the on-site office would be Monday through Friday 8:00 a.m. to 5:00 p.m. plus Saturdays 10:00 a.m. to 2:00 p.m.

Existing similar uses owned or operated. In addition to other residential and commercial properties in the Las Vegas area, we currently own and operate a similar apartment project with attached garages named the Hidden Canyon Village Apartments at 3940 Scott Robinson Boulevard in North Las Vegas Nevada.

Specific state licenses. No specific state licenses are required to operate an apartment home project.

Green Building Program. This project will not participate in the Las Vegas Green Building Program.

LEED construction. This project will not be constructed to LEED or other equivalent standards.

Alternative energy sources or water savings measures. Although this project will not utilize any alternative energy sources, we do plan the following energy saving/water saving measures:

Energy-saving light bulbs will be used, and we will look into and consider other feasible energy saving measures as we become aware of them.

Desert landscaping is planned in order to save water plus water saving fixtures and faucets.

Connectivity to adjacent parcels. This project will not be connected to any other parcel.

Walkable community. This project qualifies as a walkable community in that it is within ½ mile of more than one commercial property containing restaurants, grocery stores, and other amenities.

Sustainable construction. The other means of sustainable construction for this project include the positioning of the buildings, light color paint, and the use of energy-saving lights.

Urban Forestry Initiative. Currently there are no trees on the vacant land however some trees will be planted to provide shade.

Bicycle parking. We plan to provide some bicycle parking at the project.

Electric vehicle recharging stations. No charging stations are planned at this time

GPA-41777 ZON-41778
SDR-41779
MAY 12 2011

We appreciate your consideration in this matter. Please feel free to contact me at (702) 395-9244 extension 413 if you have any questions or concerns regarding this matter.

Yours truly,
Rancho Properties, L.L.C.

Ernest A. Becker, Jr.
Manager

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GPA-41777 ZON-41778
SDR-41779

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

/ of Las Vegas
partment of Planning
velopment Services Center
North Rancho Drive, 3rd Floor
Vegas, Nevada 89106

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 JUN 30 2011
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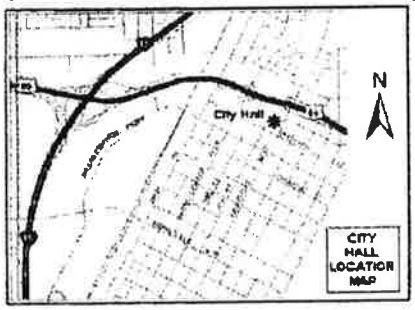
Official Notice of Public Hearing



They have already approved a church at Michael Way and ~~Smoke Ranch~~ Madre Mesa that will increase traffic along Michael Way. another set of apartments would increase the traffic even more. This is supposed to be a residential area - the street has already become a short cut for many drivers + ~~to~~ drivers do not adhere to the 25mph speed zone.

you wish to file your protest or support on this request, check the ropriate box below and return this card in an envelope with postage to the artment of Planning, Case Planning Division at the address listed above or this side of this card to (702) 385-7268. If you would like to contact your ncil Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

ase use available blank space on card for your comments.

'A-41777 & ZON-41778

nning Commission Meeting of 7/12/2011

Case: GPA-41777
13813212024
SHRINER NATASHA L
2825 MICHAEL WY
LAS VEGAS NV 89108-4171

24 DRDFN11 89108

07/02/2011 13:08 7023967107 ROGER MORLEY PAGE 01/01

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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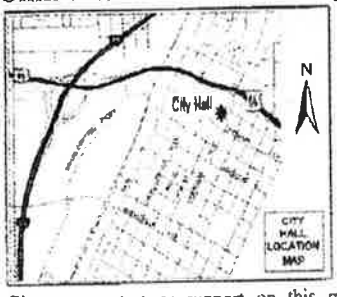

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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GPA-41777 & ZON-41778
Planning Commission Meeting of 7/12/2011

Case: GPA-41777
13813610037
MORLEY ROGER S & DEBBIE L
5124 CLOUDS REST AVE
LAS VEGAS NV 89108-4039

24 DRDFN11 89108

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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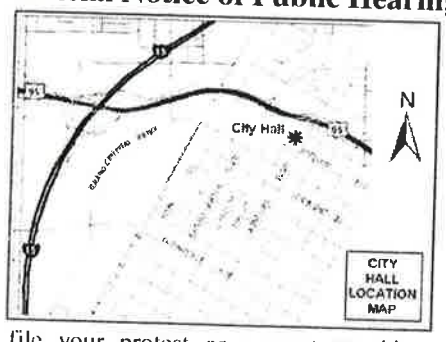

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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GPA-41777 & ZON-41778
Planning Commission Meeting of 7/12/2011

13813610036 Case: GPA-41777
SMITH DUANE F REVOCABLE LIV TR
9861 WHITE LILAC ST
LAS VEGAS NV 89178-7583

20-21 P

54 DRDFN11 89178

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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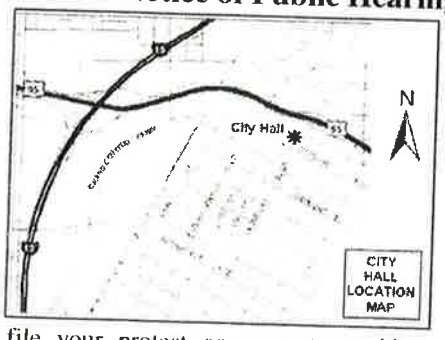

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-41777 & ZON-41778
Planning Commission Meeting of 7/12/2011

13813113042 Case: GPA-41777
BATTAGLIA JOSEPH P & LEAH M
5412 MOSSMAN AVE
LAS VEGAS NV 89108-4167

20-21 P

24 DRDFN11 89108

Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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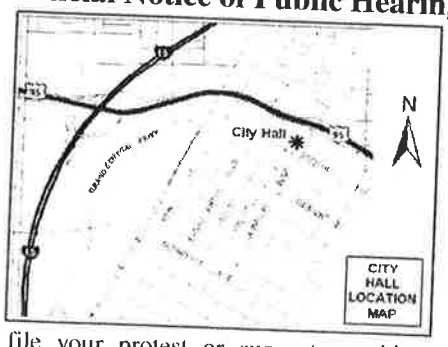

I WOULD NOT OPPOSE THIS PROJECT IF THERE WERE LESS APARTMENT / CONDO COMPLEXES ALREADY AT THE INTERSECTION OF MICHAEL + CHEYENNE.

THANKS

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.
GPA-41777 & ZON-41778
Planning Commission Meeting of 7/12/2011

13813113011 Case: GPA-41777
COMPSON DAVID W
5509 MARE WY
LAS VEGAS NV 89108-4135

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20-21 P

24 DRDFN11 89108

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 STRONGLY

Please use available blank space on card for your comments.
GPA-41777 & ZON-41778
Planning Commission Meeting of 7/12/2011

13813201001 Case: GPA-41777
K O'S TRUST
5512 AVENIDA CABALLO
LAS VEGAS NV 89108-4103

20-21 P

24 DRDFN11 89108

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

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GPA-41777 & ZON-41778
Planning Commission Meeting of 7/12/2011

13813211002 Case: GPA-41777
PATTERSON CAROLYN F & JEFFREY A
5604 AVENIDA TAMPICO
LAS VEGAS NV 89108-4183

20-21 P

24 DRDFN11 89108

Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.
GPA-41777 & ZON-41778
Planning Commission Meeting of 7/12/2011

DIPONZIO PATRICIA M
5308 CLOUDS REST AVE
LAS VEGAS NV 89108-4036

20-21 P

24 DRDFN11 89108

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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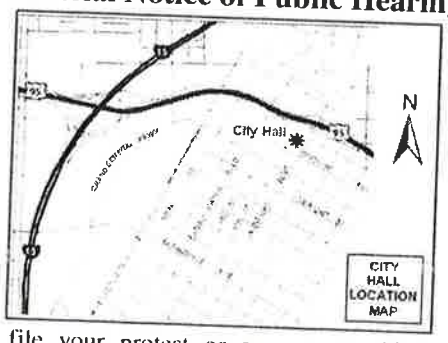

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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Planning Commission Meeting of 7/12/2011

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13813212004 Case: GPA-41777
RAMAGE KENNETH R & PAMELA M
5412 AVENIDA VAQUERO
LAS VEGAS NV 89108-4151

20-21 P

24 DRDFN11 89106

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Development Services Center
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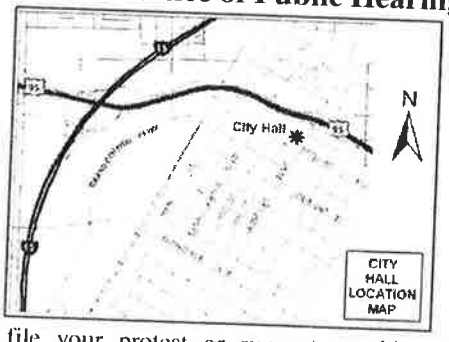

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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GPA-41777 & ZON-41778
Planning Commission Meeting of 7/12/2011

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13813111035 Case GPA-41777
BUZZARD ERIC E
5601 BURNTWOOD WY
LAS VEGAS NV 89108-4134

20-21 P

24 DRDFN11 89106

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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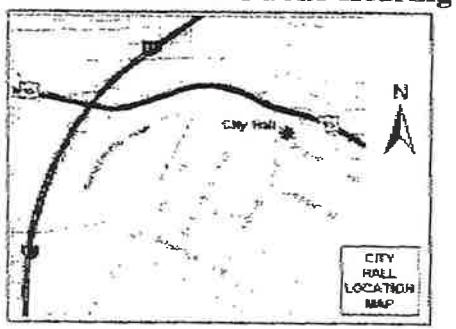

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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GPA41777 & ZON-41778

Planing Commission Meeting of 7/12/2011

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Case: GPA-41777

13813211038
MCCLENACHAN SUZANNE REV TR
5521 AVENIDA VAQUERO
LAS VEGAS NV 89108-4106

24 DRDFN11 89108

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Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-41777 & ZON-41778

Planning Commission Meeting of 7/12/2011

13813610010 Case: GPA-41777
ARANDA ANA G
5300 RANCHER AVE
LAS VEGAS NV 89108-4031

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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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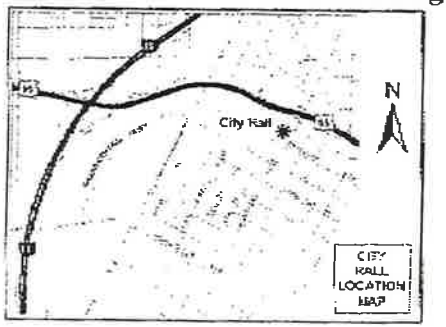

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-41777 & ZON-41778

Planning Commission Meeting of 7/12/2011

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PLANNING & DEVELOPMENT

Case: GPA-41777
13813610042
SCHMIDT BRIAN M & JENNIFER L
5209 CLOUDS REST AVE
LAS VEGAS NV 89108-4035

24 DRDFN11 89108

20-21 p

City of Las Vegas Agenda Item No.: **76.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

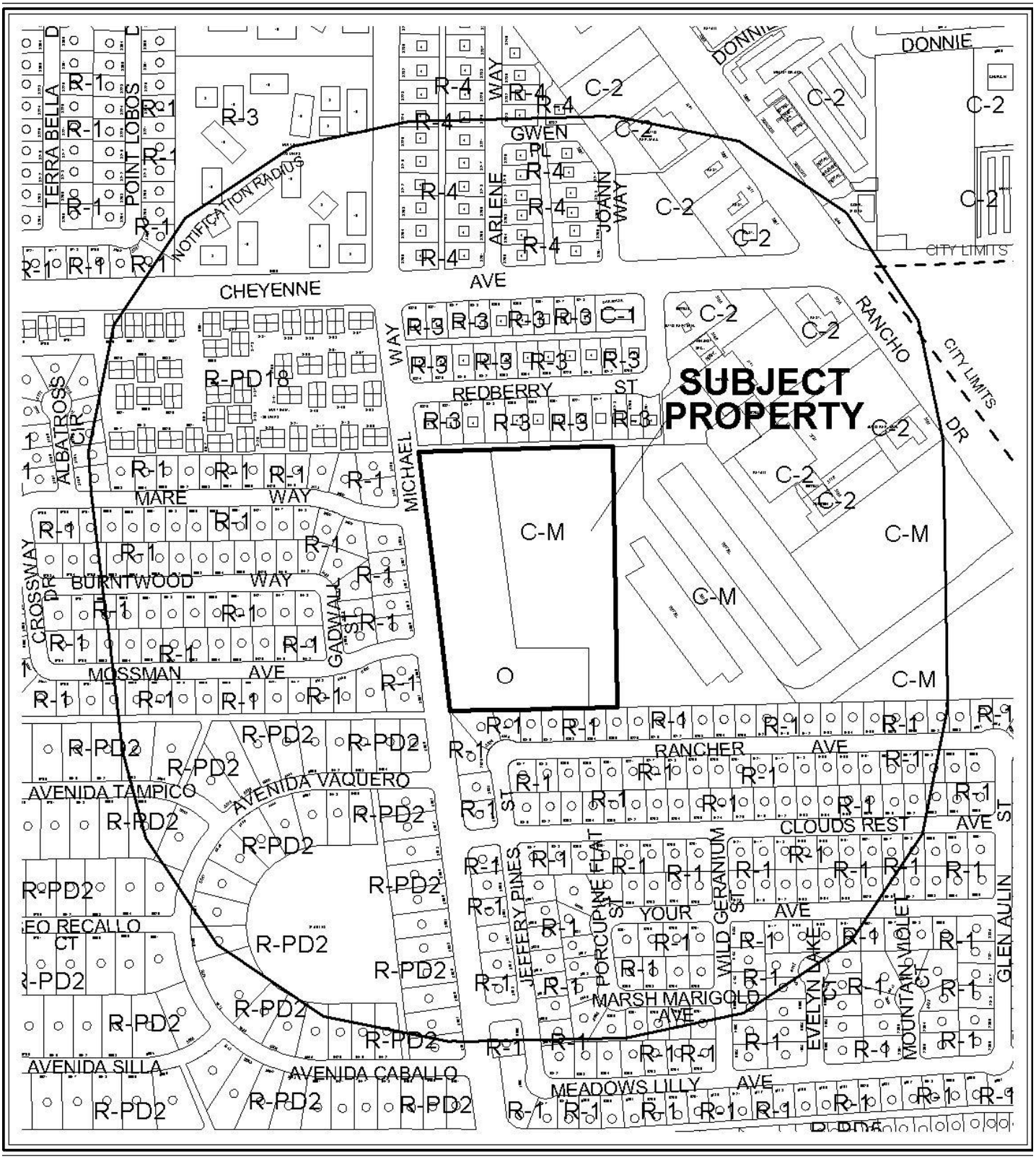
SUBJECT:
ZON-41778 - REZONING RELATED TO GPA-41777 - PUBLIC HEARING - APPLICANT/OWNER: RANCHO PROPERTIES, LLC - For possible action on a request for a Rezoning FROM: O (OFFICE) AND C-M (COMMERCIAL/INDUSTRIAL) TO: R-3 (MEDIUM DENSITY RESIDENTIAL) on 9.92 acres at 3000 North Michael Way (APN 138-13-512-001), Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**13**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Location and Aerial Maps - ZON-41778 and SDR-41779
3. 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.



0 300 600 Feet

CASE: **ZON-41778 AND SDR-41779**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: O (OFFICE) AND C-M (COMMERCIAL/INDUSTRIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)

N



0 300 600 Feet

CASE: **ZON-41778 AND SDR-41779**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: O (OFFICE) AND C-M (COMMERCIAL/INDUSTRIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-41778** APN: 138-13-512-001

Name of Property Owner: Rancho Properties, L.L.C.

Name of Applicant: Rancho Properties, L.L.C.

Name of Representative: Ernest A. Becker, IV

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☒ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: _____

Print Name: Ernest A. Becker, IV

Subscribed and sworn before me

This 11th day of May, 2011

Debra S. Alston

Notary Public in and for said County and State

DEBRA S. ALSTON
Notary Public State of Nevada
No. 03-84766-1
My appt. exp. Oct. 10, 2011

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DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: ZON: zone change from O & L1/R to R-3

Project Address (Location) 3000 N Michael Way, Las Vegas Nevada

Project Name Crystal Park Apartment Homes **Proposed Use** apartments

Assessor's Parcel #(s) 138-13-512-001 **Ward #** 5-Barlow

General Plan: existing O&L1/R proposed M **Zoning:** existing O&L1/R proposed R-3

Commercial Square Footage n/a **Floor Area Ratio**

Gross Acres 9.92 **Lots/Units** 136 units **Density** 14.2 per acre

Additional Information

PROPERTY OWNER Rancho Properties, L.L.C. **Contact** Ernest A. Becker, IV

Address 8090 S Durango Dr. Ste 115 **Phone:** (702) 395-9244 **Fax:** (702) 395-4155

City Las Vegas **State** NV **Zip** 89113

E-mail Address eabj@beksgroup.com

APPLICANT Rancho Properties, L.L.C. **Contact** Ernest A. Becker, IV

Address 8090 S DURANGO DR. STE 115 **Phone:** (702) 395-9244 **Fax:** (702) 395-4155

City Las Vegas **State** NV **Zip** 89113

E-mail Address eabj@beksgroup.com

REPRESENTATIVE Rancho Properties, L.L.C. **Contact** Brian T. Becker/Ernest A. Becker IV

Address 8090 S Durango Dr., Ste 115 **Phone:** (702) 395-9244 **Fax:** (702) 395-4155

City Las Vegas **State** NV **Zip** 89113

E-mail Address eabj@beksgroup.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 Ernest A. Becker, IV

Subscribed and sworn before me

This 11th day of May, 2011.

_____

Notary Public in and for said County and State

DEBRA S. ALSTON
Notary Public State of Nevada
No. 03-84766-1
My appt. exp. Oct. 10, 2011

FOR DEPARTMENT USE ONLY

Case #	ZON-41778
Meeting Date:	7-12-11
Total Fee:	$1200.00
Date Received:*	5-12-11
Received By:	JF mail

*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.

MAY 12 2011

Revised 10/27/08

REZONING Parcel: 138-13-512-001



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ZON-41778

ZONING

C-V	U	R-MH	R-MHP	PD	Subject Parcel
C-PB	R-A	R-CL	P-R	T-D	City Limits
P-C	R-E	R-2	N-S	TC	ROI Zoning
	R-D	R-3	O	C-2	
	R-PD	R-4	C-D	C-M	
	R-1	R-5	C-1	M	

FROM C-M AND O TO R-3

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Printed: April 25, 2011

City of Las Vegas Agenda Item No.: **77.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
SDR-41779 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-41777 AND ZON-41778 - PUBLIC HEARING - APPLICANT/OWNER: RANCHO PROPERTIES, LLC - For possible action on a request for a Site Development Plan Review FOR A 136-UNIT APARTMENT COMPLEX WITH A WAIVER TO ALLOW NO LANDSCAPE BUFFER ALONG PORTIONS OF THE NORTH PERIMETER WHERE SIX FEET IS REQUIRED on 9.92 acres at 3000 North Michael Way (APN 138-13-512-001), O (Office) and C-M (Commercial/Industrial) Zones [PROPOSED: R-3 (Medium Density Residential)], Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**13**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation
3. Backup referenced from the August 9, 2011 Planning Commission Meeting Item – SDR-41779

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-41779** APN: 138-13-512-001

Name of Property Owner: Rancho Properties, L.L.C.

Name of Applicant: Rancho Properties, L.L.C.

Name of Representative: Ernest A. Becker, IV

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☒ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Ernest A. Becker, IV

Subscribed and sworn before me

This 11th day of May, 2011

Debra S. Alston

Notary Public in and for said County and State

DEBRA S. ALSTON
Notary Public State of Nevada
No. 03-84766-1
My appt. exp. Oct. 10, 2011

RECEIVED
MAY 12 2011

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: SDR - Site development plan review

Project Address (Location) 3000 N Michael Way, Las Vegas Nevada

Project Name Crystal Park Apartment Homes **Proposed Use** apartments

Assessor's Parcel #(s) 138-13-512-001 **Ward #** 5-Barlow

General Plan: existing O&L1/R proposed M **Zoning:** existing O&L1/R proposed R-3

Commercial Square Footage n/a **Floor Area Ratio**

Gross Acres 9.92 **Lots/Units** 136 units **Density** 14.2 per acre

Additional Information

PROPERTY OWNER Rancho Properties, L.L.C. **Contact** Ernest A. Becker, IV

Address 8090 S Durango Dr. Ste 115 **Phone:** (702) 395-9244 **Fax:** (702) 395-4155

City Las Vegas **State** NV **Zip** 89113

E-mail Address eabj@beksgroup.com

APPLICANT Rancho Properties, L.L.C. **Contact** Ernest A. Becker, IV

Address 8090 S DURANGO DR. STE 115 **Phone:** (702) 395-9244 **Fax:** (702) 395-4155

City Las Vegas **State** NV **Zip** 89113

E-mail Address eabj@beksgroup.com

REPRESENTATIVE Rancho Properties, L.L.C. **Contact** Brian T. Becker/Ernest A. Becker IV

Address 8090 S Durango Dr., Ste 115 **Phone:** (702) 395-9244 **Fax:** (702) 395-4155

City Las Vegas **State** NV **Zip** 89113

E-mail Address eabj@beksgroup.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 Ernest A. Becker, IV

Subscribed and sworn before me

This 11th day of May, 2011.

_____

Notary Public in and for said County and State

DEBRA S. ALSTON
Notary Public State of Nevada
No. 03-84766-1
My appt. exp. Oct. 10, 2011

FOR DEPARTMENT USE ONLY

Case #	SDR-41779
Meeting Date:	7-12-11
Total Fee:	$1030.00
Date Received:*	5-12-11
Received By:	J Fraumeni

*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.

MAY 12 2011

Revised 10/27/08

SDR 41779
Rancho Properties, LLC

3000 N. Michael Way

Proposed 136 unit apartment complex.

Traffic produced by proposed development:

Proposed Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	APARTMENT [DWELL]	136	6.72	914
AM Peak Hour			0.51	69
PM Peak Hour			0.62	84

(heaviest 60 minutes)

Existing traffic on all nearby streets:

Michael Way

Average Daily Traffic (ADT)	2,838
PM Peak Hour	227

(heaviest 60 minutes)

Cheyenne Avenue

Average Daily Traffic (ADT)	38,700
PM Peak Hour	3,096

(heaviest 60 minutes)

Traffic Capacity of adjacent streets:

	Existing Street Capacity
Michael Way	16,300
Cheyenne Avenue	51,800

This project will add approximately 914 trips per day on Michael Way and Cheyenne Ave. Michael is currently at about 17 percent of capacity and Cheyenne is at about 75 pecent of capacity. After this project is added, Michael is expected to be at about 23 perenct of capacity and Cheyenne to be at about 76 pecent of capacity.

Based on Peak Hour use, this development will add roughly 84 additional cars into the area, which works out to about three every two minutes.

Note that this report assumes all traffic from this development uses all named streets.

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 $ 00.41⁴
0004279218 JUN 30 2011
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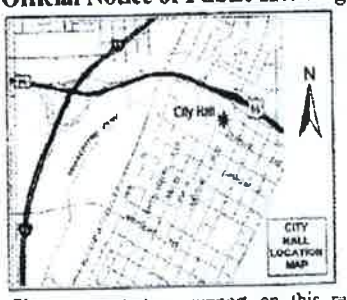
Return Service Requested
Official Notice of Public Hearing



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.

Case: SDR-41779
13813610037
MORLEY ROGER S & DEBBIE L
5124 CLOUDS REST AVE
LAS VEGAS NV 89108-4039

SDR-41779
Planning Commission Meeting of 7/12/2011

P-22

24 DRDFN11 89108

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y of Las Vegas
partment of Planning
velopment Services Center
North Rancho Drive, 3rd Floor
Vegas, Nevada 89106

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also, in regard to the apt. complex request: There is already an excess of apts. ~~of~~ in this vicinity of questionable value apts. on Cheyenne that endanger the value of the housing tracts.

you wish to file your protest or support on this request, check the ropriate box below and return this card in an envelope with postage to the partment of Planning, Case Planning Division at the address listed above or this side of this card to (702) 385-7268. If you would like to contact your ncil Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

ase use available blank space on card for your comments.

Case: SDR-41779
13813212024
SHRINER NATASHA L
2825 MICHAEL WY
LAS VEGAS NV 89108-417

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R-41779
nning Commission Meeting of 7/12/2011

P-22

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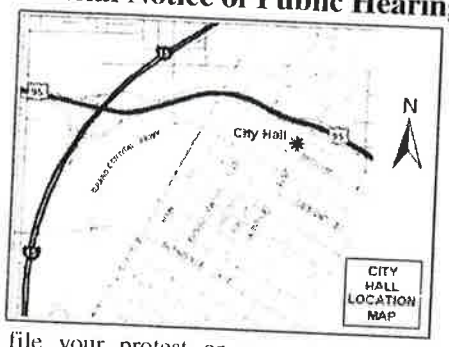

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Please use available blank space on card for your comments.

SDR-41779

Planning Commission Meeting of 7/12/2011

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13813212004 Case: SDR-41779
RAMAGE KENNETH R & PAMELA M
5412 AVENIDA VAQUERO
LAS VEGAS NV 89108-4151

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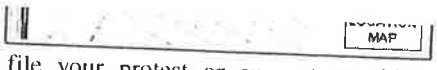

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-41779

Planning Commission Meeting of 7/12/2011

13813610030 Case: SDR-41779
DIPONZIO PATRICIA M
5308 CLOUDS REST AVE
LAS VEGAS NV 89108-4036

22P

24 DRDFN11 89108



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SDR-41779

Planning Commission Meeting of 7/12/2011

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13813610036 Case: SDR-41779
SMITH DUANE F REVOCABLE LIV TR
9861 WHITE LILAC ST
LAS VEGAS NV 89178-7583

22P

54 DRDFN11 89178

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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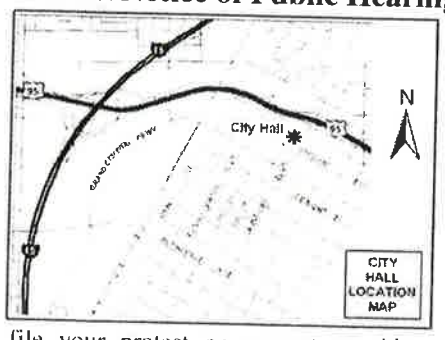

TOO MANY APPARTMENT COMPLEXES NEARBY ALREADY. MY NEIGHBORHOOD HAS A HIGH CRIME RATE WITHOUT THIS "NEW" COMPLEX ALREADY.

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-41779
Planning Commission Meeting of 7/12/2011

13813113011 Case: SDR-41779
COMPSON DAVID W
5509 MARE WY
LAS VEGAS NV 89108-4135

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PLANNING & DEVELOPMENT

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24 DRDFN11 89106

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-41779
Planning Commission Meeting of 7/12/2011

13813111035 Case: SDR-41779
BUZZARD ERIC E
5601 BURNTWOOD WY
LAS VEGAS NV 89108-4134

22P

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JUL 12 2011



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-41779
Planning Commission Meeting of 7/12/2011

13813211002 Case: SDR-41779
PATTERSON CAROLYN F & JEFFREY A
5604 AVENIDA TAMPICO
LAS VEGAS NV 89108-4183

22P

24 DRDFN11 89106

City of Las Vegas
Department of Planning
Development Services Center
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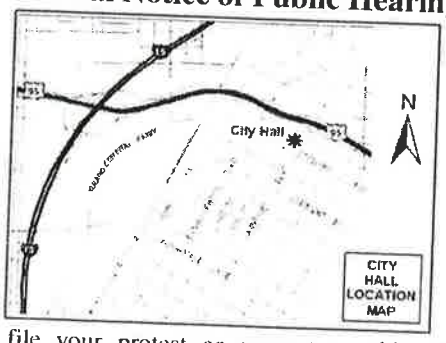

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-41779

Planning Commission Meeting of 7/12/2011

13813113042 Case: SDR-41779
BATTAGLIA JOSEPH P & LEAH M
5412 MOSSMAN AVE
LAS VEGAS NV 89108-4167

22P

24 ORDFM11 89106

13813211038
MCCLENACHAN SUZANNE REV TR
5521 AVENIDA VAQUERO
LAS VEGAS NV 89108-4106

Case: SDR-41779

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-41779
Planning Commission Meeting of 7/12/2011

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Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SDR-41779

Planning Commission Meeting of 7/12/2011

13813610010 Case: SDR-41779
ARANDA ANA G
5300 RANCHER AVE
LAS VEGAS NV 89108-4031

24 ORDFN11 89108

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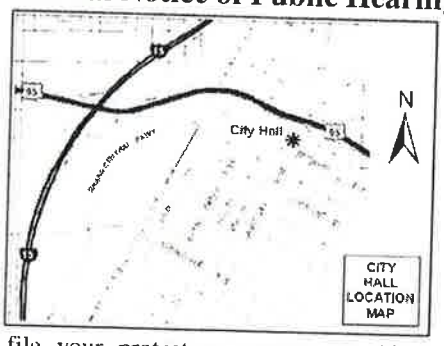

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CITY OF LAS VEGAS
PLANNING & DEV

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-41779

Planning Commission Meeting of 7/12/2011

Case: SDR-41779

13813614039
ROBINSON FAMILY TRUST
%O & P ROBINSON
5201 YOUR AVE
LAS VEGAS NV 89108-4085

24 DRDFN11 89108

Application Information

SDR-41779 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-41777 AND ZON-41778 - PUBLIC HEARING - APPLICANT/OWNER: RANCHO PROPERTIES, LLC - For possible action on a request for a Site Development Plan Review FOR A 136-UNIT APARTMENT COMPLEX WITH A WAIVER TO ALLOW NO LANDSCAPE BUFFER ALONG PORTIONS OF THE NORTH PERIMETER WHERE SIX FEET IS REQUIRED on 9.92 acres at 3000 North Michael Way (APN 138-13-512-001), O (Office) and C-M (Commercial/Industrial) Zones [PROPOSED: R-3 (Medium Density Residential)], Ward 5 (Barlow).

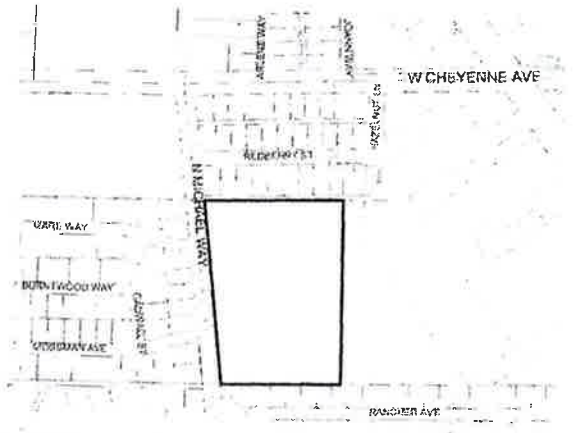
WE DO NOT NEED MORE APARTMENTS AROUND US. TOO MANY NOW. TWO QUESTIONS, "WHY BUILD MORE APARTMENTS WHEN WE HAVE EMPTY ONES ALL OVER TOWN? WHOSE DUMB, THOUGHTLESS IDEA WAS THIS? SHAME ON THEM!

IF THIS HAPPENS, I PRAY IT DOES NOT, CRIME WILL INCREASE WHICH IS BAD NOW.

PLEASE DO NOT APPROVE THIS PLAN. THANK YOU

P. Robinson

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	*July 12, 2011*
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

22P

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.

Application Information

SDR-41779 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-41777 AND ZON-41778 - PUBLIC HEARING - APPLICANT/OWNER: RANCHO PROPERTIES, LLC - For possible action on a request for a Site Development Plan Review FOR A 136-UNIT APARTMENT COMPLEX WITH A WAIVER TO ALLOW NO LANDSCAPE BUFFER ALONG PORTIONS OF THE NORTH PERIMETER WHERE SIX FEET IS REQUIRED on 9.92 acres at 3000 North Michael Way (APN 138-13-512-001), O (Office) and C-M (Commercial/Industrial) Zones [PROPOSED: R-3 (Medium Density Residential)], Ward 5 (Barlow).

THIS AREA USED TO BE A NICE MIDDLE CLASS PLACE TO LIVE. THE ONLY NEW BUILDING HAS BEEN LOW INCOME AFFECTING THE SCHOOL & CRIME RATE (JUST WE SOMEHOW ELEVATE. INSTEAD OF LOWER)

Application Location



The proposed project may not pertain to the entire highlight project site.

Public Hearing Information

Meeting: Planning Commission
Date: *July 12, 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, fil 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. Fu 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 C 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.

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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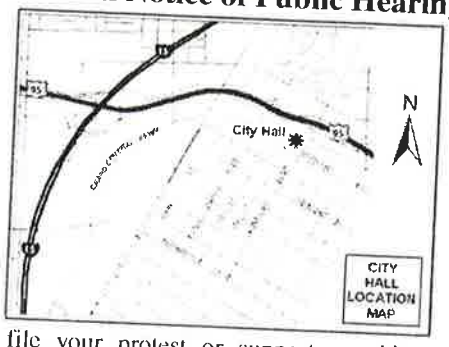

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☐ I SUPPORT this Request
☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-41779
Planning Commission Meeting of 7/12/2011

13813201001
K O'S TRUST
5512 AVENIDA CABALLO
LAS VEGAS NV 89108-4103

Case: SDR-41779

22
P

24 ORDFN11 89106

City of Las Vegas Agenda Item No.: **78.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

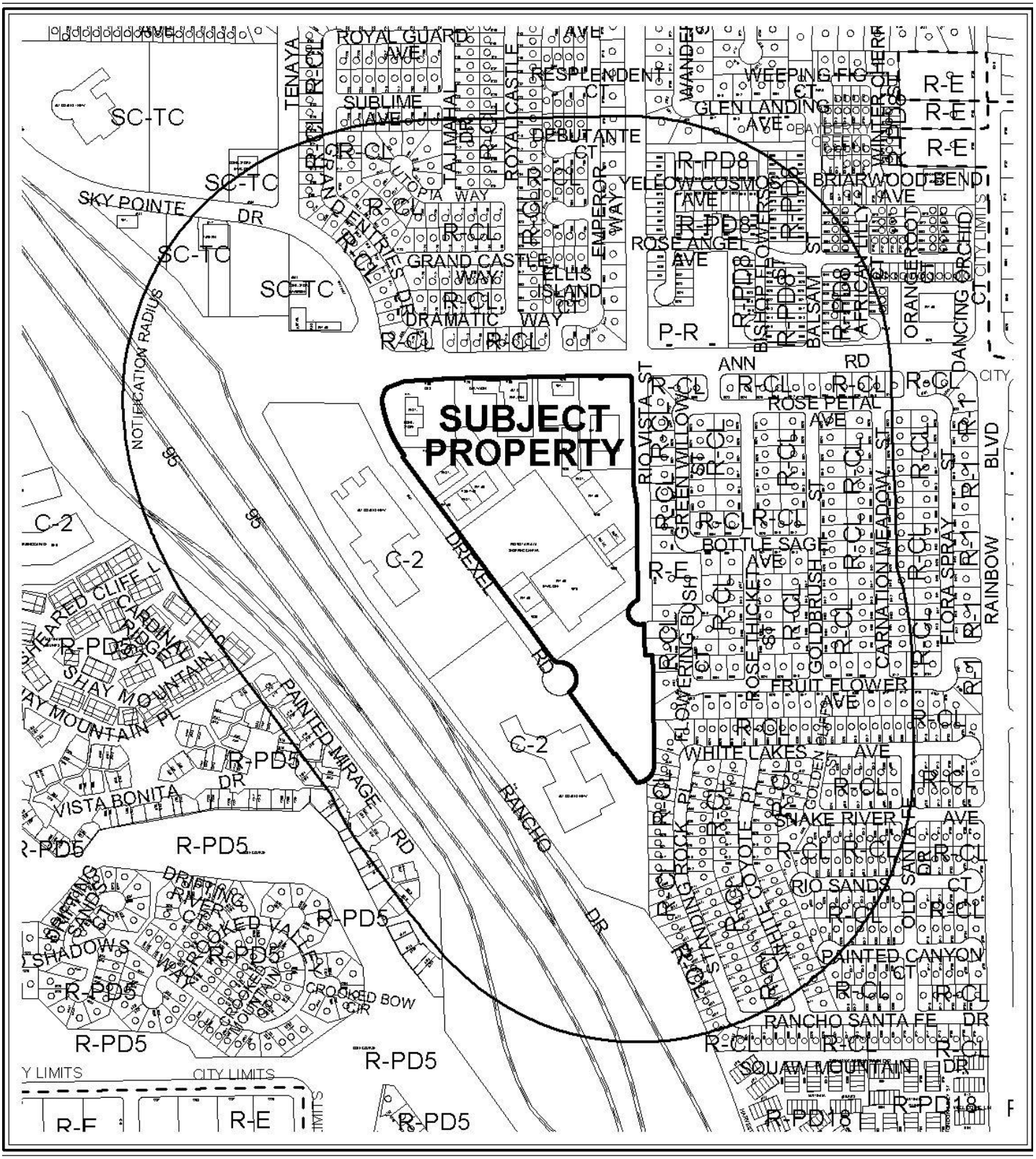
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
MOD-42261 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: RIO VISTA PLAZA, LLC, ET AL - For possible action on a request for a Major Modification of a previously approved Rezoning (Z-0074-97) TO AMEND THE MASTER DEVELOPMENT PLAN TO ADD GENERAL PERSONAL SERVICE AND MASSAGE, ACCESSORY USES AS PERMITTED USES AND THE MASSAGE ESTABLISHMENT USE AS A PERMITTED USE WITH AN APPROVED SPECIAL USE PERMIT on 18.6 acres at 7007-7171 West Ann Road (APNs Multiple), PD (Planned Development) Zone, Ward 6 (Ross). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**5**	**Planning Commission Mtg.**	**2**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the August 9, 2011 Planning Commission Meeting Item – MOD-42261



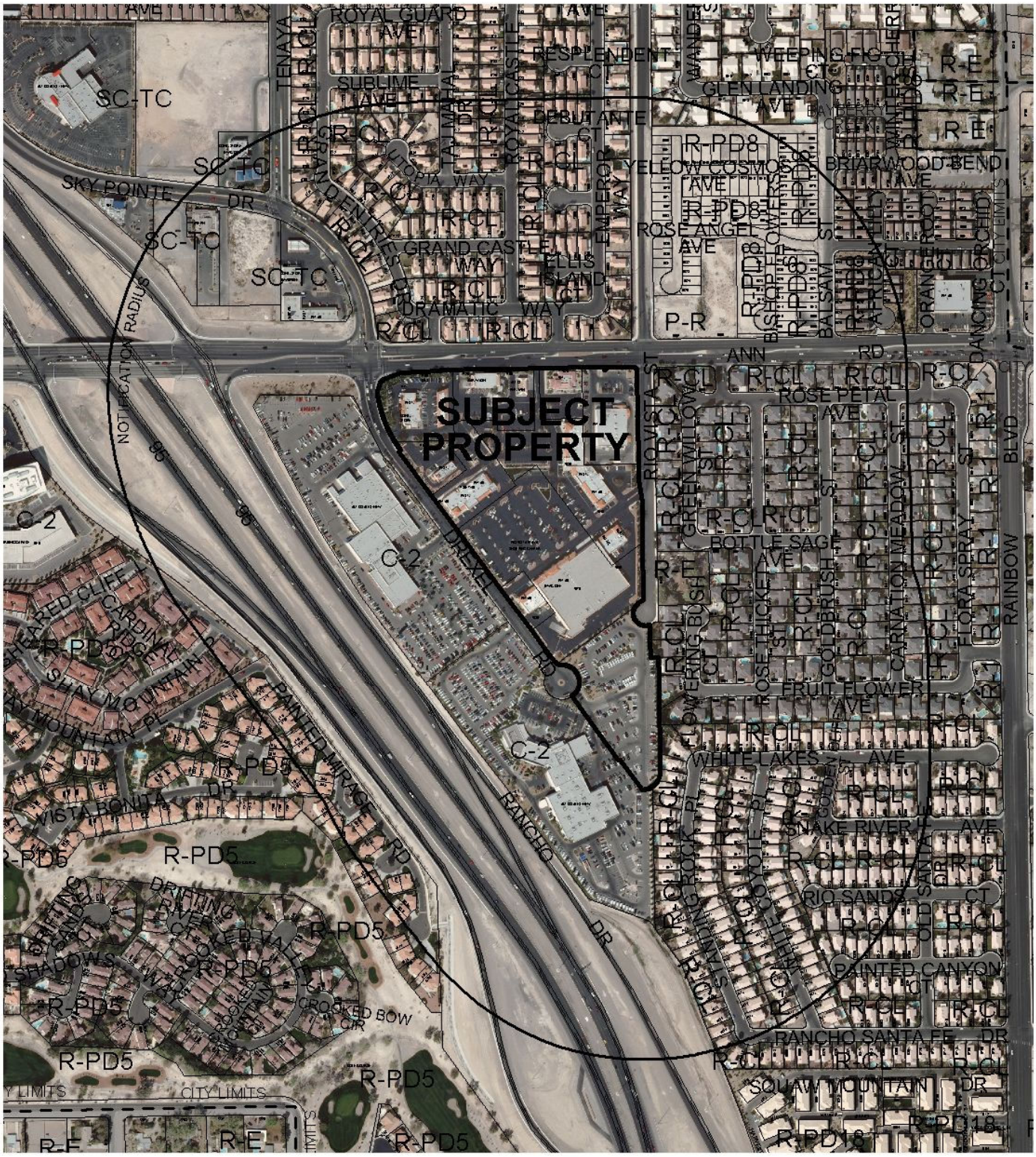
0 300 600 Feet

CASE: **MOD-42261**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

N



CASE: **MOD-42261**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: SEPTEMBER 7, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
MOD-42261	Staff recommends APPROVAL.	

YK

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is requesting that the Rio Vista Plaza Master Development Plan be amended to allow the following uses: General Personal Services; Massage, Accessory; and Massage Establishment. The General Personal Service and Massage, Accessory uses will be permitted by right, whereas the Massage Establishment use shall be permitted only with the approval of a Special Use Permit in accordance with Title 19.16.110. Staff supports the amendment, as the proposed uses are permitted in the C-1 (Limited Commercial) district and are consistent with other uses allowed within the existing Planned Development. If the application is denied, General Personal Services and Massage Establishment Uses would continue to be prohibited at this location.

ISSUES

- The Massage Establishment Use will require approval of a Special Use Permit.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
12/08/97	The City Council approved Rezoning (Z-0074-97) from: U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation] to: PD (Planned Development) on the southwest corner of Ann Road and Rio Vista Street. Staff recommended approval and the Planning Commission recommended denial.
01/25/99	The City Council approved a request for a Site Development Plan Review [Z-0074-97(3)] for a proposed 15,056 square foot Drug Store and Review of Condition of Approval Number 4, to allow the use of an outside microphone for the pharmacy drive-through where such use is prohibited on property located on the southwest corner of Ann Road and Rio Vista Street. The Planning Commission recommended approval.
01/25/99	The City Council approved a Modification [Z-0074-97(4)] to the Rio Vista Plaza Master Plan to allow modifications to the approved locations and sizes of the proposed buildings and signage. The Planning Commission recommended approval.
07/05/01	The City Council approved a Site Development Plan Review [Z-0074-97(10)] for a proposed 5,099 square foot Full Service Car Wash and a 1,468 square foot Minor Auto Repair Garage on 1.50 acres at the southeast corner of the intersection of Ann Road and Drexel Road. The Planning Commission recommended approval.

07/05/01	The City Council approved a Major Modification [Z-0074-97(11)] to the Rio Vista Plaza Development Plan to add Carwash and Mini-Lube Facilities to the permitted uses table. The Planning Commission recommended approval.
08/09/11	The Planning Commission will hear a request for possible action on a request for a Special Use Permit (SUP-42265) for a proposed 260 square-foot Massage Establishment in conjunction with a 1,500 square-foot day spa with a waiver to allow a distance separation of 50 feet from a residential use where 400 feet is required at 7045 West Ann Road, Suite #130. Staff recommends approval.
08/09/11	The Planning Commission voted (7-0) to recommend APPROVAL (PC Agenda Item #22/yk)

Most Recent Change of Ownership	
08/02/99	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
01/03/01	Business licenses (B05-02789-6-122017, B08-00706-6-122017 and M03-00152-2-122017) were issued for a Day Spa at 7045 West Ann Road, Suite 130. These licenses were closed as Out-of-Business on 01/25/10.
05/06/03	A Building Permit (#4781) for a Certificate of Occupancy was issued for a Day Spa at 7045 West Ann Road, Suite 130.
01/30/07	Code Enforcement issued a citation (#49879) for illegal banners at 7045 West Ann Road, Suite 130. The case was closed on 03/13/07.
12/04/07	The Building Department conducted a requested inspection (#103268) for a hazardous situation at 7045 West Ann Road, Suite 130. There was no hazard found at the site and no action was taken. The case was closed on 12/10/07.

Pre-Application Meeting	
05/23/11	Staff reviewed requirements to modify an existing Master Development Plan to add General Personal Services and Massage as permitted uses in the Rio Vista Shopping Plaza.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
07/05/11	Staff conducted a field check of the site and found a well maintained commercial shopping center.

YK

Details of Application Request	
Site Area	
Net Acres	18.6

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Shopping Center	SC (Service Commercial)	PD (Planned Development)
North	Single Family Detached	ML (Medium/Low Density Residential)	R-CL (Single Family Compact-Lot)
		L (Low Density Residential)	R-1 (Single Family Residential)
South	Motor Vehicle Sales (New)	GC (General Commercial)	C-2 (General Commercial)
East	Single Family Detached	ML (Medium/Low Density Residential)	R-CL (Single Family Compact-Lot)
West	Motor Vehicle Sales (New)	GC (General Commercial)	C-2 (General Commercial)

Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
PD (Planned Development) 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

ANALYSIS

Per Title 19, the PD (Planned Development) district may be used for office, retail, entertainment or commercial uses or for mixed-use developments where commercial and residential uses are combined. The uses permitted at the subject site are similar to those permitted in the C-1 (Limited Commercial) district. The Title 19 use requirements apply as stated in the Rio Vista Plaza Master Development Plan; therefore, the proposed uses to be added to the Rio Vista Master Plan are described below:

General Personal Service: A facility for the sale of personal services. Typical personal services include barber/beauty shop, tanning salon, nail salon, shoe repair, tailor, instructional arts studio, photography studio, hand-crafted art studio, safe deposit boxes, house cleaning service, weight reduction center, day spa, florist (excluding greenhouses), and permanent makeup establishment.

Massage, Accessory: The performing of massage therapy or therapeutic massage that:

1. Is accessory to a principal permitted use that is one of the following:
    a. A medical office or physical rehabilitation clinic;
    b. A fitness and health center;
    c. A country club or golf course clubhouse;
    d. A hotel with more than one hundred rooms; or
    e. A facility similar in nature to any of the facilities listed above;
2. Does not occupy more than 150 square feet of space; and
3. Is not advertised on any exterior signage.

Massage Establishment: A facility which is occupied and used for the purpose of practicing massage therapy as defined in LVMC Chapter 6.52. This use does not include the "accessory massage," as defined by Title 19.12.

Minimum Special Use Permit Requirements:
1. The use shall comply with all applicable requirements of LVMC Title 6.
2. The use must be located on a secondary thoroughfare or larger.
3. The use may not be located within 400 feet of any church, synagogue, school, City park, child care facility, or any parcel zoned for residential use.
4. The use may not be located within 1000 feet of any other massage establishment.
5. The hours of operation shall be limited to the period between 8:00 a.m. and 9:00 p.m., unless further limited by the City Council on a case-by-case basis.

The addition of the General Personal Service and Massage, Accessory uses as permitted uses, and the Massage Establishment use as a permitted use with the approval of a Special Use Permit, will be consistent with uses allowed in the C-1 (Limited Commercial) zoning district, and will not negatively impact the existing uses at the site or in the surrounding area. The proposed uses will not affect parking requirements, since the required spaces are calculated as a Shopping Center at one space per 250 square feet, based upon the gross floor area. Therefore, staff supports the request to modify the Rio Vista Master Development Plan to allow the proposed uses.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 20

NOTICES MAILED 910 (By City Clerk)

APPROVALS 2

PROTESTS 5

YK

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Major Modification to the Rio Vista Plaza Planned Development

Project Address (Location) 7007 to 7171 W. Ann Road

Project Name Rio Vista Plaza PD addition of land uses **Proposed Use** Shopping Center

Assessor's Parcel #(s) 125-34-515-001 to 010, -516-001, 502-~~00~~ -501-008, -006 **Ward #** 6

General Plan: existing ~~POD~~ SC proposed _____ **Zoning:** existing PD proposed _____

Commercial Square Footage N/A **Floor Area Ratio** N/A

Gross Acres _____ **Lots/Units** N/A **Density** N/A

Additional Information _____

PROPERTY OWNER Rio Vista Plaza, LLC et al **Contact** _____

Address PO Box 11568 **Phone:** (949) 250-8651 **Fax:** (949) 250-1320

City New Port Beach **State** CA **Zip** 92658

E-mail Address _____

APPLICANT City of Las Vegas **Contact** Doug Rankin

Address 333 N. Rancho **Phone:** 229-6301 **Fax:** _____

City Las Vegas **State** NV **Zip** 89106

E-mail Address drankin@lasvegasnevada.gov

REPRESENTATIVE _____ **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

~~Property Owner~~ Authorized Signature* DJ Rankin

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Doug Rankin

Subscribed and sworn before me

This _____ day of _____, 20 _____.

_____

Notary Public in and for said County and State

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	MOD-42261
Meeting Date:	8-9-11
Total Fee:	∅
Date Received:*	6-23-11
Received By:	DJR

*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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f:\depot\Application Packet\Application Form.pdf

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

CITY OF LAS VEGAS
DEPARTMENT OF PLANNING
DEVELOPMENT SERVICES CENTER
333 NORTH RANCHO DRIVE
3RD FLOOR
LAS VEGAS, NEVADA 89106

VOICE 702.229.6301
FAX 702.474.0352
TTY 702.386.9108
www.lasvegasnevada.gov

Flinn Fagg, Director
Department of Planning
333 N. Rancho Drive, 3rd Floor
Las Vegas, NV 89106

June 22, 2011

Dear Mr. Fagg:

Per Title 19.10.040.G Modification of Master Development Plan and Development Standards, a Planned Development may be modified by the City of Las Vegas. This request is to modify the Rio Vista Planned Development to add the following uses; General Personal Service and Accessory Massage (150 sf. or less) as permitted uses and to add Massage Establishment as a use permitted with the approval of a Special Use Permit. Past approvals have been made at this location which allowed for a Massage Use that was accessory to other principal uses, in this case a Health Club. Adoption of a specific land use for Accessory Massage no longer permitted this use to be a customary accessory use. As such the Rio Vista Planned Development needs to be amended to permit the previously approved Health Club with massage. Staff has also found that past and current approvals at this location permitted General Personal Service uses. The General Personal Service is comparable in intensity to those permitted in the Rio Vista Planned Development.

The Uses stated above are defined by Title 19.18 as follows:

General Personal Service. A facility for the sale of personal services. Typical personal services include barber/ beauty shop, tanning salon, nail salon, shoe repair, tailor, instructional arts studio, photography studio, hand-crafted art studio, safe deposit boxes, house cleaning service, weight reduction center, day spa, florist (excluding greenhouses) and permanent makeup establishment.

Massage, Accessory. The performing of massage therapy or therapeutic massage that:

1. Is accessory to a principal permitted use that is one of the following:
   a. A medical office or physical rehabilitation clinic;
   b. A fitness and health center;
   c. A country club or golf course clubhouse;
   d. A hotel with more than one hundred rooms; or
   e. A facility similar in nature to any of the facilities listed above

-continued-

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JUN 23 2011

MOD-42261

2. Does not occupy more than 150 square feet of space; and

3. Is not advertised on any exterior signage.

Massage Establishment. A facility which is occupied and used for the purpose of practicing massage therapy as defined in LVMC Chapter 6.52.. The term does not include the use "accessory massage," as defined in this Title.

Sincerely,

Doug Rankin, AICP
Planning Manager

RECEIVED
JUN 23 2011
MOD-42261

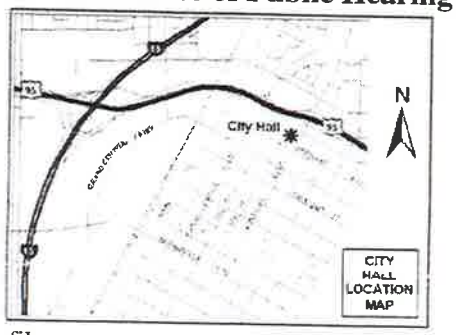
NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

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 $ 00.41[4]
0004279218 JUL 28 2011
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



There is a reason that 400 FT is the minimum distance. why change it?

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.

MOD-42261

Planning Commission Meeting of 8/9/2011

Case: MOD-42261

12527812029
LEWSADER SHELLY
6317 WASHBURN RD
LAS VEGAS NV 89130-2194 89130-2194

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TO PROFNII 89130

224

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Department of Planning
Development Services Center
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Las Vegas, Nevada 89106

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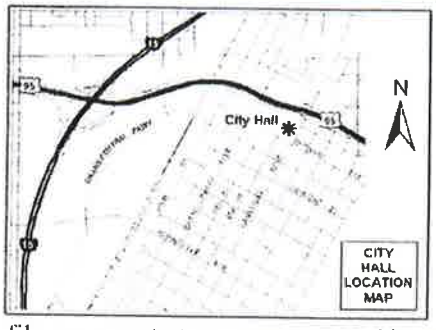

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MOD-42261

Planning Commission Meeting of 8/9/2011

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Case: MOD-42261
12534613050
RANALLI ELISEO & DANI
16 HALFMOON
IRVINE CA 92614-5433 92614-5433

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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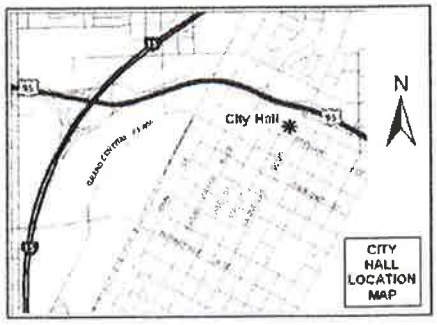
Official Notice of Public Hearing



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MOD-42261

Planning Commission Meeting of 8/9/2011

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Case: MOD-42261
12534511048
MARCOM NORA H
5524 ROSE THICKET ST
LAS VEGAS NV 89130-1652 89130-1652

22 28

PO PROPN1 89130

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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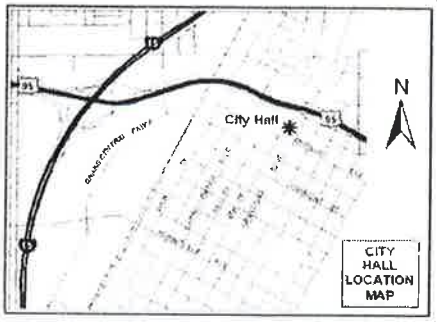

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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MOD-42261
Planning Commission Meeting of 8/9/2011

Case MOD-42261
12534613061
TARMANN JEROME CLARENCE
190 BUTTE AVE
YUBA CITY CA 95993-9399 95993-9399

2 PRPFM1 95993

Application Information

MOD-42261 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: RIO VISTA PLAZA, LLC, ET AL - For possible action on a request for a Major Modification of a previously approved Rezoning (Z-0074-97) TO AMEND THE MASTER DEVELOPMENT PLAN TO ADD GENERAL PERSONAL SERVICE AND MASSAGE, ACCESSORY USES AS PERMITTED USES AND THE MASSAGE ESTABLISHMENT USE AS A PERMITTED USE WITH AN APPROVED SPECIAL USE PERMIT on 18.6 acres at 7007-7171 West Ann Road (APNs Multiple), PD (Planned Development) Zone, Ward 6 (Ross).

Zoning Regulations are plans that are expressed in the form of RULES. A Rule is an unequivocal statement. Zoning Regulations are not guidelines that can be modified at a later date

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	***August 09, 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.

Jerome Clarmann 08-03-11 22P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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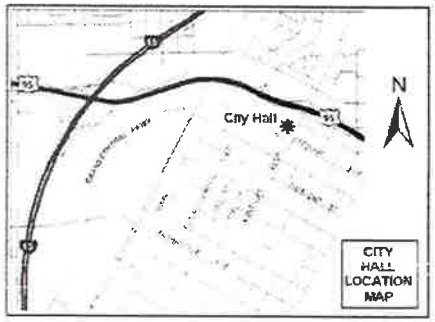

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☐ I SUPPORT this Request ☑ I OPPOSE this Request

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MOD-42261
Planning Commission Meeting of 8/9/2011

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PLANNING & DEVELOPMENT

Case: MOD-42261
12527810004
STONE DALE W & CYNTHIA N
5600 EMPEROR WY
LAS VEGAS NV 89130-1100 89130-1100

TO FROFM11 89130

22P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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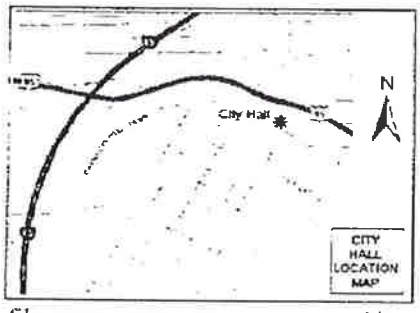
Official Notice of Public Hearing



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[X] I SUPPORT this Request [ ] I OPPOSE this Request

Please use available blank space on card for your comments.

MOD-42261

Planning Commission Meeting of 8/9/2011





Case: MOD-42261
12534117094
BAZAR EDWARD J JR & KAREN K
528 SYLVAN BAY DR
LINN CREEK MO 65052-2605



City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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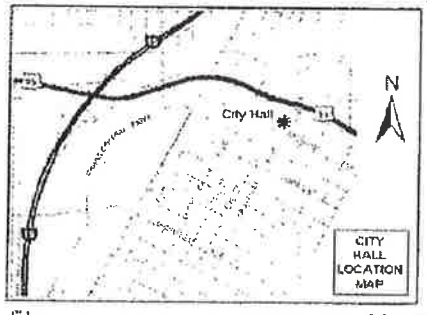
Official Notice of Public Hearing



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[X] I SUPPORT this Request [ ] I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-42265

Planning Commission Meeting of 8/9/2011





Case: SUP-42265
12534117094
BAZAR EDWARD J JR & KAREN K
528 SYLVAN BAY DR
LINN CREEK MO 65052-2605



22A

City of Las Vegas Agenda Item No.: **79.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

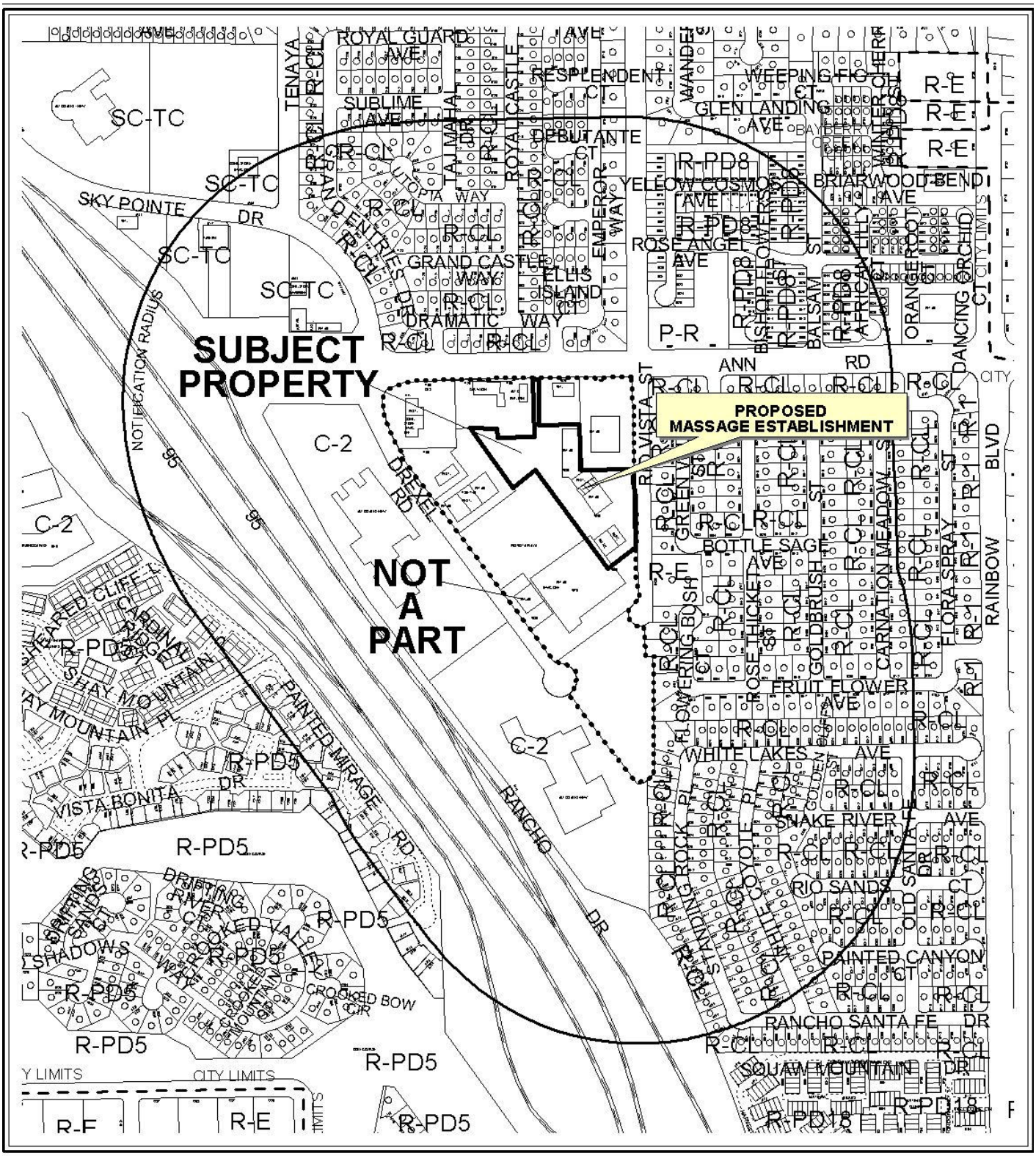
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
SUP-42265 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: RIO VISTA PLAZA, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 260 SQUARE-FOOT MASSAGE ESTABLISHMENT IN CONJUNCTION WITH A 1,500 SQUARE-FOOT DAY SPA WITH A WAIVER TO ALLOW A DISTANCE SEPARATION OF 50 FEET FROM A RESIDENTIAL USE WHERE 400 FEET IS REQUIRED at 7045 West Ann Road, Suite #130 (APN 125-34-515-003), PD (Planned Development) Zone, Ward 6 (Ross). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**6**	**Planning Commission Mtg.**	**2**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
The Planning Commission (7-0 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Backup referenced from the August 9, 2011 Planning Commission Meeting Item – SUP-42265



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CASE: **SUP-42265**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

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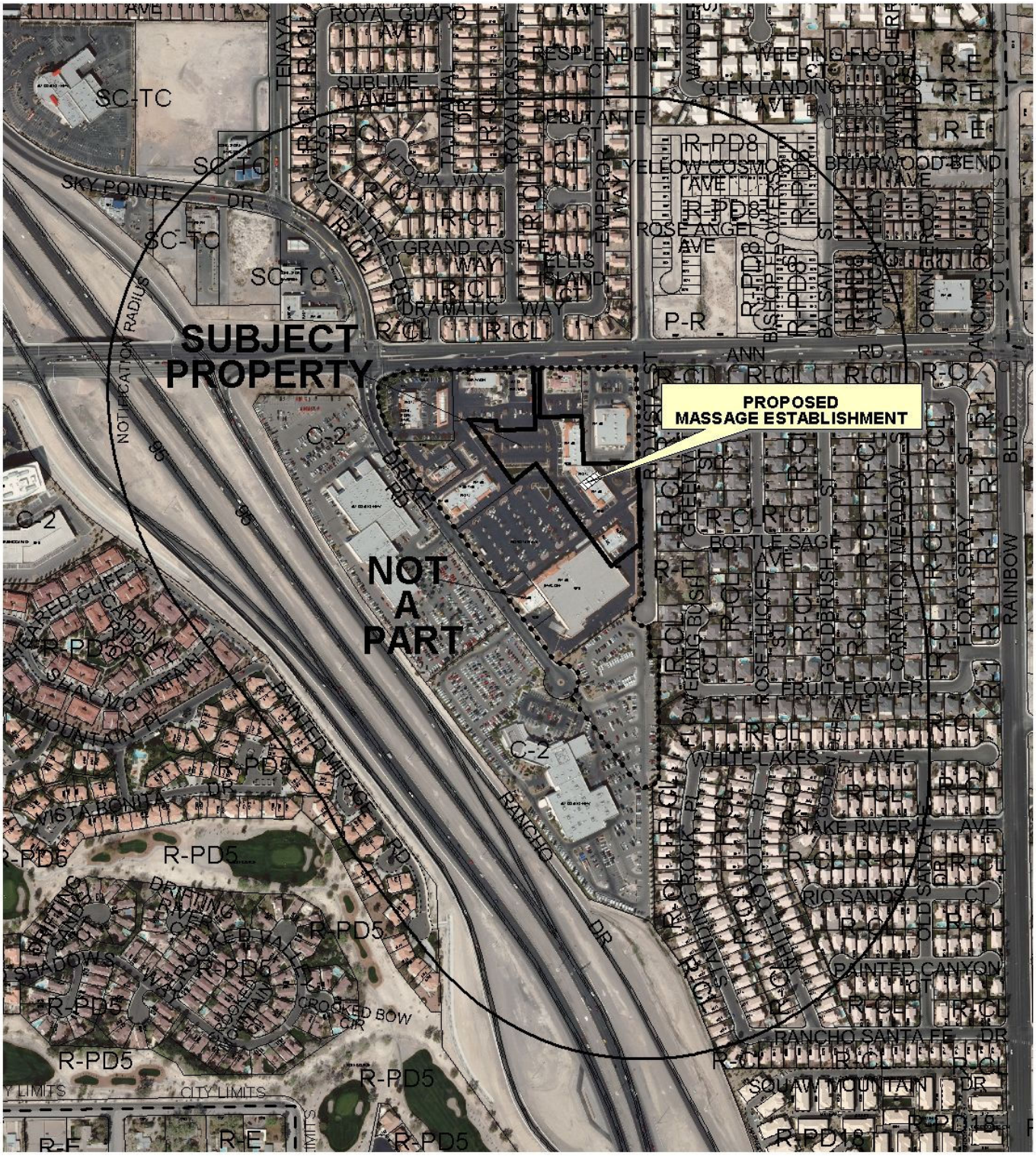
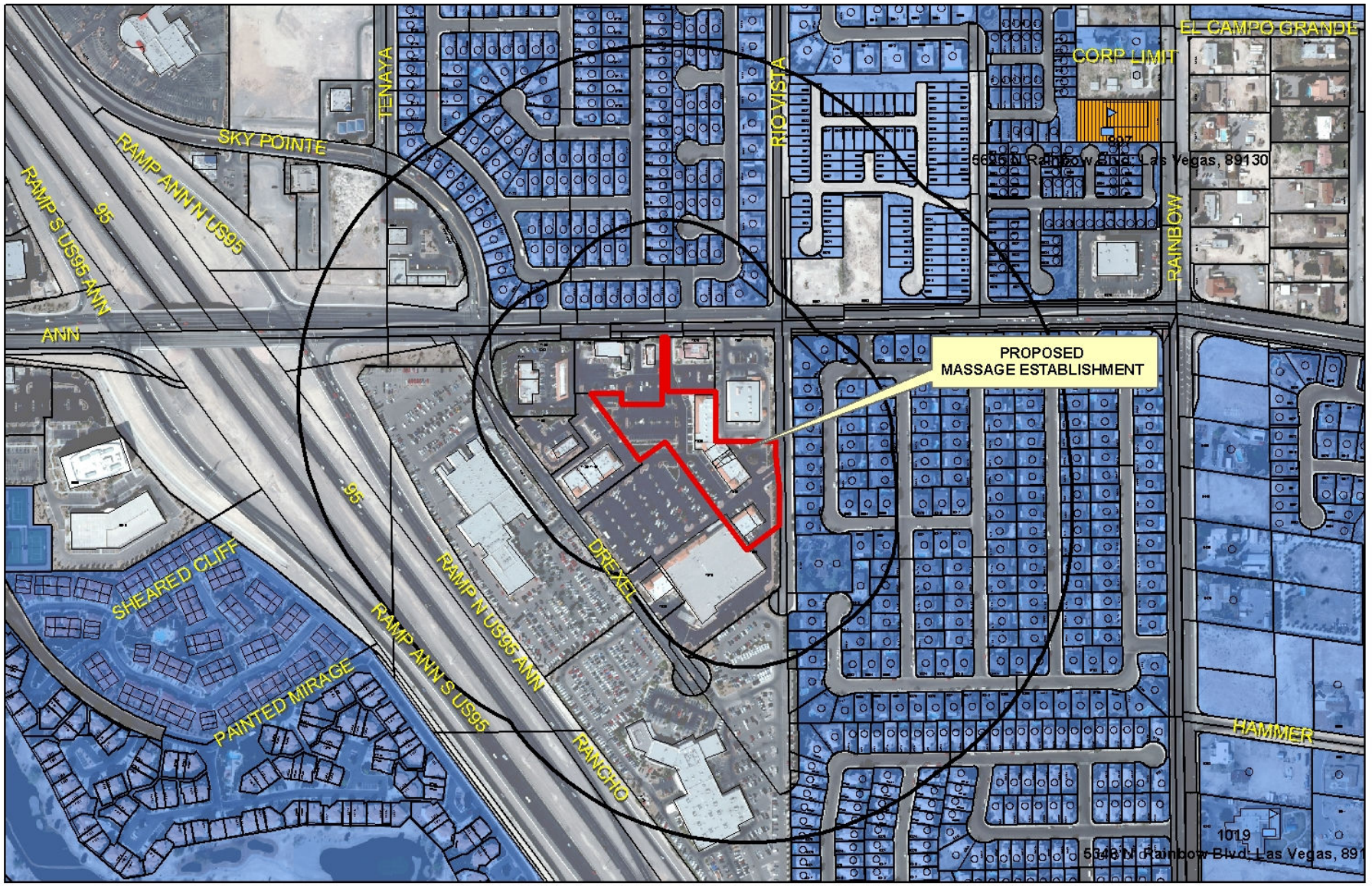


0 300 600 Feet

CASE: **SUP-42265**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)



SUP-42265
Massage Establishment

Business Licenses

- Massage Establishment
- Child Care/ Children Facility

Protected Landuses

- RELIGIOUS
- CITY PARKS
- SCHOOLS

- Subject Property
- Residential Property
- 400' & 1000' Buffer

0 280 560 1,120 Feet

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: SEPTEMBER 7, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: CITY OF LAS VEGAS - OWNER: RIO VISTA PLAZA, LLC, ET AL

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-42265	Staff recommends APPROVAL, subject to conditions:	MOD-42261

** CONDITIONS **

SUP-42265 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Massage Establishment use.

2. Approval of Major Modification (MOD-42261) 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 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

4. A Waiver to allow for a 50 foot distance separation from a residentially zoned property where a minimum of 400 feet distance separation is required is approved.

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 a building permit.

7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

YK

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is requesting a Special Use Permit for a Massage Establishment within a proposed Day Spa with a Waiver of the distance separation requirement from a residentially zoned property. The Special Use Permit for a Massage Establishment is required as the floor area is greater than the maximum allowed 150 square feet for a Massage Accessory Use. The proposed massage space is 260 square feet. The proposed use is in a commercial shopping center, will only employ two massage therapists, and is not directly accessible to the residential neighborhood to the east. For these reasons, staff supports the request. If the applications are denied, the Massage Establishment Use would not be permitted at this location.

ISSUES

- The Rio Vista Plaza Master Development Plan must be amended (MOD-42261) to allow General Personal Services; Massage, Accessory; and Massage Establishment as permitted uses prior to approval of a Special Use Permit for a Massage Establishment Use. Staff supports this request, since all are permitted uses in similar zoning districts throughout the city.
- A Massage Establishment greater than 150 square feet is a permitted use with an approved Special Use Permit, per Major Modification (MOD-42261).
- A Waiver is required to allow a Massage Establishment use to be located 50 feet from a residentially zoned property where the minimum distance separation allowed is 400 feet. Staff supports this request, as the establishment is located in a shopping center across the street from the residential neighborhood and there is no direct access between the two districts. Additionally, the Massage Establishment will be operated in conjunction with a day spa.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
12/08/97	The City Council approved Rezoning (Z-0074-97) from: U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation] to: PD (Planned Development) on the southwest corner of Ann Road and Rio Vista Street. Staff recommended approval and the Planning Commission recommended denial.
08/09/11	The Planning Commission will hear a request for possible action on a request for a Major Modification (MOD-42261) to amend the Rio Vista Plaza Master Development Plan to add General Personal Service and Massage, Accessory uses as permitted uses and the Massage Establishment use as a permitted use with an approved Special Use Permit on 18.6 acres at 7007-7171 West Ann Road. Staff recommends approval.
08/09/11	The Planning Commission voted (7-0) to recommend APPROVAL (PC Agenda Item #23/yk)

Most Recent Change of Ownership	
08/02/99	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
01/03/01	Business licenses (B05-02789-6-122017, B08-00706-6-122017 and M03-00152-2-122017) were issued for a Day Spa at 7045 West Ann Road, Suite 130. These licenses were closed as Out-of-Business on 01/25/10.
05/06/03	A Building Permit (#4781) for a Certificate of Occupancy was issued for a Day Spa at 7045 West Ann Road, Suite 130.
01/30/07	Code Enforcement issued a citation (#49879) for illegal banners at 7045 West Ann Road, Suite 130. The case was closed on 03/13/07.
12/04/07	The Building Department conducted a requested inspection (#103268) for a hazardous situation at 7045 West Ann Road, Suite 130. There was no hazard found at the site and no action was taken. The case was closed on 12/10/07.

Pre-Application Meeting	
05/23/11	Staff reviewed for submittal of a Special Use Permit for a Massage Establishment.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
07/05/11	Staff conducted a field check of the site and found a well maintained commercial shopping center.

Details of Application Request	
Site Area	
Net Acres	18.6

Surrounding Property	*Existing Land Use Per Title 19.12*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	Shopping Center	SC (Service Commercial)	PD (Planned Development)
North	Single Family Detached	ML (Medium/Low Density Residential)	R-CL (Single Family Compact-Lot)
		L (Low Density Residential)	R-1 (Single Family Residential)
South	Motor Vehicle Sales (New)	GC (General Commercial)	C-2 (General Commercial)
East	Single Family Detached	ML (Medium/Low Density Residential)	R-CL (Single Family Compact-Lot)
West	Motor Vehicle Sales (New)	GC (General Commercial)	C-2 (General Commercial)

Special Purpose and Overlay Districts	*Yes*	*No*	*Compliance*
PD (Planned Development) 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

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Actual Street Width (Feet)*	*Compliance with Street Section*
Ann Road	Primary Arterial	Master Plan of Streets and Highways	100	Y
Rio Vista Street	N/A	N/A	50	N/A
Drexel Road	N/A	N/A	50	N/A

Pursuant to Title 19.08 and 19.12, 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	
Shopping Center	169,084 SF	1 space per 250 SF	677				
TOTAL SPACES REQUIRED			677		806		Y
Regular and Handicap Spaces Required			663	14	782	24	Y
Loading Spaces	169,084	3 for first 50,000 SF then 1 for each 100,00 SF	5		3		N

Waivers		
Requirement	***Request***	***Staff Recommendation***
Massage Establishment use may not be located within 400 feet of any parcel zoned for residential use.	To allow a Massage Establishment use to be located 50 feet from a residentially zoned parcel.	Approval

ANALYSIS

The site was developed as a commercial shopping center under the PD (Planned Development) district. Parcels were sold individually and developed separately. Each use was parked individually as well and up until 2008 required a parking variance if the use did not meet Title 19 minimum parking standards. When the Shopping Center category was adopted at one space per 250 square feet of building area, the site became current with the required number of parking spaces as a shopping center. However, the site is considered loading space impaired as the center has two fewer loading spaces then the current code requires.

The applicant is seeking a Special Use Permit for a Massage Establishment use. A Waiver of the 400-foot distance separation requirement from a residentially zoned parcel is required. The applicant is proposing to use two massage therapists in two rooms totaling 260 square feet located within a day spa. The use will be in the rear of the day spa within a larger shopping center. Staff supports the requested Waiver, since the use will be operated in conjunction with a day spa, and the shopping center does not have direct access to the adjacent residential community to the east. Therefore, there will be no impact from the proposed use on the surrounding community. All other minimum requirements are being met. Staff supports this request, as it can be conducted in a safe, clean manner without harm to the community.

YK

FINDINGS (SUP-42265)

In order to approve a Special Use Permit application, per Title 19.16.110(L) 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 General Plan Service Commercial Land Use category allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons and that do not include more intense general commercial characteristics. 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 use.

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 for this shopping center.

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 Ann Road, Drexel Road and Rio Vista Street. All streets are 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 Special Use Permit is consistent with the General Plan Land Use designation of SC (Service Commercial) and will not compromise the public health, safety, or welfare.

5. **The use meets all of the applicable conditions per Title 19.12.**

   Pursuant to Title 19.12, the Minimum Special Use Permit Requirements for a Massage Establishment use mandates that the use not be located within 400 feet of a residentially zoned parcel. Staff supports the requested Waiver, as the use will be operated in conjunction with a day spa and will not have direct access to the adjacent residential neighborhood.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 20

NOTICES MAILED 910 (By City Clerk)

APPROVALS 2

PROTESTS 6

YK

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-42265** APN: 125-34-515-001, 003, 004

Name of Property Owner: RIO VISTA PLAZA LLC

Name of Applicant: DON BENEDICT

Name of Representative: ~~DON~~ CHRIS KAEMPFER

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: Donald K Benedict

Print Name: DONALD K. BENEDICT

MANAGER, RIO VISTA PLAZA LLC

Subscribed and sworn before me

This _____day of _____, 20_____

_____

Notary Public in and for said County and State

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JUN 23 2011

CALIFORNIA JURAT WITH AFFIANT STATEMENT

☒ See Attached Document (Notary to cross out lines 1–6 below)
☐ See Statement Below (Lines 1–5 to be completed only by document signer[s], *not* Notary)

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

State of California

County of Orange

Subscribed and sworn to (or affirmed) before me on this

22nd (Date) day of June (Month), 2011 (Year), by

(1) Donald K. Benedict. (Name of Signer),

proved to me on the basis of satisfactory evidence to be the person who appeared before me.) (,)

(and

(2) _____ (Name of Signer),

proved to me on the basis of satisfactory evidence to be the person who appeared before me.)

Signature _____ (Signature of Notary Public)

IENNEKE SUWITO
COMM. # 1903390
NOTARY PUBLIC - CALIFORNIA
ORANGE COUNTY
COMM. EXPIRES OCT. 4, 2014

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Further Description of Any Attached Document

Title or Type of Document: Statement of financial interest

Document Date: _____ Number of Pages: 1

Signer(s) Other Than Named Above: _____

RIGHT THUMBPRINT OF SIGNER #1	RIGHT THUMBPRINT OF SIGNER #2
Top of thumb here	Top of thumb here

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DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: SPECIAL USE PERMIT

Project Address (Location) 7035, 7045, 7065, 7085, 7135 and 7145 W. ANN RD.

Project Name RIO VISTA PLAZA **Proposed Use** MASSAGE ESTABLISHMENT

Assessor's Parcel #(s) 125-34-515-001, 003, 004 **Ward #** _____

General Plan: existing PD proposed _____ **Zoning:** existing PD proposed PD

Commercial Square Footage 40,200 **Floor Area Ratio** 1:5.8

Gross Acres 5.36 **Lots/Units** — **Density** _____

Additional Information PROPERTY IS SHOWN AS PARCEL 1, PARCEL 3 AND PARCEL 4 ON THE SUBMITTED SITE PLAN

PROPERTY OWNER RIO VISTA PLAZA LLC **Contact** DON BENEDICT

Address 1300 BRISTOL ST. NORTH, SUITE 218 **Phone:** 9492508651 **Fax:** 9492501320

City NEWPORT BEACH, CA. **State** CA. **Zip** 92660

E-mail Address interprop@sbcglobal.net

APPLICANT SAME AS ABOVE **Contact** _____

Address " **Phone:** _____ **Fax:** _____

City " **State** _____ **Zip** _____

E-mail Address "

REPRESENTATIVE CHRIS KAEMPFER **Contact** _____

Address 8345 W. SUNSET RD., Suite 250 **Phone:** 7027927000 **Fax:** 7027967181

City LAS VEGAS **State** NV. **Zip** 89113

E-mail Address _____

Property Owner Signature* Donald K Benedict

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name DONALD K. BENEDICT
MANAGER, RIO VISTA PLAZA LLC

Subscribed and sworn before me

This _____ day of _____, 20 _____.

_____

Notary Public in and for said County and State

FOR DEPARTMENT USE ONLY

Case #	SUP-42265
Meeting Date:	8-9-11 PC
Total Fee:	$1,030
Date Received:*	6-23-11
Received By:	

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*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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☐ See Statement Below (Lines 1–5 to be completed only by document signer[s], *not* Notary)

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State of California

County of Orange

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22nd (Date) day of June (Month), 2011 (Year), by

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proved to me on the basis of satisfactory evidence to be the person who appeared before me.) (,)

(and

(2) _____ (Name of Signer),

proved to me on the basis of satisfactory evidence to be the person who appeared before me.)

