



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)
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Councilwoman Lois Tarkanian, (Ward 1)
Councilman Steven D. Ross, (Ward 6)
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City Manager Elizabeth N. Fretwell

COMMISSIONERS

Glenn E. Trowbridge, Chair
Richard Truesdell, Vice Chair
Byron Goynes
Steven Evans
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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 23, 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 25, 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 - 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)
7. **ABEYANCE - 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)
8. **ABEYANCE - 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)
9. **ABEYANCE - RQR-34323 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: MARSHALL FAMILY, LIMITED PARTNERSHIP** - Required Review of a previously approved Special Use Permit (U-0126-94) FOR A 40-FOOT HIGH, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN at 2330 Industrial Road (APN 162-04-802-007), M (Industrial) Zone, Ward 3 (Reese)
10. **ABEYANCE - SDR-34463 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: EVA AND ANDREW FRANK** - Request for a Site Development Plan Review FOR THE ADDITION OF A TWO-STORY, NINE-UNIT APARTMENT BUILDING WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER STANDARDS TO ALLOW A ZERO-FOOT BUFFER ALONG THE WEST PERIMETER WHERE 10 FEET IS REQUIRED AND ZERO-FOOT BUFFERS ALONG PORTIONS OF THE NORTH AND EAST PERIMETERS WHERE SIX FEET IS REQUIRED on 0.72 acres at 1774 Willow Trail and 3900 Melody Lane (APNs 139-19-802-001 and 003), R-3 (Medium Density Residential) Zone, Ward 5 (Barlow)
11. **GPA-34706 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: NV ENERGY - OWNER: USA AND NEVADA POWER COMPANY** - Request to Amend a portion of the Centennial Hills Sector Plan of the General Plan FROM: PCD (PLANNED COMMUNITY DEVELOPMENT) TO: PF (PUBLIC FACILITIES) on 70 acres generally located on the south side of Moccasin Road alignment, 660 feet west of Larry McBryde Street alignment (APNs 126-01-101-002 through 004, 007, 015, 016 and 126-01-201-016), Ward 6 (Ross)
12. **ZON-34709 - REZONING RELATED TO GPA-34706 - PUBLIC HEARING - APPLICANT: NV ENERGY - OWNER: USA AND NEVADA POWER COMPANY** - Request for a Rezoning FROM: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: C-V (CIVIC) on 35 acres generally located on the south side of Moccasin Road alignment, 660 feet west of Larry McBryde Street alignment (APN 126-01-101-016), Ward 6 (Ross)

13. **SDR-34710 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-34706 AND ZON-34709 - APPLICANT: NV ENERGY - OWNER: USA AND NV ENERGY** - Request for a Site Development Plan Review FOR AN EXPANSION OF AN EXISTING ELECTRIC UTILITY SUBSTATION on 60 acres generally located on the south side of Moccasin Road alignment, 660 feet west of Larry McBryde Street alignment (APNs 126-01-101-002 through 004, 016 and a portion of 126-01-201-016), U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] and C-V (Civic) Zones [PROPOSED: C-V (Civic)], Ward 6 (Ross)
14. **GPA-34792 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: GEORGE T. LOPEZ** - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: MXU (MIXED USE) TO: LI/R (LIGHT INDUSTRY/RESEARCH) on 0.97 acres at 2222 West Bonanza Road (APN 139-29-704-026), Ward 5 (Barlow)
15. **ZON-34793 - REZONING RELATED TO GPA-34792 - PUBLIC HEARING - APPLICANT/OWNER: GEORGE T. LOPEZ** - Request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) TO: C-M (COMMERCIAL/INDUSTRIAL) on 0.97 acres at 2222 West Bonanza Road (APN 139-29-704-026), Ward 5 (Barlow)
16. **SDR-34794 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-34792 AND ZON-34793 - APPLICANT/OWNER: GEORGE T. LOPEZ** - Request for a Site Development Plan Review TO ESTABLISH A CONTRACTOR'S PLANT, SHOP AND STORAGE YARD WITHIN AN EXISTING 4,279 SQUARE-FOOT OFFICE AND WAREHOUSE DEVELOPMENT WITH PERIMETER RAZOR WIRE on 0.97 acres at 2222 West Bonanza Road (APN 139-29-704-026), C-1 (Limited Commercial) Zone [PROPOSED: C-M (Commercial/Industrial)], Ward 5 (Barlow)
17. **ZON-34775 - REZONING - PUBLIC HEARING - APPLICANT: CLARK COUNTY - OWNER: ELLIS AVENUE PROPERTIES AND JOHN BIELINSKI** - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 2.93 acres at 1823 West Charleston Boulevard and 1128 Shadow Lane (APNs 162-04-111-018 and 162-04-112-005), Ward 1 (Tarkanian)
18. **SUP-34776 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CLARK COUNTY - OWNER: ELLIS AVENUE PROPERTIES AND JOHN BIELINSKI** - Request for a Special Use Permit FOR A PROPOSED PARKING LOT, COMMERCIAL AND A WAIVER TO ALLOW 24-HOUR PARKING WHERE PARKING BETWEEN THE HOURS OF 9:00 P.M. AND 6:00 A.M. IS NOT PERMITTED on 2.93 acres at 1823 West Charleston Boulevard and 1128 Shadow Lane (APNs 162-04-111-018 and 162-04-112-005), Ward 1 (Tarkanian)
19. **SDR-34777 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: CLARK COUNTY - OWNER: ELLIS AVENUE PROPERTIES AND JOHN BIELINSKI** - Request for a Site Development Plan Review FOR A PROPOSED 272 SPACE PARKING LOT, COMMERCIAL on 2.93 acres at 1823 West Charleston Boulevard and 1128 Shadow Lane (APNs 162-04-111-018 and 162-04-112-005), Ward 1 (Tarkanian)
20. **VAR-34662 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: REBECCA CARR** - Request for a Variance TO ALLOW AN 11-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED AND A FOUR-FOOT ENCROACHMENT FOR AN ARCHITECTURAL FEATURE (ROOF EAVE) WHERE TWO FEET IS THE MAXIMUM PERMITTED FOR AN EXISTING CARPORT on 0.15 acres at 521 Byrnes Avenue (APN 139-22-410-133), R-1 (Single Family Residential) Zone, Ward 5 (Barlow)
21. **VAR-34780 - VARIANCE - PUBLIC HEARING - APPLICANT: CLEAR WIRELESS, LLC - OWNER: SUN CITY SUMMERLIN COMMUNITY** - Request for a Variance TO ALLOW A 127-FOOT SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE 210 FEET FOR A PROPOSED 70-FOOT TALL WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN (MONOPALM) on 0.45 acres on the north side of the Sun City Boulevard and Lake Mead Boulevard intersection (APN 137-13-897-002), P-C (Planned Community) Zone, Ward 4 (Anthony)
22. **SUP-34779 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CLEAR WIRELESS, LLC - OWNER: SUN CITY SUMMERLIN COMMUNITY** - Request for a Special Use Permit FOR A PROPOSED 70-FOOT TALL WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN (MONOPALM) north of Lake Mead Boulevard at Sun City Boulevard (APN 137-13-897-002), P-C (Planned Community) Zone, Ward 4 (Anthony)

23. **RQR-34682 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR, LLC - OWNER: BRIGHT PATH, LLC** - Request for Required Review of a previously approved Special Use Permit (SUP-4521) FOR A 40-FOOT BY 48- FOOT OFF-PREMISE SIGN at 820 South Valley View Boulevard (APN 139-31-801-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian)
24. **SUP-34764 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: HOUSE OF VINO, LLC - OWNER: PROVIDENCE VILLAGE, LLC** - Request for a Special Use Permit FOR LIQUOR SALES (FOR OFF-PREMISE CONSUMPTION) WITHIN A PROPOSED 1,925 SQUARE-FOOT CONVENIENCE STORE at 7181 North Hualapai Way, Suite #105 (APN 126-24-517-001), PD (Planned Development) Zone [VC (Village Commercial) Cliff's Edge Special Land Use Designation], Ward 6 (Ross)
25. **SUP-34765 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: HOUSE OF VINO - OWNER: PROVIDENCE VILLAGE, LLC** - Request for a Special Use Permit FOR GAMING (INCIDENTAL GAMING MACHINES ONLY) WITHIN A PROPOSED 1,925 SQUARE-FOOT CONVENIENCE STORE at 7181 North Hualapai Way, Suite #110 (APN 126-24-517-001), PD (Planned Development) Zone [VC (Village Commercial) Cliff's Edge Special Land Use Designation], Ward 6 (Ross)
26. **SUP-34791 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CASH EXPRESS - OWNER: ALTA DECATUR, LLC** - Request for a Special Use Permit TO ADD AN AUTO TITLE LOAN USE TO AN EXISTING NON-CONFORMING FINANCIAL INSTITUTION, SPECIFIED at 459 South Decatur Boulevard (APN 139-31-221-005), C-2 (General Commercial), Ward 1 (Tarkanian)
27. **SDR-34778 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: GLENCOE PROPERTIES, INC. - OWNER: VIRGIN TERRITORY, LLC** - Request for a Major Amendment to a previously approved Site Development Plan Review (SDR-4995) FOR A 3,200 SQUARE-FOOT RESTAURANT WITH DRIVE-THROUGH WHERE A 2,800 SQUARE-FOOT RESTAURANT WITH DRIVE-THROUGH WAS PREVIOUSLY APPROVED on 17.04 acres on the north side of Craig Road, approximately 765 feet west of Jones Boulevard (APN 138-02-611-004), C-1 (Limited Commercial) Zone, Ward 6 (Ross)

DIRECTOR'S BUSINESS:

28. **TXT-34891 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - Discussion and possible action to amend Title 19.06.170 to make revisions and updates related to the Hillside Development Standards and Guidelines, All Wards
29. **DIR-34988 - DIRECTOR'S BUSINESS - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - Progress report by the Planning & Development Department regarding the City's Sustainability Initiative
30. **DIR-35033 - DIRECTOR'S BUSINESS - PUBLIC HEARING** - Progress report by the Planning & Development Department regarding the development of walkable community plans as discussed at the March 23rd 2009 Joint City Council and Planning Commission workshop.

CITIZENS PARTICIPATION:

31. **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**

AGENDA SUMMARY PAGE
PLANNING COMMISSION MEETING OF: JULY 23, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

SUBJECT:
CALL TO ORDER



AGENDA SUMMARY PAGE
PLANNING COMMISSION MEETING OF: JULY 23, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

SUBJECT:

ANNOUNCEMENT: COMPLIANCE WITH OPEN MEETING LAW



AGENDA SUMMARY PAGE
PLANNING COMMISSION MEETING OF JULY 23, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

SUBJECT:
ROLL CALL



AGENDA SUMMARY PAGE
PLANNING COMMISSION MEETING OF JULY 23, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

SUBJECT:

APPROVAL OF THE FINAL MINUTES FOR THE PLANNING COMMISSION MEETING
OF JUNE 25, 2009



AGENDA SUMMARY PAGE
PLANNING COMMISSION MEETING OF: JULY 23, 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



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JULY 23, 2009

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

ABEYANCE - 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.: 08/19/2009

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

11

City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

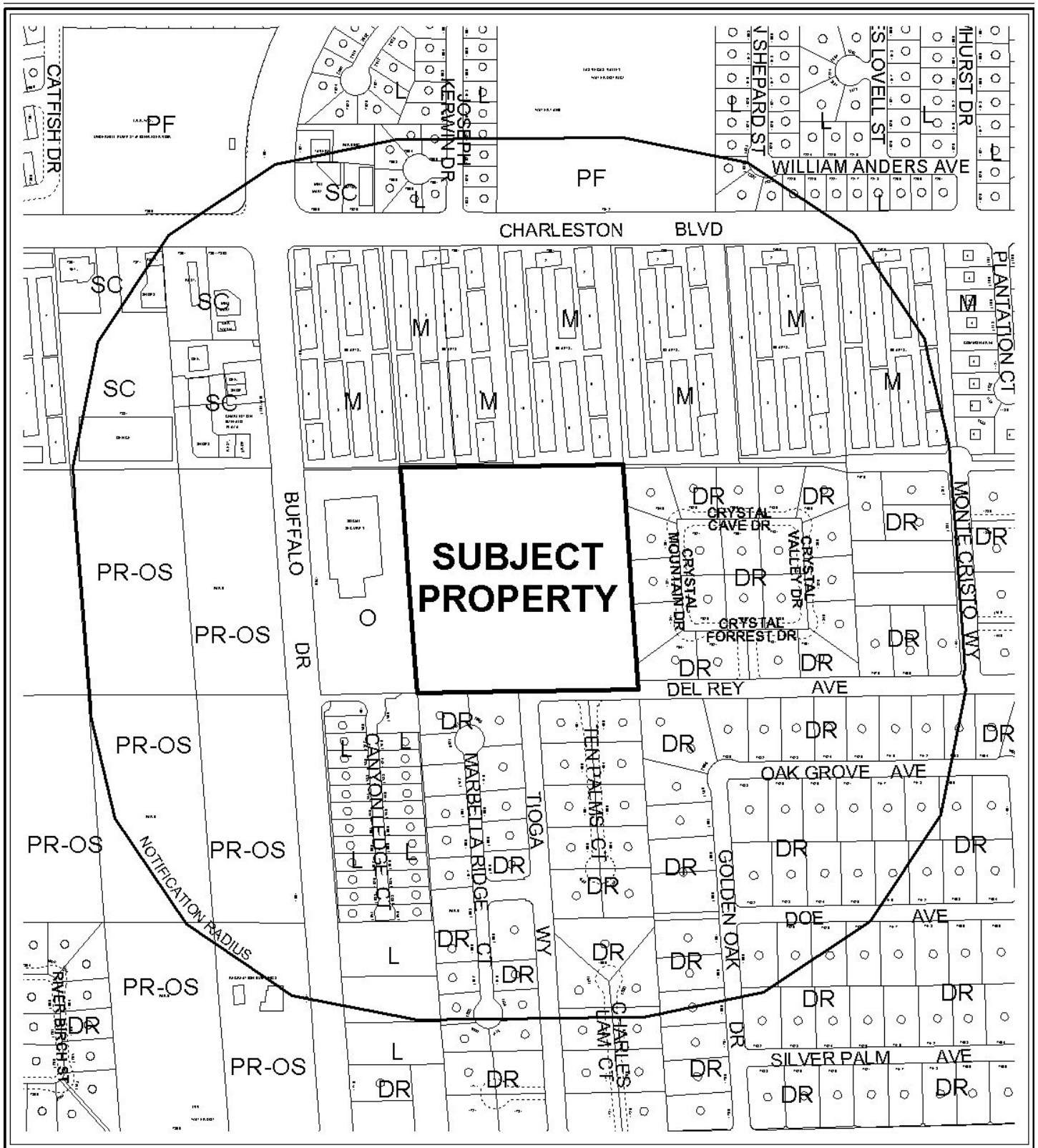
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RECOMMENDATION:

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 and Protest Letter



CASE: GPA-34610

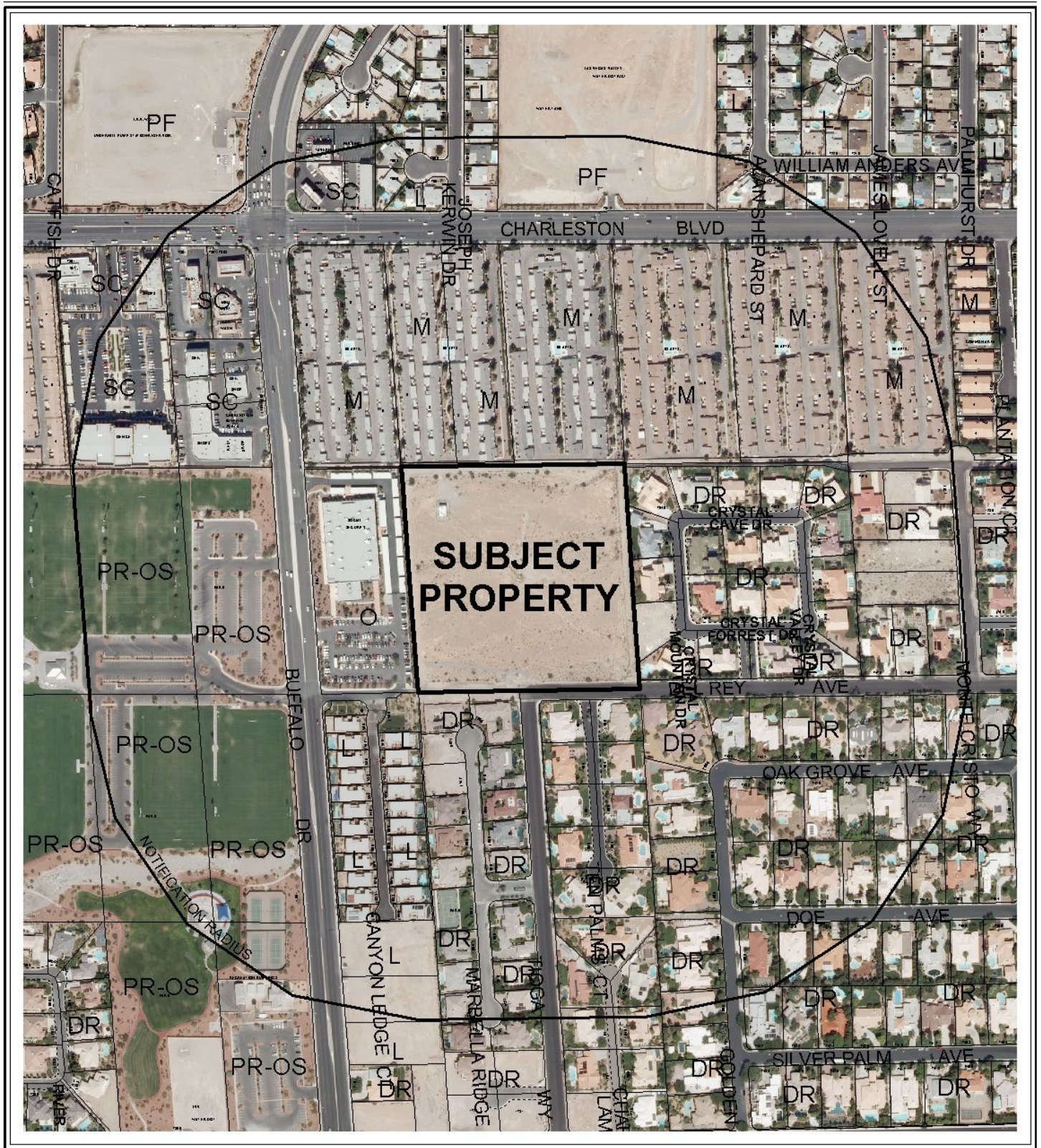
RADIUS: 1000 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

DR (DESERT RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

PR-OS (PARKS/RECREATION/OPEN SPACE)



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



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 23, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE - GPA-34610 - APPLICANT: FLO TV, INC -
OWNER: UNITED STATES OF AMERICA**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL.

GPA-34610 - Staff Report Page One
July 23, 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 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

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
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.

GPA-34610 - Staff Report Page Two
July 23, 2009 - Planning Commission Meeting

07/09/09	The Planning Commission at the request of the applicant, approved a request to hold in abeyance the subject General Plan Amendment (GPA-34610) to Amend a portion of the Southwest Sector Plan of the General Plan from DR (Desert Rural Density Residential) to PF (Public Facilities) 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.
07/23/09	The Planning Commission will consider a request for a related 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 and a related 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 the Site Development Plan Review.
<i>Related Building Permits/Business Licenses</i>	
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 finalized on 07/31/75.
<i>Pre-Application Meeting</i>	
05/08/09	The following items were discussed at the pre-application meeting: • The existing 321-foot communication tower and associated equipment was discussed. • The proposed co-location of a 25-foot antenna, new satellite dishes and related equipment was discussed. • Staff discussed the proposed General Plan Amendment from DR (Desert Rural Density Residential) to PF (Public Facilities).
<i>Neighborhood Meeting</i>	
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. The following is a list of questions, concerns and comments from the attendants of the meeting: • The site is not being properly maintained as it has graffiti and trash on it. • The site has illegal activity occurring on it. • No landscaping is being proposed as a part of the application.

GPA-34610 - Staff Report Page Three
July 23, 2009 - Planning Commission Meeting

06/10/09	• No buffer wall or fence is being proposed as a part of the application. • A request to have the notice area increased for the entire area from Cimarron to Rainbow to Sahara to Charleston. • There was a consensus of opposition towards the new tower and the change in land use and zoning.
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Field Check	
06/04/09	A field check was completed on the indicated date. Planning and Development found the following items; • Staff identified the existing 321-foot communication tower and the related equipment enclosed by chain-link and barbed wire fencing. • 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)

GPA-34610 - Staff Report Page Four
July 23, 2009 - Planning Commission Meeting

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
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.

GPA-34610 - Staff Report Page Five
July 23, 2009 - Planning Commission Meeting

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.

GPA-34610 - Staff Report Page Six
July 23, 2009 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 14

ASSEMBLY DISTRICT 2

SENATE DISTRICT 8

NOTICES MAILED 158

APPROVALS 0

PROTESTS 11



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

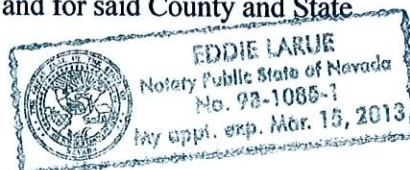
STATE OF NEVADA
COUNTY OF CLARK

Print Name: Janice Manley

Subscribed and sworn before me

This 18 day of JUNE, 2009

Eddie Larue
Notary Public in and for said County and State



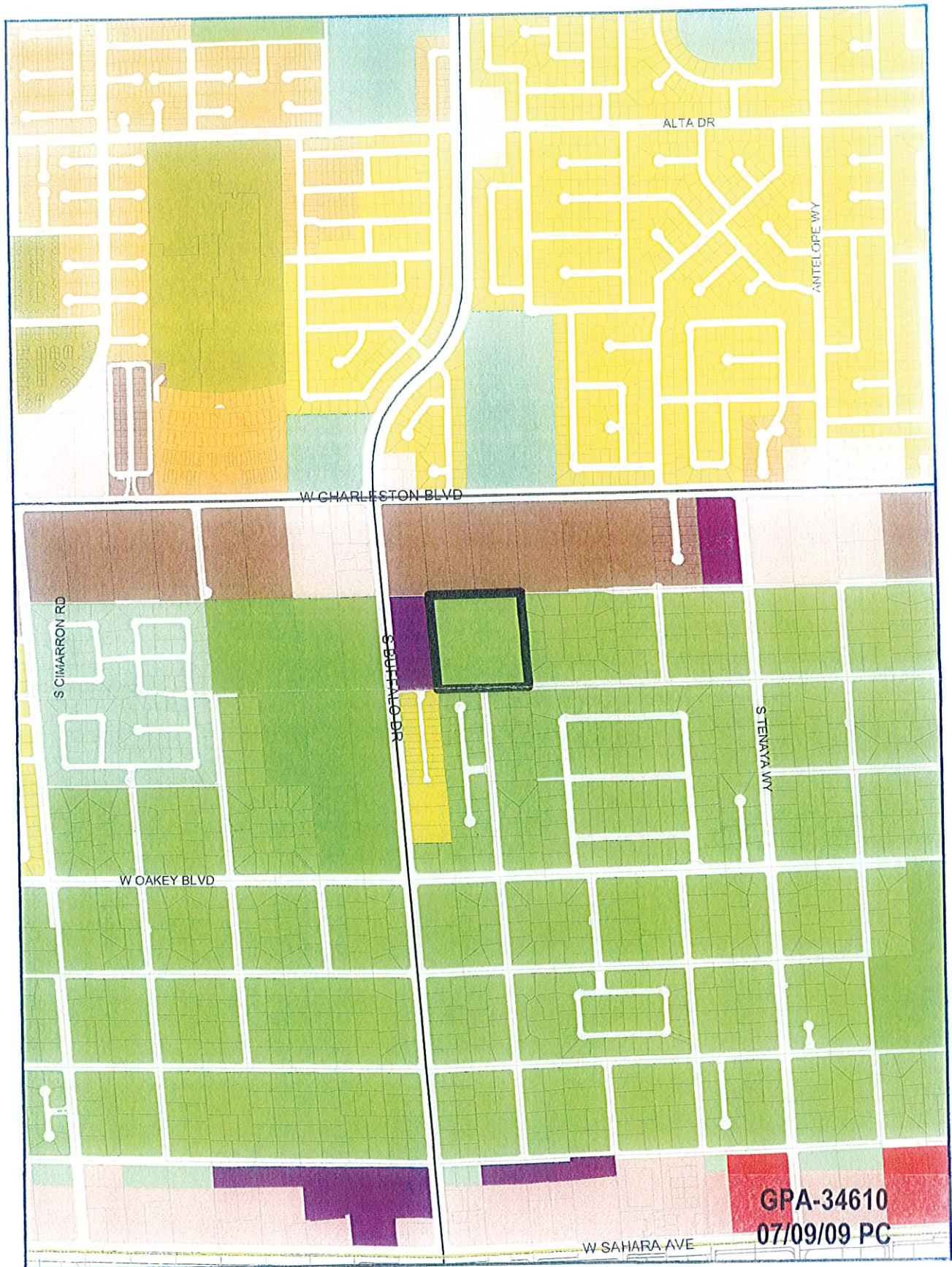
Revised 11-14-06

f:\depot\Application Packet\Statement of Financial Interest.pdf

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JUN 19 2009

General Plan
Parcel 163-03-101-001



GPA-34610
07/09/09 PC

Light Green	Rural Neighborhood Preserves	Brown	Medium
Light Green	Rural Estates	Dark Brown	High
Light Green	Desert Rural	Purple	Office
Light Green	Rural	Light Purple	Service Commercial
Yellow	Low	Red	General Commercial
Orange	Medium-Low	Dark Purple	Town Commercial
Light Green	Medium-Low (Ex-Antelope)	Light Purple	Las Vegas Medical District

Light Blue	Light Industrial / Research
Light Green	Planned Community Development
Light Green	Downward Redevelopment Area
Light Green	Park / Recreation / Open Space
Light Green	Public Facility
Light Green	Public Facility - School
Light Green	Public Facility - Court House

Light Green	Town Center
Light Green	Resource Conservation
Light Green	Downward - Commercial
Light Green	Downward - Industrial
Light Green	Neighborhood
Light Green	Neighborhood

FROM DR TO PR-OS

RECEIVED
MAY 26 2009



OFFICIAL RECORD
The City of Las Vegas
Department of Planning & Economic Development
Planning & Economic Development
May 18, 2009



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 23, 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 23, 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 23, 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 23, 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 devices 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,

A handwritten signature in blue ink that reads "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

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.
925 East Desert Inn Road
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

RECEIVED

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.

7. 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)

RECEIVED

JUN 19 2003

10:00 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.

April 30th 1974
Date

[Signature]
Signature
President
Title

RECEIVED

JUN 19 2009

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.

GPA-34610 & ZON-34611

Planning Commission Meeting of 7/9/2009

PRESORTED
FIRST CLASS



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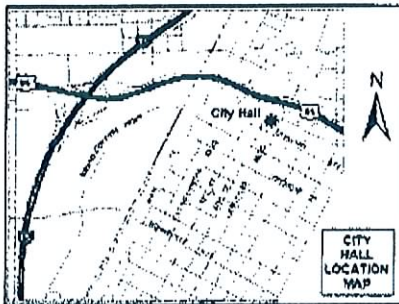
Case: GPA-34610

DAVDF11 93835



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.

GPA-34610 & ZON-34611

Planning Commission Meeting of 7/9/2009

PRESORTED
FIRST CLASS



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Case: GPA-34610
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LAS VEGAS NV 89117-1451

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AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JULY 23, 2009

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

ABEYANCE - 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.: 08/19/2009

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

11

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

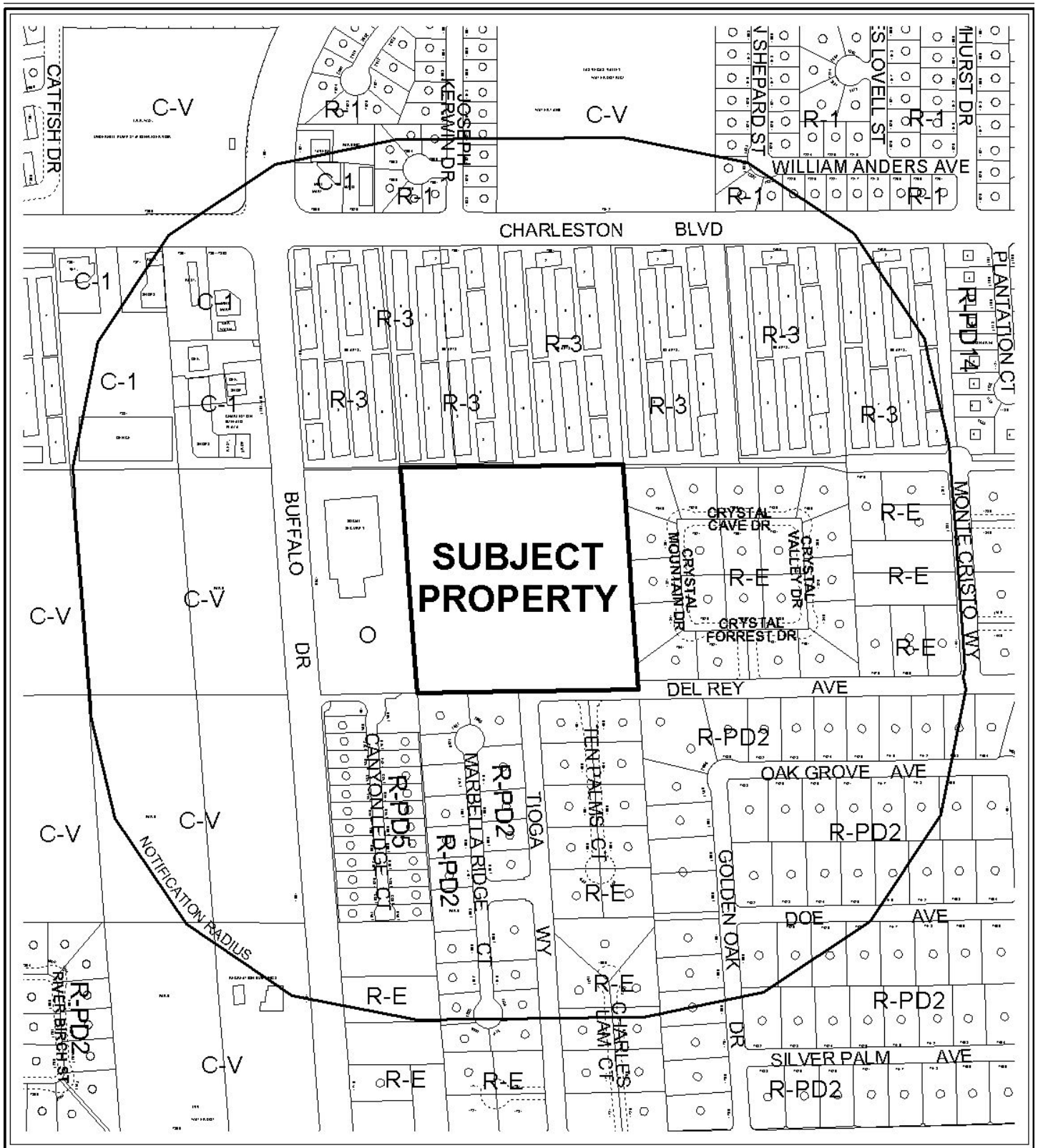
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RECOMMENDATION:

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 and Protest Letter



CASE: **ZON-34611**

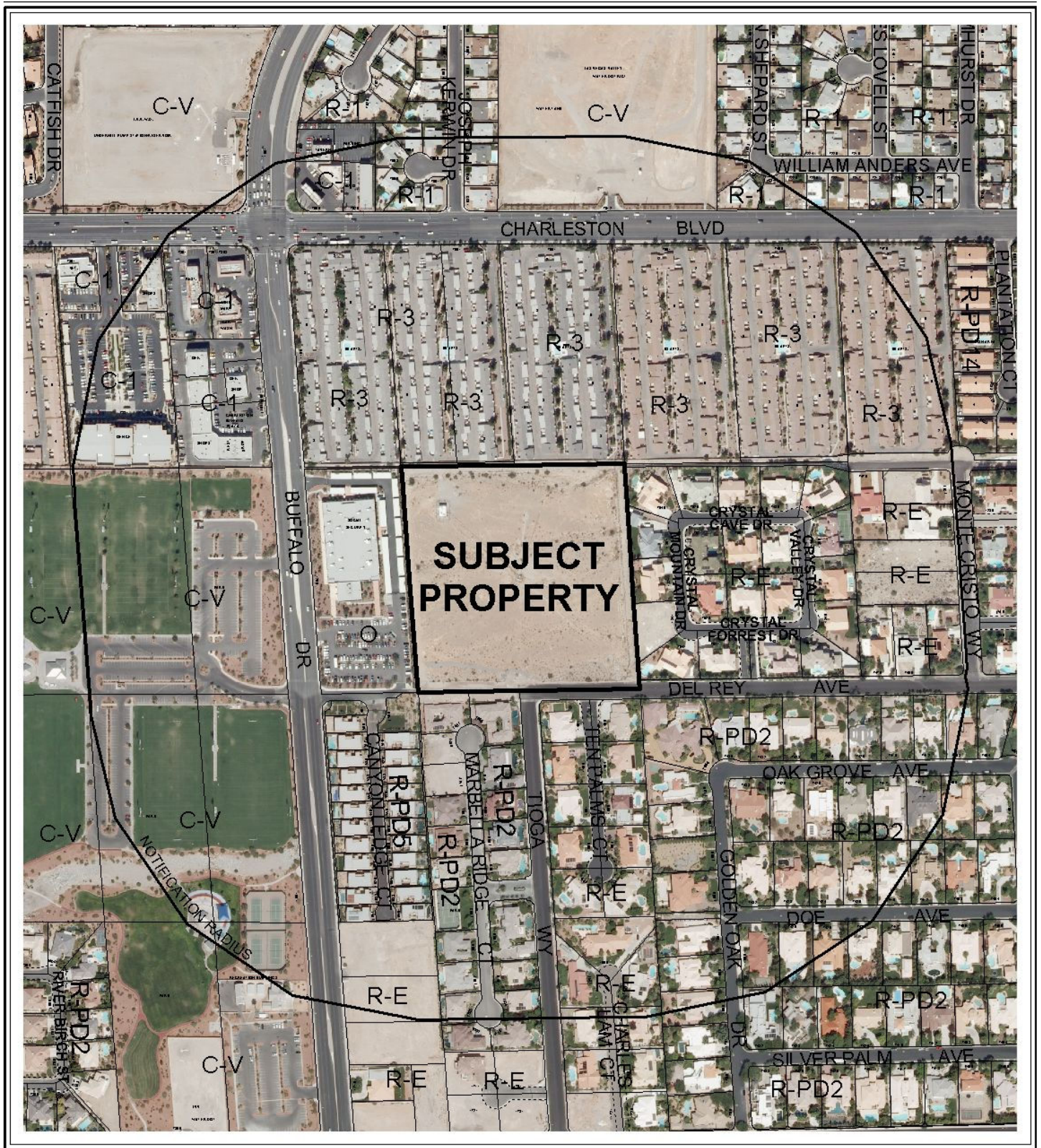
RADIUS: 1000 FT

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)



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 23, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - ZON-34611 - APPLICANT: FLO TV, INC -

OWNER: UNITED STATES OF AMERICA

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL.

ZON-34611 - Staff Report Page One
July 23, 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

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
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.

ZON-34611 - Staff Report Page Two
July 23, 2009 - Planning Commission Meeting

07/09/09	The Planning Commission at the request of the applicant, approved a request to hold in abeyance the subject Rezoning (ZON-34611) from R-E Residence Estates to C-V (Civic), General Plan Amendment (GPA-34610) 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.
07/23/09	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.
<i>Related Building Permits/Business Licenses</i>	
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 finalized on 07/31/75.
<i>Pre-Application Meeting</i>	
05/08/09	The following items were discussed at the pre-application meeting: • The existing 321-foot communication tower and associated equipment was discussed. • The proposed co-location of a 25-foot antenna, new satellite dishes and related equipment was discussed.
<i>Neighborhood Meeting</i>	
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. The following is a list of questions, concerns and comments from the attendants of the meeting: • The site is not being properly maintained as it has graffiti and trash on it. • The site has illegal activity occurring on it. • No landscaping is being proposed as a part of the application. • No buffer wall or fence is being proposed as a part of the application.

ZON-34611 - Staff Report Page Three
July 23, 2009 - Planning Commission Meeting

06/04/09	• A request to have the notice area increased for the entire area from Cimarron to Rainbow to Sahara to Charleston. • 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; • Staff identified the existing 321-foot communication tower and the related equipment enclosed by chain-link and barbed wire fencing. • 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

ZON-34611 - Staff Report Page Four
July 23, 2009 - Planning Commission Meeting

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
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:

<i>Standard</i>	<i>Provided</i>
Min. Lot Size	A portion of a 10.89 acre site
Min. Setbacks • Front (Del Rey Avenue) • Side (East property line) • Side (West property line) • Rear (North property line)	548 Feet 554 Feet 106 Feet 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:

BTS

ZON-34611 - Staff Report Page Five
July 23, 2009 - Planning Commission Meeting

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 11



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): _____

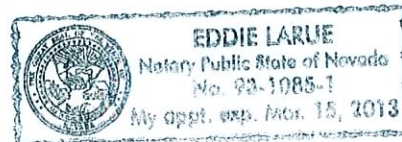
APN: _____

Signature of Property Owner: Janice Manley
Print Name: Janice Manley

Subscribed and sworn before me

This 19 day of JUNE, 2009
[Signature]

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

Zoning
Parcel 163-03-101-001



RECEIVED

MAY 26 2009

FROM RE TO CV

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

ZON-34611
07/09/09 PC



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. 727-225-6361



Data Current as of: 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 23, 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 23, 2009 PLANNING COMMISSION**

06/04/09



**ZON-34611 - APPLICANT: FLO TV, INC - OWNER: UNITED STATES OF AMERICA
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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 23, 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 devices 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,

A handwritten signature in blue ink that reads "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

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.
925 East Desert Inn Road
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.

7. 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)

RECEIVED

JUN 19 2003

10:00 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.

April 30th 1974
Date

John Bonnell
Signature
President
Title

RECEIVED

JUN 19 2009

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.

GPA-34610 & ZON-34611

Planning Commission Meeting of 7/9/2009

PRESORTED
FIRST CLASS



UNITED STATES POSTAGE
FIRST CLASS PERMIT NO. 1000 LAS VEGAS NV
POSTAGE WILL BE PAID BY ADDRESSEE

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0004279213 JUN 26 2009
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RECEIVED
JUN 30 2009

16303110012
DELDIN MICHAEL B
802 IOWA ST
LOS BANOS CA 93635-3450

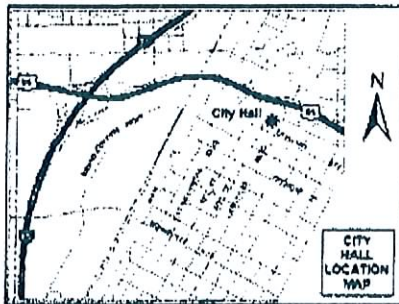
Case: GPA-34610

DAVDF11 93635



30P

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

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JUN 29 2009

16303210008
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1509 GOLDEN OAK DR
LAS VEGAS NV 89117-1451

Case: GPA-34610

16303210008

ANSPACH LAWRENCE C REVOCABLE TR

1509 GOLDEN OAK DR

LAS VEGAS NV 89117-1451

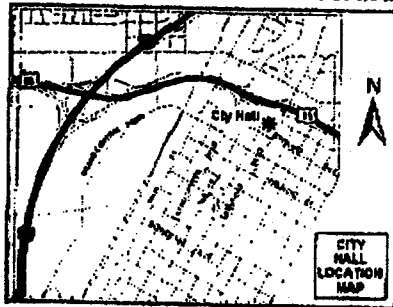
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30 P

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.

GPA-34610 & ZON-34611

Planning Commission Meeting of 7/9/2009

DAVDF11 29117



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JUN 02 2009

16303110006
SCHENKEL FAMILY TRUST
7540 CRYSTAL CAVE DR
LAS VEGAS NV 89117-1480

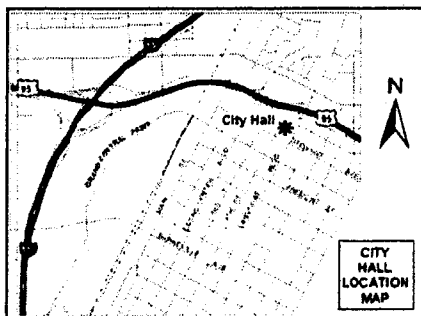
Case: GPA-34610

Submitted after final agenda

Date 7/2/09 Item 30P

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

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I SUPPORT
this Request



I OPPOSE
this Request

Please use available blank space on card for your comments.

GPA-34610 & ZON-34611

Planning Commission Meeting of 7/9/2009

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JUL 02 2009

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LEEDS ROBERT X & PEGGY
1405 TEN PALMS CT
LAS VEGAS NV 89117-1404

Case: GPA-34610

DAVDS11 89117

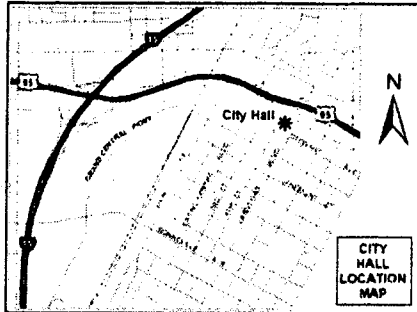


Submitted after final agenda

Date 7/2/09 Item 30P

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

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☐

I SUPPORT
this Request

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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



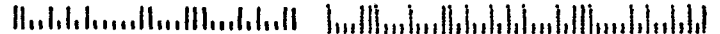
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JUL 02 2009

16303210005 Case: GPA-34610
BOYER JOHN WALTER & ROBIN LYNN
1605 GOLDEN OAK DR
LAS VEGAS NV 89117-1452

8911731452 8009



Submitted after final agenda

Date 7/2/09 Item 30P

JUL-6-2009 15:56 FROM:MADIGAN

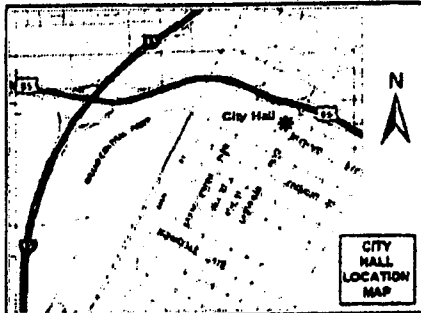
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TO: 3857268

P.1

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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I SUPPORT
this Request



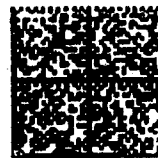
I OPPOSE
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GPA-34610 & ZON-34611

Planning Commission Meeting of 7/9/2009

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Case: GPA-34610
16303211007
MADIGAN KATHLEEN A TRUST
1504 TEN PALMS CT
LAS VEGAS NV 89117-1477

DAVDS11 89117



Submitted after final agenda

Date 7/7/09 Item 30P

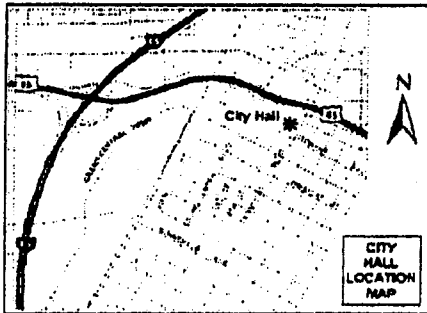
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Thomas & Jorina Garetto

7022439516

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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☐

I SUPPORT
this Request

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I OPPOSE
this Request

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GPA-34610 & ZON-34611

Planning Commission Meeting of 7/9/2009

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JUL 07 2009

Case:
16303211008
GARETTO THOMAS P & JORINA
1500 TEN PALMS CT
LAS VEGAS NV 89117-1477

DAVDF11 89117



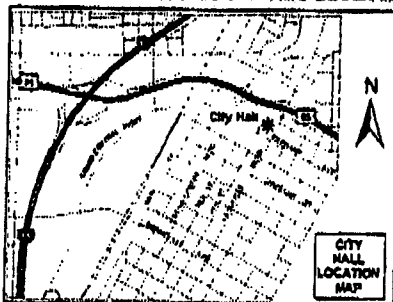
Submitted after final agenda

Date 7/7/09 Item 30P

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

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I SUPPORT
this Request



I OPPOSE
this Request

Please use available blank space on card for your comments.

GPA-34610 & ZON-34611

Planning Commission Meeting of 7/9/2009

16303211010
 LONGLEY JULIE K
 1400 TEN PALMS CT
 LAS VEGAS NV 89117-1403

Case: GPA-34610

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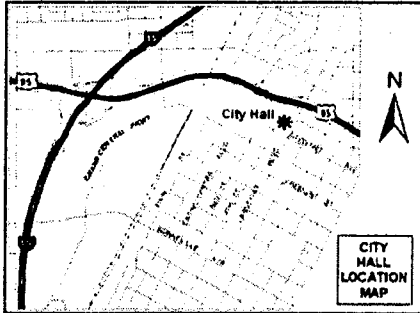


Submitted after final agenda

Date 7/7/09 Item 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

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FIRST CLASS



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JUL 07 2009

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MAHILL L L C
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LAS VEGAS NV 89117-7638

Case: GPA-34610

DAVDF11 89117

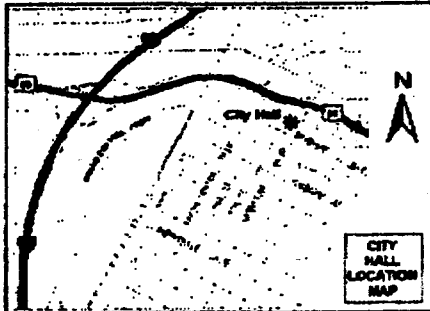


Submitted after final agenda

Date 7/7/09 Item 30P

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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☐

I SUPPORT
this Request



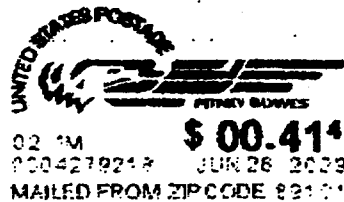
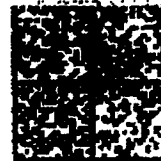
I OPPOSE
this Request

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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FIRST CLASS



\$ 00.414

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JUN 26 2009

16303211001

Case: GPA-34610

KESSLER MICHAEL & MELINDA R
1401 TEN PALMS CT
LAS VEGAS NV 89117-1404

DAVDF11 89117



Submitted after final agenda

Date 7/9/09 Item 30P

Douglas and Jo Ann Soule'
7520 Crystal Cave Drive
Las Vegas, Nevada 89117
Ph: 451-9535

June 29, 2009

RECEIVED

JUL 02 2009

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

Re: GPA-34610 ZON-34611 SDR-34612
Existing 319-Foot Radio, TV or Microwave Communication Tower

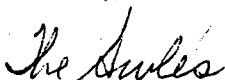
We have received several notices regarding the above proposed amendment, rezoning request and plan review. We have lived at our present address, in close proximity to the tower site, since December 1999. During that time we have had to add filters to every phone in our home, and to our intercom system. The radio station comes over our intercom loud and clear, making it almost impossible to hear what anyone says over our intercom system until we installed a filter. The filter makes it slightly more tolerable but with a filter it is hard to understand what anyone says on the intercom, and we can still hear the station. It is the same with our phones although the filters pretty much solved the problem.

Our complaint is that the radio tower is not doing everything they can to make sure they do not impact the residents in transmitting programs, such as our intercom problem. We have had the filter problem addressed several times hoping to find a filter that works well but have had no luck with that. It was our understanding that the FCA had specific rules for stations to avoid impacting the residents in their homes. However, this is a misunderstanding on our part, or it is being ignored.

The Tower Site is surrounded on three sides by residential housing. We also think it is a mistake to do any type of amendment or rezoning that locks the station to this site.

Thank you for your attention to the above matter.

Sincerely,


The Soule's

Submitted after final agenda

Date 7/2/09 Item 30P

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JULY 23, 2009

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

ABEYANCE - 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.: 08/19/2009

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

8

City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

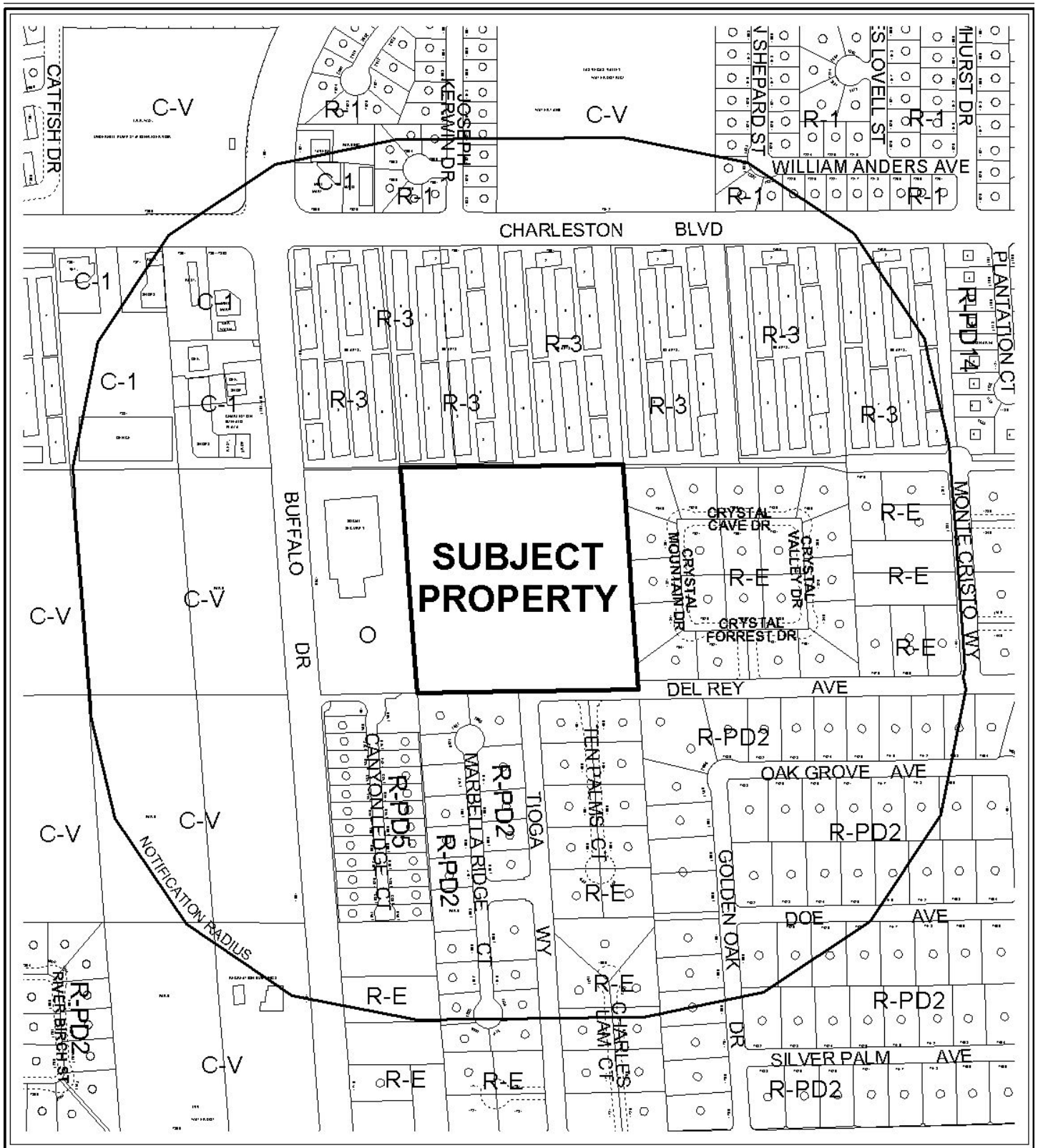
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RECOMMENDATION:

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/Support Postcards and Protest Letter



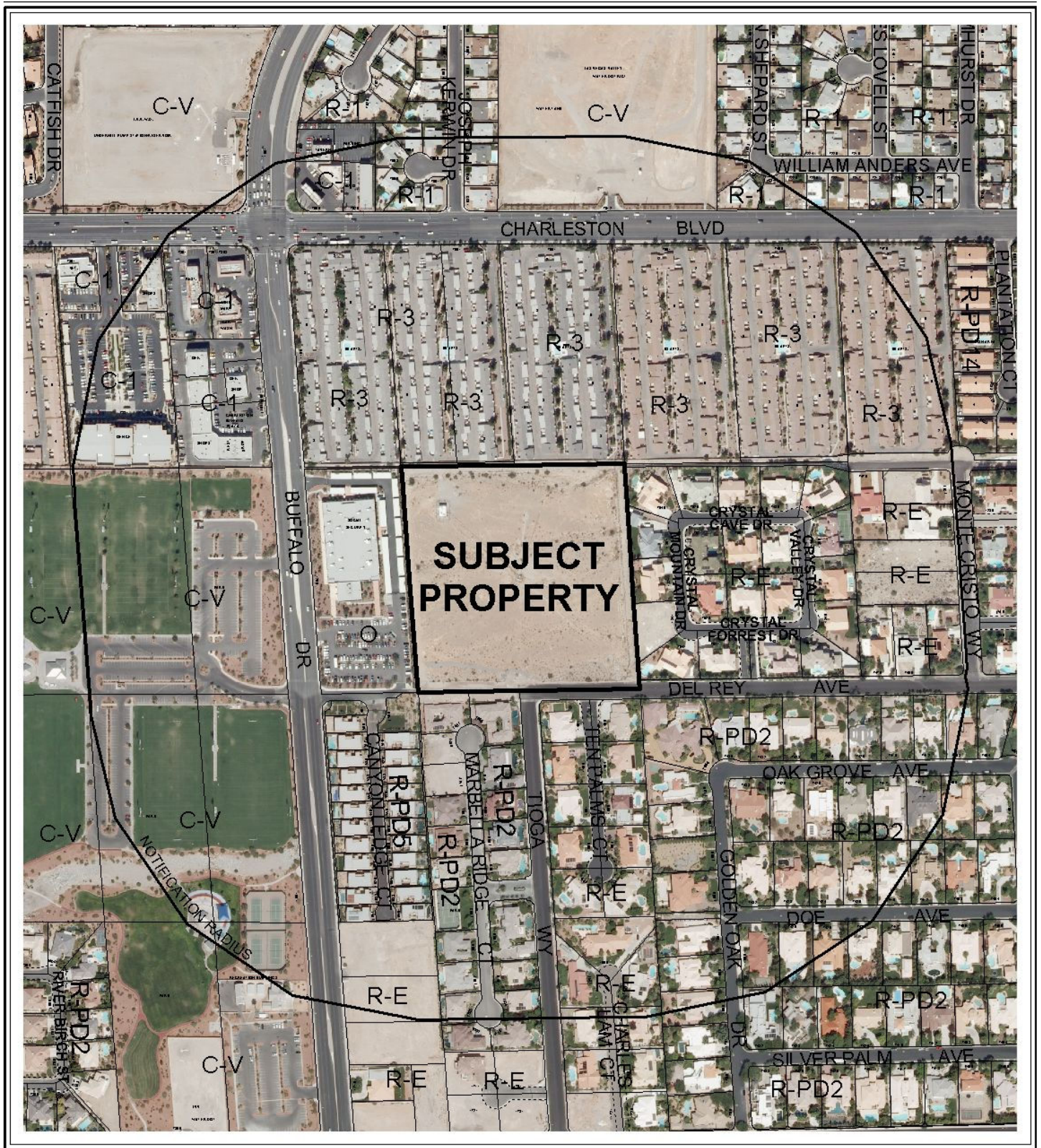
CASE: **SDR-34612**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY: C-V (CIVIC)





CASE: SDR-34612

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY: C-V (CIVIC)



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JULY 23, 2009****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: ABEYANCE - 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 23, 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 finalized 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

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
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.

SDR-34612 - Staff Report Page Two
July 23, 2009 - Planning Commission Meeting

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 at the request of the applicant, approved a request to hold in abeyance the subject Site Development Plan Review (SDR-34612) 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, 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.
07/23/09	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.
<i>Related Building Permits/Business Licenses</i>	
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 finalized on 07/31/75.
<i>Pre-Application Meeting</i>	
05/08/09	The following items were discussed at the pre-application meeting: • The existing 321-foot communication tower and associated equipment was discussed. • The proposed co-location of a 25-foot antenna, new satellite dishes and related equipment was discussed.
<i>Neighborhood Meeting</i>	
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. The following is a list of questions, concerns and comments from the attendants of the meeting: • The site is not being properly maintained as it has graffiti and trash on it. • The site has illegal activity occurring on it. • No landscaping is being proposed as a part of the application.

