City of Las Vegas

# PLANNING COMMISSION AGENDA

**COUNCIL CHAMBERS · 400 STEWART AVENUE · PHONE 229-6011**
**CITY OF LAS VEGAS INTERNET ADDRESS: www.lasvegasnevada.gov**

**LAS VEGAS CITY COUNCIL**

**Mayor Oscar B Goodman, (At-Large)**
**Mayor Pro-Tem Gary Reese, (Ward 3)**
**Councilman Steve Wolfson, (Ward 2)**
**Councilwoman Lois Tarkanian, (Ward 1)**
**Councilman Steven D. Ross, (Ward 6)**
**Councilman Ricki Y. Barlow (Ward 5)**
**Councilman Stavros S. Anthony, (Ward 4)**
**City Manager Elizabeth N. Fretwell**

**COMMISSIONERS**

**Glenn E. Trowbridge, Chair**
**Richard Truesdell, Vice Chair**
**Byron Goynes**
**Steven Evans**
**Vicki Quinn**
**Keen Ellsworth**
**Michael E. Buckley**

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 DEPARTMENT DESIGNEE at (702) 229-6301 and advise of your need at least 48 hours in advance of the meeting. The City's TDD number is (702) 386-9108.

## July 9, 2009
## 6:00 PM

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE. UNLESS OTHERWISE STATED, ITEMS MAY BE TAKEN OUT OF THE ORDER PRESENTED AT THE DISCRETION OF THE CHAIRPERSON.

NOTICE: This meeting has been properly noticed and posted at the following locations:

City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge
Clark County Government Center, 500 South Grand Central Parkway
Las Vegas Library, 833 Las Vegas Boulevard North
Grant Sawyer Building, 555 East Washington Avenue
Bulletin Board, City Hall Plaza (next to Metro Records)

ACTIONS: ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDAED ITEM.

**PLANNING COMMISSION MEETING RULES OF CONDUCT:**

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.

2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.

3. If areas of concern are known in advance, or if the applicant does not accept staff's condition, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.

4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.

5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.

6. After all objectors' input has been received; the applicant will be invited to respond to any new issues raised.

7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.

8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

## BUSINESS ITEMS:

1. CALL TO ORDER

2. ANNOUNCEMENT: COMPLIANCE WITH OPEN MEETING LAW

3. ROLL CALL

4. APPROVAL OF THE FINAL MINUTES FOR THE PLANNING COMMISSION MEETING OF JUNE 11, 2009

5. Any Items from the Planning Commission, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time.

## CONSENT ITEMS:

CONSENT ITEMS ARE CONSIDERED ROUTINE BY THE PLANNING COMMISSION AND MAY BE ENACTED BY ONE MOTION. HOWEVER, ANY ITEM MAY BE DISCUSSED IF A COMMISSION MEMBER OR APPLICANT SO DESIRES.

## ONE MOTION - ONE VOTE

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

## PUBLIC HEARING ITEMS

6. **ABEYANCE - SDR-32534 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: MFE, INC.** - Request for a Major Amendment to an approved Site Development Plan Review (SDR-5893) FOR A PROPOSED 3,600 SQUARE-FOOT CONVENIENCE STORE WITH FUEL PUMPS AND 1,300 SQUARE FEET OF RETAIL WITH A WAIVER OF TOWN CENTER COMMERCIAL DEVELOPMENT STANDARDS WHERE A 3,500 SQUARE-FOOT CONVENIENCE STORE WITH FUEL PUMPS WAS APPROVED on 1.12 acres at the southwest corner of Tenaya Way and Azure Drive (APN 125-27-222-009), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Ross)

7. **TABLED - RENOTIFICATION - VAR-31680 - VARIANCE - PUBLIC HEARING - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: SAHARA SUITES, LLC** - Request for a Variance TO ALLOW A PROPOSED 40-FOOT TALL FREESTANDING SIGN WHERE 12 FEET IS THE MAXIMUM HEIGHT ALLOWED; TO ALLOW A PROPOSED 40-FOOT TALL FREESTANDING SIGN TO HAVE A ZERO-FOOT SETBACK WHERE FIVE FEET IS REQUIRED; TO ALLOW A PROPOSED 40-FOOT TALL FREESTANDING SIGN TO HAVE A 344 SQUARE-FOOT SIGN FACE WHERE 48 SQUARE FEET IS THE MAXIMUM ALLOWED; TO ALLOW A PROPOSED 40-FOOT TALL FREESTANDING SIGN TO HAVE AN ELECTRONIC MESSAGE BOARD, BARE BULBS, AND EXPOSED NEON APPROXIMATELY 145 FEET FROM A RESIDENTIALLY ZONED PROPERTY WHERE RESIDENTIAL PROTECTION STANDARDS REQUIRE 200 FEET; TO ALLOW NINE EXISTING FIVE-FOOT TALL FREESTANDING SIGNS TO HAVE A ONE-FOOT SETBACK WHERE FIVE FEET IS REQUIRED; TO ALLOW NINE EXISTING FIVE-FOOT TALL FREESTANDING SIGNS AND ONE PROPOSED 40-FOOT TALL FREESTANDING SIGN WHERE ONE PER STREET FRONTAGE IS THE MAXIMUM ALLOWED; AND TO ALLOW A DISTANCE SEPARATION OF LESS THAN 100 FEET BETWEEN FREESTANDING SIGN TO FREESTANDING SIGN on 2.27 acres at 2825 and 2829 West Sahara Avenue (APNs 162-08-501-003 and 004), R-3 (Medium Density Residential) Zone, Ward 1 (Tarkanian). NOTE: THIS APPLICATION WAS AMENDED AND RENOTIFIED AS VAR-34815

8. **VAR-34815 - VARIANCE - PUBLIC HEARING - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: SAHARA SUITES, LLC** - Request for a Variance TO ALLOW TEN EXISTING FREESTANDING SIGNS WHERE ONE IS ALLOWED; AND TO ALLOW A DISTANCE SEPARATION OF 50 TO 79 FEET WHERE 100 FEET FROM FREESTANDING SIGN TO FREESTANDING SIGN IS REQUIRED on 2.27 acres at 2825 and 2829 West Sahara Avenue (APNs 162-08-501-003 and 004), R-3 (Medium Density Residential) Zone, Ward 1 (Tarkanian) NOTE: BEFORE AMENDMENT THIS APPLICATION WAS IDENTIFIED AS VAR-31680

9. **TABLED - RENOTIFICATION - VAR-31854 - VARIANCE RELATED TO VAR-31680 - PUBLIC HEARING - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: SAHARA SUITES, LLC** - Request for a Variance TO ALLOW A PROPOSED 60-FOOT TALL FREESTANDING SIGN WHERE 12 FEET IS THE MAXIMUM HEIGHT ALLOWED; TO ALLOW A PROPOSED 60-FOOT TALL FREESTANDING SIGN TO HAVE A 537 SQUARE-FOOT SIGN FACE WHERE 48 SQUARE FEET IS THE MAXIMUM ALLOWED; TO ALLOW A PROPOSED 60-FOOT TALL FREESTANDING SIGN TO HAVE A ZER0-FOOT SETBACK WHERE FIVE FEET IS REQUIRED; TO ALLOW A PROPOSED 60-FOOT TALL FREESTANDING SIGN TO HAVE AN ELECTRONIC MESSAGE BOARD, BARE BULBS, AND EXPOSED NEON APPROXIMATELY 145 FEET FROM A RESIDENTIALLY ZONED PROPERTY WHERE RESIDENTIAL PROTECTION STANDARDS REQUIRE 200 FEET; TO ALLOW FOUR EXISTING FIVE-FOOT TALL FREESTANDING SIGNS TO HAVE A ONE-FOOT SETBACK WHERE FIVE FEET IS REQUIRED; TO ALLOW FOUR EXISTING FIVE-FOOT TALL FREESTANDING SIGNS AND ONE PROPOSED 60-FOOT TALL FREESTANDING SIGN WHERE ONE PER STREET FRONTAGE IS THE MAXIMUM ALLOWED; AND TO ALLOW A DISTANCE SEPARATION OF LESS THAN 100 FEET BETWEEN FREESTANDING SIGN TO FREESTANDING SIGN on 1.29 acres at 2500 Teddy Drive and 2713 West Sahara Avenue (APNs 162-08-501-006 and 007), R-4 (High Density Residential) Zone, Ward 1 (Tarkanian). NOTE: THIS APPLICATION WAS AMENDED AND RENOTIFIED AS VAR-34816

10. **VAR-34816 - VARIANCE - PUBLIC HEARING - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: SAHARA SUITES, LLC** - Request for a Variance TO ALLOW FIVE EXISTING FREESTANDING SIGNS TO HAVE A ONE-FOOT SETBACK WHERE FIVE FEET IS THE MINIMUM REQUIRED; TO ALLOW FIVE FREESTANDING SIGNS WHERE ONE IS ALLOWED; AND TO ALLOW A DISTANCE SEPARATION OF 17 TO 25 FEET WHERE 100 FEET FROM FREESTANDING TO FREESTANDING SIGN IS REQUIRED on 1.29 acres at 2500 Teddy Drive and 2713 West Sahara Avenue (APNs 162-08-501-006 and 007), R-4 (High Density Residential) Zone, Ward 1 (Tarkanian). NOTE: BEFORE AMENDMENT THIS APPLICATION WAS IDENTIFIED AS VAR-31854

11. **ABEYANCE - RENOTIFICATION - VAR-34308 - VARIANCE - PUBLIC HEARING - APPLICANT: GEORGE RAINHART - OWNER: ASPEN HIGHLANDS HOLDINGS, LLC** - 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

12. **ABEYANCE - WVR-34311 - WAIVER RELATED TO VAR-34308 - PUBLIC HEARING - APPLICANT: GEORGE RAINHART - OWNER: ASPEN HIGHLANDS HOLDINGS, LLC** - 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, Ward 3 (Reese)

13. **ABEYANCE - SUP-34309 - SPECIAL USE PERMIT RELATED TO VAR-34308 AND WVR-34311 - PUBLIC HEARING - APPLICANT: GEORGE RAINHART - OWNER: ASPEN HIGHLANDS HOLDINGS, LLC** - 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, Ward 3 (Reese)

14. **ABEYANCE - SUP-34310 - SPECIAL USE PERMIT RELATED TO VAR-34308, WVR-34311 AND SUP-34309 - PUBLIC HEARING - APPLICANT: GEORGE RAINHART - OWNER: ASPEN HIGHLANDS HOLDINGS, LLC** - Request for a Special Use Permit FOR A PROPOSED 547-FOOT HIGH STRUCTURE WITH ROOF SIGN WITHIN THE A-O (AIRPORT OVERLAY) DISTRICT WHERE THE HEIGHT LIMITATION IS 175 FEET FOR A PROPOSED STRUCTURE 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 (Reese)

15. **ABEYANCE - SDR-34306 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-34308, WVR-34311, SUP-34309 AND SUP-34310 - PUBLIC HEARING - APPLICANT: GEORGE RAINHART - OWNER: ASPEN HIGHLANDS HOLDINGS, LLC** - 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, Ward 3 (Reese)

16. **ABEYANCE - ZON-33765 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: BASHIR AFZALI** - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-1 (LIMITED COMMERCIAL) on 0.58 acres on the east side of Martin L. King Boulevard, approximately 500 feet north of Washington Avenue (APN 139-28-604-004), Ward 5 (Barlow)

17. **ABEYANCE - VAR-34539 - VARIANCE RELATED TO ZON-33765 AND VAR-34538 - PUBLIC HEARING - APPLICANT/OWNER: BASHIR AFZALI** - Request for a Variance TO ALLOW 34 PARKING SPACES WHERE 42 PARKING SPACES ARE REQUIRED on 0.58 acres on the east side of Martin L. King Boulevard, approximately 500 feet north of Washington Avenue (APN 139-28-604-004), Ward 5 (Barlow). NOTE: BEFORE AMENDMENT THIS APPLICATION WAS IDENTIFIED AS VAR-33769

18. **ABEYANCE - SDR-34540 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-33765, VAR-34538 AND VAR-34539 - PUBLIC HEARING - APPLICANT/OWNER: BASHIR AFZALI** - Request for a Site Development Plan Review FOR A PROPOSED TWO-STORY, 7,180 SQUARE-FOOT COMMERCIAL BUILDING WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER STANDARDS TO ALLOW BUFFERS OF FIVE FEET WHERE EIGHT FEET IS REQUIRED ALONG THE NORTH AND SOUTH PERIMETERS AND SEVEN FEET WHERE EIGHT FEET IS REQUIRED ALONG THE EAST PERIMETER on 0.58 acres on the east side of Martin L. King Boulevard, approximately 500 feet north of Washington Avenue (APN 139-28-604-004), Ward 5 (Barlow). NOTE: BEFORE AMENDMENT THIS APPLICATION WAS IDENTIFIED AS SDR-33767

19. **ABEYANCE - SDR-34464 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: TOWER REALTY AND DEVELOPMENT, LLC - OWNER: REGAL PLAZA PAD D, LLC** - Request for a Major Amendment of a previously approved Site Development Plan Review (SDR-20711) FOR THE ADDITION OF A RESTAURANT WITH DRIVE-THROUGH TO AN EXISTING 5,566 SQUARE-FOOT RETAIL BUILDING WITH A WAIVER OF TITLE 19.12.040(E) UTILITY BOX AND INSTALLATION SCREENING STANDARDS on 8.16 acres at the southeast corner of Craig Road and Jones Boulevard (APN 138-01-312-003), C-1 (Limited Commercial) Zone, Ward 6 (Ross)

20. **GPA-34597 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: DR. ARTHUR WEATHERS - OWNER: 2701 WESTWOOD, LLC** - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: C (COMMERCIAL) TO: LI/R (LIGHT INDUSTRY/RESEARCH) on 1.45 acres at 2701 Westwood Drive (APN 162-09-102-002), Ward 1 (Tarkanian)

21. **SUP-34598 - SPECIAL USE PERMIT RELATED TO GPA-34597 - PUBLIC HEARING - APPLICANT: DR. ARTHUR WEATHERS - OWNER: 2701 WESTWOOD, LLC** - Request for a Special Use Permit FOR A PROPOSED 23,390 SQUARE-FOOT, 100-INMATE CUSTODIAL INSTITUTION WITH ACCESSORY DOG KENNELS FOR TRAINING at 2701 Westwood Drive (APN 162-09-102-002), M (Industrial) Zone, Ward 1 (Tarkanian)

22. **GPA-34600 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH** - Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: R (RURAL DENSITY RESIDENTIAL) TO: SC (SERVICE COMMERCIAL) on 1.12 acres at 8200 West Sahara Avenue (a portion of APN 163-04-408-003), Ward 2 (Wolfson)

23. **ZON-34601 - REZONING RELATED TO GPA-34600 - PUBLIC HEARING - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH** - Request for a Rezoning FROM: C-V (CIVIC) TO: C-1 (LIMITED COMMERCIAL) on 3.88 acres at 8200 West Sahara Avenue (APN 163-04-408-003), Ward 2 (Wolfson)

24. **VAR-34605 - VARIANCE RELATED TO GPA-34600 AND ZON-34601 - PUBLIC HEARING - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH** - 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)], Ward 2 (Wolfson)

25. **SUP-34604 - SPECIAL USE PERMIT RELATED TO GPA-34600, ZON-34601 and VAR-34605 - PUBLIC HEARING - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH** - 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)], Ward 2 (Wolfson)

26. **SUP-34606 - SPECIAL USE PERMIT RELATED TO GPA-34600, ZON-34601, VAR-34605 AND SUP-34604 - PUBLIC HEARING - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH** - 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)], Ward 2 (Wolfson)

27. **SUP-34608 - SPECIAL USE PERMIT RELATED TO GPA-34600, ZON-34601, VAR-34605, SUP-34604 AND SUP-34606 - PUBLIC HEARING - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH** - 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)], Ward 2 (Wolfson)

28. **SDR-34602 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-34600, ZON-34601, VAR-34605, SUP-34604, SUP-34606 AND SUP-34608 - PUBLIC HEARING - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH** - 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)], Ward 2 (Wolfson)

29. **GPA-34610 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: FLO TV, INC - OWNER: UNITED STATES OF AMERICA** - Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: PF (PUBLIC FACILITIES) on 10.89 acres located on the north side of Del Rey Avenue, approximately 900 feet west of Monte Cristo Way (APN 163-03-101-001), Ward 2 (Wolfson)

30. **ZON-34611 - REZONING RELATED TO GPA-34610 - PUBLIC HEARING - APPLICANT: FLO TV, INC - OWNER: UNITED STATES OF AMERICA** - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-V (CIVIC) on 10.89 acres located on the north side of Del Rey Avenue, approximately 900 feet west of Monte Cristo Way (APN 163-03-101-001), Ward 2 (Wolfson)

31. **SDR-34612 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-34610 AND ZON-34611 - PUBLIC HEARING - APPLICANT: FLO TV, INC - OWNER: UNITED STATES OF AMERICA** - Request for a Site Development Plan Review FOR AN EXISTING 321-FOOT RADIO, TV OR MICROWAVE COMMUNICATION TOWER AND THE INSTALLATION OF ONE ANTENNA AT A HEIGHT OF 300 FEET ON AN EXISTING TOWER on 10.89 acres located on the north side of Del Rey Avenue, approximately 900 feet west of Monte Cristo Way (APN 163-03-101-001), R-E (Residence Estates) Zone [PROPOSED: C-V (Civic)], Ward 2 (Wolfson)

32. **GPA-32693 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - Request to adopt an updated Land Use and Rural Neighborhoods Preservation Element and revise the 2020 Master Plan

33. **GPA-34613 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - Request to adopt an updated Economic Development Element and revise the 2020 Master Plan

34. **VAR-34603 - VARIANCE - PUBLIC HEARING - APPLICANT: P2R LAS VEGAS, LLC - OWNER: ASSAF NEVADA, INC.** - Request for a Variance TO ALLOW 176 PARKING SPACES WHERE 331 ARE REQUIRED FOR A PROPOSED 45,098 SQUARE-FOOT COMMERCIAL RECREATION/AMUSEMENT (INDOOR) USE (Go-Kart Track) on 7.42 acres at 7350 Prairie Falcon Road (APN 138-15-310-003 and 017), C-PB (Planned Business Park) Zone, Ward 4 (Anthony)

35. **SUP-34572 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: IMAGINE SCHOOLS - OWNER: 4025 RANCHO, LLC** - Request for a Special Use Permit FOR A 100-STUDENT PRIVATE SCHOOL, PRIMARY WITHIN AN EXISTING 11,000 SQUARE-FOOT CHURCH BUILDING at 4025 North Rancho Drive Suite #120 (APN 138-02-814-032), C-2 (General Commercial) Zone, Ward 6 (Ross)

36. **SUP-34596 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: VINNY BOY'S ITALIAN MARKET - OWNER: SPOAKS, LLC** - Request for a Special Use Permit FOR A PROPOSED BEER/WINE/COOLER OFF-SALE ESTABLISHMENT WITHIN AN EXISTING 4,375 SQUARE-FOOT CONVENIENCE STORE at 3620 West Sahara Avenue Suite #W02 (APN 162-05-402-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian)

37. **SUP-34609 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MARIANA'S ENTERPRISES - OWNER: B. E. UNO, LLC** - Request for a Special Use Permit FOR A PROPOSED 37,500 SQUARE-FOOT GROCERY STORE WITH ACCESSORY PACKAGE LIQUOR OFF-SALE at 2551 East Bonanza Road (APN 139-36-111-009), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

## DIRECTOR'S BUSINESS:

38. **TXT-34717 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - Discussion and possible action to amend the Town Center Development Standards Manual to update standards for the Motor Vehicle Sales (Used) use, Ward 6 (Ross)

39. **TXT-34897 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - Discussion and possible action to amend Table 2 of Title 19.04.010 and Title 19.20 to revise the description, on-site parking requirement and the definition for the Bakery, Retail use, All Wards

## CITIZENS PARTICIPATION:

40. CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE PLANNING COMMISSION. NO SUBJECT MAY BE ACTED UPON BY THE PLANNING COMMISSION 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.: **1.**

## *AGENDA SUMMARY PAGE*

**PLANNING COMMISSION MEETING OF: JULY 9, 2009**

**DEPARTMENT: PLANNING AND DEVELOPMENT**
**DIRECTOR: M. MARGO WHEELER**

**SUBJECT:**
CALL TO ORDER

City of Las Vegas Agenda Item No.: **2.**

## *AGENDA SUMMARY PAGE*

**PLANNING COMMISSION MEETING OF: JULY 9, 2009**

**DEPARTMENT: PLANNING AND DEVELOPMENT**
**DIRECTOR: M. MARGO WHEELER**

**SUBJECT:**
ANNOUNCEMENT: COMPLIANCE WITH OPEN MEETING LAW

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

## *AGENDA SUMMARY PAGE*

**PLANNING COMMISSION MEETING OF JULY 9, 2009**

**DEPARTMENT: PLANNING AND DEVELOPMENT**
**DIRECTOR: M. MARGO WHEELER**

**SUBJECT:**
ROLL CALL

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

# *AGENDA SUMMARY PAGE*

## PLANNING COMMISSION MEETING OF JULY 9, 2009

**DEPARTMENT: PLANNING AND DEVELOPMENT**
**DIRECTOR: M. MARGO WHEELER**

**SUBJECT:**
APPROVAL OF THE FINAL MINUTES FOR THE PLANNING COMMISSION MEETING OF JUNE 11, 2009

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

## *AGENDA SUMMARY PAGE*

**PLANNING COMMISSION MEETING OF: JULY 9, 2009**

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

**SUBJECT:**

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

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

## *AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT*
### PLANNING COMMISSION MEETING OF: JULY 9, 2009

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

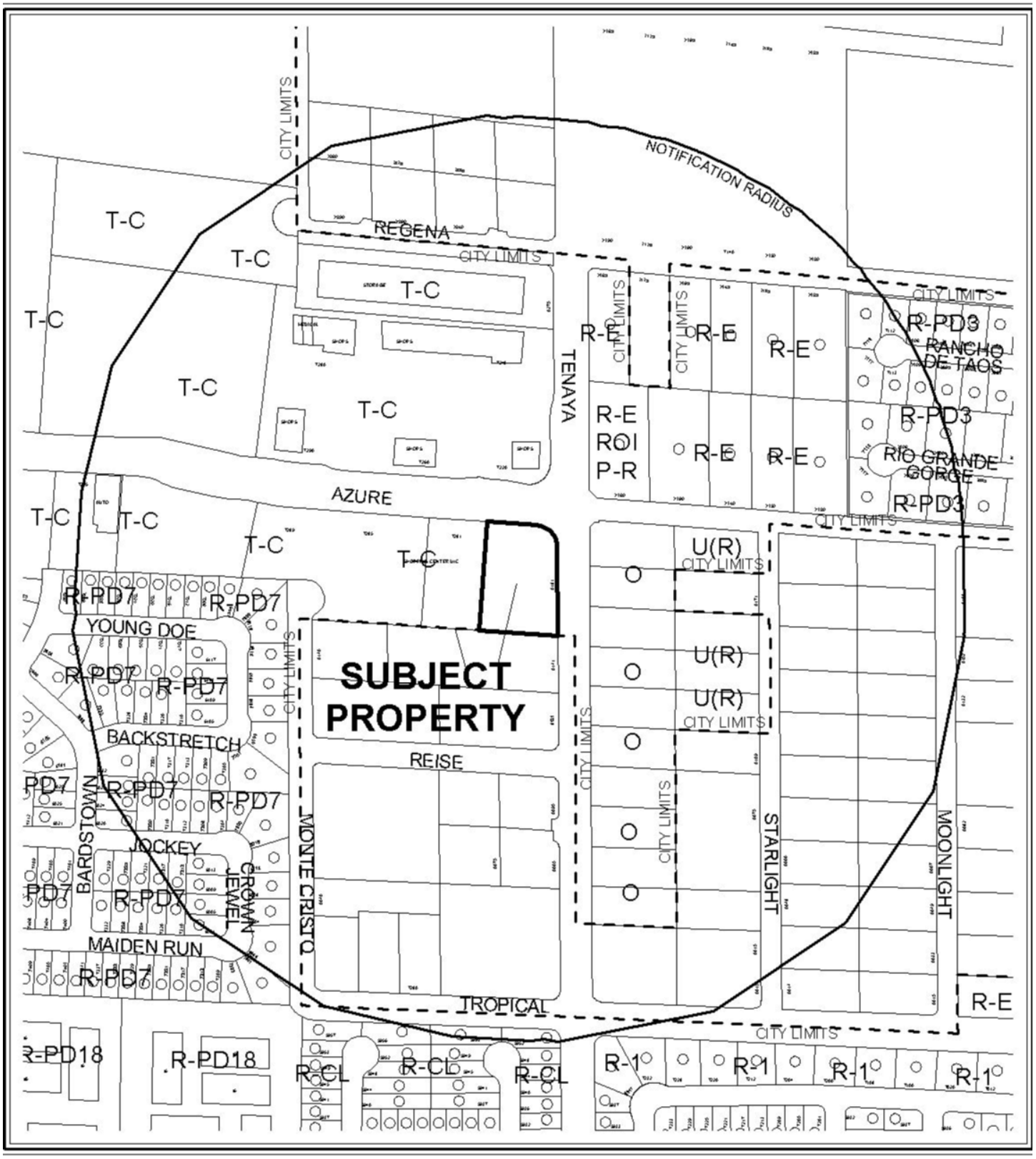
**SUBJECT:**
**ABEYANCE - SDR-32534 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: MFE, INC.** - Request for a Major Amendment to an approved Site Development Plan Review (SDR-5893) FOR A PROPOSED 3,600 SQUARE-FOOT CONVENIENCE STORE WITH FUEL PUMPS AND 1,300 SQUARE FEET OF RETAIL WITH A WAIVER OF TOWN CENTER COMMERCIAL DEVELOPMENT STANDARDS WHERE A 3,500 SQUARE-FOOT CONVENIENCE STORE WITH FUEL PUMPS WAS APPROVED on 1.12 acres at the southwest corner of Tenaya Way and Azure Drive (APN 125-27-222-009), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Ross)

**C.C.: 08/05/2009**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **4** | **Planning Commission Mtg.** | **2** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
**DENIAL**

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report (Not Applicable)
3. Request to Table Item Submitted by gk3 Architecture
4. Supporting Documentation
5. Photos
6. Justification Letter
7. Protest/Support Postcards




**CASE:** **SDR-32534**

**RADIUS:** 1000 FT

0 300 600 Feet

**ZONING OF SUBJECT PROPERTY:**

T-C (TOWN CENTER) ZONE [SX-TC (SUBURBAN MIXED USE - TOWN CENTER) SPECIAL LAND USE DESIGNATION]

N




**CASE:** **SDR-32534**

**RADIUS:** 1000 FT

0 300 600 Feet

**ZONING OF SUBJECT PROPERTY:**

T-C (TOWN CENTER) ZONE [SX-TC (SUBURBAN MIXED USE - TOWN CENTER) SPECIAL LAND USE DESIGNATION]

N

City of Las Vegas

***AGENDA MEMO***

**PLANNING COMMISSION MEETING DATE: JULY 9, 2009**
**DEPARTMENT: PLANNING AND DEVELOPMENT**
**ITEM DESCRIPTION: ABEYANCE - SDR-32534 - APPLICANT/OWNER: MFE, INC.**

***APPPLICANT REQUESTS THIS ITEM BE TABLED.***

2111 Edgewood Ave • Las Vegas, NV 89102
Phone: 702 932 0455 Fax: 702 932 0456

gk³ architecture

ARCHITECTURE • PLANNING • INTERIOR DESIGN

June 3, 2009

City of Las Vegas
Planning & Development Department
731 S. Fourth Street
Las Vegas, NV 89101

Re: Hold for Site Development Review
Project Number: SDR-32534
South West Corner of Tenaya and Azure
Las Vegas, NV

GK³ Architecture, on behalf of Boquet, Inc., is requesting to table the above referenced project, until further notice, due to the owner's request. New plans will be submitted with a revised design when work is resumed on the project.

Thank you for your consideration of these matters.

Sincerely,

Gemie M. Knisely, RA

RECEIVED
JUN 03 2009

gk³
ARCHITECTURE • PLANNING • INTERIOR DESIGN
USA 2111 Edgewood Ave., Las Vegas, NV 89102 Tel. 702.932-0455 Fax 702.932.0456
EMAIL kevin@gk3architecture.com • gemie@gk3architecture

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-32534** APN: 125-27-222-009

Name of Property Owner: Maria Enamorado

Name of Applicant: GK3 Architecture

Name of Representative: GK3 Architecture

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

____ Yes __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: Maria Enamorado

Print Name: MARIA ENAMORADO President

Subscribed and sworn before me

This 4th day of November, 2008

Notary Public in and for said County and State

MYLA MCFARLAND
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 07-1045-1
MY APPT. EXPIRES DEC. 11, 2010

## SITE INFORMATION:

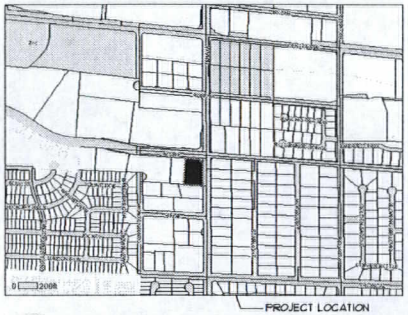
APN: 125 21 222 009
SITE AREA: 1.12 ACRES
ZONING: T-C
SUBDIVISION: MONTECITO EAST
LOT BLOCK: LOT 2

## PARKING ANALYSIS:

CONVENIENCE STORE: 1 SPACE PER 175 SF
TENANT (RETAIL): 1 SPACE PER 175 SF

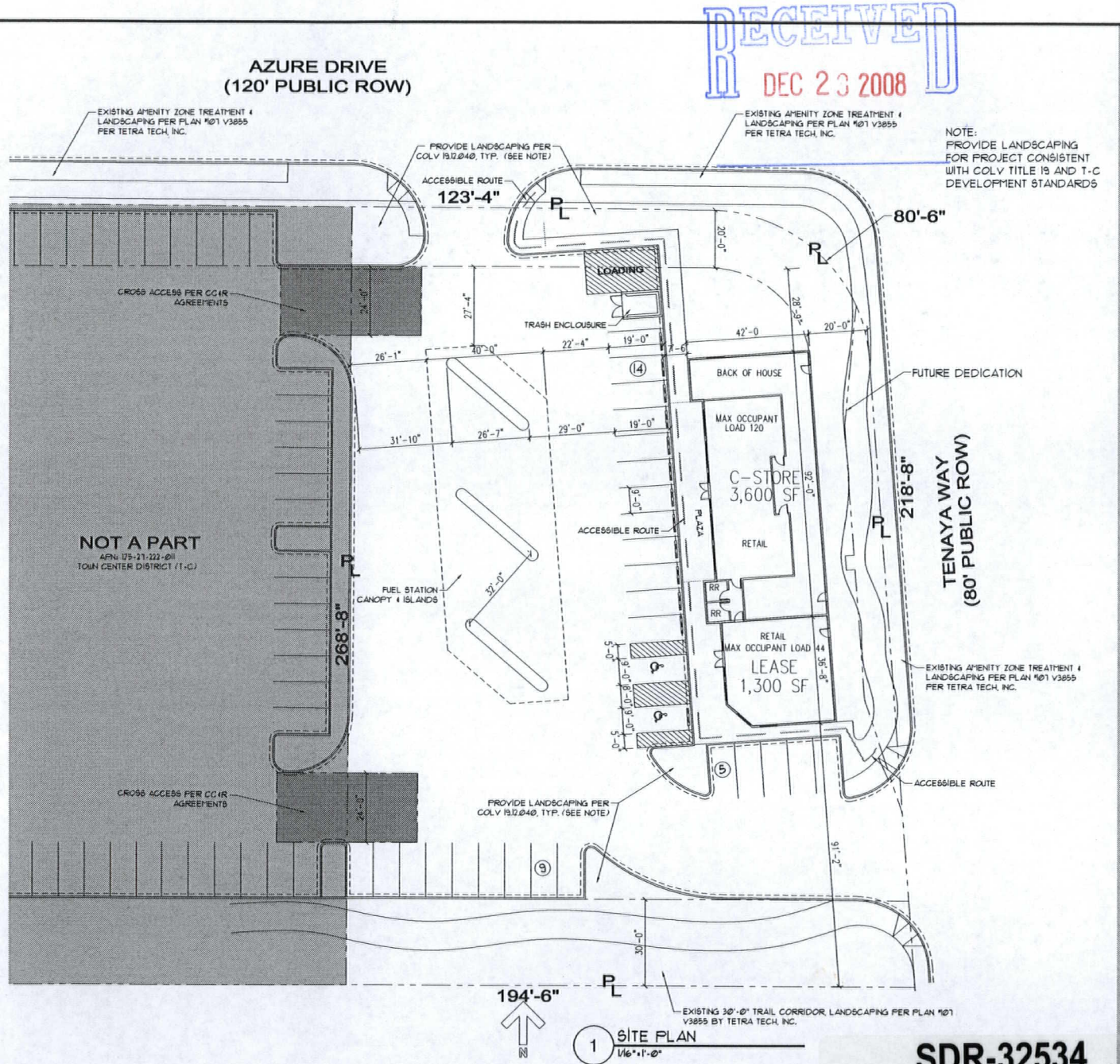
| | | |
|---|---|---|
| CONVENIENCE STORE: | 3,600 SF/175= | 20.6 SPACES |
| LEASE SPACE (RETAIL): | 1,300 SF/175= | 7.4 SPACES |
| TOTAL REQUIRED: | | 28 SPACES |
| TOTAL PROVIDED: | | 28 SPACES* |

*26 REGULAR SPACES+ 2 ACCESSIBLE SPACES




1 VICINITY MAP
N.T.S.

NORTH




1 SITE PLAN
1/16"=1'-0"

NOTE:
PROVIDE LANDSCAPING FOR PROJECT CONSISTENT WITH COLV TITLE 19 AND T-C DEVELOPMENT STANDARDS

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DEC 23 2008

SDR-32534
REVISED
01/22/09 PC

gk3 architecture
2111 EDGEWOOD AVENUE
LAS VEGAS, NEVADA 89102
Tel. (702) 832-0455 • Fax (702) 832-0455
Mobile (702) 250-0410
• kevin@gk3architecture.com
• genie@gk3architecture.com
WWW.GK3ARCHITECTURE.COM

OWNER:
GULZAR KULAR

PROJECT:
SW CORNER OF TENAYA & AZURE
LAS VEGAS, NV

SEAL:

REVISIONS

| NO. | DESCRIPTION |
|---|---|
| | |

SHEET TITLE:
SITE PLAN

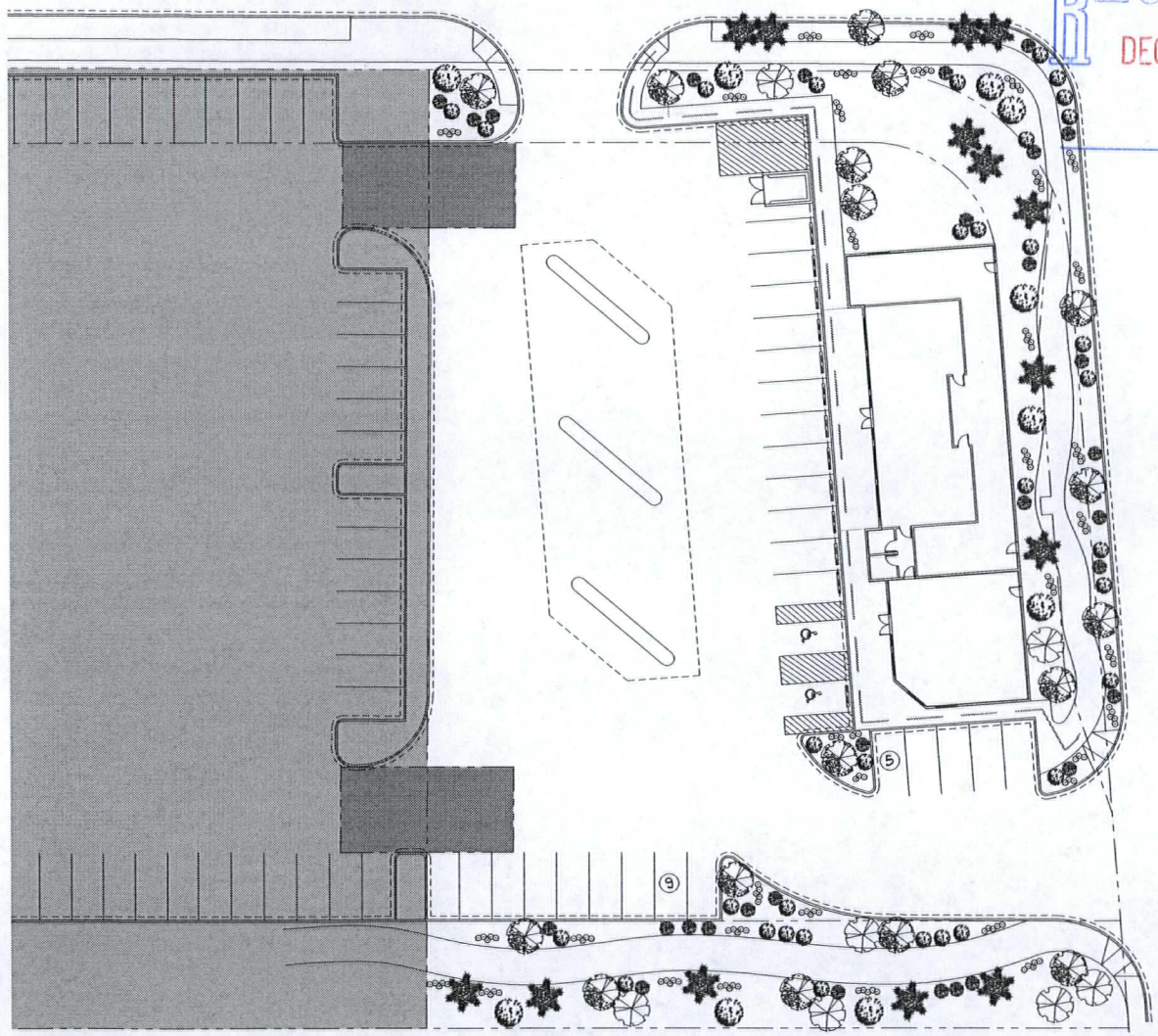
SCALE: AS NOTED
DATE: 12-09-2008
ISSUED FOR: DESIGN REVIEW
SHEET: A1.0

## PLANT LEDGEND

| SYMBOL | SIZE | QTY. | CLV REQ. | COMMON NAME |
|---|---|---|---|---|
| | 25 FEET HEIGHT | | PALM | MEXICAN FAN PALM |
| | 36" BOX | | SHADE TREE | RIO GRANDE ASH |
| | 36" BOX | | ACCENT TREE | CHITALPA |
| | 36" BOX | | FLOWERING TREE | PURPLE ROBE LOCUST |
| | 5 GAL. | | BUSH | COYOTE BRUSH |
| | 5 GAL. | | BUSH | DESERT CASSIA |
| | 5 GAL. | | GROUND COVER | NEW GOLD LANTANA |

## LANDSCAPE NOTES:

1. GROUND COVER TO BE ROCK MULCH 3/8" SCREENED, 2" DEPTH IN ALL LANDSCAPE PLANTERS, COLOR BY OWNER
2. TREES IN SIGHT VISIBILITY RESTRICTIONS EASEMENTS (SVRE) SHALL BRANCH AT OR ABOVE 84" ABOVE FINISH GRADE. SHRUBS IN SVRE'S SHALL BE BELOW 24" AT MATURITY.
3. HOLD SHRUBS BACK FROM CURBS AND SIDEWALKS, SO AT MATURITY, THEY DO NOT SPILL OVER CURBS AND SIDEWALKS.
4. ROOT BARRIERES SHALL BE INSTALLED WHENEVER TREES ARE PLANTED WITHIN 6 FEET OF HARDSCAPE OR OTHER STRUCTURES, INCLUDING BUILDING WALLS AND FOUNDATIONS.
5. SHRUBS SHALL BE DESIGNED TO COVER MORE THAN 60% OF LANDSCAPED AREA PER TOWN CENTER DESIGN STANDARDS.
6. PROVIDE TREES PER TOWN CENTER DESIGN STANDARDS.

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1 LANDSCAPE PLAN
1/16"=1'-0"

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DEC 23 2008

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Mobile (702) 256-8416
• kevin@gk3architecture.com
• gamin@gk3architecture.com
WWW.GK3ARCHITECTURE.COM

OWNER:
**GULZAR KULAR**

PROJECT:
**SW CORNER OF TENAYA & AZURE**
LAS VEGAS, NV

SEAL:

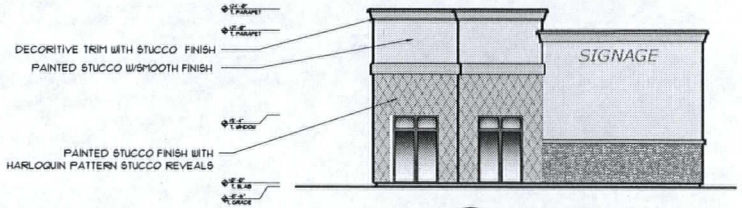
REVISIONS

| NO. | DESCRIPTION |
|---|---|
| | |

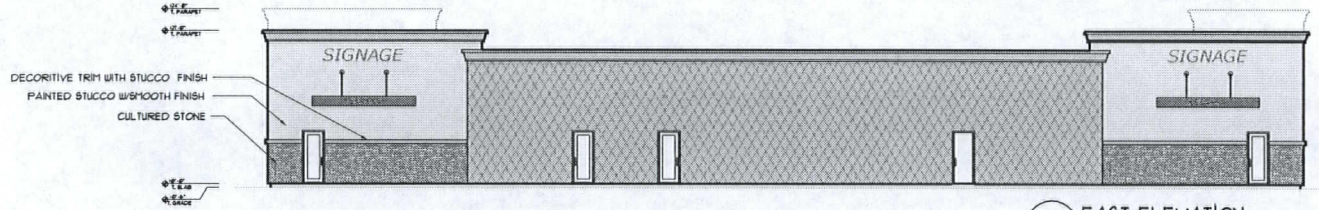
SHEET TITLE:
LANDSCAPE PLAN

SCALE: AS NOTED
DATE: 12-09-2008
ISSUED FOR: DESIGN REVIEW
SHEET: L1.0

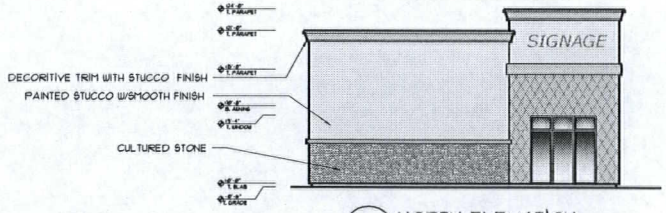
**SDR-32534**
**REVISED**
**01/22/09 PC**



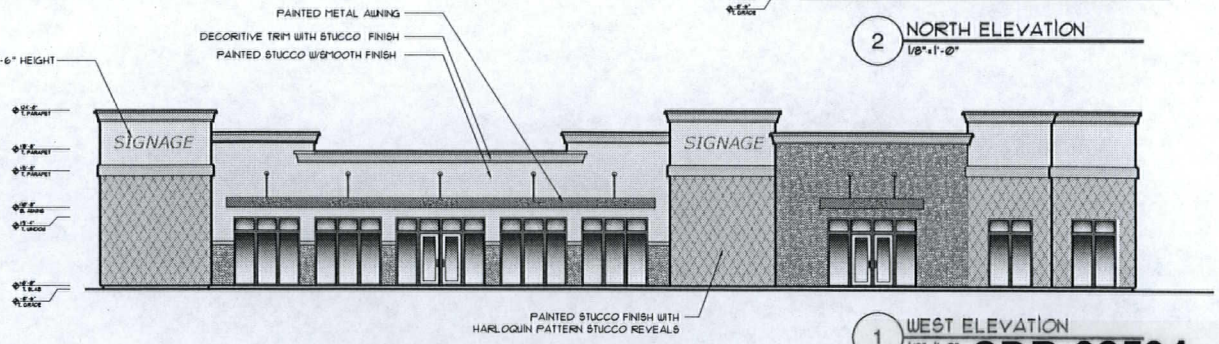

4 SOUTH ELEVATION
1/8"=1'-0"




3 EAST ELEVATION
1/8"=1'-0"




2 NORTH ELEVATION
1/8"=1'-0"




1 WEST ELEVATION
1/8"=1'-0"

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01/22/09 PC

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• genie@gk3architecture.com
WWW.GK3ARCHITECTURE.COM

OWNER:
GULZAR KULAR

PROJECT:
SW CORNER OF TENAYA & AZURE
LAS VEGAS, NV

SEAL:

REVISIONS

| NO. | DESCRIPTION |
|---|---|
| | |

SHEET TITLE:
BUILDING ELEVATIONS

SCALE: AS NOTED
DATE: 12-23-2008
ISSUED FOR: DESIGN REVIEW
SHEET: A1.0

**FIELD PAINT COLOR OVER SMOOTH STUCCO**

**ACCENT PAINT COLOR OVER CUSTOM FOAM CORNICE & BUILDING ACCENTS W/ SMOOTH STUCCO FINISH**

**ACCENT PAINT COLOR OVER SMOOTH STUCCO FINISH W/ HARLEQUIN STUCCO REVEAL**



**CULTURED STONE WATER TABLE**

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**SDR-32534**

**01/22/09 PC**


gk3 architecture

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LAS VEGAS, NEVADA 89102
Tel. (702) 932-0455 • Fax (702) 932-0456
Mobile (702) 250-9418


OWNER:
GULZAR KULAR

PROJECT:
SW CORNER OF TENAYA & AZURE
LAS VEGAS, NV

SEAL:

REVISIONS

| NO | DESCRIPTION |
|---|---|
| | |
| | |
| | |
| | |
| | |
| | |
| | |

SHEET TITLE:
MATERIAL BOARD

SCALE:
AS NOTED

DATE:
12-09-2008

ISSUED FOR:
DESIGN REVIEW

SHEET:
MB

**SDR 32534**

**MFE, Inc.**

# SWC of Tenaya Way & Azure Dr.

Proposed 4.9 thousand square foot convenience market with gas pumps and attached retail.

**Traffic produced by proposed development:**

| **New Use** | DESCRIPTION | #UNIT | RATE/# UNIT | TOTAL |
|---|---|---|---|---|
| Average Daily Traffic (ADT) | CONVENIENCE MARKET W/GAS [1000 SF] | 3.6 | 845.60 | 3,044 |
| AM Peak Hour | | | 45.58 | 164 |
| PM Peak Hour | | | 60.61 | 218 |
| *(heaviest 60 minutes)* | | | | |

| **New Use** | DESCRIPTION | #UNIT | RATE/# UNIT | TOTAL |
|---|---|---|---|---|
| Average Daily Traffic (ADT) | SPECIALTY RETAIL CENTER [1000 SF] | 1.3 | 44.32 | 58 |
| AM Peak Hour | | | 6.84 | 9 |
| PM Peak Hour | | | 2.71 | 4 |
| *(heaviest 60 minutes)* | | | | |

| **New Use** | DESCRIPTION | #UNIT | | TOTAL |
|---|---|---|---|---|
| Average Daily Traffic (ADT) | CONVENIENCE MARKET W/GAS [1000 SF] | 4.9 | | 3,102 |
| AM Peak Hour | | | | 173 |
| PM Peak Hour | | | | 222 |
| *(heaviest 60 minutes)* | | | | |

**Existing traffic on all nearby streets:**

| **Tenaya Way** | |
|---|---|
| Average Daily Traffic (ADT) | 11,624 |
| PM Peak Hour | 930 |
| *(heaviest 60 minutes)* | |

| **Azure Dr.** | |
|---|---|
| Average Daily Traffic (ADT) | 6,983 |
| PM Peak Hour | 559 |
| *(heaviest 60 minutes)* | |

| **Centennial Pkwy.** | |
|---|---|
| Average Daily Traffic (ADT) | 3,677 |
| PM Peak Hour | 294 |
| *(heaviest 60 minutes)* | |

| **Sky Pointe Dr.** | |
|---|---|
| Average Daily Traffic (ADT) | 9,896 |
| PM Peak Hour | 792 |
| *(heaviest 60 minutes)* | |

**Traffic Capacity of adjacent streets:**

| | Existing Street Capacity | | | |
|---|---|---|---|---|
| Tenaya Way | 34500 | | | |
| Azure Dr. | 34500 | | | |
| Centennial Pkwy. | 34500 | | | |
| Sky Pointe Dr. | 34500 | | | |

This project will add approximately 3,102 trips per day on Tenaya Way, Azure Dr., Centennial Pkwy., and Sky Pointe Dr. This will increase expected volumes by about 27 percent on Tenaya, by about 44 percent on Azure, by about 84 percent on Centennial, and by about 31 percent on Sky Pointe. Currently Tenaya is at about 34 percent of capacity, Azure is at about 20 percent of capacity, Centennial is at about 11 percent of capacity, and Sky Pointe is at about 29 percent of capacity.

Based on Peak Hour use, this development will add roughly 222 additional cars into the area; which works out to a little less than 4 every minute.

Note that this report assumes all traffic from this development uses all named streets.



SDR-32534 – APPLICANT/OWNER: MFE, INC.
SOUTHWEST CORNER OF TENAYA WAY AND AZURE DRIVE
JULY 9, 2009 PLANNING COMMISSION

12/24/08



SDR-32534 – APPLICANT/OWNER: MFE, INC.
SOUTHWEST CORNER OF TENAYA WAY AND AZURE DRIVE
JULY 9, 2009 PLANNING COMMISSION

12/24/08



SDR-32534 – APPLICANT/OWNER: MFE, INC.
SOUTHWEST CORNER OF TENAYA WAY AND AZURE DRIVE
JULY 9, 2009 PLANNING COMMISSION

12/24/08

2111 Edgewood Ave. • Las Vegas, NV 89102
Phone: 702 932 0455 Fax: 702 932 0456

gk³ architecture

ARCHITECTURE • PLANNING • INTERIOR DESIGN

December 9, 2008

City of Las Vegas
Planning & Development Department
731 S. Fourth Street
Las Vegas, NV 89101

**Justification Statement for the SWC of Tenaya & Azure**

Ladies and Gentlemen:

GK³ Architecture, on behalf of MFE Inc., is requesting the review and approval of a site development plan review for the South West corner of Tenaya and Azure. The site design includes a 6 pump Gas Station with a 3,600 SF convenience store and an adjacent 1,300 SF retail lease space. Special use permits for the project have been previously approved, and an extension of time was approved on March 2008, EOT-26433.

The site design has been modified from the originally approved plans with the addition of the adjacent lease space and the reduction of gas pumps from 8 to 6. The parking has also been re-designed accordingly.

We respectfully ask for a landscape waiver fat the West property line. As currently designed the landscape buffer at this location will be provided by the neighboring parcel. We feel this is justifiable as this is an interior property line between 2 commercial properties. We also respectfully ask for a waiver for the landscape islands required between every six parking spaces. We propose the parking in front of the building to be all hard-scape facing the Plaza and we have eight parking spaces to the South with landscape on either side. This design is consistent with previously approved site designs. All other required landscaping is provided.

We believe the revisions to the site plan still conform with the development pattern in the surrounding area and this is still an appropriate use for the site. The benefits for the project are to support the goals of the Town Center by creating a stable, identifiable and functional commercial district. The uses are supportive and compatible with the neighboring land uses and this project 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 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

GEMIE M. KNISELY REGISTERED No. 5442 ARCHITECT STATE OF NEVADA

gk³
ARCHITECTURE • PLANNING • INTERIOR DESIGN
USA 3856 Badgerbrook St., Las Vegas, NV 89129 Tel. 702.932-0455 Fax 702.932.0456
EMAIL kevin@gk3architecture.com • gemie@gk3architecture

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SDR-32534
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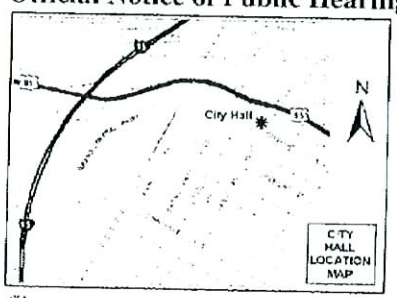
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

**Return Service Requested**
**Official Notice of Public Hearing**




We do not need anymore convenience stores. Just another place to smoke, buy beer and loiter. Enough for this neighborhood.

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SDR-32534**
Planning Commission Meeting of 1/22/2009

12527202007 Case: SDR-32534
JACKSON LARRY & V REV LIV FAM TR
6121 N TENAYA WY
LAS VEGAS NV 89130-1007

KAVDS11 89130

61P

Jan 11 09 06:25a Larry & Vivian Jackson 702-655-5719 p.1

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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0004239954 JAN 09 2009
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JAN 16 2009

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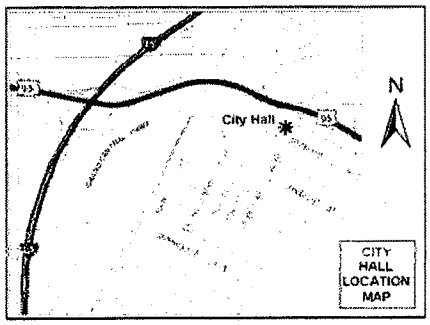


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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SDR-32534**
Planning Commission Meeting of 1/22/2009

Case: SDR-32534
12527503003
LOUCKS GWEN L TRUST
7165 W REGENA AVE
LAS VEGAS NV 89130-1023

KAVOS11 89130

Submitted after final agenda

Date 1-22-09 Item 61

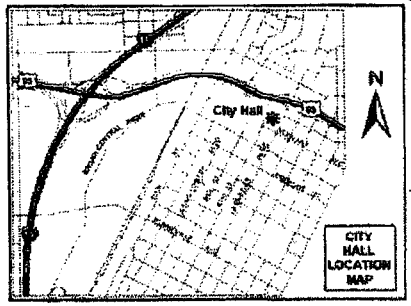
61P

Jan 14 2009 9:35AM HP LASERJET FAX

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

**Return Service Requested**

**Official Notice of Public Hearing**

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Please use available blank space on card for your comments.

**SDR-32534**

Planning Commission Meeting of 1/22/2009

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Case: SDR-32534

12527203004
EWING JAMES L JR & DIXIE L
6075 N TENAYA WY
LAS VEGAS NV 89130-1043

KAVDS11 89130

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JAN 19 2009



619

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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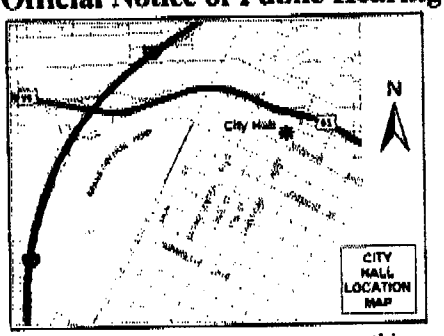
**Return Service Requested**
**Official Notice of Public Hearing**

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JAN 22 2009

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☐ I SUPPORT this Request ☑ I OPPOSE this Request

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**SDR-32534**

Planning Commission Meeting of 1/22/2009

Case: SDR-32534
12527203005
LACKER ROBERT P & MARY ANN
6065 N TENAYA WY
LAS VEGAS NV 89130-1043

61P

Why are the Town Center Rules always being changed? Did we waste our time preparing + approving them?

KA 89130

01/20/2009 10:08 +7000000000000 ROBERT P. LACKER PAGE 01

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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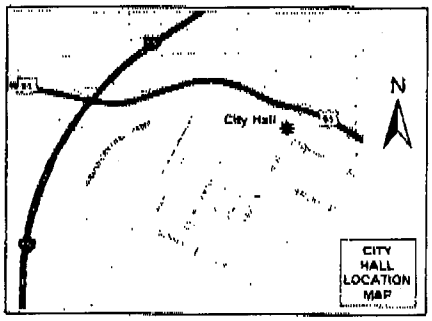
**Return Service Requested**
**Official Notice of Public Hearing**

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☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SDR-32534**

Planning Commission Meeting of 1/22/2009

Case: SDR-32534

12527610029
S M A TRUST ETAL
%A SIRIANNI
5815 N JULIANO RD
LAS VEGAS NV 89149-3903

RECEIVED
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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

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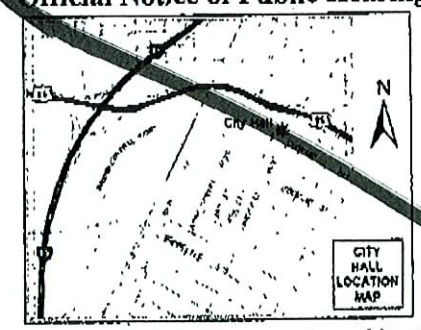


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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SDR-32478**
Planning Commission Meeting of 1/22/2009

Case: SDR-32478
12507716002
HORSE MINI STORAGE PTNRS L L C
2990 S DURANGO DR
LAS VEGAS NV 89117-4412

KAUDE11 89117

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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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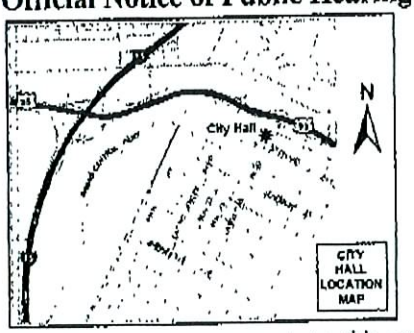
**Return Service Requested**
**Official Notice of Public Hearing**

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BY:

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SDR-32534**
Planning Commission Meeting of 1/22/2009

Case: SDR-32534
12527113005
MONTECITO MINI STORAGE PTNRS LLC
2990 S DURANGO DR
LAS VEGAS NV 89117-4412

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JAN. 12. 2009 9:26AM NO. 0875 P. 1
KAUDE11 89117

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

## *AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT*
### PLANNING COMMISSION MEETING OF: JULY 9, 2009

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

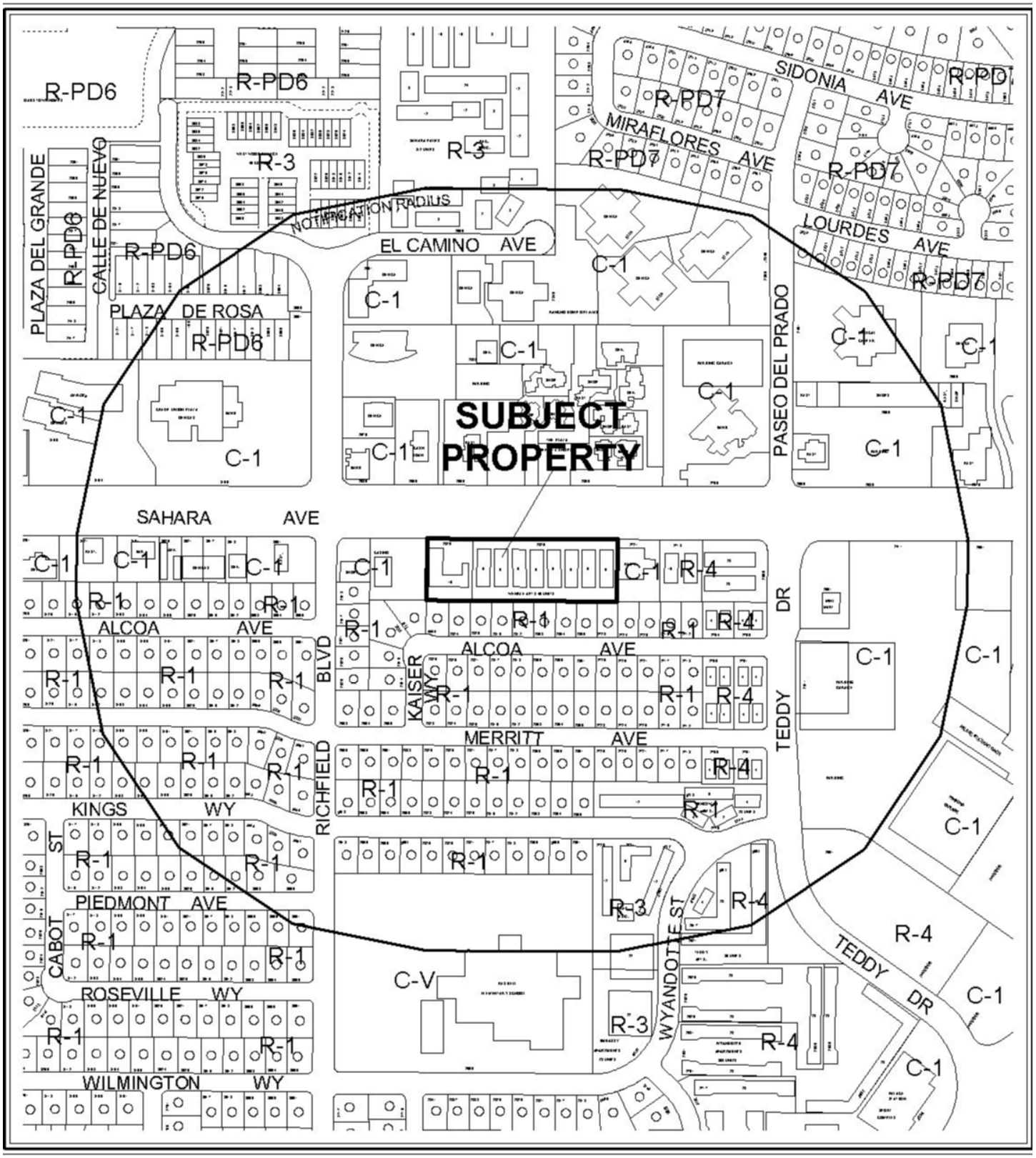
**SUBJECT:**
**TABLED - RENOTIFICATION - VAR-31680 - VARIANCE - PUBLIC HEARING - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: SAHARA SUITES, LLC** - Request for a Variance TO ALLOW A PROPOSED 40-FOOT TALL FREESTANDING SIGN WHERE 12 FEET IS THE MAXIMUM HEIGHT ALLOWED; TO ALLOW A PROPOSED 40-FOOT TALL FREESTANDING SIGN TO HAVE A ZERO-FOOT SETBACK WHERE FIVE FEET IS REQUIRED; TO ALLOW A PROPOSED 40-FOOT TALL FREESTANDING SIGN TO HAVE A 344 SQUARE-FOOT SIGN FACE WHERE 48 SQUARE FEET IS THE MAXIMUM ALLOWED; TO ALLOW A PROPOSED 40-FOOT TALL FREESTANDING SIGN TO HAVE AN ELECTRONIC MESSAGE BOARD, BARE BULBS, AND EXPOSED NEON APPROXIMATELY 145 FEET FROM A RESIDENTIALLY ZONED PROPERTY WHERE RESIDENTIAL PROTECTION STANDARDS REQUIRE 200 FEET; TO ALLOW NINE EXISTING FIVE-FOOT TALL FREESTANDING SIGNS TO HAVE A ONE-FOOT SETBACK WHERE FIVE FEET IS REQUIRED; TO ALLOW NINE EXISTING FIVE-FOOT TALL FREESTANDING SIGNS AND ONE PROPOSED 40-FOOT TALL FREESTANDING SIGN WHERE ONE PER STREET FRONTAGE IS THE MAXIMUM ALLOWED; AND TO ALLOW A DISTANCE SEPARATION OF LESS THAN 100 FEET BETWEEN FREESTANDING SIGN TO FREESTANDING SIGN on 2.27 acres at 2825 and 2829 West Sahara Avenue (APNs 162-08-501-003 and 004), R-3 (Medium Density Residential) Zone, Ward 1 (Tarkanian). NOTE: THIS APPLICATION WAS AMENDED AND RENOTIFIED AS VAR-34815

**C.C.: 08/05/2009**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **23** | **Planning Commission Mtg.** | **3** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
**STRIKE**

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards and Support Letter




0 300 600 Feet

**CASE:** **VAR-31680**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:** R-3 (MEDIUM DENSITY RESIDENTIAL)

N




0 300 600 Feet

**CASE:** **VAR-31680**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:** R-3 (MEDIUM DENSITY RESIDENTIAL)

N

City of Las Vegas

## *AGENDA MEMO*

**PLANNING COMMISSION MEETING DATE: JULY 9, 2009**
**DEPARTMENT: PLANNING AND DEVELOPMENT**
**ITEM DESCRIPTION: TABLED - RENOTIFICATION - VAR-31680 - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: SAHARA SUITES, LLC**

## ** CONDITIONS **

**STAFF RECOMMENDATION:** **DENIAL.** If Approved, subject to:

***Planning and Development***

1. 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.

2. Any non-permitted signage not part of this Variance application shall be removed within ten (10) days of approval of this application.

3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

***Public Works***

4. The proposed signs shall not be located within the public right-of–way or interfere with Site Visibility Restriction Zones. The sign bases shall not be located within existing or proposed public sewer or drainage easements.

NE

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The applicant is requesting a Variance to allow a proposed 40-foot tall freestanding sign where 12 feet is the maximum height allowed; a Variance to allow for the proposed 40-foot tall freestanding sign to have 344 square feet of sign face area where 48 square feet is the maximum allowed; a Variance to allow the proposed 40-foot tall freestanding sign to be setback zero feet where five feet is required; a Variance to allow the proposed 40-foot tall freestanding sign to have an electronic message board, bare bulbs, and exposed neon approximately 145 feet from a residentially zoned property where Residential Protection Standards require 200 feet; a Variance to allow nine existing five-foot tall freestanding signs and one proposed 40-foot tall freestanding sign where one freestanding sign per street frontage is the maximum allowed; a Variance to allow a distance separation of less than the minimum required 100 feet between freestanding sign to freestanding sign; and a Variance to allow a one-foot setback for the nine, existing five-foot tall freestanding signs where five feet is the minimum required on 2.27 acres at 2825 and 2829 West Sahara Avenue. The Variances requested represent a 27 to a 900 percent deviation from the Title 19 standard.

This is a self imposed hardship that could be easily rectified by proposing signage for the site that meets Title 19.14 standards. Due to the intensity and excessive number (seven in total) of Variances requested with this application staff can not support this request and is recommending denial of all Variances requested.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 10/18/05 | Code Enforcement processed a case (#35447) for a complaint of a broken drainage gutter overflowing and flooding near apartment #12 at 2829 West Sahara Avenue. The case was resolved on 11/03/05. |
| 06/07/06 | Code Enforcement processed a case (#43053) for a complaint of a broken drainage gutter overflowing and flooding near apartment #12 at 2829 West Sahara Avenue. The case was resolved on 06/15/06. |
| 06/19/06 | Code Enforcement processed a case (#43556) for a complaint of a green pool at 2829 West Sahara Avenue. The case was resolved on 06/29/06. |
| 06/30/06 | Code Enforcement processed a case (#43964) for a complaint of a leaking hot water heater that maintenance shut-off, broken toilet, no water for three days, and a toilet leaking water all over carpet at 2825 West Sahara Avenue. The case was resolved on 07/03/06. |
| 07/26/06 | Code Enforcement processed a case (#44862) for a complaint of plumbing problems at 2829 West Sahara Avenue. The case was resolved on 08/01/06. |

| | |
|---|---|
| 08/14/06 | Code Enforcement processed a case (#45449) for a complaint of tenants not having water for several days, and tenants bathing in the swimming pool at 2829 West Sahara Avenue. The case was resolved on 08/16/06. |
| 09/13/06 | Code Enforcement processed a case (#46206) for a complaint of no hot water, problems with the air conditioning, the entry door not closing properly, and plumbing and electrical problems at 2825 West Sahara Avenue. The case was resolved on 08/16/06. |
| 10/06/06 | Code Enforcement processed a case (#46914) for a complaint of a dilapidated stairway that someone fell off of at 2829 West Sahara Avenue. The case was resolved on 11/02/06. |
| 01/05/07 | Code Enforcement processed a case (#48987) for a complaint of electrical problems, no covers on electrical outlets, bugs, roof caving in, water leaks, mold, plumbing problems, mildew in bathroom and kitchen, carpet has a smell of mold, windows don't lock, and have no insulation at 2829 West Sahara Avenue. The case was resolved on 02/14/07. |
| 12/18/08 | The Planning Commission approved a request by the applicant to have Variance (VAR-31680) to be held in abeyance until the January 22, 2009 Planning Commission meeting. |
| 01/22/09 | The Planning Commission approved a request by the applicant to have Variance (VAR-31680) to be held in abeyance until the February 26, 2009 Planning Commission meeting. |
| ***Related Building Permits/Business Licenses*** | |
| 1962 | Building constructed. |
| 07/13/01 | A building permit (#01012766) was issued to replace a water heater at 2829 West Sahara Avenue. The permit expired on 06/22/02. |
| 04/09/04 | A building permit (#04008053) was issued for electrical repairs at 2829 West Sahara Avenue. The permit was finaled on 04/12/04. |
| 01/10/07 | A business license (#A07-00584) was re-issued for apartment rentals after a change of ownership at 2500 Teddy Drive. |
| ***Pre-Application Meeting*** | |
| 09/22/08 | A pre-application meeting was held where the submittal requirements for a sign Variance were discussed. |
| ***Neighborhood Meeting*** | |
| A neighborhood meeting was not required, nor was one held. | |

| | |
|---|---|
| ***Field Check*** | |
| 09/18/08 | A routine field check was conducted, and staff observed the nine five-foot non-permitted freestanding signs that are part of this Variance application. Staff also observed an additional non-permitted sign that is not part of this Variance application: a seven to eight-foot tall freestanding sign along the frontage road next to the pool area. The apartment complex appeared to have been recently painted. |
| 01/02/09 | A follow-up field check performed by staff revealed no changes from the prior field check performed on 09/18/08. |

| *Details of Application Request* | |
|---|---|
| ***Site Area*** | |
| Net Acres | 2.27 |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|---|---|---|---|
| Subject Property | Apartments | SC (Service Commercial) & H (High Density Residential) | R-3 (Medium Density Residential) |
| North | Shopping Center | SC (Service Commercial) | C-1 (Limited Commercial) |
| South | Single-Family Residential | L (Low Density Residential) | R-1 (Single Family Residential) |
| East | Restaurant | SC (Service Commercial) | C-1 (Limited Commercial) |
| West | Tavern | SC (Service Commercial) | C-1 (Limited Commercial) |

| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
|---|---|---|---|
| **Special Area Plan** | | X | N/A |
| ***Special Districts/Zones*** | ***Yes*** | ***No*** | ***Compliance*** |
| **Special Purpose and Overlay Districts** | X | | Y |
| A-O (Airport Overlay) District – 175 Feet | X | | Y |
| **Trails** | | X | N/A |
| **Rural Preservation Overlay District** | | X | N/A |
| **Development Impact Notification Assessment** | | X | N/A |
| **Project of Regional Significance** | | X | N/A |

**A-O Airport Overlay District – 175 feet**

No structure shall be erected, altered or maintained on any parcel within the boundaries of the Airport Overlay District that would violate the height limitations defined by the McCarran Airport Overlay Map and the North Las Vegas Airport Overlay Map. The subject site is within the 175-foot contour limitations and does not violate the height limitations set forth by the Airport Overlay District as the proposed signage does not exceed the height limitation of 175 feet.

## DEVELOPMENT STANDARDS

| **Freestanding Signs:** [Proposed 40-Foot Freestanding Sign] | | |
|---|---|---|
| **Standards** | **Allowed** | **Provided** |
| Maximum Number | 1 per Street Frontage | 10 total* |
| Maximum Area | 48 SF | 344 SF** |
| Maximum Height | 12 Feet | 40 Feet*** |
| Minimum Setback | 5 Feet | Zero Feet**** |
| Illumination | Internal and external illumination. In addition, signs over 200 feet from any existing residential property or from property which is designated in the General Plan for future residential development may be animated or contain an electronic message unit. | Proposed 40-foot tall freestanding sign with internal illumination, an electronic message unit, bare bulbs, and exposed neon approximately 145 feet from residentially zoned property.***** |

* The applicant is requesting a Variance to allow one proposed 40-foot tall freestanding sign and nine existing five-foot tall freestanding signs for a total of ten freestanding signs.

**The applicant is requesting a Variance to allow a proposed 40-foot tall freestanding sign with a face area of 344 square feet where 48 square feet is the maximum area allowed.

***The applicant is requesting a Variance to allow a proposed 40-foot tall freestanding sign where 12 feet is the maximum height allowed.

****The applicant is requesting a Variance to allow a zero-foot setback for the proposed 40-foot tall freestanding sign where five feet is required.

*****The applicant is requesting a Variance to allow an electronic message board, bare bulbs, and exposed neon on the proposed 40-foot tall freestanding sign approximately 145 feet from a residentially zoned property where Residential Protection Standards require 200 feet.

| **Freestanding Signs:** [Nine, Existing Five Freestanding Signs] | | |
|---|---|---|
| **Standards** | **Allowed** | **Provided** |
| Maximum Number | 1 per Street Frontage | 10 total* |
| Maximum Area | 48 SF | 5.34 SF |
| Maximum Height | 12 Feet | 5 Feet |
| Minimum Setback | 5 Feet | 1-Foot** |
| Illumination | Internal and External Illumination. | No Illumination |

* The applicant is requesting a Variance to allow for one proposed 40-foot tall freestanding sign and nine existing five-foot tall freestanding signs for a total of ten freestanding signs.

**The applicant is requesting a Variance to allow a one-foot setback where five feet is the minimum setback required for the nine existing five-foot tall freestanding signs.

| **Variances** | | |
|---|---|---|
| **Request** | **Requirement** | **Staff Recommendation** |
| One Proposed 40-Foot Tall Freestanding Sign | 12-Foot Freestanding Sign | Denial |
| 40-Foot Tall Freestanding Sign with 344 SF Sign Face | 48 SF | Denial |
| Zero-Foot Setback for Proposed 40-Foot Tall Freestanding Sign | 5 Feet | Denial |
| Ten Freestanding Signs | One Freestanding Sign | Denial |
| One-Foot Setback for Nine Existing Five-Foot Tall Freestanding Signs | 5 Feet | Denial |
| Less Than 100-Foot Distance Separation between Freestanding Signs | 100 Feet | Denial |
| Approximately 145-Foot Residential Protection for Electronic Message Board, bare bulbs, and Exposed Neon | 200-Foot Residential Protection Standard for Electronic Message Board, Bare Bulbs, and Exposed Neon | Denial |

## ANALYSIS

- **Proposed 40-Foot Freestanding Sign**

  The applicant has requested a Variance to allow for a 40-foot tall freestanding sign to be constructed at the northwest corner of the site adjacent to Sahara Avenue where 12 feet in height is the maximum allowed. An additional Variance has been requested to allow for this sign to have a sign face of 344 square feet where 48 square feet is the maximum allowed. The proposed sign would have an aluminum base and pole covered with simulated stucco. The proposed elevation shows the base of the sign being painted a dark brown and the pole of the sign being painted a light tan. The sign face itself would be an aluminum faced cabinet with a map satin finish colored reflex blue with animated vertical lines of blue neon to be on a 3 point flashing chaser. The sign will also have steadily burning White, Yellow Gold II and Horizon Blue Neon trim around the sign and incorporated throughout the face of the sign with the lettering. The word "Sahara" would be lit with incandescent bare bulbs. Approximately 21 feet from the base of the sign, below the sign face, would be a four-foot tall aluminum faced animated LED display (reader board). The proposed height of the sign represents a 233 percent deviation and the proposed sign face represents a 617 percent deviation from code standard.

  In addition, the applicant has requested a Variance from the Residential Protection Standards. Directly south of the subject site are single-family residences located within an R-1 (Single Family Residential) zoning district. Title 19.14 states that, "If the sign is located more than 40 feet from the property planned or zoned for residential use but within 200 feet of such property and the sign is or will be visible from such property, it may be interior-lit or lighted with direct white light, but it shall not contain bare bulbs, exposed neon tube, animation or a electronic message unit." The proposed 40-foot freestanding sign contains all of the above mentioned; bare bulbs, exposed neon tube, animation, and an electronic message board. The installation of a freestanding sign containing these elements is not only a violation of the Title 19.14 Residential Protection Standards, but extremely intrusive to the adjacent neighbors that are approximately 145 feet away from this proposed sign.

- **Nine (9) Existing Five-Foot Freestanding Signs**

  The applicant has requested a Variance to allow nine existing five-foot tall freestanding signs, as well as the proposed 40-foot tall freestanding sign to exist where one freestanding sign per street frontage is allowed. An additional Variance is being requested to allow for the nine existing five-foot tall signs to be setback one-foot where five feet is required. The applicant has also requested a Variance for those signs to be located with less than the required minimum distance separation of 100 feet in between each freestanding sign.

The proposed 40-foot tall sign is to be located approximately 50 feet east of the west property line. There is one existing five-foot tall sign located 35 feet to the west of the proposed sign, with the remaining existing five-foot tall signs located to the east of the proposed sign at intervals of 20, 129, 50, 50, 50, 50, 50 and 52 feet. The frontage road adjacent to Sahara Avenue would have a total of ten signs located within approximately 840 feet of street frontage. The applicant provided a figure of 1,045 feet of street frontage, but that figure also included the restaurant which is not part of this application. The percent of deviation for the distance separation of said signs is noted in the chart below.

The nine five-foot tall freestanding signs exist today on the subject site. These existing five-foot tall freestanding signs are a double faced non-illuminated post mounted sign that carry a commercial message (i.e. company name and logo). These signs were posted without building permits and are positioned along the frontage road that separates the apartment complex from Sahara Avenue. There is also a non-permitted seven to eight-foot tall freestanding sign located along the frontage road next to the pool area. This sign is not part of this Variance application and a condition has been added for its removal upon approval of this application.

| **Variances** | | | |
|---|---|---|---|
| | **Allowed** | **Provided** | **% of Deviation** |
| **40-Foot Freestanding Sign** | In an R-3 (Medium Density Residential) zone, a maximum height of 12 feet, and a maximum area of 48 square feet. | A 40-foot tall Freestanding Sign with a sign area of 344 square feet. | 233% for the sign height; 617% for the sign area. |
| **Number of Freestanding Signs Allowed** | One (1) per street frontage. | Ten (10) Freestanding Signs | 900% |
| **Distance Separation** | Minimum separation of 100 feet measured along the street frontage. | From West to East: 35, 20, 129, 50, 50, 50, 50, 50, and 52, Feet. | 65%, 80%, In Compliance, 50%, 50%, 50%, 50%, 50%, and 48%, respectively. |
| **40-Foot Freestanding Sign Setback** | 5 Feet | Zero Feet | 100% |
| **Nine (9) 5-Foot Freestanding Signs Setback** | 5 Feet | One-Foot | 80% |
| **Residential Protection Standards** | 200 Feet | Approximately 145 Feet | 27% |

**FINDINGS**

In accordance with the provisions of Title 19.18.070(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.18.070L states:

> "Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing signage that exceeds the allowable height, sign area, number of freestanding signs, minimum setback requirements, sign separation requirements, and Residential Protection Standards allowed by Title 19. An alternative number of signs, sign placement and design would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 16

**ASSEMBLY DISTRICT** 10

**SENATE DISTRICT** 3

**NOTICES MAILED** 254

**APPROVALS** 3

**PROTESTS** 23

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-31680** APN: 162-08-501-003, 162-08-501-004

Name of Property Owner: Sahara Suites, LLC

Name of Applicant: Siegel Companies, Inc.

Name of Representative: Tabitha Fiddyment, Kummer 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: _____

Print Name: Stephen G. Siegel

Subscribed and sworn before me

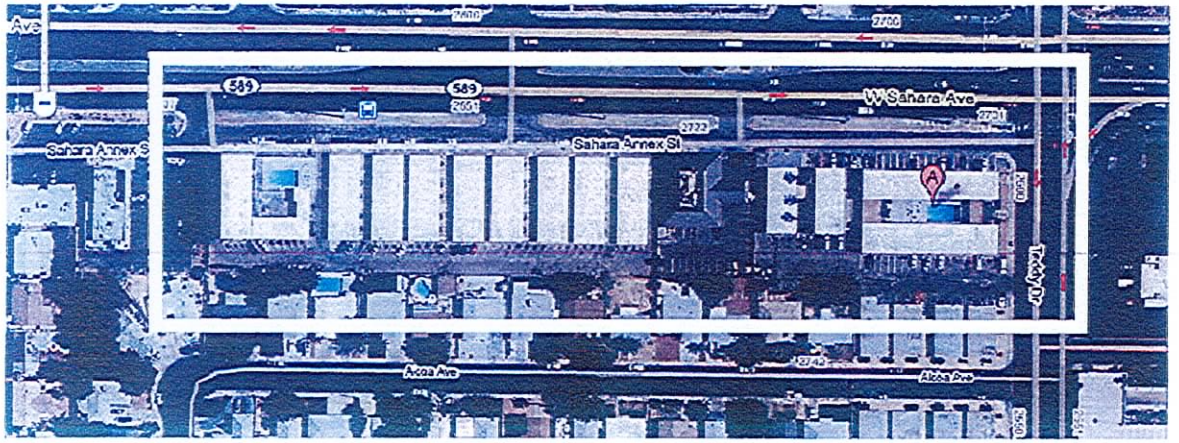
This 5th day of November, 2008

_____

Notary Public in and for said County and State

S. COUCH
Notary Public State of Nevada
No. 04-88092-1
My appt. exp. Jan. 25, 2012

# SIEGEL
# SUITES
## Sahara




*Las Vegas, Nevada*

RECEIVED
MAY 28 2009

VAR-31680
VAR-31854
07/09/09 PC - REVISED

JOB INFORMATION
**SIEGEL SUITES**
**SAHARA**
**2500 TEDDY DRIVE**
**LAS VEGAS, NV**

SALESPERSON
**MARK WHITEHOUSE**
DESIGNER
**DAVID GREEN**
SKETCH NO
**SIEGEL09**

DATE
**08-06-2008**
VOLTAGE
VERIFY

PRIMARY ELECTRICAL TO SIGN LOCATIONS IS TO BE PROVIDED BY OTHERS. 20 AMP DEDICATED CIRCUIT(S) WITH NO SHARED NEUTRALS AND A GROUND RETURNING TO THE PANEL IS REQUIRED FOR ALL INSTALLATIONS.

COLORS REPRESENTED IN THIS DRAWING ARE FOR PRESENTATION PURPOSES ONLY. THEY MAY NOT MATCH YOUR FINISHED PRODUCT PERFECTLY. COLOR CALL-OUTS ARE FOR A MATCH AS CLOSE AS POSSIBLE.

THIS ORIGINAL DESIGN IS THE SOLE PROPERTY OF ULTRASIGNS. IT CANNOT BE REPRODUCED, COPIED OR EXHIBITED IN WHOLE OR PART, WITHOUT FIRST OBTAINING WRITTEN CONSENT FROM ULTRASIGNS.

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

REVISION DATES
1. 08-06-2008 DAG
2. 08-22-2008 AT
3. 08-25-2008 AT
4. 10-06-2008 DAG
5. 10-17-2008 DAG
6. 11-05-2008 DAG
7. 04-24-2009 DAG
8. 04-29-2009 DAG
9.
10.

CLIENT APPROVAL



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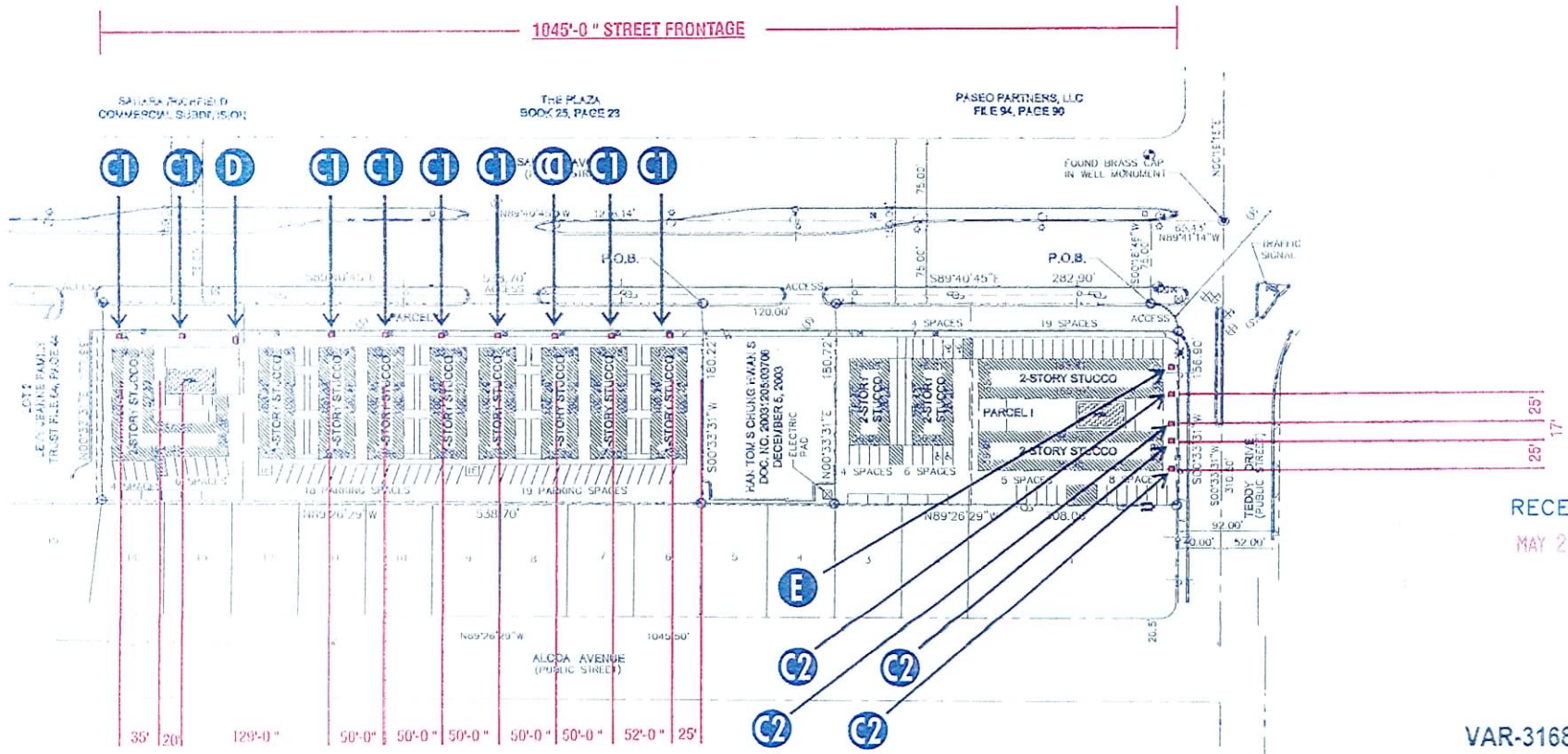
9025 BALBOA AVENUE, STE 150
SAN DIEGO, CA 92123-1520




NORTH

SCALE 1"=100'

ALL "C" SIGNS TO BE SETBACK 1'-0" FROM SIDEWALK

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JOB INFORMATION
SIEGEL SUITES
SAHARA
2500 TEDDY DRIVE
LAS VEGAS, NV

SALESPERSON
MARK WHITEHOUSE
DESIGNER
DAVID GREEN
SKETCH NO
SIEGEL09

DATE
08-06-2008
VOLTAGE
VERIFY

PRIMARY ELECTRICAL TO SIGN LOCATIONS IS TO BE PROVIDED BY OTHERS. 20 AMP DEDICATED CIRCUIT(S) WITH NO SHARED NEUTRALS AND A GROUND RETURNING TO THE PANEL IS REQUIRED FOR ALL INSTALLATIONS.

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CLIENT APPROVAL



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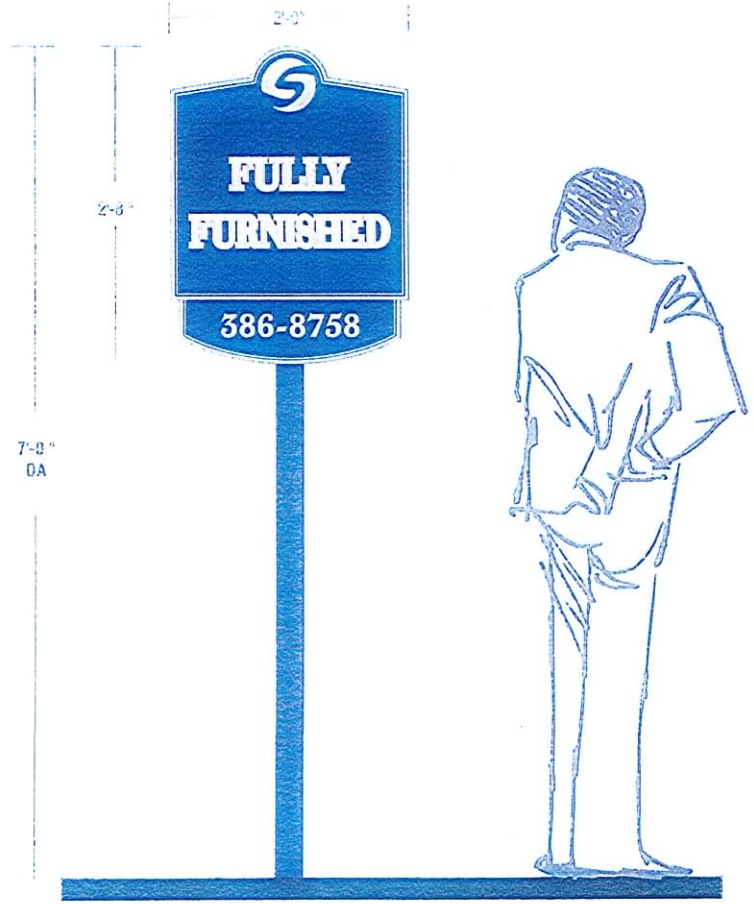
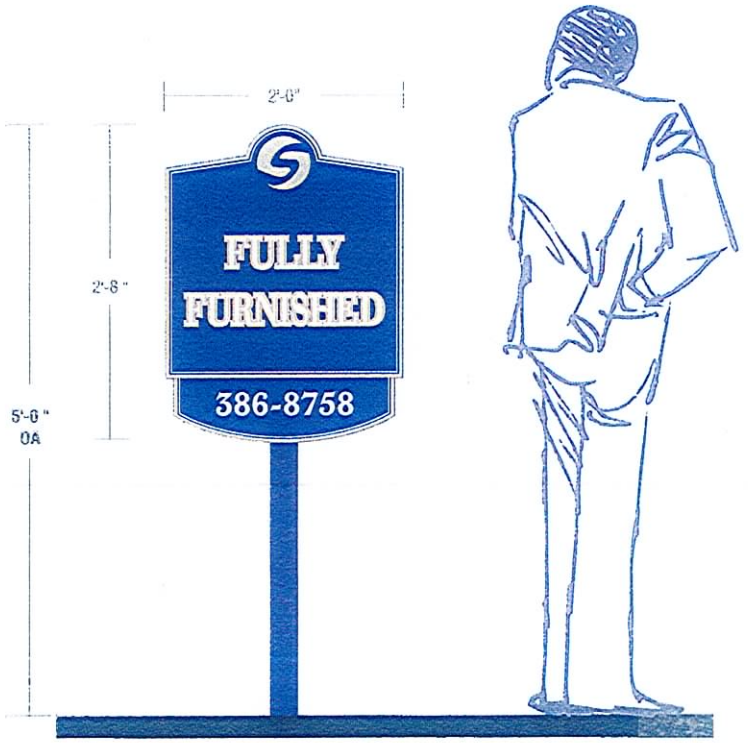



C1 DOUBLE FACED NON-ILLUMINATED POST MOUNTED DISPLAY
SCALE 1"=1'




C2 DOUBLE FACED NON-ILLUMINATED POST MOUNTED DISPLAY
SCALE 1"=1'

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(D) DOUBLE FACED NON-ILLUMINATED WOOD SIGN WITH GRAPHICS
SCALE 1/2"=1'

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E DOUBLE FACED NON-ILLUMINATED WOOD SIGN WITH GRAPHICS
SCALE 1/2"=1'

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9025 BALBOA AVENUE, STE 150
SAN DIEGO, CA 92123-1520

| SIGN TYPE | # | ILLUMINATED | STYLE | SQ. FT. |
|---|---|---|---|---|
| C1 / C2 | 13 | NO | FREESTANDING | 6 |
| D | 1 | NO | FREESTANDING | 32 |
| E | 1 | NO | FREESTANDING | 20 |

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SIGN ANALYSIS TABLE

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SIEGEL SUITES
SAHARA
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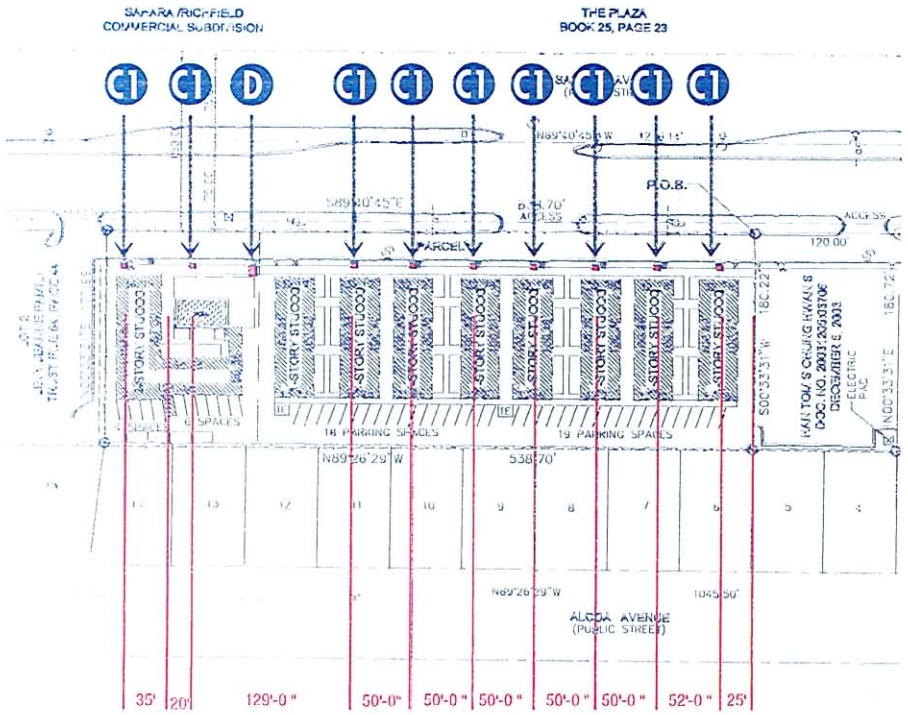


180'-0" STREET FRONTAGE

**ALL "C" SIGNS TO BE SETBACK 1'-0" FROM SIDEWALK**

NORTH

SCALE 1" = 100'

**SIEGEL ALT 2**

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| JOB INFORMATION | SALESPERSON | DATE |
|---|---|---|
| SIEGEL SUITES<br>SAHARA<br>2500 TEDDY DRIVE<br>LAS VEGAS, NV | MARK WHITEHOUSE<br>DESIGNER<br>DAVID GREEN<br>SKETCH NO<br>SIEGEL09 | 08-06-2008<br>VOLTAGE<br>VERIFY |

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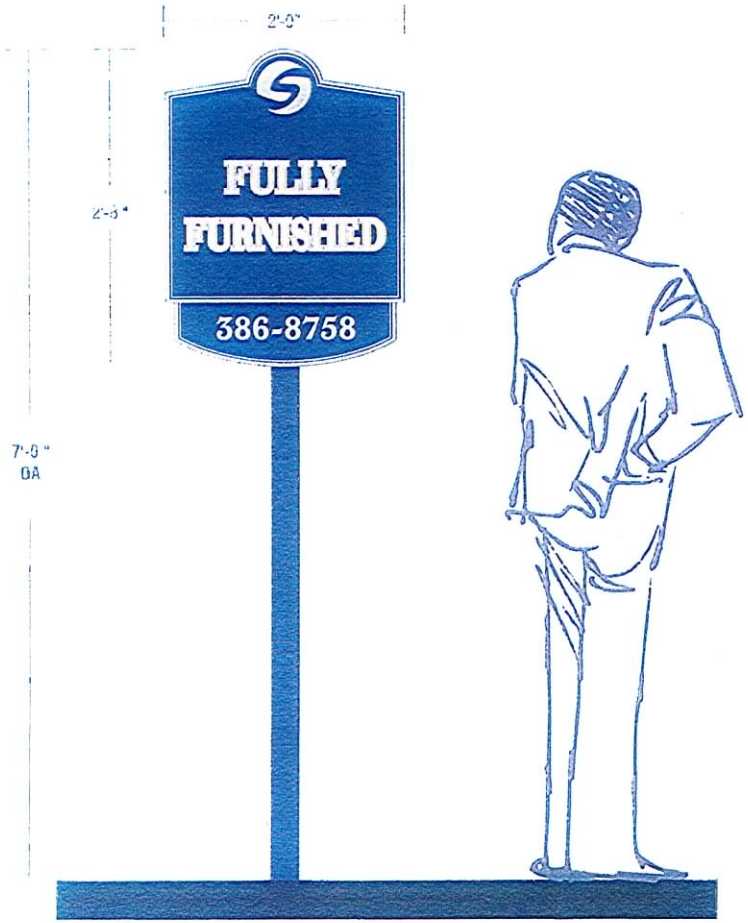


DOUBLE FACED NON-ILLUMINATED POST MOUNTED DISPLAY
SCALE 1"=1'

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SIEGEL ALT 2

JOB INFORMATION
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Ⓓ DOUBLE FACED NON-ILLUMINATED WOOD SIGN WITH GRAPHICS
SCALE 1/2" = 1'

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SIEGEL ALT 2

JOB INFORMATION
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SAHARA
2500 TEDDY DRIVE
LAS VEGAS, NV

SALESPERSON
MARK WHITEHOUSE
DESIGNER
DAVID GREEN
SKETCH NO
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| SIGN TYPE | # | ILLUMINATED | STYLE | SQ. FT. |
|---|---|---|---|---|
| C1 | 9 | NO | FREESTANDING | 6 |
| D | 1 | NO | FREESTANDING | 32 |

SIGN ANALYSIS TABLE

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SIEGEL ALT 1

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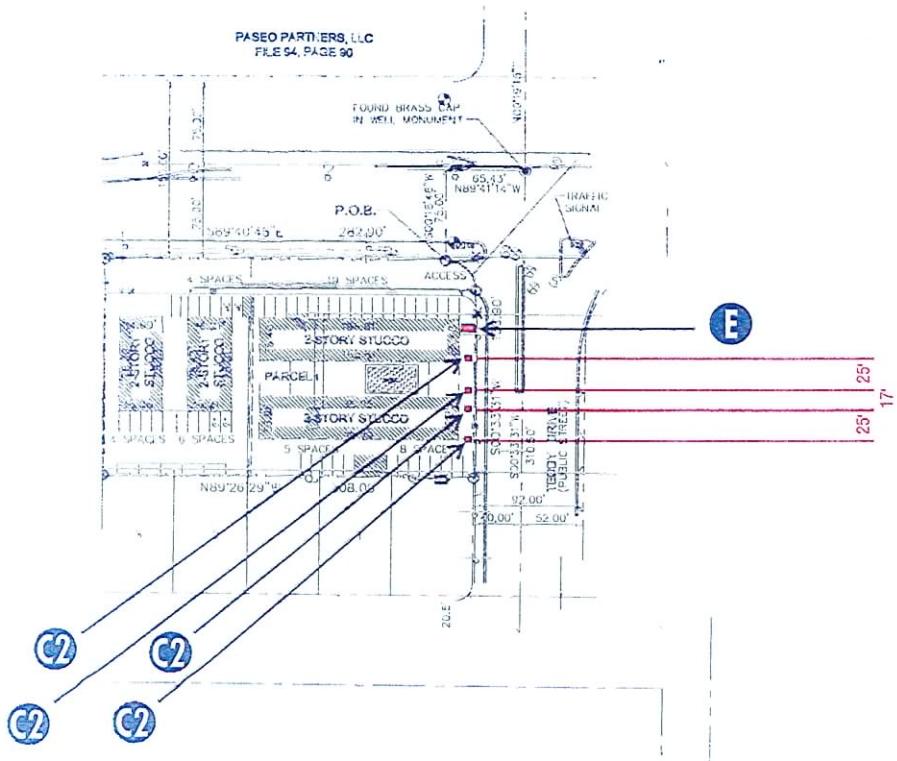


ALL "C2" SIGNS TO BE SETBACK
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NORTH

SCALE 1" = 100'

SIEGEL ALT 2

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C2 DOUBLE FACED NON ILLUMINATED POST MOUNTED DISPLAY
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SAN DIEGO, CA 92123-1520

| SIGN TYPE | # | ILLUMINATED | STYLE | SQ. FT. |
|---|---|---|---|---|
| C2 | 4 | NO | FREESTANDING | 6 |
| E | 1 | NO | FREESTANDING | 20 |

SIGN ANALYSIS TABLE

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VAR-31680
VAR-31854
07/09/09 PC - REVISED

SIEGEL ALT 2

JOB INFORMATION
SIEGEL SUITES
SAHARA
2500 TEDDY DRIVE
LAS VEGAS, NV

SALESPERSON
MARK WHITEHOUSE
DESIGNER
DAVID GREEN
SKETCH NO
SIEGEL09

DATE
08-06-2008
VOLTAGE
VERIFY

PRIMARY ELECTRICAL TO SIGN LOCATIONS IS TO BE PROVIDED BY OTHERS. 20 AMP DEDICATED CIRCUIT(S) WITH NO SHARED NEUTRALS AND A GROUND RETURNING TO THE PANEL IS REQUIRED FOR ALL INSTALLATIONS.

COLORS REPRESENTED IN THIS DRAWING ARE FOR PRESENTATION PURPOSES ONLY. THEY MAY NOT MATCH YOUR FINISHED PRODUCT PERFECTLY. COLOR CALL-OUTS ARE FOR A MATCH AS CLOSE AS POSSIBLE.

THIS ORIGINAL DESIGN IS THE SOLE PROPERTY OF ULTRASIGNS. IT CANNOT BE REPRODUCED, COPIED OR EXHIBITED IN WHOLE OR PART, WITHOUT FIRST OBTAINING WRITTEN CONSENT FROM ULTRASIGNS.

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

REVISION DATES
1. 08-06-2008 DAG
2. 08-22-2008 AT
3. 08-25-2008 AT
4. 10-06-2008 DAG
5. 10-17-2008 DAG
6. 11-05-2008 DAG
7. 04-24-2009 DAG
8. 04-29-2009 DAG
9.
10.

CLIENT APPROVAL



ultrasigns
ELECTRICAL ADVERTISING
TEL: 858-569-1400 FAX: 858-569-1453
9025 BALBOA AVENUE, STE 150
SAN DIEGO, CA 92123-1520



VAR-31680 - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: SAHARA SUITES, LLC
2825 AND 2829 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

09/19/08




VAR-31680 - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: SAHARA SUITES, LLC
2825 AND 2829 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

09/19/08




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JULY 9, 2009 PLANNING COMMISSION

06/04/09




VAR-31680 - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: SAHARA SUITES, LLC
2825 AND 2829 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

06/04/09




VAR-31680 - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: SAHARA SUITES, LLC
2825 AND 2829 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

06/04/09

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ELECTRICAL ADVERTISING

## JUSTIFICATION LETTER

**Date:** 11/10/08

**To:** City of Las Vegas Planning & Development
731 S. 4th Street
Las Vegas, NV 89101

**From:** Mark Whitehouse

**Attn:** Planning/Development Department

**Re:** Master Sign Plan including a variance for Siegel Suites Sahara.
SIEGEL 1 (parcel #s ending in 003 & 004)

**To Whom It May Concern:**

**On behalf of Siegel Suites Casa Palms located at 2500 Teddy Dr. Las Vegas, NV 89102, Ultrasigns Electrical Advertising will be filing a *Master Sign Plan*.**

**This package will incorporate all signage on the property and request the following variances.**

**-To allow 10 freestanding signs where 2 are allowed.**
**-To reduce separation distances between signs as per site plan where 100' is required.**
**-To reduce setback distance on all signs to 1' where 5' is required.**
**-To increase square footage of 1 freestanding signs to 392' where 48' on each is allowed.**
**-To increase sign height on 1 freestanding sign to 40' where 12' is permitted.**

**Thanks for your kind consideration of this matter.**

**Sincerely,**

**Mark Whitehouse**
**Ultrasigns, Inc.**
**(702) 336-3336**

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NOV 10 2008

**VAR-31680**
**12/18/08 PC**

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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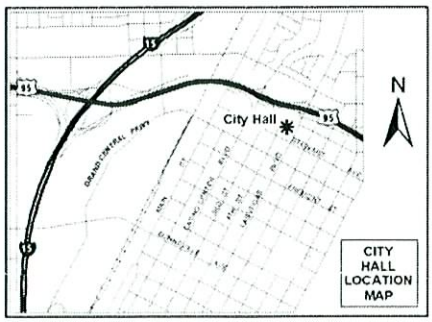
UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.39⁴
0004239954 DEC 05 2008
MAILED FROM ZIP CODE 89101

**Return Service Requested**
**Official Notice of Public Hearing**




If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-31680**

Planning Commission Meeting of 12/18/2008

Case: VAR-31680

16208511038
OEHLER C F FAMILY TRUST
2824 MERRITT AVE
LAS VEGAS NV 89102-6087

JAVDS11 89102

13P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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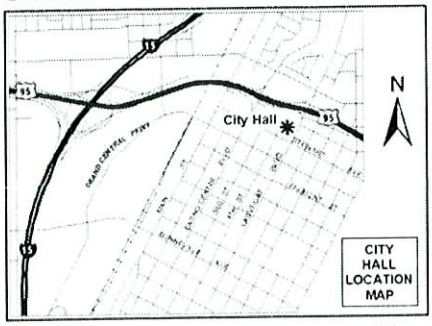


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**VAR-31680**

Planning Commission Meeting of 12/18/2008

Case: VAR-31680

16205815023
HAIGH TRUST
2613 LOURDES AVE
LAS VEGAS NV 89102-4306

137

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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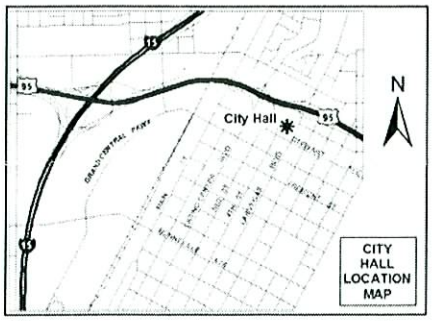


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VAR-31680

Planning Commission Meeting of 12/18/2008

Case: VAR-31680

16205415009
HARRISON FRANCES A
3072 ELCAMINO
LAS VEGAS NV 89102-0000

JAVOS11 89102

13P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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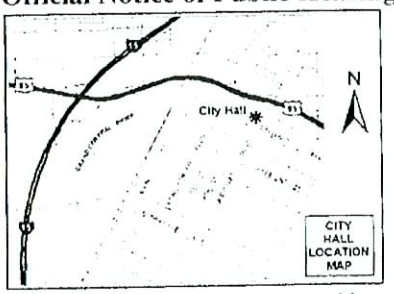


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Case: VAR-31680

16205415021
JENKINS E & S 1990 LIV TR AGMT
3010 EL CAMINO AVE
LAS VEGAS NV 89102-4056

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-31680**

Planning Commission Meeting of 12/18/2008

13P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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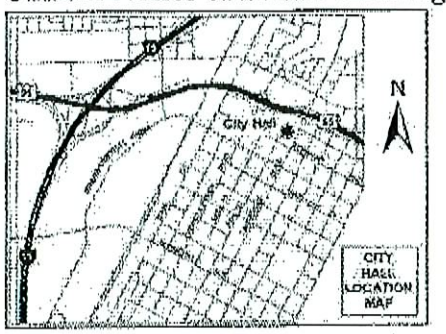


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**VAR-31680**
Planning Commission Meeting of 12/18/2008

Case: VAR-31680
16208511029
MARTIN LILLIAN KATHERINE
2801 ALCOA AVE
LAS VEGAS NV 89102-6025

13P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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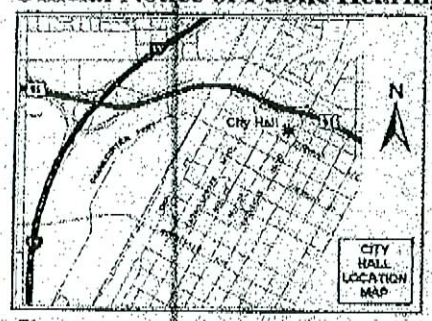


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☒ I OPPOSE this Request

Please use available blank space on card for your comments.

Case: VAR-31680

16208104008
ROSS & ROSS L L C
2488 OLD CASH RD
CHERAW SC 29520-5729

**VAR-31680**
Planning Commission Meeting of 12/18/2008

13P

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Planning & Development Department
Development Services Center
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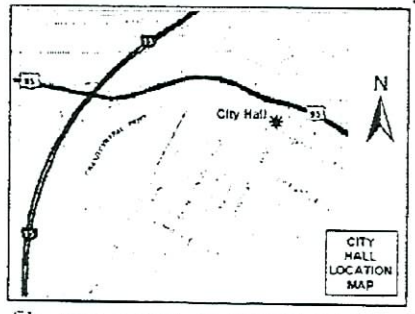


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**VAR-31680**

Planning Commission Meeting of 12/18/2008

20' Limit

Case: VAR-31680
16208501002
LEVY JEANNE FAMILY TRUST
7800 SILVER PLATEAU AVE
LAS VEGAS NV 89128-2655

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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0004239954 DEC 05 2008
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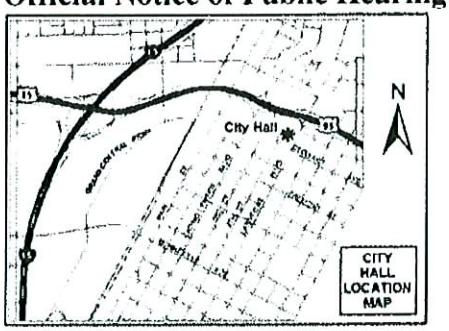
**Official Notice of Public Hearing**

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☒ I OPPOSE this Request

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**VAR-31680**
Planning Commission Meeting of 12/18/2008

Case: VAR-31680
16205416025
CUMMINGS FAMILY TRUST
3025 PLAZA DE ROSA
LAS VEGAS NV 89102-4048

STRONGLY OPPOSE!!

13P

DEC-6-2008 09:40P FROM:PKC (702)367-3827 TO:3857268 P.1

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JAN 20 2009

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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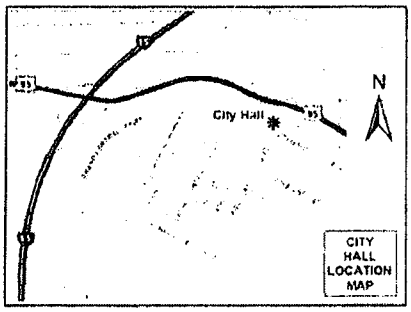


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**VAR-31680**

Planning Commission Meeting of 12/18/2008

Case: VAR-31680
16205801005
PLAZA OFFICE PARK L L C
2310 PASEO DEL PRADO #203
LAS VEGAS NV 89102-4330

Submitted after final agenda

Date 12209 Item 27

#27 P

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Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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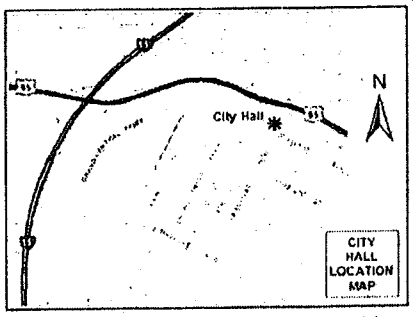


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**VAR-31680**
Planning Commission Meeting of 12/18/2008

Case: VAR-31680
16205801004
B PLAZA L L C
#Y KAZUTO
2310 PASEO DEL PRADO #203
LAS VEGAS NV 89102-4330

#27P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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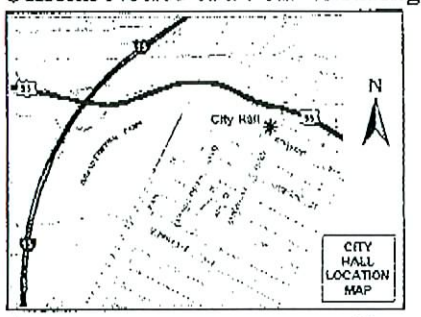


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**VAR-31680**

Planning Commission Meeting of 12/18/2008

Case: VAR-31680

16208502013
UNGAR INVESTMENTS L P
P O BOX 80246
LAS VEGAS NV 89180-0246

13P

PAGE
PAUL WHITING
11/10/2008 11:39 3640014

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Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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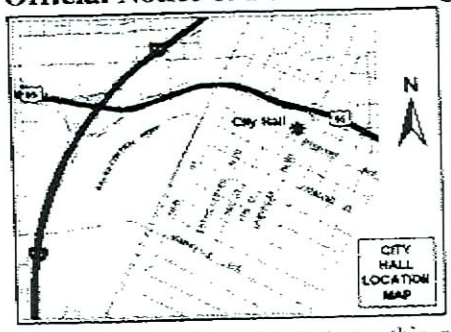
**Official Notice of Public Hearing**

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☒ I OPPOSE this Request

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**VAR-31680**

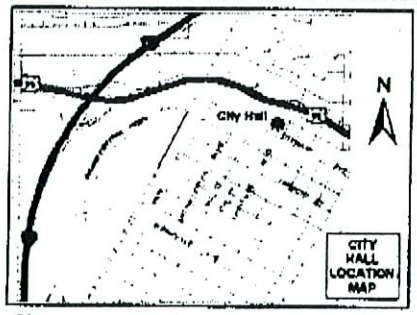
Planning Commission Meeting of 12/18/2008

Case: VAR-31680
16208511063
WHITING PAUL G & KATIA C
2825 MERRITT AVE
LAS VEGAS NV 89102-6048

138

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

**Return Service Requested**
**Official Notice of Public Hearing**

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**VAR-31680**

Planning Commission Meeting of 12/18/2008

Case: VAR-31680
16208511013
BURNS JUDITH T TRUST
2804 ALCOA AVE
LAS VEGAS NV 89102-6023

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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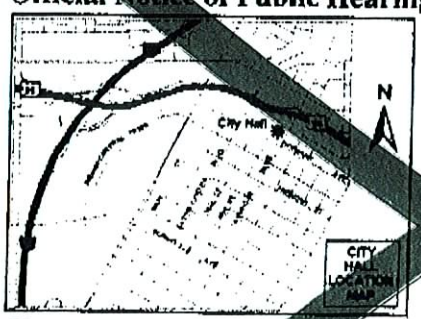
**Official Notice of Public Hearing**

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**VAR-31854**

Planning Commission Meeting of 12/18/2008

Case: VAR-31854
16208511013
BURNS JUDITH T TRUST
2804 ALCOA AVE
LAS VEGAS NV 89102-6023

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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0004279218 JUN 26 2009
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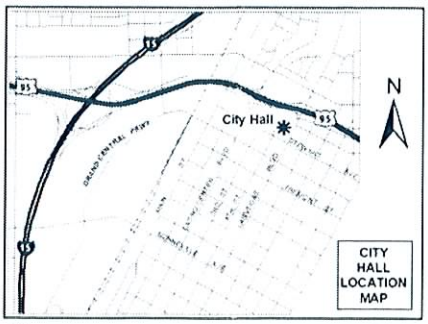


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JUN 30 2009

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Case: VAR-31680

16205416016
KAKER FRANK
P O BOX 28518
LAS VEGAS NV 89126-2518

Please use available blank space on card for your comments.

**VAR-31680 & VAR-34815**

Planning Commission Meeting of 7/9/2009

Sahara is junky enough now, we don't need another ugly billboard!

DAVIS 11 89126

7P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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UNITED STATES POSTAGE
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$ 00.41⁴
JUN 26 2009
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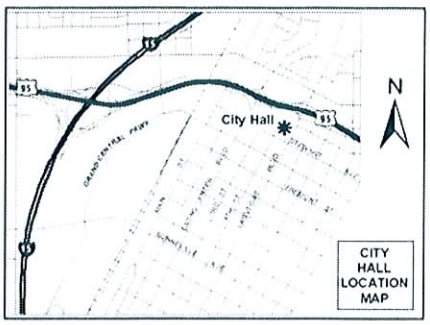
**Return Service Requested**
**Official Notice of Public Hearing**




RECEIVED
JUN 30 2009

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-31680 & VAR-34815**
Planning Commission Meeting of 7/9/2009

Case: VAR-31680
16205815023
HAIGH TRUST
2613 LOURDES AVE
LAS VEGAS NV 89102-4306

DAVDP11 B3102

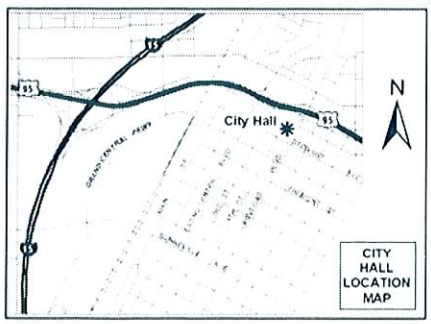
7P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M
0004279218
$ 00.41⁴
JUN 26 2009
MAILED FROM ZIP CODE 89101

**Return Service Requested**
**Official Notice of Public Hearing**

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JUN 30 2009

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-31680 & VAR-34815**
Planning Commission Meeting of 7/9/2009

No!

Case: VAR-31680
16208511038
OEHLER C F FAMILY TRUST
2824 MERRITT AVE
LAS VEGAS NV 89102-6087

DAVIS11 89102

7P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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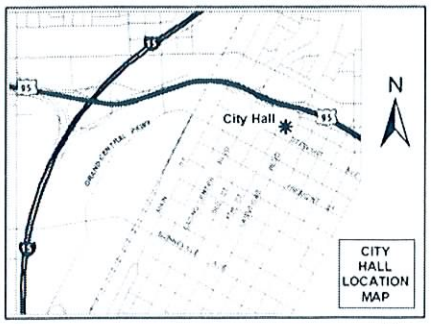
MAILED FROM ZIP CODE 89101

**Return Service Requested**
**Official Notice of Public Hearing**




This is one big eyesore virtually in my homes front yard. Please don't pass this.

RECEIVED
JUN 30 2009

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Please use available blank space on card for your comments.

**VAR-31680 & VAR-34815**
Planning Commission Meeting of 7/9/2009

Case: VAR-31680
16208111017
CAPUTO ROSE MARY
4521 EXPOSITION AVE
LAS VEGAS NV 89102-1545

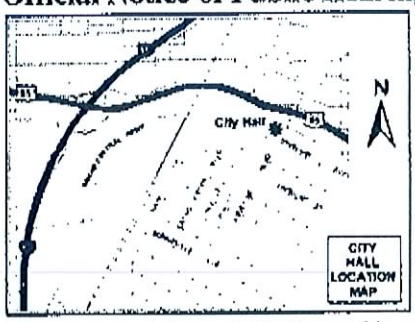
DAVDP11 A3102

7P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

**Return Service Requested**

**Official Notice of Public Hearing**

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JUN 30 2009

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-31680 & VAR-34815**

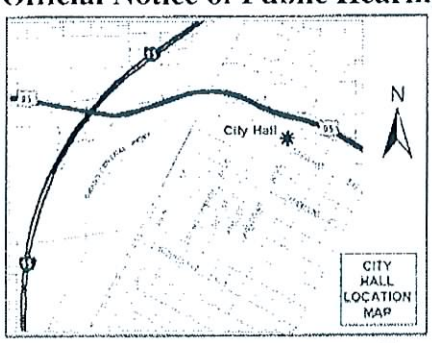
Planning Commission Meeting of 7/9/2009

Case: VAR-31680
16208511013
BURNS JUDITH T TRUST
2804 ALCOA AVE
LAS VEGAS NV 89102-6023

7P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

**Return Service Requested**
**Official Notice of Public Hearing**

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**VAR-31680 & VAR-34815**
Planning Commission Meeting of 7/9/2009

RECEIVED
JUN 29 2009

Case: VAR-31680
16208114033
BORDENAVE EDWARD A JR & LOUISE O
3013 KINGS WAY
LAS VEGAS NV 89102-5925

7P

Page 1
06/29/09 4:12 PM

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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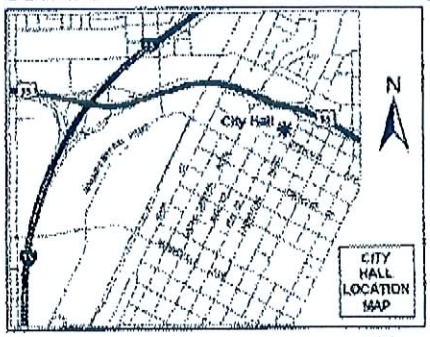
**Official Notice of Public Hearing**

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-31680 & VAR-34815**

Planning Commission Meeting of 7/9/2009

RECEIVED
JUN 29 2009

Case: VAR-31680
16208111009
LEA JAMES B & JOY J
11001 PINE KNOLLS CT
LAS VEGAS NV 89144-1652

7P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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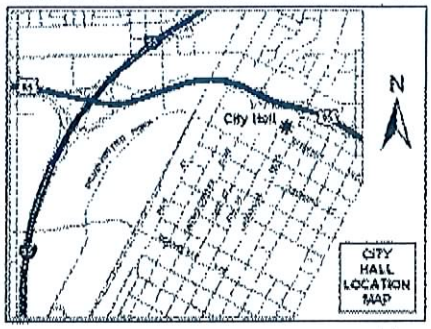
RECEIVED
JUN 29 2009

**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-31680 & VAR-34815**

Planning Commission Meeting of 7/9/2009

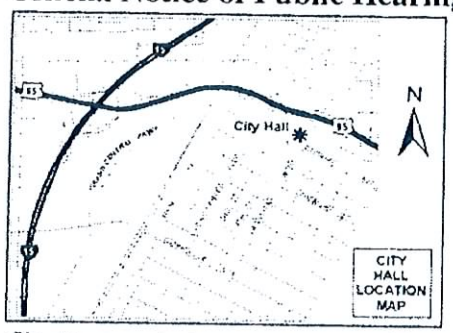
Case: VAR-31680
16208511029
MARTIN LILLIAN KATHERINE
2801 ALCOA AVE
LAS VEGAS NV 89102-6025

DAUDF11 89102

7P

City of Las V ... gas
Planning & L... ...velopment Department
Developmen... ...ervices Center
731 S. Fourt... ...treet
Las Vegas, N... ...ada 89101-2986

**Return Service Requested**
**Official Notice of Public Hearing**




RECEIVED
JUN 29 2009

If you wish ... to file your protest or support on this request, check the appropriate b... below and return this card in an envelope with postage to the Planning & L... ...velopment Department at the address listed above or fax this side of this c... to (702) 385-7268. If you would like to contact your Council Representati... please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use a... ...ailable blank space on card for your comments.

**VAR-3168(... & VAR-34815**

Planning Co... ...mmission Meeting of 7/9/2009

16208114033
BORDENAVE EDWARD
3013 KINGS WAY
LAS VEGAS NV 89102-5

DAVDP11 89102

06/29/09 3:59 PM

7P

FROM :TIMON S. GREENE FAX NO. :7028715924 Jun. 29 2009 05:36PM P1

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

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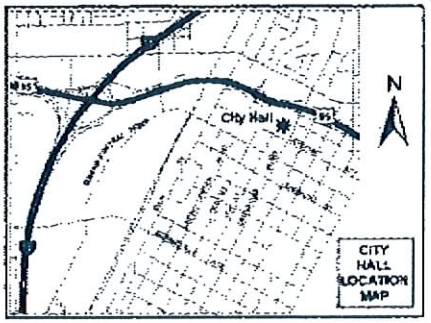
**Official Notice of Public Hearing**

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-31680 & VAR-34815**
Planning Commission Meeting of 7/9/2009

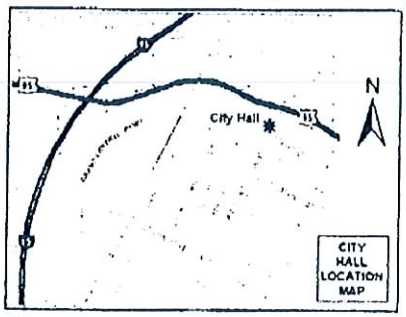
RECEIVED
JUN 29 2009

Case: VAR-31680
16205415027
GREENE TIMON S
3022 EL CAMINO AVE #27
LAS VEGAS NV 89102-4056

7P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

**Return Service Requested**
**Official Notice of Public Hearing**

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-31680 & VAR-34815**
Planning Commission Meeting of 7/9/2009




RECEIVED
JUN 29 2009

Case: VAR-31680
16208501002
LEVY JEANNE FAMILY TRUST
7800 SILVER PLATEAU AVE
LAS VEGAS NV 89128-2655

7A

12/08/2008 12:28 8182553600 SASCO INC PAGE 03

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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UNITED STATES POSTAGE PITNEY BOWES
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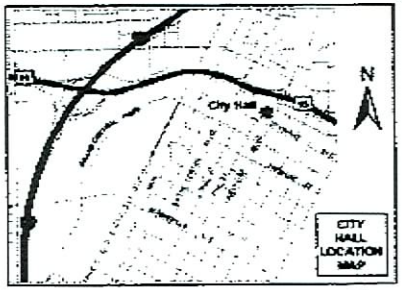
**Return Service Requested**

**Official Notice of Public Hearing**

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[X] I SUPPORT this Request [ ] I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-31680**

Planning Commission Meeting of 12/18/2008

Case: VAR-31680
16208501006
SAHARA SUITES L L C
12080 VENTURA PL #A
STUDIO CITY CA 91604-2634

JAN051 91504

13A

# CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

Phone/Fax: 702-877-2438

**TO:** CLV Planning Commissioners—Chair TROWBRIDGE, V.Chair TRUESDELL, GOYNES, EVANS, QUINN, ELLSWORTH and BUCKLEY
**FROM:** CNP
**DATE:** 24 Feb 2009

**RE:** Certain agenda items from the 26 Feb 2009 CLV planning commission AGENDA

#15 VAR-31680 Seems to us this is to advertise to Freeway folks, we suggest YES provided on site residents are ok with it.

#16 VAR-31854 Same comment as #15.

#23, 24, and 25 We welcome this addition to our neighborhood and request your YES.

#32 SUP-33014 and #33 SDR-33013 related to ----16 & -----18 Oh, my this mixed use plan certainly looks like a 'dump' in the making. ZERO buffers to the North, West & South? Well, maybe a ROOF garden is planned?

#38 VAR-32995 & #39 SUP-32994 Maybe YES is ok but, please make sure they have an attractive Rainbow & Lake Mead "greenery".
Painted crosswalks on parking lots seem to not be included in some newer additions.

#40 VAR-32998 Of course, YES.

We appreciate your consideration regarding our concerns and suggestions for the livability and appearance of the above Planning Agenda items.

CHARLESTON NEIGHBORHOOD PRESERVATION
President June Ingram and Board

June Ingram
President CNP

Submitted after meeting
Date 2/28/09 Item 15

BOARD & ADVISORY MEMBERS
Dennis Ardine-Vicki Arnold-Dick Bratton-Juanita Clark- Miriam Een-Danielle Hanslip- Rose Honrath- June Ingram-Rick Johnson-
Gene & Pearl Lonardo- Joan Lynch- Dorothy Orr- Pamela Stancliffe- Marcus Gobel- Layne Rushforth- Jeanine Sweany-Jean Withers-Others

FEB-25-2009 05:23 FROM: TO:4740352 P.1/1

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

## *AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT*
### PLANNING COMMISSION MEETING OF: JULY 9, 2009

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

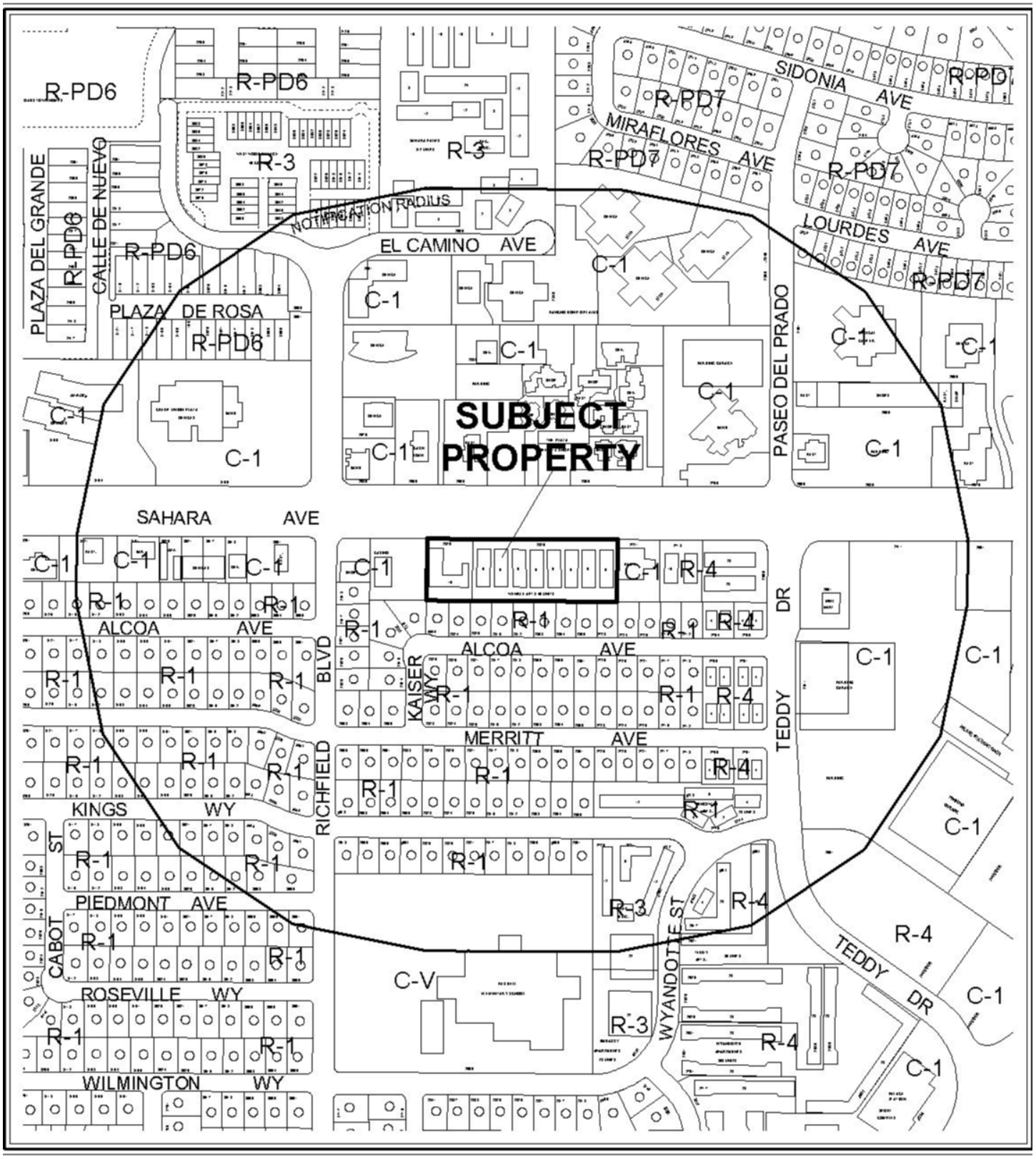
**SUBJECT:**
**VAR-34815 - VARIANCE - PUBLIC HEARING - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: SAHARA SUITES, LLC** - Request for a Variance TO ALLOW TEN EXISTING FREESTANDING SIGNS WHERE ONE IS ALLOWED; AND TO ALLOW A DISTANCE SEPARATION OF 50 TO 79 FEET WHERE 100 FEET FROM FREESTANDING SIGN TO FREESTANDING SIGN IS REQUIRED on 2.27 acres at 2825 and 2829 West Sahara Avenue (APNs 162-08-501-003 and 004), R-3 (Medium Density Residential) Zone, Ward 1 (Tarkanian) NOTE: BEFORE AMENDMENT THIS APPLICATION WAS IDENTIFIED AS VAR-31680

**C.C.: 08/05/2009**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **10** | **Planning Commission Mtg.** | **1** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
**DENIAL**

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards




0 300 600 Feet

**CASE:** **VAR-34815**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:** R-3 (MEDIUM DENSITY RESIDENTIAL)

N




0 300 600 Feet

**CASE:** **VAR-34815**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:** R-3 (MEDIUM DENSITY RESIDENTIAL)

N

City of Las Vegas

## AGENDA MEMO

**PLANNING COMMISSION MEETING DATE: JULY 9, 2009**
**DEPARTMENT: PLANNING AND DEVELOPMENT**
**ITEM DESCRIPTION: VAR-34815 - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: SAHARA SUITES, LLC**

## ** CONDITIONS **

**STAFF RECOMMENDATION:** **DENIAL.** If Approved, subject to:

***Planning and Development***

1. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. Any non-permitted signage not part of this Variance application shall be removed within ten (10) days of approval of this application.

3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

***Public Works***

4. The proposed signs shall not be located within the public right-of–way or interfere with Site Visibility Restriction Zones. The sign bases shall not be located within existing or proposed public sewer or drainage easements.

BTS

**VAR-34815 - Staff Report Page One**
**July 9, 2009 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

Note: This request was originally noticed as Variance (VAR-31680), but due to material changes in the request, it was re-noticed for the 07/09/09 Planning Commission meeting as Variance (VAR-34815).

There are a total of ten existing non-permitted signs on the subject site. The applicant is requesting a Variance to allow ten existing freestanding signs where one is allowed; and to allow a distance separation of 50 to 79 feet where 100 feet from freestanding to freestanding sign is required on 2.27 acres at 2825 and 2829 West Sahara Avenue. The applicant has presented no evidence of a unique or extraordinary circumstances and the request is deemed to be a self imposed hardship that could be rectified by proposing signage for the site that meets Title 19.14 standards. Due to the intensity and excessive number of signs requested with this application, staff cannot support this request and is recommending denial of the requested Variance.

### Issues

- The subject Variance was originally heard as Variance (VAR-31680). The applicant has since removed an illuminated 40-foot freestanding sign, but has failed to remove the other ten existing non-illuminated freestanding signs. The applicant has created a self-imposed hardship by proposing signage that exceeds the allowable number of freestanding signs and exceeds minimum sign separation requirements allowed by Title 19.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales*** | |
|---|---|
| 05/03/06 | A deed was recorded for a change of ownership was recorded at 2500 Teddy Drive and 2713 West Sahara Avenue. |
| 06/07/06 | A Code Enforcement citation (#43053) was issued at 2829 West Sahara Avenue for a broken drainage gutter overflowing and flooding near apartment #12. Code Enforcement closed the case on 06/15/06. |
| 06/19/06 | A Code Enforcement citation (#43556) was issued at 2829 West Sahara Avenue for a green pool. Code Enforcement closed the case on 06/29/06. |
| 06/30/06 | A Code Enforcement citation (#43964) was issued at 2825 West Sahara for leaking hot water heater that maintenance shut-off, broken toilet, no water for three days, and a toilet leaking water all over carpet. Code Enforcement closed the case on 07/03/06. |

| | |
|---|---|
| 07/26/06 | A Code Enforcement citation (#44862) was issued at 2829 West Sahara Avenue for a complaint of plumbing problems. Code Enforcement closed the case on 08/01/06. |
| 08/14/06 | A Code Enforcement citation (#45449) was issued at 2829 West Sahara Avenue for no water for several days, and tenants bathing in the swimming pool. Code Enforcement closed the case on 08/16/06. |
| 09/13/06 | A Code Enforcement citation (#46206) was issued at 2825 West Sahara Avenue for no hot water, problems with the air conditioning, the entry door not closing properly, and plumbing and electrical. Code Enforcement closed the case on 08/16/06. |
| 10/06/06 | A Code Enforcement citation (#46914) was issued at 2829 West Sahara Avenue for a dilapidated stairway. Code Enforcement closed the case on 11/02/06. |
| 01/05/07 | A Code Enforcement citation (#48987) was issued at 2829 West Sahara Avenue for electrical problems, no covers on electrical outlets, bugs, roof caving in, water leaks, mold, plumbing problems, mildew in bathroom and kitchen, carpet has a smell of mold, windows don't lock, and have no insulation. Code Enforcement closed the case on 02/14/07. |
| 12/18/08 | The Planning Commission approved a request by the applicant to have Variance (VAR-31680) held in abeyance until the January 22, 2009 Planning Commission meeting. |
| 01/22/09 | The Planning Commission approved a request by the applicant to have Variance (VAR-31680) held in abeyance until the February 26, 2009 Planning Commission meeting. |
| 02/26/09 | The Planning Commission approved a request by the applicant to have Variance (VAR-31680) tabled until a future Planning Commission meeting. |
| ***Related Building Permits/Business Licenses*** | |
| 1962 | The County Assessor's office indicates a construction date of 1962. |
| 04/09/04 | A building permit (#04008053) was issued for electrical repairs at 2829 West Sahara Avenue. The permit was finaled on 04/12/04. |
| 01/10/07 | A business license (#A07-00584) was re-issued for apartment rentals after a change in ownership at 2500 Teddy Drive. |
| ***Pre-Application Meeting*** | |
| 09/22/08 | A pre-application meeting was held where the submittal requirements and the following items were discussed:<br>• Existing non-permitted freestanding and A-frame signs were discussed.<br>• Code Enforcement actions and status on the subject site. |
| ***Neighborhood Meeting*** | |
| A neighborhood meeting is not required, nor was one held. | |

| *Field Check* | |
|---|---|
| 09/18/08 | A routine field check was conducted, and staff observed the nine five-foot non-permitted freestanding signs that are part of this Variance application. Staff also observed an additional non-permitted sign that is not part of this Variance application: a seven to eight-foot tall freestanding sign along the frontage road next to the pool area. The apartment complex appeared to have been recently painted. |
| 01/02/09 | A follow-up field check performed by staff revealed no changes from the prior field check performed on 09/18/08. |
| 06/04/09 | A field check was completed on the indicated date. Staff observed the following items.<br>• A total of ten non-permitted freestanding signs and one A-frame sign were identified on the subject site. |

| *Details of Application Request* | |
|---|---|
| ***Site Area*** | |
| Net Acres | 2.27 acres |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|---|---|---|---|
| Subject Property | Apartments | SC (Service Commercial) & H (High Density Residential) | R-3 (Medium Density Residential) |
| North | Shopping Center | SC (Service Commercial) | C-1 (Limited Commercial) |
| South | Single-Family Residential | L (Low Density Residential) | R-1 (Single Family Residential) |
| East | Restaurant | SC (Service Commercial) | C-1 (Limited Commercial) |
| West | Tavern | SC (Service Commercial) | C-1 (Limited Commercial) |

| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
|---|---|---|---|
| **Special Area Plan** | | X | N/A |
| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
| **Special Purpose and Overlay Districts** | X | | |
| A-O Airport Overlay District (175 Feet) | X | | Y |
| **Trails** | | X | N/A |
| **Rural Preservation Overlay District** | | X | N/A |
| **Development Impact Notification Assessment** | | X | N/A |
| **Project of Regional Significance** | | X | N/A |

## DEVELOPMENT STANDARDS

| (1) Nine-Foot Freestanding Sign | | | | (9) Seven-Foot Freestanding Signs | | |
|---|---|---|---|---|---|---|
| | **Required** | **Provided** | **Deviation** | **Required** | **Provided** | **Deviation** |
| **Maximum Number** | 1 per street frontage | 10 total | 900% | 1 per street frontage | 10 total | 900% |
| **Maximum Area** | 48 SF | 32 SF | N/A | 48 SF | 5.34 SF | N/A |
| **Maximum Height** | 12 Feet | 9 Feet | N/A | 12 Feet | 7 Feet | N/A |
| **Minimum Setback** | 5 Feet | 27 Feet | N/A | 5 Feet | 25 Feet | N/A |
| **Minimum Distance Separation** | 100 Feet | From East to West: 55, 50, 79, 50, 50, 50, 50, 50 and 52 Feet | 45%, N/A, 50%, 21% 50%, 50%, 50%, 50%, 50% and 48% | 100 Feet | From East to West: 55, 50, 79, 50, 50, 50, 50, 50 and 52 Feet | 45%, N/A, 50%, 21% 50%, 50%, 50%, 50%, 50% and 48% |

## ANALYSIS

The subject application is requesting a total of ten non-illuminated existing freestanding signs. These existing freestanding signs are double faced non-illuminated post mounted sign that carry a commercial message (i.e. company name and logo). These signs were posted without building permits and are positioned along the frontage road that separates the apartment complex from Sahara Avenue. There are nine existing seven-foot tall freestanding signs and one existing nine-foot tall freestanding signs. The signs fail to meet the 100-foot required minimum distance separation requirement and the maximum allowance of one freestanding sign per street frontage. The applicant is providing a minimum distance between freestanding signs of 50 to 79 feet. The percent of deviation ranges from 21% to 50%

## FINDINGS

In accordance with the provisions of Title 19.18.070(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.18.070L states:
"Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing signage that exceeds the number of freestanding signs and sign separation requirements allowed by Title 19. Alternative number of signs 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** 16

**ASSEMBLY DISTRICT** 10

**SENATE DISTRICT** 3

**NOTICES MAILED** 255

**APPROVALS** 1

**PROTESTS** 10

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-34815** APN: 162-08-501-003, 162-08-501-004

Name of Property Owner: Sahara Suites, LLC

Name of Applicant: Siegel Companies, Inc.

Name of Representative: Tabitha Fiddyment, Kummer 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: _____

Print Name: Stephen G. Siegel

Subscribed and sworn before me

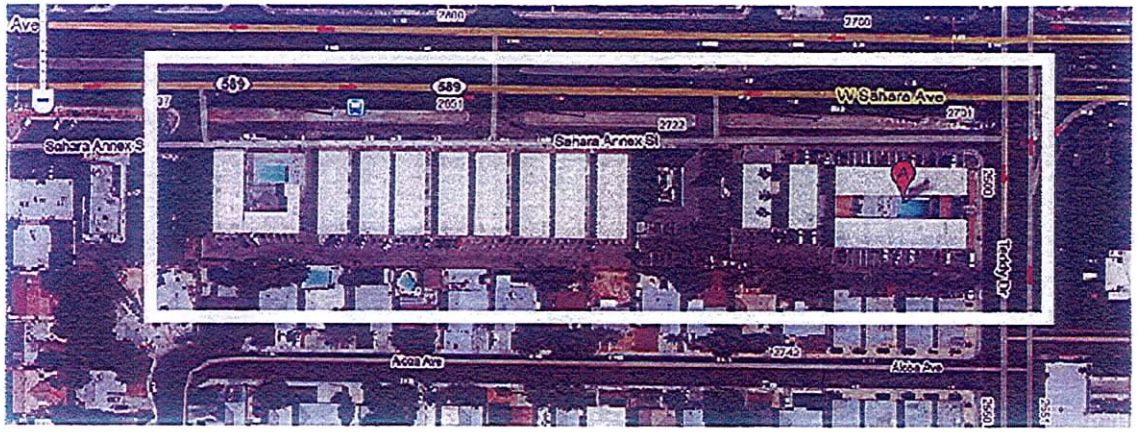
This 5th day of November, 2008

_____

Notary Public in and for said County and State

S. COUCH
Notary Public State of Nevada
No. 04-88092-1
My appt. exp. Jan. 25, 2012

# SIEGEL
# SUITES
## Sahara




*Las Vegas, Nevada*

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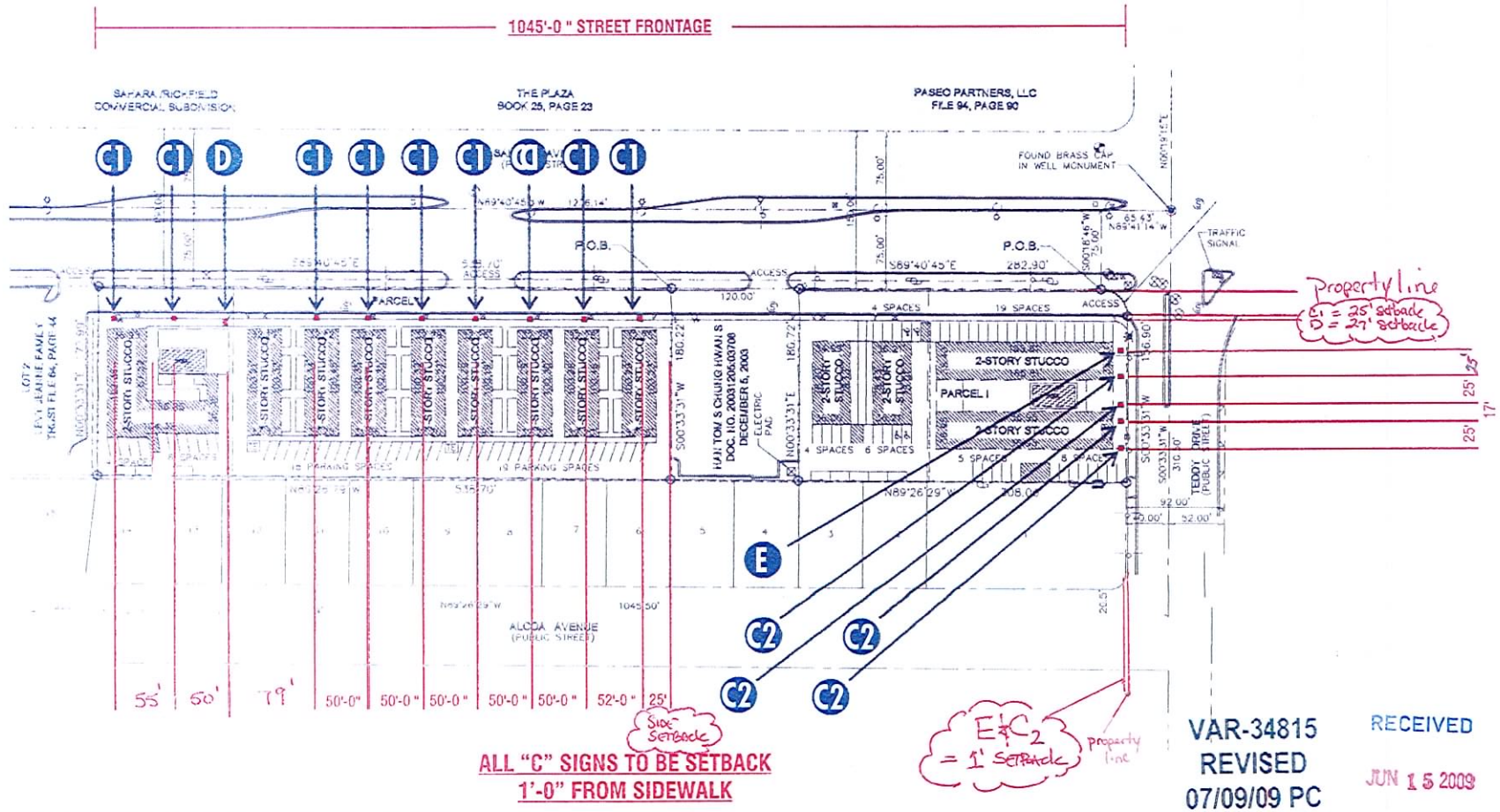
JUN 10 2009

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| JOB INFORMATION<br>SIEGEL SUITES<br>SAHARA<br>2500 TEDDY DRIVE<br>LAS VEGAS, NV | SALESPERSON<br>MARK WHITEHOUSE<br>DESIGNER<br>DAVID GREEN<br>SKETCH NO<br>SIEGEL09 | DATE<br>08-06-2008<br>VOLTAGE<br>VERIFY | PRIMARY ELECTRICAL TO SIGN LOCATIONS IS TO BE PROVIDED BY OTHERS. 20 AMP DEDICATED CIRCUIT(S) WITH NO SHARED NEUTRALS AND A GROUND RETURNING TO THE PANEL IS REQUIRED FOR ALL INSTALLATIONS.<br>COLORS REPRESENTED IN THIS DRAWING ARE FOR PRESENTATION PURPOSES ONLY. THEY MAY NOT MATCH YOUR FINISHED PRODUCT PERFECTLY. COLOR CALL-OUTS ARE FOR A MATCH AS CLOSE AS POSSIBLE.<br>THIS ORIGINAL DESIGN IS THE SOLE PROPERTY OF ULTRASIGNS. IT CANNOT BE REPRODUCED, COPIED OR EXHIBITED IN WHOLE OR PART, WITHOUT FIRST OBTAINING WRITTEN CONSENT FROM ULTRASIGNS.<br>THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN. | REVISION DATES<br>1 08-06-2008 DAG<br>2 08-22-2008 AT<br>3 08-25-2008 AT<br>4 10-06-2008 DAG<br>5 10-17-2008 DAG<br>6 11-05-2008 DAG<br>7 04-24-2009 DAG<br>8 04-29-2009 DAG<br>9<br>10 | CLIENT APPROVAL<br>Page 1 of 14 | ultrasigns<br>ELECTRICAL ADVERTISING<br>TEL: 858-569-1400 FAX: 858-569-1453<br>9025 BALBOA AVENUE, STE 150<br>SAN DIEGO, CA 92123-1520 |

**VAR-34815**
**07/09/09 PC**




**ALL "C" SIGNS TO BE SETBACK 1'-0" FROM SIDEWALK**

VAR-34815
REVISED
07/09/09 PC

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JOB INFORMATION
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**2500 TEDDY DRIVE**
**LAS VEGAS, NV**

SALESPERSON
MARK WHITEHOUSE
DESIGNER
DAVID GREEN
SKETCH NO
SIEGEL09

DATE
08-06-2008
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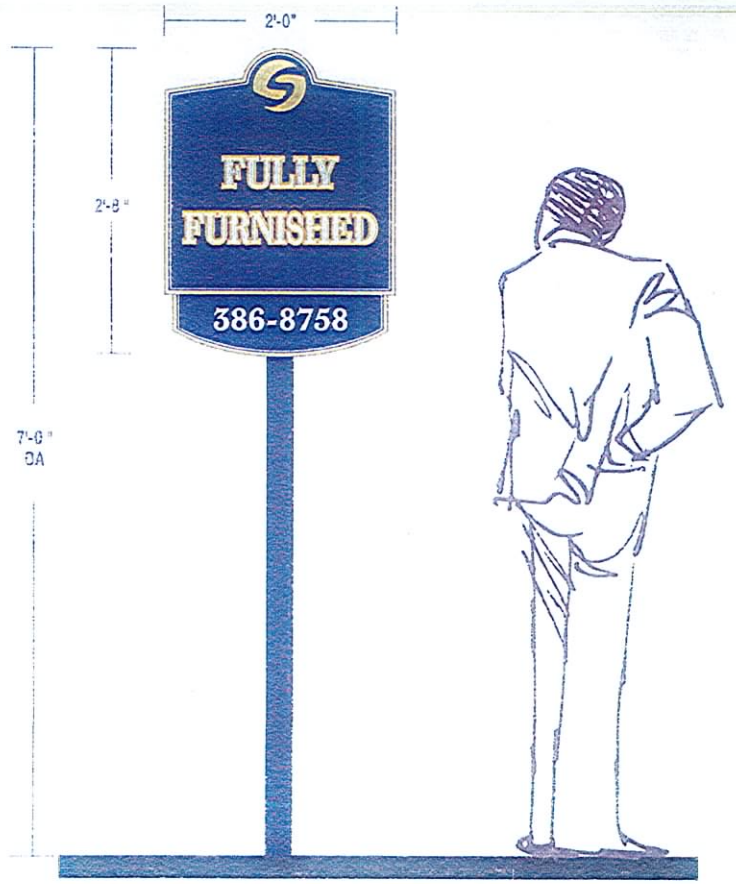
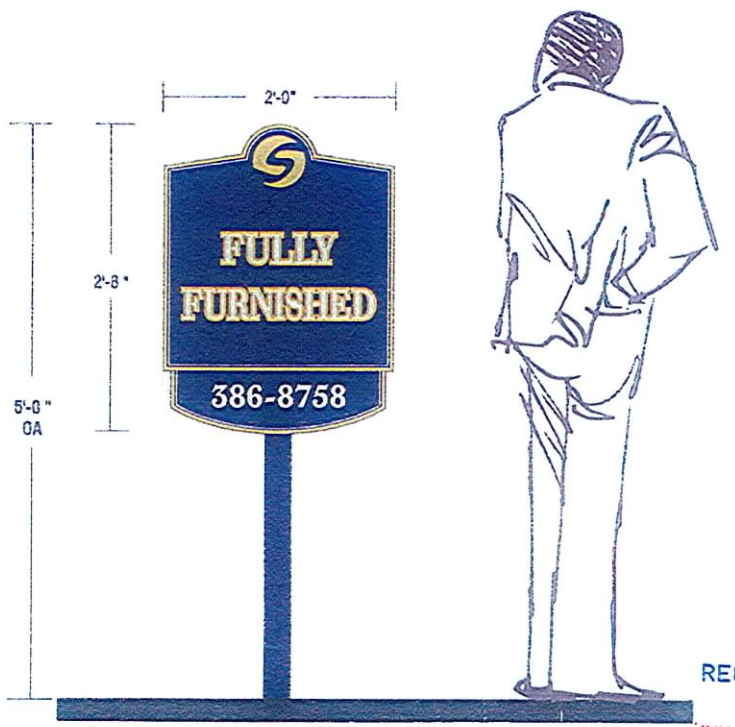



C1 DOUBLE FACED NON-ILLUMINATED POST MOUNTED DISPLAY
SCALE 1"=1'




C2 DOUBLE FACED NON-ILLUMINATED POST MOUNTED DISPLAY
SCALE 1"=1'

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SAHARA
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LAS VEGAS, NV

SALESPERSON
MARK WHITEHOUSE
DESIGNER
DAVID GREEN
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VAR-34815
07/09/09 PC




D DOUBLE FACED NON-ILLUMINATED WOOD SIGN WITH GRAPHICS
SCALE 1/2" = 1'

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JOB INFORMATION
SIEGEL SUITES
SAHARA
2500 TEDDY DRIVE
LAS VEGAS, NV

SALESPERSON
MARK WHITEHOUSE
DESIGNER
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E DOUBLE FACED NON-ILLUMINATED WOOD SIGN WITH GRAPHICS
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RECEIVED
JUN 10 2009

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SIEGEL SUITES
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VAR-34815
07/09/09 PC

| SIGN TYPE | # | ILLUMINATED | STYLE | SQ. FT. |
|---|---|---|---|---|
| C1 / C2 | 13 | NO | FREESTANDING | 6 |
| D | 1 | NO | FREESTANDING | 32 |
| E | 1 | NO | FREESTANDING | 20 |

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SIGN ANALYSIS TABLE

JOB INFORMATION
SIEGEL SUITES
SAHARA
2500 TEDDY DRIVE
LAS VEGAS, NV

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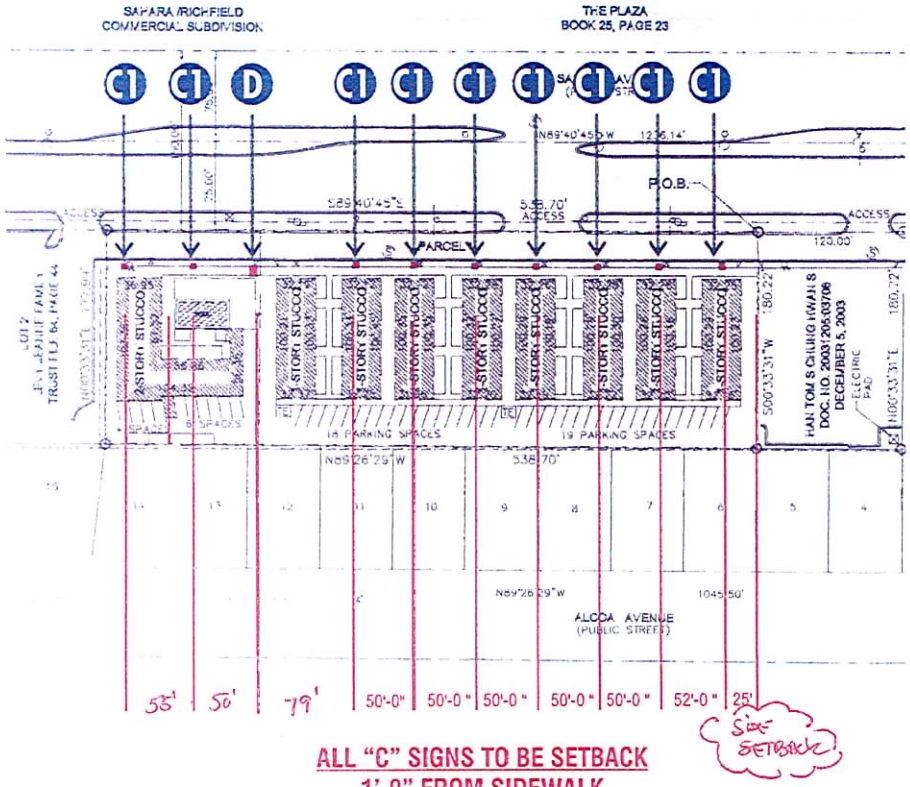


**ALL "C" SIGNS TO BE SETBACK 1'-0" FROM SIDEWALK**

NORTH

SCALE 1" = 100'

## SIEGEL ALT 2

VAR-34815
REVISED
07/09/09 PC

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JOB INFORMATION
SIEGEL SUITES
SAHARA
2500 TEDDY DRIVE
LAS VEGAS, NV

SALESPERSON
MARK WHITEHOUSE
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DAVID GREEN
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C1 DOUBLE FACED NON-ILLUMINATED POST MOUNTED DISPLAY
SCALE 1"=1'

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SIEGEL ALT 2

JOB INFORMATION
SIEGEL SUITES
SAHARA
2500 TEDDY DRIVE
LAS VEGAS, NV

SALESPERSON
MARK WHITEHOUSE
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SKETCH NO
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CLIENT APPROVAL



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VAR-34815
07/09/09 PC




(D) DOUBLE FACED NON-ILLUMINATED WOOD SIGN WITH GRAPHICS
SCALE 1/2"=1'

RECEIVED
JUN 10 2009

SIEGEL ALT 2

JOB INFORMATION
SIEGEL SUITES
SAHARA
2500 TEDDY DRIVE
LAS VEGAS, NV

SALESPERSON
MARK WHITEHOUSE
DESIGNER
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SKETCH NO
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VAR-34815
07/09/09 PC

| SIGN TYPE | # | ILLUMINATED | STYLE | SQ. FT. |
|---|---|---|---|---|
| C1 | 9 | NO | FREESTANDING | 6 |
| D | 1 | NO | FREESTANDING | 32 |

SIGN ANALYSIS TABLE

RECEIVED

JUN 10 2009

SIEGEL ALT 1

JOB INFORMATION
SIEGEL SUITES
SAHARA
2500 TEDDY DRIVE
LAS VEGAS, NV

SALESPERSON
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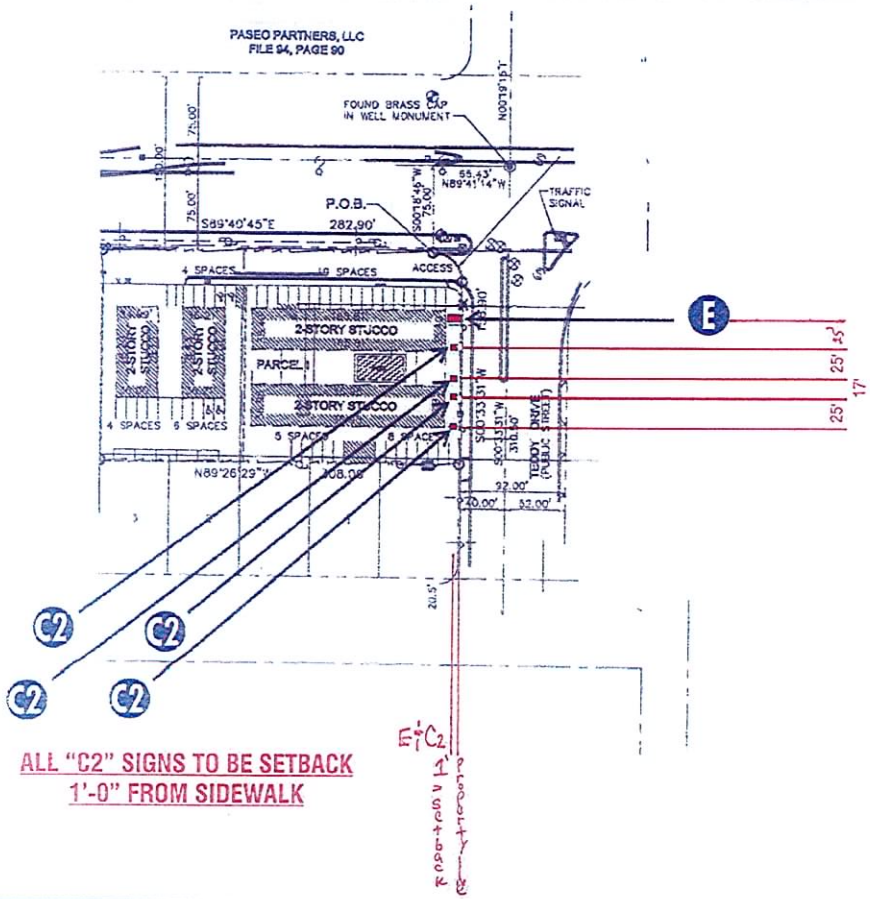


ALL "C2" SIGNS TO BE SETBACK
1'-0" FROM SIDEWALK

NORTH

SCALE 1"=100'

SIEGEL ALT 2

RECEIVED

JUN 10 2009

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COLORS REPRESENTED IN THIS DRAWING ARE FOR PRESENTATION PURPOSES ONLY. THEY MAY NOT MATCH YOUR FINISHED PRODUCT PERFECTLY. COLOR CALL-OUTS ARE FOR A MATCH AS CLOSE AS POSSIBLE.

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THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

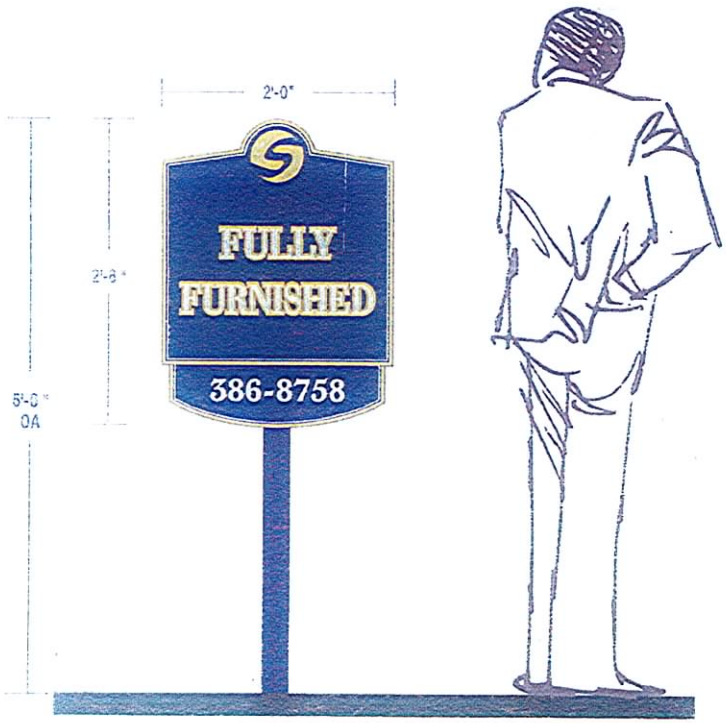
REVISION DATES
1. 08-06-2008 DAG
2. 08-22-2008 AT
3. 08-25-2008 AT
4. 10-06-2008 DAG
5. 10-17-2008 DAG
6. 11-05-2008 DAG
7. 04-24-2009 DAG
8. 04-29-2009 DAG
9.
10.

CLIENT APPROVAL



ultrasigns
ELECTRICAL ADVERTISING
TEL: 858-569-1400 FAX: 858-569-1453
9025 BALBOA AVENUE, STE 150
SAN DIEGO, CA 92123-1520

VAR-34815
07/09/09 PC




DOUBLE FACED NON-ILLUMINATED POST MOUNTED DISPLAY
SCALE 1"=1'

RECEIVED
JUN 10 2009

## SIEGEL ALT 2

JOB INFORMATION
SIEGEL SUITES
SAHARA
2500 TEDDY DRIVE
LAS VEGAS, NV

SALESPERSON
MARK WHITEHOUSE
DESIGNER
DAVID GREEN
SKETCH NO
SIEGEL09

DATE
08-06-2008
VOLTAGE
VERIFY

PRIMARY ELECTRICAL TO SIGN LOCATIONS IS TO BE PROVIDED BY OTHERS. 20 AMP DEDICATED CIRCUIT(S) WITH NO SHARED NEUTRALS AND A GROUND RETURNING TO THE PANEL IS REQUIRED FOR ALL INSTALLATIONS.

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10.

CLIENT APPROVAL



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VAR-34815
07/09/09 PC




E DOUBLE FACED NON-ILLUMINATED WOOD SIGN WITH GRAPHICS
SCALE 1/2"=1'

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SIEGEL ALT 2

JOB INFORMATION
SIEGEL SUITES
SAHARA
2500 TEDDY DRIVE
LAS VEGAS, NV

SALESPERSON
MARK WHITEHOUSE
DESIGNER
DAVID GREEN
SKETCH NO
SIEGEL09

DATE
08-06-2008
VOLTAGE
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SAN DIEGO, CA 92123-1520

VAR-34815
07/09/09 PC

| SIGN TYPE | # | ILLUMINATED | STYLE | SQ. FT. |
|---|---|---|---|---|
| C2 | 4 | NO | FREESTANDING | 6 |
| E | 1 | NO | FREESTANDING | 20 |

SIGN ANALYSIS TABLE

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SIEGEL ALT 2

JOB INFORMATION
SIEGEL SUITES
SAHARA
2500 TEDDY DRIVE
LAS VEGAS, NV

SALESPERSON
MARK WHITEHOUSE
DESIGNER
DAVID GREEN
SKETCH NO
SIEGEL09

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VOLTAGE
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9025 BALBOA AVENUE, STE 150
SAN DIEGO, CA 92123-1520

VAR-34815
07/09/09 PC




VAR-34815 - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: SAHARA SUITES, LLC
2825 AND 2829 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

06/04/09




VAR-34815 - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: SAHARA SUITES, LLC
2825 AND 2829 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

06/04/09




VAR-34815 - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: SAHARA SUITES, LLC
2825 AND 2829 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

06/04/09

ultrasigns
ELECTRICAL ADVERTISING

## JUSTIFICATION LETTER

**Date:** 11/10/08

**To:** City of Las Vegas Planning & Development
731 S. 4th Street
Las Vegas, NV 89101

**From:** Mark Whitehouse

**Attn:** Planning/Development Department

**Re:** Master Sign Plan including a variance for Siegel Suites Sahara.
SIEGEL 1 (parcel #s ending in 003 & 004)

**To Whom It May Concern:**

On behalf of Siegel Suites Casa Palms located at 2500 Teddy Dr. Las Vegas, NV 89102, Ultrasigns Electrical Advertising will be filing a *Master Sign Plan*.

This package will incorporate all signage on the property and request the following variances.

-To allow 10 freestanding signs where 2 are allowed.
-To reduce separation distances between signs as per site plan where 100' is required.
-To reduce setback distance on all signs to 1' where 5' is required.
-To increase square footage of 1 freestanding signs to 392' where 48' on each is allowed.
-To increase sign height on 1 freestanding sign to 40' where 12' is permitted.

Thanks for your kind consideration of this matter.

Sincerely,

Mark Whitehouse
Ultrasigns, Inc.
(702) 336-3336

RECEIVED
NOV 10 2008

**VAR-34815**
**07/09/09 PC**

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.41⁴
0004279218 JUN 26 2009
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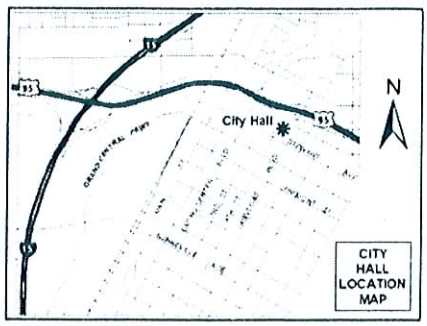


If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-31680 & VAR-34815**

Planning Commission Meeting of 7/9/2009

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JUN 30 2009

Case: VAR-31680

16205416016
KAKER FRANK
P O BOX 28518
LAS VEGAS NV 89126-2518

Jokara is junky enough now, we don't need another ugly billboard!

DAVIS11 89126

8P

City of Las Vegas
Planning & Development Department
Development Services Center
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Las Vegas, Nevada 89101-2986

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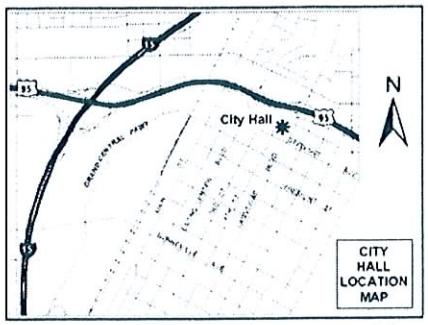


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☒ I OPPOSE this Request

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**VAR-31680 & VAR-34815**

Planning Commission Meeting of 7/9/2009

Case: VAR-31680

16205815023
HAIGH TRUST
2613 LOURDES AVE
LAS VEGAS NV 89102-4306

8P

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Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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0004279218 JUN 26 2009
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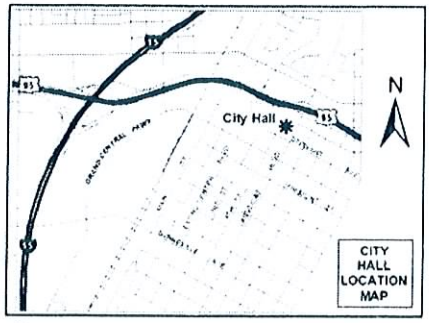


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☒ I OPPOSE this Request

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**VAR-31680 & VAR-34815**
Planning Commission Meeting of 7/9/2009

No!

Case: VAR-31680
16208511038
OEHLER C F FAMILY TRUST
2824 MERRITT AVE
LAS VEGAS NV 89102-6087

DAVIS11 89102

OP

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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FIRST CLASS
$ 00.41[4]
JUN 26 2009
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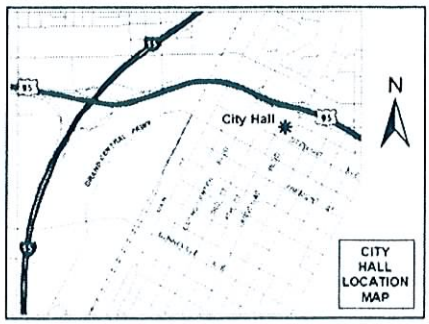


This is one big eyesore virtually on my Homes front yard. Please don't pass this.

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JUN 30 2009

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**VAR-31680 & VAR-34815**

Planning Commission Meeting of 7/9/2009

Case: VAR-31680
16208111017
CAPUTO ROSE MARY
4521 EXPOSITION AVE
LAS VEGAS NV 89102-1545

DAUDP11 A910E

BP

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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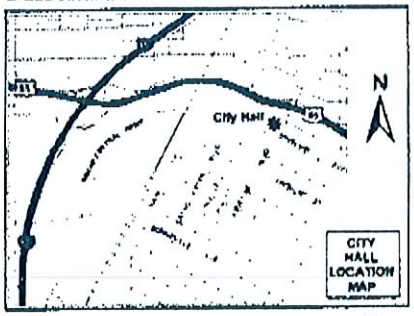


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**VAR-31680 & VAR-34815**
Planning Commission Meeting of 7/9/2009

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Case: VAR-31680
16208511013
BURNS JUDITH T TRUST
2804 ALCOA AVE
LAS VEGAS NV 89102-6023

DEVDS11 A910E

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Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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0004278218 JUN 26 2009
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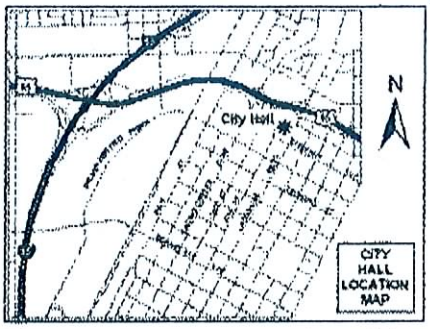


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**VAR-31680 & VAR-34815**

Planning Commission Meeting of 7/9/2009

Case: VAR-31680

16208511029
MARTIN LILLIAN KATHERINE
2801 ALCOA AVE
LAS VEGAS NV 89102-6025

89102

BP

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Planning & Development Department
Development Services Center
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Las Vegas, Nevada 89101-2986

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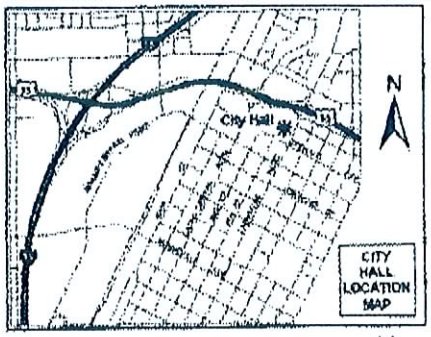


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☒ OPPOSE this Request

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**VAR-31680 & VAR-34815**

Planning Commission Meeting of 7/9/2009

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Case: VAR-31680
16208111009
LEA JAMES B & JOY J
11001 PINE KNOLLS CT
LAS VEGAS NV 89144-1652

DAVIS11 89144

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Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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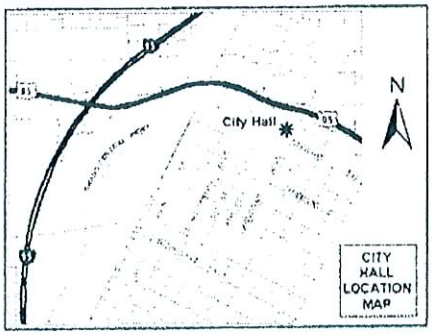


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**VAR-31680 & VAR-34815**

Planning Commission Meeting of 7/9/2009

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Case: VAR-31680
16208114033
BORDENAVE EDWARD A JR & LOUISE O
3013 KINGS WAY
LAS VEGAS NV 89102-5925

8P

Page 1

City of Las V... ...gas
Planning & L... ...velopment Department
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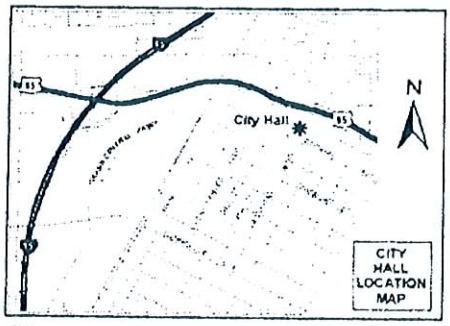
731 S. Fourt... ...treet
Las Vegas, N... ...ada 89101-2986

**Return Service Requested**
**Official Notice of Public Hearing**

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use a... ...ailable blank space on card for your comments.

**VAR-3168(... & VAR-34815**

Planning C... ...mmission Meeting of 7/9/2009

16208114033
BORDENAVE EDWARD
3013 KINGS WAY
LAS VEGAS NV 89102-5

DAVDP11 89102

06/29/09 3:59 PM

8P

FROM :TIMON S.GREENE FAX NO. :7028715924 Jun. 29 2009 05:36PM P1

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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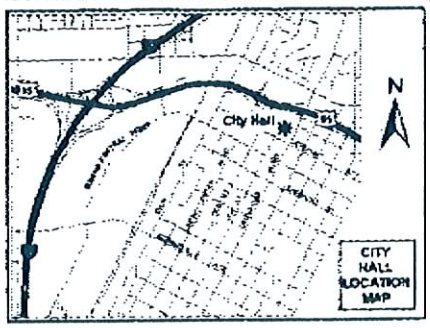


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**VAR-31680 & VAR-34815**

Planning Commission Meeting of 7/9/2009

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Case: VAR-31680
16205415027
GREENE TIMON S
3022 EL CAMINO AVE #27
LAS VEGAS NV 89102-4056

8910234056 89030 2

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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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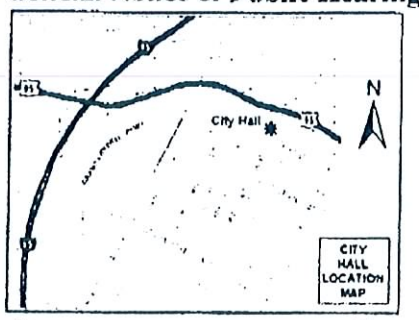


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[X] I SUPPORT this Request  [ ] I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-31680 & VAR-34815**

Planning Commission Meeting of 7/9/2009

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Case: VAR-31680
16208501002
LEVY JEANNE FAMILY TRUST
7800 SILVER PLATEAU AVE
LAS VEGAS NV 89128-2655

8A

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

## *AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT*
### PLANNING COMMISSION MEETING OF: JULY 9, 2009

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

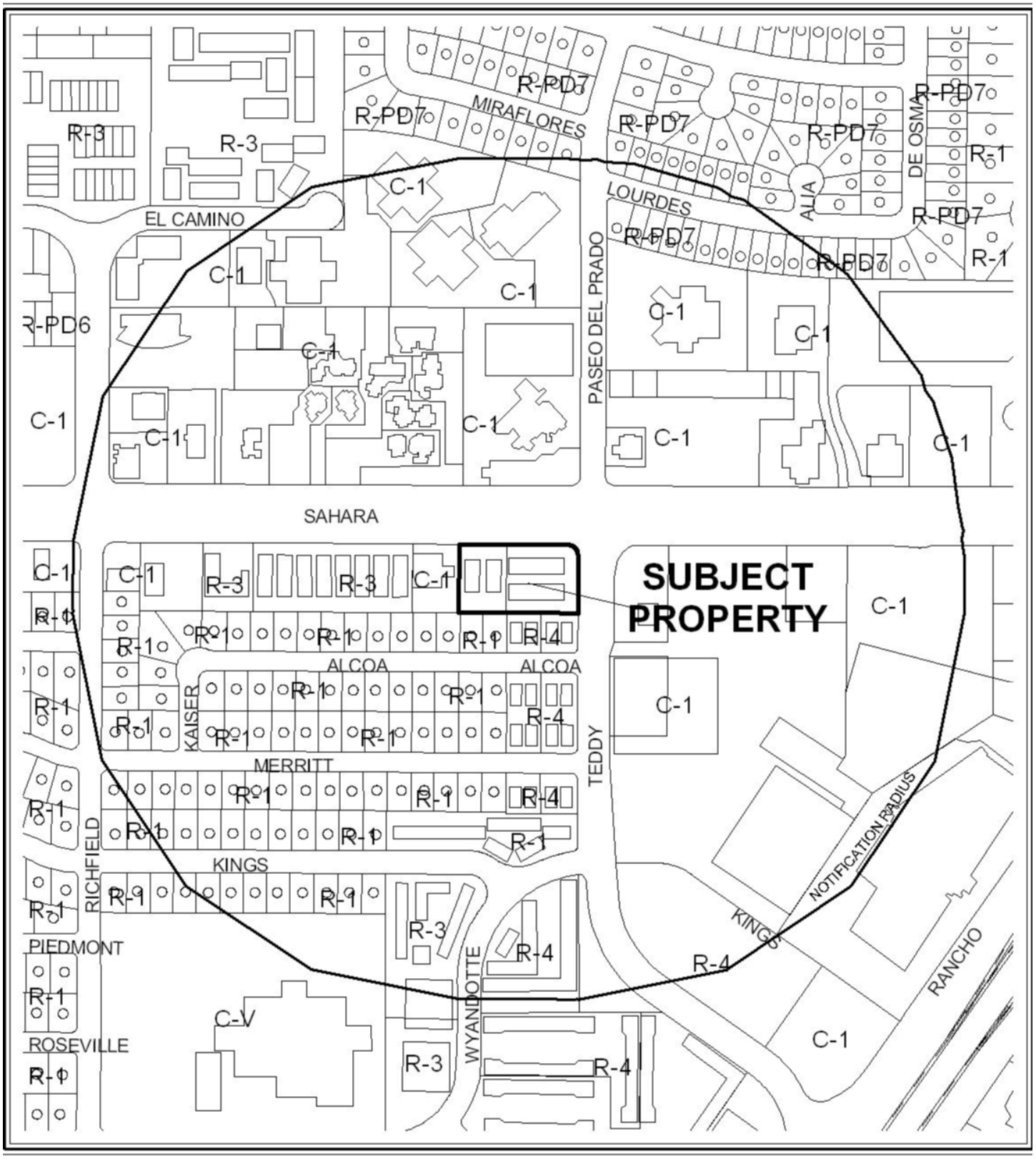
**SUBJECT:**
**TABLED - RENOTIFICATION - VAR-31854 - VARIANCE RELATED TO VAR-31680 - PUBLIC HEARING - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: SAHARA SUITES, LLC** - Request for a Variance TO ALLOW A PROPOSED 60-FOOT TALL FREESTANDING SIGN WHERE 12 FEET IS THE MAXIMUM HEIGHT ALLOWED; TO ALLOW A PROPOSED 60-FOOT TALL FREESTANDING SIGN TO HAVE A 537 SQUARE-FOOT SIGN FACE WHERE 48 SQUARE FEET IS THE MAXIMUM ALLOWED; TO ALLOW A PROPOSED 60-FOOT TALL FREESTANDING SIGN TO HAVE A ZER0-FOOT SETBACK WHERE FIVE FEET IS REQUIRED; TO ALLOW A PROPOSED 60-FOOT TALL FREESTANDING SIGN TO HAVE AN ELECTRONIC MESSAGE BOARD, BARE BULBS, AND EXPOSED NEON APPROXIMATELY 145 FEET FROM A RESIDENTIALLY ZONED PROPERTY WHERE RESIDENTIAL PROTECTION STANDARDS REQUIRE 200 FEET; TO ALLOW FOUR EXISTING FIVE-FOOT TALL FREESTANDING SIGNS TO HAVE A ONE-FOOT SETBACK WHERE FIVE FEET IS REQUIRED; TO ALLOW FOUR EXISTING FIVE-FOOT TALL FREESTANDING SIGNS AND ONE PROPOSED 60-FOOT TALL FREESTANDING SIGN WHERE ONE PER STREET FRONTAGE IS THE MAXIMUM ALLOWED; AND TO ALLOW A DISTANCE SEPARATION OF LESS THAN 100 FEET BETWEEN FREESTANDING SIGN TO FREESTANDING SIGN on 1.29 acres at 2500 Teddy Drive and 2713 West Sahara Avenue (APNs 162-08-501-006 and 007), R-4 (High Density Residential) Zone, Ward 1 (Tarkanian). NOTE: THIS APPLICATION WAS AMENDED AND RENOTIFIED AS VAR-34816

**C.C.: 08/05/2009**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **16** | **Planning Commission Mtg.** | **3** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
**STRIKE**

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards and Support Letter




**CASE:** **VAR-31854**

**RADIUS:** 1000 FT

0 500 Feet

**ZONING OF SUBJECT PROPERTY:** R-4 (HIGH DENSITY RESIDENTIAL)

N




**CASE:** **VAR-31854**

**RADIUS:** 1000 FT

0 500 Feet

**ZONING OF SUBJECT PROPERTY:** R-4 (HIGH DENSITY RESIDENTIAL)

N

City of Las Vegas

## *AGENDA MEMO*

**PLANNING COMMISSION MEETING DATE: JULY 9, 2009**
**DEPARTMENT: PLANNING AND DEVELOPMENT**
**ITEM DESCRIPTION: TABLED - RENOTIFICATION - VAR-31854 - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: SAHARA SUITES, LLC**

## ** CONDITIONS **

**STAFF RECOMMENDATION:** **DENIAL.** If Approved, subject to:

***Planning and Development***

1. 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.

2. Any non-permitted signage not part of this Variance application shall be removed within ten (10) days of approval of this application.

3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

***Public Works***

4. The proposed signs shall not be located within the public right-of–way or interfere with Site Visibility Restriction Zones. The sign bases shall not be located within existing or proposed public sewer or drainage easements.

**VAR-31854 - Staff Report Page One**
**July 9, 2009 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The applicant is requesting a Variance to allow a proposed 60-foot tall freestanding sign where 12 feet is the maximum height allowed; a Variance to allow for the proposed 60-foot tall freestanding sign to have 537 square feet of sign face area where 48 square feet is the maximum allowed; a Variance to allow the proposed 60-foot tall freestanding sign to be set back zero feet where five feet is required; a Variance to allow the proposed 60-foot tall freestanding sign to have an electronic message board, bare bulbs, and exposed neon approximately 145 feet from a residentially zoned property where Residential Protection Standards require 200 feet; a Variance to allow four existing five-foot tall freestanding signs and one proposed 60-foot tall freestanding sign where one freestanding sign per street frontage is the maximum allowed; a Variance to allow a distance separation of less than the minimum required 100 feet between freestanding sign to freestanding sign; and a Variance to allow a one-foot setback for the four existing five-foot tall freestanding signs where five feet is the minimum required on 1.29 acres at 2500 Teddy Drive and 2713 West Sahara Avenue. The Variances requested represent a 27 to a 1,019 percent deviation from the Title 19 standard.

This is a self imposed hardship that could be easily rectified by proposing signage for the site that meets Title 19.14 standards. Due to the intensity and excessive number (seven in total) of Variances requested with this application, staff cannot support this request and is recommending denial of all Variances requested.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 01/06/05 | Code Enforcement processed a complaint (#24947) for a leak in the apartment causing the floors, walls, and ceiling to be wet. Tenant suspects mold to be present at 2500 Teddy Drive. The case was resolved on 01/10/05. |
| 06/08/06 | Code Enforcement processed a complaint (#43089) about flooding in an apartment upstairs causing an odor. This is affecting a senior, a child, and a handicap person at 2500 Teddy Drive. |
| 07/11/06 | Code Enforcement processed a complaint (#44360) for bedroom carpet being wet and smelly from sewage leaking from upstairs apartment. Management is aware and is not helping at 2500 Teddy Drive. The case was resolved on 08/09/06. |
| 08/02/06 | Code Enforcement processed a complaint (#45089) for dumpsters belonging to the apartment complex being positioned up against a block wall right next to the adjacent single-family homes. Vagrants are sifting through the dumpsters leaving trash and debris everywhere. There is no enclosure for the dumpster and they may need additional dumpsters at 2500 Teddy Drive. The case was resolved on 08/22/06. |

| | |
|---|---|
| 08/22/06 | Code Enforcement processed a complaint for the water to the entire building being shut-off at 2500 Teddy Drive. The case was resolved on 08/22/06. |
| 08/31/06 | Code Enforcement processed a complaint (#45922) for the apartment dumpsters not being in an enclosure and being pushed against the wall causing the adjacent residents within the single-family homes to not be able to go into their backyards because of the smell at 2500 Teddy Drive. The case was resolved on 11/07/06. |
| 09/06/06 | Code Enforcement processed a complaint (#46034) for the apartment complex dumpsters being pushed against the wall adjacent to single-family homes causing the residents to stay in their homes and out of their backyards because of the smell. Vagrants are also sifting through the dumpsters. The complex also killed the oleander trees and grass at 2500 Teddy Drive. The case was resolved on 09/20/06. |
| 05/10/07 | Code Enforcement processed a complaint (#53173) for trash and debris along the destroyed fence at 2500 Teddy Drive. The case was resolved on 05/25/07. |
| 12/18/08 | The Planning Commission approved a request by the applicant to have Variance (VAR-31854) to be held in abeyance until the January 22, 2009 Planning Commission meeting. |
| 01/22/09 | The Planning Commission approved a request by the applicant to have Variance (VAR-31854) to be held in abeyance until the February 26, 2009 Planning Commission meeting. |
| ***Related Building Permits/Business Licenses*** | |
| 1962 | Building constructed. |
| 07/10/06 | Business Licensing received a complaint of an un-licensed childcare (#U66-96722) at 2713 West Sahara Avenue, Apartment #15. An investigation was performed on 07/07/06 and the complaint was substantiated. During a follow-up investigation on 09/01/06, the complaint subject was observed watching two children and was given a verbal cease and desists. The case was closed on 09/01/06. |
| 01/10/07 | A business license (#A07-00584) was re-issued for apartment rentals after a change of ownership at 2500 Teddy Drive. |
| 01/07/08 | A building permit (#105220) was issued to repair vehicle damage at 2500 Teddy Drive. The permit is still open. |
| ***Pre-Application Meeting*** | |
| 09/22/08 | A pre-application meeting was held where the submittal requirements for a sign Variance were discussed. |
| ***Neighborhood Meeting*** | |
| A neighborhood meeting was not required, nor was one held. | |

| ***Field Check*** | |
|---|---|
| 09/18/08 | A routine field check was conducted, and staff observed the four five-foot non-permitted freestanding signs that are part of this Variance application. Staff also observed two additional non-permitted signs that are not part of this Variance application: a seven to eight-foot tall freestanding sign along Teddy Drive, and a sandwich board type sign positioned on the median that separates Sahara Avenue and the frontage road. The apartment complex appeared to have been recently painted and artificial grass had been installed along Teddy Drive. |
| 01/02/09 | A follow-up field check performed by staff revealed no changes from the prior field check performed on 09/18/08. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 1.29 |

| **Surrounding Property** | **Existing Land Use** | **Planned Land Use** | **Existing Zoning** |
|---|---|---|---|
| Subject Property | Apartments | SC (Service Commercial) & H (High Density Residential) | R-4 (High Density Residential) |
| North | Bank | SC (Service Commercial) | C-1 (Limited Commercial) |
| South | Apartments | H (High Density Residential) | R-4 (High Density Residential) |
| East | Convenience Store | SC (Service Commercial) | C-1 (Limited Commercial) |
| West | Restaurant | SC (Service Commercial) | C-1 (Limited Commercial) |

| ***Special Districts/Zones*** | ***Yes*** | ***No*** | ***Compliance*** |
|---|---|---|---|
| **Special Area Plan** | | X | N/A |
| ***Special Districts/Zones*** | ***Yes*** | ***No*** | ***Compliance*** |
| **Special Purpose and Overlay Districts** | X | | Y |
| A-O (Airport Overlay) District – 175 Feet | X | | Y |
| **Trails** | | X | N/A |
| **Rural Preservation Overlay District** | | X | N/A |
| **Development Impact Notification Assessment** | | X | N/A |
| **Project of Regional Significance** | | X | N/A |

**A-O Airport Overlay District – 175 feet**

No structure shall be erected, altered or maintained on any parcel within the boundaries of the Airport Overlay District that would violate the height limitations defined by the McCarran Airport Overlay Map and the North Las Vegas Airport Overlay Map. The subject site is within the 175-foot contour limitations and does not violate the height limitations set forth by the Airport Overlay District as the proposed signage does not exceed the height limitation of 175 feet.

**DEVELOPMENT STANDARDS**

| **Freestanding Signs:** [Proposed 60-Foot Freestanding Sign] | | |
|---|---|---|
| **Standards** | **Allowed** | **Provided** |
| Maximum Number | 1 per Street Frontage | 5 total* |
| Maximum Area | 48 SF | 537 SF** |
| Maximum Height | 12 Feet | 60 Feet*** |
| Minimum Setback | 5 Feet | Zero Feet**** |
| Illumination | Internal and external illumination. In addition, signs over 200 feet from any existing residential property or from property which is designated in the General Plan for future residential development may be animated or contain an electronic message unit. | Proposed 60-foot tall freestanding sign with internal illumination, an electronic message unit, bare bulbs, and exposed neon approximately 145 feet from residentially zoned property.***** |

* The applicant is requesting a Variance to allow one proposed 60-foot tall freestanding sign and four existing five-foot tall freestanding signs for a total of five freestanding signs.

**The applicant is requesting a Variance to allow a proposed 60-foot tall freestanding sign with a face area of 537 square feet where 48 square feet is the maximum area allowed.

***The applicant is requesting a Variance to allow a proposed 60-foot tall freestanding sign where 12 feet is the maximum height allowed.

****The applicant is requesting a Variance to allow a zero-foot setback for the proposed 60-foot tall freestanding sign where five feet is required.

*****The applicant is requesting a Variance to allow an electronic message board, bare bulbs, and exposed neon on the proposed 60-foot tall freestanding sign approximately 145 feet from a residentially zoned property where Residential Protection Standards require 200 feet.

| **Freestanding Signs:** [Four, Existing Five Freestanding Signs] | | |
|---|---|---|
| **Standards** | **Allowed** | **Provided** |
| Maximum Number | 1 per Street Frontage | 5 total* |
| Maximum Area | 48 SF | 5.34 SF |
| Maximum Height | 12 Feet | 5 Feet |
| Minimum Setback | 5 Feet | 1-Foot** |
| Illumination | Internal and External Illumination. | No Illumination |

* The applicant is requesting a Variance to allow for one proposed 60-foot tall freestanding sign and four existing five-foot tall freestanding signs for a total of five freestanding signs.

**The applicant is requesting a Variance to allow a one-foot setback where five feet is the minimum setback required for the four existing five-foot tall freestanding signs.

| **Variances** | | |
|---|---|---|
| **Request** | **Requirement** | **Staff Recommendation** |
| One Proposed 60-Foot Tall Freestanding Sign | 12-Foot Freestanding Sign | Denial |
| 60-Foot Tall Freestanding Sign with 537 SF Sign Face | 48 SF | Denial |
| Zero-Foot Setback for Proposed 60-Foot Tall Freestanding Sign | 5 Feet | Denial |
| Five Freestanding Signs | One Freestanding Sign | Denial |
| One-Foot Setback for Four Existing Five-Foot Tall Freestanding Signs | 5 Feet | Denial |
| Less Than 100-Foot Distance Separation between Freestanding Signs | 100 Feet | Denial |
| Approximately 145-Foot Residential Protection for Electronic Message Board, bare bulbs, and Exposed Neon | 200-Foot Residential Protection Standard for Electronic Message Board, Bare Bulbs, and Exposed Neon | Denial |

## ANALYSIS

- **Proposed 60-Foot Freestanding Sign**

  The applicant has requested a Variance to allow for a 60-foot tall freestanding sign to be constructed at the northeast corner of the site adjacent to Teddy Drive where 12 feet in height is the maximum allowed. An additional Variance has been requested to allow for this sign to have a sign face of 537 square feet where 48 square feet is the maximum allowed. The proposed sign would have an aluminum base and pole covered with simulated stucco. The proposed elevation shows the base of the sign being painted a dark brown and the pole of the sign being painted a light tan. The sign face itself would be an aluminum faced cabinet with a map satin finish colored reflex blue with animated vertical lines of blue neon to be on a 3 point flashing chaser. The sign will also have steadily burning White, Yellow Gold II and Horizon Blue Neon trim around the sign and incorporated throughout the face of the sign with the lettering. The word "Sahara" would be lit with incandescent bare bulbs. Approximately 21 feet from the base of the sign, below the sign face, would be a four-foot tall aluminum faced animated LED display (reader board). The proposed height of the sign represents a 400 percent deviation and the proposed sign face represents a 1,019 percent deviation from code standard.

  In addition, the applicant has requested a Variance from the Residential Protection Standards. Directly south of the subject site are apartments located within an R-4 (High density Residential) zoning district and single-family residences located within an R-1 (Single Family Residential) zoning district. Title 19.14 states that, "If the sign is located more than 40 feet from the property planned or zoned for residential use but within 200 feet of such property and the sign is or will be visible from such property, it may be interior-lit or lighted with direct white light, but it shall not contain bare bulbs, exposed neon tube, animation or a electronic message unit." The proposed 60-foot freestanding sign contains all of the above mentioned; bare bulbs, exposed neon tube, animation, and an electronic message board. The installation of a freestanding sign containing these elements is in violation of the Title 19.14 Residential Protection Standards, as well as creates a visual intrusion into the adjacent neighbors that are approximately 145 feet away from this proposed sign.

- **Four (4) Existing Five-Foot Freestanding Signs**

  The applicant has requested a Variance to allow four existing five-foot tall freestanding signs and one 60-foot tall freestanding sign where one per street frontage is allowed. An additional Variance is being requested to allow for the four existing five-foot tall signs to be setback one-foot where five feet is required. The applicant has also requested a Variance for those signs to be located with less than the required minimum distance separation of 100 feet in between each freestanding sign.

The proposed site has street frontage on both Sahara Avenue and Teddy Drive. This application addresses the existing and proposed signs along Teddy Drive. The applicant has proposed one 60-foot tall freestanding sign to be located at the northeast corner of the property adjacent to Teddy Drive. Approximately 25 feet south of that sign is an existing five-foot tall freestanding sign, with three additional five-foot tall freestanding signs positioned further south at 25 feet, 17 feet, and 25 feet respectively. Teddy Drive would have a total of five signs located within approximately 175 feet of street frontage. The percent of deviation for the distance separation of said signs is noted in the chart below.

The four five-foot tall freestanding signs exist today on the subject site. These existing five-foot tall freestanding signs are a double faced non-illuminated post mounted sign that carry a commercial message (i.e. company name and logo). These signs were posted without permits and are located along Teddy Drive. There is also a non-permitted freestanding A-frame or "sandwich board" type sign located on the median that separates Sahara Avenue and the Frontage Road, and a seven to eight-foot tall freestanding sign located along Teddy Drive. Both of these signs are not part of this Variance application, and a condition has been added for their removal upon approval of this application.

| **Variances** | | | |
|---|---|---|---|
| | **Allowed** | **Provided** | **% of Deviation** |
| **60-Foot Freestanding Sign** | In an R-4 (Apartment) zone, a maximum height of 12 feet, and a maximum area of 48 square feet. | A 60-foot tall Freestanding Sign with a sign area of 537 square feet. | 400% for the sign height; 1,019% for the sign area. |
| **Number of Freestanding Signs Allowed** | One (1) per street frontage. | Five (5) Freestanding Signs | 400% |
| **Distance Separation** | Minimum separation of 100 feet measured along the street frontage. | From North to South: 25, 17, 25, and 25 Feet. | 75%, 83%, 75%, and 75% respectively. |
| **60-Foot Freestanding Sign Setback** | 5 Feet | Zero Feet | 100% |
| **Four (4) 5-Foot Freestanding Signs Setback** | 5 Feet | One-Foot | 80% |
| **Residential Protection Standards** | 200 Feet | Approximately 145 Feet | 27% |

**FINDINGS**

In accordance with the provisions of Title 19.18.070(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.18.070L states:

> "Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing signage that exceeds the allowable height, sign area, number of freestanding signs, minimum setback requirements, sign separation requirements, and Residential Protection Standards allowed by Title 19. An alternative number of signs, sign placement and design would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 15

**ASSEMBLY DISTRICT** 10

**SENATE DISTRICT** 3

**VAR-31854 - Staff Report Page Nine**
**July 9, 2009 - Planning Commission Meeting**

| | |
|---|---|
| **NOTICES MAILED** | 141 |
| **APPROVALS** | 3 |
| **PROTESTS** | 16 |

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-31854** APN: 162-08-501-006, 162-08-501-007

Name of Property Owner: Sahara Suites, LLC

Name of Applicant: Siegel Companies, Inc.

Name of Representative: Tabitha Fiddyment, Kummer 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: _____

Print Name: Stephen G. Siegel

Subscribed and sworn before me

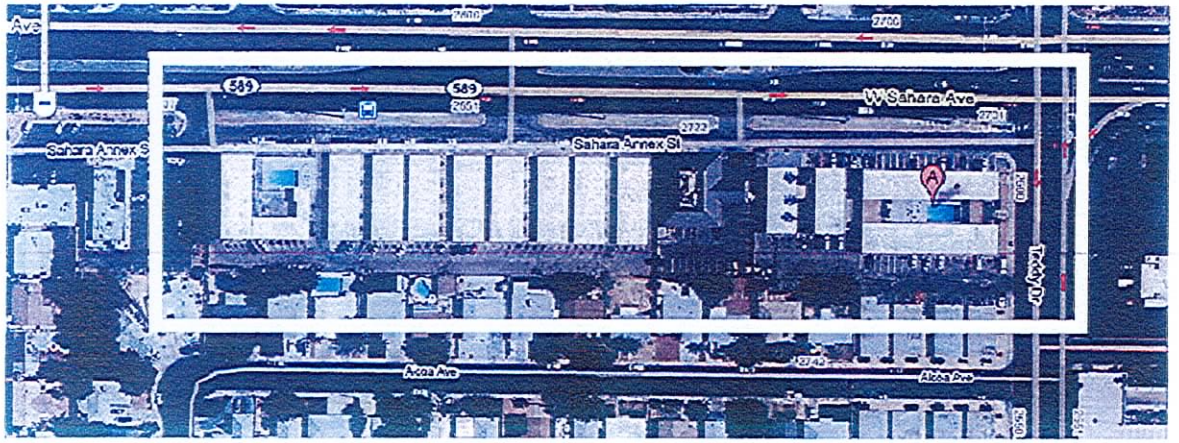
This 5th day of November, 2008

_____

Notary Public in and for said County and State

S. COUCH
Notary Public State of Nevada
No. 04-88092-1
My appt. exp. Jan. 25, 2012

# SIEGEL
# SUITES
## Sahara




*Las Vegas, Nevada*

RECEIVED
MAY 28 2009

VAR-31680
VAR-31854
07/09/09 PC - REVISED

JOB INFORMATION
**SIEGEL SUITES**
**SAHARA**
**2500 TEDDY DRIVE**
**LAS VEGAS, NV**

SALESPERSON
**MARK WHITEHOUSE**
DESIGNER
**DAVID GREEN**
SKETCH NO
**SIEGEL09**

DATE
**08-06-2008**
VOLTAGE
VERIFY

PRIMARY ELECTRICAL TO SIGN LOCATIONS IS TO BE PROVIDED BY OTHERS. 20 AMP DEDICATED CIRCUIT(S) WITH NO SHARED NEUTRALS AND A GROUND RETURNING TO THE PANEL IS REQUIRED FOR ALL INSTALLATIONS.

COLORS REPRESENTED IN THIS DRAWING ARE FOR PRESENTATION PURPOSES ONLY. THEY MAY NOT MATCH YOUR FINISHED PRODUCT PERFECTLY. COLOR CALL-OUTS ARE FOR A MATCH AS CLOSE AS POSSIBLE.

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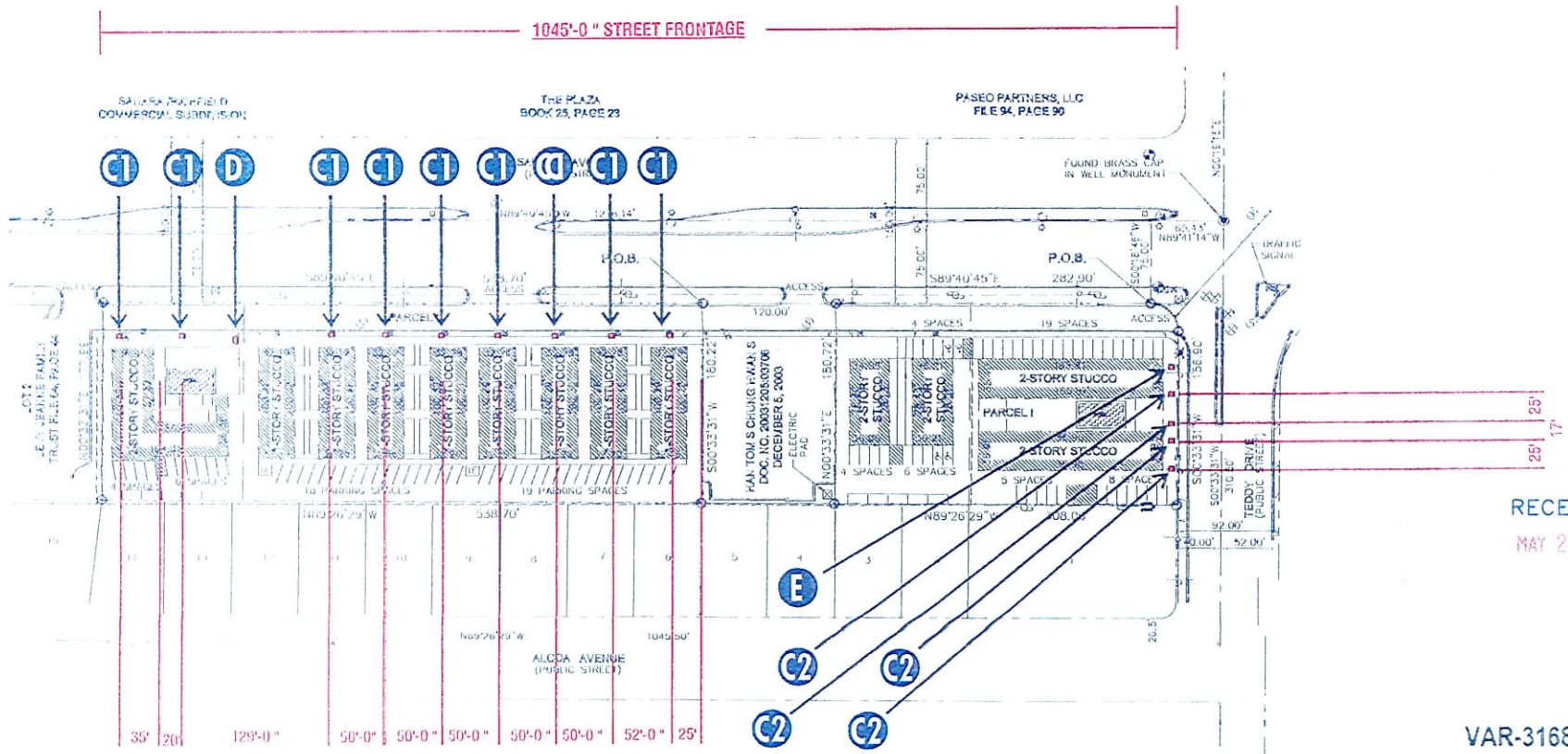
THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

REVISION DATES
1. 08-06-2008 DAG
2. 08-22-2008 AT
3. 08-25-2008 AT
4. 10-06-2008 DAG
5. 10-17-2008 DAG
6. 11-05-2008 DAG
7. 04-24-2009 DAG
8. 04-29-2009 DAG
9.
10.

CLIENT APPROVAL



ultrasigns
ELECTRICAL ADVERTISING
TEL: 858-569-1400 FAX: 858-569-1453
9025 BALBOA AVENUE, STE 150
SAN DIEGO, CA 92123-1520




NORTH

SCALE 1"=100'

ALL "C" SIGNS TO BE SETBACK 1'-0" FROM SIDEWALK

RECEIVED
MAY 28 2009

VAR-31680
VAR-31854
07/09/09 PC - REVISED

JOB INFORMATION
SIEGEL SUITES
SAHARA
2500 TEDDY DRIVE
LAS VEGAS, NV

SALESPERSON
MARK WHITEHOUSE
DESIGNER
DAVID GREEN
SKETCH NO
SIEGEL09

DATE
08-06-2008
VOLTAGE
VERIFY

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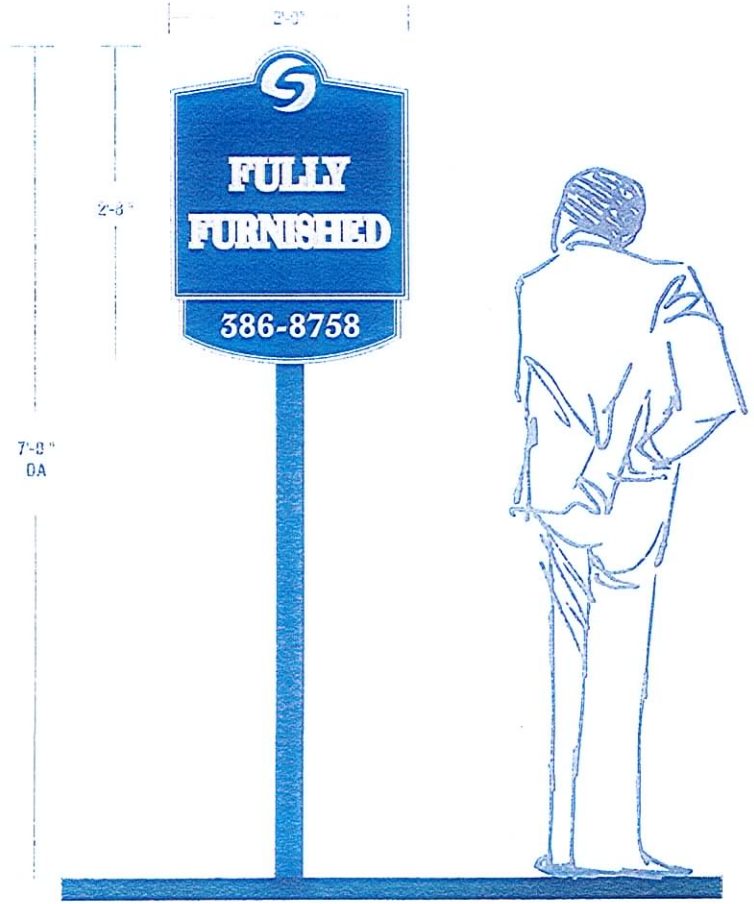
6. 11-05-2008 DAG
7. 04-24-2009 DAG
8. 04-29-2009 DAG
9.
10.

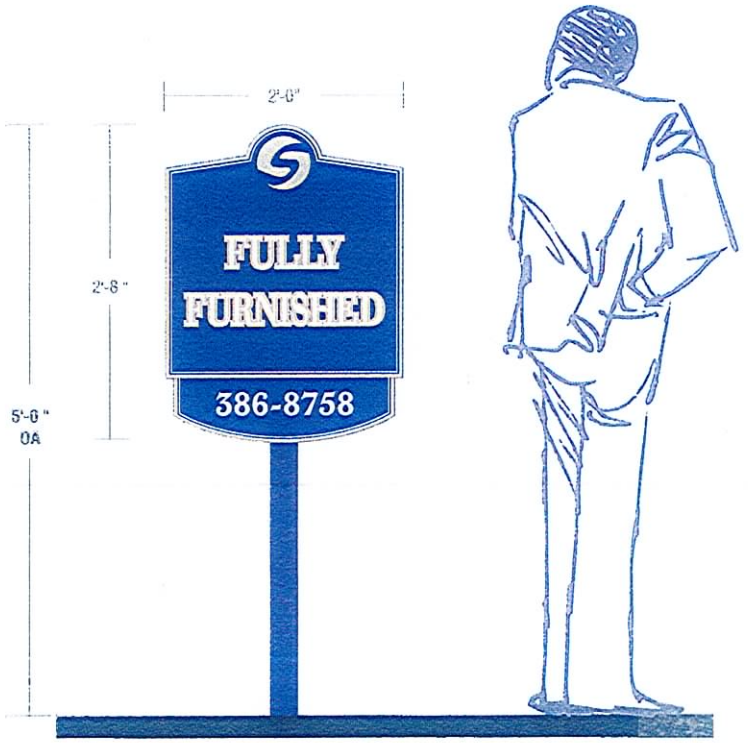
CLIENT APPROVAL



ultrasigns
ELECTRICAL ADVERTISING
TEL: 858-569-1400 FAX: 858-569-1453
9025 BALBOA AVENUE, STE 150
SAN DIEGO, CA 92123-1520




C1 DOUBLE FACED NON-ILLUMINATED POST MOUNTED DISPLAY
SCALE 1"=1'




C2 DOUBLE FACED NON-ILLUMINATED POST MOUNTED DISPLAY
SCALE 1"=1'

RECEIVED
MAY 28 2009

VAR-31680
VAR-31854
07/09/09 PC - REVISED

JOB INFORMATION
SIEGEL SUITES
SAHARA
2500 TEDDY DRIVE
LAS VEGAS, NV

SALESPERSON
MARK WHITEHOUSE
DESIGNER
DAVID GREEN
SKETCH NO
SIEGEL09

DATE
08-06-2008
VOLTAGE
VERIFY

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CLIENT APPROVAL



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(D) DOUBLE FACED NON-ILLUMINATED WOOD SIGN WITH GRAPHICS
SCALE 1/2"=1'

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VAR-31680
VAR-31854
07/09/09 PC - REVISED

JOB INFORMATION
SIEGEL SUITES
SAHARA
2500 TEDDY DRIVE
LAS VEGAS, NV

SALESPERSON
MARK WHITEHOUSE
DESIGNER
DAVID GREEN
SKETCH NO
SIEGEL09

DATE
08-06-2008
VOLTAGE
VERIFY

PRIMARY ELECTRICAL TO SIGN LOCATIONS IS TO BE PROVIDED BY OTHERS. 20 AMP DEDICATED CIRCUIT(S) WITH NO SHARED NEUTRALS AND A GROUND RETURNING TO THE PANEL IS REQUIRED FOR ALL INSTALLATIONS.

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SAN DIEGO, CA 92123-1520

| SIGN TYPE | # | ILLUMINATED | STYLE | SQ. FT. |
|---|---|---|---|---|
| C1 / C2 | 13 | NO | FREESTANDING | 6 |
| D | 1 | NO | FREESTANDING | 32 |
| E | 1 | NO | FREESTANDING | 20 |

RECEIVED
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VAR-31680
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SIGN ANALYSIS TABLE

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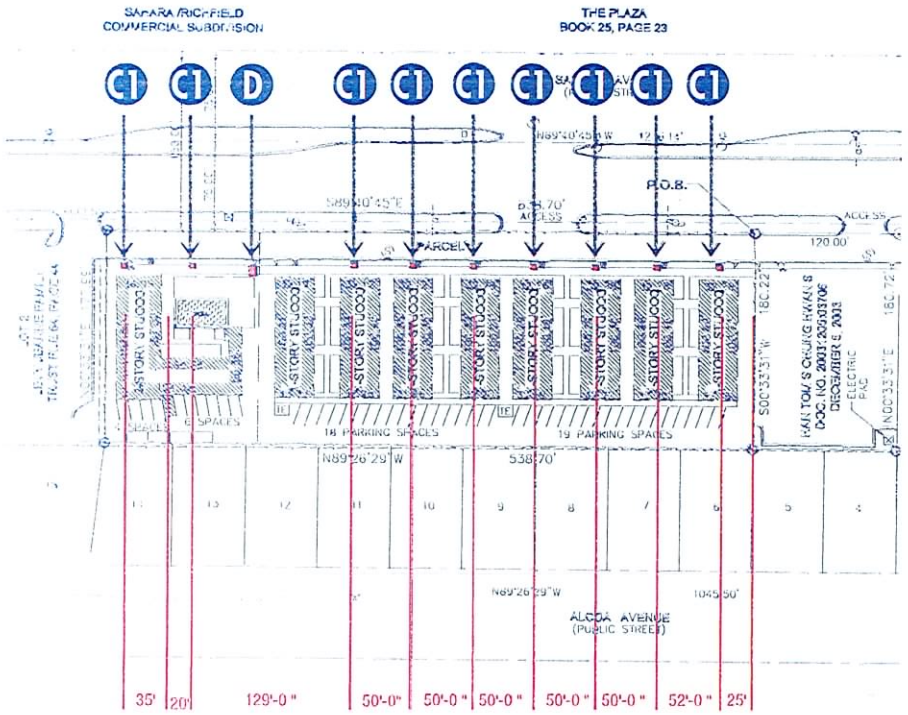


180'-0" STREET FRONTAGE

**ALL "C" SIGNS TO BE SETBACK 1'-0" FROM SIDEWALK**

NORTH

SCALE 1" = 100'

**SIEGEL ALT 2**

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VAR-31854
07/09/09 PC - REVISED

| JOB INFORMATION | SALESPERSON | DATE |
|---|---|---|
| SIEGEL SUITES<br>SAHARA<br>2500 TEDDY DRIVE<br>LAS VEGAS, NV | MARK WHITEHOUSE<br>DESIGNER<br>DAVID GREEN<br>SKETCH NO<br>SIEGEL09 | 08-06-2008<br>VOLTAGE<br>VERIFY |

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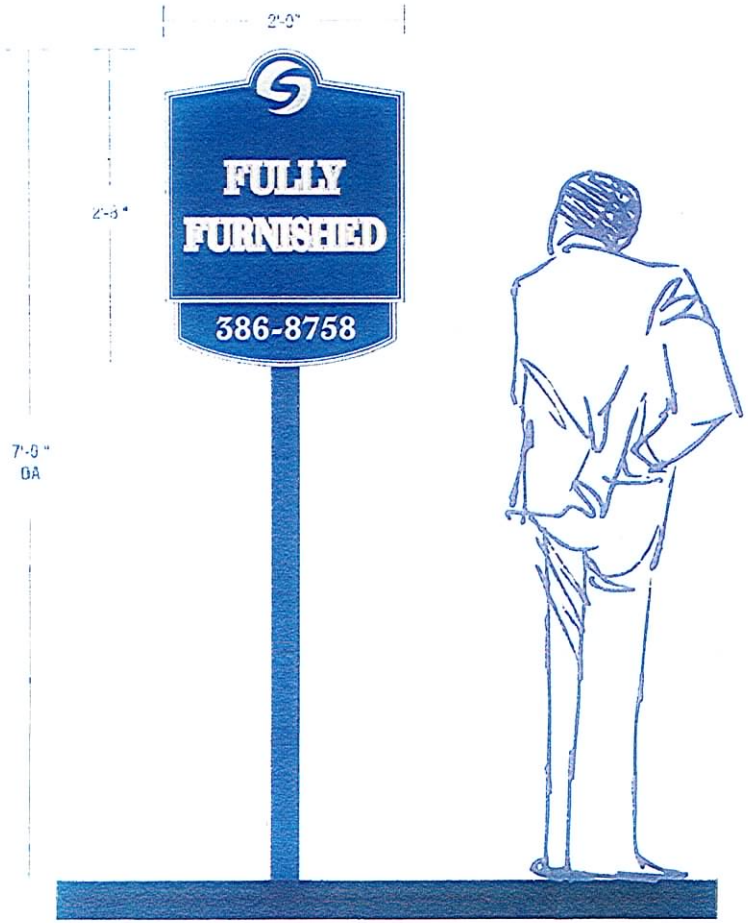


DOUBLE FACED NON-ILLUMINATED POST MOUNTED DISPLAY
SCALE 1"=1'

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SIEGEL ALT 2

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Ⓓ DOUBLE FACED NON-ILLUMINATED WOOD SIGN WITH GRAPHICS
SCALE 1/2" = 1'

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SIEGEL ALT 2

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SAHARA
2500 TEDDY DRIVE
LAS VEGAS, NV

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| SIGN TYPE | # | ILLUMINATED | STYLE | SQ. FT. |
|---|---|---|---|---|
| C1 | 9 | NO | FREESTANDING | 6 |
| D | 1 | NO | FREESTANDING | 32 |

SIGN ANALYSIS TABLE

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VAR-31680
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SIEGEL ALT 1

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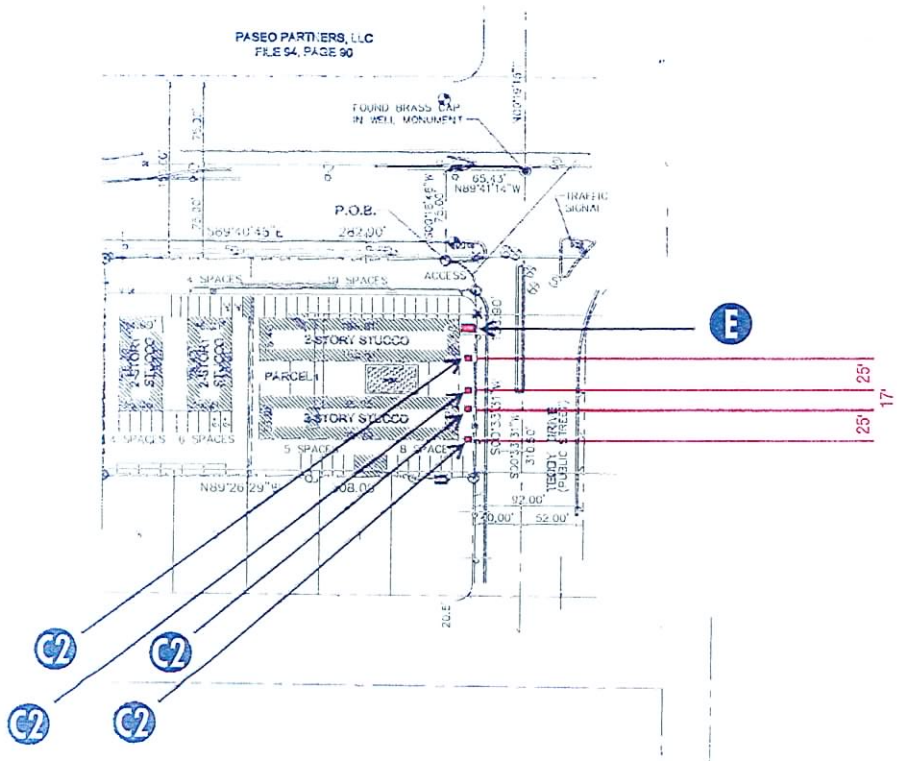


ALL "C2" SIGNS TO BE SETBACK
1'-0" FROM SIDEWALK

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NORTH

SCALE 1" = 100'

SIEGEL ALT 2

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C2 DOUBLE FACED NON ILLUMINATED POST MOUNTED DISPLAY
SCALE 1"=1'

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| SIGN TYPE | # | ILLUMINATED | STYLE | SQ. FT. |
|---|---|---|---|---|
| C2 | 4 | NO | FREESTANDING | 6 |
| E | 1 | NO | FREESTANDING | 20 |

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SIEGEL ALT 2

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VAR-31854 - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: SAHARA SUITES, LLC
2500 TEDDY DRIVE AND 2713 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

09/19/08




VAR-31854 - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: SAHARA SUITES, LLC
2500 TEDDY DRIVE AND 2713 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

09/19/08




VAR-31854 - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: SAHARA SUITES, LLC
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JULY 9, 2009 PLANNING COMMISSION

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09/19/08




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JULY 9, 2009 PLANNING COMMISSION

09/19/08




VAR-31854 - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: SAHARA SUITES, LLC
2500 TEDDY DRIVE AND 2713 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

06/04/09




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2500 TEDDY DRIVE AND 2713 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

06/04/09

ultrasigns
ELECTRICAL ADVERTISING

## JUSTIFICATION LETTER

**Date:** 11/10/08

**To:** City of Las Vegas Planning & Development
731 S. 4th Street
Las Vegas, NV 89101

**From:** Mark Whitehouse

**Attn:** Planning/Development Department

**Re:** Master Sign Plan including a variance for Siegel Suites Sahara.
Siegel 2 (parcel #s ending 006 & 007)

**To Whom It May Concern:**

**On behalf of Siegel Suites Casa Palms located at 2500 Teddy Dr. Las Vegas, NV 89102, Ultrasigns Electrical Advertising will be filing a *Master Sign Plan*.**

**This package will incorporate all signage on the property and request the following variances.**

**-To allow 5 freestanding signs where 2 are allowed.**
**-To reduce separation distances between signs as per site plan where 100' is required.**
**-To reduce setback distance on all signs to 1' where 5' is required.**
**-To increase square footage of 1 freestanding signs to 618' where 48' on each is allowed.**
**-To increase sign height on 1 freestanding sign to 60' where 12' is permitted.**

**Thanks for your kind consideration of this matter.**

**Sincerely,**

**Mark Whitehouse**
**Ultrasigns, Inc.**
**(702) 336-3336**

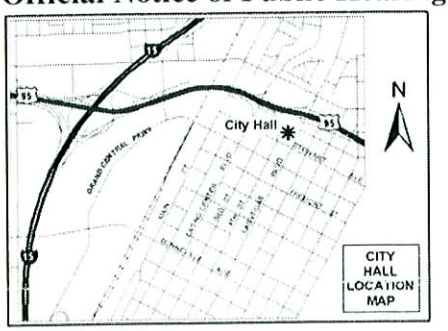
**VAR-31854**
**12/18/08 PC**

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M
0004239954
$ 00.394
DEC 05 2008
MAILED FROM ZIP CODE 89101

**Return Service Requested**
**Official Notice of Public Hearing**

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-31854**

Planning Commission Meeting of 12/18/2008

Case: VAR-31854
16208511038
OEHLER C F FAMILY TRUST
2824 MERRITT AVE
LAS VEGAS NV 89102-6087

14P

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JAN 2 0 2009

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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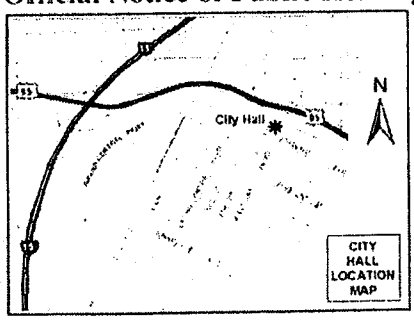
$ 00.39

MAILED FROM ZIPCODE 89155

JAN 0 8 2009

**Return Service Requested**

**Official Notice of Public Hearing**

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**VAR-31854**

Planning Commission Meeting of 12/18/2008

Case: VAR-31854

16205801004
B PLAZA L L C
#Y KAZUTO
2310 PASEO DEL PRADO #203
LAS VEGAS NV 89102-4330

Submitted after final agenda

Date 12209 Item 28

#28P

RECEIVED

JAN 20 2009

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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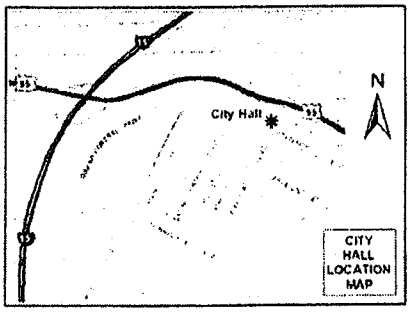
**Official Notice of Public Hearing**

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**VAR-31854**

Planning Commission Meeting of 12/18/2008

$ 00.39

Case: VAR-31854

16205801005
PLAZA OFFICE PARK L L C
2310 PASEO DEL PRADO #203
LAS VEGAS NV 89102-4330

#28 P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

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02 1M $ 00.39⁴
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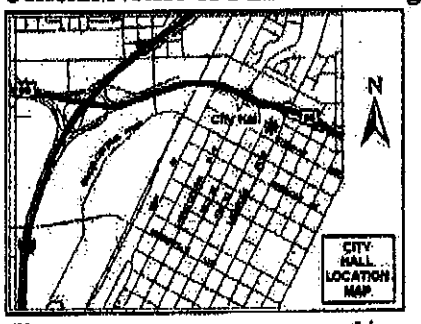


I strongly oppose this request. It will be an eyesore and it will decrease the quality of life for neighboring residents. Please vote against this.

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Case: VAR-31854

16208511066
DORSEY PATRICIA E
7901 GOTHIC AVE
LAS VEGAS NV 89117-1345

VAR-31854
Planning Commission Meeting of 12/18/2008

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DEC 18 2008

Submitted after final agenda
Date 12-16-08 Item 14

14P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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UNITED STATES POSTAGE PITNEY BOWES
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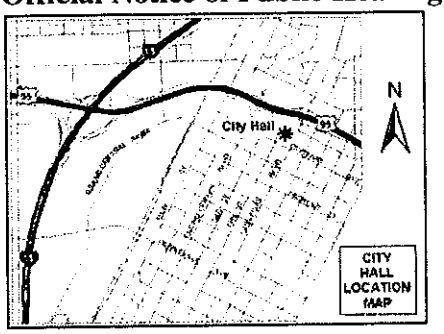


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DEC 16 2008

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**VAR-31854**
Planning Commission Meeting of 12/18/2008

Case: VAR-31854
16205818004
PHILANA PASEO L L C
%NV DEV & RLTY CO
2500 W SAHARA AVE #211
LAS VEGAS NV 89102-4393

14P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
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02 1M
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$ 00.394
DEC 05 2008
MAILED FROM ZIP CODE 89101

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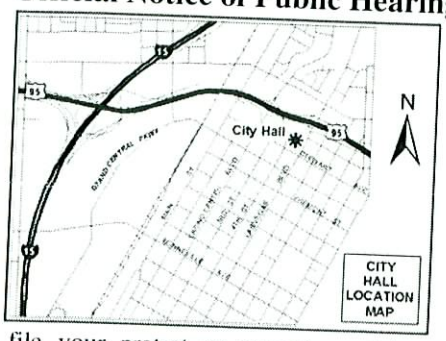


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**VAR-31854**

Planning Commission Meeting of 12/18/2008

16205815023
HAIGH TRUST
2613 LOURDES AVE
LAS VEGAS NV 89102-4306

Case: VAR-31854

JAV0511 8102

14P

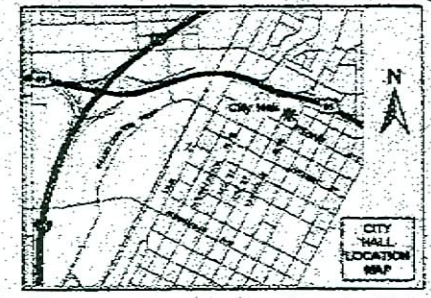
FROM : SHO-US Racing *** CONFIDENTIAL *** DEC. 9.2008 1:08 PM P 1

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.39[4]
0004239954 DEC 05 2008
MAILED FROM ZIP CODE 89101

**Return Service Requested**
**Official Notice of Public Hearing**




This is a really nice residential community here. Station Casinos is trying to buy everyone out. Most that have sold are older people they have coerced with money to sell, other are minorities who do not understand the land value. We do not need any commercial entities to help Station Casinos to acquire our homes!

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Case: VAR-31854

16208511062
ROCKWELL RONALD G FAMILY LP
2821 MERRITT AVE
LAS VEGAS NV 89102-6048

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-31854**

Planning Commission Meeting of 12/18/2008

JAVDS11 89102

14P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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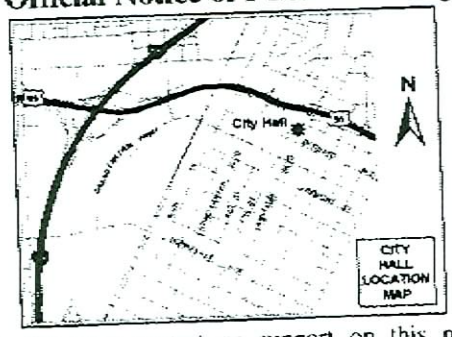
**Official Notice of Public Hearing**

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**VAR-31854**

Planning Commission Meeting of 12/18/2008

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UNITED STATES POSTAGE
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MAILED FROM ZIP CODE 89101

Case: VAR-31854

16208511063
WHITING PAUL G & KATIA C
2825 MERRITT AVE
LAS VEGAS NV 89102-6048

JAVDS11 89102

14P

City of Las Vegas
Planning & Development Department
Development Services Center
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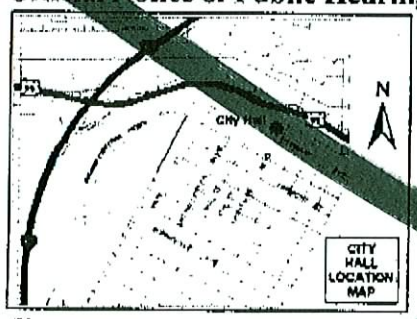


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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-31680**

Planning Commission Meeting of 12/18/2008

Case: VAR-31680
16208511013
BURNS JUDITH T TRUST
2804 ALCOA AVE
LAS VEGAS NV 89102-6023

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

**Return Service Requested**
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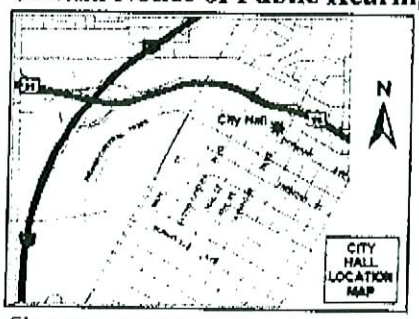


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**VAR-31854**

Planning Commission Meeting of 12/18/2008

Case: VAR-31854
16208511013
BURNS JUDITH T TRUST
2804 ALCOA AVE
LAS VEGAS NV 89102-6023

14P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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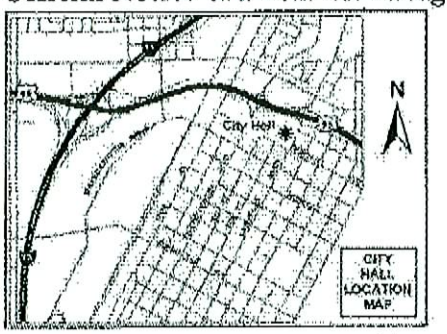


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**VAR-31854**

Planning Commission Meeting of 12/18/2008

Case: VAR-31854
16208511029
MARTIN LILLIAN KATHERINE
2801 ALCOA AVE
LAS VEGAS NV 89102-6025

148

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

**Return Service Requested**
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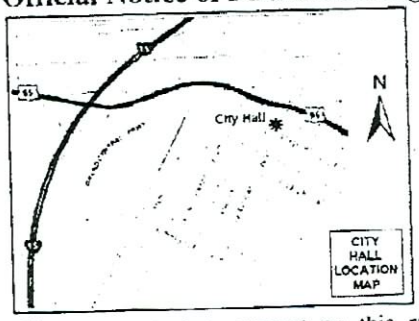


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**VAR-31854**
Planning Commission Meeting of 12/18/2008

40' Limit

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Case: VAR-31854
16208501001
LEVY JEANNE FAMILY TRUST
7800 SILVER PLATEAU AVE
LAS VEGAS NV 89128-2655

JAVDS11 89128

14p

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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UNITED STATES POSTAGE
PITNEY BOWES
02 1M
0004279218
$ 00.41⁴
JUN 26 2009
MAILED FROM ZIP CODE 89101

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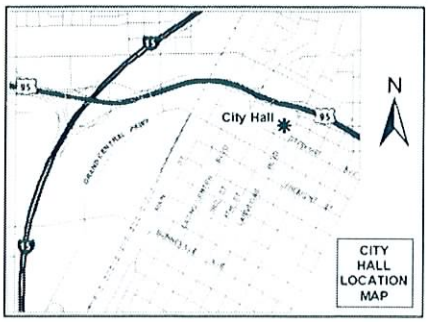
**Official Notice of Public Hearing**

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☒ I OPPOSE this Request

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**VAR-31854 & VAR-34816**

Planning Commission Meeting of 7/9/2009

RECEIVED
JUN 30 2009

Case: VAR-31854

16205815023
HAIGH TRUST
2613 LOURDES AVE
LAS VEGAS NV 89102-4306

DAVDP11 89102

9P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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UNITED STATES POSTAGE PITNEY BOWES
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0004279218 JUN 26 2009
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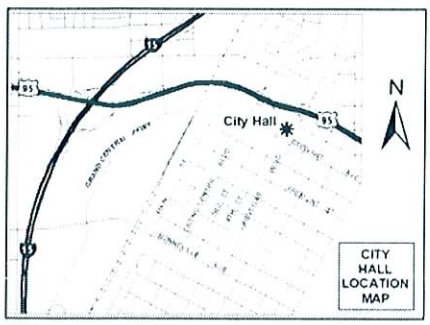


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**VAR-31854 & VAR-34816**

Planning Commission Meeting of 7/9/2009

RECEIVED
JUN 30 2009

Case: VAR-31854
16208511038
OEHLER C F FAMILY TRUST
2824 MERRITT AVE
LAS VEGAS NV 89102-6087

NO!