Signature _____ (Signature of Notary Public)

IENNEKE SUWITO
COMM. # 1903390
NOTARY PUBLIC - CALIFORNIA
ORANGE COUNTY
COMM. EXPIRES OCT. 4, 2014

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Title or Type of Document: Application / Petition Form

Document Date: _____ Number of Pages: 1

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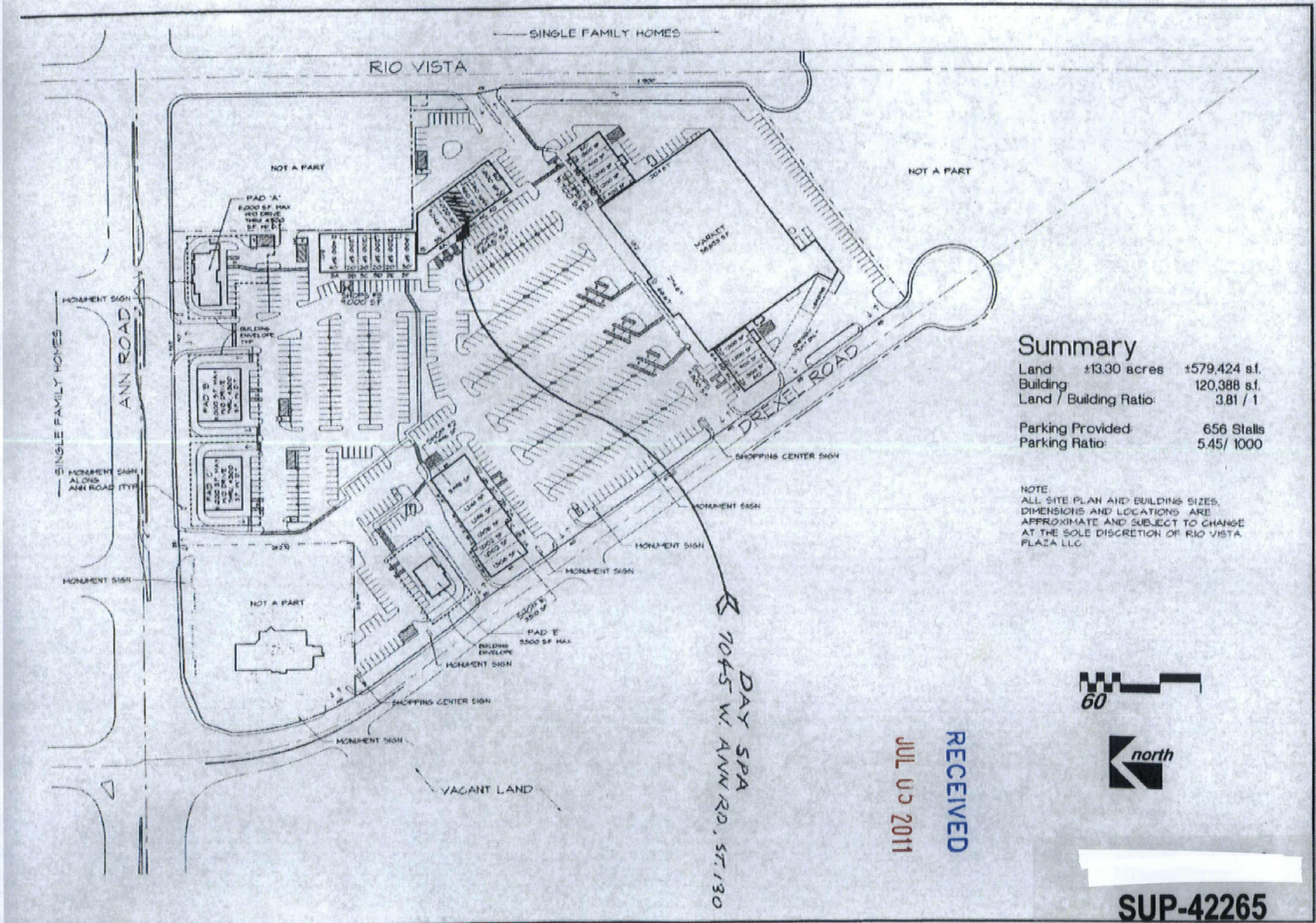

Summary

Land	±13.30 acres	±579,424 s.f.
Building		120,388 s.f.
Land / Building Ratio		3.81 / 1
Parking Provided		656 Stalls
Parking Ratio		5.45/ 1000

NOTE:
ALL SITE PLAN AND BUILDING SIZES, DIMENSIONS AND LOCATIONS ARE APPROXIMATE AND SUBJECT TO CHANGE AT THE SOLE DISCRETION OF RIO VISTA PLAZA LLC

60

north

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JUL 05 2011

SUP-42265
REVISED

Nadel
Architecture
Planning
Interiors
Registered Architect
Herbert Nadel AIA
3080 Bristol Street
Suite 520
Costa Mesa
California 92626
714 541-5907

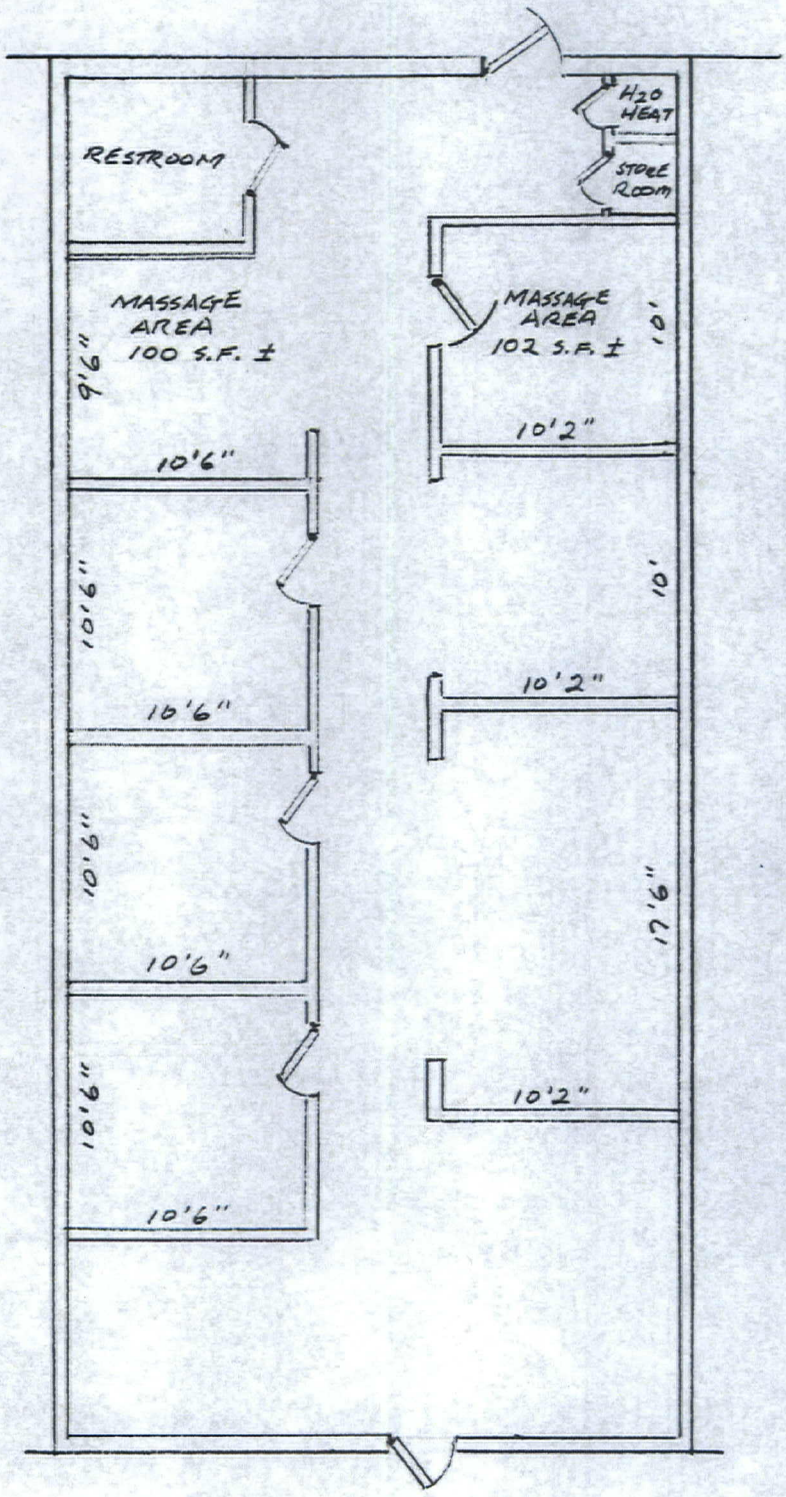
REVISIONS

FOR:
INTERSTATE PROPERTIES
1000 QUAIL STREET, SUITE #190
NEWPORT BEACH, CA. 92660

RIO VISTA PLAZA
LAS VEGAS, NEVADA

DRAWING TITLE
LEASING PLAN

DATE
JOB NO
SHEET



DAY SPA

7045 W. ANN RD. SUITE 130

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JUL 05 2011

SUP-42265
REVISED



SUP-42265 – APPLICANT/OWNER: RIO VISTA PLAZA, LLC
7045 WEST ANN ROAD, SUITE #130

06/30/11

JUSTIFICATION LETTER

Massage use over 150 square feet as an incidental use is requested as the additional space needed to have 2 massage therapists working within the proposed day spa which is a total of approximately 1,500 square feet. Total massage space within the day spa would be approximately 260 square feet.

The day spa will have approximately employees/independent contractors of which one or two will be massage therapists.

The hours of operation are proposed to be:

Monday-Thursday	8:00 am to 7:00 pm
Friday-Saturday	8:00 am to 9:00 pm
Sunday	8:00 am to 3:00 pm

The business model will consist of providing professional spa services including massage therapy. Retail sales of green products will support healthy living along with affordable pricing. There will be monthly essential oil education classes for small groups. Discounts will be given to Clark County School District employees.

Licenses required within the day spa include Cosmetology State License, Massage Administration License and Massage Establishment License.

Answers to "Sustainability" are all NO.

The location of the proposed massage use is suitable for the use proposed. There is adequate street access and parking. The proposed use will not be inconsistent with or compromise the public health, safety and welfare of the overall objective of the General Plan.

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SUP-42265

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

Clark County 8/1/2011 11:17:26 AM PAGE 2/002 Fax Server

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 JUL 28 2011
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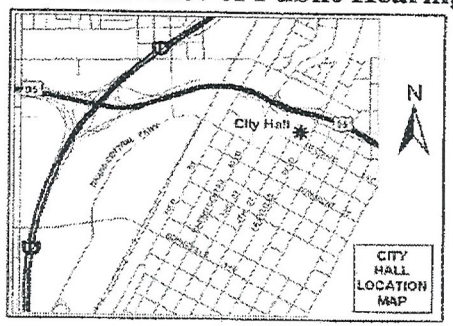
Return Service Requested
Official Notice of Public Hearing



I disagree. Based on the type of people that may be associated with having a masssage establishment close to my home and children. I do not want a service like this by my residence.

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PLANNING & DEVELOPMENT

f you wish to file your protest or support on this request, check the ppropriate box below and return this card in an envelope with postage to the Department of Planning, Case Planning Division at the address listed above or ax 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-42265

Planning Commission Meeting of 8/9/2011

Case: SUP-42265

12534511011
CANCIL MARVIN & RHONDA
P O BOX 572052
LAS VEGAS NV 89157-2052 89157-2052

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234

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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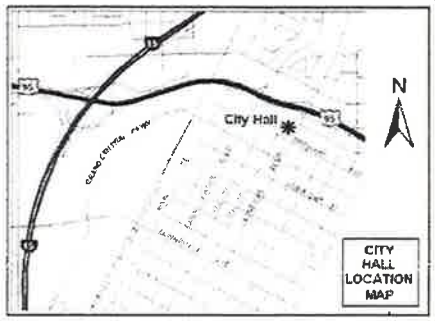

There is a reason that 400 ft is the minimum. why change it?

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-42265
Planning Commission Meeting of 8/9/2011

Case: SUP-42265
12527812029
LEWSADER SHELLY
6317 WASHBURN RD
LAS VEGAS NV 89130-2194 89130-2194

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TO PRDFMii 89130

238

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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Please use available blank space on card for your comments.

SUP-42265

Planning Commission Meeting of 8/9/2011

Case: SUP-42265
12534613050
RANALLI ELISEO & DANI
16 HALFMOON
IRVINE CA 92614-5433 92614-5433

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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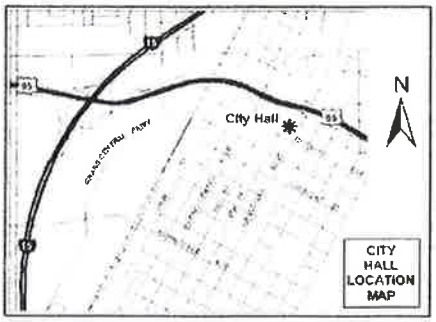
0004279218 JUL 28 2011
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-42265

Planning Commission Meeting of 8/9/2011

Case: SUP-42265
12534511048
MARCOM NORA H
5524 ROSE THICKET ST
LAS VEGAS NV 89130-1652 89130-1652

2328

TO PROFILE 8510

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 & DEV

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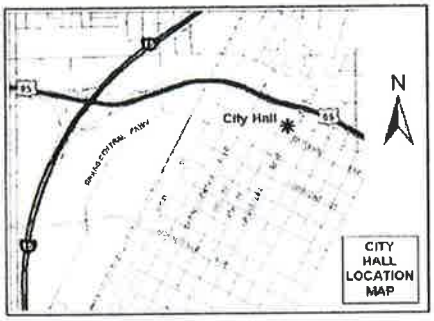

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-42265
Planning Commission Meeting of 8/9/2011

Case: SUP-42265
12534613061
TARMANN JEROME CLARENCE
190 BUTTE AVE
YUBA CITY CA 95993-9399 95993-9399

2 FRDFN11 95993

Application Information

SUP-42265 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: RIO VISTA PLAZA, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 260 SQUARE-FOOT MASSAGE ESTABLISHMENT IN CONJUNCTION WITH A 1,500 SQUARE-FOOT DAY SPA WITH A WAIVER TO ALLOW A DISTANCE SEPARATION OF 50 FEET FROM A RESIDENTIAL USE WHERE 400 FEET IS REQUIRED at 7045 West Ann Road, Suite #130 (APN 125-34-515-003), PD (Planned Development) Zone, Ward 6 (Ross).

Existing Zoning Regulations was based upon adequate information that provides the best possible forcant of harmony in the Environment. Reduction of Existing setback from 400' to 50' (800% reduction) is a serious breach of Zoning Rules and a risk to the Neighborhood.

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	***August 09, 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.

Jerome C Tarman 08-03-11

23P

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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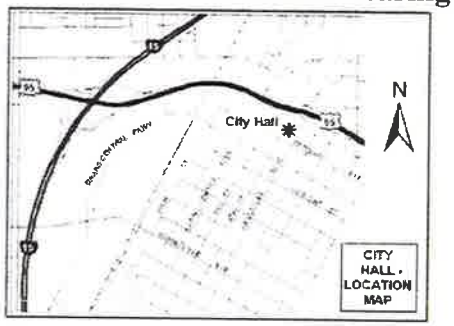
Return Service Requested
Official Notice of Public Hearing



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-42265

Planning Commission Meeting of 8/9/2011

RECEIVED
AUG - 8 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SUP-42265

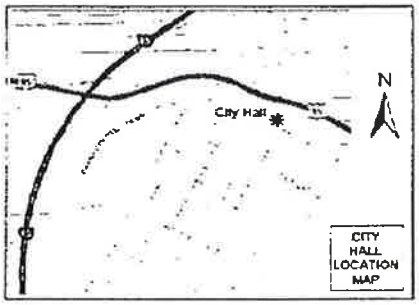
12527810004
STONE DALE W & CYNTHIA N
5600 EMPEROR WY
LAS VEGAS NV 89130-1100 89130-1100

TO PROFNI1 89130

23P

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.

MOD-42261

Planning Commission Meeting of 8/9/2011

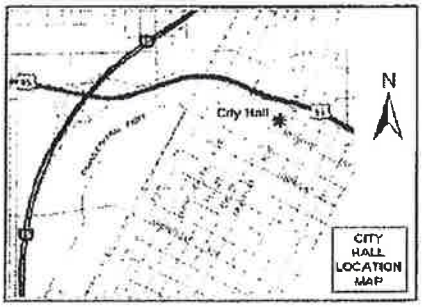
$ 00.41

RECEIVED
AUG – 8 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: MOD-42261
12534117094
BAZAR EDWARD J JR & KAREN K
528 SYLVAN BAY DR
LINN CREEK MO 65052-2605

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-42265

Planning Commission Meeting of 8/9/2011

RECEIVED
AUG – 8 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SUP-42265
12534117094
BAZAR EDWARD J JR & KAREN K
528 SYLVAN BAY DR
LINN CREEK MO 65052-2605

23A

City of Las Vegas Agenda Item No.: **80.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

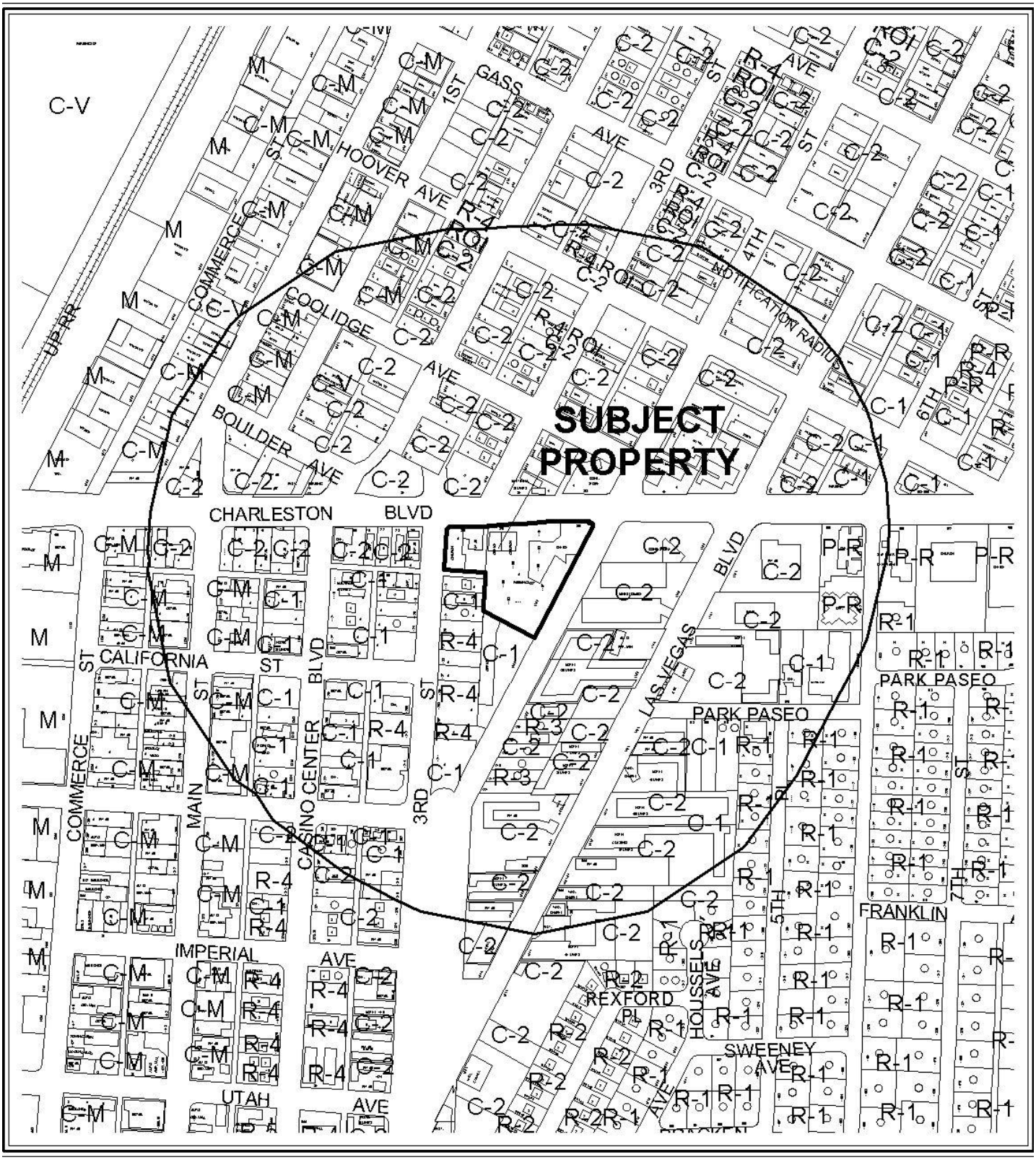
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
SUP-42182 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: BARNET LIBERMAN - OWNER: 305 LAS VEGAS, LLC - For possible action on a request for a Major Amendment of a previously approved Special Use Permit (SUP-20519) FOR A PROPOSED 24-STORY MIXED-USE DEVELOPMENT CONSISTING OF 33,000 SQUARE FEET OF COMMERCIAL SPACE, 1,150 RESIDENTIAL UNITS AND A 135-FOOT TALL PARKING STRUCTURE 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). The Planning Commission (5-0-2 vote) and Staff recommend APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
The Planning Commission (5-0-2 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps - SUP-42182 and SDR-41600
2. Conditions and Staff Report - SUP-42182 and SDR-41600
3. Supporting Documentation
4. Photos - SUP-42182 and SDR-41600
5. Justification Letter



0 300 600 Feet

CASE: **SUP-42182 AND SDR-41600**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-1 (Limited Commercial)

N



0 300 600 Feet

CASE: **SUP-42182 AND SDR-41600**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-1 (Limited Commercial)

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: SEPTEMBER 7, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: BARNET LIBERMAN - OWNER: 305 LAS VEGAS, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-42182	Staff recommends APPROVAL, subject to conditions:	
SDR-41600	Staff recommends APPROVAL, subject to conditions:	SUP-42182

** CONDITIONS **

SUP-42182 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Mixed-Use use.

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-41600) 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 19.16. 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-41600 CONDITIONS

Planning

1. Approval of and conformance to the conditions of approval for Special Use Permit (SUP-42182) shall be required, if approved.

2. Conformance to the approved conditions for Site Development Plan Review (SDR-20502) and the Downtown Centennial Plan, 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 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

4. Filing of Federal Aviation Administration Form 7460-1, "Notice of Proposed Construction or Alteration," shall be required, pursuant to 14 CFR Part 77.

5. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 06/16/11, except as amended by conditions herein.

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, height of walls or quantities of plant materials from that on submitted landscape plans date stamped 06/16/11. 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. 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.

10. A revised site plan shall be submitted to and approved by the Department of Planning Department, prior to the time application is made for a building permit, depicting a handicap accessible route in accordance with Building and Safety Department requirements and Title 19.08.040 and 19.08.110.

11. 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 36-inch box shades trees along Charleston Boulevard as required by the Downtown Centennial Plan.

12. Revised elevations in accordance with Downtown Centennial Plan requirements shall be submitted to and approved by the Department of Planning Department prior to the time application is made for a building permit.

13. All utilities shall comply with the provisions of the Las Vegas Downtown Centennial Plan.

14. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

15. A Petition of Vacation, such as VAC-29235, to eliminate all right-of-way and public access and/or utility easements in conflict with this site plan shall record prior to the issuance of any building permits or the recordation of a Final Map for this site, whichever may occur first.

16. 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 related to this project.

17. Prior to the submittal of a Tentative Map or civil construction drawings for this site, a sewer relocation and abandonment plan for all public sewers in conflict with this site shall be submitted and approved by the Sanitary Sewer Planning 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 upstream 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 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.

19. Submit an Encroachment Agreement for landscaping and private improvements, if any, in the 3rd Street, 4th Street, and Charleston Boulevard public rights-of-way prior to the issuance of permits for these improvements. The applicant must carry an insurance policy for the term of the encroachment agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove property encroaching in the public right-of-way at the applicant's expense pursuant to the terms of the City's encroachment agreement. The installation and maintenance of all private improvements 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.

20. Obtain an Occupancy Permit from the Nevada Department of Transportation (NDOT) for all driveways or other private improvements in the East Charleston Boulevard public right-of-way adjacent to this site prior to constructing any improvements within NDOT jurisdiction.

21. Prior to the submittal of construction drawings for this site, 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.

22. 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.

23. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site is completely developed with three existing buildings containing office, general retail and church uses along Charleston Boulevard and parking in the rear. An alley and access easement that has been approved for vacation currently provides access to the interior from Charleston Boulevard and Third Street. There are two additional existing driveways from Fourth Street. An existing Off-Premise Sign is located adjacent to the building at 330 East Charleston Boulevard. The site is currently entitled for a proposed 12-story Mixed Use Development with 1,100 residential units and 58,000 square feet of ground floor retail uses. The applicant proposes to increase the planned building's height to 24 stories, add 50 more for-rent units and decrease the commercial floor area to 33,000 square feet. In order to address parking, which originally had been planned to be located within a structure at the northeast corner of Casino Center Boulevard and Coolidge Avenue but is now proposed to be decreased and serve a proposed mixed-use development on that site, the applicant now proposes a similar 14-level structure containing 1,232 stalls and ground level commercial uses to be located on the subject site along Fourth Street. Access to the structure would be from within the development. The pedestrian plaza space on the interior will be retained. Streetscape and undergrounding of utilities will continue to be provided. As the site generally complies with the Downtown Centennial Plan and Title 19, staff recommends approval with conditions. If denied, the existing entitlements will still apply as long as they remain active.

ISSUES

- Mixed Use Developments within 18b The Las Vegas Arts District are permitted with approval of a Special Use Permit. A Major Amendment of the previously approved Special Use Permit (SUP-20519) for the Mixed Use Development at Fourth Street and Charleston Boulevard is required, based on the increased height and number of units and increase in total gross floor area compared to the previous approval.
- A Major Amendment of the previously approved Site Development Plan Review (SDR-20502) is required, based on the increased height, total gross floor area, residential density and material change in elevation drawings compared to the previous approval.
- Conditions have been added requiring revisions of the site plan, landscape plan and elevations in accordance with Title 19 and Downtown Centennial Plan requirements.
- The applicant must contact the Federal Aviation Administration (FAA) concerning construction of the proposed 24-story building, as it exceeds the federal threshold for notification of impacts to navigable airspace. A valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration," must be filed to the FAA pursuant to 14 CFR Part 77.
- A mapping action will be necessary to consolidate the lots within the existing commercial subdivision prior to issuance of building permits

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
12/16/64	The City Council approved a Rezoning (Z-0100-64) of approximately 230 acres generally located on property bounded by Main Street to the west, Bonanza Road to the north, Las Vegas Boulevard to the east and Charleston Boulevard to the south, 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).
11/02/94	The City Council approved a Petition to Vacate (VAC-0040-94) Third Place south of Charleston Boulevard, west of Fourth Street. An Extension of Time [VAC-0040-94(1)] was approved 11/30/95 by the Planning Commission. The Order of Vacation was recorded 07/05/96.
05/18/95	The City Council Approved a Rezoning (Z-0037-94) from R-1 (Single Family Residence) to C-1 (Limited Commercial) on property generally located east of Third Place, south of Charleston Boulevard. The Planning Commission and staff recommended approval.
12/20/95	The City Council approved a Rezoning (Z-0093-95) from R-4 (Apartment Residence) to C-1 (Limited Commercial) on property generally located west of Third Place, south of Charleston Boulevard. The Planning Commission and staff recommended approval.
04/03/96	The City Council granted the appeal of a Board of Zoning Adjustment denial, thereby approving a Special Use Permit (U-0008-96) for a 14-foot by 48-foot Off-Premise Sign on the subject property, reduced to 14 feet by 24 feet by condition, with a five year review. Staff recommended approval.
01/04/99	A two-lot commercial subdivision (Aquarius Plaza) was recorded on the subject site.
10/01/03	The City Council approved a Site Development Plan Review (SDR-2784) for a 12,103 square-foot office building on a portion of 2.18 acres adjacent to the southwest corner of Charleston Boulevard and 4th Street. The Planning Commission and staff recommended approval.
04/19/06	The City Council approved an amendment to the Master Plan of Streets and Highways (MSH-11632) to include the Casino Center Boulevard/Third Street Connector as an 80-foot Secondary Collector. The Planning Commission and staff recommended approval.
05/16/07	The City Council approved a Rezoning (ZON-20507) from P-R (Professional Office and Parking), C-1 (Limited Commercial) and C-2 (General Commercial) to C-1 (Limited Commercial) on 2.67 acres at the southwest corner of Charleston Boulevard and Fourth Street. The Planning Commission and staff recommended approval.
	The City Council approved 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 at the southwest corner of Charleston Boulevard and Fourth Street. The Planning Commission and staff recommended approval.

05/16/07	The City Council approved a Petition to Vacate (VAC-20522) a 20-foot service alley and access easement generally located east of Third Street, commencing approximately 137 feet south of the southeast corner of Charleston Boulevard and Third Street. The Planning Commission and staff recommended approval. The approval expired 05/16/08.
	The City Council approved 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 space on 0.63 acres at the northeast corner of Casino Center Boulevard and Coolidge Avenue. The Planning Commission and staff recommended approval.
	The City Council approved 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 on 2.67 acres at the southwest corner of Charleston Boulevard and Fourth Street. The Planning Commission and staff recommended approval.
11/05/08	The City Council approved a Petition to Vacate (VAC-29235) a 20-foot wide public alley and access easement generally located east of 3rd Street, commencing approximately 137 feet south of the southeast corner of 3rd Street and Charleston Boulevard. The Planning Commission and staff recommended approval.
04/15/09	The City Council approved an Extension of Time (EOT-33725) of a previously approved Rezoning (SDR-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 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 at the southwest corner of Charleston Boulevard and Fourth Street. Staff recommended approval.
	The City Council approved 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 space on 0.63 acres at the northeast corner of Casino Center Boulevard and Coolidge Avenue. Staff recommended approval.
	The City Council approved 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 on 2.67 acres at the southwest corner of Charleston Boulevard and Fourth Street. Staff recommended approval.
05/20/09	The City Council approved a Required Review (RQR-32942) of an approved Special Use Permit (U-0008-96) for a 14-foot by 24-foot Off-Premise Sign on the subject property. Planning Commission recommended approval. Staff recommended denial.

05/28/09	Department of Planning staff approved a Minor Amendment (SDR-34113) of a previously approved Site Development Plan Review (SDR-20502) to relocate service access and reduce the floor area of the storage and mechanical building on property located at the southwest corner of Charleston Boulevard and Fourth Street.
07/01/09	The City Council approved a Special Use Permit (SUP-33590) for a Mixed Use Development on the east side of Third Street, approximately 160 feet south of Charleston Boulevard. The Planning Commission and staff recommended approval.
	The City Council approved a Site Development Plan Review (SDR-33587) for a proposed 16-story, 238-unit Mixed Use Development with 22,500 square feet of commercial space on 0.55 acres on the east side of Third Street, approximately 160 feet south of Charleston Boulevard. The Planning Commission and staff recommended approval.
12/11/09	The Department of Planning approved an Extension of Time (EOT-36621) of a previously approved Petition to Vacate (VAC-29235) a 20-foot wide public 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.
04/07/10	The City Council approved a Required Review (RQR-37490) of an approved Special Use Permit (U-0008-96) for a 14-foot by 24-foot Off-Premise Sign on the subject property. Staff recommended denial.
12/07/10	The Department of Planning approved a two-year Extension of Time (EOT-40171) of a previously approved Petition to Vacate (VAC-29235) a 20-foot wide public 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.
04/06/11	The City Council approved a Required Review (RQR-40946) of an approved Special Use Permit (U-0008-96) for a 14-foot by 24-foot Off-Premise Sign on the subject property. Staff recommended approval.
07/20/11	The City Council approved an Extension of Time (EOT-41596) 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. Staff recommended approval.
	The City Council approved an Extension of Time (EOT-41597) 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. Staff recommended approval.
	The City Council approved an Extension of Time (EOT-41595) 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 space on 0.63 acres at the northeast corner of Casino Center Boulevard and Coolidge Avenue. Staff recommended approval.
08/09/11	The Planning Commission voted (5-0-2/ts/rt) to recommend APPROVAL (PC Agenda Items # 24 & 25/ss)

Most Recent Change of Ownership	
05/02/07	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
c. 1953	The existing building at 300 East Charleston Boulevard was constructed.
c. 1963	The existing building at 320 East Charleston Boulevard was constructed.
09/12/94	A building permit (#94350457) was issued for a building addition (shell only) at 330 East Charleston Boulevard. A final inspection was completed on 06/15/95.
06/26/95	A building permit (#95874137) was issued for a 138 square-foot on-premise freestanding sign at 310 East Charleston Boulevard. The permit expired 12/23/95 but was renewed 07/09/96 as Permit #96013641 at 330 East Charleston Boulevard. A final inspection was completed on 09/17/96.
08/06/96	A building permit (#96015843) was issued for a 336 square-foot (14-foot by 24-foot) off-premise sign at 330 East Charleston Boulevard. There is no record of a final inspection.
01/17/97	A building permit (97001330) was issued for an exterior remodel at 300 East Charleston Boulevard. A final inspection was completed on 03/24/98.
02/26/98	A building permit (98004038) was issued for tenant improvements at 330 East Charleston Boulevard. A final inspection was completed on 03/20/98.
09/02/05	A business license (Q13-00290) was issued for a law firm at 300 East Charleston Boulevard, Suite #105. The license is still active.
05/05/10	A building permit (160080) was issued for eight existing non-illuminated on-premise signs at 330 East Charleston Boulevard. A final inspection was approved on 06/09/10.
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.

Pre-Application Meeting	
04/21/11	A pre-application meeting was held with the applicant, in which items needed for submittal of a Special Use Permit and Site Development Plan Review were discussed. The major issues discussed included the following: • The two applications would be major amendments of the previously approved mixed use development at the southwest corner of Fourth Street and Charleston Boulevard, to which parking at the Casino Center site is tied. • The applicant plans to apply for extensions of time on the previous entitlements on both sites. • No changes are planned to be made to the Aquarius site at Fourth Street and Charleston Boulevard.

04/21/11	• A mapping action will be necessary to consolidate the legal lots underlying the Casino Center site prior to issuance of building permits. • Location(s) where loading/unloading of merchandise would occur • A traffic impact analysis will be required. • Right-of-way encroachments may be requested as part of the Site Development Plan Review. A DINA is required for the combined sites.

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

Field Check	
05/05/11	A field check was conducted at the subject site. The following items were noted: • The site is fully developed with buildings, surface parking and an off-premise sign. • The site is well-maintained, although the monument sign facing Fourth Street contains some graffiti.

Details of Application Request	
Site Area	
Net Acres	2.67

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Offices General Retail Store Church (2)	C (Commercial)	C-1 (Limited Commercial)
North	Undeveloped Multi-Family Residential (Apartments) General Retail Store	C (Commercial)	C-2 (General Commercial)
South	Office Multi-Family Residential (Apartments)	C (Commercial) MXU (Mixed Use)	C-1 (Limited Commercial)

East	Motel	C (Commercial)	C-2 (General Commercial)
	General Retail Store		
	Mini-Storage Facility		
West	Restaurant	C (Commercial)	C-2 (General Commercial)
	General Retail Store		C-2 (General Commercial)
	Multi-Family Residential (Apartments)	MXU (Mixed Use)	C-1 (Limited Commercial)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area			
Downtown Centennial Plan	X		N
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
Downtown Centennial Plan Overlay District (18b The Las Vegas Arts District)	X		N
Live/Work Overlay District	X		N/A
Trails (Tortoise Trail)	X		Y
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
Development Impact Notification Assessment	X		Y
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to 19.08 and the Downtown Centennial Plan, the following standards apply to the proposal:

Standard	***Required/Allowed***	***Provided***	***Compliance***
Min. Lot Size	N/A	21,160 SF	N/A
Min. Lot Width	N/A	140 Feet	N/A
Min. Setbacks			
• Front (3rd Street)	N/A	0 Feet	N/A
• Side	N/A	21 Feet	N/A
• Corner	N/A	0 Feet	N/A
• Rear	N/A	0 Feet	N/A
Max. Lot Coverage	N/A	56 %	N/A

Max. Building Height	N/A	270 Feet	N/A
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, gated, roofed	Y
Mech. Equipment	Screened	Screened	Y

Standard	***Approved SDR-20502***	***Proposed SDR-41600***	***Change***
Min. Setbacks			
• Front	0 Feet	0 Feet	None
• Side	5.8 Feet	21 Feet	262%
• Corner	5.5 Feet	0 Feet	-100%
• Rear	0 Feet	0 Feet	None
Max. Lot Coverage	70%	56%	-14%
Max. Building Height	160 Feet	270 Feet	69%
Number of Stories	12	24	100%
Residential Units	1,100	1,150	4.5%
Commercial Floor Area	58,000 SF	33,000 SF	-43%

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Street Width (Feet)***	***Compliance with Street Section***
Charleston Boulevard	Primary Arterial	Master Plan of Streets and Highways	90-100	N
Third Street	Secondary Collector	Master Plan of Streets and Highways	80	Y
Fourth Street	Secondary Collector	Master Plan of Streets and Highways	80	Y

Streetscape Standards	***Required***	***Provided***	***Compliance***
Minimum sidewalk width	10 feet	10 feet	Y
Minimum amenity zone width	5 feet	5 feet	Y
Sidewalks	Corner ramps with patterned concrete	Corner ramps with patterned concrete	Y
Right-of-Way Improvements	Light fixtures, trash receptacles, benches, tree wells	Light fixtures, trash receptacles, benches, tree wells	Y
North-South Streets (Major)	Deglet-Noor Date Palms or similar, 25’ BTH at 30’ intervals	Deglet-Noor Date Palms, 25’ BTH at 30’ intervals	Y

East-West Streets	36" box drought-tolerant shade trees at 15-20' intervals	Alternating 24" box Honey Locust and Shoestring Acacia at 20' intervals	N

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	33,000 SF	1 space/ 250 SF GFA	132				
Multi-Family Residential – Studio and 1 Bedroom	1,150 units	1.25 spaces/ unit	1,438				
Multi-Family Residential – Guest spaces	1,150 units	1 space/ 6 units	192				
TOTAL SPACES REQUIRED			**1,762**		**1,235**		N
Regular and Handicap Spaces Required			1,757	5	1,234	1	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. Parking is proposed to be located primarily within an onsite automated parking garage. The site is near a major bus rapid transit route and is an area that is favorable for pedestrians. This project is subject to the handicapped parking requirements of the Downtown Centennial Plan, which references Title 19 handicapped parking requirements. However, the parking facilities are automated, eliminating the need for multiple physical handicap spaces at ground level.

ANALYSIS

The proposed development is subject to Downtown Centennial Plan standards, and pursuant to Section VIII.A of the Plan, qualifies as a New Development. The proposed mixed-use development occupies more than 50 percent of the block and is subject to full streetscape and utility requirements. This site is located within the Live/Work Overlay district. The proposed development will offer employment and housing options onsite, but no live/work units as described by UDC 19.10.170 are provided. The site is also within the boundaries of the Las Vegas Redevelopment Area; the proposed uses are in conformance with Redevelopment Plan

policies that encourage innovative, mixed use projects in this area. As part of 18b The Las Vegas Arts District, a Mixed-Use development is a permitted use with approval of a Special Use Permit. Although not included within the Airport Overlay District, the project includes a structure that will exceed a slope of 100:1 for a distance of 20,000 feet from the nearest point of a runway at the North Las Vegas Airport. Pursuant to 14 CFR Part 77, the Federal Aviation Administration must be notified of the proposed construction to determine what impact, if any, the proposal would have upon navigable airspace and whether the development requires any obstruction marking or lighting. A condition of approval addresses the notification requirement.

The site as proposed is generally in conformance with Downtown Centennial Plan and Title 19 requirements, with some exceptions. The site plan does not indicate a handicap accessible route from the public sidewalk to a primary entrance as required by Title 19.08 and must be revised to show this route. The landscape plan shows alternating 24-inch box shade trees along Charleston Boulevard where 36-inch box trees are required by the Arts District standards contained within the Downtown Centennial Plan. The elevations do not indicate any articulation or variation at the ground level, nor do they allow for usable space for residents at the balconies. Furthermore, the architectural design is not carried on all sides of the building as prescribed by the Arts District design standards. Conditions have been added requiring revisions to the plans prior to or at the time of submittal for building permits.

Projects located within the Las Vegas Downtown Centennial Plan area are not subject to the automatic application of parking requirements. However, parking should be provided relative to the intensity of the uses on the site. The proposal would provide one space per residential unit and approximately 2.6 spaces per 1,000 square feet of commercial floor area, which is consistent with existing Downtown projects. Although the increase in residential units would require about 50 additional spaces, the reduction in commercial area compared to the approved plan would reduce typical parking demand by about 75 spaces, assuming a requirement of three spaces per 1,000 square feet. The mixed-use nature of the project should contribute to some reduction in automobile usage compared to a standalone commercial site, and the site is located in proximity to public transportation. Approval of this amended Site Development Plan Review would allow this site to be parked independently of the proposed development at Casino Center Boulevard and Coolidge Avenue.

The Downtown Centennial Plan does not exempt applicants from providing handicap accessible parking for commercial uses. No handicap-accessible spaces are provided on the site because the automated garage eliminates this need; a lane is provided in front of the structure to allow handicapped patrons to be assisted in and out of their vehicles. One van accessible space is provided at grade.

Because the proposed primary building will cross an existing property line, a condition of approval will require remapping of the site as appropriate.

Signage was not indicated on the submitted elevations. All proposed signage will be subject to review at the time of submittal of applications for sign permits.

FINDINGS (SUP-41599)

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 amended Mixed Use use as proposed can be conducted in a manner that is harmonious and compatible with surrounding land uses, as the site can accommodate the additional units and building space, and the surrounding area primarily consists of commercial and multi-family apartment uses.

2. **The subject site is physically suitable for the type and intensity of land use proposed.**

   The proposed site can accommodate the increased density proposed by this amendment. The proposed decrease in commercial floor area will decrease the demand for parking.

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.**

   Third Street and Fourth Street, both existing secondary collectors, are adequate in size to meet the requirements of the amended Mixed-Use use proposed for the site.

4. **Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.**

   Approval of a Special Use Permit for a Mixed-Use development is consistent with the Las Vegas 2020 Master Plan Policy 1.1.3, which encourages new market rate, multi-unit mixed-use residential development on vacant or underutilized sites, with ground floor commercial components included where appropriate. The public health, safety and welfare will be protected through permitting and inspection processes.

5. **The use meets all of the applicable conditions per Title 19.12.**

   The amended Mixed-Use development proposal complies with all Title 19.12 minimum Special Use Permit requirements.

FINDINGS (SDR-41600)

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;**

   With implementation of the proposed conditions, the development as amended would be compatible with the adjacent 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 site as proposed generally conforms to the Downtown Centennial Plan and Title 19. Revisions to the site plan, technical landscape plan and elevations are required as conditions of approval. The Las Vegas 2020 Master Plan calls for mixed-use residential and commercial development in areas such as this downtown site.

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

   The proposed access points from Third Street and Fourth Street are adequate for the intensity of the uses on the site and will not negatively impact traffic in this portion of Downtown.

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

   The metal and painted cement exteriors with stone trim are acceptable for the Downtown area. Tree size along Charleston Boulevard is not compatible with the streetscape pattern designated by the Downtown Centennial Plan and must be increased.

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

   The elevations shall be revised to comply with Downtown Centennial Plan design standards within the Arts District so that they may be compatible with other Downtown development. The proposed garage will have characteristics similar to the primary building on the site.

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

   Development is subject to permitting and inspections, thereby securing the public health, safety and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 25

NOTICES MAILED 429 (By City Clerk)

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-42182 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 16th day of June, 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, 2015

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Major Amendment to SUP-20519

Project Address (Location) 330 E. Charleston Boulevard

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 **Phone:** (702) 839-1200 **Fax:** (702) 839-1213

City Las Vegas **State** Nevada **Zip** 89104

E-mail Address kristen@aptusgroup.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 Barnet L. Liberman

Subscribed and sworn before me

This 16TH day of JUNE, 20 11.

[signature]

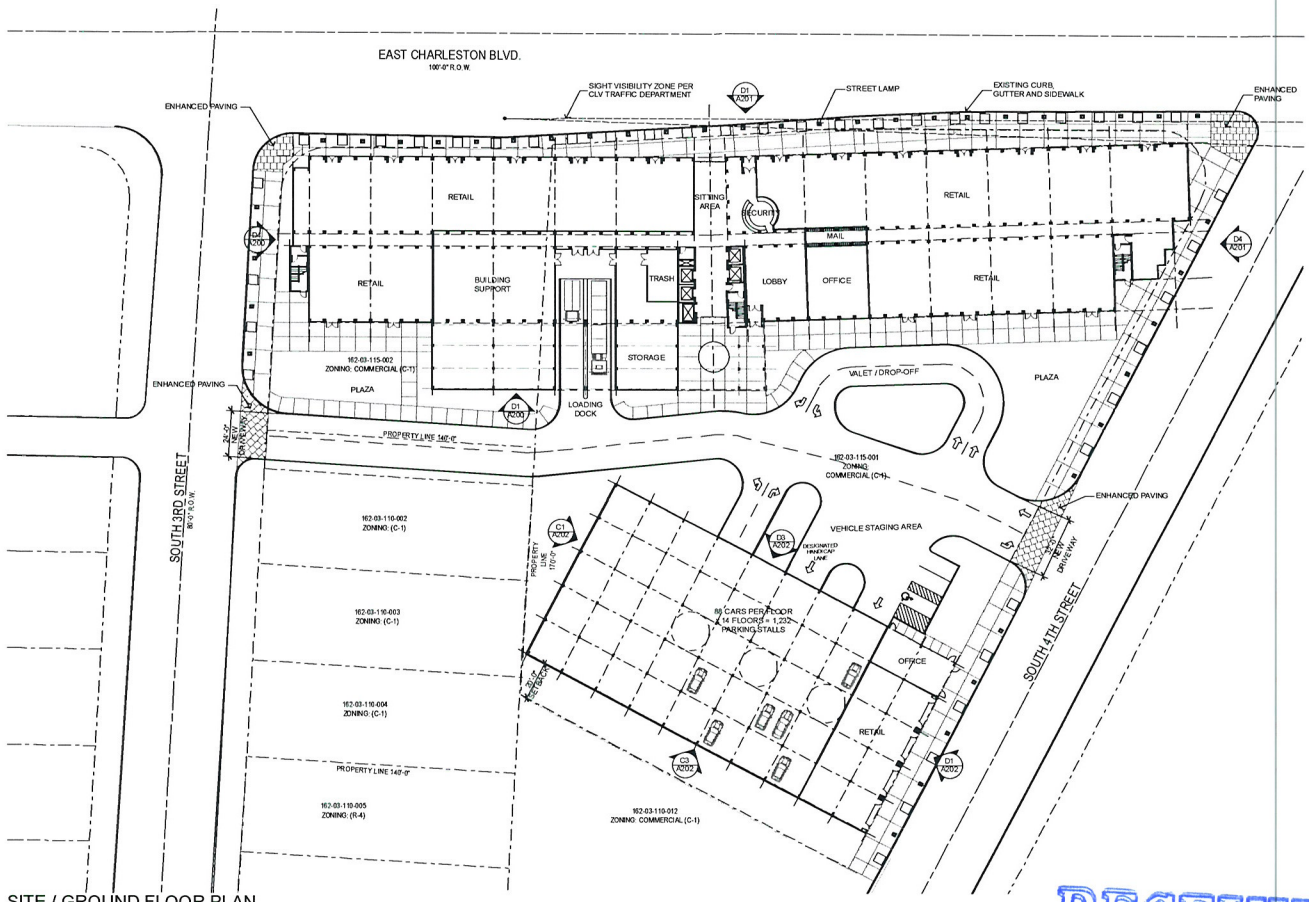
Notary Public in and for said County and State

JANET GRONIERI
Notary Public, State of New York
No. 31-4501747
Qualified in New York County
Commission Expires May 31, 2015

FOR DEPARTMENT USE ONLY

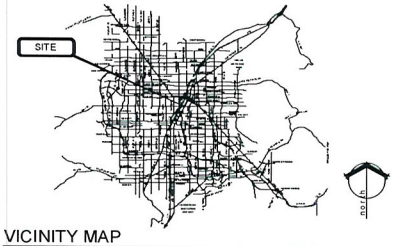
Case #	SUP-42182
Meeting Date:	8/9/11
Total Fee:	$1030.00
Date Received:*	6/20/11
Received By:	[signature]

*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.



SITE / GROUND FLOOR PLAN

1" = 30'



VICINITY MAP

N.T.S.



LOCATION MAP

N.T.S.

Site and Project Information

SITE DATA

PARCEL NUMBER	162-03-115-001 162-03-115-002
JURISDICTION	CITY OF LAS VEGAS - 89104
EXISTING ZONING	C-1
PROPOSED ZONING	C-1
PROPOSED USE	MIXED USE (RETAIL, COMMERCIAL, AND RESIDENTIAL)
SITE AREA	116,305 NSF 2.67 NET ACRES

BUILDING SETBACKS (19.08.050 Table 1-Note 4, 6)

	REQUIRED	PROVIDED
FRONT	0'-0"	0'-0"
INTERIOR SIDE	0'-0"	0'-0"
SIDE STREET	0'-0"	0'-0"
REAR	0'-0"	20'-0"

MAX HEIGHT	NA
ACTUAL HEIGHT	270'-0"
LOT COVERAGE ALLOWED	NA
ACTUAL LOT COVERAGE	50%

COMMERCIAL AREA

TOTAL SQUARE FOOTAGE	33,000 SF

UNITS

STUDIO	483
1 BEDROOM	667
TOTAL	1,150 UNITS

PARKING AREA

	REQUIRED PARKING	PROVIDED
BUILDING AREA		
COMMERCIAL	N/A	N/A
RESIDENTIAL	N/A	N/A
STANDARD PARKING SPACES		1,232 STANDARD PARKING STALLS IN AUTOMATED GARAGE 2 STANDARD, 1 H.C. ON GRADE 1,235 PARKING STALLS PROVIDED *NOTE: AUTOMATED PARKING GARAGE ACCOMODATES H.C. PARKING

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LV Land Partners - Aquarius Residences

Site Development Review

3rd Street and Charleston Boulevard
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SITE PLAN

AS100

SUP-42182

SDR-41600

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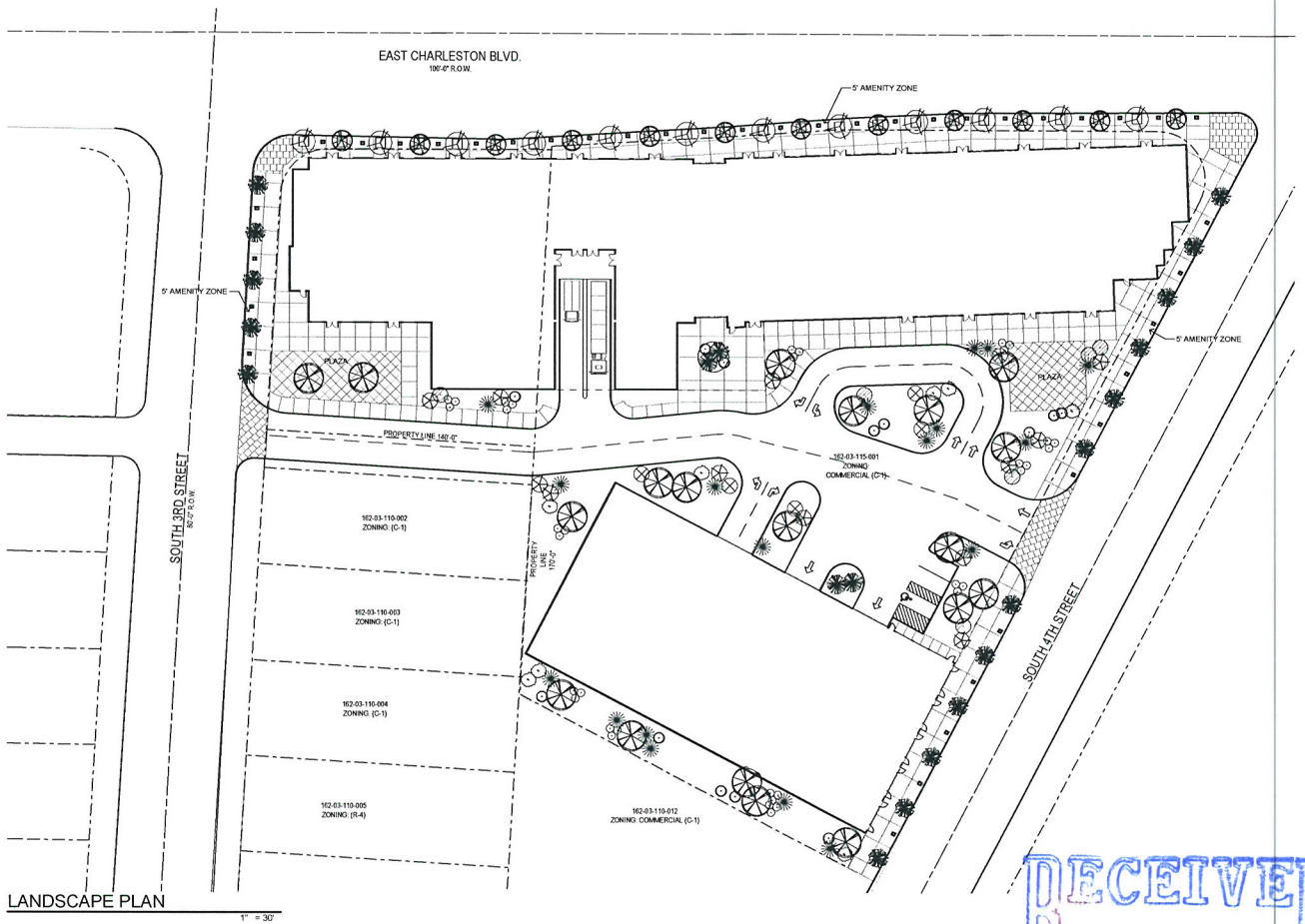

LANDSCAPE PLAN

1" = 30'

LANDSCAPE SCHEDULE

SYMBOL	COMMON NAME	BOTANICAL NAME	SIZE
TREES			
	HONEY LOCUST	prosopis	24" Box
	SHOESTRING ACACIA	acacia stenophylla	24" Box
	DEGLET-NOOR DATE PALM	-	24" Box
SHRUBS			
	TEXAS RANGER	leucophyllum frutescens 'Green Cloud'	5 gal
	GERMANDER	-	5 gal
	SALVIA	salvia greggii	5 gal
	CREPE MYRTLE	-	15 gal
	MEXICAN SAGE	salvia leucantha	5 gal
GROUND COVER			
	DESERT CARPET	myoporum parvifolium	5 gal
	LANTANA	lantana	3 gal
	REGAL MIST FOUNTAIN GRASS	muhlenbergia capillaris 'regal mist'	5 gal
ROCK MULCH	SIZE	COLOR	DEPTH
	3/8" CRUSHED GRANITE	TO BE SELECTED BY ARCHITECT FROM MANUFACTURERS STD COLORS	MIN. 2" DEEP
	1/4" MINUS GRANITE	TO BE SELECTED BY ARCHITECT FROM MANUFACTURERS STD COLORS	MIN. 2" DEEP

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north

LANDSCAPE PLAN

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L100

177.9 LV Land Partners - Aquarius Residences

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SDR-41600

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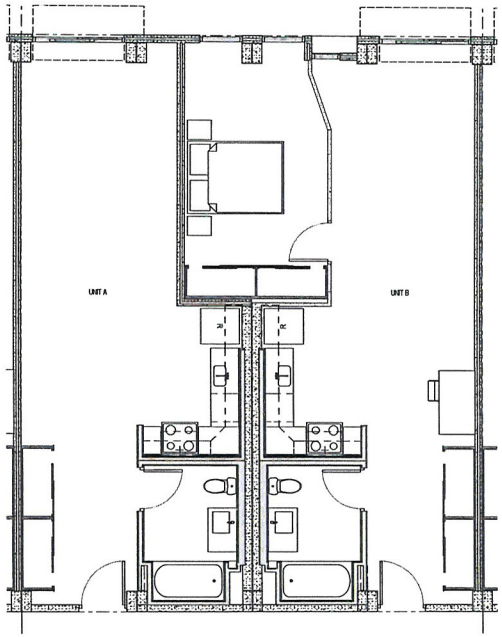
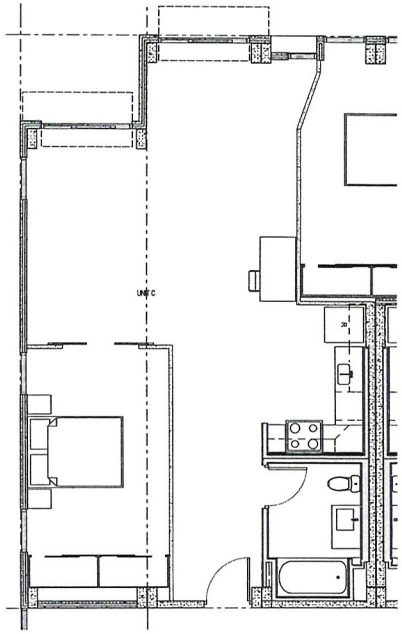
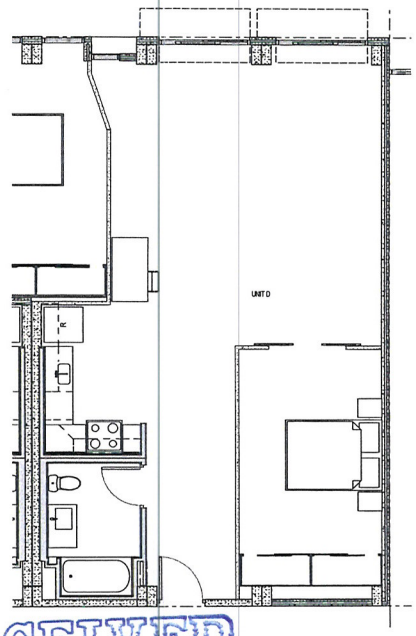


UNIT A-STUDIO & UNIT B-1 B.R.
1/4" = 1'-0"



UNIT C - 1 B.R.
1/4" = 1'-0"



UNIT D - 1 B.R.
1/4" = 1'-0"

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0' 2' 4' 8'

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UNIT PLANS

A101

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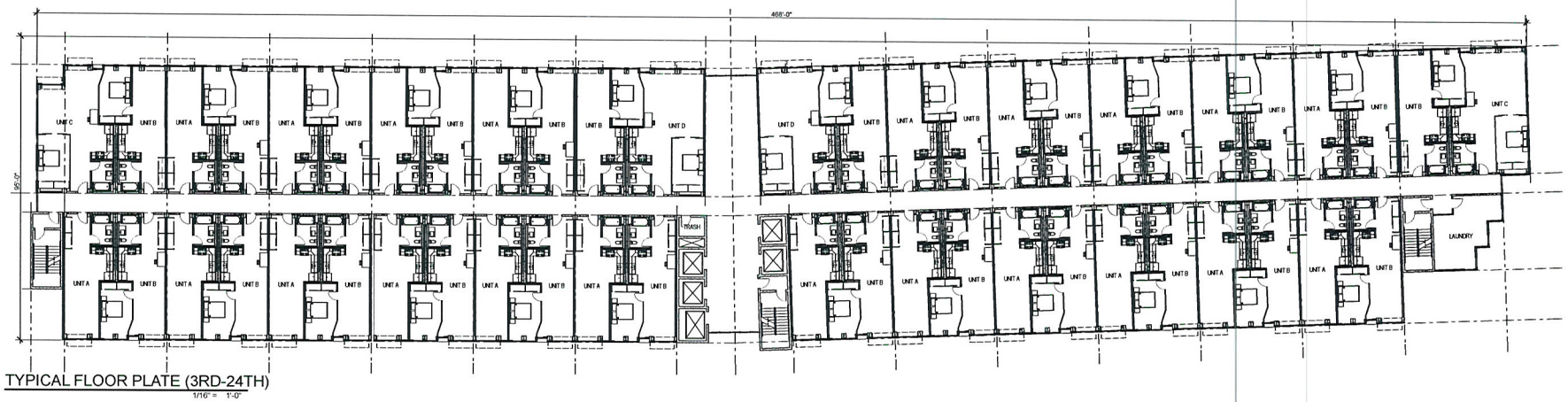
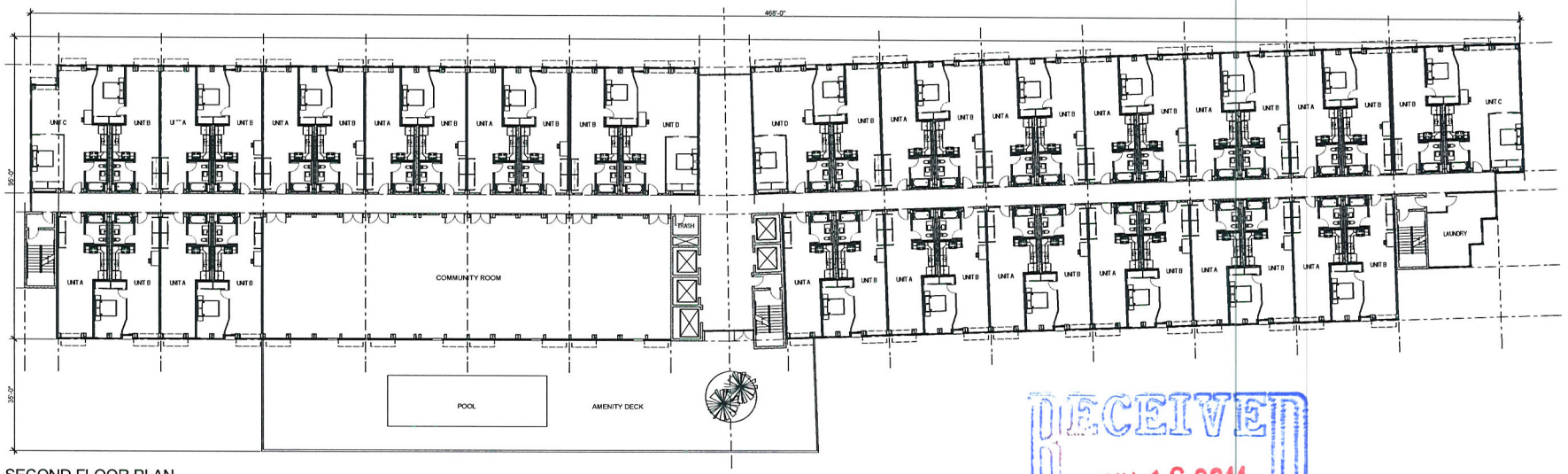


TYPICAL FLOOR PLATE (3RD-24TH)
1/16" = 1'-0"



SECOND FLOOR PLAN
1/16" = 1'-0"

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SECOND FLOOR PLAN & TYPICAL FLOOR PLATE

A100

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0' 8' 16' 32'

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SDR-41600

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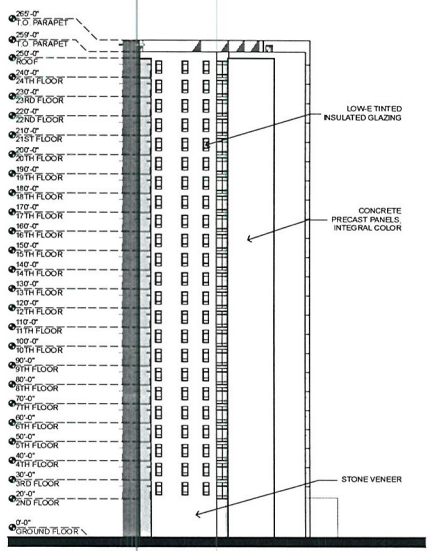
SOUTH ELEVATION

1" = 30'



WEST ELEVATION

1" = 30'

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ELEVATIONS

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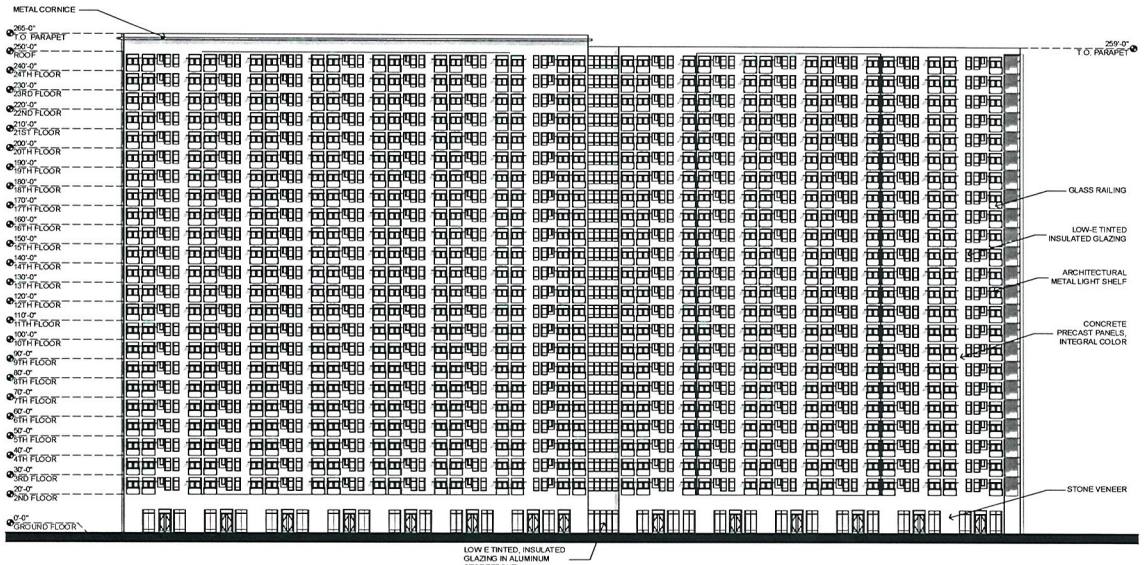
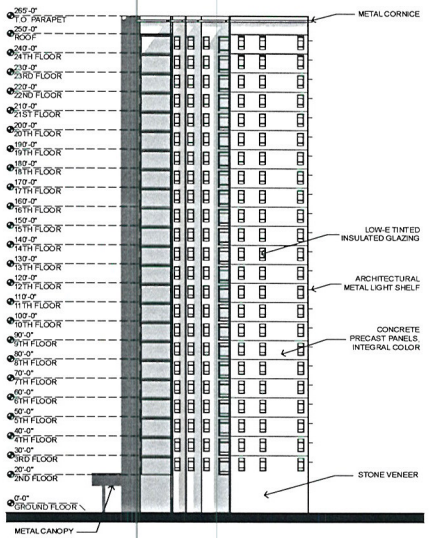


NORTH ELEVATION

1" = 30'



EAST ELEVATION

1" = 30'

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Las Vegas, Nevada 89104

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ELEVATIONS

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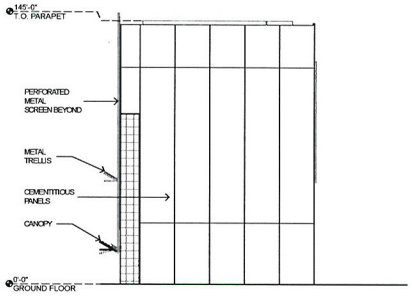
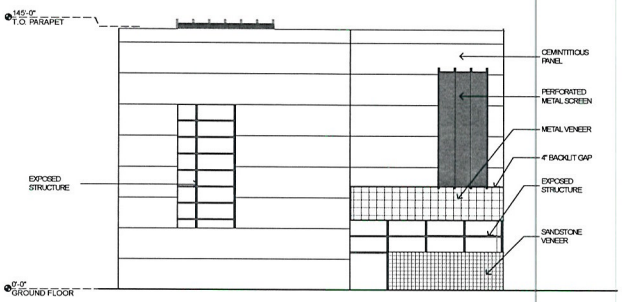


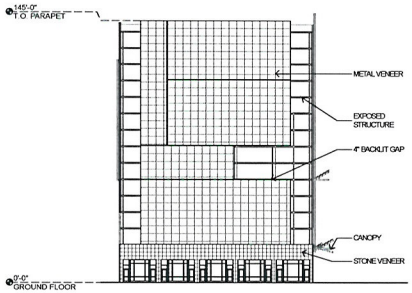
WEST ELEVATION

1" = 30'



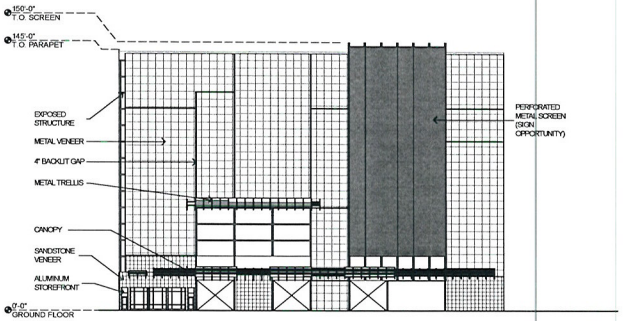
SOUTH ELEVATION

1" = 30'



EAST ELEVATION

1" = 30'



NORTH ELEVATION

1" = 30'

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APTUS
1200 South 4th Street
Suite 206
Las Vegas, Nevada 89104
P 702.839.1200
F 702.839.1213

0' 15' 30' 60'

LV Land Partners - Aquarius Residences

Site Development Review

3rd Street and Charleston Boulevard
Las Vegas, Nevada 89104

RECEIVED
JUN 16 2011

City of Las Vegas SDR Submittal 06.16.11

GARAGE ELEVATIONS

A202

SUP-42182
SDR-41600



SUP-42182 & SDR-41600 – APPLICANT: BARNET LIBERMAN - OWNER: 305 LAS VEGAS, LLC
SOUTHWEST CORNER OF CHARLESTON BOULEVARD AND FOURTH STREET

06/02/11



SUP-42182 & SDR-41600 – APPLICANT: BARNET LIBERMAN - OWNER: 305 LAS VEGAS, LLC
SOUTHWEST CORNER OF CHARLESTON BOULEVARD AND FOURTH STREET

06/02/11



SUP-42182 & SDR-41600 – APPLICANT: BARNET LIBERMAN - OWNER: 305 LAS VEGAS, LLC
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06/02/11



SUP-42182 & SDR-41600 – APPLICANT: BARNET LIBERMAN - OWNER: 305 LAS VEGAS, LLC
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06/02/11



SUP-42182 & SDR-41600 – APPLICANT: BARNET LIBERMAN - OWNER: 305 LAS VEGAS, LLC
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SUP-42182 & SDR-41600 – APPLICANT: BARNET LIBERMAN - OWNER: 305 LAS VEGAS, LLC
SOUTHWEST CORNER OF CHARLESTON BOULEVARD AND FOURTH STREET

06/02/11



SUP-42182 & SDR-41600 – APPLICANT: BARNET LIBERMAN - OWNER: 305 LAS VEGAS, LLC
SOUTHWEST CORNER OF CHARLESTON BOULEVARD AND FOURTH STREET

06/02/11



SUP-42182 & SDR-41600 – APPLICANT: BARNET LIBERMAN - OWNER: 305 LAS VEGAS, LLC
SOUTHWEST CORNER OF CHARLESTON BOULEVARD AND FOURTH STREET

06/02/11

APTUS

June 16, 2011

City of Las Vegas
Planning and Development Department
731 S. Fourth Street
Las Vegas, NV 89101

APN: 162-03-115-001 and 002

Re:

a. Special Use Permit

To Whom It May Concern:

We respectfully submit this application for a Special Use Permit for the project "Aquarius Residences" at 4th Street and Charleston. This is a mixed use project containing ground floor commercial and "for-rent" residences above the ground floor. These parcels are currently zoned C-2 and are in the Downtown Centennial Plan, as well as the Arts District

This project proposes to have 1,150 apartments and 33,000 sf of commercial and an automated parking structure which has 1232 parking spaces with 3 on grades spaces.

Access to the automated parking structure will be off of the driveway that crosses the site from 4th Street to 3rd Street. All commercial tenants will be serviced from the front doors. There is no rear service access for the commercial tenants.

Downtown Centennial Plan standards are being met by way of landscaping and required amenity zone and wide pedestrian sidewalks, as well as alley and street corner paving and upgrades.

We are also requesting a waiver to allow the use of Mediterranean Fan Palms where Date Palms are required. The height of the palm trees will be per code at 25' and spaced at 30'-0" o.c.

With this application we are requesting an encroachment permit to allow for the awnings and trellises which compliment the façade and shelter storefront entrances to project out over the Right of way line.

The owners of this project will encourage all of its tenants to utilize and incorporate Green building strategies. For this project we will attempt to incorporate water and energy saving measures such as the utilization of occupancy sensors, drought tolerant landscaping, insulated windows, light colored paint and appropriately sized mechanical units. Also, the downtown location of this project encourages pedestrian usage which is enhanced by the proximity of the bus routes.

Architecture
Engineering
Planning
Interiors
Landscape

Las Vegas
1200 South 4th Street
Suite 206
Las Vegas, Nevada 89104
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Riverside
3750 Sante Fe Avenue
Suite 106
Riverside, California 92507
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F 951.823.0550

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SUP-42182

The owner desires to provide much needed attainable rental housing within the downtown area of the city. To compliment the residential units will be ground floor commercial space. This residential and commercial development will be an asset to the city 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. Please 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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JUN 16 2011

SUP-42182

City of Las Vegas Agenda Item No.: **81.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
SDR-41600 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-42182 - PUBLIC HEARING - APPLICANT: BARNET LIBERMAN - OWNER: 305 LAS VEGAS, LLC - For possible action on a request for a Major Amendment of a previously approved Site Development Plan Review (SDR-20502) FOR A PROPOSED 24-STORY MIXED-USE DEVELOPMENT, INCLUDING 33,000 SQUARE FEET OF COMMERCIAL SPACE, 1,150 RESIDENTIAL UNITS, AND A 135-FOOT TALL PARKING STRUCTURE 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). The Planning Commission (5-0-2 vote) and Staff recommend APPROVAL.

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
The Planning Commission (5-0-2 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation
3. City Council Approval Letter for SDR-20502
4. City Council Approval Letter for SUP-20519
5. City Council Approval Letter for SDR-20492
6. 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: **SDR-41600** 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: Major Amendment to SDR-20502

Project Address (Location) 330 E. Charleston Boulevard

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 sf **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 14

FOR DEPARTMENT USE ONLY

Case #	SDR-41600
Meeting Date:	6.14.11 PC
Total Fee:	$1,030.00
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

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-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

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400 STEWART AVENUE
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SDR-41600

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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SDR-41600

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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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: 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

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SDR-41600

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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APR 28 2011

SDR-41600

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

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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.

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APR 28 2011

SDR-41600

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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SDR-41600

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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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

RECEIVED
APR 26 2011

APTUS

June 16, 2011

City of Las Vegas
Planning and Development Department
731 S. Fourth Street
Las Vegas, NV 89101

APN: 162-03-115-001 and 002

Re:

a. Special Use Permit

Architecture
Engineering
Planning
Interiors
Landscape

To Whom It May Concern:

We respectfully submit this application for a Special Use Permit for the project "Aquarius Residences" at 4th Street and Charleston. This is a mixed use project containing ground floor commercial and "for-rent" residences above the ground floor. These parcels are currently zoned C-2 and are in the Downtown Centennial Plan, as well as the Arts District

This project proposes to have 1,150 apartments and 33,000 sf of commercial and an automated parking structure which has 1232 parking spaces with 3 on grades spaces.

Access to the automated parking structure will be off of the driveway that crosses the site from 4th Street to 3rd Street. All commercial tenants will be serviced from the front doors. There is no rear service access for the commercial tenants.

Downtown Centennial Plan standards are being met by way of landscaping and required amenity zone and wide pedestrian sidewalks, as well as alley and street corner paving and upgrades.

We are also requesting a waiver to allow the use of Mediterranean Fan Palms where Date Palms are required. The height of the palm trees will be per code at 25' and spaced at 30'-0" o.c.

With this application we are requesting an encroachment permit to allow for the awnings and trellises which compliment the façade and shelter storefront entrances to project out over the Right of way line.

The owners of this project will encourage all of its tenants to utilize and incorporate Green building strategies. For this project we will attempt to incorporate water and energy saving measures such as the utilization of occupancy sensors, drought tolerant landscaping, insulated windows, light colored paint and appropriately sized mechanical units. Also, the downtown location of this project encourages pedestrian usage which is enhanced by the proximity of the bus routes.

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RECEIVED
JUN 16 2011

SDR-41600
REVISED

The owner desires to provide much needed attainable rental housing within the downtown area of the city. To compliment the residential units will be ground floor commercial space. This residential and commercial development will be an asset to the city 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. Please 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

SDR-41600
REVISED

City of Las Vegas Agenda Item No.: **82.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

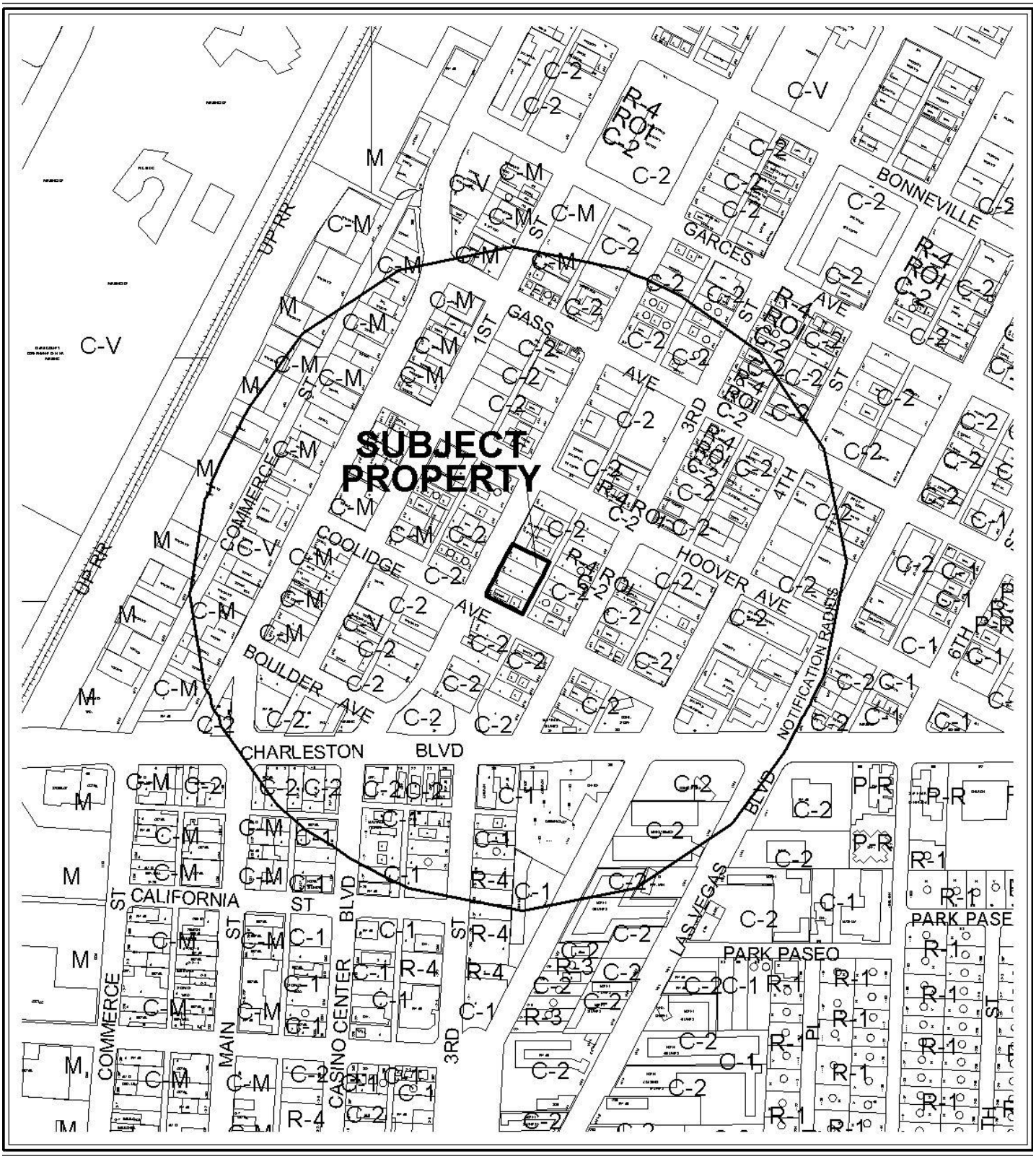
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
SUP-41599 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: BARNET LIBERMAN - OWNER: LEAH PROPERTY, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT on 0.64 acres at the northeast corner of Casino Center Boulevard and Coolidge Avenue (APNs 139-34-410-056 through 059), C-2 (General Commercial) Zone, Ward 3 (Coffin). The Planning Commission (6-0-1 vote) and Staff recommend DENIAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**9**	**Planning Commission Mtg.**	**1**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
The Planning Commission (6-0-1 vote) and Staff recommend DENIAL.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps - SUP-41599 and SDR-41829
2. Conditions and Staff Report - SUP-41599 and SDR-41829
3. Supporting Documentation
4. Photos - SUP-41599 and SDR-41829
5. Justification Letter - SUP-41599 and SDR-41829
6. Backup referenced from the August 9, 2011 Planning Commission Meeting Items – SUP-41599 and SDR-41829



0 300 600 Feet

CASE: **SUP-41599 AND SDR-41829**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-2 (GENERALCOMMERCIAL)

N



0 300 600 Feet

CASE: **SUP-41599 AND SDR-41829**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-2 (GENERALCOMMERCIAL)

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: SEPTEMBER 7, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: BARNET LIBERMAN - OWNER: LEAH PROPERTY, LLC, ET AL

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-41599	Staff recommends APPROVAL, if approved subject to conditions:	
SDR-41829	Staff recommends APPROVAL, if approved subject to conditions:	SUP-41599

** CONDITIONS **

SUP-41599 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Mixed-Use use.

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-41829) 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 19.16. 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-41829 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-41599) shall be required, if approved.

2. Site Development Plan Review (SDR-20492) shall be expunged upon final approval.

3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

4. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 08/22/11, except as amended by conditions herein.

5. Any changes based upon right-of-way, traffic or drainage studies or street improvements required by the city or public utilities shall not reduce the widths of perimeter landscape buffers, height of walls or quantities of plant materials from that on submitted landscape plans date stamped 08/22/11. Any changes based upon subsequently submitted studies must be accommodated elsewhere on the site.

6. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

7. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

8. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.

9. 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.

10. All utilities shall comply with the provisions of the Las Vegas Downtown Centennial Plan.

11. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

12. 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.

13. 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.

14. Submit an Encroachment Agreement for landscaping and private improvements, if any, in the Coolidge Avenue and Casino Center Boulevard public rights-of-way prior to the issuance of permits for these improvements. The applicant must carry an insurance policy for the term of the encroachment agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove property encroaching in the public right-of-way at the applicant's expense pursuant to the terms of the City's encroachment agreement. The installation and maintenance of all private improvements 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. Prior to the approval of Construction drawings for this site, sign a Covenant Running with Land agreement for the possible future undergrounding of all existing overhead utility lines adjacent to this site not placed underground per requirements of the Downtown Centennial Plan. The Covenant agreement must be recorded with the County Recorder and a copy of the recorded document must be provided to the City prior to the issuance of building permits for this site.

16. This site shall connect to the public sewer line located in Coolidge Avenue.

17. Prior to the submittal of construction drawings for this site, 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.

18. 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.

19. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site is currently vacant with the exception of a licensed retail establishment and multi-family dwelling at the southern end. The site is entitled for a proposed 120-foot tall, 1,500-space automated parking garage with 12,000 gross square feet of ground floor commercial space. This entitlement has not yet been exercised; instead, the applicant proposes to construct a 14-story Mixed-Use development on the site with 247 for-rent multi-family residential units and 7,580 square feet of ground floor commercial space. Attached to this development will be a 110-foot tall, 272-space automated parking garage. Streetscape will be provided in compliance with Downtown Centennial Plan requirements. The site has incorporated a loading zone on the east side of the building with access via the alley to eliminate loading/unloading in right-of-way. This project is therefore compatible with the surrounding development and staff recommends approval. If denied, the existing entitlements will still apply as long as they remain active.

ISSUES

- Mixed-Use developments within 18b The Las Vegas Arts District are permitted with approval of a Special Use Permit. A Special Use Permit is therefore required for the subject site.
- If approved, the previously approved Site Development Plan Review (SDR-20492) on the subject site will be expunged as a condition of approval.
- A mapping action will be necessary to consolidate the existing legal lots underlying the subject site prior to issuance of building permits.
- Approval of an encroachment agreement is required that would allow storefront awnings and trellises to project into the right-of-way.
- The approved parking garage was planned to accommodate 1,500 vehicles in connection with this site and the site at Fourth Street and Charleston Boulevard approved through SDR-20502. By this proposal, capacity has been reduced to 272 vehicles. If proposed changes to SDR-20502 (through Site Development Plan Review SDR-41600) are not made that would increase parking capacity on that site, the number of residential units the garage would service would increase from 1,100 to 1,347 and the commercial floor area would decrease from 70,000 square feet to 65,580 square feet while maintaining only 272 parking spaces.
- Signage for developments within the Arts District is to be reviewed by Department of Planning staff as part of the Site Development Plan Review pursuant to the Downtown Centennial Plan. Signage locations and dimensions are included on the submitted elevations.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
12/16/64	The City Council approved a Rezoning (Z-0100-64) of approximately 230 acres generally located on property bounded by Main Street to the west, Bonanza Road to the north, Las Vegas Boulevard to the east and Charleston Boulevard to the south, 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).
09/23/04	The Planning Commission approved a Site Development Plan Review (SDR-4999) for a proposed five-story Mixed Use Development with 86 residential units and 22,100 square feet of commercial floor area adjacent to the north side of Coolidge Avenue between Casino Center Boulevard and Third Street. Staff recommended approval. The approval expired 09/23/06.
04/19/06	The City Council approved an amendment to the Master Plan of Streets and Highways (MSH-11632) to include the Casino Center Boulevard/Third Street Connector as an 80-foot Secondary Collector. The Planning Commission and staff recommended approval.
05/16/07	The City Council approved a Rezoning (ZON-20507) from P-R (Professional Office and Parking), C-1 (Limited Commercial) and C-2 (General Commercial) to C-1 (Limited Commercial) on 2.67 acres at the southwest corner of Charleston Boulevard and Fourth Street. The Planning Commission and staff recommended approval.
	The City Council approved 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 at the southwest corner of Charleston Boulevard and Fourth Street. The Planning Commission and staff recommended approval.
	The City Council approved a Petition to Vacate (VAC-20522) a 20-foot service alley and access easement generally located east of Third Street, commencing approximately 137 feet south of the southeast corner of Charleston Boulevard and Third Street. The Planning Commission and staff recommended approval. The approval expired 05/16/08.
05/16/07	The City Council approved 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 space on 0.63 acres at the northeast corner of Casino Center Boulevard and Coolidge Avenue. The Planning Commission and staff recommended approval.
	The City Council approved 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 on 2.67 acres at the southwest corner of Charleston Boulevard and Fourth Street. The Planning Commission and staff recommended approval.