SDR-34612 - Staff Report Page Three
July 23, 2009 - Planning Commission Meeting

06/10/09	• No buffer wall or fence is being proposed as a part of the application. • A request to have the notice area increased for the entire area from Cimarron to Rainbow to Sahara to Charleston. • There was a consensus of opposition towards the new tower and the change in land use and zoning.
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Field Check	
06/04/09	A field check was completed on the indicated date. Planning and Development found the following items; • Staff identified the existing 321-foot communication tower and the related equipment enclosed by chain-link and barbed wire fencing. • 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)

SDR-34612 - Staff Report Page Four
July 23, 2009 - Planning Commission Meeting

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
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:

<i>Standard</i>	<i>Provided</i>
Min. Lot Size	A portion of a 10.89 acre site
Min. Setbacks	
• Front (Del Rey Avenue)	548 Feet
• Side (East property line)	554 Feet
• Side (West property line)	106 Feet
• Rear (North property line)	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 since 1975, 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.

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July 23, 2009 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 14

ASSEMBLY DISTRICT 2

SENATE DISTRICT 8

NOTICES MAILED 158

APPROVALS 1

PROTESTS 8



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: _____

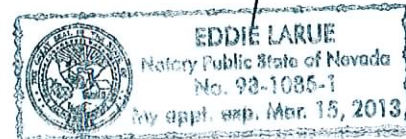
Partner(s): _____

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 in and for said County and State

State of Nevada County of Clark

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5775 MOREHOUSE DRIVE
SAN DIEGO, CALIFORNIA 92121

**LAS VEGAS
LAS-006BP**

**NEAR INTERSECTION OF BUFFALO AND
CHARLESTON BLVD.
LAS VEGAS, NV 89102**

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3180 EAST RAY ROAD, SUITE 201
CHARLESTON, NV 89102
TEL (485) 648-1900 FAX (485) 648-1918
WWW.CMX.COM

SCHEDULE OF REVISIONS	
NO.	DATE
1	05/22/09
2	05/22/09
3	05/22/09
4	05/22/09
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T-1

**LAS VEGAS
LAS-006BP
NEAR INTERSECTION OF
BUFFALO AND
CHARLESTON BLVD.
LAS VEGAS, NV 89102**

SHEET NO. 1 OF 27

SHEET INDEX	
SHEET NO.	SHEET DESCRIPTION
T-1	TITLE SHEET
T-2	GENERAL CONSTRUCTION NOTES
A-1	GENERAL CONSTRUCTION PLAN
A-2	EQUIPMENT ROOM PLAN
A-3	EQUIPMENT ROOM INTERIOR ELEVATION
A-4	SOUTH ELEVATION (OVERALL)
A-5	EXISTING BUILDING ELEVATIONS
C-1	CONSTRUCTION DETAILS
C-2	RF AND ANTENNA DETAILS
C-3	W/ COAX DETAILS (FLO)
C-4	EQUIPMENT DETAILS
C-5	EQUIPMENT DETAILS
C-6	TRANSMITTER COOLING SCHEMATIC
C-7	ELECTRICAL NOTES
C-8	ONLINE SCHEDULE
C-9	ONLINE SCHEDULE
C-10	SYSTEM LAYOUT
C-11	CONDUIT SCHEDULE
C-12	POWER AND CONTROL SYSTEM
C-13	POWER DESIGN
C-14	GROUNDING PLAN
C-15	EQUIPMENT GROUNDING ELEVATION PLAN
C-16	GROUNDING DETAILS
C-17	GROUNDING DETAILS

PROJECT DESCRIPTION	
1.	NEW EQUIPMENT TO BE INSTALLED WITHIN EXISTING TELECOMMUNICATIONS BUILDING
2.	NEW OPERATOR, HEAT EXCHANGER, AND W/ COAX, TO BE INSTALLED WITHIN EXISTING BUILDING
3.	NEW ELECTRICAL SERVICE
4.	NEW TELEPHONE SERVICE
5.	INSTALLATION INCLUDES NEW ANTENNA AND SATELLITE DISHES



VICINITY MAP

DIRECTIONS:
FROM ACCACREAN AIRPORT HEAD EAST ON WAYNE NEWTON BLVD. TAKE THE RAMP TOWARD
SUNSHINE BLVD. TURN LEFT ON SUNSHINE BLVD. TAKE THE RIGHT TURN ON SUNSHINE BLVD.
MERGE ONTO I-15 NVA EXIT 12A. TAKE THE SANGAREE AVE. EXIT. TURN LEFT ONTO SANGAREE AVE.
MERGE ONTO S-15 NVA EXIT 12A. TAKE THE SANGAREE AVE. EXIT. TURN LEFT ONTO S-15 NVA EXIT 12A.
IT ENDS AT SITE.

SITE INFORMATION	
SITE NAME:	LAS VEGAS
SITE NUMBER:	LAS-006BP
SITE ADDRESS:	NEAR INTERSECTION OF BUFFALO AND CHARLESTON BLVD. LAS VEGAS, NV 89102
ASSESSORS PARCEL NUMBER:	16020101001
JURISDICTION:	CITY OF LAS VEGAS
SITE COORDINATES:	N 34° 09' 21" E (MAG N) W 15° 15' 30" (MAG S)
GROUND ELEVATION:	2023.75 (MAG N)
STRUCTURE TYPE:	GATED TOWER
PROPOSED USE:	TELECOMMUNICATIONS
APPLICANT:	BUREAU OF LAND MANAGEMENT WASHINGTON, DC 20260
PROPERTY OWNER'S ADDRESS:	FLO TV USA 3000 W. LAS VEGAS BLVD. SUITE 201 LAS VEGAS, NV 89102
AGENT:	WHEELER FACILITIES, INC. 3000 W. LAS VEGAS BLVD. SUITE 201 LAS VEGAS, NV 89102
ENGINEER:	CMX 3180 EAST RAY ROAD, SUITE 201 CHARLESTON, NV 89102

CODE ANALYSIS	
BUILDING CODE:	2006 IBC
ELECTRICAL CODE:	2005 NEC
USE GROUP:	U (UTILITY)
CONSTRUCTION TYPE:	III

SDR-34612
07/09/09 PC



SCHEDULE OF REVISIONS	
NO.	DATE
1	02/20/09
2	04/20/09
3	07/20/09
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live mobile tv
3775 W. GARDEN DRIVE, SUITE 201
SALT LAKE CITY, UT 84119
TEL (801) 585-1642

3100 WEST RAY ROAD, SUITE 201
SALT LAKE CITY, UT 84119
TEL (801) 585-1642

3100 WEST RAY ROAD, SUITE 201
SALT LAKE CITY, UT 84119
TEL (801) 585-1642

3100 WEST RAY ROAD, SUITE 201
SALT LAKE CITY, UT 84119
TEL (801) 585-1642

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1	05/22/09	100% CDS (CLIENT COMMENTS)
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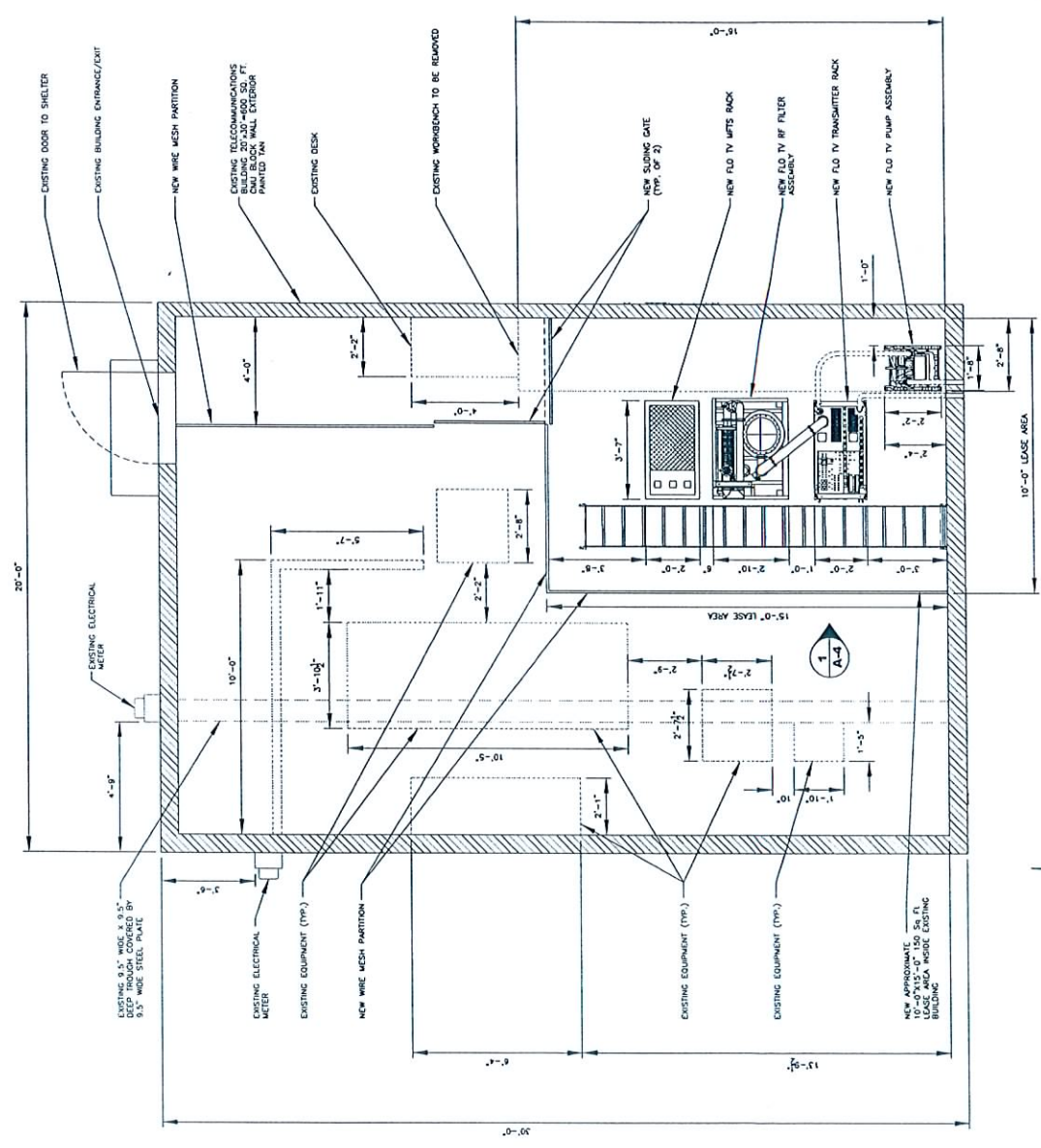
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DRAWING TITLE:
EQUIPMENT ROOM PLAN

DRAWING SHEET:
A-3

LAS VEGAS
LAS-0068P
NEAR INTERSECTION OF
BUFFALO AND
CHARLESTON BLVD.
LAS VEGAS, NV 89102

SHEET NO. 5 OF 27



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MAY 26 2009

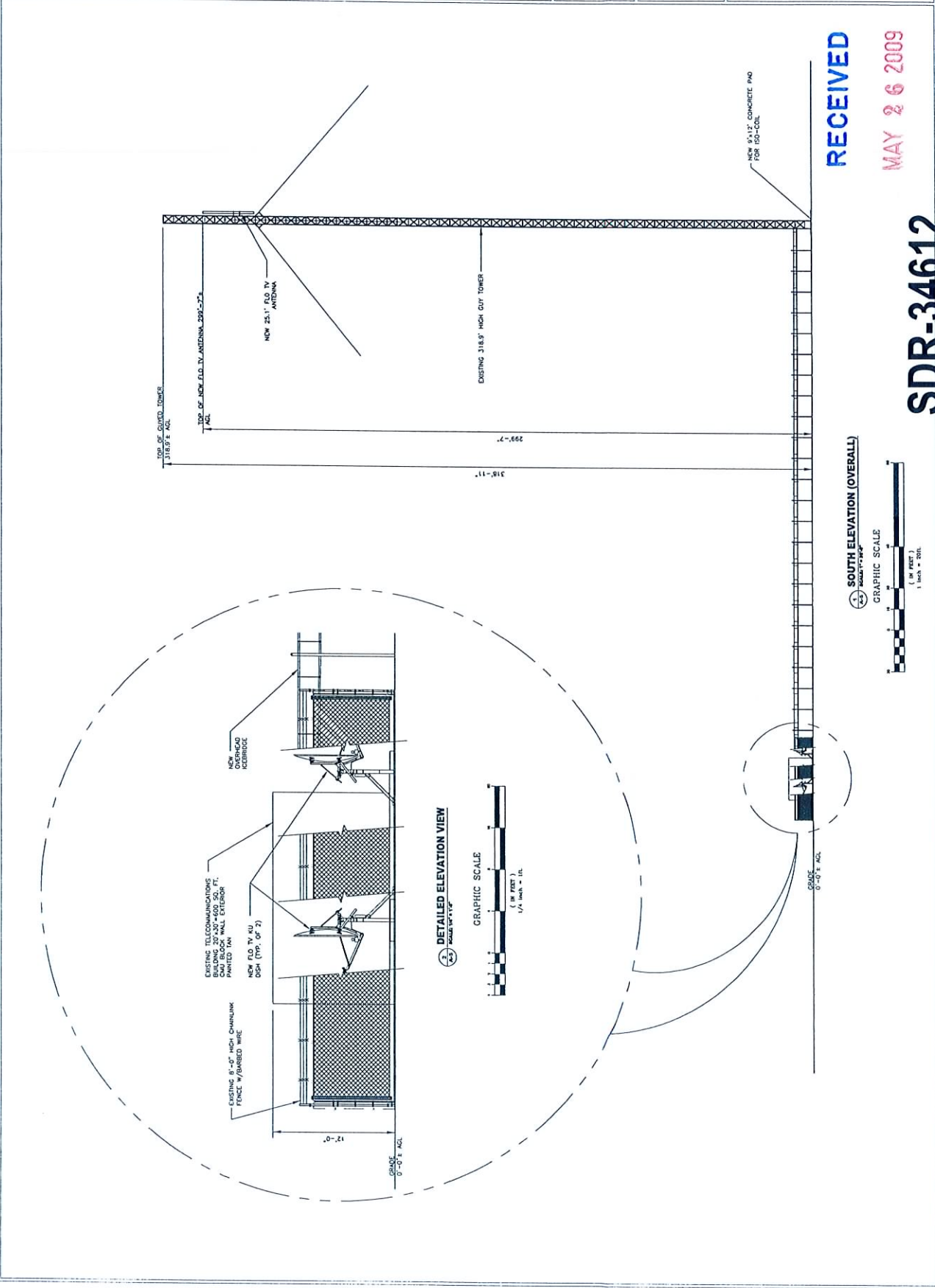
SDR-34612
07/09/09 PC

TRUE NORTH

EQUIPMENT ROOM PLAN
SCALE: 1/8" = 1'-0"

GRAPHIC SCALE
1/8" = 1'-0"

07/09/09 PC





live mobile tv
5775 MOREHOUSE DRIVE
SARASOTA, FL 34231
PH (941) 551-1642



10802 BELLE AVE. NE
ALBUQUERQUE, NM 87111
(505) 255-6399



3100 WEST RAY ROAD, SUITE 201
CHARLOTTE, NC 28205
TEL (704) 582-1100 FAX (704) 582-1101
WWW.CMX.COM

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**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 23, 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 23, 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 23, 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 23, 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 devices 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,

A handwritten signature in cursive script, reading 'Janice Manley', is positioned below the word 'Sincerely,'.

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

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.
925 East Desert Inn Road
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.

7. 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)

RECEIVED

JUN 19 2003

10:00 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.

April 30th 1974
Date

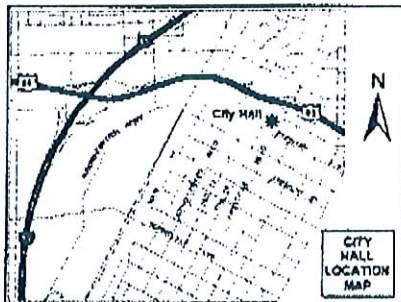
[Signature]
Signature
President
Title

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JUN 19 2009

PAGE 01/01

Return Service Requested
Official Notice of Public Hearing



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

**PRESORTED
FIRST CLASS**



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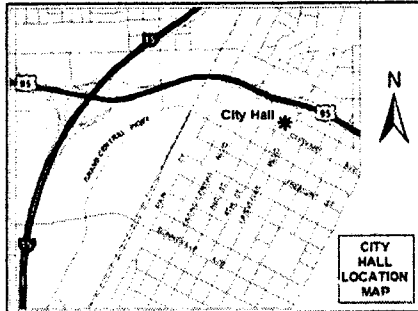
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31P

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-34612

Planning Commission Meeting of 7/9/2009

PRESORTED
FIRST CLASS

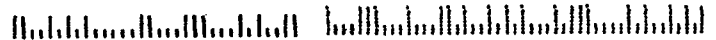


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Case: SDR-34612
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LAS VEGAS NV 89117-1452

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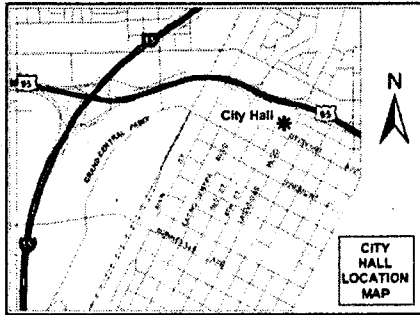


Submitted after final agenda

Date 7/2/09 Item 31P

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-34612

Planning Commission Meeting of 7/9/2009

PRESORTED
FIRST CLASS



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PITNEY BOWES

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Case: SDR-34612
16303211002
LEEDS ROBERT X & PEGGY
1405 TEN PALMS CT
LAS VEGAS NV 89117-1404

8911781404 80637

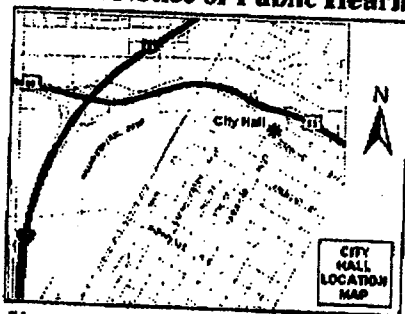


Submitted after final agenda

Date 7/2/09 Item 31P

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

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SDR-34612

Planning Commission Meeting of 7/9/2009

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JUL 02 2009

16303110006 Case: SDR-34612
SCHENKEL FAMILY TRUST
7540 CRYSTAL CAVE DR
LAS VEGAS NV 89117-1480

DAVID P 11 89117

Back to the future

Submitted after final agenda

Date 7/2/09 Item 31P

JUL-6-2009 15:56 FROM:MADIGAN

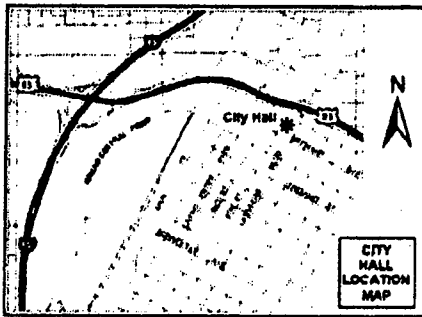
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TO:3857268

P.2

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

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I SUPPORT
this Request



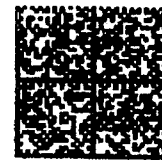
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SDR-34612

Planning Commission Meeting of 7/9/2009

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FIRST CLASS



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1504 TEN PALMS CT
LAS VEGAS NV 89117-1477

Case: SDR-34612

DAVDS11 A9117



Submitted after final agenda

Date 7/7/09 Item 31P

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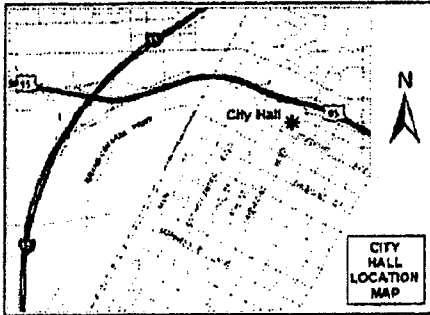
Thomas & Jorina Garetto

7022439516

p.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
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I OPPOSE
this Request

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SDR-34612

Planning Commission Meeting of 7/9/2009

RECEIVED

JUL 07 2009

Case: SDR-34612
16303211008
GARETTO THOMAS P & JORINA L
1500 TEN PALMS CT
LAS VEGAS NV 89117-1477

DAVDF11 23117

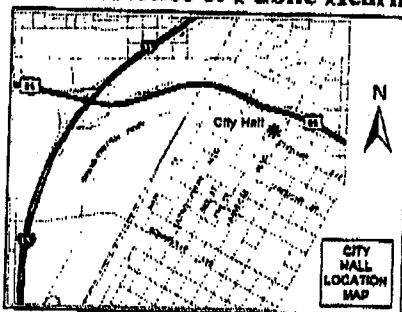
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Submitted after final agenda

Date 7/7/09 Item 31P

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

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



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I SUPPORT
 this Request



I OPPOSE
 this Request

Please use available blank space on card for your comments.

SDR-34612

Planning Commission Meeting of 7/9/2009

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JUL 07 2009

16303211010
 LONGLEY JULIE K
 1400 TEN PALMS CT
 LAS VEGAS NV 89117-1403

Case: SDR-34612

DAVDF11 AS117



Submitted after final agenda

Date 7/7/09 Item 31P

Douglas and Jo Ann Soule'
7520 Crystal Cave Drive
Las Vegas, Nevada 89117
Ph: 451-9535

June 29, 2009

RECEIVED

JUL 02 2009

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

Re: GPA-34610 ZON-34611 SDR-34612
Existing 319-Foot Radio, TV or Microwave Communication Tower

We have received several notices regarding the above proposed amendment, rezoning request and plan review. We have lived at our present address, in close proximity to the tower site, since December 1999. During that time we have had to add filters to every phone in our home, and to our intercom system. The radio station comes over our intercom loud and clear, making it almost impossible to hear what anyone says over our intercom system until we installed a filter. The filter makes it slightly more tolerable but with a filter it is hard to understand what anyone says on the intercom, and we can still hear the station. It is the same with our phones although the filters pretty much solved the problem.

Our complaint is that the radio tower is not doing everything they can to make sure they do not impact the residents in transmitting programs, such as our intercom problem. We have had the filter problem addressed several times hoping to find a filter that works well but have had no luck with that. It was our understanding that the FCA had specific rules for stations to avoid impacting the residents in their homes. However, this is a misunderstanding on our part, or it is being ignored.

The Tower Site is surrounded on three sides by residential housing. We also think it is a mistake to do any type of amendment or rezoning that locks the station to this site.

Thank you for your attention to the above matter.

Sincerely,

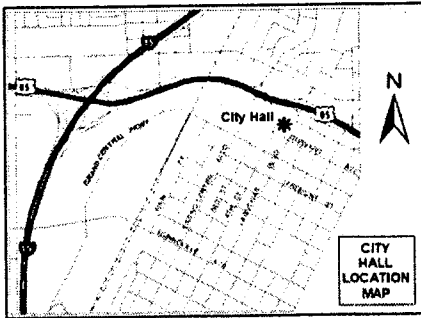

The Soule's

Submitted after final agenda

Date 7/2/09 Item 31P

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

Return Service Requested
Official Notice of Public Hearing



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I SUPPORT
this Request



I OPPOSE
this Request

Please use available blank space on card for your comments.

SDR-34612

Planning Commission Meeting of 7/9/2009

DAVDF11 89117



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FIRST CLASS



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8144 MADDINGLY AVE
LAS VEGAS NV 89117-7638

Case: SDR-34612

Submitted after final agenda

Date 7/7/09 Item 31A

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JULY 23, 2009

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

ABEYANCE - RQR-34323 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: MARSHALL FAMILY, LIMITED PARTNERSHIP - Required Review of a previously approved Special Use Permit (U-0126-94) FOR A 40-FOOT HIGH, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN at 2330 Industrial Road (APN 162-04-802-007), M (Industrial) Zone, Ward 3 (Reese)

IF APPROVED, C.C.: 08/19/2009

IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

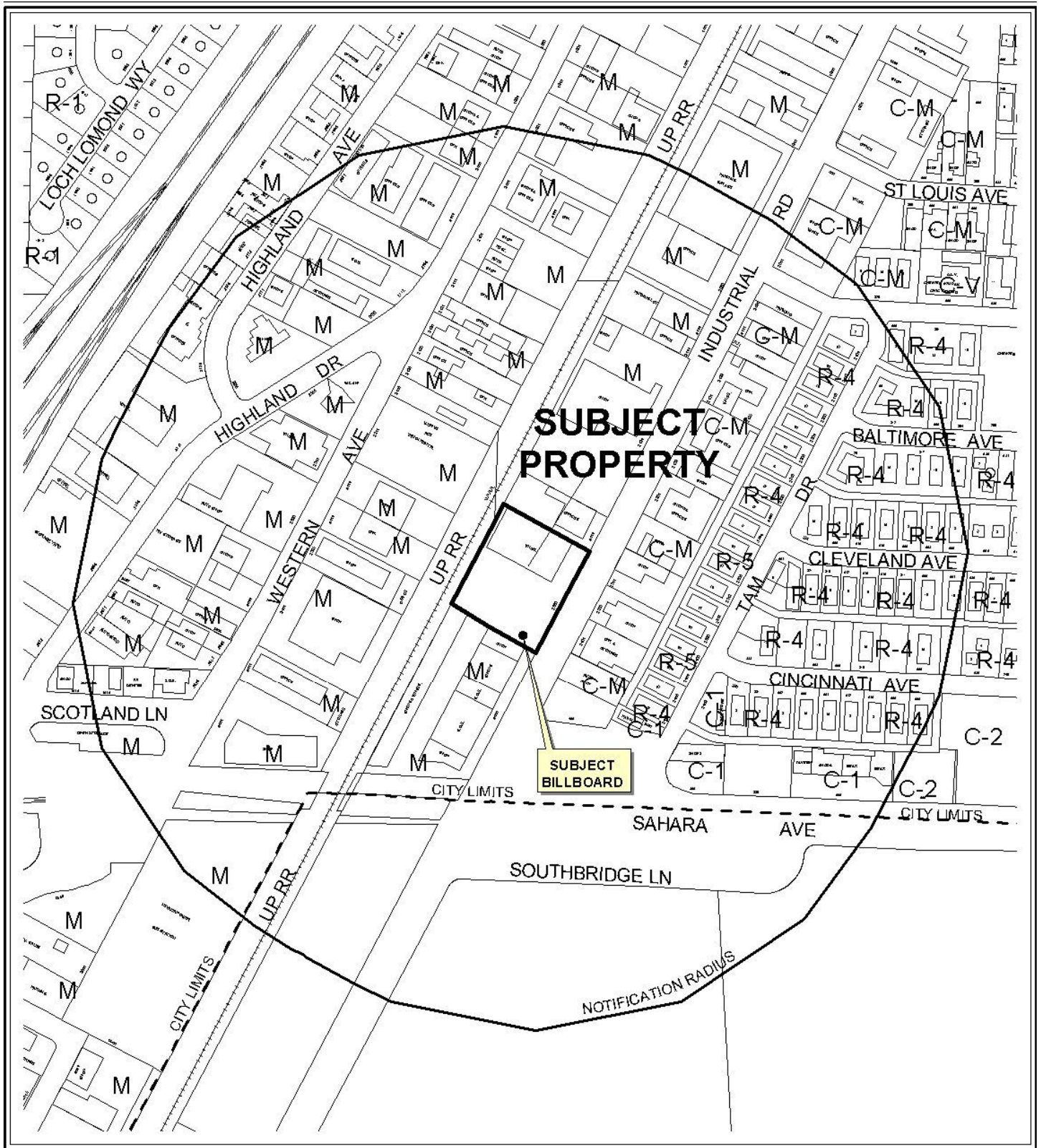
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RECOMMENDATION:

DENIAL

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. City Council Approval Letter for RQR-3023



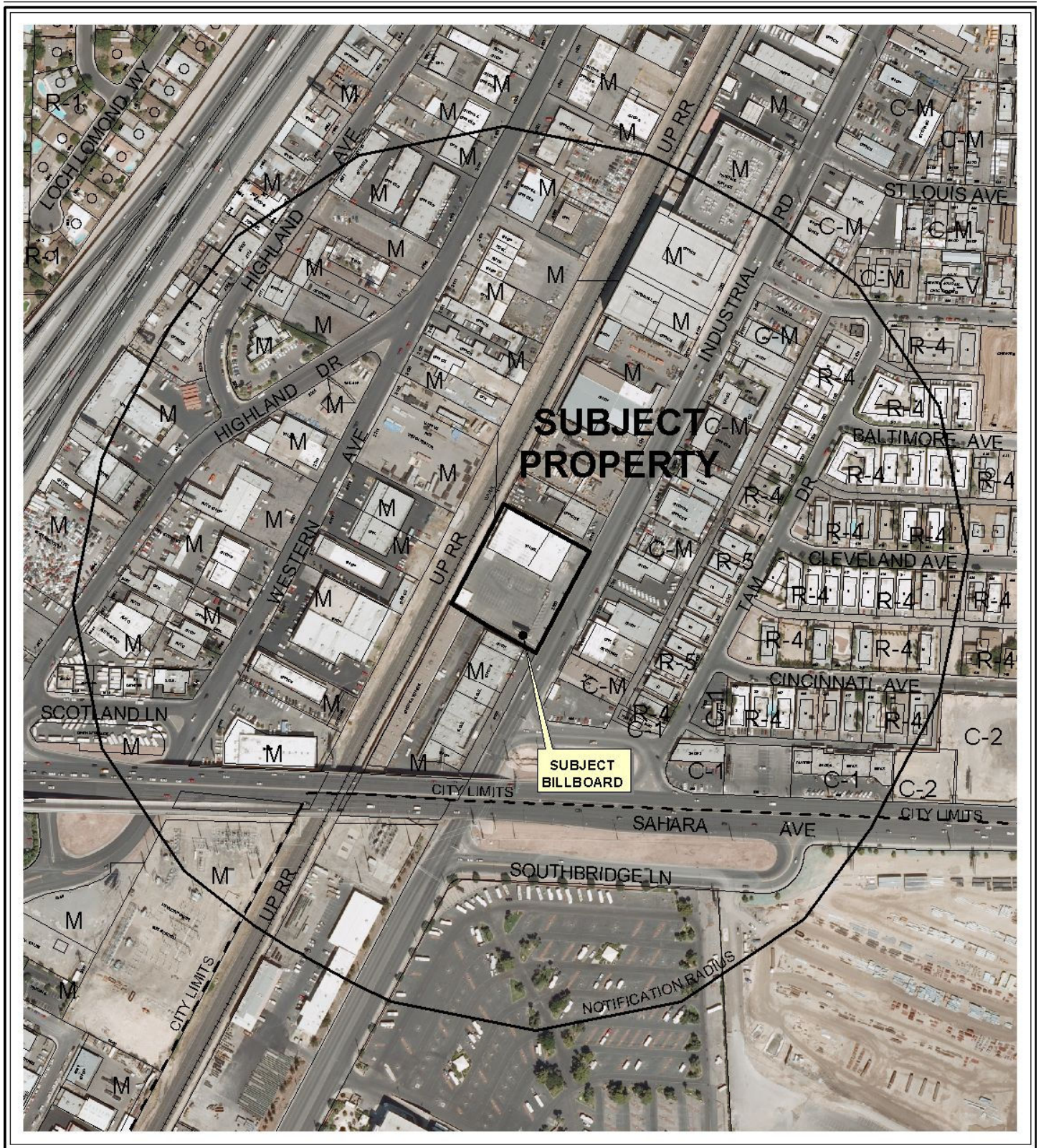
CASE: **RQR-34323**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

0 300 600 Feet

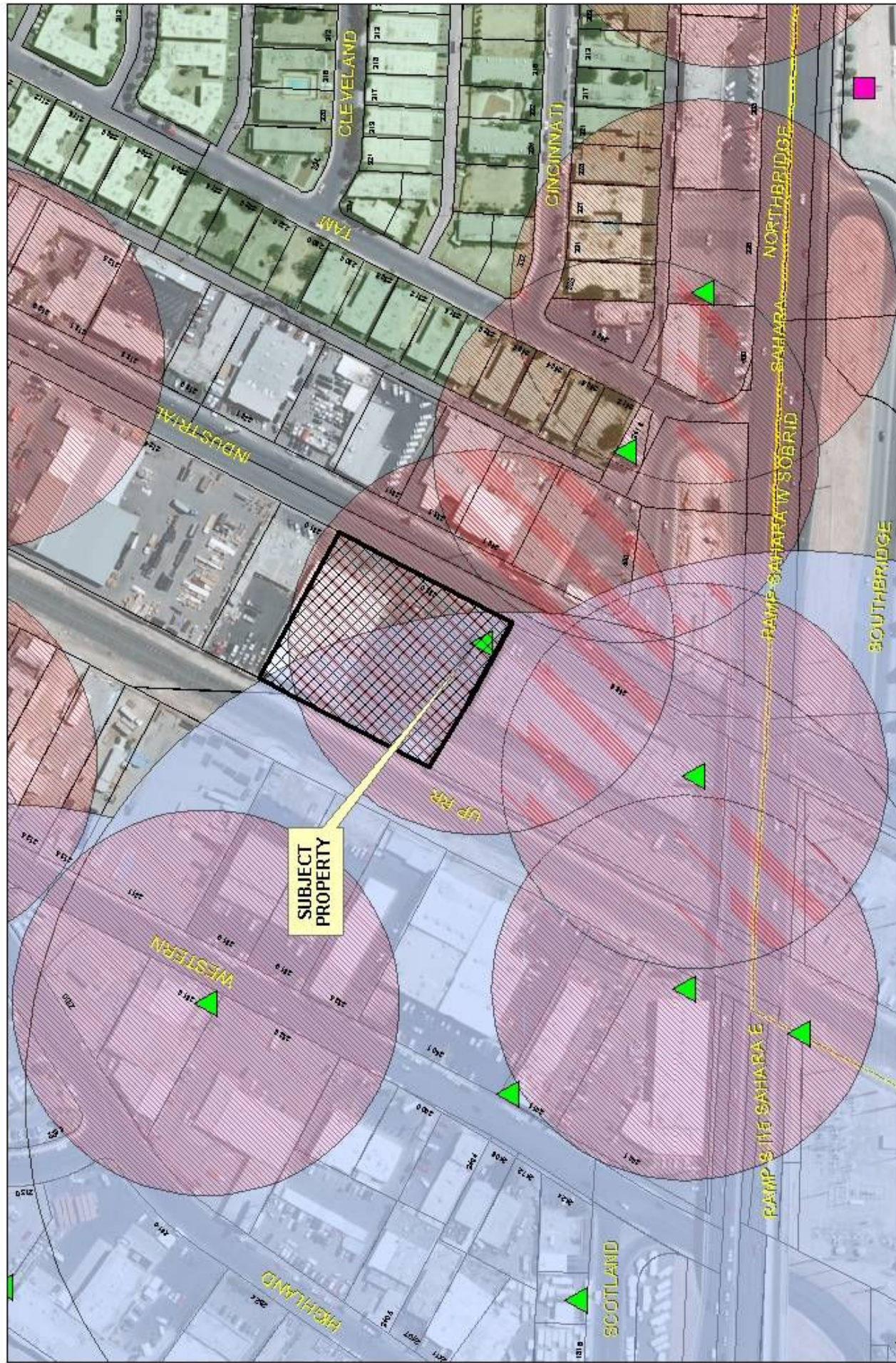




CASE: RQR-34323
RADIUS: 1000 FT
ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

0 300 600 Feet





RQR-34323

 Subject Parcel

 City of Las Vegas Billboard Location

 Clark County Billboard Location

City of Las Vegas Billboard Data

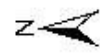
 300 Foot Buffer Around Billboard

 750 Foot Buffer Around Freeway Billboard

 Residential Zoned Property

 Off Premise Sign Exclusion Area

 Exempt - Off Premise Area Sign Area



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 23, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: RQR-34323 - APPLICANT/OWNER: MARSHALL FAMILY, LIMITED PARTNERSHIP

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to the conditions for Special Use Permit (U-0126-94) if approved.
2. This Special Use Permit shall be placed on an agenda closest to August 5, 2012 at which time the City Council may require the Off-Premise Sign (Billboard) be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Sign (Billboard) is removed.
3. All of the supporting structure shall be repainted, as required by the Planning and Development Department, within 30 days of final approval of this review by the City Council. Failure to perform the required painting may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
5. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
6. Bird deterrent devices shall be installed by the applicant on the sign within 30 days of final approval by the City of Las Vegas.
7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

RQR-34323 - Staff Report Page One
July 23, 2009 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site contains an existing 40-foot high, 14-foot by 48-foot Off-Premise sign, warehouse and parking lot at 2330 Industrial Road. This is the second Required Review of the subject sign. If this request is denied, the subject sign will be required to be removed from the property.

Issues:

- Staff cannot support the request for the Required Review as the subject site and area underneath the Off-Premise sign have received no maintenance, as evidenced by the large quantities of bird droppings immediately underneath the sign and on the sign pole. This is a direct violation of Conditions #3 and #4 of the previously approved Required Review (RQR-3023).

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales</i>	
07/20/94	The City Council approved a request for a Special Use Permit (U-0126-94) for a 40-foot high, 14-foot by 48-foot Off-Premise (Billboard) sign at 2330 Industrial Road. The Board of Zoning Adjustment and staff recommended approval of this request.
11/21/03	The City Council approved a request for a Required Review (RQR-3023) of an approved Special Use Permit (U-0126-94) which allowed a 40-foot high, 14-foot by 48-foot Off-Premise (billboard) sign at 2330 Industrial Road.
<i>Related Building Permits/Business Licenses</i>	
10/06/94	A building permit (#94350903) was issued for a 14-foot by 48-foot Off-Premise sign at 2330 Industrial Road. The permit received final approval 11/14/94.
<i>Pre-Application Meeting</i>	
A pre-application meeting was not required for this type of application, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one held.	

RQR-34323 - Staff Report Page Two
July 23, 2009 - Planning Commission Meeting

Field Check	
05/21/09	A field check was conducted by staff with the following observations: • There were no embellishments noted on the sign. • The sign faces were noted in good condition. • The sign pole was noted in poor condition, with bird feces running down the pole. • The parking area underneath the sign was noted to be covered in bird feces and appeared to receive no cleaning or maintenance. • The subject site contained chain link fencing with barbed/razor wire. Debris was noted to be trapped within the barbed/razor wire. The issued was turned over to the Planning and Development Inspections department for further action.

Details of Application Request	
Site Area	
Gross Acres	1.78

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Warehouse	LI/R (Light Industry / Research)	M (Industrial)
North	Warehouse	LI/R (Light Industry / Research)	M (Industrial)
South	S.O.B. / Office / Warehouse	LI/R (Light Industry / Research)	M (Industrial)
East	Warehouse / Office and Auto Repair	LI/R (Light Industry / Research)	C-M (Commercial / Industrial)
West	Warehouse / Truck Rental	LI/R (Light Industry / Research)	M (Industrial)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan	X		Y
Downtown Centennial Plan	X		Y
Las Vegas Redevelopment Plan	X		Y
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts	X		Y
A-O (Airport Overlay) District (175 Feet)	X		Y
Live/Work Overlay District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

RQR-34323 - Staff Report Page Three
July 23, 2009 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Standards	<i>Code Requirement</i>	<i>Provided</i>	<i>Compliance</i>
Location	No Off-Premise Sign may be located within the public right-of-way.	Sign is not in public right-of-way.	Y
Zoning	Off-Premise Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only.	Sign is located in the M (Industrial) zoning district.	Y
Area	No off-premise sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	Sign is 672 square feet in size. The sign does not have an embellishment.	Y
Height	No higher than 40 feet from grade at the point of construction: may be raised to a maximum of 55 feet with approval of the City Council if significantly obscured from view of travel lanes.	Sign is 40 feet tall.	Y
Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view.	Structure elements of the sign are adequately screened from public view.	Y
Off-Premise Sign (Billboard)	At least 750 feet to another Off-Premise Sign along US-95 or at least 300 feet from another Off-Premise Sign.	The closest Off-premise signs are both approximately 375 feet to the south and east of the subject site.	Y
Off-Premise Sign (Billboard)	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	The closest property zoned for residential use is approximately 275 feet from the Off-Premise Sign.	Y*
Other	All Off-Premise Signs (Billboards) shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	The sign is secured to the ground on M (Industrial) zoned property.	Y

* The subject Off-Premise Sign is legally non-conforming for separation distance to an "R" zoned property.

RQR-34323 - Staff Report Page Four
July 23, 2009 - Planning Commission Meeting

ANALYSIS

This is the second Required Review of a previously approved Special Use Permit (U-0126-94) for a 40-foot high, 14-foot by 48-foot Off-Premise sign at 2330 Industrial Road. A research of building permit activity found that the billboard was constructed under sign permit #94350903, and received a final inspection on 11/14/94. During a site inspection, staff found the sign face to be in good condition, while the supporting structure was strewn with bird droppings. In addition, the area immediately underneath the sign was layered in bird droppings, and appeared to receive no maintenance or cleaning.

The billboard is approximately 275 feet from an R-4 (High Density Residential and Apartment) and R-5 (Apartment) zone. Ordinance 3884 was adopted by the City Council on 04/19/95 and revised Title 19.14.100 to require a minimum separation of 300 feet between an Off-Premise Sign (Billboard) and any "R" (Residential) or "U" (Undeveloped) zone. As a result, the subject sign is considered to be legally non-conforming for the required separation distance.

FINDINGS

This sign is located in an M (Industrial) zoning district and is not within the Off-Premise Sign Exclusionary Zone. The sign face is in good condition while the supporting structure and area underneath the sign have received no maintenance. Conditions of Approval number three and four imposed on the subject sign by the previous Required Review (RQR-3023) of the site required the Off-Premise sign and its supporting structure to be properly maintained and also mandated the property owner to keep the property properly maintained. Based on the lack of maintenance noted on the subject site and sign pole, and the health hazard presented by the condition of the subject site, staff recommends denial of this request.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

14

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 91

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Name of Representative: Tom Amick - Kummer Kaempfer Bonner Renshaw Ferrario

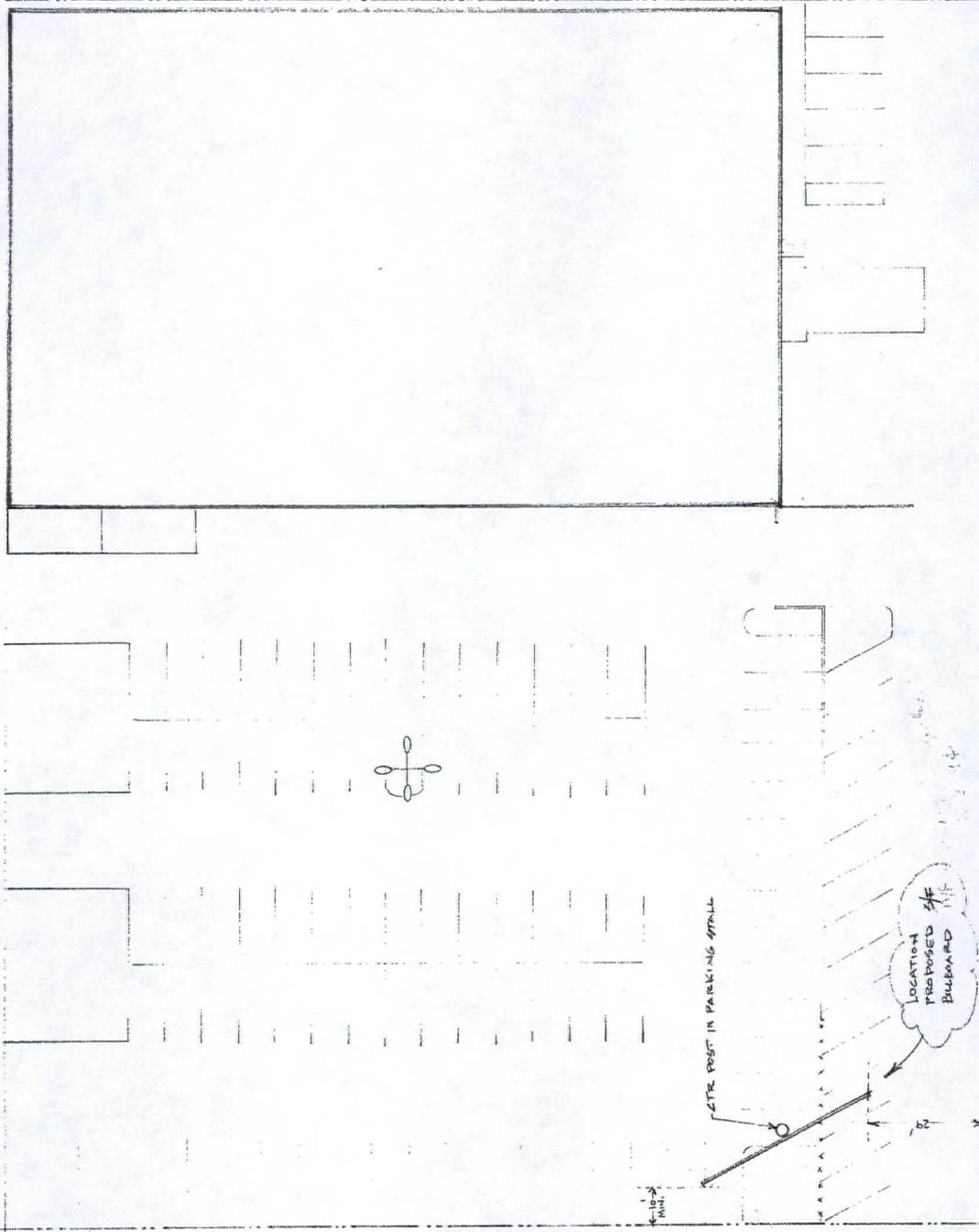
☒ No

APN:

Print Name: _____

RECEIVED
MAY 13 2009

Marshall Family LP



14'

14' x 48' PRINTED BILLBOARD
SINGLE FACED 50' HIGH O.A.
ILLUMINATED

26'

RECEIVED
MAY 13 2009

RQR-34323
06/25/09 PC

INDUSTRIAL ROAD

NEVADA
outdoor
SYSTEMS, INC.
1918 S. Eastern • Las Vegas, Nevada 89104

1518 S. EASTERN W NV (702) 457-2772

SCALE: 1" = 20'	APPROVED BY:	DRAWN BY: LCC
DATE: MAY 2, 2009	REVISOR:	
PACIFIC PROJECTS	N. INDUSTRIAL RD	W. NV
APN 5		DRAWING NUMBER 442050-1



RQR-34323 - APPLICANT/OWNER: MARSHALL FAMILY, LIMITED PARTNERSHIP

2330 INDUSTRIAL ROAD

JULY 23, 2009 PLANNING COMMISSION

05/21/09



RQR-34323 - APPLICANT/OWNER: MARSHALL FAMILY, LIMITED PARTNERSHIP
2330 INDUSTRIAL ROAD
JULY 23, 2009 PLANNING COMMISSION

05/21/09



RQR-34323 - APPLICANT/OWNER: MARSHALL FAMILY, LIMITED PARTNERSHIP
2330 INDUSTRIAL ROAD
JULY 23, 2009 PLANNING COMMISSION

05/21/09



RQR-34323 - APPLICANT/OWNER: MARSHALL FAMILY, LIMITED PARTNERSHIP
2330 INDUSTRIAL ROAD
JULY 23, 2009 PLANNING COMMISSION

05/21/09



MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
LARRY BROWN
LYNETTE B. McDONALD
LAWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF

CITY MANAGER
DOUGLAS A. SELBY

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.ci.las-vegas.nv.us



040355

November 21, 2003

Mr. Todd Marshall
Marshall Family Limited Partnership
2330 Industrial Road
Las Vegas, Nevada 89102

RE: RQR-3023 - REQUIRED REVIEW
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

Dear Mr. Marshall:

The City Council at a regular meeting held November 19, 2003 APPROVED the request for a Required Review of an approved Special Use Permit (U-0126-94) WHICH ALLOWED A 40 FOOT HIGH, 14 FOOT BY 48 FOOT OFFPREMISE ADVERTISING (BILLBOARD) SIGN at 2330 Industrial Road (APN: 162-04-802-007), M (Industrial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on November 20, 2003. This approval is subject to:

Planning and Development

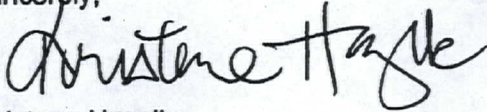
1. The Special Use Permit shall be reviewed in five years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise advertising sign.

RQR-34323
06/25/09 PC

Mr. Todd Marshall
RQR-3023 - Page 2
November 21, 2003

5. All City Code requirements and design standards of all City departments must be satisfied.

Sincerely,



Kristene Honzik
Deputy City Clerk I for
Barbara Jo Ronemus, City Clerk

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. Of Fire Services

Mr. Thomas D. Amick
KKBR
3800 Howard Hughes Parkway, 7th Floor
Las Vegas, Nevada 89109

RQR-34323
06/25/09 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JULY 23, 2009

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

ABEYANCE - SDR-34463 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: EVA AND ANDREW FRANK - Request for a Site Development Plan Review FOR THE ADDITION OF A TWO-STORY, NINE-UNIT APARTMENT BUILDING WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER STANDARDS TO ALLOW A ZERO-FOOT BUFFER ALONG THE WEST PERIMETER WHERE 10 FEET IS REQUIRED AND ZERO-FOOT BUFFERS ALONG PORTIONS OF THE NORTH AND EAST PERIMETERS WHERE SIX FEET IS REQUIRED on 0.72 acres at 1774 Willow Trail and 3900 Melody Lane (APNs 139-19-802-001 and 003), R-3 (Medium Density Residential) Zone, Ward 5 (Barlow)

C.C.: 08/19/2009

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

4

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

APPROVAL

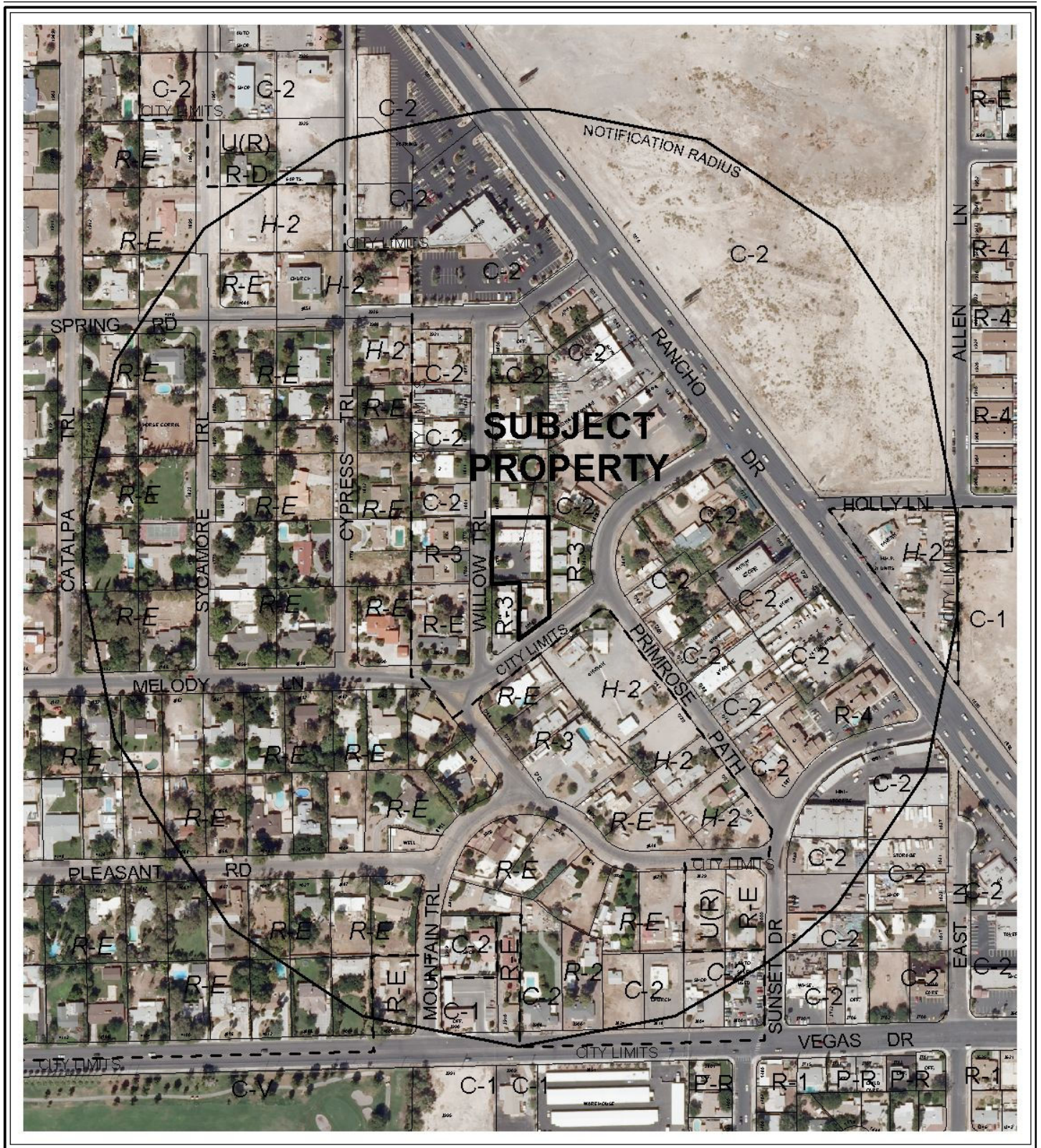
BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest Postcards



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





CASE: SDR-34463

RADIUS: 1000 FT

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

0 300 600 Feet



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JULY 23, 2009****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-34463 - APPLICANT/OWNER: EVA AND ANDREW FRANK**

**** CONDITIONS ******STAFF RECOMMENDATION: APPROVAL**, subject to:**Planning and Development**

1. Conformance to the Conditions of Approval for Rezoning (Z-0042-74) 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 05/12/09, except as amended by conditions herein.
4. A Waiver from Title 19.12.040 Perimeter Landscape Buffer standards is hereby approved, to allow a zero-foot landscape buffer along the west perimeter where 10 feet is required, and a zero-foot buffer along portions of the north and east perimeters where six feet is required.
5. The applicant shall work with city staff to determine the most appropriate mapping action necessary to consolidate the two existing parcels. The mapping action shall be completed and recorded prior to issuance of any building permits for the site.
6. The trash enclosure shall comply with all minimum requirements of Title 19.08 for screening, gates and a roof or trellis.
7. A revised site 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, to depict the extension of the sidewalk to the public right-of-way along Willow Trail.
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" box size trees shall be provided along all site perimeters at the rate of one tree for every 20 lineal feet. For every required tree, four, five-gallon shrubs shall also be provided.

SDR-34463 - Conditions Page Two
July 23, 2009 - Planning Commission Meeting

9. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
10. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
13. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

16. Coordinate with the City Surveyor to determine whether an Administrative Joining or other map is necessary; comply with the recommendations of the City Surveyor.
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. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed street section on Willow Trail and project driveways prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first.

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July 23, 2009 - Planning Commission Meeting

19. Submit an application to the Land Development section of the Department of Public Works for a deviation from standards for the non-standard street section design for Willow Trail prior to the issuance of permits. If a deviation is not approved, Willow Trail shall be redesigned to meet current City Standards.
20. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
21. Grant a Pedestrian Walkway Easement for the sidewalk located outside of the public right-of-way along Willow Trail prior to the issuance of any permits for this site.
22. 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.
23. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
24. Landscape and maintain all unimproved rights-of-way, if any, on Willow Trail and Melody Lane adjacent to this site.
25. Submit an Encroachment Agreement for all landscaping, if any, located in the Willow Trail and Melody Lane public rights-of-way adjacent to this site prior to occupancy of this site.
26. 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. We note that this site lies within a FEMA Flood Zone "AO".

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July 23, 2009 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site includes an existing apartment complex located at 1774 Willow Trail, and an existing single-family residence located at 3900 Melody Lane. The applicant is proposing to add a two-story, nine unit apartment building, enlarge an existing building without adding any units to it, and demolish the single-family residence to provide additional parking for the site. A pool area is proposed for the northeast corner of the site as an added amenity for the residents. If denied, the apartments and single-family residence will remain as they are.