DAVDP11 89102

9P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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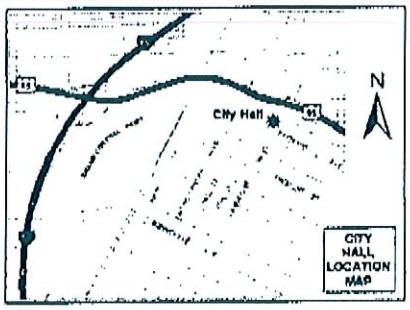


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**VAR-31854 & VAR-34816**

Planning Commission Meeting of 7/9/2009

RECEIVED
JUN 30 2009

Case: VAR-31854

16208511013
BURNS JUDITH T TRUST
2804 ALCOA AVE
LAS VEGAS NV 89102-6023

9P

City of Las Vegas
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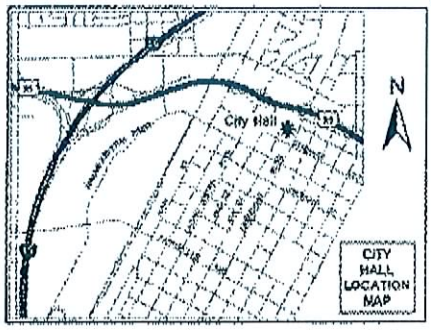


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JUN 29 2009

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Case: VAR-31854

16208511029
MARTIN LILLIAN KATHERINE
2801 ALCOA AVE
LAS VEGAS NV 89102-6025

☐ I SUPPORT this Request ☒ I OPPOSE this Request

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**VAR-31854 & VAR-34816**

Planning Commission Meeting of 7/9/2009

9P

05/28/2009 22:54 3640014 PAUL WHITING PAGE 01

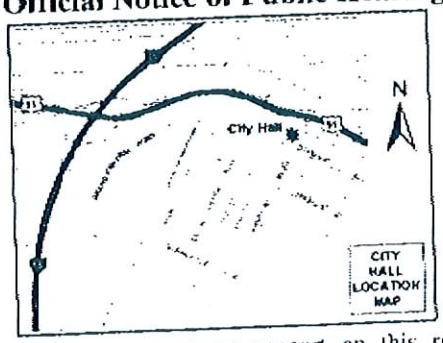
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAL SERVICE
$ 00.41

**Return Service Requested**

**Official Notice of Public Hearing**

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Planning Commission Meeting of 7/9/2009

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WHITING PAUL G & KATIA C
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LAS VEGAS NV 89102-6048

DAVDP11 89102

9P

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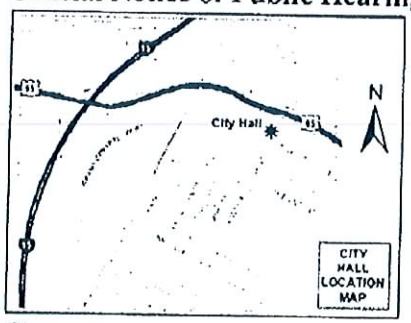
**Return Service Requested**
**Official Notice of Public Hearing**




If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

RECEIVED
JUN 29 2009

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-31854 & VAR-34816**
Planning Commission Meeting of 7/9/2009

Case: VAR-31854
16208501001
LEVY JEANNE FAMILY TRUST
7800 SILVER PLATEAU AVE
LAS VEGAS NV 89128-2655

DAVIS1 A5126

9A

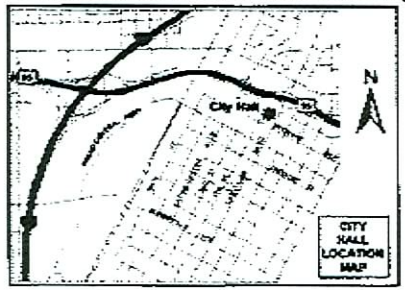
12/08/2008 12:28 8182553600 SASCO INC PAGE 02

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.39⁴
0004239854 DEC 05 2008
MAILED FROM ZIP CODE 89101

**Return Service Requested**
**Official Notice of Public Hearing**

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-31854**

Planning Commission Meeting of 12/18/2008

Case: VAR-31854
16208501006
SAHARA SUITES L L C
12080 VENTURA PL #A
STUDIO CITY CA 91604-2634

JAVDS11 91504

HA

# CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

Phone/Fax: 702-877-2438

**TO:** CLV Planning Commissioners—Chair TROWBRIDGE, V.Chair TRUESDELL, GOYNES, EVANS, QUINN, ELLSWORTH and BUCKLEY
**FROM:** CNP
**DATE:** 24 Feb 2009

**RE:** Certain agenda items from the 26 Feb 2009 CLV planning commission AGENDA

#15 VAR-31680 Seems to us this is to advertise to Freeway folks, we suggest YES provided on site residents are ok with it.

#16 VAR-31854 Same comment as #15.

#23, 24, and 25 We welcome this addition to our neighborhood and request your YES.

#32 SUP-33014 and #33 SDR-33013 related to ----16 & -----18 Oh, my this mixed use plan certainly looks like a 'dump' in the making. ZERO buffers to the North, West & South? Well, maybe a ROOF garden is planned?

#38 VAR-32995 & #39 SUP-32994 Maybe YES is ok but, please make sure they have an attractive Rainbow & Lake Mead "greenery".
Painted crosswalks on parking lots seem to not be included in some newer additions.

#40 VAR-32998 Of course, YES.

We appreciate your consideration regarding our concerns and suggestions for the livability and appearance of the above Planning Agenda items.

CHARLESTON NEIGHBORHOOD PRESERVATION
President June Ingram and Board

June Ingram
President CNP

Submitted after meeting
Date 2/28/09 Item 15

BOARD & ADVISORY MEMBERS
Dennis Ardine-Vicki Arnold-Dick Bratton-Juanita Clark- Miriam Een-Danielle Hanslip- Rose Honrath- June Ingram-Rick Johnson-
Gene & Pearl Lonardo- Joan Lynch- Dorothy Orr- Pamela Stancliffe- Marcus Gobel- Layne Rushforth- Jeanine Sweany-Jean Withers-Others

FEB-25-2009 05:23 FROM: TO:4740352 P.1/1

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

## *AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT*
### PLANNING COMMISSION MEETING OF: JULY 9, 2009

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

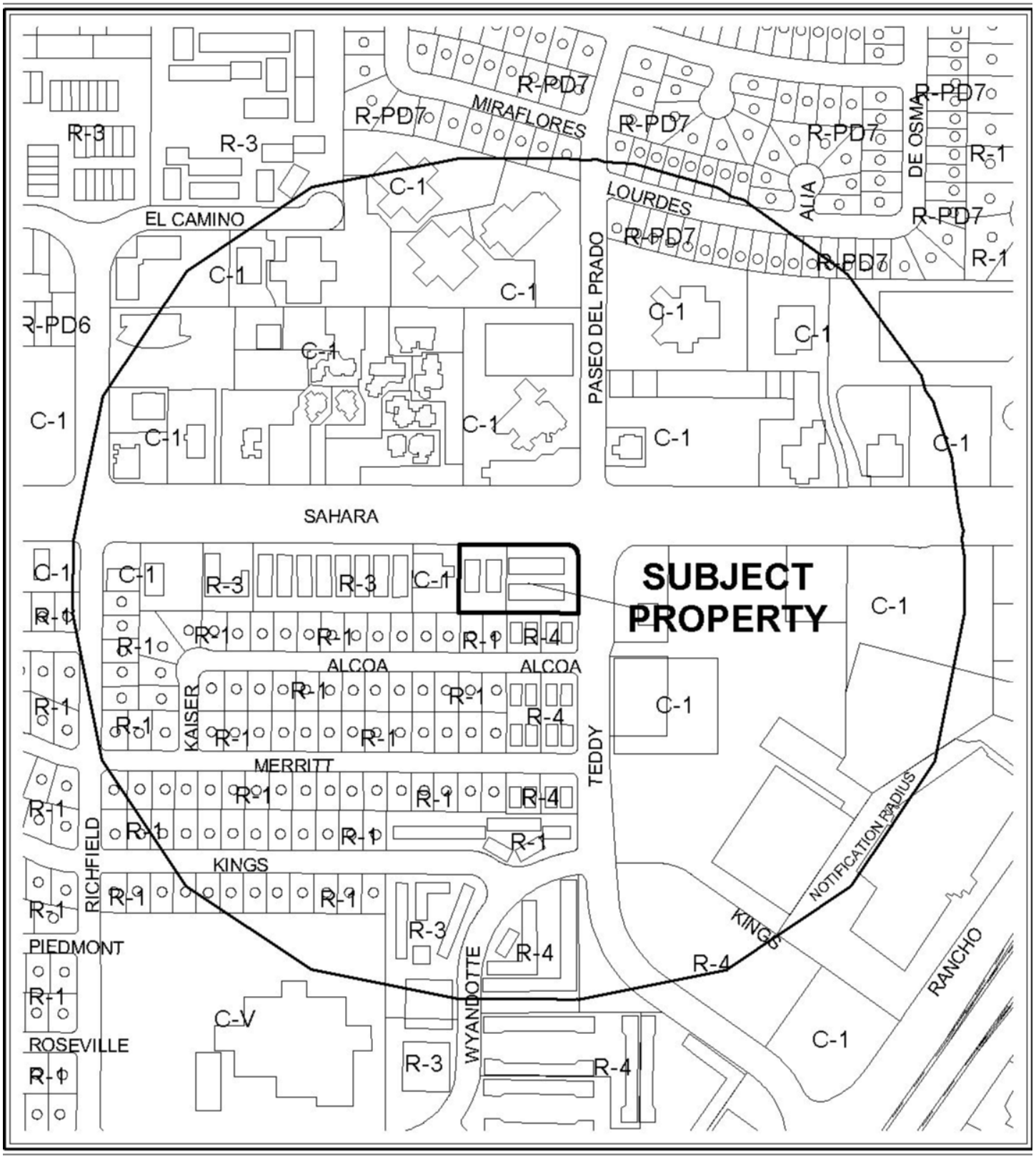
**SUBJECT:**
**VAR-34816 - VARIANCE - PUBLIC HEARING - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: SAHARA SUITES, LLC** - Request for a Variance TO ALLOW FIVE EXISTING FREESTANDING SIGNS TO HAVE A ONE-FOOT SETBACK WHERE FIVE FEET IS THE MINIMUM REQUIRED; TO ALLOW FIVE FREESTANDING SIGNS WHERE ONE IS ALLOWED; AND TO ALLOW A DISTANCE SEPARATION OF 17 TO 25 FEET WHERE 100 FEET FROM FREESTANDING TO FREESTANDING SIGN IS REQUIRED on 1.29 acres at 2500 Teddy Drive and 2713 West Sahara Avenue (APNs 162-08-501-006 and 007), R-4 (High Density Residential) Zone, Ward 1 (Tarkanian). NOTE: BEFORE AMENDMENT THIS APPLICATION WAS IDENTIFIED AS VAR-31854

**C.C.: 08/05/2009**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **5** | **Planning Commission Mtg.** | **1** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
**DENIAL**

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards



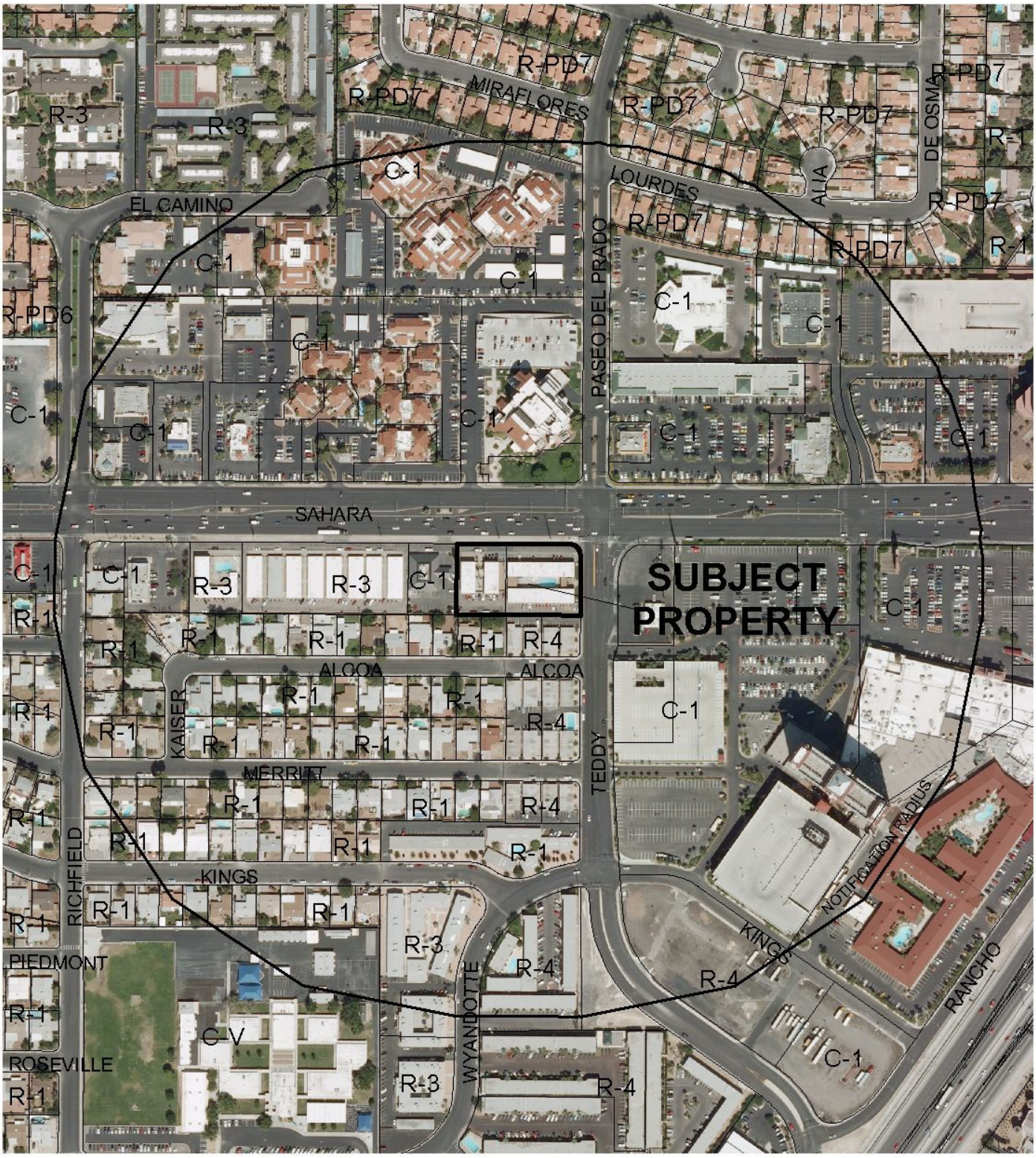

**CASE:** **VAR-34816**

**RADIUS:** 1000 FT

0 500 Feet

**ZONING OF SUBJECT PROPERTY:** R-4 (HIGH DENSITY RESIDENTIAL)

N




**CASE:** **VAR-34816**

**RADIUS:** 1000 FT

0 500 Feet

**ZONING OF SUBJECT PROPERTY:** R-4 (HIGH DENSITY RESIDENTIAL)

N

City of Las Vegas

## AGENDA MEMO

**PLANNING COMMISSION MEETING DATE: JULY 9, 2009**
**DEPARTMENT: PLANNING AND DEVELOPMENT**
**ITEM DESCRIPTION: VAR-34816 - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: SAHARA SUITES, LLC**

## ** CONDITIONS **

**STAFF RECOMMENDATION:** **DENIAL.** If Approved, subject to:

***Planning and Development***

1. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. Any non-permitted signage not part of this Variance application shall be removed within ten (10) days of approval of this application.

3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

***Public Works***

4. The proposed signs shall not be located within the public right-of–way or interfere with Site Visibility Restriction Zones. The sign bases shall not be located within existing or proposed public sewer or drainage easements.

BTS

**VAR-34816 - Staff Report Page One**
**July 9, 2009 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

Note: This request was originally noticed as Variance (VAR-31854), but due to material changes in the request, it was re-noticed for the 07/09/09 Planning Commission meeting as Variance (VAR-34816).

There are a total of five existing non-permitted signs on the subject site. The applicant is requesting a Variance to allow five existing freestanding signs to have a one-foot setback where five feet is the minimum required; to allow five freestanding signs where one is the maximum allowed; and to allow a distance separation of 17 to 25 feet where 100 feet from freestanding to freestanding sign is required on 1.29 acres at 2500 Teddy Drive and 2713 West Sahara Avenue. The applicant has presented no evidence of a unique or extraordinary circumstances and the request is deemed to be a self imposed hardship that could be rectified by proposing signage for the site that meets Title 19.14 standards. Due to the intensity and excessive number of signs requested with this application, staff cannot support this request and is recommending denial of the requested Variance.

### Issues

- The subject Variance was originally heard as Variance (VAR-31854). The applicant has since removed an illuminated 60-foot freestanding sign, but has failed to remove the other five existing non-illuminated and non-permitted freestanding signs. The applicant has created a self-imposed hardship by proposing signage that exceeds the total allowable number, setback and sign separation requirements allowed by Title 19.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales*** | |
|---|---|
| 05/03/06 | A deed was recorded for a change of ownership was recorded at 2500 Teddy Drive and 2713 West Sahara Avenue. |
| 06/08/06 | A Code Enforcement citation (#43089) was issued at 2500 Teddy Drive for flooding in an apartment upstairs causing an odor. This is affecting a senior, a child, and a handicap person at 2500 Teddy Drive. Code Enforcement closed the case on 06/12/06. |
| 07/11/06 | A Code Enforcement citation (#44360) was issued at 2500 Teddy Drive for bedroom carpet being wet from sewage leaking from upstairs apartment. Code Enforcement closed the case on 08/09/06. |

| | |
|---|---|
| 08/02/06 | A Code Enforcement citation (#45089) was issued at 2500 Teddy Drive for dumpsters belonging to the apartment complex being positioned up against a block wall right next to the adjacent single-family homes. Vagrants are sifting through the dumpsters leaving trash and debris everywhere. There is no enclosure for the dumpster and they may need additional dumpsters. Code Enforcement closed the case on 08/22/06. |
| 08/31/06 | Code Enforcement processed a complaint (#45922) for the apartment dumpsters not being in an enclosure and being pushed against the wall causing the adjacent residents within the single-family homes to not be able to go into their backyards because of the smell at 2500 Teddy Drive. The case was resolved on 11/07/06. |
| 09/06/06 | Code Enforcement processed a complaint (#46034) for the apartment complex dumpsters being pushed against the wall adjacent to single-family homes causing the residents to stay in their homes and out of their backyards because of the smell. Vagrants are also sifting through the dumpsters. The complex also killed the oleander trees and grass at 2500 Teddy Drive. The case was resolved on 09/20/06. |
| 05/10/07 | Code Enforcement processed a complaint (#53173) for trash and debris along the destroyed fence at 2500 Teddy Drive. The case was resolved on 05/25/07. |
| 12/18/08 | The Planning Commission approved a request by the applicant to have Variance (VAR-31854) held in abeyance until the January 22, 2009 Planning Commission meeting. |
| 01/22/09 | The Planning Commission approved a request by the applicant to have Variance (VAR-31854) held in abeyance until the February 26, 2009 Planning Commission meeting. |
| 02/26/09 | The Planning Commission approved a request by the applicant to have Variance (VAR-31854) tabled until a future Planning Commission meeting. |
| ***Related Building Permits/Business Licenses*** | |
| 1962 | The County Assessor's office indicates a construction date of 1962. |
| 07/10/06 | Business Licensing received a complaint of an unlicensed childcare (#U66-96722) at 2713 West Sahara Avenue, Apartment #15. An investigation was performed on 07/07/06 and the complaint was substantiated. During a follow-up investigation on 09/01/06, the complaint subject was observed watching two children and was given a verbal cease and desist. The case was closed on 09/01/06. |
| 01/10/07 | A business license (#A07-00584) was re-issued for apartment rentals after a change of ownership at 2500 Teddy Drive. |
| 01/07/08 | A building permit (#105220) was issued to repair vehicle damage at 2500 Teddy Drive. The building permit was completed on 02/23/09. |

| ***Pre-Application Meeting*** | |
|---|---|
| 09/22/08 | A pre-application meeting was held where the submittal requirements and the following items were discussed:<br>• Existing non-permitted freestanding and A-frame signs.<br>• Code Enforcement actions and status on the subject site. |
| ***Neighborhood Meeting*** | |
| A neighborhood meeting was not required, nor was one held. | |
| ***Field Check*** | |
| 09/18/08 | A routine field check was conducted, and staff observed the four five-foot non-permitted freestanding signs that are part of this Variance application. Staff also observed two additional non-permitted signs that are not part of this Variance application: a seven to eight-foot tall freestanding sign along Teddy Drive, and a sandwich board type sign positioned on the median that separates Sahara Avenue and the frontage road. The apartment complex appeared to have been recently painted and artificial grass had been installed along Teddy Drive. |
| 01/02/09 | A follow-up field check performed by staff revealed no changes from the prior field check performed on 09/18/08. |
| 06/04/09 | A field check was completed on the indicated date. Staff observed the following items.<br>• A total of ten non-permitted freestanding signs and one A-frame sign were identified on the subject site. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 1.29 acres |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|---|---|---|---|
| Subject Property | Apartments | SC (Service Commercial) & H (High Density Residential) | R-4 (High Density Residential) |
| North | Bank | SC (Service Commercial) | C-1 (Limited Commercial) |
| South | Apartments | H (High Density Residential) | R-4 (High Density Residential) |
| East | Convenience Store | SC (Service Commercial) | C-1 (Limited Commercial) |
| West | Restaurant | SC (Service Commercial) | C-1 (Limited Commercial) |

| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
|---|---|---|---|
| **Special Area Plan** | | X | N/A |
| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
| **Special Purpose and Overlay Districts** | X | | Y |
| A-O Airport Overlay District (175 Feet) | X | | Y |
| **Trails** | | X | N/A |
| **Rural Preservation Overlay District** | | X | N/A |
| **Development Impact Notification Assessment** | | X | N/A |
| **Project of Regional Significance** | | X | N/A |

## DEVELOPMENT STANDARDS

| | (1) 10-Foot Freestanding Sign | | | (4) Five-Foot Freestanding Signs | | |
|---|---|---|---|---|---|---|
| | **Required** | **Provided** | **Deviation** | **Required** | **Provided** | **Deviation** |
| **Maximum Number** | 1 per street frontage | 5 total | 400% | 1 per street frontage | 5 total | 400% |
| **Maximum Area** | 48 SF | 20 SF | N/A | 48 SF | 4.6 SF | N/A |
| **Maximum Height** | 12 Feet | 10 Feet | N/A | 12 Feet | 5 Feet | N/A |
| **Minimum Setback** | 5 Feet | 1-Foot | 100% | 5 Feet | 1-Foot | 100% |
| **Minimum Distance Separation** | 100 Feet | From North to South: 25, 25, 17 and 25 Feet | 75%, 75%, 83% and 75% | 100 Feet | From North to South: 25, 25, 17 and 25 Feet | 75%, 75%, 83% and 75% |
| **Residential Protection Standards** | 200 Feet | N/A | N/A | 200 Feet | N/A | N/A |
| **Illumination** | Internal and External | N/A | N/A | Internal and External | N/A | N/A |

## ANALYSIS

The subject application is requesting a total of five non-illuminated existing freestanding signs. These existing freestanding signs are double faced non-illuminated post mounted signs that carry a commercial message (i.e. company name and logo). These signs were posted without building permits and are positioned adjacent to the property line along Teddy Drive. There are four five-foot tall freestanding signs and one 10-foot tall freestanding sign. The signs fail to meet the 100-foot required minimum distance separation requirement; exceed the one sign allowed per street frontage and fail to comply with the required five-foot setback requirement. The applicant is providing a minimum distance between freestanding signs of 17 to 25 feet. The percent of deviation ranges from 75% to 83%.

## FINDINGS

In accordance with the provisions of Title 19.18.070(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.18.070L states:
"Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing signage that exceeds total number, setback and sign separation requirements allowed by Title 19. Alternative number of signs would allow conformance to 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.

**VAR-34816 - Staff Report Page Seven**
**July 9, 2009 - Planning Commission Meeting**

| | |
|---|---|
| **NEIGHBORHOOD ASSOCIATIONS NOTIFIED** | 15 |
| **ASSEMBLY DISTRICT** | 10 |
| **SENATE DISTRICT** | 3 |
| **NOTICES MAILED** | 142 |
| **APPROVALS** | 1 |
| **PROTESTS** | 5 |

BTS

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-34816** APN: 162-08-501-006, 162-08-501-007

Name of Property Owner: Sahara Suites, LLC

Name of Applicant: Siegel Companies, Inc.

Name of Representative: Tabitha Fiddyment, Kummer 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: _____

Print Name: Stephen G. Siegel

Subscribed and sworn before me

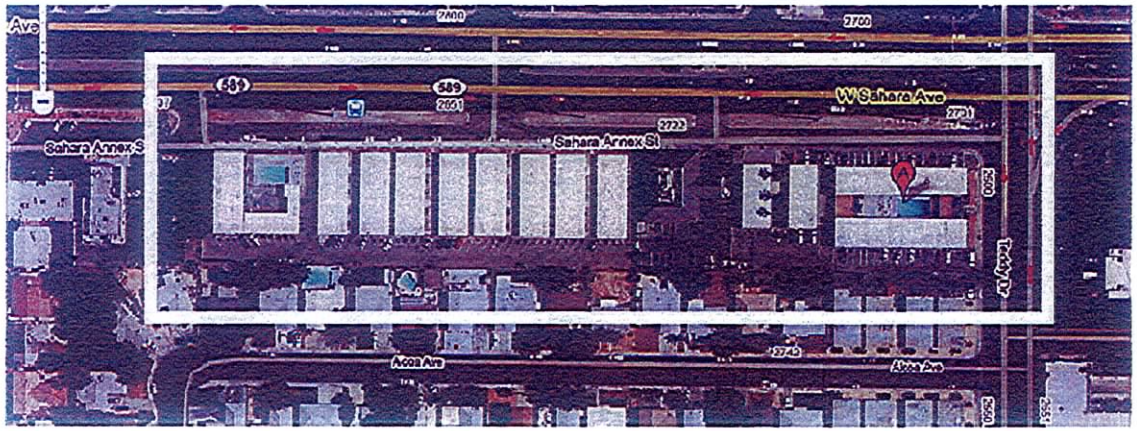
This 5th day of November, 2008

_____

Notary Public in and for said County and State

S. COUCH
Notary Public State of Nevada
No. 04-88092-1
My appt. exp. Jan. 25, 2012

# SIEGEL
# SUITES
## Sahara




Las Vegas, Nevada

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JUN 10 2009

JOB INFORMATION
SIEGEL SUITES
SAHARA
2500 TEDDY DRIVE
LAS VEGAS, NV

SALESPERSON
MARK WHITEHOUSE
DESIGNER
DAVID GREEN
SKETCH NO
SIEGEL09

DATE
08-06-2008
VOLTAGE
VERIFY

PRIMARY ELECTRICAL TO SIGN LOCATIONS IS TO BE PROVIDED BY OTHERS. 20 AMP DEDICATED CIRCUIT(S) WITH NO SHARED NEUTRALS AND A GROUND RETURNING TO THE PANEL IS REQUIRED FOR ALL INSTALLATIONS.

COLORS REPRESENTED IN THIS DRAWING ARE FOR PRESENTATION PURPOSES ONLY. THEY MAY NOT MATCH YOUR FINISHED PRODUCT PERFECTLY. COLOR CALL-OUTS ARE FOR A MATCH AS CLOSE AS POSSIBLE.

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THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

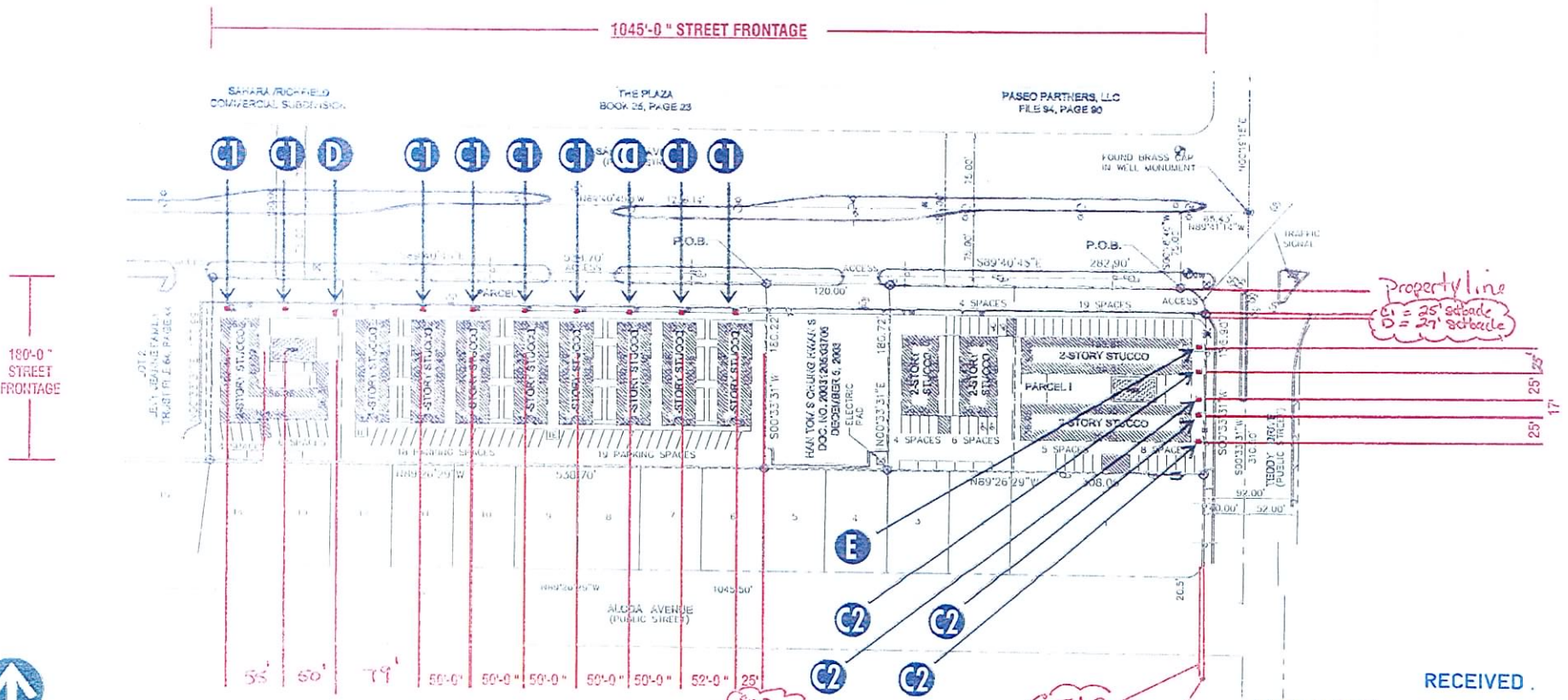
REVISION DATES
1. 08-06-2008 DAG
2. 08-22-2008 AT
3. 08-25-2008 AT
4. 10-06-2008 DAG
5. 10-17-2008 DAG
6. 11-05-2008 DAG
7. 04-24-2009 DAG
8. 04-29-2009 DAG
9.
10.

CLIENT APPROVAL



ultrasigns
ELECTRICAL ADVERTISING
TEL: 858-569-1400 FAX: 858-569-1453
9025 BALBOA AVENUE, STE 150
SAN DIEGO, CA 92123-1520

VAR-34816
07/09/09 PC

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JUN 15 2009

VAR-34816
REVISED
07/09/09 PC

JOB INFORMATION
SIEGEL SUITES
SAHARA
2500 TEDDY DRIVE
LAS VEGAS, NV

SALESPERSON
MARK WHITEHOUSE
DESIGNER
DAVID GREEN
SKETCH NO
SIEGEL09

DATE
08-06-2008
VOLTAGE
VERIFY

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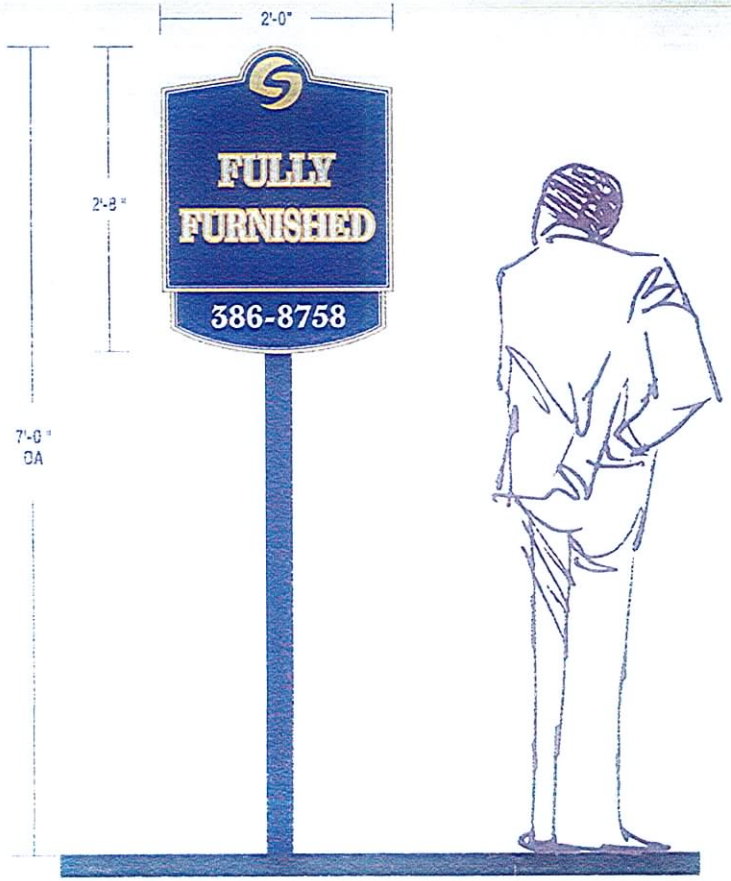
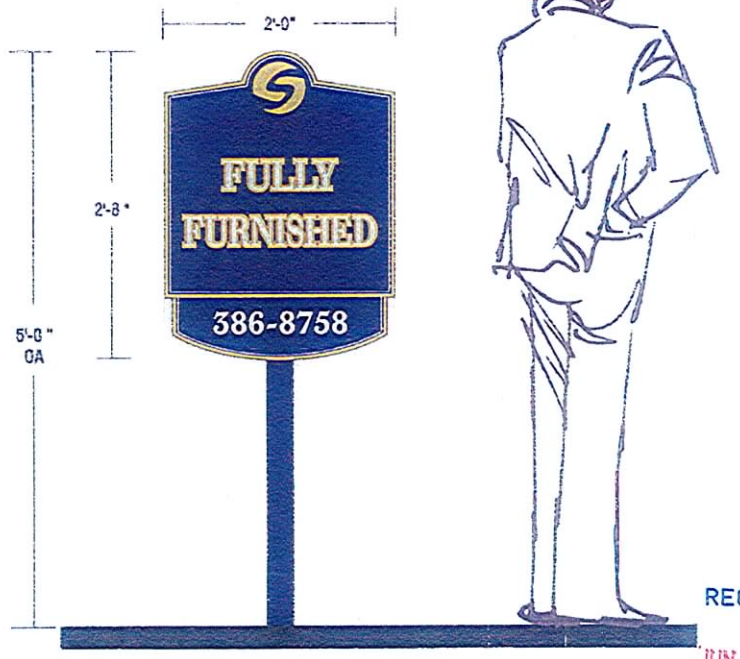



C1 DOUBLE FACED NON-ILLUMINATED POST MOUNTED DISPLAY
SCALE 1"=1'




C2 DOUBLE FACED NON-ILLUMINATED POST MOUNTED DISPLAY
SCALE 1"=1'

RECEIVED
JUN 10 2009

JOB INFORMATION
SIEGEL SUITES
SAHARA
2500 TEDDY DRIVE
LAS VEGAS, NV

SALESPERSON
MARK WHITEHOUSE
DESIGNER
DAVID GREEN
SKETCH NO
SIEGEL09

DATE
08-06-2008
VOLTAGE
VERIFY

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8 04-29-2009 DAG
9
10

CLIENT APPROVAL



ultrasigns
ELECTRICAL ADVERTISING
TEL: 858-569-1400 FAX: 858-569-1453
9025 BALBOA AVENUE, STE 150
SAN DIEGO, CA 92123-1520

VAR-34816
07/09/09 PC




(D) DOUBLE FACED NON-ILLUMINATED WOOD SIGN WITH GRAPHICS
SCALE 1/2"=1'

RECEIVED
JUN 10 2009

JOB INFORMATION
SIEGEL SUITES
SAHARA
2500 TEDDY DRIVE
LAS VEGAS, NV

SALESPERSON
MARK WHITEHOUSE
DESIGNER
DAVID GREEN
SKETCH NO
SIEGEL09

DATE
08-06-2008
VOLTAGE
VERIFY

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CLIENT APPROVAL



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TEL: 858-569-1400 FAX: 858-569-1453
9025 BALBOA AVENUE, STE 150
SAN DIEGO, CA 92123-1520

VAR-34816
07/09/09 PC




E DOUBLE FACED NON-ILLUMINATED WOOD SIGN WITH GRAPHICS
SCALE 1/2"=1'

RECEIVED
JUN 10 2009

JOB INFORMATION
SIEGEL SUITES
SAHARA
2500 TEDDY DRIVE
LAS VEGAS, NV

SALESPERSON
MARK WHITEHOUSE
DESIGNER
DAVID GREEN
SKETCH NO
SIEGEL09

DATE
08-06-2008
VOLTAGE
VERIFY

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07/09/09 PC

| SIGN TYPE | # | ILLUMINATED | STYLE | SQ. FT. |
|---|---|---|---|---|
| C1 / C2 | 13 | NO | FREESTANDING | 6 |
| D | 1 | NO | FREESTANDING | 32 |
| E | 1 | NO | FREESTANDING | 20 |

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SIGN ANALYSIS TABLE

JOB INFORMATION
SIEGEL SUITES
SAHARA
2500 TEDDY DRIVE
LAS VEGAS, NV

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MARK WHITEHOUSE
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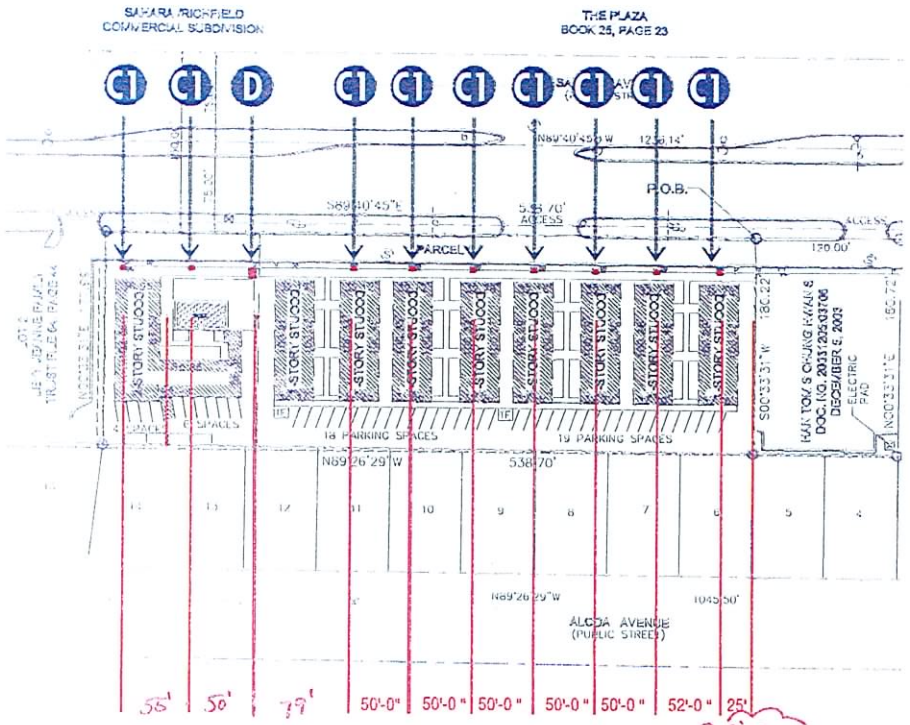


180'-0" STREET FRONTAGE

**ALL "C" SIGNS TO BE SETBACK 1'-0" FROM SIDEWALK**

NORTH

SCALE 1" = 100'

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REVISED
07/09/09 PC

## SIEGEL ALT 2

| JOB INFORMATION | SALESPERSON | DATE |
|---|---|---|
| SIEGEL SUITES<br>SAHARA<br>2500 TEDDY DRIVE<br>LAS VEGAS, NV | MARK WHITEHOUSE<br>DESIGNER<br>DAVID GREEN<br>SKETCH NO<br>SIEGEL09 | 08-06-2008<br>VOLTAGE<br>VERIFY |

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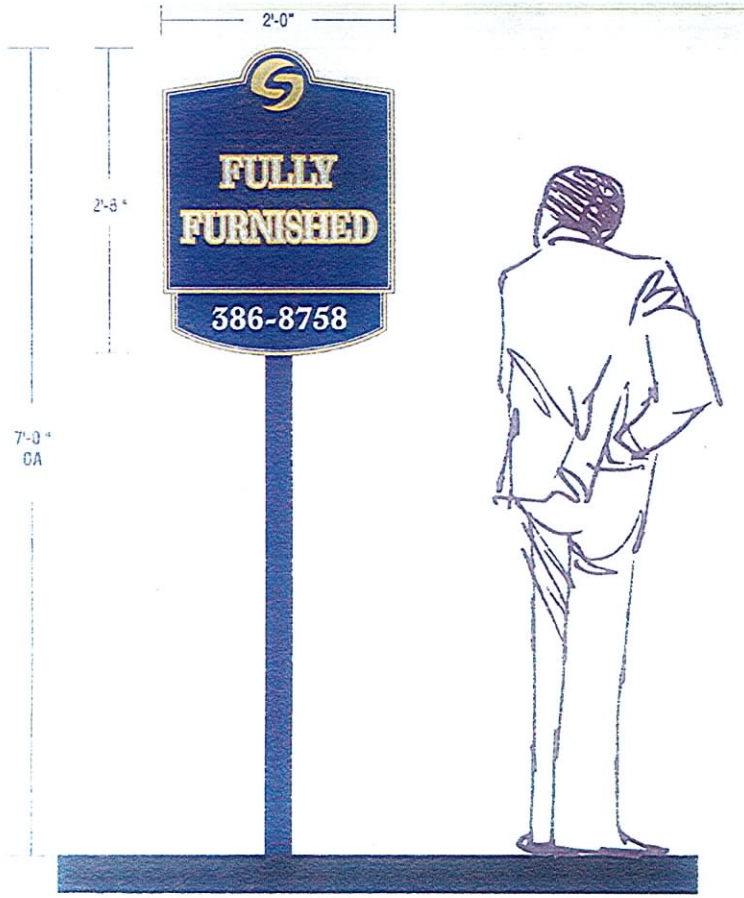


C1 DOUBLE FACED NON-ILLUMINATED POST MOUNTED DISPLAY
SCALE 1" = 1'

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SIEGEL ALT 2

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SAHARA
2500 TEDDY DRIVE
LAS VEGAS, NV

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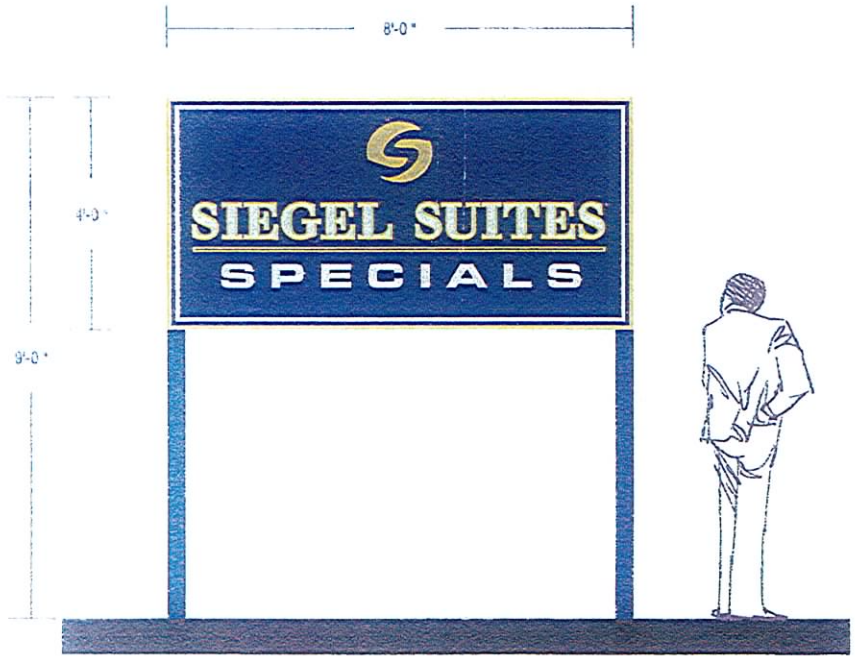


D DOUBLE FACED NON-ILLUMINATED WOOD SIGN WITH GRAPHICS
SCALE 1/2" =1'

RECEIVED
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SIEGEL ALT 2

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|---|---|---|---|---|
| C1 | 9 | NO | FREESTANDING | 6 |
| D | 1 | NO | FREESTANDING | 32 |

SIGN ANALYSIS TABLE

RECEIVED

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SIEGEL ALT 1

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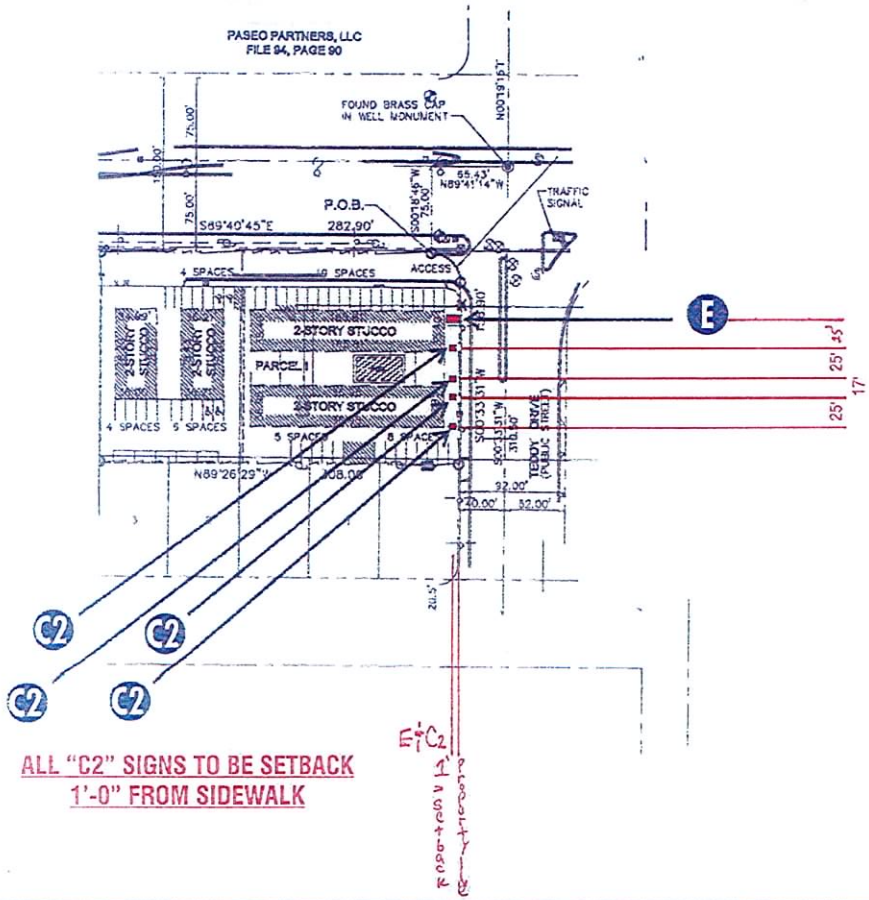


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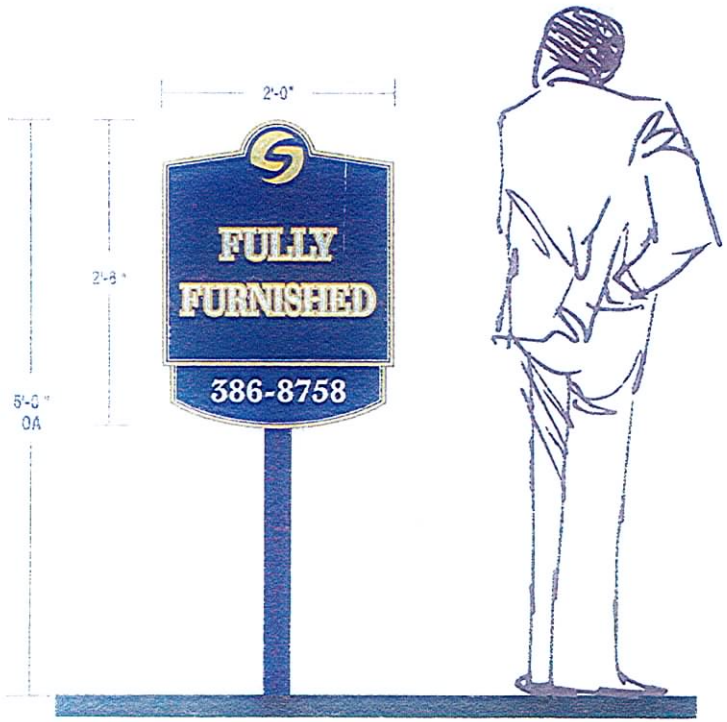


DOUBLE FACED NON-ILLUMINATED POST MOUNTED DISPLAY
SCALE 1"=1'

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SIEGEL ALT 2

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SIEGEL ALT 2

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VAR-34816
07/09/09 PC

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|---|---|---|---|---|
| C2 | 4 | NO | FREESTANDING | 6 |
| E | 1 | NO | FREESTANDING | 20 |

SIGN ANALYSIS TABLE

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SIEGEL ALT 2

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VAR-34816 - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: SAHARA SUITES, LLC
2500 TEDDY DRIVE AND 2713 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

06/04/09




VAR-34816 - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: SAHARA SUITES, LLC
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JULY 9, 2009 PLANNING COMMISSION

06/04/09




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2500 TEDDY DRIVE AND 2713 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

06/04/09

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ELECTRICAL ADVERTISING

## JUSTIFICATION LETTER

**Date:** 11/10/08

**To:** City of Las Vegas Planning & Development
731 S. 4th Street
Las Vegas, NV 89101

**From:** Mark Whitehouse

**Attn:** Planning/Development Department

**Re:** Master Sign Plan including a variance for Siegel Suites Sahara.
Siegel 2 (parcel #s ending 006 & 007)

**To Whom It May Concern:**

**On behalf of Siegel Suites Casa Palms located at 2500 Teddy Dr. Las Vegas, NV 89102, Ultrasigns Electrical Advertising will be filing a *Master Sign Plan*.**

**This package will incorporate all signage on the property and request the following variances.**

**-To allow 5 freestanding signs where 2 are allowed.**
**-To reduce separation distances between signs as per site plan where 100' is required.**
**-To reduce setback distance on all signs to 1' where 5' is required.**
**-To increase square footage of 1 freestanding signs to 618' where 48' on each is allowed.**
**-To increase sign height on 1 freestanding sign to 60' where 12' is permitted.**

**Thanks for your kind consideration of this matter.**

**Sincerely,**

**Mark Whitehouse**
**Ultrasigns, Inc.**
**(702) 336-3336**

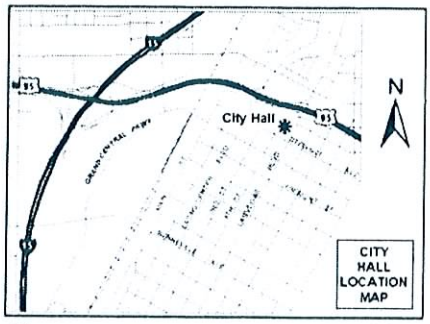
**VAR-34816**
**07/09/09 PC**

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED
FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.41⁴
0004279218 JUN 26 2009
MAILED FROM ZIP CODE 89101

**Return Service Requested**
**Official Notice of Public Hearing**




If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-31854 & VAR-34816**

Planning Commission Meeting of 7/9/2009

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JUN 30 2009

Case: VAR-31854

16205815023
HAIGH TRUST
2613 LOURDES AVE
LAS VEGAS NV 89102-4306

DAVOP1.1 89102

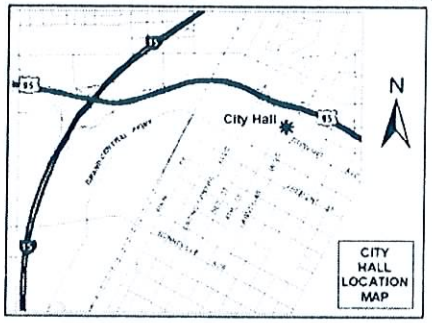
10P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED
FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M
0004279218
$ 00.41⁴
JUN 26 2009
MAILED FROM ZIP CODE 89101

**Return Service Requested**
**Official Notice of Public Hearing**

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JUN 30 2009

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-31854 & VAR-34816**

Planning Commission Meeting of 7/9/2009

No!

Case: VAR-31854
16208511038
OEHLER C F FAMILY TRUST
2824 MERRITT AVE
LAS VEGAS NV 89102-6087

DAVDP11 89102

10P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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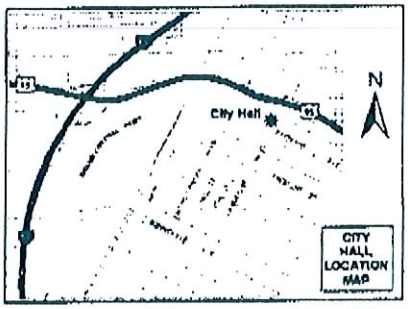
**Official Notice of Public Hearing**

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**VAR-31854 & VAR-34816**
Planning Commission Meeting of 7/9/2009

RECEIVED
JUN 30 2009

Case: VAR-31854
16208511013
BURNS JUDITH T TRUST
2804 ALCOA AVE
LAS VEGAS NV 89102-6023

10P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES

02 1M $ 00.41⁴
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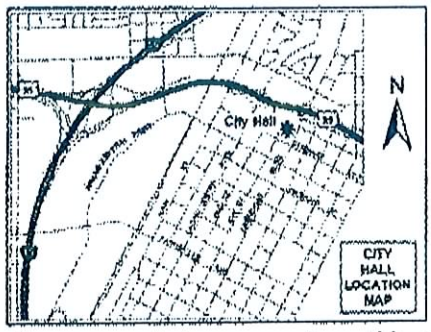


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**VAR-31854 & VAR-34816**
Planning Commission Meeting of 7/9/2009

RECEIVED
JUN 29 2009

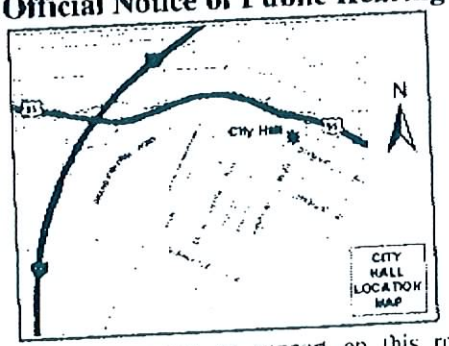
Case: VAR-31854
16208511029
MARTIN LILLIAN KATHERINE
2801 ALCOA AVE
LAS VEGAS NV 89102-6025

89102

10P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

**Return Service Requested**
**Official Notice of Public Hearing**

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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**VAR-31854 & VAR-34816**

Planning Commission Meeting of 7/9/2009

PRESORTED FIRST CLASS

UNITED STATES POSTAGE

$ 00.41

RECEIVED
JUN 29 2009

Case: VAR-31854

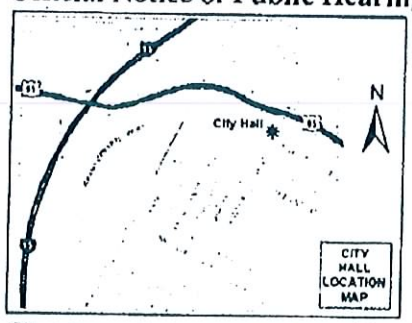
16208511063
WHITING PAUL G & KATIA C
2825 MERRITT AVE
LAS VEGAS NV 89102-6048

DAVDP11 89102

10P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

**Return Service Requested**
**Official Notice of Public Hearing**

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.
**VAR-31854 & VAR-34816**
Planning Commission Meeting of 7/9/2009

DEPOSIT AREA




RECEIVED
JUN 29 2009

Case: VAR-31854
16208501001
LEVY JEANNE FAMILY TRUST
7800 SILVER PLATEAU AVE
LAS VEGAS NV 89128-2655

10A

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

## *AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT*
### PLANNING COMMISSION MEETING OF: JULY 9, 2009

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

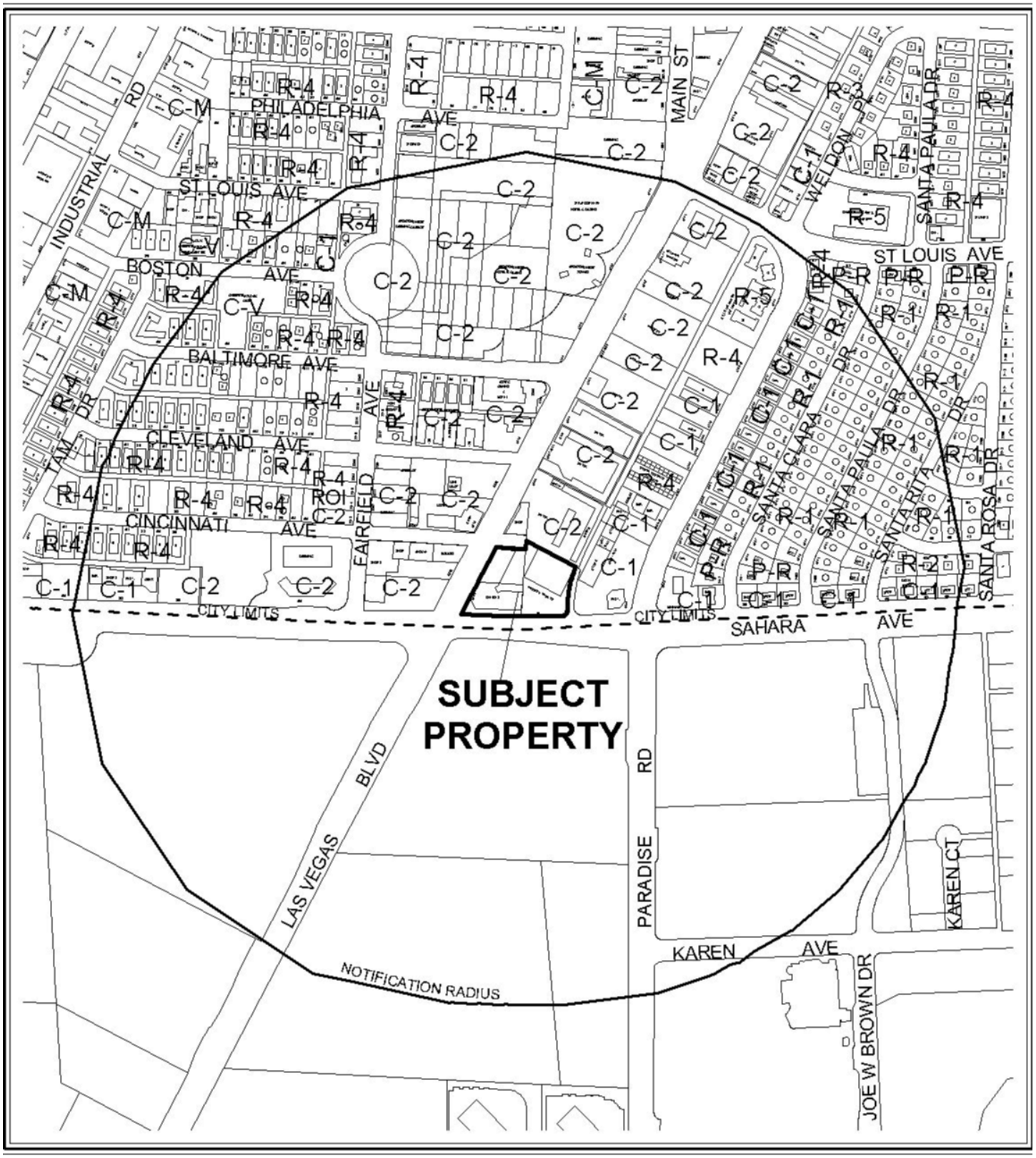
**SUBJECT:**
**ABEYANCE - RENOTIFICATION - VAR-34308 - VARIANCE - PUBLIC HEARING - APPLICANT: GEORGE RAINHART - OWNER: ASPEN HIGHLANDS HOLDINGS, LLC** - Request for a Variance TO ALLOW A 507-FOOT TALL, 28,856 SQUARE-FOOT ROOF SIGN WHERE A MAXIMUM OF EIGHT FEET IN HEIGHT AND 150 SQUARE FEET IN AREA IS 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

**C.C.: 08/05/2009**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **16** | **Planning Commission Mtg.** | **8** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
**DENIAL**

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards




0 400 800 Feet

**CASE:** VAR-34308

**RADIUS:** 1500 FT

**ZONING OF SUBJECT PROPERTY:** C-2 (GENERAL COMMERCIAL)

N




0 400 800 Feet

**CASE:** VAR-34308

**RADIUS:** 1500 FT

**ZONING OF SUBJECT PROPERTY:** C-2 (GENERAL COMMERCIAL)

N

City of Las Vegas

## AGENDA MEMO

**PLANNING COMMISSION MEETING DATE: JULY 9, 2009**
**DEPARTMENT: PLANNING AND DEVELOPMENT**
**ITEM DESCRIPTION: ABEYANCE - RENOTIFICATION - VAR-34308 - APPLICANT: GEORGE RAINHART - OWNER: ASPEN HIGHLANDS HOLDINGS, LLC**

## ** CONDITIONS **

**STAFF RECOMMENDATION:** **DENIAL.** If Approved, subject to:

***Planning and Development***

1. 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.

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.

**VAR-34308 - Staff Report Page One**
**July 9, 2009 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request for a Variance to allow a 98-foot tall LED video display roof sign on top of a two-story casino and retail establishment at the northeast corner of Sahara Avenue and Las Vegas Boulevard. The proposed sign would be oriented to the south and west, facing Sahara Avenue and Las Vegas Boulevard, respectively. As the sign is proposed to be an LED display, it meets the requirements of the Las Vegas Boulevard Scenic Byway Overlay District, although it should be noted that no Off-Premise Signs are permitted within the district, and the sign could be used to advertise goods and services offered only at the subject site. Staff is recommending denial of this request as the applicant has not provided compelling evidence of a unique or extraordinary circumstance, and has created a self-imposed hardship by proposing a sign that does not meet the standards of Title 19.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 02/21/96 | The City Council approved a Special Use Permit (U-0151-95) for the off-premise sale of beer and wine in conjunction with a convenience store. |
| 04/20/94 | The City Council approved a Special Use Permit (U-0026-94) to allow the sale of beer and wine in conjunction with a proposed restaurant. |
| 11/03/04 | The City Council approved requests for a Special Use Permit (SUP-5028) for a proposed 73-story mixed-use development, and a Site Development Review (SDR-5027) with Waivers of the Downtown Centennial Plan Standards for streetscape, building stepbacks, and reflective glazing for a 73-story, 1,300,000 square-foot mixed-use development consisting of 960 condominium units and 25,000 square feet of commercial uses on 2.17 acres at 2423 and 2417 Las Vegas Boulevard. The Planning Commission recommended approval. |
| 03/02/05 | The City Council approved a Petition to Vacate (VAC-5030) a 20-foot wide public alley generally located north of Sahara Avenue, west of Paradise Road. The Planning Commission recommended approval. |

| | |
|---|---|
| 06/15/05 | The City Council approved a request for a Review of Conditions (ROC-6691) for an approved Site Development Plan Review (SDR-5027) to remove Condition numbers 18, 27 and 30 for an approved 73-story, 863-foot tall, 1,300,000 square-foot mixed-use development consisting of 951 condominium units and 41,000 square feet of commercial uses on 2.17 acres at 2417 and 2423 South Las Vegas Boulevard. |
| 11/03/05 | The Planning Commission approved a Tentative Map (TMP-9117) for a 944-unit mixed-use condominium development on 2.17 acres adjacent to the northeast corner of Sahara Avenue and Las Vegas Boulevard. |
| 12/06/06 | The City Council approved a request for an Extension of Time (EOT-16956) of an approved Special Use Permit (SUP-5028) that allowed a 73-story mixed-use development at 2423 and 2417 Las Vegas Boulevard. |
| 06/11/09 | The Planning Commission held in abeyance requests for a Waiver (WVR-34311) to allow Cincinnati Street to not terminate in a cul-de-sac; a Variance (VAR-34308) 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; and Special Use Permits (SUP-34309 and 34310) 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, and for a proposed 547-foot high structure with roof sign within the A-O (Airport Overlay) District where the height limitation is 175 feet for a proposed structure; and 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 at the northeast corner of Sahara Avenue and Las Vegas Boulevard. |
| 07/09/09 | The Planning Commission will consider associated requests for a Waiver (WVR-34311) to allow Cincinnati Street to not terminate in a cul-de-sac; 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; and 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 at the northeast corner of Sahara Avenue and Las Vegas Boulevard. The applicant has requested to withdraw (without prejudice) a Special Use Permit (SUP-34310) for a proposed 547-foot high structure with roof sign within the A-O (Airport Overlay) District where the height limitation is 175 feet for a proposed structure. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 07/20/90 | A building permit (#90075858) was issued for a retail center at 2401 S. Las Vegas Blvd. The permit was finaled on 12/10/91. |
| 09/26/90 | A building permit (#90083891) was issued for a retail center at 2401 S. Las Vegas Blvd. The permit was finaled on 12/05/91. |
| 08/16/91 | A building permit (#91116828) was issued for on-site improvements at 2401 S. Las Vegas Blvd. The permit was finaled on 12/10/91. |
| 08/16/91 | A building permit (#91116829) was issued for a three-level garage structure at 2401 S. Las Vegas Blvd. The permit was finaled on 12/10/91. |

| ***Pre-Application Meeting*** | |
|---|---|
| 04/16/09 | A pre-application meeting was held to discuss the necessary applications for the proposed project, including a Site Development Plan Review, a Variance for signage, Special Use Permits for excessive height within the Airport Overlay District and for a Liquor Establishment, Tavern, and a Waiver to Title 18 street standards. Also discussed were the following issues:<br>• Remapping of the subject parcels into a single parcel is required.<br>• The project is deemed to be a Project of Regional Significance (PRS) as it pertains to the Special Use Permits because it is located within 500 feet of the boundary with Clark County. Traffic analysis, when available, may also affect this designation for the Site Development Plan Review.<br>• Minor changes required to bring the streetscapes into compliance with the Downtown Centennial Plan.<br>• Approval of the required Waiver of distance separation for the Liquor Establishment, Tavern, is dependent upon the passage of Text Amendment (TXT-32865).<br>• Parking to be calculated as a Shopping Center only for those portions of the site meeting the definition. The casino portion is to be calculated separately.<br>• Pursuant to Title 19.06.140, no Off-Premise Signs are permitted within the Las Vegas Scenic Byway. |

| ***Neighborhood Meeting*** |
|---|
| A neighborhood meeting was neither required nor held for this request. |

| ***Field Check*** | |
|---|---|
| 05/07/09 | A field check was conducted by staff. The site has existing vacant commercial buildings that are in relatively good shape, with the exception of a roof sign is disrepair. Landscaping is in poor shape, with weeds in most planter areas. |

| *Details of Application Request* | |
|---|---|
| ***Site Area*** | |
| Gross Acres | 2.17 Acres |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|---|---|---|---|
| Subject Property | Vacant Commercial Building and Parking Structure | C (Commercial) | C-2 (General Commercial) |
| North | Shops and Motel | C (Commercial) | C-2 (General Commercial) |
| South | Resort / Casino | CT (Commercial Tourist) Clark County | H-1 (Limited Resort and Apartment District) Clark County |
| East | Retail Center | C (Commercial) | C-2 (General Commercial) |
| West | Retail Center | C (Commercial) | C-2 (General Commercial) |

| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
|---|---|---|---|
| **Special Area Plan** | | | |
| Downtown Centennial Plan (Las Vegas Boulevard) | X | | Y |
| Beverly Green / Southridge Neighborhood Plan | X | | Y |
| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
| **Special Purpose and Overlay Districts** | | | |
| Downtown Overlay District (Las Vegas Boulevard, John S. Park Adjacent Area) | X | | N |
| G-O Gaming Enterprise Overlay District | X | | Y |
| A-O Airport Overlay District (175 Feet) | X | | N |
| Las Vegas Boulevard Scenic Byway Overlay District | X | | Y |
| **Trails** | X | | Y |
| **Rural Preservation Overlay District** | | X | N/A |
| **Development Impact Notification Assessment** | | X | N/A |
| **Project of Regional Significance** | | X | N/A |

## DEVELOPMENT STANDARDS

***Pursuant to Title 19.14.060, the following standards apply:***

| **Wall Signs:** | | |
|---|---|---|
| **Standards** | **Allowed** | **Provided** |

| | | |
|---|---|---|
| Maximum Area | Maximum 20% of the building elevation | • North: 1,781 SF or 15%<br>• South: 3,064 SF or 28%<br>• East: 1,640 SF or 23%<br>• West: 3,415 SF or 39% |
| Maximum Projection | 4 Feet | Zero Feet |
| Illumination | Internal/External | LED Full Motion Video Display |

| **Roof Sign:** | | |
|---|---|---|
| **Standards** | **Allowed** | **Provided** |
| Maximum Number | 1 / Building Elevation<br>4 total | 1 / Building Elevation<br>1 total |
| Maximum Area | Maximum 20% of the building elevation to which the sign is most nearly parallel to, up to a maximum of 150 square feet. The total combined area of all wall, window, roof, awning and marquee signs shall not exceed twenty percent of the building elevation to which they are attached. | • North: 1,781 SF or 15%<br>• South: 8,802 SF or 79%<br>• East: 1,640 SF or 23%<br>• West: 8,887 SF or 101% |
| Maximum Height | A roof sign shall not extend more than eight feet above the top of wall, marquee or parapet to which it is attached. The total height of the building, including the sign, shall not exceed permitted height of the building in the zoning district in which it is located. | 98 Feet |
| Illumination | Direct/Internal | LED / Full Motion Video Display |

## ANALYSIS

The proposed sign is 98 feet tall, and mounted atop a two-story, 40-foot tall commercial building. It has an LED display on the south and west elevations, facing Sahara Avenue and Las Vegas Boulevard, respectively. The site is located within the Las Vegas Boulevard Scenic Byway Overlay District, and the sign will meet the minimum standards of the district; however, no Off-Premise Signs are permitted within the district, and the sign could be used to advertise only those goods and services offered at the subject site. The LED display, combined with the height of the proposed sign, will make it visible for a great distance. Staff is recommending denial of this request as the applicant has not provided compelling evidence of a unique or extraordinary circumstance, and has created a self-imposed hardship by proposing a sign that does not meet the standards of Title 19.

SG

## FINDINGS

In accordance with the provisions of Title 19.18.070(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.18.070L states:
"Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing a sign that does not meet the requirements of Title 19. Alternative design would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 12

**ASSEMBLY DISTRICT** 9

**SENATE DISTRICT** 10

**NOTICES MAILED** 742

**APPROVALS** 8

**PROTESTS** 16

SG

PLANNING & DEVELOPMENT

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-34308** APN: 162-04-813-070 & 071 and 162-03-410-008

Name of Property Owner: Aspen Highlands Holdings, LLC

Name of Applicant: George Rainhart

Name of Representative: Kummer Kaempfer Bonner Renshaw & Ferrario

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes __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: Steve Johnson

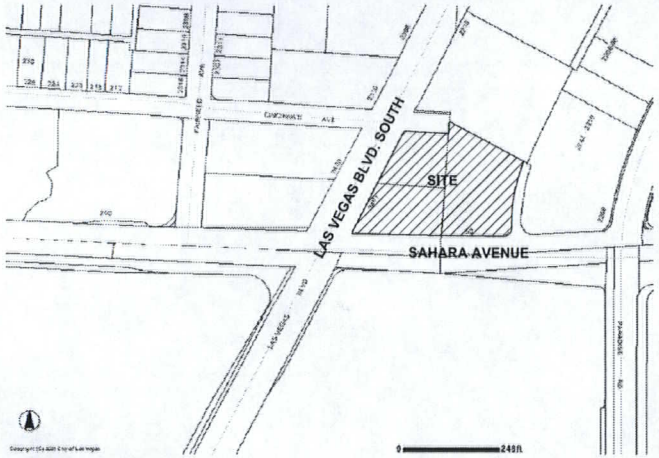
Subscribed and sworn before me

This 21st day of April, 2009

Maricopa County, AZ

Notary Public in and for said County and State

OFFICIAL SEAL
JEFFREY SCANLON
NOTARY PUBLIC - State of Arizona
MARICOPA COUNTY
My Comm. Expires Nov. 10, 2009




## 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 OFA TWO STORY BUILDING HOUSING A PHARMACY, A CASINO, RETAIL AND RESTAURANT.
9. CONSTRUCTION OF MARQUE ANIMATED VIDEO SIGN WRAPPING THE CORNER.
10. CONSTRUCTION OF A 546'-3" HIGH MAST SUPPORTING A SAIL SHAPED MARQUE ANIMATED VIDEO DISPLAY.
11. CONSTRUCTION OF A 40 FOOT HIGH SOLID STUCCO FACED WALL EXTENDING EAST ALONG SAHARA AVE TO SCREEN SURFACE PARKING.
12. CONSTRUCTION OF LOADING AREA AND REFUSE COMPACTOR AREA, SURFACE PARKING AND PHARMACY PICK-UP WINDOW.

**SIGN AREA TABULATION**

| FACADE | FACADE S.F. | SIGN TYPE & S.F. | TOTAL SIGN S.F. | % SIGNAGE |
|---|---|---|---|---|
| NORTH | ±12,213 S.F. | TYPE 4: ±1,781 S.F. | ±1,781 S.F. | ±15% |
| SOUTH | ±11,158 S.F. | TYPE 2: ±2,138 S.F.<br>TYPE 3: ±3,600 S.F.<br>TYPE 4: ±3,064 S.F. | ± 8,802 S.F. | ±79% |
| EAST | ±7,270S.F. | TYPE 4: ±1,640 | ±1,640 S.F. | ±23% |
| WEST | ±8,840 S.F. | TYPE 2: ±1,872 S.F.<br>TYPE 3: ±3,600 S.F.<br>TYPE 4: ±3,415 S.F. | ±8,887 S.F. | ±101% |
| | | TOTAL SIGNAGE | ±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

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 | 9000 / 90 = | 100 |
| RESTAURANT: | | |
| DINNING | 3000 / 250 = | 12 |
| SERVICE | 3000 / 250 = | 12 |
| RETAIL | 4000 / 250 = | 16 |
| | TOTAL | 213 |

264 - 39% = 162 SPACES

39% PARKING REDUCTION REQUESTED 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

SITE AREA: 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 Ues Permit:
Downtown Overlay District
included within the Las Vegas Downtown
Centenniol Plan
Yard Setbacks Wavier: Front: 0 feet
Interior side: 0 feet
Rear: 0 feet
Height: - feet
+/- 18,600 S.F.

BUILDING AREA:

| | |
|---|---|
| PHARMACY | 13100 S.F. |
| MEZZANINE | 5000 S.F. |
| CASINO | 9000 S.F. |
| RESTAURANT | 6000 S.F. |
| RETAIL | 4000 S.F. |
| TOTAL: | 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 | SECOND FLOOR PLAN |
| A2.1 | NORTH ELEVATION |
| A2.2 | SOUTH ELEVATION |
| A2.3 | EAST ELEVATION |
| A2.4 | WEST ELEVATION |
| A2.5 | RENDERED SOUTH ELEVATION |
| A3.1 | BUILDING SECTION |


**VAR-34308 WVR-34311**
**SUP-34309 SUP-34310**
**REVISED SDR-34306**
**07/09/09 PC**

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JUN 19 2009

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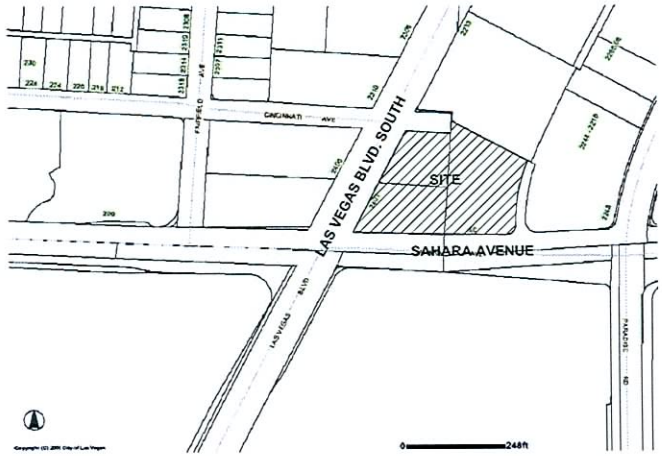
|---|---|---|---|
| | | | |


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.
2417 SOUTH LAS VEGAS BOULVARD
LAS VEGAS, NEVADA 89104
PROJECT NUMBER: 0806
DRAWN BY: JCS
SHEET TITLE: COVER SHEET-PHASE 1
DATE: 2.10.2009
SCALE:
SHEET: AC




## 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 OFA TWO STORY BUILDING HOUSING A PHARMACY, A CASINO, RETAIL AND RESTAURANT.
9. CONSTRUCTION OF MARQUE ANIMATED VIDEO SIGN WRAPPING THE CORNER.
10. CONSTRUCTION OF A 546'-3" HIGH MAST SUPPORTING A SAIL SHAPED MARQUE ANIMATED VIDEO DISPLAY.
11. CONSTRUCTION OF A 40 FOOT HIGH SOLID STUCCO FACED WALL EXTENDING EAST ALONG SAHARA AVE TO SCREEN SURFACE PARKING.
12. CONSTRUCTION OF LOADING AREA AND REFUSE COMPACTOR AREA, SURFACE PARKING AND PHARMACY PICK-UP WINDOW.

**SIGN AREA TABULATION**

| SIGN TYPE | LOCATION | DESCRIPTION | AREA | PERCENTAGE |
|---|---|---|---|---|
| TYPE 1 | ROOF | LED FULL MOTION VIDEO DISPLAY 30-60 MM RESOLUTION | ± 18,471 S.F. | N/A |
| TYPE 2 | ROOF | NON VIDEO COLORED LEDS | ± 13,117 S.F. | N/A |
| TYPE 3 | ROOF | LED FULL MOTION VIDEO DISPLAY 30-60 MM RESOLUTION | ± 7,312 S.F. | N/A |
| TYPE 4 EAST FACADE | BUILDING | LED FULL MOTION VIDEO DISPLAY 10 MM RESOLUTION | ± 3,600 S.F. | ± 23% OF FACADE |
| TYPE 4 SOUTH FACADE | BUILDING | LED FULL MOTION VIDEO DISPLAY 10 MM RESOLUTION | ± 6,300 S.F. | ± 49% OF FACADE |
| TYPE 5 | ROOF | LED FULL MOTION VIDEO DISPLAY 10 CM | ± 25,200 S.F. | N/A |
| | | TOTAL | ± 74,000 S.F. | |

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 | 9000 / 90 = | 100 |
| RESTAURANT: | | |
| DINNING | 3000 / 50 = | 60 |
| SERVICE | 3000 / 200 = | 15 |
| RETAIL | 4000 / 250 = | 16 |
| | TOTAL | 264 |

264 – 39% = 162 SPACES

39% PARKING REDUCTION REQUESTED 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 Ues Permit:
Downtown Overlay District
included within the Las Vegas Downtown
Centennial Plan
Yard Setbacks Wavier: Front: 0 feet
Interior side: 0 feet
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BUILDING AREA:

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## DRAWING INDEX


| | |
|---|---|
| AC | COVER SHEET |
| AS1.0 | SITE PLAN |
| L1.1 | LANDSCAPE PLAN |
| A1.0 | CASINO AND WALGREENS GROUND FLOOR PLAN |
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| A1.2 | SECOND FLOOR PLAN |
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| A3.1 | BUILDING SECTION |


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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 NAME: SAHARA AND LAS VEGAS BLVD.
SAHARA AVENUE AND LAS VEGAS BOULEVARD
LAS VEGAS, NEVADA 89104
PROJECT MANAGER: George Rainhart AIA
JOB NO: 0708
DRAWN BY: JCS
SHEET TITLE: COVER SHEET-PHASE 1
DATE: 2.10.2009
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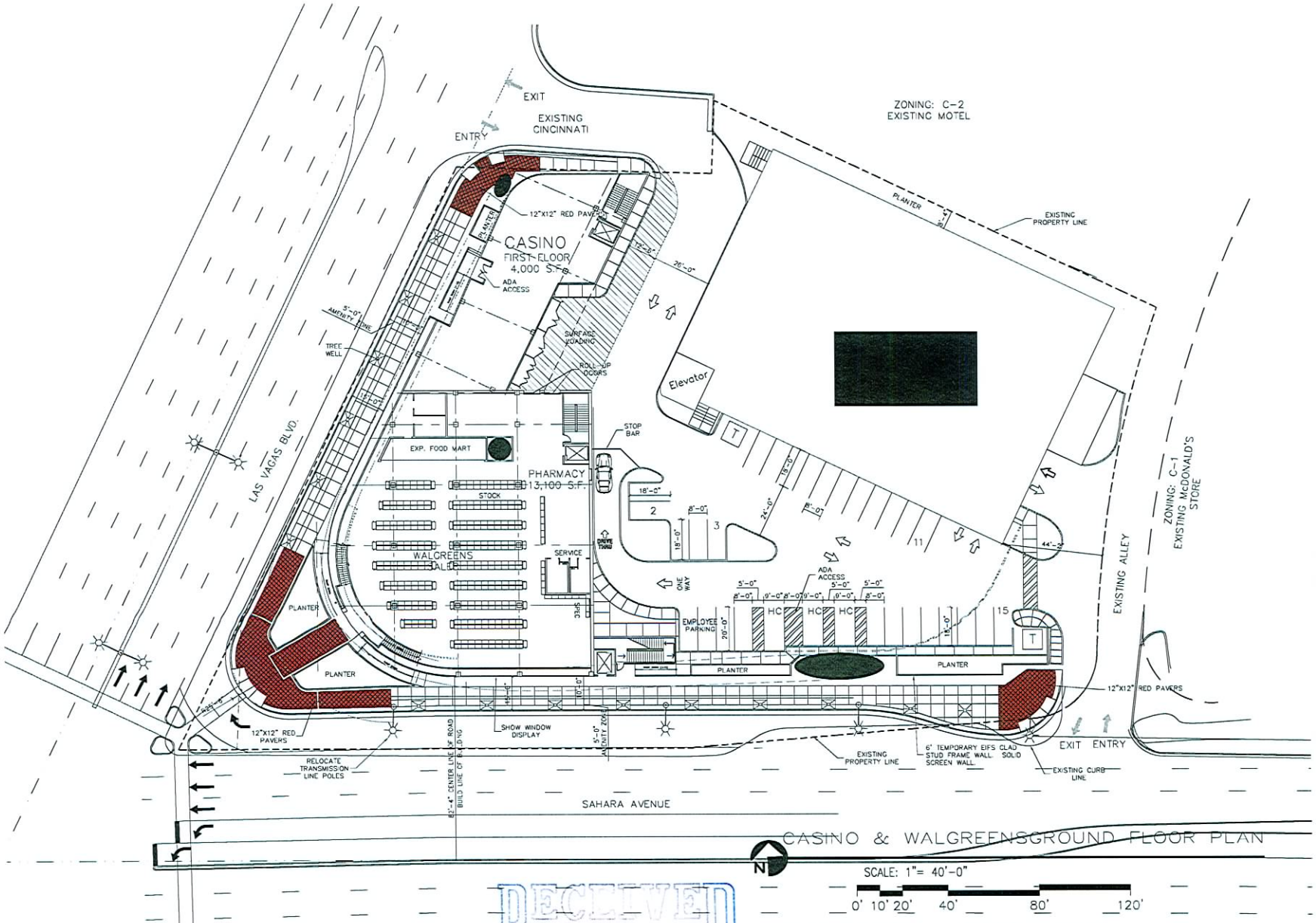
sheet no: AC

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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, NA
JOB NO.: 8758
DRAWN BY: JCS

SHEET TITLE: GROUND FLOOR PLAN

DATE: 2.10.2009
SCALE: -
sheet: A1.0

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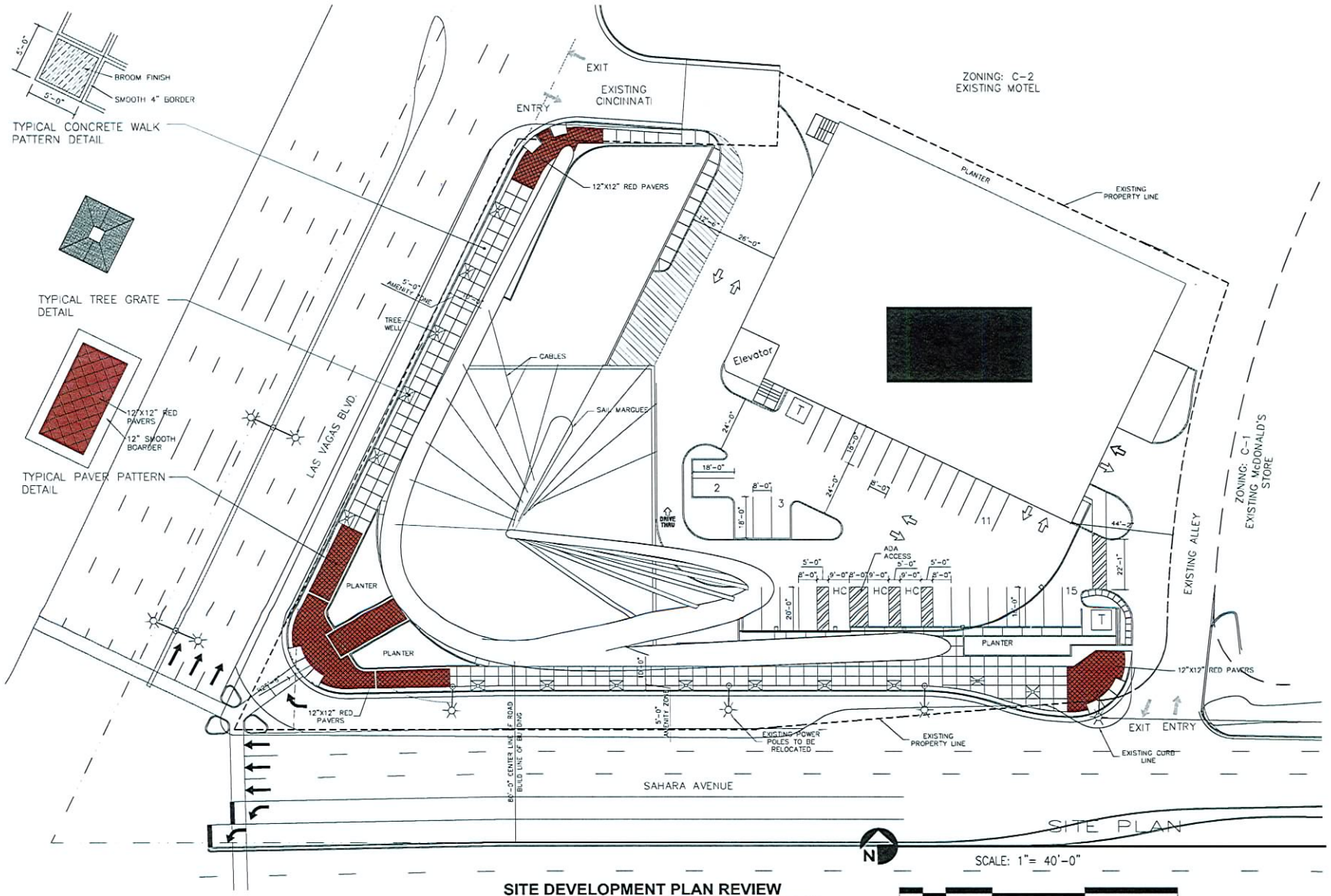


**SITE DEVELOPMENT PLAN REVIEW**
**SPECIAL USE PERMIT**

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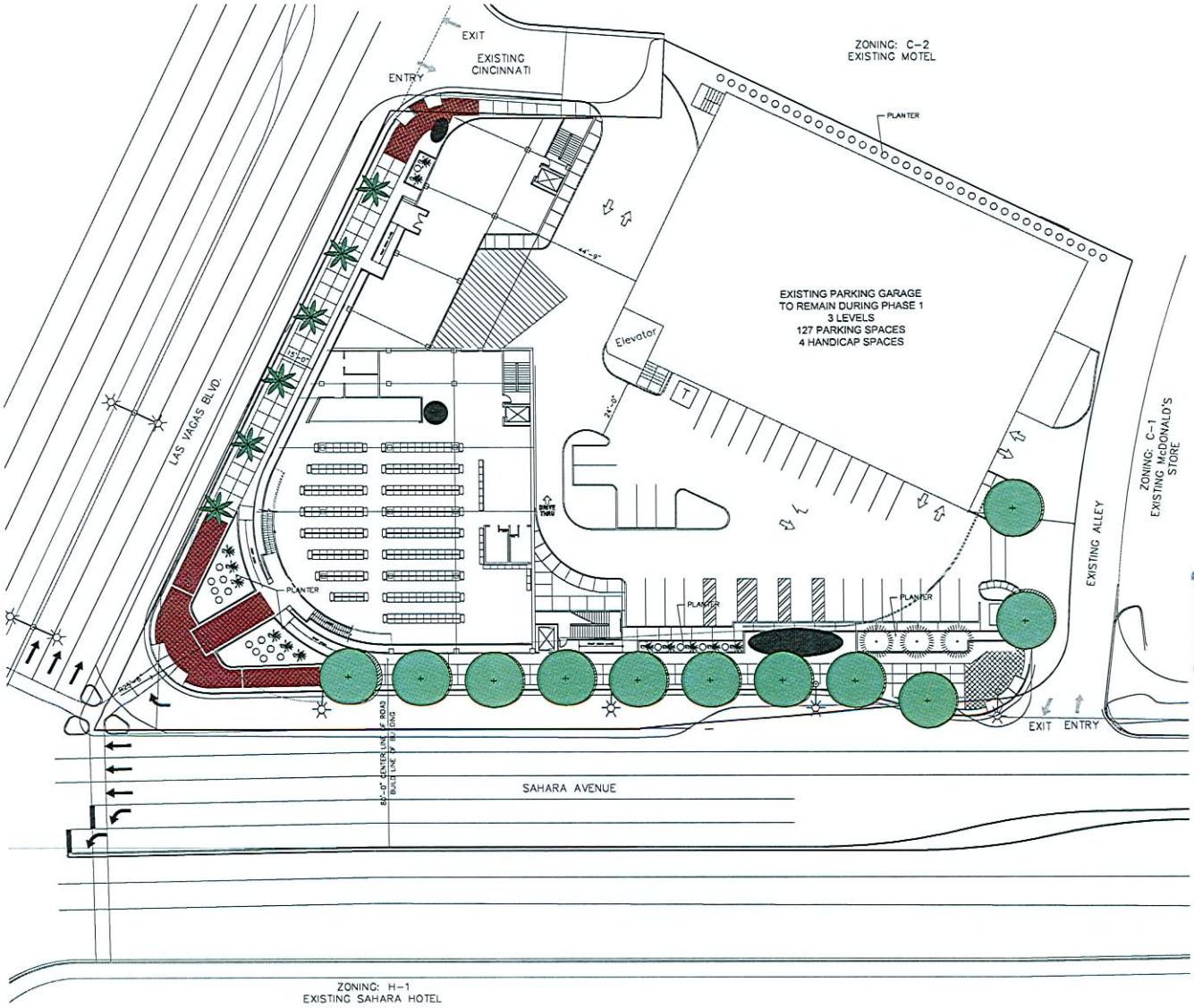
GEORGE RAINHART, ARCHITECT AND ASSOCIATES P.C.
2325 SAN PEDRO NE., SUITE 2-B
ALBUQUERQUE, NEW MEXICO 87110
PHONE (505) 884-9110 FAX (505) 837-9877


PROJECT TITLE: SAHARA AND LAS VEGAS BLVD.
2427 SOUTH LAS VEGAS BOULEVARD
LAS VEGAS, NEVADA 89104

PROJECT MANAGER: George Rainhart, AIA
JOB NO.: 8704
DRAWN BY: JCS
SHEET TITLE: SITE PLAN

DATE: 2.10.2009
SCALE: -
sheet- AS1.0







VICINITY MAP N.T.S

## PLANTING LEGEND

| Size | Common Name | Quantity |
|---|---|---|
| 25' | Deglet-Noor Date Palms | 6 |
| 15' | Southern Live Oak | 29 |

Trees and Palms, 30'-0" o.c. in tree grates

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LANDSCAPE PLAN
SCALE 1" = 20'-0"

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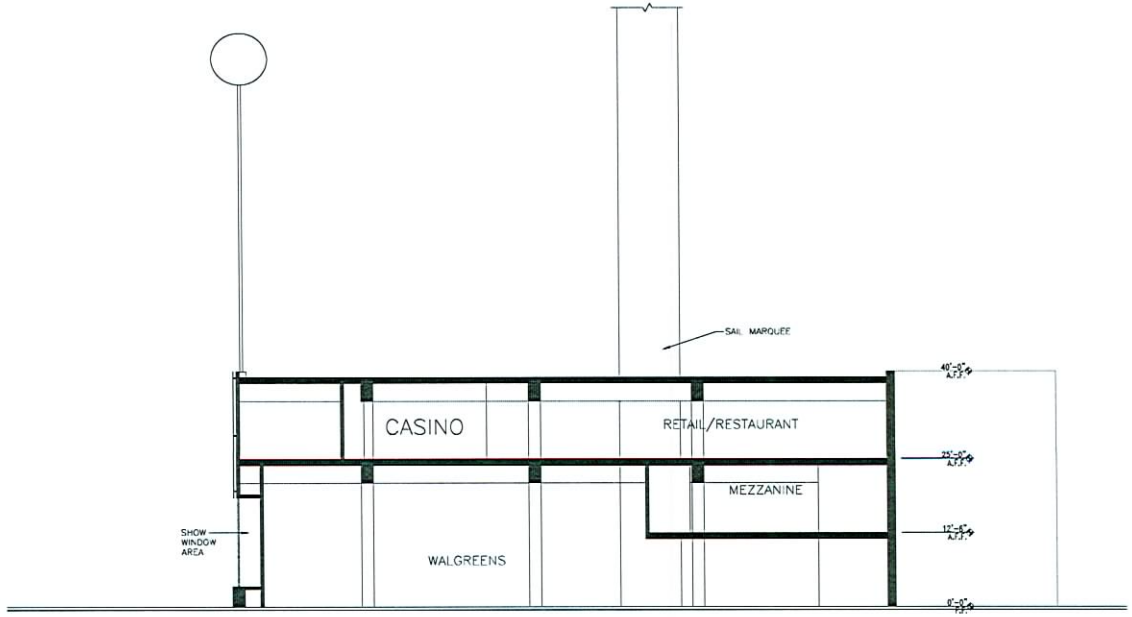
GEORGE RAINHART, ARCHITECT AND ASSOCIATES P.C.
2325 SAN PEDRO NE, SUITE 2-B
ALBUQUERQUE, NEW MEXICO 87110
PHONE (505) 884-9110 FAX (505) 837-9877

PROJECT TITLE
SAHARA AND LAS VEGAS BLVD.
1327 SOUTH LAS VEGAS BOULEVARD
LAS VEGAS, NEVADA 89104

JOB NO. 718
DRAWN BY: DDW
PROJECT MANAGER: George Rainhart
SHEET TITLE: LANDSCAPE PLAN - PHASE 1

DATE: 2.10.2009
SCALE: -
SHEET NO. L1.1




BUILDING SECTION

SCALE: 1"= 20'-0"

0' 5' 10' 20' 40' 80'

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GEORGE RANHART, ARCHITECT AND ASSOCIATES P.C.
2325 SAN PEDRO NE. SUITE 2-B
ALBUQUERQUE, NEW MEXICO 87110
PHONE (505) 884-9110 FAX (505) 837-9877

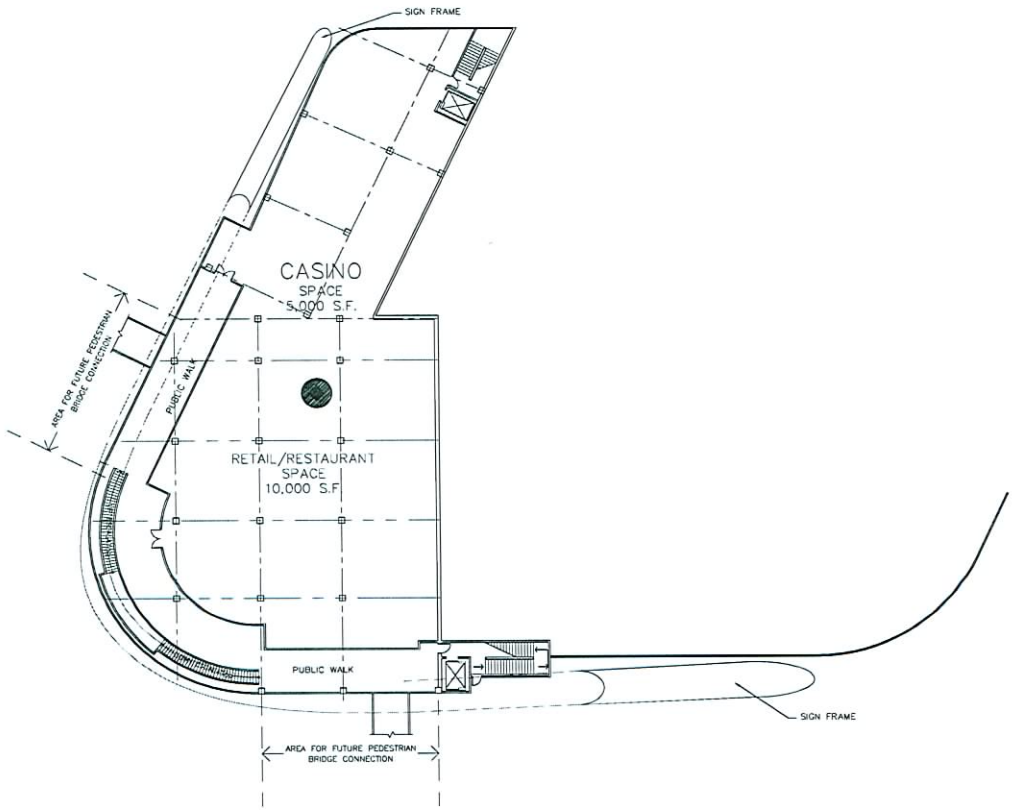
PROJECT TITLE: SAHARA AND LAS VEGAS BLVD.
2470 SOUTH LAS VEGAS BOULEVARD
LAS VEGAS, NEVADA 89104

JOB NO: 0708
DRAWN BY: JCS
PROJECT MANAGER: George Ranhart, AIA

SHEET TITLE: BUILDING SECTION

DATE: 2.10.2009
SCALE: -

SHEET: A3.1




CASINO/RESTAURANT/RETAIL
SECOND FLOOR PLAN

N

SCALE: 1"= 40'-0"

0' 10' 20' 40' 80' 120'

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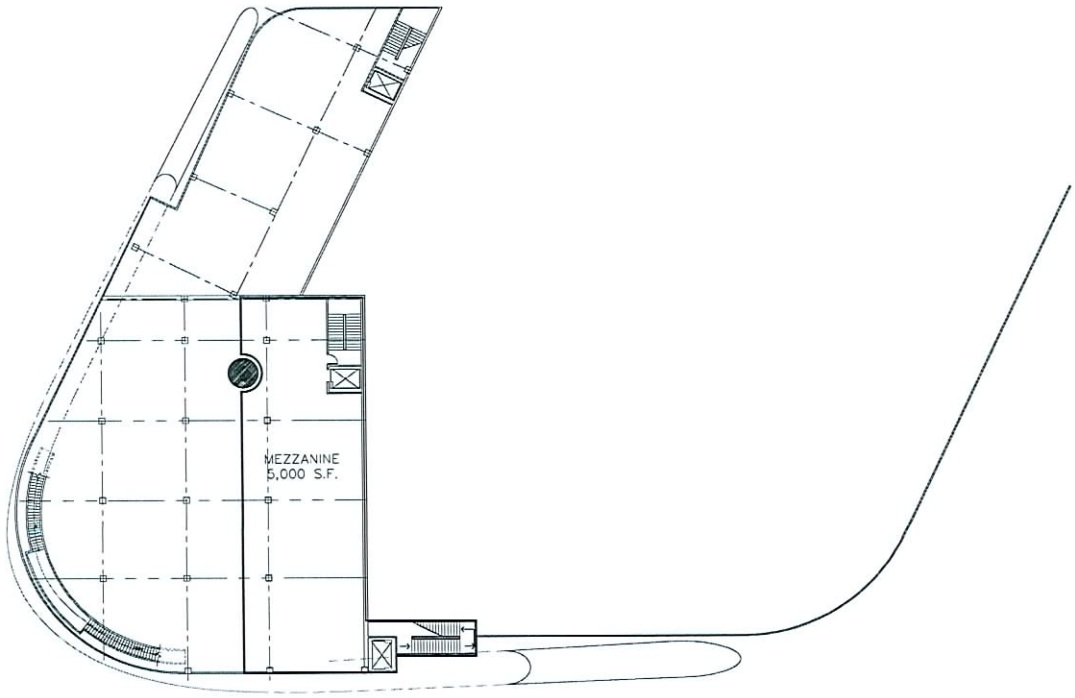
GEORGE RAINHART, ARCHITECT AND ASSOCIATES P.C.
2325 SAN PEDRO NE., SUITE 2-B
ALBUQUERQUE, NEW MEXICO 87110
PHONE (505) 884-9110 FAX (505) 837-9877

PROJECT TITLE: SAHARA AND LAS VEGAS BLVD.
2427 SOUTH LAS VEGAS BOULEVARD
LAS VEGAS, NEVADA 89104

PROJECT MANAGER: George Rainhart, NM
JOB NO.: 1234
DRAWN BY: JCS

SHEET TITLE: SECOND FLOOR PLAN

DATE: 2.10.2009
SCALE: -
sheet: A1.2
of:

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WALGREENS MEZZANINE PLAN

N

SCALE: 1"= 40'-0"

0' 10' 20' 40' 80' 120'

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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.: 0704
DRAWN BY: JCS

SHEET TITLE
MEZZANINE PLAN

DATE: 2.10.2009
SCALE: -
sheet- A1.1
of-

| SIGN AREA TABULATION | | | | |
|---|---|---|---|---|
| FACADE | FACADE S.F. | SIGN TYPE & S.F. | TOTAL SIGN S.F. | % SIGNAGE |
| NORTH | ±12,213 S.F. | TYPE 4: ±1,781 S.F. | ±1,781 S.F. | ±15% |
| SOUTH | ±11,158 S.F. | TYPE 2: ±2,138 S.F.<br>TYPE 3: ±3,600 S.F.<br>TYPE 4: ±3,064 S.F. | ± 8,802 S.F. | ±78% |
| EAST | ±7,270S.F. | TYPE 4: ±1,640 | ±1,640 S.F. | ±23% |
| WEST | ±8,840 S.F. | TYPE 2: ±1,872 S.F.<br>TYPE 3: ±3,600 S.F.<br>TYPE 4: ±3,415 S.F. | ±8,887 S.F. | ±101% |
| | | TOTAL SIGNAGE | ±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. 30-80 MM RESOLUTION.
TYPE 4: LED FULL MOTION VIDEO DISPLAY. 10 MM RESOLUTION

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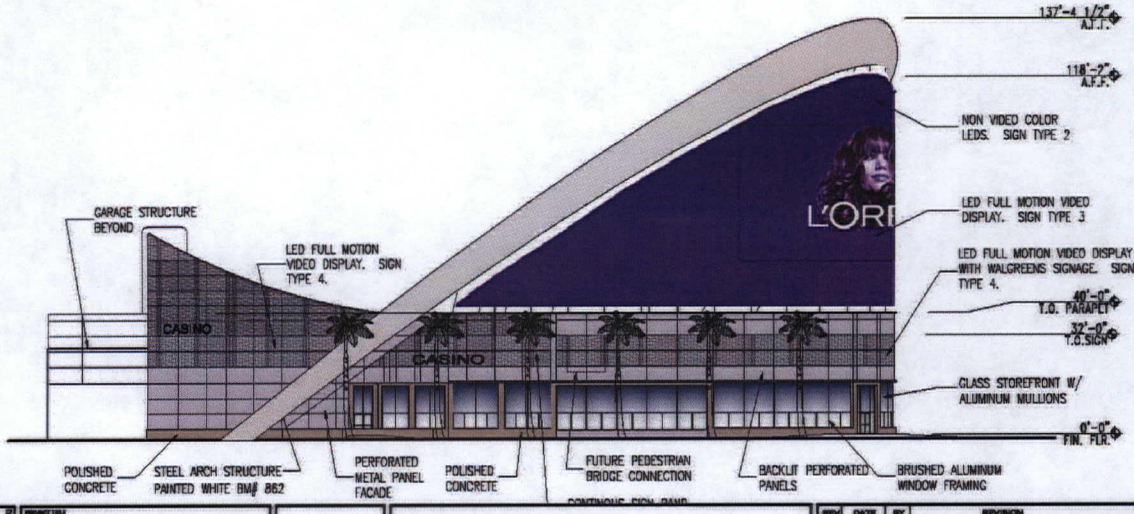


SAHARA AND LAS VEGAS BLVD.

WEST ELEVATION

A2.3

GEORGE RAINHART, ARCHITECT AND ASSOCIATES P.C.
2325 SAN PEDRO NE., SUITE 2-B
ALBUQUERQUE, NEW MEXICO 87110
PHONE (505) 884-9110 FAX (505) 837-8877

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07/09/09 PC

| SIGN AREA TABULATION | | | | |
|---|---|---|---|---|
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| NORTH | ±12,213 S.F. | TYPE 4: ±1,781 S.F. | ±1,781 S.F. | ±15% |
| SOUTH | ±11,158 S.F. | TYPE 2: ±2,138 S.F.<br>TYPE 3: ±3,600 S.F.<br>TYPE 4: ±3,064 S.F. | ± 8,802 S.F. | ±79% |
| EAST | ±7,270S.F. | TYPE 4: ±1,640 | ±1,640 S.F. | ±23% |
| WEST | ±8,840 S.F. | TYPE 2: ±1,872 S.F.<br>TYPE 3: ±3,600 S.F.<br>TYPE 4: ±3,415 S.F. | ±8,887 S.F. | ±101% |
| | | TOTAL SIGNAGE | ±21,110 S.F. | |

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TYPE 3: LED FULL MOTION VIDEO DISPLAY. 30-50 MM RESOLUTION.
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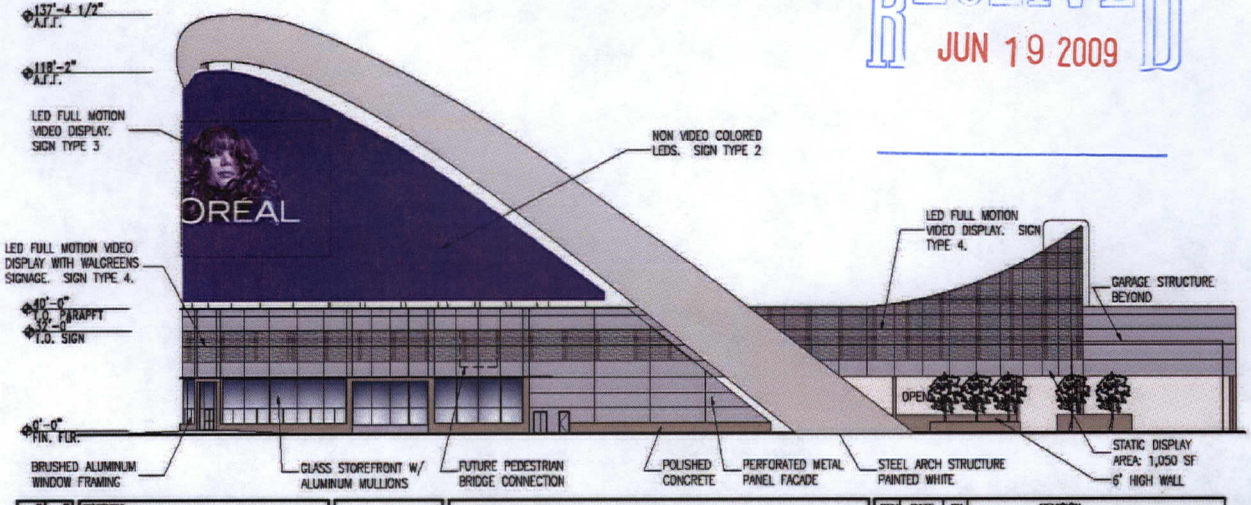


SAHARA AND LAS VEGAS BLVD.
2427 SOUTH LAS VEGAS BOULEVARD
LAS VEGAS, NEVADA 89104

SOUTH ELEVATION

A2.2

GEORGE RAINHART, ARCHITECT AND ASSOCIATES P.C.
2325 SAN PEDRO NE., SUITE 2-B
ALBUQUERQUE, NEW MEXICO 87110
PHONE (505) 884-9110 FAX (505) 837-0877

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| SIGN AREA TABULATION | | | | |
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| EAST | ±7,270S.F. | TYPE 4: ±1,640 | ±1,640 S.F. | ±23% |
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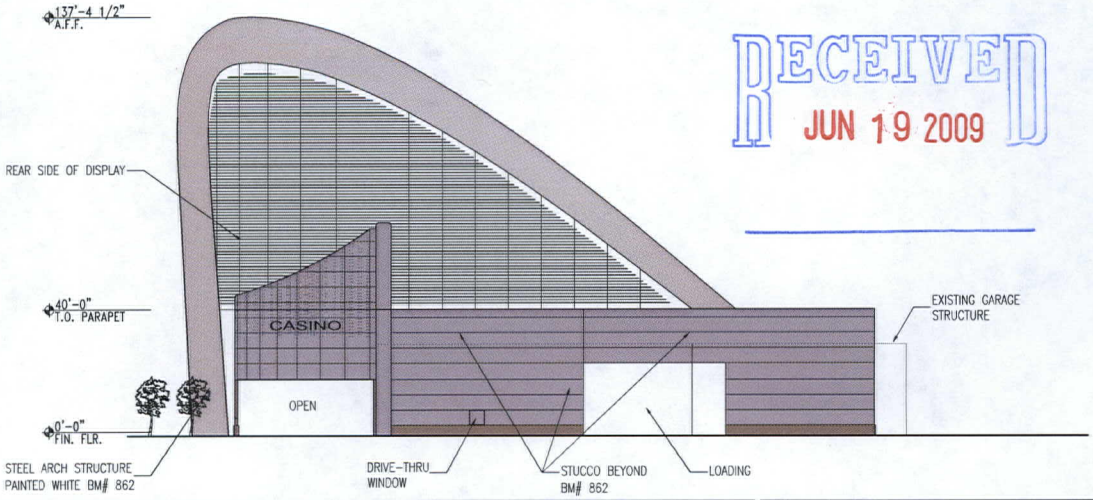
TYPE 4: LED FULL MOTION VIDEO DISPLAY. 10 MM RESOLUTION

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DATE: 6.10.2009
SCALE: 1" = 40'-0"
A2.4

PROJECT TITLE
SAHARA AND LAS VEGAS BLVD.
2427 SOUTH LAS VEGAS BOULVARD
LAS VEGAS, NEVADA 89104

PROJECT MANAGER: George Rainhart, AIA
JOB NO.: 0736
DRAWN BY: JCS

SHEET TITLE
EAST ELEVATION

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

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VAR-34308 WVR-34311
SUP-34309 SUP-34310
REVISED SDR-34306
07/09/09 PC

**SIGN AREA TABULATION**

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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

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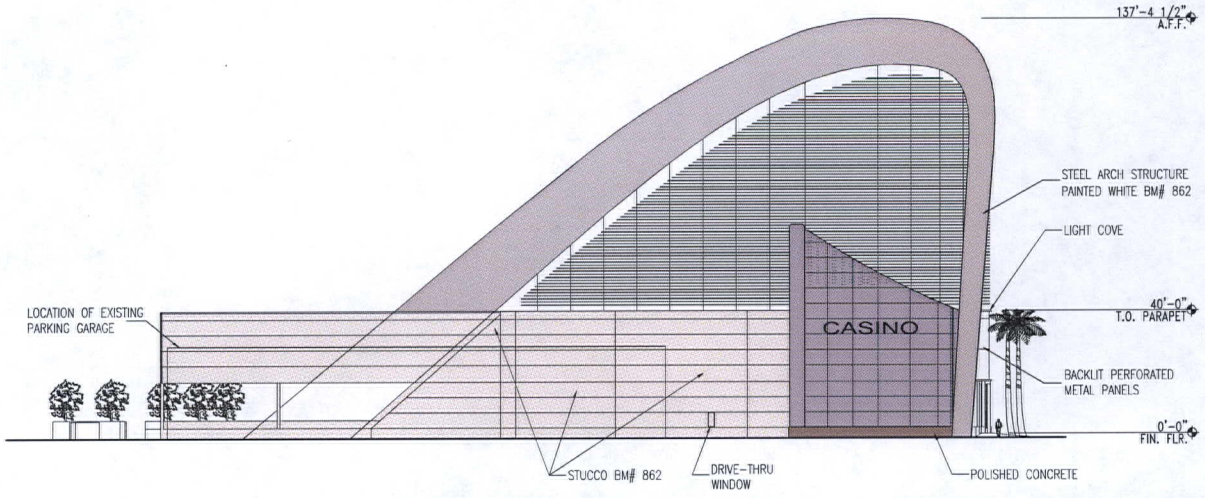


SCALE: 1" = 40'-0"
DATE: 6.10.2009
SHEET: A2.1

PROJECT TITLE:
SAHARA AND LAS VEGAS BLVD.
2427 SOUTH LAS VEGAS BOULEVARD
LAS VEGAS, NEVADA 89104

PROJECT MANAGER: George Rainhart, AIA
JOB NO.: 0758
DRAWN BY: JCS

SHEET TITLE:
NORTH ELEVATION

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

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VAR-34308 WVR-34311
SUP-34309 SUP-34310
REVISED SDR-34306
07/09/09 PC



VAR-34308 - APPLICANT: GEORGE RAINHART - OWNER: ASPEN HIGHLANDS HOLDINGS, LLC
NORTHEAST CORNER OF SAHARA AVENUE LAS VEGAS BOULEVARD
JULY 9, 2009 PLANNING COMMISSION

05/07/09




VAR-34308 - APPLICANT: GEORGE RAINHART - OWNER: ASPEN HIGHLANDS HOLDINGS, LLC
NORTHEAST CORNER OF SAHARA AVENUE LAS VEGAS BOULEVARD
JULY 9, 2009 PLANNING COMMISSION

05/07/09



VAR-34308 - APPLICANT: GEORGE RAINHART - OWNER: ASPEN HIGHLANDS HOLDINGS, LLC
NORTHEAST CORNER OF SAHARA AVENUE LAS VEGAS BOULEVARD
JULY 9, 2009 PLANNING COMMISSION

05/07/09

June 18, 2009

Ms. Margo Wheeler, Director
City of Las Vegas
Planning and Development Department
731 S. Fourth St.
Las Vegas, NV 89101

Re: Revised Justification Letter – Site Development Plan Review for a 37,100 square foot Commercial Building; A Special Use Permit for a Tavern; a Variance for Signage Height and Square Footage; and a Waiver to allow a dedicated right-of-way to end without a cul-de-sac.
APN: 162-04-813-070 & 071; and 162-03-410-008

Dear Ms. Wheeler:

This letter is submitted as justification for an application for a Site Development Plan Review, A Special Use Permit, and a signage Variance for a proposed Walgreens/pharmacy, casino/restaurant/tavern, and retail space on property located at the northeast corner of Sahara Avenue and Las Vegas Boulevard in Ward 3.

The applicant is proposing a 13,100 square foot Walgreen's with a pharmacy, a 9,000 square foot casino, a 6,000 square foot restaurant, and 4,000 square feet of retail space. An additional 5,000 square feet is devoted to storage on the mezzanine level. Parking will be provided in an existing 131 space structure in the northeast portion of the site. An additional 31 surface spaces are also proposed. Parking standards do not apply to this location, however it should be noted that the number of spaces proposed is approximately 39% less than what would be required where such standards are imposed. That said the location of the property is such that a significant amount of customers anticipated at this site will be foot traffic on Las Vegas Boulevard. We therefore believe that the number of spaces proposed is sufficient. It should be noted that a traffic study has been submitted to the Department of Public Works for their review and approval.

A Special Use Permit application has been submitted for a tavern in conjunction with the proposed casino and restaurant. This use is essentially the same as what is found in any hotel/casino, however the SUP is required because a hotel is not part of this project. Based on the location of this site at the intersection of two major streets and at the entrance to the city of Las Vegas, and based on the nature of the surrounding property uses this request should have no negative impact on this area.

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The development is being designed with a "Times Square" theme which necessitates a variance from the Las Vegas Zoning Code Chapter 19.14(F)(6)(b) and (c) for both the height and amount of signage. The proposed wrap-around marquee video display sign will extend vertically along the Sahara Avenue and Las Vegas Boulevard frontages beginning 40 feet above ground floor level and extending to a height of 118 feet with a support arch structure extending to a height of approximately 138 feet. Full motion video displays will also be installed between the 20 foot and 40 foot heights along the Sahara Avenue and Las Vegas Boulevard frontages. In total there will be 21,110 square feet of full motion video display. The video display is 101% of the west façade and 79% of the south façade where a maximum of 20% of each elevation is allowed by code. The applicant believes that the entire structure will provide an "iconic" element at a location that is the gateway to the city of Las Vegas.

A Waiver of Street Standards is requested to allow the dedicated right-of-way along a portion of the north edge of the property to end without a cul-de-sac. The existing right-of-way has been and will continue to be utilized for access to the existing parking garage. Preliminary discussion has taken place with the representative of the property located on the north side of the dedicated area to determine if that property owner would support a vacation. Because that discussion is preliminary the applicant is requesting a waiver to allow this project to go forward without additional dedication or a vacation of that right-of-way.

The project has been designed to the fullest extent possible to include the principles of the Downtown Centennial Plan Design Standards and we believe the proposed theme and associated video displays are exactly what is contemplated in the signage illumination standards of the Las Vegas Boulevard Scenic Byway overlay district. However, in order to accomplish those standards a Variance for signage is a necessity because nothing in the current code allows for or anticipates a development of this type with signage of this intensity.

As the applicants representative on these applications I will be happy to provide any additional information you may require or respond to any questions you may have. Thank you for your consideration.

Respectfully,

*Robert S Genzer*

Robert S Genzer
Genzer Consulting
9612 Hawksbill Ct.
Las Vegas, NV 89117-0646
702-256-6022

**VAR-34308 WVR-34311**
**SUP-34309 SUP-34310**
**REVISED SDR-34306**
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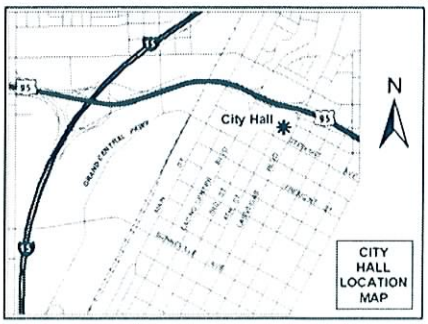


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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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**VAR-34308 & WVR-34311**
Planning Commission Meeting of 6/11/2009

Case: VAR-34308
16204811028
VILORIA FLORENTINO Q & LILIA
7137 CRESSIDA CT
LAS VEGAS NV 89113-0249

CAVDS11 A9113

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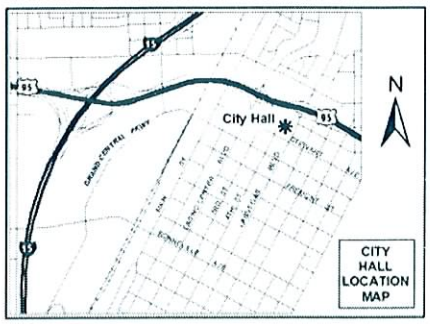


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Case: VAR-34308

16204815231
TAN RAYMUNDO T REVOCABLE TRUST
200 W SAHARA AVE #2308
LAS VEGAS NV 89102-5079

CAVDS11 A910Z

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Jun 02 09 03:20p. Susan Hayes 818-702-0610 p.1

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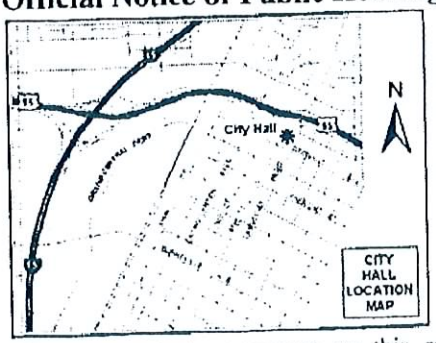


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Case: VAR-34308

16210114216
HAYES SUSAN J
23679 CALABASAS RD #382
CALABASAS CA 91302-1502

CALDF11 91302

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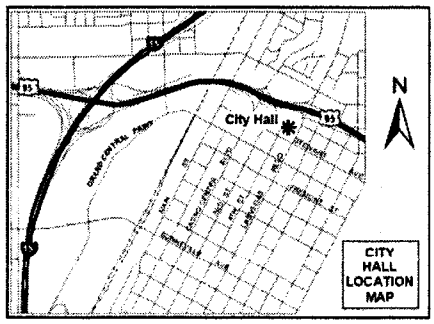


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Case: VAR-34308
16210114141
YEKTA MEHRDAD & B E REV TR F
655 DUNHILL DR
DANVILLE CA 94506-1354

CAVDS11 94506

Submitted after final agenda

Date 6/8/09 Item 26P

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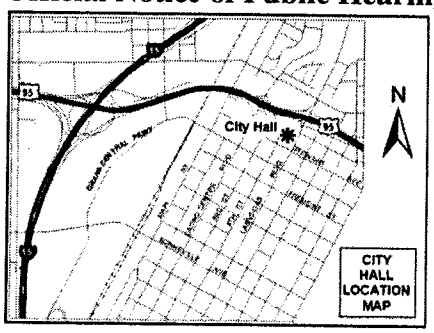


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Case: VAR-34308
16210114557
GHASEDI GHOLAM R & JANET M
66 MEADOWBROOK C C
BALLWIN MO 63011-1697

CAVDF11 63011

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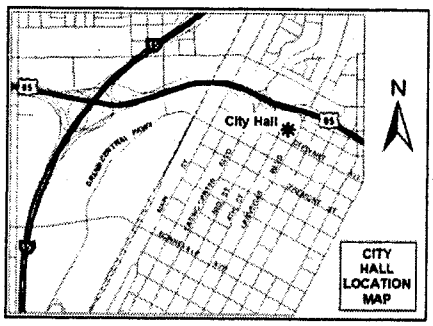


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Case: VAR-34308
16210114494
BENNETT & NANCY G LTD PTNRSHP
2310 PHILLIPS DR
GLENVIEW IL 60026-1175

CAVDF11 60026

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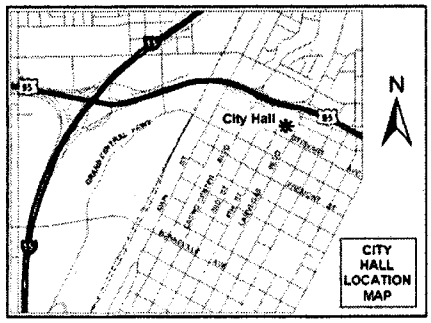


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Case: VAR-34308
16204710086
AHMED AKLAQ Q
3258 MEADWAY DR
HOUSTON TX 77082-2223

CAVDF11 77082

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Date 6/8/09 Item 26P

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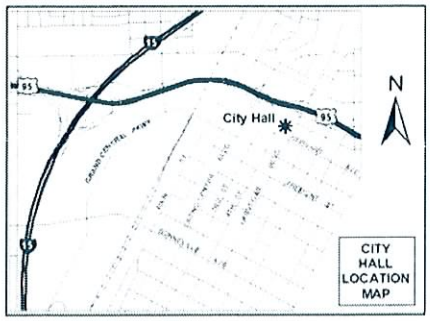


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Planning Commission Meeting of 7/9/2009

Case: VAR-34308
16203414009
ROGERS 1989 TRUST
3204 ALTA
LAS VEGAS NV 89107-3206

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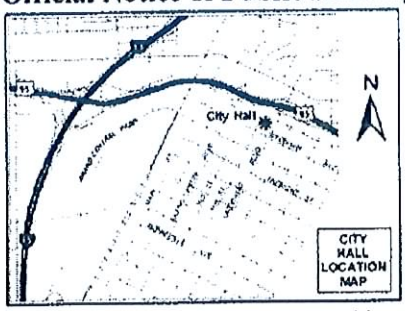


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Case: VAR-34308
16204814002
SAHARA INVESTMENTS L L C
9710 W TROPICANA AVE #110
LAS VEGAS NV 89147-8498

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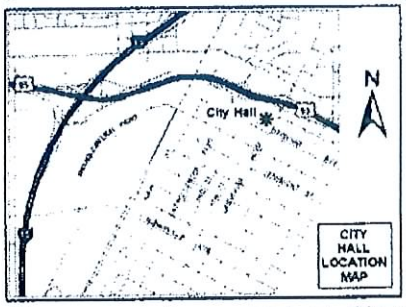


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16204807004
SAHARA INVESTMENTS L L C
9710 W TROPICANA #100
LAS VEGAS NV 89147-7260

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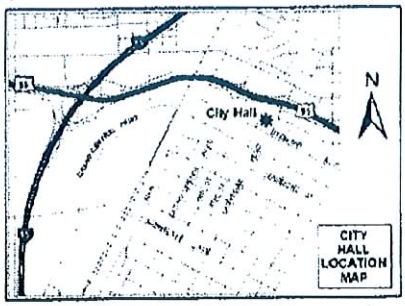


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Case: VAR-34308

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L V LAND VENTURES L L C
9710 W TROPICANA #110
LAS VEGAS NV 89147-8498

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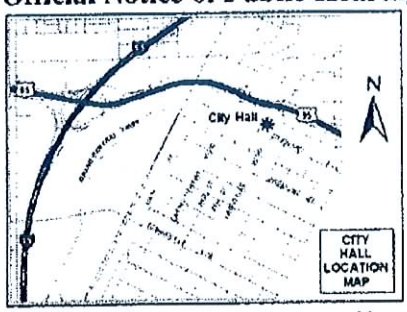


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Case: VAR-34308

16204815368
FONFA ANDREW S
9710 W TROPICANA #110
LAS VEGAS NV 89147-8498

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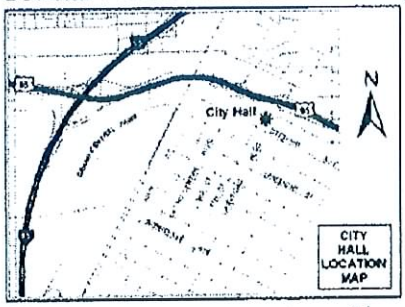


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Planning Commission Meeting of 7/9/2009

Case: VAR-
16204815423
FONFA ANDREW S & GUDRUN
9710 W TROPICANA #110
LAS VEGAS NV 89147-8498

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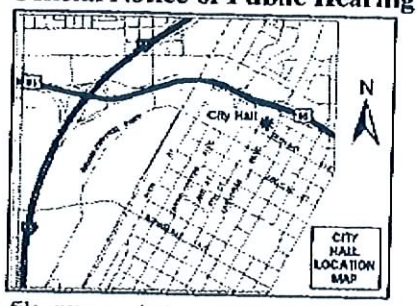


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16210114550 Case: VAR-34308
TYRE R & C LIVING TRUST
2777 PARADISE RD #3502
LAS VEGAS NV 89109-0403

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**VAR-34308**

Planning Commission Meeting of 7/9/2009

We see no justification for such a gross variation to the code. Too much of this has gone on for too long and now we have a bunch of blight/unfinished projects to look at

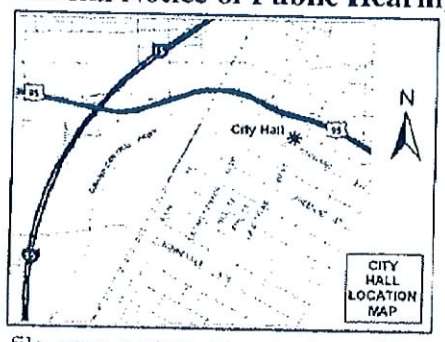
DAVDP11 #3109

11P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

**Return Service Requested**

**Official Notice of Public Hearing**

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-34308**

Planning Commission Meeting of 7/9/2009

RECEIVED
JUN 30 2009

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Case: VAR-34308

16210114216
HAYES SUSAN J
23679 CALABASAS RD #382
CALABASAS CA 91302-1502

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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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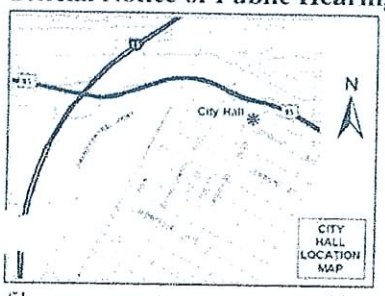


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**VAR-34308**

Planning Commission Meeting of 7/9/2009

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Case: VAR-34308

16210114276
INTERLIND MANAGEMENT SERV L L C
%J & A IMHOFF
933 NORTHWOOD BLVD #20
INCLINE VILLAGE NV 89451-8239

11P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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UNITED STATES POSTAGE PITNEY BOWES

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00042792-18 MAY 29 2009
MAILED FROM ZIPCODE 89101

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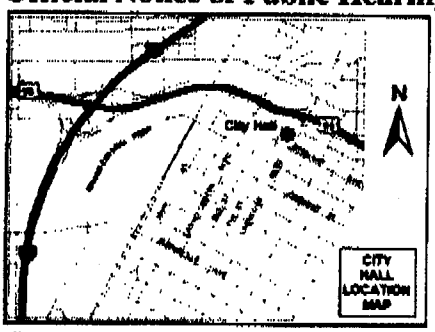


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[X] I SUPPORT this Request [ ] I OPPOSE this Request

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**VAR-34308 & WVR-34311**
Planning Commission Meeting of 6/11/2009

16210114067 Case: VAR-34308
MARKIEWICZ CHESTER LIVING TRUST
4750 N HARLEM AVE
HARWOOD HEIGHTS IL 60706-4607

Submitted after final agenda

Date 6/10/09 Item 26A

CA0DS11 60706

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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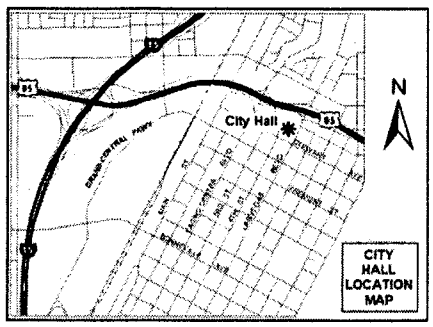


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**VAR-34308 & WVR-34311**
Planning Commission Meeting of 6/11/2009

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JUN 08 2009

Case: VAR-34308
16204815141
SIMON PAMELA & JEFFREY
771 VALLEY RD
GLENCOE IL 60022-1503

CAVDS11 60022

Submitted after final agenda

Date 6/8/09 Item 26A

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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**VAR-34308 & WVR-34311**
Planning Commission Meeting of 6/11/2009

RECEIVED
JUN 03 2009

Case: VAR-34308
16210110003
GREYSTONE PARK INC
%G BARBIERI
5 VENTANA CANYON DR
LAS VEGAS NV 89113-0138

CAVDS11 A311 3

26A

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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JUN 03 2009

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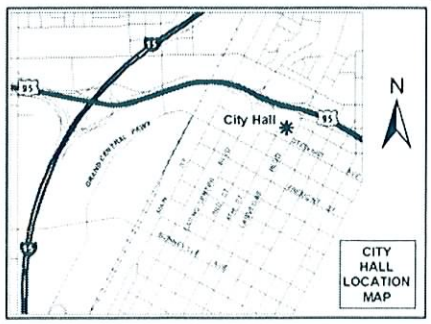


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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-34308 & WVR-34311**
Planning Commission Meeting of 6/11/2009

Case: VAR-34308
16203413027
YANG HSI-CHIEH & BETTY TAYLOR
8184 DOLCE VOLPE
LAS VEGAS NV 89178-8259

CAVOS11 A9179

26A

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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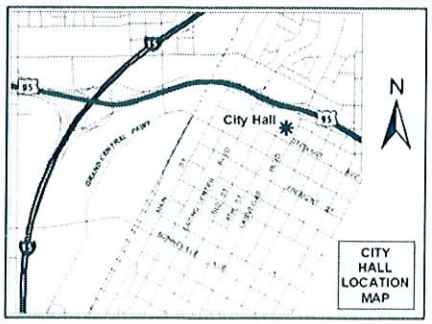


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**VAR-34308 & WVR-34311**
Planning Commission Meeting of 6/11/2009

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JUN 03 2009

Case: VAR-34308
16203413026
YANG HSI-CHIEH & BETTY TAYLOR
2400 & 2404 SANTA CLARA DR
LAS VEGAS NV 89104-0000

CAVDS11 A9104

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CAVOF11 84757

Planning & Development Department
Development Services Center
731 S. Fourth Street
*Las Vegas, Nevada 89101-2986*

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0004279218 MAY 29 2009
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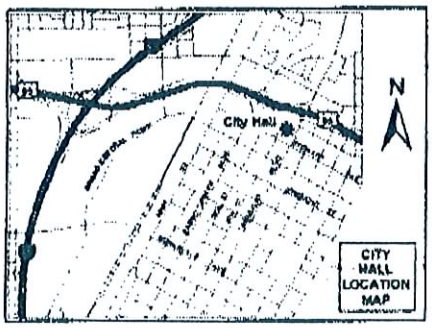
**Official Notice of Public Hearing**

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Case: VAR-34308
16204815294
CARR WILLIAM & VICTORIA
721 E 200 S
P O BOX 500
NEW HARMONY UT 84757-0500

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-34308 & WVR-34311**
Planning Commission Meeting of 6/11/2009

THE FORTUNE GROUP INC Fax : 1-435-586-7108 Sep 18 03:14

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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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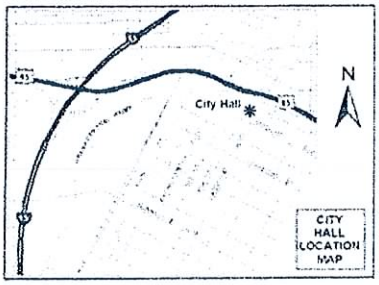
**Official Notice of Public Hearing**

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[X] I SUPPORT this Request  [ ] I OPPOSE this Request

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**VAR-34308 & WVR-34311**
Planning Commission Meeting of 6/11/2009

RECEIVED
JUN 01 2009

Case: VAR-34308
16210114276
INTERLIND MANAGEMENT SERV L L C
%J & A IMHOFF
933 NORTHWOOD BLVD #20
INCLINE VILLAGE NV 89451-8239

CAVOP 1 1 89451

26A

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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UNITED STATES POSTAGE
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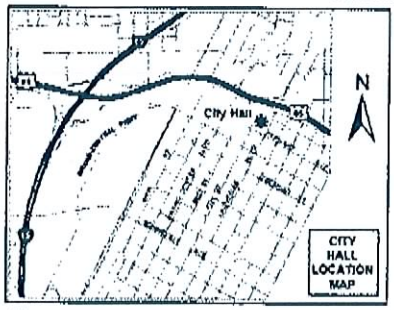


RECEIVED
JUN 01 2009

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☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-34308 & WVR-34311**
Planning Commission Meeting of 6/11/2009

Case: VAR-34308
16204813020
RITTER SHARON D
2004 PLAZA DE SANTA FE
LAS VEGAS NV 89102-0000

CAVDF11 89102

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

## *AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT*
### PLANNING COMMISSION MEETING OF: JULY 9, 2009

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

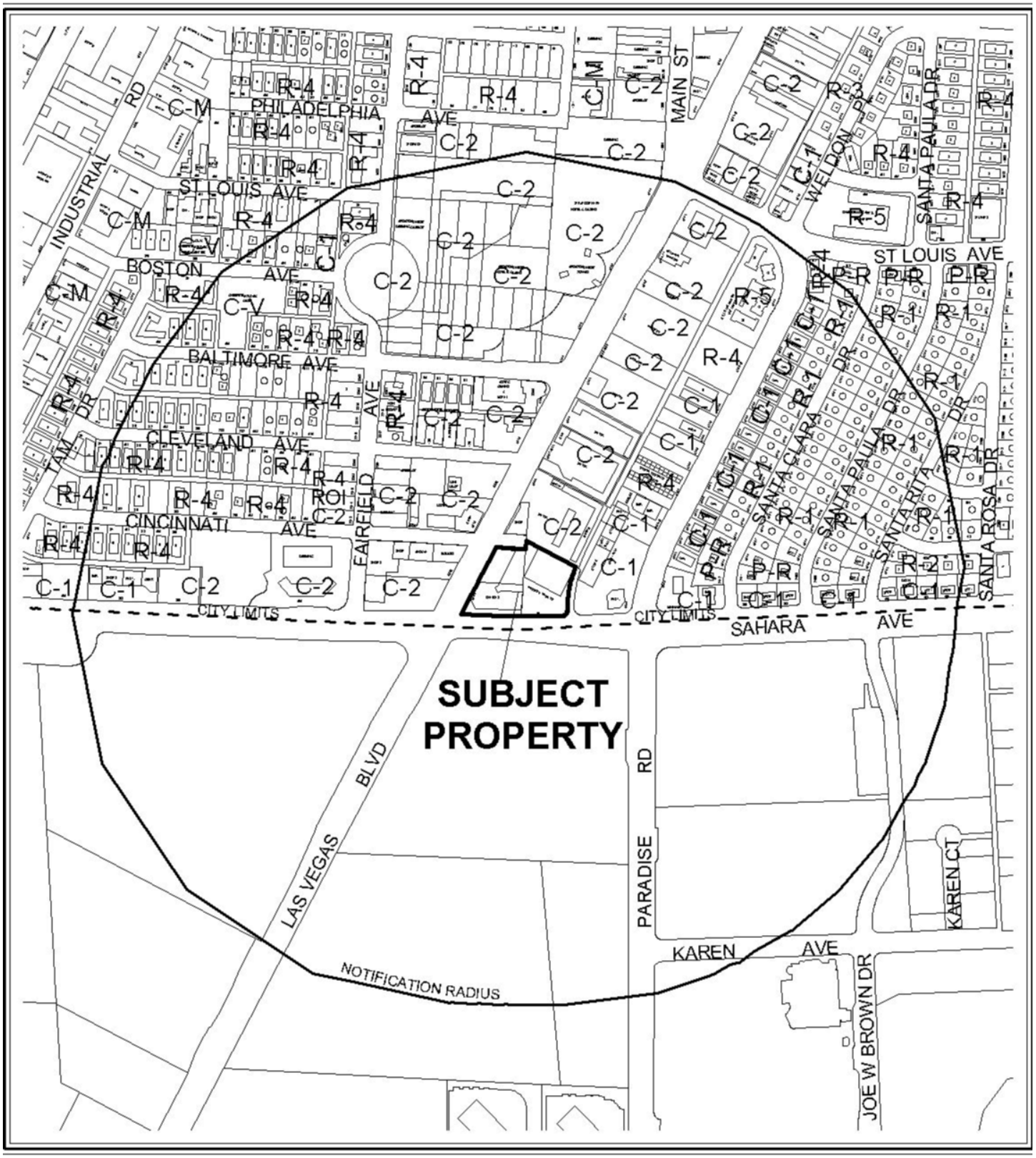
**SUBJECT:**
**ABEYANCE - WVR-34311 - WAIVER RELATED TO VAR-34308 - PUBLIC HEARING - APPLICANT: GEORGE RAINHART - OWNER: ASPEN HIGHLANDS HOLDINGS, LLC** - Request for a Waiver of Title 18.12.130 TO ALLOW CINCINNATI STREET TO NOT TERMINATE IN A CUL-DE-SAC east of Las Vegas Boulevard (APNs 162-04-813-070, 071 and 162-03-410-008), C-2 (General Commercial) Zone, Ward 3 (Reese)

**C.C.: 08/05/2009**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **9** | **Planning Commission Mtg.** | **8** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
**APPROVAL**

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest Postcards/Letter and Support Postcards




**CASE:** **WVR-34311**

**RADIUS:** 1500 FT

**ZONING OF SUBJECT PROPERTY:** C-2 (GENERAL COMMERCIAL)




0 400 800 Feet

**CASE:** **WVR-34311**

**RADIUS:** 1500 FT

**ZONING OF SUBJECT PROPERTY:** C-2 (GENERAL COMMERCIAL)

N

City of Las Vegas

## AGENDA MEMO

**PLANNING COMMISSION MEETING DATE: JULY 9, 2009**
**DEPARTMENT: PLANNING AND DEVELOPMENT**
**ITEM DESCRIPTION: ABEYANCE - WVR-34311 - APPLICANT: GEORGE RAINHART - OWNER: ASPEN HIGHLANDS HOLDINGS, LLC**

## ** CONDITIONS **

**STAFF RECOMMENDATION:** **APPROVAL,** 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.

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.

**WVR-34311 - Staff Report Page One**
**July 9, 2009 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request for a Waiver to allow Cincinnati Street to not be terminated in a cul-de-sac, as required by Title 18.12.030. The street currently exists as a dead-end street east of Las Vegas Boulevard, and provides access to the subject site and the site to the north via driveways located at the end of the street. This request will allow the street to continue to exist in its current configuration, and will not negatively impact any adjacent properties. If denied, the requirement for a cul-de-sac would greatly impact the development of the subject site, as well as any future redevelopment of the adjacent site to the north due to the additional right-of-way required to construct the cul-de-sac. Staff is recommending approval of this request as the street has, and will continue to have, limited traffic, as it serves only to provide access to the two adjacent properties.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 02/21/96 | The City Council approved a Special Use Permit (U-0151-95) for the off-premise sale of beer and wine in conjunction with a convenience store. |
| 04/20/94 | The City Council approved a Special Use Permit (U-0026-94) to allow the sale of beer and wine in conjunction with a proposed restaurant. |
| 11/03/04 | The City Council approved requests for a Special Use Permit (SUP-5028) for a proposed 73-story mixed-use development, and a Site Development Review (SDR-5027) with Waivers of the Downtown Centennial Plan Standards for streetscape, building stepbacks, and reflective glazing for a 73-story, 1,300,000 square-foot mixed-use development consisting of 960 condominium units and 25,000 square feet of commercial uses on 2.17 acres at 2423 and 2417 Las Vegas Boulevard. The Planning Commission recommended approval. |
| 03/02/05 | The City Council approved a Petition to Vacate (VAC-5030) a 20-foot wide public alley generally located north of Sahara Avenue, west of Paradise Road. The Planning Commission recommended approval. |
| 06/15/05 | The City Council approved a request for a Review of Conditions (ROC-6691) for an approved Site Development Plan Review (SDR-5027) to remove Condition numbers 18, 27 and 30 for an approved 73-story, 863-foot tall, 1,300,000 square-foot mixed-use development consisting of 951 condominium units and 41,000 square feet of commercial uses on 2.17 acres at 2417 and 2423 South Las Vegas Boulevard. |
| 11/03/05 | The Planning Commission approved a Tentative Map (TMP-9117) for a 944-unit mixed-use condominium development on 2.17 acres adjacent to the northeast corner of Sahara Avenue and Las Vegas Boulevard. |

SG

| | |
|---|---|
| 12/06/06 | The City Council approved a request for an Extension of Time (EOT-16956) of an approved Special Use Permit (SUP-5028) that allowed a 73-story mixed-use development at 2423 and 2417 Las Vegas Boulevard. |
| 06/11/09 | The Planning Commission held in abeyance requests for a Waiver (WVR-34311) to allow Cincinnati Street to not terminate in a cul-de-sac; a Variance (VAR-34308) 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; and Special Use Permits (SUP-34309 and 34310) 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, and for a proposed 547-foot high structure with roof sign within the A-O (Airport Overlay) District where the height limitation is 175 feet for a proposed structure; and 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 at the northeast corner of Sahara Avenue and Las Vegas Boulevard. |
| 07/09/09 | The Planning Commission will consider associated requests for a Variance (VAR-34308) 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; 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; and 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 at the northeast corner of Sahara Avenue and Las Vegas Boulevard. The applicant has requested to withdraw (without prejudice) a Special Use Permit (SUP-34310) for a proposed 547-foot high structure with roof sign within the A-O (Airport Overlay) District where the height limitation is 175 feet for a proposed structure. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 07/20/90 | A building permit (#90075858) was issued for a retail center at 2401 S. Las Vegas Blvd. The permit was finaled on 12/10/91. |
| 09/26/90 | A building permit (#90083891) was issued for a retail center at 2401 S. Las Vegas Blvd. The permit was finaled on 12/05/91. |
| 08/16/91 | A building permit (#91116828) was issued for on-site improvements at 2401 S. Las Vegas Blvd. The permit was finaled on 12/10/91. |
| 08/16/91 | A building permit (#91116829) was issued for a three-level garage structure at 2401 S. Las Vegas Blvd. The permit was finaled on 12/10/91. |

| ***Pre-Application Meeting*** | |
|---|---|
| 04/16/09 | A pre-application meeting was held to discuss the necessary applications for the proposed project, including a Site Development Plan Review, a Variance for signage, Special Use Permits for excessive height within the Airport Overlay District and for a Liquor Establishment, Tavern, and a Waiver to Title 18 street standards. Also discussed were the following issues:<br>• Remapping of the subject parcels into a single parcel is required.<br>• The project is deemed to be a Project of Regional Significance (PRS) as it pertains to the Special Use Permits because it is located within 500 feet of the boundary with Clark County. Traffic analysis, when available, may also affect this designation for the Site Development Plan Review.<br>• Minor changes required to bring the streetscapes into compliance with the Downtown Centennial Plan.<br>• Approval of the required Waiver of distance separation for the Liquor Establishment, Tavern, is dependent upon the passage of Text Amendment (TXT-32865).<br>• Parking to be calculated as a Shopping Center only for those portions of the site meeting the definition. The casino portion is to be calculated separately.<br>• Pursuant to Title 19.06.140, no Off-Premise Signs are permitted within the Las Vegas Scenic Byway. |

| ***Neighborhood Meeting*** |
|---|
| A neighborhood meeting was neither required nor held for this request. |

| ***Field Check*** | |
|---|---|
| 05/07/09 | A field check was conducted by staff. The site has existing vacant commercial buildings that are in relatively good shape, with the exception of a roof sign is disrepair. Landscaping is in poor shape, with weeds in most planter areas. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Gross Acres | 2.17 Acres |

| **Surrounding Property** | **Existing Land Use** | **Planned Land Use** | **Existing Zoning** |
|---|---|---|---|
| Subject Property | Vacant Commercial Building and Parking Structure | C (Commercial) | C-2 (General Commercial) |
| North | Shops and Motel | C (Commercial) | C-2 (General Commercial) |

| | | | |
|---|---|---|---|
| South | Resort / Casino | CT (Commercial Tourist) Clark County | H-1 (Limited Resort and Apartment District) Clark County |
| East | Retail Center | C (Commercial) | C-2 (General Commercial) |
| West | Retail Center | C (Commercial) | C-2 (General Commercial) |

| ***Special Districts/Zones*** | ***Yes*** | ***No*** | ***Compliance*** |
|---|---|---|---|
| **Special Area Plan** | | | |
| Downtown Centennial Plan (Las Vegas Boulevard) | X | | Y |
| Beverly Green / Southridge Neighborhood Plan | X | | Y |
| ***Special Districts/Zones*** | ***Yes*** | ***No*** | ***Compliance*** |
| **Special Purpose and Overlay Districts** | | | |
| Downtown Overlay District (Las Vegas Boulevard, John S. Park Adjacent Area) | X | | N |
| G-O Gaming Enterprise Overlay District | X | | Y |
| A-O Airport Overlay District (175 Feet) | X | | N |
| Las Vegas Boulevard Scenic Byway Overlay District | X | | Y |
| **Trails** | X | | Y |
| **Rural Preservation Overlay District** | | X | N/A |
| **Development Impact Notification Assessment** | | X | N/A |
| **Project of Regional Significance** | | X | N/A |

## ANALYSIS

Cincinnati Street, east of Las Vegas Boulevard, currently exists as a 100-foot long dead end street that serves as an access point for driveways to the subject site and the property to the north. A cul-de-sac, as required by Title 18, cannot be constructed in its entirety due to existing structures, and dedication of the additional right-of-way necessary for a cul-de-sac would negatively impact the development of the subject site, as well as the future redevelopment of the property to the north. Emergency vehicles entering the street would still be able to enter the subject site and exit onto Sahara Avenue, without the need to turn around.

## FINDINGS

Since the existing public right-of-way is currently used as a driveway that only serves the adjacent commercial uses, the City of Las Vegas Public Works Department has no objection to the Request for a Waiver of Title 18.12.130 to allow an existing public street to terminate in a dead end without a circular cul-de-sac. Staff is recommending approval of this request as Cincinnati

Street will continue to exist in its current configuration, which is adequate to provide access to the affected parcels.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 12

**ASSEMBLY DISTRICT** 9

**SENATE DISTRICT** 10

**NOTICES MAILED** 742

**APPROVALS** 8

**PROTESTS** 9

PLANNING & DEVELOPMENT DEPARTMENT

# STATEMENT OF FINANCIAL INTEREST

Case Number: WVR-34311 APN: 162-04-813-070 & 071 and 162-03-410-008

Name of Property Owner: Aspen Highlands Holdings, LLC

Name of Applicant: George Rainhart

Name of Representative: Kummer Kaempfer Bonner Renshaw & Ferrario

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

____ Yes __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: Steve Johnson

Subscribed and sworn before me

This 21 day of April, 2009

Maricopa County, Az

Notary Public in and for said County and State

OFFICIAL SEAL
JEFFREY SCANLON
NOTARY PUBLIC - State of Arizona
MARICOPA COUNTY
My Comm. Expires Nov. 10, 2009




## 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 OFA TWO STORY BUILDING HOUSING A PHARMACY, A CASINO, RETAIL AND RESTAURANT.
9. CONSTRUCTION OF MARQUE ANIMATED VIDEO SIGN WRAPPING THE CORNER.
10. CONSTRUCTION OF A 546'-3" HIGH MAST SUPPORTING A SAIL SHAPED MARQUE ANIMATED VIDEO DISPLAY.
11. CONSTRUCTION OF A 40 FOOT HIGH SOLID STUCCO FACED WALL EXTENDING EAST ALONG SAHARA AVE TO SCREEN SURFACE PARKING.
12. CONSTRUCTION OF LOADING AREA AND REFUSE COMPACTOR AREA, SURFACE PARKING AND PHARMACY PICK-UP WINDOW.

**SIGN AREA TABULATION**

| SIGN TYPE | LOCATION | DESCRIPTION | AREA | PERCENTAGE |
|---|---|---|---|---|
| TYPE 1 | ROOF | LED FULL MOTION VIDEO DISPLAY 30-60 MM RESOLUTION | ± 18,471 S.F. | N/A |
| TYPE 2 | ROOF | NON VIDEO COLORED LEDS | ± 13,117 S.F. | N/A |
| TYPE 3 | ROOF | LED FULL MOTION VIDEO DISPLAY 30-60 MM RESOLUTION | ± 7,312 S.F. | N/A |
| TYPE 4 EAST FACADE | BUILDING | LED FULL MOTION VIDEO DISPLAY 10 MM RESOLUTION | ± 3,600 S.F. | ± 23% OF FACADE |
| TYPE 4 SOUTH FACADE | BUILDING | LED FULL MOTION VIDEO DISPLAY 10 MM RESOLUTION | ± 6,300 S.F. | ± 49% OF FACADE |
| TYPE 5 | ROOF | LED FULL MOTION VIDEO DISPLAY 10 CM | ± 25,200 S.F. | N/A |
| | | TOTAL | ± 74,000 S.F. | |

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 | 9000 / 90 = | 100 |
| RESTAURANT: | | |
| DINNING | 3000 / 50 = | 60 |
| SERVICE | 3000 / 200 = | 15 |
| RETAIL | 4000 / 250 = | 16 |
| | TOTAL | 264 |

264 - 39% = 162 SPACES

39% PARKING REDUCTION REQUESTED 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 Ues 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.

BUILDING AREA:

| | |
|---|---|
| PHARMACY | 13100 S.F. |
| MEZZANINE | 5000 S.F. |
| CASINO | 9000 S.F. |
| RESTAURANT | 6000 S.F. |
| RETAIL | 4000 S.F. |
| TOTAL: | 37100 S.F. |

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## 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 | SECOND FLOOR PLAN |
| A2.1 | NORTH ELEVATION |
| A2.2 | SOUTH ELEVATION |
| A2.3 | EAST ELEVATION |
| A2.4 | WEST ELEVATION |
| A2.5 | RENDERED SOUTH ELEVATION |
| A3.1 | BUILDING SECTION |


**VAR-34308 WVR-34311**
**SUP-34309 SUP-34310**
**SDR-34306 06/11/09 PC**

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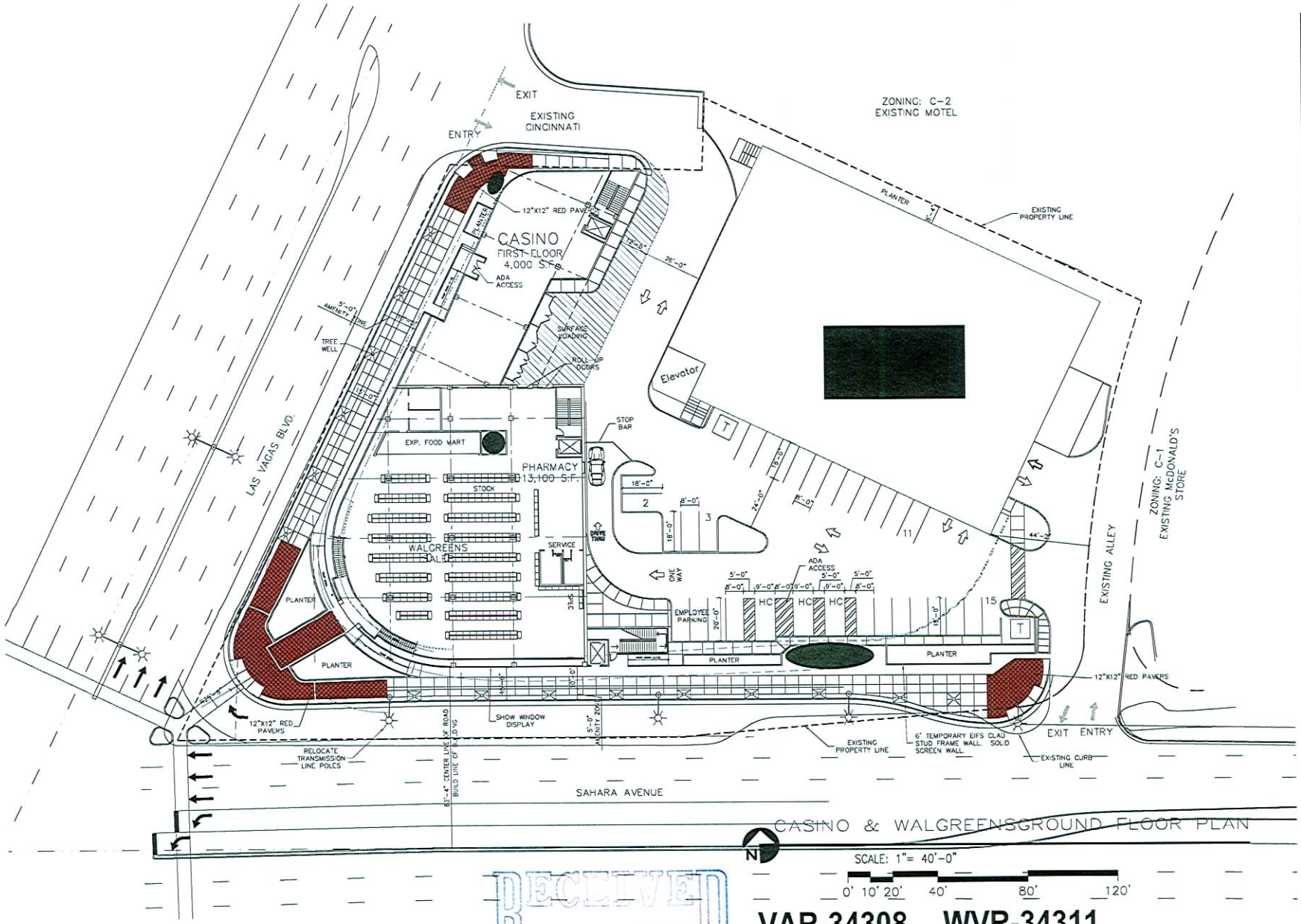
GEORGE RAINHART, ARCHITECT AND ASSOCIATES P.C.
2325 SAN PEDRO NE., SUITE 2-8
ALBUQUERQUE, NEW MEXICO 87110
PHONE (505) 884-9110 FAX (505) 837-9877


PROJECT TITLE: SAHARA AND LAS VEGAS BLVD.
2417 SOUTH LAS VEGAS BOULEVARD
LAS VEGAS, NEVADA 89104
PROJECT MANAGER: George Rainhart AIA
JOB NO: 0714
DRAWN BY: AJS
SHEET TITLE: COVER SHEET-PHASE 1
DATE: 2.10.2009
SCALE: -
SHEET: AC

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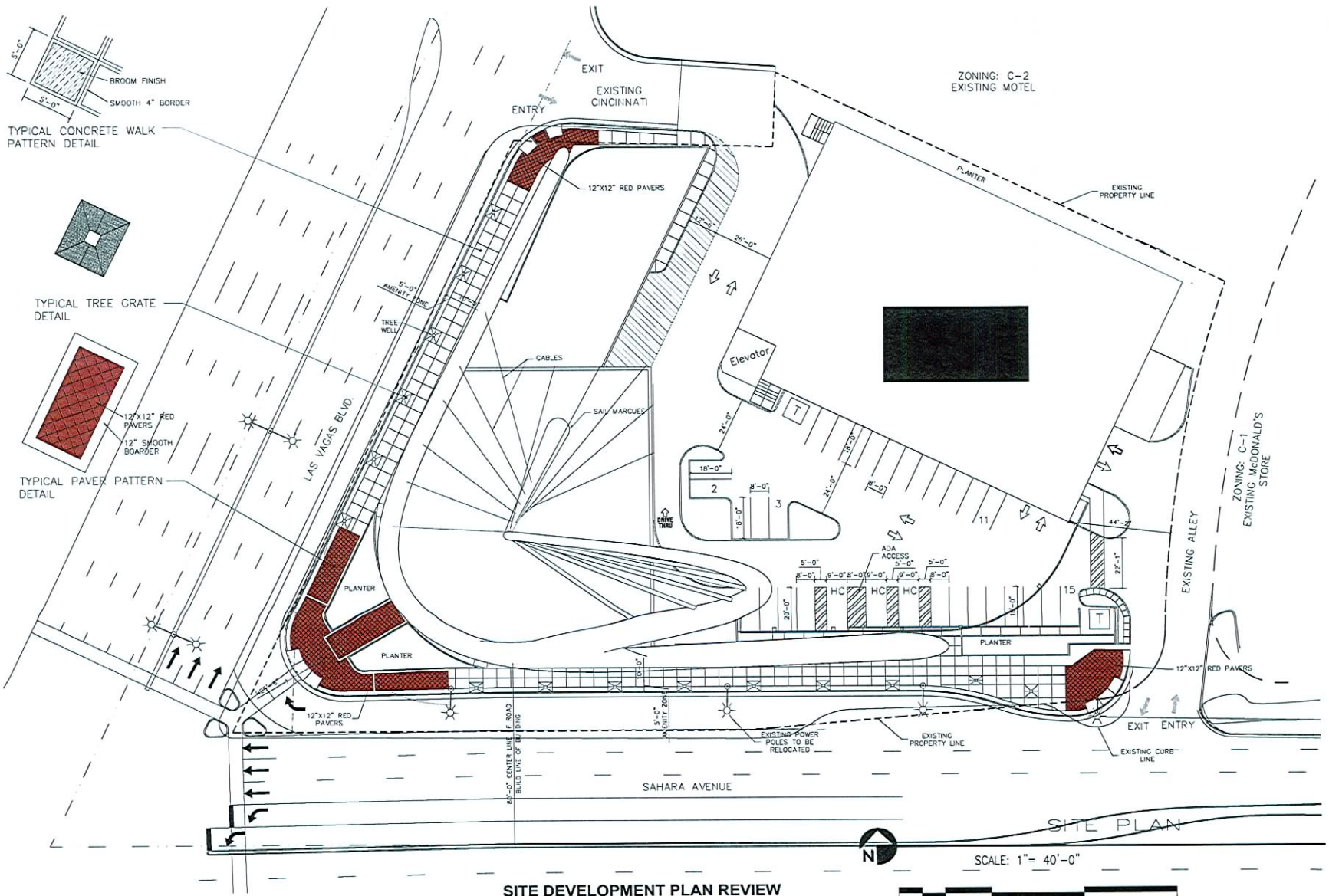


**SITE DEVELOPMENT PLAN REVIEW**
**SPECIAL USE PERMIT**

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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, NA
JOB NO.: ESM
DRAWN BY: JCS
SHEET TITLE: SITE PLAN

DATE: 2.10.2009
SCALE: -
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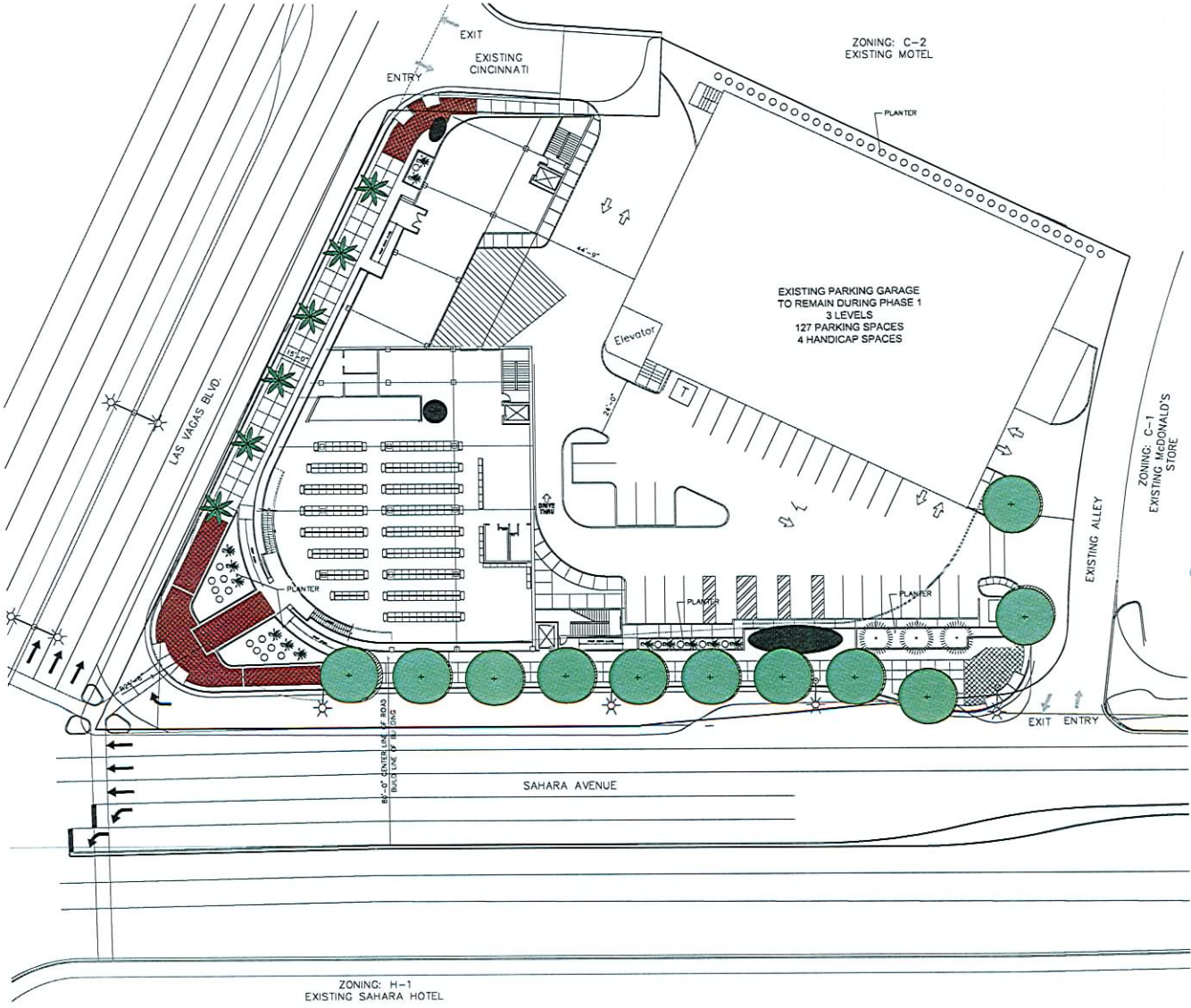





**VICINITY MAP** N.T.S

## PLANTING LEGEND

| Size | Common Name | Quantity |
|---|---|---|
| 25' | Deglet-Noor Date Palms | 6 |
| 15' | Southern Live Oak | 29 |

Trees and Palms, 30'-0" o.c. in tree grates

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LANDSCAPE PLAN
SCALE 1" = 20'-0"

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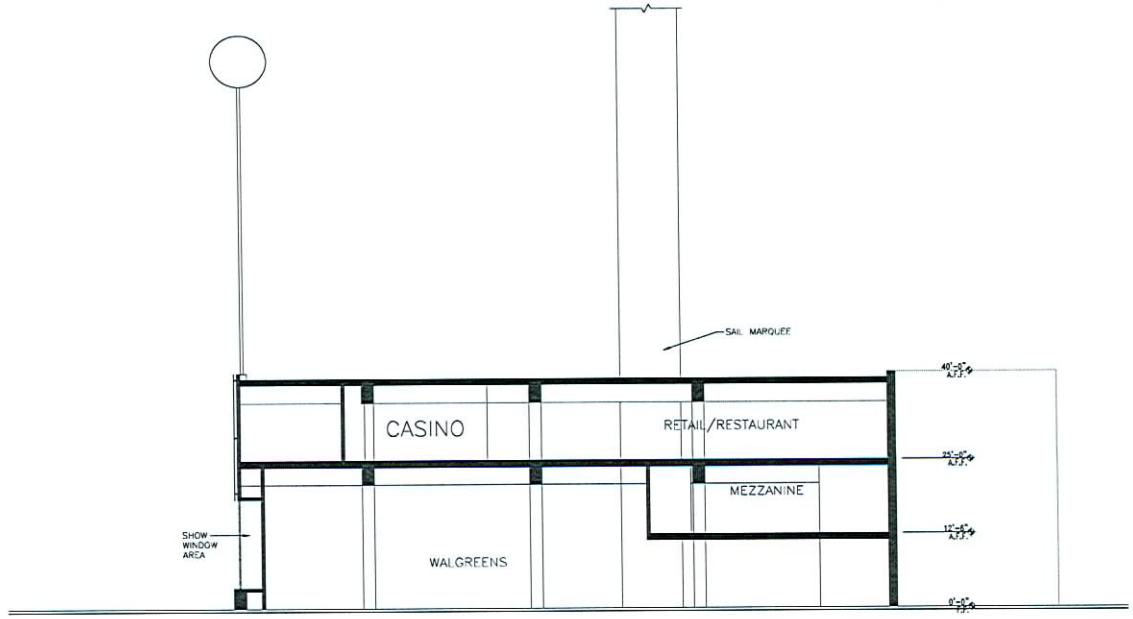
GEORGE RAINHART, ARCHITECT AND ASSOCIATES P.C.
2325 SAN PEDRO NE, SUITE 2-B
ALBUQUERQUE, NEW MEXICO 87110
PHONE (505) 884-9110 FAX (505) 837-9877

PROJECT TITLE
SAHARA AND LAS VEGAS BLVD.
2427 SOUTH LAS VEGAS BOULVARD
LAS VEGAS NEVADA 89104

PROJECT MANAGER: George Rainhart, AIA
JOB NO.: 0708
DRAWN BY: DDM

SHEET TITLE
LANDSCAPE PLAN - PHASE 1

DATE: 2.10.2009
SCALE: -
sheet- L1.1 of-




BUILDING SECTION

SCALE: 1"= 20'-0"

0' 5' 10' 20' 40' 80'

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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.
2317 SOUTH LAS VEGAS BOULEVARD
LAS VEGAS, NEVADA 89104

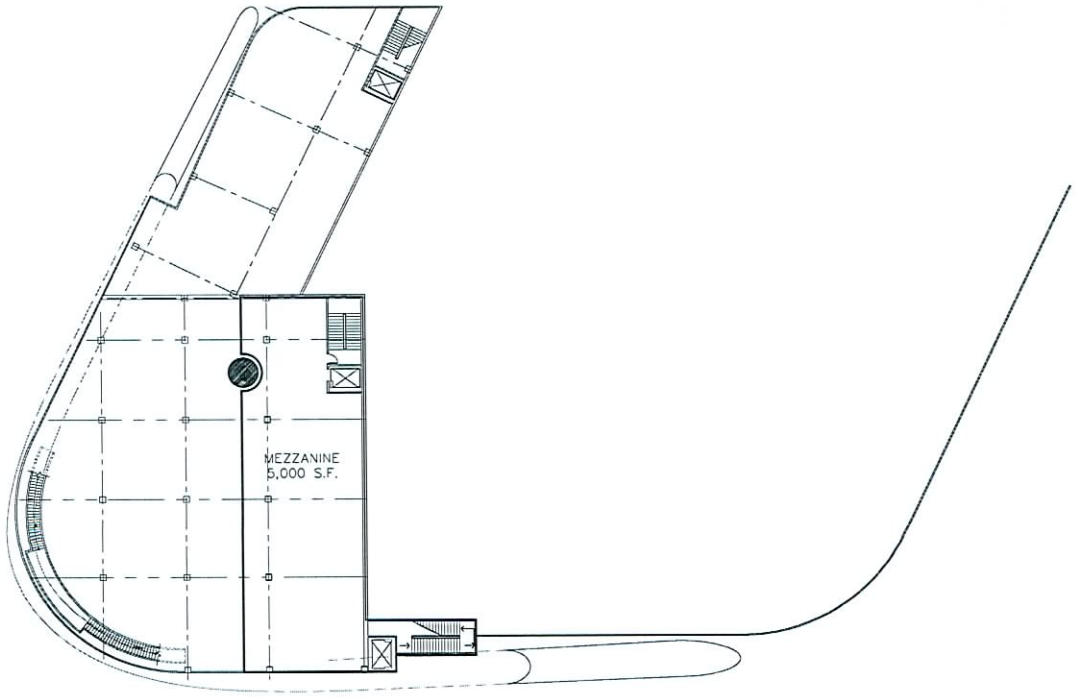
DRAWN: JCS

SHEET TITLE: BUILDING SECTION

DATE: 2.10.2009

SCALE: -

SHEET: A3.1

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WALGREENS MEZZANINE PLAN

SCALE: 1"= 40'-0"

0' 10' 20' 40' 80' 120'

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**SUP-34309 SUP-34310**
**SDR-34306 06/11/09 PC**

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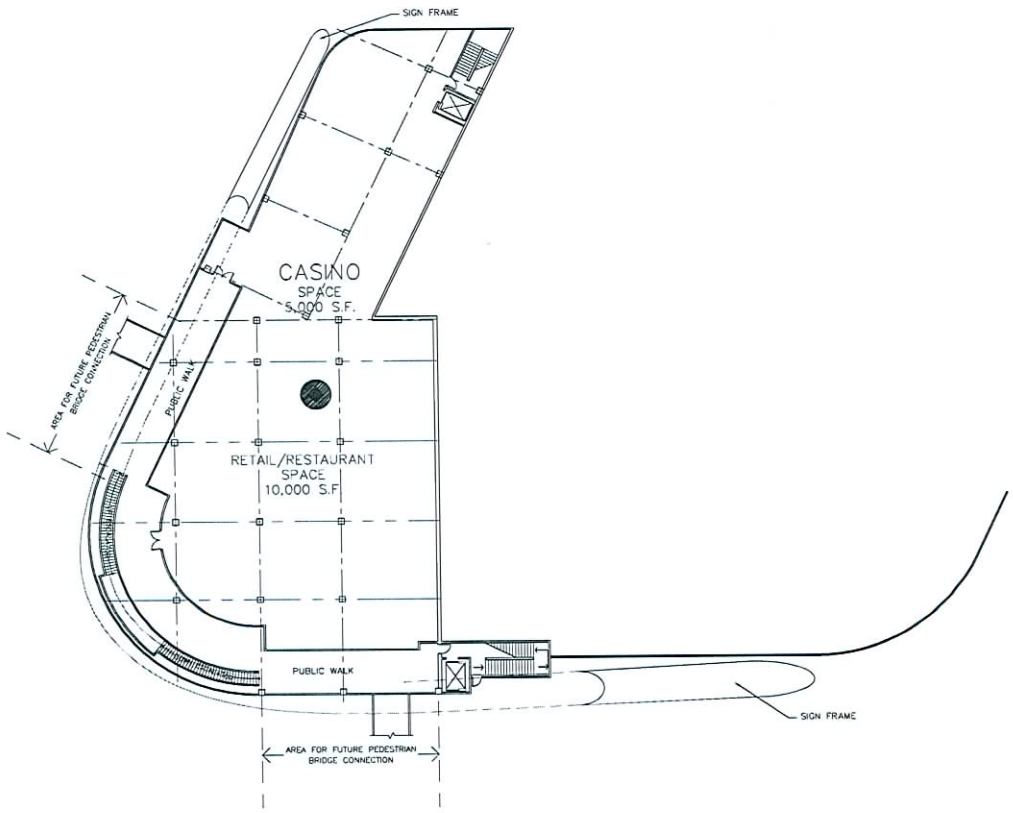
GEORGE RAINHART, ARCHITECT AND ASSOCIATES P.C.
2325 SAN PEDRO NE., SUITE 2-B
ALBUQUERQUE, NEW MEXICO 87110
PHONE (505) 884-9110 FAX (505) 837-9877

PROJECT #: SAHARA AND LAS VEGAS BLVD.
LOCATION: LAS VEGAS BOULEVARD
LAS VEGAS, NEVADA 89104

JOB NO: 0708
DRAWN BY: JCS
PROJECT MANAGER: George Rainhart, AIA
SHEET TITLE: MEZZANINE PLAN

DATE: 2.10.2009
SCALE: 1" = 40'-0"
SHEET: A1.1




CASINO/RESTAURANT/RETAIL
SECOND FLOOR PLAN

SCALE: 1"= 40'-0"

0' 10' 20' 40' 80' 120'

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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: 0714
DRAWN BY: JCS

SHEET TITLE: SECOND FLOOR PLAN

DATE: 2.10.2009
SCALE: 1" = 40'-0"

SHEET NO: A1.2



WVR-34311 - APPLICANT: GEORGE RAINHART - OWNER: ASPEN HIGHLANDS HOLDINGS, LLC
EAST OF LAS VEGAS BOULEVARD
JULY 9, 2009 PLANNING COMMISSION

05/07/09




WVR-34311 - APPLICANT: GEORGE RAINHART - OWNER: ASPEN HIGHLANDS HOLDINGS, LLC
EAST OF LAS VEGAS BOULEVARD
JULY 9, 2009 PLANNING COMMISSION

05/07/09



WVR-34311 - APPLICANT: GEORGE RAINHART - OWNER: ASPEN HIGHLANDS HOLDINGS, LLC
EAST OF LAS VEGAS BOULEVARD
JULY 9, 2009 PLANNING COMMISSION

05/07/09

June 18, 2009

Ms. Margo Wheeler, Director
City of Las Vegas
Planning and Development Department
731 S. Fourth St.
Las Vegas, NV 89101

Re: Revised Justification Letter – Site Development Plan Review for a 37,100 square foot Commercial Building; A Special Use Permit for a Tavern; a Variance for Signage Height and Square Footage; and a Waiver to allow a dedicated right-of-way to end without a cul-de-sac.
APN: 162-04-813-070 & 071; and 162-03-410-008

Dear Ms. Wheeler:

This letter is submitted as justification for an application for a Site Development Plan Review, A Special Use Permit, and a signage Variance for a proposed Walgreens/pharmacy, casino/restaurant/tavern, and retail space on property located at the northeast corner of Sahara Avenue and Las Vegas Boulevard in Ward 3.

The applicant is proposing a 13,100 square foot Walgreen's with a pharmacy, a 9,000 square foot casino, a 6,000 square foot restaurant, and 4,000 square feet of retail space. An additional 5,000 square feet is devoted to storage on the mezzanine level. Parking will be provided in an existing 131 space structure in the northeast portion of the site. An additional 31 surface spaces are also proposed. Parking standards do not apply to this location, however it should be noted that the number of spaces proposed is approximately 39% less than what would be required where such standards are imposed. That said the location of the property is such that a significant amount of customers anticipated at this site will be foot traffic on Las Vegas Boulevard. We therefore believe that the number of spaces proposed is sufficient. It should be noted that a traffic study has been submitted to the Department of Public Works for their review and approval.

A Special Use Permit application has been submitted for a tavern in conjunction with the proposed casino and restaurant. This use is essentially the same as what is found in any hotel/casino, however the SUP is required because a hotel is not part of this project. Based on the location of this site at the intersection of two major streets and at the entrance to the city of Las Vegas, and based on the nature of the surrounding property uses this request should have no negative impact on this area.

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The development is being designed with a "Times Square" theme which necessitates a variance from the Las Vegas Zoning Code Chapter 19.14(F)(6)(b) and (c) for both the height and amount of signage. The proposed wrap-around marquee video display sign will extend vertically along the Sahara Avenue and Las Vegas Boulevard frontages beginning 40 feet above ground floor level and extending to a height of 118 feet with a support arch structure extending to a height of approximately 138 feet. Full motion video displays will also be installed between the 20 foot and 40 foot heights along the Sahara Avenue and Las Vegas Boulevard frontages. In total there will be 21,110 square feet of full motion video display. The video display is 101% of the west façade and 79% of the south façade where a maximum of 20% of each elevation is allowed by code. The applicant believes that the entire structure will provide an "iconic" element at a location that is the gateway to the city of Las Vegas.

A Waiver of Street Standards is requested to allow the dedicated right-of-way along a portion of the north edge of the property to end without a cul-de-sac. The existing right-of-way has been and will continue to be utilized for access to the existing parking garage. Preliminary discussion has taken place with the representative of the property located on the north side of the dedicated area to determine if that property owner would support a vacation. Because that discussion is preliminary the applicant is requesting a waiver to allow this project to go forward without additional dedication or a vacation of that right-of-way.

The project has been designed to the fullest extent possible to include the principles of the Downtown Centennial Plan Design Standards and we believe the proposed theme and associated video displays are exactly what is contemplated in the signage illumination standards of the Las Vegas Boulevard Scenic Byway overlay district. However, in order to accomplish those standards a Variance for signage is a necessity because nothing in the current code allows for or anticipates a development of this type with signage of this intensity.

As the applicants representative on these applications I will be happy to provide any additional information you may require or respond to any questions you may have. Thank you for your consideration.

Respectfully,

*Robert S Genzer*

Robert S Genzer
Genzer Consulting
9612 Hawksbill Ct.
Las Vegas, NV 89117-0646
702-256-6022

**VAR-34308 WVR-34311**
**SUP-34309 SUP-34310**
**REVISED SDR-34306**
**07/09/09 PC**

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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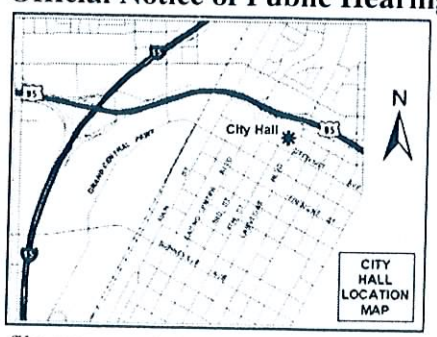


If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-34308 & WVR-34311**

Planning Commission Meeting of 6/11/2009

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Case: VAR-34308

16204811028
VILORIA FLORENTINO Q & LILIA
7137 CRESSIDA CT
LAS VEGAS NV 89113-0249

CAVDS11 A9113

27P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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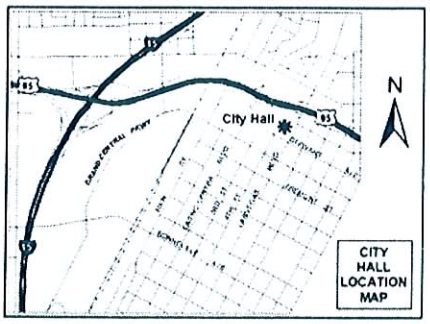


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**VAR-34308 & WVR-34311**

Planning Commission Meeting of 6/11/2009

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16204815231
TAN RAYMUNDO T REVOCABLE TRUST
200 W SAHARA AVE #2308
LAS VEGAS NV 89102-5079

CAVDS11 89102

27P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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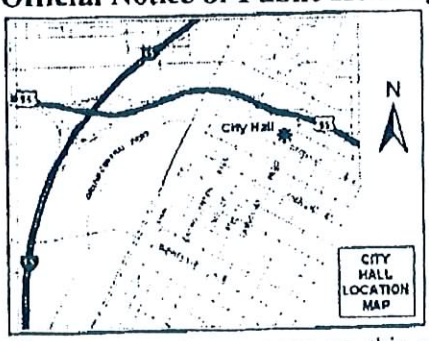
**Official Notice of Public Hearing**

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**VAR-34308 & WVR-34311**

Planning Commission Meeting of 6/11/2009

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Case: VAR-34308

16210114216
HAYES SUSAN J
23679 CALABASAS RD #382
CALABASAS CA 91302-1502

CALOF 1 1 91302

818-702-0610
Susan Hayes
Jun 02 09 03:20p.

27 P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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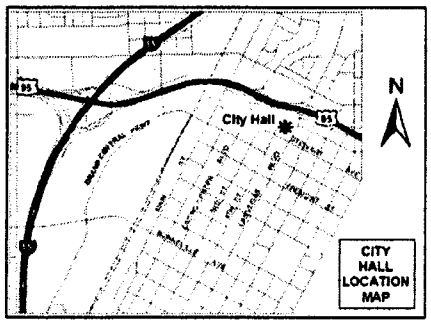


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**VAR-34308 & WVR-34311**
Planning Commission Meeting of 6/11/2009

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Case: VAR-34308

16204710086
AHMED AKLAQ Q
3258 MEADWAY DR
HOUSTON TX 77082-2223

CAVDP11 77082

Submitted after final agenda

Date 6/8/09 Item 27P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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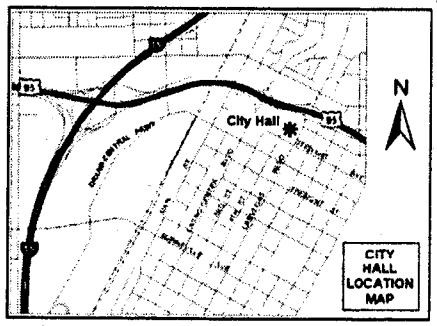


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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-34308 & WVR-34311**
Planning Commission Meeting of 6/11/2009

RECEIVED
JUN 08 2009

Case: VAR-34308
16210114141
YEKTA MEHRDAD & B E REV TR F
655 DUNHILL DR
DANVILLE CA 94506-1354

CAVDS11 94506

Submitted after final agenda
Date 6/8/09 Item 27P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED
FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
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MAY 29 2009
MAILED FROM ZIPCODE 89101

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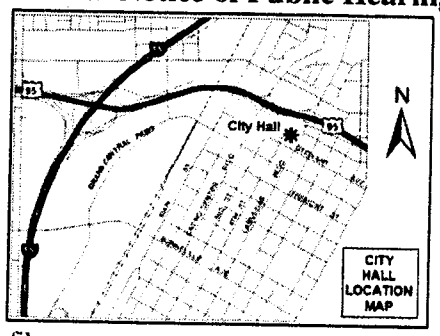


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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-34308 & WVR-34311**
Planning Commission Meeting of 6/11/2009

RECEIVED
JUN 08 2009

Case: VAR-34308
16210114557
GHASEDI GHOLAM R & JANET M
66 MEADOWBROOK C C
BALLWIN MO 63011-1697

CAVOP11 63011

Submitted after final agenda

Date 6/8/09 Item 27P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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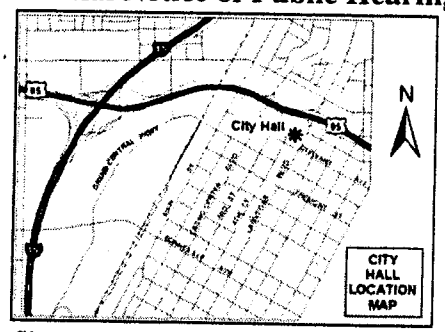


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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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**VAR-34308 & WVR-34311**
Planning Commission Meeting of 6/11/2009

RECEIVED
JUN 08 2009

Case: VAR-34308
16210114494
BENNETT & NANCY G LTD PTNRSHP
2310 PHILLIPS DR
GLENVIEW IL 60026-1175

CAVDP11 60026

Submitted after final agenda

Date 6/8/09 Item 27P

ASF REALTY & INVESTMENTS, INC.
200 W. Sahara Ave., #4001
Las Vegas, Nevada 89102
(702) 791-3432 BUSINESS
(702) 443-9644 FACSIMILE

**Residential, Commercial & Land Specialists**

**To:** City of Las Vegas Planning & Development Department

**From:** Andrew Fonfa, Gudrun Fonfa, Sahara Investments LLC & LV Land Ventures LLC

Tel/Fax: 702- 385-7268 Pages: inc. cover sheet

Phone: 702-791-3432 Fax 702-443-9644 Date: 6/15/09

Re: **Public Hearings/For the record**

Urgent For Review Please Reply ASAP

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JUN 15 2009

● Comments: **Andrew S. Fonfa & Gudrun Fonfa together & singularly, oppose SUP-34309, SUP-34310, VAR-34308, WVR-34311, & SDR-34306**

**Sahara Investments LLC, opposes SUP-34309, SUP-34310 & SDR-34306**

**LV Land Ventures LLC opposes SUP-34309, SUP-34310, RQR-34160, VAR-34308, WVR-34311 & SDR-34306**

12P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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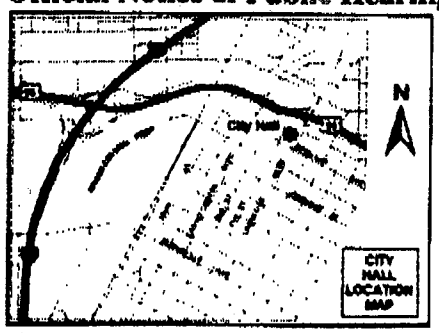
**Official Notice of Public Hearing**

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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**VAR-34308 & WVR-34311**
Planning Commission Meeting of 6/11/2009

RECEIVED
JUN 10 2009

16210114067 Case: VAR-34308
MARKIEWICZ CHESTER LIVING TRUST
4750 N HARLEM AVE
HARWOOD HEIGHTS IL 60706-4607

Submitted after final agenda

Date 6/10/09 Item 27A

CAVDS11 60706

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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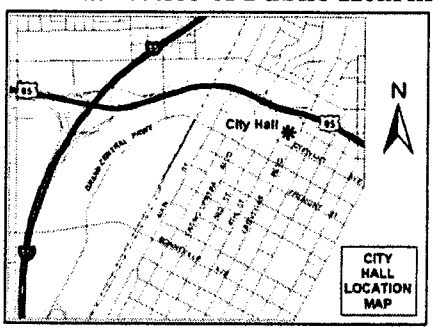


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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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**VAR-34308 & WVR-34311**
Planning Commission Meeting of 6/11/2009

RECEIVED
JUN 08 2009

Case: VAR-34308
16204815141
SIMON PAMELA & JEFFREY
771 VALLEY RD
GLENCOE IL 60022-1503

CAVDS11 60022

Submitted after final agenda

Date 6/8/09 Item 27A

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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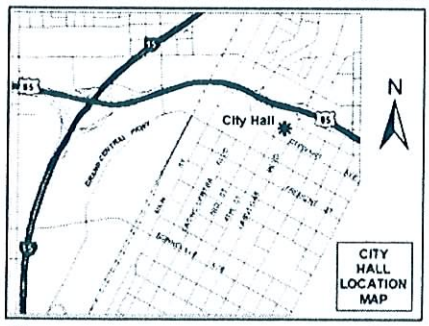
**Official Notice of Public Hearing**

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-34308 & WVR-34311**
Planning Commission Meeting of 6/11/2009

RECEIVED
JUN 03 2009

Case: VAR-34308

16210110003
GREYSTONE PARK INC
%G BARBIERI
5 VENTANA CANYON DR
LAS VEGAS NV 89113-0138

CAVDS11 A913

27A

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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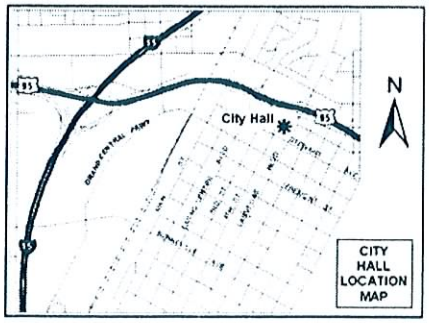
**Return Service Requested**
**Official Notice of Public Hearing**

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JUN 03 2009

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-34308 & WVR-34311**

Planning Commission Meeting of 6/11/2009

Case: VAR-34308
16203413027
YANG HSI-CHIEH & BETTY TAYLOR
8184 DOLCE VOLPE
LAS VEGAS NV 89178-8259

CAVOE11 89178

27A

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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JUN 03 2009

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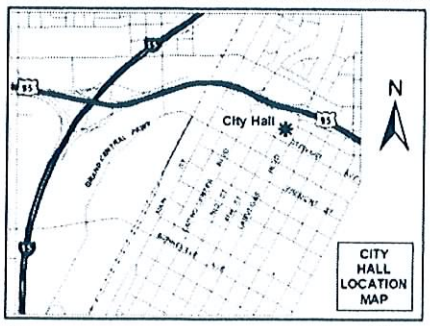
**Official Notice of Public Hearing**

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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**VAR-34308 & WVR-34311**

Planning Commission Meeting of 6/11/2009

Case: VAR-34308
16203413026
YANG HSI-CHIEH & BETTY TAYLOR
2400 & 2404 SANTA CLARA DR
LAS VEGAS NV 89104-0000

CAVDS11 89104

27A

CAUDILL 84757

Planning & Development Department
Development Services Center
731 S. Fourth Street
*Las Vegas, Nevada 89101-2986*

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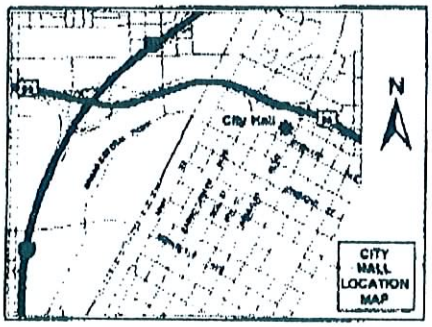
**Official Notice of Public Hearing**

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JUN 03 2009

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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**VAR-34308 & WVR-34311**

Planning Commission Meeting of 6/11/2009

Case: VAR-34308

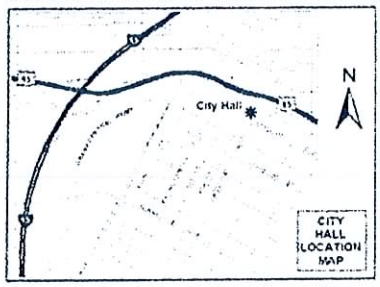
16204815294
CARR WILLIAM & VICTORIA
721 E 200 S
P O BOX 500
NEW HARMONY UT 84757-0500

THE FORTUNE GROUP INC Fax : 1-435-586-7108 Sep 18 03:14

27A

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

**Return Service Requested**
**Official Notice of Public Hearing**

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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**VAR-34308 & WVR-34311**
Planning Commission Meeting of 6/11/2009

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Case: VAR-34308
16210114276
INTERLIND MANAGEMENT SERV L L C
%J & A IMHOFF
933 NORTHWOOD BLVD #20
INCLINE VILLAGE NV 89451-8239

CAVDP11 89451

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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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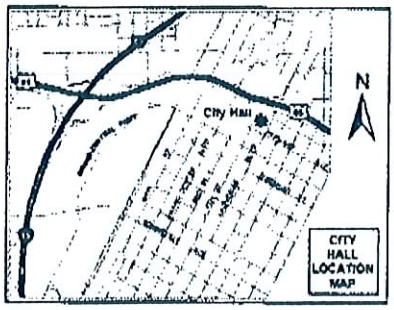


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Case: VAR-34308

16204813020
RITTER SHARON D
2004 PLAZA DE SANTA FE
LAS VEGAS NV 89102-0000

☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-34308 & WVR-34311**

Planning Commission Meeting of 6/11/2009

CAVDF11 89102

27 A

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

## *AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT*
### PLANNING COMMISSION MEETING OF: JULY 9, 2009

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

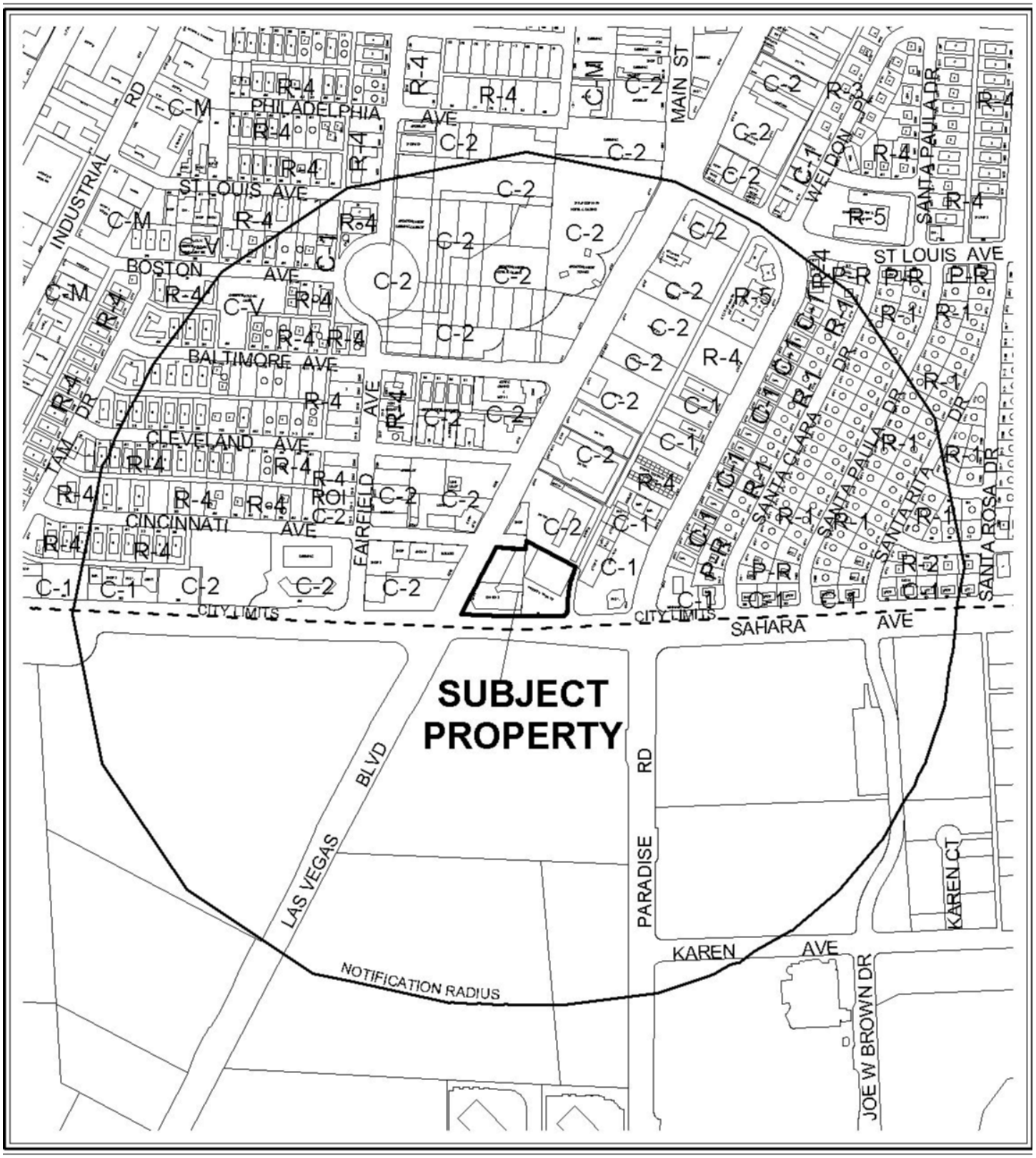
**SUBJECT:**
**ABEYANCE - SUP-34309 - SPECIAL USE PERMIT RELATED TO VAR-34308 AND WVR-34311 - PUBLIC HEARING - APPLICANT: GEORGE RAINHART - OWNER: ASPEN HIGHLANDS HOLDINGS, LLC** - Request for a Special Use Permit FOR A LIQUOR ESTABLISHMENT, TAVERN WITH A WAIVER TO ALLOW A 100-FOOT DISTANCE SEPARATION 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, Ward 3 (Reese)

**C.C.: 08/05/2009**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **10** | **Planning Commission Mtg.** | **7** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
**APPROVAL**

**BACKUP DOCUMENTATION:**
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest Postcards/Letter and Support Postcards




**CASE:** **SUP-34309**

**RADIUS:** 1500 FT

**ZONING OF SUBJECT PROPERTY:** C-2 (GENERAL COMMERCIAL)




0 400 800 Feet

**CASE:** **SUP-34309**

**RADIUS:** 1500 FT

**ZONING OF SUBJECT PROPERTY:** C-2 (GENERAL COMMERCIAL)

N




**SUP-34309**

**Business Licenses**

Child Care/ Children Facility

Tavern

RELIGIOUS

CITY PARKS

SCHOOLS

Subject Property

1500 foot buffer

N

City of Las Vegas

## AGENDA MEMO

**PLANNING COMMISSION MEETING DATE: JULY 9, 2009**
**DEPARTMENT: PLANNING AND DEVELOPMENT**
**ITEM DESCRIPTION: ABEYANCE - SUP-34309 - APPLICANT: GEORGE RAINHART - OWNER: ASPEN HIGHLANDS HOLDINGS, LLC**

## ** CONDITIONS **

**STAFF RECOMMENDATION:** **APPROVAL,** 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.

6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SG

**SUP-34309 - Staff Report Page One**
**July 9, 2009 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request for a Special Use Permit for a Liquor Establishment, Tavern in conjunction with a proposed casino and retail development. The Special Use Permit would apply only to the portion of the development that is designated for casino and restaurant uses, and would not apply to other areas designated for retail establishments. Staff is recommending approval of this request, including the Waiver of the required distance separation from similar uses, as the proposed use is appropriate for the area and can be conducted in a manner that is compatible with the adjacent surrounding uses.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 02/21/96 | The City Council approved a Special Use Permit (U-0151-95) for the off-premise sale of beer and wine in conjunction with a convenience store. |
| 04/20/94 | The City Council approved a Special Use Permit (U-0026-94) to allow the sale of beer and wine in conjunction with a proposed restaurant. |
| 11/03/04 | The City Council approved requests for a Special Use Permit (SUP-5028) for a proposed 73-story mixed-use development, and a Site Development Review (SDR-5027) with Waivers of the Downtown Centennial Plan Standards for streetscape, building stepbacks, and reflective glazing for a 73-story, 1,300,000 square-foot mixed-use development consisting of 960 condominium units and 25,000 square feet of commercial uses on 2.17 acres at 2423 and 2417 Las Vegas Boulevard. The Planning Commission recommended approval. |
| 03/02/05 | The City Council approved a Petition to Vacate (VAC-5030) a 20-foot wide public alley generally located north of Sahara Avenue, west of Paradise Road. The Planning Commission recommended approval. |
| 06/15/05 | The City Council approved a request for a Review of Conditions (ROC-6691) for an approved Site Development Plan Review (SDR-5027) to remove Condition numbers 18, 27 and 30 for an approved 73-story, 863-foot tall, 1,300,000 square-foot mixed-use development consisting of 951 condominium units and 41,000 square feet of commercial uses on 2.17 acres at 2417 and 2423 South Las Vegas Boulevard. |
| 11/03/05 | The Planning Commission approved a Tentative Map (TMP-9117) for a 944-unit mixed-use condominium development on 2.17 acres adjacent to the northeast corner of Sahara Avenue and Las Vegas Boulevard. |
| 12/06/06 | The City Council approved a request for an Extension of Time (EOT-16956) of an approved Special Use Permit (SUP-5028) that allowed a 73-story mixed-use development at 2423 and 2417 Las Vegas Boulevard. |

| | |
|---|---|
| 06/11/09 | The Planning Commission held in abeyance requests for a Waiver (WVR-34311) to allow Cincinnati Street to not terminate in a cul-de-sac; a Variance (VAR-34308) 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; and Special Use Permits (SUP-34309 and 34310) 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, and for a proposed 547-foot high structure with roof sign within the A-O (Airport Overlay) District where the height limitation is 175 feet for a proposed structure; and 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 at the northeast corner of Sahara Avenue and Las Vegas Boulevard. |
| 07/09/09 | The Planning Commission will consider associated requests for a Waiver (WVR-34311) to allow Cincinnati Street to not terminate in a cul-de-sac; a Variance (VAR-34308) 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; and 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 at the northeast corner of Sahara Avenue and Las Vegas Boulevard. The applicant has requested to withdraw (without prejudice) a Special Use Permit (SUP-34310) for a proposed 547-foot high structure with roof sign within the A-O (Airport Overlay) District where the height limitation is 175 feet for a proposed structure. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 07/20/90 | A building permit (#90075858) was issued for a retail center at 2401 S. Las Vegas Blvd. The permit was finaled on 12/10/91. |
| 09/26/90 | A building permit (#90083891) was issued for a retail center at 2401 S. Las Vegas Blvd. The permit was finaled on 12/05/91. |
| 08/16/91 | A building permit (#91116828) was issued for on-site improvements at 2401 S. Las Vegas Blvd. The permit was finaled on 12/10/91. |
| 08/16/91 | A building permit (#91116829) was issued for a three-level garage structure at 2401 S. Las Vegas Blvd. The permit was finaled on 12/10/91. |

| ***Pre-Application Meeting*** | |
|---|---|
| 04/16/09 | A pre-application meeting was held to discuss the necessary applications for the proposed project, including a Site Development Plan Review, a Variance for signage, Special Use Permits for excessive height within the Airport Overlay District and for a Liquor Establishment, Tavern, and a Waiver to Title 18 street standards. Also discussed were the following issues:<br>• Remapping of the subject parcels into a single parcel is required.<br>• The project is deemed to be a Project of Regional Significance (PRS) as it pertains to the Special Use Permits because it is located within 500 feet of the boundary with Clark County. Traffic analysis, when available, may also affect this designation for the Site Development Plan Review.<br>• Minor changes required to bring the streetscapes into compliance with the Downtown Centennial Plan.<br>• Approval of the required Waiver of distance separation for the Liquor Establishment, Tavern, is dependent upon the passage of Text Amendment (TXT-32865).<br>• Parking to be calculated as a Shopping Center only for those portions of the site meeting the definition. The casino portion is to be calculated separately.<br>• Pursuant to Title 19.06.140, no Off-Premise Signs are permitted within the Las Vegas Scenic Byway. |

| ***Neighborhood Meeting*** |
|---|
| A neighborhood meeting was neither required nor held for this request. |

| ***Field Check*** | |
|---|---|
| 05/07/09 | A field check was conducted by staff. The site has existing vacant commercial buildings that are in relatively good shape, with the exception of a roof sign is disrepair. Landscaping is in poor shape, with weeds in most planter areas. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Gross Acres | 2.17 Acres |

| **Surrounding Property** | **Existing Land Use** | **Planned Land Use** | **Existing Zoning** |
|---|---|---|---|
| Subject Property | Vacant Commercial Building and Parking Structure | C (Commercial) | C-2 (General Commercial) |
| North | Shops and Motel | C (Commercial) | C-2 (General Commercial) |

| | | | |
|---|---|---|---|
| South | Resort / Casino | CT (Commercial Tourist) Clark County | H-1 (Limited Resort and Apartment District) Clark County |
| East | Retail Center | C (Commercial) | C-2 (General Commercial) |
| West | Retail Center | C (Commercial) | C-2 (General Commercial) |

| ***Special Districts/Zones*** | ***Yes*** | ***No*** | ***Compliance*** |
|---|---|---|---|
| **Special Area Plan** | | | |
| Downtown Centennial Plan (Las Vegas Boulevard) | X | | Y |
| Beverly Green / Southridge Neighborhood Plan | X | | Y |
| ***Special Districts/Zones*** | ***Yes*** | ***No*** | ***Compliance*** |
| **Special Purpose and Overlay Districts** | | | |
| Downtown Overlay District (Las Vegas Boulevard, John S. Park Adjacent Area) | X | | Y |
| G-O Gaming Enterprise Overlay District | X | | Y |
| A-O Airport Overlay District (175 Feet) | X | | N |
| Las Vegas Boulevard Scenic Byway Overlay District | X | | Y |
| **Trails** | X | | Y |
| **Rural Preservation Overlay District** | | X | N/A |
| **Development Impact Notification Assessment** | | X | N/A |
| **Project of Regional Significance** | X | | Y |

## DEVELOPMENT STANDARDS

***Pursuant to Title 19.06.060, properties within the Downtown Overlay District are exempt from the automatic application of the mandatory maximum building height, required building setback, maximum lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements. The following standards are provided for comparison with the requirements of Title 19:***

| ***Parking Requirement - Downtown*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| | ***Gross Floor Area or Number of Units*** | ***Base Parking Requirement*** | | | ***Provided*** | | ***Compliance*** |
| | | | *Parking* | | *Parking* | | |
| ***Use*** | | ***Parking Ratio*** | Regular | Handi-capped | Regular | Handi-capped | |
| Shopping Center | 28,100 SF | 1:250 | 113 | | | | |
| Gaming, Non-Restricted | 9,000 SF | 1:90 | 100 | | | | |
| **SubTotal** | | | 206 | 7 | 155 | 7 | N |
| **TOTAL** | | | 213 | | 162 | | N |

SG

| Taverns Within a 1,500-Foot Radius | | | | |
|---|---|---|---|---|
| **Location** | **License Number** | **Still Active?** | **Current Use** | **Separation Distance** |
| 332 W. Sahara Avenue | L16-00125 | No (as of 03/16/09) | Pounder's Sports Bar (Closed) | 1,170 Feet |
| | L16-99211 | Under Review (submitted 05/20/09) | Red Label Bar and Lounge (would replace Pounder's) | 1,170 Feet |
| 308 W. Sahara Avenue | L16-00163 | Yes | Golden Steer Steak House | 1,170 Feet |
| 2202 Paradise Road | L16-00256 | No (as of 09/17/08) | Willy's (Closed) | 310 Feet |
| | L16-96280 | Under Review (Submitted 01/05/09) | Doc's Place (would replace Willy's) | 310 Feet |
| 2000 S. Las Vegas Boulevard | L16-00147 | Yes | Stratosphere Tower Casino and Hotel | 720 Feet |
| 2000 S. Las Vegas Boulevard | L16-00167 | No (as of 12/01/08) | Polly Esther's (Closed) | 720 Feet |
| 2000 S. Las Vegas Boulevard | L16-00119 | Yes | Fat Tuesday | 720 Feet |
| 2200 S. Las Vegas Boulevard | L16-00226 | Yes | Aztec Gold Inn and Casino | 510 Feet |
| 2400 S. Las Vegas Boulevard | L16-00082 | Yes | Bonanza Mall Liquor | 100 Feet |

## ANALYSIS

This request for a Special Use Permit for a Liquor Establishment, Tavern in conjunction with a casino and retail development is an appropriate use for the location, as it is within the Downtown Centennial Plan area where a mixture of uses is encouraged to promote cultural, entertainment, culinary and other opportunities for both tourists and residents alike. A Waiver of the required distance separation from similar uses is required, and may be permitted pursuant to Ordinance 6041, which was adopted at the 06/03/09 City Council meeting. This bill allows for a Waiver of the required distance separation for those properties located with the G-O (Gaming Enterprise Overlay) District, and applies to the subject site.

## FINDINGS

The following findings must be made for a Special Use Permit:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

   The proposed land use can be conducted in a manner that is compatible with the existing surrounding land uses, and with future 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 land use proposed.

3. **"Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use."**

   Adequate access to the site is provided by existing driveways from Sahara Avenue and Cincinnati Street, which has direct access to Las Vegas Boulevard. Both Sahara Avenue and Las Vegas Boulevard are designated as 100-foot Primary Arterials. Site access and circulation will not negatively impact adjacent roadways or neighborhood traffic.

4. **"Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan."**

   The proposed development is subject to permit review and inspection; therefore, appropriate measures will be taken to protect the health, safety and general welfare. It will not be inconsistent with the overall objectives of the General Plan.

5. **The use meets all of the applicable conditions per Title 19.04.**

   The use meets all applicable conditions per Title 19.04.

| | |
|---|---|
| **NEIGHBORHOOD ASSOCIATIONS NOTIFIED** | 12 |
| **ASSEMBLY DISTRICT** | 9 |
| **SENATE DISTRICT** | 10 |
| **NOTICES MAILED** | 742 |
| **APPROVALS** | 7 |
| **PROTESTS** | 10 |

PLANNING & DEVELOPMENT

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-34309** APN: 162-04-813-070 & 071 and 162-03-410-008

Name of Property Owner: Aspen Highlands Holdings, LLC

Name of Applicant: George Rainhart

Name of Representative: Kummer Kaempfer Bonner Renshaw & Ferrario

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes __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: Steve Johnson

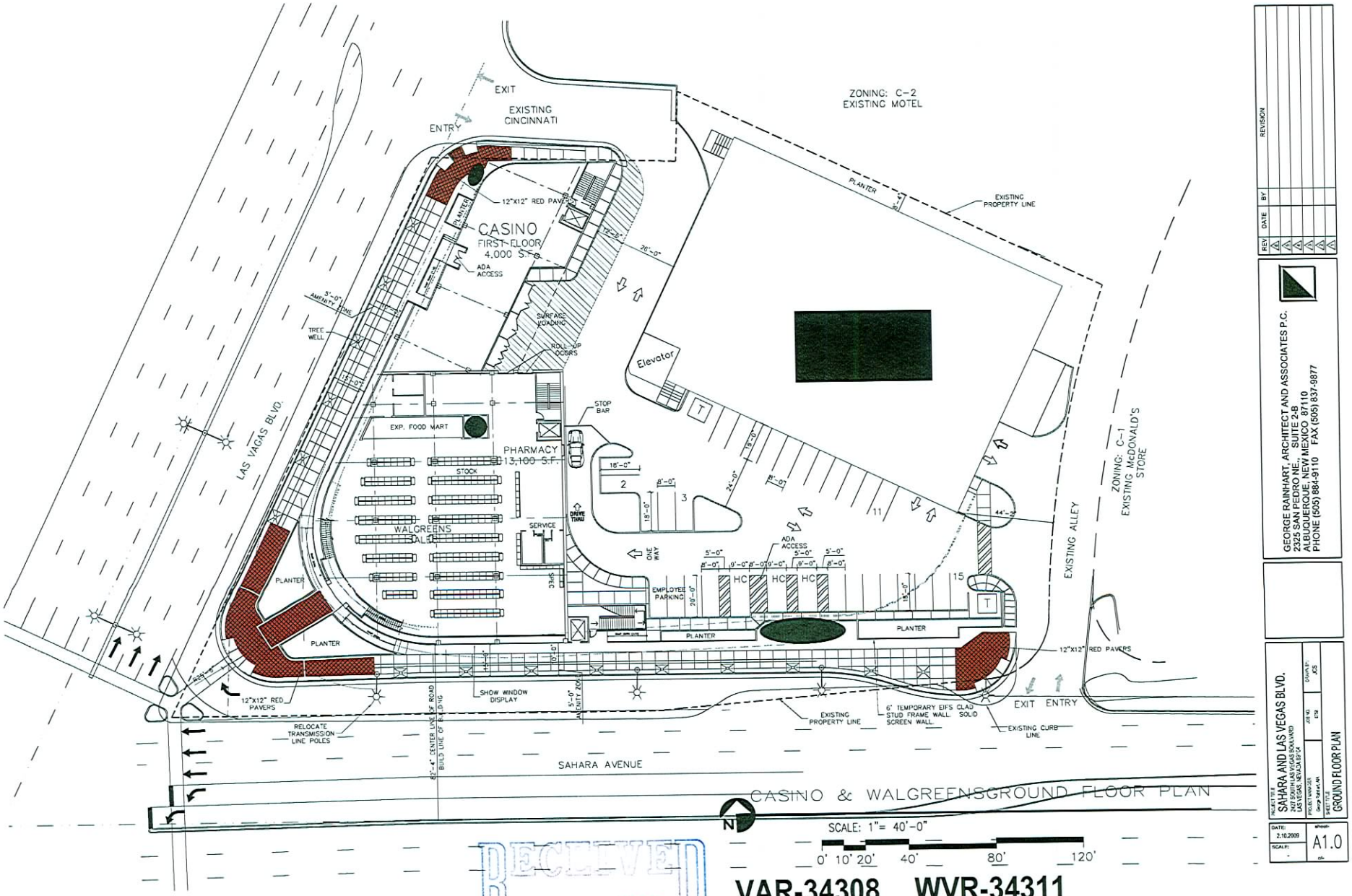
Subscribed and sworn before me

This 21st day of April, 2009

Maricopa County, AZ

Notary Public in and for said County and State

OFFICIAL SEAL
JEFFREY SCANLON
NOTARY PUBLIC - State of Arizona
MARICOPA COUNTY
My Comm. Expires Nov. 10, 2009

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## 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 OFA TWO STORY BUILDING HOUSING A PHARMACY, A CASINO, RETAIL AND RESTAURANT.
9. CONSTRUCTION OF MARQUE ANIMATED VIDEO SIGN WRAPPING THE CORNER.
10. CONSTRUCTION OF A 546'-3" HIGH MAST SUPPORTING A SAIL SHAPED MARQUE ANIMATED VIDEO DISPLAY.
11. CONSTRUCTION OF A 40 FOOT HIGH SOLID STUCCO FACED WALL EXTENDING EAST ALONG SAHARA AVE TO SCREEN SURFACE PARKING.
12. CONSTRUCTION OF LOADING AREA AND REFUSE COMPACTOR AREA, SURFACE PARKING AND PHARMACY PICK-UP WINDOW.

**SIGN AREA TABULATION**

| SIGN TYPE | LOCATION | DESCRIPTION | AREA | PERCENTAGE |
|---|---|---|---|---|
| TYPE 1 | ROOF | LED FULL MOTION VIDEO DISPLAY 30-60 MM RESOLUTION | ± 18,471 S.F. | N/A |
| TYPE 2 | ROOF | NON VIDEO COLORED LEDS | ± 13,117 S.F. | N/A |
| TYPE 3 | ROOF | LED FULL MOTION VIDEO DISPLAY 30-60 MM RESOLUTION | ± 7,312 S.F. | N/A |
| TYPE 4 EAST FACADE | BUILDING | LED FULL MOTION VIDEO DISPLAY 10 MM RESOLUTION | ± 3,600 S.F. | ± 23% OF FACADE |
| TYPE 4 SOUTH FACADE | BUILDING | LED FULL MOTION VIDEO DISPLAY 10 MM RESOLUTION | ± 6,300 S.F. | ± 49% OF FACADE |
| TYPE 5 | ROOF | LED FULL MOTION VIDEO DISPLAY 10 CM | ± 25,200 S.F. | N/A |
| | | TOTAL | ± 74,000 S.F. | |

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 | 9000 / 90 = | 100 |
| RESTAURANT: | | |
| DINNING | 3000 / 50 = | 60 |
| SERVICE | 3000 / 200 = | 15 |
| RETAIL | 4000 / 250 = | 16 |
| | TOTAL | 264 |

264 – 39% = 162 SPACES

39% PARKING REDUCTION REQUESTED 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

SITE AREA: 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.

BUILDING AREA:

| | |
|---|---|
| PHARMACY | 13100 S.F. |
| MEZZANINE | 5000 S.F. |
| CASINO | 9000 S.F. |
| RESTAURANT | 6000 S.F. |
| RETAIL | 4000 S.F. |
| TOTAL: | 37100 S.F. |

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## 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 | SECOND FLOOR PLAN |
| A2.1 | NORTH ELEVATION |
| A2.2 | SOUTH ELEVATION |
| A2.3 | EAST ELEVATION |
| A2.4 | WEST ELEVATION |
| A2.5 | RENDERED SOUTH ELEVATION |
| A3.1 | BUILDING SECTION |


**VAR-34308 WVR-34311**
**SUP-34309 SUP-34310**
**SDR-34306 06/11/09 PC**

REVISION | BY | DATE | REV


GEORGE RAINHART, ARCHITECT AND ASSOCIATES P.C.
2325 SAN PEDRO NE., SUITE 2-3
ALBUQUERQUE, NEW MEXICO 87110
PHONE (505) 884-9110 FAX (505) 837-9877


PROJECT: SAHARA AND LAS VEGAS BLVD.
NEC SAHARA AND LAS VEGAS BOULEVARD
LAS VEGAS, NEVADA 89104
JOB NO: 0709
DRAWN BY: JCS
PROJECT MANAGER: George Rainhart
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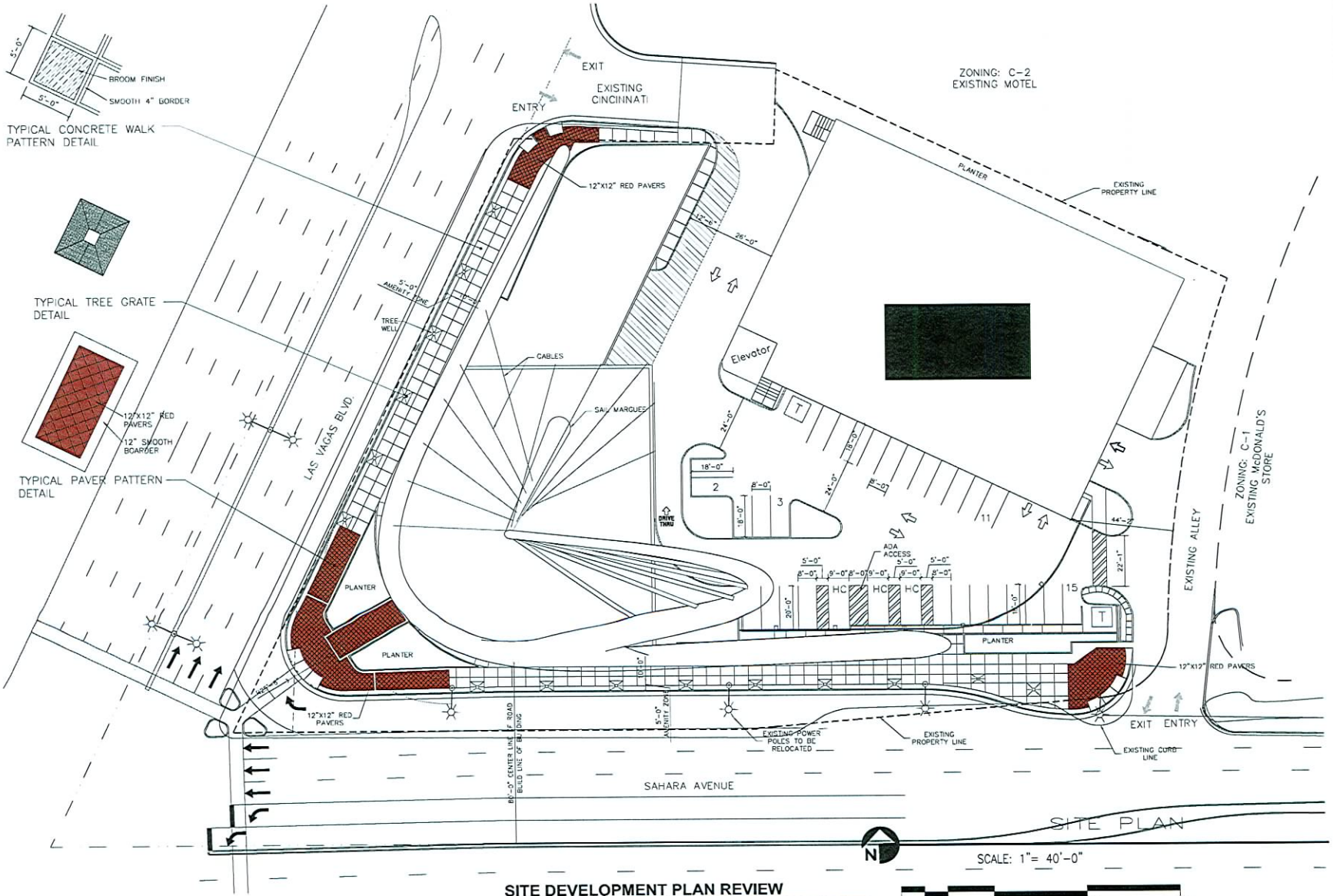
sheet: AC




**SITE DEVELOPMENT PLAN REVIEW**
**SPECIAL USE PERMIT**

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**SDR-34306 06/11/09 PC**

| 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, NA
JOB NO.: 8719
DRAWN BY: JCS
SHEET TITLE: SITE PLAN

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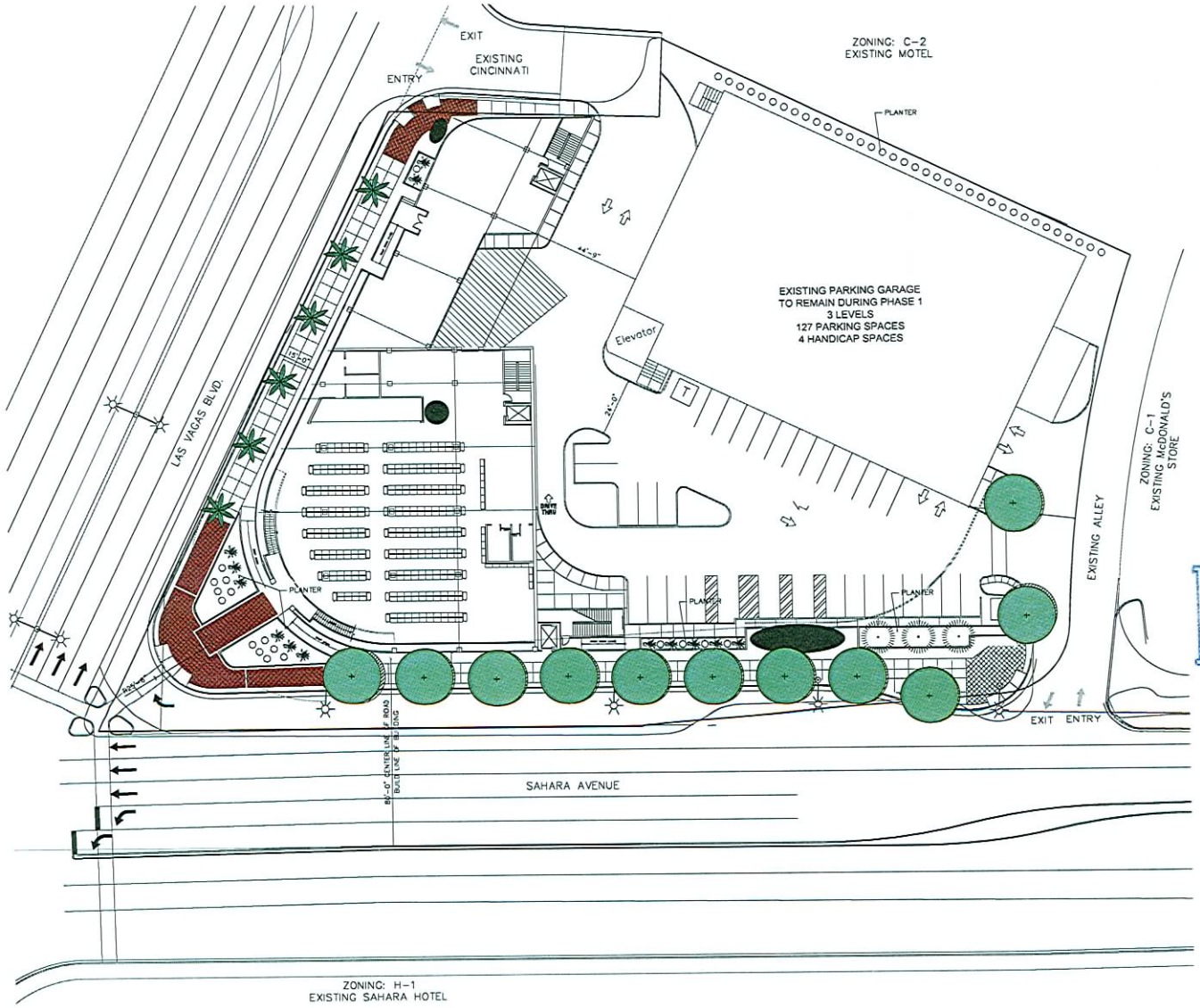
sheet: AS1.0
of:







**VICINITY MAP** N.T.S

## PLANTING LEGEND

| Size | Common Name | Quantity |
|---|---|---|
| 25' | Deglet-Noor Date Palms | 6 |
| 15' | Southern Live Oak | 29 |

Trees and Palms, 30'-0" o.c. in tree grates

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LANDSCAPE PLAN
SCALE 1" = 20'-0"

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| 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 BOULEVARD
LAS VEGAS, NEVADA 89104

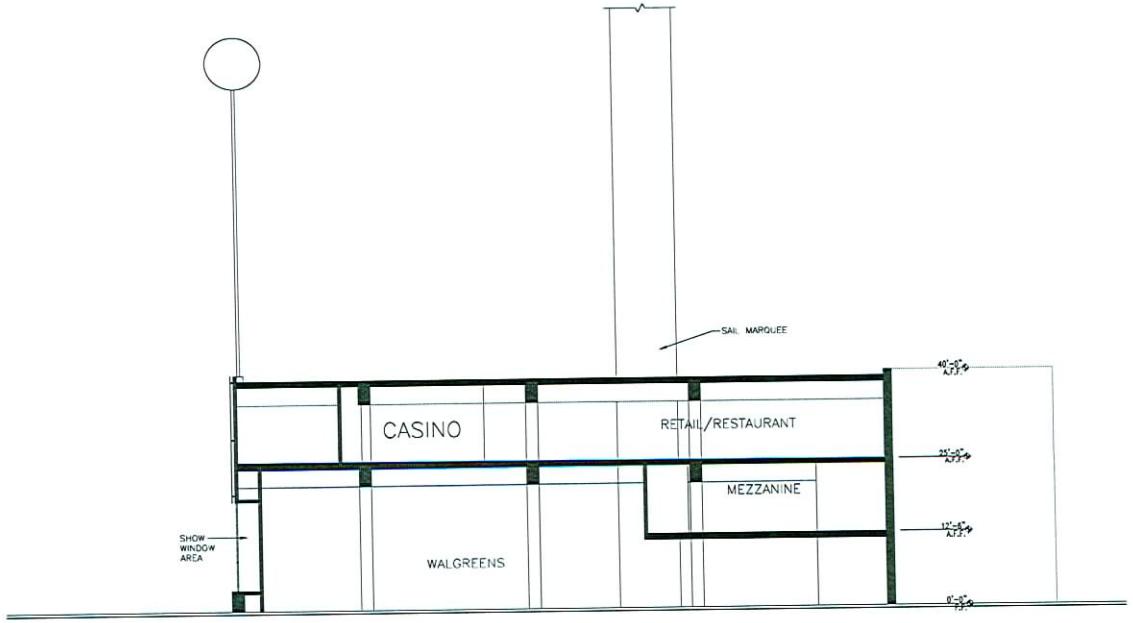
PROJECT MANAGER
George Rainhart, AIA

JOB NO.
E-2

DRAWN BY:
DDM

SHEET TITLE
LANDSCAPE PLAN - PHASE 1

DATE: 2.10.2009
SCALE: -
sheet- L1.1 of-




BUILDING SECTION

SCALE: 1"= 20'-0"

0' 5' 10' 20' 40' 80'

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**SDR-34306 06/11/09 PC**

| 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: 8734
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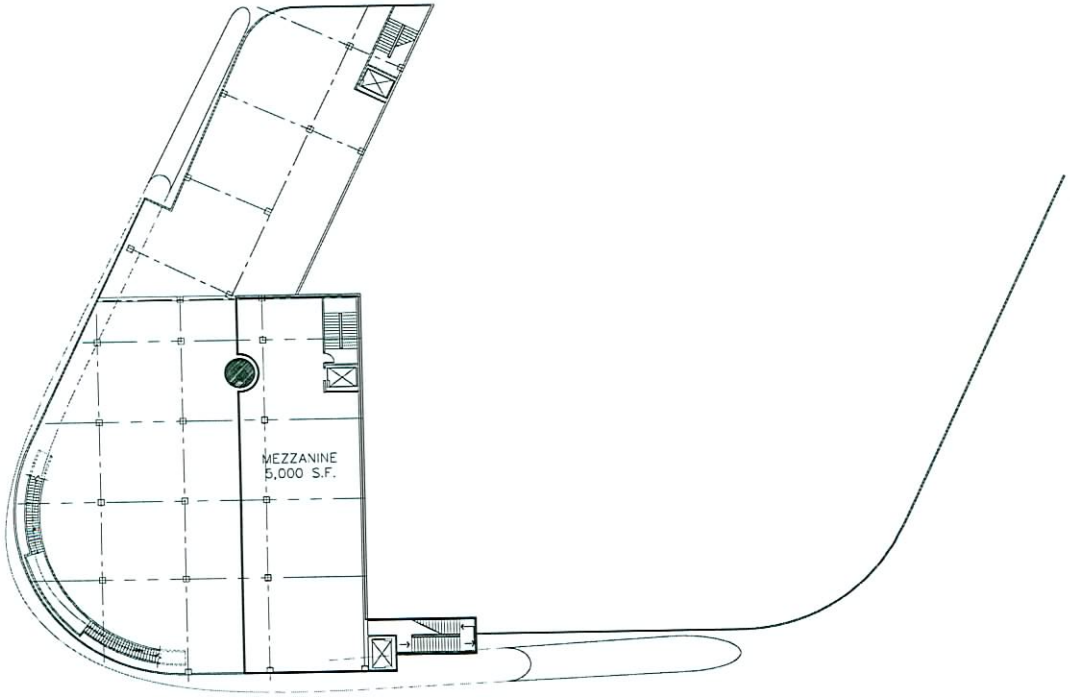


WALGREENS MEZZANINE PLAN

SCALE: 1"= 40'-0"

0' 10' 20' 40' 80' 120'

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| 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 BOULEVARD
LAS VEGAS, NEVADA 89104

JOB NO. 0704
DRAWN BY: JCS
PROJECT MANAGER: George Rainhart, NA
SHEET TITLE: MEZZANINE PLAN

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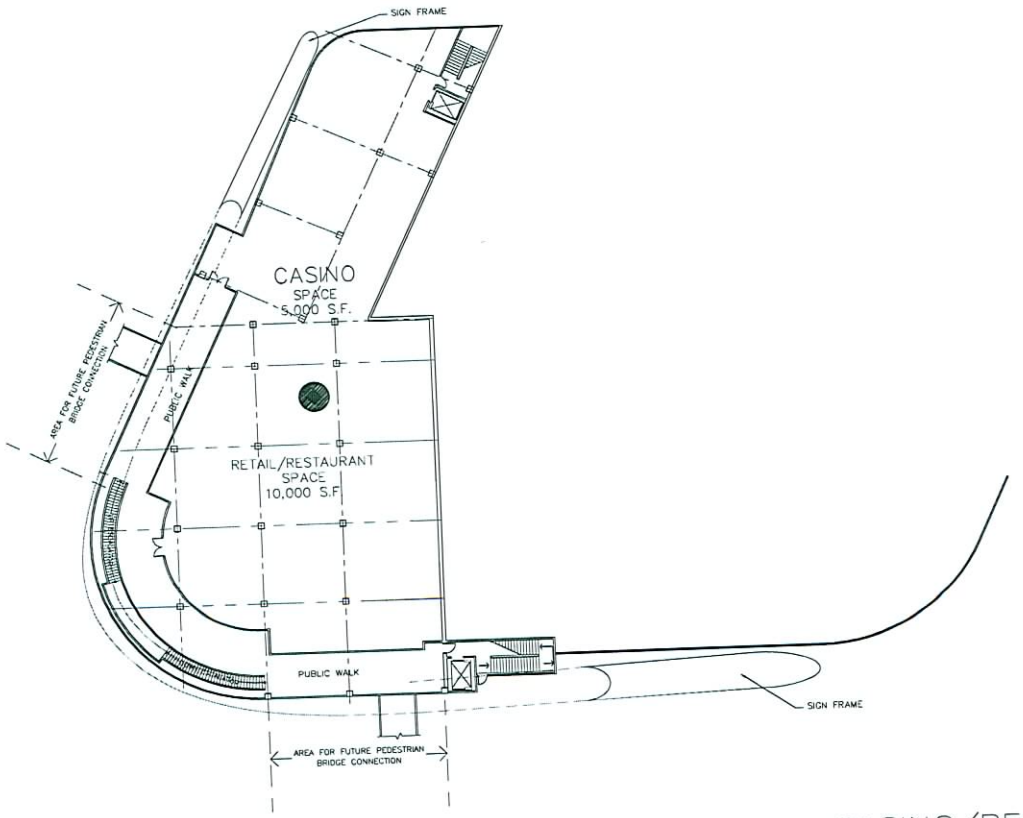
sheet#: A1.1




CASINO/RESTAURANT/RETAIL
SECOND FLOOR PLAN

N

SCALE: 1"= 40'-0"

0' 10' 20' 40' 80' 120'

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| REV | DATE | BY | REVISION |
|---|---|---|---|
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| 2 | | | |
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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.
2427 SOUTH LAS VEGAS BOULVARD
LAS VEGAS, NEVADA 89104

PROJECT MANAGER
George Rainhart, MA

JOB NO.
ETM

DRAWN BY:
JCS

SHEET TITLE
SECOND FLOOR PLAN

DATE:
2.10.2009

SCALE:
-

sheet
A1.2



SUP-34309 - APPLICANT: GEORGE RAINHART - OWNER: ASPEN HIGHLANDS HOLDINGS, LLC
NORTHEAST CORNER OF SAHARA AVENUE LAS VEGAS BOULEVARD
JULY 9, 2009 PLANNING COMMISSION

05/07/09




SUP-34309 - APPLICANT: GEORGE RAINHART - OWNER: ASPEN HIGHLANDS HOLDINGS, LLC
NORTHEAST CORNER OF SAHARA AVENUE LAS VEGAS BOULEVARD
JULY 9, 2009 PLANNING COMMISSION

05/07/09



SUP-34309 - APPLICANT: GEORGE RAINHART - OWNER: ASPEN HIGHLANDS HOLDINGS, LLC
NORTHEAST CORNER OF SAHARA AVENUE LAS VEGAS BOULEVARD
JULY 9, 2009 PLANNING COMMISSION

05/07/09

June 18, 2009

Ms. Margo Wheeler, Director
City of Las Vegas
Planning and Development Department
731 S. Fourth St.
Las Vegas, NV 89101

Re: Revised Justification Letter – Site Development Plan Review for a 37,100 square foot Commercial Building; A Special Use Permit for a Tavern; a Variance for Signage Height and Square Footage; and a Waiver to allow a dedicated right-of-way to end without a cul-de-sac.
APN: 162-04-813-070 & 071; and 162-03-410-008

Dear Ms. Wheeler:

This letter is submitted as justification for an application for a Site Development Plan Review, A Special Use Permit, and a signage Variance for a proposed Walgreens/pharmacy, casino/restaurant/tavern, and retail space on property located at the northeast corner of Sahara Avenue and Las Vegas Boulevard in Ward 3.