Related Relevant City Actions by P&D, Fire, Bldg., etc	
06/20/07	A Code Enforcement case (54633) was processed for a vacant lot that was being used as a parking lot at 927 South Casino Center Boulevard. The case was closed by Code Enforcement on 07/10/07.
03/24/09	Code Enforcement processed a case (76026) for a Dangerous Building at 931 South Casino Center Boulevard. The case was closed by Code Enforcement on 06/30/09.
04/15/09	The City Council approved an Extension of Time (EOT-33725) of a previously approved Rezoning (SDR-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 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 at the southwest corner of Charleston Boulevard and Fourth Street. Staff recommended approval.
	The City Council approved 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 space on 0.63 acres at the northeast corner of Casino Center Boulevard and Coolidge Avenue. Staff recommended approval.
	The City Council approved 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 on 2.67 acres at the southwest corner of Charleston Boulevard and Fourth Street. Staff recommended approval.
05/28/09	Department of Planning staff approved a Minor Amendment (SDR-34113) of a previously approved Site Development Plan Review (SDR-20502) to relocate service access and reduce the floor area of the storage and mechanical building on property located at the southwest corner of Charleston Boulevard and Fourth Street.
07/01/09	The City Council approved a Special Use Permit (SUP-33590) for a Mixed Use Development on the east side of Third Street, approximately 160 feet south of Charleston Boulevard. The Planning Commission and staff recommended approval. The approval expired 07/01/11.
07/01/09	The City Council approved a Site Development Plan Review (SDR-33587) for a proposed 16-story, 238-unit Mixed Use Development with 22,500 square feet of commercial space on 0.55 acres on the east side of Third Street, approximately 160 feet south of Charleston Boulevard. The Planning Commission and staff recommended approval. The approval expired 07/01/11.

Related Relevant City Actions by P&D, Fire, Bldg., etc	
04/21/11	Code Enforcement processed a case (100895) concerning the accumulation of trash and debris on a vacant lot and fence at 923 South Casino Center Boulevard. The case was closed by Code Enforcement on 04/26/11.
07/20/11	The City Council approved an Extension of Time (EOT-41596) 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. Staff recommended approval.
	The City Council approved an Extension of Time (EOT-41597) 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. Staff recommended approval.
	The City Council approved an Extension of Time (EOT-41595) 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 space on 0.63 acres at the northeast corner of Casino Center Boulevard and Coolidge Avenue. Staff recommended approval.
08/09/11	The Planning Commission voted (6-0-1/ts) to recommend DENIAL (PC Agenda Items #26 & 27/ss)

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 Porcelain Doll Sales at 931 South Casino Center Boulevard. The license is still active.
01/04/96	A building permit (#96000299) was issued for demolition of a building at 927 South Casino Center Boulevard. A final inspection was not completed and the permit expired 07/06/96.
05/13/99	A building permit (#99009154) was issued for demolition of a shed/building at 923 South Casino Center Boulevard. A final inspection was not completed and the permit expired on 11/13/99.
01/23/04	A building permit (#04001651) was issued for demolition of a building at 919 South Casino Center Boulevard. A final inspection was not completed and the permit expired on 07/24/04.
01/23/04	A building permit (#04001649) was issued for demolition of a building at 923 South Casino Center Boulevard. A final inspection was not completed and the permit expired on 07/24/04.

Related Building Permits/Business Licenses	
01/23/04	A building permit (#04001650) was issued for demolition of a building at 927 South Casino Center Boulevard. A final inspection was not completed and the permit expired on 07/24/04.

Pre-Application Meeting	
04/21/11	A pre-application meeting was held with the applicant, in which items needed for submittal of a Special Use Permit and Site Development Plan Review were discussed. The major issues discussed included the following: • The two applications would be major amendments of the previously approved mixed use development at the southwest corner of Fourth Street and Charleston Boulevard, to which parking at the Casino Center site is tied. It was later decided to amend only Site B to allow for a reduction in onsite parking. • The applicant plans to apply for extensions of time on the previous entitlements on both sites. • No changes were planned to be made to the Aquarius site at Fourth Street and Charleston Boulevard. • A mapping action will be necessary to consolidate the legal lots underlying the Casino Center site prior to issuance of building permits. • Location(s) where loading/unloading of merchandise would occur • A traffic impact analysis will be required. • Right-of-way encroachments may be requested as part of the Site Development Plan Review. • A DINA is required for the combined sites.

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

Field Check
A field check was conducted at the subject site. The following items were noted: • The existing structures on the site are enclosed by temporary chain link fencing. • The undeveloped portion of the site is free of trash and debris, and contains some weeds that have been controlled.

Details of Application Request	
Site Area	
Net Acres	0.64

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	General Retail Store Undeveloped	MXU (Mixed Use)	C-2 (General Commercial)
North	Multi-Family Residential (Apartments)	MXU (Mixed Use)	C-2 (General Commercial)
South	Undeveloped	MXU (Mixed Use)	C-2 (General Commercial)
East	Undeveloped	MXU (Mixed Use)	C-2 (General Commercial)
	Office	MXU (Mixed Use)	C-2 (General Commercial)
	Multi-Family Residential (Apartments)	MXU (Mixed Use)	R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial)
West	Undeveloped	MXU (Mixed Use)	C-2 (General Commercial)
	Office	MXU (Mixed Use)	C-2 (General Commercial)
	Multi-Family Residential (Apartments)	MXU (Mixed Use)	R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area			
Downtown Centennial Plan	X		N
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
Downtown Centennial Plan Overlay District (18b The Las Vegas Arts District)	X		Y
Live/Work Overlay District	X		N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
Development Impact Notification Assessment	X		Y
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to 19.06 and the Downtown Centennial Plan, the following standards apply to the proposal:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	N/A	28,000 SF	N/A
Min. Lot Width	N/A	140 Feet	N/A
Min. Setbacks			
• Front	N/A	0 Feet	N/A
• Side	N/A	0 Feet	N/A
• Corner	N/A	0 Feet	N/A
• Rear	N/A	0 Feet	N/A
Max. Lot Coverage	N/A	73 %	N/A
Max. Building Height	N/A	165 Feet	N/A
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Interior to building	Y
Mech. Equipment	Screened	Screened	Y

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Street Width (Feet)*	*Compliance with Street Section*
Casino Center Boulevard	Secondary Collector	Master Plan of Streets and Highways	80	Y
Coolidge Avenue	N/A	N/A	80	N/A

Streetscape Standards	*Required*	*Provided*	*Compliance*
Minimum sidewalk width	10 feet	10 feet	Y
Minimum amenity zone width	5 feet	5 feet	Y
Sidewalks	Corner ramps with patterned concrete	Corner ramps with patterned concrete	Y
Alleys	Stamped colored concrete at driveway	Stamped colored concrete at driveway	Y
Right-of-Way Improvements	Light fixtures, trash receptacles, benches, tree wells	Light fixtures, trash receptacles, benches, tree wells	Y
North-South Streets (Major)	Deglet-Noor Date Palms or similar (25’ BTH) at 30’ intervals	Deglet-Noor Date Palms or similar (25’ BTH) at 30’ intervals	Y
East-West Streets	36” box drought-tolerant shade trees at 15-20’ intervals	36” box Southern Live Oak at 20’ 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	
General Retail Store, Other Than Listed	7,580 SF	1 space/ 175 SF GFA	44				
Multi-Family Residential –1 BR	130 units	1.25 spaces/ unit	163				
Multi-Family Residential – 2 BR	117 units	1.75 spaces/ unit	205				
Multi-Family Residential – Guest spaces	247 units	1 space/ 6 units	42				
TOTAL SPACES REQUIRED			**454**		**272**		N
Regular and Handicap Spaces Required			450	4	272	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 project is adjacent to a bus rapid transit stop, and the applicant expects that this will reduce the number of vehicle trips to and from the site. This project is subject to the handicapped parking requirements of the Downtown Centennial Plan, which references Title 19 handicapped parking requirements. However, the parking facilities are automated, eliminating the need for physical handicap spaces at ground level.

Sign Type	***Provided***
Canopy: • Number • Area • Illumination	 (1) sign on east elevation Maximum 24 SF Internal
Wall • Number • Area • Height • Illumination	 (4) signs on south elevation, (4) signs on west elevation Maximum 72 SF Maximum 3 feet, attached to building at all points Internal

ANALYSIS

The proposed development is subject to Downtown Centennial Plan standards, and pursuant to Section VIII.A of the Plan, qualifies as a New Development. The proposed Mixed-Use development occupies exactly 50 percent of the block and is therefore not subject to full streetscape and utility requirements at this time; however, streetscape improvements have been proposed for the site. This site is located within the Live/Work Overlay district. The proposed development will offer employment and housing options onsite, but no live/work units as described by Title 19.10.170 are provided. The site is also within the boundaries of the Las Vegas Redevelopment Area; the proposed uses are in conformance with Redevelopment Plan policies that encourage innovative, mixed use projects in this area. As part of 18b The Las Vegas Arts District, a Mixed-Use development is a permitted use with approval of a Special Use Permit. Signage for development within the Arts District is subject to staff review as part of the Site Development Plan Review process.

The site as proposed is in compliance with Downtown Centennial Plan standards. The applicant has provided one loading space for the commercial properties with loading/unloading of service vehicles to occur on the east side of the building with access via the alleyway, thereby providing a way to service the proposed building without impeding the primary right-of-ways.

Projects located within the Las Vegas Downtown Centennial Plan area are not subject to the automatic application of parking requirements. A minimum of three spaces per 1,000 square feet of commercial floor area should be provided to maintain consistency with other downtown projects. The proposal would allow 25 parking spaces for 7,580 square feet of commercial space to meet this threshold, assuming one space per residential unit would be provided. Considering the opportunities for nearby public transportation (bus rapid transit) and onsite commercial services, the spaces provided should be sufficient. The Downtown Centennial Plan does not exempt applicants from providing handicap accessible parking for commercial uses. No handicap-accessible spaces are provided on the site because the automated garage eliminates this need; a lane is provided in front of the structure to allow handicapped patrons to be assisted in and out of their vehicles. Access to the proposed garage is from a two-way, 20-foot wide alley at midblock between Casino Center Boulevard and Third Street. Large vehicles could encounter difficulty navigating the alley if traffic develops, due to existing power poles located along the west side of the alley. Although integrated into the design of the overall development, the garage does not have frontage on any street.

The currently entitled 1,500-space garage on this site is intended to provide parking facilities for two approved Mixed-Use developments, both of which are located one block south at the southwest corner of Charleston Boulevard and Fourth Street. One set of entitlements has expired and therefore would reduce some demand for parking at this garage. The other set of entitlements has not been exercised, but an Extension of Time for that project was approved for two years by the City Council on 07/20/11. An amended Site Development Plan Review (SDR-41600) is also proposed for this secondary site (Site B in the table below) that will increase onsite parking. The following table summarizes development on the subject site (Site A) only if this request is approved and SDR-41600 is NOT approved:

	Residential Units	***Gross Retail Floor Area***	***Parking Spaces Provided***
Approved SDR-20492 **(Site A)**	Zero	12,000 SF	1,500
Approved SDR-20502 **(Site B)**	1,100	58,000 SF	22
Proposed SDR-41829 (Site A)	247	7,580 SF	272
TOTAL	**1,347**	**65,580 SF**	**294**
Change in Site A	**+247(22.45%)**	**-4,420 SF (-36.83%)**	**-1,228 (-81.87%)**

The result of a SDR-41600 denial would be that Site B would remain dependent on Site A for parking facilities, and that parking would be greatly reduced from what was previously approved, despite a significant increase in combined residential units and modest increase in commercial space. Approval of Site A and the amended Site B would allow both sites to be independently parked.

Signage is designed as an integral element of the façade and is at an appropriate scale for pedestrians to identify individual storefronts along Casino Center Boulevard and Coolidge Avenue. A three-dimensional sign on a trellis in the alleyway identifies the parking structure, in keeping with the Arts District environment. All signs will be illuminated, but should have minimal impact on adjacent uses. Signage will be reviewed for consistency with applicable codes at the time of sign permit submittal.

Staff supports the mixed-use concept in this location at the proposed height and commercial intensity. Therefore, approval is recommended of both the Special Use Permit and the Site Development Plan Review.

FINDINGS (SUP-41599)

In order to approve a Special Use Permit application, per Title 19.16.110(L) 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 Mixed Use as proposed can be conducted in a manner that is harmonious and compatible with surrounding land uses.

2. **The subject site is physically suitable for the type and intensity of land use proposed.**

   The proposed site is ideal for a Mixed Use development.

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 two frontage streets are adequate in size for a mixed-use development. Existing utility poles narrow the available width of the existing alley.

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 a Mixed-Use development is consistent with the Las Vegas 2020 Master Plan Policy 1.1.3, which encourages new market rate, multi-unit mixed-use residential development on vacant or underutilized sites, with ground floor commercial components included where appropriate. The public health, safety and welfare will be protected through permitting and inspection processes.

5. **The use meets all of the applicable conditions per Title 19.12.**

   The proposed Mixed-Use Development complies with all Title 19.12 minimum Special Use Permit requirements.

FINDINGS (SDR-41829)

In order to approve a Site Development Plan application, per Title 19.16.100(E) 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 Mixed-Use development is compatible with adjacent and nearby development.

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

The proposed development as depicted in the submitted plans is in conformance with the Downtown Centennial Plan.

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

   Traffic will not be impeded by service vehicles as the loading/unloading of vehicles to support the commercial storefronts on Casino Center Boulevard and Coolidge Avenue will be accessed from the loading zone via the alleyway.

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

   Building materials are appropriate for the Downtown area. The landscape materials proposed are appropriate and in accordance with the Downtown Centennial Plan Design Standards.

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 and design characteristics are compatible with development in the Downtown area.

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

   Development is subject to permitting and inspections, thereby securing the public health, safety and welfare.

NOTICES MAILED 429 (By City Clerk)

APPROVALS 1

PROTESTS 9

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-41599** APN: 139-34-410-056, 057 ,058 ,059

Name of Property Owner: Leah Properties, 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: ~~SITE DEVELOPMENT REVIEW~~ / SPECIAL USE PERMIT

Project Address (Location) 919 to 931 Casino Center Blvd.

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 064 **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* [signature]

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name BARNET G LIBERMAN

Subscribed and sworn before me

This 28TH day of APRIL, 20 11.

[signature]

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

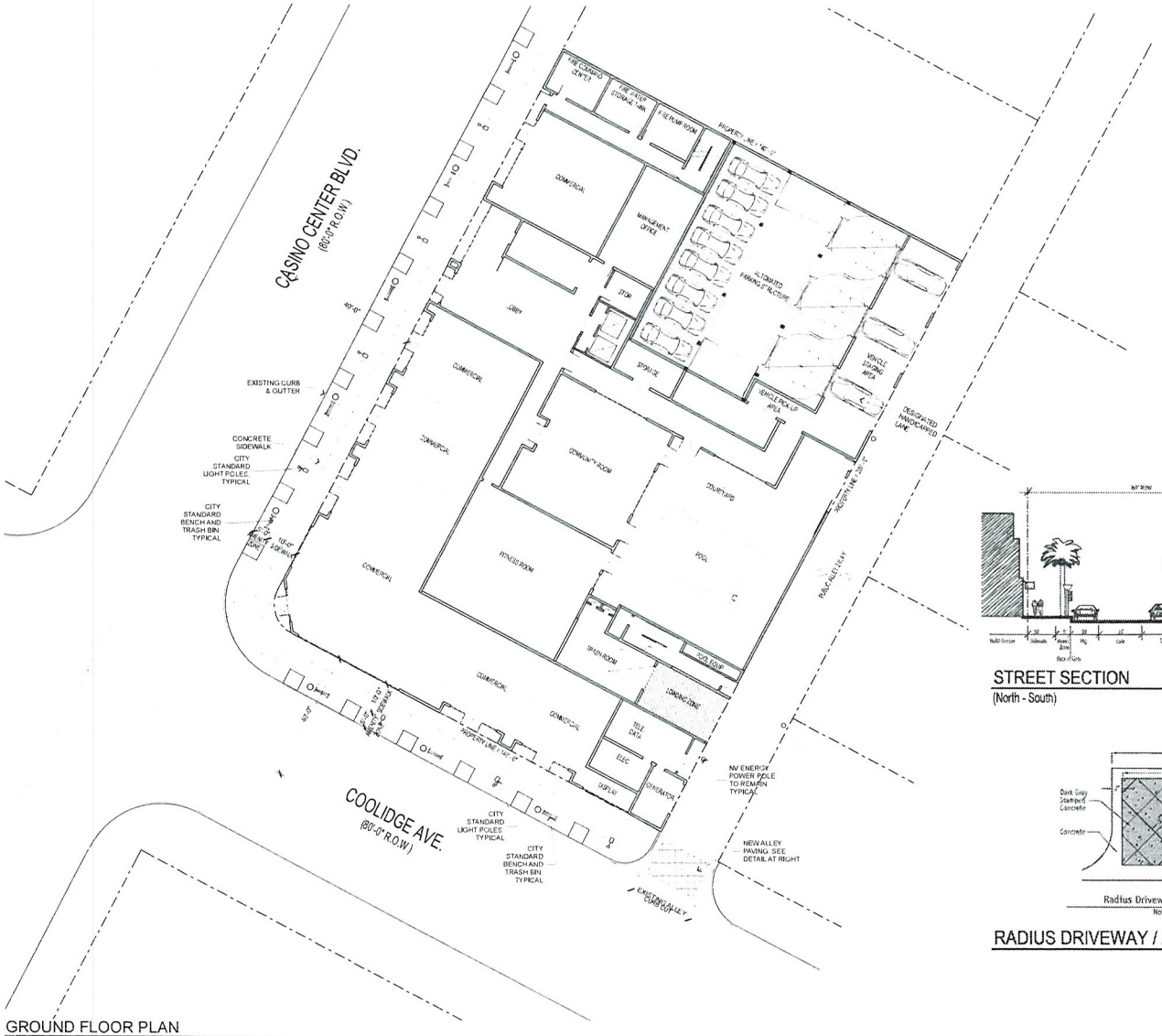
FOR DEPARTMENT USE ONLY

Case #	SUP-41599
Meeting Date:	6/14/11 PC
Total Fee:	$1,030.00
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.

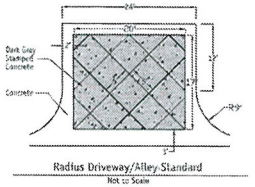
Revised 10/27/08

f:\depot\Application Packet\Application Form.pdf



GROUND FLOOR PLAN

STREET SECTION
(North - South) N.T.S.



RADIUS DRIVEWAY / ALLEY STANDARD
N.T.S.





VICINITY & LOCATION MAPS

Site Zoning & Data

SITE DATA

PARCEL NUMBER	139-34-410-056 139-34-410-057 139-34-410-058 139-34-410-059
JURISDICTION	CITY OF LAS VEGAS - 89101
EXISTING GENERAL PLAN	MXU
OVERLAY ZONES	CENTENNIAL PLAN / ARTS DISTRICT
EXISTING ZONING	C-2
SITE AREA	28 000 NSF .64 NET ACRES

SETBACKS - (BUILDING)

	REQ'D	PROVIDED
FRONT	0'-0"	0'-0"
INTERIOR SIDE	0'-0"	0'-0"
SIDE STREET	0'-0"	0'-0"
REAR	0'-0"	0'-0"

COMMERCIAL SPACE	7 580 SF
PARKING SPACES	272

RESIDENTIAL UNIT DATA

ONE BEDROOM	130
TWO BEDROOM	117
TOTAL	247

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APTUS
3300 South 4th Street
Suite 206
Las Vegas Nevada 89104
P 702 839 1200
F 702 839 1233

0' 8' 16' 32'

The Royale at Casino Center
Site Development Review
919-931 Casino Center Boulevard
Las Vegas, Nevada 89101

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AUG 22 2011

City of Las Vegas SDR	SUP Submittal	04 28 11
City of Las Vegas SDR	SUP Submittal (REV)	05 12 11
City of Las Vegas SDR	SUP Submittal (REV)	08 22 11

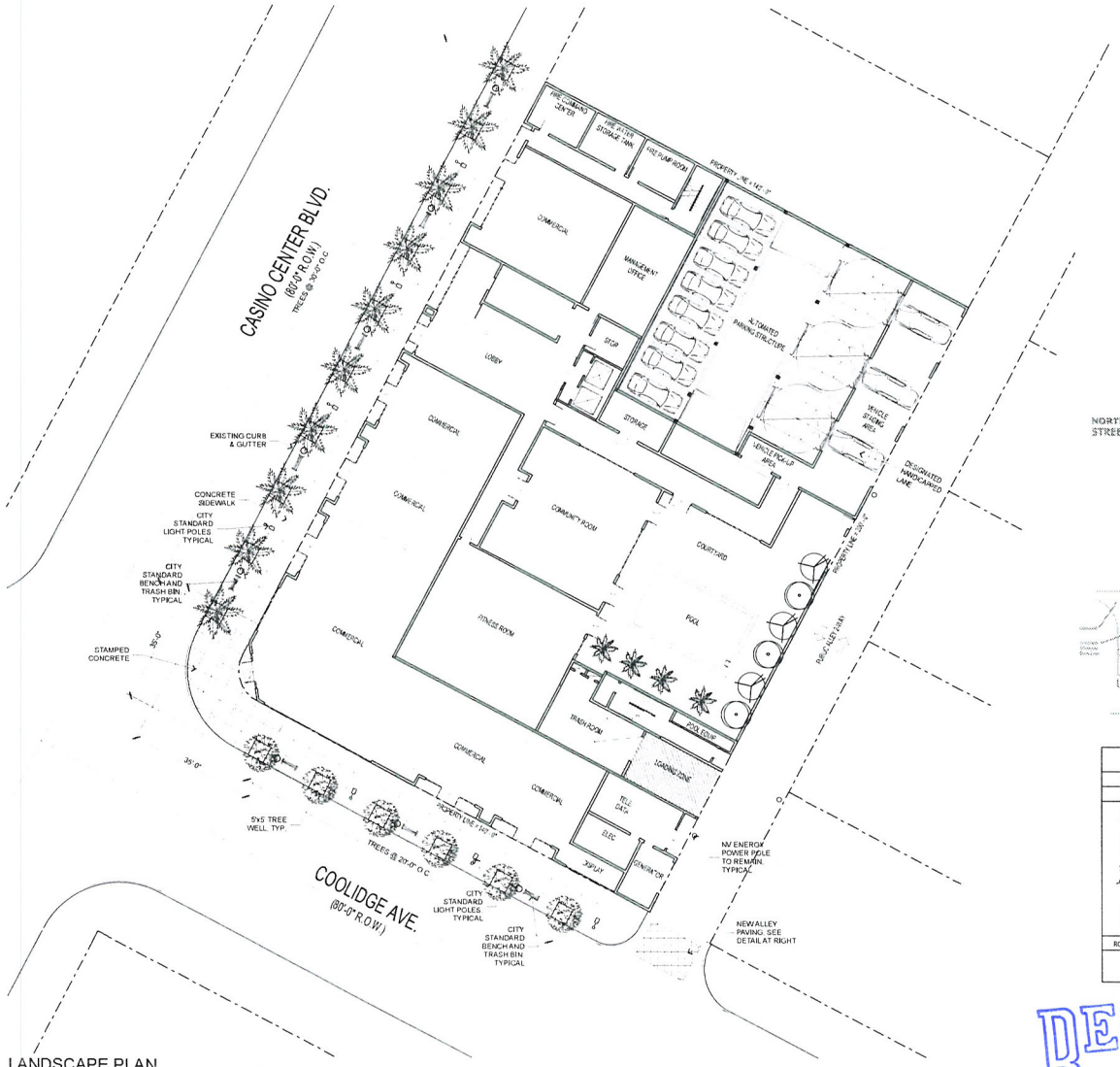
SITE / GROUND FLOOR PLAN

AS100

06 17 7 The Royale at Casino Center

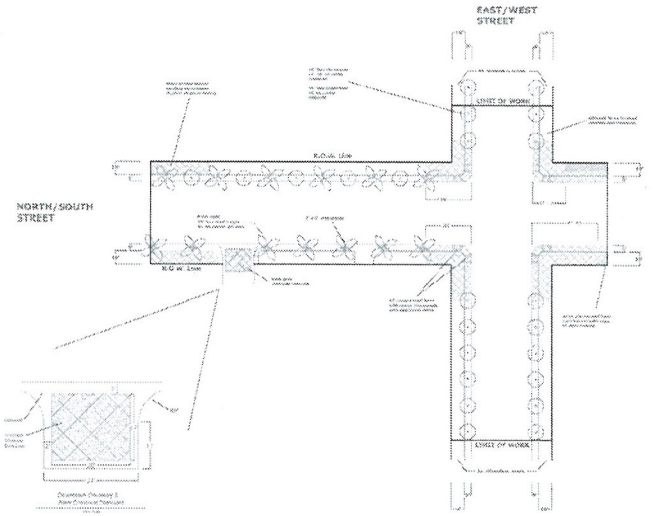
SUP-41599
SDR-41829
REVISED

E:\APTUS\Data Work\06171107 - Royale at Casino Center\Drawings\06 17 7 - Royale at Casino Center.dwg 8/22/2011 10:16 AM Michael Beck



LANDSCAPE PLAN

1/16" = 1'-0"



LANDSCAPE SCHEDULE

TREES

SYMBOL	COMMON NAME	BOTANICAL NAME	SIZE
	HONEY LOCUST	prosopis	24" Box
	SHOESTRING ACACIA	acacia stenophylla	24" Box
	DATE PALM	-	25' High
	SOUTHERN LIVE OAK	quercus virginiana	36" Box

ROCK MULCH	SIZE	COLOR	DEPTH
	3/4" CRUSHED GRANITE	TO BE SELECTED BY ARCHITECT FROM MANUFACTURERS STD	MIN. 2" DEEP

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1200 South 4th Street
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Las Vegas, Nevada 89104
P 702.879.1200
F 702.879.1213

0' 8' 16' 32'

The Royale at Casino Center

Site Development Review

919-931 Casino Center Boulevard
Las Vegas, Nevada 89101

City of Las Vegas SDR SUP Submittal	04.28.11
City of Las Vegas SDR SUP Submittal(REV)	05.12.11
City of Las Vegas SDR SUP Submittal(REV)	08.22.11

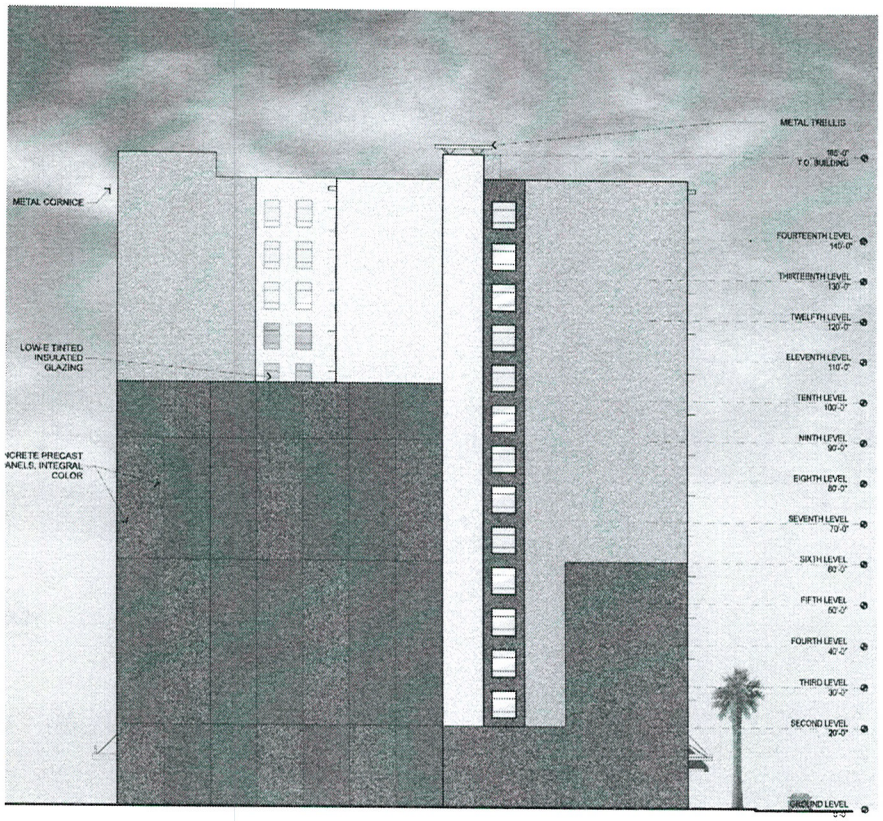
LANDSCAPE PLAN

AS101

06.1777 The Royale at Casino Center

SUP-41599
SDR-41829
REVISED

Plotted: 08/19/2011 11:13:32 AM By: Doug Gillis F:\06177 Aspen\Cad-dgn\SUP\SDR41829 Big Dog\gillis\06177 Aspen Cad-dgn SUP SDR 41829 Big Dog.dgn



ORTH ELEVATION

1/16" = 1'-0"



EAST ELEVATION

1/16" = 1'-0"

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APTUS

104

The Royale at Casino Center
Site Development Review
919-931 Casino Center Boulevard
Las Vegas, Nevada 89101

SUP-41599
SDR-41829
REVISED

City of Las Vegas SDR, SUP Submittal 04.28.11
City of Las Vegas SDR, SUP Submittal (EV) 05.12.11
City of Las Vegas SDR, SUP Submittal (EV) 06.22.11

BUILDIN
ELEVATI

A20

06.177.7 The Royale a



SOUTH ELEVATION

1/16" = 1'-0"



WEST ELEVATION

1/16" = 1'-0"

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AUG 22 2011

SUP-41599
SDR-41829
REVISED

City of Las Vegas SDR, SUP Submittal 06.22.11
City of Las Vegas SDR, SUP Submittal(REV) 05.12.11
City of Las Vegas SDR, SUP Submittal(REV) 08.22.11

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The Royale at Casino Center
Site Development Review
919-931 Casino Center Boulevard
Las Vegas, Nevada 89101

BUILDIN
ELEVATI

A20

104

06.177 The Royale a



TYPICAL FLOOR PLAN W/GARAGE

1/16" = 1'-0"



TYPICAL FLOOR PLAN ABOVE GARAGE

1/16" = 1'-0"

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APR 26 2011

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F 702.839.1213

The Royale at Casino Center

Site Development Review

919-931 Casino Center Boulevard
Las Vegas, Nevada 89101

City of Las Vegas SDR, SUP Submittal 04.28.11

TYPICAL FLOOR PLANS

A100

© The Royale at Casino Center

SUP-41599

SDR-41829

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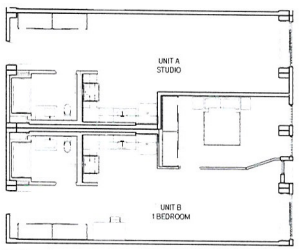
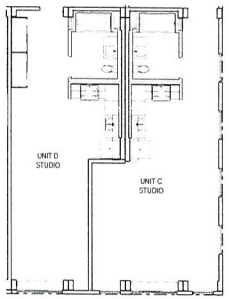
CLARK COUNTY
PLANNING



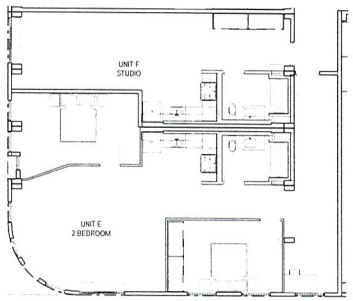
TYPICAL UNIT PLAN A/B

1/8" = 1'-0"



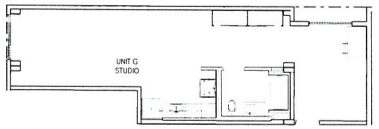
TYPICAL UNIT PLAN C/D

1/8" = 1'-0"



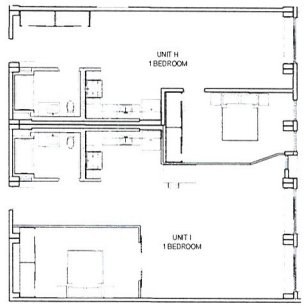
TYPICAL UNIT PLAN E/F

1/8" = 1'-0"



TYPICAL UNIT PLAN G

1/8" = 1'-0"



TYPICAL UNIT PLAN H/I

1/8" = 1'-0"

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Las Vegas, Nevada 89104
P 702.839.1200
F 702.839.1213

The Royale at Casino Center

Site Development Review

919-931 Casino Center Boulevard
Las Vegas, Nevada 89101

City of Las Vegas SDR SUP Submittal 04.28.11

TYPICAL UNIT PLANS

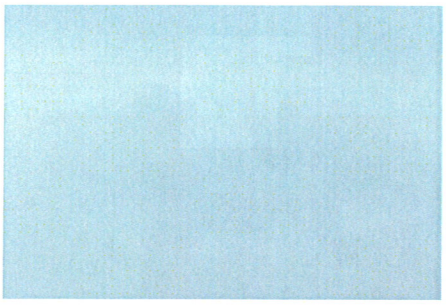
A101

06.177.7 The Royale at Casino Center

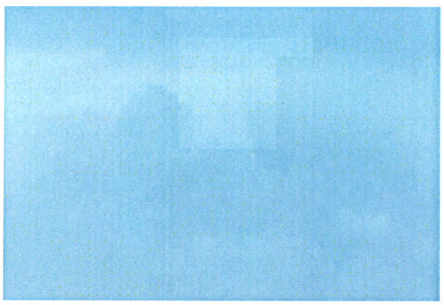
SUP-41599

SDR-41829

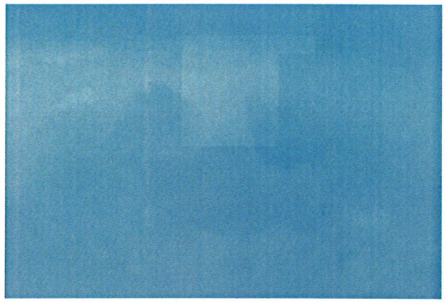
P:\06.177 Aquarius Condos\ZONING\06.177 Aquarius Condos.pln 4/28/2011 11:43 AM Plotted by



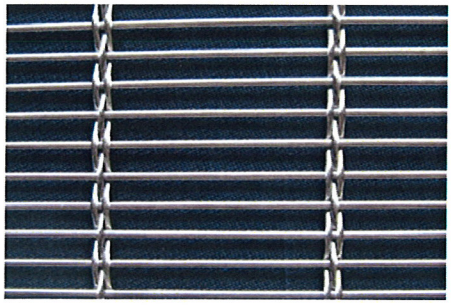
Colored Glass 1



Colored Glass 2



Colored Glass 3



Metal Mesh

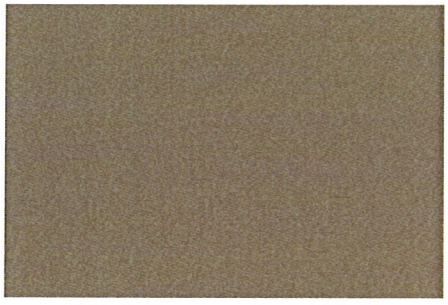
Aggregate 1



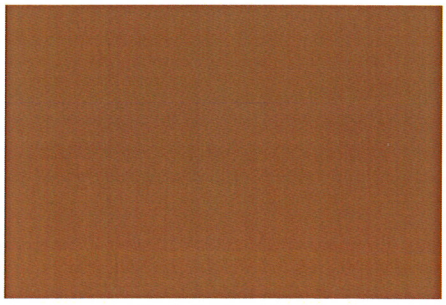
Aggregate 2



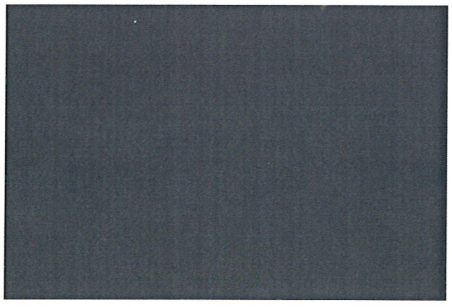
Aggregate 3



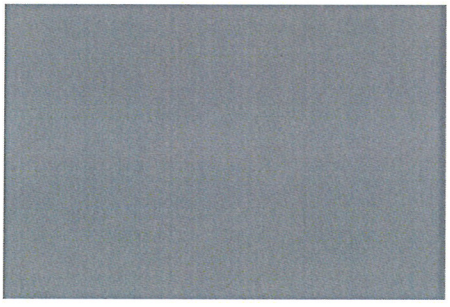
Aggregate 4



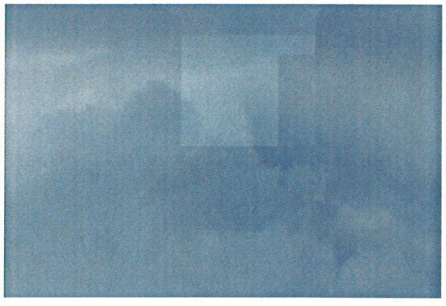
Fabric Awning



Metal



Aluminum Storefront Framing



Glazing

APTUS
1200 South 4th Street
Suite 206
Las Vegas, Nevada 89104
P 702.839.1200
F 702.839.1213
info@aptusarchitecture.com

The Royale at Casino Center

4.28.11

Site Development Review

919-931 Casino Center Boulevard
Las Vegas, Nevada 89101

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SUP-41599

SDR-41829



SUP-41599 & SDR-41829 – APPLICANT: BARNET LIBERMAN - OWNER: LEAH PROPERTY, LLC
NORTHEAST CORNER OF CASINO CENTER BOULEVARD AND COOLIDGE AVENUE

06/02/11



SUP-41599 & SDR-41829 – APPLICANT: BARNET LIBERMAN - OWNER: LEAH PROPERTY, LLC
NORTHEAST CORNER OF CASINO CENTER BOULEVARD AND COOLIDGE AVENUE

06/02/11



SUP-41599 & SDR-41829 – APPLICANT: BARNET LIBERMAN - OWNER: LEAH PROPERTY, LLC
NORTHEAST CORNER OF CASINO CENTER BOULEVARD AND COOLIDGE AVENUE

06/02/11



SUP-41599 & SDR-41829 – APPLICANT: BARNET LIBERMAN - OWNER: LEAH PROPERTY, LLC
NORTHEAST CORNER OF CASINO CENTER BOULEVARD AND COOLIDGE AVENUE

06/02/11



SUP-41599 & SDR-41829 – APPLICANT: BARNET LIBERMAN - OWNER: LEAH PROPERTY, LLC
NORTHEAST CORNER OF CASINO CENTER BOULEVARD AND COOLIDGE AVENUE

06/02/11

APTUS

May 18, 2011

City of Las Vegas
Planning and Development Department
731 S. Fourth Street
Las Vegas, NV 89101

APN: 139-34-410-056, 057, 058, 059

Re:

a. Site Development Review
b. Special Use Permit

Architecture
Engineering
Planning
Interiors
Landscape

To Whom It May Concern:

We respectfully submit this application for a Site Development Review and Special Use Permit for the project "The Royale at Casino Center" at Coolidge and Casino Center. This is a mixed use project containing ground floor commercial and "for-rent" residences above the ground floor. These parcels are currently zoned C-2 and are in the Downtown Centennial Plan, as well as the Arts District

This project proposes to have 330 apartments and 16,000 sf of commercial and an automated parking structure which has 336 parking spaces.

Access to the automated parking structure will be off of the alley from Coolidge to Hoover. All commercial tenants will be serviced from the front doors. There is no rear service access for the commercial tenants.

Downtown Centennial Plan standards are being met by way of landscaping and required amenity zone and wide pedestrian sidewalks, as well as alley and street corner paving and upgrades. However, the owner will defer the underground installation of the power poles until the remainder of the block is developed.

We are also requesting a waiver to allow the use of Mediterranean Fan Palms where Date Palms are required. The height of the palm trees will be per code at 25' and spaced at 30'-0" o.c.

With this application we are requesting an encroachment permit to allow for the awnings and trellises which compliment the façade and shelter storefront entrances to project out over the Right of way line.

Illuminated wall mounted signage is shown on the elevations, along with corresponding sizes and square footages.

The owners of this project will encourage all of its tenants to utilize and incorporate Green building strategies. For this project we will attempt to incorporate water and energy saving measures such as the utilization of occupancy sensors, drought tolerant landscaping, insulated windows, light colored paint and appropriately sized mechanical units. Also, the downtown location of this project encourages pedestrian usage which is enhanced by the proximity of the bus routes.

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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MAY 20 2011
City of Las Vegas

SUP-41599
SDR-41829

The owner desires to provide much needed attainable rental housing within the downtown area of the city. To compliment the residential units will be ground floor commercial space. This residential and commercial development will be an asset to the city 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. Please join us in our attempt to bring much-needed high caliber product into downtown and to Las Vegas residents.

Respectfully Submitted,

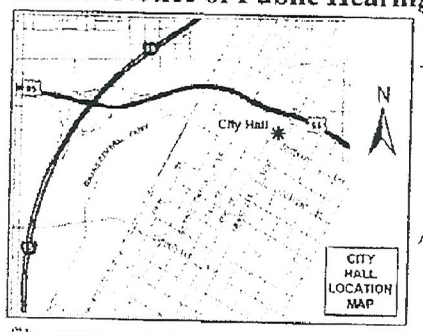
Kristen G. Neuman, AIA
APTUS

SUP-41599
SDR-41829

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



The area is designated as the Art District. A tall residential building will destroy the concept of Art District. There are already too many residential units in the downtown Las Vegas area.

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-[illegible]8. 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-41599 & SDR-41829

Planning Commission Meeting of 8/9/2011

13934412084 Case: SUP-41599
SHEN JOHN CHEN & ANITA M
200 HOOVER AVE #1506
LAS VEGAS NV 89101-6880

30 FRDFN11 89101

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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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0004279218 JUL 28 2011
MAILED FROM ZIPCODE 89101

Return Service Requested
Official Notice of Public Hearing



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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

Case: SUP-41599

13934412160
ARNET PETER J & LORI DEE
200 HOOVER AVE #2104
LAS VEGAS NV 89101-5689

SUP-41599 & SDR-41829
Planning Commission Meeting of 8/9/2011

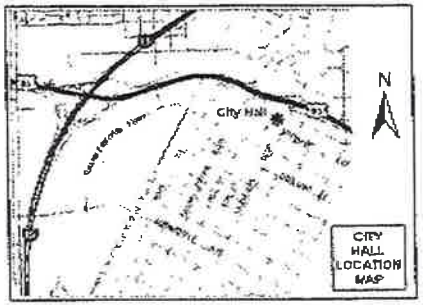
We are unable to attend the meeting but wish to express our opposition to the development as planned, as it will detract from the great work started by the city in creating

26-27P

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-41599 & SDR-41829

Planning Commission Meeting of 8/9/2011

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES

02 1M $ 00.41⁴
0004279218 JUL 28 2011
MAILED FROM ZIP CODE 89101

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SUP-41599

13934412097
HSU CHENG H & YAO L
3951 S W CHELMSFORD RD
TOPEKA KS 66610-1446

AUG-02-2011 16:33 From:7852322564

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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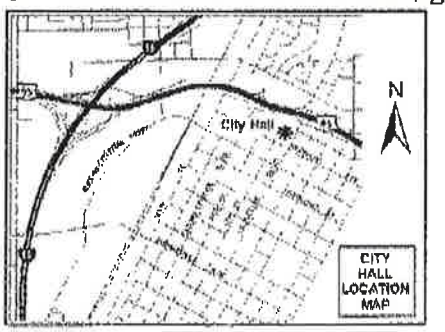

Too high. 10 stories should be the limit outside of Fremont street. This would negatively affect "Arts District". Would also flood the market with units already saturated. Approve a smaller project

Case: SUP-41599

13934412077
PIANA KENNETH R
P O BOX 325
SAN FRANCISCO CA 94104-0325

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☐ I SUPPORT this Request ☑ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-41599 & SDR-41829
~~Planning Commission~~ Meeting of 8/9/2011

105 PROPAL 94104

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26-27 P

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Department of Planning
Development Services Center
333 North Rancho Drive, 3N Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

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Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request partially -

Please use available blank space on card for your comments.
SUP-41599 & SDR-41829
Planning Commission Meeting of 8/9/2011

I oppose waiver of Centennial Plan streetscape waiver.

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AUG - 8 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

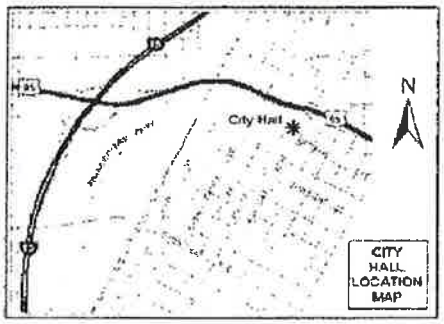
Case: SUP-41599

13934411088
JACKSON MICHAEL WILLIAM
2441 WHITE OAK DR
HOUSTON TX 77009-7321

26-27P

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-41599 & SDR-41829
Planning Commission Meeting of 8/9/2011

AUG – 8 '11
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SUP-41599
13934412109
TARIO BRIAN P
200 HOOVER AVE #1705
LAS VEGAS NV 89101-6863

26-27P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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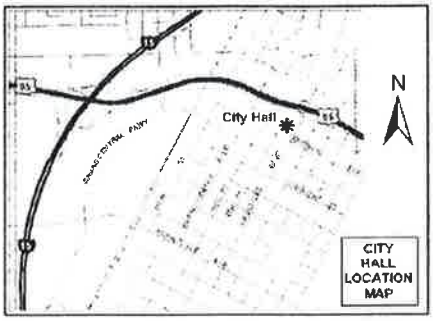

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-41599 & SDR-41829
Planning Commission Meeting of 8/9/2011

Case: SUP-41599

13934412068
MANLEY VERNON W
200 HOOVER AVE #1403
LAS VEGAS NV 89101-6879

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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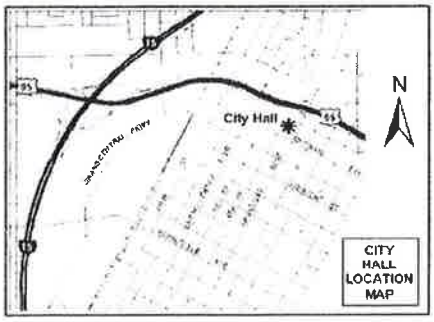

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-41599 & SDR-41829
Planning Commission Meeting of 8/9/2011

Case: SUP-41599

13934412057
AOKI MICKI T & RICHARD S
804 HOOMAE MAE ST
PEARL CITY HI 96782-2148

26-27
2P

This project will cause an obstruction of the strip view, Possibly impacting property value. What will parking situation be like? Street parking is minimal as is are they taking that into consideration. Do developers have enough money to ensure project will be completed?!

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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JUL 28 2011
MAILED FROM ZIPCODE 89101

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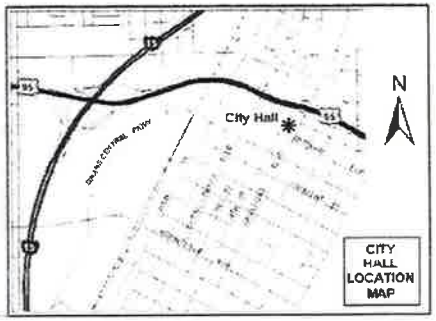
Official Notice of Public Hearing



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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-41599 & SDR-41829
Planning Commission Meeting of 8/9/2011

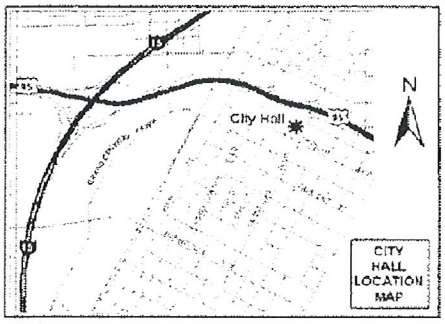
Case: SUP-41599
13934412113
BRUNS NICHOLAS A & YVONNE S
140 PRAIRIE LAKE RD
EAST DUNDEE IL 60118-9134

116 FRDFN11 60118

26-27 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.

SUP-41599 & SDR-41829
Planning Commission Meeting of 8/9/2011

Case: SUP-41599
13934410126
COLLURA MARY ETAL
3220 BRYANT AVE
LAS VEGAS NV 89102-2055 89102-2055

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AUG - 1 2011

26-27 A

City of Las Vegas Agenda Item No.: **83.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
SDR-41829 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-41599 - PUBLIC HEARING - APPLICANT: BARNET LIBERMAN - OWNER: LEAH PROPERTY, LLC - For possible action on a request for a Site Development Plan Review 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 on 0.64 acres at the northeast corner of Casino Center Boulevard and Coolidge Avenue (APNs 139-34-410-056 through 059), C-2 (General Commercial) Zone, Ward 3 (Coffin). The Planning Commission (6-0-1 vote) and Staff recommend DENIAL.

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 (6-0-1 vote) and Staff recommend DENIAL.

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-41829** APN: 139-34-410-056, 057 ,058 ,059

Name of Property Owner: Leah Properties, 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: Major Amendment to SDR-20502

Project Address (Location) 919 to 931 Casino Center Blvd.

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 064 **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* [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.

[signature]

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 #	SDR 41829
Meeting Date:	6/14/PC
Total Fee:	$ 1030 00
Date Received	5/20/11
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.

City of Las Vegas Agenda Item No.: **84.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

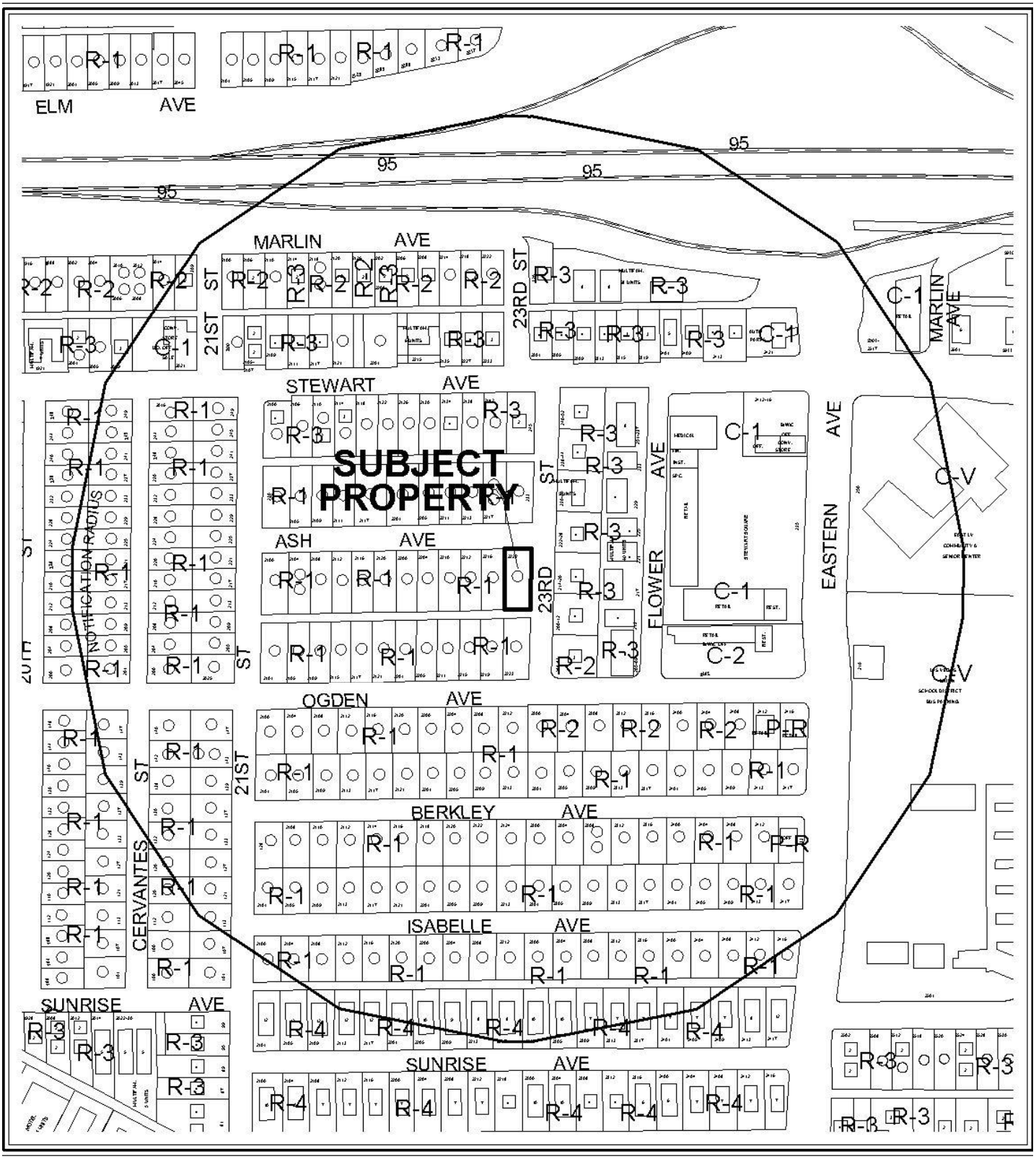
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
VAR-42175 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: SHIRLEY RITZ TRUST - For possible action on a request for a Variance TO ALLOW A FOUR-FOOT REAR YARD SETBACK FOR A PRIMARY STRUCTURE WHERE 15 FEET IS REQUIRED, TO ALLOW AN ACCESSORY STRUCTURE (CLASS II) TO BE LOCATED IN THE FRONT YARD AREA WHERE SUCH IS NOT PERMITTED AND TO ALLOW A THREE-FOOT, SIX-INCH HIGH SOLID WALL WITH A THREE-FOOT, SIX-INCH WROUGHT IRON TOP WHERE FIVE FEET IS THE MAXIMUM HEIGHT ALLOWED IN THE FRONT YARD on 0.20 acres at 2222 Ash Avenue (APN 139-35-713-035), R-1 (Single Family Residential) Zone, Ward 3 (Coffin). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**1**	**Planning Commission Mtg.**	**19**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Backup referenced from the August 9, 2011 Planning Commission Meeting Item – VAR-42175



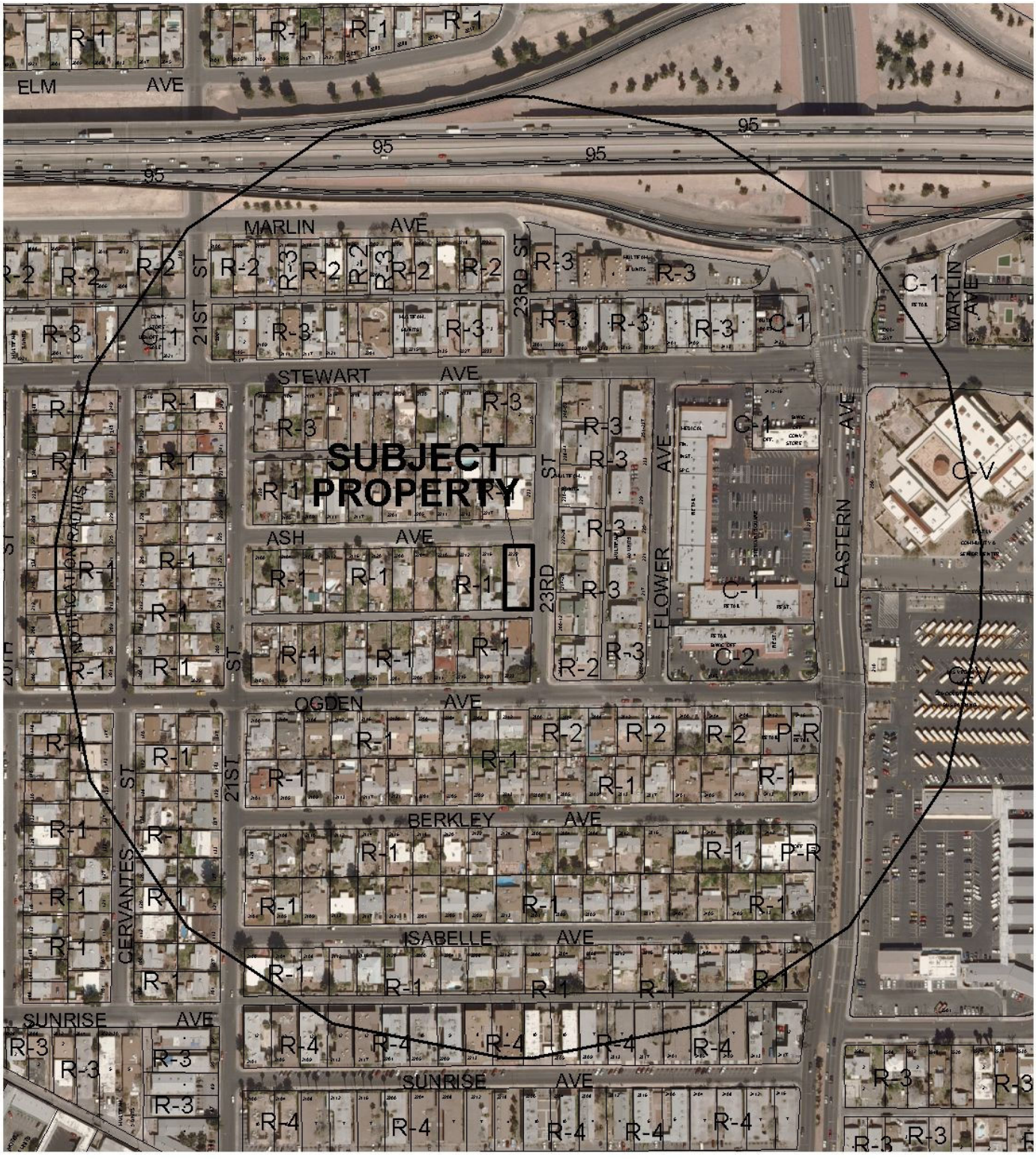
0 300 600 Feet

CASE: **VAR-42175**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL)

N



0 300 600 Feet

CASE: **VAR-42175**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL)

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: SEPTEMBER 7, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: SHIRLEY RITZ TRUST

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-42175	Staff recommends DENIAL, if approved subject to conditions:	N/A

** CONDITIONS **

VAR-42175 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 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. 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.

Public Works

5. Submit an Encroachment Agreement for the portions of the existing wall in the Ash Avenue public right-of-way prior to this issuance of a permit for this wall. The applicant must carry an insurance policy for the term of the encroachment agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove property encroaching in the public right-of-way at the applicant's expense pursuant to the terms of the City's encroachment agreement. The installation and maintenance of all private improvements 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.

6. 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
September 7, 2011 - City Council Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The property at 2222 Ash Avenue contains an existing Single Family, Detached dwelling. There are additions to the property that were built without permits and the Variance request is to allow these structures to remain on the property. Because the additions to the property were placed without permits, which are not in compliance with Title 19.06 requirements, the applicant has created a self-imposed hardship; therefore, staff recommends denial. If this application is denied, the existing room addition at the rear of the dwelling, the existing Accessory Structure (Class II) and the existing wall shall be removed from the property.

ISSUES

- A Variance is required to allow a four-foot rear yard setback for the primary dwelling where 15 feet is required.
- A Variance is required to allow an existing Accessory Structure (Class II) was built within the front yard area where such is not allowed.
- A Variance is required to allow an existing 3.5-foot high solid wall with a 3.5-foot wrought iron top within the front yard setback, where five feet is the maximum height.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
08/09/11	The Planning Commission voted (5-1-1/ts/tm) to recommend APPROVAL (PC Agenda Item #28/rg)

Most Recent Change of Ownership	
02/26/98	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
c.1948	The existing Single Family, Detached was constructed.
08/27/51	A building permit (#11940) was issued for a 459 square-foot room addition to an existing single family dwelling at 2222 Ash Street (now Avenue). No final inspection could be located.

03/31/11	A Code Enforcement case (#99839) was processed for a four-foot block wall and four-foot tall wrought iron fence around the perimeter on the south, east and north property lines, and a detached accessory structure and room addition to the existing house without permits at 2222 Ash Avenue. The case was closed on 04/19/11.

Pre-Application Meeting	
05/11/11	A pre-application meeting was held with the applicant, where the submittal requirements for a Variance were discussed. Topics included: • The existing perimeter wall, addition to the rear of the house and Accessory Structure (Class II) were built without permits. • The front yard wall/fence is greater than five feet per Title 19 standards. Variance is required for a wall/fence to allow greater than five feet in height. • The front yard wall/fence is located within the Ash Avenue right-of-way. Prior to a building permit, an encroachment permit from Department of Public Works will be required if approved. • Rear setback is 15 feet and the room addition located at the rear of the property is four feet from the rear property line. A Variance is required to allow a four-foot rear setback. • An existing Accessory Structure (Class II) was constructed within the north side of the existing house. An approval of a Variance is required to allow the existing Accessory Structure (Class II) to be within the front yard of the property, where no accessory structure is permitted in front of the primary structure.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
06/30/11	A site check by staff noted that the subject site is a well maintained single family dwelling.

Details of Application Request	
Site Area	
Net Acres	0.20

Surrounding Property	*Existing Land Use Per Title 19.12*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
North	Single Family, Detached	M (Medium Density Residential)	R-1 (Single Family Residential)
South	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
East	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density 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		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 19.06.070, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	6,500 SF	8,748 SF	Y
Min. Lot Width	65 Feet	63 Feet	N*
Principal Dwelling unit Min. Setbacks			
• Front	20 Feet	94 Feet	Y
• Side	5 Feet	5 Feet	Y
• Corner	15 Feet	26.5 Feet	Y
• Rear	15 Feet	4 Feet	N
Min. Distance Between Buildings	6 Feet	23 Feet	Y
Max. Lot Coverage	50 %	11 %	Y

Accessory Structure Min. Setbacks • Front • Side • Corner • Rear	 Not Permitted 3 Feet 15 Feet 3 Feet	 52 Feet 12 Feet 40 Feet 74 Feet	 N Y Y Y
Max. Building Height	35 Feet	15 Feet	Y
Accessory Structure Size	15 Feet	10 Feet	Y
Front Yard Wall/Fence	5 Feet	7 Feet	N

*The subject site is legally nonconforming for the lot width.

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Ash Avenue	N/A	N/A	60	N/A
23rd Street	N/A	N/A	50	N/A

ANALYSIS

The property contains an existing dwelling with a room addition located on the south side of the dwelling and an existing Accessory Structure (Class II) in the front yard.

The existing dwelling was constructed in 1948, and a building permit (#11940) was issued for a room addition at the north side of the existing dwelling in 1951. The site plan submitted depicts the existing dwelling with a front yard setback of 94 feet from the front property line to the north along Ash Avenue. A laundry room is located on the south side of the existing dwelling, which was added without a building permit. In the R-1 (Single Family Residential) zoning district per Title 19.06.070, the rear setback requirement is 15 feet.

The applicant is requesting that an existing Accessory Structure (Class II) that was constructed without building permits be allowed to remain within the front yard area where such is not permitted pursuant to Title 19.06.040(C)(2). The site plan depicts the existing Accessory Structure (Class II), in front of the main dwelling and meeting the side yard setback, as well as the separation distance between the main dwelling and existing Accessory Structure (Class II). The height of the existing Accessory Structure (Class II) is 10 feet and the height of the main dwelling is 15 feet. Photographs submitted with this application indicate that the existing Accessory Structure (Class II) is aesthetically compatible with the main dwelling.

Pursuant to Title 19.06.070, in the R-1 (Single Family Residential) Zoning District, the front yard wall and fence shall consist of a maximum solid wall base height of two feet and the maximum wall height shall be five feet. The applicant is requesting to allow a seven-foot tall wall, with a 3.5-foot solid base, and a 3.5-foot wrought iron top. The portion of the front yard wall along Ash Avenue is located within the public right-of-way. The Department of Public Works has a added condition requiring the applicant to obtain an encroachment agreement prior to securing a building permit.

All of the above additions to the property were placed without permits, which iarenot in compliance with Title 19.06 requirements, and the applicant has created a self-imposed hardship; therefore, staff recommends denial.

FINDINGS (VAR-42175)

In accordance with the provisions of Title 19.16.140(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 19.16.140(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 building a laundry room addition to the existing dwelling within the required building setback, building an Accessory Structure (Class II) within the front yard area, and building front yard wall and fence above the specified height requirement of five feet. The alternative is to relocate the laundry addition elsewhere in the existing building, to relocate the existing Accessory Structure (Class II) within the side yard and to reconstruct the existing wall with a height of five feet with a solid base no greater than two feet in height., 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.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 42

NOTICES MAILED 280 (By City Clerk)

APPROVALS 19

PROTESTS 1

RG

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-42175** APN: 139-35-713-035

Name of Property Owner: Shirley Ritz Trust

Name of Applicant: Shirley Ritz Trust

Name of Representative: Stephanie Allen KAEMPFER CROWELL RONSHAN & VANDER & 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 ___X___No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Shirley Ritz

Print Name: Shirley Ritz

Subscribed and sworn before me

This 26 day of May, 2011

Sara Garcia Clark, Nevada
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
SARA GARCIA
Appt. No. 09-10823-1
My Appt. Expires July 5, 2011

Appt No. 09-10823-1

Revised 11-14-06

f:\depot\Application Packet\Statement of Financial Interest.doc

1005925.1

AMD

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PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Variance for front wall/fence and rear yard setback

Project Address (Location) 2222 Ash Avenue

Project Name n/a **Proposed Use** Wall

Assessor's Parcel #(s) 139-35-713-038 **Ward #** 3

General Plan: existing L proposed n/a **Zoning:** existing R-1 proposed n/a

Commercial Square Footage n/a **Floor Area Ratio** n/a

Gross Acres _____ **Lots/Units** 1 **Density** n/a

Additional Information _____

PROPERTY OWNER Shirley Ritz Trust **Contact** Shirley Ritz

Address 3510 Katmai **Phone:** 547-6819 **Fax:** _____

City Las Vegas **State** NV **Zip** 89122

E-mail Address n/a

APPLICANT Shirley Ritz Trust **Contact** Shirley Ritz

Address 3510 Katmai **Phone:** 547-6819 **Fax:** _____

City Las Vegas **State** NV **Zip** 89122

E-mail Address n/a

REPRESENTATIVE Kaempfer Crowell Renshaw Gronauer & Fiorentino **Contact** Stephanie Allen

Address 8345 W. Sunset Road, Suite 250 **Phone:** 792-7000 **Fax:** 796-7181

City Las Vegas **State** NV **Zip** 89113

E-mail Address sha@kcnvlaw.com

Property Owner Signature* Shirley Ritz

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Shirley Ritz

Subscribed and sworn before me

This 26 day of May, 20 11.

Sara Garcia Clark Nevada

Notary Public in and for said County and State

NOTARY PUBLIC STATE OF NEVADA County of Clark SARA GARCIA Appt. No. 08-10823-1 My Appt. Expires July 5, 2011

FOR DEPARTMENT USE ONLY

Case #	VAR-42175
Meeting Date:	8/9/11
Total Fee:	$30.00
Date Received:*	6/16/11
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.

Revised 10/27/08

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AMP

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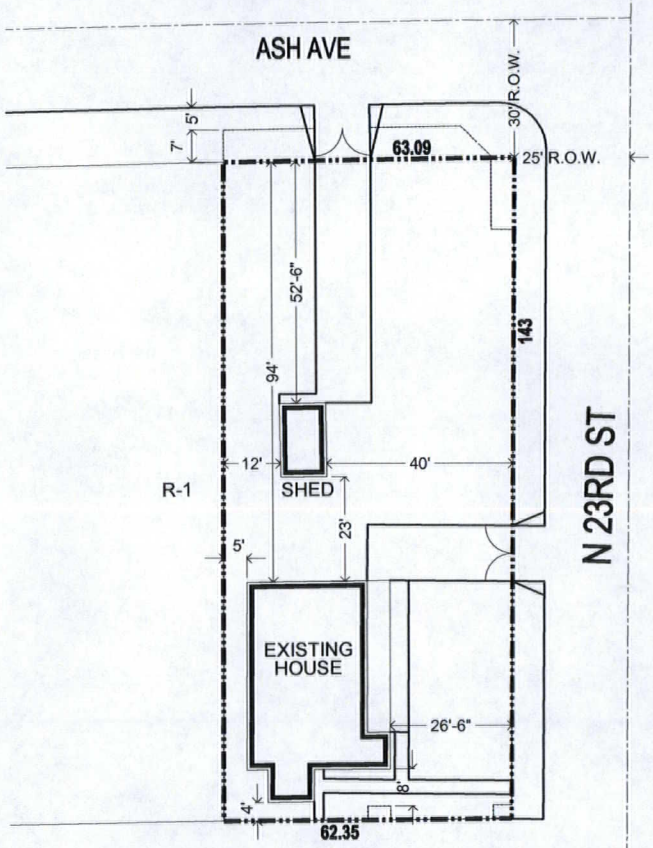


1 **SITE PLAN**
SCALE: 1" = 10'

SITE INFORMATION

ZONING- City of Las Vegas, NV

APN#: 139-35-713-035
Zoning- R-1

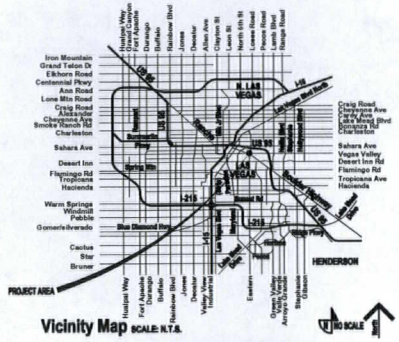
AREA (Approximate, to be verified)

Gross Area	15,454 Sq.Ft.	0.35 - Acres
Net Area	9,021 Sq. Ft.	0.20 - Acres
Lot Coverage		11 %

SETBACKS	REQUIRED	PROVIDED
Front:	20 ft	52 ft Existing
Side:	5 ft	5 ft Existing
Corner Side:	15 ft	26 ft Existing
Rear:	15 ft	4 ft Existing

BUILDING HEIGHT

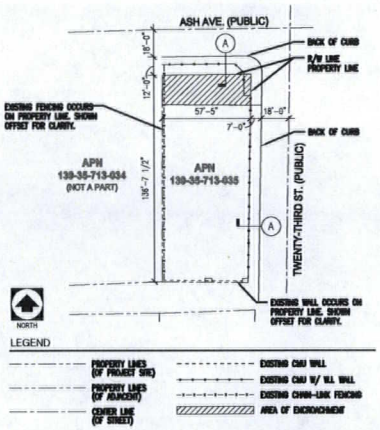
Allowed:	35 ft
Provided:	
House:	15 ft (to mid-point of roof)
Shed:	10 ft (to mid-point of roof)
House Area:	1,200 Sq. Ft.
Shed Area:	160 Sq. Ft.



Vicinity Map SCALE: N.T.S.



Location Map



1 ENCROACHMENT PLAN
1" = 40'-0"

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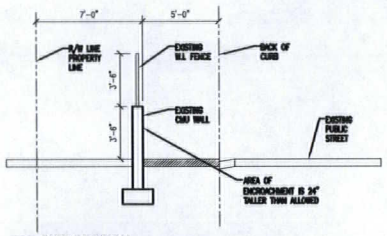


A SITE SECTION

NORTH
Scale: 1 : 10
0 10 20

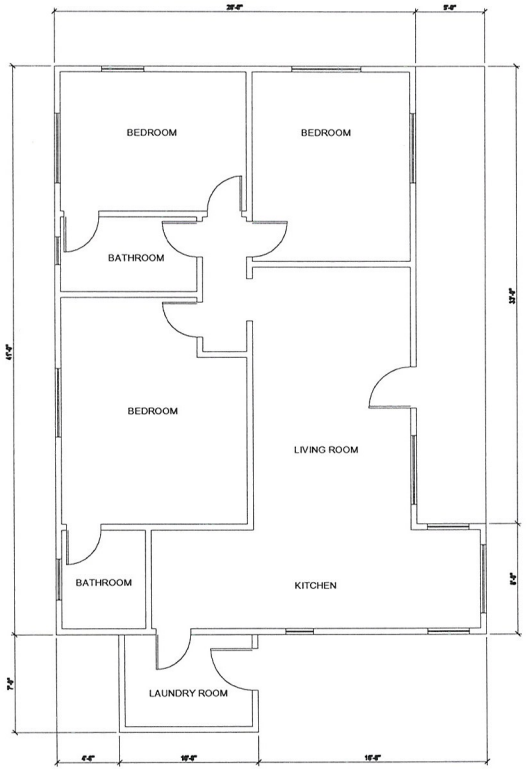
Conceptual Site Plan : Sheet Title
11-054 : Project Number
07/11/11 : Date

FRONTLINE group MOSER architecture studio

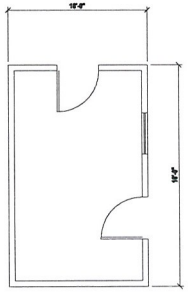
Shirley Ritz Residence

2222 Ash Avenue, City of Las Vegas, NV

VAR-42175
REVISED



1 **FLOOR PLAN**
SCALE: 1/4" = 1'-0"



2 **FLOOR PLAN - SHED**
SCALE: 1/4" = 1'-0"

NORTH
Scale:

Floor Plan : Sheet Title
11-054 : Project Number
06/01/11 : Date

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Shirley Ritz Residence

2222 Ash Avenue, City of Las Vegas, NV

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VAR-42175

MOSER architecture studio

North Elevation



South Elevation



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West Elevation



East Elevation



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5975 Edmond Street, Suite 115 Las Vegas, NV 89118 Phone: 702.322.1177 Fax: 702.322.1188

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Laundry Room Addition



Electrical Meter at Laundry Room Addition



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Perimeter Fence



Perimeter Fence



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MOSER architecture studio

Perimeter Fence



Perimeter Fence



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MOSER architecture studio

Neighborhood Fencing



Neighborhood Fencing



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Neighborhood Fencing



Neighborhood Fencing



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5975 Edmond Street, Suite 115 Las Vegas, NV 89118 Phone: 702.322.1177 Fax: 702.322.1188


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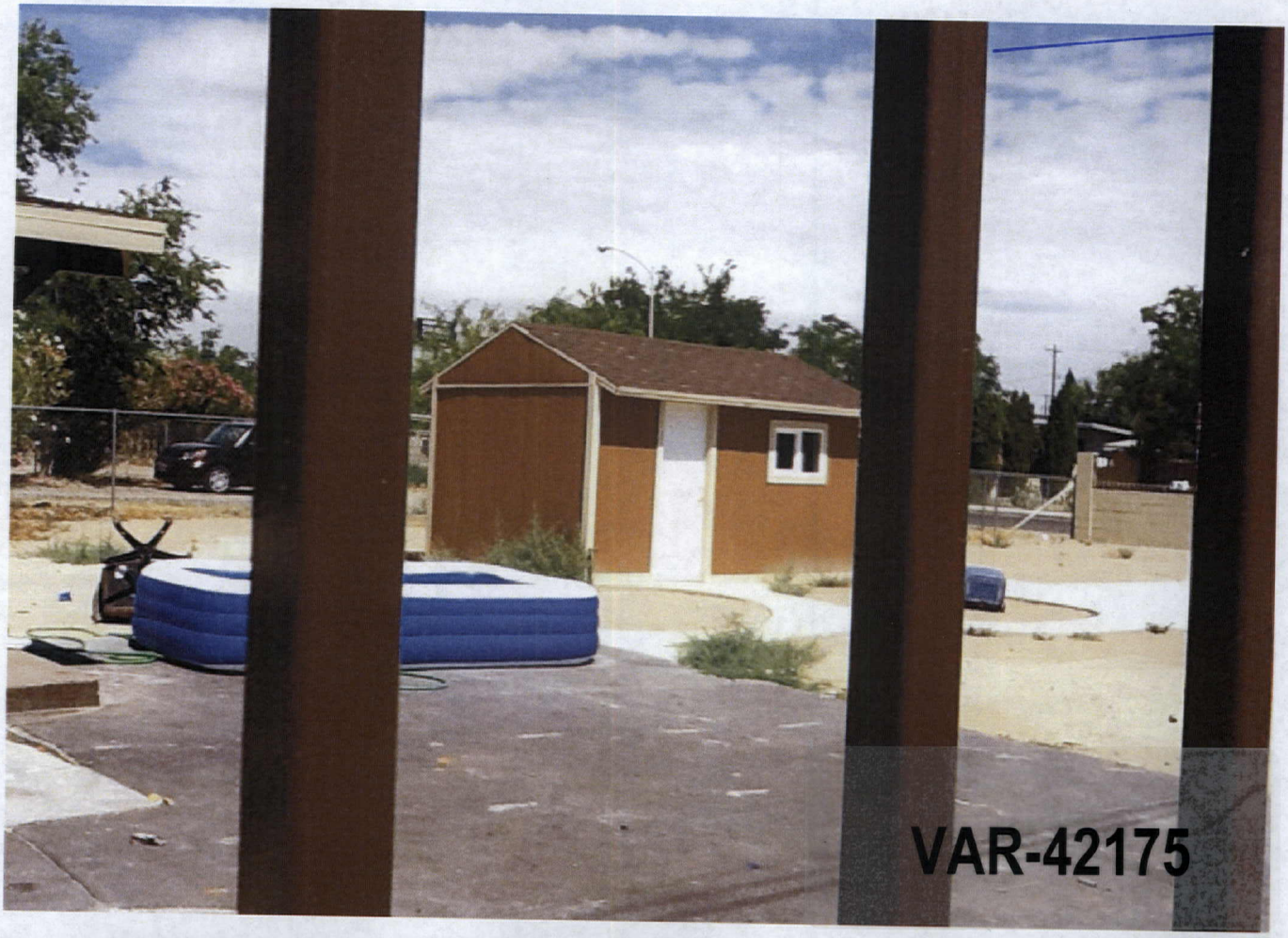
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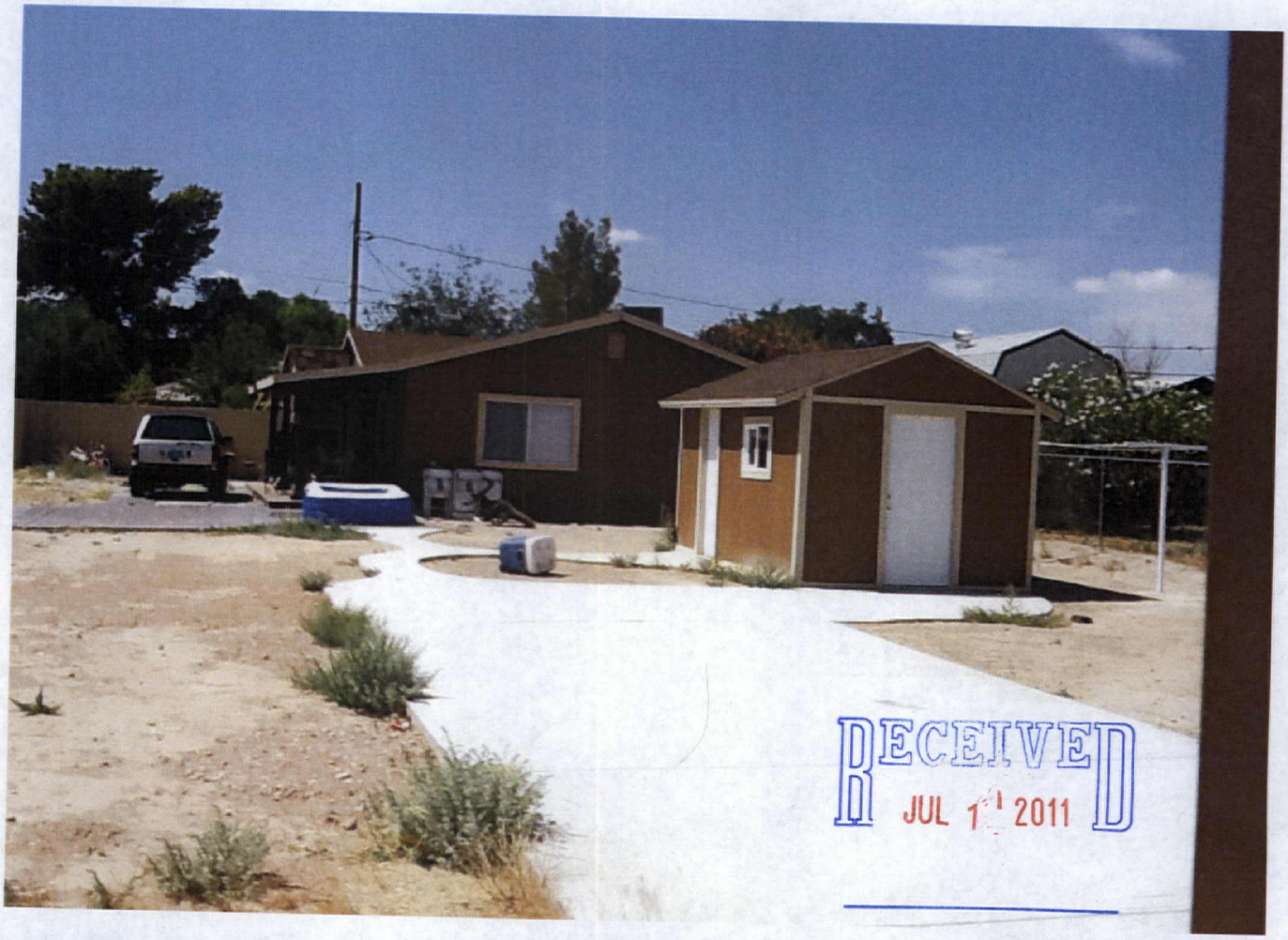

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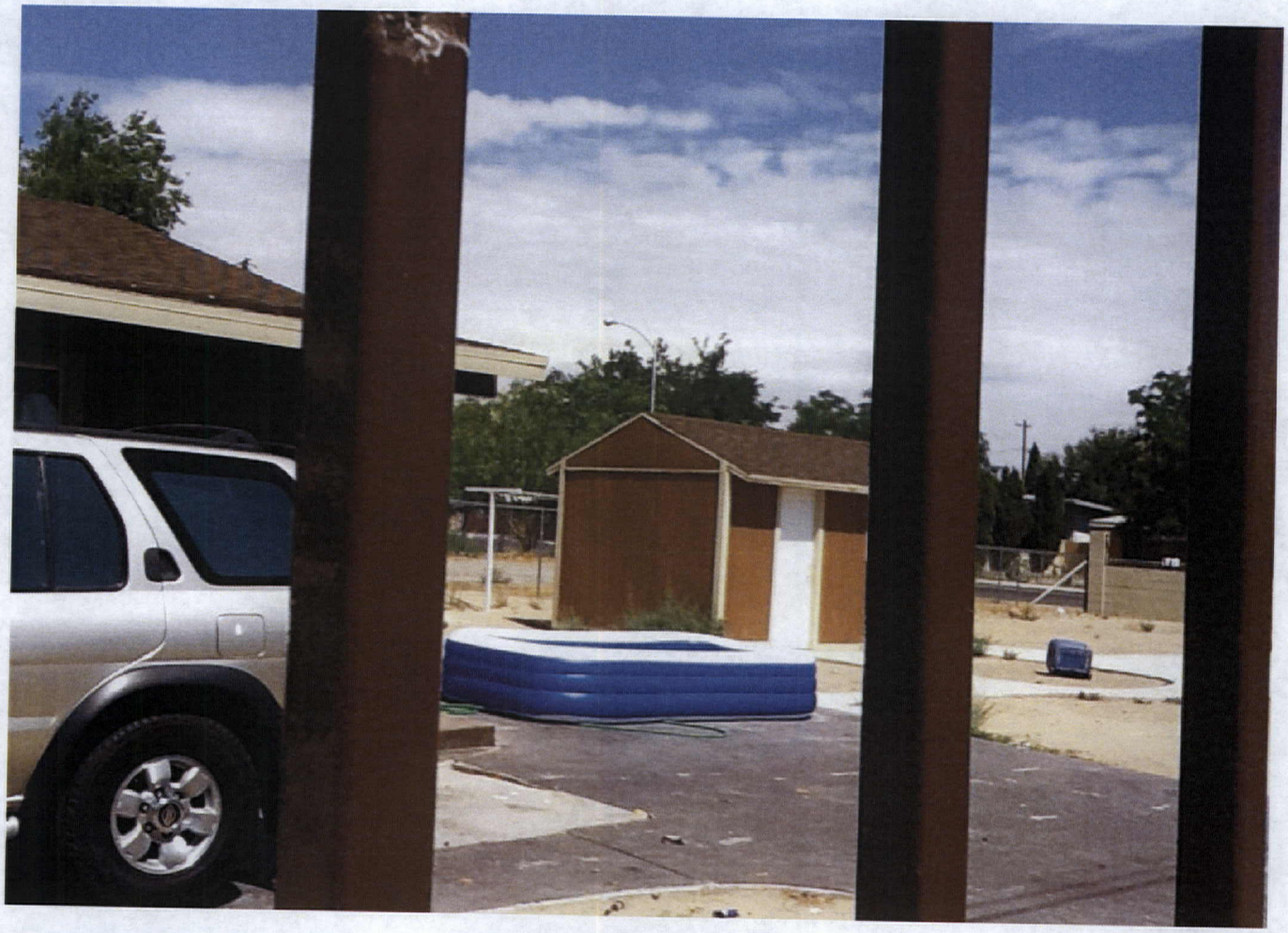



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VAR-42175



VAR-42175 – APPLICANT/OWNER: SHIRLEY RITZ TRUST
2222 ASH AVENUE

06/30/11



VAR-42175 – APPLICANT/OWNER: SHIRLEY RITZ TRUST
2222 ASH AVENUE

06/30/11



VAR-42175 – APPLICANT/OWNER: SHIRLEY RITZ TRUST
2222 ASH AVENUE

06/30/11



VAR-42175 – APPLICANT/OWNER: SHIRLEY RITZ TRUST
2222 ASH AVENUE

06/30/11

KAEMPFER CROWELL

KAEMPFER CROWELL RENSHAW GRONAUER & FIORENTINO

ATTORNEYS AT LAW

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STEPHANIE HARDIE ALLEN
sallen@kcnvlaw.com
702.792.7045

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Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
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Suite 140
Reno, NV 89511
Tel: 775.852.3900
Fax: 775.862.0257

CARSON CITY OFFICE
510 W. Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

July 1, 2011

VIA HAND DELIVERY

City of Las Vegas
Planning & Development Dept.
731 So. Fourth Street
Las Vegas, NV 89101

Re: REVISED -- Justification Letter for Variance at 2222 Ash Street
APN # 139-35-713-035

To Whom It May Concern:

Please be advised our office represents the applicant on the above-referenced matter. The property is located at 2222 Ash Avenue, more specifically known as assessor's parcel number 139-35-713-035 ("Property"). The applicant is requesting a variance 1) to allow a 7 foot wall (3 foot, 6 inches of CMU block wall with 3 foot, 6 inches of rod iron on top) around the Property; 2) to allow a 4 foot rear yard setback where 15 feet is required and 3) to allow a shed in front of a primary residence.