Issues:

- The applicant is requesting Waivers of the Perimeter Landscape Buffer standards along portions of the west, north and east perimeters. Staff can support these requests as they are minor in nature, and are necessary to provide the proposed pool area and for handicap accessibility.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
10/02/74	The Board of City Commissioners approved a Rezoning (Z-0042-74) from R-E (Residence Estates) to R-3 (Medium Density Residential) for property generally located on the east side of Willow Trail between Melody Lane and Spring Road.
04/10/98	A deed was recorded for a change of ownership for 1774 Willow Trail.
05/30/08	A deed was recorded for a change of ownership for 3900 Melody Lane.
06/25/09	The Planning Commission held in abeyance a request for a Site Development Plan Review (SDR-34463) for the addition of a two-story, nine-unit apartment building with Waivers of the perimeter landscape buffer standards to allow a zero-foot buffer along the west perimeter where 10 feet is required and zero-foot buffers along portions of the north and east perimeters where six feet is required on 0.72 acres at 1774 Willow Trail and 3900 Melody Lane.

<i>Related Building Permits/Business Licenses</i>	
c. 1961	Original construction year for apartments located at 1774 Willow Trail.
c. 1975	Original construction year for a single-family residence located at 3900 Melody Lane.

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July 23, 2009 - Planning Commission Meeting

<i>Pre-Application Meeting</i>	
04/28/09	A pre-application meeting was held to discuss the following issues: • The proposed development will require that the properties be remapped as a single parcel. • Waivers are required for landscape buffers along Willow Trail (10 feet minimum) and along interior lot lines (six feet required). • Trees (minimum 24" box size) are required along perimeters at 20 feet on-center. Four, 5-gallon shrubs are required for each required tree. • Handicap spaces are required to meet Title 19.10 standards. • Mechanical equipment must be screened.

<i>Neighborhood Meeting</i>
A neighborhood meeting was not required for this application. The item was held in abeyance at the 06/25/09 Planning Commission meeting to allow the applicant to hold a meeting.

<i>Field Check</i>	
05/21/09	A field check was conducted by staff. An existing apartment complex and single-family residence in good condition were observed.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.72 Acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Apartments and Single-Family Residence	M (Medium Density Residential)	R-3 (Medium Density Residential)
North	Multi-Family Residences	GC (General Commercial)	C-2 (General Commercial)
South	Single-Family Residence and a Church	RN Rural Neighborhood - Clark County	R-E (Rural Estates, Residential District) - Clark County
East	Multi-Family Residences	M (Medium Density Residential)	R-3 (Medium Density Residential)
West	Multi-Family Residences	M (Medium Density Residential)	R-3 (Medium Density Residential)

SDR-34463 - Staff Report Page Three
July 23, 2009 - Planning Commission Meeting

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O Airport Overlay District (70 Feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
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:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	6,500 SF	31,363 SF	Y
Min. Lot Width	N/A	72 Feet	Y
Min. Setbacks			
• Front	20 Feet	120 Feet	Y
• Side	5 Feet	5 Feet	Y
• Rear	20 Feet	26 Feet	Y
Min. Distance Between Buildings	10 Feet	13 Feet	Y
Max. Building Height	Lesser of 2 Stories or 35 Feet	2 Stories / 26 Feet	Y
Trash Enclosure	Screened, Gated, w/ Roof or Trellis	Not Indicated	By Condition
Mech. Equipment	Screened	Not Indicated	By Condition

Pursuant to Title 19.10 and 19.12, the following standards apply:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree / 6 Uncovered Spaces	1 Tree	1 Tree	Y
Buffer:				
• North	1 Tree / 20 Linear Feet	4 Trees	3 Trees	By Condition
• South	1 Tree / 20 Linear Feet	7 Trees	6 Trees	By Condition
• East	1 Tree / 20 Linear Feet	10 Trees	8 Trees	By Condition
• West	1 Tree / 20 Linear Feet	14 Trees	11 Trees	By Condition
TOTAL		35 Trees	27 Trees	By Condition

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July 23, 2009 - Planning Commission Meeting

Min. Zone Width			
• North	6 Feet	Zero Feet	N
• South	10 Feet	15 Feet	Y
• East	6 Feet	Zero Feet	N
• West	10 Feet	Zero Feet	N
Wall Height	None Required	Not Indicated	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	
Apartments	18 Units (One Bedroom)	1.25 / Unit, plus 1 / 6 Units	26		24	2	Y
TOTAL			26		26		Y

Waivers		
Requirement	Request	Staff Recommendation
A 10-foot landscape buffer along the public right-of-way (south and west perimeters).	A zero-foot landscape buffer along the west perimeter.	Approval
A six-foot landscape buffer along interior lot lines (north and east perimeters).	A zero-foot buffer along portions of the north and east perimeters.	Approval

ANALYSIS

As proposed, this in-fill project will combine an existing apartment site and a single-family residential site into an expanded apartment complex, with the two properties remapped to create a single parcel. The single-family residence will be removed to provide the majority of parking for the apartments off of Melody Lane, with additional spaces provided on the property adjacent to Willow Trail. One of the existing buildings will be expanded to the north, with the extra space added to the existing units; no additional units will be created by the expansion of the existing building. A new apartment building consisting of nine units will be added to the site, as well as a pool area at the northeast corner of the site. The additions to the site meet all development standards of Title 19, including setbacks, parking and design standards.

SDR-34463 - Staff Report Page Five
July 23, 2009 - Planning Commission Meeting

The proposed site does not meet the minimum landscape standards of Title 19.12 as it is deficient in the number of perimeter trees and the shrubs that are required. A condition has been added to require that the site shall meet the minimum standards of Title 19.12.

The applicant is requesting a Waiver of the Title 19.12.040 Perimeter Landscape Buffer standards for portions of the west, north and east perimeters. Along the west perimeter, the Waiver will allow parking to be provided adjacent to the right-of-way, with a reduced landscape buffer between the parking spaces and the proposed building. Along the north and east perimeters, the Waiver will apply to the portions of the site occupied by the pool area (approximately 52 feet along the north and 38 feet along the east perimeter) and a portion adjacent to the parking lot for handicap accessibility (approximately 42 feet along the east perimeter). Staff can support the request as it is minor in nature, and the landscaping provided, as conditioned, will be adequate for the development.

FINDINGS

The following findings must be made for a Site Development Plan Review:

- 1. The proposed development is compatible with adjacent development and development in the area;**

The proposed development is compatible with 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 and Title 19, with the exception of the request for a Waiver of the perimeter landscape buffer standards. The request is minor in nature and will not negatively impact the surrounding land uses.

- 3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

The site is accessed from Melody Lane, with secondary access from Willow Trail. Both are designated as Local Streets by the Master Plan of Streets and Highways, and will provide adequate access to the site. Site access and circulation will not negatively impact adjacent roadways and neighborhood traffic.

- 4. Building and landscape materials are appropriate for the area and for the City;**

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July 23, 2009 - Planning Commission Meeting

The building materials are appropriate for the area and the city. Landscape materials, as conditioned, are also appropriate for the area and 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 will be 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

9

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 139

APPROVALS 0

PROTESTS 4



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-34463** APN: 139-19-802-001 & 003

Name of Property Owner: Andrew & Eva Frank

Name of Applicant: Andrew Frank

Name of Representative: Moser Architecture Studio / Brent Cajthaml

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: _____

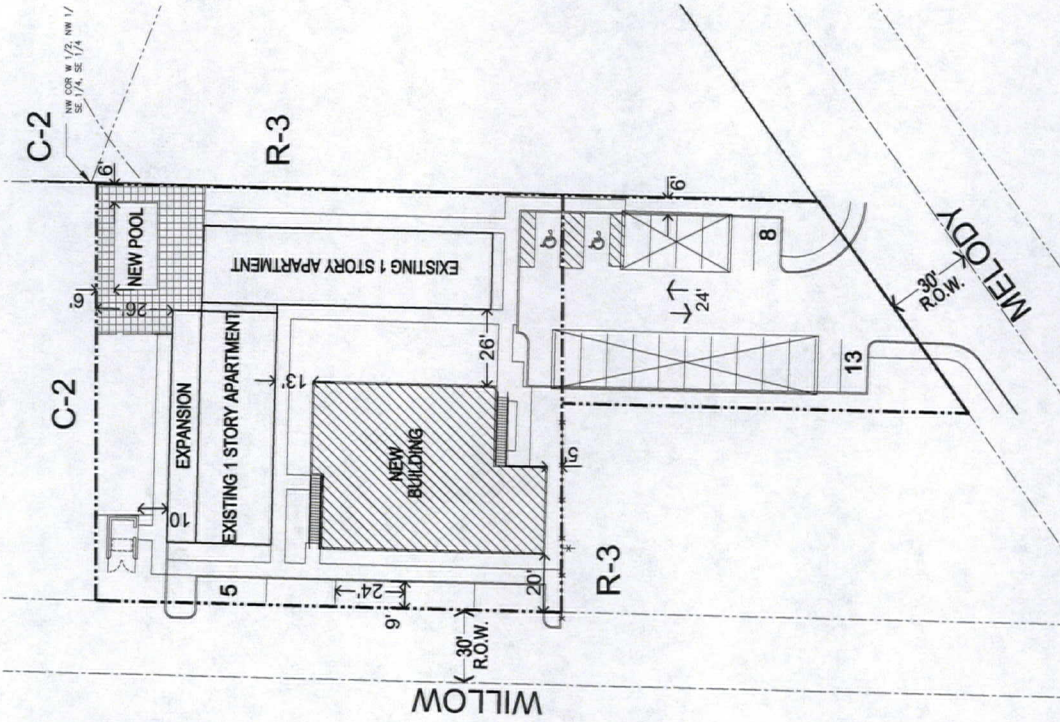
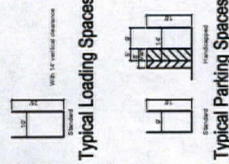
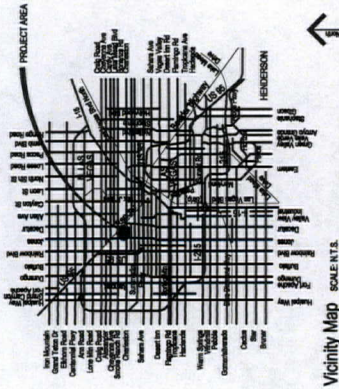
Signature of Property Owner: [Signature]

Print Name: ANDREW FRANK

Subscribed and sworn before me

This 7 day of May, 2009
[Signature]
Notary Public in and for said County and State





4 SITE PLAN - FIRST FLOOR
SCALE: 1/8"

SITE INFORMATION

1774 WILLOW
LAS VEGAS, NV 89108

APN: 139-19-802-001 & 139-19-802-003
ZONING: R-3

SITE AREA (ESTIMATE, TO BE VERIFIED):
0.72 NET ACRES
0.87 GROSS ACRES

UNITS
EXISTING: 9 1 BEDROOM
PROPOSED: 9 1 BEDROOM
18 TOTAL UNITS

PARKING REQUIRED:
18 * 1.25 = 23 SPACES
18 / 6 = 3 SPACES
26 TOTAL SPACES

PARKING PROVIDED: 26 SPACES

HC PARKING
REQUIRED: 2 SPACES
PROVIDED: 2 SPACES

DENSITY:
ALLOWED: 25 UNITS/ACRE
PROPOSED: 25 UNITS/ACRE

SETBACKS:	REQUIRED	PROVIDED
FRONT	20'	20'
SIDE	5'	5'
REAR	20'	20'

HEIGHT:
ALLOWED: 2 STORIES OR 35'
PROPOSED: 2 STORIES - 32'



Scale: 1/8"

FRONTLINE

MOSER architecture studio

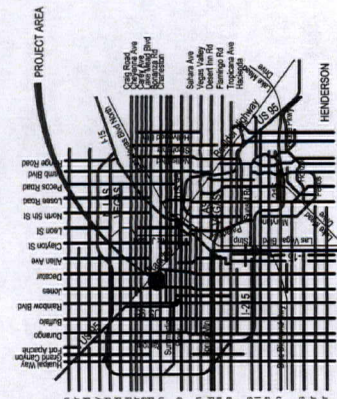
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Willow and Melody Apartment Homes

LAS VEGAS, NV

SDR-34463

06/25/09 PC



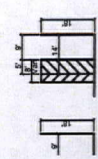
Map SCALE N.T.S.



Map SCALE N.T.S.



cal Loading Spaces



cal Parking Spaces

and Melody Apartment Homes

NV

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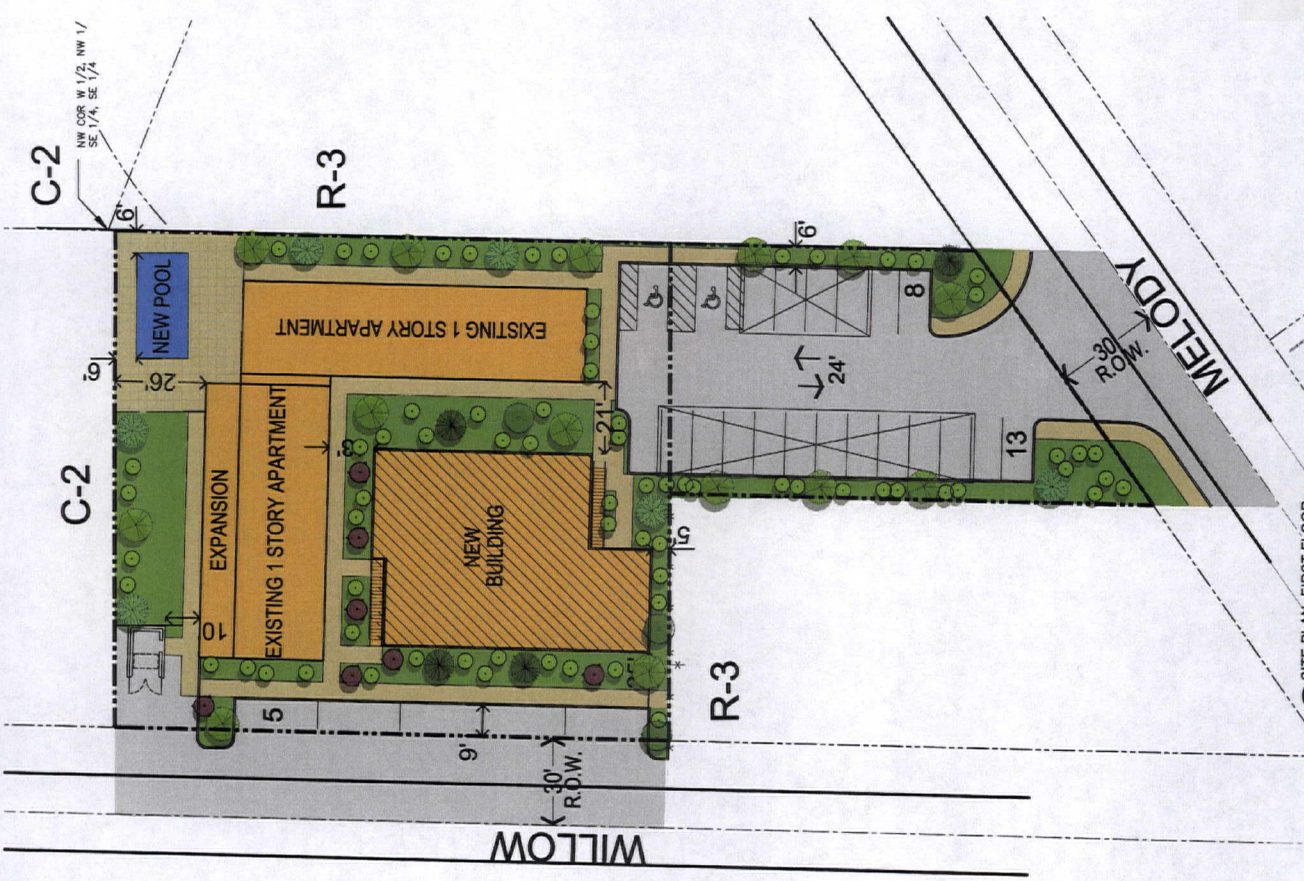
PARKING PROVIDED: 26 SPACES

HC PARKING
REQUIRED: 2 SPACES
PROVIDED: 2 SPACES

DENSITY:
ALLOWED: 25 UNITS/ACRE
PROPOSED: 25 UNITS/ACRE

SETBACKS: REQUIRED PROVIDED
FRONT 20' 20'
SIDE 5' 5'
REAR 20' 20'

HEIGHT:
ALLOWED: 2 STORIES OR 35'
PROPOSED: 2 STORIES - 32'



4 SITE PLAN- FIRST FLOOR

1 LANDSCAPE PLAN

SCALE 1/8" = 1'-0"

MAY 12 2009

SDR-34463

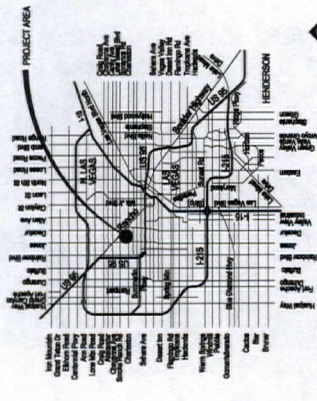
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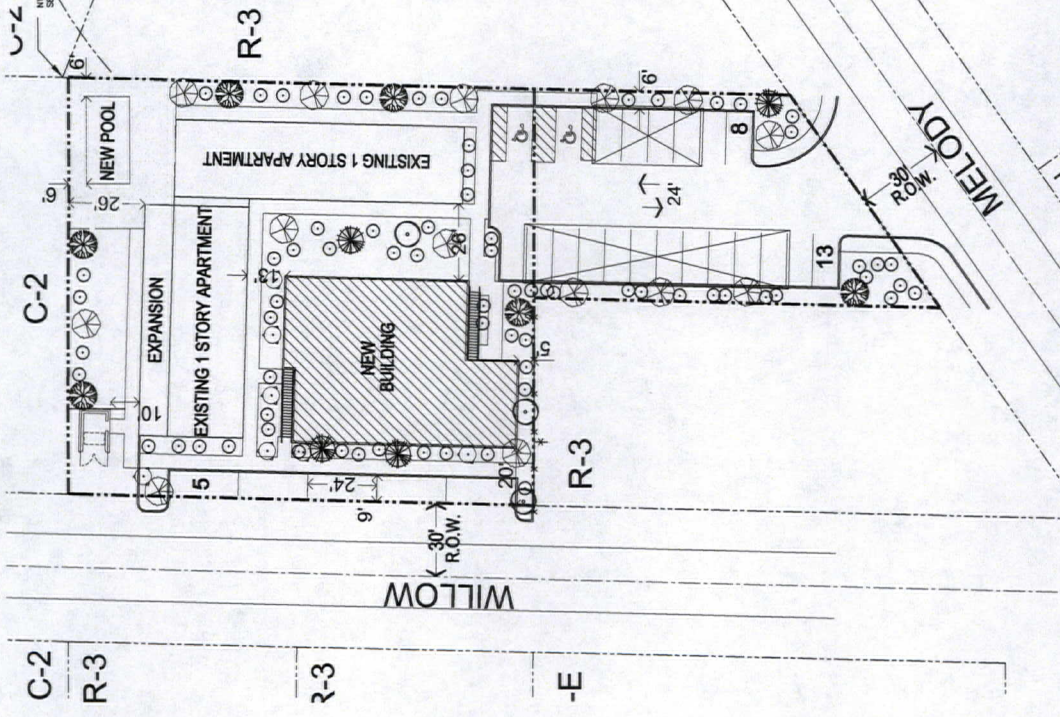
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Vicinity Map SCALE: 1" = 1/4" MILE



Location Map SCALE: 1" = 1/4" MILE

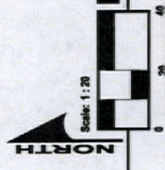


Plant List

SYM	QTY	SIZE	SPACING	COMMON NAME	BOTANICAL NAME
(Symbol)	15	24" Box	20' x 20' On Center	HOLLY OAK	Quercus laevis
(Symbol)	6	24" Box	20' x 20' On Center	MONTELL PINE	Pinus
(Symbol)	3	24" Box	20' x 20' On Center	COLORADO MESQUITE	Prosopis juliflora
(Symbol)	3	24" Box	20' x 20' On Center	EMORY OAK	Quercus
(Symbol)	7	24" Box	20' x 20' On Center	BOTTLE TREE	Brasylanthion populneus
(Symbol)	87	1-6 Gallon	N/A	Ornamental Ground	
(Symbol)		N/A	N/A	Xeriscape	

* XERISCAPE: No turf to be used. Only rock, Chaulioid rock or other Low-water use, approved ground cover will be used.

Conceptual Landscape Plan : Sheet Title
 MAY-2009 : Project Number
 5-12-09 : Date



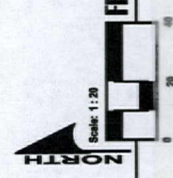
Willow and Melody Apartment Homes

LAS VEGAS, NV

FRONTLINE group
 MOSER architecture studio

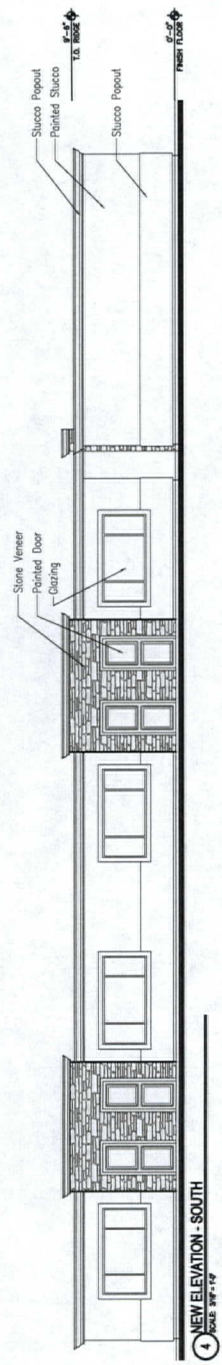
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 06/25/09 PC

LANDSCAPE PLAN
 SCALE: 1" = 20'
 MAY 12 2009

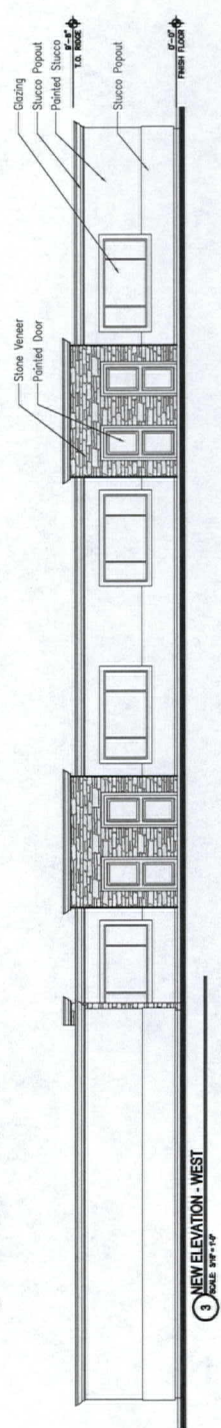


Willow and Melody Apartment Homes
LAS VEGAS, NV

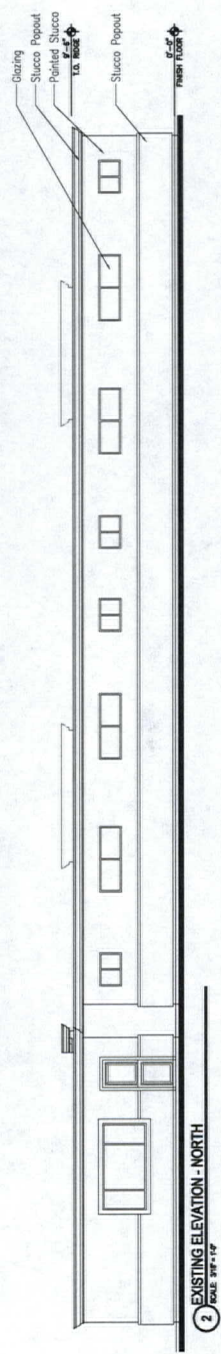
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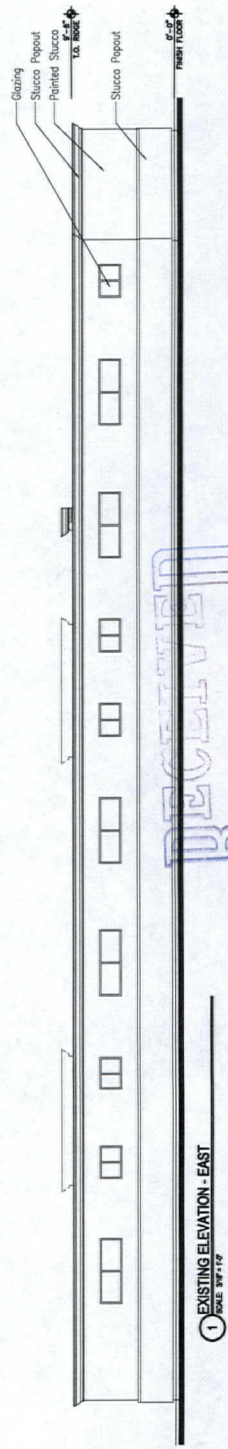
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③ NEW ELEVATION - WEST
SCALE: 3/8" = 1'-0"

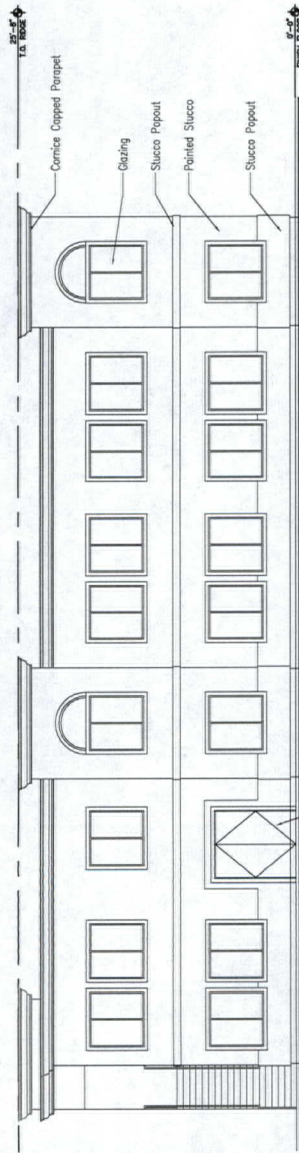


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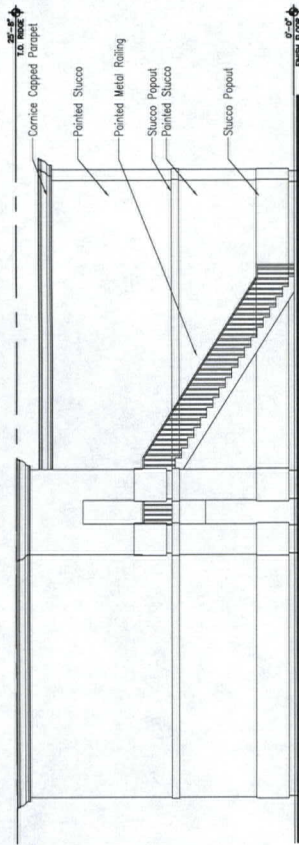


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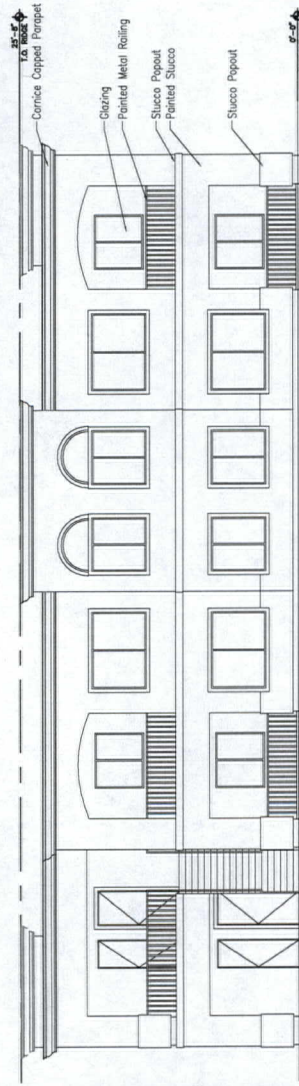
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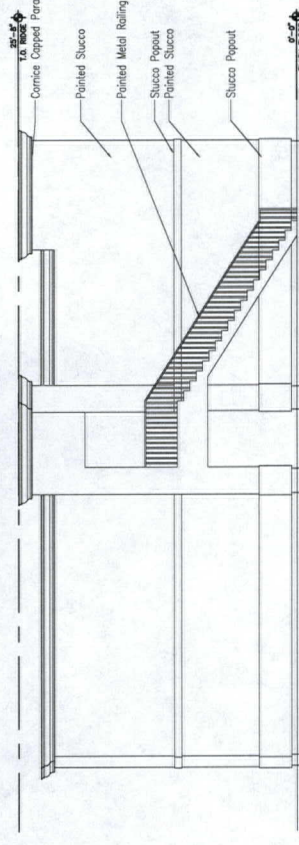
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SCALE 3/8" = 1'-0"



1 NORTH ELEVATION
SCALE 3/8" = 1'-0"



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



2 SOUTH ELEVATION
SCALE 3/8" = 1'-0"

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Scale: 1" = 20'



FRONTLINE (J110111)

MUSER architecture studio

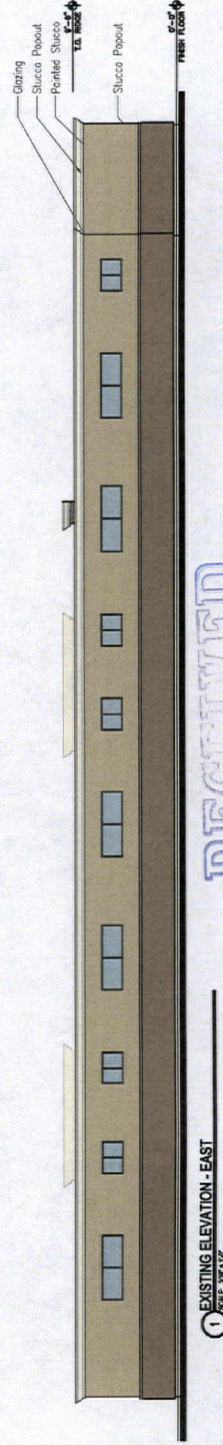
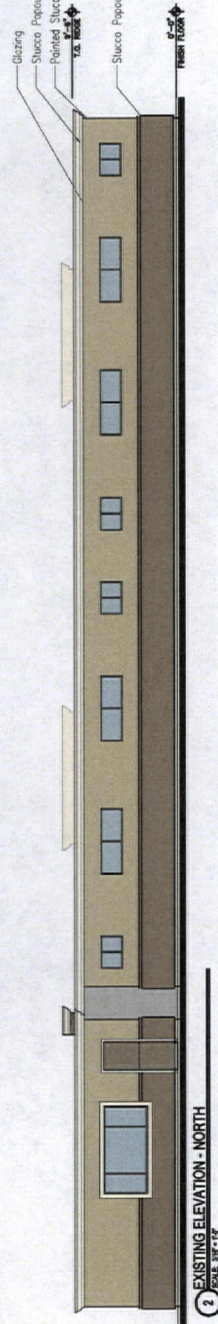
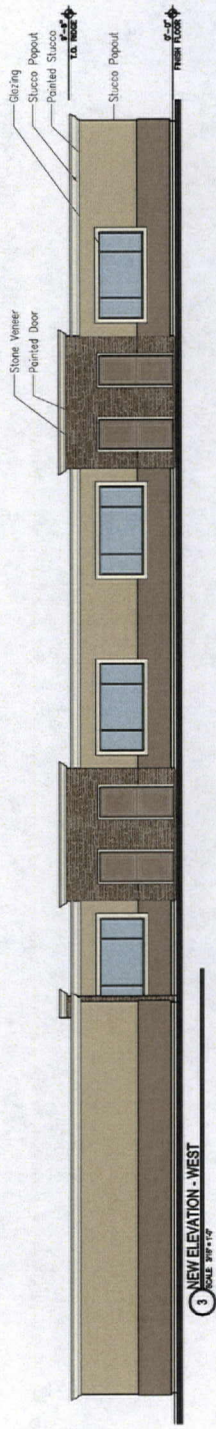
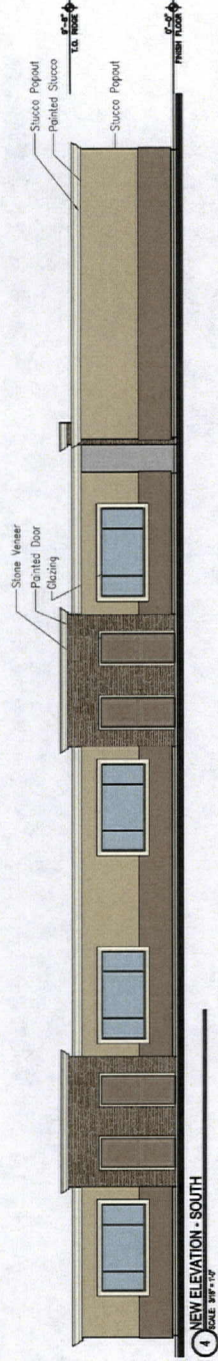
Conceptual Elevations : Sheet Title
MUSE-0001 : Project Number
5-12-09 : Date

Willow and Melody Apartment Homes

LAS VEGAS, NV

SDR-34463

06/25/09 PC



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MAY 12 2009

Willow and Melody Apartment Homes

LAS VEGAS, NV

NORTH

Scale: 1/8" = 1'-0"

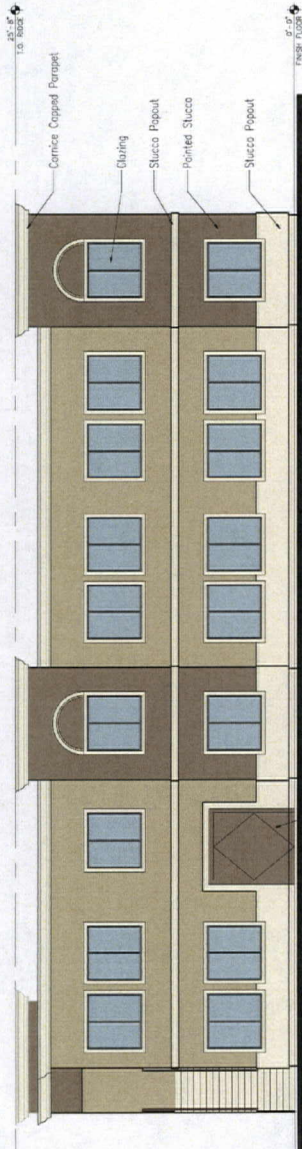
FRONTLINE

SDR-34463

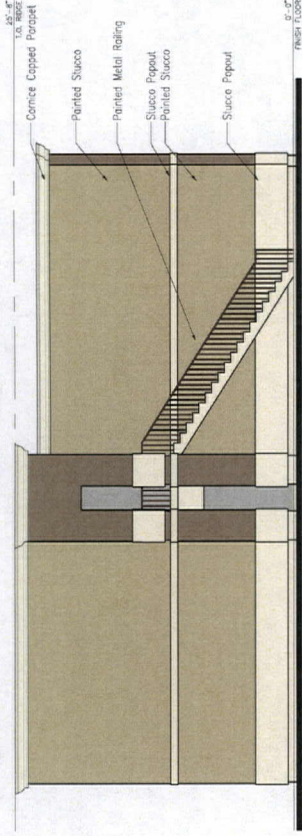
06/25/09 PC

Conceptual Elevations : Best Title
March 2009 : Project Number
4348 : Date

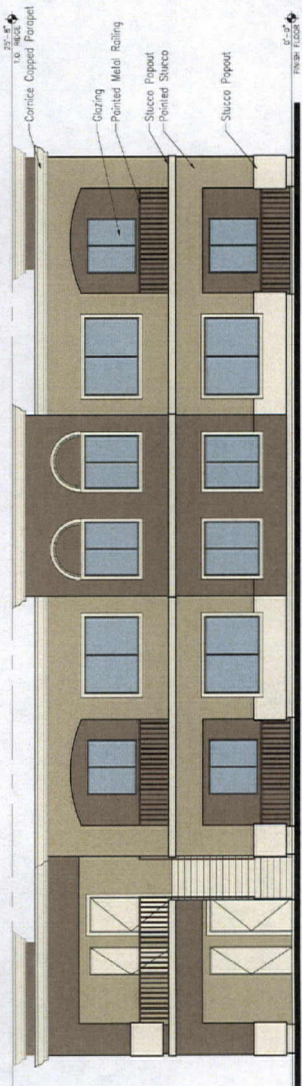
MUSCIE architecture studio



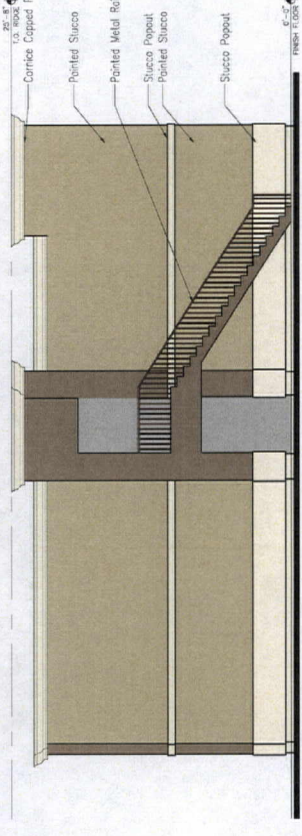
3 WEST ELEVATION
SCALE 3/8" = 1'-0"



1 NORTH ELEVATION
SCALE 3/8" = 1'-0"



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

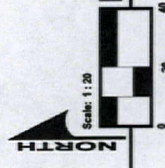


2 SOUTH ELEVATION
SCALE 3/8" = 1'-0"

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MAY 12 2009

Willow and Melody Apartment Homes

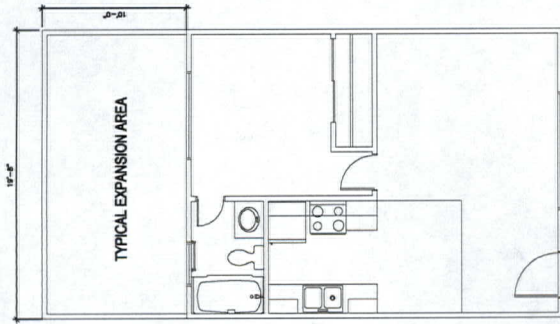
LAS VEGAS, NV



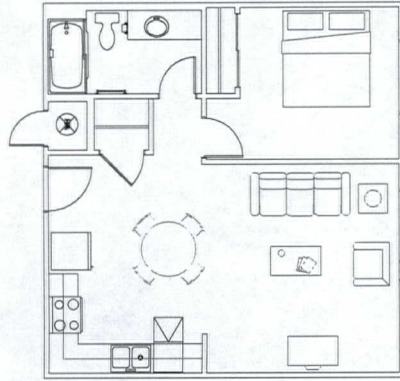
FRONTLINE group
MOSER architecture studio

SDR-34463
06/25/09 PC

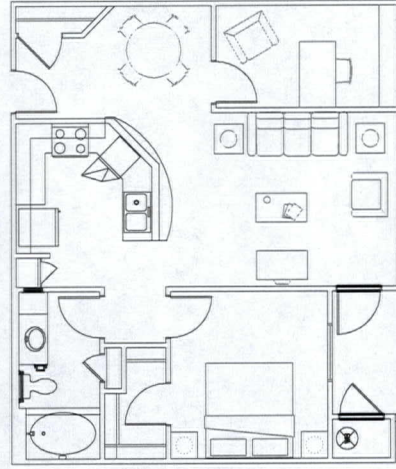
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M489-0081 : Project Number
4-3-09 : Date



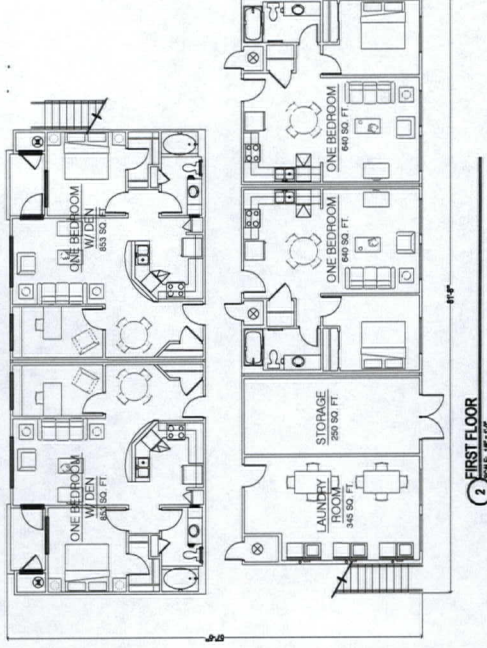
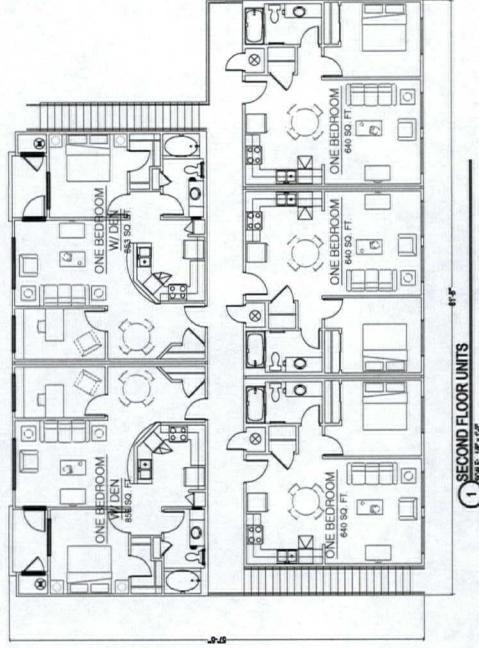
5 TYPICAL ONE BEDROOM IN EXISTING BUILDING - 510 SF
SCALE: 1/8" = 1'-0"



3 ONE BEDROOM - 640 SF
SCALE: 1/8" = 1'-0"



4 ONE BEDROOM WITH DEN - 656 SF
SCALE: 1/8" = 1'-0"



Conceptual Building Plan : Sheet Title
MAY-0001 : Project Number
5-12-09 : Date



Willow and Melody Apartment Homes
LAS VEGAS, NV

SDR-34463
06/25/09 PC

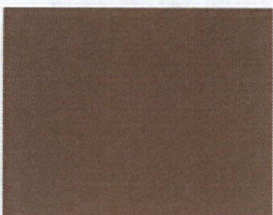
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MAY 12 2009

Color Board

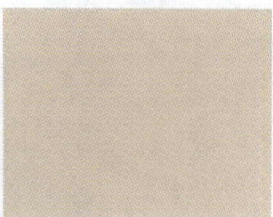
Willow and Melody Apartment Homes
Las Vegas, NV



PRIMARY PAINT
Frazee- Bardon CL 1876A



SECONDARY PAINT
Frazee- Dog Paw CL 2635A



ACCENT PAINT
Frazee- Rata CL 2621W



ACCENT
Coronado Stone
Eastern Mountain Ledge
Dakota Brown

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MAY 11 2009

SDR-34463
06/25/09 PC

SDR 34463				
Eva & Andrew Frank				
NEC Melody Lane & Willow Trail				
Proposed 9-unit apartment building.				
Traffic produced by proposed development:				
Proposed Amendment	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	APARTMENT [DWELL]	9	6.72	61
AM Peak Hour			0.51	5
PM Peak Hour			0.62	6
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Rancho Dr.				
Average Daily Traffic (ADT)	51,818			
PM Peak Hour	4,145			
(heaviest 60 minutes)				
Washington Ave.				
Average Daily Traffic (ADT)	18,494			
PM Peak Hour	1,479			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
	Existing Street Capacity			
Rancho Dr.	51800			
Washington Ave.	32775			
This proposed amendment will add approximately 61 trips per day on Rancho Dr. and Washington Ave. This will increase expected volumes by less than 1 percent on both of these streets. Rancho is at about 100 percent of capacity and Washington is at about 56 percent of capacity.				
Based on Peak Hour use, this development will add roughly 6 additional cars into the area; which works out to about 1 every 10 minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



**SDR-34463 - APPLICANT/OWNER: EVA AND ANDREW FRANK
1774 WILLOW TRAIL AND 3900 MELODY LANE
JULY 23, 2009 PLANNING COMMISSION**

05/21/09



**SDR-34463 - APPLICANT/OWNER: EVA AND ANDREW FRANK
1774 WILLOW TRAIL AND 3900 MELODY LANE
JULY 23, 2009 PLANNING COMMISSION**

05/21/09



**SDR-34463 - APPLICANT/OWNER: EVA AND ANDREW FRANK
1774 WILLOW TRAIL AND 3900 MELODY LANE
JULY 23, 2009 PLANNING COMMISSION**

05/21/09



**SDR-34463 - APPLICANT/OWNER: EVA AND ANDREW FRANK
1774 WILLOW TRAIL AND 3900 MELODY LANE
JULY 23, 2009 PLANNING COMMISSION**

05/21/09

ELIZABETH M. SOROKAC, ESQ.

EMAIL: LIZ@SOROKACLAW.COM

1389 GALLERIA DRIVE, SUITE 100, #106
HENDERSON, NEVADA 89014
PHONE: (702) 727-6258
FAX: (702) 727-6259

April 30, 2009

Via Hand Delivery

Margo Wheeler, AICP

Director

City of Las Vegas Planning and Development Department

731 South Fourth Street

Las Vegas, Nevada 89101

**Re: Revised Justification Letter
1774 Willow Trail (APN 139-19-802-001) and 3900 Melody Lane
(APN 139-19-802-003) ("Property")
Site Development Plan Review ("Application")**

Dear Ms. Wheeler:

This office represents the applicant on the Application. The applicant is proposing to remodel an existing one-story apartment building located at 1774 Willow Trail and construct a new two-story apartment building at 1774 Willow Trail, where the parking lot currently exists. The home that currently exists at 3900 Melody Lane (which is adjacent to the 1774 Willow Trail property) will be demolished to provide parking for the existing and new apartment buildings.

The Property is planned Medium (up to 25.49 du/acre) in the City's General Plan and zoned R-3 (up to 25 du/acre). The Property is a total of 0.72 acres which permits 18 units on the Property. There are 9 one bedroom apartments in the existing one-story building and 9 one bedroom apartments proposed in the new two-story building for a total of 18 units on the Property. The project is within the density code requirements.

The interior and exterior renovation of the existing one-story apartment building will compliment the proposed two-story apartment building. Stacked stone will be added to the facades of the one-story building and the doors, windows and the trim will be changed to match the proposed two-story building and update the look of the one-story building. The interior remodeling includes updated kitchens, bathrooms, carpet, paint, heating and cooling. The new two-story apartment building is proposed at a maximum of 32 feet where 35 feet is permitted. The materials for the building are stucco with metal accents. A flat roof is proposed to be consistent with the flat roof of the one-story building. In addition to remodeling the existing

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MAY 12 2009

**SDR-34463
06/25/09 PC**

building and constructing a new building, a pool and barbeque area are proposed on the northeast corner of the Property for use by the residents of the apartment buildings. The additional amenities are a wonderful benefit to the residents of the complex.

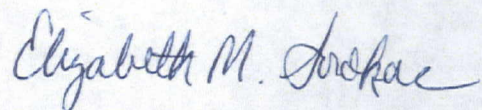
The project requires two minimal landscape waivers. First, a waiver of the landscaping requirements is requested for the northeast corner of the property. This request is to waive the required landscaping around the pool (approximately 50 feet along the north property line and approximately 30 feet along the east property line). This request is necessary to ensure the pool receives ample sunlight and to reduce the amount of plant material that ends up in the pool causing additional maintenance. Second, the landscaping waiver along Willow is not a request to completely waive the landscaping, but rather a request to relocate the landscaping on Willow to the east of the proposed parallel parking. The landscaping is being provided along Willow, but not in the exact location required by Title 19. The remainder of the proposed landscaping meets Title 19 which will serve to further beautify the neighborhood.

The project provides a 20 foot front setback, a 5 foot side setback and a 20 foot rear setback. The provided setbacks comply with all setback requirements in the Las Vegas Code. The project requires 26 parking spaces and the project provides 26 spaces. Twenty-one of the spaces are located on the portion of the Property that fronts Melody Lane and the remaining 5 spaces are located on the portion of the Property that fronts Willow Trail. The project meets all of the parking requirements of the Las Vegas Code, including the required number of handicap accessible spaces.

The applicant respectfully requests your consideration and approval of the Application. Please do not hesitate to contact me at (702) 727-6258 (office), (702) 245-5075 (cell) or via email at liz@sorokaclaw.com if you have any questions regarding this matter.

Very Truly Yours,

SOROKAC LAW OFFICE, PLLC

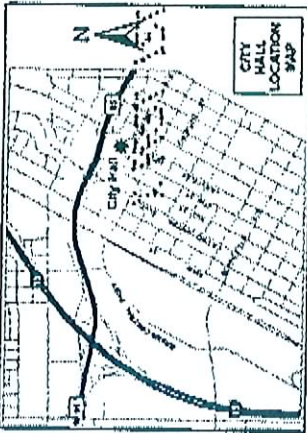


ELIZABETH M. SOROKAC, ESQ.

SDR-34463
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.

☐ SUPPORT this Request
☒ OPPOSE this Request

Please use available blank space on card for your comments.

SDR-34463

Planning Commission Meeting of 6/25/2009

PRESORTED
FIRST CLASS



UNITED STATES POSTAGE
02 1M
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0004279218 JUN 12 2009
MAILED FROM ZIP CODE 89101
FINEY BOWES

13919703023
STEWART STEVEN
3210 W CHARLESTON BLVD #2
LAS VEGAS NV 89102-0080
Case: SDR-34463

DAVID L. S9102

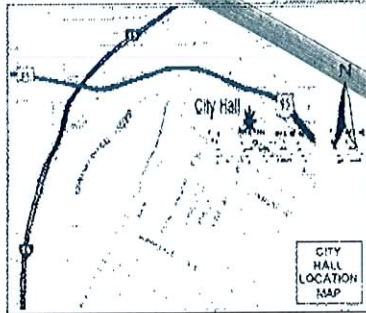
DAVID L. S9102

27P

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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I SUPPORT
this Request



I OPPOSE
this Request

Please use available blank space on card for your comments.

RQR-34410

Planning Commission Meeting of 6/25/2009

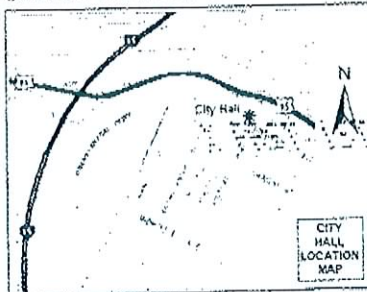
Case RQR-34410
13919801002
CONOVER LAURENCE W & ROSEMARIE
1775 CYPRESS TRL
LAS VEGAS NV 89108-1905

DAVDS11 29106

|||||

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

Return Service Requested
Official Notice of Public Hearing



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I SUPPORT
this Request



I OPPOSE
this Request

Please use available blank space on card for your comments.

SDR-34463

Planning Commission Meeting of 6/25/2009

Case SDR-34463
13919801002
CONOVER LAURENCE W & ROSEMARIE
1775 CYPRESS TRL
LAS VEGAS NV 89108-1905

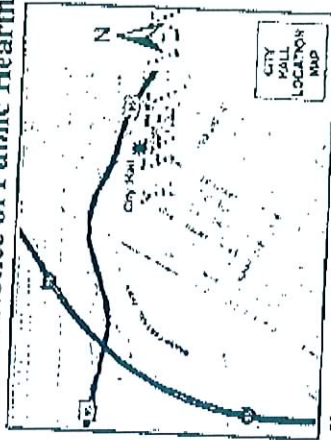
DAVDS11 29106

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27P

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

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☐

I SUPPORT
this Request

☒

I OPPOSE
this Request

Please use available blank space on card for your comments.

SDR-34463

Planning Commission Meeting of 6/25/2009

13919701008
SIEGAL JOHN
4140 SPRING RD
LAS VEGAS NV 89108-1937
Case: SDR-34463

DAVID A. SIEGAL

Head of the Planning & Development Department

27P

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JULY 23, 2009

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

GPA-34706 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: NV ENERGY - OWNER: USA AND NEVADA POWER COMPANY - Request to Amend a portion of the Centennial Hills Sector Plan of the General Plan FROM: PCD (PLANNED COMMUNITY DEVELOPMENT) TO: PF (PUBLIC FACILITIES) on 70 acres generally located on the south side of Moccasin Road alignment, 660 feet west of Larry McBryde Street alignment (APNs 126-01-101-002 through 004, 007, 015, 016 and 126-01-201-016), Ward 6 (Ross)

C.C.: 08/19/2009

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

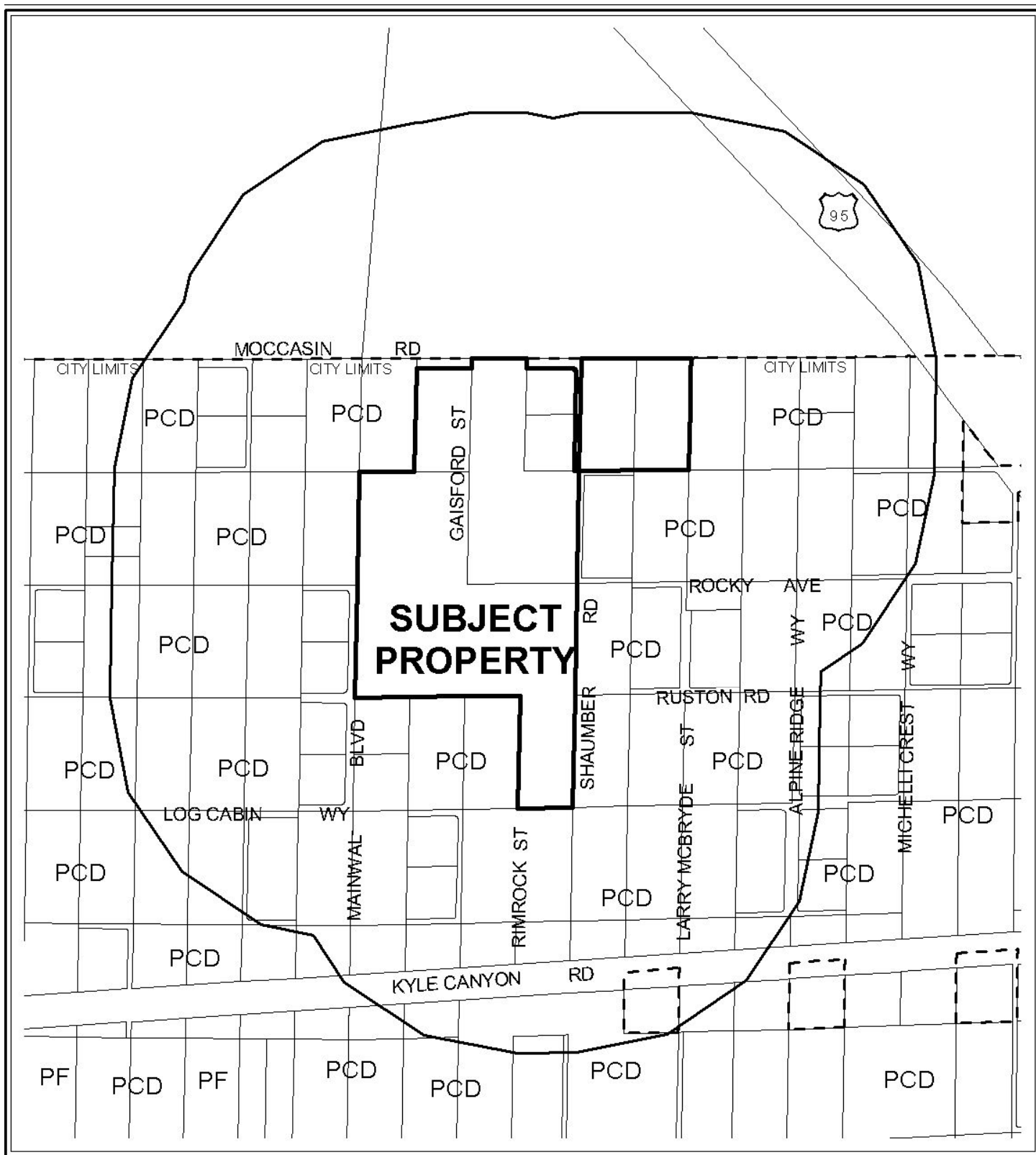
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RECOMMENDATION:

APPROVAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letters
6. Protest Postcard



CASE: GPA-34706

RADIUS: 1500 FT

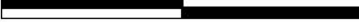
GENERAL LAND USE DESIGNATION OF SUBJECT PROPERTY:

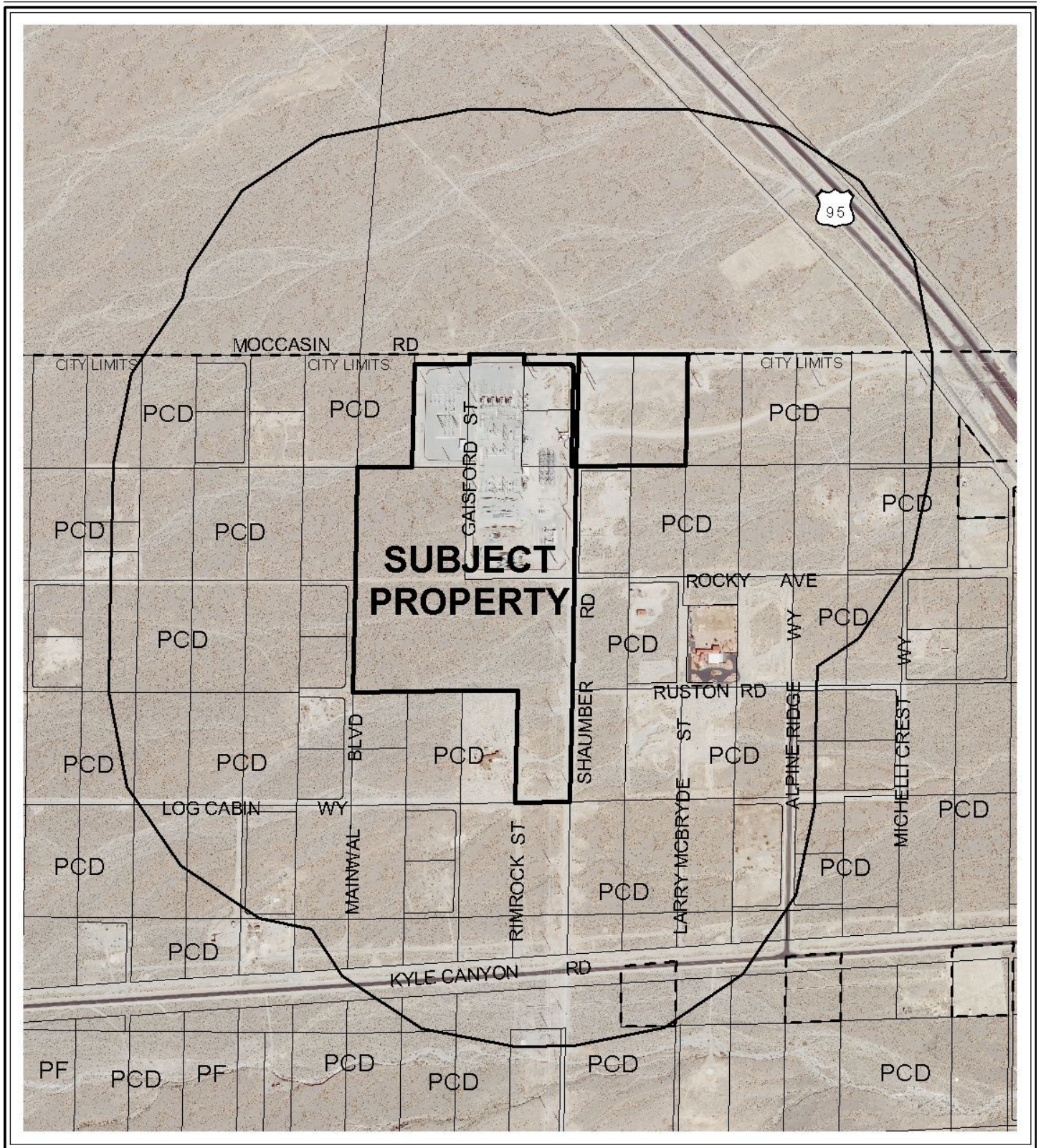
PCD (PLANNED COMMUNITY DEVELOPMENT)

PROPOSED GENERAL LAND USE DESIGNATION OF SUBJECT PROPERTY:

PF (PUBLIC FACILITIES)

0 800 1600 Feet

A horizontal scale bar with three segments, labeled 0, 800, and 1600 Feet.