The applicant is proposing a 13,100 square foot Walgreen's with a pharmacy, a 9,000 square foot casino, a 6,000 square foot restaurant, and 4,000 square feet of retail space. An additional 5,000 square feet is devoted to storage on the mezzanine level. Parking will be provided in an existing 131 space structure in the northeast portion of the site. An additional 31 surface spaces are also proposed. Parking standards do not apply to this location, however it should be noted that the number of spaces proposed is approximately 39% less than what would be required where such standards are imposed. That said the location of the property is such that a significant amount of customers anticipated at this site will be foot traffic on Las Vegas Boulevard. We therefore believe that the number of spaces proposed is sufficient. It should be noted that a traffic study has been submitted to the Department of Public Works for their review and approval.

A Special Use Permit application has been submitted for a tavern in conjunction with the proposed casino and restaurant. This use is essentially the same as what is found in any hotel/casino, however the SUP is required because a hotel is not part of this project. Based on the location of this site at the intersection of two major streets and at the entrance to the city of Las Vegas, and based on the nature of the surrounding property uses this request should have no negative impact on this area.

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The development is being designed with a "Times Square" theme which necessitates a variance from the Las Vegas Zoning Code Chapter 19.14(F)(6)(b) and (c) for both the height and amount of signage. The proposed wrap-around marquee video display sign will extend vertically along the Sahara Avenue and Las Vegas Boulevard frontages beginning 40 feet above ground floor level and extending to a height of 118 feet with a support arch structure extending to a height of approximately 138 feet. Full motion video displays will also be installed between the 20 foot and 40 foot heights along the Sahara Avenue and Las Vegas Boulevard frontages. In total there will be 21,110 square feet of full motion video display. The video display is 101% of the west façade and 79% of the south façade where a maximum of 20% of each elevation is allowed by code. The applicant believes that the entire structure will provide an "iconic" element at a location that is the gateway to the city of Las Vegas.

A Waiver of Street Standards is requested to allow the dedicated right-of-way along a portion of the north edge of the property to end without a cul-de-sac. The existing right-of-way has been and will continue to be utilized for access to the existing parking garage. Preliminary discussion has taken place with the representative of the property located on the north side of the dedicated area to determine if that property owner would support a vacation. Because that discussion is preliminary the applicant is requesting a waiver to allow this project to go forward without additional dedication or a vacation of that right-of-way.

The project has been designed to the fullest extent possible to include the principles of the Downtown Centennial Plan Design Standards and we believe the proposed theme and associated video displays are exactly what is contemplated in the signage illumination standards of the Las Vegas Boulevard Scenic Byway overlay district. However, in order to accomplish those standards a Variance for signage is a necessity because nothing in the current code allows for or anticipates a development of this type with signage of this intensity.

As the applicants representative on these applications I will be happy to provide any additional information you may require or respond to any questions you may have. Thank you for your consideration.

Respectfully,

*Robert S Genzer*

Robert S Genzer
Genzer Consulting
9612 Hawksbill Ct.
Las Vegas, NV 89117-0646
702-256-6022

**VAR-34308 WVR-34311**
**SUP-34309 SUP-34310**
**REVISED SDR-34306**
**07/09/09 PC**

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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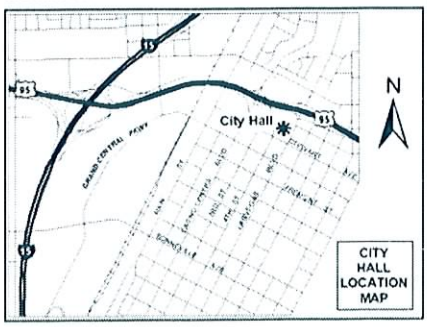
PITNEY BOWES
02 1M
0004279218
$ 00.41⁴
MAY 29 2009
MAILED FROM ZIP CODE 89101

**Return Service Requested**
**Official Notice of Public Hearing**

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-34309 & SUP-34310**

Planning Commission Meeting of 6/11/2009

RECEIVED
JUN 03 2009

Case: SUP-34309
16204811028
VILORIA FLORENTINO Q & LILIA
7137 CRESSIDA CT
LAS VEGAS NV 89113-0249

CAVDS11 89113

28 P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
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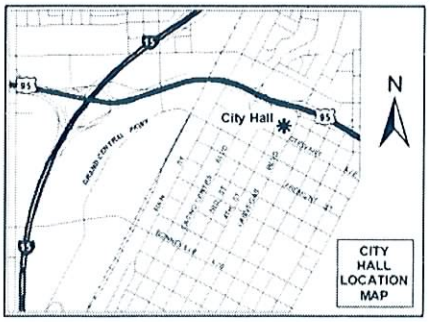
**Return Service Requested**
**Official Notice of Public Hearing**

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☒ I OPPOSE this Request

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**SUP-34309 & SUP-34310**

Planning Commission Meeting of 6/11/2009

RECEIVED
JUN 03 2009

Case: SUP-34309
16203413027
YANG HSI-CHIEH & BETTY TAYLOR
8184 DOLCE VOLPE
LAS VEGAS NV 89178-8259

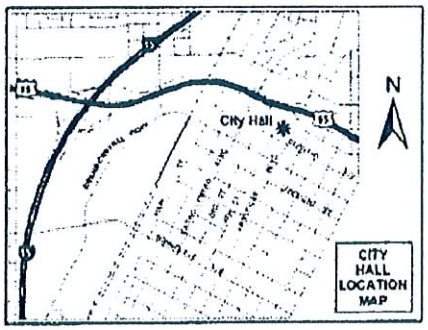
CAVDS11 89178

28P

818-702-0610

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

**Return Service Requested**
**Official Notice of Public Hearing**

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Please use available blank space on card for your comments.

**SUP-34309 & SUP-34310**

Planning Commission Meeting of 6/11/2009

RECEIVED
JUN 02 2009

41

Case: SUP-34309

16210114216
HAYES SUSAN J
23679 CALABASAS RD #382
CALABASAS CA 91302-1502

CAVDF11 91302





28P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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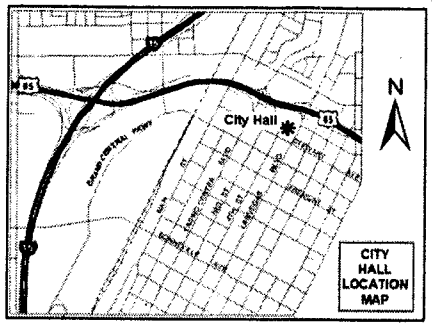
**Official Notice of Public Hearing**

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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**SUP-34309 & SUP-34310**
Planning Commission Meeting of 6/11/2009

RECEIVED
JUN 08 2009

Case: SUP-34309
16204815231
TAN RAYMUNDO T REVOCABLE TR ET
200 W SAHARA AVE #2308
LAS VEGAS NV 89102-5079

CAVDS11 89102

Submitted after final agenda

Date 6/8/09 Item 28P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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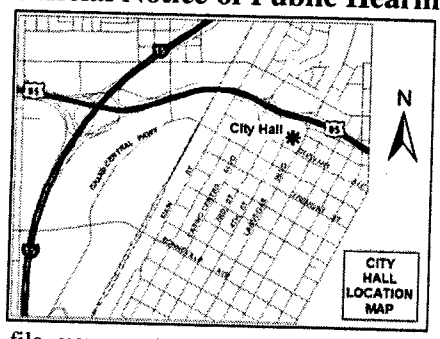
**Official Notice of Public Hearing**

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-34309 & SUP-34310**
Planning Commission Meeting of 6/11/2009

RECEIVED
JUN 08 2009

16210114494 Case: SUP-34309
BENNETT & NANCY G LTD PTNRSHP
2310 PHILLIPS DR
GLENVIEW IL 60026-1175

CAVOP11 60026

Submitted after final agenda

Date 6/8/09 Item 28P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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UNITED STATES POSTAGE PITNEY BOWES
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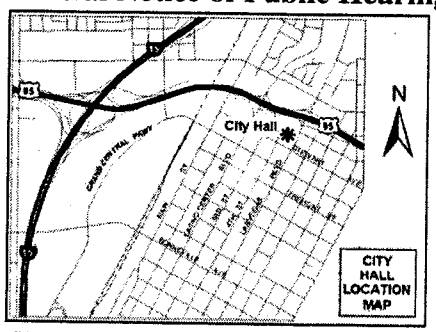
**Official Notice of Public Hearing**

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-34309 & SUP-34310**

Planning Commission Meeting of 6/11/2009

RECEIVED
JUN 08 2009

Case: SUP-34309

16210114141
YEKTA MEHRDAD & B E REV TR ETAL
655 DUNHILL DR
DANVILLE CA 94506-1354

CAVDS11 94506

Submitted after final agenda

Date 6/8/09 Item 28P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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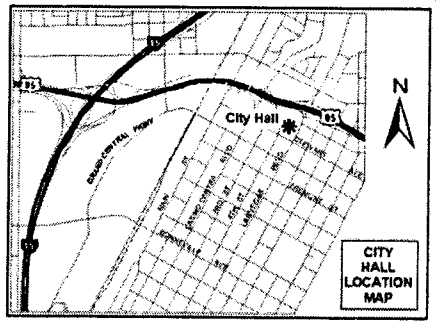
**Official Notice of Public Hearing**

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-34309 & SUP-34310**
Planning Commission Meeting of 6/11/2009

RECEIVED
JUN 08 2009

Case: SUP-34309
16210114557
GHASEDI GHOLAM R & JANET M
66 MEADOWBROOK C C
BALLWIN MO 63011-1697

CAVDS11 63011

**Submitted after final agenda**

Date 6/8/09 Item 28P

ASF REALTY & INVESTMENTS, INC.
200 W. Sahara Ave., #4001
Las Vegas, Nevada 89102
(702) 791-3432 BUSINESS
(702) 443-9644 FACSIMILE

**Residential, Commercial & Land Specialists**

**To:** City of Las Vegas Planning & Development Department

**From:** Andrew Fonfa, Gudrun Fonfa, Sahara Investments LLC & LV Land Ventures LLC

Tel/Fax: 702- 385-7268 Pages: inc. cover sheet

Phone: 702-791-3432 Fax 702-443-9644 Date: 6/15/09

Re: **Public Hearings/For the record**

Urgent For Review Please Reply ASAP

RECEIVED
JUN 15 2009

● Comments: **Andrew S. Fonfa & Gudrun Fonfa together & singularly, oppose SUP-34309, SUP-34310, VAR-34308, WVR-34311, & SDR-34306**

**Sahara Investments LLC, opposes SUP-34309, SUP-34310 & SDR-34306**

**LV Land Ventures LLC opposes SUP-34309, SUP-34310, RQR-34160, VAR-34308, WVR-34311 & SDR-34306**

13 P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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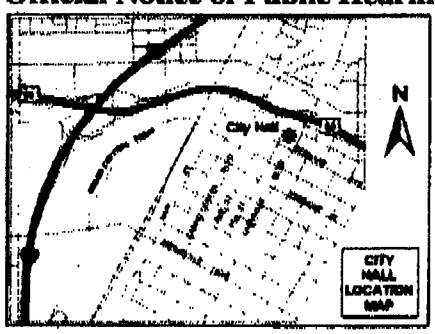
**Official Notice of Public Hearing**

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-34309 & SUP-34310**
Planning Commission Meeting of 6/11/2009

RECEIVED
JUN 10 2009

Case: SUP-34309
16210114123
MARKIEWICZ CHESTER LIVING TRUST
4750 N HARLEM AVE
HARWOOD HEIGHTS IL 60706-4607

Submitted after final agenda

Date 6/10/09 Item 28A

CAVDS11 60706

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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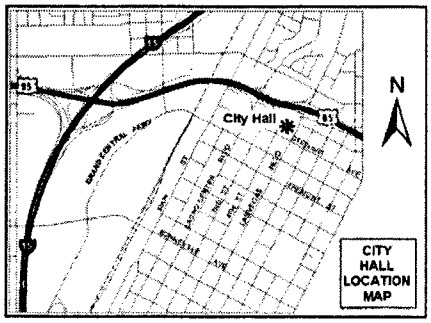


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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-34309 & SUP-34310**
Planning Commission Meeting of 6/11/2009

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JUN 08 2009

Case: SUP-34309

16204710086
AHMED AKLAQ Q
3258 MEADWAY DR
HOUSTON TX 77082-2223

CAVDE11 77082

Submitted after final agenda

Date 6/8/09 Item 29A

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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PITNEY BOWES
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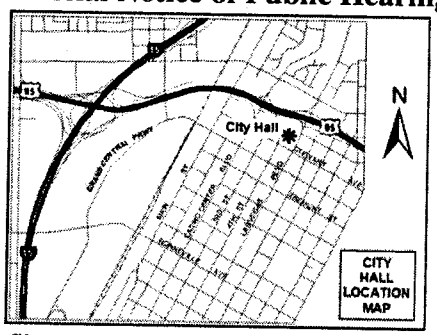
**Return Service Requested**
**Official Notice of Public Hearing**

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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**SUP-34309 & SUP-34310**
Planning Commission Meeting of 6/11/2009

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JUN 08 2009

Case: SUP-34309
16204815141
SIMON PAMELA & JEFFREY
771 VALLEY RD
GLENCOE IL 60022-1503

CAVDS11 60022

Submitted after final agenda

Date 6/8/09 Item 28A

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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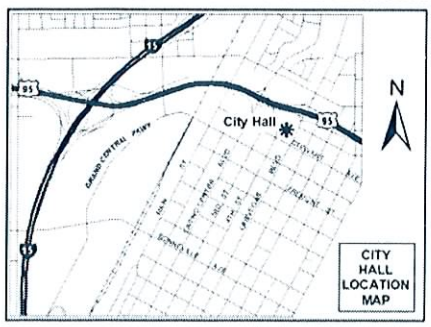


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JUN 03 2009

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Please use available blank space on card for your comments.

**SUP-34309 & SUP-34310**

Planning Commission Meeting of 6/11/2009

Case: SUP-34309

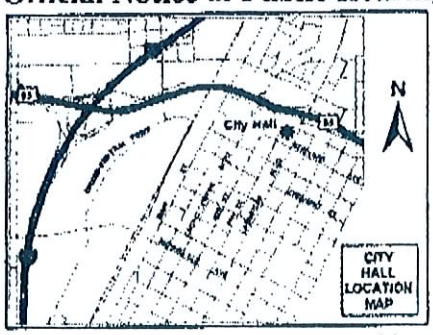
16210110003
GREYSTONE PARK INC
%G BARBIERI
5 VENTANA CANYON DR
LAS VEGAS NV 89113-0138

CAVDS11 A9113

28A

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

**Return Service Requested**
**Official Notice of Public Hearing**

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[X] I SUPPORT this Request  [ ] I OPPOSE this Request

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**SUP-34309 & SUP-34310**
Planning Commission Meeting of 6/11/2009

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JUN 03 2009

Case: SUP-34309
16204815294
CARR WILLIAM & VICTORIA
721 E 200 S
P O BOX 500
NEW HARMONY UT 84757-0500

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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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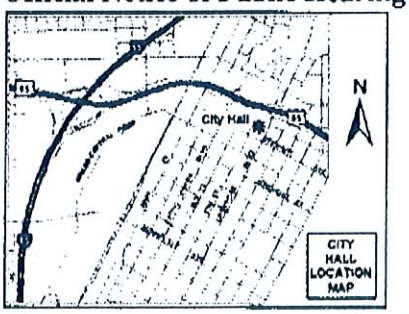


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[/] I SUPPORT this Request [ ] I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-34309 & SUP-34310**

Planning Commission Meeting of 6/11/2009

Case SUP-34309

16204813019
RITTER SHARON D
2004 PLAZA DE SANTA FE
LAS VEGAS NV 89102-0000

CAVDE11 89102

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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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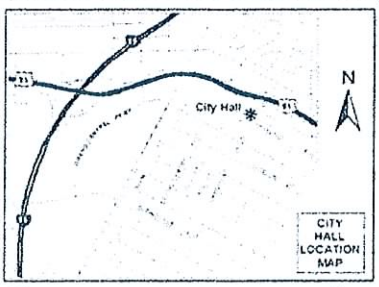
**Official Notice of Public Hearing**

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**SUP-34309 & SUP-34310**

Planning Commission Meeting of 6/11/2009

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JUN 01 2009

Case: SUP-34309
16210114276
INTERLIND MANAGEMENT SERV L L C
℅J & A IMHOFF
933 NORTHWOOD BLVD #20
INCLINE VILLAGE NV 89451-8239

CAVDP11 A3451

28A

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

## *AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT*
### PLANNING COMMISSION MEETING OF: JULY 9, 2009

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

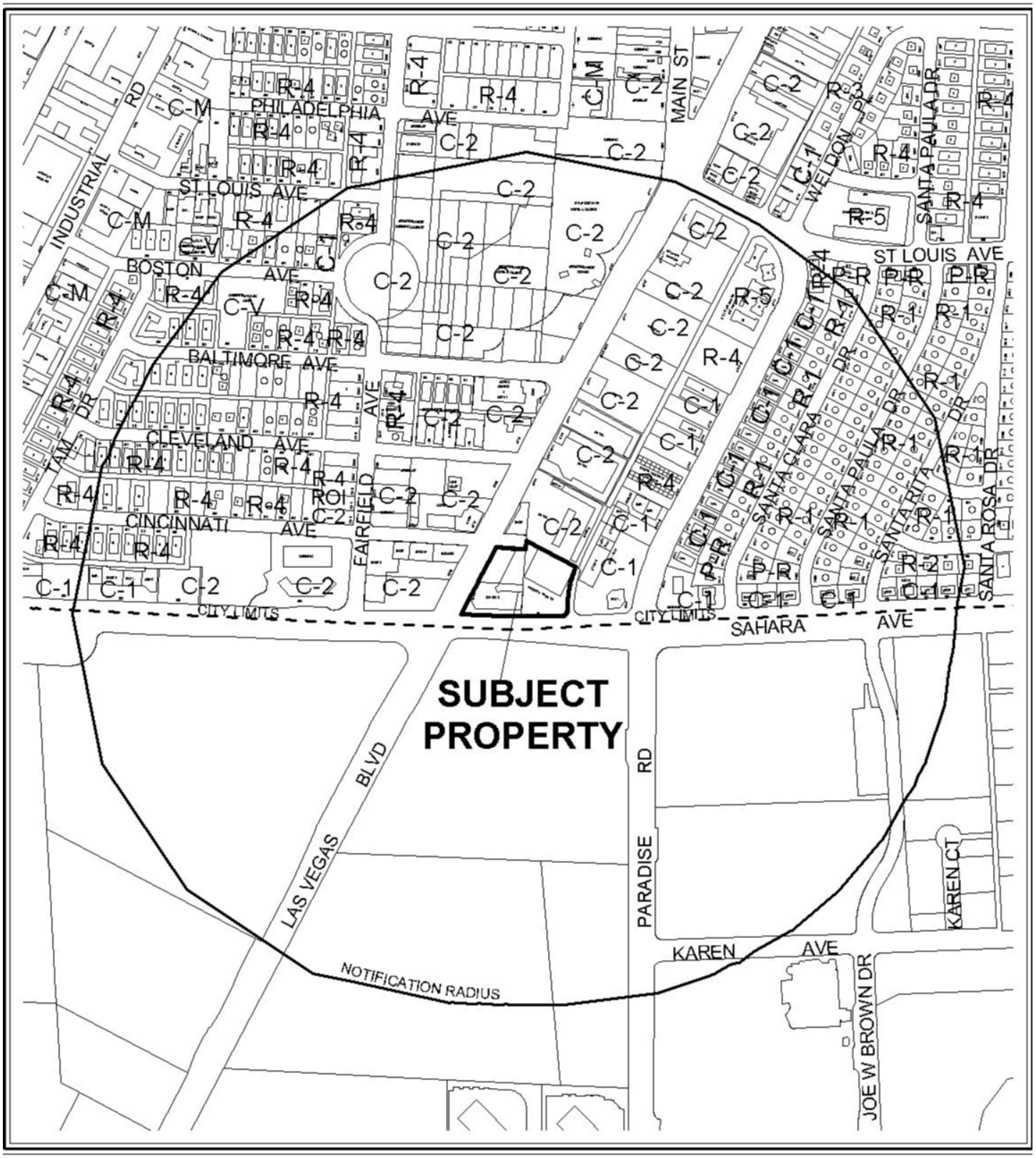
**SUBJECT:**
**ABEYANCE - SUP-34310 - SPECIAL USE PERMIT RELATED TO VAR-34308, WVR-34311 AND SUP-34309 - PUBLIC HEARING - APPLICANT: GEORGE RAINHART - OWNER: ASPEN HIGHLANDS HOLDINGS, LLC** - Request for a Special Use Permit FOR A PROPOSED 547-FOOT HIGH STRUCTURE WITH ROOF SIGN WITHIN THE A-O (AIRPORT OVERLAY) DISTRICT WHERE THE HEIGHT LIMITATION IS 175 FEET FOR A PROPOSED STRUCTURE 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 (Reese)

**C.C.: 08/05/2009**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **10** | **Planning Commission Mtg.** | **7** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
**DENIAL**

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report (Not Applicable)
3. Withdrawal Request Letter Submitted by Genzer Consulting
4. Supporting Documentation
5. Photos
6. Justification Letter
7. Protest Postcards/Letter and Support Postcards




**CASE:** **SUP-34310**

**RADIUS:** 1500 FT

**ZONING OF SUBJECT PROPERTY:** C-2 (GENERAL COMMERCIAL)




0 400 800 Feet

**CASE:** **SUP-34310**

**RADIUS:** 1500 FT

**ZONING OF SUBJECT PROPERTY:** C-2 (GENERAL COMMERCIAL)

N

City of Las Vegas

## *AGENDA MEMO*

**PLANNING COMMISSION MEETING DATE: JULY 9, 2009**
**DEPARTMENT: PLANNING AND DEVELOPMENT**
**ITEM DESCRIPTION: ABEYANCE - SUP-34310 - APPLICANT: GEORGE RAINHART - OWNER: ASPEN HIGHLANDS HOLDINGS, LLC**

# *APPPLICANT REQUESTS THIS ITEM BE WITHDRAWN WITHOUT PREJUDICE*

SG

June 17, 2009

Mr. Steve Gebeke, Planning Supervisor
City of Las Vegas
Planning and Development Department
731 S. Fourth St.
Las Vegas, NV 89101

Re: Letter of Withdrawal for SUP-34310 – Special Use Permit Application for a proposed 547 foot high structure with roof sign within the Airport Overlay District
APN's: 162-04-813-070, 071, and 162-03-410-008

Dear Mr. Gebeke:

This request is submitted on behalf of the owner: Aspen Highlands Holdings, LLC, to withdraw the above application scheduled for the July 9th Planning Commission meeting. As a result of changes to the overall design and height of the structure the application for Special Use Permit is no longer required.

As the applicants representative on this application I will be happy to provide any additional information you may require or respond to any questions you may have. Thank you for your consideration.

Respectfully,
*Robert S Genzer*

Robert S Genzer
Genzer Consulting
9612 Hawksbill Ct.
Las Vegas, NV
89117-0646
702-256-6022

RECEIVED
JUN 19 2009
SUP-34310
07/09/09 PC

PLANNING & DEVELOPMENT

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-34310** APN: 162-04-813-070 & 071 and 162-03-410-008

Name of Property Owner: Aspen Highlands Holdings, LLC

Name of Applicant: George Rainhart

Name of Representative: Kummer Kaempfer Bonner Renshaw & Ferrario

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

____ Yes __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: Steve Johnson

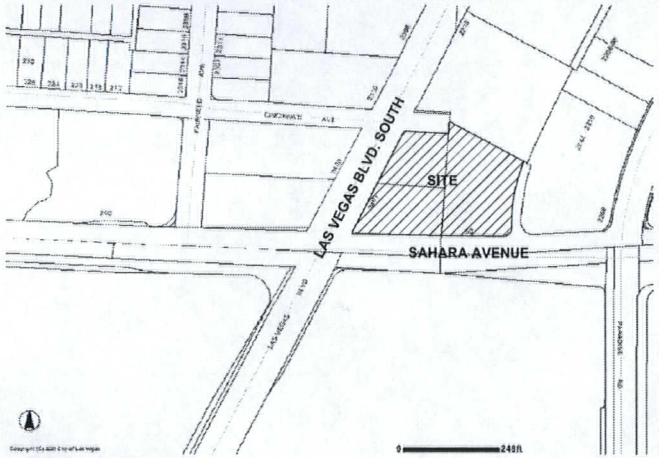
Subscribed and sworn before me

This 21st day of April 2009

Maricopa County, Az

Notary Public in and for said County and State

OFFICIAL SEAL
JEFFREY SCANLON
NOTARY PUBLIC - State of Arizona
MARICOPA COUNTY
My Comm. Expires Nov. 10, 2009




## 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 OFA TWO STORY BUILDING HOUSING A PHARMACY, A CASINO, RETAIL AND RESTAURANT.
9. CONSTRUCTION OF MARQUE ANIMATED VIDEO SIGN WRAPPING THE CORNER.
10. CONSTRUCTION OF A 546'-3" HIGH MAST SUPPORTING A SAIL SHAPED MARQUE ANIMATED VIDEO DISPLAY.
11. CONSTRUCTION OF A 40 FOOT HIGH SOLID STUCCO FACED WALL EXTENDING EAST ALONG SAHARA AVE TO SCREEN SURFACE PARKING.
12. CONSTRUCTION OF LOADING AREA AND REFUSE COMPACTOR AREA, SURFACE PARKING AND PHARMACY PICK-UP WINDOW.

**SIGN AREA TABULATION**

| FACADE | FACADE S.F. | SIGN TYPE & S.F. | TOTAL SIGN S.F. | % SIGNAGE |
|---|---|---|---|---|
| NORTH | ±12,213 S.F. | TYPE 4: ±1,781 S.F. | ±1,781 S.F. | ±15% |
| SOUTH | ±11,158 S.F. | TYPE 2: ±2,138 S.F.<br>TYPE 3: ±3,600 S.F.<br>TYPE 4: ±3,064 S.F. | ± 8,802 S.F. | ±79% |
| EAST | ±7,270S.F. | TYPE 4: ±1,640 | ±1,640 S.F. | ±23% |
| WEST | ±8,840 S.F. | TYPE 2: ±1,872 S.F.<br>TYPE 3: ±3,600 S.F.<br>TYPE 4: ±3,415 S.F. | ±8,887 S.F. | ±101% |
| | | TOTAL SIGNAGE | ±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

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 | 9000 / 90 = | 100 |
| RESTAURANT: | | |
| DINNING | 3000 / 250 = | 12 |
| SERVICE | 3000 / 250 = | 12 |
| RETAIL | 4000 / 250 = | 16 |
| | TOTAL | 213 |

264 - 39% = 162 SPACES

39% PARKING REDUCTION REQUESTED 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

SITE AREA: 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 Ues Permit:
Downtown Overlay District
included within the Las Vegas Downtown
Centenniol Plan
Yard Setbacks Wavier: Front: 0 feet
Interior side: 0 feet
Rear: 0 feet
Height: - feet
+/- 18,600 S.F.

BUILDING AREA:

| | |
|---|---|
| PHARMACY | 13100 S.F. |
| MEZZANINE | 5000 S.F. |
| CASINO | 9000 S.F. |
| RESTAURANT | 6000 S.F. |
| RETAIL | 4000 S.F. |
| TOTAL: | 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 | SECOND FLOOR PLAN |
| A2.1 | NORTH ELEVATION |
| A2.2 | SOUTH ELEVATION |
| A2.3 | EAST ELEVATION |
| A2.4 | WEST ELEVATION |
| A2.5 | RENDERED SOUTH ELEVATION |
| A3.1 | BUILDING SECTION |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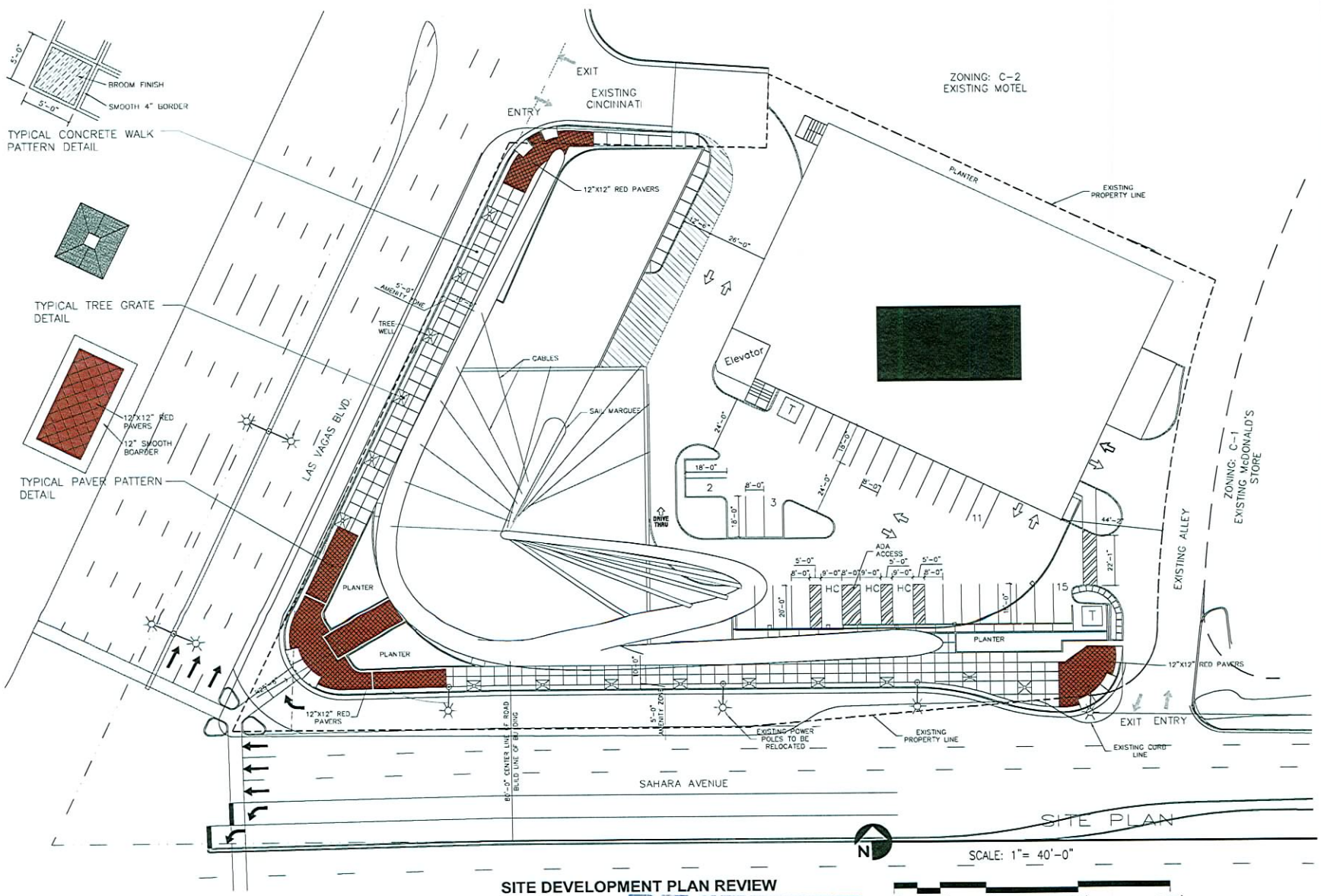
GEORGE RAINHART, ARCHITECT AND ASSOCIATES P.C.
2325 SAN PEDRO NE., SUITE 2-B
ALBUQUERQUE, NEW MEXICO 87110
PHONE (505) 884-9110 FAX (505) 837-9877


PROJECT TITLE: SAHARA AND LAS VEGAS BLVD.
2417 SOUTH LAS VEGAS BOULVARD
LAS VEGAS, NEVADA 89104
PROJECT NUMBER: 0806
DRAWN BY: JCS
SHEET TITLE: COVER SHEET-PHASE 1
DATE: 2.10.2009
SCALE:
SHEET: AC




**SITE DEVELOPMENT PLAN REVIEW**
**SPECIAL USE PERMIT**

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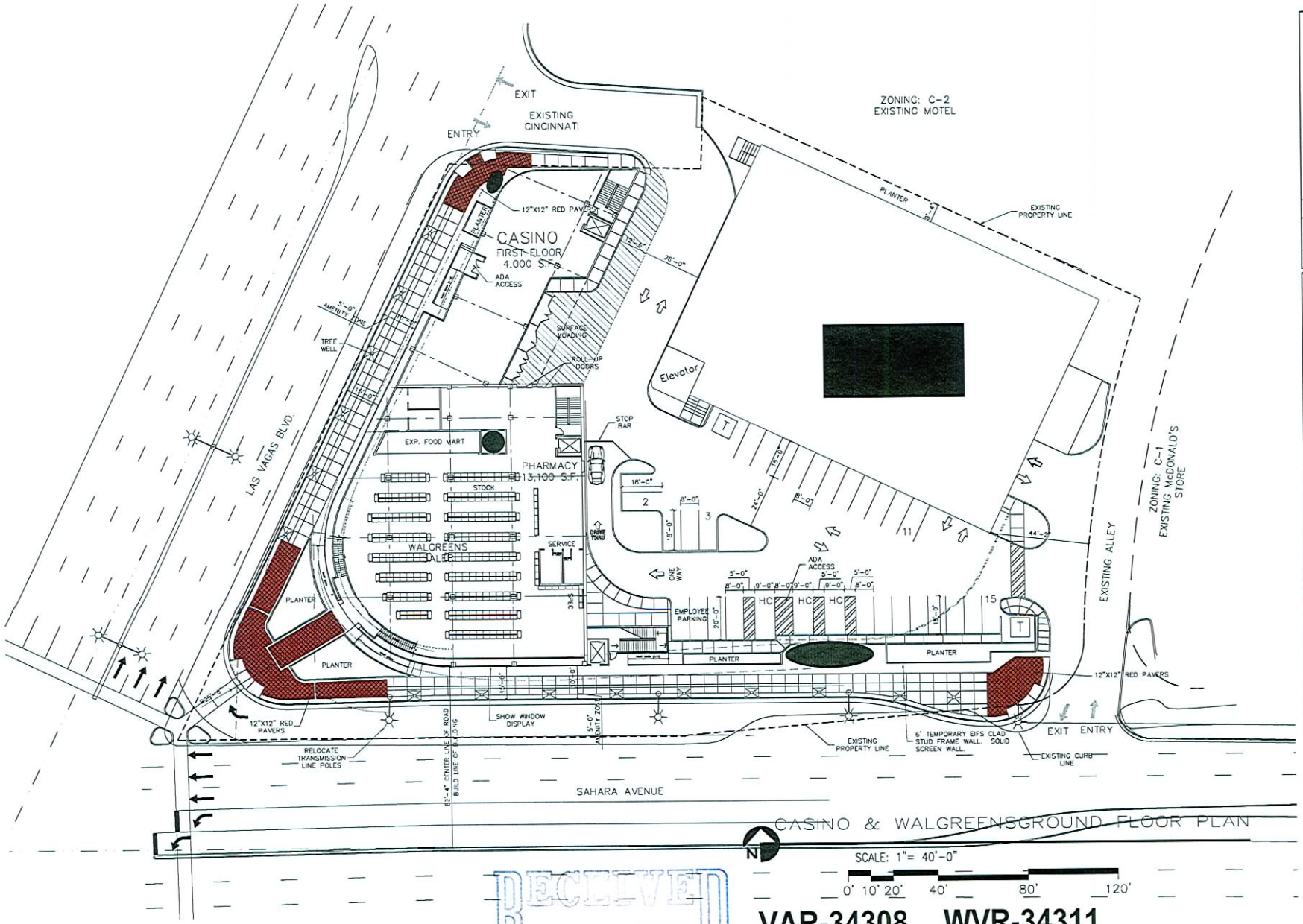
**SDR-34306 06/11/09 PC**




REVISION

| REV | DATE | BY |
|---|---|---|
| | | |

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. 8704
DRAWN BY: JCS

SHEET TITLE
GROUND FLOOR PLAN

DATE: 2.10.2009
SCALE: -
sheet A1.0

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**VICINITY MAP** N.T.S

## PLANTING LEGEND

| Size | Common Name | Quantity |
|---|---|---|
| 25' | Deglet-Noor Date Palms | 6 |
| 15' | Southern Live Oak | 29 |

Trees and Palms, 30'-0" o.c. in tree grates

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LANDSCAPE PLAN
SCALE 1" = 20'-0"

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| | | | |

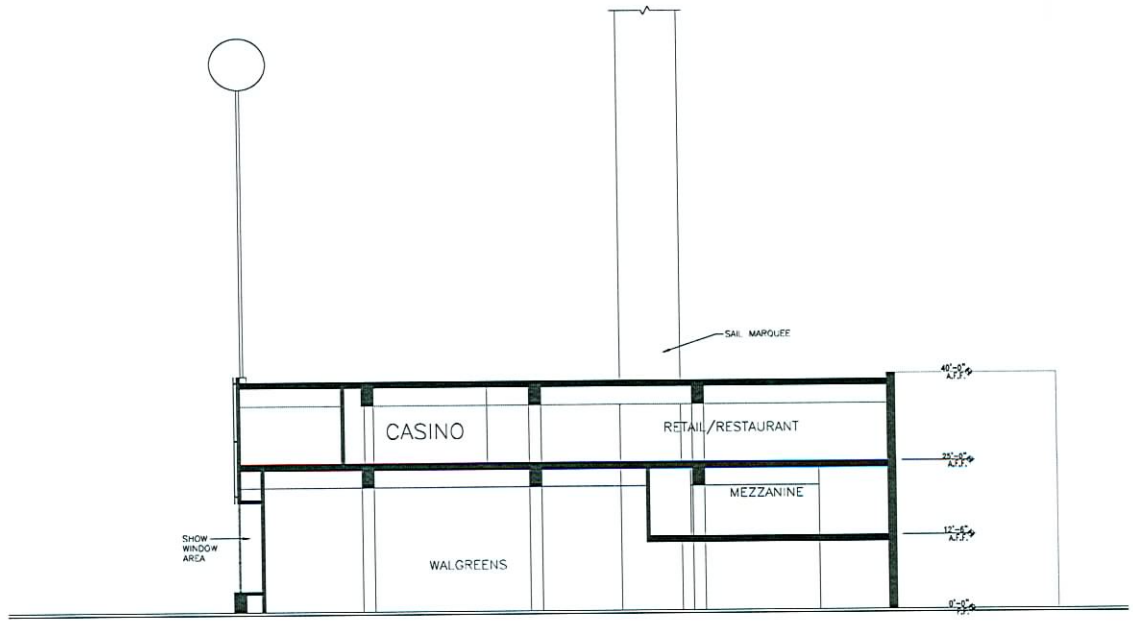
GEORGE RAINHART, ARCHITECT AND ASSOCIATES P.C.
2325 SAN PEDRO NE., SUITE 2-B
ALBUQUERQUE, NEW MEXICO 87110
PHONE (505) 884-9110 FAX (505) 837-9877

PROJECT TITLE
SAHARA AND LAS VEGAS BLVD.
2427 SOUTH LAS VEGAS BOULVARD
LAS VEGAS NEVADA 89124

PROJECT MANAGER: George Rainhart, AIA
JOB NO.: 0108
DRAWN BY: DDM

SHEET TITLE
LANDSCAPE PLAN - PHASE 1

DATE: 2.10.2009
SCALE: -
sheet- L1.1 of-




BUILDING SECTION

SCALE: 1"= 20'-0"

0' 5' 10' 20' 40' 80'

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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: 8734
DRAWN BY: JCS

SHEET TITLE: BUILDING SECTION

DATE: 2.10.2009
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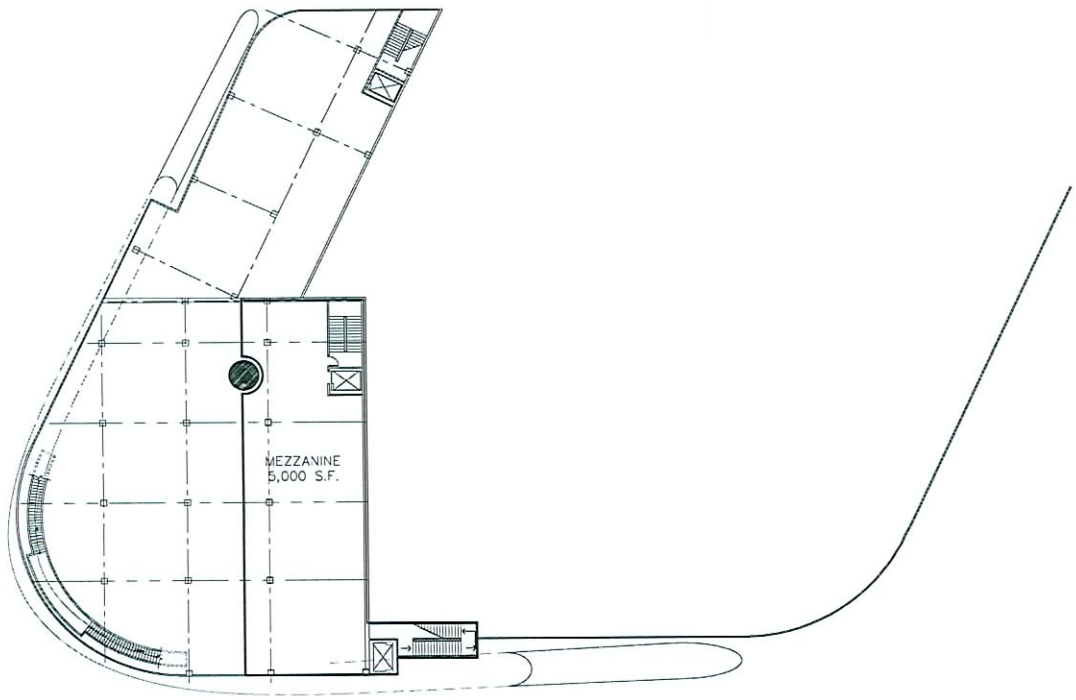
sheet: A3.1
of:




WALGREENS MEZZANINE PLAN

SCALE: 1"= 40'-0"

0' 10' 20' 40' 80' 120'

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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.: 8794
DRAWN BY: JCS

SHEET TITLE
MEZZANINE PLAN

DATE: 2.10.2009
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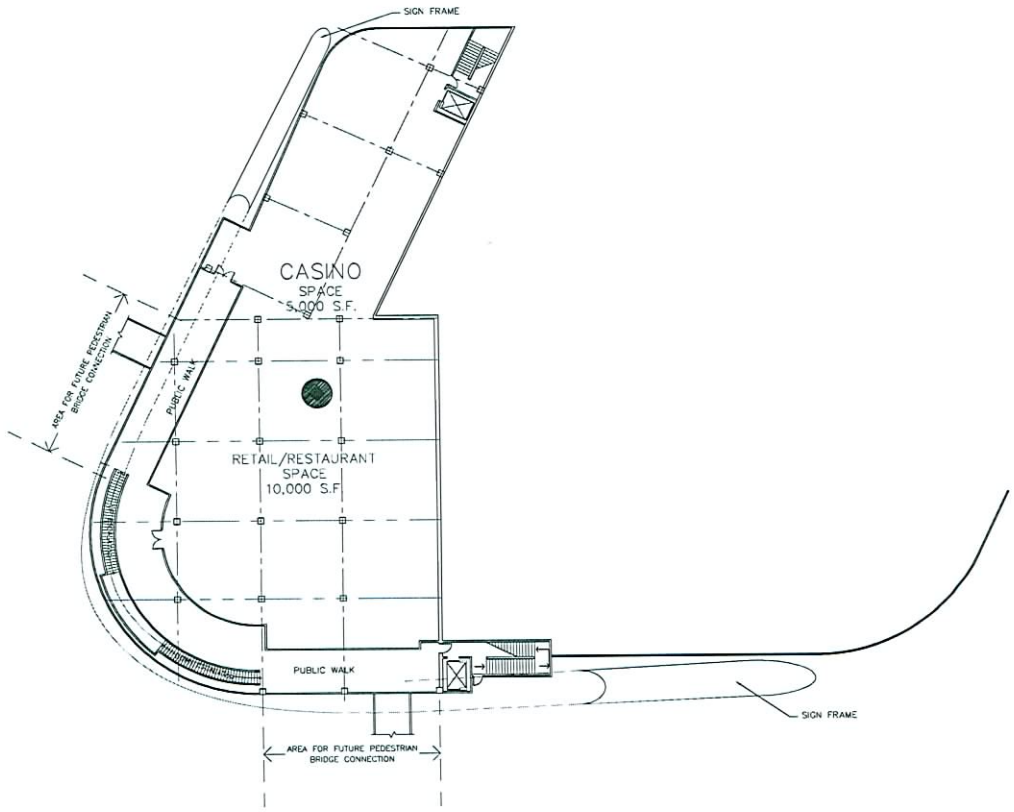
sheet: A1.1
of:




CASINO/RESTAURANT/RETAIL
SECOND FLOOR PLAN

N

SCALE: 1"= 40'-0"

0' 10' 20' 40' 80' 120'

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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.: 6704
DRAWN BY: JCS
SHEET TITLE: SECOND FLOOR PLAN

DATE: 2.10.2009
SCALE: -
sheet#: A1.2

| SIGN AREA TABULATION | | | | |
|---|---|---|---|---|
| FACADE | FACADE S.F. | SIGN TYPE & S.F. | TOTAL SIGN S.F. | % SIGNAGE |
| NORTH | ±12,213 S.F. | TYPE 4: ±1,781 S.F. | ±1,781 S.F. | ±15% |
| SOUTH | ±11,158 S.F. | TYPE 2: ±2,138 S.F.<br>TYPE 3: ±3,600 S.F.<br>TYPE 4: ±3,064 S.F. | ± 8,802 S.F. | ±78% |
| EAST | ±7,270S.F. | TYPE 4: ±1,640 | ±1,640 S.F. | ±23% |
| WEST | ±8,840 S.F. | TYPE 2: ±1,872 S.F.<br>TYPE 3: ±3,600 S.F.<br>TYPE 4: ±3,415 S.F. | ±8,887 S.F. | ±101% |
| | | TOTAL SIGNAGE | ±21,110 S.F. | |

SIGN TYPE DISCRIPTIONS:
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TYPE 3: LED FULL MOTION VIDEO DISPLAY. 30-80 MM RESOLUTION.
TYPE 4: LED FULL MOTION VIDEO DISPLAY. 10 MM RESOLUTION

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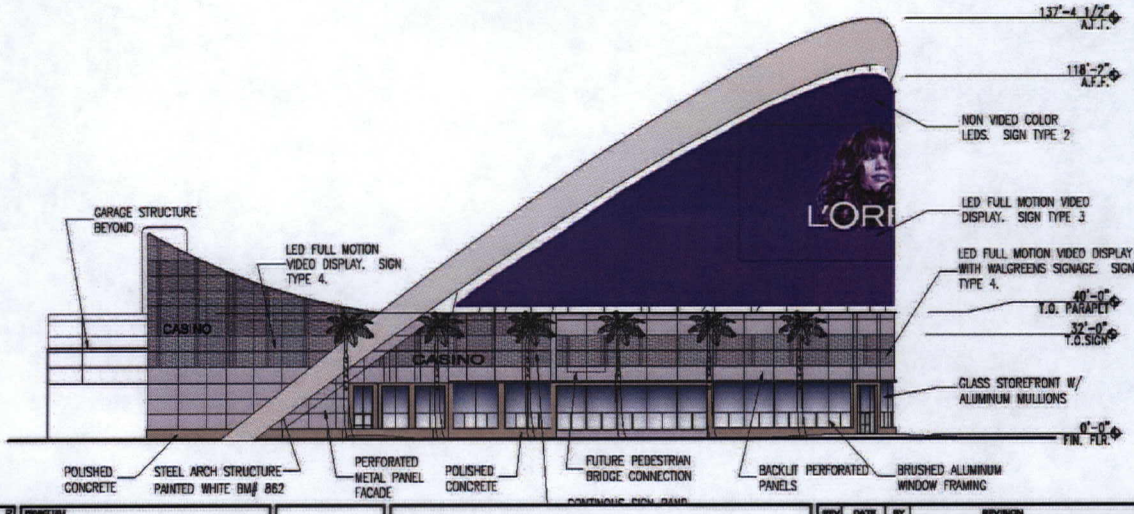


SAHARA AND LAS VEGAS BLVD.

WEST ELEVATION

A2.3

GEORGE RAINHART, ARCHITECT AND ASSOCIATES P.C.
2325 SAN PEDRO NE., SUITE 2-B
ALBUQUERQUE, NEW MEXICO 87110
PHONE (505) 884-9110 FAX (505) 837-8877

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SUP-34309 SUP-34310
REVISED SDR-34306
07/09/09 PC

| SIGN AREA TABULATION | | | | |
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| | | TOTAL SIGNAGE | ±21,110 S.F. | |

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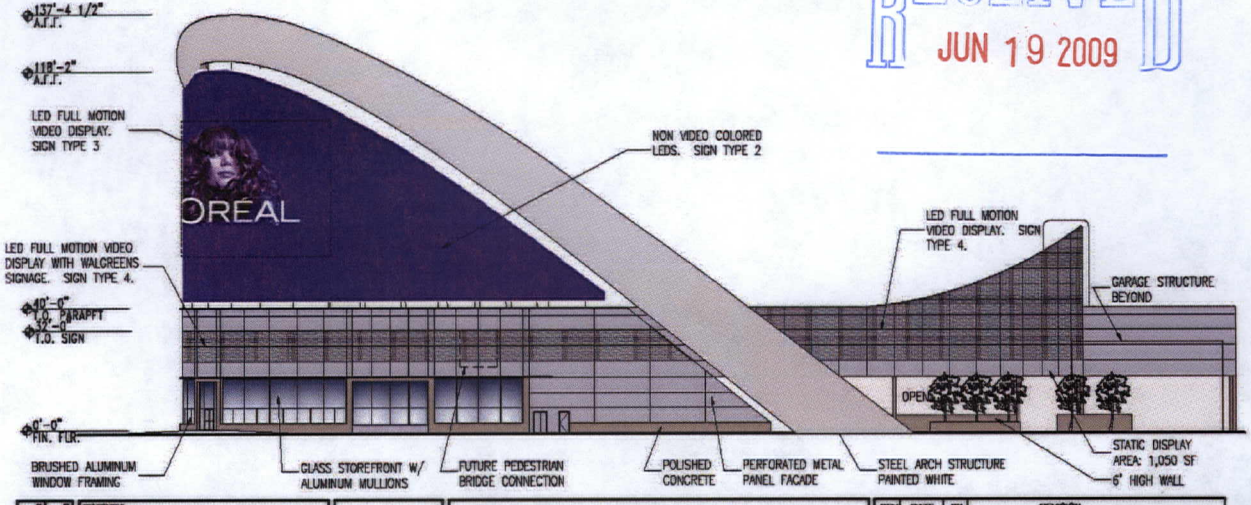


SAHARA AND LAS VEGAS BLVD.
2427 SOUTH LAS VEGAS BOULEVARD
LAS VEGAS, NEVADA 89104

SOUTH ELEVATION

A2.2

GEORGE RAINHART, ARCHITECT AND ASSOCIATES P.C.
2325 SAN PEDRO NE., SUITE 2-B
ALBUQUERQUE, NEW MEXICO 87110
PHONE (505) 884-9110 FAX (505) 837-0877

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SUP-34309 SUP-34310
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07/09/09 PC

| SIGN AREA TABULATION | | | | |
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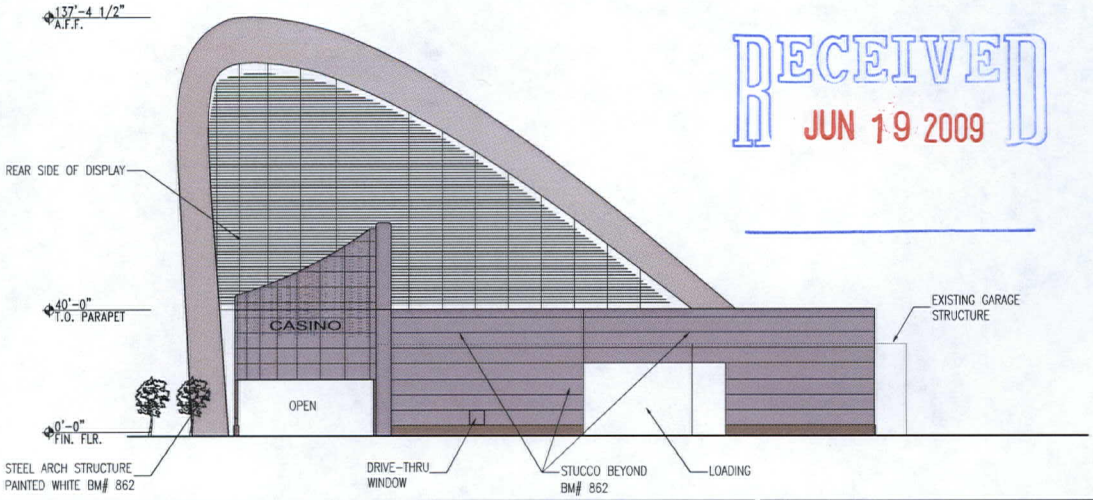


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JUN 19 2009

DATE: 6.10.2009
SCALE: 1" = 40'-0"
A2.4

PROJECT TITLE
SAHARA AND LAS VEGAS BLVD.
2427 SOUTH LAS VEGAS BOULVARD
LAS VEGAS, NEVADA 89104

PROJECT MANAGER: George Rainhart, AIA
JOB NO.: 0736
DRAWN BY: JCS

SHEET TITLE
EAST ELEVATION

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

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VAR-34308 WVR-34311
SUP-34309 SUP-34310
REVISED SDR-34306
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**SIGN AREA TABULATION**

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TYPE 4: LED FULL MOTION VIDEO DISPLAY. 10 MM RESOLUTION

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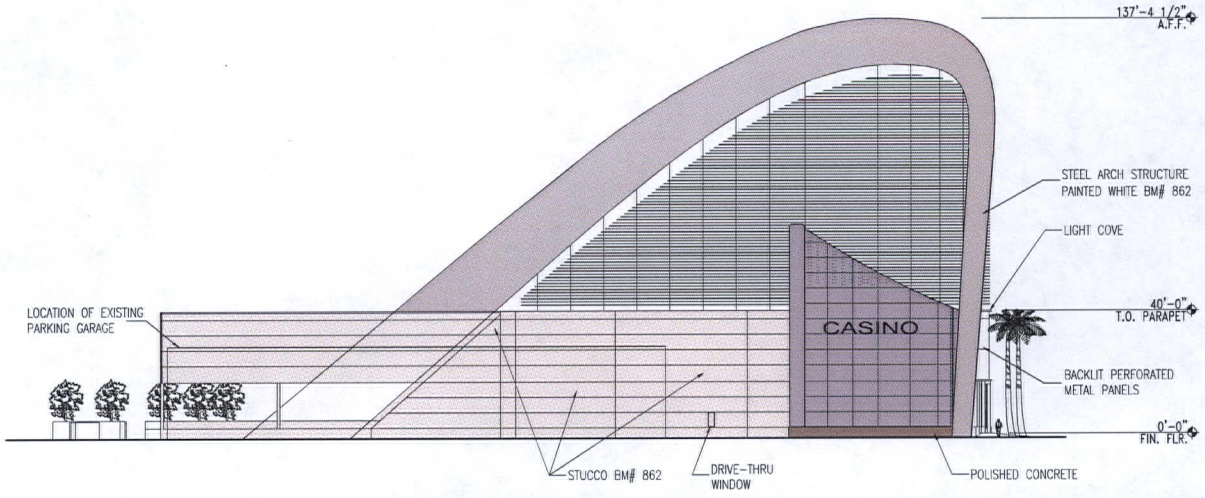
JUN 19 2009




SCALE: 1" = 40'-0"
DATE: 6.10.2009
SHEET: A2.1

PROJECT TITLE:
SAHARA AND LAS VEGAS BLVD.
2427 SOUTH LAS VEGAS BOULEVARD
LAS VEGAS, NEVADA 89104

PROJECT MANAGER: George Rainhart, AIA
JOB NO.: 0758
DRAWN BY: JCS

SHEET TITLE:
NORTH ELEVATION

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

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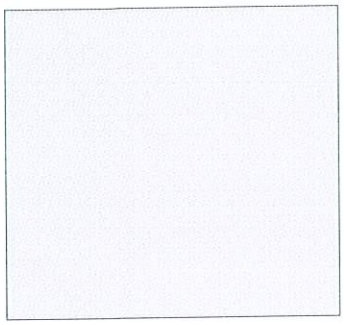
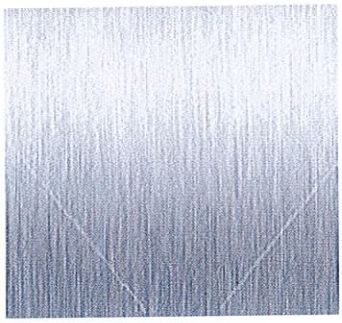
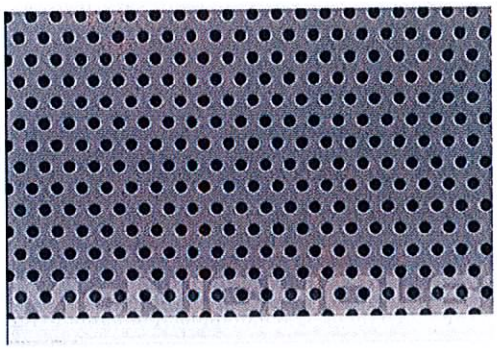
BENJAMIN MOORE COLOR
#862



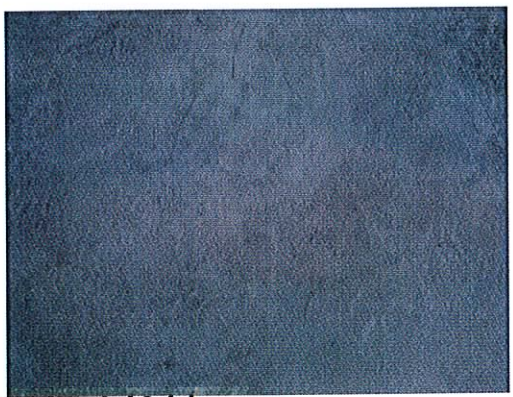
BRUSHED ALUMINUM WINDOW
WALL FRAMING



PERFORATED METAL PANEL
BRUSHED ALUMINUM
COLOR



POLISHED CONCRETE



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APR 24 2009

**VAR-34308 WVR-34311**
**SUP-34309 SUP-34310**
**SDR-34306 06/11/09 PC**



SUP-34310 - APPLICANT: GEORGE RAINHART - OWNER: ASPEN HIGHLANDS HOLDINGS, LLC
NORTHEAST CORNER OF SAHARA AVENUE LAS VEGAS BOULEVARD
JULY 9, 2009 PLANNING COMMISSION

05/07/09




SUP-34310 - APPLICANT: GEORGE RAINHART - OWNER: ASPEN HIGHLANDS HOLDINGS, LLC
NORTHEAST CORNER OF SAHARA AVENUE LAS VEGAS BOULEVARD
JULY 9, 2009 PLANNING COMMISSION

05/07/09



SUP-34310 - APPLICANT: GEORGE RAINHART - OWNER: ASPEN HIGHLANDS HOLDINGS, LLC
NORTHEAST CORNER OF SAHARA AVENUE LAS VEGAS BOULEVARD
JULY 9, 2009 PLANNING COMMISSION

05/07/09

June 18, 2009

Ms. Margo Wheeler, Director
City of Las Vegas
Planning and Development Department
731 S. Fourth St.
Las Vegas, NV 89101

Re: Revised Justification Letter – Site Development Plan Review for a 37,100 square foot Commercial Building; A Special Use Permit for a Tavern; a Variance for Signage Height and Square Footage; and a Waiver to allow a dedicated right-of-way to end without a cul-de-sac.
APN: 162-04-813-070 & 071; and 162-03-410-008

Dear Ms. Wheeler:

This letter is submitted as justification for an application for a Site Development Plan Review, A Special Use Permit, and a signage Variance for a proposed Walgreens/pharmacy, casino/restaurant/tavern, and retail space on property located at the northeast corner of Sahara Avenue and Las Vegas Boulevard in Ward 3.

The applicant is proposing a 13,100 square foot Walgreen's with a pharmacy, a 9,000 square foot casino, a 6,000 square foot restaurant, and 4,000 square feet of retail space. An additional 5,000 square feet is devoted to storage on the mezzanine level. Parking will be provided in an existing 131 space structure in the northeast portion of the site. An additional 31 surface spaces are also proposed. Parking standards do not apply to this location, however it should be noted that the number of spaces proposed is approximately 39% less than what would be required where such standards are imposed. That said the location of the property is such that a significant amount of customers anticipated at this site will be foot traffic on Las Vegas Boulevard. We therefore believe that the number of spaces proposed is sufficient. It should be noted that a traffic study has been submitted to the Department of Public Works for their review and approval.

A Special Use Permit application has been submitted for a tavern in conjunction with the proposed casino and restaurant. This use is essentially the same as what is found in any hotel/casino, however the SUP is required because a hotel is not part of this project. Based on the location of this site at the intersection of two major streets and at the entrance to the city of Las Vegas, and based on the nature of the surrounding property uses this request should have no negative impact on this area.

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**VAR-34308 WVR-34311**
**SUP-34309 SUP-34310**
**REVISED SDR-34306**
**07/09/09 PC**

The development is being designed with a "Times Square" theme which necessitates a variance from the Las Vegas Zoning Code Chapter 19.14(F)(6)(b) and (c) for both the height and amount of signage. The proposed wrap-around marquee video display sign will extend vertically along the Sahara Avenue and Las Vegas Boulevard frontages beginning 40 feet above ground floor level and extending to a height of 118 feet with a support arch structure extending to a height of approximately 138 feet. Full motion video displays will also be installed between the 20 foot and 40 foot heights along the Sahara Avenue and Las Vegas Boulevard frontages. In total there will be 21,110 square feet of full motion video display. The video display is 101% of the west façade and 79% of the south façade where a maximum of 20% of each elevation is allowed by code. The applicant believes that the entire structure will provide an "iconic" element at a location that is the gateway to the city of Las Vegas.

A Waiver of Street Standards is requested to allow the dedicated right-of-way along a portion of the north edge of the property to end without a cul-de-sac. The existing right-of-way has been and will continue to be utilized for access to the existing parking garage. Preliminary discussion has taken place with the representative of the property located on the north side of the dedicated area to determine if that property owner would support a vacation. Because that discussion is preliminary the applicant is requesting a waiver to allow this project to go forward without additional dedication or a vacation of that right-of-way.

The project has been designed to the fullest extent possible to include the principles of the Downtown Centennial Plan Design Standards and we believe the proposed theme and associated video displays are exactly what is contemplated in the signage illumination standards of the Las Vegas Boulevard Scenic Byway overlay district. However, in order to accomplish those standards a Variance for signage is a necessity because nothing in the current code allows for or anticipates a development of this type with signage of this intensity.

As the applicants representative on these applications I will be happy to provide any additional information you may require or respond to any questions you may have. Thank you for your consideration.

Respectfully,

*Robert S Genzer*

Robert S Genzer
Genzer Consulting
9612 Hawksbill Ct.
Las Vegas, NV 89117-0646
702-256-6022

**VAR-34308 WVR-34311**
**SUP-34309 SUP-34310**
**REVISED SDR-34306**
**07/09/09 PC**

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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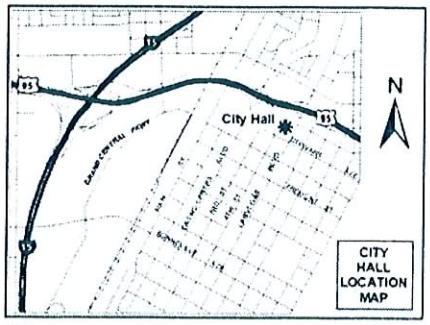


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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-34309 & SUP-34310**

Planning Commission Meeting of 6/11/2009

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Case: SUP-34309
16204811028
VILORIA FLORENTINO Q & LILIA
7137 CRESSIDA CT
LAS VEGAS NV 89113-0249

CAVDE11 89113

29P

City of Las Vegas
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Las Vegas, Nevada 89101-2986

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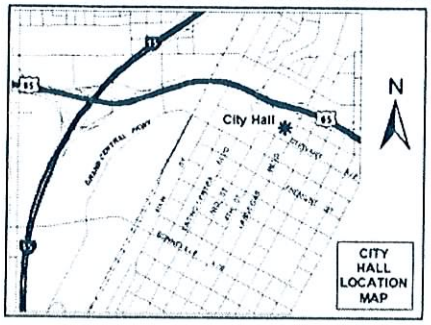


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**SUP-34309 & SUP-34310**

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Case: SUP-34309
16203413027
YANG HSI-CHIEH & BETTY TAYLOR
8184 DOLCE VOLPE
LAS VEGAS NV 89178-8259

CAVOS11 89178

29 P

p.3
818-702-0610
Susan Hayes
Jun 02 09 03:21p

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Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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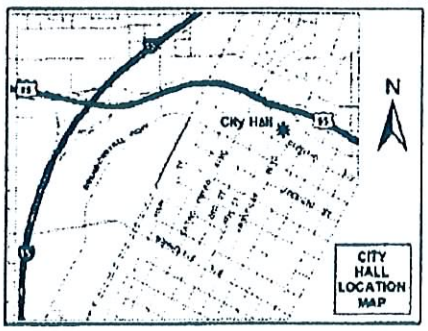


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**SUP-34309 & SUP-34310**

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Case: SUP-34309

16210114216
HAYES SUSAN J
23679 CALABASAS RD #382
CALABASAS CA 91302-1502

CAUDF11 91302

29 P

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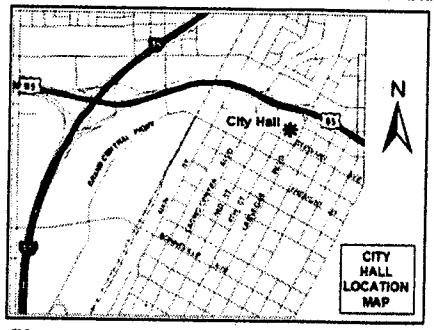


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**SUP-34309 & SUP-34310**

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Case: SUP-34309

16204815231
TAN RAYMUNDO T REVOCABLE TR ET AL
200 W SAHARA AVE #2308
LAS VEGAS NV 89102-5079

CA90511 89102

Submitted after final agenda

Date 6/8/09 Item 29P

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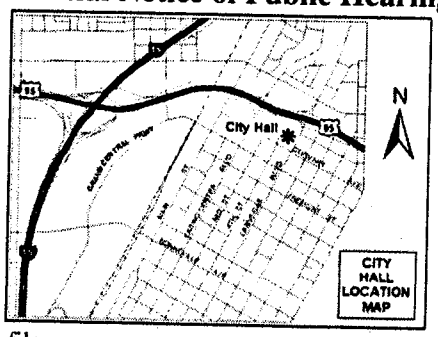


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**SUP-34309 & SUP-34310**
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Case: SUP-34309
16210114141
YEKTA MEHRDAD & B E REV TR ETAL
655 DUNHILL DR
DANVILLE CA 94506-1354

CAVDS11 94506

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Date 6/8/09 Item 29P

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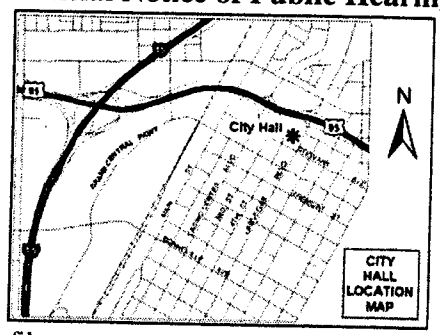


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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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**SUP-34309 & SUP-34310**
Planning Commission Meeting of 6/11/2009

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Case: SUP-34309
16210114494
BENNETT & NANCY G LTD PTNRSHP
2310 PHILLIPS DR
GLENVIEW IL 60026-1175

CAVDP11 60026

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Date 6/8/09 Item 29P

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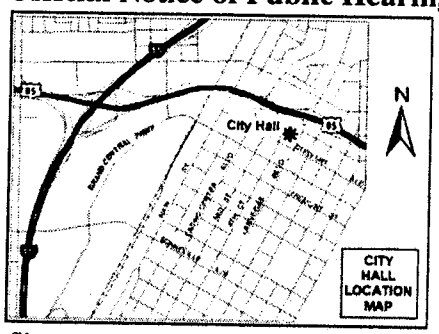


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**SUP-34309 & SUP-34310**

Planning Commission Meeting of 6/11/2009

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Case: SUP-34309

16210114557
GHASEDI GHOLAM R & JANET M
66 MEADOWBROOK C C
BALLWIN MO 63011-1697

CA 63011 63011

Submitted after final agenda

Date 6/8/09 Item 29P

ASF REALTY & INVESTMENTS, INC.
200 W. Sahara Ave., #4001
Las Vegas, Nevada 89102
(702) 791-3432 BUSINESS
(702) 443-9644 FACSIMILE

**Residential, Commercial & Land Specialists**

To: City of Las Vegas Planning & Development Department

From: Andrew Fonfa, Gudrun Fonfa, Sahara Investments LLC & LV Land Ventures LLC

Tel/Fax: 702- 385-7268 Pages: inc. cover sheet

Phone: 702-791-3432 Fax 702-443-9644 Date: 6/15/09

Re: **Public Hearings/For the record**

Urgent For Review Please Reply ASAP

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● Comments: **Andrew S. Fonfa & Gudrun Fonfa together & singularly, oppose SUP-34309, SUP-34310, VAR-34308, WVR-34311, & SDR-34306**

**Sahara Investments LLC, opposes SUP-34309, SUP-34310 & SDR-34306**

**LV Land Ventures LLC opposes SUP-34309, SUP-34310, RQR-34160, VAR-34308, WVR-34311 & SDR-34306**

14 P

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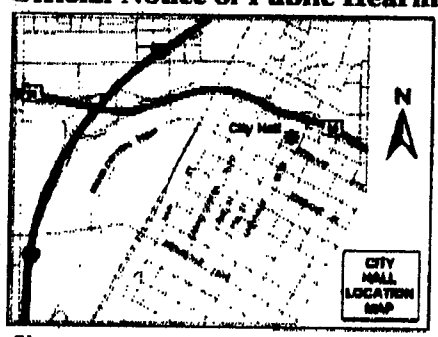


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**SUP-34309 & SUP-34310**
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16210114123 Case: SUP-34309
MARKIEWICZ CHESTER LIVING TRUST
4750 N HARLEM AVE
HARWOOD HEIGHTS IL 60706-4607

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Date 6/10/09 Item 29 A

CA60511 60706

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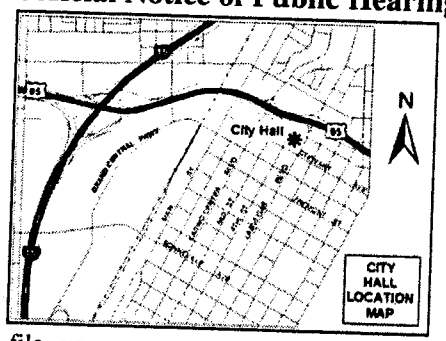


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☒ I SUPPORT this Request

☐ I OPPOSE this Request

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**SUP-34309 & SUP-34310**

Planning Commission Meeting of 6/11/2009

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16204815141 Case: SUP-34309
SIMON PAMELA & JEFFREY
771 VALLEY RD
GLENCOE IL 60022-1503

CAVDS11 60022

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Date 6/8/09 Item 29A

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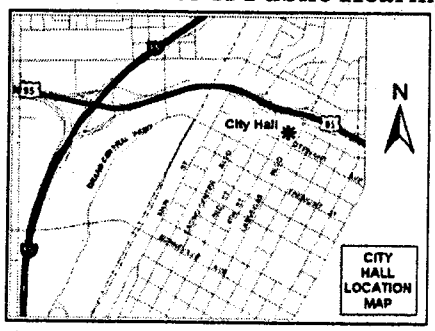


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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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**SUP-34309 & SUP-34310**
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Case: SUP-34309

16204710086
AHMED AKLAQ Q
3258 MEADWAY DR
HOUSTON TX 77082-2223

CAVDS11 77082

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Date 6/8/09 Item 29A

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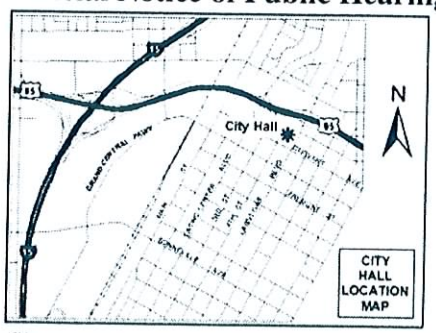


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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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**SUP-34309 & SUP-34310**

Planning Commission Meeting of 6/11/2009

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Case: SUP-34309

16210110003
GREYSTONE PARK INC
%G BARBIERI
5 VENTANA CANYON DR
LAS VEGAS NV 89113-0138

CAVDS11 A9113

29A

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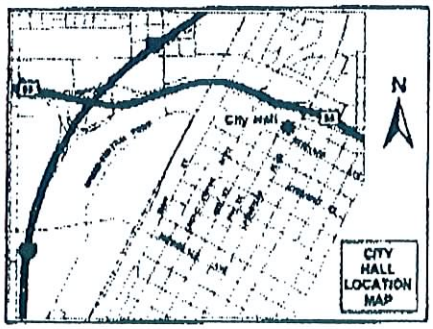


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[X] I SUPPORT this Request  [ ] I OPPOSE this Request

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**SUP-34309 & SUP-34310**

Planning Commission Meeting of 6/11/2009

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Case: SUP-34309

16204815294
CARR WILLIAM & VICTORIA
721 E 200 S
P O BOX 500
NEW HARMONY UT 84757-0500

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Las Vegas, Nevada 89101-2986

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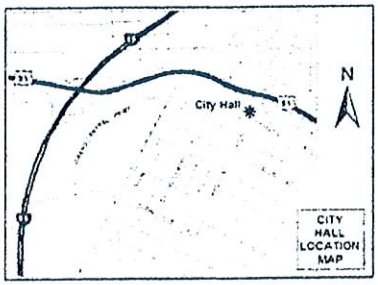


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**SUP-34309 & SUP-34310**
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Case: SUP-34309
16210114276
INTERLIND MANAGEMENT SERV L L C
℅J & A IMHOFF
933 NORTHWOOD BLVD #20
INCLINE VILLAGE NV 89451-8239

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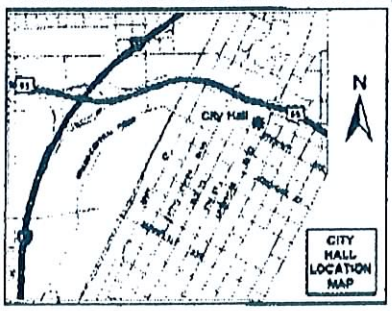


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**SUP-34309 & SUP-34310**
Planning Commission Meeting of 6/11/2009

Case SUP-34309
16204813019
RITTER SHARON D
2004 PLAZA DE SANTA FE
LAS VEGAS NV 89102-0000

CAVDES1 89102

29A

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

## *AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT*
### PLANNING COMMISSION MEETING OF: JULY 9, 2009

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

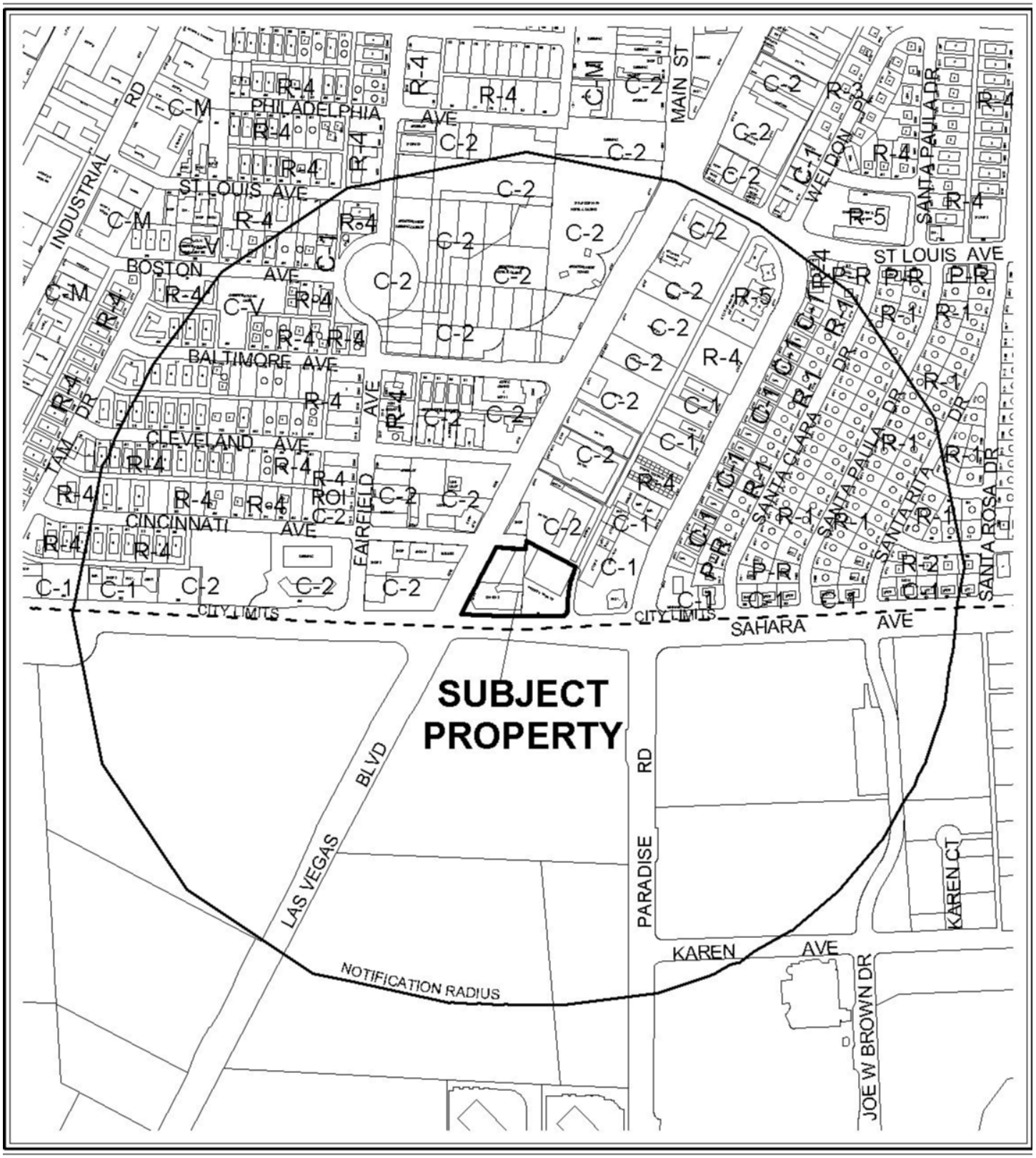
**SUBJECT:**
**ABEYANCE - SDR-34306 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-34308, WVR-34311, SUP-34309 AND SUP-34310 - PUBLIC HEARING - APPLICANT: GEORGE RAINHART - OWNER: ASPEN HIGHLANDS HOLDINGS, LLC** - Request for a Site Development Plan Review FOR A PROPOSED TWO-STORY, 37,100 SQUARE-FOOT 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, Ward 3 (Reese)

**C.C.: 08/05/2009**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **8** | **Planning Commission Mtg.** | **10** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
**APPROVAL**

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest Postcards/Letter and Support Postcards




**CASE:** **SDR-34306**

**RADIUS:** 1500 FT

**ZONING OF SUBJECT PROPERTY:** C-2 (GENERAL COMMERCIAL)




0 400 800 Feet

**CASE:** **SDR-34306**

**RADIUS:** 1500 FT

**ZONING OF SUBJECT PROPERTY:** C-2 (GENERAL COMMERCIAL)

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City of Las Vegas

## AGENDA MEMO

**PLANNING COMMISSION MEETING DATE: JULY 9, 2009**
**DEPARTMENT: PLANNING AND DEVELOPMENT**
**ITEM DESCRIPTION: ABEYANCE - SDR-34306 - APPLICANT: GEORGE RAINHART - OWNER: ASPEN HIGHLANDS HOLDINGS, LLC**

## ** CONDITIONS **

**STAFF RECOMMENDATION:** **APPROVAL,** 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.

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.

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.

21. Landscape and maintain all unimproved right-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 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.

**SDR-34306 - Staff Report Page One**
**July 9, 2009 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed Non-Restricted Gaming (Casino) and Retail Establishment with a Waiver of the Downtown Centennial Plan streetscape standards at the northeast corner of Sahara Avenue and Las Vegas Boulevard. The proposed establishment will replace the existing vacant commercial building on the site and consist of two stories with a floor area of approximately 37,100 square feet. A large roof sign is also proposed that would extend the height of the structure to 138 feet; however, the sign will be considered under an associated request for a Variance (VAR-34308), and is therefore not a part of this review. Parking will be provided within an existing garage structure at the northeast corner of the site, with some additional surface parking between the structures. Staff is recommending approval of this request as the proposal complies with all requirements of the Downtown Centennial Plan with the exception of the Waiver request, which can be supported as the affected street dead-ends approximately 100 feet east of Las Vegas Boulevard and provides vehicular access to the subject site, but not pedestrian access. Furthermore, the proposal meets the intent of the Downtown Centennial Plan to provide a variety of uses and a pedestrian-friendly streetscape along both Sahara Avenue and Las Vegas Boulevard, and it will enhance the overall image of the downtown area by improving the southern gateway to the city.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 02/21/96 | The City Council approved a Special Use Permit (U-0151-95) for the off-premise sale of beer and wine in conjunction with a convenience store. |
| 04/20/94 | The City Council approved a Special Use Permit (U-0026-94) to allow the sale of beer and wine in conjunction with a proposed restaurant. |
| 11/03/04 | The City Council approved requests for a Special Use Permit (SUP-5028) for a proposed 73-story mixed-use development, and a Site Development Review (SDR-5027) with Waivers of the Downtown Centennial Plan Standards for streetscape, building stepbacks, and reflective glazing for a 73-story, 1,300,000 square-foot mixed-use development consisting of 960 condominium units and 25,000 square feet of commercial uses on 2.17 acres at 2423 and 2417 Las Vegas Boulevard. The Planning Commission recommended approval. |
| 03/02/05 | The City Council approved a Petition to Vacate (VAC-5030) a 20-foot wide public alley generally located north of Sahara Avenue, west of Paradise Road. The Planning Commission recommended approval. |

| | |
|---|---|
| 06/15/05 | The City Council approved a request for a Review of Conditions (ROC-6691) for an approved Site Development Plan Review (SDR-5027) to remove Condition numbers 18, 27 and 30 for an approved 73-story, 863-foot tall, 1,300,000 square-foot mixed-use development consisting of 951 condominium units and 41,000 square feet of commercial uses on 2.17 acres at 2417 and 2423 South Las Vegas Boulevard. |
| 11/03/05 | The Planning Commission approved a Tentative Map (TMP-9117) for a 944-unit mixed-use condominium development on 2.17 acres adjacent to the northeast corner of Sahara Avenue and Las Vegas Boulevard. |
| 12/06/06 | The City Council approved a request for an Extension of Time (EOT-16956) of an approved Special Use Permit (SUP-5028) that allowed a 73-story mixed-use development at 2423 and 2417 Las Vegas Boulevard. |
| 06/11/09 | The Planning Commission held in abeyance requests for a Waiver (WVR-34311) to allow Cincinnati Street to not terminate in a cul-de-sac; a Variance (VAR-34308) 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; and Special Use Permits (SUP-34309 and 34310) 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, and for a proposed 547-foot high structure with roof sign within the A-O (Airport Overlay) District where the height limitation is 175 feet for a proposed structure; and 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 at the northeast corner of Sahara Avenue and Las Vegas Boulevard. |
| 07/09/09 | The Planning Commission will consider associated requests for a Waiver (WVR-34311) to allow Cincinnati Street to not terminate in a cul-de-sac; a Variance (VAR-34308) 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; and a Special Use Permits (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. The applicant has requested to withdraw (without prejudice) a Special Use Permit (SUP-34310) for a proposed 547-foot high structure with roof sign within the A-O (Airport Overlay) District where the height limitation is 175 feet for a proposed structure. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 07/20/90 | A building permit (#90075858) was issued for a retail center at 2401 S. Las Vegas Blvd. The permit was finaled on 12/10/91. |
| 09/26/90 | A building permit (#90083891) was issued for a retail center at 2401 S. Las Vegas Blvd. The permit was finaled on 12/05/91. |
| 08/16/91 | A building permit (#91116828) was issued for on-site improvements at 2401 S. Las Vegas Blvd. The permit was finaled on 12/10/91. |
| 08/16/91 | A building permit (#91116829) was issued for a three-level garage structure at 2401 S. Las Vegas Blvd. The permit was finaled on 12/10/91. |

| ***Pre-Application Meeting*** | |
|---|---|
| 04/16/09 | A pre-application meeting was held to discuss the necessary applications for the proposed project, including a Site Development Plan Review, a Variance for signage, Special Use Permits for excessive height within the Airport Overlay District and for a Liquor Establishment, Tavern, and a Waiver to Title 18 street standards. Also discussed were the following issues:<br>• Remapping of the subject parcels into a single parcel is required.<br>• The project is deemed to be a Project of Regional Significance (PRS) as it pertains to the Special Use Permits because it is located within 500 feet of the boundary with Clark County. Traffic analysis, when available, may also affect this designation for the Site Development Plan Review.<br>• Minor changes required to bring the streetscapes into compliance with the Downtown Centennial Plan.<br>• Approval of the required Waiver of distance separation for the Liquor Establishment, Tavern, is dependent upon the passage of Text Amendment (TXT-32865).<br>• Parking to be calculated as a Shopping Center only for those portions of the site meeting the definition. The casino portion is to be calculated separately.<br>• Pursuant to Title 19.06.140, no Off-Premise Signs are permitted within the Las Vegas Scenic Byway. |

| ***Neighborhood Meeting*** |
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| A neighborhood meeting was neither required nor held for this request. |

| ***Field Check*** | |
|---|---|
| 05/07/09 | A field check was conducted by staff. The site has existing vacant commercial buildings that are in relatively good shape, with the exception of a roof sign is disrepair. Landscaping is in poor shape, with weeds in most planter areas. |

| *Details of Application Request* | |
|---|---|
| ***Site Area*** | |
| Gross Acres | 2.17 Acres |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|---|---|---|---|
| Subject Property | Vacant Commercial Building and Parking Structure | C (Commercial) | C-2 (General Commercial) |
| North | Shops and Motel | C (Commercial) | C-2 (General Commercial) |
| South | Resort / Casino | CT (Commercial Tourist) Clark County | H-1 (Limited Resort and Apartment District) Clark County |
| East | Retail Center | C (Commercial) | C-2 (General Commercial) |
| West | Retail Center | C (Commercial) | C-2 (General Commercial) |

| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
|---|---|---|---|
| **Special Area Plan** | | | |
| Downtown Centennial Plan (Las Vegas Boulevard) | X | | N |
| Beverly Green / Southridge Neighborhood Plan | X | | Y |
| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
| **Special Purpose and Overlay Districts** | | | |
| Downtown Overlay District (Las Vegas Boulevard, John S. Park Adjacent Area) | X | | N |
| G-O Gaming Enterprise Overlay District | X | | Y |
| A-O Airport Overlay District (175 Feet) | X | | N |
| Las Vegas Boulevard Scenic Byway Overlay District | X | | Y |
| **Trails** | X | | Y |
| **Rural Preservation Overlay District** | | X | N/A |
| **Development Impact Notification Assessment** | X | | Y |
| **Project of Regional Significance** | X | | Y |

## DEVELOPMENT STANDARDS

***Pursuant to Title 19.06.060, properties within the Downtown Overlay District are exempt from the automatic application of the mandatory maximum building height, required building setback, maximum lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements. The following standards are provided for comparison with the requirements of Title 19:***

| *Standard* | *Required/Allowed* | *Provided* | *Compliance* |
|---|---|---|---|
| Min. Lot Size | N/A | 89,500 SF | Y |
| Min. Lot Width | 100 | 260 Feet | Y |
| Min. Setbacks | | | |
| • Front | 20 Feet | 17 Feet | N |
| • Side | 10 Feet | 8 Feet | N |
| • Corner | 15 Feet | Zero Feet | N |
| • Rear | 20 Feet | 17 Feet | N |
| Max. Lot Coverage | 50% | 42% | Y |
| Max. Building Height | N/A | 40 Feet | Y |
| Trash Enclosure | Screened, Gated, with Roof or Trellis | Not Indicated | N |
| Mech. Equipment | Screened | Not Indicated | N |

| *Landscaping and Open Space Standards* | | | | |
|---|---|---|---|---|
| *Standards* | *Required* | | *Provided* | *Compliance* |
| | *Ratio* | *Trees* | | |
| Parking Area | 1 Tree / 6 Spaces | 6 Trees | Zero Trees | N |
| Buffer: | | | | |
| • North | 1 Tree / 30 Linear Feet | 7 Trees | Zero Trees | N |
| • East | 1 Tree / 30 Linear Feet | 2 Trees | 1 Trees | N |
| **TOTAL** | | 9 Trees | 1 Trees | N |
| Min. Zone Width | | | | |
| • North | 8 Feet | | 8 Feet | Y |
| • East | 8 Feet | | 4 Feet | N |
| Wall Height | None Required | | Not Indicated | Y |

***Pursuant to the Downtown Centennial Plan, the following standards apply:***

| *Streetscape Standards* | *Required* | *Provided* | *Compliance* |
|---|---|---|---|
| Sahara Avenue | A 5-foot amenity zone and 10-foot unobstructed sidewalk are required. Southern Live Oak, Shoestring Acacia, African Sumac, Ash or Pistache shade trees of at least 36-inch box size are required at 15 to 20-foot intervals. | A 5-foot amenity zone and 10-foot unobstructed sidewalk are indicated. Within the amenity zone, Southern Live Oak of 15 feet in height and spaced at 30 feet on-center are indicated. | N |

| | | | |
|---|---|---|---|
| Las Vegas Boulevard | A 5-foot amenity zone and 10-foot unobstructed sidewalk are required. Within the amenity zone, Deglet-Noor Date Palms, at least 25 feet in height or greater, are required at 30 feet on-center; shade trees at least 15 feet in height may be provided between the palms. | A 5-foot amenity zone and 10-foot unobstructed sidewalk are indicated. Within the amenity zone, Deglet-Noor Date Palms at 25 feet in height and spaced at 30 feet on-center are indicated. | Y |
| Cincinnati Street | A 5-foot amenity zone and 10-foot unobstructed sidewalk are required. Southern Live Oak, Shoestring Acacia, African Sumac, Ash or Pistache shade trees of at least 36-inch box size are required at 15 to 20-foot intervals. | A 7-foot sidewalk and no landscaping are indicated. | N |

| ***Parking Requirement - Downtown*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| | ***Gross Floor Area or Number of Units*** | ***Base Parking Requirement*** | | | ***Provided*** | | ***Compliance*** |
| | | | *Parking* | | *Parking* | | |
| ***Use*** | | ***Parking Ratio*** | Regular | Handi-capped | Regular | Handi-capped | |
| Shopping Center | 28,100 SF | 1:250 | 113 | | | | |
| Gaming, Non-Restricted | 9,000 SF | 1:90 | 100 | | | | |
| **SubTotal** | | | 206 | 7 | 155 | 7 | N |
| **TOTAL** | | | 213 | | 162 | | N |

| **Wall Signs:** | | |
|---|---|---|
| **Standards** | **Allowed** | **Provided** |
| Maximum Area | Maximum 20% of the building elevation | • North: 1,781 SF or 15%<br>• South: 3,064 SF or 28%<br>• East: 1,640 SF or 23%<br>• West: 3,415 SF or 39% |
| Maximum Projection | 4 Feet | Zero Feet |
| Illumination | Internal/External | LED Full Motion Video Display |

| **Roof Sign:** | | |
|---|---|---|
| **Standards** | **Allowed** | **Provided** |
| Maximum Number | 1 / Building Elevation<br>4 total | 1 / Building Elevation<br>1 total |
| Maximum Area | Maximum 20% of the building elevation to which the sign is most nearly parallel to, up to a maximum of 150 square feet. The total combined area of all wall, window, roof, awning and marquee signs shall not exceed twenty percent of the building elevation to which they are attached. | • North: 1,781 SF or 15%<br>• South: 8,802 SF or 79%<br>• East: 1,640 SF or 23%<br>• West: 8,887 SF or 101% |
| Maximum Height | A roof sign shall not extend more than eight feet above the top of wall, marquee or parapet to which it is attached. The total height of the building, including the sign, shall not exceed permitted height of the building in the zoning district in which it is located. | 98 Feet |
| Illumination | Direct/Internal | LED Full Motion Video Display |

| **Waivers** | | |
|---|---|---|
| **Requirement** | **Request** | **Staff Recommendation** |
| A 5-foot amenity zone and 10-foot unobstructed sidewalk are required. Southern Live Oak, Shoestring Acacia, African Sumac, Ash or Pistache shade trees of at least 36-inch box size are required at 15 to 20-foot intervals (Cincinnati Street). | 7-Foot Sidewalk and No Landscaping | Approval. |

## ANALYSIS

- **Site Plan**

The site plan meets the requirements of the Downtown Centennial Plan and Title 19 with the exception of the surface parking lot configuration. As proposed, there are several parking spaces located along the southern edge of the parking area that do not have adequate access for vehicles to maneuver into and out of the spaces, and that will force vehicles to exit the

spaces via the drive-through. A condition has been added to require a redesign of the parking area to better facilitate vehicular circulation within the site.

Although the parking provided on-site does not meet the minimum requirements of Title 19.10, properties located within the Downtown Centennial Plan are exempt from the automatic application of some development standards, including parking requirements. The parking provided at the subject site is adequate for the uses proposed, and is similar to other developments within the Downtown Centennial Plan area.

- **Landscape Plan**

The proposed landscape does not meet the requirements of the Downtown Centennial Plan and Title 19. Southern Live Oak trees, 15 feet in height, are shown along Sahara Avenue, spaced approximately 30 feet apart. The Downtown Centennial Streetscape standards require that trees be a minimum 36" box size, spaced 15 feet to 20 feet apart. In addition, planters along the north edge and at the east side of the site do not have trees depicted. A condition has been added to require compliance with the Downtown Centennial Plan streetscape standards along Sahara Avenue, and to provide additional plant material in the existing planters. The Waiver request for the Downtown Centennial Plan streetscape requirements along Cincinnati Street can be supported as the street dead-ends 100 feet east of Las Vegas Boulevard, providing vehicular access to the site, but not pedestrian access. The required improvements are intended to provide a pedestrian-friendly streetscape.

- **Elevations**

Elevations depict a two-story, 40-foot tall building with glass storefront windows, a perforated metal panel façade and a line of LED displays along the Sahara Avenue and Las Vegas Boulevard frontages. A stucco exterior is shown for the north and east facades. A large roof sign is also depicted, but is the subject of review in an associated application for a Variance (VAR-34308), and is therefore not a part of this review.

- **Floor Plan**

The floor plans depict a 37,100 square-foot commercial building with retail and casino space on the first floor, and additional casino space, retail and restaurant space on the second floor. The proposed uses are encouraged within the Downtown Centennial Plan, and

Staff is recommending approval of this request for a Site Development Plan Review as the proposed development meets the intent of the Downtown Centennial Plan and will provide a variety of uses with a pedestrian-friendly streetscape at a prominent gateway to the downtown area.

## FINDINGS

The following findings must be made for an SDR:

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

   The proposed development is compatible with the adjacent development and development in the area. The proposed uses for the site are not only allowed within the C-2 (General Commercial) zoning district, but are encouraged within the Downtown Centennial Plan 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 proposed development is consistent with the General Plan, Title 19 and the Downtown Centennial Plan, with the exception of the requested Waiver, which can be supported as the request is minor in nature.

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

   Adequate access to the site is provided by existing driveways from Sahara Avenue and Cincinnati Street, which has direct access to Las Vegas Boulevard. Both Sahara Avenue and Las Vegas Boulevard are designated as 100-foot Primary Arterials. Site access and circulation will not negatively impact adjacent roadways or neighborhood traffic.

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

   As conditioned, the building and landscape 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 building elevations and architectural features are not unsightly, and are compatible with development in the area. The wall signage depicted in the elevations complies with the requirements of the Las Vegas Boulevard Scenic Byway Overlay District.

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

   The proposed development is subject to permit review and inspection; therefore, appropriate measures will be taken to protect the health, safety and general welfare.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 12

**ASSEMBLY DISTRICT** 9

**SENATE DISTRICT** 10

**NOTICES MAILED** 742

**APPROVALS** 10

**PROTESTS** 8

PLANNING & DEVELOPMENT

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-34306** APN: 162-04-813-070 & 071 and 162-03-410-008

Name of Property Owner: Aspen Highlands Holdings, LLC

Name of Applicant: George Rainhart

Name of Representative: Kummer Kaempfer Bonner Renshaw & Ferrario

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes ___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: Steve Johnson

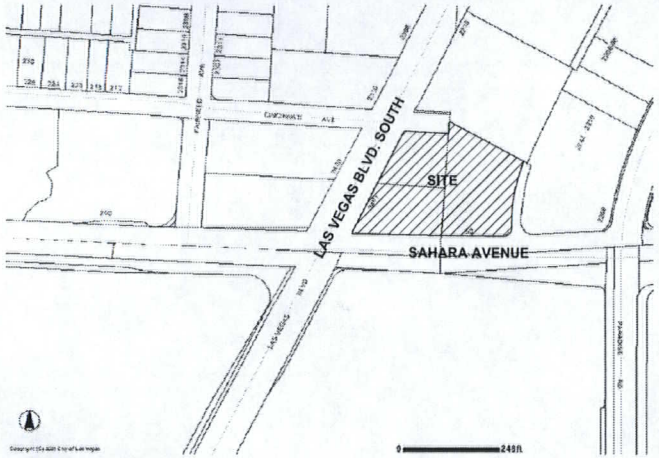
Subscribed and sworn before me

This 21 day of April, 2009

Maricopa County, Az

Notary Public in and for said County and State

OFFICIAL SEAL
JEFFREY SCANLON
NOTARY PUBLIC - State of Arizona
MARICOPA COUNTY
My Comm. Expires Nov. 10, 2009




## 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 OFA TWO STORY BUILDING HOUSING A PHARMACY, A CASINO, RETAIL AND RESTAURANT.
9. CONSTRUCTION OF MARQUE ANIMATED VIDEO SIGN WRAPPING THE CORNER.
10. CONSTRUCTION OF A 546'-3" HIGH MAST SUPPORTING A SAIL SHAPED MARQUE ANIMATED VIDEO DISPLAY.
11. CONSTRUCTION OF A 40 FOOT HIGH SOLID STUCCO FACED WALL EXTENDING EAST ALONG SAHARA AVE TO SCREEN SURFACE PARKING.
12. CONSTRUCTION OF LOADING AREA AND REFUSE COMPACTOR AREA, SURFACE PARKING AND PHARMACY PICK-UP WINDOW.

**SIGN AREA TABULATION**

| FACADE | FACADE S.F. | SIGN TYPE & S.F. | TOTAL SIGN S.F. | % SIGNAGE |
|---|---|---|---|---|
| NORTH | ±12,213 S.F. | TYPE 4: ±1,781 S.F. | ±1,781 S.F. | ±15% |
| SOUTH | ±11,158 S.F. | TYPE 2: ±2,138 S.F.<br>TYPE 3: ±3,600 S.F.<br>TYPE 4: ±3,064 S.F. | ± 8,802 S.F. | ±79% |
| EAST | ±7,270S.F. | TYPE 4: ±1,640 | ±1,640 S.F. | ±23% |
| WEST | ±8,840 S.F. | TYPE 2: ±1,872 S.F.<br>TYPE 3: ±3,600 S.F.<br>TYPE 4: ±3,415 S.F. | ±8,887 S.F. | ±101% |
| | | TOTAL SIGNAGE | ±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

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 | 9000 / 90 = | 100 |
| RESTAURANT: | | |
| DINNING | 3000 / 250 = | 12 |
| SERVICE | 3000 / 250 = | 12 |
| RETAIL | 4000 / 250 = | 16 |
| | TOTAL | 213 |

264 - 39% = 162 SPACES

39% PARKING REDUCTION REQUESTED 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

SITE AREA: 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 Ues Permit:
Downtown Overlay District
included within the Las Vegas Downtown
Centenniol Plan
Yard Setbacks Wavier: Front: 0 feet
Interior side: 0 feet
Rear: 0 feet
Height: - feet
+/- 18,600 S.F.

BUILDING AREA:

| | |
|---|---|
| PHARMACY | 13100 S.F. |
| MEZZANINE | 5000 S.F. |
| CASINO | 9000 S.F. |
| RESTAURANT | 6000 S.F. |
| RETAIL | 4000 S.F. |
| TOTAL: | 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 | SECOND FLOOR PLAN |
| A2.1 | NORTH ELEVATION |
| A2.2 | SOUTH ELEVATION |
| A2.3 | EAST ELEVATION |
| A2.4 | WEST ELEVATION |
| A2.5 | RENDERED SOUTH ELEVATION |
| A3.1 | BUILDING SECTION |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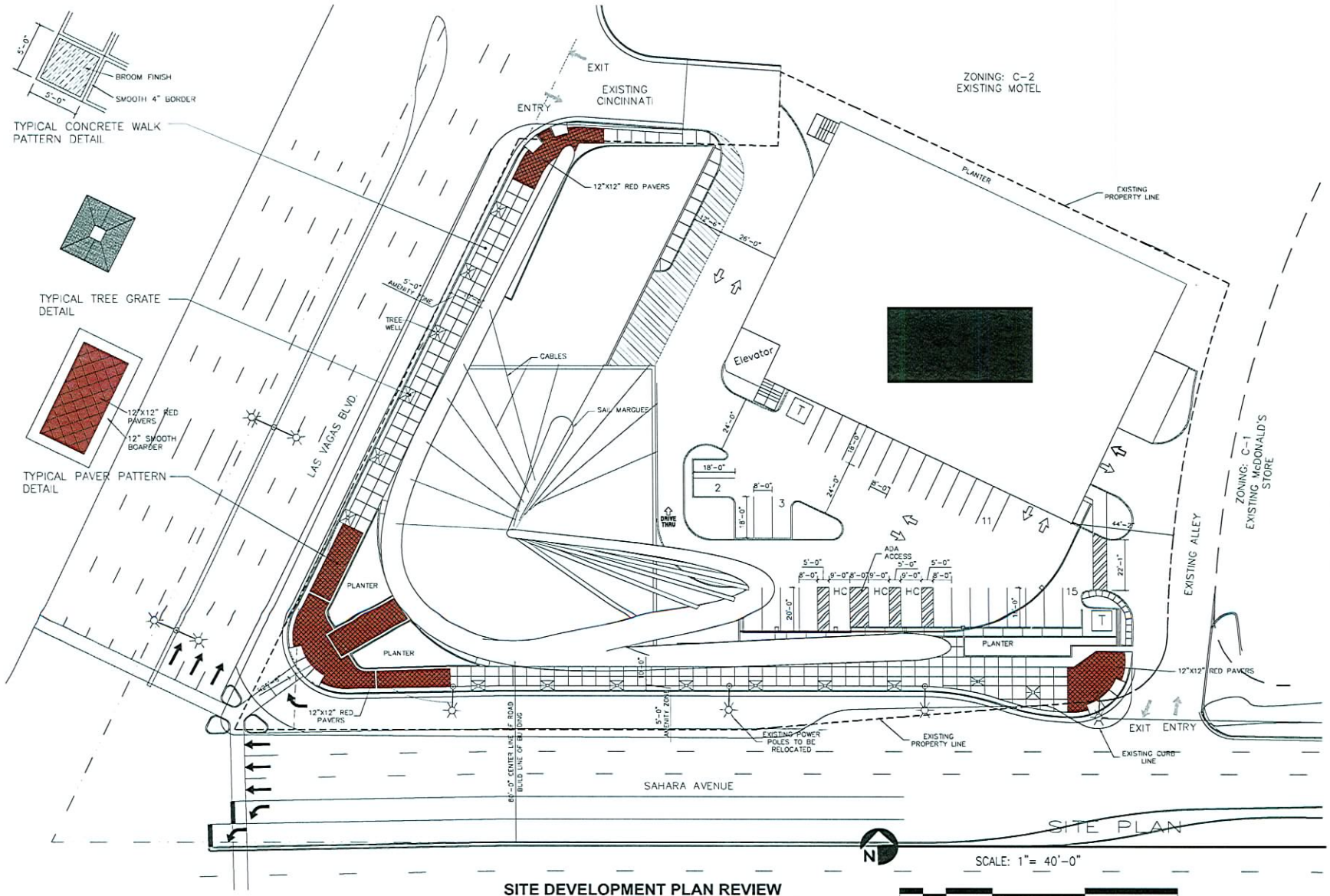
**SUP-34309 SUP-34310**
**REVISED SDR-34306**
**07/09/09 PC**

RECEIVED
JUN 19 2009

| 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.
2417 SOUTH LAS VEGAS BOULVARD
LAS VEGAS, NEVADA 89104
PROJECT NUMBER: 0806
DRAWN BY: JCS
SHEET TITLE: COVER SHEET-PHASE 1
DATE: 2.10.2009
SCALE:
SHEET: AC




**SITE DEVELOPMENT PLAN REVIEW**
**SPECIAL USE PERMIT**

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**SDR-34306** **06/11/09 PC**

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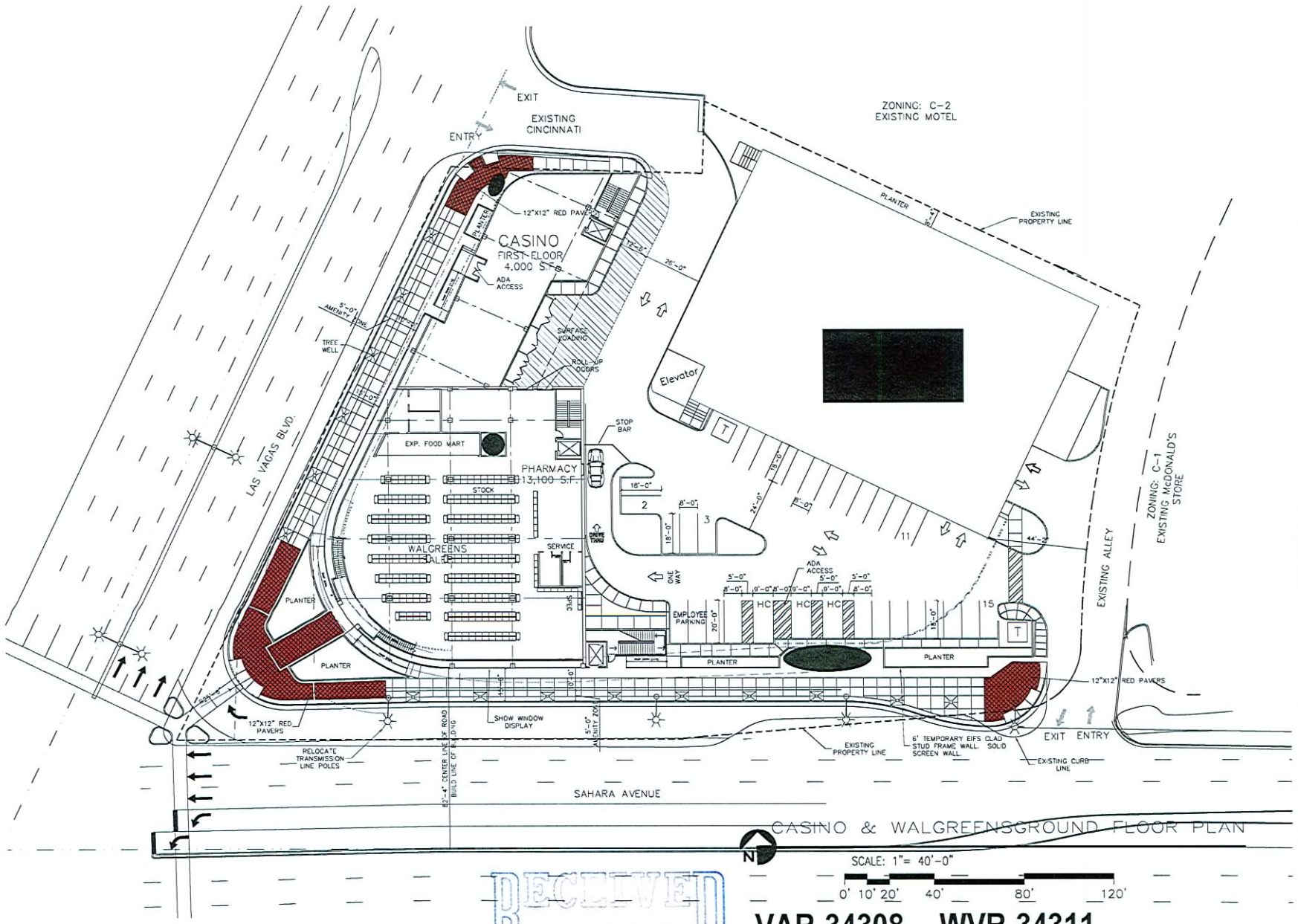
GEORGE RAINHART, ARCHITECT AND ASSOCIATES P.C.
2325 SAN PEDRO NE., SUITE 2-8
ALBUQUERQUE, NEW MEXICO 87110
PHONE (505) 884-9110 FAX (505) 837-9877

PROJECT TITLE
SAHARA AND LAS VEGAS BLVD.
2675 SOUTH LAS VEGAS BOULEVARD
LAS VEGAS, NEVADA 89104

PROJECT MANAGER: JOE
JOB NO.: 0708
DRAWN: JOS
SHEET TITLE: SITE PLAN

DATE: 2.10.2009
SCALE: -
SHEET NO.: AS1.0

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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.: ETM
DRAWN BY: JCS

SHEET TITLE: GROUND FLOOR PLAN

DATE: 2.10.2009
SCALE: -
sheet: A1.0

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APR 24 2009

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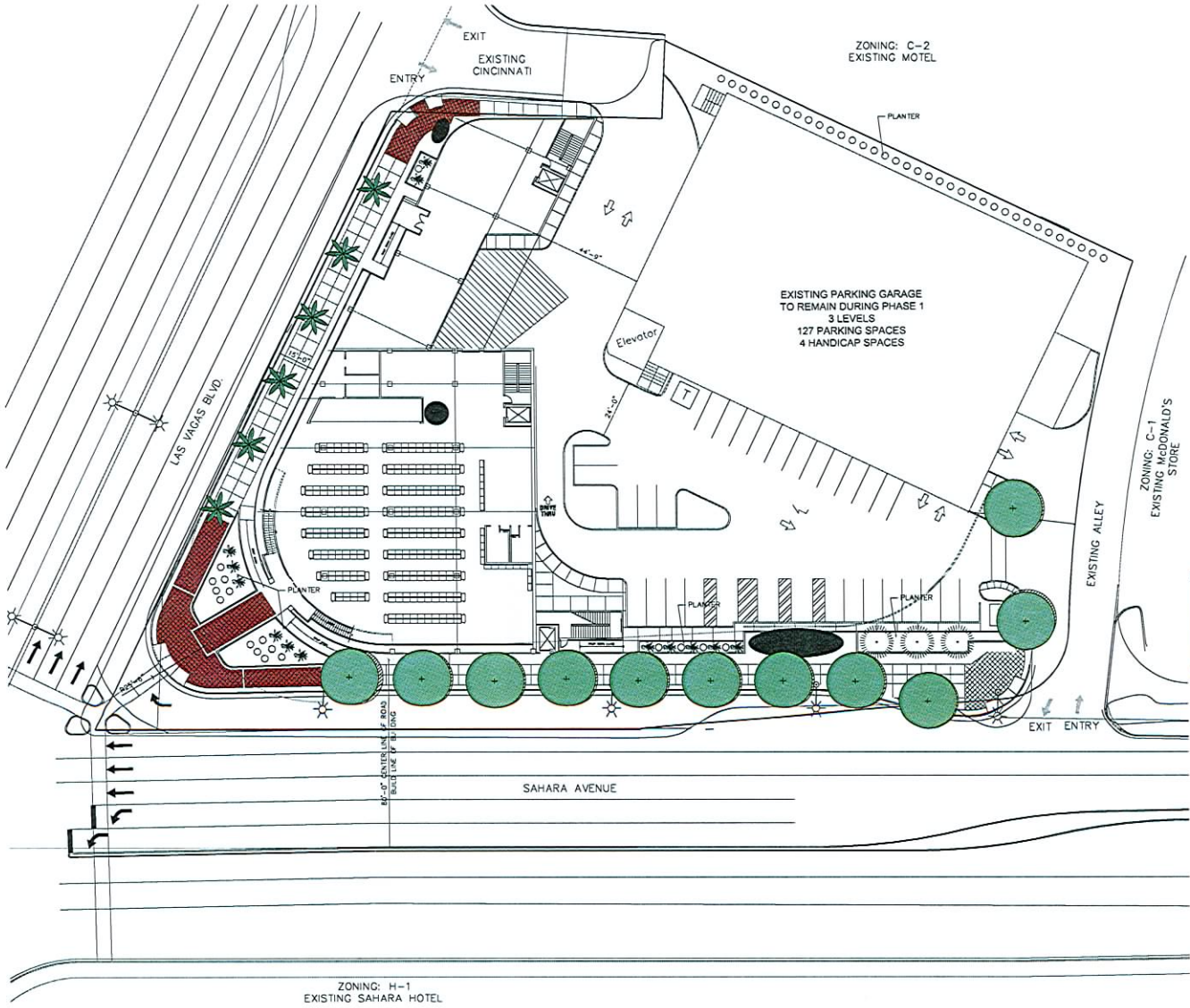
**SDR-34306 06/11/09 PC**







**VICINITY MAP** N.T.S

## PLANTING LEGEND

| Size | Common Name | Quantity |
|---|---|---|
| 25' | Deglet-Noor Date Palms | 6 |
| 15' | Southern Live Oak | 29 |

Trees and Palms, 30'-0" o.c. in tree grates

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LANDSCAPE PLAN
SCALE 1" = 20'-0"

**VAR-34308**
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**SDR-34306**

**WVR-34311**
**SUP-34310**
**06/11/09 PC**

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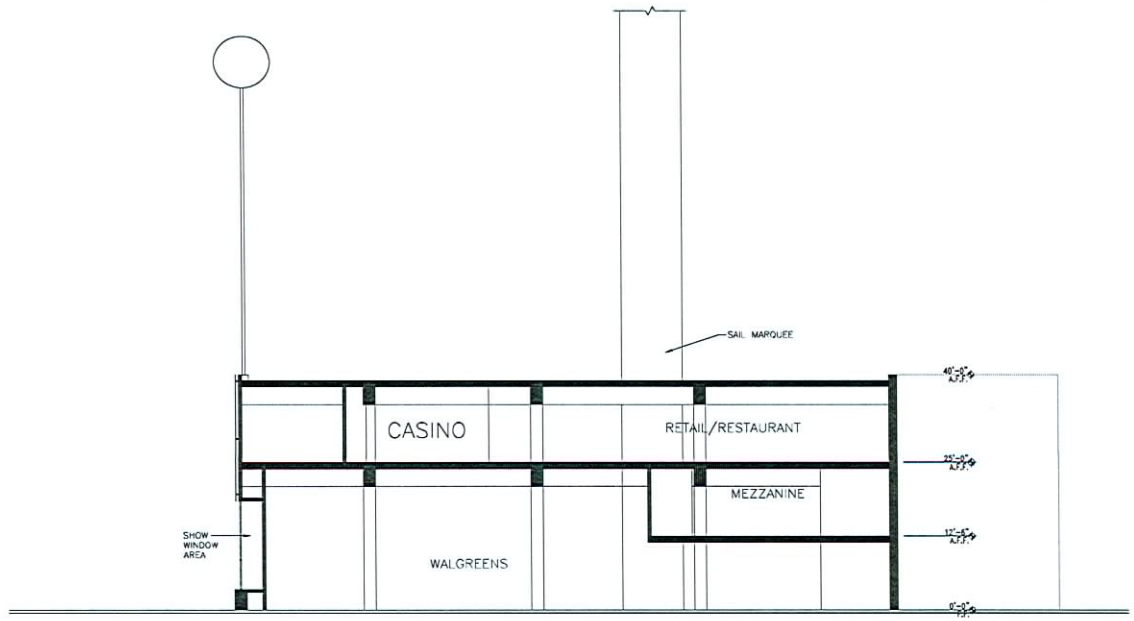
GEORGE RAINHART, ARCHITECT AND ASSOCIATES P.C.
2325 SAN PEDRO NE., SUITE 2-B
ALBUQUERQUE, NEW MEXICO 87110
PHONE (505) 884-9110 FAX (505) 837-9877

PROJECT TITLE: SAHARA AND LAS VEGAS BLVD.
2327 SOUTH LAS VEGAS BOULEVARD
LAS VEGAS NEVADA 89104

PROJECT MANAGER: GRP
APPROVED BY: GRP
DRAWN BY: DCM
JOB NO.: 0708

SHEET TITLE: LANDSCAPE PLAN - PHASE 1

DATE: 2.10.2009
SCALE: -
SHEET: L1.1
OF:




BUILDING SECTION

SCALE: 1"= 20'-0"

0' 5' 10' 20' 40' 80'

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**SDR-34306 06/11/09 PC**

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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.: 87110
DRAWN BY: JCS
SHEET TITLE: BUILDING SECTION

DATE: 2.10.2009
SCALE: -
sheet- A3.1
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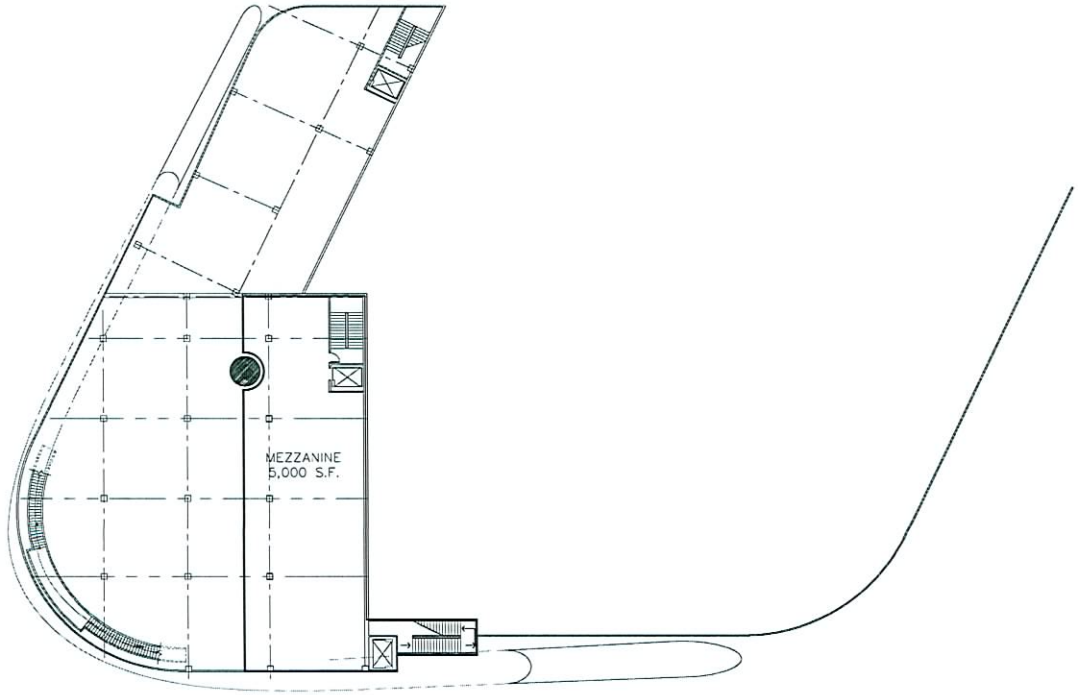


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WALGREENS MEZZANINE PLAN

SCALE: 1"= 40'-0"

0' 10' 20' 40' 80' 120'

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**SDR-34306 06/11/09 PC**

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GEORGE RAINHART, ARCHITECT AND ASSOCIATES P.C.
2325 SAN PEDRO NE., SUITE 2-8
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.: 8718
DRAWN BY: JCS

SHEET TITLE: MEZZANINE PLAN

DATE: 2.10.2009
SCALE: -
sheet- A1.1
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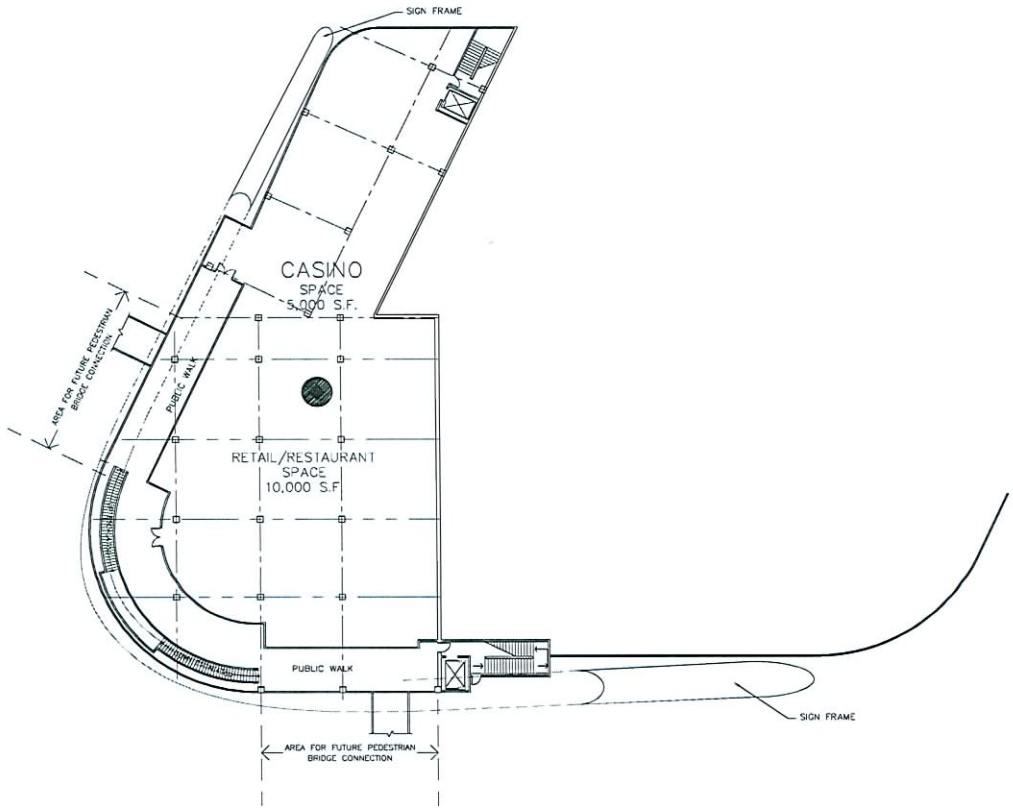


CASINO/RESTAURANT/RETAIL
SECOND FLOOR PLAN

N

SCALE: 1"= 40'-0"

0' 10' 20' 40' 80' 120'

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**SDR-34306 06/11/09 PC**

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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: 8704
DRAWN BY: JCS

SHEET TITLE: SECOND FLOOR PLAN

DATE: 2.10.2009
SCALE: -
sheet- A1.2
of-

| SIGN AREA TABULATION | | | | |
|---|---|---|---|---|
| FACADE | FACADE S.F. | SIGN TYPE & S.F. | TOTAL SIGN S.F. | % SIGNAGE |
| NORTH | ±12,213 S.F. | TYPE 4: ±1,781 S.F. | ±1,781 S.F. | ±15% |
| SOUTH | ±11,158 S.F. | TYPE 2: ±2,138 S.F.<br>TYPE 3: ±3,600 S.F.<br>TYPE 4: ±3,064 S.F. | ± 8,802 S.F. | ±78% |
| EAST | ±7,270S.F. | TYPE 4: ±1,640 | ±1,640 S.F. | ±23% |
| WEST | ±8,840 S.F. | TYPE 2: ±1,872 S.F.<br>TYPE 3: ±3,600 S.F.<br>TYPE 4: ±3,415 S.F. | ±8,887 S.F. | ±101% |
| | | TOTAL SIGNAGE | ±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. 30-80 MM RESOLUTION.
TYPE 4: LED FULL MOTION VIDEO DISPLAY. 10 MM RESOLUTION

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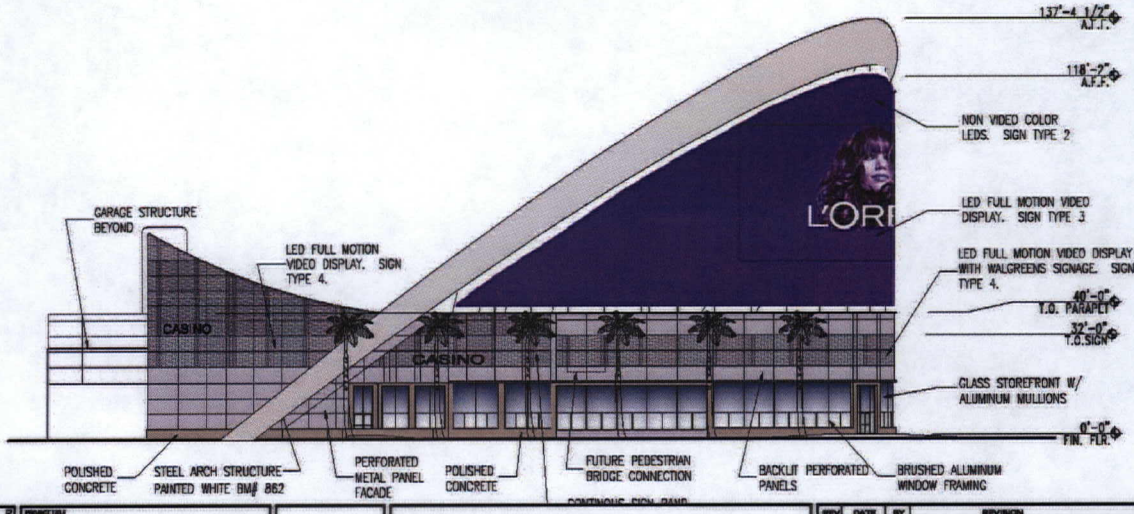


SAHARA AND LAS VEGAS BLVD.

WEST ELEVATION

A2.3

GEORGE RAINHART, ARCHITECT AND ASSOCIATES P.C.
2325 SAN PEDRO NE., SUITE 2-B
ALBUQUERQUE, NEW MEXICO 87110
PHONE (505) 884-9110 FAX (505) 837-8877

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SUP-34309 SUP-34310
REVISED SDR-34306
07/09/09 PC

| SIGN AREA TABULATION | | | | |
|---|---|---|---|---|
| FACADE | FACADE S.F. | SIGN TYPE & S.F. | TOTAL SIGN S.F. | % SIGNAGE |
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| EAST | ±7,270S.F. | TYPE 4: ±1,640 | ±1,640 S.F. | ±23% |
| WEST | ±8,840 S.F. | TYPE 2: ±1,872 S.F.<br>TYPE 3: ±3,600 S.F.<br>TYPE 4: ±3,415 S.F. | ±8,887 S.F. | ±101% |
| | | TOTAL SIGNAGE | ±21,110 S.F. | |

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TYPE 1: NOT USED.
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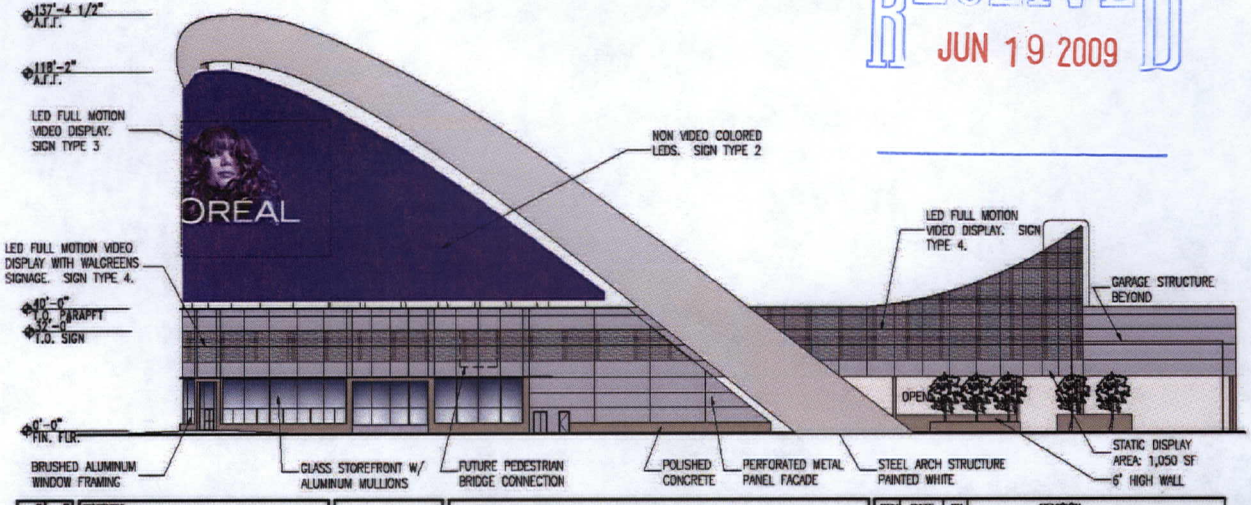
TYPE 3: LED FULL MOTION VIDEO DISPLAY. 30-50 MM RESOLUTION.
TYPE 4: LED FULL MOTION VIDEO DISPLAY. 10 MM RESOLUTION




SAHARA AND LAS VEGAS BLVD.
2427 SOUTH LAS VEGAS BOULEVARD
LAS VEGAS, NEVADA 89104

SOUTH ELEVATION

A2.2

GEORGE RAINHART, ARCHITECT AND ASSOCIATES P.C.
2325 SAN PEDRO NE., SUITE 2-B
ALBUQUERQUE, NEW MEXICO 87110
PHONE (505) 884-9110 FAX (505) 837-0877

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SUP-34309 SUP-34310
REVISED SDR-34306
07/09/09 PC

| SIGN AREA TABULATION | | | | |
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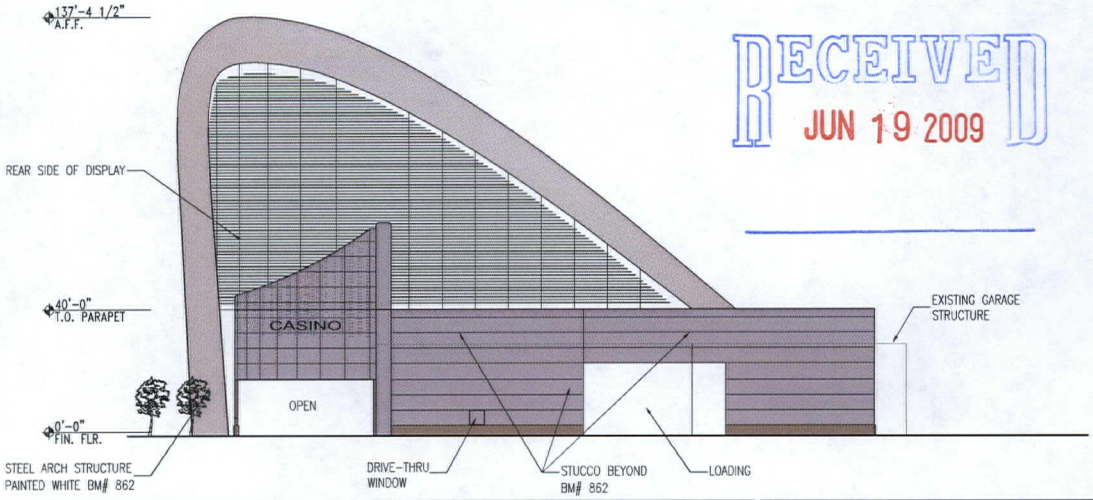


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JUN 19 2009

DATE: 6.10.2009
SCALE: 1" = 40'-0"
A2.4

PROJECT TITLE
SAHARA AND LAS VEGAS BLVD.
2427 SOUTH LAS VEGAS BOULVARD
LAS VEGAS, NEVADA 89104

PROJECT MANAGER: George Rainhart, AIA
JOB NO.: 0736
DRAWN BY: JCS

SHEET TITLE
EAST ELEVATION

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

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VAR-34308 WVR-34311
SUP-34309 SUP-34310
REVISED SDR-34306
07/09/09 PC

**SIGN AREA TABULATION**

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TYPE 4: LED FULL MOTION VIDEO DISPLAY. 10 MM RESOLUTION

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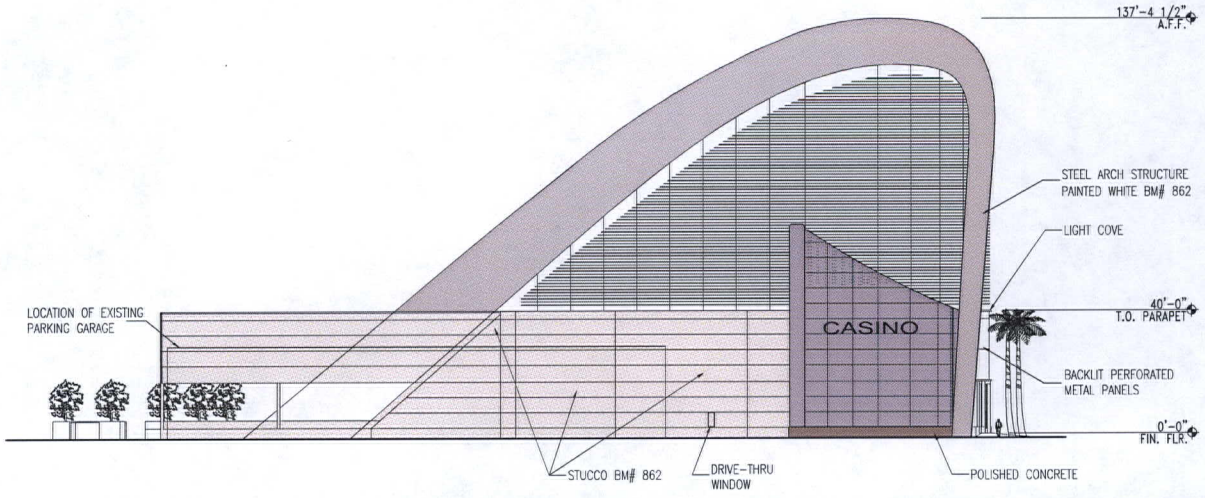
JUN 19 2009




SCALE: 1" = 40'-0"
DATE: 6.10.2009
SHEET: A2.1

PROJECT TITLE:
SAHARA AND LAS VEGAS BLVD.
2427 SOUTH LAS VEGAS BOULEVARD
LAS VEGAS, NEVADA 89104

PROJECT MANAGER: George Rainhart, AIA
JOB NO.: 0758
DRAWN BY: JCS

SHEET TITLE:
NORTH ELEVATION

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

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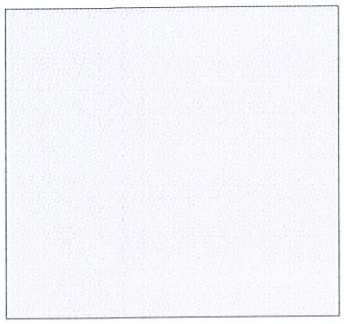
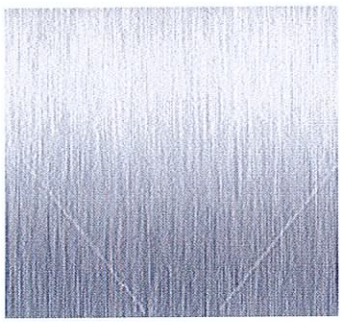
VAR-34308 WVR-34311
SUP-34309 SUP-34310
REVISED SDR-34306
07/09/09 PC

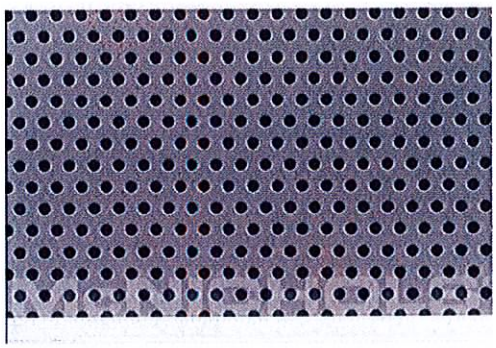
BENJAMIN MOORE COLOR
#862



BRUSHED ALUMINUM WINDOW
WALL FRAMING



PERFORATED METAL PANEL
BRUSHED ALUMINUM
COLOR



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VAR-34308 WVR-34311
SUP-34309 SUP-34310
SDR-34306 06/11/09 PC



SDR-34306 - APPLICANT: GEORGE RAINHART - OWNER: ASPEN HIGHLANDS HOLDINGS, LLC
NORTHEAST CORNER OF SAHARA AVENUE LAS VEGAS BOULEVARD
JULY 9, 2009 PLANNING COMMISSION

05/07/09




SDR-34306 - APPLICANT: GEORGE RAINHART - OWNER: ASPEN HIGHLANDS HOLDINGS, LLC
NORTHEAST CORNER OF SAHARA AVENUE LAS VEGAS BOULEVARD
JULY 9, 2009 PLANNING COMMISSION

05/07/09



SDR-34306 - APPLICANT: GEORGE RAINHART - OWNER: ASPEN HIGHLANDS HOLDINGS, LLC
NORTHEAST CORNER OF SAHARA AVENUE LAS VEGAS BOULEVARD
JULY 9, 2009 PLANNING COMMISSION

05/07/09

June 18, 2009

Ms. Margo Wheeler, Director
City of Las Vegas
Planning and Development Department
731 S. Fourth St.
Las Vegas, NV 89101

Re: Revised Justification Letter – Site Development Plan Review for a 37,100 square foot Commercial Building; A Special Use Permit for a Tavern; a Variance for Signage Height and Square Footage; and a Waiver to allow a dedicated right-of-way to end without a cul-de-sac.
APN: 162-04-813-070 & 071; and 162-03-410-008

Dear Ms. Wheeler:

This letter is submitted as justification for an application for a Site Development Plan Review, A Special Use Permit, and a signage Variance for a proposed Walgreens/pharmacy, casino/restaurant/tavern, and retail space on property located at the northeast corner of Sahara Avenue and Las Vegas Boulevard in Ward 3.

The applicant is proposing a 13,100 square foot Walgreen's with a pharmacy, a 9,000 square foot casino, a 6,000 square foot restaurant, and 4,000 square feet of retail space. An additional 5,000 square feet is devoted to storage on the mezzanine level. Parking will be provided in an existing 131 space structure in the northeast portion of the site. An additional 31 surface spaces are also proposed. Parking standards do not apply to this location, however it should be noted that the number of spaces proposed is approximately 39% less than what would be required where such standards are imposed. That said the location of the property is such that a significant amount of customers anticipated at this site will be foot traffic on Las Vegas Boulevard. We therefore believe that the number of spaces proposed is sufficient. It should be noted that a traffic study has been submitted to the Department of Public Works for their review and approval.

A Special Use Permit application has been submitted for a tavern in conjunction with the proposed casino and restaurant. This use is essentially the same as what is found in any hotel/casino, however the SUP is required because a hotel is not part of this project. Based on the location of this site at the intersection of two major streets and at the entrance to the city of Las Vegas, and based on the nature of the surrounding property uses this request should have no negative impact on this area.

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**SUP-34309 SUP-34310**
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**07/09/09 PC**

The development is being designed with a "Times Square" theme which necessitates a variance from the Las Vegas Zoning Code Chapter 19.14(F)(6)(b) and (c) for both the height and amount of signage. The proposed wrap-around marquee video display sign will extend vertically along the Sahara Avenue and Las Vegas Boulevard frontages beginning 40 feet above ground floor level and extending to a height of 118 feet with a support arch structure extending to a height of approximately 138 feet. Full motion video displays will also be installed between the 20 foot and 40 foot heights along the Sahara Avenue and Las Vegas Boulevard frontages. In total there will be 21,110 square feet of full motion video display. The video display is 101% of the west façade and 79% of the south façade where a maximum of 20% of each elevation is allowed by code. The applicant believes that the entire structure will provide an "iconic" element at a location that is the gateway to the city of Las Vegas.

A Waiver of Street Standards is requested to allow the dedicated right-of-way along a portion of the north edge of the property to end without a cul-de-sac. The existing right-of-way has been and will continue to be utilized for access to the existing parking garage. Preliminary discussion has taken place with the representative of the property located on the north side of the dedicated area to determine if that property owner would support a vacation. Because that discussion is preliminary the applicant is requesting a waiver to allow this project to go forward without additional dedication or a vacation of that right-of-way.

The project has been designed to the fullest extent possible to include the principles of the Downtown Centennial Plan Design Standards and we believe the proposed theme and associated video displays are exactly what is contemplated in the signage illumination standards of the Las Vegas Boulevard Scenic Byway overlay district. However, in order to accomplish those standards a Variance for signage is a necessity because nothing in the current code allows for or anticipates a development of this type with signage of this intensity.

As the applicants representative on these applications I will be happy to provide any additional information you may require or respond to any questions you may have. Thank you for your consideration.

Respectfully,

*Robert S Genzer*

Robert S Genzer
Genzer Consulting
9612 Hawksbill Ct.
Las Vegas, NV 89117-0646
702-256-6022

**VAR-34308 WVR-34311**
**SUP-34309 SUP-34310**
**REVISED SDR-34306**
**07/09/09 PC**

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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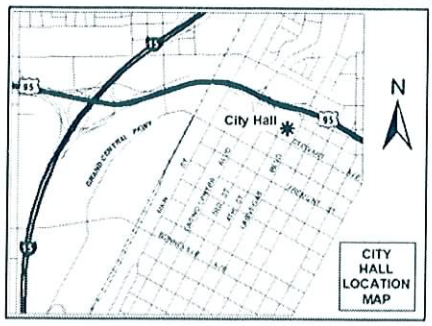


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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SDR-34306**
Planning Commission Meeting of 6/11/2009

Case: SDR-34306
16204811028
VILORIA FLORENTINO Q & LILIA
7137 CRESSIDA CT
LAS VEGAS NV 89113-0249

CAVOS11 89113

30 P

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Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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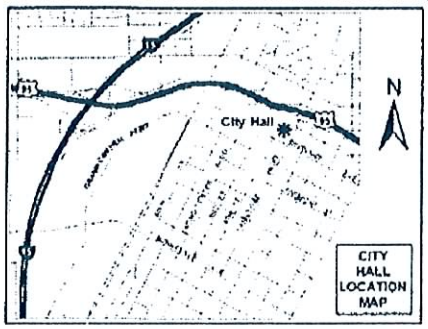


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**SDR-34306**

Planning Commission Meeting of 6/11/2009

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Case: SDR-34306

16210114216
HAYES SUSAN J
23679 CALABASAS RD #382
CALABASAS CA 91302-1502

CAVDS11 91302

30 P

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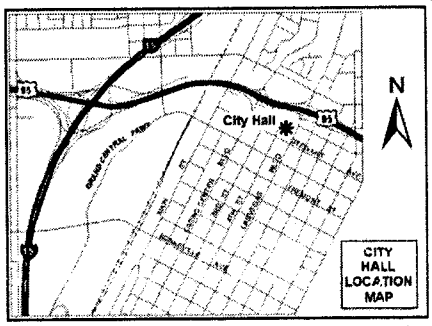


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**SDR-34306**

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Case: SDR-34306
16210114141
YEKTA MEHRDAD & B E REV TR ETAL
655 DUNHILL DR
DANVILLE CA 94506-1354

CAUSE11 34306

**Submitted after final agenda**

**Date** 6/8/09 **Item** 30 P

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Planning & Development Department
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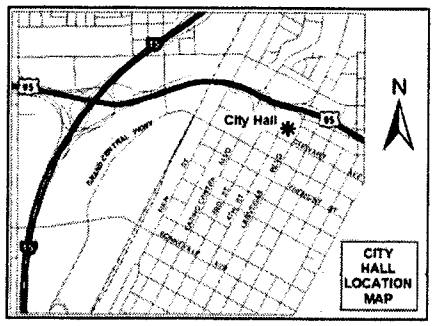


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Case: SDR-34306
16210114557
GHASEDI GHOLAM R & JANET M
66 MEADOWBROOK C C
BALLWIN MO 63011-1697

CAVOP11 63011

Submitted after final agenda

Date 6/8/09 Item 30 P

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Planning & Development Department
Development Services Center
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Las Vegas, Nevada 89101-2986

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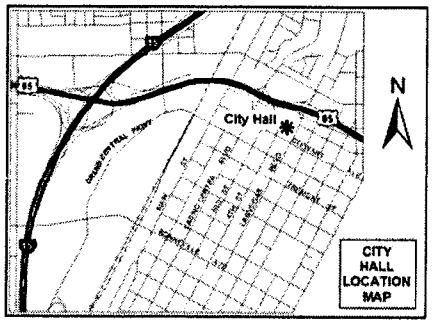


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**SDR-34306**

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Case: SDR-34306

16210114494
BENNETT & NANCY G LTD PTNRSHP
2310 PHILLIPS DR
GLENVIEW IL 60026-1175

CAVDF11 60026

**Submitted after final agenda**

Date 6/8/09 Item 30P

ASF REALTY & INVESTMENTS, INC.
200 W. Sahara Ave., #4001
Las Vegas, Nevada 89102
(702) 791-3432 BUSINESS
(702) 443-9644 FACSIMILE

**Residential, Commercial & Land Specialists**

**To:** City of Las Vegas Planning & Development Department

**From:** Andrew Fonfa, Gudrun Fonfa, Sahara Investments LLC & LV Land Ventures LLC

Tel/Fax: 702- 385-7268 Pages: inc. cover sheet

Phone: 702-791-3432 Fax 702-443-9644 Date: 6/15/09

**Re:** Public Hearings/For the record

Urgent For Review Please Reply ASAP

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JUN 15 2009

● Comments: **Andrew S. Fonfa & Gudrun Fonfa together & singularly, oppose SUP-34309, SUP-34310, VAR-34308, WVR-34311, & SDR-34306**

**Sahara Investments LLC, opposes SUP-34309, SUP-34310 & SDR-34306**

**LV Land Ventures LLC opposes SUP-34309, SUP-34310, RQR-34160, VAR-34308, WVR-34311 & SDR-34306**

15P

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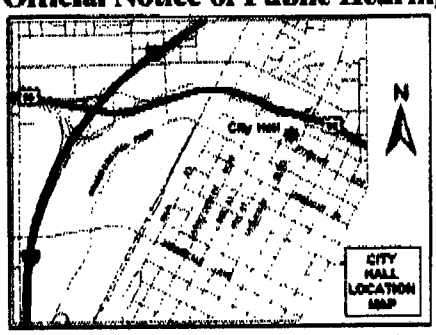


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[X] I SUPPORT this Request [ ] I OPPOSE this Request

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**SDR-34306**

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Case: SDR-34306
16210114067
MARKIEWICZ CHESTER LIVING TRUST
4750 N HARLEM AVE
HARWOOD HEIGHTS IL 60706-4607

Submitted after final agenda

Date 6/10/09 Item 30A

CAVDF11 60706

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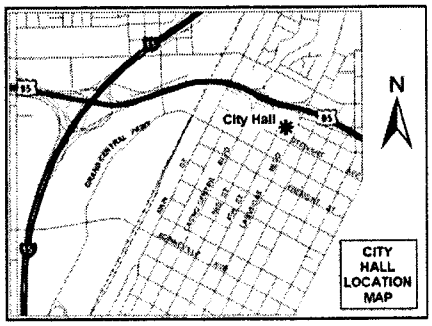


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Planning Commission Meeting of 6/11/2009

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Case: SDR-34306
16204815141
SIMON PAMELA & JEFFREY
771 VALLEY RD
GLENCOE IL 60022-1503

CA90511 60022

Submitted after final agenda

Date 6/8/09 Item 30A

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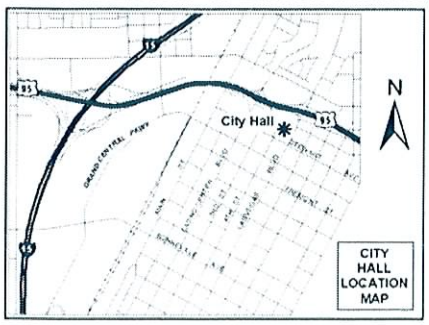


Do not Support only a Base for many problems in the area in the future

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**SDR-34306**
Planning Commission Meeting of 6/11/2009

Case: SDR-34306
16203413027
YANG HSI-CHIEH & BETTY TAYLOR
8184 DOLCE VOLPE
LAS VEGAS NV 89178-8259

CAVOS11 89178

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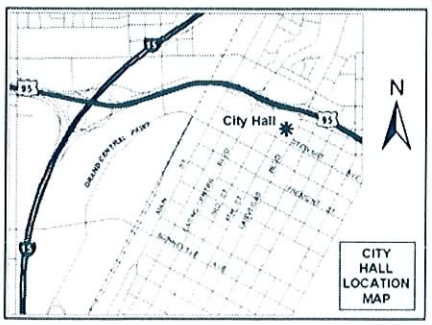


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Case: SDR-34306
16203413026
YANG HSI-CHIEH & BETTY TAYLOR
2400 & 2404 SANTA CLARA DR
LAS VEGAS NV 89104-0000

89104$2548 C073

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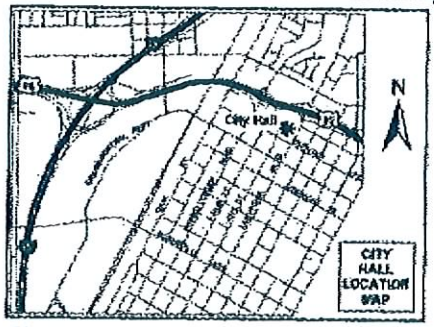


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[X] I SUPPORT this Request

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**SDR-34306**

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Case: SDR-34306

16203414030
CRITELLI ANTHONY D OR JEANNIE
200 W SAHARA AVE #1504
LAS VEGAS NV 89102-5058

CAVDF11 89102

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01/01/2007 01:34 7024439707

CAVDS11 84757

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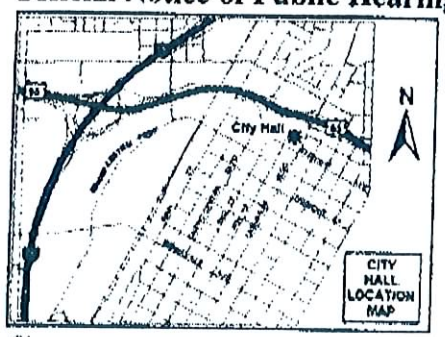


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16204815294 Case: SDR-34306
CARR WILLIAM & VICTORIA
721 E 200 S
P O BOX 500
NEW HARMONY UT 84757-0500

CAVDP11 84757

THE FORTUNE GROUP INC Fax : 1-435-586-7108 Sep 18 03:14

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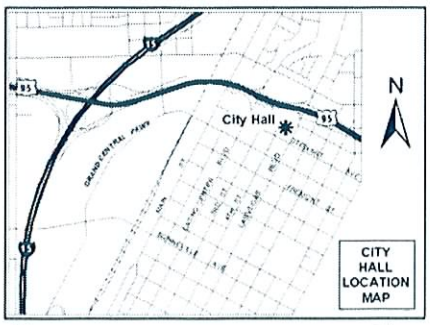


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Planning Commission Meeting of 6/11/2009

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Case: SDR-34306
16210110003
GREYSTONE PARK INC
%G BARBIERI
5 VENTANA CANYON DR
LAS VEGAS NV 89113-0138

CAVDS11 A9113

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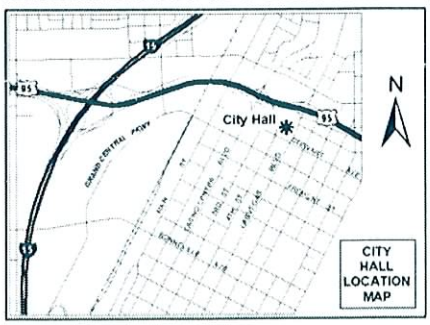


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**SDR-34306**
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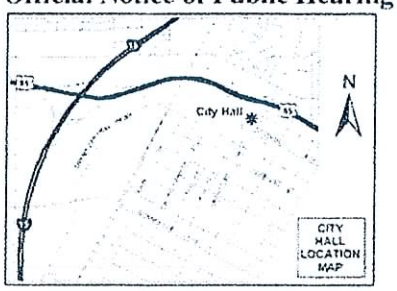
Case: SDR-34306
16204815231
TAN RAYMUNDO T REVOCABLE TRUST
200 W SAHARA AVE #2308
LAS VEGAS NV 89102-5079

CAVDP11 89102

30A

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

**Return Service Requested**
**Official Notice of Public Hearing**




If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SDR-34306**
Planning Commission Meeting of 6/11/2009

RECEIVED
JUN 01 2009

Case: SDR-34306
16210114276
INTERLIND MANAGEMENT SERV L L C
%J & A IMHOFF
933 NORTHWOOD BLVD #20
INCLINE VILLAGE NV 89451-8239

30A

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES

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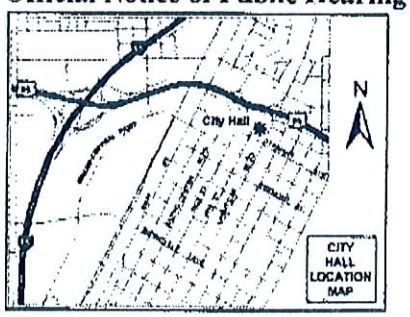
**Return Service Requested**
**Official Notice of Public Hearing**

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☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SDR-34306**
Planning Commission Meeting of 6/11/2009

RECEIVED
JUN 01 2009

Case: SDR-34306

16204813019
RITTER SHARON D
2004 PLAZA DE SANTA FE
LAS VEGAS NV 89102-0000

CAVCP11 89102

30-A

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

## *AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT*
### PLANNING COMMISSION MEETING OF: JULY 9, 2009

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

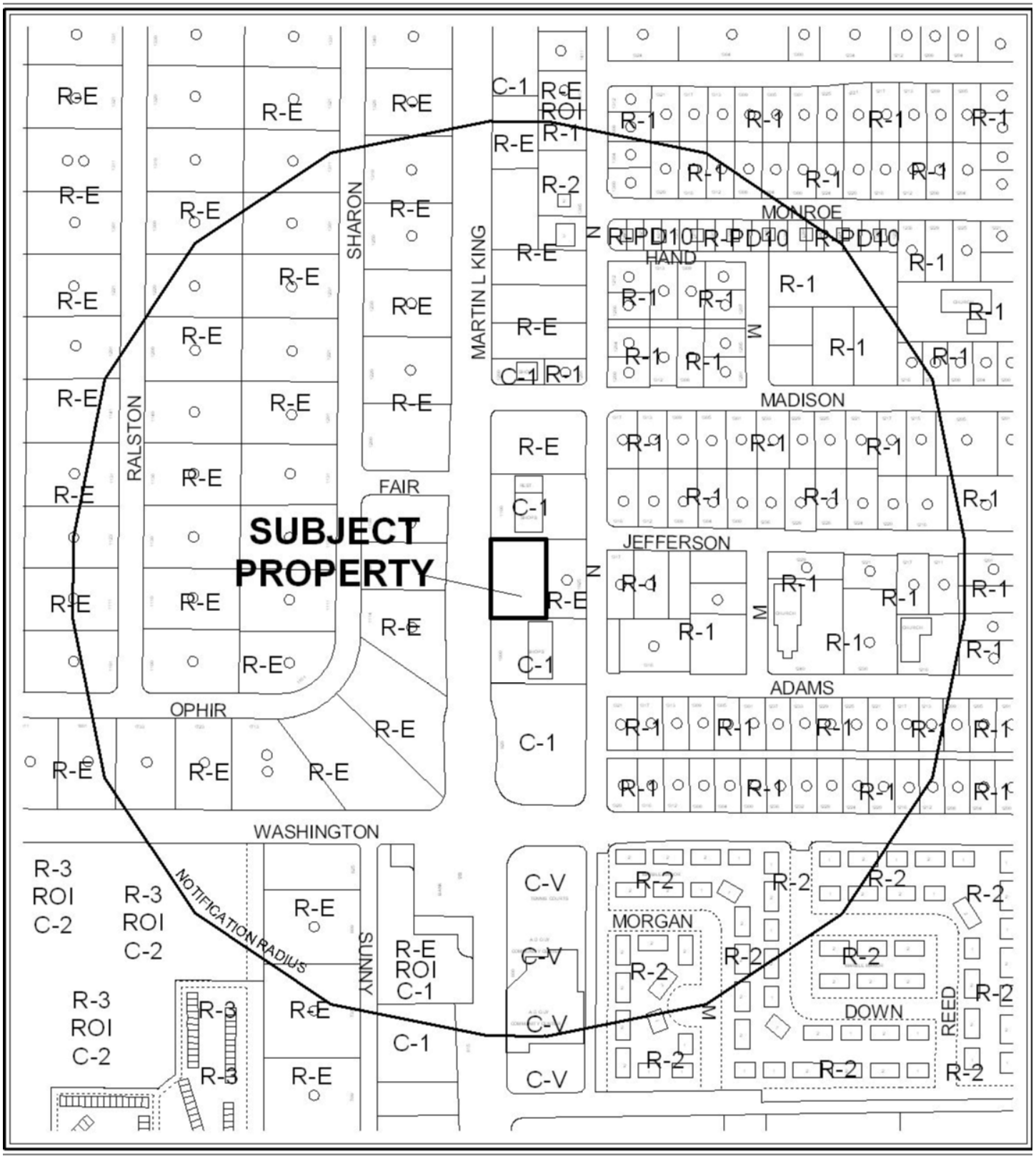
**SUBJECT:**
**ABEYANCE - ZON-33765 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: BASHIR AFZALI** - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-1 (LIMITED COMMERCIAL) on 0.58 acres on the east side of Martin L. King Boulevard, approximately 500 feet north of Washington Avenue (APN 139-28-604-004), Ward 5 (Barlow)

**C.C.: 08/05/2009**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **4** | **Planning Commission Mtg.** | **3** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
**APPROVAL**

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards




**CASE:** **ZON-33765**

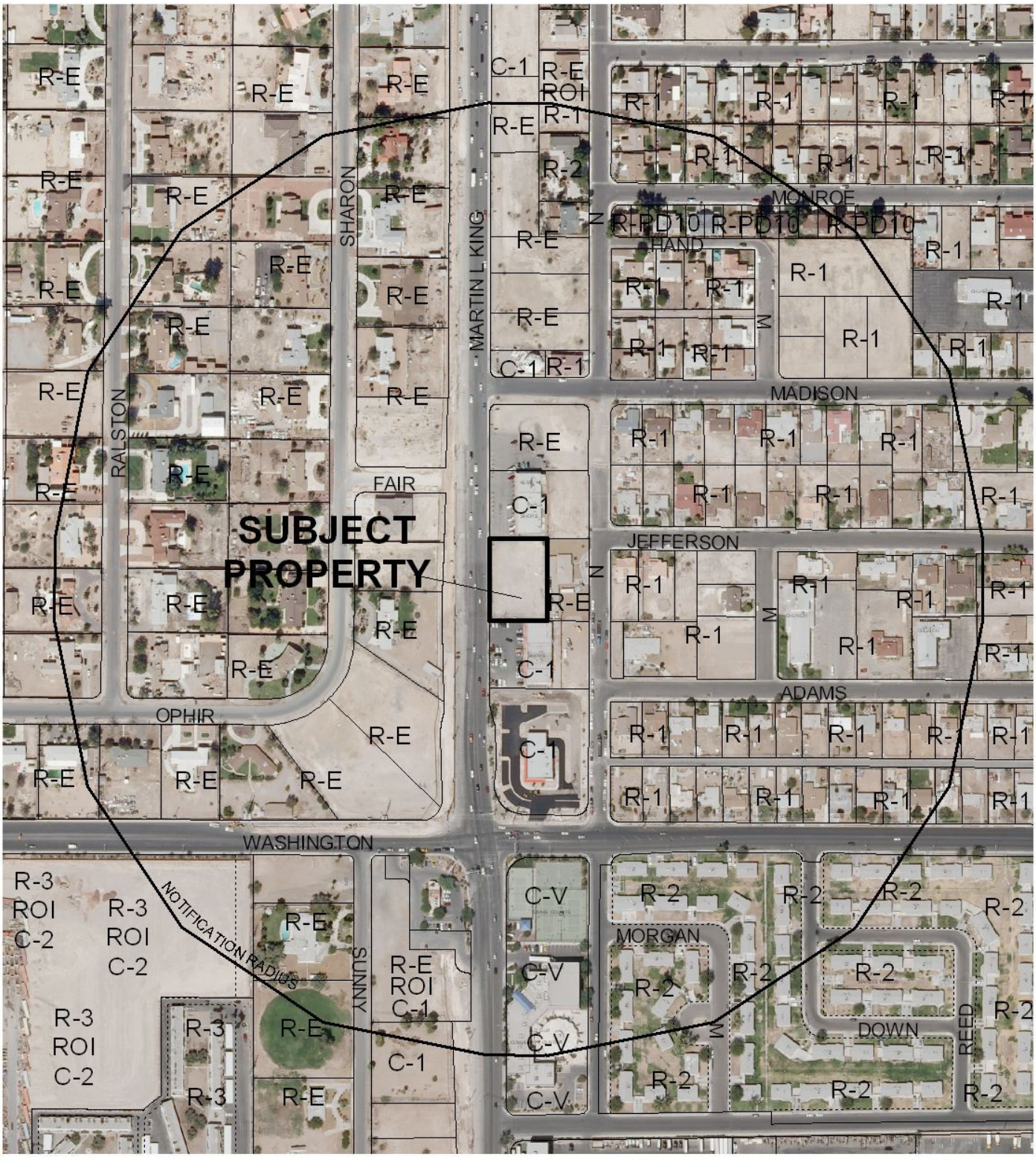
**RADIUS:** 1000 FT

0 500 Feet

**ZONING OF SUBJECT PROPERTY:** R-E (RESIDENCE ESTATES)

**PROPOSED ZONING OF SUBJECT PROPERTY:** C-1 (LIMITED COMMERCIAL)

N




**CASE:** **ZON-33765**

**RADIUS:** 1000 FT

0 500 Feet

**ZONING OF SUBJECT PROPERTY:** R-E (RESIDENCE ESTATES)

**PROPOSED ZONING OF SUBJECT PROPERTY:** C-1 (LIMITED COMMERCIAL)

N

City of Las Vegas

## *AGENDA MEMO*

**PLANNING COMMISSION MEETING DATE: JULY 9, 2009**
**DEPARTMENT: PLANNING AND DEVELOPMENT**
**ITEM DESCRIPTION: ABEYANCE - ZON-33765 - APPLICANT/OWNER: BASHIR AFZALI**

---

## ** CONDITIONS **

**STAFF RECOMMENDATION: APPROVAL.**

SG

**ZON-33765 - Staff Report Page One**
**July 9, 2009 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request for Rezoning from R-E (Residence Estates) to C-1 (Limited Commercial) on 0.58 acres on the east side of Martin L. King Boulevard, approximately 500 feet north of Washington Avenue. Staff is recommending approval of the Rezoning request as the subject site is located along a 100-foot Primary Arterial within an area that has a C (Commercial) General Plan land use designation, and is already in the process of transition from residential to commercial uses. The proposed C-1 (Limited Commercial) zoning district is consistent with the existing land use designation, and will provide a buffer between a busy arterial street and existing residential neighborhoods to the east.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 12/01/04 | The City Council approved a request for Rezoning (ZON-5222) from R-E (Residence Estates) to C-1 (Limited Commercial) on 0.58 acres located between 1000-1100 Martin L. King Boulevard. The Planning Commission recommended approval. The Resolution of Intent expired on 12/01/06. |
| 12/01/04 | The City Council denied requests for a Site Development Plan Review (SDR-5223) with a Waiver of perimeter buffering and landscaping standards and a Special Use Permit (SUP-5225) for a proposed Smog Check and Car Wash, Self Service on 0.58 acres located between 1000-1100 Martin L. King Boulevard. The Planning Commission recommended approval. |
| 04/23/09<br>05/14/09 | The Planning Commission, at the request of the applicant, abeyed requests for a Rezoning (ZON-33765) from R-E (Residence Estates) to C-1 (Limited Commercial); a Variance (VAR-33768) to allow a 20-foot rear yard setback where Residential Adjacency standards require 35 feet; a Variance (VAR-33771) to allow 32 parking spaces and zero loading spaces where 36 parking spaces and one loading space are required; and a Site Development Plan Review (SDR-33767) for a proposed 6,232 square-foot commercial building with Waivers of the perimeter landscape buffer standards to allow buffers of 10 feet where 15 feet is required along the west perimeter and five feet where eight feet is required along the north and south perimeters and a Waiver of the building placement and orientation standards on 0.58 acres on the east side of Martin L. King Boulevard, approximately 500 feet north of Washington Avenue. Due to material changes in the project, these items were renotified as Rezoning (ZON-33765), Variance (VAR-34538), Variance (VAR-34539), and Site Development Plan Review (SDR-34540), respectively, for the 06/11/09 Planning Commission meeting. |

| | |
|---|---|
| 06/11/09 | The Planning Commission, at the request of the applicant, abeyed requests for Rezoning (ZON-33765) from R-E (Residence Estates) to C-1 (Limited Commercial); Variance (VAR-34538) to allow a 15-foot front yard setback where 20 feet is required, a 73-foot setback where residential adjacency requires 84 feet, and to allow a trash enclosure to be located 10 feet from a residentially zoned property where residential adjacency requires 50 feet; Variance (VAR-34539) to allow 34 parking spaces where 42 parking spaces are required; and Site Development Plan Review (SDR-34540) for a proposed two-story, 7,180 square-foot commercial building with Waivers of the Perimeter Landscape Buffer Standards to allow buffer of five feet where eight feet is required along the north and south perimeters and seven feet where eight feet is required along the east perimeter on 0.58 acres on the east side of Martin L. King Boulevard, approximately 500 feet north of Washington Avenue. |
| 06/25/09 | The Planning Commission, at the request of the applicant, abeyed requests for Rezoning (ZON-33765) from R-E (Residence Estates) to C-1 (Limited Commercial); Variance (VAR-34539) to allow 34 parking spaces where 42 parking spaces are required; and Site Development Plan Review (SDR-34540) for a proposed two-story, 7,180 square-foot commercial building with Waivers of the Perimeter Landscape Buffer Standards to allow buffer of five feet where eight feet is required along the north and south perimeters and seven feet where eight feet is required along the east perimeter on 0.58 acres on the east side of Martin L. King Boulevard, approximately 500 feet north of Washington Avenue. The applicant requested that Variance (VAR-34538) to allow a 15-foot front yard setback where 20 feet is required, a 73-foot setback where residential adjacency requires 84 feet, and to allow a trash enclosure to be located 10 feet from a residentially zoned property where residential adjacency requires 50 feet be withdrawn without prejudice. |

| ***Related Building Permits/Business Licenses*** |
|---|
| There are no related building permits or business licenses associated with the subject site. |

| ***Pre-Application Meeting*** | |
|---|---|
| 12/16/08 | A pre-application meeting was held to discuss the submittal requirements for a Rezoning and Site Development Plan Review and Variances:<br>• Required setbacks, Residential Adjacency issues and parking requirements.<br>• Perimeter landscape buffer Waivers required.<br>• Parking lot landscaping Exceptions required.<br>• Preference for a single driveway, with required throat depth. |

| ***Neighborhood Meeting*** |
|---|
| A neighborhood meeting was neither required nor held for this request. |

| *Field Check* | |
|---|---|
| 03/19/09 | A field check was conducted by staff. The subject site is an undeveloped parcel. There is an unpermitted chain link fence along the front of the lot, as well as some debris. |

| *Details of Application Request* | |
|---|---|
| ***Site Area*** | |
| Gross Acres | 0.58 Acres |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|---|---|---|---|
| Subject Property | Undeveloped | C (Commercial) | R-E (Residence Estates) [Proposed: C-1 Limited Commercial)] |
| North | Shopping Center | C (Commercial) | C-1 (Limited Commercial) |
| South | Retail Shops | C (Commercial) | C-1 (Limited Commercial) |
| East | Single-Family Residence | C (Commercial) | R-E (Residence Estates) |
| West | Single-Family Residences | R (Rural Density Residential) | R-E (Residence Estates) |

| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
|---|---|---|---|
| **Special Area Plan** | | | |
| West Las Vegas Plan | X | | Y |
| ***Special Districts/Zones*** | ***Yes*** | ***No*** | ***Compliance*** |
| **Special Purpose and Overlay Districts** | | | |
| A-O Airport Overlay District (140 Feet) | X | | Y |
| **Trails** | | X | N/A |
| **Rural Preservation Overlay District** | X | | Y |
| **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 | 25,164 SF | Y |
| Min. Lot Width | 100 Feet | 190 Feet | Y |

## ANALYSIS

This is a request for Rezoning from R-E (Residence Estates) to C-1 (Limited Commercial) on 0.58 acres on the east side of Martin L. King Boulevard, approximately 500 feet north of Washington Avenue. A previous Rezoning (ZON-5222) to C-1 (Limited Commercial) was approved on 12/01/04, but the Resolution of Intent was allowed to expire after two years. The subject site is within a Rural Preservation Overlay District buffer area. The east side of Martin L. King Boulevard has a General Plan designation of C (Commercial), and falls within the Las Vegas Redevelopment Plan area. In addition, Martin L. King Boulevard is in the process of being widened to 100 feet, which meets the Title 19.06.150(B)(2) exception to maintaining the rural character of the area. These growth and development factors provide cause for this request for a greater intensity of use to be considered for approval pursuant to Title 19.06.150(C). Staff is recommending approval of this request as the subject site is located along a 100-foot Primary Arterial within an area that has a C (Commercial) General Plan land use designation, and is already in the process of transition from residential to commercial use. The proposed C-1 (Limited Commercial) zoning district is consistent with the existing land use designation, and will provide a buffer between a busy arterial street and existing residential neighborhoods to the east.

## FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. **"The proposal conforms to the General Plan."**

   The proposed C-1 (Limited Commercial) zoning district is consistent with the C (Commercial) General Plan land use designation.

2. **"The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts."**

   The uses allowed by the C-1 (Limited Commercial) zoning district are compatible with the surrounding land uses and zoning districts, and will provide a buffer between a busy arterial street and existing residential neighborhoods to the east.

3. **"Growth and development factors in the community indicate the need for or appropriateness of the rezoning."**

   The area along Martin L. King Boulevard where the subject site is located is in the process of transition from residential uses to more intense commercial uses; therefore, the request for Rezoning is appropriate.

**4. "Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district."**

The site is accessed by a single driveway to Martin L. King Boulevard, which is designated as a 100-foot Primary Arterial by the Master Plan of Streets and Highways, and will have no direct access to the adjacent residential neighborhoods. It is adequate in size to meet the requirements of the C-1 (Limited Commercial) zoning district.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 21

**ASSEMBLY DISTRICT** 6

**SENATE DISTRICT** 4

**NOTICES MAILED** 161

**APPROVALS** 3

**PROTESTS** 4

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-33765** APN: 139-28-604-004

Name of Property Owner: Bashir Afzali

Name of Applicant: Bashir Afzali

Name of Representative: Empire Land & Development

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes ☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: [signature]

Print Name: Bashir Afzali

Subscribed and sworn before me

This 25 day of March, 2009

Laurie A. Rodriguez

Notary Public in and for said County and State

LAURIE A. RODRIGUEZ
Notary Public State of Nevada
No. 00-63814-1
My appt. exp. Oct. 23, 2012

Revised 11-14-06

f:\depot\Application Packet\Statement of Financial Interest.pdf

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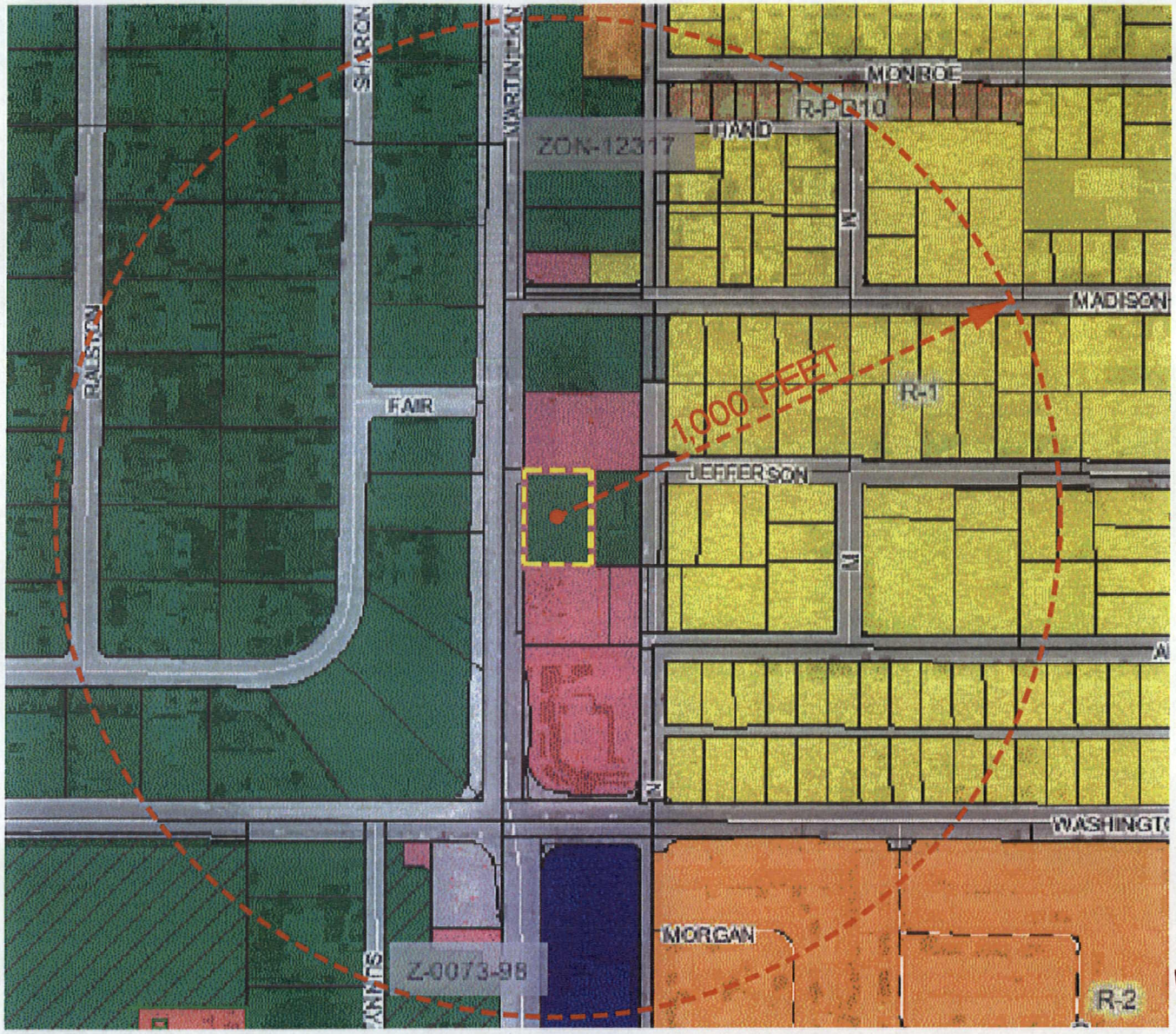
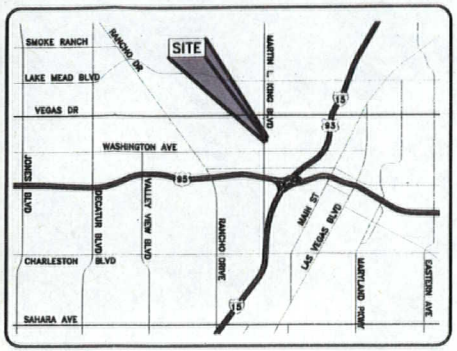
MAR 25 2009




VICINITY MAP

N

SCALE:
1" = 200'

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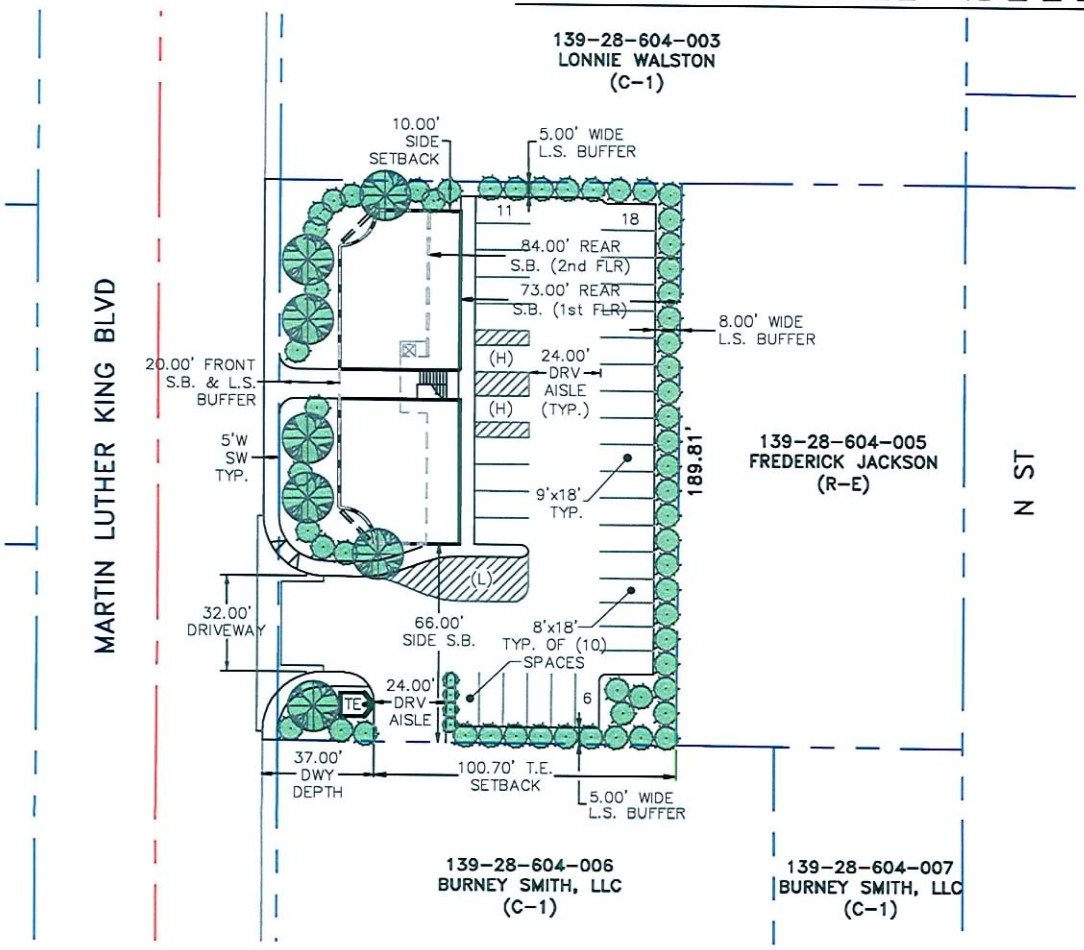
# MLK PLAZA LOCATION MAP

ZON-33765
04/23/09 PC

EMPIRE LAND & DEVELOPMENT

# MLK PLAZA SITE PLAN

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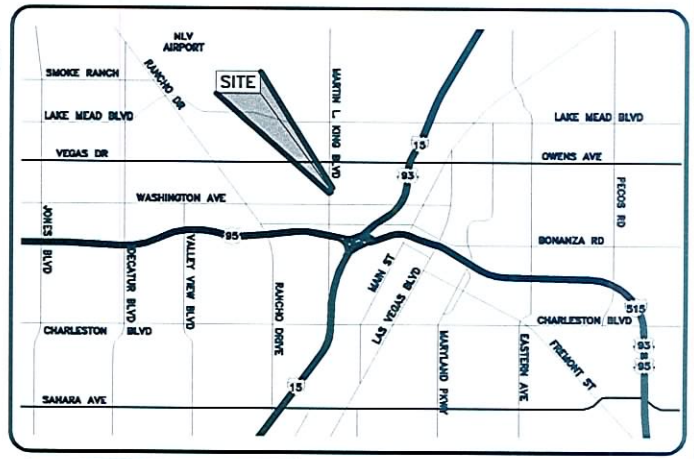


## VICINITY MAP

## PROJECT INFORMATION

| | |
|---|---|
| PROP. BUILDING: | 6,650 GROSS SQ. FT. |
| BUILDING HEIGHT: | 1st STORY: 15 FEET (TOP OF PARAPET) |
| | 2nd STORY: 26 FEET (TOP OF PARAPET) |
| APN: | 139-28-604-004 |
| ACREAGE: | 0.58 |
| JURISDICTION: | CITY OF LAS VEGAS, NV |
| EXIST. ZONING: | R-E (RESIDENTIAL ESTATES) |
| PROP. ZONING: | C-1 (LIMITED COMMERCIAL) |
| CURRENT LAND USE DESIGNATION: | COMMERCIAL |
| PROPROSED ZONING: | CONFORMING |
| PROPOSED USES: | THOSE USES ALLOWED WITHIN THE C-1 ZONING CLASSIFICATION. |
| OWNER: | BASHIR AFZALI |

## PARKING ANALYSIS

| | |
|---|---|
| PARKING REQ: 1/175 SF | 38 SPACES<br>1 LOADING |
| PARKING PROV: 1/190 SF | 35 SPACES<br>1 LOADING |
| INCLUDING: | 2 H.C. SPACES |

## SETBACKS

FRONT: 20.00'
REAR: 73.00' TO 1st FLR; 84.00' TO 2nd FLR
SIDES: 10.00'; 66.00'
TRASH ENCLOSURE: 100.70'

## LANDSCAPING

PLANT AND TREE PALLETTES SHALL CONFORM TO ALL CITY REQURUIMENTS.

| | |
|---|---|
| | 24" BOX TREES PLANTED IN ACCORDANCE TO CITY OF LAS VEGAS DEV. STDS. (QTY., PLACEMENT & INSTALLATION) |
| | 5-GAL SHRUBS & LANDSCAPING PLANTED IN ACCORDANCE TO CITY OF LAS VEGAS DEV. STDS. (QTY., PLACEMENT & INSTALLATION) |

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JUN 18 2009

## LEGAL DESCRIPTION

THE SOUTH 163.64 FEET OF THE NORTH 188.64 FEET OF THE EAST 133.10 FEET OF THE WEST 173.10 FEET OF THE NORTHWEST QUARTER (NW ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF THE NORTHEAST QUARTER (NE ¼) OF SECTION 28, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.B. & M.,

TOGETHER WITH THAT VACATED PORTION OF JEFFERSON STREET LYING NORTH OF AND ADJACENT TO THE NORTH LINE OF SAID LAND.

THIS PRELIMINARY SITE PLAN IS CONCEPTUAL AND IS INTENDED TO DEPICT THE OWNER'S DESIRED DEVELOPMENT. FINAL SITE PLANS SHALL BE PREPARED IN CONJUCTION WITH ARCHITECTURE AND CIVIL ENGINEERING AND MAY DEVIATE SLIGHTLY FROM WHAT IS DEPICTED HERE.

ZON-33765 VAR-34539
SDR-34540 07/09/09 PC
REVISED


DON M. RODRIGUEZ
EMPIRE LAND & DEVELOPMENT, LLC
1115 MARIPOSA WAY
BOULDER CITY, NV 89005
(702) 540-1867
(702) 442-1180 fax
DRODRIGUEZ@EMPIRE-LD.COM

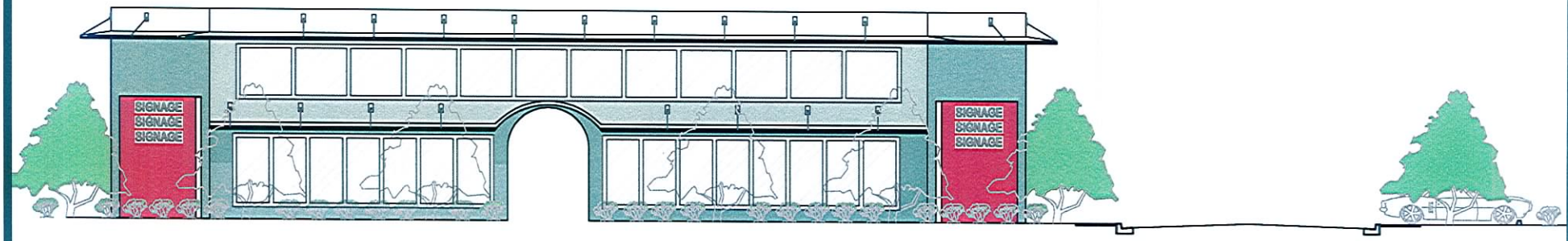

DATE: 6/18/09
PURPOSE: ZONE CHANGE APPLICATION
SCALE: 1:20

MLK PLAZA
PRELIMINARY SITE PLAN

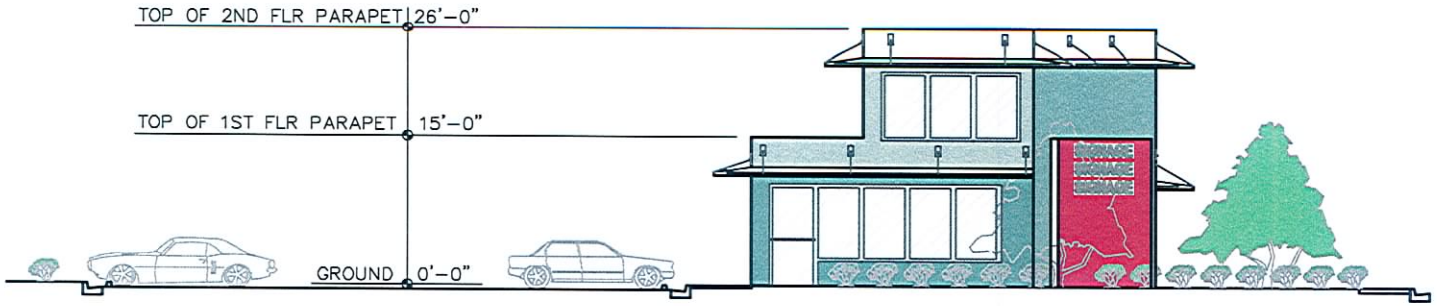
EMPIRE LAND & DEVELOPMENT

SP.1

# MLK PLAZA CONCEPTUAL ELEVATIONS




1 WEST (FRONT) ELEVATION
NOT TO SCALE




2 NORTH ELEVATION
NOT TO SCALE

RECEIVED
JUN 18 2009

FLOOR PLANS, ELEVATIONS, SUITE SIZES AND STORE FRONTS ARE CONCEPTUAL AND ARE INTENDED TO DEPICT THE OWNER'S DESIRED DEVELOPMENT. FINAL PLANS SHALL BE PREPARED IN CONJUCTION WITH ARCHITECTURE AND CIVIL ENGINEERING AND MAY DEVIATE SLIGHTLY FROM WHAT IS DEPICTED HERE.

ZON-33765 VAR-34539
SDR-34540 07/09/09 PC
REVISED

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BOULDER CITY, NV 89005
(702) 540-1887
(702) 442-1180 fax
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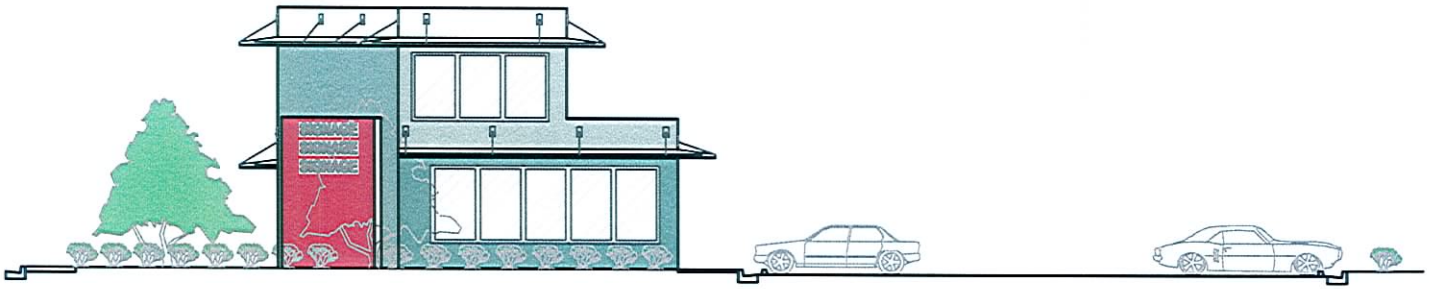
MLK PLAZA CONCEPTUAL
WEST & NORTH ELEVATIONS

EMPIRE LAND & DEVELOPMENT

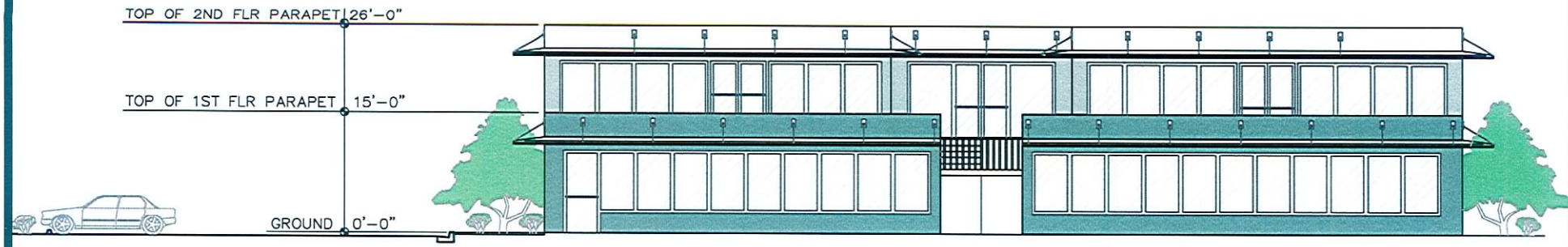
A.2

# MLK PLAZA CONCEPTUAL ELEVATIONS



3 **SOUTH ELEVATION**

NOT TO SCALE




4 **EAST ELEVATION**

NOT TO SCALE

FLOOR PLANS, ELEVATIONS, SUITE SIZES AND STORE FRONTS ARE CONCEPTUAL AND ARE INTENDED TO DEPICT THE OWNER'S DESIRED DEVELOPMENT. FINAL PLANS SHALL BE PREPARED IN CONJUCTION WITH ARCHITECTURE AND CIVIL ENGINEERING AND MAY DEVIATE SLIGHTLY FROM WHAT IS DEPICTED HERE.

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JUN 18 2009

**ZON-33765 VAR-34539**
**SDR-34540 07/09/09 PC**
**REVISED**

DON M. RODRIGUEZ
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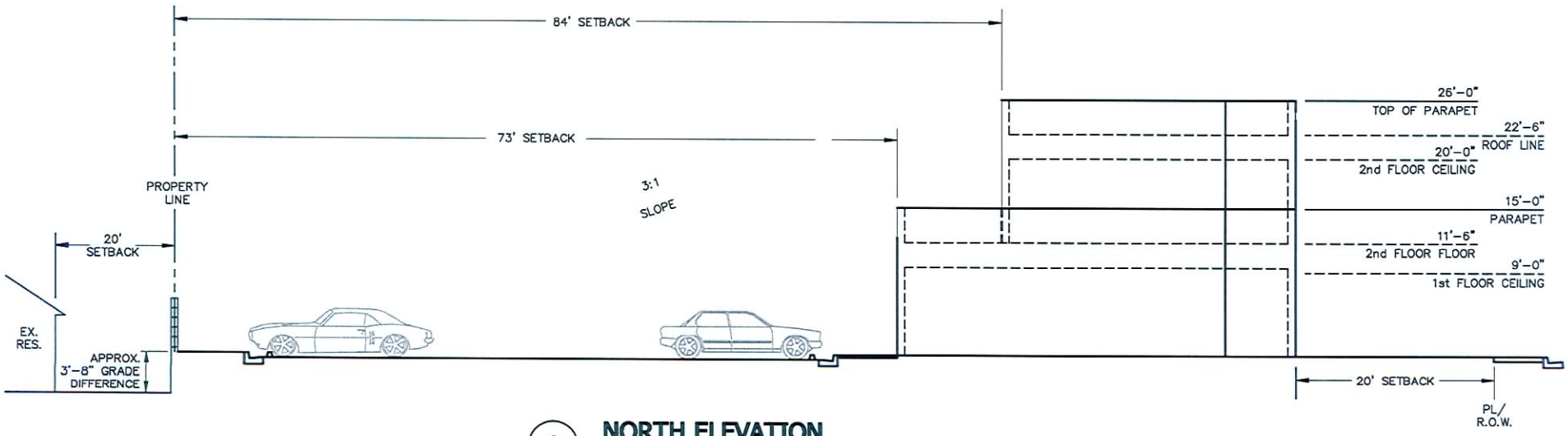
(702) 540-1687
(702) 448-1190 fax
DRODRIGUEZ@EMPIRE-LD.COM

MLK PLAZA CONCEPTUAL
SOUTH & EAST ELEVATIONS

EMPIRE LAND & DEVELOPMENT

A.3

# MLK PLAZA PROXIMITY SLOPE ANALYSIS




1 NORTH ELEVATION

SCALE: 1:5

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FLOOR PLANS, ELEVATIONS, SUITE SIZES AND STORE FRONTS ARE CONCEPTUAL AND ARE INTENDED TO DEPICT THE OWNER'S DESIRED DEVELOPMENT. FINAL PLANS SHALL BE PREPARED IN CONJUCTION WITH ARCHITECTURE AND CIVIL ENGINEERING AND MAY DEVIATE SLIGHTLY FROM WHAT IS DEPICTED HERE.

ZON-33765 VAR-34539
SDR-34540 07/09/09 PC
REVISED


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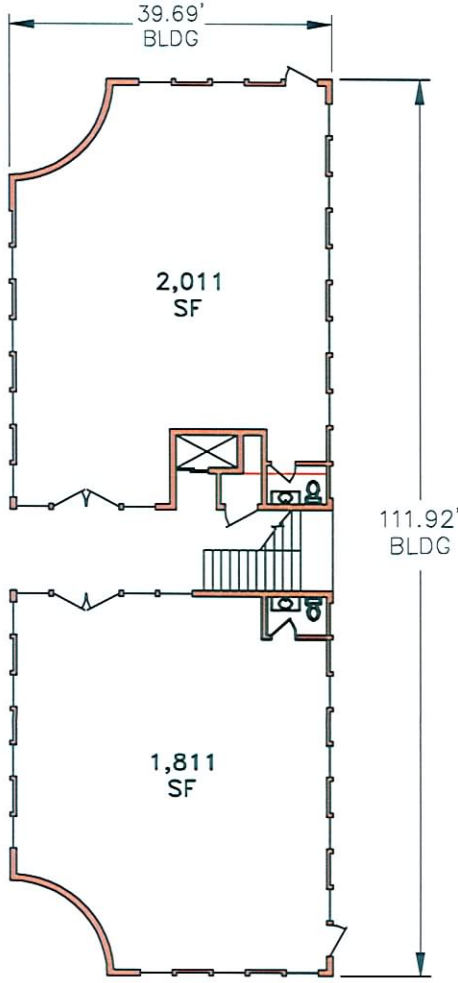
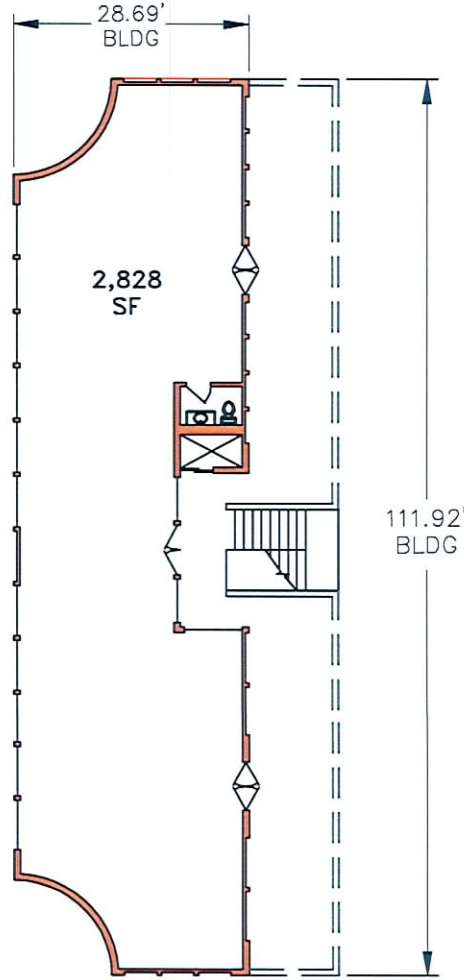
MLK PLAZA CONCEPT PLAN
PROXIMITY SLOPE ANALYSIS

EMPIRE LAND & DEVELOPMENT

# MLK PLAZA CONCEPTUAL FLOOR PLAN




FIRST FLOOR




SECOND FLOOR

FLOOR PLANS, ELEVATIONS, SUITE SIZES AND STORE FRONTS ARE CONCEPTUAL AND ARE INTENDED TO DEPICT THE OWNER'S DESIRED DEVELOPMENT. FINAL PLANS SHALL BE PREPARED IN CONJUCTION WITH ARCHITECTURE AND CIVIL ENGINEERING AND MAY DEVIATE SLIGHTLY FROM WHAT IS DEPICTED HERE.

RECEIVED

JUN 18 2009

ZON-33765 VAR-34539
SDR-34540 07/09/09 PC
REVISED


DON M. RODRIGUEZ
EMPIRE LAND & DEVELOPMENT, LLC
1115 MARIPOSA WAY
BOULDER CITY, NV 89005
(702) 540-1867
(702) 442-1180 fax
DRODRIGUEZ@EMPIRE-LD.COM


MLK PLAZA CONCEPTUAL FLOOR PLAN

EMPIRE LAND & DEVELOPMENT

A.1



ZON-33765 - APPLICANT/OWNER: BASHIR AFZALI
EAST SIDE OF MARTIN L. KING BOULEVARD, APPROXIMATELY 500 FEET NORTH OF WASHINGTON AVENUE
JULY 9, 2009 PLANNING COMMISSION

03/19/09

EMPIRE LAND & DEVELOPMENT

# JUSTIFICATION LETTER
June 12, 2009

## PROPOSED R-E TO C-1 ZONE CHANGE
APN: 139-28-604-004
ZON-33765

**City of Las Vegas Planning & Development Department**
**RE: Zone Change ZON-33765, VAR-34538 (previously VAR-33768), VAR-34539 (previously VAR-33771) and SDR-34540 (previously SDR-33767) : R-E Residential Estates to C-1 Limited Commercial: 139-28-604-004**

On behalf of the Applicant, Empire Land & Development, LLC thanks you for your assistance with the proposed zone change of APN: 139-28-604-004 ("Property"). Following the City of Las Vegas Planning and Zoning Commission Meeting on June 11th, 2009, the applicant made the following revisions:

- Where the previous building square footage was 7,180 square feet, it has been reduced to 6,650 square feet.
- As a result in the reduction of square footage, where the previous parking spaces required was 42 spaces and 1 loading space, the requirement has been reduced to 38 spaces plus 1 loading space.
- Where the total parking spaces provided was 34 spaces plus 1 loading space, it has been increased to 35 spaces plus 1 loading space.
- Where the previous 1st floor height was 16 feet, it has been reduced to 15 feet.
- Where the previous 2nd floor height was 28 feet, it has been reduced to 26 feet.
- Where the previous front setback was 15 feet, it has been increased to 20 feet.
- Where the trash enclosure was previously located at the northwest corner of the parking lot, it is now located at the southwest corner of the parking lot to allow for easier access. The setback remains in excess of 100 feet from the adjacent residential property line.

The Applicant respectfully requests that the City of Las Vegas Planning and Development Department consider these revisions and applications associated with the zone change of the Property and support its approval. We look forward to working with the Planning and Development Department and the Redevelopment Authority.

Sincerely,

Don Rodriguez
President
Empire Land & Development, LLC

1115 Mariposa Way
Boulder City, NV 89005
(702) 540-1867
(702) 442-1880 fax
drodriguez@empire-LD.com

RECEIVED
JUN 18 2009

ZON-33765 VAR-34539
SDR-34540 07/09/09 PC
REVISED

EMPIRE LAND & DEVELOPMENT

# REQUEST FOR ABEYANCE LETTER

June 16, 2009

PROPOSED
R-E TO C-1 ZONE CHANGE
APN: 139-28-604-004
ZON-33765

**City of Las Vegas Planning & Development Department**
**RE: Zone Change ZON-33765: R-E Residential Estates to C-1 Limited Commercial: 139-28-604-004 AND associated applications.**

On behalf of the Applicant, Empire Land & Development, LLC respectfully asks that the following applications:

ZON-33765

SDR-34540 (previously SDR-33767)

VAR-34538 (previously VAR-33768),

VAR-34539 (previously VAR-33771)

Be held in abeyance until the July 9th, 2009 Planning Commission Meeting. Should you have any questions please feel free to contact me directly at (702) 540-1867.

Sincerely,

Don Rodriguez
President
Empire Land & Development, LLC

RECEIVED

JUN 18 2009

1115 Mariposa Way
Boulder City, NV 89005
(702) 540-1867
(702) 442-1880 fax
drodriguez@empire-LD.com

ZON-33765 VAR-34539
SDR-34540 07/09/09 PC
REVISED

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

**Return Service Requested**

**Official Notice of Public Hearing**




I oppose the request for a Variance to allow a 20' rear yard set back where residential adjacency standards require 25'. My residential property is directly behind this re-zoning property

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**ZON-33765 & VAR-33768**

Planning Commission Meeting of 4/23/2009

Case: ZON-33765

13928604005
JACKSON FREDERICK
8954 UNION GAP RD
LAS VEGAS NV 89123-3019

RECEIVED
APR 22 2009

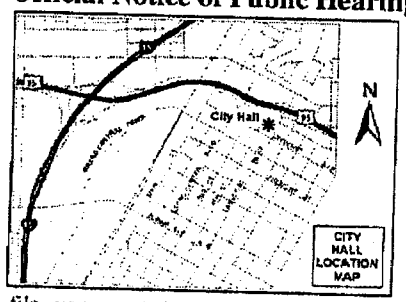
Submitted after final agenda

Date 4-22-09 Item 22

22P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

**Return Service Requested**
**Official Notice of Public Hearing**

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**ZON-33765 & VAR-34538**

Planning Commission Meeting of 6/11/2009

RECEIVED
JUN 10 2009

13928604005 Case: ZON-33765
JACKSON FREDERICK
8954 UNION GAP RD
LAS VEGAS NV 89123-3019

CAUDSII 89123

Submitted after final agenda

Date 6/10/09 Item 9 p

PAGE 01
BURNS INC
04/17/2009 10:52 702-648-6335

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

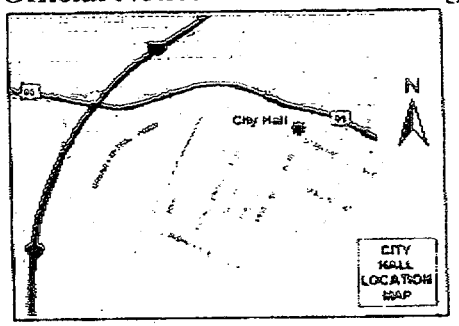
UNITED STATES POSTAGE

$ 00.39⁴

MAILED FROM ZIPCODE

**Return Service Requested**

**Official Notice of Public Hearing**

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**ZON-33765 & VAR-33768**

Planning Commission Meeting of 4/23/2009

Case: ZON-33765

13928210018
DEASE BOBBIE J
%J BURNS
1217 W MADISON
LAS VEGAS NV 89106-2823

RECEIVED
APR 17 2009

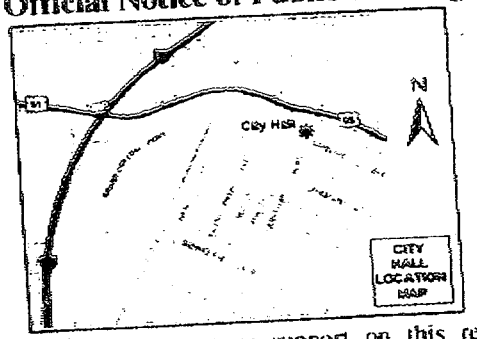
22p

04/17/2009 10:52 702-648-6335 BURNS INC PAGE 05

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

**Return Service Requested**

**Official Notice of Public Hearing**

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**ZON-33765 & VAR-33768**

Planning Commission Meeting of 4/23/2009

RECEIVED
APR 17 2009

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PRESORTED FIRST CLASS

UNITED STATES POSTAGE

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0004238954 APR 10 2009
MAILED FROM ZIPCODE 89101

Case: ZON-33765

13928605005
BURNS JAMES E & ABERY
1217 W MADISON AVE
LAS VEGAS NV 89106-2823

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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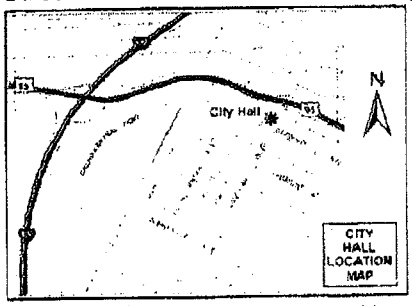
MAILED FROM ZIP CODE 89101

**Return Service Requested**

**Official Notice of Public Hearing**

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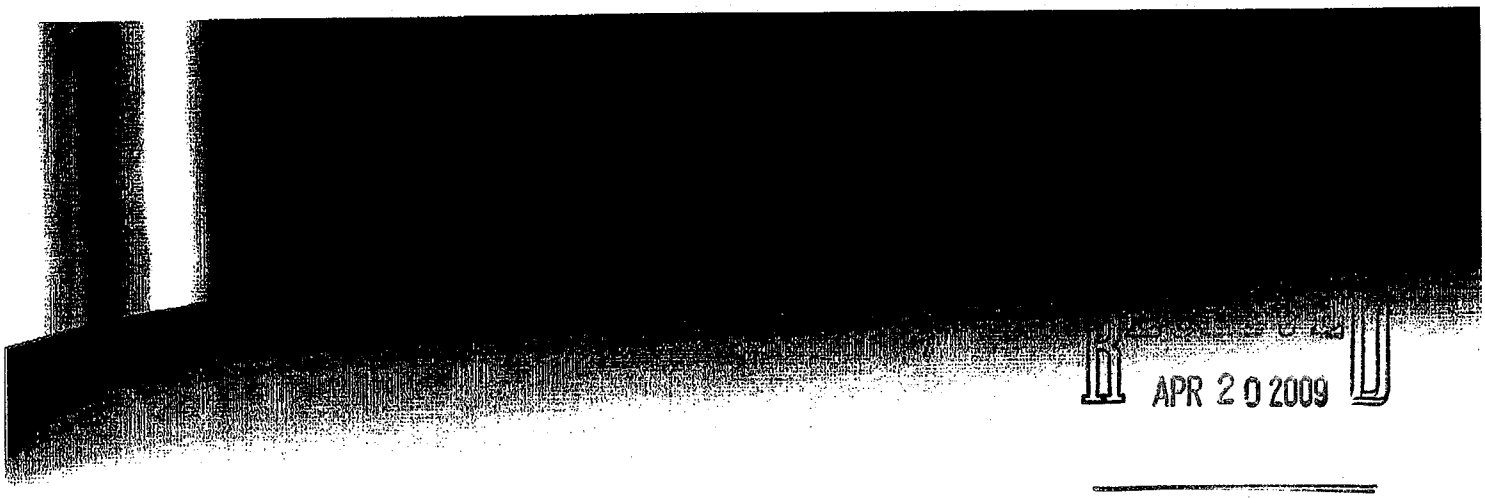
☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**ZON-33765 & VAR-33768**

Planning Commission Meeting of 4/23/2009

Case: ZON-33765
13928601003
C & C ASSET MANAGEMENT L L C
1000 N GREEN VALLEY PKWY
#440-355
HENDERSON NV 89074-6170

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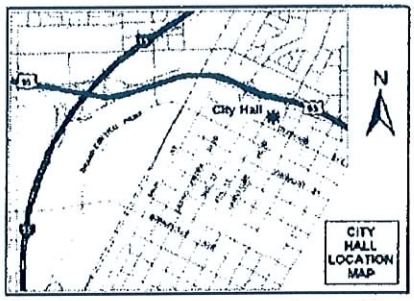
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 MAY 29 2009
MAILED FROM ZIP CODE 89101

**Return Service Requested**
**Official Notice of Public Hearing**

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**ZON-33765 & VAR-34538**
Planning Commission Meeting of 6/11/2009

RECEIVED
JUN 02 2009

Case: ZON-33765
13928601003
C & C ASSET MANAGEMENT L L C
1000 N GREEN VALLEY PKWY
#440-355
HENDERSON NV 89074-6170

9A

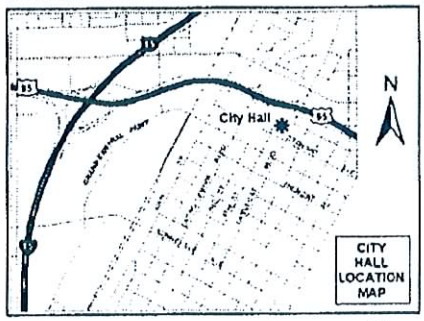
Jun 02 09 03:37p A DOLLAR BAIL BONDS (702)385-5634 p.2

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 MAY 29 2009
MAILED FROM ZIP CODE 89101

**Return Service Requested**
**Official Notice of Public Hearing**

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**ZON-33765 & VAR-34538**
Planning Commission Meeting of 6/11/2009

RECEIVED
JUN 02 2009

Case: ZON-33765
13928501009
STOWERS STEVIE D & TERRY D
8530 GLADE MINNOW AVE
LAS VEGAS NV 89113-1740

CAVDE11 89113

9A

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

## *AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT*
### PLANNING COMMISSION MEETING OF: JULY 9, 2009

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

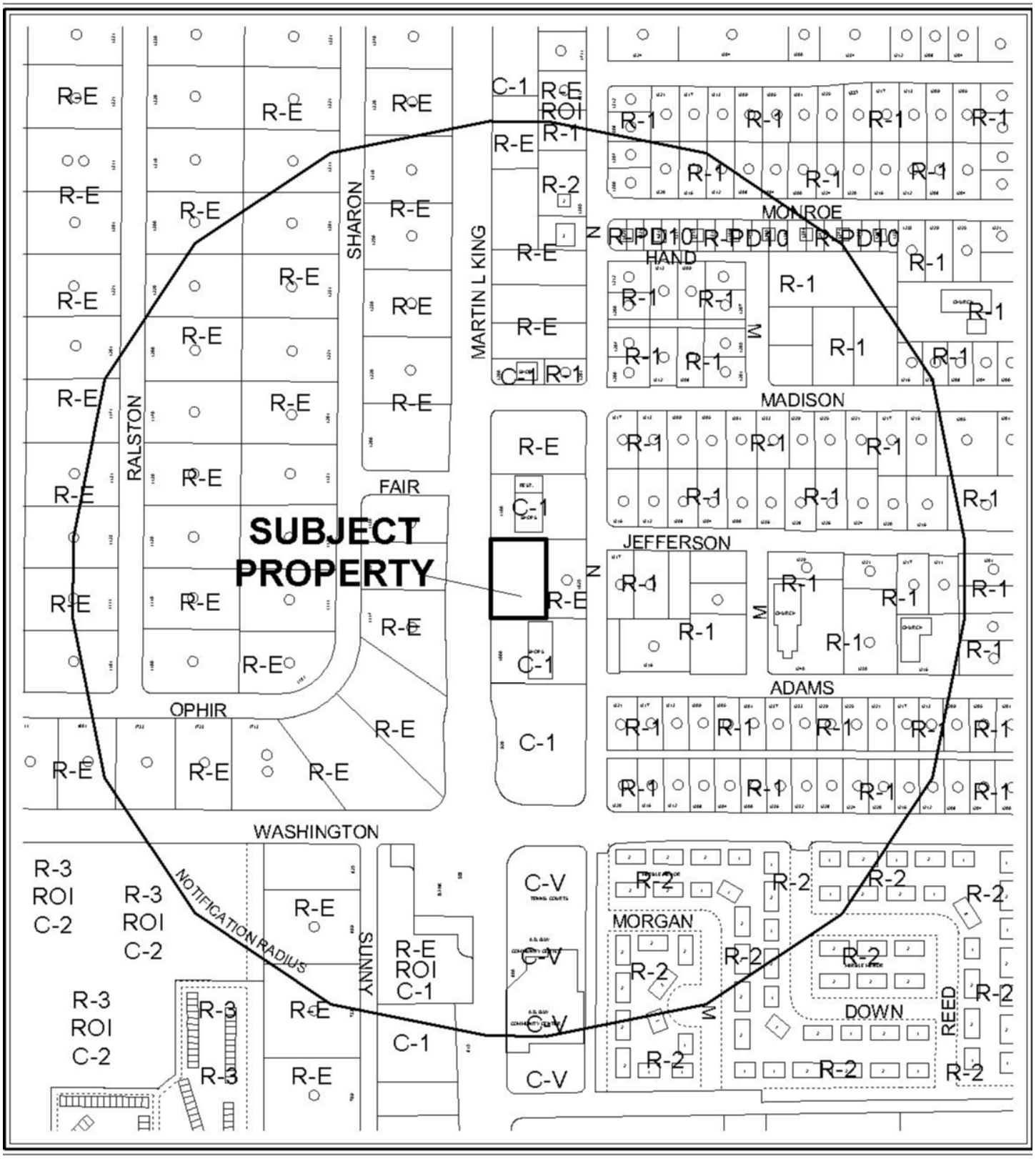
**SUBJECT:**
**ABEYANCE - VAR-34539 - VARIANCE RELATED TO ZON-33765 AND VAR-34538 - PUBLIC HEARING - APPLICANT/OWNER: BASHIR AFZALI** - Request for a Variance TO ALLOW 34 PARKING SPACES WHERE 42 PARKING SPACES ARE REQUIRED on 0.58 acres on the east side of Martin L. King Boulevard, approximately 500 feet north of Washington Avenue (APN 139-28-604-004), Ward 5 (Barlow). NOTE: BEFORE AMENDMENT THIS APPLICATION WAS IDENTIFIED AS VAR-33769

**C.C.: 08/05/2009**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **1** | **Planning Commission Mtg.** | **2** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
**DENIAL**

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards




**CASE:** **VAR-34539**

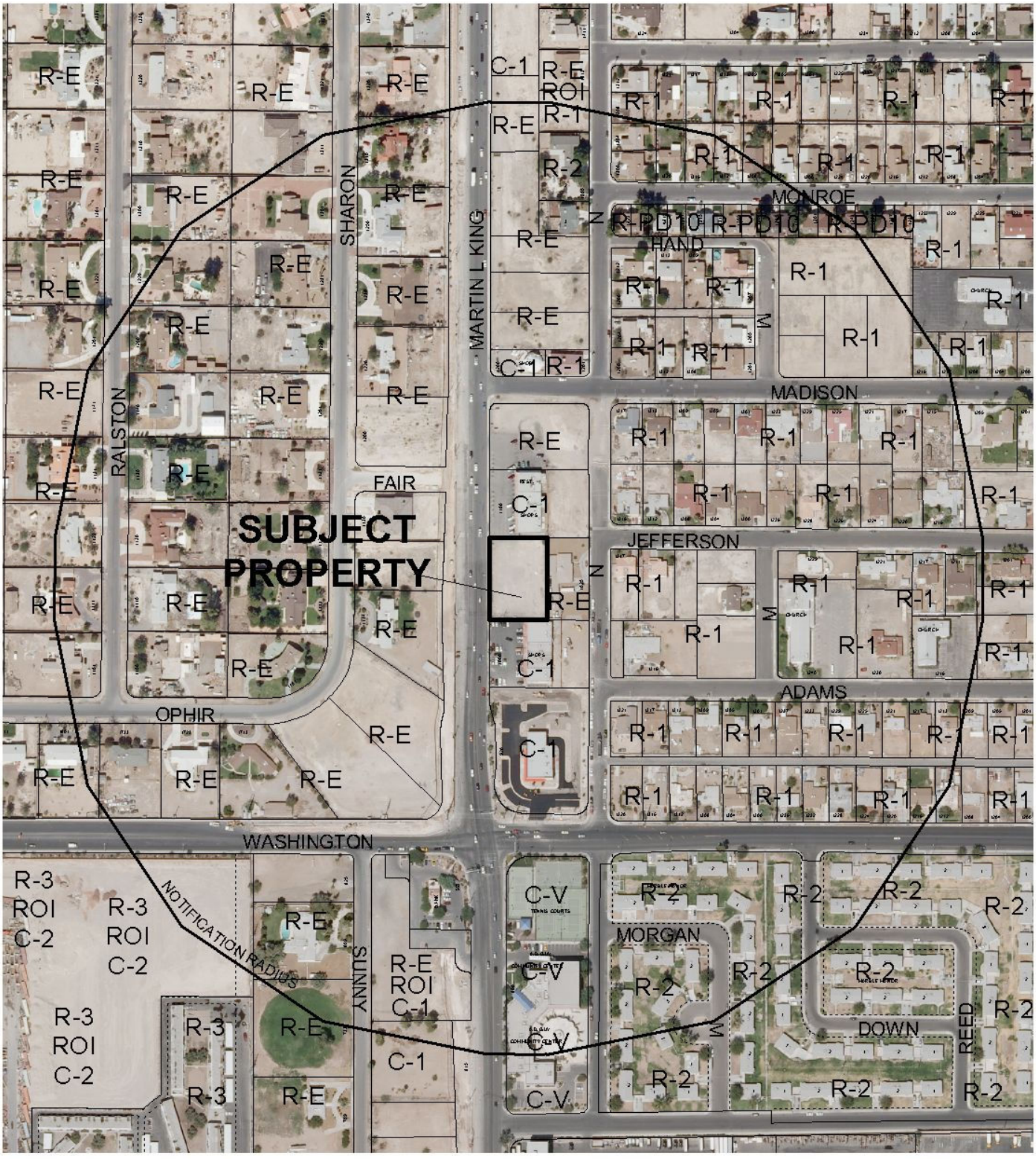
**RADIUS:** 1000 FT

0 500 Feet

**ZONING OF SUBJECT PROPERTY:** R-E (RESIDENCE ESTATES)

**PROPOSED ZONING OF SUBJECT PROPERTY:** C-1 (LIMITED COMMERCIAL)

N




0 500 Feet

**CASE:** **VAR-34539**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:** R-E (RESIDENCE ESTATES)

**PROPOSED ZONING OF SUBJECT PROPERTY:** C-1 (LIMITED COMMERCIAL)

N

City of Las Vegas

## *AGENDA MEMO*

**PLANNING COMMISSION MEETING DATE: JULY 9, 2009**
**DEPARTMENT: PLANNING AND DEVELOPMENT**
**ITEM DESCRIPTION: ABEYANCE - VAR-34539 - APPLICANT/OWNER: BASHIR AFZALI**

## ** CONDITIONS **

**STAFF RECOMMENDATION:** **DENIAL.** If Approved, subject to:

***Planning and Development***

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-34540) shall be required, 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.

SG

**VAR-34539 - Staff Report Page One**
**July 9, 2009 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

Note: This request was originally noticed as Variance (VAR-33771), but, due to material changes in the project, was renoticed for the 06/11/09 and subsequent Planning Commission meetings as Variance (VAR-34539).

The subject site is currently an undeveloped lot located approximately 500 feet north of Washington Avenue. The proposed commercial development would have approximately 6,650 square feet of retail space available, requiring 38 parking spaces to meet the Title 19.04 standards, but only 35 parking spaces, including two handicap accessible spaces, will be provided. Staff is recommending denial of this request as the applicant has not provided compelling evidence of a unique or extraordinary circumstance, and has created a self-imposed hardship by proposing to overbuild the site. Alternative design or a reduction in the scope of the project would bring the development into compliance with Title 19 standards.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 12/01/04 | The City Council approved a request for Rezoning (ZON-5222) from R-E (Residence Estates) to C-1 (Limited Commercial) on 0.58 acres located between 1000-1100 Martin L. King Boulevard. The Planning Commission recommended approval. The Resolution of Intent expired on 12/01/06. |
| 12/01/04 | The City Council denied requests for a Site Development Plan Review (SDR-5223) with a Waiver of perimeter buffering and landscaping standards and a Special Use Permit (SUP-5225) for a proposed Smog Check and Car Wash, Self Service on 0.58 acres located between 1000-1100 Martin L. King Boulevard. The Planning Commission recommended approval. |

| | |
|---|---|
| 04/23/09<br>05/14/09 | The Planning Commission, at the request of the applicant, abeyed requests for a Rezoning (ZON-33765) from R-E (Residence Estates) to C-1 (Limited Commercial); a Variance (VAR-33768) to allow a 20-foot rear yard setback where Residential Adjacency standards require 35 feet; a Variance (VAR-33771) to allow 32 parking spaces and zero loading spaces where 36 parking spaces and one loading space are required; and a Site Development Plan Review (SDR-33767) for a proposed 6,232 square-foot commercial building with Waivers of the perimeter landscape buffer standards to allow buffers of 10 feet where 15 feet is required along the west perimeter and five feet where eight feet is required along the north and south perimeters and a Waiver of the building placement and orientation standards on 0.58 acres on the east side of Martin L. King Boulevard, approximately 500 feet north of Washington Avenue. Due to material changes in the project, these items were renotified as Rezoning (ZON-33765), Variance (VAR-34538), Variance (VAR-34539), and Site Development Plan Review (SDR-34540), respectively, for the 06/11/09 Planning Commission meeting. |
| 06/11/09 | The Planning Commission, at the request of the applicant, abeyed requests for Rezoning (ZON-33765) from R-E (Residence Estates) to C-1 (Limited Commercial); Variance (VAR-34538) to allow a 15-foot front yard setback where 20 feet is required, a 73-foot setback where residential adjacency requires 84 feet, and to allow a trash enclosure to be located 10 feet from a residentially zoned property where residential adjacency requires 50 feet; Variance (VAR-34539) to allow 34 parking spaces where 42 parking spaces are required; and Site Development Plan Review (SDR-34540) for a proposed two-story, 7,180 square-foot commercial building with Waivers of the Perimeter Landscape Buffer Standards to allow buffer of five feet where eight feet is required along the north and south perimeters and seven feet where eight feet is required along the east perimeter on 0.58 acres on the east side of Martin L. King Boulevard, approximately 500 feet north of Washington Avenue. |
| 06/25/09 | The Planning Commission, at the request of the applicant, abeyed requests for Rezoning (ZON-33765) from R-E (Residence Estates) to C-1 (Limited Commercial); Variance (VAR-34539) to allow 34 parking spaces where 42 parking spaces are required; and Site Development Plan Review (SDR-34540) for a proposed two-story, 7,180 square-foot commercial building with Waivers of the Perimeter Landscape Buffer Standards to allow buffer of five feet where eight feet is required along the north and south perimeters and seven feet where eight feet is required along the east perimeter on 0.58 acres on the east side of Martin L. King Boulevard, approximately 500 feet north of Washington Avenue. The applicant requested that Variance (VAR-34538) to allow a 15-foot front yard setback where 20 feet is required, a 73-foot setback where residential adjacency requires 84 feet, and to allow a trash enclosure to be located 10 feet from a residentially zoned property where residential adjacency requires 50 feet be withdrawn without prejudice. |

| ***Related Building Permits/Business Licenses*** |
|---|
| There are no related building permits or business licenses associated with the subject site. |

| ***Pre-Application Meeting*** | |
|---|---|
| 12/16/08 | A pre-application meeting was held to discuss the submittal requirements for a Rezoning and Site Development Plan Review and Variances:<br>• Required setbacks, Residential Adjacency issues and parking requirements.<br>• Perimeter landscape buffer Waivers required.<br>• Parking lot landscaping Exceptions required.<br>• Preference for a single driveway, with required throat depth. |
| 12/16/08 | A pre-application meeting was held to discuss the submittal requirements for a Rezoning and Site Development Plan Review, as well as required Variances for setbacks and parking requirements. |

| ***Neighborhood Meeting*** |
|---|
| A neighborhood meeting was neither required nor held for this request. |

| ***Field Check*** | |
|---|---|
| 03/19/09 | A field check was conducted by staff. The subject site is an undeveloped parcel. There is an unpermitted chain link fence along the front of the lot, as well as some debris. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Gross Acres | 0.58 Acres |

| **Surrounding Property** | **Existing Land Use** | **Planned Land Use** | **Existing Zoning** |
|---|---|---|---|
| Subject Property | Undeveloped | C (Commercial) | R-E (Residence Estates) [Proposed: C-1 Limited Commercial)] |
| North | Shopping Center | C (Commercial) | C-1 (Limited Commercial) |
| South | Retail Shops | C (Commercial) | C-1 (Limited Commercial) |
| East | Single-Family Residence | C (Commercial) | R-E (Residence Estates) |
| West | Single-Family Residences | R (Rural Density Residential) | R-E (Residence Estates) |

| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
|---|---|---|---|
| **Special Area Plan** | | | |
| West Las Vegas Plan | X | | Y |
| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
| **Special Purpose and Overlay Districts** | | | |
| A-O Airport Overlay District (140 Feet) | X | | Y |
| **Trails** | | X | N/A |
| **Rural Preservation Overlay District** | X | | Y |
| **Development Impact Notification Assessment** | | X | N/A |
| **Project of Regional Significance** | | X | N/A |

## DEVELOPMENT STANDARDS

***Pursuant to Title 19.10, the following parking standards apply:***

| ***Parking Requirement*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| | ***Gross Floor Area or Number of Units*** | ***Required*** | | | ***Provided*** | | ***Compliance*** |
| | | | *Parking* | | *Parking* | | |
| ***Use*** | | ***Parking Ratio*** | Regular | Handi-capped | Regular | Handi-capped | |
| General Retail Store, Other Than Listed | 6,650 SF | 1:175 | 36 | 2 | 33 | 2 | |
| **TOTAL** | | | 38 | | 35 | | N |
| Loading Spaces | One loading space is required, up to 10,000 SF | | 1 | | 1 | | Y |
| Percent Deviation | | | | | 8% | | |

## ANALYSIS

The applicant is proposing a 6,650 square-foot commercial building, which requires a total of 38 parking spaces, including two handicap accessible spaces, as well as one on-site loading zone. The submitted site plan depicts a total of 35 parking spaces, including two handicap accessible spaces, and one loading zone. The 8% reduction in required parking indicates that the site, as proposed, would be overbuilt. Furthermore, the proposed deficiency is preferential in nature and as such, the applicant has created a self-imposed hardship that staff cannot support; therefore, staff is recommending denial of this request.

**FINDINGS**

In accordance with the provisions of Title 19.18.070(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.18.070L states:

> "Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing to overbuild the subject site. Alternative site design or a reduction in the floor area of the development 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** 21

**ASSEMBLY DISTRICT** 6

**SENATE DISTRICT** 4

**NOTICES MAILED** 161

**APPROVALS** 2

**PROTESTS** 1

PLANNING & DEVELOPMENT DEPARTMENT

# STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-34539 APN: 139-28-604-004

Name of Property Owner: Bashir Afzali

Name of Applicant: Bashir Afzali

Name of Representative: Empire Land & Development

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes ☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: [signature]

Print Name: Bashir Afzali

Subscribed and sworn before me

This 25 day of March 2009

Laurie A. Rodriguez
Notary Public in and for said County and State

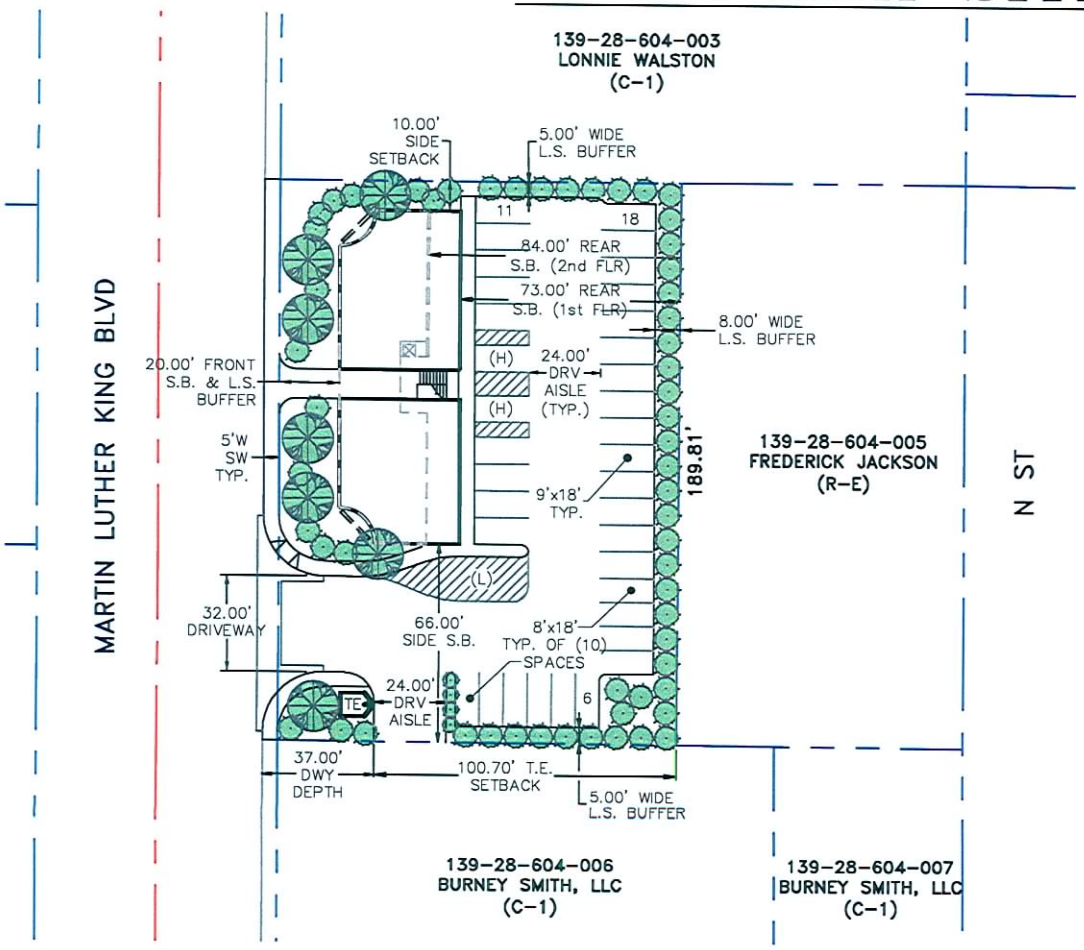
LAURIE A. RODRIGUEZ
Notary Public State of Nevada
No. 00-63814-1
My appt. exp. Oct. 23, 2012

Revised 11-14-06

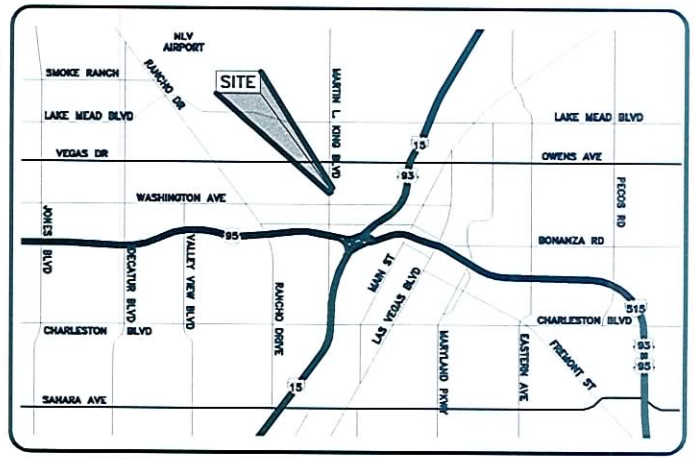
f:\depot\Application Packet\Statement of Financial Interest.pdf

RECEIVED
MAR 25 2009

# MLK PLAZA SITE PLAN




SCALE: 1" = 20'




## VICINITY MAP

## PROJECT INFORMATION

| | |
|---|---|
| PROP. BUILDING: | 6,650 GROSS SQ. FT. |
| BUILDING HEIGHT: | 1st STORY: 15 FEET (TOP OF PARAPET) |
| | 2nd STORY: 26 FEET (TOP OF PARAPET) |
| APN: | 139-28-604-004 |
| ACREAGE: | 0.58 |
| JURISDICTION: | CITY OF LAS VEGAS, NV |
| EXIST. ZONING: | R-E (RESIDENTIAL ESTATES) |
| PROP. ZONING: | C-1 (LIMITED COMMERCIAL) |
| CURRENT LAND USE DESIGNATION: | COMMERCIAL |
| PROPROSED ZONING: | CONFORMING |
| PROPOSED USES: | THOSE USES ALLOWED WITHIN THE C-1 ZONING CLASSIFICATION. |
| OWNER: | BASHIR AFZALI |

## PARKING ANALYSIS

| | |
|---|---|
| PARKING REQ: 1/175 SF | 38 SPACES<br>1 LOADING |
| PARKING PROV: 1/190 SF | 35 SPACES<br>1 LOADING |
| INCLUDING: | 2 H.C. SPACES |

## SETBACKS

FRONT: 20.00'
REAR: 73.00' TO 1st FLR; 84.00' TO 2nd FLR
SIDES: 10.00'; 66.00'
TRASH ENCLOSURE: 100.70'

## LANDSCAPING

PLANT AND TREE PALLETTES SHALL CONFORM TO ALL CITY REQURUIMENTS.

| | |
|---|---|
| | 24" BOX TREES PLANTED IN ACCORDANCE TO CITY OF LAS VEGAS DEV. STDS. (QTY., PLACEMENT & INSTALLATION) |
| | 5-GAL SHRUBS & LANDSCAPING PLANTED IN ACCORDANCE TO CITY OF LAS VEGAS DEV. STDS. (QTY., PLACEMENT & INSTALLATION) |

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JUN 18 2009

## LEGAL DESCRIPTION

THE SOUTH 163.64 FEET OF THE NORTH 188.64 FEET OF THE EAST 133.10 FEET OF THE WEST 173.10 FEET OF THE NORTHWEST QUARTER (NW ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF THE NORTHEAST QUARTER (NE ¼) OF SECTION 28, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.B. & M.,

TOGETHER WITH THAT VACATED PORTION OF JEFFERSON STREET LYING NORTH OF AND ADJACENT TO THE NORTH LINE OF SAID LAND.