The applicant was recently cited by Code Enforcement for not having permits for the block wall that was erected around the Property and for the laundry room addition to the house. The property owner hired a contractor to erect the 7 foot wall around the Property to prevent recurrent break-ins and vandalism that was occurring on the Property. The wall consists of 3 feet, 6 inches of CMU block wall with 3 feet, 6 inches of rod iron on top. The property owner was not aware that a variance was needed to exceed 5 feet in height and did not know that a permit was not pulled for the construction of the wall. The property owner relied on the contractor's expertise and paid the contractor for the construction of the wall. The wall is aesthetically pleasing and the rod iron on top allows for site visibility. Moreover, the wall has served it purpose by prevented further break-ins and vandalism on the Property.

The property owner believes the laundry room addition was constructed decades ago. According to the Clark County Assessor's records, the home was built back in 1948. There is a building permit number 27942 that was issued in 1964 for a remodel of the front of the home. This may have been the permit for the laundry room addition. Attached for your reference are all of the permits that were available from the City's Building Department. The construction of the laundry room should be grandfathered in considering it occurred decades ago. However, if needed, the property owner respectfully requests that the setback variance be granted to bring the Property into compliance.

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VAR-42175
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KAEMPFER
CROWELL

Additionally, the property owner is requesting a variance to allow a shed on the property. The shed is set back approximately 52' from the Ash Avenue right of way. The primary and practical entrance to the existing house is off of N. 23rd Street. However, technically the address of the property is 2222 Ash Avenue. As a result, the practical use of the property and the primary front entrance of the property is off of N 23rd Street.

If you have any questions, please do not hesitate to contact me at (702) 792-7045. Thank you for your consideration.

Sincerely,

KAEMPFER CROWELL RENSHAW GRONAUER & FIORENTINO

Stephanie H. Allen

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VAR-42175
REVISED

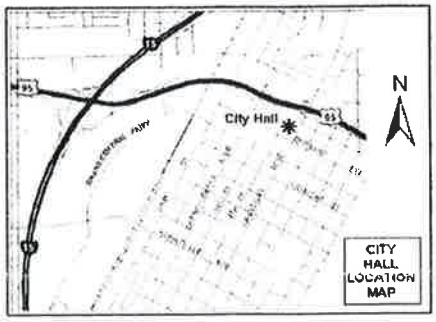
NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

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 JUL 28 2011
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



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AUG - 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 we oppose

Please use available blank space on card for your comments.

VAR-42175
Planning Commission Meeting of 8/9/2011

Case: VAR-42175
13935712012
ZUNIGA MELCHOR & CARMEN L ROBLES
204 N 20TH ST
LAS VEGAS NV 89101-4454 89101-4454

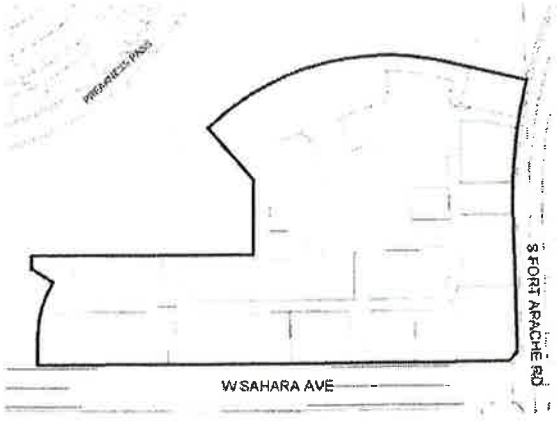
30 PROFIT 89101

Application Information

SUP-42252 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: DOG BITES BACK, LLC - OWNER: WINNER PROPERTIES, LLC - For possible action on a request for a Special Use Permit FOR A 98 SQUARE-FOOT RETAIL ESTABLISHMENT WITH ACCESSORY PACKAGE LIQUOR OFF-SALE USE WITH A WAIVER TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A RELIGIOUS FACILITY WHERE 400 FEET IS REQUIRED at 9500 West Sahara Avenue (APN 163-06-816-015), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson).

No.
1. There are two many of these stores already.
2. We have requirements for commercial property for a reasons.
3. Variences should be limited.

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting: Planning Commission
Date: *August 09, 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.

28P

Petition concerning cinderblock wall and laundry room at 2222 Ash Ave.

We, the undersigned, have no objection to the laundry room addition at the rear of the house at 2222 Ash Avenue or to the cinder block wall fronting onto Ash Avenue.

Name	Address	Phone
Vanessa Pineda	216 N. 23 St	3429616
* CHI MAN Yang	2216 Ash	8083251
[illegible]	2216 Ash	772-9619
Thomas Brown	2213 ASH	383-8155
Salina Chavarria	2205 Ash	502-3447
Susana Smith	2117 Ash.	666 7515
FIDEL FERNANDEZ	2108. ASH.	471-6632
Leone Zamora	2112 Ash	702 8135393
Josefina Miranda	230 N. 21 St	
Cristina Garcia	Garcia 2200 ash ave	713-4437
Laura [illegible]	2120 Ash	782-0399
Corazon Graham	238 N 23 St	496 8789
Collector Valles	218 N 23 RD St Las Vegas NV 89101	702) 666 5770
Jose Moreno R	2120. Ash. Ave Las V. NV 89101	702-443-7306
Brizza Fernandez	2222 Ash Ave. Las Vegas NV. 89101	
[illegible]	233 N 23 RD	384-5362
[illegible]	382-1249	2223 E Ogden Ave
Cinda Vargas E	2219 E Ogden Av	
Lilia Figueroa B	2100 - OGDEN AV.	

petition

Submitted at Planning Commission

Date 8-9-2011 Item 28
By Stephanie Allen

City of Las Vegas Agenda Item No.: **85.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

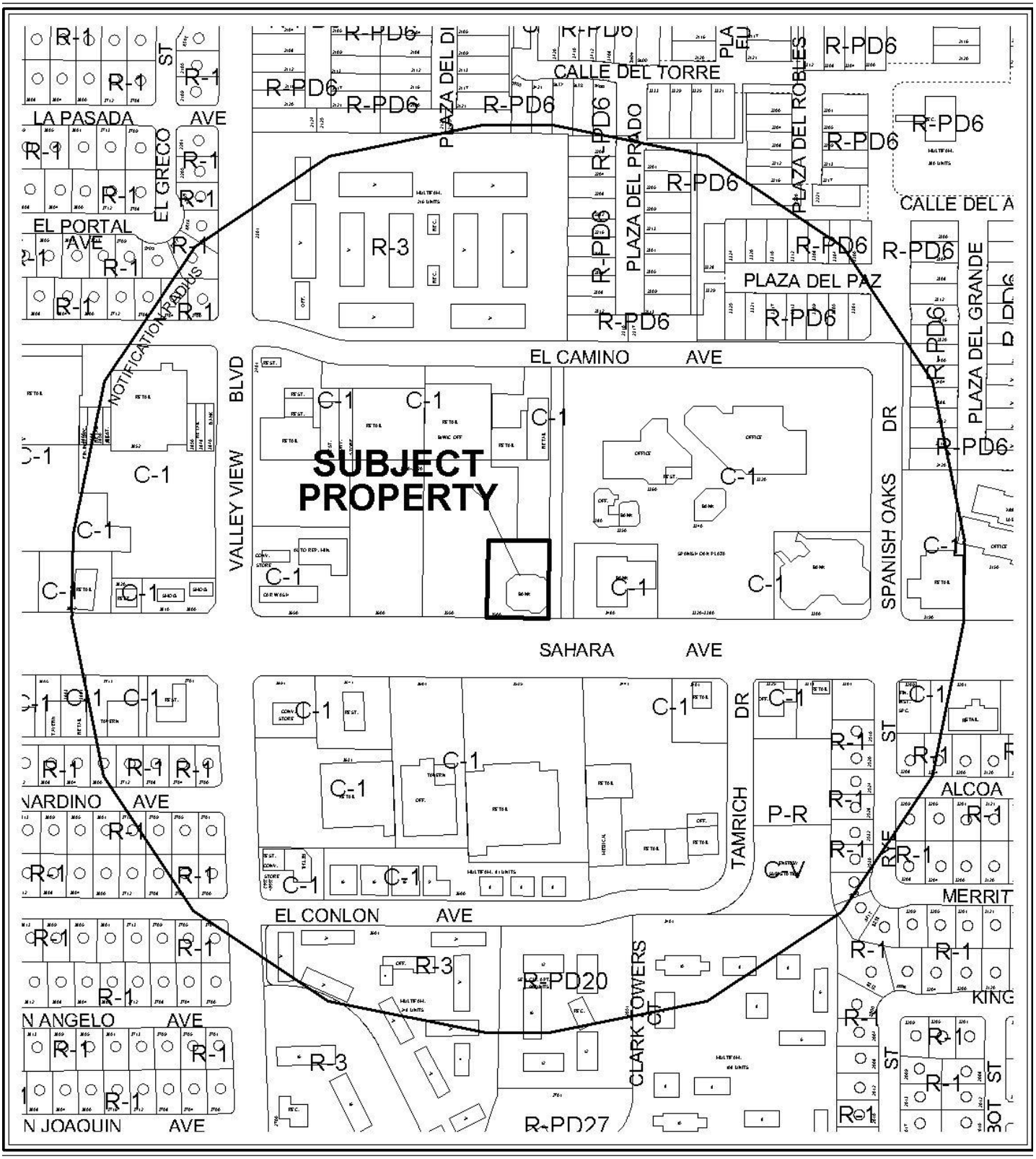
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
SUP-42225 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: I RENT B & E, LLC - For possible action on request for a Special Use Permit FOR A PROPOSED PAWN SHOP USE WITHIN AN EXISTING 6,039 SQUARE-FOOT COMMERCIAL BUILDING WITH WAIVERS TO ALLOW A 657-FOOT DISTANCE SEPARATION FROM A FINANCIAL INSTITUTION, SPECIFIED WHERE 1,000 FEET IS REQUIRED at 3500 West Sahara Avenue (APN 162-05-402-007), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and Staff recommend DENIAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**2**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
The Planning Commission (7-0 vote) and Staff recommend DENIAL.

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 August 9, 2011 Planning Commission Meeting Item – SUP-42225



CASE: **SUP-42225**

RADIUS: 1000 FT

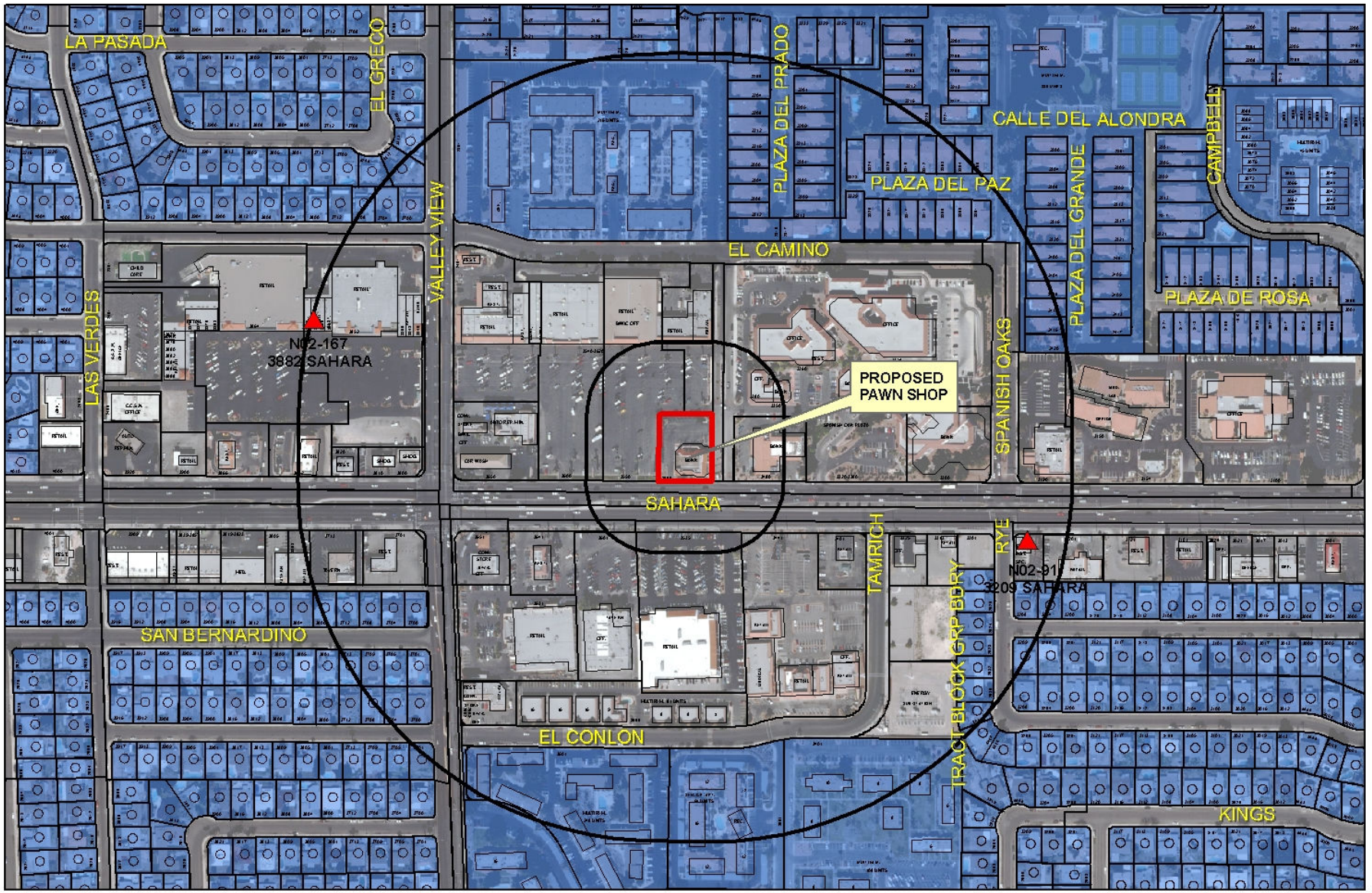
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)



CASE: **SUP-42225**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)



SUP-42225

Pawn Shop

Financial Business Locations

- Financial Institution, Specified
- Pawnshops
- Automobile Title Loan

Subject Property

Residential Property

200ft & 1000ft Buffer

N

0 225 450 900 Feet

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: SEPTEMBER 7, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: I RENT B & E, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-42225	Staff recommends DENIAL, if approved subject to conditions:	N/A

** CONDITIONS **

SUP-42225 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Pawn Shop use.

2. Conformance to the approved conditions for Rezoning (Z-0066-73) and Plot Plan Review (Z-0066-73).

3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

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 Page One
September 7, 2011 - City Council Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit to allow a proposed Pawn Shop use within an existing 6,039 square-foot building located at 3500 West Sahara Avenue. The existing building is currently vacant, but was previously used as a Financial Institution, General (without Drive-Through). Staff recommends denial of the Special Use Permit request, because the proposed use does not conform to the requirements of Title 19.12, and cannot be conducted in a manner that is harmonious and compatible with existing surrounding land uses due to the waiver request. If this request is denied, the proposed use cannot be located on the site, nor can a business license be issued.

ISSUES

- A Pawn Shop use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.
- A request for a Waiver is required to allow a 657-foot distance separation from a Financial Institution, Specified where 1,000 feet is required.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
09/26/73	The Board of City Commissioners approved a request for Rezoning (Z-0066-73) from R-1 (Single Family Residential) and R-3 (Medium Density Residential) to R-PD6 (Residential Planned Development – 6 Units per Acre), R-4 (High Density Residential) and C-1 (Limited Commercial) as part of a larger request of a property generally located between West Oakey Boulevard on the west, and Richfield Boulevard on the east, south of Westwood Village Tract and west of Springhurst Townhouses. The Planning Commission recommended approval.
09/15/76	The Board of City Commissioners approved a request for a Plot Plan Review (Z-0066-73) for Nevada State Bank and Nevada Savings and Loan Association generally located on the north side of Sahara Avenue between Spanish Oaks Drive and Valley View Boulevard. The Planning Commission recommended approval.
08/09/11	The Planning Commission voted (7-0) to recommend DENIAL (PC Agenda Item #32/rg)

Most Recent Change of Ownership	
06/11/10	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
09/22/76	A building permit (#4753) was issued for an Office Building at 3500 West Sahara Avenue. The permit was finalized on 02/24/77.
05/02/86	A building permit (#7052-1) was issued for an addition of an existing office building at 3500 West Sahara Avenue. The permit was finalized on 08/29/86.
08/12/02	A building permit (#02014640) was issued for Tenant Improvement remodel of an existing building at 3500 West Sahara Avenue. The permit was finalized on 10/09/02.
10/15/02	A business license (B03-00153) was issued for a Financial Institution, General (without Drive-Through) at 3500 West Sahara Avenue. The license was marked out of business on 11/09/10.
06/01/11	A business license (F02-92813) was processed for a Finance Company for installment loans at 3500 West Sahara Avenue. The Planning Department denied the review of the business license requiring a Special Use Permit on 06/08/11.

Pre-Application Meeting	
06/14/11	A pre-application meeting was held with the applicant, where elements of submitting a Special Use Permit for a proposed Pawn Shop use were discussed. The topics included: • The proposed use will not require a Variance for parking, since the previous use was Financial Institution, General (without Drive-Through). The parking requirement was one space for each 200 square feet and the proposed Pawn Shop use parking requirement is one space for each 250 square feet of the gross floor area. • After the application was submitted for the Special Use Permit, the applicant was informed that the request for the Special Use Permit would require a waiver of the distance separation from a Financial Institution, Specified.

Neighborhood Meeting	
08/04/11	A neighborhood meeting was held at the Bill and Lillie Heinrich YMCA at 4141 Meadows Lane. There were six persons representing the applicant, one member of city staff and no members of the public in attendance.

Field Check	
06/30/11	A site visit was conducted by staff and it was noted that the subject site is a well maintained commercial property.

Details of Application Request	
Site Area	
Net Acres	0.62

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Vacant	SC (Service Commercial)	C-1 (Limited Commercial)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	General Retail Store	SC (Service Commercial)	C-1 (Limited Commercial)
East	Financial Institution, General (with Drive-Through)	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			
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

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Actual Street Width (Feet)*	*Compliance with Street Section*
Sahara Avenue	Primary Arterial	Master Plan of Streets and Highways	150	Y*

*Per Master Plan of Streets and Highways the street width is 100 feet.

Pursuant to Title 19.08 and 19.12, 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	
Financial Institution, General (without Drive-Through)	-6,039 SF	1/200 SF	31				
Pawn Shop (Proposed)	6,039 SF	1/250 SF	25				
TOTAL SPACES REQUIRED			25		23		Y*
Regular and Handicap Spaces Required			24	1	22	1	Y*

*Per Title 19.18.030 (D), the subject property is a Parking-Impaired Development.

Waivers		
Requirement	***Request***	***Staff Recommendation***
1,000-foot distance separation from a Financial Institution, Specified.	657 feet	Denial

ANALYSIS

A Pawn Shop use is defined per Title 19.18.020, as "a facility (other than a bank, saving and loan or mortgage banking company) used for the business of lending money on the security of pledged goods or for the business of the purchase of tangible personal property on condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time." The building was previously used as a Financial Institution, General (without Drive-Through). The subject site is located within the Airport Overlay District with 200 feet height restrictions. The proposed use will not modify the physical characteristic of the building; therefore, it will not affect the request for a Special Use Permit.

The site plan submitted for this request depicts 23 parking spaces. The previous use had a parking requirement of one space for each 200 square feet of the gross floor area for 31 parking spaces required. However, the proposed Pawn Shop use has a parking requirement of one space for each 250 square feet of the gross floor area for 25 parking spaces required. The proposed use parking requirement is less than the previous use; therefore, a parking Variance is not necessary. The subject property is a Parking-Impaired Development pursuant to Title 19.18.030.

The minimum Special Use Permit requirement is that no Pawn Shop use may be located closer than 1,000 feet from any other pawn shop use or specified financial institution use. The distance separation is measured in a straight line from property line to property line, without regard to intervening obstacles. The nearest Financial Institution, Specified is approximately 657 feet of the subject site; therefore, the applicant is requesting a waiver as part of this request. The proposed use cannot be conducted in a manner that is harmonious and compatible with existing surrounding land uses, as evidenced by the requested waiver; therefore, staff recommends denial.

FINDINGS (SUP-42225)

In order to approve a Special Use Permit application, per Title 19.16.110(L) 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 Pawn Shop use cannot be conducted in a manner that is harmonious and compatible with existing surrounding land uses, as evidenced by the requested waiver of the distance separation requirement of 1,000 feet of a Financial Institution, Specified.

2. **The subject site is physically suitable for the type and intensity of land use proposed.**

   The subject site is not physically suitable for the type and intensity of the proposed use, as is evidenced by the requested waiver.

3. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

   The site is accessed by Sahara Avenue. This street is sufficient to accommodate the needs of the proposed Pawn Shop use.

4. **Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.**

If approved, the proposed use will not compromise the public health, safety, and welfare, as the use will be subject to regular inspections.

5. The use meets all of the applicable conditions per Title 19.12.

Per Title 19.12, the Minimum Special Use Permit Requirements for a Pawn Shop use mandate that the use not be located within 1,000 feet of a Financial Institution, Specified use. Denial of this application is based upon the need for the accompanying waiver of these requirements.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 28

NOTICES MAILED 124 (By City Clerk)

APPROVALS 0

PROTESTS 2

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-42225** APN: 162-05-402-007

Name of Property Owner: I Rent B & E, LLC

Name of Applicant: Bill Drobkin

Name of Representative: Winston Henderson (Winston Henderson Architects)

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: Bill Drobkin

Print Name: Bill Drobkin

Subscribed and sworn before me

This 21 day of June, 2011

R. Irene Charles

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
R. IRENE CHARLES
No: 93-4966-1
My Appointment Expires Nov. 8, 2013

RECEIVED
JUN 21 2011

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) 3500 W. Sahara

Project Name Pioneer Buy & Sell **Proposed Use** Pawn Shop

Assessor's Parcel #(s) 162-05-402-007 **Ward #** 1-Tarkanian

General Plan: existing SC proposed N/C **Zoning:** existing C-1 proposed N/C

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres .63 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER I Rent B & E, LLC **Contact** Bill Drobkin

Address 2040 Edgewood Ave **Phone:** _____ **Fax:** _____

City Las Vegas **State** NV **Zip** _____

E-mail Address bill@pioneerloan.com

APPLICANT Same as above **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

REPRESENTATIVE Winston Henderson Architects **Contact** Winston Henderson

Address 1555 East Flamingo **Phone:** 893-9700 **Fax:** 893-9797

City Las Vegas **State** NV **Zip** 89119

E-mail Address winstonh@whalv.com

Property Owner Signature* Bill Drobkin

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Bill Drobkin

Subscribed and sworn before me

This 21 day of June, 20 11.

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
R. IRENE CHARLES
No: 93-4966-1
My Appointment Expires Nov. 8, 2013

FOR DEPARTMENT USE ONLY

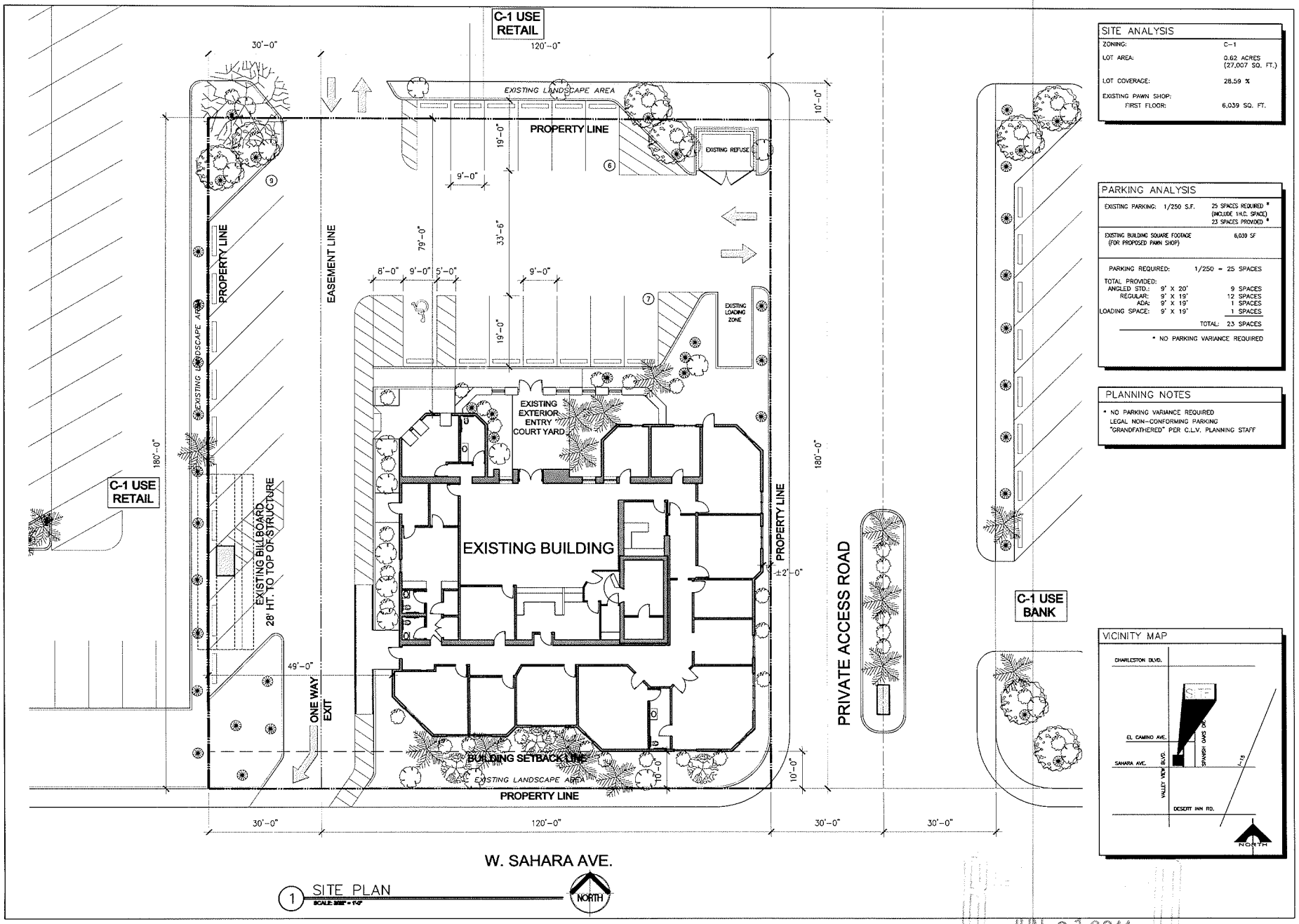
Case #	SUP-42225
Meeting Date:	8-9-11
Total Fee:	1030.00
Date Received:*	6-21-11
Received By:	JFmc

*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.

JUN 21 2011

Revised 10/27/08

f:\depot\Application Packet\Application Form.pdf



1 SITE PLAN
SCALE: 1/16" = 1'-0"

NORTH

SITE ANALYSIS	
ZONING:	C-1
LOT AREA:	0.62 ACRES (27,007 SQ. FT.)
LOT COVERAGE:	28.59 %
EXISTING PAWN SHOP:	
FIRST FLOOR:	6,039 SQ. FT.

PARKING ANALYSIS		
EXISTING PARKING: 1/250 S.F.		25 SPACES REQUIRED * (INCLUDE H.C. SPACE) 23 SPACES PROVIDED
EXISTING BUILDING SQUARE FOOTAGE (FOR PROPOSED PAWN SHOP)		6,039 SF
PARKING REQUIRED:	1/250 = 25 SPACES	
TOTAL PROVIDED:		
ANGLED STD.:	9' X 20'	9 SPACES
REGULAR:	9' X 19'	12 SPACES
ADA:	9' X 19'	1 SPACES
LOADING SPACE:	9' X 19'	1 SPACES
	TOTAL:	23 SPACES

* NO PARKING VARIANCE REQUIRED

PLANNING NOTES

* NO PARKING VARIANCE REQUIRED
LEGAL NON-CONFORMING PARKING
"GRANDFATHERED" PER C.L.V. PLANNING STAFF

VICINITY MAP

WINSTON H. HENDERSON
ARCHITECTS
1555 EAST FLAMINGO ROAD STE. #350, LAS VEGAS, NV 89119
OFFICE (702) 893-9700 FAX (702) 893-9797

DROBKIN PAWN SHOP
TENANT IMPROVEMENT
3500 WEST SAHARA, LAS VEGAS, NEVADA 89102
APN:162054020007

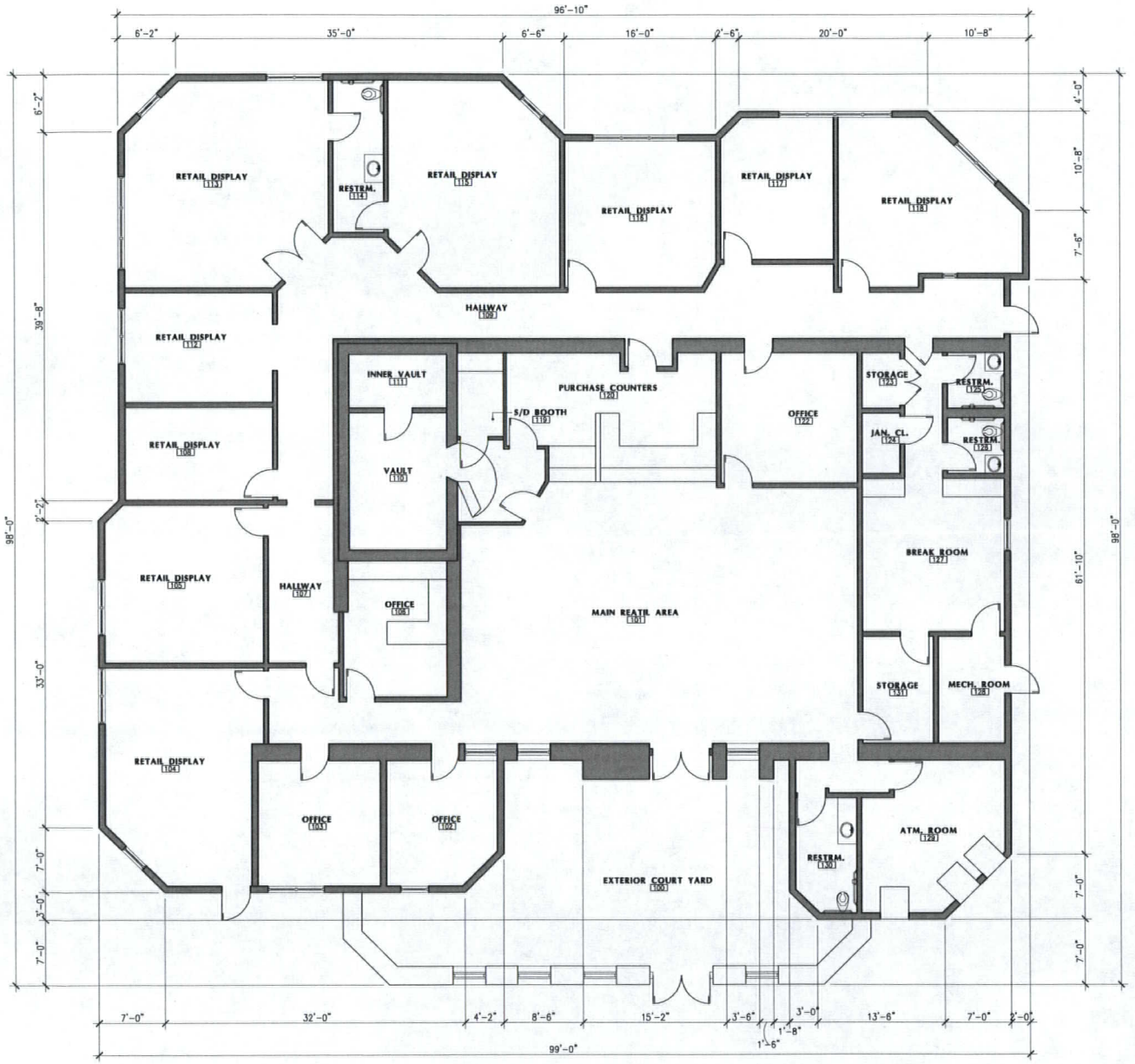
SITE PLAN

Date: 05-17-2011
Job No.: 11230
Designed: WHH
Drawn:
Update:
Checked: WHH

Sheet
AS1.0

JUN 21 2011

SUP-42225



1 EXISTING FLOOR PLAN
SCALE: 3/16" = 1'-0"

NORTH

RECEIVED
JUL 05 2011

SUP-42225
REVISED

WINSTON H. HENDERSON ARCHITECTS
1555 EAST FLAMINGO ROAD STE. #350, LAS VEGAS, NV 89119
OFFICE (702) 893-9700 FAX (702) 893-9797

DROBKIN PAWN SHOP
TENANT IMPROVEMENT
3500 WEST SAHARA, LAS VEGAS, NEVADA 89102
APN:16205402007

EXISTING FLOOR PLAN

Date: 05-17-2011
Job No.: 11230
Designed: WHH
Drawn:
Update:
Checked: WHH

Sheet
A1.0

© 2008 WINSTON HENDERSON ARCHITECTS



SUP-42225 - APPLICANT/OWNER: I RENT B & E, LLC
3500 WEST SAHARA AVENUE

06/30/11



SUP-42225 - APPLICANT/OWNER: I RENT B & E, LLC
3500 WEST SAHARA AVENUE

06/30/11

I RENT B & E, LLC dba:
PIONEER BUY & SELL
3500 W. SAHARA, LAS VEGAS, NEVADA
APN: 163-05-402-9700

JUSTIFICTION LETTER

This request is for the approval of a Special Use Permit for the designation & operation of a "Loan Center & Pawn Shop" in a C-1 Zone area as allowed under City of Las Vegas Title 19 / UDC 19.12.010 in an existing building formally operated as a Bank under the use of "Financial Institution w/o a Drive Thru", also per UDC 19.12.010. The building will also contain a secondary business of the same nature.

We are requesting a waiver to allow distance separation of approximately 657 feet from a Financial Institution specified where 1000 Feet is required.

Per City of Las Vegas Planning Staff, the existing legal Non-Conforming parking designation shall remain in place.

The pawn shop proposes to upgrade the exterior appearance of the building with new paint, signage and non-structural fascia repairs. The existing landscape and parking lot will remain unchanged.

W Henderson

Winston Henderson
Representative

RECEIVED
JUL 11 2011

SUP-42225
REVISED

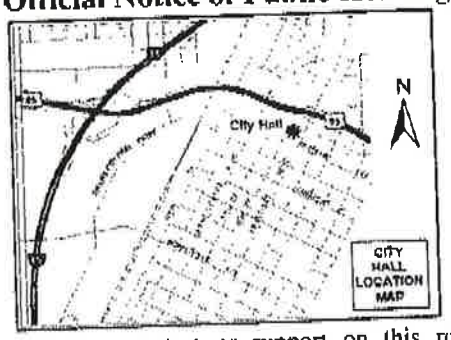
NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

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
0004279218
$ 00.41⁴
JUL 28 2011
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



8/8/11

ATTENTION
COUNCILWOMAN Lois TARKANIAN

Please vote AGAINST this & ANY other PAWN STORE IN our Ward.

Thank you, Elizabeth Foyt

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-42225
Planning Commission Meeting of 8/9/2011

Case: SUP-42225

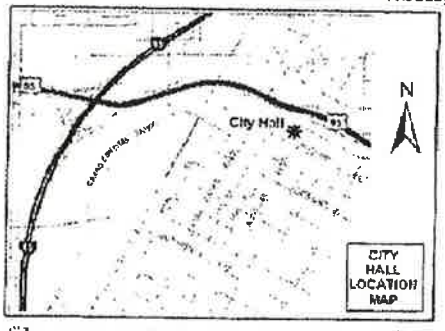
16205412006
FOYT ELIZABETH ANN
[redacted] PRADO DR
LAS VEGAS NV 89102-3914 89102-3914

RECEIVED
AUG - 9 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

32P

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



RECEIVED
AUG - 8 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

f you wish to file your protest or support on this request, check the ppropriate box below and return this card in an envelope with postage to the)epartment of Planning, Case Planning Division at the address listed above or ix this side of this card to (702) 385-7268. If you would like to contact your 'ouncil Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

'lease use available blank space on card for your comments.

UP-42225

'lanning Commission Meeting of 8/9/2011

16205412016 Case: SUP-42225
HANSELMAN THOMAS M & MICHELLE T
1345 THUNDERBIRD RD
HESPERUS CO 81326-8754 81326-8754

2 PRINT 81326

32P

City of Las Vegas Agenda Item No.: **86.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

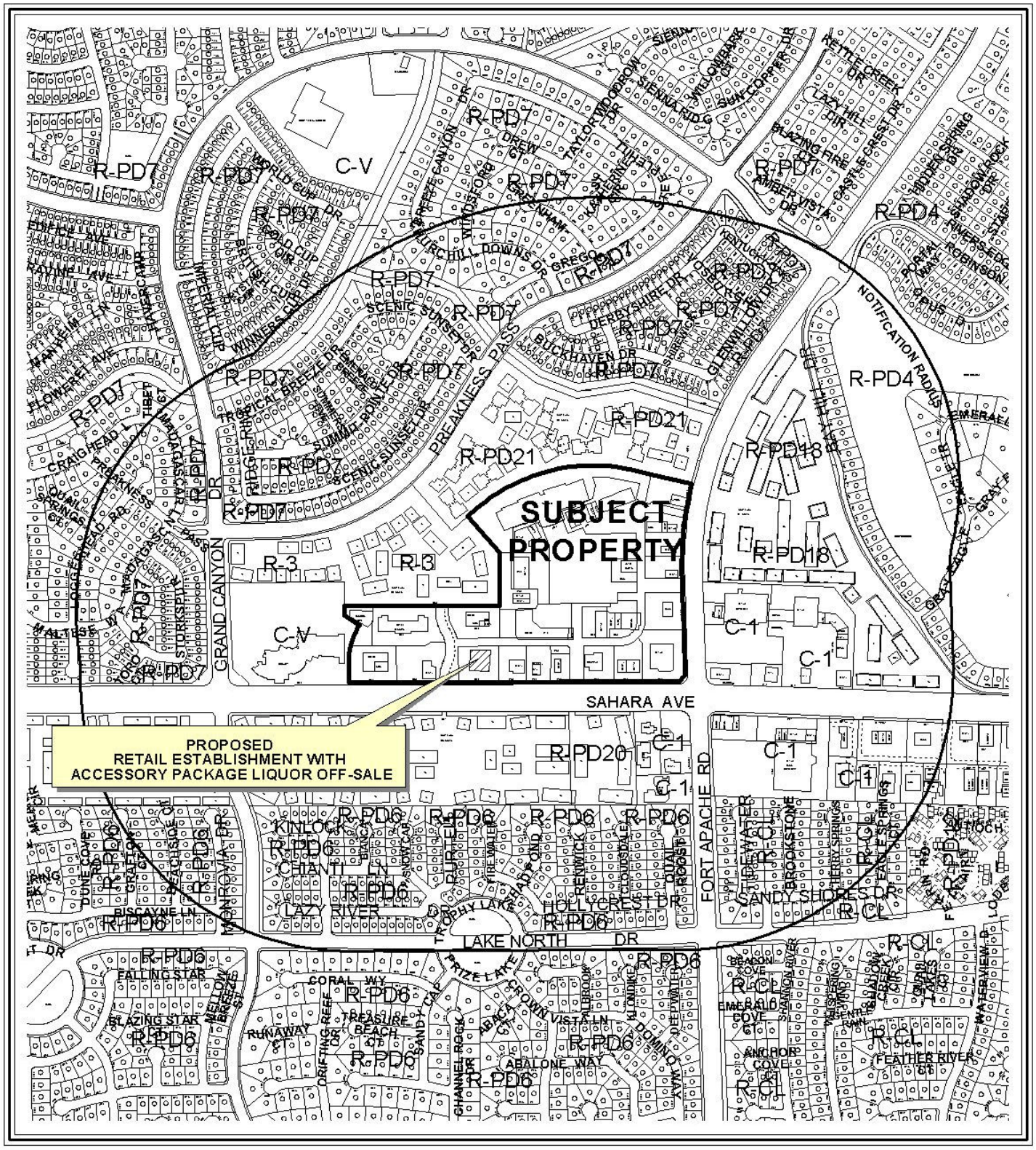
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
SUP-42252 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: DOG BITES BACK, LLC - OWNER: WINNER PROPERTIES, LLC - For possible action on a request for a Special Use Permit FOR A 98 SQUARE-FOOT RETAIL ESTABLISHMENT WITH ACCESSORY PACKAGE LIQUOR OFF-SALE USE WITH A WAIVER TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A RELIGIOUS FACILITY WHERE 400 FEET IS REQUIRED at 9500 West Sahara Avenue (APN 163-06-816-015), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**17**	**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, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo
5. Justification Letter
6. Backup referenced from the August 9, 2011 Planning Commission Meeting Item – SUP-42252



CASE: **SUP-42252**

RADIUS: 1500 FT

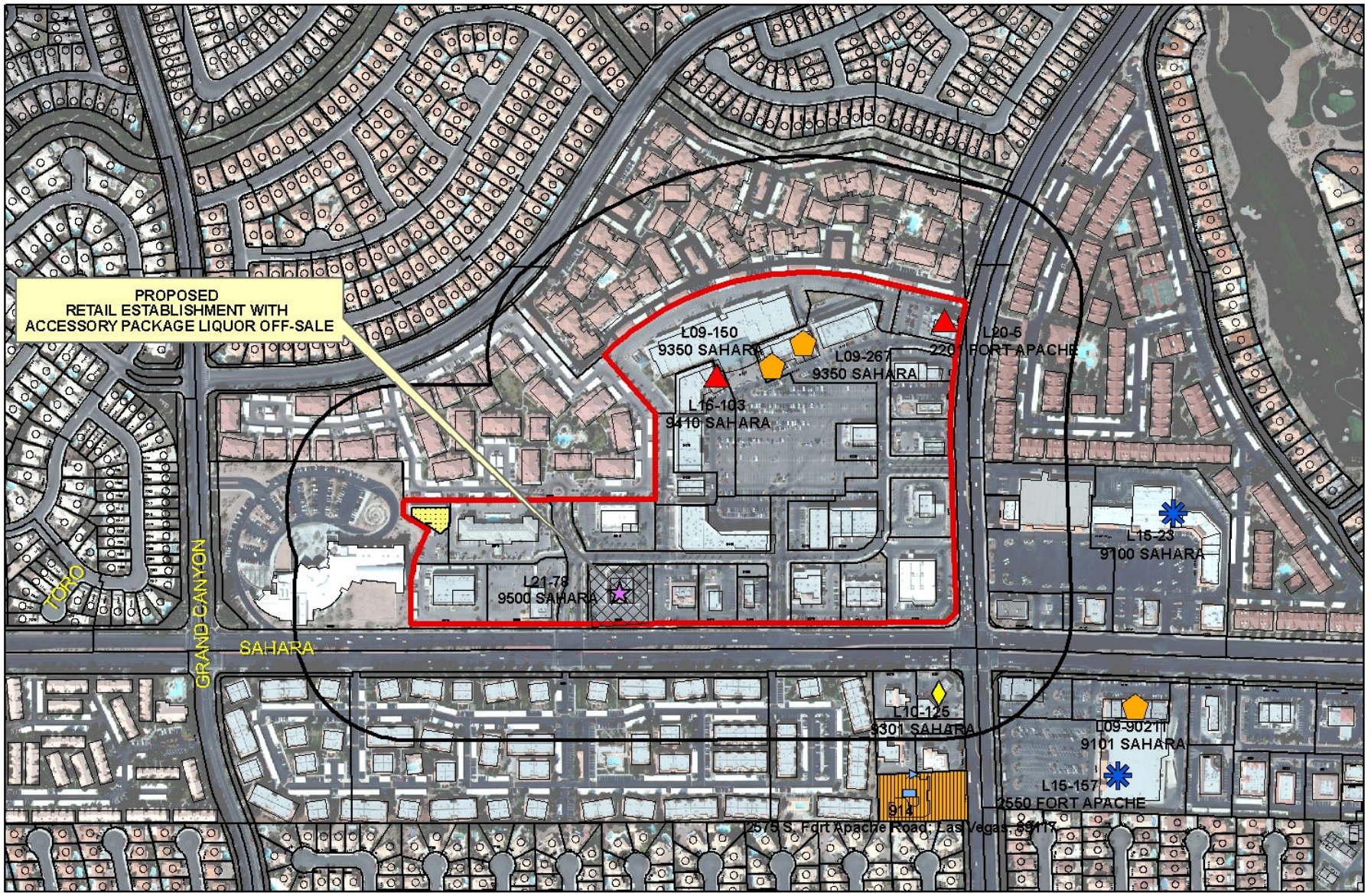
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)



CASE: **SUP-42252**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)



SUP-42252

Package Liquor Sales

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: SEPTEMBER 7, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: DOG BITES BACK, LLC - OWNER: WINNER PROPERTIES, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-42252	Staff recommends DENIAL, if approved subject to conditions:	N/A

** CONDITIONS **

SUP-42252 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Retail Establishment with Accessory Package Liquor Off-Sale use.

2. Conformance to the approved conditions for Variance (VAR-37295), Special Use Permit (SUP-36961) and Site Development Plan Review (SDR-36962).

3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas

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. Approval of this Special Use Permit does not constitute approval of a liquor license.

6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

7. All beer and wine coolers shall remain in the original manufacturer's configuration intended for resale.

8. 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 98 square-foot Retail Establishment with Accessory Package Liquor Off-Sale use, in conjunction with an existing 1,428 square-foot Deli located at 9500 West Sahara Avenue. The proposed use does not comply with all Title 19.12 requirements and cannot be conducted in a manner that is harmonious and compatible with the existing surrounding development and land uses; therefore, staff recommends denial of this Special Use Permit. If this application is denied, the proposed Retail Establishment with Accessory Package Liquor Off-Sale use cannot be conducted at this location, nor can a business license be issued.

ISSUES

- A Retail Establishment with Accessory Package Liquor Off-Sale use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.
- A Waiver is required to allow no distance separation from a religious facility where 400 feet is the minimum distance requirement.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
12/22/80	The City Council approved a request for Annexation (A-0018-80) of a parcel of land generally bounded by Sahara Avenue on the south, Hualapai Way on the west, Ducharme Avenue on the north and Durango Drive on the east, containing approximately 2,246 acres of land. Planning Commission and staff recommended approval.
02/15/89	The City Council approved a Rezoning (Z-0139-88) application for the reclassification of property from N-U (Non Urban) under Resolution of Intent to R-PD4 (Residential Planned Development - 4 Units Per Acre), P-R (Professional Office and Parking), C-1 (Limited Commercial), and C-V (Civic), to R-PD7 (Residential Planned Development- 7 Units Per Acre), R-3 (Medium Density Residence), and C-1 (Limited Commercial) for property generally located on the west side of Fort Apache Road, between Sahara Avenue and Charleston Boulevard. The Planning Commission and staff recommended approval.

07/14/97	The City Council approved a request for a Special Use Permit (U-0049-97) for a proposed Tavern in conjunction with restaurant on property located on the north side of Sahara Avenue, west of Fort Apache Road. Planning Commission and staff recommended approval.
	The City Council approved a request for a Special Use Permit (U-0050-97) for a proposed Tavern with a Waiver of the 1,500-foot distance separation requirement from an existing and proposed tavern on property located on the north side of Sahara Avenue, west of Fort Apache Road. Planning Commission and staff recommended approval.
10/27/97	The City Council approved a request for a Site Development Plan Review [Z-0139-88(19)] for a proposed 8,400 square-foot one story retail building located at 9310 West Sahara Avenue. The Planning Commission recommended approval of the request.
11/24/97	The City Council approved a request for a Site Development Plan Review [Z-0139-88(21)] for a proposed 16,708 square-foot one story drugstore with drive-through located on the northwest corner of Sahara Avenue and Fort Apache Road. The Planning Commission recommended approval of the request.
01/26/98	The City Council approved a request for a Special Use Permit (U-0128-97) for the sale of Packaged Liquor in conjunction with a proposed 16,708 square-foot drugstore on property located on the northwest corner of Sahara Avenue and Fort Apache Road. Planning Commission recommended approval.
03/23/98	The City Council approved a request for a Site Development Plan Review [Z-0139-88(23)] for a proposed 4,716 square-foot restaurant located on the north side of Sahara Avenue, west of Fort Apache Road. The Planning Commission recommended approval of the request.
04/27/98	The City Council approved a request for a Special Use Permit (U-0146-97) for a proposed three-story, non-gaming residence hotel, consisting of seventy-three one-bedroom units on property located on the north side of Sahara Avenue, west of Fort Apache Road. Planning Commission recommended approval.
	The City Council approved a request for a Special Use Permit (U-0020-98) for a Restaurant Service Bar in conjunction with a proposed 3,784 square-foot restaurant located at 9350 West Sahara Avenue. Planning Commission recommended approval.
05/11/98	The City Council approved a request for a Special Use Permit (U-0031-98) for the On-Premise sale of Beer and Wine in conjunction with a proposed restaurant located at 9350 West Sahara Avenue. Planning Commission recommended approval.

06/08/98	The City Council approved a request for a Special Use Permit (U-0038-98) for a proposed Supper Club in conjunction with a proposed 6,648 square-foot restaurant on property located on the north side of Sahara Avenue, west of Fort Apache Road. Planning Commission recommended approval.
	The City Council approved a request for a Site Development Plan Review [Z-0139-88(24)] for a proposed 27,418 square-foot two-story retail and office building and a 33,207 square-foot two-story retail and office building located on the north side of Sahara Avenue, west of Fort Apache Road. The Planning Commission recommended approval of the request.
09/29/98	The City Council approved a request for a Special Use Permit (U-0080-98) for the On-Premise sale of Beer and Wine in conjunction with a proposed 2,160 square-foot restaurant located on the northwest corner of Fort Apache Road and Sahara Avenue. Planning Commission recommended approval.
	The City Council approved a request for a Site Development Plan Review [Z-0139-88(27)] for a proposed 4,212 square-foot commercial retail building located on the northwest corner of Sahara Avenue and Fort Apache Road. The Planning Commission recommended approval of the request.
10/12/98	The City Council approved a request for a Special Use Permit (U-0090-98) for a proposed Supper Club in conjunction with a proposed 6,990 square-foot restaurant on property located on the north side of Sahara Avenue approximately 1,400 feet west of Fort Apache Road.
10/16/98	The City Council approved a request for a Site Development Plan Review [Z-0139-88(29)] for a proposed 3,190 square-foot restaurant located on the north side of Sahara Avenue, west of Fort Apache Road. The Planning Commission recommended approval of the request.
11/09/98	The City Council approved a request for a Special Use Permit (U-0115-98) for a proposed Supper Club in conjunction with a proposed 8,802 square-foot restaurant on property located on the north side of Sahara Avenue, west of Fort Apache Road.
07/12/06	The City Council approved a Variance (VAR-12102) to allow 2,404 parking spaces where 2,440 is the minimum number of spaces required in conjunction with the addition of a 1,200 square-foot restaurant within the existing shopping center. The Planning Commission recommended approval and staff recommended denial.
01/22/10	The Planning and Development Department administratively approved a Minor Amendment (SUP-37062) to a previously approved Special Use Permit (U-0038-98) to allow alcohol service into an additional 617 square-feet of existing outdoor seating at an existing 6,648 square foot Supper Club at 9500 West Sahara Avenue.

04/07/10	The City Council approved a request for a Variance (VAR-37295) to allow no additional parking spaces where 36 additional spaces are required on 36.8 acres at the northwest corner of Fort Apache Road and Sahara Avenue. The Planning Commission recommended approval and staff recommended denial.
	The City Council approved a request for a Major Amendment to an approved Special Use Permit (U-0038-98) to add 2,820 square feet of building area and outside seating area to an existing 7,265 square-foot Supper Club at 9500 West Sahara Avenue. The Planning Commission recommended approval and staff recommended denial.
	The City Council approved a request for a Major Amendment to a previously approved Rezoning and Plot Plan Review (Z-0139-88) for a proposed 2,036 square-foot addition to an existing 6,648 square-foot commercial building at 9500 West Sahara Avenue. The Planning Commission recommended approval and staff recommended denial.
08/09/11	The Planning Commission voted (7-0) to recommend APPROVAL (PC Agenda Item #33/jg)

Most Recent Change of Ownership	
12/07/09	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
07/15/98	A building permit (#98014454) was issued for a new restaurant Certificate of Occupancy at 9500 West Sahara Avenue. The building permit was finalized on 02/02/99.
	A building permit (#98014455) was issued for on-site improvements and hardscapes at 9500 West Sahara Avenue. The building permit was expired on 04/01/00.
09/02/98	A building permit (#98017819) was issued for on-site fire and water at 9500 West Sahara Avenue. The building permit was expired on 04/01/00.
11/09/98	A building permit (#98022139) was issued for patio addition for a restaurant at 9500 West Sahara Avenue. The building permit was expired on 04/05/99.
11/18/98	A building permit (#98022669) was issued for a sign at 9500 West Sahara Avenue. The building permit was finalized on 02/02/99.
12/17/98	A business license (#L21-00012) was issued for a Supper Club at 9500 West Sahara Avenue. The license was marked out on 12/08/09.
09/02/99	A building permit (#99017403) was issued for two illuminated wall signs at 9500 West Sahara Avenue. The building permit was finalized on 09/16/99.
11/13/09	A building permit (#151159) was issued for an illuminated wall sign at 9500 West Sahara Avenue. The building permit has not been finalized.
12/08/09	A business license (#R09-00907) was issued for a Restaurant seating 45 people or more at 9500 West Sahara Avenue. The license is still active.
03/09/10	A building permit (#158131) was issued for a Tenant Improvement at 9500 West Sahara Avenue. The building permit was finalized on 05/24/10.

06/30/10	A business license (#L21-00078) was issued for a Supper Club at 9500 West Sahara Avenue. The license is still active.
03/01/11	A building permit (#180059) was issued for a Patio Cover at 9500 West Sahara Avenue. The building permit was finalized on 04/28/11.
03/21/11	A business license (#R10-00133) was issued for a Food Caterer at 9500 West Sahara Avenue. The license is still active.

Pre-Application Meeting	
06/14/11	A pre-application meeting was held where submittal requirements for a Special Use Permit were discussed.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
06/30/11	Staff conducted a field check and noted a Shopping Center that is well maintained.

Details of Application Request	
Site Area	
Net Acres	36.8

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Apartments	M (Medium Density Residential)	R-PD21 (Residential Planned Development – 21 Units Per Acre), R-3 (Medium Density Residential)
South	Bank, Apartments	SC (Service Commercial)	C-1 (Limited Commercial)
		M (Medium Density Residential)	R-PD20 (Residential Planned Development – 20 Units Per Acre)

East	Commercial Shopping Center	M (Medium Density Residential)	R-PD18 (Residential Planned Development – 18 Units Per Acre)
		SC (Service Commercial)	C-1 (Limited Commercial)
West	Library, Church, Apartments	PF (Public Facilities)	C-V (Civic)
		SC (Service Commercial)	C-1 (Limited Commercial)
		M (Medium Density Residential)	R-3 (Medium Density Residential)

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		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***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Sahara Avenue	Primary Arterial	Master Plan of Streets and Highways	150	Y*
Fort Apache Road	Primary Arterial	Master Plan of Streets and Highways	100	Y

*Per the Master Plan of Streets and Highways, Sahara Avenue is listed as a 100-foot Primary arterial.

Pursuant to Title 19.08 and 19.12, 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	
Shopping Center	425,720 S.F.	1/250 S.F.	1,703				
TOTAL SPACES REQUIRED			1,703		2,112		Y
Regular and Handicap Spaces Required			1,667	36	2,032	80	Y

Waivers		
Requirement	***Request***	***Staff Recommendation***
400-foot distance separation from a religious facility.	To allow no distance separation from a religious facility.	Denial

ANALYSIS

A Retail Establishment with Accessory Package Liquor Off-Sale use is defined by Title 19.20.020 as "a retail establishment:

(1) Whose license to sell alcoholic beverages authorizes their sale to consumers only and not for resale, in original sealed or corked containers, for consumption off the premises where the same are sold; and
(2) In which the sale of alcoholic beverages is ancillary to the retail use, and in which no more than ten percent of the retail floor space is regularly devoted to the display or merchandising of alcoholic beverages.

The term includes an establishment that provides on-premises wine, cordial and liqueur tasting if the licensee also holds a wine, cordial and liqueur tasting license for that location."

A Waiver is required and has been requested to allow no distance separation from a religious facility where 400 feet is the minimum distance requirement. The subject site is located within the Peccole Ranch Master Plan Area and the proposed use will not have a negative impact to the master plan. Staff is recommending denial of this application because the proposed use cannot be conducted in a manner this is compatible with the surrounding land uses, as is evidenced by the requested Waiver of the minimum distance separation. The applicant has not provided sufficient evidence that would warrant the granting of the Waiver to allow no distance separation from a religious facility.

FINDINGS (SUP-42252)

In order to approve a Special Use Permit application, per Title 19.16.110(L) 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 on the existing site and with the commercial uses on adjacent properties, due to the Waiver to allow no distance separation from a religious facility.

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. There is no additional parking requirement for a Retail Establishment with Accessory Package Liquor Off-Sale use other than that which is required for the principal use.

3. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

   The site is accessed by Sahara Avenue and Fort Apache Road. These streets are of sufficient size to accommodate the needs of the proposed Retail Establishment with Accessory Package Liquor Off-Sale 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 for business licensing.

5. **The use meets all of the applicable conditions per Title 19.12.**

   The proposed use does not meet all Minimum Special Use Permit Requirements pursuant to Title 19.12. A Waiver is required to allow no distance separation from a religious facility where 400 feet is the minimum distance requirement.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

NOTICES MAILED 1,466 (By City Clerk)

APPROVALS 1

PROTESTS 17

JG

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-42252 APN: 163-06-816-015

Name of Property Owner: Winner Properties L L C

Name of Applicant: Dog Bites Back, LLC

Name of Representative: Antonio Accornero

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☒ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: ANTONIO ACCORNERO

Subscribed and sworn before me

This 17th day of May, 2011

_____

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
JACQUELINE M. RODRIGUEZ
My Appointment Expires
January 13, 2014
No: 10-1244-1

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JUN 23 2011

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Retail with accessory package liquor off sale

Project Address (Location) 9500 W. Sahara Avenue

Project Name Siena Deli and Restaurant **Proposed Use** Package Liquor

Assessor's Parcel #(s) 163-06-816-015 **Ward #** 2

General Plan: existing _____ proposed _____ **Zoning:** existing C-1 proposed C-1

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres 1.06 **Lots/Units** _____ **Density** _____

Additional Information WAIVER FROM RELIGIOUS INSTITUTION LOCATED ON PARCEL 163-06-810-024

PROPERTY OWNER Winner Properties L L C **Contact** JOY BUSTAMANTE

Address 9601 ORIENT EXPRESS CT **Phone:** 213-760-9379 **Fax:** _____

City LAS VEGAS **State** NV **Zip** 89145

E-mail Address joy@winnerpropertiesllc.com

APPLICANT Dog Bites Back, LLC **Contact** Antonio Accornero

Address 9500 W. Sahara Avenue **Phone:** (702) 360-3358 **Fax:** (702) 360-3355

City Las Vegas **State** NV **Zip** 89117

E-mail Address cpipgaa@aol.com

REPRESENTATIVE Law office of Jay Brown **Contact** Lora Dreja

Address 520 S. Fourth Street **Phone:** (702) 384-5563 **Fax:** (702) 385-1023

City Las Vegas **State** NV **Zip** 89101

E-mail Address lora@brownlawlv.com

Property Owner Signature* _____

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name ANTONIO ACCORNERO

Subscribed and sworn before me

This 17th day of May, 20 11.

_____

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
JACQUELINE M. RODRIGUEZ
My Appointment Expires
January 13, 2014
No: 10-1244-1

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SUP-42252
Meeting Date:	8/9/11 PC
Total Fee:	$1280
Date Received:*	6/23/11
Received By:	

RECEIVED
JUN 23 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

USE PERMIT RETAIL ESTABLISHMENT WITH ACCESSORY OFFSALE PACKAGE LIQUOR

MASTERPLAN PARKING DATA

APN NO. 163-06-810-015

PROPERTY SIZE: 1.06 ACRES (46,174 SQUARE FEET)

EXISTING FLOOR AREA: 6,648 SF + 1,108 (PATIO) = 7,755 SF
F.A.R. (FLOOR AREA RATIO): 7,755 S.F./ 46,174 S.F. = 0.17%

PROPOSED FLOOR AREA: 608 SF (DINING) + 1,428 (DELI) + 293 SF (PATIO) = 2,329 SF
COMBINED/TOTAL F.A.R. 7,756 + 2,329; 46,174 SF = 21%

DENSITY: N/A

PARKING ANALYSIS (TITLE 19 ZONING CODE, SECTION 19.04)
One space for each 50 S.F. of public seating and waiting area, including outdoor areas for seating and waiting, plus one space for each 200 s.f. of the total remaining gross floor area, with a minimum of 10 spaces required

REQUIRED PARKING (ALL SPACES ARE 9'-0" X 19'-0")

NEW WEST DINING: 608 SF (/50 = 13 SPACES)
NEW EAST DELI 1428 SF (/200 = 6 SPACES)
NEW PATIO: 293 SF (/50 = 6 SPACES)

TOTAL PARKING REQUIRED FOR NEW ADDITION: 27 SPACES

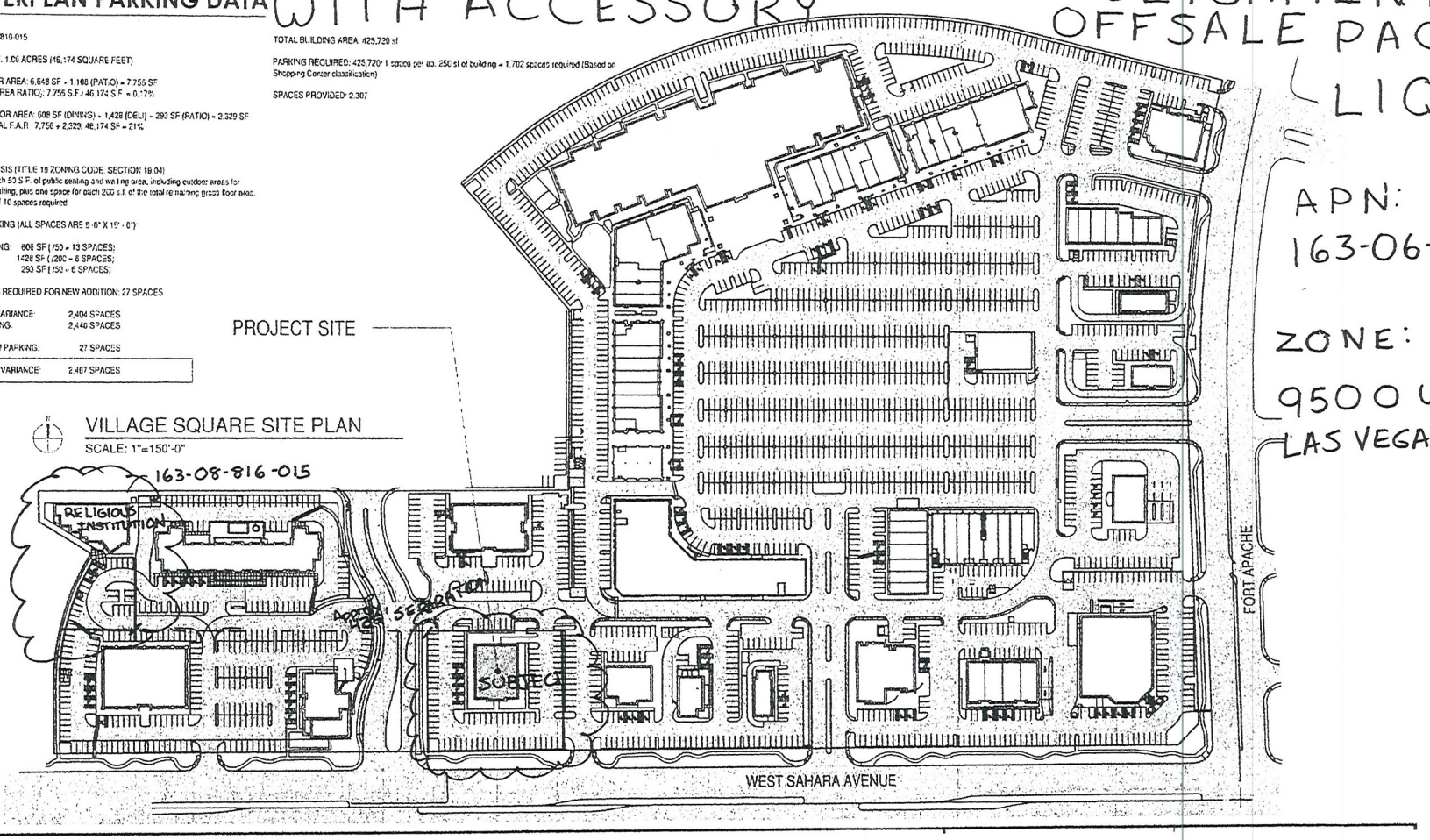
EXISTING 2005 VARIANCE:	2,404 SPACES
EXISTING PARKING:	2,440 SPACES
PROPOSED NEW PARKING:	27 SPACES
REQUIRED NEW VARIANCE:	2,467 SPACES

TOTAL BUILDING AREA: 425,720 sf

PARKING REQUIRED: 425,720 / 1 space per ea. 250 sf of building = 1,702 spaces required (Based on Shopping Center classification)

SPACES PROVIDED: 2,307

PROJECT SITE



VILLAGE SQUARE SITE PLAN
SCALE: 1"=150'-0"

APN:
163-06-816-015

ZONE: C-1

9500 W. SAHARA
LAS VEGAS, NV, 89117

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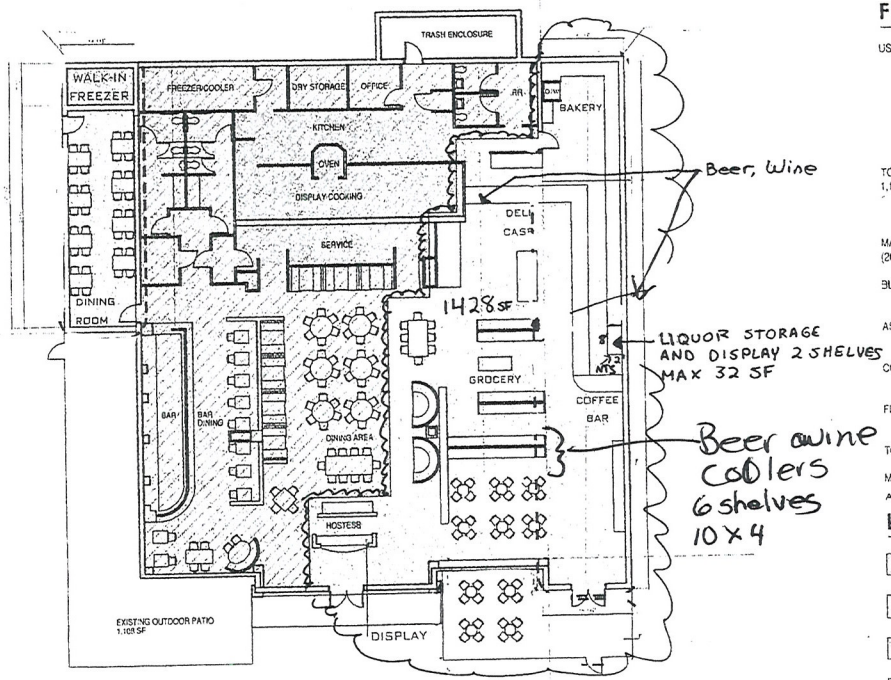
JUN 23 2011
SUP-42252



FLOOR PLAN
SCALE: 1/16"=1'-0"

FLOOR PLAN DATA

USE AND OCCUPANCY CLASSIFICATION PER 2006 IBC SECTION 302
GROUP A-2: ASSEMBLY USES INTENDED FOR FOOD AND/OR DRINK CONSUMPTION INCLUDING BUT NOT LIMITED TO:
BANQUET HALLS
NIGHT CLUBS
RESTAURANTS
TAVERNS AND BARS

TOTAL SQUARE FOOTAGE OF EXISTING AND PROPOSED = 6,548 + 1,108 (EXISTING PATIO) + 608 (NEW DINING) + 1,428 DELI + 293 PATIO = 10,085 SF

MAXIMUM ALLOWABLE FLOOR AREA ALLOWANCES PER OCCUPANT (2006 IBC - TABLE 1004.1.1)

BUSINESS AREAS (100 GSF Floor Area Per Occupant)
4261 GSF/ 100 = 43 OCCUPANTS

ASSEMBLY WITHOUT FIXED SEATS (15 Net SF - Unconcentrated
2189 NSF/ 15 = 146 OCCUPANTS

COMMERCIAL KITCHEN (200 GSF Floor Area Per Occupant)
1071 GSF/ 200 = 6 OCCUPANTS

FIXED BOOTH (PER SECTION 1004.7 - 1 Occupant per 24")
1032" TOTAL SEAT LENGTH/ 24" = 43 OCCUPANTS

TOTAL OCCUPANTS: 238

MAXIMUM DINING CAPACITY: 189 OCCUPANTS
ACTUAL DINING: 183 OCCUPANTS

LEGEND

- BUSINESS AREAS
- ASSEMBLY AREAS (WITHOUT FIXED SEATS)
- COMMERCIAL KITCHEN
- FIXED BOOTH

USE PERMIT FOR RETAIL ESTABLISHMENT WITH ACCESSORY PACKAGE LIQUOR OFF-SALE
SIENNA DELI AND RESTAURANT
9500 W. SAHARA AVE.
PARCEL: 163-06-816-015

RECEIVED
JUN 23 2011
SUP-42252



SUP-42252 – APPLICANT: DOG BITES BACK, LLC - OWNER: WINNER PROPERTIES, LLC
9500 WEST SAHARA AVENUE

06/30/11

LAW OFFICE

Brown, Brown & Premsrirut

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS

JAY H. BROWN
DAVID T. BROWN
PUOY K. PREMSRIRUT

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6520

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
EMAIL: jbrown@brownlawlv.com

June 22, 2011

City of Las Vegas Planning and Zoning
333 North Rancho Drive
Las Vegas, Nevada 89106

RE: Special Use Permit for Retail establishment with Accessory Off-sale packaged liquor, beer and wine.

Dear Sir/Madam;

Please consider this request to allow off-sale packaged liquor, and beer and wine from the existing Sienna Deli and Restaurant business. Currently a single building located at 9500 West Sahara Avenue operates as a supperclub and a 1428 SF ethnic specialty merchandise store.

The ethnic market sells deli and bakery items as well as dry goods. The applicant wishes to offer Italian wines, beers and liquors within the retail store for consumption off premises. The beer and wine will be located on the shelves facing the breakfast tables within the deli. The total area on this shelf devoted to beer and wine is 10'wide X 4'deep X 6 shelves high. Up to six square feet will be within the deli coolers for items that need a chilled storage environment. With reference to Liquor, up to 32 SF is of shelf space is proposed. The liquor shelving is located behind the bakery such that it is accessible only to employees.

The subject building is located on a parcel within the Village Square commercial subdivision. Technically, 27 parcels are located on one property within this commercial subdivision. As a result a waiver of distance separation is required from the nearest religious institution. While there is approximately 435 feet between the parcel boundary of the subject lot and the parcel line of the religious institution, the two uses are technically on the same property. A library is located approximately 600 feet to the west of the property. As such, this use meets the minimum distance separation required by Title 19.

Very truly yours,

Lora Dreja
Land Entitlements
Law Offices of Jay Brown
(702) 598-1408

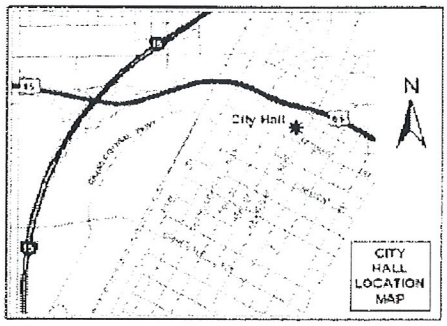
RECEIVED
JUN 23 2011
SUP-42252

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.

SUP-42252

Planning Commission Meeting of 8/9/2011

Case: SUP-42252

16306411032
BOSWELL D KENT & ANN R FAMILY TR
BOSWELL D KENT & ANN R TRS
2105 MADAGASCAR LN
LAS VEGAS NV 89117-5926 89117-5926

RECEIVED

AUG - 1 2011

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epartment of Planning
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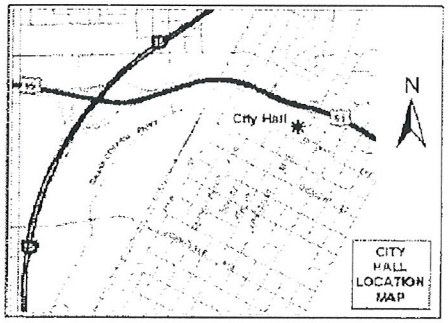
33 North Rancho Drive, 3rd Floor
as Vegas, Nevada 89106

Return Service Requested
Official Notice of Public Hearing



* Plenty of other similer uses in the immediate area.
unjust to these bysinesses to allow a waiver of the separation requirement

you wish to file your protest or support on this request, check the ppropriate box below and return this card in an envelope with postage to the epartment of Planning, Case Planning Division at the address listed above or ix this side of this card to (702) 385-7268. If you would like to contact your ouncil Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

lease use available blank space on card for your comments.

UP-42252
lanning Commission Meeting of 8/9/2011

Case: SUP-42252
16307501005
EMERY FAMILY LIVING TRUST 1980
EMERY WALTER A & SHEROLYN JO TRS
%SPEEDEE MART INC
1188 WIGWAM PKWY
HENDERSON NV 89074-8154 89074-8154

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AUG - 1 2011

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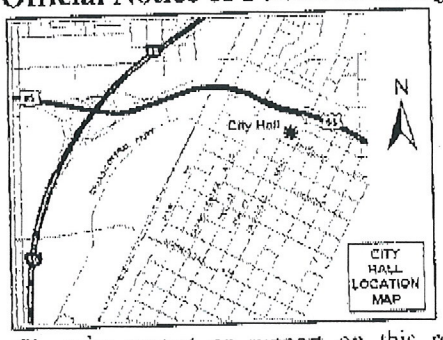
City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 JUL 26 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-42252

Planning Commission Meeting of 8/9/2011

Case: SUP-42252

16308113008
RADEF NANCY
2701 EAGLE SPRINGS CT
LAS VEGAS NV 89117-2411 89117-2411

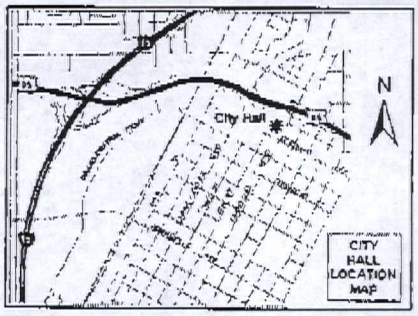
RECEIVED

AUG - 1 2011

338

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-42252

Planning Commission Meeting of 8/9/2011

RECEIVED
AUG - 1 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SUP-42252

16305415171
THOMPSON JANA P
328 S BUFFALO DR #102
LAS VEGAS NV 89145-4990

RECEIVED
AUG - 1 2011

33P

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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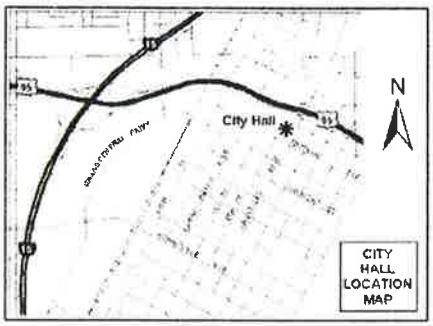
Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-42252
Planning Commission Meeting of 8/9/2011

Case: SUP-42252
16308113003
MERCIER LINDA A REVOCABLE TRUST
MERCIER MARY L REVOCABLE TRUST
3208 BEACON SHORES CIR
LAS VEGAS NV 89117-0125 89117-0125

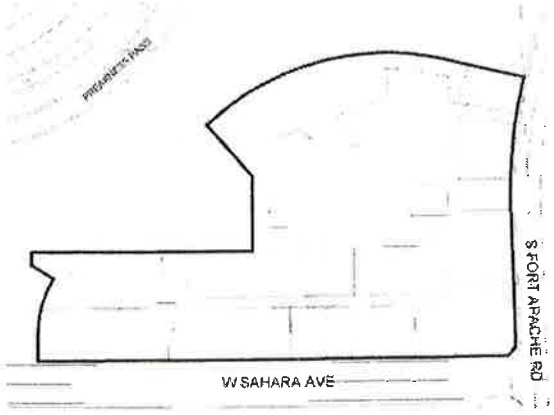
18 FRDFN11 89117

Application Information

SUP-42252 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: DOG BITES BACK, LLC - OWNER: WINNER PROPERTIES, LLC - For possible action on a request for a Special Use Permit FOR A 98 SQUARE-FOOT RETAIL ESTABLISHMENT WITH ACCESSORY PACKAGE LIQUOR OFF-SALE USE WITH A WAIVER TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A RELIGIOUS FACILITY WHERE 400 FEET IS REQUIRED at 9500 West Sahara Avenue (APN 163-06-816-015), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson).

No.
1. There are too many of these stores already.
2. We have requirements for commercial property for a reason.
3. Variences should be limited.

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	*August 09, 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 Cit 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 repor please call (702) 229-6301 (TDD 386-9108) or go to http://www.lasvegasnevada.gov.

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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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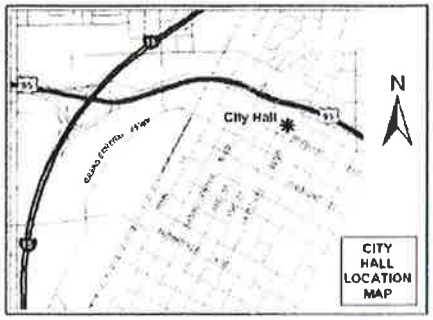

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☐ I SUPPORT this Request ☒ I OPPOSE this Request Strongly

Please use available blank space on card for your comments.

SUP-42252

Planning Commission Meeting of 8/9/2011

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case SUP-42252
16305311014
REISCH DAVID & STACEY REV LIV TR
REISCH DAVID M & STACEY H TRS
1804 GLENWILLOW DR
LAS VEGAS NV 89117-5342 89117-5342

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-42252

Planning Commission Meeting of 8/9/2011

Case SUP-42252
16306711018
MILLS JANETE
BENOWITZ HARVEY SHELDON
1824 WINNERS CUP DR
LAS VEGAS NV 89117-0822 89117-0822

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-42252

Planning Commission Meeting of 8/9/2011

Case SUP-42252
16307112037
RAMUNDO FAMILY REVOCABLE LIV TR
RAMUNDO FRANK & JOSEPHINE TRS
2733 MONROVIA DR
LAS VEGAS NV 89117-0507 89117-0507

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epartment of Planning
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33 North Rancho Drive, 3rd Floor
as Vegas, Nevada 89106

Return Service Requested
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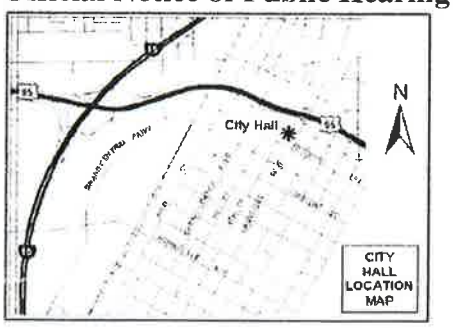

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-42252

Planning Commission Meeting of 8/9/2011

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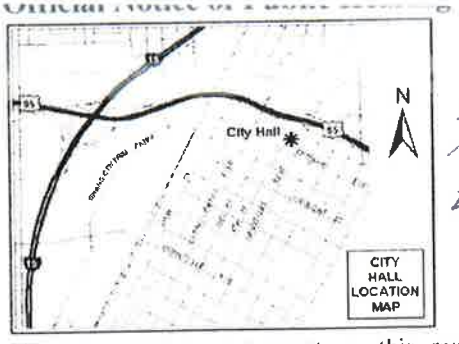
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SUP-42252

16306411019
IANNONE LOUIS G
STOIKA SANDRA
2108 LOGGERHEAD RD
LAS VEGAS NV 89117-5958 89117-5958

18 FRDFN11 89117



WHAT CAN BE DONE IN 98 SQUARE FEET? STORAGE, DISPLAY, SALES WOULD REQUIRE MORE SPACE. SOUNDS LIKE SOMETHING ELSE IS PLANNED.

D White

you wish to file your protest or support on this request, check the ppropriate box below and return this card in an envelope with postage to the epartment of Planning, Case Planning Division at the address listed above or ax this side of this card to (702) 385-7268. If you would like to contact your ouncil 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-42252

Planning Commission Meeting of 8/9/2011

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

16307112056
WHITE DONALD R & ESPERANZA T
2740 MONROVIA DR
LAS VEGAS NV 89117-0509 89117-0509

18 FRDFN11 89117

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Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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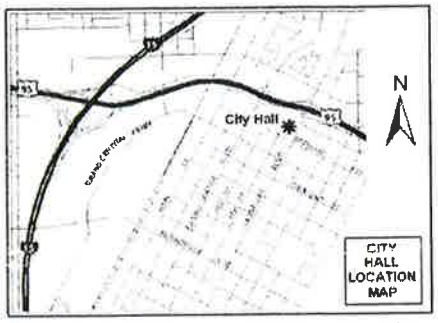

Bad idea!