CASE: GPA-34706

RADIUS: 1500 FT

GENERAL LAND USE DESIGNATION OF SUBJECT PROPERTY:

PCD (PLANNED COMMUNITY DEVELOPMENT)

PROPOSED GENERAL LAND USE DESIGNATION OF SUBJECT PROPERTY:

PF (PUBLIC FACILITIES)

0 800 1600 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 23, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: GPA-34706 - APPLICANT: NV ENERGY - OWNER: USA
AND NV ENERGY**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL.

GPA-34706 - Staff Report Page One
July 23, 2009 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site contains several undeveloped parcels and an existing Electric Utility Substation on approximately 80 acres generally located on the south side of Moccasin Road alignment, 660 feet west of the Larry McBryde Street alignment. The applicant is requesting a General Plan Amendment (GPA-34706) from PCD (Planned Community Development) to PF (Public Facilities). Approval of an associated request for a Rezoning (ZON-34709) is required for consistency with the proposed General Plan Amendment application. If denied, this request will require that the associated requests also be denied and the site will retain its existing Zoning and General Plan designation. Staff is recommending approval of this request as the requested General Plan Amendment is compatible with the adjacent surrounding land use designations.

Issues:

- Approval of an associated request for a Rezoning (ZON-34709) is required for this General Plan Amendment to be approved, and is required for the expansion of an existing Electric Utility Substation, located to the north as requested by Site Development Plan Review (SDR-34710).

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
11/14/90	A deed was recorded for a change of ownership for APNs: 126-01-101-003 and 004.
07/91	The Board of County Commissioners approved an application (UC-0165-91) for an electrical substation and a (VC-0338-91) to waive landscaping, on-site paving and a trash enclosure. The Variance application expired five years from the date of approval.
05/04/99	A deed was recorded for a change of ownership for APN: 126-01-101-002.
10/01	The Board of County Commissioners approved an application (UC-1158-01) for the expansion of an existing electrical substation and an application (WS-1408-01) to waive landscaping, on-site paving, and the trash enclosure in conjunction with the approved substation.
05/21/04	A Clark County building permit (#04-5876) was issued for an equipment shelter for a non-stealth cellular facility at 10625 Moccasin Road. The permit was finalized on 05/24/04.

GPA-34706 - Staff Report Page Two
July 23, 2009 - Planning Commission Meeting

05/21/04	A Clark County building permit (#04-5878) was issued for a non-stealth cellular facility at 10625 Moccasin Road. The permit was finaled on 05/24/04.
01/31/06	A Clark County building permit (#05-30753) was issued to add antennas on an existing non-stealth cellular facility at 10625 Moccasin Road. The permit was finaled on 02/01/06.
01/31/06	A Clark County building permit (#05-30756) was issued for an equipment shelter for a non-stealth cellular facility at 10625 Moccasin Road. The permit was finaled on 02/01/06.
04/01/09	The City Council approved an Annexation (ANX-27030) of property generally located on the south side of Moccasin Avenue alignment, 660 feet west of Larry McBryde Street alignment, containing approximately 33.66 acres. The effective date of the Annexation was 06/03/09.
07/23/09	The Planning Commission will consider a related Rezoning (ZON-34709) from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] to C-V (Civic) on 35 acres and a Site Development Plan Review (SDR-34710) for an expansion of an existing electric utility substation on 70 acres and generally located on the south side of Moccasin Road alignment, 660 feet west of Larry McBryde Street alignment. Staff is recommending approval of the related applications.
<i>Related Building Permits/Business Licenses</i>	
The existing Electrical Utility Substation was built prior to Annexation in the City.	
<i>Pre-Application Meeting</i>	
04/02/09	A pre-application meeting was completed on the indicated date. The following is a list of items discussed at the meeting; • Annexation of related properties and the effective date of 06/30/09. • Related Rezoning application will affect APN: 126-01-201-016 • Perimeter wall must comply with Title 19.12.075 • Expansion of an existing electrical utility substation.
<i>Neighborhood Meeting</i>	
06/23/09	A neighborhood meeting was held at 5:30pm at the Centennial Hills YMCA, City of Las Vegas Community Resources Room, located at 6601 N. Buffalo Drive Las Vegas, Nevada 89131. There were five members of the public, six representatives of the applicant and two members of City staff in attendance. The following is a list of questions, concerns and comments from the attendants of the meeting: • A question was raised as to why the substation was being expanded; the applicant responded that it is to accommodate future growth in the area. • A resident questioned if the proposed rezoning would affect any of the adjacent parcels.

GPA-34706 - Staff Report Page Three
July 23, 2009 - Planning Commission Meeting

06/23/09	• A question was asked regarding the uses that would be permitted under the PF land use designation. • A resident raised several questions about the status of the Kyle Canyon development. • Several questions were raised relative to the height of the substation equipment and screening; the applicant responded that the equipment would be no higher than the existing equipment, and that eventually a block wall and buffer landscaping will be provided. The applicant further explained that the landscaping cannot be installed until water is available at the site (it was explained that the site is 2 miles from the nearest point of connection to the water system). • A question was raised regarding vehicular access to the site; it was explained that access would be provided from the frontage road along US 95, and that they would be constructing half-street improvements abutting the site.
Field Check	
06/18/09	A field check was completed on the indicated date. The following items were observed on the subject site. • Staff identified the existing utility substation and the undeveloped parcels around the subject site. • Staff identified an existing non-stealth cellular facility on the subject site.

Details of Application Request	
Site Area	
Net Acres	80.0 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	NV Energy Utility Substation	PCD (Planned Community Development) [Proposed: PF (Public Facilities)]	C-V (Civic) and U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] [Proposed: C-V (Civic)]
North	Undeveloped	RR (Residential Rural) Clark County	R-U (Rural Open Land) Clark County
South	Undeveloped and Single-Family Dwellings	PCD (Planned Community Development)	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]

GPA-34706 - Staff Report Page Four
July 23, 2009 - Planning Commission Meeting

East	Undeveloped and Single-Family Dwellings	PCD (Planned Community Development)	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]
West	Undeveloped and Single-Family Dwellings	PCD (Planned Community Development)	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
C-V Civic District	X		Y or N
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 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. The adjacent land use designations include PCD on the west, east and south of the subject site. The north side of the parcel is located in Clark County and has no land use designation, all of which are compatible with the proposed designation.

The proposed PF (Public Facilities land use designation is compatible with the surrounding land use designation and is an appropriate category for the Electric Utility Substation use proposed for this property through Site Development Plan Review (SDR-34710); therefore, staff recommends approval of this request.

FINDINGS (GPA)

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:

GPA-34706 - Staff Report Page Five
July 23, 2009 - Planning Commission Meeting

- 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 intensity of the proposed PF (Public Facilities) General Plan designation is compatible with the existing adjacent PCD (Planned Community Development) land use 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 U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] as a companion item Rezoning (ZON-34709). 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 Review. The standards shall be designated 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 from Mocassin Road, which is currently an unimproved roadway. The applicant is working with Public Works to defer any roadway improvements to the subject site. The Electric Utility Substation will produce a negligible amount of traffic. Therefore, there are adequate facilities to accommodate an expansion of and existing Electric Utility Substation and the densities are 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.

GPA-34706 - Staff Report Page Six
July 23, 2009 - Planning Commission Meeting

ASSEMBLY DISTRICT 13

NOTICES MAILED 49

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-34706** APN: See Attached list of Parcel #'s

Name of Property Owner: Nevada Power Company dba NV Energy & BLM

Name of Applicant: Nevada Power Company dba NV Energy

Name of Representative: Michelle Baltz

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

☐ Yes

☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: James R. Saavedra

Print Name: James Saavedra



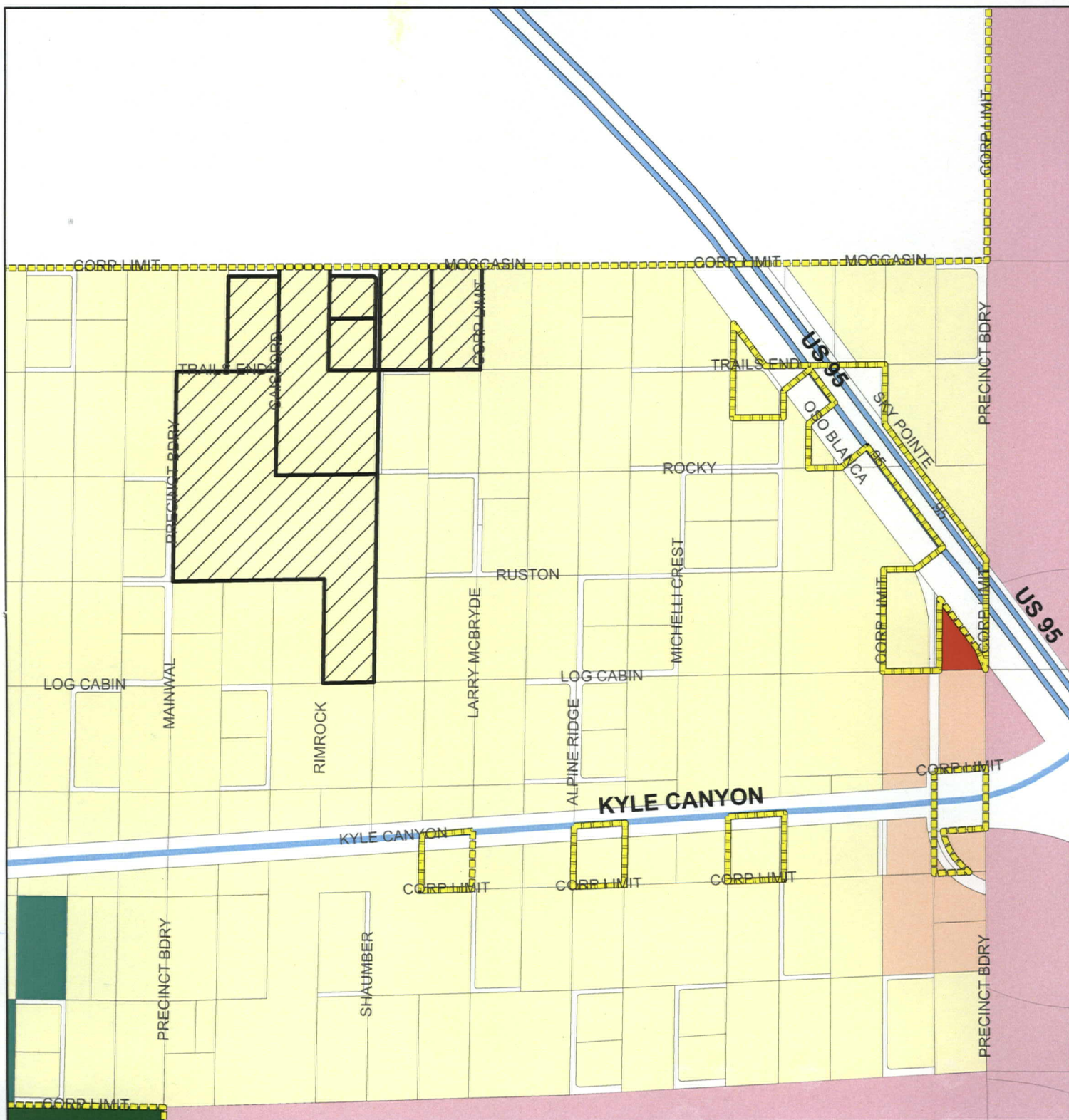
Subscribed and sworn before me

This 2nd day of June, 2009

Michelle Baltz
Notary Public in and for said County and State



**General Plan Designation - APN: 126-01-101-002 thru 004, 126-01-201-016,
126-01-101-016, 126-01-101-007 and 015**



- Service Commercial
- General Commercial
- Planned Community Development
- Park / Recreation / Open Space
- Public Facility
- Resource Conservation
- Traditional Neighborhood Development
- City Limits

RECEIVED

JUN 02 2009
GPA-34706
REVISED
07/23/09 PC

From PCD to PF



GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only. Geographic Information System Planning & Development Dept. 702-229-6301 Printed: May 07, 2009





Energy

May 29, 2009

Margo Wheeler, AICP
Director, City of Las Vegas
Planning & Development Department
731 South 4th Street
Las Vegas, NV 89101

Re: General Plan Amendment for the Northwest Substation Expansion

Dear Ms. Wheeler:

The Northwest Substation has been an intricate part of the electrical system for Nevada Power Company, d/b/a NV Energy since the early 1990's. NV Energy has recently annexed the property into the City of Las Vegas city limits via Annexation 27030, which will be effective June 3, 2009. The annexation changed the existing substation and vacant land to the east from Clark County Zoning R-U to City of Las Vegas Zoning C-V.

NV Energy has a Bureau of Land Management (BLM) Grant for 5 acres adjacent to the existing substation for the expansion of the facility. The 5 acres is a portion of Assessor's Parcel Number 126-01-201-016, which encompasses approximately 35 acres. To conform to City of Las Vegas code; NV Energy has submitted concurrently with this application a zone change from U (PCD) to C-V for the BLM land. To conform to the zone change and intended use, NV Energy is respectfully requesting your review and approval of a General Plan Amendment (GPA) from PCD to PF for Assessor's Parcel Numbers 126-01-101-002; 126-01-101-003; 126-01-101-004; 126-01-101-015; 126-01-101-007; 126-01-101-016 & 126-01-201-016. NV Energy owns in fee parcels 126-01-101-002 thru 004; 126-01-101-015 & 126-01-101-007. NV Energy has BLM Grants for parcels 126-01-101-016 & 5 acres of 126-01-201-016. A letter of concurrence from the BLM agreeing to the GPA is included in this application packet.

A Neighborhood Meeting is scheduled for the evening of June 23, 2009 at the Centennial Hills YMCA in the City of Las Vegas Community Resources Room.

Your review and consideration of this request is much appreciated. Should you have any questions or require additional information, please do not hesitate to call me at 702-402-2421.

Thank you for your time and consideration.

Sincerely,

Michelle Baltz, SR/WA
Sr. Land Use Consultant

RECEIVED
JUN - 2 2009

GPA-34706
07/23/09 PC



Date: May 29, 2009

To: City of Las Vegas Planning & Development Department

Subject: Nevada Power Company, d/b/a NV Energy, Acceptable Authorized Signatures

Dear Planning Staff:

A signature authorization letter was provided to Margo Wheeler, Secretary of the Planning Commission, on May 5, 2009 from Paul Kaleta that provided the following.

As of the date of issuance of this letter, Herbert Goforth is an Executive, Technical Services & Support of both SPPC and NPC, now d/b/a NV Energy. As of the date of issuance of this letter, Executives are authorized by senior management to sign contract commitments, expenditure approvals and disbursements on behalf of the Company up to \$1,000,000.

As of the date of issuance of this letter, James R. Saavedra is Director, Land Services for both SPPC and NPC, now d/b/a NV Energy. As of the date of issuance of this letter, Directors are authorized by senior management to sign contract commitments, expenditure approvals and disbursements on behalf of the Company up to \$500,000.

In addition to the above authority, certain transactions binding the Company require signature by leadership employees, as follows:

Land Services Director signature or higher is required for:

- (a) Relinquishments of easement granted on private property or rights contained in government patent rights;
- (b) Grants of easements; and
- (c) Land use permits required by local municipalities.

Mr. Kaleta's authorization letter is in effect until May 5, 2010.

If you have any questions or desire any additional information please contact me at 402-2421.

Respectfully yours,

Michelle Baltz, SR/WA
SR. Land Use Consultant
NV Energy

RECEIVED
JUN - 2 2009

GPA-34706
07/23/09 PC



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Southern Nevada District Office

Las Vegas Field Office

4701 N. Torrey Pines Drive

Las Vegas, NV 89130

<http://www.blm.gov/nv/st/en/fo/lvfo.1.html>

JUN 08 2009

In Reply Refer to:

N-52806

N-84249

2800 (NVS0056)

Ms. Margo Wheeler, A.I.C.P.

Director, City of Las Vegas Planning Department

731 South Fourth Street

Las Vegas, NV 89101

Re: GPA of APNS 126-01-101-016 & 126-01-201-016 (Application GPA-34706)

Dear Ms. Wheeler:

As required by Chapter 19.18.040 of the Las Vegas Zoning Code, the City of Las Vegas, Nevada (City) must obtain a letter of concurrence from the property owner prior to the General Plan Amendment (GPA) of parcels owned by a governmental entity. NV Energy has, or will be applying to the City for a zone change from U (PCD) to C-V (P-F) over and across approximately 40 acres of Federal land managed by the Bureau of Land Management (BLM) adjacent to and south of the Northwest Substation (BLM Right-of-Way Grants N-52806 and N-84249) within the City. The changing of the zoning necessitates the need for a GPA to be filed on this parcel and the parcels within the Northwest Substation.

The Bureau of Land Management (BLM) submitted a letter, dated May 28, 2009, addressing the subject GPA request. Following that submittal, NV Energy requested that BLM amend its submittal to include an additional government lot. Below is an amended version of the original submittal, to address the addition of a government lot and provide some additional information regarding the request.

A review of our records indicates that NV Energy is the Holder of rights-of-way authorizations for substation facilities located in T. 19 S., R. 59 E., Sec 1, lots 30, 34 thru 36 of Clark County, Nevada, and are identified by the Clark County Assessor's Office as APN: 126-01-101-016 and a portion of APN: 126-01-201-016.

The records review shows that at this time NV Energy does not have any applications for or authorized rights-of-way for substation sites located in T. 19 S., R. 59 E., Sec 1, lot 33, the N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, and the E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Clark County, Nevada, a portion of APN: 126-01-201-016. Though portions of the subject parcel do have rights-of-way authorizations held by NV Energy for linear power facilities.

In the letter that was previously submitted, T. 19 S., R. 59 E., sec. 1, lot 1 was referenced in error, please disregard its inclusion.

The BLM has reviewed NV Energy's request and determined that the parcels are within the Southern Nevada Public Land Management Act Boundary (P.L. 107-282) and are classified as suitable for disposal.

Therefore, the BLM has no objection to the GPA of these parcels by the City. If you need any additional information, please contact me at 702-515-5089.

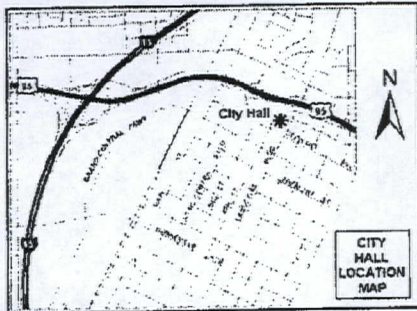
Sincerely,

A handwritten signature in black ink, appearing to read "Bob Ramsey". The signature is fluid and cursive, with the first name "Bob" and last name "Ramsey" clearly distinguishable.

Program Manager
Power Project Team
Division of Lands

JUL-13-2009 05:15PM FROM-
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.

GPA-34706

Planning Commission Meeting of 7/23/2009

+

T-336 P.001/003 F-599

PRESORTED
FIRST CLASS



UNITED STATES
PITNEY BOWES
02 1M
0004279218 JUL 10 2009
\$ 00.414
MAILED FROM ZIP CODE 89101

Case: GPA-34706
12602501022
LANCASTER REALTY HOLDING CORP
P O BOX 49272
LOS ANGELES CA 90049-0272

EAVDF11 90049



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JULY 23, 2009

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

ZON-34709 - REZONING RELATED TO GPA-34706 - PUBLIC HEARING -
APPLICANT: NV ENERGY - OWNER: USA AND NEVADA POWER COMPANY -
Request for a Rezoning FROM: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: C-V (CIVIC) on 35 acres generally located on the south side of Moccasin Road alignment, 660 feet west of Larry McBryde Street alignment (APN 126-01-101-016), Ward 6 (Ross)

C.C.: 08/19/2009

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

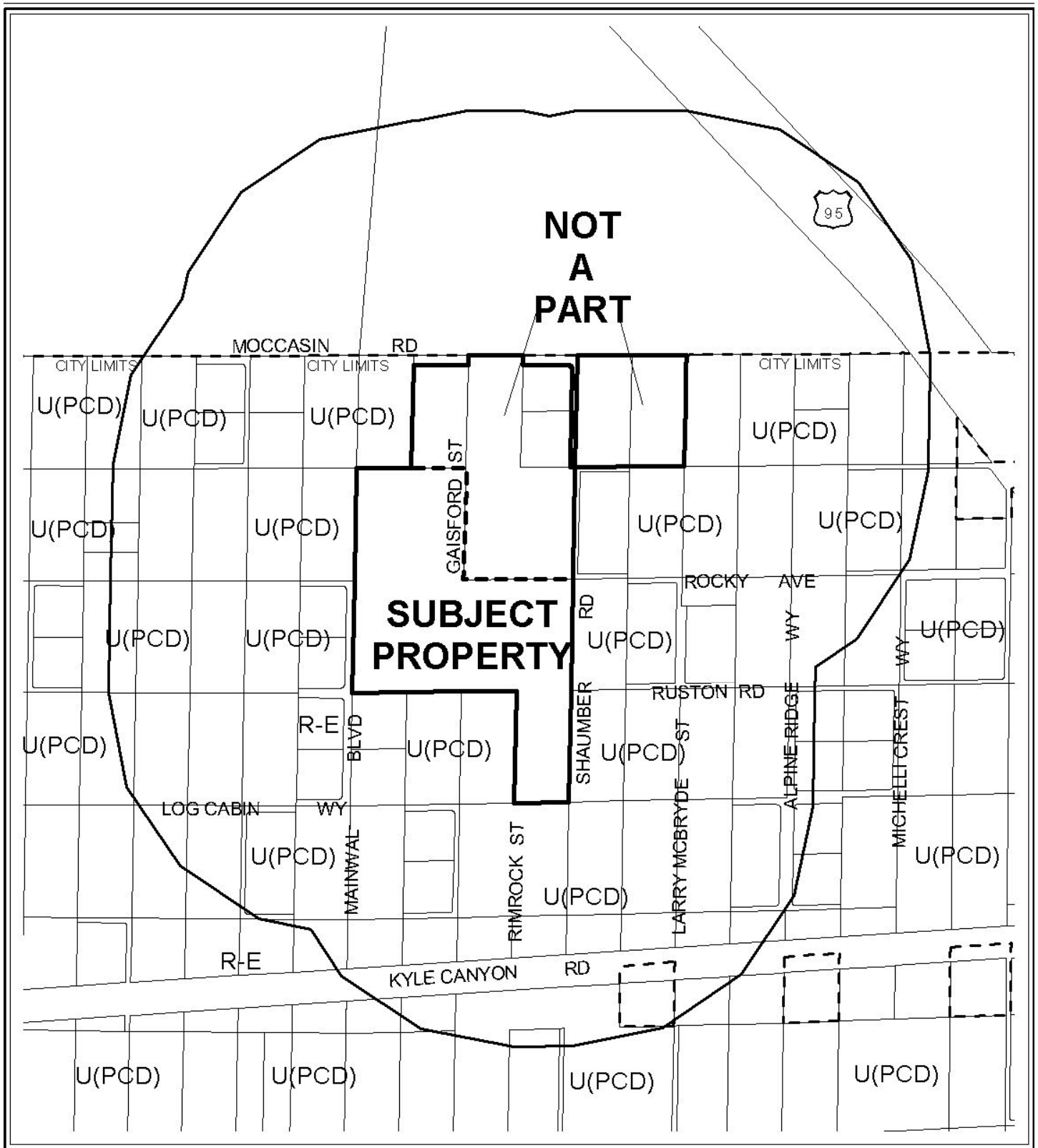
0

RECOMMENDATION:

APPROVAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letters
6. Protest Postcard



CASE: ZON-34709

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

C-V (CIVIC)

0 700 1400 Feet





CASE: ZON-34709

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

C-V (CIVIC)

0 700 1400 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 23, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-34709 - APPLICANT: NV ENERGY - OWNER: USA
AND NV ENERGY

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL.

ZON-34709 - Staff Report Page One
July 23, 2009 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site is an undeveloped lot containing approximately 35 acres, generally located on the south side of the Moccasin Road alignment, 660 feet west of the Larry McBryde Street alignment. The applicant is requesting a Rezoning from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] to the C-V (Civic) district. Approval of an associated request for a General Plan Amendment (GPA-34706) is required for the proposed Rezoning to be consistent with the General Plan Designation. If denied, this request will require that the associated requests also be denied and the site will retain its existing Zoning and General Plan designation. Staff is recommending approval of this request as the requested Rezoning is compatible with the adjacent surrounding zoning districts.

Issues:

- Approval of an associated request for a General Plan Amendment (GPA-34706) is required for this Rezoning to be approved, and is required for the expansion of an existing Electric Utility Substation, located to the north as requested by Site Development Plan Review (SDR-34710).

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
11/14/90	A deed was recorded for a change of ownership for APNs: 126-01-101-003 and 004.
07/91	The Board of County Commissioners approved an application (UC-0165-91) for an electrical substation and a (VC-0338-91) to waive landscaping, on-site paving and a trash enclosure. The Variance application expired five years from the date of approval.
05/04/99	A deed was recorded for a change of ownership for APN: 126-01-101-002.
10/01	The Board of County Commissioners approved an application (UC-1158-01) for the expansion of an existing electrical substation and an application (WS-1408-01) to waive landscaping, on-site paving, and the trash enclosure in conjunction with the approved substation.
05/21/04	A Clark County building permit (#04-5876) was issued for an equipment shelter for a non-stealth cellular facility at 10625 Moccasin Road. The permit was finaled on 05/24/04.
05/21/04	A Clark County building permit (#04-5878) was issued for a non-stealth cellular facility at 10625 Moccasin Road. The permit was finaled on 05/24/04.

ZON-34709 - Staff Report Page Two
July 23, 2009 - Planning Commission Meeting

01/31/06	A Clark County building permit (#05-30753) was issued to add antennas on an existing non-stealth cellular facility at 10625 Moccasin Road. The permit was finalized on 02/01/06.
01/31/06	A Clark County building permit (#05-30756) was issued for an equipment shelter for a non-stealth cellular facility at 10625 Moccasin Road. The permit was finalized on 02/01/06.
04/01/09	The City Council approved an Annexation (ANX-27030) of property generally located on the south side of Moccasin Avenue alignment, 660 feet west of Larry McBryde Street alignment, containing approximately 33.66 acres. The effective date of the Annexation was 06/03/09.
07/23/09	The Planning Commission will consider a related General Plan Amendment (GPA-34706) from PCD (Planned Community Development) to PF (Public Facilities) on 80 acres and a Site Development Plan Review (SDR-34710) for an expansion of an existing electric utility substation on 70 acres and generally located on the south side of Moccasin Road alignment, 660 feet west of Larry McBryde Street alignment. Staff is recommending approval of the related applications.
<i>Related Building Permits/Business Licenses</i>	
The existing Electrical Utility Substation was built prior to Annexation in the City.	
<i>Pre-Application Meeting</i>	
04/02/09	A pre-application meeting was completed on the indicated date. The following is a list of items discussed at the meeting; • Annexation of related properties and the effective date of 06/30/09. • Related Rezoning application will affect APN: 126-01-201-016 • Perimeter wall must comply with Title 19.12.075 • Expansion of an existing electrical utility substation.
<i>Neighborhood Meeting</i>	
06/23/09	A neighborhood meeting was held at 5:30pm at the Centennial Hills YMCA, City of Las Vegas Community Resources Room, located at 6601 N. Buffalo Drive Las Vegas, Nevada 89131. There were five members of the public, six representatives of the applicant and two members of City staff in attendance. The following is a list of questions, concerns and comments from the attendants of the meeting: • A question was raised as to why the substation was being expanded; the applicant responded that it is to accommodate future growth in the area. • A resident questioned if the proposed rezoning would affect any of the adjacent parcels. • A question was asked regarding the uses that would be permitted under the PF land use designation.

ZON-34709 - Staff Report Page Three
July 23, 2009 - Planning Commission Meeting

	• A resident raised several questions about the status of the Kyle Canyon development. • Several questions were raised relative to the height of the substation equipment and screening; the applicant responded that the equipment would be no higher than the existing equipment, and that eventually a block wall and buffer landscaping will be provided. The applicant further explained that the landscaping cannot be installed until water is available at the site (it was explained that the site is 2 miles from the nearest point of connection to the water system). • A question was raised regarding vehicular access to the site; it was explained that access would be provided from the frontage road along US 95, and that they would be constructing half-street improvements abutting the site.
Field Check	
06/18/09	A field check was completed on the indicated date. The following items were observed on the subject site. • Staff identified the existing utility substation and the undeveloped parcels around the subject site. • Staff identified an existing non-stealth cellular facility on the subject site.

Details of Application Request	
Site Area	
Net Acres	35.0 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	NV Energy Utility Substation	PCD (Planned Community Development) [Proposed: PF (Public Facilities)]	C-V (Civic) and U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] [Proposed: C-V (Civic)]
North	Undeveloped	RR (Residential Rural) Clark County	R-U (Rural Open Land) Clark County
South	Undeveloped and Single-Family Dwellings	PCD (Planned Community Development)	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]

ZON-34709 - Staff Report Page Four
July 23, 2009 - Planning Commission Meeting

East	Undeveloped and Single-Family Dwellings	PCD (Planned Community Development)	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]
West	Undeveloped and Single-Family Dwellings	PCD (Planned Community Development)	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
C-V Civic District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.06.020, the 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 review. The standards shall be designed to ensure compatibility of the development with existing and planned development in the surrounding area. The subject site is located within a C-V (Civic) zone and U (Undeveloped) [PCD (Planned Community Development) General Plan Designation].

Pursuant to Title 19.06.020, the following standards are proposed:

<i>Standard</i>	<i>Provided</i>
Min. Lot Size	35 acres
Min. Setbacks	
• Front (north property line)	185 Feet
• Corner Side (west property line)	100 Feet
• Corner Side (east property line)	139 Feet
• Rear (south property line)	190 Feet
Max. Building Height	195 Feet

ZON-34709 - Staff Report Page Five
July 23, 2009 - Planning Commission Meeting

ANALYSIS

This request would Rezone the subject site from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] to C-V (Civic) zone. The C-V (Civic) district is consistent with the PF (Public Facilities) designation, which has been requested in an associated General Plan Amendment (GPA-34706). The Rezoning and General Plan Amendment are required for the expansion of an existing Electric Utility Substation located on the north, as requested in the Site Development Plan Review (SDR-34710).

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 and proposed expansion of the existing Electric Utility Substation is appropriate at this location. The proposed C-V (Civic) zoning designation is consistent with the existing substation and will provide additional power City wide.

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 from Moccasin Road, which is currently an unimproved roadway. The applicant is working with Public Works to defer any roadway improvements to the subject site. The Electric Utility Substation will produce a negligible amount of traffic. Therefore, there are adequate facilities to accommodate an expansion of and existing Electric Utility Substation and the densities are permitted by the proposed Rezoning.

ZON-34709 - Staff Report Page Six
July 23, 2009 - Planning Commission Meeting

ASSEMBLY DISTRICT 13

NOTICES MAILED 49

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-34709** APN: 126-01-201-016

Name of Property Owner: Bureau of Land Management

Name of Applicant: Nevada Power Company dba NV Energy

Name of Representative: Michelle Baltz

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

☐ Yes

☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: James R Saavedra

Print Name: James Saavedra

Subscribed and sworn before me

This 2nd day of June, 2009

Michelle Baltz
Notary Public in and for said County and State



[illegible]



May 29, 2009

Margo Wheeler, AICP
Director, City of Las Vegas
Planning & Development Department
731 South 4th Street
Las Vegas, NV 89101

Re: Rezoning for the Northwest Substation Expansion

Dear Ms. Wheeler:

The Northwest Substation has been an intricate part of the electrical system for Nevada Power Company, d/b/a NV Energy since the early 1990's. NV Energy has recently annexed the property into the City of Las Vegas city limits via Annexation 27030, which will be effective June 3, 2009. The annexation changed the existing substation and vacant land to the east from Clark County Zoning R-U to City of Las Vegas Zoning C-V.

NV Energy has a Bureau of Land Management (BLM) Grant for 5 acres adjacent to the existing substation for the expansion of the facility. The 5 acres is a portion of Assessor's Parcel Number 126-01-201-016, which encompasses approximately 35 acres. To conform to City of Las Vegas code; NV Energy is respectfully requesting your review and approval of a zone change from U (PCD) to C-V for the BLM land. Since the 5 acres is a portion of the larger parcel, and no parcel map is anticipated to be done, NV Energy is requesting the zone change on the entire 35 acres. In addition to the BLM Grant allowing NV Energy to expand onto the 5 acres; NV Energy has obtained a letter of concurrence from the BLM allowing the zone change on the entire 35 acres.

Pursuant to zoning guideline 19.06.020, the C-V district is intended to provide for the development of electrical transmission facilities; therefore, the zone change will bring the zoning and the intended use into consistency with each other.

A Neighborhood Meeting is scheduled for the evening of June 23, 2009 at the Centennial Hills YMCA in the City of Las Vegas Community Resources Room.

Your review and consideration of this request is much appreciated. Should you have any questions or require additional information, please do not hesitate to call me at 702-402-2421.

Thank you for your time and consideration.

Sincerely,

Michelle Baltz, SR/WA
Sr. Land Use Consultant

RECEIVED
JUN - 2 2009

ZON-34709
07/23/09 PC



Energy

Date: May 29, 2009

To: City of Las Vegas Planning & Development Department

Subject: Nevada Power Company, d/b/a NV Energy, Acceptable Authorized Signatures

Dear Planning Staff:

A signature authorization letter was provided to Margo Wheeler, Secretary of the Planning Commission, on May 5, 2009 from Paul Kaleta that provided the following.

As of the date of issuance of this letter, Herbert Goforth is an Executive, Technical Services & Support of both SPPC and NPC, now d/b/a NV Energy. As of the date of issuance of this letter, Executives are authorized by senior management to sign contract commitments, expenditure approvals and disbursements on behalf of the Company up to \$1,000,000.

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- (b) Grants of easements; and
- (c) Land use permits required by local municipalities.

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If you have any questions or desire any additional information please contact me at 402-2421.

Respectfully yours,

Michelle Baltz, SR/WA
SR. Land Use Consultant
NV Energy

RECEIVED
JUN - 2 2009

ZON-34709
07/23/09 PC



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Southern Nevada District Office

Las Vegas Field Office

4701 N. Torrey Pines Drive

Las Vegas, NV 89130

<http://www.blm.gov/nv/st/en/fo/lvfo.1.html>

JUN 08 2009

In Reply Refer to:

N-84249

2800 (NVS0056)

Ms. Margo Wheeler, A.I.C.P.
Director, City of Las Vegas Planning Department
731 South Fourth Street
Las Vegas, NV 89101

Re: Zone Change of APN 126-01-201-016 (Application ZON-34709)

Dear Ms. Wheeler:

As required by Chapter 19.18.040 of the Las Vegas Zoning Code, the City of Las Vegas, Nevada (City) must obtain a letter of concurrence from the property owner prior to the zone change of parcels owned by a governmental entity. NV Energy has, or will be applying to the City for a zone change from U (PCD) to C-V (P-F) over and across approximately 25 acres of Federal land managed by the Bureau of Land Management (BLM) and adjacent to and south of the Northwest Substation (BLM Right-of-Way Grant N-84249) within the City.

The Bureau of Land Management (BLM) submitted a letter, dated May 28, 2009, addressing the subject zone change request. Following that submittal, NV Energy requested that BLM amend its submittal to include an additional government lot. Below is an amended version of the original submittal, to address the addition of a government lot and provide some additional information regarding the request.

A review of our records indicates that NV Energy is the Holder of a right-of-way authorization for substation facilities located in T. 19 S., R. 59 E., Sec 1, lot 34 of Clark County, Nevada, and identified by the Clark County Assessor's Office as a portion of APN: 126-01-201-016.

The records review shows that at this time NV Energy does not have any applications for or authorized rights-of-way for substation sites located in T. 19 S., R. 59 E., N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, and the E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Clark County, Nevada, a portion of APN: 126-01-201-016. Though portions of the subject parcel do have rights-of-way authorizations held by NV Energy for linear power facilities.

The BLM has reviewed NV Energy's request and determined that the parcel is within the Southern Nevada Public Land Management Act Boundary (P.L. 107-282) and is classified as suitable for disposal.

Therefore, the BLM has no objection to the zone change of this parcel by the City. If you need any additional information, please contact me at 702-515-5089.

Sincerely,

A handwritten signature in black ink, appearing to read "Art Ransel". The signature is fluid and cursive, with the first name "Art" and last name "Ransel" clearly distinguishable.

Program Manager
Power Project Team
Division of Lands

JUL-13-2009 05:15PM FROM-
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.

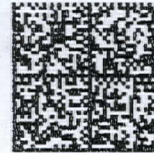
ZON-34709

Planning Commission Meeting of 7/23/2009

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PRESORTED
FIRST CLASS



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LANCASTER REALTY HOLDING CORP
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LOS ANGELES CA 90049-0272

EA VDS11 90049



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JULY 23, 2009

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SDR-34710 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-34706 AND ZON-34709 - APPLICANT: NV ENERGY - OWNER: USA AND NV ENERGY - Request for a Site Development Plan Review FOR AN EXPANSION OF AN EXISTING ELECTRIC UTILITY SUBSTATION on 60 acres generally located on the south side of Moccasin Road alignment, 660 feet west of Larry McBryde Street alignment (APNs 126-01-101-002 through 004, 016 and a portion of 126-01-201-016), U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] and C-V (Civic) Zones [PROPOSED: C-V (Civic)], Ward 6 (Ross)

C.C.: 08/19/2009

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

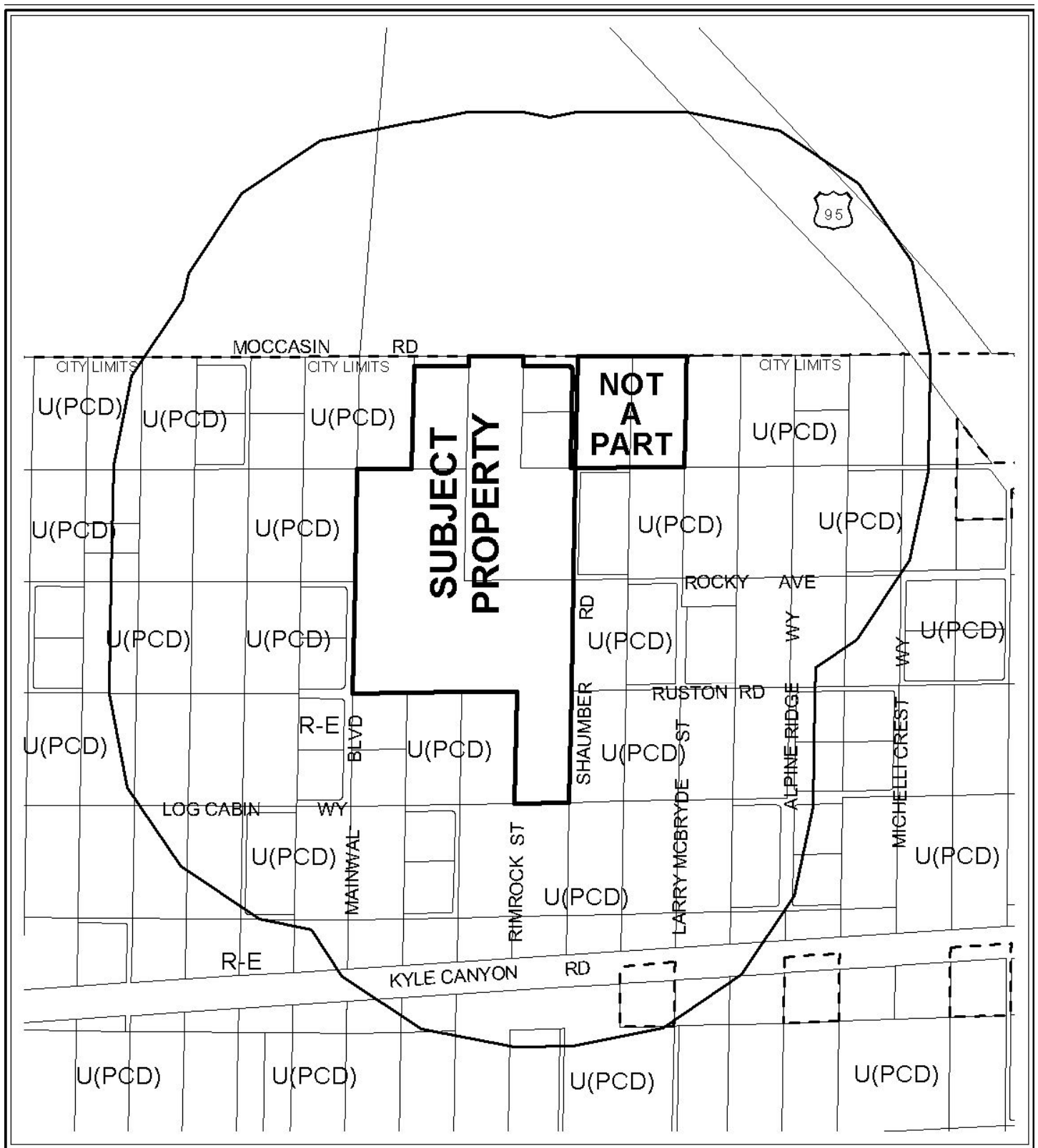
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RECOMMENDATION:

APPROVAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letters
6. Protest Postcard



CASE: SDR-34710

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] AND CIVIC

PROPOSED ZONING OF SUBJECT PROPERTY:

C-V (CIVIC)

0 700 1400 Feet





CASE: SDR-34710

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] AND CIVIC

PROPOSED ZONING OF SUBJECT PROPERTY:

C-V (CIVIC)

0 700 1400 Feet



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JULY 23, 2009****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-34710 - APPLICANT: NV ENERGY - OWNER: USA AND NV ENERGY**

**** 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 07/02/09, except as amended by conditions herein.
3. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The landscaping shall be installed when water becomes available on-site and street improvements are completed.
4. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
5. All walls shall comply with Title 19.12 Landscape and Buffer Standards and shall consist of acceptable decorative wall materials including, without limitation, stone, decorative block, slump, stone, and wrought iron, and shall have minimum of twenty percent contrasting material.
6. 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.

SDR-34710 - Conditions Page Two
July 23, 2009 - Planning Commission Meeting

7. A Comprehensive Construction Staging Plan shall be submitted to the Planning and Development Department for review and approval prior to the issuance of any building permits. The Construction Staging Plan shall include the following information: Design and location of construction trailer(s); design and location of construction fencing; all proposed temporary construction signage; location of materials staging area; and the location and design of parking for all construction workers.
8. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

9. Submit to the City of Las Vegas Right-of-Way Section of the Department of Public Works all materials and information needed to submit an application to the Bureau of Land Management (BLM) for a Right-of-Way Grant Easement for 60-feet along the south side of Moccasin Road, 30-feet along the west side of Shaumber Road, and 30-feet along the north side of Quintana Street (AKA Rocky Avenue on the site plan) prior to the issuance of any permits other than a grading permit for the five acres on the southwest quadrant for this site.
10. Provide legal access to this site that is paved or otherwise meets Clark County Dust Control standards concurrent with the development of this site. No other offsite improvements are required at this time. However, this site should be designed to provide for the future dedication and construction of Moccasin Road, Shaumber Road, and Quintana Street (AKA Rocky Avenue on the site plan), including appropriate radii at each intersection as required by the Department of Public Works.
11. Sign and record a Covenant Running with Land agreement for the possible future installation of half-street improvements (including curb and gutter, sidewalks, streetlighting, permanent paving, all appurtenant underground facilities for future traffic signals and possibly fire hydrants and sewers) on Moccasin Road, Shaumber Road, and Rocky Avenue adjacent to this site prior to the issuance of any permits as required by the Department of Public Works. In lieu of a covenant, a letter to the City of Las Vegas on corporate letterhead indicating the future commitment to dedicate the appropriate right-of-way and to construct all offsite improvements as needed within one year after the receipt of a written notice from the Director of Public Works to do so shall suffice as required by the Department of Public Works.
12. Entry gates shall be set back a sufficient distance (a minimum of 18 feet) to allow a vehicle to pull completely out of the public street right-of-way before parking to manually operate the gate; alternatively the gates shall remain open during regular hours of operation. The installation of either swing gates or rolling gates are acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right of way.

SDR-34710 - Conditions Page Three
July 23, 2009 - Planning Commission Meeting

13. 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-34710 - Staff Report Page One
July 23, 2009 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site contains an existing Electrical Utility Substation on 25 acres generally located on the south side of Moccasin Road alignment, 660 feet west of Larry McBryde Street alignment. The applicant is expanding the existing electrical substation and will add five acres to the subject site. The expansion of the site will increase the overall site to 30 acres. A related General Plan Amendment (GPA-34706) and (ZON-34709) will also be heard with the subject case. The proposed expansion of the substation will improve the existing power grid and will have a minimal impact on the existing site and the surrounding uses; therefore staff recommends approval of the subject application.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
11/14/90	A deed was recorded for a change of ownership for APNs: 126-01-101-003 and 004.
07/91	The Board of County Commissioners approved an application (UC-0165-91) for an electrical substation and a (VC-0338-91) to waive landscaping, on-site paving and a trash enclosure. The Variance application expired five years from the date of approval.
05/04/99	A deed was recorded for a change of ownership for APN: 126-01-101-002.
10/01	The Board of County Commissioners approved an application (UC-1158-01) for the expansion of an existing electrical substation and an application (WS-1408-01) to waive landscaping, on-site paving, and the trash enclosure in conjunction with the approved substation.
05/21/04	A Clark County building permit (#04-5876) was issued for an equipment shelter for a non-stealth cellular facility at 10625 Moccasin Road. The permit was finalized on 05/24/04.
05/21/04	A Clark County building permit (#04-5878) was issued for a non-stealth cellular facility at 10625 Moccasin Road. The permit was finalized on 05/24/04.
01/31/06	A Clark County building permit (#05-30753) was issued to add antennas on an existing non-stealth cellular facility at 10625 Moccasin Road. The permit was finalized on 02/01/06.
01/31/06	A Clark County building permit (#05-30756) was issued for an equipment shelter for a non-stealth cellular facility at 10625 Moccasin Road. The permit was finalized on 02/01/06.

SDR-34710 - Staff Report Page Two
July 23, 2009 - Planning Commission Meeting

04/01/09	The City Council approved an Annexation (ANX-27030) of property generally located on the south side of Moccasin Avenue alignment, 660 feet west of Larry McBryde Street alignment, containing approximately 33.66 acres. The effective date of the Annexation was 06/03/09.
07/23/09	The Planning Commission will consider a related General Plan Amendment (GPA-34706) to amend a portion of the Centennial Hills Sector Plan of the General Plan from PCD (Planned Community Development) to PF (Public Facilities) and Rezoning (ZON-34709) from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] to C-V (Civic) on 35 acres generally located on the south side of Moccasin Road alignment, 660 feet west of Larry McBryde Street alignment. Staff is recommending approval of the related applications.
<i>Related Building Permits/Business Licenses</i>	
The existing Electrical Utility Substation was built prior to Annexation in the City.	
<i>Pre-Application Meeting</i>	
04/02/09	A pre-application meeting was completed on the indicated date. The following is a list of items discussed at the meeting; • Annexation of related properties and the effective date of 06/30/09. • Related Rezoning application will affect APN: 126-01-201-016 • Perimeter wall must comply with Title 19.12.075 • Expansion of an existing electrical utility substation.
<i>Neighborhood Meeting</i>	
06/23/09	A neighborhood meeting was held at 5:30pm at the Centennial Hills YMCA, City of Las Vegas Community Resources Room, located at 6601 N. Buffalo Drive Las Vegas, Nevada 89131. There were five members of the public, six representatives of the applicant and two members of City staff in attendance. The following is a list of questions, concerns and comments from the attendants of the meeting: • A question was raised as to why the substation was being expanded; the applicant responded that it is to accommodate future growth in the area. • A resident questioned if the proposed rezoning would affect any of the adjacent parcels. • A question was asked regarding the uses that would be permitted under the PF land use designation. • A resident raised several questions about the status of the Kyle Canyon development.

SDR-34710 - Staff Report Page Three
July 23, 2009 - Planning Commission Meeting

06/23/09	- Several questions were raised relative to the height of the substation equipment and screening; the applicant responded that the equipment would be no higher than the existing equipment, and that eventually a block wall and buffer landscaping will be provided. The applicant further explained that the landscaping cannot be installed until water is available at the site (it was explained that the site is 2 miles from the nearest point of connection to the water system). - A question was raised regarding vehicular access to the site; it was explained that access would be provided from the frontage road along US 95, and that they would be constructing half-street improvements abutting the site.
Field Check	
06/18/09	A field check was completed on the indicated date. The following items were observed on the subject site. - Staff identified the existing utility substation and the undeveloped parcels around the subject site. - Staff identified an existing non-stealth cellular facility on the subject site.

Details of Application Request	
Site Area	
Net Acres	70.0 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	NV Energy Utility Substation	PCD (Planned Community Development) [Proposed: PF (Public Facilities)]	C-V (Civic) and U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] [Proposed: C-V (Civic)]
North	Undeveloped	RR (Residential Rural) Clark County	R-U (Rural Open Land) Clark County
South	Undeveloped and Single-Family Dwellings	PCD (Planned Community Development)	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]
East	Undeveloped and Single-Family Dwellings	PCD (Planned Community Development)	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]

SDR-34710 - Staff Report Page Four
July 23, 2009 - Planning Commission Meeting

West	Undeveloped and Single-Family Dwellings	PCD (Planned Community Development)	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]
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<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
C-V Civic District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.06.020, the 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 review. The standards shall be designed to ensure compatibility of the development with existing and planned development in the surrounding area. The subject site is proposed as a C-V (Civic) zone and PF (Public Facilities).

Pursuant to Title 19.06.020, the following standards are proposed:

<i>Standard</i>	<i>Provided</i>
Min. Lot Size	30 acres
Min. Setbacks	
• Front (north property line)	185 Feet
• Corner Side (west property line)	100 Feet
• Corner Side (east property line)	139 Feet
• Rear (south property line)	190 Feet
Max. Building Height	195 Feet

SDR-34710 - Staff Report Page Five
July 23, 2009 - Planning Commission Meeting

Pursuant to Title 19.12, the following standards apply:

<i>Landscaping and Open Space Standards</i>		
<i>Standards</i>	<i>Provided</i>	
	<i>Ratio</i>	<i>Trees</i>
Buffer:		
Min. Trees		
(North property line)	1 Tree/ 20 Linear Feet	64 Trees
(South property line)	1 Tree/ 20 Linear Feet	64 Trees
(West property line)	1 Tree/ 20 Linear Feet	44 Trees
(East property line)	1 Tree/ 20 Linear Feet	44 Trees
TOTAL		216 Trees
Min. Zone Width:		
North property line		10 Feet
South property line		10 Feet
West property line		30 Feet
East property line		10 Feet
Wall Height		8 Feet

ANALYSIS

The applicant is proposing to expand an existing Electric Utility Substation by five acres. The existing use of the subject site for an Electric Utility Substation is a non-conforming use of land and cannot be expanded, pursuant to Title 19.06.030 (D). A related General Plan Amendment (GPA-34706) and Rezoning (ZON-34709) will accompany the subject application. The proposed Rezoning from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] to C-V (Civic) and the General Plan Amendment to PF (Public Facilities) will allow the existing Electric Utility Substation and expansion as a conforming use. The subject site is also surrounded by an existing chain-link fence with barbed wire, which was built as a part of the original development. The subject Site Development Plan Review will establish the Electric Utility Substation use on the subject site pursuant to Title 19.06.

FINDINGS

The following findings must be made for a Site Development Plan Review:

- 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 since it was first constructed in 1993. The proposed addition to the existing Electric Utility Substation will have a minimal impact on the subject site.

BTS

SDR-34710 - Staff Report Page Six
July 23, 2009 - Planning Commission Meeting

- 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;**

Access to the site is provided from Mocassin Road, which is currently an unimproved roadway. The applicant is working with Public Works to defer any roadway improvements to the subject site. The Electric Utility Substation will produce a negligible amount of traffic. Therefore, there are adequate facilities to accommodate an expansion of and existing Electric Utility Substation.

- 4. Building and landscape materials are appropriate for the area and for the City;**

The proposed building materials are appropriate for this area of the City.

- 5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

The overall design of the subject site expansion will closely match the existing Electric Utility Substation, thereby remaining compatible with the 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.