THIS PRELIMINARY SITE PLAN IS CONCEPTUAL AND IS INTENDED TO DEPICT THE OWNER'S DESIRED DEVELOPMENT. FINAL SITE PLANS SHALL BE PREPARED IN CONJUCTION WITH ARCHITECTURE AND CIVIL ENGINEERING AND MAY DEVIATE SLIGHTLY FROM WHAT IS DEPICTED HERE.

ZON-33765 VAR-34539
SDR-34540 07/09/09 PC
REVISED


DON M. RODRIGUEZ
EMPIRE LAND & DEVELOPMENT, LLC
1115 MARIPOSA WAY
BOULDER CITY, NV 89005
(702) 540-1867
(702) 442-1180 fax
DRODRIGUEZ@EMPIRE-LD.COM

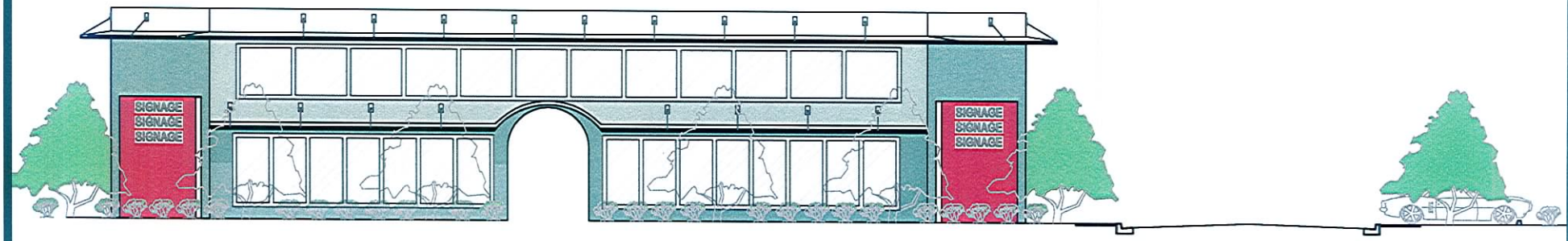

DATE: 6/18/09
PURPOSE: ZONE CHANGE APPLICATION
SCALE: 1:20

MLK PLAZA
PRELIMINARY SITE PLAN

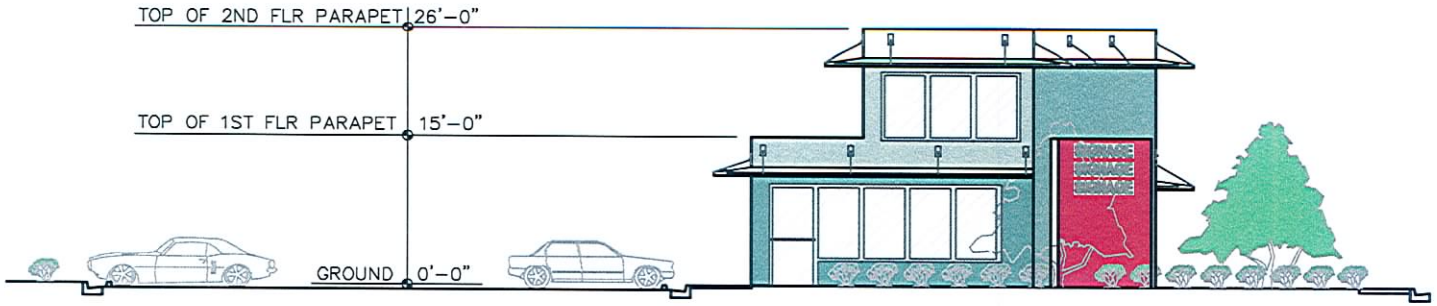
EMPIRE LAND & DEVELOPMENT

SP.1

# MLK PLAZA CONCEPTUAL ELEVATIONS




1 WEST (FRONT) ELEVATION
NOT TO SCALE




2 NORTH ELEVATION
NOT TO SCALE

RECEIVED
JUN 18 2009

FLOOR PLANS, ELEVATIONS, SUITE SIZES AND STORE FRONTS ARE CONCEPTUAL AND ARE INTENDED TO DEPICT THE OWNER'S DESIRED DEVELOPMENT. FINAL PLANS SHALL BE PREPARED IN CONJUCTION WITH ARCHITECTURE AND CIVIL ENGINEERING AND MAY DEVIATE SLIGHTLY FROM WHAT IS DEPICTED HERE.

ZON-33765 VAR-34539
SDR-34540 07/09/09 PC
REVISED

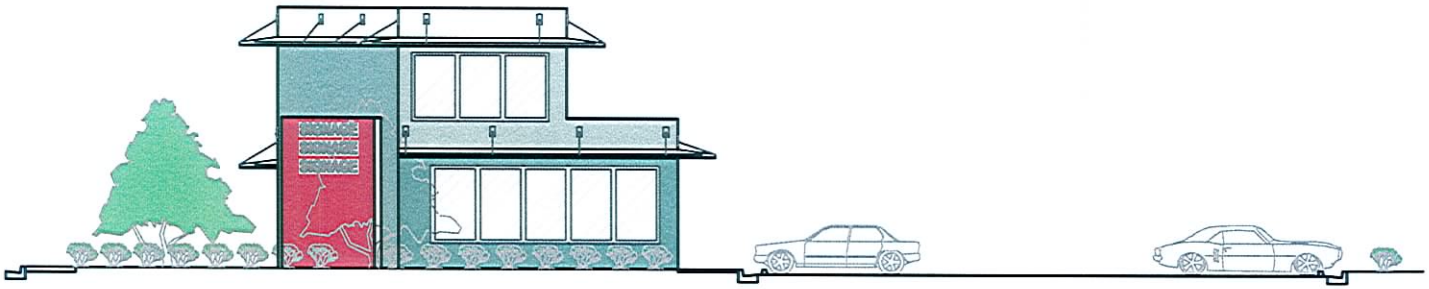
DON M. RODRIGUEZ
EMPIRE LAND & DEVELOPMENT, LLC
1118 MARIPOSA WAY
BOULDER CITY, NV 89005
(702) 540-1887
(702) 442-1180 fax
DRODRIGUEZ@EMPIRE-LD.COM

MLK PLAZA CONCEPTUAL
WEST & NORTH ELEVATIONS

EMPIRE LAND & DEVELOPMENT

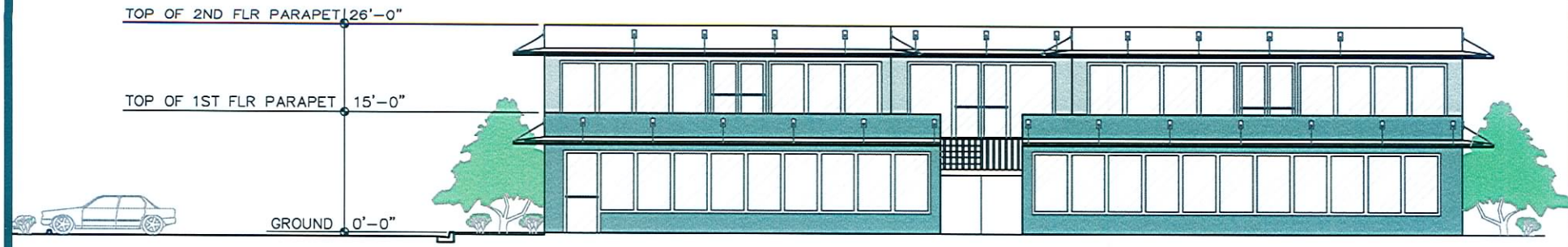
A.2

# MLK PLAZA CONCEPTUAL ELEVATIONS



3 **SOUTH ELEVATION**

NOT TO SCALE




4 **EAST ELEVATION**

NOT TO SCALE

FLOOR PLANS, ELEVATIONS, SUITE SIZES AND STORE FRONTS ARE CONCEPTUAL AND ARE INTENDED TO DEPICT THE OWNER'S DESIRED DEVELOPMENT. FINAL PLANS SHALL BE PREPARED IN CONJUCTION WITH ARCHITECTURE AND CIVIL ENGINEERING AND MAY DEVIATE SLIGHTLY FROM WHAT IS DEPICTED HERE.

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JUN 18 2009

**ZON-33765 VAR-34539**
**SDR-34540 07/09/09 PC**
**REVISED**

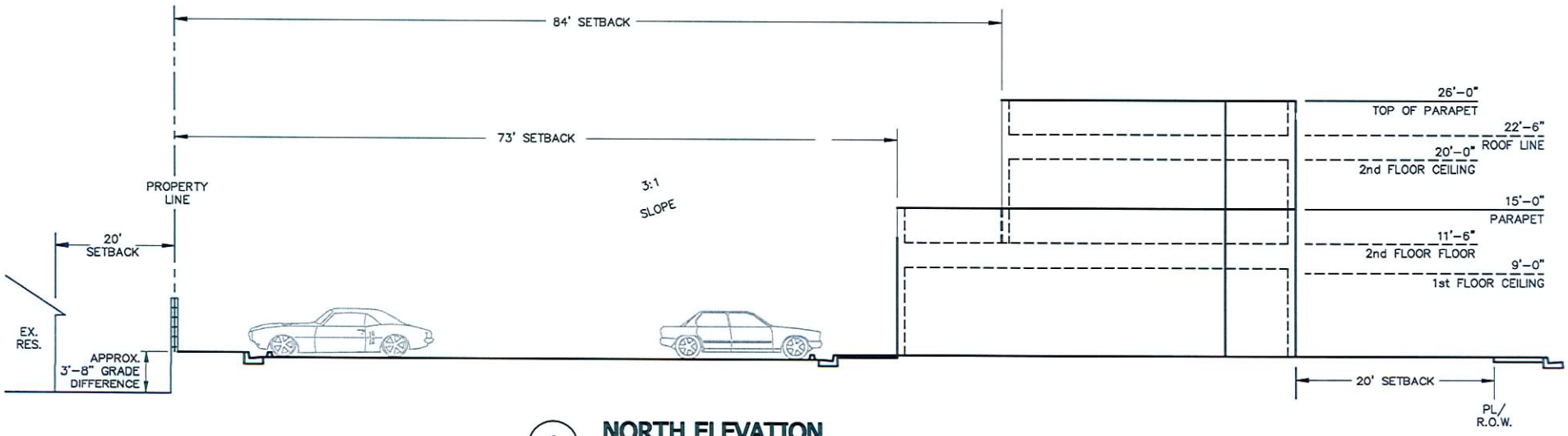
DON M. RODRIGUEZ
EMPIRE LAND & DEVELOPMENT, LLC
8118 LA JOLLA WAY
LAS VEGAS, NV 89005
(702) 540-1687
(702) 448-1190 fax
DRODRIGUEZ@EMPIRE-LD.COM

MLK PLAZA CONCEPTUAL
SOUTH & EAST ELEVATIONS

EMPIRE LAND & DEVELOPMENT

A.3

# MLK PLAZA PROXIMITY SLOPE ANALYSIS




1 NORTH ELEVATION

SCALE: 1:5

RECEIVED

JUN 18 2009

FLOOR PLANS, ELEVATIONS, SUITE SIZES AND STORE FRONTS ARE CONCEPTUAL AND ARE INTENDED TO DEPICT THE OWNER'S DESIRED DEVELOPMENT. FINAL PLANS SHALL BE PREPARED IN CONJUCTION WITH ARCHITECTURE AND CIVIL ENGINEERING AND MAY DEVIATE SLIGHTLY FROM WHAT IS DEPICTED HERE.

ZON-33765 VAR-34539
SDR-34540 07/09/09 PC
REVISED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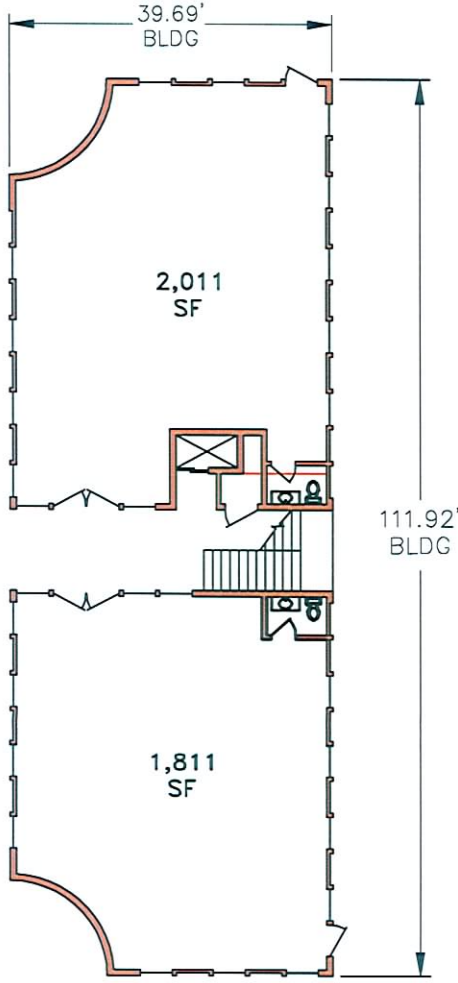
(702) 442-1180 fax
DRODRIGUEZ@EMPIRE-LD.COM

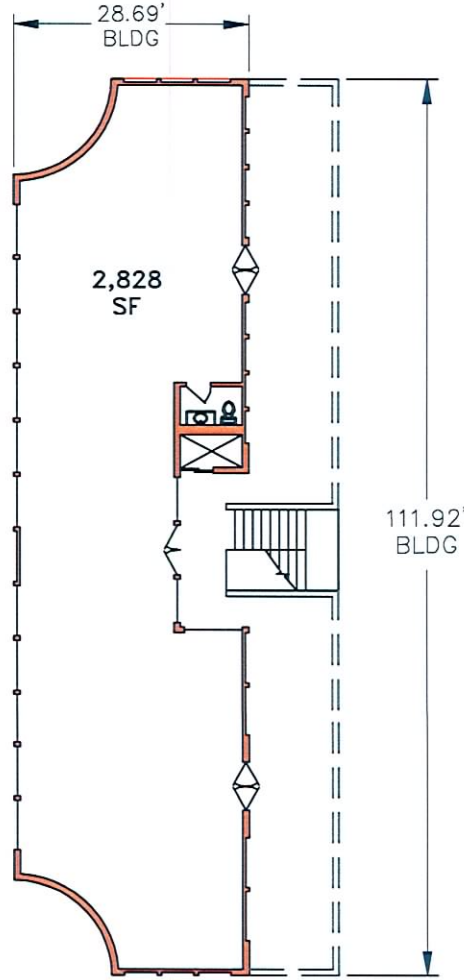

MLK PLAZA CONCEPT PLAN
PROXIMITY SLOPE ANALYSIS

EMPIRE LAND & DEVELOPMENT

# MLK PLAZA CONCEPTUAL FLOOR PLAN




FIRST FLOOR




SECOND FLOOR

FLOOR PLANS, ELEVATIONS, SUITE SIZES AND STORE FRONTS ARE CONCEPTUAL AND ARE INTENDED TO DEPICT THE OWNER'S DESIRED DEVELOPMENT. FINAL PLANS SHALL BE PREPARED IN CONJUCTION WITH ARCHITECTURE AND CIVIL ENGINEERING AND MAY DEVIATE SLIGHTLY FROM WHAT IS DEPICTED HERE.

RECEIVED

JUN 18 2009

ZON-33765 VAR-34539
SDR-34540 07/09/09 PC
REVISED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(702) 442-1180 fax
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MLK PLAZA CONCEPTUAL FLOOR PLAN

EMPIRE LAND & DEVELOPMENT

A.1



VAR-34539 - APPLICANT/OWNER: BASHIR AFZALI

EAST SIDE OF MARTIN L. KING BOULEVARD, APPROXIMATELY 500 FEET NORTH OF WASHINGTON AVENUE

JULY 9, 2009 PLANNING COMMISSION

03/19/09

EMPIRE LAND & DEVELOPMENT

# JUSTIFICATION LETTER
June 12, 2009

## PROPOSED R-E TO C-1 ZONE CHANGE
APN: 139-28-604-004
ZON-33765

**City of Las Vegas Planning & Development Department**
**RE: Zone Change ZON-33765, VAR-34538 (previously VAR-33768), VAR-34539 (previously VAR-33771) and SDR-34540 (previously SDR-33767) : R-E Residential Estates to C-1 Limited Commercial: 139-28-604-004**

On behalf of the Applicant, Empire Land & Development, LLC thanks you for your assistance with the proposed zone change of APN: 139-28-604-004 ("Property"). Following the City of Las Vegas Planning and Zoning Commission Meeting on June 11th, 2009, the applicant made the following revisions:

- Where the previous building square footage was 7,180 square feet, it has been reduced to 6,650 square feet.
- As a result in the reduction of square footage, where the previous parking spaces required was 42 spaces and 1 loading space, the requirement has been reduced to 38 spaces plus 1 loading space.
- Where the total parking spaces provided was 34 spaces plus 1 loading space, it has been increased to 35 spaces plus 1 loading space.
- Where the previous 1st floor height was 16 feet, it has been reduced to 15 feet.
- Where the previous 2nd floor height was 28 feet, it has been reduced to 26 feet.
- Where the previous front setback was 15 feet, it has been increased to 20 feet.
- Where the trash enclosure was previously located at the northwest corner of the parking lot, it is now located at the southwest corner of the parking lot to allow for easier access. The setback remains in excess of 100 feet from the adjacent residential property line.

The Applicant respectfully requests that the City of Las Vegas Planning and Development Department consider these revisions and applications associated with the zone change of the Property and support its approval. We look forward to working with the Planning and Development Department and the Redevelopment Authority.

Sincerely,

Don Rodriguez
President
Empire Land & Development, LLC

1115 Mariposa Way
Boulder City, NV 89005
(702) 540-1867
(702) 442-1880 fax
drodriguez@empire-LD.com

RECEIVED
JUN 18 2009

ZON-33765 VAR-34539
SDR-34540 07/09/09 PC
REVISED

EMPIRE LAND & DEVELOPMENT

# REQUEST FOR ABEYANCE LETTER

June 16, 2009

PROPOSED
R-E TO C-1 ZONE CHANGE
APN: 139-28-604-004
ZON-33765

**City of Las Vegas Planning & Development Department**
**RE: Zone Change ZON-33765: R-E Residential Estates to C-1 Limited Commercial: 139-28-604-004 AND associated applications.**

On behalf of the Applicant, Empire Land & Development, LLC respectfully asks that the following applications:

ZON-33765

SDR-34540 (previously SDR-33767)

VAR-34538 (previously VAR-33768),

VAR-34539 (previously VAR-33771)

Be held in abeyance until the July 9th, 2009 Planning Commission Meeting. Should you have any questions please feel free to contact me directly at (702) 540-1867.

Sincerely,

Don Rodriguez
President
Empire Land & Development, LLC

RECEIVED

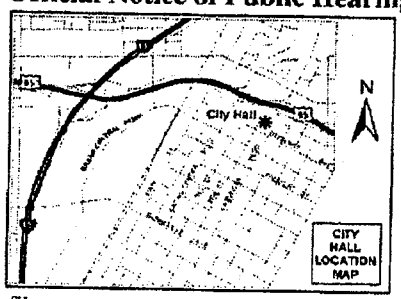
JUN 18 2009

1115 Mariposa Way
Boulder City, NV 89005
(702) 540-1867
(702) 442-1880 fax
drodriguez@empire-LD.com

ZON-33765 VAR-34539
SDR-34540 07/09/09 PC
REVISED

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

**Return Service Requested**
**Official Notice of Public Hearing**




If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-34539 & SDR-34540**
Planning Commission Meeting of 6/11/2009

RECEIVED
JUN 10 2009

13928604005 Case: VAR-34539
JACKSON FREDERICK
8954 UNION GAP RD
LAS VEGAS NV 89123-3019

CAVDS11 A3123

Submitted after final agenda

Date 6/10/09 Item 13P

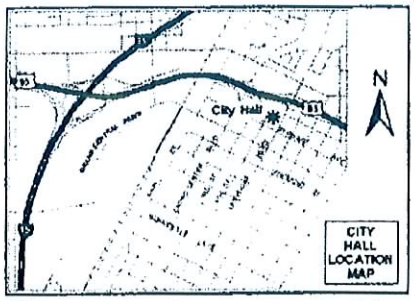
Jun 10 09 01:36p Freddy Jackson 702-897-4629 p.1

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 MAY 29 2009
MAILED FROM ZIPCODE 89101

**Return Service Requested**
**Official Notice of Public Hearing**




RECEIVED
JUN 02 2009

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Case: VAR-34539

13928601003
C & C ASSET MANAGEMENT L L C
1000 N GREEN VALLEY PKWY
#440-355
HENDERSON NV 89074-6170

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-34539 & SDR-34540**
Planning Commission Meeting of 6/11/2009

CAVDS11 89074

13A

Jun 02 09 03:36p A DOLLAR BAIL BONDS (702)385-5634 p.1

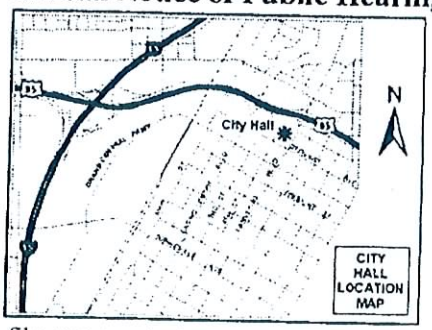
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41
0004279218 MAY 29 200
MAILED FROM ZIP CODE 8910

RECEIVED
JUN 02 2009

**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-34539 & SDR-34540**

Planning Commission Meeting of 6/11/2009

Case: VAR-34539

13928501009
STOWERS STEVIE D & TERRY D
8530 GLADE MINNOW AVE
LAS VEGAS NV 89113-1740

CAVDS11 89113

13A

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

## *AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT*
### PLANNING COMMISSION MEETING OF: JULY 9, 2009

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

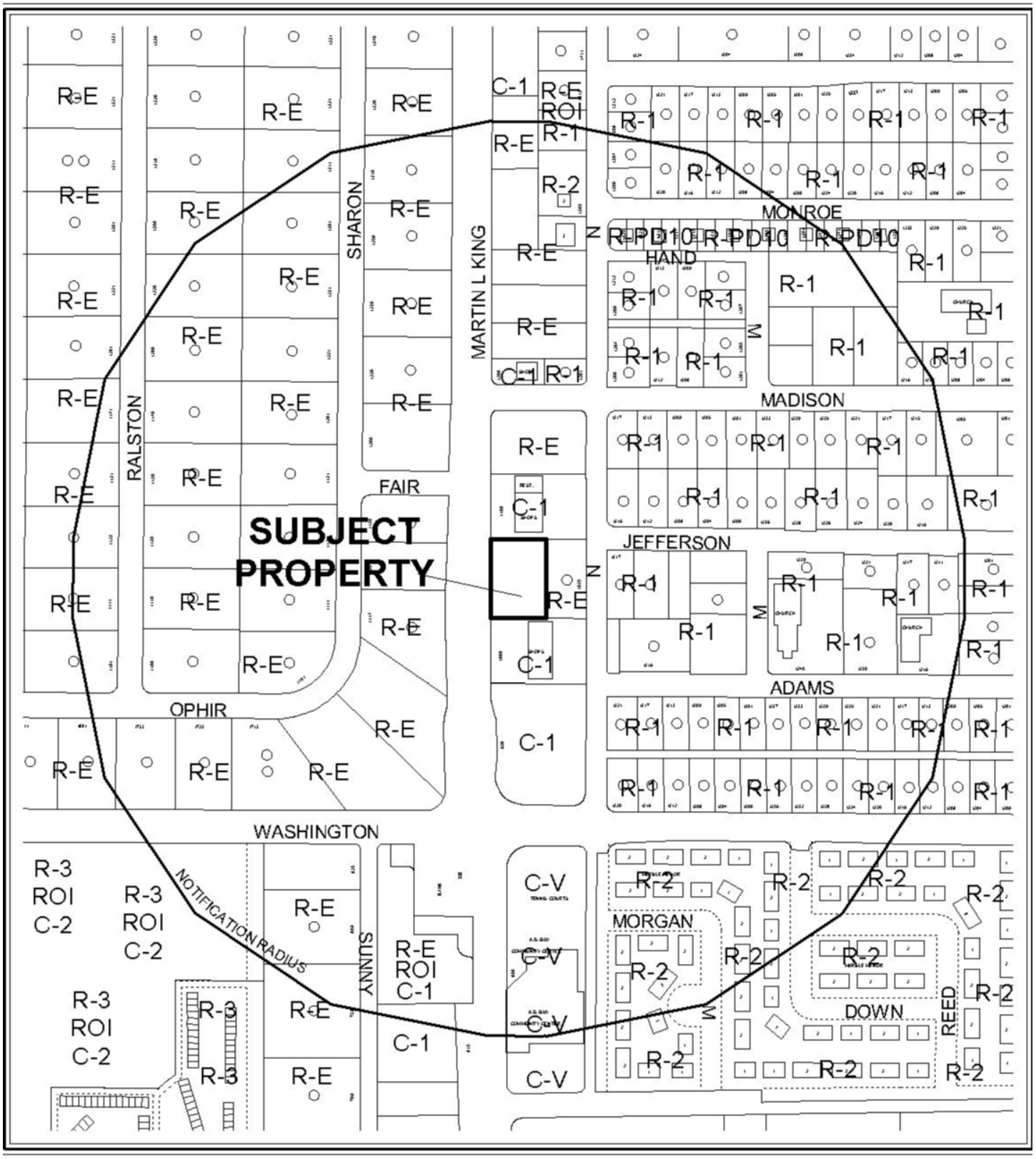
**SUBJECT:**
**ABEYANCE - SDR-34540 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-33765, VAR-34538 AND VAR-34539 - PUBLIC HEARING - APPLICANT/OWNER: BASHIR AFZALI** - Request for a Site Development Plan Review FOR A PROPOSED TWO-STORY, 7,180 SQUARE-FOOT COMMERCIAL BUILDING WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER STANDARDS TO ALLOW BUFFERS OF FIVE FEET WHERE EIGHT FEET IS REQUIRED ALONG THE NORTH AND SOUTH PERIMETERS AND SEVEN FEET WHERE EIGHT FEET IS REQUIRED ALONG THE EAST PERIMETER on 0.58 acres on the east side of Martin L. King Boulevard, approximately 500 feet north of Washington Avenue (APN 139-28-604-004), Ward 5 (Barlow) NOTE: BEFORE AMENDMENT THIS APPLICATION WAS IDENTIFIED AS SDR-33767

**C.C.: 08/05/2009**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **1** | **Planning Commission Mtg.** | **2** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
**DENIAL**

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards




**CASE:** **SDR-34540**

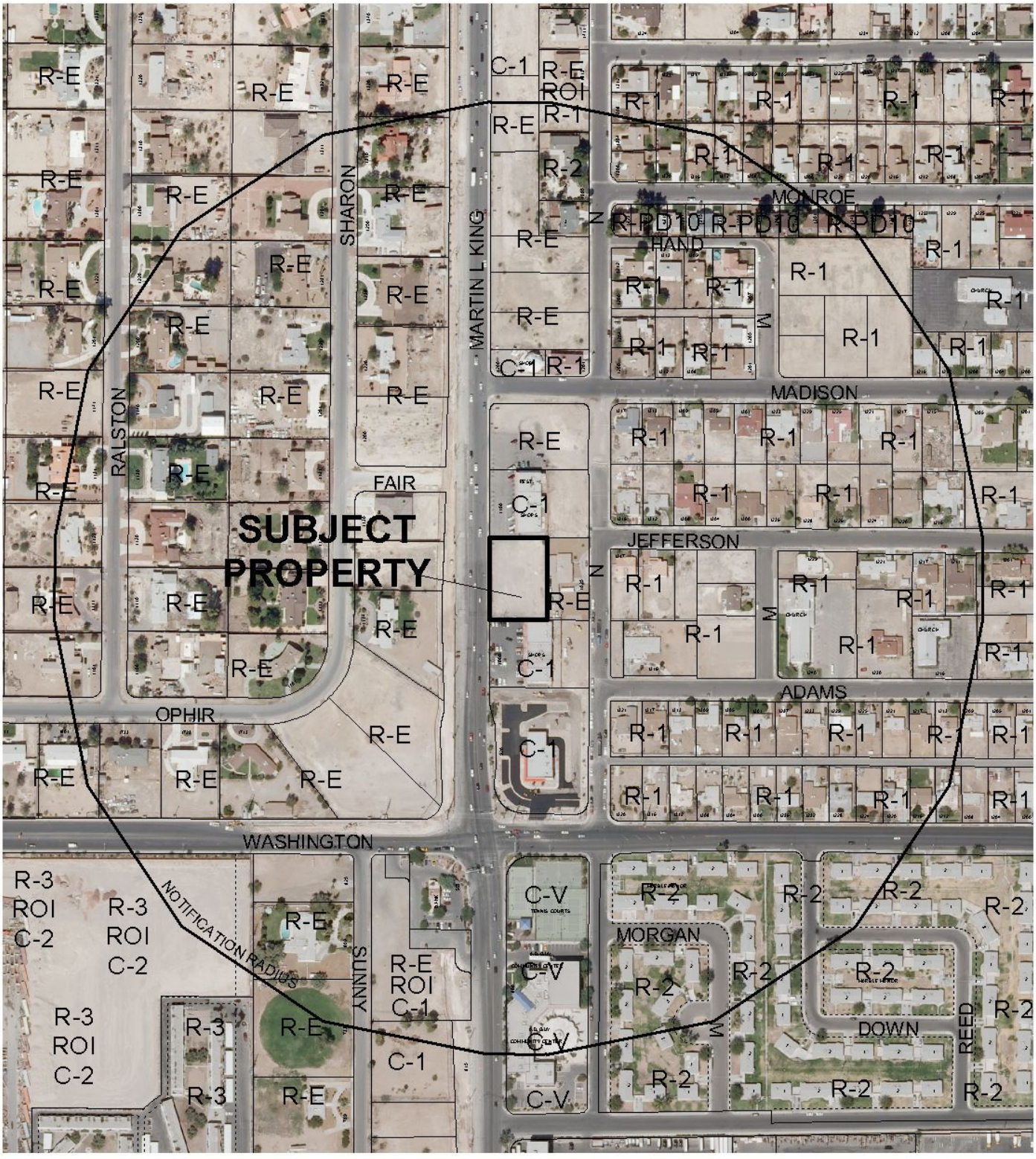
**RADIUS:** 1000 FT

0 500 Feet

**ZONING OF SUBJECT PROPERTY:** R-E (RESIDENCE ESTATES)

**PROPOSED ZONING OF SUBJECT PROPERTY:** C-1 (LIMITED COMMERCIAL)

N




**CASE:** **SDR-34540**

**RADIUS:** 1000 FT

0 500 Feet

**ZONING OF SUBJECT PROPERTY:** R-E (RESIDENCE ESTATES)

**PROPOSED ZONING OF SUBJECT PROPERTY:** C-1 (LIMITED COMMERCIAL)

N

City of Las Vegas

## *AGENDA MEMO*

**PLANNING COMMISSION MEETING DATE: JULY 9, 2009**
**DEPARTMENT: PLANNING AND DEVELOPMENT**
**ITEM DESCRIPTION: ABEYANCE - SDR-34540 - APPLICANT/OWNER: BASHIR AFZALI**

[

## ** CONDITIONS **

**STAFF RECOMMENDATION:** **DENIAL.** If Approved, subject to:

***Planning and Development***

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-34539) 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, landscape plan, and building elevations, date stamped 06/18/09, except as amended by conditions herein.

4. A Waiver from Title 19.12.040 Perimeter Landscape Buffer Standards is hereby approved, to allow buffers of five feet where eight feet is required along the north and south perimeters.

5. An Exception from Title 19.10.010 is hereby approved, to allow no parking lot landscape islands and trees where six of each are required.

6. The existing wall shall be raised or replaced, as needed, with a solid wall, at least six feet in height and meeting all requirements of Title 19.12.075, along the east perimeter, adjacent to the residential property.

7. The trash enclosure shall be roofed and gated to comply with the minimum requirements of Title 19.08.

8. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan: 24-inch box size trees be planted in the perimeter landscape buffer areas at a rate of one tree for every 20 lineal feet along the east and west perimeters, and at one tree for every 30 lineal feet along the north and south perimeters. In addition, four, five-gallon shrubs are required for every required tree

9. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

10. Revised elevations shall be submitted to and approved by the Planning and Development Department prior to or at the time of submittal for a building permit to reflect the colors and types of materials used.

11. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).

12. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

14. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

15. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

16. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

***Public Works***

17. 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.

18. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the Martin L. King Boulevard widening project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.

19. 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

**SDR-34540 - Staff Report Page One**
**July 9, 2009 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

Note: This request was originally noticed as Site Development Plan Review (SDR-33767), but, due to material changes in the project, was renoticed for the 06/11/09 and subsequent Planning Commission meetings as Site Development Plan Review (SDR-34540).

This is a request for a Site Development Plan Review for a proposed two-story, 6,650 square-foot commercial development on an undeveloped 0.58 acre lot located on the east side of Martin L. King Boulevard, approximately 500 feet north of Washington Avenue. The proposed development does not meet the minimum Title 19.04 parking requirements. One associated Variance (VAR-34539) has been submitted for this deficiency, and must be approved in order for this Site Development Plan Review to be approved. The proposed development, in its current configuration, will result in a site that is overbuilt, as is evidenced by the requested Waivers and Exceptions as part of this Site Development Plan Review, as well as the associated parking Variance. Therefore, staff is recommending denial of this request.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 12/01/04 | The City Council approved a request for Rezoning (ZON-5222) from R-E (Residence Estates) to C-1 (Limited Commercial) on 0.58 acres located between 1000-1100 Martin L. King Boulevard. The Planning Commission recommended approval. The Resolution of Intent expired on 12/01/06. |
| 12/01/04 | The City Council denied requests for a Site Development Plan Review (SDR-5223) with a Waiver of perimeter buffering and landscaping standards and a Special Use Permit (SUP-5225) for a proposed Smog Check and Car Wash, Self Service on 0.58 acres located between 1000-1100 Martin L. King Boulevard. The Planning Commission recommended approval. |

| | |
|---|---|
| 04/23/09<br>05/14/09 | The Planning Commission, at the request of the applicant, abeyed requests for a Rezoning (ZON-33765) from R-E (Residence Estates) to C-1 (Limited Commercial); a Variance (VAR-33768) to allow a 20-foot rear yard setback where Residential Adjacency standards require 35 feet; a Variance (VAR-33771) to allow 32 parking spaces and zero loading spaces where 36 parking spaces and one loading space are required; and a Site Development Plan Review (SDR-33767) for a proposed 6,232 square-foot commercial building with Waivers of the perimeter landscape buffer standards to allow buffers of 10 feet where 15 feet is required along the west perimeter and five feet where eight feet is required along the north and south perimeters and a Waiver of the building placement and orientation standards on 0.58 acres on the east side of Martin L. King Boulevard, approximately 500 feet north of Washington Avenue. Due to material changes in the project, these items were renotified as Rezoning (ZON-33765), Variance (VAR-34538), Variance (VAR-34539), and Site Development Plan Review (SDR-34540), respectively, for the 06/11/09 Planning Commission meeting. |
| 06/11/09 | The Planning Commission, at the request of the applicant, abeyed requests for Rezoning (ZON-33765) from R-E (Residence Estates) to C-1 (Limited Commercial); Variance (VAR-34538) to allow a 15-foot front yard setback where 20 feet is required, a 73-foot setback where residential adjacency requires 84 feet, and to allow a trash enclosure to be located 10 feet from a residentially zoned property where residential adjacency requires 50 feet; Variance (VAR-34539) to allow 34 parking spaces where 42 parking spaces are required; and Site Development Plan Review (SDR-34540) for a proposed two-story, 7,180 square-foot commercial building with Waivers of the Perimeter Landscape Buffer Standards to allow buffer of five feet where eight feet is required along the north and south perimeters and seven feet where eight feet is required along the east perimeter on 0.58 acres on the east side of Martin L. King Boulevard, approximately 500 feet north of Washington Avenue. |
| 06/25/09 | The Planning Commission, at the request of the applicant, abeyed requests for Rezoning (ZON-33765) from R-E (Residence Estates) to C-1 (Limited Commercial); Variance (VAR-34539) to allow 34 parking spaces where 42 parking spaces are required; and Site Development Plan Review (SDR-34540) for a proposed two-story, 7,180 square-foot commercial building with Waivers of the Perimeter Landscape Buffer Standards to allow buffer of five feet where eight feet is required along the north and south perimeters and seven feet where eight feet is required along the east perimeter on 0.58 acres on the east side of Martin L. King Boulevard, approximately 500 feet north of Washington Avenue. The applicant requested that Variance (VAR-34538) to allow a 15-foot front yard setback where 20 feet is required, a 73-foot setback where residential adjacency requires 84 feet, and to allow a trash enclosure to be located 10 feet from a residentially zoned property where residential adjacency requires 50 feet be withdrawn without prejudice. |

| *Related Building Permits/Business Licenses* |
|---|
| There are no related building permits or business licenses associated with the subject site. |

| *Pre-Application Meeting* | |
|---|---|
| 12/16/08 | A pre-application meeting was held to discuss the submittal requirements for a Rezoning and Site Development Plan Review and Variances:<br>• Required setbacks, Residential Adjacency issues and parking requirements.<br>• Perimeter landscape buffer Waivers required.<br>• Parking lot landscaping Exceptions required.<br>• Preference for a single driveway, with required throat depth. |

| *Neighborhood Meeting* |
|---|
| A neighborhood meeting was neither required nor held for this request. |

| *Field Check* | |
|---|---|
| 03/19/09 | A field check was conducted by staff. The subject site is an undeveloped parcel. There is an unpermitted chain link fence along the front of the lot, as well as some debris. |

| *Details of Application Request* | |
|---|---|
| ***Site Area*** | |
| Gross Acres | 0.58 Acres |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|---|---|---|---|
| Subject Property | Undeveloped | C (Commercial) | R-E (Residence Estates) [Proposed: C-1 Limited Commercial)] |
| North | Shopping Center | C (Commercial) | C-1 (Limited Commercial) |
| South | Retail Shops | C (Commercial) | C-1 (Limited Commercial) |
| East | Single-Family Residence | C (Commercial) | R-E (Residence Estates) |
| West | Single-Family Residences | R (Rural Density Residential) | R-E (Residence Estates) |

| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
|---|---|---|---|
| **Special Area Plan** | | | |
| West Las Vegas Plan | X | | Y |

| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
|---|---|---|---|
| **Special Purpose and Overlay Districts** | | | |
| A-O Airport Overlay District (140 Feet) | X | | Y |
| **Trails** | | X | N/A |
| **Rural Preservation Overlay District** | X | | Y |
| **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 | 25,164 SF | Y |
| Min. Lot Width | 100 Feet | 190 Feet | Y |
| Min. Setbacks | | | |
| • Front | 20 Feet | 20 Feet | Y |
| • Side | 10 Feet | 10 Feet | Y |
| • Rear | 20 Feet | 73 Feet | Y |
| Max. Lot Coverage | 50% | 26% | Y |
| Max. Building Height | N/A | 28 Feet | Y |
| Trash Enclosure | Screened, Gated, w/ Roof or Trellis | Not Indicated | By Condition |
| Mech. Equipment | Screened | Not Indicated | By Condition |

| *Residential Adjacency Standards* | *Required/Allowed* | *Provided* | *Compliance* |
|---|---|---|---|
| 3:1 proximity slope | 84 Feet | 84 Feet | Y |
| Adjacent development matching setback | 35 Feet (Rear) | 73 Feet | Y |
| Trash Enclosure | 50 Feet | 100 Feet | Y |

***Pursuant to Title 19.12, the following standards apply:***

| *Landscaping and Open Space Standards* | | | | |
|---|---|---|---|---|
| *Standards* | *Required* | | *Provided* | *Compliance* |
| | *Ratio* | *Trees* | | |
| Parking Area | 1 Tree / 6 Spaces | 6 Trees | Zero Trees | N |
| Buffer: | | | | |
| North, South | 1 Tree / 30 Linear Feet | 10 Trees | 1 Tree | By |
| East, West | 1 Tree / 20 Linear Feet | 17 Trees | 5 Trees | Condition |
| **TOTAL** | | 33 Trees | 1 Tree | By Condition |
| Min. Zone Width | 15 Feet (West)<br>8 Feet (North, South)<br>8 Feet (East) | | 15 Feet<br>5 Feet<br>7 Feet | Y<br>N<br>N |

SG

| | | | |
|---|---|---|---|
| Wall Height | 6 to 8 Feet, Adjacent to Residential Property | Not Indicated | By Condition |

***Pursuant to Title 19.10, the following parking standards apply:***

| ***Parking Requirement*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| | ***Gross Floor Area or Number of Units*** | ***Required*** | | | ***Provided*** | | ***Compliance*** |
| | | | *Parking* | | *Parking* | | |
| ***Use*** | | ***Parking Ratio*** | Regular | Handi-capped | Regular | Handi-capped | |
| General Retail Store, Other Than Listed | 6,650 SF | 1:175 | 36 | 2 | 33 | 2 | |
| **TOTAL** | | | 38 | | 35 | | N |
| Loading Spaces | One loading space is required, up to 10,000 SF | | 1 | | 1 | | Y |
| Percent Deviation | | | | | 8% | | |

| **Waivers** | | |
|---|---|---|
| **Requirement** | **Request** | **Staff Recommendation** |
| An 8-foot landscape buffer along interior property lines. | A 5-foot landscape buffer along the north and south perimeters. | Denial |

| **Exceptions** | | |
|---|---|---|
| **Requirement** | **Request** | **Staff Recommendation** |
| Interior landscape islands shall be provided at the end of each row of spaces and for every six uncovered parking spaces. The proposed development requires 6 of each. | No parking lot trees or landscape islands. | Denial |

**ANALYSIS**

The proposed commercial development meets the minimum development standards of Title 19.08. The development is deficient in parking, providing 35 parking spaces where 38 spaces are required. Approval of associated Variance (VAR-34539) regarding this deficiency is required for this Site Development Plan Review to be approved.

The landscape plan does not depict perimeter landscaping in conformance to Title 19.12, with trees indicated along the front of the development only, and a limited number of shrubs in the remaining perimeter buffer areas. A condition has been added to require that 24-inch box size

trees be planted in the perimeter landscape buffer areas at a rate of one tree for every 20 lineal feet along the east and west perimeters, and at one tree for every 30 lineal feet along the north and south perimeters. In addition, four, five-gallon shrubs are required for every required tree.

The elevations depict a two-story building, with the second story stepped back from the face of the first story. They do not indicate either the materials or the colors to be used for the building. A condition has been added to require that revised elevations be submitted and approved by the Planning and Development Department prior to or at the time of submittal for building permit.

## FINDINGS

The following findings must be made for an SDR:

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

   The development is not compatible with adjacent development and development in the area because the site, as proposed, will be overbuilt. This is evidenced by the requested Waivers and Exceptions as part of the Site Development Plan Review, as well as the associated Variance request.

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

   The proposed development is consistent with the General Plan, but does not comply with Title 19 standards, as evidenced by the associated requests for Variances, Waivers and an Exception that are required for the approval of this request.

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

   The site is accessed by a single driveway to Martin L. King Boulevard, which is designated as a 100-foot Primary Arterial by the Master Plan of Streets and Highways, and will have no direct access to the adjacent residential neighborhoods. The development will not negatively impact adjacent roadways or neighborhood traffic.

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

   The elevations do not specifically call out materials and colors for the proposed building. A condition has been added to require that revised elevations, with materials and colors specified, be submitted prior to or at the time of building permit review, for approval by the Planning and Development Department. Landscape materials, as conditioned, are appropriate for the area and for the city.

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

   The building elevations are not unsightly or obnoxious, and are compatible with development in the area. Revised elevations, as conditioned, will ensure that the materials and colors will be harmonious with adjacent development.

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

   The proposed development is subject to permit review and inspection; therefore, appropriate measures will be taken to protect the health, safety and general welfare.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 21

**ASSEMBLY DISTRICT** 6

**SENATE DISTRICT** 4

**NOTICES MAILED** 161

**APPROVALS** 2

**PROTESTS** 0

PLANNING & DEVELOPMENT DEPARTMENT

# STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-34540 PN: 139-28-604-004

Name of Property Owner: BASHIR AFZALI

Name of Applicant: BASHIR AFZALI

Name of Representative: EMPIRE Land & DEVELOPMENT

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes ☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: [signature]

Print Name: BASHIR AFZALI

Subscribed and sworn before me

This 25 day of March, 2009

[signature]

Notary Public in and for said County and State

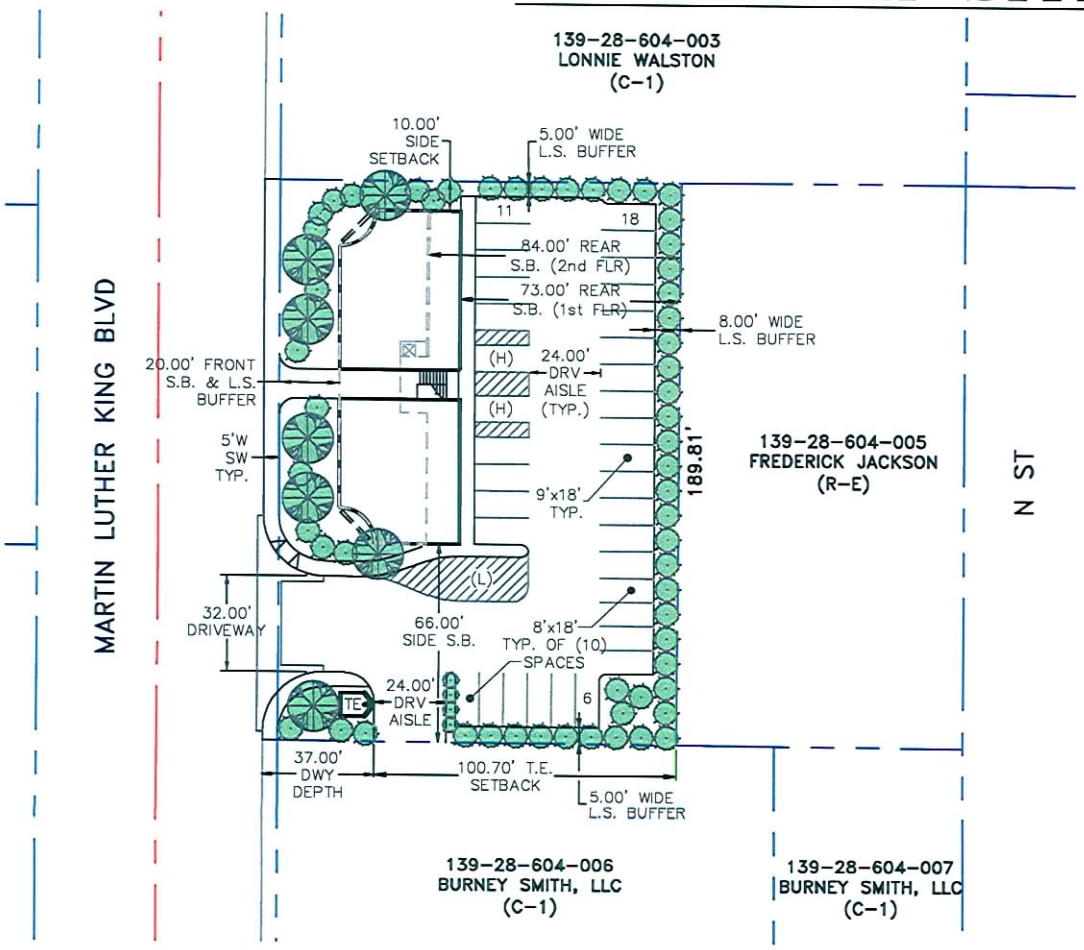
LAURIE A. RODRIGUEZ
Notary Public State of Nevada
No. 00-63814-1
My appt. exp. Oct. 23, 2012

Revised 11-14-06

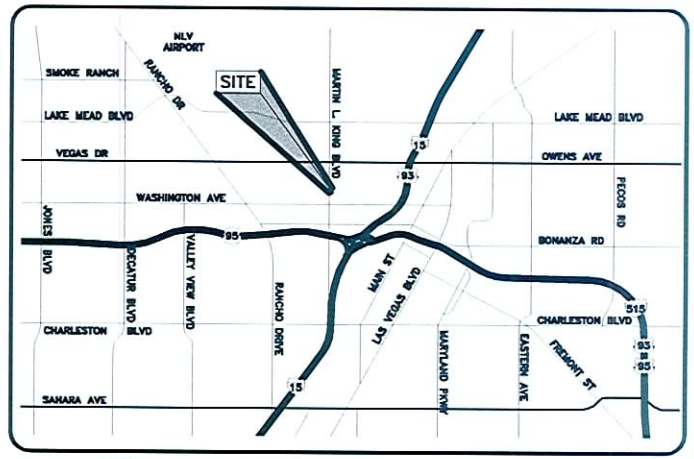
f:\depot\Application Packet\Statement of Financial Interest.pdf

RECEIVED
09 MAR 25 PM 12:48
PLANNING AND DEVELOPMENT

# MLK PLAZA SITE PLAN




SCALE: 1" = 20'




## VICINITY MAP

## PROJECT INFORMATION

| | |
|---|---|
| PROP. BUILDING: | 6,650 GROSS SQ. FT. |
| BUILDING HEIGHT: | 1st STORY: 15 FEET (TOP OF PARAPET) |
| | 2nd STORY: 26 FEET (TOP OF PARAPET) |
| APN: | 139-28-604-004 |
| ACREAGE: | 0.58 |
| JURISDICTION: | CITY OF LAS VEGAS, NV |
| EXIST. ZONING: | R-E (RESIDENTIAL ESTATES) |
| PROP. ZONING: | C-1 (LIMITED COMMERCIAL) |
| CURRENT LAND USE DESIGNATION: | COMMERCIAL |
| PROPROSED ZONING: | CONFORMING |
| PROPOSED USES: | THOSE USES ALLOWED WITHIN THE C-1 ZONING CLASSIFICATION. |
| OWNER: | BASHIR AFZALI |

## PARKING ANALYSIS

| | |
|---|---|
| PARKING REQ: 1/175 SF | 38 SPACES<br>1 LOADING |
| PARKING PROV: 1/190 SF | 35 SPACES<br>1 LOADING |
| INCLUDING: | 2 H.C. SPACES |

## SETBACKS

FRONT: 20.00'
REAR: 73.00' TO 1st FLR; 84.00' TO 2nd FLR
SIDES: 10.00'; 66.00'
TRASH ENCLOSURE: 100.70'

## LANDSCAPING

PLANT AND TREE PALLETTES SHALL CONFORM TO ALL CITY REQURUIMENTS.

| | |
|---|---|
| | 24" BOX TREES PLANTED IN ACCORDANCE TO CITY OF LAS VEGAS DEV. STDS. (QTY., PLACEMENT & INSTALLATION) |
| | 5-GAL SHRUBS & LANDSCAPING PLANTED IN ACCORDANCE TO CITY OF LAS VEGAS DEV. STDS. (QTY., PLACEMENT & INSTALLATION) |

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JUN 18 2009

## LEGAL DESCRIPTION

THE SOUTH 163.64 FEET OF THE NORTH 188.64 FEET OF THE EAST 133.10 FEET OF THE WEST 173.10 FEET OF THE NORTHWEST QUARTER (NW ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF THE NORTHEAST QUARTER (NE ¼) OF SECTION 28, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.B. & M.,

TOGETHER WITH THAT VACATED PORTION OF JEFFERSON STREET LYING NORTH OF AND ADJACENT TO THE NORTH LINE OF SAID LAND.

THIS PRELIMINARY SITE PLAN IS CONCEPTUAL AND IS INTENDED TO DEPICT THE OWNER'S DESIRED DEVELOPMENT. FINAL SITE PLANS SHALL BE PREPARED IN CONJUCTION WITH ARCHITECTURE AND CIVIL ENGINEERING AND MAY DEVIATE SLIGHTLY FROM WHAT IS DEPICTED HERE.

ZON-33765 VAR-34539
SDR-34540 07/09/09 PC
REVISED


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BOULDER CITY, NV 89005
(702) 540-1867
(702) 442-1180 fax
DRODRIGUEZ@EMPIRE-LD.COM

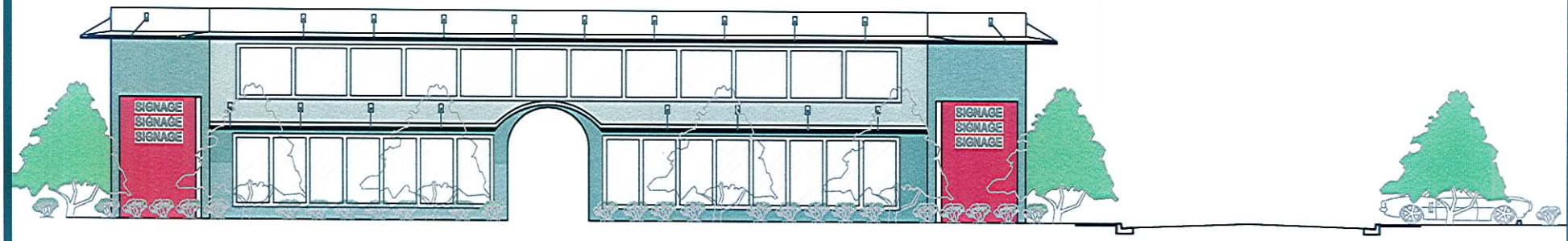

DATE: 6/18/09
PURPOSE: ZONE CHANGE APPLICATION
SCALE: 1:20

MLK PLAZA
PRELIMINARY SITE PLAN

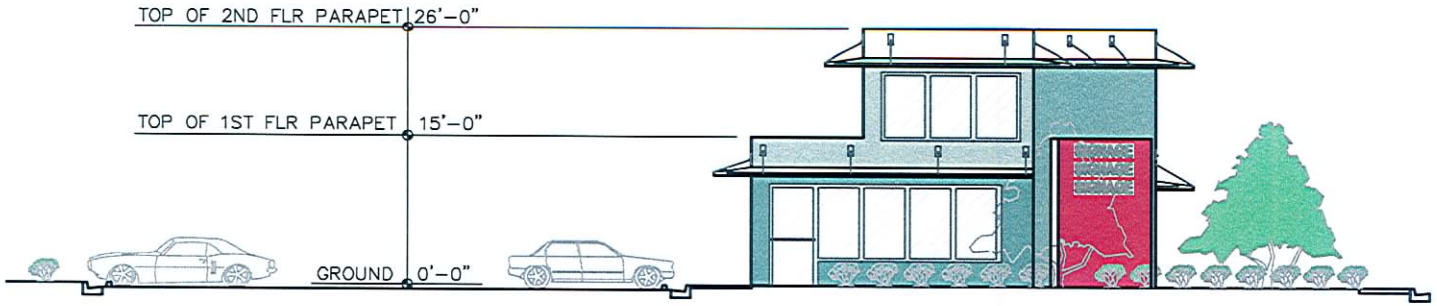
EMPIRE LAND & DEVELOPMENT

SP.1

# MLK PLAZA CONCEPTUAL ELEVATIONS




1 WEST (FRONT) ELEVATION
NOT TO SCALE




2 NORTH ELEVATION
NOT TO SCALE

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JUN 18 2009

FLOOR PLANS, ELEVATIONS, SUITE SIZES AND STORE FRONTS ARE CONCEPTUAL AND ARE INTENDED TO DEPICT THE OWNER'S DESIRED DEVELOPMENT. FINAL PLANS SHALL BE PREPARED IN CONJUCTION WITH ARCHITECTURE AND CIVIL ENGINEERING AND MAY DEVIATE SLIGHTLY FROM WHAT IS DEPICTED HERE.

ZON-33765 VAR-34539
SDR-34540 07/09/09 PC
REVISED

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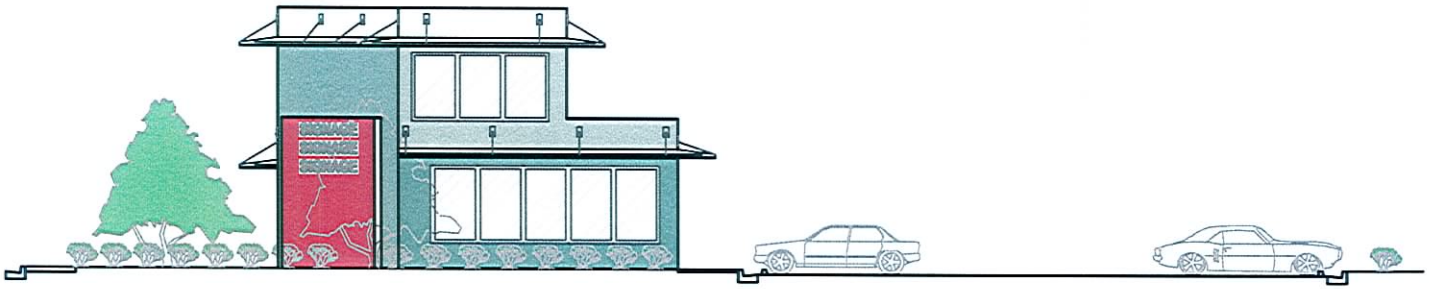
MLK PLAZA CONCEPTUAL
WEST & NORTH ELEVATIONS

EMPIRE LAND & DEVELOPMENT

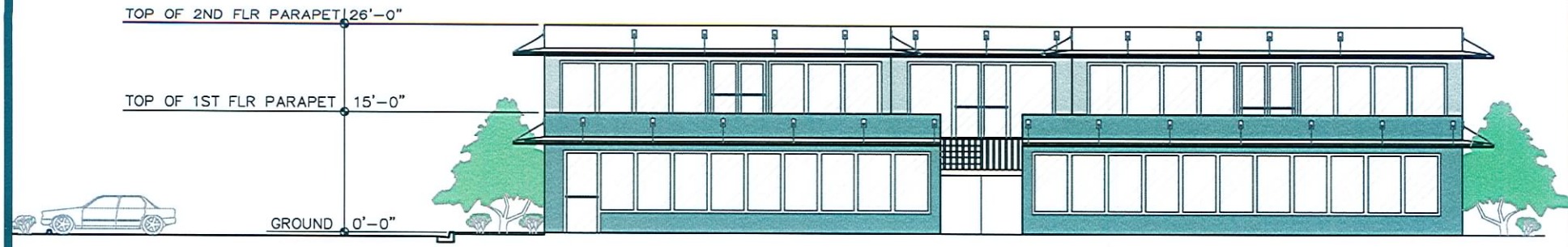
A.2

# MLK PLAZA CONCEPTUAL ELEVATIONS



3 **SOUTH ELEVATION**

NOT TO SCALE




4 **EAST ELEVATION**

NOT TO SCALE

FLOOR PLANS, ELEVATIONS, SUITE SIZES AND STORE FRONTS ARE CONCEPTUAL AND ARE INTENDED TO DEPICT THE OWNER'S DESIRED DEVELOPMENT. FINAL PLANS SHALL BE PREPARED IN CONJUCTION WITH ARCHITECTURE AND CIVIL ENGINEERING AND MAY DEVIATE SLIGHTLY FROM WHAT IS DEPICTED HERE.

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JUN 18 2009

**ZON-33765 VAR-34539**
**SDR-34540 07/09/09 PC**
**REVISED**

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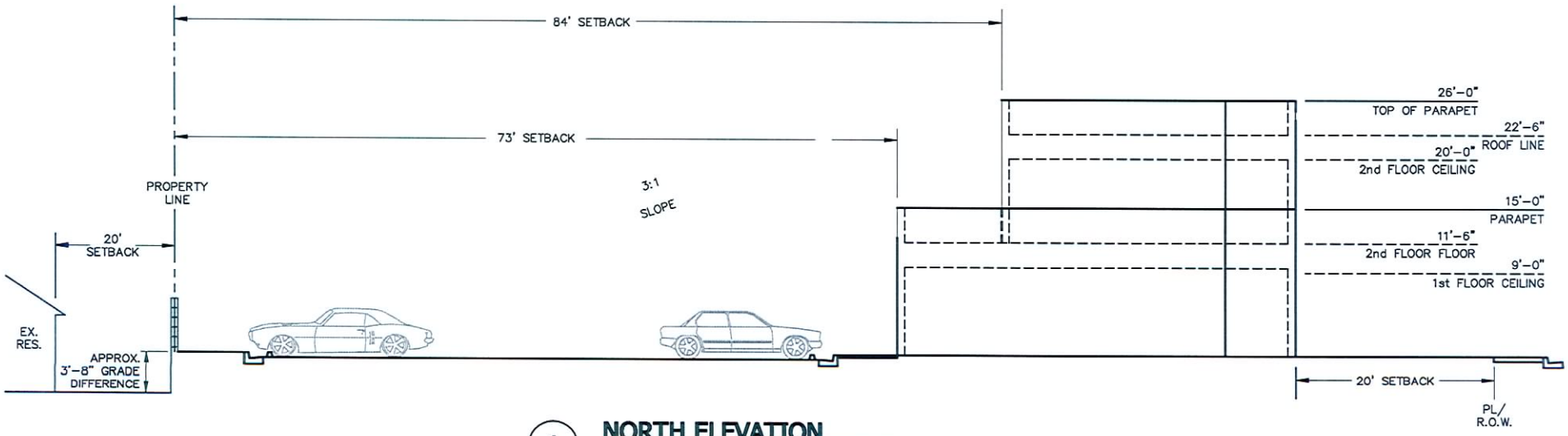
MLK PLAZA CONCEPTUAL
SOUTH & EAST ELEVATIONS

EMPIRE LAND & DEVELOPMENT

A.3

# MLK PLAZA PROXIMITY SLOPE ANALYSIS




1 NORTH ELEVATION

SCALE: 1:5

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ZON-33765 VAR-34539
SDR-34540 07/09/09 PC
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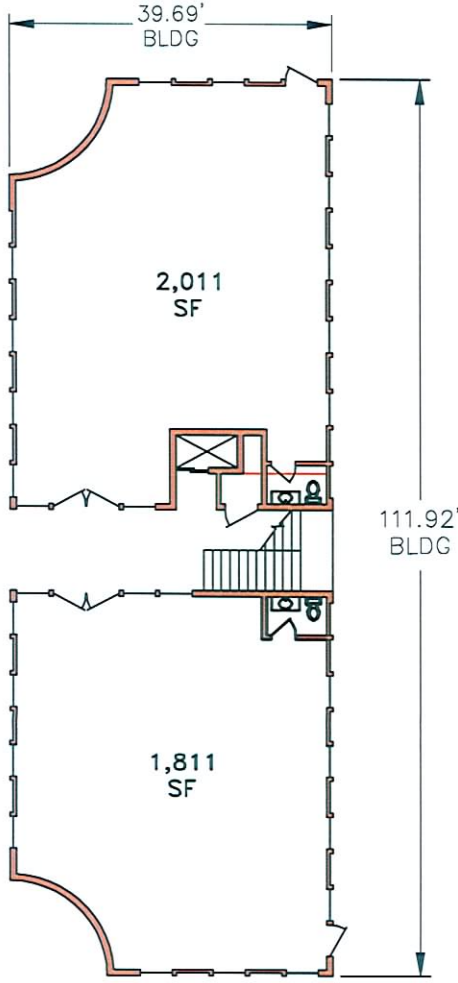
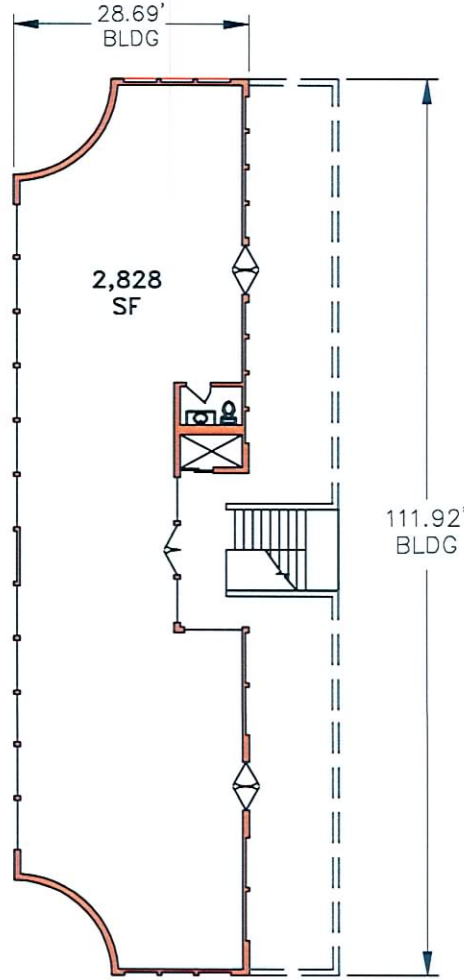
MLK PLAZA CONCEPT PLAN
PROXIMITY SLOPE ANALYSIS

EMPIRE LAND & DEVELOPMENT

# MLK PLAZA CONCEPTUAL FLOOR PLAN




FIRST FLOOR




SECOND FLOOR

FLOOR PLANS, ELEVATIONS, SUITE SIZES AND STORE FRONTS ARE CONCEPTUAL AND ARE INTENDED TO DEPICT THE OWNER'S DESIRED DEVELOPMENT. FINAL PLANS SHALL BE PREPARED IN CONJUCTION WITH ARCHITECTURE AND CIVIL ENGINEERING AND MAY DEVIATE SLIGHTLY FROM WHAT IS DEPICTED HERE.

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MLK PLAZA CONCEPTUAL FLOOR PLAN

EMPIRE LAND & DEVELOPMENT

A.1

# SDR-34540

**Bashir Afzali**

## East side of Martin L. King Blvd., North of Washington Ave.

Proposed 6.2-thousand square foot retail development.

**Traffic produced by proposed development:**

| New Use | DESCRIPTION | #UNIT | RATE/# UNIT | TOTAL |
|---|---|---|---|---|
| Average Daily Traffic (ADT) | SPECIALTY RETAIL CENTER [1000 SF] | 6.2 | 33.88 | 210 |
| AM Peak Hour | | | 6.84 | 42 |
| PM Peak Hour | | | 2.71 | 17 |
| *(heaviest 60 minutes)* | | | | |

**Existing traffic on all nearby streets:**

| | |
|---|---|
| **Martin L. King Blvd.** | |
| Average Daily Traffic (ADT) | 44,080 |
| PM Peak Hour | 3,526 |
| *(heaviest 60 minutes)* | |
| **Washington Ave.** | |
| Average Daily Traffic (ADT) | 21,139 |
| PM Peak Hour | 1,691 |
| *(heaviest 60 minutes)* | |

**Traffic Capacity of adjacent streets:**

| | Existing Street Capacity | Planned Street Capacity |
|---|---|---|
| Martin L. King Blvd. | 32775 | 51800 |
| Washington Ave. | 32775 | 32775 |

This project will add approximately 210 trips per day on Martin L. King Blvd. and Washington Ave. This will increase expected volumes by less than 1 percent on Martin L. King and by about 1 percent on 7th. Currently Martin L. King is over capacity and Washington is at about 64 percent of capacity.

Based on Peak Hour use, this development will add roughly 42 additional cars into the area; which works out to a little under 1 every minute.

Note that this report assumes all traffic from this development uses all named streets.



SDR-34540 - APPLICANT/OWNER: BASHIR AFZALI
EAST SIDE OF MARTIN L. KING BOULEVARD, APPROXIMATELY 500 FEET NORTH OF WASHINGTON AVENUE
JULY 9, 2009 PLANNING COMMISSION

03/19/09

EMPIRE LAND & DEVELOPMENT

# JUSTIFICATION LETTER
June 12, 2009

## PROPOSED R-E TO C-1 ZONE CHANGE
APN: 139-28-604-004
ZON-33765

**City of Las Vegas Planning & Development Department**
**RE: Zone Change ZON-33765, VAR-34538 (previously VAR-33768), VAR-34539 (previously VAR-33771) and SDR-34540 (previously SDR-33767) : R-E Residential Estates to C-1 Limited Commercial: 139-28-604-004**

On behalf of the Applicant, Empire Land & Development, LLC thanks you for your assistance with the proposed zone change of APN: 139-28-604-004 ("Property"). Following the City of Las Vegas Planning and Zoning Commission Meeting on June 11th, 2009, the applicant made the following revisions:

- Where the previous building square footage was 7,180 square feet, it has been reduced to 6,650 square feet.
- As a result in the reduction of square footage, where the previous parking spaces required was 42 spaces and 1 loading space, the requirement has been reduced to 38 spaces plus 1 loading space.
- Where the total parking spaces provided was 34 spaces plus 1 loading space, it has been increased to 35 spaces plus 1 loading space.
- Where the previous 1st floor height was 16 feet, it has been reduced to 15 feet.
- Where the previous 2nd floor height was 28 feet, it has been reduced to 26 feet.
- Where the previous front setback was 15 feet, it has been increased to 20 feet.
- Where the trash enclosure was previously located at the northwest corner of the parking lot, it is now located at the southwest corner of the parking lot to allow for easier access. The setback remains in excess of 100 feet from the adjacent residential property line.

The Applicant respectfully requests that the City of Las Vegas Planning and Development Department consider these revisions and applications associated with the zone change of the Property and support its approval. We look forward to working with the Planning and Development Department and the Redevelopment Authority.

Sincerely,

Don Rodriguez
President
Empire Land & Development, LLC

1115 Mariposa Way
Boulder City, NV 89005
(702) 540-1867
(702) 442-1880 fax
drodriguez@empire-LD.com

RECEIVED
JUN 18 2009

ZON-33765 VAR-34539
SDR-34540 07/09/09 PC
REVISED

EMPIRE LAND & DEVELOPMENT

# REQUEST FOR ABEYANCE LETTER

June 16, 2009

PROPOSED
R-E TO C-1 ZONE CHANGE
APN: 139-28-604-004
ZON-33765

**City of Las Vegas Planning & Development Department**
**RE: Zone Change ZON-33765: R-E Residential Estates to C-1 Limited Commercial: 139-28-604-004 AND associated applications.**

On behalf of the Applicant, Empire Land & Development, LLC respectfully asks that the following applications:

ZON-33765

SDR-34540 (previously SDR-33767)

VAR-34538 (previously VAR-33768),

VAR-34539 (previously VAR-33771)

Be held in abeyance until the July 9th, 2009 Planning Commission Meeting. Should you have any questions please feel free to contact me directly at (702) 540-1867.

Sincerely,

Don Rodriguez
President
Empire Land & Development, LLC

RECEIVED

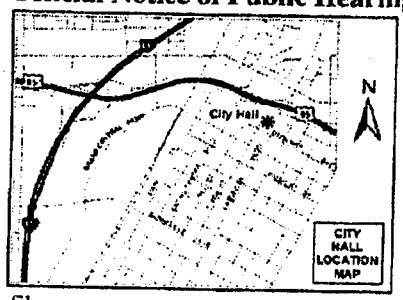
JUN 18 2009

1115 Mariposa Way
Boulder City, NV 89005
(702) 540-1867
(702) 442-1880 fax
drodriguez@empire-LD.com

ZON-33765 VAR-34539
SDR-34540 07/09/09 PC
REVISED

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

**Return Service Requested**
**Official Notice of Public Hearing**




If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-34539 & SDR-34540**
Planning Commission Meeting of 6/11/2009

RECEIVED
JUN 10 2009

Case: VAR-34539
13928604005
JACKSON FREDERICK
8954 UNION GAP RD
LAS VEGAS NV 89123-3019

CAVDS11 83123

Submitted after final agenda

Date 6/10/09 Item 15P

Jun 10 09 01:36p Freddy Jackson 702-897-4629 p.1

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

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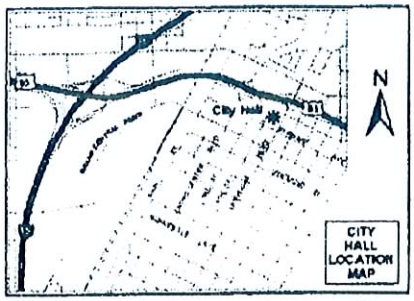
MAILED FROM ZIPCODE 89101

**Return Service Requested**

**Official Notice of Public Hearing**

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Case: VAR-34539

13928601003
C & C ASSET MANAGEMENT L L C
1000 N GREEN VALLEY PKWY
#440-355
HENDERSON NV 89074-6170

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-34539 & SDR-34540**

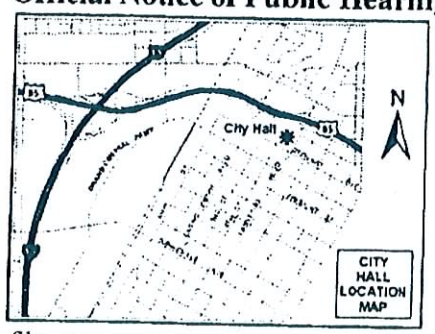
Planning Commission Meeting of 6/11/2009

CAUDS11 89074

15A

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

**Return Service Requested**
**Official Notice of Public Hearing**

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-34539 & SDR-34540**

Planning Commission Meeting of 6/11/2009

PRESORTED FIRST CLASS

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JUN 02 2009

13928501009 Case: VAR-34539
STOWERS STEVIE D & TERRY D
8530 GLADE MINNOW AVE
LAS VEGAS NV 89113-1740

CAVDS11 89113

15A

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

## *AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT*
### PLANNING COMMISSION MEETING OF: JULY 9, 2009

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

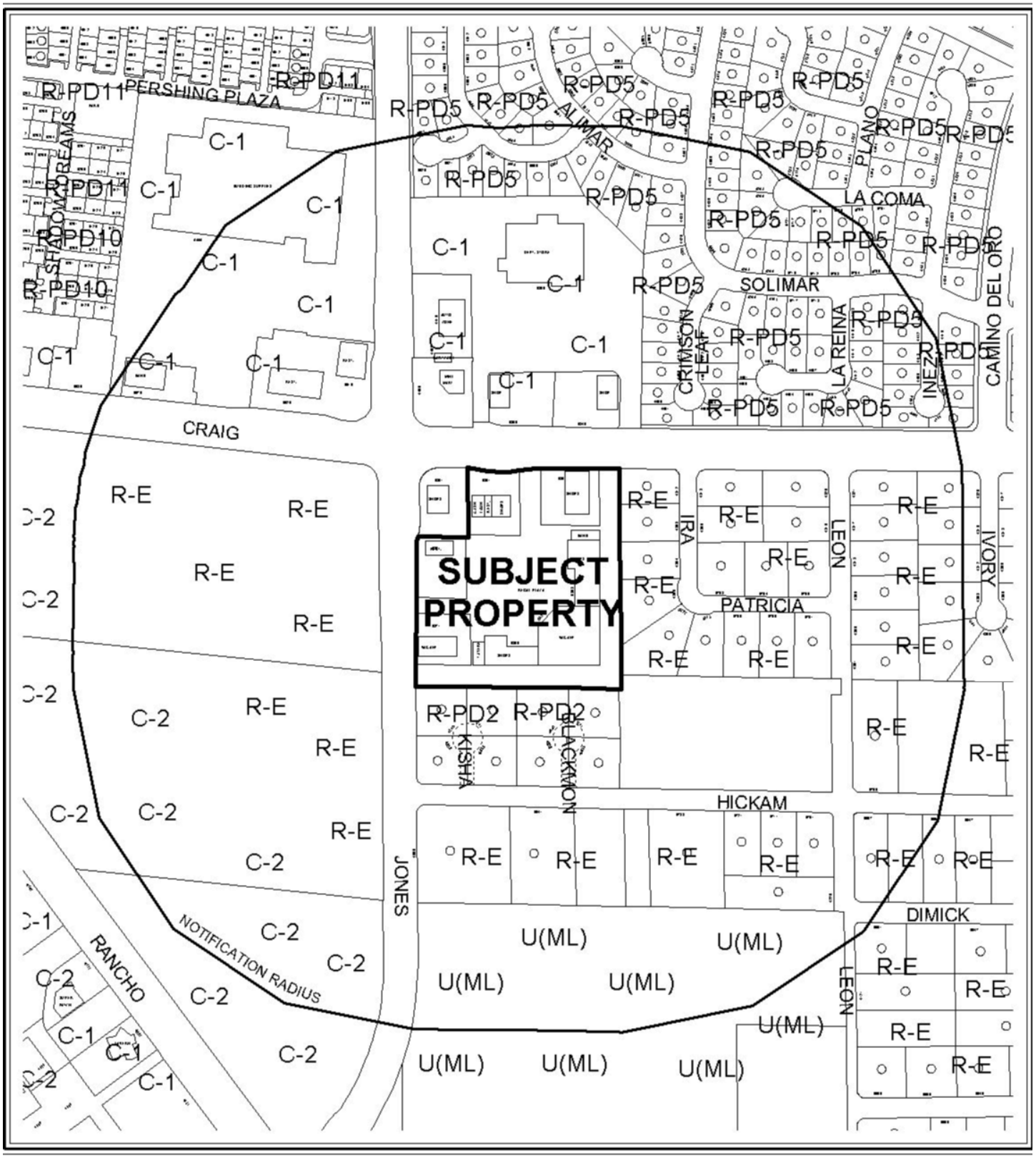
**SUBJECT:**
**ABEYANCE - SDR-34464 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: TOWER REALTY AND DEVELOPMENT, LLC - OWNER: REGAL PLAZA PAD D, LLC -** Request for a Major Amendment of a previously approved Site Development Plan Review (SDR-20711) FOR THE ADDITION OF A RESTAURANT WITH DRIVE-THROUGH TO AN EXISTING 5,566 SQUARE-FOOT RETAIL BUILDING WITH A WAIVER OF TITLE 19.12.040(E) UTILITY BOX AND INSTALLATION SCREENING STANDARDS on 8.16 acres at the southeast corner of Craig Road and Jones Boulevard (APN 138-01-312-003), C-1 (Limited Commercial) Zone, Ward 6 (Ross)

**P.C.: FINAL ACTION (Unless Appealed Within 10 Days)**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **1** | **Planning Commission Mtg.** | **0** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
**DENIAL**

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest Postcard



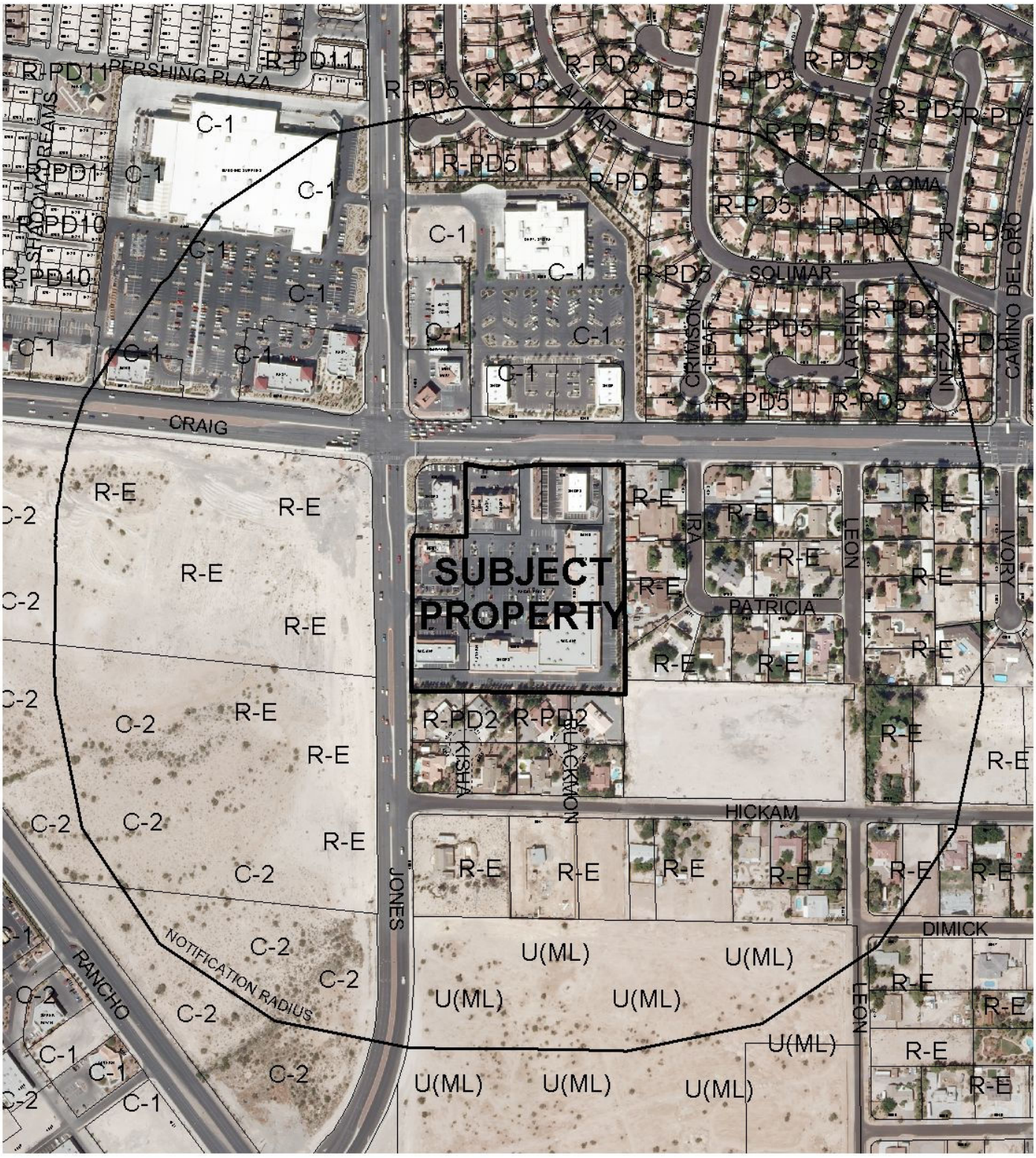

**CASE:** **SDR-34464**

**RADIUS:** 1000 FT

0 500 Feet

**ZONING OF SUBJECT PROPERTY:** C-1 (LIMITED COMMERCIAL)

N




**CASE:** **SDR-34464**

**RADIUS:** 1000 FT

0 500 Feet

**ZONING OF SUBJECT PROPERTY:** C-1 (LIMITED COMMERCIAL)

N

City of Las Vegas

## *AGENDA MEMO*

**PLANNING COMMISSION MEETING DATE: JULY 9, 2009**
**DEPARTMENT: PLANNING AND DEVELOPMENT**
**ITEM DESCRIPTION: ABEYANCE - SDR-34464 - APPLICANT: TOWER REALTY AND DEVELOPMENT, LLC - OWNER: REGAL PLAZA PAD D, LLC**

## ** CONDITIONS **

**STAFF RECOMMENDATION:** **DENIAL.** If Approved, subject to:

***Planning and Development***

1. Conformance to the Conditions of Approval for Site Development Plan Review (SDR-20711) shall be required, except as amended herein.

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 06/04/09, and the landscape plan, and building elevations, date stamped 05/12/09, except as amended by conditions herein.

4. A Waiver from Title 19.14.040 is hereby approved, to allow no landscaping or screening for a utility box in excess of 27 cubic feet located within the perimeter landscape buffer at the northeast corner of the site along Craig Road.

5. The trash enclosure shall comply with all requirements of Title 19.08.

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: Street trees along Craig Road shall be palm trees with a minimum height of 15 feet from the ground to the top of the fronds and planted at 30 feet on-center, as approved in Site Development Plan Review (SDR-20711). A total of 10 parking lot trees shall be required in parking lot islands and at the end of each row of parking spaces. Four, five-gallon shrubs shall be required for each required street and parking lot tree.

7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

8. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).

9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

***Public Works***

14. No new permanent structures or landscaping taller than 3 feet shall be allowed within the existing 20 foot public sewer easement granted by the Regal Plaza Commercial Subdivision, Book 90, Page 27.

15. 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 or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

16. Site development to comply with all applicable conditions of approval for SDR-20711 and all other site-related actions.

**SDR-34464 - Staff Report Page One**
**July 9, 2009 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This request for a Major Amendment to an approved Site Development Plan Review (SDR-20711) is the result of a failed construction inspection, which indicated that the site was not constructed per the approved Site Development Plan Review, civil improvement plans or the building permit. The site, as built, added a drive-through for a restaurant, moved the building approximately eight feet to the south and 1.5 feet to the west, and added approximately 66 square feet of floor area for a fire riser room and drive-through window area. The height of the building has increased by one foot. A large utility box located within the north landscape buffer is not screened as required, is elevated above the sidewalk, and is prominently visible at the front of the site, adjacent to Craig Road. This Amendment is necessary to allow the issuance of a certificate of occupancy for the building. If denied, the applicant would be required to bring the site in to compliance with the previously approved Site Development Plan Review, civil improvement plans and building permit.

Issues:

- The site was not constructed per the approved Site Development Plan Review, nor was it constructed per the approved civil improvement plans or the building permit.
- The added drive-through does not function very well in that larger vehicles will have some difficulty navigating the turns without hitting the curbs. The exit for the drive-through is located at the northwest corner of the building, and creates a potentially unsafe condition by channeling additional vehicles into a dead-end parking area that does not provide adequate space to turn a vehicle around unless there is an open parking space to facilitate the maneuver.
- The Waiver of the screening for the utility box cannot be supported as the box is prominently visible from the public right-of-way.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 11/17/99 | The City Council approved a Special Use Permit (U-102-99) for the sale of packaged liquor in conjunction with a proposed 26,498 square foot grocery store on property located at the southeast corner of Jones Boulevard and Craig Road. |
| 05/27/04 | The Planning Commission approved a request for a Site Development Plan Review (SDR-4294) with Waivers of Landscaping, Pad Location and Covered Trash Enclosure Requirements for a proposed retail building on 0.64 acres adjacent to the south side of Craig Road, approximately 370 east of Jones Boulevard. |
| 12/28/06 | A deed was recorded for change of ownership. |

| | |
|---|---|
| 05/10/07 | The Planning Commission approved a request for a Site Development Plan Review (SDR-20711) for a 5,500 square foot commercial building with a Waiver to allow perimeter landscape buffer widths of zero feet on the south and east property lines where eight feet is the minimum required on 0.55 acres on the south side of Craig Road. Staff recommended approval. |
| 06/25/09 | The Planning Commission, at the request of the applicant, held in abeyance a request for a Major Amendment (SDR-34464) to an approved Site Development Plan Review (SDR-20711) for the addition of a restaurant with drive-through to an existing 5,566 square-foot retail building with a Waiver of Title 19.12.040(e) utility box and installation screening standards on 8.16 acres at the southeast corner of Craig Road and Jones Boulevard. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 04/15/08 | Building permits were issued for an office/retail shell building (#107695), on-site improvements (#107696) and a trash enclosure (#107697) at 5801 W. Craig Road. The permit has not been finaled. |
| 06/17/08 | A building permit (#113507) was issued for a tenant improvement at 5801 W. Craig Road, suite #130. The permit has not been finaled. |
| 08/18/08 | An application for a building permit (#122386) was received for a tenant improvement at 5801 W. Craig Road, suite #110. The application is currently under review. |

| ***Pre-Application Meeting*** | |
|---|---|
| 04/08/09 | A pre-application meeting for a Major Amendment to an existing Site Development Plan Review was held to discuss the following issues:<br>• Revised parking calculations required. Handicap parking spaces to comply with Title 19.10 standards.<br>• Exceptions will be required for required landscape buffer planting materials, parking lot islands and planting materials and parking lot screening requirements.<br>• The preferred location for the trash enclosure is the location approved by SDR-20711 |

| ***Neighborhood Meeting*** |
|---|
| A neighborhood meeting was neither required nor held for this application. |

| ***Field Check*** | |
|---|---|
| 05/21/09 | A field check was conducted by staff. The existing building was not constructed in accordance with the approved building permit plans. The building remains vacant, as no certificate of occupancy has been issued. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Gross Acres | 0.64 Acres |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|---|---|---|---|
| Subject Property | Shopping Center | SC (Service Commercial) | C-1 (Limited Commercial) |
| North | Shopping Center | SC (Service Commercial) | C-1 (Limited Commercial) |
| South | Single-Family Residences | DR (Desert Rural Density Residential) | R-PD2 (Residential Planned Development – 2 Units per Acre) |
| East | Single-Family Residences | DR (Desert Rural Density Residential) | R-E (Residence Estates) |
| West | Undeveloped | SC (Service Commercial) | R-E (Residence Estates) |

| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
|---|---|---|---|
| **Special Area Plan** | | X | N/A |
| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
| **Special Purpose and Overlay Districts** | | | |
| A-O Airport Overlay District (140 Feet) | X | | Y |
| **Trails** | | X | N/A |
| **Rural Preservation Overlay District** | | X | N/A |
| **Development Impact Notification Assessment** | | X | N/A |
| **Project of Regional Significance** | | X | N/A |

**DEVELOPMENT STANDARDS**

***Pursuant to Title 19.08, the following standards apply:***

| *Standard* | *Required/Allowed* | *Provided* | *Compliance* |
|---|---|---|---|
| Min. Lot Size | N/A | 28,058 SF | Y |
| Min. Lot Width | 100 Feet | 170 Feet | Y |
| Min. Setbacks | | | |
| • Front | 20 Feet | 24 Feet | Y |
| • Side | 10 Feet | 35 Feet | Y |
| • Corner | 15 Feet | N/A Feet | N/A |
| • Rear | 20 Feet | 27 Feet | Y |
| Max. Lot Coverage | 50% | 20% | Y |
| Max. Building Height | N/A | 23 Feet | Y |
| Trash Enclosure | Screened, Gated, w/ a Roof or Trellis | Not Indicated | By Condition |
| Mech. Equipment | Screened | Not Indicated | By Condition |

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

| *Residential Adjacency Standards* | *Required/Allowed* | *Provided* | *Compliance* |
|---|---|---|---|
| 3:1 proximity slope | 69 Feet | 95 Feet | Y |
| Adjacent development matching setback | 35 Feet | 95 Feet | Y |
| Trash Enclosure | 50 Feet | 65 Feet | Y |

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

| *Landscaping and Open Space Standards* | | | | |
|---|---|---|---|---|
| *Standards* | *Required* | | *Provided* | *Compliance* |
| | *Ratio* | *Trees* | | |
| Parking Area | 1 Tree / 6 Spaces, plus 1 at the end of each row of spaces | 10 Trees | 7 Trees | By Condition |
| Buffer: North | 1 Tree / 30 Linear Feet | 6 Trees | 4 Trees | By Condition |
| **TOTAL** | | 16 Trees | 11 Trees | By Condition |
| Min. Zone Width North | 15 Feet | | 15 Feet | Y |
| Wall Height | 6 to 8 Feet Adjacent to Residential | | 6 feet | Y |

***Pursuant to Title 19.10, the following parking standards apply:***

| *Parking Requirement* | | | | | | | |
|---|---|---|---|---|---|---|---|
| | *Gross Floor Area or Number of Units* | *Required* | | | *Provided* | | *Compliance* |
| | | | *Parking* | | *Parking* | | |
| *Use* | | *Parking Ratio* | Regular | Handi-capped | Regular | Handi-capped | |
| Shopping Center | 75,850 SF | 1:250 | 296 | 8 | 399 | 17 | Y |
| **TOTAL** | | | 304 | | 416 | | Y |
| Loading Spaces | 75,850 SF | | 4 | | 6 | | Y |

| Waivers | | |
|---|---|---|
| **Requirement** | **Request** | **Staff Recommendation** |
| Utility boxes and above-ground utility installations in excess of 27 cubic feet shall be set back a sufficient distance so that a minimum of three feet of landscaping separates the utility structure from the public street right-of-way or sidewalk, whichever is nearer to the structures. The landscaping must include tall grasses and shrubbery which at maturity will provide adequate screening of the utility structures. | To provide no landscaping or screening for a utility box. | Denial |

**ANALYSIS**

- **Site Plan**

  The proposed changes to the site include the addition of a drive-through along the east and north sides of the building, with the building moved approximately eight feet to the south and 1.5 feet to the west to accommodate the drive lane. The entrance to the drive-through is located on the east side of the building; larger vehicles will have difficulty navigating the sharp turns associated with the drive-through. The exit for the drive-through is located at the northwest corner of the building, and creates a potentially unsafe condition by channeling additional vehicles into a dead-end parking area that does not provide adequate space to turn a vehicle around unless there is an open parking space to facilitate the maneuver.

  The proposed building is approximately 66 square feet larger than the previously approved building, a result of the addition of a 30 square-foot fire riser room at the southeast corner of the building, and a 36 square-foot drive-up window on the north side of the building. The additional building area will not significantly impact the subject site.

  The previously approved site plan depicted 31 parking spaces, with two handicap spaces and one loading zone. The proposed site will provide 32 parking spaces, with three handicap spaces and one loading zone; two of the three handicap spaces do not have access aisles on both sides of the parking spaces as required by Title 19.10, and a condition has been added to require compliance with the standards.

- **Landscape Plan**

  The landscape plan is similar to the previously approved plan, but the addition of the drive-through has increased the number of parking lot trees required to ten as a result of the additional landscape islands created. A condition has been added to require the correct number of trees and shrubs.

  A large utility box is located in the landscape buffer at the northeast corner of the site, adjacent to Craig Road. Landscaping is required to screen the box from view from the public right-of-way. The applicant is requesting a Waiver of this requirement. Staff cannot support this request as the utility box is elevated above the sidewalk and is prominently visible from the public right-of-way.

- **Elevations**

  The elevations remain very similar to the previously approved elevations, with the exception of the north building façade. The north façade, adjacent to Craig Road, has had a drive-up window added. Even though the window area pops out from the rest of the building, the limited window area of the façade gives it a plain, unremarkable appearance. Additional embellishment or architectural features would be desirable for this façade as it will be visible from the right-of-way.

  In addition, the overall height of the building has been increased by one foot, which will not significantly impact the subject site or any surrounding developments.

## FINDINGS

The following findings must be made for an SDR:

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

   The proposed development is compatible with adjacent development with regards to the uses proposed; however, the layout of the development is not compatible with the adjacent development and development in the area.

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

   The proposed development is consistent with the General Plan, but is not consistent with Title 19, as is evidenced by the need for a Waiver of required screening for a utility box.

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

   Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic. On-site circulation is not adequate in that vehicles, especially larger vehicles, will have trouble navigating the turns associated with the drive-through. The drive-through exit is located at the end of a parking field that dead-ends, creating a bottleneck for vehicles exiting the drive-through, as well as vehicles trying to enter, exit and turn around in the parking area.

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

   The building materials are as previously approved. Landscape materials, as conditioned, are appropriate for the area and for the city.

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

   The building elevations are almost identical to the previously approved elevations, with the exception of the north elevation. The north elevation, which is adjacent to Craig Road, is not aesthetically pleasing or compatible with development in area.

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

   The proposed development is subject to permit review and inspection; therefore, appropriate measures will be taken to protect the health, safety and general welfare.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 7

**ASSEMBLY DISTRICT** 1

**SENATE DISTRICT** 4

**NOTICES MAILED** 150

**APPROVALS** 0

**PROTESTS** 1

SG

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-34464** APN: 138-01-312-003

Name of Property Owner: REGAL PLAZA PAD, D

Name of Applicant: TOWER REALTY & DEVELOPMENT, LLC

Name of Representative: JOHN MORELLI

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: LOUIS V. CARNESALE, MANAGING /MEMBER

Subscribed and sworn before me

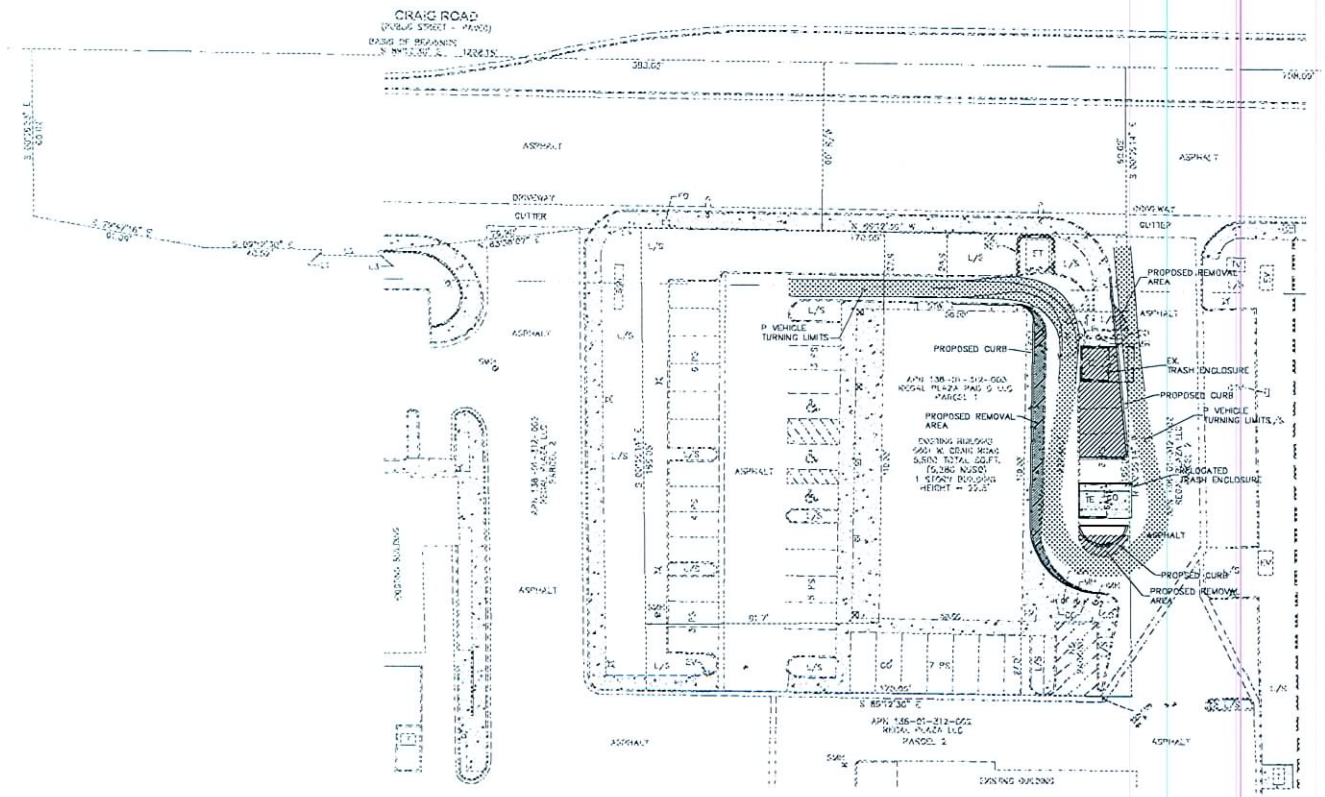
This 11th day of May, 2009

Tonya A Smyth

Notary Public in and for said County and State

TONYA A. SMYTH
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 05-100789-1
My Appt. Expires Oct. 12, 2009

RECEIVED
MAY 12 2009




DESCRIPTION
A PORTION OF LOT 1, BOOK 90 OF PLATS, PAGE 27, CLARK COUNTY OFFICIAL RECORDS, SITUATE IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 01, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, SHOWN AS LOT 1-1 IN FILE 103 OF SURVEYS, PAGE 58, CLARK COUNTY OFFICIAL RECORDS.

BENCHMARK
CITY OF LAS VEGAS VERTICAL CONTROL
RIVET AND PLATE IN TOP OF CURB ON WEST SIDE OF JONES ¼ MILE NORTH OF CRAIG

STATION 1LV00
2NE66
ELEVATION= 691.2214 METERS (NAVD88)
2267.78 FEET

GRAPHIC SCALE
10 0 20 40 80 20 40
( IN FEET )
HORIZONTAL SCALE= 20

LEGEND

- SET REBAR W/AL CAP PLS # 8002 WITH REFERENCE MONUMENTS
- SET REBAR W/AL CAP PLS # 8002
- FOUND MONUMENT AS NOTED
- SET NAIL & TAG P.L.S. 8002
- (M) MEASURED BEARING AND/OR DISTANCE
- (C) CALCULATED BEARING AND/OR DISTANCE
- (R) RECORD BEARING AND/OR DISTANCE
- EXISTING CABLE TV BOX
- EXISTING CABLE TV VAULT
- EXISTING STREETLIGHT VAULT
- ELECTRICAL METER
- ELECTRICAL VAULT
- ELECTRICAL TRANSFORMER
- EXISTING WATER METER
- EXISTING WATER M.H.
- EXISTING TELEPHONE M.H.
- EXISTING ELECTRICAL M.H.
- EXISTING SANITARY SEWER M.H.
- EXISTING STORM DRAIN M.H.
- HANDICAPPED MARKING
- EXISTING TELEPHONE BOX
- EXISTING TELEPHONE VAULT
- EXISTING PULL BOX
- EXISTING STREET LIGHT
- EXISTING IRRIGATION CONTROL VALVE
- EXISTING LANDSCAPE LIGHT
- EXISTING BOLLARD/POST
- EXISTING X-WALK POLE
- EXISTING TRAFFIC LIGHT
- EXISTING AREA LIGHT
- EXISTING CONTROLLER BOX
- EXISTING SIGN
- EXISTING GUY WIRE ANCHOR
- EXISTING TELEPHONE POLE
- EXISTING UTILITY POLE
- EXISTING WATER VALVE
- EXISTING FIRE HYDRANT
- EDGE OF PAVEMENT
- EXISTING WALL
- EXISTING CHAIN LINK FENCE
- EXISTING WOOD FENCE
- EX BUILDING LINE
- EXISTING CURB
- EXISTING SIDEWALK
- CENTERLINE
- PROPERTY LINE
- BOUNDARY LINE
- CENTERLINE
- R.O.W. LINE
- SECTION LINE AND SECTIONAL BREAK DOWN LINES
- EXISTING EASEMENT LINE

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JUN 04 2009
SDR-34464
~~REVISED~~
06/25/09 PC

| NO. | DATE | BY | APPVD | REVISION DESCRIPTION |
|---|---|---|---|---|

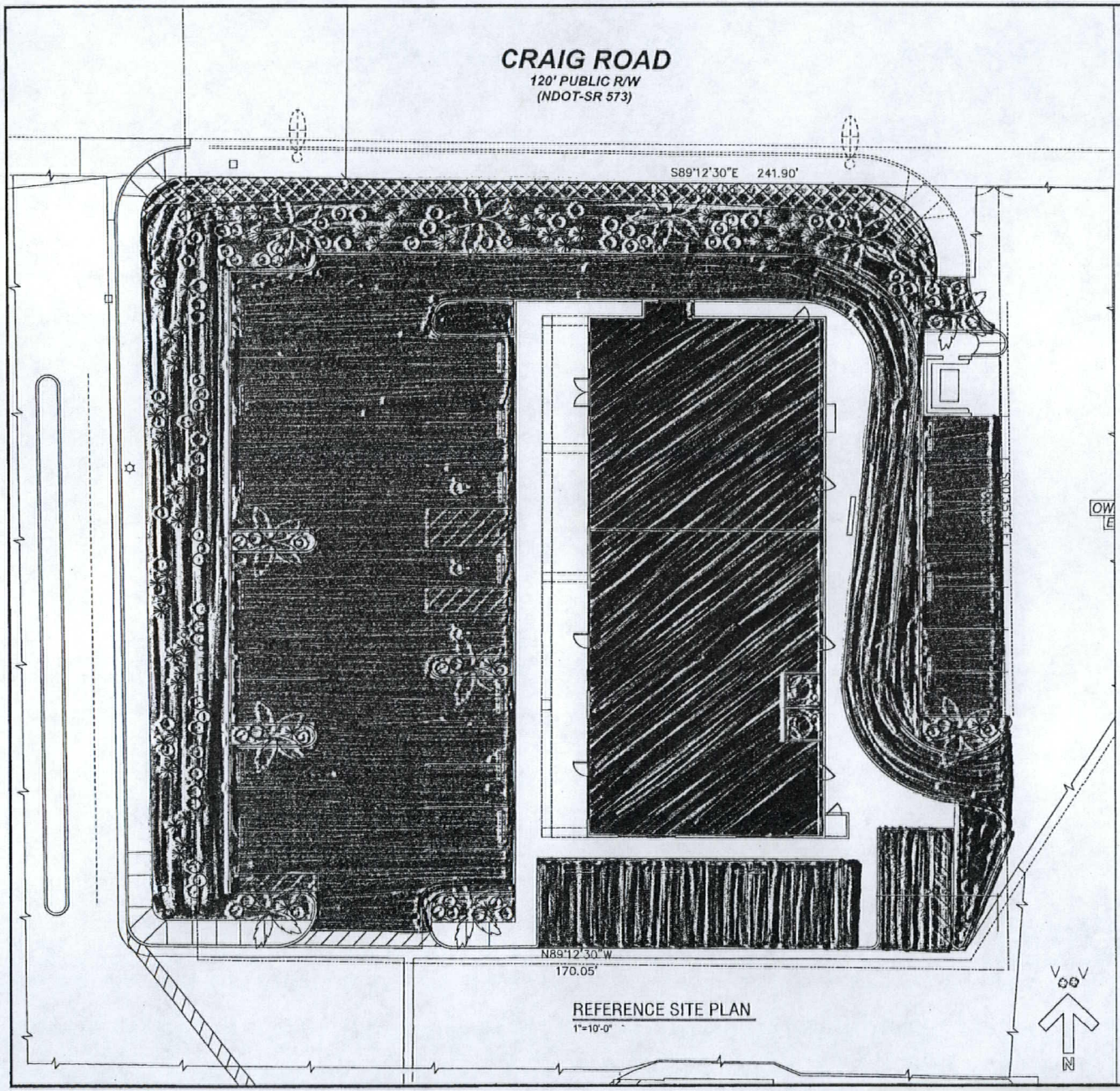
STAMP DATE:


SOUTHWEST LAND PLANNING + MAPPING + DEVELOPMENT
3610 North Rancho Drive
Las Vegas, Nevada 89130
Telephone: (702) 646-3700
fax: (702) 646-4140


TITLE: PROPOSED SITE PLAN

PROJECT: REGAL PLAZA PAD D

| | |
|---|---|
| WORK ORDER NO. | 090302 |
| DESIGN BY: | ER |
| DATE: | 3-9-09 |
| SCALE: | 20 |
| CADFILE: | 01-Pad0-TOPO |
| SHEET | 1 OF 1 SHEETS |




## SHEET NOTES

1. ALL PLANTING AREAS TO RECEIVE ¾" MINUS DECOMPOSED GRANITE GROUND COVER.
2. ALL LANDSCAPING TO BE ON AUTOMATIC IRRIGATION SYSTEM. ALL PLANTS TO BE ON DRIP SYSTEM.
3. REFER TO CIVIL DRAWINGS FOR GRADING INFORMATION.
4. REFER TO CIVIL DRAWINGS FOR HORIZONTAL AND VERTICAL CONTROL. NOTIFY ARCHITECT OF ANY DISCREPANCIES BETWEEN ARCHITECTURAL AND CIVIL CONTROL DIMENSIONS.
5. FFE = 100'-0" = REFER TO CIVIL
6. GC TO PROVIDE ALL SLEEVES FOR IRRIGATION SYSTEM.

## PLANTING NOTES

1. THE CONTRACTOR IS RESPONSIBLE FOR MAKING HIMSELF FAMILIAR WITH ALL UNDERGROUND UTILITIES, PIPES AND STRUCTURES. CONTRACTOR SHALL TAKE SOLE RESPONSIBILITY FOR ANY COST INCURRED DUE TO DAMAGE OF SAID UTILITIES.
2. DO NOT WILLFULLY PROCEED WITH CONSTRUCTION AS DESIGNED WHEN IT IS OBVIOUS THAT UNKNOWN OBSTRUCTIONS AREA DISCREPANCIES AND/OR GRADE DIFFERENCES EXIST THAT MAY NOT HAVE BEEN KNOWN DURING DESIGN. SUCH CONDITIONS SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE OWNER/ARCHITECT. THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ALL NECESSARY REVISIONS DUE TO FAILURE TO GIVE SUCH NOTIFICATION.
3. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY COORDINATION WITH SUBCONTRACTORS AS REQUIRED TO ACCOMPLISH PLANTING OPERATIONS.
4. ALL PLANT MATERIAL SHALL BE APPROVED FOR QUALITY BY THE OWNER AND LANDSCAPE ARCHITECT/ARCHITECT PRIOR TO INSTALLATION.
5. FINAL LOCATION OF ALL PLANT MATERIAL SHALL BE SUBJECT TO THE APPROVAL OF THE OWNER'S REPRESENTATIVE. LOCATION SHALL BE APPROVED PRIOR TO EXCAVATION.

## IRRIGATION NOTES

1. INSTALL ALL IRRIGATION COMPONENTS ACCORDING TO LOCAL CODES AND ORDINANCES.
2. THE CONTRACTOR SHALL OBTAIN, COORDINATE AND PAY FOR ANY AND ALL PERMITS AND ALL INSPECTIONS AS REQUIRED.
3. THE CONTRACTOR SHALL BE RESPONSIBLE AND LIABLE FOR ANY ENCROACHMENT INTO ADJACENT PROPERTY, R.O.W.'S, EASEMENTS SETBACKS OR ANY OTHER LEGAL PROPERTY RESTRICTIONS EITHER MARKED OR UNMARKED.
4. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO FAMILIARIZE HIMSELF WITH ALL UNDERGROUND UTILITIES. CONTRACTOR SHALL REPAIR/REPLACE AT NO ADDITIONAL COST TO THE OWNER, ANY DAMAGE TO UNDERGROUND UTILITIES THAT MAY OCCUR.
5. THE CONTRACTOR SHALL BE RESPONSIBLE AND LIABLE FOR ANY AND ALL DAMAGE DUE TO OPERATIONS OR NEGLECT TO WORK OF THE OTHER CONTRACTORS, EXISTING AND NEW PLANT MATERIALS OR ANY OTHER PHYSICAL ELEMENTS EITHER MARKED OR UNMARKED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION OF ACTIVITIES WITH ALL OTHER TRADES.
6. THE CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS SHOWN ON PLANS AT THE SITE PRIOR TO COMMENCEMENT OF ANY WORK. ALL DISCREPANCIES SHALL BE REPORTED TO THE OWNER AND PROJECT LANDSCAPE ARCHITECT/ARCHITECT FOR DIRECTION IMMEDIATELY. ANY CONTINUATION OF WORK IS AT THE CONTRACTOR'S RISK AND EXPENSE.
7. THE CONTRACTOR SHALL VERIFY THE STATIC PRESSURE, METER SIZE, SIZE OF SERVICE TO THE METER. ANY DEVIATIONS FROM DESIGN CRITERIA SHALL BE BROUGHT TO THE ATTENTION OF THE PROJECT LANDSCAPE ARCHITECT/ARCHITECT. CONTINUATION OF WORK WITHOUT NOTIFICATION TO THE CONTRACTING OFFICER SHALL BE AT THE CONTRACTORS RISK AND EXPENSE.
8. ONE CONTROLLER CHART SHALL BE PROVIDED AND APPROVED BY THE OWNER REPRESENTATIVE FOR EACH CONTROLLER. THE CHART SHALL BE A BLACKLINE PRINT, AND A DIFFERENT COLOR SHALL BE USED TO SHOW THE AREA OF COVERAGE OF EACH STATION. THE CHART SHALL BE MOUNTED USING VELCRO OR APPROVED EQUAL TYPE OF TAPE INSIDE CONTROLLER CABINET. THESE CHARTS MUST BE COMPLETED AND IN PLACE PRIOR TO FINAL ACCEPTANCE OF WORK BY THE OWNER.
9. ADJUST ALL HEADS FOR MINIMUM OVER SPRAY ON NON-PLANTED AREAS AND FOR COMPLETE COVERAGE. THIS SHALL INCLUDE SELECTING THE BEST DEGREE OF ARC TO FIT THE EXISTING CONDITIONS. ADJUST FOR PLANT REQUIREMENTS.
10. CONTRACTOR SHALL COORDINATE LOCATION AND POWER HOOKUP FOR AUTOMATIC IRRIGATION CONTROLLER WITH OWNER'S REPRESENTATIVE.

## HARDSCAPE SCHEDULE

| ITEM | DESCRIPTION |
|---|---|
| | TO MATCH EXISTING CENTER |

## PLANTING LEGEND

### TREE

| ITEM | | QUANTITY | BOTANICAL NAME | COMMON | SIZE |
|---|---|---|---|---|---|
| A | | 11 | - | PALM TREE (TO MATCH EXISTING CENTER) | 24" BOX |

### SHRUBS

| ITEM | | QUANTITY | BOTANICAL NAME | COMMON | SIZE |
|---|---|---|---|---|---|
| 1 | | 52 | LEUCOPHYLLUM FRUTESCENS | TEXAS RANGER | SEE PLAN NOTES |
| 2 | | 48 | CASSIA ARTEMISIOIDES | FEATHERY CASSIA | SEE PLAN NOTES |
| 3 | | 49 | DASYLIRION WHEELERI | DESERT SPOON | SEE PLAN NOTES |
| 4 | | 49 | MUHLENBERGIA RIGENS | DEER GRASS | SEE PLAN NOTES |

Western US Contractors LLC
3942 OCTAGON ROAD NORTH LAS VEGAS, NV. 89030
PHONE: 702.368.0444 FAX: 702.644.3443
www.westernuscontractors.com

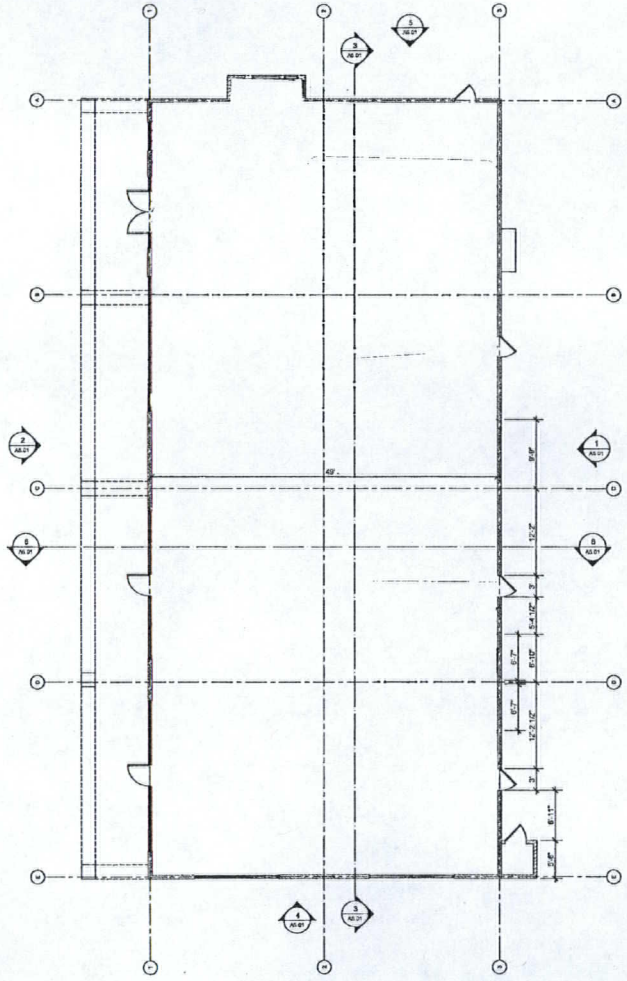
A TENANT IMPROVEMENT:
SUITE #103
5801 WEST CRAIG ROAD
LAS VEGAS, NEVADA 89130

| NO | REVISION | DATE |
|---|---|---|
| 1 | | |
| 2 | | |
| 3 | | |
| 4 | | |
| 5 | | |
| 6 | | |
| 7 | | |

PROJECT NUMBER: 0625_103
DRAWN BY: CAD
CHECKED BY: PM
ISSUE DATE: 03.17.09
SCALE: AS NOTED
SHEET NUMBER: AL1.00
LANDSCAPE PLAN

RECEIVED
MAY 12 2009

SDR-34464
06/25/09 PC



FLOOR PLAN
1/8"=1'-0"

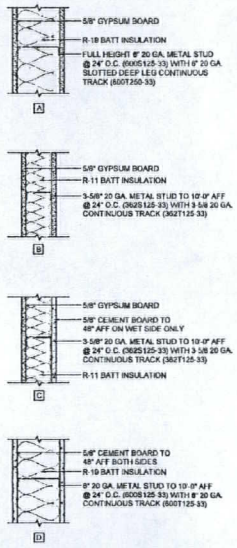
## GENERAL NOTES

1. CONTRACTOR TO VERIFY EXISTING SITE CONDITIONS PRIOR TO BEGINNING CONSTRUCTION. IF FIELD CONDITIONS DIFFER FROM PLANS NOTIFY ARCHITECT BEFORE COMMENCING CONSTRUCTION.
2. ALL DIMENSIONS ARE TO FACE OF STUDS UNLESS OTHERWISE NOTED.
3. CONTRACTOR IS RESPONSIBLE FOR AND MUST REPLACE, REPAIR, OR PATCH WALLS, CEILINGS, FLOORING, ETC... THAT ARE EXISTING AND TO REMAIN THAT ARE DAMAGED DURING MOBILIZATION, CONSTRUCTION, OR CLEAN UP.
3. CONTRACTOR IS RESPONSIBLE FOR PROPER INSTALLATION AND QUALITY OF WORKMANSHIP OF ALL MATERIALS CONTRACTED WITH OWNER AND/OR ARCHITECT AND UNDER CONTRACTOR'S SUPERVISION DURING THIS PROJECT.
4. REFER TO ELECTRICAL ENGINEER'S PLANS FOR LIGHT FIXTURES, WIRING, RELATED EQUIPMENT AND INFORMATION.
5. REFER TO PLUMBING PLANS FOR PLUMBING FIXTURES, PIPING, RELATED EQUIPMENT AND INFORMATION.
6. REFER TO MECHANICAL ENGINEER'S PLANS FOR HVAC REGISTER LOCATIONS, DUCT SIZES, RELATED EQUIPMENT AND INFORMATION.
7. NOTIFY CONTRACTOR AND ENGINEER IF THERE ARE DISCREPANCIES BETWEEN ELECTRICAL, MECHANICAL, PLUMBING, AND ARCHITECTURAL PLANS.

EXISTING WALLS

NEW WALLS

## WALL TYPES

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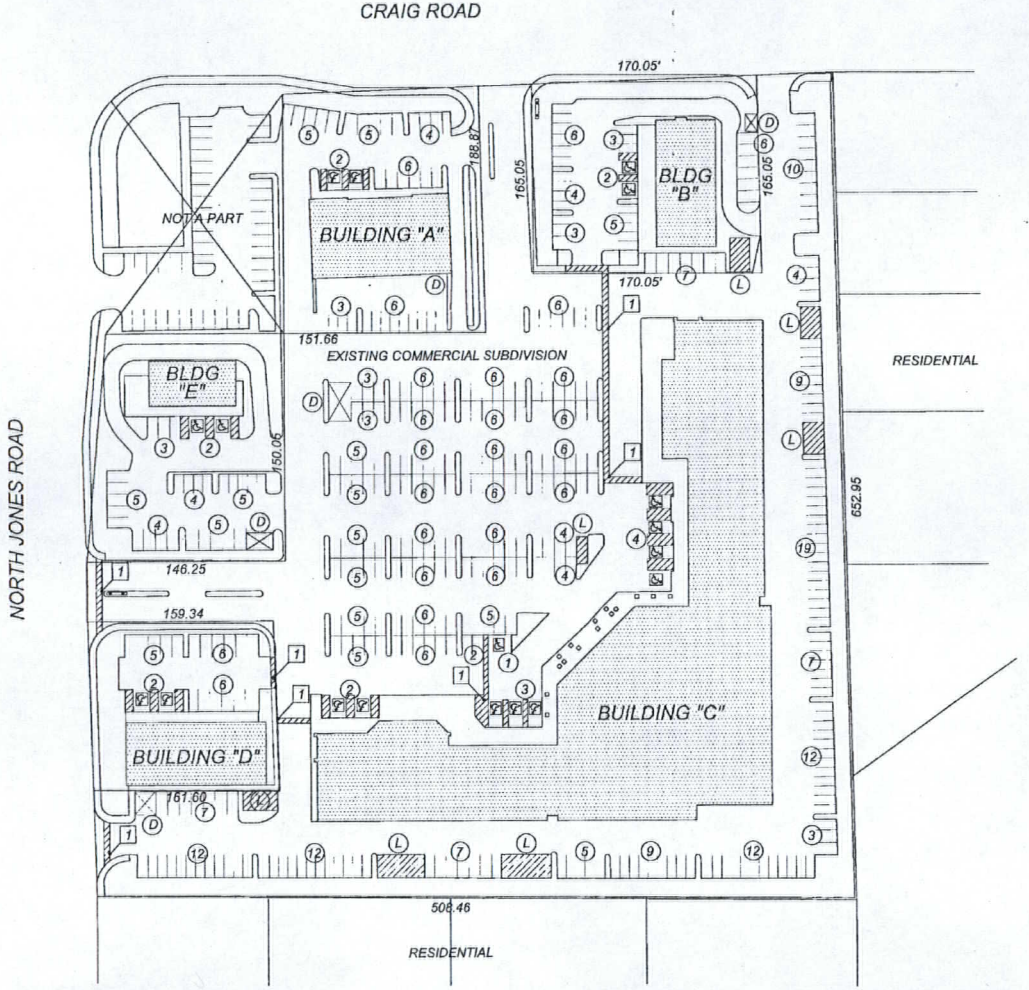
06/25/09 PC


Western US Contractors LLC
3940 OCTAGON ROAD NORTH LAS VEGAS, NV 89030
PHONE: 702.366.0444 FAX: 702.644.3443
www.westernuscontractors.com


A TENANT IMPROVEMENT:
SUITE #103
5801 WEST CRAIG ROAD
LAS VEGAS, NEVADA 89130

| | |
|---|---|
| PROJECT NUMBER | 0625_103 |
| DRAWN BY | CAD |
| CHECKED BY | FM |
| ISSUE DATE | 03.18.09 |
| SCALE | AS NOTED |
| SHEET NUMBER | A2.01 |
| SHEET NAME | FLOOR PLAN |

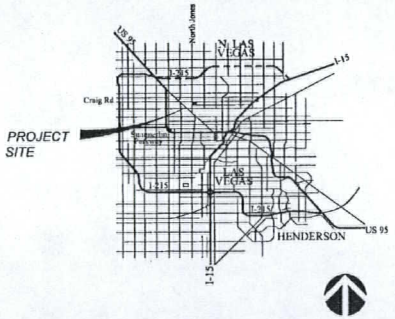



SITE PLAN

GRAPHIC SCALE: 0 10 30 50 200

KEY NOTES

1 (E) ACCESSIBLE EXTERIOR ROUTE TO PUBLIC TRANSPORTATION
(E) ACCESSIBLE PARKING
(L) (E) LOADING ZONES
(D) (E) DUMPSTER LOCATIONS




Vicinity Map

NOT TO SCALE

PARKING STALL CALCULATIONS

| BUILDING | SQUARE FOOTAGE |
|---|---|
| BUILDING 'A' | 7,200 |
| BUILDING 'B' | 5,500 |
| BUILDING 'C' | 55,200 |
| BUILDING 'D' | 5,500 |
| BUILDING 'E' | 2,450 |
| | 75,850 |

TOTAL

STALL REQUIREMENT RATIO 1:250 (PER TITLE 19, 19.10, TABLE 1)

| PARKING REQUIRED | |
|---|---|
| STANDARD STALLS | 303 |
| LOADING ZONES | 6 |
| HANDICAP STALLS | 6 |

| PARKING SUPPLIED | |
|---|---|
| STANDARD STALLS | 399 |
| LOADING ZONES | 6 |
| HANDICAP STALLS | 17 |

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SDR-34464

06/25/09 PC

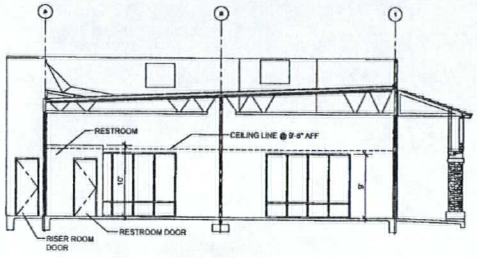
Western US Contractors, LLC
5952 SOUTH JONES, LV, NV 89118
Ph. 702-366-0444 Fax. 702-644-3443

REGAL PLAZA
PARKING ANALYSIS
5895 WEST CRAIG ROAD, SUIT 105
LAS VEGAS, NEVADA 89149

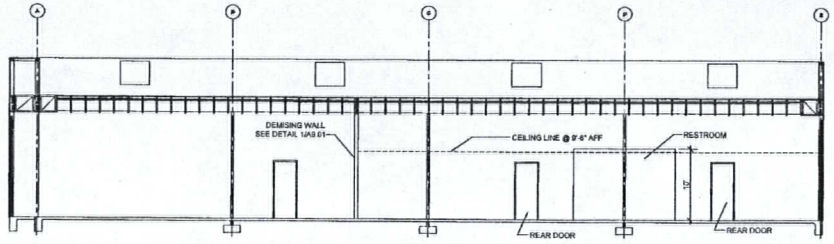
| NO. | REVISIONS DESCRIPTION | DATE |
|---|---|---|
| 1 | | 00-00-00 |
| 2 | | 00-00-00 |
| 3 | | 00-00-00 |
| 4 | | 00-00-00 |
| 5 | | 00-00-00 |
| 6 | | 00-00-00 |

DRAWN BY GM
CHECKED BY DS
PLOT DATE 06/05/09
SCALE NOTED

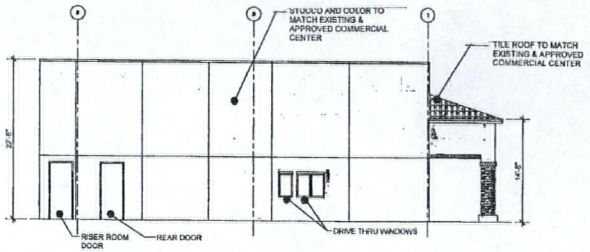
SHEET: A1.01



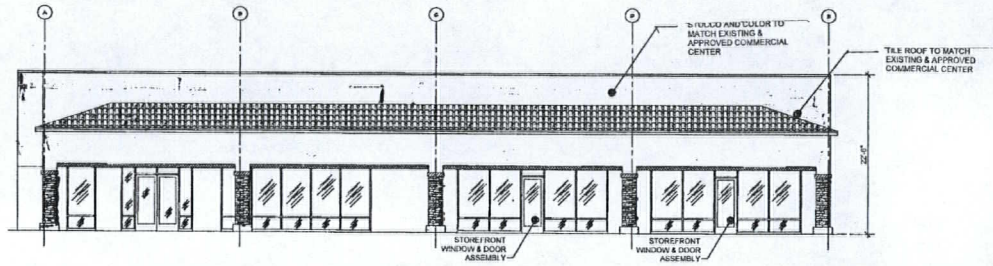

6 SECTION
1/8"=1'-0"



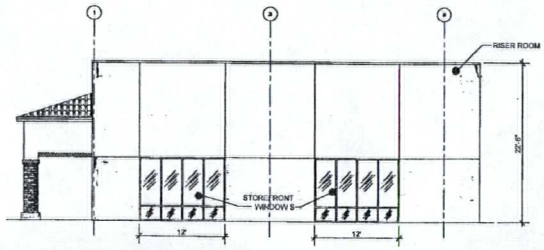

3 SECTION
1/8"=1'-0"



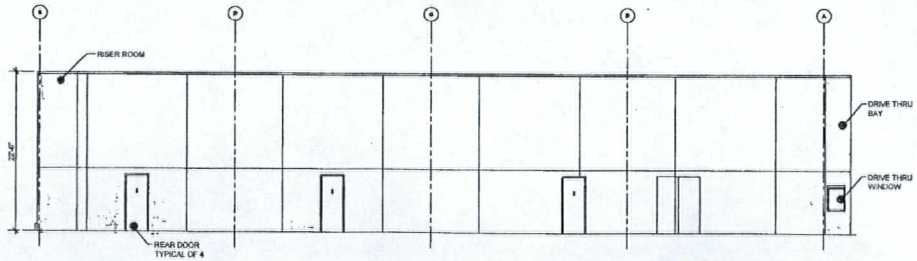

5 NORTH ELEVATION
1/8"=1'-0"




2 WEST ELEVATION
1/8"=1'-0"




4 SOUTH ELEVATION
1/8"=1'-0"




1 EAST ELEVATION
1/8"=1'-0"

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Western US Contractors LLC
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PHONE: 702.366.0444 FAX: 702.454.3443
www.westernuscontractors.com

A TENANT IMPROVEMENT:
SUITE #103
5801 WEST CRAIG ROAD
LAS VEGAS, NEVADA 89130

PROJECT NUMBER 0525_103
DRAWN BY CAD
DESIGN BY PM
ISSUE DATE 03.19.09
SCALE AS NOTED
SHEET NUMBER A6.01
SECTIONS/ELEVATIONS

**SDR 34464**

**Tower Realty & Development, LLC**

## SEC Craig Rd. & Jones Blvd.

Proposed amendment to a previously approved site plan for a 5.57 thousand square foot drive-thru restaurant.

**Traffic produced by proposed development:**

| **Proposed Amendment** | DESCRIPTION | #UNIT | RATE/# UNIT | TOTAL |
|---|---|---|---|---|
| Average Daily Traffic (ADT) | FAST-FOOD W/ DRIVE THRU [1000 SF] | 5.57 | 496.12 | 2,764 |
| AM Peak Hour | | | 53.11 | 296 |
| PM Peak Hour | | | 34.64 | 193 |
| *(heaviest 60 minutes)* | | | | |

| **Previous Approval** | DESCRIPTION | #UNIT | RATE/# UNIT | TOTAL |
|---|---|---|---|---|
| Average Daily Traffic (ADT) | FAST-FOOD W/ DRIVE THRU [1000 SF] | 5.50 | 496.12 | 2,729 |
| AM Peak Hour | | | 53.11 | 293 |
| PM Peak Hour | | | 34.64 | 191 |
| *(heaviest 60 minutes)* | | | | |

| **Net Change** | DESCRIPTION | #UNIT | | TOTAL |
|---|---|---|---|---|
| Average Daily Traffic (ADT) | FAST-FOOD W/ DRIVE THRU [1000 SF] | 0.07 | | 35 |
| AM Peak Hour | | | | 3 |
| PM Peak Hour | | | | 2 |
| *(heaviest 60 minutes)* | | | | |

**Existing traffic on all nearby streets:**

| **Craig Rd.** | |
|---|---|
| Average Daily Traffic (ADT) | 32,537 |
| PM Peak Hour | 2,603 |
| *(heaviest 60 minutes)* | |

| **Jones Blvd.** | |
|---|---|
| Average Daily Traffic (ADT) | 24,032 |
| PM Peak Hour | 1,923 |
| *(heaviest 60 minutes)* | |

| **Traffic Capacity of adjacent streets:** | | | | |
|---|---|---|---|---|
| | Existing Street Capacity | | | |
| Craig Rd. | 51800 | | | |
| Jones Blvd. | 34500 | | | |
| | | | | |
| This project will add approximately 2,764 trips per day on Craig Rd. and Jones Blvd. This will increase expected volumes by about 8 percent on Craig and by about 12 percent on Jones. Craig is at about 63 percent of capacity and Jones is at about 70 percent of capacity. | | | | |
| | | | | |
| Based on Peak Hour use, this development will add roughly 296 additional cars into the area; which works out to about 5 every minute. | | | | |
| | | | | |
| Note that this report assumes all traffic from this development uses all named streets. | | | | |




SDR-34464 - APPLICANT: TOWER REALTY AND DEVELOPMENT, LLC - OWNER: REGAL PLAZA PAD D, LLC
SOUTHEAST CORNER OF CRAIG ROAD AND JONES BOULEVARD
JULY 9, 2009 PLANNING COMMISSION

05/21//09




SDR-34464 - APPLICANT: TOWER REALTY AND DEVELOPMENT, LLC - OWNER: REGAL PLAZA PAD D, LLC
SOUTHEAST CORNER OF CRAIG ROAD AND JONES BOULEVARD
JULY 9, 2009 PLANNING COMMISSION

05/21//09




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05/21//09




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JULY 9, 2009 PLANNING COMMISSION

05/21//09




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SOUTHEAST CORNER OF CRAIG ROAD AND JONES BOULEVARD
JULY 9, 2009 PLANNING COMMISSION

05/21//09




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SOUTHEAST CORNER OF CRAIG ROAD AND JONES BOULEVARD
JULY 9, 2009 PLANNING COMMISSION

05/21//09




SDR-34464 - APPLICANT: TOWER REALTY AND DEVELOPMENT, LLC - OWNER: REGAL PLAZA PAD D, LLC
SOUTHEAST CORNER OF CRAIG ROAD AND JONES BOULEVARD
JULY 9, 2009 PLANNING COMMISSION

05/21//09




SDR-34464 - APPLICANT: TOWER REALTY AND DEVELOPMENT, LLC - OWNER: REGAL PLAZA PAD D, LLC
SOUTHEAST CORNER OF CRAIG ROAD AND JONES BOULEVARD
JULY 9, 2009 PLANNING COMMISSION

05/21//09

TOWER
Realty & Development, LLC.

May 11, 2009

Las Vegas Planning & Development
731 South Forth Street
Las Vegas, NV 89101

To whom it may concern,

We respectfully request an Amendment to an existing SDR to allow for a Food Service use and a Drive-up window in an existing 5,500 square foot stand alone structure. We shall comply with all Las Vegas zoning and planning ordinances with the following exception:

1. Request to allow for 10'0 palm trees within the parking lot fingers where a 24' box evergreen or shade tree is required.
2. Request to allow for 10'0 palm trees adjacent to Craig Road where 15' trees are required.
3. Request to allow for no parking lot screening adjacent to Craig Road where a low wall, berm, solid living hedge or some other approved screening method is required.

Thank you for your consideration in this matter.

Regards,

John Morelli

3942 Octagon Road | N Las Vegas | NV 89030 P | 702-366-0444 F | 702-366-1656

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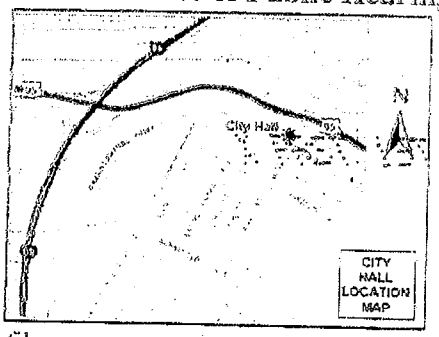
MAY 12 2009
SDR-34464
06/25/09 PC

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested

**Official Notice of Public Hearing**




If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-34464

Planning Commission Meeting of 6/25/2009

Case: SDR-34464

13801211073
MILLER DAVID L
4404 CRIMSON LEAF DR
LAS VEGAS NV 89130-5113

RECEIVED
JUN 22 2009

Submitted after final agenda
Date 6/25/09 PC Item 28 P

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

## *AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT*
### PLANNING COMMISSION MEETING OF: JULY 9, 2009

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

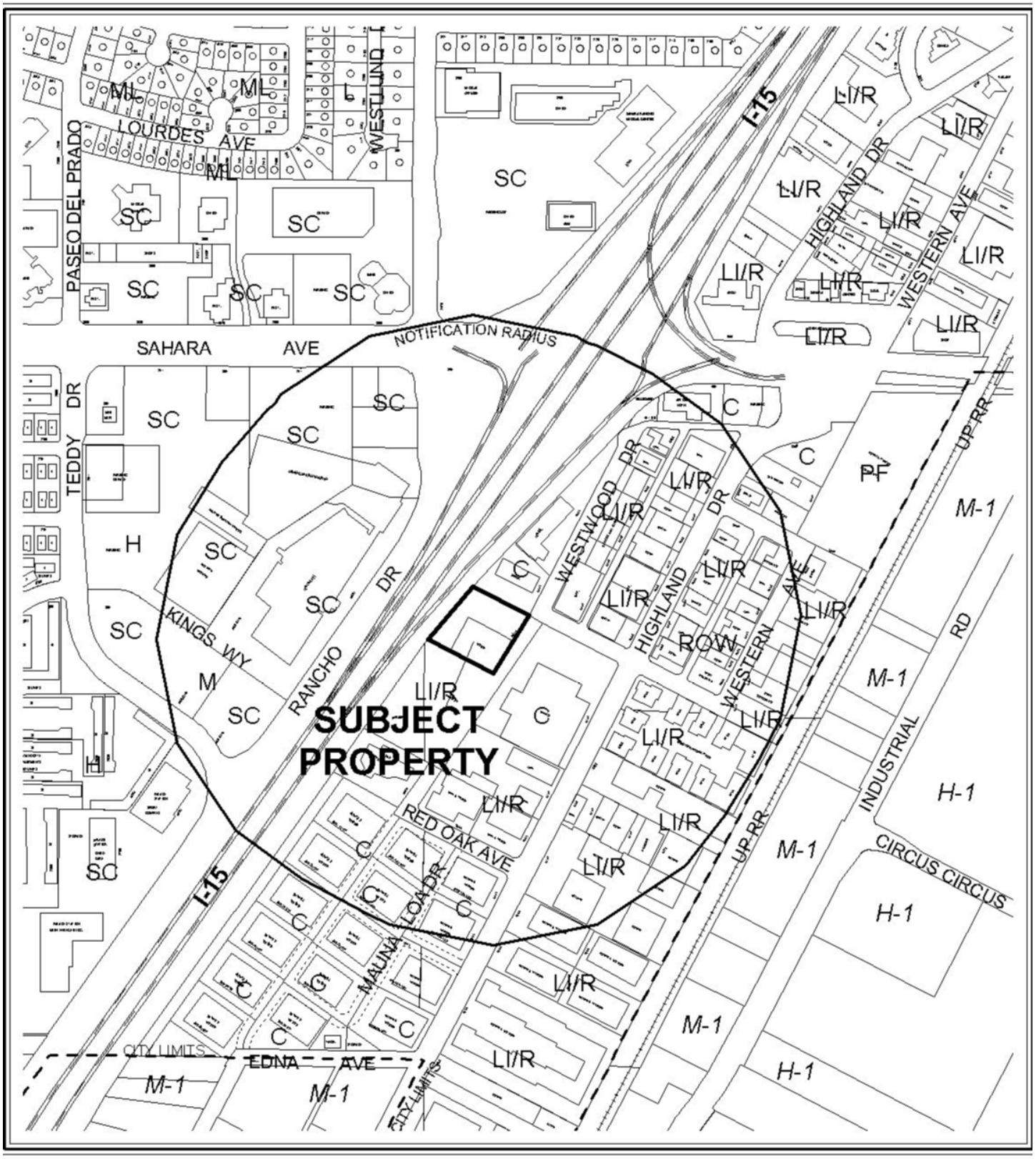
**SUBJECT:**
**GPA-34597 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: DR. ARTHUR WEATHERS - OWNER: 2701 WESTWOOD, LLC** - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: C (COMMERCIAL) TO: LI/R (LIGHT INDUSTRY/RESEARCH) on 1.45 acres at 2701 Westwood Drive (APN 162-09-102-002), Ward 1 (Tarkanian)

**C.C.: 08/05/2009**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **2** | **Planning Commission Mtg.** | **1** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
**APPROVAL**

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards




0 400 800 Feet

**CASE:** **GPA-34597**

**RADIUS:** 1000 FT

**GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:**
C (COMMERCIAL)

**PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:**
LI/R (LIGHT INDUSTRY/RESEARCH)

N




0 400 800 Feet

**CASE:** **GPA-34597**

**RADIUS:** 1000 FT

**GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:**
C (COMMERCIAL)

**PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:**
LI/R (LIGHT INDUSTRY/RESEARCH)

N

City of Las Vegas

## *AGENDA MEMO*

**PLANNING COMMISSION MEETING DATE: JULY 9, 2009**
**DEPARTMENT: PLANNING AND DEVELOPMENT**
**ITEM DESCRIPTION: GPA-34597 - APPLICANT: DR. ARTHUR WEATHERS - OWNER: 2701 WESTWOOD, LLC**

# ** CONDITIONS **

**STAFF RECOMMENDATION: APPROVAL**

JB

**GPA-34597 - Staff Report Page One**
**July 9, 2009 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a General Plan Amendment to amend a portion of the Southeast Sector of the Centennial Hills Master Plan from C (Commercial) to LI/R (Light Industry/ Research) on 1.45 acres at 2701 Westwood Drive. The applicant proposes to utilize the subject parcel as a Custodial Institution for up to 100 parolees, with accessory dog training facilities within an existing Office/Warehouse building. If denied, the associated Special Use Permit for a Custodial Institution cannot be approved, as the use is too intense for the existing General Plan designation.

**ISSUES**

- The proposed LI/R (Light Industry/Research) General Plan designation is consistent with the M (Industrial) zoning district, which will allow more intense uses, including the proposed Custodial Institution, and would be compatible with the surrounding land uses; therefore, staff is recommending approval of the request.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 01/12/61 | The Board of City Commissioners approved a request for Reclassification of Property (Z-0062-60) from R-E (Residence Estates) to M-1 (Light Industry) generally located south Sahara Avenue between Highland Drive and the proposed freeway [Interstate 15]. |
| 10/28/93 | The Planning Commission approved a request for a Plot Plan and Building Elevation Review [Z-0062-60(1)] for a warehouse and office building at 2701 Westwood Drive. |
| 03/08/98 | The Board of Zoning and Adjustment approved a request for a Variance (V-112-98) to allow a proposed 16,097 square-foot addition to an existing legal non-conforming warehouse building on the side property line where 10 feet is the minimum setback required; and to allow 51 parking spaces where 59 spaces are the minimum required at 2701 Westwood Drive. |
| 05/27/99 | The Planning Commission approved a request for a Site Development Plan Review [Z-0062-60(2)] for a proposed 23,148 square foot addition to an existing Print Shop on property located at 2701 Westwood Drive. |
| 09/14/04 | A deed was recorded for change of ownership. |
| 04/20/05 | A Code Enforcement case (#29063) was processed for outside storage at 2701 Westwood Drive. Code Enforcement closed the case on 06/16/05. |

| | |
|---|---|
| 01/17/06 | A Code Enforcement Case (#37578) was processed for using the designated parking area for storage, forcing employees to park in complainant's parking lot at 2701 Westwood Drive. Code Enforcement closed the case on 01/18/06. |
| 05/17/06 | The City Council approved a request for a General Plan Amendment (GPA-9219) to change the Future Land Use designation to Commercial, Mixed Use, Industrial or Public Facilities on various parcels located within the proposed Las Vegas Redevelopment Plan area and within the proposed Redevelopment Plan expansion area. The Planning Commission recommended approval of the request. |
| 03/04/08 | A Code Enforcement case (#62937) was processed for customer who called and asked for assistance at this commercial manufacturing & Processing Plant. States there are environmental and other issues and would like a complete exterior inspection of the business and grounds. Code Enforcement closed the case on 01/14/09. |
| 07/24/08 | The Planning Commission approved a request for a Site Development Plan Review (SDR-28536) for a minor amendment to an approved Site Development Plan Review [Z-0062-60(1)] to allow for parking lot modifications at 2701 Westwood Drive. |
| ***Related Building Permits/Business Licenses*** | |
| 06/08/94 | A building permit (#94335306) was issued for On-site Improvements at 2701 Westwood Drive. This permit was expired on 12/02/95. |
| | A building permit (#94335307) was issued for a warehouse/office building Certificate of Occupancy at 2701 Westwood Drive. This permit was completed on 11/02/94. |
| 09/12/94 | A building permit (#94347595) was issued for a masonry wall at 2701 Westwood Drive. This permit was completed on 11/03/94. |
| 12/29/00 | A building permit (#23291) was issued for a Tenant Improvement to install a paper collector at 2701 Westwood Drive. This permit was expired on 07/07/01. |
| ***Pre-Application Meeting*** | |
| 05/14/09 | A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit were discussed topics included.<br>• Title 19 Zoning Code requirements<br>• Application Materials and Documents<br>• Meeting Dates and Deadlines |

| *Neighborhood Meeting* | |
|---|---|
| 06/09/09 | A neighborhood meeting was held on Tuesday, June 9th at 6:30 PM at 2701 Westwood Drive, Las Vegas. Four members from the applicant attended the meeting along with one staff member from the Ward 1 City Council office and one member of the Planning and Development staff. No members of the public attended the meeting.<br><br>The applicant clarified that they would only be renovating and using the first floor of the building. Pending a positive review of their Special Use Permit (if approved), they may submit a request to renovate the second floor of the building and increase the number of residents. The applicant noted that the pet day care use shown on the plans would be a separate business unrelated to the custodial institution. The applicant would drive to major employment centers (such as casinos) in the morning, pick up employees' pets, care for them at the Westwood location during the day, and drive back to the employment centers to return the pets to employees. |
| ***Field Check*** | |
| 06/04/09 | During a routine site inspection performed by staff the subject property was noted as having<br>• Required landscaping along the eastern property line has either been removed or is dying.<br>• No ADA van accessible parking space located on the site.<br>All landscaping infractions have been forwarded to code enforcement. |

| *Details of Application Request* | |
|---|---|
| ***Site Area*** | |
| Gross Acres | 1.45 |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|---|---|---|---|
| Subject Property | Warehouse | C (Commercial) | M (Industrial) |
| North | Motel | C (Commercial) | M (Industrial) |
| South | Parking Lot | LI/R (Light Industry/ Research) | M (Industrial) |
| East | Parking Lot | LI/R (Light Industry/ Research) | M (Industrial) |
| West | Interstate (I-15) | ROW (Right-of-Way) | ROW (Right-of-Way) |

| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
|---|---|---|---|
| **Special Area Plan** | | | |
| Downtown Centennial Plan | X | | Y |

| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
|---|---|---|---|
| **Special Purpose and Overlay Districts** | | | |
| Downtown Overlay District | X | | Y |
| A-O Airport Overlay District – 175 feet | X | | Y |
| **Trails** | | X | N/A |
| **Rural Preservation Overlay District** | | X | N/A |
| **Development Impact Notification Assessment** | | X | N/A |
| **Project of Regional Significance** | | X | N/A |

## ANALYSIS

The subject site is located in the Southeast Sector of the General Plan and has a current General Plan designation of C (Commercial). This is a proposal to amend the General Plan designation to LI/R (Light Industry/ Research). The Light Industry / Research category allows areas appropriate for clean, low-intensity (non-polluting and non-nuisance) industrial uses, including light manufacturing, assembling and processing, warehousing and distributions, and research, development and testing laboratories. Typical supporting and ancillary general uses are also allowed. This category may also allow mixed-use development with a residential component as a transition to less-intense uses where appropriate. The LI/R (Light Industry/ Research) General Plan designation is compatible with the surrounding industrial and warehouse uses.

A companion application for a Special Use Permit (SUP-34598) has been submitted for a Custodial Institution use, and will utilize an existing Office/Warehouse to provide living space, re-entry programs, in-house counseling and job placement assistance for up to 100 parolees. The proposed use is permitted with the approval of a Special Use Permit in the M (Industrial) zoning district, and is consistent with the LI/R (Light Industry/Research) General Plan designation; therefore, staff is recommending approval of this request.

## FINDINGS

Section 19.18.030.I of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,

2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,

3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and

4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

**In regard to "1":**

The LI/R (Light Industry/ Research) General Plan designation allows for low-intensity industrial uses. The proposed amendment is compatible with the existing adjacent LI/R (Light Industry/ Research) and C (Commercial) designations.

**In regard to "2":**

The subject property currently has an M (Industrial) zoning classification, which is consistent with the proposed LI/R (Light Industry/ Research) General plan designation.

**In regard to "3":**

The site is accessed by Westwood Drive, designated as a 70-foot Frontage Street in the Master Plan of Streets and Highways, and is adequate for the uses permitted by the proposed amendment.

**In regard to "4":**

The proposed amendment conforms to the Downtown Centennial Plan and the Downtown Overlay District.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 14

**ASSEMBLY DISTRICT** 10

**SENATE DISTRICT** 7

**NOTICES MAILED** 56

**APPROVALS** 1

**PROTESTS** 2

JB

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-34597 APN: 162-09-102-002

Name of Property Owner: 2701 WESTWOOD LLC, ROBERT BRANDY

Name of Applicant: DR. KIT WEATHERS

Name of Representative: LAW OFFICES OF JAY BROWN

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☒ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Robert Brandy

Subscribed and sworn before me

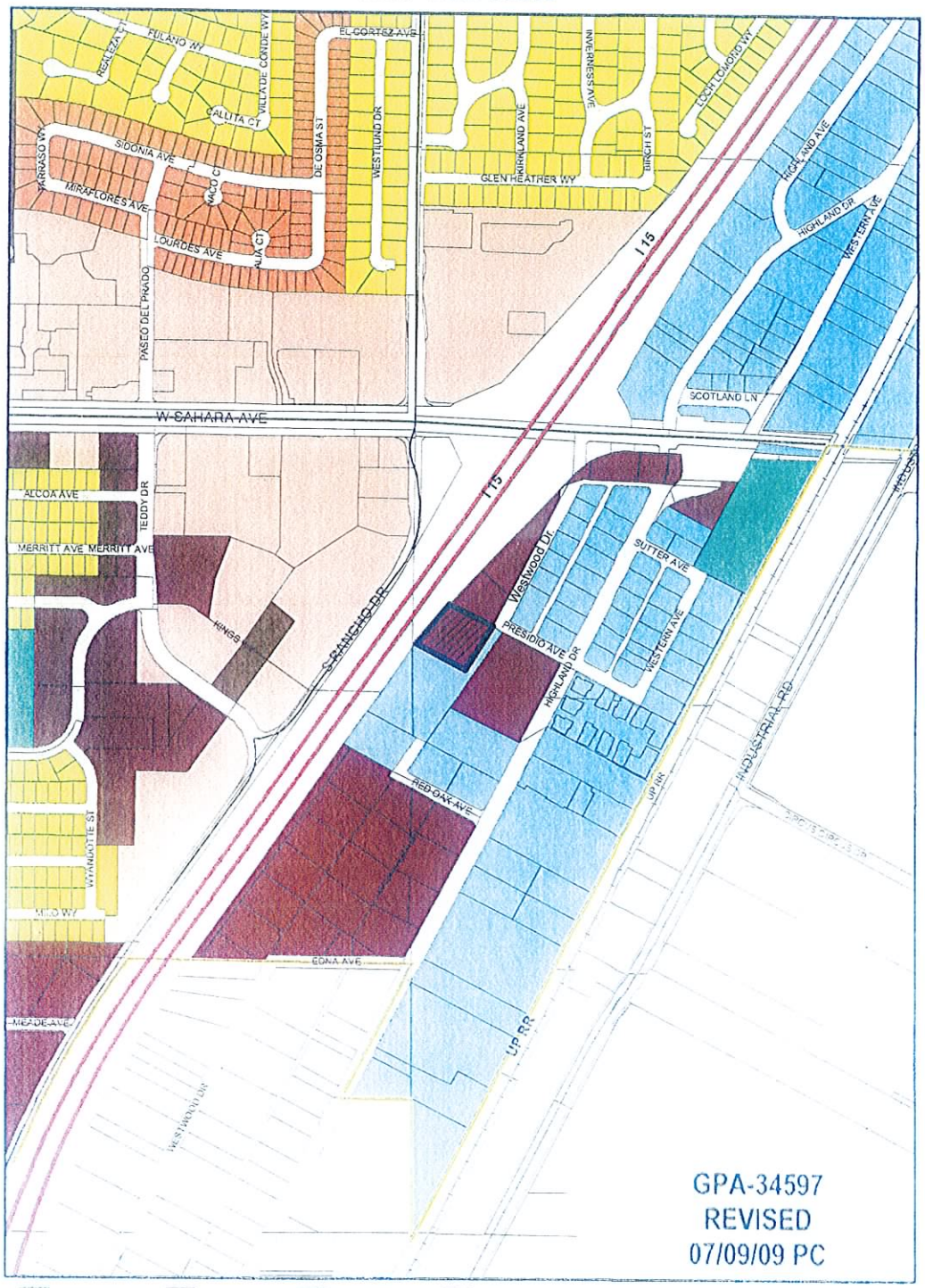
This 26th day of May, 2009

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
ELLIOT ROSENBERGER
No: 07-3299-1
My Appointment Expires Jan. 23, 2011

Parcel: 16209102002




GPA-34597
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07/09/09 PC

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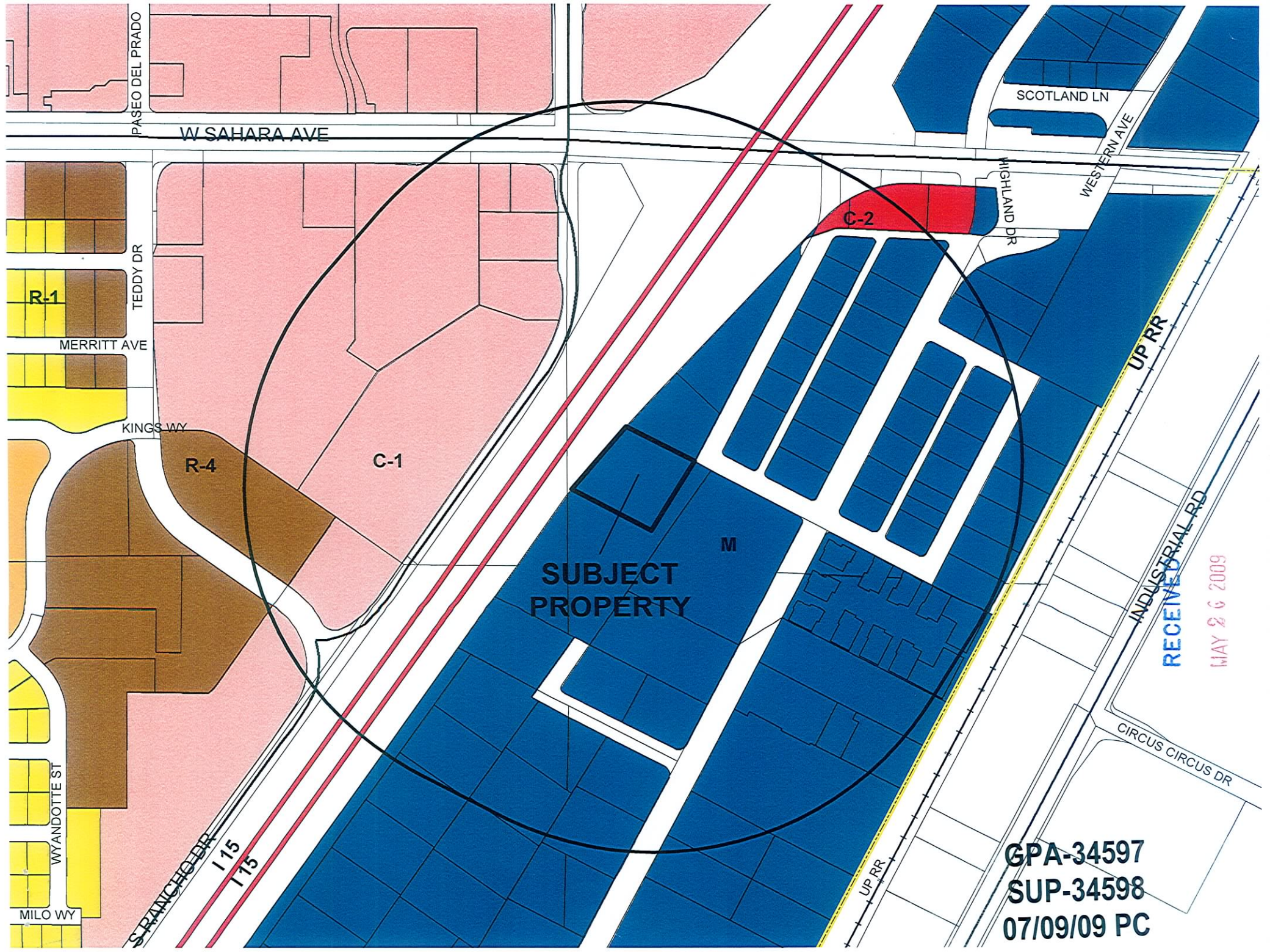
From C to LI/R


PASEO DEL PRADO
W SAHARA AVE
SCOTLAND LN
WESTERN AVE
HIGHLAND DR
C-2
TEDDY DR
R-1
MERRITT AVE
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GPA-34597
SUP-34598
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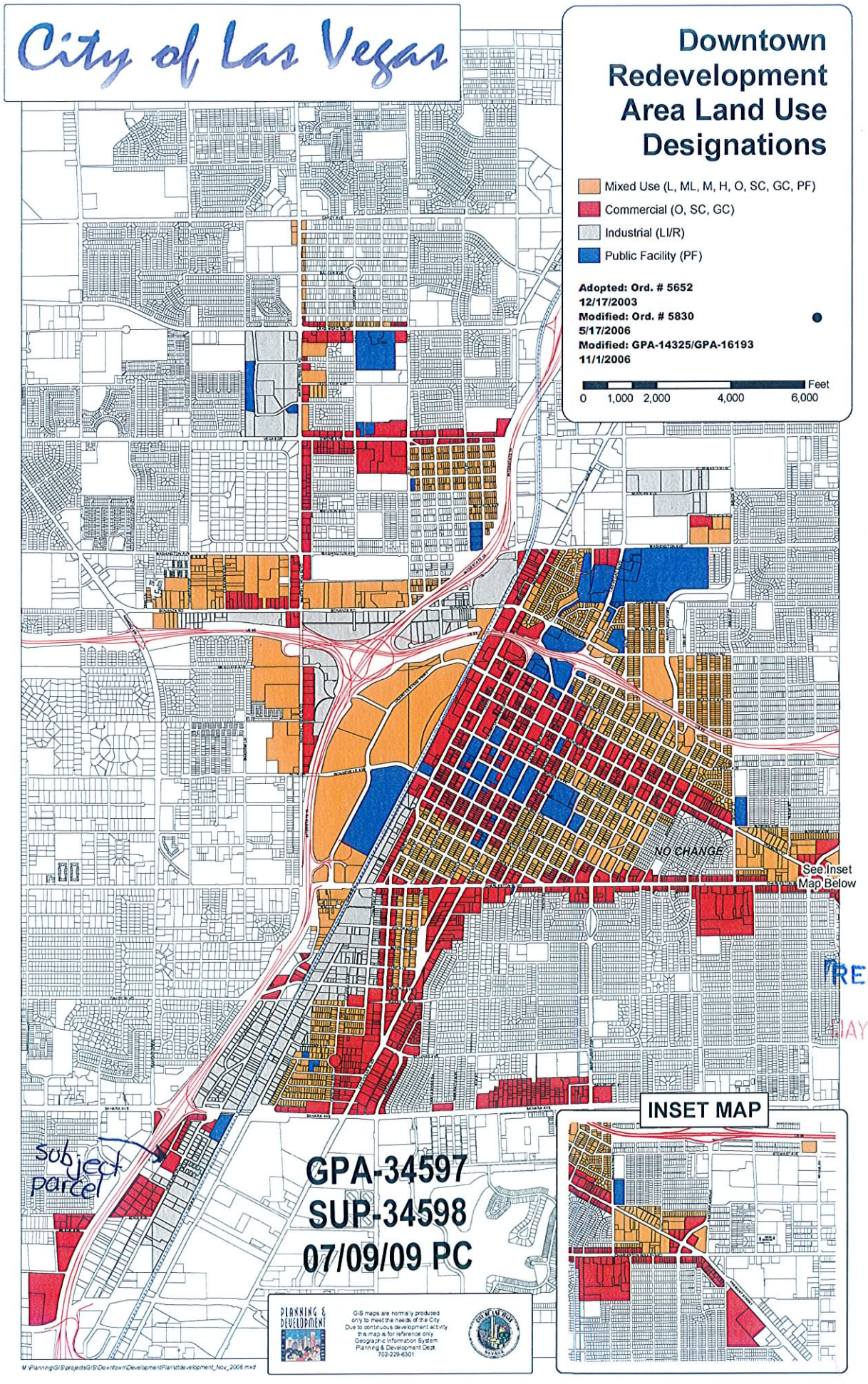


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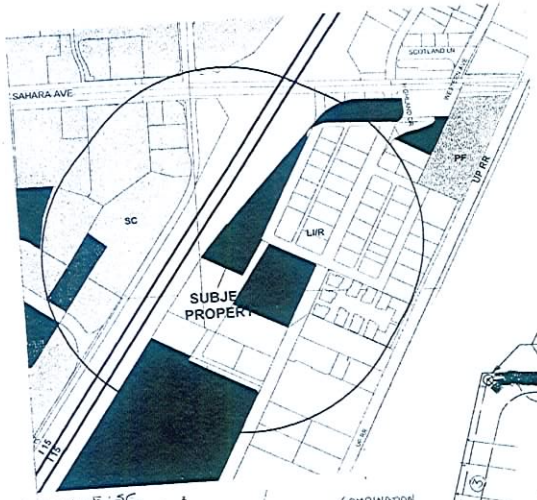
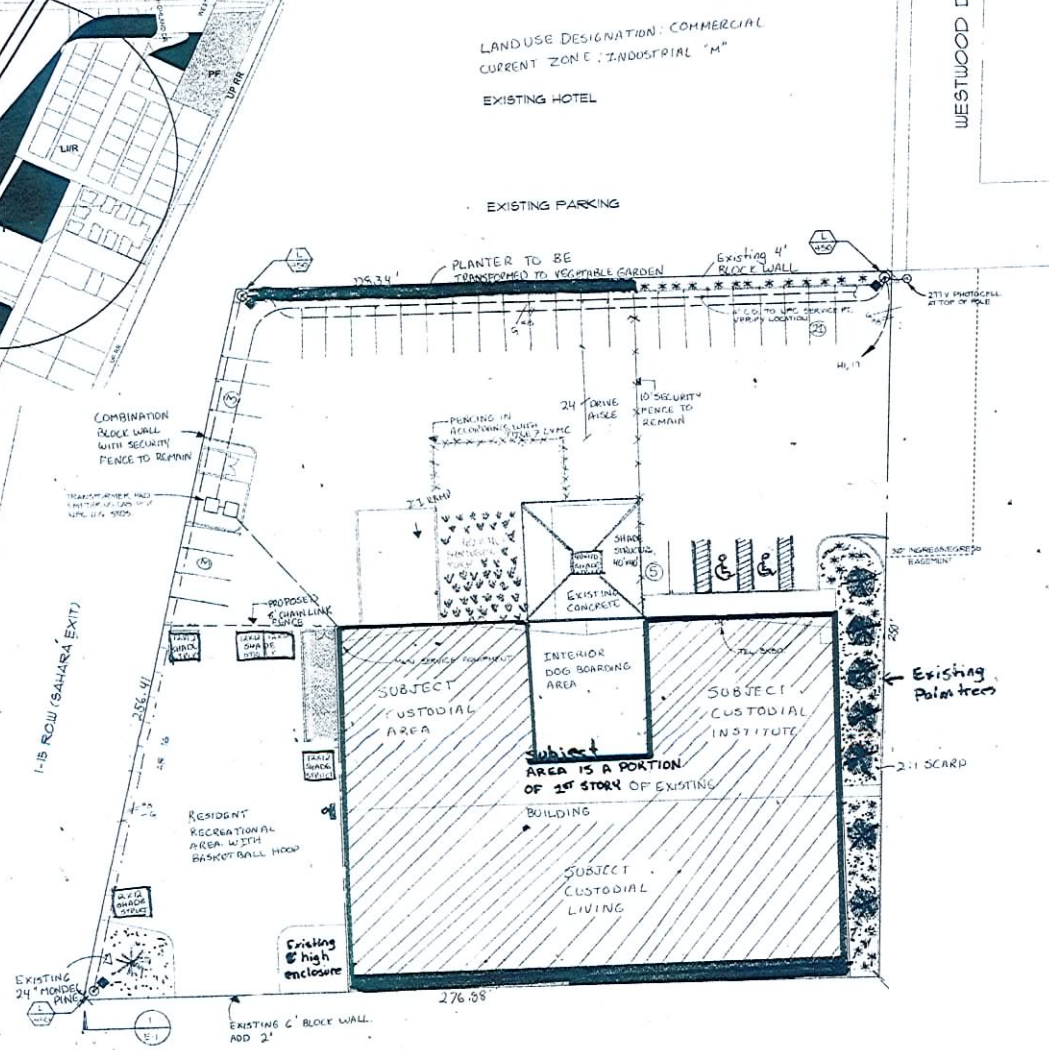



## SITE PLAN

SCALE: 1" = 20'-0"

## SYMBOL LIST

- 20A, 125V, 2P/3W DUPLEX RECEPTACLE, 18" AFF OR AS NOTED.
- DUPLEX RECEPTACLE AS ABOVE EXCEPT IN FLUSH FLOOR BOX.
- DUPLEX RECEPTACLE AS ABOVE EXCEPT W/G#1, 48" AFF.
- JUNCTION BOX.
- TELEPHONE OUTLET, 18" AFF OR AS NOTED.
- COMPUTER OUTLET, 18" AFF OR AS NOTED.
- S 20A, 277V, SPST TOGGLE SWITCH, 48" AFF.
- $S_3$ 20A, 277V, 3-WAY TOGGLE SWITCH 48" AFF.
- $S_4$ 20A, 277V, 4-WAY TOGGLE SWITCH, 48" AFF.
- SAFETY SWITCH.
- MOTORIZED EQUIPMENT CONNECTION.
- METALLIC CONDUIT AS NOTED.
- 2#12 THHN - ½" C.
- 3#12 THHN - ½" C.
- 4#12 THHN - ½" C.
- 5#12 THHN - ½" C.
- 6#12 THHN - ½" C.

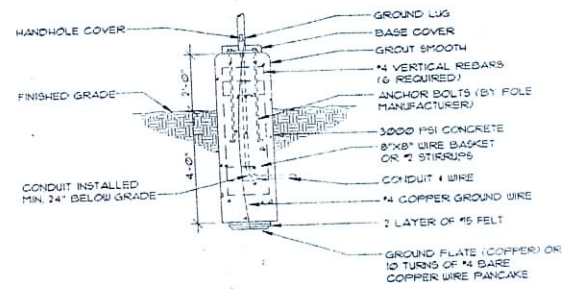
### PROPERTY INFORMATION

**APN: 162-09-102-002**

CURRENT LAND USE: COMMERCIAL
PROPOSED LAND USE: INDUSTRIAL
CURRENT ZONE: M
PROPOSED ZONE: M

### PARKING ANALYSIS

| | |
|---|---|
| REQUIRED: | 20 SPACES |
| 1 SPACE/20 RESIDENTS FOR CUSTODIAL INSTITUTE | = 5 SPACES |
| 1 SPACE/300 SQFT FOR EXISTING 2ND STORY OFFICE | = 11 SPACES |
| 1 SPACE/250 SQFT FOR PET BOARDING | = 4 SPACES |
| PROVIDED: | = 32 SPACES |




## TYPICAL POLE BASE

SCALE: NONE

GENERAL PLAN AMENDMENT
162-09-102-002
FROM C TO LI

revisions

sheet no. | date | proj.no. | drwn.by | chkd.by

**GPA-34597**
**SUP-34598**
**07/09/09 PC**




GPA-34597 - APPLICANT: DR. ARTHUR WEATHERS - OWNER: 2701 WESTWOOD, LLC
2701 WESTWOOD DRIVE
JULY 9, 2009 PLANNING COMMISSION

06/04/09




GPA-34597 - APPLICANT: DR. ARTHUR WEATHERS - OWNER: 2701 WESTWOOD, LLC
2701 WESTWOOD DRIVE
JULY 9, 2009 PLANNING COMMISSION

06/04/09




GPA-34597 - APPLICANT: DR. ARTHUR WEATHERS - OWNER: 2701 WESTWOOD, LLC
2701 WESTWOOD DRIVE
JULY 9, 2009 PLANNING COMMISSION

06/04/09



GPA-34597 - APPLICANT: DR. ARTHUR WEATHERS - OWNER: 2701 WESTWOOD, LLC
2701 WESTWOOD DRIVE
JULY 9, 2009 PLANNING COMMISSION

06/04/09




GPA-34597 - APPLICANT: DR. ARTHUR WEATHERS - OWNER: 2701 WESTWOOD, LLC
2701 WESTWOOD DRIVE
JULY 9, 2009 PLANNING COMMISSION

06/04/09

LAW OFFICE
Jay H. Brown, Ltd.
A PROFESSIONAL CORPORATION
520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
EMAIL: jay@jhbrownltd.com

June 16, 2009

City of Las Vegas Planning and Zoning Department
731 South 4th Street
Las Vegas NV, 89101

**RE: General Plan Amendment 162-09-102-002**

Dear Mr. Boyles,

On behalf of the applicant, Dr. Kit Weathers, we respectfully request your support for a General Plan Amendment that will return the Land Use on the above mentioned parcel to Light Industrial. The subject property is located within an industrial district generally located south east or the I-15 Sahara interchange. This property has remained vacant since 2007. The attached Land Use map indicates the land use on this parcel was changed from Industrial to Commercial circa 2003. The applicant wishes to return the parcel to the original industrial land use in order to allow for a custodial facility as described in a companion application. The industrial designation will also allow for a pet boarding business.

A two story building exists on the site. The building was previously used as an office and warehouse. The applicant wishes to lease approximately 23,390 square feet on the first floor to house the custodial facility. The second story will remain vacant at this time. A portion of the building and site will be used for a separate pet boarding business which is permitted in the industrial zone. The pet boarding business will occupy a 600 square foot portion of the building in addition to an outdoor play area on the site. The hours of the pet boarding business will be 8:00 AM to 8:00 PM. The pet business is primarily directed to "day care" patrons. However, in order to accommodate a customer's unique needs and schedules, there will be crates for up to six dogs to stay over-night. The building layout does not facilitate interaction between the two uses. These uses are not allowed by right in a commercial district.

The attached land use map delineates that the subject property is the southernmost parcel that was reclassified to commercial. Meanwhile, several surrounding properties maintain the industrial land use. Further, all surrounding properties still hold industrial zoning. Because the subject parcel represents the commercial/industrial boundary, and because the area has not yet transitioned to commercial, this request will have little impact on the area.

Please direct questions and concerns to me at (702) 598-1408.

Sincerely,

Lora Dreja
Land Entitlements
Brown, Brown and Premsrirut.

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JUN 16 2009

**GPA-34597**
**REVISED**
**07/09/09 PC**

PAGE 01/01

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

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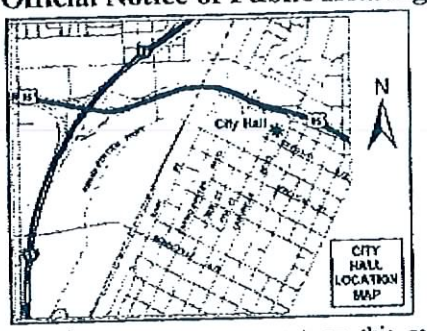
MAILED FROM ZIP CODE 89

**Return Service Requested**

**Official Notice of Public Hearing**

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☐ I SUPPORT this Request

☑ I OPPOSE this Request

Please use available blank space on card for your comments.

**GPA-34597 & SUP-34598**

Planning Commission Meeting of 7/9/2009

Case: GPA-34597
16209202008
KHAZAI SHAHRIAR & ISABELA
%IMPERIOAL DESIGN
14100 KINGSLEY DR
GARDENA CA 90249-3018

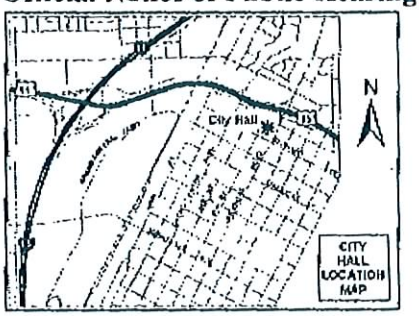
DAVDF1 90249

20 P

06/29/2009 13:01 1

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

**Return Service Requested**
**Official Notice of Public Hearing**

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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**GPA-34597 & SUP-34598**

Planning Commission Meeting of 7/9/2009

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JUN 29 2009

Case: GPA-34597
16209202010
POSITIVE SPACE INC
%B ALLEN PHOTOGRAPHY
18 STAR BROOK AVE
HENDERSON NV 89052-6628

DAVDP11 89052

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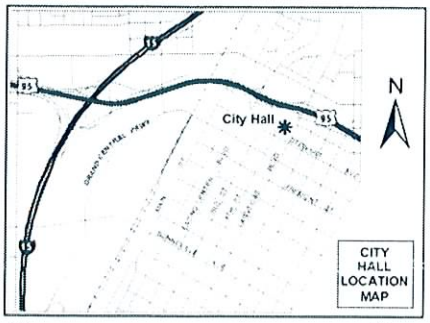
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

**Return Service Requested**
**Official Notice of Public Hearing**

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**GPA-34597 & SUP-34598**

Planning Commission Meeting of 7/9/2009

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Case: GPA-34597
16209102002
2701 WESTWOOD L L C
%MR R BRANDY
1113 PINE ISLAND CT
LAS VEGAS NV 89134-6330

89134$6330 5 0104

20A

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

## *AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT*
### PLANNING COMMISSION MEETING OF: JULY 9, 2009

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

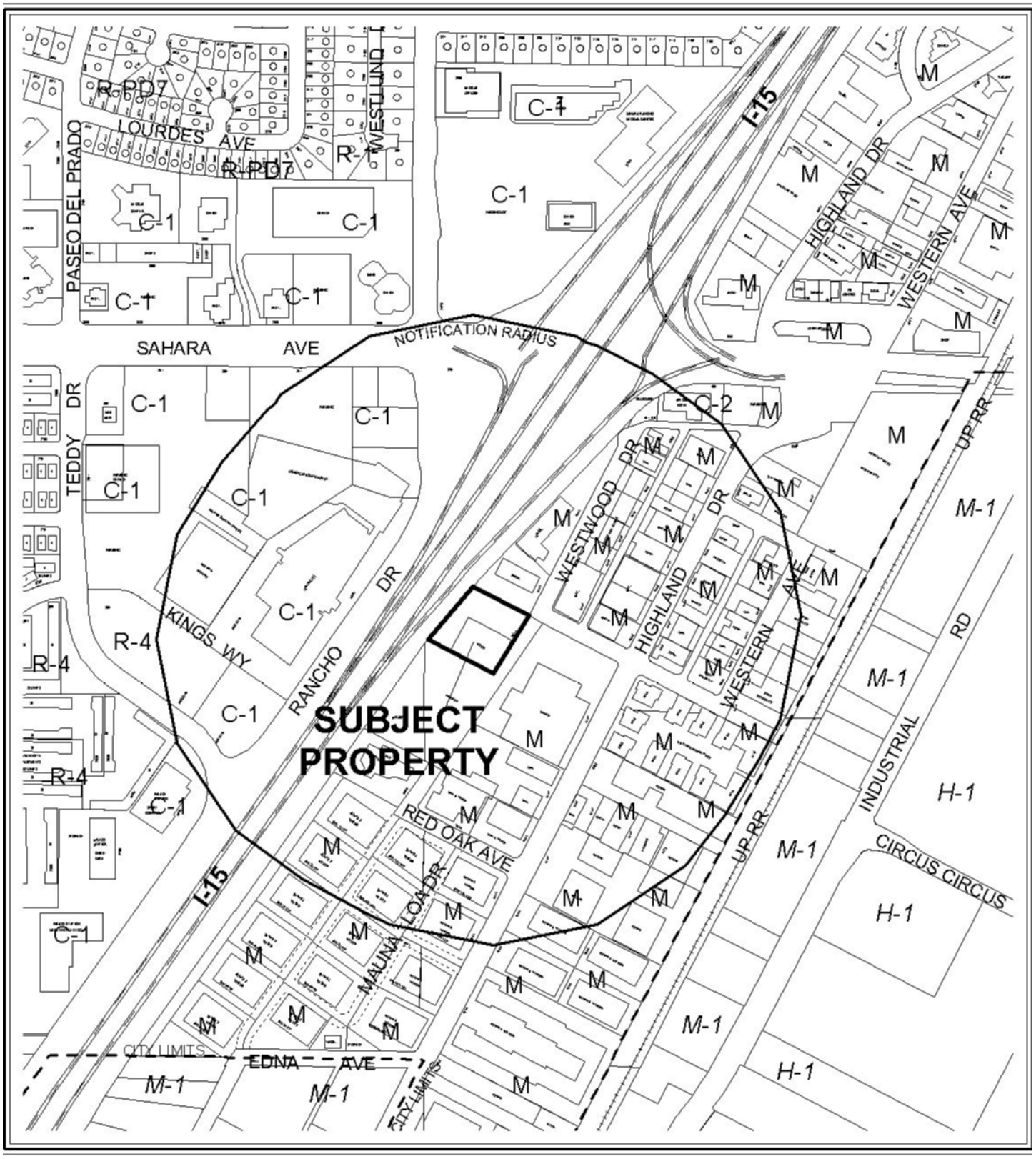
**SUBJECT:**
**SUP-34598 - SPECIAL USE PERMIT RELATED TO GPA-34597 - PUBLIC HEARING - APPLICANT: DR. ARTHUR WEATHERS - OWNER: 2701 WESTWOOD, LLC** - Request for a Special Use Permit FOR A PROPOSED 23,390 SQUARE-FOOT, 100-INMATE CUSTODIAL INSTITUTION WITH ACCESSORY DOG KENNELS FOR TRAINING at 2701 Westwood Drive (APN 162-09-102-002), M (Industrial) Zone, Ward 1 (Tarkanian)

**C.C.: 08/05/2009**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **2** | **Planning Commission Mtg.** | **1** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
**APPROVAL**

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards




0 400 800 Feet

**CASE:** **SUP-34598**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:** M (INDUSTRIAL)




0 400 800 Feet

**CASE:** **SUP-34598**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:** M (INDUSTRIAL)

N

City of Las Vegas

# AGENDA MEMO

**PLANNING COMMISSION MEETING DATE: JULY 9, 2009**
**DEPARTMENT: PLANNING AND DEVELOPMENT**
**ITEM DESCRIPTION: SUP-34598 - APPLICANT: DR. ARTHUR WEATHERS - OWNER: 2701 WESTWOOD, LLC**

## ** CONDITIONS **

**STAFF RECOMMENDATION:** **APPROVAL,** subject to:

***Planning and Development***

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Custodial Institution use.

2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

4. 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 business license removing all razor wire from perimeter fencing.

**SUP-34598 - Staff Report Page One**
**July 9, 2009 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request for a Special Use Permit for a Custodial Institution; the subject site contains an existing 26,638 square-foot Office/Warehouse located at 2701 Westwood Drive. The applicant has proposed to establish a facility that provides living space, re-entry programs, in-house counseling and job placement assistance for up to 120 parolees. If this application is denied, the applicant will have to find a suitable location for the proposed use.

**ISSUES:**

- Approval of an associated General Plan Amendment (GPA-34597) to change the General Plan designation from C (Commercial) to LI/R (Light Industry/Research) is required as the proposed Custodial Institution use is too intense for the existing C (Commercial) designation.
- The proposed use complies with all Title 19 Zoning Code requirements and can be conducted in a manner that is harmonious and compatible with the existing and future surrounding land uses; therefore, staff is recommending approval of this application.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales*** | |
|---|---|
| 01/12/61 | The Board of City Commissioners approved a request for Reclassification of Property (Z-62-60) from R-E (Residence Estates) to M-1 (Light Industry) generally located south Sahara Avenue between Highland Drive and the proposed freeway [Interstate 15]. |
| 10/28/93 | The Planning Commission approved a request for a Plot Plan and Building Elevation Review [Z-0062-60(1)] for a warehouse and office building at 2701 Westwood Drive. |
| 03/08/98 | The Board of Zoning and Adjustment approved a request for a Variance (V-112-98) to allow a proposed 16,097 square-foot addition to an existing legal non-conforming warehouse building on the side property line where 10 feet is the minimum setback required; and to allow 51 parking spaces where 59 spaces are the minimum required at 2701 Westwood Drive. |
| 05/27/99 | The Planning Commission approved a request for a Site Development Plan Review [Z-62-60(2)] for a proposed 23,148 square foot addition to an existing Print Shop on property located at 2701 Westwood Drive. |
| 09/14/04 | Most recent of ownership |
| 04/20/05 | A Code Enforcement case (#29063) was processed for outside storage at 2701 Westwood Drive. Code Enforcement closed the case on 06/16/05. |

| | |
|---|---|
| 01/17/06 | A Code Enforcement Case (#37578) was processed for using parking area for storage, forcing employees to park in complainant's parking lot at 2701 Westwood Drive. Code Enforcement closed the case on 01/18/06. |
| 05/17/06 | The City Council approved a request for a General Plan Amendment (GPA-9219) to change the Future Land Use designation to Commercial, Mixed Use, Industrial or Public Facilities on various parcels located within the proposed Las Vegas Redevelopment Plan area and within the proposed Redevelopment Plan expansion area. The Planning Commission recommended approval of the request. |
| 03/04/08 | A Code Enforcement case (#62937) was processed for customer who called and asked for assistance at this commercial manufacturing & Processing Plant. States there are environmental and other issues and would like a complete exterior inspection of the business and grounds. Code Enforcement closed the case on 01/14/09. |
| 07/24/08 | The Planning Commission approved a request for a Site Development Plan Review (SDR-28536) for a minor amendment to an approved Site Development Plan Review [Z-0062-60(1)] to allow for parking lot modifications at 2701 Westwood Drive. |
| ***Related Building Permits/Business Licenses*** | |
| 06/08/94 | A building permit (#94335306) was issued for On-site Improvements at 2701 Westwood Drive. This permit was expired on 12/02/95. |
| | A building permit (#94335307) was issued for a warehouse/office building Certificate of Occupancy at 2701 Westwood Drive. This permit was completed on 11/02/94. |
| 09/12/94 | A building permit (#94347595) was issued for a masonry wall at 2701 Westwood Drive. This permit was completed on 11/03/94. |
| 12/29/00 | A building permit (#23291) was issued for a Tenant Improvement to install a paper collector at 2701 Westwood Drive. This permit was expired on 07/07/01. |
| ***Pre-Application Meeting*** | |
| 05/14/09 | A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit were discussed topics included.<br>• Title 19 Zoning Code requirements<br>• Application Materials and Documents<br>• Meeting Dates and Deadlines |

| *Neighborhood Meeting* | |
|---|---|
| 06/09/09 | A neighborhood meeting was held on Tuesday, June 9th at 6:30 PM at 2701 Westwood Drive, Las Vegas. Four members from the applicant attended the meeting along with one staff member from the Ward 1 City Council office and one member of the Planning and Development staff. No members of the public attended the meeting.<br><br>The applicant clarified that they would only be renovating and using the first floor of the building. Pending a positive review of their Special Use Permit (if approved), they may submit a request to renovate the second floor of the building and increase the number of residents. The applicant noted that the pet day care use shown on the plans would be a separate business unrelated to the custodial institution. The applicant would drive to major employment centers (such as casinos) in the morning, pick up employees' pets, care for them at the Westwood location during the day, and drive back to the employment centers to return the pets to employees. |
| *Field Check* | |
| 06/04/09 | During a routine site inspection performed by staff the subject property was noted as having<br>• Required landscaping along the eastern property line has either been removed or is dying.<br>• No ADA van accessible parking space located on the site |

| *Details of Application Request* | |
|---|---|
| *Site Area* | |
| Gross Acres | 1.45 |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|---|---|---|---|
| Subject Property | Warehouse | C (Commercial) | M (Industrial) |
| North | Motel | C (Commercial) | M (Industrial) |
| South | Parking Lot | LI/R (Light Industrial/ Research) | M (Industrial) |
| East | Parking Lot | LI/R (Light Industrial/ Research) | M (Industrial) |
| West | Interstate (I-15) | ROW (Right-of-Way) | ROW (Right-of-Way) |

| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
|---|---|---|---|
| **Special Area Plan** | | | |
| Downtown Centennial Plan | X | | Y |

| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
|---|---|---|---|
| **Special Purpose and Overlay Districts** | | | |
| Downtown Overlay District | X | | Y |
| A-O Airport Overlay District – 175 feet | X | | Y |
| **Trails** | | X | N/A |
| **Rural Preservation Overlay District** | | X | N/A |
| **Development Impact Notification Assessment** | | X | N/A |
| **Project of Regional Significance** | | X | N/A |

## DEVELOPMENT STANDARDS

***Pursuant to Title 19.10, the following parking standards apply:***

| *Parking Requirement* | | | | | | | |
|---|---|---|---|---|---|---|---|
| | *Gross Floor Area or Number of Units* | *Required* | | | *Provided* | | *Compliance* |
| | | | *Parking* | | *Parking* | | |
| *Use* | | *Parking Ratio* | Regular | Handi-capped | Regular | Handi-capped | |
| Custodial Institution | 22,790 SF | 1:20 Inmates | 6 | 1 | 30 | 2 | Y |
| Office | 3,248 SF | 1:300 | 11 | | | | |
| Pet Boarding | 600 SF | 1:250 | 3 | | | | |
| **TOTAL** | 26,638 SF | | 21 | | 32 | | |

## ANALYSIS

This is a request for a Special Use Permit for a proposed Custodial Institution defined is Title 19.04 as, "One or more buildings and related facilities used for the housing or detention of persons who have been charged with or have been convicted of felonies or misdemeanors." The subject site contains an existing Office/Warehouse building located at 2701 Westwood Drive. The applicant has proposed to establish a 23,390 square-foot facility that provides living space, re-entry programs, 12-step recovery programs, in-house counseling and job placement assistance for up to 120 parolees. The program was adopted by the Nevada State Senate in 2003, and is now monitored by the Nevada Department of Public Safety – Division of Parole and Probation. The applicant has also proposed an on-site dog training facility with operating hours of 8:00am to 8:00pm, which will be operated in conjunction with the proposed Custodial institution use, this use is considered a conditional use in the M (Industrial) Zone. The proposed land use is not compatible with the existing C (Commercial) General Plan designation as it is too intense. However, this application has been submitted with an associated General Plan Amendment (GPA-34597) requesting a change from C (Commercial) to LI/R (Light Industrial/Research) which, if approved, would allow the intensity of the proposed use. Staff is recommending approval of this application, as the proposed use complies with all Title 19 Zoning Code requirements and can be conducted in a manner that is harmonious and compatible with the existing and future surrounding land uses.

JB

## FINDINGS

The following findings must be made for a Special Use Permit:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

   The proposed land use can be conducted in a manner that is harmonious and compatible with existing and future surrounding land uses, as projected by the General Plan

2. **"The subject site is physically suitable for the type and intensity of land use proposed."**

   The subject site is physically suitable for the type and intensity of the land use proposed.

3. **"Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use."**

   Site access is provided from Westwood Drive a 70-foot Frontage Street as designated in the Master Plan of Streets and Highways. This street provides adequate access to and from the subject property.

4. **"Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan."**

   Approval of this special use permit will not compromise public health, safety, or welfare as the proposed Custodial Institution use will be subject to regular inspections.

5. **The use meets all of the applicable conditions per Title 19.04.**

   The proposed Custodial Institution use complies with the conditions per Title 19.04.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 14

**ASSEMBLY DISTRICT** 10

**SENATE DISTRICT** 7

| | |
|---|---|
| **NOTICES MAILED** | 56 |
| **APPROVALS** | 1 |
| **PROTESTS** | 2 |

JB

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-34598 APN: 162-09-102-002

Name of Property Owner: 2701 WESTWOOD LLC, ROBERT BRANDY

Name of Applicant: DR. KIT WEATHERS

Name of Representative: LAW OFFICES OF JAY BROWN

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☒ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Robert Brandy

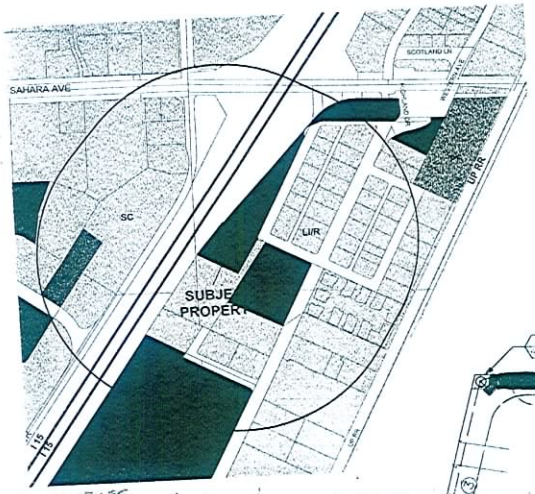
Subscribed and sworn before me

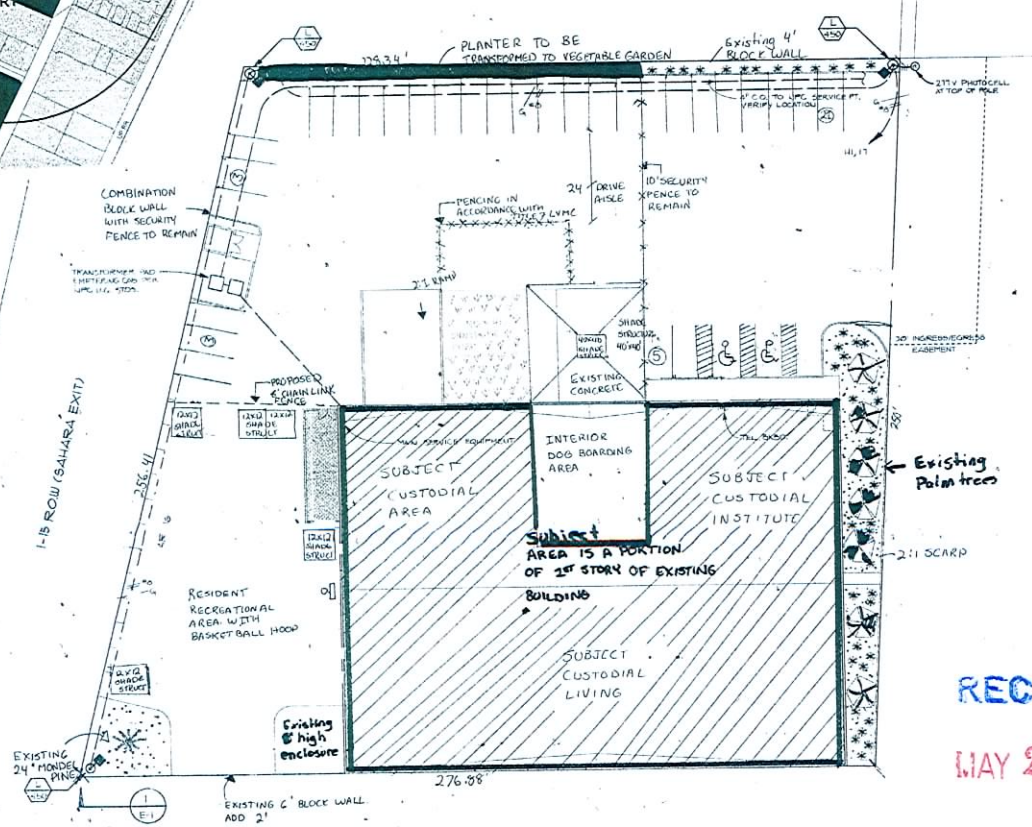
This 26th day of May, 2009

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
ELLIOT ROSENBERGER
No: 07-3299-1
My Appointment Expires Jan. 23, 2011




1 SITE PLAN
SCALE: 1" = 20'-0"

## SYMBOL LIST

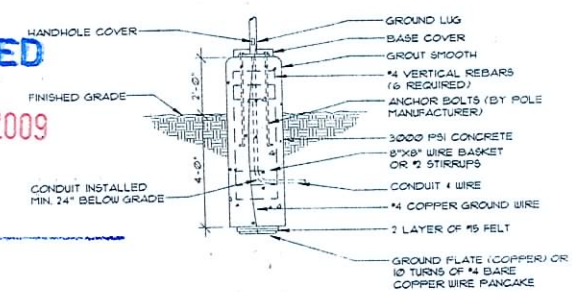
- 20A, 125V, 2P/3W DUPLEX RECEPTACLE, 18" AFF OR AS NOTED.
- DUPLEX RECEPTACLE AS ABOVE EXCEPT IN FLUSH FLOOR BOX.
- DUPLEX RECEPTACLE AS ABOVE EXCEPT W/GFI, 48" AFF.
- JUNCTION BOX.
- TELEPHONE OUTLET, 18" AFF OR AS NOTED.
- COMPUTER OUTLET, 18" AFF OR AS NOTED.
- S 20A, 277V, SPST, TOGGLE SWITCH, 48" AFF.
- $S_3$ 20A, 277V, 3-WAY TOGGLE SWITCH, 48" AFF.
- $S_4$ 20A, 277V, 4-WAY TOGGLE SWITCH, 48" AFF.
- SAFETY SWITCH.
- MOTORIZED EQUIPMENT CONNECTION.
- METALLIC CONDUIT AS NOTED.
- 2#12 THHN - ½" C.
- 3#12 THHN - ½" C.
- 4#12 THHN - ½" C.
- 5#12 THHN - ½" C.
- 6#12 THHN - ½" C.

PROPERTY INFORMATION

CURRENT LAND USE: COMMERCIAL
PROPOSED LAND USE: INDUSTRIAL
CURRENT ZONE: M
PROPOSED ZONE: M

PARKING ANALYSIS

| | |
|---|---|
| REQUIRED: | 20 SPACES |
| 1 SPACE/20 RESIDENTS FOR CUSTODIAL INSTITUTE | = 5 SPACES |
| 1 SPACE/300 SOFT FOR EXISTING 2ND STORY OFFICE | = 11 SPACES |
| 1 SPACE/250 SOFT FOR PET BOARDING | = 4 SPACES |
| PROVIDED: | = 32 SPACES |




TYPICAL POLE BASE
SCALE: NONE
1 / E-1

RECEIVED
MAY 26 2009

GPA-34597
SUP-34598
07/09/09 PC

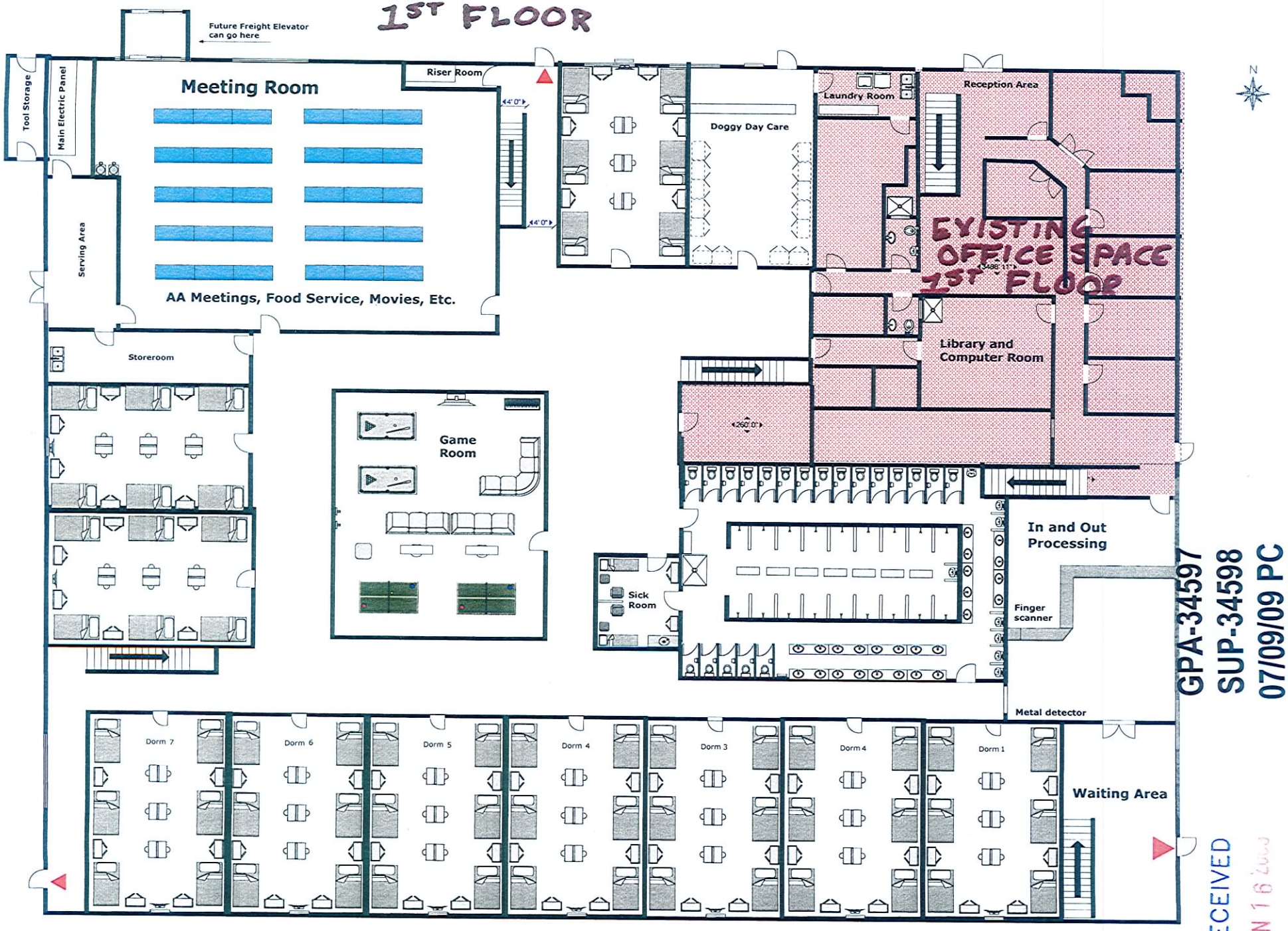
revisions

SPECIAL USE PERMIT FOR CUSTODIAL INSTITUTE

OFFICE & WAREHOUSE
for: CREEL PRINTING
CITY OF LAS VEGAS NEVADA

date
proj.no.
drwn.by
chkd.by

sheet no. E-1




**2701 Westwood Drive - First Floor - Ten 30' x 20' Dorms - 12 people per dorm**
**Golden Passages - 702-341-0987**




SUP-34598 - APPLICANT: DR. ARTHUR WEATHERS - OWNER: 2701 WESTWOOD, LLC
2701 WESTWOOD DRIVE
JULY 9, 2009 PLANNING COMMISSION

06/04/09




SUP-34598 - APPLICANT: DR. ARTHUR WEATHERS - OWNER: 2701 WESTWOOD, LLC
2701 WESTWOOD DRIVE
JULY 9, 2009 PLANNING COMMISSION

06/04/09




SUP-34598 - APPLICANT: DR. ARTHUR WEATHERS - OWNER: 2701 WESTWOOD, LLC
2701 WESTWOOD DRIVE
JULY 9, 2009 PLANNING COMMISSION

06/04/09



SUP-34598 - APPLICANT: DR. ARTHUR WEATHERS - OWNER: 2701 WESTWOOD, LLC
2701 WESTWOOD DRIVE
JULY 9, 2009 PLANNING COMMISSION

06/04/09




SUP-34598 - APPLICANT: DR. ARTHUR WEATHERS - OWNER: 2701 WESTWOOD, LLC
2701 WESTWOOD DRIVE
JULY 9, 2009 PLANNING COMMISSION

06/04/09

LAW OFFICE
Jay H. Brown, Ltd.
A PROFESSIONAL CORPORATION
520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
EMAIL: jay@jhbrownltd.com

June 16, 2009

City of Las Vegas Planning and Zoning Department
731 South 4th Street
Las Vegas NV, 89101

**RE: Use Permit to allow a Custodial Living Facility for Released Offenders**
**parcel 162-09-102-002**

Dear Sir/Madam,

On behalf of the applicant, Dr. Kit Weathers, we respectfully request your support for a Custodial Institute in an existing building located at 2701 Westwood Road. This building has sat vacant since 2007. The property is currently zoned M with a *Commercial* Land Use Designation.

Dr. Arthur Weathers is working with the Nevada State Department of Corrections to establish a public/private partnership that both provide re-entry skills to parolees, and abate the costs of keeping offenders in the state prison facilities. This program was adopted by the Nevada State Senate in 2003. It is now monitored by the Nevada Department of Public Safety – Division of Parole and Probation. The Nevada State Division of Health – Bureau of Licensure and Certification also sets parameters for such facilities through NAC 449 Statutes. The Nevada State Department of Health and Human Services also contributes to this program by publishing a workbook that facilitates finding employment. The workbook lists companies throughout the valley that hire ex-felons including ten major strip hotels. The Nevada Department of Public Safety – Division of the Fire Marshal will conduct building inspections. Two similar facilities exist in the Las Vegas Valley. Released offenders that are not housed in Custodial Facilities commonly reside in housing within residential districts.

All residents will be recommended by Lieutenant John Del Villan of the Nevada State Department of Corrections. The recommendations are based on a parole review and the length of the remaining sentence, with a minimum 2/3 of the sentence having been served in a state prison facility. Individuals that have been convicted of crimes of a sexual or violent nature are not eligible for this program.

The facility provides both living space and re-entry programs to residents. Residents will have access to12 step recovery programs, in-house counseling and job placement assistance (as structured by the Division of Welfare and Supportive Services – Nevada). Each resident is expected to find employment within 30 days in order to pay a minimal rental rate of $400 each month. Bus passes are provided to each resident to commute to work. Participants can request terms that exceed the state determined release date if the additional time is needed for a more successful financial and emotional transition into the community. Residents will be subject to rules in addition to those set forth by the conditions of parole (see attached). Residents who fail to meet the requirements for the program will be returned to the prison at the discretion of the

REVISED SUP-34598
07/09/09 PC

Facilitator or parole staff. The facility will have continuous on-site employees, secured/alarmed doors and closed circuit monitoring cameras and any needed individual location devices to ensure security within and around the site.

The proposed use will benefit the surrounding community and residents the state. First, the property will be well maintained by residents assigned to daily custodial duties. Therefore, the now vacant building will be more attractive to adjacent properties. The nature of this use limits automobile traffic, the curfew restricts hours of operation, and the renovation does not add to the existing demand on infrastructure or services. Therefore, this proposed use will not be more dense nor intense than the surrounding area which allows for commercial, adult uses and industrial warehousing. The facility is beneficial to the residents of Nevada because removing prisoners from state supported facilities and into private facilities, ensures savings to the tax supported *State General Fund.*

The site location is ideal for custodial living. Because most residents will not have access to a personal automobile, it is important to have pedestrian access to employment centers. Also, the commercial nature of the area provides more nearby employment opportunities when compared to a site in an outlying area. The Las Vegas Valley's most frequent public transit routes are within an easy walking distance from the site thereby providing accessible transportation to many work places. As stated in the April 10 2003, State Assembly Seventy Second Session meeting, individuals in transition usually find employment in the areas of culinary, construction, manufacturing, mechanics and are often hired by the casinos. The area has nearby businesses and trade schools in these fields. The adult nature of the area is attractive does not interact with family oriented uses thereby minimizing concerns of the residential population. In summary, the minimal tenant improvements needed, paired with the location's suitability for the proposed use offer a suitable transition to an otherwise vacant building.

A two story building exists on the site. The building was previously used as an office and warehouse. The applicant wishes to lease approximately 23,390 square feet on the first floor to house upwards of 120 residents. The second story will remain vacant at this time. A portion of the building and site will be used for a separate pet boarding business which is permitted in the industrial zone. The pet boarding business will occupy a 600 square foot portion of the building in addition to an outdoor play area on the site. The building layout does not facilitate interaction between the two uses.

Improvements to the building will include additional walls to provide more bedrooms and additional showers and toilets as required by NAC 449. Residents will be served continental breakfasts; kitchen facilities will not be constructed. Because the applicant is leasing the property existing ancillary structures will remain on-site.

Please direct questions and concerns to me at (702) 598-1408.

Sincerely,

L U Dreja

Lora Dreja
Land Entitlements
Brown, Brown and Premsrirut.

Attachments:

**REVISED**
**SUP-34598**
**07/09/09 PC**

## Half Way House Program Criteria

issued by
Nevada Department of Public Safety
Division of Parole & Probation

The purpose of placing parole or probation offenders into a half way house or residential living facility is to provide a positive, structured, sober/clean living environment, with available counseling, treatment, educational and/or employment services, which will enable the subjects to successfully complete those programs, reintegrate into society, and become active, responsible and law abiding members in our communities who are free from drug/alcohol abuse issues. With this in mind, the Division requires that Half Way House and Transitional Living Programs follow the rules listed below in order for parolees and probationers to be allowed to reside in those facilities.

1. The facility/residence location must have & maintain a current business license issued by the local jurisdiction (County or City).

2. If operating as a residential half way house for the treatment of alcohol or drug abusers, the facility must have & maintain a current license issued by the Nevada Department of Human Resources, Health Division, Bureau of Licensure & Certification. After October 2005 all facilities providing residential living services must be licensed. This license must specify the maximum number of residents allowed in the facility.

3. The facility must have had an initial inspection, and be regularly inspected by the State Fire Marshal, or the locally authorized fire/safety agency. All safety measures, fire/smoke detection devices, fire extinguishers and exit markings must be up to date, fully functioning and accessible. Emergency exits must be clear, and exit plans must be posted for residents and guests.

4. The facility must have full insurance coverages to operate in the business of providing half way house or residential living services.

5. The facility must not allow persons who are not residents in the home to enter the facility unescorted. Visitors must check in and out on a log. Visitors must comply with other facility rules.

6. The facility must not allow co-ed housing; separate male and female facilities are required.

7. The facility must be maintained in a clean, healthy & sanitary condition at all times. Adequate heating and cooling are required at appropriate times of the year. Waste materials, garbage, filthy conditions, excessive weeds, trash, debris, squalor, insects or vermin, etc. are not acceptable.

8. The facility must be operated in a positive and enabling manner, conducive to the well-being of those in residence; A Sober living environment, free from drugs, alcohol, contraband, illegal substances, distractions, internal conflicts or conflicting activities.

9. The facility must report any problems with compliance, illegal activities, suspected or confirmed drug or alcohol abuse, or attitude issues with parolees or probationers in the residence to the probation or parole officer, or their supervisor, as soon as possible. All incidents are to be documented.



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10. The facility will only house an appropriate number of residents, as either determined by their state license, or by the practical conditions in the residence. Facilities will not approve residential living space (beds) at any one time for more than the number of approved beds which are in that residence. The Division can limit the number of residents to a number which is lower than that which may appear on a license, based on practical considerations.

11. Rates for housing charged by the facilities must be reasonable and not excessive.

12. Honesty in all dealings with the state, licensing or facilitating agencies and residents in the program is required.

13. Ideally, the facility will be located near transportation services and/or bus routes, or provide transportation for their residents to/from employment, counseling or treatment programs.

14. Facilities must be aware of the rules and special conditions for parolees and probationers, and facilities must remain in compliance in order for subjects under P&P supervision to be residents in those programs.

---

RULE ACCEPTANCE AND UNDERSTANDING

Our program has read and understands the residential program criteria and rules of the Division of Parole & Probation for the placement of parolees and/or probationers in halfway house or transitional living facilities. Our program agrees to abide by these criteria and rules in order to be utilized for residential placement by the Division.

_____ _____

Signature Date

Contact information: Facility Name: _____

Facility Director/Manager: _____

Facility Location: _____

_____

_____

Phone: _____

2nd Phone: _____

Fax: _____

E-mail: _____

In addition to any City or County business licenses or requirements, to operate a half way house you must also be licensed by the State of Nevada.

The agency which will regulate the licensing of all transitional living and half way house facilities is:

**State of Nevada**
**Department of Human Resources**
**Health Division**
**Bureau of Licensure and Certification**
**4220 S. Maryland Parkway, Suite 810**
**Las Vegas NV 89119**
**(702) 486-6515**

## FACILITIES FOR TRANSITIONAL LIVING FOR RELEASED OFFENDERS

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## FACILITIES FOR TRANSITIONAL LIVING FOR RELEASED OFFENDERS

### General Provisions

**NAC 449.154951 Definitions. (NRS 449.037)** As used in NAC 449.154951 to 449.154999, inclusive, unless the context otherwise requires, the words and terms defined in NAC 449.154953 to 449.154959, inclusive, have the meanings ascribed to them in those sections.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

**NAC 449.154953 "Administrator" defined. (NRS 449.037)** "Administrator" means a person:

1. Whose name appears on a license issued by the Bureau as administrator of record for a facility; and
2. Who is legally responsible for the management of the facility.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

**NAC 449.154955 "Facility" defined. (NRS 449.037)** "Facility" means a facility for transitional living for released offenders as defined in NRS 449.0055.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

**NAC 449.154957 "Resident" defined. (NRS 449.037)** "Resident" means a person who:

1. Is a person who has been released from prison as that term is defined in subsection 2 of NRS 449.0055; and
2. Is admitted to a facility.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

**NAC 449.154959 "Supportive services" defined. (NRS 449.037)**

1. "Supportive services" mean services provided by a facility, directly or indirectly through arrangements with other providers, which are intended to assist a resident with reintegration into the community.
2. Those services may include, without limitation:

(a) Referrals and the provision of information concerning:
   (1) Health care, including mental health care;
   (2) Access to housing, benefits or employment;
   (3) Resume writing; and
   (4) Required counseling for sex offenders.

(b) Training concerning:
   (1) Life skills;
   (2) Resume writing; and
   (3) Any other topic pursuant to the policies of the facility.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

### Administration

**NAC 449.154961 Administrator: Qualifications. (NRS 449.037)** An administrator must:

1. Be at least 21 years of age;
2. Have the physical examination or certification required by paragraph (a) of subsection 3 of NAC 441A.375 for a person employed in a facility for the dependent; and
3. Maintain evidence that he satisfies the requirements of this section in a file that is maintained on the premises of the facility.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

NAC 449.154963 **Administrator: General duties. (NRS 449.037)** An administrator shall:

1. Post the license issued by the Bureau in a conspicuous place within the facility.
2. Organize and manage the facility.
3. Establish policies, procedures and rules for the operation of the facility, including, without limitation, the policies and procedures required to be established by NAC 449.154967.
4. Ensure that the records of the facility are maintained in accordance with the requirements of the policies, procedures and rules for the operation of the facility established pursuant to subsection 3.
5. Ensure that the facility complies with any applicable state statutes and regulations and local ordinances.
6. Ensure that the residents of the facility are afforded the opportunity to exercise their individual rights in a manner consistent with the rules of the facility.
7. Ensure that the facility is maintained in a safe and clean condition.
8. Review and approve changes in the policies and procedures established pursuant to subsection 3 at least annually. This review must be signed and dated.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

**NAC 449.154965 Operation of facility. (NRS 449.037)** An administrator shall ensure that:

1. Alcohol or drugs are not allowed on the premises of the facility;
2. The policies, procedures and rules established pursuant to NAC 449.154963 are carried out;
3. Each resident complies with those policies, procedures and rules;
4. The facility provides an environment that will facilitate the reintegration of the residents of the facility into the community; and
5. The operation of the facility is not compromised by a resident who violates the policies, procedures or rules of the facility.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

**NAC 449.154967 Policies and procedures. (NRS 449.037)**

1. An administrator shall establish written policies and procedures concerning:
   (a) The manner in which records of residents will be maintained and protected against unauthorized use;
   (b) The disclosure of confidential information about residents;
   (c) The criteria the facility will use to determine whether to:
      (1) Admit a resident to the facility; and
      (2) Discharge a resident from the facility;
   (d) The discharge of a resident for a violation of the rules of the facility;
   (e) The discharge of a resident for the use of alcohol or drugs;
   (f) The rights and responsibilities of a resident; and
   (g) The evacuation of residents in case of fire or other emergency as required by NAC 449.154999.
2. The administrator shall maintain a manual of policies, procedures and rules of the facility that includes, without limitation, the policies and procedures established pursuant to subsection 1. The manual must be available on the premises of the facility at all times.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

**NAC 449.154969 Preparations for disasters and other emergencies. (NRS 449.037)**

1. An administrator shall develop a written plan for disasters that outlines procedures for members of the staff of the facility and residents of the facility to follow in case of a disaster or other emergency. The plan must include, without limitation, provisions outlining procedures to be followed with regard to:

(a) Workplace threats and violence, bomb threats, and the possession of firearms or explosives by a resident;

(b) Medical emergencies;

(c) Natural disasters typical of the particular geographic area in which the facility is located; and

(d) Other disasters, including, without limitation, a power failure, an interruption in the normal supply of water to the facility and threats by terrorists.

2. The plan must include, without limitation, provisions concerning the provision of temporary shelter and other services for residents of the facility who are required to evacuate the facility because of a disaster.

3. The provisions of the plan must be communicated to each member of the staff of the facility and each resident of the facility.

4. Each facility shall conduct a drill for evacuation of the facility at least once each quarter and shall ensure that each shift of the staff of the facility participates in such a drill at least annually.

5. Each facility shall retain a written record of each drill conducted pursuant to subsection 4 on file at the facility for not less than 12 months after the drill is conducted. The administrator shall make such records available for inspection by the Health Division upon request.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

## Operation

**NAC 449.154971 Limitation on number of admissions. (NRS 449.037)** An administrator shall ensure that the facility does not admit more residents to the facility than the number of beds for which it is licensed.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

**NAC 449.154973 Prerequisites to provision of particular services. (NRS 449.037)**

1. In addition to satisfying the requirements of NAC 449.011, an applicant for a license to operate a facility must include with his application a statement indicating whether he will be operating a facility:

(a) That only provides a housing and living environment;

(b) That provides or arranges for the provision of supportive services for residents of the facility to assist the residents with reintegration into the community, in addition to providing a housing and living environment; or

(c) That provides or arranges for the provision of alcohol and drug abuse programs, in addition to providing a housing and living environment and providing or arranging for the provision of other supportive services.

2. If the applicant wishes to operate a facility described in paragraph (c) of subsection 1, the applicant must:

(a) Obtain certification of its program pursuant to subsection 4 of NRS 458.025 and include evidence of that certification with his application; and

(b) Satisfy the requirements set forth in NAC 449.019 to 449.153, inclusive, for a facility for the treatment of abuse of alcohol or drugs.

3. If the applicant wishes to operate a facility described in paragraph (b) or (c) of subsection 1 which has residents who are under the supervision of a parole officer, the applicant must:

(a) Obtain the approval of the Division of Parole and Probation of the Department of Public Safety; and

(b) Include evidence of that approval with his application.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

**NAC 449.154975 Sanitation, safety and comfort. (NRS 449.037)**

1. An administrator shall ensure that the facility:

(a) Has a safe and sufficient supply of water, adequate drainage and an adequate system for the disposal of sewage; and

(b) Complies with all local ordinances and state and federal laws and regulations relating to zoning, sanitation, safety and accessibility to persons with disabilities.

2. A container used to store garbage outside of a facility must be kept reasonably clean and must be covered in such a manner that rodents are unable to get inside the container. At least once each week, the container must be emptied and the contents of the container must be removed from the premises of the facility.

3. To the extent practicable, the premises of the facility must be kept free from:

(a) Offensive odors;

(b) Hazards, including obstacles that impede the free movement of residents within and outside the facility;

(c) Insects and rodents; and

(d) Accumulations of dirt, garbage and other refuse.

4. The administrator shall ensure that the premises of the facility are clean and that the interior, exterior and landscaping of the facility are well maintained.

5. All windows that are capable of being opened in the facility and all doors that are left open to provide ventilation for the facility must be screened to prevent the entry of insects.

6. The administrator shall ensure that electrical lighting is maintained in the facility as necessary to ensure the comfort and safety of the residents of the facility.

7. The temperature in the facility must be maintained at a level that is not less than 68 degrees Fahrenheit and not more than 82 degrees Fahrenheit.

8. The administrator shall ensure that any pest control work performed at the facility is performed by a person licensed to engage in pest control pursuant to chapter 555 of NRS.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

**NAC 449.154977 Laundry facilities. (NRS 449.037)**

1. An administrator shall ensure that laundry facilities are provided in the facility commensurate with the number of residents in the facility. At least one washer and at least one dryer must be provided in the facility.

2. The laundry area in a facility must be maintained in a sanitary manner. All the equipment in the laundry area must be maintained in good working condition. All dryers must be ventilated to the outside of the building.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

**NAC 449.154979 Kitchens; preparation and storage of food. (NRS 449.037)**

1. The kitchen in a facility and the equipment in the kitchen must be clean and must allow for the sanitary preparation of food. The equipment must be in good working condition.

2. Perishable food must be refrigerated at a temperature of 40 degrees Fahrenheit or less. Frozen food must be kept at a temperature of 0 degrees Fahrenheit or less.

3. Food must not be stored in any area in which cleaning or pest control products are stored.

4. A facility with more than 10 residents must:

(a) Comply with applicable provisions of chapter 446 of NRS and the regulations adopted pursuant thereto; and

(b) Obtain the necessary permits from the Bureau of Health Protection Services of the Health Division.

5. The equipment used for cooking and storing food in a facility with more than 10 residents must be inspected and approved by the Bureau of Health Protection Services of the Health Division and the state and local fire safety authorities.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

**NAC 449.154981 Bedrooms and bedding. (NRS 449.037)**

1. A bedroom in a facility that is used by more than one resident must have at least 50 square feet of floor space for each resident who resides in the bedroom. A bedroom that is occupied by only one resident must have at least 80 square feet of floor space.

2. The arrangement of the beds and other furniture in the bedroom must accommodate the residents occupying the bedroom in comfort and safety.

3. A bed with a comfortable and clean mattress must be provided for each resident. The bed must be made with a mattress cover, two clean sheets, a blanket, a pillow and a bedspread. Linens must be changed at least once each week and more often if the linens become dirty.

4. Each mattress used in a facility must comply with the provisions of NRS 444.010 to 444.040, inclusive, and the regulations adopted pursuant thereto.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

**NAC 449.154983 Use of certain areas as bedroom prohibited. (NRS 449.037)** A hall, stairway, unfinished attic, garage, storage area or shed or other similar area of a facility must not be used as a bedroom. Any other room must not be used as a bedroom if it is used for any other purpose.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

**NAC 449.154985 Bathrooms and toilet facilities; toiletries. (NRS 449.037)**

1. All bathrooms and toilet facilities in the facility must be sufficiently lighted.

2. Each facility must have:

(a) A flush toilet and lavatory for each four residents; and

(b) A tub or shower for each six residents.

3. Each resident must have his own towels and washcloths. Paper towels may be used for hand towels. The towels and washcloths must be changed as often as is necessary to maintain cleanliness, but in no event less often than once each week. A soap dispenser that provides liquid or granular soap may be used instead of individual bars of soap.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

**NAC 449.154987 First aid. (NRS 449.037)**

1. A first-aid kit must be available at the facility. The first-aid kit must include, without limitation:

(a) A germicide safe for use by humans;

(b) Sterile gauze pads;

(c) Adhesive bandages, rolls of gauze and adhesive tape;

(d) Disposable gloves;

(e) A shield or mask to be used by a person who is administering cardiopulmonary resuscitation; and

(f) A thermometer or other device that may be used to determine the bodily temperature of a person.

2. Except for first aid in an emergency, no treatment or medication may be administered to a resident.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

**NAC 449.154989 Medication. (NRS 449.037)**

1. Medication for self-administration may be kept at the facility. That medication must:

(a) Except as otherwise provided in subsection 3, be disposed of immediately when it expires or when a physician orders the medication to be discontinued;

(b) Be stored and controlled in a manner that protects the medication from unauthorized use; and

(c) Not be used by more than one of the residents.

2. Medication kept at the facility must be controlled and distributed in a manner that is consistent with applicable state and federal law.

3. The provisions of paragraph (a) of subsection 1 do not apply to over-the-counter medication.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

**NAC 449.154991 Telephones. (NRS 449.037)** An administrator shall ensure that:

1. The facility has at least one telephone that is in good working condition in the facility; and

2. The telephone number of the facility is listed in the telephone directory.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

**NAC 449.154993 Notification of occurrence of certain incidents. (NRS 449.037)**

1. An administrator shall notify the Bureau within 24 hours after the occurrence of an incident that:

(a) Involved significant harm to a resident of the facility if the resident of the facility required medical treatment as a result of the incident;

(b) May cause imminent danger to the health or safety of a resident of the facility; or

(c) May jeopardize the integrity of the operation of the facility.

2. The administrator shall report to the Health Division any fire or other disaster that takes place in the facility within 24 hours after the fire or other disaster occurs.

3. The administrator shall notify the Division of Parole and Probation of the Department of Public Safety of the occurrence of any of the incidents described in this section.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

**NAC 449.154995 Rights of residents. (NRS 449.037)** An administrator shall ensure that:

1. A resident of the facility is not abused, neglected or exploited by another resident of the facility or any person who is visiting the facility;

2. A resident is not prohibited from speaking to any person who advocates for the rights of the residents of the facility;

3. Each resident is treated with respect and dignity;

4. The facility provides a safe and comfortable environment;

5. A resident is not prohibited from interacting socially in a manner that is consistent with the rules of the facility;

6. To the extent practicable and in a manner that is consistent with the rules of the facility, each resident is allowed to make his own decisions;

7. The telephone number of the local office of the Bureau and the name and telephone number of the administrator is conspicuously posted on the premises of the facility; and

8. Each resident of the facility is allowed to exercise his right to vote.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

**NAC 449.154997 Files for residents. (NRS 449.037)**

1. An administrator shall ensure that the facility maintains a separate file for each resident of the facility and retains the file for at least 5 years after the resident permanently leaves the facility. The file must be kept locked in a location that is protected against unauthorized use. Each file must contain the information obtained by the facility that is related to the resident, including, without limitation:

(a) The full name, address and date of birth of the resident;

(b) The address and telephone number of any next of kin or guardian of the resident;

(c) Evidence of compliance with the provisions of NAC 441A.380;

(d) A list of the rules of the facility that is signed by the resident; and

(e) The name and telephone number of the parole officer of the resident, if any.

2. Except as otherwise provided in this subsection, the file of the resident must be kept confidential. The file of a resident must be made available upon request at any time to an employee of the Bureau who is acting in his capacity as an employee of the Bureau.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

**NAC 449.154999 Safety from fire. (NRS 449.037)**

1. An administrator shall ensure that the facility complies with the regulations adopted by the State Fire Marshal pursuant to chapter 477 of NRS and any local ordinances relating to safety from fire.

2. A facility with more than 16 beds must be equipped with a sufficient number of sprinklers to cover the entire area of the facility.

3. The administrator shall ensure that the facility has a plan for the evacuation of residents in case of fire or other emergency. The plan must be:

(a) Understood by all residents;

(b) Posted in a common area of the facility; and

(c) Discussed with each resident at the time of his admission.

4. At least one portable fire extinguisher must be available at the facility. Any portable fire extinguishers available at the facility must be inspected, recharged and tagged at least once each year by a person certified by the State Fire Marshal to conduct such inspections.

5. The administrator shall ensure that a written policy on smoking is developed and carried out by the facility. The policy must be:

(a) Developed with the purpose of preventing a fire caused by smoking in the facility; and

(b) Posted in a common area of the facility.

6. Smoke detectors installed in a facility must be maintained in proper operating condition at all times and must be tested monthly. The results of the tests conducted pursuant to this subsection must be recorded and maintained at the facility.

7. If an automatic fire sprinkler system is installed in a facility, the system must be inspected:

(a) Not less than once each calendar quarter by a person who understands the manner in which the system operates and the manner in which the system must be maintained; and

(b) Not less than once each calendar year by a person who is licensed to inspect such a system pursuant to the provisions of chapter 477 of NAC.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

Our Goal is to establish a community program to help change, and ultimately remove the stigma of first-time felons. Most are considered a burden to society. Many at one time were considered nothing more than a hindrance to society. We are aware not all felons are employable, but we believe there is good in everyone, regardless of past mistakes.

It is our mission to take individuals that are allowed back into society for the work release program. They will be given a second chance to prove themselves and we will guide them through the stages. We will help them develop into men and women who could be active and contributing parts of the community.

Employment:

Golden Passages realizes the number one factor preventing felons from succeeding in life is their inability to find gainful employment. Through our community contacts, employer resources, and in-house employment opportunities, we will aid our clients in reestablishing their work ethic, obtaining valid references, and gaining work experience with certain positions at our facility.

We will offer employment and hiring incentives for organizations and employers working with us to find positions to match each individual. This will offer security and insurance for their participation in our endeavors to give our deserving individuals living at our facility a chance to show they have reformed their previous destructive behaviors.

Education:

Golden Passages believes it is important to provide a strong vehicle for first-time felons to reinvent themselves, not only through gainful employment, but also through education. As a community improvement organization, we believe the main way for individuals to improve his or her life is to be educated. We will offer or residents the opportunity to further their education through vocational training, culinary schools, and other college degrees.

We believe it is important to offer all of our residents a full range of services. This is why we will be working tirelessly to provide educational opportunities for every individual associated with our organization. Through education we can ensure each

person has the proper foundation to become an effective member of the workforce at the end of his or her contact with us.

Re-Entry:

While employment and education will aid in the improvement of our residents lives, there is still one major issue hindering their re-entry into society as productive and positive individuals: Fear of, and discrimination against, felons.

It is a stigma we understand is real, and one we will strive to refute. Golden Passages believes that our residents can be an added benefit to not only the workplace, but also to society if given the opportunity. We will strive to transform the traditional belief that first time felons are nothing but a burdensome handicap to society.

These individuals want to change. They want the chance to be part of the solution, instead of adding to the problem. We will work hard to expel this stigma against first-time felons by introducing the community employers, businesses, and the government to individuals that are first-time felons. But, more importantly are citizens willing to work hard to improve themselves and their lives through means of giving back to the community by means of fundraisers and community service projects.

If given the chance and opportunity, these individuals can show hard work will transcend the boundaries of race, gender, age and even criminal background.

What we represent is an organization that is willing to give these individuals a second chance to prove to society they can become abiding citizens with guidance and perseverance in society today

# NOTICE
# TO TRANSITIONAL LIVING FACILITY FOR RELEASED OFFENDERS AND HALFWAY HOUSE LICENSURE APPLICANTS

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## In order to obtain a Certificate of Occupancy from the State Fire Marshal (SFM), the facility must:

| | |
|---|---|
| 1. | First, submit an application to the Bureau of Licensure and Certification (BLC). BLC will then generate a request to the State Fire Marshall (SFM) for inspection. The facility will need to submit the Certificate of Occupancy Fee, along with the Certification of Occupancy Request form directly to the SFM's office. |
| 2. | The facility should then submit the following plans to the SFM's Office for review:<br>(These plans must be drawn by a licensed architect, engineer or contractor) |
| | Fire Sprinklers Plans must be submitted to the SFM's Office. This applies to new and existing construction. These plans must be drawn by a contractor licensed by the State Contractors Board and licensed by the State Fire Marshal's Office to perform this type of work.<br>(NFPA 13R), and |
| | Fire Alarm Plans must be submitted to the SFM's Office. This applies to new and existing construction. These plans must be drawn by a contractor licensed by the State Contractors Board and licensed by the State Fire Marshal's Office to perform this type of work.<br>(Required for both Manual or Automatic Systems) |

If you should require any additional information, please contact the State Fire Marshal's Office at the following location:


**Nevada Department of Public Safety**
**Division of the State Fire Marshal**
**Stewart Facility**
**107 Jacobsen Way**
**Carson City, Nevada 89711**
**(P) 775-684-7500 * (F) 775-684-7507**

# NEVADA STATE WELFARE DIVISION
# FOOD STAMP JOB SEARCH WORKSHOP

## SUPPLEMENTAL INFORMATIION




Nevada Department of Health and Human Services

Helping people. It's who we are and what we do.

PAGE 01/01

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Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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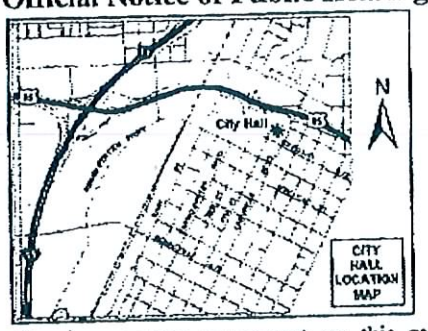


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☐ I SUPPORT this Request

☑ I OPPOSE this Request

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**GPA-34597 & SUP-34598**

Planning Commission Meeting of 7/9/2009

Case: GPA-34597
16209202008
KHAZAI SHAHRIAR & ISABELA
%IMPERIOAL DESIGN
14100 KINGSLEY DR
GARDENA CA 90249-3018

DAVDP1.1 90249

06/29/2009 13:01 1

21P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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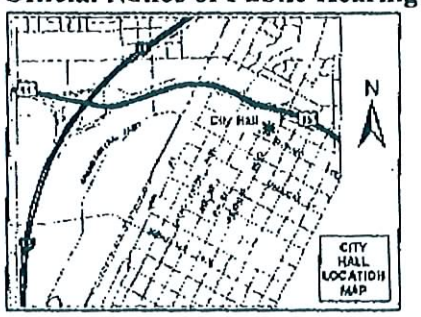


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**GPA-34597 & SUP-34598**

Planning Commission Meeting of 7/9/2009

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Case: GPA-34597

16209202010
POSITIVE SPACE INC
%B ALLEN PHOTOGRAPHY
18 STAR BROOK AVE
HENDERSON NV 89052-6628

21P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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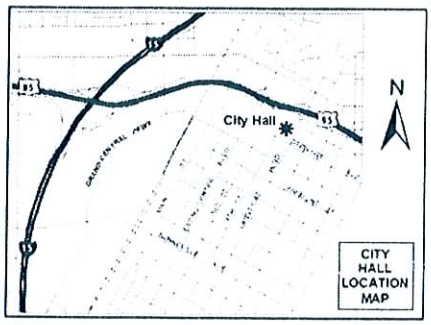
**Official Notice of Public Hearing**

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**GPA-34597 & SUP-34598**

Planning Commission Meeting of 7/9/2009

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JUN 30 2009

Case: GPA-34597

16209102002
2701 WESTWOOD L L C
%MR R BRANDY
1113 PINE ISLAND CT
LAS VEGAS NV 89134-6330

21A

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

## *AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT*
### PLANNING COMMISSION MEETING OF: JULY 9, 2009

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

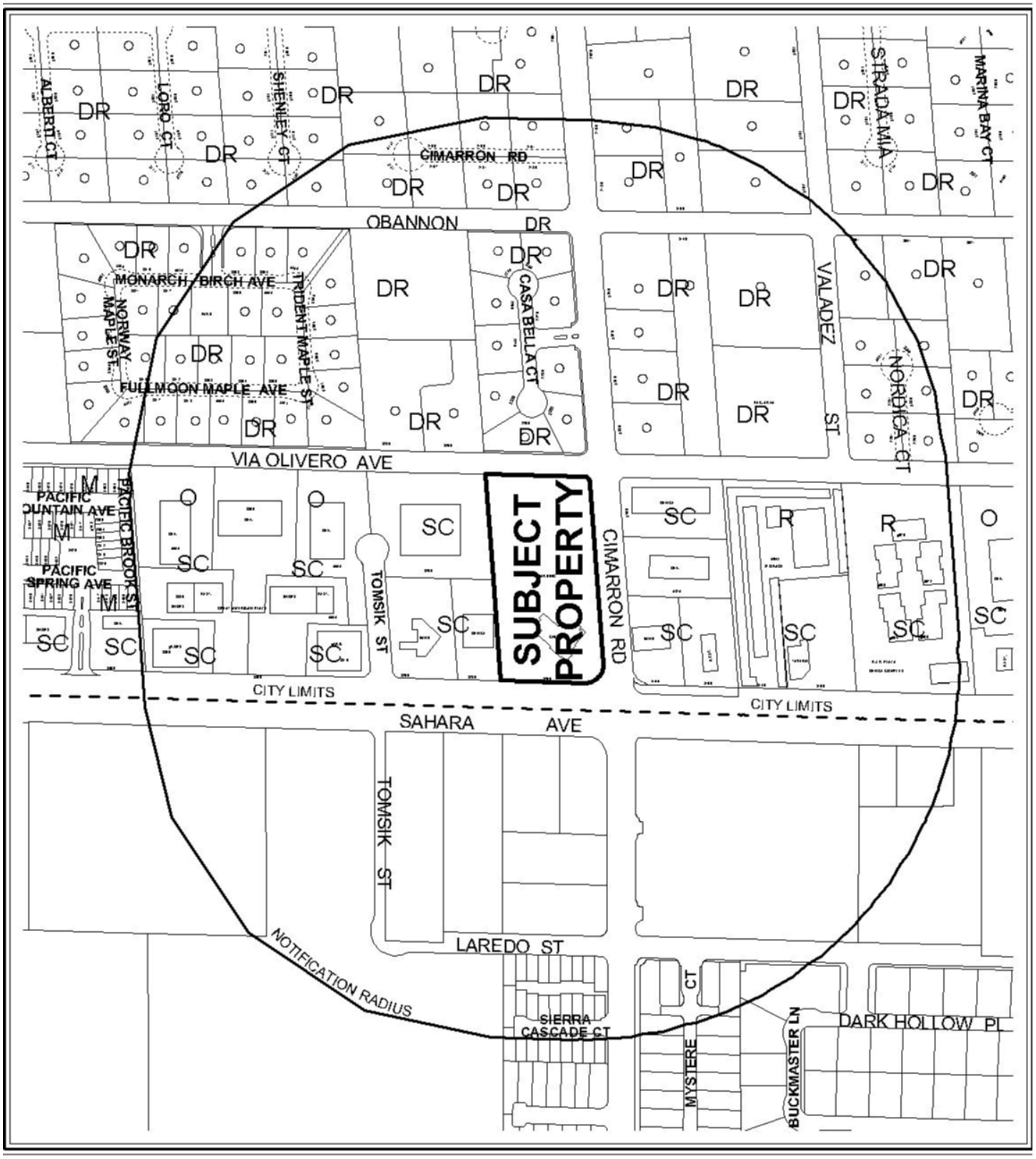
**SUBJECT:**
**GPA-34600 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH** - Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: R (RURAL DENSITY RESIDENTIAL) TO: SC (SERVICE COMMERCIAL) on 1.12 acres at 8200 West Sahara Avenue (a portion of APN 163-04-408-003), Ward 2 (Wolfson)

**C.C.: 08/05/2009**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **0** | **Planning Commission Mtg.** | **1** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
**APPROVAL**

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Support Postcard




0 300 600 Feet

**CASE:** **GPA-34600**

**RADIUS:** 1000 FT

**GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:**
SC (SERVICE COMMERCIAL) AND R (RURAL DENSITY RESIDENTIAL)

**PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:**
SC (SERVICE COMMERCIAL)

N




0 300 600 Feet

**CASE:** **GPA-34600**

**RADIUS:** 1000 FT

**GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:**
SC (SERVICE COMMERCIAL) AND R (RURAL DENSITY RESIDENTIAL)

**PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:**
SC (SERVICE COMMERCIAL)

N

City of Las Vegas

## *AGENDA MEMO*

**PLANNING COMMISSION MEETING DATE: JULY 9, 2009**
**DEPARTMENT: PLANNING AND DEVELOPMENT**
**ITEM DESCRIPTION: GPA-34600 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH**

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# ** CONDITIONS **

**STAFF RECOMMENDATION: APPROVAL.**

DC

**GPA-34600 - Staff Report Page One**
**July 9, 2009 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The subject site contains an existing 13,808 square-foot Church/House of Worship, associated parking, and approximately 55,000 square feet of undeveloped area on a 3.88-acre lot located at 8200 West Sahara Avenue. The northern 1.12-acre portion of the subject property contains a General Plan designation of R (Rural Density Residential) while the southern 2.76-acre portion of the subject property contains a General Plan designation of SC (Service Commercial). This request is to create a uniform SC (Service Commercial) General Plan designation across the entire 3.88 acre site by amending the General Plan land use designation for the northern portion of the site from R (Rural Density Residential) to SC (Service Commercial). If the application is denied, the northern half of the subject property will be limited to the land uses permitted within the R (Rural Density Residential) General Plan designation.