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-42252

Planning Commission Meeting of 8/9/2011

☒ oppose

Case: SUP-42252
16306313017
GOODWIN JOANNE L
LYTEL LAURIE R
9713 CRAIGHEAD LN
LAS VEGAS NV 89117-5929 89117-5929

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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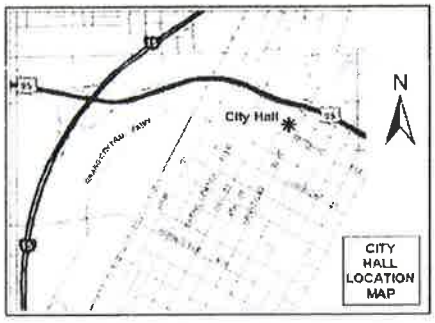

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☐ I SUPPORT this Request ☑ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-42252

Planning Commission Meeting of 8/9/2011

Case: SUP-42252
16305311006
CALIBOSO MARIA LUISA M
1700 GLENWILLOW DR
LAS VEGAS NV 89117-5300 89117-5300

Thank you.

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18 FRDFN11 89117

City of Las Vegas
Department of Planning
Development Services Center
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Las Vegas, Nevada 89106

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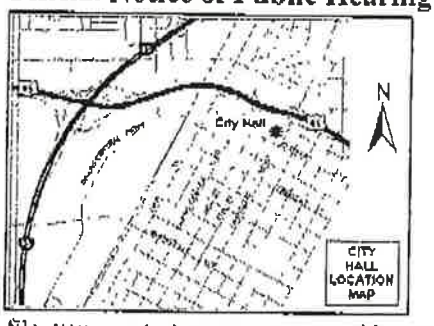

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-42252

Planning Commission Meeting of 8/9/2011

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AUG - 2 2011

Case: SUP-42252

16305415171
THOMPSON JANA P
328 S BUFFALO DR #102
LAS VEGAS NV 89145-4990

(702) 384-1397-NA

33P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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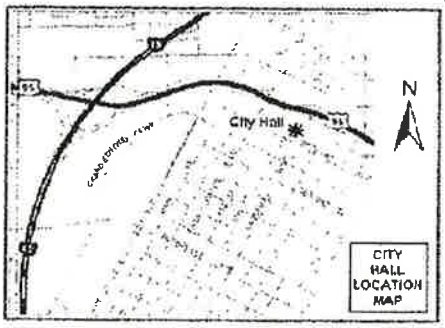

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SUP-42252

Planning Commission Meeting of 8/9/2011

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PLANNING & DEVELOPMENT

Case: SUP-42252
16307513036
FARMER MARK A & MARGARITA E
2740 QUAIL ROOST WY
LAS VEGAS NV 89117-0418 89117-0418

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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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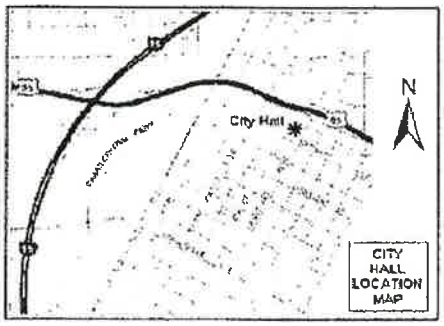

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SUP-42252

Planning Commission Meeting of 8/9/2011

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AUG - 4 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SUP-42252
16307513019
BANUELOS MARGARITO
FARMER MARGARITA E
2725 QUAIL ROOST WY
LAS VEGAS NV 89117-0419 89117-0419

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Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-42252
Planning Commission Meeting of 8/9/2011

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SUP-42252
16306614061
SIMONS CHARLTON D & KAREN L
1613 ST KATHERINE CIR
LAS VEGAS NV 89117-7215 89117-7215

18 FRDFN11 89117

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P.1/1
To:3857268
AUG-03-2011 13:56 From:

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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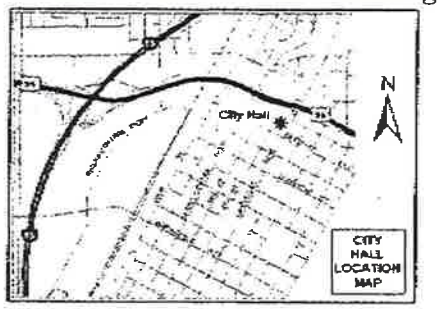

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SUP-42252

Planning Commission Meeting of 8/9/2011

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Case: SUP-42252

16306614072
TROMBLEY GAYA T
9416 GREENHAM CIR
LAS VEGAS NV 89117-7200 89117-7200

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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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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-42252

Planning Commission Meeting of 8/9/2011

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SUP-42252
16308111004
BERGER ALAN
RESCA LISA
2721 BROOKSTONE CT
LAS VEGAS NV 89117-2443 89117-2443

08/03/2011 00:03 17028380294

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City of Las Vegas Agenda Item No.: **87.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

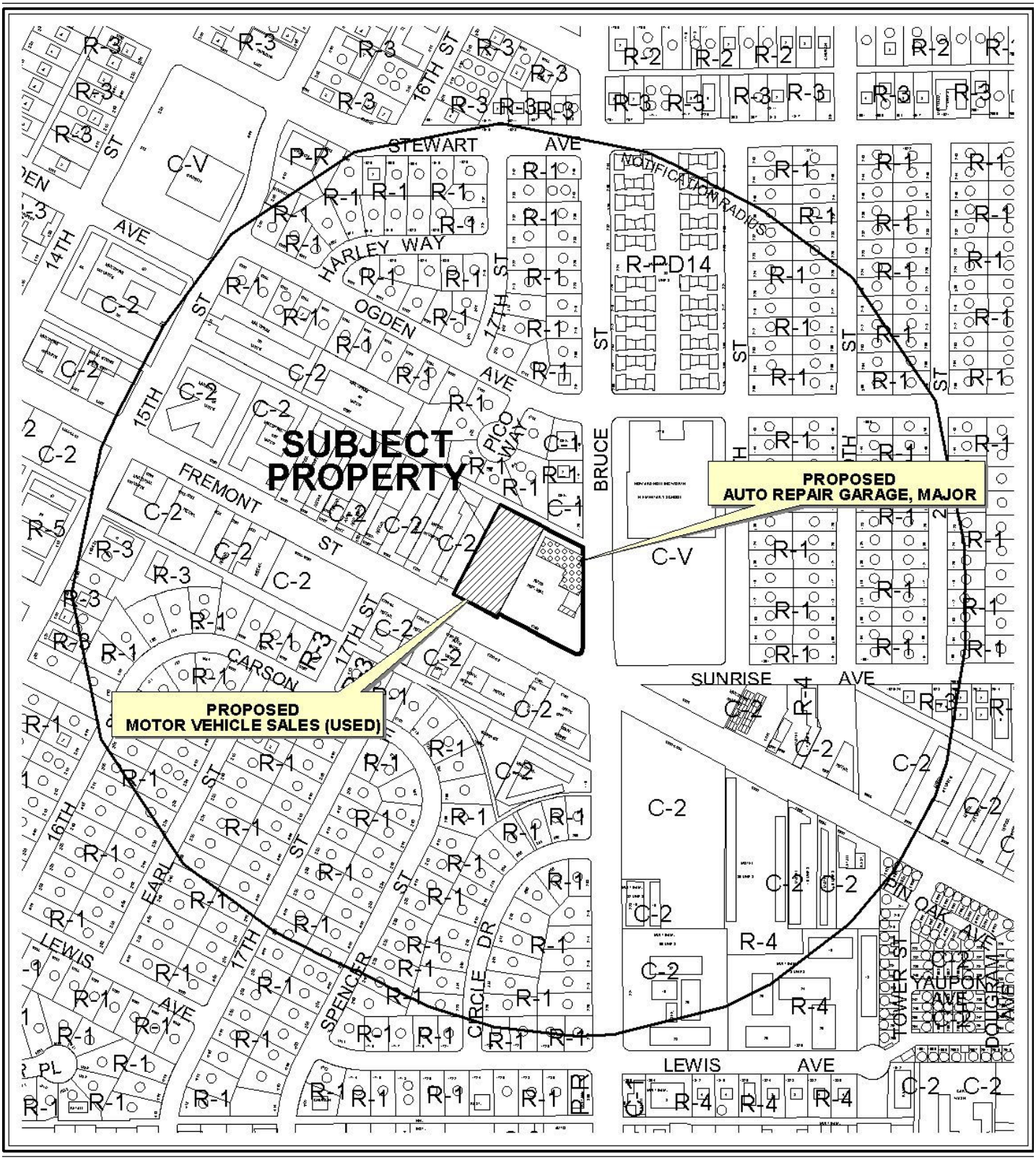
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
SUP-42262 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: BEL AIR RG, LLC, ET AL - For possible action on a request for a Special Use Permit FOR A PROPOSED 15,263 SQUARE-FOOT MOTOR VEHICLE SALES (USED) USE at 1715 Fremont Street and 1735 Fremont Street (APNs 139-35-315-006 and 007), C-2 (General Commercial) Zone, Ward 3 (Coffin). Staff recommends DENIAL. The Planning Commission (4-2-1 vote) recommends APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**5**	**Planning Commission Mtg.**	**2**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (4-2-1 vote) recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps - SUP-42262 and SUP-42264
2. Conditions and Staff Report - SUP-42262 and SUP-42264
3. Supporting Documentation
4. Photos - SUP-42262 and SUP-42264
5. Justification Letter - SUP-42262 and SUP-42264
6. Backup referenced from the August 9, 2011 Planning Commission Meeting Items – SUP-42262 and SUP-42264



0 300 600 Feet

CASE: **SUP-42262 AND SUP-42264**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N



0 300 600 Feet

CASE: **SUP-42262 AND SUP-42264**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: SEPTEMBER 7, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: BEL AIR RG, LLC, ET AL

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-42262	Staff recommends DENIAL, if approved subject to conditions:	SUP-42264
SUP-42264	Staff recommends DENIAL, if approved subject to conditions:	N/A

** CONDITIONS **

SUP-42262 CONDITIONS

Planning

1. There shall be no elevated display of vehicles on the site.

2. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Motor Vehicle Sales (Used) use.

3. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-42264) 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 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

5. All development shall be in conformance with the landscape plan date stamped 06/28/11, except as amended by conditions herein.

6. 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 prior to the issuance of a business license.

7. All necessary building permits shall be obtained for all unpermitted existing signage within 60 days of final approval, or the signage shall be removed.

8. All razor wire and barbed wire shall be removed within 60 days of final approval.

9. All abandoned signage, signage encroaching into the public rights-of-way, and graffiti shall be removed from the subject sites within 60 days of final approval.

10. Pursuant to Title 19.12.130, a Test Driving Route Plan shall be submitted for approval to the City of Las Vegas Department of Planning prior to the issuance of a business license.

11. 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.

12. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

13. Submit an Encroachment Agreement for landscaping, if any, in the public right-of-way prior to this issuance of a permit for this wall. The applicant must carry an insurance policy for the term of the encroachment agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove property encroaching in the public right-of-way at the applicant's expense pursuant to the terms of the City's encroachment agreement. The installation and maintenance of all private improvements 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.

14. No temporary signs such as banners, pennants, inflatable objects, streamers, flags, or other similar attention gaining item or devices shall be displayed upon the subject property or a vehicle displayed for sale in the parking lot of the subject property without the appropriate permits.

15. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-42264 CONDITIONS

Planning

1. Hours of operation shall be from 7 am to 6 pm.

2. There shall be no elevated display of vehicles on the site.

3. Conformance to all Minimum Requirements under LVMC Title 19.12 for an Auto Repair Garage, Major use.

4. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-42262) shall be required.

5. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

6. 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 prior to the issuance of a business license.

7. The 12 parking spaces dedicated to the storage of disable vehicles shall be screened from Fremont Street to the south and from the alley to the north.

8. All necessary building permits shall be obtained for all unpermitted existing signage within 60 days of final approval, or the signage shall be removed.

9. All razor wire and barbed wire shall be removed within 60 days of final approval.

10. All abandoned signage, signage encroaching into the public rights-of-way, and graffiti shall be removed from the subject sites within 60 days of final approval.

11. 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.

12. Submit an Encroachment Agreement for landscaping, if any, in the public right-of-way prior to this issuance of a permit for this wall. The applicant must carry an insurance policy for the term of the encroachment agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove property encroaching in the public right-of-way at the applicant's expense pursuant to the terms of the City's encroachment agreement. The installation and maintenance of all private improvements 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.

13. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

14. 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 approval of Special Use Permits for a proposed 15,263 square-foot Motor Vehicle Sales (Used) use and for a proposed 7,572 square-foot Auto Repair Garage, Major use within existing commercial buildings located at 1715 Fremont Street and 1735 Fremont Street. The subject property also contains an existing 1,500 square-foot Auto Repair Garage, Minor at 1735 Fremont Street, Suite #170. The proposed uses are not compatible with each other, or with the existing and approved use, and will negatively impact the surrounding land uses; therefore, staff recommends denial of this request. If these applications are denied, the proposed Motor Vehicle Sales (Used) use and Auto Repair Garage, Major use cannot be conducted at this location, nor can a business license be issued.

ISSUES

- A Motor Vehicle Sales (Used) use is permitted in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.
- An Auto Repair Garage, Major use is permitted in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.
- A Waiver is required to allow the service bays to face public rights-of-way for approval of a Special Use Permit for an Auto Repair Garage, Major use.
- A Waiver is required to allow vehicles to be parked on the premises for the purposes of offering the vehicles for sale where such is not permitted for an Auto Repair Garage, Major use. Approval of this waiver does not permit Motor Vehicles Sales as an ancillary use to the proposed or existing Auto Repair Garage uses.
- 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.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
11/18/82	The Board of Zoning Adjustment approved a request for a Variance (V-0035-82) to allow an automobile repair garage, an auto body shop and a machine shop with more than 2 employees in an existing auto parts store located at 1715 Fremont Street. The Department of Planning staff recommended approval.

11/21/02	The Planning Commission denied a request for a Special Use Permit (SUP-1101) for a Towing Service, with no storage at 1731 Fremont Street. The Department of Planning staff recommended approval.
12/16/10	The Planning Commission accepted the applicant's request to withdraw without prejudice an application for a Special Use Permit (SUP-39886) for an Auto Repair Garage, Major use at 1715 and 1735 Fremont Street.
06/14/11	An application for a Special use Permit (SUP-41024) for an Auto Repair Garage, Major use at 1715 Fremont Street was withdrawn at the applicant's request.
08/09/11	The Planning Commission voted (4-2-1/vq,tm/ts) to recommend APPROVAL (PC Agenda Items # 35 & 36/jg)

Most Recent Change of Ownership	
07/30/07	A deed was recorded for a change in ownership for Assessor's Parcel Numbers (139-35-315-006 and 007)

Related Building Permits/Business Licenses	
C.1947	The commercial building at 1715 Fremont Street was constructed.
C.1963	The commercial building at 1735 Fremont Street was constructed.
12/13/90	A business license (G03-01591) was issued for an Auto Repair Garage, Major at 1731 Fremont Street. The license was marked out of business on 05/04/08.
10/06/93	A building permit (93203892) was issued for fire restoration at 1715 Fremont Street. The permit was finaled on 02/22/94.
05/31/02	A business license (A16-01238) was issued for Auto Sales at 1717 Fremont Street. The license was marked out of business on 06/21/10.
05/26/04	A business license (C41-00072) was issued for a Construction Cleanup Service at 1717 Fremont Street. The license was marked out of business on 04/03/08.
11/29/05	A business license (G02-00740) was issued for an Auto Repair Garage, Minor at 1717 Fremont Street. The license was marked out of business on 03/24/08.
12/08/05	A business license (E03-00471) was issued for a Delivery Service at 1717 Fremont Street. The license was marked out of business on 09/20/10.
11/06/06	A business license (C41-00129) was issued for a Construction Cleanup Service at 1717 Fremont Street. The license was marked out of business on 12/01/09.
10/02/07	A business license (A16-01283) was issued for an Auto Sales at 1715 Fremont Street. The license was marked out of business on 10/06/09.
08/16/07	A business license (G03-01591) was issued for an Auto Repair Garage, Major at 1717 Fremont Street. The license was marked out of business on 02/13/09.
05/07/09	A business license (R05-00634) was issued for a Take-out Restaurant at 1717 Fremont Street. The license was marked out of business on 01/27/10.

05/07/10	A business license (G03-94209) for Body Repair was denied at 1715 Fremont Street, Suite 100. A Special Use Permit is required.
08/04/10	A building permit (169153) was issued for a 1,500 square-foot Non-work Certificate of Occupancy at 1735 Fremont Street, Suite #170. The permit was finaled on 08/13/11.
08/20/10	A business license (G02-00937) was issued for an Auto Repair Garage, Minor at 1735 Fremont Street, Suite #170. The license is presently active.

Pre-Application Meeting	
06/14/11	A pre-application meeting was held with the applicant where the submittal requirements for a Special Use Permit were discussed. Topics included: • A Waiver is required to allow service bays to face the right-of-way. • A Waiver is required to allow that vehicles may be parked on the premises for the purpose of offering the vehicle for sale in conjunction with an Auto Repair Garage, Major use.

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

Field Check	
06/30/11	During a site visit, staff noted two parcels with one tenant for an Auto Repair Garage, Minor. Chain link fencing, razor wire, broken glass, broken windows and graffiti were present on property. Various signs from businesses no longer in operation, and multiple vehicle display units were present and the parking lot was not striped.

Details of Application Request	
Site Area	
Net Acres	1.84

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Retail and Auto Repair, Minor	C (Commercial)	C-2 (General Commercial)
North	Vacant	MXU (Mixed Use)	C-1 (Limited Commercial)
	Single Family Residential	MXU (Mixed Use)	R-1 (Single Family Residential)

South	General Retail	MXU (Mixed Use)	C-2 (General Commercial)
East	Elementary School	PF (Public Facility)	C-V (Civic)
West	Motel	C (Commercial)	C-2 (General Commercial)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area			
Downtown Centennial Plan (East Village)	X		N
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
Downtown Centennial Plan Overlay District	X		N
Live/Work Overlay District	X		N
Trails		X	N/A
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

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Fremont Street	Primary Arterial	Master Plan of Streets and Highways	100	Y
Bruce Street	Secondary Collector	Master Plan of Streets and Highways	80	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	
Motor Vehicle Sales (Used) (Proposed)	15,263 S.F.	1/500 SF	31				
Auto Repair Garage, Major (Proposed)	7,572 S.F.	5 spaces, plus 1/200 SF	43				

Office (Proposed)	2,219 SF	1/200 SF	11				
Auto Repair Garage, Minor (Existing)	1,537 S.F.	5 spaces, plus 1/200 SF	13				
TOTAL SPACES REQUIRED			98		45		N
Regular and Handicap Spaces Required			94	4	42	3	N
Vehicle Storage					12	N/A	N/A
Parking for display vehicles					20	N/A	N/A

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.

Waivers		
Requirement	***Request***	***Staff Recommendation***
Opening in service bays shall not face public rights-of-way.	Opening in service bays face public rights-of-way.	Approval
No vehicle may be parked on the premises for the purpose of offering the vehicle for sale.	To allow vehicles to be parked on the premises for the purpose of offering the vehicle for sale in conjunction with an Auto Repair Garage, Major use	Denial

ANALYSIS

The uses proposed by the applicant are both intense uses that require vehicular display and/or storage in addition to the parking required for customers and staff. Although sites located in the Downtown Centennial Plan area do not have the parking requirements of Title 19 automatically applied, the subject site is substantially deficient in parking, providing only 45 spaces where 98 would normally be required. These parking spaces are independent of the spaces provided for display of vehicles for sale, as well as storage of vehicles to be repaired. In addition, the approval of the Special Use Permit for Motor Vehicle Sales (Used) use would circumvent Minimum Special Use Permit Requirement #7 of the Auto Repair Garage, Major use, which prohibits the display and sale of vehicles at a site used for an Auto Repair Garage, Major use. Staff does not support the requested waiver. If approved, it should be noted that this waiver does not permit Motor Vehicle Sales as an ancillary use to the Auto Repair Garage, but merely allows the display of vehicles for sale on the same property.

A second waiver request to allow service bays to face the public right-of-way can be supported as the buildings already exist.

The applicant is proposing to add landscaping consisting of 24-inch box trees and five-gallon shrubs along Fremont Street and to the interior of the subject site. The landscape plan depicts additional 24-inch box trees along Bruce Street and along a portion of the alley. The proposed landscaping does not meet the requirements of Title 19, but will substantially improve a site that is fully developed. Staff supports the addition of the landscape.

The subject site is located in the Downtown Centennial Plan (East Village), Live/Work Overlay District and the Las Vegas Redevelopment Plan Area. The proposed uses are permitted at the site, but the combination of the proposed and existing uses is too intense and would have a negative impact on the surrounding area. Therefore, staff recommends denial of both requests.

FINDINGS (SUP-42262)

In order to approve a Special Use Permit application, per Title 19.16.110(L) 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 land use cannot be conducted in a manner that is harmonious and compatible with the existing and surrounding land uses, as the proposed Motor Vehicle Sales (Used) use would circumvent a Minimum Special Use Permit Requirement of the Auto Repair Garage, Major use, which prohibits the display and sale of vehicles at a site used for an Auto Repair Garage, Major use.

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 individually, but is not suitable for the combination of existing and proposed uses.

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 Fremont Street and Bruce Street. These streets are of sufficient size to accommodate the needs of the proposed Motor Vehicle Sales (Used) 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 development is subject to permit review and inspection; therefore, appropriate measures will be taken to protect the health, safety and general welfare.

5. **The use meets all of the applicable conditions per Title 19.12.**

   The proposed use meets all of the applicable conditions per Title 19.12; however, the request would allow vehicle sales in conjunction with an Auto Repair Garage, Major use, which is a companion Special Use Permit application (SUP-42264). This would circumvent a Minimum Special Use Permit Requirement of that use that prohibits the display and sale of vehicles at an Auto Repair Garage, Major site.

FINDINGS (SUP-42264)

In order to approve a Special Use Permit application, per Title 19.16.110(L) 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 Auto Repair Garage, Major use cannot be conducted in a manner that is harmonious and compatible with the existing surrounding commercial and residential uses, as evidenced by the requested Waivers.

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 individually, but is not suitable for the combination of existing and proposed uses.

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 Fremont Street and Bruce Street. These streets are of sufficient size to accommodate the needs of the proposed Auto Repair Garage, Major 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 development is subject to permit review and inspection; therefore, appropriate measures will be taken to protect the health, safety and general welfare.

5. **The use meets all of the applicable conditions per Title 19.12.**

   The proposed use does not meet all Minimum Special Use Permit Requirements pursuant to Title 19.12. Waivers are required to allow service bays to face the right-of-way and to allow vehicles to be parked on the premises for selling purposes where such in not allowed at 1715 Fremont Street and 1735 Fremont Street.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 43

NOTICES MAILED 398 (By City Clerk)

APPROVALS 2

PROTESTS 5

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-42262** APN: 139-35-315-006, 007

Name of Property Owner: RAY GOLBARI

Name of Applicant: Bel AIR RG, LLC

Name of Representative: Brown, Brown & Premsrirut, contact: Lora Dresia

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: RAY GOLBARI

Subscribed and sworn before me

This 20th day of June, 2011

_____

Notary Public in and for said County and State California.

RECEIVED
JUN 23 2011
City of Las Vegas

CLAUDIA E. VELASQUEZ
COMM. # 1862571
NOTARY PUBLIC - CALIFORNIA
LOS ANGELES COUNTY
COMM. EXPIRES AUG. 30, 2013

PLANNING & DEVELOPMENT
CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Use Permit -Motor Vehicle Sales (used)

Project Address (Location) NWC Fremont Street at Bruce

Project Name 1715 Fremont Street **Proposed Use**

Assessor's Parcel #(s) 139-35-315-006,007 **Ward #** 3

General Plan: existing Cent proposed **Zoning:** existing C-2 proposed C-2

Commercial Square Footage 11,745 **Floor Area Ratio**

Gross Acres **Lots/Units** **Density**

Additional Information concurrent application for auto repair major 1715 Fremont Street

PROPERTY OWNER Bel Air RG, LLC **Contact** Ray Golbari

Address 1300 W Olympic Blvd #500 **Phone:** (213) 927-2700 **Fax:** (213) 927-5200

City Los Angeles **State** CA **Zip** 90015

APPLICANT Bel Aire RG LLC **Contact** Ray Golbari

Address 1300 W Olympic Blvd #500 **Phone:** (213) 927-2700 **Fax:** (213) 927-5200

City Los Angeles **State** CA **Zip** 90015

REPRESENTATIVE Brown, Brown & Premsrirut **Contact** Lora Dreja

Address 520 South 4th St **Phone:** (702) 384-5563 **Fax:** (702) 385-1023

City Las Vegas **State** NV **Zip** 89101

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 RAY GOLBARI

Subscribed and sworn before me

This 20th day of June, 20 11.

Claudia E. Velasquez

Notary Public in and for said County and State California

CLAUDIA E. VELASQUEZ
COMM. # 1862571
NOTARY PUBLIC - CALIFORNIA
LOS ANGELES COUNTY
COMM. EXPIRES AUG. 30, 2013

FOR DEPARTMENT USE ONLY

Case #	SUP-42262
Meeting Date:	8/9/11
Total Fee:	$1,030
Date Received:*	6/23/11
Received By:	BJS

*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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JUN 23 2011
City of Las Vegas

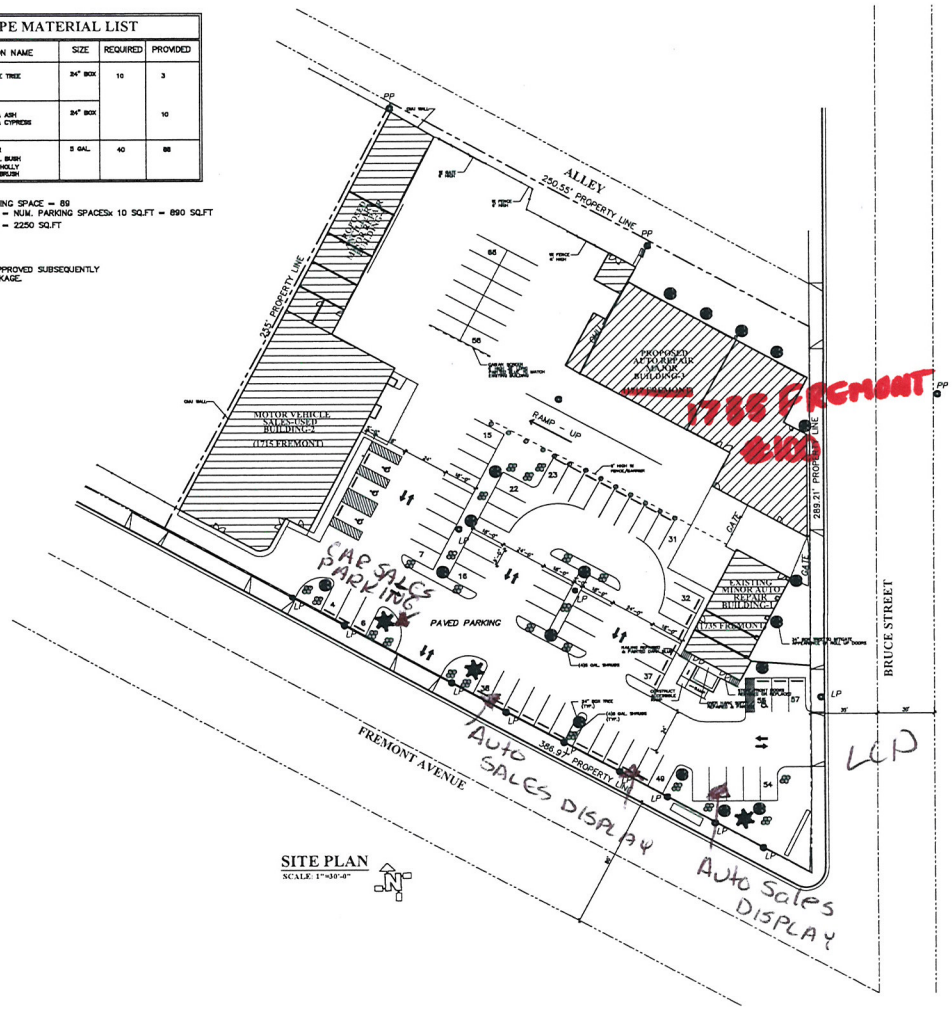
MOTOR VEHICLE SALES-USED & REPAIR SHOPS @ FREMONT AND BRUCE

LANDSCAPE MATERIAL LIST

SYMBOL	COMMON NAME	SIZE	REQUIRED	PROVIDED
	PINE TREE	24" BOX	10	3
	ARIZONA ASH ARIZONA CYPRESS	24" BOX		10
	JUNIPER FLANNEL BUSH DESERT HOLLY BOTTLE BRUSH	5 GAL.	40	88

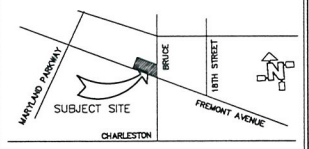
TOTAL NUM. OF PARKING SPACE = 89
AREA OF LANDSCAPE = NUM. PARKING SPACESx 10 SQ.FT = 890 SQ.FT
AREA OF LANDSCAPE = 2250 SQ.FT

NOTE:
1) AWNINGS TO BE APPROVED SUBSEQUENTLY WITH SIGNAGE PACKAGE.



SITE PLAN
SCALE: 1"=30'-0"

VICINITY MAP



SHEET INDEX

ARCHITECTURAL

A0	COVER SHEET & SITE PLAN
A1	BUILDING 1735/ FLOOR PLAN & ELEVATIONS (Bldg.-1)
A2a	BUILDING 1715/ FLOOR PLAN (Bldg.-2)
A2b	BUILDING 1715/ BUILDING ELEVATIONS (Bldg.-2)
A3a	BUILDING 1717/ FLOOR PLAN (Bldg.-3)
A3b	BUILDING 1717/ BUILDING ELEVATIONS (Bldg.-3)
A4	BUILDING 1715/ FLOOR PLAN & ELEVATIONS (Bldg.-4)

PROJECT/PROPERTY INFORMATION:

PROPERTY ADDRESS:
APN# 139-35-315-006 ,007
API

BUILDING -1
MOTOR VEHICLE SALES-USED
BUILDING -2
EXISTING MINOR AUTO REPAIR
BUILDING -3
PROPOSED AUTO REPAIR MAJOR
BUILDING -4
PROPOSED ANCILLARY MINOR REPAIR

Nevada Licensed Contractor. Lic. # 0039261A

Authorized Signature:

Architectural drawings have been signed by a licensed Nevada Contractor as allowed per NRS 3623.330 paragraph 1 (sub paragraph d) and under the provisions of chapter 624 of NRS who provides his own drawings for his own construction activities.

RECEIVED
JUN 28 2011

MOTOR VEHICLES SALES-USED & REPAIR SHOPS @ FREMONT AND BRUCE			
CONTRACTOR: M.O.CONSTRUCTION LLC			
NCL# 71494	TEL (702) 286-5700	DATE 06/21/11	
DRAWING NAME: COVER SHEET & SITE PLAN			
DRAWN BY: RVN	TEL (702) 245-8690	DRAWING NUM. A0	

SUP-42262
SUP-42264
REVISED

MOTOR VEHICLE SALES-USED & REPAIR SHOPS @ FREMONT AND BRUCE

LANDSCAPE MATERIAL LIST				
SYMBOL	COMMON NAME	SIZE	REQUIRED	PROVIDED
	PINE TREE	24" BOX	10	3
	ARIZONA ASH ARIZONA CYPRESS	24" BOX		10
	JUNIPER FLANNEL BUSH DESERT HOLLY BOTTLE BRUSH	5 GAL.	40	88

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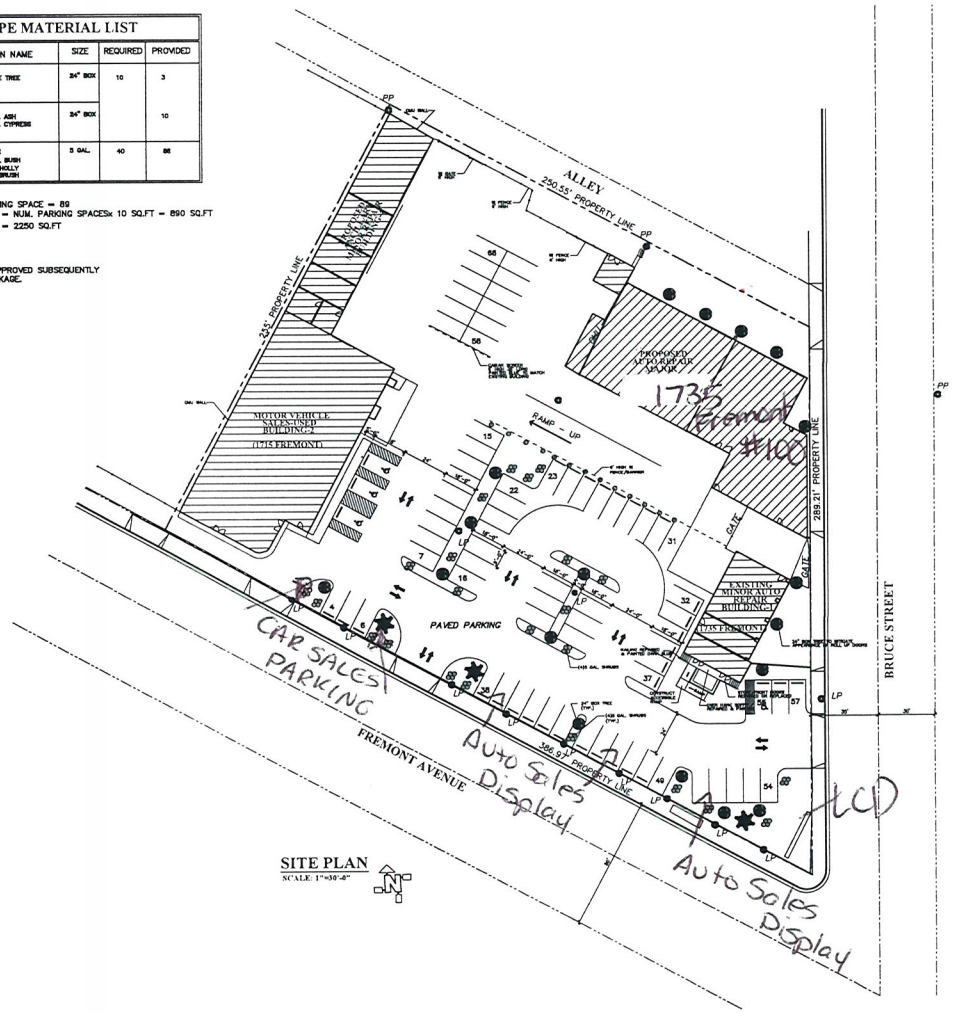
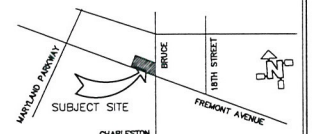
NOTE:
1) AWNINGS TO BE APPROVED SUBSEQUENTLY WITH SIGNAGE PACKAGE.



SITE PLAN
SCALE: 1"=30'-0"

VICINITY MAP



PROJECT/PROPERTY INFORMATION:

APN: 139-36-315-006,007

BUILDING -1
MOTOR VEHICLE SALES-USED
BUILDING -2
EXISTING MINOR AUTO REPAIR
BUILDING -3
PROPOSED AUTO REPAIR MAJOR
BUILDING -4
PROPOSED ANCILLARY MINOR REPAIR

RECEIVED
JUN 28 2011

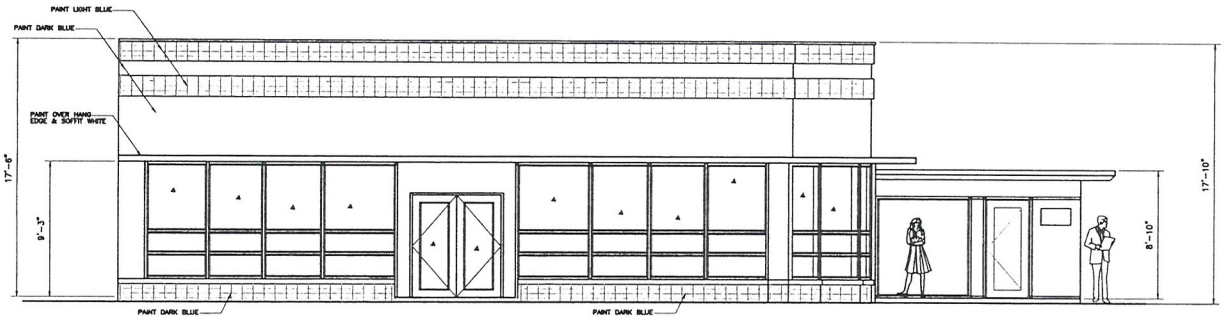
Nevada Licensed Contractor, Lic. # 0039261A

Authorized Signature:

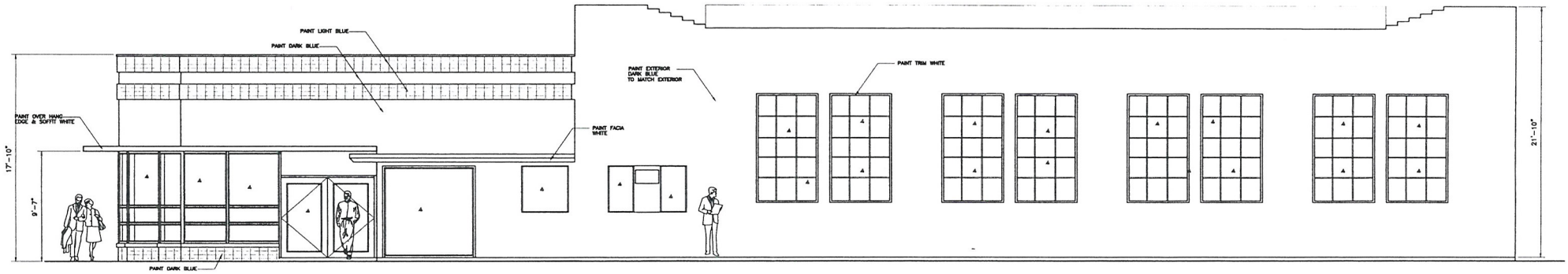
Architectural drawings have been signed by a liccensed Nevada Contractor as allowed per NRS 3623.330 paragraph 1 (sub paragraph d) and under the provisions of chapter 624 of NRS who provides his own drawings for his own construction activities.

MOTOR VEHICLES SALES-USED & REPAIR SHOPS @ FREMONT AND BRUCE		
CONTRACTOR: M.O.CONSTRUCTION LLC		
JOB # 71494	TEL (702) 286-5700	DATE 06/21/11
DRAWING NAME: LANDSCAPE PLAN		
DRAWN BY: RVN	TEL (702) 245-8690	DRAWING NUM L1

SUP-42262
SUP-42264
REVISED



SOUTH ELEVATION
SCALE: 1/4"=1'



EAST ELEVATION
SCALE: 1/4"=1'

RECEIVED
JUN 23 2011
City of Las Vegas

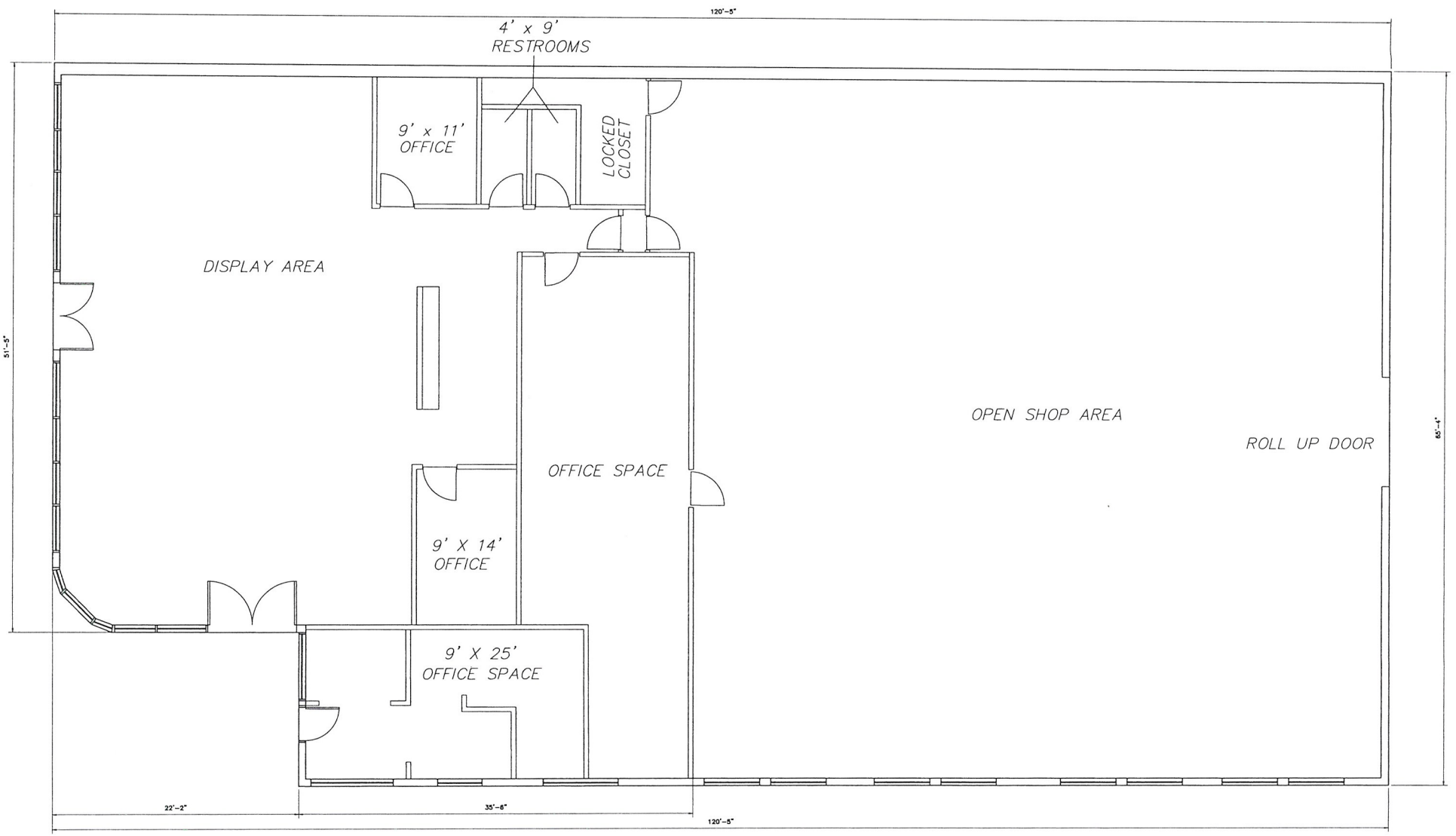
ADDRESS:
MOTOR VEHICLE SALES-USED & REPAIR SHOPS
1715 FREMONT AVENUE
LAS VEGAS NV 89

MOTOR VEHICLE SALES-USED & REPAIR SHOPS @ FREMONT AND BRUCE

CONTRACTOR: M.O.CONSTRUCTION LLC
SCALE: 71494 TEL: (702) 286-5700 DATE: 06/21/11
DRAWING NAME: BUILDING 1715 / ELEVATIONS
DRAWN BY: RVN TEL: (702) 245-8690 DRAWING NUM.: A2b

SUP-42262

SUP-42264



FLOOR PLAN

SCALE: 1/4"=1'

FLOOR AREA AUTO REPAIR SHOP = 7553 SQ.FT
FLOOR AREA AUTO SALES & DISPLAY = 4187 SQ.FT
TOTAL FLOOR AREA = 11,740 SQ.FT

ADDRESS:
MOTOR VEHICLE SALES-USED
& REPAIR SHOPS
1715 FREMONT AVENUE
LAS VEGAS NV 89

MOTOR VEHICLE SALES-USED & REPAIR SHOPS
@ FREMONT AND BRUCE

CONTRACTOR: M.O.CONSTRUCTION LLC

SCALE: 71494 PHONE: (702) 286-5700 DATE: 06/23/11

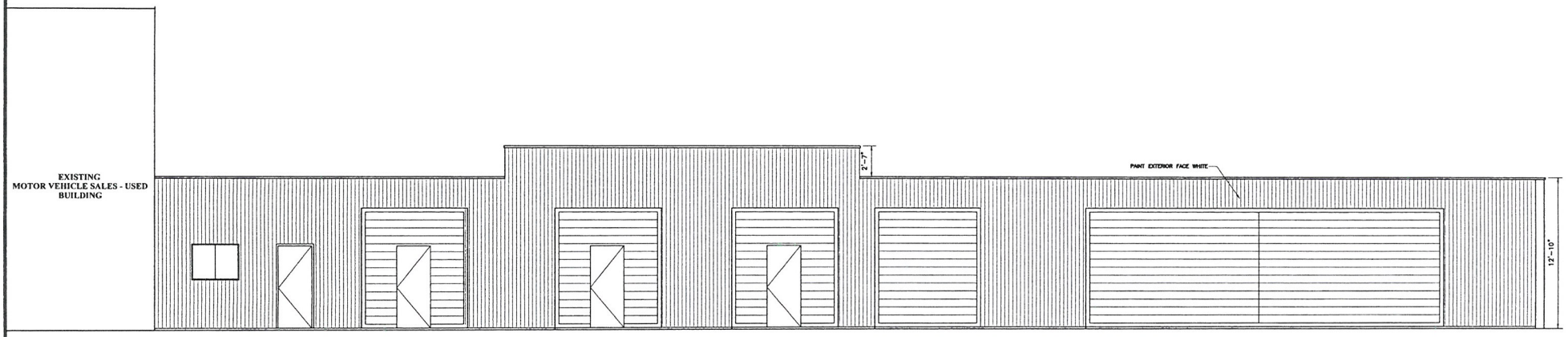
DRAWING NAME: BUILDING ELEVATIONS

DRAWING NUM.: A2a

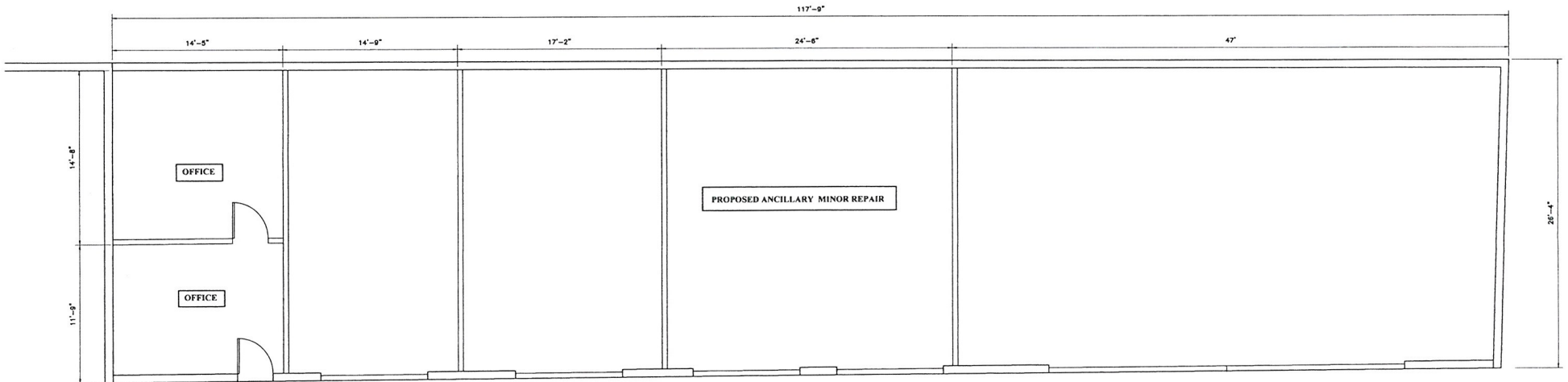
RECEIVED
JUN 23 2011
City of Las Vegas

SUP-42262
SUP-42264

Valley Blueprint 06/23/2011



EAST ELEVATION
SCALE: 1/4"=1'



FLOOR PLAN
SCALE: 1/4"=1' (FLOOR AREA =3,137 SQ.FT)

RECEIVED
JUN 23 2011
City of Las Vegas

ADDRESS:
PROPOSED ANCILLARY MINOR REPAIR
1715 FREMONT AVENUE
LAS VEGAS NV 89

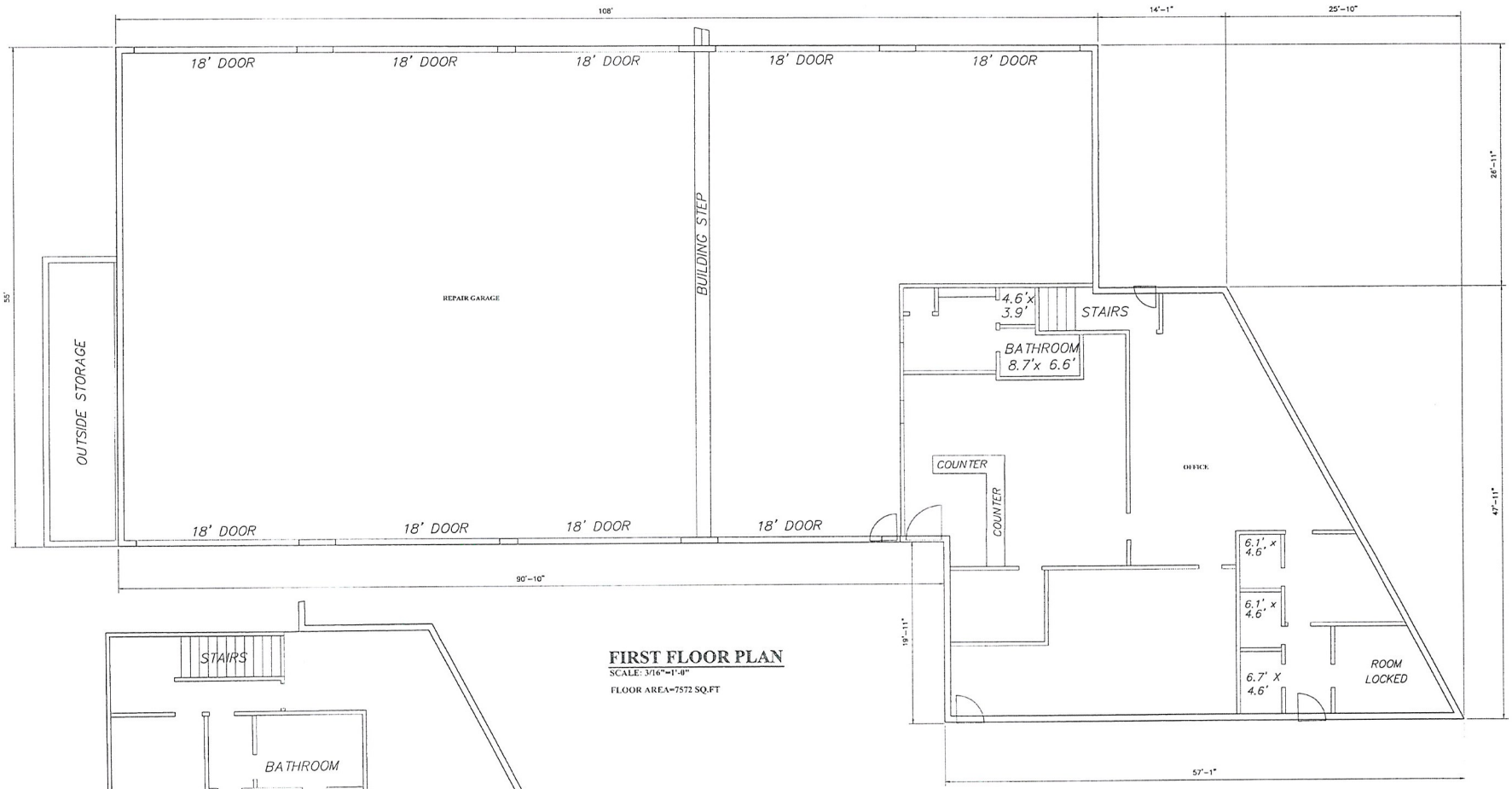
MOTOR VEHICLE SALES-USED & REPAIR SHOPS
@ FREMONT AND BRUCE

CONTRACTOR: M.O.CONSTRUCTION LLC
SCLR: 71494 TEL: (702) 286-5700 DATE: 06/23/11
DRAWING NAME: PROPOSED ANCILLARY MINOR REPAIR
FLOOR PLAN & ELEVATION
DRAWN BY: RVN TEL: (702) 227-6382 DRAWING NUM.: A4

SUP-42262

SUP-42264

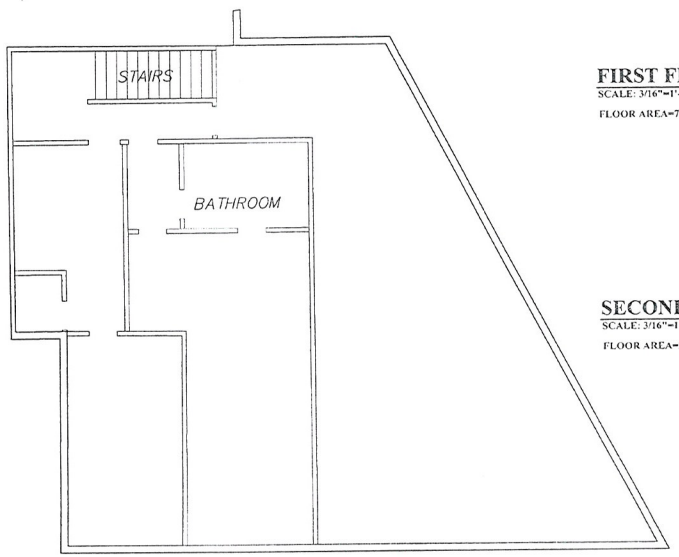
Valley Blueprint 06/23/2011



FIRST FLOOR PLAN

SCALE: 3/16"=1'-0"

FLOOR AREA=7572 SQ.FT



SECOND FLOOR PLAN

SCALE: 3/16"=1'-0"

FLOOR AREA=2219 SQ.FT

JUN 28 2011

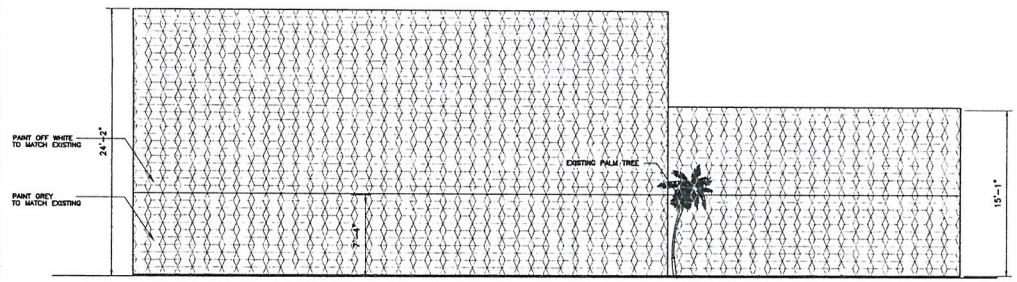
ADDRESS:
PROPOSED AUTO REPAIR MAJOR
1735 FREMONT AVENUE #100
LAS VEGAS NV 89

SUP-42262

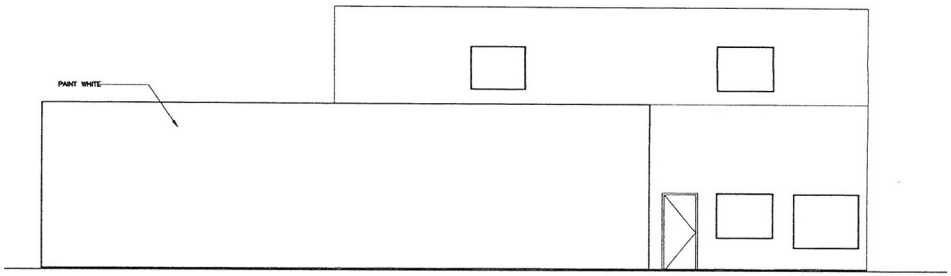
SUP-42264

REVISED

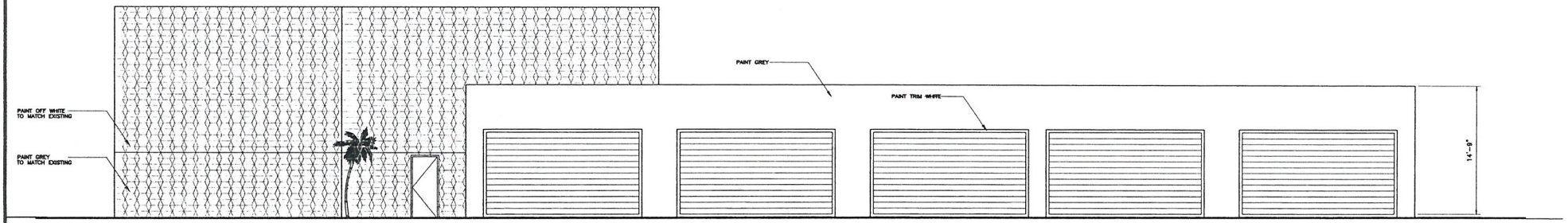
MOTOR VEHICLE SALES-USED & REPAIR SHOPS @ FREMONT AND BRUCE			
CONTRACTOR: M.O.CONSTRUCTION LLC			
SCALE: 71494	TEL: (702) 286-5700	DATE: 06/21/11	
DRAWING NAME: BUILDING FLOOR PLAN			SUP-42262
DRAWN BY: RVN	TEL: (702) 245-8690		SUP-42264



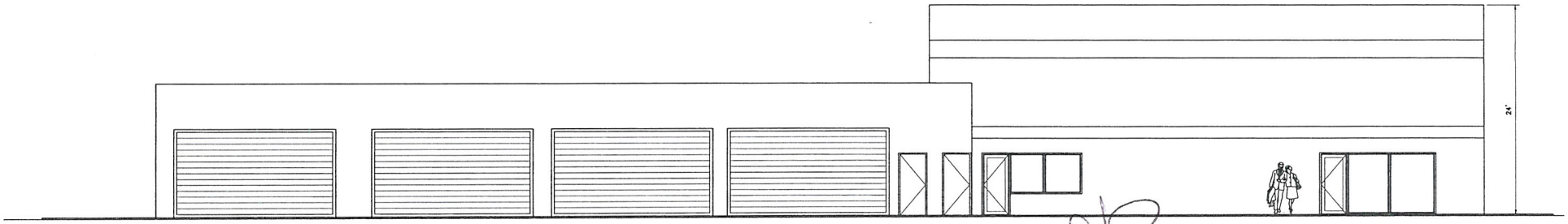
EAST ELEVATION
SCALE: 3/16"=1'-0"



WEST ELEVATION
SCALE: 3/16"=1'-0"



NORTH ELEVATION
SCALE: 3/16"=1'-0"



SOUTH ELEVATION
SCALE: 3/16"=1'-0"

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JUN 23 2011
City of Las Vegas

1735

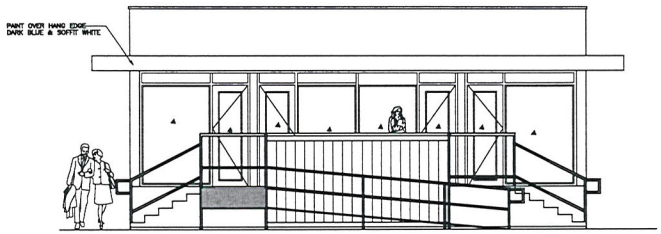
ADDRESS:
PROPOSED AUTO REPAIR MAJOR
[redacted] FREMONT AVENUE
LAS VEGAS NV 89

MOTOR VEHICLE SALES-USED & REPAIR SHOPS
@ FREMONT AND BRUCE

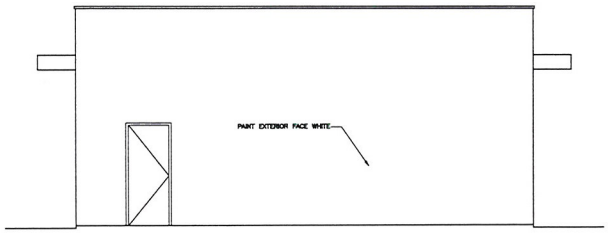
CONTRACTOR: M.O.CONSTRUCTION LLC			
HCLE: 71494	TEL: (702) 286-5700	DATE: 06/21/11	
[redacted] BUILDING [redacted] / ELEVATIONS			
[redacted] RVN	TEL: (702) 245-8690	DRAWING NUM.: A3b	

SUP-42262
SUP-42264

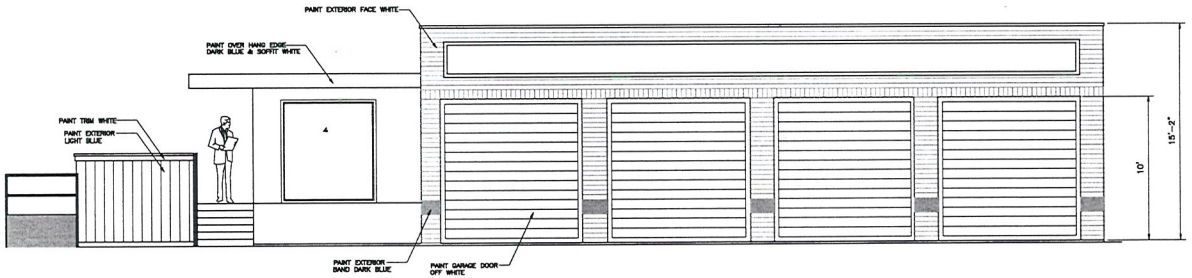
Valley Blueprint 06/23/2011



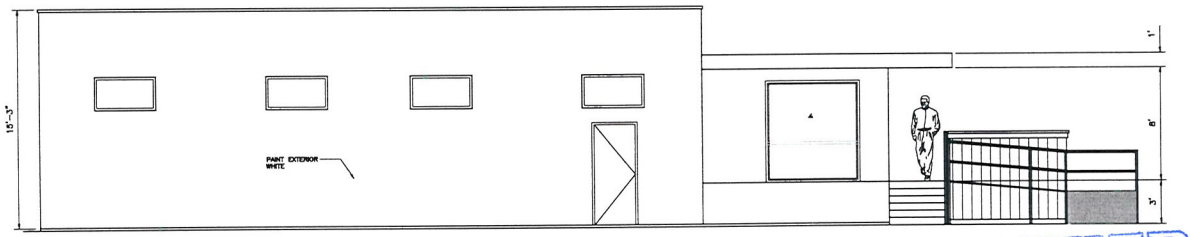
SOUTH ELEVATION
SCALE: 1/4"=1'



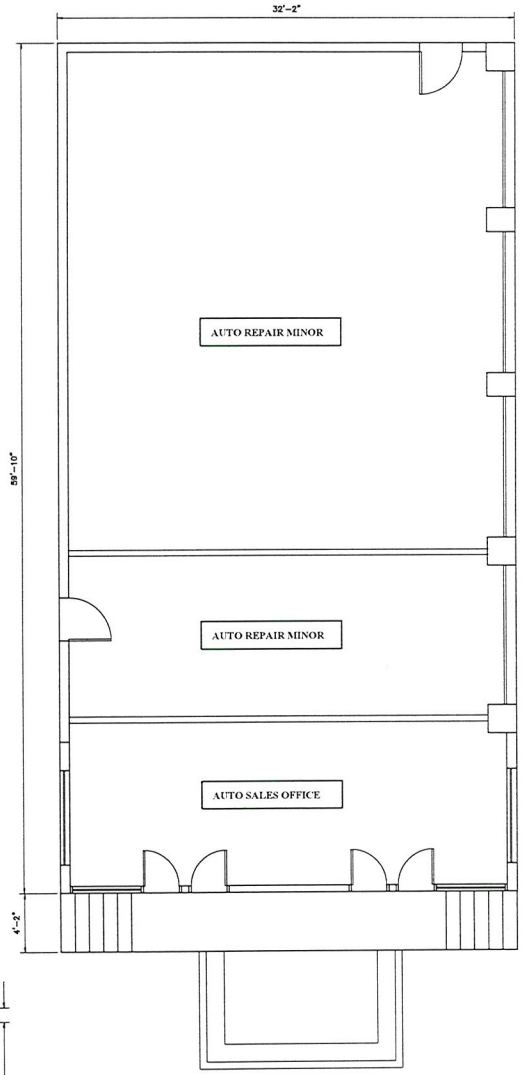
NORTH ELEVATION
SCALE: 1/4"=1'



EAST ELEVATION
SCALE: 1/4"=1'



WEST ELEVATION
SCALE: 1/4"=1'



FLOOR PLAN
SCALE: 1/4"=1'

FLOOR AREA AUTO REPAIR SHOP = 1537 SQ.FT
FLOOR AREA AUTO SALES = 386 SQ.FT
TOTAL FLOOR AREA = 1923 SQ.FT

ADDRESS:
AUTO REPAIR SHOP MINOR
1735 FREMONT AVENUE
LAS VEGAS NV 89

MOTOR VEHICLE SALES-USED & REPAIR SHOPS @ FREMONT AND BRUCE

CONTRACTOR: M.O.CONSTRUCTION LLC			
PCL#: 71494	TEL: (702) 286-5700	DATE: 06/21/11	
DRAWING NAME: BUILDING 1735/ FLOOR PLAN & ELEVATIONS			
DRAWN BY: RVN	TEL: (702) 227-6382	DRAWING NUM: A1	

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JUN 28 2011

SUP-42262
SUP-42264
REVISED



SUP-42262 & SUP-42264 – APPLICANT/OWNER: BEL AIR RG, LLC, ET AL
1715 & 1735 FREMONT STREET

06/30/11



SUP-42262 & SUP-42264 – APPLICANT/OWNER: BEL AIR RG, LLC, ET AL
1715 & 1735 FREMONT STREET

06/30/11



SUP-42262 & SUP-42264 – APPLICANT/OWNER: BEL AIR RG, LLC, ET AL
1715 & 1735 FREMONT STREET

06/30/11



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1715 & 1735 FREMONT STREET

06/30/11



SUP-42262 & SUP-42264 – APPLICANT/OWNER: BEL AIR RG, LLC, ET AL
1715 & 1735 FREMONT STREET

06/30/11



SUP-42262 & SUP-42264 – APPLICANT/OWNER: BEL AIR RG, LLC, ET AL
1715 & 1735 FREMONT STREET

06/30/11



SUP-42262 & SUP-42264 – APPLICANT/OWNER: BEL AIR RG, LLC, ET AL
1715 & 1735 FREMONT STREET

06/30/11



SUP-42262 & SUP-42264 – APPLICANT/OWNER: BEL AIR RG, LLC, ET AL
1715 & 1735 FREMONT STREET

06/30/11



SUP-42262 & SUP-42264 – APPLICANT/OWNER: BEL AIR RG, LLC, ET AL
1715 & 1735 FREMONT STREET

06/30/11



SUP-42262 & SUP-42264 – APPLICANT/OWNER: BEL AIR RG, LLC, ET AL
1715 & 1735 FREMONT STREET

06/30/11



SUP-42262 & SUP-42264 – APPLICANT/OWNER: BEL AIR RG, LLC, ET AL
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06/30/11



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06/30/11



SUP-42262 & SUP-42264 – APPLICANT/OWNER: BEL AIR RG, LLC, ET AL
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06/30/11



SUP-42262 & SUP-42264 – APPLICANT/OWNER: BEL AIR RG, LLC, ET AL
1715 & 1735 FREMONT STREET

06/30/11



SUP-42262 & SUP-42264 – APPLICANT/OWNER: BEL AIR RG, LLC, ET AL
1715 & 1735 FREMONT STREET

06/30/11



SUP-42262 & SUP-42264 – APPLICANT/OWNER: BEL AIR RG, LLC, ET AL
1715 & 1735 FREMONT STREET

06/30/11



SUP-42262 & SUP-42264 – APPLICANT/OWNER: BEL AIR RG, LLC, ET AL
1715 & 1735 FREMONT STREET

06/30/11



SUP-42262 & SUP-42264 – APPLICANT/OWNER: BEL AIR RG, LLC, ET AL
1715 & 1735 FREMONT STREET

06/30/11



SUP-42262 & SUP-42264 – APPLICANT/OWNER: BEL AIR RG, LLC, ET AL
1715 & 1735 FREMONT STREET

06/30/11

LAW OFFICE

Brown, Brown & Premsrirut

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS

JAY H. BROWN
DAVID T. BROWN
PUOY K. PREMSRIRUT

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6520

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
EMAIL: jbrown@brownlawlv.com

July 5, 2011

City of Las Vegas Planning and Zoning
333 North Rancho Drive
Las Vegas, Nevada 89106

Revised: SUP-42262 and SUP-42264Special Use Permit Auto Repair (major) and Motor Vehicle Sales (used) on site located at 1735 and 1715 Fremont Street

Dear Sir/Madam;

Please consider concurrent requests for use permits for on parcels 139-35-315-006 and 007. The combined parcels total 1.87 acres located at the north west corner of Fremont Street at Bruce Street. These two parcels with three buildings functioned as a singled destination for auto related businesses. Currently one of the three on-site buildings operates as a minor auto repair facility. Approval of this request will enable the revival of a cohesive site with shared parking and shared entrances. Following approval of these permits the parcels will be merged. The internal fencing that bifurcates the site will be removed to facilitate internal circulation.

Since the previous businesses began operations on the site, the adoption of the Downtown Centennial Plan has implemented new design standards on the site. The applicant has redesigned the on-site parking to accommodate parking lot landscaping, reserved room for large trees within the site and will replace chain link perimeter fencing with fencing allowable by Title 19. Decorative shrubs and trash bins will be placed along the street-side fencing. Internally, an iron fence separating the parking area to a sub-grade ramp will replace the existing chain link fence. This renovation will mitigate the appearance of the service bays that face Fremont Street. Trash bins will also be screened from public streets.

The applicant wishes to defer any major changes to landscaping and fencing along Fremont Street until the roadway expansion and any needed RTC dedications are underway. Also, the applicant wishes to have one year to from the time of occupancy to install the internal landscaping.

Minor changes will be made to the buildings and site to update the appearance and conform to the Centennial Plan. At this time, the proposed changes include, removing weathered canopies, replacing perimeter fencing with block wall and gate, replacing internal chain link fence with three foot wrought iron fencing adjacent to the downward ramp and replacing worn step rails. Tenants will submit designs for canopies over the bay doors as part of a subsequent master sign submittal. If possible, these canopies will screen the HVAC equipment. All temporary structures not in compliance with code will be removed.

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SUP-42262
SUP-42264
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The anticipated uses include auto repair (major), auto repair (minor) and motor vehicle sales (used). Standard title 19 guidelines require 92 on-site spaces for the combined uses in addition to those needed to accommodate car sales. As this site is in the East Village District, Title 19 standards do not apply. Once landscaping is designed into this site, 57 spaces are available for parking. 12 additional spaces located in the rear portion of the site will be allocated to storage of disabled vehicles. This parking aisle will be screened by 6' gabions painted blue to match the auto sales building. The motor vehicle sales will have priority for the 19 streetside spaces.

At this time the following use permits are requested:

Motor Vehicle Sales (used): This use is requested 1715 Fremont Street. The building meets the Special Use requirements listed in Title 19 in that 1) a minimum 25,000 square feet is designated to this use (11,740 indoor). 2) No outside address system is proposed 3) While outdoor lighting is shared with the companion parcel it does not affect neighboring property owners 4) The property has sufficient indoor area to house automotive parts. 5) The automobile service bay doors are setback from the show-room building restricting visibility from Fremont Street. The service bays are not visible from Bruce Street due to the placement of a building on the companion parcel.

Auto Repair Garage, Major: The northernmost building (1735 Fremont suite 100) is proposed for major auto repair. This building was chosen because it is set back furthest from the right of way and has service bays that are oriented away from residential, schools or third party businesses. Any noise generated by this use is cushioned by the companion buildings. Major auto repair on this site can meet minimum special use requirements with the exception of:

1) **Waiver:** The opening of the service bays face public right-of-way. This building was constructed prior to this provision in code. The visual impact of these bays is somewhat alleviated by the 180 setback from the curb and the location of the entry which is approximately five feet below grade. The ramp leading to the entry mandates a safety fence which will be decorated with plant material.
2) **Waiver:** Vehicles parked on premises for the purpose of sale. As previously mentioned this building was designed as a companion to two other buildings. With the concurrent proposal for used auto sales in a separate on-site building, the two buildings will have shared access and shared parking. Following a parcel merger all three businesses will be located on the same property. Thus, this requirement cannot be met. The land lord will allocate streetside parking spaces to the auto sales business per a rental agreement. It is important to note that the auto-sales operation is a different business entity than the auto repair. The auto repair business will not park cars on this lot for the purposes of auto sales.

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Brown, Brown & Premsrirut
AN ASSOCIATION OF PROFESSIONAL CORPORATIONS

Please phone me at 598-1408 if you have considerations or suggestions.

Very truly yours,

Lora Dreja
Land Entitlements
Law Offices of Jay Brown

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JUL 06 2011

SUP-42262
SUP-42264
REVISED

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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0004279218 JUL 28 2011
MAILED FROM ZIPCODE 89101

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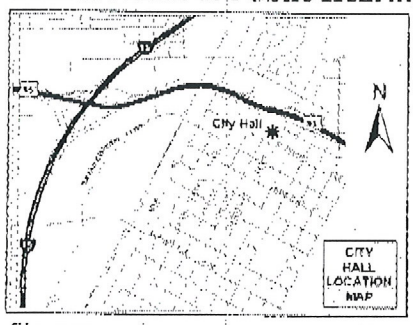
Official Notice of Public Hearing



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.

SUP-42262 & SUP-42264

Planning Commission Meeting of 8/9/2011

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SUP-42262
13935314005
VASCONCELLOS PRISCILLA A
P O BOX 1658
LAS VEGAS NV 89125-1658 89125-1658

21 FRDFM11 89125

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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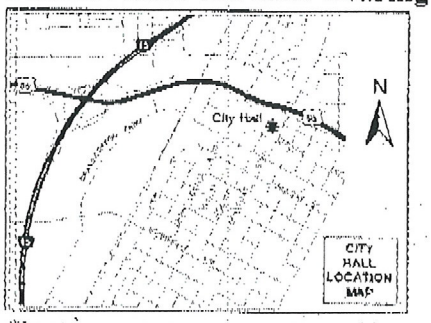

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SUP-42262 & SUP-42264

Planning Commission Meeting of 8/9/2011

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Case: SUP-42262
13935314004
VASCONCELLOS PRISCILLA
P O BOX 1658
LAS VEGAS NV 89125-1658 89125-1658

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21 FRDFM11 89125

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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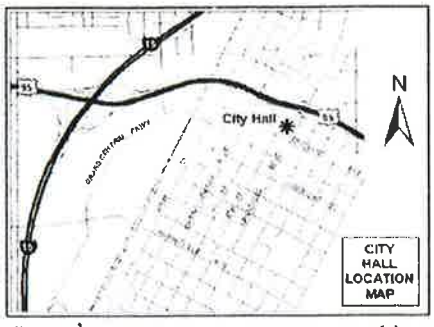

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-42262 & SUP-42264

Planning Commission Meeting of 8/9/2011

What are you thinking – this type of business near an elementary school! For a repair shop & parked vehicles in this small area & location!

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PLANNING & DEVELOPMENT

Case: SUP-42262
13935711070
LEONARD RICHARD LEE
MCDONALD KAREN KAE
137 N 19TH ST
LAS VEGAS NV 89101-4402 89101-4402

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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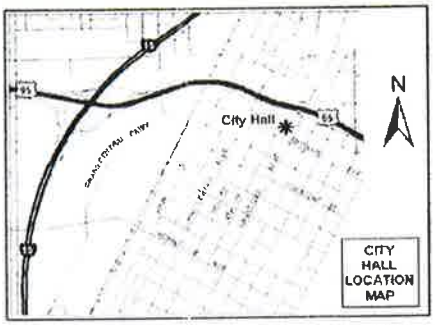

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-42262 & SUP-42264

Planning Commission Meeting of 8/9/2011

I am against putting this business at this location as there is an elementary school right across the street, a hotel behind the area proposed, a house at 18th & Sunrise – this not an appropriate area this close to an elementary school!!!

Case: SUP-42262
13935711036
LEONARD HARRY V JR & HELEN I
137 N 19TH ST
LAS VEGAS NV 89101-4402 89101-4402

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PLANNING & DEVELOPMENT

30 FROFHIL 89101

35-36 2P

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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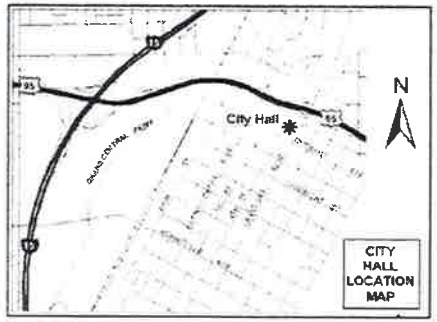

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-42262 & SUP-42264

Planning Commission Meeting of 8/9/2011

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SUP-42262
13935413059
HANEY-KING HEATHER
KING KEVIN
201 SPENCER ST
LAS VEGAS NV 89101-5236 89101-5236

30 FRDFN11 89101

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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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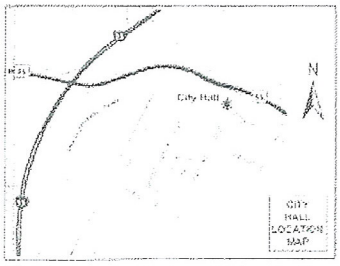

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-42262 & SUP-42264

Planning Commission Meeting of 8/9/2011

Case SUP-42262
13935312056
MESSINA GIOVANNI
318 NAPA CT
FULLERTON CA 92833-3262 92833-3262

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City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 8th Floor
Las Vegas, Nevada 89106

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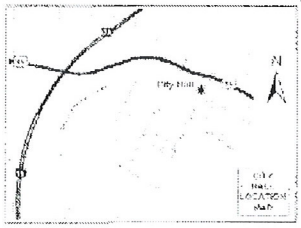

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☒ I SUPPORT this Request

☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-42262 & SUP-42264

Planning Commission Meeting of 8/9/2011

Case: SUP-42262

13933312056
MESSINA GIOVANNI
318 NAPA CT
FULLERTON CA 92833-3262 92833-3262

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City of Las Vegas Agenda Item No.: **88.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
SUP-42264 - SPECIAL USE PERMIT RELATED TO SUP-42262 - PUBLIC HEARING - APPLICANT/OWNER: BEL AIR RG, LLC, ET AL - For possible action on a request for a Special Use Permit FOR A PROPOSED 7,572 SQUARE-FOOT AUTO REPAIR GARAGE, MAJOR WITH WAIVERS TO ALLOW SERVICE BAYS TO FACE THE RIGHT-OF-WAY AND TO ALLOW VEHICLES TO BE PARKED ON THE PREMISES FOR THE PURPOSE OF OFFERING THE VEHICLES FOR SALE WHERE SUCH IS NOT ALLOWED at 1715 Fremont Street and 1735 Fremont Street (APNs 139-35-315-006 and 007), C-2 (General Commercial) Zone, Ward 3 (Coffin). Staff recommends DENIAL. The Planning Commission (4-2-1 vote) recommends APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**2**	**Planning Commission Mtg.**	**2**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (4-2-1 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.

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-42264** APN: 139-35-315-006, 007

Name of Property Owner: RAY GOLBARI

Name of Applicant: Bel AIR RG, LLC

Name of Representative: Brown, Brown & Premsrirut, contact: Lord Dreyfa

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: RAY GOLBARI

Subscribed and sworn before me

This 20th day of June, 2011

_____

Notary Public in and for said County and State California.

RECEIVED
JUN 23 2011
City of Las Vegas

CLAUDIA E. VELASQUEZ
COMM. # 1862571
NOTARY PUBLIC - CALIFORNIA
LOS ANGELES COUNTY
COMM. EXPIRES AUG. 30, 2013

PLANNING & DEVELOPMENT
CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Use Permit - Auto Repair, Major - waiver to allow service bays to ROW

Project Address (Location) NWC Fremont Street at Bruce

Project Name 1735 Fremont Street #100 LLC. **Proposed Use**

Assessor's Parcel #(s) 139-35-315-006,007 **Ward #** 3

General Plan: existing Cent proposed **Zoning:** existing C-2 proposed C-2

Commercial Square Footage 7572 **Floor Area Ratio**

Gross Acres **Lots/Units** **Density**

Additional Information concurrent application with auto sales 1715 Fremont Street

PROPERTY OWNER Bel Air RG, LLC **Contact** Ray Golbari
Address 1300 W Olympic Blvd #500 **Phone:** (213) 927-2700 **Fax:** (213) 927-5200
City Los Angeles **State** CA **Zip** 90015

APPLICANT Bel Aire RG LLC **Contact** Ray Golbari
Address 1300 W Olympic Blvd #500 **Phone:** (213) 927-2700 **Fax:** (213) 927-5200
City Los Angeles **State** CA **Zip** 90015

REPRESENTATIVE Brown, Brown & Premsrirut **Contact** Lora Dreja
Address 520 South 4th St **Phone:** (702) 384-5563 **Fax:** (702) 385-1023
City Las Vegas **State** NV **Zip** 89101

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 RAY GOLBARI

Subscribed and sworn before me

This 20th day of June, 20 11.