ASSEMBLY DISTRICT 13

NOTICES MAILED 49

SDR-34710 - Staff Report Page Seven
July 23, 2009 - Planning Commission Meeting

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-34710** APN: See attached list of Parcel #'s

Name of Property Owner: Nevada Power Company DBA NV Energy & BLM

Name of Applicant: Nevada Power Company dba NV Energy

Name of Representative: Michelle Baltz

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

☐ Yes

☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: James Saavedra

Print Name: James Saavedra

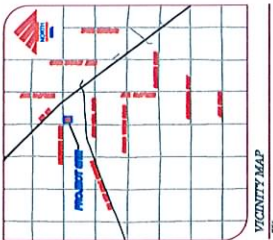
Subscribed and sworn before me

This 2nd day of June, 2009

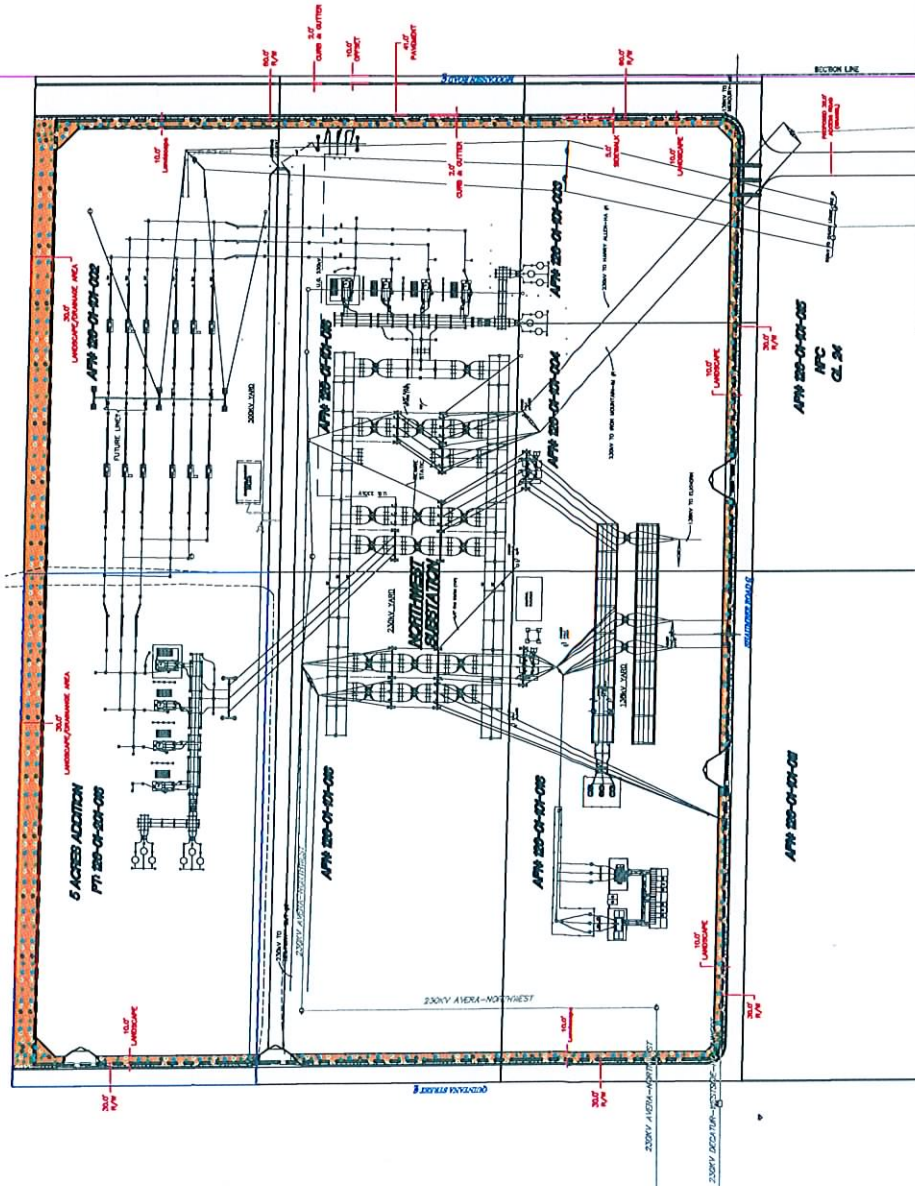
M. Michelle Baltz
Notary Public in and for said County and State



LANDSCAPE NOTE:
LANDSCAPING WILL BE TEMPORARY HARDSCAPE
(CRUSHED ROCK AND BOULDERS).
THIS PLAN SHOWS ALL PLANNED LANDSCAPING,
HOWEVER, WATER NEEDED LANDSCAPING WILL NOT
BE INSTALLED UNTIL WATER FACILITIES ARE WITHIN
500 FEET OF PROPERTY.



NOTE: THESE DRAWINGS ARE CONCEPTUAL IN NATURE AND DEFECT INFORMATION FOR PLANNING AND LAND-USE SUBMITTAL PURPOSES ONLY. FINAL ENGINEERING DESIGN DRAWINGS MAY VARY DUE TO SITE SPECIFIC CONSTRAINTS OR CITY OF LAS VEGAS SPECIFICATIONS.



MATCHLINE - SEE FIG 2

SDR-34710
REVISED
07/23/09 PC

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NORTHWEST SUBSTATION

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Northwest Substation Expansion

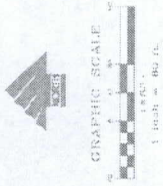
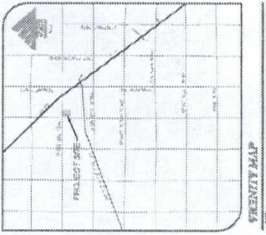


SDR-34710
07/23/09 PC

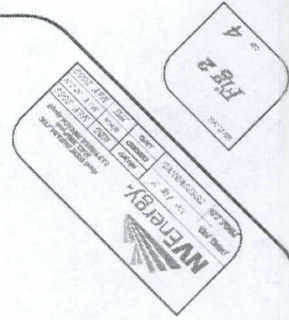
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SITE DEVELOPMENT REVIEW - SITE PLAN

NORTHWEST SUBSTATION



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JUN 02 2009

NORTHWEST SUBSTATION

ALCOXALAN RECORDS LTD. 25/27/28/29/30/31/32/33/34/35/36/37/38/39/40/41/42/43/44/45/46/47/48/49/50/51/52/53/54/55/56/57/58/59/60/61/62/63/64/65/66/67/68/69/70/71/72/73/74/75/76/77/78/79/80/81/82/83/84/85/86/87/88/89/90/91/92/93/94/95/96/97/98/99/100/101/102/103/104/105/106/107/108/109/110/111/112/113/114/115/116/117/118/119/120/121/122/123/124/125/126/127/128/129/130/131/132/133/134/135/136/137/138/139/140/141/142/143/144/145/146/147/148/149/150/151/152/153/154/155/156/157/158/159/160/161/162/163/164/165/166/167/168/169/170/171/172/173/174/175/176/177/178/179/180/181/182/183/184/185/186/187/188/189/190/191/192/193/194/195/196/197/198/199/200/201/202/203/204/205/206/207/208/209/210/211/212/213/214/215/216/217/218/219/220/221/222/223/224/225/226/227/228/229/230/231/232/233/234/235/236/237/238/239/240/241/242/243/244/245/246/247/248/249/250/251/252/253/254/255/256/257/258/259/260/261/262/263/264/265/266/267/268/269/270/271/272/273/274/275/276/277/278/279/280/281/282/283/284/285/286/287/288/289/290/291/292/293/294/295/296/297/298/299/300/301/302/303/304/305/306/307/308/309/310/311/312/313/314/315/316/317/318/319/320/321/322/323/324/325/326/327/328/329/330/331/332/333/334/335/336/337/338/339/340/341/342/343/344/345/346/347/348/349/350/351/352/353/354/355/356/357/358/359/360/361/362/363/364/365/366/367/368/369/370/371/372/373/374/375/376/377/378/379/380/381/382/383/384/385/386/387/388/389/390/391/392/393/394/395/396/397/398/399/400/401/402/403/404/405/406/407/408/409/410/411/412/413/414/415/416/417/418/419/420/421/422/423/424/425/426/427/428/429/430/431/432/433/434/435/436/437/438/439/440/441/442/443/444/445/446/447/448/449/450/451/452/453/454/455/456/457/458/459/460/461/462/463/464/465/466/467/468/469/470/471/472/473/474/475/476/477/478/479/480/481/482/483/484/485/486/487/488/489/490/491/492/493/494/495/496/497/498/499/500/501/502/503/504/505/506/507/508/509/510/511/512/513/514/515/516/517/518/519/520/521/522/523/524/525/526/527/528/529/530/531/532/533/534/535/536/537/538/539/540/541/542/543/544/545/546/547/548/549/550/551/552/553/554/555/556/557/558/559/560/561/562/563/564/565/566/567/568/569/570/571/572/573/574/575/576/577/578/579/580/581/582/583/584/585/586/587/588/589/590/591/592/593/594/595/596/597/598/599/600/601/602/603/604/605/606/607/608/609/610/611/612/613/614/615/616/617/618/619/620/621/622/623/624/625/626/627/628/629/630/631/632/633/634/635/636/637/638/639/640/641/642/643/644/645/646/647/648/649/650/651/652/653/654/655/656/657/658/659/660/661/662/663/664/665/666/667/668/669/670/671/672/673/674/675/676/677/678/679/680/681/682/683/684/685/686/687/688/689/690/691/692/693/694/695/696/697/698/699/700/701/702/703/704/705/706/707/708/709/710/711/712/713/714/715/716/717/718/719/720/721/722/723/724/725/726/727/728/729/730/731/732/733/734/735/736/737/738/739/740/741/742/743/744/745/746/747/748/749/750/751/752/753/754/755/756/757/758/759/760/761/762/763/764/765/766/767/768/769/770/771/772/773/774/775/776/777/778/779/780/781/782/783/784/785/786/787/788/789/790/791/792/793/794/795/796/797/798/799/800/801/802/803/804/805/806/807/808/809/810/811/812/813/814/815/816/817/818/819/820/821/822/823/824/825/826/827/828/829/830/831/832/833/834/835/836/837/838/839/840/841/842/843/844/845/846/847/848/849/850/851/852/853/854/855/856/857/858/859/860/861/862/863/864/865/866/867/868/869/870/871/872/873/874/875/876/877/878/879/880/881/882/883/884/885/886/887/888/889/890/891/892/893/894/895/896/897/898/899/900/901/902/903/904/905/906/907/908/909/910/911/912/913/914/915/916/917/918/919/920/921/922/923/924/925/926/927/928/929/930/931/932/933/934/935/936/937/938/939/940/941/942/943/944/945/946/947/948/949/950/951/952/953/954/955/956/957/958/959/960/961/962/963/964/965/966/967/968/969/970/971/972/973/974/975/976/977/978/979/980/981/982/983/984/985/986/987/988/989/990/991/992/993/994/995/996/997/998/999/1000/1001/1002/1003/1004/1005/1006/1007/1008/1009/1010/1011/1012/1013/1014/1015/1016/1017/1018/1019/1020/1021/1022/1023/1024/1025/1026/1027/1028/1029/1030/1031/1032/1033/1034/1035/1036/1037/1038/1039/1040/1041/1042/1043/1044/1045/1046/1047/1048/1049/1050/1051/10

THESE THINGS

NOBLE-LEVEL ELEVATION

MAINTENANCE ABOVE

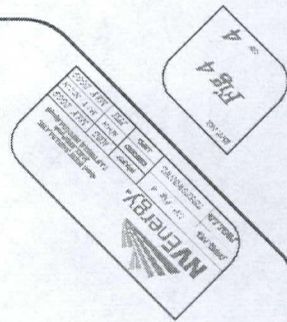
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Technical drawing of a double door with horizontal louvers. The drawing shows the door in a closed position. Dimensions are indicated: 1200 mm for the total height, 1200 mm for the total width, and 1200 mm for the height of the lower section. A note on the left side of the drawing reads: "HANDLE TO BE SUPPLIED BY THE USER". The door is labeled "1200" on the right side.

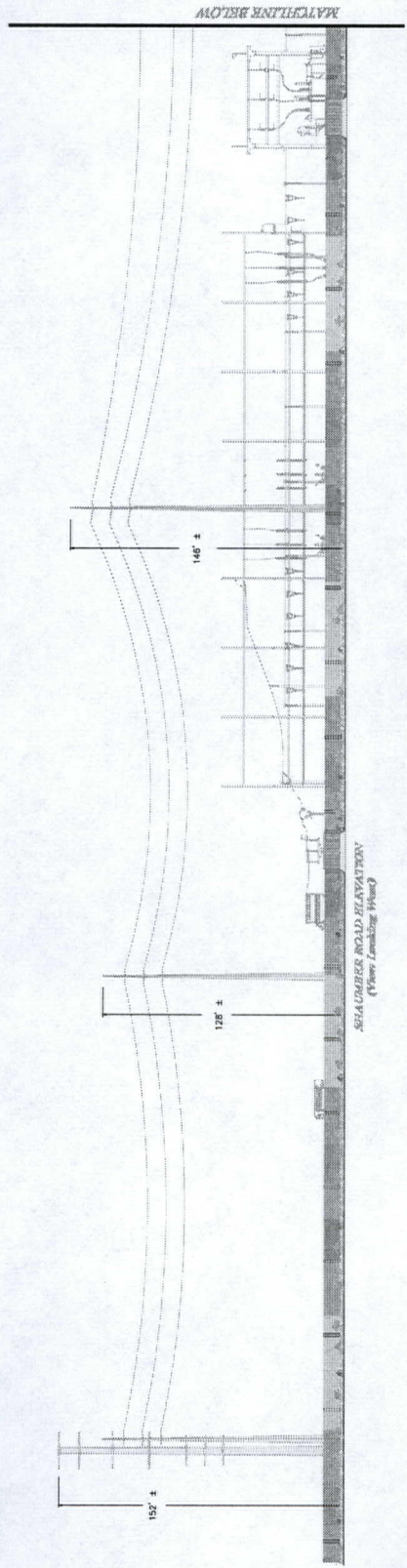
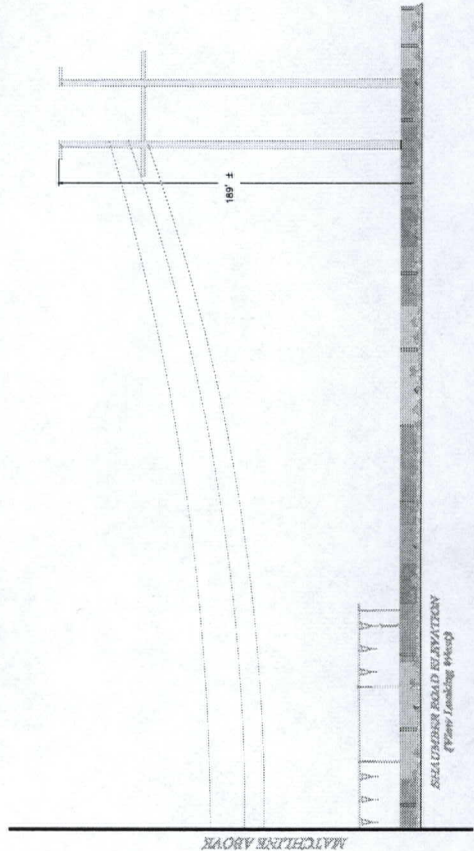
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RECEIVED SDR-34710
 07/23/09 PC
 JUN 03 2009



NORTHWEST SUBSTATION
 SITE DEVELOPMENT REVIEW - ELEVATION

REV	DATE	BY	APP	REVISIONS





Date: May 29, 2009

To: City of Las Vegas Planning & Development Department

Subject: Nevada Power Company, d/b/a NV Energy, Acceptable Authorized Signatures

Dear Planning Staff:

A signature authorization letter was provided to Margo Wheeler, Secretary of the Planning Commission, on May 5, 2009 from Paul Kaleta that provided the following.

As of the date of issuance of this letter, Herbert Goforth is an Executive, Technical Services & Support of both SPPC and NPC, now d/b/a NV Energy. As of the date of issuance of this letter, Executives are authorized by senior management to sign contract commitments, expenditure approvals and disbursements on behalf of the Company up to \$1,000,000.

As of the date of issuance of this letter, James R. Saavedra is Director, Land Services for both SPPC and NPC, now d/b/a NV Energy. As of the date of issuance of this letter, Directors are authorized by senior management to sign contract commitments, expenditure approvals and disbursements on behalf of the Company up to \$500,000.

In addition to the above authority, certain transactions binding the Company require signature by leadership employees, as follows:

Land Services Director signature or higher is required for:

- (a) Relinquishments of easement granted on private property or rights contained in government patent rights;
- (b) Grants of easements; and
- (c) Land use permits required by local municipalities.

Mr. Kaleta's authorization letter is in effect until May 5, 2010.

If you have any questions or desire any additional information please contact me at 402-2421.

Respectfully yours,

A handwritten signature in cursive script, appearing to read "Michelle Baltz".

Michelle Baltz, SR/WA
SR. Land Use Consultant
NV Energy

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JUN - 2 2009

SDR-34710
07/23/09 PC



May 29, 2009

Margo Wheeler, AICP
Director, City of Las Vegas
Planning & Development Department
731 South 4th Street
Las Vegas, NV 89101

Re: Site Design Review for the Northwest Substation Expansion

Dear Ms. Wheeler:

The Northwest Substation has been an intricate part of the electrical system for Nevada Power Company, d/b/a NV Energy since the early 1990's. NV Energy has recently annexed the property into the City of Las Vegas city limits via Annexation 27030, which will be effective June 3, 2009. The annexation changed the existing substation and vacant land to the east from Clark County Zoning R-U to City of Las Vegas Zoning C-V.

The existing substation encompasses 25 acres and NV Energy has a Bureau of Land Management (BLM) Grant for 5 acres adjacent to the existing substation for the expansion of the facility. The 5 acres is a portion of Assessor's Parcel Number 126-01-201-016, which encompasses approximately 35 acres. Upon completion of the expansion, the substation area will be approximately 30 acres. A Zone Change for the BLM land and a General Plan Amendment for the entire area are being filed concurrently with this application packet.

The Northwest Substation is a facility which contains 500/230 & 138 kV electrical lines and equipment. The transmission structures and "A" frames within the substation range in height from 50' to approximately 190'. The expansion of the facility will involve the addition of 500 kV & 230 kV electrical equipment, ranging in height from 50'-100', and four new poles, approximately 50'-60' tall. The expansion is necessary to enhance the electrical reliability throughout the western portion of the Las Vegas Valley.

In addition to the electrical equipment, the expansion of the substation will involve the construction of a decorative split-face block wall, ranging in height of 8'-10', landscaping and off-sites around the entire 30 acres. ***Due to the location of the existing equipment within the substation area; NV Energy can only accommodate a 10' landscape buffer along the North, East and South boundaries of the property. Your review and support of a variance for the landscaping buffer is greatly appreciated.***

In addition to the variance for the width of the landscape buffer; NV Energy is also seeking approval for a deferment of the landscaping until water is within 500' of the facility. Currently, the nearest water line available for interconnection with is near Egan Crest Drive and Grand Teton, which is approximately 2 miles away from the substation. During the interim, NV Energy will install decorative rocks and boulders around the facility.

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JUN - 2 2009

SDR-34710
07/23/09 PC

NV Energy has a 300' transmission line and maintenance and access easement across the north 300' of Parcels 126-01-101-015; 126-01-101-007; 126-01-101-008; 126-01-101-009; 126-01-501-012; 126-01-501-002 and 126-01-501-003 which terminates at an 80' wide frontage road west of and adjacent to US Highway 95. Said easement will be utilized as the permanent 32' access road to the Northwest Substation. NV Energy will place type II gravel on said road to comply with Clark County PM-10 Dust Regulations.

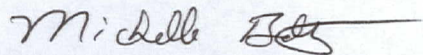
NV Energy is scheduled to start the construction of the block wall mid 2010 and the off-sites in 2011; therefore, we respectfully ask for a three year time to commence construction.

A Neighborhood Meeting for the Zone Change, GPA and the expansion of the facility is scheduled for the evening of June 23, 2009 at the Centennial Hills YMCA in the City of Las Vegas Community Resources Room.

Your review and consideration of this request is much appreciated. Should you have any questions or require additional information, please do not hesitate to call me at 702-402-2421.

Thank you for your time and consideration.

Sincerely,



Michelle Baltz, SR/WA
Sr. Land Use Consultant

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JUN - 2 2009

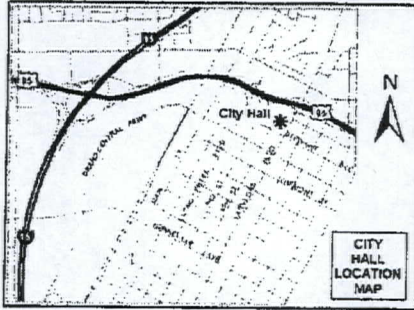
SDR-34710
07/23/09 PC

JUL-13-2009 05:15PM FROM-
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

+

T-336 P.003/003 F-599

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-34710

Planning Commission Meeting of 7/23/2009

PRESORTED
FIRST CLASS



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Case: SDR-34710
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AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JULY 23, 2009

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

GPA-34792 - GENERAL PLAN AMENDMENT - PUBLIC HEARING -
APPLICANT/OWNER: GEORGE T. LOPEZ - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: MXU (MIXED USE) TO: LI/R (LIGHT INDUSTRY/RESEARCH) on 0.97 acres at 2222 West Bonanza Road (APN 139-29-704-026), Ward 5 (Barlow)

C.C.: 08/19/2009

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

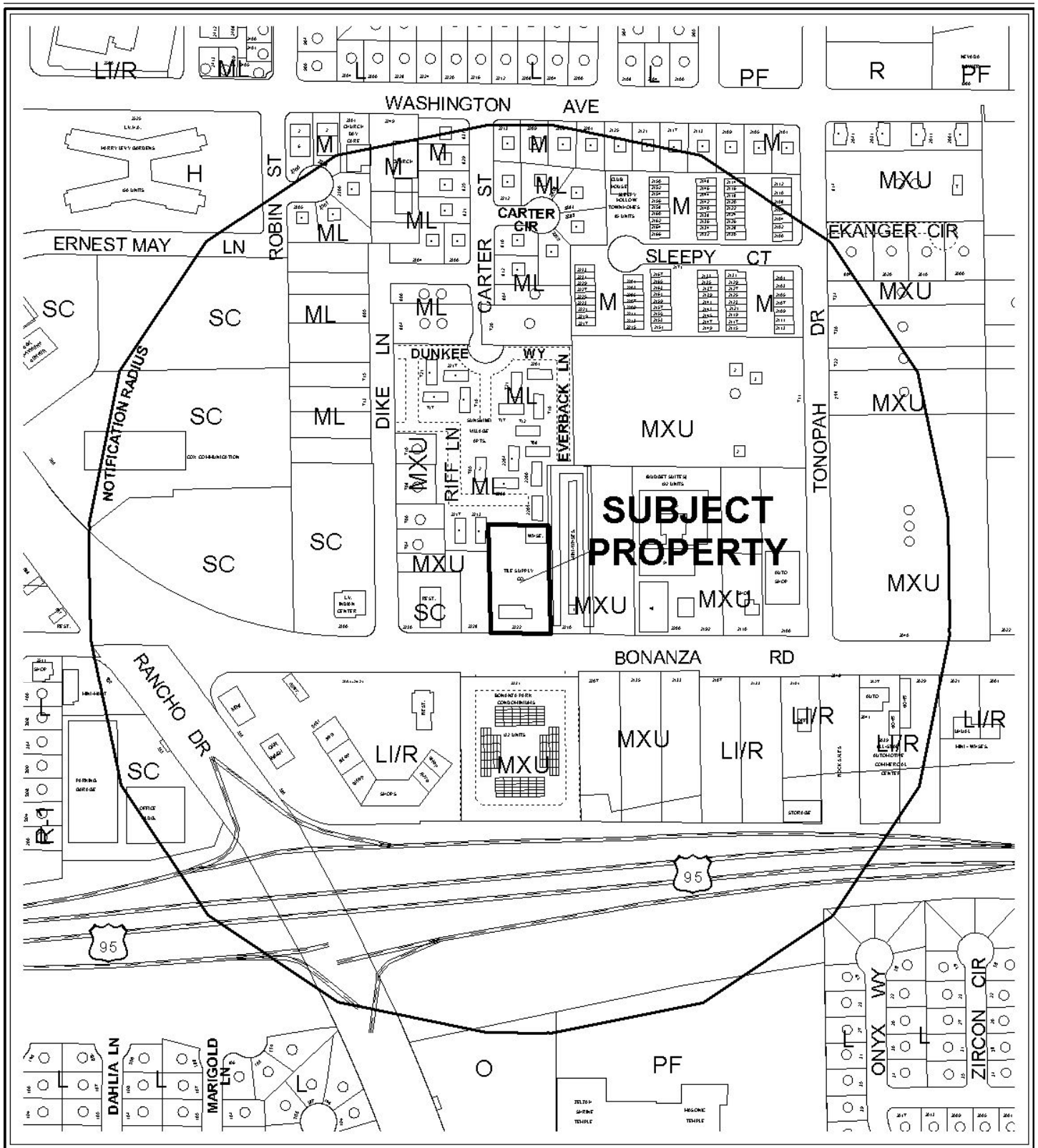
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RECOMMENDATION:

DENIAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report (Not Applicable)
3. Abeyance Email Request Submitted by George T. Lopez
4. Supporting Documentation
5. Photos
6. Justification Letter
7. Protest Postcard



CASE: GPA-34792

RADIUS: 1000 FT

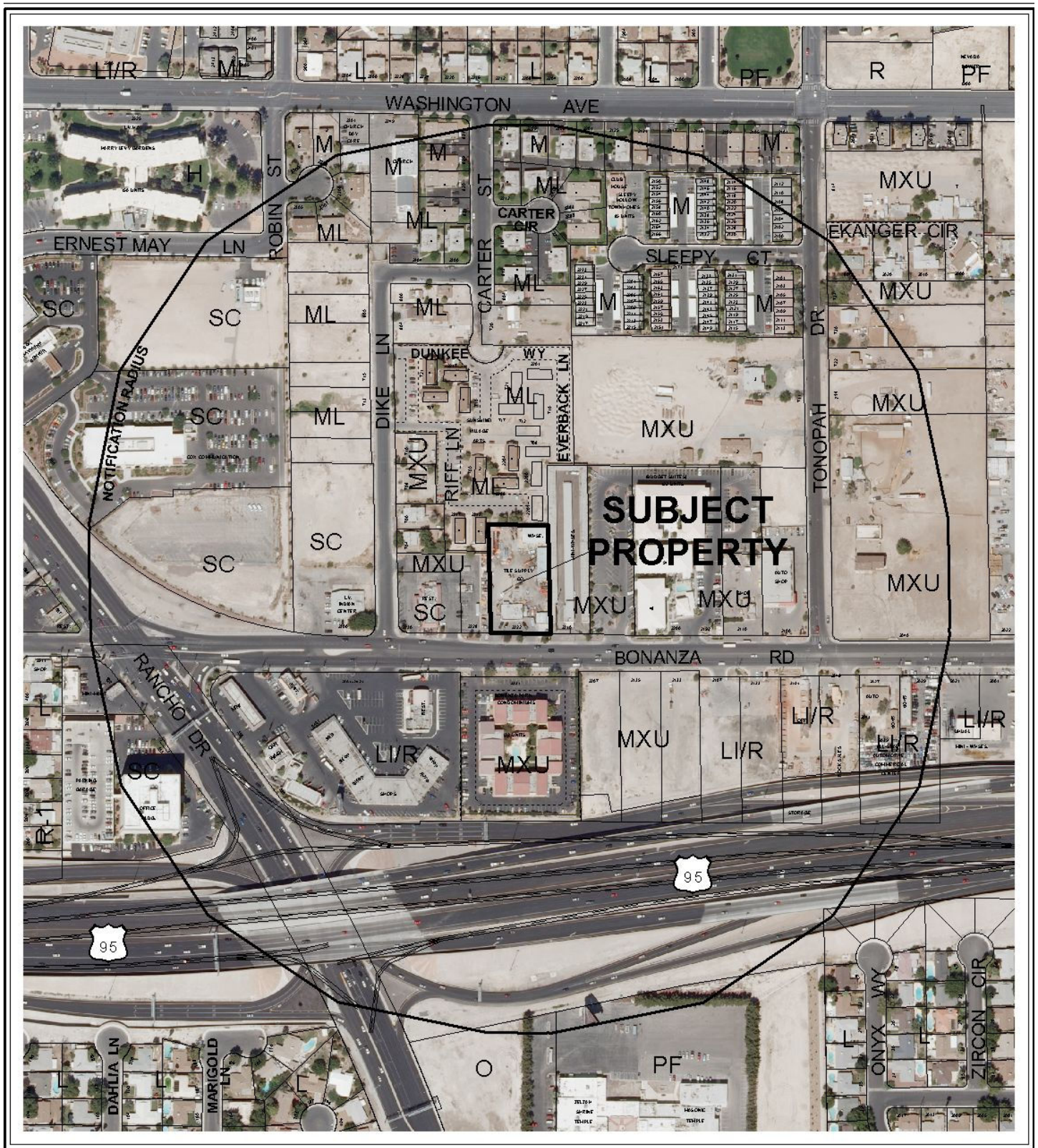
GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

MXU (MIXED USE)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

L/R (LIGHT INDUSTRY/ RESEARCH)





CASE: GPA-34792

RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

MXU (MIXED USE)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

LIR (LIGHT INDUSTRY/ RESEARCH)

0 300 600 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 23, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: GPA-34792 - APPLICANT/OWNER: GEORGE T. LOPEZ

***APPLICANT REQUESTS THIS ITEM BE HELD IN
ABEYANCE TO THE AUGUST 13, 2009 PLANNING
COMMISSION MEETING***

Jonathan Boyles

From: george lopez [gitto1.lv@gmail.com]
Sent: Wednesday, July 08, 2009 10:52 AM
To: Jonathan Boyles
Subject: Re: Site Development Plan Review SDR-34794 (Plan Revisions)

I hereby request an abeyance of our applications SDR 34794, ZON 34793, and GPA 34792 from July 23rd planning commission meeting to August 13th meeting.

On Fri, Jun 19, 2009 at 4:45 PM, Jonathan Boyles <jboyles@lasvegasnevada.gov> wrote:

Mr. Lopez~

There are a few items things that need to be revised regarding your application for Site Development Plan Review (SDR-34794). I will itemize the issues below:

- There is a discrepancy between the site plan and floor plans regarding the building dimensions. The building dimensions on the submitted floor plans do not match the dimensions listed on the site plan. In addition, the floor plan submitted for the existing office building fails to show the pop-out in the rear portion of the building as depicted on the site plan. It is extremely important that the building dimensions listed on the site plan and floor plan are consistent with one another.
- Please revise the Site Data table to reflect the correct building square footages and parking analysis (Warehouse - 1 space:1000 sq/ft) and (Office 1 space:300sq/ft)
- Please revise the parking layout; angled parking spaces (60 degrees) require a 15-foot drive aisle behind the space to provide proper access in and out of the space. The spaces located in the front of the existing office building are approximately 12 feet away from the front property line. This development standard cannot be waived.

If you have any questions or concerns regarding this request please feel free to contact me.

Jonathan B. Boyles
City of Las Vegas- Planner I
Planning & Development Department
702-229-6031 (voice)
702-385-7268 (fax)
jboyles@lasvegasnevada.gov

--
George T Lopez
Amalgamated Safety Company
2222 W Bonanza
Las Vegas, NV 89106
702-871-9385 Office

7/8/2009



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-34792** APN: 13929704026

Name of Property Owner: GEORGE T. LOPEZ

Name of Applicant: GEORGE T. LOPEZ

Name of Representative: _____

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

_____ Yes X No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: 

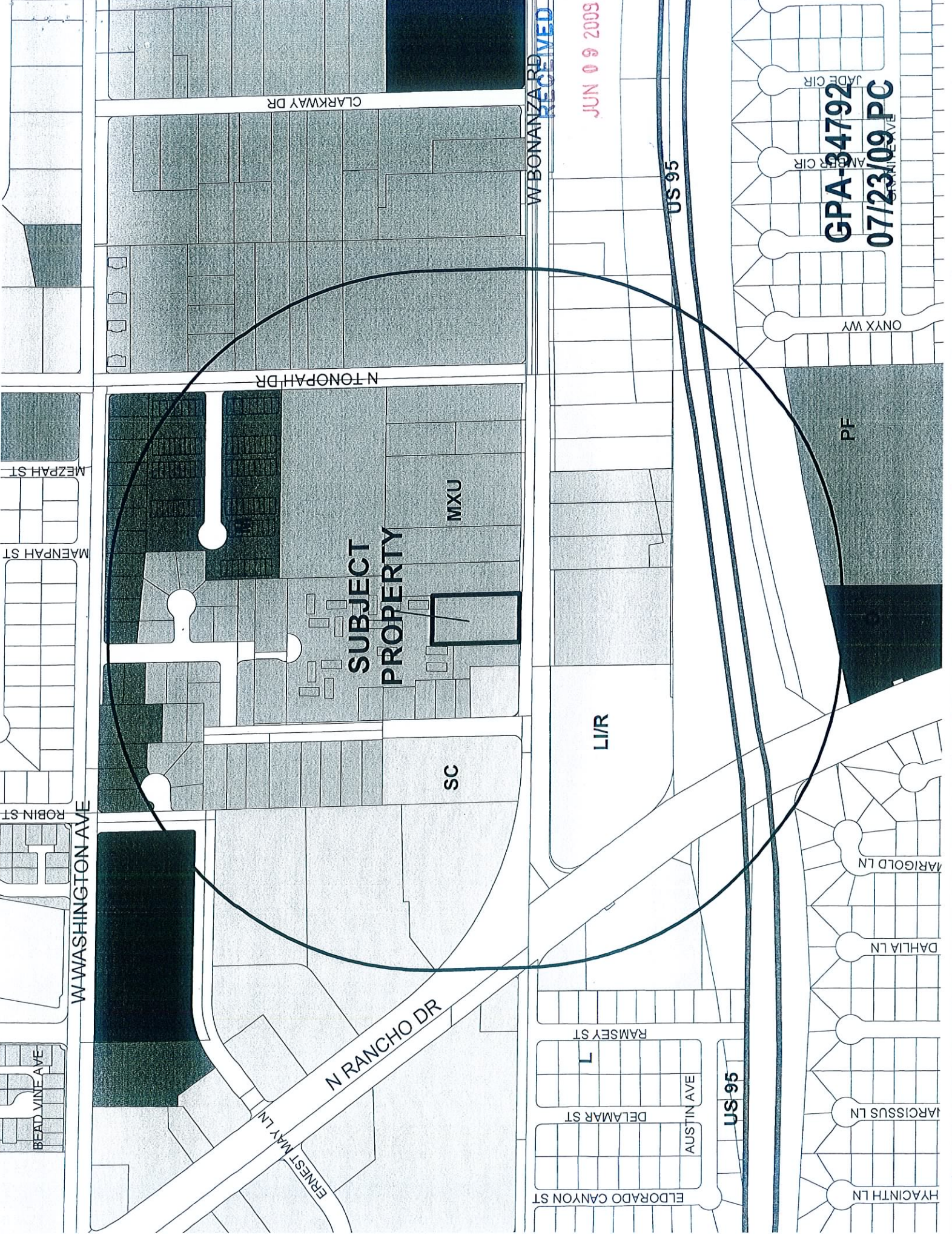
Print Name: GEORGE T. LOPEZ

Subscribed and sworn before me

This 08 day of JUNE, 2009

Notary Public in and for said County and State





BEAD VINE AVE

W WASHINGTON AVE

ROBIN ST

MAENPAH ST

MEZPAH ST

CLARKWAY DR

N TONOPAH DR

W BONANZA RD

N RANCHO DR

ERNEST MAY LN

SUBJECT
PROPERTY

SC

MXU

LI/R

US 95

US 95

ELDORADO CANYON ST

DELAMAR ST

AUSTIN AVE

RAMSEY ST

HYACINTH LN

JARCISUS LN

DAHLIA LN

MARGOLD LN

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JADE CIR

GPA-34792
07/23/09 PC

RECEIVED

JUN 09 2009

**ASC**

AMALGAMATED SAFETY CO.

"Keeping Your Highways Informed and Safe"

June 9, 2009

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

RE: Applications for a General Plan Amendment/Rezoning from Mixed Use/C-1 to Industrial/C-M on APL 139-29-704-026, 2222 W. Bonanza Road, located in the general vicinity of the northeast corner of W. Bonanza and Rancho

Staff:

We are seeking a general plan amendment and zone change so that we can continue to operate Amalgamated Safety, my business, in the City of Las Vegas. This business has been in operation at this location since 2004. I have business license(s) for this business at this address, first issued in 2005.

Currently the land is zoned C-1 and has a future land use designation of mixed use per the last approved community plan. There is a small housing development (R-PD 16) immediately to the north of our property. To the east there is a mini-storage business (split zoned C-1/R-1) that has a zero lot line along our mutual property line (west). The property to our immediate west is zoned C-1 and is used as a restaurant.

Amalgamated Safety is involved with traffic control. We install permanent signs on area streets and highways. This work requires that an inventory of signs and other traffic control devices as well as commercial vehicles be kept onsite. The necessary inventory cannot be stored inside within our existing structures as is required under C-1 and C-2 zoning. C-M zoning is the only zoning category which fits the nature and needs of our business.

Other businesses in the immediate area operate under C-M zoning. For example, Fultz Machine Shop, which is located 550 feet east of our location, operates at 2100 W. Bonanza. The businesses at 2041 and 2029 W. Bonanza are also C-M properties that operate manufacturing/industrial type uses. Furthermore, the City's future land use plan indicates that the properties on the south side of W. Bonanza are light industrial. Furthermore this entire area has been designated as part of the redevelopment zone.

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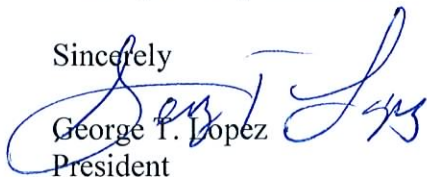
GPA-34792
07/23/09 PC

If the City does not approve the general plan amendment and rezone application, we will be forced to either close our business or relocate. This would create an extreme hardship to the business, our employees and the community. The expenses of moving a business such as this are high. Land designated for industrial type uses is scarce in the City.

If the general plan amendment and rezoning are approved, we intend to continue to serve the community. We have been operating this business at this location since 2004 without incident or complaints.

We respectfully submit these applications for your review and approval.

Sincerely

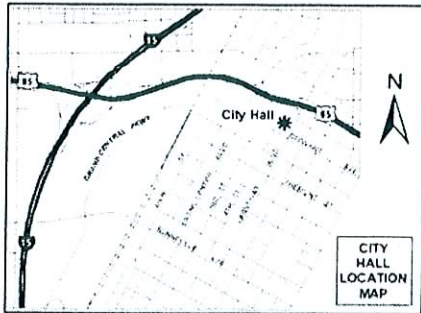

George T. Lopez
President

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JUN - 9 2009

GPA-34792
07/23/09 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



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☐

I SUPPORT
this Request

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I OPPOSE
this Request

Please use available blank space on card for your comments.

GPA-34792 & ZON-34793

Planning Commission Meeting of 7/23/2009

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Case: GPA-34792

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AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JULY 23, 2009

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

ZON-34793 - REZONING RELATED TO GPA-34792 - PUBLIC HEARING -
APPLICANT/OWNER: GEORGE T. LOPEZ - Request for a Rezoning **FROM: C-1**
(LIMITED COMMERCIAL) TO: C-M (COMMERCIAL/INDUSTRIAL) on 0.97 acres at 2222
West Bonanza Road (APN 139-29-704-026), Ward 5 (Barlow)

C.C.: 08/19/2009

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

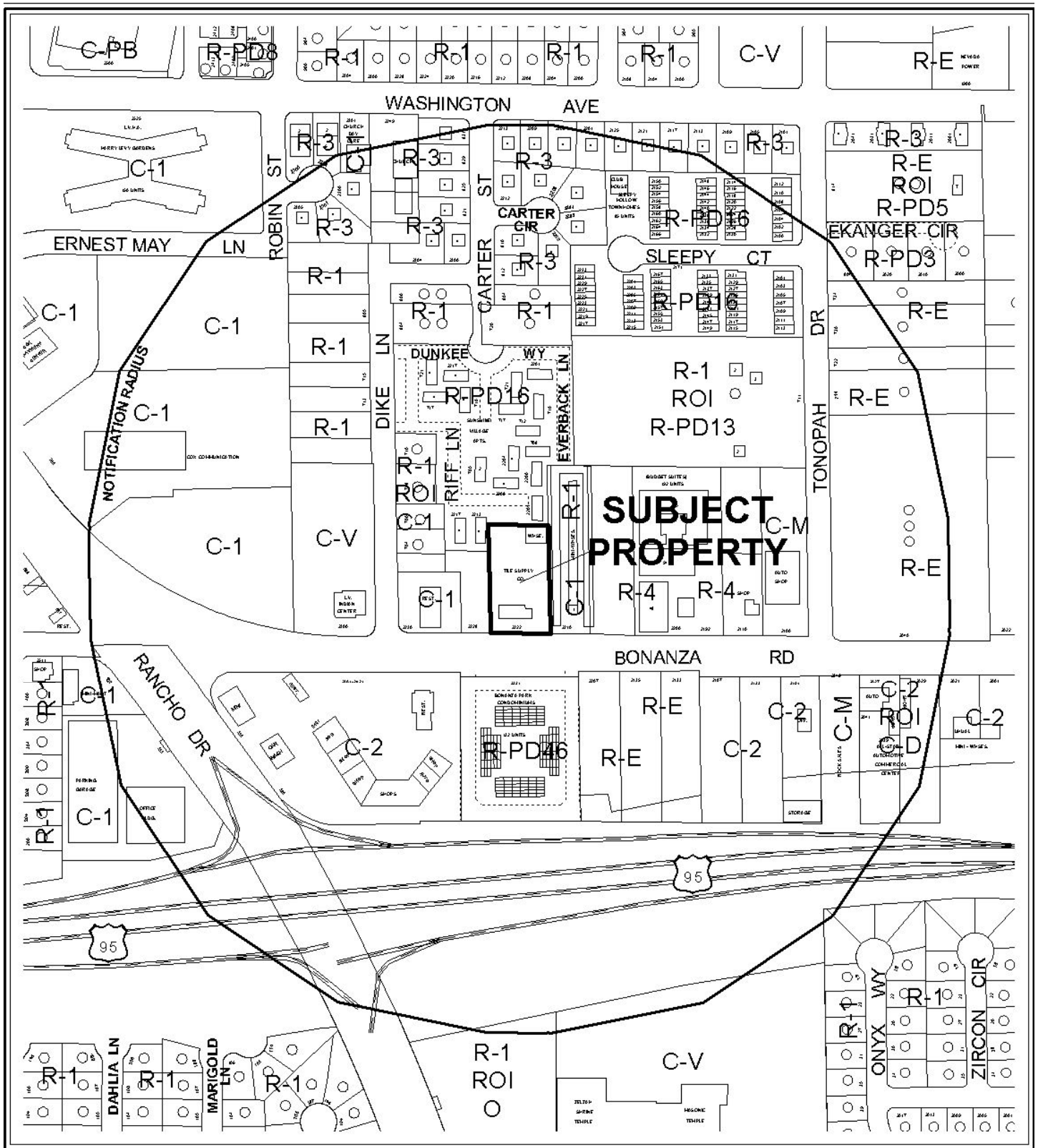
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RECOMMENDATION:

DENIAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report (Not Applicable)
3. Abeyance Email Request Submitted by George T. Lopez
4. Supporting Documentation
5. Photos
6. Justification Letter
7. Protest Postcard



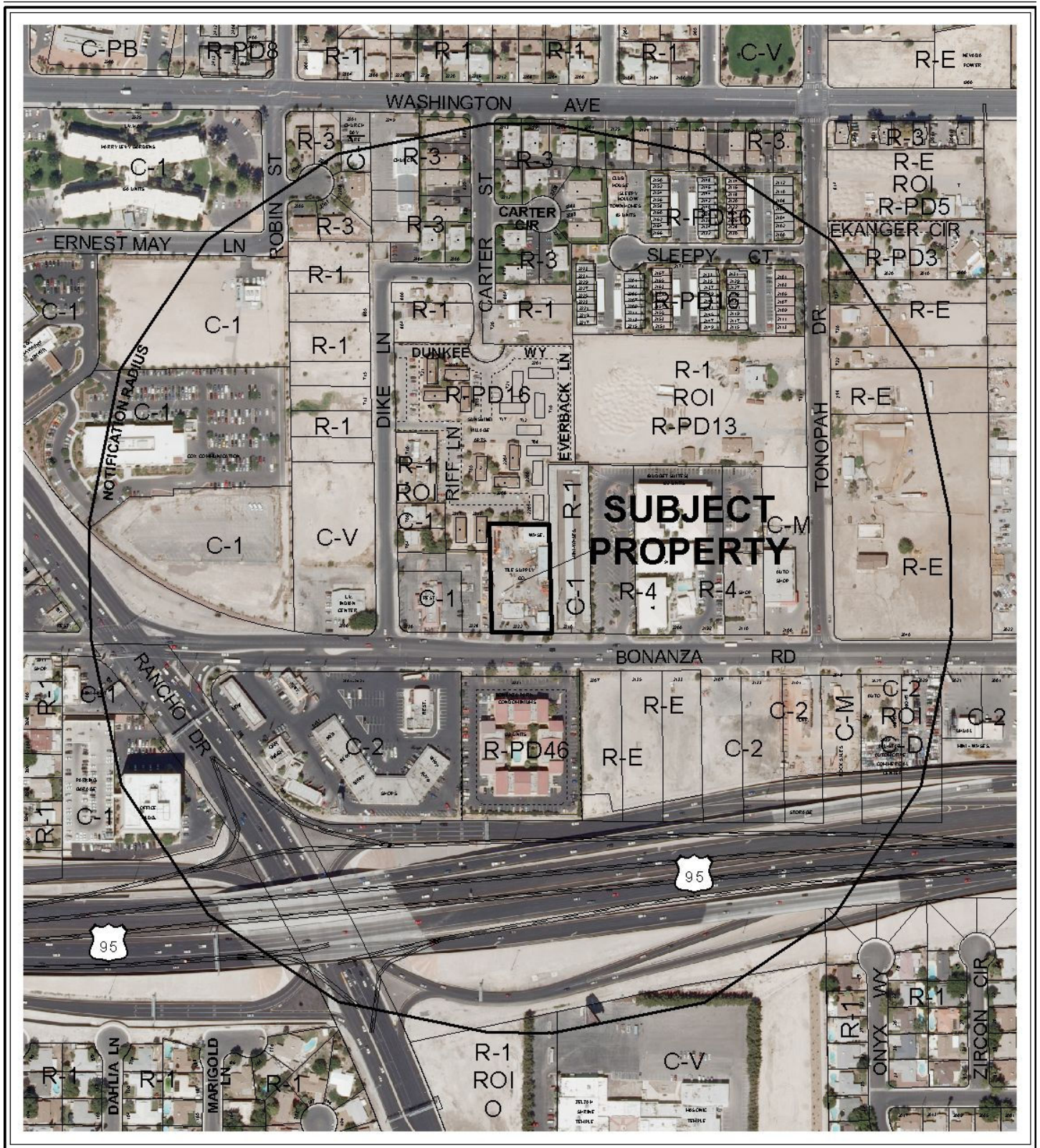
CASE: ZON-34793

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: C-M (COMMERCIAL/INDUSTRIAL)





CASE: ZON-34793

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: C-M (COMMERCIAL/INDUSTRIAL)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 23, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-34793 - APPLICANT/OWNER: GEORGE T. LOPEZ

***APPLICANT REQUESTS THIS ITEM BE HELD IN
ABEYANCE TO THE AUGUST 13, 2009 PLANNING
COMMISSION MEETING***

Jonathan Boyles

From: george lopez [gitto1.lv@gmail.com]
Sent: Wednesday, July 08, 2009 10:52 AM
To: Jonathan Boyles
Subject: Re: Site Development Plan Review SDR-34794 (Plan Revisions)

I hereby request an abeyance of our applications SDR 34794, ZON 34793, and GPA 34792 from July 23rd planning commission meeting to August 13th meeting.

On Fri, Jun 19, 2009 at 4:45 PM, Jonathan Boyles <jboyles@lasvegasnevada.gov> wrote:

Mr. Lopez~

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- There is a discrepancy between the site plan and floor plans regarding the building dimensions. The building dimensions on the submitted floor plans do not match the dimensions listed on the site plan. In addition, the floor plan submitted for the existing office building fails to show the pop-out in the rear portion of the building as depicted on the site plan. It is extremely important that the building dimensions listed on the site plan and floor plan are consistent with one another.
- Please revise the Site Data table to reflect the correct building square footages and parking analysis (Warehouse - 1 space:1000 sq/ft) and (Office 1 space:300sq/ft)
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If you have any questions or concerns regarding this request please feel free to contact me.

Jonathan B. Boyles
City of Las Vegas- Planner I
Planning & Development Department
702-229-6031 (voice)
702-385-7268 (fax)
jboyles@lasvegasnevada.gov

--
George T Lopez
Amalgamated Safety Company
2222 W Bonanza
Las Vegas, NV 89106
702-871-9385 Office

7/8/2009

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-34793** APN: 13929704026
Name of Property Owner: GEORGE T. LOPEZ
Name of Applicant: GEORGE T. LOPEZ
Name of Representative: _____

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

_____ Yes X No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

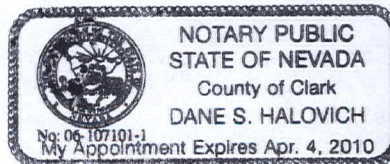
Signature of Property Owner: _____

Print Name: GEORGE T. LOPEZ

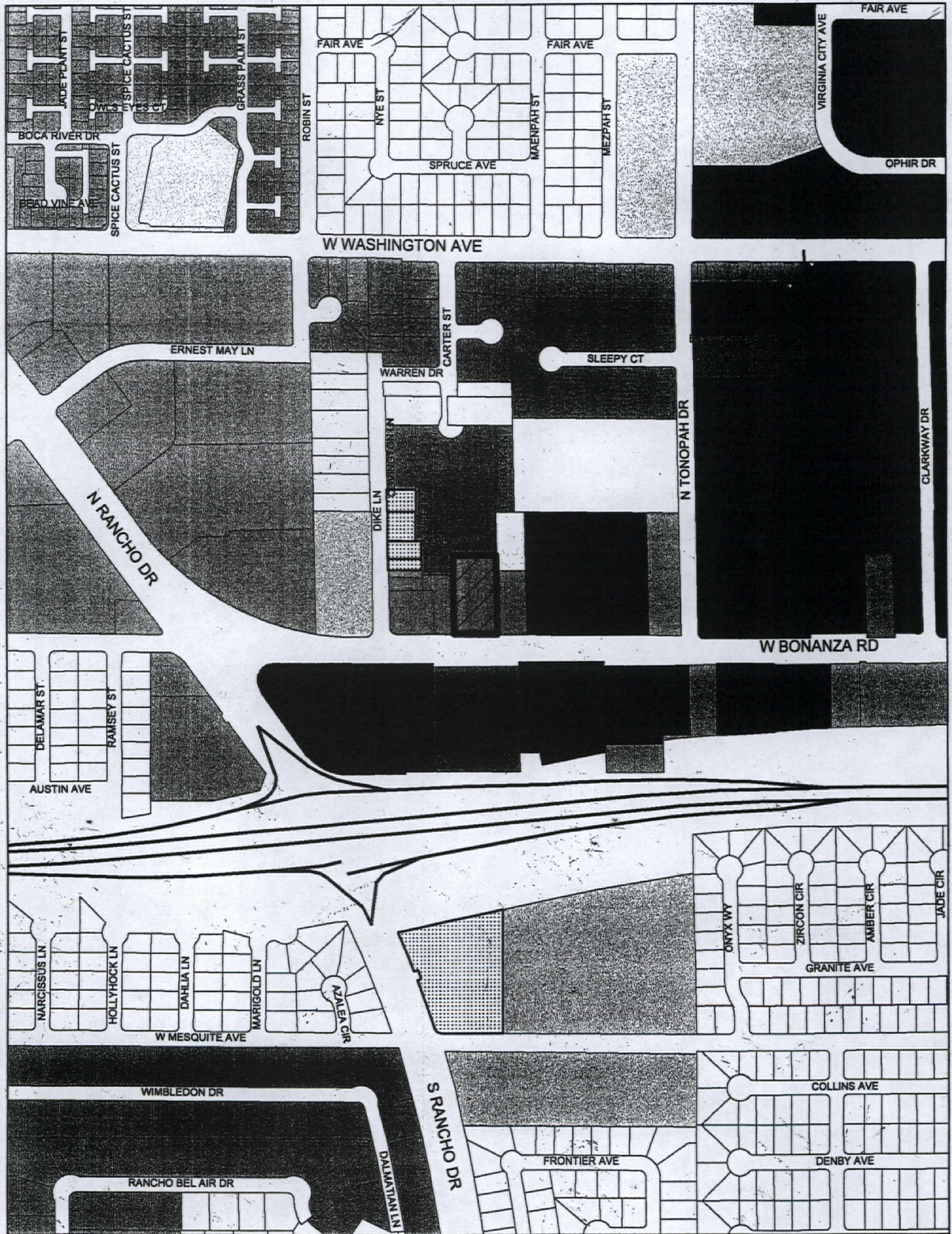
Subscribed and sworn before me

This 08 day of JUNE, 2009

[Signature]
Notary Public in and for said County and State



**Zoning
Parcel 139-29-704-026**



Zoning		ROI Zoning	
U	R-2	C-1	ROI Zoning
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	

**ZON-34793
07/23/09 PC**

FROM C-1 TO CM

RECEIVED

JUN 09 2009



GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only. Geographic Information System Planning & Development Dept. 702-229-6301

PLANNING & DEVELOPMENT

**ASC**

AMALGAMATED SAFETY CO.

"Keeping Your Highways Informed and Safe"

June 9, 2009

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

RE: Applications for a General Plan Amendment/Rezoning from Mixed Use/C-1 to Industrial/C-M on APL 139-29-704-026, 2222 W. Bonanza Road, located in the general vicinity of the northeast corner of W. Bonanza and Rancho

Staff:

We are seeking a general plan amendment and zone change so that we can continue to operate Amalgamated Safety, my business, in the City of Las Vegas. This business has been in operation at this location since 2004. I have business license(s) for this business at this address, first issued in 2005.

Currently the land is zoned C-1 and has a future land use designation of mixed use per the last approved community plan. There is a small housing development (R-PD 16) immediately to the north of our property. To the east there is a mini-storage business (split zoned C-1/R-1) that has a zero lot line along our mutual property line (west). The property to our immediate west is zoned C-1 and is used as a restaurant.

Amalgamated Safety is involved with traffic control. We install permanent signs on area streets and highways. This work requires that an inventory of signs and other traffic control devices as well as commercial vehicles be kept onsite. The necessary inventory cannot be stored inside within our existing structures as is required under C-1 and C-2 zoning. C-M zoning is the only zoning category which fits the nature and needs of our business.

Other businesses in the immediate area operate under C-M zoning. For example, Fultz Machine Shop, which is located 550 feet east of our location, operates at 2100 W. Bonanza. The businesses at 2041 and 2029 W. Bonanza are also C-M properties that operate manufacturing/ industrial type uses. Furthermore, the City's future land use plan indicates that the properties on the south side of W. Bonanza are light industrial. Furthermore this entire area has been designated as part of the redevelopment zone.

RECEIVED
JUN - 9 2009

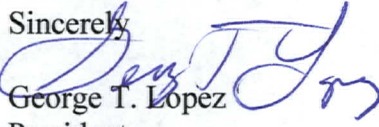
ZON-34793
07/23/09 PC

If the City does not approve the general plan amendment and rezone application, we will be forced to either close our business or relocate. This would create an extreme hardship to the business, our employees and the community. The expenses of moving a business such as this are high. Land designated for industrial type uses is scarce in the City.

If the general plan amendment and rezoning are approved, we intend to continue to serve the community. We have been operating this business at this location since 2004 without incident or complaints.

We respectfully submit these applications for your review and approval.

Sincerely,


George T. Lopez
President

RECEIVED
JUN - 9 2009

ZON-34793
07/23/09 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.