Issues

- Staff can support the request for a General Plan Amendment as the surrounding parcels to the east and to the west have identical General Plan designations of SC (Service Commercial).
- Additionally, this request will eliminate the split General Plan land use designations for the subject parcel and create a singular General Plan land use designation.
- The applicant has submitted an associated request to Rezone (ZON-34601) the subject site from C-V (Civic) to C-1 (Limited Commercial), which is consistent with the proposed General Plan designation.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 07/07/93 | The City Council approved a request for a Rezoning and Plot Plan and Elevation Review (Z-0043-93) from N-U (Non-Urban) to C-V (Civic) for a proposed Church/House of Worship located at the northwest corner of Sahara Avenue and Cimarron Road. The Planning Commission and staff recommended approval of this request. |
| 01/14/94 | A deed was recorded for change of ownership. |
| 01/04/95 | The City Council approved a request for an Extension of Time [Z-0043-93(1)] of an approved Rezoning and Plot Plan and Elevation Review (Z-0043-93) from N-U (Non-Urban) to C-V (Civic) for a proposed Church/House of Worship located at the northwest corner of Sahara Avenue and Cimarron Road. The Planning Commission and staff recommended approval of this request. |

| | |
|---|---|
| 04/23/03 | The Planning Commission approved a request for a Site Development Plan Review (SDR-1968) for a 4,840 square-foot addition to an existing Church/House of Worship on 3.88 acres at 8200 West Sahara Avenue. Staff recommended approval of this request. |
| ***Related Building Permits/Business Licenses*** | |
| 04/17/95 | Building permits were issued for onsite improvements (#95373763) and a new building (#95373764) at 8200 West Sahara Avenue. The permits were finaled under building permit (#97007415) on 05/27/97. |
| 12/01/95 | A building permit (#95883523) was issued for a sign at 8200 West Sahara Avenue. The permit expired 09/21/96 without receiving final approval. |
| 11/22/95 | A building permit (#95882928) was issued for a 50-foot long, six-foot high block wall and a 275-foot long, two-foot high retaining wall. The permit expired 09/21/96 without receiving final approval. |
| 04/19/04 | A building permit (#04009010) was issued for a 5,280 square-foot addition at 8200 West Sahara Avenue. The permit received final approval 08/24/04. |
| ***Pre-Application Meeting*** | |
| 05/14/09 | A Pre-Application meeting was held with the applicant where the following issues were discussed:<br>• The requested change in zoning opens up the entire site to review for compliance with Title 19.08 requirements.<br>• Residential Adjacency issues with the single-family property to the north.<br>• Discussion of all uses proposed at the site, including the expansion of the existing Church/House of Worship use, Daycare Facility, Senior Citizen Apartments, Convalescent Care Facility/Nursing Home and Assisted Living Apartments.<br>• Parking requirements for the uses proposed.<br>• Adherence to the submittal requirements and plans required for a General Plan Amendment, Rezoning, three Special Use Permit applications, a parking Variance and a Site Development Plan Review. |
| ***Neighborhood Meeting*** | |
| 06/08/09 | A neighborhood meeting was held at 6:00pm at The Lakes Lutheran Church, Conference Room, located at 8200 W. Sahara Ave. Las Vegas, Nevada 89117. There were three representatives of the applicant, five representatives of the church, one member of the Planning and Development staff and two members of the general public present.<br>• A discussion was held where the general public raised questions about the proposed development. |

| *Field Check* | |
|---|---|
| 06/04/09 | A field check was conducted by staff at the subject property where the following was observed:<br>• The subject site contains an existing 13,808 square-foot Church/House of Worship.<br>• An existing parking lot surrounds the west and north sides of the existing building, and extends along the east perimeter of the site to O'Bannon Drive.<br>• The northeastern half of the subject property is undeveloped, relatively flat, and contains no landscaping. |

| *Details of Application Request* | |
|---|---|
| *Site Area* | |
| Gross Acres | 1.12 |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|---|---|---|---|
| Subject Property | Church/House of Worship | SC (Service Commercial) and R (Rural Density Residential) [Proposed: SC (Service Commercial)] | C-V (Civic) [Proposed: C-1 (Limited Commercial)] |
| North | Single-Family Residences | DR (Desert Rural Density Residential) | R-PD2 (Residential Planned Development – 2 Units per Acre) |
| South | Restaurant | CN (Commercial Neighborhood) – Clark County | C-1 (Local Business) – Clark County |
| East | Office and Retail | SC (Service Commercial) | C-1 (Limited Commercial) and O (Office) |
| West | Office | SC (Service Commercial) | C-1 (Limited Commercial) |

| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
|---|---|---|---|
| **Special Area Plan** | | X | N/A |
| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
| **Special Purpose and Overlay Districts** | | X | N/A |
| **Trails** | | X | N/A |
| **Rural Preservation Overlay District** | | X | N/A |
| **Development Impact Notification Assessment** | | X | N/A |
| **Project of Regional Significance** | | X | N/A |

## ANALYSIS

This request is to allow the applicant to amend the General Plan for a 1.12-acre portion of a 3.88-acre parcel from R (Rural Density Residential) to SC (Service Commercial). The remaining 2.76-acre portion of the subject site currently has a General Plan designation of SC (Service Commercial). The SC (Service Commercial) category allows low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, and other places of public assembly and public and semi-public uses. This category also includes offices either singly or grouped as office centers with professional and business services. The SC (Service Commercial) category may also allow mixed-use development with a residential component where appropriate.

The request to amend the General Plan from R (Rural Density Residential) to SC (Service Commercial) is consistent with the General Plan land use designations of the adjacent parcels to the east and west of the subject site. Additionally, this request will eliminate the split General Plan land use designations for the subject parcel and create a singular General Plan land use designation of SC (Service Commercial). An associated request to Rezone (ZON-34601) the subject site from C-V (Civic) to C-1 (Limited Commercial) is consistent with this General Plan Amendment request.

## FINDINGS

Section 19.18.030.I of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,

2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,

3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and

4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

**In regard to "1":**

The density and intensity of the proposed General Plan Amendment to SC (Service Commercial) is compatible with the surrounding land uses to the east, west and south. Extending the SC (Service Commercial) land use designation of the subject property north to Via Olivero Avenue will create an identical land use pattern established by the adjacent parcels to the east and west of the subject site.

**In regard to "2":**

The C-1 (Limited Commercial) zoning designation allowed by the proposed General Plan Amendment will create a land use that is harmonious and compatible with the surrounding area. The proposed SC (Service Commercial) land use designation and proposed C-1 (Limited Commercial) zoning district is compatible with the existing adjacent land uses and zoning districts.

**In regard to "3":**

Access to the site is provided by Sahara Avenue, a 100-foot Primary Arterial and Cimarron Road, an 80-foot Secondary Collector, as designated by the Master Plan of Streets and Highways. The subject property is located within an area of the City where all utilities, fire and police services are currently in place and available. Therefore, there are adequate facilities available to accommodate the uses and densities permitted by the proposed General Plan Amendment.

**In regard to "4":**

No other plans apply to this site.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 12

**ASSEMBLY DISTRICT** 2

**SENATE DISTRICT** 8

**NOTICES MAILED** 254

**APPROVALS** 1

**PROTESTS** 0

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-34600** APN: 163-04-408-003

Name of Property Owner: Church Lakes Lutheran

Name of Applicant: Church Lakes Lutheran

Name of Representative: Kummer, Kaempfer, Bonner, Renshaw & Ferrario - Christopher Kampfer

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: Mark W. Myers

Print Name: MARK W MYERS

Subscribed and sworn before me

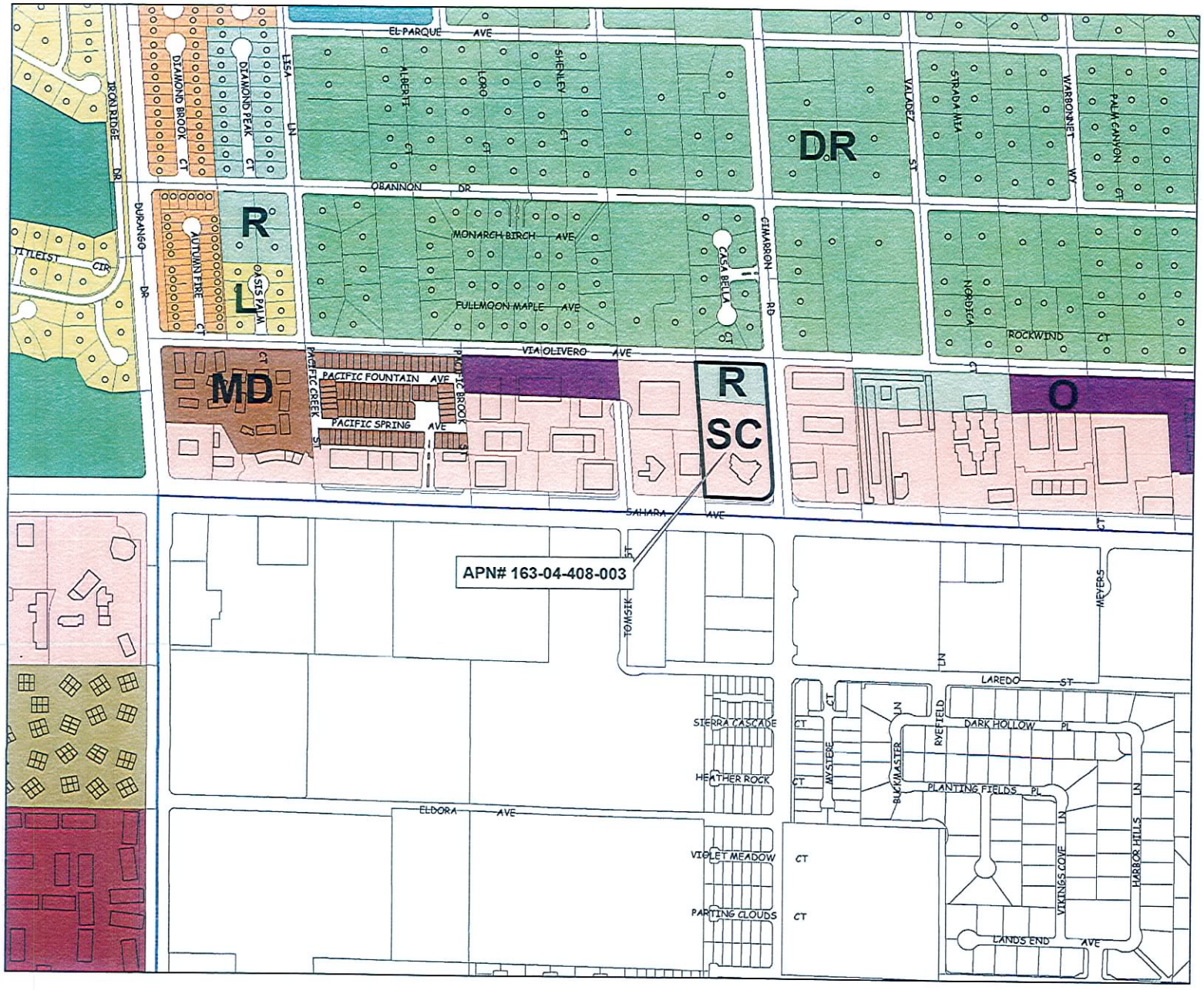
This 6TH day of MAY, 2009

Patricia Shogren

Notary Public in and for said County and State

PATRICIA SHOGREN
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 02-75546-1
MY APPT. EXPIRES JANUARY 08, 2012

RECEIVED
MAY 26 2009




City of Las Vegas

# Location Map

**Legend**

- Rural Neighborhood Preservation
- Rural Estates
- Desert Rural
- Rural
- Low
- Medium - Low
- Medium - Low Attached
- Medium
- High
- Office
- Service Commercial
- General Commercial
- Tourist Commercial
- Las Vegas Medical District
- Light Industrial / Research
- Planned Community Development
- Traditional Neighborhood Development
- Downtown Redevelopment Area
- Parks/Recreation/Open Space
- Public Facility
- Public Facility - School
- Public Facility - Clark County
- Town Center
- Resource Conservation
- Downtown - Commercial
- Downtown - Mixed Use
- Not in City
- Right - of - Way

Request to SC Subject Parcel
Currently SC/R

RECEIVED

MAY 28 2009

**GPA-34600**
**07/09/09 PC**




GPA-34600 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
8200 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

06/04/09



GPA-34600 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
8200 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

06/04/09



GPA-34600 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
8200 WEST SAHARA AVENUE
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06/04/09



GPA-34600 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
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06/04/09



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06/04/09



GPA-34600 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
8200 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

06/04/09



GPA-34600 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
8200 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

06/04/09

KUMMER KAEMPFER
ATTORNEYS AT LAW

LAS VEGAS OFFICE
info@kkbrf.com

KUMMER KAEMPFER BONNER
RENSHAW & FERRARIO

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3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, NV 89169
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
5585 Kietzke Lane
Reno, NV 89511
Tel: 775.852.3900
Fax: 775.852.3982

CARSON CITY OFFICE
510 W. Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

June 18, 2009

**VIA HAND DELIVERY**

RECEIVED
09 JUN 18 AM 10:36
PLANNING AND DEVELOPMENT

City of Las Vegas
Planning & Development Department
731 S. Fourth Street
Las Vegas, NV 89101

***Re: Amended Justification Letter –Lakes Lutheran Church Assisted Living Apartment Memory Care Facility***
***GPA, Zone Change, SDR and Use Permits***
***APN 163-04-408-003***

To Whom It May Concern:

Please be advised this office represents Lakes Lutheran Church (the "Applicant") in the above referenced matter. The Applicant is proposing a site development review for a senior apartment project located on the northwest corner of Sahara Avenue and Cimarron Road, more particularly known as APN 163-04-408-003 (the "Site"). In conjunction with the SDR, the Applicant is proposing a change to the general plan for the northern portion of the Site to service commercial, zone change to C-1 for the entire Site, and use permits to allow a senior project.

**General Plan Amendment**

The Applicant is requesting the Site's general plan be changed to service commercial for the portion of the Site that fronts Via Olivero Avenue. The portion of the Site that fronts Sahara Avenue is already planned service commercial. Additionally, the properties to the west and east of the Site are general planned service commercial. Both of these properties are similar to the Site. Both properties have frontage on Sahara Avenue and Via Olivero Avenue. Therefore, a change in the general plan to service commercial for the Site is compatible to the surrounding area.

GPA-34600 ZON-34601
VAR-34605 SUP-34604
SUP-34606 SUP-34608
SDR-34602 07/09/09 PC
REVISED

LAW FIRMS WORLDWIDE MERITAS

## Zone Change

The Applicant is also requesting a zone change to rezone the entire Site to C-1. There is currently a church on a portion of the Site. A church is a permitted use in a C-1 zoned district. The church building configuration and layout is remaining the same from its previous approval and therefore conforms to the previous site plan approval. The zone change also makes sense because it is consistent with other properties in the area (the property to the west is zoned C-1 and the property to the east is zoned C-1 and O on the northern portion of the property). Therefore, a zone change for the Site to C-1 is compatible.

## Site Development Review

**Overview:**

The existing church fronts on Sahara Avenue. The proposed senior housing is on the northern portion of the Site with frontage on Via Olivero. The building configuration is a combination L&T shape scheme with a courtyard in the memory part of the plan. Other amenities are shown throughout the proposed expansion, which include beauty/barber shop, library, child daycare, café, kitchen, dining area, general store, fitness room, home health, laundry, spa activity room and community room. The spa is primarily for memory care patients and on occasion is will be made available for home health care patients. The beauty/barber shop is located on the second floor and is for residents only. Most of these commercial amenities will be on the first floor. The total number of units for the three different living areas offered is 96.

**Elevations:**

The height of the combination building will be 49.6 feet. The architectural theme is an L&T shape scheme to make up the entire expansion into one building.

In conjunction with SDR, the following use permits are required:

1. Assisted Living: Assisted living apartments are defined as "an apartment or apartment complex which provides personal care services to senior citizens for daily living needs". Such services may include, but are not limited to, preparation and service of meals, housekeeping, laundry, monitoring of rooms, monitoring of medication, or assistance with bathing.

2. Memory Care/Assisted Living Plus: Convalescent care facility/nursing home is defined as "means a building or structure designed, used, or intended to be used to house and provide care for persons who have a chronic physical or mental illness or infirmity, but who do not need medical, surgical or other specialized treatment normally provided by a hospital. The term includes a rest home and a nursing home, but does not include an assisted living apartment, a hospital or other medical facility that is specifically defined in this Chapter". There will be 22 employees at the during week.

GPA-34600 ZON-34601
VAR-34605 SUP-34604
SUP-34606 SUP-34608
SDR-34602 07/09/09 PC
REVISED

3. Independent Living (Senior Apartments): An apartment house or other multi-family dwelling in which each unit is occupied by at least one person fifty-five years of age or older. The term includes an apartment house or other multi-family dwelling that qualifies as "housing for older persons" under the provisions of Federal law, including without limitation housing developments that:

    1. Provide significant facilities and services specifically designed to meet the physical or social needs of older persons; and

    2. Publish and adhere to policies and procedures that demonstrate an intent to provide housing for persons fifty-five years of age or older to the extent allowed by applicable State or Federal law.

4. Child Daycare Facility: In conjunction with the church, the Applicant is also proposing a daycare facility. The daycare facility will accommodate no more than 50 children. During any given shift, there will be no more than 6 employees. The daycare use will operate during 6:30 am and 6:00 pm, Monday thru Friday. Parents will be dropping off their children and picking them up at varying hours, so they should not cause much impact.

5. Parking Reduction: The Site requires 202 parking spaces per Title 19 of the Las Vegas Municipal Code. The Site, however, is providing 160 parking spaces, or about 20% parking reduction. The church use, which requires the most amount of parking, will be predominately used on Saturday evenings and Sundays, during times which the other uses (i.e. childcare facility) will not be open. Additionally, the childcare facility will not generate much parking because it will be primarily drop-offs in the morning and pick-ups in the evening. Because many of the uses on the Site do not overlap in times and days of operation, the amount of proposed parking is adequate.

We thank you in advance for your consideration of this much needed expansion at the church.

Sincerely,

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO

Tom Combs

GPA-34600 ZON-34601
VAR-34605 SUP-34604
SUP-34606 SUP-34608
SDR-34602 07/09/09 PC
REVISED

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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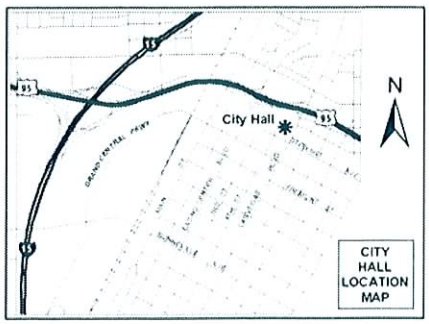
MAILED FROM ZIPCODE 89101

**Return Service Requested**
**Official Notice of Public Hearing**




RECEIVED
JUN 30 2009

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**GPA-34600 & ZON-34601**
Planning Commission Meeting of 7/9/2009

Case: GPA-34600
16304413018
REINEKE KURT B JR & CHERYL BETH
2204 TRIDENT MAPLE ST
LAS VEGAS NV 89117-1893

DAVDF11 89117

22A

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

## *AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT*
### PLANNING COMMISSION MEETING OF: JULY 9, 2009

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

**SUBJECT:**
**ZON-34601 - REZONING RELATED TO GPA-34600 - PUBLIC HEARING - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH** - Request for a Rezoning FROM: C-V (CIVIC) TO: C-1 (LIMITED COMMERCIAL) on 3.88 acres at 8200 West Sahara Avenue (APN 163-04-408-003), Ward 2 (Wolfson)

**C.C.: 08/05/2009**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **0** | **Planning Commission Mtg.** | **1** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
**APPROVAL**

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Photos
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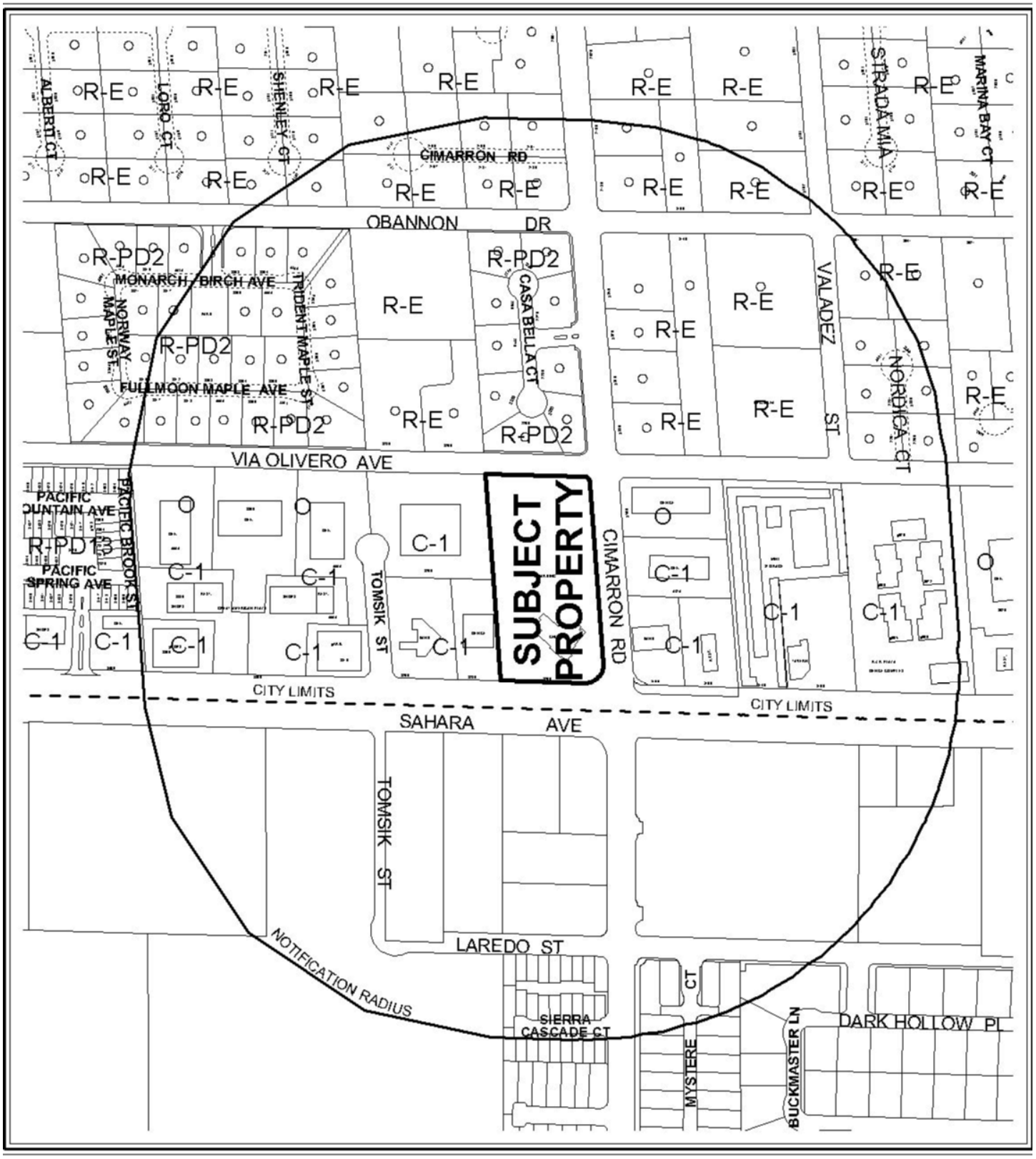
6. Support Postcard




**CASE:** **ZON-34601**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:**
C-V (CIVIC)

**PROPOSED ZONING OF SUBJECT PROPERTY:**
C-1 (LIMITED COMMERCIAL)




0 300 600 Feet

**CASE:** **ZON-34601**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:**
C-V (CIVIC)

**PROPOSED ZONING OF SUBJECT PROPERTY:**
C-1 (LIMITED COMMERCIAL)

N

City of Las Vegas

## AGENDA MEMO

**PLANNING COMMISSION MEETING DATE: JULY 9, 2009**
**DEPARTMENT: PLANNING AND DEVELOPMENT**
**ITEM DESCRIPTION: ZON-34601 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH**

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## ** CONDITIONS **

**STAFF RECOMMENDATION: APPROVAL.**

DC

**ZON-34601 - Staff Report Page One**
**July 9, 2009 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The subject site contains an existing 13,808 square-foot Church/House of Worship, associated parking, and approximately 55,000 square feet of undeveloped area on a 3.88-acre lot located at 8200 West Sahara Avenue. This is a request to Rezone the site from C-V (Civic) to C-1 (Limited Commercial). The C-1 (Limited Commercial) zoning district will bring the zoning of the subject site into conformance with the existing and proposed General Plan designation of SC (Service Commercial). If the application is denied, the subject site will remain non-conforming with the existing General Plan land use designation and will only allow uses permitted within the C-V (Civic) zoning district.

Issues

- Staff can support the request for a Rezoning as the surrounding parcels to the east and to the west have identical C-1 (Limited Commercial) zoning.
- This request will allow the zoning of the subject site to be in conformance with the existing and proposed SC (Service Commercial) General Plan land use designation.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 07/07/93 | The City Council approved a request for a Rezoning and Plot Plan and Elevation Review (Z-0043-93) from N-U (Non-Urban) to C-V (Civic) for a proposed Church/House of Worship located at the northwest corner of Sahara Avenue and Cimarron Road. The Planning Commission and staff recommended approval of this request. |
| 01/14/94 | A deed was recorded for change of ownership. |
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| 04/23/03 | The Planning Commission approved a request for a Site Development Plan Review (SDR-1968) for a 4,840 square-foot addition to an existing Church/House of Worship on 3.88 acres at 8200 West Sahara Avenue. Staff recommended approval of this request. |

| | |
|---|---|
| ***Related Building Permits/Business Licenses*** | |
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| 05/14/09 | A Pre-Application meeting was held with the applicant where the following issues were discussed:<br>• The requested change in zoning opens up the entire site to review for compliance with Title 19.08 requirements.<br>• Residential Adjacency issues with the single-family property to the north.<br>• Discussion of all uses proposed at the site, including the expansion of the existing Church/House of Worship use, Daycare Facility, Senior Citizen Apartments, Convalescent Care Facility/Nursing Home and Assisted Living Apartments.<br>• Parking requirements for the uses proposed.<br>• Adherence to the submittal requirements and plans required for a General Plan Amendment, Rezoning, three Special Use Permit applications, a parking Variance and a Site Development Plan Review. |
| ***Neighborhood Meeting*** | |
| 06/08/09 | A neighborhood meeting was held at 6:00pm at The Lakes Lutheran Church, Conference Room, located at 8200 W. Sahara Ave. Las Vegas, Nevada 89117. There were three representatives of the applicant, five representatives of the church, one member of the Planning and Development staff and two members of the general public present.<br>• A discussion was held where the general public raised questions about the proposed development. |

| *Field Check* | |
|---|---|
| 06/04/09 | A field check was conducted by staff at the subject property where the following was observed:<br>• The subject site contains an existing 13,808 square-foot Church/House of Worship.<br>• An existing parking lot surrounds the west and north sides of the existing building, and extends along the east perimeter of the site to O'Bannon Drive.<br>• The northeastern half of the subject property is undeveloped, relatively flat, and contains no landscaping. |

| *Details of Application Request* | |
|---|---|
| *Site Area* | |
| Gross Acres | 3.88 |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|---|---|---|---|
| Subject Property | Church/House of Worship | SC (Service Commercial) and R (Rural Density Residential) [Proposed: SC (Service Commercial)] | C-V (Civic) [Proposed: C-1 (Limited Commercial)] |
| North | Single-Family Residences | DR (Desert Rural Density Residential) | R-PD2 (Residential Planned Development – 2 Units per Acre) |
| South | Restaurant | CN (Commercial Neighborhood) – Clark County | C-1 (Local Business) – Clark County |
| East | Office and Retail | SC (Service Commercial) | C-1 (Limited Commercial) and O (Office) |
| West | Office | SC (Service Commercial) | C-1 (Limited Commercial) |

| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
|---|---|---|---|
| **Special Area Plan** | | X | N/A |
| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
| **Special Purpose and Overlay Districts** | | X | N/A |
| **Trails** | | X | N/A |
| **Rural Preservation Overlay District** | | X | N/A |
| **Development Impact Notification Assessment** | | X | N/A |
| **Project of Regional Significance** | | X | N/A |

## ANALYSIS

This request is to Rezone the subject site from C-V (Civic) to C-1 (Limited Commercial). The C-1 (Limited Commercial) district is intended to provide most retail shopping and personal services, and may be appropriate for mixed use developments. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. The C-1 (Limited Commercial) district is consistent with the SC (Service Commercial) category of the General Plan. The subject site contains an existing General Plan land use designation of SC (Service Commercial) on a 2.76-acre portion of the subject site and a proposed General Plan land use designation of SC (Service Commercial) on a 1.12-acre portion of the subject site; the proposed Rezoning will bring the entire parcel into conformance with the existing and proposed General Plan land use designation.

## FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. **"The proposal conforms to the General Plan."**

   The proposed C-1 (Limited Commercial) zoning district is consistent with the existing and proposed SC (Service Commercial) General Plan land use designation.

2. **"The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts."**

   The uses allowed by the C-1 (Limited Commercial) zoning district are compatible with the surrounding land uses and zoning districts, and will provide a buffer between a busy arterial street and existing residential neighborhoods to the north.

3. **"Growth and development factors in the community indicate the need for or appropriateness of the rezoning."**

   The subject site acts as a buffer between commercial activity adjacent to Sahara Avenue to the south and single-family residences to the north. Rezoning the subject site from C-V (Civic) to C-1 (Limited Commercial) will allow the subject property to be consistent with the other C-1 (Limited Commercial) properties to the east and west which also serve as buffers between Sahara Avenue and single-family residences to the north.

4. **"Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district."**

Access to the site is provided by Sahara Avenue, a 100-foot Primary Arterial and Cimarron Road, an 80-foot Secondary Collector, as designated by the Master Plan of Streets and Highways. In addition, emergency access is provided via a crash gate fronting Via Olivero Avenue, a 60-foot Local Street, according to the Master Plan of Streets and Highways. All three roadways are adequate in size to meet the requirements of the proposed zoning district.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 12

**ASSEMBLY DISTRICT** 2

**SENATE DISTRICT** 8

**NOTICES MAILED** 254

**APPROVALS** 1

**PROTESTS** 0

PLANNING & DEVELOPMENT

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-34601** APN: 163-04-408-003

Name of Property Owner: Church Lakes Lutheran

Name of Applicant: Church Lakes Lutheran

Name of Representative: Kummer, Kaempfer, Bonner, Renshaw & Ferrario - Christopher Kampfer

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: Mark W. Myers

Print Name: MARK W MYERS

Subscribed and sworn before me

This 6TH day of MAY, 2009

Patricia Shogren
Notary Public in and for said County and State

PATRICIA SHOGREN
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 02-75546-1
MY APPT. EXPIRES JANUARY 08, 2012

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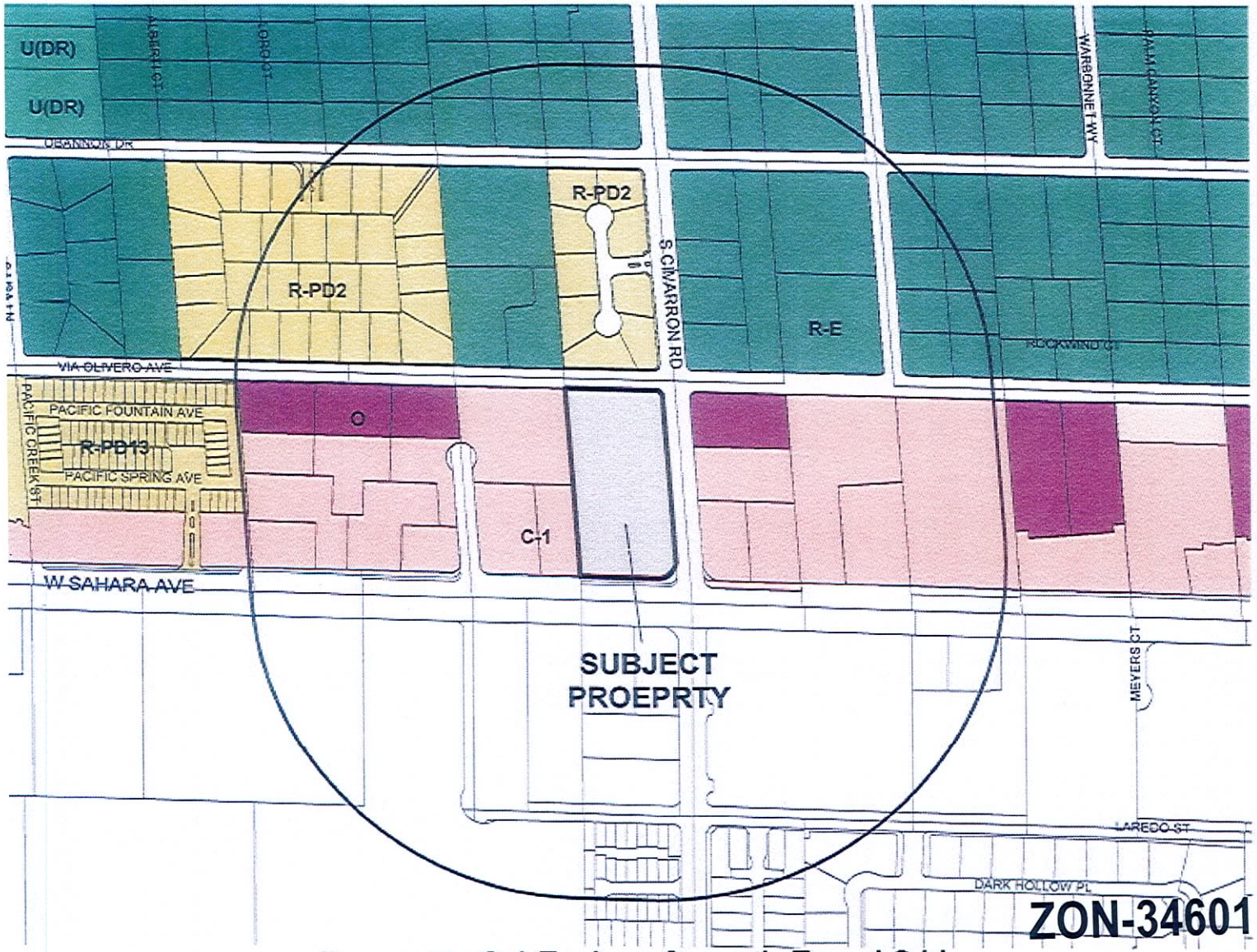
MAY 26 2009

# ZONING




**ZON-34601**
**07/09/09 PC**

Request to C-1 Zoning - Currently Zoned C-V

- U - Undeveloped (GPA Designation)
- R-A - Ranch Acres
- R-E - Residence Estates
- R-D - Single-Family Residential Restricted
- R-PD - Residential Planned Development
- R-1 - Single Family Residential
- R-MH - Mobile/Manufactured Home Resider
- R-CL - Single-Family Compact Lot
- R-2 - Medium-Low Density Residential
- R-3 - Medium Density Residential
- R-4 - High Density Residential
- R-5 - Apartment
- R-MHP - Residential Mobile/Manufacture Ho
- P-R - Profesional Offices And Parking
- N-S - Neighborhood Services
- O - Office
- C-D - Designed Commercial
- C-1 - Limited Commercial
- C-2 - General Commercial
- C-M - Commercial Industrial
- M - Industrial
- C-V - Civic
- C-PB - Planned Business Park
- P-C - Planned Community
- PD - Planned Development
- T-D - Traditional Development
- TC - Town Center
- ROI Zoning

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MAY 26 2009




ZON-34601 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
8200 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

06/04/09



ZON-34601 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
8200 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

06/04/09



ZON-34601 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
8200 WEST SAHARA AVENUE
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06/04/09



ZON-34601 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
8200 WEST SAHARA AVENUE
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06/04/09



ZON-34601 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
8200 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

06/04/09

KUMMER KAEMPFER
ATTORNEYS AT LAW

LAS VEGAS OFFICE
info@kkbrf.com

KUMMER KAEMPFER BONNER
RENSHAW & FERRARIO

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3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, NV 89169
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
5585 Kietzke Lane
Reno, NV 89511
Tel: 775.852.3900
Fax: 775.852.3982

CARSON CITY OFFICE
510 W. Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

June 18, 2009

**VIA HAND DELIVERY**

RECEIVED
09 JUN 18 AM 10:36
PLANNING AND DEVELOPMENT

City of Las Vegas
Planning & Development Department
731 S. Fourth Street
Las Vegas, NV 89101

***Re: Amended Justification Letter –Lakes Lutheran Church Assisted Living Apartment Memory Care Facility***
***GPA, Zone Change, SDR and Use Permits***
***APN 163-04-408-003***

To Whom It May Concern:

Please be advised this office represents Lakes Lutheran Church (the "Applicant") in the above referenced matter. The Applicant is proposing a site development review for a senior apartment project located on the northwest corner of Sahara Avenue and Cimarron Road, more particularly known as APN 163-04-408-003 (the "Site"). In conjunction with the SDR, the Applicant is proposing a change to the general plan for the northern portion of the Site to service commercial, zone change to C-1 for the entire Site, and use permits to allow a senior project.

**General Plan Amendment**

The Applicant is requesting the Site's general plan be changed to service commercial for the portion of the Site that fronts Via Olivero Avenue. The portion of the Site that fronts Sahara Avenue is already planned service commercial. Additionally, the properties to the west and east of the Site are general planned service commercial. Both of these properties are similar to the Site. Both properties have frontage on Sahara Avenue and Via Olivero Avenue. Therefore, a change in the general plan to service commercial for the Site is compatible to the surrounding area.

GPA-34600 ZON-34601
VAR-34605 SUP-34604
SUP-34606 SUP-34608
SDR-34602 07/09/09 PC
REVISED

LAW FIRMS WORLDWIDE MERITAS

## Zone Change

The Applicant is also requesting a zone change to rezone the entire Site to C-1. There is currently a church on a portion of the Site. A church is a permitted use in a C-1 zoned district. The church building configuration and layout is remaining the same from its previous approval and therefore conforms to the previous site plan approval. The zone change also makes sense because it is consistent with other properties in the area (the property to the west is zoned C-1 and the property to the east is zoned C-1 and O on the northern portion of the property). Therefore, a zone change for the Site to C-1 is compatible.

## Site Development Review

**Overview:**

The existing church fronts on Sahara Avenue. The proposed senior housing is on the northern portion of the Site with frontage on Via Olivero. The building configuration is a combination L&T shape scheme with a courtyard in the memory part of the plan. Other amenities are shown throughout the proposed expansion, which include beauty/barber shop, library, child daycare, café, kitchen, dining area, general store, fitness room, home health, laundry, spa activity room and community room. The spa is primarily for memory care patients and on occasion is will be made available for home health care patients. The beauty/barber shop is located on the second floor and is for residents only. Most of these commercial amenities will be on the first floor. The total number of units for the three different living areas offered is 96.

**Elevations:**

The height of the combination building will be 49.6 feet. The architectural theme is an L&T shape scheme to make up the entire expansion into one building.

In conjunction with SDR, the following use permits are required:

1. Assisted Living: Assisted living apartments are defined as "an apartment or apartment complex which provides personal care services to senior citizens for daily living needs". Such services may include, but are not limited to, preparation and service of meals, housekeeping, laundry, monitoring of rooms, monitoring of medication, or assistance with bathing.

2. Memory Care/Assisted Living Plus: Convalescent care facility/nursing home is defined as "means a building or structure designed, used, or intended to be used to house and provide care for persons who have a chronic physical or mental illness or infirmity, but who do not need medical, surgical or other specialized treatment normally provided by a hospital. The term includes a rest home and a nursing home, but does not include an assisted living apartment, a hospital or other medical facility that is specifically defined in this Chapter". There will be 22 employees at the during week.

GPA-34600 ZON-34601
VAR-34605 SUP-34604
SUP-34606 SUP-34608
SDR-34602 07/09/09 PC
REVISED

3. Independent Living (Senior Apartments): An apartment house or other multi-family dwelling in which each unit is occupied by at least one person fifty-five years of age or older. The term includes an apartment house or other multi-family dwelling that qualifies as "housing for older persons" under the provisions of Federal law, including without limitation housing developments that:

    1. Provide significant facilities and services specifically designed to meet the physical or social needs of older persons; and

    2. Publish and adhere to policies and procedures that demonstrate an intent to provide housing for persons fifty-five years of age or older to the extent allowed by applicable State or Federal law.

4. Child Daycare Facility: In conjunction with the church, the Applicant is also proposing a daycare facility. The daycare facility will accommodate no more than 50 children. During any given shift, there will be no more than 6 employees. The daycare use will operate during 6:30 am and 6:00 pm, Monday thru Friday. Parents will be dropping off their children and picking them up at varying hours, so they should not cause much impact.

5. Parking Reduction: The Site requires 202 parking spaces per Title 19 of the Las Vegas Municipal Code. The Site, however, is providing 160 parking spaces, or about 20% parking reduction. The church use, which requires the most amount of parking, will be predominately used on Saturday evenings and Sundays, during times which the other uses (i.e. childcare facility) will not be open. Additionally, the childcare facility will not generate much parking because it will be primarily drop-offs in the morning and pick-ups in the evening. Because many of the uses on the Site do not overlap in times and days of operation, the amount of proposed parking is adequate.

We thank you in advance for your consideration of this much needed expansion at the church.

Sincerely,

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO

Tom Combs

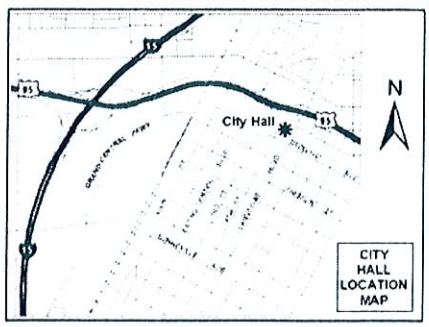
GPA-34600 ZON-34601
VAR-34605 SUP-34604
SUP-34606 SUP-34608
SDR-34602 07/09/09 PC
REVISED

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
02 1M $ 00.41⁴
0004279218 JUN 26 2009
MAILED FROM ZIP CODE 89101

**Return Service Requested**
**Official Notice of Public Hearing**




RECEIVED
JUN 30 2009

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**GPA-34600 & ZON-34601**

Planning Commission Meeting of 7/9/2009

Case: GPA-34600
16304413018
REINEKE KURT B JR & CHERYL BETH
2204 TRIDENT MAPLE ST
LAS VEGAS NV 89117-1893

DAVDF11 89117

23A

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

## *AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT*
### PLANNING COMMISSION MEETING OF: JULY 9, 2009

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

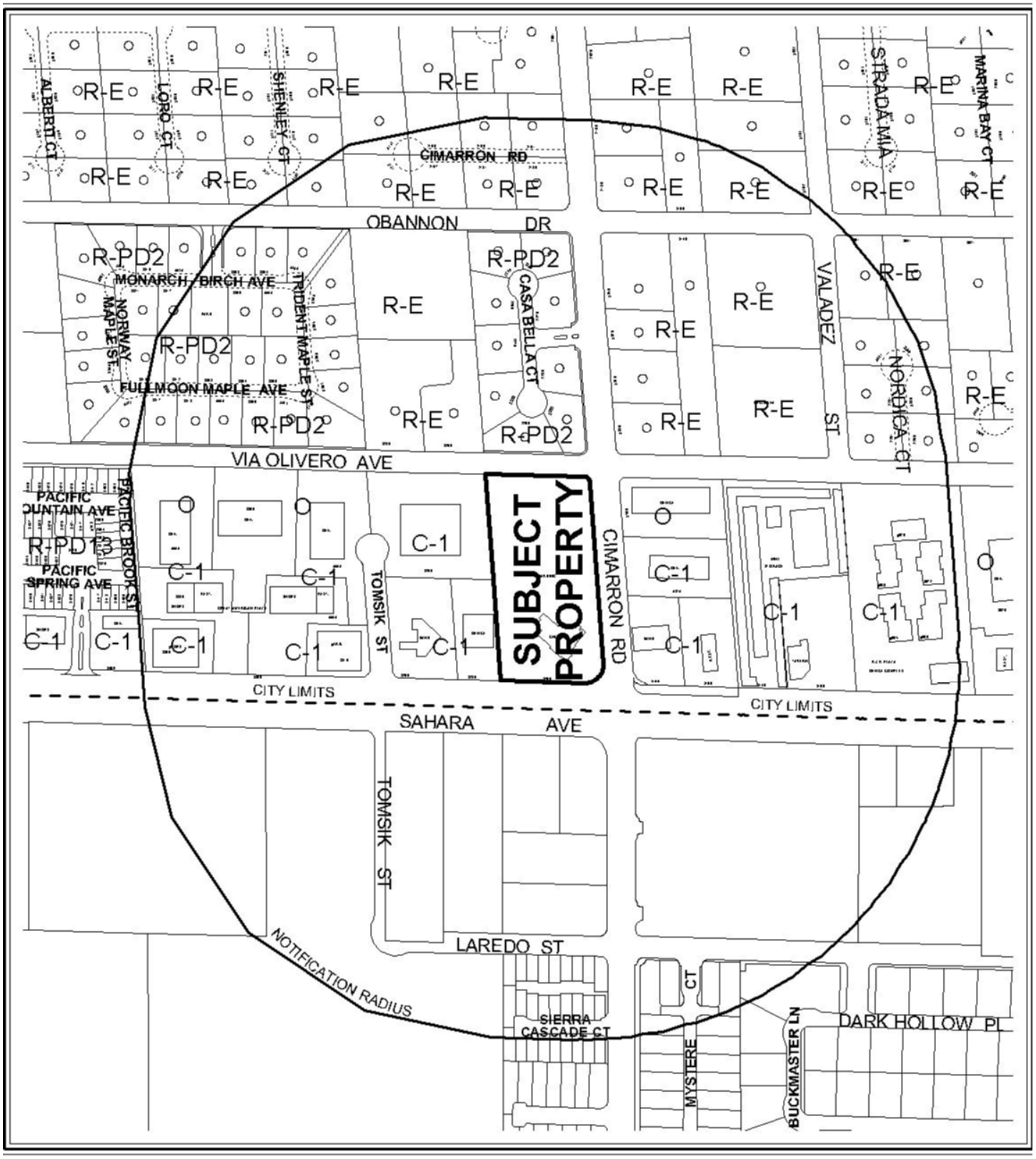
**SUBJECT:**
**VAR-34605 - VARIANCE RELATED TO GPA-34600 AND ZON-34601 - PUBLIC HEARING - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH** - Request for a VARIANCE TO ALLOW 160 PARKING SPACES WHERE 205 ARE REQUIRED FOR A PROPOSED CHURCH/HOUSE OF WORSHIP EXPANSION; SENIOR CITIZEN APARTMENTS; ASSISTED LIVING 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)], Ward 2 (Wolfson)

**C.C.: 08/05/2009**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **0** | **Planning Commission Mtg.** | **1** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
**DENIAL**

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Support Postcard




0 300 600 Feet

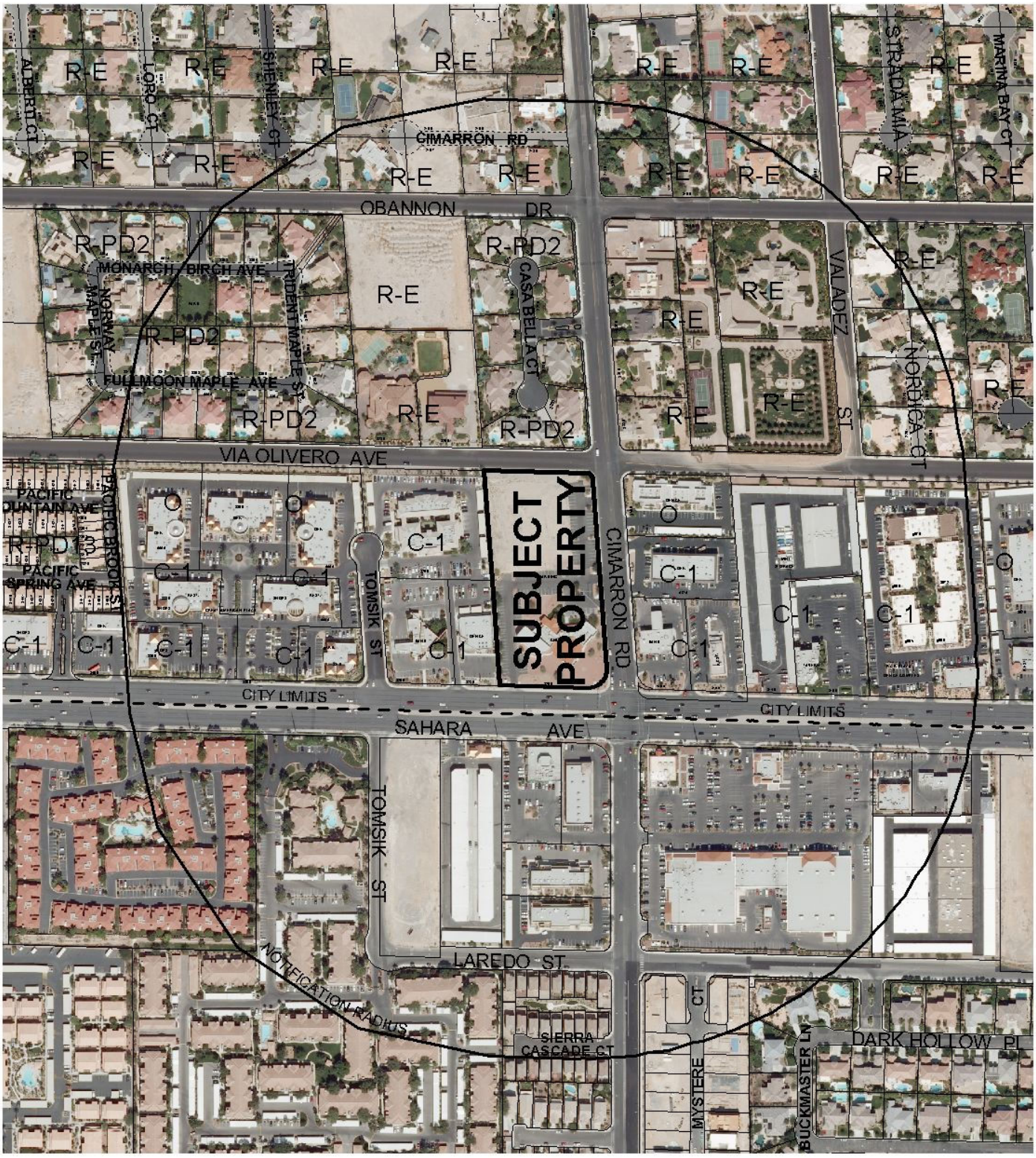
**CASE:** **VAR-34605**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:**
C-V (CIVIC)

**PROPOSED ZONING OF SUBJECT PROPERTY:**
C-1 (LIMITED COMMERCIAL)

N




0 300 600 Feet

**CASE:** **VAR-34605**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:**
C-V (CIVIC)

**PROPOSED ZONING OF SUBJECT PROPERTY:**
C-1 (LIMITED COMMERCIAL)

N

City of Las Vegas

## AGENDA MEMO

**PLANNING COMMISSION MEETING DATE: JULY 9, 2009**
**DEPARTMENT: PLANNING AND DEVELOPMENT**
**ITEM DESCRIPTION: VAR-34605 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH**

---

# ** CONDITIONS **

**STAFF RECOMMENDATION:** **DENIAL.** If Approved, 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.

**VAR-34605 - Staff Report Page One**
**July 9, 2009 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The subject site contains an existing 13,808 square-foot Church/House of Worship, associated parking, and approximately 55,000 square feet of undeveloped area on a 3.88-acre lot located at 8200 West Sahara Avenue. The applicant is proposing to locate a Child Care Center, a Convalescent Care Facility/Nursing Home, Assisted Living Apartments and Senior Citizen Apartments in addition to an expansion on an existing Church/House of Worship. The proposed and existing uses require 205 parking spaces where 160 will be provided. If this request is denied, an alternate site design will be required to provide parking for all proposed uses in accordance with Title 19.04 and 19.10.

Issues:

- Staff cannot support this request as the applicant has not provided compelling evidence of a unique or extraordinary circumstance, and has created a self-imposed hardship by proposing to overbuild the site.
- Providing up to 30% compact parking spaces allowable per Title 19.10 in conjunction with an alternate site design or a reduction in the scope of the proposed project would accommodate the requisite number of parking spaces.
- The proposed parking lot layout is fragmented and does not represent an efficient use of the site.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 07/07/93 | The City Council approved a request for a Rezoning and Plot Plan and Elevation Review (Z-0043-93) from N-U (Non-Urban) to C-V (Civic) for a proposed Church/House of Worship located at the northwest corner of Sahara Avenue and Cimarron Road. The Planning Commission and staff recommended approval of this request. |
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**VAR-34605 - Staff Report Page Three**
**July 9, 2009 - Planning Commission Meeting**

| *Field Check* | |
|---|---|
| 06/04/09 | A field check was conducted by staff at the subject property where the following was observed:<br>• The subject site contains an existing 13,808 square-foot Church/House of Worship.<br>• An existing parking lot surrounds the west and north sides of the existing building, and extends along the east perimeter of the site to O'Bannon Drive.<br>• The northeastern half of the subject property is undeveloped, relatively flat, and contains no landscaping. |

| *Details of Application Request* | |
|---|---|
| *Site Area* | |
| Gross Acres | 3.88 |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|---|---|---|---|
| Subject Property | Church/House of Worship | SC (Service Commercial) and R (Rural Density Residential) [Proposed: SC (Service Commercial)] | C-V (Civic) [Proposed: C-1 (Limited Commercial)] |
| North | Single-Family Residences | DR (Desert Rural Density Residential) | R-PD2 (Residential Planned Development – 2 Units per Acre) |
| South | Restaurant | CN (Commercial Neighborhood) – Clark County | C-1 (Local Business) – Clark County |
| East | Office and Retail | SC (Service Commercial) | C-1 (Limited Commercial) and O (Office) |
| West | Office | SC (Service Commercial) | C-1 (Limited Commercial) |

| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
|---|---|---|---|
| **Special Area Plan** | | X | N/A |
| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
| **Special Purpose and Overlay Districts** | | X | N/A |
| **Trails** | | X | N/A |
| **Rural Preservation Overlay District** | | X | N/A |
| **Development Impact Notification Assessment** | | X | N/A |
| **Project of Regional Significance** | | X | N/A |

DC

## DEVELOPMENT STANDARDS

***Pursuant to Title 19.10, the following parking standards apply:***

| ***Parking Requirement*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| ***Use*** | ***Gross Floor Area or Number of Units*** | ***Required*** | | | ***Provided*** | | ***Compliance*** |
| | | ***Parking Ratio*** | *Parking* | | *Parking* | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| Church/ House of Worship | 490 Fixed Seats | 1 / 4 fixed seats, or 1 space / 100 SF of non-fixed seating in the gathering room | 123 | | | | |
| Child Care Center | 6 Staff; 50 Children | 1 / Staff Member, plus 1 / 10 Children | 11 | | | | |
| Convalescent Care Facility/ Nursing Home | 22 Beds; 22 Employees | 1 / 6 Beds, plus 1 / Each Employee on the largest shift; plus 3 spaces for use by Medical Professionals | 29 | | | | |
| Assisted Living Apartments | 33 Residents | 1 / 3 Residents | 11 | | | | |
| Senior Citizen Apartments | 41 Units | .75 / Unit | 31 | | | | |
| **SubTotal** | | | 195 | 7 | 152 | 8 | |
| **TOTAL** | | | 205 | | 160 | | N |
| Percent Deviation | | | | | 22% | | |

## ANALYSIS

The applicant is proposing to construct a 2,576 square-foot addition to the existing 13,808 square-foot Church/House of Worship, a 2,500 square-foot Child Care Center, a 22-bed Convalescent Care Facility/Nursing Home, a 33-unit Assisted Living Apartments and a 41-unit Senior Citizen Apartment complex on a 3.88-acre parcel located at 8200 West Sahara Avenue. The existing and proposed uses on the subject site require 205 parking spaces where 160 are proposed, which represents a 22% deviation from Title 19 requirements. The 22% reduction in required parking indicates that the site, as proposed, would be overbuilt. Furthermore, the proposed deficiency is preferential in nature and as such, the applicant has created a self-imposed hardship that staff cannot support; therefore, staff is recommending denial of this request.

## FINDINGS

In accordance with the provisions of Title 19.18.070(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.18.070L states:
"Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing to overbuild the site. Alternatively, providing up to 30% compact parking spaces allowable per Title 19.10, redesigning the site or reducing the scope of the project would allow conformance to Title 19 parking requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

**VAR-34605 - Staff Report Page Six**
**July 9, 2009 - Planning Commission Meeting**

| | |
|---|---|
| **NEIGHBORHOOD ASSOCIATIONS NOTIFIED** | 12 |
| **ASSEMBLY DISTRICT** | 2 |
| **SENATE DISTRICT** | 8 |
| **NOTICES MAILED** | 254 |
| **APPROVALS** | 1 |
| **PROTESTS** | 0 |

DC

PLANNING & DEVELOPMENT

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-34605 APN: 163-04-408-003

Name of Property Owner: Church Lakes Lutheran

Name of Applicant: Church Lakes Lutheran

Name of Representative: Kummer, Kaempfer, Bonner, Renshaw & Ferrario - Christopher Kampfer

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: Mark W. Myers

Print Name: MARK W. MYERS

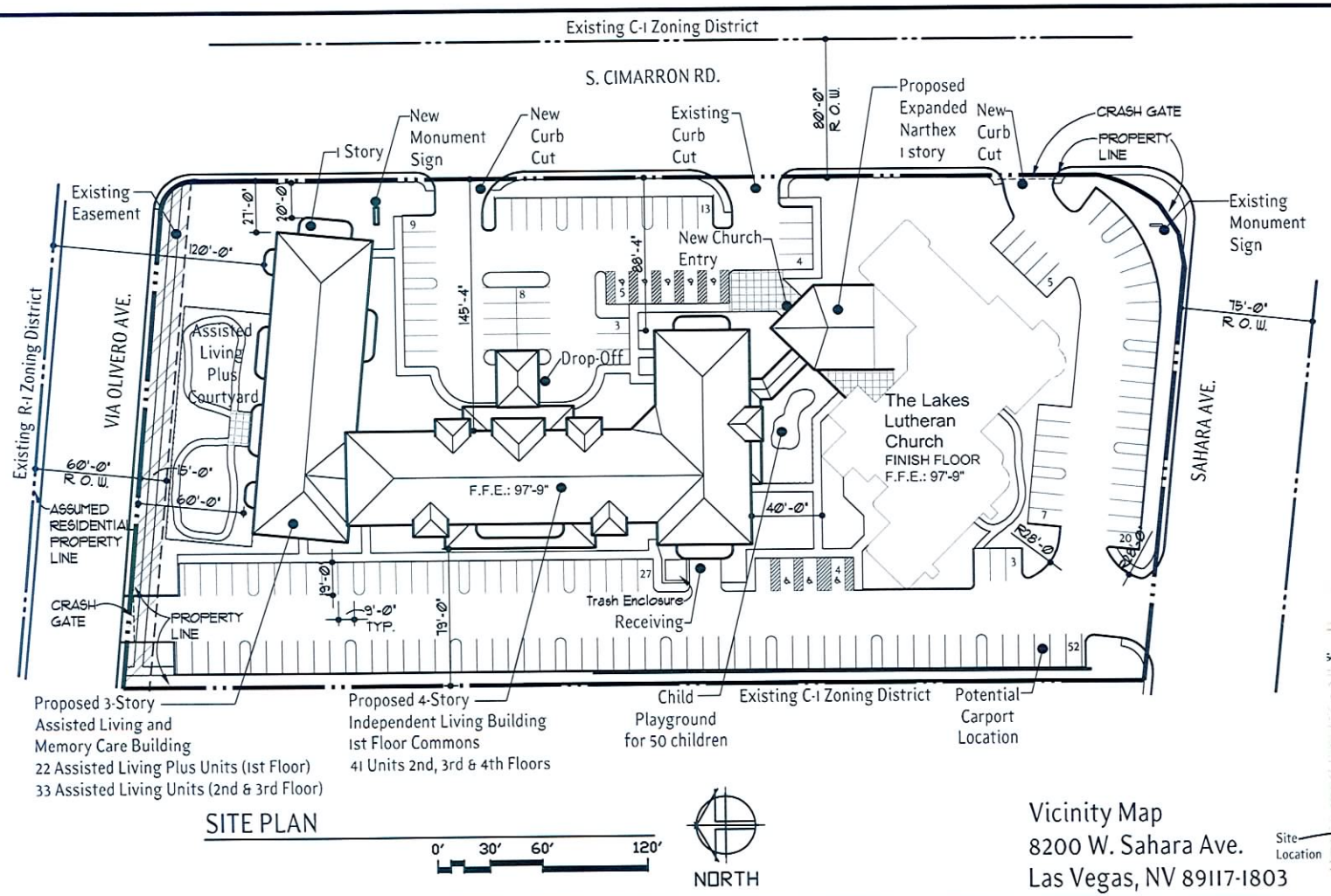
Subscribed and sworn before me

This 11TH day of MAY, 2009

Patricia Shogren
Notary Public in and for said County and State

PATRICIA SHOGREN
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 02-75546-1
MY APPT. EXPIRES JANUARY 08, 2012

RECEIVED
MAY 28 2009




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 |
| Sheet | |


RECEIVED
MAY 26 2009


**VAR-34605**
**07/09/09 PC**




VAR-34605 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
8200 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

06/04/09



VAR-34605 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
8200 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

06/04/09



VAR-34605 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
8200 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

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VAR-34605 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
8200 WEST SAHARA AVENUE
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06/04/09



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8200 WEST SAHARA AVENUE
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8200 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

06/04/09



VAR-34605 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
8200 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

06/04/09

KUMMER KAEMPFER
ATTORNEYS AT LAW

LAS VEGAS OFFICE
info@kkbrf.com

KUMMER KAEMPFER BONNER
RENSHAW & FERRARIO

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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

June 18, 2009

**VIA HAND DELIVERY**

RECEIVED
09 JUN 18 AM 10:36
PLANNING AND DEVELOPMENT

City of Las Vegas
Planning & Development Department
731 S. Fourth Street
Las Vegas, NV 89101

***Re: Amended Justification Letter –Lakes Lutheran Church Assisted Living Apartment Memory Care Facility***
***GPA, Zone Change, SDR and Use Permits***
***APN 163-04-408-003***

To Whom It May Concern:

Please be advised this office represents Lakes Lutheran Church (the "Applicant") in the above referenced matter. The Applicant is proposing a site development review for a senior apartment project located on the northwest corner of Sahara Avenue and Cimarron Road, more particularly known as APN 163-04-408-003 (the "Site"). In conjunction with the SDR, the Applicant is proposing a change to the general plan for the northern portion of the Site to service commercial, zone change to C-1 for the entire Site, and use permits to allow a senior project.

**General Plan Amendment**

The Applicant is requesting the Site's general plan be changed to service commercial for the portion of the Site that fronts Via Olivero Avenue. The portion of the Site that fronts Sahara Avenue is already planned service commercial. Additionally, the properties to the west and east of the Site are general planned service commercial. Both of these properties are similar to the Site. Both properties have frontage on Sahara Avenue and Via Olivero Avenue. Therefore, a change in the general plan to service commercial for the Site is compatible to the surrounding area.

GPA-34600 ZON-34601
VAR-34605 SUP-34604
SUP-34606 SUP-34608
SDR-34602 07/09/09 PC
REVISED

LAW FIRMS WORLDWIDE MERITAS

## Zone Change

The Applicant is also requesting a zone change to rezone the entire Site to C-1. There is currently a church on a portion of the Site. A church is a permitted use in a C-1 zoned district. The church building configuration and layout is remaining the same from its previous approval and therefore conforms to the previous site plan approval. The zone change also makes sense because it is consistent with other properties in the area (the property to the west is zoned C-1 and the property to the east is zoned C-1 and O on the northern portion of the property). Therefore, a zone change for the Site to C-1 is compatible.

## Site Development Review

**Overview:**

The existing church fronts on Sahara Avenue. The proposed senior housing is on the northern portion of the Site with frontage on Via Olivero. The building configuration is a combination L&T shape scheme with a courtyard in the memory part of the plan. Other amenities are shown throughout the proposed expansion, which include beauty/barber shop, library, child daycare, café, kitchen, dining area, general store, fitness room, home health, laundry, spa activity room and community room. The spa is primarily for memory care patients and on occasion is will be made available for home health care patients. The beauty/barber shop is located on the second floor and is for residents only. Most of these commercial amenities will be on the first floor. The total number of units for the three different living areas offered is 96.

**Elevations:**

The height of the combination building will be 49.6 feet. The architectural theme is an L&T shape scheme to make up the entire expansion into one building.

In conjunction with SDR, the following use permits are required:

1. Assisted Living: Assisted living apartments are defined as "an apartment or apartment complex which provides personal care services to senior citizens for daily living needs". Such services may include, but are not limited to, preparation and service of meals, housekeeping, laundry, monitoring of rooms, monitoring of medication, or assistance with bathing.

2. Memory Care/Assisted Living Plus: Convalescent care facility/nursing home is defined as "means a building or structure designed, used, or intended to be used to house and provide care for persons who have a chronic physical or mental illness or infirmity, but who do not need medical, surgical or other specialized treatment normally provided by a hospital. The term includes a rest home and a nursing home, but does not include an assisted living apartment, a hospital or other medical facility that is specifically defined in this Chapter". There will be 22 employees at the during week.

GPA-34600 ZON-34601
VAR-34605 SUP-34604
SUP-34606 SUP-34608
SDR-34602 07/09/09 PC
REVISED

3. Independent Living (Senior Apartments): An apartment house or other multi-family dwelling in which each unit is occupied by at least one person fifty-five years of age or older. The term includes an apartment house or other multi-family dwelling that qualifies as "housing for older persons" under the provisions of Federal law, including without limitation housing developments that:

    1. Provide significant facilities and services specifically designed to meet the physical or social needs of older persons; and

    2. Publish and adhere to policies and procedures that demonstrate an intent to provide housing for persons fifty-five years of age or older to the extent allowed by applicable State or Federal law.

4. Child Daycare Facility: In conjunction with the church, the Applicant is also proposing a daycare facility. The daycare facility will accommodate no more than 50 children. During any given shift, there will be no more than 6 employees. The daycare use will operate during 6:30 am and 6:00 pm, Monday thru Friday. Parents will be dropping off their children and picking them up at varying hours, so they should not cause much impact.

5. Parking Reduction: The Site requires 202 parking spaces per Title 19 of the Las Vegas Municipal Code. The Site, however, is providing 160 parking spaces, or about 20% parking reduction. The church use, which requires the most amount of parking, will be predominately used on Saturday evenings and Sundays, during times which the other uses (i.e. childcare facility) will not be open. Additionally, the childcare facility will not generate much parking because it will be primarily drop-offs in the morning and pick-ups in the evening. Because many of the uses on the Site do not overlap in times and days of operation, the amount of proposed parking is adequate.

We thank you in advance for your consideration of this much needed expansion at the church.

Sincerely,

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO

Tom Combs

GPA-34600 ZON-34601
VAR-34605 SUP-34604
SUP-34606 SUP-34608
SDR-34602 07/09/09 PC
REVISED

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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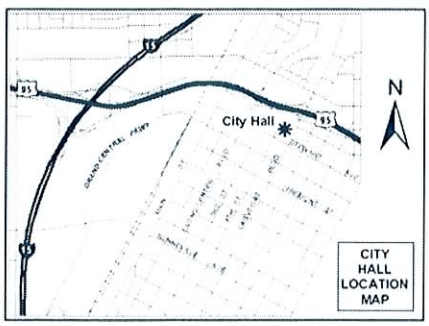
**Return Service Requested**
**Official Notice of Public Hearing**




RECEIVED
JUN 30 2009

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-34605 & SUP-34604**

Planning Commission Meeting of 7/9/2009

Case: SUP-34604
16304413018
REINEKE KURT B JR & CHERYL BETH
2204 TRIDENT MAPLE ST
LAS VEGAS NV 89117-1893

DAVDP11 89117

24A

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

## *AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT*
### PLANNING COMMISSION MEETING OF: JULY 9, 2009

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

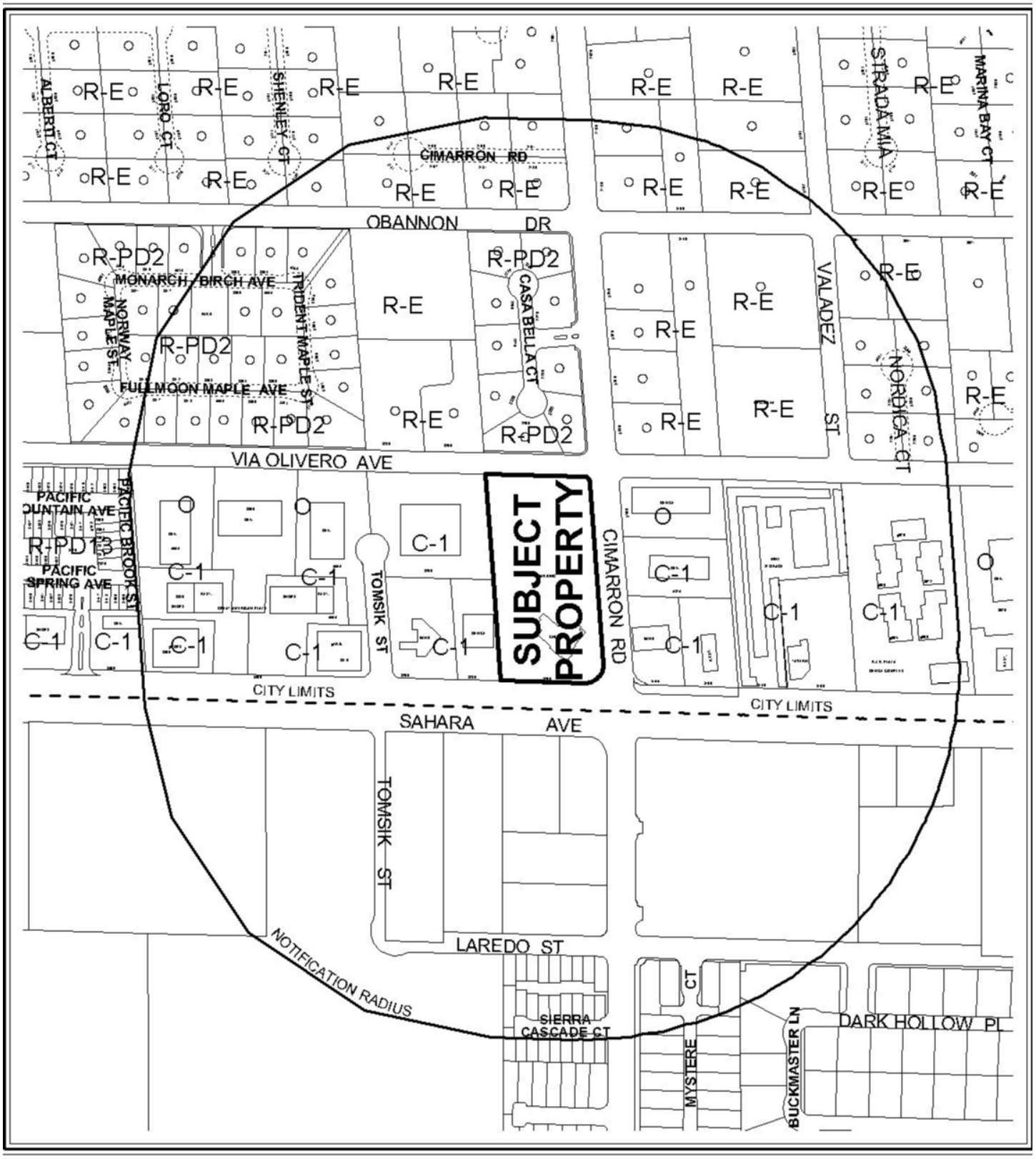
**SUBJECT:**
**SUP-34604 - SPECIAL USE PERMIT RELATED TO GPA-34600, ZON-34601 and VAR-34605 - PUBLIC HEARING - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH** - Request for a Special Use Permit FOR PROPOSED SENIOR CITIZEN APARTMENTS at 8200 West Sahara Avenue (APN 163-04-408-003), C-V (Civic) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 2 (Wolfson)

**C.C.: 08/05/2009**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **0** | **Planning Commission Mtg.** | **1** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
**APPROVAL**

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Support Postcard

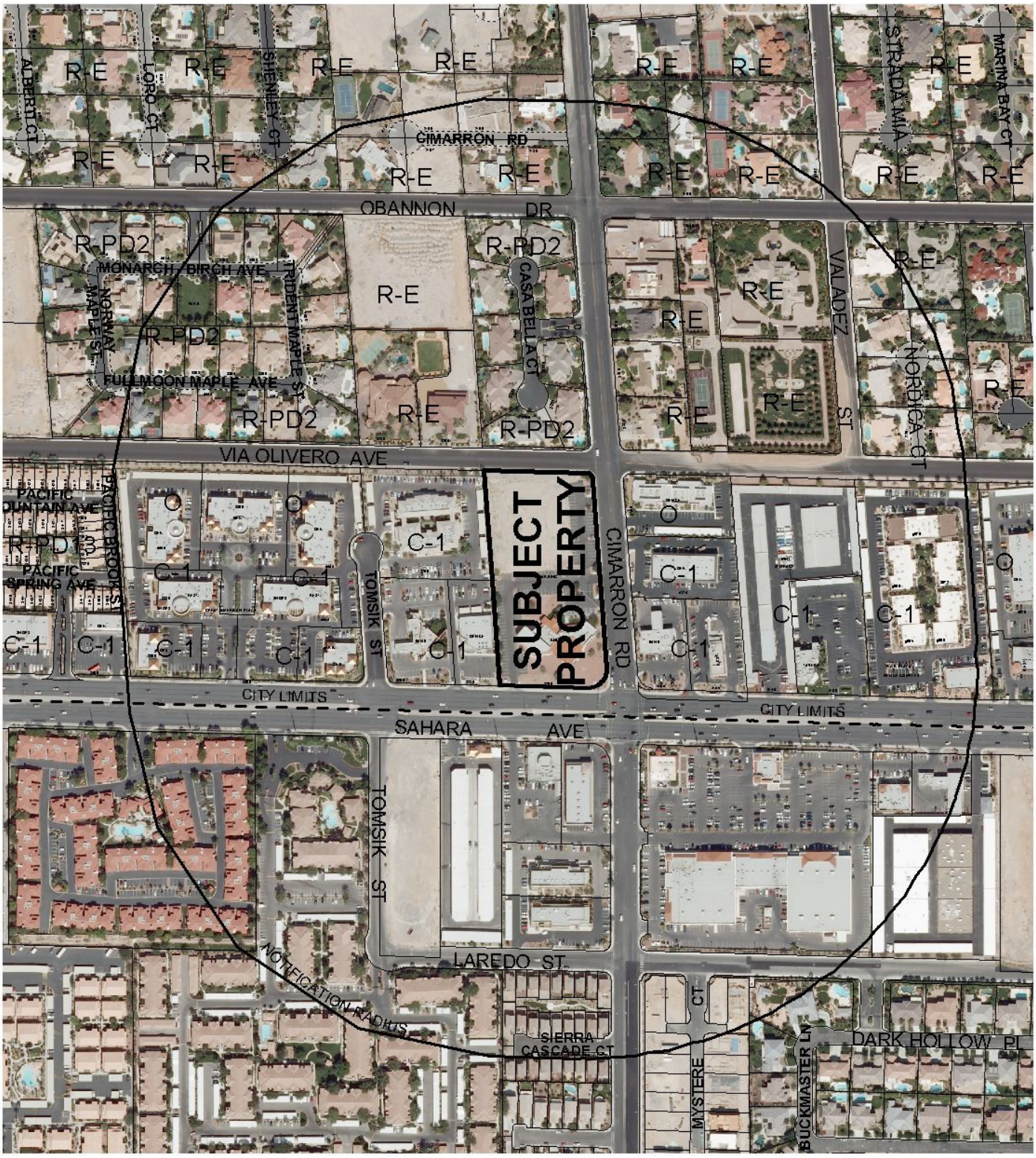



**CASE:** **SUP-34604**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:**
C-V (CIVIC)

**PROPOSED ZONING OF SUBJECT PROPERTY:**
C-1 (LIMITED COMMERCIAL)




0 300 600 Feet

**CASE:** **SUP-34604**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:**
C-V (CIVIC)

**PROPOSED ZONING OF SUBJECT PROPERTY:**
C-1 (LIMITED COMMERCIAL)

N

City of Las Vegas

## AGENDA MEMO

**PLANNING COMMISSION MEETING DATE: JULY 9, 2009**
**DEPARTMENT: PLANNING AND DEVELOPMENT**
**ITEM DESCRIPTION: SUP-34604 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH**

# ** CONDITIONS **

**STAFF RECOMMENDATION:** **APPROVAL,** 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.

5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**SUP-34604 - Staff Report Page One**
**July 9, 2009 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The subject site contains an existing 13,808 square-foot Church/House of Worship, associated parking, and approximately 55,000 square feet of undeveloped area on a 3.88-acre lot located at 8200 West Sahara Avenue. The applicant is proposing to construct a four-story, 49.5-foot high building which will contain 41 Senior Citizen Apartments, in addition to a 22-bed Convalescent Care Facility/Nursing Home and 33 Assisted Living Apartments, which will be operated in conjunction with the existing Church/House of Worship and a proposed Child Care Center. This request will facilitate the Senior Citizen Apartments, which is a permissible use within the proposed C-1 (Limited Commercial) zoning district upon the approval of a Special Use Permit. If the application is denied the subject property will remain a Church/House of Worship and cannot be utilized for Senior Citizen Apartments.

Issues

- The proposed Senior Citizen Apartments meets all the Title 19.04 Minimum Special Use Permit Requirements.
- Staff finds that the proposed location for the Senior Citizen Apartments will act as an appropriate buffer between Sahara Avenue and the existing single-family residences to the north of the subject site.
- Approval of associated requests for a General Plan Amendment (GPA-34600) and Rezoning (ZON-34601) is required to allow the proposed Senior Citizen Apartment use at the subject site.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 07/07/93 | The City Council approved a request for a Rezoning and Plot Plan and Elevation Review (Z-0043-93) from N-U (Non-Urban) to C-V (Civic) for a proposed Church/House of Worship located at the northwest corner of Sahara Avenue and Cimarron Road. The Planning Commission and staff recommended approval of this request. |
| 01/14/94 | A deed was recorded for change of ownership. |
| 01/04/95 | The City Council approved a request for an Extension of Time [Z-0043-93(1)] of an approved Rezoning and Plot Plan and Elevation Review (Z-0043-93) from N-U (Non-Urban) to C-V (Civic) for a proposed Church/House of Worship located at the northwest corner of Sahara Avenue and Cimarron Road. The Planning Commission and staff recommended approval of this request. |

| | |
|---|---|
| 04/23/03 | The Planning Commission approved a request for a Site Development Plan Review (SDR-1968) for a 4,840 square-foot addition to an existing Church/House of Worship on 3.88 acres at 8200 West Sahara Avenue. Staff recommended approval of this request. |
| ***Related Building Permits/Business Licenses*** | |
| 04/17/95 | Building permits were issued for onsite improvements (#95373763) and a new building (#95373764) at 8200 West Sahara Avenue. The permits were finaled under building permit (#97007415) on 05/27/97. |
| 12/01/95 | A building permit (#95883523) was issued for a sign at 8200 West Sahara Avenue. The permit expired 09/21/96 without receiving final approval. |
| 11/22/95 | A building permit (#95882928) was issued for a 50-foot long, six-foot high block wall and a 275-foot long, two-foot high retaining wall. The permit expired 09/21/96 without receiving final approval. |
| 04/19/04 | A building permit (#04009010) was issued for a 5,280 square-foot addition at 8200 West Sahara Avenue. The permit received final approval 08/24/04. |
| ***Pre-Application Meeting*** | |
| 05/14/09 | A Pre-Application meeting was held with the applicant where the following issues were discussed:<br>• The requested change in zoning opens up the entire site to review for compliance with Title 19.08 requirements.<br>• Residential Adjacency issues with the single-family property to the north.<br>• Discussion of all uses proposed at the site, including the expansion of the existing Church/House of Worship use, Daycare Facility, Senior Citizen Apartments, Convalescent Care Facility/Nursing Home and Assisted Living Apartments.<br>• Parking requirements for the uses proposed.<br>• Adherence to the submittal requirements and plans required for a General Plan Amendment, Rezoning, three Special Use Permit applications, a parking Variance and a Site Development Plan Review. |
| ***Neighborhood Meeting*** | |
| 06/08/09 | A neighborhood meeting was held at 6:00pm at The Lakes Lutheran Church, Conference Room, located at 8200 W. Sahara Ave. Las Vegas, Nevada 89117. There were three representatives of the applicant, five representatives of the church, one member of the Planning and Development staff and two members of the general public present.<br>• A discussion was held where the general public raised questions about the proposed development. |

| *Field Check* | |
|---|---|
| 06/04/09 | A field check was conducted by staff at the subject property where the following was observed:<br>• The subject site contains an existing 13,808 square-foot Church/House of Worship.<br>• An existing parking lot surrounds the west and north sides of the existing building, and extends along the east perimeter of the site to O'Bannon Drive.<br>• The northeastern half of the subject property is undeveloped, relatively flat, and contains no landscaping. |

| *Details of Application Request* | |
|---|---|
| *Site Area* | |
| Gross Acres | 3.88 |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|---|---|---|---|
| Subject Property | Church/House of Worship | SC (Service Commercial) and R (Rural Density Residential) [Proposed: SC (Service Commercial)] | C-V (Civic) [Proposed: C-1 (Limited Commercial)] |
| North | Single-Family Residences | DR (Desert Rural Density Residential) | R-PD2 (Residential Planned Development – 2 Units per Acre) |
| South | Restaurant | CN (Commercial Neighborhood) – Clark County | C-1 (Local Business) – Clark County |
| East | Office and Retail | SC (Service Commercial) | C-1 (Limited Commercial) and O (Office) |
| West | Office | SC (Service Commercial) | C-1 (Limited Commercial) |

| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
|---|---|---|---|
| **Special Area Plan** | | X | N/A |
| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
| **Special Purpose and Overlay Districts** | | X | N/A |
| **Trails** | | X | N/A |
| **Rural Preservation Overlay District** | | X | N/A |
| **Development Impact Notification Assessment** | | X | N/A |
| **Project of Regional Significance** | X | | Y |

DC

## DEVELOPMENT STANDARDS

***Pursuant to Title 19.10, the following parking standards apply:***

| ***Parking Requirement*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| ***Use*** | ***Gross Floor Area or Number of Units*** | ***Required*** | | | ***Provided*** | | ***Compliance*** |
| | | ***Parking Ratio*** | *Parking* | | *Parking* | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| Church/ House of Worship | 490 Fixed Seats | 1 / 4 fixed seats, or 1 space / 100 SF of non-fixed seating in the gathering room | 123 | | | | |
| Child Care Center | 6 Staff; 50 Children | 1 / Staff Member, plus 1 / 10 Children | 11 | | | | |
| Convalescent Care Facility/ Nursing Home | 22 Beds; 22 Employees | 1 / 6 Beds, plus 1 / Each Employee on the largest shift; plus 3 spaces for use by Medical Professionals | 29 | | | | |
| Assisted Living Apartments | 33 Residents | 1 / 3 Residents | 11 | | | | |
| Senior Citizen Apartments | 41 Units | .75 / Unit | 31 | | | | |
| **SubTotal** | | | 195 | 7 | 152 | 8 | |
| **TOTAL** | | | 205 | | 160 | | N* |
| Percent Deviation | | | | | 22% | | |

* The applicant has submitted an associated Variance (VAR-34605).

## ANALYSIS

This request is for a Special Use Permit for 41 Senior Citizen Apartments in conjunction with a 22-bed Convalescent Care Facility/Nursing Home and 33 Assisted Living Apartments located at 8200 West Sahara Avenue. The subject site contains an existing Church/House of Worship, which will remain on the subject property if this request is approved. The proposed Senior Citizen Apartments will be housed within the second through fourth floors of a proposed four-story, 49.5-foot high building, while the first floor will contain supporting commercial uses. The 41 units will range in size between 600 and 1,222 square feet, and offered in one bedroom, one bedroom plus den, and two bedroom options.

The location of Senior Citizen Apartments at the subject property will serve as an appropriate buffer between Sahara Avenue to the south and existing single-family residences to the north. The scale and massing of the building has been appropriately scaled to break the massing of the building, and the proposed use meets Title 19.08.060 Residential Adjacency Standards. Staff finds that the subject location is appropriate for Senior Citizen Apartments; therefore, approval of this request is recommended.

## FINDINGS

The following findings must be made for a Special Use Permit:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

   The proposed Senior Citizen Apartments can be conducted in a manner that is harmonious and compatible with existing surrounding land uses and with future surrounding land uses. The proposed use will act as an appropriate buffer between Sahara Avenue to the south and existing single-family residences to the north.

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.

3. **"Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use."**

Access to the site is provided by Sahara Avenue, a 100-foot Primary Arterial and Cimarron Road, an 80-foot Secondary Collector, as designated by the Master Plan of Streets and Highways. In addition, emergency access is provided via a crash gate fronting Via Olivero Avenue, a 60-foot Local Street, according to the Master Plan of Streets and Highways. All three roadways are adequate in size to meet the requirements of the proposed use.

4. **"Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan."**

   The site will be subject to permitting, inspections and licensing by the City of Las Vegas, and will not compromise the health, safety, and welfare, or the overall objectives of the General Plan.

5. **The use meets all of the applicable conditions per Title 19.04.**

   The proposed Senior Citizen Apartments use is consistent with the requirements of LVMC Title 19.04.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 12

**ASSEMBLY DISTRICT** 2

**SENATE DISTRICT** 8

**NOTICES MAILED** 254

**APPROVALS** 1

**PROTESTS** 0

PLANNING & DEVELOPMENT

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-34604** APN: 163-04-408-003

Name of Property Owner: Church Lakes Lutheran

Name of Applicant: Church Lakes Lutheran

Name of Representative: Kummer, Kaempfer, Bonner, Renshaw & Ferrario - Christopher Kampfer

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: Mark W. Myers

Print Name: MARK W. MYERS

Subscribed and sworn before me

This 11TH day of MAY, 2009

Patricia Shogren

Notary Public in and for said County and State

PATRICIA SHOGREN
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 02-75546-1
MY APPT. EXPIRES JANUARY 08, 2012

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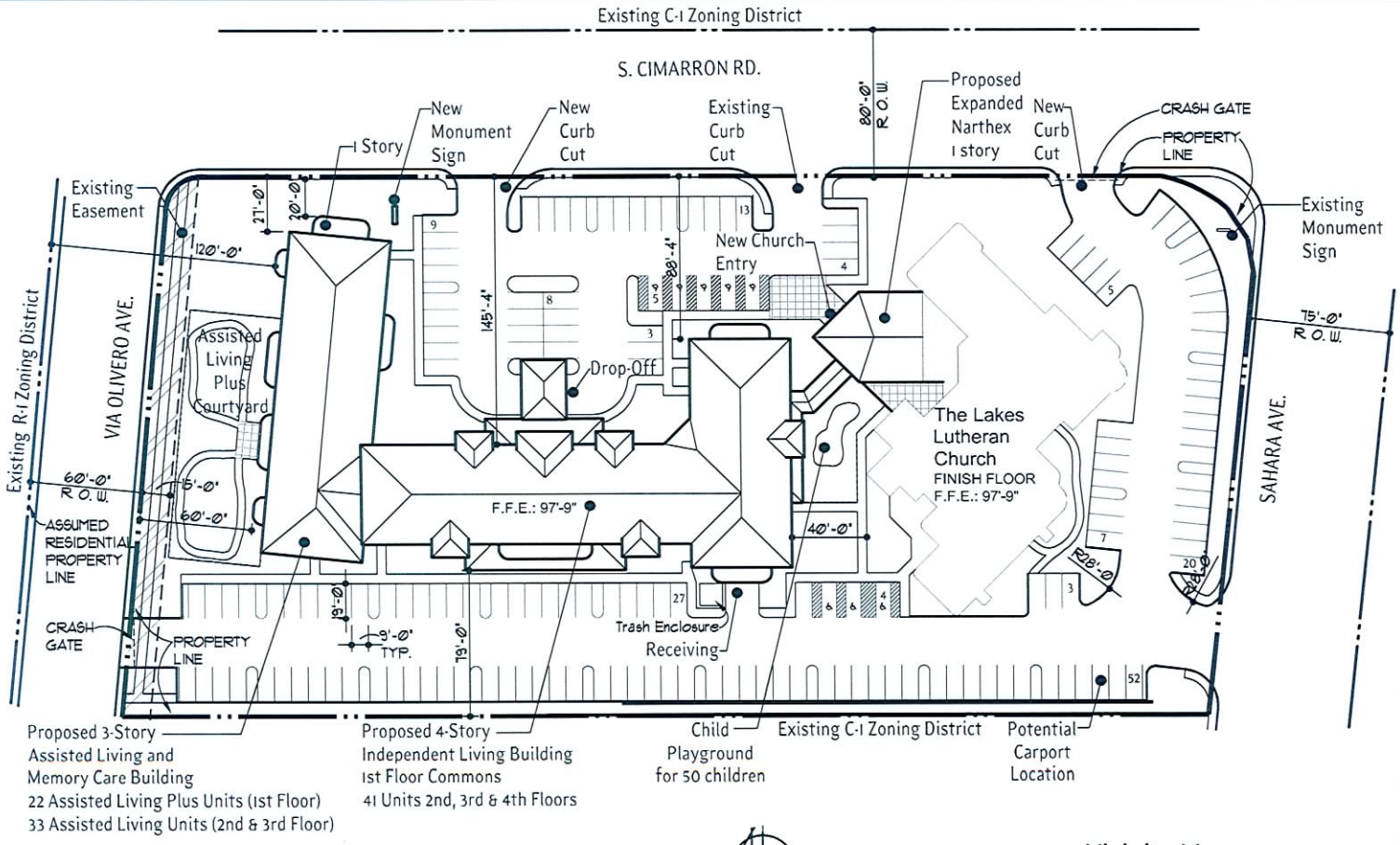
MAY 26 2009




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 |
| Sheet | |

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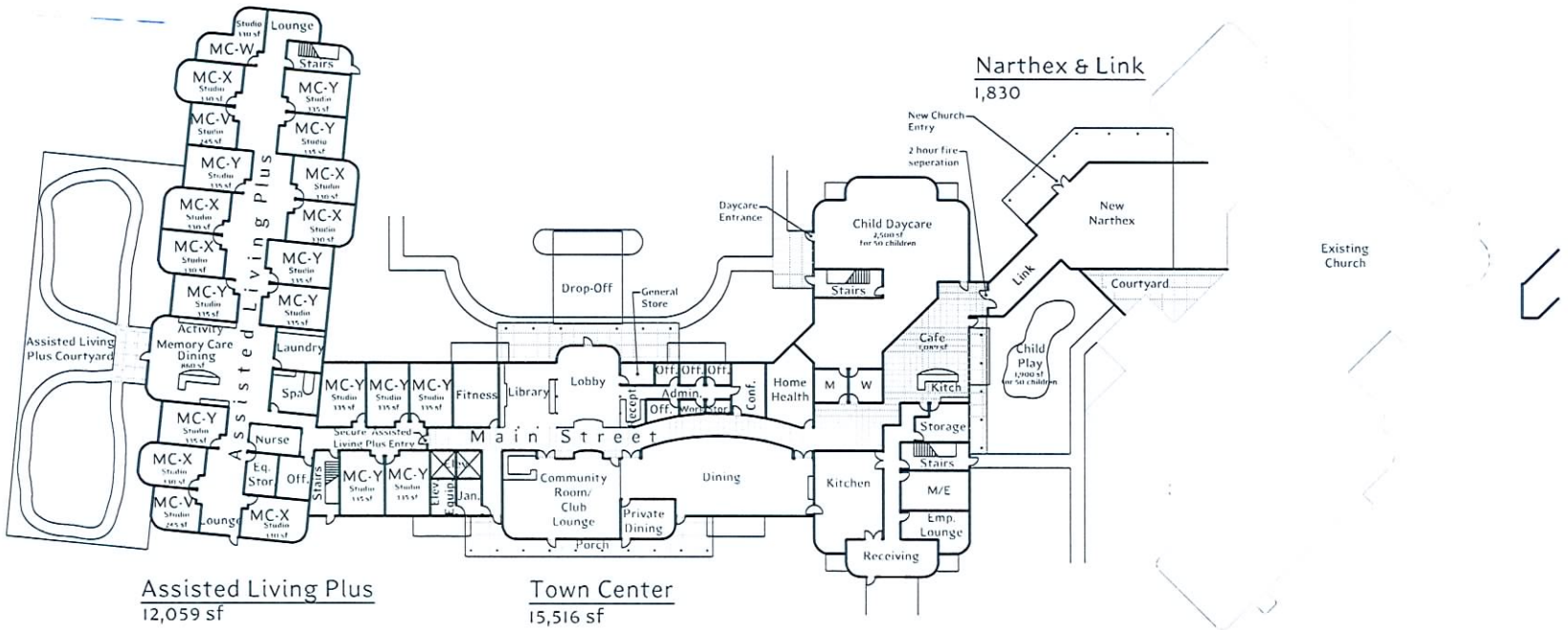
MAY 26 2009

**SUP-34604**
**07/09/09 PC**




## 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
Las Vegas, NV

ECUMEN
Living fully after 50

| | |
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| Commission No. | 21752-09035 |
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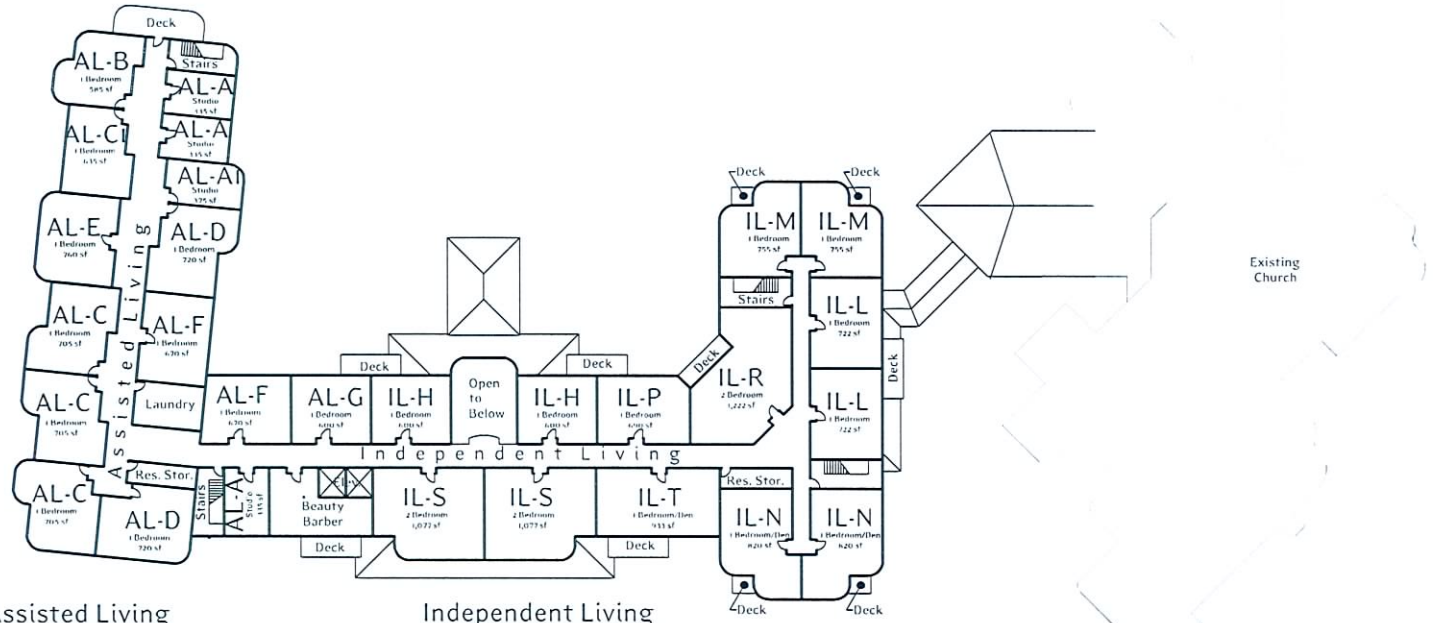



Assisted Living
11,700 sf

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

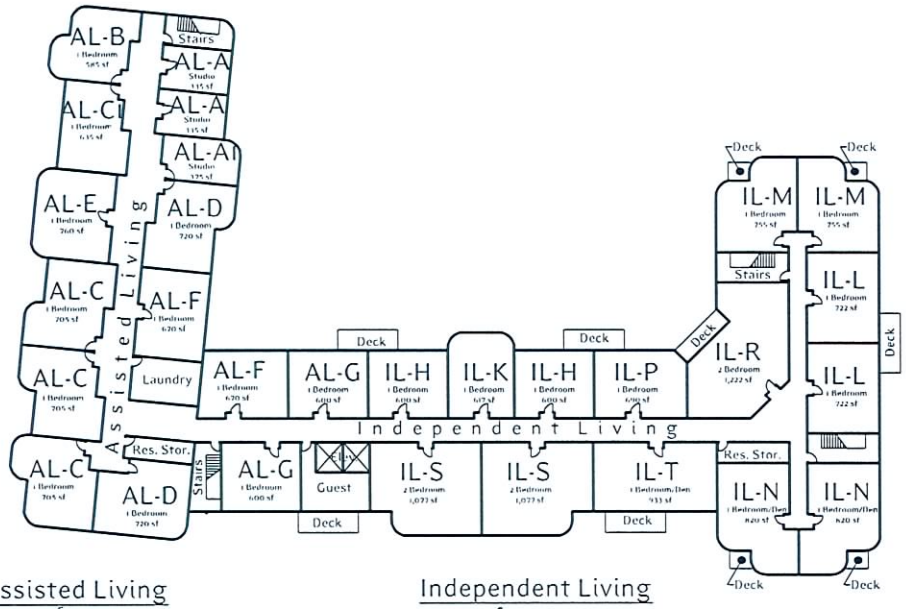

The Lakes Lutheran Church
Senior Housing
Las Vegas, NV

| | |
|---|---|
| Commission No. | 21752-09035 |
| Drawn by | WI, LJH |
| Date | 5/22/09 |
| Sheet | |

ECUMEN
Living fully after 50

RECEIVED
MAY 26 2009

**SUP-34604**
**07/09/09 PC**




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

**SUP-34604**
**07/09/09 PC**

ECUMEN
Living fully after 50

| | |
|---|---|
| Commission No. | 21752-09035 |
| Drawn by | WI, LJH |
| Date | 5/22/09 |
| Sheet | |

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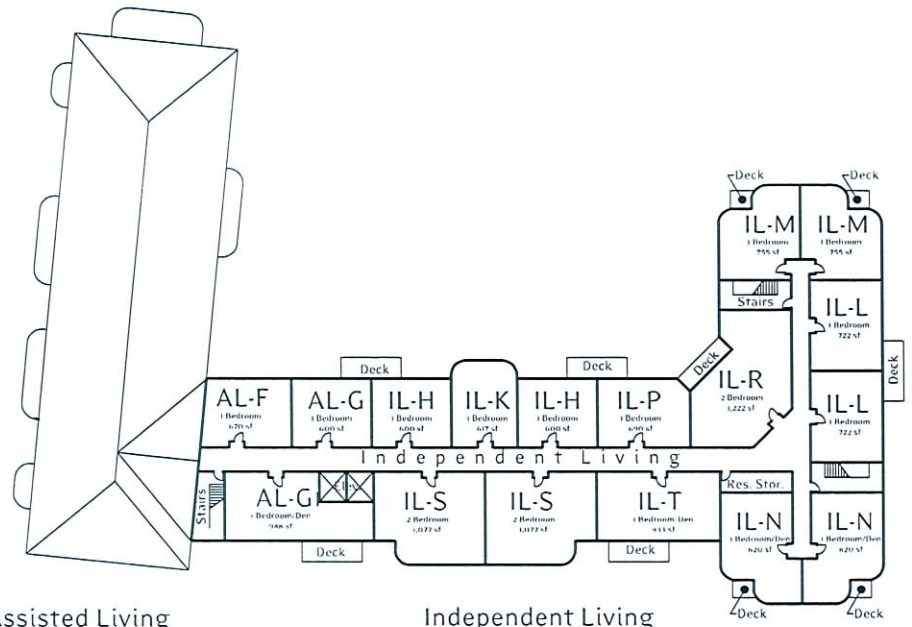


Assisted Living
2,218 sf

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 |
| GI | 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 |

## 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

| | |
|---|---|
| Commission No. | 21752-09035 |
| Drawn by | WI, LJH |
| Date | 5/22/09 |
| Sheet | |

RECEIVED
Clark County, NV
Planning
MAY 26 2009

**SUP-34604**
**07/09/09 PC**




SUP-34604 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
8200 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

06/04/09



SUP-34604 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
8200 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

06/04/09



SUP-34604 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
8200 WEST SAHARA AVENUE
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06/04/09



SUP-34604 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
8200 WEST SAHARA AVENUE
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06/04/09



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8200 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

06/04/09




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JULY 9, 2009 PLANNING COMMISSION

06/04/09



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JULY 9, 2009 PLANNING COMMISSION

06/04/09



SUP-34604 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
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06/04/09



SUP-34604 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
8200 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

06/04/09

KUMMER KAEMPFER
ATTORNEYS AT LAW

LAS VEGAS OFFICE
info@kkbrf.com

KUMMER KAEMPFER BONNER
RENSHAW & FERRARIO

LAS VEGAS OFFICE
3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, NV 89169
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
5585 Kietzke Lane
Reno, NV 89511
Tel: 775.852.3900
Fax: 775.852.3982

CARSON CITY OFFICE
510 W. Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

June 18, 2009

**VIA HAND DELIVERY**

RECEIVED
09 JUN 18 AM 10:36
PLANNING AND DEVELOPMENT

City of Las Vegas
Planning & Development Department
731 S. Fourth Street
Las Vegas, NV 89101

***Re: Amended Justification Letter –Lakes Lutheran Church Assisted Living Apartment Memory Care Facility***
***GPA, Zone Change, SDR and Use Permits***
***APN 163-04-408-003***

To Whom It May Concern:

Please be advised this office represents Lakes Lutheran Church (the "Applicant") in the above referenced matter. The Applicant is proposing a site development review for a senior apartment project located on the northwest corner of Sahara Avenue and Cimarron Road, more particularly known as APN 163-04-408-003 (the "Site"). In conjunction with the SDR, the Applicant is proposing a change to the general plan for the northern portion of the Site to service commercial, zone change to C-1 for the entire Site, and use permits to allow a senior project.

**General Plan Amendment**

The Applicant is requesting the Site's general plan be changed to service commercial for the portion of the Site that fronts Via Olivero Avenue. The portion of the Site that fronts Sahara Avenue is already planned service commercial. Additionally, the properties to the west and east of the Site are general planned service commercial. Both of these properties are similar to the Site. Both properties have frontage on Sahara Avenue and Via Olivero Avenue. Therefore, a change in the general plan to service commercial for the Site is compatible to the surrounding area.

GPA-34600 ZON-34601
VAR-34605 SUP-34604
SUP-34606 SUP-34608
SDR-34602 07/09/09 PC
REVISED

LAW FIRMS WORLDWIDE MERITAS

## Zone Change

The Applicant is also requesting a zone change to rezone the entire Site to C-1. There is currently a church on a portion of the Site. A church is a permitted use in a C-1 zoned district. The church building configuration and layout is remaining the same from its previous approval and therefore conforms to the previous site plan approval. The zone change also makes sense because it is consistent with other properties in the area (the property to the west is zoned C-1 and the property to the east is zoned C-1 and O on the northern portion of the property). Therefore, a zone change for the Site to C-1 is compatible.

## Site Development Review

**Overview:**

The existing church fronts on Sahara Avenue. The proposed senior housing is on the northern portion of the Site with frontage on Via Olivero. The building configuration is a combination L&T shape scheme with a courtyard in the memory part of the plan. Other amenities are shown throughout the proposed expansion, which include beauty/barber shop, library, child daycare, café, kitchen, dining area, general store, fitness room, home health, laundry, spa activity room and community room. The spa is primarily for memory care patients and on occasion is will be made available for home health care patients. The beauty/barber shop is located on the second floor and is for residents only. Most of these commercial amenities will be on the first floor. The total number of units for the three different living areas offered is 96.

**Elevations:**

The height of the combination building will be 49.6 feet. The architectural theme is an L&T shape scheme to make up the entire expansion into one building.

In conjunction with SDR, the following use permits are required:

1. Assisted Living: Assisted living apartments are defined as "an apartment or apartment complex which provides personal care services to senior citizens for daily living needs". Such services may include, but are not limited to, preparation and service of meals, housekeeping, laundry, monitoring of rooms, monitoring of medication, or assistance with bathing.

2. Memory Care/Assisted Living Plus: Convalescent care facility/nursing home is defined as "means a building or structure designed, used, or intended to be used to house and provide care for persons who have a chronic physical or mental illness or infirmity, but who do not need medical, surgical or other specialized treatment normally provided by a hospital. The term includes a rest home and a nursing home, but does not include an assisted living apartment, a hospital or other medical facility that is specifically defined in this Chapter". There will be 22 employees at the during week.

GPA-34600 ZON-34601
VAR-34605 SUP-34604
SUP-34606 SUP-34608
SDR-34602 07/09/09 PC
REVISED

3. Independent Living (Senior Apartments): An apartment house or other multi-family dwelling in which each unit is occupied by at least one person fifty-five years of age or older. The term includes an apartment house or other multi-family dwelling that qualifies as "housing for older persons" under the provisions of Federal law, including without limitation housing developments that:

    1. Provide significant facilities and services specifically designed to meet the physical or social needs of older persons; and

    2. Publish and adhere to policies and procedures that demonstrate an intent to provide housing for persons fifty-five years of age or older to the extent allowed by applicable State or Federal law.

4. Child Daycare Facility: In conjunction with the church, the Applicant is also proposing a daycare facility. The daycare facility will accommodate no more than 50 children. During any given shift, there will be no more than 6 employees. The daycare use will operate during 6:30 am and 6:00 pm, Monday thru Friday. Parents will be dropping off their children and picking them up at varying hours, so they should not cause much impact.

5. Parking Reduction: The Site requires 202 parking spaces per Title 19 of the Las Vegas Municipal Code. The Site, however, is providing 160 parking spaces, or about 20% parking reduction. The church use, which requires the most amount of parking, will be predominately used on Saturday evenings and Sundays, during times which the other uses (i.e. childcare facility) will not be open. Additionally, the childcare facility will not generate much parking because it will be primarily drop-offs in the morning and pick-ups in the evening. Because many of the uses on the Site do not overlap in times and days of operation, the amount of proposed parking is adequate.

We thank you in advance for your consideration of this much needed expansion at the church.

Sincerely,

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO

Tom Combs

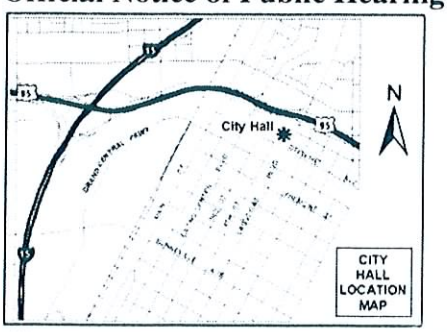
GPA-34600 ZON-34601
VAR-34605 SUP-34604
SUP-34606 SUP-34608
SDR-34602 07/09/09 PC
REVISED

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 JUN 26 2009
MAILED FROM ZIP CODE 89101

**Return Service Requested**
**Official Notice of Public Hearing**




RECEIVED
JUN 30 2009

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-34605 & SUP-34604**

Planning Commission Meeting of 7/9/2009

Case: SUP-34604
16304413018
REINEKE KURT B JR & CHERYL BETH
2204 TRIDENT MAPLE ST
LAS VEGAS NV 89117-1893

25A

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

## *AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT*
### PLANNING COMMISSION MEETING OF: JULY 9, 2009

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

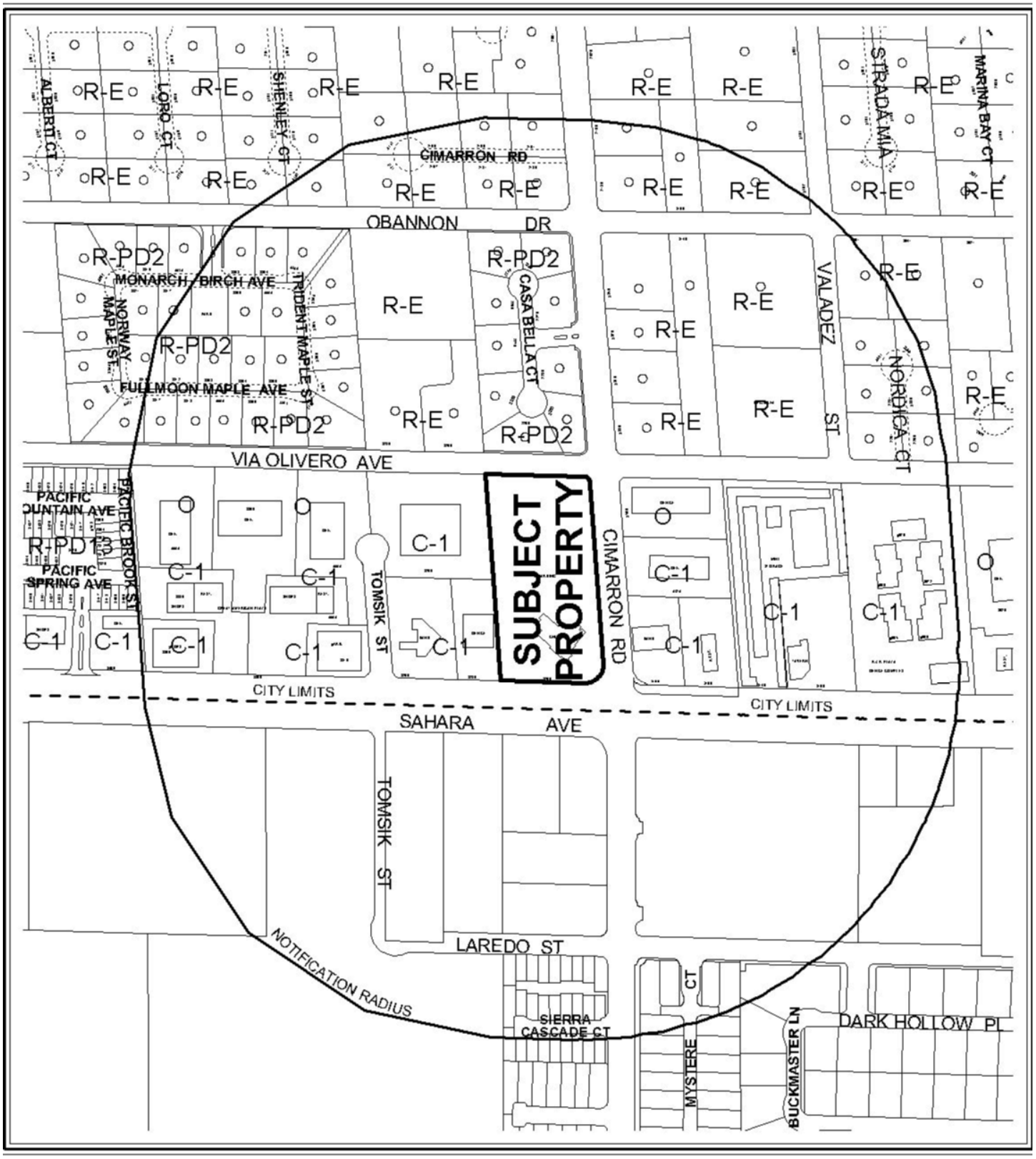
**SUBJECT:**
**SUP-34606 - SPECIAL USE PERMIT RELATED TO GPA-34600, ZON-34601, VAR-34605 AND SUP-34604 - PUBLIC HEARING - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH** - Request for a Special Use Permit FOR A PROPOSED CONVALESCENT CARE FACILITY/NURSING HOME at 8200 West Sahara Avenue (APN 163-04-408-003), C-V (Civic) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 2 (Wolfson)

**C.C.: 08/05/2009**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **0** | **Planning Commission Mtg.** | **1** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
**APPROVAL**

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Support Postcard




**CASE:** **SUP-34606**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:**
C-V (CIVIC)

**PROPOSED ZONING OF SUBJECT PROPERTY:**
C-1 (LIMITED COMMERCIAL)




**CASE:** **SUP-34606**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:**
C-V (CIVIC)

**PROPOSED ZONING OF SUBJECT PROPERTY:**
C-1 (LIMITED COMMERCIAL)

City of Las Vegas

## AGENDA MEMO

**PLANNING COMMISSION MEETING DATE: JULY 9, 2009**
**DEPARTMENT: PLANNING AND DEVELOPMENT**
**ITEM DESCRIPTION: SUP-34606 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH**

---

## ** CONDITIONS **

**STAFF RECOMMENDATION:** **APPROVAL,** 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.

**SUP-34606 - Staff Report Page One**
**July 9, 2009 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The subject site contains an existing 13,808 square-foot Church/House of Worship, associated parking, and approximately 55,000 square feet of undeveloped area on a 3.88-acre lot located at 8200 West Sahara Avenue. The applicant is proposing to construct a four-story, 49.5-foot high building which will contain a 22-bed Convalescent Care Facility/Nursing Home, in addition to 41 Senior Citizen Apartments and 33 Assisted Living Apartments, which will be operated in conjunction with the existing Church/House of Worship and a proposed Child Care Center. This request will facilitate the Convalescent Care Facility/Nursing Home, which is a permissible use within the proposed C-1 (Limited Commercial) zoning district upon the approval of a Special Use Permit. If the application is denied the subject property will remain a Church/House of Worship and cannot be utilized for a Convalescent Care Facility/Nursing Home.

Issues

- The proposed Convalescent Care Facility/Nursing Home is consistent with the requirements of Title 19.04.
- Staff finds that the proposed location for the Convalescent Care Facility/Nursing Home will act as an appropriate buffer between Sahara Avenue and the existing single-family residences to the north of the subject site.
- Approval of associated requests for a General Plan Amendment (GPA-34600) and Rezoning (ZON-34601) is required to allow the proposed Convalescent Care Facility/Nursing Home use at the subject site.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 07/07/93 | The City Council approved a request for a Rezoning and Plot Plan and Elevation Review (Z-0043-93) from N-U (Non-Urban) to C-V (Civic) for a proposed Church/House of Worship located at the northwest corner of Sahara Avenue and Cimarron Road. The Planning Commission and staff recommended approval of this request. |
| 01/14/94 | A deed was recorded for change of ownership. |
| 01/04/95 | The City Council approved a request for an Extension of Time [Z-0043-93(1)] of an approved Rezoning and Plot Plan and Elevation Review (Z-0043-93) from N-U (Non-Urban) to C-V (Civic) for a proposed Church/House of Worship located at the northwest corner of Sahara Avenue and Cimarron Road. The Planning Commission and staff recommended approval of this request. |

| | |
|---|---|
| 04/23/03 | The Planning Commission approved a request for a Site Development Plan Review (SDR-1968) for a 4,840 square-foot addition to an existing Church/House of Worship on 3.88 acres at 8200 West Sahara Avenue. Staff recommended approval of this request. |
| ***Related Building Permits/Business Licenses*** | |
| 04/17/95 | Building permits were issued for onsite improvements (#95373763) and a new building (#95373764) at 8200 West Sahara Avenue. The permits were finaled under building permit (#97007415) on 05/27/97. |
| 12/01/95 | A building permit (#95883523) was issued for a sign at 8200 West Sahara Avenue. The permit expired 09/21/96 without receiving final approval. |
| 11/22/95 | A building permit (#95882928) was issued for a 50-foot long, six-foot high block wall and a 275-foot long, two-foot high retaining wall. The permit expired 09/21/96 without receiving final approval. |
| 04/19/04 | A building permit (#04009010) was issued for a 5,280 square-foot addition at 8200 West Sahara Avenue. The permit received final approval 08/24/04. |
| ***Pre-Application Meeting*** | |
| 05/14/09 | A Pre-Application meeting was held with the applicant where the following issues were discussed:<br>• The requested change in zoning opens up the entire site to review for compliance with Title 19.08 requirements.<br>• Residential Adjacency issues with the single-family property to the north.<br>• Discussion of all uses proposed at the site, including the expansion of the existing Church/House of Worship use, Daycare Facility, Senior Citizen Apartments, Convalescent Care Facility/Nursing Home and Assisted Living Apartments.<br>• Parking requirements for the uses proposed.<br>• Adherence to the submittal requirements and plans required for a General Plan Amendment, Rezoning, three Special Use Permit applications, a parking Variance and a Site Development Plan Review. |
| ***Neighborhood Meeting*** | |
| 06/08/09 | A neighborhood meeting was held at 6:00pm at The Lakes Lutheran Church, Conference Room, located at 8200 W. Sahara Ave. Las Vegas, Nevada 89117. There were three representatives of the applicant, five representatives of the church, one member of the Planning and Development staff and two members of the general public present.<br>• A discussion was held where the general public raised questions about the proposed development. |

| *Field Check* | |
|---|---|
| 06/04/09 | A field check was conducted by staff at the subject property where the following was observed:<br>• The subject site contains an existing 13,808 square-foot Church/House of Worship.<br>• An existing parking lot surrounds the west and north sides of the existing building, and extends along the east perimeter of the site to O'Bannon Drive.<br>• The northeastern half of the subject property is undeveloped, relatively flat, and contains no landscaping. |

| *Details of Application Request* | |
|---|---|
| *Site Area* | |
| Gross Acres | 3.88 |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|---|---|---|---|
| Subject Property | Church/House of Worship | SC (Service Commercial) and R (Rural Density Residential) [Proposed: SC (Service Commercial)] | C-V (Civic) [Proposed: C-1 (Limited Commercial)] |
| North | Single-Family Residences | DR (Desert Rural Density Residential) | R-PD2 (Residential Planned Development – 2 Units per Acre) |
| South | Restaurant | CN (Commercial Neighborhood) – Clark County | C-1 (Local Business) – Clark County |
| East | Office and Retail | SC (Service Commercial) | C-1 (Limited Commercial) and O (Office) |
| West | Office | SC (Service Commercial) | C-1 (Limited Commercial) |

| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
|---|---|---|---|
| **Special Area Plan** | | X | N/A |
| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
| **Special Purpose and Overlay Districts** | | X | N/A |
| **Trails** | | X | N/A |
| **Rural Preservation Overlay District** | | X | N/A |
| **Development Impact Notification Assessment** | | X | N/A |
| **Project of Regional Significance** | X | | Y |

DC

## DEVELOPMENT STANDARDS

***Pursuant to Title 19.10, the following parking standards apply:***

| ***Parking Requirement*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| ***Use*** | ***Gross Floor Area or Number of Units*** | ***Required*** | | | ***Provided*** | | ***Compliance*** |
| | | ***Parking Ratio*** | *Parking* | | *Parking* | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| Church/ House of Worship | 490 Fixed Seats | 1 / 4 fixed seats, or 1 space / 100 SF of non-fixed seating in the gathering room | 123 | | | | |
| Child Care Center | 6 Staff; 50 Children | 1 / Staff Member, plus 1 / 10 Children | 11 | | | | |
| Convalescent Care Facility/ Nursing Home | 22 Beds; 22 Employees | 1 / 6 Beds, plus 1 / Each Employee on the largest shift; plus 3 spaces for use by Medical Professionals | 29 | | | | |
| Assisted Living Apartments | 33 Residents | 1 / 3 Residents | 11 | | | | |
| Senior Citizen Apartments | 41 Units | .75 / Unit | 31 | | | | |
| **SubTotal** | | | 195 | 7 | 152 | 8 | |
| **TOTAL** | | | 205 | | 160 | | N* |
| Percent Deviation | | | | | 22% | | |

* The applicant has submitted an associated Variance (VAR-34605).

## ANALYSIS

This request is for a Special Use Permit for a 22-bed Convalescent Care Facility/Nursing Home in conjunction with 41 Senior Citizen Apartment units and 33 Assisted Living Apartments located at 8200 West Sahara Avenue. The subject site contains an existing Church/House of Worship, which will remain on the subject property if this request is approved. The proposed Convalescent Care Facility/Nursing Home will be housed within the first floor of a proposed four-story, 49.5-foot high building, while the second through fourth floors will house Senior Citizen and Assisted Living Apartments. Each of the 22-beds will be housed in private studio rooms, ranging in size between 245 and 345 square feet.

The location of a Convalescent Care Facility/Nursing Home at the subject property will serve as an appropriate buffer between Sahara Avenue to the south and existing single-family residences to the north as the proposed use meets Title 19.08.060 Residential Adjacency Standards. Staff finds that the subject location is appropriate for a Convalescent Care Facility/Nursing Home; therefore, approval of this request is recommended.

## FINDINGS

The following findings must be made for a Special Use Permit:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

   The proposed Convalescent Care Facility/Nursing Home can be conducted in a manner that is harmonious and compatible with existing surrounding land uses and with future surrounding land uses. The proposed use will act as an appropriate buffer between Sahara Avenue to the south and existing single-family residences to the north.

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.

3. **"Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use."**

Access to the site is provided by Sahara Avenue, a 100-foot Primary Arterial and Cimarron Road, an 80-foot Secondary Collector, as designated by the Master Plan of Streets and Highways. In addition, emergency access is provided via a crash gate fronting Via Olivero Avenue, a 60-foot Local Street, according to the Master Plan of Streets and Highways. All three roadways are adequate in size to meet the requirements of the proposed use.

4. **"Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan."**

   The site will be subject to permitting, inspections and licensing by the City of Las Vegas, and will not compromise the health, safety, and welfare, or the overall objectives of the General Plan.

5. **The use meets all of the applicable conditions per Title 19.04.**

   The proposed Convalescent Care Facility/Nursing Home use is consistent with the requirements of LVMC Title 19.04.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 12

**ASSEMBLY DISTRICT** 2

**SENATE DISTRICT** 8

**NOTICES MAILED** 254

**APPROVALS** 1

**PROTESTS** 0

PLANNING & DEVELOPMENT

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number **SUP-34606** APN: 163-04-408-003

Name of Property Owner: Church Lakes Lutheran

Name of Applicant: Church Lakes Lutheran

Name of Representative: Kummer, Kaempfer, Bonner, Renshaw & Ferrario - Christopher Kampfer

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: Mark W. Myers

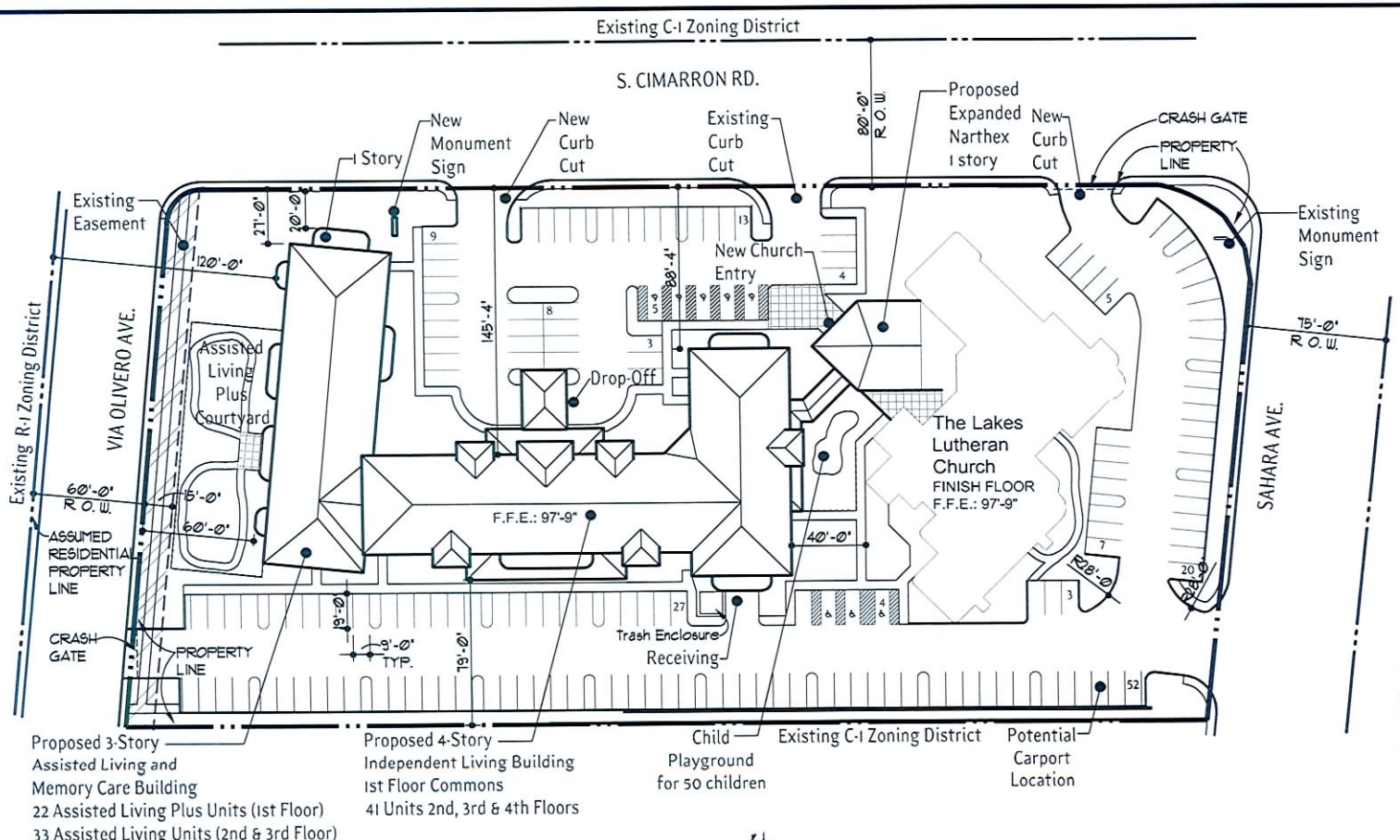
Print Name: MARK W MYERS

Subscribed and sworn before me

This 11TH day of MAY, 2009

Patricia Shogren
Notary Public in and for said County and State

PATRICIA SHOGREN
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 02-75546-1
MY APPT. EXPIRES JANUARY 08, 2012




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

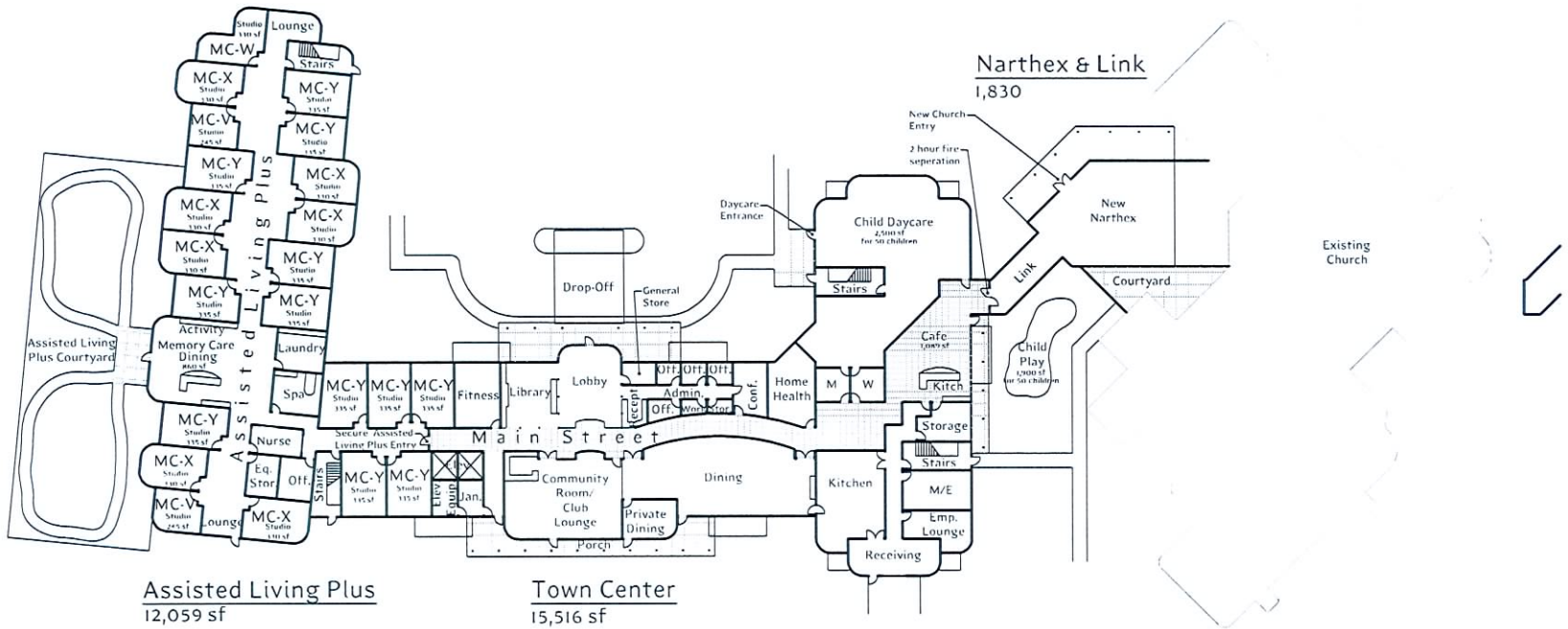
The Lakes Lutheran Church
Senior Housing
Las Vegas, NV

**SUP-34606**
**07/09/09 PC**

RECEIVED
MAY 26 2009

ECUMEN
Living fully after 50.

| | |
|---|---|
| Commission No. | 21752-09035 |
| Drawn by | WI, LJH |
| Date | 5/22/09 |
| Sheet | |




## FIRST FLOOR PLAN

32,938 GSF

0' 20' 40' 80'


Randal L. Peek
Architect
1255 Energy Park Drive
St. Paul, MN 55108-5118


The Lakes Lutheran Church
Senior Housing
Las Vegas, NV

**SUP-34606**
**07/09/09 PC**

ECUMEN
Living fully after 50.

| | |
|---|---|
| Commission No. | 21752-09035 |
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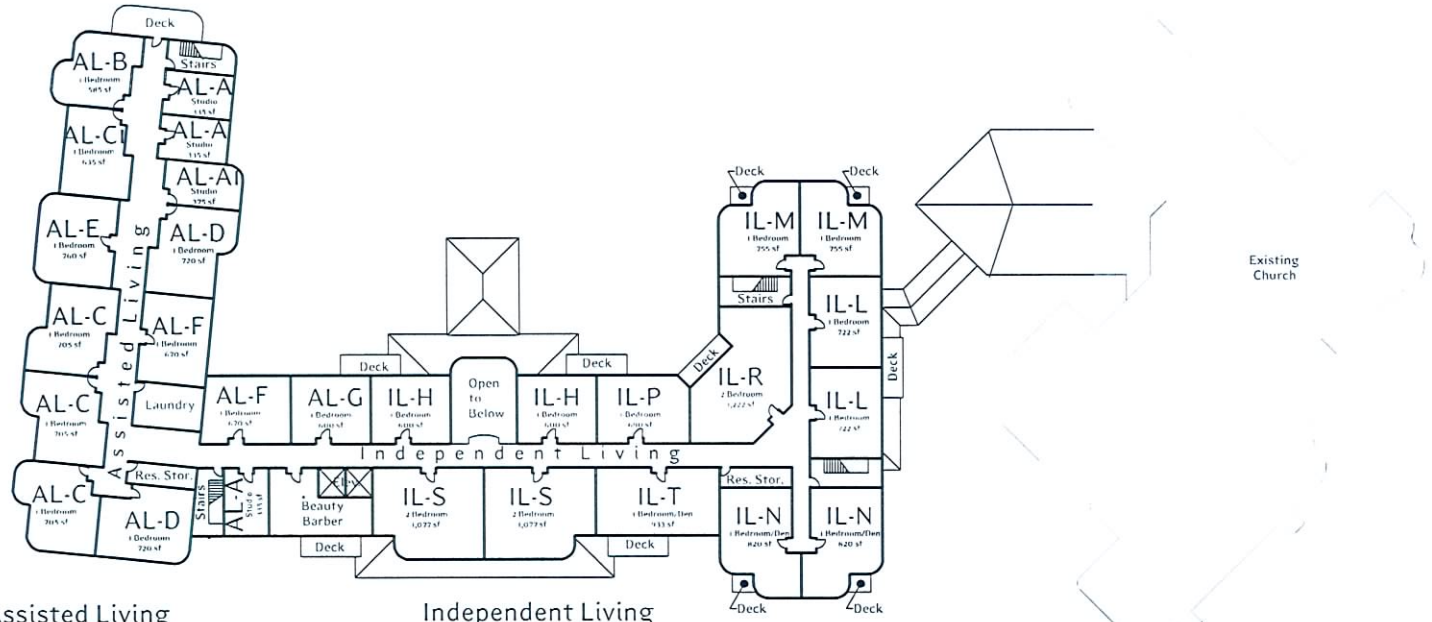
| Date | 5/22/09 |
| Sheet | |


RECEIVED
MAY 26 2009




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

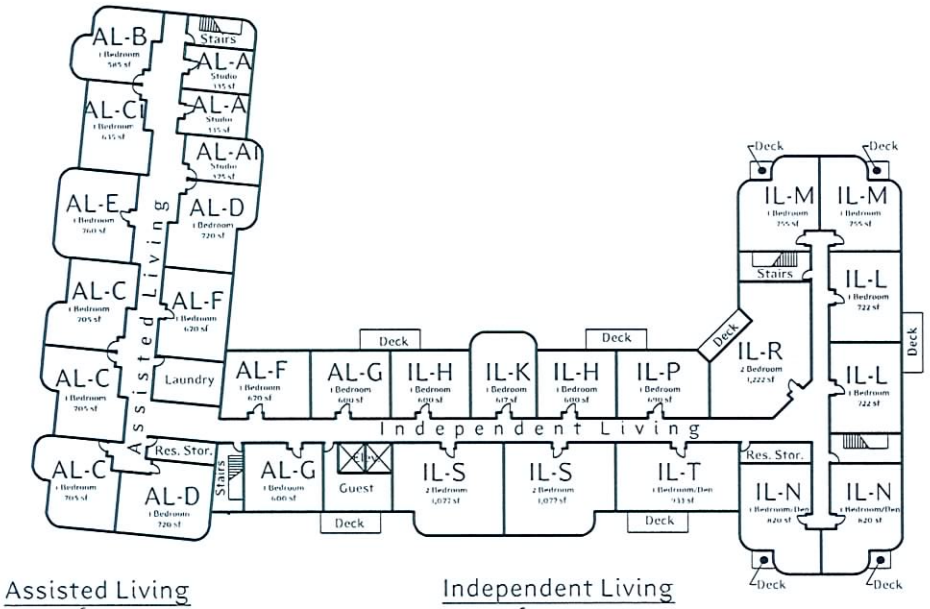
The Lakes Lutheran Church
Senior Housing
Las Vegas, NV

**SUP-34606**
**07/09/09 PC**

ECUMEN
Living fully after 50

| | |
|---|---|
| Commission No. | 21752-09035 |
| Drawn by | WI, LJH |
| Date | 5/22/09 |
| Sheet | |

RECEIVED
MAY 26 2009




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

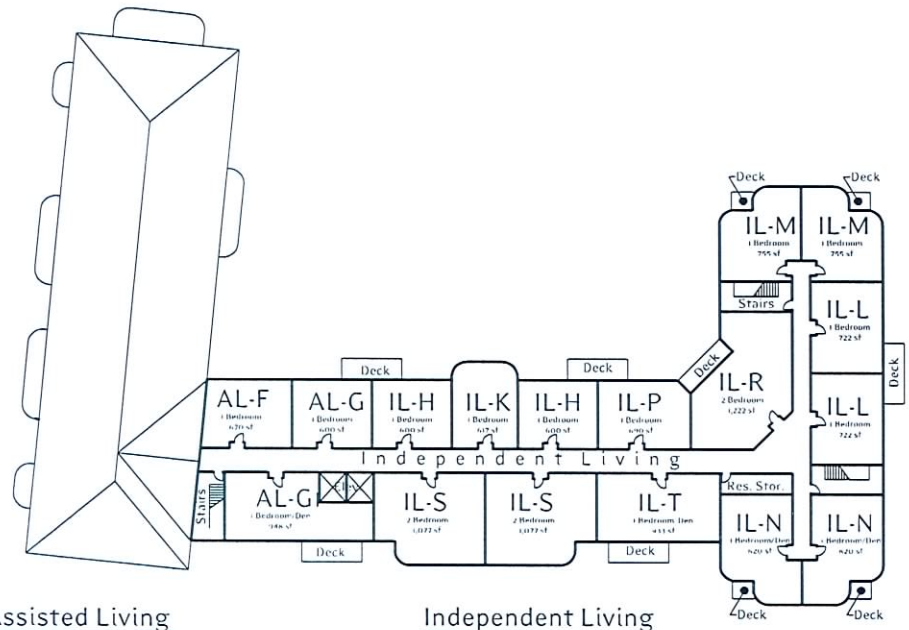
The Lakes Lutheran Church
Senior Housing
Las Vegas, NV

**SUP-34606**
**07/09/09 PC**

ECUMEN
Living fully after 50.

| | |
|---|---|
| Commission No. | 21752-09035 |
| Drawn by | WI, LJH |
| Date | 5/22/09 |
| Sheet | |

RECEIVED
MAY 26 2009




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 |

## 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

**SUP-34606**
**07/09/09 PC**

RECEIVED
MAY 26 2009




SUP-34606 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
8200 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

06/04/09



SUP-34606 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
8200 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

06/04/09



SUP-34606 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
8200 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

06/04/09



SUP-34606 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
8200 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

06/04/09



SUP-34606 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
8200 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

06/04/09



SUP-34606 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
8200 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

06/04/09




SUP-34606 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
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06/04/09



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8200 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

06/04/09

KUMMER KAEMPFER
ATTORNEYS AT LAW

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info@kkbrf.com

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RENSHAW & FERRARIO

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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

June 18, 2009

**VIA HAND DELIVERY**

RECEIVED
09 JUN 18 AM 10:36
PLANNING AND DEVELOPMENT

City of Las Vegas
Planning & Development Department
731 S. Fourth Street
Las Vegas, NV 89101

***Re: Amended Justification Letter –Lakes Lutheran Church Assisted Living Apartment Memory Care Facility***
***GPA, Zone Change, SDR and Use Permits***
***APN 163-04-408-003***

To Whom It May Concern:

Please be advised this office represents Lakes Lutheran Church (the "Applicant") in the above referenced matter. The Applicant is proposing a site development review for a senior apartment project located on the northwest corner of Sahara Avenue and Cimarron Road, more particularly known as APN 163-04-408-003 (the "Site"). In conjunction with the SDR, the Applicant is proposing a change to the general plan for the northern portion of the Site to service commercial, zone change to C-1 for the entire Site, and use permits to allow a senior project.

**General Plan Amendment**

The Applicant is requesting the Site's general plan be changed to service commercial for the portion of the Site that fronts Via Olivero Avenue. The portion of the Site that fronts Sahara Avenue is already planned service commercial. Additionally, the properties to the west and east of the Site are general planned service commercial. Both of these properties are similar to the Site. Both properties have frontage on Sahara Avenue and Via Olivero Avenue. Therefore, a change in the general plan to service commercial for the Site is compatible to the surrounding area.

GPA-34600 ZON-34601
VAR-34605 SUP-34604
SUP-34606 SUP-34608
SDR-34602 07/09/09 PC
REVISED

LAW FIRMS WORLDWIDE MERITAS

## Zone Change

The Applicant is also requesting a zone change to rezone the entire Site to C-1. There is currently a church on a portion of the Site. A church is a permitted use in a C-1 zoned district. The church building configuration and layout is remaining the same from its previous approval and therefore conforms to the previous site plan approval. The zone change also makes sense because it is consistent with other properties in the area (the property to the west is zoned C-1 and the property to the east is zoned C-1 and O on the northern portion of the property). Therefore, a zone change for the Site to C-1 is compatible.

## Site Development Review

**Overview:**

The existing church fronts on Sahara Avenue. The proposed senior housing is on the northern portion of the Site with frontage on Via Olivero. The building configuration is a combination L&T shape scheme with a courtyard in the memory part of the plan. Other amenities are shown throughout the proposed expansion, which include beauty/barber shop, library, child daycare, café, kitchen, dining area, general store, fitness room, home health, laundry, spa activity room and community room. The spa is primarily for memory care patients and on occasion is will be made available for home health care patients. The beauty/barber shop is located on the second floor and is for residents only. Most of these commercial amenities will be on the first floor. The total number of units for the three different living areas offered is 96.

**Elevations:**

The height of the combination building will be 49.6 feet. The architectural theme is an L&T shape scheme to make up the entire expansion into one building.

In conjunction with SDR, the following use permits are required:

1. Assisted Living: Assisted living apartments are defined as "an apartment or apartment complex which provides personal care services to senior citizens for daily living needs". Such services may include, but are not limited to, preparation and service of meals, housekeeping, laundry, monitoring of rooms, monitoring of medication, or assistance with bathing.

2. Memory Care/Assisted Living Plus: Convalescent care facility/nursing home is defined as "means a building or structure designed, used, or intended to be used to house and provide care for persons who have a chronic physical or mental illness or infirmity, but who do not need medical, surgical or other specialized treatment normally provided by a hospital. The term includes a rest home and a nursing home, but does not include an assisted living apartment, a hospital or other medical facility that is specifically defined in this Chapter". There will be 22 employees at the during week.

GPA-34600 ZON-34601
VAR-34605 SUP-34604
SUP-34606 SUP-34608
SDR-34602 07/09/09 PC
REVISED

3. Independent Living (Senior Apartments): An apartment house or other multi-family dwelling in which each unit is occupied by at least one person fifty-five years of age or older. The term includes an apartment house or other multi-family dwelling that qualifies as "housing for older persons" under the provisions of Federal law, including without limitation housing developments that:

    1. Provide significant facilities and services specifically designed to meet the physical or social needs of older persons; and

    2. Publish and adhere to policies and procedures that demonstrate an intent to provide housing for persons fifty-five years of age or older to the extent allowed by applicable State or Federal law.

4. Child Daycare Facility: In conjunction with the church, the Applicant is also proposing a daycare facility. The daycare facility will accommodate no more than 50 children. During any given shift, there will be no more than 6 employees. The daycare use will operate during 6:30 am and 6:00 pm, Monday thru Friday. Parents will be dropping off their children and picking them up at varying hours, so they should not cause much impact.

5. Parking Reduction: The Site requires 202 parking spaces per Title 19 of the Las Vegas Municipal Code. The Site, however, is providing 160 parking spaces, or about 20% parking reduction. The church use, which requires the most amount of parking, will be predominately used on Saturday evenings and Sundays, during times which the other uses (i.e. childcare facility) will not be open. Additionally, the childcare facility will not generate much parking because it will be primarily drop-offs in the morning and pick-ups in the evening. Because many of the uses on the Site do not overlap in times and days of operation, the amount of proposed parking is adequate.

We thank you in advance for your consideration of this much needed expansion at the church.

Sincerely,

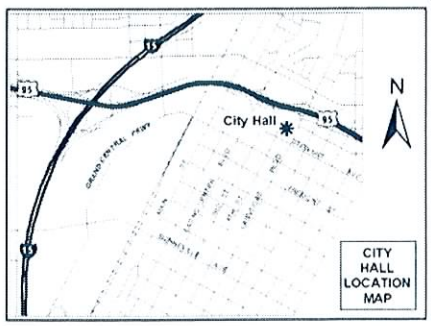
KUMMER KAEMPFER BONNER RENSHAW & FERRARIO

Tom Combs

GPA-34600 ZON-34601
VAR-34605 SUP-34604
SUP-34606 SUP-34608
SDR-34602 07/09/09 PC
REVISED

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

**Return Service Requested**
**Official Notice of Public Hearing**




If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-34606 & SUP-34608**

Planning Commission Meeting of 7/9/2009

PRESORTED FIRST CLASS

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Case: SUP-34608
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REINEKE KURT B JR & CHERYL BETH
2204 TRIDENT MAPLE ST
LAS VEGAS NV 89117-1893

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26A

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

## *AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT*
### PLANNING COMMISSION MEETING OF: JULY 9, 2009

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

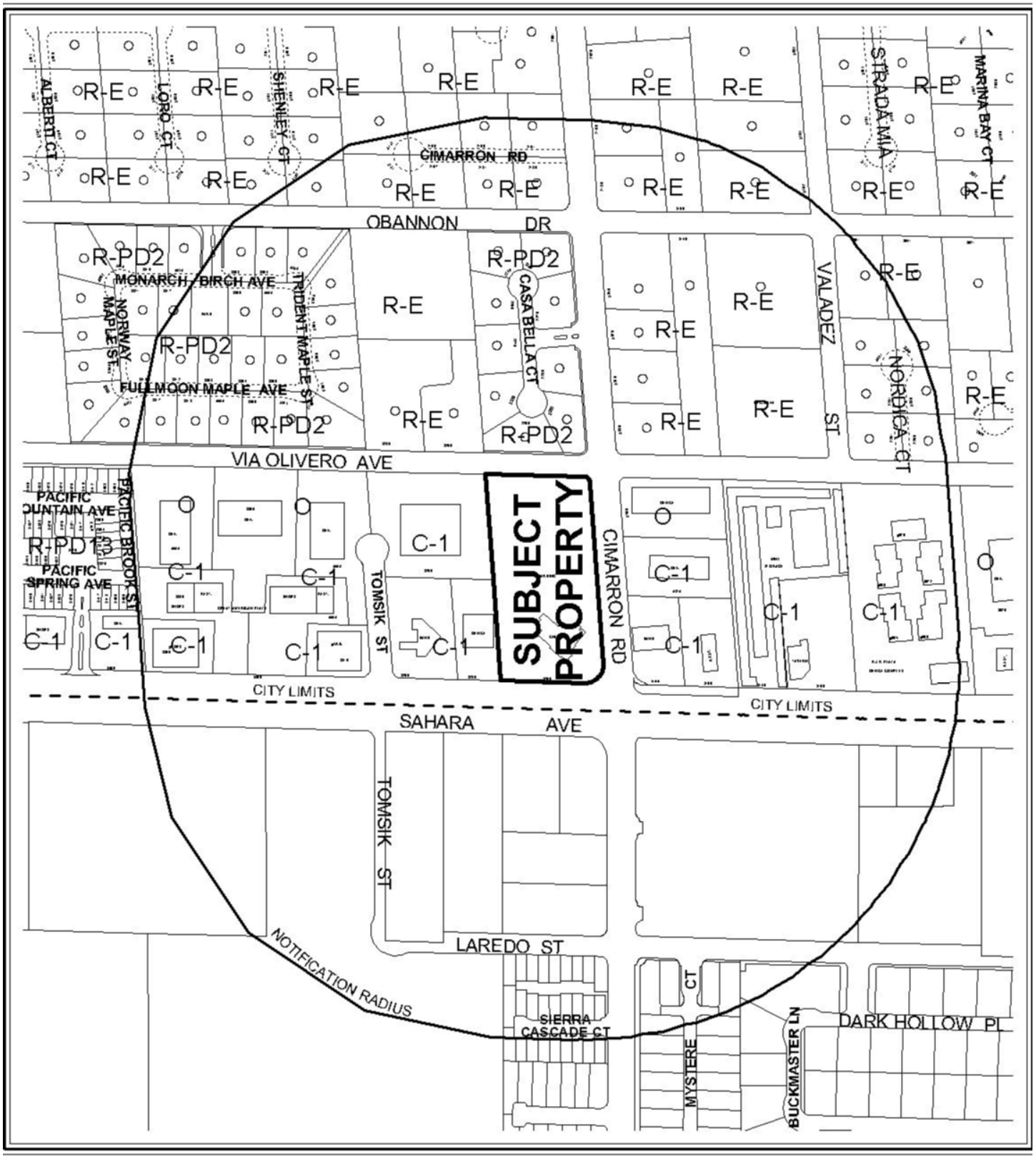
**SUBJECT:**
**SUP-34608 - SPECIAL USE PERMIT RELATED TO GPA-34600, ZON-34601, VAR-34605, SUP-34604 AND SUP-34606 - PUBLIC HEARING - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH** - Request for a Special Use Permit FOR PROPOSED ASSISTED LIVING APARTMENTS at 8200 West Sahara Avenue (APN 163-04-408-003), C-V (Civic) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 2 (Wolfson)

**C.C.: 08/05/2009**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **0** | **Planning Commission Mtg.** | **1** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
**APPROVAL**

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Support Postcard

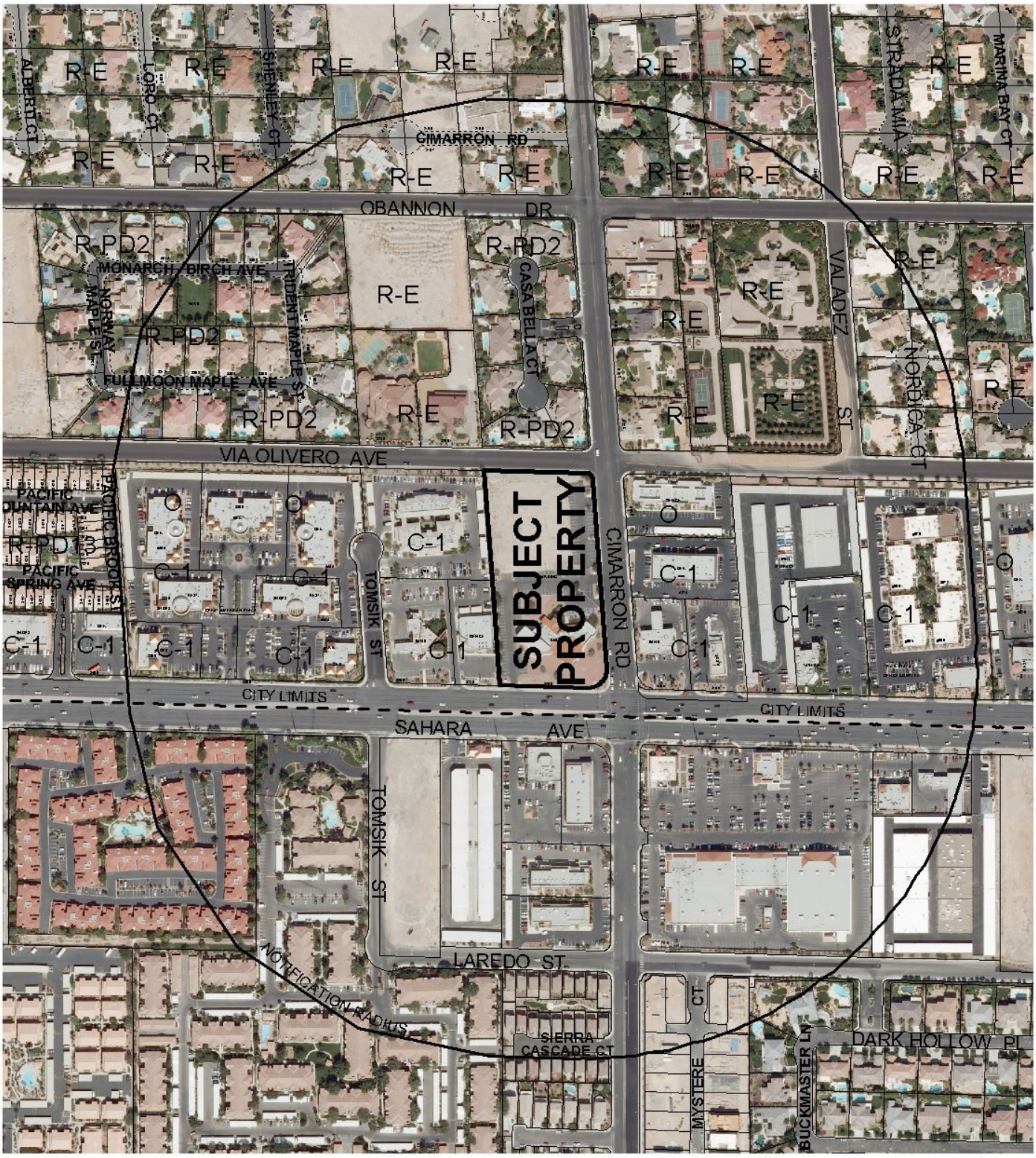



**CASE:** **SUP-34608**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:**
C-V (CIVIC)

**PROPOSED ZONING OF SUBJECT PROPERTY:**
C-1 (LIMITED COMMERCIAL)




0 300 600 Feet

**CASE:** **SUP-34608**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:**
C-V (CIVIC)

**PROPOSED ZONING OF SUBJECT PROPERTY:**
C-1 (LIMITED COMMERCIAL)

N

City of Las Vegas

## AGENDA MEMO

**PLANNING COMMISSION MEETING DATE: JULY 9, 2009**
**DEPARTMENT: PLANNING AND DEVELOPMENT**
**ITEM DESCRIPTION: SUP-34608 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH**

---

# ** CONDITIONS **

**STAFF RECOMMENDATION:** **APPROVAL,** 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.

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The subject site contains an existing 13,808 square-foot Church/House of Worship, associated parking, and approximately 55,000 square feet of undeveloped area on a 3.88-acre lot located at 8200 West Sahara Avenue. The applicant is proposing to construct a four-story, 49.5-foot high building which will contain 33 Assisted Living Apartments, in addition to 41 Senior Citizen Apartments and a 22-bed Convalescent Care Facility/Nursing Home, which will be operated in conjunction with the existing Church/House of Worship and a proposed Child Care Center. This request will facilitate the Assisted Living Apartments, which is a permissible use within the proposed C-1 (Limited Commercial) zoning district upon the approval of a Special Use Permit. If the application is denied the subject property will remain a Church/House of Worship and cannot be utilized for Assisted Living Apartments.

Issues

- The proposed Assisted Living Apartments are consistent with the requirements of Title 19.04.
- Staff finds that the proposed location for the Assisted Living Apartments will act as an appropriate buffer between Sahara Avenue and the existing single-family residences to the north of the subject site.
- Approval of associated requests for a General Plan Amendment (GPA-34600) and Rezoning (ZON-34601) is required to allow the proposed Assisted Living Apartment use at the subject site.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 07/07/93 | The City Council approved a request for a Rezoning and Plot Plan and Elevation Review (Z-0043-93) from N-U (Non-Urban) to C-V (Civic) for a proposed Church/House of Worship located at the northwest corner of Sahara Avenue and Cimarron Road. The Planning Commission and staff recommended approval of this request. |
| 01/14/94 | A deed was recorded for change of ownership. |
| 01/04/95 | The City Council approved a request for an Extension of Time [Z-0043-93(1)] of an approved Rezoning and Plot Plan and Elevation Review (Z-0043-93) from N-U (Non-Urban) to C-V (Civic) for a proposed Church/House of Worship located at the northwest corner of Sahara Avenue and Cimarron Road. The Planning Commission and staff recommended approval of this request. |

| | |
|---|---|
| 04/23/03 | The Planning Commission approved a request for a Site Development Plan Review (SDR-1968) for a 4,840 square-foot addition to an existing Church/House of Worship on 3.88 acres at 8200 West Sahara Avenue. Staff recommended approval of this request. |
| ***Related Building Permits/Business Licenses*** | |
| 04/17/95 | Building permits were issued for onsite improvements (#95373763) and a new building (#95373764) at 8200 West Sahara Avenue. The permits were finaled under building permit (#97007415) on 05/27/97. |
| 12/01/95 | A building permit (#95883523) was issued for a sign at 8200 West Sahara Avenue. The permit expired 09/21/96 without receiving final approval. |
| 11/22/95 | A building permit (#95882928) was issued for a 50-foot long, six-foot high block wall and a 275-foot long, two-foot high retaining wall. The permit expired 09/21/96 without receiving final approval. |
| 04/19/04 | A building permit (#04009010) was issued for a 5,280 square-foot addition at 8200 West Sahara Avenue. The permit received final approval 08/24/04. |
| ***Pre-Application Meeting*** | |
| 05/14/09 | A Pre-Application meeting was held with the applicant where the following issues were discussed:<br>• The requested change in zoning opens up the entire site to review for compliance with Title 19.08 requirements.<br>• Residential Adjacency issues with the single-family property to the north.<br>• Discussion of all uses proposed at the site, including the expansion of the existing Church/House of Worship use, Daycare Facility, Senior Citizen Apartments, Convalescent Care Facility/Nursing Home and Assisted Living Apartments.<br>• Parking requirements for the uses proposed.<br>• Adherence to the submittal requirements and plans required for a General Plan Amendment, Rezoning, three Special Use Permit applications, a parking Variance and a Site Development Plan Review. |
| ***Neighborhood Meeting*** | |
| 06/08/09 | A neighborhood meeting was held at 6:00pm at The Lakes Lutheran Church, Conference Room, located at 8200 W. Sahara Ave. Las Vegas, Nevada 89117. There were three representatives of the applicant, five representatives of the church, one member of the Planning and Development staff and two members of the general public present.<br>• A discussion was held where the general public raised questions about the proposed development. |

| *Field Check* | |
|---|---|
| 06/04/09 | A field check was conducted by staff at the subject property where the following was observed:<br>• The subject site contains an existing 13,808 square-foot Church/House of Worship.<br>• An existing parking lot surrounds the west and north sides of the existing building, and extends along the east perimeter of the site to O'Bannon Drive.<br>• The northeastern half of the subject property is undeveloped, relatively flat, and contains no landscaping. |

| *Details of Application Request* | |
|---|---|
| *Site Area* | |
| Gross Acres | 3.88 |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|---|---|---|---|
| Subject Property | Church/House of Worship | SC (Service Commercial) and R (Rural Density Residential) [Proposed: SC (Service Commercial)] | C-V (Civic) [Proposed: C-1 (Limited Commercial)] |
| North | Single-Family Residences | DR (Desert Rural Density Residential) | R-PD2 (Residential Planned Development – 2 Units per Acre) |
| South | Restaurant | CN (Commercial Neighborhood) – Clark County | C-1 (Local Business) – Clark County |
| East | Office and Retail | SC (Service Commercial) | C-1 (Limited Commercial) and O (Office) |
| West | Office | SC (Service Commercial) | C-1 (Limited Commercial) |

| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
|---|---|---|---|
| **Special Area Plan** | | X | N/A |
| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
| **Special Purpose and Overlay Districts** | | X | N/A |
| **Trails** | | X | N/A |
| **Rural Preservation Overlay District** | | X | N/A |
| **Development Impact Notification Assessment** | | X | N/A |
| **Project of Regional Significance** | X | | Y |

DC

## DEVELOPMENT STANDARDS

***Pursuant to Title 19.10, the following parking standards apply:***

| ***Parking Requirement*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| ***Use*** | ***Gross Floor Area or Number of Units*** | ***Required*** | | | ***Provided*** | | ***Compliance*** |
| | | ***Parking Ratio*** | *Parking* | | *Parking* | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| Church/ House of Worship | 490 Fixed Seats | 1 / 4 fixed seats, or 1 space / 100 SF of non-fixed seating in the gathering room | 123 | | | | |
| Child Care Center | 6 Staff; 50 Children | 1 / Staff Member, plus 1 / 10 Children | 11 | | | | |
| Convalescent Care Facility/ Nursing Home | 22 Beds; 22 Employees | 1 / 6 Beds, plus 1 / Each Employee on the largest shift; plus 3 spaces for use by Medical Professionals | 29 | | | | |
| Assisted Living Apartments | 33 Residents | 1 / 3 Residents | 11 | | | | |
| Senior Citizen Apartments | 41 Units | .75 / Unit | 31 | | | | |
| **SubTotal** | | | 195 | 7 | 152 | 8 | |
| **TOTAL** | | | 205 | | 160 | | N* |
| Percent Deviation | | | | | 22% | | |

* The applicant has submitted an associated Variance (VAR-34605).

## ANALYSIS

This request is for a Special Use Permit for 33 Assisted Living Apartments in conjunction with a 22-bed Convalescent Care Facility/Nursing Home and 41 Senior Citizen Apartments located at 8200 West Sahara Avenue. The subject site contains an existing Church/House of Worship, which will remain on the subject property if this request is approved. The proposed Assisted Living Apartments will be housed within the second through fourth floors of a proposed four-story, 49.5-foot high building, while the first floor will contain supporting commercial uses. The 33 units will range in size between 335 and 948 square feet, and offered in studio, one bedroom and one bedroom plus den options.

The location of Assisted Living Apartments at the subject property will serve as an appropriate buffer between Sahara Avenue to the south and existing single-family residences to the north as the proposed use meets Title 19.08.060 Residential Adjacency Standards. Staff finds that the subject location is appropriate for Assisted Living Apartments; therefore, approval of this request is recommended.

## FINDINGS

The following findings must be made for a Special Use Permit:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

   The proposed Assisted Living Apartments can be conducted in a manner that is harmonious and compatible with existing surrounding land uses and with future surrounding land uses. The proposed use will act as an appropriate buffer between Sahara Avenue to the south and existing single-family residences to the north.

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.

3. **"Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use."**

Access to the site is provided by Sahara Avenue, a 100-foot Primary Arterial and Cimarron Road, an 80-foot Secondary Collector, as designated by the Master Plan of Streets and Highways. In addition, emergency access is provided via a crash gate fronting Via Olivero Avenue, a 60-foot Local Street, according to the Master Plan of Streets and Highways. All three roadways are adequate in size to meet the requirements of the proposed use.

4. **"Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan."**

   The site will be subject to permitting, inspections and licensing by the City of Las Vegas, and will not compromise the health, safety, and welfare, or the overall objectives of the General Plan.

5. **The use meets all of the applicable conditions per Title 19.04.**

   The proposed Assisted Living Apartments use is consistent with the requirements of LVMC Title 19.04.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 12

**ASSEMBLY DISTRICT** 2

**SENATE DISTRICT** 8

**NOTICES MAILED** 254

**APPROVALS** 1

**PROTESTS** 0

PLANNING & DEVELOPMENT

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-34608** APN: 163-04-408-003

Name of Property Owner: Church Lakes Lutheran

Name of Applicant: Church Lakes Lutheran

Name of Representative: Kummer, Kaempfer, Bonner, Renshaw & Ferrario - Christopher Kampfer

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: Mark W. Myers

Print Name: MARK W. MYERS

Subscribed and sworn before me

This 11TH day of MAY, 2009

Patricia Shogren

Notary Public in and for said County and State

PATRICIA SHOGREN
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 02-75546-1
MY APPT. EXPIRES JANUARY 08, 2012

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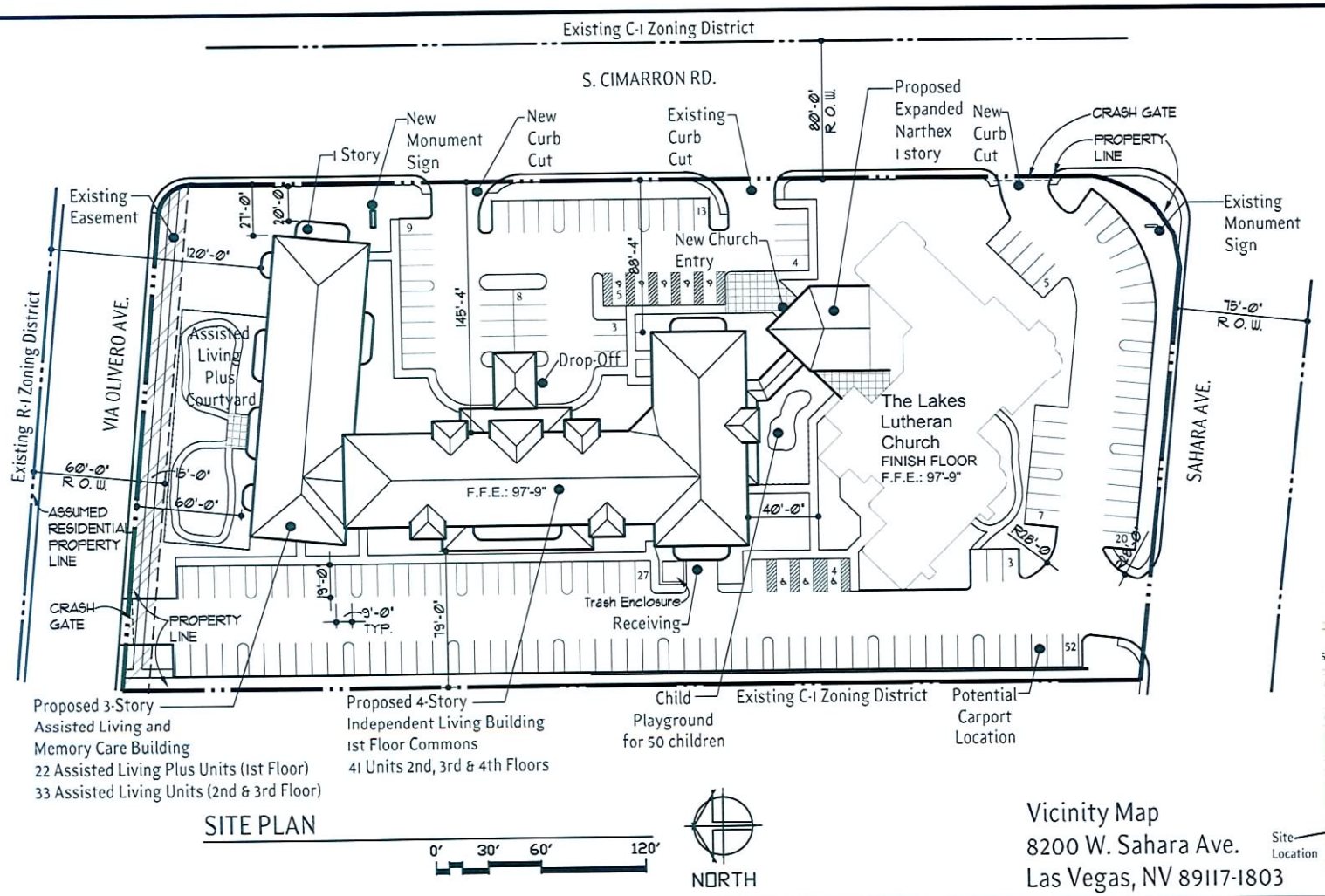
MAY 26 2009




| | |
|---|---|
| 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 |
| Sheet | |

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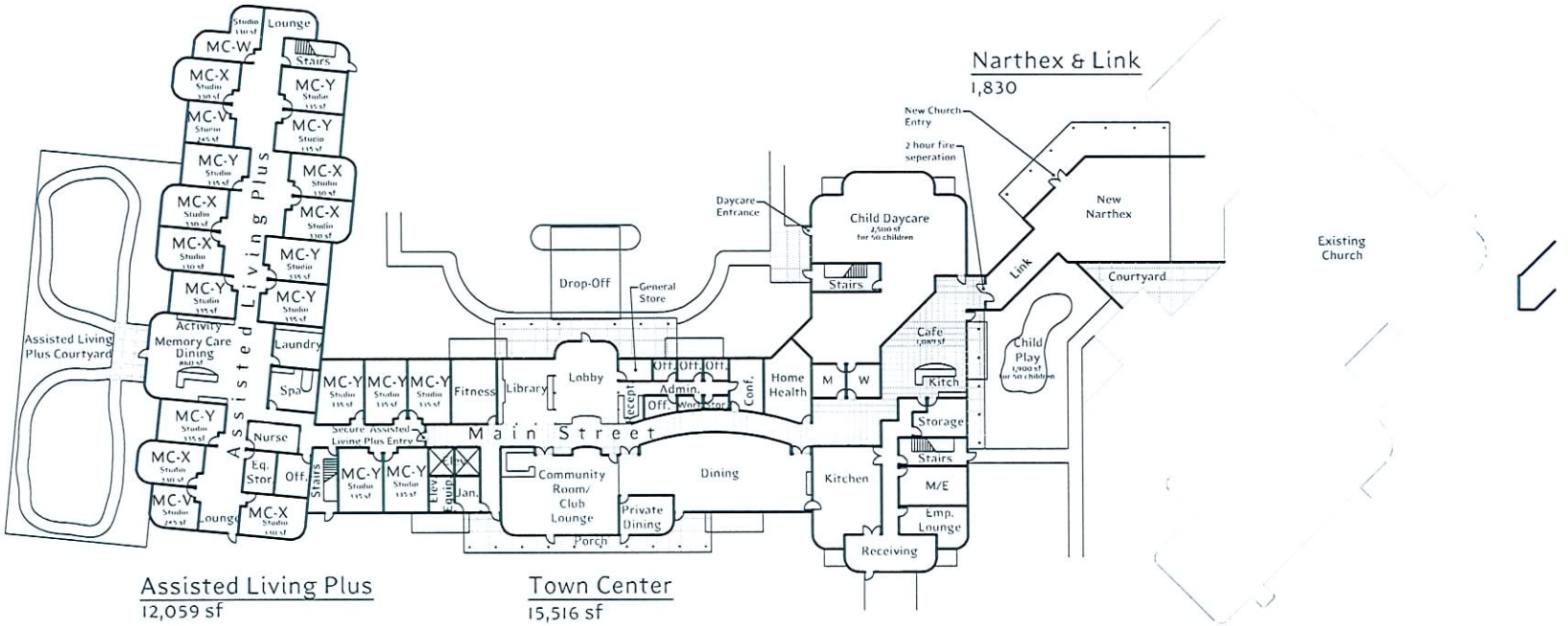
**SUP-34608**
**07/09/09 PC**




## 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
Las Vegas, NV

ECUMEN
Living fully after 50.

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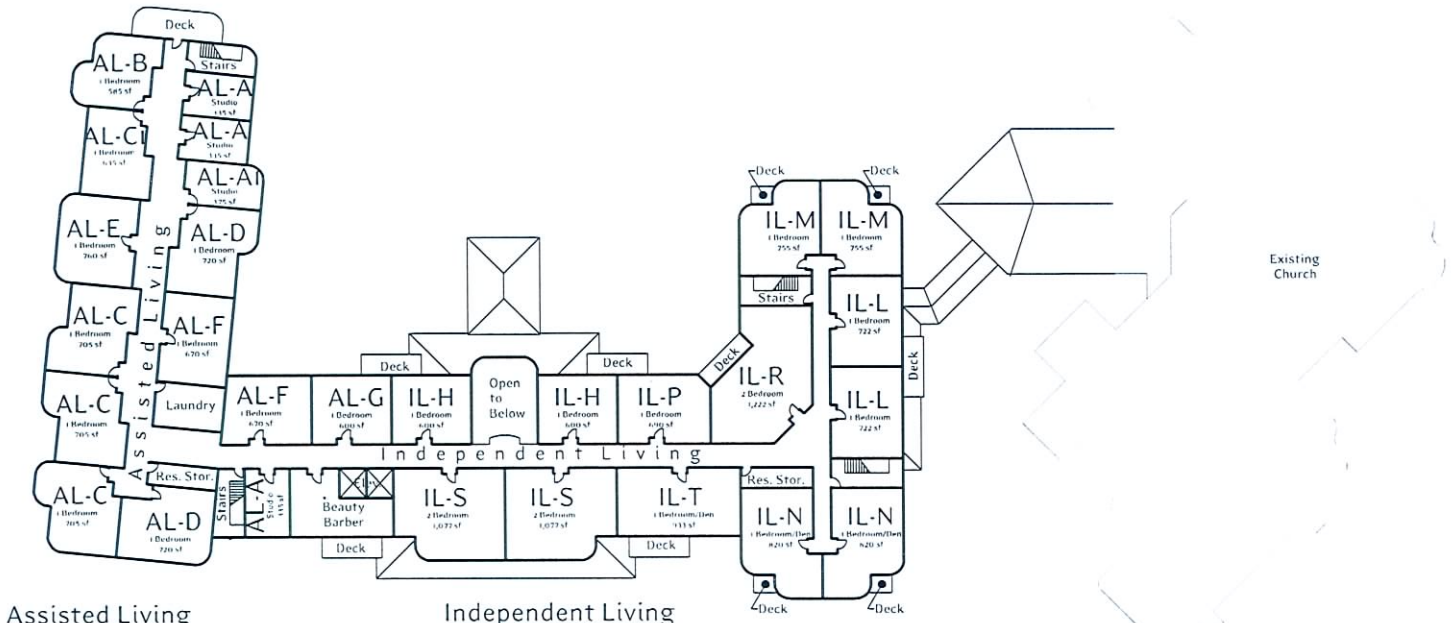


Assisted Living
11,700 sf

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

| | |
|---|---|
| Commission No. | 21752-09035 |
| Drawn by | WI, LJH |
| Date | 5/22/09 |
| Sheet | |

ECUMENT
Living fully after 50

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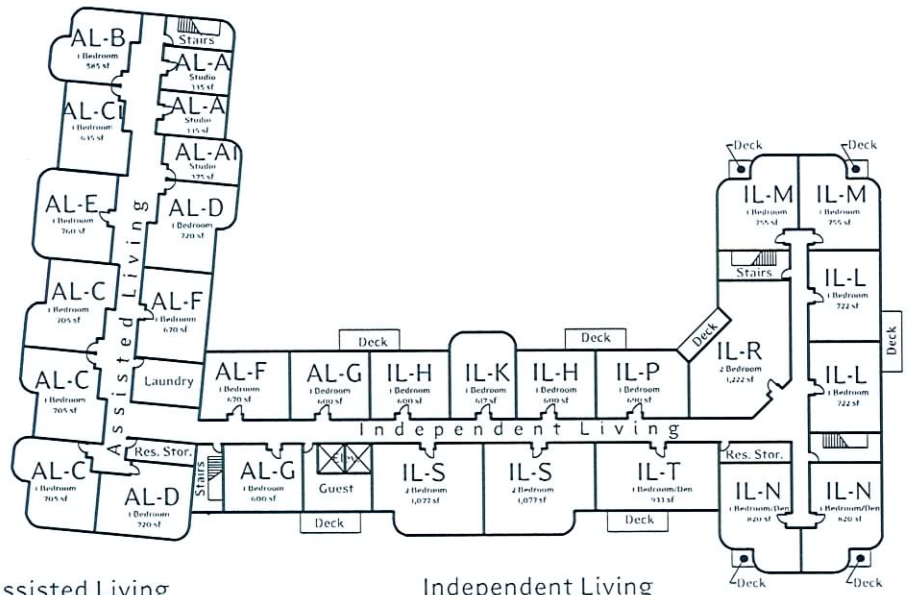
MAY 26 2009

**SUP-34608**
**07/09/09 PC**




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

**SUP-34608**
**07/09/09 PC**

ECUMEN
Living fully after 50.

| | |
|---|---|
| Commission No. | 21752-09035 |
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| Date | 5/22/09 |
| Sheet | |

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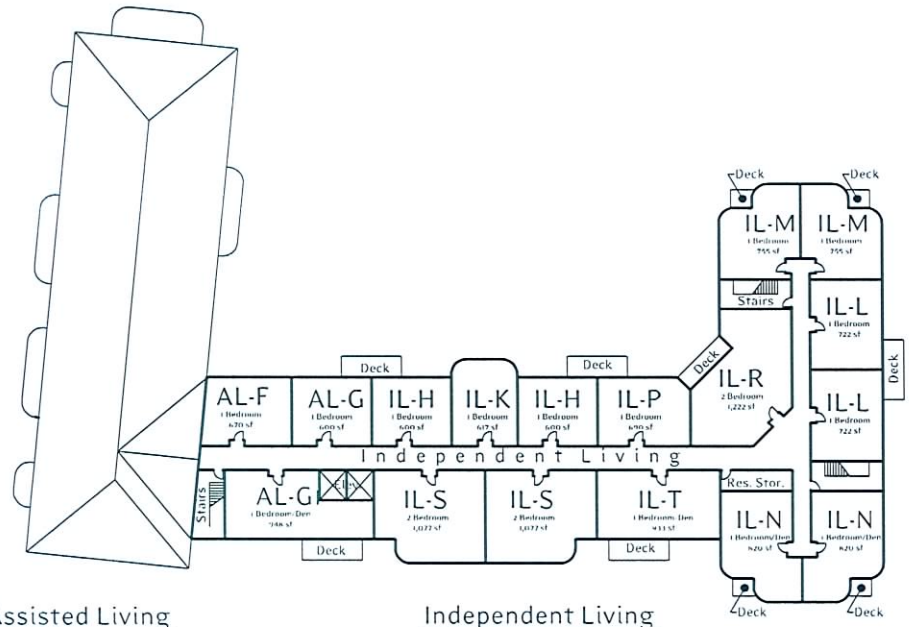
MAY 26 2009




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 |
| GI | 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 |

## 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 | |

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**SUP-34608**
**07/09/09 PC**




SUP-34608 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
8200 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

06/04/09



SUP-34608 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
8200 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

06/04/09



SUP-34608 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
8200 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

06/04/09



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06/04/09

KUMMER KAEMPFER
ATTORNEYS AT LAW

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info@kkbrf.com

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Tel: 775.852.3900
Fax: 775.852.3982

CARSON CITY OFFICE
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Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

June 18, 2009

**VIA HAND DELIVERY**

RECEIVED
09 JUN 18 AM 10:36
PLANNING AND DEVELOPMENT

City of Las Vegas
Planning & Development Department
731 S. Fourth Street
Las Vegas, NV 89101

***Re: Amended Justification Letter –Lakes Lutheran Church Assisted Living Apartment Memory Care Facility***
***GPA, Zone Change, SDR and Use Permits***
***APN 163-04-408-003***

To Whom It May Concern:

Please be advised this office represents Lakes Lutheran Church (the "Applicant") in the above referenced matter. The Applicant is proposing a site development review for a senior apartment project located on the northwest corner of Sahara Avenue and Cimarron Road, more particularly known as APN 163-04-408-003 (the "Site"). In conjunction with the SDR, the Applicant is proposing a change to the general plan for the northern portion of the Site to service commercial, zone change to C-1 for the entire Site, and use permits to allow a senior project.

**General Plan Amendment**

The Applicant is requesting the Site's general plan be changed to service commercial for the portion of the Site that fronts Via Olivero Avenue. The portion of the Site that fronts Sahara Avenue is already planned service commercial. Additionally, the properties to the west and east of the Site are general planned service commercial. Both of these properties are similar to the Site. Both properties have frontage on Sahara Avenue and Via Olivero Avenue. Therefore, a change in the general plan to service commercial for the Site is compatible to the surrounding area.

GPA-34600 ZON-34601
VAR-34605 SUP-34604
SUP-34606 SUP-34608
SDR-34602 07/09/09 PC
REVISED

LAW FIRMS WORLDWIDE MERITAS

## Zone Change

The Applicant is also requesting a zone change to rezone the entire Site to C-1. There is currently a church on a portion of the Site. A church is a permitted use in a C-1 zoned district. The church building configuration and layout is remaining the same from its previous approval and therefore conforms to the previous site plan approval. The zone change also makes sense because it is consistent with other properties in the area (the property to the west is zoned C-1 and the property to the east is zoned C-1 and O on the northern portion of the property). Therefore, a zone change for the Site to C-1 is compatible.

## Site Development Review

**Overview:**

The existing church fronts on Sahara Avenue. The proposed senior housing is on the northern portion of the Site with frontage on Via Olivero. The building configuration is a combination L&T shape scheme with a courtyard in the memory part of the plan. Other amenities are shown throughout the proposed expansion, which include beauty/barber shop, library, child daycare, café, kitchen, dining area, general store, fitness room, home health, laundry, spa activity room and community room. The spa is primarily for memory care patients and on occasion is will be made available for home health care patients. The beauty/barber shop is located on the second floor and is for residents only. Most of these commercial amenities will be on the first floor. The total number of units for the three different living areas offered is 96.

**Elevations:**

The height of the combination building will be 49.6 feet. The architectural theme is an L&T shape scheme to make up the entire expansion into one building.

In conjunction with SDR, the following use permits are required:

1. Assisted Living: Assisted living apartments are defined as "an apartment or apartment complex which provides personal care services to senior citizens for daily living needs". Such services may include, but are not limited to, preparation and service of meals, housekeeping, laundry, monitoring of rooms, monitoring of medication, or assistance with bathing.

2. Memory Care/Assisted Living Plus: Convalescent care facility/nursing home is defined as "means a building or structure designed, used, or intended to be used to house and provide care for persons who have a chronic physical or mental illness or infirmity, but who do not need medical, surgical or other specialized treatment normally provided by a hospital. The term includes a rest home and a nursing home, but does not include an assisted living apartment, a hospital or other medical facility that is specifically defined in this Chapter". There will be 22 employees at the during week.

GPA-34600 ZON-34601
VAR-34605 SUP-34604
SUP-34606 SUP-34608
SDR-34602 07/09/09 PC
REVISED

3. Independent Living (Senior Apartments): An apartment house or other multi-family dwelling in which each unit is occupied by at least one person fifty-five years of age or older. The term includes an apartment house or other multi-family dwelling that qualifies as "housing for older persons" under the provisions of Federal law, including without limitation housing developments that:

    1. Provide significant facilities and services specifically designed to meet the physical or social needs of older persons; and

    2. Publish and adhere to policies and procedures that demonstrate an intent to provide housing for persons fifty-five years of age or older to the extent allowed by applicable State or Federal law.

4. Child Daycare Facility: In conjunction with the church, the Applicant is also proposing a daycare facility. The daycare facility will accommodate no more than 50 children. During any given shift, there will be no more than 6 employees. The daycare use will operate during 6:30 am and 6:00 pm, Monday thru Friday. Parents will be dropping off their children and picking them up at varying hours, so they should not cause much impact.

5. Parking Reduction: The Site requires 202 parking spaces per Title 19 of the Las Vegas Municipal Code. The Site, however, is providing 160 parking spaces, or about 20% parking reduction. The church use, which requires the most amount of parking, will be predominately used on Saturday evenings and Sundays, during times which the other uses (i.e. childcare facility) will not be open. Additionally, the childcare facility will not generate much parking because it will be primarily drop-offs in the morning and pick-ups in the evening. Because many of the uses on the Site do not overlap in times and days of operation, the amount of proposed parking is adequate.

We thank you in advance for your consideration of this much needed expansion at the church.

Sincerely,

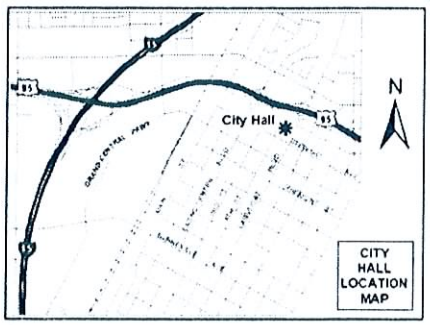
KUMMER KAEMPFER BONNER RENSHAW & FERRARIO

Tom Combs

GPA-34600 ZON-34601
VAR-34605 SUP-34604
SUP-34606 SUP-34608
SDR-34602 07/09/09 PC
REVISED

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

**Return Service Requested**
**Official Notice of Public Hearing**




If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-34606 & SUP-34608**

Planning Commission Meeting of 7/9/2009

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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RECEIVED
JUN 30 2009

Case: SUP-34608
16304413018
REINEKE KURT B JR & CHERYL BETH
2204 TRIDENT MAPLE ST
LAS VEGAS NV 89117-1893

89117$1893A 00627

27A

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

## *AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT*
### PLANNING COMMISSION MEETING OF: JULY 9, 2009

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

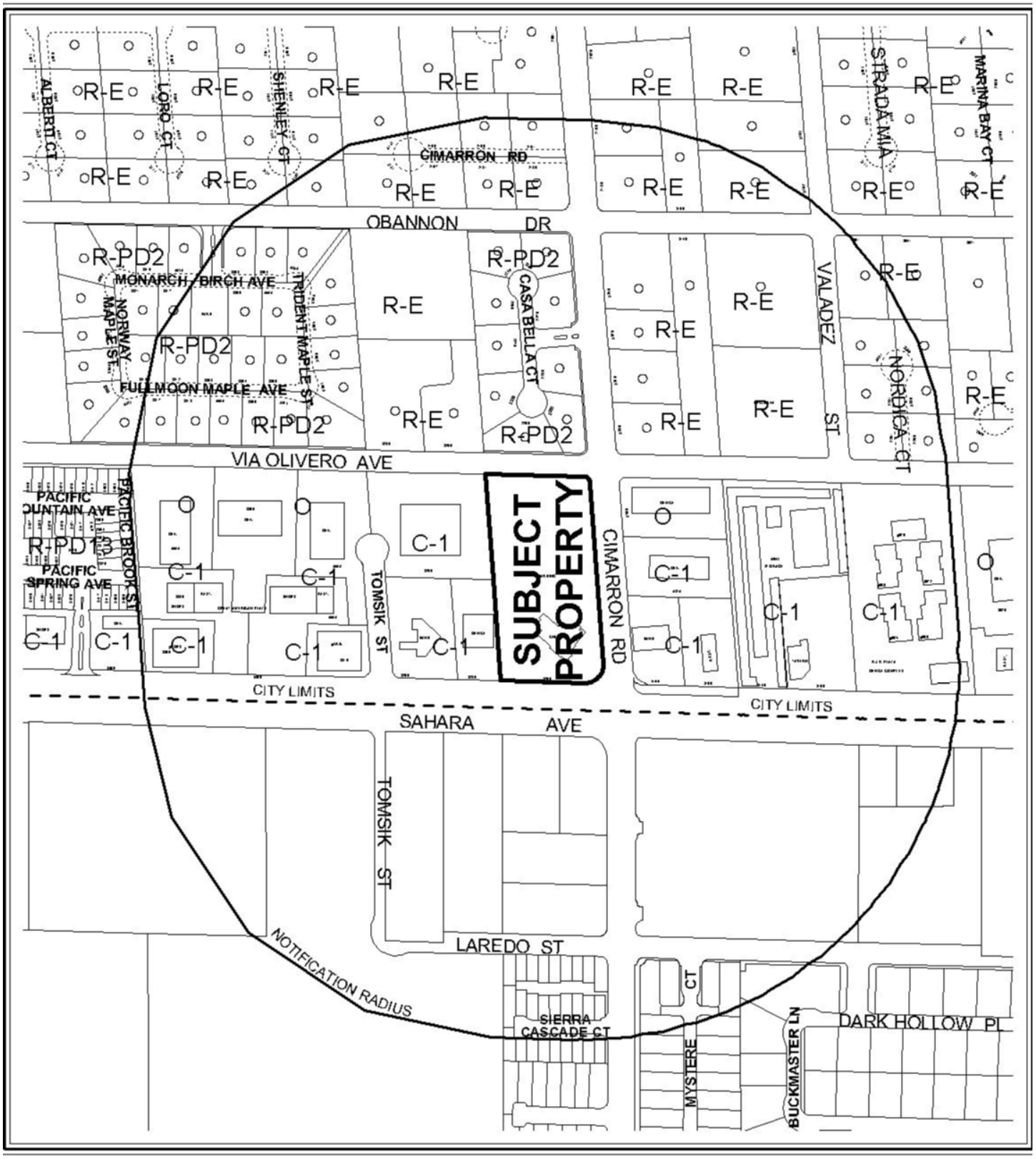
**SUBJECT:**
**SDR-34602 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-34600, ZON-34601, VAR-34605, SUP-34604, SUP-34606 AND SUP-34608 - PUBLIC HEARING - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH** - Request for a Site Development Plan Review FOR A PROPOSED 50-FOOT TALL, FOUR-STORY 33-UNIT SENIOR CITIZEN 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)], Ward 2 (Wolfson)

**C.C.: 08/05/2009**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **0** | **Planning Commission Mtg.** | **1** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
**DENIAL**

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Support Postcard




0 300 600 Feet

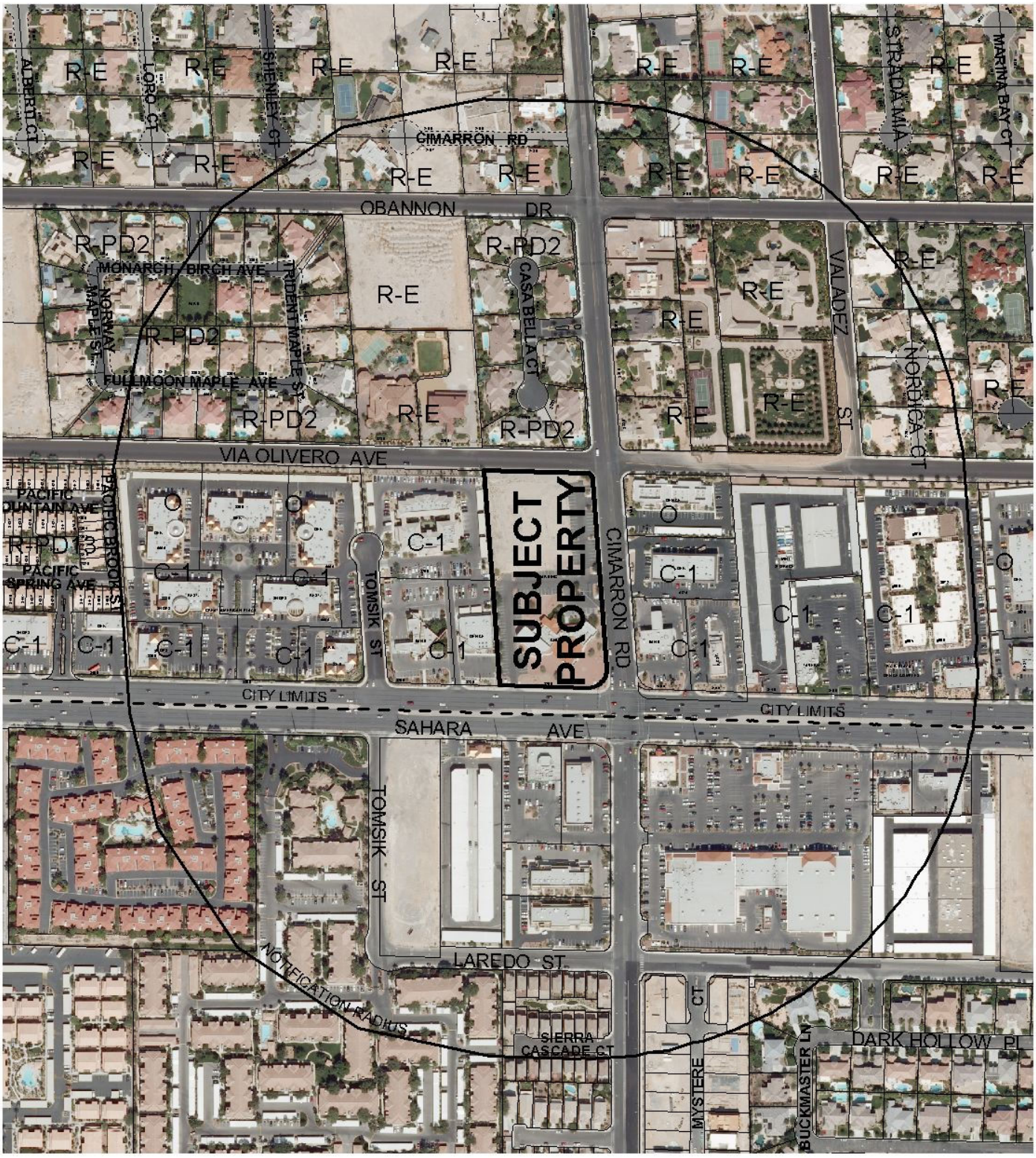
**CASE:** **SDR-34602**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:**
C-V (CIVIC)

**PROPOSED ZONING OF SUBJECT PROPERTY:**
C-1 (LIMITED COMMERCIAL)

N




0 300 600 Feet

**CASE:** **SDR-34602**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:**
C-V (CIVIC)

**PROPOSED ZONING OF SUBJECT PROPERTY:**
C-1 (LIMITED COMMERCIAL)

N

City of Las Vegas

## AGENDA MEMO

**PLANNING COMMISSION MEETING DATE: JULY 9, 2009**
**DEPARTMENT: PLANNING AND DEVELOPMENT**
**ITEM DESCRIPTION: SDR-34602 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH**

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# ** CONDITIONS **

**STAFF RECOMMENDATION:** **DENIAL.** If Approved, 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.

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.

7. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

8. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).

9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off 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.

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. 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.

16. The proposed driveway located at the emergency access gates shall be designed, located, and constructed in accordance with Standard Drawing #224.

17. 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.

18. 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.

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, 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.

**SDR-34602 - Staff Report Page One**
**July 9, 2009 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The subject site contains an existing 13,808 square-foot Church/House of Worship, associated parking, and approximately 55,000 square feet of undeveloped area on a 3.88-acre lot located at 8200 West Sahara Avenue. The applicant is proposing to construct a 2,576 square-foot addition to the existing Church/House of Worship, a 2,500 square-foot Child Care Center, a 22-bed Convalescent Care Facility/Nursing Home, a 33-unit Assisted Living Apartments and a 41-unit Senior Citizen Apartment complex within a four-story, 49.5-foot high building. If the application is denied the applicant will be required to redesign the proposed development to meet Title 19 standards.

Issues

- The proposed building layout does not maximize efficient use of the site, and further exacerbates the need for an associated parking Variance (VAR-34605).
- The parking lot design is fragmented, creating two separate parking lots which severely limits on-site circulation and movement for both vehicles and pedestrians.
- The individual uses proposed for the subject property are appropriate for the site and will provide a buffer between Sahara Avenue to the south and the single-family residences to the north; however, the combination of the proposed uses has resulted in a site that will be overbuilt, as is evidenced by the deficiency of parking.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 07/07/93 | The City Council approved a request for a Rezoning and Plot Plan and Elevation Review (Z-0043-93) from N-U (Non-Urban) to C-V (Civic) for a proposed Church/House of Worship located at the northwest corner of Sahara Avenue and Cimarron Road. The Planning Commission and staff recommended approval of this request. |
| 01/14/94 | A deed was recorded for change of ownership. |
| 01/04/95 | The City Council approved a request for an Extension of Time [Z-0043-93(1)] of an approved Rezoning and Plot Plan and Elevation Review (Z-0043-93) from N-U (Non-Urban) to C-V (Civic) for a proposed Church/House of Worship located at the northwest corner of Sahara Avenue and Cimarron Road. The Planning Commission and staff recommended approval of this request. |
| 04/23/03 | The Planning Commission approved a request for a Site Development Plan Review (SDR-1968) for a 4,840 square-foot addition to an existing Church/House of Worship on 3.88 acres at 8200 West Sahara Avenue. Staff recommended approval of this request. |

DC

| | |
|---|---|
| ***Related Building Permits/Business Licenses*** | |
| 04/17/95 | Building permits were issued for onsite improvements (#95373763) and a new building (#95373764) at 8200 West Sahara Avenue. The permits were finaled under building permit (#97007415) on 05/27/97. |
| 12/01/95 | A building permit (#95883523) was issued for a sign at 8200 West Sahara Avenue. The permit expired 09/21/96 without receiving final approval. |
| 11/22/95 | A building permit (#95882928) was issued for a 50-foot long, six-foot high block wall and a 275-foot long, two-foot high retaining wall. The permit expired 09/21/96 without receiving final approval. |
| 04/19/04 | A building permit (#04009010) was issued for a 5,280 square-foot addition at 8200 West Sahara Avenue. The permit received final approval 08/24/04. |
| ***Pre-Application Meeting*** | |
| 05/14/09 | A Pre-Application meeting was held with the applicant where the following issues were discussed:<br>• The requested change in zoning opens up the entire site to review for compliance with Title 19.08 requirements.<br>• Residential Adjacency issues with the single-family property to the north.<br>• Discussion of all uses proposed at the site, including the expansion of the existing Church/House of Worship use, Daycare Facility, Senior Citizen Apartments, Convalescent Care Facility/Nursing Home and Assisted Living Apartments.<br>• Parking requirements for the uses proposed.<br>• Adherence to the submittal requirements and plans required for a General Plan Amendment, Rezoning, three Special Use Permit applications, a parking Variance and a Site Development Plan Review. |
| ***Neighborhood Meeting*** | |
| 06/08/09 | A neighborhood meeting was held at 6:00pm at The Lakes Lutheran Church, Conference Room, located at 8200 West Sahara Ave. Las Vegas, Nevada 89117. There were three representatives of the applicant, five representatives of the church, one member of the Planning and Development staff and two members of the general public present.<br>• A discussion was held where the general public raised questions about the proposed development. |

| *Field Check* | |
|---|---|
| 06/04/09 | A field check was conducted by staff at the subject property where the following was observed:<br>• The subject site contains an existing 13,808 square-foot Church/House of Worship.<br>• An existing parking lot surrounds the west and north sides of the existing building, and extends along the east perimeter of the site to O'Bannon Drive.<br>• The northeastern half of the subject property is undeveloped, relatively flat, and contains no landscaping. |

| *Details of Application Request* | |
|---|---|
| *Site Area* | |
| Gross Acres | 3.88 |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|---|---|---|---|
| Subject Property | Church/House of Worship | SC (Service Commercial) and R (Rural Density Residential) [Proposed: SC (Service Commercial)] | C-V (Civic) [Proposed: C-1 (Limited Commercial)] |
| North | Single-Family Residences | DR (Desert Rural Density Residential) | R-PD2 (Residential Planned Development – 2 Units per Acre) |
| South | Restaurant | CN (Commercial Neighborhood) – Clark County | C-1 (Local Business) – Clark County |
| East | Office and Retail | SC (Service Commercial) | C-1 (Limited Commercial) and O (Office) |
| West | Office | SC (Service Commercial) | C-1 (Limited Commercial) |

| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
|---|---|---|---|
| **Special Area Plan** | | X | N/A |
| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
| **Special Purpose and Overlay Districts** | | X | N/A |
| **Trails** | | X | N/A |
| **Rural Preservation Overlay District** | | X | N/A |
| **Development Impact Notification Assessment** | | X | N/A |
| **Project of Regional Significance** | | X | N/A |

## DEVELOPMENT STANDARDS

***Pursuant to Title 19.08, the following standards apply:***

| *Standard* | *Required/Allowed* | *Provided* | *Compliance* |
|---|---|---|---|
| Min. Lot Size | N/A | 169,052 SF | N/A |
| Min. Lot Width | 100 Feet | 291 Feet | Y |
| Min. Setbacks | | | |
| • Front | 20 Feet | 60 Feet | Y |
| • Side | 10 Feet | 72 Feet | Y |
| • Corner | 15 Feet | 20 Feet | Y |
| • Rear | 20 Feet | 60 Feet | Y |
| Max. Lot Coverage | 50% | 26% | Y |
| Max. Building Height | N/A | 49.5 Feet | Y |
| Trash Enclosure | Screened, Enclosed | Screened, Enclosed | By Condition |
| Mech. Equipment | Screened | Screened | By Condition |

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

| *Residential Adjacency Standards* | *Required/Allowed* | *Provided* | *Compliance* |
|---|---|---|---|
| 3:1 proximity slope (three-story portion) | 115.5 Feet | 120 Feet | Y |
| 3:1 proximity slope (four-story portion) | 148.5 Feet | 165 Feet | Y |
| Adjacent development matching setback | 10 Feet | 60 Feet | Y |
| Trash Enclosure | 50 Feet | 345 Feet | Y |

***Pursuant to Title 19.12, the following standards apply:***

| *Landscaping and Open Space Standards* | | | | |
|---|---|---|---|---|
| *Standards* | *Required* | | *Provided* | *Compliance* |
| | *Ratio* | *Trees* | | |
| Parking Area | 1 Tree/6 Spaces | 27 Trees | 28 Trees | Y |
| Buffer: | | | | |
| Min. Trees | | | | |
| (North) | 1 Tree/20 Linear Feet | 13 Trees | 13 Trees | Y |
| (South) | 1 Tree/20 Linear Feet | 13 Trees | 7 Trees | By Condition |
| (East) | 1 Tree/20 Linear Feet | 24 Trees | 18 Trees | By Condition |
| (West) | 1 Tree/30 Linear Feet | 20 Trees | 20 Trees | Y |
| **TOTAL** | | 97 Trees | 86 Trees | By Condition |
| Min. Zone Width | 15 Feet (North, South and East) | | 15 Feet | Y |
| | 8 Feet (West) | | 8 Feet | Y |
| Wall Height | 6-8 Feet | | 8 Feet | Y |

***Pursuant to Title 19.10, the following parking standards apply:***

| ***Parking Requirement*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| ***Use*** | ***Gross Floor Area or Number of Units*** | ***Required*** | | | ***Provided*** | | ***Compliance*** |
| | | ***Parking Ratio*** | *Parking* | | *Parking* | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| Church/ House of Worship | 490 Fixed Seats | 1 / 4 fixed seats, or 1 space / 100 SF of non-fixed seating in the gathering room | 123 | | | | |
| Child Care Center | 6 Staff; 50 Children | 1 / Staff Member, plus 1 / 10 Children | 11 | | | | |
| Convalescent Care Facility/ Nursing Home | 22 Beds; 22 Employees | 1 / 6 Beds, plus 1 / Each Employee on the largest shift; plus 3 spaces for use by Medical Professionals | 29 | | | | |
| Assisted Living Apartments | 33 Residents | 1 / 3 Residents | 11 | | | | |
| Senior Citizen Apartments | 41 Units | .75 / Unit | 31 | | | | |
| **SubTotal** | | | 195 | 7 | 152 | 8 | |
| **TOTAL** | | | 205 | | 160 | | N* |
| Percent Deviation | | | | | 22% | | |

* The applicant has submitted an associated Variance (VAR-34605).

| ***Outdoor Play Area Requirements – Child Care Center Per NRS 432A.077*** | | | | |
|---|---|---|---|---|
| ***Standards*** | ***Required*** | | ***Provided*** | ***Compliance*** |
| | ***Ratio*** | ***Square Feet*** | | |
| Daycare with 50 Children | A total of 37.5 square feet per child | 1,875 square feet | 1,900 square feet | Y |

## ANALYSIS

- **Site Plan**

The proposed site plan is generally consistent with the requirements of Title 19, with the exception of the associated request for a parking Variance (VAR-34605), which is necessary to allow 160 parking spaces where 205 are required. The proposed four-story building and addition to the existing Church/House of Worship occupy the center of the site, and do not represent the most efficient spatial layout. The placement of the proposed building and addition divides the proposed parking areas into two separate parking lots, one of which is accessed solely from Cimarron Road, the other which accesses both Cimarron Road and Sahara Avenue. When the 42-space parking lot adjacent to the east side of the site becomes fully occupied, all on-site traffic will exit the site onto Cimarron Road, travel westbound on Sahara Avenue, then re-enter the site utilizing the single driveway fronting Sahara Avenue to gain access to the remaining 118-space parking lot. Additionally, the 118-space parking lot adjacent to the west side of the site features singular north/south and east/west drive aisles which only provides ingress and egress from a single driveway fronting Sahara Avenue, without providing adequate turnarounds to the north or east.

The proposed main entrances to the Church/House of Worship, Child Care Center, Senior Citizen Apartments, Assisted Living Apartments and Convalescent Care Facility/Nursing Home have all been oriented towards the 42-space parking lot fronting Cimarron Road. By placing the main entrances towards the smallest parking lot and oriented to a single side of the site, the parking shortage will be further exacerbated. Additionally, pedestrian on-site circulation is compromised by this layout, as clear, defined pedestrian connections between all parking areas and building main entrances have not been made. A redesign of the site which will eliminate the need for a parking Variance and provide enhanced on-site circulation for both pedestrians and vehicles will allow conformance to the requirements of Title 19.

- **Landscape Plan**

The landscape plan submitted is not consistent with the requirements of Title 19.12; however, conditions have been added to ensure compliance. The northern landscape buffer depicts the correct quantity of trees required; however, the proposed trees have been placed outside of the required 15-foot landscape buffer. The east and south perimeters depict trees spaced on average 30 feet on-center, where Title 19.12.040(G) requires tree spacing at 20-feet on center. The landscape plans do not indicate the provision of four, five-gallon trees for each required tree, including those required within the parking lot landscape islands, nor do they indicate what type of ground cover will be provided. Additionally, the plans do not indicate if parking lot screening will be provided pursuant to Title 19.10.010(J)(11).

All items have been addressed through conditions. Internal site landscaping provided around the proposed and existing buildings is sparse with minimal shade trees, and is not conducive to encouraging outdoor activity. The remainder of the landscape plans reflect conformance with the requirements of Title 19.12.

- **Elevations**

The elevations depict a three and four-story building utilizing a painted stucco finish and a clay barrel S-tile roof. The elevations utilize varying rooflines and building articulation to meet the requirements of Title 19.08.

- **Floor Plan**

The floor plans submitted depict the proposed four-story multi-use building and addition to the existing 13,808 square-foot Church/House of Worship. A total of 100,943 square feet will be added to the site, contained within a four-story building. The first floor will house the Convalescent Care Facility within 22 rooms ranging in size between 245 and 345 square feet, a dining room, fitness room, library, recreation room, lobby, private offices, a health center, kitchen, employee lounge, Child Care Center and vestibule addition to the existing Church/House of Worship. The second floor will house a Barber/Beauty Shop, Assisted Living and Senior Citizen Apartments. The third floor will contain one guest room facility, Assisted Living and Senior Citizen Apartments, while the fourth floor will house Assisted Living and Senior Citizen Apartments.

Each individual living unit will range in size from 245 to 1,222 square feet, and be offered in studio, one bedroom, one bedroom plus den, and two-bedroom options. All units will feature a kitchenette and bathroom facility, and will be accessed via an internal hallway. Two central elevators and four stairwells provide resident access.

## FINDINGS

The following findings must be made for an SDR:

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

The existing and proposed uses are compatible with adjacent development; however, the site is overbuilt, and the layout of the development is not compatible with the adjacent development and development in the area.

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

The proposed development is consistent with the General Plan, but is not consistent with Title 19, as is evidenced by the need for an associated parking Variance (VAR-34605) to allow 160 parking spaces where 205 are required.

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

   Access to the site is provided by Sahara Avenue, a 100-foot Primary Arterial and Cimarron Road, an 80-foot Secondary Collector, as designated by the Master Plan of Streets and Highways. In addition, emergency access is provided via crash gates fronting Via Olivero Avenue, a 60-foot Local Street, and Cimarron Road, an 80-foot Secondary Collector, according to the Master Plan of Streets and Highways. All three roadways are adequate in size to meet the requirements of the proposed use; however, due the fragmented design of the two parking areas which are not internally connected, Cimarron Road and Sahara Avenue will be subject to additional traffic.

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

   The building materials are appropriate for the area and for the City; the landscape materials are appropriate as conditioned. Internal site landscaping provided is sparse, with minimal shade trees, and does not encourage outdoor pedestrian activity.

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

   The building elevations, design characteristics and other architectural and aesthetic features are not unsightly or undesirable. The proposed four-story building emulates some of the architectural characteristics of the existing Church/House of Worship and will be 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 development is subject to permit review and inspection; therefore, appropriate measures will be taken to protect the health, safety and general welfare.

| | |
|---|---|
| **NEIGHBORHOOD ASSOCIATIONS NOTIFIED** | 12 |
| **ASSEMBLY DISTRICT** | 2 |
| **SENATE DISTRICT** | 8 |
| **NOTICES MAILED** | 254 |
| **APPROVALS** | 1 |
| **PROTESTS** | 0 |

PLANNING & DEVELOPMENT DEPARTMENT

# STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-34602** APN: 163-04-408-003

Name of Property Owner: Church Lakes Lutheran

Name of Applicant: Church Lakes Lutheran

Name of Representative: Kummer, Kaempfer, Bonner, Renshaw & Ferrario - Christopher Kampfer

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: Mark W. Myers

Print Name: MARK W. MYERS

Subscribed and sworn before me

This 11TH day of MAY, 2009

Patricia Shogren
Notary Public in and for said County and State

PATRICIA SHOGREN
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 02-75546-1
MY APPT. EXPIRES JANUARY 08, 2012

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Revised 11-14-05

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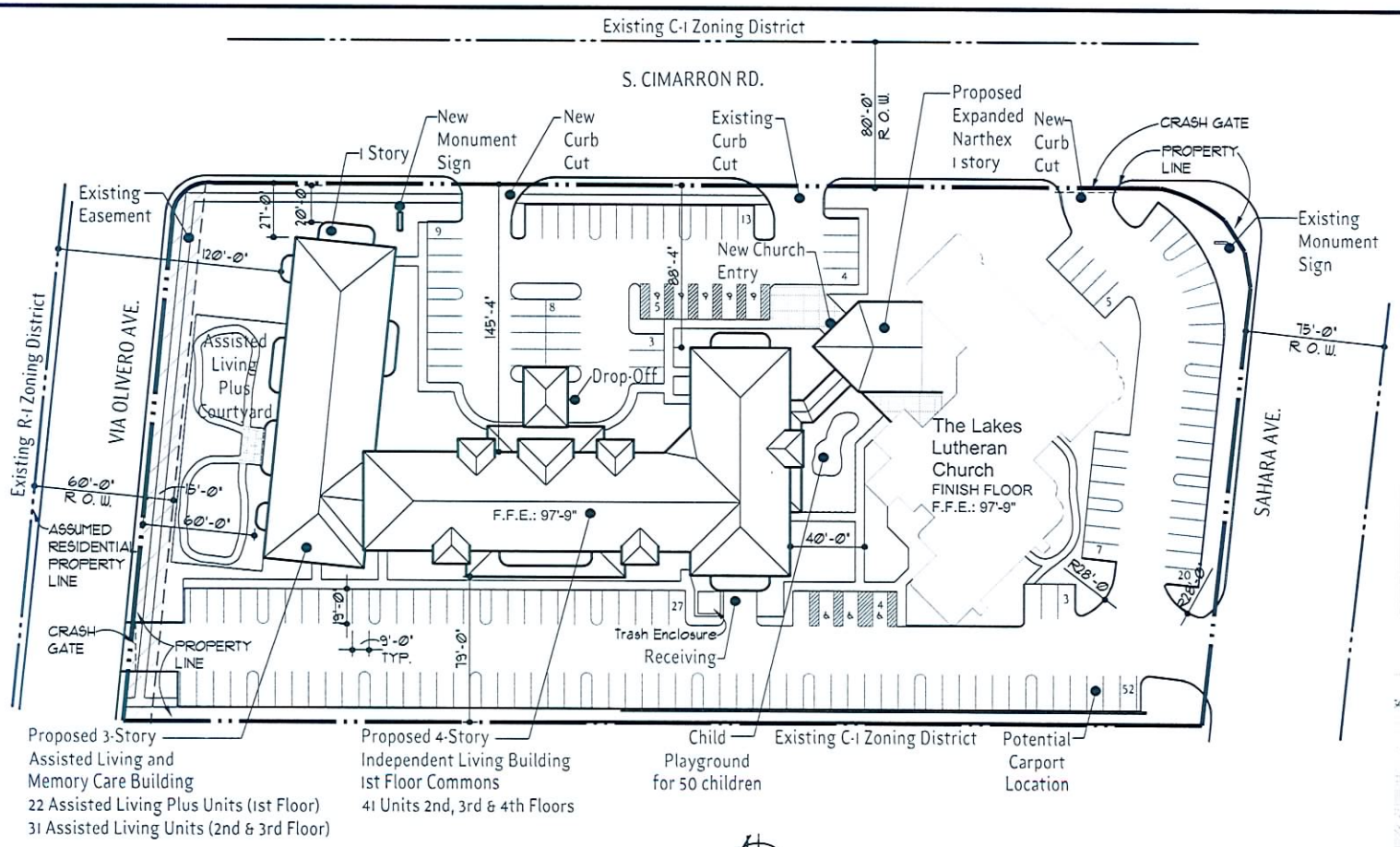


SITE PLAN

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 |
| Church (previously approved) | = 123 spaces |
| Spaces Required: | 189 |
| Spaces Proposed: | 160 |
| Handicapped Required: | 6 |
| Handicapped Proposed: | 8 |




Vicinity Map
8200 W. Shara 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 |
| Sheet | |

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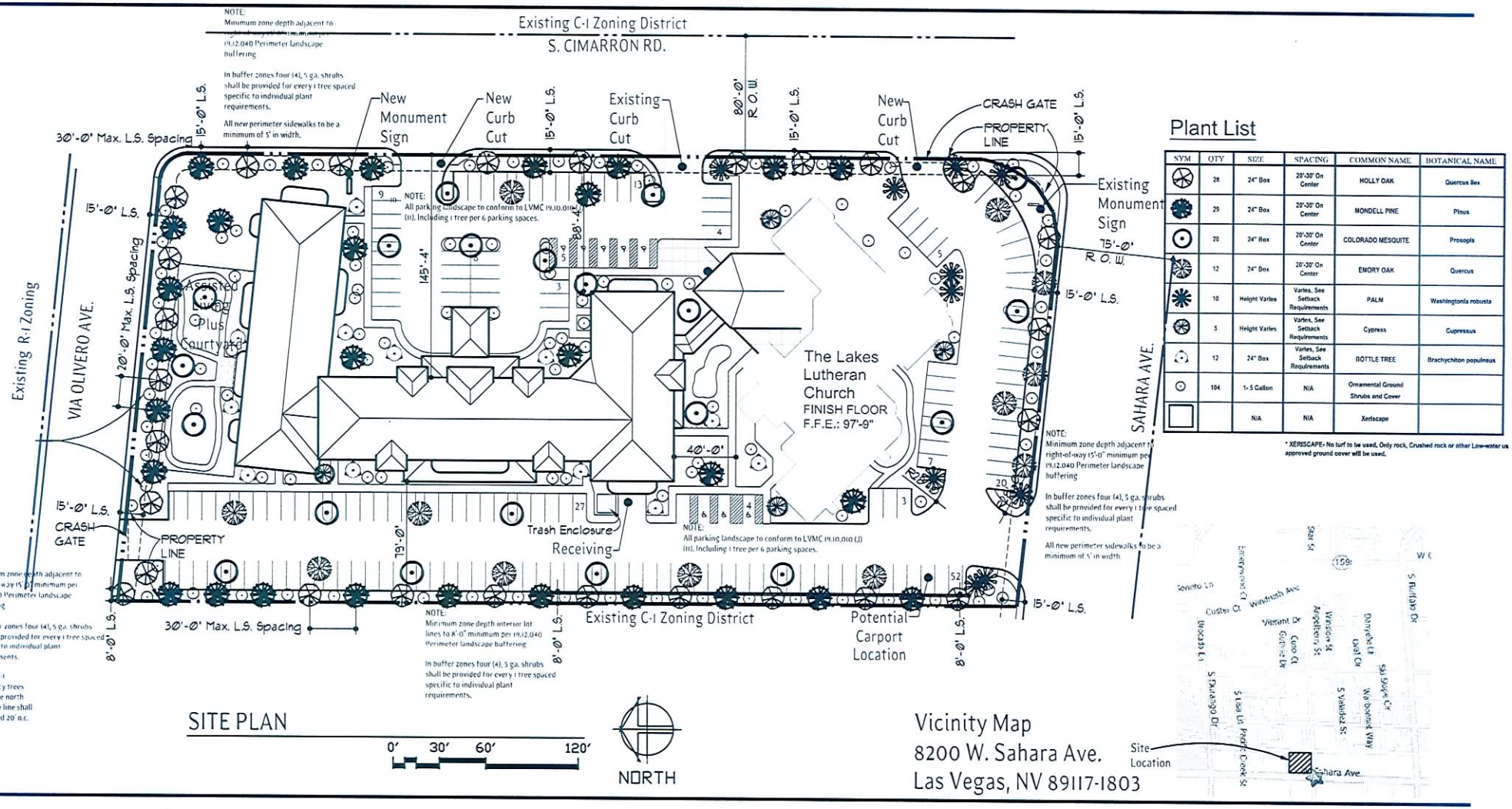


## Plant List

| SYM | QTY | SIZE | SPACING | COMMON NAME | BOTANICAL NAME |
|---|---|---|---|---|---|
| | 28 | 24" Box | 20'-30' On Center | HOLLY OAK | Quercus Ilex |
| | 29 | 24" Box | 20'-30' On Center | MONDELL PINE | Pinus |
| | 20 | 24" Box | 20'-30' On Center | COLORADO MESQUITE | Prosopis |
| | 12 | 24" Box | 20'-30' On Center | EMORY OAK | Quercus |
| | 10 | Height Varies | Varies, See Setback Requirements | PALM | Washingtonia robusta |
| | 5 | Height Varies | Varies, See Setback Requirements | Cypress | Cupressus |
| | 12 | 24" Box | Varies, See Setback Requirements | BOTTLE TREE | Brachychiton populneus |
| | 104 | 1- 5 Gallon | N/A | Ornamental Ground Shrubs and Cover | |
| | | N/A | N/A | Xeriscape | |

* XERISCAPE- No turf to be used, Only rock, Crushed rock or other Low-water use approved ground cover will be used.

SITE PLAN

0' 30' 60' 120'

NORTH

Vicinity Map
8200 W. Sahara Ave.
Las Vegas, NV 89117-1803




Randal L. Peek
Architect
1255 Energy Park Drive
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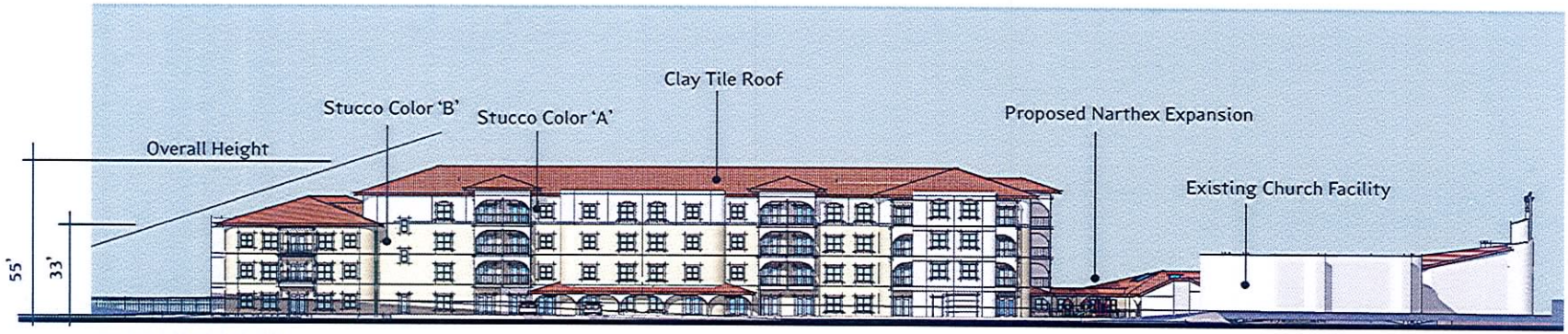
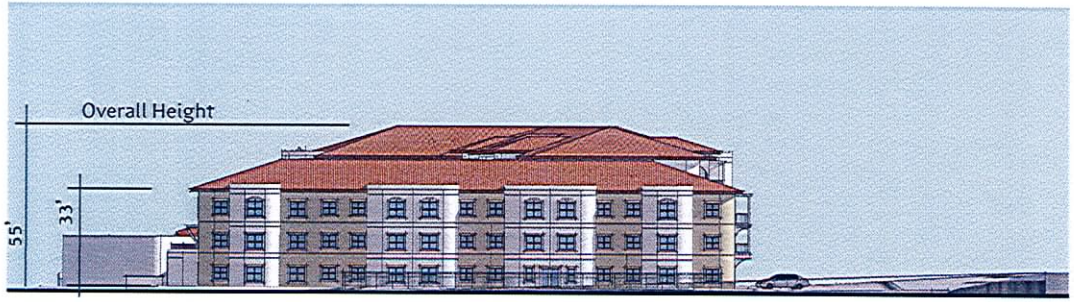



WEST ELEVATION
Not to scale




NORTH ELEVATION
Not to scale

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Architect
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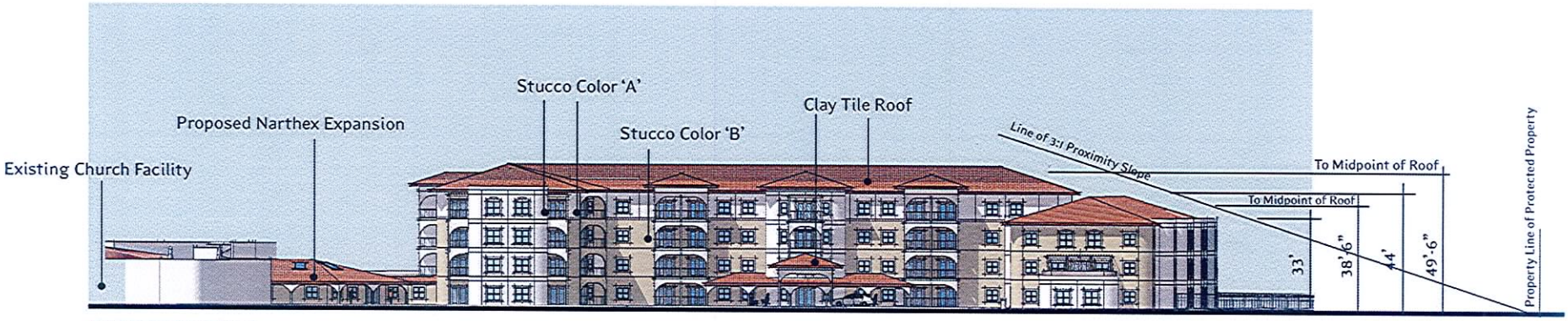


EAST ELEVATION
Not to scale




SOUTH ELEVATION
Not to scale

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Architect
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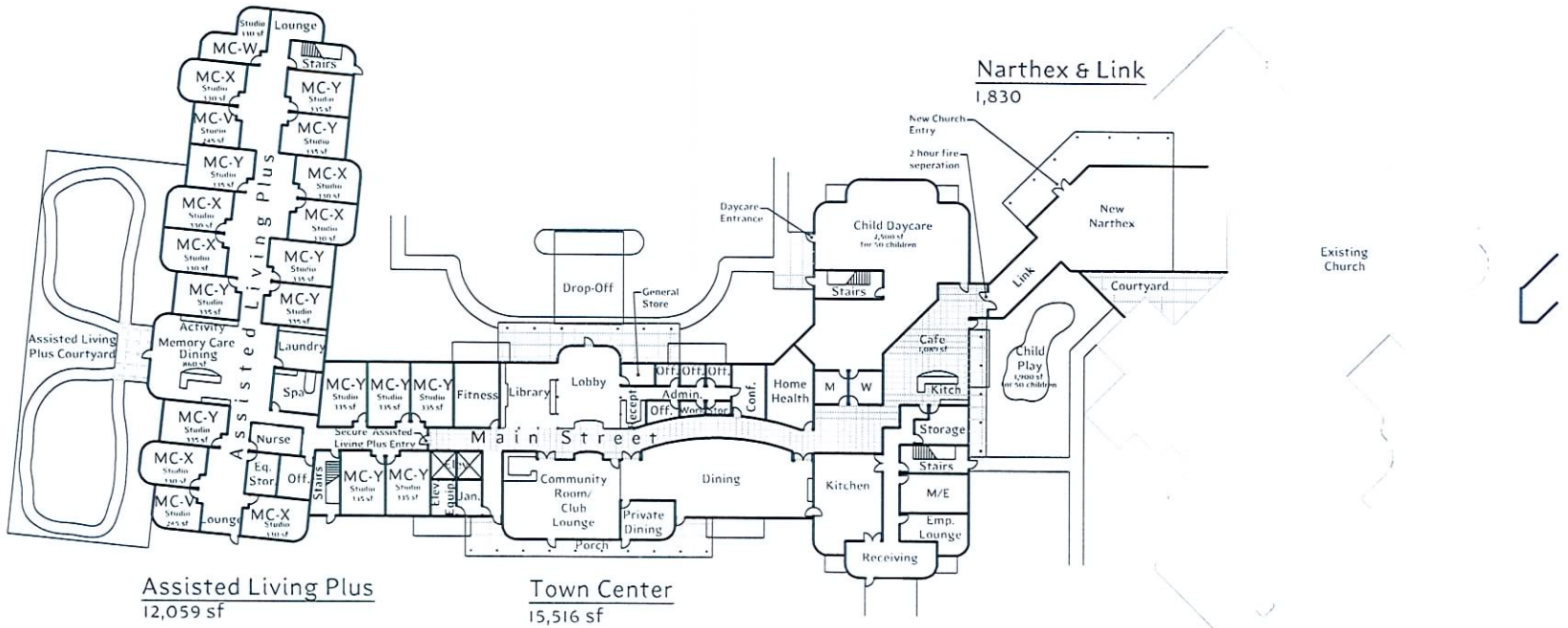


## FIRST FLOOR PLAN

32,938 GSF

0' 20' 40' 80'

NORTH


Randal L. Peek
Architect
1255 Energy Park Drive
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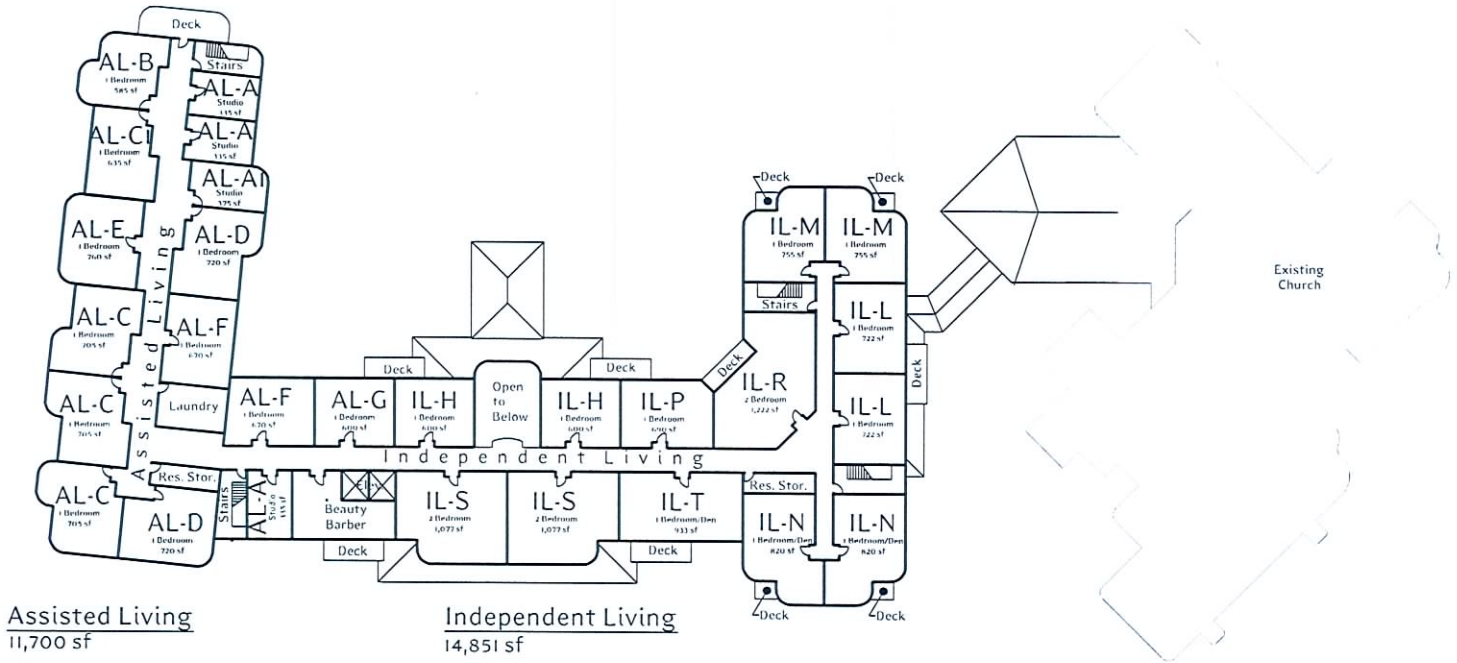


Assisted Living
11,700 sf

Independent Living
14,851 sf

## SECOND FLOOR PLAN

30,530 GSF

0' 20' 40' 80'

NORTH

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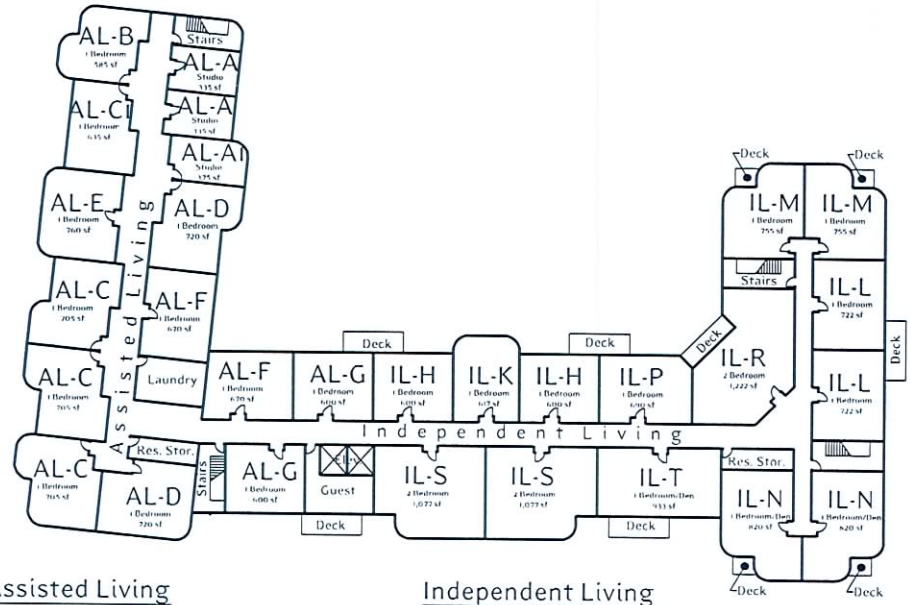


Assisted Living
11,965 sf

Independent Living
15,203 sf

## THIRD FLOOR PLAN

30,530 GSF

0′ 20′ 40′ 80′

NORTH

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Architect
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Las Vegas, NV

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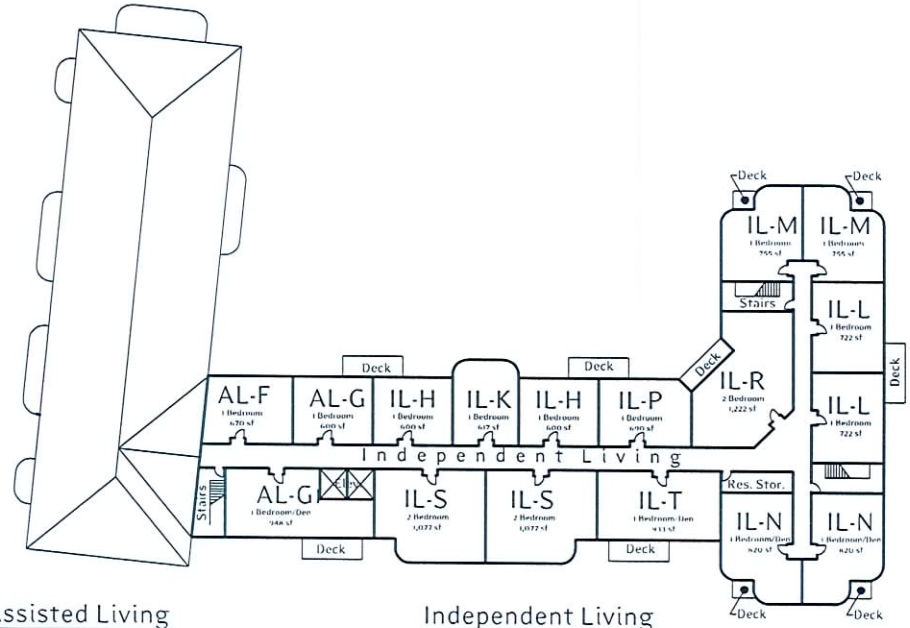


Assisted Living
2,218 sf

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 |

## FOURTH FLOOR PLAN

16,970 GSF

0' 20' 40' 80'

NORTH

Randal L. Peek
Architect
1255 Energy Park Drive
St. Paul, MN 55108-5118

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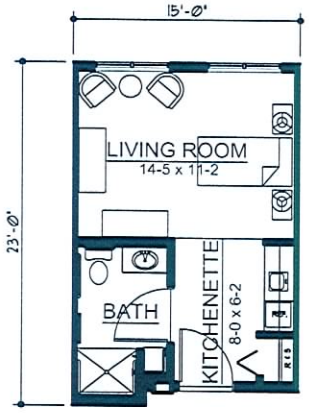
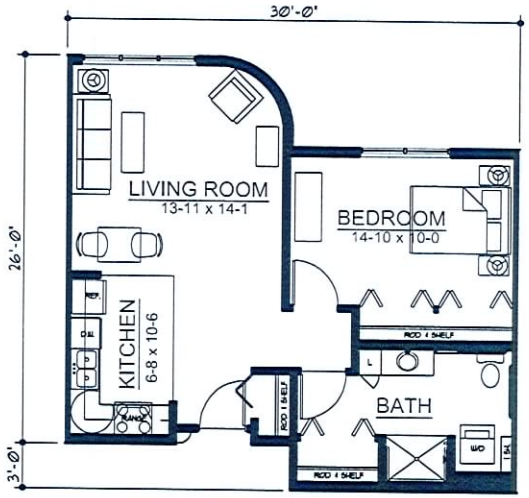



TYPICAL ASSISTED LIVING PLUS UNIT PLAN

STUDIO - 335 SF

0' 4' 8' 16'




TYPICAL ASSISTED LIVING UNIT PLAN

1 BEDROOM - 705 SF

0' 4' 8' 16'

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Architect
1255 Energy Park Drive
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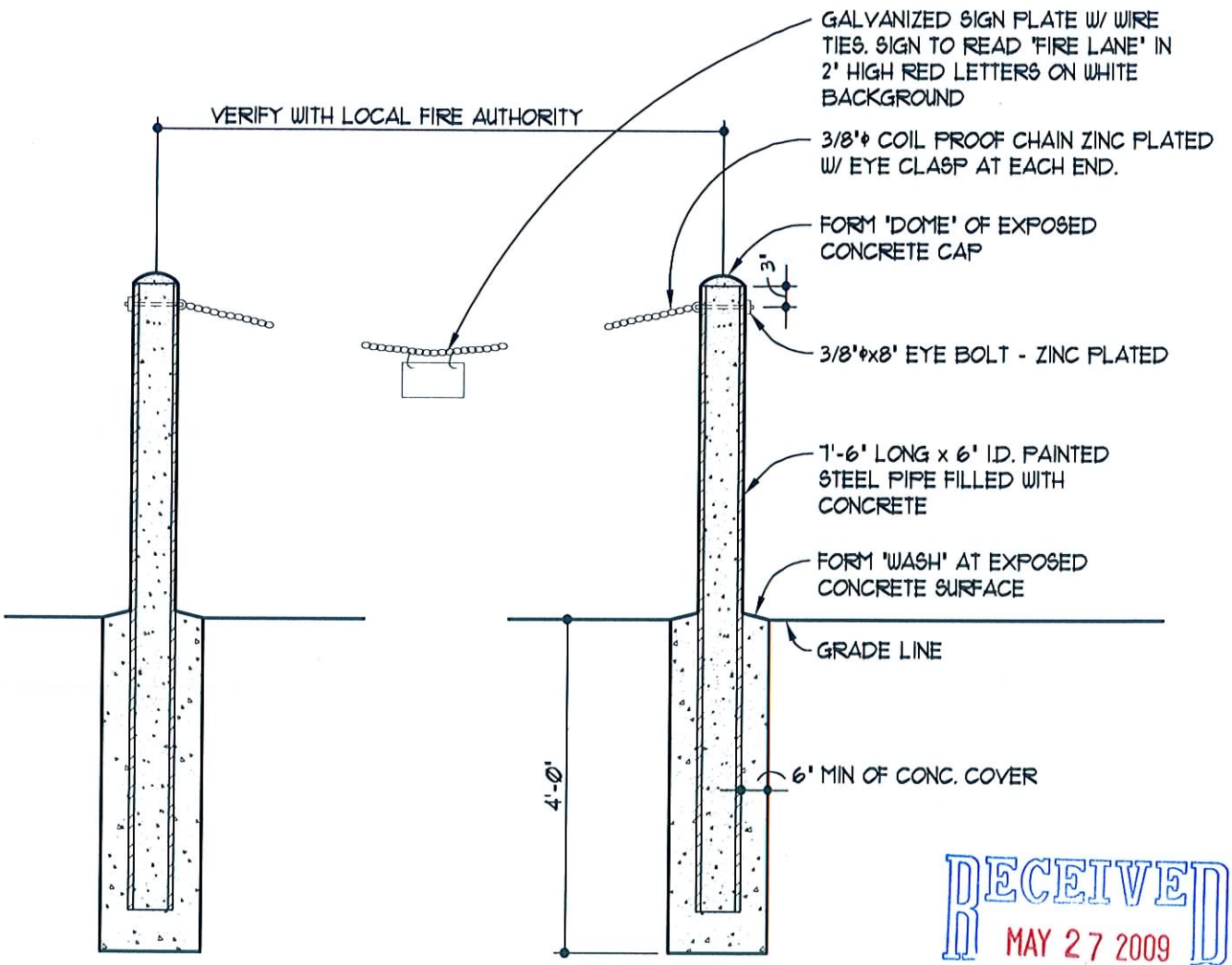


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1/1 FIRE LANE CHAIN BARRIER

1/2"=1'-0"

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Architect
1255 Energy Park Drive
St. Paul, MN 55108-5118

The Lakes Lutheran Church
Senior Housing
Las Vegas, NV

| | |
|---|---|
| Commission No. | 21752-09035 |
| Drawn by | WI / LJH |
| Date | 5/27/09 |
| Sheet | 1 |

**SDR-34602**
**07/09/09 PC**

| | | | | |
|---|---|---|---|---|
| **SDR 34602** | | | | |
| **The Lakes Lutheran Church** | | | | |
| | | | | |
| **8200 W. Sahara Ave.** | | | | |
| | | | | |
| Proposed 100.9 thousand square foot addition of senior adult housing and a church expansion of an existing church site. | | | | |
| | | | | |
| **Traffic produced by proposed development:** | | | | |
| | | | | |
| **Existing Use** | DESCRIPTION | #UNIT | RATE/# UNIT | TOTAL |
| Average Daily Traffic (ADT) | CHURCH [1000 SF] | 13.8 | 9.11 | 126 |
| AM Peak Hour | | | 0.72 | 10 |
| PM Peak Hour | | | 0.66 | 9 |
| *(heaviest 60 minutes)* | | | | |
| | | | | |
| **Proposed Addition** | DESCRIPTION | #UNIT | RATE/# UNIT | TOTAL |
| Average Daily Traffic (ADT) | SENIOR ADULT HOUSING-ATTACHED [OCC.DWELL] | 33 | 3.48 | 115 |
| AM Peak Hour | | | 0.08 | 3 |
| PM Peak Hour | | | 0.11 | 4 |
| *(heaviest 60 minutes)* | | | | |
| | | | | |
| **Proposed Addition** | DESCRIPTION | #UNIT | RATE/# UNIT | TOTAL |
| Average Daily Traffic (ADT) | ADULT CONG. LIVING FAC [DWELL] | 41 | 2.02 | 83 |
| AM Peak Hour | | | 0.06 | 3 |
| PM Peak Hour | | | 0.17 | 7 |
| *(heaviest 60 minutes)* | | | | |
| | | | | |
| **Proposed Addition** | DESCRIPTION | #UNIT | RATE/# UNIT | TOTAL |
| Average Daily Traffic (ADT) | ASSISTED LIVING [BEDS] | 22 | 2.66 | 59 |
| AM Peak Hour | | | 0.14 | 4 |
| PM Peak Hour | | | 0.22 | 5 |
| *(heaviest 60 minutes)* | | | | |
| | | | | |
| **Proposed Addition** | DESCRIPTION | #UNIT | RATE/# UNIT | TOTAL |
| Average Daily Traffic (ADT) | CHURCH [1000 SF] | 4.9 | 9.11 | 45 |
| AM Peak Hour | | | 0.72 | 4 |
| PM Peak Hour | | | 0.66 | 3 |
| *(heaviest 60 minutes)* | | | | |
| | | | | |
| **Net Increase** | DESCRIPTION | #UNIT | | TOTAL |
| Average Daily Traffic (ADT) | CHURCH EXPANSION [1000 SF] | 100.9 | | 302 |
| AM Peak Hour | | | | 14 |
| PM Peak Hour | | | | 19 |
| *(heaviest 60 minutes)* | | | | |

| | | | | |
|---|---|---|---|---|
| **Existing traffic on all nearby streets:** | | | | |
| | | | | |
| **Sahara Ave.** | | | | |
| Average Daily Traffic (ADT) | 53,327 | | | |
| PM Peak Hour | 4,266 | | | |
| *(heaviest 60 minutes)* | | | | |
| | | | | |
| **Cimarron Rd.** | | | | |
| Average Daily Traffic (ADT) | 11,419 | | | |
| PM Peak Hour | 914 | | | |
| *(heaviest 60 minutes)* | | | | |
| | | | | |
| **Traffic Capacity of adjacent streets:** | | | | |
| | Existing Street Capacity | | | |
| Sahara Ave. | 51800 | | | |
| Cimarron Rd. | 33915 | | | |
| | | | | |
| This project will add approximately 302 trips per day on Sahara Ave. and Cimarron Rd. This will increase expected volumes by about 1 percent on Sahara and by about 3 percent on Cimarron. Sahara is currently over capacity and Cimarron is at about 34 percent of capacity. | | | | |
| | | | | |
| Based on Peak Hour use, this development will add roughly 19 additional cars into the area; which works out to about 1 every 3 minutes. | | | | |
| | | | | |
| Note that this report assumes all traffic from this development uses all named streets. | | | | |




SDR-34602 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
8200 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

06/04/09



SDR-34602 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
8200 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

06/04/09



SDR-34602 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
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SDR-34602 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
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SDR-34602 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
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SDR-34602 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH
8200 WEST SAHARA AVENUE
JULY 9, 2009 PLANNING COMMISSION

06/04/09

KUMMER KAEMPFER
ATTORNEYS AT LAW

LAS VEGAS OFFICE
info@kkbrf.com

KUMMER KAEMPFER BONNER
RENSHAW & FERRARIO

LAS VEGAS OFFICE
3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, NV 89169
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
5585 Kietzke Lane
Reno, NV 89511
Tel: 775.852.3900
Fax: 775.852.3982

CARSON CITY OFFICE
510 W. Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

June 18, 2009

**VIA HAND DELIVERY**

RECEIVED
09 JUN 18 AM 10:36
PLANNING AND DEVELOPMENT

City of Las Vegas
Planning & Development Department
731 S. Fourth Street
Las Vegas, NV 89101

***Re: Amended Justification Letter –Lakes Lutheran Church Assisted Living Apartment Memory Care Facility***
***GPA, Zone Change, SDR and Use Permits***
***APN 163-04-408-003***

To Whom It May Concern:

Please be advised this office represents Lakes Lutheran Church (the "Applicant") in the above referenced matter. The Applicant is proposing a site development review for a senior apartment project located on the northwest corner of Sahara Avenue and Cimarron Road, more particularly known as APN 163-04-408-003 (the "Site"). In conjunction with the SDR, the Applicant is proposing a change to the general plan for the northern portion of the Site to service commercial, zone change to C-1 for the entire Site, and use permits to allow a senior project.