[signature]

Notary Public in and for said County and State California

CLAUDIA E. VELASQUEZ
COMM. # 1862571
NOTARY PUBLIC - CALIFORNIA
LOS ANGELES COUNTY
COMM. EXPIRES AUG. 30, 2013

FOR DEPARTMENT USE ONLY

Case #	SUP-42264
Meeting Date:	8/9/11
Total Fee:	$1,030
Date Received:*	6/23/11
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
JUN 23 2011
City of Las Vegas

Revised 04/26/05

City of Las Vegas Agenda Item No.: **89.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

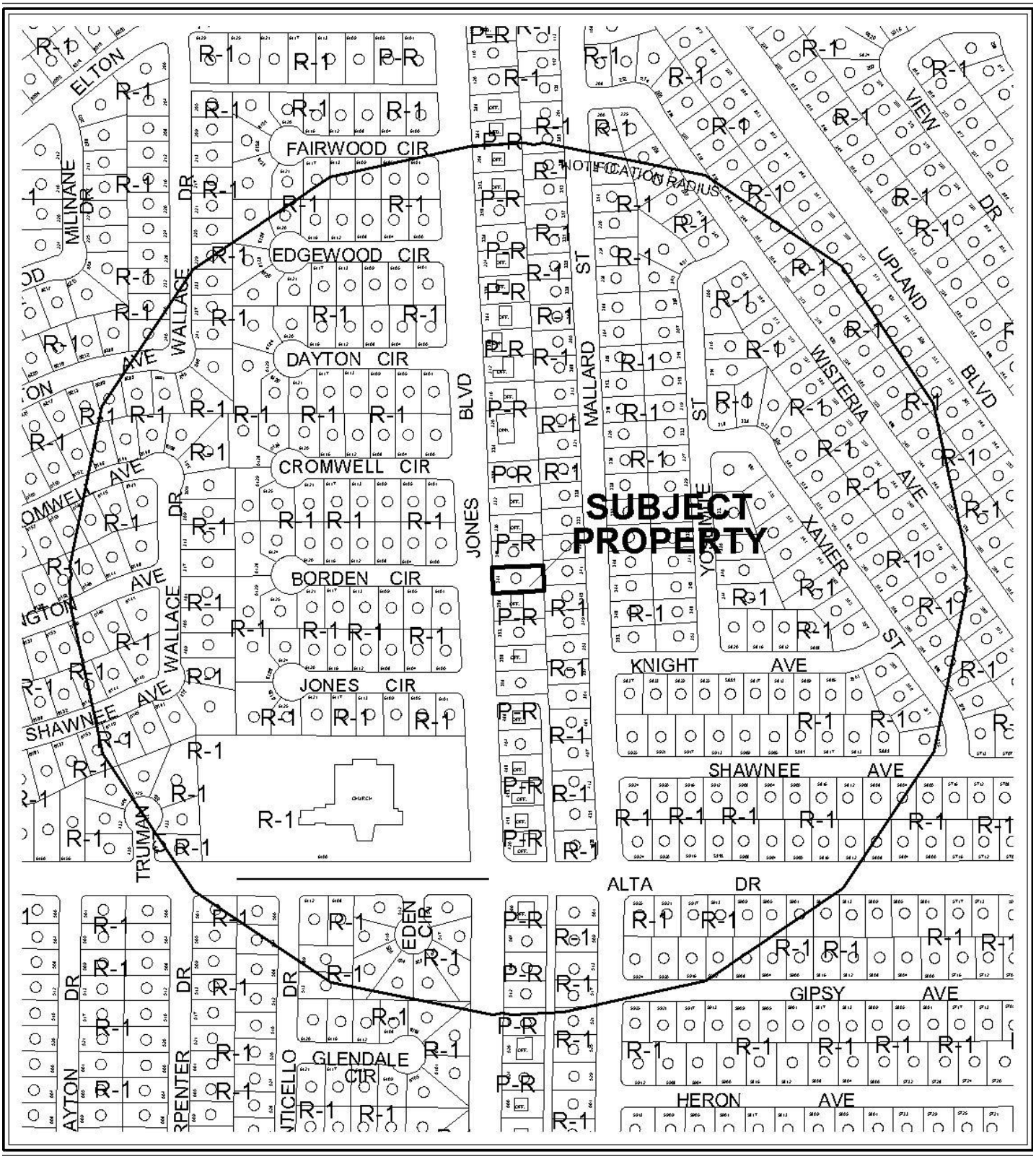
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
SDR-41770 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: SOK J. LIM - OWNER: JWB NEVADA INVESTMENT SERIES B, LLC - For possible action on a request for a Site Development Plan Review FOR THE CONVERSION OF A SINGLE FAMILY RESIDENCE TO A 1,488 SQUARE-FOOT OFFICE BUILDING WITH WAIVERS TO ALLOW LANDSCAPE BUFFER WIDTHS OF FIVE FEET ALONG THE WEST PERIMETER WHERE 15 FEET IS REQUIRED, THREE FEET ALONG THE NORTH PERIMETER WHERE FIVE FEET IS REQUIRED AND ZERO FEET ALONG A PORTION OF THE SOUTH PERIMETER WHERE FIVE FEET IS REQUIRED on 0.16 acres at 344 South Jones Boulevard (APN 138-36-210-011), P-R (Professional Office and Parking) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**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
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Backup referenced from the August 9, 2011 Planning Commission Meeting Item – SDR-41770

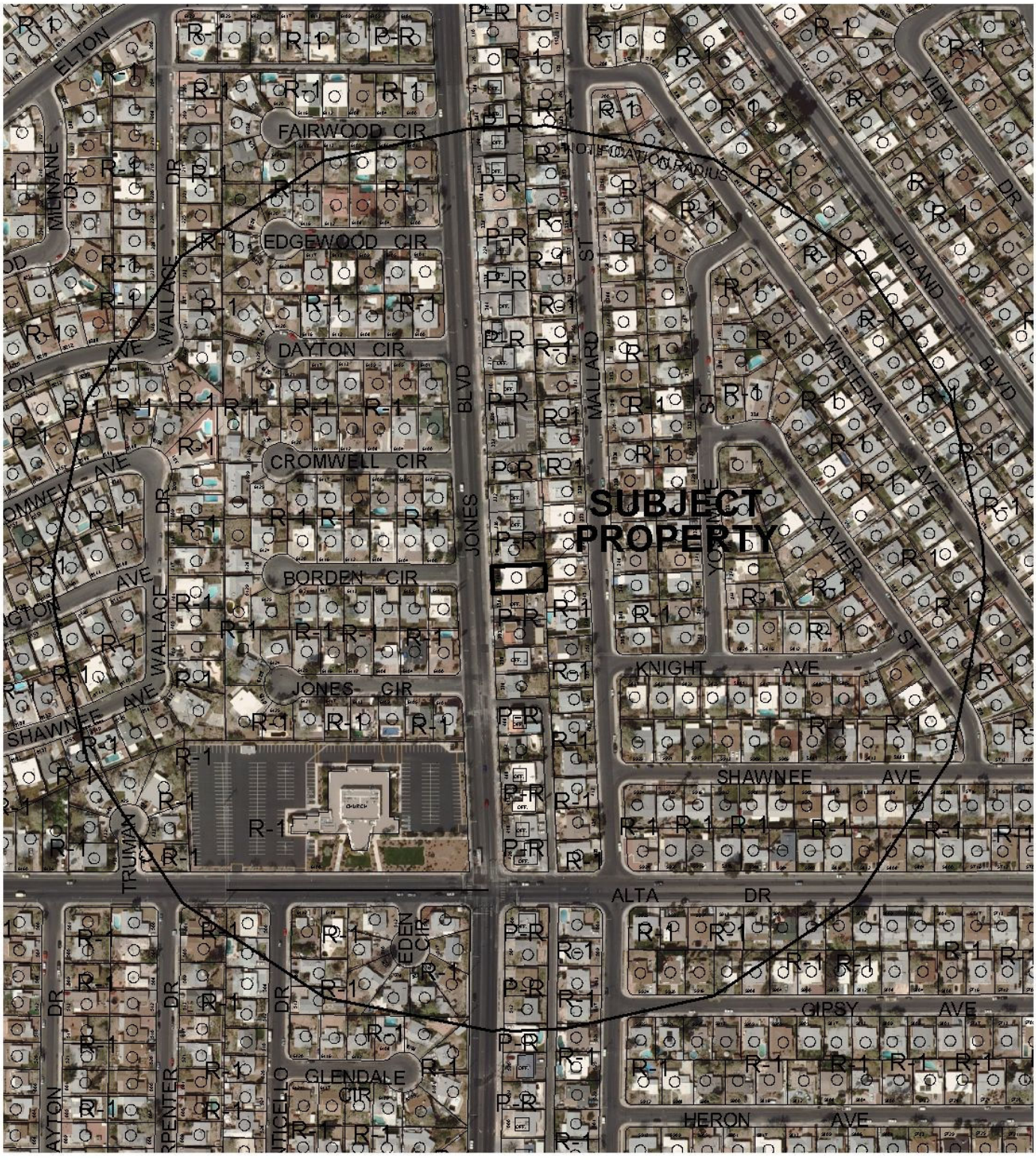


CASE: **SDR-41770**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: P-R (PROFESSIONAL OFFICE AND PARKING)

N



0 300 600 Feet

CASE: **SDR-41770**

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: SEPTEMBER 7, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: SOK J. LIM - OWNER: JWB NEVADA INVESTMENT SERIES B. LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SDR-41770	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SDR-41770 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 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. The parking lot shall be striped within 90 days of final approval.

3. Prior to issuance of a building permit, the applicant shall provide a letter from the service provider that approves the continuation of curb side trash pickup once the subject site is converted to commercial use.

4. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 06/21/11, except as amended by conditions herein.

5. A Waiver from 19.08.050 is hereby approved, to allow landscape buffer widths of five feet along the west perimeter where 15 feet is required, three feet along the north perimeter where five feet is required and zero feet along a portion of the south perimeter where five feet is required.

6. An Exception from 19.08.110 is hereby approved, to allow 12 perimeter landscape trees where 13 perimeter landscape trees are required.

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 06/21/11. 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 revised site plan shall be submitted to and approved by the Department of Planning Department, prior to the time application is made for a building permit, to provide an ADA accessible path without passing behind a parked vehicle.

11. 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. All required trees shall be a minimum 24-inch box size, and four 5-gallon shrubs shall be provided for each required 24-inch box tree.

12. Revised elevations shall be submitted to and approved by the Department of Planning Department prior to the time application is made for a building permit to reflect the removal of the existing carport.

13. 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).

14. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

15. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.08.040.

16. 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.

17. 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.

18. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

19. Remove all substandard improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. The existing "pan" style driveway may remain.

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. As appropriate, submit an Encroachment Agreement to the City of Las Vegas or obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements, if any, in the Jones Boulevard public right-of-way adjacent to this site.

22. Contact the Capital Project Management Section of the Department of Public Works at 229-6272 to coordinate the development of this project with the Jones and Valley View Corridor Improvements" project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is proposing to convert an existing 1,488 square-foot single family, detached residence to a commercial office building. The site is already zoned P-R (Professional Office and Parking) and has a consistent land use designation of O (Office), which allows the proposed use.

The proposed development is compatible and harmonious with the adjacent P-R (Professional Office and Parking) zoned properties located south of the site. Furthermore, the requested Waivers and Exception can be supported, as the building will maintain the appearance of a single-family residence and is harmonious with the adjacent single-family residences to the north, east and west. Therefore, staff is recommending approval of this request. If this application is denied, the site will remain as a single-family residence.

ISSUES

- A waiver is required to allow landscape buffer widths of five feet along the west perimeter where 15 feet is required, three feet along the north perimeter where five feet is required and zero feet along a portion of the south perimeter where five feet is required.
- An exception is required to allow 12 perimeter landscape trees where 13 perimeter landscape trees are required
- A condition of approval has been added requiring that the parking lot be striped within 90 days of final approval.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
05/01/91	The City Council approved a request for Rezoning (Z-0026-91) from R-1 (Single Family Residential) to P-R (Professional Office and Parking) at 344 South Jones Boulevard as part of a larger request. The Planning Commission and staff recommended denial.
08/09/11	The Planning Commission voted (7-0) to recommend APPROVAL (PC Agenda Item #37/jg)

Most Recent Change of Ownership	
02/18/11	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
C.1961	The single family residence at 344 South Jones Boulevard was constructed.
07/19/99	A building permit (99014043) was issued for a patio cover at 344 South Jones Boulevard. The permit was finaled on 11/17/99.

Pre-Application Meeting	
04/26/11	A pre-application meeting was held with the applicant, where the submittal requirements for a Site Development Plan Review were discussed. Site work for the conversion was underway, but no building permits have been issued.

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

Field Check	
06/30/11	During a site check by staff, it was noted that the existing residence is currently vacant. It was noted that there was some work being done at the site, with a large industrial trash dumpster located in the driveway.

Details of Application Request	
Site Area	
Net Acres	0.17

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Single Family, Detached	O (Office)	P-R (Professional Office and Parking)
North	Single Family, Detached	O (Office)	P-R (Professional Office and Parking)
South	Office	O (Office)	P-R (Professional Office and Parking)
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 (175 feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	N/A	7,411 SF	Y
Min. Lot Width	60 Feet	61 Feet	Y
Min. Setbacks			
• Front	20 Feet	26 Feet	Y
• Side (North)	5 Feet	6 Feet	Y
• Side (South)	5 Feet	6 Feet	Y
• Rear	15 Feet	34 Feet	Y
Max. Lot Coverage	50 %	25 %	Y
Max. Building Height (measured from midpoint)	35 Feet	10 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	N/A	Conditioned
Mech. Equipment	Screened	N/A	Conditioned

Pursuant to Title 19.08, the following standards apply:

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	6 Trees	5 Trees	N
• South	1 Tree / 30 Linear Feet	2 Trees	2 Trees	Y
• East	1 Tree / 20 Linear Feet	3 Trees	2 Trees	N
• West	1 Tree / 30 Linear Feet	2 Trees	3 Trees	Y
TOTAL PERIMETER TREES		**13 Trees**	**12 Trees**	**N**

LANDSCAPE BUFFER WIDTHS			
Min. Zone Width			
• North	5 Feet	3 Feet	N
• South	5 Feet	0 Feet	N
• East	8 Feet	8 Feet	Y
• West	15 Feet	5 Feet	N
Wall Height	6 to 8 Feet Adjacent to Residential	6 feet	Y

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Jones Boulevard	Secondary Collector	Master Plan of Streets and Highways	80	Y

Pursuant to Title 19.08 and 19.12, 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	1,488 SF	1/300 SF	5				
TOTAL SPACES REQUIRED			5		5		Y
Regular and Handicap Spaces Required			4	1	4	1	Y

Waivers		
Requirement	***Request***	***Staff Recommendation***
15-Foot Perimeter Landscape Buffer	To allow a landscape buffer width of five feet along the west perimeter.	Approval
Five-Foot Perimeter Landscape Buffer	To allow three feet along the north perimeter.	Approval
Five-Foot Perimeter Landscape Buffer	To allow zero feet along a portion of the south perimeter.	Approval

Exceptions		
Requirement	***Request***	***Staff Recommendation***
13 perimeter landscape trees	To allow 12 perimeter landscape trees	Approval

ANALYSIS

The site complies with all Title 19 requirements with the exception of required landscaping. Per Title 19.08, a perimeter landscape buffer of 15 feet must be provided along the public right-of-way and a landscape buffer of five feet shall be provided on interior property lines where building setbacks prevail. The site plan depicts a five-foot landscape buffer along a street right-of-way, which is a 10-foot deviation from the standard, a zero foot landscape buffer along a portion of the south property line, which is a five-foot deviation from the standard and a three-foot landscape buffer along the north property line, which is a two-foot deviation from the standard. The applicant is also requesting an Exception to allow 12 perimeter landscape trees in the perimeter landscape buffer. Staff can support the Waiver and Exception requests, as they are consistent with other similar conversions, and the development will be compatible with existing P-R (Professional Office and Parking) zoned properties to the north. Furthermore, the building will maintain the appearance of a single family residence and will be compatible with the existing adjacent residential properties to the north, east, and west.

Staff recommends approval of this request with conditions.

FINDINGS (SDR-41770)

In order to approve a Site Development Plan application, per Title 19.16.100(E) 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 be compatible with existing P-R zoned office developments to the south. As the building will maintain the appearance of a single family detached dwelling, the site will be compatible with existing adjacent single-family residential properties to the north, east and west.

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 development of professional offices on this site is encouraged, as the property has been zoned for such use and is consistent with its O (Office) General Plan designation. The proposed development does not meet the perimeter landscape buffer requirements for the north, south and west perimeters. The applicant has requested waivers and an exception for these conditions, which are consistent with other converted offices along Jones Boulevard.

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

   The site will have access to Jones Boulevard, an 80-foot Secondary Collector on the Master Plan of Streets and Highways, which is adequate to provide access to serve the proposed use. The 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 elevations and design characteristics are consistent with the single-family residences in the area.

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 welfare of the general public.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 31

NOTICES MAILED 395 (By City Clerk)

APPROVALS 1

PROTESTS 1

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-41770** APN: 138-36-210-011

Name of Property Owner: JWB NV Invest Series B LLC

Name of Applicant: Gok S. Lim

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: JIN WEON BANG (MANAGER)

Subscribed and sworn before me

This 11 day of MAY, 2011

Becky A. Lehrke

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
BECKY A. LEHRKE
No: 09-9949-1
My Appointment Expires May 8, 2013

RECEIVED
MAY 12 2011
City of Las Vegas

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: SDR

Project Address (Location) 344 Jones

Project Name office. **Proposed Use**

Assessor's Parcel #(s) 138 36 210 011 **Ward #**

General Plan: existing proposed **Zoning:** existing proposed

Commercial Square Footage **Floor Area Ratio**

Gross Acres **Lots/Units** **Density**

Additional Information

PROPERTY OWNER JWB NV Invest Service B LLC **Contact**

Address 1823 Belcastro St **Phone:** **Fax:**

City Las Vegas **State** NV **Zip** 89117

E-mail Address

APPLICANT GOK J. LIM **Contact**

Address 44 Gulf Creek Ct **Phone:** 702-406-1867 **Fax:**

City Las Vegas **State** NV **Zip** 89148

E-mail Address

REPRESENTATIVE **Contact**

Address **Phone:** **Fax:**

City **State** **Zip**

E-mail Address

Property Owner Signature* [signature]

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name JIN WEON BANG (MANAGER)

Subscribed and sworn before me

This 11 day of MAY, 20 11.

Becky A. Lehrke

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
BECKY A. LEHRKE
No: 09-9949-1
My Appointment Expires May 8, 2013

FOR DEPARTMENT USE ONLY

Case #	SDR-B 41770
Meeting Date:	7-12-11
Total Fee:	1030
Date Received:*	5-12-11
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.

Revised 10/27/08

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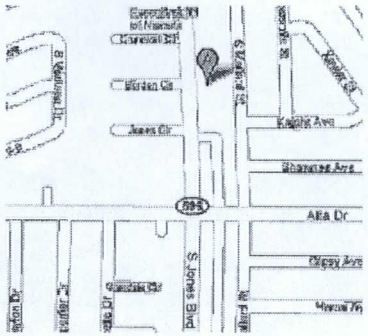
OFFICE

344 S. JONES BLVD
LAS VEGAS, NV 89107

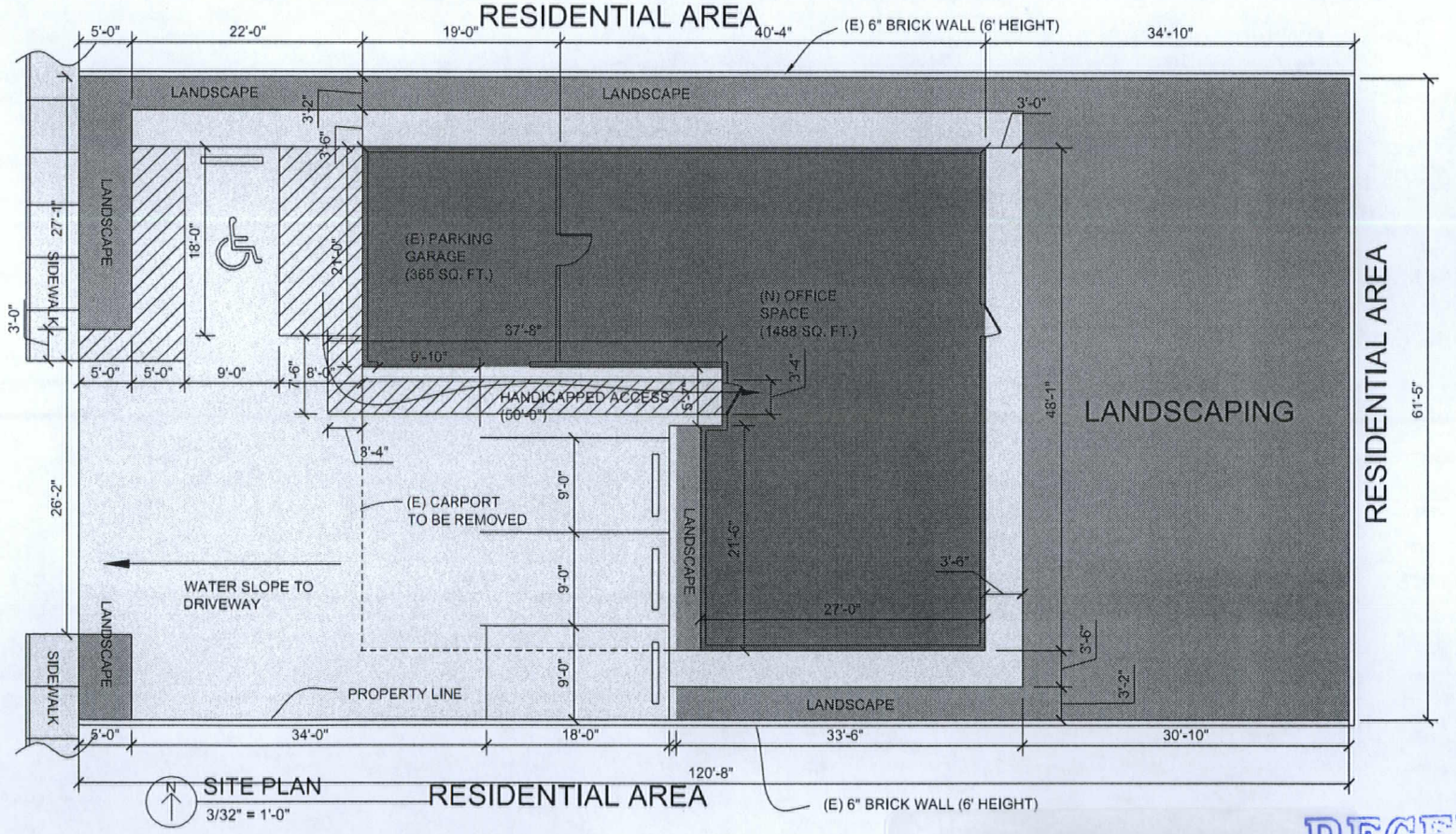


VINCITY MAP
N.T.S

PROPERTY AREA
= 7411 SQ. FT.
BUILDING AREA (W/O GARAGE)
= 1488 SQ. FT.
GARAGE AREA
= 365 SQ. FT.

PARKING SUMMARY

- OFFICE PARKING HAS FACTOR OF 1/300. SO, 5 PARKING SPACES ARE RQUIRED
- 5 PARKING SPACE ARE PROVIDED



SITE PLAN
3/32" = 1'-0"

SDR-41770
REVISED

RECEIVED
JUN 2 1 2011

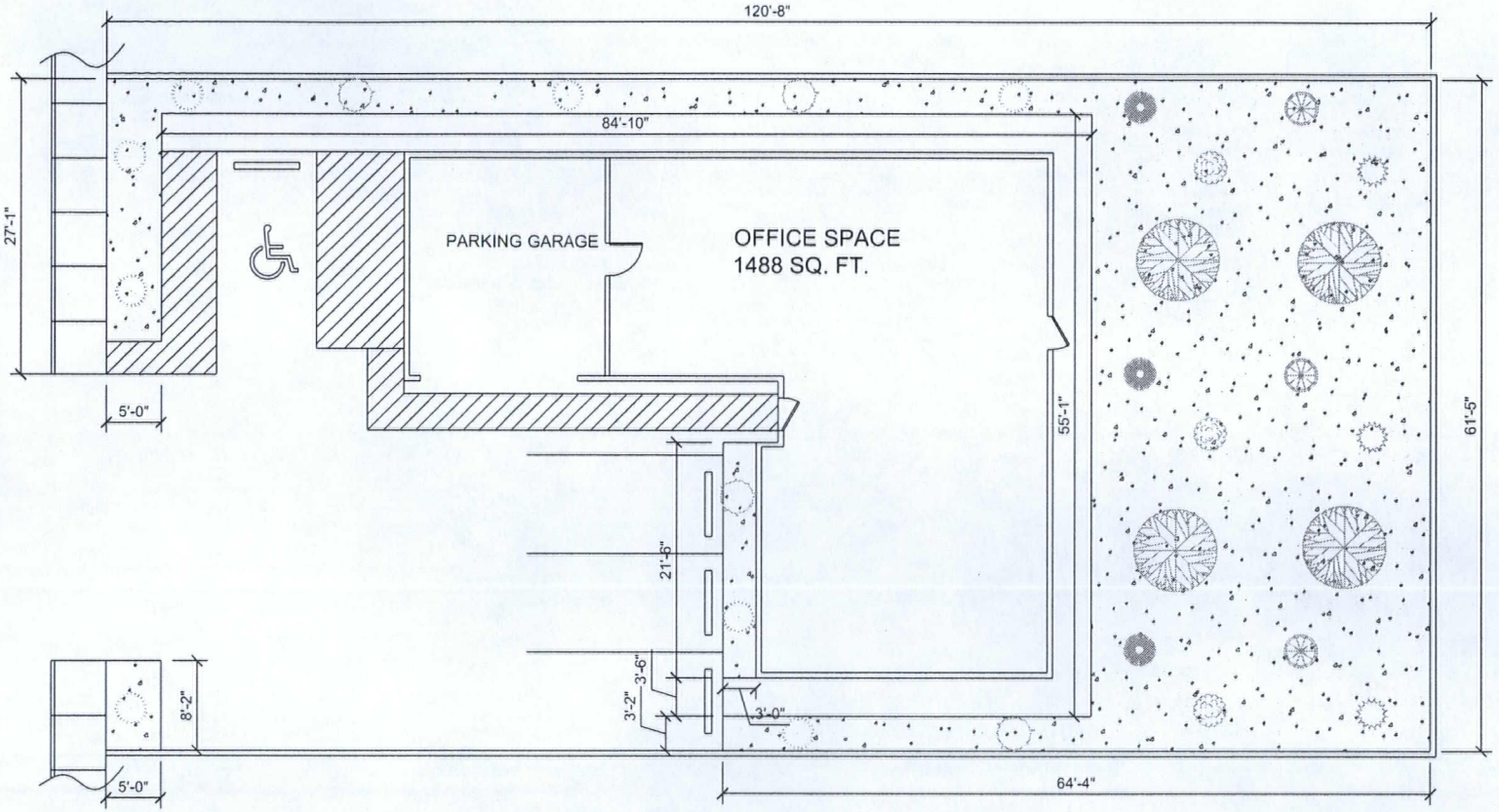
REVISIONS	BY

K-1 CONSTRUCTIO INC.
LIC # 0066560
PH # (702) 406-1867
E-mail: K1constructions@yahoo.com

TITLE: SITE PLAN
PROJECT: OFFICE
ADDRESS: 344 S. JONES BLVD LAS VEGAS, NV 89107

DRAWN
CHECKED
DATE
SCALE: AS SHOWN
JOB NO.
SHEET: A-1

JONES BLVD



(N) LANDSCAPING PLAN
3/32" = 1'-0"

TOTAL PLANTS

- 16 TREES
- 9 SHRUBS

(N) 24" BOX TREES				
SYMBOL	NAME	PLANT TYPE	PLANT HEIGHT (FT.)	QTY.
	ARCACIA 'CAT CLAW'	DECIDUOUS TREE	15-20	8
	ACACIA 'SHOESTRING'	EVERGREEN TREE	20-25	4
	ARIZONA ROSEWOOD	EVERGREEN TREE	15-30	4
	3/4" ROCK			

(N) 15 GALLON SHRUBS				
SYMBOL	NAME	PLANT TYPE	PLANT HEIGHT (FT.)	QTY.
	BUTTERFLY BUSH	SHRUB	6-12	3
	DESERT SPOON	SHRUB	3	3
	FAIRY DUSTER	SHRUB	3	3
	CAPE PLUMBAGO 'WHITE'	SHRUB	4-6	3

SDR-41770
REVISED

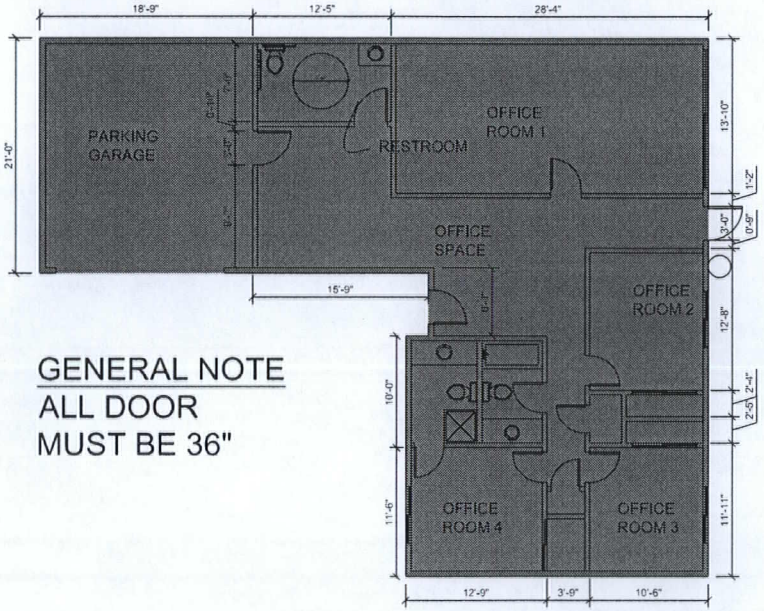
RECEIVED
JUN 21 2011

REVISIONS | BY

K-1 CONSTRUCTIO INC.
LIC # 0066560
PH # (702) 406-1867
E-mail: K1constructions@yahoo.com

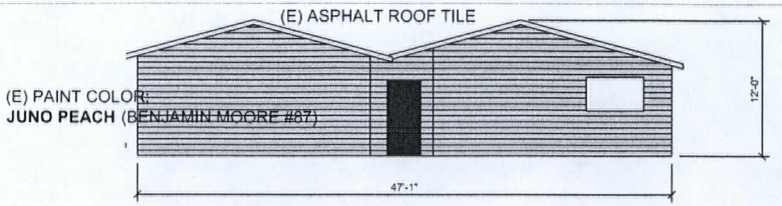
TITLE: LANDSCAPING PLAN
PROJECT: OFFICE
ADDRESS: 344 S. JONES BLVD LAS VEGAS, NV 89107

DRAWN
CHECKED
DATE
SCALE AS SHOWN
JOB NO.
SHEET A-2

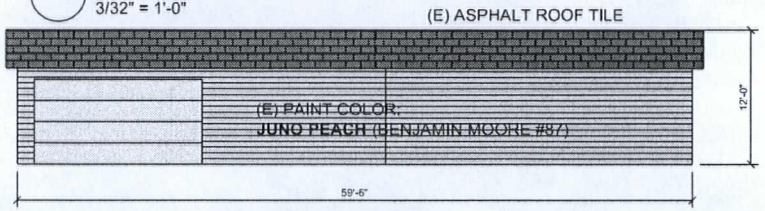


GENERAL NOTE
ALL DOOR
MUST BE 36"

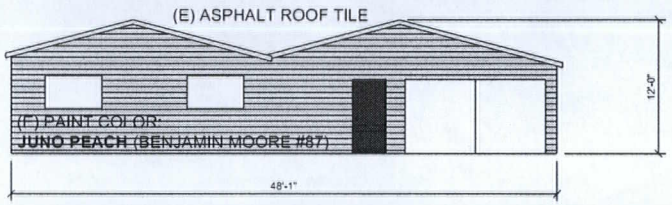
(E) FLOOR & SITE PLAN
3/32" = 1'-0"



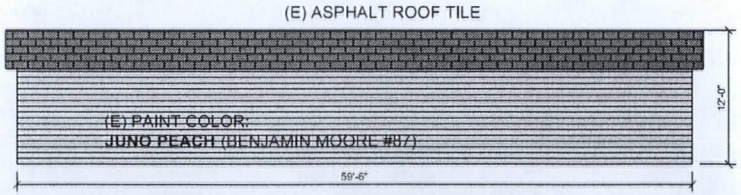
(E)FRONT VIEW (WEST)
3/32" = 1'-0"



(E)SIDE VIEW (SOUTH)
3/32" = 1'-0"



(E)BACK VIEW (EAST)
3/32" = 1'-0"



(E)SIDE VIEW (NORTH)
3/32" = 1'-0"

RECEIVED
JUN 21 2011

SDR-41770
REVISED

REVISIONS	BY

K-1 CONSTRUCTIO INC.
LIC # 0066560
PH # (702) 406-1867
E-mail: K1construction5@yahoo.com

TITLE: FLOOR PLAN/ARCHITECTURAL PLAN
PROJECT: OFFICE
ADDRESS: 344 S. JONES BLVD LAS VEGAS, NV 89107

DRAWN
CHECKED
DATE
SCALE AS SHOWN
JOB NO.
SHEET A-3

SDR 41770
JWB Nevada Investment Series B, LLC

344 S. Jones Boulevard

Proposed 1.488 square foot conversion of an existing house to an office.

Traffic produced by proposed development:

Existing Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SINGLE FAMILY DETACHED [DWELL]	1	9.57	10
AM Peak Hour			0.75	1
PM Peak Hour			1.01	1

Proposed Change	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	GENERAL OFFICE BUILDING [1000 SF]	1.488	11.01	16
AM Peak Hour			1.55	2
PM Peak Hour			1.49	2

Net Change	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	GENERAL OFFICE BUILDING [1000 SF]	1.488	11.01	6
AM Peak Hour			1.55	1
PM Peak Hour			1.49	1

Existing traffic on all nearby streets:

Jones Boulevard	
Average Daily Traffic (ADT)	31,500
PM Peak Hour (heaviest 60 minutes)	2520

Alta Drive	
Average Daily Traffic (ADT)	10,413
PM Peak Hour (heaviest 60 minutes)	833

Traffic Capacity of adjacent streets:

	Adjacent Street ADT Capacity
Jones Boulevard	34,500
Alta Drive	16,300

This conversion is expected to add 6 additional trips per day on Jones Blvd. and Alta Dr. Currently, Jones is at about 91 percent of capacity and Alta is at about 64 percent of capacity. This project is not expected to significantly change these capacities.

Based on Peak Hour use, this conversion will add 1 additonal car into the area in the peak hour, or about one every sixty minutes.

Note that this report assumes all traffic from this development uses all named streets.



SDR-41770 - APPLICANT: SOK J. LIM - OWNER: JWB NEVADA INVESTMENT SERIES B, LLC
344 SOUTH JONES BOULEVARD

06/06/11



SDR-41770 - APPLICANT: SOK J. LIM - OWNER: JWB NEVADA INVESTMENT SERIES B, LLC
344 SOUTH JONES BOULEVARD

06/06/11



SDR-41770 - APPLICANT: SOK J. LIM - OWNER: JWB NEVADA INVESTMENT SERIES B, LLC
344 SOUTH JONES BOULEVARD

06/06/11



SDR-41770 - APPLICANT: SOK J. LIM - OWNER: JWB NEVADA INVESTMENT SERIES B, LLC
344 SOUTH JONES BOULEVARD

06/06/11

Office
344 South Jones Blvd.
Las Vegas, NV 89107

Development Service Center
33 North Rancho Drive, 3rd Floor
Las Vegas, NV 89106

June 16, 2011
Re: Office

To Whom It May Concern:

I am writing to you in reference to the correction file of the Office date March 13, 2011. Due to the limited amount of land available, we are unable to meet the required landscape requirements, for this reason, we are requesting the following:

1. Waive the 15' requirement of landscape to 5' along the front.
2. Waive the 8' requirement of landscape to 3' along sides.
3. Waive required of trees in landscape behind parking lot.

In addition, we are also noting that all landscaping is noted on the plans but is also include in the backyard. The required 5 parking lots have also been constructing from the available 1488'. A trashcan with wheel swill be stored in the garage and picked up on the specified days by the appropriate service provider. Thank you for your time in this matter.

Sincerely

Signature

Jin Weon Bang

Printed Name.
Principal JWB Language School.

SDR-41770
REVISED

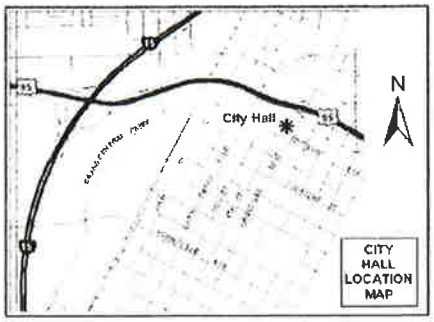
RECEIVED
JUN 21 2011

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

PRL FIRST-CLASS
UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 JUL 28 2011
MAILED FROM ZIPCODE 89101

Return Service Requested
Official Notice of Public Hearing



Official Notice on Site Development
SDR-41770-344

878-742

RECEIVED
AUG - 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.

SDR-41770
Planning Commission Meeting of 8/9/2011

Case: SDR-41770
13835618030
HONRATH ROSE Y
PARKER KIMBERLY
6109 BORDEN CIR
LAS VEGAS NV 89107-2514 89107-2514

25 PROPNII 89107

Application Information

SDR-41770 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: SOK J. LIM - OWNER: JWB NEVADA INVESTMENT SERIES B, LLC - For possible action on a request for a Site Development Plan Review FOR THE CONVERSION OF A SINGLE FAMILY RESIDENCE TO A 1,488 SQUARE-FOOT OFFICE BUILDING WITH WAIVERS TO ALLOW LANDSCAPE BUFFER WIDTHS OF FIVE FEET ALONG THE WEST PERIMETER WHERE 15 FEET IS REQUIRED, THREE FEET ALONG THE NORTH PERIMETER WHERE FIVE FEET IS REQUIRED AND ZERO FEET ALONG A PORTION OF THE SOUTH PERIMETER WHERE FIVE FEET IS REQUIRED on 0.16 acres at 344 South Jones Boulevard (APN 138-36-210-011), P-R (Professional Office and Parking) Zone, Ward 1 (Tarkanian).

COMING OUT OF BORDEN CIR - MEETS ALMOST EXACTLY THE ENTRY WAY TO 344 SO. JONES. COULD EASILY BE A HEAD ON COLLISION. GETTING OUT ON BORDEN CIR TOO CLOSE. SHOULD HAVE A DIFFERENT ENTRY WAY. THEY ALSO PARK ON ST. - 16 HOMES ON BORDEN CIR MANY OFFICES FOR RENT. CONTACTED WARDI - ROBIN

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	***August 09, 2011***
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

3TP

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.

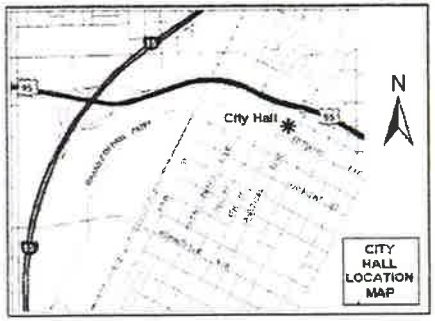
City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 JUL 28 2011
MAILED FROM ZIP CODE 89101

RECEIVED
AUG - 3 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

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-41770
Planning Commission Meeting of 8/9/2011

Case: SDR-41770
13836311002
LAMEK NICHOLAS E & MARGARET E
5925 ALTA DR
LAS VEGAS NV 89107-3604 89107-3604

25 FEB'11 8107

37A

City of Las Vegas Agenda Item No.: **90.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

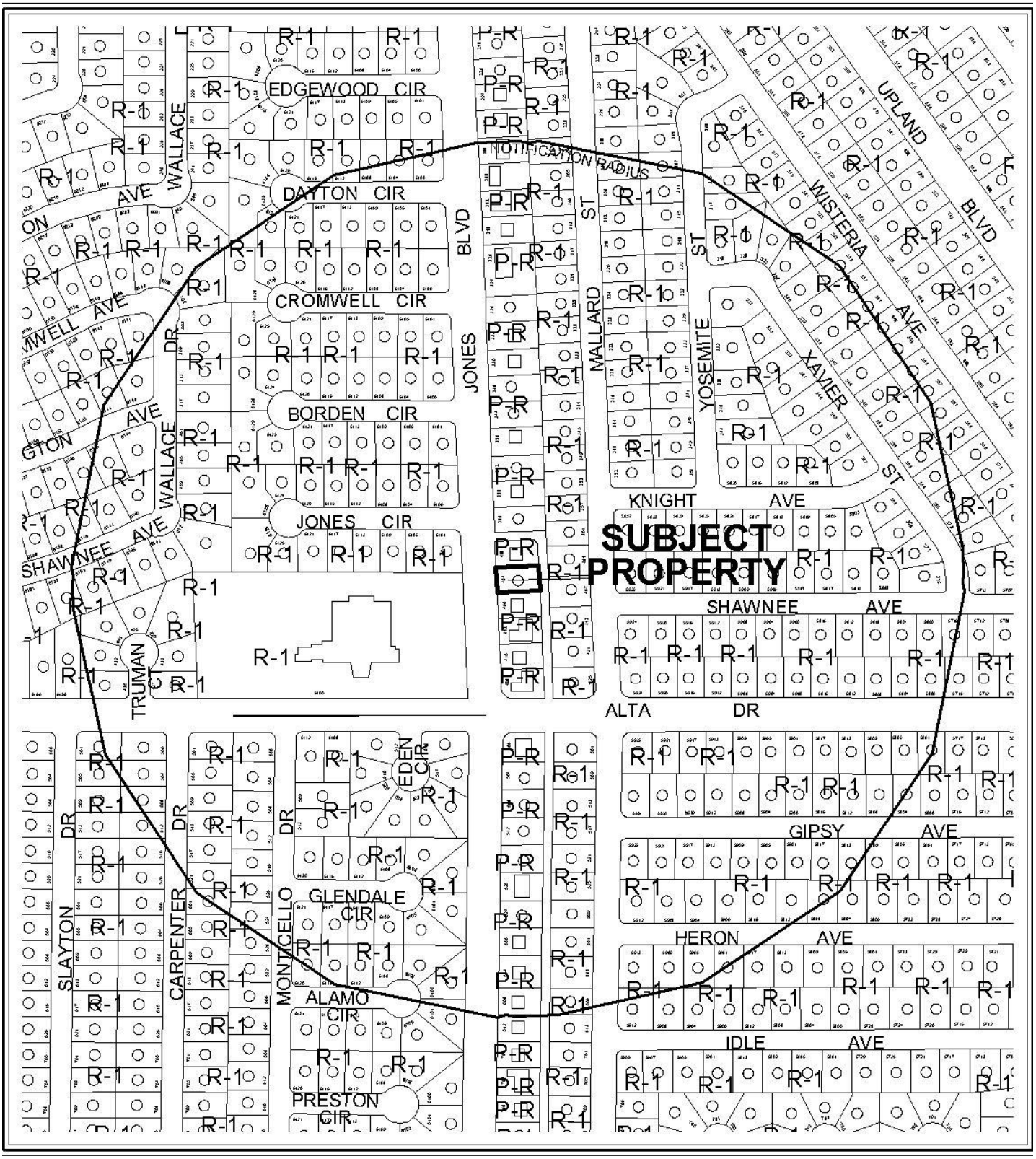
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
SDR-41771 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: SOK J. LIM - OWNER: JWB NEVADA INVESTMENT SERIES C, LLC - For possible action on a request for a Site Development Plan Review FOR THE CONVERSION OF A SINGLE FAMILY RESIDENCE TO A 1,492 SQUARE-FOOT TUTORING CENTER, WITH WAIVERS TO ALLOW LANDSCAPE BUFFER WIDTHS OF ZERO FEET ALONG A PORTION OF THE NORTH AND SOUTH PERIMETERS WHERE FIVE FEET IS REQUIRED, AND SEVEN FEET ALONG THE WEST PERIMETER WHERE 15 FEET IS REQUIRED on 0.13 acres at 404 South Jones Boulevard (APN 138-36-210-017), P-R (Professional Office and Parking) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**2**	**Planning Commission Mtg.**	**2**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
The Planning Commission (7-0 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Backup referenced from the August 9, 2011 Planning Commission Meeting Items – SDR-41771



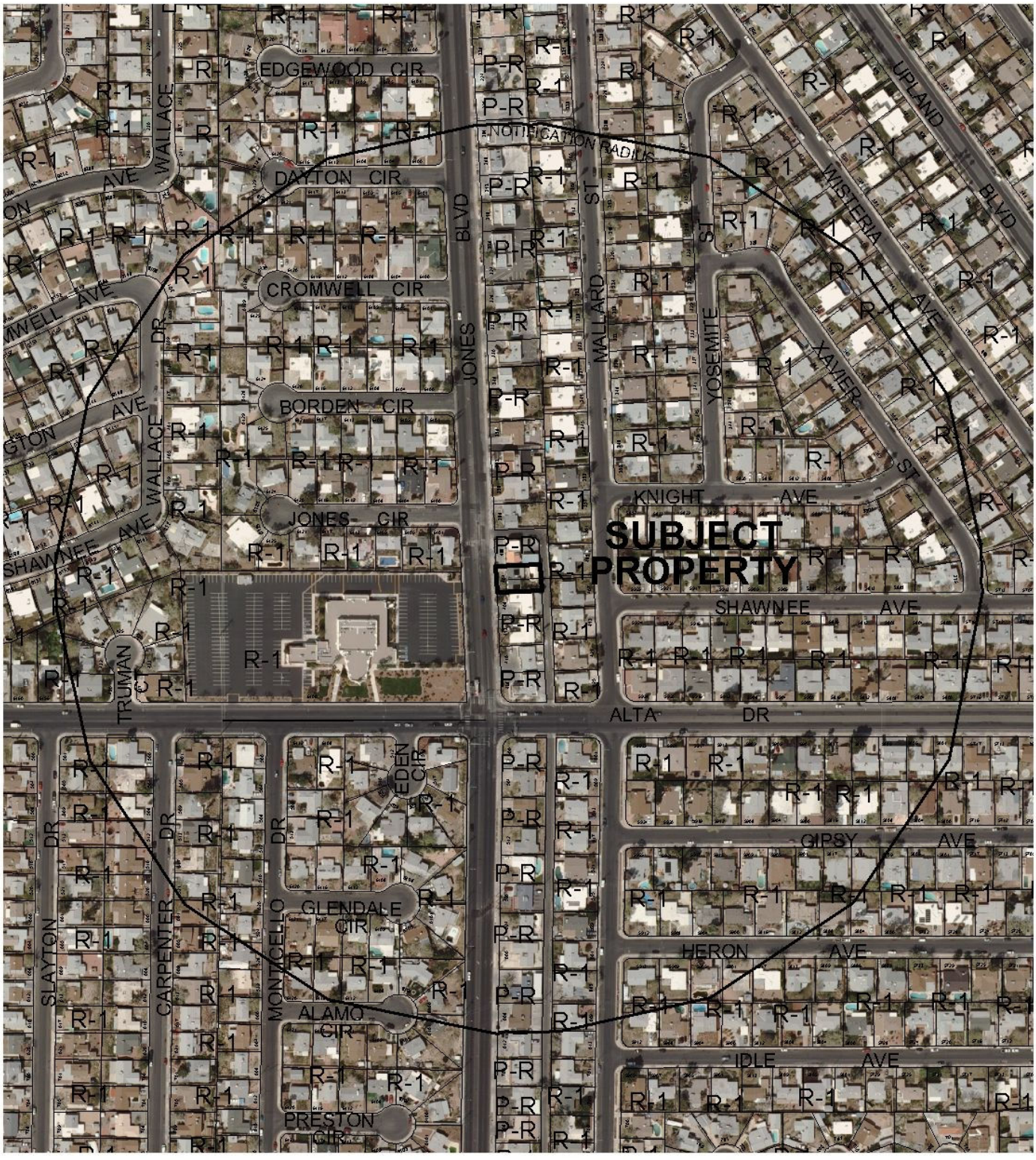
0 300 600 Feet

CASE: **SDR-41771**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: P-R (PROFESSIONAL OFFICE AND PARKING)

N



0 300 600 Feet

CASE: **SDR-41771**

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: SEPTEMBER 7, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: SOK J. LIM - OWNER: JWB NEVADA INVESTMENT SERIES C, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SDR-41771	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SDR-41771 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 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. Prior to issuance of a building permit, the applicant shall provide a letter from the service provider that approves the continuation of curb side trash pickup once the subject site is converted to commercial use.

3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 06/21/11, except as amended by conditions herein.

4. A Waiver from 19.08.050 is hereby approved, to allow landscape buffer widths of seven feet along the west perimeter where 15 feet is required and zero feet along a portion of the north and south perimeter where five feet is required.

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: add four 5-gallon sized shrubs for each required tree in the landscape planters.

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 utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.08.040.

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. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

12. Remove all substandard improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. The existing "pan" style driveway may remain.

13. 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.

14. As appropriate, submit an Encroachment Agreement to the City of Las Vegas or obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements, if any, in the Jones Boulevard public right-of-way adjacent to this site.

15. Contact the Capital Project Management Section of the Department of Public Works at 229-6272 to coordinate the development of this project with the Jones and Valley View Corridor Improvements" project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.

16. 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
September 7, 2011 - City Council Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The property at 404 South Jones Boulevard contains a vacant Single Family, Detached dwelling. The request is to convert the existing Single Family, Detached dwelling to a Tutoring Center. The proposed development is compatible and harmonious with the adjacent P-R (Professional Office and Parking) Zoned properties located at the north and south of the site. The requested Waivers can be supported by staff, as the building will maintain the appearance of a single-family residence and is harmonious with the adjacent single-family residence to the east and west. Therefore, staff recommends approval of this request. If this application is denied, the property will remain as a single-family residence.

ISSUES

- A Site Development Plan Review approval is necessary to convert the existing property from Single Family Residential use to Commercial use.

- Waivers of the perimeter landscape buffer are requested by the applicant, as part of this review, to allow a seven-foot perimeter landscape buffer to the west where 15 feet is required and to allow zero-foot perimeter landscape buffer on a portion of the north and south perimeter landscape buffers where five feet is required.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
05/01/91	The City Council approved a request for Rezoning (Z-0026-91) from R-1 (Single Family Residential) to P-R (Professional Offices and Parking at 344 South Jones Boulevard as part of a larger request. The Planning Commission and staff recommended denial.
08/09/11	The Planning Commission voted (7-0) to recommend APPROVAL (PC Agenda Item #38/rg)

Most Recent Change of Ownership	
04/29/11	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
05/09/61	A building permit (#4385) was issued for a Single Family Dwelling at 404 South Jones Boulevard. The permit was finalized on 07/05/61.

Pre-Application Meeting	
04/26/11	A pre-application meeting was held with the applicant to discuss the submittal requirements for a Site Development Plan Review for a Residential Conversion to a Tutoring Center use. The topics included: • Tutoring Center use conditional use regulation number 3 requires instructional services must be provided with a pupil/instructor ratio no greater than 2 to 1. If this condition could not be met a Special Use Permit is required for approval if the pupil/instructor ratio is greater than 2 to 1. A possible application for parking variance is needed since the pupil/instructor would be greater than 2 to 1. • Waivers are required for the perimeter landscape buffer widths.

Neighborhood Meeting
A neighborhood meeting was not held, nor was one required.

Field Check	
06/07/11	A site visit by staff noted that the existing residence is currently vacant.

Details of Application Request	
Site Area	
Net Acres	0.13

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Single Family, Detached	O (Office)	P-R (Professional Office and Parking)
North	Office	O (Office)	P-R (Professional Office and Parking)
South	Office	O (Office)	P-R (Professional Office and Parking)
East	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
West	Church/House of Worship	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 (175 feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	N/A	7,411 SF	Y
Min. Lot Width	60 Feet	61 Feet	Y
Min. Setbacks			
• Front	20 Feet	30 Feet	Y
• Side (North)	7 Feet	7 Feet	Y
• Side (South)	7 Feet	7 Feet	Y
• Rear	15 Feet	52 Feet	Y
Max. Lot Coverage	50 %	23 %	Y
Max. Building Height (measured from midpoint)	35 Feet	13 Feet	Y
Trash Enclosure	Screened	Curb side pickup	Y
Mech. Equipment	Screened	None	N*

*Pursuant to Title 19.14.030 (B) the existing structure is non-conforming.

Pursuant to Title 19.08, the following standards apply:

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Buffer Trees:				
• North	1 Tree / 30 Linear Feet	1 Trees	1 Trees	Y
• South	1 Tree / 30 Linear Feet	2 Trees	2 Trees	Y
• West	1 Tree / 20 Linear Feet	1 Trees	1 Trees	Y
TOTAL PERIMETER TREES		**4 Trees**	**4 Trees**	**Y**
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	2 Trees	4 Trees	Y

LANDSCAPE BUFFER WIDTHS			
Min. Zone Width			
• North	5 Feet	Zero Feet	N
• South	5 Feet	Zero Feet	N
• West	15 Feet	7 Feet	N

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Jones Boulevard	Secondary Collector	Master Plan of Streets and Highways	80	Y

Pursuant to Title 19.08 and 19.12, 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	
Tutoring Center	Four Staff	One space per staff	4				
	Eight Students	One space for every five students	2				
TOTAL SPACES REQUIRED			6		8		Y
Regular and Handicap Spaces Required			5	1	7	1	Y

Waivers		
Requirement	***Request***	***Staff Recommendation***
Five-foot landscape buffer along the north and south perimeter buffer.	Zero feet	Approval
15-foot landscape buffer adjacent to right-of-way.	Seven feet	Approval

ANALYSIS

The request is to convert the existing Single Family, Detached residence to a Tutoring Center. The property is located within the A-O (Airport Overlay) District with a 175-foot height restriction. The proposed conversion will not affect the overlay district, as the building height would remain the same.

The subject property complies with all Title 19 requirements, with the exception of required landscaping. Pursuant to Title 19.08.050, within the P-O (Professional Office) zoning district, the perimeter landscape buffer of 15 feet must be provided along the public right-of-way and a landscape buffer of five feet shall be provided on interior property lines where building setbacks prevail. The site plan depicts a seven-foot landscape buffer along Jones Boulevard, which is an eight-foot deviation from the standard, a zero-foot landscape buffer along a portion of the south property line, which is a five-foot deviation from the standard and a zero-foot landscape buffer along the north property line, which is a five-foot deviation from the standard. Staff can support the requested Waivers, as the development will be compatible with existing P-R (Professional Office and Parking) Zoned properties to the north and south. The submitted landscape plan indicates only 16 shrubs provided for this project. A condition has been added to revise the landscaping plan upon the submittal for a building permit to require four shrubs for every required tree in the landscape planter.

The existing residence contains a one-car garage and the garage will be converted as part of the proposed Tutoring Center. Furthermore, the building will maintain the appearance of a single family residence and will be compatible with the existing adjacent residential properties to the east and west. Staff recommends approval of this request with conditions.

FINDINGS (SDR-41771)

In order to approve a Site Development Plan application, per Title 19.16.100(E) 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 be compatible with existing P-R Zoned properties to the north and south. As the building will maintain the appearance of a single family detached dwelling, the site will be compatible with the existing adjacent single-family residential properties to the east and west.

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 development of professional offices on this site is encouraged, as the property has been zoned for such use and is consistent with its O (Office) General Plan designation. The proposed development does not meet the perimeter landscape buffer requirements for the north, south and west perimeters. The applicant has requested waivers of these requirements, which are consistent with other converted properties along Jones Boulevard.

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

   The site will have access to Jones Boulevard, an 80-foot Secondary Collector on the Master Plan of Streets and Highways, which is adequate to provide access to serve the proposed use. The site access and on-site circulation will not negatively impact adjacent roadways or neighborhood traffic. The rear parking lot can be accessed an alley located north of the subject property. The same alley can be accessed from Alta Drive from the south.

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 building elevations and design characteristics are consistent with the single-family residences in the area and are harmonious and compatible with development in the area.

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 welfare of the general public.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 30

NOTICES MAILED 388 (By City Clerk)

APPROVALS 2

PROTESTS 2

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-41771** APN: 138362100 17

Name of Property Owner: JWB NV Invest Series B LLC

Name of Applicant: SOK J. LIM

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: _____

RECEIVED
MAY 12 2011
City of Las Vegas

Signature of Property Owner: _____

Print Name: JIN WEONBANG (MANAGER)

Subscribed and sworn before me

This 11 day of MAY, 20 11

Becky A. Lehrke

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
BECKY A. LEHRKE
No: 09-9949-1
My Appointment Expires May 8, 2013

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: 404 JONES BLVD

Project Address (Location) _____

Project Name JWB Language School **Proposed Use** _____

Assessor's Parcel #(s) 13936210017 **Ward #** _____

General Plan: existing _____ proposed _____ **Zoning:** existing _____ proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER JWB NV Invest Series B LLC **Contact** _____

Address 1823 Relentless st **Phone:** _____ **Fax:** _____

City Las Vegas **State** NV **Zip** 89117

E-mail Address _____

APPLICANT Gok Ji Lim **Contact** _____

Address 44 Gulf Creek ct **Phone:** 702-406-1863 **Fax:** _____

City Las Vegas **State** NV **Zip** 89148

E-mail Address _____

REPRESENTATIVE _____ **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **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 JIN WEON BANG (MANAGER)

Subscribed and sworn before me

This 11 day of MAY, 20 11.

Becky A. Lehrke

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
BECKY A. LEHRKE
No: 09-9949-1
My Appointment Expires May 8, 2013

FOR DEPARTMENT USE ONLY

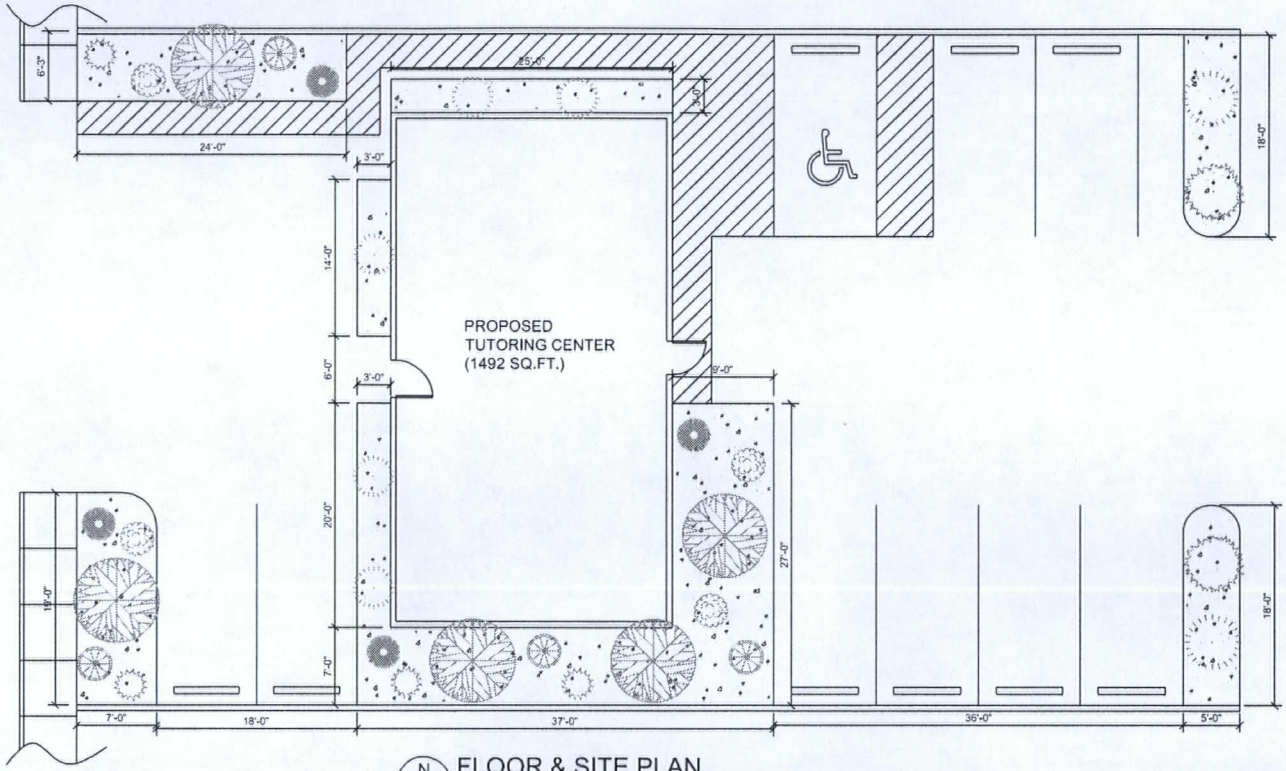
Case #	SDR-4171
Meeting Date:	~~5-26-11~~ 7-12-11
Total Fee:	1030
Date Received:*	5-12-11
Received By:	KS

*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.

Revised 10/27/08

f:\depot\Application Packet\Application Form.pdf

JONES BLVD



FLOOR & SITE PLAN
3/32" = 1'-0"

TOTAL PLANTS

- 16 TREES
- 16 SHRUBS

(N) 24" BOX TREES

SYMBOL	NAME	PLANT TYPE	PLANT HEIGHT (FT.)	QTY.
	ARCACIA 'CAT CLAW'	DECIDUOUS TREE	15-20	8
	ACACIA 'SHOESTRING'	EVERGREEN TREE	20-25	4
	ARIZONA ROSEWOOD	EVERGREEN TREE	15-30	4
	3/4" ROCK			

(N) 15 GALLON SHRUBS

SYMBOL	NAME	PLANT TYPE	PLANT HEIGHT (FT.)	QTY.
	BUTTERFLY BUSH	SHRUB	6-12	4
	DESERT SPOON	SHRUB	3	4
	FAIRY DUSTER	SHRUB	3	4
	CAPE PLUMBAGO 'WHITE'	SHRUB	4-6	4

RECEIVED
JUN 21 2011

SDR-41771
REVISED

REVISIONS	BY:

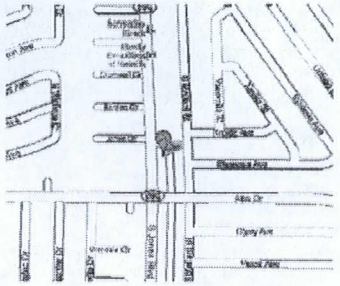
K-1 CONSTRUCTIO INC.
LIC # 0066560
PH # (702) 406-1867
E-mail: K1constructions@yahoo.com

Drawings as instruments of service are and shall remain the property of the architect, and are not to be used in whole or part for any extension of this project or for completion by others without the written consent of the architect. Visual contact with these drawings shall constitute prima facie evidence of the acceptance of these restrictions. Reproduction of these drawings for any purpose whatsoever without the express written permission of the architect is prohibited by law and will be subject to legal action. The architect shall not be held responsible for changes made to these drawings by others after the issuance for construction.

TITLE: LANDSCAPING PLAN
PROJECT: JVB LANGUAGE SCHOOL
ADDRESS: 404 S. JONES BLVD LAS VEGAS, NV 89107
DRAWN
CHECKED
DATE
SCALE: AS SHOWN
JOB NO
SHEET: A-2

JWB SCHOOL

404 S. JONES BLVD
LAS VEGAS, NV 89107

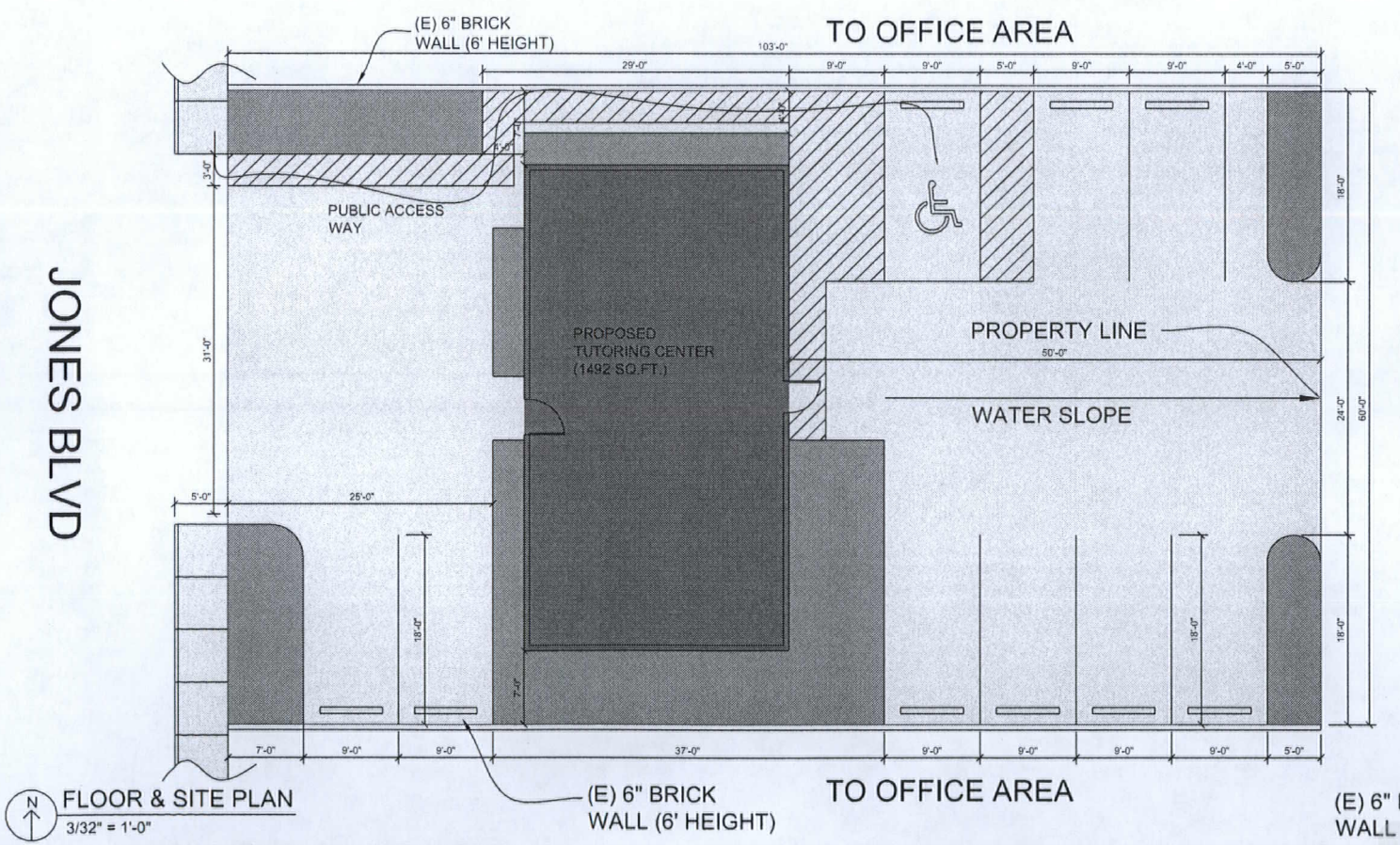


VINCITY MAP
N.T.S

PROPERTY AREA
= 6180 SQ. FT.
BUILDING AREA
= 1492 SQ. FT.

PARKING SUMMARY

- ONE SPACE EACH STAFF MEMBER, PLUS ONE SPACE FOR EVERY 5 STUDENTS IN CLASS WHEN THE CENTER IS AT MAXIMUM CAPACITY
- SCHOOL HAS 4 STAFFS AND 8 STUDENTS. SO, 6 PARKING SPACES ARE REQUIRED.
- 8 PARKING SPACE ARE PROVIDED



FLOOR & SITE PLAN
3/32" = 1'-0"

RECEIVED
JUN 21 2011

SDR-41771
REVISED

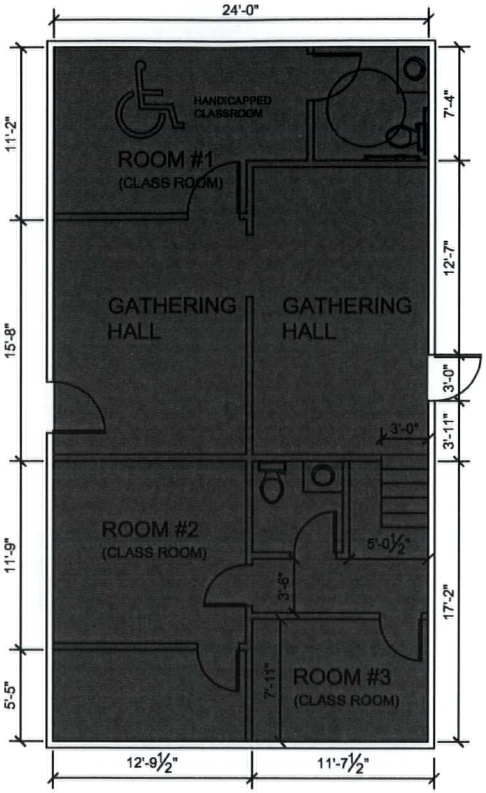
REVISIONS	BY

K-1 CONSTRUCTIO INC.
LIC # 0066560
PH # (702) 406-1867
E-mail: K1constructions@yahoo.com

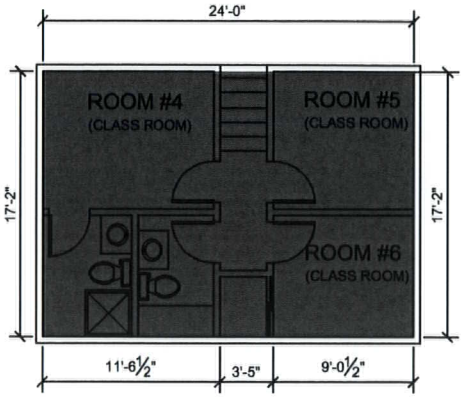
Any use or reproduction in whole or part without the written permission of the architect is prohibited. Drawing is property of the architect and shall be returned upon request. Contractor shall verify and be responsible for all dimensions and conditions on the job. Any discrepancies shall be reported to the architect before proceeding with the work.

TITLE: SITE PLANN
PROJECT: JWB LANGUAGE SCHOOL
ADDRESS: 404 S. JONES BLVD LAS VEGAS, NV 89107

DRAWN
CHECKED
DATE
SCALE AS SHOWN
JOB NO.
SHEET A-1



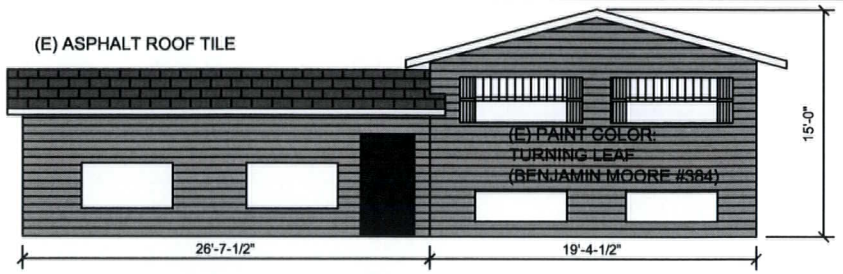
1ST FLOOR



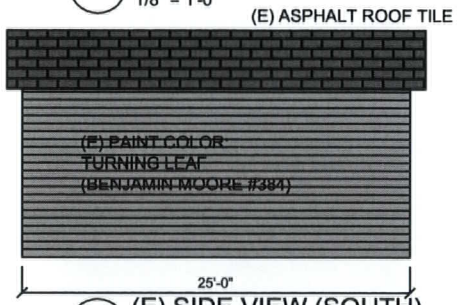
2ND FLOOR

GENERAL NOTE

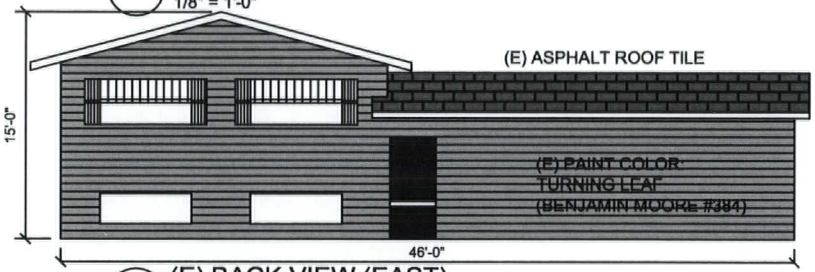
1. ALL DOOR MUST BE 36"



(E) FRONT VIEW (WEST)
1/8" = 1'-0"



(E) SIDE VIEW (SOUTH)
1/8" = 1'-0"



(E) BACK VIEW (EAST)
1/8" = 1'-0"



(E) SIDE VIEW (NORTH)
1/8" = 1'-0"

RECEIVED
JUN 21 2011

N

FLOOR & SITE PLAN

1/8" = 1'-0"

SDR-41771

REVISED

REVISIONS	BY

K-1 CONSTRUCTIO INC.
LIC # 0066560
PH # (702) 406-1867
E-mail: K1construction5@yahoo.com

TITLE: FLOOR PLAN/ARCHITECTURAL PLAN
PROJECT: JVS LANGUAGE SCHOOL
ADDRESS: 404 S. JONES BLVD LAS VEGAS, NV 89107

DRAWN
CHECKED
DATE
SCALE AS SHOWN
JOB NO.
SHEET A-3

SDR 41771
JWB Nevada Investment Series C, LLC

404 S. Jones Boulevard

Proposed 1.492 square foot conversion of an existing house to an office.

Traffic produced by proposed development:

Existing Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SINGLE FAMILY DETACHED [DWELL]	1	9.57	10
AM Peak Hour			0.75	1
PM Peak Hour			1.01	1

Proposed Change	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	GENERAL OFFICE BUILDING [1000 SF]	1.492	11.01	16
AM Peak Hour			1.55	2
PM Peak Hour			1.49	2

Net Change	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	GENERAL OFFICE BUILDING [1000 SF]	1.492	11.01	6
AM Peak Hour			1.55	1
PM Peak Hour			1.49	1

Existing traffic on all nearby streets:

Jones Boulevard	
Average Daily Traffic (ADT)	31,500
PM Peak Hour (heaviest 60 minutes)	2520

Alta Drive	
Average Daily Traffic (ADT)	10,413
PM Peak Hour (heaviest 60 minutes)	833

Traffic Capacity of adjacent streets:

	Adjacent Street ADT Capacity
Jones Boulevard	34,500
Alta Drive	16,300

This conversion is expected to add 6 additional trips per day on Jones Blvd. and Alta Dr. Currently, Jones is at about 91 percent of capacity and Alta is at about 64 percent of capacity. This project is not expected to significantly change these capacities.

Based on Peak Hour use, this conversion will add 1 additonal cars into the area in the peak hour, or about one every sixty minutes.

Note that this report assumes all traffic from this development uses all named streets.



SDR-41771 - APPLICANT: SOK J. LIM - OWNER: JWB NEVADA INVESTMENT SERIES B, LLC
404 SOUTH JONES BOULEVARD

06/30/11



SDR-41771 - APPLICANT: SOK J. LIM - OWNER: JWB NEVADA INVESTMENT SERIES B, LLC
404 SOUTH JONES BOULEVARD

06/30/11



SDR-41771 - APPLICANT: SOK J. LIM - OWNER: JWB NEVADA INVESTMENT SERIES B, LLC
404 SOUTH JONES BOULEVARD

06/30/11



SDR-41771 - APPLICANT: SOK J. LIM - OWNER: JWB NEVADA INVESTMENT SERIES B, LLC
404 SOUTH JONES BOULEVARD

06/30/11



SDR-41771 - APPLICANT: SOK J. LIM - OWNER: JWB NEVADA INVESTMENT SERIES B, LLC
404 SOUTH JONES BOULEVARD

06/30/11



SDR-41771 - APPLICANT: SOK J. LIM - OWNER: JWB NEVADA INVESTMENT SERIES B, LLC
404 SOUTH JONES BOULEVARD

06/30/11

JWB Language School
404 South Jones Blvd.
Las Vegas, NV 89107

City of Las Vegas Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, NV 89106

April 28, 2011

Re: JWB School

To Whom It May Concern:

I am writing to you in reference to the correction file for the JWB Office dated March 13, 2011. This school is going to be for students in high school or college who are having trouble with their English. Since it is primarily going to only be for this purpose, there is not going to be any levels or difference in classes taught. For this reason, there will be no need to have more than one room that is handicap accessible. In addition, there is currently landscape planned on all sides of the building as well as the parking lot. Unfortunately, there is not enough room to meet the required measurements. Due to the before mentioned reasons, we are requesting the following:

1. Require only one room to be handicap accessible.
2. Waive the 8' requirement of landscape to 6' along rear.
3. Waive the 15' requirement of landscape to 9' along the front.
4. Waive the 8' requirement of landscape to 0' along sides.
5. Require only 3 trees in the parking lot landscape instead of 4.

In addition, we are addressing that a trashcan with wheels will be stored in the garage. It will be put on the sidewalk two times a week to be picked up by the appropriate service provider. We have also decided to acknowledge regulation number 3 under Table 2 in the Land Use Table stating that there should be a 2:1 student to teacher ratio; therefore there will not be more than 10 students at one time. Thank you for your time in this matter.

Sincerely,

Principal
JWB Language School

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MAY 12 2011
City of Las Vegas

SDR-41771

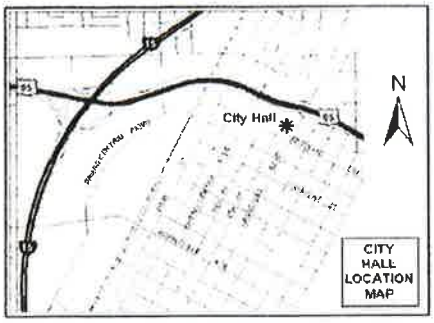
NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

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 JUL 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.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-41771
Planning Commission Meeting of 8/9/2011

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July 31/11
AUG - 3 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SDR-41771
13835618030
HONRATH ROSE Y
PARKER KIMBERLY
6109 BORDEN CIR
LAS VEGAS NV 89107-2514 89107-2514

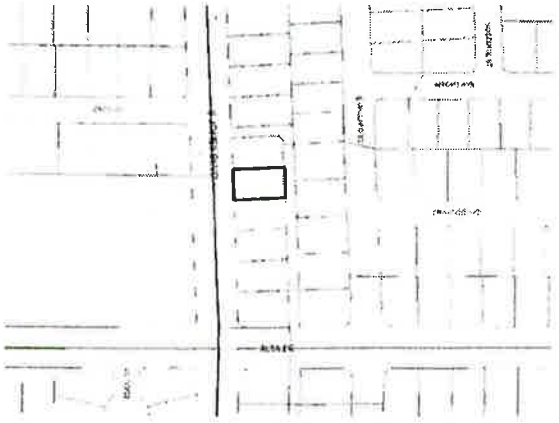
25 PRPFN11 89107

Application Information

SDR-41771 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: SOK J. LIM - OWNER: JWB NEVADA INVESTMENT SERIES C, LLC - For possible action on a request for a Site Development Plan Review FOR THE CONVERSION OF A SINGLE FAMILY RESIDENCE TO A 1,492 SQUARE-FOOT TUTORING CENTER, WITH WAIVERS TO ALLOW LANDSCAPE BUFFER WIDTHS OF ZERO FEET ALONG A PORTION OF THE NORTH AND SOUTH PERIMETERS WHERE FIVE FEET IS REQUIRED, AND SEVEN FEET ALONG THE WEST PERIMETER WHERE 15 FEET IS REQUIRED on 0.13 acres at 404 South Jones Boulevard (APN 138-36-210-017), P-R (Professional Office and Parking) Zone, Ward 1 (Tarkanian).

TOO MUCH CONGESTION, TRAFFIC.
CONTACTED WARD I - ROBIN

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

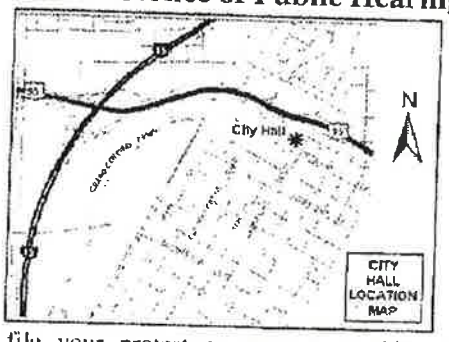
Meeting:	Planning Commission
Date:	***August 09, 2011***
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

3 OP

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

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-41771

Planning Commission Meeting of 8/9/2011

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

13836211009 Case: SDR-41771
ELMHURST L L C
3201 SKIPWORTH DR
LAS VEGAS NV 89107-3240 89107-3240

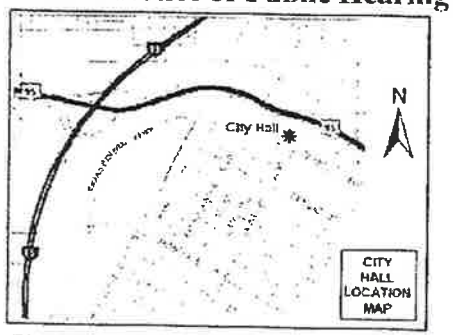
8/7/11

38P

p.1
7029474488
Aug 03 11 07:57p

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-41771

Planning Commission Meeting of 8/9/2011

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case SDR-41771

13836316003
MARX JAMES G & MARCIA K
1501 WINDHAVEN CIR
LAS VEGAS NV 89117-1532 89117-1532

38A

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
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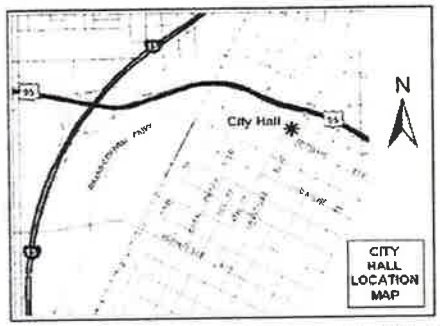
JUL 28 2011
MAILED FROM ZIP CODE 89101

RECEIVED
AUG - 3 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.

SDR-41771
Planning Commission Meeting of 8/9/2011

Case: SDR-41771
13836311002
LAMEK NICHOLAS E & MARGARET E
5925 ALTA DR
LAS VEGAS NV 89107-3604 89107-3604

25 PRINTED BY

384

City of Las Vegas Agenda Item No.: **91.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

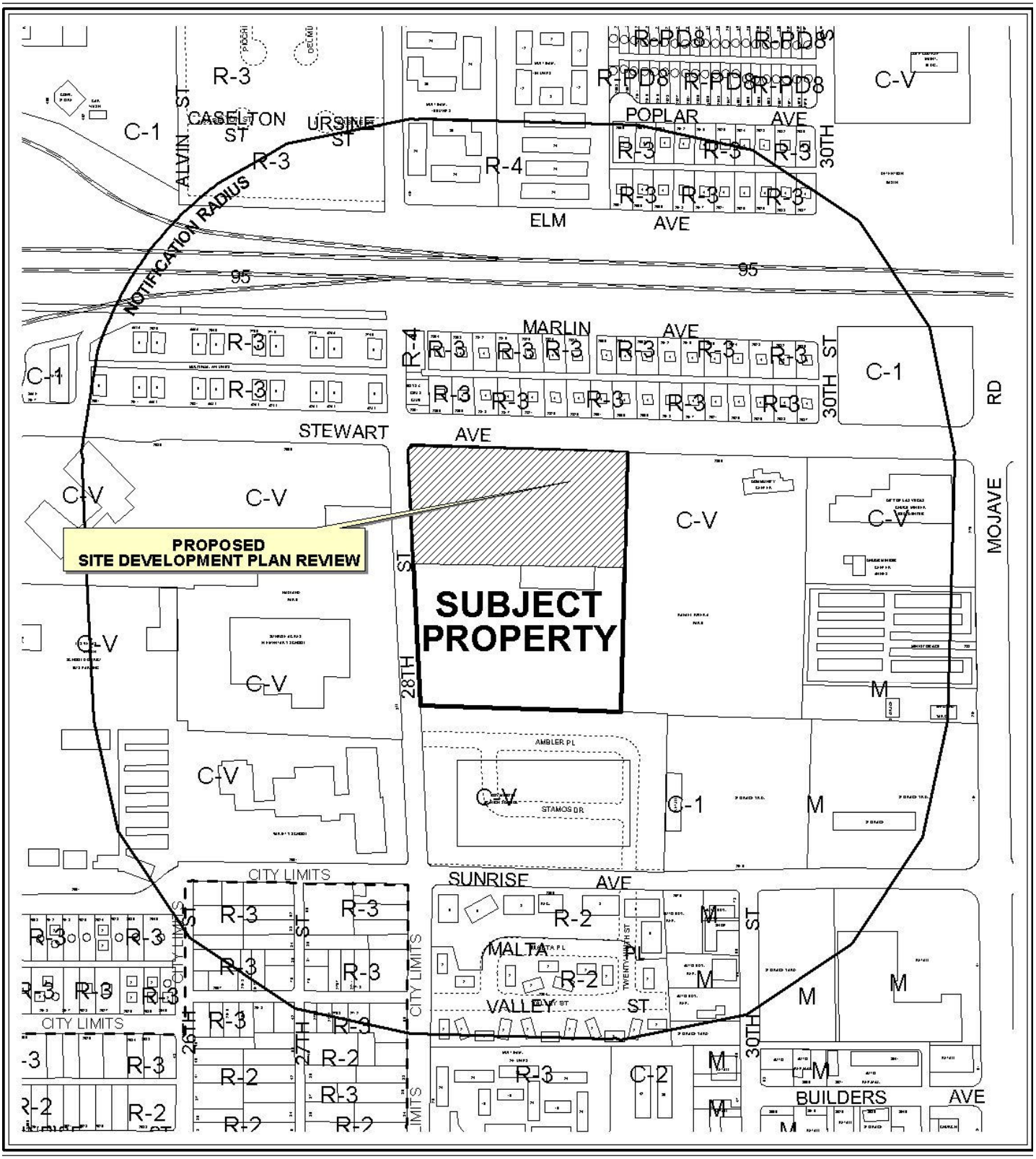
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
SDR-42251 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: CLARK COUNTY SCHOOL DISTRICT - OWNER: SCHOOL BOARD OF TRUSTEES - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 79,513 SQUARE-FOOT PUBLIC SCHOOL (K-12) on 11.7 acres at 2800 Stewart Avenue (APN 139-36-303-001), C-V (Civic) Zone, Ward 3 (Coffin). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**1**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
The Planning Commission (7-0 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Backup referenced from the August 9, 2011 Planning Commission Meeting Item – SDR-42251



0 300 600 Feet

CASE: **SDR-42251**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

N



0 300 600 Feet

CASE: **SDR-42251**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: SEPTEMBER 7, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: CLARK COUNTY SCHOOL DISTRICT - OWNER: SCHOOL BOARD OF TRUSTEES

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SDR-42251	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SDR-42251 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 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. All development shall be in conformance with the site plan and landscape plan date stamped 07/19/11, and floor plans and building elevations date stamped 06/23/11, except as amended by conditions herein.

3. An Exception from Title 19.08.070 is hereby approved, to allow 13 trees where 15 trees are required along the west perimeter.

4. 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 06/23/11. Any changes based upon subsequently submitted studies must be accommodated elsewhere 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. 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).

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets

9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.08.040.

10. 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.

11. 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.

12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

13. Dedicate the remaining right-of-way to complete the 25 foot radius on the southeast corner of Stewart Avenue and 28th Street prior to the issuance of any permits. Additionally, grant a Traffic Signal Chord Easement at the same location. The applicant shall grant Pedestrian Access Easements for all public sidewalks that are outside the public right-of-way.

14. Remove all substandard sidewalk improvements and unused driveways adjacent to this site and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

15. Meet with the Sanitary Sewer Planning Section of the Department of Public Works to determine an acceptable method of resolving the fact that the parcel for this site contains a private sewer line serving APN#139-36-303-003 (southerly adjacent parcel).