GPA-34792 & ZON-34793

Planning Commission Meeting of 7/23/2009

PRESORTED
FIRST CLASS



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Case: GPA-34792

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AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JULY 23, 2009

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SDR-34794 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-34792 AND ZON-34793 - APPLICANT/OWNER: GEORGE T. LOPEZ - Request for a Site Development Plan Review TO ESTABLISH A CONTRACTOR'S PLANT, SHOP AND STORAGE YARD WITHIN AN EXISTING 4,279 SQUARE-FOOT OFFICE AND WAREHOUSE DEVELOPMENT WITH PERIMETER RAZOR WIRE on 0.97 acres at 2222 West Bonanza Road (APN 139-29-704-026), C-1 (Limited Commercial) Zone [PROPOSED: C-M (Commercial/Industrial)], Ward 5 (Barlow)

C.C.: 08/19/2009

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

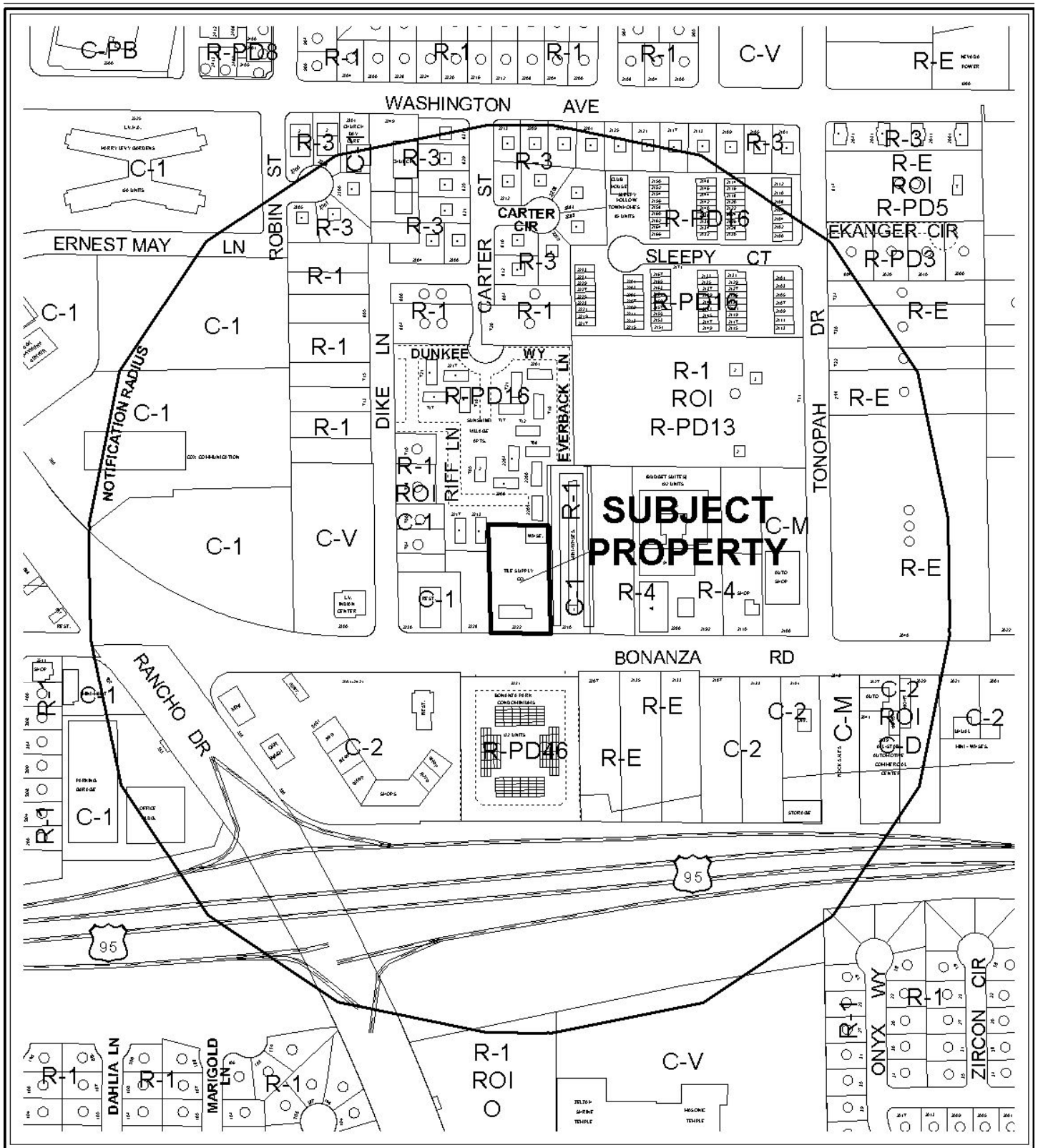
0

RECOMMENDATION:

DENIAL

BACKUP DOCUMENTATION:

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2. Conditions (Not Applicable) and Staff Report (Not Applicable)
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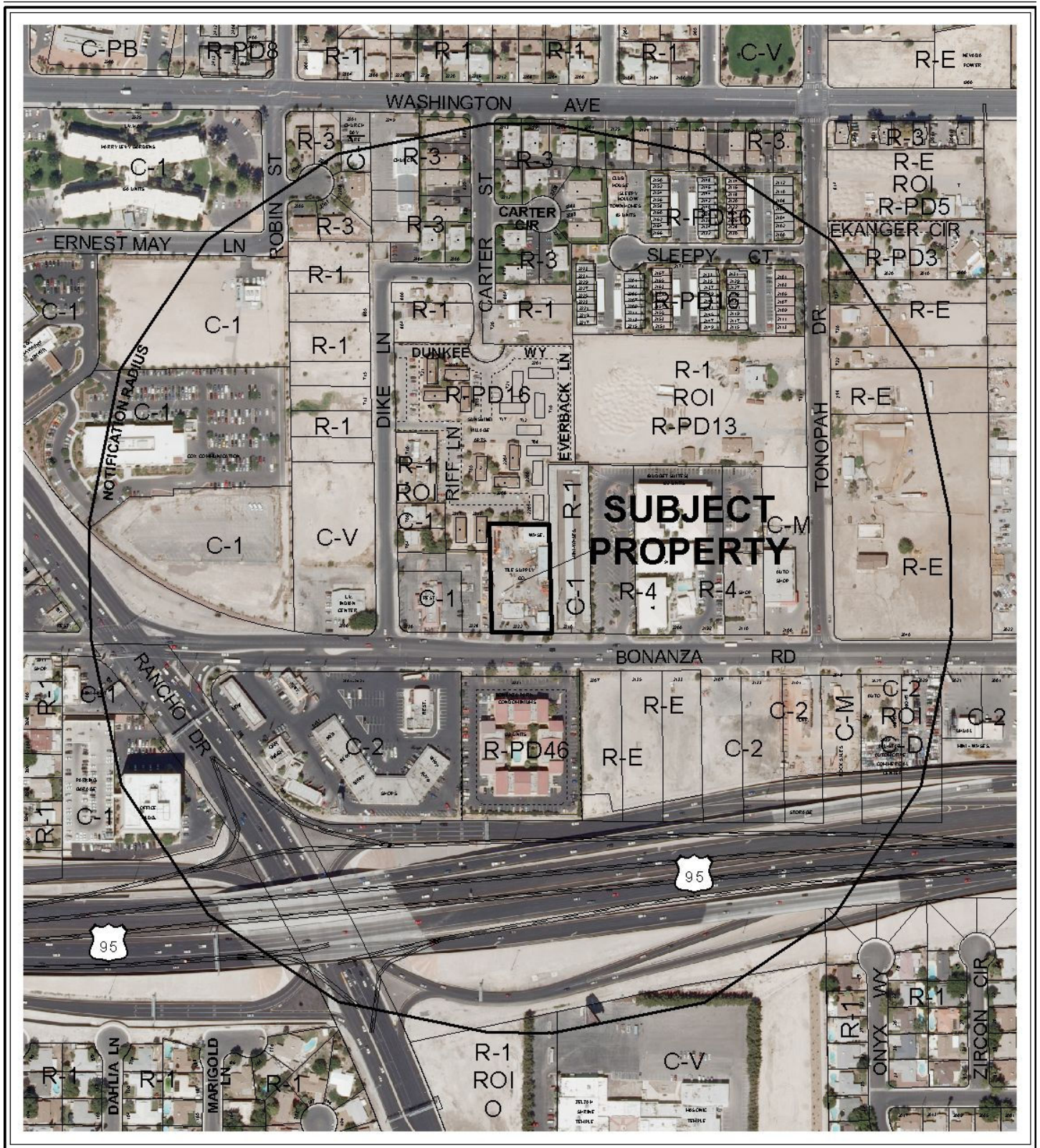
CASE: **SDR-34794**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: C-M (COMMERCIAL/INDUSTRIAL)





CASE: SDR-34794

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: C-M (COMMERCIAL/INDUSTRIAL)



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 23, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-34794 - APPLICANT/OWNER: GEORGE T. LOPEZ

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Jonathan B. Boyles
City of Las Vegas- Planner I
Planning & Development Department
702-229-6031 (voice)
702-385-7268 (fax)
jboyles@lasvegasnevada.gov

--
George T Lopez
Amalgamated Safety Company
2222 W Bonanza
Las Vegas, NV 89106
702-871-9385 Office

7/8/2009



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-34794** | APN: 13929704026

Name of Property Owner: GEORGE T. LOPEZ

Name of Applicant: GEORGE T. LOPEZ

Name of Representative: _____

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

_____ Yes

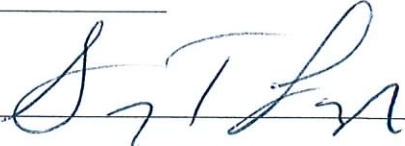
_____ **X** _____ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: 

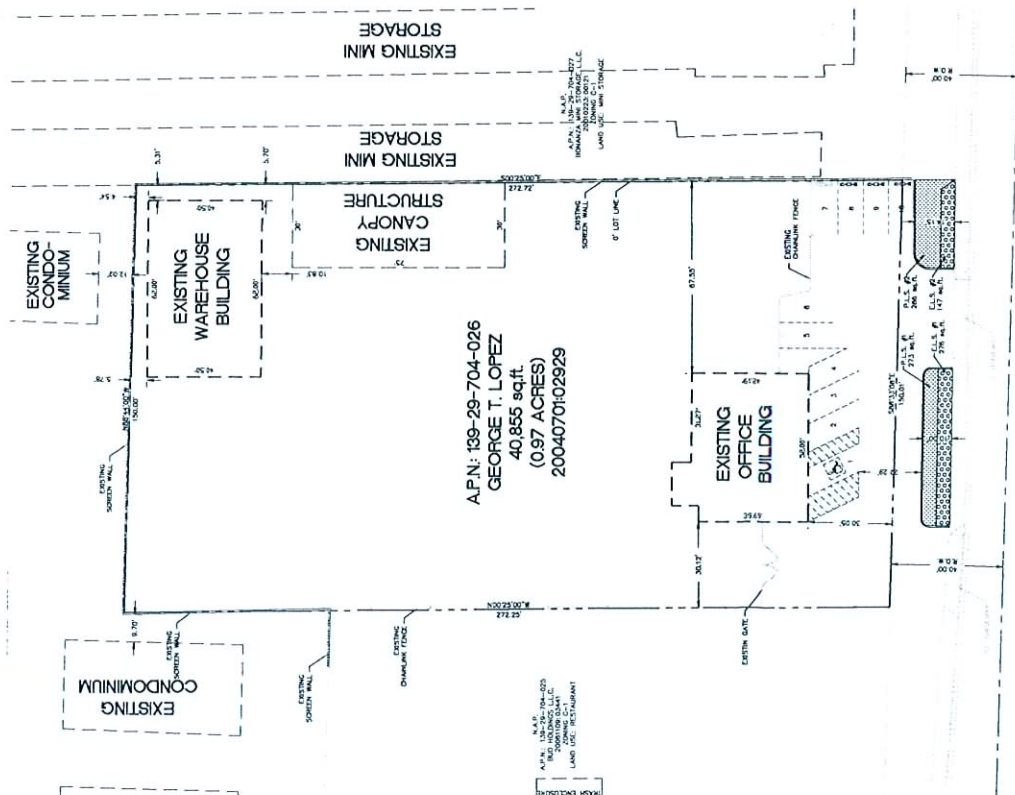
Print Name: GEORGE T. LOPEZ

Subscribed and sworn before me

This 08 day of JUNE, 2009


Notary Public in and for said County and State





BONANZA ROAD

A.P.N.: 139-29-704-026
GEORGE T. LOPEZ
40,855 sq.ft.
(0.97 ACRES)
20040701:02929

N.A.P.
A.P.N.: 138-29-704-023
BUO HOLDINGS LLC
20061109 03441
ZONING C-1
LAND USE: RESTAURANT

LANDSCAPE DATA

PROPOSED LANDSCAPE	= 559 sq.ft.
EXISTING LANDSCAPE	= 423 sq.ft.
TOTAL LANDSCAPE	= 982 sq.ft.

LANDSCAPE DATA

PROPOSED LANDSCAPE = 550 sq.ft.

EXISTING LANDSCAPE = 423 sq.ft.

TOTAL LANDSCAPE = 982 sq.ft.

RECEIVED

JUN 09 2009

SDR-34794

07/23/09 PC

157
SHEET
000-00-000

AMALGAMATED SAFETY

LANDSCAPE PLAN

JPL ENGINEERING INC.

PHONE (702) 698-6269 • FAX (702) 650-6260

PROPERTY LINE
BUILDING LINE
CENTERLINE
EXISTING CMU WALL
EXISTING CURB AND GUTTER
NOT A PART
ASSESSOR'S PARCEL NUMBER
EXISTING PARKING BUMPER
PROPOSED LANDSCAPE AREA
EXISTING LANDSCAPE AREA

N.A.P.
A.P.N.

P.L.S.
E.L.S.

LEGEND

PROPERTY LINE
BUILDING LINE
CENTERLINE

EXISTING CMU WALL
EXISTING CURB AND GUTTER
NOT A PART
ASSESSOR'S PARCEL NUMBER
EXISTING PARKING BUMPER
PROPOSED LANDSCAPE AREA
EXISTING LANDSCAPE AREA

SCALE: 1" = 20'

YOUNTY MAP
SCALE: NTS

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YOUNTY MAP
SCALE: NTS

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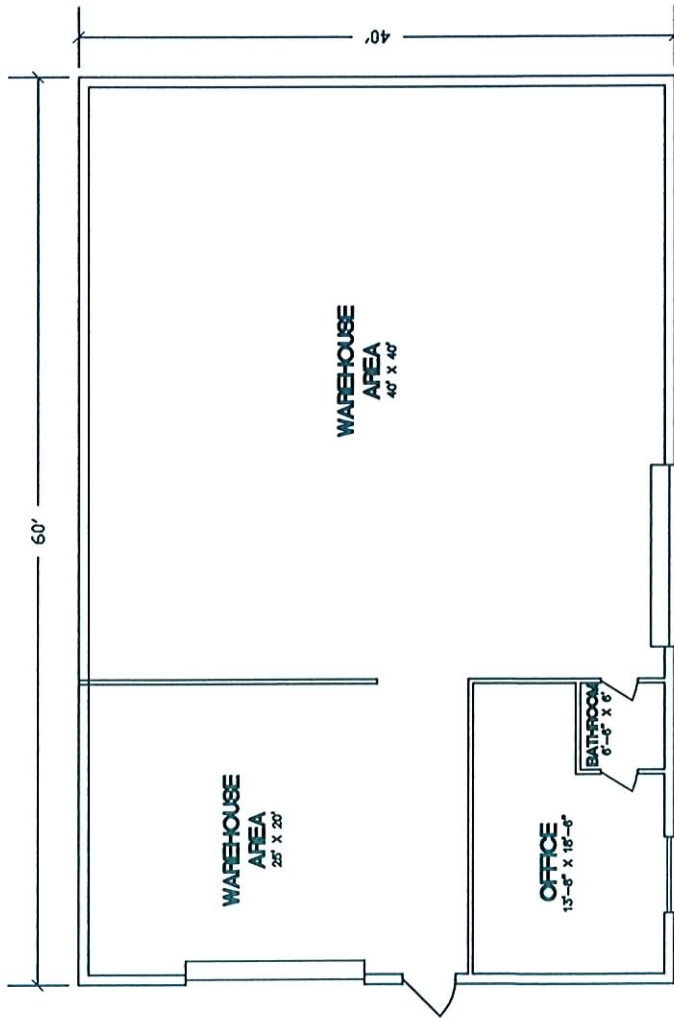
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SCALE: 1/4" = 1'

WAREHOUSE FLOORPLAN
FOR
AMALGAMATED SAFETY
AFN # 139-29-704-028



AMALGAMATED SAFETY
FLOORPLAN

FP 2
1 of 1

RECEIVED

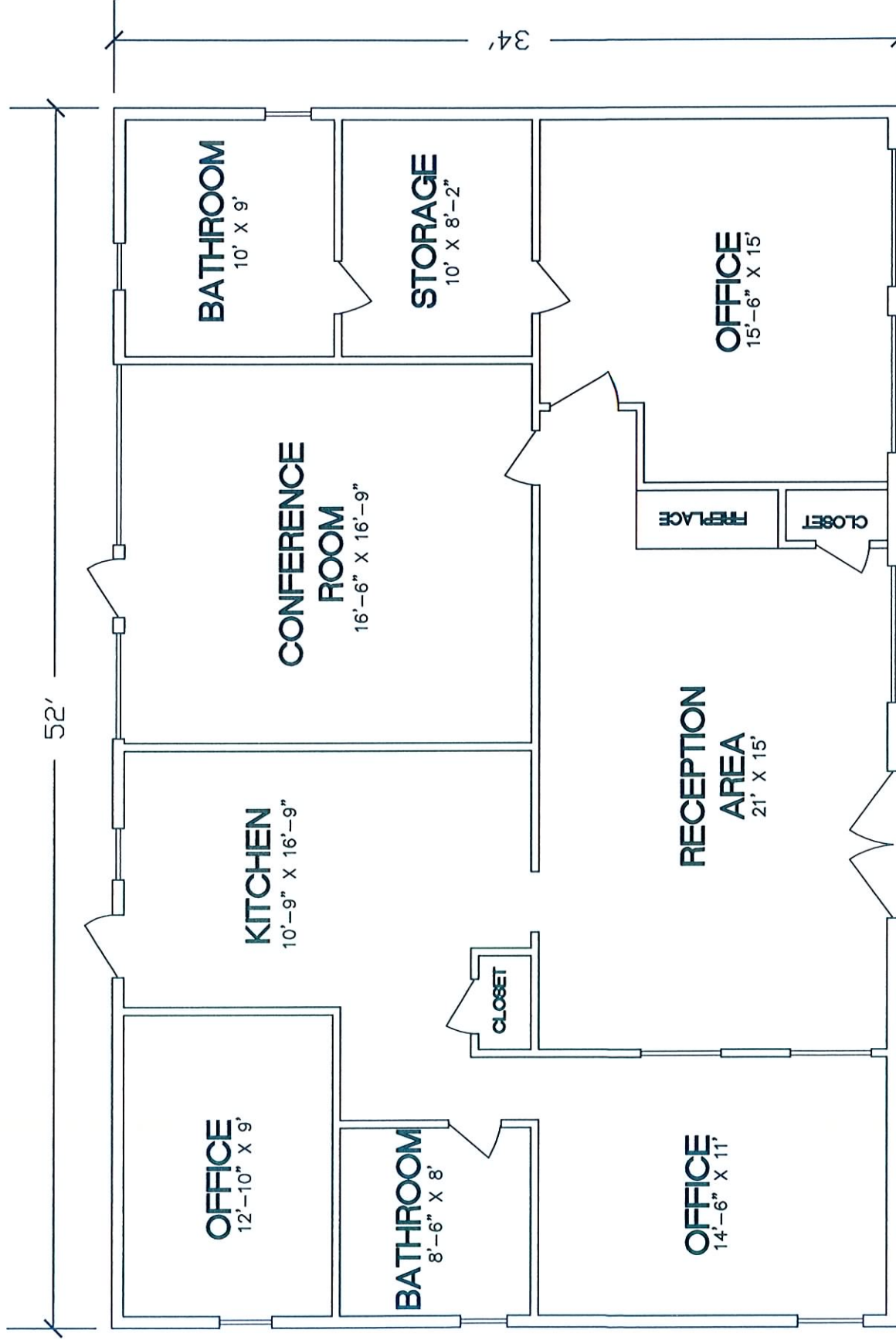
JUN 09 2009

SDR-34794

07/23/09 PC

OFFICE FLOORPLAN
FOR
AMALGAMATED SAFETY
APN # 139-29-704-026

SCALE: 1/2" = 1'



AMALGAMATED SAFETY
FLOORPLAN

RECEIVED

JUN 09 2009

FP 1
1 of 1

SDR-34794

07/23/09 PC



RECEIVED

SDR-34794
07/23/09 PC

JUN 09 2009



RECEIVED

SDR-34794
07/23/09 PC

JUN 09 2009

**ASC**

AMALGAMATED SAFETY CO.

"Keeping Your Highways Informed and Safe"

June 9, 2009

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

RE: Applications for a General Plan Amendment/Rezoning from Mixed Use/C-1 to Industrial/C-M on APL 139-29-704-026, 2222 W. Bonanza Road, located in the general vicinity of the northeast corner of W. Bonanza and Rancho

Staff:

We are seeking a general plan amendment and zone change so that we can continue to operate Amalgamated Safety, my business, in the City of Las Vegas. This business has been in operation at this location since 2004. I have business license(s) for this business at this address, first issued in 2005.

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RECEIVED
JUN -9 2009

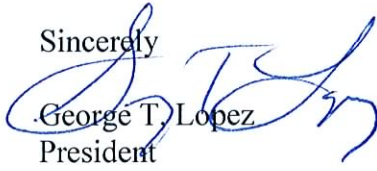
SDR-34794
07/23/09 PC

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Sincerely

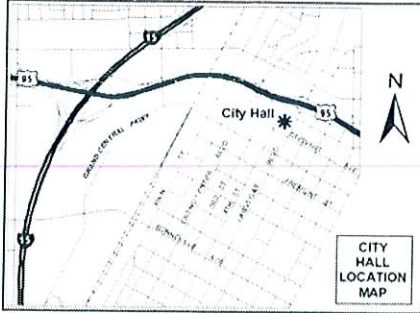

George T. Lopez
President

RECEIVED
JUN - 9 2009

SDR-34794
07/23/09 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-34794

Planning Commission Meeting of 7/23/2009

PRESORTED
FIRST CLASS



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LAS VEGAS NV 89106-3697

Case: SDR-34794

891063697 5102



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AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JULY 23, 2009

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

ZON-34775 - REZONING - PUBLIC HEARING - APPLICANT: CLARK COUNTY - OWNER: ELLIS AVENUE PROPERTIES AND JOHN BIELINSKI - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 2.93 acres at 1823 West Charleston Boulevard and 1128 Shadow Lane (APNs 162-04-111-018 and 162-04-112-005), Ward 1 (Tarkanian)

C.C.: 08/19/2009

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

4

City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

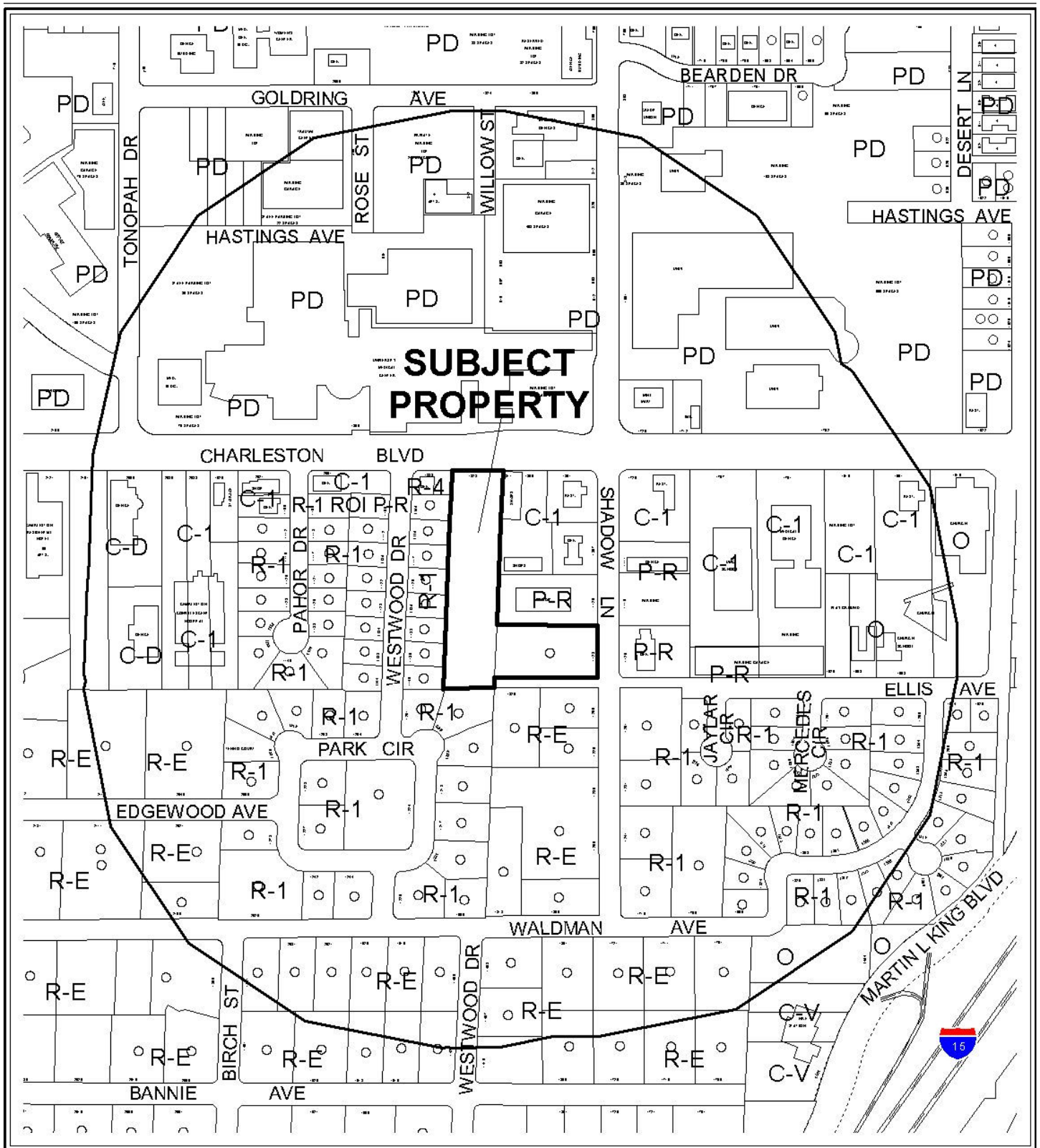
0

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 and Support Letter



CASE: ZON-34775

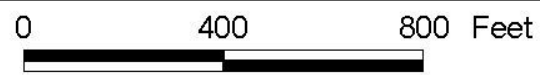
RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

P-R (PROFESSIONAL OFFICE AND PARKING)



P-R (PROFESSIONAL OFFICE AND PARKING)



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 23, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-34775 - APPLICANT: CLARK COUNTY - OWNER:
ELLIS AVENUE PROPERTIES AND JOHN BIELINSKI

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL.

ZON-34775 - Staff Report Page One
July 23, 2009 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is proposing a Rezoning from R-E (Residence Estates) to P-R (Professional Office and Parking). The existing land use designation on the subject site is O (Office), which is not compatible with the exiting R-E (Residence Estates) zoning district. The proposed P-R (Professional Office and Parking) district will allow conformance with the existing land use designation of O (Office) on the subject site. If denied, the residential zoning district will remain inconsistent with the existing land use designation. Staff is recommending approval of the subject Rezoning application.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
12/30/04	A deed was recorded for a change of ownership at 1128 Shadow Lane.
07/27/06	A deed was recorded for a change of ownership at 1823 West Charleston Boulevard.
10/12/06	A Code Enforcement citation (#47055) was issued for a vacant lot, which contains the following items; trash, empty beer bottles and overgrown vegetation littering the entire property. The interior walls that are plainly visible from Charleston are covered with gang graffiti at 1823 West Charleston Boulevard.
07/23/09	The Planning Commission will consider a related Site Development Plan Review (SDR-34777) for a proposed 272 space Parking Lot, Commercial and a Special Use Permit (SUP-34776) for a proposed Parking Lot, Commercial and a Waiver to allow 24-hour parking where parking between the hours of 9:00 p.m. and 6:00 a.m. is not permitted on 2.93 acres at 1823 West Charleston Boulevard and 1128 Shadow Lane.
<i>Related Building Permits/Business Licenses</i>	
There are no related building permits or business licenses that apply to the subject site.	

ZON-34775 - Staff Report Page Two
July 23, 2009 - Planning Commission Meeting

<i>Pre-Application Meeting</i>	
05/31/09	A pre-application meeting was conducted on the indicated date. The following items were discussed at the meeting: • A neighborhood meeting was recommended to applicant. • Conformance with all requirements for a Parking Lot, Commercial and the need for the Waiver for a 24-hour parking lot were discussed.
<i>Neighborhood Meeting</i>	
07/14/09	A neighborhood meeting will occur on July 14th at 6:00 p.m. at the First Presbyterian Church. There were 16 members of the public, six representatives of the applicant, and two members of the City staff. The following questions and concerns were raised by residents: • The proposed use is a horrible use and will erode residential property values. • The use will significantly impact the abutting residential properties due to car alarms, vehicle lights, parking lot lights. • Concerns about traffic on Shadow Lane, Ellis Avenue and traffic cutting through the neighborhood were expressed. • Residents requested that a traffic and parking study be submitted prior to consideration by the Planning Commission. • Concerns were raised about ingress and egress from the site. • Concerns were raised about the safety of pedestrians crossing the street from the parking lot to UMC. • Residents stated that the Scotch 80's neighborhood was being encroached upon by commercial uses and that single-family homes were being lost. • Questions were raised about the historic status of the existing residence on the subject property. • Concerns were raised about an increase of traffic and delays on Charleston because of the proposed use. The applicant suggested that they would investigate the preparation of a traffic study, and would contact attendees if the Planning Commission date were to be delayed in order to prepare the study.
<i>Field Check</i>	
06/18/09	A field check was completed on the indicated date. The following items were observed by Planning and Development staff. • Staff observed two lots. One lot was undeveloped, which previously contained a mobile home park and a second lot with a single-family dwelling on it.

ZON-34775 - Staff Report Page Three
July 23, 2009 - Planning Commission Meeting

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.93 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped and Single-Family Dwelling	O (Office)	R-E (Residence Estates) [Proposed: C-V (Civic)]
North	UMC (University Medical Center) and Offices	UMC (University Medical Center)	PD (Planned Development) and P-R (Professional Office and Parking)
South	Single-Family Dwellings	DR (Desert Rural Density Residential)	R-1 (Single Family Residential) and R-E (Residence Estates)
East	Offices and Retail	O (Office)	P-R (Professional Office and Parking) and C-1 (Limited Commercial)
West	Single-Family Dwellings and Offices	O (Office) and L (Low Density Residential)	R-1 (Single Family Residential) and R-4 (High Density Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O Airport Overlay District (200 Feet)	X		Y
Rural Preservation Overlay District	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ZON-34775 - Staff Report Page Four
July 23, 2009 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Pursuant to Title 19.08 Development Standards, the following standards are proposed: There are no permanent structures; therefore there are no required setbacks.

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size			
• 1823 West Charleston Boulevard	N/A	1.97 acres	N/A
• 1128 Shadow Lane	N/A	0.96 acres	N/A
Min. Lot Width			
• 1823 West Charleston Boulevard	60 Feet	140 Feet	Y
• 1128 Shadow Lane	60 Feet	145 Feet	Y

ANALYSIS

This request would Rezone the subject site from R-E (Residence Estates) to P-R (Professional Office and Parking), which will allow conformance with the existing O (Office) land use designation. As the proposed P-R (Professional Office and Parking) district is consistent with the existing O (Office) land use designation, 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 P-R (Professional Office and Parking) zoning district is consistent with the existing O (Office) General Plan 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 P-R (Professional Office and Parking) 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 subject site has a land use designation of O (Office). Rezoning of the subject site will allow conformance with the existing land use designation of the subject site.

ZON-34775 - Staff Report Page Five
July 23, 2009 - Planning Commission Meeting

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 both Charleston Boulevard, a 100-foot Primary Arterial, and Ellis Avenue, a 30-foot Local Street as designated by the Master Plan of Streets and Highways. These thoroughfares are capable of accommodating the traffic flow for the proposed zoning district.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

ASSEMBLY DISTRICT 9

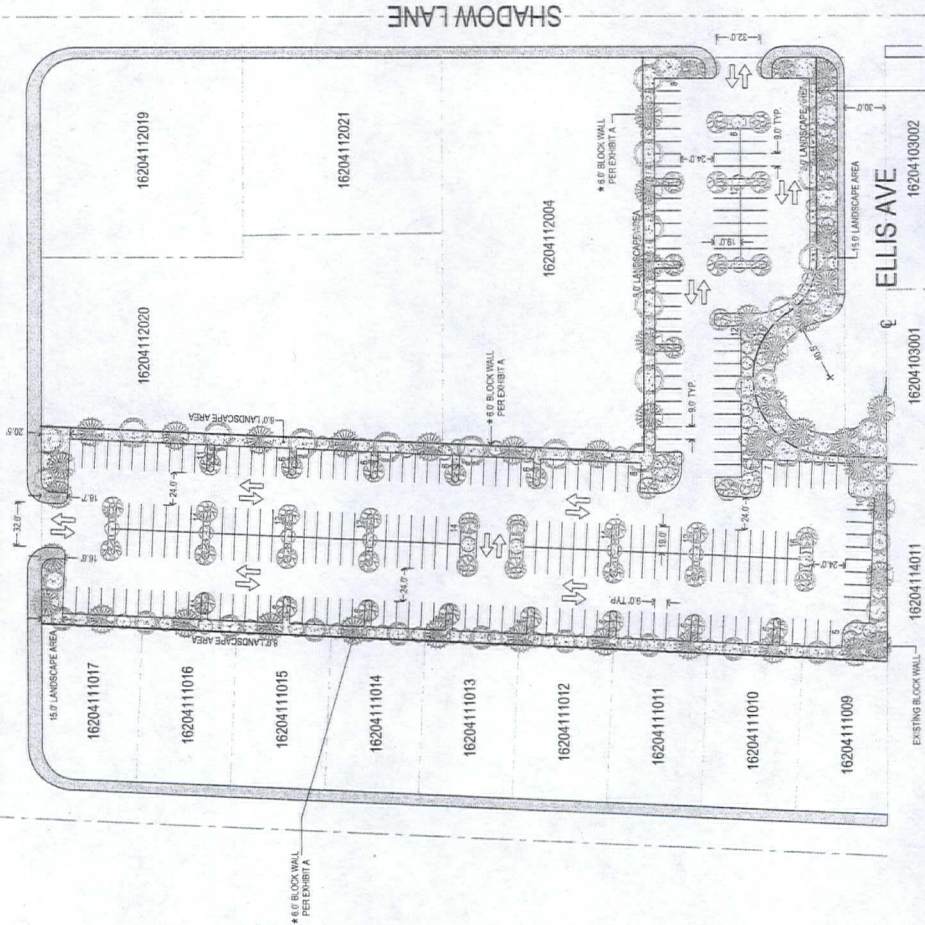
SENATE DISTRICT 3

NOTICES MAILED 150

APPROVALS 2

PROTESTS 4

W CHARLESTON BLVD



TREES

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY	NOTES
	Rhus lancea	AFRICAN SIMAC	24" BOX	45	NOT TO EXCEED 39' O.C.
	Pinus elsternae	MODELL PINE	24" BOX	48	NOT TO EXCEED 39' O.C.
	Albizia julibrissin	MAJUSA TREE	24" BOX	44	NOT TO EXCEED 39' O.C.
TOTAL				138	

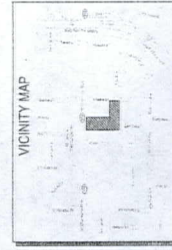
MINIMUM NUMBER OF TREES PER 10' x 12' = 12
NUMBER OF TREES PROVIDED = 138

SHRUBS

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY	NOTES
	Leucosyrium	CREeping	5 GAL	325	1 SHRUB PER TREE
	Acacia	FRANKING			
	Juniper	UNYANA			

GROUND COVERS

APPLY MULCH ALL PLANTING AREAS 2" DEEP



ZON-34775

REVISED

07/23/09 PC

Received
JUN 29 2009
UMC Planning



DATE	REVISION



AgA & Associates, Inc.
 P.O. BOX 270114
 LAS VEGAS, NV 89127
 TEL: 702.735.1200
 FAX: 702.735.1201

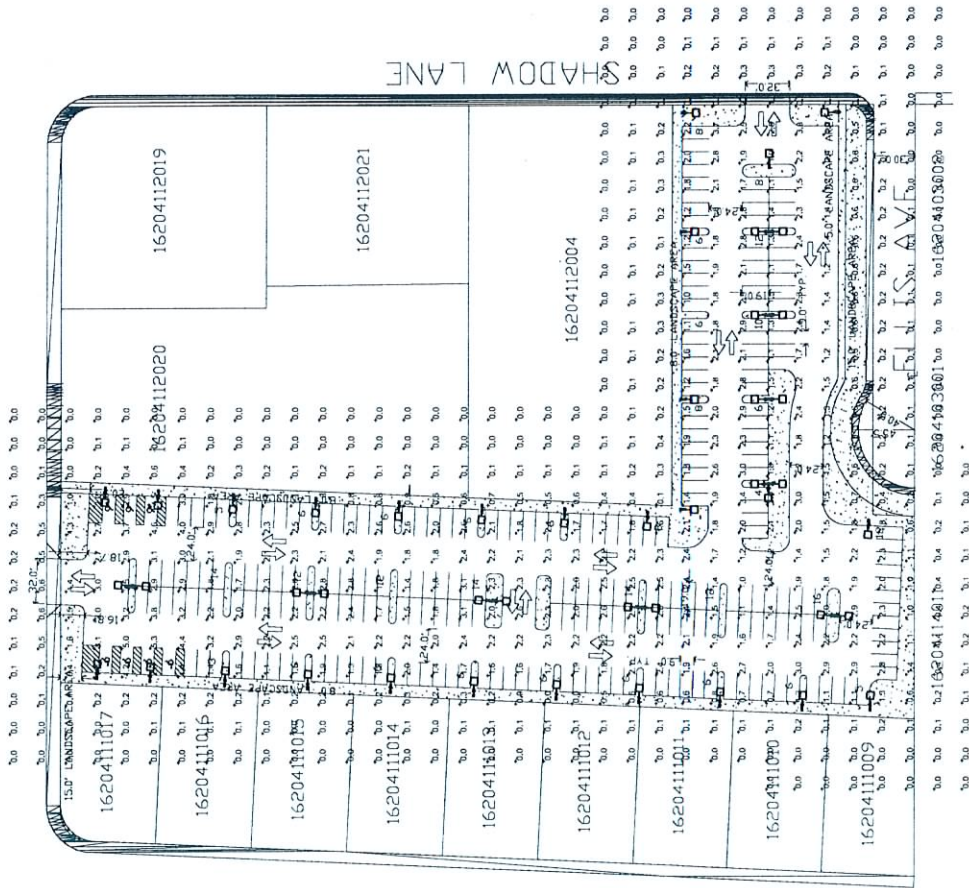
UMC OVERFLOW PARKING
 CHARLESTON AND SHADOW
 LAS VEGAS, NEVADA

PHOTOMETRICS

SCALE	1" = 20'
DATE	07/23/09
BY	AS SHOWN
FOR	XXX
PROJECT	XXX
NO.	1000

E-1.0

W CHARLESTON BLVD



RECEIVED

JUN 08 2009

ZON-34775

REVISED

07/23/09 PC

PHOTOMETRICS
 SCALE 1" = 20'



Subject Parcels
162-04-111-018,
162-04-112-005

U	P-R	TC
R-A	N-S	
R-E	O	
R-D	C-D	
R-PD	C-1	
R-1	C-2	
R-MH	C-M	
R-CL	M	
R-2	C-V	
R-3	C-PB	
R-4	P-C	
R-5	PD	
R-MHP		

RECEIVED

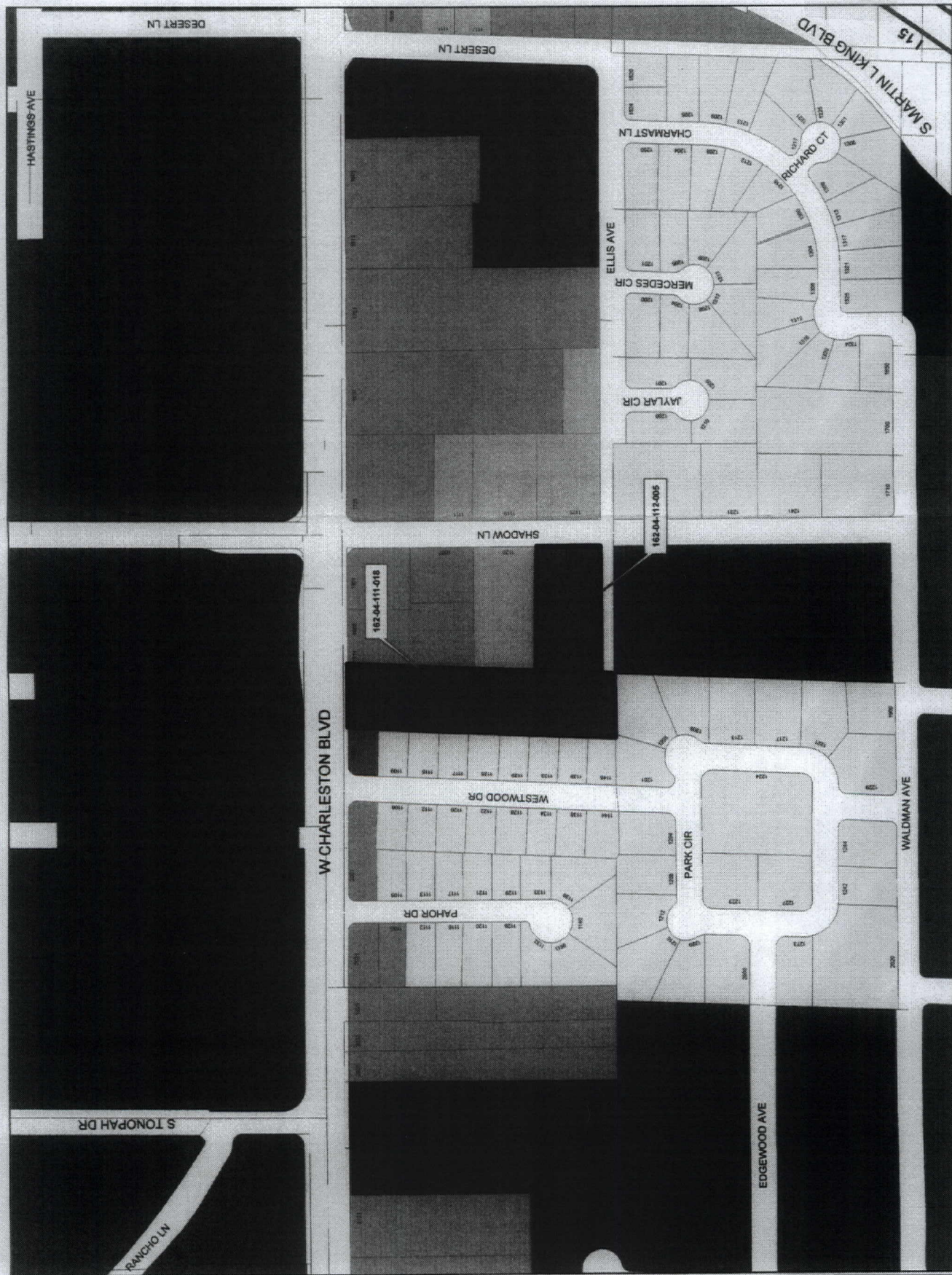
JUN 08 2009

ZON-34775

07/23/09 PC



PLANNING & DEVELOPMENT
1000 Las Vegas Blvd. S., Suite 1000
Las Vegas, NV 89101
702-258-1234
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Department of Real Property Management

500 S Grand Central Pky 4th Fl • Box 551825 • Las Vegas NV 89155-1825
(702) 455-4616 • Fax (702) 455-4055

Randy Tarr, Director • Carel Carter, Assistant Director

June 4, 2009

Mr. Ben Sticka
CITY OF LAS VEGAS
PLANNING DEPARTMENT
731 S. Fourth Street
Las Vegas, Nevada 89101

**RE: ZONE CHANGE, SPECIAL USE PERMIT AND SITE DEVELOPMENT PLAN
REVIEW REQUEST FOR PROPERTY LOCATED AT 1823 W. CHARLESTON
BOULEVARD & 1128 SHADOW LANE**

Dear Mr. Sticka:

Clark County, on behalf of the property owner, respectfully requests your approval to rezone two parcels, consisting of 2.93 acres, from R-E (Rural Estates) to PR (Professional Office). These two parcels are located South of Charleston Boulevard and West of Shadow Lane. Both properties fall within the O (Office) land use category therefore, this request conforms to the existing master plan for the area.

At this time, the County intends to develop this property as a 24-hour overflow parking lot for the University Medical Center. As depicted on the site plan, approximately 268 parking spaces are being proposed on this site.

Although the parking facility is a permitted use within the PR zoning category, the request for 24 hour usage requires approval of a Special Use Permit application. The hours are necessary to coincide with the operation of the medical facility.

Perimeter block walls will be constructed to provide an appropriate buffer between the residential and commercial uses. All landscaping and residential adjacency standards have been satisfied as required by code.

The property located at 1823 W. Charleston Boulevard, which was previously a mobile home park, remains vacant. The residential house located at 1128 Shadow Lane may be utilized temporarily as office space until demolition is deemed necessary.

RECEIVED
JUN - 8 2009

BOARD OF COUNTY COMMISSIONERS
RORY REID, Chairman • SUSAN BRAGER, Vice-Chair
LARRY BROWN • TOM COLLINS • CHRIS GIUNCHIGLIANI • STEVE SISOLAK • LAWRENCE WEEKLY
VIRGINIA VALENTINE, P.E., County Manager

ZON-34775
07/23/09 PC

If you have any questions or comments, please feel free to contact me at (702) 455-6462.

Sincerely,
Clark County
Department of Real Property Management



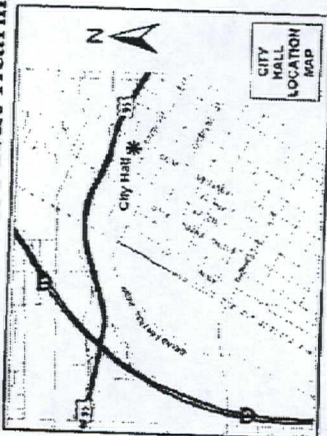
Randall J. Tarr,
Director

RECEIVED
JUN - 8 2009

ZON-34775
07/23/09 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.

ZON-34775 & SUP-34776

Planning Commission Meeting of 7/23/2009

16204103002 Case: ZON-34775
STABILE 1999 SURVIVORS TRUST
1200 SHADOW LN
LAS VEGAS NV 891022414

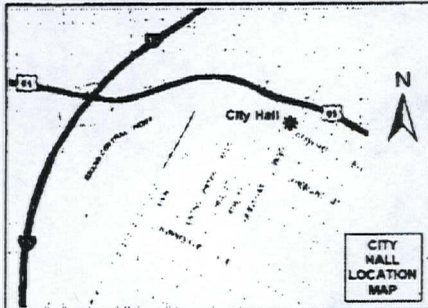
ENCLOSURE

ENCLOSURE

17P

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-34775 & SUP-34776

Planning Commission Meeting of 7/23/2009

PRESORTED
FIRST CLASS

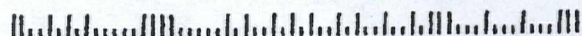


UNITED STATES POSTAGE
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MAILED FROM ZIP CODE 89101
\$ 00.414

16204210025
ROBINSON MARILYN JUNE
1407 WESTWOOD DR
LAS VEGAS NV 89102-2442

Case: ZON-34775

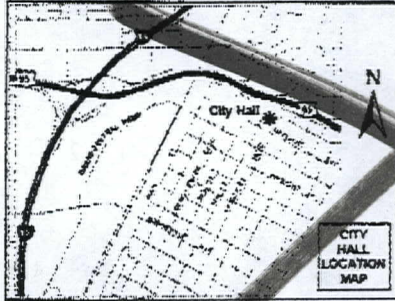
EAUDS11 A9102



17P

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

Return Service Requested Official Notice of Public Hearing



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I SUPPORT
 this Request



I OPPOSE
 this Request

Please use available blank space on card for your comments.

SDR-34777

Planning Commission Meeting of 7/23/2009

16204104005
 FERGUSON HUGH J & KYM
 1210 JAYLAR CIR
 LAS VEGAS NV 89102-2409

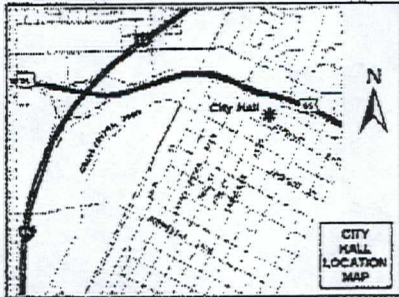
Case: SDR-34777

EAUDF11 89102



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



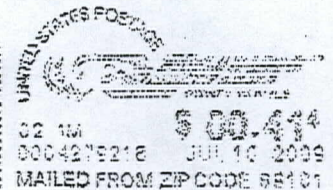
I OPPOSE
 this Request

Please use available blank space on card for your comments.

ZON-34775 & SUP-34776

Planning Commission Meeting of 7/23/2009

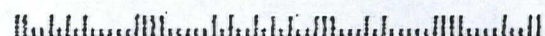
PREPAID
 FIRST CLASS



16204104005
 FERGUSON HUGH J & KYM
 1210 JAYLAR CIR
 LAS VEGAS NV 89102-2409

Case: ZON-34775

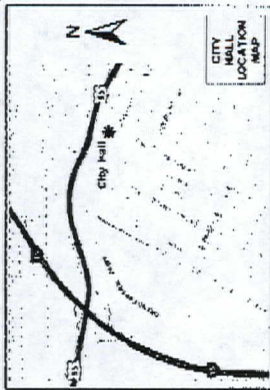
EAUDS11 89102



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

Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT
this Request



☐ I OPPOSE
this Request

Please use available blank space on card for your comments.

ZON-34775 & SUP-34776

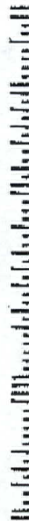
Planning Commission Meeting of 7/23/2009

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16204103008
FOX FAMILY TRUST
1250 SHADOW LN
LAS VEGAS NV 89102-2414

Case: ZON-34775



ENVELOPE 11 43102

AUG 03, 2008 23:14

17A

FOX FAMILY TRUST
1250 SHADOW LANE
LAS VEGAS, NV 89102-2414
TEL: (702) 384-8230

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

SUBJECT: ZON-34775; SUP-34776; SDR-3477

Gentlemen:

This letter is to inform you that the Fox Family Trust is for all of the subject actions. We know Mr. John Bielinski and believe that his intended plans are best for the property that he owns. Any questions can be directed to me at the above telephone number.

Sincerely,

Morton Fox
Fox Family Trust
Morton Fox, Trustee

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JULY 23, 2009

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SUP-34776 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CLARK COUNTY - OWNER: ELLIS AVENUE PROPERTIES AND JOHN BIELINSKI - Request for a Special Use Permit FOR A PROPOSED PARKING LOT, COMMERCIAL AND A WAIVER TO ALLOW 24-HOUR PARKING WHERE PARKING BETWEEN THE HOURS OF 9:00 P.M. AND 6:00 A.M. IS NOT PERMITTED on 2.93 acres at 1823 West Charleston Boulevard and 1128 Shadow Lane (APNs 162-04-111-018 and 162-04-112-005), Ward 1 (Tarkanian)

C.C.: 08/19/2009

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

4

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

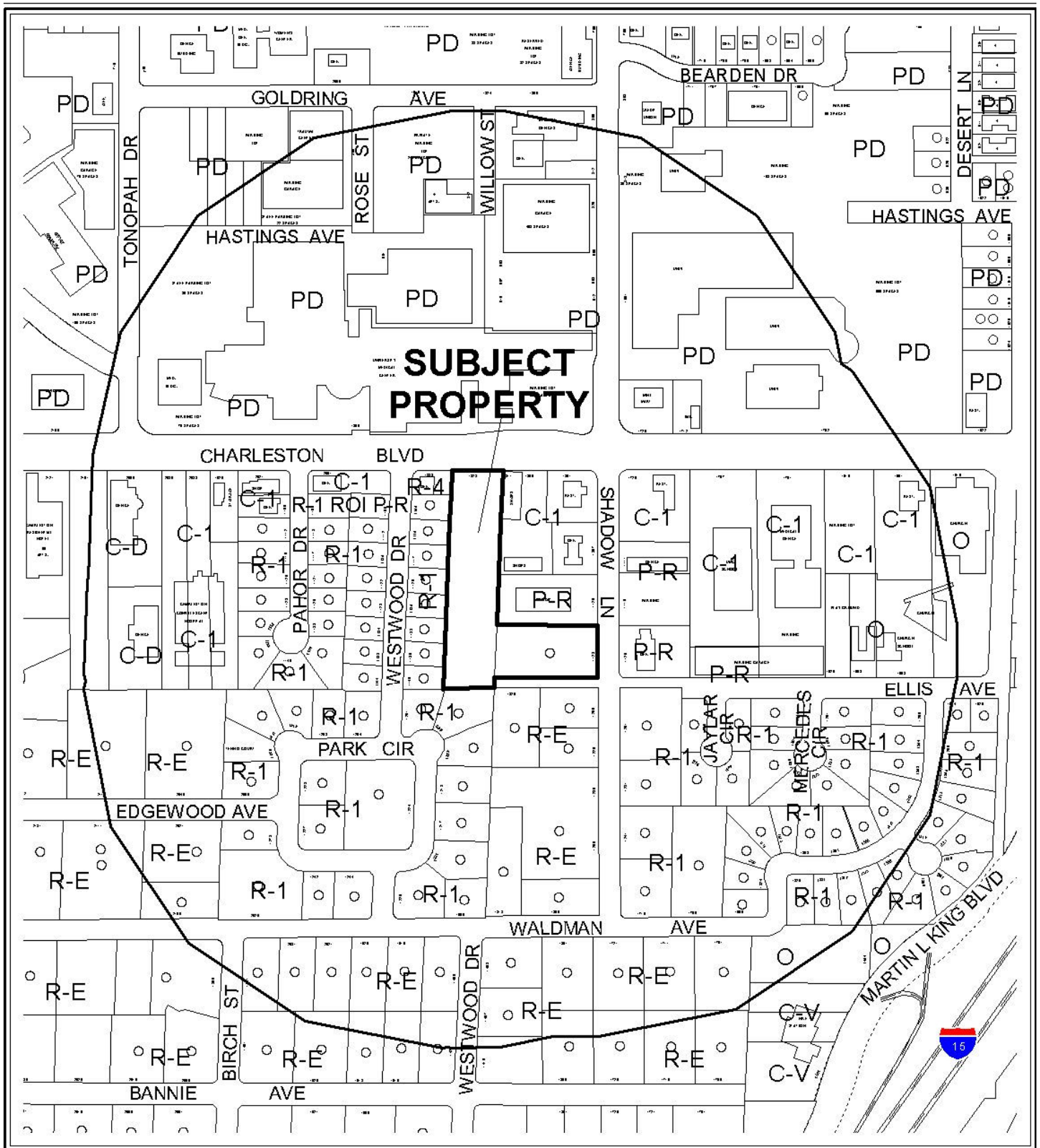
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RECOMMENDATION:

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 and Support Letter



CASE: SUP-34776

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

P-R (PROFESSIONAL OFFICE AND PARKING)

0 400 800 Feet





CASE: SUP-34776

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

P-R (PROFESSIONAL OFFICE AND PARKING)



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 23, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-34776 - APPLICANT: CLARK COUNTY - OWNER: ELLIS AVENUE PROPERTIES AND JOHN BIELINSKI

**** 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 Parking Lot, Commercial use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-34777) shall be required.
3. A Waiver from Title 19.04 Permissible Uses for a Parking Lot, Commercial use, to allow 24-hour parking where parking between 9:00 a.m. and 6:00 a.m. is not allowed, is hereby approved.
4. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-34776 - Staff Report Page One
July 23, 2009 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is proposing to construct a 272 space Parking Lot, Commercial on 2.93 acres at 1823 West Charleston Boulevard and 1128 Shadow Lane. The applicant is seeking a Waiver to allow 24-hour parking where parking between the hours of 9:00 P.M. and 6:00 A.M. is not permitted. The 272 space parking lot with 24-hour parking is not an appropriate or compatible use, as it is located adjacent to single-family residences on the west and east of the subject site; therefore, staff is recommending denial of the subject application.