**General Plan Amendment**

The Applicant is requesting the Site's general plan be changed to service commercial for the portion of the Site that fronts Via Olivero Avenue. The portion of the Site that fronts Sahara Avenue is already planned service commercial. Additionally, the properties to the west and east of the Site are general planned service commercial. Both of these properties are similar to the Site. Both properties have frontage on Sahara Avenue and Via Olivero Avenue. Therefore, a change in the general plan to service commercial for the Site is compatible to the surrounding area.

GPA-34600 ZON-34601
VAR-34605 SUP-34604
SUP-34606 SUP-34608
SDR-34602 07/09/09 PC
REVISED

LAW FIRMS WORLDWIDE MERITAS

## Zone Change

The Applicant is also requesting a zone change to rezone the entire Site to C-1. There is currently a church on a portion of the Site. A church is a permitted use in a C-1 zoned district. The church building configuration and layout is remaining the same from its previous approval and therefore conforms to the previous site plan approval. The zone change also makes sense because it is consistent with other properties in the area (the property to the west is zoned C-1 and the property to the east is zoned C-1 and O on the northern portion of the property). Therefore, a zone change for the Site to C-1 is compatible.

## Site Development Review

**Overview:**

The existing church fronts on Sahara Avenue. The proposed senior housing is on the northern portion of the Site with frontage on Via Olivero. The building configuration is a combination L&T shape scheme with a courtyard in the memory part of the plan. Other amenities are shown throughout the proposed expansion, which include beauty/barber shop, library, child daycare, café, kitchen, dining area, general store, fitness room, home health, laundry, spa activity room and community room. The spa is primarily for memory care patients and on occasion is will be made available for home health care patients. The beauty/barber shop is located on the second floor and is for residents only. Most of these commercial amenities will be on the first floor. The total number of units for the three different living areas offered is 96.

**Elevations:**

The height of the combination building will be 49.6 feet. The architectural theme is an L&T shape scheme to make up the entire expansion into one building.

In conjunction with SDR, the following use permits are required:

1. Assisted Living: Assisted living apartments are defined as "an apartment or apartment complex which provides personal care services to senior citizens for daily living needs". Such services may include, but are not limited to, preparation and service of meals, housekeeping, laundry, monitoring of rooms, monitoring of medication, or assistance with bathing.

2. Memory Care/Assisted Living Plus: Convalescent care facility/nursing home is defined as "means a building or structure designed, used, or intended to be used to house and provide care for persons who have a chronic physical or mental illness or infirmity, but who do not need medical, surgical or other specialized treatment normally provided by a hospital. The term includes a rest home and a nursing home, but does not include an assisted living apartment, a hospital or other medical facility that is specifically defined in this Chapter". There will be 22 employees at the during week.

GPA-34600 ZON-34601
VAR-34605 SUP-34604
SUP-34606 SUP-34608
SDR-34602 07/09/09 PC
REVISED

3. Independent Living (Senior Apartments): An apartment house or other multi-family dwelling in which each unit is occupied by at least one person fifty-five years of age or older. The term includes an apartment house or other multi-family dwelling that qualifies as "housing for older persons" under the provisions of Federal law, including without limitation housing developments that:

    1. Provide significant facilities and services specifically designed to meet the physical or social needs of older persons; and

    2. Publish and adhere to policies and procedures that demonstrate an intent to provide housing for persons fifty-five years of age or older to the extent allowed by applicable State or Federal law.

4. Child Daycare Facility: In conjunction with the church, the Applicant is also proposing a daycare facility. The daycare facility will accommodate no more than 50 children. During any given shift, there will be no more than 6 employees. The daycare use will operate during 6:30 am and 6:00 pm, Monday thru Friday. Parents will be dropping off their children and picking them up at varying hours, so they should not cause much impact.

5. Parking Reduction: The Site requires 202 parking spaces per Title 19 of the Las Vegas Municipal Code. The Site, however, is providing 160 parking spaces, or about 20% parking reduction. The church use, which requires the most amount of parking, will be predominately used on Saturday evenings and Sundays, during times which the other uses (i.e. childcare facility) will not be open. Additionally, the childcare facility will not generate much parking because it will be primarily drop-offs in the morning and pick-ups in the evening. Because many of the uses on the Site do not overlap in times and days of operation, the amount of proposed parking is adequate.

We thank you in advance for your consideration of this much needed expansion at the church.

Sincerely,

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO

Tom Combs

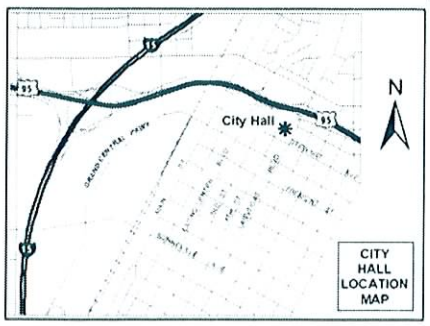
GPA-34600 ZON-34601
VAR-34605 SUP-34604
SUP-34606 SUP-34608
SDR-34602 07/09/09 PC
REVISED

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.41⁴
0004279218 JUN 26 2009
MAILED FROM ZIP CODE 89101

**Return Service Requested**
**Official Notice of Public Hearing**




RECEIVED
JUN 30 2009

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SDR-34602**
Planning Commission Meeting of 7/9/2009

Case: SDR-34602
16304413018
REINEKE KURT B JR & CHERYL BETH
2204 TRIDENT MAPLE ST
LAS VEGAS NV 89117-1893

DAVDP11 89117

28A

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

## *AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT*
### PLANNING COMMISSION MEETING OF: JULY 9, 2009

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

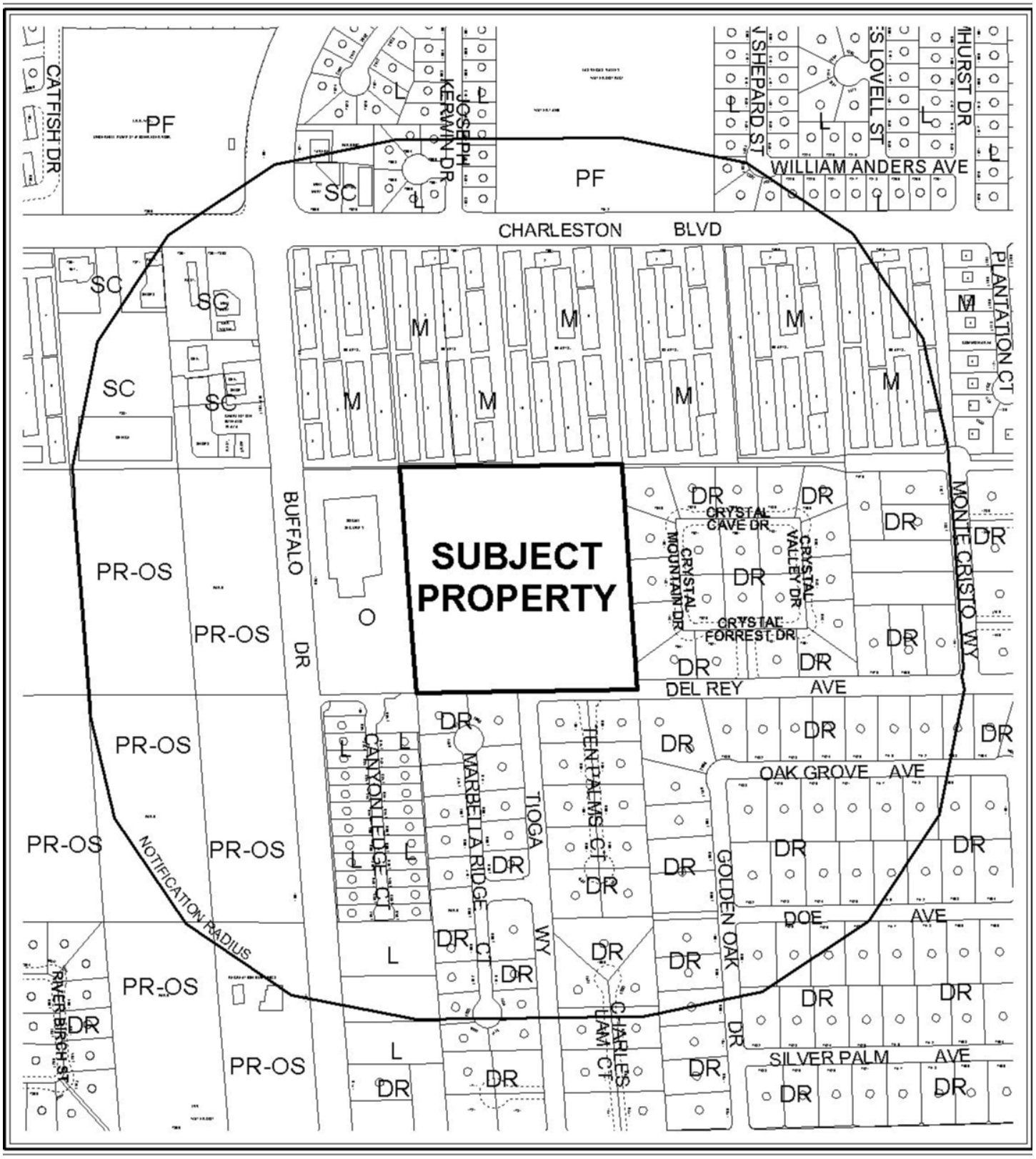
**SUBJECT:**
**GPA-34610 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: FLO TV, INC - OWNER: UNITED STATES OF AMERICA** - Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: PF (PUBLIC FACILITIES) on 10.89 acres located on the north side of Del Rey Avenue, approximately 900 feet west of Monte Cristo Way (APN 163-03-101-001), Ward 2 (Wolfson)

**C.C.: 08/05/2009**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **2** | **Planning Commission Mtg.** | **0** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
**APPROVAL**

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Grant Details Letter from U.S. Department of the Interior Bureau of Land Management
7. Protest Postcards




**CASE:** **GPA-34610**

**RADIUS:** 1000 FT

**GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:**
DR (DESERT RURAL DENSITY RESIDENTIAL)

**PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:**
PR-OS (PARKS/RECREATION/OPEN SPACE)




0 300 600 Feet

**CASE:** **GPA-34610**

**RADIUS:** 1000 FT

**GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:**
DR (DESERT RURAL DENSITY RESIDENTIAL)

**PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:**
PR-OS (PARKS/RECREATION/OPEN SPACE)

N

City of Las Vegas

## *AGENDA MEMO*

**PLANNING COMMISSION MEETING DATE: JULY 9, 2009**
**DEPARTMENT: PLANNING AND DEVELOPMENT**
**ITEM DESCRIPTION: GPA-34610 - APPLICANT: FLO TV, INC - OWNER: UNITED STATES OF AMERICA**

# ** CONDITIONS **

**STAFF RECOMMENDATION: APPROVAL.**

BTS

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The subject site is an unimproved lot containing an existing 321-foot tall, non-conforming Radio, TV or Microwave Communication Tower, located on the north side of Del Rey Avenue, approximately 900 feet west of Monte Cristo Way. The applicant is proposing to expand the use by adding an antenna to the tower and related support equipment on the ground. As the expansion of this non-conforming use of the site is not permitted, the applicant is requesting this General Plan Amendment to change the General Plan designation from DR (Desert Rural Density Residential) to PF (Public Facilities). The result of this change, combined with the approval of an associated request for Rezoning (ZON-34611), will be that the existing use of the site will become a conforming use, and could then be expanded through the approval of a Site Development Plan Review (SDR-34612). Denial of this request will require that the associated requests also be denied, and the use will remain as a non-conforming use in its current configuration. Staff is recommending approval of this request as the use of the site for the communications tower has been in existence since 1975, and the requested change in the General Plan is compatible with the adjacent surrounding uses.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 02/05/86 | The City Council approved an Annexation (A-0009-85) of property located on the south side of Charleston Boulevard between Fort Apache Road and Torrey Pines Drive for 1,470 acres of various zoning classifications. The Planning Commission and staff recommended approval of the request. The effective date of the Annexation was 03/28/86. |
| 11/23/98 | The City Council approved a General Plan Amendment (GPA-0027-98) to amend a portion of the Southwest Sector of the General Plan on properties bounded by Holmby Channel, Via Olivero Avenue, Rainbow Boulevard, and Durango Drive, from R (Rural Density Residential) to DR (Desert Rural Density Residential). The Planning Commission and staff recommended approval of the request. |
| 11/08/07 | A Code Enforcement citation (#59678) was issued at the northwest corner of Del Rey Avenue and Tioga Way for trash and debris. Code Enforcement closed the case on 11/15/07. |
| 10/08/08 | A Code Enforcement citation (#70520) was issued at the northwest corner of Del Rey Avenue and Tioga Way for trash and debris. Code Enforcement closed the case on 10/14/08. |

| | |
|---|---|
| 07/09/09 | The Planning Commission will consider a related Rezoning (ZON-34611) from R-E (Residence Estates) to C-V (Civic) and a Site Development Plan Review (SDR-34612) for an existing 321-foot Radio, TV or Microwave Communication Tower and the installation of a one antenna at a height of 300 feet on an existing tower on 10.89 acres located on the north side of Del Rey Avenue, approximately 900 feet west of Monte Cristo Way. Staff is recommending approval of the related Rezoning and the Site Development Plan Review. |
| ***Related Building Permits/Business Licenses*** | |
| 09/30/74 | A Grant lease (#N-7884) was approved by the Bureau of Land Management for a communications site. The Grant lease will expire on September 29, 2024. |
| 09/31/74 | A Building Permit (#BP-19,658) was issued by the United States of America Federal Communications Commission for a 321-foot antenna. The permit was finaled on 07/31/75. |
| ***Pre-Application Meeting*** | |
| 05/08/09 | The following items were discussed at the pre-application meeting:<br>• The existing 321-foot communication tower and associated equipment was discussed.<br>• The proposed co-location of a 25-foot antenna, new satellite dishes and related equipment was discussed.<br>• Staff discussed the proposed General Plan Amendment from DR (Desert Rural Density Residential) to PF (Public Facilties). |
| ***Neighborhood Meeting*** | |
| 06/10/09 | A neighborhood meeting was held at 6:30 pm at the Johnson Community School located at 340 Vila Monterey Drive, Las Vegas, Nevada 89145. There were 15 members of the public, four representations of the applicant and one member of the Planning and Development Department present.<br><br>The following is a list of questions, concerns and comments from the attendants of the meeting:<br>• The site is not being properly maintained as it has graffiti and trash on it.<br>• The site has illegal activity occurring on it.<br>• No landscaping is being proposed as a part of the application.<br>• No buffer wall or fence is being proposed as a part of the application.<br>• A request to have the notice area increased for the entire area from Cimarron to Rainbow to Sahara to Charleston.<br>• There was a consensus of opposition towards the new tower and the change in land use and zoning. |

| *Field Check* | |
|---|---|
| 06/04/09 | A field check was completed on the indicated date. Planning and Development found the following items;<br>• Staff identified the existing 321-foot communication tower and the related equipment enclosed by chain-link and barbed wire fencing.<br>• Staff verified that there is graffiti and debris on the subject site. A condition of approval has been added to the Site Development Plan Review (SDR-34612) to correct this issue. |

| *Details of Application Request* | |
|---|---|
| *Site Area* | |
| Gross Acres | 10.89 acres |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|---|---|---|---|
| Subject Property | Communication Tower | DR (Desert Rural Residential) [Proposed: PF (Public Facilities)] | R-E (Residence Estates) [Proposed: C-V (Civic)] |
| North | Apartments | M (Medium Density Residential) | R-3 (Medium Density Residential) |
| South | Single-Family Dwellings | DR (Desert Rural Density Residential) | R-PD2 (Residential Planned Development – 2 Units per Acre) and R-E (Residence Estates) |
| East | Single-Family Dwellings | DR (Desert Rural Density Residential) | R-E (Residence Estates) |
| West | Social Security Building | O (Office) | O (Office) |

| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
|---|---|---|---|
| **Special Area Plan** | | X | N/A |
| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
| **Special Purpose and Overlay Districts** | | X | N/A |
| **Trails** | | X | N/A |
| **Rural Preservation Overlay District** | X | | Y |
| **Development Impact Notification Assessment** | | X | N/A |
| **Project of Regional Significance** | | X | N/A |

## ANALYSIS

The existing use of the subject site for a communication tower is a non-conforming use of the land and cannot be expanded, pursuant to Title 19.16.030 (D). Approval of the subject General Plan Amendment to PF (Public Facilities) land use designation and related Rezoning (ZON-34611) from DR (Desert Rural Residential) to C-V (Civic) zoning district, will allow the proposed Radio, TV or Microwave Communication Tower as a conforming use. The surrounding parcels to the south and east are also designated as DR (Desert Rural Density Residential), O (Office) to the west and M (Medium Density Residential) to the north.

The proposed (PF) Public Facilities land use designation is compatible with the surrounding land use designations and is an appropriate category for the Radio, TV or Microwave Communication Tower use proposed for this property through Site Development Plan Review (SDR-34612); therefore, staff recommends approval of this request.

## FINDINGS

Section 19.18.030.I of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,

2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,

3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and

4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

**In regard to "1":**

The applicant has proposed an addition of one antenna at a height of 300 feet on an existing tower on an existing 321-foot Radio, TV or Microwave Communication Tower. The proposed General Plan Amendment to PF (Public Facilities) allows large governmental building sites, complexes, police and fire facilities, non-commercial hospitals and rehabilitation sites, sewage treatment and storm water control facilities, schools, parks and other uses considered public or quasi-public such as libraries, clubs and public utility facilities, which will help to establish the use and expansion the Radio, TV or Microwave Communication Tower on the subject site. The adjacent land use designations include O (Office) to the west and DR (Desert Rural Density Residential) to the east and south, and M (Medium Density Residential) to the north, all of which are compatible with the proposed designation.

**In regard to "2":**

The zoning district allowed under the proposed General Plan designation is the C-V (Civic) district. The applicant has requested a zone change from R-E (Residence Estates) district as a companion item (ZON-34611). Minimum development standards for property in the C-V (Civic) district shall be established by the City Council in connection with the approval of a rezoning application or administratively in connection with the approval of a site development plan. The standards shall be designed to ensure compatibility of the development with existing and planned development in the surrounding area.

**In regard to "3":**

Access to the site is provided by Del Rey Avenue, a 60-foot Local Street as designated by the Master Plan of Streets and Highways. The subject property is located within an area of the City where all utilities, fire and police services are currently in place and available. Therefore, there are adequate facilities available to accommodate the uses and densities permitted by the proposed General Plan Amendment.

**In regard to "4":**

There are no other applicable plans and policies that apply to the subject site.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 14

**ASSEMBLY DISTRICT** 2

**SENATE DISTRICT** 8

**NOTICES MAILED** 158

**APPROVALS** 0

**PROTESTS** 2

PLANNING & DEVELOPMENT DEPARTMENT

# STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-34610 APN: 163-03-101-001

Name of Property Owner: USA GOVERNMENT - BLM -

Name of Applicant: MEDIA FLO - FLO TV, INC.

Name of Representative: Janice Manley

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: Janice Manley

STATE OF NEVADA
COUNTY OF CLARK

Print Name: Janice Manley

Subscribed and sworn before me

This 18 19th day of JUNE, 2009

Eddie LaRue

Notary Public in and for said County and State

EDDIE LARUE
Notary Public State of Nevada
No. 93-1085-1
My appt. exp. Mar. 15, 2013

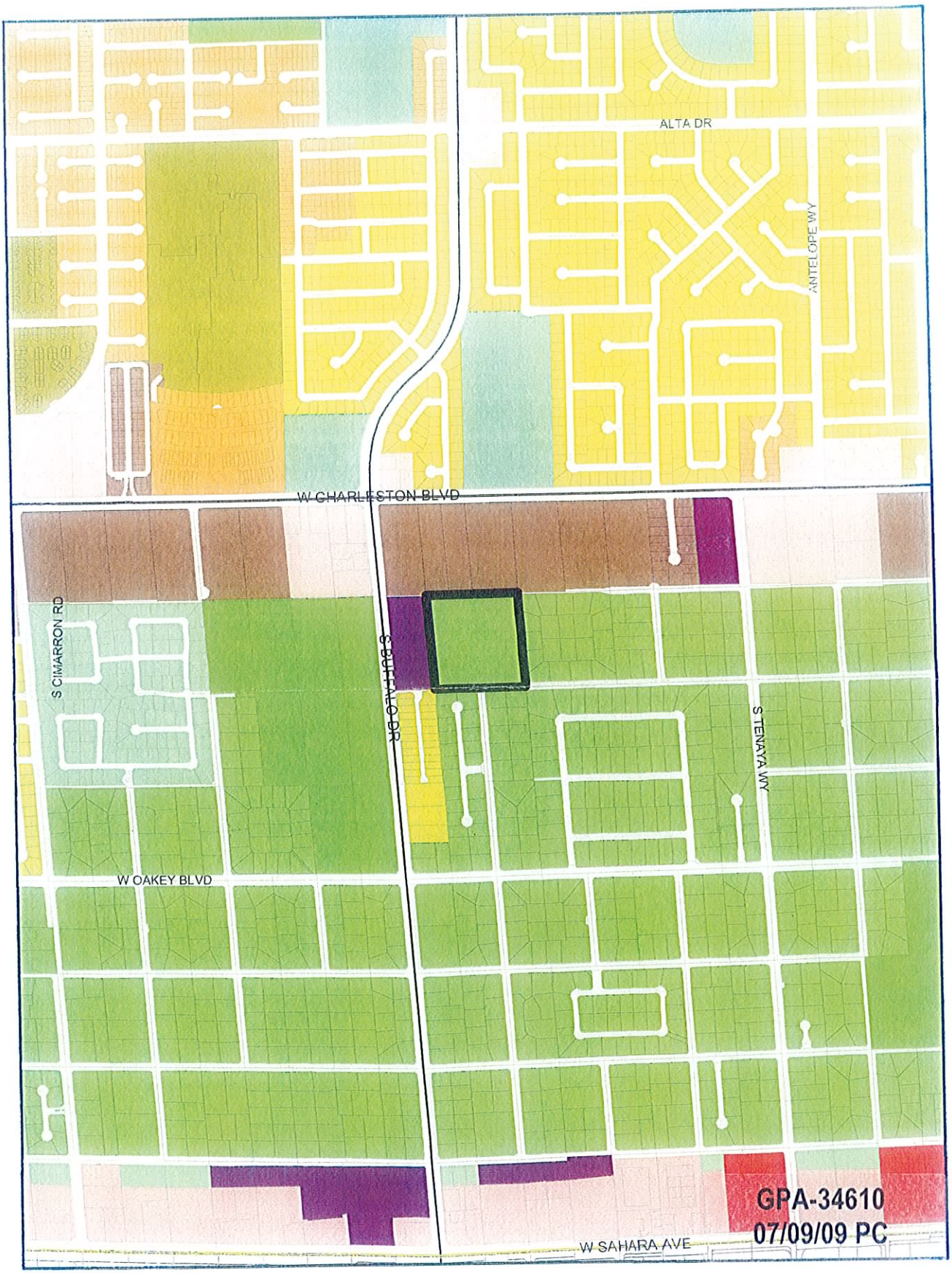
Revised 11-14-06

f:\depot\Application Packet\Statement of Financial Interest.pdf

RECEIVED

JUN 19 2009

# General Plan
## Parcel 163-03-101-001




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
Non-City
Right-of-Way

**FROM DR TO PR-OS**

RECEIVED
MAY 26 2009

PLANNING & DEVELOPMENT

Date Current as: May 18, 2009



GPA-34610 - APPLICANT: FLO TV, INC - OWNER: UNITED STATES OF AMERICA
NORTH SIDE OF DEL REY AVENUE, APPROXIMATELY 900 FEET WEST OF MONTE CRISTO WAY
JULY 9, 2009 PLANNING COMMISSION

06/04/09



GPA-34610 - APPLICANT: FLO TV, INC - OWNER: UNITED STATES OF AMERICA
NORTH SIDE OF DEL REY AVENUE, APPROXIMATELY 900 FEET WEST OF MONTE CRISTO WAY
JULY 9, 2009 PLANNING COMMISSION

06/04/09



GPA-34610 - APPLICANT: FLO TV, INC - OWNER: UNITED STATES OF AMERICA
NORTH SIDE OF DEL REY AVENUE, APPROXIMATELY 900 FEET WEST OF MONTE CRISTO WAY
JULY 9, 2009 PLANNING COMMISSION

06/04/09



GPA-34610 - APPLICANT: FLO TV, INC - OWNER: UNITED STATES OF AMERICA
NORTH SIDE OF DEL REY AVENUE, APPROXIMATELY 900 FEET WEST OF MONTE CRISTO WAY
JULY 9, 2009 PLANNING COMMISSION

06/04/09

May 26, 2009

City of Las Vegas
Planning & Development Department
731 South Fourth Street
Las Vegas, NV 89101

Re: Pre-Application request for GPA, ZON and SDR
APN 163-03-101-001 – near Intersection of Buffalo and Charleston

On behalf of FLO TV Inc., I respectfully request your consideration and acceptance of the attached application. This project is located on APN 163-03-101-001 on the north side of Del Rey, east of Buffalo and south of Charleston and is designed as a collocation of 1 UHF broadcast antenna to an existing 318.9-foot communication tower on a government owned, R-E zoned parcel.

FLO TV Inc. (www.flotv.com) – a provider of nationwide multimedia network services wireless devises enabling fast, simple, portable, reliable and affordable entertainment featuring live, simulcast and time shifted full-length television programming anytime and anywhere within FLO's coverage area – is now in the process of building a network in the greater Las Vegas valley. FLO has teamed up with the nation's largest television networks to offer a wide variety of television programming. Consumers can enjoy live sporting events, news, music videos, cartoons, and many of America's most popular television programs.

This application located on APN 163-03-101-001 is for one UHF antenna to be placed on the tower along with 2 Satellite KU band dishes, an emergency back-up generator, heat exchanger and IsoCoil to be placed at the base of the tower as well as inside the fenced in lease area with the transmitter, filter and pump assembly to be placed inside the existing communications building.

The property is currently zoned R-E for residential uses and, in order to add the installation proposed by FLO TV, this application for re-zoning is being submitted. This request is to change the current zoning designation of the property from R-E to CV to allow a communications site under the current zoning regulations. I am also submitting an application for General Plan Amendment to change the property designation from DR to PR-OS. A Site Plan Review application is also being submitted for review to insure that the proposed changes will adhere to the current ordinance pertaining to communications sites.

If you have any concerns regarding this application, please do not hesitate to contact me at (505) 250-6389.

Sincerely,

Janice Manley

Janice Manley
Site Acquisition Specialist
WFI, representing FLO TV Inc.
Janice.manley@wfinet.com

**Wireless Facilities, Inc.**
**representing FLO TV Inc.**
**10820 Nelle Avenue NE**
**Albuquerque, NM 87111**

**GPA-34610**
**07/09/09 PC**

Form NSO 2800-4
(Rev. Mar. 1971)
(Page 1)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Nevada State Office
Room 3008 Federal Building
300 Booth Street
Reno, Nevada 89502

2800
N-7884
(N-943.2)

September 30, 1974

# D E C I S I O N

## RIGHT-OF-WAY GRANTED

### Details of Grant

| | |
|---|---|
| Serial number of grant: | N-7884 |
| Name and address of grantee: | Nevada Broadcast, Inc.<br>925 East Desert Inn Road<br>Las Vegas, Nevada 89109 |
| Map showing location and dimensions of grant: | |
| Map designation: | KRAM Site |
| Date filed: | October 2, 1973 |
| Permitted use by grantee: | Communications Site |
| Authority for grant: | Act of March 4, 1911 (36 Stat. 1253; 43 U.S.C. 961) |
| Regulations applicable to grant: | |
| Code reference: | 43 CFR 2800 and 2861 |
| Circular number: | 2322 and 2327 |
| Date of grant: | September 30, 1974 |
| Expiration of grant: | September 29, 2024 |
| Rental: | $1,620.00 paid for the first 10-year period, subject to review and in accordance with 43 CFR 2802.1-7(e) |
| When payable by grantee: | On or before September 30, 1984 |

SDR-34612
ZON-34611
GPA-34610
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07/09/09 PC

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## Terms and Conditions of Grant

Pursuant to the authority vested in the undersigned by Order No. 701 of the Associate Director, Bureau of Land Management, dated July 23, 1964 (29 F.R. 10526), a right-of-way, the details of which are shown above, is hereby granted, subject to the following terms and conditions:

1. All valid rights existing on the date of grant.

2. All applicable regulations cited, including but not limited to 43 CFR 2801.1-5(m) which states: "That the right-of-way herein granted shall be subject to the express covenant that it will be modified, adapted, or discontinued if found by the Secretary to be necessary, without liability or expense to the United States, so as not to conflict with the use and occupancy of the land for any authorized works which may be hereafter constructed thereon under the authority of the United States."

3. Filing of proof of construction within five years of date of grant in accordance with 43 CFR 2802.2-2.

4. Although the out-boundaries of the site are described on the map accompanying the application, these boundaries are for identification purposes only and no exclusive rights are granted thereby. Any subsequent applicants may be granted space within the out-boundaries of the site (for example, between guy wires and buildings) for electronic use as long as no interference is generated to prior grantees. Any fence construction must first be cleared by the Bureau of Land Management.

5. The grantee shall not install or allow the installation of any other organization's electronic equipment in the grantee's building or attachment to the grantee's antenna support structures without the new organization obtaining a separate right-of-way from the Bureau of Land Management for the joint occupancy of the said facility.

6. All facilities and structures utilized by the grantee must display a permanent identification tag showing the user's name, address, phone number and Bureau of Land Management serial number.

7. **Stipulations signed by grantee and attached hereto.**



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8. Permittee shall survey and clearly mark the exterior limits of the right-of-way. All activities directly or indirectly associated with the construction or maintenance of this communications site must be conducted within the limits of the right-of-way.

Pursuant to 43 CFR 2801.1-5, the District Manager, Las Vegas, Nevada, has the authority to conduct all business with the grantee with respect to use of lands and disposition of resources, and the grantee is requested to contact the above-designated official prior to the beginning of construction.

(SGD) A. John Hillsamer

A. John Hillsamer, Chief
Lands & Minerals Operations

cc: DM, Las Vegas
Engineering, Attn: Jim Saladin w/cy Form 2860-1

ALDougherty:rp 9/30/74

Form NSO 2800-4 (August 1973)
(Page 3-d)

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Bur. of Land Management
10:53 A.M. MAY 3 1974
NEVADA STATE OFFICE
RENO, NEVADA

SPECIAL STIPULATIONS

Nevada Broadcast, Inc. agrees that in addition to the requirements of the regulations, it will be bound by the following special stipulations for right-of-way N-7884:

1. When antiquities, including but not limited to archaeological items, paleontological objects or other objects of historic or scientific interest are discovered while using the property, the permittee shall leave the items or conditions intact, will immediately cease operations, and inform the District Manager, Bureau of Land Management, Las Vegas District.

2. Restrict construction and maintenance vehicle travel to existing county and right-of-way access roads where possible.

3. The buildings will be painted so as to blend in with the surrounding area.

4. The Bureau of Land Management through its authorized representatives shall have the right at all reasonable times to go upon and enter the land and improvements constructed thereon for the purpose of inspecting same.

Jess B. Bowers
Signature

President
Title

April 30th 1974
Date

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JUN 19 2003

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279213 JUN 26 2009
MAILED FROM ZIPCODE 89101

**Return Service Requested**

**Official Notice of Public Hearing**




If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**GPA-34610 & ZON-34611**

Planning Commission Meeting of 7/9/2009

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JUN 30 2009

Case: GPA-34610

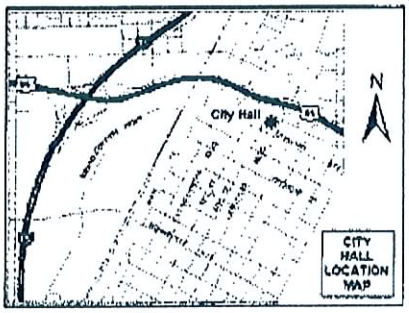
16303110012
DELDIN MICHAEL B
802 IOWA ST
LOS BANOS CA 93635-3450

DAVDP11 93635

29P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

**Return Service Requested**
**Official Notice of Public Hearing**

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☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**GPA-34610 & ZON-34611**
Planning Commission Meeting of 7/9/2009

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
ORNEY BOWES
02 1M $ 00.41⁴
0004279219 JUN 26 2009
MAILED FROM ZIP CODE 89101

RECEIVED
JUN 29 2009

Case: GPA-34610
16303210008
ANSPACH LAWRENCE C REVOCABLE TR
1509 GOLDEN OAK DR
LAS VEGAS NV 89117-1451

89117814518 0067

29P

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

## *AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT*
### PLANNING COMMISSION MEETING OF: JULY 9, 2009

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

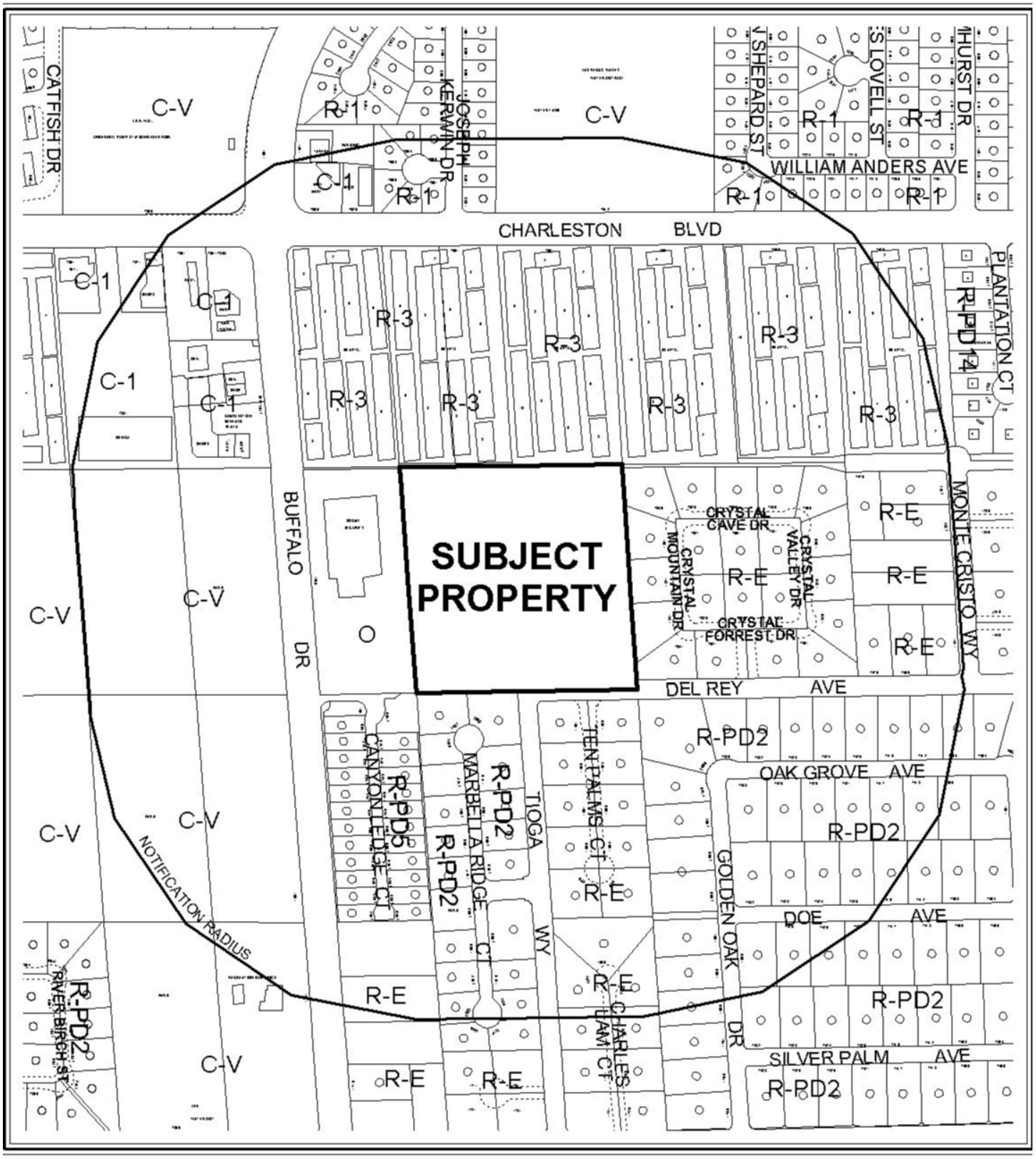
**SUBJECT:**
**ZON-34611 - REZONING RELATED TO GPA-34610 - PUBLIC HEARING - APPLICANT: FLO TV, INC - OWNER: UNITED STATES OF AMERICA** - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-V (CIVIC) on 10.89 acres located on the north side of Del Rey Avenue, approximately 900 feet west of Monte Cristo Way (APN 163-03-101-001), Ward 2 (Wolfson)

**C.C.: 08/05/2009**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **2** | **Planning Commission Mtg.** | **0** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
**APPROVAL**

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Grant Details Letter from U.S. Department of the Interior Bureau of Land Management
7. Protest Postcards

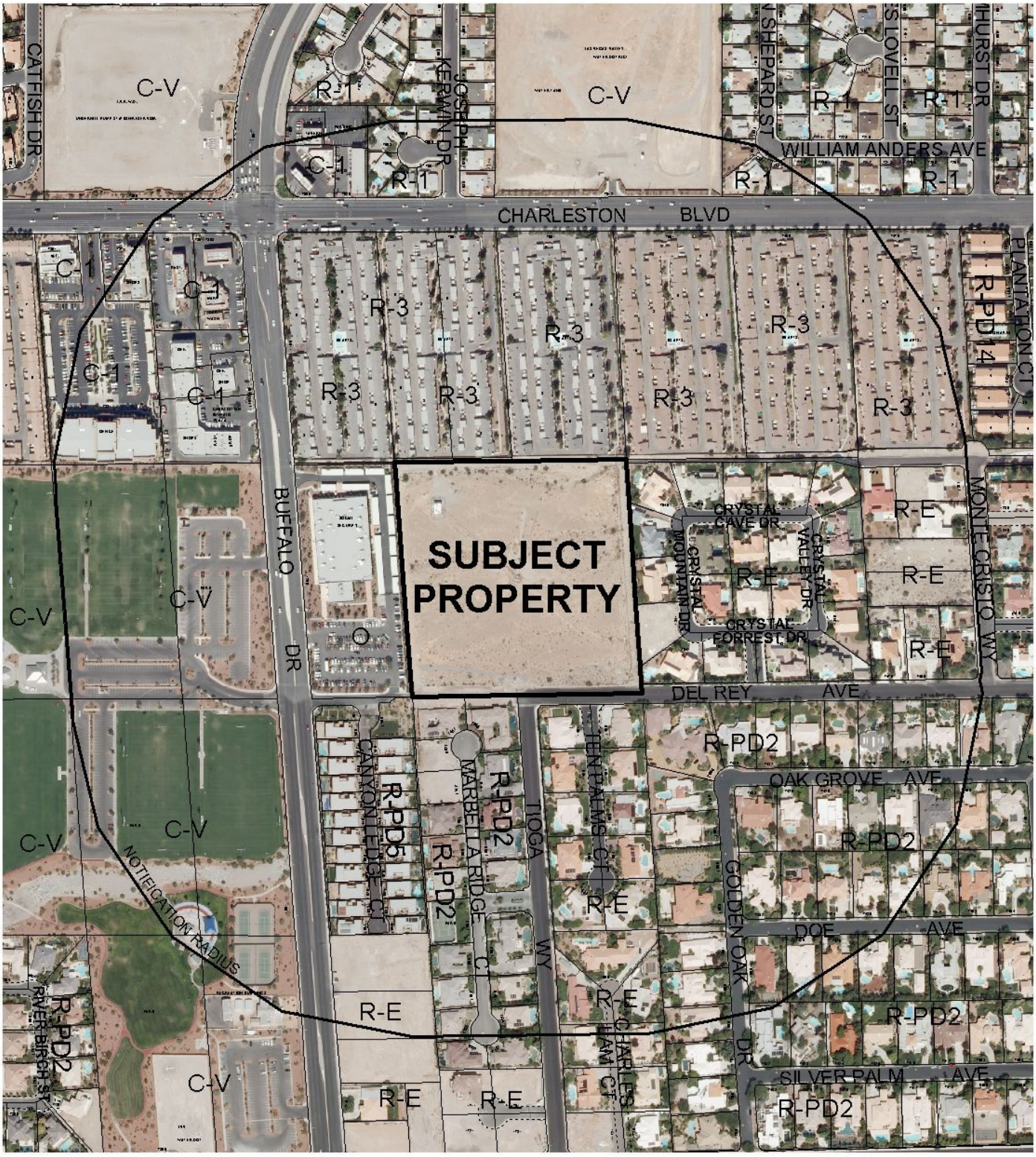



**CASE:** **ZON-34611**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:** R-E (RESIDENCE ESTATES)

**PROPOSED ZONING OF SUBJECT PROPERTY:** C-V (CIVIC)




0 400 800 Feet

**CASE:** **ZON-34611**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:** R-E (RESIDENCE ESTATES)

**PROPOSED ZONING OF SUBJECT PROPERTY:** C-V (CIVIC)

N

City of Las Vegas

## *AGENDA MEMO*

**PLANNING COMMISSION MEETING DATE: JULY 9, 2009**
**DEPARTMENT: PLANNING AND DEVELOPMENT**
**ITEM DESCRIPTION: ZON-34611 - APPLICANT: FLO TV, INC - OWNER: UNITED STATES OF AMERICA**

---

## ** CONDITIONS **

**STAFF RECOMMENDATION:** **APPROVAL,** subject to:

BTS

**ZON-34611 - Staff Report Page One**
**July 9, 2009 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The subject site is an unimproved lot containing an existing 321-foot tall, non-conforming Radio, TV or Microwave Communication Tower, located on the north side of Del Rey Avenue, approximately 900 feet west of Monte Cristo Way. The applicant is proposing to expand the use by adding an antenna to the tower and related support equipment on the ground. As the expansion of this non-conforming use of the site is not permitted, the applicant is requesting this Rezoning from the R-E (Residence Estates) to the C-V (Civic) zoning district. The result of this change, combined with the approval of an associated request for a General Plan Amendment (GPA-34610), will be that the existing use of the site will become a conforming use, and could then be expanded through the approval of a Site Development Plan Review (SDR-34612). Denial of this request will require that the associated requests also be denied, and the use will remain as a non-conforming use in its current configuration. Staff is recommending approval of this request as the use of the site for the communications tower has been in existence since 1975, and the requested Rezoning is compatible with the adjacent surrounding zoning districts.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 02/05/86 | The City Council approved an Annexation (A-0009-85) of property located on the south side of Charleston Boulevard between Fort Apache Road and Torrey Pines Drive for 1,470 acres of various zoning classifications. The Planning Commission and staff recommended approval of the request. The effective date of the Annexation was 03/28/86. |
| 11/23/98 | The City Council approved a General Plan Amendment (GPA-0027-98) to amend a portion of the Southwest Sector of the General Plan on properties bounded by Holmby Channel, Via Olivero Avenue, Rainbow Boulevard, and Durango Drive, from R (Rural Density Residential) to DR (Desert Rural Density Residential). The Planning Commission and staff recommended approval of the request. |
| 11/08/07 | A Code Enforcement citation (#59678) was issued at the northwest corner of Del Rey Avenue and Tioga Way for trash and debris. Code Enforcement closed the case on 11/15/07. |
| 10/08/08 | A Code Enforcement citation (#70520) was issued at the northwest corner of Del Rey Avenue and Tioga Way for trash and debris. Code Enforcement closed the case on 10/14/08. |

| | |
|---|---|
| 07/09/09 | The Planning Commission will consider a related General Plan Amendment (GPA-34610) request to Amend a portion of the Southwest Sector Plan of the General Plan from DR (Desert Rural Density Residential) to PF (Public Facilities) and a Site Development Plan Review (SDR-34612) for an existing 321-foot Radio, TV or Microwave Communication Tower and the installation of a one antenna at a height of 300 feet on an existing tower on 10.89 acres located on the north side of Del Rey Avenue, approximately 900 feet west of Monte Cristo Way. Staff is recommending approval of the General Plan Amendment and the Site Development Plan Review. |
| ***Related Building Permits/Business Licenses*** | |
| 09/30/74 | A Grant lease (#N-7884) was approved by the Bureau of Land Management for a communications site. The Grant lease will expire on September 29, 2024. |
| 09/31/74 | A Building Permit (#BP-19,658) was issued by the United States of America Federal Communications Commission for a 321-foot antenna. The permit was finaled on 07/31/75. |
| ***Pre-Application Meeting*** | |
| 05/08/09 | The following items were discussed at the pre-application meeting:<br>• The existing 321-foot communication tower and associated equipment was discussed.<br>• The proposed co-location of a 25-foot antenna, new satellite dishes and related equipment was discussed. |
| ***Neighborhood Meeting*** | |
| 06/10/09 | A neighborhood meeting was held at 6:30 pm at the Johnson Community School located at 340 Vila Monterey Drive, Las Vegas, Nevada 89145. There were 15 members of the public, four representations of the applicant and one member of the Planning and Development Department present.<br><br>The following is a list of questions, concerns and comments from the attendants of the meeting:<br>• The site is not being properly maintained as it has graffiti and trash on it.<br>• The site has illegal activity occurring on it.<br>• No landscaping is being proposed as a part of the application.<br>• No buffer wall or fence is being proposed as a part of the application.<br>• A request to have the notice area increased for the entire area from Cimarron to Rainbow to Sahara to Charleston.<br>There was a consensus of opposition towards the new tower and the change in land use and zoning. |

**ZON-34611 - Staff Report Page Three**
**July 9, 2009 - Planning Commission Meeting**

| *Field Check* | |
|---|---|
| 06/04/09 | A field check was completed on the indicated date. Planning and Development found the following items;<br>• Staff identified the existing 321-foot communication tower and the related equipment enclosed by chain-link and barbed wire fencing.<br>• Staff verified that there is graffiti and debris on the subject site. A condition of approval has been added to the Site Development Plan Review (SDR-34612) to correct this issue. |

| *Details of Application Request* | |
|---|---|
| ***Site Area*** | |
| Gross Acres | 10.89 acres |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|---|---|---|---|
| Subject Property | Communication Tower | DR (Desert Rural Residential) [Proposed: PF (Public Facilities)] | R-E (Residence Estates) [Proposed: C-V (Civic)] |
| North | Apartments | M (Medium Density Residential) | R-3 (Medium Density Residential) |
| South | Single-Family Dwellings | DR (Desert Rural Density Residential) | R-PD2 (Residential Planned Development – 2 Units per Acre) and R-E (Residence Estates) |
| East | Single-Family Dwellings | DR (Desert Rural Density Residential) | R-E (Residence Estates) |
| West | Social Security Building | O (Office) | O (Office) |

| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
|---|---|---|---|
| **Special Area Plan** | | X | N/A |
| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
| **Special Purpose and Overlay Districts** | | X | N/A |
| **Trails** | | X | N/A |
| **Rural Preservation Overlay District** | X | | Y |
| **Development Impact Notification Assessment** | | X | N/A |
| **Project of Regional Significance** | | X | N/A |

## DEVELOPMENT STANDARDS

***Pursuant to Title 19.06.020, the following standards are proposed:***

| *Standard* | *Provided* |
|---|---|
| Min. Lot Size | A portion of a 10.89 acre site |
| Min. Setbacks<br>• Front (Del Rey Avenue)<br>• Side (East property line)<br>• Side (West property line)<br>• Rear (North property line) | <br>548 Feet<br>554 Feet<br>106 Feet<br>114 Feet |
| Max. Building Height (Structure) | 321 Feet |
| Mech. Equipment | Screened |

## ANALYSIS

The subject site has a General Plan designation of DR (Desert Rural Density Residential). The applicant is proposing a General Plan designation of PF (Public Facilities). The PF (Public Facilities) land use designation will allow conformance with the proposed C-V (Civic) zoning designation.

This request would Rezone the subject site from R-E (Residence Estates) to C-V (Civic), which is intended for a 321-foot Radio, TV or Microwave Communication Tower. The C-V (Civic) district is consistent with the PF (Public Facilities) category of the General Plan

As the proposed C-V (Civic) zoning district is consistent with the proposed PF (Public Facilities) General Plan designation, and the proposal is compatible with the surrounding land uses, staff is recommending approval of this request.

## FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. **"The proposal conforms to the General Plan."**

   The proposed C-V (Civic) zoning district is consistent with the proposed PF (Public Facilities) land use category and conforms to the General Plan.

2. **"The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts."**

The uses allowed by the C-V (Civic) zoning district are compatible with the surrounding land uses and zoning districts.

3. **"Growth and development factors in the community indicate the need for or appropriateness of the rezoning."**

The existing Radio, TV or Microwave Communication Tower is non-conforming in the existing R-E (Residence Estates) zoning district. Rezoning the subject site will bring the property into conformance with Title 19 and establish the existing use and its expansion.

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 site is accessed from Del Rey Avenue, a 60-foot Local Street, as designated by the Master Plan of Streets and Highways. This street is adequate to meet the requirement of the proposed zoning district. The subject use will produce a negligible increase in traffic volumes.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 14

**ASSEMBLY DISTRICT** 2

**SENATE DISTRICT** 8

**NOTICES MAILED** 158

**APPROVALS** 0

**PROTESTS** 2

PLANNING & DEVELOPMENT

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-34611** APN: 163-03-101-001

Name of Property Owner: USA GOVERNMENT - BLM -

Name of Applicant: MEDIA FLO - FLO TV, INC.

Name of Representative: Janice Manley

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: Janice Manley

Print Name: Janice Manley

Subscribed and sworn before me

This 19 day of JUNE, 2009

Notary Public in and for said County and State

EDDIE LARUE
Notary Public State of Nevada
No. 93-1085-1
My appt. exp. Mar. 15, 2013

State of Nevada
County of Clark

Revised 11-14-06

f:\depot\Application Packet\Statement of Financial Interest.pdf

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# Zoning
## Parcel 163-03-101-001




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MAY 26 2009

**FROM RE TO CV**

**ZON-34611**
**07/09/09 PC**

| Zoning | | |
|---|---|---|
| U | R-2 | C-1 |
| R-A | R-3 | C-2 |
| R-E | R-4 | C-M |
| R-D | R-5 | M |
| R-PD | R-MHP | C-V |
| R-1 | P-R | C-PB |
| R-MH | N-S | P-C |
| R-CL | O | PD |
| | C-D | TC |

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

Data Current as: May 18, 2009



ZON-34611 - APPLICANT: FLO TV, INC - OWNER: UNITED STATES OF AMERICA
NORTH SIDE OF DEL REY AVENUE, APPROXIMATELY 900 FEET WEST OF MONTE CRISTO WAY
JULY 9, 2009 PLANNING COMMISSION

06/04/09



ZON-34611 - APPLICANT: FLO TV, INC - OWNER: UNITED STATES OF AMERICA
NORTH SIDE OF DEL REY AVENUE, APPROXIMATELY 900 FEET WEST OF MONTE CRISTO WAY
JULY 9, 2009 PLANNING COMMISSION

06/04/09



ZON-34611 - APPLICANT: FLO TV, INC - OWNER: UNITED STATES OF AMERICA
NORTH SIDE OF DEL REY AVENUE, APPROXIMATELY 900 FEET WEST OF MONTE CRISTO WAY
JULY 9, 2009 PLANNING COMMISSION

06/04/09



ZON-34611 - APPLICANT: FLO TV, INC - OWNER: UNITED STATES OF AMERICA
NORTH SIDE OF DEL REY AVENUE, APPROXIMATELY 900 FEET WEST OF MONTE CRISTO WAY
JULY 9, 2009 PLANNING COMMISSION

06/04/09

May 26, 2009

City of Las Vegas
Planning & Development Department
731 South Fourth Street
Las Vegas, NV 89101

Re: Pre-Application request for GPA, ZON and SDR
APN 163-03-101-001 – near Intersection of Buffalo and Charleston

On behalf of FLO TV Inc., I respectfully request your consideration and acceptance of the attached application. This project is located on APN 163-03-101-001 on the north side of Del Rey, east of Buffalo and south of Charleston and is designed as a collocation of 1 UHF broadcast antenna to an existing 318.9-foot communication tower on a government owned, R-E zoned parcel.

FLO TV Inc. (www.flotv.com) – a provider of nationwide multimedia network services wireless devises enabling fast, simple, portable, reliable and affordable entertainment featuring live, simulcast and time shifted full-length television programming anytime and anywhere within FLO's coverage area – is now in the process of building a network in the greater Las Vegas valley. FLO has teamed up with the nation's largest television networks to offer a wide variety of television programming. Consumers can enjoy live sporting events, news, music videos, cartoons, and many of America's most popular television programs.

This application located on APN 163-03-101-001 is for one UHF antenna to be placed on the tower along with 2 Satellite KU band dishes, an emergency back-up generator, heat exchanger and IsoCoil to be placed at the base of the tower as well as inside the fenced in lease area with the transmitter, filter and pump assembly to be placed inside the existing communications building.

The property is currently zoned R-E for residential uses and, in order to add the installation proposed by FLO TV, this application for re-zoning is being submitted. This request is to change the current zoning designation of the property from R-E to CV to allow a communications site under the current zoning regulations. I am also submitting an application for General Plan Amendment to change the property designation from DR to PR-OS. A Site Plan Review application is also being submitted for review to insure that the proposed changes will adhere to the current ordinance pertaining to communications sites.

If you have any concerns regarding this application, please do not hesitate to contact me at (505) 250-6389.

Sincerely,

Janice Manley

Janice Manley
Site Acquisition Specialist
WFI, representing FLO TV Inc.
Janice.manley@wfinet.com

**Wireless Facilities, Inc.**
**representing FLO TV Inc.**
**10820 Nelle Avenue NE**
**Albuquerque, NM 87111**

**ZON-34611**
**07/09/09 PC**

Form NSO 2800-4
(Rev. Mar. 1971)
(Page 1)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Nevada State Office
Room 3008 Federal Building
300 Booth Street
Reno, Nevada 89502

2800
N-7884
(N-943.2)

September 30, 1974

# D E C I S I O N

## RIGHT-OF-WAY GRANTED

### Details of Grant

| | |
|---|---|
| Serial number of grant: | N-7884 |
| Name and address of grantee: | Nevada Broadcast, Inc.<br>925 East Desert Inn Road<br>Las Vegas, Nevada 89109 |
| Map showing location and dimensions of grant: | |
| Map designation: | KRAM Site |
| Date filed: | October 2, 1973 |
| Permitted use by grantee: | Communications Site |
| Authority for grant: | Act of March 4, 1911 (36 Stat. 1253; 43 U.S.C. 961) |
| Regulations applicable to grant: | |
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| Expiration of grant: | September 29, 2024 |
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| When payable by grantee: | On or before September 30, 1984 |

SDR-34612
ZON-34611
GPA-34610
REVISED
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7. **Stipulations signed by grantee and attached hereto.**



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JUN 19 2003

8. Permittee shall survey and clearly mark the exterior limits of the right-of-way. All activities directly or indirectly associated with the construction or maintenance of this communications site must be conducted within the limits of the right-of-way.

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(SGD) A. John Hillsamer

A. John Hillsamer, Chief
Lands & Minerals Operations

cc: DM, Las Vegas
Engineering, Attn: Jim Saladin w/cy Form 2860-1

ALDougherty:rp 9/30/74

Form NSO 2800-4 (August 1973)
(Page 3-d)

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JUN 19 2003

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Bur. of Land Management
10:53 A.M. MAY 3 1974
NEVADA STATE OFFICE
RENO, NEVADA

SPECIAL STIPULATIONS

Nevada Broadcast, Inc. agrees that in addition to the requirements of the regulations, it will be bound by the following special stipulations for right-of-way N-7884:

1. When antiquities, including but not limited to archaeological items, paleontological objects or other objects of historic or scientific interest are discovered while using the property, the permittee shall leave the items or conditions intact, will immediately cease operations, and inform the District Manager, Bureau of Land Management, Las Vegas District.

2. Restrict construction and maintenance vehicle travel to existing county and right-of-way access roads where possible.

3. The buildings will be painted so as to blend in with the surrounding area.

4. The Bureau of Land Management through its authorized representatives shall have the right at all reasonable times to go upon and enter the land and improvements constructed thereon for the purpose of inspecting same.

Jess B. Bowers
Signature

President
Title

April 30th 1974
Date

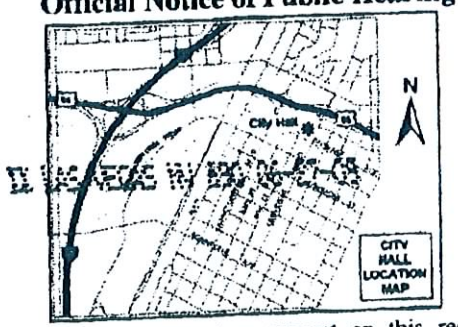
RECEIVED
JUN 19 2003

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.41⁴
0004279213 JUN 26 2009
MAILED FROM ZIPCODE 89101

**Return Service Requested**
**Official Notice of Public Hearing**




If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**GPA-34610 & ZON-34611**

Planning Commission Meeting of 7/9/2009

RECEIVED
JUN 30 2009

Case: GPA-34610

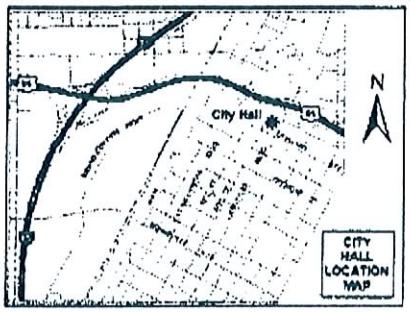
16303110012
DELDIN MICHAEL B
802 IOWA ST
LOS BANOS CA 93635-3450

DAVDF11 93635

30P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

**Return Service Requested**
**Official Notice of Public Hearing**

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**GPA-34610 & ZON-34611**
Planning Commission Meeting of 7/9/2009

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.41⁴
0004279218 JUN 26 2009
MAILED FROM ZIP CODE 89101

RECEIVED
JUN 29 2009

Case: GPA-34610
16303210008
ANSPACH LAWRENCE C REVOCABLE TR
1509 GOLDEN OAK DR
LAS VEGAS NV 89117-1451

89117814518 0067

30P

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

## *AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT*
### PLANNING COMMISSION MEETING OF: JULY 9, 2009

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

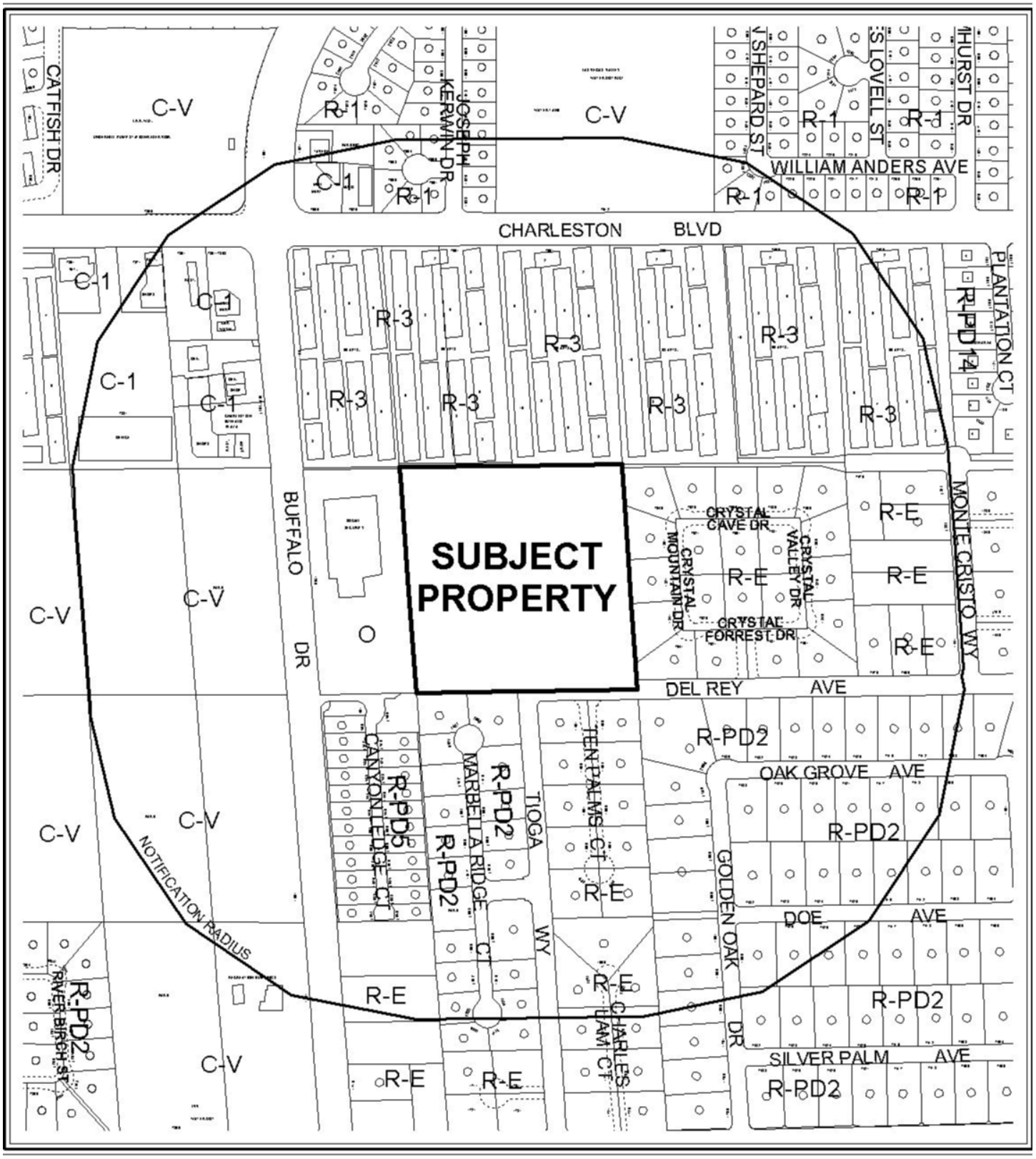
**SUBJECT:**
**SDR-34612 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-34610 AND ZON-34611 - PUBLIC HEARING - APPLICANT: FLO TV, INC - OWNER: UNITED STATES OF AMERICA** - Request for a Site Development Plan Review FOR AN EXISTING 321-FOOT RADIO, TV OR MICROWAVE COMMUNICATION TOWER AND THE INSTALLATION OF ONE ANTENNA AT A HEIGHT OF 300 FEET ON AN EXISTING TOWER on 10.89 acres located on the north side of Del Rey Avenue, approximately 900 feet west of Monte Cristo Way (APN 163-03-101-001), R-E (Residence Estates) Zone [PROPOSED: C-V (Civic)], Ward 2 (Wolfson)

**C.C.: 08/05/2009**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **1** | **Planning Commission Mtg.** | **0** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
**APPROVAL**

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Grant Details Letter from U.S. Department of the Interior Bureau of Land Management
7. Protest Postcard

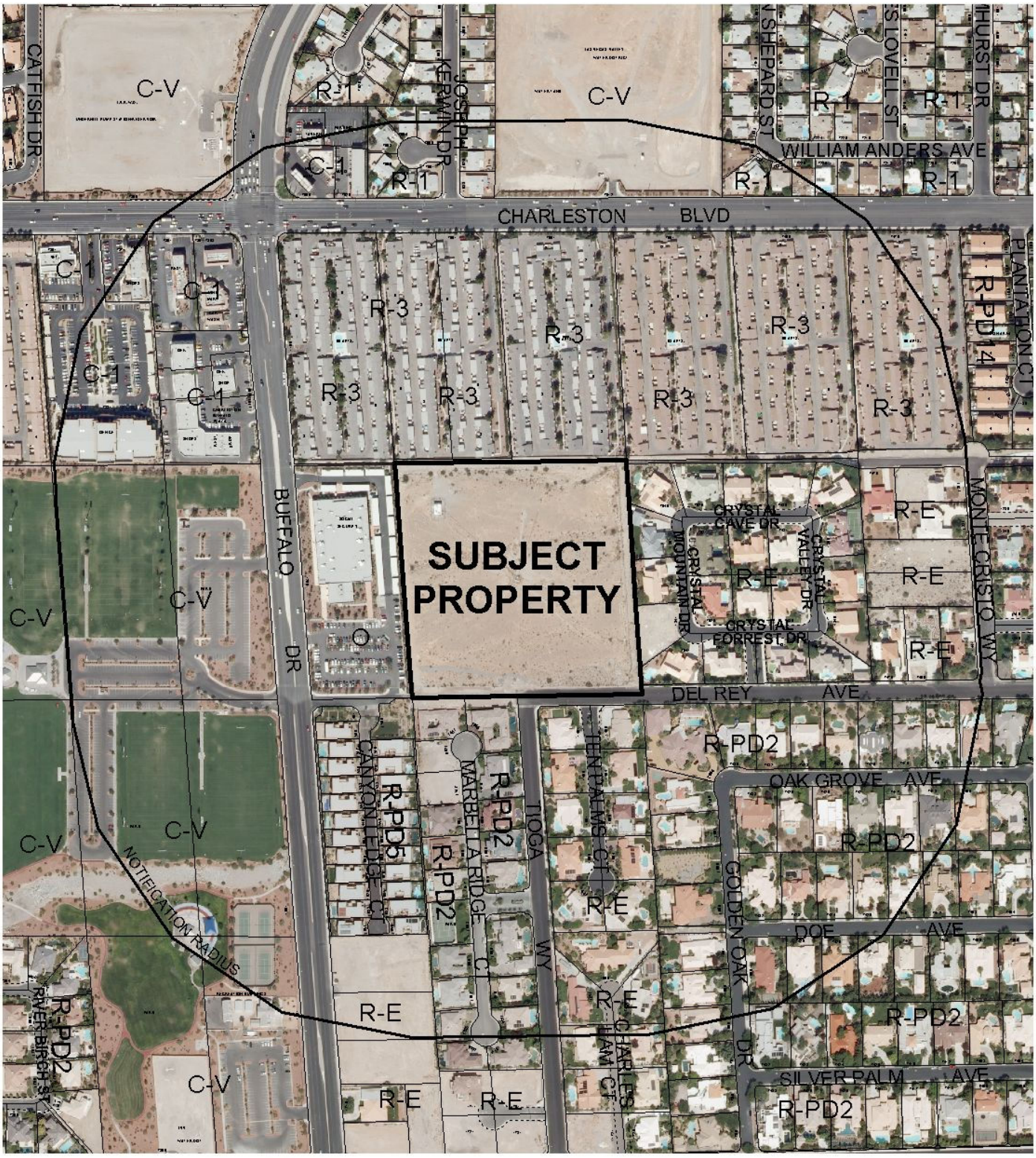



**CASE:** **SDR-34612**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:** R-E (RESIDENCE ESTATES)

**PROPOSED ZONING OF SUBJECT PROPERTY:** C-V (CIVIC)




0 400 800 Feet

**CASE:** **SDR-34612**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:** R-E (RESIDENCE ESTATES)

**PROPOSED ZONING OF SUBJECT PROPERTY:** C-V (CIVIC)

N

City of Las Vegas

## AGENDA MEMO

**PLANNING COMMISSION MEETING DATE: JULY 9, 2009**
**DEPARTMENT: PLANNING AND DEVELOPMENT**
**ITEM DESCRIPTION: SDR-34612 - APPLICANT: FLO TV, INC - OWNER: UNITED STATES OF AMERICA**

## ** CONDITIONS **

**STAFF RECOMMENDATION:** **APPROVAL,** subject to:

***Planning and Development***

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 05/26/09, except as amended by conditions herein.

3. The subject site shall be cleared of all debris, trash and graffiti, prior to the issuance of building permits, and maintained thereafter.

4. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

5. 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.

6. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

***Public Works***

7. Construct all incomplete half-street improvements on Del Rey Avenue adjacent to this site and those portions of Tioga Way necessary to connect Del Rey Avenue and Tioga Way in a manner acceptable to the City Engineer concurrent with development of this site.

**SDR-34612 - Staff Report Page One**
**July 9, 2009 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The applicant is proposing to add an additional 25-foot antenna at the 300-foot center line on an existing 321-foot Radio, TV or Microwave Communication Tower located on the north side of Del Rey Avenue, approximately 900 feet west of Monte Cristo Way. The applicant is also proposing additional related equipment inside of an existing 600 square-foot telecommunications building, fenced storage yard and the area between the storage area and the existing tower. The addition of the 25-foot antenna and related equipment will have a minimal impact upon the existing site and the surrounding neighborhood; therefore, staff is recommending approval.

### Issues

- Staff can support the additional 25-foot antenna on the existing 321-foot tower. The existing tower has been in existence since 1975. The building permit for the existing tower was finaled on 07/31/75.

- The current use of the site for a communications tower is non-conforming. Approval of an associated General Plan Amendment (GPA-34610) to PF (Public Facilities) and a Rezoning (ZON-34611) to C-V (Civic) district is required prior to approval of this request. If the associated requests are denied, this Site Development Plan Review cannot be approved, pursuant to Title 19.16.030 (D).

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 02/05/86 | The City Council approved an Annexation (A-0009-85) of property located on the south side of Charleston Boulevard between Fort Apache Road and Torrey Pines Drive for 1,470 acres of various zoning classifications. The Planning Commission and staff recommended approval of the request. The effective date of the Annexation was 03/28/86. |
| 11/23/98 | The City Council approved a General Plan Amendment (GPA-0027-98) to amend a portion of the Southwest Sector of the General Plan on properties bounded by Holmby Channel, Via Olivero Avenue, Rainbow Boulevard, and Durango Drive, from R (Rural Density Residential) to DR (Desert Rural Density Residential). The Planning Commission and staff recommended approval of the request. |
| 11/08/07 | A Code Enforcement citation (#59678) was issued at the northwest corner of Del Rey Avenue and Tioga Way for trash and debris. Code Enforcement closed the case on 11/15/07. |

| | |
|---|---|
| 10/08/08 | A Code Enforcement citation (#70520) was issued at the northwest corner of Del Rey Avenue and Tioga Way for trash and debris. Code Enforcement closed the case on 10/14/08. |
| 07/09/09 | The Planning Commission will consider a related General Plan Amendment (GPA-34610) request to Amend a portion of the Southwest Sector Plan of the General Plan from DR (Desert Rural Density Residential) to PF (Public Facilities) and a Rezoning (ZON-34611) from R-E (Residence Estates) to C-V (Civic) on 10.89 acres located on the north side of Del Rey Avenue, approximately 900 feet west of Monte Cristo Way. Staff is recommending approval of the related Rezoning and General Plan Amendment applications. |
| ***Related Building Permits/Business Licenses*** | |
| 09/30/74 | A Grant lease (#N-7884) was approved by the Bureau of Land Management for a communications site. The Grant lease will expire on September 29, 2024. |
| 09/31/74 | A Building Permit (#BP-19,658) was issued by the United States of America Federal Communications Commission for a 321-foot antenna. The permit was finaled on 07/31/75. |
| ***Pre-Application Meeting*** | |
| 05/08/09 | The following items were discussed at the pre-application meeting:<br>• The existing 321-foot communication tower and associated equipment was discussed.<br>• The proposed co-location of a 25-foot antenna, new satellite dishes and related equipment was discussed. |
| ***Neighborhood Meeting*** | |
| 06/10/09 | A neighborhood meeting was held at 6:30 pm at the Johnson Community School located at 340 Vila Monterey Drive, Las Vegas, Nevada 89145. There were 15 members of the public, four representations of the applicant and one member of the Planning and Development Department present.<br><br>The following is a list of questions, concerns and comments from the attendants of the meeting:<br>• The site is not being properly maintained as it has graffiti and trash on it.<br>• The site has illegal activity occurring on it.<br>• No landscaping is being proposed as a part of the application.<br>• No buffer wall or fence is being proposed as a part of the application.<br>• A request to have the notice area increased for the entire area from Cimarron to Rainbow to Sahara to Charleston.<br>• There was a consensus of opposition towards the new tower and the change in land use and zoning. |

**SDR-34612 - Staff Report Page Three**
**July 9, 2009 - Planning Commission Meeting**

| *Field Check* | |
|---|---|
| 06/04/09 | A field check was completed on the indicated date. Planning and Development found the following items;<br>• Staff identified the existing 321-foot communication tower and the related equipment enclosed by chain-link and barbed wire fencing.<br>• Staff verified that there is existing graffiti and debris on the subject site. A condition of approval has been added to the Site Development Plan Review (SDR-34612) to correct this issue. |

| *Details of Application Request* | |
|---|---|
| ***Site Area*** | |
| Gross Acres | 10.89 acres |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|---|---|---|---|
| Subject Property | Communication Tower | DR (Desert Rural Residential) [Proposed: PF (Public Facilities)] | R-E (Residence Estates) [Proposed: C-V (Civic)] |
| North | Apartments | M (Medium Density Residential) | R-3 (Medium Density Residential) |
| South | Single-Family Dwellings | DR (Desert Rural Density Residential) | R-PD2 (Residential Planned Development – 2 Units per Acre) and R-E (Residence Estates) |
| East | Single-Family Dwellings | DR (Desert Rural Density Residential) | R-E (Residence Estates) |
| West | Social Security Building | O (Office) | O (Office) |

| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
|---|---|---|---|
| **Special Area Plan** | | X | N/A |
| ***Special Districts/Zones*** | ***Yes*** | ***No*** | ***Compliance*** |
| **Special Purpose and Overlay Districts** | | X | N/A |
| **Trails** | | X | N/A |
| **Rural Preservation Overlay District** | X | | Y |
| **Development Impact Notification Assessment** | | X | N/A |
| **Project of Regional Significance** | | X | N/A |

## DEVELOPMENT STANDARDS

***Pursuant to Title 19.06.020, the following standards are proposed:***

| *Standard* | *Provided* |
|---|---|
| Min. Lot Size | A portion of a 10.89 acre site |
| Min. Setbacks<br>• Front (Del Rey Avenue)<br>• Side (East property line)<br>• Side (West property line)<br>• Rear (North property line) | <br>548 Feet<br>554 Feet<br>106 Feet<br>114 Feet |
| Max. Building Height (Structure) | 321 Feet |
| Mech. Equipment | Screened |

## ANALYSIS

The applicant is proposing to co-locate one antenna at the 300-foot center line on an existing 321-foot Radio, TV or Microwave Communication tower. The applicant is also proposing additional related equipment inside of an existing 600 square-foot telecommunications building, fenced storage yard and between the storage area and the existing tower. A related General Plan Amendment (GPA-34610) and Rezoning (ZON-34611) will accompany the subject application. The proposed Rezoning from R-E (Residence Estates) to Civic (Civic) and the General Plan Amendment for DR (Desert Rural Density Residential) to PF (Public Facilities) will allow the existing tower and any related improvements as a conforming use. The subject site also contains a chain-link fence with barbed wire, which was built as a part of the subject site in 1975. The subject Site Development Plan Review will establish the Radio, TV or Microwave Communication tower use on the subject site pursuant to Title 19.06.

## FINDINGS

The following findings must be made for an SDR:

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

   The proposed development is compatible with adjacent development and development in the area. The site has existed in its current configuration since1975, and the proposed changes will have a minimal impact on the site.

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

The proposed development is consistent with all applicable City plans, policies and standards for a development within a proposed C-V (Civic) zoning district.

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

   The site is accessed from Del Rey Avenue, a 60-foot Local Street, as designated by the Master Plan of Streets and Highways. This street is adequate to meet the requirement of the proposed zoning district. The subject use will produce a negligible increase in traffic volumes.

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

   The proposed building materials are appropriate for this 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 overall design will remain largely unchanged with the addition of a 25-foot antenna on the side of an existing 321-foot tower and related equipment will be located at the ground level, thereby remaining compatible with existing development.

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

   The proposed development is subject to permit review and inspection; therefore, appropriate measures will be taken to protect the health, safety and general welfare.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 14

**ASSEMBLY DISTRICT** 2

**SENATE DISTRICT** 8

**NOTICES MAILED** 158

**APPROVALS** 0

**PROTESTS** 1

PLANNING & DEVELOPMENT DEPARTMENT

# STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-34612 APN: 163-03-101-001

Name of Property Owner: USA GOVERNMENT - BLM -

Name of Applicant: MEDIA FLO - FLO TV, INC.

Name of Representative: Janice Manley

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: Janice Manley

Print Name: Janice Manley

Subscribed and sworn before me

This 19 day of June, 2009

EDDIE LARUE
Notary Public State of Nevada
No. 98-1085-1
My appt. exp. Mar. 15, 2013

Notary Public in and for said County and State

State of Nevada County of Clark

Revised 11-14-06 f:\depot\Application Packet\Statement of Financial Interest.pdf

RECEIVED

JUN 19 2009

FLO TV

live mobile tv

5775 MOREHOUSE DRIVE
SAN DIEGO, CALIFORNIA 92121

# LAS VEGAS
# LAS-006BP
# NEAR INTERSECTION OF BUFFALO AND CHARLESTON BLVD.
# LAS VEGAS, NV 89102

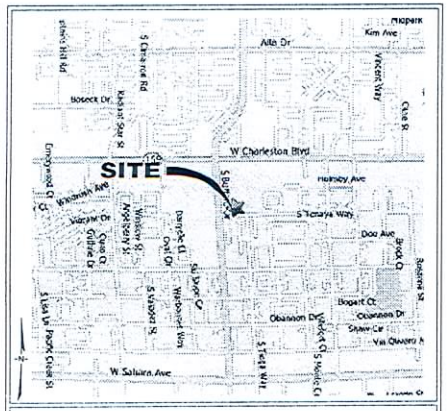
RECEIVED
MAY 26 2009

## SITE INFORMATION

| | |
|---|---|
| SITE NAME: | LAS VEGAS |
| SITE NUMBER: | LAS-006BP |
| SITE ADDRESS: | NEAR INTERSECTION OF BUFFALO AND CHARLESTON BLVD. LAS VEGAS, NV 89102 |
| ASSESORS PARCEL NUMBER: | 163-03-101-001 |
| JURISDICTION: | CITY OF LAS VEGAS |
| SITE COORDINATES: | N 36° 09' 21.9" (NAD 83) W 115° 15' 38" (NAD 83) |
| GROUND ELEVATION: | 2823.1'± (NAVD 88) |
| STRUCTURE TYPE: | GUYED TOWER |
| STRUCTURE HEIGHT: | 318.9'± AGL (TOP OF GUYED TOWER) |
| ANTENNA RAD CENTER: | 287'± AGL |
| PROPERTY OWNERS NAME: | BUREAU OF LAND MANAGEMENT |
| PROPERTY OWNERS ADDRESS: | WASHINGTON, DC 20260 |
| APPLICANT: | FLO TV USA 5775 MOREHOUSE DRIVE SAN DIEGO, CALIFORNIA 92121 |
| AGENT: | WIRELESS FACILITIES, INC. JANICE MANLEY (505)250-6389 10820 NELLE AVE NE ALBUQUERQUE, NM 87111 |
| ENGINEER: | CMX 3100 WEST RAY ROAD, SUITE 201 CHANDLER, AZ 85226 |

## CODE ANALYSIS

| | |
|---|---|
| BUILDING CODE: | 2006 IBC |
| ELECTRICAL CODE: | 2005 NEC |
| USE GROUP: | U (UTILITY) |
| CONSTRUCTION TYPE: | IIB |




## VICINITY MAP

**DIRECTIONS:**
FROM MCCARREN AIRPORT HEAD EAST ON WAYNE NEWTON BLVD, TAKE THE RAMP TOWARD I-215/HENDERSON/I-15/RENTAL CAR RETURN, MERGE ONTO PARADISE RD, MERGE ONTO I-215 W, MERGE ONTO I-15 N VIA EXIT 12A, TAKE THE SAHARA AVE EXIT, TURN LEFT ONTO W SAHARA AVE, TURN RIGHT ONTO S TENAYA WAY, TURN LEFT ONTO DEL RAY AVE, CONTINUE ON DEL RAY AVE UNTIL IT ENDS AT SITE.

## SHEET INDEX


| SHEET NO. | SHEET DESCRIPTION |
|---|---|
| T-1 | TITLE SHEET |
| T-2 | GENERAL CONSTRUCTION NOTES |
| A-1 | SITE PLAN |
| A-2 | COMPOUND PLAN |
| A-3 | EQUIPMENT ROOM PLAN |
| A-4 | EQUIPMENT ROOM INTERIOR ELEVATION |
| A-5 | SOUTH ELEVATION (OVERALL) |
| A-6 | EXISTING BUILDING ELEVATIONS |
| C-1 | CONSTRUCTION DETAILS |
| C-2 | CONSTRUCTION DETAILS |
| C-3 | RF AND ANTENNA DETAILS |
| C-4 | UHF COAX DETAILS (FLEX) |
| C-5 | EQUIPMENT DETAILS |
| C-6 | EQUIPMENT DETAILS |
| C-7 | TRANSMITTER COOLING SCHEMATIC |
| E-1 | ELECTRICAL NOTES |
| E-2 | ELECTRICAL PANEL SCHEDULE |
| E-3 | ONE-LINE DIAGRAM |
| E-4 | SYSTEM LAYOUT |
| E-5 | CONDUIT SCHEDULE |
| E-6 | POWER AND CONTROL SYSTEM |
| E-7 | POWER DESIGN |
| G-1 | GROUNDING PLAN |
| G-2 | EQUIPMENT ROOM GROUNDING ELEVATION PLAN |
| G-3 | GROUNDING DETAILS |
| G-4 | GROUNDING DETAILS |
| G-5 | GROUNDING DETAILS |


## PROJECT DESCRIPTION

1. NEW EQUIPMENT TO BE INSTALLED WITHIN AN EXISTING TELECOMMUNICATIONS SHELTER.
2. NEW GENERATOR, HEAT EXCHANGER, AND ISO COIL TO BE INSTALLED ON A NEW CONCRETE PAD.
3. NEW ELECTRICAL SERVICE
4. NEW TELEPHONE SERVICE
5. INSTALLATION INCLUDES NEW ANTENNA AND SATELLITE DISHES

**SDR-34612**
**07/09/09 PC**


FLO TV
live mobile tv
5775 MOREHOUSE DRIVE
SAN DIEGO, CALIFORNIA 92121
PH (858) 651-1645

WFI
10802 NELLE AVE. NE
ALBUQUERQUE, NM 87111
(505) 250-6389

CMX
3100 WEST RAY ROAD, SUITE 201
CHANDLER, AZ. 85226
TEL (480) 648-1900 FAX (480) 648-1918
ARIZONA • FLORIDA • MARYLAND • NEVADA • NEW JERSEY
NEW YORK • PENNSYLVANIA • NEXICO


**SCHEDULE OF REVISIONS**

| REV. NO. | DATE | DESCRIPTION OF CHANGES |
|---|---|---|
| 7 | | |
| 6 | | |
| 5 | | |
| 4 | | |
| 3 | | |
| 2 | 05/22/09 | 100% CD'S (CLIENT COMMENTS) |
| 1 | 04/02/09 | 100% CD'S (CLIENT COMMENTS) |
| 0 | 01/28/09 | 100% CD'S |

| | |
|---|---|
| DRAWN BY: | CE |
| CHECKED BY: | SA |
| JOB NO: | 080205501 |

DRAWING TITLE:
TITLE BLOCK

DRAWING SHEET:
T-1

LAS VEGAS
LAS-006BP
NEAR INTERSECTION OF BUFFALO AND CHARLESTON BLVD.
LAS VEGAS, NV 89102

SHEET NO. 1 OF 27

## GENERAL CONSTRUCTION NOTES:

1. ALL WORK SHALL CONFORM TO THE REQUIREMENTS OF THE LOCAL BUILDING CODE, THE LATEST EDITION AND ALL OTHER APPLICABLE CODES AND ORDINANCES.
2. CONTRACT SHALL VISIT THE JOB SITE AND SHALL FAMILIARIZE HIMSELF WITH ALL CONDITIONS AFFECTING THE PROPOSED WORK AND SHALL MAKE PROVISIONS AS TO THE COST THEREOF. CONTRACTOR SHALL BE RESPONSIBLE FOR FAMILIARIZING HIMSELF WITH ALL CONTRACT DOCUMENTS, FIELD CONDITIONS AND DIMENSIONS AND CONFIRMING THAT THE WORK MAY BE ACCOMPLISHED AS SHOWN PRIOR TO PROCEEDING WITH CONSTRUCTION. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO THE COMMENCEMENT OF THE WORK. NO COMPENSATION WILL BE AWARDED BASED ON CLAIM OF LACK OF KNOWLEDGE OF FIELD CONDITIONS.
3. PLANS ARE NOT TO BE SCALED. THESE PLANS ARE INTENDED TO BE A DIAGRAMMATIC OUTLINE ONLY UNLESS OTHERWISE NOTED. THE WORK SHALL INCLUDE FURNISHING MATERIALS, EQUIPMENT AND APPURTENANCES, AND LABOR NECESSARY TO EFFECT ALL INSTALLATIONS AS INDICATED ON THE DRAWINGS. OWNER PROVIDED MATERIALS WILL INCLUDE THE FOLLOWING, UNLESS NOTED OTHERWISE:
   A. TRANSMITTER
   B. RF FILTER
   C. MFTS RACK
   D. AUXILIARY EQUIPMENT IN MFTS RACK
   E. PUMP ASSEMBLY
   F. HEAT EXCHANGER
   G. HOSE AND HOSE MANIFOLDS (ANY COPPER OR STEEL SECTIONS PROVIDE BY CONTRACTOR)
   H. UHF ANTENNA AND MOUNTING BRACKETS, GPS ANTENNAS AND KU ANTENNAS
   I. UHF COAX AND HANGERS
   J. LMR COAX (HANGERS, CONDUIT AND ACCESSORIES BY CONTRACTOR)
   K. 480-208 AND 208-400 ELECTRICAL TRANSFORMERS (RE: E-2 FOR SPECIALIZED TRANSFORMERS PROVIDED BY CONTRACTOR)
   L. AUTOMATIC TRANSFER SWITCH AND GENERATOR
   M. EQUIPMENT SHELTER (SHELTERS FURNISHED IN FACTORY WITH HVAC EQUIPMENT AND ELECTRICAL DISTRIBUTION PANEL)
4. DIMENSIONS SHOWN ARE TO FINISH SURFACES UNLESS OTHERWISE NOTED. SPACING BETWEEN EQUIPMENT IS REQUIRED CLEARANCE. THEREFORE, IT IS CRITICAL TO FIELD VERIFY DIMENSIONS, SHOULD THERE BE ANY QUESTIONS REGARDING THE CONTRACT DOCUMENTS, EXISTING CONDITIONS AND/OR DESIGN INTENT, THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING A CLARIFICATION FROM AN AUTHORIZED REPRESENTATIVE OF THE ENGINEER PRIOR TO PROCEEDING WITH THE WORK.
5. DETAILS ARE INTENDED TO SHOW DESIGN INTENT. MODIFICATIONS MAY BE REQUIRED TO SUIT JOB DIMENSIONS AND CONDITIONS, AND SUCH MODIFICATIONS SHALL BE INCLUDED AS PART OF THE WORK.
6. CONTRACTOR SHALL RECEIVE CLARIFICATION IN WRITING, AND SHALL RECEIVE IN WRITING AUTHORIZATION TO PROCEED BEFORE STARTING WORK ON ANY ITEMS NOT CLEARLY DEFINED OR IDENTIFIED BY THE CONTRACT DOCUMENTS.
7. CONTRACTOR SHALL SUPERVISE AND DIRECT THE WORK USING BEST CONSTRUCTION SKILLS AND ATTENTION. CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES AND FOR COORDINATING ALL PORTIONS OF THE WORK UNDER CONTRACT, UNLESS OTHERWISE STATED.
8. CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF THE WORK AREA, ADJACENT AREAS AND BUILDING OCCUPANTS THAT ARE LIKELY TO BE AFFECTED BY THE WORK UNDER THIS CONTRACT. WORK SHALL CONFORM TO ALL OSHA REQUIREMENTS.
9. CONTRACTOR SHALL COORDINATE HIS WORK WITH THE SUPERINTENDENT OF THE BUILDINGS & GROUNDS AND SCHEDULE HIS ACTIVITIES AND WORKING HOURS IN ACCORDANCE WITH THE REQUIREMENTS.
10. CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING HIS WORK WITH THE WORK OF OTHERS AS IT MAY RELATE TO RADIO EQUIPMENT, ANTENNAS AND ANY OTHER PORTIONS OF THE WORK.
11. INSTALL ALL EQUIPMENT AND MATERIALS IN ACCORDANCE WITH MANUFACTURERS RECOMMENDATIONS UNLESS SPECIFICALLY OTHERWISE INDICATED OR WHERE LOCAL CODES OR REGULATIONS TAKE PRECEDENCE.
12. MAKE NECESSARY PROVISIONS TO PROTECT EXISTING SURFACES, EQUIPMENT, IMPROVEMENTS, PIPING ETC. AND IMMEDIATELY REPAIR ANY DAMAGE THAT OCCURS DURING CONSTRUCTION.
13. IN DRILLING HOLES INTO CONCRETE WHETHER FOR FASTENING OR ANCHORING PURPOSES, OR PENETRATIONS THROUGH THE FLOOR FOR CONDUIT RUNS, PIPE RUNS, ETC., IT MUST BE CLEARLY UNDERSTOOD THAT REINFORCING STEEL SHALL NOT BE DRILLED INTO, CUT OR DAMAGED UNDER ANY CIRCUMSTANCES (UNLESSOTHERWISE NOTED). LOCATIONS OF REINFORCING STEEL ARE NOT DEFINITELY KNOWN AND THEREFORE MUST BE SEARCHED FOR BY APPROPRIATE METHODS AND EQUIPMENT.
14. REPAIR ALL EXISTING WALL SURFACES DAMAGED DURING CONSTRUCTION SUCH THAT THEY MATCH AND BLEND IN WITH ADJACENT SURFACES.
15. SEAL PENETRATIONS THROUGH FIRE RATED AREAS WITH U.L. LISTED AND FIRE CODE APPROVED MATERIALS.
16. KEEP CONTRACT AREA CLEAN, HAZARD FREE, AND DISPOSE OF ALL DIRT, DEBRIS AND RUBBISH. EQUIPMENT NOT SPECIFIED AS REMAINING ON THE PROPERTY OF THE OWNER SHALL BE REMOVED. LEAVE PREMISES IN CLEAN CONDITION AND FREE FROM PAINT SPOTS, DUST OR SMUDGES OF ANY NATURE. CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL ITEMS UNTIL COMPLETION OF CONSTRUCTION.
17. MINIMUM BEND RADIUS OF ANTENNA CABLES SHALL BE IN ACCORDANCE WITH CABLE MANUFACTURERS RECOMMENDATIONS.
18. ALL EXISTING INACTIVE SEWER, WATER, GAS ELECTRICAL AND OTHER UTILITIES, WHICH INTERFERE WITH THE EXECUTION OF THE WORK, SHALL BE REMOVED AND/OR CAPPED, PLUGGED OR OTHERWISE DISCONTINUED AT POINTS WHICH WILL NOT INTERFERE WITH THE EXECUTION OF THE WORK, SUBJECT TO THE APPROVAL OF THE ENGINEER.
19. CONTRACTOR SHALL MINIMIZE DISTURBANCE TO EXISTING SITE DURING CONSTRUCTION. EROSION CONTROL MEASURES, IF REQUIRED DURING CONSTRUCTION SHALL BE IN CONFORMANCE WITH JURISDICTIONAL OR STATE AND LOCAL GUIDELINES FOR EROSION AND SEDIMENT CONTROL AND COORDINATED WITH LOCAL REGULATORY AUTHORITIES.
20. LIGHT SHADED LINES AND NOTED REPRESENT WORK PREVIOUSLY DONE. DARK SHADED LINES AND NOTES REPRESENT THE SCOPE OF WORK FOR THIS PROJECT. CONTRACTOR SHALL VERIFY IF EXISTING CONSTRUCTION IS COMPLETE. CONTRACTOR SHALL NOTIFY ENGINEER OF ANY EXISTING CONDITIONS THAT DEVIATE FROM THE DRAWINGS PRIOR TO BEGINNING CONSTRUCTION.
21. CONTRACTOR SHALL SECURE ALL NECESSARY PERMITS AND/OR WIRING CERTIFICATES REQUIRED FOR THE ELECTRICAL SERVICE UPGRADES. IN ADDITION, CONTRACTOR SHALL PROVIDE ALL NECESSARY COORDINATION AND SCHEDULING WITH THE SERVING ELECTRICAL UTILITY AND LOCAL INSPECTION AUTHORITIES.

## STRUCTURAL STEEL NOTES:

1. ALL STEEL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE AISC "MANUAL OF STEEL CONSTRUCTION". STEEL SECTIONS SHALL BE IN ACCORDANCE WITH ASTM AS INDICATED BELOW:
   A. W-SHAPES: ASTM A992, 50 KSI
   B. ANGLES, BARS, CHANNELS: ASTM A36, 36 KSI
   C. HSS SECTIONS: ASTM 500, 46 KSI
   D. PIPE SECTIONS: ASTM A53-E, 35 KSI
2. ALL EXTERIOR EXPOSED STEEL AND HARDWARE SHALL BE HOT DIPPED GALVANIZED.
3. ALL WELDING SHALL BE PREFORMED USING E70XX ELECTRODES AND WELDING SHALL CONFORM TO AISC WHERE FILLET WELD SIZES ARE NOT SHOWN, PROVIDE THE MINIMUM SIZE PER TABLE J2.4 IN THE AISC "MANUAL OF STEEL CONSTRUCTION". PAINED SURFACES SHALL BE TOUCHED UP.
4. BOLTED CONNECTIONS SHALL BE ASTM A325 BEARING TYPE (¾"Ø) CONNECTIONS AND SHALL HAVE A MINIMUM OF TWO BOLTS UNLESS NOTED OTHERWISE.
5. NON-STRUCTUAL CONNECTIONS FOR STEEL GRATING MAY USE (⅝"Ø) ASTM A 307 BOLTS UNLESS NOTED OTHERWISE.

## SITE WORK NOTES:

1. DO NOT EXCAVATE OR DISTURB BEYOND THE PROPERTY LINES OR LEASE LINES, UNLESS OTHERWISE NOTED.
2. DO NOT SCALE BUILDING DIMENSIONS FROM DRAWING.
3. SIZE, LOCATION AND TYPE OF ANY UNDERGROUND UTILITIES OR IMPROVEMENTS SHALL BE ACCURATELY NOTED AND PLACED ON AS-BUILT DRAWINGS BY GENERAL CONTRACTOR AND ISSUED TO ARCHITECT/ENGINEER AT COMPLETION OF PROJECT.
4. ALL EXISTING UTILITIES, FACILITIES, CONDITIONS AND THEIR DIMENSIONS SHOWN ON PLANS HAVE BEEN PLOTTED FROM AVAILABLE RECORDS. THE ENGINEER AND OWNER ASSUME NO RESPONSIBILITY WHATSOEVER AS TO THE SUFFICIENCY OR ACCURACY OF THE INFORMATION SHOWN ON THE PLANS OR THE MANNER OF THEIR REMOVAL OR ADJUSTMENT. CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING EXACT LOCATION OF ALL EXISTING UTILITIES AND FACILITIES PRIOR TO START OF CONSTRUCTION.CONTRACTOR SHALL ALSO OBTAIN FROM EACH UTILITY COMPANY DETAILED INFORMATION RELATIVE TO WORKING SCHEDULES AND METHODS OF REMOVING OR ADJUSTING EXISTING UTILITIES.
5. CONTRACTOR SHALL VERIFY ALL EXISTING UTILITIES BOTH HORIZONTALLY AND VERTICALLY PRIOR TO START OF CONSTRUCTION, ANY DISCREPANCIES OR DOUBTS AS TO THE INTERPRETATION OF PLANS SHALL BE IMMEDIATELY REPORTED TO THE ARCHITECT/ENGINEER FOR RESOLUTION AND INSTRUCTION, AND NO FURTHER WORK SHALL BE PREFORMED UNTIL THE DISCREPANCY IS CHECKED AND CORRECTED BY THE ARCHITECT/ENGINEER. FAILURE TO SECURE SUCH INSTRUCTION MEANS CONTRACTOR WILL HAVE WORKED AT HIS/HER OWN RISK AND EXPENSE.CONTRACTOR SHALL CALL LOCAL DIGGER HOT LINE FOR UTILITY LOCATIONS 48 HOURS PRIOR TO START OF CONSTRUCTION.
6. ALL NEW AND EXISTING UTILITY STRUCTURES ON SITE AND IN AREAS TO BE DISTURBED BY CONSTRUCTION SHALL BE ADJUSTED TO FINISH ELEVATIONS PRIOR TO FINAL INSPECTION OF WORK.
7. GRADING OF THE SITE WORK AREA IS TO BE SMOOTH AND CONTINUOUS IN SLOPE AND IS TO FEATHER INTO EXISTING GRADES AT THE GRADE LIMITS.
8. ALL TEMPORARY EXCAVATIONS FOR THE INSTALLATION OF FOUNDATIONS, UTILITIES, ETC., SHALL BE PROPERLY LAID BACK OR BRACED IN ACCORDANCE WITH CORRECT OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) REQUIREMENTS.
9. STRUCTURAL FILLS SUPPORTING PAVEMENTS SHALL BE COMPACTED TO 95% OF MAXIMUM STANDARD PROCTOR DRY DENSITY.
10. NEW GRADES NOT IN BUILDING AND DRIVEWAY IMPROVEMENT AREA TO BE ARCHIVED BY FILLING WITH APPROVED CLEAN FILL AND COMPACTED TO 95% OF STANDARD PROCTOR DENSITY.
11. ALL FILL SHALL BE PLACED IN UNIFORM LIFTS. THE LIFTS THICKNESS SHOULD NOT EXCEED THAT WHICH CAN BE PROPERLY COMPACTED THROUCHOUT ITS ENTIRE DEPTH WITH THE EQUIPMENT AVAILABLE.
12. ANY FILLS PLACED ON EXISTING SLOPES THAT ARE STEEPER THAN (10) HORIZONTAL TO (1) VERTICAL SHALL BE PROPERLY BENCHED INTO THE EXISTING SLOPE AS DIRECTED BY A GEOTECHNICAL ENGINEER.
13. CONTRACTOR SHALL CLEAN ENTIRE SITE AFTER CONSTRUCTION SUCH THAT NO PAPERS, TRASH, WEEDS, BRUSH OR ANY OTHER DEPOSITS WILL REMAIN. ALL MATERIALS COLLECTED DURING CLEANING OPERATIONS SHALL BE DISPOSED OF OFF-SITE BY THE GENERAL CONTRACTOR.
14. ALL TREES AND SHRUBS WHICH RE NOT IN DIRECT CONFLICT WITH THE IMPROVEMENTS SHALL BE PROTECTED BY THE GENERAL CONTRACTOR.
15. ALL SITE WORK SHALL BE CAREFULLY COORDINATED BY GENERAL CONTRACTOR WITH LOCAL UTILITY COMPANY, TELEPHONE COMPANY, AND ANY OTHER UTILITY COMPANIES HAVING JURISDICTION OVER THIS LOCATION.

## RF NOTES:

1. ALL ANTENNAS PROVIDE BY OWNER UNLESS NOTED OTHERWISE.
2. ALL COAX PROVIDED BY OWNER UNLESS NOTED OTHERWISE.
3. CONTRACTOR TO FIELD VERIFY ANTENNA CABLE LENGTH.
4. COAX SHALL BE PROPERLY SUPPORTED PER MANUFACTURES RECOMMENDATIONS, MFTS SPECIFICATIONS, AND CONSTRUCTION DRAWINGS.
5. LMR COAX SHALL BE INSTALLED IN 1" RIGID CONDUIT OR AS OTHERWISE SHOWN ON DRAWINGS.
6. ALL COAX (EXICEPT RIGID UHF COAX) SHALL BE GROUNDED AT FIRST POINT OF ENTRY INTO BUILDING WITH COAX GROUNDING KIT. ADDITIONALLY, ALL FLEXIBLE COAX SHALL BE GROUNDED AT INTERVALS NOT TO EXCEED 200'.
7. ALL COAX CONNECTIONS SHALL BE PROPERLY WEATHER PROOFED AND SEALED.
8. PROVIDE DRIP LOOP AT ALL CONNECTIONS AT ANTENNA.
9. ALL ANTENNA AZIMUTHS SHALL BE VERIFIED PRIOR TO FINAL INSTALLATION OF ANTENNA. ANTENNA AZIMUTHS ON DRAWINGS ARE RELATIVE TO TRUE NORTH. CONTRACTOR RESPONSIBLE FOR ADJUSTMENTS TO MAGNETIC NORTH.
10. CONTRACTOR SHALL VERIFY EACH ANTENNA HAS A CLEAR VIEW AT ITS REQUIRED AZIMUTH PRIOR TO INSTALLATION OF THE ANTENNA. SUPPORT FRAMING, ICE SHIELDS OR COAX CONDUIT. CONTRACTOR SHALL PROVIDE WRITTEN REPORT TO CONSTRUCTION MANAGER DESCRIBING ANY POSSIBLE OBSTRUCTIONS OF SATELLITE VIEW INCLUDING, BUT NOT LIMITED TO, TREES, BUILDINGS. EXISTING ANTENNAS, TOWERS OR ICE BRIDGES.
11. ALL COAX IN ELEVATOR MACHINE ROOM SHALL BE INSTALLED IN RIDGED STEEL CONDUIT.

## STRUCTURAL CONCRETE NOTES:

1. ALL CONCRETE WORK SHALL BE IN ACCORDANCE WITH THE ACI 301-89, ACI 318-95 AND THE SPECIFICATION FOR CAST-IN-PLACE CONCRETE.
2. ALL CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH fc'=2,500 PSI AT 28 DAYS UNLESS NOTED OTHERWISE.
3. REINFORCING STEEL SHALL CONFORM TO ASTM A 615, GRADE 60, DEFORMED UNLESS NOTED OTHERWISE. WELDED WIRE FABRIC SHALL CONFORM TO ASTM A 185 WELDED STEEL WIRE FABRIC UNLESS NOTED OTHERWISE. SPLICES CLASS "B" AND AT HOOKS SHALL BE STANDARD UNLESS NOTED OTHERWISE.
4. THE FOLLOWING MINIMUM CONCRETE COVER SHALL BE PROVIDED FOR REINFORCING STEEL UNLESS SHOWN OTHERWISE ON DRAWINGS:
   A. CONCRETE CAST AGAINST EARTH.....3 IN.
   B. CONCRETE EXPOSED TO EARTH OR WEATHER:
      #6 AND LARGER.....2 IN.
      #5 AND SMALLER & WWF .....1-1/2 IN.
   C. CONCRETE NOT EXPOSED TO EARTH OR WEATHER OR NOT CAST AGAINST THE GROUND.
      SLAB AND WALL .....3/4 IN.
      BEAMS AND COLUMNS:.....1-1/2 IN.
5. A 3/4" CHAMFER SHALL BE PROVIDED AT ALL EXPOSED EDGES OF CONCRETE U.N.O. IN ACCORDANCE WITH ACI 301 SECTION 4.2.4.
6. HOLES TO RECEIVE EXPANSION/WEDGE ANCHORS SHALL BE 1/8" LARGER IN DIAMETER THAN THE ANCHOR BOLT, DOWEL OR ROD AND SHALL CONFORM TO MANUFACTURER'S RECOMMENDATION FOR EMBEDMENT DEPTH OR AS SHOWN ON THE DRAWINGS. LOCATE AND AVOID CUTTING EXISTING REBAR WHEN DRILLING HOLES IN ELEVATED CONCRETE SLABS.
7. USE AND INSTALLATION OF CONCRETE EXPANSION/WEDGE ANCHOR, SHALL BE PER ICBO & MANUFACTURER'S WRITTEN RECOMMENDED PROCEDURES.

## CONCRETE MASONRY UNITS:

1. CONCRETE MASONRY UNITS SHALL BE MEDIUM WEIGHT UNITS CONFORMING TO ASTM C90, GRADE N-1, (F'M=1,500 PS). MEDIUM WEIGHT (115 PCF).
2. MORTAR SHALL BE TYPE "S" (MINIMUM 1,800 PSI AT 28 DAYS).
3. GROUT SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 2,000 PSI AT 28 DAYS.
4. ALL CELLS CONTAINING REINFORCING STEEL OR EMBEDDED ITEMS AND ALL CELLS IN RETAINING WALLS AND WALLS BELOW GRADE SHALL BE SOLID GROUTED.
5. ALL HORIZONTAL REINFORCEMENT SHALL BE PLACED IN BOND BEAM OR LINTEL BEAM UNITS.
6. WHEN GROUTING IS STOPPED FOR ONE HOUR OR LONGER, HORIZONTAL CONSTRUCTION JOINTS SHALL BE FORMED BY STOPPING THE GROUT POUR 1-1/2" BELOW TOP OF THE UPPERMOST UNIT.
7. ALL BOND BEAM BLOCK SHALL BE "DEEP CUT" UNITS.
8. PROVIDE INSPECTION AND CLEAN-OUT HOLES AT BASE OF VERTICAL CELLS HAVING GROUT LIFTS IN EXCESS OF 4'-0" OF HEIGHT.
9. ALL CROUT SHALL BE CONSOLIDATED WITH A MECHANICAL VIBRATOR.
10. CEMENT SHALL BE AS SPECIFIED FOR CONCRETE.
11. REINFORCING BARS - SEE NOTES UNDER "REINFORCING STEEL" FOR REQUIREMENTS.
12. PROVIDE ONE BAR DIAMETER (A MINIMUM OF 1/2") GROUT BETWEEN MAIN REINFORCING AND MASONRY UNITS.
13. LOW LIFT CONSTRUCTION, MAXIMUM GROUT POUR HEIGHT IS 4 FEET.
14. HIGH LIFT GROUTED CONSTRUCTION MAY BE USED IN CONFORMANCE WITH PROJECT SPECIFICATIONS AND SECTION 2104.6.1, OF U.B.C.
15. ALL CELLS IN CONCRETE BLOCKS SHALL BE FILLED SOLID WITH GROUT, EXCEPT AS NOTED IN THE DRAWINGS OR SPECIFICATIONS.
16. CELLS SHALL BE IN VERTICAL ALIGNMENT. DOWELS IN FOOTINGS SHALL BE SET TO ALIGN WITH CORES CONTAINING REINFORCING STEEL.
17. REFER TO ARCHITECTURAL DRAWINGS FOR SURFACE AND HEIGHT OF UNITS, LAYING PATTERN AND JOINT TYPE.
18. SAND SHALL BE CLEAN, SHARP AND WELL GRADED, FREE FROM INJURIOUS AMOUNTS OF DUST, LUMPS, SHALE, ALKALI OR ORGANIC MATERIAL.
19. BRICK SHALL CONFORM TO ASTM C-62 AND SHALL BE GRADE MW OR BETTER.

## GENERATOR NOTES:

1. GENERATOR SHALL BE PROVIDED BY FLO TV.
2. CONTRACTOR SHALL INSTALL GENERATOR IN ACCORDANCE WITH LOCAL AND NATIONAL BUILDING AND FIRE CODES. LOCAL ORDINANCE SHALL GOVERN IN THE EVENT OF CONFLICTING CODES.
3. CONTRACTOR RESPONSIBLE FOR ALL MATERIALS REQUIRED FOR GENERATOR INSTALLATION.
4. GENERATOR IS UL 2200 LISTED.
5. CONTRACTOR TO INSTALL OWNER PROVIDED ISOLATION PAD UNDER GENERATOR BASE.
6. GENERATOR IS NFPA COMPLIANT.

## DIESEL TANK NOTES:

1. DIESEL GENERATOR SUPPLIED WITH 214 GALLON MAXIMUM, SUB-BASE FUEL TANK.
2. DIESEL TANK SHALL BE INSTALLED IN ACCORDANCE WITH NFPA AND LOCAL REQUIREMENTS.
3. FUEL TANK IS UL-142 LISTED, DOUBLE WALLED, HEAVY GAUGE CONSTRUCTION.
4. FUEL TANK IS IN ACCORDANCE WITH NFPA 30 REQUIREMENTS.
5. FUEL TANK PROVIDED WITH INNER TANK ALARM, LEAK DETECTION ALARM, LOW FUEL LEVEL ALARM, AND EMERGENCY PRESSURE RELEASE VALVES IN INNER AND OUTER TANKS.
6. FUEL TANK PROVIDED WITH OVERSPILL AND OVERFILL CONTAINMENT DEVICES WHEN REQUIRED.

## PROPANE TANK NOTES:

1. CONTRACTOR TO ACQUIRE UL LISTED, LP TANK NOT TO EXCEED 500 GALLONS, UNLESS NOTED OTHERWISE.
2. LP TANK SHALL BE INSTALLED IN ACCORDANCE WITH NFPA AND LOCAL REQUIREMENTS.
3. LP TANK REGULATOR, VENT, AND FILLING CONNECTION SHALL NOT BE LOCATED WITHIN 10 FEET OF ANY EXTERNAL SOURCE OF IGNITION, ELECTRICAL COMPONENTS, DIRECT OR MECHANICAL VENTILATION SYSTEM.
4. CONTRACTOR TO PROVIDE 2" PVC CONDUIT (BELOW GRADE) BETWEEN TANK AND GENERATOR FOR INSTALLATION OF ALARM AND CONTROL WIRING.
5. CONTRACTOR TO PROVIDE 2" PVC CONDUIT (BELOW GRADE) BETWEEN TANK AND GENERATOR FOR INSTALLATION OF LP FUEL LINE. TANK SUPPLIER RESPONSIBLE FOR INSTALLATION OF FUEL LINE.
6. CONTRACTOR TO PROVIDE AND INSTALL MICRO-DESIGN INC. LPG STATIONARY TANK MONITOR P#/ 94442A-LPG. MONITOR SHALL BE WALL MOUNTED IN MFTS EQUIPMENT ROOM.

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SCHEDULE OF REVISIONS

| REV. NO. | DATE | DESCRIPTION OF CHANGES |
|---|---|---|
| 7 | | |
| 6 | | |
| 5 | | |
| 4 | | |
| 3 | | |
| 2 | 05/22/09 | 100% CD'S (CLIENT COMMENTS) |
| 1 | 04/02/09 | 100% CD'S (CLIENT COMMENTS) |
| 0 | 01/28/09 | 100% CD'S |

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| DRAWN BY: | CE |
| CHECKED BY: | SA |
| JOB NO: | 080305601 |

DRAWING TITLE:

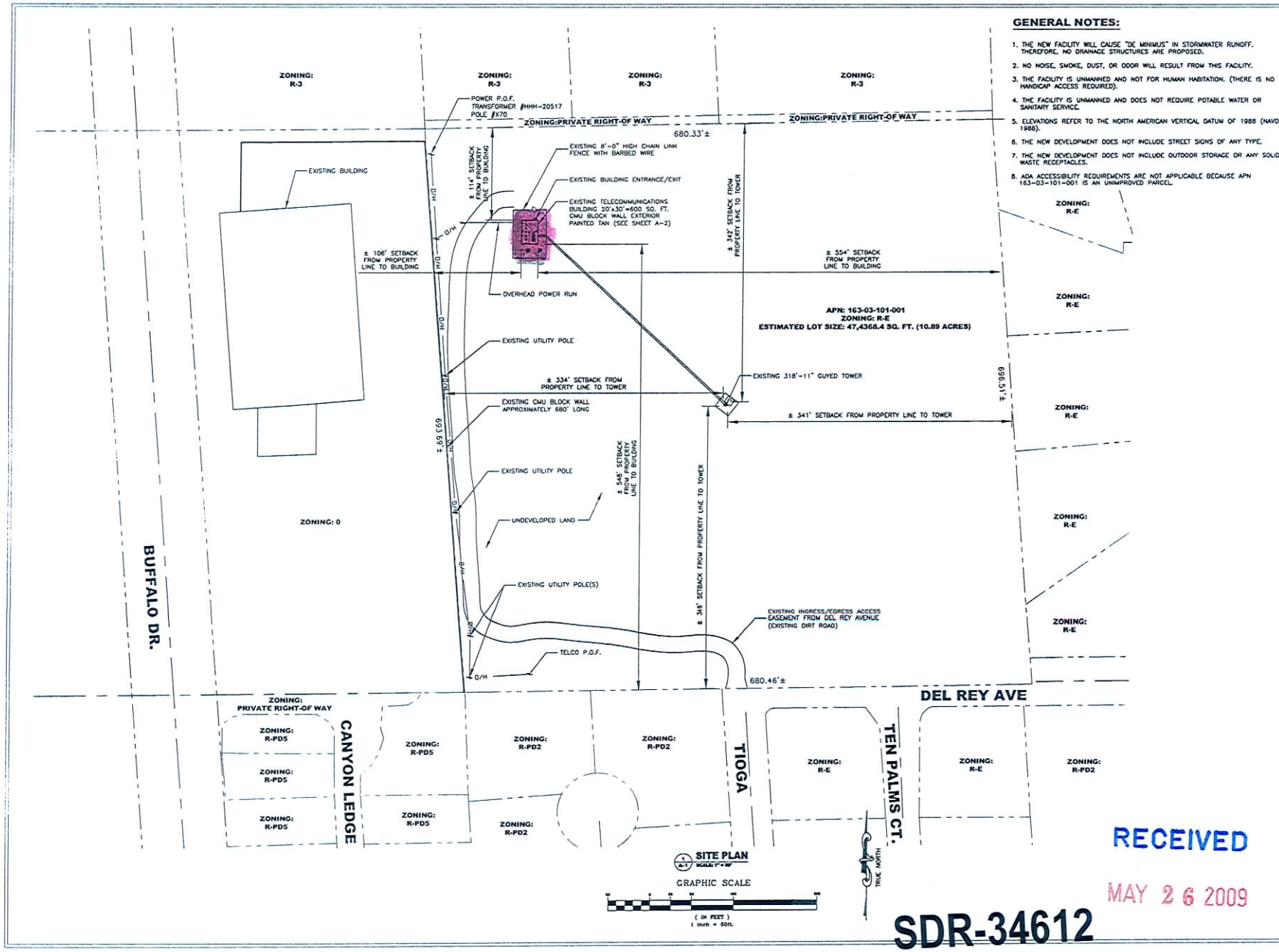
**GENERAL NOTES, ABBREVIATIONS AND SYMBOLS**

DRAWING SHEET:

**T-2**

**LAS VEGAS**
**LAS-006BP**
**NEAR INTERSECTION OF BUFFALO AND CHARLESTON BLVD.**
**LAS VEGAS, NV 89102**

SHEET NO. 2 OF 27




## GENERAL NOTES:

1. THE NEW FACILITY WILL CAUSE "DE MINIMUS" IN STORMWATER RUNOFF. THEREFORE, NO DRAINAGE STRUCTURES ARE PROPOSED.
2. NO NOISE, SMOKE, DUST, OR ODOR WILL RESULT FROM THIS FACILITY.
3. THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. (THERE IS NO HANDICAP ACCESS REQUIRED).
4. THE FACILITY IS UNMANNED AND DOES NOT REQUIRE POTABLE WATER OR SANITARY SERVICE.
5. ELEVATIONS REFER TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 1988).
6. THE NEW DEVELOPMENT DOES NOT INCLUDE STREET SIGNS OF ANY TYPE.
7. THE NEW DEVELOPMENT DOES NOT INCLUDE OUTDOOR STORAGE OR ANY SOLID WASTE RECEPTACLES.
8. ADA ACCESSIBILITY REQUIREMENTS ARE NOT APPLICABLE BECAUSE APN 163-03-101-001 IS AN UNIMPROVED PARCEL.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| 1 | 04/02/09 | 100% CD'S (CLIENT COMMENTS) |
| 0 | 01/26/09 | 100% CD'S |

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| DRAWN BY: | CE |
| CHECKED BY: | SA |
| JOB NO: | 080305001 |

DRAWING TITLE:

**SITE PLAN**

DRAWING SHEET:

**A-1**

**LAS VEGAS**
**LAS-006BP**
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**LAS VEGAS, NV 89102**

SHEET NO. 3 OF 27

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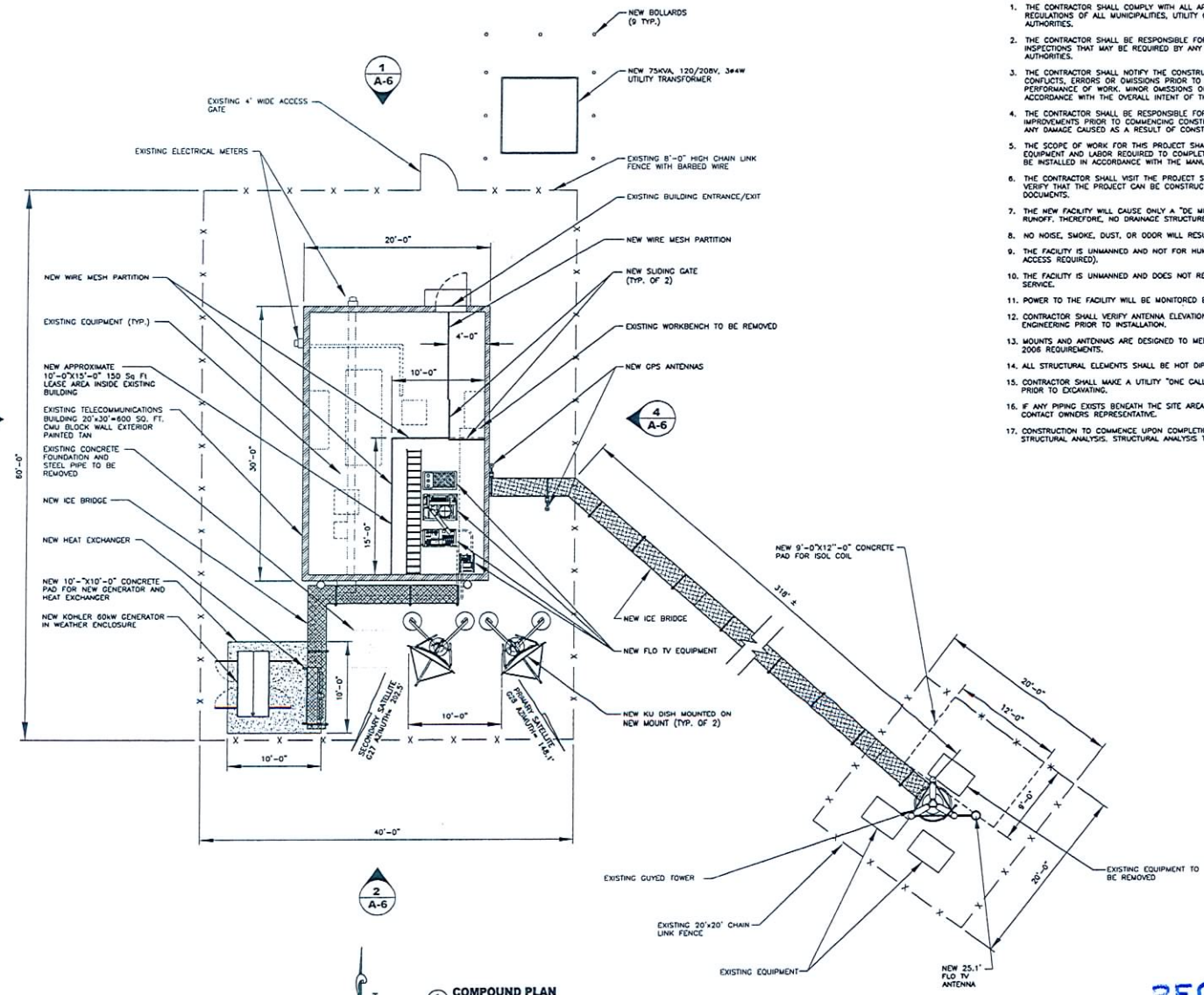


1 A-6 — 3 A-6 — 4 A-6 — 2 A-6 — 1 A-5

**1 A-2 COMPOUND PLAN** SCALE: 3/16" = 1'-0"

## GENERAL NOTES

1. THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE CODES ORDINANCES, LAWS AND REGULATIONS OF ALL MUNICIPALITIES, UTILITY COMPANIES OR OTHER PUBLIC AUTHORITIES.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS AND INSPECTIONS THAT MAY BE REQUIRED BY ANY FEDERAL, STATE, COUNTY OR MUNICIPAL AUTHORITIES.
3. THE CONTRACTOR SHALL NOTIFY THE CONSTRUCTION MANAGER, IN WRITING, OF ANY CONFLICTS, ERRORS OR OMISSIONS PRIOR TO THE SUBMISSION OF BIDS OR PERFORMANCE OF WORK. MINOR OMISSIONS OR ERRORS IN THE BID PROJECT IN ACCORDANCE WITH THE OVERALL INTENT OF THESE DRAWINGS.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING SITE IMPROVEMENTS PRIOR TO COMMENCING CONSTRUCTION. THE CONTRACTOR SHALL REPAIR ANY DAMAGE CAUSED AS A RESULT OF CONSTRUCTION OF THIS FACILITY.
5. THE SCOPE OF WORK FOR THIS PROJECT SHALL INCLUDE PROVIDING ALL MATERIALS, EQUIPMENT AND LABOR REQUIRED TO COMPLETE THIS PROJECT. ALL EQUIPMENT SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
6. THE CONTRACTOR SHALL VISIT THE PROJECT SITE PRIOR TO SUBMITTING A BID TO VERIFY THAT THE PROJECT CAN BE CONSTRUCTED IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.
7. THE NEW FACILITY WILL CAUSE ONLY A "DE MINIMUS" INCREASE IN STORMWATER RUNOFF. THEREFORE, NO DRAINAGE STRUCTURES ARENEW.
8. NO NOISE, SMOKE, DUST, OR ODOR WILL RESULT FROM THIS FACILITY.
9. THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION (THERE IS NO HANDICAP ACCESS REQUIRED).
10. THE FACILITY IS UNMANNED AND DOES NOT REQUIRE POTABLE WATER OR SANITARY SERVICE.
11. POWER TO THE FACILITY WILL BE MONITORED BY A SEPARATE METER.
12. CONTRACTOR SHALL VERIFY ANTENNA ELEVATION AND AZIMUTH WITH RF ENGINEERING PRIOR TO INSTALLATION.
13. MOUNTS AND ANTENNAS ARE DESIGNED TO MEET EIA/TIA-222-F AS PER IBC 2006 REQUIREMENTS.
14. ALL STRUCTURAL ELEMENTS SHALL BE HOT DIPPED GALVANIZED STEEL.
15. CONTRACTOR SHALL MAKE A UTILITY "ONE CALL" TO LOCATE ALL UTILITIES PRIOR TO EXCAVATING.
16. IF ANY PIPING EXISTS BENEATH THE SITE AREA, CONTRACTOR MUST LOCATE IT AND CONTACT OWNERS REPRESENTATIVE.
17. CONSTRUCTION TO COMMENCE UPON COMPLETION OF A PASSING STRUCTURAL ANALYSIS. STRUCTURAL ANALYSIS TO BE PERFORMED BY OTHERS.


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| DRAWN BY: | CE |
| CHECKED BY: | SA |
| JOB NO: | 080305601 |

DRAWING TITLE:

**COMPOUND PLAN**

DRAWING SHEET:

**A-2**

**LAS VEGAS**
**LAS-006BP**
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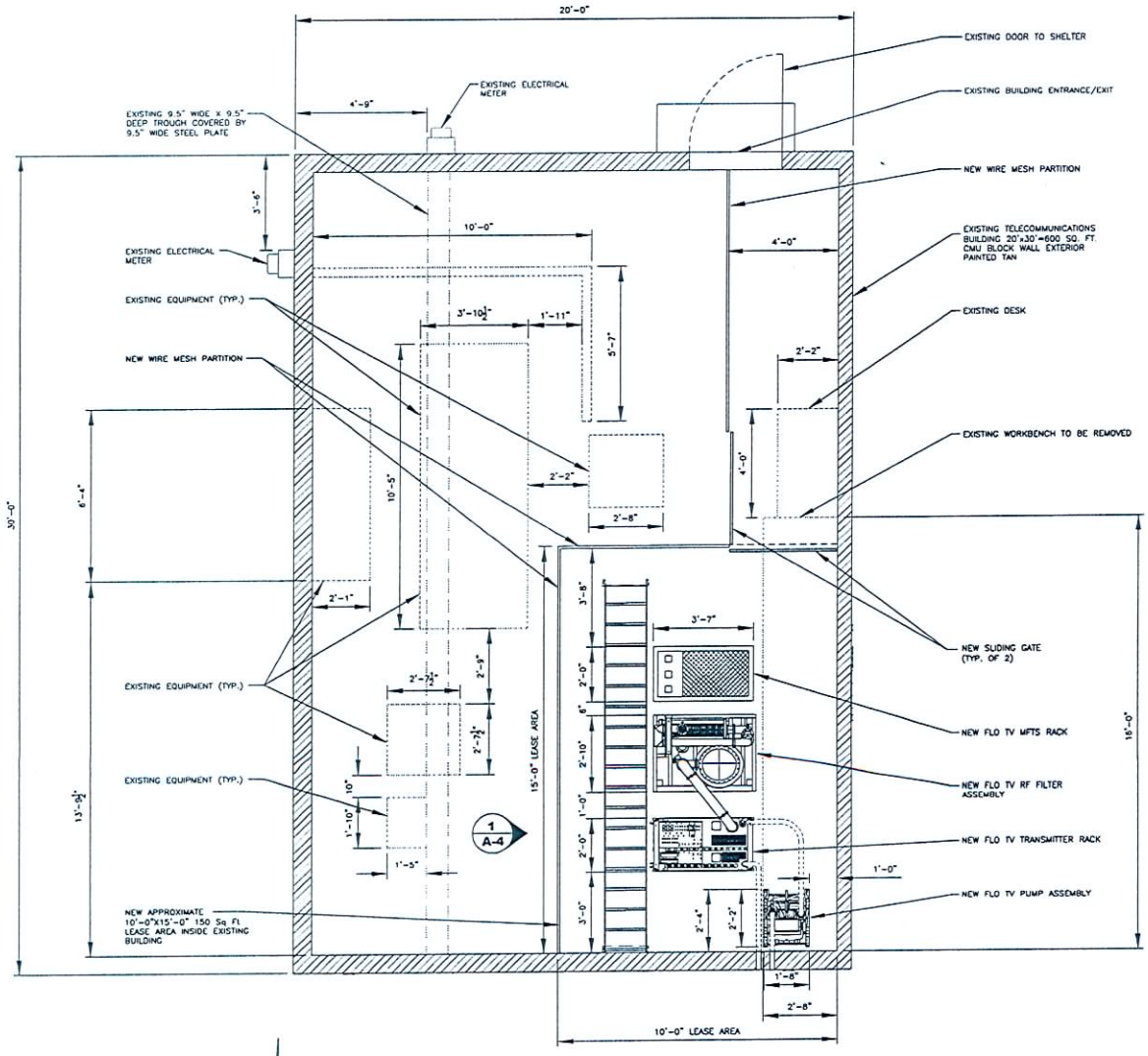



TRUE NORTH

1/A-3 EQUIPMENT ROOM PLAN
SCALE: 1/2" = 1'-0"

GRAPHIC SCALE
( IN FEET )
1/2 inch = 1 ft.

RECEIVED
MAY 26 2009

SDR-34612
07/09/09 PC

FLO TV
live mobile tv
5775 MOREHOUSE DRIVE
SAN DIEGO, CALIFORNIA 92121
PH (858) 651-1645

WA
10802 NELLE AVE. NE
ALBUQUERQUE, NM 87111
(505) 250-6389

CMX
3100 WEST RAY ROAD, SUITE 201
CHANDLER, AZ. 85226
TEL (480) 648-1900 FAX (480) 648-1918
ARIZONA • FLORIDA • MARYLAND • NEVADA • NEW JERSEY
NEW YORK • PENNSYLVANIA • MEXICO

SCHEDULE OF REVISIONS

| REV. NO. | DATE | DESCRIPTION OF CHANGES |
|---|---|---|
| 7 | | |
| 6 | | |
| 5 | | |
| 4 | | |
| 3 | | |
| 2 | 05/22/09 | 100% CD'S (CLIENT COMMENTS) |
| 1 | 04/02/09 | 100% CD'S (CLIENT COMMENTS) |
| 0 | 01/26/09 | 100% CD'S |

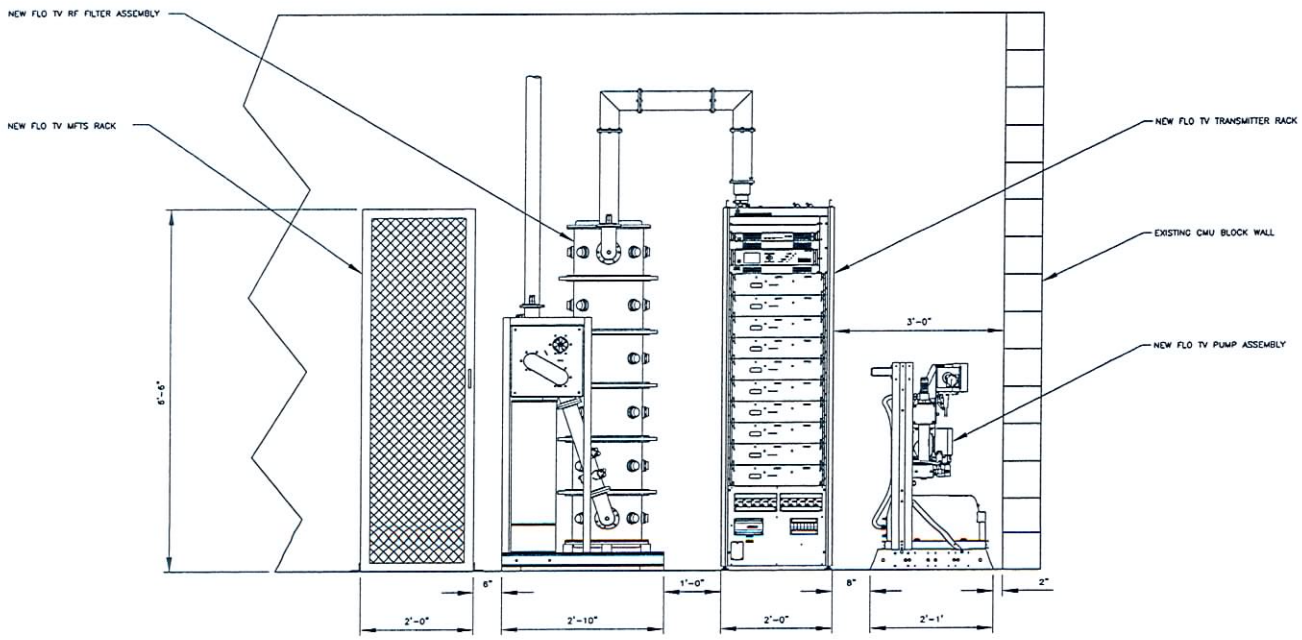
| | |
|---|---|
| DRAWN BY: | GE |
| CHECKED BY: | SA |
| JOB NO: | 080305001 |

DRAWING TITLE:
**EQUIPMENT ROOM PLAN**

DRAWING SHEET:
**A-3**

**LAS VEGAS**
**LAS-006BP**
**NEAR INTERSECTION OF BUFFALO AND CHARLESTON BLVD.**
**LAS VEGAS, NV 89102**

SHEET NO. 5 OF 27




1 A-4 EQUIPMENT ROOM INTERIOR ELEVATION
SCALE: 1" = 1'-0"

GRAPHIC SCALE
( IN FEET )
1 inch = 1 ft.

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SCHEDULE OF REVISIONS

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|---|---|---|
| 7 | | |
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| 2 | 05/22/09 | 100% CD'S (CLIENT COMMENTS) |
| 1 | 04/02/09 | 100% CD'S (CLIENT COMMENTS) |
| 0 | 01/26/09 | 100% CD'S |

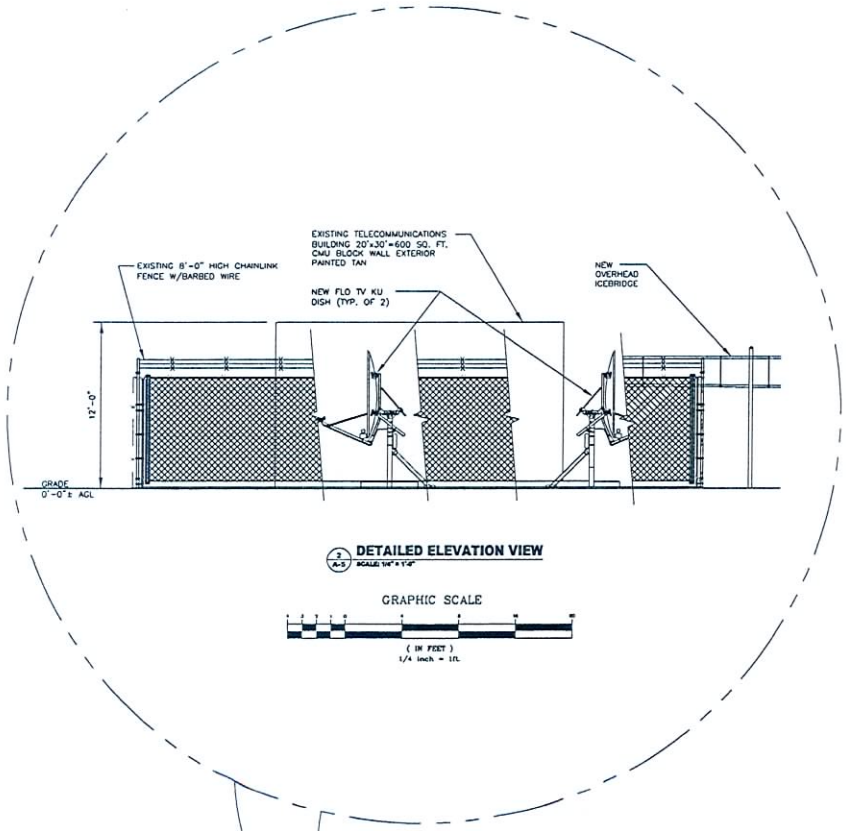
| | |
|---|---|
| DRAWN BY: | CE |
| CHECKED BY: | SA |
| JOB NO: | 080305G01 |

DRAWING TITLE:
**EQUIPMENT ROOM INTERIOR ELEVATION**

DRAWING SHEET:
**A-4**

**LAS VEGAS**
**LAS-006BP**
**NEAR INTERSECTION OF BUFFALO AND CHARLESTON BLVD.**
**LAS VEGAS, NV 89102**

SHEET NO. 6 OF 27




2 A-5 **DETAILED ELEVATION VIEW**

SCALE: 1/4" = 1'-0"

GRAPHIC SCALE

( IN FEET )
1/4 inch = 1ft.




1 A-5 **SOUTH ELEVATION (OVERALL)**

SCALE: 1" = 20'-0"

GRAPHIC SCALE

( IN FEET )
1 inch = 20ft.

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MAY 26 2009

**SDR-34612**

**07/09/09 PC**

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SAN DIEGO, CALIFORNIA 92121
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**SCHEDULE OF REVISIONS**

| REV. NO. | DATE | DESCRIPTION OF CHANGES |
|---|---|---|
| 7 | | |
| 6 | | |
| 5 | | |
| 4 | | |
| 3 | | |
| 2 | 05/22/09 | 100% CD'S (CLIENT COMMENTS) |
| 1 | 04/02/09 | 100% CD'S (CLIENT COMMENTS) |
| 0 | 01/26/09 | 100% CD'S |

| | |
|---|---|
| DRAWN BY: | CE |
| CHECKED BY: | SA |
| JOB NO: | 080305601 |

DRAWING TITLE:

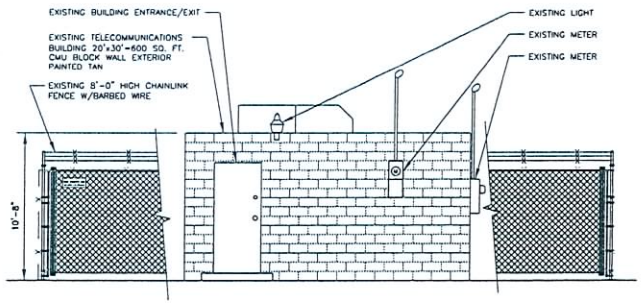
**SOUTH ELEVATION (OVERALL)**

DRAWING SHEET:

**A-5**

**LAS VEGAS**
**LAS-006BP**
**NEAR INTERSECTION OF BUFFALO AND CHARLESTON BLVD.**
**LAS VEGAS, NV 89102**

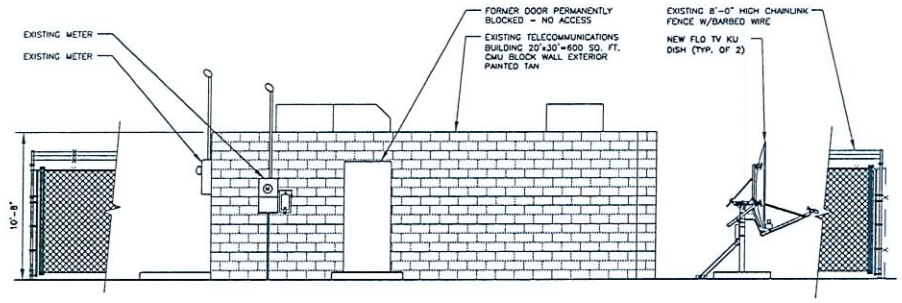
SHEET NO. 7 OF 27




1 A-6 **NORTH ELEVATION**

GRAPHIC SCALE

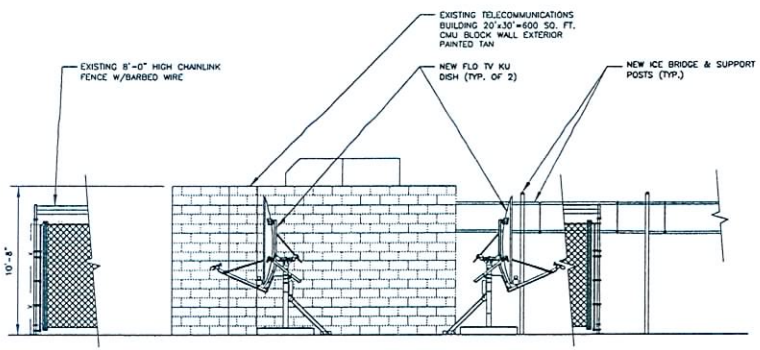
( IN FEET )
1/4 inch = 1ft.




3 A-6 **WEST ELEVATION**

GRAPHIC SCALE

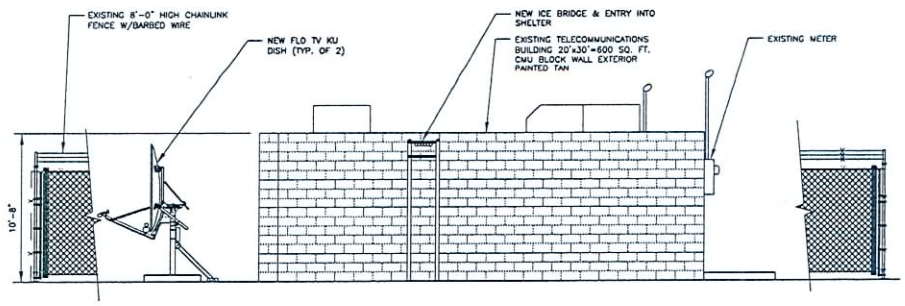
( IN FEET )
1/4 inch = 1ft.




2 A-6 **SOUTH ELEVATION**

GRAPHIC SCALE

( IN FEET )
1/4 inch = 1ft.




4 A-6 **EAST ELEVATION**

GRAPHIC SCALE

( IN FEET )
1/4 inch = 1ft.

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MAY 26 2009

**SDR-34612**

**07/09/09 PC**


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**SCHEDULE OF REVISIONS**

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| 6 | | |
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| 4 | | |
| 3 | | |
| 2 | 05/22/09 | 100% CD'S (CLIENT COMMENTS) |
| 1 | 04/02/09 | 100% CD'S (CLIENT COMMENTS) |
| 0 | 01/28/09 | 100% CD'S |

| | |
|---|---|
| DRAWN BY: | CE |
| CHECKED BY: | SA |
| JOB NO: | 080305601 |

DRAWING TITLE:

**EXISTING BUILDING ELEVATIONS**

DRAWING SHEET:

**A-6**

**LAS VEGAS**
**LAS-006BP**
**NEAR INTERSECTION OF BUFFALO AND CHARLESTON BLVD.**
**LAS VEGAS, NV 89102**

SHEET NO. 8 OF 27



SDR-34612 - APPLICANT: FLO TV, INC - OWNER: UNITED STATES OF AMERICA
NORTH SIDE OF DEL REY AVENUE, APPROXIMATELY 900 FEET WEST OF MONTE CRISTO WAY
JULY 9, 2009 PLANNING COMMISSION

06/04/09



SDR-34612 - APPLICANT: FLO TV, INC - OWNER: UNITED STATES OF AMERICA
NORTH SIDE OF DEL REY AVENUE, APPROXIMATELY 900 FEET WEST OF MONTE CRISTO WAY
JULY 9, 2009 PLANNING COMMISSION

06/04/09



SDR-34612 - APPLICANT: FLO TV, INC - OWNER: UNITED STATES OF AMERICA
NORTH SIDE OF DEL REY AVENUE, APPROXIMATELY 900 FEET WEST OF MONTE CRISTO WAY
JULY 9, 2009 PLANNING COMMISSION

06/04/09



SDR-34612 - APPLICANT: FLO TV, INC - OWNER: UNITED STATES OF AMERICA
NORTH SIDE OF DEL REY AVENUE, APPROXIMATELY 900 FEET WEST OF MONTE CRISTO WAY
JULY 9, 2009 PLANNING COMMISSION

06/04/09

May 26, 2009

City of Las Vegas
Planning & Development Department
731 South Fourth Street
Las Vegas, NV 89101

Re: Pre-Application request for GPA, ZON and SDR
APN 163-03-101-001 – near Intersection of Buffalo and Charleston

On behalf of FLO TV Inc., I respectfully request your consideration and acceptance of the attached application. This project is located on APN 163-03-101-001 on the north side of Del Rey, east of Buffalo and south of Charleston and is designed as a collocation of 1 UHF broadcast antenna to an existing 318.9-foot communication tower on a government owned, R-E zoned parcel.

FLO TV Inc. (www.flotv.com) – a provider of nationwide multimedia network services wireless devises enabling fast, simple, portable, reliable and affordable entertainment featuring live, simulcast and time shifted full-length television programming anytime and anywhere within FLO's coverage area – is now in the process of building a network in the greater Las Vegas valley. FLO has teamed up with the nation's largest television networks to offer a wide variety of television programming. Consumers can enjoy live sporting events, news, music videos, cartoons, and many of America's most popular television programs.

This application located on APN 163-03-101-001 is for one UHF antenna to be placed on the tower along with 2 Satellite KU band dishes, an emergency back-up generator, heat exchanger and IsoCoil to be placed at the base of the tower as well as inside the fenced in lease area with the transmitter, filter and pump assembly to be placed inside the existing communications building.

The property is currently zoned R-E for residential uses and, in order to add the installation proposed by FLO TV, this application for re-zoning is being submitted. This request is to change the current zoning designation of the property from R-E to CV to allow a communications site under the current zoning regulations. I am also submitting an application for General Plan Amendment to change the property designation from DR to PR-OS. A Site Plan Review application is also being submitted for review to insure that the proposed changes will adhere to the current ordinance pertaining to communications sites.

If you have any concerns regarding this application, please do not hesitate to contact me at (505) 250-6389.

Sincerely,

Janice Manley

Janice Manley
Site Acquisition Specialist
WFI, representing FLO TV Inc.
Janice.manley@wfinet.com

**Wireless Facilities, Inc.**
**representing FLO TV Inc.**
**10820 Nelle Avenue NE**
**Albuquerque, NM 87111**

**SDR-34612**
**07/09/09 PC**

Form NSO 2800-4
(Rev. Mar. 1971)
(Page 1)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Nevada State Office
Room 3008 Federal Building
300 Booth Street
Reno, Nevada 89502

2800
N-7884
(N-943.2)

September 30, 1974

# D E C I S I O N

## RIGHT-OF-WAY GRANTED

### Details of Grant

| | |
|---|---|
| Serial number of grant: | N-7884 |
| Name and address of grantee: | Nevada Broadcast, Inc.<br>925 East Desert Inn Road<br>Las Vegas, Nevada 89109 |
| Map showing location and dimensions of grant: | |
| Map designation: | KRAM Site |
| Date filed: | October 2, 1973 |
| Permitted use by grantee: | Communications Site |
| Authority for grant: | Act of March 4, 1911 (36 Stat. 1253; 43 U.S.C. 961) |
| Regulations applicable to grant: | |
| Code reference: | 43 CFR 2800 and 2861 |
| Circular number: | 2322 and 2327 |
| Date of grant: | September 30, 1974 |
| Expiration of grant: | September 29, 2024 |
| Rental: | $1,620.00 paid for the first 10-year period, subject to review and in accordance with 43 CFR 2802.1-7(e) |
| When payable by grantee: | On or before September 30, 1984 |

SDR-34612
ZON-34611
GPA-34610
REVISED
07/09/09 PC

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JUN 19 2009

## Terms and Conditions of Grant

Pursuant to the authority vested in the undersigned by Order No. 701 of the Associate Director, Bureau of Land Management, dated July 23, 1964 (29 F.R. 10526), a right-of-way, the details of which are shown above, is hereby granted, subject to the following terms and conditions:

1. All valid rights existing on the date of grant.

2. All applicable regulations cited, including but not limited to 43 CFR 2801.1-5(m) which states: "That the right-of-way herein granted shall be subject to the express covenant that it will be modified, adapted, or discontinued if found by the Secretary to be necessary, without liability or expense to the United States, so as not to conflict with the use and occupancy of the land for any authorized works which may be hereafter constructed thereon under the authority of the United States."

3. Filing of proof of construction within five years of date of grant in accordance with 43 CFR 2802.2-2.

4. Although the out-boundaries of the site are described on the map accompanying the application, these boundaries are for identification purposes only and no exclusive rights are granted thereby. Any subsequent applicants may be granted space within the out-boundaries of the site (for example, between guy wires and buildings) for electronic use as long as no interference is generated to prior grantees. Any fence construction must first be cleared by the Bureau of Land Management.

5. The grantee shall not install or allow the installation of any other organization's electronic equipment in the grantee's building or attachment to the grantee's antenna support structures without the new organization obtaining a separate right-of-way from the Bureau of Land Management for the joint occupancy of the said facility.

6. All facilities and structures utilized by the grantee must display a permanent identification tag showing the user's name, address, phone number and Bureau of Land Management serial number.

7. **Stipulations signed by grantee and attached hereto.**



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JUN 19 2003

8. Permittee shall survey and clearly mark the exterior limits of the right-of-way. All activities directly or indirectly associated with the construction or maintenance of this communications site must be conducted within the limits of the right-of-way.

Pursuant to 43 CFR 2801.1-5, the District Manager, Las Vegas, Nevada, has the authority to conduct all business with the grantee with respect to use of lands and disposition of resources, and the grantee is requested to contact the above-designated official prior to the beginning of construction.

(SGD) A. John Hillsamer

A. John Hillsamer, Chief
Lands & Minerals Operations

cc: DM, Las Vegas
Engineering, Attn: Jim Saladin w/cy Form 2860-1

ALDougherty:rp 9/30/74

Form NSO 2800-4 (August 1973)
(Page 3-d)

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JUN 19 2003

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Bur. of Land Management
10:53 A.M. MAY 3 1974
NEVADA STATE OFFICE
RENO, NEVADA

SPECIAL STIPULATIONS

Nevada Broadcast, Inc. agrees that in addition to the requirements of the regulations, it will be bound by the following special stipulations for right-of-way N-7884:

1. When antiquities, including but not limited to archaeological items, paleontological objects or other objects of historic or scientific interest are discovered while using the property, the permittee shall leave the items or conditions intact, will immediately cease operations, and inform the District Manager, Bureau of Land Management, Las Vegas District.

2. Restrict construction and maintenance vehicle travel to existing county and right-of-way access roads where possible.

3. The buildings will be painted so as to blend in with the surrounding area.

4. The Bureau of Land Management through its authorized representatives shall have the right at all reasonable times to go upon and enter the land and improvements constructed thereon for the purpose of inspecting same.

Jess B. Bowers
Signature

President
Title

April 30th 1974
Date

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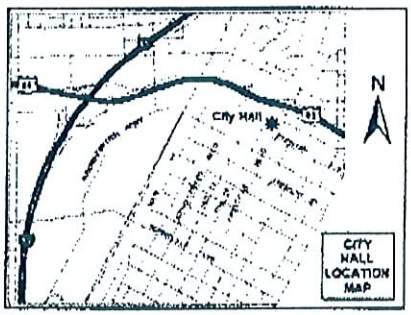
JUN 19 2003

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279216 JUN 26 2009
MAILED FROM ZIP CODE 89101

**Return Service Requested**
**Official Notice of Public Hearing**




If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SDR-34612**
Planning Commission Meeting of 7/9/2009

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JUN 29 2009

Case: SDR-34612
16303210008
ANSPACH LAWRENCE C REVOCABLE TR
1509 GOLDEN OAK DR
LAS VEGAS NV 89117-1451

DAVDF11 89117

31P

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

## *AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT*
### PLANNING COMMISSION MEETING OF: JULY 9, 2009

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

**SUBJECT:**
**GPA-32693 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - Request to adopt an updated Land Use and Rural Neighborhoods Preservation Element and revise the 2020 Master Plan

**C.C.: 08/05/2009**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **0** | **Planning Commission Mtg.** | **0** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
**APPROVAL**

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Land Use Element DRAFT

City of Las Vegas

## AGENDA MEMO

**PLANNING COMMISSION MEETING DATE: JULY 9, 2009**
**DEPARTMENT: PLANNING AND DEVELOPMENT**
**ITEM DESCRIPTION: GPA-32693 - APPLICANT/OWNER: CITY OF LAS VEGAS**

# ** CONDITIONS **

**STAFF RECOMMENDATION: APPROVAL**

SS

**GPA-32693 - Staff Report Page One**
**July 9, 2009 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This request is to adopt an updated Land Use & Rural Neighborhoods Preservation Element and to incorporate it into the city of Las Vegas 2020 Master Plan.

This element was last updated in July 2005. From July 2005 to July 2008, the city added 23,114 persons and 1,948 acres of land to its boundaries. A new update to the Land Use Element is needed to keep current with existing conditions and to remain in compliance with state statutes regarding master plans. Likewise, a rural neighborhoods preservation plan is a required component of the city's master plan, and this updated document includes information that satisfies those requirements.

The Land Use & Rural Neighborhoods Preservation Element accomplishes the following:

- Meets the requirements of Nevada Revised Statutes for a land use plan and a rural neighborhoods preservation plan to be included in the city's master plan
- Inventories and classifies types of land and existing land uses;
- Shows comprehensive plans for the most desirable utilization of land;
- Addresses mixed-use development, transit-oriented development, master planned communities and gaming enterprise districts;
- Addresses the acquisition and use of federally managed land; and
- Shows general plans to preserve the character and density of rural neighborhoods.

The Land Use & Rural Neighborhoods Preservation Element satisfies the Nevada Revised Statutes Chapter 278.160 requirements for both a land use plan and a rural neighborhoods preservation plan. It complies with NRS 278.150, which requires entities with a population of 400,000 or greater to adopt a master plan that addresses both of these elements.

A draft of the Land Use & Rural Neighborhoods Preservation Element was sent to the Department of Public Works and the Office of Business Development for review. Comments have been received and incorporated into the draft document.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| Month/date/year | Action |
| 04/01/92 | The City Council adopted Ordinance No. 3636, thereby adopting the Las Vegas General Plan as required by NRS 278. This master plan contained a Land Use Element. |

| | |
|---|---|
| 12/07/94 | An update to the Land Use Element was approved. |
| 09/06/00 | The City Council adopted Ordinance No. 5250, which adopted the Las Vegas 2020 Master Plan. |
| 07/06/05 | The City Council adopted Ordinance No. 5787, which adopted a new Land Use Element and superseded the 1994 update. |
| 01/18/06 | The City Council adopted Ordinance No. 5810, which amended the Land Use Element and the Centennial Hills Sector Plan to include the TND (Traditional Neighborhood Development) land use category. |
| 10/05/05 | The City Council adopted Ordinance No. 5791, which established the Rural Preservation Overlay District. |
| 05/03/06 | The City Council adopted Ordinance No. 5827, which amended the Rural Preservation Overlay District Map and revised the means for future updates to the map. |
| ***Neighborhood Meetings*** | |
| Month/date/year | Description |
| 06/15/09 | A neighborhood meeting was held at Mirabelli Community Center, 6200 Hargrove Avenue. One member of the public attended and inquired about the Sheep Mountain Parkway as it relates to Kyle Canyon Gateway. |
| 06/16/09 | A public meeting was held at Centennial Hills Community Center, 6601 N. Buffalo Drive. No members of the public attended the meeting. |
| 06/17/09 | A public meeting was held at Rafael Rivera Community Center, 2900 Stewart Avenue. No members of the public attended the meeting. |

## ANALYSIS

The update to the Land Use & Rural Neighborhoods Preservation Element is not intended to introduce changes in policy regarding land use or the preservation of rural neighborhoods. Rather, it is aimed at complying with state mandated requirements concerning the Master Plan, providing the latest available information, clarifying maps and tables, and presenting a format consistent with other Master Plan elements. No changes were made to the existing land use designations or densities, and there were no new special plan areas added. The definition of a "rural preservation neighborhood" remains unchanged, and additions or deletions of properties on the Rural Preservation Neighborhood Overlay District map simply reflect the application of the definition at this point in time.

The proposed revisions to the document from the 2005 update are listed below:

- An Executive Summary was added;
- The Introduction was expanded with a new section on enabling legislation and additional descriptions showing the relationship of land use to the other master plan documents;

- Goals, Objectives and Policies from the 2020 Master Plan Policy Document related to land use and rural neighborhood preservation were added;
- The land use distribution tables were updated with the latest available statistical information;
- Added sections on Mixed Use Development and Federally Managed Lands as required by NRS;
- The land use tables were updated for accuracy and consistency;
- Land use category descriptions were updated to match those of the various special area plans;
- The General Plan Amendment process section was expanded to include the factors to consider when determining approval of a General Plan Amendment or Major Modification, and also to list which plans require a Major Modification for changes in land use;
- The Rural Neighborhoods Preservation section was expanded to bring the element into compliance with NRS requirements and to provide updated information since the previous revision;
- The Rural Preservation Overlay District Map was updated to add or remove properties based on the existing Title 19 definition of a rural preservation neighborhood; and
- The Gaming Enterprise District map, General Plan land use and special plan area maps were updated to provide current information; all have adopted date and action included.

Land Use Table Updates

- All allowable zoning districts within a particular land use category are shown, illustrating the cumulative nature of the categories. Each higher density residential category permits all land uses of the lower density residential districts below it. Likewise, each higher intensity commercial and industrial category permits all land uses of the lower intensity commercial districts below it. This clarifies the relationship between zoning districts and land use categories and does not represent a change in policy.

  The notable exception to this cumulative relationship is in the Downtown Land Use Plan Area, where the U (Undeveloped) zoning district is not allowable in the MXU (Mixed Use) category and the lower intensity commercial districts are not allowable in the LI/R (Industrial) category.

- The LI/R (Light Industry/Research) category was shifted from the "Other" grouping to a new grouping called "Commercial/Industrial."

- The TND (Traditional Neighborhood Development) category was added to the General Plan land use category table (Table 5). (The description had already been included in the 2005 update but had been omitted from the table.)

- The LVMD (Las Vegas Medical District) category was added with a reference to the existing table (Table 13) containing special land use designations within this category. (The category had been shown on the Southeast Sector Map but had been omitted from Table 5.)

- Notes were added to each special area plan stating when that plan was last updated. This is not intended to be the date of the latest map amendment.

- An explanatory note was added to the Grand Teton Village table to clarify the existing density restriction along Farm Road in the L (Low Density Residential) category

- The SFSD (Single Family Special Lot Development) category was added to the Summerlin North and West tables and the allowable density in the SFA (Single Family Attached) category in each of these tables was amended from 14 to 18 to match the Summerlin Development Standards of September 15, 2004.

- The tables clarify that the allowable density is gross density where a special area plan calls for it and reference each document that uses gross density to determine residential land use categories

Land Use Description Updates

- The group headings "Residential," "Commercial/Industrial" and "Other" were added to coincide with the groupings in the general land use table.
- Text regarding the Interlocal Agreement was amended to reflect a restated Interlocal Agreement approved 12/03/08 by the City Council.
- A description for LVMD (Las Vegas Medical District) was added.
- Land use descriptions within the Cliff's Edge (Providence), Grand Canyon Village, Grand Teton Village, Lone Mountain, and Lone Mountain West master plan areas were altered to match those of the special area plan documents. Also the M (Medium) designation in the Lone Mountain master plan area was changed to the equivalent MFM (Multi-Family Medium) to be consistent with the land use plan contained in the special area plan document.
- References to special standards such as the number of stories in the special area plans were removed.

Relationship to Nevada Revised Statutes

The Nevada Revised Statutes (NRS) are the current codified laws of the State of Nevada. The Statutes of Nevada are a compilation of all legislation passed by the Nevada Legislature during a particular legislative session. With respect to these laws, the Land Use & Rural Neighborhoods Preservation Element conforms to the following:

NRS 278.150 through 170 inclusive requires that the governing body (in this case the city of Las Vegas) prepare and adopt a comprehensive, long-term general plan for the physical development of the city. This document, known as the Las Vegas 2020 Master Plan, must include a land use plan, which must include "an inventory and classification of types of natural land and of existing land cover and uses, and comprehensive plans for the most desirable utilization of land." The land use plan must address, if applicable:
--Mixed-use development, transit-oriented development, master-planned communities and gaming enterprise districts; and
--The coordination and compatibility of land uses with any military installation in the city, county or region, taking into account the location, purpose and stated mission of the military installation.
According to NRS, the land use plan "may also include a provision concerning the acquisition and use of land that is under federal management within the city, county or region, including, without limitation, a plan or statement of policy prepared pursuant to NRS 321.7355."

The Master Plan must also include a rural neighborhoods preservation plan, which must show "general plans to preserve the character and density of rural neighborhoods." The Land Use & Rural Neighborhoods Preservation Element addresses the NRS requirements of these two plans while combining them into one interrelated document.

Relationship to Las Vegas 2020 Master Plan

The city of Las Vegas 2020 Master Plan policy document was adopted in September 2000. It provides a broad policy structure intended to direct the actions of the city regarding land use and development for the period from 2000 to 2020. The individual elements are intended to provide more specific direction, through detailed analysis and recommended actions, as to how the City should react to certain issues. The Land Use & Rural Neighborhoods Preservation Element contains the goals, objectives and policies from the Master Plan policy document that best relate to land use and the preservation of rural neighborhoods.

**NOTICES MAILED** NEWSPAPER ONLY

**APPROVALS** 0

**PROTESTS** 0

SS

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-32693 APN: _____

Name of Property Owner: City of Las Vegas

Name of Applicant: City of Las Vegas

Name of Representative: Thomas A. Perrigo

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: Thomas A. Perrigo

Subscribed and sworn before me

This 28th day of May, 2009

Teresa K. Morrell

Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
TERESA K. MORRELL
No. 99-59083-1 My Appointment Expires Sept. 14, 2011

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW
DAVID W. STEINMAN
(INTERIM)

ELIZABETH N. FRETWELL
CITY MANAGER

March 9, 2009

Doug Rankin, AICP
Planning Manager, Public/Case Planning Division
Planning & Development Department
City of Las Vegas
731 South Fourth Street
Las Vegas, Nevada 89101

**RE: Land Use and Rural Neighborhoods Preservation Element**

Dear Mr. Rankin:

Please accept this letter as justification for a General Plan Amendment to adopt an updated Land Use and Rural Neighborhoods Preservation Element and amend the 2020 Master Plan.

As a component of the Master Plan, the Land Use and Rural Neighborhoods Preservation Element will satisfy NRS requirements for both a Land Use Plan and a Rural Neighborhoods Preservation Plan and provide a comprehensive document that will assist with the establishment of planning and zoning policy.

With regard to the land use section of the element, no changes or additions are proposed to be made to existing land use categories or densities at this time. The text will be updated for consistency with the current 2020 Master Plan format. Other information, particularly the land use tables, will be updated for accuracy and to reflect changes since the previous update. A notable change for this update will be the display of all allowable zoning districts within a particular land use category instead of displaying only the district having the maximum allowable density within each land use category.

The Rural Neighborhoods Preservation section of the element will be brought into conformance with NRS requirements for a Rural Neighborhoods Preservation Plan. No changes are proposed to be made to the criteria used to determine rural preservation neighborhood boundaries, and the RPN map is amended only to indicate changes to neighborhoods based on the existing qualifications.

This document will replace the previous Land Use Element update adopted July 6, 2005.

Please do not hesitate to contact me at 229-4714 should you have any questions.

Sincerely,

Steve Swanton, AICP
Senior Planner
Planning & Development Department

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

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# D R A F T

# Land Use & Rural Neighborhoods Preservation Element

City of Las Vegas
Planning & Development Department

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# CITY OF LAS VEGAS
# LAND USE & RURAL NEIGHBORHOODS PRESERVATION ELEMENT

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# EXECUTIVE SUMMARY

The intent of the Land Use and Rural Neighborhoods Preservation Element is to inventory and classify the types of land uses in the city and serve as a comprehensive plan for the most desirable utilization of land. It also addresses the acquisition and use of land that is under federal management, and it shows general plans to preserve the character and density of rural neighborhoods.

The Land Use and Rural Neighborhoods Preservation Element is framed by goals, objectives and policies that are intended to guide the growth and development of the city of Las Vegas. These policies reflect a vision for redevelopment of existing areas, preservation of rural areas and planned growth for new areas that takes into account the needs of area citizens. The policies will be implemented through existing land use plans, master development plans and design standards, as well as the Municipal Code.

In recent years the city has increased efforts to foster the development of walkable urban communities. In contrast to the predominant suburban, auto-oriented development pattern, these areas typically feature a mix of denser residential products with convenient services nearby or in the same development. Streets are designed to accommodate pedestrians and bicyclists in addition to automobiles. The establishment of a mixed use district and a transit oriented land use category have provided the opportunity for development of these types of projects.

Land use categories used in the city's general land use plans and various special area plans and master planned community plans are presented in table format. Descriptions of each category follow the tables. About 35 percent of the city's land area is planned for residential purposes, approximately six percent is planned for commercial purposes and about two percent is planned for industrial uses. These figures do not include the master planned areas of Town Center and Summerlin. Although the area planned for industrial uses is relatively small, approximately 46 percent of this land is still undeveloped.

General Plan Amendments and Major Modifications are the mechanisms used to modify the Master Plan and special area plans. A brief overview of the application and approval process is given.

Operation of new establishments with nonrestricted gaming licenses in the city requires the creation of Gaming Enterprise Districts. This element details the criteria for establishment of Gaming Enterprise Districts as required by the Nevada Revised Statutes and shows the locations of nonrestricted gaming licenses in the city.

Preservation of rural residential areas is an objective of the Master Plan Policy Document. This document provides the basis for establishment of a land use overlay district, the intent of which is to protect rural residential communities from encroachment by more dense development. A map of this overlay and analysis of the changes in the overlay since the last update of this element is provided.

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# INTRODUCTION

Land Use is the central element of the Master Plan. It serves as the long-range planning tool used in conjunction with other elements of the Master Plan to guide the city's future growth, revitalization, and preservation efforts. In 2000, the City Council adopted the City of Las Vegas 2020 Master Plan with goals, objectives and policies designed to guide growth through 2020. Since its adoption, many Elements of the Master Plan have been updated. This Land Use and Rural Neighborhoods Preservation Element is one in a series of required Elements to be updated and added to the 2020 plan.

PURPOSE

This update to the 2005 Land Use Element is designed to provide updated information regarding existing land use and to be a quick reference for future land use definitions, allowable densities and corresponding zoning categories. In addition, the existing section on the Rural Preservation Overlay District is expanding to meet the intent of the Nevada Revised Statutes, which requires a Rural Neighborhoods Preservation Plan. There are a number of plan documents that have been adopted by the City Council that dictate allowable land use throughout the city. By including maps and summarizing the land use categories and contents of the various plans, it is hoped that this document will serve to simplify the land development process and clarify allowable land use and densities throughout the city.

ENABLING LEGISLATION

Under Nevada Revised Statutes (NRS), land use has long been a recommended component of a city's Master Plan. In 2001, during the 71st session of the Nevada State Legislature, a land use plan became a required part of a city or county's master plan in counties of at least 400,000 population.[1]

The Nevada Revised Statutes, Sections 278.150 through 278.230, contain legislation enabling the development and adoption of a master plan. Subsection 4 of NRS Section 278.150 states:

> *In counties whose population is 400,000 or more, the governing body of the city or county shall adopt a master plan for all of the city or county that must address each of the subjects set forth in subsection 1 of NRS 278.160.*

In addition, Subsection 3 of NRS 278.170 also states:

> *In counties whose population is 400,000 or more, the commission shall prepare and adopt a master plan for all of the city or county that must address each of the subjects set forth in subsection 1 of NRS 278.160.*

The appropriate subject matter of master plans is stated in NRS 278.160:

[1] NRS 278.150 as amended by AB 182 (2001).

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*Except as otherwise provided in Subsection 4 of NRS 278.150 and Subsection 3 of NRS 278.170, the master plan, with the accompanying charts, drawings, diagrams, schedules and reports, may include such of the following subject matter or portions thereof as are appropriate to the city, county or region, and as may be made the basis for the physical development thereof:*

NRS 278.160, Subsections (f) and (k) state that the master plan must include the following elements:

*(f) Land use plan. An inventory and classification of types of natural land and of existing land cover and uses, and comprehensive plans for the most desirable utilization of land. The land use plan:*

*(1) Must address, if applicable:*
*(I) Mixed-use development, transit-oriented development, master-planned communities and gaming enterprise districts; and*
*(II) The coordination and compatibility of land uses with any military installation in the city, county or region, taking into account the location, purpose and stated mission of the military installation.*[2]
*(2) May include a provision concerning the acquisition and use of land that is under federal management within the city, county or region, including, without limitation, a plan or statement of policy prepared pursuant to NRS 321.7355.*

*(k) Rural neighborhoods preservation plan. In any county whose population is 400,000 or more, showing general plans to preserve the character and density of rural neighborhoods.*[3]

A Land Use Element has provided guidance to policymakers in the city of Las Vegas for nearly half a century. The city first adopted a Land Use Element as part of its Master Plan in 1959. Since then the City Council has adopted a new or updated Land Use Element in 1975, 1985, 1992 and 2005. The 2005 Land Use Element shall remain in effect until the adoption of this document.

PLANNING CONTEXT

The Master Plan Policy Document, adopted in September 2000, represents Phase I of the Master Plan project and forms the framework for the contents of Phase II: a series of elements; special area plans; and long-term land use designations, including a revised future land use map. The Land Use and Rural Neighborhoods Preservation Element is among the elements identified for completion during Phase II of the Master Plan project.

[2] NRS 278.160 (f)(1)(I) as amended by AB 425 (2005); NRS 278.160 (f)(1)(II) as amended by SB 269 (2007).
[3] NRS 278.160 (k) as amended by SB 391 (1999).

## RELATIONSHIP TO THE LAS VEGAS 2020 MASTER PLAN

The intent of this Land Use and Rural Neighborhoods Preservation Element is to provide a framework for the orderly planning of land uses within the city of Las Vegas. This element may be the most visible element in the planning process, and it is related to the other elements found within the 2020 Master Plan. The following is a brief description of the various roles played by other elements and their influence on land use planning.

### Conservation Element

The Conservation Element addresses many issues ranging from improving air quality to protecting endangered species to soil management, solid waste recycling and energy conservation. Sound land use planning is essential to ensure the success of all aspects of this element.

### Housing Element

The Housing Element is a major component of the Master Plan and is highly related to land use. While the Land Use and Rural Neighborhoods Preservation Element provides a general overview of the city's residential areas, the Housing Element provides a detailed analysis of all aspects of residential development. Examples of data within the Housing Element include state and federal housing policies, analysis of current and future housing trends, affordable housing needs, neighborhood revitalization, downtown reurbanization, and demographics. The Housing Element is an important component of the Las Vegas 2020 Master Plan and is essential to ensure sound land use planning for all aspects of future residential development.

### Parks and Recreation Element

When considering land use, it is important to allocate land for parks and other recreational facilities in convenient and accessible locations that best serve the needs of the community. The Parks and Recreation Element evaluates existing parks and recreational facilities, and the future park needs for the Centennial Hills, Southeast, and Southwest Sectors of the Master Plan.

### Population Element

The intent of the Population Element is two-fold. First, it tracks various categories of the general population, such as income and education level, which provide a greater understanding of the people that inhabit the city. Second, it forecasts future population growth and demographics, and predicts how these changes will affect the city in the years to come.

### Public Buildings Element

With an ever increasing population, it is imperative that public buildings are well planned in order to meet the city's future service goals. The purpose of the Public Buildings Element is to inventory and assess the present and future needs of public buildings given various population trends, level of service goals, land uses, and administrative space needs. Future facilities are identified as well as those that are required given the current conditions pertaining to the various city departments. All aspects of city government and its buildings are analyzed and recommendations are provided based on the future needs and service requirements of particular city functions.

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Public Safety Element
As the city of Las Vegas continues to grow, it is imperative that there are adequate facilities to ensure the public's health, safety, and general welfare. The Public Safety Element influences land planning by addressing the number and location of facilities such as police services, fire protection services, and drainage and flood control. In addition, adequate land use planning can mitigate the severity of hazards such as flooding, subsidence and earthquakes, and keep noise, traffic and other safety concerns at tolerable levels.

Public Services and Facilities Element
The direction and extent of development in the city is influenced by the availability of systems to support expansion. This element describes the public services and facilities available within the city, including stormwater and wastewater systems, flood control facilities and public utilities, recommending ways to maximize their efficiency.

Recreation Trails Element
The Recreation Trails Element establishes standards for the location, development, and maintenance of recreation trails in Las Vegas. The recreation trails are intended to contribute to the preservation of natural resources, provide a community recreation resource, promote health and fitness, and provide aesthetic relief from urban forms.

School Facilities Element
The provision of adequate schools is a public service of critical importance to the citizens of the city of Las Vegas. Land use maps are used by the Clark County School District to assist in strategically locating school facilities on a regional level. The School Facilities Element addresses existing conditions and projections for schools in the city of Las Vegas, and criteria used for site selection for schools in both the city and Clark County. In addition, service standards are provided which are used for planning and to determine site suitability and selection for providing public school services.

Transit Element
Land use typologies and development patterns directly influence the attractiveness, efficiency, and effectiveness of mass transit systems. The Transit Element recognizes that regional solutions are required for the development and integration of a seamless Valley-wide transit system, including provisions for a high-volume, high-speed fixed guideway to connect the Downtown and major urban hubs across the Valley. The need for efficient, effective mass transit is a continuous thread throughout various master plan elements that is tightly woven into the central theme of the Master Plan 2020 vision.

Transportation & Streets and Highways Element
Transportation and land use planning are interrelated and have direct and indirect effects upon each other within the community. The Transportation and Streets and Highways Element establishes policies that treat these two areas complementarily, describing the transportation system within the context of increased mobility and access to the built environment. Although future growth is anticipated, responsible land use planning can curtail sprawling development patterns and minimize the effects of anticipated increases in traffic volumes.

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Transportation Trails Element
The Transportation Trails Element establishes standards for the location, development, and maintenance of transportation trails in Las Vegas. These trails are intended to provide a multi-modal transportation system for pedestrians, bicyclists, and persons with other modes of non-motorized vehicular travel. Establishment of this system of trails will help reduce vehicular congestion and other problems due to the recent growth of the Las Vegas Valley.

Water Element
Water is essential for the development of land. This natural resource must be managed so that quality of life is maintained for the residents of the city. The Water Element outlines existing efforts and policies of the city of Las Vegas pertaining to water conservation, flood control, erosion control and wetlands management. It stresses the importance of coordination between regional governments, water utilities and other organizations to maintain high standards for water availability, quality and safety and to encourage sustainable use.

GOALS, OBJECTIVES AND POLICIES
The city of Las Vegas 2020 Master Plan consists of a series of elements that are intended to direct the actions of the city regarding land use and development for the period from 2000 to 2020. The Master Plan outlines broad policies, and each individual element builds on those policies and provides specific direction as to how the city should accommodate particular land use issues.

The following goals, objectives, and policies from the Las Vegas 2020 Master Plan provide the policy framework and direction for this element:

Neighborhood Revitalization

GOAL 2: Mature neighborhoods will be sustained and improved through appropriate and selective high quality redevelopment and preservation.

OBJECTIVE 2.1: To focus residential reinvestment on transitional sites within the central city area at densities that support mass transit usage.

POLICY 2.1.3: That urban hubs at the intersections of primary roads, containing a mix of residential, commercial and office uses, be supported.

OBJECTIVE 2.2: To ensure that low density residential land uses within mature neighborhoods can exist in close proximity to higher density residential, mixed-use, or non-residential land uses by mitigating adverse impacts where feasible.

POLICY 2.2.3: That design standards be adopted to address the need for transitions between different kinds of urban land uses.

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OBJECTIVE 2.3: To prepare, adopt and implement special area plans and neighborhood plans where more detailed planning is needed. These special area plans shall conform to and implement the Master Plan and address land use and other issues specific to that area. Neighborhood plans shall be prepared in conformance with the neighborhood planning process.

POLICY 2.3.1: That the Downtown Centennial Plan, in conjunction with appropriate neighborhood plans, such as the Downtown Neighborhood 2000 Plan, provide such direction for Downtown.

POLICY 2.3.2: That a West Las Vegas Plan provide such direction for West Las Vegas and adjacent areas.

POLICY 2.3.3: That a Medical District Plan provide such direction for medical facilities and support services for area hospitals and their adjacent residential neighborhoods.

POLICY 2.3.5: That special area plans be prepared for other areas of the city where appropriate.

Newly Developing Areas

GOAL 3: Newly developing areas of the city will contain adequate educational facilities and recreational and open space and be linked to major employment centers by mass transit, including buses, and by trails.

OBJECTIVE 3.2: To ensure that rural preservation areas with distinctive rural residential character are preserved and buffered from surrounding higher density development, in accordance with the Nevada Revised Statutes.

POLICY 3.2.1: That "rural preservation neighborhoods," as defined by the State of Nevada, be afforded the required transitional buffer where such portions of the required buffer area fall within the City of Las Vegas and are lands that are currently vacant.

POLICY 3.2.2: That land within such rural preservation neighborhoods located within portions of Clark County located north of Cheyenne Avenue and west of Decatur Boulevard be annexed to the City of Las Vegas in order to provide them with urban municipal services. Any additional tax costs that would be borne by these property owners as a result of such annexation would be phased into effect over several years.

POLICY 3.2.4: That the City revisit its policies regarding rural preservation legislation at such time as the applicable state statute expires.

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POLICY 3.2.5: That the Northwest Sector Plan be amended to reflect the outcome of a more detailed review of rural preservation issues and to offer a set of recommendations regarding the City's mandated role to protect rural preservation neighborhoods.

OBJECTIVE 3.4: To ensure that adequate portions of the lands released for urban development by the Bureau of Land Management (BLM) are developed for recreational and educational public facilities, transit facilities and fire stations that will benefit the city.

POLICY 3.4.1: That a minimum of 30 percent of available BLM lands be planned for recreational and parks uses within the northwest sector of the city, in the general vicinity of the intersection of Kyle Canyon Road and US 95.

POLICY 3.4.2: That detailed plans for recreation, parks and other uses be set forth in a special area plan for the Kyle Canyon area. Any future Kyle Canyon special area plan shall include policies to ensure that an acceptable percentage of the residential and commercial portions of Town Center is developed before residential, commercial and industrial development is allowed in Kyle Canyon. The growth planned for the Kyle Canyon area should not be in direct competition with any undeveloped portions of Town Center, and direct competition with Downtown growth should also be considered.

POLICY 3.4.3: That a minimum of 20 percent of available BLM lands within the Kyle Canyon area be made available for the development of a high technology business park, research and higher education, within the northwest sector of the city.

POLICY 3.4.4: That, only after the other policies of this section have been achieved, and the City has communicated its lands requirements to the Bureau of Land Management, that the City make available the remaining surplus BLM lands in the northwest sector of the city for master planned communities, which includes affordable housing.

Regional Coordination

GOAL 7: Issues of regional significance, requiring the City of Las Vegas to coordinate with other government entities and agencies within the Valley, will be addressed in a timely fashion.

OBJECTIVE 7.1: To ensure that the natural resources of the City, particularly those that directly support an enhanced quality of life for its residents, are protected.

POLICY 7.1.7: That land within such rural preservation neighborhoods located within portions of Clark County located north of Cheyenne Avenue and west of

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Decatur Boulevard be annexed to the City of Las Vegas in order to provide them with urban municipal services. Any additional tax costs that would be borne by these property owners as a result of such annexation would be phased into effect over several years.

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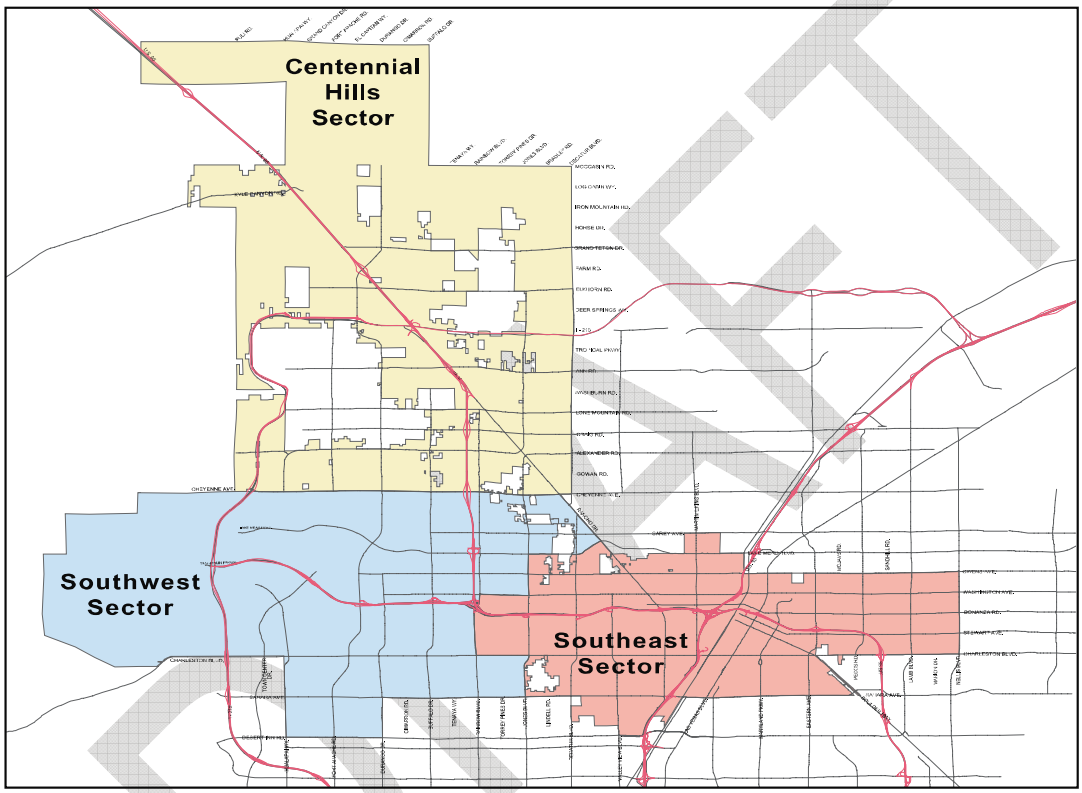
## EXISTING LAND USE

The city of Las Vegas encompasses approximately 133 square miles and is home to 599,087 people.[4] The city is divided into three areas known as "sectors." Each sector represents a geographical area of the city, and each has its own unique characteristics. The three sectors are identified as the Centennial Hills Sector, the Southwest Sector and the Southeast Sector.

**Exhibit 1**
**City Map**




Printed: November 18, 2008

Southeast Sector  Southwest Sector  Centennial Hills Sector

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LAND USE DISTRIBUTION

The following tables depict the distribution of existing land use by generalized categories for each sector and for the city as a whole. For simplicity, residential Master Plan categories allowing less than 5.5 developed units per acre were classified as Low Density Residential, between 5.5 and 12.49 developed units per acre were classified as Medium Density Residential, and greater than 12.49 developed units per acre were classified as High Density Residential.

[4] *Southern Nevada Consensus Population Estimate* – July 1, 2008 as approved by the Southern Nevada Regional Planning Coalition Board on November 20, 2008 and reported to the city of Las Vegas City Manager on December 20, 2008.

## Table 1
## Centennial Hills Sector Land Use Distribution

| Classification | Acreage | Percent of Total Acreage | Percent Developed | Percent Undeveloped |
|---|---|---|---|---|
| Low Density Residential (< 5.5 DUA) | 5,442 | 15% | 69% | 31% |
| Medium Density Residential (5.5-12.49 DUA) | 2,823 | 8% | 93% | 7% |
| High Density Residential (> 12.49 DUA) | 338 | 1% | 90% | 10% |
| **Total Residential** | **8,603** | **24%** | **78%** | **22%** |
| Commercial | 954 | 3% | 73% | 27% |
| Industrial | 688 | 2% | 0% | 100% |
| Town Center | 1,828 | 5% | 48% | 52% |
| Planned Community Development | 5,441 | 15% | 48% | 52% |
| Traditional Neighborhood Development | 7,137 | 20% | 0% | 100% |
| Open Space | 4,792 | 13% | N/A | N/A |
| Public Facilities | 1,437 | 4% | N/A | N/A |
| Right of Way | 5,199 | 14% | N/A | N/A |
| **Total** | **36,079** | **100%** | | |

Source: City of Las Vegas, Planning and Development Department, November 2008. Percentages rounded to nearest whole percent.

The Centennial Hills Sector is located in the northwest portion of the city and has been experiencing rapid commercial and residential growth in recent years. The Centennial Hills Sector contains a diverse mix of residential and nonresidential land uses providing opportunities for employment and retail services. It is the largest sector in the city with 36,079 acres of land; 8,603 acres are designated for residential uses and 954 acres are designated for commercial land uses, which rank first and last, respectively, among city sectors. There are currently 1,253 acres (15%) of residentially designated land and 261 acres (27%) of commercially designated land vacant and available for development. All 688 acres designated as industrial are undeveloped. In addition, 2,826 acres (52%) of parcels designated as Planned Community Development~~,~~ and 951 acres (52%) of parcels designated as Town Center are undeveloped and can be utilized for a variety of uses. The Traditional Neighborhood Development category was added in 2006 and contains 7,137 acres of land, all of which remains to be developed. Approximately 18% of land has been reserved for public facilities and rights-of-way. The Centennial Hills Sector area has approximately 4,800 acres (13%) of open space.

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## Table 2
## Southwest Sector Land Use Distribution

| Classification | Acreage | Percent of Total Acreage | Percent Developed | Percent Undeveloped |
|---|---|---|---|---|
| Low Density Residential (< 5.5 DUA) | 2,449 | 8% | 95% | 5% |
| Medium Density Residential (5.5-12.49 DUA) | 4,008 | 13% | 99% | 1% |
| High Density Residential (> 12.49 DUA) | 1,669 | 6% | 96% | 4% |
| **Total Residential** | **8,126** | **27%** | **97%** | **3%** |
| Commercial | 1,487 | 5% | 86% | 14% |
| Industrial | 330 | 1% | 83% | 17% |
| Summerlin West | 8,420 | 28% | 10% | 90% |
| Summerlin North | 4,839 | 16% | 99% | 1% |
| Open Space | 1,979 | 7% | N/A | N/A |
| Public Facilities | 798 | 3% | N/A | N/A |
| Right of Way | 3,885 | 13% | N/A | N/A |
| **Total** | **29,864** | **100%** | | |

City of Las Vegas, Planning and Development Department, November 2008. Percentages rounded to nearest whole percent.

The Southwest Sector is a slightly more mature area than the Centennial Hills Sector, but there is still a fair amount of vacant land available for development. There are currently 231 acres (3%) of residentially designated land and 213 acres (14%) of commercially designated land available for development. In addition, the Southwest Sector also contains the master planned communities of Summerlin North and Summerlin West, which make up 44% of the total acreage in the sector. These communities contain a balanced mix of homes, commercial services, and amenities such as multi-use playing fields, sidewalks, clubhouses, transit, parks, trails, and open spaces that were incorporated into the design. While the Summerlin North area is nearly built out, the Summerlin West area contains 7,614 acres (90%) of undeveloped land that can be designated for a variety of uses. There are 57 acres (17%) of industrial land available for development, and there are 798 acres of land designated for public facilities. There are 1,979 acres of open space located within the Southwest Sector. Due to a calculation error in the 2005 Land Use Element distribution tables, the total acreage in the Southwest Sector had been shown in that document to be greater than the actual total. The figure in Table 2 reflects the corrected total.

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## Table 3
## Southeast Sector Land Use Distribution

| Classification | Acreage | Percent of Total Acreage | Percent Developed | Percent Undeveloped |
|---|---|---|---|---|
| Low Density Residential (< 5.5 DUA) | 5,543 | 29% | 98% | 2% |
| Medium Density Residential (5.5-12.49 DUA) | 1,415 | 7% | 95% | 5% |
| High Density Residential (> 12.49 DUA) | 1,331 | 7% | 96% | 4% |
| **Total Residential** | **8,289** | **43%** | **97%** | **3%** |
| Commercial | 2,559 | 13% | 88% | 12% |
| Industrial | 706 | 4% | 94% | 6% |
| Medical District | 176 | 1% | 94% | 6% |
| Mixed Use | 950 | 5% | 78% | 22% |
| Open Space | 365 | 2% | N/A | N/A |
| Public Facilities | 1,688 | 9% | N/A | N/A |
| Right of Way | 4,534 | 23% | N/A | N/A |
| **Total** | **19,267** | **100%** | | |

City of Las Vegas, Planning and Development Department, November 2008. Percentages rounded to nearest whole percent.

The Southeast Sector is the most mature and built-out sector within the city. As the city begins to reach its limits on available land, mixed-use projects as well as infill and redevelopment will be emphasized in future developments. The city will encourage new infill development while remaining sensitive to the character of existing stable neighborhoods. There are 210 acres (3%) of residentially designated land and 313 acres (12%) of commercially designated land available for development. There are 209 acres designated Mixed Use (22%) and 11 acres (6%) of the Las Vegas Medical District available for development. The Southeast Sector contains 44 acres (6%) of undeveloped industrial land, and 1,688 acres are designated for public facilities. Of all the sectors, the Southeast Sector contains the least amount of open space, with only 365 acres (2%) of available land designated for it.

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## Table 4
## City of Las Vegas Citywide Land Use Distribution

| Classification | Acreage | Percent of Total Acreage | Percent Developed | Percent Undeveloped |
|---|---|---|---|---|
| Low Density Residential (< 5.5 DUA) | 13,434 | 16% | 86% | 14% |
| Medium Density Residential (5.5-12.49 DUA) | 8,246 | 10% | 96% | 4% |
| High Density Residential (> 12.49 DUA) | 3,338 | 4% | 95% | 5% |
| **Total Residential** | **25,018** | **29%** | **91%** | **9%** |
| Commercial | 5,000 | 6% | 84% | 16% |
| Industrial | 1,724 | 2% | 54% | 46% |
| Town Center | 1,828 | 2% | 48% | 52% |
| Planned Community Development | 5,441 | 6% | 48% | 52% |
| Traditional Neighborhood Development | 7,137 | 8% | 0% | 100% |
| Summerlin North | 4,839 | 6% | 99% | 1% |
| Summerlin West | 8,420 | 10% | 10% | 90% |
| Medical District | 176 | 0.2% | 94% | 6% |
| Mixed Use | 950 | 1% | 78% | 22% |
| Open Space | 7,136 | 8% | N/A | N/A |
| Public Facilities | 3,923 | 5% | N/A | N/A |
| Right-of-Way | 13,618 | 16% | N/A | N/A |
| **Total** | **85,210** | **100.0%** | | |

City of Las Vegas, Planning and Development Department, November 2008. Percentages rounded to nearest whole percent.

The city as a whole has 2,338 acres (9%) of residentially designated parcels, 787 acres (16%) of commercially designated parcels, 789 acres (46%) of industrially designated parcels and 18,595 acres (67%) within planned development areas (Town Center, Traditional Neighborhood Development, Planned Community Development and Summerlin) available for development. The Traditional Neighborhood Development and Summerlin West categories contain the most vacant land and provide the best opportunities for future development. One hundred percent of the land in the Traditional Neighborhood Development category and approximately 90 percent of Summerlin West is undeveloped.

Most of the changes in the distribution of land uses in recent years have occurred in the Centennial Hills Sector (Newly Developing Area) and Southwest Sector (Recently Developed Area) as a result of annexations and new developments requiring changes in land use designation.

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MIXED USE DEVELOPMENT

In 2001, the Downtown Overlay District was created to coincide with the Downtown Centennial Plan area and establish special standards for any zoning district in this area.[5] Many traditional standards such as for setbacks, height, parking, landscaping and lot coverage were relaxed to encourage developments having both residential and nonresidential uses on the same parcel or to allow both residential and nonresidential uses in an area zoned for one or the other. By 2003, a specific use called "Mixed Use" was created and defined, and was deemed appropriate anywhere inside the boundaries of the Las Vegas Redevelopment Area.[6] The area permitting mixed-use developments later expanded to the boundaries of the Neighborhood Revitalization Area,[7] and then became permissible anywhere within the C-1, C-2 and C-PB Districts with certain restrictions.[8]

The Mixed Use (MXU) District was created in 2003 as part of a revision to the Las Vegas Redevelopment Area.[9] Both residential and nonresidential land use categories could be allowed on redevelopment parcels designated as MXU.

The Centennial Hills Town Center area was envisioned as a mixed-use employment center that would create an economic hub in the northwest part of the city. The Town Center (TC) land use category, T-C (Town Center) zoning district and the Town Center Development Standards Manual were created to designate and regulate development in this area.

The Planned Development (PD) zoning district is intended to be flexible in the distribution of land uses, the density of development and in other matters typically regulated in zoning districts, thereby allowing the possibility of mixed-use development. Symphony Park is an example of a mixed-use planned development within the city.

Transit Oriented Development (TOD) is walkable, mixed-use development which occurs within a quarter-mile radius of transit station locations. The goal of creating walkable neighborhoods is most fully realized by the city's TND designation, which allows the T-D (Traditional Neighborhood) zoning district. The encouraged development pattern is for an interconnected street grid and buildings that relate to the street. This permits shorter walking times practical for access to all points in the neighborhood, whether for leisure or transportation. Complete streets that accommodate vehicles, transit, pedestrians and bicycles are mandated, with emphasis on streetscaping and sidewalks. Commercial service uses are near residential dwellings. Kyle Canyon is a development area designated for Traditional Neighborhood Development.

FEDERALLY MANAGED LANDS

Several areas of the city are under management of the United States government. The Paiute Indian Colony, located between Main Street and the Union Pacific Railroad north of Washington

[5] City of Las Vegas Ordinance 5301 (March 7, 2001).
[6] City of Las Vegas Ordinance 5565 (February 3, 2003).
[7] City of Las Vegas Ordinance 5662 (January 21, 2004).
[8] City of Las Vegas Ordinance 5738 (December 15, 2004).
[9] City of Las Vegas City Council Agenda Item 137 (GPA-2497), October 1, 2003; City of Las Vegas Ordinance 5652 (December 17, 2003).

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Avenue, was established in 1912 after landowner Helen Stewart deeded 10 acres of her ranch property to the U.S. Bureau of Indian Affairs. Since then, nearly 10 additional acres have been added to the original tract. The U.S. government holds the reservation in trust; however, the Paiute tribe has autonomy and has the power to develop on these parcels without interference.[10] The colony includes residential, commercial, and civic uses, including burial grounds.

Analysis of land use and land ownership reveals that approximately 11,300 acres (17.66 square miles) within city limits are managed by the Bureau of Land Management (BLM), an agency of the Department of the Interior. Approximately 74 percent of this land area includes the upper Las Vegas Wash and its environs, and about nine percent is located in steeply sloped areas in undeveloped portions of Summerlin west of the Bruce Woodbury Beltway. The federal government owns other properties within the city that are managed by the city, county, and the Las Vegas Valley Water District, including parks and public facilities.

The BLM has a Resource Management Plan in place for all of the area it manages in the Las Vegas District. The plan addresses land tenure, desert tortoise protection, availability of minerals, minerals management, off-road vehicle use, special management areas/areas of critical environmental concern, and utility corridors.[11] Special emphasis was placed on protection of the desert tortoise (listed as an endangered species under the Endangered Species Act) and other sensitive natural resources; however, the plan also recognizes the need not only to protect federal lands, but also to provide opportunities for recreation and mineral exploration and to provide for growth of the Las Vegas area by making public lands available for development.

Recognizing that local governments could better manage parcels located within their own jurisdictions, Congress passed the Southern Nevada Public Lands Management Act of 1998 (SNPLMA), which established a boundary within which federally owned lands in the Las Vegas Valley area could be auctioned, sold, exchanged or otherwise disposed to local governments or private entities. SNPLMA authorized the disposal of approximately 52,000 acres, with large areas located north and south of the urbanized area. In 2002, SNPLMA was amended[12] to expand the disposal boundary so that an additional 22,000 acres could be transferred. Within the disposal boundary, approximately 5,000 acres in the vicinity of the Upper Las Vegas Wash received special consideration for protection of rare plant species, Pleistocene Era animal fossils and other cultural resources. Lands in this "Conservation Transfer Area" may only be disposed after the BLM and the recipients sign a Conservation Agreement stating the manner in which these lands are to be managed in the long term. A Final Environmental Impact Statement for the disposal area was released in December 2004; however, transfer of title to any of the lands in the Conservation Transfer Area is pending the outcome of a Supplemental Environmental Impact Statement (SEIS) that will determine the final boundary of the Conservation Transfer Area and summarize the impacts of various uses to the special resources of the area. Approximately 3,000 acres of the Conservation Transfer Area are located within the city limits, subject to the final SEIS. The city has designated this area as PR-OS (Parks/Recreation/Open Space) in its General Land Use Plan.

[10] City of Las Vegas, *Downtown North Land Use Plan* (Revised November 19, 2008), p. 19.
[11] U.S. Department of Interior, Bureau of Land Management, *Las Vegas Resource Management Plan and Final Environmental Impact Statement, Volume I* (May 1998), p. 1-1.
[12] Clark County Conservation of Public Land and Natural Resources Act of 2002 (HR 5200) (October 1, 2002).

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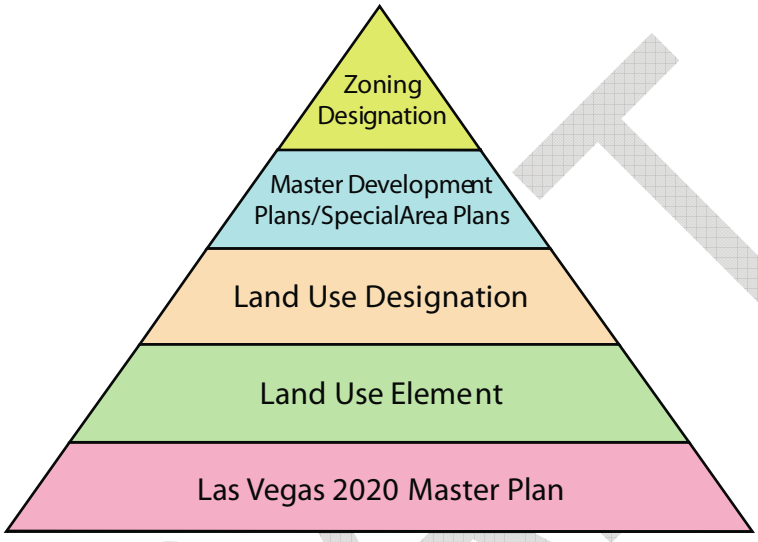
## LAND USE HIERARCHY

The land use hierarchy of the city of Las Vegas is designed to progress from broad to specific. In descending order, the land use hierarchy progresses in the following order: 2020 Master Plan; Land Use Element; Master Plan Land Use Designation; Master Development Plan Areas; and Zoning Designation. The following is a brief explanation of the role assumed by each level of the land use hierarchy.




LAS VEGAS 2020 MASTER PLAN

In 2001, the city of Las Vegas adopted the 2020 Master Plan, which provided a broad and comprehensive policy direction for future land use planning. Within this document, the city was divided into four strategy areas whose boundaries were roughly adopted from the 1992 General Plan Sector Plans. The areas are defined as the Downtown Reurbanization Area, Neighborhood Revitalization Area, Newly Developing Area, and Recently Developed Area.[13] Within these areas, broad goals, objectives, and policies were developed in order to direct planning efforts until the year 2020.

LAND USE ELEMENT

Within the Land Use and Rural Neighborhoods Preservation Element, the city is divided into the Centennial Hills Sector, Southeast Sector, Southwest Sector, and the Downtown Area. The sector plans have the same geographical boundaries as the four strategy areas (Downtown Reurbanization, Neighborhood Revitalization, Newly Developing, and Recently Developed) identified in the 2020 Master Plan.

While the 2020 Strategy Areas and Land Use Element Sector Plans have different names, the objectives and policies developed for each Strategy Area in the Master Plan also directs future planning policy for each corresponding Sector Plan.

[13] Recently Developed Area was added through a revision of the 2020 Master Plan dated July 6, 2005 (GPA-6363).

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The following list depicts the 2020 Master Plan Strategy Areas and their Land Use and Rural Neighborhoods Preservation Element equivalents.

| 2020 Plan Strategy Area | Land Use Element |
|---|---|
| Downtown Reurbanization Area | Downtown Area |
| Neighborhood Revitalization Area | Southeast Sector Plan |
| Newly Developing Area | Centennial Hills Sector Plan |
| Recently Developed Area | Southwest Sector Plan |

MASTER PLAN DESIGNATION

The Master Plan designation determines its future land use. There are 17 land use designations within the Master Plan that allow for various residential, commercial, industrial, and public facility uses. Within each designation, a specific set of zoning districts are allowed.

MASTER DEVELOPMENT PLAN AREAS AND SPECIAL LAND USE DESIGNATION

Master planned areas are comprehensively planned developments with a site area of more than eighty acres.[14] Other special area plans are intended for neighborhood and other smaller areas where it is determined that a more detailed planning direction is needed. These areas are located throughout the city and are listed by Sector Plan in the Future Land Use section of this element.

Some plan areas have separate land use designations that are unique to that particular plan. These special land use designations are described within the Description of Master Plan Land Use Designations subsection of the Future Land Use section of this element.

ZONING

Zoning is the major implementation tool of the Master Plan. The use of land as well as the intensity, height, setbacks, and associated parking needs of a development are regulated by zoning district requirements. Each Master Plan designation has specific zoning categories that are compatible, and any zoning or rezoning request must be in substantial agreement with the Master Plan as required by Nevada Revised Statutes 278.250 and Title 19.00 of the Las Vegas Municipal Code. The land use tables within the Future Land Use section of this element depict the allowable zoning districts for each Master Plan designation.

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[14] Certain infill developments may receive a waiver from the eighty-acre requirement.

## FUTURE LAND USE

CENTENNIAL HILLS SECTOR

The Centennial Hills Sector Plan was adopted in 1999[15] in order to provide for orderly development in the northwest portion of the city and was intended to replace the Northwest Sector map of the 1992 General Plan. The Centennial Hills Sector area is bounded by the city limits to the north, Cheyenne Avenue to the south, Decatur Boulevard to the east and Red Rock Canyon National Conservation Area to the west. The Centennial Hills plan defines land use, addresses circulation, open space, public facilities and includes the Centennial Hills Town Center land use plan.

TOWN CENTER

The Centennial Hills Town Center land use plan is intended to be a high intensity, high density, mixed use development located on all four quadrants of the Beltway and US 95 interchange. The intent of the Town Center plan is to prevent the sprawl of commercial and office development into the residential neighborhoods that exist within the Centennial Hills Sector Plan area.

MONTECITO TOWN CENTER

Partially located within the Town Center Land Use Plan, the area known as Montecito Town Center was established by a 2002 development agreement. Montecito Town Center is a 217.5 acre area generally bounded by Elkhorn Road to the north, I-215 to the south, El Capitan Way to the west and Durango Drive to the east. It is intended to be a multi-use activity center, and is the most appropriate area within Centennial Hills for larger scale mixed-use and multi-use developments. The Montecito Town Center Land Use and Design Standards appendix to the development agreement introduces the Mixed-Use Commercial land use designation, which governs all development in the Montecito area. Within this category, there are six "Activity Centers" that encompass various commercial and residential uses, as well as a buffer area for the Timberlake residential community. Descriptions of Montecito activity centers, buffer area, permitted uses, and design standards can be viewed in their entirety within the Montecito Town Center Land Use and Design Standards appendix to the development agreement.

INTERLOCAL AGREEMENT

On January 2, 2002, an Interlocal Agreement between Clark County and the city of Las Vegas was approved to establish joint policies on corporate boundaries, annexations, land use planning (including zoning and development review), transportation planning, parks and trails planning, and urban services (including sewer, water and flood control facilities planning). This agreement resulted in a joint planning effort that created a seamless land use plan illustrating the anticipated development patterns for the city of Las Vegas and Clark County in the Centennial Hills/Lone Mountain Planning Areas. On December 3, 2008, a restated interlocal agreement[16] was approved to further clarify the rights, roles and obligations of the city and the county. The

[15] City of Las Vegas Ord. 5152, June 28, 1999.

[16] City of Las Vegas City Council Agenda Item 48. The Interlocal Agreement was approved by the Board of County Commissioners on December 2, 2008.

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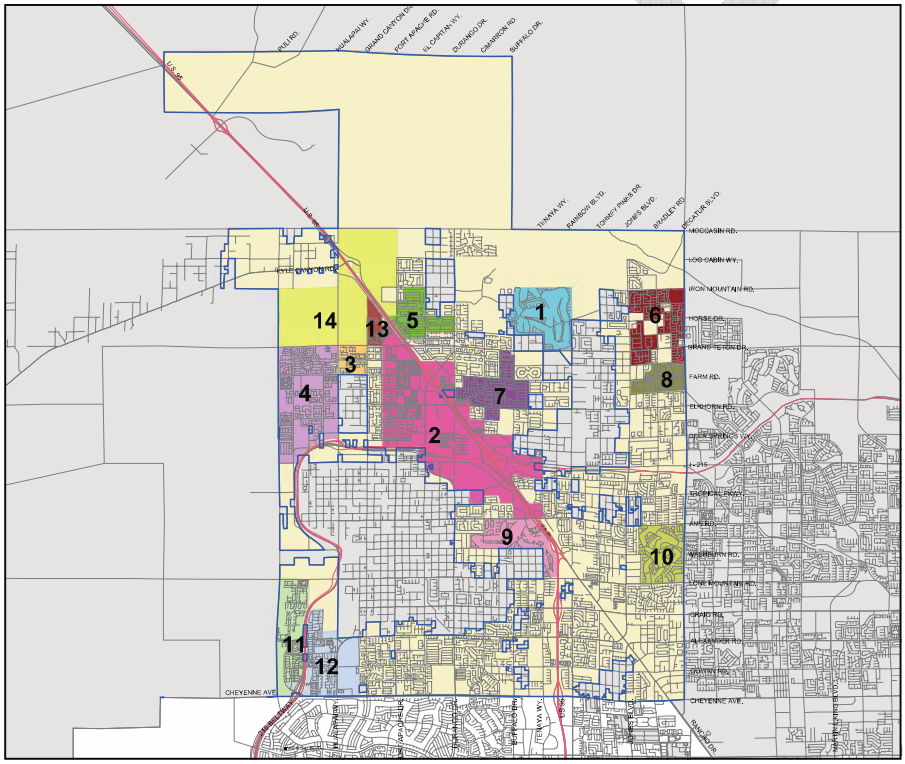
restated agreement expires five years after the Effective Date unless one of the parties wishes to cancel.

MASTER DEVELOPMENT PLAN AREAS

The following Master Development Plan Areas are located within the Centennial Hills Sector:

Cliffs Edge (Providence)
Elkhorn Ranch
Grand Canyon Village
Grand Teton Village
Iron Mountain Ranch
Kyle Canyon
Lone Mountain
Lone Mountain West
Los Prados
Lynbrook
Montecito Town Center
Painted Desert
Silverstone Ranch
Spring Mountain Ranch
Town Center

**Exhibit 2**
**Centennial Hills Map**



DOWNTOWN AREA

The auction of land owned by the Union-Pacific Railroad Company on May 5, 1905 is considered the birthday of Las Vegas. Downtown Las Vegas has long served as the hub of the entire Las Vegas region. In the 1990's, office and commercial development began to disperse to new suburban centers such as Summerlin and Green Valley. New housing developments spread out across the valley, and commercial development within the downtown core was passed over for new suburban areas.

In the past few years, however, the Downtown area has experienced an urban renaissance illustrated by a number of diverse residential, commercial, and mixed-use projects that have been built, are under construction, or are currently in the planning stages. Development towards the city's vision of a vibrant 24-hour downtown where people can live, work, and play has gained momentum in recent years. The Regional Justice Center, Clark County Government Complex, Federal Courthouse, and Premium Outlet Center are examples of employment centers that are located within the city's core. The city, through its consultant Newland Communities, is developing 61 acres of the downtown area known as Symphony Park. Related Companies, LP continues to co-develop the adjacent 57-acre home furnishings complex known as World Market Center. Several mixed-use, high-rise condominium towers have been recently approved and may soon add additional residential units to the downtown area. Six of these projects that have recently been completed (Allure, L'Octaine, Newport Lofts, Soho Lofts, Streamline Towers and Juhl) have collectively added 1,383 residential units to the Downtown area.

Land use in the downtown area is governed by the Downtown Land Use map of the Las Vegas Redevelopment Area Plan.[17] The plan has been implemented to encourage desirable and orderly development within the downtown area. The plan establishes land uses for the Downtown Area, and encourages the continuing development of downtown Las Vegas as the regional center for finance, businesses, governmental services, entertainment and recreation, while retaining the gaming and tourism vital to economic prosperity.

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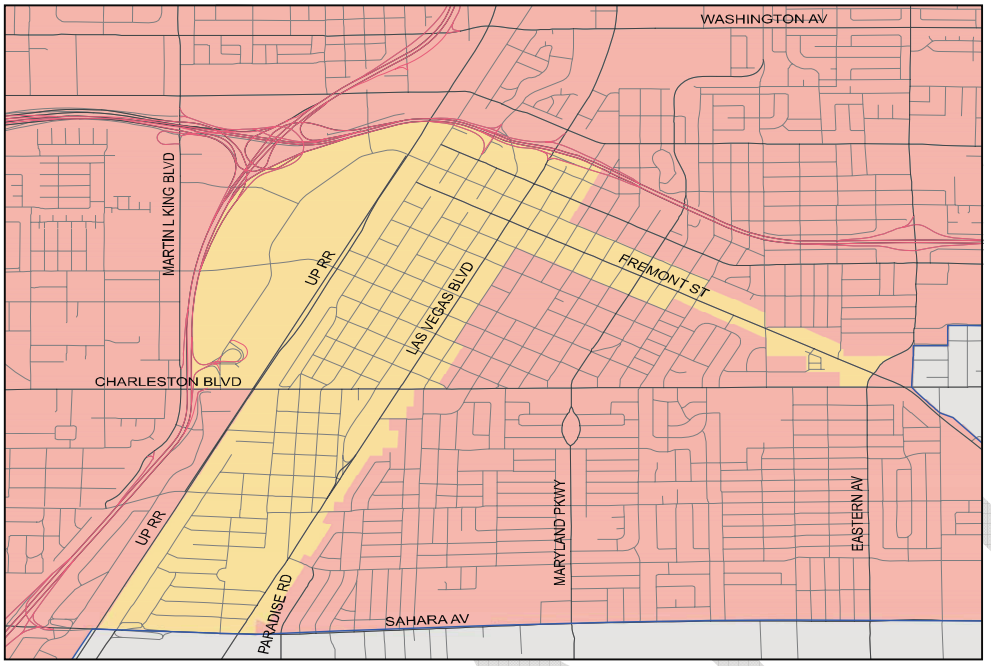
[17] Adopted by City of Las Vegas Ord. 3218 (March 5, 1986) and amended by General Plan Amendment.

**Exhibit 3**
**Downtown Area Map**




SOUTHWEST SECTOR

The Southwest Sector of the Master Plan is located along Cheyenne Avenue to the north, portions of Rainbow and Jones Boulevard to the east, the Bruce Woodbury Beltway to the west, and the city limit boundaries to the south. Many of the city's more recently developed areas such as Summerlin and the Lakes are located within the Southwest Sector Plan. The following Master Development Plan Areas are located within the Southwest Sector:

| | | | |
|---|---|---|---|
| Canyon Gate | The Lakes | South Shores | Summerlin West |
| Desert Shores | Peccole Ranch | Summerlin North | Sun City |

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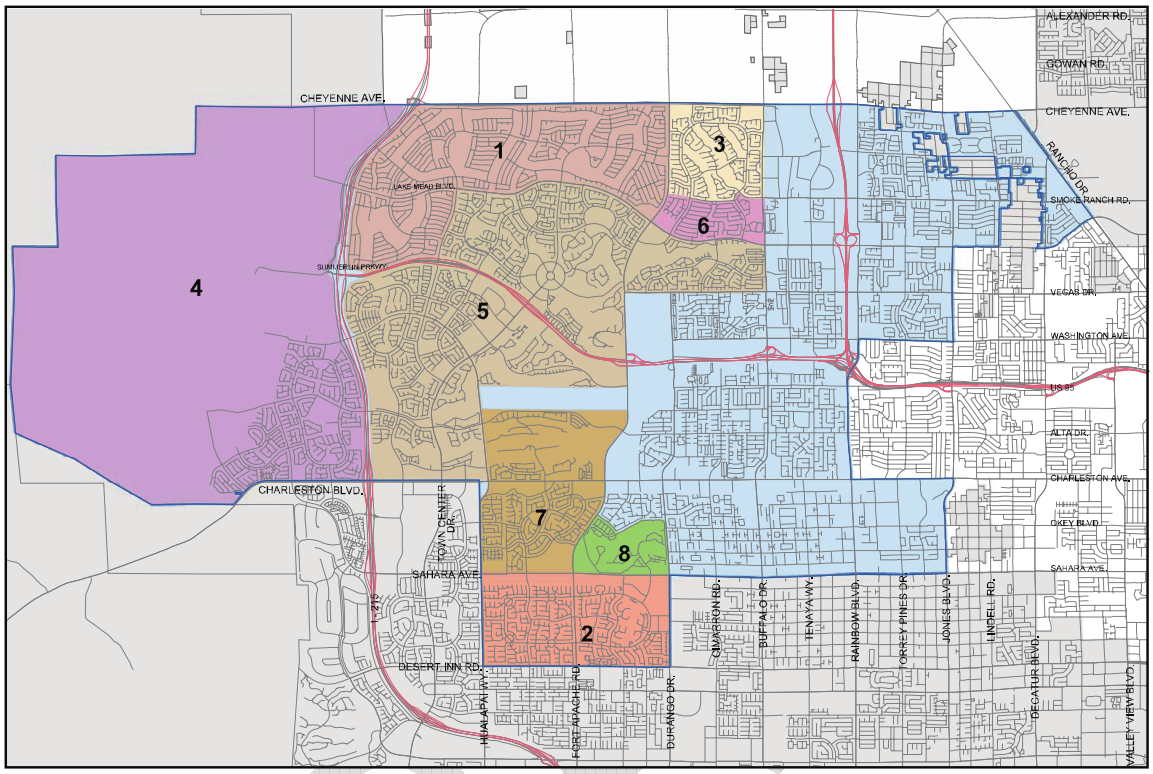
**Exhibit 4**
**Southwest Sector Map**

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1 Sun City
2 The Lakes
3 Desert Shores
4 West Summerlin
5 Summerlin
6 South Shores
7 Peccole Ranch
8 Canyon Gate
Southwest Sector
Freeway

SOUTHEAST SECTOR

The Southeast Sector of the Master Plan is located along portions of Jones and Rainbow Boulevards to the west, and the city limit boundaries to the northeast of Rancho Drive, south, and east. The Southeast Sector is comprised of many of the city's more mature areas. Much of the Southeast Sector is built out, and future growth in the area will most likely consist of infill development and neighborhood revitalization. The Southeast Sector includes Downtown and Downtown North, West Las Vegas, and the Las Vegas Medical District. The historic John S. Park and Las Vegas High School neighborhoods are also located here.

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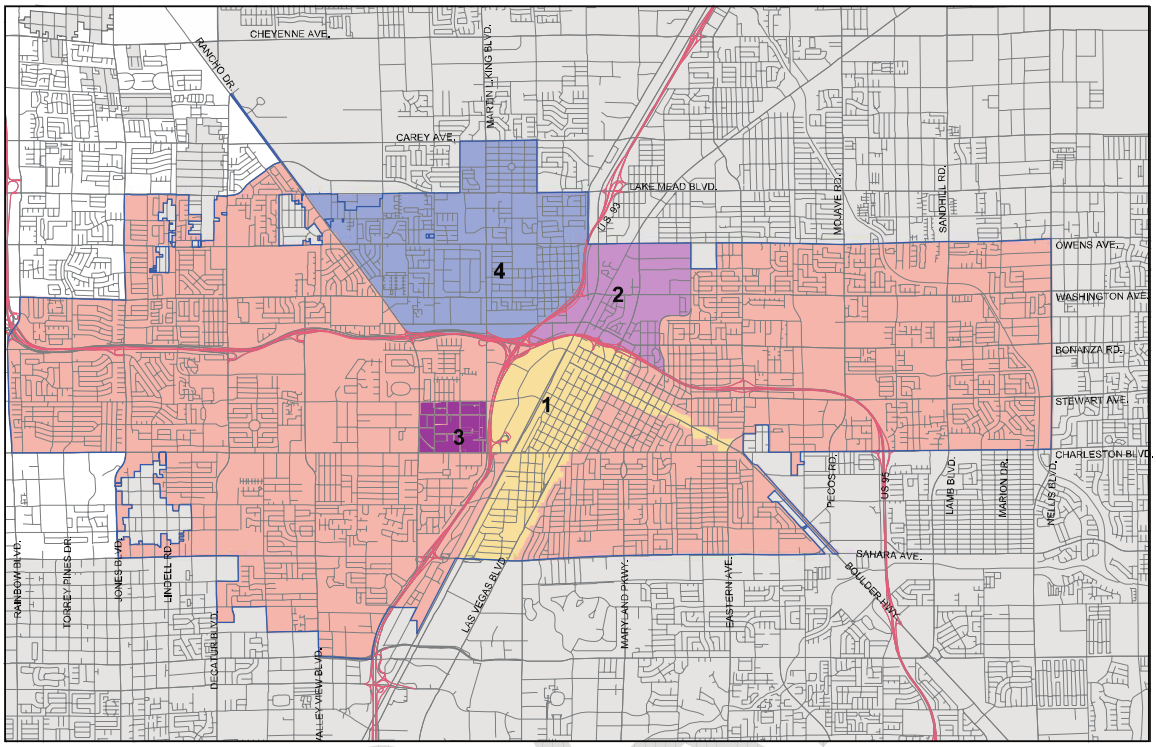
**Exhibit 5**
**Southeast Sector Map**




Printed: November 18, 2008

Freeway
1 Downtown Area
2 Downtown North Plan Area
3 Las Vegas Medical District
4 West Las Vegas Plan Area
Southeast Sector

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## LAND USE TABLES

The following matrices display the allowable land use categories, residential densities, and zoning districts within the various planning areas of the city of Las Vegas. While some planning areas have unique land uses, development standards, and design guidelines, the individual attributes of each area are beyond the scope of these matrices. The master plan for each development area may be viewed in its entirety at the city of Las Vegas Development Services Center.

## Table 5: Master Plan Land Use Designations

| Master Plan Land Use Designations | RESIDENTIAL | | | | | | | | | COMMERCIAL/INDUSTRIAL | | | | OTHER | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Master Plan Designation | RNP | DR | R | L | ML | MLA | M | H | PCD | O | SC | GC | LI/R | TC | PR-OS | PF | TND | LVMD |
| Maximum Allowable Density (Units Per Acre) | 2.00 | 2.49 | 3.59 | 5.49 | 8.49 | 12.49 | 25.49 | ≥25.5 | 8.00 | N/A | N/A | N/A | N/A | See Town Center Chart | N/A | N/A | Variable† | See Las Vegas Medical District Chart |
| Allowable Zoning Categories | U*, R-A, R-E | U, R-PD, R-A, R-E | R-D, U, R-PD, R-A, R-E | R-1, R-MH, R-D, U, R-PD, R-A, R-E | R-2, R-CL, R-MHP, R-1, R-MH, R-D, U, R-PD, R-A, R-E | R-2 | R-3, R-2 | R-5, R-4, R-3, R-2 | PD | O, P-R | C-1, N-S, C-D, O, P-R | C-2, C-1, N-S, C-D, O, P-R | M, C-M, C-PB, C-2, C-1, N-S, C-D, O, P-R | See Town Center Chart | C-V | C-V | T-D | See Las Vegas Medical District Chart |

* Per LVMC Title 19.18.020, an undeveloped property may be zoned U (RNP) until it is rezoned or until such time as a proper classification is determined.

† The density of a development within the TND category is limited by the approved Development Standards and Design Guidelines document for each master planned development.

## Table 6: Town Center Special Land Use Designations

| Centennial Hills Town Center | RESIDENTIAL | | | | COMMERCIAL | | | | | | OTHER |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Special Land Use Designation | L-TC | ML-TC | MLA-TC | M-TC | EC-TC | MS-TC | SX-TC | UC-TC | SC-TC | GC-TC | PF-TC |
| Allowable Gross Density (Units Per Acre)* | Up to 5.5 | 5.6 - 8 | 8.1 - 12 | 12.1 - 25 | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| Allowable Zoning Categories | T-C | T-C | T-C | T-C | T-C | T-C | T-C | T-C | T-C | T-C | T-C |

*Per Town Center Development Standards Manual (Revised April 15, 2009), pp. 6 and 9.

Centennial Hills Sector Plan last amended March 1, 2006 (GPA-10835).

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### Table 7: Cliff's Edge Special Land Use Designations

| Cliff's Edge Master Plan Area | RESIDENTIAL | | | | COMMERCIAL | OTHER |
|---|---|---|---|---|---|---|
| Special Land Use Designation | L | ML | RSL | M | VC | PF |
| Allowable Gross Density (Units Per Acre)* | Up to 5.5 | Up to 8 | Up to 15 | Up to 25 | N/A | N/A |
| Allowable Zoning Categories | PD | PD | PD | PD | PD | PD |
| *Per Cliff's Edge Master Development Plan and Design Guidelines (Revised September 19, 2007), pp. 12-13.<br>Note: For Maximum allowable number of units, refer to the Cliff's Edge Master Development Plan. | | | | | | |

Plan last amended September 19, 2007 (MOD-22968).

### Table 8: Grand Canyon Village Special Land Use Designations

| Grand Canyon Village Master Plan Area | RESIDENTIAL | | COMMERCIAL |
|---|---|---|---|
| Special Land Use Designation | ML | MFM | CC |
| Allowable Gross Density (Units Per Acre)* | Up to 12 | Up to 25 | N/A |
| Allowable Zoning Categories | PD | PD | PD |

Plan last amended April 2, 2003 (MOD-1696).

### Table 9: Grand Teton Village Special Land Use Designations

| Grand Teton Village Master Plan Area | RESIDENTIAL | | | | COMMERCIAL | OTHER |
|---|---|---|---|---|---|---|
| Special Land Use Designation | L | ML | MLA | MFM | N/A | PF |
| Allowable Gross Density (Units Per Acre)* | Up to 5.5* | Up to 8 | Up to 12 | Up to 25 | N/A | N/A |
| Allowable Zoning Categories | PD | PD | PD | PD | N/A | PD |
| *Per Grand Teton Village Master Development Plan and Design Guidelines (Revised November 3, 2004), p. 12.<br>Note: For Maximum allowable number of units, refer to the Grand Teton Village Master Development Plan. | | | | | | |
| * A 330-foot wide portion of the (L) category along the north side of Farm Road is limited to 3.0 gross dwelling units per acre, per Z-0014-02. | | | | | | |

Plan last amended November 3, 2004 (MOD-5125).

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### Table 10: Iron Mountain Ranch Land Use Designations

| Iron Mountain Ranch Master Plan Area | RESIDENTIAL | | | | COMMERCIAL | OTHER |
|---|---|---|---|---|---|---|
| Master Plan Land Use Designation | DR | R | L | ML | N/A | PF, PR-OS |
| Maximum Allowable Density (Units Per Acre) | 2.00 | 3.49 | 5.49 | 8.49 | N/A | N/A |
| Allowable Zoning Categories | R-PD2 | R-PD | R-PD | R-PD | N/A | C-V |

Plan last amended October 12, 1998 (GPA-0006-98).

### Table 11: Lone Mountain Special Land Use Designations

| Lone Mountain Master Plan Area | RESIDENTIAL | | | | COMMERCIAL | | OTHER | |
|---|---|---|---|---|---|---|---|---|
| Special Land Use Designation | L | ML | MLA | M | NC | VC | PR-OS | PF |
| Allowable Gross Density (Units Per Acre)* | Up to 5.5 | 5.6 to 8 | 8.1 to 12 | 12.1 to 18 | N/A | N/A | N/A | N/A |
| Allowable Zoning Categories | PD | PD | PD | PD | PD | PD | PD | PD |

*Per Lone Mountain Master Development Plan and Design Guidelines (Revised December 3, 2008), pp. 7, 9.
Note: For Maximum allowable number of units, refer to the Lone Mountain Master Development Plan.