16. The applicant shall install school zone flashers and required appurtenances on Stewart Avenue prior to occupying the building for school purposes.

17. 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.

18. Submit an Encroachment Agreement for landscaping and private improvements, if any, in the Steward Avenue public right-of-way prior to this issuance of permits for these improvements. The applicant must carry an insurance policy for the term of the encroachment agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove property encroaching in the public right-of-way at the applicant's expense pursuant to the terms of the City's encroachment agreement. The installation and maintenance of all private improvements 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.

19. An update to the previously approved Drainage Plan and Technical Drainage Study (CCSD Sunrise Acres Elementary School) must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is proposing to construct a 79,513 square-foot Public School, Primary building with 32 classrooms on the subject site. The school will replace the existing school currently located on the site since the late 1950's. The school designed to be compatible with the neighborhood and is consistent with the General Plan Land Use designation. For these reasons, staff recommends approval of the application.

ISSUES

- An Exception is needed to allow 13 perimeter landscape trees where 15 is the minimum required along the west perimeter. Staff supports this request, since an additional 63 shade trees are being provided throughout the site.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
09/06/06	The City Council approved a request for a Site Development Plan Review (SDR-14380) for a proposed 192,000 square-foot Public School, Secondary at the northeast corner of 28th Street and Sunrise Avenue. The Planning Commission and staff recommended approval.
09/11/08	Staff approved an Administrative Site Development Plan Review (SDR-29124) for the retention of existing buildings that were previously proposed to be demolished on 11.73 acres at 2800 East Stewart Avenue.
08/09/11	The Planning Commission voted (7-0) to recommend APPROVAL (PC Agenda Item #39/yk)

Most Recent Change of Ownership	
01/08/59	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
There are no relevant permits or licenses for this property.

Pre-Application Meeting	
06/21/11	Staff reviewed the requirements for a Site Development Plan Review for a school at 2800 Stewart Avenue. The parking requirement of three spaces per classroom was discussed.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
06/30/11	A field check was conducted and found a secured vacant school building. The site was clean and free of graffiti.

Details of Application Request	
Site Area	
Gross Acres	11.73
Net Acres	5.46

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Government Facility	PF (Public Facility)	C-V (Civic)
North	Multi-Family Residential	M (Medium Density Residential)	C-1 (Limited Commercial)
			R-3 (Medium Density Residential)
South	Government Facility	PF (Public Facilities)	C-V (Civic)
East	Public Park or Playground	PF (Public Facilities)	C-V (Civic)
West	Public Park or Playground	PF (Public Facilities)	C-V (Civic)
	Government Facility		

Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts		X	N/A
C-V (Civic) District	X		Y
Trails	X		Y
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

YK

DEVELOPMENT STANDARDS

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	N/A	N/A	N/A
Min. Lot Width	236 Feet	237 Feet	Y
Min. Setbacks			
• Front	20 Feet	21 Feet	Y
• Side	111 Feet	111 Feet	Y
• Corner	15 Feet	15 Feet	Y
• Rear	77 Feet	77 Feet	Y
Max. Lot Coverage	33 %	34 %	Y
Max. Building Height	35 Feet	35 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, w/ a Roof or Trellis	Y
Mech. Equipment	Screened	Screened	Y

Pursuant to Title 19.08.070 the following standards apply:

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	32 Trees	32 Trees	Y
• South	N/A	N/A	20 Trees	N/A
• East	N/A	N/A	17 Trees	N/A
• West	1 Tree / 20 Linear Feet	15 Trees	13 Trees	N
TOTAL PERIMETER TREES		**49 Trees**	**82 Trees**	**N**
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	26 Trees	26 Trees	Y
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	10 Feet		10 Feet	Y
• South	8 Feet		8 Feet	Y
• East	8 Feet		8 Feet	Y
• West	15 Feet		20 Feet	Y

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Actual Street Width (Feet)*	*Compliance with Street Section*
Stewart Avenue	Primary Arterial	Master Plan of Streets and Highways	100	Y
28th Street	N/A	N/A	60	N/A

Pursuant to Title 19.08 and 19.12, 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	
Public or Private School, Primary	32 classrooms	3 spaces per classroom	96				
TOTAL SPACES REQUIRED			96		130		Y
Regular and Handicap Spaces Required			92	4	125	5	Y

Exceptions		
Requirement	***Request***	***Staff Recommendation***
To provide 15 landscape buffer trees along the west perimeter.	To provide 13 landscape buffer trees along the west perimeter.	Approval

ANALYSIS

This project is located within the C-V (Civic) zoning district and is portion of a larger Clark County School District site containing existing playgrounds, courts, and athletic fields. There is a Multi-Use Transportation Trail along the north side of Stewart Avenue. The Clark County School District is providing an enhanced seven-foot wide sidewalk with a five foot wide amenity zone containing shade trees at the back of curb. These enhanced streetscape treatments are a welcome addition to the project.

The building is a modern one-level 79,513 square-foot building that will serve special needs students in the Clark County School District.

There is ample landscaping provided for the project; however, due to the distribution of the trees exceptions are required. The applicant has requested an Exception to allow 13 trees along the west perimeter where 15 trees are required; however, there are 63 additional trees located throughout the property that offset this request. Therefore staff supports the request.

The proposed site pan is well designed plan and it is an appropriate use for the site. Therefore staff recommends approval..

FINDINGS (SDR-42251)

In order to approve a Site Development Plan application, per Title 19.16.100(E) 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;**

   This project will replace an existing school that has been on the site since the late 1950's. The new school building will be compatible with 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;**

   The General Plan designation for the site is PF (Public Facilities). The existing site has a Public School use and is located within a C-V (Civic) zoning district, where such uses are permitted. The proposal meets most Title 19 development standards. The requested Exception is offset by the additional shade trees placed throughout the project.

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

   Access to the parking lot is provided from both Stewart Avenue and 28th Street. A one-way loading drive for the school buses is located on the site along the south side of the building. The design of the parking lot and loading drive will not have a negative impact on the adjacent streets or neighborhood.

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

   The proposed building and landscaping materials 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 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.

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

   The proposed structure will be subject to inspection and will therefore not compromise the public health, safety and general welfare.

NOTICES MAILED 96 (By City Clerk)

APPROVALS 0

PROTESTS 1

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-42251 APN: 139-36-303-001

Name of Property Owner: School Board of Trustees

Name of Applicant: Clark County School District

Name of Representative: Craig Forrest

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: Linda Perri

Subscribed and sworn before me

This 20th day of June, 2011

_____

Notary Public in and for said County and State

PATRICIA A. O'GARA
Notary Public State of Nevada
No. 07-2982-1
My appt. exp. May 4, 2015

RECEIVED
JUN 20 2011

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Site Development Plan Review

Project Address (Location) 2800 Stewart Avenue, SE corner of Stewart and 28th Street

Project Name Variety Replacement School **Proposed Use** School

Assessor's Parcel #(s) 139-36-303-001 **Ward #** 3

General Plan: existing PF proposed PF **Zoning:** existing C-V proposed C-V

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** n/a **Density** n/a

Additional Information _____

PROPERTY OWNER School Board of Trustees **Contact** Linda Perri

Address 4190 McLeod Drive, 2nd Floor **Phone:** (702) 799-5214 **Fax:** (702) 799-5436

City Las Vegas **State** NV **Zip** 89121

E-mail Address lkperri@interact.ccsd.net

APPLICANT Clark County School District **Contact** Linda Perri

Address same **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

REPRESENTATIVE KGA Architecture **Contact** Craig Forrest

Address 9075 West Diablo Drive, 3rd Floor **Phone:** (702) 367-6900 **Fax:** (702) 367-2043

City Las Vegas **State** NV **Zip** 89148

E-mail Address Craig@KGAarchitecture.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 Linda Perri

Subscribed and sworn before me

This 22nd day of June, 20 11.

_____

Notary Public in and for said County and State

PATRICIA A. O'GARA
Notary Public State of Nevada
No. 07-2982-1
My appt. exp. May 4, 2015

FOR DEPARTMENT USE ONLY

Case #	SDR-42251
Meeting Date:	8-9-11 PC
Total Fee:	
Date Received:*	6/23/11
Received By:	

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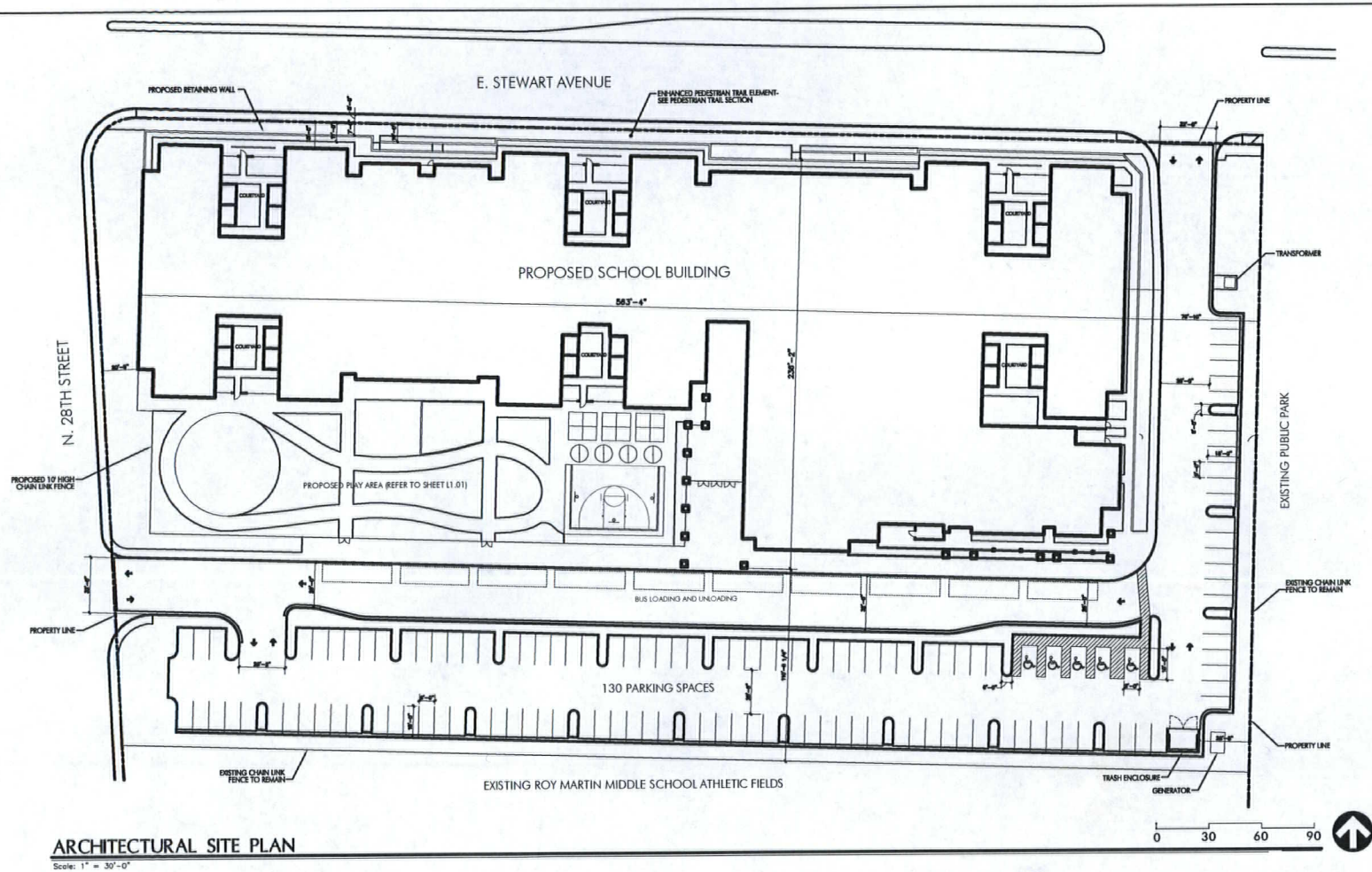
JUN 23 2011
PLANNING & DEVELOPMENT

*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



ARCHITECTURAL SITE PLAN

Scale: 1" = 30'-0"

OPERTY OWNER

IOOL BOARD OF TRUSTEES
0 MCLEOD DRIVE
VEGAS, NV 89121

ONTACT

\ ARCHITECTURE
5 WEST DIABLO DRIVE, THIRD FLOOR
VEGAS, NV 89148

E ANALYSIS

I # :	(A PORTION OF)139-36-303-001
RRENT ZONING :	C-V
POSED ZONING :	C-V
AREA (GROSS) :	11.70 ACRES (509,652 SQ. FT.)
AREA (NET) :	5.46 ACRES (237,838 SQ.FT.)
COVERAGE (NET) :	33.4%
OR AREA RATIO (NET) :	1 : 2.99

BUILDING ANALYSIS

PROPOSED SPECIAL EDUCATION SCHOOL :	79,513
TOTAL SQUARE FOOTAGE :	79,513

PARKING ANALYSIS

CITY OF LAS VEGAS PARKING REQUIREMENTS :
PUBLIC OR PRIVATE SCHOOL, PRIMARY :

3 SPACES PER CLASSROOM	96 SPACES
TOTAL REQUIRED PARKING :	96 SPACES

PARKING PROVIDED :

TOTAL PARKING PROVIDED :	130 SPACES

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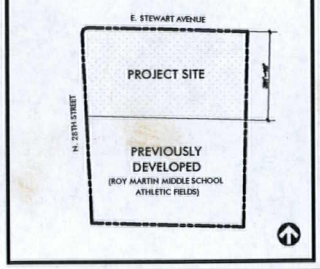
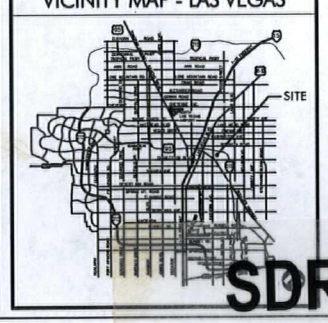
JUL 19 2011

PARCEL KEY PLAN

PARCEL #139-36-303-001:

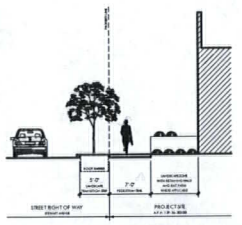


VICINITY MAP - LAS VEGAS



REVISIONS

REV	DESCRIPTION	DATE	BY



PEDESTRIAN TRAIL SECTION

N.T.S.

SEAL

COD PROJECT NO. 00000
COD REVIEW
APPROVED BY
DATE

DATE JUNE 21, 2011
DRAWN BY
CHECKED BY
SUBMITTAL SCHEMATIC DESIGN
A/E PROJECT NO. 11905.00

KGA ARCHITECTURE
5375 West Diablo Drive, Third Floor
Las Vegas, Nevada 89148
702.367.6900
www.KGAarchitecture.com
1701 Directors Boulevard, Suite 770
Austin, Texas 78744
512.441.8200
AUSTIN

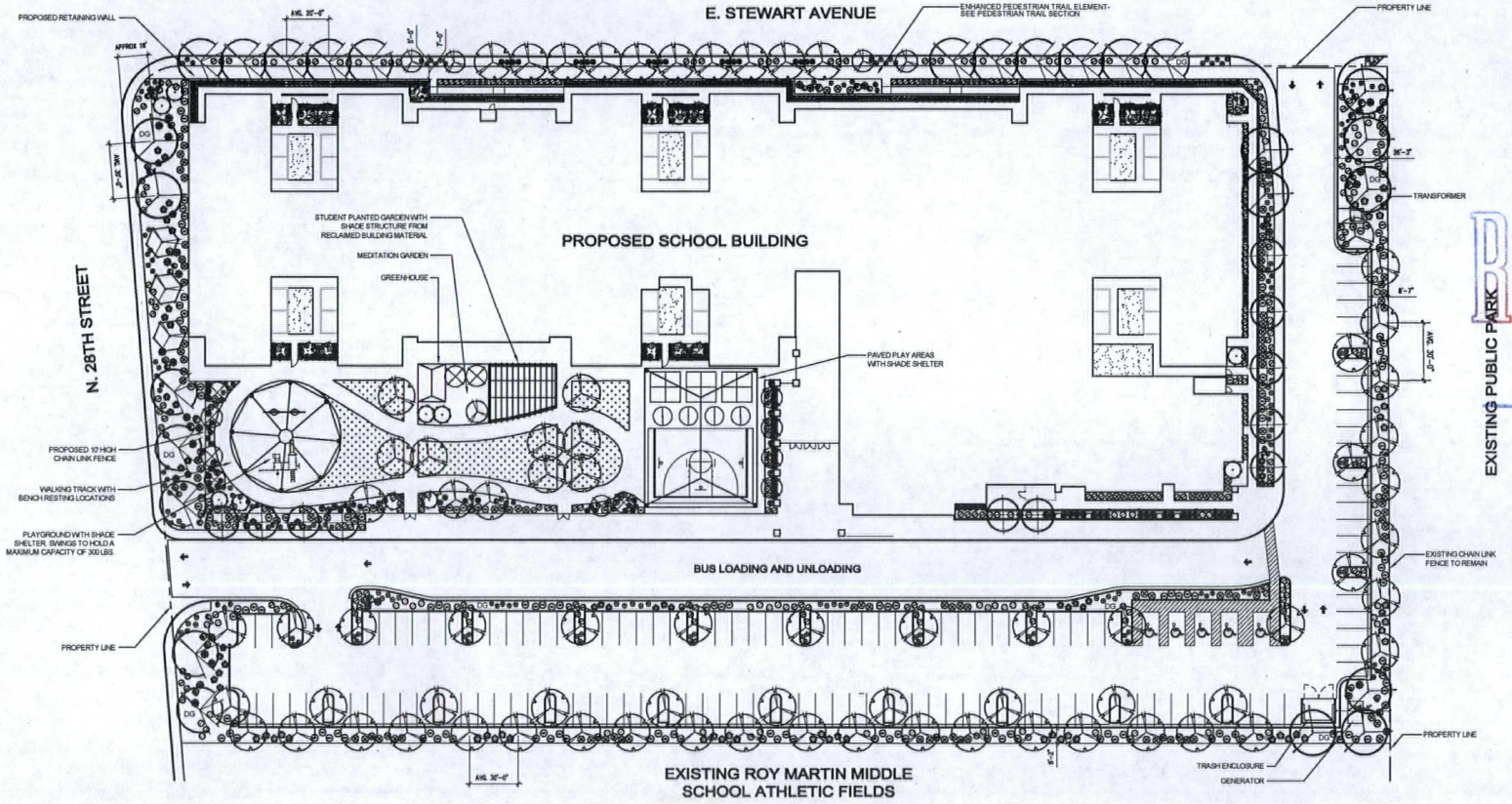
CLARK COUNTY SCHOOL DISTRICT
DESIGN MANAGEMENT / PLANNING AND DESIGN
4170 McLEOD DRIVE
LAS VEGAS, NEVADA 89121

PROJECT
VARIETY SCHOOL

DRAWING TITLE
ARCHITECTURAL SITE PLAN

SHEET NO.
AS1.01

SDR-42251
REVISED



PLANTING LEGEND

TREES

SYMBOL	BOTANICAL NAME / COMMON NAME	QTY.	CALIPER MINIMUM SIZE
	ACACIA STENOPHYLLA SHOESTRING ACACIA	11	1 1/2" 24" BOX
	BRACHYCHITON POPULNEUS BOTTLE TREE	12	2 1/2" 24" BOX
	CHITALPA X TASHKENTENSIS CHITALPA TREE	16	1 1/4" 24" BOX
	ELAEOCARPUS DECIPIENS JAPANESE BLUEBERRY	16	1 1/4" 24" BOX
	FRAXINUS ANGUSTIFOLIA 'RAYWOOD' RAYWOOD ASH	73	1 1/2" 24" BOX
	PARKINSONIA 'DESERT MUSEUM' HYBRID PALO VERDE	3	1 1/2" 24" BOX
	PROSOPIS CHILENSIS CHILEAN MESQUITE	10	1 1/2" 24" BOX
	VITEX AGNUS-CASTUS CHASTE TREE MULTI TRUNK- 1 1/4" CLPR. PER TRUNK	16	1 1/4" 24" BOX

SHRUBS

SYMBOL	BOTANICAL NAME / COMMON NAME	QTY.	MINIMUM SIZE
	CALLISTEMON VIMINALIS 'LITTLE JOHN' DWARF BOTTLEBRUSH	67	5 GALLON
	DASYLIRION WHEELERI DESERT SPOON	32	5 GALLON
	DIETES BICOLOR EVERGREEN IRIS	88	5 GALLON
	HESPERALOE PARVIFLORA 'RED' RED YUCCA	92	5 GALLON
	LANTANA SP. 'NEW GOLD' GOLDEN LANTANA	171	5 GALLON
	LANTANA MONTEVIDENSIS PURPLE LANTANA	48	5 GALLON
	LEUCOPHYLLUM LANGMANIAE 'RIO BRAVO' TEXAS RANGER	129	5 GALLON
	MYRTUS COMMUNIS 'COMPACTA' SWEET MYRTLE	210	5 GALLON
	PITTOSPORUM TOBIRA 'WHEELERS' WHEELER'S DWARF MOCK ORANGE	34	5 GALLON
	RHAPHIOLEPIS INDICA 'BALLERINA' DWARF INDIA HAWTHORN	60	5 GALLON
	SALVIA GREGGII AUTUMN SAGE	44	5 GALLON
	SENNA ARTEMISIOIDES FEATHERY CASSIA	48	5 GALLON
	TEUCRIUM CHAMAEDRYS 'PROSTRATUM' PROSTRATE GERMANDER	254	5 GALLON
	XYLOSMA CONGESTUM 'COMPACTA' COMPACT SHINY XYLOSMA	172	5 GALLON

LANDSCAPE ELEMENTS

SYMBOL	DESCRIPTION	QTY.	DETAIL
DG	DECOMPOSED GRANITE. COLOR TO BE GOLD. 2" MINIMUM DEPTH. SEE NOTE #2.	38,330 S.F.	
	SODDED TURF	4,725 S.F.	
	SYNTHETIC TURF	2,542 S.F.	
	LANDSCAPE GRANITE BOULDERS IN VARIOUS SIZES -SEE CHART BELOW. COLOR TO MATCH DECOMPOSED GRANITE.		

BOULDER SCHEDULE

SYMBOL	SIZE	QUANTITY
A	3'X3'X2'	9
B	3'X2'X2'	18
C	2'X2'X2'	11
D	2'X2'X1'	4
E	1'X1'X1'	14

PLANTING NOTES

1. ALL DIOECIOUS PLANT MATERIAL TO BE FEMALE IN ORDER TO REDUCE AIRBORN ALLERGENS AND POLLEN COUNT ON THE SITE. A REGISTERED HORTICULTURIST AND/OR ARBORIST SHALL BE CONSULTED TO VERIFY SEX OF PLANT MATERIAL THAT IS TO BE SECURED FOR INSTALL.
2. ALL MONOECIOUS PLANT MATERIAL HAS BEEN CAREFULLY SELECTED FOR ITS LOW ALLERGY QUALITIES. ANY PLANT SUBSTITUTIONS SUGGESTED BY THE CONTRACTOR MUST HAVE A LOW RATING ON THE OGREN PLANT ALLERGY SCALE (OPALS CHART).
3. DECOMPOSED GRANITE (DG) - INSTALL THE MINIMUM LAYER OF DECOMPOSED GRANITE/ROCK ALL LANDSCAPE AREAS WITHIN LANDSCAPE LIMIT OF WORK EXCEPT WHERE NOTED OTHERWISE. CONTRACTOR TO PROVIDE SAMPLES OF DECOMPOSED GRANITE/ROCK FOR APPROVAL, BEFORE PLACING GRANITE. COMPACT SUB-GRADE TO 85% AND APPLY A PRE-EMERGENT HERBICIDE TO SOIL. AFTER PLACING GRANITE: RAKE SMOOTH, WET TO ENTIRE DEPTH, ALLOW TO DRY, THEN LIGHTLY SCARIFY SURFACE WITH A LEAF RAKE. APPLY A SECONDARY APPLICATION OF PRE-EMERGENT HERBICIDE TO TOP OF GRANITE. KEEP TOP OF GRANITE 2" BELOW TREE GRATE. DO NOT ALLOW GRANITE TO TOUCH THE TRUNK OF ANY TREE. INSTALL AFTER INSTALLATION OF PLANT MATERIAL.
4. ALL MULTI-TRUNK TREES ARE TO HAVE 3 TO 4 TRUNKS.
5. ANY TREE PLANTED WITHIN 5 FEET OF A SIDEWALK OR WALL SHALL BE PLANTED WITH A ROOT GUARD DESIGNED TO DIRECT ROOT GROWTH DOWNWARD.

SITE ANALYSIS:

TOTAL LANDSCAPE AREA:	46,597 SF
TOTAL OPEN SPACE AREA:	430,139 SF
TOTAL AREA:	509,652 SF

SCALE: 1" = 30'

REVISIONS

REV	DESCRIPTION	DATE	BY

RECEIVED
JUL 19 2011

DSA	
CCSD PROJECT NO.	11905.00
CCSD REVIEW	
APPROVED BY	
DATE	
DRAWN BY	
CHECKED BY	
DATE	JULY 18, 2011
SUBMITTAL	SCHEMATIC DESIGN

southwick
LANDSCAPE ARCHITECTS
12 Commerce Center Drive
Henderson NV 89014
www.southwickla.com
702.597.3108

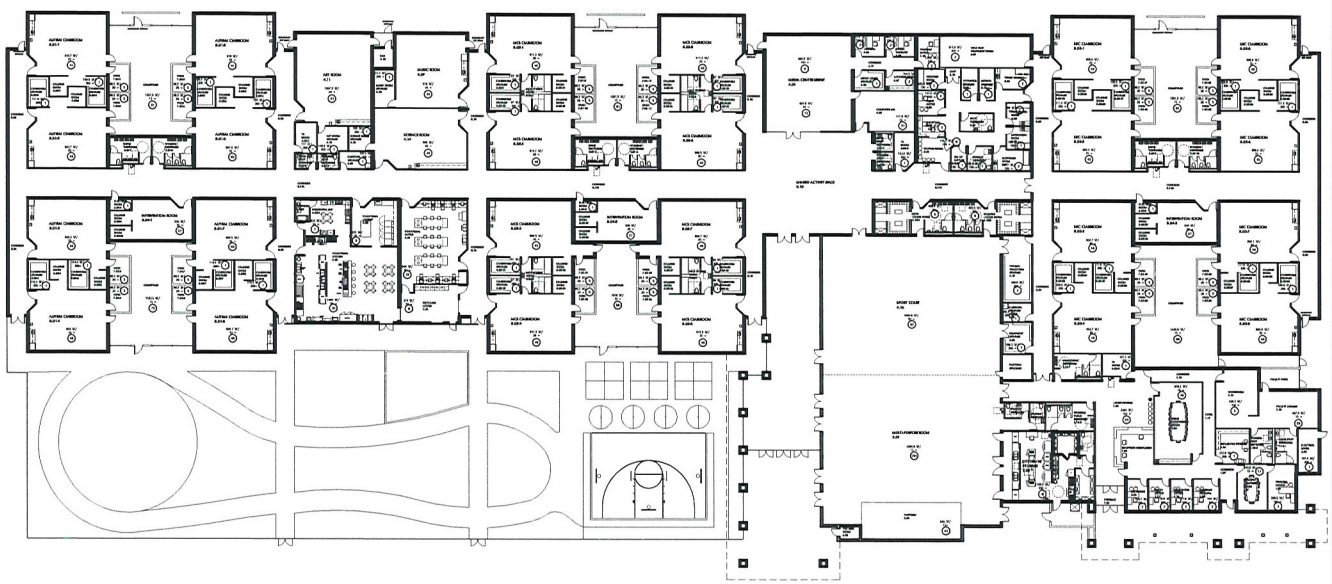
CLARK COUNTY SCHOOL DISTRICT
DESIGN MANAGEMENT / PLANNING AND DESIGN
4170 McLEOD DRIVE LAS VEGAS, NEVADA 89121

PROJECT: VARIETY SCHOOL

DRAWING TITLE: PLANTING PLAN

SHEET NO. L1.01

SDR-42251
REVISED



FLOOR PLAN

Scale: 3/64" = 1'-0"

2795 SF/ 7 = 399	ROOM AREA (SQUARE FEET)/ AREA PER OCCUPANT (PER I.B.C.) = ROOM OCCUPANT LOAD PER I.B.C.	TOTAL BUILDING OCCUPANCY PER I.B.C. 2,711 OCCUPANTS

0 30 60 90

REVISIONS

REV	DESCRIPTION	DATE	BY

SEAL

CODE PROJECT NO. 00000
CODE REVIEW
APPROVED BY
DATE

DATE JUNE 21, 2011
DRAWN BY
CHECKED BY
SUBMITTAL SCHEMATIC DESIGN
A/E PROJECT NO. 11905.00

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LAS VEGAS, NEVADA 89121

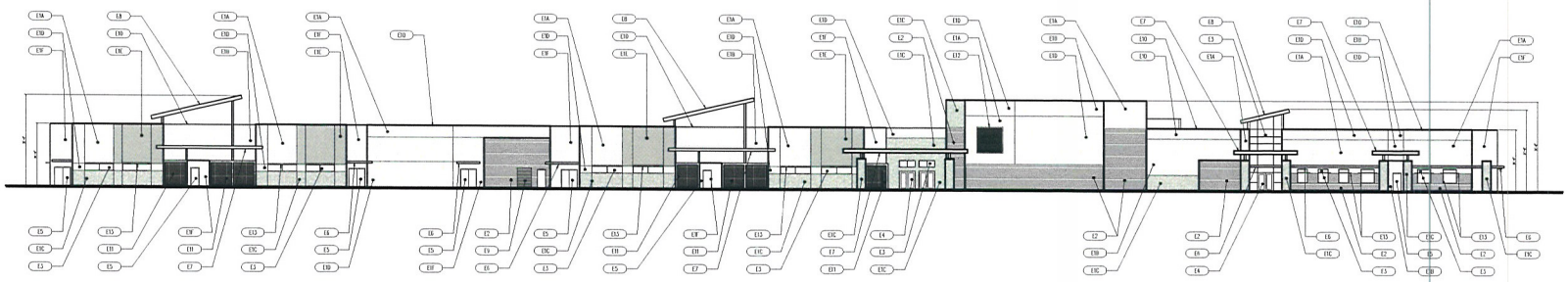
PROJECT
VARIETY SCHOOL

DRAWING TITLE
FLOOR PLAN

SHEET NO.
A1.01

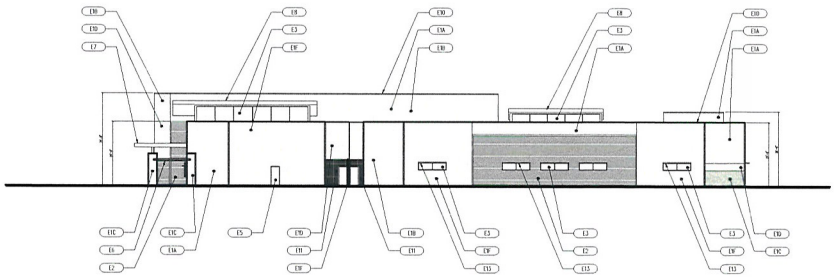
RECEIVED
JUN 23 2011

SDR-42251



SOUTH ELEVATION

Scale: 3/64" = 1'-0"



EAST ELEVATION

Scale: 3/64" = 1'-0"

ELEVATION NOTES

#	DESCRIPTION
E1A	CONCRETE MASONRY UNITS COLOR: ORANGE FINISH: SMOOTH FACE
E1B	CONCRETE MASONRY UNITS COLOR: BLACK FINISH: SMOOTH FACE
E1C	CONCRETE MASONRY UNITS COLOR: BLACK FINISH: SPLIT FACE
E1D	CONCRETE MASONRY UNITS COLOR: WHITE FINISH: SMOOTH FACE
E1E	CONCRETE MASONRY UNITS COLOR: WHITE FINISH: COMBED FACE
E1F	CONCRETE MASONRY UNITS COLOR: GRAY FINISH: HONED FACE

#	DESCRIPTION
E2	METAL WALL PANELS W/ METALLIC FINISH COLOR: CHAMPAGNE GOLD
E3	DUAL-PANE LOW-E WINDOW GLAZING COLOR: AZURIA
E4	ALUMINUM STOREFRONT SYSTEM COLOR: SILVER GRAY
E5	PAINTED METAL DOOR AND FRAME WITH GLAZING AS SCHEDULED COLOR: MEDIUM GRAY
E6	PAINTED METAL CANOPY - TUBE STEEL FRAME WITH METAL DECK INFILL COLOR: MEDIUM GRAY
E7	PAINTED METAL CANOPY - TUBE STEEL FRAME WITH PERFORATED METAL INFILL COLOR: CHARCOAL GRAY

#	DESCRIPTION
E8	STANDING SEAM METAL ROOF - METALLIC FINISH COLOR: CHAMPAGNE GOLD
E9	METAL ROLL-UP DOOR COLOR: MEDIUM GRAY
E10	METAL CAP FLASHING COLOR: MEDIUM GRAY
E11	PAINTED METAL FENCE - TUBE STEEL FRAME WITH PERFORATED METAL INFILL FRAME COLOR: SILVER GRAY INFILL COLOR: CHARCOAL GRAY
E12	DECORATIVE SIGNAGE - TUBE STEEL FRAME WITH METAL MESH INFILL AND 14" LETTERS
E13	DECORATIVE PERFORATED METAL SUN SHADE COLOR: SILVER GRAY

REVISIONS

REV	DESCRIPTION	DATE	BY

SEAL

CCSD PROJECT NO. 00000
CCSD REVIEW
APPROVED BY
DATE

DATE JUNE 21, 2011
DRAWN BY
CHECKED BY
SUBMITTAL SCHEMATIC DESIGN
A/E PROJECT NO. 11905.00

KGA ARCHITECTURE
9075 West Diablo Drive, Third Floor
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702.367.6900
LAS VEGAS
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Austin, Texas 78744
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www.KGAarchitecture.com
AUSTIN

CLARK COUNTY SCHOOL DISTRICT
DESIGN MANAGEMENT / PLANNING AND DESIGN
4170 McLEOD DRIVE LAS VEGAS, NEVADA 89121

PROJECT VARIETY SCHOOL

DRAWING TITLE EXTERIOR ELEVATIONS

SHEET NO. A6.01

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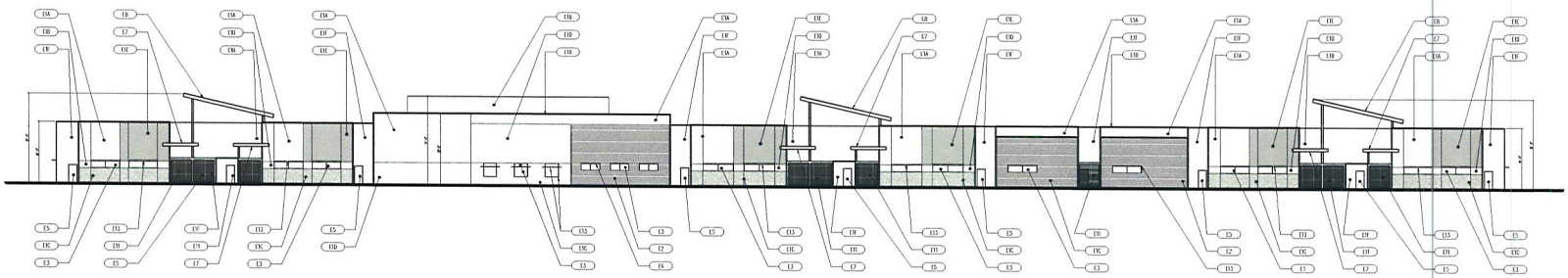
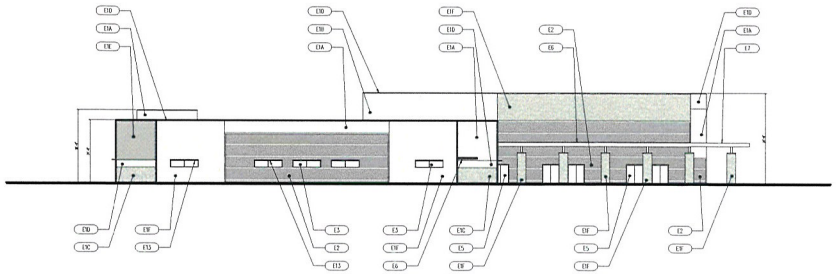


NORTH ELEVATION

Scale: 3/64" = 1'-0"



WEST ELEVATION

Scale: 3/64" = 1'-0"

ELEVATION NOTES

#	DESCRIPTION
E1A	CONCRETE MASONRY UNITS COLOR: ORANGE FINISH: SMOOTH FACE
E1B	CONCRETE MASONRY UNITS COLOR: BLACK FINISH: SMOOTH FACE
E1C	CONCRETE MASONRY UNITS COLOR: BLACK FINISH: SPLIT FACE
E1D	CONCRETE MASONRY UNITS COLOR: WHITE FINISH: SMOOTH FACE
E1E	CONCRETE MASONRY UNITS COLOR: WHITE FINISH: COMBED FACE
E1F	CONCRETE MASONRY UNITS COLOR: GRAY FINISH: HONED FACE

#	DESCRIPTION
E2	METAL WALL PANELS W/ METALLIC FINISH COLOR: CHAMPAGNE GOLD
E3	DUAL-PANE LOW-E WINDOW GLAZING COLOR: AZURIA
E4	ALUMINUM STOREFRONT SYSTEM COLOR: SILVER GRAY
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E13	DECORATIVE PERFORATED METAL SUN SHADE COLOR: SILVER GRAY

REVISIONS

REV	DESCRIPTION	DATE	BY

SEAL

CCSD PROJECT NO. 00000
CCSD REVIEW
APPROVED BY
DATE

DATE JUNE 21, 2011
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PROJECT
VARIETY SCHOOL

DRAWING TITLE
EXTERIOR ELEVATIONS

SHEET NO.
A6.02

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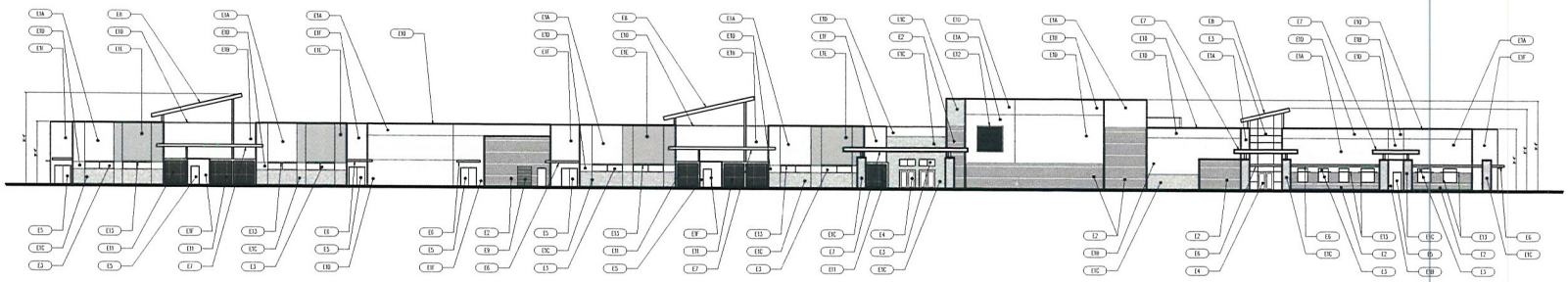
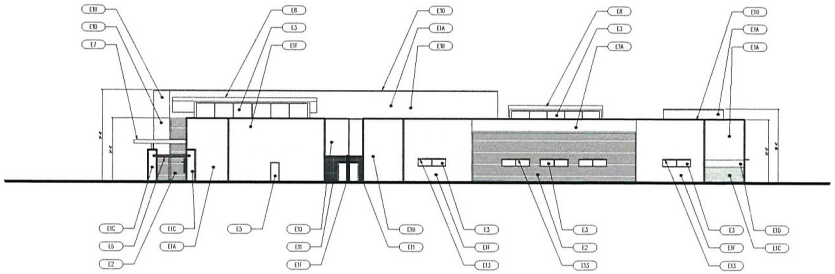


SOUTH ELEVATION

Scale: 3/64" = 1'-0"



EAST ELEVATION

Scale: 3/64" = 1'-0"

ELEVATION NOTES

#	DESCRIPTION
E1A	CONCRETE MASONRY UNITS COLOR: ORANGE FINISH: SMOOTH FACE
E1B	CONCRETE MASONRY UNITS COLOR: BLACK FINISH: SMOOTH FACE
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#	DESCRIPTION
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REVISIONS

REV	DESCRIPTION	DATE	BY

SEAL

CCDD PROJECT NO. 00000
CCDD REVIEW
APPROVED BY
DATE

DATE: JUNE 21, 2011
DRAWN BY
CHECKED BY
SUBMITTAL: SCHEMATIC DESIGN
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PROJECT: VARIETY SCHOOL

DRAWING TITLE: EXTERIOR ELEVATIONS

SHEET NO. A6.01

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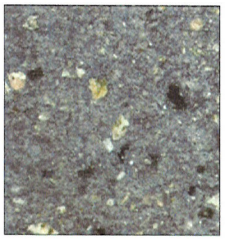
SDR-42251



E1A - C.M.U.
COLOR: ORANGE
FINISH: SMOOTH FACE



E1B - C.M.U.
COLOR: BLACK
FINISH: SMOOTH FACE



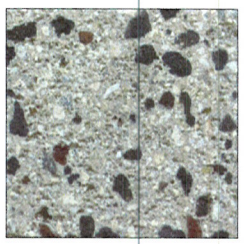
E1C - C.M.U.
COLOR: BLACK
FINISH: SPLIT FACE



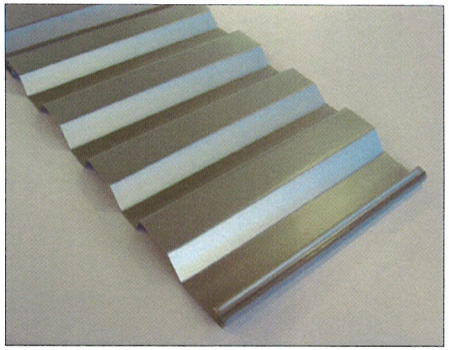
E1D - C.M.U.
COLOR: WHITE
FINISH: SMOOTH FACE



E1E - C.M.U.
COLOR: WHITE
FINISH: COMBED FACE



E1F - C.M.U.
COLOR: GRAY
FINISH: HONED FACE



E2 - METAL PANELS
MATERIAL SAMPLE



E2 - METAL PANELS
SAMPLE INSTALLATION



E3 - GLAZING



E8 - STANDING SEAM METAL ROOF

ELEVATION NOTES

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E13	DECORATIVE PERFORATED METAL SUN SHADE COLOR: SILVER GRAY

PAINTED METAL SURFACES:

SILVER GRAY

MEDIUM GRAY

CHARCOAL GRAY

REVISIONS

REV	DESCRIPTION	DATE	BY

SEAL

CCDD PROJECT NO. 00000
CCDD REVIEW
APPROVED BY
DATE

DATE JUNE 21, 2011
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PROJECT VARIETY SCHOOL

DRAWING TITLE COLOR AND MATERIALS

SHEET NO. A6.03

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SDR-42251



SDR-42251 - APPLICANT: CLARK COUNTY SCHOOL DISTRICT - OWNER: SCHOOL BOARD OF TRUSTEES
2800 STEWART AVENUE

06/30/11



SDR-42251 - APPLICANT: CLARK COUNTY SCHOOL DISTRICT - OWNER: SCHOOL BOARD OF TRUSTEES
2800 STEWART AVENUE

06/30/11



SDR-42251 - APPLICANT: CLARK COUNTY SCHOOL DISTRICT - OWNER: SCHOOL BOARD OF TRUSTEES
2800 STEWART AVENUE

06/30/11

FINANCE & OPERATIONS *REAL PROPERTY MANAGEMENT*

4190 MCLEOD DRIVE • LAS VEGAS, NV 89121 • (702) 799-5214 • FAX (702) 799-5436

CCSD
CLARK COUNTY
SCHOOL DISTRICT

BOARD OF SCHOOL TRUSTEES

Carolyn Edwards, President
Dr. Linda E. Young, Vice President
Deanna L. Wright, Clerk
Lorraine Alderman, Member
John Cole, Member
Erin E. Cranor, Member
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Dwight D. Jones, Superintendent

June 22, 2011

City of Las Vegas
Planning Department
333 N. Rancho Drive
Las Vegas, NV 89106

Attn: Steve Gebeke

RE: Site Development Plan Review - Variety School Justification Letter
2800 Stewart Avenue (APN# 139-36-303-001)

Dear Mr. Gebeke:

Please consider this letter a request by the Clark County School District (District) for approval of a Site Development Plan Review (SDPR) for the above referenced property located at 2800 Stewart Avenue, Las Vegas, Nevada, also known as APN# 139-36-303-001. Currently located at 2601 Sunrise Avenue, the Variety School (Variety) was constructed in 1952 and is a special education school for students in grades K-12.

The District is in the process of a rehabilitation and modernization program, which allows for both on-site and off-site improvements and modernization of various schools and facilities. Variety School was chosen as a school in high need of replacement. Modernization of Variety will consist of constructing a new campus, north of the existing Martin Middle School site, at the southeast corner of Stewart Avenue and North 28th Street. The old Martin Middle School will be demolished to make room for the new school.

The subject parcel for the new school is currently zoned Civic District (C-V). Construction of the school is planned to provide a more functional and modern campus to better serve the needs of the students attending Variety. The campus will consist of approximately 58,000 +- square feet of building areas, with two ingress/egress points, one off of Stewart Avenue and the other off of 28th Street. Parking for staff and visitors will be along the east and south sides of the site. Busses will enter the campus from Stewart Avenue and drop off students at the south side of the building. The busses have a separate loading area as to not conflict with the vehicular traffic.

Landscaping has been provided in and around the site. There is an existing chain link fence along the east and south property lines. The building will serve as the fencing along Stewart Avenue with partial chain link fencing along 28th Street. The District is requesting that the chain link fencing along 28th Street be considered as part of this SDPR as it is a requirement of the type of school being placed on the site.

We believe this plan will meet those needs while providing a much needed replacement school in the vicinity of the existing campus, and thank you for your consideration. Please do not hesitate to contact Tracy Murphy at (702) 799-5214 ext. 5417 with any questions.

Kind Regards,

Linda Perri

Linda K. Perri
Director, CCSD Real Property Management

Cc: file

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SDR-42251

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.1/1
TO:3857268
7023825981
AUG-4-2011 06:10A FROM:

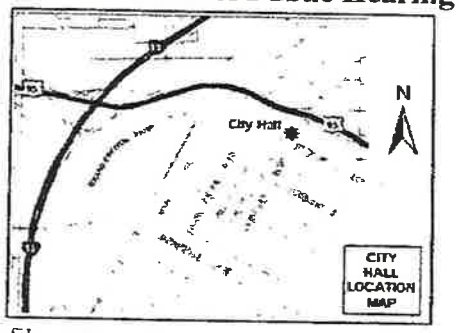
07-29-011

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
02 1M
0004279218
$ 00.41⁴
JUL 28 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.

SDR-42251

Planning Commission Meeting of 8/9/2011

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AUG - 4 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case SDR-42251
13934310016
DECARO RUSSIANO
710 S 1ST ST
LAS VEGAS NV 89101-6411 89101-6411

SD FRDFM11 89101

3A

City of Las Vegas Agenda Item No.: **92.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

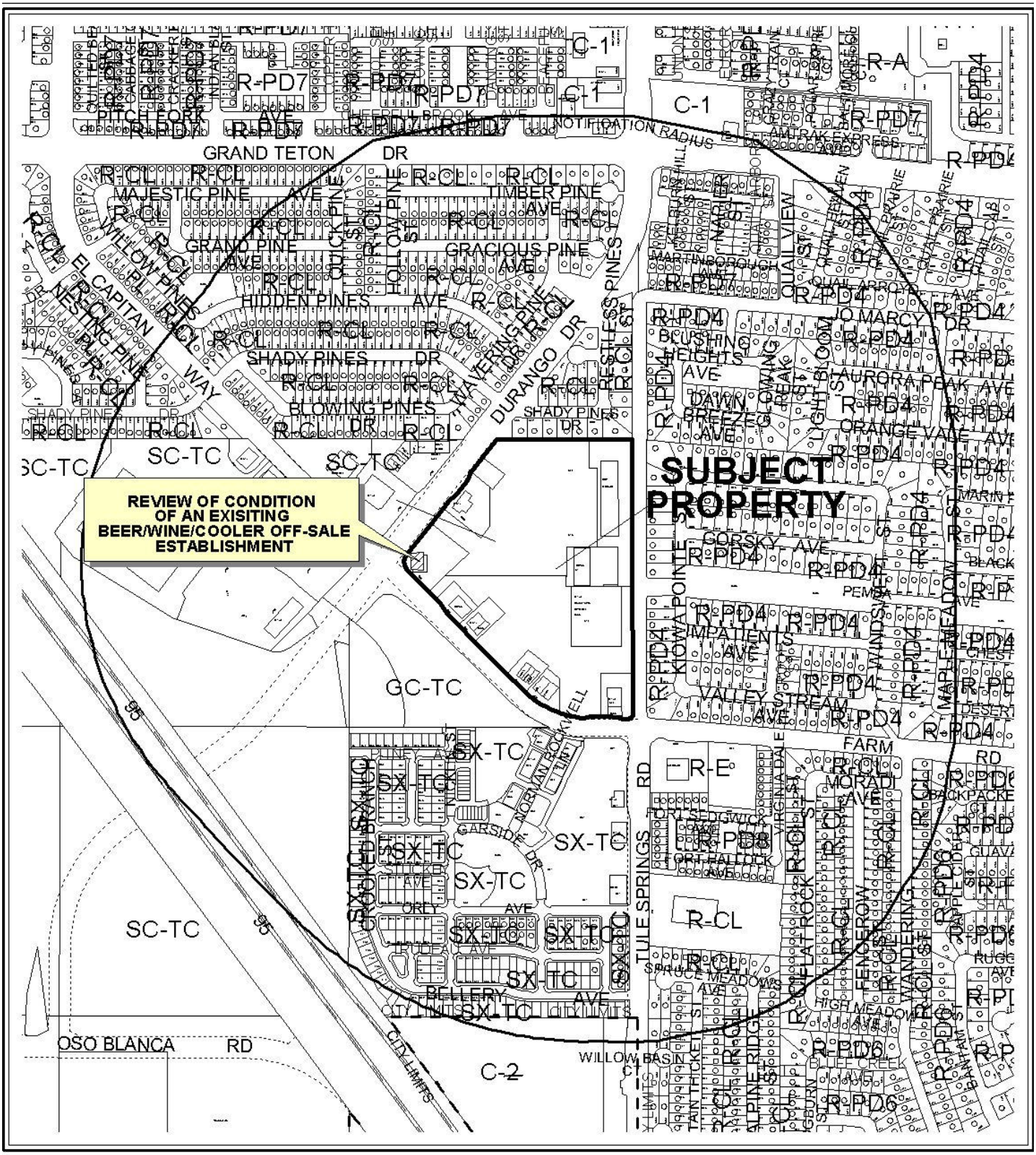
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
ROC-42636 - REVIEW OF CONDITION - SPECIAL USE PERMIT - APPLICANT/OWNER: NEW ALBERTSON'S, INC. - For possible action on a request for a Review of Condition of a previously approved Special Use Permit (U-0026-00) TO DELETE CONDITION #2 THAT STATES, " THE SALE OF INDIVIDUAL CONTAINERS OF ANY SIZE OF BEER, WINE COOLERS, OR SCREW CAP WINE IS PROHIBITED" at 8490 Farm Road (APN 125-17-610-011), TC (Town Center) Zone, Ward 6 (Ross). 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, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. City Council Approval Letter for U-0026-00
5. Justification Letter



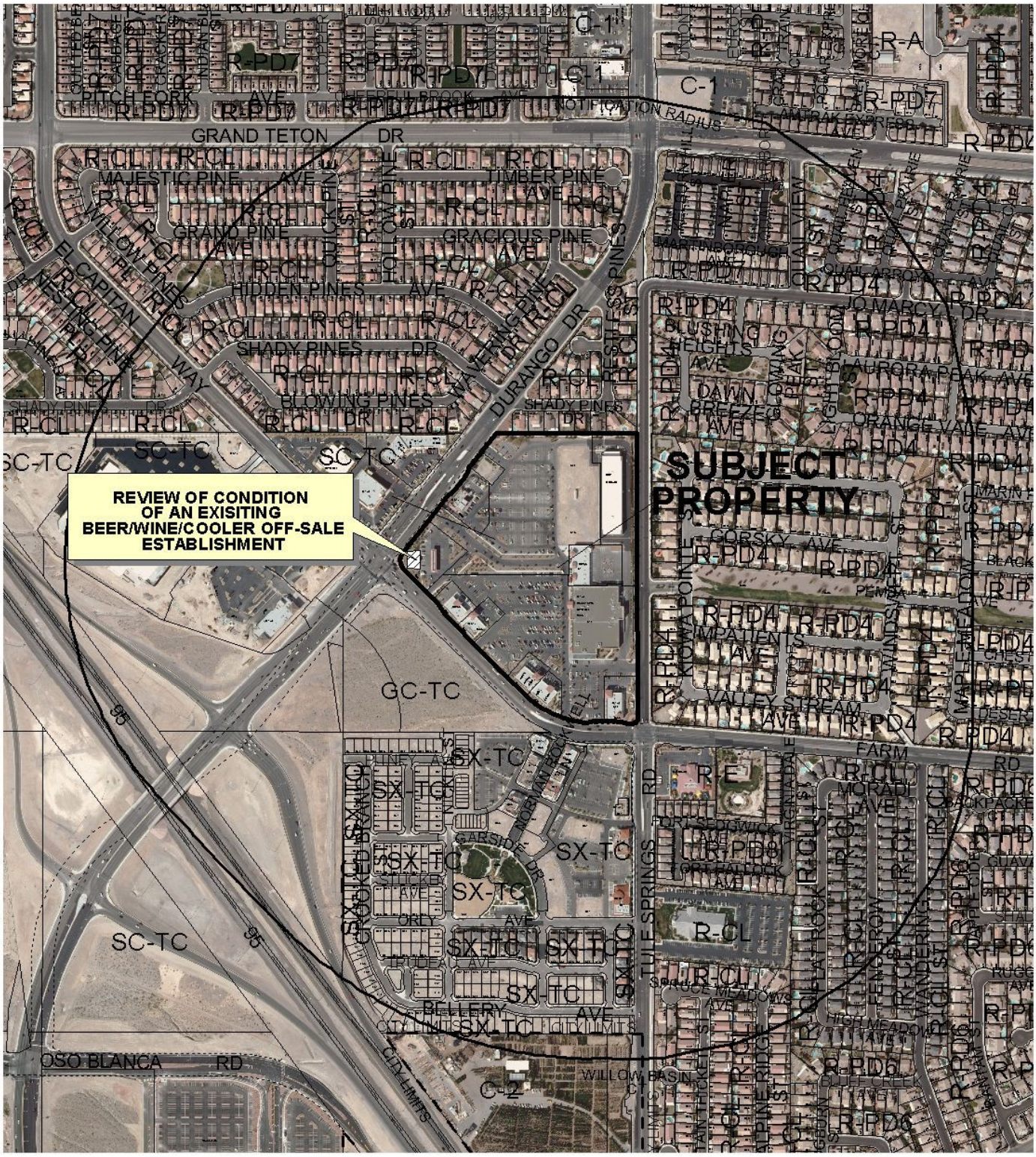
0 300 600 Feet

CASE: **ROC-42636**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: T-C (Town Center) Zone [SC-TC (Service Commercial - Use - Town Center) Special Land Use Designation]

N



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RADIUS: 1500 FT

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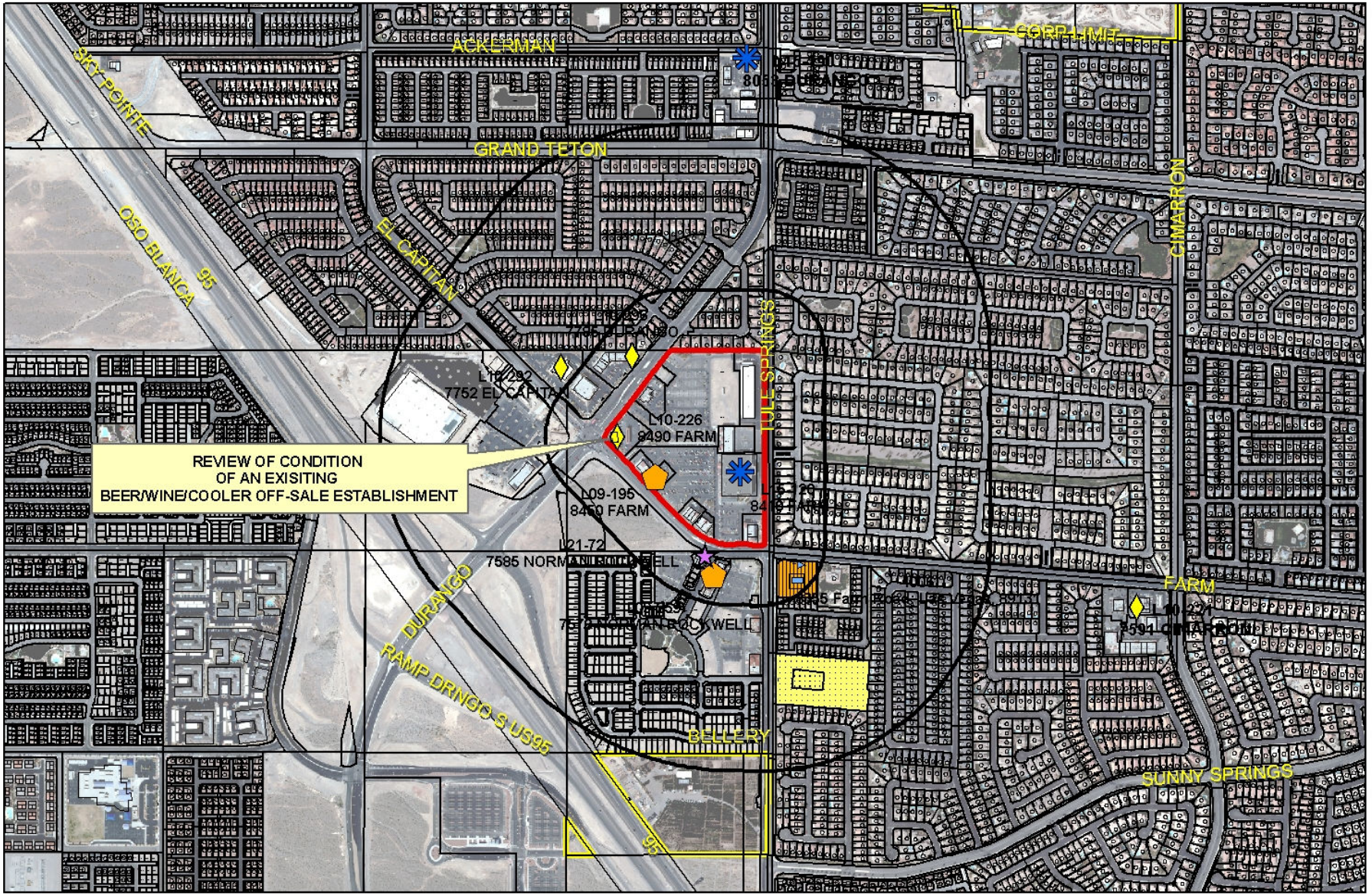

ROC-42636

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 & 1,000 foot buffer

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: SEPTEMBER 7, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: NEW ALBERTSON'S, INC.

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
ROC-42636	Staff recommends APPROVAL, subject to conditions:	None

** CONDITIONS **

ROC-42636 CONDITIONS

Planning

1. Condition #2 of the Special Use Permit (U-0026-00) shall be deleted.

2. Conformance to the conditions of approval of the Special Use Permit (U-0026-00) 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 with Beer/Wine/Cooler Off-Sale at 8490 Farm Road. The applicant is requesting a Review of Condition to allow the sale of individual containers of beer, wine coolers, or screw cap wine. There is a school/child care facility located to the southeast, and five (5) alcohol related businesses consisting of two (2) beer/wine/cooler off-sale establishments, two (2) beer/wine/cooler on-sale establishments, and one (1) Supper Club within 400 feet of the subject site. In 2009, the Metropolitan Police Department did cite the applicant for violating LVMC 6.50.460, sale of alcoholic beverage to a minor, which was immediately corrected with no further discrepancies. As no additional negative police activity has occurred at the subject site, staff is recommending approval of this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
05/17/00	The City Council approved a request for a Special Use Permit (U-0026-00) for the Off-Premise Sale of Beer and Wine in conjunction with a proposed Albertson's Convenience Store at the northwest corner of Farm Road and Tule Springs Road. The Planning Commission recommended approval.
	The City Council approved a related request for a Special Use Permit (U-0027-00) for the sale of Package Liquor in conjunction with a proposed Albertson's Supermarket.
	The City Council approved a related request for a Special Use Permit (U-0028-00) for Gasoline Sales in conjunction with a proposed Albertson's Convenience Store.
	The City Council approved a related request for a Special Use Permit (U-0041-00) for Outdoor Sales and Storage.
	The City Council approved a related request for a Special Use Permit (U-0062-00) to allow gaming in conjunction with a proposed Albertson's Supermarket and proposed Albertson's Convenience Store.
	The City Council approved a related request for a Site Development Plan Review [Z-0076-98(14)] for a proposed 208,211 square-foot Shopping Center on 23.28 acres.
07/13/00	The Planning Commission approved a request for a Tentative Map (TM-0025-00) for one lot on 23.31 acres on the northeast corner of Farm Road and Durango Drive.
08/24/00	The Planning Commission approved a request for a Final Map for one lot on 23.31 acres on the northeast corner of Farm Road and Durango Drive.

Most Recent Change of Ownership	
06/19/06	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
08/13/01	A building permit (1014626) was issued for a new Convenience Store Certificate of Occupancy at 8490 Farm Road. The permit was finalized on 01/28/02.
01/15/02	A business license (C05-02155) was issued for Tobacco Sales at 8490 Farm Road. The license was renewed 06/14/11 and is still active.
01/15/02	A business license (C15-00286) was issued for a Convenience Store at 8490 Farm Road. The license was renewed 07/12/11 and is still active.
01/15/02	A business license (L10-00226) was issued for Beer/Wine/Cooler Off-Sale at 8490 Farm Road. The license was renewed on 06/14/11 and is still active.
01/18/02	A business license (C20-02054) was issued for Convention Hall Tax at 8490 Farm Road. The license was renewed 03/29/11 and is still active.
01/18/02	A business license (G01-02064) was issued for Restricted Gaming at 8490 Farm Road. The license was renewed on 03/29/11 and is still active.
09/08/09	A business license (V02-01842) was issued for a DVD Rental Kiosk at 8490 Farm Road. The license is still active.
06/14/11	A business license (S05-01135) was issued for a Service Station at 8490 Farm Road. The license is still active.

Pre-Application Meeting	
07/20/11	A pre-application meeting was held with the applicant to discuss the submittal requirements for a Review of Condition to delete condition #2 of the Special Use Permit (U-0026-00) to allow the sale of individual containers of beer, wine coolers and screw cap wine.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
08/04/11	Staff conducted a field check of the subject site and found the area surrounding the business neat and clean in appearance with no discrepancies noted.

Details of Application Request	
Site Area	
Gross Acres	1.15

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Convenience Store with Fuel Pumps	TC (Town Center)	SC-TC [(Service Commercial-Town Center) Special Land Use Designation]
North	Retail Establishments and Restaurants	TC (Town Center)	SC-TC [(Service Commercial-Town Center) Special Land Use Designation]
South	Undeveloped Land	TC (Town Center)	SC-TC [(General Commercial-Town Center) Special Land Use Designation]
East	Retail Establishments, Financial Institution-Specified	TC (Town Center)	SC-TC [(Service Commercial-Town Center) Special Land Use Designation]
West	Retail Establishments, Restaurants	TC (Town Center)	SC-TC [(Service Commercial-Town Center) Special Land Use Designation]

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area			
Town Center Master Plan	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
T-C (Town Center) District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
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 (U-0026-00) to delete condition #2 that states, "The sale of individual containers of any size of beer, wine coolers, or screw cap wine is prohibited" within a Convenience Store located at 8490 Farm Road. There are five (5) alcohol related businesses consisting of two (2) beer/wine/cooler off-sale establishments, two (2) beer/wine/cooler on-sale establishments, one (1) Supper Club, and a school/child care facility located to the southeast (opened 2008) within 400 feet of the subject site. In 2009, the Metropolitan Police Department cited the applicant for violating LVMC 6.50.460 for the sale of an alcoholic beverage to a minor, which was quickly corrected with no further discrepancies.

FINDINGS

The nearby school/child care facility was constructed in 2006 and later licensed in 2008 after the Special Use Permit (U-0027-00) for beer/wine/cooler off-sale within the Convenience Store was approved. Though the applicant violated LVMC 6.50.460 in 2009, immediate action was taken to rectify the situation and prevent future occurrences. As the applicant has not experienced any subsequent problems or violations, staff is recommending approval of this request. Conformance to the conditions of approval of the Special Use Permit (U-0026-00) shall be required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 38

NOTICES MAILED 1,066 (By Planning)

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number ROC-42636 APN: 125-17-610-011

Name of Property Owner: New Albertson's Inc.

Name of Applicant: New Albertson's Inc.

Name of Representative: Tom Amick - 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 ___X___ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: John F. Boyd

Subscribed and sworn before me

This 21st day of July, 2011

_____

Notary Public in and for said County and State

KAREN HOPPER
NOTARY PUBLIC
STATE OF IDAHO

RECEIVED
JUL 26 2011

Revised 11-14-06

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PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Review of Condition of Previously Approved Special Use Permit (U-0026-00)

Project Address (Location) 8490 Farm Road

Project Name Albertson's Express **Proposed Use** Convenience store

Assessor's Parcel #(s) 125-17-610-011 **Ward #** 6

General Plan: existing SC/TC proposed n/a **Zoning:** existing TC proposed n/a

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres 1.15 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER New Albertson's Inc. **Contact** John Boyd

Address PO Box 20 **Phone:** (208) 395-6785 **Fax:** (208) 395-4220

City Boise **State** ID **Zip** 83726

E-mail Address n/a

APPLICANT New Albertson's Inc. **Contact** John Boyd

Address PO Box 20 **Phone:** (208) 395-6785 **Fax:** (208) 395-4220

City Boise **State** ID **Zip** 83726

E-mail Address n/a

REPRESENTATIVE Kaempfer Crowell Renshaw Gronauer & Fiorentino **Contact** Tom Amick

Address 8345 W. Sunset Road, Suite 250 **Phone:** (702) 792-7000 **Fax:** (702) 796-7181

City Las Vegas **State** NV **Zip** 89113

E-mail Address tda@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 John F. Boyd

Subscribed and sworn before me

This 21st day of July, 20 11.

_____

Notary Public in and for said County and State

KAREN I HOPPER
NOTARY PUBLIC
STATE OF IDAHO

FOR DEPARTMENT USE ONLY

Case #	ROC-42636
Meeting Date:	~~$1,080~~ 9/7/11 CC
Total Fee:	$1,080
Date Received:*	7/26/11
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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Revised 10/27/08

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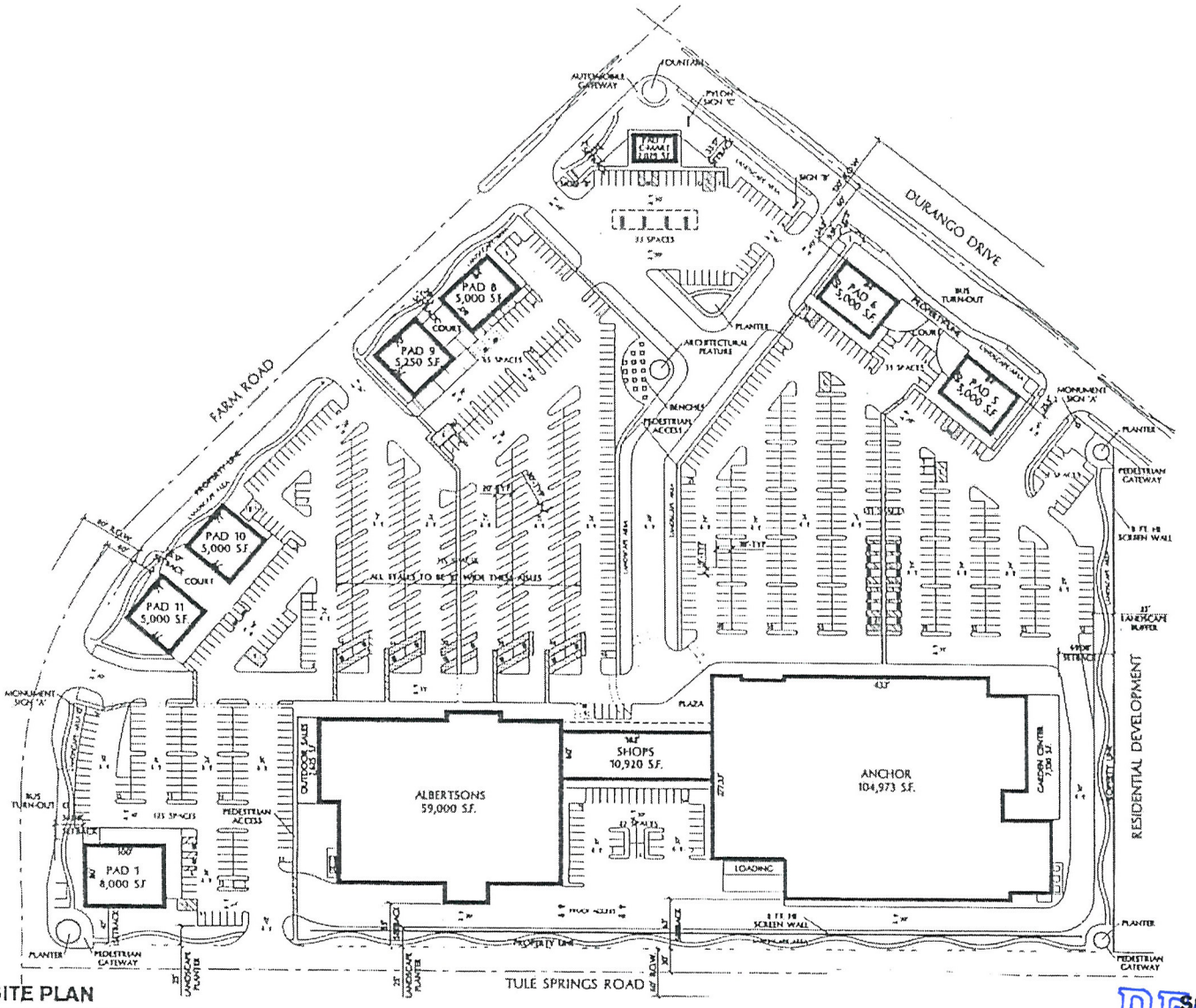


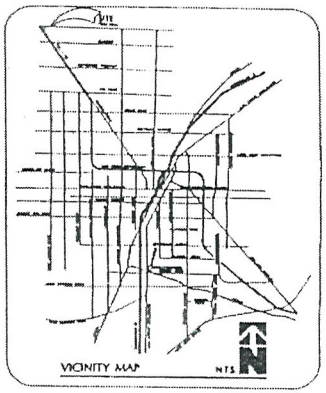
SITE PLAN

SUMMARY

SITE AREA 1,014,275 S.F./23.28 AC.

BUILDING AREA

ALBERTSON'S	59,000 S.F.	236 SPACES	1/250 GFA
OUTDOOR SALES	1,632 S.F.	7 SPACES	1/250 GFA
ANCHOR B	104,973 S.F.	420 SPACES	1/250 GFA
GARDEN CENTER	7,100 S.F.	1 SPACES	1/250 GFA
SHOPS A	4,860 S.F.	20 SPACES	1/250 GFA
SHOPS B	4,860 S.F.	20 SPACES	1/250 GFA
CMART	2,079 S.F.	9 SPACES	1/250 GFA
PAD 1	8,000 S.F.	120 SPACES	
PUBLIC AREA 16,000 S.F. - 110 SPACES			1/50 GFA
SERVICE AREA 12,000 S.F. - 10 SPACES		1/300 GFA	10 MIN.
PAD 5	5,000 S.F.	20 SPACES	1/250 GFA
PAD 6	5,000 S.F.	20 SPACES	1/250 GFA
PAD 8	5,000 S.F.	50 SPACES	1/100 GFA
PAD 9	5,000 S.F.	20 SPACES	1/250 GFA
PAD 10	5,000 S.F.	50 SPACES	1/100 GFA
PAD 11	5,000 S.F.	20 SPACES	1/250 GFA
	233,304 S.F.		
PARKING REQUIRED		1,079 SPACES	1/219 GFA
H.C. PARKING REQUIRED		22 SPACES (25 TL SPACES)	
VAN H.C. PARKING REQUIRED		3 SPACES (1/8 SPACES)	
FLOOR/AREA RATIO			1:34/1
PARKING PROVIDED			973 SPACES
H.C. PARKING PROVIDED			32 SPACES
VAN H.C. PARKING PROVIDED			11 SPACES



SCHEME B

Albertson's Inc.
250 Park Center Boulevard
Boise, Idaho 83706
T 208.395.6200
F 208.395.6443

TULE SPRINGS VILLAGE

NEC Farm Road and Durango Drive
Las Vegas, Nevada

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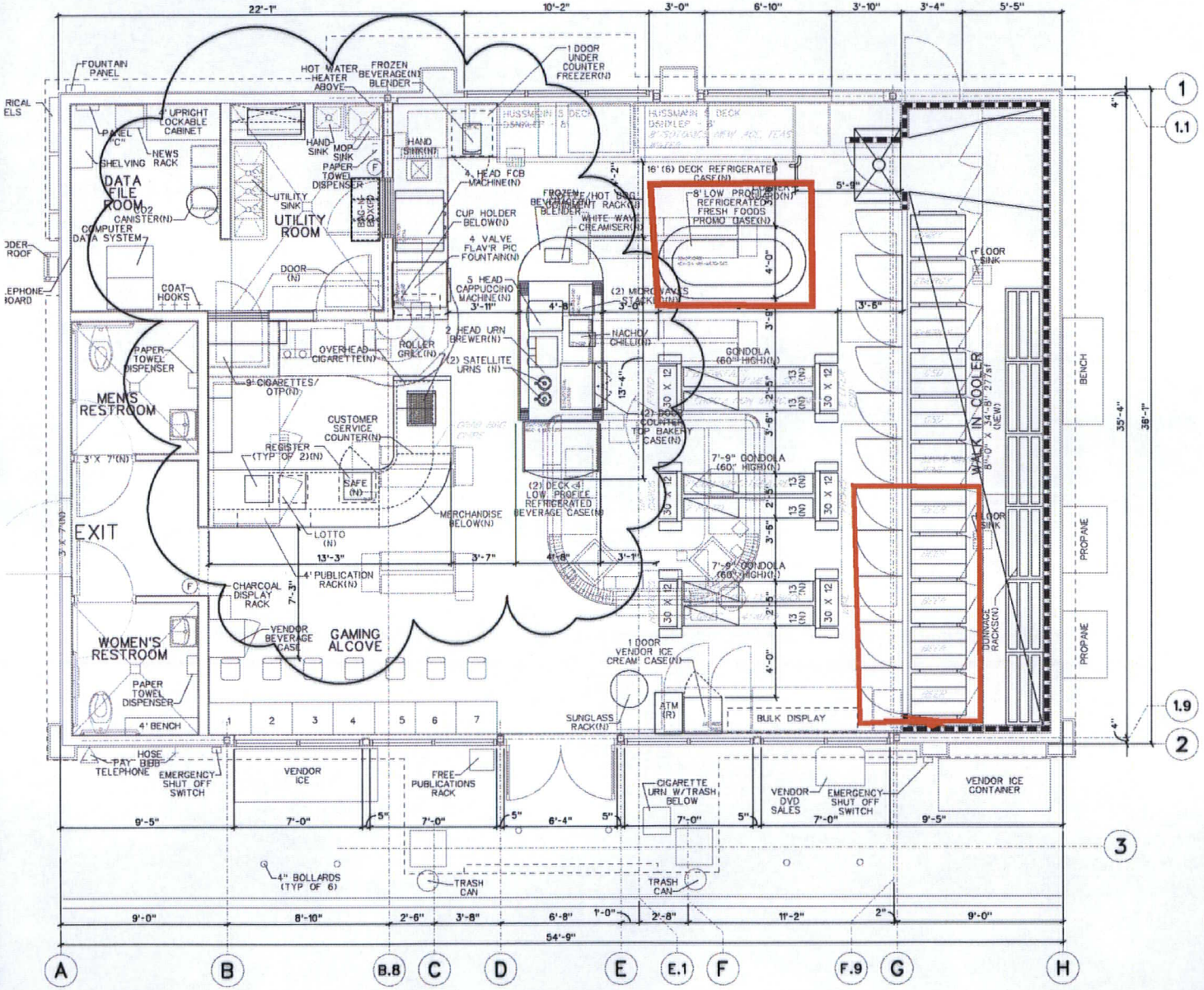
JUL 26 2011
ROC-42636

mcg architecture



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ROC-42636

REVISIONS

GENERAL ADDED WHITE WAVE CREAMISER, UPDATED SHELVING DEPTHS AND END CAP WIDTHS, ADD CORNER GUARD.
05/19/2008 A.VASQUEZ

GENERAL ADDED MONITOR AND CAMERA LOCATIONS
06/05/2008 A.VASQUEZ

GENERAL REVISED FIXTURE PLAN BASED ON GAMING COMMENTS.
06/25/2008 C.WACHSMITH

*6009 "EL CAPITAN & FARM"
8410 FARM ROAD
LAS VEGAS, NV 89131

Albertsons
250 PARKCENTER BLVD.
BOISE, IDAHO 83726

DRAWN C.WACHSMITH | CHECKED R.GAMBLE
ISSUED 04/09/2008

STORE NO.
FC6009
(1,953 SF)
(2,583 SF)-EXPANSION

SHEET
MERCHANDISED FIXTURE PLAN
3.11



MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
MICHAEL J. McDONALD
(MAYOR PRO-TEM)
GARY REESE
LARRY BROWN
LYNETTE B. McDONALD
LAWRENCE WEEKLY
MICHAEL MACK

CITY MANAGER
VIRGINIA VALENTINE

June 19, 2000

Mr. Pichat Pojanasomboon
on behalf of Albertson's
10120 Edmoudson
Rolla, Missouri 65401

RE: U-0026-00 - SPECIAL USE PERMIT
CITY COUNCIL MEETING OF MAY 17, 2000
Related to Z-0076-98(14), U-0027-00, U-0028-00, U-0041-00

Dear Mr. Pojanasomboon:

The City Council at a regular meeting held May 17, 2000 APPROVED the request for a Special Use Permit FOR THE OFF-PREMISE SALE OF BEER AND WINE IN CONJUNCTION WITH A PROPOSED ALBERTSON'S CONVENIENCE STORE on the northwest corner of Farm Road and Tule Springs Road (APN: 125-17-601-002), TC (Towncenter) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on May 18, 2000. This approval is subject to:

1. Conformance to the Conditions of Approval of Z-76-98(14) as required by the Planning and Development Department and the Department of Public Works.

2. The sale of individual containers of any size of beer, wine coolers, or screw cap wine is prohibited.

3. Approval of this request does not constitute approval of a liquor license.

4. If this Special Use Permit is not exercised within two (2) years after the approval, the Special Use Permit shall be void unless an Extension of Time is granted.

5. All City Code requirements and design standards of all City departments must be satisfied.

CITY OF LAS VEGAS
400 STEWART AVENUE
'EGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.ci.las-vegas.nv.us

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ROC-42636

6. Conformance to all applicable requirements of Title 6 of the Municipal Code.

Sincerely,

BARBARA JO RONEMUS
City Clerk

/ac

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. Of Fire Services
Land Development Services

Mr. Robert J. Gronauer
Kummer Kaempfer Bonner & Renshaw
3800 Howard Hughes Parkway, 7th Floor
Las Vegas, Nevada 89109

Mr. Jerry Benintendi
Albertson's
P.O. Box 20
Boise, Idaho 83726

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JUL 26 2011
ROC-42636

KAEMPFER CROWELL
ATTORNEYS AT LAW

KAEMPFER CROWELL RENSHAW GRONAUER & FIORENTINO

LAS VEGAS OFFICE

THOMAS D. AMICK
tamick@kcnvlaw.com
702.693.4265

LAS VEGAS OFFICE
8345 West Sunset Road
Suite 250
Las Vegas, NV 89113
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
50 West Liberty Street
Suite 900
Reno, NV 89501
Tel: 775.852.3900
Fax: 775.327.2011

CARSON CITY OFFICE
510 W. Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

July 22, 2011

VIA HAND DELIVERY

City of Las Vegas
Planning & Development Department
333 S. Rancho Road
Las Vegas, Nevada 89106

Re: New Albertson's Inc. d/b/a Albertson's Express at 8490 Farm Road
Review of Condition of (U-26-00)

To Whom It May Concern::

Please be advised, this office represents New Albertson's Inc. (The "Applicant"). The Applicant has a store located at 8490 Farm Road. On June 19, 2000, the City Council approved a special use permit for the sale of off-premise sale of beer and wine in conjunction with a convenience store (U-26-00) with six conditions. The Applicant has complied with these conditions.

The Applicant is respectfully requesting a waiver of condition number two which states "The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited."

The Applicant has proven themselves as a clean and respectable business and would like the opportunity to sell individual containers of beer, wine coolers or screw cap wine.

Thank you in advance for your consideration. If you have any questions or need anything further please do not hesitate to contact me.