Issues:

- Approval of associated requests for a Rezoning (ZON-34775) from R-E (Residence Estates) to P-R (Professional Office and Parking) and Site Development Plan Review (SDR-34777) is required to approve this request for a Special Use Permit.
- The requested Waiver to allow 24-hour operation of the parking lot is not compatible with the surrounding adjacent residential uses.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
12/30/04	A deed was recorded for a change of ownership at 1128 Shadow Lane.
07/27/06	A deed was recorded for a change of ownership at 1823 West Charleston Boulevard.
10/12/06	A Code Enforcement citation (#47055) was issued for a vacant lot, which contains the following items; trash, empty beer bottles and overgrown vegetation littering the entire property. The interior walls that are plainly visible from Charleston are covered with gang graffiti at 1823 West Charleston Boulevard.
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<i>Related Building Permits/Business Licenses</i>	
There are no related building permits or business licenses that apply to the subject site.	

SUP-34776 - Staff Report Page Two
July 23, 2009 - Planning Commission Meeting

<i>Pre-Application Meeting</i>	
05/13/09	A pre-application meeting was conducted on the indicated date. The following items were discussed at the meeting: • A neighborhood meeting was recommended to applicant. • Conformance with all requirements for a Parking Lot, Commercial and the need for the Waiver for a 24-hour parking lot were discussed.
<i>Neighborhood Meeting</i>	
07/14/09	A neighborhood meeting will occur on July 14th at 6:00 p.m. at the First Presbyterian Church. There were 16 members of the public, six representatives of the applicant, and two members of the City staff. The following questions and concerns were raised by residents: • The proposed use is a horrible use and will erode residential property values. • The use will significantly impact the abutting residential properties due to car alarms, vehicle lights, parking lot lights. • Concerns about traffic on Shadow Lane, Ellis Avenue and traffic cutting through the neighborhood were expressed. • Residents requested that a traffic and parking study be submitted prior to consideration by the Planning Commission. • Concerns were raised about ingress and egress from the site. • Concerns were raised about the safety of pedestrians crossing the street from the parking lot to UMC. • Residents stated that the Scotch 80's neighborhood was being encroached upon by commercial uses and that single-family homes were being lost. • Questions were raised about the historic status of the existing residence on the subject property. • Concerns were raised about an increase of traffic and delays on Charleston because of the proposed use. The applicant suggested that they would investigate the preparation of a traffic study, and would contact attendees if the Planning Commission date were to be delayed in order to prepare the study.
<i>Field Check</i>	
06/18/09	A field check was completed on the indicated date. The following items were observed by Planning and Development staff. • Staff observed two lots. One lot was undeveloped, which previously contained a mobile home park and a second lot with a single-family dwelling on it.

SUP-34776 - Staff Report Page Three
July 23, 2009 - Planning Commission Meeting

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.93 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant and Single-Family Dwelling	O (Office)	R-E (Residence Estates) [Proposed: C-V (Civic)]
North	UMC (University Medical Center) and Offices	UMC (University Medical Center)	PD (Planned Development) and P-R (Professional Office and Parking)
South	Single-Family Dwellings	DR (Desert Rural Density Residential)	R-1 (Single Family Residential) and R-E (Residence Estates)
East	Offices and Retail	O (Office)	P-R (Professional Office and Parking) and C-1 (Limited Commercial)
West	Single-Family Dwellings and Offices	O (Office) and L (Low Density Residential)	R-1 (Single Family Residential) and R-4 (High Density Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		
A-O Airport Overlay District (200 Feet)			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

SUP-34776 - Staff Report Page Four
July 23, 2009 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Waivers		
Requirement	Request	Staff Recommendation
The use of the parking facility shall cease between 9:00 p.m. and 6:00 a.m. including the use of any exterior lighting except for security lighting	The use of the parking lot shall occur 24-hours a day	Denial

ANALYSIS

The proposed 272 space Parking Lot, Commercial use is intended to serve as an overflow parking lot for employees, customers and visitors of University Medical Center (UMC). The parking lot will operate on a 24-hour basis, which is not permitted without a Special Use Permit in a P-R (Professional Office and Parking) zoning district as the conditional hours of operation are between 6:00 a.m. and 9:00 p.m. The proposed 24-hour parking will create an attractive nuisance on the subject site, which will negatively affect existing single-family residences located to the west and south of the subject site. Staff is recommending denial of this Special Use Permit request.

- **Use**

A Parking Lot, Commercial use is defined by Title 19 as a facility for parking that is operated as a business enterprise by charging the public a fee and is not reserved or required to accommodate occupants, clients, customers or employees of a particular establishment or premises.

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 not harmonious and compatible with existing surrounding land uses. The site fails to comply with Title 19.04 requirements, which is evidenced by the requested Waiver. The 24-hour operation does not adequately protect the adjacent single-family residences from the visual and audible impact associated with the proposed use.

2. **“The subject site is physically suitable for the type and intensity of land use proposed.”**

SUP-34776 - Staff Report Page Five
July 23, 2009 - Planning Commission Meeting

The subject site is not physically suitable for the proposed Parking Lot, Commercial use as demonstrated by the associated Waiver. The requested Waiver fails to protect the overall quality of life for the existing adjacent home owners. The 24-hour parking lot is too intense of a use at this location.

- 3. “Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

The site is accessed from both Charleston Boulevard, a 100-foot Primary Arterial, and Ellis Avenue, a 30-foot Local Street as designated by the Master Plan of Streets and Highways. These thoroughfares are capable of accommodating the traffic flow created by the Parking Lot, Commercial use.

- 4. “Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

The proposed Parking Lot, Commercial use fails to comply with Objective 2.2 of the Las Vegas Master Plan 2020. Objective 2.2 seeks compatibility between low density residential land uses within mature neighborhoods to exist in close proximity to non-residential land uses, by incorporating appropriate design or buffer elements to mitigate adverse visual, audible or aesthetic impacts. The proposal for a Parking Lot, Commercial, operated 24-hours per day immediately adjacent to residentially zoned properties will not mitigate these adverse impacts, but rather increase them.

- 5. The use meets all of the applicable conditions per Title 19.04.**

The applicant fails to meet Conditional Use Regulation number four, which requires the use to cease between 9:00 p.m. and 6:00 a.m. As a result, this Special Use Permit is required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

20

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

SUP-34776 - Staff Report Page Six
July 23, 2009 - Planning Commission Meeting

NOTICES MAILED 150

APPROVALS 2

PROTESTS 4



Case Number: **SUP-34776** APN: 162-04-111-018; 162-04-112-005

Name of Representative: Clark County (Randy Tarr)

No

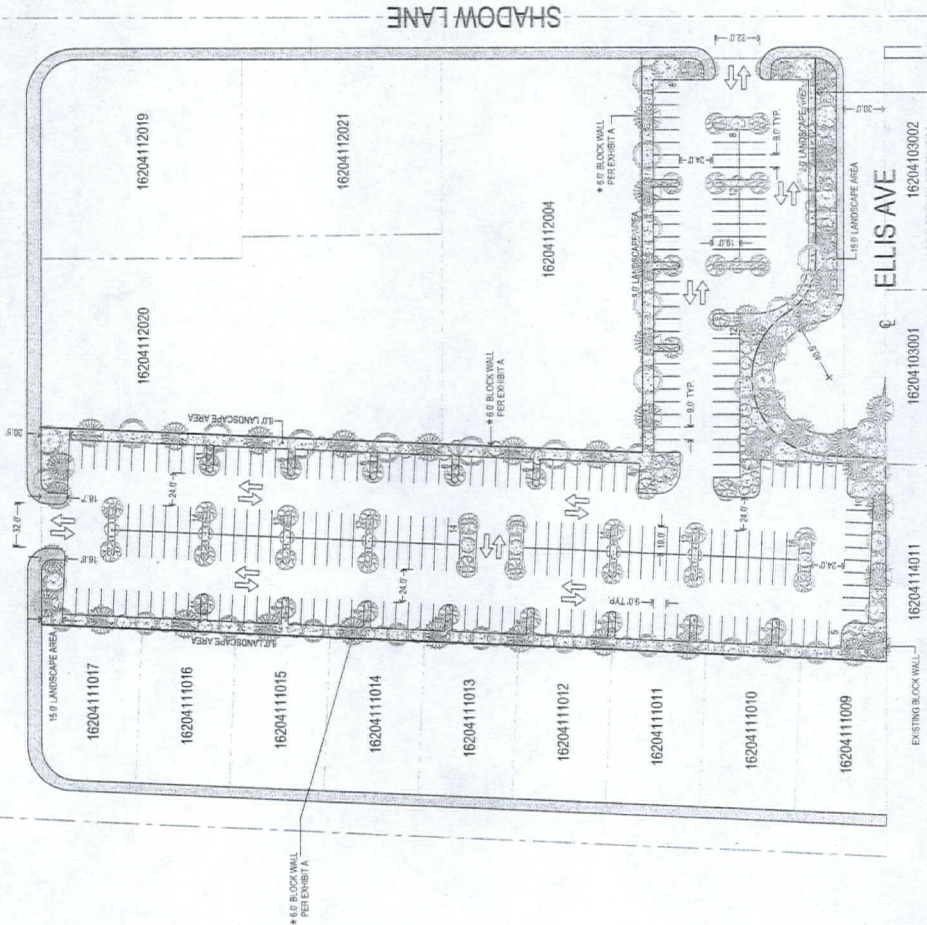
APN: _____

Print Name: John Bielinski, President

Josephine J. Davis
Notary Public in and for said County and State



W CHARLESTON BLVD

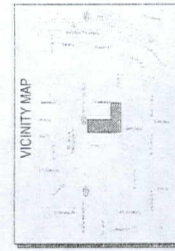


TREES				
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY
	RHUS LANCEA	AFRICAN SIKAM	24" BOX	48
	RHUS ELDERICA	MYRTLE PINE	24" BOX	48
	ALBIZIA JULIBRISSIN	MINOR TREE	24" BOX	44
			TOTAL	138

SHRUBS				
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY
	LEUCOPHYLLUM CREEPING	LEUCOPHYLLUM CREEPING	5 GAL	320
	ACACIA LANTANA	ACACIA LANTANA	5 GAL	320

GROUND COVERS

APPLY MULCH AND PLANTING AREAS 2" DEEP



Received
JUN 29 2009
LMC Parking Lot Overflow

SUP-34776

REVISED

07/23/09 PC





Department of Real Property Management

500 S Grand Central Pky 4th Fl • Box 551825 • Las Vegas NV 89155-1825
(702) 455-4616 • Fax (702) 455-4055

Randy Tarr, Director • Carel Carter, Assistant Director

June 4, 2009

Mr. Ben Sticka
CITY OF LAS VEGAS
PLANNING DEPARTMENT
731 S. Fourth Street
Las Vegas, Nevada 89101

**RE: ZONE CHANGE, SPECIAL USE PERMIT AND SITE DEVELOPMENT PLAN
REVIEW REQUEST FOR PROPERTY LOCATED AT 1823 W. CHARLESTON
BOULEVARD & 1128 SHADOW LANE**

Dear Mr. Sticka:

Clark County, on behalf of the property owner, respectfully requests your approval to rezone two parcels, consisting of 2.93 acres, from R-E (Rural Estates) to PR (Professional Office). These two parcels are located South of Charleston Boulevard and West of Shadow Lane. Both properties fall within the O (Office) land use category therefore, this request conforms to the existing master plan for the area.

At this time, the County intends to develop this property as a 24-hour overflow parking lot for the University Medical Center. As depicted on the site plan, approximately 268 parking spaces are being proposed on this site.

Although the parking facility is a permitted use within the PR zoning category, the request for 24 hour usage requires approval of a Special Use Permit application. The hours are necessary to coincide with the operation of the medical facility.

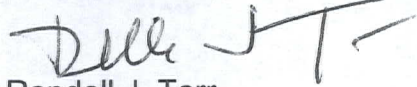
Perimeter block walls will be constructed to provide an appropriate buffer between the residential and commercial uses. All landscaping and residential adjacency standards have been satisfied as required by code.

The property located at 1823 W. Charleston Boulevard, which was previously a mobile home park, remains vacant. The residential house located at 1128 Shadow Lane may be utilized temporarily as office space until demolition is deemed necessary.

RECEIVED
JUN - 8 2009

If you have any questions or comments, please feel free to contact me at (702) 455-6462.

Sincerely,
Clark County
Department of Real Property Management

A handwritten signature in black ink, appearing to read "Randall J. Tarr", with a stylized flourish at the end.

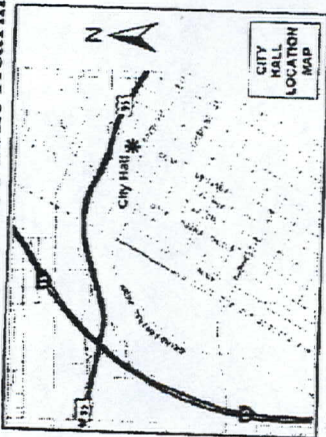
Randall J. Tarr,
Director

RECEIVED
JUN - 8 2009

SUP-34776
07/23/09 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.

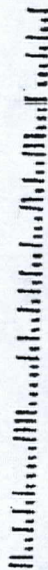
ZON-34775 & SUP-34776

Planning Commission Meeting of 7/23/2009

16204103002
STABLE 1999 SURVIVORS TRUST
1200 SHADOW LN
LAS VEGAS NV 89102-414

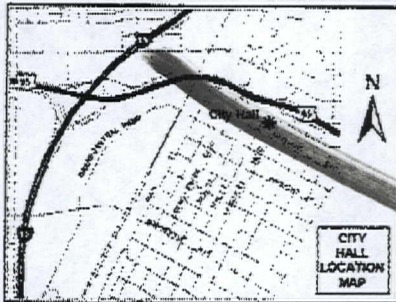
Case: ZON-34775

ENVELOPE 11 43102



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

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Official Notice of Public Hearing



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I SUPPORT
 this Request



I OPPOSE
 this Request

Please use available blank space on card for your comments.

SDR-34777

Planning Commission Meeting of 7/23/2009

16204104005
 FERGUSON HUGH J & KYM
 1210 JAYLAR CIR
 LAS VEGAS NV 89102-2409

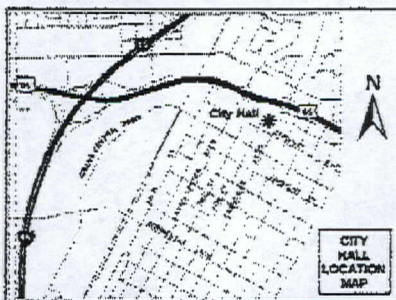
Case: SDR-34777

EAUDF11 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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I SUPPORT
 this Request



I OPPOSE
 this Request

Please use available blank space on card for your comments.

ZON-34775 & SUP-34776

Planning Commission Meeting of 7/23/2009

PREPAID
 FIRST CLASS



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Case: ZON-34775

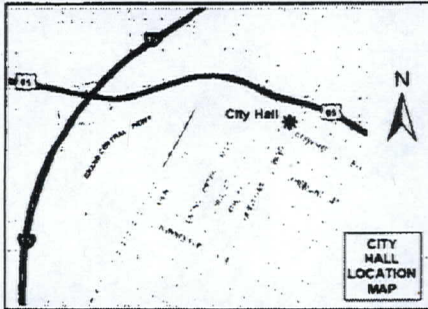
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18P

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-34775 & SUP-34776

Planning Commission Meeting of 7/23/2009

PRESORTED
FIRST CLASS

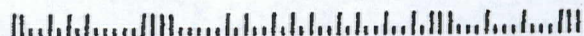


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ROBINSON MARILYN JUNE
1407 WESTWOOD DR
LAS VEGAS NV 89102-2442

Case: ZON-34775

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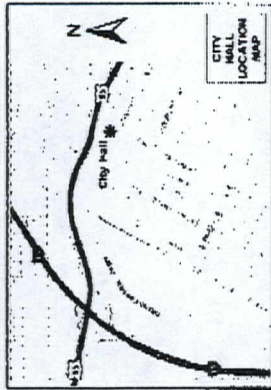
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18P

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-34775 & SUP-34776

Planning Commission Meeting of 7/23/2009

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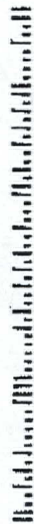
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16204103008
FOX FAMILY TRUST
1250 SHADOW LN
LAS VEGAS NV 89102-2414

Case: ZON-34775



FOX FAMILY TRUST
1250 SHADOW LANE
LAS VEGAS, NV 89102-2414
TEL: (702) 384-8230

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

SUBJECT: ZON-34775; SUP-34776; SDR-3477

Gentlemen:

This letter is to inform you that the Fox Family Trust is for all of the subject actions. We know Mr. John Bielinski and believe that his intended plans are best for the property that he owns. Any questions can be directed to me at the above telephone number.

Sincerely,

Morton Fox
Fox Family Trust
Morton Fox, Trustee

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JULY 23, 2009

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

**SDR-34777 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING -
APPLICANT: CLARK COUNTY - OWNER: ELLIS AVENUE PROPERTIES AND
JOHN BIELINSKI - Request for a Site Development Plan Review FOR A PROPOSED 272
SPACE PARKING LOT, COMMERCIAL on 2.93 acres at 1823 West Charleston Boulevard
and 1128 Shadow Lane (APNs 162-04-111-018 and 162-04-112-005), Ward 1 (Tarkanian)**

C.C.: 08/19/2009

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

4

City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

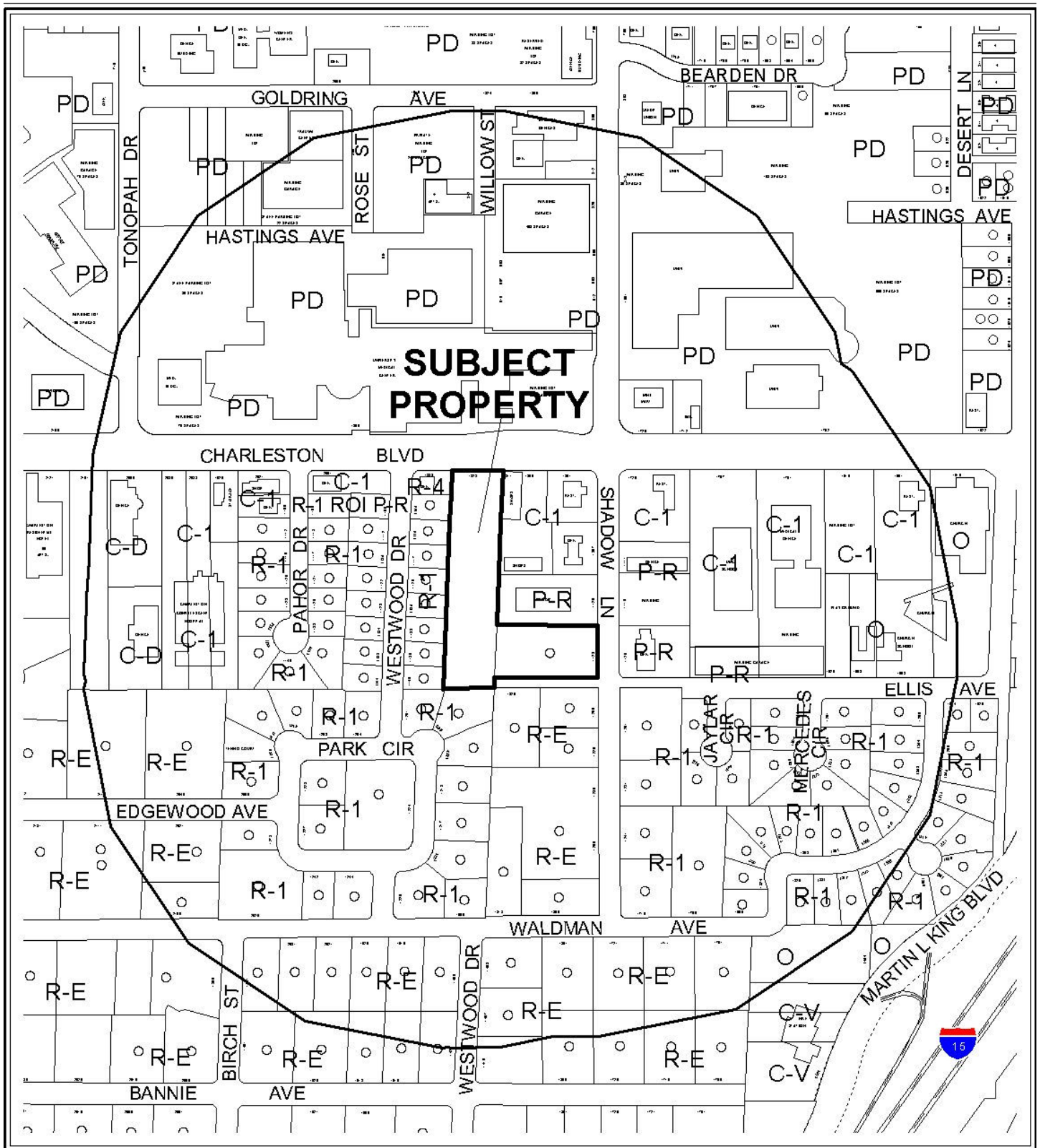
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RECOMMENDATION:

DENIAL

BACKUP DOCUMENTATION:

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



CASE: SDR-34777

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

P-R (PROFESSIONAL OFFICE AND PARKING)



CASE: SDR-34777

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

P-R (PROFESSIONAL OFFICE AND PARKING)

0 400 800 Feet



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JULY 23, 2009****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-34777 - APPLICANT: CLARK COUNTY - OWNER: ELLIS AVENUE PROPERTIES AND JOHN BIELINSKI**

**** 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 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 06/08/09, except as amended by conditions herein.
3. Pursuant to Title 19.12.075 Landscape, Wall and Buffer requirements a six-foot high masonry wall shall be installed and maintained along all property lines that adjoin residential zones, prior to approval of a final inspection.
4. The applicant shall work with City staff to determine the most appropriate mapping action necessary to consolidate all existing parcels. The mapping action shall be completed and recorded prior to issuance of any permits.
5. 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.
6. 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 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.
7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

SDR-34777 - Conditions Page Two
July 23, 2008 - Planning Commission Meeting

8. 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.
9. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
10. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

11. Dedicate the necessary right-of-way to construct an 81-foot diameter cul-de-sac bulb offset to the north located at the terminus of Ellis Avenue which excludes a sidewalk area. Also, dedicate a 15 foot radius on the northwest corner of Shadow Lane and Ellis Avenue prior to the issuance of any permits.
12. Construct half-street improvements including the required offset cul-de-sac bulb on Ellis Avenue adjacent to this site. The sidewalk along the north side of Ellis Avenue shall be terminated at the point of curvature of the required cul-de-sac bulb. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
13. No streetlights shall be installed adjacent to this site at this time. However, underground conduit for the future installation of streetlights shall be provided by the applicant concurrent with construction of this site. The developer shall provide to the City such streetlights for the future installation; alternatively, monies in lieu of such streetlights may be contributed to the City if allowed by the Department of Public Works.
14. The driveway accessing this site from Shadow Lane shall be designed, located and constructed in accordance with Standard Drawing #222a. The driveway on Charleston Boulevard shall meet the intent of Standard Drawing #222a unless otherwise allowed by the City Traffic Engineer. Coordinate the design of the driveways, including the possibility of right turn restrictions on Shadow Lane with the City of Las Vegas Traffic Engineer.

SDR-34777 - Conditions Page Three
July 23, 2008 - Planning Commission Meeting

15. Landscape and maintain all unimproved rights-of-way, if any, on Ellis Avenue adjacent to this site. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
16. Submit an Encroachment Agreement for all landscaping, if any, located in the Ellis Avenue public right-of-way adjacent to this site prior to issuance of permits for this site.
17. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Charleston Boulevard public right-of-way adjacent to this site prior to the issuance of any permits.
18. 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-34777 - Staff Report Page One
July 23, 2009 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site consists of two lots containing a single-family dwelling and an undeveloped parcel located at 1823 West Charleston and 1128 Shadow Lane. The applicant is proposing to build a 272 space Parking Lot, Commercial and as a part of the associated Special Use Permit (SUP-34776) is requesting a Waiver to allow 24-hour parking where parking between the hours of 9:00 a.m. and 6:00 a.m. is not allowed. The parking lot will serve as additional parking for employees and the public at UMC (University Medical Center). If denied, the site will remain unchanged. The proposed Parking Lot, Commercial is incompatible with adjacent single-family homes and will create a nuisance if approved for 24-hour use; therefore staff is recommending denial of the subject application.

Issues:

- Approval of associated requests for a Rezoning (ZON-34775) from R-E (Residence Estates) to P-R (Professional Office and Parking) and Special Use Permit (SUP-34776) is required to approve this request for a Site Development Plan Review.
- Staff cannot support the subject Site Development Plan Review, as staff cannot support the related Special Use Permit (SUP-34776). The requested Waiver to allow 24-hour parking where parking between the hours of 9:00 a.m. and 6:00 a.m. is not appropriate given its proximity to existing single-family residences.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
12/30/04	A deed was recorded for a change of ownership at 1128 Shadow Lane.
07/27/06	A deed was recorded for a change of ownership at 1823 West Charleston Boulevard.
10/12/06	A Code Enforcement citation (#47055) was issued for a vacant lot, which contains the following items; trash, empty beer bottles and overgrown vegetation littering the entire property. The interior walls that are plainly visible from Charleston are covered with gang graffiti at 1823 West Charleston Boulevard.

SDR-34777 - Staff Report Page Two
July 23, 2009 - Planning Commission Meeting

07/23/09	The Planning Commission will hear a related Rezoning (ZON-34775) from R-E (Residence Estates) to P-R (Professional Office and Parking) and a Special Use Permit (SUP-34776) for a proposed Parking Lot, Commercial with a Waiver to allow 24-hour parking where parking between the hours of 9:00 p.m. and 6:00 a.m. is not permitted on 2.93 acres at 1823 West Charleston Boulevard and 1128 Shadow Lane.
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses that apply to the subject site.	
<i>Pre-Application Meeting</i>	
05/13/09	A pre-application meeting was conducted on the indicated date. The following items were discussed at the meeting: • A neighborhood meeting was recommended to applicant. • Conformance with all requirements for a Parking Lot, Commercial and the need for the Waiver for a 24-hour parking lot were discussed.
<i>Neighborhood Meeting</i>	
07/14/09	A neighborhood meeting will occur on July 14th at 6:00 p.m. at the First Presbyterian Church. There were 16 members of the public, six representatives of the applicant, and two members of the City staff. The following questions and concerns were raised by residents: • The proposed use is a horrible use and will erode residential property values. • The use will significantly impact the abutting residential properties due to car alarms, vehicle lights, parking lot lights. • Concerns about traffic on Shadow Lane, Ellis Avenue and traffic cutting through the neighborhood were expressed. • Residents requested that a traffic and parking study be submitted prior to consideration by the Planning Commission. • Concerns were raised about ingress and egress from the site. • Concerns were raised about the safety of pedestrians crossing the street from the parking lot to UMC. • Residents stated that the Scotch 80's neighborhood was being encroached upon by commercial uses and that single-family homes were being lost. • Questions were raised about the historic status of the existing residence on the subject property. • Concerns were raised about an increase of traffic and delays on Charleston because of the proposed use. The applicant suggested that they would investigate the preparation of a traffic study, and would contact attendees if the Planning Commission date were to be delayed in order to prepare the study.

SDR-34777 - Staff Report Page Three
July 23, 2009 - Planning Commission Meeting

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Site Area	
Net Acres	2.93 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped and Single-Family Dwelling	O (Office)	R-E (Residence Estates) [Proposed: C-V (Civic)]
North	UMC (University Medical Center) and Offices	UMC (University Medical Center)	PD (Planned Development) and P-R (Professional Office and Parking)
South	Single-Family Dwellings	DR (Desert Rural Density Residential)	R-1 (Single Family Residential) and R-E (Residence Estates)
East	Offices and Retail	O (Office)	P-R (Professional Office and Parking) and C-1 (Limited Commercial)
West	Single-Family Dwellings and Offices	O (Office) and L (Low Density Residential)	R-1 (Single Family Residential) and R-4 (High Density Residential)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts	X		
A-O Airport Overlay District (200 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
			BTS

SDR-34777 - Staff Report Page Four
July 23, 2009 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Pursuant to Title 19.08 Development Standards, the following standards are proposed: There are no permanent structures; therefore there are no required setbacks.

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size			
• 1823 West Charleston Boulevard	N/A	1.97 acres	N/A
• 1128 Shadow Lane	N/A	0.96 acres	N/A
Min. Lot Width			
• 1823 West Charleston Boulevard	60 Feet	140 Feet	Y
• 1128 Shadow Lane	60 Feet	145 Feet	Y

Pursuant to Title 19.12, the following landscaping standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Trees/ 6 Spaces	45 Trees	45 Trees	Y
Buffer:				
Min. Trees				
North: right-of-way	1 Tree/ 20 Linear Feet	6 Trees	6 Trees	Y
North: interior	1 Tree/ 30 Linear Feet	10 Trees	10 Trees	Y
South: right-of-way	1 Tree/ 20 Linear Feet	15 Trees	16 Trees	Y
South: interior	1 Tree/30 Linear Feet	5 Trees	8 Trees	Y
East: right-of-way	1 Tree/20 Linear Feet	5 Trees	6 Trees	Y
East: interior	1 Tree/30 Linear Feet	15 Trees	15 Trees	Y
West: interior	1 Tree/30 Linear Feet	21 Trees	21 Trees	Y
TOTAL		122 Trees	127 Trees	Y
Min. Zone Width				
North: right-of-way	15 Feet		16 Feet	Y
North: interior	8 Feet		8 Feet	Y
South: right-of-way	15 Feet		15 Feet	Y
South: interior	8 Feet		8 Feet	Y
East: right-of-way	15 Feet		15 Feet	Y
East: interior	8 Feet		8 Feet	Y
West: interior	8 Feet		8 Feet	Y
Wall Height	6 Feet		6 Feet	Y

SDR-34777 - Staff Report Page Five
July 23, 2009 - Planning Commission Meeting

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	
Parking Lot, Commercial	N/A		0		272	0	
TOTAL					272		N/A

ANALYSIS

The applicant is proposing to develop a 272 space Parking Lot, Commercial use. The proposed parking lot will serve as an overflow lot for employees, customers and visitors of University Medical Center (UMC). An associated Special Use Permit (SUP-34776) has been submitted to allow the Parking Lot, Commercial use with a Waiver to operate on a 24-hour basis as required in a P-R (Professional Office and Parking) zoning district. The illuminated Parking Lot, Commercial use meets all landscaping requirements and is proposed to be surrounded by a six-foot block wall.

The Parking Lot, Commercial is not an appropriate use at this location. The applicant has indicated that the parking lot will operate on a 24-hour basis. This will create an audible and visual nuisance for the existing single-family residences, which are located to the west and south of the subject site; therefore staff is recommending denial of the subject Site Development Plan Review.

FINDINGS

The following findings must be made for a Site Development Plan Review:

- 1. The proposed development is compatible with adjacent development and development in the area;**

The proposed 24-hour parking lot will create both an audible and visual nuisance, and is not compatible with the adjacent residential developments.

- 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 both Title 19 and General Plan requirements.

SDR-34777 - Staff Report Page Six
July 23, 2009 - Planning Commission Meeting

3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;

The site is accessed from both Charleston Boulevard, a 100-foot Primary Arterial, and Ellis Avenue, a 30-foot Local Street as designated by the Master Plan of Streets and Highways. These thoroughfares are capable of accommodating the traffic flow created by the Parking Lot, Commercial use.

4. Building and landscape materials are appropriate for the area and for the City;

The applicant meets or exceeds all minimum landscaping requirements for the subject site and for this area of the City.

5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;

The Parking Lot, Commercial is unharmonious and incompatible, as it is adjacent to existing single-family homes.

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

19

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 150

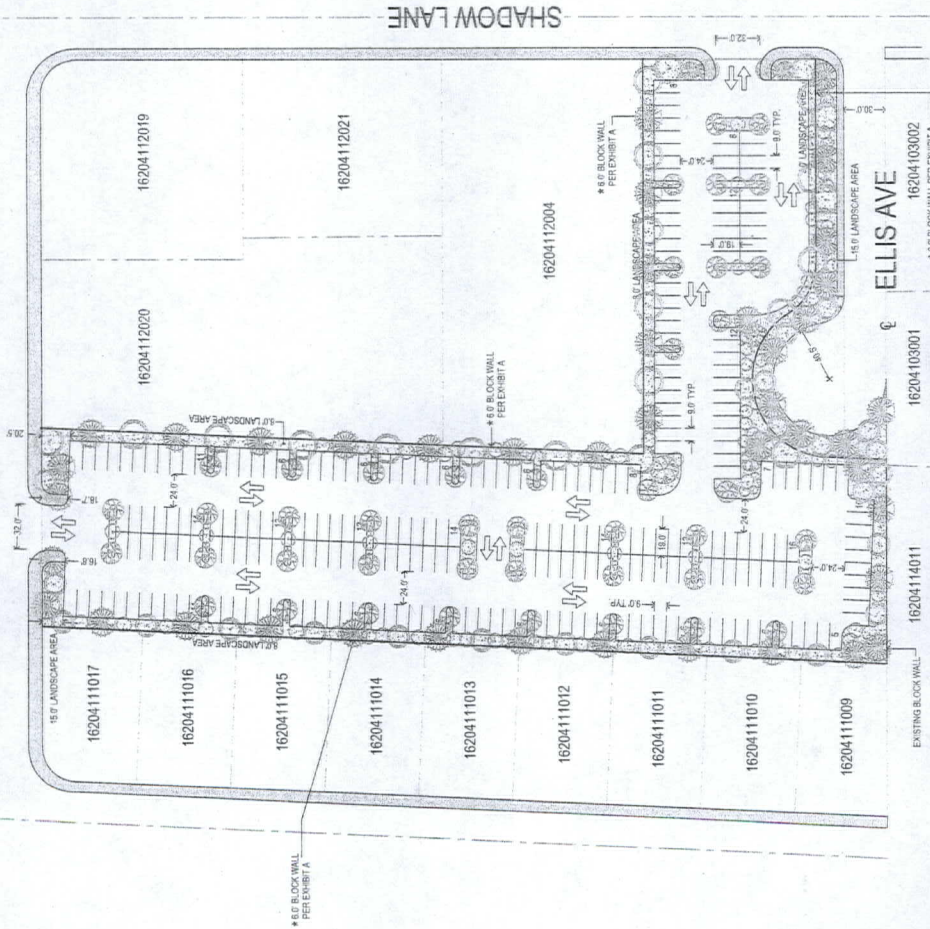
APPROVALS 1

PROTESTS 4



STATEMENT OF FINANCIAL INTEREST

W CHARLESTON BLVD



TREES	BOTANICAL NAME	COMMON NAME	SIZE	QTY	NOTES
	RUS LANCEA	AFRICAN SIMAC	24" BOX	45	NOT TO EXCEED 30' O.C.
	PRUS FLORIDA	MOORELL PINE	24" BOX	45	NOT TO EXCEED 30' O.C.
	ALBIA JULIENSSON	MAUSA TREE	24" BOX	44	NOT TO EXCEED 30' O.C.
			TOTAL	134	

SHRUBS	BOTANICAL NAME	COMMON NAME	SIZE	QTY	NOTES
	LEUCODENDRUM	LEUCODENDRUM	5 GAL	320	SHRUBS PER SITE
	ACACIA	ACACIA	5 GAL	320	SHRUBS PER SITE
	TRAILING LANTANA	TRAILING LANTANA	5 GAL	320	SHRUBS PER SITE

GROUND COVERS

APPLY MULCH ALL PLANTING AREAS 2" DEEP



SDR-34777

REVISED

07/23/09 PC

RECEIVED
JUN 23 2009

CLARK COUNTY
DEPARTMENT OF REAL PROPERTY MANAGEMENT
ACQUISITION, DESIGN & CONSTRUCTION DIVISION
500 S. GRAND CENTRAL PARKWAY
LAS VEGAS, NEVADA 89102
(702) 455-6731



UWC PARKING OVERFLOW
AT CHARLESTON BLVD AND SHADOW LANE
SITE PLAN
SCALE: 1" = 40'-0"
DATE: 07/23/09



Department of Real Property Management

500 S Grand Central Pky 4th Fl • Box 551825 • Las Vegas NV 89155-1825
(702) 455-4616 • Fax (702) 455-4055

Randy Tarr, Director • Carel Carter, Assistant Director

June 4, 2009

Mr. Ben Sticka
CITY OF LAS VEGAS
PLANNING DEPARTMENT
731 S. Fourth Street
Las Vegas, Nevada 89101

**RE: ZONE CHANGE, SPECIAL USE PERMIT AND SITE DEVELOPMENT PLAN
REVIEW REQUEST FOR PROPERTY LOCATED AT 1823 W. CHARLESTON
BOULEVARD & 1128 SHADOW LANE**

Dear Mr. Sticka:

Clark County, on behalf of the property owner, respectfully requests your approval to rezone two parcels, consisting of 2.93 acres, from R-E (Rural Estates) to PR (Professional Office). These two parcels are located South of Charleston Boulevard and West of Shadow Lane. Both properties fall within the O (Office) land use category therefore, this request conforms to the existing master plan for the area.

At this time, the County intends to develop this property as a 24-hour overflow parking lot for the University Medical Center. As depicted on the site plan, approximately 268 parking spaces are being proposed on this site.

Although the parking facility is a permitted use within the PR zoning category, the request for 24 hour usage requires approval of a Special Use Permit application. The hours are necessary to coincide with the operation of the medical facility.

Perimeter block walls will be constructed to provide an appropriate buffer between the residential and commercial uses. All landscaping and residential adjacency standards have been satisfied as required by code.

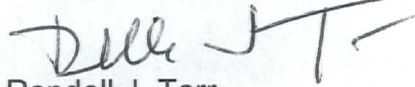
The property located at 1823 W. Charleston Boulevard, which was previously a mobile home park, remains vacant. The residential house located at 1128 Shadow Lane may be utilized temporarily as office space until demolition is deemed necessary.

RECEIVED
JUN - 8 2009

SDR-34777
07/23/09 PC

If you have any questions or comments, please feel free to contact me at (702) 455-6462.

Sincerely,
Clark County
Department of Real Property Management



Randall J. Tarr,
Director

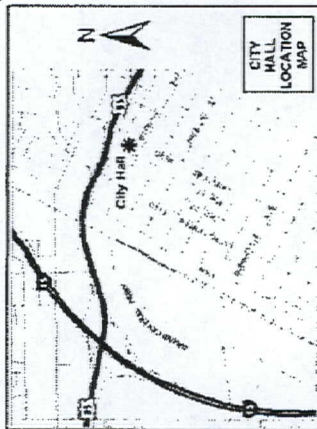
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SDR-34777
07/23/09 PC

19P

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

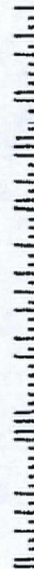
Please use available blank space on card for your comments.

SDR-34777

Planning Commission Meeting of 7/23/2009

Case: SDR-34777
16204103002
STABILE 1999 SURVIVORS TRUST
1200 SHADOW LN
LAS VEGAS NV 89102-2414

ENCLOSURE



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

Return Service Requested
Official Notice of Public Hearing



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I SUPPORT
this Request



I OPPOSE
this Request

Please use available blank space on card for your comments.

SDR-34777

Planning Commission Meeting of 7/23/2009

16204104005
FERGUSON HUGH J & KYM
1210 JAYLAR CIR
LAS VEGAS NV 89102-2409

Case: SDR-34777

EAUDF11 59102



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-34775 & SUP-34776

Planning Commission Meeting of 7/23/2009

16204104005
FERGUSON HUGH J & KYM
1210 JAYLAR CIR
LAS VEGAS NV 89102-2409

Case: ZON-34775

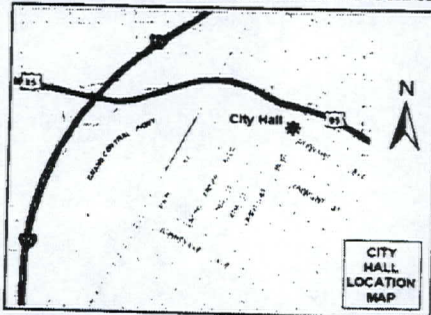
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198

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-34777

Planning Commission Meeting of 7/23/2009

PRESORTED
FIRST CLASS



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16204210025
ROBINSON MARILYN JUNE
1407 WESTWOOD DR
LAS VEGAS NV 89102-2442

Case: SDR-34777

2016 11 15 11:51



19P

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-34777

Planning Commission Meeting of 7/23/2009

PRESORTED
FIRST CLASS



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16204114003
KIFER MARIANNE HICKS TRUST
2020 WALDMAN AVE
LAS VEGAS NV 89102-2441

Case: SDR-34777

EVADP11 59102



198

FOX FAMILY TRUST
1250 SHADOW LANE
LAS VEGAS, NV 89102-2414
TEL: (702) 384-8230

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

SUBJECT: ZON-34775; SUP-34776; SDR-3477

Gentlemen:

This letter is to inform you that the Fox Family Trust is for all of the subject actions. We know Mr. John Bielinski and believe that his intended plans are best for the property that he owns. Any questions can be directed to me at the above telephone number.

Sincerely,

Morton Fox
Fox Family Trust
Morton Fox, Trustee

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JULY 23, 2009

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VAR-34662 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: REBECCA CARR - Request for a Variance TO ALLOW AN 11-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED AND A FOUR-FOOT ENCROACHMENT FOR AN ARCHITECTURAL FEATURE (ROOF EAVE) WHERE TWO FEET IS THE MAXIMUM PERMITTED FOR AN EXISTING CARPORT on 0.15 acres at 521 Byrnes Avenue (APN 139-22-410-133), R-1 (Single Family Residential) Zone, Ward 5 (Barlow)

C.C.: 08/19/2009

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

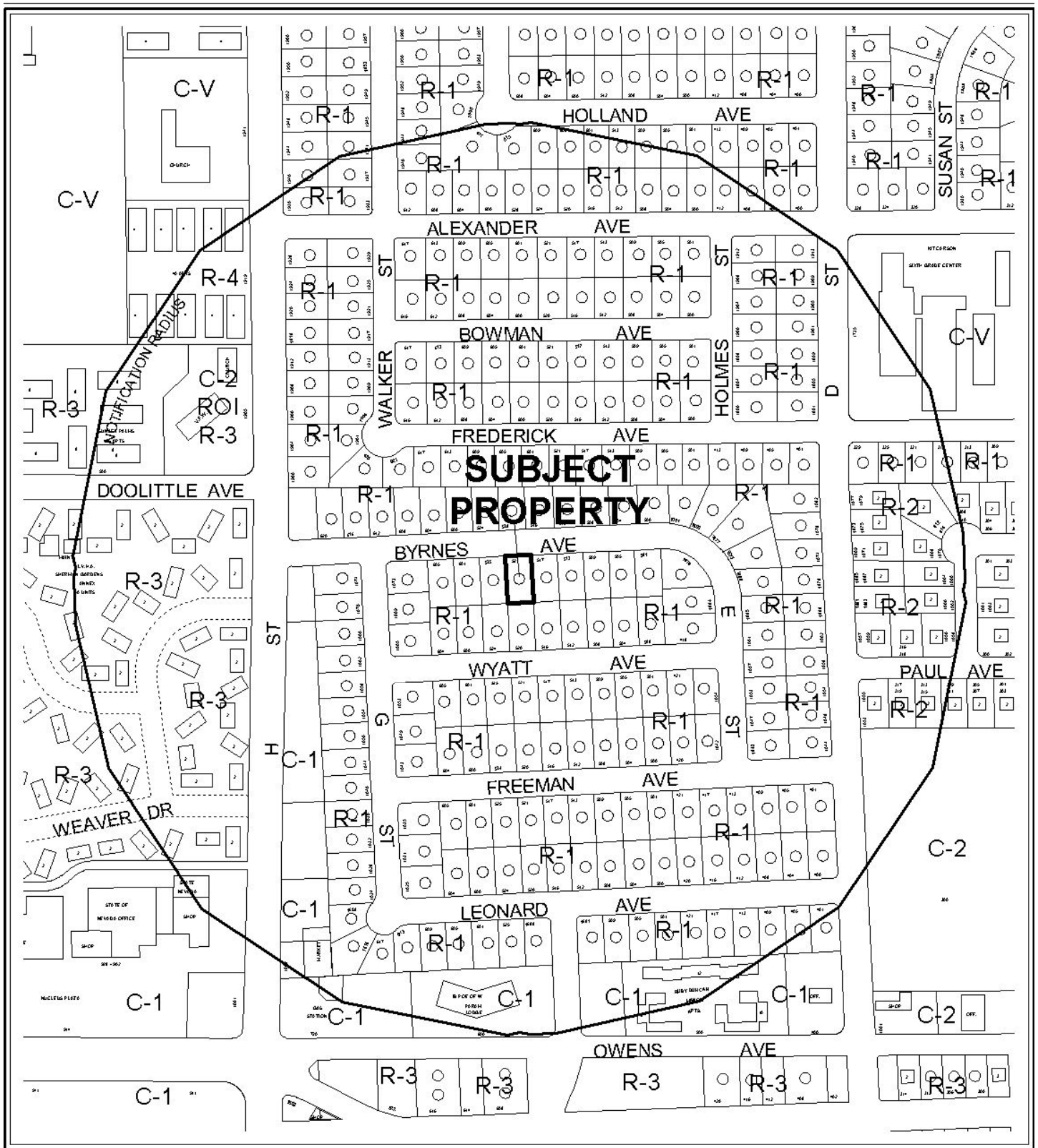
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RECOMMENDATION:

DENIAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter



CASE: VAR-34662

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL)

0 300 600 Feet





CASE: VAR-34662

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL)



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 23, 209

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-34662 - APPLICANT/OWNER: REBECCA CARR

**** 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. A revised site plan shall be submitted to and approved by the Planning and Development, prior to or at the time application is made for a building permit, to accurately depict the minimum five-foot side yard setbacks required for the property.

VAR-34662 - Staff Report Page One
July 23, 2009 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site contains an existing single-family residence located at 521 Byrnes Avenue. The applicant is requesting this Variance for an existing carport constructed within the front yard setback area without the required permits. The carport does not meet Title 19.08.040 standards, which require a 20-foot front yard setback and limit encroachment of architectural features, including a roof eave, to no more than two feet into any required setback area. If this request is denied, the carport must be either removed or redesigned to meet all setback requirements of Title 19.08. Staff is recommending denial of this request as the applicant has provided no evidence of unique or extraordinary circumstances and has created a self-imposed hardship by constructing the carport prior to obtaining all required permits.

Issues:

- Construction commenced before obtaining the necessary permits from the Department of Building and Safety. The applicant has submitted an application for a building permit for the proposed structure on 05/26/09, which has since been denied by the Planning and Development Department pending approval of this request.
- The structural elements of the carport, as constructed, are set back only 11 feet from the front property line where 20 feet is required. The roof eave of the structure extends an additional four feet into the required setback area where a maximum of two feet is allowed.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/02/80	Last change of Ownership
<i>Related Building Permits/Business Licenses</i>	
02/18/09	A building permit (#133177) was issued for a room addition at 521 Byrnes Avenue. The project was completed on 05/05/09.
05/26/09	An application for a building permit (#140237) was submitted for a carport at 521 Byrnes Avenue. It has since been denied by the Planning and Development Department pending approval of this Variance request.
<i>Pre-Application Meeting</i>	
05/22/09	A pre-application meeting with the applicant was held where elements of submitting a Variance were discussed. Topics included: • Title 19 Zoning Code setback requirements • Application Materials and Documents • Meeting Dates and Deadlines • Variance approval criteria

VAR-34662 - Staff Report Page Two
July 23, 2009 - Planning Commission Meeting

<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one conducted.	
<i>Field Check</i>	
06/18/09	During a routine site inspection staff observed existing wooden framing for a carport, which encroached into the required 20-foot front yard setback of the subject site.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.15

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single-Family Residence	L (Low Density Residential)	R-1 (Single-Family Residential)
North	Single-Family Residence	L (Low Density Residential)	R-1 (Single-Family Residential)
South	Single-Family Residence	L (Low Density Residential)	R-1 (Single-Family Residential)
East	Single-Family Residence	L (Low Density Residential)	R-1 (Single-Family Residential)
West	Single-Family Residence	L (Low Density Residential)	R-1 (Single-Family Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
West Las Vegas Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
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

VAR-34662 - Staff Report Page Three
July 23, 2009 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Title 19.08.040 Standards

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	6,500 SF	6,534 SF	Y
Min. Setbacks			
• Front	20 Feet	11 Feet	N
• Side	5 Feet	5 Feet	Y
Max. Lot Coverage	50%	35%	Y
Max. Building Height	2 stories or 35 feet, whichever is less	12 Feet	Y

ANALYSIS

The subject site is an existing single-family residence located at 521 Byrne Avenue. This is a request for a Variance to allow an 11-foot front yard setback where a 20-foot front yard setback is required, and to allow a 4-foot architectural feature (roof eave) where two feet is the maximum. The applicant has indicated that the carport was constructed because the property has no garage or shade for a vehicle in the drive way.

The request for this Variance is a result of a self-imposed hardship. The placement of the addition to the principle dwelling within the front yard setback area was determined before consulting Title 19 standards. In addition, construction commenced before obtaining the necessary permits from the Department of Building and Safety. Had the applicant consulted with the City prior to construction to determine allowable setbacks for the principle dwelling the need for a Variance could have been eliminated. The proposed deviations are preferential in nature and are self-imposed; therefore staff recommends denial.

FINDINGS

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

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

VAR-34662 - Staff Report Page Four
July 23, 2009 - Planning Commission Meeting

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 commencing construction for an addition to the principle dwelling, prior to consulting with the City of Las Vegas. An alternative site design removing the additions to the principle dwelling within the front yard setback area 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 6

SENATE DISTRICT 4

NOTICES MAILED 298

APPROVALS 0

PROTESTS 0



of Financial Interest.doc

RECEIVED
MAY 29 2009

ADDITION →

REBECCA CARR
521 BYRNES AVE.
Las Vegas, NV 89101

Received
MAY 20 2009

VAR-34662
07/23/09 PC



TOM SCOTT CONSTRUCTION, INC.
5416 Alabaster Court LV, NV 89149
office 395-7303 cell 595-9748 fax 395-7303
e mail thomaspconfig1078@cox.net
B2# 47824A C2# 26400

Rebecca Carr
521 Byrnes
Las Vegas NV 89106

May 28, 2009

City of Las Vegas
Planning and Development Department
Las Vegas, NV 89101

Justification Letter

Applicant requests Variance to construct Carport at front of home. The Carport will encroach 9 feet into the existing 20 foot setback.

The property has no garage or shade for a vehicle in the driveway. There are several other properties on this street and adjoining areas which have constructed similar structures for the same use.

The existing 20 foot setback would allow for only a 7 foot deep carport. Compact cars are about twelve feet long. We seek permission by variance for an 11 foot set back, allowing for a 16 foot deep carport plus overhang.

Respectfully Yours,

Tam Scott 05/28/09
Tom Scott/Owners Representative

VAR-34662
07/23/09 PC
RECEIVED
MAY 29 2009

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JULY 23, 2009

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VAR-34780 - VARIANCE - PUBLIC HEARING - APPLICANT: CLEAR WIRELESS, LLC - OWNER: SUN CITY SUMMERLIN COMMUNITY - Request for a Variance TO ALLOW A 127-FOOT SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE 210 FEET FOR A PROPOSED 70-FOOT TALL WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN (MONOPALM) on 0.45 acres on the north side of the Sun City Boulevard and Lake Mead Boulevard intersection (APN 137-13-897-002),P-C (Planned Community) Zone, Ward 4 (Anthony)

C.C.: 08/19/2009

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

7

City Council Meeting

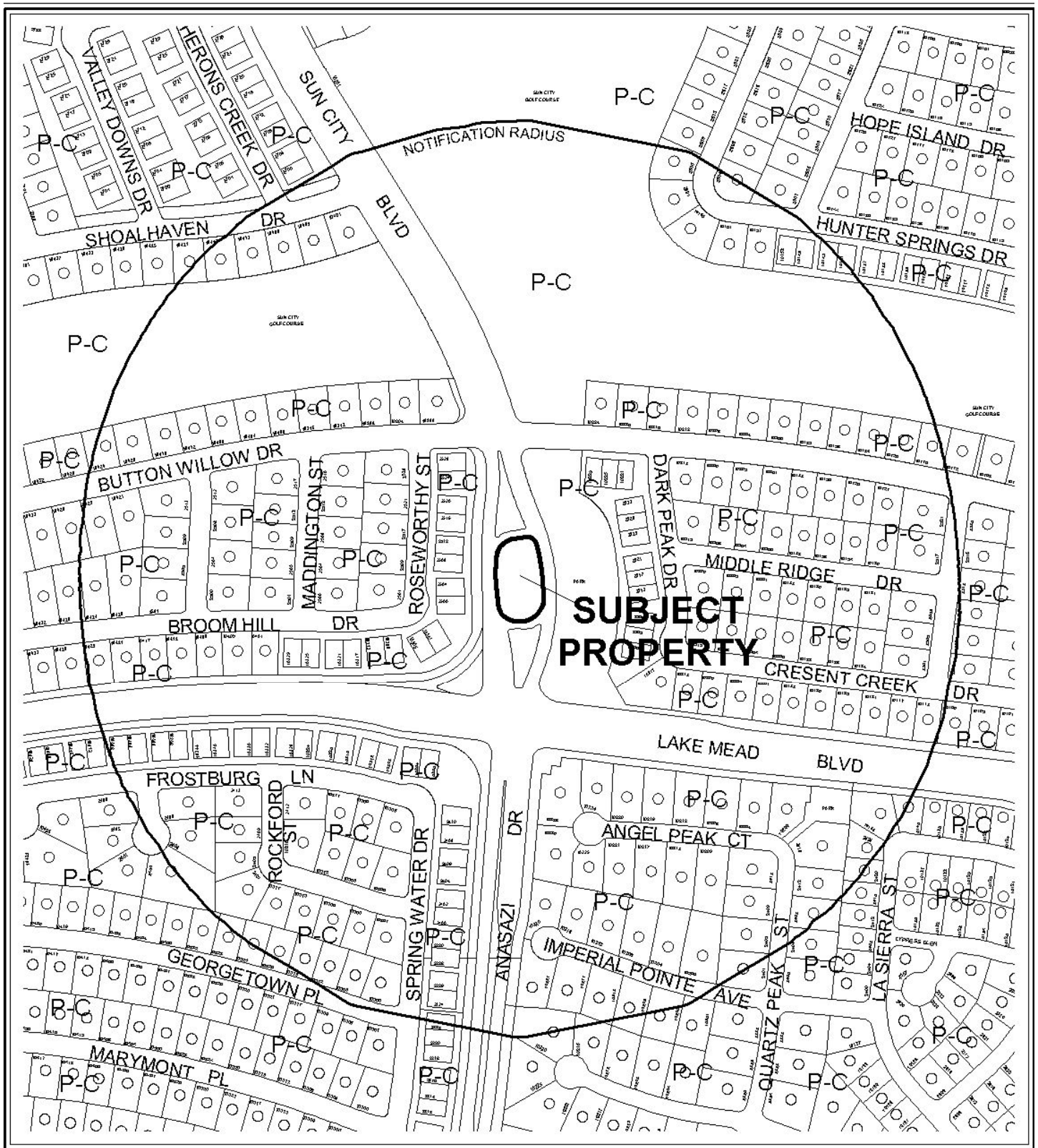
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RECOMMENDATION:

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

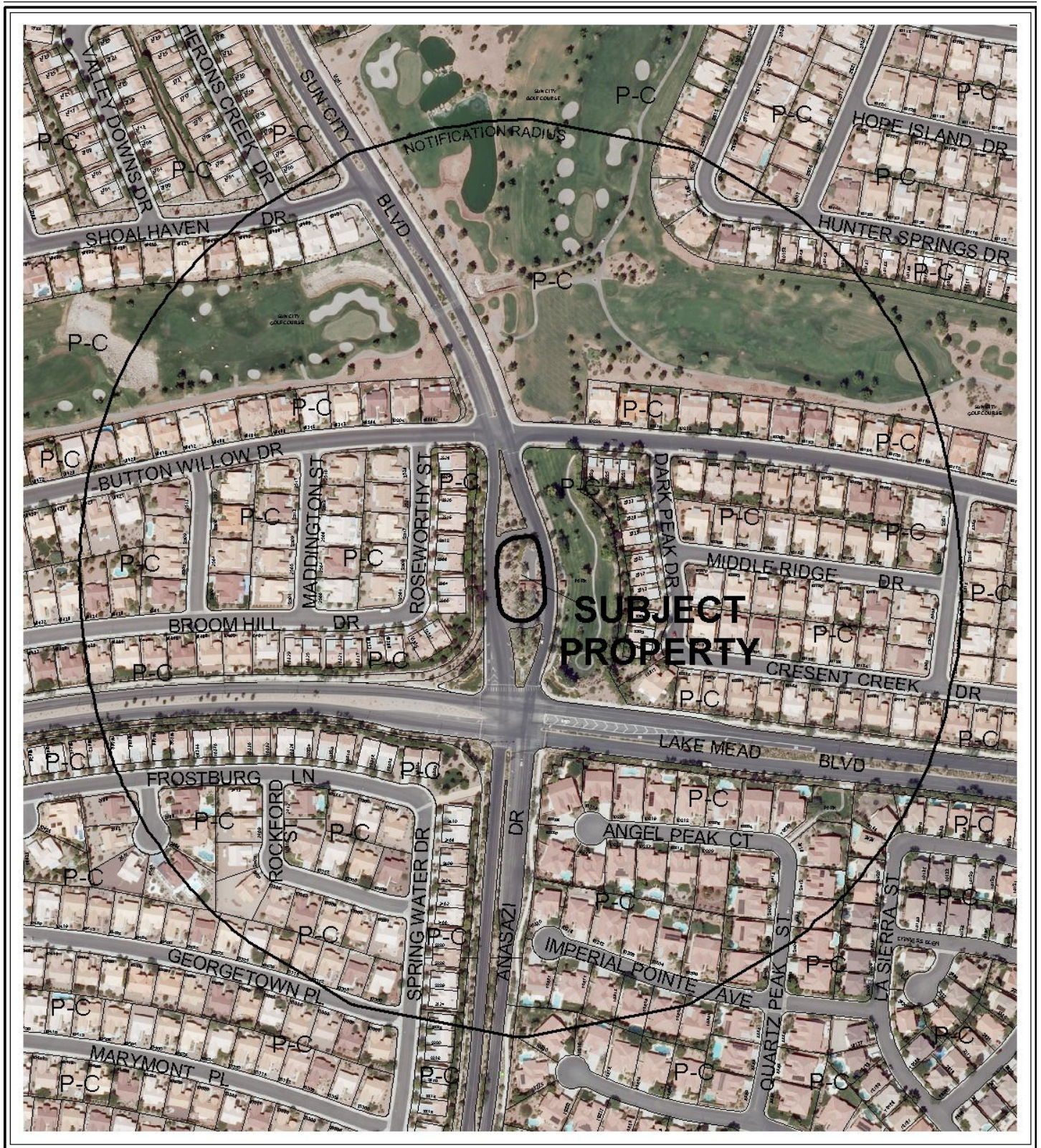


CASE: VAR-34780

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: P-C (PLANNED COMMUNITY)





CASE: VAR-34780

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: P-C (PLANNED COMMUNITY)

0 300 600 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 23, 209

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-34780 - APPLICANT: CLEAR WIRELESS, LLC -

OWNER: SUN CITY SUMMERLIN COMMUNITY

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Approval of and conformance to the conditions for Special Use Permit (SUP-34779), 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-34780 - Staff Report Page One
July 23, 2009 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Variance to allow a 127-foot setback where Residential Adjacency Standards require 210 feet for a proposed Wireless Communication Facility, Stealth Design (Monopalm) on 0.45 acres located north of Lake Mead Boulevard at Sun City Boulevard. In addition to this application, the applicant has submitted a Special Use Permit (SUP-34779) for a proposed 70-foot tall Wireless Communication Facility, Stealth Design (Monopalm) on the subject property. If this application is denied, the proposed Wireless Communications Facility will have to be redesigned or relocated to comply with Title 19.