Plan last amended December 3, 2008 (Ord. #6015).

### Table 12: Lone Mountain West Special Land Use Designations

| Lone Mountain West Master Plan Area | RESIDENTIAL | | | COMMERCIAL | | OTHER | |
|---|---|---|---|---|---|---|---|
| Special Land Use Designation | L | ML | MFM | NC | VC | PR-OS | PF |
| Allowable Gross Density (Units Per Acre)* | Up to 6 | Up to 12 | Up to 25 | N/A | N/A | N/A | N/A |
| Allowable Zoning Categories | PD | PD | PD | PD | PD | PD, C-V | PD, C-V |

*Per Lone Mountain West Master Development Plan and Design Guidelines (Revised January 7, 2009), pp. 11-12.
Note: For Maximum allowable number of units and maximum overall density, refer to the Lone Mountain West Master Development Plan.

Plan last amended January 7, 2009 (Ord. #6020).

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### Table 13: Las Vegas Medical District Special Land Use Designations

| Las Vegas Medical District Plan Area | RESIDENTIAL | COMMERCIAL | | | | OTHER |
|---|---|---|---|---|---|---|
| Special Land Use Designation | HD | P-O | SC | MD-1 | MD-2 | N/A |
| Allowable Density | N/A | N/A | N/A | N/A | N/A | N/A |
| Allowable Zoning Categories | PD | PD | PD | PD | PD | N/A |

Plan last amended August 1, 2007 (R-57-07).

### Table 14: Downtown Area Land Use Designations

| Downtown Land Use Plan Area | RESIDENTIAL | COMMERCIAL | | OTHER | |
|---|---|---|---|---|---|
| Master Plan Land Use Designation | MXU | MXU | C | LI/R | PF |
| Corresponding General Plan Categories | L, ML, M, H, O, SC, GC | L, ML, M, H, O, SC, GC | O, SC, GC | LI/R | PF |
| Allowable Zoning Categories | R-A, R-E, R-D, R-MH, R-PD, R-1, R-2, R-3, R-4, R-5, O, P-R, N-S, C-D, C-1, C-2 | R-A, R-E, R-D, R-MH, R-PD, R-1, R-2, R-3, R-4, R-5, O, P-R, N-S, C-D, C-1, C-2 | O, P-R, N-S, C-D, C-1, C-2 | C-M, M, C-PB | C-V |

Plan last amended May 17, 2006 (Ord. #5830).

### Table 15: Summerlin North Special Land Use Designations

| Summerlin North | RESIDENTIAL | | | | | | | | | | | | COMMERCIAL | | | | OTHER |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Special Land Use Designation | EQR | ER | SF1 | SF2 | SF3 | SFZL | SFA | SFSD | MF1 | MF2 | MF3 | RR | NF | VC | TC | EC | COS |
| Maximum Allowable Gross Density (Units Per Acre)* | 2 | 2 | 3.5 | 6 | 10 | 12 | **18** | **18** | 14 | 21 | >21 | 4.5 | N/A | N/A | N/A | N/A | N/A |
| Allowable Zoning Categories | P-C | P-C | P-C | P-C | P-C | P-C | P-C | P-C | P-C | P-C | P-C | P-C | P-C | P-C | P-C | P-C | P-C |

*Per Summerlin Development Standards (Revised September 15, 2004), pp. 2-24; 2-26; 2-27.

Summerlin Development Standards last updated September 15, 2004 (DIR-3934).

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**Table 16: Summerlin West Special Land Use Designations**

| Summerlin West | RESIDENTIAL | | | | | | | | | | | | COMMERCIAL | | | | OTHER |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Special Land Use Designation | EQR | ER | SF1 | SF2 | SF3 | SFZL | SFA | SFSD | MF1 | MF2 | MF3 | RR | NF | VC | TC | EC | COS |
| Maximum Allowable Gross Density (Units Per Acre)* | 2 | 2 | 3.5 | 6 | 10 | 12 | **18** | **18** | 14 | 21 | >21 | 4.5 | N/A | N/A | N/A | N/A | N/A |
| Allowable Zoning Categories | P-C | P-C | P-C | P-C | P-C | P-C | P-C | P-C | P-C | P-C | P-C | P-C | P-C | P-C | P-C | P-C | P-C |
| *Per Summerlin Development Standards (Revised September 15, 2004), pp. 2-24; 2-26; 2-27. | | | | | | | | | | | | | | | | | |

Summerlin Development Standards last updated September 15, 2004 (DIR-3934).

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# DESCRIPTION OF MASTER PLAN LAND USE CATEGORIES

The following is a description of the various land use categories within the city of Las Vegas. Because some designations are exclusive to particular plan areas, designations have also been categorized according to their respective Master Development Plans.

RESIDENTIAL

**RNP (Rural Neighborhood Preservation) –** The predominant feature of these residential areas is single-family homes on large lots, many including equestrian facilities. This is generally a rural environment that permits greater privacy and some non-commercial raising of domestic animals. An Interlocal Agreement between the city of Las Vegas and Clark County approved January 2, 2002 established certain parcels with these characteristics in the Centennial Hills Sector and the unincorporated area of the Northwest as "rural neighborhood preservation" areas. A Restated Interlocal Agreement between the parties approved December 3, 2008 reestablishes these parcels, and sets the allowable density requirement and the rules by which parcels may be permitted to be amended to a more intense land use category. This category allows up to 2.00 units per acre.

**DR (Desert Rural Density Residential) –** The predominant lifestyle feature of these residential areas is single-family homes on large lots, many including equestrian facilities. This is a generally rural environment that permits greater privacy and some non-commercial raising of domestic animals. It is expected that in the Desert Rural Density Residential Category there generally would be no need for common facilities such as recreation, with the exception of maintaining an existing water system. This category allows up to 2.49 units per acre.

**R (Rural Density Residential) –** The Rural Density Residential category is a rural or semi-rural environment with a lifestyle much like that of the Desert Rural, but with a smaller allowable lot size. This category allows up to 3.59 units per acre.

**L (Low Density Residential) –** The Low Density category generally permits single family detached homes, manufactured homes on individual lots, gardening, home occupations, and family child care facilities. This category allows up to 5.49 units per acre.

**ML (Medium Low Density Residential) –** The Medium Low Density Residential category generally permits single-family detached homes, including compact lots and zero lot lines, mobile home parks and two-family dwellings. Local supporting uses such as parks, other recreation facilities, schools and churches are allowed in this category. This category allows up to 8.49 units per acre.

**MLA (Medium Low Attached Density Residential) –** The Medium Low Attached Density Residential category includes a variety of multi-family units such as plexes, townhouses, condominiums, and low-density apartments. This category is an appropriate use for the residential portion of a Village Center or Town Center area. It is also an appropriate transitional use. Local supporting land uses such as parks, other public recreational facilities, some schools, and churches are also allowed in this district. This category allows up to 12.49 units per acre.

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**M (Medium Density Residential) –** The Medium Density Residential category includes a variety of multi-family units such as plexes, townhouses, and low-density apartments. This category allows up to 25.49 units per acre.

**H (High Density Residential) –** Depending on the location of the parcel, the High Density Residential category allows development such as multi-family plexes, townhouses, high-density apartments, and high-rise residential. This category allows 25.5 or more units per acre.

**PCD (Planned Community Development) –** The Planned Community Development category allows for a mix of residential uses that maintains an average overall density ranging from two to eight dwelling units per gross acre, depending upon compatibility with adjacent uses (e.g., a density of two units per acre will be required when adjacent to DR designated property). In addition, commercial, public facilities and office projects may be used as buffers (depending on compatibility issues) within the PCD. Residential streets shall be designed to discourage through traffic, provide maximum privacy, and avoid the appearance of lot conformity. In order to protect existing lifestyles, adjacency standards and conditions may be required for new development.

COMMERCIAL/INDUSTRIAL

**O (Office) –** The Office category provides for small lot office conversions as a transition along primary and secondary streets from residential and commercial uses, and for large planned office areas. Permitted uses include business, professional and financial offices as well as offices for individuals, civic, social, fraternal and other non-profit organizations.

**SC (Service Commercial) –** The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, and other places of public assembly and public and semi-public uses. This category also includes offices either singly or grouped as office centers with professional and business services. The Service Commercial category may also allow mixed-use development with a residential component where appropriate.

**GC (General Commercial) –** The General Commercial category generally allows retail, service, wholesale, office and other general business uses of a more intense commercial character. These uses may include outdoor storage or display of products or parts, noise, lighting or other characteristics not generally considered compatible with adjoining residential areas without significant transition. Examples include new and used car sales, recreational vehicle and boat sales, car body and engine repair shops, mortuaries, and other highway uses such as hotels, motels, apartment hotels and similar uses. The General Commercial category allows Service Commercial uses, and may also allow mixed-use development with a residential component where appropriate.

**LI/R (Light Industry/Research) –** The Light Industry/Research category allows areas appropriate for clean, low-intensity (non-polluting and non-nuisance) industrial uses, including light manufacturing, assembling and processing, warehousing and distributions, and research,

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development and testing laboratories. Typical supporting and ancillary general uses are also allowed. This category may also allow mixed-use development with a residential component as a transition to less-intense uses where appropriate.

OTHER

**TC (Town Center) –** The Town Center category is intended to be the principal employment center for the Northwest and is a mixed-use development category. As compatibility allows, a mix of uses can include: mall facilities; high-density residential uses; planned business, office and industrial parks; and recreational uses.

**PR-OS (Parks/Recreation/Open Space) –** The Parks/Recreation/Open Space category allows large public parks and recreation areas such as public and private golf courses, trails, easements, drainage ways, detention basins, and any other large areas or permanent open land.

**PF (Public Facilities) –** The Public Facilities category allows for large governmental building sites and complexes, police and fire facilities, hospitals and rehabilitation sites, sewage treatment and storm water control facilities, and other uses considered public or semi-public such as libraries and public utility facilities.

**TND (Traditional Neighborhood Development) –** The Traditional Neighborhood Development category is a mixed-use development type that allows for a balanced mix of housing, commercial, and civic uses. The TND shall be organized as a series of pedestrian-oriented neighborhoods with a mixture of housing types, with the uses of daily living within proximity of dwellings. Vehicular systems shall be organized as a hierarchy of interconnected streets, and shall demonstrate an appropriate relationship between street hierarchy, building type, and use. Streets within the TND shall incorporate facilities for pedestrians, bicycles, transit, and vehicles, with an emphasis on pedestrian movement and the provision of protected sidewalks. Existing natural features within the TND are to be retained and incorporated, where feasible, as organizational and recreational elements of the community.

The TND category differs from the PCD category as follows:

- The TND features pedestrian-oriented neighborhoods with a mixture of housing types;
- The TND primarily utilizes an interconnected grid of streets that de-emphasizes gated private streets and cul-de-sacs; and
- The TND primarily emphasizes a strong relationship between buildings and streets, and de-emphasizes perimeter walls along the roadways.

**LVMD (Las Vegas Medical District)** – The Las Vegas Medical District category encompasses a 214-acre special plan area that includes several major medical facilities and supporting office and commercial uses. Multi-family residential uses are permitted, while existing single-family uses are intended to transition to medical and commercial uses over time.

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**MXU (Mixed Use) –** The Mixed-Use category allows for a mix of uses that are normally allowed within the L (Low Density Residential), ML (Medium Low Density Residential), M (Medium Density Residential), H (High Density Residential), O (Office), SC (Service Commercial), and GC (General Commercial) Master Plan land use categories.

**C (Commercial) –** The Commercial category allows for commercial uses that are normally allowed within the O (Office), SC (Service Commercial), and GC (General Commercial) Master Plan land use categories.

**LI/R (Light Industry/Research) –** The Light Industry/Research category allows areas appropriate for clean, low-intensity (non-polluting and non-nuisance) industrial uses, including light manufacturing, assembling and processing, warehousing and distributions, and research, development and testing laboratories. Typical supporting and ancillary general uses are also allowed.

**PF (Public Facilities) –** The Public Facilities category allows for large governmental building sites and complexes, police and fire facilities, hospitals and rehabilitation sites, sewage treatment and storm water control facilities, and other uses considered public or semi-public such as libraries and public utility facilities.

TOWN CENTER

**L-TC (Low Density Residential – Town Center) –** The Low Density Residential District allows up to 5.5 units per gross acre. This district permits single-family detached homes as well as other more imaginative low density residential development that puts an emphasis upon common open space. Local supporting land uses such as parks, other public recreational facilities, schools and churches are also allowed in this district.

**M-TC (Medium Density Residential – Town Center) –** The Medium Density Residential District has a density range from twelve (12) units to twenty-five (25) units per gross acre. The intent of the Medium Density Residential District is to enable development with imaginative site and building design and maximize the use of the property. Projects within the M-TC district shall place an emphasis on maximizing usable common open space. Local supporting land uses such as parks, other public recreational facilities, some schools and churches are also allowed in this district.

**ML-TC (Medium Low Density Residential – Town Center) –** The Medium Low Density Residential District has a density range from 5.6 to 8.0 dwelling units per gross acre. This district permits single-family compact lots and zero lot lines, manufactured home parks, and residential planned development. Local supporting land uses such as parks, other public recreational facilities, some schools, and churches are also allowed in this district.

**MLA-TC (Medium-Low Attached Density Residential – Town Center) –** The Medium Low Attached Density Residential District has a density range from 8.1 to 12.0 dwelling units per gross

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acre. This district includes a variety of multi-family units such as plexes, townhouses, condominiums, and low-density apartments. This category is an appropriate use for the residential portion of a Village Center or Town Center area. It is also an appropriate transitional use. Local supporting land uses such as parks, other public recreational facilities, some schools and churches are also allowed in this district.

**SC-TC (Service Commercial – Town Center) –** The Service Commercial District allows low to medium intensity retail, office or other commercial uses that are intended to primarily serve the Centennial Hills area and do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, bowling alleys, and other places of public assembly and public/quasi-public uses. This district also includes office centers offering professional and business services. Local supporting land uses such as parks, other public recreational facilities, some schools and churches are also allowed in this district.

**GC-TC (General Commercial – Town Center) –** The General Commercial District allows all types of retail, service, office and other general business uses of a more intense commercial character. These uses will normally require a Special Use Permit and will commonly include limited outdoor display of product and lights or other characteristics not generally compatible with the adjoining residential areas without significant transition. Examples include new and used car sales, highway commercial uses such as hotels and motels, and tourist commercial uses such as resorts and recreational facilities. When adjacent to the beltway or US 95, buildings may be higher than otherwise allowed. Local supporting land uses such as parks, other public recreational facilities, some schools, and churches are also allowed in this district.

**MS-TC (Main Street Mixed Use – Town Center) –** The purpose of the Main Street Mixed Use District is to create a neighborhood which generates a sense of place, a feeling of being in a unique small town business district. Because of the intensive pedestrian orientation of the Main Street Mixed Use designation, structures must be a minimum of two stories in height. Uses such as automobile services, outdoor sales yards, drive-in businesses and other similar uses are prohibited from locating within this district. This designation is intended to encourage a cohesive mix of interdependent uses, including leisure shopping, and offices on the main floor and similar uses and/or medium to high density residential on the upper floor(s). The object of this district is to provide amenities which are conducive to attracting pedestrian activity, rather than automotive access. Local supporting land uses such as parks, other public recreational facilities, some schools, and churches are also allowed in this district. Development in this land use designation shall be consistent with the Mixed Use section of the Centennial Hills Sector Plan.

**SX-TC (Suburban Mixed Use – Town Center) –** The Suburban Mixed Use District can be characterized as being similar to the previously described Service Commercial District with the addition of medium density residential being a permitted use. Building and site designs which reflect a mixture of compatible land uses having either a vertical or horizontal character will maximize employment and housing opportunities. This district is also more reflective of suburban development than the Urban Center Mixed Use category.

Local supporting land uses such as parks, other public recreational facilities, some schools, and churches are also allowed in this district. Site plans in this district shall be designed to discourage

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access from Suburban Mixed Use (SX-TC) uses onto eighty foot (80') or less streets that are clearly recognized as residential streets (streets with residences having direct access and are addressed to said street). Development in this land use designation shall be consistent with the Mixed Use section of the Centennial Hills Sector Plan.

**UC-TC (Urban Center Mixed Use) –** The intent of the Urban Center Mixed Use District is to enable development with imaginative site and building design and maximize the use of the property. These developments should have a compatible mixture of land uses and encourage employment opportunities and the provision of goods and services to the Centennial Hills area of the city. Development within this land use designation will typically be multi-storied, having ground floor offices and/or retail, with similar or residential uses utilizing the upper floors. Minimum development shall be two stories in height. Developments in excess of twelve (12) stories along the Durango corridor are possible with a Special Use Permit (SUP). There are no density limitations in the UC-TC District. Local supporting land uses such as parks, other public recreational facilities, some schools, and churches are also allowed in this district. Development in this land use designation shall be consistent with the Mixed Use section of the Centennial Hills Sector Plan.

**EC-TC (Employment Center Mixed Use – Town Center) –** The Employment Center Mixed Use District is intended to accommodate needed non-polluting and non-nuisance services, which under normal circumstances, would not otherwise be found in a Central Business District. Given the land use constraints of the Centennial Hills Sector Plan, few opportunities for light manufacturing uses exist within the Centennial Hills sector of the city. Given the propensity for visual pollution, all uses within the district are required to be completely self-contained within a structure giving a business park appearance. The Employment Center Mixed Use District permits the broadest spectrum of uses within the Town Center; however, residential development opportunities are minimal. Local supporting land uses such as parks, other public recreational facilities, some schools, and churches are also allowed in this district. Development in this land use designation shall be consistent with the Mixed Use section of the Centennial Hills Sector Plan.

**PF-TC (Public Facilities – Town Center) –** The Public Facilities district is intended to accommodate any property which is used for a Public and/or Quasi-Public purpose. Any project which is owned and operated by a governmental agency (e.g., schools) or is used solely by a non-profit organization (e.g., religious facility) qualifies for this land use designation. Utility projects can also qualify for this designation and must adhere to the design regulations of Town Center.

CLIFF'S EDGE (PROVIDENCE)

**L (Low Density Residential) –** The Low Density category allows for lower density single-family product types. This category allows up to 5.5 dwelling units per gross acre. However, within the Low Density Land Use Category, seven acres have been designated as a buffer area around unincorporated parcels that are not a part of the Cliff's Edge Master Plan Area. Property within these seven acres has a maximum allowable density of 2.0 units per gross acre.

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**ML (Medium-Low Density Residential) –** The Medium Low Density Residential category allows for medium density detached or attached single-family product types including, but not limited to, duplexes, compact lots, cluster and zero lot line developments. This category allows up to 8.0 dwelling units per gross acre.

**RSL (Residential Small Lot) –** This land category allows for higher density detached and attached single-family product types, including, but not limited to, senior housing, duplexes, compact lots, townhomes, condominiums, apartments, cluster and zero lot line developments. The Residential Small Lot category provides for the development of up to 15.0 dwelling units per gross acre.

**M (Medium Density Residential) –** The Medium Density Residential category includes a variety of higher density multi-family units such as condominiums, townhomes and apartment developments. This category allows up to 25.0 dwelling units per gross acre.

**VC (Village Commercial) –** The Village Commercial category allows low to medium intensity retail, office or other commercial uses that are intended to serve patrons from the local area and surrounding neighborhoods, and do not include more intense general commercial characteristics. Village Commercial is typically located on the periphery of residential neighborhoods and should be confined to intersections of major arterials and major freeways.

**PF (Public Facility/Open Space and Recreation) –** The Public Facility/Open Space and Recreation category allows for large governmental building sites and complexes, police and fire facilities, hospitals and rehabilitation sites, sewage treatment and storm water control facilities, and other uses considered public or semi-public such as libraries and public utility facilities. This category also designates areas where the primary land uses are public or private outdoor recreation facilities that do not generate substantial noise as part of their everyday operations. Examples include parks, designated recreation or wilderness areas, golf courses, tennis courts and ball fields.

GRAND CANYON VILLAGE

**ML (Medium-Low Density Residential) –** The Medium Low Density Residential category generally permits higher density detached, single-family product types including, but not limited to, compact lot and zero lot line developments. This category allows up to 12.0 dwelling units per gross acre.

**MFM (Multi-Family Medium Residential) –** Product types include a higher density variety of multi-family units such as condominiums, low-density multi-family, and residential buildings. The Multi-Family Medium Residential category provides for the development of up to 25.0 dwelling units per gross acre.

**CC (Community Commercial) –** The Community Commercial category allows low to medium intensity retail, office or other commercial uses and serves as an employment center. Community Commercial areas are meant to provide services for a larger portion of the city's population. The market for Community Commercial uses is generally between two and seven miles.

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GRAND TETON VILLAGE

**L (Low Density Residential) –** The Low Density category allows for single-family product types including, but not limited to, duplexes, cluster and zero lot line developments. This category allows up to 5.5 dwelling units per gross acre.

**ML (Medium-Low Density Residential) –** The Medium-Low Density Residential category allows for higher density detached or attached single-family product types including, but not limited to, compact lot and zero lot line developments. This category allows up to 8.0 dwelling units per gross acre.

**MLA (Medium-Low Attached Density Residential) –** The Medium Low Attached Density Residential category allows for a variety of higher density attached, single-family product types, including, but not limited to, townhomes, condominiums, compact lot and zero lot line developments. This category allows up to 12.0 dwelling units per gross acre.

**MFM (Multi-Family Medium Density Residential) –** This category allows for product types that include a higher density variety of multi-family units such as condominiums, medium-density multi-family, and residential buildings. The Multi-Family Medium Residential category provides for the development of up to 25.0 dwelling units per gross acre.

**PF (Public Facility/Open Space and Recreation) –** The Public Facility category allows for large governmental building sites and complexes, police and fire facilities, hospitals and rehabilitation sites, sewage treatment and storm water control facilities, and other uses considered public or semi-public such as libraries and public utility facilities. This category also allows public or private outdoor recreation facilities.

IRON MOUNTAIN RANCH

**DR (Desert Rural Density Residential) –** The predominant lifestyle is single-family homes on large lots, many including equestrian facilities. This is a generally rural environment that permits greater privacy and some non-commercial raising of domestic animals. It is expected that in the Desert Rural Density Residential category there generally would be no need for common facilities such as recreation, with the exception of maintaining an existing water system. This category allows up to 2.0 dwelling units per gross acre.

**R (Rural Density Residential) –** The Rural Density Residential category is a rural or semi-rural environment with a lifestyle much like that of the Desert Rural, but with a smaller allowable lot size. This category allows up to 3.49 dwelling units per gross acre.

**L (Low Density Residential) –** The Low Density category generally permits single-family detached homes, manufactured homes on individual lots, gardening, home occupations, and family child care facilities. This category allows up to 5.49 dwelling units per gross acre.

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LAS VEGAS MEDICAL DISTRICT

**HD (High Density Residential) –** Depending on the location of the parcel, the High Density Residential category allows development such as multi-family plexes, townhouses, high-density and high-rise residential.

**P-O (Professional Office) –** The Professional Office category is intended to allow the conversion of existing single-family residential structures to low intensity commercial uses and administrative and professional offices. The assemblage of more than one lot and the demolition of the existing structures to construct a new structure is also encouraged.

**SC (Service Commercial) –** The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics.

**MD-1 (Medical Support) –** The Medical Support category is intended to allow less intense development within the Las Vegas Medical District. It is designed to allow medical and medically related uses, office and professional uses.

**MD-2 (Major Medical) –** The Major Medical category is intended to allow the most intense development within the Las Vegas Medical District. It is designed to allow major medical uses and office uses. The minimum allowable site shall be one acre to encourage larger scale development.

LONE MOUNTAIN

**L (Low Density Residential) –** The Low Density category generally permits detached, single-family product types including compact lots and zero lot line units. This category allows up to 5.59 dwelling units per gross acre.

**ML (Medium-Low Density Residential) –** The Medium-Low Density Residential category allows for higher density detached, single-family product types including but not limited to compact lots and zero lot line developments. This category has a density range from 5.6 to 8.09 dwelling units per gross acre.

**MLA (Medium-Low Attached Density Residential) –** The Medium-Low Attached Density Residential category includes a variety of multi-family units such as plexes, townhouses, condominiums, and low-density multi-family and detached single-family residential buildings. This category has a density range from 8.1 to 12.09 dwelling units per gross acre.

**MFM (Multi-Family Medium Density Residential) –** The Multi-Family Medium Density Residential category includes a variety of multi-family units such as plexes, townhouses,

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condominiums, and low-density apartments. This category has a density range from 12.1 to 18 dwelling units per gross acre.

**NC (Neighborhood Commercial) –** The Neighborhood Commercial category addresses parcels of five acres or less and provides for the development of convenience retail shopping, services and professional offices principally serving neighborhood needs, and compatible in scale, character and intensity with adjacent residential development.

**VC (Village Commercial) –** The Village Commercial category allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and do not include more intense general commercial characteristics. Village Commercial is typically located on the periphery of residential neighborhoods and should be confined to intersections of major arterials and major freeways.

**PF (Public Facilities) –** The Public Facilities category allows for large governmental building sites and complexes, police and fire facilities, hospitals and rehabilitation sites, sewage treatment and storm water control facilities, and other uses considered public or semi-public such as libraries, churches and public utility facilities.

**PR-OS (Parks/Recreation/Open Space) –** The Parks/Recreation/Open Space category allows large public parks and recreation areas such as public and private golf courses, trails, easements, drainage ways, detention basins, and any other large areas or permanent open land.

LONE MOUNTAIN WEST

**L (Low Density Residential) –** The Low Density category generally permits detached, single-family product types, including compact lots and zero lot line units. This category allows up to 6.0 dwelling units per gross acre.

**ML (Medium-Low Density Residential) –** The Medium Low Density Residential category generally permits higher density detached, single-family product types including, but not limited to, compact lots and zero lot line developments. This category allows up to 12.0 dwelling units per gross acre.

**MFM (Multi-Family Medium Residential) –** Product types include a higher density variety of multi-family units such as condominiums and low-density multi-family buildings. The Multi-family Medium Residential category provides for the development of up to 25.0 dwelling units per gross acre.

**NC (Neighborhood Commercial) –** The Neighborhood Commercial category addresses parcels of five acres or less and provides for the development of convenience retail shopping, services and professional offices principally serving neighborhood needs, and compatible in scale, character and intensity with adjacent residential development.

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**VC (Village Commercial) –** The Village Commercial category allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and do not include more intense general commercial characteristics. Village Commercial is typically located on the periphery of residential neighborhoods and should be confined to intersections of major arterials and major freeways.

**PF (Public Facilities) –** The Public Facilities category allows for large governmental building sites and complexes, police and fire facilities, hospitals and rehabilitation sites, sewage treatment and storm water control facilities, and other uses considered public or semi-public such as libraries, churches and public utility facilities.

MONTECITO TOWN CENTER

**Mixed-Use Commercial –** Development within the Montecito Town Center area is governed by one land use category. Within the Mixed-Use Commercial category, there are six distinct activity centers that encompass commercial and residential uses within Montecito Town Center. The activity centers do not have fixed boundaries, and their locations are intended to be flexible within the overall context of the Mixed-Use Commercial designation. The six activity centers are as follows: Timberlake Buffer Area; Main Street; Regional Center; Suburban Center; Office Center; and High Density Residential. Descriptions of Montecito activity centers, buffer areas, permitted uses and design standards can be viewed in their entirety within the Montecito Town Center Land Use and Design Standards appendix to the development agreement.

**PR-OS (Parks/Recreation/Open Space) –** This category allows large public parks and recreation areas such as public and private golf courses, trails, easements, drainage ways, detention basins, and any other large areas or permanent open land.

SUMMERLIN NORTH/SUMMERLIN WEST

**EQR (Equestrian Residential) –** Allows for single-family residential with up to 2.0 units per gross acre.

**ER (Estate Residential) –** Allows for single-family residential with up to 2.0 units per gross acre.

**SF-1 (Single Family Detached) –** Allows for detached single-family residential with up to 3.5 units per gross acre.

**SF-2 (Single Family Detached) –** Allows for detached single-family residential with up to 6.0 units per gross acre.

**SF-3 (Single Family Detached) –** Allows for detached single-family residential with up to 10.0 units per gross acre.

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**SFA (Single Family Attached) –** Allows for single-family attached residential with up to 18.0 units per gross acre.

**SFSD (Single Family Special Lot Development) –** Allows for single-family residential with up to 18.0 units per gross acre.

**SFZL (Single Family Zero Lot Line) –** Allows for zero lot line attached and detached single family residential with up to 12.0 units per gross acre.

**MF-1 (Low Density Multi-Family) –** Allows for low-density multi-family development with up to 14.0 units per gross acre.

**MF-2 (Medium Density Multi-Family) –** Allows for medium-density multi-family development with up to 21.0 units per gross acre.

**MF-3 (High Density Multi-Family) –** Allows for high-density multi-family development with no maximum density limit.

**VC (Village Center) –** The Village Center will allow a mix of land uses including multi-family residential uses and commercial, cultural, recreational and meeting facilities that provide most of the daily and weekly support services and activities for a village or combination of villages. A Village Center area may include a grocery store, a drugstore, and the supporting commercial uses (retail, service and convenience) residents require on a regular basis. Village Centers may also include recreational facilities and business and professional offices.

**NF (Neighborhood Focus) –** The Neighborhood Focus Land Use District is intended to provide limited commercial facilities designed for use primarily by neighborhood residents. A typical Neighborhood Focus area provides a point of orientation for residents, and in a typical residential setting might contain retail convenience shopping as a primary use. Secondary uses might include a professional office complex, a day care facility, an elementary school, a worship site, tot lots, playgrounds, playfields, and other recreational facilities. A Neighborhood Focus area within a golf or resort neighborhood might include a combination of uses already mentioned with a clubhouse facility.

**TC (Town Center) –** The Town Center Land Use District is designed to accommodate large commercial, community, and cultural complexes and will ultimately become the main or "downtown" business center for the Summerlin Planned Community. Located at the heart of the community, the Town Center typically may include regional shopping facilities, high and mid-rise office structures, high-density residential, cultural, community and recreational facilities to serve the entire Summerlin population.

**EC (Employment Center) –** The Employment Center Land Use District provides employment opportunities for Summerlin residents. These areas may accommodate office, light industry, business, professional, and support commercial services and may include higher density multi-family residential areas.

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**COS (Community Open Space) –** Facilities defined as Community Open Space include all public, semi-public, and private recreational facilities; golf courses; pathways; landscape zones in and adjacent to major roadways; civic, cultural, community, religious, educational, library and quasi-public facilities; as well as parks, playfields and natural open spaces. Facilities owned by the Summerlin Community Association will be permitted in Community Open Space.

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## OVERVIEW OF GENERAL PLAN AMENDMENT/MAJOR MODIFICATION PROCESS

A General Plan Amendment is a requested change of land use designation or text within the Master Plan. Periodically, the Planning Commission and City Council will review and evaluate the Master Plan to ensure that it remains an accurate statement of the city's land-use goals and policies. In other instances, the owner of a property may wish to change a particular parcel's land use designation in order to allow for a rezoning on the site.

A property owner must submit a General Plan Amendment (GPA) application for review by city staff, Planning Commission, and approval by City Council. Prior to holding a public hearing to amend the land use plan, a neighborhood meeting to explain the request must be held by the applicant. As mandated by NRS, the city's land use sector plans may not be amended more than four times per calendar year.[18]

The City Council should consider the following when making a determination for approval of a proposed amendment to the city's general land use plans:

1. The density and intensity of the proposed General Plan Amendment should be compatible with the existing adjacent land use designations;
2. The zoning designations allowed by the proposed amendment should be compatible with the existing adjacent land uses or zoning districts;
3. Transportation, recreation, utility and other facilities should be adequate to accommodate the uses and densities permitted by the proposed General Plan designation; and
4. The proposed amendment should conform to other applicable adopted plans and policies.

When a land use change is requested within a special area plan, a Major Modification is required. A Major Modification is similar to a General Plan Amendment, but instead of amending a land use designation within a sector plan, the special land use designation of a parcel within a special area plan (Town Center, Lone Mountain, Grand Teton Village, etc.) is amended.

A property owner must submit a Major Modification (MOD) application for review by city staff, Planning Commission, and approval by City Council. A Major Modification application is not bound by the same statutory requirements as General Plan Amendments. The procedure for application, review and approval of modifications to special areas plans should be similar to that for Rezoning applications.

The City Council should consider the following when making a determination for approval of a proposed modification of a special area plan with regard to land use:

1. The proposal should conform to the General Plan;
2. The uses which would be allowed on the subject property by approving the modification should be compatible with the surrounding land uses and zoning districts;

[18] NRS 278.210, Subsection 5.

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3. Growth and development factors in the community should indicate the need for or appropriateness of the modification; and
4. Street or highway facilities providing access to the property should be adequate in size to meet the requirements of the proposed modification.

Special area plans in which a Major Modification is required to change a land use designation include the following:

Grand Canyon Village
Grand Teton Village
Cliff's Edge (Providence)
Lone Mountain
Town Center
Lone Mountain West
Las Vegas Medical District
Kyle Canyon Gateway
Summerlin

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## GAMING ENTERPRISE DISTRICTS

A Gaming Enterprise District is an area that has been deemed by a city, county, or town as a suitable location for the operation of an establishment with a nonrestricted gaming license as allowed by the Nevada Revised Statutes. A nonrestricted gaming license allows for gaming operations that consist of sixteen or more slot machines or "any number of slot machines together with any other game, gaming device, race book or sports pool at one establishment."[19] The state legislature has found that while the gaming industry is vital to the economy of the State and Clark County, it is necessary to manage its growth in a planned and predictable manner.[20] To ensure compatibility with surrounding areas, Nevada Revised Statues 463.308 prohibits the approval of a new non-restricted gaming license for establishments outside of a gaming enterprise district. In order to petition a city, county, or town for the establishment of a new Gaming Enterprise District, the following criteria must be met:

- The roads, water, sanitation, utilities and related services for the location must be adequate.
- The proposed establishment will not unduly impact public services, consumption of natural resources, and the quality of life enjoyed by residents of the surrounding neighborhoods.
- The proposed establishment will enhance, expand and stabilize employment and the local economy.
- The proposed establishment will be located in an area planned or zoned for that purpose pursuant to NRS 278.010 to 278.630, inclusive.
- The proposed establishment will not be detrimental to the health, safety or general welfare of the community or be incompatible with the surrounding area.

Establishments with a valid nonrestricted license that are outside a designated gaming enterprise district may not increase the number of games or slot machines operated at the establishment beyond the number of games or slot machines authorized by local ordinance on December 31, 1996. In addition, in counties whose population is 100,000 or more, a nonrestricted gaming license cannot be approved unless the establishment is a resort hotel or meets certain conditions for redevelopment. Please see Map 1 (Gaming Enterprise Districts and Locations Approved for Nonrestricted Gaming) for locations and details of nonrestricted gaming establishments within the city of Las Vegas.

[19] NRS 463.0177
[20] NRS 463.3072

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# RURAL NEIGHBORHOODS PRESERVATION

Rural communities exemplify a character and quality of life that should be protected. Many people who live in rural areas expect to continue the rural lifestyle enjoyed by previous generations. Still others want to live in rural areas to enjoy their beauty while retaining the conveniences of urban life. Reconciling these expectations with the need to manage the impacts of growth is an issue for cities within the Valley.

Preservation of rural residential areas is an objective of the Master Plan Policy Document. This element provides the basis by which these areas are preserved.

## PURPOSE

The Rural Neighborhoods Preservation Element serves two purposes:

- To conform to NRS requirements for master plan content, specifically for a Rural Neighborhoods Preservation Plan.
- To update the Rural Preservation Overlay District Map and analyze changes in the Overlay District boundaries since the previous amendment.

## ENABLING LEGISLATION

Nevada Revised Statutes 278.150 and 278.160 state that in any county whose population is 400,000 or more, the governing body shall establish provisions to preserve the rural character and density of rural neighborhoods. In addition, state law directs the governing body to adopt zoning regulations that are designed to ensure the protection of existing neighborhoods and communities, including the protection of rural preservation neighborhoods.[21] In 1999 the Nevada State Legislature adopted SB 391, which allowed for the creation and protection of rural preservation neighborhoods. Because this state legislation expired on May 31, 2004, the city of Las Vegas adopted a Rural Preservation Overlay District[22] to continue to protect the character of rural neighborhoods within the city. The Rural Preservation Overlay District is reflected on a map that may be amended administratively from time to time or, if requested by the Planning and Development Department, amended by the City Council.[23]

## INTERLOCAL AGREEMENT

An Interlocal Agreement between the city of Las Vegas and Clark County approved January 2, 2002 established certain parcels having characteristics of rural living in the Centennial Hills Sector and the unincorporated area of the Northwest as "rural neighborhood preservation" areas.[24] A Restated Interlocal Agreement between the parties approved December 3, 2008

[21] NRS 278.250 Subsection 2(m).
[22] City of Las Vegas Ordinance 5791 (October 5, 2005).
[23] City of Las Vegas Ordinance 5827 (May 3, 2006).
[24] Interlocal Agreement between City of Las Vegas and County of Clark for Establishing a Joint Position on Corporate Boundaries, Planning, Public Facilities/Service Provision and Future Annexations (January 2, 2002), Paragraph F.

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reestablishes the location of these parcels and sets the allowable density requirement and the rules by which parcels may be permitted to be amended to a more intense land use category. These areas are reflected in the RNP (Rural Neighborhood Preservation) land use category.

RURAL PRESERVATION OVERLAY DISTRICT

The Rural Preservation Overlay District is intended to preserve the rural nature of designated neighborhoods located in the Southeast, Southwest and Centennial Hills Sectors by attaching special importance to their rural character and low density. Some characteristics of a rural preservation neighborhood include single-family homes on large lots, non-commercial raising of domestic animals, and a density limit of two units per acre. The existing character of rural neighborhoods and communities is protected by establishing boundaries to limit encroachment of higher density development into protected areas. The Rural Preservation Overlay District Map (Map 2A) reflects the properties that, at a particular point in time, are deemed consistent with the definition and intent of a rural preservation neighborhood. The definition of a rural preservation neighborhood and the specifics of the Rural Preservation Overlay District can be found in Title 19.06 of the Las Vegas Municipal Code.

Currently, approximately 2,520 acres make up the Rural Preservation Overlay District. Rural preservation neighborhoods are located in every sector of the city, but primarily in the Centennial Hills Sector, which contains many small subdivisions featuring large lot zoning.

Approximately 73 acres of new parcels that now qualify for inclusion in a rural preservation neighborhood are proposed to be added to the Overlay District. Approximately 110 acres of existing parcels are proposed to be removed from the Overlay District. These parcels do not qualify for inclusion in rural preservation neighborhoods because of their proximity to new development or because their density exceeds two dwelling units per acre. Map 2B indicates the parcels that are proposed to be added or removed from the Rural Preservation Overlay District.

Since planning is an ongoing process, development must be monitored to determine if rural character outside urban growth areas is being maintained. Therefore, updates and evaluation of rural preservation areas must be timely and frequent to ensure that rural character is preserved.

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## CONCLUSION

The city has traditionally relied on a system based on density and intensity to classify the use of land. Land use regulation is implemented through a Euclidean system of zoning whereby uses of a particular category are grouped together and segregated from uses of other types. While this system is straightforward and easy to implement, it tends to create and maintain areas with similar characteristics that lack unique features and discourages non-motorized modes of transportation. It ignores the possibility that commercial and residential uses can coexist in the same neighborhood or even in the same buildings.

The city has already begun to transition from this traditional approach to a more flexible form of regulation by allowing for the development of master planned communities, planned development zoning, mixed use developments and the introduction of traditional neighborhood planning in limited areas. Parallel with the shift in thinking about how land uses interact, development codes must also change to implement a vision that is based more on building types and locations for uses rather than the uses themselves.

In residential areas, the demand for walkable urban neighborhoods is growing due to shifts in demographics, concern for the environment, and a desire for aesthetics and uniqueness that will maintain property values. The housing market will change to meet this demand by providing higher density single family and a variety of multi-family products that will be built in proximity to planned transit stations.

The city's current General Plan depicts a snapshot of future land use based on physical characteristics of the land, proximity to other types of uses, and the needs of particular areas. Where more detailed planning is needed, special area plans should continue to be developed. The Downtown Centennial Plan, Medical District Plan and West Las Vegas Plan still require further implementation to reach their goals for revitalization of the core area of the city, while the Centennial Hills Sector Plan continues to guide the development of raw land in the Northwest.

Particular attention should be paid to development of open space within developing areas so that they will be within walking distance or a short drive for residents of these areas. Additionally, the Master Plan has identified that more park facilities need to be developed to meet the needs of the growing population. Master planned communities in the Northwest have integrated adequate recreational facilities into their plans, and the city has designated BLM-managed areas of the west and northwest for future public use.

The Centennial Hills Sector Plan provides recommendations for further protection of rural neighborhoods. These include specific design standards for neighborhoods and buffering from denser development. In time, the definitional characteristics that compose such neighborhoods may need to be altered to simplify the process by which parcels are added or subtracted from the Rural Preservation Overlay District.

The scope of this element is to provide a conceptual overview of land use at a citywide level. It is intended to provide direction for the location of future land uses and the regulation of existing

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ones. More detailed information about the requirements of each planning area is available in the master development plans and development standards for each particular special area plan.
Future updates to this plan will reflect changes in policy that aim to meet the needs of a city that is expanding toward the limits of its physical growth but also is developing anew in its older sections.

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# APPENDIX: PUBLIC PARTICIPATION

The Planning and Development Department facilitated the following neighborhood meetings to present the Land Use & Rural Neighborhoods Preservation Element and to receive public input:

**Monday, June 15, 2009**
6:30 p.m.
Mirabelli Community Center
6200 Hargrove Avenue
Las Vegas, Nevada 89107

**Tuesday, June 16, 2009**
6:30 p.m.
Centennial Hills Community Center
6601 North Buffalo Drive
Las Vegas, NV 89131

**Wednesday, June 17, 2009**
6:30 p.m.
Rafael Rivera Community Center
2900 Stewart Avenue
Las Vegas, NV 89101

Presentation of the draft Land Use & Rural Neighborhoods Preservation Element to the Planning Commission was made on XXXXX.

Presentation of the draft Land Use & Rural Neighborhoods Preservation Element was made to the City Council on XXXXX.

The City Council adopted the element on XXXXX.

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# City of Las Vegas

## GAMING ENTERPRISE DISTRICTS AND LOCATIONS APPROVED FOR NON-RESTRICTED GAMING













Gaming Enterprise Districts

Non-Restricted Gaming Parcels

| NO. | ADDRESS | BUSINESS | LICENSE |
|---|---|---|---|
| 1 | 7473 Dandelion Blvd | Arizona Charlie's Hotel and Casino | 0000-00000 |
| 2 | 2000 E Las Vegas Blvd | Aztec Gold Inn and Casino (BBB) | 0000-00000 |
| 3 | 1000 Fremont St | Binions Gambling Hall & Hotel | 0000-00000 |
| 4 | 2000 E. Main St. | BMW Gaming LLC (BGN) | 0000-00000 |
| 5 | 12 E Ogden Ave | Californian Hotel and Casino | 0000-00000 |
| 6 | 2000 F St | Downtown Casino Hotel | 0000-00000 |
| 7 | 200 Fremont St | El Cortez Hotel and Casino | 0000-00000 |
| 8 | 301 Fremont St | Fitzgeralds | 0000-00000 |
| 9 | 202 Fremont St | Four Queens Hotel and Casino | 0000-00000 |
| 10 | 200 Fremont St | Fremont Hotel and Casino | 0000-00000 |
| 11 | 1 Fremont St. | Golden Gate Hotel and Casino | 0000-00000 |
| 12 | 129 Fremont St | Golden Nugget | 0000-00000 |
| 13 | 3 Fremont St | Lillenton Casino | 0000-00000 |
| 14 | 18 Fremont St | Las Vegas Club Hotel & Casino | 0000-00000 |
| 15 | 2000 Main St | Main Street Station | 0000-00000 |
| 16 | 31 Fremont St | Mermaids Casino | 0000-00000 |
| 17 | 2411 W Sahara Ave | Palace Station Hotel and Casino | 0000-00000 |
| 18 | 113 Main St | Plaza Hotel and Casino | 0000-00000 |
| 19 | 2211 N Rancho Dr | Rancho Casino (BBB) | 0000-00000 |
| 20 | 4500 E Charleston Blvd | Santa Fe Station Hotel & Casino | 0000-00000 |
| 21 | 2000 E Las Vegas Blvd | Sahara Las Vegas Casino and Hotel (BBB) | 0000-00000 |
| 22 | 3000 Indy Ct | Suncoast Hotel and Casino (BBB) | 0000-00000 |
| 23 | 600 Jackson St | Ultra Nine Tiver Tavern | 0000-00000 |
| 24 | 4510 W Sahara Rd | Undisclosed Coin Machine Company (BGN) | 0000-00000 |
| 25 | 4000 S Eastern Ave | Undisclosed Coin Machine Company (BGN) | 0000-00000 |
| 26 | 18 Lakes Blvd | Undisclosed Coin Machine Company (BGN) | 0000-00000 |
| 27 | 2000 Fremont | Undisclosed Coin Machine Company (BGN) | 0000-00000 |
| 28 | 3473 E Las Vegas Blvd | Undisclosed Coin Machine Company (BGN) | 0000-00000 |
| 29 | 2000 Fremont St | Western Hotel and Casino (BBB) | 0000-00000 |
| 30 | 1000 N Rancho Dr | Wildfire Casino | 0000-00000 |

(BBB) indicates that the property is located within a gaming enterprise district.
(BGN) indicates that the gaming operation's basic licensing and the license is subject to the provisions of LVMC Title 6 Ch 160.

NOTE:
Gaming Enterprise Districts are governed by NRS 463.3015 through NRS 463.3944 inclusive, as amended by Senate Bill 208 from the 1997 Legislative Session.

A. The Parkway Center Gaming Enterprise District is a result of ZON-21384 which, following the procedures set forth in NRS 463.3086, was approved by the Las Vegas City Council.

B. The SW corner of Commerce and Colorado Gaming Enterprise District is a result of ZON-21108, which, Following the procedures set forth in NRS 463.3086, was approved by the Las Vegas City Council.

C. The Las Vegas Boulevard Gaming Corridor is specified in NRS 463.0153 for non-restricted gaming.

D. The Summerlin Gaming Enterprise District was established as part of [illegible]

E. The Peccole Ranch Gaming Enterprise District was established as part of [illegible]

F. The Mountain Spa/Silverstone Ranch Gaming Enterprise District was established as a part of [illegible]

G. The Future Summerlin Gaming Enterprise Districts are a result of the Summerlin West Development Agreement (SA-4001-96).

H. The Kyle Canyon Rd & US-95 Gaming Enterprise District is a result of ZON-20470, which, following the Procedures set forth in NRS 463.3086, was approved by the Las Vegas City Council.

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Revised: February 04, 2009 ZON-21384

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**Geographic Information System**

Planning & Development Dept.

Printed: March 16, 2009

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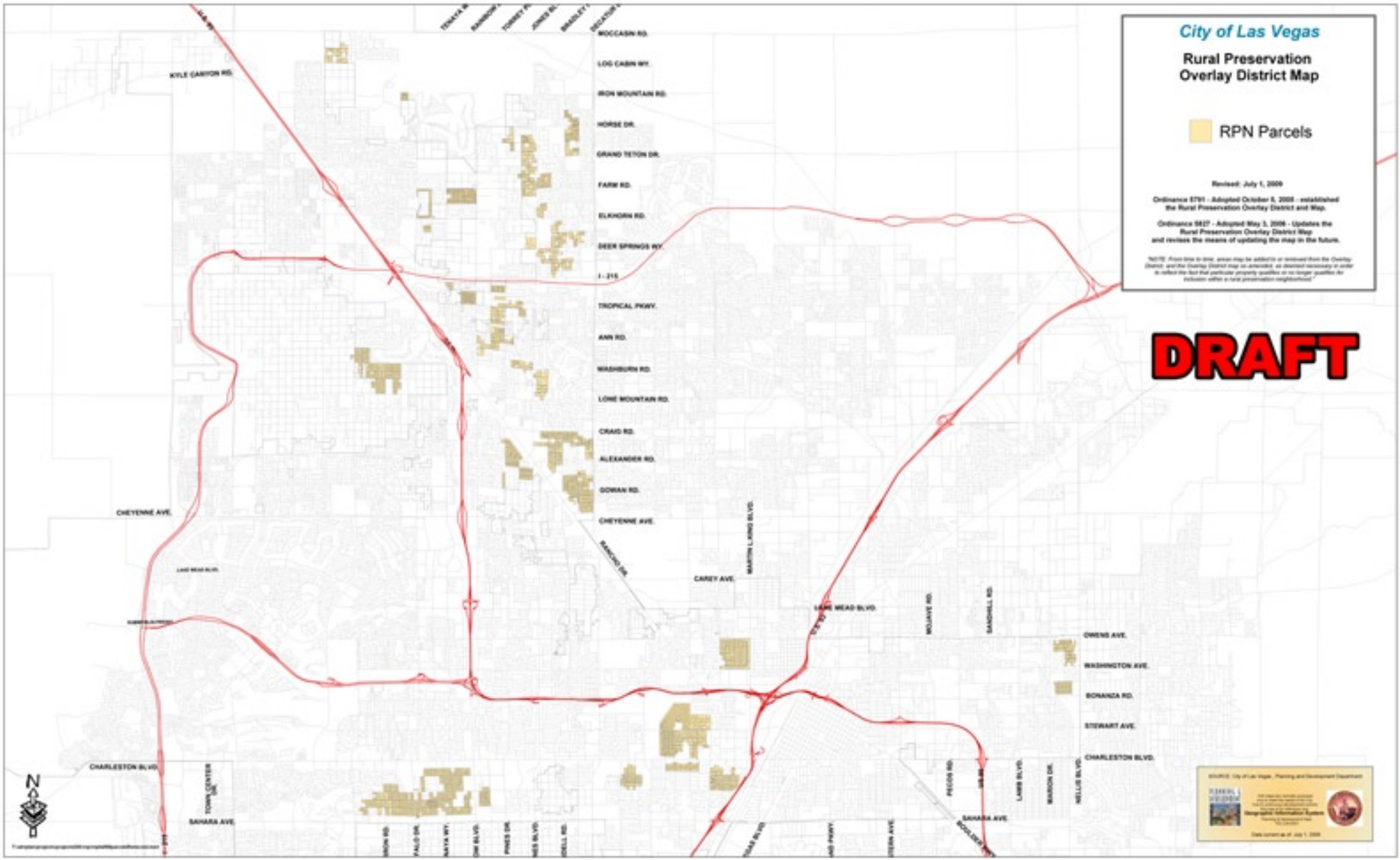
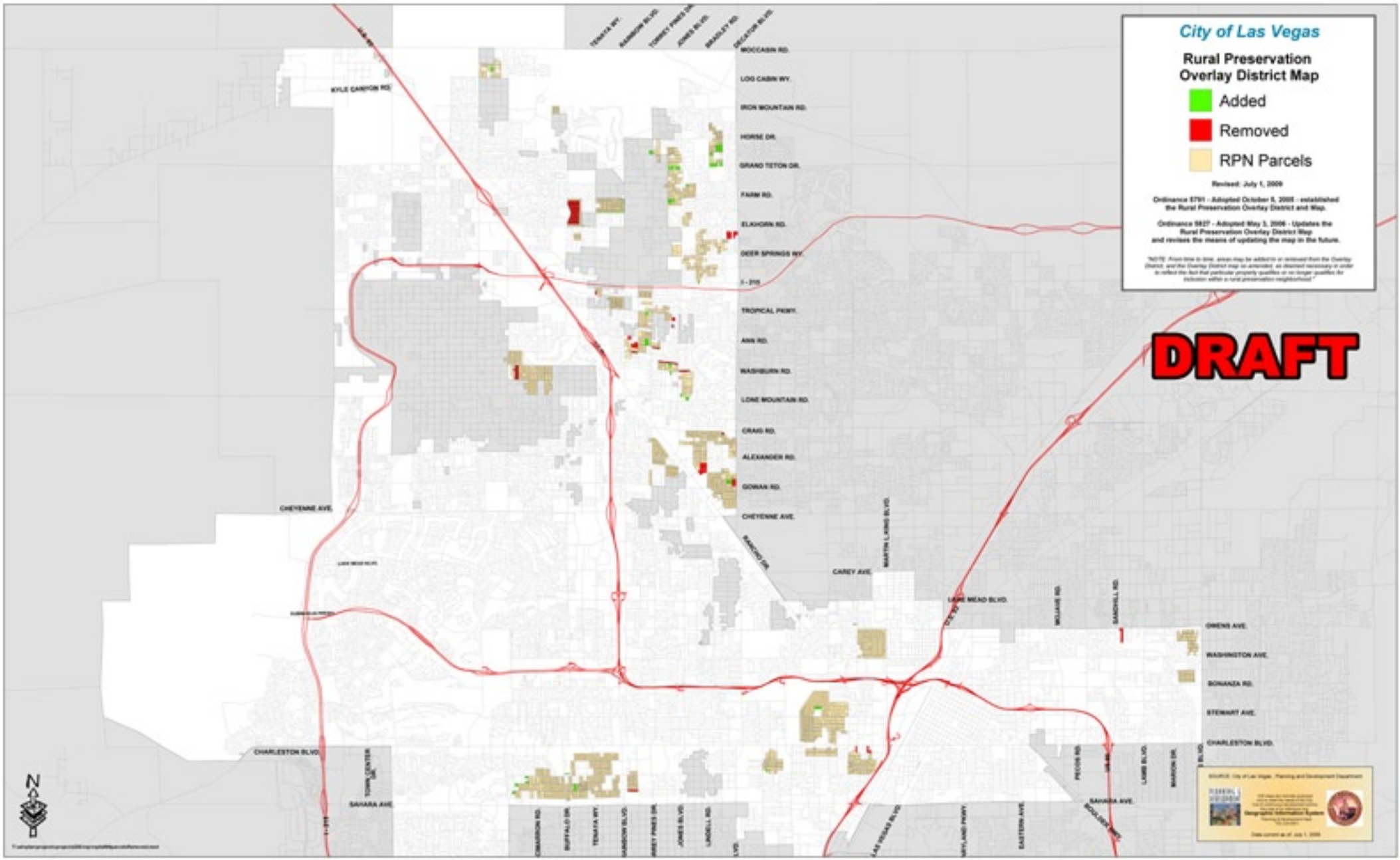
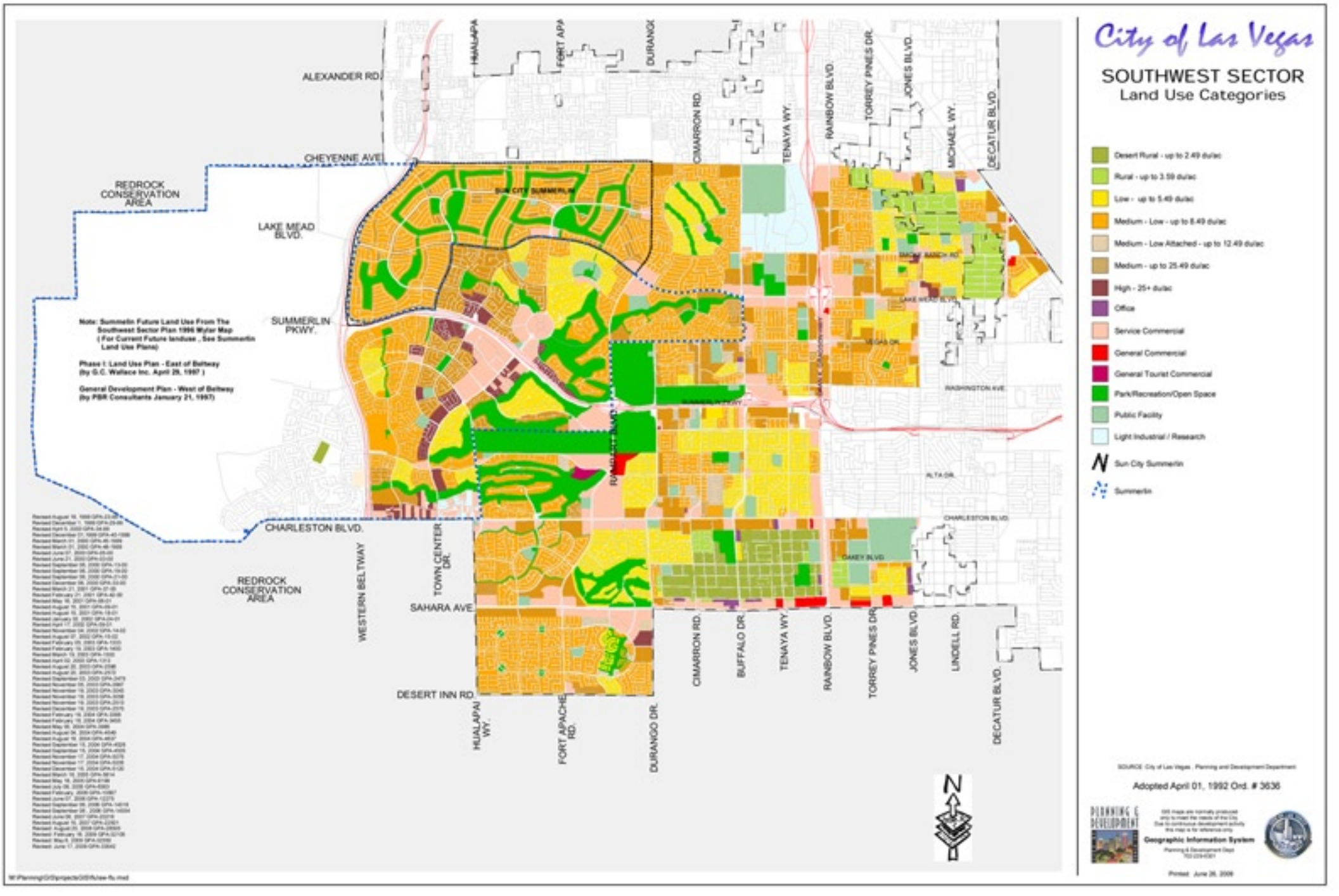
# RURAL PRESERVATION NEIGHBORHOODS



# RURAL PRESERVATION NEIGHBORHOODS




City of Las Vegas
SOUTHWEST SECTOR
Land Use Categories
Desert Rural - up to 2.49 du/ac
Rural - up to 3.59 du/ac
Low - up to 5.49 du/ac
Medium - Low - up to 8.49 du/ac
Medium - Low Attached - up to 12.49 du/ac
Medium - up to 25.49 du/ac
High - 25+ du/ac
Office
Service Commercial
General Commercial
General Tourist Commercial
Park/Recreation/Open Space
Public Facility
Light Industrial / Research
Sun City Summerlin
Summerlin
Note: Summerlin Future Land Use From The Southwest Sector Plan 1996 Wylar Map ( For Current Future landuse , See Summerlin Land Use Plans)
Phase I: Land Use Plan - East of Beltway (by G.C. Wallace Inc. April 29, 1997 )
General Development Plan - West of Beltway (by PBR Consultants January 21, 1997)
ALEXANDER RD.
CHEYENNE AVE.
REDROCK CONSERVATION AREA
LAKE MEAD BLVD.
SUMMERLIN PKWY.
CHARLESTON BLVD.
SAHARA AVE.
DESERT INN RD.
WESTERN BELTWAY
TOWN CENTER DR.
HUALAPAI WY.
FORT APACHE RD.
DURANGO DR.
CIMARRON RD.
BUFFALO DR.
TENAYA WY.
RAINBOW BLVD.
TORREY PINES DR.
JONES BLVD.
LINDELL RD.
DECATUR BLVD.
MICHAEL WY.
WASHINGTON AVE.
ALTA DR.
OAKEY BLVD.
SUN CITY SUMMERLIN
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SOURCE: City of Las Vegas - Planning and Development Department
Adopted April 01, 1992 Ord. # 3636
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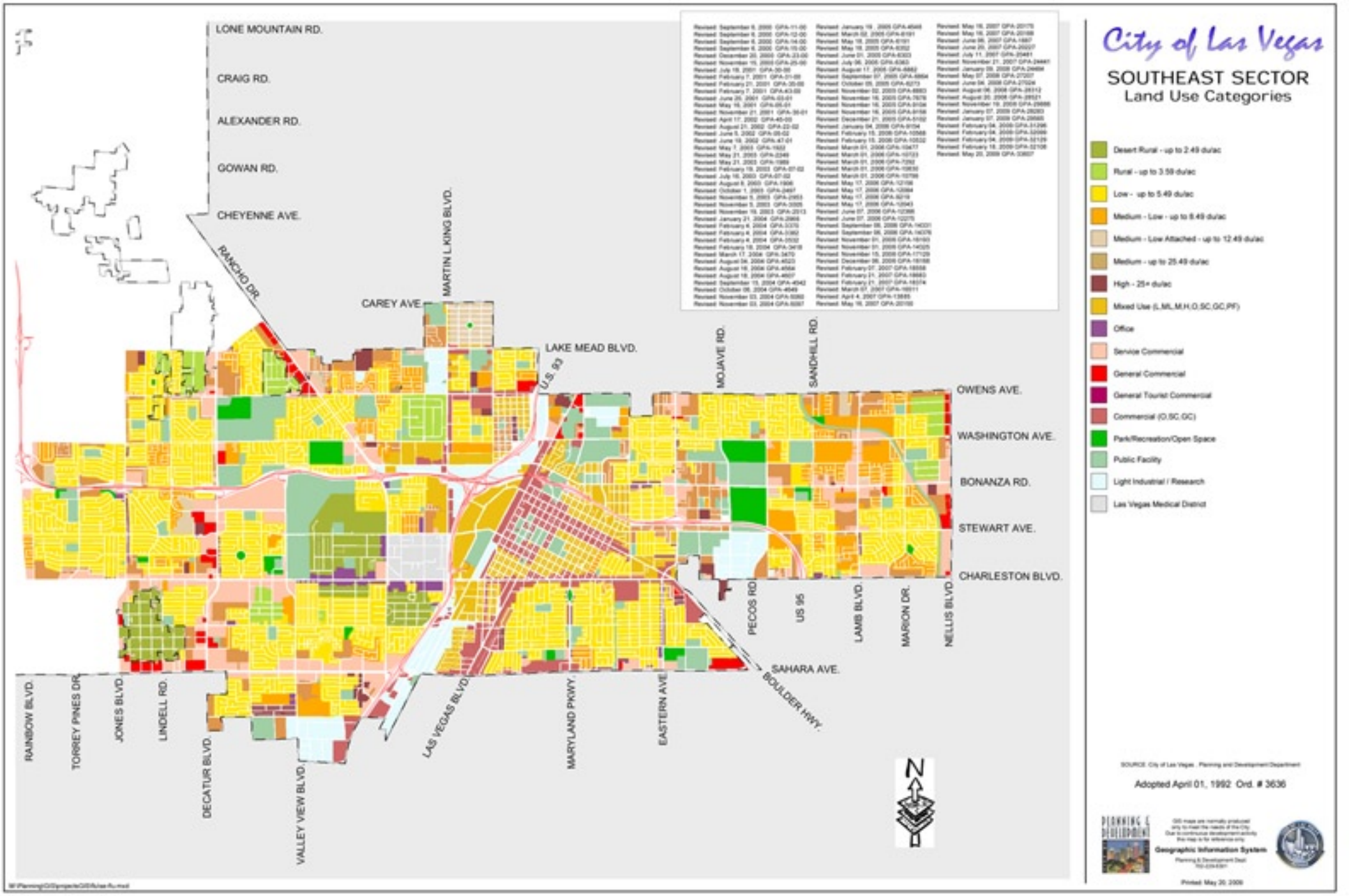
Printed: June 26, 2008

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Revised: June 19, 2002 GPA-47-01
Revised: May 1, 2003 GPA-1002
Revised: May 21, 2003 GPA-0349
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Revised: February 19, 2003 GPA-07-02
Revised: July 16, 2003 GPA-07-02
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Revised: October 1, 2003 GPA-2487
Revised: November 5, 2003 GPA-2953
Revised: November 5, 2003 GPA-3305
Revised: November 19, 2003 GPA-2013
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Revised: February 4, 2004 GPA-3370
Revised: February 4, 2004 GPA-3382
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Revised: February 18, 2004 GPA-3418
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Revised: August 18, 2004 GPA-4564
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Revised: February 04, 2009 GPA-32129
Revised: February 18, 2009 GPA-32106
Revised: May 20, 2009 GPA-33607

# City of Las Vegas

## SOUTHEAST SECTOR
### Land Use Categories

- Desert Rural - up to 2.49 du/ac
- Rural - up to 3.59 du/ac
- Low - up to 5.49 du/ac
- Medium - Low - up to 8.49 du/ac
- Medium - Low Attached - up to 12.49 du/ac
- Medium - up to 25.49 du/ac
- High - 25+ du/ac
- Mixed Use (L,ML,M,H,O,SC,GC,PF)
- Office
- Service Commercial
- General Commercial
- General Tourist Commercial
- Commercial (O,SC,GC)
- Park/Recreation/Open Space
- Public Facility
- Light Industrial / Research
- Las Vegas Medical District

SOURCE: City of Las Vegas - Planning and Development Department

Adopted April 01, 1992 Ord. # 3636

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Geographic Information System
Planning & Development Dept.
702-229-6301

Printed: May 20, 2009

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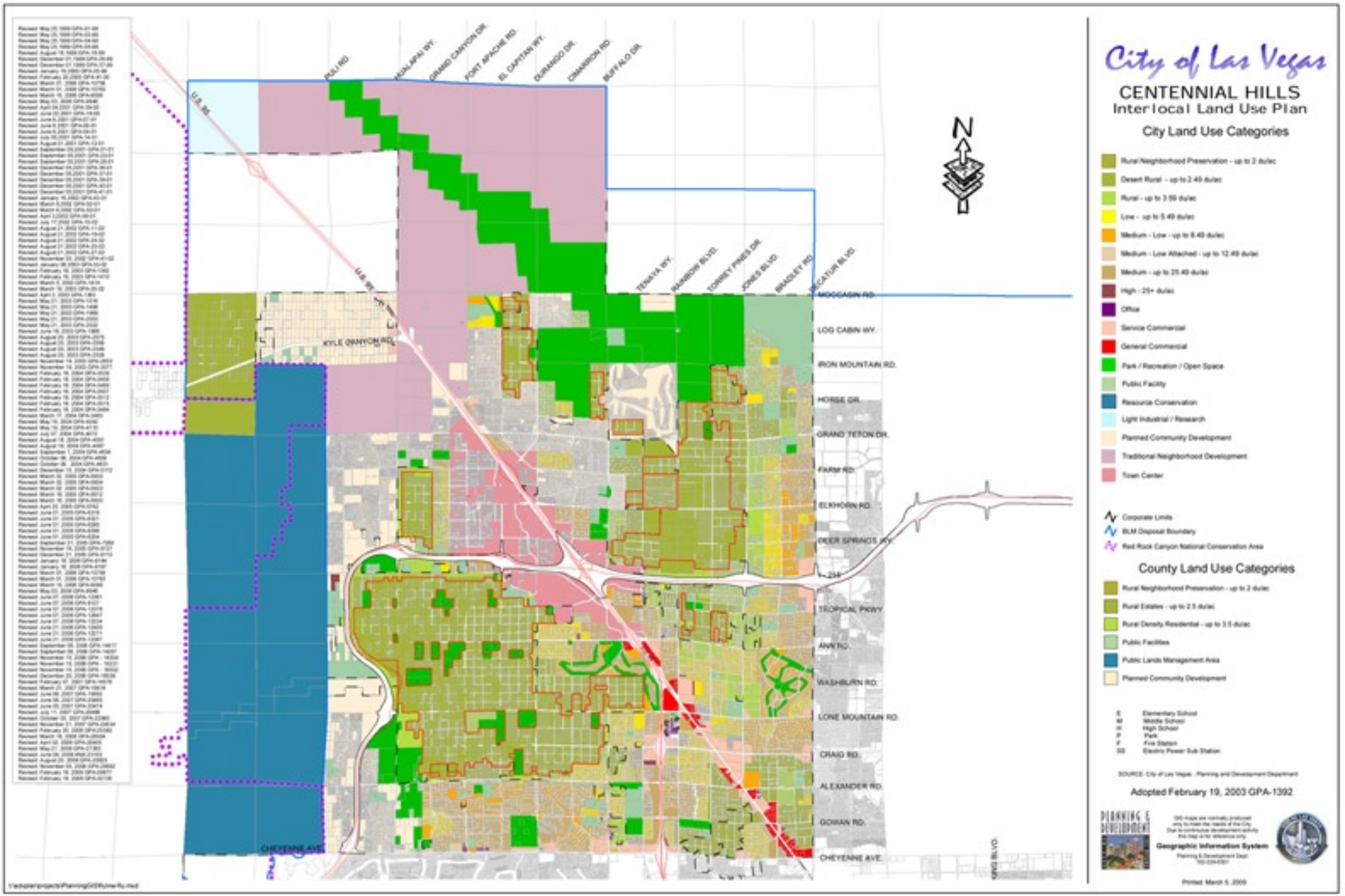
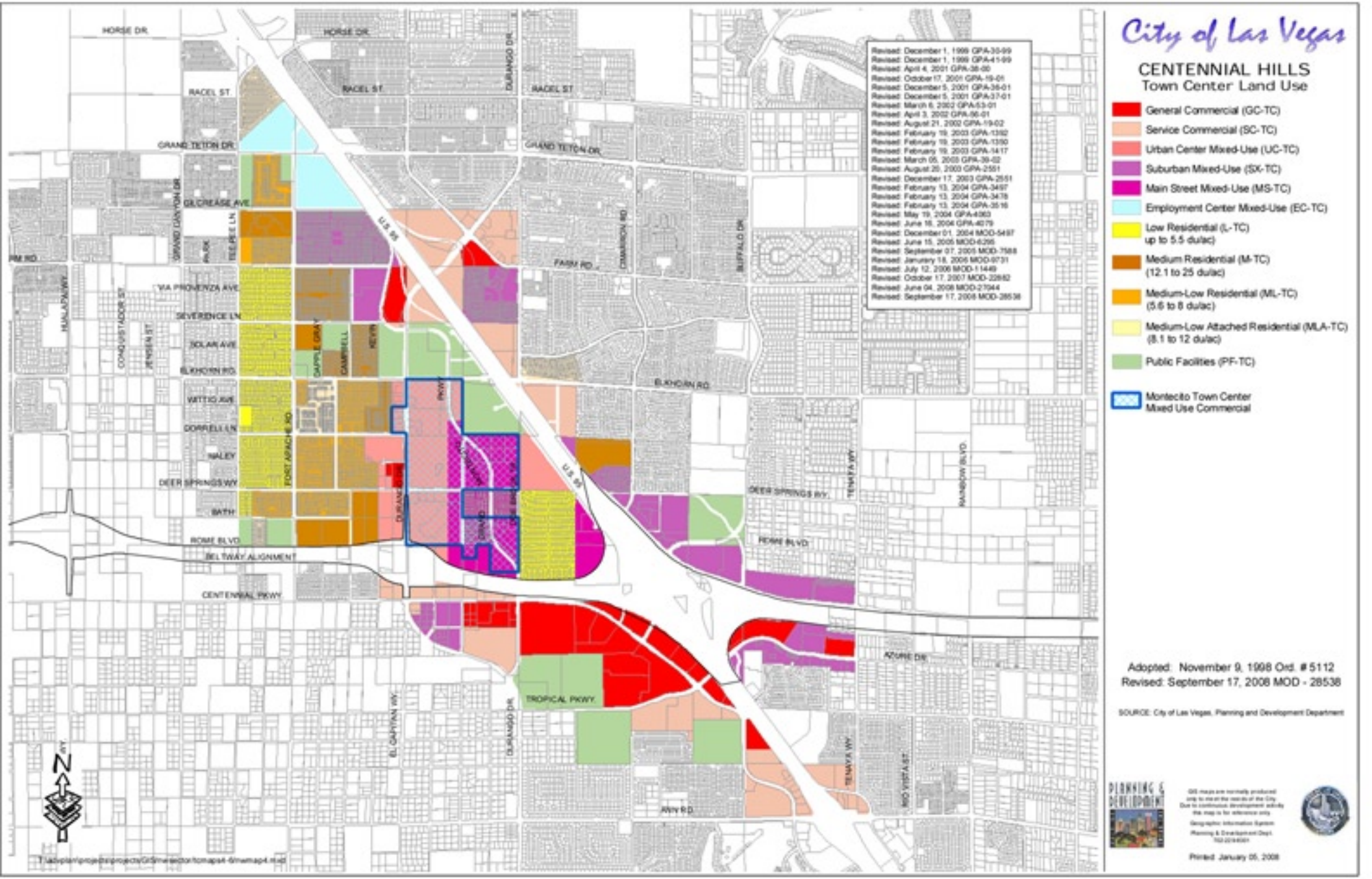
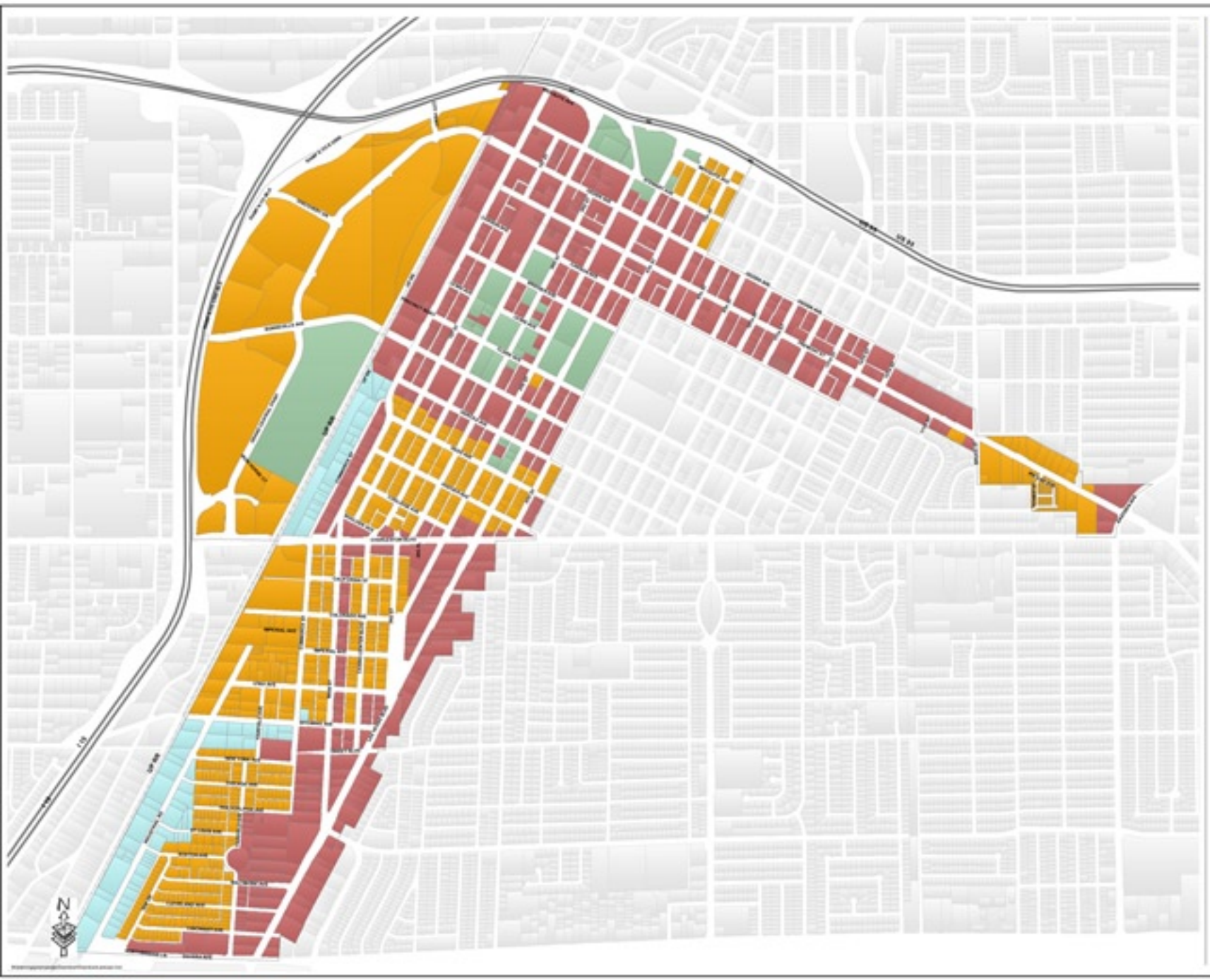

City of Las Vegas
CENTENNIAL HILLS
Interlocal Land Use Plan
City Land Use Categories
Rural Neighborhood Preservation - up to 2 du/ac
Desert Rural - up to 2.49 du/ac
Rural - up to 3.99 du/ac
Low - up to 5.49 du/ac
Medium - Low - up to 8.49 du/ac
Medium - Low Attached - up to 12.49 du/ac
Medium - up to 25.49 du/ac
High - 25+ du/ac
Office
Service Commercial
General Commercial
Park / Recreation / Open Space
Public Facility
Resource Conservation
Light Industrial / Research
Planned Community Development
Traditional Neighborhood Development
Town Center
Corporate Limits
BLM Disposal Boundary
Red Rock Canyon National Conservation Area
County Land Use Categories
Rural Neighborhood Preservation - up to 2 du/ac
Rural Estates - up to 2.5 du/ac
Rural Density Residential - up to 3.5 du/ac
Public Facilities
Public Lands Management Area
Planned Community Development
E Elementary School
M Middle School
H High School
P Park
F Fire Station
SS Electric Power Sub Station
SOURCE: City of Las Vegas - Planning and Development Department
Adopted February 19, 2003 GPA-1392
Geographic Information System
Printed: March 5, 2009
N
U.S. 95
KYLE CANYON RD.
CHEYENNE AVE.
POLLY RD.
BUFFALO DR.
DECATUR BLVD.
MOCCASIN RD.
LOG CABIN WY.
IRON MOUNTAIN RD.
HORSE DR.
GRAND TETON DR.
FARM RD.
ELKHORN RD.
DEER SPRINGS WY.
TROPICAL PKWY.
ANN RD.
WASHBURN RD.
LONE MOUNTAIN RD.
CRAIG RD.
ALEXANDER RD.
GOWAN RD.
CHEYENNE AVE.


City of Las Vegas
CENTENNIAL HILLS
Town Center Land Use
General Commercial (GC-TC)
Service Commercial (SC-TC)
Urban Center Mixed-Use (UC-TC)
Suburban Mixed-Use (SX-TC)
Main Street Mixed-Use (MS-TC)
Employment Center Mixed-Use (EC-TC)
Low Residential (L-TC) up to 5.5 du/ac)
Medium Residential (M-TC) (12.1 to 25 du/ac)
Medium-Low Residential (ML-TC) (5.6 to 8 du/ac)
Medium-Low Attached Residential (MLA-TC) (8.1 to 12 du/ac)
Public Facilities (PF-TC)
Montecito Town Center Mixed Use Commercial
Revised: December 1, 1999 GPA-30-99
Revised: December 1, 1999 GPA-41-99
Revised: April 4, 2001 GPA-38-00
Revised: October 17, 2001 GPA-19-01
Revised: December 5, 2001 GPA-36-01
Revised: December 5, 2001 GPA-37-01
Revised: March 6, 2002 GPA-53-01
Revised: April 3, 2002 GPA-56-01
Revised: August 21, 2002 GPA-19-02
Revised: February 19, 2003 GPA-1392
Revised: February 19, 2003 GPA-1350
Revised: February 19, 2003 GPA-1417
Revised: March 05, 2003 GPA-39-02
Revised: August 20, 2003 GPA-2551
Revised: December 17, 2003 GPA-2551
Revised: February 13, 2004 GPA-3497
Revised: February 13, 2004 GPA-3478
Revised: February 13, 2004 GPA-3516
Revised: May 19, 2004 GPA-4063
Revised: June 16, 2004 GPA-4079
Revised: December 01, 2004 MOD-5497
Revised: June 15, 2005 MOD-6295
Revised: September 07, 2005 MOD-7168
Revised: January 18, 2006 MOD-9731
Revised: July 12, 2006 MOD-11449
Revised: October 17, 2007 MOD-22592
Revised: June 04, 2008 MOD-27044
Revised: September 17, 2008 MOD-28538
HORSE DR.
RACEL ST.
GRAND TETON DR.
GILCREASE AVE.
FARM RD.
VIA PROVENZA AVE.
SEVERENCE LN.
SOLAR AVE.
ELKHORN RD.
WITTIG AVE.
DORRELL LN.
HALEY
DEER SPRINGS WY.
BATH
ROME BLVD.
BELTWAY ALIGNMENT
CENTENNIAL PKWY.
TROPICAL PKWY.
AZURE DR.
ANN RD.
U.S. 95
DURANGO DR.
GRAND CANYON DR.
PARK
TEE PEE LN.
HUALAPAI WY.
CONQUISTADOR ST.
JENSEN ST.
DAPPLE GRAY
CAMPBELL
KEVIN
FORT APACHE RD.
CIMARRON RD.
BUFFALO DR.
TENAYA WY.
RAINBOW BLVD.
EL CAPITAN WY.
RIO VISTA ST.
Adopted: November 9, 1998 Ord. # 5112
Revised: September 17, 2008 MOD - 28538
SOURCE: City of Las Vegas, Planning and Development Department
Printed: January 05, 2008



City of Las Vegas

# Downtown Centennial Plan Land Use

- Light Industrial / Research
- Commercial (O,SC,GC)
- Mixed Use (L,ML,M,H,O,SC,GC,PF)
- Public Facility

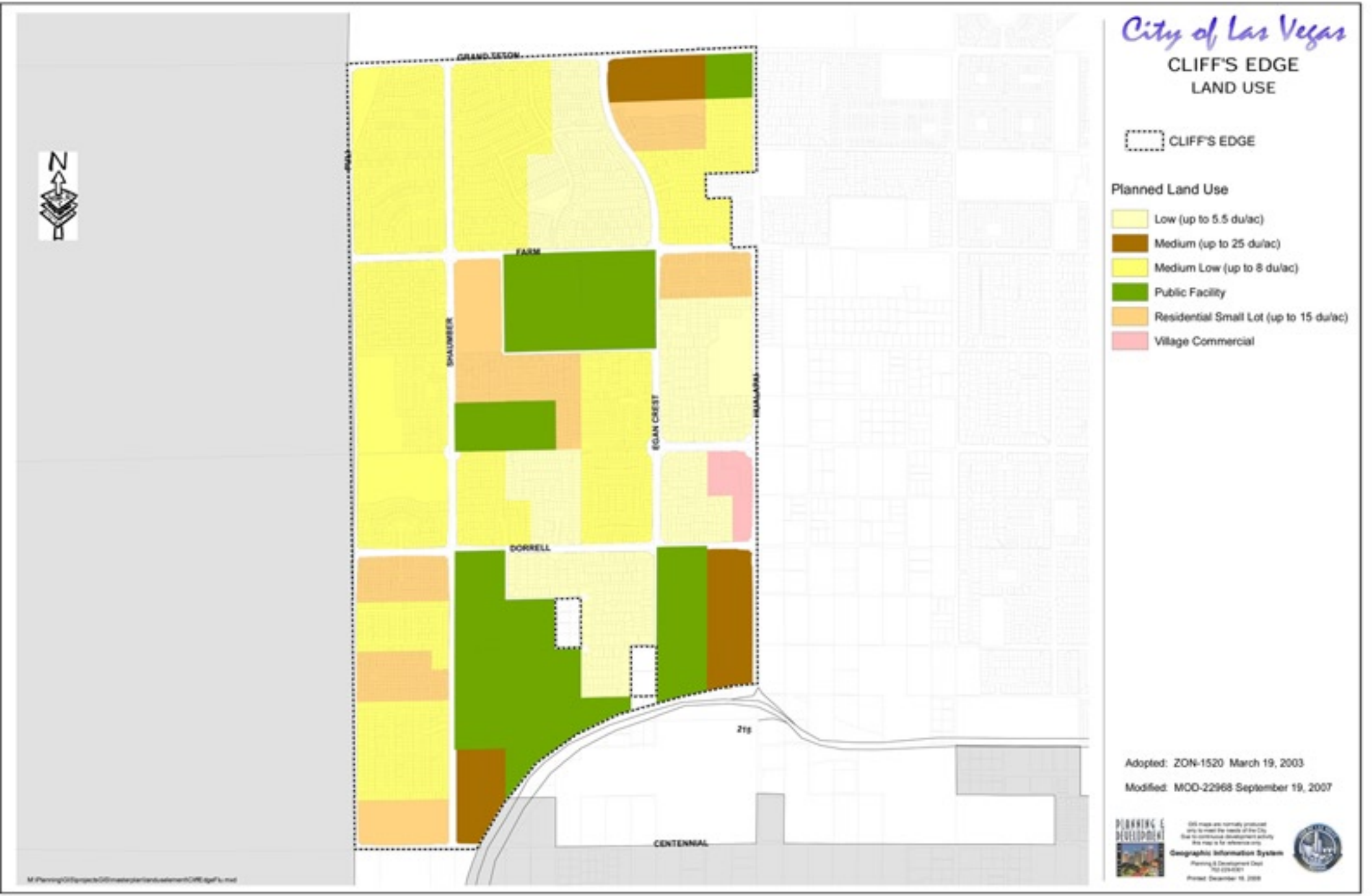
Adopted: Ord #3218 March 05, 1986

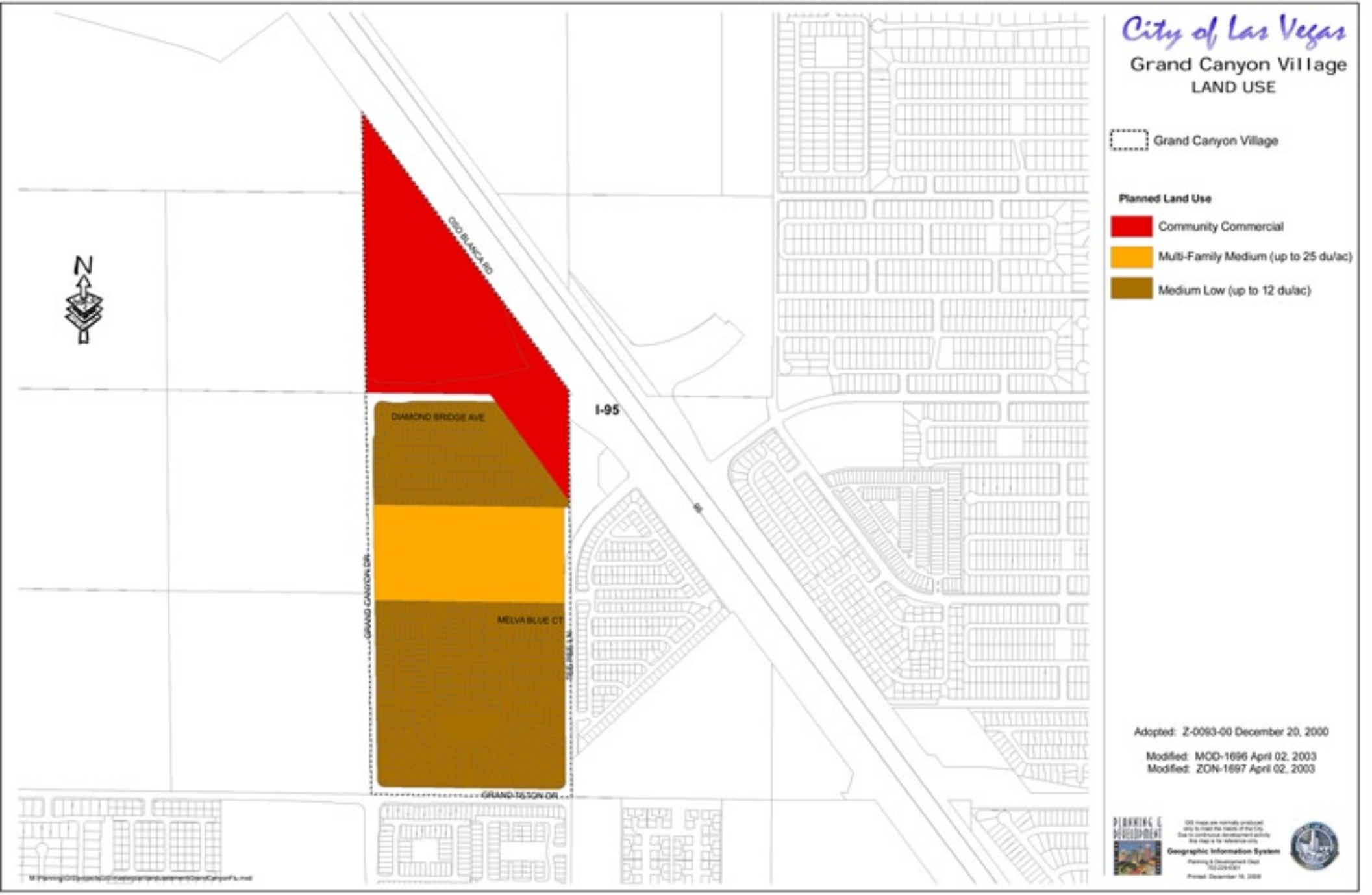
Revised: GPA-32129 February 04, 2009

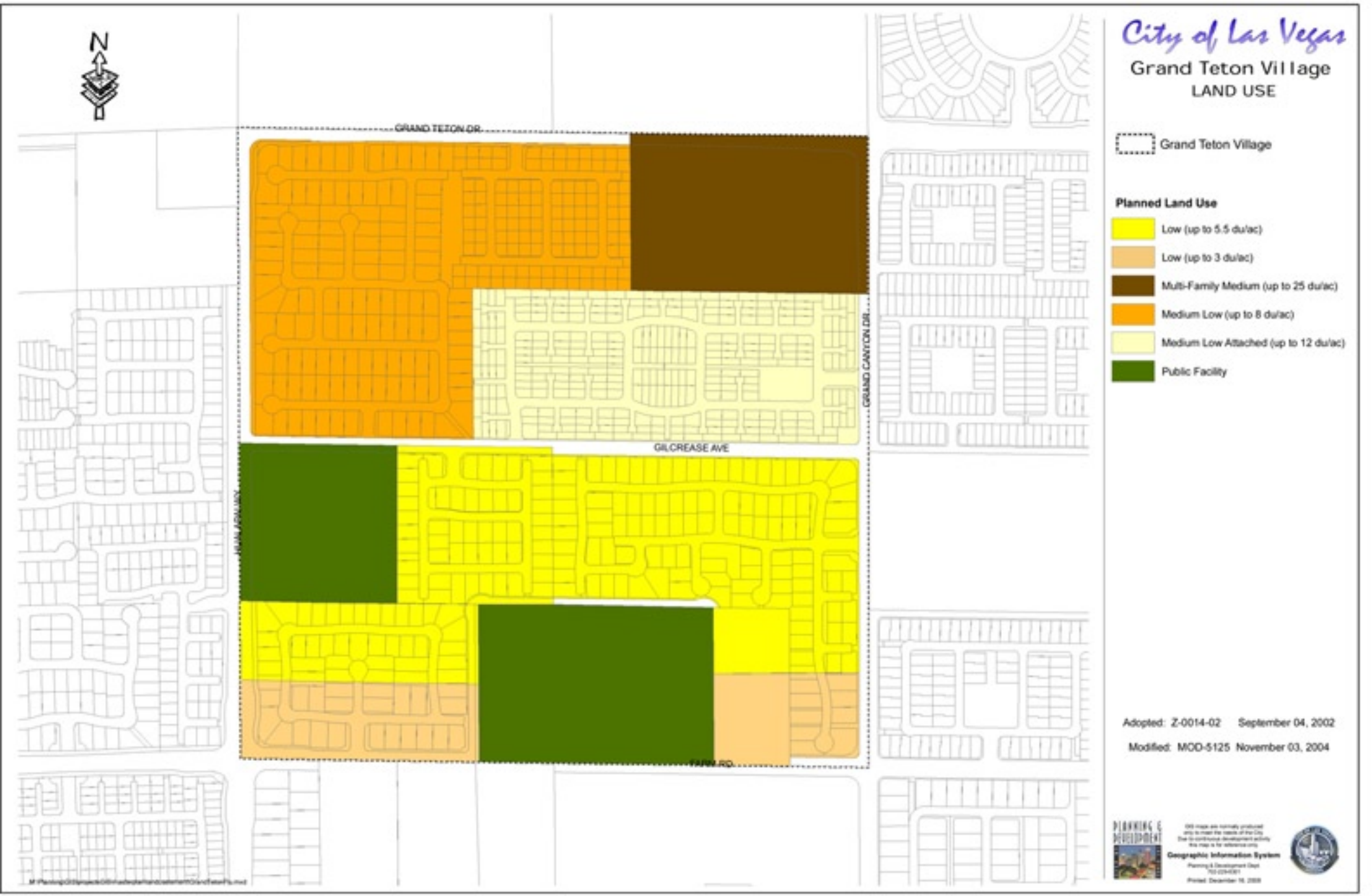
SOURCE: City of Las Vegas - Planning and Development Department

Geographic Information System

Printed: February 25, 2008


City of Las Vegas
CLIFF'S EDGE
LAND USE
CLIFF'S EDGE
Planned Land Use
Low (up to 5.5 du/ac)
Medium (up to 25 du/ac)
Medium Low (up to 8 du/ac)
Public Facility
Residential Small Lot (up to 15 du/ac)
Village Commercial
GRAND TETON
FARM
SHALIMBER
EGAN CREST
HUALAPAI
DORRELL
215
CENTENNIAL
N
Adopted: ZON-1520 March 19, 2003
Modified: MOD-22968 September 19, 2007
Geographic Information System


City of Las Vegas
Grand Canyon Village
LAND USE
Grand Canyon Village
Planned Land Use
Community Commercial
Multi-Family Medium (up to 25 du/ac)
Medium Low (up to 12 du/ac)
N
OSO BLANCA RD
I-95
DIAMOND BRIDGE AVE
GRAND CANYON DR
MELVA BLUE CT
GRAND TETON DR
Adopted: Z-0093-00 December 20, 2000
Modified: MOD-1696 April 02, 2003
Modified: ZON-1697 April 02, 2003
Geographic Information System




# City of Las Vegas

## Grand Teton Village
### LAND USE

Grand Teton Village

**Planned Land Use**

- Low (up to 5.5 du/ac)
- Low (up to 3 du/ac)
- Multi-Family Medium (up to 25 du/ac)
- Medium Low (up to 8 du/ac)
- Medium Low Attached (up to 12 du/ac)
- Public Facility

Adopted: Z-0014-02 September 04, 2002

Modified: MOD-5125 November 03, 2004

PLANNING & DEVELOPMENT

Geographic Information System

Planning & Development Dept
702-229-6301

Printed: December 16, 2009




# City of Las Vegas

## Iron Mountain Ranch

### LAND USE

Iron Mountain Ranch

**Planned Land Use**

- Desert Rural - up to 2.00 du/ac
- Rural - up to 3.59 du/ac
- Low - up to 5.49 du/ac
- Medium-Low - up to 8.49 du/ac
- Public Facility

Adopted: GPA-0006-98 October 12, 1998

Modified: GPA-52-01 March 06, 2001

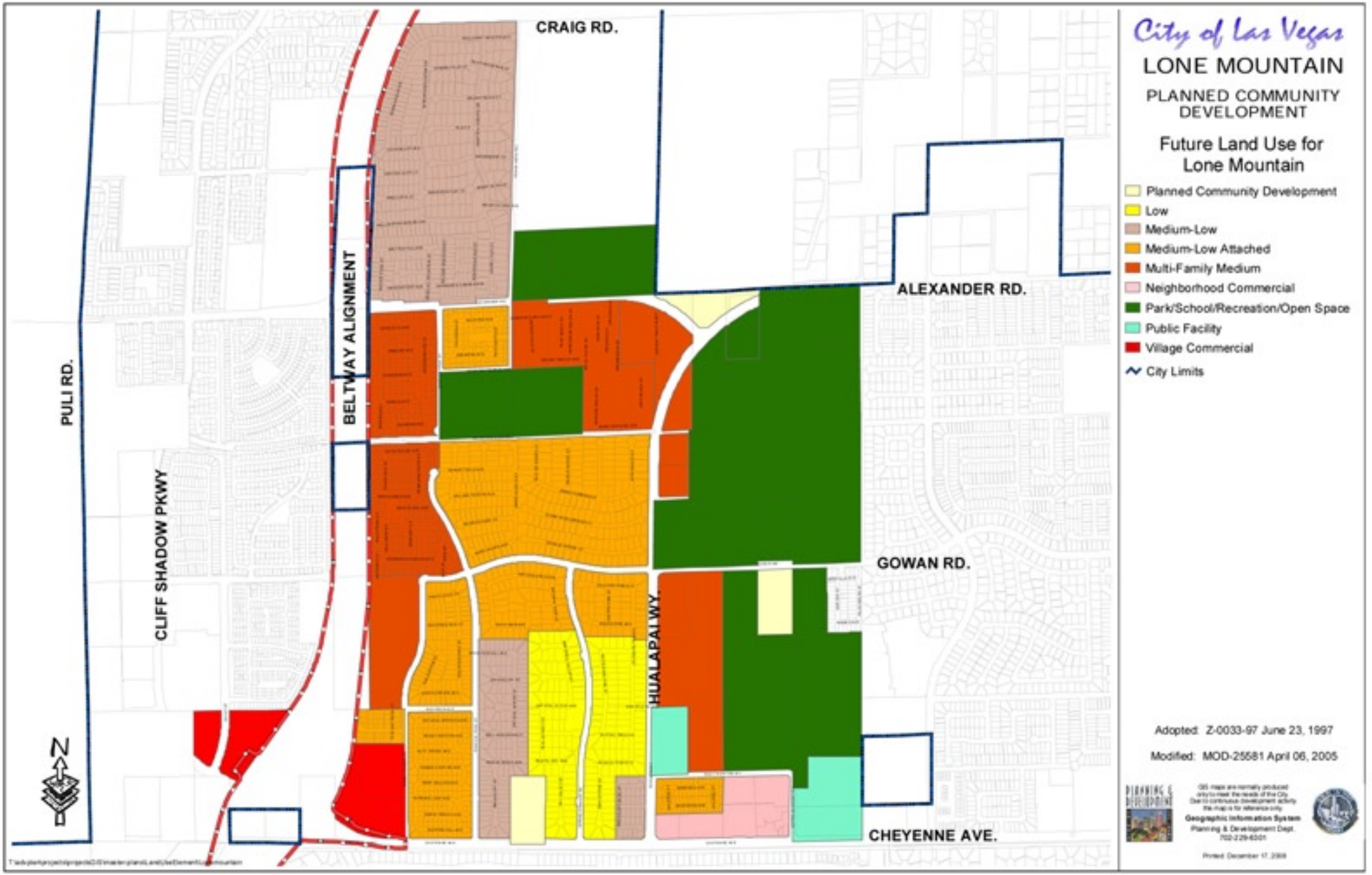
PLANNING & DEVELOPMENT

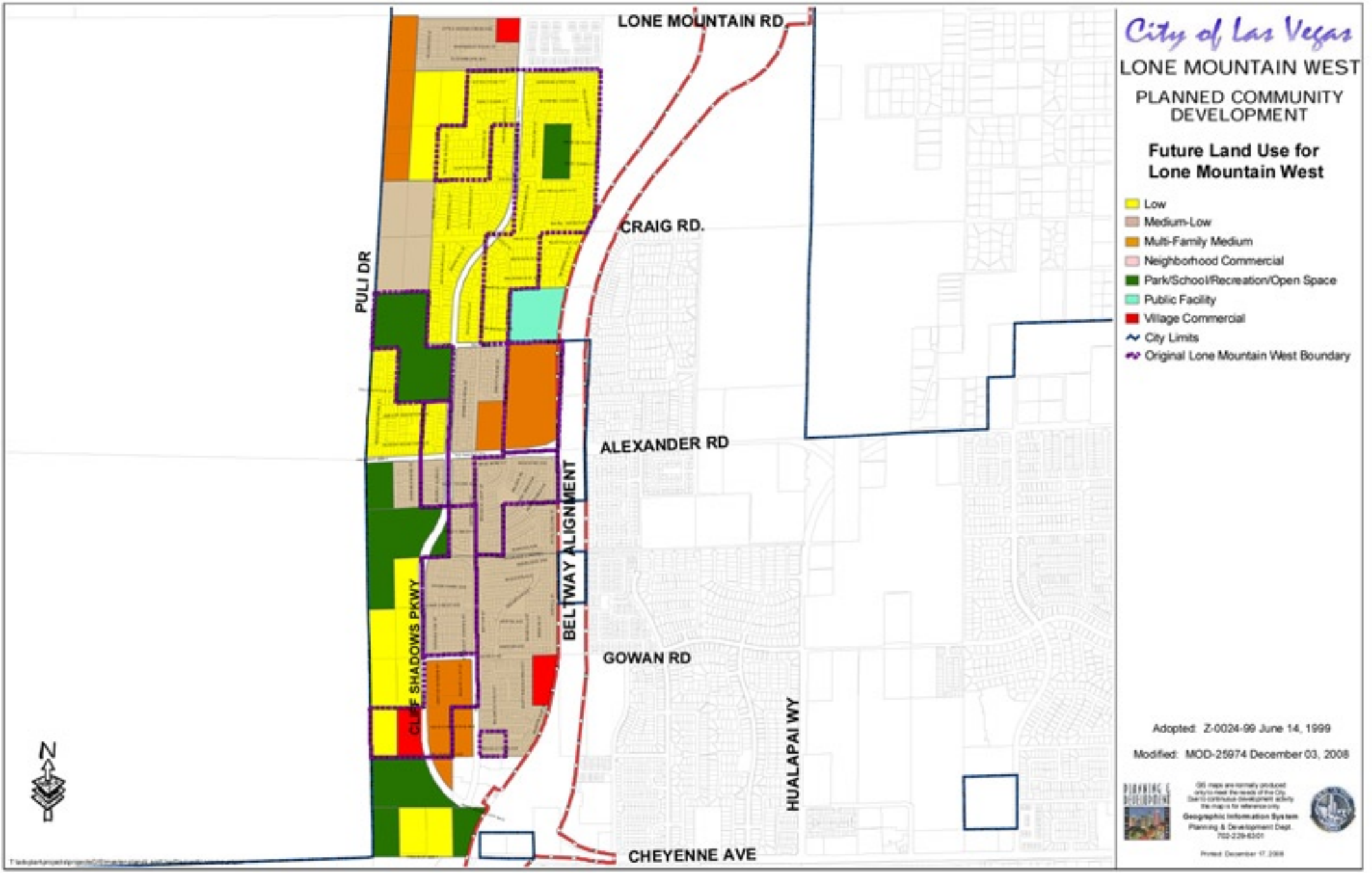
Geographic Information System

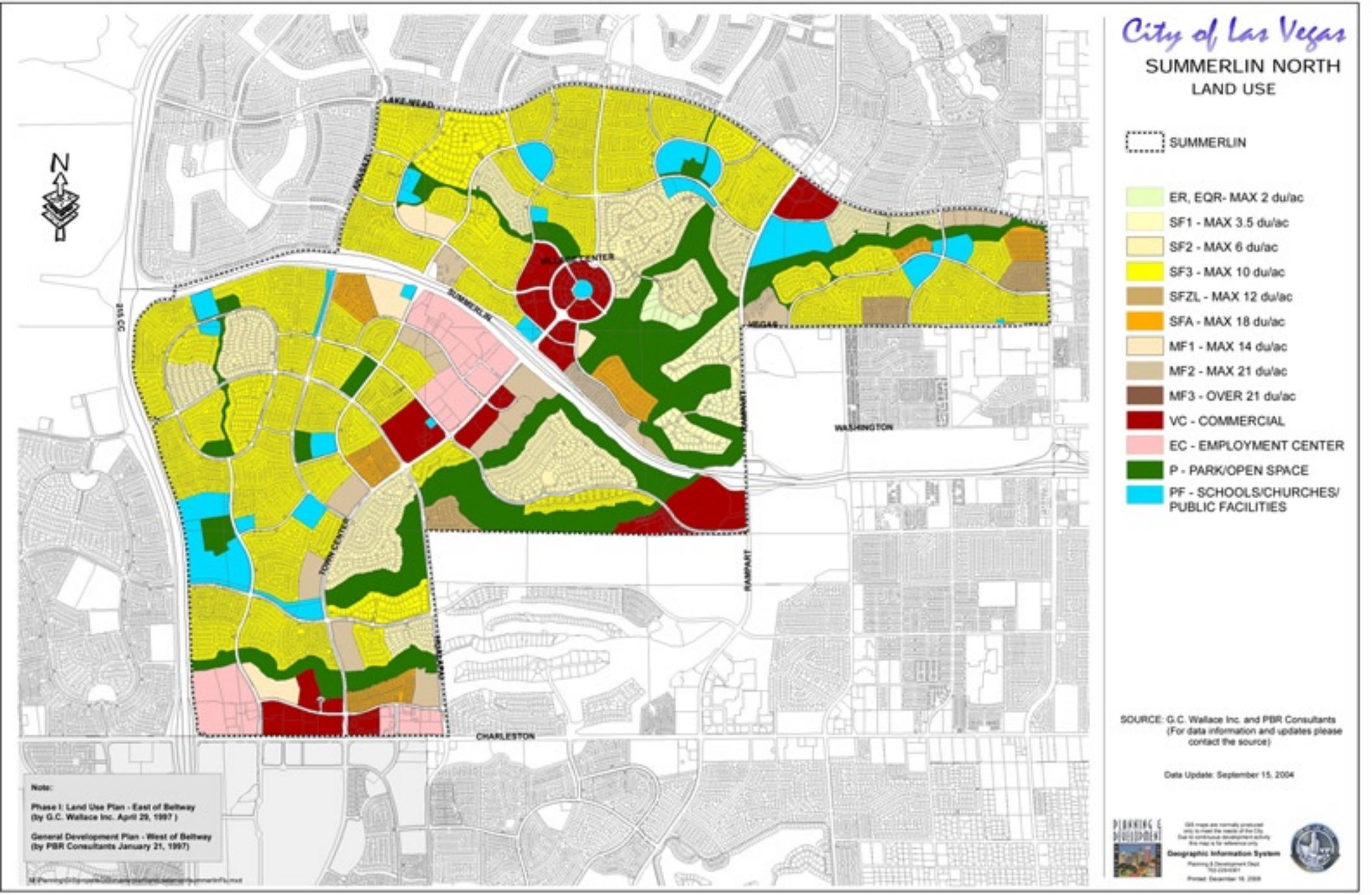
Planning & Development Dept
702-229-6301

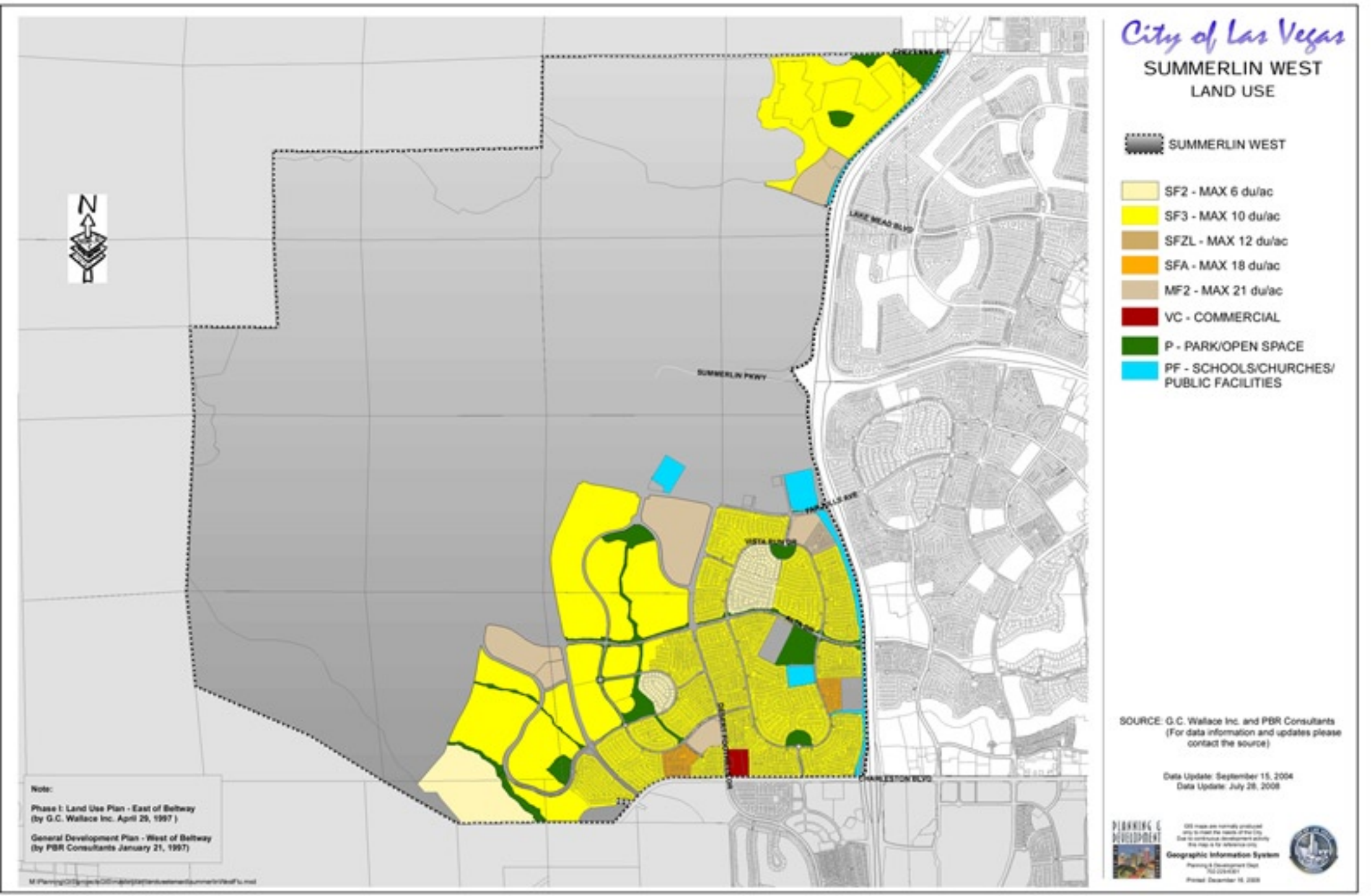
Printed: December 16, 2008


City of Las Vegas
LAS VEGAS
MEDICAL DISTRICT
Future Land Use
HD (High Density Residential)
MD-1 (Medical Support)
MD-2 (Major Medical)
P-O (Professional Office)
SC (Service Commercial)
ALTA DR
KENYON PL
HAMILTON LN
ROSE ST
PINTO LN
TRULUCK LN
PALOMINO LN
VALERIE ST
SHADOW LN
MARTIN L KING BLVD
BEARDEN DR
DESERT LN
HASTINGS AVE
GOLDRING AVE
WILLOW ST
RANCHO DR
RANCHO LN
TONOPAH DR
CHARLESTON BLVD
Adopted: GPA-0011-97 May 27, 1997
Modified: MOD-28530 August 20, 2008
Geographic Information System
Planning & Development Dept.
702-229-6301
Printed: December 17, 2008


CRAIG RD.
ALEXANDER RD.
GOWAN RD.
CHEYENNE AVE.
PULI RD.
CLIFF SHADOW PKWY
BELTWAY ALIGNMENT
HUALAPAI WY.
N
City of Las Vegas
LONE MOUNTAIN
PLANNED COMMUNITY DEVELOPMENT
Future Land Use for Lone Mountain
Planned Community Development
Low
Medium-Low
Medium-Low Attached
Multi-Family Medium
Neighborhood Commercial
Park/School/Recreation/Open Space
Public Facility
Village Commercial
City Limits
Adopted: Z-0033-97 June 23, 1997
Modified: MOD-25581 April 06, 2005
Geographic Information System
Planning & Development Dept.
702-229-6301


LONE MOUNTAIN RD
CRAIG RD.
PULI DR
ALEXANDER RD
BELTWAY ALIGNMENT
CLIFF SHADOWS PKWY
GOWAN RD
HUALAPAI WY
CHEYENNE AVE
N
City of Las Vegas
LONE MOUNTAIN WEST
PLANNED COMMUNITY DEVELOPMENT
Future Land Use for Lone Mountain West
Low
Medium-Low
Multi-Family Medium
Neighborhood Commercial
Park/School/Recreation/Open Space
Public Facility
Village Commercial
City Limits
Original Lone Mountain West Boundary
Adopted: Z-0024-99 June 14, 1999
Modified: MOD-25974 December 03, 2008
Geographic Information System
Planning & Development Dept.
702-229-6301


City of Las Vegas
SUMMERLIN NORTH
LAND USE
SUMMERLIN
ER, EQR- MAX 2 du/ac
SF1 - MAX 3.5 du/ac
SF2 - MAX 6 du/ac
SF3 - MAX 10 du/ac
SFZL - MAX 12 du/ac
SFA - MAX 18 du/ac
MF1 - MAX 14 du/ac
MF2 - MAX 21 du/ac
MF3 - OVER 21 du/ac
VC - COMMERCIAL
EC - EMPLOYMENT CENTER
P - PARK/OPEN SPACE
PF - SCHOOLS/CHURCHES/ PUBLIC FACILITIES
N
LAKE MEAD
SUMMERLIN
TOWN CENTER
RAMPART
WASHINGTON
CHARLESTON
Note:
Phase I: Land Use Plan - East of Beltway (by G.C. Wallace Inc. April 29, 1997 )
General Development Plan - West of Beltway (by PBR Consultants January 21, 1997)
SOURCE: G.C. Wallace Inc. and PBR Consultants (For data information and updates please contact the source)
Data Update: September 15, 2004
Geographic Information System


City of Las Vegas
SUMMERLIN WEST
LAND USE
SUMMERLIN WEST
SF2 - MAX 6 du/ac
SF3 - MAX 10 du/ac
SFZL - MAX 12 du/ac
SFA - MAX 18 du/ac
MF2 - MAX 21 du/ac
VC - COMMERCIAL
P - PARK/OPEN SPACE
PF - SCHOOLS/CHURCHES/ PUBLIC FACILITIES
N
LAKE MEAD BLVD
SUMMERLIN PKWY
VISTA RUN DR
CHARLESTON BLVD
Note:
Phase I: Land Use Plan - East of Beltway (by G.C. Wallace Inc. April 29, 1997 )
General Development Plan - West of Beltway (by PBR Consultants January 21, 1997)
SOURCE: G.C. Wallace Inc. and PBR Consultants (For data information and updates please contact the source)
Data Update: September 15, 2004
Data Update: July 28, 2008
Geographic Information System
Printed: December 16, 2008

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

## *AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT*
### PLANNING COMMISSION MEETING OF: JULY 9, 2009

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

**SUBJECT:**
**GPA-34613 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - Request to adopt an updated Economic Development Element and revise the 2020 Master Plan

**C.C.: 08/05/2009**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **0** | **Planning Commission Mtg.** | **0** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
**APPROVAL**

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Executive Summary Draft
7. Economic Development Element DRAFT

City of Las Vegas

## *AGENDA MEMO*

**PLANNING COMMISSION MEETING DATE: JULY 9, 2009**
**DEPARTMENT: PLANNING AND DEVELOPMENT**
**ITEM DESCRIPTION: GPA-34613 - APPLICANT/OWNER: CITY OF LAS VEGAS**

# ** CONDITIONS **

**STAFF RECOMMENDATION: APPROVAL**

RJW

**GPA-34613 - Staff Report Page One**
**July 9, 2009 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The request is to adopt the Economic Development Element, thereby incorporating it into the City of Las Vegas 2020 Master Plan.

The Economic Development Element is intended to accomplish the following:

- Identify existing funding sources for 2020 Master Plan projects.
- Identify projects that require funding according to the 2020 Master Plan.
- Prepare a schedule of allocation and expenditures of public money.

The preparation and adoption of the Economic Development Element is an important step in achieving the city's priority to "create, integrate, and manage orderly and sustainable development and growth of our community," as called for in the Strategic Plan.

The Economic Development Element is compliant with NRS 278.160, which requires cities with a population of 400,000 or greater to adopt an economic element that accomplishes the following:

*"Showing recommended schedules for the allocation and expenditure of public money in order to provide for the economical and timely execution of the various components of the plan."*

## BACKGROUND INFORMATION

Draft copies of the Economic Development Element were distributed to the Departments of Public Works, Finance & Business Services, and the Office of Business Development for review. Comments and recommendations were returned and incorporated into the draft document.

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 04/01/92 | City Council adopted the city of Las Vegas General Plan through Ordinance 3636 |
| 09/06/00 | City Council adopted the city of Las Vegas Master Plan 2020 through Ordinance 5250 |
| ***Neighborhood Meeting*** | |
| 06/15/09 | A neighborhood meeting was held at Mirabelli Community Center, 6200 Hargrove Avenue. One member of the public attended and inquired about the Sheep Mountain Parkway as it relates to Kyle Canyon Gateway. |
| 06/16/09 | A public meeting was held at Centennial Hills Community Center, 6601 N. Buffalo Drive. No members of the public attended the meeting. |
| 06/17/09 | A public meeting was held at Rafael Rivera Community Center, 2900 Stewart Avenue. No members of the public attended the meeting. |

## ANALYSIS

The purpose of the Economic Development Element is twofold. First, this document is intended to fulfill the requirements of state law, as set forth in the Nevada Revised Statutes (NRS) 278.150 through 278.160, and second, to recommend strategies and actions to facilitate the implementation of the goals, objectives, and policies contained in the Las Vegas 2020 Master Plan related to the use of public money.

As a component of the 2020 Master Plan, the Economic Development Element is intended to not only satisfy the NRS requirement, but also to provide a comprehensive document that will assist with the planning and financing of capital improvement projects.

Relationship to the Nevada Revised Statutes (NRS)

The Nevada Revised Statutes (NRS) are the current codified laws of the State of Nevada. The Statutes of Nevada are a compilation of all legislation passed by the Nevada Legislature during a particular Legislative Session. The proposed Economic Development element conforms to the following Nevada Revised Statute:

NRS 278.160, "Subject matter of master plan," requires that the city of Las Vegas prepare and adopt a comprehensive, long-term general plan for the physical development of the city. This document, known as the city of Las Vegas 2020 Master Plan, must also include an Economic Element, which includes: "Showing recommended schedules for the allocation and expenditure of public money in order to provide for the economical and timely execution of the various components of the plan."

Relationship to Las Vegas 2020 Master Plan

The city of Las Vegas 2020 Master Plan consists of a series of goals, objectives and policies within its elements. The 2020 Master Plan was approved in September of 2000, and it provides a broad policy structure intended to direct the actions of the city regarding land use and development for the period from 2000 to 2020. The individual elements are intended to provide a more specific direction, through detailed analysis and recommended actions, as to how the city should respond to certain land use issues. The intent of the Economic Development Element is to prioritize projects, identify funding sources, and establish goals, objectives and policies for addressing capital improvement needs within the city of Las Vegas.

Relationship to the city of Las Vegas Strategic Planning Guide Priorities

The proposed element is supported by the city of Las Vegas Strategic Planning Guide with the following priorities:

- Create, integrate, and manage orderly and sustainable development and growth of our community.

**FINDINGS**

The proposed master plan element meets the intent of NRS 278.160 by:

Showing recommended schedules for the allocation and expenditure of public money in order to provide for the economical and timely execution of the various components of the plan.

In order to be able to effectuate the requirements of NRS 278.160 the Economic Element has five broad-based recommendations. They are:

**Recommendation 1:**
**Utilize alternative funding for future CIP projects.**

- Consider issuing any and all available bonds to finance future CIP projects. Bonds may assure future revenue availability for projects in years four and five of the CIP and provide financial stability throughout the duration of the Five Year CIP.
- Utilize restricted funding such as CDBG and RDA in public improvements to the maximum extent possible so as to implement improvements, increase property values and encourage private investment.

**Recommendation 2:**
**Evaluate the CIP on an annual basis.**

- Assure projects that maintain public welfare and/or essential services are given the highest priority and adequately funded.
- Ensure all projects funded are already adopted as part of Master Plan elements, corridor plans, community or special area plans.

**Recommendation 3:**
**Evaluate existing fee structure for fees assessed to services.**

- Examine fees charged to determine if they adequately cover costs of services.
- Examine fees from other government agencies on an annual basis for applicability.
- Evaluate possibility of assigning fees to a broader range of services.
- Examine types of services where fees are applied from other government agencies.
- Audit existing services to determine if applying fees would be appropriate to cover labor and material costs.

**Recommendation 4:**
**Continue to develop public art and activity nodes**

- Seek public/private "sponsorships" for funding public art and activity nodes.

**Recommendation 5:**
**Continue to add parks and open space to City inventory as prioritized in the Parks Element.**

- Seek partnerships with developers and encourage them to donate land that the City can develop into parks, trails and open space, particularly in developing areas.
- Explore options to provide incentives to developers for including and developing open space in their residential projects.

By effectively carrying out these recommendations, the city of Las Vegas will be compliant with the requirements of NRS 278.160.

| | |
|---|---|
| **NOTICES MAILED** | **NEWSPAPER ONLY** |
| **APPROVALS** | 0 |
| **PROTESTS** | 0 |

PLANNING & DEVELOPMENT

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-34613** APN: _____

Name of Property Owner: City of Las Vegas

Name of Applicant: City of Las Vegas

Name of Representative: Thomas A. Perrigo

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: Thomas A. Perrigo

Subscribed and sworn before me

This 28th day of May, 2009

Teresa K. Morrell

Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
TERESA K. MORRELL
No. 99-59083-1 My Appointment Expires Sept. 14, 2011

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW
DAVID W. STEINMAN
(INTERIM)

ELIZABETH N. FRETWELL
CITY MANAGER

May 27, 2009

Doug Rankin
Planning Manager, Public/Case Planning Division
Planning & Development Department
City of Las Vegas
731 South Fourth Street
Las Vegas, NV 89101

**RE: Economic Development Element**

Dear Mr. Rankin:

Please accept this letter as justification for a General Plan Amendment to adopt an updated Economic Development Element and amend the 2020 Master Plan.

As a component of the Master Plan, the Economic Development Element will satisfy NRS requirements for an Economic Development Plan and provide a comprehensive document that will assist in determining the viability of capital improvement projects and the identification of funding sources.

This document will replace the previous Economic Development Element updated April 1, 1992.

Please do not hesitate to contact me at 229-2080 should you have any questions.

Sincerely,

Richard Wassmuth

Richard Wassmuth
Statistical Analyst II
Long Range Planning Division

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

**GPA-34613**
**07/09/09 PC**

Printed with environmentally friendly soy ink.

# EXECUTIVE SUMMARY

May 15, 2009

The appropriation, allocation, and scheduling of funds for infrastructure and improvement projects is of critical importance for the continued growth and vitality of the city of Las Vegas. The prioritization of capital improvement projects establishes a hierarchy of need coordinated with the availability of funds. Sound infrastructure and public facilities are essential for the safety and convenience of residents and the provision of high quality services to residents and visitors alike. The purpose of this element is to describe revenue sources, infrastructure and improvement funding needs and provide a schedule of expenditures for the city of Las Vegas. The element also sets forth goals, policies and programs that encourage decision-makers to provide support for the maintenance and expansion of infrastructure and the continued improvements that will benefit the residents and businesses within the city of Las Vegas as well as visitors to the City.

**Utilize alternative funding for future CIP projects.**

- Consider issuing any and all bonds to finance future CIP projects. Bonds may assure future revenue availability for projects in years four and five of the CIP and provide financial stability throughout the duration of the Five Year CIP.
- Utilize restricted funding such as CDBG and RDA in public improvements to the maximum extent possible so as to implement improvements, increase property values and encourage private investment.

**Evaluate the CIP on an annual basis.**

- Assure projects that maintain public welfare and/or essential services are given the highest priority and adequately funded.
- Ensure all projects funded are already adopted as part of Master Plan elements, corridor plans, community or special area plans.

**Evaluate existing fee structure for fees assessed to services.**

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- Examine fees from other Clark County government agencies on an annual basis for applicability.
- Evaluate possibility of assigning fees to a broader range of services.
- Examine types of services where fees are applied from other government agencies.
- Audit existing services to determine if applying fees would be appropriate to cover labor and material costs.

**Continue to develop public art and activity nodes**

- Seek public/private "sponsorships" for funding public art and activity nodes.

GPA-34613
07/09/09 PC

**Continue to add parks and open space to City inventory as prioritized in the Parks Element.**

- Seek partnerships with developers and encourage them to donate land that the City can develop into parks, trails and open space, particularly in prioritized areas.
- Explore options to provide incentives to developers for including and developing open space in their projects.

DRAFT

# ECONOMIC DEVELOPMENT ELEMENT

May 15, 2009

1. EXECUTIVE SUMMARY

2. INTRODUCTION
   - Purpose
   - Enabling Legislation
   - Planning context
   - Relationship to Master Plan
   - Goals, Objectives and Policies

3. BACKGROUND
   - Growth
   - Existing infrastructure
   - How the Capital Improvement Plan (CIP) has been funded

4. EXISTING CONDITIONS
   - CIP Purpose and Description
   - Current CIP Projects
   - Existing Funding Sources

5. ANALYSIS
   - CIP Process
   - Five-Year CIP projects proposed
   - Funding sources
   - Issues

6. IMPLEMENTATION
   - Recommendations

APPENDIX: PUBLIC PARTICIPATION

## 2. INTRODUCTION

### PURPOSE

The purpose of the Economic Development Element is twofold. First, this document is intended to fulfill the requirements of state law, as set forth in the Nevada Revised Statutes (NRS) 278.150 through 278.160, and second, to recommend strategies and actions to facilitate the implementation of the goals, objectives, and policies contained in the Las Vegas 2020 Master Plan related to the use of public money.

The Economic Development Plan must accomplish the following:

- Identify existing funding sources for 2020 Master Plan projects.
- Identify projects that require funding according to the 2020 Master Plan.
- Prepare a schedule of allocation and expenditures of public money.

### ENABLING LEGISLATION

The Nevada Revised Statutes (NRS) adopted by the Nevada State Legislature in 2001, made effective in 2002 govern the subject matter of the master plan. Subsection 4 of NRS 278.150 (4) states

> *In counties whose population is 400,000 or more, the governing body of the city or county shall adopt a master plan for all of the city or county that must address each of the subjects set forth in subsection (1) of NRS 278.160.*

The subject matter of the master plan in NRS 278.160 states:

> *Except as otherwise provided in Subsection 4 of NRS 278.150 and Subsection 3 of NRS 278.170, the master plan, with the accompanying charts, drawings, diagrams, schedules and reports, may include such of the following subject matter or portions thereof as are appropriate to the city, county or region, and as may be made the basis for the physical development thereof.*

Among the elements to be included in the master plan as required by NRS is an Economic Plan, adopted by the Nevada Legislature in 1991:

> *(c) "Showing recommended schedules for the allocation and expenditure of public money in order to provide for the economical and timely execution of the various components of the plan."*

Preparation and adoption of this Economic Development Element fulfills the City's statutory obligation to include an economic plan in its Master Plan.

## PLANNING CONTEXT

The Economic Development Element will replace the Economic Plan in the 1992 Las Vegas General Plan. The Economic Plan fails to address current legislation, specifically, NRS 278.150, the requirements of which pertaining to the Economic Development Element are shown in the Enabling Legislation section. In addition, the downturn in the Las Vegas economy requires careful planning of infrastructure and improvement projects and the allocation of necessary funds.
The Economic Development Element is a portion of the Master Plan, adopted in September 2000, which represents Phase I of the Master Plan project, forming the framework for the contents of Phase II: a series of elements; special area plans; and long-term land use designations, including a revised future land use map. The Economic Development Element is among those identified for completion during Phase II of the Master Plan project.

## RELATIONSHIP TO THE LAS VEGAS 2020 MASTER PLAN

The Master Plan contains numerous goals, objectives, and policies pertaining directly and indirectly to Capital Improvement Planning. As a component of the Master Plan, the Economic Development Element is intended to not only satisfy NRS requirements, but also to provide a comprehensive document that will assist with the long-range planning of the future improvement projects to meet the needs of the city as it continues to grow. This element provides a baseline of detailed information that will aid in the decision making processes that determine the city's funding priorities in infrastructure and improvement projects. The Economic Development Element links the broad policies of the Master Plan with infrastructure and improvement programming and ultimately assists in the decision making process.

## GOALS, OBJECTIVES AND POLICIES

The Master Plan outlines broad policies, while each individual element builds on those policies and provides the specific direction as to how the city should accommodate particular Economic Development issues.

The Master Plan policies are organized into seven themes developed by the Master Plan Steering Committee. Realization of these policies requires long-term planning commitments integrated with the strategic plan and Capital Improvement Plan.

The following goals, objectives and policies from the Las Vegas 2020 Master Plan provide the policy framework and direction for this element.

**Neighborhood Revitalization**

GOAL 2: Mature neighborhoods will be sustained and improved through appropriate and selective high quality redevelopment and preservation.

OBJECTIVE 2.4: To ensure that the quality of existing residential neighborhoods within the City of Las Vegas is maintained and enhanced.

POLICY 2.4.7: That the City maintain and renovate its public infrastructure within existing neighborhoods as needed.

**Economic Diversity**

GOAL 4: The economy of the city of Las Vegas, while continuing to be strongly based on the gaming and tourism industries, will broaden to include other business sectors that can take advantage of the locational, climatic and work force advantages offered by Las Vegas.

OBJECTIVE 4.1: To improve the economic resource base within the City by diversifying the range of business opportunities.

POLICY 4.1.9: That the City continue to encourage and promote a business retention strategy with regard to the business which currently operate within the city of Las Vegas.

**Fiscal Management**

GOAL 6: The city of Las Vegas will link capital improvement programming and maintenance and operations programming with long range planning.

OBJECTIVE 6.1: To ensure that capital and operating expenditures are planned and scheduled in accordance with long range planning commitments.

POLICY 6.1.1: That the City monitor and coordinate capital improvement and operating/maintenance expenditures with long range planning.

POLICY 6.1.2: That the City develop and maintain an approach to fiscal management that focuses on long term life cycle solutions.

POLICY 6.1.3: That additions of expenditure items to the annual budget be approved only with the deletion of items of corresponding value from the list of prioritized expenditures.

POLICY 6.1.4: That the City establish and follow a policy to set aside funds for public art and architecture.

POLICY 6.1.5: That the City repair and maintain its infrastructure in older areas at a pace which optimizes costs and benefits.

POLICY 6.1.6: That the City, where possible, use public/private partnerships to pay for public capital improvements.

## 3. BACKGROUND

### Growth

Since 1998, the population of the city of Las Vegas has grown from 448,244 to 599,087[1], an increase of 33.7 percent. More than 95 percent of the population increase during the ten-year span has occurred west of Decatur Blvd. Overall, the City has added 1.75 new residents every hour, around the clock between July 1998 and July 2008. To accommodate the additional residents, a new housing unit was completed, on average, every 94 minutes, around the clock during the ten-year span. Between 1998 and 2008, the density per square mile of the City's population increased from 4,138.9 persons per square mile to 4,497.7 persons per square mile. Dwelling units also increased, going from 1,658.6 per square mile to 1.769.9 per square mile.

Table1 – City of Las Vegas Population Density

| Year | Population | Dwelling Units | Population per Sq. Mile | Dwelling Units per Sq. Mile | Area (Sq. Miles) |
|---|---|---|---|---|---|
| 1998 | 448,244 | 179,621 | 4,138.9 | 1,658.6 | 108.3 |
| 2008 | 599,087 | 235,751 | 4,497.7 | 1,769.9 | 133.2 |
| Difference 2008-1998 | 150,843 | 56,130 | 358.8 | 111.3 | 24.9 |

*Source: City of Las Vegas Planning & Development Department*

When compared to cities of similar population, Las Vegas has substantially higher population density. Even when compared with the 10 most populous cities in the United States, Las Vegas' population density ranks sixth among them, ahead of cities such as San Diego, Houston and Phoenix. Within the Las Vegas Valley, the city of Las Vegas is easily the most densely populated

[1] Southern Nevada Consensus Population Estimate, July 2008 as approved by the Southern Nevada Regional Planning Coalition Board on November 20, 2008 and reported to the city of Las Vegas City Manager on December 20, 2008

incorporated city. When Unincorporated Townships are included, the City still ranks among the most densely populated areas in the Valley.

Table 2 – Population Density of Las Vegas Valley Cities and Towns

| City/Town | State | Population | Area | Density (Sq. Mile) | % Difference from Las Vegas |
|---|---|---|---|---|---|
| **Las Vegas** | **NV** | **599,087** | **132** | **4,538.5** | |
| Henderson | NV | 272,063 | 105 | 2,591.1 | -75.2% |
| North Las Vegas | NV | 216,672 | 98 | 2,210.9 | -105.3% |
| Boulder City | NV | 16,840 | 202 | 83.4 | -5344.1% |
| Enterprise Town | NV | 151,115 | 70 | 2,158.8 | -110.2% |
| Paradise Town | NV | 183,972 | 42 | 4,380.3 | -3.6% |
| Spring Valley Town | NV | 178,567 | 35 | 5,101.9 | 11.0% |
| Winchester Town | NV | 37,489 | 5 | 7,497.8 | 39.5% |
| Sunrise Manor Town | NV | 187,485 | 33 | 5,681.4 | 20.1% |
| Whitney Town | NV | 36,503 | 21 | 1,738.2 | -161.1% |

*Source: CLV & Clark County Annual Population Estimate 2008*

Las Vegas will continue to grow in the future. The most recent projections showed Las Vegas as having a 2010 population of approximately 659,000[2]. The recent economic slowdown has made that figure highly unlikely. The projections also showed Las Vegas absorbing an average of 1,300 vacant acres per year between 2006 – the base year – and 2010. That figure is slightly lower than the average amount of vacant acreage absorbed between 1998 and 2008[3]. Therefore, that figure is likely too high as well.

Non-residential development has seen substantial growth during the past ten years. Since 1998, 3,987 acres of land has been absorbed by commercial, industrial, utility and public uses. Non-residential land has been absorbed at a rate of 1.1 acres per day, every day, during the past ten years.

The city of Las Vegas has also grown physically since 1998, going from 108.3 square miles to its present size of 133.2 square miles, an increase of 23 percent[4]. The overwhelming majority of the added area due to annexations during the past ten years, 99.2 percent, has occurred in Centennial Hills.

**Infrastructure Conditions**

The city of Las Vegas will continue to see increases in population and the amount of vacant land absorbed. Vacant land is currently the single largest existing land use in the City with approximately 26,000 acres[5]. The majority of the vacant land in the City (64.5%) is in Centennial Hills followed by the Southwest with 31.8 percent. Only 3.7% of the land in the Southeast is classified

[2] Southern Nevada Regional Planning Coalition Land Use Work Group Consensus Forecast
[3] City of Las Vegas Planning and Development Department, December 2008
[4] City of Las Vegas Planning and Development Department, December 2008
[5] Clark County Assessors Office, December 2008

as vacant. The discrepancies in the amount of vacant land between the Planning Areas indicate areas with vastly different capital investment needs in the future.

To further illustrate this point, the age of structures, residential and non-residential, needs to be examined. The age of the structures can be an indicator of the age of the infrastructure in the area and/or a reflection of applicable standards at the time the infrastructure was put in place.

In Centennial Hills, just over half of the residential units were built in 1998 or after. Conversely, in the Southeast, 3.6 percent of the residential units have been built during the same time. It's a similar scenario for non-residential development. In Centennial Hills more than half of the non-residential units have been built since 1998. In the Southeast, about 10 percent of the non-residential development has occurred during the past ten years.

Perhaps as important for capital planning as the development that has occurred during the past decade is the development that took place 25 or more years ago. In the Southeast, 83.6 percent of the residential structures are 25 years old or more. In Centennial Hills that number is 8.8 percent. For non-residential development, 64.3 percent of the structures in the Southeast were built in 1983 or earlier. In Centennial Hills that number is 29.9 percent. That seemingly high number is likely due to the presence of Floyd Lamb Park and Commercial/Industrial structures along Rancho Drive, which at one time was the main route to the Las Vegas Valley's northwest and points beyond.

## 4. EXISTING CONDITIONS

**Purpose**

The city of Las Vegas Capital Improvement Plan is the city's multiyear planning document that identifies and prioritizes expenditures for a variety of public improvements. The CIP identifies individual project scopes, schedules and funding, and provides order and continuity to the repair, replacement, construction or expansion of the city's capital assets. The CIP is funded on an annual basis and includes revenues from other government entities, bond issues, charges for services, and transfers from other city of Las Vegas funds.

The CIP process begins early each year when each department submits individual project requests to the Department of Finance's Budget and Finance Division. Each request is evaluated for completeness and accuracy, fiscal impact, and available funding sources. The CIP is then compared with the City's Master Plan, which is the primary document used to guide future growth and development. All projects must be previously adopted by the City Council as part of the City's Master Plan before receiving funding within the CIP committee. Recommendations are then submitted to the City Manager.

The broad categories for CIP projects are described below. The allocation of funding and expenditures for each category varies from year to year. The amount and share allotted for funding and expenditures by category are shown on the following pages.

**CIP Program Descriptions:**

Public Safety – Improvements to the detention center, construction and acquisition of fire apparatus, training facilities and future fire stations, and traffic improvements.
Public Works – Infrastructure improvements to the City's street system, sidewalks, public landscape, special improvement districts and flood conveyance systems.
Culture and Recreation – Renovation to existing parks, recreation and senior citizen facilities, and construction of additional parks and recreation centers to meet the public's increasing demand for recreational services and a performing arts center.
Economic Development – Projects aimed at attracting businesses and revitalizing specified areas of the City, and providing assistance to people with low to moderate incomes.
General Government – New facilities and major renovations and upgrades to the existing City Hall and satellite facilities.
Sanitation – Water Pollution Control Facility expansion, major sewer lines and interceptors.

**Capital Improvement Expenditures, FY 03 – FY 08**

As stated previously, the amount of CIP expenditures varies from year to year. Between FY 03 and FY 08, the City averaged spending $454.4 million on CIP projects. The high mark for expenditures was $665.5 million in FY 07, the low was $318.5 million spent in FY 03. On average, $177.1 million was spent on Public Works programs during the six-year span. During the same time, an average of $149.0 million was spent on Culture and Recreation programs. The expenditures for CIP projects from FY 03 through FY 08 are shown in Table X.

Table 3 - CIP Expenditures FY 03 – FY 08 (in millions of dollars)

| Program | FY 03 | FY 04 | FY 05 | FY 06 | FY 07 | FY 08 | Total | Average |
|---|---|---|---|---|---|---|---|---|
| General Government | $ 14.5 | $ 13.6 | $ 45.9 | $ 42.3 | $ 46.6 | $ 39.8 | $ 202.7 | $ 33.8 |
| Public Safety | $ 29.9 | $ 33.2 | $ 23.0 | $ 21.6 | $ 38.6 | $ 37.7 | $ 184.0 | $ 30.7 |
| Sanitation | $ 44.7 | $ 43.2 | $ 45.5 | $ 39.2 | $ 35.6 | $ 35.3 | $ 243.5 | $ 40.6 |
| Public Works | $ 147.1 | $ 128.6 | $ 205.1 | $ 195.2 | $ 246.0 | $ 140.8 | $ 1,062.8 | $ 177.1 |
| Culture and Recreation | $ 69.9 | $ 95.1 | $ 126.2 | $ 181.6 | $ 250.0 | $ 171.4 | $ 894.2 | $ 149.0 |
| Economic Development and Assistance | $ 12.4 | $ 12.3 | $ 14.4 | $ 12.7 | $ 48.7 | $ 38.6 | $ 139.1 | $ 23.2 |
| Total | $ 318.5 | $ 326.0 | $ 460.1 | $ 492.6 | $ 665.5 | $ 463.6 | $ 2,726.3 | $ 454.4 |

Table 4 – CIP Expenditures, Percent of Total FY 03 – FY 08

| Program | FY 03 | FY 04 | FY 05 | FY 06 | FY 07 | FY 08 | Average |
|---|---|---|---|---|---|---|---|
| General Government | 4.55% | 4.17% | 9.98% | 8.59% | 7.00% | 8.58% | 7.43% |
| Public Safety | 9.39% | 10.18% | 5.00% | 4.38% | 5.80% | 8.13% | 6.75% |
| Sanitation | 14.03% | 13.25% | 9.89% | 7.96% | 5.35% | 7.61% | 8.93% |
| Public Works | 46.19% | 39.45% | 44.58% | 39.63% | 36.96% | 30.37% | 38.98% |
| Culture and Recreation | 21.95% | 29.17% | 27.43% | 36.87% | 37.57% | 36.97% | 32.80% |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Economic Development and Assistance | 3.89% | 3.77% | 3.13% | 2.58% | 7.32% | 8.33% | 5.10% |
| Total | 100.00% | 100.00% | 100.00% | 100.00% | 100.00% | 100.00% | 100.00% |

**Capital Improvement Funding Sources, FY 03 – FY 08**

Similar to CIP expenditures, funding sources for CIP projects vary from year to year. Nearly 40 percent of the funds for programs came from "Other Governments" during the six year span, by far the largest source. Included within this source are funds from the RTC, CCRFCD, and SNPLMA. Various bonds and service fees account for the next largest sources of funds since FY 03. Funding sources for CIP projects within the city of Las Vegas between FY 03 and FY 08 are shown in Table Z.

Table 5 – CIP Projects Funding Sources, FY 03 – FY 08 (in millions of dollars)

| Funding Sources | FY 03 | FY 04 | FY 05 | FY 06 | FY 07 | FY 08 | Total | Average |
|---|---|---|---|---|---|---|---|---|
| Other Governments | 116.2 | 94.8 | 154.5 | 149.8 | 305.8 | 242.9 | 1,064.0 | 177.3 |
| Fees | 34.7 | 43.2 | 47.2 | 41.2 | 37.2 | 37.1 | 240.6 | 40.1 |
| Fund Balance | 88.0 | 94.4 | 91.4 | 94.2 | 146.4 | 109.0 | 623.4 | 103.9 |
| Bonds | 33.5 | 25.7 | 70.3 | 103.8 | 111.7 | 25.3 | 370.3 | 61.7 |
| Taxes | 15.3 | 16.1 | 25.1 | 10.8 | 14.7 | 21.8 | 103.8 | 17.3 |
| Special Assessments | 20.9 | 22.2 | 42.3 | 45.4 | 39.7 | 27.0 | 197.5 | 32.9 |
| Contributions | 9.9 | 29.6 | 29.3 | 47.4 | 10.0 | 0.5 | 126.7 | 21.1 |
| Total Funding Sources | 318.5 | 326.0 | 460.1 | 492.6 | 665.5 | 463.6 | 2,726.3 | 454.4 |

Table 6 - CIP Funding Sources, Percent of Total FY 03 – FY 08

| Funding Sources | FY 03 | FY 04 | FY 05 | FY 06 | FY 07 | FY 08 | Average |
|---|---|---|---|---|---|---|---|
| Other Governments | 36.48% | 29.08% | 33.58% | 30.41% | 45.95% | 52.39% | 39.03% |
| Fees | 10.89% | 13.25% | 10.26% | 8.36% | 5.59% | 8.00% | 8.83% |
| Fund Balance | 27.63% | 28.96% | 19.87% | 19.12% | 22.00% | 23.51% | 22.87% |
| Bonds | 10.52% | 7.88% | 15.28% | 21.07% | 16.78% | 5.46% | 13.58% |
| Taxes | 4.80% | 4.94% | 5.46% | 2.19% | 2.21% | 4.70% | 3.81% |
| Special Assessments | 6.56% | 6.81% | 9.19% | 9.22% | 5.97% | 5.82% | 7.24% |
| Contributions | 3.11% | 9.08% | 6.37% | 9.62% | 1.50% | 0.11% | 4.65% |
| Total Funding Sources | 100.00% | 100.00% | 100.00% | 100.00% | 100.00% | 100.00% | 100.00% |

Within these sources are clearly defined resources for funding CIP projects. Many of the funding resources are dependant upon economic conditions and components of population growth and experience fluctuations as a result. Existing resources for CIP funding, their purpose, and the average annual amount of funding FY 03 – FY 08, and projected average annual funding FY 09 – FY 13 are as shown below. Some funding sources are not used every year and/or are new and did not exist for the entire six-year span.

- 5-cent Ad Valorem Tax (Ad Valorem Tax) – Tax levy to be used for the purchase of capital assets including land, improvements to land, major items of equipment, renovation of existing government facilities (excluding normal recurring maintenance) and the repayment of short-term financing issued to fund a project for one of these purposes. (FY03 – 08, $5.6 million), (FY09 – 13, $8.4 million)
- Bonds – General obligation bonds or revenue bonds already issued which are used for parks and recreation projects, public safety facilities and city facility projects. (FY03 – 08, $37.6 million), (FY09 – 13, $79.1 million)
- Car Rental Tax – Two percent tax imposed on short-term passenger car rentals which must be used to construct, equip, operate and/or maintain a performing arts center. (FY03 – 08, $4.8 million), (FY09 – 13, $1.9 million)
- Contributions – Businesses or individuals who either wish to fund special projects or want a particular benefit, e.g., road surfacing and drainage projects are partially funded with contributions to have the project completed. (FY03 – 08, $3.3 million), (FY09 – 13, $77.3 million)
- Clark County Regional Flood Control District (CCRFCD) – Reimbursement received from CCRFCD, funded from a voter approved ¼ cent increase in Sales Tax to repay bonds issued to design and construct flood control projects. (FY03 – 08, $37.6 million), (FY09 – 13, $58.1 million)
- Fire Safety Tax Initiative – A property tax of $0.095 per $100.00 of assessed valuation to improve the City's fire protection facilities and staffing. (FY03 – 08, $0.6 million), (FY09 – 13, None dedicated at this point)
- Fund Balance (FB) – Reserve monies accumulated from prior years' appropriations for work-in-progress projects. (FY03 – 08, $103.9 million), (FY09 – 13, $29.5 million)
- Future Bonds – General obligations bonds or revenue bonds to be issued in the future per the CIP recommendation. (FY03 – 08, $33.9 million), (FY09 – 13, $48.3 million)
- Grants – Federal monies received from: (FY03 – 08, $18.9 million), (FY09 – 13, $5.5 million)
    1. Community Development Block Grant (CDBG) programs.
    2. HOME Grant programs.
- Impact Fees – Imposed on new development to finance costs for constructing capital improvements or facility expansions necessitated by new development. (FY03 – 08, $1.7 million), (FY09 – 13, $1.2 million)
- Land Sales – Sales of City-owned lots within industrial and business parks. (FY03 – 08, None), (FY09 – 13, $20.0 million)

- Local Governments (GOVTS) – Reimbursements from other government entities per interlocal agreements. (FY03 – 08, $3.3 million), (FY09 – 13, $0.4 million)
- Nevada Department of Transportation (NDOT) – Reimbursements received from NDOT paid from tax revenue for traffic safety programs. (FY03 – 08, $3.9 million), (FY09 – 13, $9.3 million)
- Regional Transportation Commission (RTC) – Reimbursements for street construction and flood control projects received from RTC bond proceeds. The debt is repaid with gasoline taxes. (FY03 – 08, $93.7 million), (FY09 – 13, $94.2 million)
- Residential Construction Tax (RCT) – Imposed on the construction of new apartment houses and residential dwelling units to pay for constructing capital improvements in particular districts. (FY03 – 08, $10.1 million), (FY09 – 13, $5.4 million)
- Room Tax – Monies received from the State of Nevada for a legislatively imposed 1% motel/hotel room tax to be used exclusively for transportation projects. (FY03 – 08, $11.4 million), (FY09 – 13, $11.4 million)
- Service Fees – Charges to individuals based on their usage on special services. (FY03 – 08, $39.0 million), (FY09 – 13, $40.3 million)
- Southern Nevada Public Lands Management Act (SNPLMA) – Public land sales to fund the development of parks, trails and natural areas. (FY03 – 08, $113.8 million), (FY09 – 13, $59.8 million)
- Special Assessments (Assessments) – Amounts received from certain property owners to defray all or part of the cost of capital improvement projects deemed to benefit those owners' properties. (FY03, – 08 $32.9 million), (FY09 – 13, $8.6 million)

According to the City's Five-Year Capital Improvement Plan FY 2009 - 2013, for Las Vegas to fund the necessary expansion of facilities over the next several years, management will need to consider future bond issues. The City has a legal debt limitation not to exceed 20% of the total assessed valuation of the taxable property within the City boundaries. Currently, the City debt is approximately 1.3% of assessed valuation. Bond issues can go to a vote of the people and, therefore, be repaid by an increase to property taxes or repaid by a designated revenue or user fee.

## 5. ANALYSIS

### The Capital Improvement Plan Process

One of the principal findings of the Las Vegas 2020 Master Plan policy document adopted in 2000 was the need to link capital improvement programming and operating and maintenance programming budgets with long range planning as contained in the Master Plan. This linkage is necessary to efficiently coordinate the planning and construction of infrastructure and the

development of services in anticipation of new development, or in the future, of urban redevelopment. To achieve a high level of coordination, the Master Plan highlighted the need to have staff in place to provide a dedicated link between the Master Plan and the City departments and relevant agencies vested with developing this infrastructure and with providing these services.

To be included in the Capital Improvement Plan, a project must go through the city's Capital Improvement Project Committee and be reviewed based on priorities contained in the Master Plan. The purpose of this process is to reduce the number of submittals and allocate the limited resources available to the most worthy projects, making the CIP a valuable planning tool rather than a project wish list. Execution of the various components of the plan is the NRS stated purpose of the Economic Development Element of the Master Plan.
The basic steps in proposing a project for inclusion in the City's Five Year CIP in conformance with the Master Plan are as follows:

1. Identify Need and Project Sponsor – The project has been identified as the best alternative and the sponsor prepares the CIP Approval package.
2. Prepare Submittal – The project sponsor with the concurrence of their department management prepares the submittal package to Public Works for placement on the CIP Committee agenda and presents the project to the Committee. It is required of the applicant to identify the Master Plan elements where the proposed project is shown.
3. Present to the Committee – Upon review, the CIP Committee may approve, deny or return the proposal to the sponsor for re-submittal, possibly with advice to revise, supplement or shelve.
4. Approval – If approved by the CIP Committee, the project becomes eligible for: (All of these actions are pending final approval by the City Council.)
    a) inclusion in the Five Year CIP
    b) funding of the project from city revenue sources
    c) approval of project interlocal agreements for the project's development, and
    d) approval to apply for grant funding and other outside funding sources

The project sponsoring department is the city department whose mission will most be benefited or affected by the project, regardless of who first identified the need or who controls the funding. The sponsor is never an elected official even if they championed the project. The following is a list of the city departments and the projects they are eligible to sponsor:

- Planning and Development – All trails, trailheads, urban pathways, streetscapes, and sidewalk projects.
- Leisure Services – All parks and facilities they operate including recreation/community center, senior centers, pools, golf courses, community schools, track break centers, and museums.
- Public Works – All streets, storm drainage, right-of-way utilities, traffic improvements, and sanitation projects.
- Field Operations – All facility maintenance, repair and scheduled upgrade or replacement projects.

- Fire and Rescue – Fire stations and emergency training and response facilities.
- Detention and Enforcement – Detention facilities and all security upgrade projects.
- Office of Business Development – Certain economic development projects.
- Neighborhood Services - Certain economic development projects.
- Information Technologies – IT infrastructure projects.
- City Manager's Office – Special projects.
- All Departments – New construction and remodels of facilities occupied by their staff, materials, or equipment.
- Other Organizations – Occasionally outside organizations, such as the Metropolitan Police Department for their substations.

**Five-Year Capital Improvement Plan, FY 2009 – 2013**

The City's Five Year CIP represents a compilation and analysis of capital needs anticipated between FY 2009 and FY 2013. This plan includes construction of new facilities and the renovation of existing facilities including city facilities, parks, transportation infrastructure, and flood control.

There is a demand for government services, facilities, and capital investments to keep current with existing challenges. Capital investments are critical in providing safe neighborhoods, acceptable transportation corridors, sufficient waste water treatment capacity, adequate parks, and quality recreation facilities for Las Vegas residents. In addition, the City must look forward to evaluate and identify facilities that serve the public, such as customer service offices and community centers.

The Five-Year CIP is a guide for future projects and improvements in the City. As such it is subject to change and revision as various council initiatives change. Years two through five represent the opinions of department heads and City management in determining identifiable long-term needs for the City. The Mayor and Council have prioritized the numerous projects proposed and only those with probable funding are reflected in the plan.

**Capital Improvement Expenditures, FY 09 – FY 13**

Expenditures during the next five years are anticipated to average $371.8 million per year. A more realistic figure would be the average expenditures over the first three Fiscal Years, FY 09 through FY11, where the average expenditures will total about $573 million per year. CIP projects in the near-term are an existing known need and short-term funding is more easily determined and likely to occur. During the first three years of the CIP, Public Works and Culture and Recreation projects will account for just over 70 percent of the expenditures. The expenditures for CIP projects from FY 09 through FY 13 are shown in Table Y.

Table 7 - CIP Expenditures FY 09 – FY 13 (in millions of dollars)

| Program | FY 09 | FY 10 | FY 11 | FY 12 | FY 13 | Total | Average |
|---|---|---|---|---|---|---|---|
| General Government | $ 16.3 | $ 82.1 | $ 65.0 | $ 5.0 | $ - | $ 168.4 | $ 42.1 |
| Public Safety | $ 16.8 | $ 26.6 | $ 26.1 | $ 19.9 | $ 2.8 | $ 92.2 | $ 18.4 |
| Sanitation | $ 78.5 | $ 64.6 | $ 26.2 | $ 22.3 | $ 10.0 | $ 201.6 | $ 40.3 |
| Public Works | $ 311.2 | $ 198.2 | $ 227.0 | $ 46.0 | $ 24.8 | $ 807.2 | $ 161.4 |
| Culture and Recreation | $ 232.7 | $ 154.1 | $ 85.2 | $ - | $ - | $ 472.0 | $ 157.3 |
| Economic Development and Assistance | $ 17.6 | $ 39.7 | $ 50.8 | $ 9.5 | $ - | $ 117.6 | $ 29.4 |
| Total | $ 673.1 | $ 565.3 | $ 480.3 | $ 102.7 | $ 37.6 | $ 1,859.0 | $ 371.8 |

Table 8 – CIP Expenditures, Percent of Total FY 09 – FY 13

| Program | FY 09 | FY 10 | FY 11 | FY 12 | FY 13 | Average |
|---|---|---|---|---|---|---|
| General Government | 2.42% | 14.52% | 13.53% | 4.87% | 0.00% | 9.06% |
| Public Safety | 2.50% | 4.71% | 5.43% | 19.38% | 7.45% | 4.96% |
| Sanitation | 11.66% | 11.43% | 5.45% | 21.71% | 26.60% | 10.84% |
| Public Works | 46.23% | 35.06% | 47.26% | 44.79% | 65.96% | 43.42% |
| Culture and Recreation | 34.57% | 27.26% | 17.74% | 0.00% | 0.00% | 25.39% |
| Economic Development and Assistance | 2.61% | 7.02% | 10.58% | 9.25% | 0.00% | 6.33% |
| Total | 100.00% | 100.00% | 100.00% | 100.00% | 100.00% | 100.00% |

**Capital Improvement Funding Sources, FY 09 – FY 13**

Expenditures for the five-year CIP are based upon existing sources of funds and their anticipated revenue. The funds generated vary due to fluctuations in activities such as residential construction, changes in assessments, and the services for which the City can charge a fee. At this point, the City is anticipating continued consistent funding from the RTC, CCRFCD, and the SNPLMA with average annual contributions of $94.2 million, $58.1 million and $59.8 million, respectively. Bonds and Future Bonds are expected to have a major role in funding during the next five years, averaging $75.1 million per year. As previously stated, the city of Las Vegas Public Works Department feels that for the City to meet its future need to expand facilities, it will need to issue additional bonds. Funding sources for CIP projects within the city of Las Vegas between FY 09 and FY 13 are shown in Table A.

Table 9 – CIP Projects Funding Sources, FY 09 – FY 13 (in millions of dollars)

| Funding Sources | FY 09 | FY 10 | FY 11 | FY 12 | FY 13 | Total | Average |
|---|---|---|---|---|---|---|---|
| Other Governments | $ 384.7 | $ 199.3 | $ 245.0 | $ 64.7 | $ 26.4 | $ 920.1 | $ 184.0 |
| Fees | $ 80.2 | $ 65.4 | $ 27.4 | $ 23.4 | $ 11.3 | $ 207.7 | $ 41.5 |
| Fund Balance | $ 54.0 | $ 31.0 | $ 3.4 | $ - | $ - | $ 88.4 | $ 29.5 |
| Bonds | $ 61.0 | $ 172.2 | $ 65.0 | $ 5.0 | $ - | $ 303.2 | $ 75.8 |
| Taxes | $ 32.1 | $ 1.8 | $ 2.3 | $ - | $ - | $ 36.2 | $ 12.1 |
| Special Assessments | $ 5.6 | $ 19.4 | $ 0.9 | $ - | $ - | $ 25.9 | $ 8.6 |
| Contributions | $ 55.5 | $ 76.2 | $ 105.8 | $ - | $ - | $ 237.5 | $ 79.2 |
| Land Sales | $ - | $ - | $ - | $ 30.5 | $ 9.5 | $ 40.0 | $ 20.0 |
| Total Funding Sources | $ 673.1 | $ 565.3 | $ 449.8 | $ 123.6 | $ 47.2 | $ 1,859.0 | $ 371.8 |

Table 10 - CIP Funding Sources, Percent of Total FY 09 – FY 13

| Funding Sources | FY 09 | FY 10 | FY 11 | FY 12 | FY 13 | Average |
|---|---|---|---|---|---|---|
| Other Governments | 57.15% | 35.26% | 54.47% | 52.35% | 55.93% | 49.49% |
| Fees | 11.92% | 11.57% | 6.09% | 18.93% | 23.94% | 11.17% |
| Fund Balance | 8.02% | 5.48% | 0.76% | 0.00% | 0.00% | 4.76% |
| Bonds | 9.06% | 30.46% | 14.45% | 4.05% | 0.00% | 16.31% |
| Taxes | 4.77% | 0.32% | 0.51% | 0.00% | 0.00% | 1.95% |
| Special Assessments | 0.83% | 3.43% | 0.20% | 0.00% | 0.00% | 1.39% |
| Contributions | 8.25% | 13.48% | 23.52% | 0.00% | 0.00% | 12.78% |
| Land Sales | 0.00% | 0.00% | 0.00% | 24.68% | 20.13% | 2.15% |
| Total Funding Sources | 100.00% | 100.00% | 100.00% | 100.00% | 100.00% | 100.00% |

**CIP Project Schedule, FY09 – FY13**

There are 323 approved requests for funding for projects within the 2009 – 2013 Capital Improvement Plan. Within those funding requests are 230 separate projects. The difference between the number of requests and the number of projects is that some projects are on-going maintenance and/or renovations at City facilities and require a funding application for each year of activity. Others are projects that require more than one fiscal year to complete such as the public/private Performing Arts Center which also require multiple funding requests. Current requests for funds for a project total $1.86 billion. The majority of that funding, approximately $1.72 billion, is for the fiscal years 2009 through 2011. Beyond those years it is difficult to determine the amount of funding that will be available from sources that rely on activity to generate funds such as Service Fees, Residential Construction Tax, and Car Rental Tax.

**Restricted Funds**

*Southern Nevada Public Lands Management Act (SNPLMA)*

The SNPLMA was adopted by the 105th Congress in October of 1998 as Public Law 105-263 (PL 105-263). It allows the United States Department of the Interior's Bureau of Land Management (BLM) to sell public land within a specific disposal boundary (See Map BLM) around the Las Vegas Valley. The initial disposal boundary was established in 1998 and encompassed approximately 474.9 square miles. The original boundaries were expanded in 2002 and now cover 517.5 square miles. The revenue derived from land sales is split between the State of Nevada General Education Fund (5%), the Southern Nevada Water Authority (10%), and a special account available to the Secretary of the Interior for:

- Parks, Trails, and Natural Areas
- Capital Improvements
- Conservation Initiatives
- Multi-Species Habitat Conversation Plans (MSHCP)
- Environmentally Sensitive Land Acquisitions
- Lake Tahoe Restoration Act Projects

SNPLMA funds are allocated annually in "rounds." The Planning and Development Department's role in the SNPLMA process has been to identify projects and determine their worthiness for receiving a nomination for funds. If a project is deemed worthy, Planning and Development initiates the application process and provides pertinent information and justification for receiving SNPLMA funds. The city of Las Vegas neither applied for nor received funds in the first two rounds. In rounds three through nine, the City received approximately $243 million in funds. There were 37 projects receiving SNPLMA funds during the seven rounds with an average of approximately $6.5 million allocated per project.

SNPLMA funds have been used for new construction, renovations and improvements for the City's parks, open space, and trail system. They have been used extensively in the City's trail system, particularly in the Downtown and eastside areas where the Cultural Corridor, Las Vegas Wash, and Cedar Avenue Trails have become examples of projects that have improved the quality of life, increased safety, and solidified infrastructure for Las Vegas residents.

Table 11. - City of Las Vegas SNPLMA Allocation by Round

| | Number of Projects Funded | Funding Received |
|---|---|---|
| Round 1 | - | $ - |
| Round 2 | - | $ - |
| Round 3 | 7 | $ 26,613,275 |
| Round 4 | 5 | $ 16,684,000 |
| Round 5 | 6 | $ 91,998,720 |
| Round 6 | 15 | $ 84,860,000 |
| Round 7 | 2 | $ 18,040,000 |
| Round 8 | 1 | $ 2,860,000 |
| Round 9 | 1 | $ 2,497,000 |
| Total | 37 | $ 243,552,995 |

*Tax Increment Finance (TIF) rebate*

The city of Las Vegas Redevelopment Agency (RDA) offers Tax Increment Finance rebates for residential, retail, hotel and mixed-use projects located within the City's Redevelopment Area. The Redevelopment Area consists of approximately 3,800 acres that generally includes downtown Las Vegas, as well as portions of West Las Vegas and along Eastern Avenue.

Tax Increment is defined as the increased property taxes generated due to new development on a site. The TIF program uses tax money from the difference in the originally assessed property value and the new, enhanced property value to pay for eligible qualified expenditures. Up to 41 percent of the Tax Increment can be rebated annually to a property developer for eligible qualified expenditures to a construction project. Eligible expenditures may include constructing streets, curbs, gutters, water lines, storm drainage facilities, traffic signals, paving, sidewalks, flood control improvements, utilities, other infrastructure costs and more. While the term for TIF rebate assistance is negotiable, the rebate cannot extend past the life of the agency or more than 20 years. The RDA's maturity date, required by Nevada state law, is in the year 2031.

*Visual Improvement Program (VIP)*

The VIP was established to encourage the rehabilitation of Downtown Las Vegas' commercial, industrial and mixed-use properties which can enhance the physical appearance of the area and improve the overall economic viability of the City's downtown core. These goals and objectives of rehabilitation can be accomplished by encouraging commercial, industrial and mixed-use property owners along with long-term tenants to reinvest in and renovate their properties. The VIP is intended to improve the aesthetic nature of properties and to assist in bringing them up to current building and property code standards. In addition, the program intends to act as a catalyst for observers within the community to consider rehabilitation of their own properties with or without participation in the VIP.

To ensure that the city of Las Vegas Redevelopment Agencies investment in the project is maximized, the applicant is required to provide a 100% matching contribution to the granted funds. All qualified exterior improvements must be pre-approved and must be visible from the public right-of-way.
Qualified exterior improvements that will be considered include:

- Painting
- Doorways
- Signage
- Awnings
- Cleaning
- Lighting
- Landscaping

- Parking Lots
- Tuck Pointing
- Facade Repair
- Window Repair
- Window Tinting

Commercial VIP participants located within the RDA may qualify for a maximum of $50,000. Entertainment VIP participants located within the Fremont East District may qualify for between $75,000 and $95,000. Since the inception of the VIP program in 2005, Commercial and Entertainment projects have been approved for a total $1,420,619 and $322,500 respectively.

*Special Improvement Districts (SID)*

A SID is a device whereby the City acts as the agent for property owners who desire to construct streets, sidewalks, curbs and gutters, sewers, streetlights, and other local improvements. It is the only mechanism the law provides for having public improvements made in an area when 1) the property owners in the area desire the improvement, but some or all of them cannot pay in cash, or 2) when the majority of property owners in the area want an improvement and the minority does not want to pay its fair share. The basic purpose of a SID is to afford a property owner the opportunity of using their property as collateral for financing their prorated share of the proposed improvement and allows payment of this indebtedness at a low rate of interest which is based on the Bond Buyers Index of 20 Municipal Bonds most recent publication of rates. Property owners have the option of paying for the costs of the improvement within 30 days or may extend their payments over a period of 2 to 30 years.

*Business Improvement District (BID)*

A BID provides improvements and activities – such as sidewalk cleaning, trash collection, graffiti removal, security, marketing and events – to a commercial district. Its purpose is to supplement, not replace, government services. BIDS are based on a benefit assessment model whereby property owners in a given area agree to assess themselves additional revenues that will be used for services in that area. These revenues are not managed by the city but by property owners themselves. A BID is formed by the private sector, which in most cities must show that a majority of those who will pay the assessment are in support, usually through filing a positive petition with the city council. The BID board of directors is made up of district property and business owners who set the policies and oversee operations. The board hires professional staff to manage the district on a daily basis. Currently, Fremont Street East is the lone BID in the City.

*Community Development Block Grant (CDBG)*

CDBG is a grant program administered by the U.S. Department of Housing and Urban Development on a formula basis for entitlement communities.

This grant allots money to cities and counties for housing rehabilitation and community development, including public facilities and economic development.

The city of Las Vegas is an entitlement community grantee which utilizes its Community Development Block Grant (CDBG) funding to develop viable communities by providing decent housing, a suitable living environment, and opportunities to expand economic opportunities, principally for low- and moderate-income persons. HUD awards grants to entitlement community grantees to carry out a wide range of community development activities directed toward revitalizing neighborhoods, economic development, and providing improved community facilities and services.

Table 12. - Community Development Block Grant Allocations

| | 2008 | 2007 | 2006 | 2005 | 2004 | 2003 |
|---|---|---|---|---|---|---|
| Child Care | $ 191,548 | $ 224,443 | $ 223,715 | $ 251,275 | $ 196,882 | $ 160,400 |
| Life Skills | $ 131,548 | $ 131,555 | $ 130,972 | $ 153,020 | $ 171,660 | $ 128,380 |
| Social Services | $ 197,324 | $ 164,443 | $ 163,715 | $ 191,275 | $ 214,575 | $ 160,475 |
| Youth/Alternative Education | $ 197,322 | $ 197,332 | $ 196,895 | $ 229,530 | $ 257,490 | $ 192,645 |
| Construction | $ 238,900 | $ 558,000 | $ 649,933 | $ 962,659 | $ 879,163 | $ 966,090 |
| CDBG Tenant Based Rental Assistance | $ 42,566 | $ 70,000 | $ 70,000 | $ 70,000 | $ - | $ - |
| Single Family Rehabilitation | $ 200,000 | $ 200,000 | $ 200,000 | $ 400,000 | $ - | $ - |
| East Las Vegas Community Center Bond Payment | $ 1,044,731 | $ 1,044,606 | $ 1,047,356 | $ 1,048,107 | $ 1,046,857 | $ 1,028,232 |
| Stupak Community Center Bond Payment | $ 1,545,175 | $ - | $ - | $ - | $ - | $ - |
| CLV Future CDBG Construction Projects | $ 265,863 | $ 1,611,077 | $ 1,516,394 | $ 1,500,000 | $ 530,000 | $ 467,802 |
| CDBG Administration & Fair Housing (20% Max) | $ 1,013,744 | $ 1,050,364 | $ 1,050,364 | $ 1,161,466 | $ 1,224,400 | $ 823,976 |
| CDBG Public Service Future Projects | $ - | $ - | $ 2,476 | $ - | $ 77,693 | $ - |
| Emerald Breeze Apartments | | | | | $ 1,333,280 | $ - |
| Affordable Housing Implementation, Lead Based Paint, & Housing Quality Inspections | $ - | $ - | $ - | $ - | $ 200,000 | $ 200,000 |
| Housing Rehabilitation: Mobile Homes & Emergency Repairs | $ - | $ - | $ - | $ - | $ 150,000 | $ 100,000 |
| Total | $ 5,068,721 | $ 5,251,820 | $ 5,251,820 | $ 5,967,332 | $ 6,282,000 | $ 4,228,000 |

*Centennial History Grant*

The Centennial History Grant program was established in 2005 as part of the celebration of the 100 anniversary of the founding of the city of Las Vegas. Grant

monies come from the sale of a specialized license plate, featuring the famous "Welcome to Fabulous Las Vegas" sign designed by Betty Willis in 1959. The plates were designed and prepared by the Nevada Department of Motor Vehicles, in cooperation with the Nevada Department of Cultural Affairs. During the Centennial year, these funds helped pay for public events that celebrated the history of Las Vegas.

The grant program is administered by the city of Las Vegas Commission for the Las Vegas Centennial. Per NRS 482.37903, grant projects much "relate to the commemoration of the history of the City of Las Vegas, including, without limitation, historical markers, tours of historic sites and improvements to or restoration of historic buildings or structures." Projects may include: rehabilitation of historic sites, structures and archeological resources, cultural heritage and tourism, oral history, historic survey, documentation, museums and archives, and education.

The rehabilitation of the historic downtown U.S. Post Office and Courthouse, La Concha Motel lobby, Floyd Lamb Park at Tule Springs, and Westside School have all received funding from the Centennial History Grant program.

**Issues**

The major issue with CIP projects for the City is the continued ability to fund them adequately. With the decrease of available funds from sources based upon activity or variable tax rates, alternative sources such as an increase in fees for services, increased tax rates or issuance of bonds must be considered. The following are issues pertinent to the City's ability to carry out the Five-Year Capital Improvement Plan Projects:

- Future revenue – Sources based on construction activity and population growth have slowed and will continue to be slow for the short-term.
- Fees – Fallout from the slowing construction is less available fee based revenue. Fees may need to be increased and/or assessed to a broader range of services.
- Taxes – Decrease in assessed valuation of property means less property tax revenue generated.
- Prioritization – Revenue shortages may require a reassessment of CIP project priorities. Projects that do not maintain public welfare and/or provide essential services may need to be reprioritized.
- Bonds – Revenue shortages and limitations on taxes may require the City to issue bonds to fund CIP projects.
- Debt Limitation - The City has a debt limitation of 20% of assessed valuation with current debt at 1.3% of assessed valuation. Assessed valuation will decline, possibly sharply, causing the debt ratio to increase without incurring any additional obligations. However, even if assessed valuation were reduced by 50%, the current debt would only increase to 2.6%.
- Fund Balance – As other revenue sources decline the Fund Balance is used increasingly and reduced, putting the future status of works in progress in jeopardy.

# 6. IMPLEMENTATION

## Recommendations

**Recommendation 1:**
**Utilize alternative funding for future CIP projects.**

- Consider issuing any and all available bonds to finance future CIP projects. Bonds may assure future revenue availability for projects in years four and five of the CIP and provide financial stability throughout the duration of the Five Year CIP.
- Utilize restricted funding such as CDBG and RDA in public improvements to the maximum extent possible so as to implement improvements, increase property values and encourage private investment.

**Recommendation 2:**
**Evaluate the CIP on an annual basis.**

- Assure projects that maintain public welfare and/or essential services are given the highest priority and adequately funded.
- Ensure all projects funded are already adopted as part of Master Plan elements, corridor plans, community or special area plans.

**Recommendation 3:**
**Evaluate existing fee structure for fees assessed to services.**

- Examine fees charged to determine if they adequately cover costs of services.
- Examine fees from other government agencies on an annual basis for applicability.
- Evaluate possibility of assigning fees to a broader range of services.
- Examine types of services where fees are applied from other government agencies.
- Audit existing services to determine if applying fees would be appropriate to cover labor and material costs.

**Recommendation 4:**
**Continue to develop public art and activity nodes**

- Seek public/private "sponsorships" for funding public art and activity nodes.

**Recommendation 5:**
**Continue to add parks and open space to City inventory as prioritized in the Parks Element.**

- Seek partnerships with developers and encourage them to donate land that the City can develop into parks, trails and open space, particularly in developing areas.

- Explore options to provide incentives to developers for including and developing open space in their residential projects.

# DRAFT

# ECONOMIC DEVELOPMENT ELEMENT

## LAS VEGAS
### MASTER PLAN
## 2020

DRAFT

# CITY OF LAS VEGAS
# ECONOMIC DEVELOPMENT ELEMENT

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APPENDIX: PUBLIC PARTICIPATION


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## 1. EXECUTIVE SUMMARY

The appropriation, allocation, and scheduling of funds for infrastructure and improvement projects is of critical importance for the continued growth and vitality of the city of Las Vegas. The prioritization of capital improvement projects establishes a hierarchy of need coordinated with the availability of funds. Sound infrastructure and public facilities are essential for the safety and convenience of residents and the provision of high quality services to residents and visitors alike. The purpose of this element is to describe revenue sources, infrastructure and improvement funding needs and provide a schedule of expenditures for the city of Las Vegas. The element also sets forth goals, policies and programs that encourage decision-makers to provide support for the maintenance and expansion of infrastructure and the continued improvements that will benefit the residents and businesses within the city of Las Vegas as well as visitors to the City.

**Utilize alternative funding for future CIP projects.**

- Consider issuing any and all bonds to finance future CIP projects. Bonds may assure future revenue availability for projects in years four and five of the CIP and provide financial stability throughout the duration of the Five Year CIP.
- Utilize restricted funding such as CDBG and RDA in public improvements to the maximum extent possible so as to implement improvements, increase property values and encourage private investment.

**Evaluate the CIP on an annual basis.**

- Assure projects that maintain public welfare and/or essential services such as police & fire services and infrastructure such as roadways, flood control and sanitary sewer systems are given the highest priority and adequately funded.
- Ensure all projects funded are already adopted as part of Master Plan elements, regional plans, corridor plans, community or special area plans.

**Evaluate existing fee structure for fees assessed to services.**

- Examine fees charged to determine if they adequately cover costs of services.
- Examine fees from other Clark County government agencies on an annual basis for applicability.
- Evaluate possibility of assigning fees to a broader range of services.
- Examine types of services where fees are applied from other government agencies.
- Audit existing services to determine if applying fees would be appropriate to cover labor and material costs.

**Continue to develop public art and activity nodes**

- Seek public/private “sponsorships” for funding public art and activity nodes.

**Continue to add parks and open space to City inventory as prioritized in the Parks Element.**

- Seek partnerships with developers and encourage them to donate land that the City can develop into parks, trails and open space, particularly in prioritized areas.
- Explore options to provide incentives to developers for including and developing open space in their projects.

# 2. INTRODUCTION

## PURPOSE

The purpose of the Economic Development Element is twofold. First, this document is intended to fulfill the requirements of state law, as set forth in the Nevada Revised Statutes (NRS) 278.150 through 278.160, and second, to recommend strategies and actions to facilitate the implementation of the goals, objectives, and policies contained in the Las Vegas 2020 Master Plan related to the use of public money.

The Economic Development Plan must accomplish the following:

- Identify existing funding sources for 2020 Master Plan projects.
- Identify projects that require funding according to the 2020 Master Plan.
- Prepare a schedule of allocation and expenditures of public money.

## ENABLING LEGISLATION

The Nevada Revised Statutes (NRS) adopted by the Nevada State Legislature in 2001, made effective in 2002 govern the subject matter of the master plan. Subsection 4 of NRS 278.150 (4) states

> *In counties whose population is 400,000 or more, the governing body of the city or county shall adopt a master plan for all of the city or county that must address each of the subjects set forth in subsection (1) of NRS 278.160.*

The subject matter of the master plan in NRS 278.160 states:

> *Except as otherwise provided in Subsection 4 of NRS 278.150 and Subsection 3 of NRS 278.170, the master plan, with the accompanying charts, drawings, diagrams, schedules and reports, may include such of the following subject matter or portions thereof as are appropriate to the city, county or region, and as may be made the basis for the physical development thereof.*

Among the elements to be included in the master plan as required by NRS is an Economic Plan, adopted by the Nevada Legislature in 1991:

> *(c) "Showing recommended schedules for the allocation and expenditure of public money in order to provide for the economical and timely execution of the various components of the plan."*

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Preparation and adoption of this Economic Development Element fulfills the City's statutory obligation to include an economic plan in its Master Plan.

## PLANNING CONTEXT

The Economic Development Element will replace the Economic Plan in the 1992 Las Vegas General Plan. The Economic Plan fails to address current legislation, specifically, NRS 278.150, the requirements of which pertaining to the Economic Development Element are shown in the Enabling Legislation section. In addition, the downturn in the Las Vegas economy requires careful planning of infrastructure and improvement projects and the allocation of necessary funds.
The Economic Development Element is a portion of the Master Plan, adopted in September 2000, which represents Phase I of the Master Plan project, forming the framework for the contents of Phase II: a series of elements; special area plans; and long-term land use designations, including a revised future land use map. The Economic Development Element is among those identified for completion during Phase II of the Master Plan project.

## RELATIONSHIP TO THE LAS VEGAS 2020 MASTER PLAN

The Master Plan contains numerous goals, objectives, and policies pertaining directly and indirectly to Capital Improvement Planning. As a component of the Master Plan, the Economic Development Element is intended to not only satisfy NRS requirements, but also to provide a comprehensive document that will assist with the long-range planning of the future improvement projects to meet the needs of the city as it continues to grow. This element provides a baseline of detailed information that will aid in the decision making processes that determine the city's funding priorities in infrastructure and improvement projects. The Economic Development Element links the broad policies of the Master Plan with infrastructure and improvement programming and ultimately assists in the decision making process.

## GOALS, OBJECTIVES AND POLICIES

The Master Plan outlines broad policies, while each individual element builds on those policies and provides the specific direction as to how the city should accommodate particular Economic Development issues.

The Master Plan policies are organized into seven themes that were developed at the request of the City Council by the Master Plan Steering Committee. The steering committee was lead by the City Managers Office and comprised of Department Directors and Managers. Realization of these policies requires long-term planning commitments integrated with the strategic plan and Capital Improvement Plan.

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The following goals, objectives and policies from the Las Vegas 2020 Master Plan provide the policy framework and direction for this element.

**Neighborhood Revitalization**

GOAL 2: Mature neighborhoods will be sustained and improved through appropriate and selective high quality redevelopment and preservation.

OBJECTIVE 2.4: To ensure that the quality of existing residential neighborhoods within the City of Las Vegas is maintained and enhanced.

POLICY 2.4.7: That the City maintain and renovate its public infrastructure within existing neighborhoods as needed.

**Economic Diversity**

GOAL 4: The economy of the city of Las Vegas, while continuing to be strongly based on the gaming and tourism industries, will broaden to include other business sectors that can take advantage of the locational, climatic and work force advantages offered by Las Vegas.

OBJECTIVE 4.1: To improve the economic resource base within the City by diversifying the range of business opportunities.

POLICY 4.1.9: That the City continue to encourage and promote a business retention strategy with regard to the business which currently operate within the city of Las Vegas.

**Fiscal Management**

GOAL 6: The city of Las Vegas will link capital improvement programming and maintenance and operations programming with long range planning.

OBJECTIVE 6.1: To ensure that capital and operating expenditures are planned and scheduled in accordance with long range planning commitments.

POLICY 6.1.1: That the City monitor and coordinate capital improvement and operating/maintenance expenditures with long range planning.

POLICY 6.1.2: That the City develop and maintain an approach to fiscal management that focuses on long term life cycle solutions.

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POLICY 6.1.3: That additions of expenditure items to the annual budget be approved only with the deletion of items of corresponding value from the list of prioritized expenditures.

POLICY 6.1.4: That the City establish and follow a policy to set aside funds for public art and architecture.

POLICY 6.1.5: That the City repair and maintain its infrastructure in older areas at a pace which optimizes costs and benefits.

POLICY 6.1.6: That the City, where possible, use public/private partnerships to pay for public capital improvements.

## 3. BACKGROUND

### Growth

Since 1998, the population of the city of Las Vegas has grown from 448,244 to 599,087[1], an increase of 33.7 percent. More than 95 percent of the population increase during the ten-year span has occurred west of Decatur Blvd. Overall, the City has added 1.75 new residents every hour, around the clock between July 1998 and July 2008. To accommodate the additional residents, a new housing unit was completed, on average, every 94 minutes, around the clock during the ten-year span. Between 1998 and 2008, the density per square mile of the City's population increased from 4,138.9 persons per square mile to 4,497.7 persons per square mile. Dwelling units also increased, going from 1,658.6 per square mile to 1.769.9 per square mile.

Table1 – City of Las Vegas Population Density

| Year | Population | Dwelling Units | Population per Sq. Mile | Dwelling Units per Sq. Mile | Area (Sq. Miles) |
|---|---|---|---|---|---|
| 1998 | 448,244 | 179,621 | 4,138.9 | 1,658.6 | 108.3 |
| 2008 | 599,087 | 235,751 | 4,497.7 | 1,769.9 | 133.2 |
| Difference 2008-1998 | 150,843 | 56,130 | 358.8 | 111.3 | 24.9 |

*Source: City of Las Vegas Planning & Development Department*

When compared to cities of similar population, Las Vegas has substantially higher population density. Even when compared with the 10 most populous cities in the United States, Las Vegas' population density ranks sixth among them, ahead of cities such as San Diego, Houston and Phoenix. Within the

[1] Southern Nevada Consensus Population Estimate, July 2008 as approved by the Southern Nevada Regional Planning Coalition Board on November 20, 2008 and reported to the city of Las Vegas City Manager on December 20, 2008

Las Vegas Valley, the city of Las Vegas is easily the most densely populated incorporated city. When Unincorporated Townships are included, the City still ranks among the most densely populated areas in the Valley.

Table 2 – Population Density of Las Vegas Valley Cities and Towns

| City/Town | State | Population | Area | Density (Sq. Mile) | % Difference from Las Vegas |
|---|---|---|---|---|---|
| **Las Vegas** | **NV** | **599,087** | **132** | **4,538.5** | |
| Henderson | NV | 272,063 | 105 | 2,591.1 | -75.2% |
| North Las Vegas | NV | 216,672 | 98 | 2,210.9 | -105.3% |
| Boulder City | NV | 16,840 | 202 | 83.4 | -5344.1% |
| Enterprise Town | NV | 151,115 | 70 | 2,158.8 | -110.2% |
| Paradise Town | NV | 183,972 | 42 | 4,380.3 | -3.6% |
| Spring Valley Town | NV | 178,567 | 35 | 5,101.9 | 11.0% |
| Winchester Town | NV | 37,489 | 5 | 7,497.8 | 39.5% |
| Sunrise Manor Town | NV | 187,485 | 33 | 5,681.4 | 20.1% |
| Whitney Town | NV | 36,503 | 21 | 1,738.2 | -161.1% |

*Source: CLV & Clark County Annual Population Estimate 2008*

Las Vegas will continue to grow in the future. The most recent projections showed Las Vegas as having a 2010 population of approximately 659,000[2]. The recent economic slowdown has made that figure highly unlikely. The projections also showed Las Vegas absorbing an average of 1,300 vacant acres per year between 2006 – the base year – and 2010. That figure is slightly lower than the average amount of vacant acreage absorbed between 1998 and 2008[3]. Therefore, that figure is likely too high as well.

Non-residential development has seen substantial growth during the past ten years. Since 1998, 3,987 acres of land has been absorbed by commercial, industrial, utility and public uses. Non-residential land has been absorbed at a rate of 1.1 acres per day, every day, during the past ten years.

The city of Las Vegas has also grown physically since 1998, going from 108.3 square miles to its present size of 133.2 square miles, an increase of 23 percent[4]. The overwhelming majority of the added area due to annexations during the past ten years, 99.2 percent, has occurred in Centennial Hills.

**Infrastructure Conditions**

The city of Las Vegas will continue to see increases in population and the amount of vacant land absorbed. Vacant land is currently the single largest existing land use in the City with approximately 26,000 acres[5]. The majority of the vacant land in the City (64.5%) is in Centennial Hills followed by the Southwest with 31.8 percent. Only 3.7% of the land in the Southeast is classified

[2] Southern Nevada Regional Planning Coalition Land Use Work Group Consensus Forecast
[3] City of Las Vegas Planning and Development Department, December 2008
[4] City of Las Vegas Planning and Development Department, December 2008
[5] Clark County Assessors Office, December 2008

as vacant. The discrepancies in the amount of vacant land between the Planning Areas indicate areas with vastly different capital investment needs in the future.

To further illustrate this point, the age of structures, residential and non-residential, needs to be examined. The age of the structures can be an indicator of the age of the infrastructure in the area and/or a reflection of applicable standards at the time the infrastructure was put in place.

In Centennial Hills, just over half of the residential units were built in 1998 or after. Conversely, in the Southeast, 3.6 percent of the residential units have been built during the same time. It's a similar scenario for non-residential development. In Centennial Hills more than half of the non-residential units have been built since 1998. In the Southeast, about 10 percent of the non-residential development has occurred during the past ten years.

Perhaps as important for capital planning as the development that has occurred during the past decade is the development that took place 25 or more years ago. In the Southeast, 83.6 percent of the residential structures are 25 years old or more. In Centennial Hills that number is 8.8 percent. For non-residential development, 64.3 percent of the structures in the Southeast were built in 1983 or earlier. In Centennial Hills that number is 29.9 percent. That seemingly high number is likely due to the presence of Floyd Lamb Park and Commercial/Industrial structures along Rancho Drive, which at one time was the main route to the Las Vegas Valley's northwest and points beyond.

# 4. EXISTING CONDITIONS

**Purpose**

The city of Las Vegas Capital Improvement Plan is the city's multiyear planning document that identifies and prioritizes expenditures for a variety of public improvements. The CIP identifies individual project scopes, schedules and funding, and provides order and continuity to the repair, replacement, construction or expansion of the city's capital assets. The CIP is funded on an annual basis and includes revenues from other government entities, bond issues, charges for services, and transfers from other city of Las Vegas funds.

The CIP process begins early each year when each department submits individual project requests to the Department of Finance's Budget and Finance Division. Each request is evaluated for completeness and accuracy, fiscal impact, and available funding sources. The CIP is then compared with the City's Master Plan, which is the primary document used to guide future growth and development. All projects must be previously adopted by the City Council as part of the City's Master Plan before receiving funding within the CIP committee. Recommendations are then submitted to the City Manager.

The broad categories for CIP projects are described below. The allocation of funding and expenditures for each category varies from year to year. The amount and share allotted for funding and expenditures by category are shown on the following pages.

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**CIP Program Descriptions:**

Public Safety – Improvements to the detention center, construction and acquisition of fire apparatus, training facilities and future fire stations, and traffic improvements.

Public Works – Infrastructure improvements to the City's street system, sidewalks, public landscape, special improvement districts and flood and sanitary sewer conveyance systems.

Culture and Recreation – Renovation to existing parks, recreation and senior citizen facilities, and construction of additional parks, trails and recreation centers to meet the public's increasing demand for recreational services and a performing arts center.

Economic Development – Projects aimed at attracting businesses and revitalizing specified areas of the City, and providing assistance to people with low to moderate incomes.

General Government – New facilities and major renovations and upgrades to the existing City Hall and satellite facilities.

Sanitation – Water Pollution Control Facility expansion, major sewer lines and interceptors.

**Capital Improvement Expenditures, FY 03 – FY 08**

As stated previously, the amount of CIP expenditures varies from year to year. Between FY 03 and FY 08, the City averaged spending $454.4 million on CIP projects. The high mark for expenditures was $665.5 million in FY 07, the low was $318.5 million spent in FY 03. On average, $177.1 million was spent on Public Works programs during the six-year span. During the same time, an average of $149.0 million was spent on Culture and Recreation programs. The expenditures for CIP projects from FY 03 through FY 08 are shown in Table X.

Table 3 - CIP Expenditures FY 03 – FY 08 (in millions of dollars)

| Program | FY 03 | FY 04 | FY 05 | FY 06 | FY 07 | FY 08 | Total | Average |
|---|---|---|---|---|---|---|---|---|
| General Government | $ 14.5 | $ 13.6 | $ 45.9 | $ 42.3 | $ 46.6 | $ 39.8 | $ 202.7 | $ 33.8 |
| Public Safety | $ 29.9 | $ 33.2 | $ 23.0 | $ 21.6 | $ 38.6 | $ 37.7 | $ 184.0 | $ 30.7 |
| Sanitation | $ 44.7 | $ 43.2 | $ 45.5 | $ 39.2 | $ 35.6 | $ 35.3 | $ 243.5 | $ 40.6 |
| Public Works | $ 147.1 | $ 128.6 | $ 205.1 | $ 195.2 | $ 246.0 | $ 140.8 | $ 1,062.8 | $ 177.1 |
| Culture and Recreation | $ 69.9 | $ 95.1 | $ 126.2 | $ 181.6 | $ 250.0 | $ 171.4 | $ 894.2 | $ 149.0 |
| Economic Development and Assistance | $ 12.4 | $ 12.3 | $ 14.4 | $ 12.7 | $ 48.7 | $ 38.6 | $ 139.1 | $ 23.2 |
| Total | $ 318.5 | $ 326.0 | $ 460.1 | $ 492.6 | $ 665.5 | $ 463.6 | $ 2,726.3 | $ 454.4 |

Table 4 – CIP Expenditures, Percent of Total FY 03 – FY 08

| Program | FY 03 | FY 04 | FY 05 | FY 06 | FY 07 | FY 08 | Average |
|---|---|---|---|---|---|---|---|
| General Government | 4.55% | 4.17% | 9.98% | 8.59% | 7.00% | 8.58% | 7.43% |
| Public Safety | 9.39% | 10.18% | 5.00% | 4.38% | 5.80% | 8.13% | 6.75% |
| Sanitation | 14.03% | 13.25% | 9.89% | 7.96% | 5.35% | 7.61% | 8.93% |
| Public Works | 46.19% | 39.45% | 44.58% | 39.63% | 36.96% | 30.37% | 38.98% |

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|---|---|---|---|---|---|---|---|
| Culture and Recreation | 21.95% | 29.17% | 27.43% | 36.87% | 37.57% | 36.97% | 32.80% |
| Economic Development and Assistance | 3.89% | 3.77% | 3.13% | 2.58% | 7.32% | 8.33% | 5.10% |
| Total | 100.00% | 100.00% | 100.00% | 100.00% | 100.00% | 100.00% | 100.00% |

**Capital Improvement Funding Sources, FY 03 – FY 08**

Similar to CIP expenditures, funding sources for CIP projects vary from year to year. Nearly 40 percent of the funds for programs came from "Other Governments" during the six year span, by far the largest source. Included within this source are funds from the RTC, CCRFCD, FHWA and SNPLMA. Various bonds and service fees account for the next largest sources of funds since FY 03. Funding sources for CIP projects within the city of Las Vegas between FY 03 and FY 08 are shown in Table Z.

Table 5 – CIP Projects Funding Sources, FY 03 – FY 08 (in millions of dollars)

| Funding Sources | FY 03 | FY 04 | FY 05 | FY 06 | FY 07 | FY 08 | Total | Average |
|---|---|---|---|---|---|---|---|---|
| Other Governments | 116.2 | 94.8 | 154.5 | 149.8 | 305.8 | 242.9 | 1,064.0 | 177.3 |
| Fees | 34.7 | 43.2 | 47.2 | 41.2 | 37.2 | 37.1 | 240.6 | 40.1 |
| Fund Balance | 88.0 | 94.4 | 91.4 | 94.2 | 146.4 | 109.0 | 623.4 | 103.9 |
| Bonds | 33.5 | 25.7 | 70.3 | 103.8 | 111.7 | 25.3 | 370.3 | 61.7 |
| Taxes | 15.3 | 16.1 | 25.1 | 10.8 | 14.7 | 21.8 | 103.8 | 17.3 |
| Special Assessments | 20.9 | 22.2 | 42.3 | 45.4 | 39.7 | 27.0 | 197.5 | 32.9 |
| Contributions | 9.9 | 29.6 | 29.3 | 47.4 | 10.0 | 0.5 | 126.7 | 21.1 |
| Total Funding Sources | 318.5 | 326.0 | 460.1 | 492.6 | 665.5 | 463.6 | 2,726.3 | 454.4 |

Table 6 - CIP Funding Sources, Percent of Total FY 03 – FY 08

| Funding Sources | FY 03 | FY 04 | FY 05 | FY 06 | FY 07 | FY 08 | Average |
|---|---|---|---|---|---|---|---|
| Other Governments | 36.48% | 29.08% | 33.58% | 30.41% | 45.95% | 52.39% | 39.03% |
| Fees | 10.89% | 13.25% | 10.26% | 8.36% | 5.59% | 8.00% | 8.83% |
| Fund Balance | 27.63% | 28.96% | 19.87% | 19.12% | 22.00% | 23.51% | 22.87% |
| Bonds | 10.52% | 7.88% | 15.28% | 21.07% | 16.78% | 5.46% | 13.58% |
| Taxes | 4.80% | 4.94% | 5.46% | 2.19% | 2.21% | 4.70% | 3.81% |
| Special Assessments | 6.56% | 6.81% | 9.19% | 9.22% | 5.97% | 5.82% | 7.24% |
| Contributions | 3.11% | 9.08% | 6.37% | 9.62% | 1.50% | 0.11% | 4.65% |
| Total Funding Sources | 100.00% | 100.00% | 100.00% | 100.00% | 100.00% | 100.00% | 100.00% |

Within these sources are clearly defined resources for funding CIP projects. Many of the funding resources are dependant upon economic conditions and components of population growth and experience fluctuations as a result. Some existing ~~Existing~~ resources for CIP funding, their purpose, and the average annual amount of funding FY 03 – FY 08~~, and projected average annual funding FY 09 – FY 13~~ are as shown below. Some funding sources are not used every year and/or are new and did not exist for the entire six-year span.

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- ~~5-cent Ad Valorem Tax (Ad Valorem Tax) – Tax levy to be used for the purchase of capital assets including land, improvements to land, major items of equipment, renovation of existing government facilities (excluding normal recurring maintenance) and the repayment of short-term financing issued to fund a project for one of these purposes. (FY03 – 08, $5.6 million), (FY09 – 13, $8.4 million)~~
- Bonds – General obligation bonds or revenue bonds already issued which are used for parks and recreation projects, public safety facilities and city facility projects. (FY03 – 08, $37.6 million), ~~(FY09 – 13, $79.1 million)~~
- Car Rental Tax – Two percent tax imposed on short-term passenger car rentals which must be used to construct, equip, operate and/or maintain a performing arts center. (FY03 – 08, $4.8 million), ~~(FY09 – 13, $1.9 million)~~
- Contributions – Businesses or individuals who either wish to fund special projects or want a particular benefit, e.g., road surfacing and drainage projects are partially funded with contributions to have the project completed. (FY03 – 08, $3.3 million), ~~(FY09 – 13, $77.3 million)~~
- Clark County Regional Flood Control District (CCRFCD) – Reimbursement received from CCRFCD, funded from a voter approved ¼ cent increase in Sales Tax to repay bonds issued to design and construct flood control projects. (FY03 – 08, $37.6 million), ~~(FY09 – 13, $58.1 million)~~
- Fire Safety Tax Initiative – A property tax of $0.095 per $100.00 of assessed valuation to improve the City's fire protection facilities and staffing. (FY03 – 08, $0.6 million), ~~(FY09 – 13, None dedicated at this point)~~
- Fund Balance (FB) – Reserve monies accumulated from prior years' appropriations for work-in-progress projects. (FY03 – 08, $103.9 million), ~~(FY09 – 13, $29.5 million)~~
- Future Bonds – General obligations bonds or revenue bonds to be issued in the future per the CIP recommendation. (FY03 – 08, $33.9 million), ~~(FY09 – 13, $48.3 million)~~
- Grants – Federal monies received from: (FY03 – 08, $18.9 million), ~~(FY09 – 13, $5.5 million)~~
    1. Community Development Block Grant (CDBG) programs.
    2. HOME Grant programs.
- Impact Fees – Imposed on new development to finance costs for constructing capital improvements or facility expansions necessitated by new development. (FY03 – 08, $1.7 million), ~~(FY09 – 13, $1.2 million)~~
- Land Sales – Sales of City-owned lots within industrial and business parks. (FY03 – 08, None), ~~(FY09 – 13, $20.0 million)~~

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- Local Governments (GOVTS) – Reimbursements from other government entities per interlocal agreements. (FY03 – 08, $3.3 million), ~~(FY09 – 13, $0.4 million)~~
- Nevada Department of Transportation (NDOT) – Reimbursements received from NDOT paid from tax revenue for traffic safety programs, as well as gasoline tax revenues for roadway maintenance. (FY03 – 08, $3.9 million), ~~(FY09 – 13, $9.3 million)~~
- Regional Transportation Commission (RTC) – Reimbursements for street construction and flood control projects received from RTC bond proceeds. The debt is repaid with gasoline taxes. (FY03 – 08, $93.7 million), ~~(FY09 – 13, $94.2 million)~~
- Residential Construction Tax (RCT) – Imposed on the construction of new apartment houses and residential dwelling units to pay for constructing capital improvements in particular districts. (FY03 – 08, $10.1 million), ~~(FY09 – 13, $5.4 million)~~
- Room Tax – Monies received from the State of Nevada for a legislatively imposed 1% motel/hotel room tax to be used exclusively for transportation projects. (FY03 – 08, $11.4 million), ~~(FY09 – 13, $11.4 million)~~
- Service Fees – Charges to individuals based on their usage on special services. (FY03 – 08, $39.0 million), ~~(FY09 – 13, $40.3 million)~~
- Southern Nevada Public Lands Management Act (SNPLMA) – Public land sales to fund the development of parks, trails and natural areas. (FY03 – 08, $113.8 million), ~~(FY09 – 13, $59.8 million)~~
- Special Assessments (Assessments) – Amounts received from certain property owners to defray all or part of the cost of capital improvement projects deemed to benefit those owners' properties. (FY03, – 08 $32.9 million), ~~(FY09 – 13, $8.6 million)~~

According to the City's Five-Year Capital Improvement Plan FY 2009 - 2013, for Las Vegas to fund the necessary expansion of facilities over the next several years, management will need to consider future bond issues. The City has a legal debt limitation not to exceed 20% of the total assessed valuation of the taxable property within the City boundaries. Currently, the City debt is approximately 1.3% of assessed valuation. Bond issues can go to a vote of the people and, therefore, be repaid by an increase to property taxes or repaid by a designated revenue or user fee.

## 5. ANALYSIS

### The Capital Improvement Plan Process

One of the principal findings of the Las Vegas 2020 Master Plan policy document adopted in 2000 was the need to link capital improvement programming and operating and maintenance programming budgets with long range planning as contained in the Master Plan. This linkage is necessary to

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efficiently coordinate the planning and construction of infrastructure and the development of services in anticipation of new development, or in the future, of urban redevelopment. To achieve a high level of coordination, the Master Plan highlighted the need to have staff in place to provide a dedicated link between the Master Plan and the City departments and relevant agencies vested with developing this infrastructure and with providing these services.

To be included in the Capital Improvement Plan, a project must go through the city's Capital Improvement Project Committee and be reviewed based on priorities contained in the Master Plan. The purpose of this process is to reduce the number of submittals and allocate the limited resources available to the most worthy projects, making the CIP a valuable planning tool rather than a project wish list. Execution of the various components of the plan is the NRS stated purpose of the Economic Development Element of the Master Plan.

The basic steps in proposing a project for inclusion in the City's Five Year CIP in conformance with the Master Plan are as follows:

1. Identify Need and Project Sponsor – The project has been identified as the best alternative and the sponsor prepares the CIP Approval package.
2. Prepare Submittal – The project sponsor with the concurrence of their department management prepares the submittal package to Public Works for placement on the CIP Committee agenda and presents the project to the Committee. It is required of the applicant to identify the Master Plan elements where the proposed project is shown.
3. Present to the Committee – Upon review, the CIP Committee may approve, deny or return the proposal to the sponsor for re-submittal, possibly with advice to revise, supplement or shelve.
4. Approval – If approved by the CIP Committee, the project becomes eligible for: (All of these actions are pending final approval by the City Council.)
    a) inclusion in the Five Year CIP
    b) funding of the project from city revenue sources
    c) approval of project interlocal agreements for the project's development, and
    d) approval to apply for grant funding and other outside funding sources

The project sponsoring department is the city department whose mission will most be benefited or affected by the project, regardless of who first identified the need or who controls the funding. The sponsor is never an elected official even if they championed the project. The following is a list of the city departments and the projects they are eligible to sponsor:

- Planning and Development – ~~All~~ trails, trailheads, urban pathways, streetscapes, and sidewalk projects.
- Leisure Services – All parks and facilities they operate including recreation/community center, senior centers, pools, golf courses, community schools, track break centers, and museums.
- Public Works – All streets, storm drainage, right-of-way utilities, traffic improvements, ~~and~~ sanitation projects, and some trails and trailheads.

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- Field Operations – All facility maintenance, repair and scheduled upgrade or replacement projects.
- Fire and Rescue – Fire stations and emergency training and response facilities.
- Detention and Enforcement – Detention facilities and all security upgrade projects.
- Office of Business Development – Certain economic development projects.
- Neighborhood Services - Certain economic development projects.
- Information Technologies – IT infrastructure projects.
- City Manager's Office – Special projects.
- All Departments – New construction and remodels of facilities occupied by their staff, materials, or equipment.
- Other Organizations – Occasionally outside organizations, such as the Metropolitan Police Department for their substations.

**Five-Year Capital Improvement Plan, FY 2009 – 2013**

The City's Five Year CIP represents a compilation and analysis of capital needs anticipated between FY 2009 and FY 2013. This plan includes construction of new facilities and the renovation of existing facilities including city facilities, parks, transportation infrastructure, and flood control.

There is a demand for government services, facilities, and capital investments to keep current with existing challenges. Capital investments are critical in providing safe neighborhoods, acceptable transportation corridors, protection from flooding, sufficient waste water treatment capacity, adequate parks, and quality recreation facilities for Las Vegas residents. In addition, the City must look forward to evaluate and identify facilities that serve the public, such as customer service offices and community centers.

The Five-Year CIP is a guide for future projects and improvements in the City. As such it is subject to change and revision as various council initiatives change. Years two through five represent the opinions of department heads and City management in determining identifiable long-term needs for the City. The Mayor and Council have prioritized the numerous projects proposed and only those with probable funding are reflected in the plan.

**Capital Improvement Expenditures, FY 09 – FY 13**

Expenditures during the next five years are anticipated to average $371.8 million per year. Expenditures beyond the first fiscal year of the CIP are not appropriated or in any way obligated or assured. A more realistic figure would be the average expenditures over the first three Fiscal Years, FY 09 through FY11, where the average expenditures will total about $573 million per year. CIP projects in the near-term are an existing known need and short-term funding is more easily determined and likely to occur. During the first three years of the CIP, Public Works and Culture and Recreation projects will account for just over 70 percent of the expenditures. The projected expenditures for CIP projects from FY 09 through FY 13 are shown in Table Y.

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Table 7 - CIP Expenditures FY 09 – FY 13 (in millions of dollars)

| Program | FY 09 | FY 10 | FY 11 | FY 12 | FY 13 | Total | Average |
|---|---|---|---|---|---|---|---|
| General Government | $ 16.3 | $ 82.1 | $ 65.0 | $ 5.0 | $ - | $ 168.4 | $ 42.1 |
| Public Safety | $ 16.8 | $ 26.6 | $ 26.1 | $ 19.9 | $ 2.8 | $ 92.2 | $ 18.4 |
| Sanitation | $ 78.5 | $ 64.6 | $ 26.2 | $ 22.3 | $ 10.0 | $ 201.6 | $ 40.3 |
| Public Works | $ 311.2 | $ 198.2 | $ 227.0 | $ 46.0 | $ 24.8 | $ 807.2 | $ 161.4 |
| Culture and Recreation | $ 232.7 | $ 154.1 | $ 85.2 | $ - | $ - | $ 472.0 | $ 157.3 |
| Economic Development and Assistance | $ 17.6 | $ 39.7 | $ 50.8 | $ 9.5 | $ - | $ 117.6 | $ 29.4 |
| Total | $ 673.1 | $ 565.3 | $ 480.3 | $ 102.7 | $ 37.6 | $ 1,859.0 | $ 371.8 |

Table 8 – CIP Expenditures, Percent of Total FY 09 – FY 13

| Program | FY 09 | FY 10 | FY 11 | FY 12 | FY 13 | Average |
|---|---|---|---|---|---|---|
| General Government | 2.42% | 14.52% | 13.53% | 4.87% | 0.00% | 9.06% |
| Public Safety | 2.50% | 4.71% | 5.43% | 19.38% | 7.45% | 4.96% |
| Sanitation | 11.66% | 11.43% | 5.45% | 21.71% | 26.60% | 10.84% |
| Public Works | 46.23% | 35.06% | 47.26% | 44.79% | 65.96% | 43.42% |
| Culture and Recreation | 34.57% | 27.26% | 17.74% | 0.00% | 0.00% | 25.39% |
| Economic Development and Assistance | 2.61% | 7.02% | 10.58% | 9.25% | 0.00% | 6.33% |
| Total | 100.00% | 100.00% | 100.00% | 100.00% | 100.00% | 100.00% |

**Capital Improvement Funding Sources, FY 09 – FY 13**

Expenditures for the five-year CIP are based upon existing sources of funds and their anticipated revenue. The funds generated vary due to fluctuations in activities such as residential construction, gas and sales tax collected, changes in assessments, and the services for which the City can charge a fee. At this point, the City is anticipating continued consistent funding from the ~~RTC,~~ CCRFCD, ~~and the SNPLMA~~ with average annual contributions of ~~$94.2 million~~, $58.1 million~~, and $59.8 million respectively~~. However, funding from the RTC and SNPLMA will greatly decrease due to the economic downturn. Bonds and Future Bonds are expected to have a major role in funding during the next five years, averaging $75.1 million per year. As previously stated, the city of Las Vegas Public Works Department feels that for the City to meet its future need to expand facilities, it will need to issue additional bonds or identify alternate funding sources such as federal grants. Funding sources for CIP projects within the city of Las Vegas between FY 09 and FY 13 are shown in Table A.

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Table 9 – CIP Projects Funding Sources, FY 09 – FY 13 (in millions of dollars)

| Funding Sources | FY 09 | FY 10 | FY 11 | FY 12 | FY 13 | Total | Average |
|---|---|---|---|---|---|---|---|
| Other Governments | $ 384.7 | $ 199.3 | $ 245.0 | $ 64.7 | $ 26.4 | $ 920.1 | $ 184.0 |
| Fees | $ 80.2 | $ 65.4 | $ 27.4 | $ 23.4 | $ 11.3 | $ 207.7 | $ 41.5 |
| Fund Balance | $ 54.0 | $ 31.0 | $ 3.4 | $ - | $ - | $ 88.4 | $ 29.5 |
| Bonds | $ 61.0 | $ 172.2 | $ 65.0 | $ 5.0 | $ - | $ 303.2 | $ 75.8 |
| Taxes | $ 32.1 | $ 1.8 | $ 2.3 | $ - | $ - | $ 36.2 | $ 12.1 |
| Special Assessments | $ 5.6 | $ 19.4 | $ 0.9 | $ - | $ - | $ 25.9 | $ 8.6 |
| Contributions | $ 55.5 | $ 76.2 | $ 105.8 | $ - | $ - | $ 237.5 | $ 79.2 |
| Land Sales | $ - | $ - | $ - | $ 30.5 | $ 9.5 | $ 40.0 | $ 20.0 |
| Total Funding Sources | $ 673.1 | $ 565.3 | $ 449.8 | $ 123.6 | $ 47.2 | $ 1,859.0 | $ 371.8 |

Table 10 - CIP Funding Sources, Percent of Total FY 09 – FY 13

| Funding Sources | FY 09 | FY 10 | FY 11 | FY 12 | FY 13 | Average |
|---|---|---|---|---|---|---|
| Other Governments | 57.15% | 35.26% | 54.47% | 52.35% | 55.93% | 49.49% |
| Fees | 11.92% | 11.57% | 6.09% | 18.93% | 23.94% | 11.17% |
| Fund Balance | 8.02% | 5.48% | 0.76% | 0.00% | 0.00% | 4.76% |
| Bonds | 9.06% | 30.46% | 14.45% | 4.05% | 0.00% | 16.31% |
| Taxes | 4.77% | 0.32% | 0.51% | 0.00% | 0.00% | 1.95% |
| Special Assessments | 0.83% | 3.43% | 0.20% | 0.00% | 0.00% | 1.39% |
| Contributions | 8.25% | 13.48% | 23.52% | 0.00% | 0.00% | 12.78% |
| Land Sales | 0.00% | 0.00% | 0.00% | 24.68% | 20.13% | 2.15% |
| Total Funding Sources | 100.00% | 100.00% | 100.00% | 100.00% | 100.00% | 100.00% |

## CIP Project Schedule, FY09 – FY13

There are 323 approved requests for funding for projects within the 2009 – 2013 Capital Improvement Plan. Within those funding requests are 230 separate projects. The difference between the number of requests and the number of projects is that some projects are on-going maintenance and/or renovations at City facilities and require a funding application for each year of activity. Others are projects that require more than one fiscal year to complete such as the public/private Performing Arts Center which also require multiple funding requests. Current requests for funds for a project total $1.86 billion. The majority of that funding, approximately $1.72 billion, is for the fiscal years 2009 through

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2011. Beyond those years it is difficult to determine the amount of funding that will be available from sources that rely on activity to generate funds such as Service Fees, Residential Construction Tax, and Car Rental Tax.

**Restricted Funds**

*Southern Nevada Public Lands Management Act (SNPLMA)*

The SNPLMA was adopted by the 105th Congress in October of 1998 as Public Law 105-263 (PL 105-263). It allows the United States Department of the Interior's Bureau of Land Management (BLM) to sell public land within a specific disposal boundary (See Map BLM) around the Las Vegas Valley. The initial disposal boundary was established in 1998 and encompassed approximately 474.9 square miles. The original boundaries were expanded in 2002 and now cover 517.5 square miles. The revenue derived from land sales is split between the State of Nevada General Education Fund (5%), the Southern Nevada Water Authority (10%), and a special account available to the Secretary of the Interior for:

- Parks, Trails, and Natural Areas
- Capital Improvements
- Conservation Initiatives
- Multi-Species Habitat Conversation Plans (MSHCP)
- Environmentally Sensitive Land Acquisitions
- Lake Tahoe Restoration Act Projects

SNPLMA funds are allocated annually in "rounds." The Planning and Development Department's role in the SNPLMA process has been to identify projects and determine their worthiness for receiving a nomination for funds. If a project is deemed worthy, Planning and Development initiates the application process and provides pertinent information and justification for receiving SNPLMA funds. The city of Las Vegas neither applied for nor received funds in the first two rounds. In rounds three through nine, the City received approximately $243 million in funds. There were 37 projects receiving SNPLMA funds during the seven rounds with an average of approximately $6.5 million allocated per project.

SNPLMA funds have been used for new construction, renovations and improvements for the City's parks, open space, and trail system. They have been used extensively in the City's trail system, particularly in the Downtown and eastside areas where the Cultural Corridor, Las Vegas Wash, and Cedar Avenue Trails have become examples of projects that have improved the quality of life, increased safety, and solidified infrastructure for Las Vegas residents.

Table 11. - City of Las Vegas SNPLMA Allocation by Round

| | Number of Projects Funded | Funding Received |
|---|---|---|
| Round 1 | - | $ - |

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|---|---|---|
| Round 2 | - | $ - |
| Round 3 | 7 | $ 26,613,275 |
| Round 4 | 5 | $ 16,684,000 |
| Round 5 | 6 | $ 91,998,720 |
| Round 6 | 15 | $ 84,860,000 |
| Round 7 | 2 | $ 18,040,000 |
| Round 8 | 1 | $ 2,860,000 |
| Round 9 | 1 | $ 2,497,000 |
| Total | 37 | $ 243,552,995 |

*Tax Increment Finance (TIF) rebate*

The city of Las Vegas Redevelopment Agency (RDA) offers Tax Increment Finance rebates for residential, retail, hotel and mixed-use projects located within the City's Redevelopment Area. The Redevelopment Area consists of approximately 3,800 acres that generally includes downtown Las Vegas, as well as portions of West Las Vegas and along Eastern Avenue.

Tax Increment is defined as the increased property taxes generated due to new development on a site. The TIF program uses tax money from the difference in the originally assessed property value and the new, enhanced property value to pay for eligible qualified expenditures. Up to 41 percent of the Tax Increment can be rebated annually to a property developer for eligible qualified expenditures to a construction project. Eligible expenditures may include constructing streets, curbs, gutters, water lines, storm drainage facilities, traffic signals, paving, sidewalks, flood control improvements, utilities, other infrastructure costs and more. While the term for TIF rebate assistance is negotiable, the rebate cannot extend past the life of the agency or more than 20 years. The RDA's maturity date, required by Nevada state law, is in the year 2031.

*Visual Improvement Program (VIP)*

The VIP was established to encourage the rehabilitation of Downtown Las Vegas' commercial, industrial and mixed-use properties which can enhance the physical appearance of the area and improve the overall economic viability of the City's downtown core. These goals and objectives of rehabilitation can be accomplished by encouraging commercial, industrial and mixed-use property owners along with long-term tenants to reinvest in and renovate their properties. The VIP is intended to improve the aesthetic nature of properties and to assist in bringing them up to current building and property code standards. In addition, the program intends to act as a catalyst for observers within the community to consider rehabilitation of their own properties with or without participation in the VIP.

To ensure that the city of Las Vegas Redevelopment Agencies investment in the project is maximized, the applicant is required to provide a 100% matching contribution to the granted funds. All qualified exterior improvements must be pre-approved and must be visible from the public right-of-way.

Qualified exterior improvements that will be considered include:

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- Painting
- Doorways
- Signage
- Awnings
- Cleaning
- Lighting
- Landscaping
- Parking Lots
- Tuck Pointing
- Facade Repair
- Window Repair
- Window Tinting

Commercial VIP participants located within the RDA may qualify for a maximum of $50,000. Entertainment VIP participants located within the Fremont East District may qualify for between $75,000 and $95,000. Since the inception of the VIP program in 2005, Commercial and Entertainment projects have been approved for a total $1,420,619 and $322,500 respectively.

*Special Improvement Districts (SID)*

A SID is a device whereby the City acts as the agent for property owners ~~who desire~~ to construct streets, sidewalks, curbs and gutters, sewers, streetlights, and other local improvements. It is the only mechanism the law provides for having public improvements made in an area when 1) the property owners in the area desire the improvement, but some or all of them cannot pay in cash, or 2) when the majority of property owners in the area want an improvement and the minority does not want to pay its fair share. The basic purpose of a SID is to afford a property owner the opportunity of using their property as collateral for financing their prorated share of the proposed improvement and allows payment of this indebtedness at a low rate of interest which is based on the Bond Buyers Index of 20 Municipal Bonds most recent publication of rates. Property owners have the option of paying for the costs of the improvement within 30 days or may extend their payments over a period of 2 to 30 years.

*Business Improvement District (BID)*

A BID provides improvements and activities – such as sidewalk cleaning, trash collection, graffiti removal, security, marketing and events – to a commercial district. Its purpose is to supplement, not replace, government services. BIDS are based on a benefit assessment model whereby property owners in a given area agree to assess themselves additional revenues that will be used for services in that area. These revenues are not managed by the city but by property owners themselves. A BID is formed by the private sector, which in most cities must show that a majority of those who will pay the assessment are in support, usually through filing a positive petition with the city council. The BID board of directors is made up of district property and business owners who set the

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policies and oversee operations. The board hires professional staff to manage the district on a daily basis. Currently, Fremont Street East is the lone BID in the City.

*Community Development Block Grant (CDBG)*

CDBG is a grant program administered by the U.S. Department of Housing and Urban Development on a formula basis for entitlement communities. This grant allots money to cities and counties for housing rehabilitation and community development, including public facilities and economic development.

The city of Las Vegas is an entitlement community grantee which utilizes its Community Development Block Grant (CDBG) funding to develop viable communities by providing decent housing, a suitable living environment, and opportunities to expand economic opportunities, principally for low- and moderate-income persons. HUD awards grants to entitlement community grantees to carry out a wide range of community development activities directed toward revitalizing neighborhoods, economic development, and providing improved community facilities and services.

Table 12. - Community Development Block Grant Allocations

| | 2008 | 2007 | 2006 | 2005 | 2004 | 2003 |
|---|---|---|---|---|---|---|
| Child Care | $ 191,548 | $ 224,443 | $ 223,715 | $ 251,275 | $ 196,882 | $ 160,400 |
| Life Skills | $ 131,548 | $ 131,555 | $ 130,972 | $ 153,020 | $ 171,660 | $ 128,380 |
| Social Services | $ 197,324 | $ 164,443 | $ 163,715 | $ 191,275 | $ 214,575 | $ 160,475 |
| Youth/Alternative Education | $ 197,322 | $ 197,332 | $ 196,895 | $ 229,530 | $ 257,490 | $ 192,645 |
| Construction | $ 238,900 | $ 558,000 | $ 649,933 | $ 962,659 | $ 879,163 | $ 966,090 |
| CDBG Tenant Based Rental Assistance | $ 42,566 | $ 70,000 | $ 70,000 | $ 70,000 | $ - | $ - |
| Single Family Rehabilitation | $ 200,000 | $ 200,000 | $ 200,000 | $ 400,000 | $ - | $ - |
| East Las Vegas Community Center Bond Payment | $ 1,044,731 | $ 1,044,606 | $ 1,047,356 | $ 1,048,107 | $ 1,046,857 | $ 1,028,232 |
| Stupak Community Center Bond Payment | $ 1,545,175 | $ - | $ - | $ - | $ - | $ - |
| CLV Future CDBG Construction Projects | $ 265,863 | $ 1,611,077 | $ 1,516,394 | $ 1,500,000 | $ 530,000 | $ 467,802 |
| CDBG Administration & Fair Housing (20% Max) | $ 1,013,744 | $ 1,050,364 | $ 1,050,364 | $ 1,161,466 | $ 1,224,400 | $ 823,976 |
| CDBG Public Service Future Projects | $ - | $ - | $ 2,476 | $ - | $ 77,693 | $ - |
| Emerald Breeze Apartments | | | | | $ 1,333,280 | $ - |
| Affordable Housing Implementation, Lead Based Paint, & Housing Quality Inspections | $ - | $ - | $ - | $ - | $ 200,000 | $ 200,000 |

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| | | | | | | |
|---|---|---|---|---|---|---|
| Housing Rehabilitation: Mobile Homes & Emergency Repairs | $ - | $ - | $ - | $ - | $ 150,000 | $ 100,000 |
| Total | $ 5,068,721 | $ 5,251,820 | $ 5,251,820 | $ 5,967,332 | $ 6,282,000 | $ 4,228,000 |

*Centennial History Grant*

The Centennial History Grant program was established in 2005 as part of the celebration of the 100 anniversary of the founding of the city of Las Vegas. Grant monies come from the sale of a specialized license plate, featuring the famous "Welcome to Fabulous Las Vegas" sign designed by Betty Willis in 1959. The plates were designed and prepared by the Nevada Department of Motor Vehicles, in cooperation with the Nevada Department of Cultural Affairs. During the Centennial year, these funds helped pay for public events that celebrated the history of Las Vegas.

The grant program is administered by the city of Las Vegas Commission for the Las Vegas Centennial. Per NRS 482.37903, grant projects much "relate to the commemoration of the history of the City of Las Vegas, including, without limitation, historical markers, tours of historic sites and improvements to or restoration of historic buildings or structures." Projects may include: rehabilitation of historic sites, structures and archeological resources, cultural heritage and tourism, oral history, historic survey, documentation, museums and archives, and education.

The rehabilitation of the historic downtown U.S. Post Office and Courthouse, La Concha Motel lobby, Floyd Lamb Park at Tule Springs, and Westside School have all received funding from the Centennial History Grant program.

**Issues**

The major issue with CIP projects for the City is the continued ability to fund them adequately. With the decrease of available funds from sources based upon activity or variable tax rates, alternative sources such as an increase in fees for services, increased tax rates, federal grants, or issuance of bonds must be considered. The following are issues pertinent to the City's ability to carry out the Five-Year Capital Improvement Plan Projects:

- Future revenue – Sources based on construction activity and population growth have slowed and will continue to be slow for the short-term to mid-term.
- Fees – Fallout from the slowing construction is less available fee based revenue. Fees may need to be increased and/or assessed to a broader range of services.
- Taxes – Decrease in assessed valuation of property means less property tax revenue generated. Decreases in retail sales and gasoline consumption mean less tax revenue from these sources as well.
- Prioritization – Revenue shortages may require a reassessment of CIP project priorities. Projects that do not maintain public welfare and/or provide essential services may need to be reprioritized.
- Bonds – Revenue shortages and limitations on taxes may require the City to issue bonds to fund CIP projects.

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- Debt Limitation - The City has a debt limitation of 20% of assessed valuation with current debt at 1.3% of assessed valuation. Assessed valuation will decline, possibly sharply, causing the debt ratio to increase without incurring any additional obligations. However, even if assessed valuation were reduced by 50%, the current debt would only increase to 2.6%.
- Fund Balance – As other revenue sources decline the Fund Balance is used increasingly and reduced, putting the future status of works in progress in jeopardy.

# 6. IMPLEMENTATION

## Recommendations

**Recommendation 1:**
**Utilize alternative funding for future CIP projects.**

- Consider issuing any and all available bonds to finance future CIP projects. Bonds may assure future revenue availability for projects in years four and five of the CIP and provide financial stability throughout the duration of the Five Year CIP.
- Utilize restricted funding such as CDBG and RDA in public improvements to the maximum extent possible so as to implement improvements, increase property values and encourage private investment.

**Recommendation 2:**
**Evaluate the CIP on an annual basis.**

- Assure projects that maintain public welfare and/or essential services, such as police & fire services and infrastructure such as roadways, flood control and sanitary sewer systems are given the highest priority and adequately funded.
- Ensure all projects funded are already adopted as part of Master Plan elements, corridor plans, community or special area plans.

**Recommendation 3:**
**Evaluate existing fee structure for fees assessed to services.**

- Examine fees charged to determine if they adequately cover costs of services.
- Examine fees from other government agencies on an annual basis for applicability.
- Evaluate possibility of assigning fees to a broader range of services.
- Examine types of services where fees are applied from other government agencies.
- Audit existing services to determine if applying fees would be appropriate to cover labor and material costs.

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**Recommendation 4:**
**Continue to develop public art and activity nodes**

- Seek public/private "sponsorships" for funding public art and activity nodes.

**Recommendation 5:**
**Continue to add parks and open space to City inventory as prioritized in the Parks Element.**

- Seek partnerships with developers and encourage them to donate land that the City can develop into parks, trails and open space, particularly in developing areas.
- Explore options to provide incentives to developers for including and developing open space in their residential projects.