Sincerely,

KAEMPFER CROWELL RENSHAW
GRONAUER & FIORENTINO

Thomas D. Amick

TDA/amp

RECEIVED
JUL 26 2011
ROC-42636

City of Las Vegas Agenda Item No.: **93.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

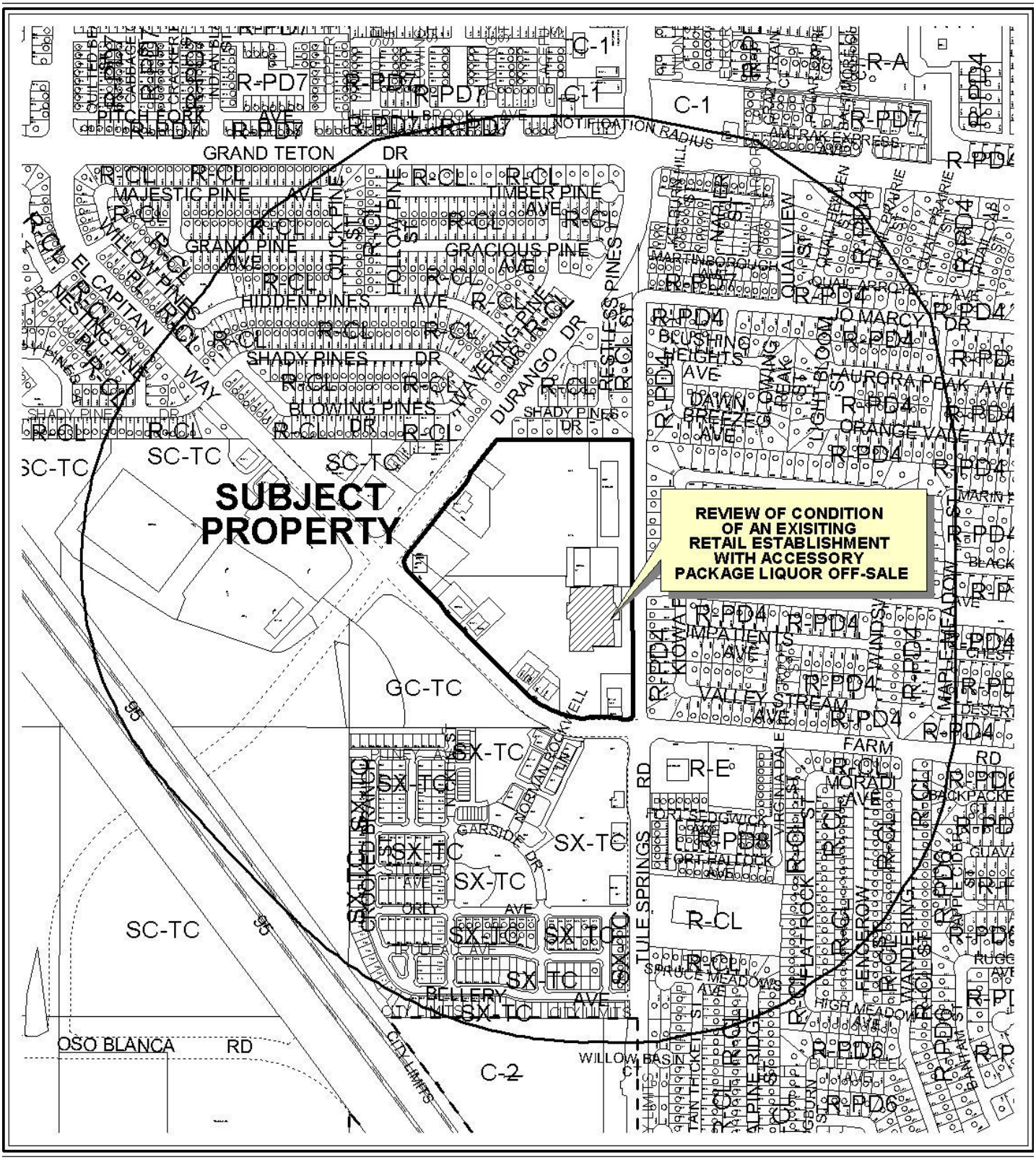
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
ROC-42637 - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT/OWNER: NEW ALBERTSON'S, INC. - For possible action on a request for a Review of Condition of a previously approved Special Use Permit (U-0027-00) TO DELETE CONDITION #2 THAT STATES, "THE SALE OF INDIVIDUAL CONTAINERS OF ANY SIZE OF BEER, WINE COOLERS OR SCREW CAP WINE IS PROHIBITED" at 8410 Farm Road (APN 125-17-610-014), TC (Town Center) Zone, Ward 6 (Ross). 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, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. City Council Approval Letter for U-0027-00
5. Justification Letter



0 300 600 Feet

CASE: **ROC-42637**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: T-C (Town Center) Zone [SC-TC (Service Commercial - Use - Town Center) Special Land Use Designation]

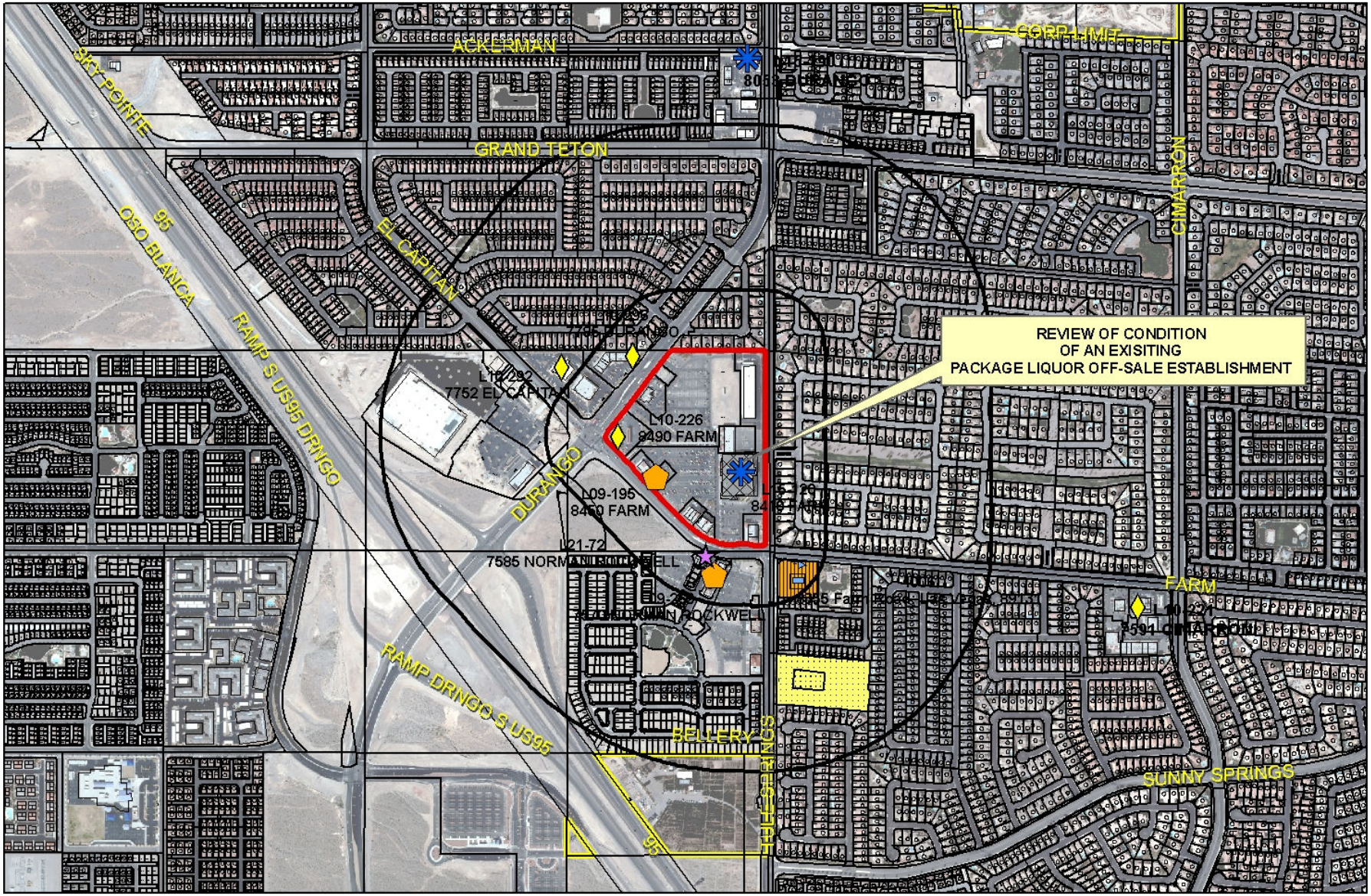


0 300 600 Feet

CASE: **ROC-42637**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: T-C (Town Center) Zone [SC-TC (Service Commercial - Use - Town Center) Special Land Use Designation]



ROC-42637

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 & 1,000 foot buffer

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: SEPTEMBER 7, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: NEW ALBERTSON'S, INC.

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
ROC-42637	Staff recommends APPROVAL, subject to conditions:	None

** CONDITIONS **

ROC-42637 CONDITIONS

Planning

1. Condition #2 of the Special Use Permit (U-0027-00) shall be deleted.

2. Conformance to the conditions of approval of the Special Use Permit (U-0027-00) 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 an existing shopping center that includes a Grocery Store at 8410 Farm Road. The applicant is requesting a Review of Condition to allow for the sale of individual containers of beer, wine coolers or screw cap wine. There is a school/child care facility located to the southeast, and five (5) alcohol related businesses consisting of two (2) beer/wine/cooler off-sale establishments, two (2) beer/wine/cooler on-sale establishments, and one (1) Supper Club within 400 feet of the subject site. As there have not been any problems cited by the Metropolitan Police Department or business licensing issues at the subject site, staff is recommending approval of this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
05/17/00	The City Council approved a request for a Special Use Permit (U-0026-00) for the Off-Premise Sale of Beer and Wine in conjunction with a proposed Albertson's Convenience Store at the northwest corner of Farm Road and Tule Springs Road. The Planning Commission recommended approval.
	The City Council approved a related request for a Special Use Permit (U-0027-00) for the sale of Package Liquor in conjunction with a proposed Albertson's Supermarket.
	The City Council approved a related request for a Special Use Permit (U-0028-00) for Gasoline Sales in conjunction with a proposed Albertson's Convenience Store.
	The City Council approved a related request for a Special Use Permit (U-0041-00) for Outdoor Sales and Storage.
	The City Council approved a related request for a Special Use Permit (U-0062-00) to allow gaming in conjunction with a proposed Albertson's Supermarket and proposed Albertson's Convenience Store.
	The City Council approved a related request for a Site Development Plan Review [Z-0076-98(14)] for a proposed 208,211 square-foot Shopping Center on 23.28 acres.
07/13/00	The Planning Commission approved a request for a Tentative Map (TM-0025-00) for one lot on 23.31 acres on the northeast corner of Farm Road and Durango Drive.
08/24/00	The Planning Commission approved a request for a Final Map for one lot on 23.31 acres on the northeast corner of Farm Road and Durango Drive.

Most Recent Change of Ownership	
04/14/00	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
07/11/01	A building permit (1012471) was issued for a Grocery Store Certificate of Occupancy at 8410 Farm Road. The permit was finalized on 02/28/02.
02/01/02	A business license (C05-02174) was issued for a Tobacco Dealer at 8410 Farm Road. The license was renewed on 06/14/11 and is still active.
02/01/02	A business license (G05-01966) was issued for a Grocery Store at 8410 Farm Road. The license was renewed 06/14/11 and is still active.
02/01/02	A business license (L15-00120) was issued for Package Liquor at 8410 Farm Road. The license was renewed 06/14/11 and is still active.
02/25/02	A business license (G01-02069) was issued for Restricted Gaming at 8410 Farm Road. The license was renewed on 03/29/11 and is still active.
02/25/02	A business license (C20-02059) was issued for Convention Hall Tax at 8410 Farm Road. The license was renewed 03/29/11 and is still active.
02/14/03	A business license (R05-00385) was issued for a Restaurant (Starbucks) at 8410 Farm Road. The license is still active.
03/10/04	A business license (B03-00163) was issued for a Financial Institution-Specified at 8410 Farm Road. The license is still active.
04/01/04	A business license (D11-00208) was issued for a Pharmacy at 8410 Farm Road. The license is still active.
12/20/07	A business license (V02-01752) was issued for a DVD Rental Kiosk at 8410 Farm Road. The license is still active.
07/01/08	A business license (C23-00076) was issued for Check Cashing Limited at 8410 Farm Road. The license was renewed on 02/05/10 and is still active.
07/18/08	A business license (Q04-00073) was issued for a Pharmacy Firm at 8410 Farm Road. The license is still active.
08/05/08	A business license (W10-00183) was issued for Money Transfer at 8410 Farm Road. The license is still active.
08/12/09	A business license (C08-01904) was issued for Amusement Machines at 8410 Farm Road. The license is still active.

Pre-Application Meeting	
07/20/11	A pre-application meeting was held with the applicant to discuss the submittal requirements for a Review of Condition to delete condition #2 of Special Use Permit (U-0027-00).

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
08/04/11	Staff conducted a field check of the subject and found the area surrounding the business neat and clean in appearance with no discrepancies noted.

Details of Application Request	
Site Area	
Gross Acres	7.58

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Shopping Center with a Grocery Store	TC (Town Center)	SC-TC [(Service Commercial-Town Center) Special Land Use Designation]
North	Retail Establishments, Mini-Storage Facility	TC (Town Center)	SC-TC [(Service Commercial-Town Center) Special Land Use Designation]
South	Retail Establishments, Restaurants, Offices	TC (Town Center)	SC-TC [(Service Commercial-Town Center) Special Land Use Designation] and SX-TC [(Suburban Mixed Use-Town Center) Special Land Use Designation]
East	Single Family Residences	L (Low Density Residential)	R-PD4 (Residential Planned Development-4 Units per Acre)
West	Retail Establishments, Restaurant, Financial Institution-Specified	TC (Town Center)	SC-TC [(Service Commercial-Town Center) Special Land Use Designation]

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area			
Town Center Master Plan	X		Y

Special Purpose and Overlay Districts	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts			
T-C (Town Center) District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

The applicant is requesting a Review of Condition of a previously approved Special Use Permit (U-0027-00) to delete condition #2 that states, "The sale of individual containers of any size of beer/wine coolers, or screw cap wine is prohibited." There are five (5) alcohol related businesses consisting of two (2) beer/wine/cooler off-sale establishments, two (2) beer/wine/cooler on-sale establishments, one (1) Supper Club, and a school/child care facility located to the southeast (opened 2008) within 400 feet of the subject site. There has not been any negative police activity nor are there any open business licensing issues for the Grocery Store.

FINDINGS

Though there is a school/child care facility within 400 feet of the store, the protected use was not constructed until 2006 (licensed in 2008) after the Special Use Permit (U-0027-00) was approved by City Council. As there have not been any problems cited by the Metropolitan Police Department or recent business licensing issues for the Grocery Store, staff is recommending approval of this request. Conformance to the conditions of approval of the Special Use Permit (U-0027-00) shall be required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 41

NOTICES MAILED 1,066 (By Planning)

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ROC-42637 APN: 125-17-610-014

Name of Property Owner: New Albertson's Inc.

Name of Applicant: New Albertson's Inc.

Name of Representative: Tom Amick - 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 ___X___ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: John F. Boyd

Subscribed and sworn before me

This 21st day of _____, 2011

KAREN HOPPER
NOTARY PUBLIC
STATE OF IDAHO

_____
Notary Public in and for said County and State

RECEIVED
JUL 26 2011

Revised 11-14-06

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PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Review of Condition of a Previously Approved Special Use Permit (U-0027-00)

Project Address (Location) 8410 Farm Road

Project Name Albertson's **Proposed Use** Grocery store

Assessor's Parcel #(s) 125-17-610-014 **Ward #** 6

General Plan: existing SC/TC proposed n/a **Zoning:** existing TC proposed n/a

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres 7.58 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER New Albertson's, Inc. **Contact** John Boyd

Address PO Box 20 **Phone:** (208) 395-6785 **Fax:** (208) 395-4220

City Boise **State** ID **Zip** 83726

E-mail Address n/a

APPLICANT New Albertson's, Inc. **Contact** John Boyd

Address PO Box 20 **Phone:** (208) 395-6785 **Fax:** (208) 395-4220

City Boise **State** ID **Zip** 83726

E-mail Address n/a

REPRESENTATIVE Kaempfer Crowell Renshaw Gronauer & Fiorentino **Contact** Tom Amick

Address 8345 W. Sunset Road, Suite 250 **Phone:** (702) 792-7000 **Fax:** (702) 796-7181

City Las Vegas **State** NV **Zip** 89113

E-mail Address tda@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 John F. Boyd

Subscribed and sworn before me

This 21st day of July, 20 11.

_____

Notary Public in and for said County and State

KAREN HOPPER
NOTARY PUBLIC
STATE OF IDAHO

FOR DEPARTMENT USE ONLY

Case #	ROC-42637
Meeting Date:	9/7/11 CC
Total Fee:	$1,080
Date Received:*	7/26/11
Received By:	

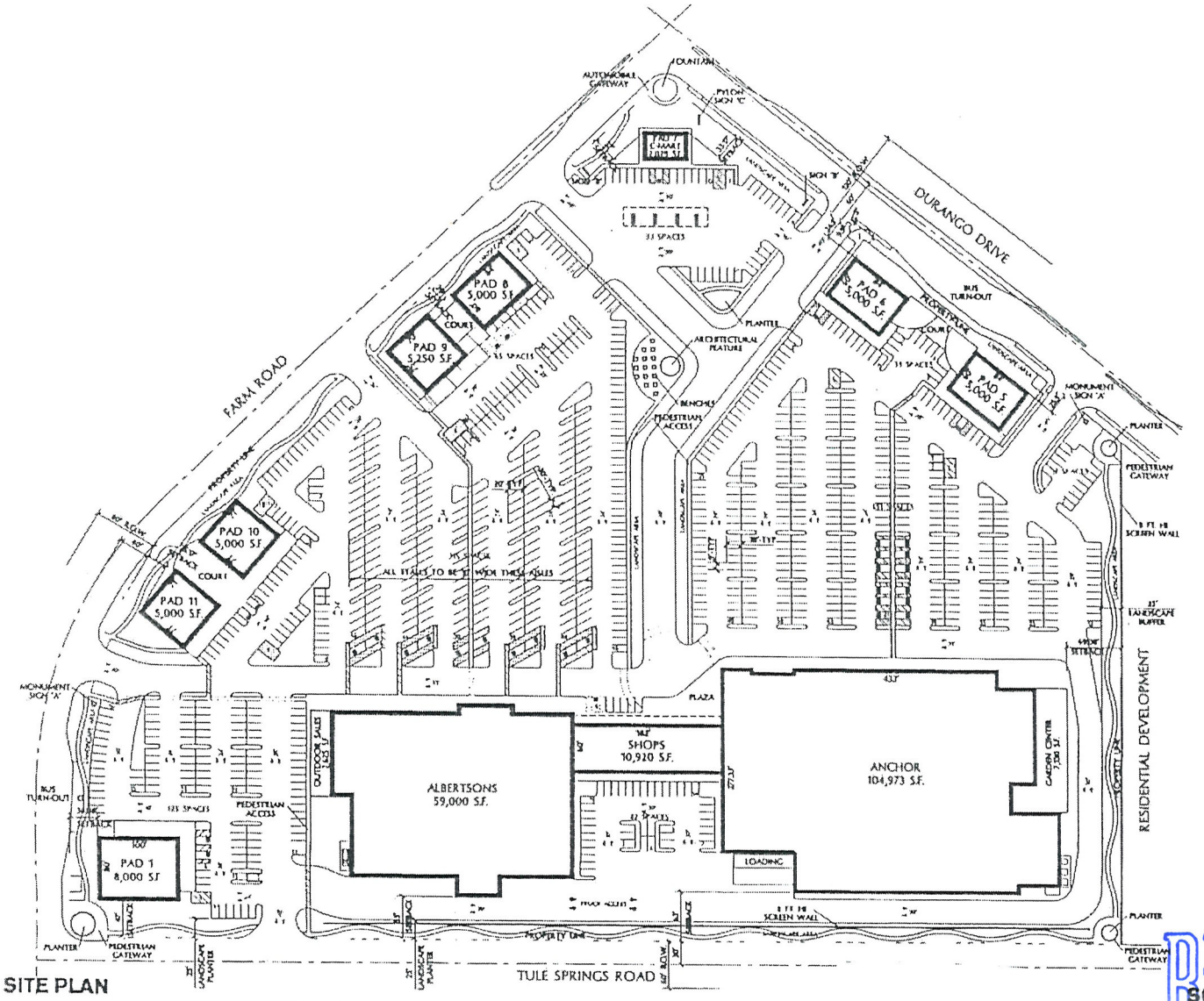
*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

f:\depot\Application Packet\Application Form.pdf

RECEIVED
JUL 26 2011

Revised 10/27/08

1022520.1



SITE PLAN

SUMMARY

SITE AREA 1,014,275 SF/23.28 AC.

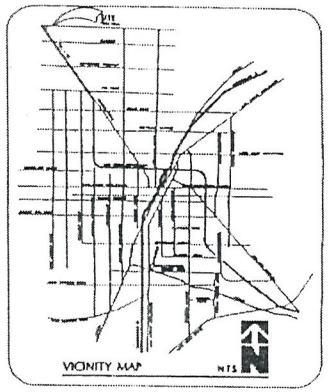
BUILDING AREA

ALBERTSON'S	59,000 SF	334 SPACES	1/250 GFA
OUTDOOR SALES	2,652 SF	11 SPACES	1/250 GFA
ANCHOR B	104,973 SF	420 SPACES	1/250 GFA
GARDEN CENTER	7,130 SF	1 SPACES	1/250 GFA
SHOPS A	4,860 SF	20 SPACES	1/250 GFA
SHOPS B	4,860 SF	20 SPACES	1/250 GFA
CAMART	3,029 SF	9 SPACES	1/250 GFA
PAD 1	8,000 SF	120 SPACES	
PUBLIC AREA (6,000 SF - 120 SPACES)			1/50 GFA
SERVICE AREA (2,000 SF - 10 SPACES)			1/200 GFA 10 MIN.
PAD 5	5,000 SF	20 SPACES	1/250 GFA
PAD 6	5,000 SF	20 SPACES	1/250 GFA
PAD 8	5,000 SF	50 SPACES	1/100 GFA
PAD 9	5,000 SF	20 SPACES	1/250 GFA
PAD 10	5,000 SF	50 SPACES	1/100 GFA
PAD 11	5,000 SF	20 SPACES	1/250 GFA
	233,569 SF		

PARKING REQUIRED	1,079 SPACES	1/279 GFA
H.C. PARKING REQUIRED	22 SPACES (OF 71 SPACES)	
VAN H.C. PARKING REQUIRED	3 SPACES (1/8 SPACES)	

FLOOR/AREA RATIO .334/1

PARKING PROVIDED	973 SPACES
H.C. PARKING PROVIDED	22 SPACES
VAN H.C. PARKING PROVIDED	21 SPACES



SCHEME B

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JUL 26 2011

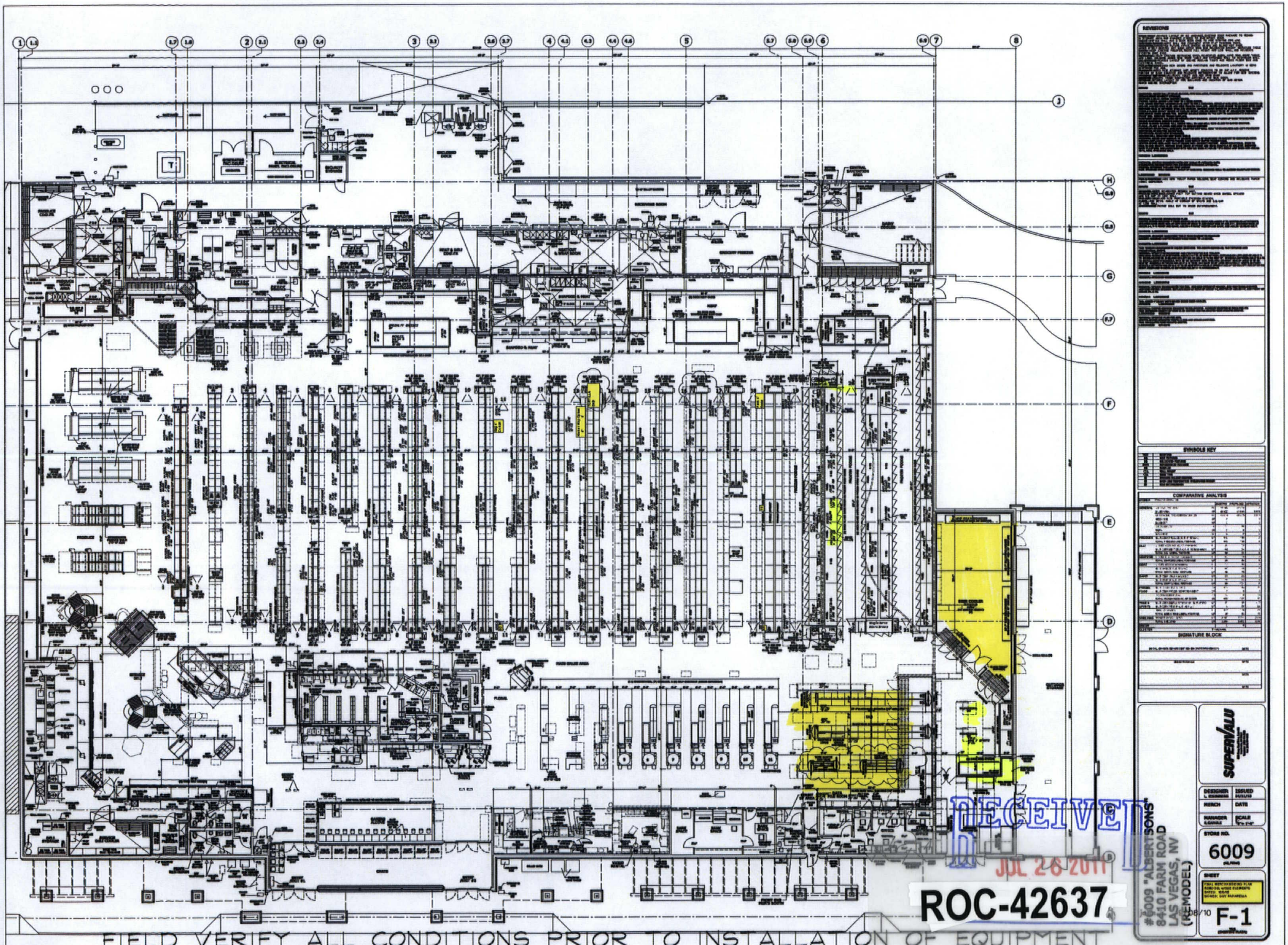
Albertson's Inc.

TULE SPRINGS VILLAGE

NEC Farm Road and Durango Drive
Las Vegas, Nevada

ROC-42637

mg architecture



FIELD VERIFY ALL CONDITIONS PRIOR TO INSTALLATION OF EQUIPMENT

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JUL 28 2011
ROC-42637

#6009 "ALBERTSONS"
8410 FARM ROAD
LAS VEGAS, NV
(REMODEL)

SUPERVALU

STORE NO. 6009

SHEET F-1

08/10



MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
MICHAEL J. McDONALD
(MAYOR PRO-TEM)
GARY REESE
LARRY BROWN
LYNETTE B. McDONALD
LAWRENCE WEEKLY
MICHAEL MACK

CITY MANAGER
VIRGINIA VALENTINE

June 19, 2000

Mr. Pichat Pojanasomboon
on behalf of Albertson's
10120 Edmoudson
Rolla, Missouri 65401

RE: U-0027-00 - SPECIAL USE PERMIT
CITY COUNCIL MEETING OF MAY 17, 2000
Related to Z-0076-98(14), U-0026-00, U-0028-00, U-0041-00

Dear Mr. Pojanasomboon:

The City Council at a regular meeting held May 17, 2000 APPROVED the request for a Special Use Permit FOR THE SALE OF PACKAGED LIQUOR IN CONJUNCTION WITH A PROPOSED ALBERTSON'S SUPERMARKET on the northwest corner of Farm Road and Tule Springs Road (APN: 125-17-601-002), TC (Towncenter) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on May 18, 2000. This approval is subject to:

1. Conformance to the Conditions of Approval of Z-76-98(14) as required by the Planning and Development Department and the Department of Public Works.

2. The sale of individual containers of any size of beer, wine coolers, or screw cap wine is prohibited.

3. Approval of this request does not constitute approval of a liquor license.

4. If this Special Use Permit is not exercised within two (2) years after the approval, the Special Use Permit shall be void unless an Extension of Time is granted.

5. All City Code requirements and design standards of all City departments must be satisfied.

CITY OF LAS VEGAS
400 STEWART AVENUE
'EGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.ci.las-vegas.nv.us

68112-012-12/99

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ROC-42637

6. Conformance to all applicable requirements of Title 6 of the Municipal Code.

Sincerely,

BARBARA JO RONEMUS
City Clerk

/ac

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. Of Fire Services
Land Development Services

Mr. Robert J. Gronauer
Kummer Kaempfer Bonner & Renshaw
3800 Howard Hughes Parkway, 7th Floor
Las Vegas, Nevada 89109

Mr. Jerry Benintendi
Albertson's
P.O. Box 20
Boise, Idaho 83726

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JUL 26 2011

ROC-42637

KAEMPFER CROWELL

ATTORNEYS AT LAW

KAEMPFER CROWELL RENSHAW GRONAUER & FIORENTINO

LAS VEGAS OFFICE

THOMAS D. AMICK
tamick@kcnvlaw.com
702.693.4265

LAS VEGAS OFFICE
8345 West Sunset Road
Suite 250
Las Vegas, NV 89113
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
50 West Liberty Street
Suite 900
Reno, NV 89501
Tel: 775.852.3900
Fax: 775.327.2011

CARSON CITY OFFICE
510 W. Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

July 22, 2011

VIA HAND DELIVERY

City of Las Vegas
Planning & Development Department
333 S. Rancho Road
Las Vegas, Nevada 89106

Re: New Albertson's Inc. d/b/a Albertson's at 8410 Farm Road
Review of Condition of (U-27-00)

To Whom It May Concern::

Please be advised, this office represents New Albertson's Inc. (The "Applicant"). The Applicant has a store located at 8410 Farm Road. On June 19, 2000, the City Council approved a special use permit for the sale of packaged liquor in conjunction with a supermarket (U-27-00) with six conditions. The Applicant has complied with these conditions.

The Applicant is respectfully requesting a waiver of condition number two which states "The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited."

The Applicant has proven themselves as a clean and respectable business and would like the opportunity to sell individual containers of beer, wine coolers or screw cap wine.

Thank you in advance for your consideration. If you have any questions or need anything further please do not hesitate to contact me.

Sincerely,

KAEMPFER CROWELL RENSHAW
GRONAUER & FIORENTINO

Thomas D. Amick

TDA/amp

RECEIVED
JUL 26 2011
ROC-42637

City of Las Vegas Agenda Item No.: **94.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 7, 2011

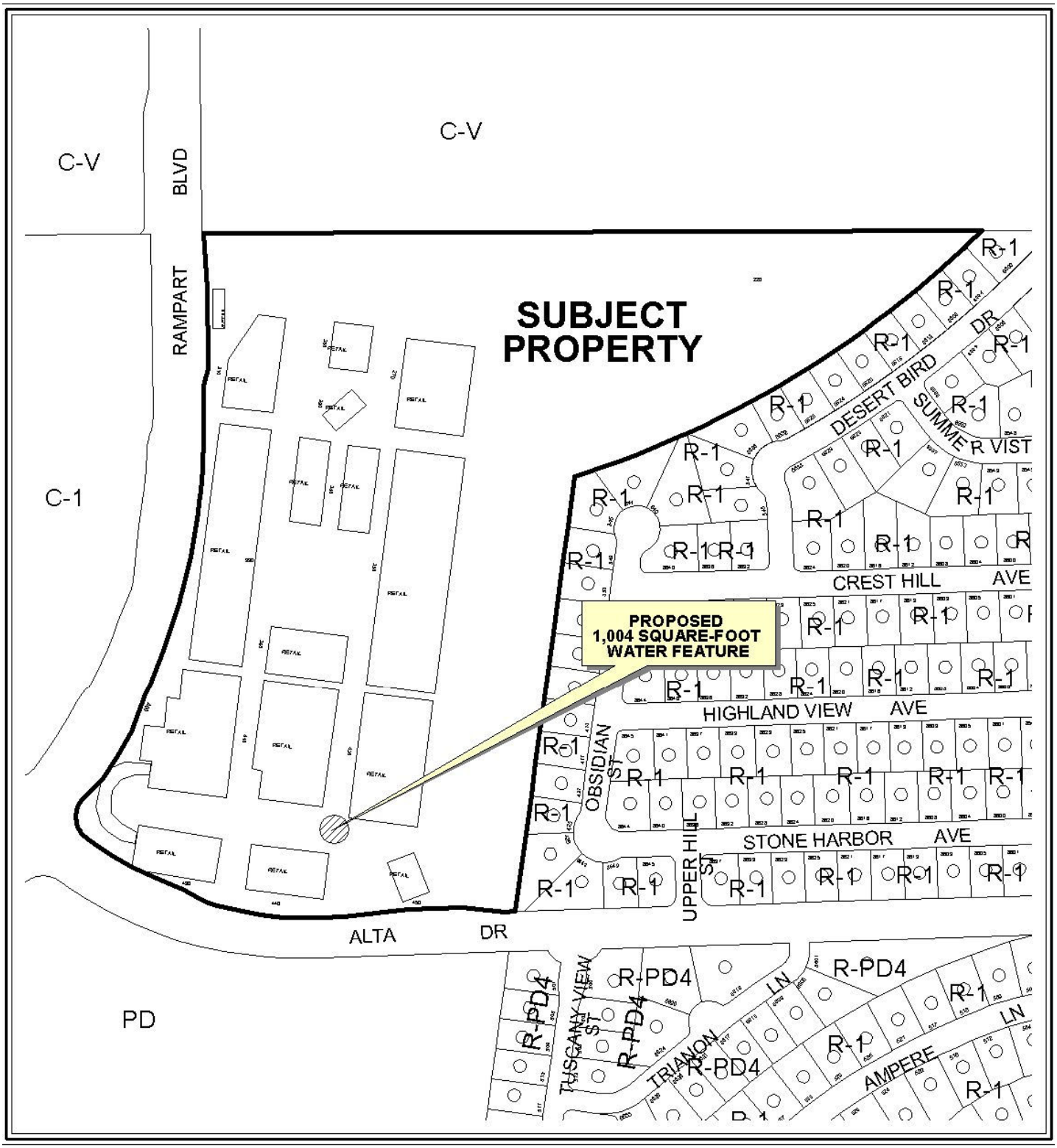
DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
DIR-42621 - WATER FEATURE EXEMPTION – PUBLIC HEARING - APPLICANT/OWNER: GREAT WASH PARK, LLC - For possible action on a request TO ALLOW THE OPERATION OF A 1,004 SQUARE-FOOT WATER FEATURE at 400 South Rampart Boulevard (APN 138-32-601-003), C-2 (General Commercial) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter



0 200 400 Feet

CASE: DIR-42621

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N



0 200 400 Feet

CASE: DIR-42621

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: SEPTEMBER 7, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: GREAT WASH PARK, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
DIR-42621	Staff recommends APPROVAL, subject to conditions:	None

** CONDITIONS **

DIR-42621 CONDITIONS

Planning

1. The applicant shall pay a fee to the City of Las Vegas in the amount of $9,790.00 to operate the water feature through December 31, 2011. This fee shall be paid within 30 days of the approval of this application. For subsequent years in which Drought Watch or Drought Alert is declared, an annual fee of $250.00 shall be paid.

2. The applicant shall post a sign at the water feature to indicate an exemption has been received allowing its operation.

DS

Staff Report Page One
September 7, 2011 - City Council Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Water Feature Exemption to allow the operation of an existing 1,004 square-foot water feature within the confines of Tivoli Village, a mixed-use development located at 400 South Rampart Boulevard.

ANALYSIS

The applicant is requesting to activate an existing 1,004 square-foot water feature located within Tivoli Village, a mixed-use development. The fountain is part of phase one of the development which opened April 2011. Under current drought conditions, a maximum of 25 square feet is permitted without receiving an exemption. The water feature at the subject site exceeds the maximum permissible area by 979 square feet. The applicant proposes no reduction in turf; therefore, Title 14.11.190 will require the applicant to pay an initial fee of $10.00 per square-foot of surface area that exceeds the allowable 25 square feet permitted, a cost totaling $9,790.00. In subsequent years beginning January 1, 2013, Title 14.11 requires the property owner to pay an annual fee of $250.00 during Drought Watch or Alert Conditions to continue operating the water feature.

FINDINGS

The applicant has been notified of the applicable costs and agrees to comply with the requirements of Title 14.11; therefore, staff is recommending approval of this request.

NOTICES MAILED NEWSPAPER ONLY (By Planning)

APPROVALS 0

PROTESTS 0

DS

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: DIR-42621 APN: 138-32-615-001

Name of Property Owner: Great Wash Park LLC

Name of Applicant: Great Wash Park LLC

Name of Representative: Terry Murphy

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: _____

By: Great Wash Park LLC
By: GW Management LLC
Its: Manager

Signature of Property Owner: _____

Print Name: Frank Pankratz, Its: Manager

Subscribed and sworn before me

This 12 day of July, 2011

LEEANN STEWART-SCHENCKE
Notary Public-State of Nevada
APPT. NO. 07-4284-1
My App. Expires July 26, 2011

Leeann Stewart-Schencke
Notary Public in and for said County and State

Clark County State of NV

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Water Feature Exemption

Project Address (Location) 400 S. Rampart, Las Vegas, NV 89145

Project Name The Village at Queensridge aka Tivoli Village **Proposed Use** Water Feature

Assessor's Parcel #(s) 138-32-601-003 **Ward #** 2

General Plan: existing GC proposed _____ **Zoning:** existing C-2 / MU proposed _____

Commercial Square Footage 699,000 net / 787,000 gross **Floor Area Ratio** _____

Gross Acres approx. 29 acres **Lots/Units** 1 **Density** _____

Additional Information _____

PROPERTY OWNER Great Wash Park LLC **Contact** Frank Pankratz

Address 9755 W. Charleston Blvd. **Phone:** (702) 940-6930 **Fax:** (702) 940-6931

City Las Vegas **State** NV **Zip** 89117

E-mail Address frank@ehbinc.com

APPLICANT - same as above - **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

REPRESENTATIVE 2 Star Strategic Group, LLC **Contact** Terry Murphy

Address 516 S. 6th Street, Ste. 100 **Phone:** (702) 889-2840 **Fax:** (702) 889-3215

City Las Vegas **State** NV **Zip** 89101

E-mail Address tmurphy@strategicsolutionsnv.com

By: Great Wash Park LLC By: GW Management LLC Its: Manager

Property Owner Signature* _____

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Frank Pankratz, Its Manager

Subscribed and sworn before me

This 12 day of July, 2011.

LeeAnn Stewart-Schencke

Notary Public in and for said County and State Clark County State of NV

LEEANN STEWART-SCHENCKE
Notary Public-State of Nevada
APPT. NO. 07-4284-1
My App. Expires July 26, 2011

FOR DEPARTMENT USE ONLY

Case #	DIR-42621
Meeting Date:	9-7-11
Total Fee:	-
Date Received:*	9-25-11
Received By:	JFmel

*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

THE VILLAGE AT QUEENSRIDGE

A COMMON INTEREST COMMERCIAL SUBDIVISION

BEING A PORTION OF PARCEL 2 AS SHOWN ON MAP THEREOF ON FILE IN FILE 76, PAGE 65 OF PARCEL MAPS, LYING WITHIN THE SOUTH HALF (S 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 32, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.B.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA

OWNER'S CERTIFICATE AND DEDICATION

GREAT WASH PARK, LLC, A NEVADA LIMITED LIABILITY COMPANY DOES HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PARCEL OF LAND WHICH IS SHOWN UPON THE PLAT OF

"THE VILLAGE AT QUEENSRIDGE"

DO HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS PLAT, AND DO HEREBY OFFER AND DEDICATE TO THE CITY OF LAS VEGAS ALL THE STREETS (EXCEPT PRIVATE STREETS) AND THE OTHER PUBLIC RIGHTS-OF-WAY AND PLACES AS INDICATED AND OUTLINED THEREON, FOR THE USE OF THE PUBLIC AND GRANT TO THE CITY OF LAS VEGAS, THE EASEMENTS, AS INDICATED AND OUTLINED HEREON, FOR THE USE OF THE PUBLIC.

FURTHERMORE, THE UNDERSIGNED OWNER DOES HEREBY GRANT AND CONVEY TO NV ENERGY AND CENTURY LINK (JOINTLY AND SEVERALLY), SOUTHWEST GAS CORPORATION, LAS VEGAS VALLEY WATER DISTRICT, COX COMMUNICATIONS LAS VEGAS, INC., JOINTLY AND SEVERALLY, AND TO THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, A PERMANENT EASEMENT WITHIN THE AREA SHOWN HEREON AS PRIVATE STREETS, COMMON AREAS AND ALL AREAS NOT OCCUPIED BY ANY BUILDING FOR THE CONSTRUCTION, MAINTENANCE, OPERATION, FINAL REMOVAL AND/OR ABANDONMENT OF STREET LIGHTS, IF ANY, AND FIRE HYDRANTS, UNDERGROUND POWER, TELEPHONE, GAS, WATER AND CABLE TELEVISION LINES AND APPURTENANCES, TOGETHER WITH THE RIGHT OF INGRESS THERETO AND EGRESS THEREFROM.

FURTHERMORE, THE UNDERSIGNED OWNER HEREBY GRANTS AND CONVEYS TO THE CITY OF LAS VEGAS AND TO ITS SUCCESSORS AND ASSIGNS A FIVE FOOT WIDE EASEMENT ADJACENT TO ALL PROPERTY LINES WHERE LOTS OR COMMON AREAS ABUT PUBLIC STREETS FOR PURPOSES OF PLACING PUBLIC FIRE HYDRANTS, PUBLIC STREET LIGHTS, CONDUITS, TRAFFIC SIGNALS AND APPURTENANCES; AND AN ADDITIONAL EASEMENT OF UP TO TWO FEET IN RADIUS FROM EACH FIRE HYDRANT AND STREET LIGHT, CONDUIT, TRAFFIC SIGNALS AND APPURTENANCES, TO EXTEND BEYOND THE FIVE FOOT EASEMENT IF NECESSARY, TOGETHER WITH THE RIGHT OF INGRESS TO AND EGRESS FROM THESE EASEMENTS.

GREAT WASH PARK LLC
BY: GW MANAGEMENT LLC
ITS MANAGER

BY: ______
NAME: FRANK PANKRATZ
ITS: MANAGER

GREAT WASH PARK LLC
BY: GW MANAGEMENT LLC
ITS MANAGER

BY: ______
NAME: Noam Ziv
ITS: Manager

ACKNOWLEDGMENT

STATE OF NEVADA }
COUNTY OF CLARK } SS.

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON June 20, 2011
BY Frank Pankratz AS Manager
OF GW Management LLC

LeeAnn Stewart-Schencke

NOTARY PUBLIC
MY APPOINTMENT EXPIRES: 7/26/2011

LEEANN STEWART-SCHENCKE Notary Public-State of Nevada APPT. NO. 07-4284-1 My App. Expires July 26, 2011

ACKNOWLEDGMENT

STATE OF NEVADA }
COUNTY OF CLARK } SS.

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON June 20, 2011
BY Noam Ziv AS Manager
OF GW Management LLC

LeeAnn Stewart-Schencke

NOTARY PUBLIC
MY APPOINTMENT EXPIRES: 7/26/2011

LEEANN STEWART-SCHENCKE Notary Public-State of Nevada APPT. NO. 07-4284-1 My App. Expires July 26, 2011

UTILITY / AGENCY APPROVALS

WE, THE HEREIN NAMED RECIPIENTS, APPROVE THE GRANT OF THE DESIGNATED EASEMENTS.

RICHARD NESTLEBUSH — 6-22-11
CENTURY LINK — DATE

CRYSTINA FISHER — 6/23/11
SOUTHWEST GAS CORPORATION — DATE

DOA GREGORY — 06/22/11
LAS VEGAS VALLEY WATER DISTRICT — DATE

Stephanie South — 06/20/2011
COX COMMUNICATIONS LAS VEGAS, INC. — DATE

Sharon McShea - SHARON MCSHEA — 6-21-2011
NEVADA POWER COMPANY, A NEVADA CORPORATION D/B/A NV ENERGY — DATE

CITY ENGINEER'S APPROVAL

WE, THE CITY OF LAS VEGAS, APPROVE THE GRANT OF THE DESIGNATED EASEMENTS.

______ 6/28/11
CITY ENGINEER: DAVID BOWERS PE, PTOE, PE#16736 — DATE

840-034

SURVEYOR'S CERTIFICATE

I, CRAIG K. MATSUEDA, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF NEVADA, AS AGENT FOR G.C. WALLACE, INC., CERTIFY THAT:

1. THIS PLAT REPRESENTS THE RESULTS OF A SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION AT THE INSTANCE OF GREAT WASH PARK, LLC
2. THE LANDS SURVEYED LIE WITHIN SECTION 32, TOWNSHIP 20 SOUTH, RANGE 60 EAST M.D.B.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA AND THE SURVEY WAS COMPLETED ON APRIL 4 2008.
3. THIS PLAT COMPLIES WITH THE APPLICABLE STATE STATUES AND ANY LOCAL ORDINANCES IN EFFECT ON THE DATE THAT THE GOVERNING BODY GAVE ITS FINAL APPROVAL.
4. THE MONUMENTS DEPICTED ON THE PLAT ARE OF THE CHARACTER SHOWN, AND OCCUPY THE POSITIONS INDICATED AND ARE OF SUFFICIENT NUMBER AND DURABILITY.

CRAIG K. MATSUEDA
PROFESSIONAL LAND SURVEYOR
NEVADA LICENSE NO. 17022

PROFESSIONAL LAND SURVEYOR - STATE OF NEVADA — CRAIG K. MATSUEDA Exp. 12/31/11 No. 17022 — 6/28/11

LEGAL DESCRIPTION

BEING A PORTION OF PARCEL 2 AS SHOWN ON MAP THEREOF ON FILE IN FILE 76, PAGE 65 OF PARCEL MAPS, LYING WITHIN THE SOUTH HALF (S 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 32, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.B.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL 2; THENCE ALONG THE SOUTHERLY LINE THEREOF, SOUTH 88°10'20" WEST, A DISTANCE OF 20.11 FEET TO THE INTERSECTION WITH THE NORTHERLY LINE OF AREA "D" AS DESCRIBED IN THAT GRANT, BARGAIN, SALE DEED TO THE CITY OF LAS VEGAS RECORDED IN BOOK 20100310, INSTRUMENT NO. 04696 OF OFFICIAL RECORDS OF CLARK COUNTY, NEVADA; THENCE DEPARTING SAID SOUTHERLY LINE AND ALONG THE NORTHERLY LINE OF SAID AREA "D" FOR THE FOLLOWING THREE (3) COURSES: 1) NORTH 85°08'46" WEST, A DISTANCE OF 85.95 FEET; 2) SOUTH 88°10'20" WEST, A DISTANCE OF 106.36 FEET; 3) SOUTH 83°37'35" WEST, A DISTANCE OF 126.17 FEET TO THE INTERSECTION WITH THE SOUTHERLY LINE OF SAID PARCEL 2; THENCE ALONG SAID SOUTHERLY LINE FOR THE FOLLOWING TWO (2) COURSES: 1) SOUTH 88°10'20" WEST, A DISTANCE OF 45.99 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 760.00 FEET; 2) WESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 05°28'39", AN ARC LENGTH OF 72.66 FEET TO THE INTERSECTION WITH THE NORTHERLY LINE OF AREA "C" AS DESCRIBED IN SAID GRANT, BARGAIN, SALE DEED TO THE CITY OF LAS VEGAS RECORDED IN BOOK 20100310, INSTRUMENT NO. 04696, A RADIAL LINE TO SAID POINT BEARS SOUTH 03°38'59" WEST, SAID POINT BEING ALSO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 760.00 FEET, A RADIAL LINE TO SAID BEGINNING BEARS SOUTH 05°00'35" WEST; THENCE ALONG THE NORTHERLY LINE OF SAID AREA "C" FOR THE FOLLOWING FOUR (4) COURSES: 1) WESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 09°57'35", AN ARC LENGTH OF 132.11 FEET TO THE BEGINNING OF A COMPOUND CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 195.00 FEET, A RADIAL LINE TO SAID BEGINNING BEARS SOUTH 14°58'10" WEST; 2) NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 16°30'35", AN ARC LENGTH OF 56.19 FEET TO THE BEGINNING OF A REVERSE CURVE, HAVING A RADIUS OF 207.00 FEET, A RADIAL LINE TO SAID BEGINNING BEARS NORTH 31°28'45" EAST; 3) NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 10°41'28", AN ARC LENGTH OF 38.63 FEET TO THE BEGINNING OF A REVERSE CURVE, HAVING A RADIUS OF 745.00 FEET, A RADIAL LINE TO SAID BEGINNING BEARS SOUTH 20°47'17" WEST; 4) NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 13°32'09", AN ARC LENGTH OF 176.00 FEET TO THE NORTHWEST CORNER OF SAID AREA "C", SAID POINT BEING ALSO A POINT OF THE SOUTHERLY LINE OF SAID PARCEL 2, A RADIAL LINE TO SAID POINT BEARS SOUTH 34°19'26" WEST; THENCE CONTINUING ALONG SAID CURVE, ALONG THE SOUTHERLY LINE OF SAID PARCEL 2, NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°15'44", AN ARC LENGTH OF 16.41 FEET TO THE BEGINNING OF A COMPOUND CURVE, HAVING A RADIUS OF 54.00 FEET, A RADIAL LINE TO SAID BEGINNING BEARS SOUTH 35°35'10" WEST; THENCE CONTINUING ALONG SAID SOUTHERLY LINE, NORTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 90°30'02", AN ARC LENGTH OF 85.29 FEET TO THE WESTERLY LINE OF SAID PARCEL 2, SAID POINT BEING ALSO THE BEGINNING OF A REVERSE CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1,250.00 FEET, A RADIAL LINE TO SAID BEGINNING BEARS NORTH 53°54'48" WEST; THENCE NORTHEASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°05'43", AN ARC LENGTH OF 2.08 FEET TO THE SOUTHEASTERLY LINE OF AREA "B" AS DESCRIBED IN SAID GRANT, BARGAIN, SALE DEED TO THE CITY OF LAS VEGAS RECORDED IN BOOK 20100310, INSTRUMENT NO. 04696, SAID POINT BEING ALSO THE BEGINNING OF A REVERSE CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 20.00 FEET, A RADIAL LINE TO SAID BEGINNING BEARS NORTH 54°00'31" WEST; THENCE DEPARTING THE WESTERLY LINE OF SAID PARCEL 2 AND ALONG THE SOUTHEASTERLY LINE OF SAID AREA "C" FOR THE FOLLOWING FIVE (5) COURSES: 1) NORTHEASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 08°52'27", AN ARC LENGTH OF 3.10 FEET; 2) NORTH 44°51'56" EAST, A DISTANCE OF 51.80 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 30.00 FEET; 3) NORTHEASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 11°37'07", AN ARC LENGTH OF 6.08 FEET TO THE BEGINNING OF A COMPOUND CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1,260.00 FEET, A RADIAL LINE TO SAID BEGINNING BEARS SOUTH 56°45'11" EAST; 4) NORTHEASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 04°52'41", AN ARC LENGTH OF 107.27 FEET TO A POINT TO WHICH A RADIAL LINE BEARS SOUTH 61°37'52" EAST; 5) NORTH 19°19'50" EAST, A DISTANCE OF 79.28 FEET TO THE WESTERLY LINE OF SAID PARCEL 2, SAID POINT BEING ALSO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 1,250.00 FEET, A RADIAL LINE TO SAID BEGINNING BEARS SOUTH 65°13'20" EAST; THENCE ALONG THE WESTERLY LINE OF SAID PARCEL 2 FOR THE FOLLOWING TWO (2) COURSES: 1) NORTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 25°18'47", AN ARC LENGTH OF 552.25 FEET; 2) NORTH 00°32'07" WEST, A DISTANCE OF 54.10 FEET TO THE INTERSECTION WITH THE EASTERLY LINE OF AREA "A" AS DESCRIBED IN SAID GRANT, BARGAIN, SALE DEED TO THE CITY OF LAS VEGAS RECORDED IN BOOK 20100310, INSTRUMENT NO. 04696, SAID POINT BEING ALSO THE BEGINNING OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 95.00 FEET; THENCE DEPARTING THE WESTERLY LINE OF SAID PARCEL 2 AND ALONG THE EASTERLY LINE OF SAID AREA "A" FOR THE FOLLOWING FOUR (4) COURSES: 1) NORTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 18°11'42", AN ARC LENGTH OF 30.17 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 105.00 FEET A RADIAL LINE TO SAID BEGINNING BEARS SOUTH 72°20'25" EAST; 2) NORTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 18°11'42", AN ARC LENGTH OF 33.34 FEET; 3) NORTH 00°32'07" WEST, A DISTANCE OF 144.82 FEET; 4) NORTH 03°45'11" WEST, A DISTANCE OF 107.69 FEET TO THE INTERSECTION WITH THE NORTHERLY LINE OF SAID PARCEL 2; THENCE ALONG SAID NORTHERLY LINE, NORTH 89°46'29" EAST, A DISTANCE OF 1,529.93 FEET TO THE INTERSECTION WITH THE EASTERLY LINE OF SAID PARCEL 2, SAID POINT BEING ALSO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 2,000.00 FEET, A RADIAL LINE TO SAID BEGINNING BEARS SOUTH 44°33'54" EAST; THENCE DEPARTING SAID NORTHERLY LINE AND ALONG THE EASTERLY LINE OF SAID PARCEL 2 FOR THE FOLLOWING TWO (2) COURSES: 1) SOUTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 26°59'38", AN ARC LENGTH OF 942.26 FEET TO A POINT TO WHICH A RADIAL LINE BEARS SOUTH 17°34'16" EAST; 2) SOUTH 07°46'23" WEST, A DISTANCE OF 866.28 FEET TO THE POINT OF BEGINNING.

CONTAINING 28.43 ACRES, MORE OR LESS.

CERTIFICATE OF CITY SURVEYOR

I, ALAN R. RIEKKI, CITY SURVEYOR OF THE CITY OF LAS VEGAS, NEVADA DO HEREBY CERTIFY THAT I HAVE EXAMINED THE FINAL SUBDIVISION MAP OF:

"THE VILLAGE AT QUEENSRIDGE"

AND AM SATISFIED THAT THE MAP IS TECHNICALLY CORRECT.

______ 6/28/11
ALAN R. RIEKKI, PLS — DATE
CITY SURVEYOR
CITY OF LAS VEGAS, NEVADA
NEVADA LICENSE NO. 12469

CERTIFICATE OF DIRECTOR OF PLANNING APPROVAL

I CERTIFY THAT THIS FINAL MAP SUBSTANTIALLY COMPLIES WITH THE TENTATIVE MAP AND ANY APPROVED ALTERATIONS THERETO; THAT THE MAP COMPLIES WITH APPLICABLE STATUTORY AND ORDINANCE PROVISIONS; THAT ALL CONDITIONS IMPOSED UPON THE FINAL MAP HAVE BEEN MET; AND THAT THE MAP WAS APPROVED AND THE PARCELS HEREIN WERE ACCEPTED FOR DEDICATION BY THE DIRECTOR OF PLANNING ON THE 28th DAY OF JUNE, 2011.

______ 6/28/11
FLINN FAGG, AICP — DATE
DIRECTOR OF PLANNING
CITY OF LAS VEGAS, NEVADA

SOUTHERN NEVADA HEALTH DISTRICT

THIS FINAL MAP IS APPROVED BY THE SOUTHERN NEVADA HEALTH DISTRICT. THIS APPROVAL CONCERNS SEWAGE DISPOSAL, WATER POLLUTION, WATER QUALITY AND WATER SUPPLY FACILITIES AND IS PREDICATED UPON PLANS FOR A PUBLIC WATER SUPPLY AND A COMMUNITY SYSTEM FOR THE DISPOSAL OF SEWAGE.

______ 06/27/2011
WALTER B. ROSS — DATE
SOUTHERN NEVADA HEALTH DISTRICT

CERTIFICATE OF WATER RESOURCES DIVISION

THIS FINAL MAP IS APPROVED BY THE DIVISION OF WATER RESOURCES OF THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES CONCERNING WATER QUANTITY, SUBJECT TO THE REVIEW OF APPROVAL ON FILE IN THIS OFFICE.

______ P.E. 6/28/11
JOHN GUILLORY, P.E. — DATE
DIVISION OF WATER RESOURCES

BASIS OF BEARINGS

SOUTH 00°32'07" EAST, BEING THE BEARING OF THE CENTERLINE OF "RAMPART BOULEVARD" AS SHOWN BY MAP THEREOF ON FILE IN FILE 64, PAGE 93 OF SURVEYS IN THE COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA, LYING WITHIN THE NORTH HALF (N1/2) OF SECTION 32, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA.

WATER COMMITMENT STATEMENT

RECORDATION OF THIS SUBDIVISION MAP WILL ESTABLISH A LIMITED WATER COMMITMENT FROM THE LAS VEGAS VALLEY WATER DISTRICT AS FOLLOWS:

LOT/BLOCK	ACRE-FEET/YEAR
1	1.0

NOTE:

ANY SUBSEQUENT CHANGES TO THIS MAP SHOULD BE EXAMINED AND MAY BE DETERMINED BY REFERENCE TO THE COUNTY RECORDER'S CUMULATIVE MAP INDEX. N.R.S. 278.5695

SHEET 1 OF 2

G.C. WALLACE COMPANIES
ENGINEERS | PLANNERS | SURVEYORS
1555 S. RAINBOW BLVD · LAS VEGAS, NV 89146
T: 702.804.2000 · F: 702.804.2299 · GCWALLACE.COM

FMP-41668
84[illegible]034
THE VILLAGE AT QUEENSRIDGE

INSTRUMENT NO. 00506
OFFICIAL RECORDS
BOOK NO. 20110629
FILED AT THE REQUEST OF G.C. WALLACE INC.
DATE 6/29/2011 AT 8:37
BOOK 143 PAGE 49
OF PLATS
CLARK COUNTY, NEVADA RECORDS
DEBBIE CONWAY, RECORDER
FEE $[illegible] DEPUTY [illegible]

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Department of Planning
BOOK 143 PAGE 49

DIR-42621

THE VILLAGE AT QUEENSRIDGE

A COMMON INTEREST COMMERCIAL SUBDIVISION

BEING A PORTION OF PARCEL 2 AS SHOWN ON MAP THEREOF ON FILE IN FILE 76, PAGE 65 OF PARCEL MAPS, LYING WITHIN THE SOUTH HALF (S 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 32, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.B.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA

SCALE: 1" = 100'

REFERENCES

1. FILE 76, PAGE 65 OF PARCEL MAPS
2. FILE 64, PAGE 93 OF SURVEYS
3. FILE 95, PAGE 56 OF SURVEYS
4. FILE 162, PAGE 52 OF SURVEYS
5. BOOK 67, PAGE 32 OF PLATS
6. BOOK 67, PAGE 72 OF PLATS
7. BOOK 62, PAGE 85 OF PLATS
8. BOOK 72, PAGE 31 OF PLATS
9. BOOK 59, PAGE 70 OF PLATS
10. FILE 131, PAGE 85 OF SURVEYS
11. BOOK 62, PAGE 26 OF PLATS
12. FILE 117, PAGE 83 OF PARCEL MAPS

RADIAL TABLE	
RADIAL	BEARING
R1	S35°35'10"W
R2	N53°54'48"W
R3	N54°00'31"W
R4	S34°19'26"W

COMMERCIAL SUBDIVISION NOTES

1. ALL SUBDIVIDED PARCELS COMPRISING THIS COMMERCIAL SUBDIVISION SHALL PROVIDE PERPETUAL INTER-SITE COMMON DRAINAGE RIGHTS ACROSS ALL EXISTING AND FUTURE PARCEL UNITS.
2. ALL SUBDIVIDED PARCELS COMPRISING THIS COMMERCIAL SUBDIVISION SHALL PROVIDE PERPETUAL INTER-SITE COMMON PARKING AND ACCESS RIGHTS TO ALL DRIVEWAYS CONNECTING THIS OVERALL SITE TO THE ADJACENT PUBLIC STREETS.
3. EASEMENTS FOR PRIVATE STREETS, LANDSCAPE, CROSS ACCESS, SHARED PARKING AND DRAINAGE PURPOSES TO BE RESERVED AND GRANTED PER THE GRANTOR'S INITIAL CONVEYANCE OF THE LOTS CREATED BY THE RECORDATION OF THIS MAP.

LEGEND

- FOUND MONUMENTATION AS SHOWN AND DESCRIBED
- SET 1 1/2" ALCAP STAMPED "PLS 17022"
- SET 2" ALCAP REFERENCE MONUMENT STAMPED "PLS 17022"
- SET NAIL AND BRASS TAG STAMPED "PLS 17022" WHEN CONSTRUCTION OF IMPROVEMENTS ARE COMPLETE
- FOUND 1-1/2" ALCAP STAMPED "PLS 4541 FW ORBAN"
- FOUND 2" ALCAP REFERENCE MONUMENT STAMPED WITH TIE DISTANCE AND "PLS 4541"
- FOUND 2" ALCAP REFERENCE MONUMENT STAMPED WITH TIE DISTANCE AND "PLS 7635"
- FOUND 2" ALCAP REFERENCE MONUMENT STAMPED WITH TIE DISTANCE AND "PLS 5094"
- CALCULATED POINT
- [1] MAP REFERENCE
- (5) EASEMENT REFERENCE NUMBER
- SUBDIVISION BOUNDARY
- STREET CENTERLINE
- EASEMENT LINE
- S.F. SQUARE FEET
- SECTION LINE
- QUARTER SECTION LINE
- EXISTING LOT LINE
- OLD RIGHT OF WAY LINE
- EXISTING LOT NUMBER

MONUMENT NOTES

A. FOUND 1-1/2" ALCAP, ILLEGIBLE OBLITERATED BY CONSTRUCTION. RE-ESTABLISHED POSITION FROM REFERENCE MONUMENTS PER FILE 162, PAGE 52 OF SURVEYS. SET 1/2" ALCAP STAMPED "PLS 17022"

B. FOUND 1-1/2" ALCAP, ILLEGIBLE OBLITERATED BY CONSTRUCTION. POSITION ESTABLISHED BY REFERENCE MONUMENTS STAMPED "PLS 14195" FALLS 0.50' SOUTHWEST OF CALCULATED POINT OF CURVATURE ALONG ALTA DRIVE ALIGNMENT. DID NOT ACCEPT. SET 1/2" ALCAP STAMPED "PLS 17022" AT CALCULATED POINT OF CURVATURE.

C. FOUND 1-1/2" ALCAP STAMPED "AMEC PLS 8660" 0.51' WEST OBLITERATED BY CONSTRUCTION. POSITION PER REFERENCE MONUMENTS STAMPED "PLS 14195" (NO RECORD) FOUND TO BE 0.47' WEST OF CALCULATED POINT OF TANGENCY. DID NOT ACCEPT. SET 1 1/2" ALCAP STAMPED "PLS 17022" AT CALCULATED POINT OF TANGENCY.

D. FOUND 1 1/2" ALCAP PARTIAL STAMP "PLS 7008" OBLITERATED FROM CONSTRUCTION. SET 1-1/2" ALCAP STAMPED "PLS 17022" PER FILE 64, PAGE 93 OF SURVEYS.

CURVE TABLE				
CURVE	DELTA	RADIUS	LENGTH	TANGENT
C1	43°41'34"	800.00'	610.07'	320.73'
C2	21°45'10"	125.50'	47.65'	24.11'
C3	5°28'39"	760.00'	72.66'	36.36'
C4	9°57'35"	760.00'	132.11'	66.22'
C5	16°30'35"	195.00'	56.19'	28.29'
C6	10°41'28"	207.00'	38.63'	19.37'
C7	13°32'09"	745.00'	176.00'	88.41'
C8	01°15'44"	745.00'	16.41'	8.21'

CURVE TABLE				
CURVE	DELTA	RADIUS	LENGTH	TANGENT
C9	90°30'02"	54.00'	85.29'	54.47'
C10	0°05'43"	1250.00'	2.08'	1.04'
C11	8°52'27"	20.00'	3.10'	1.55'
C12	11°37'07"	30.00'	6.08'	3.05'
C13	4°52'41"	1260.00'	107.27'	53.67'
C14	18°11'42"	95.00'	30.17'	15.21'
C15	18°11'42"	105.00'	33.34'	16.81'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N39°51'54"E	953.50'
L2	N39°51'54"E	25.00'
L3	S86°10'25"W	565.79'
L4	S50°08'06"E	106.17'
L5	S50°08'06"E	49.60'
L6	S50°08'45"E	49.38'
L7	N07°46'23"E	40.57'
L8	N01°49'40"W	145.27'
L9	N23°34'50"W	46.18'
L9	N61°18'19"E	46.18'

LINE TABLE		
LINE	BEARING	LENGTH
L10	S88°10'20"W	20.11'
L11	N85°08'46"W	85.95'
L12	S88°10'20"W	106.36'
L13	S83°37'35"W	126.12'
L14	S88°10'20"W	45.99'
L15	N44°51'56"E	51.80'
L16	N19°19'50"E	79.28'
L17	N00°32'07"W	54.10'
L18	N03°45'11"W	107.69'

DEDICATION REFERENCES

(1) RIGHT OF WAY DEDICATED TO THE CITY OF LAS VEGAS PER OR: 20100310: 04696.

EASEMENT REFERENCES

1. EASEMENT FOR PUBLIC DRAINAGE AND INCIDENTAL PURPOSES PER OR: 940310: 01293.
2. TRAFFIC CONTROL EASEMENT PER OR: 20020430: 02321.
3. TRAFFIC CONTROL EASEMENT PER OR: 20030307: 01941.
4. LAS VEGAS VALLEY WATER DISTRICT EASEMENT PER OR: 20070516: 01399.
5. LAS VEGAS VALLEY WATER DISTRICT EASEMENT PER OR: 20070516: 01402.
6. LAS VEGAS VALLEY WATER DISTRICT EASEMENT PER OR: 20070516: 01403.
7. EASEMENT FOR PUBLIC DRAINAGE AND INCIDENTAL PURPOSES PER OR: 20080226: 01755.
8. EASEMENT TO CONSTRUCT OR INSTALL WALLS PER OR: 20080715: 04038.
9. EASEMENT TO CONSTRUCT OR INSTALL WALLS PER OR: 20080715: 04039.
10. EASEMENT TO CONSTRUCT OR INSTALL WALLS PER OR: 20080716: 00085.
11. EASEMENT TO CONSTRUCT OR INSTALL WALLS PER OR: 20080716: 00087.
12. EASEMENT TO CONSTRUCT OR INSTALL WALLS PER OR: 20080716: 03317.
13. EASEMENT TO CONSTRUCT OR INSTALL WALLS PER OR: 20080716: 03319.
14. EASEMENT TO CONSTRUCT OR INSTALL WALLS PER OR: 20080717: 00461.
15. EASEMENT TO CONSTRUCT OR INSTALL WALLS PER OR: 20080717: 00463.
16. EASEMENT TO CONSTRUCT OR INSTALL WALLS PER OR: 20080717: 03679.
17. EASEMENT TO CONSTRUCT OR INSTALL WALLS PER OR: 20080717: 03681.
18. EASEMENT TO CONSTRUCT OR INSTALL WALLS PER OR: 20080721: 03974.
19. EASEMENT TO CONSTRUCT OR INSTALL WALLS PER OR: 20080721: 03976.
20. EASEMENT TO CONSTRUCT OR INSTALL WALLS PER OR: 20080723: 00284.
21. EASEMENT TO CONSTRUCT OR INSTALL WALLS PER OR: 20080723: 00286.
22. EASEMENT TO CONSTRUCT OR INSTALL WALLS PER OR: 20080730: 00167.
23. EASEMENT TO CONSTRUCT OR INSTALL WALLS PER OR: 20080730: 00169.
24. EASEMENT TO CONSTRUCT OR INSTALL WALLS PER OR: 20080731: 00270.
25. EASEMENT TO CONSTRUCT OR INSTALL WALLS PER OR: 20080731: 00272.
26. EASEMENT TO CONSTRUCT OR INSTALL WALLS PER OR: 20080805: 00202.
27. EASEMENT TO CONSTRUCT OR INSTALL WALLS PER OR: 20080805: 00204.
28. EASEMENT TO CONSTRUCT OR INSTALL WALLS PER OR: 20080806: 00629.
29. EASEMENT TO CONSTRUCT OR INSTALL WALLS PER OR: 20080806: 00631.
30. BLANKET EASEMENT IN FAVOR OF NEVADA POWER COMPANY OVER ENTIRE PARCEL NOT OCCUPIED BY BUILDINGS PER OR: 20091222: 01684.
31. LAS VEGAS VALLEY WATER DISTRICT EASEMENT PER OR: 20100104: 04242.
32. LAS VEGAS VALLEY WATER DISTRICT EASEMENT PER OR: 20100104: 04243.
33. PEDESTRIAN ACCESS EASEMENT PER OR: 20100310: 04697.
34. TRAFFIC CONTROL EASEMENT PER OR: 20100310: 04698.

SEWER NOTE

ONSITE SEWERS ARE A COMMON ELEMENT PRIVATELY OWNED AND MAINTAINED PER THE CONDITIONS, COVENANTS AND RESTRICTIONS (CC&RS) OF THIS COMMERCIAL SUBDIVISION.

LOT 1
28.43 ACRES

CREST HILL AVENUE
HIGHLAND VIEW AVENUE
STONE HARBOR AVENUE
RAMPART BOULEVARD
ALTA DRIVE
DESERT BIRD DRIVE
OBSIDIAN STREET
DENORITE STREET
OPHIR HILL STREET

POINT OF BEGINNING

ANGEL PARK RANCH UNIT No. 2 BOOK 62, PAGE 85 OF PLATS

ANGEL PARK RANCH UNIT NO. 2 AND BOOK 65, PAGE 77 OF PLATS

ANGEL PARK RANCH UNIT NO. 4 BOOK 67, PAGE 72 OF PLATS

PUBLIC STREET DEDICATED PER FILE 76, PAGE 65 OF PARCEL MAPS

MONUMENT OBLITERATED RE-ESTABLISHED POSITION PER FOUND REFERENCE MONUMENTS STAMPED "PLS 4541". SET 1 1/2" ALCAP STAMPED "PLS 17022"

MONUMENT OBLITERATED RE-ESTABLISHED POSITION PER FOUND REFERENCE MONUMENTS STAMPED "PLS 4541" [6]

SECTION CORNER 29 | 28 / 32 | 33 — MONUMENT DESTROYED [5] [10] IN MONUMENT WELL RE-ESTABLISHED POSITION PER FOUND REFERENCE MONUMENTS STAMPED "PLS 11585"

1/4 32 33 — NO MONUMENT FOUND RE-ESTABLISHED POSITION PER FOUND 2" ALCAP REFERENCE MONUMENTS STAMPED "PLS 5094" [1] [5] [10] [11]

N1/16 32 33 — FOUND REBAR NO CAP POSITION PER [10]

FOUND 2-1/2" BRASS CAP STAMPED "PLS 7008" [3]

FOUND 1 1/2" ALCAP STAMPED "PLS 11174" PER [12]

FOUND PK NAIL

FOUND PK NAIL PER [4]

CRAIG K. MATSUEDA PROFESSIONAL LAND SURVEYOR STATE OF NEVADA No. 17022 11/14/11 [11]

GRAPHIC SCALE 100 50 0 100 200 300

840-034

SHEET 2 OF 2

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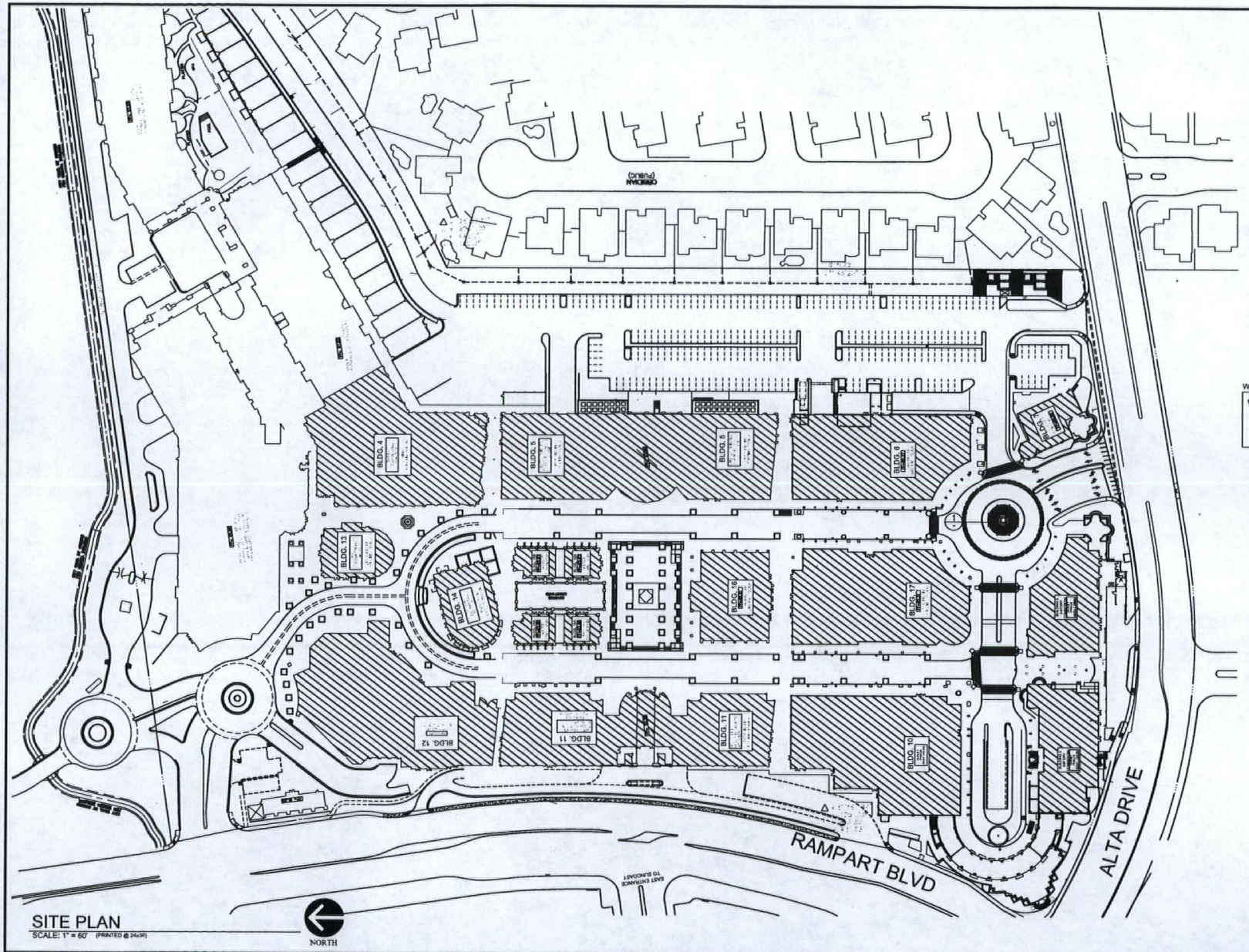
Department of Planning

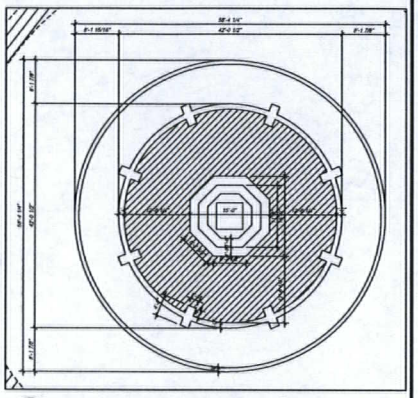
BOOK 143 PAGE 49

DIR-42621



SITE PLAN
SCALE: 1" = 60' (PRINTED @ 24x36)

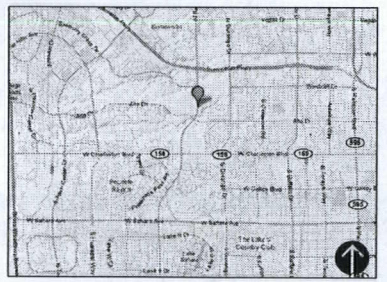
NORTH



1 WATER FEATURE DETAIL
SCALE: 3/32" = 1'-0" (PRINTED @ 24x36)

WATER FEATURE SQFT CALCULATIONS

WATER FEATURE SQFT 1052 SQFT	-	STATUE DISPLACEMENT (4@4'X2' & 4@2'X2' CONCRETE BLOCKS) 48 SQFT	=	FOUNTAIN NET 1004 SQFT		
FOUNTAIN NET 1004 SQFT	-	ALLOWANCE 25 SQFT	=	ADJUSTED FOUNTAIN NET 979 SQFT		



VICINITY MAP

LANDSCAPE AREA: SHRUBS AND SEASONAL FLOWERS AROUND WATER FEATURE

TURF: NO TURF ON PROJECT

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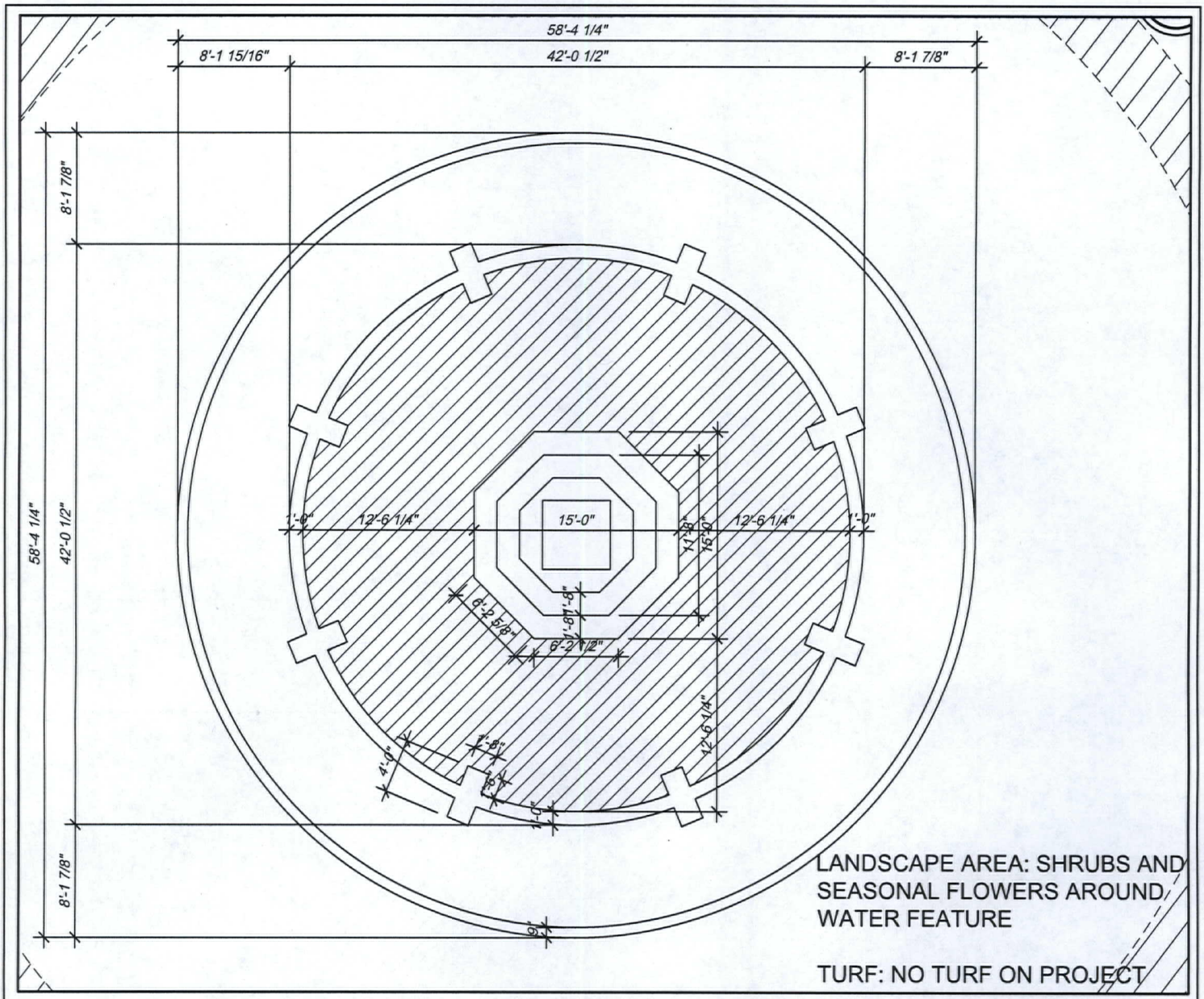
TIVOLI VILLAGE

SITE PLAN - PODIUM LEVEL

07/14/2011

DIR-42621
REVISED



LANDSCAPE AREA: SHRUBS AND SEASONAL FLOWERS AROUND WATER FEATURE

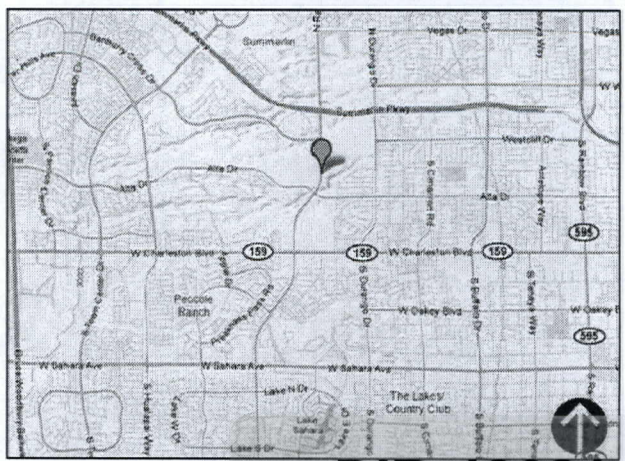
TURF: NO TURF ON PROJECT

1 WATER FEATURE DETAIL

SCALE: 3/32" = 1'-0" (PRINTED @ 8-1/2x11)

WATER FEATURE SQFT CALCULATIONS

WATER FEATURE SQFT 1052 SQFT	-	STATUE DISPLACEMENT (4@4'X2' & 4@2'X2' CONCRETE BLOCKS) 48 SQFT	=	FOUNTAIN NET 1004 SQFT
FOUNTAIN NET 1004 SQFT	-	ALLOWANCE 25 SQFT	=	ADJUSTED FOUNTAIN NET 979 SQFT



VICINITY MAP

SCALE: NTS

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TIVOLI VILLAGE

WATER FEATURE DETAIL AND VICINITY MAP

08/22/2011

Great Wash Park, LLC
9755 W. Charleston Blvd., Las Vegas, NV 89117
Ph: 702.940.6930 Fax: 702.940.6932
www.oneqrp.com

July 18, 2011

Mr. Flinn Fagg, Director
Department of Planning and Development
City of Las Vegas
333 North Rancho Road
Las Vegas, Nevada 89106

RE: Water Feature Exemption at The Village at Queensridge aka Tivoli Village

Dear Mr. Fagg,

In accordance with the Las Vegas Municipal Code Sections 14.10 and 14.11, Great Wash Park LLC, developer of Tivoli Village, is submitting a Water Feature Exemption for the Tivoli water feature that is part of Tivoli's Civic Monument located at the Alta Drive entrance to Tivoli Village.

In accordance with the code, we have enclosed a check in the amount of $9,790.00 representing the water portion of the monument totaling 979 square feet. The amount was calculated by multiplying $10.00 per square foot times 1004 square feet less the 25 square feet exemption.

We acknowledge that this fee is not negotiable, that the City Council cannot waive the fee, and that there is an annual fee of $250.00 to continue the operation of the water feature. Additionally, the total square footage of the water feature is approximately 0.079 percent of the total area of the entirety of Tivoli Village, which consists of approximately 1,240,000 square feet. The first phase of Tivoli Village, wherein this water feature lies, opened April 28, 201; the second and third phases are under development.

The water in the water feature will be re-circulated utilizing four submersible water pumps. The pumps are Goulds Pumps, model number 2NUZ4, ½ horsepower, 115 volts.

Enclosed are:

- Application/Petition Form
- Statement of Financial Interest form
- Copy of the property's Deed
- Legal description (final map recorded June 29, 2011),
- Four (4) copies 24 x 36 of a Site Plan that includes the location and dimension water feature together with a vicinity map, scale, north arrow
- One B&W copy 8.5 x11 (high resolution)of the above Site Plan.



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9755 W. Charleston Blvd., Las Vegas, NV 89117
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www.oneqrp.com

We are fully aware of the drought conditions in southern Nevada. Accordingly, we have not installed any natural turf but rather only synthetic turf, incorporated in many locations man-made trees and installed a water efficient irrigation system.

Tivoli Village is more than a simple retail, restaurant and office destination. It incorporates significant works of art and items of historical significance for all the community to experience and enjoy, including but not limited to one of a kind hand crafted stone reliefs, meticulously hand crafted works of art composed of precious and semi-precious stones and replicas of the Ann Boleyn clocks, the originals of which are found in London's Hampton Court.

While Tivoli Village will be the venue for pay-per-attendance events, the public has been and will continue to be invited on a regular basis to free events such as a weekly Farmers Market, musical performances, children's story hours and art lessons and other events of similar nature. Further, as Tivoli Village progresses in its development, it will contain a "public square" in the form of a park that will be open to the public during Tivoli's opening hours.

The Developer's vision was to create a gathering place of beauty and substance for all of Las Vegas to enjoy. It includes many works of art that are not found anywhere else in Las Vegas, let alone the world.

It is our request that due to the nature and vision of Tivoli Village and its unique place in the community, that the Las Vegas City Council will grant this exemption to Section 14.10 of the Las Vegas Municipal Code thereby allowing Tivoli's water feature to operate. The Civic Monument which incorporates this water feature provides a focal point both upon entry to Tivoli Village as well as is a dominant feature from many vantage points from within Tivoli. It is evocative of water features in place in the European villages from which Tivoli's vision was derived. The water feature portion of this Civic Monument provides the base for the obelisk that is an integral part of Tivoli's design and architecture.

Sincerely,

By: Great Wash Park LLC
By: GW Management LLC
Its: Manager

By: Frank Pankratz
Its: Manager

CC: Councilman Steve Wolfson
Terry Murphy

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JUN 25 2011
City of Las Vegs
Department of Planning

DIR-42621

City of Las Vegas Agenda Item No.: **95.**

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 7, 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.: **96.**

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 7, 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.: **97.**

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 7, 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