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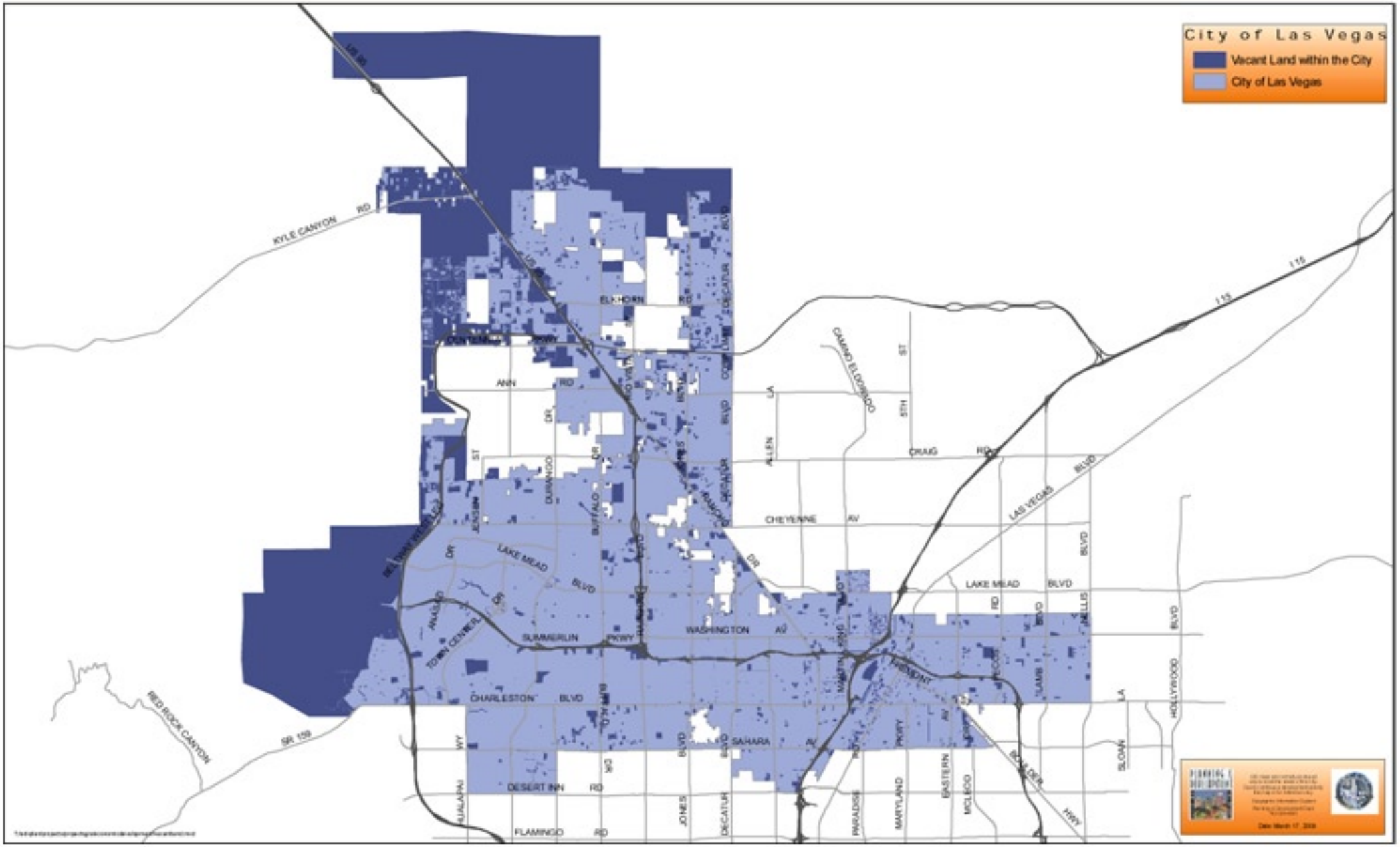
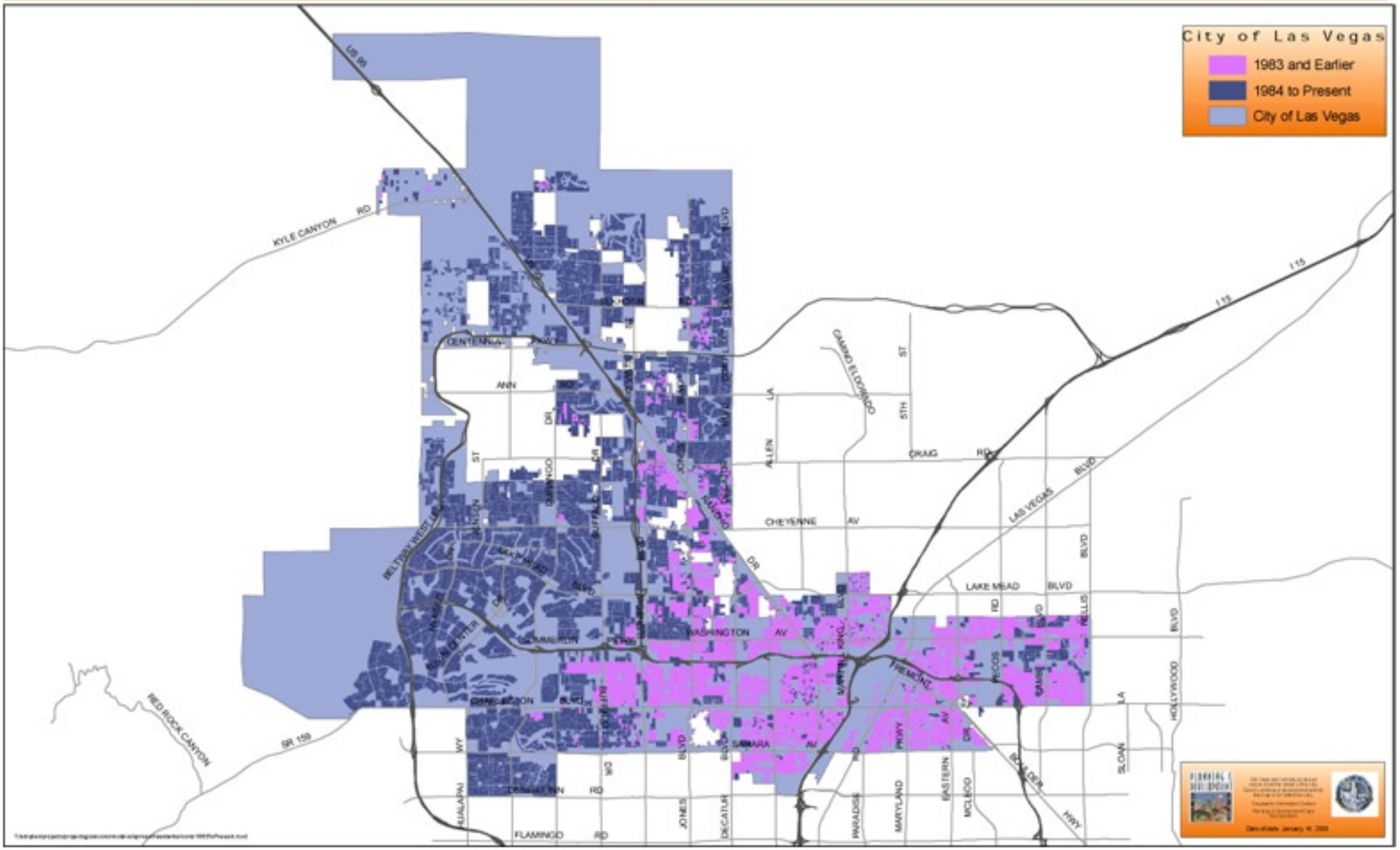
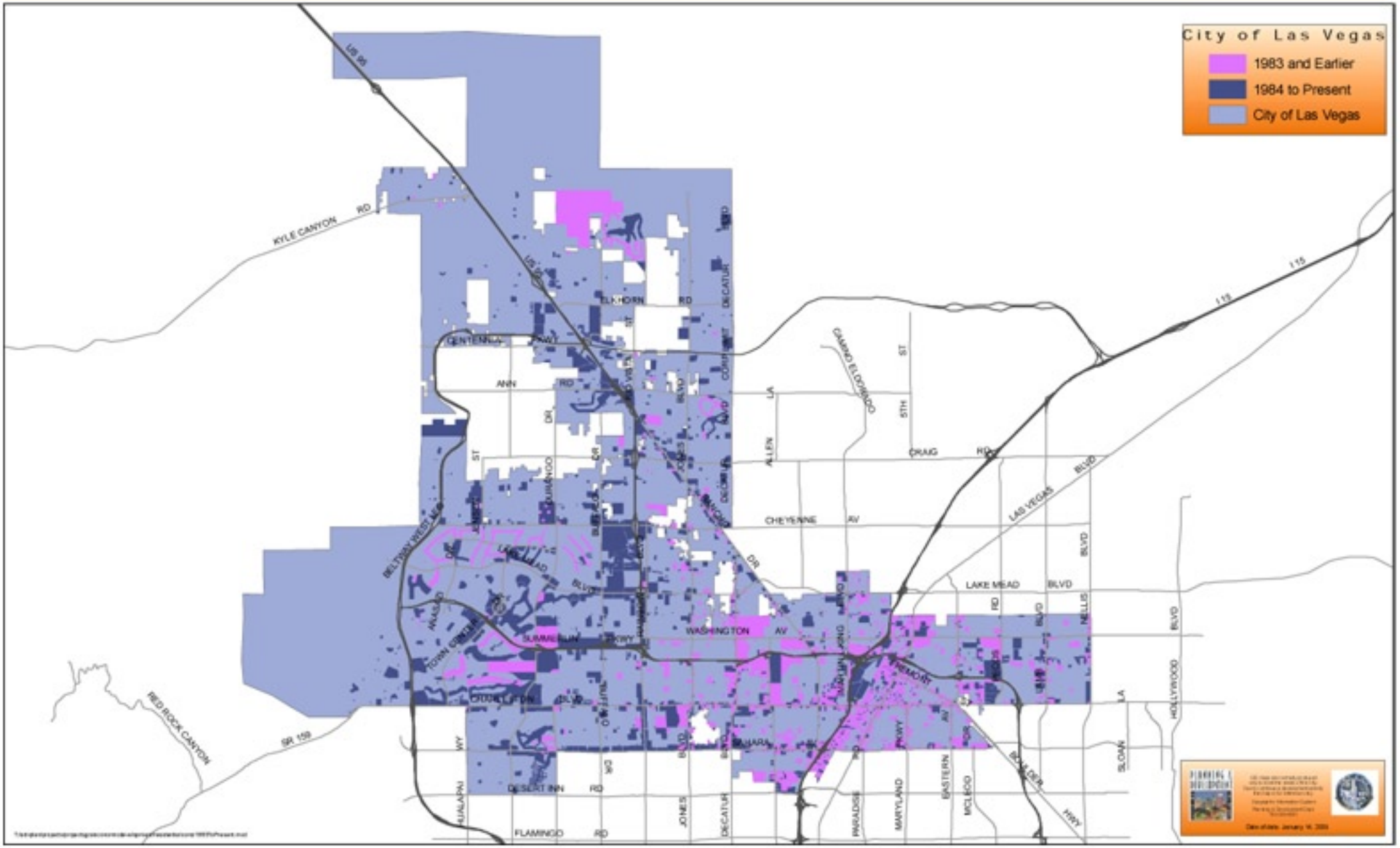
# ECONOMIC DEVELOPMENT - VACANT LAND



# ECONOMIC DEVELOPMENT - RESIDENTIAL CONSTRUCTION 1983 and Earlier



# ECONOMIC DEVELOPMENT - NON-RESIDENTIAL CONSTRUCTION 1983 and Earlier



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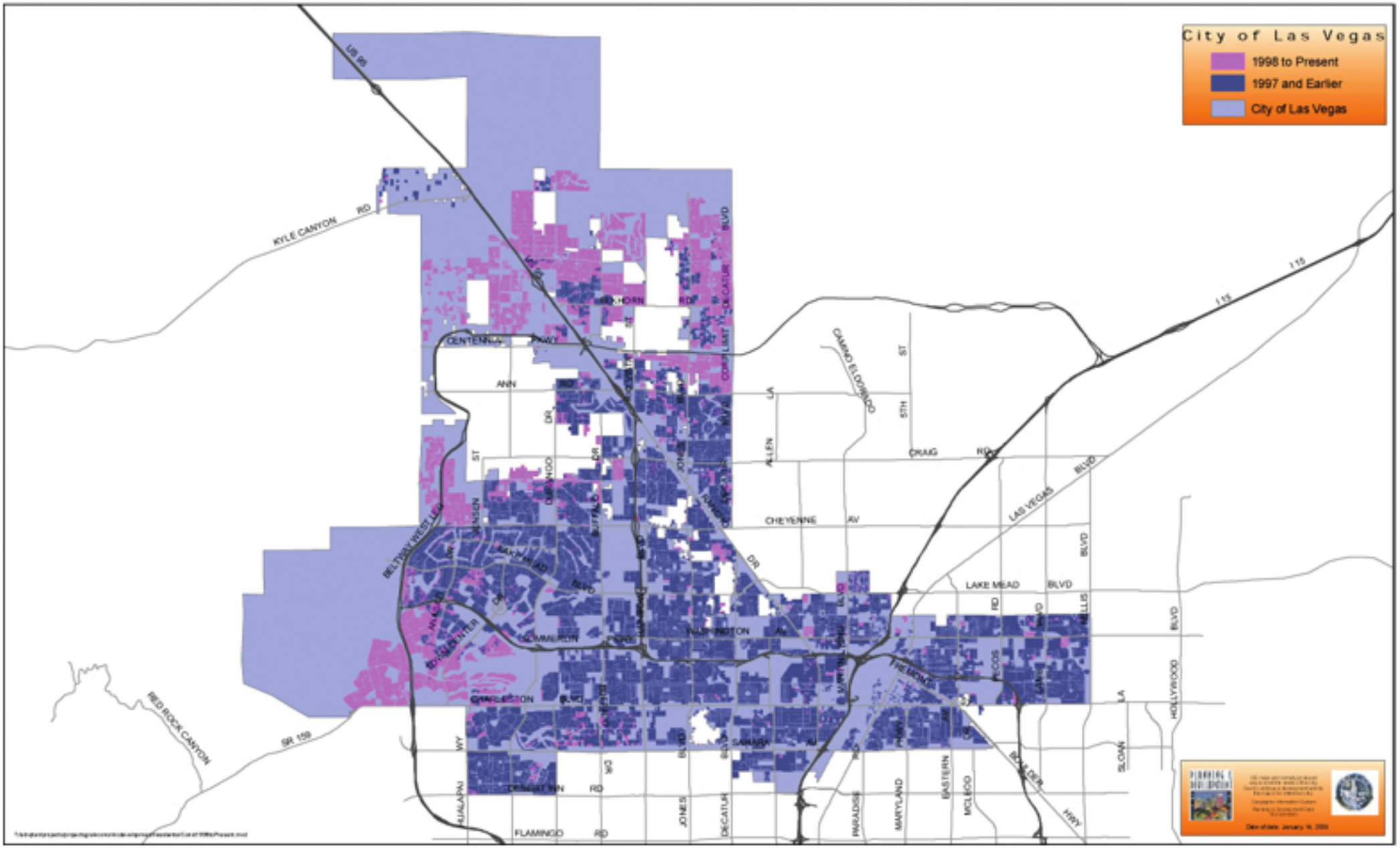

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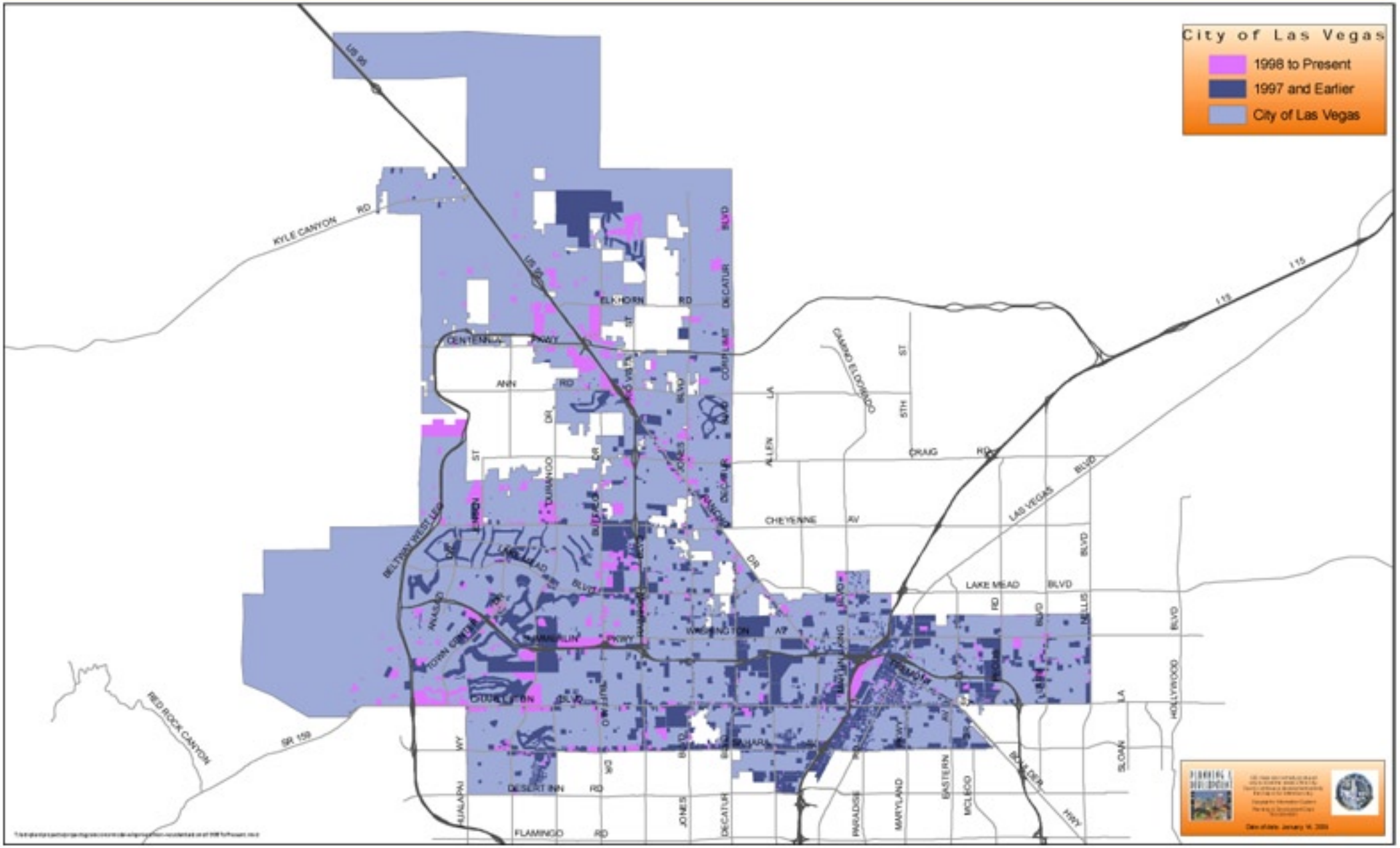
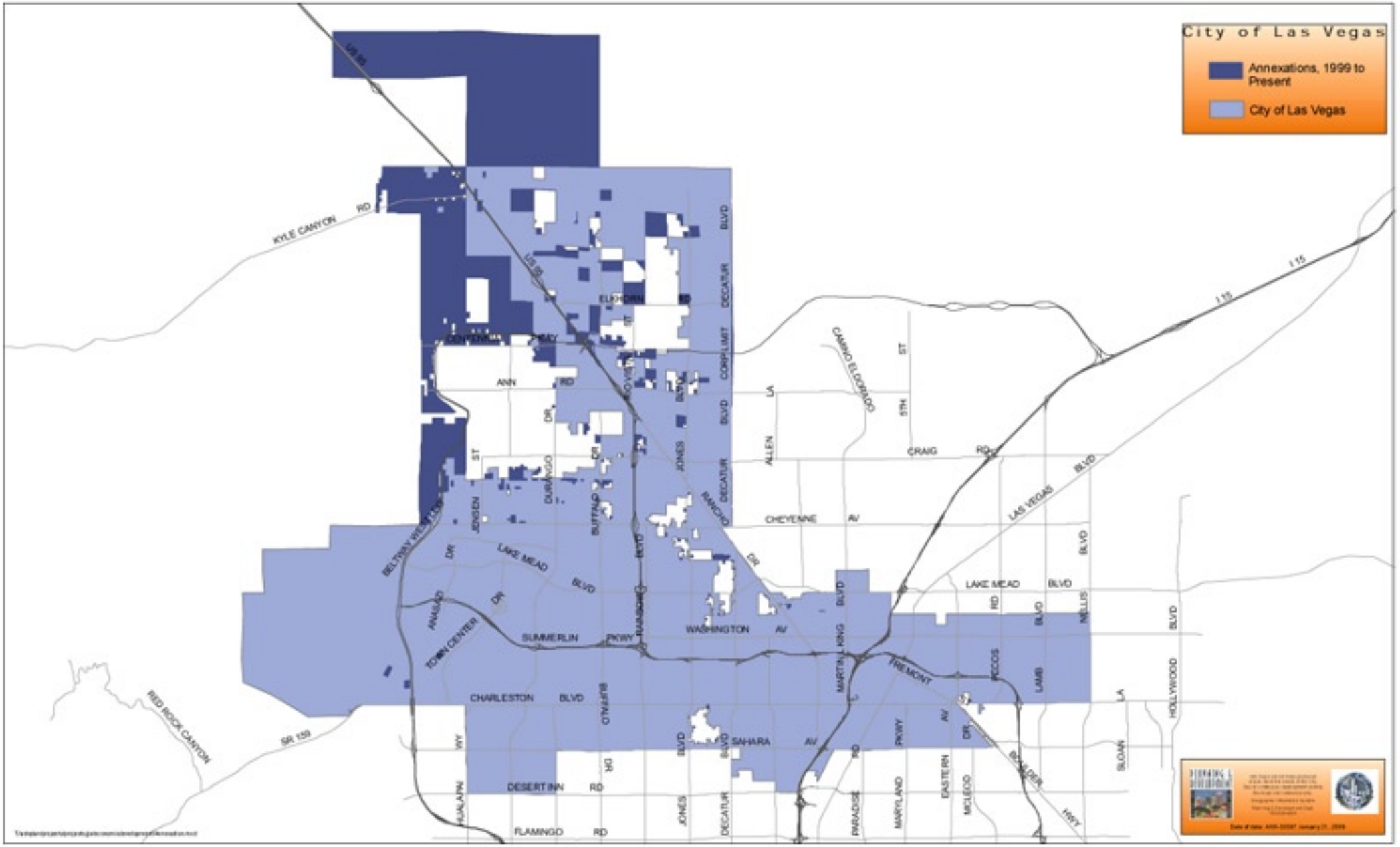
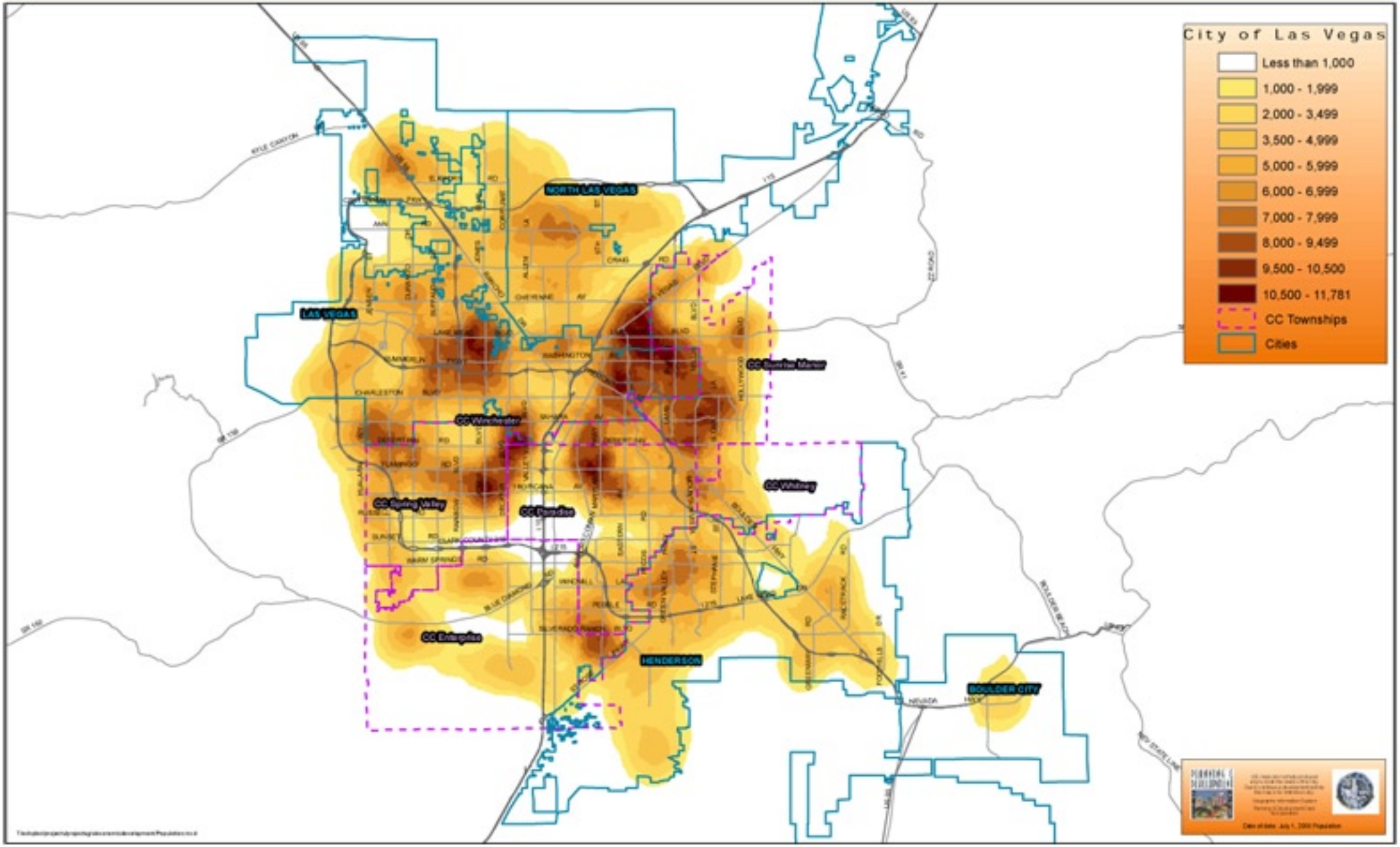


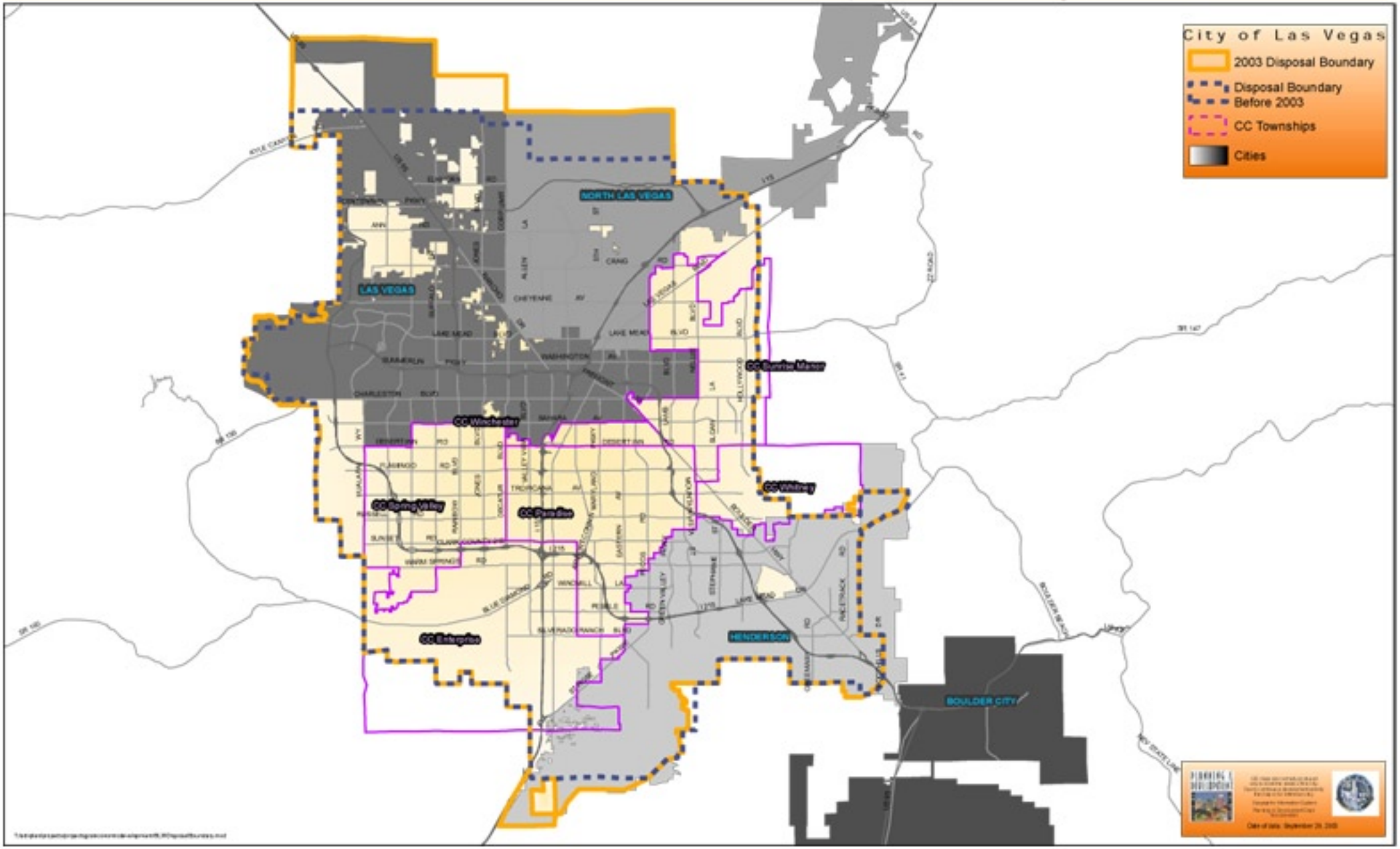
# ECONOMIC DEVELOPMENT - ANNEXATIONS



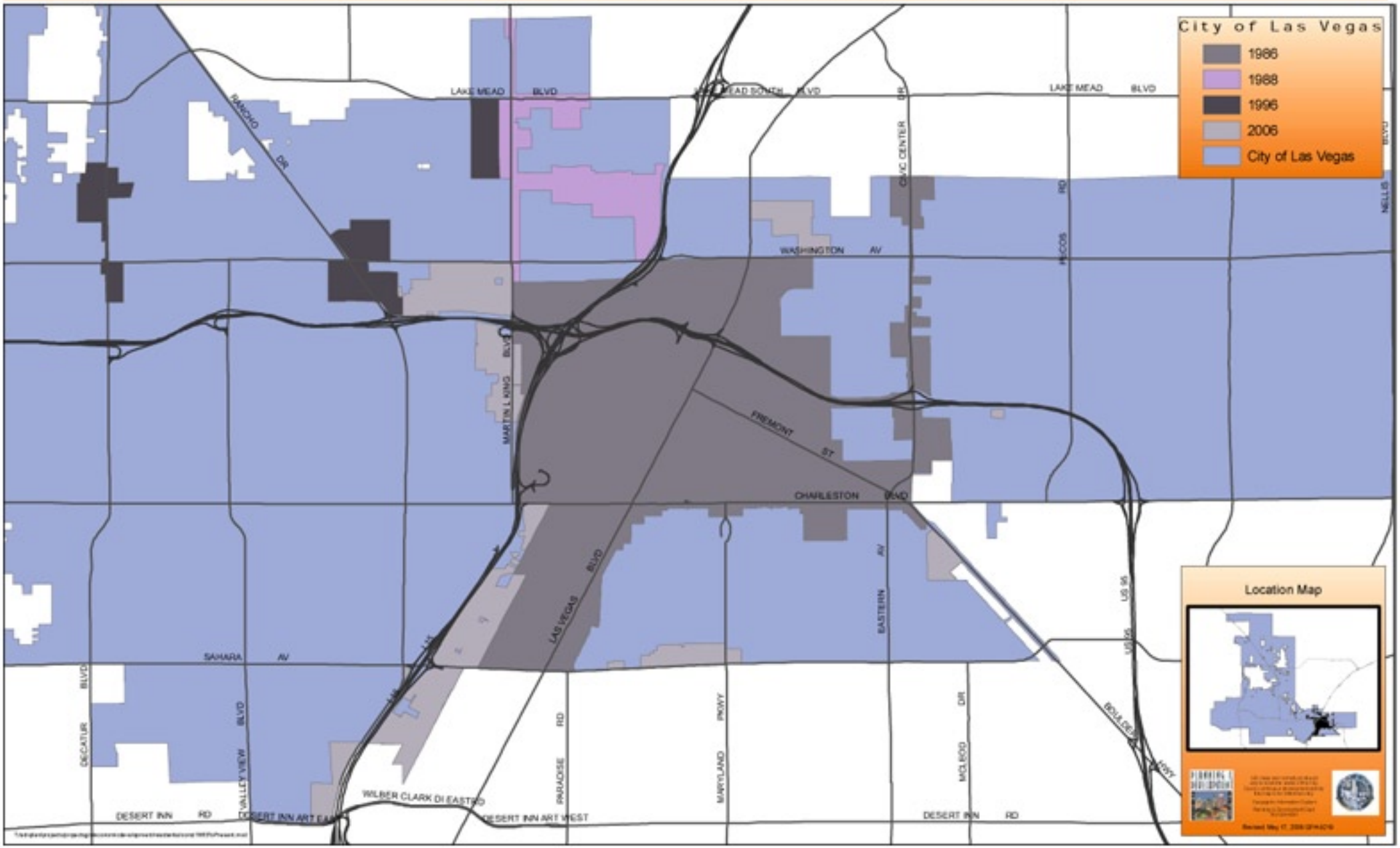
# ECONOMIC DEVELOPMENT - LAS VEGAS VALLEY POPULATION DENSITY PER SQUARE MILE 2008



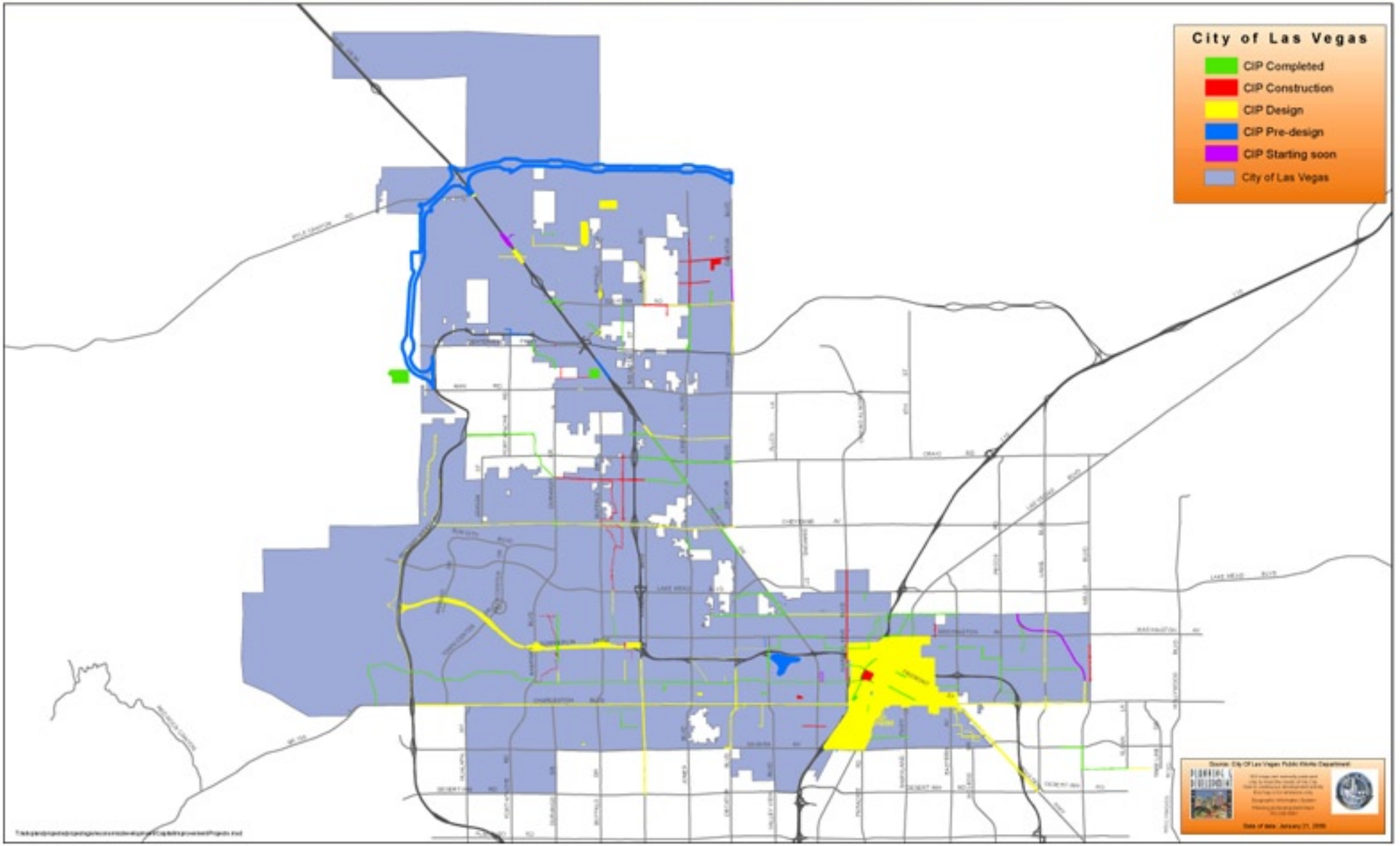
# ECONOMIC DEVELOPMENT - BLM Disposal Boundary



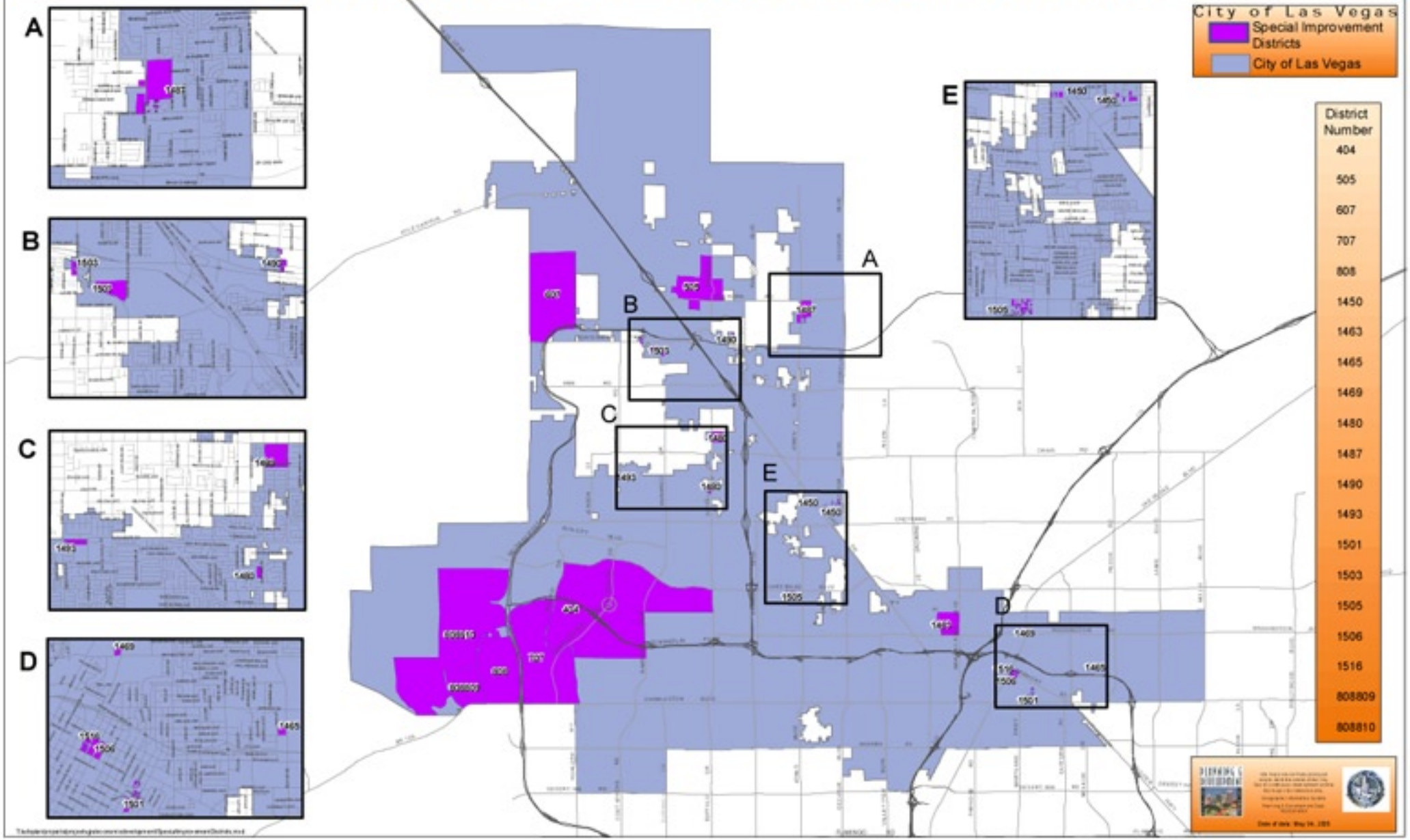
# ECONOMIC DEVELOPMENT - REDEVELOPMENT AREA BOUNDARY



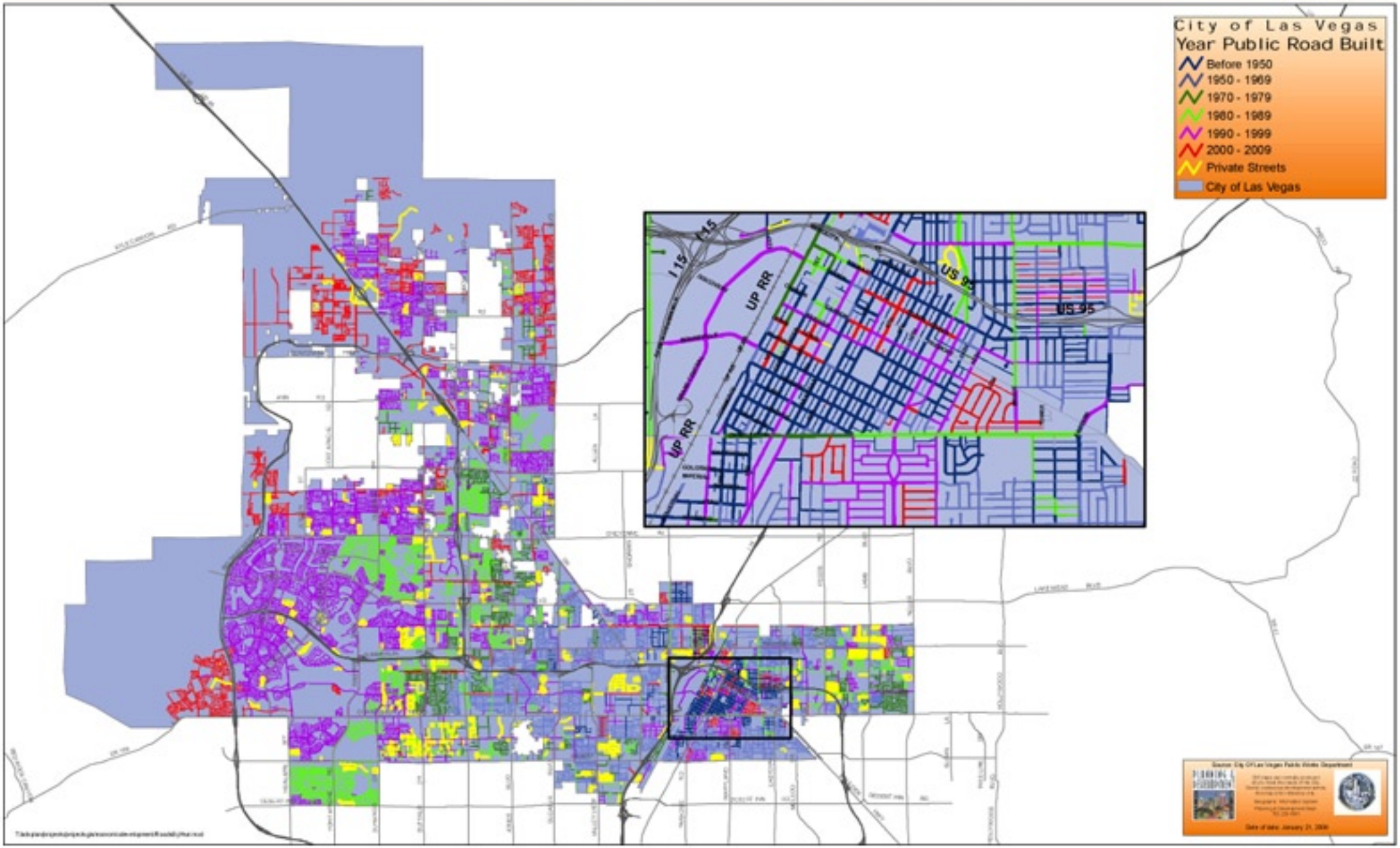
# ECONOMIC DEVELOPMENT - CAPITAL IMPROVEMENT PROJECTS



# ECONOMIC DEVELOPMENT - SPECIAL IMPROVEMENT DISTRICTS



# ECONOMIC DEVELOPMENT - ROADS BUILT BY YEAR



City of Las Vegas Agenda Item No.: **34.**

## *AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT*
### PLANNING COMMISSION MEETING OF: JULY 9, 2009

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

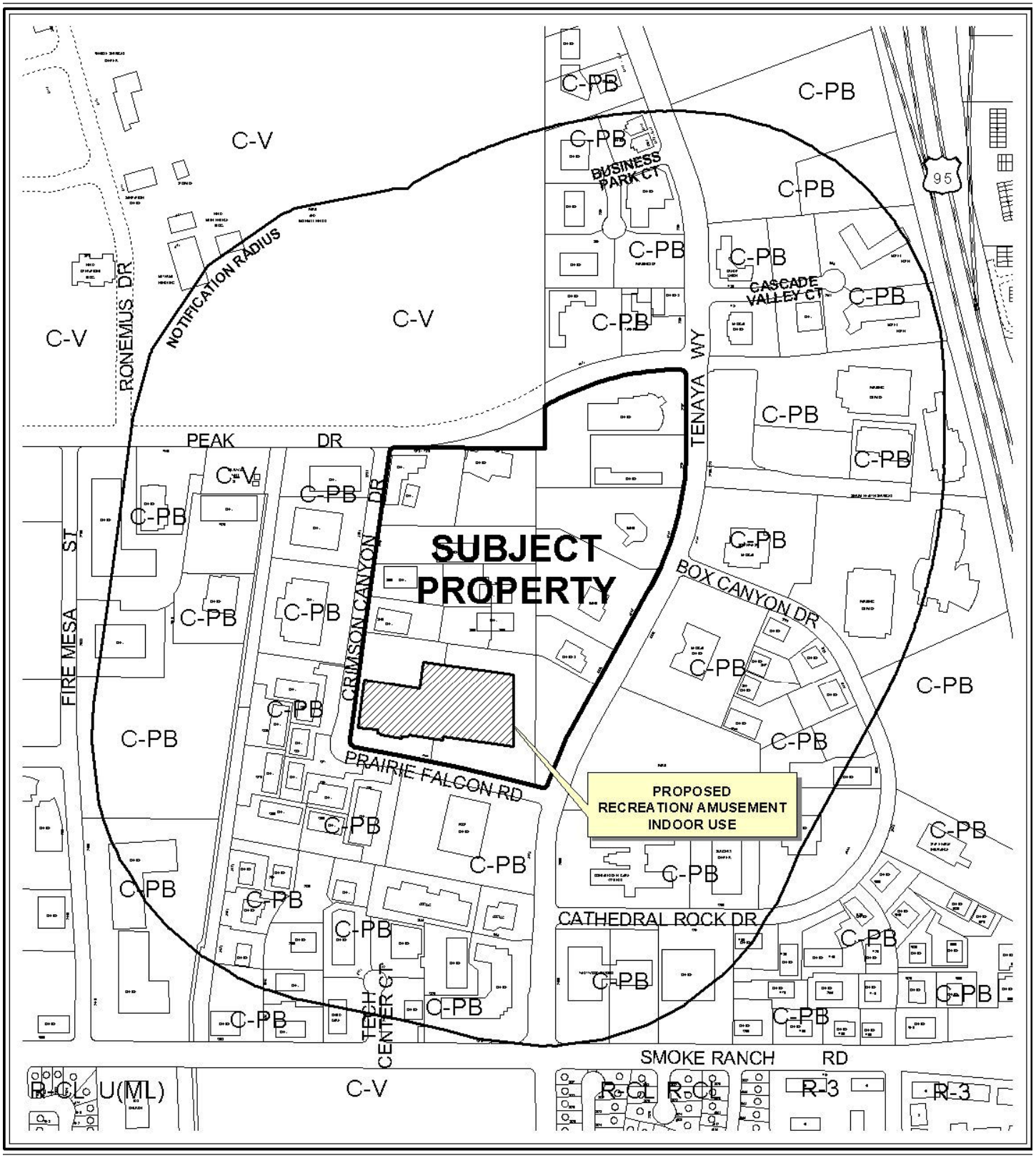
**SUBJECT:**
**VAR-34603 - VARIANCE - PUBLIC HEARING - APPLICANT: P2R LAS VEGAS, LLC - OWNER: ASSAF NEVADA, INC.** - Request for a Variance TO ALLOW 176 PARKING SPACES WHERE 331 ARE REQUIRED FOR A PROPOSED 45,098 SQUARE-FOOT COMMERCIAL RECREATION/AMUSEMENT (INDOOR) USE (Go-Kart Track) on 7.42 acres at 7350 Prairie Falcon Road (APN 138-15-310-003 and 017), C-PB (Planned Business Park) Zone, Ward 4 (Anthony)

**C.C.: 08/05/2009**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **1** | **Planning Commission Mtg.** | **0** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
**DENIAL**

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Parking Analysis
7. Letter by Assaf Nevada, Inc.
8. Protest Postcard



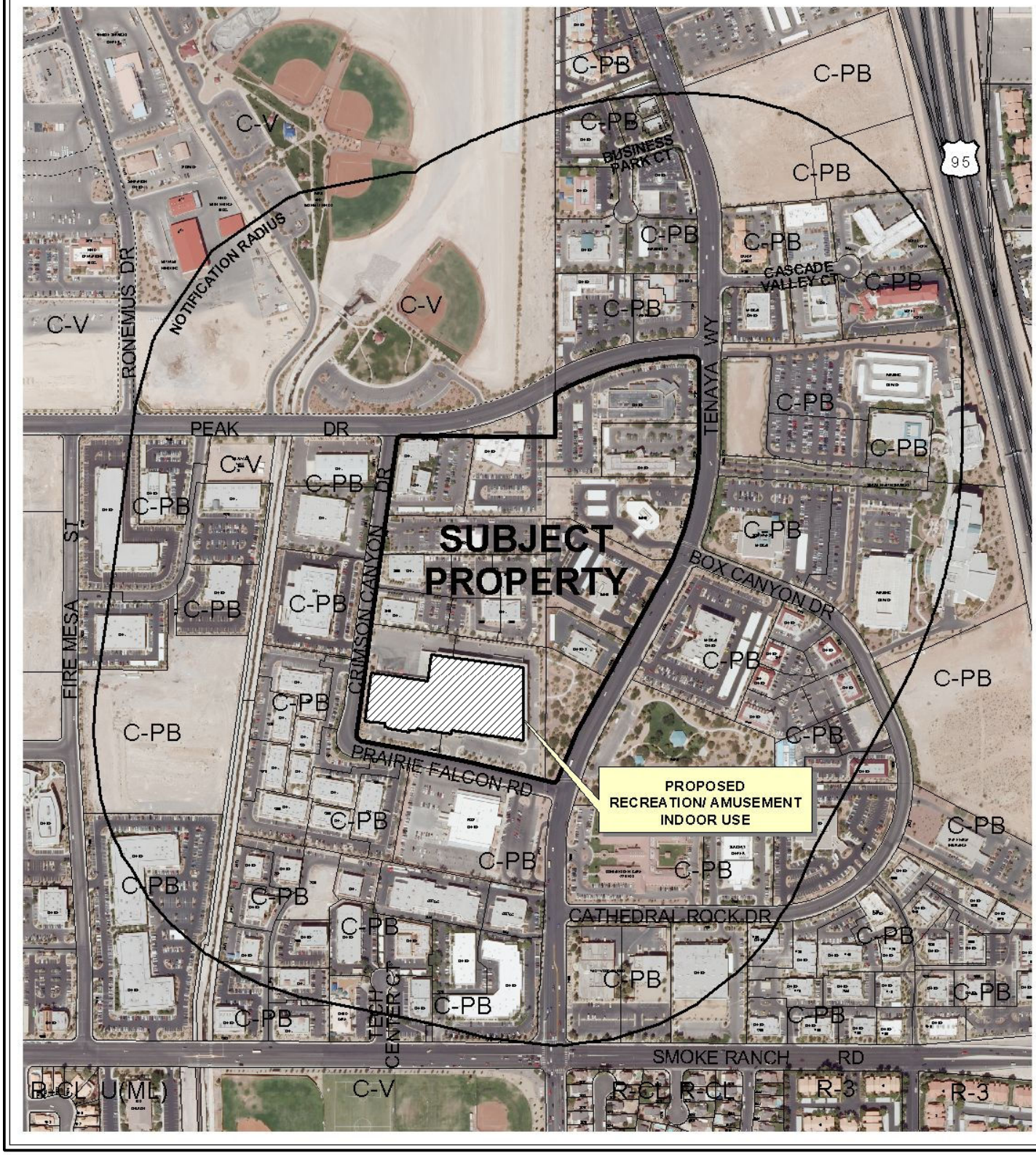

0 500 1000 Feet

**CASE:** **VAR-34603**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:** C-PB (PLANNED BUSINESS PARK)

N




0 500 1000 Feet

**CASE:** **VAR-34603**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:** C-PB (PLANNED BUSINESS PARK)

N

City of Las Vegas

## AGENDA MEMO

**PLANNING COMMISSION MEETING DATE: JULY 9, 2009**
**DEPARTMENT: PLANNING AND DEVELOPMENT**
**ITEM DESCRIPTION: VAR-34603 - APPLICANT: P2R LAS VEGAS, LLC - OWNER: ASSAF NEVADA, INC.**

## ** CONDITIONS **

**STAFF RECOMMENDATION:** **DENIAL.** If Approved, subject to:

***Planning and Development***

1. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. The applicant shall work with city staff to determine the most appropriate mapping action necessary to consolidate the subject site into a single lot. The mapping action shall be completed and recorded prior to issuance of permits.

**VAR-34603 - Staff Report Page One**
**July 9, 2009 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This request for a Variance concerns a proposed Commercial Recreation/Amusement (Indoor) facility containing a go-kart track, snack bar, arcade, meeting rooms and some retail sales located within an existing office and warehouse development at 7350 Prairie Falcon Road. The proposed use is more intense than the existing office and warehouse uses, resulting in a parking requirement that exceeds the parking provided on the site. The applicant is requesting this Variance to allow 176 parking spaces where 327 spaces are required. If this request is denied, an alternative site with adequate parking will be required.

### Issues

- The applicant has not provided any evidence of unique or extraordinary circumstances and has created a self-imposed hardship by proposing a use that is too intense for the subject site to accommodate. Staff is recommending denial of this request as it is deemed to be preferential in nature, and therefore outside the realm of NRS Chapter 278 for the granting of Variances.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales*** | |
|---|---|
| 08/15/84 | The City Council approved a request for Annexation [A-0015-84] of a property generally located east of Buffalo Drive, west of Lorenzi Boulevard, between Cheyenne Avenue on the north and Washington Avenue on the south. The Planning Commission recommended approval of the request. |
| 10/19/90 | The City Council approved request for a Plot Plan and Building Elevation Review [Z-0068-85(3)] for a proposed printing facility located on the northeast corner of Calico Basin Way and Prairie Falcon Road. |
| 04/03/91 | The City Council approved Review of Condition [Z-0068-85(4)] to remove of the requirement of Condition of Approval #1 to construct a screen wall behind the landscaping planter on the northerly portion of the west property line on property located on the northeast corner of Calico Basin Way and Falcon Prairie Road. |
| 01/19/00 | The City Council approved a request for a Site Development Plan Review [Z-68-85(51)] for a proposed 90,819 square-foot addition to an existing industrial building on property located at 7350 Prairie Falcon Road. |
| 11/05/07 | A deed was recorded for change of ownership. |
| 05/21/08 | A Code Enforcement case (#65827) was processed for renting to a sub-contractor who does not have permits for construction; electrical issues; fire/safety issues; and no occupancy permits. The case was closed by Code Enforcement on 05/29/08. |

**VAR-34603 - Staff Report Page Two**
**July 9, 2009 - Planning Commission Meeting**

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 02/27/91 | A building permit (#91098726) was issued for a new building at 7350 Prairie Falcon Road. The permit is inactive as of 11/18/92. |
| 02/27/91 | A building permit (#91098725) was issued for on-site improvements at 7350 Prairie Falcon Road. The permit is inactive as of 11/18/92. |
| 06/28/00 | A building permit (#23252) was issued for a warehouse addition at 7350 Prairie Falcon Road. The permit expired on 12/01/01. |
| 08/16/00 | A building permit (#15389) was issued for on-site improvements and hardscapes at 7350 Prairie Falcon Road. The permit expired on 02/17/01. |
| 10/24/00 | A building permit (#19602) was issued for a tilt-up warehouse at 7350 Prairie Falcon Road. The permit expired on 03/22/03. |
| 11/28/00 | A building permit (#21487) was issued for a new permit for remodeling at 7350 Prairie Falcon Road. The permit expired on 07/20/02. |
| 09/27/02 | A building permit (#1004189) was issued for a tenant improvement for a certificate of occupancy at 7350 Prairie Falcon Road. The permit was completed on 09/27/02. |
| ***Pre-Application Meeting*** | |
| 05/13/09 | A pre-application meeting was held to discuss the requirements for a Commercial Recreational/Amusement (Indoor) facility. Topics of discussion included:<br>• The submittal requirements for the application including supplementary materials and documents.<br>• The meeting dates and deadlines were also discussed during the pre-application meeting. |
| ***Neighborhood Meeting*** | |
| A neighborhood meeting was neither required nor held for this application request. | |
| ***Field Check*** | |
| 06/04/09 | A field check was carried out by staff with the following observations:<br>• The site lacked adequate parking for the proposed project. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Gross Acres | 7.55 |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|---|---|---|---|
| Subject Property | Office /Warehouse Development | LI/R (Light Industry/ Research) | C-PB (Planned Business Park) |
| North | Offices | LI/R (Light Industry/ Research) | C-PB (Planned Business Park) |
| South | Offices and Post Office | LI/R (Light Industry/ Research) | C-PB (Planned Business Park) |
| East | Park | LI/R (Light Industry/ Research) | C-PB (Planned Business Park) |

| | | | |
|---|---|---|---|
| West | Offices | LI/R (Light Industry/ Research) | C-PB (Planned Business Park) |

| ***Special Districts/Zones*** | ***Yes*** | ***No*** | ***Compliance*** |
|---|---|---|---|
| **Special Area Plan** | | | |
| Technology Center | X | | Y |
| ***Special Districts/Zones*** | ***Yes*** | ***No*** | ***Compliance*** |
| **Special Purpose and Overlay Districts** | | | |
| A-O Airport Overlay District – 175 Feet | X | | Y |
| **Trails** | | X | N/A |
| **Rural Preservation Overlay District** | | X | N/A |
| **Development Impact Notification Assessment** | | X | N/A |
| **Project of Regional Significance** | | X | N/A |

***Pursuant to Title 19.10, the following parking standards apply:***

| ***Parking Requirement*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| | ***Gross Floor Area or Number of Units*** | ***Required*** | | | ***Provided*** | | ***Compliance*** |
| | | | *Parking* | | *Parking* | | |
| ***Use*** | | ***Parking Ratio*** | Regular | Handi-capped | Regular | Handi-capped | |
| Commercial Recreation/ Amusement (Indoor) | 45,098 SF | 1:200 SF | 226 | 8 | 168 | 8 | N |
| Warehouse | 96,321 SF | 1:1000 SF | 97 | | | | |
| **TOTAL** | 141,419 SF | | 331 | | 176 | | |

## ANALYSIS

The applicant is proposing a Commercial Recreation / Amusement (Indoor) facility on the subject site where an office and warehouse development currently exists. The proposed use is much more intense, with a parking requirement that is five times greater than the existing use, resulting in a parking deficiency of 155 spaces. The applicant has provided no evidence of a unique or extraordinary circumstance to justify the deficiency in parking; therefore, staff is recommending denial of this request.

## FINDINGS

In accordance with the provisions of Title 19.18.070(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.18.070L states:
"Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing the Commercial Recreation/Amusement (Indoor) facility at a location that is not physically suitable for the intensity of the use proposed. An alternative location 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** 11

**ASSEMBLY DISTRICT** 37

**SENATE DISTRICT** 6

**NOTICES MAILED** 94

**APPROVALS** 0

**PROTESTS** 1

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-34603** APN: _____

Name of Property Owner: Assaf Nevada Inc.

Name of Applicant: P2R Las Vegas LLC

Name of Representative: Pole Position Raceway

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: Allen M. Sherman

Print Name: ALLEN M. SHERMAN, AGENT FOR OWNER.

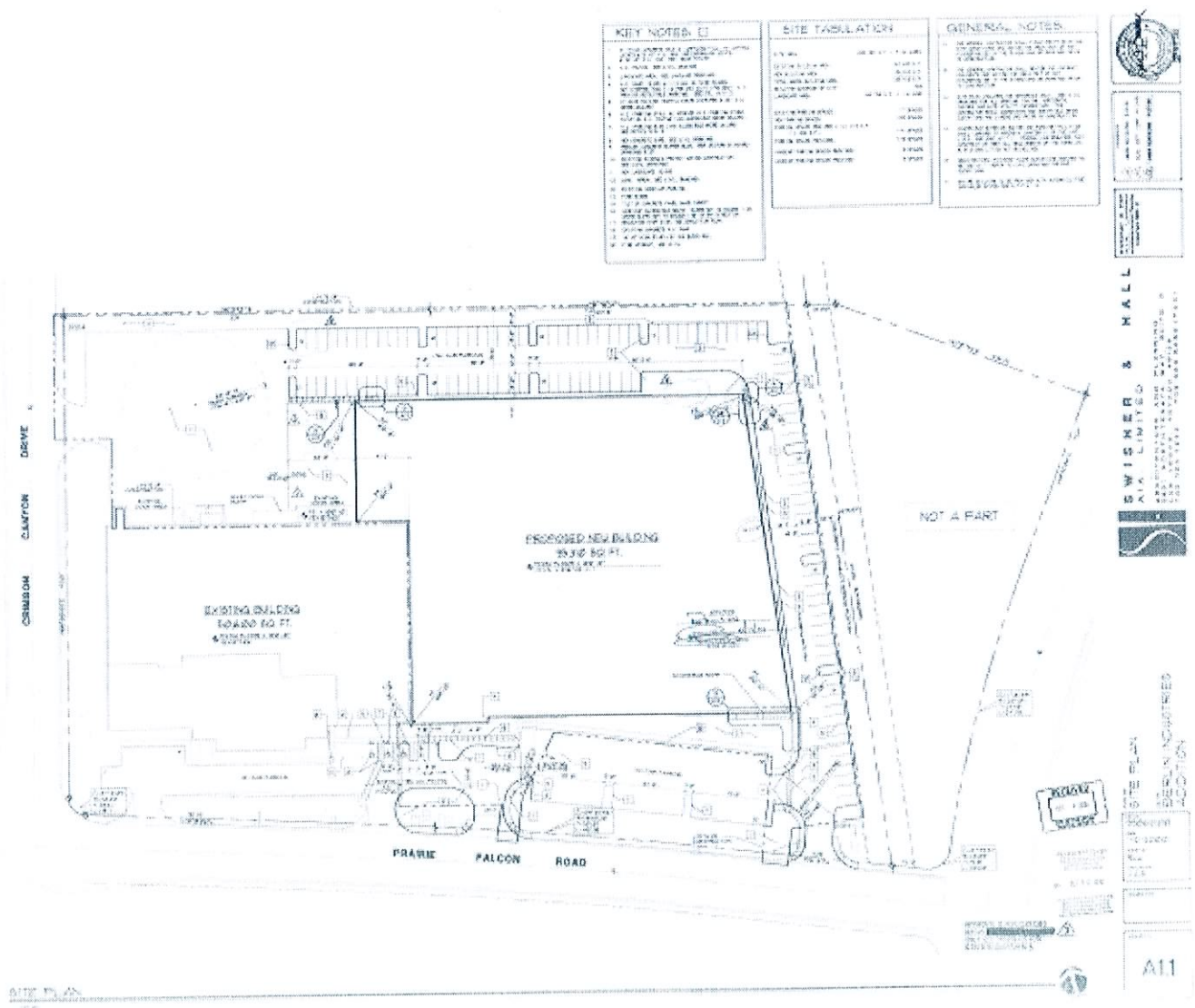
Subscribed and sworn before me

This 21st day of April, 2009

Donald L Nash

Notary Public in and for said County and State

DONALD L. NASH
Notary Public State of Nevada
No. 08-5407-1
My appt. exp. Dec. 26, 2011

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**VAR-34603**
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AS-BUILT

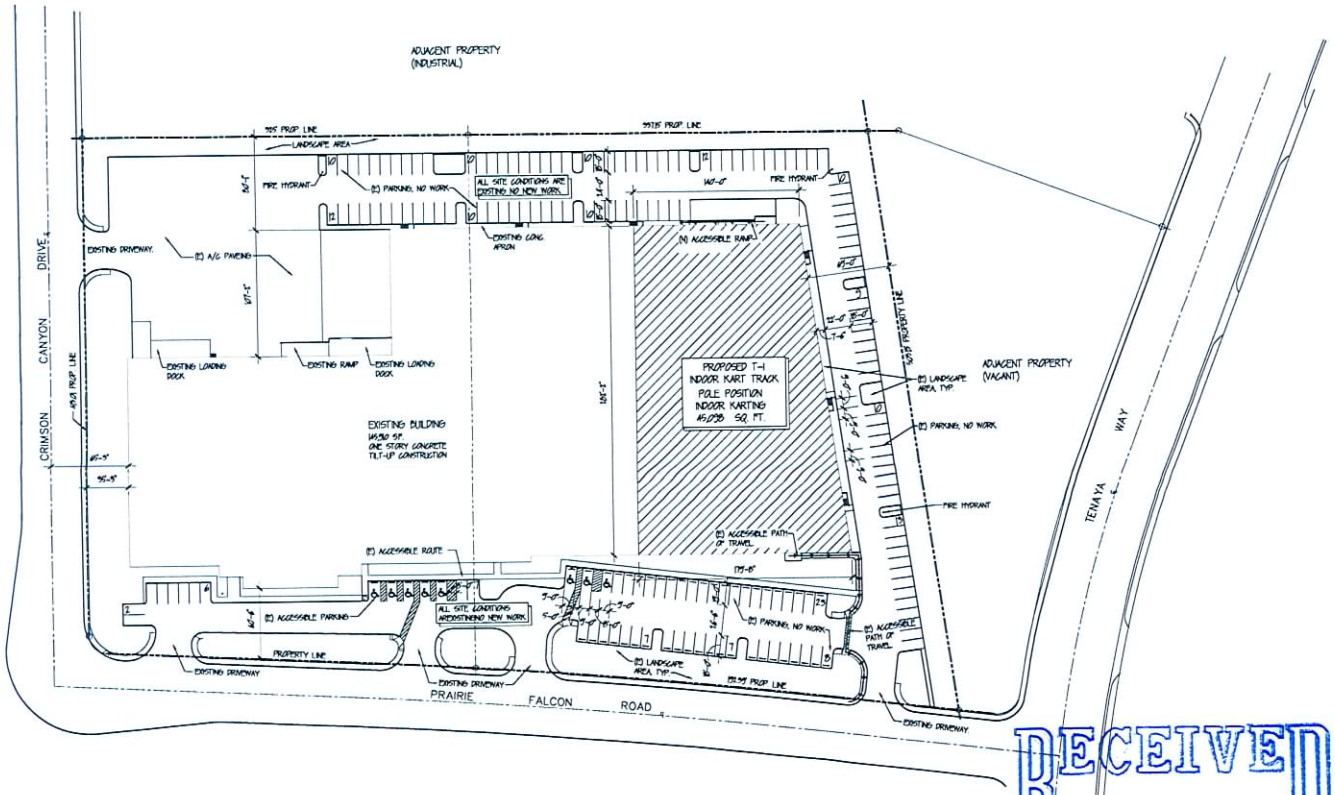
# POLE POSITION RACEWAY

## LAS VEGAS INDOOR KARTING

### TENANT IMPROVEMENT

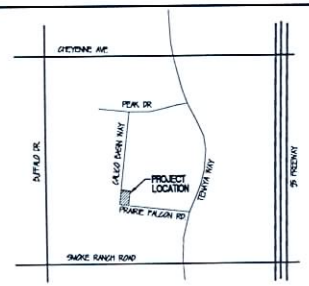
### 7350 PRAIRIE FALCON ROAD

### LAS VEGAS, NEVADA 89123




SITE PLAN

SCALE: 1" = 50'-0"




VICINITY MAP

SCALE: N.T.S.

SITE PLAN INFORMATION OBTAINED FROM RECORD DRAWINGS PREPARED BY SNYDER & HALL ARCHITECTS, DATED 1-8-2000

FOR KART TRACK, PARKING TO BE PER DIRECTOR APPROVAL.

| EXISTING PARKING: | STANDARD | ACCESSIBLE | TOTAL |
|---|---|---|---|
| | 68 | 8 | 116 |

EXISTING WAREHOUSE PARKING PROVIDED PER DRAWINGS DATED 1-8-2000

14930 SF. 1/1000 = 14 SPACES

PARKING REQUIRED FOR INDOOR KARTING:

45,078 SF. 1/200 = 114 SPACES

PARKING PROVIDED FOR INDOOR KARTING:

| | |
|---|---|
| STANDARD STALLS | 72 |
| HANDICAPED STALLS | 4 |
| TOTAL PARKING PROVIDED FOR INDOOR KARTING | 76 |

## PARKING TABULATION

AREA CLASSIFICATION

| AREA | CLASSIFICATION | SQ. FT. |
|---|---|---|
| TRACK AREA | D } POSTED OCC. | 9,795 |
| CHARGING AREA | D } LOAD TO MAX | 1,588 |
| WAIT. AREA | D POSTED 5 MAX. | 1,478 |
| CONTROL AREA | D | 719 |
| BUSINESS AREA | D | 1,079 |
| JANITOR'S CLOSET | D | 74 |
| CUSTOMER WAITING/VIEWING | A-3 | 4,071 |
| CIRCULATION AREA | - | 321 |
| RESTROOMS | - | 487 |
| TOTAL AREA OF BUILD OUT | | 45,078 |

AREA OF A-3 OCCUPANCY IS LESS THAN 10% OF TOTAL PROJECT AREA

PROJECT DESCRIPTION: CHANGE OF OCCUPANCY FROM T-1 TO B/A-3 TENANT IMPROVEMENT FOR THE CONSTRUCTION OF AN INDOOR KART TRACK, INCLUDING METAL RAILING, AND FIXTURES AT CHARGING AREA. INSTALL NEW PAINT, LIGHTING, ENLARGE TOILET ROOMS, AND MINOR OFFICE T.I.

| | |
|---|---|
| APN: | 138-11-301-009 |
| ZONING: | C-PD |
| SITE AREA: | 703,295 SF. / 7.41 ACRES |
| EXISTING BUILDING AREA: | 14,930 SF. |
| TENANT IMPROVEMENT AREA: | 45,078 SF. |
| CONSTRUCTION TYPE: | II-B FULLY SPRINKLERED |
| OCCUPANCY GROUP: | B/A-3 |
| ALLOWABLE AREA: | BASIC ALLOWABLE AREA A-3 7,500 SF. B 23,000 SF. |

A-3 SHALL BE AN ANCILLARY USE TO THE 'B' OCCUPANCY (LESS THAN 10%)

INCREASE FOR 4 SIDE YARDS

47' - 20' = 27' x 5.0% = 1.35 x 5,500 = 31,206 SF. (31,500 MAX)

5,500 SF. + 5,500 SF. = 11,000

ALLOWABLE AREA INCREASE FOR 'B' OCCUPANCY:

SPRINKLER INCREASE 200%

AREA MODIFICATION: 3 X 23,000 SF. = 69,000 SF.

TOTAL TABULATED ALLOWABLE AREA = 80,00 SF.

ACTUAL AREA = 45,078 SF.

MAX. BUILDING HEIGHT ALLOWED: 75'-0"

EXISTING BUILDING HEIGHT: 25'-0" / 1 STORY

| OCCUPANT LOAD | | SF. / LOAD FACTOR | | OCCUPANCY LOAD |
|---|---|---|---|---|
| B | CHARGING AREA | 1,588 | SF. / SF. | POSTED OCCUPANCY 10 MAX. OCCUP. |
| B | TRACK AREA | 9,795 | SF. / SF. | POSTED OCCUPANCY 10 MAX. OCCUP. |
| B | WAIT. AREA | 1,478 | SF. / SF. | POSTED OCCUPANCY 5 MAX. OCCUP. |
| B | OFFICES | 1,079 | SF. / 100 | 11 |
| A-3 | CUSTOMER WAITING/VIEWING | 4,071 | SF. / 15 | 272 |
| | JANITOR CLOSET | NOT INCLUDED | | 0 |
| | REST ROOMS | NOT INCLUDED | | 0 |
| | TOTAL OCCUPANCY | | | 309 |

EGRESS REQUIREMENTS:

| | |
|---|---|
| EXIT WIDTH REQUIRED FOR A-3 AND OFFICES: | 309 x .01" = 45.45" |
| EXIT WIDTH PROVIDED FOR A-3 AND OFFICES: | 120" (3'-0") |
| EXITS REQUIRED FOR A-3 AND OFFICES: | 1 |
| EXITS PROVIDED FOR A-3 AND OFFICES: | 2 |
| EXITS PROVIDED TOTAL: | 4 |

PROJECT DATA

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RDJ ARCHITECTS
1091 MONTECITO DR. SUITE 101 CORONA, CA. 92879
PHONE: 951.817.3067 FAX: 951.817.3089
JAMES D. ROSENLIEB, AIA, NCARB, CSI - ARCHITECT


CONSULTANT:

STAMP:

| | DESCRIPTION | DATE |
|---|---|---|
| | PLANNING SUBMITTAL | 05.26.09 |

CLIENT:

P2R LAS VEGAS, LLC
4175 ARVILLE, SUITE 100
LAS VEGAS, NEVADA 89103

PROJECT ADDRESS:

POLE POSITION RACEWAY
7350 PRAIRIE FALCON RD.
LAS VEGAS, NEVADA 89128

| | |
|---|---|
| PROJECT NO.: | 09-020 |
| DRAWING FILE: | 020-SA10 |
| DRAWN BY: | JEP |
| CHECKED BY: | JDR |

PROJECT:

INDOOR RACING FACILITY
TENANT IMPROVEMENT

SHEET TITLE:

SITE PLAN

SHEET NO.:

SA1.0

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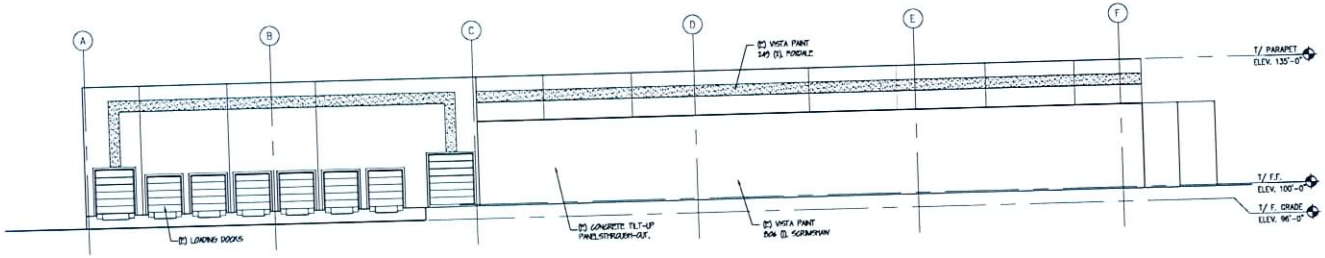
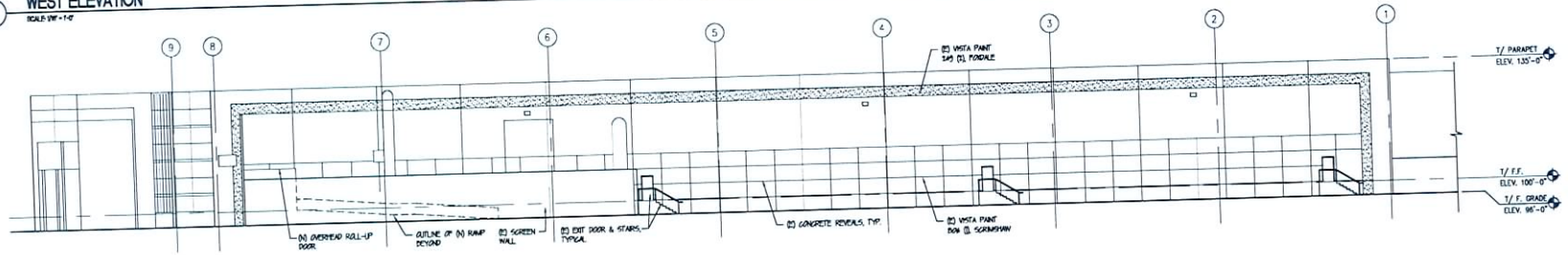


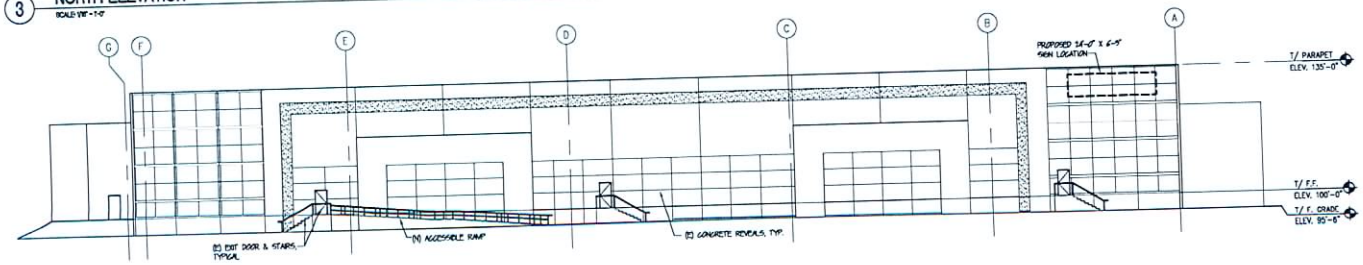

## 4 WEST ELEVATION

SCALE: 1/8" = 1'-0"



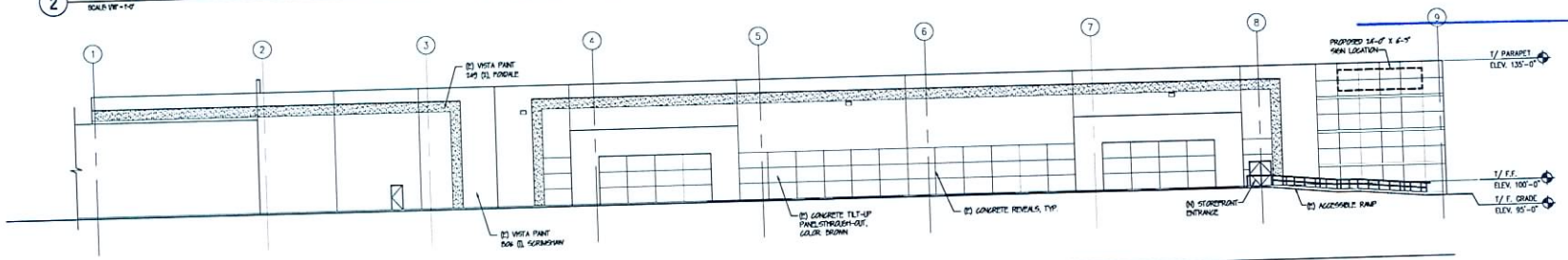

## 3 NORTH ELEVATION

SCALE: 1/8" = 1'-0"




## 2 EAST ELEVATION

SCALE: 1/8" = 1'-0"




## 1 SOUTH ELEVATION

SCALE: 1/8" = 1'-0"

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RDJ ARCHITECTS
1035 MONTECITO DR. SUITE 101 CORONA, CA. 92879
PHONE: 951.817.3067 FAX: 951.817.3069
JAMES D. ROSENLIEB, AIA, NCARB, CSI - ARCHITECT


CONSULTANT:

STAMP:

| DESCRIPTION | DATE |
|---|---|
| PLANNING SUBMITTAL | 05.26.09 |

CLIENT:
P2R LAS VEGAS, LLC
4175 ARVILLE, SUITE 100
LAS VEGAS, NEVADA 89103

PROJECT ADDRESS:
POLE POSITION RACEWAY
7350 PRAIRIE FALCON RD.
LAS VEGAS, NEVADA 89128

| | |
|---|---|
| PROJECT NO.: | 09-020 |
| DRAWING FILE: | 020-A30 |
| DRAWN BY: | JEP |
| CHECKED BY: | JDR |

PROJECT:
INDOOR RACING FACILITY
TENANT IMPROVEMENT

SHEET TITLE:
EXISTING EXTERIOR ELEVATIONS

SHEET NO.:
A3.0

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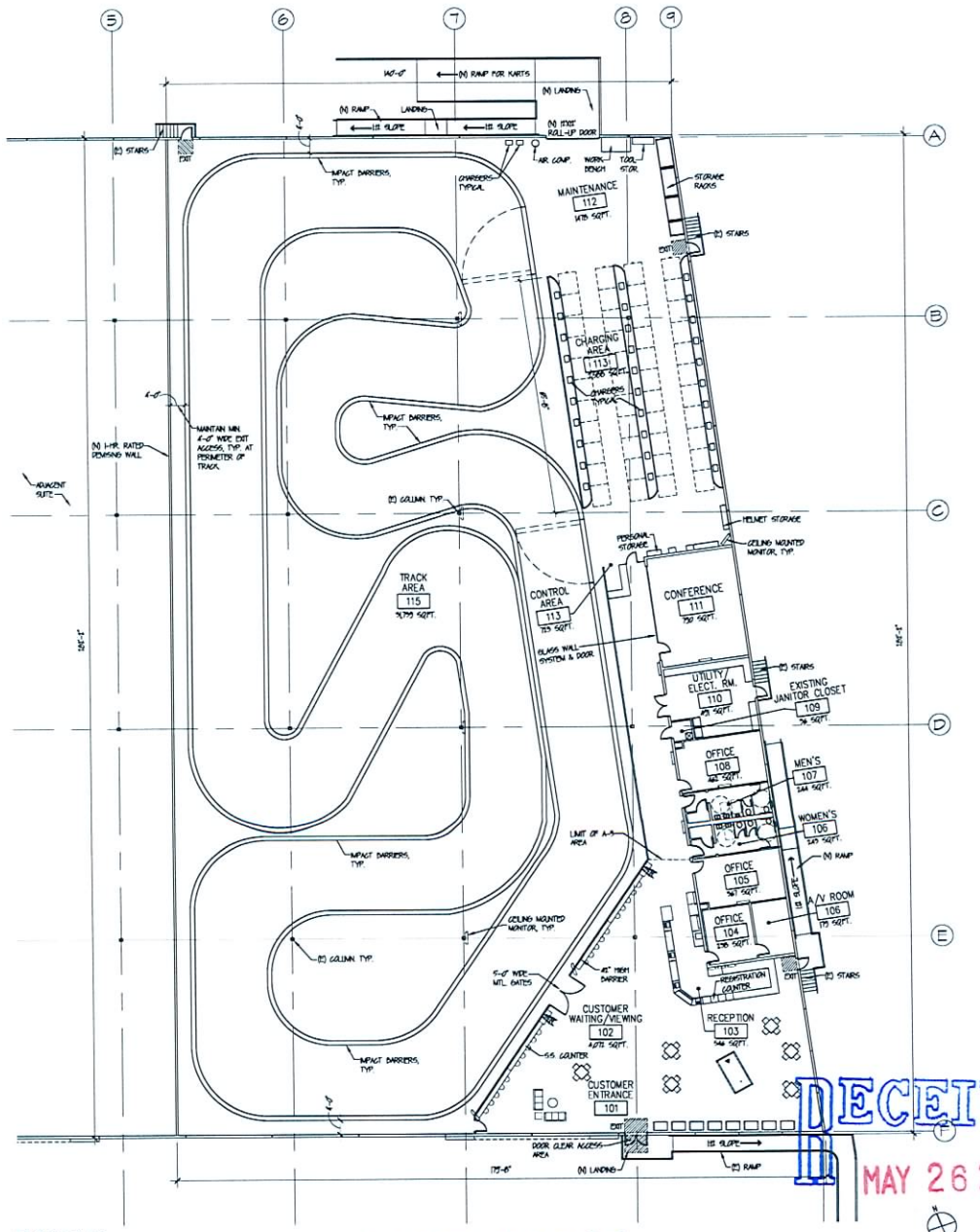


FLOOR PLAN

SCALE: 1/8" = 1'-0"

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MAY 26 2009

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07/09/09 PC


R
D
J
ARCHITECTS
1035 MONTECITO DR. SUITE 101 CORONA, CA. 92879
PHONE: 951.817.3067 FAX: 951.817.3069
JAMES D. ROSENLIEB, AIA, NCARB, CSI - ARCHITECT


CONSULTANT:

STAMP:

| DESCRIPTION | DATE |
|---|---|
| PLANNING SUBMITTAL | 05.26.09 |

CLIENT:

P2R LAS VEGAS, LLC
4175 ARVILLE, SUITE 100
LAS VEGAS, NEVADA 89103

PROJECT ADDRESS:

POLE POSITION RACEWAY
7350 PRAIRIE FALCON RD.
LAS VEGAS, NEVADA 89128

| | |
|---|---|
| PROJECT NO.: | 09-020 |
| DRAWING FILE: | 020-A10 |
| DRAWN BY: | JEP |
| CHECKED BY: | JDR |

PROJECT:

INDOOR RACING FACILITY
TENANT IMPROVEMENT

SHEET TITLE:

FLOOR PLAN

SHEET NO.:

A1.0

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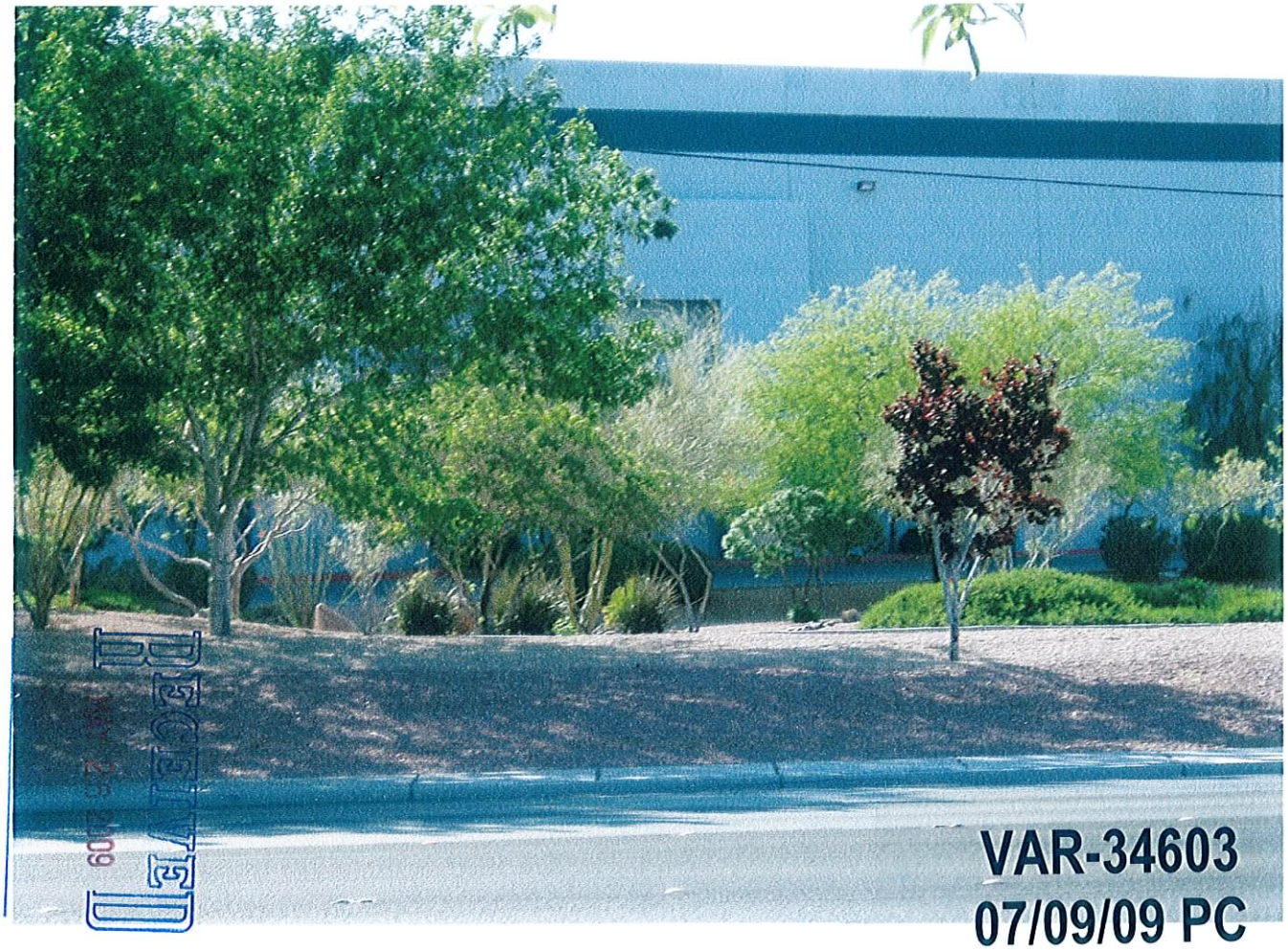

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RECEIVED
MAY 26 2009

VAR-34603
07/09/09 PC






RECEIVED
MAY 26 2009

VAR-34603
07/09/09 PC




VAR-34603 - APPLICANT: P2R LAS VEGAS, LLC - OWNER: ASSAF NEVADA, INC.
7350 PRAIRIE FALCON ROAD
JULY 9, 2009 PLANNING COMMISSION

06/04/09



VAR-34603 - APPLICANT: P2R LAS VEGAS, LLC - OWNER: ASSAF NEVADA, INC.
7350 PRAIRIE FALCON ROAD
JULY 9, 2009 PLANNING COMMISSION

06/04/09




VAR-34603 - APPLICANT: P2R LAS VEGAS, LLC - OWNER: ASSAF NEVADA, INC.
7350 PRAIRIE FALCON ROAD
JULY 9, 2009 PLANNING COMMISSION

06/04/09



VAR-34603 - APPLICANT: P2R LAS VEGAS, LLC - OWNER: ASSAF NEVADA, INC.
7350 PRAIRIE FALCON ROAD
JULY 9, 2009 PLANNING COMMISSION

06/04/09



VAR-34603 - APPLICANT: P2R LAS VEGAS, LLC - OWNER: ASSAF NEVADA, INC.
7350 PRAIRIE FALCON ROAD
JULY 9, 2009 PLANNING COMMISSION

06/04/09

*LAS Consulting, Inc.*
*2211 Rampart #130*
*Las Vegas, NV 89128*
*(702) 499-6469-cell.*
*(702) 442-6073-fax*

City of Las Vegas Development Services Center
731 South Fourth Street
Las Vegas, NV 89101
Phone: (702) 229-6301
Fax: (702) 474-7463

Dear Sir or Madam:

Please accept this letter as a request for a parking variance for an in-door go-kart track with snack bar, an arcade, meeting rooms, and limited retail sales (t-shirts & similar souvenirs). The area is industrial/office/showroom and the surrounding businesses will be closed at night when the go-karts are at their busiest time. There are no residences in the area so there will no impact on any homes.

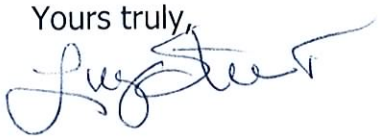
The retail sales will be sold from behind the counter where the tickets for the go-karts rides are sold. The arcade and snack bar are for the use of the customers as they wait for their turn on the track. The property is zoned C-PB and the surrounding parcels are zoned C-PB. The post office is located to the south, across Prairie Falcon.

We are requesting a reduction in parking to allow 178 spaces where 327 are required by code. There is a go-kart staging area, the track takes up a considerable amount of the warehouse space, and the size of the track limits the number of people who can drive a kart at one time. Typically, each customer purchases 2 rides, the ride lasts 10 minutes each, and there's a maximum of 12 karts on the track at any one time. In other locations, 30-35% of the visitors come as a group and are picked up as a group from their hotel. The operators intend on having 2 vans to provide shuttle service that will pick up and return customers to their hotel. There are approximately 10 employees. There be no more than 12 karts on the track at one time, similar to a Ferris wheel- you can't add more cars to the Ferris wheel ride-it's a finite number of people who can go on that ride. That is similar to this use. Last year the operators opened the same business at the Northwest corner of Arville and Nevso. Since that business has been open and in operation, there have been many events in conjunction

**VAR-34603**
**07/09/09 PC**

with the go-kart track. The Chamber of Commerce just recently had an event there with all local attendees. There was no problem with the parking even though the go-kart track was in operation the same time the Chamber event occurred. The area is built with industrial buildings and offices which are closed on evenings and weekends. There is plenty of parking in the area and the operators can lease space in other parking lots if necessary. In addition, I am attaching a couple of parking studies for other locations indicating the need for parking is less than what is required by code in other jurisdictions. Thank you for your consideration in this matter.

Yours truly,



Lucy Stewart

VAR-34603
07/09/09 PC

LINSCOTT LAW & GREENSPAN
engineers

Engineers & Planners
Traffic
Transportation
Parking

Linscott, Law & Greenspan, Engineers
1580 Corporate Drive
Suite 122
Costa Mesa, CA 92626
714.641.1587 T
714.641.0139 F
www.llgengineers.com

Pasadena
Costa Mesa
San Diego
Las Vegas

April 11, 2007

Mr. Jason Williams
Pole Position, Inc.
1594 Bently Drive
Corona, California 92879

LLG Reference No. 2.07.2886.1

Subject: **Parking Demand Analysis for the Proposed Pole Position Raceway Project**
Murrieta, California

Dear Mr. Williams:

As requested, Linscott, Law & Greenspan, Engineers (LLG) is pleased to submit this Parking Demand Analysis for the proposed Pole Position indoor raceway facility. The proposed Pole Position raceway business will occupy an existing 32,771 square-foot building located on the southwest quadrant of McAlby Court and Adams Avenue in the City of Murrieta, California. ***Figure 1***, located at the rear of this letter report, presents a Vicinity Map, which illustrates the general location of the project and depicts the surrounding street system. As we understand it, the City is requiring a parking study as part of the entitlement process for the proposed project primarily because the City of Murrieta Parking Code does not specifically address an indoor raceway business. Consequently, this parking demand analysis will determine the appropriate parking demand requirement for the proposed project and will include a City Code parking analysis and a parking survey analysis based on parking utilization counts conducted at the existing Pole Position raceway facility in Corona, California

Briefly, based on this parking demand analysis, a sufficient number of on-site parking spaces will be provided to accommodate the parking demand for the proposed Pole Position project. Direct application of City of Murrieta Parking Code to the proposed Pole Position project results in a City Code requirement of ***64 parking spaces*** while the parking demand analysis based on parking surveys conducted at the existing Pole Position raceway facility in Corona, results in a forecast peak parking demand of ***32 parking spaces*** at the proposed Pole Position project in Murrieta.

## Project Description

The proposed Pole Position raceway project consists of occupying an existing 32,771 square-foot (SF) warehouse building with an indoor racetrack for miniature electric racecars, which will also include a retail area with minor refreshments and office space. Specifically, the racetrack area will consist of 24,535 SF, which will

VAR-34603
07/09/09 PC

Philip M. Linscott, PE (1924-2000)
Jack M. Greenspan, PE (Ret.)
William A. Law, PE (Ret.)
Paul W. Wilkinson, PE
John P. Keating, PE
David S. Shender, PE
John A. Boarman, PE
Clare M. Look-Jaeger, PE
Richard E. Barretto, PE
Keil D. Maberry, PE

accommodate a maximum of eight (8) racecars per race, the retail area will consist of 3,866 SF and the office area will consist of 4,370 SF. ***Figure 2*** presents the proposed site plan for the Pole Position project, prepared by Laughlin & Associates, Inc. As presented in *Figure 2*, 45 existing parking spaces (43 standard spaces and 2 disabled spaces) will be provided plus a potential for additional five (5) parking spaces through minor striping improvements, which would be located within the area adjacent to the rollup doors in the existing truck dock.

**Parking Demand Analysis**

This parking analysis for the proposed Pole Position raceway project involves determining the expected parking needs, based on the size and operational characteristics of the proposed development components. For this analysis, there are two (2) methods that can be used to estimate the project's peak parking requirements. These methods include:

1. Application of City code requirements (which may not match the specific project parking characteristics);
2. Application of parking survey information, which creates a parking rate, based parking counts conducted at existing similar facilities.

The parking survey methodology is certainly applicable to this development because the proposed Pole Position raceway project is essentially a duplication of the existing Pole Position raceway facility, only smaller on a smaller scale.

**Parking Code Requirements**

The parking requirements for the proposed Pole Position raceway project are based on the City of Murrieta requirements as outlined in CHAPTER 16.34 – *OFF-STREET PARKING;* Section 16.34.040 *Number of Parking Spaces Required.* In addition, the City of Corona parking requirements are referenced for the racetrack component. The City of Murrieta Zoning Ordinance specifies the following parking requirements for retail and office:

- Retail - one (1) space per 250 square-feet (SF).
- Office - one (1) space per 300 square-feet (SF).

In addition, the City of Corona recommended the following parking requirements for the indoor racetrack area of the existing Pole Position raceway facility:

- Racetrack - one (1) space per 750 square-feet (SF) of track area.

*Table 1* summarizes the parking requirements for the proposed development project using the above-referenced City code parking ratios. As indicated prior, the racetrack component of the proposed Project, which consists of an indoor raceway loop for up to eight (8) electric racecars, is not represented in Section 16.34.040 of the City code. Thus, the recommended parking demand for the racetrack component is based on the parking rate utilized for the existing Pole Position raceway facility on Bently Drive in Corona, which has sufficient parking to satisfy their peak parking demands. Consequently, as shown in *Table 1*, direct application of City of Murrieta code parking ratios and the recommended parking demand ratios utilized for the City of Corona Pole Position raceway facility, to the proposed Pole Position raceway project, results in a total parking requirement of *64 parking spaces*. With a proposed on-site parking supply of 45 spaces, a theoretical parking deficiency of 19 spaces is forecast.

**Parking Survey Analysis**

To determine the appropriate parking demand rate for the proposed Pole Position raceway, parking surveys were conducted by City Traffic Counters on a "typical" weekday and weekend day at the existing Pole Position raceway facility at 1594 Bently Drive in the City of Corona, which consists of a 51,000 SF building with a racetrack to accommodate up to twelve (12) racecars. The parking surveys were performed at half-hour intervals on the following days between the following hours:

- Friday, March 30, 2007 – 10:00 AM to 12:00 AM
- Saturday, March 31, 2007 – 10:00 AM to 12:00 AM
- Sunday, April, 2007 – 10:00 AM to 8:00 PM

The parking surveys consisted of counting the number of parked vehicles within the existing Corona Pole Position raceway facility parking lot, which currently includes approximately 117 parking spaces.

The results of the weekday and weekend parking surveys are summarized in ***Table 2***. This table presents the parking demands at the study site for each hour of the three (3) count days. As shown in *Table 2*, the study site experienced a peak parking demand on Friday, March 30, 2007 of *42 vehicles* at 11:00 PM, a peak parking demand on Saturday, March 31, 2007 of *44 vehicles* at 3:30 PM, and a parking demand on Sunday, April 1, 2007 of *35 vehicles* at 12:30 PM. As a result, the peak parking demand for the study site consisted of ***44 parked vehicles***. Furthermore, based on a building area of 51,000 SF and a maximum raceway cart capacity of twelve (12) carts, the peak parking rate can be expressed in spaces per SF and/or spaces per cart, which results in a rate of 0.86 parking spaces per 1,000 SF and 3.67 parking spaces per cart, respectively. Also, in order to account for a potential weekly fluctuation in attendance and even a potential seasonal fluctuation, the measured peak parking rates were increased by 20%, which results in a recommended parking rate of 1.03 spaces/1,000 SF and 4.40 spaces/cart. Consequently, based on these rates applied to the proposed Pole Position raceway project, which consists of 32,771 SF and a maximum raceway

cart capacity of eight (8) carts, a peak parking demand of 34 parking spaces and ***35 parking spaces*** is forecast for the proposed project, respectively. With a proposed parking supply of 45 parking spaces, a minimum surplus of nine (9) parking spaces is forecast, which indicates that adequate parking supply will be provided for the proposed Murrieta Pole Position raceway project.

**Summary Of Findings And Conclusions**

1. The proposed Murrieta Pole Position raceway project consists of occupying an existing 32,771 square-foot (SF) warehouse building with an indoor racetrack for miniature electric racecars, which will also include a retail area with minor refreshments and office space. Specifically, the racetrack area will consist of 24,535 SF, which will accommodate a maximum of eight (8) racecars per race, the retail area will consist of 3,866 SF and the office area will consist of 4,370 SF. 45 existing parking spaces (43 standard spaces and 2 disabled spaces) will be provided.

2. Direct application of City of Murrieta code parking ratios and the recommended parking demand ratios utilized for the City of Corona Pole Position raceway facility, to the proposed Pole Position raceway project, results in a total parking requirement of *64 parking spaces*, which would result in a significant amount of excess parking spaces than which is actually needed to serve the project. With a proposed on-site parking supply of 45 spaces, a theoretical parking deficiency of 19 spaces is forecast.

3. Based on the parking survey rates, developed from conducting three days of parking utilization surveys at the existing Pole Position raceway facility in Corona, applied to the proposed Pole Position raceway project, which consists of 32,771 SF and a maximum raceway cart capacity of eight (8) carts, a peak parking demand of ***35 parking spaces*** is forecast for the proposed project. With a proposed parking supply of 45 parking spaces, a minimum surplus of nine (9) parking spaces is forecast, which indicates that adequate parking supply will be provided for the proposed Murrieta Pole Position raceway project.

LINSCOTT LAW & GREENSPAN engineers

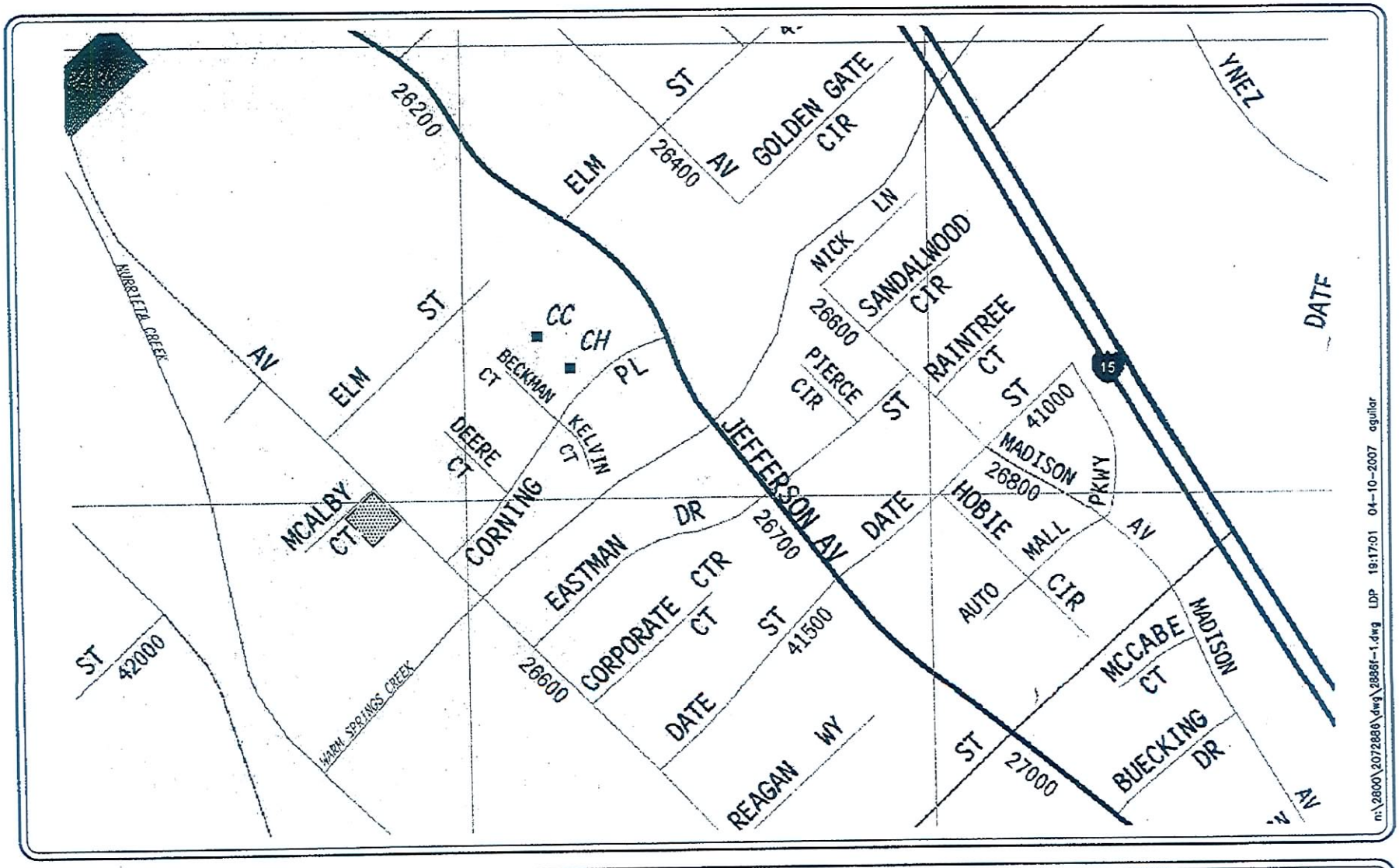
We appreciate the opportunity to prepare this analysis for the Pole Position, Inc. Should you have any questions or need additional assistance, please do not hesitate to call me at (714) 641-1587.

Very truly yours,
**Linscott, Law & Greenspan, Engineers**

Keil D. Maberry, P.E.
Principal

Attachments






LINSCOTT LAW & GREENSPAN engineers

N NO SCALE

SOURCE: THOMAS BROS.

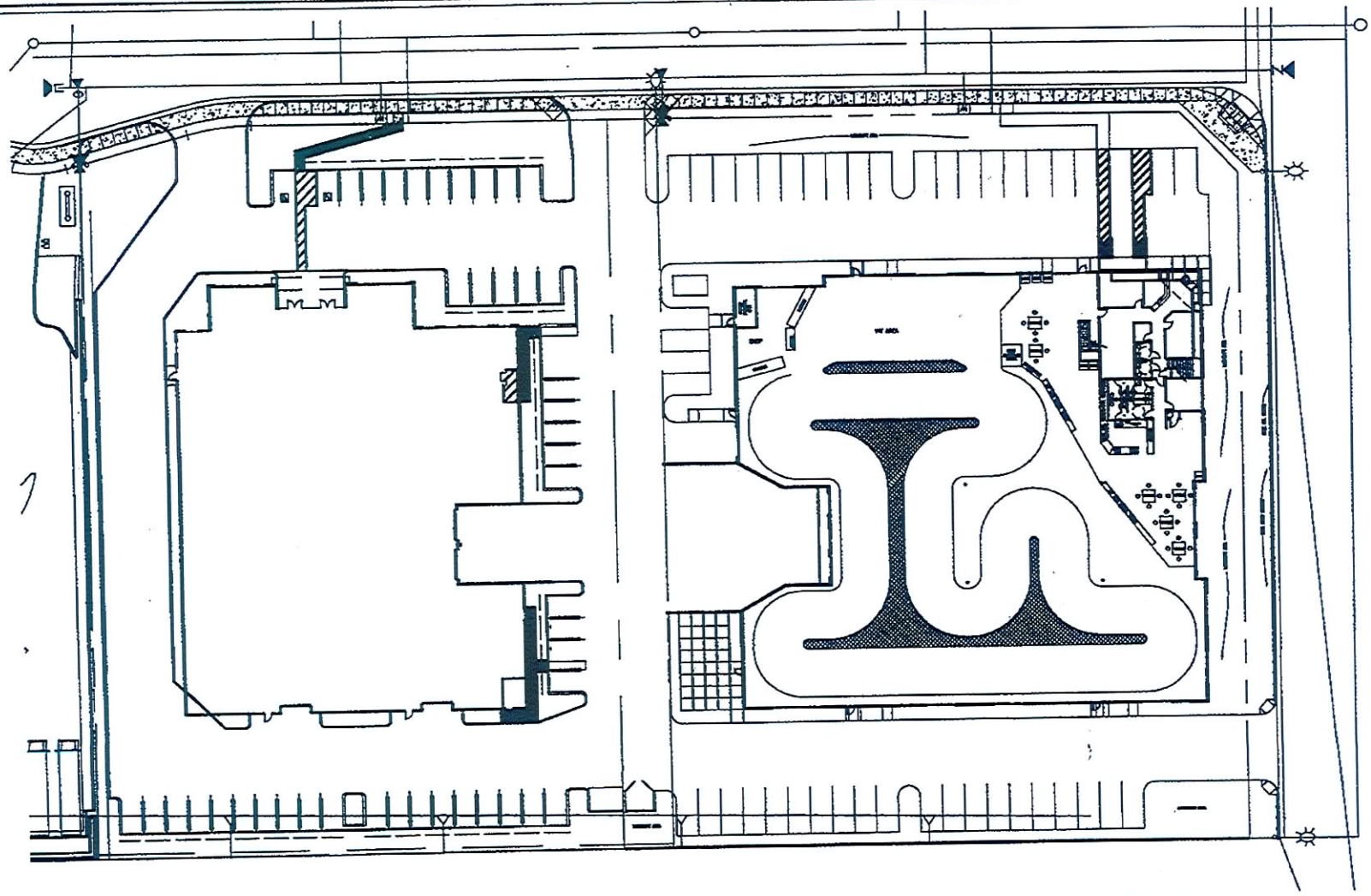
KEY

= PROJECT SITE

# FIGURE 1

VICINITY MAP

POLE POSITION RACEWAY, MURRIETA




LINSCOTT LAW & GREENSPAN engineers

NO SCALE

# FIGURE 2

PROPOSED SITE PLAN
POLE POSITION RACEWAY, MURRIETA

LINSCOTT LAW & GREENSPAN engineers

## TABLE 1
## CITY CODE PARKING REQUIREMENTS
### Pole Position Project, Murrieta

| Land Use | Size | City of Oxnard Code Parking Ratio [1] | Spaces Required |
|---|---|---|---|
| **Pole Position** | | | |
| *Race Track* | *24,535 SF* | 1 Space per 750 SF[2] | 33 |
| *Retail* | *3,866 SF* | 1 Space per 250 SF | 16 |
| *Office* | *4,370 SF* | 1 Space per 300 SF | 15 |
| **Total Building Area** | **32,771 SF** | | |
| | | ***Parking Required*** | *64* |
| | | ***Parking Provided*** | *45* |
| | | ***Parking Surplus/Deficiency (+/-)*** | *-19* |

Notes:

[1] Source: City of Murrieta Municipal Code, Section 16.34.040 *Number of Parking Spaces Required*

[2] Based on City of Corona Parking Code, which was utilized for the existing Pole Position raceway facility in Corona

LINSCOTT LAW & GREENSPAN engineers

# TABLE 2
## PARKING COUNT SUMMARY
## March 30 thru April 1, 2007
## Existing Pole Position Raceway, Corona

| Time Began | Number of Parked Vehicles | | |
|---|---|---|---|
| | Friday (3/30/07) | Saturday (3/31/07) | Sunday (4/1/07) |
| 10:00 AM | -- | 11 | 4 |
| 10:30 AM | -- | 13 | 13 |
| 11:00 AM | 6 | 12 | 19 |
| 11:30 AM | 14 | 16 | 27 |
| 12:00 PM | 23 | 22 | 29 |
| **12:30 PM** | 21 | 25 | **35** |
| 1:00 PM | 22 | 31 | 34 |
| 1:30 PM | 21 | 34 | 31 |
| 2:00 PM | 20 | 34 | 25 |
| 2:30 PM | 16 | 32 | 27 |
| 3:00 PM | 14 | 37 | 18 |
| **3:30 PM** | 13 | **44** | 20 |
| 4:00 PM | 13 | 41 | 30 |
| 4:30 PM | 18 | 43 | 26 |
| 5:00 PM | 17 | 34 | 24 |
| 5:30 PM | 16 | 35 | 19 |
| 6:00 PM | 19 | 39 | 21 |
| 6:30 PM | 15 | 32 | 14 |
| 7:00 PM | 18 | 25 | 16 |
| 7:30 PM | 22 | 30 | 15 |
| 8:00 PM | 26 | 26 | 18 |
| 8:30 PM | 31 | 29 | -- |
| 9:00 PM | 28 | 24 | -- |
| 9:30 PM | 36 | 29 | -- |
| 10:00 PM | 37 | 30 | -- |
| 10:30 PM | 36 | 25 | -- |
| **11:00 PM** | **42** | 21 | -- |
| 11:30 PM | 38 | 16 | -- |
| 12:00 AM | 18 | 7 | -- |

*Note*: *Bold values with shaded field represent the highest number of parked vehicles observed on that day.
**Parking count was conducted during the following times for the specified day:
Friday, March 30, 2007 - 10:00 AM to 12:00 AM
Saturday, March 31, 2007 - 10:00 AM to 12:00 AM
Sunday, April 1, 2007 - 10:00 AM to 8:00 PM

SOLAEGUI
ENGINEERS

May 22, 2007

Mr. Jason Williams
Pole Position, Inc.
1594 Bently Drive
Coronoa, CA 92879

**Re: Parking Review for Pole Position Raceway**

Dear Mr. Williams:

As requested, we have completed the following parking review for the Pole Position Raceway. The project will occupy the front 46,428 square feet of an existing 81,384 square foot warehouse building located at the northwest corner of Arville and Neville in Clark County, Nevada. The 34,956 square feet area in the rear of the building will remain in a warehouse use. The front portion of the building will be modified to contain an indoor racetrack for miniature electric racecars. A retail area that will offer minor refreshments for customers and office space for the facility management will be provided with the indoor racetrack improvements. The racetrack area will accommodate a maximum of twelve racecars per race. The warehouse building site plan is attached. The plan shows 156 on-site parking spaces.

Based on standard Clark County parking requirements for the warehouse land use, the 34,956 square feet in the rear of the building produce a parking demand of 70 spaces based on the two spaces per thousand square feet rate. Clark County parking code does not have a category for indoor cart racetracks. The closest code category is "Recreation Building" which has a parking rate of 4 spaces per 1,000 square feet. This rate produces a calculated demand of 186 spaces. This total does not seem reasonable based on operational characteristics of this proposed facility. A copy of the Clark County code page that describes these categories is attached. As previously stated, the track is limited to twelve racecars per race. The area within the building is also used in a low intensity manner. Pole Position Raceway recently completed a detailed review of the actual peak parking demand of a twelve racecar facility located in Corona, California. The results of the actual Friday, Saturday and Sunday parking review showed a peak demand of 44 spaces for that facility. In our opinion, this racetrack should operate similarly. A copy of the Corona, California study is attached within the appendix material.

Solaegui Engineers Ltd. • 715 H Street • Sparks, Nevada 89431 • 775/358-1004 • FAX 775/358-1098
Civil & Traffic Engineers
e-mail: psolaegui@aol.com

VAR-34603
07/09/09 PC

In summary, based on the provided information, we propose that the Pole Position Raceway will have a parking demand of 44 parking spaces. The rear portion of the existing warehouse building has a parking demand of 70 spaces based on standard Clark County parking rates. The full building will have a parking demand of 114 spaces 156 spaces currently exist on the site. In our opinion, a parking surplus of 42 spaces will occur at the site with the proposed uses.

We trust that this information will be sufficient for your review. Please contact us with questions or concerns.

Sincerely,
SOLAEGUI ENGINEERS, LTD.

Paul W. Solaegui, P.E.

Enclosures
Word/Letters/Pole Position

Reviewed and approved by
Sam Dunnam, P.E.

PROFESSIONAL ENGINEER-STATE OF NEVADA
SAM C. DUNNAM
EXP. 12-31-06
CIVIL
No. 7886
5/22/06

| | |
|---|---|
| Colleges/Universities | 1 space : 2 employees + 1 space : 3 students, based on projected maximum enrollment<br>Or<br>1:50 sq. ft. of gymnasium/auditorium, whichever is greater |
| Other | 2: 1,000 sq. ft. classroom area + 4 : 1,000 sq. ft. of office |
| Major/Minor and Instruction Training facility: vocational, trade, music, business, sports (karate) | 2: 1,000 sq. ft. classroom area + 4 : 1,000 sq. ft. of office |
| Billiard halls | 1 : 90 sq. ft. |
| Bowling alleys | 4 5 : lane |
| Club/Lodge | 10 : 1000 sq. ft. |
| Amusement parks | 1 : 600 sq. ft. of all acreage within the perimeter wall, or 3: hole for miniature golf |
| Community or recreation buildings not accessory to a residential use | 4 : 1000 sq. ft. |
| Convention facilities (not in conjunction with a resort hotel) | 2 : 1000 sq. ft. |
| Dance halls, skating rinks, and similar recreational uses | 10 : 1000 sq. ft. |
| Golf course | 2.5 : 1,000 sq. ft. in main building+<br>1: 2 tees in driving range+<br>4: green in playing area |
| Health or fitness studio | 5 : 1000 sq. ft. |
| Library | 3 3 : 1000 sq. ft. |
| Museums | 3.3 : 1000 sq. ft. |
| Stables, Horseback riding and boarding facilities (including residential boarding) | 1 : 3 boarding stalls or corrals |
| Stadiums and arenas | 1.4 seats, or 8' of bench length |
| Tennis clubs as a principal use | 3 : court in addition to other uses |
| Theaters, Movie Theaters | 1 : 4 seats, or 1 : 90 sq. ft. of the entire facility |
| Distribution centers (any building within a complex not meeting the definition shall meet the parking requirements per the "manufacturing, industrial, warehousing" requirement) | 1 : 1,000 sq. ft. for up to 125,000 sq. ft.<br>1 : 2,000 sq. ft. if over 125,000 sq. ft. |
| Manufacturing, industrial, warehousing, including showrooms in conjunction with industrial uses. See also "distribution center" | 2 : 1000 sq. ft. (including incidental such as offices uses) |
| Outside storage, automobile dismantling, salvage yards | 1 : 7,000 sq. ft. up to 42,000 sq. ft., + 1 : every 42,000 sq. ft. additional but no less than 3 spaces, in addition to spaces required for offices |
| Warehouses, mini | 5 spaces in the vicinity of the leasing office and 27 foot minimum drive aisles adjacent to all storage unit doors |
| For all uses not listed, unless similar to uses listed above | 1 : 1,000 sq. ft. |

(Ord. 3432 § 10 (part), 10/2006; Ord. 3354 § 10 (part), 2/2006; Ord. 3256 § 8, 10/2005; Ord. 3160 § 14, 11/2004; Ord. 3106 § 10, 8/2004; Ord. 3078 § 6, 6/2004; Ord. 2771 § 2, 7/2002; Ord. 2765 § 104, 7/2002; Ord. 2741 § 11 (part), 5/2002; Ord. 2626 § 1, 2001; Ord. 2382 § 4, 2001; Ord. 2373 § 13 (part), 2001; Ord. 2310 § 13 (part), 2000)

June 12, 2009

RECEIVED
JUN 16 2009

City of Las Vegas Development Services Center
731 S. Fourth Street
Las Vegas, NV 89101

RE: VAR 34603

Dear Sir or Madam:

Ad per my conversation with Ms. Alberta Obodai please accept the following letter of confirmation that the applicant (P2R Las Vegas LLC) has contacted the landlord (ASSAF Nevada Inc.) and that said landlord has agreed to correct any and all parcel issues with regards to the premises at 7350 Prairie Falcon Road, Las Vegas, NV 89128.

In reference to our request for waiver of parking and justification letter submitted with the application be advised that the landlord will combine both parcels as needed in order to consider parking for the following parcels as one premise. Parcel numbers are indicated below.

138-15-310-017
138-15-310-003

Additionally, as per Landlord's letter dated June 1, 2009 and certified by notary public the two parcels are to be considered one premise as both parcels share common access to all parking spaces and the referenced premise.

Should you require additional information, please let me know. Thank you for your consideration.

Regards,

Brad A. Mark

cc: Lucy Stewart, LAS Consulting
Alberta Obodai, City of Las Vegas

**VAR-34603**
**07/09/09 PC**
**REVISED**

**Assaf Nevada, Inc.**
**4832 Richmond Road, Suite 100**
**Cleveland, OH 44128**

RECEIVED
JUN 16 2009

June 1, 2009

Re: 7350 Prairie Falcon Road, Las Vegas, Nevada 89128

To whom it may concern:

Permanent parcel numbers 138-15-310-003 and number 138-15-310-017 are considered one premise and both parcels share common access to all parking spaces at the above referenced address.

If you have any questions, do not hesitate to contact the undersigned.

ASSAF NEVADA, INC.
A Nevada corporation

By: _____
Anthony J. Asher, President

STATE OF OHIO :
: SS
COUNTY OF CUYAHOGA :

**BEFORE ME**, a Notary Public, in and for said county and state, personally appeared the above named ASSAF NEVADA, INC., by Anthony J. Asher, its President, who acknowledged that he did sign the foregoing instrument and that the same is the free act and deed of said corporation and his free act and deed as such officer.

**IN WITNESS WHEREOF**, I have hereunder set my hand and official seal at Cleveland, Ohio, this 1st day of June, 2009.

Kimberly M. Cadle
NOTARY PUBLIC

KIMBERLY G. CADLE
NOTARY PUBLIC • STATE OF OHIO
Recorded in Portage County
My commission expires June 4, 2012

**VAR-34603**
**07/09/09 PC**
**REVISED**

JUN-29-2009 MON 11:48 AM Corporate Office FAX NO. 7023046501 P. 01/01

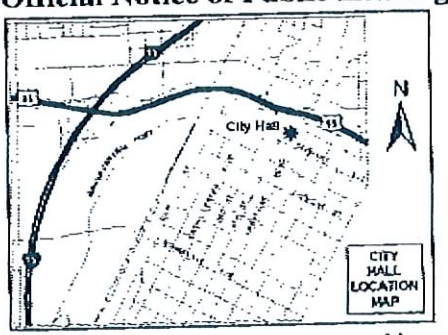
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41
0004279218 JUN 26 200
MAILED FROM ZIPCODE 8910

RECEIVED
JUN 29 2009

**Return Service Requested**
**Official Notice of Public Hearing**




If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-34603**
Planning Commission Meeting of 7/9/2009

Case: VAR-34603
13815810009
CITY OF LAS VEGAS
%LOCKHEED FED CREDIT UNION
%LOAN SRVCING
2400 TENAYA WY
LAS VEGAS NV 89128-0420

DAVDF11 89128

34P

City of Las Vegas Agenda Item No.: **35.**

## *AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT*
### PLANNING COMMISSION MEETING OF: JULY 9, 2009

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

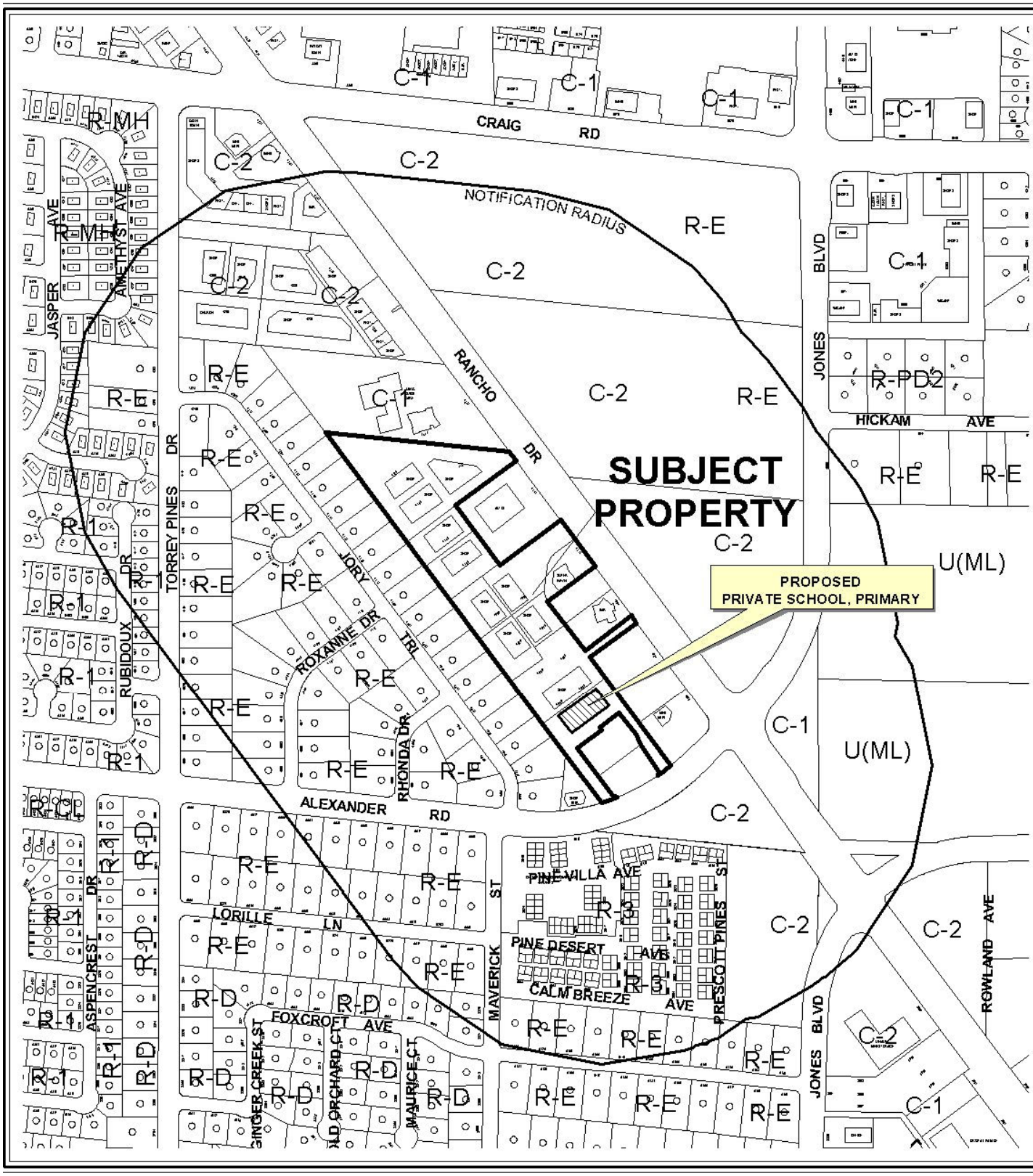
**SUBJECT:**
**SUP-34572 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: IMAGINE SCHOOLS - OWNER: 4025 RANCHO, LLC** - Request for a Special Use Permit FOR A 100-STUDENT PRIVATE SCHOOL, PRIMARY WITHIN AN EXISTING 11,000 SQUARE-FOOT CHURCH BUILDING at 4025 North Rancho Drive Suite #120 (APN 138-02-814-032), C-2 (General Commercial) Zone, Ward 6 (Ross)

**C.C: 08/05/2009**
**IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **2** | **Planning Commission Mtg.** | **2** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
**DENIAL**

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards



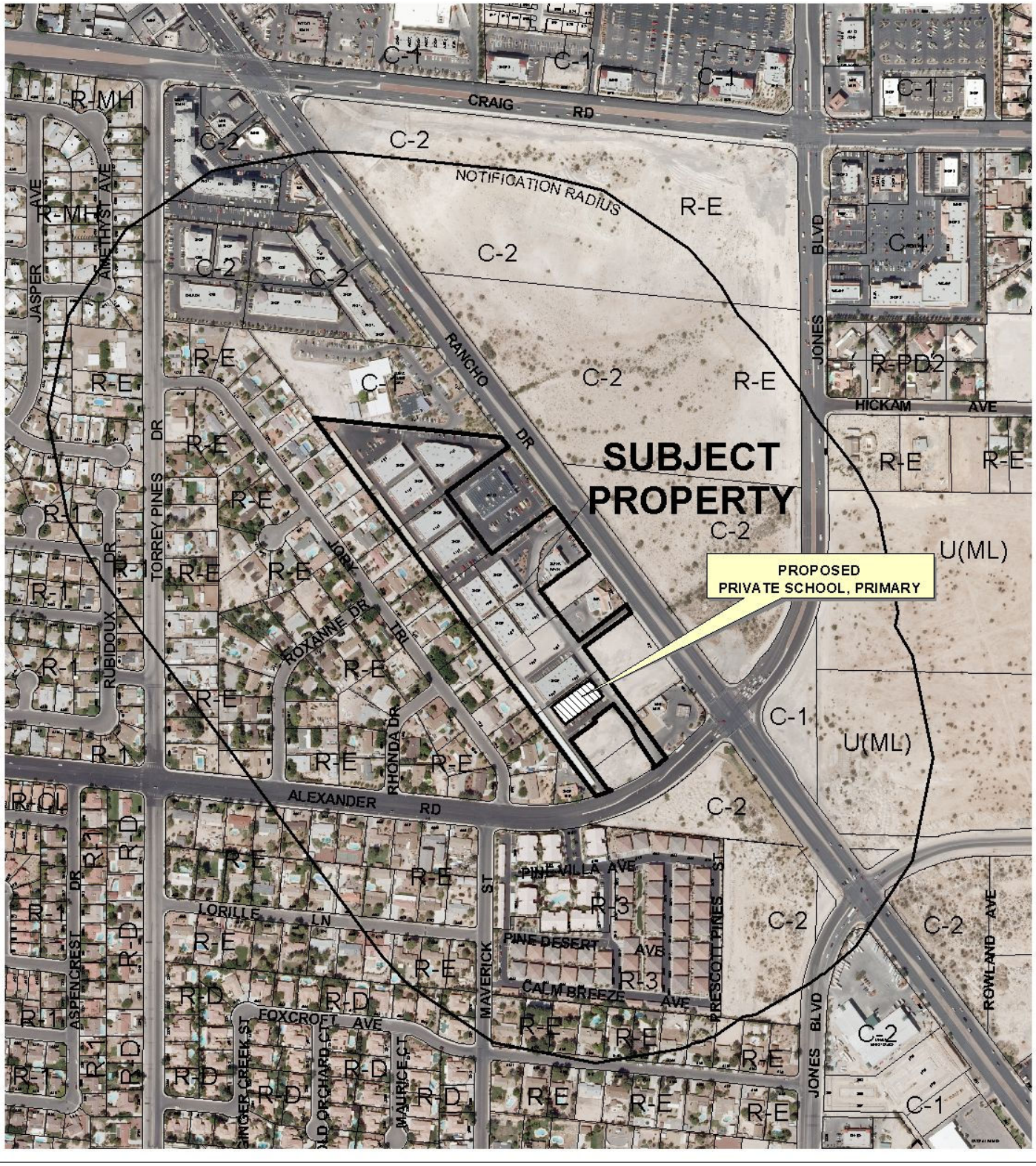

0 400 800 Feet

**CASE:** **SUP-34572**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:** C-2 (GENERAL COMMERCIAL)

N




0 400 800 Feet

**CASE:** **SUP-34572**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:** C-2 (GENERAL COMMERCIAL)

N

City of Las Vegas

## *AGENDA MEMO*

**PLANNING COMMISSION MEETING DATE: JULY 9, 2009**
**DEPARTMENT: PLANNING AND DEVELOPMENT**
**ITEM DESCRIPTION: SUP-34572 - APPLICANT: IMAGINE SCHOOLS - OWNER: 4025 RANCHO, LLC**

## ** CONDITIONS **

**STAFF RECOMMENDATION:** **DENIAL.** If Approved, subject to:

***Planning and Development***

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Private School, Primary use.

2. Conformance to the conditions for Site Development Plan Review (SDR-2004) shall be required, if approved.

3. A maximum of 100 students are permitted within the Private School, Primary use.

4. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

5. 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.

6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

GK

**SUP-34572 - Staff Report Page One**
**July 9, 2009 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The applicant is requesting a Special Use Permit to allow a 100-student Private School, Primary within an existing church building at 4025 North Rancho Road Suite #120. The church is located on a portion of an 11.08 acre shopping center. The existing building is 13,474 square feet in size, of which 11,000 square feet will be used for the Private School, Primary and the existing church/house of worship use. If the application is denied the subject site will remain as a church/house of worship without an associated private school.

Issues

- The pick-up/drop-off area depicted on the site plan is not adequate, as the children arriving and departing school would be required to cross a vehicular traffic lane within the shopping center.

Staff is recommending denial of this request due to the inadequate pick-up/drop-off area on the site.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales*** | |
|---|---|
| 05/21/03 | The City Council approved a General Plan Amendment (GPA 2003) to amend a portion of the Centennial Hills Sector of the General Plan from SC (Service Commercial) to GC (General Commercial) on 11.08 acres adjacent to the west side of Rancho Drive, approximately 900 feet north of Alexander Road. The Planning Commission and staff recommended approval of the request. |
| 05/21/03 | The City Council approved a Site Development Review (SDR-2004) including a Waiver of the Commercial Development Standards for a proposed 141,136 square-foot office and retail with warehouse development on 11.08 acres adjacent to the west side of Rancho Drive, approximately 900 feet north of Alexander Road. The Planning Commission and staff recommended approval of the request. |
| 05/21/03 | The City Council approved a Variance (VAR-2005) to allow a setback of 58-feet where the Residential Adjacency standards require a setback of 60 feet for a proposed office and retail with warehouse development adjacent to the west side of Rancho Drive, approximately 900 feet north of Alexander Road. The Planning Commission recommended approval of the request. |
| 06/10/08 | A deed was recorded for change of ownership. |

GK

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 03/14/08 | A building permit (#110552) for a tenant improvement was issued for a dance studio at 4025 North Rancho Road Suite #160. The permit was finaled on 06/20/08. |
| 04/21/08 | A building permit (#109176) was issued for Living Grace foursquare church. The permit was a tenant improvement buildout at 4025 North Rancho Road Suite #120. The permit was finaled on 09/19/08. |
| ***Pre-Application Meeting*** | |
| 05/15/09 | A pre-application meeting was held and the submittal requirements of a Special Use Permit application were discussed. |
| ***Neighborhood Meeting*** | |
| A neighborhood meeting was not required, nor was one held. | |
| ***Field Check*** | |
| 06/04/09 | During a routine field check staff observed a well maintained shopping center. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 11.08 |

| **Surrounding Property** | **Existing Land Use** | **Planned Land Use** | **Existing Zoning** |
|---|---|---|---|
| Subject Property | Shopping Center | GC (General Commercial) | C-2 (General Commercial) |
| North | Shopping Center | GC (General Commercial) | C-2 (General Commercial) |
| South | Undeveloped | SC (Service Commercial) | C-1 (Limited Commercial) |
| East | Undeveloped | SC (Service Commercial) | C-1 (Limited Commercial) |
| West | Single Family Residences | DR (Desert Rural) | R-E (Residential Estate) |

| ***Special Districts/Zones*** | ***Yes*** | ***No*** | ***Compliance*** |
|---|---|---|---|
| **Special Purpose and Overlay Districts** | | | |
| A-O Airport Overlay District – 105 Feet | X | | Y |
| **Trails** | | X | N/A |
| **Rural Preservation Overlay District** | X | | Y |
| **Development Impact Notification Assessment** | | X | N/A |
| **Project of Regional Significance** | | X | N/A |

## DEVELOPMENT STANDARDS

***Pursuant to Title 19.10, the following parking standards apply:***

| ***Parking Requirement*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| ***Use*** | ***Gross Floor Area or Number of Units*** | ***Required*** | | | ***Provided*** | | ***Compliance*** |
| | | ***Parking Ratio*** | *Parking* | | *Parking* | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| Private School, Primary | 5 classrooms | 3 spaces per classroom | 15 | | | | |
| Church/ House of Worship | 3,562 | 1 space / 100 SF of non-fixed seating in the gathering room | 36 | | | | |
| General Personal Service (Instructional Arts Studio) | 2,813 | 1 space / 250 SF | 12 | | | | |
| **Total** | | | 63 | 3 | 59 | 1 | N |

## ANALYSIS

This is a request for a Special Use Permit for a proposed 11,000 square-foot Private School, Primary within an existing shopping center located at 4025 North Rancho Road Suite #120. The applicant indicates that the Private School, Primary will enroll 100 students and use five classrooms. The children will be arriving to the building between 7:30 a.m. and 8:00 a.m. and departing at 2:45 p.m. The staff will also arrive at the building at 7:30 a.m. and will depart at 3:15 p.m. The existing church has service times on Sundays from 9:00 a.m. to 10:30 a.m. and again from 11:00 a.m. to 12:30 p.m. The parking ratio for a Private School, Primary is three spaces per classroom, therefore, 15 regular parking spaces and 1 handicap space are required. The shopping center is already parking impaired as it provides 528 parking spaces where 563 parking spaces are required.

The site is within an area identified as a buffer for a Rural Preservation Neighborhood located to the west. Chapter 278 of the Nevada Revised Statutes stipulates the identification of a 330-foot transitional buffer around Rural Preservation Neighborhoods. Within these buffer areas, residential development density is limited to three dwelling units per acre, unless good cause is shown. The proposed use does not effect the development density limitation of three dwelling units per acre.

- **Use**

  A Private School, Primary use is defined by Title 19 as an institution that provides kindergarten through 8th grade education and is supported by a public, religious or private organization.

The proposed use will have a minimal impact on the existing Shopping Center; however, the Private School, Primary does not meet all of the conditional use regulations as defined in Title 19.04.010, resulting in the need for a Special Use Permit. The proposed school does not provide an adequate pick-up and drop-off area because children will have to cross a traffic lane within the parking lot to get from the drop-off area to the school entrance. Also, the shopping center is parking impaired by 35 parking spaces. Therefore staff cannot support the proposed Special Use Permit and will be recommending denial of this application.

## FINDINGS

The following findings must be made for a Special Use Permit:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

   The proposed Private School, Primary can be conducted in a manner that is harmonious and compatible with existing surround land uses and with future surrounding land uses as projected by the General Plan. The Private School, Primary will have a negligible impact on the surrounding Shopping Center and neighborhood land uses.

2. **"The subject site is physically suitable for the type and intensity of land use proposed."**

   The shopping center is parking impaired as it provides 528 parking spaces where 563 parking spaces are required. The Private School, Primary will not have access to an adequate parking supply.

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 Rancho Road, a Primary Arterial with Limited Access, and Alexander Road, a 100-foot Primary Arterial, as designated in the Master Plan of Streets and Highways. These streets provide adequate access to and from the subject property.

4. **"Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan."**

   The proposed Private School, Primary will be consistent with the General Plan land use designation of SC (Service Commercial) and will not be inconsistent with nor compromise the public health, safety, welfare or overall objectives of the General Plan.

5. **The use meets all of the applicable conditions per Title 19.04.**

   The proposed use does not conform to the Minimum Special Use Requirements for a Private School, Primary use. The school does not provide adequate pick-up/drop-off areas for the children as outlined by Title 19.04.050.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 5

**ASSEMBLY DISTRICT** 1

**SENATE DISTRICT** 4

**NOTICES MAILED** 382

**APPROVALS** 2

**PROTESTS** 2

GK

PLANNING & DEVELOPMENT DEPARTMENT

# STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-34572** APN: 138-02-814-032

Name of Property Owner: 4025 Rancho, LLC

Name of Applicant: _____

Name of Representative: _____

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☒ **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: _____

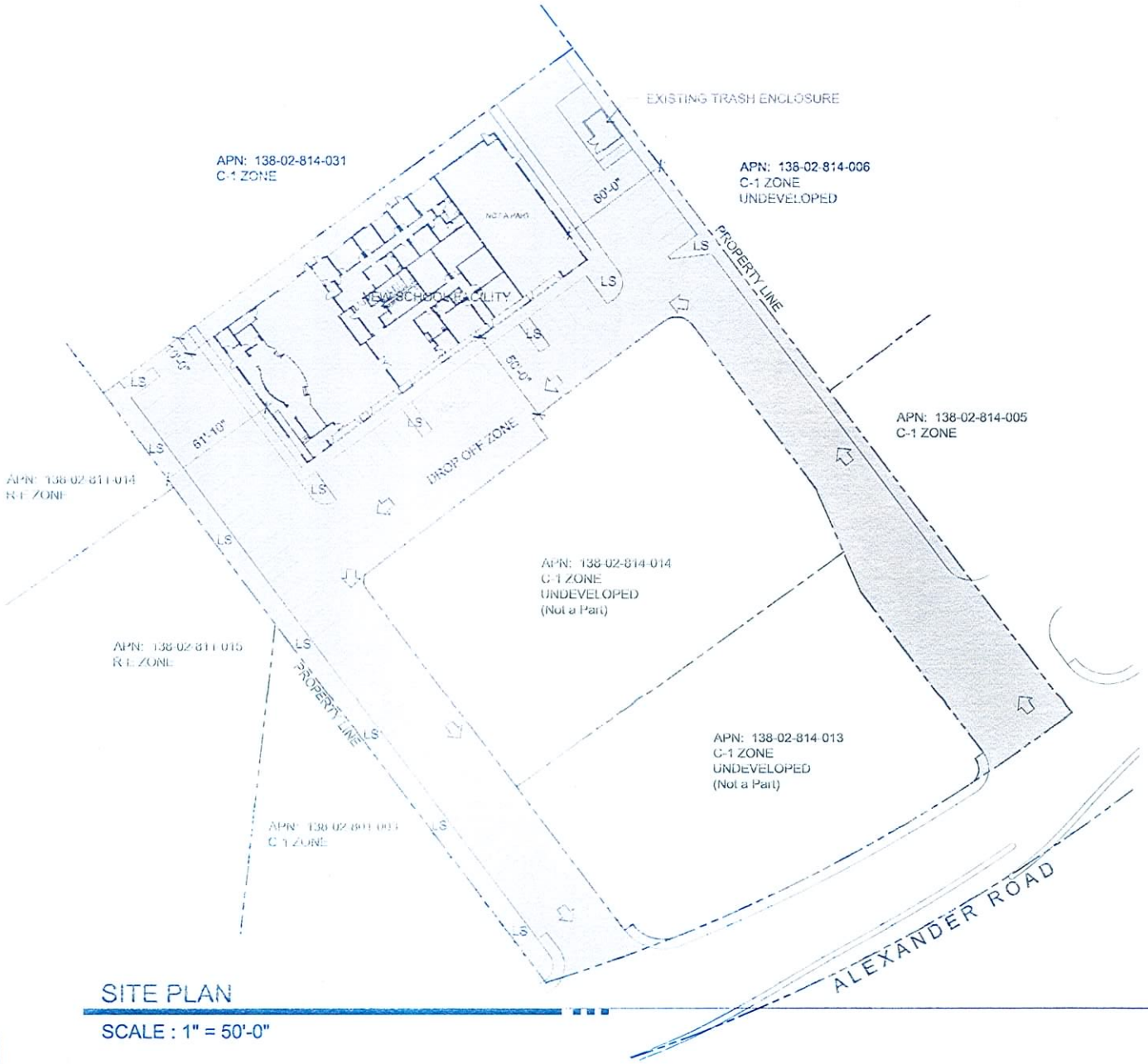
Print Name: Tiger Mymarak it manger
4025 Rancho, LLC

Subscribed and sworn before me

This 19 day of May, 2009

Shelley Scirone
Notary Public in and for said County and State

SHELLEY SCIRONE
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 10-19-2011
Certificate No: 07-5040-1




## SITE PLAN

SCALE : 1" = 50'-0"

### VICINITY MAP



### SITE DATA

| | |
|---|---|
| SITE AREA | 1.51 AC |
| A.P.N. NUMBER | 138-02-814-032 |
| JURISTICTION | CITY OF LAS VEGAS |
| CURRENT ZONING | C-2 |
| BUILDING AREA | |
| EXISTING TOTAL BUILDING AREA: | 13,474 SF |
| TENANT AREA: | 11,000 SF |
| COVERAGE | 20.48% |

### PARKING ANALYSIS

| | |
|---|---|
| RELIGIOUS FACILITY (1 SPACE / 100 SF OF GATHERING ROOM) | 35.6 SPACES |
| PRIMARY PRIVATE SCHOOL (3 SPACES / CLASSROOM) | 15 SPACES |
| DANCE STUDIO (1 SPACE / 250 SF) | 11.25 SPACES |
| TOTAL PARKING REQUIRED IF USES OCCUR SIMULTANEOUSLY: | 62 SPACES |
| TOTAL PARKING PROVIDED ON PARCEL*: | 59 SPACES |
| TOTAL ACCESSIBLE SPACES REQUIRED: | 3 SPACES |
| TOTAL ACCESSIBLE SPACES PROVIDED ON PARCEL*: | 1 SPACE |

PARKING ANALYSIS PROVIDED ONLY FOR THIS PARCEL. THIS PARCEL IS CONSIDERED PART OF A BUSINESS COMPLEX IN WHICH THERE IS SHARED PARKING BETWEEN EACH OF THE PARCELS.

**SUP-34572**
**REVISED**
**07/09/09 PC**

0 25' 50' 100'

north

06-10-09

JUN 1 1 2009

8965 s. eastern
suite 100
las vegas, nv 89123
p 702.456.1070
f 702.456.7020

DRAWING APPROVED:
DATE:

ethos three ARCHITECTURE

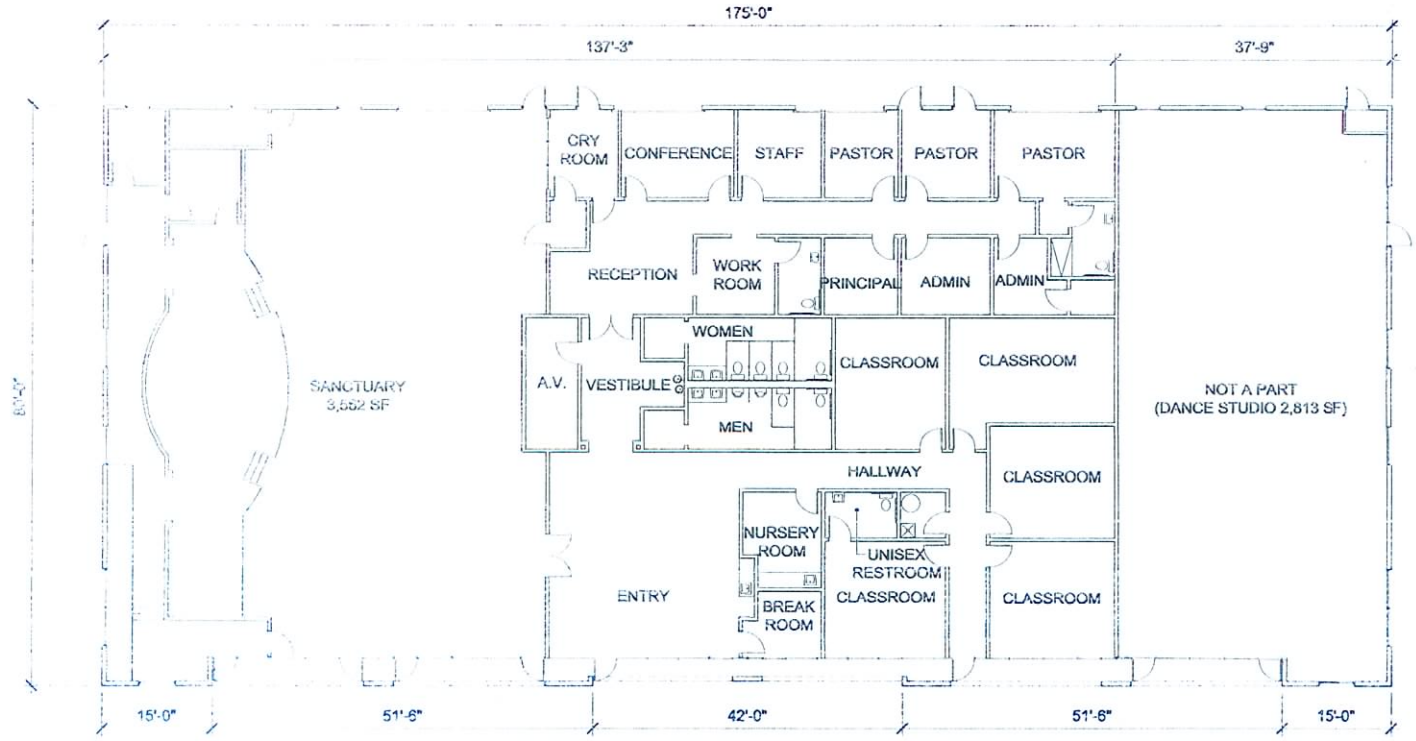
IMAGINE SHOOL RANCHO
Corner of Rancho and Alexander

SITE PLAN

A1.00




8965 s. eastern
suite 100
las vegas, nv 89123
p 702.456.1070
f 702.456.7020




DRAWING APPROVED:
DATE:

ethos three ARCHITECTURE

FLOOR PLAN

IMAGINE SHOOL RANCHO
Corner of Rancho and Alexander

north

0 4' 8' 16'

06-10-09

A2.00

## FLOOR PLAN

SCALE : 1/16" = 1'-0"

**SUP-34572**
**REVISED**
**07/09/09 PC**

JUN 1 1 2009




SUP-34572 - APPLICANT: IMAGINE SCHOOLS - OWNER: 4025 RANCHO, LLC
4025 NORTH RANCHO DRIVE SUITE #120
JULY 9, 2009 PLANNING COMMISSION

06/04/09




SUP-34572 - APPLICANT: IMAGINE SCHOOLS - OWNER: 4025 RANCHO, LLC
4025 NORTH RANCHO DRIVE SUITE #120
JULY 9, 2009 PLANNING COMMISSION

06/04/09




SUP-34572 - APPLICANT: IMAGINE SCHOOLS - OWNER: 4025 RANCHO, LLC
4025 NORTH RANCHO DRIVE SUITE #120
JULY 9, 2009 PLANNING COMMISSION

06/04/09




SUP-34572 - APPLICANT: IMAGINE SCHOOLS - OWNER: 4025 RANCHO, LLC
4025 NORTH RANCHO DRIVE SUITE #120
JULY 9, 2009 PLANNING COMMISSION

06/04/09

June 10, 2009

RECEIVED
JUN 11 2009

City of Las Vegas
Planning Department
731 South 4th Street
Las Vegas, Nevada 89101

RE: Imagine Schools – Special Use Permit Justification Letter

Dear Planning Department,

We are requesting a Special Use Permit for a school use located in an existing building currently being utilized by a religious facility. The existing facility includes 5 classrooms that will be utilized by Imagine Schools. The site is located on Alexander Road, south of Rancho and is zoned C-2.

The school use is for 100 primary grade students. The students will arrive at school by parent drop off between the hours of 7:30am and 8:00am. The students will depart by parent pick up at 2:45pm. The staff arrives at approximately 7:30am and departs at approximately 3:15pm.

The church service times are Sundays at 9:00am - 10:30am and again at 11:00am - 12:30pm. Wednesday Night Life occurs between 6:30pm - 8:00pm.

Sincerely,

Connie Burch
Principal Imagine Schools

**SUP-34572**
**REVISED**
**07/09/09 PC**

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

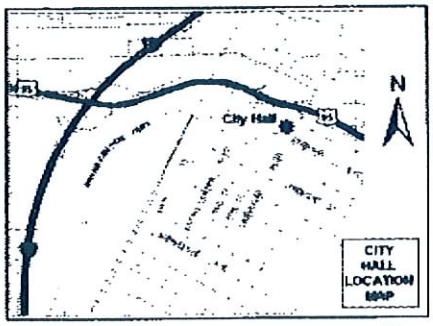
PRESORTED FIRST CLASS

UNITED STATES POSTAGE

$ 00.41⁴

MAILED FROM ZIP CODE 89101

**Return Service Requested**
**Official Notice of Public Hearing**

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JUN 29 2009

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

high traffic area already!

Please use available blank space on card for your comments.

**SUP-34572**

Planning Commission Meeting of 7/9/2009

Case: SUP-34572

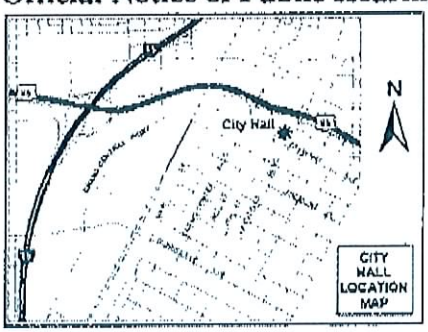
13811510018
CUTCHER DAVID E & GLORIA J
6300 LORILLE LN
LAS VEGAS NV 89108-5211

89108521 1a 0015a

35P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

**Return Service Requested**
**Official Notice of Public Hearing**

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☐ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-34572**
Planning Commission Meeting of 7/9/2009

PRESORTED FIRST CLASS

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02 1M $ 00.41⁴
0004279216 JUN 26 2009
MAILED FROM ZIPCODE 89101

RECEIVED
JUN 29 2009

Case: SUP-34572
13802814014
PRESCIA ANTHONY & NANCY FAM TR
5475 W TECO DR
LAS VEGAS NV 89118-2814

35P

DAVID 11 89118

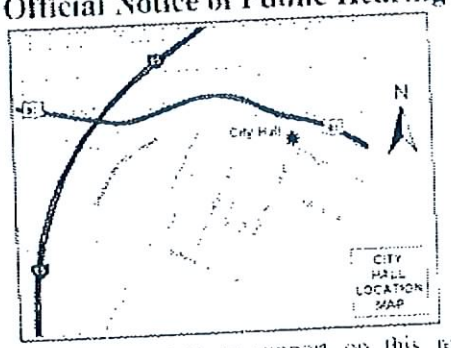
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

$00.41

**Return Service Requested**

**Official Notice of Public Hearing**




RECEIVED
JUN 29 2009

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☒ I SUPPORT this Request

☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-34572**

Planning Commission Meeting of 7/9/2009

Case: SUP-34572

13812110049
BARTSAS MARY 13 L L C
601 S RANCHO DR #C23
LAS VEGAS NV 89106-4825

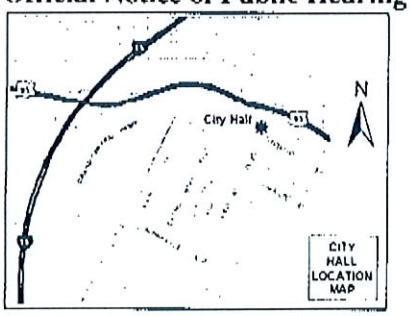
35A

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 JUN 26 2009
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-34572**
Planning Commission Meeting of 7/9/2009

RECEIVED
JUN 29 2009

Case: SUP-34572
13802711003
ENSLEY JAMES P & LINDA A
4217 JORY TRL
LAS VEGAS NV 89108-5210

DA0031 A310A

35A

City of Las Vegas Agenda Item No.: **36.**

## *AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT*
### PLANNING COMMISSION MEETING OF: JULY 9, 2009

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

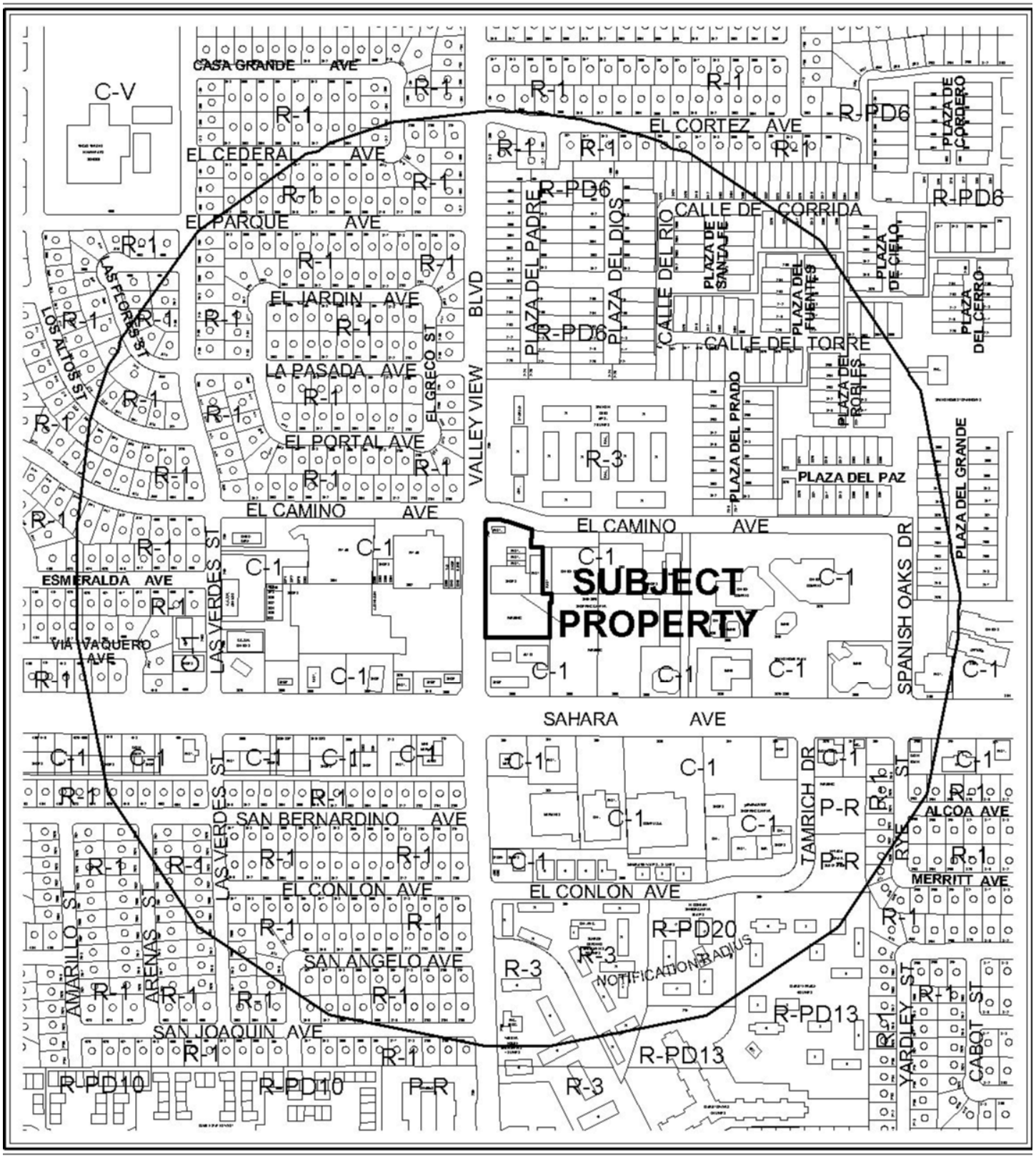
**SUBJECT:**
**SUP-34596 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: VINNY BOY''S ITALIAN MARKET - OWNER: SPOAKS, LLC** - Request for a Special Use Permit FOR A PROPOSED BEER/WINE/COOLER OFF-SALE ESTABLISHMENT WITHIN AN EXISTING 4,375 SQUARE-FOOT CONVENIENCE STORE at 3620 West Sahara Avenue Suite #W02 (APN 162-05-402-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian)

**C.C: 08/05/2009**
**IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **4** | **Planning Commission Mtg.** | **2** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
**APPROVAL**

**BACKUP DOCUMENTATION:**
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards




0 500 1000 Feet

**CASE:** **SUP-34596**

**RADIUS:** 1500 FT

**ZONING OF SUBJECT PROPERTY:** C-1 (LIMITED COMMERCIAL)

N



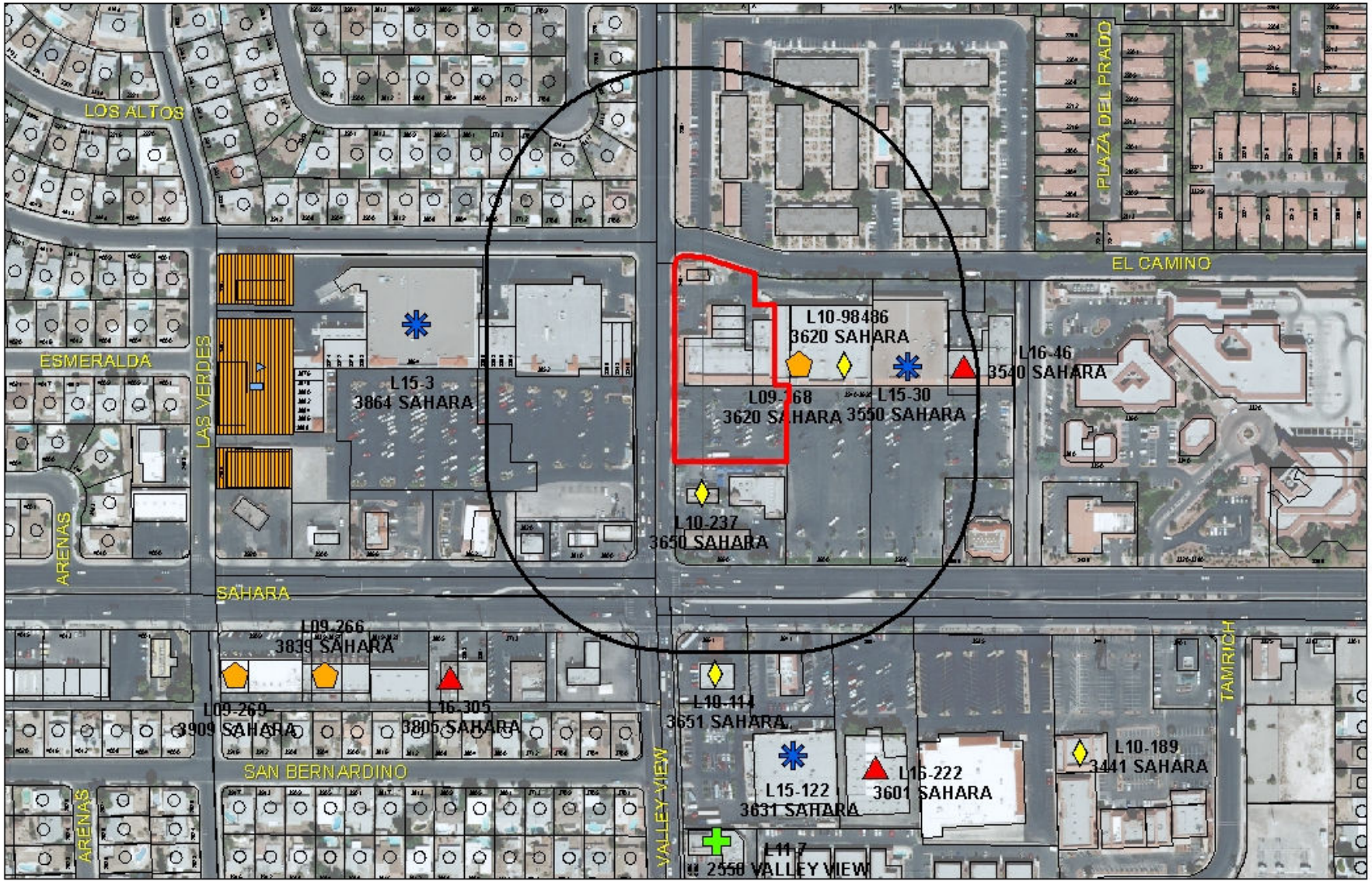

0 500 1000 Feet

**CASE:** **SUP-34596**

**RADIUS:** 1500 FT

**ZONING OF SUBJECT PROPERTY:** C-1 (LIMITED COMMERCIAL)

N




**SUP-34596**

## 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 COMMISSION MEETING DATE: JULY 9, 2009**
**DEPARTMENT: PLANNING AND DEVELOPMENT**
**ITEM DESCRIPTION: SUP-34596 - APPLICANT: VINNY BOY'S ITALIAN MARKET - OWNER: SPOAKS, LLC**

## ** CONDITIONS **

**STAFF RECOMMENDATION:** **APPROVAL,** subject to:

***Planning and Development***

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for Beer/Wine/Cooler Off-Sale use.

2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. Approval of this Special Use Permit does not constitute approval of a liquor license.

4. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

GK

**SUP-34596 - Staff Report Page One**
**July 9, 2009 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The applicant is requesting a Special Use Permit to allow a Beer/Wine/Cooler Off-Sale Establishment within an existing convenience store at 3620 West Sahara Avenue #W02. The Beer/Wine/Cooler Off-Sale use will be ancillary to the existing convenience store. If the application is denied the subject site will remain as a convenience store that cannot sell beer or wine on the premises.

**ISSUES:**

- As the proposed use complies with all Title 19 Zoning Code requirements and can be conducted in a manner that is harmonious and compatible with the existing and future surrounding land uses, staff is recommending approval of this application.

## BACKGROUND INFORMATION

| | |
|---|---|
| ***Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales*** | |
| 12/27/94 | The City Council approved a Special Use Permit (U-289-94) to allow the sale of beer and wine in conjunction with an existing restaurant on property located at 3620 W. Sahara Avenue #W02. The Board of Zoning Adjustment recommended approval. |
| 12/14/00 | A deed was recorded for change of ownership. |
| ***Related Building Permits/Business Licenses*** | |
| 10/29/08 | A Business License (#C15-00368) was issued for a convenience store at 3620 W. Sahara Avenue #W02. The license remains active at this location. |
| 10/29/08 | A Business License (#C05-02636) was issued for a tobacco dealer at 3620 W. Sahara Avenue #W02. The license remains active at this location. |
| 05/04/09 | A Business License (#L10-98486) was denied by the Planning & Development Department for a Beer/Wine/Cooler Off-sale at 3620 W. Sahara Avenue #W02. A Beer/Wine/Cooler Off-sale use requires a Special Use Permit in the C-1 zone. The denial of L10-98486 triggered the application of this Special Use Permit. |
| ***Pre-Application Meeting*** | |
| 05/13/09 | A pre-application meeting was held and the submittal requirements of a Special Use Permit application were discussed. |
| ***Neighborhood Meeting*** | |
| A neighborhood meeting was not required, nor was one held. | |
| ***Field Check*** | |
| 06/04/09 | During a routine field check staff observed a well maintained retail center. |

GK

| *Details of Application Request* | |
|---|---|
| ***Site Area*** | |
| Net Acres | 2.05 |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|---|---|---|---|
| Subject Property | Shopping Center | (SC) Service Commercial | (C-1) Limited Commercial |
| North | Medium Density Residential (Apartments) | (M) Medium | (R-3) Medium Density Residential |
| South | Service Station | (SC) Service Commercial | (C-1) Limited Commercial |
| East | Shopping Center | (SC) Service Commercial | (C-1) Limited Commercial |
| West | Shopping Center | (SC) Service Commercial | (C-1) Limited Commercial |

| *Special Districts/Zones* | *Yes* | *No* | *Compliance* |
|---|---|---|---|
| **Special Purpose and Overlay Districts** | | | |
| A-O Airport Overlay District – 200 Feet | X | | Y |
| **Trails** | | X | N/A |
| **Rural Preservation Overlay District** | | X | N/A |
| **Development Impact Notification Assessment** | | X | N/A |
| **Project of Regional Significance** | | X | N/A |

**ANALYSIS**

This request is for a Special Use Permit for a proposed Beer/Wine/Cooler Off-Sale Establishment within an existing convenience store at 3620 West Sahara Avenue #W02. The beer and wine will be sold in an 80 square-foot section of the 4,375 square-foot convenience store, or 2% of the gross floor area as depicted on the floor plan date stamped 6/12/09. The hours of operation for the convenience store are Monday through Saturday 9 a.m. to 6 p.m. The convenience store will be closed on Sundays. The proposed location is part of an established shopping center at the northeast corner of West Sahara Avenue and South Valley View Boulevard, which supplies the required amount of parking for this site. This shopping center is able to accommodate a variety of uses such as professional offices, personal services, restaurants, and retail stores. No waivers are needed as a part of this request. The addition of a Beer/Wine/Cooler Off-Sale Establishment use ancillary to an existing convenience store within this shopping center is compatible with the existing and future land uses as specified by the General Plan. Therefore, staff recommends approval.

GK

- **Use**

A Beer/Wine/Cooler On-Sale Establishment use is defined by Title 19 as "an establishment whose license to sell alcoholic beverages is limited to the sale of beer, wine, and coolers to consumers only and not for resale, in original sealed or corked containers, for consumption off the premises where the same are sold, and is operated in connection with a grocery store, drug store, convenience store, or specialty merchandise store." The applicant has indicated that they will be performing the proposed use in conjunction with an existing convenience store. As the Beer/Wine/Cooler Off-Sale Establishment use is ancillary to the approved convenience store use, no additional parking is required. No Waivers are needed as a part of this request. The proposed Beer/Wine/Cooler Off-Sale Establishment meets all applicable Title 19, General Plan and all other applicable plans. Therefore, staff is recommending approval of the subject Special Use Permit.

## FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

   The proposed Beer/Wine/Cooler Off-Sale Establishment is within an existing Convenience store, which is adjacent to similar uses along Sahara Avenue. The addition of a Beer/Wine/Cooler Off-Sale Establishment use within this area is compatible with the existing and future land uses as specified by the General Plan.

2. **"The subject site is physically suitable for the type and intensity of land use proposed."**

   The subject site is currently operated as a Convenience store. Similar alcohol related uses are common in this area of the City. The addition of this use will not intensify the physical requirements; therefore the subject site is physically suitable to accommodate the proposed use.

3. **"Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use."**

   Site access is provided from Sahara Avenue, a 100-foot Primary Arterial, and Valley View Boulevard, an 80-foot Secondary Collector, as designated in the Master Plan of Streets and Highways. These streets provide adequate access to and from the subject property.

4. **"Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan."**

   The site is zoned C-1 (Limited Commercial) and has a General Plan designation of SC (Service Commercial). Beer/Wine/Cooler Off-Sale is a permitted use in the C-1 (Limited Commercial) district with the approval of a Special Use Permit. It will not compromise the public health, safety, and welfare or overall objectives of the General Plan.

5. **The use meets all of the applicable conditions per Title 19.04.**

   The proposed Beer/Wine/Cooler Off-Sale use meets all of the applicable conditions per Title 19.04.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 19

**ASSEMBLY DISTRICT** 9

**SENATE DISTRICT** 3

**NOTICES MAILED** 583

**APPROVALS** 2

**PROTESTS** 4

PLANNING & DEVELOPMENT DEPARTMENT

# STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-34596 APN: _____

Name of Property Owner: _____

Name of Applicant: VINNY-BOY'S ITALIAN MARKETPLACE

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: ALAN MERRELL II

Subscribed and sworn before me

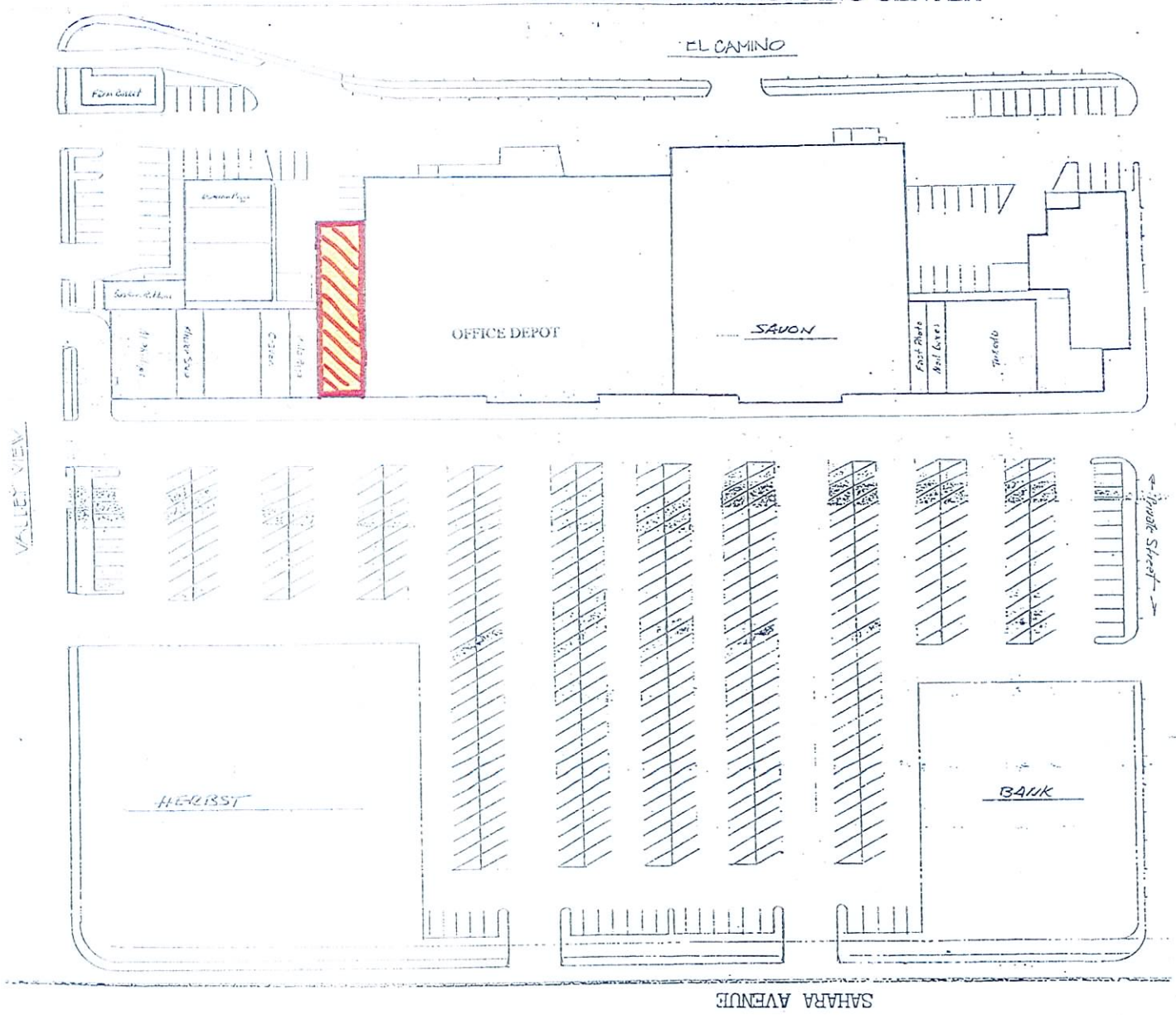
This 8 day of June, 2009

Aimee Jo Knox

Notary Public in and for said County and State

AIMEE-JO KNOX
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 08-24-2009
Certificate No: 97-3102-1

# SPANISH OAKS SHOPPING CENTER



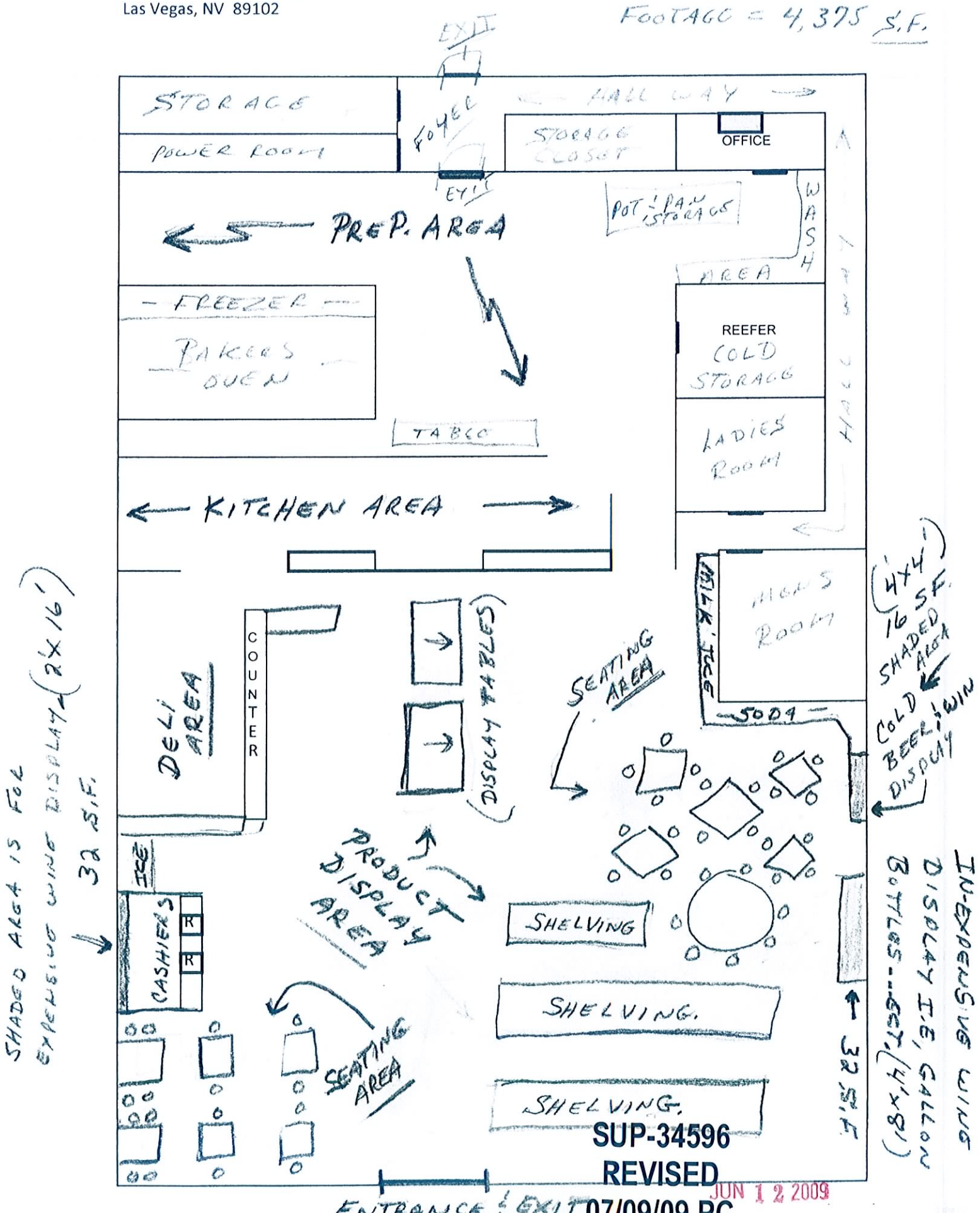

JUN 12 2009

**SUP-34596**
**REVISED**
**07/09/09 PC**

Vinnys Boys Italian Market
3620 W Sahara Ave #2
Las Vegas, NV 89102

Contact: Vinny

OVERALL SQ FOOTAGE = 4,375 S.F.




SUP-34596
REVISED
07/09/09 PC

JUN 12 2009




SUP-34596 - APPLICANT: VINNY BOY'S ITALIAN MARKET - OWNER: SPOAKS, LLC
3620 WEST SAHARA AVENUE SUITE #W02
JULY 9, 2009 PLANNING COMMISSION

06/04/09




SUP-34596 - APPLICANT: VINNY BOY'S ITALIAN MARKET - OWNER: SPOAKS, LLC
3620 WEST SAHARA AVENUE SUITE #W02
JULY 9, 2009 PLANNING COMMISSION

06/04/09

**Vinny-Boys Italian Marketplace**
**3620 West Sahara Ave.**
**Las Vegas, NV 89102**
**(702) 457-3000 * Fax (702) 457-3006**

RECEIVED
JUN 12 2009

May 21, 2009

Planning and Development Department
731 S. 4th. Street
Las Vegas, NV.

To Whom It May Concern:

Please accept this Letter of Justification for Vinny-Boys Italian Marketplace. We are a convenient store that specializes in Italian groceries such as pastas, grocery items, deli items, meats, cheeses, bakery items and prepared foods.

Therefore, we are requesting a "Special License Permit" for beer, wine and wine coolers to be sold for off-site sale. This will allow us provide a wide verity of beer and wines from not only Italy, but from all around the world. We feel by having these items that we can give our customers a complete and convenient place to shop. As well as the reasons listed above, we also hope to increase our bottom line in sales.

Our current hours of operation are as follows;
Monday – Saturday 9:00 a.m. – 6:00 p.m.
Sunday CLOSED

We would like to thank you in advance for your help in this matter. If you have any further questions, you can reach me at (702) 457-3000 or my cell (702) 524-9694.

Sincerely,

Vincent D. Serritella

**SUP-34596**
**REVISED**
**07/09/09 PC**

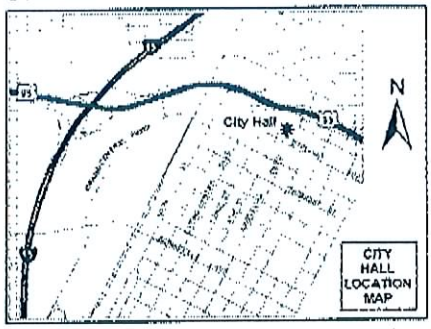
FROM : Joseph H. Carter PHONE NO. : 702 253 5125 Jun. 29 2009 10:22PM P1

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

$ 00.41⁴
00042 78218 JUN 26 2009
MAILED FROM ZIP CODE 89101

**Return Service Requested**
**Official Notice of Public Hearing**

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JUN 30 2009

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-34596**
Planning Commission Meeting of 7/9/2009

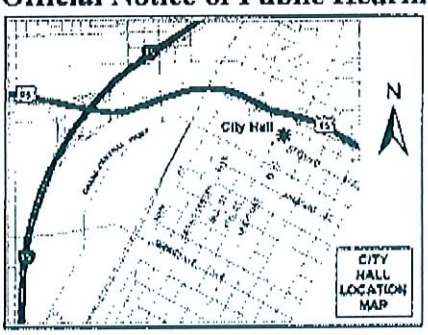
Case: SUP-34596
16205318007
CARTER JOSEPH H
3400 CALLE DEL TORRE
LAS VEGAS NV 89102-3908

DAVDP11 89102

36P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

**Return Service Requested**
**Official Notice of Public Hearing**

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-34596**

Planning Commission Meeting of 7/9/2009

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.41⁴
0004279218 JUN 26 2009
MAILED FROM ZIP CODE 89101

RECEIVED
JUN 29 2009

Case: SUP-34596

16207516003
STEWART SANDRA
3809 FAIRWAY CIR
LAS VEGAS NV 89108-1106

36P

89108811064 0001A

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
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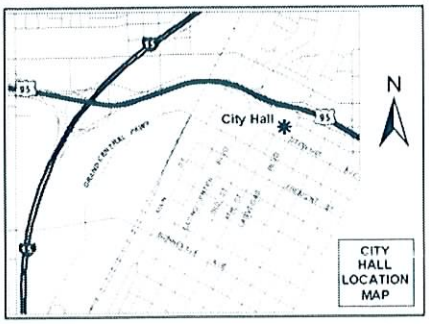
0004279218 JUN 26 2009
MAILED FROM ZIP CODE 89101

**Return Service Requested**
**Official Notice of Public Hearing**




RECEIVED
JUN 30 2009

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-34596**
Planning Commission Meeting of 7/9/2009

Case: SUP-34596
16205314004
MCDOUGALL EDWARD L
2005 PLAZA DEL DIOS
LAS VEGAS NV 89102-3984

DAVDP11 89102

36P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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UNITED STATES POSTAGE
PITNEY BOWES
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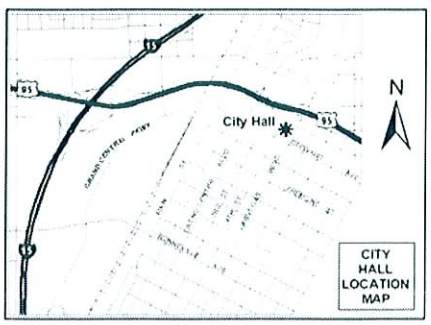
$ 00.41⁴
JUN 26 2009
MAILED FROM ZIPCODE 89101

**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-34596**
Planning Commission Meeting of 7/9/2009

RECEIVED
JUN 30 2009

Case: SUP-34596
16206811043
WILSON ELIZABETH A
3813 LA PASADA AVE
LAS VEGAS NV 89102-3835

DAVDP11 89102

3 of P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
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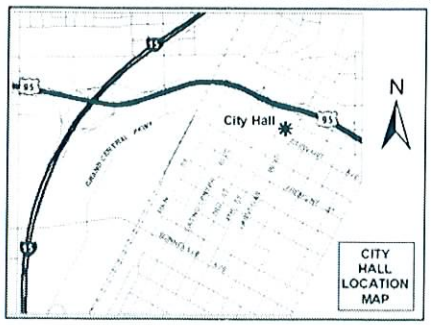
0004279218
$ 00.41⁴
JUN 26 2009
MAILED FROM ZIPCODE 89101

**Return Service Requested**
**Official Notice of Public Hearing**

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RECEIVED
JUN 30 2009

Case: SUP-34596
16205314047
JONES LESLIE T & BETTY A LIV TR
2104 PLAZA DEL DIOS
LAS VEGAS NV 89102-3973

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-34596**
Planning Commission Meeting of 7/9/2009

DAVOS11 89102

36A

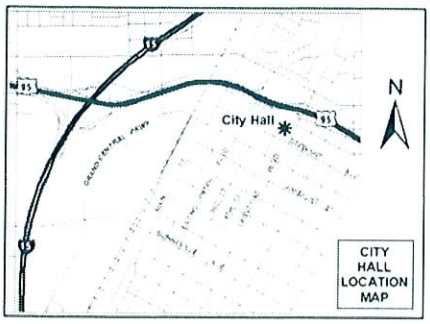
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.41⁴
0004279218 JUN 26 2009
MAILED FROM ZIP CODE 89101

RECEIVED
JUN 30 2009

**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-34596**

Planning Commission Meeting of 7/9/2009

Case: SUP-34596
16205413014
DUMKE EDMUND W & CAROL B FAM TR
2416 PLAZA DEL GRANDE
LAS VEGAS NV 89102-4017

DAVIS11 89102

36A

City of Las Vegas Agenda Item No.: **37.**

## *AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT*
### PLANNING COMMISSION MEETING OF: JULY 9, 2009

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

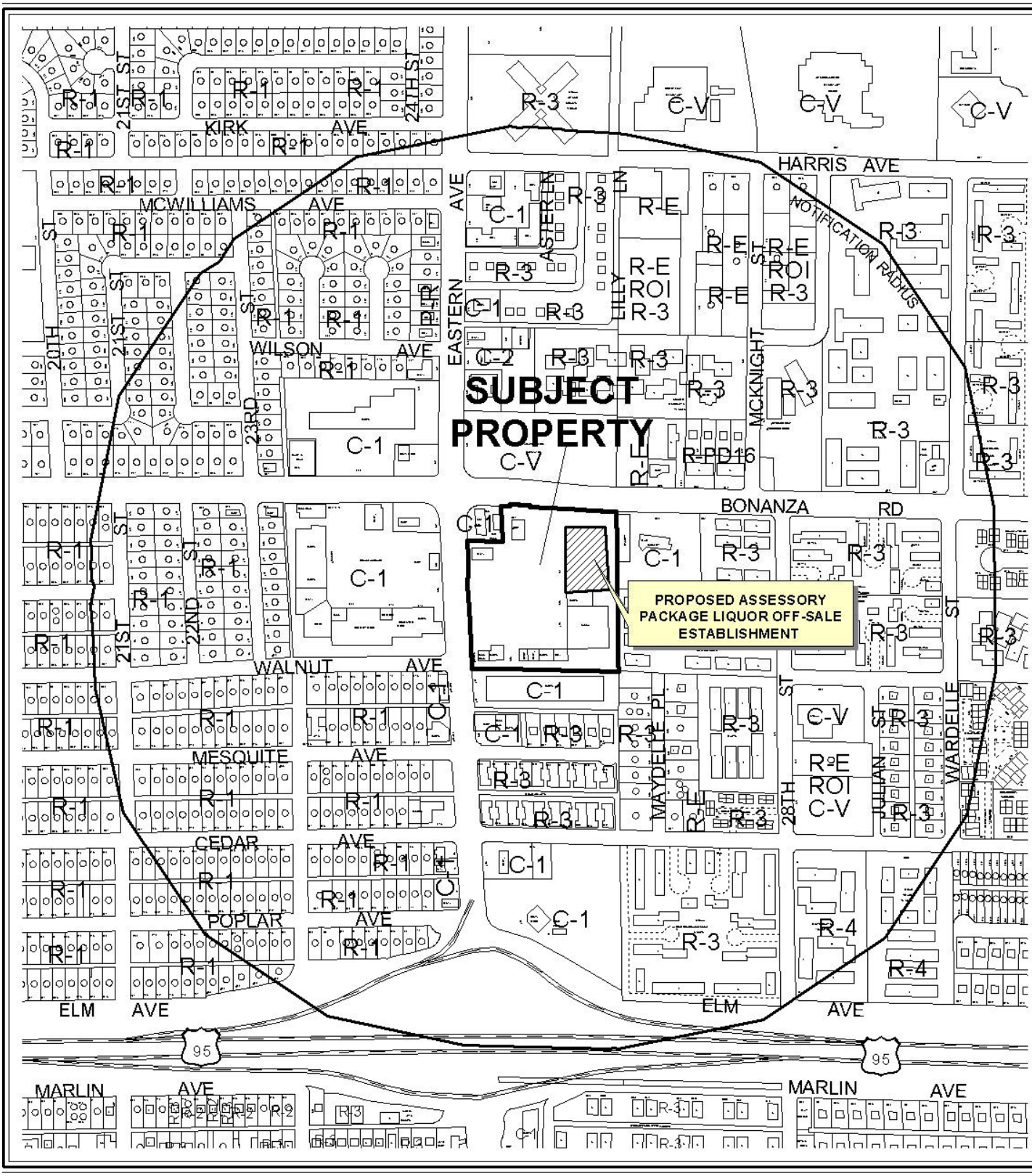
**SUBJECT:**
**SUP-34609 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MARIANA''S ENTERPRISES - OWNER: B. E. UNO, LLC** - Request for a Special Use Permit FOR A PROPOSED 37,500 SQUARE-FOOT GROCERY STORE WITH ACCESSORY PACKAGE LIQUOR OFF-SALE at 2551 East Bonanza Road (APN 139-36-111-009), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

**C.C: 08/05/2009**
**IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **0** | **Planning Commission Mtg.** | **0** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
**APPROVAL**

**BACKUP DOCUMENTATION:**
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter

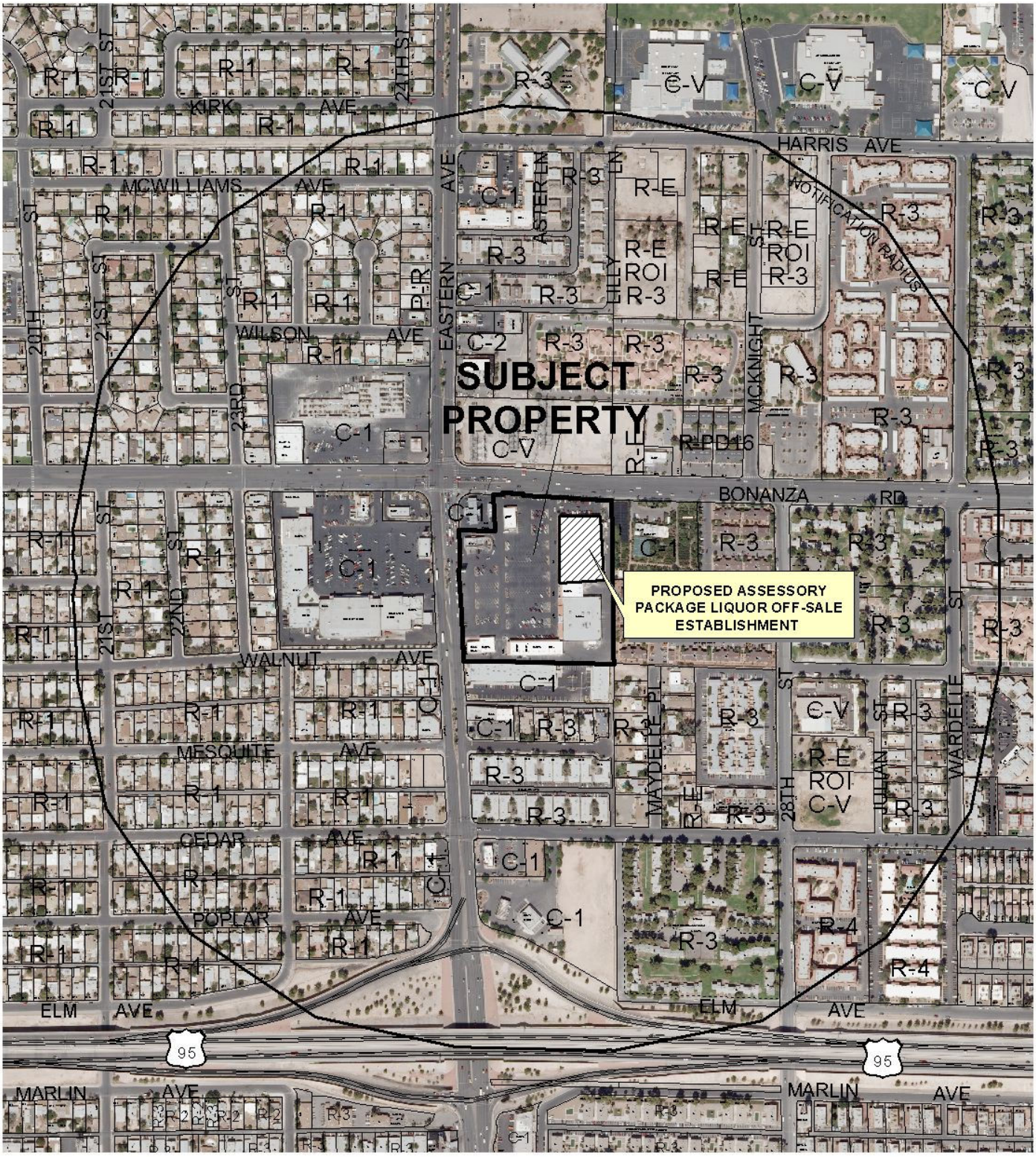



0 400 800 Feet

**CASE:** **SUP-34609**

**RADIUS:** 1500 FT

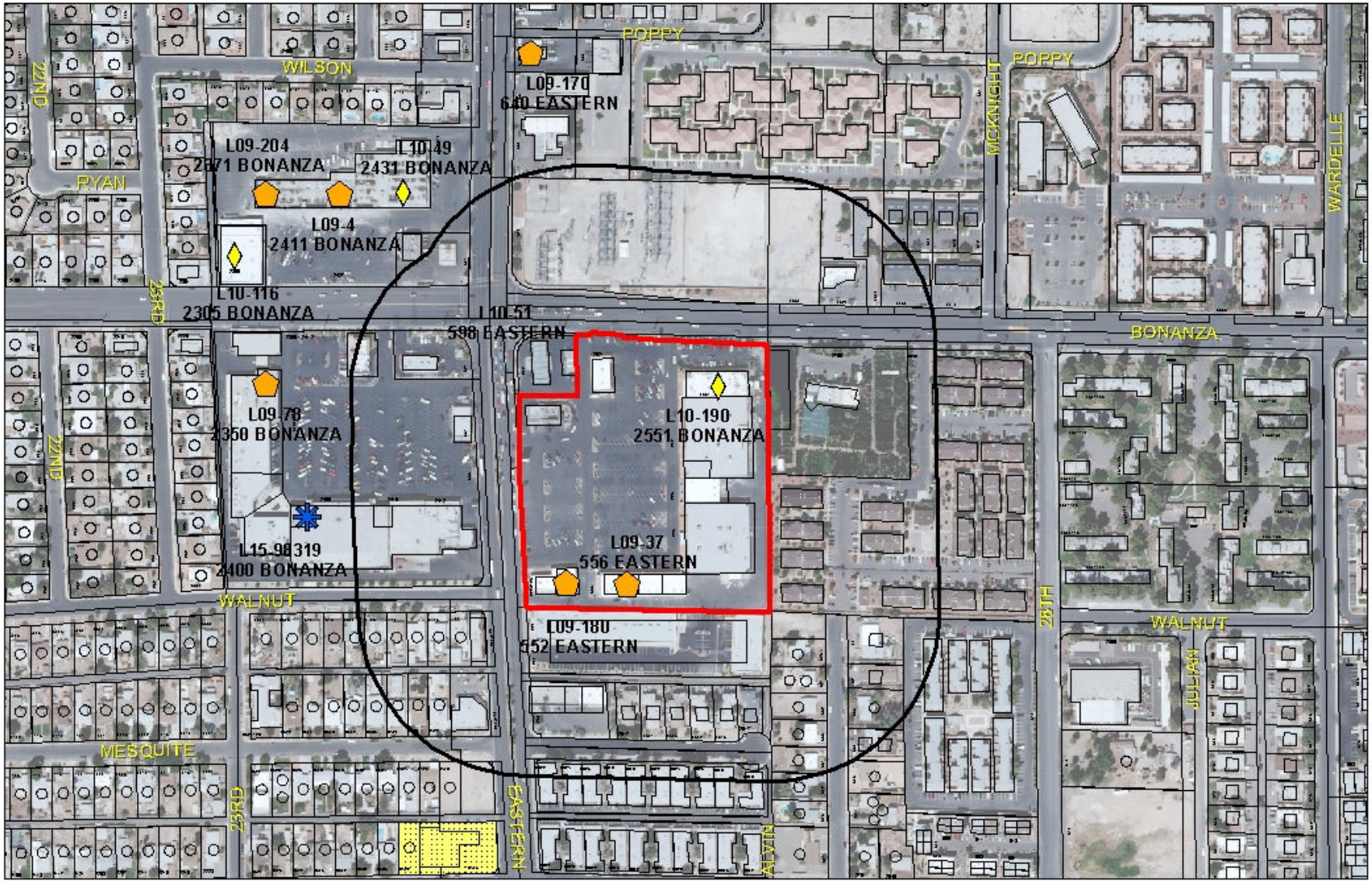
**ZONING OF SUBJECT PROPERTY:** C-1 (LIMITED COMMERCIAL)




**CASE:** **SUP-34609**

**RADIUS:** 1500 FT

**ZONING OF SUBJECT PROPERTY:** C-1 (LIMITED COMMERCIAL)




**SUP-34609**

**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 COMMISSION MEETING DATE: JULY 9, 2009**
**DEPARTMENT: PLANNING AND DEVELOPMENT**
**ITEM DESCRIPTION: SUP-34609 - APPLICANT: MARIANA'S ENTERPRISES - OWNER: B. E. UNO, LLC**

## ** CONDITIONS **

**STAFF RECOMMENDATION:** **APPROVAL,** subject to:

***Planning and Development***

1. If approved, Special Use Permit (U-0151-98) shall be expunged.

2. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for Package Liquor Off-Sale Establishment use.

3. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

4. Approval of this Special Use Permit does not constitute approval of a liquor license.

5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

6. All beer and wine coolers shall remain in their original manufacturer's configuration of four or six-packs.

7. 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.

8. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**SUP-34609 - Staff Report Page One**
**July 9, 2009 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The subject site is an existing shopping center located at 2551 East Bonanza Road. The applicant is proposing to expand an existing Grocery Store and add Accessory Package Liquor Off-Sales. If this request is denied, the location will be able to continue Off-Premise Sales of Beer and Wine under a previously approved Special Use Permit (U-0151-98).

### Issues

- The existing Grocery Store has a previously approved Special Use Permit (U-0151-98) for the Off-Premise Sale of Beer and Wine. If this request is approved, that Special Use Permit shall be expunged as the current request for Accessory Package Liquor Off-Sales is inclusive of the Off-Premise Sale of Beer and Wine. Staff is recommending approval of this request as the subject site is physically suitable for the use, and the use can be conducted in manner that is compatible with the surrounding land uses.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales*** | |
|---|---|
| 06/16/76 | The Board of City Commissioners approved a request for Reclassification of property (Z-0061-75) and Plot Plan Review from R-E (Residential Estates) to C-1 (Limited Commercial) on a property located southeast of East Bonanza Road and North Eastern Avenue extending south along Eastern Avenue and east along Bonanza Road. The Planning Commission recommended approval. |
| 06/01/77 | The Board of City Commissioners approved an Extension of Time [Z-0061-75(2)] of an approved Plot Plan Review (Z-0061-75) to allow for completion of a shopping center on property located at the southeast corner of eastern Avenue and Bonanza Road. |
| 10/12/95 | The Planning Commission approved request for a Plot Plan and Building Elevation Review [Z-0061-75(3)] for proposed tortilleria and retail store addition to an existing shopping center on a property located on the southeast corner of Bonanza Road and Eastern Avenue. |
| 02/08/99 | The City Council approved a request for a Special Use Permit (U-0151-98) for the Off-Premise Sale of Beer and Wine in conjunction with an existing grocery store for a property located at 2551 East Bonanza Road. The Planning Commission recommended approval. |
| 11/14/05 | A deed was recorded for change of ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 02/09/99 | A business license (#L10-00190-4-000439) was issued to allow beer/ wine/cooler off-sale at 2551 E Bonanza Road. The license is still active. |
| 09/12/03 | A business license (#C05-02189-E-000957) was issued to allow a tobacco dealer at 2551 E Bonanza Road license is still active. |
| 01/23/03 | A business license (#C08-00104-3-000439) was issued to allow a coin amusement machine at 2551 E Bonanza Road. The license is still active. |
| 03/03/04 | A business license (#C15-00104-3-000439) was issued to allow the operation of a convenience store at 2551 E Bonanza Road. The license is still active. |
| 07/26/06 | A business license (#L09-00037-4-000345) was issued to allow beer/wine/cooler on-sale at 556 N Eastern Avenue. The license is still active. |
| 10/31/06 | A business license (#L09-00051-4-000097) was issued to allow beer/wine/cooler off-sale at 598 N Eastern Avenue. The license is still active. |
| 12/08/2008 | A building permit (#128836) was issued to allow for the tenant improvement for certificate of occupancy at 574 North Eastern Avenue. The permit has not yet been finalized. |
| 01/29/09 | A business license (#C23-00048-0-000439) was issued to allow a check cashing service (limited) at 2551 E Bonanza Road. The license is still active. |
| ***Pre-Application Meeting*** | |
| 05/20/09 | A pre-application meeting was held to discuss the requirements for a Special Use Permit for a Retail Establishment with Accessory Package Liquor Off-Sale. |
| ***Neighborhood Meeting*** | |
| A neighborhood meeting was neither required nor held for this application request. | |
| ***Field Check*** | |
| 06/04/09 | A field check was carried out by staff with the following observations:<br>• The site is currently under construction.<br>• There is adequate space for the proposed location of the facility, and the expansion will not interfere with on-site parking or circulation.<br>• There is a code violation of two non-permitted banners; the first banner is above the Northwest store entrance; the second banner is on the West elevation of existing building. The violations have been referred to Code Enforcement. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Gross Acres | 8.29 |

| **Surrounding Property** | **Existing Land Use** | **Planned Land Use** | **Existing Zoning** |
|---|---|---|---|
| Subject Property | Shopping Center | SC (Service Commercial) | C-1 (Limited Commercial) |
| North | Nevada Power Facility | PF (Public Facilities) | C-V (Civic) |

| | | | |
|---|---|---|---|
| South | General Retail | SC (Service Commercial) | C-1 (Limited Commercial) |
| East | Plant Nursery | SC (Service Commercial) | C-1 (Limited Commercial) |
| | Multi-Family Residences | M (Medium Density Residential) | R-3 (Medium Density Residential) |
| West | Shopping Center | SC (Service Commercial) | C-1 (Limited Commercial) |

| ***Special Districts/Zones*** | ***Yes*** | ***No*** | ***Compliance*** |
|---|---|---|---|
| **Special Area Plan** | | X | |
| ***Special Districts/Zones*** | ***Yes*** | ***No*** | ***Compliance*** |
| **Special Purpose and Overlay Districts** | | X | |
| **Trails** | | X | N/A |
| **Rural Preservation Overlay District** | | X | N/A |
| **Development Impact Notification Assessment** | | X | N/A |
| **Project of Regional Significance** | | X | N/A |

## DEVELOPMENT STANDARDS

***Pursuant to Title 19.10, the following parking standards apply:***

| ***Parking Requirement*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| | ***Gross Floor Area or Number of Units*** | ***Required*** | | | ***Provided*** | | ***Compliance*** |
| | | | *Parking* | | *Parking* | | |
| ***Use*** | | ***Parking Ratio*** | Regular | Handi-capped | Regular | Handi-capped | |
| Shopping Center | 37,380 SF | 1:250 SF | 149 | 5 | 381 | 14 | Y |
| **TOTAL** | 37,380 SF | | 154 | | 395 | | |

## ANALYSIS

The subject site is an existing shopping center located at 2551 East Bonanza Road. The applicant is proposing to expand an existing Grocery Store from 8,000 square feet to 37,500 square feet, with 2,000 square feet dedicated to the off-sales of package liquor. The area dedicated to the sales of package liquor will be less than 10% of the 20,622 square feet of retail floor area that is accessible to the general public. The hours of operation for the sales of package liquor will be from 6 a.m. to 12 a.m., seven days a week.

**Use**

A Retail Establishment with Accessory Package Liquor Off-Sale is defined by Title 19.04 as an 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 10 percent of the retail floor space is regularly devoted to the display or merchandising of alcoholic beverages.

This use 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. The parking requirement for the site as a Shopping Center is one space per 250 square feet for the gross floor area for all uses; therefore, the proposed use will have no effect on the parking requirements. The proposed use meets all minimum Special Use Permit and parking requirements of Title 19.04. The use is ancillary to the proposed grocery store and can be conducted in a manner that is compatible with the surrounding lad uses; therefore, staff is recommending approval of this request.

**FINDINGS**

The following findings must be made for a Special Use Permit:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

   The proposed use is compatible with the SC (Service Commercial) General Plan land use designation and can be conducted in a manner that is harmonious and compatible with the existing surrounding land uses.

2. **"The subject site is physically suitable for the type and intensity of land use proposed."**

   The proposed Grocery Store with Accessory Package Liquor Off-Sale use will be located in an existing shopping center, which is physically suitable for the type and intensity of the land use proposed.

3. **"Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use."**

   Access to the site is via driveways from Lamb Boulevard and Charleston Boulevard, both of which are 100-foot wide Primary Arterials, according to the Master Plan of Streets and Highways. Both are adequate to facilitate the traffic generated by 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 this special use permit will not compromise the public health, safety, or welfare as the proposed Grocery Store with Accessory Package Liquor Off-Sale use will be subject to regular inspections.

5. **The use meets all of the applicable conditions per Title 19.04.**

   The proposed Grocery Store with Accessory Package Liquor Off-Sale use complies with the conditions per Title 19.04.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 9

**ASSEMBLY DISTRICT** 11

**SENATE DISTRICT** 2

**NOTICES MAILED** 562

**APPROVALS** 0

**PROTESTS** 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-34609** APN: **139-36-111-009**

Name of Property Owner: **B.E. UNO, LLC**

Name of Applicant: **Mariana's Enterprises.**

To the best of your knowledge, does the Mayor or any member of the City Council, Planning Commission, or a Hearings Officer 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 WKK No

If yes, please indicate the member of the City Council, Planning Commission or Hearings Officer 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/Authorized Agent: Warren K. Kellogg

State of Nevada County of Clark
Subscribed and sworn before me

This 29 day of April, 2009

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
JEROMY W. MORRIS
No: 07-3781-1
My Appointment Expires July 5, 2011

# Mariana's Super Mercado

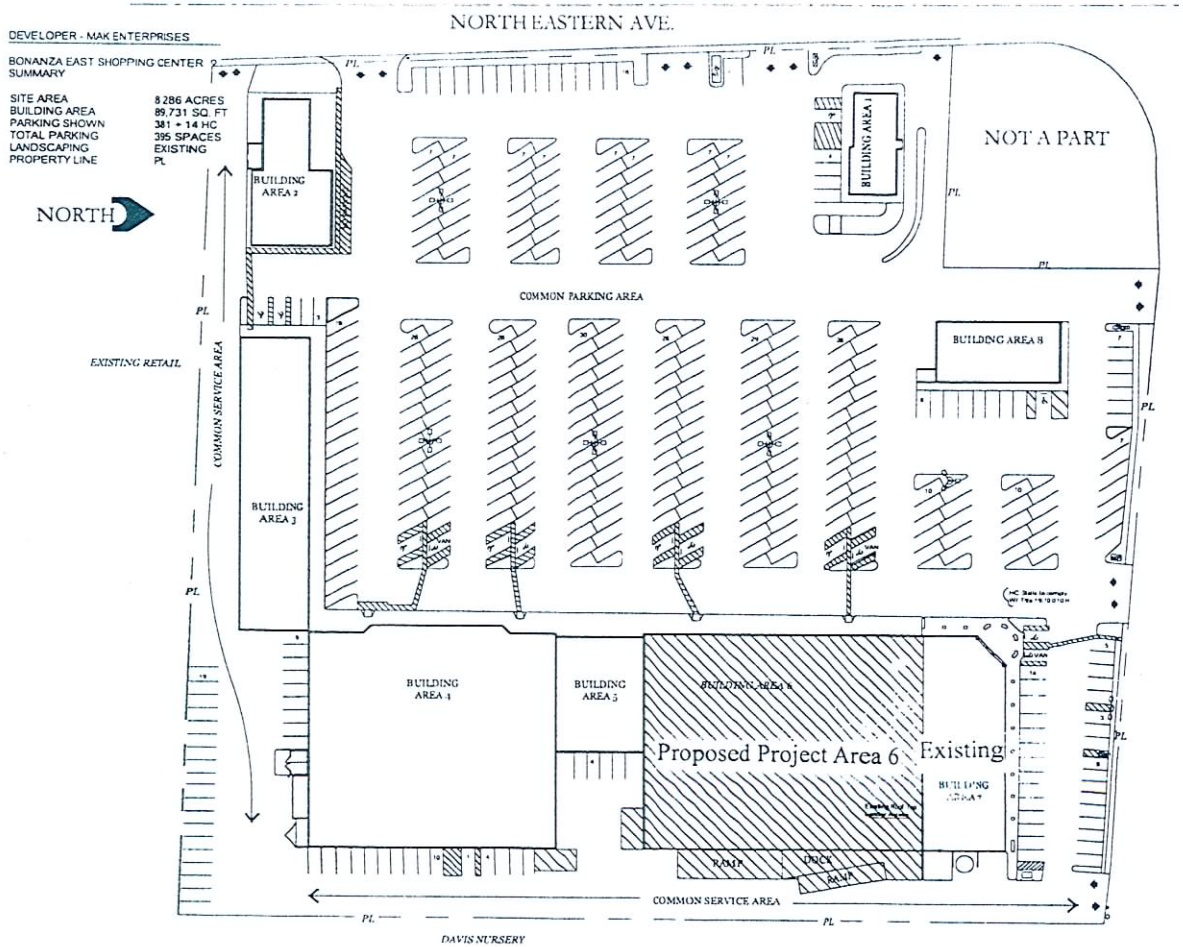
APN: 139-36-111-017

574 NORTH EASTERN AVE.
LAS VEGAS, NEVADA 89101

DEVELOPER - MAK ENTERPRISES

BONANZA EAST SHOPPING CENTER 2
SUMMARY

| | |
|---|---|
| SITE AREA | 8.286 ACRES |
| BUILDING AREA | 89,731 SQ. FT |
| PARKING SHOWN | 381 + 14 HC |
| TOTAL PARKING | 395 SPACES |
| LANDSCAPING | EXISTING |
| PROPERTY LINE | PL |




## CONTACT INFORMATION

**OWNER / TENANT**
Mariana's Super Mercado
2561 EAST BONANZA ROAD
LAS VEGAS, NEVADA 89101
CONTACT: RUBEN ANAYA
PHONE (702) 604-9617
FAX (702) 642-7057

**BUILDER:**
HARDY DEVELOPMENT
LAS VEGAS, NEVADA
CONTACT: MERLIN HARDY
PHONE(702) 376-4937
FAX (702) 453-5030
LIC. NO. B-26060

## CODE ANALYSIS

| | | | |
|---|---|---|---|
| NAME | Mariana's Super Mercado | | |
| APN | APN 139-36-111-017 | | |
| ADDRESS | 574 NORTH EASTERN Ave. LAS VEGAS, NEVADA 89101 | | |
| LOCAL JURISDICTION | CITY OF LAS VEGAS BUILDING DEPARTMENT | | |
| ZONING | CURRENT ZONING C-1 REQUIRED ZONING C-1 | | |
| CODES UTILIZED FOR REPAIRS | 2006 IBC, 2006 UMC, 2006 UPC, 2006 UFC, 2003 ANSI A117.1 2005 NEC, 2006 IECC, SNA, & COMMENTARIES | | |
| PROPOSED USE | GROCERY STORE | | |
| OCCUPANCY GROUP CLASS | M (2006 IBC Chapter 303.1 Exception 1) | | |
| CONSTRUCTION TYPE | V-B (2006 IBC Chapter 601.1) | | |
| FIRE ENCLOSURE OF EXITS | N/A | | |
| EXIT ACCESS CORRIDORS | N/A | | |
| TENANT SPACE SEPARATIONS | N/A (IBC SEC. 508, TABLE 508.3.3) | | |
| INTERIOR BEARING WALLS/COLUMNS | EXISTING | | |
| ROOF CONSTRUCTION | PART EXISTING | | |
| FIRE RESISTIVE CONST | Sprinklered) (IBC Chapter 6.9. & 504) | | |
| ALLOWABLE STORIES | 2 | ACTUAL STORIES | 1 |
| ALLOWABLE HEIGHT | 40 | ACTUAL HEIGHT | 35 |
| ALLOWABLE SF BUILD AREA | 40,500 | ACTUAL AREA | 37,390 (see calc this page) |

OCCUPANCY

| | AREA | OCC FACTOR | OCC LOAD |
|---|---|---|---|
| M- SALES / RETAIL AREA (1per 30) | 17,450 | 30 | 582 |
| KITCHEN AREA (1 per 200) | 5,500 | 200 | 28 |
| A- SEATING EATING AREA (1 per 15) | 672 | 15 | 45 |
| S- STORAGE, STOCK (1 per 300) | 7,566 | 300 | 26 |
| FUTURE LEASE SPACE (1 per 100) | 1,400 | 100 | 14 |
| B/M OFFICE W/C CIRC (1 per 100) | 4,987 | 100 | 50 |
| TOTAL OCCUPANT LOAD | 37,577 | | 745 |

| | | | |
|---|---|---|---|
| SPECIAL INSPECTIONS REQUIRED | (See Structural Plans) | | |
| COMMON PATH OF TRAVEL 75' MAX | 60' | REQUIRED | SALES AISLE (OK) |
| FURTHEST TRAVEL DIST 250' MAX | 192 | REQUIRED | S/E CREAMERY (OK) |
| EXITS REQUIRED OVER 500 OCC | 3 | PROVIDED | 7 |
| BATHROOMS REQUIRED IBC 2902.1 | 2 | PROVIDED | 3 |
| MOP / SERVICE SINK REQ. IBC 2902.1 | 1 | PROVIDED | 1 |
| DRINKING FOUNTAIN OCC. >30 = 1.1 | PROVIDED (water available at eating area) | | |

PARKING REQUIREMENTS
TOTAL (Common Parking Required Mariana's) 37,196/250 = 149
TOTAL (Common Parking PROVIDED) 381 + 11 HC + 3 HC VAN = 395
(PARKING OK)

## CONSTRUCTION & WALL CONDITIONS

This plan is for an interior tenant improvement of an existing food market. All perimeter demising walls & HVAC are existing, but will be reworked and added to, to create new design. most interior partitions and walls are new. Equipment and office mezzanines are existing. office mezzanine design will be reduced and reworked per new proposed plan. Bathrooms are existing but will be complete remodeled and fixtures relocated, plumbing walls will be 6" or as wide as deemed necessary. All utilities are existing to the site & tenmasle at tenant improvement, a new 1,200 Amp service will be added to power new equipment demands and a 1,500 gal grease interceptor will be added at south east corner of project. All room areas are as shown on plan. bathrooms and accessible routs will be ANSI accessible. Limited structural work will be performed under this permit. All FRP .09 white unless noted.

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| PLUMBING GAS & WASTE P | |
| PLUMBING WATER PLAN & | |


## FIRE NOTES

PROVIDE A PORTABLE FIRE EXTINGUISHER WITH A RATING OF NOT LESS THAN 2-A OR 2-A10BC WITHIN 75 FEET TRAVEL DISTANCE TO ALL PORTIONS OF THE BUILDING. ALSO DURING CONSTRUCTION.
ALL LOCATIONS SHOWN ON THESE DRAWINGS ARE SUGGESTED. FINAL LOCATIONS ARE TO BE DETERMINED BY THE FIRE INSPECTOR.

A STATE LICENSED FIRE SPRINKLER CONTRACTOR SHALL COMPLETE ALL NECESSARY DOCUMENTATION AND DRAWINGS FOR FIRE SPRINKLERS. IF SPRINKLERS ARE REQUIRED BY CODE FOR THIS PROJECT.

ALL FIRE SPRINKLERS IN LAY-IN & HARD CEILINGS SHALL BE SIM RECESSED. SPRINKLERS LOCATED IN CEILING TILE SHALL BE CENTERED IN THE CEILING TILE PATTERN. (I.E. IF THE TILE HAS A CENTER SCORE TO GIVE THE APPEARANCE OF A 2'x2' AREA, NOT THE 2'x4' (AREA). ALL SPRINKLERS IN SOFFITS SHALL BE CENTERED. ALL OTHER SPRINKLERS SHALL BE PLACED TO ALIGN WITH OTHER CEILING OR WALL FEATURES.

EVERY EXIT DOOR SHALL BE OPENABLE FROM THE INSIDE WITHOUT THE USE OF A KEY OR ANY SPECIAL EFFORT OR KNOWLEDGE. SPECIAL LOCKING DEVICES SHALL BE APPROVED TYPE. ALL DOORS SHALL HAVE HANDICAP LEVER HANDLES.

PROVIDE ILLUMINATION EXIT SIGNS AS REQUIRED BY BUILDING CODES. REFER ALSO TO ELECTRICAL DRAWINGS.

## DEFERRED SUBMITTALS

DEFERRED SUBMITTAL ITEMS SHALL BE SUBMITTED TO THE REGISTERED DESIGN PROFESSIONAL IN RESPONSIBLE CHARGE WHO SHALL REVIEW THEM AND FORWARD THEM TO THE BUILDING OFFICIAL WITH NOTATION INDICATING THAT THEY HAVE BEEN FOUND TO BE IN GENERAL CONFORMANCE WITH THE DESIGN OF THE BUILDING. THE DEFERRED SUBMITTAL ITEMS SHALL NOT BE INSTALLED UNTIL THEIR DESIGN AND SUBMITTAL DOCUMENTS HAVE BEEN APPROVED BY THE BUILDING OFFICIAL. IBC 106.3.4.2 (SEE ATTACHED OF 1 & OF-2 REPORT WHEN APPLICABLE)

## BUILDING AREA CALCULATIONS

CONSTRUCTION TYPE V-B — 8,000 SF
FIRE SPRINKLER ADD'L 0 — 37,390 SF
IBC SET-BACK 400 CALCULATION X 2 SIDES
FRONT SIDE PERIMETER 20% (362'/1944') 25% = 25%
SET-BACK IS 80/80 = 25%
(2) SIDES WEST & NORTH = 2 X 25% = 50%
TOTAL FRONTAGE ADD'L 50% (1,000 X 50%) = 1,500 SF
TOTAL ALLOWABLE AREA V-B — 40,500 SF
TOTAL PROPOSED AREA — 37,390 SF

NON-SEPARATED USES IBC 508.3.2 ALLOWABLE AREA INCREASE IS CALCULATED: "SUM AREAS OF EACH BUILDING (OR)

## RESTROOM CALCULATIONS

"M" OCC BATH FIXTURE CALC. (700) OCCUPANTS
REQUIRED TABLE E 2906 IBC - 2902.1
1 WATER CLOSET PER 500 OCCUPANTS
1 LAV PER 750 OCCUPANTS
MEN (350) OCCUPANTS - REQ. (1 LAV/1 & 1 WC)
WOMEN (350) OCCUPANTS - REQ. (1 LAV/1 & 1 WC)
PROVIDED (1) LAV & (1) STALL EACH

"SIT DOWN EATING AREA" OCC. FIXTURE CALC (45) OCCUPANTS
REQUIRED TABLE E 2906 IBC - 2902.1
1 WATER CLOSET PER 25 OCCUPANTS
1 LAV PER 40 OCCUPANTS
MEN 22 OCCUPANTS - REQ. (1 LAV & 1 WC)
WOMEN 23 OCCUPANTS - REQ. (1 LAV & 1 WC)
PROVIDED (1) LAV & (1) STALL EACH

TOTAL FIXTURES PROVIDED
(2) LAVS & (2) STALL - EACH (BATHROOMS OK)

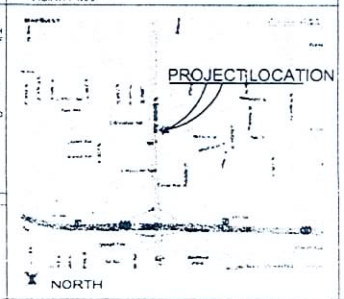
## FLOOR PLAN GENERAL NOTES

*ALL DIMENSIONS ARE TO FINISH FACE OF GYP BOARD - UNLESS NOTED OTHERWISE. CLEAR DIMENSIONS ARE TO FACE OF FINISH
*CONTRACTOR SHALL CHECK AND VERIFY SIZE AND LOCATION OF DUCT OPENINGS AND PLUMBING RUNS WITH MECHANICAL DRAWINGS BEFORE FRAMING WALLS, ROOFS, ETC.
*CONTRACTOR SHALL CHECK AND VERIFY LOCATION OF TELEPHONE BOARD, ELECTRICAL PANELS, ETC. PROVIDE BLOCKING IN WALL AND SUPPORT. PROVIDE WALL BACKING AND SUPPORT IN WALLS AND CEILING FOR ALL WALL HUNG AND CEILING MOUNTED FURNITURE EQUIPMENT, FIXTURES, ACCESSORIES AND CASEWORK. COORDINATE OWNER FURNISHED ITEMS WITH OWNER.
*PROVIDE PANIC HARDWARE AND NECESSARY INSTALLATION BACKING AS REQUIRED BY CODE.
*PROVIDE EXIT LIGHTS AS REQUIRED BY CODE.
*ALL TENANT WALLS TO BE PER PLAN DETAILS UNLESS OTHERWISE NOTED.

## CONTRACTOR NOTE

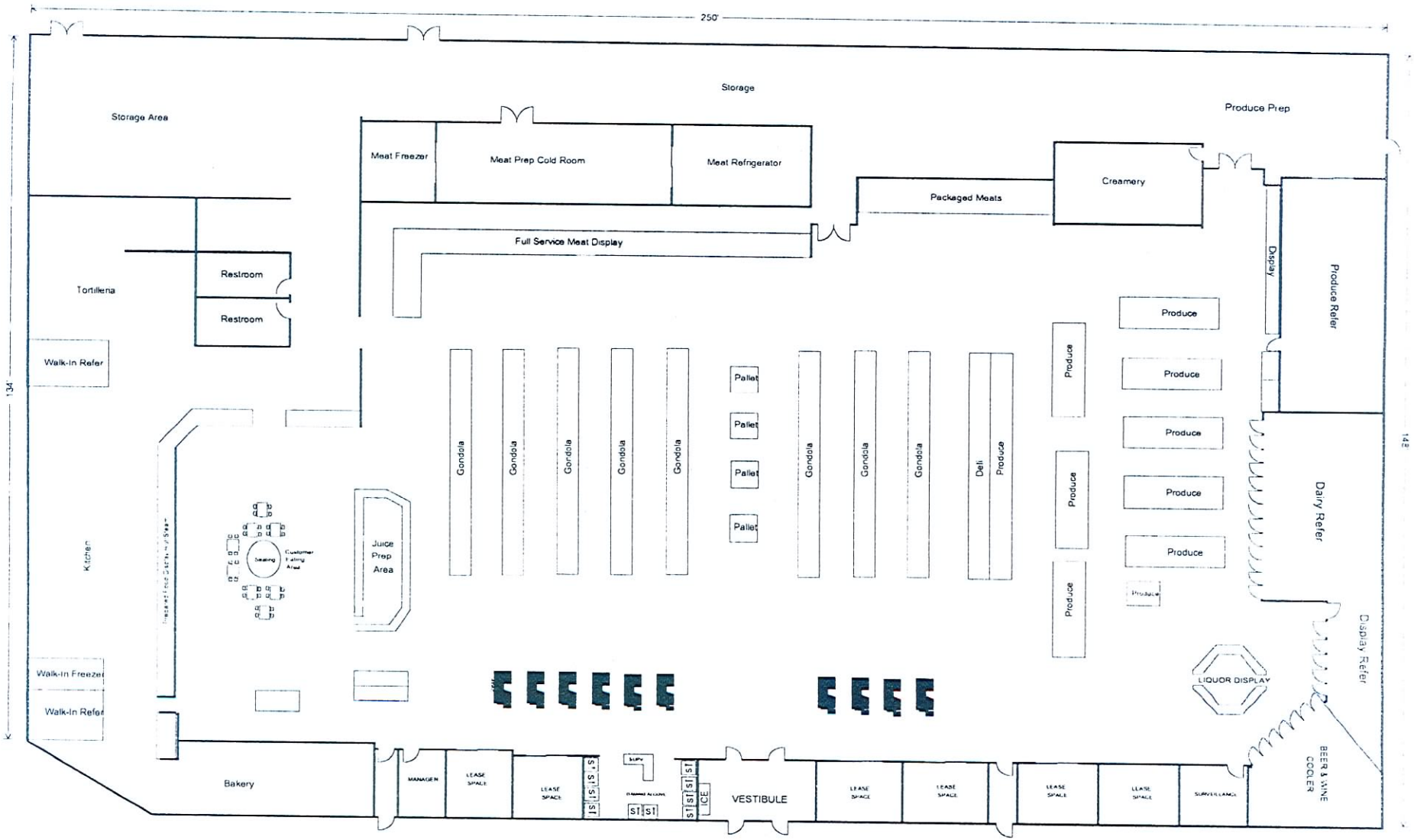
Contractor acknowledges that he/she is familiar with every sheet in this set, as information shown on one sheet applies to all sheets. These plans are subject to internal & City/County Plan Check Corrections and Owner requested changes. General Contractor and all Subcontractors to verify with owner and architect that they are in possession of the most recent set of plans prior to finalizing contract, purchase, fabrication, and installation of all building components and systems.

## VICINITY MAP




RECEIVED
JUN 04 2009

**SUP-34609**
**REVISED**
**07/09/09 PC**




Mariana's Super Mercado
574 N. Eastern Ave.
Las Vegas, NV 89101

Total Sq. Footage: 37,052 SF
Customer Area: 20,622 SF
Liquor Display and Beer & Wine Sq. Ft: 2,000
Date Prepared: 5/19/09

RECEIVED
MAY 26 2009

**SUP-34609**
**07/09/09 PC**

Mariana's Super Mercado
574 N. Eastern Ave., Las Vegas, NV 89101
Elevations
















SUP-34609
07/09/09 PC

RECE
MAY 2

Mariana's Super Mercado
574 N. Eastern Ave., Las Vegas, NV 89101
Landscaping










**SUP-34609**
**07/09/09 PC**

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MAY 2 6 2009



SUP-34609 - APPLICANT: MARIANA'S ENTERPRISES - OWNER: B. E. UNO, LLC
2551 EAST BONANZA ROAD
JULY 9, 2009 PLANNING COMMISSION

06/04/09




SUP-34609 - APPLICANT: MARIANA'S ENTERPRISES - OWNER: B. E. UNO, LLC
2551 EAST BONANZA ROAD
JULY 9, 2009 PLANNING COMMISSION

06/04/09




SUP-34609 - APPLICANT: MARIANA'S ENTERPRISES - OWNER: B. E. UNO, LLC
2551 EAST BONANZA ROAD
JULY 9, 2009 PLANNING COMMISSION

06/04/09




SUP-34609 - APPLICANT: MARIANA'S ENTERPRISES - OWNER: B. E. UNO, LLC
2551 EAST BONANZA ROAD
JULY 9, 2009 PLANNING COMMISSION

06/04/09




SUP-34609 - APPLICANT: MARIANA'S ENTERPRISES - OWNER: B. E. UNO, LLC
2551 EAST BONANZA ROAD
JULY 9, 2009 PLANNING COMMISSION

06/04/09

RECEIVED
JUN 16 2009

Justification Letter
Mariana's Super Market # 1

Mariana's opened their first store in the same shopping center in the late 1980's the store was the size of a small convenience store. The Owners stocked the store with products familiar to the Latino Community.

It did not take long for word to spread that there was a Latino store in the area. By 1989 the owners were able to purchase a pad at the other end of the shopping center and they opened an 8,000 sq. ft. grocery store completed with a meat market and a bakery.

This store has long since out grown itself and the owners are in the process of expanding into the next building taking up 37,052 sq. ft. The storage, office and non customer assessable area will be 16,430 sq. ft. The store will be better equipped to take care of the community needs, as they will be able to offer a larger selection of household products, consumable products, a larger bakery, meat dept, and a liquor dept. The liquor dept will be 2,000 square feet, or less than 10% of the customer assessable area of 20,622 s.q. ft.

The Liquor Dept. will operate the same hours of the grocery store, 6AM -12AM 7 days. Without the Liquor dept. they would not be a full service grocery store and it would put them at a disadvantage with other full size grocery stores in the area.

It should also be noted that Mariana's since opening that first store has opened a store on Valley View and Sahara, Flamingo & Eastern, and Civic Center and Cheyenne all are well operated & successful with no adverse effect on the community.

**SUP-34609**
**REVISED**
**07/09/09 PC**

City of Las Vegas Agenda Item No.: **38.**

## *AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT*

**PLANNING COMMISSION MEETING OF: JULY 9, 2009**

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

**SUBJECT:**
**TXT-34717 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - Discussion and possible action to amend the Town Center Development Standards Manual to update standards for the Motor Vehicle Sales (Used) use, Ward 6 (Ross)

**THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **0** | **Planning Commission Mtg.** | **0** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
**NONE**

**BACKUP DOCUMENTATION:**
1. Conditions and Staff Report

City of Las Vegas

## *AGENDA MEMO*

**PLANNING COMMISSION MEETING DATE: JULY 9, 2009**
**DEPARTMENT: PLANNING AND DEVELOPMENT**
**ITEM DESCRIPTION: TXT-34717 - APPLICANT/OWNER: CITY OF LAS VEGAS**

## ** CONDITIONS **

**STAFF RECOMMENDATION: NO RECOMMENDATION**

1. Subsection B.2 Table 1 of the Town Center Development Standards Manual, "Permitted Uses - Table 1," is hereby amended as follows:

| USES | GC | SC | UC | SX | MS | EC | L | ML | MLA | M | PF |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Motor Vehicle Sales (Used) | ~~C~~ S | | | | | ~~C~~ S | | | | | |

2. Subsection B.3.B of the Town Center Development Standards Manual, "Conditional Uses - Conditions," is hereby amended as follows:

21) MOTOR VEHICLE SALES (NEW)

a. ~~Motor vehicle sales~~ The use may include an outdoor ~~used car~~ sales lot for Motor Vehicle Sales (Used) when such a lot is operated by a franchised, new car dealer. The used car sales shall be located directly adjacent to the new car sales and service facility and be operated as an incidental use.
b. The installation and use of an outside public address or bell system is prohibited.
c. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.
d. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.
e. All accessory services shall be performed inside an enclosed structure.
f. Openings in service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
g. Accessory automobile rental is permitted.
h. The minimum site area shall be 25,000 square feet.
i. Parking of vehicles in landscaped areas is prohibited.

RTS

~~22) MOTOR VEHICLE SALES (USED, WITH NEW CAR SALES)~~
- ~~a. The minimum site area shall be 25,000 square feet.~~
- ~~b. The installation and use of an outside public address or bell system is prohibited.~~
- ~~c. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.~~
- ~~d. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.~~
- ~~e. Openings in service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.~~
- ~~f. Accessory automobile rental is permitted.~~
- ~~g. Parking of vehicles in landscaped areas is prohibited.~~

3. Subsection B.4.B of the Town Center Development Standards Manual, "Special Use Permits – Minimum Requirements," is hereby amended as follows:

<u>##) MOTOR VEHICLE SALES (USED)</u>
- <u>a. The minimum site area shall be 25,000 square feet.</u>
- <u>b. The installation and use of an outside public address or bell system is prohibited.</u>
- <u>c. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.</u>
- <u>d. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.</u>
- <u>e. Openings in service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.</u>
- <u>f. Accessory automobile rental is permitted.</u>
- <u>g. Parking of vehicles in landscaped areas is prohibited.</u>

**TXT-34717 - Staff Report Page One**
**July 9, 2009 - Planning Commission Meeting**

# ** STAFF REPORT **

## APPLICATION REQUEST

This is a request to amend the Town Center Development Standards Manual Permitted Uses – Table 1 to require a Special Use Permit for the approval of the Motor Vehicle Sales (Used) use as a standalone, primary use in the GC-TC (General Commercial – Town Center) and EC-TC (Employment Center Mixed-Use – Town Center) Special Land Use Designations. This request includes modifications to the existing Conditional Uses section and introduces provisions for this use in the Special Use Permits section of the Development Uses chapter of the manual.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 10/04/06 | The City Council adopted Ordinance #5860 which amended the Town Center Development Standards Manual to standardize various uses, including the car sale uses, with Title 19. The Planning Commission and staff recommended approval of the Text Amendment (TXT-13863) which was heard at the City Council as Bill Number 2006-53. |

The Town Center Development Standards Manual establishes the list of permitted uses in the T-C (Town Center) District. In an effort to streamline the review of projects within the Town Center area, the uses allowed within the district were reviewed for their consistency with Title 19 in 2006. Among other changes, the review culminated in the revision and reorganization of the Town Center Development Standards Manual - Development Uses chapter. Necessary adjustments to the listed uses were made with the adoption of Ordinance #5860. Prior to that amendment the permitted car sale uses were listed as Auto Sales (New) and Auto Sales (Used, with new car sales). As a part of the changes made by Ordinance #5860, the permitted car sale uses listed in the Permitted Uses - Table 1 for the district, Auto Sales (New) and Auto Sales (Used, with new car sales), were changed to Motor Vehicle Sales (New) and Motor Vehicle Sales (Used).

The uses continued to be Conditional Uses within the GC-TC (General Commercial – Town Center) and EC-TC (Employment Center Mixed Use – Town Center) special land use categories. The minimum requirement for the approval as a Conditional Use for Motor Vehicle Sales (New) remained the same as that for Auto Sales (New) and included provisions for the sale of used cars as a part of the new car sales dealership. The change of name in the permitted use table from Auto Sales (Used, with new car sales) to Motor Vehicle Sales (Used) did not completely change the listing within the Conditional Uses section of the manual as the intent was that used car sales would be in connection with new car sales. The revised Conditional Uses entry was titled Motor Vehicle Sales (Used, with new car sales) with the same conditions as previously listed for the Auto Sales (Used, with new car sales) use.

## ANALYSIS

Motor Vehicle Sales (Used) as a primary use has the potential to be incompatible with the Town Center concept and therefore like other such potentially incompatible uses should, were contemplated, require a special use permit. To that end, the Motor Vehicle Sales (Used) use, which allows a facility or area used primarily for the display and sale or leasing of used automobiles, motorcycles and motor scooters and can include service bays and auto body shops which are incidental and accessory to the sales use, should be listed in the Permitted Uses – Table 1 as requiring a Special Use Permit within the GC-TC (General Commercial – Town Center) and EC-TC (Employment Center Mixed Use – Town Center) special land use categories. With the changes to the Motor Vehicle Sales (New) conditions that provide provisions for Motor Vehicle Sales (Used) in conjunction with a new car dealership, this change to the applicable Motor Vehicle Sales (Used) special land use categories would result in the deletion of the Conditional Uses entry for Motor Vehicle Sales (Used, with new car sales).

Further, the Special Use Permits section of the manual should be revised to include an entry for the Motor Vehicle Sales (Used) use to set the minimum requirements within the GC-TC (General Commercial – Town Center) and EC-TC (Employment Center Mixed Use – Town Center) special land use categories as follows:

a. The minimum site area shall be 25,000 square feet.
b. The installation and use of an outside public address or bell system is prohibited.
c. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.
d. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.
e. Openings in service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
f. Accessory automobile rental is permitted.
g. Parking of vehicles in landscaped areas is prohibited.

The proposed amendment would clarify any existing ambiguity between the Permitted Uses – Table 1 and the Conditional Uses entry and provide clear standards for the allowance of Motor Vehicle Sales (Used) as a primary use. Further, by requiring a Special Use Permit within the GC-TC (General Commercial – Town Center) and EC-TC (Employment Center Mixed Use – Town Center) special land use categories and adding the appropriate minimum requirements to the Special Use Permits section of the Manual, the applicability of the use is made more consistent with how development of this nature is handled elsewhere in the city.

The Special Use Permit process provides an opportunity to ensure a higher level of compatibility with neighboring development and the goals of the community; however, staff finds that allowing Motor Vehicle Sales (Used) as a primary use in the T-C (Town Center) District may not be consistent with the intent of the Town Center concept. Therefore, staff has no recommendation regarding the advancement of this amendment.

## FINDINGS

The proposed text amendment will achieve the following:

- Require a Special Use Permit for any Motor Vehicle Sales (Used) use proposed as a primary use within the GC-TC (General Commercial – Town Center) and EC-TC (Employment Center Mixed Use – Town Center) special land use categories
- Introduce the minimum requirements for a Special Use Permit for a Motor Vehicle Sales (Used) to the Special Use Permits section of the manual

The following table summarizes all proposed changes:

| Code Requirements | Existing Regulations | Proposed Regulations |
|---|---|---|
| Town Center Development Standards Manual – Development Uses: Permitted Uses – Table 1 | • Motor Vehicle Sales (Used) use identified as a Conditional Use within the GC-TC (General Commercial – Town Center) special land use category | • Motor Vehicle Sales (Used) use identified as requiring a Special Use Permit within the GC-TC (General Commercial – Town Center) and EC-TC (Employment Center Mixed Use – Town Center) special land use categories |
| Town Center Development Standards Manual – Development Uses: Conditional Uses – Conditions | • Motor Vehicle Sales (New) conditions includes a provision for the sale of used car sales as part of a new car dealership<br>• Conditional Standards provided for a Motor Vehicle Sales (Used, With New Car Sales), this listing does not quite line up with the Permitted Uses – Table 1 entry | • Minor revision to used car sales lot provision to reference the Motor Vehicle Sales (Used) use<br>• Motor Vehicle Sales (Used, With New Car Sales) entry deleted |
| Town Center Development Standards Manual – Development Uses: Special Use Permits – Minimum Requirements | • n/a | • Add minimum requirements for Motor Vehicle Sales (Used) use |

**NOTICES MAILED** NEWSPAPER ONLY

**APPROVALS** 0

**PROTESTS** 0

City of Las Vegas Agenda Item No.: **39.**

## *AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT*

**PLANNING COMMISSION MEETING OF: JULY 9, 2009**

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

**SUBJECT:**
**TXT-34897 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - Discussion and possible action to amend Table 2 of Title 19.04.010 and Title 19.20 to revise the description, on-site parking requirement and the definition for the Bakery, Retail use, All Wards

**THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **0** | **Planning Commission Mtg.** | **0** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
**APPROVAL**

**BACKUP DOCUMENTATION:**
1. Conditions and Staff Report

City of Las Vegas

## *AGENDA MEMO*

**PLANNING COMMISSION MEETING DATE: JULY 9, 2009**
**DEPARTMENT: PLANNING AND DEVELOPMENT**
**ITEM DESCRIPTION: TXT-34897 - APPLICANT/OWNER: CITY OF LAS VEGAS**

# ** CONDITIONS **

**STAFF RECOMMENDATION: APPROVAL**

1. Title 19.04.010 is hereby amended as follows:

**19.04.010 LAND USE TABLES**

**Table 2 – Land Use Table**
**Retail & Personal Services**

| USE | RESIDENTIAL | | | | | | | | | | | | COMMERCIAL | | | | | | INDUSTRIAL | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Bakery, Retail | U | R-A | R-E | R-D | R-1 | R-CL | R-2 | R-3 | R-4 | R-5 | R-MH | R-MHP | P-R | N-S | O | C-D | C-1 | C-2 | C-PB | C-M | M |
| | | | | | | | | | | | | | | P | A | | P | P | S | P | P |
| | **Description:** An establishment which specializes in baked goods <u>such as doughnuts, cookies, pastries or other similar goods</u> for retail sale but does not provide meals as found in a restaurant. | | | | | | | | | | | | | | | | | | | | |
| | **On-site Parking Requirement:** One space for each ~~100~~ <u>175</u> square feet of gross floor area. | | | | | | | | | | | | | | | | | | | | |

2. Title 19.20.020 "Words and Terms Defined" is hereby amended as follows:

**Bakery, Retail**. An establishment which specializes in baked goods <u>such as doughnuts, cookies, pastries or other similar goods</u> for retail sale but does not provide meals as found in a restaurant.

RTS

**TXT-34897 - Staff Report Page One**
**July 9, 2009 - Planning Commission Meeting**

# ** STAFF REPORT **

## APPLICATION REQUEST

This is a request to amend the Description and On-Site Parking Requirements for the Bakery, Retail use entry in Table 2 of Title 19.04 and the corresponding Definition in Title 19.20.020. The change to the description and definition adds clarity to what is meant by the term "baked goods" by providing examples of such items. The amendment also requests to change the parking requirement ratio to 1 space per 175 square feet of gross floor area (GFA).

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 08/02/06 | The City Council adopted Ordinance #5842 which amended Title 19 to consolidate use descriptions, conditional and special use permit requirements, and on-site parking requirements into one table (Table 2). The Planning Commission and staff recommended approval of the Text Amendment (TXT-9890) which was heard at the City Council as Bill Number 2006-36. |
| 06/03/09 | The City Council adopted Ordinance #6041 which amended Title 19 to make various corrections and to add several uses, including the Bakery, Retail use. The Planning Commission and staff recommended approval of the Text Amendment (TXT-32865) which was heard at the City Council as Bill Number 2009-18. |

Prior to changes made by Ordinance #5842 on-site parking requirements were tabulated in Title 19.10 and included an on-site parking requirement for a Delicatessen/Doughnut Shop at a ratio of 1 space per 100 square feet of GFA. No such use was specifically called out in the land use table in Title 19.04; thus the standard was repealed pursuant to Section 7 of the ordinance.

## ANALYSIS

When the Bakery, Retail use was proposed as a part of the larger amendment adopted as Ordinance #6041, the parking ratio was deemed to most closely be related to the former delicatessen/doughnut shop parking standard. However, further review of the nature of the use as defined "baked goods for retail sale but does not provide meals as found in a restaurant" indicates that the use is not anticipated to have as intense a parking demand as currently provided for with the parking requirement of 1 space per 100 square feet of gross floor area. A more reasonable standard to deal with the anticipated parking demand of a use of this intensity is 1 space per 175 square feet of gross floor area. This standard, which is appropriate for small to medium scale (usually less than 25,000 square feet) general retail uses, should be adequate to meet the needs of the Bakery, Retail use.

Additionally, further review and comments following the adoption of the Bakery, Retail use indicate that the term "baked goods" needs to be clarified by expressing in some way what is meant by the term. To this end the description in Table 2 of Title 19.04.010 and the definition found in Title 19.20.020 for the Bakery, Retail use will be revised to indicate that "baked goods" refers to items such as doughnuts, cookies, pastries and other similar goods.

## FINDINGS

The proposed text amendment will achieve the following:

- Adjust the parking requirement for the Bakery, Retail use from a more stringent requirement that is more in keeping with a drive-through restaurant use to one that is more reasonable and similar to a general retail use.
- Provide clarification regarding what is meant by the term "baked goods" by providing examples in the use's description and definition.

The following table summarizes all proposed changes:

| Code Requirements | Existing Regulations | Proposed Regulations |
|---|---|---|
| Title 19.04.010 Land Use Tables – Bakery, Retail | • It is not clear what is meant by "baked goods" in the use description<br>• Parking is calculated on a ratio of 1 space per 100 square feet of gross floor area | • Examples of baked goods added<br>• Parking to be calculated on a ratio of 1 space per 175 square feet of gross floor area |
| Title 19.20.020 Words and Terms Defined – Bakery, Retail | • It is not clear what is meant by "baked goods" in the definition | • Examples of baked goods added |

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

**ASSEMBLY DISTRICT**

**SENATE DISTRICT**

**NOTICES MAILED** NEWSPAPER ONLY

**APPROVALS** 0

**PROTESTS** 0

City of Las Vegas Agenda Item No.: **40.**

## *AGENDA SUMMARY PAGE*

**PLANNING COMMISSION MEETING OF JULY 9, 2009**

**DEPARTMENT: PLANNING AND DEVELOPMENT**
**DIRECTOR: M. MARGO WHEELER**

**SUBJECT:**

CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE PLANNING COMMISSION. NO SUBJECT MAY BE ACTED UPON BY THE PLANNING COMMISSION 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