Issues:

- The placement of this proposed tower will intensify the visual impact on the existing single-family homes to the west. Staff finds that the subject property is not suitable for the additional proposed use, therefore, denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
06/03/87	The City Council approved a Rezoning (Z-0044-87) of property located south of Cheyenne Avenue between Buffalo Drive and Hualapai Way from N-U (Non-Urban) to PC (Planned Community)
04/26/88	The Planning Commission approved a Plot Plan Review [Z-0044-87(1)] for a temporary construction equipment maintenance yard and fuel storage tanks, on property located on the west side of Rampart Boulevard, north of Lake Mead Boulevard.
05/31/88	The Planning Commission approved a Plot Plan Review [Z-0044-87(2)] for Sun City/Summerlin main entrance design on property located on the north side of Lake Mead Boulevard, west of Rampart Boulevard.
01/18/89	The City Council approved a Plot Plan Review [Z-0044-87(5)] to amend the Summerlin Development Standards to allow multi-family uses in the commercial area.
11/21/90	The City Council approved a Plot Plan Review [Z-0044-87(3)] for Summerlin Village I on property located on the west side of Rampart Boulevard, between Lake Mead Boulevard and the Summerlin Parkway.
10/16/91	The City Council approved a Plot Plan Review [Z-0044-87(4)] to amend the Master Development Plan of the Sun City portion of the Summerlin Master Plan to relocate commercial sites, churches and the realignment of Sun City Boulevard.

VAR-34780 - Staff Report Page Two
July 23, 2009 - Planning Commission Meeting

<i>Related Building Permits/Business Licenses</i>	
08/06/92	Original construction date for the Sun City Summerlin entry building located at 10499 Sun City Boulevard.
<i>Pre-Application Meeting</i>	
03/26/09	A pre-application meeting was held with the applicant where the requirements for submitting a Special Use Permit and a Variance were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not held, nor was one required.	
<i>Field Check</i>	
06/18/09	During a routine field check staff observed a well maintained open space area.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.45

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Open Space, Wireless Communication Facility, Stealth Design	PR-OS (Parks/Recreation/Open Space)*	P-C (Planned Community)
North	Open Space	PR-OS (Parks/Recreation/Open Space)	P-C (Planned Community)
South	Open Space	PR-OS (Parks/Recreation/Open Space)	P-C (Planned Community)
East	Open Space	PR-OS (Parks/Recreation/Open Space)	P-C (Planned Community)
West	Single Family Residential	M (Medium Density Residential)	P-C (Planned Community)

*The subject site is depicted with an existing General Plan designation of ROW (Right-of-Way); however, further research indicates that the site was recorded as a common lot and is privately owned. As it was never dedicated as right-of-way, it should have retained a General Plan designation of PR-OS (Parks/Recreation/Open Space). This error will be corrected in a future action.

VAR-34780 - Staff Report Page Three
July 23, 2009 - Planning Commission Meeting

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Sun City Summerlin	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
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

Review the following from Title 19.08.060

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope			
• West	210 Feet	127 Feet	N
• East	210 Feet	267 Feet	Y

ANALYSIS

The applicant is requesting a Variance to allow a 127-foot setback where Residential Adjacency Standards require 210-feet for a proposed Wireless Communication Facility, Stealth Design (Monopalm) located north of Lake Mead Boulevard at Sun City Boulevard. The applicant has submitted plans which have been stamped and approved by the Sun City Summerlin Community Association Architectural Review Committee.

The land uses surrounding the subject property are single-family residential homes to the west and open space to the north, south, and east. The proposed communication facility will be situated approximately 127-feet from the protected residential property to the west, which does not meet the minimum Residential Adjacency Setback requirements of 210 feet. While the proposed Monopalm will be surrounded by living palm trees which will help camouflage the site, the view corridors from the back yards of the nearby homes will be degraded by the tower height, which will further obstruct any existing views.

Staff finds that the proposed location of the Wireless Communication Facility, Stealth Design (Monopalm) is not compatible with the single-family residential homes to the west. The proposed use is not harmonious as it intensifies the visual impact upon the residences to the west, therefore, denial of this request is recommended.

VAR-34780 - Staff Report Page Four
July 23, 2009 - Planning Commission Meeting

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 locate a Wireless Communication Facility, Stealth Design (Monopalm) on a parcel of land that is in close proximity to existing single-family homes. Locating the proposed Wireless Communication Facility, Stealth Design away from existing single-family homes would allow for 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 4

SENATE DISTRICT 6

NOTICES MAILED 257

APPROVALS 7

PROTESTS 2



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number **VAR-34780** APN: 137-13-897-002

Name of Property Owner: Sun City Summerlin Community

Name of Applicant: Clearwire US, LLC

Name of Representative: Jamie Lisle - WFI

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: David Steinman, City Councilman

Partner(s): _____

APN: _____

Signature of Property Owner: 

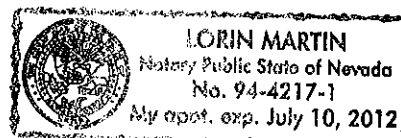
Print Name: Richard Post, President

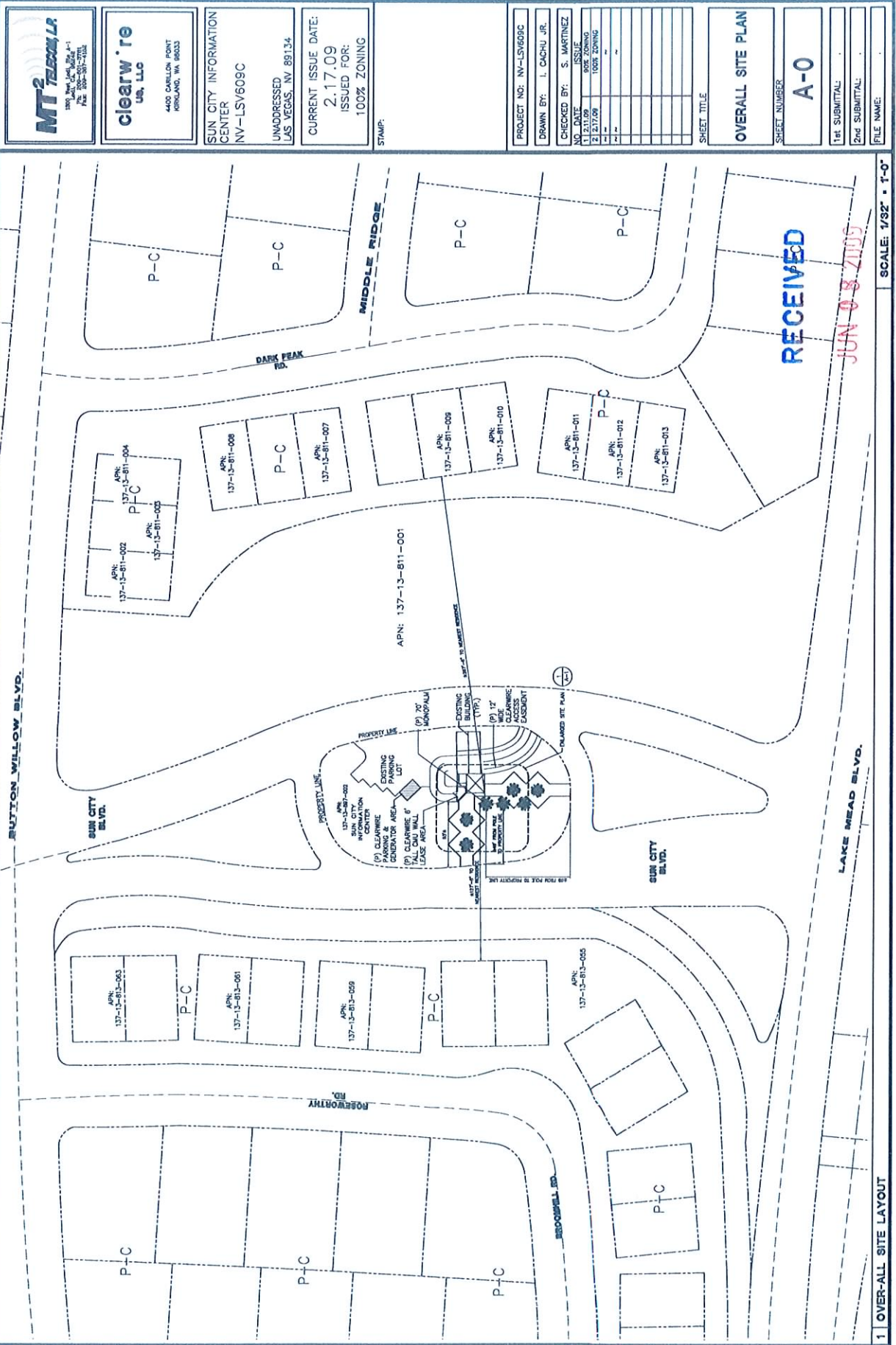
Subscribed and sworn before me

This 11th day of May, 2009

Lorin Martin

Notary Public in and for said County and State





		clearw're US, LLC 4400 CARLETON POINT KIRKLAND, WA 98033		SUN CITY INFORMATION CENTER NV-LSV609C UNADDRESSED LAS VEGAS, NV 89134		CURRENT ISSUE DATE: 2.17.09 ISSUED FOR: 100% ZONING		STAMP:	
PROJECT NO: NV-LSV609C		DRAWN BY: I. CACHU JR.		CHECKED BY: S. MARTINEZ		NO. DATE 1 2.17.09 2 2.17.09 3 2.17.09 4 2.17.09 5 2.17.09 6 2.17.09 7 2.17.09 8 2.17.09 9 2.17.09 10 2.17.09		SHEET TITLE OVERALL SITE PLAN	
SHEET NUMBER A-0		1st SUBMITTAL:		2nd SUBMITTAL:		FILE NAME:		SCALE: 1/32" = 1'-0"	

VAR-34780
07/23/09 PC



4400 CARILLON POINT
KIRKLAND, WA 98033

UNADDRESSED
LAS VEGAS, NV 89134

CURRENT ISSUE DATE:
2.17.09
ISSUED FOR:
100% ZONING

STAMP:

PROJECT NO: NV-LSV609C

DRAWN BY: I. CACHU JR.

CHECKED BY: S. MARTINEZ		NO	DATE	ISSUE
1	2.11.09		90% ZONING	
2	2.17.09		100% ZONING	
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3 FULL SHEETS

SITE PLAN

SHEET NUMBER

A-1

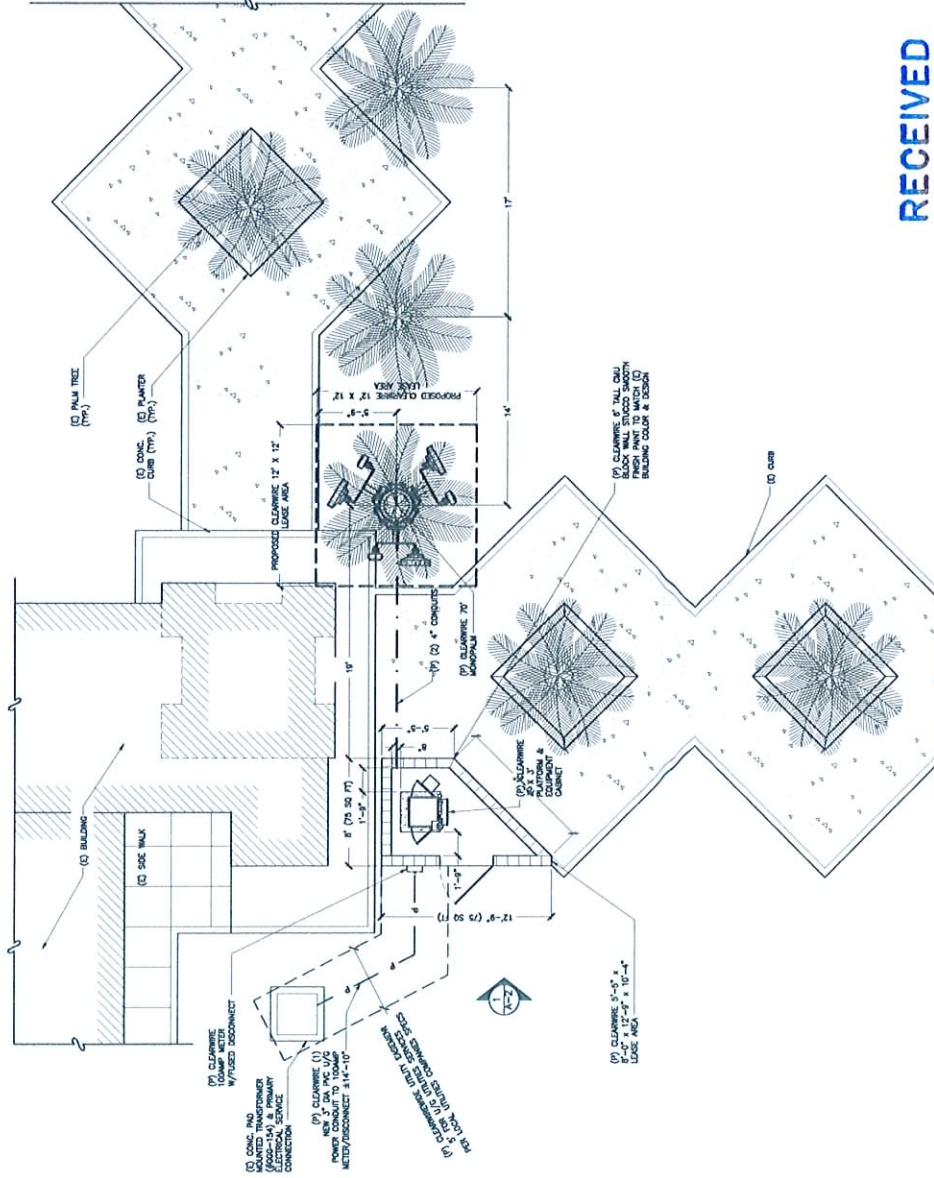
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FILE NAME:

SCALE: 1/4" = 1'-0"

VAR-34780

07/23/09 PC

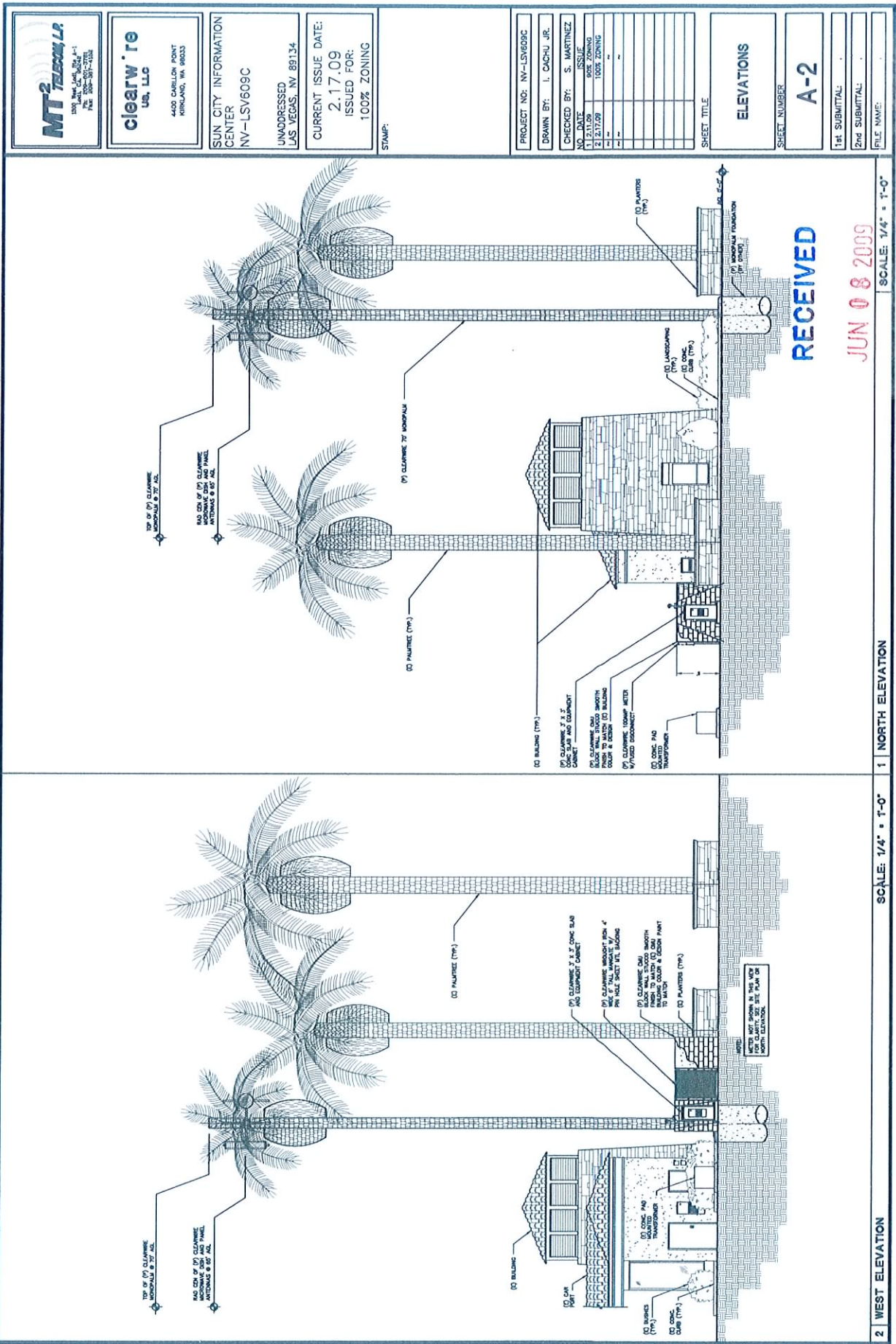


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1	ENLARGED SITE PLAN
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VAR-34780
07/23/09 PC

Existing



Proposed



VAR-34780
SUP-34779
07/23/09 PC

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view from West Lake Mead Road looking northwest at site

clearw're

NV-LSV609C Sun City Information Center
Unaddressed APN#137-13-897-002, Las Vegas, NV

AdvanceSim
Photo Simulation & Virtual Reality
Contact 1 925 3 202 8507

Existing



Proposed



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view from Sun City Blvd. looking southeast at site

clearw're

NV-LSV609C Sun City Information Center
Unaddressed APN# 137-13-897-002, Las Vegas, NV

AdvanceSim
Palm Adaptation Solutions
Contact 1 925 1 202 8507

Existing



Proposed



**VAR-34780
SUP-34779
07/23/09 PC**

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view from Button Willow Drive looking south at site

clearw're

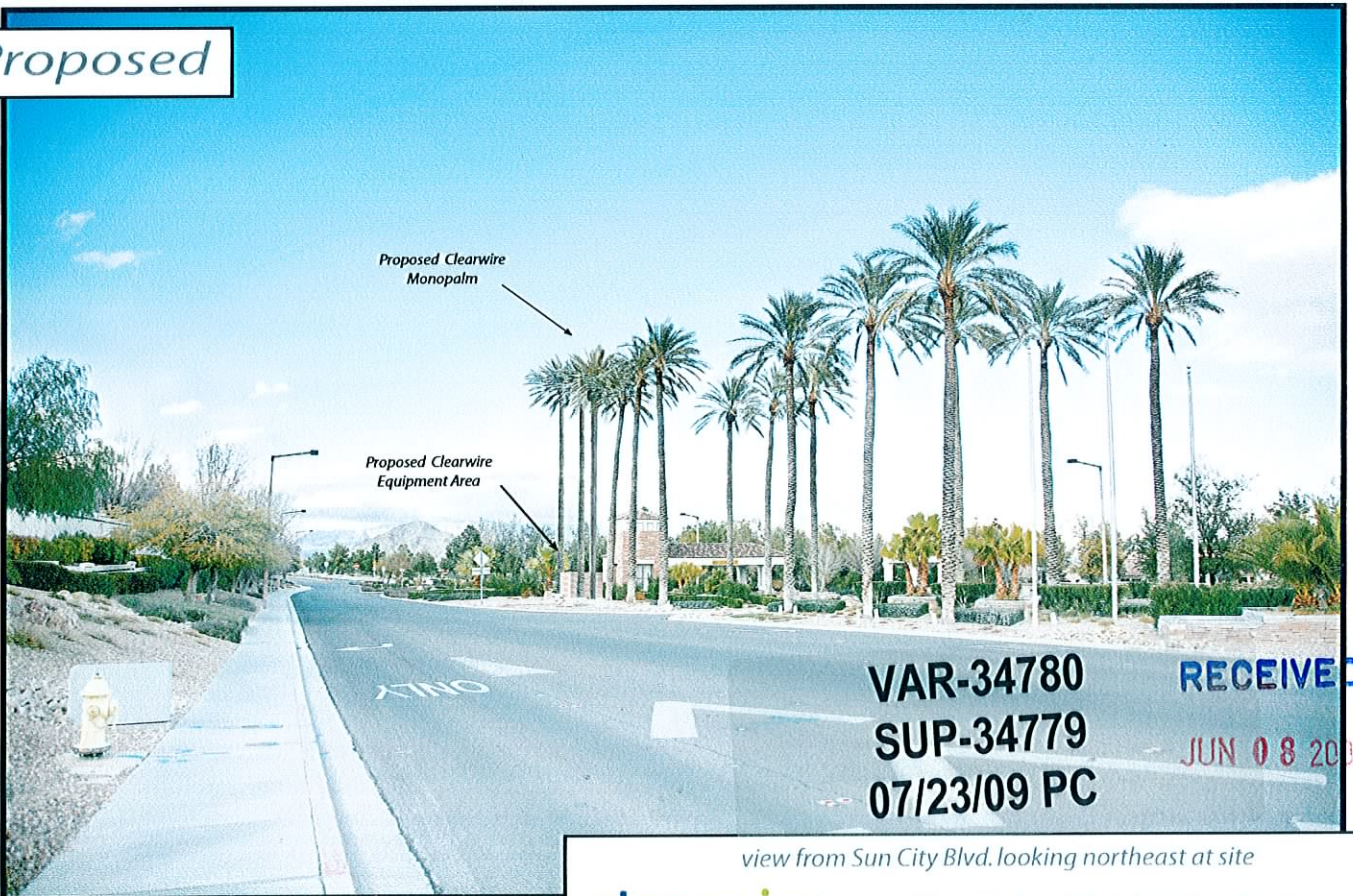
NV-LSV609C Sun City Information Center
Unaddressed APN#137-13-897-002, Las Vegas, NV

AdvanceSim
Photo Simulation Solutions
Contact: 925.362.8507

Existing



Proposed



VAR-34780
SUP-34779
07/23/09 PC

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view from Sun City Blvd. looking northeast at site

clearw're

NV-LSV609C Sun City Information Center
Unaddressed APN# 137-13-897-002, Las Vegas, NV

AdvanceSim
Paving the Way for the Future
Contact: 1-825-1-202-8307



March 26, 2009

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

Re: Wireless Communication Facility Special Use Permit and Variance Land Use Application
Sun City Summerlin Information Center – APN 137-13-897-002 – near Lake Mead & Sun City

Dear Planning Representative:

On behalf of Clear Wireless, LLC, I respectfully request your consideration and acceptance of the attached application. This project is located on APN 137-13-897-002 on the north side of Lake Mead Drive, adjacent to the Sun City Summerlin Information Center at the Sun City Drive intersection. It is designed as a 70-foot stealth mono-palm facility in the line of existing, live palm trees, which welcome citizens to the neighborhood. It will accommodate 3 small antennas and 3 microwave dishes within the stealth branches for Clear Wireless's use. This project has already been reviewed and approved by the Sun City Summerlin Community Association Architectural Review Committee.

Clear Wireless, LLC (www.ClearWireless.com) – a provider of next-generation wireless Internet services enabling fast, simple, portable, reliable and affordable communications anytime and anywhere within Clear Wireless's coverage area – is now in the process of building a network in the greater Las Vegas valley. Clear Wireless provides an easy, off-the-shelf wireless high-speed Internet solution where customers typically have the service operating within minutes of receiving the modem without any need for a technician to visit. There is no software to load and generally no configuring or changes to the customer's computer. The fast and simple service can be accessed by simply taking the modem out of the box, plugging it in and connecting the Ethernet cord to the customer's computer.

Clear Wireless currently provides a next-generation, non-line-of-site WiMAX-class solution. The portable Clear Wireless service can be moved from place-to-place inside Clear Wireless's coverage area, which upon network launch, will allow customers to use the service throughout their home, office or favorite coffee house. Customers will use Clear Wireless to connect to the Internet using licensed spectrum, thus eliminating the confines of traditional cable or phone wiring. For the consumer, the wireless communication facility tower equipment will transmit radio signals from a base site to a small, wireless modem, which easily connects a user's computer to the Internet.

Headquartered in Kirkland, Washington, Clear Wireless has launched wireless high-speed Internet service in 33 metro markets, covering more than 370 cities and towns in Alaska, California, Florida, Hawaii, Idaho, Minnesota, Nevada, North Carolina, Oregon, Texas, Washington and Wisconsin in the United States, as well as Ireland, Belgium, Denmark (under the Clear Wireless name with Danske Telecom) and Mexico (via its partner MVSNet). Clear Wireless is here to provide Internet service as astounding as the Internet itself.

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VAR-34780
07/23/09 PC



It is our feeling that the proposed use is compatible with the adjacent uses and will not generate any additional traffic, noise, lighting odor, dust, or any other external impacts as it will be an unmanned wireless telecommunication facility with visits by the technician as necessary – typically once a month. The proposed use will not exceed the capacity of public services and will not require the use of public transportation. The utility usage is minimal and the site will be maintained on a regular basis. There are not any significant impacts on the natural environment and if an impact occurs, it will be mitigated to the maximum practical extent.

Unfortunately though, as aesthetically pleasing as the project is currently designed, the proposed location does not meet all residential adjacency standards as required by the City of Las Vegas Development Code Title 19 – three foot setback for every foot in height for the tower (ratio 3:1). We meet the code's standards for the residentially developed parcel on the east side of the project – 267-feet where a 210-foot setback is required – but the site is 127-feet from the residential property to the west. Please refer to the included site plan, page A-1, for all additional information.

Please note that prior to this submittal, the Sun City Summerlin Community Association Architectural Review Committee has approved this project with conditions focusing on the design of the screen wall and that it must be finished with stone veneer to match the existing Sun City Summerlin Information Center.

This application located on APN 137-13-897-002 is for 3 Clear Wireless antennas and 3 microwave dishes with a centerline of 65-feet to simply be bolted on to a new, proposed, 70-foot stealth mono-palm communication facility. The small antennas will measure 42-inches in length and the microwave dishes will have a diameter of 24-inches. All associated radio equipment will be housed within an adjacent compound (finished to match the Information Center) with plenty of ground space available for additional collocations by others. If you have any concerns regarding this application, please do not hesitate to contact me at (702) 338-3447.

Sincerely,

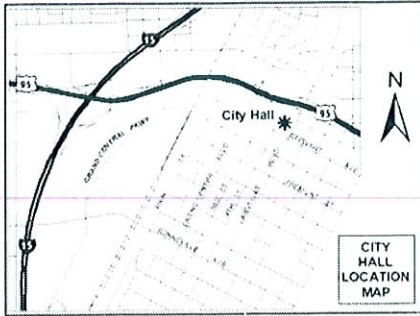
Jamie Lisle
WFI, representing Clear Wireless

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JUN - 8 2009

VAR-34780
07/23/09 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.

VAR-34780 & SUP-34779

Planning Commission Meeting of 7/23/2009

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FIRST CLASS



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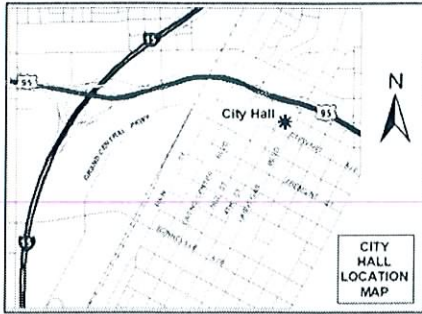
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☐ I SUPPORT
this Request

☒ I OPPOSE
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VAR-34780 & SUP-34779

Planning Commission Meeting of 7/23/2009

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10308 FROSTBURG LN
LAS VEGAS NV 89134-5110

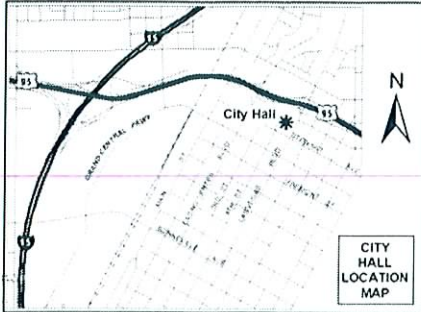
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I SUPPORT
this Request



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VAR-34780 & SUP-34779

Planning Commission Meeting of 7/23/2009

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ROSEN STANLEY & ISABELLE FAM , R
10209 BUTTON WILLOW DR
LAS VEGAS NV 89134-7595

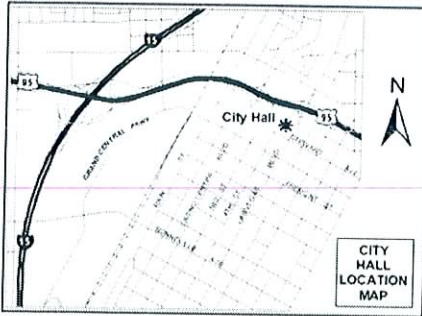
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City of Las Vegas
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I SUPPORT
this Request



I OPPOSE
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VAR-34780 & SUP-34779

Planning Commission Meeting of 7/23/2009

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*I feel that the MONO-
PALM will NOT be
detrimental in any way! .*

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10212 CRESENT CREEK DR
LAS VEGAS NV 89134-7604

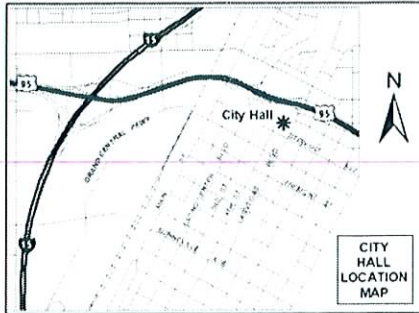
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Development Services Center
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Las Vegas, Nevada 89101-2986

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I SUPPORT
this Request



I OPPOSE
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VAR-34780 & SUP-34779

Planning Commission Meeting of 7/23/2009

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LAS VEGAS NV 89134-7605

Case: VAR-34780

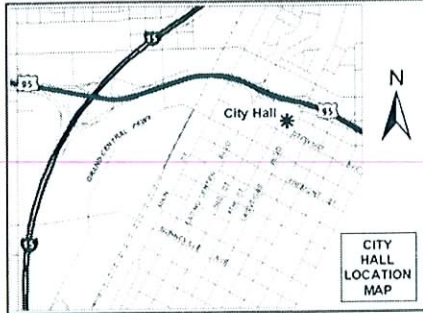
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City of Las Vegas
Planning & Development Department
Development Services Center
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Las Vegas, Nevada 89101-2986

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I SUPPORT
this Request



I OPPOSE
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VAR-34780 & SUP-34779

Planning Commission Meeting of 7/23/2009

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*This will enhance
reception for all
cell phone users. I
support it even if I
don't use cell phones
except for emergencies.*

Case: VAR-34780

13713812010

TAMARO ADELINE F REVOCABLE TRUST
10124 BUTTON WILLOW DR
LAS VEGAS NV 89134-7592

Adeline F. Tamaro

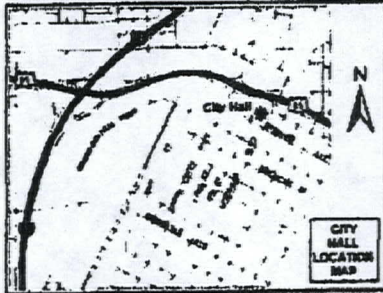
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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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I SUPPORT
this Request



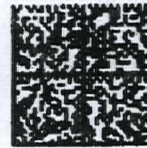
I OPPOSE
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VAR-34780 & SUP-34779

Planning Commission Meeting of 7/23/2009

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Case: VAR-34780
13713815028
LEESON DONALD D & DOROTHY E
2404 SPRING WATER DR
LAS VEGAS NV 89134-5138

EA VDS11 89134



TO: CITY OF LAS VEGAS
Planning & Development Dept.

21A

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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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-34780 & SUP-34779

Planning Commission Meeting of 7/23/2009

Case: VAR-34780
 13713812041
 STEEGE HERBERT & M 1990 FAM TR
 10132 MIDDLE RIDGE DR
 LAS VEGAS NV 89134-7598

EAUDE 11 29134

|||||

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JULY 23, 2009

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SUP-34779 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CLEAR WIRELESS, LLC - OWNER: SUN CITY SUMMERLIN COMMUNITY - Request for a Special Use Permit FOR A PROPOSED 70-FOOT TALL WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN (MONOPALM) north of Lake Mead Boulevard at Sun City Boulevard (APN 137-13-897-002), P-C (Planned Community) Zone, Ward 4 (Anthony)

C.C.: 08/19/2009

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

7

City Council Meeting

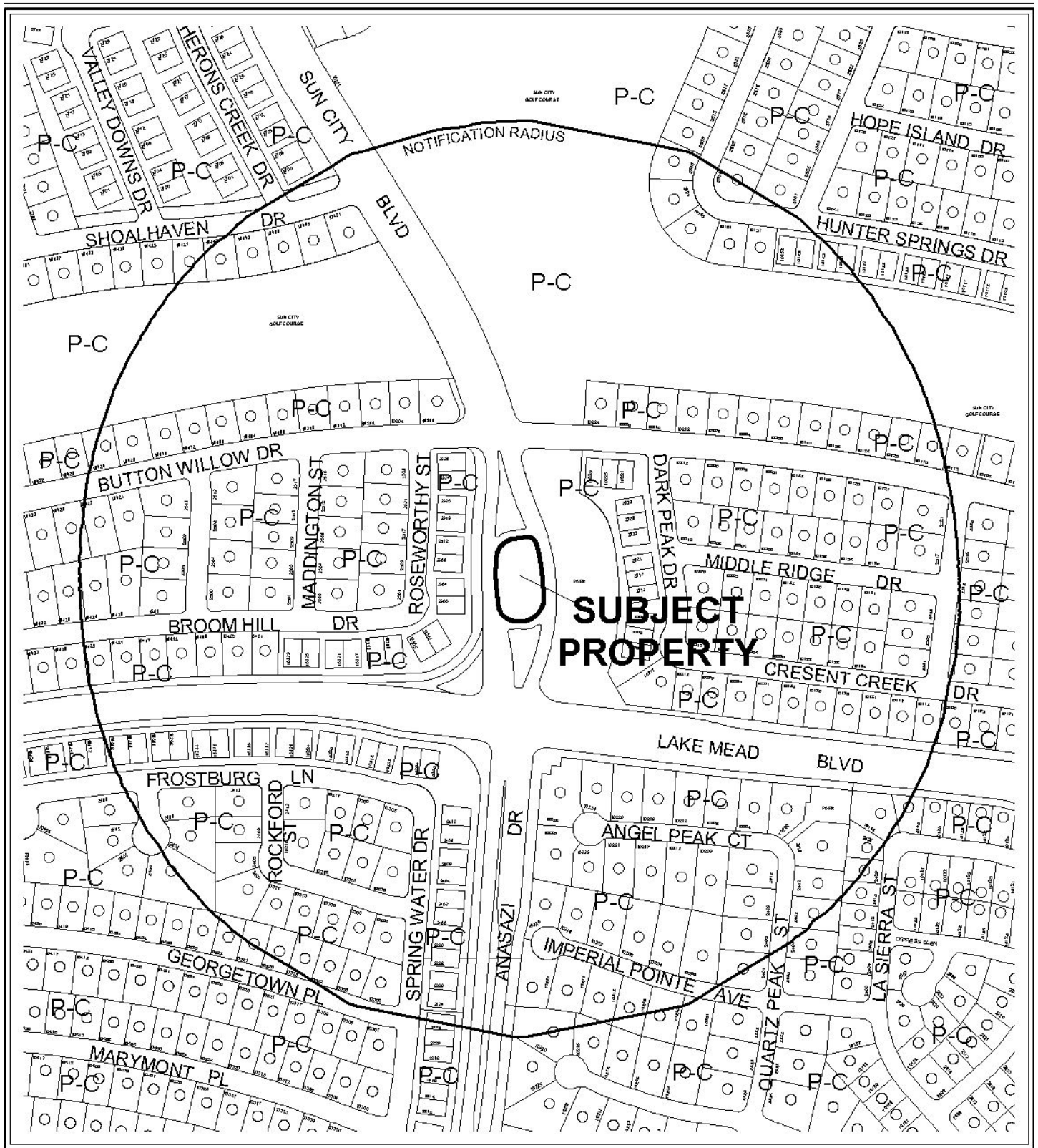
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RECOMMENDATION:

DENIAL

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



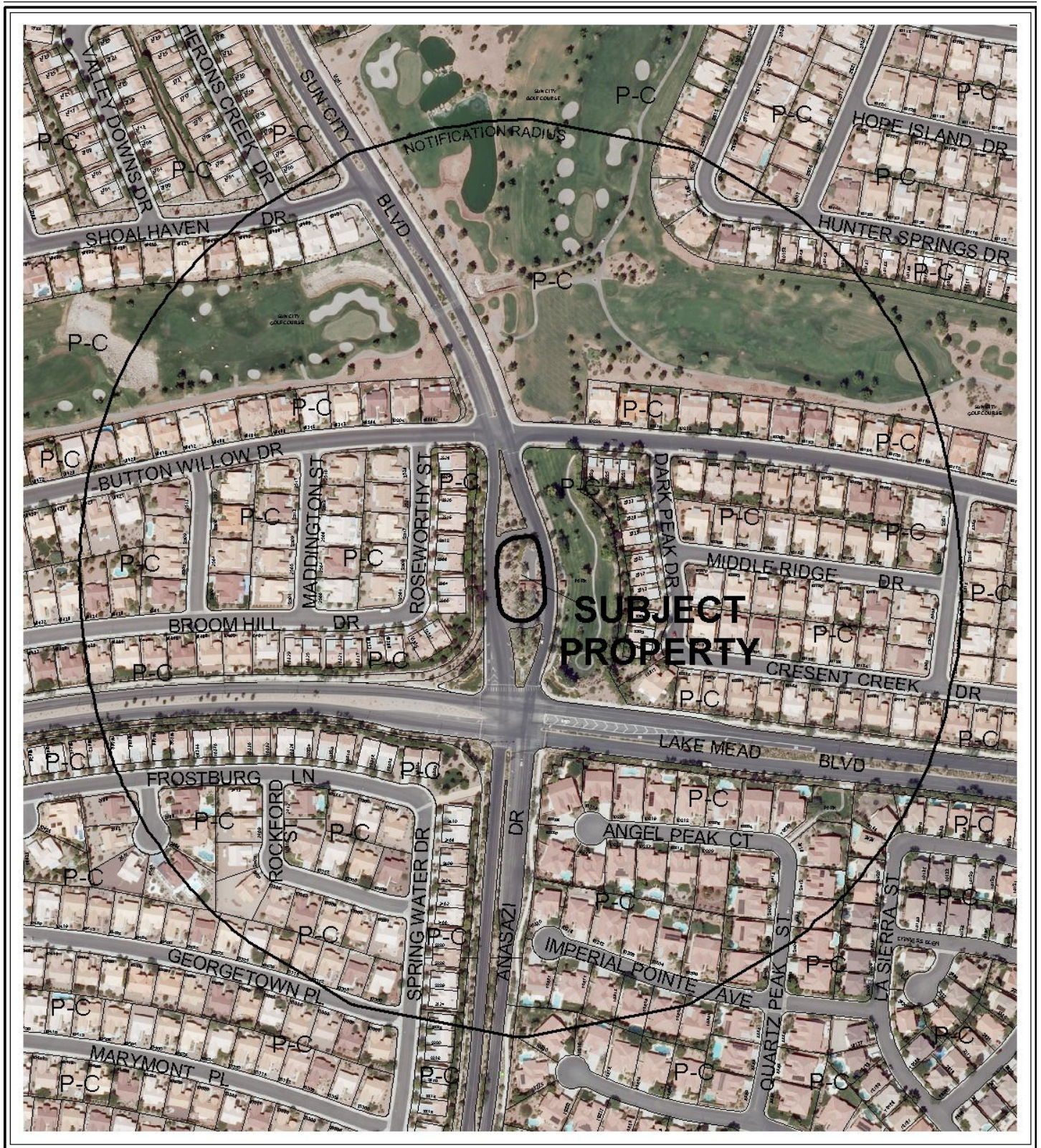
CASE: SUP-34779

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: P-C (PLANNED COMMUNITY)

0 300 600 Feet



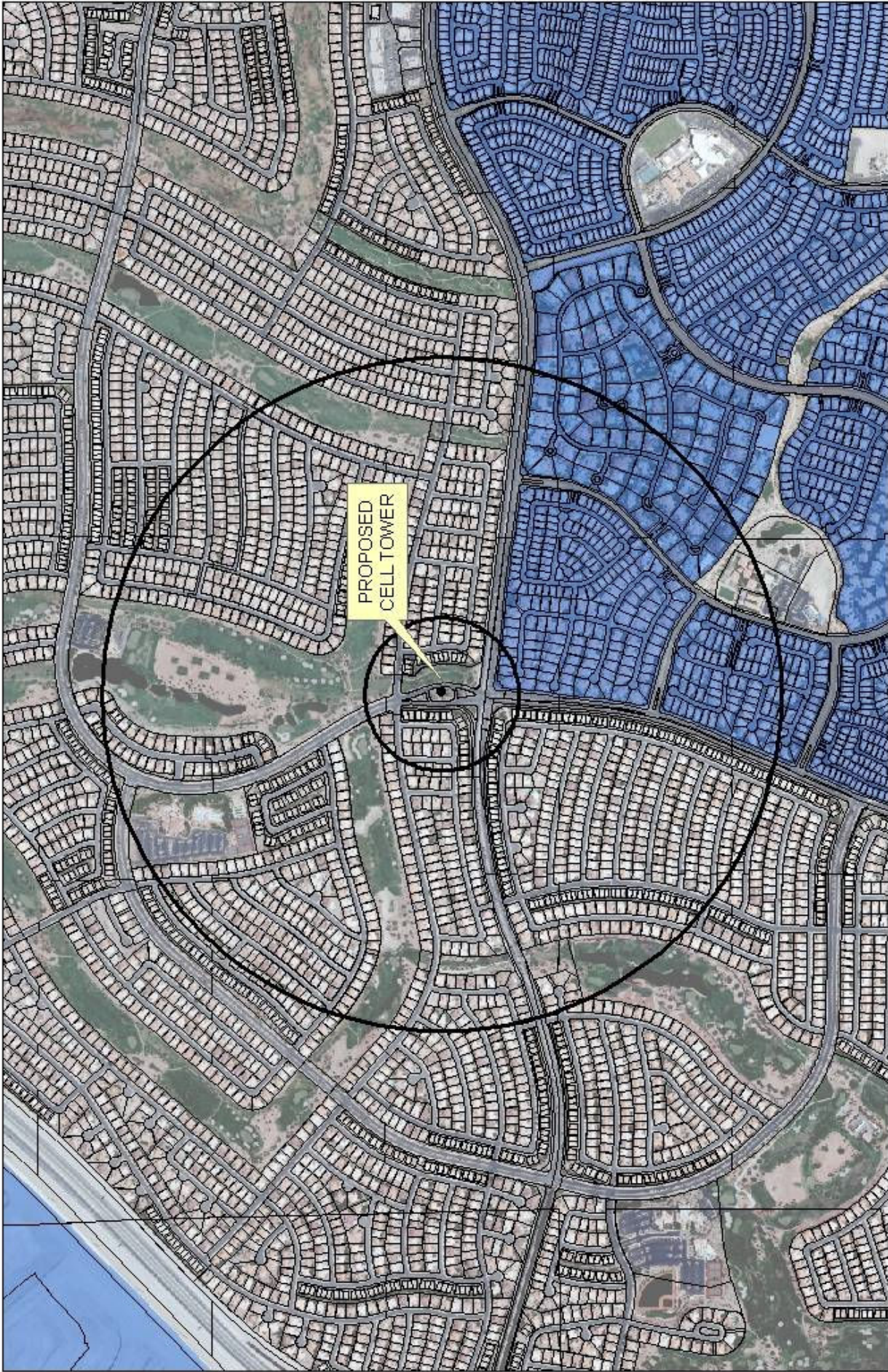


CASE: **SUP-34779**

RADIUS: 1000 FT

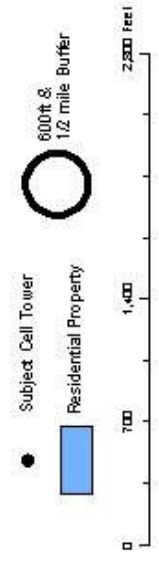
ZONING OF SUBJECT PROPERTY: P-C (PLANNED COMMUNITY)





Cell Tower Locations

- Non-Stealth
- Stealth



SUP-34779

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 23, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-34779 - APPLICANT: CLEAR WIRELESS, LLC -
OWNER: SUN CITY SUMMERLIN COMMUNITY**

**** 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 Wireless Communication Facility, Stealth Design use.
2. Approval of and conformance to the Conditions of Approval for Variance (VAR-34780) shall be required, if approved.
3. This approval shall be void two years from the date of final approval, unless a final inspection has been approved for the Wireless Communication Facility. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. The communications monopalm and its associated equipment and facility shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the communications monopalm and its associated equipment and facility.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-34779 - Staff Report Page One
July 23, 2009 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a 70-foot tall Wireless Communication Facility, Stealth Design (Monopalm) on 0.45 acres at the north side of the Lake Mead Boulevard at Sun City Boulevard. The proposed location is a common lot island that serves as an entry and visitor information facility for this community. The monopalm will be located to the south of the existing structure. An associated Variance (VAR-34780) request will also be considered, as the installation of the proposed Wireless Communication Facility will not meet the required 210 foot residential adjacency standard. If the application is denied, the proposed Wireless Communications facility will have to be redesigned or relocated to comply with Title 19.

Issues:

- The proposed Wireless Communication Facility, Stealth Design (Monopalm) will not meet the required residential adjacency standards. The proposed Mono-palm will be 127 feet from an existing single family residence where 210 feet is required. Approval of an associated Variance (VAR-34780) is required for this request to be approved.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
06/03/87	The City Council approved a Rezoning (Z-0044-87) of property located south of Cheyenne Avenue between Buffalo Drive and Hualapai Way from N-U (Non-Urban) to PC (Planned Community)
04/26/88	The Planning Commission approved a Plot Plan Review [Z-0044-87(1)] for a temporary construction equipment maintenance yard and fuel storage tanks, on property located on the west side of Rampart Boulevard, north of Lake Mead Boulevard.
05/31/88	The Planning Commission approved a Plot Plan Review [Z-0044-87(2)] for Sun City/Summerlin main entrance design on property located on the north side of Lake Mead Boulevard, west of Rampart Boulevard.
01/18/89	The City Council approved a Plot Plan Review [Z-0044-87(5)] to amend the Summerlin Development Standards to allow multi-family uses in the commercial area.
11/21/90	The City Council approved a Plot Plan Review [Z-0044-87(3)] for Summerlin Village I on property located on the west side of Rampart Boulevard, between Lake Mead Boulevard and the Summerlin Parkway.
10/16/91	The City Council approved a Plot Plan Review [Z-0044-87(4)] to amend the Master Development Plan of the Sun City portion of the Summerlin Master Plan to relocate commercial sites, churches and the realignment of Sun City Boulevard.

SUP-34779 - Staff Report Page Two
July 23, 2009 - Planning Commission Meeting

<i>Related Building Permits/Business Licenses</i>	
08/06/92	Original construction date for the Sun City Summerlin entry building located at 10499 Sun City Boulevard.
<i>Pre-Application Meeting</i>	
03/26/09	A pre-application meeting was held where the submittal requirements for a Special Use Permit for a Wireless Communication Facility, Stealth (Monopalm) Design were discussed, including Residential Adjacency requirements.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required for this application, nor was one held.	
<i>Field Check</i>	
06/18/09	A field check was conducted by staff. A well maintained open space was observed.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.45

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Open Space, Wireless Communication Facility, Stealth Design	PR-OS (Parks/Recreation/Open Space)*	P-C (Planned Community)
North	Open Space	PR-OS (Parks/Recreation/Open Space)	P-C (Planned Community)
South	Open Space	PR-OS (Parks/Recreation/Open Space)	P-C (Planned Community)
East	Open Space	PR-OS (Parks/Recreation/Open Space)	P-C (Planned Community)
West	Single Family Residential	M (Medium Density Residential)	P-C (Planned Community)

*The subject site is depicted with an existing General Plan designation of ROW (Right-of-Way); however, further research indicates that the site was recorded as a common lot and is privately owned. As it was never dedicated as right-of-way, it should have retained a General Plan designation of PR-OS (Parks/Recreation/Open Space). This error will be corrected in a future action.

SUP-34779 - Staff Report Page Three
July 23, 2009 - Planning Commission Meeting

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan	X		
Sun City Summerlin	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
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

Review the following from Title 19.08.060

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
• West	210 Feet	127 Feet	N
• East	210 Feet	267 Feet	Y

ANALYSIS

The applicant is proposing a 70-foot, Wireless Communication Facility, Stealth Design (Monopalm) within an existing landscaped open space area north of Lake Mead Boulevard at Sun City Boulevard. A total of 3 antennas and three microwave dishes will be mounted at the 65-foot centerline of the proposed Monopalm. Additionally, the applicant has submitted plans which have been stamped approved by the Sun City Summerlin Community Association Architectural Review Committee.

The proposed Wireless Communication Facility, Stealth Design (Monopalm) will sit in line with six existing, live palm trees. An enclosure will sit near the center of the subject parcel, which is an existing landscape area containing a grove of six palms, shrubbery, and ground cover. The proposed enclosure with a six-foot wall to match the existing Information Center will measure 75 square-feet. This proposed enclosure will house all electrical equipment associated with the proposed Wireless Communication Facility within a smaller shelter measuring three feet by three feet. The smaller shelter will also be painted and textured to match the existing Information Center. Access to the site will be gained via a proposed 12-foot wide access easement along the west side of the existing Information Center. The enclosure will contain a four foot wide and six foot tall wrought iron metal entry gate on the west side of the walled area.

SUP-34779 - Staff Report Page Four
July 23, 2009 - Planning Commission Meeting

The proposed communication facility will be approximately 127-feet from the protected property to the west, which does not meet the minimum Residential Adjacency Setback requirements of 210 feet. The applicant has submitted an associated Variance (VAR-34780) to allow a 127-foot setback where Residential Adjacency Standards require 210 feet for a proposed Wireless Communication Facility, Stealth Design (Monopalm). In order to comply with the Residential Adjacency Standards, the proposed tower would need to be at a height of 42.5 feet. Staff finds that the proposed location of the Wireless Communication Facility, Stealth Design (Monopalm) is not compatible with the existing single-family residential homes to the west. The proposed use is not harmonious as it intensifies the visual impact upon the residences to the west, therefore, denial of this request is recommended.

- **Use**

A wireless communication facility that is designed to blend into the surrounding environment. Examples include without limitation: antenna tower alternative structures; roofed-mounted antennas (with architectural screening when appropriate); building-mounted antennas painted to match the existing structure; antennas integrated into architectural elements (such as steeples or cupolas); antennas and antenna structures designed to look like light poles; flag poles; or any other camouflaging techniques available on the market; and a cable microcell network which utilizes multiple low-powered transmitters/receivers or repeaters attached to existing wireline systems; such as conventional cable or telephone wires, or smaller technology that does not require the use of towers.

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 Wireless Communication Facility is not compatible with existing surrounding residential land uses.

2. **“The subject site is physically suitable for the type and intensity of land use proposed.”**

The subject site is not physically suitable for the type and intensity of land use proposed as the Wireless Communication Facility fails to meet the minimum Residential Adjacency setback requirement.

SUP-34779 - Staff Report Page Five
July 23, 2009 - Planning Commission Meeting

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.”**

There is little expected traffic related with a Wireless Communication Facility at the subject site. Sun City Boulevard, an 80-foot Collector as designated by the Master Plan of Streets and Highways will provide adequate access to 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 approval of this proposal will not be inconsistent with the overall objectives of the General Plan. Staff does note that a 70-foot Wireless Communication Facility will have an impact on the nearby single-family residential properties to the west, as the facility will be visible from these properties.

5. **The use meets all of the applicable conditions per Title 19.04.**

The use does not meet all condition per Title 19.04. Pursuant to Condition #5, the subject site has been determined to be incompatible with the surrounding residential uses.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

11

ASSEMBLY DISTRICT 4

SENATE DISTRICT 6

NOTICES MAILED 257

APPROVALS 7

PROTESTS 2



STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-34779** APN: 137-13-897-002

Name of Property Owner: Sun City Summerlin Community

Name of Applicant: Clear Wireless, LLC

Name of Representative: Wireless Facilities Inc., (WFI) -- Jamie Lisle

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: **Councilman David Steinman**

Partner(s): _____

APN: _____

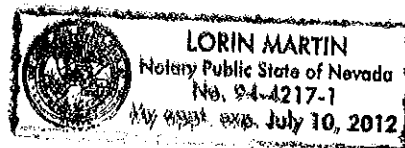
Signature of Property Owner: 

Print Name: **Richard Post, President**

Subscribed and sworn before me

This 10th day of March, 2009

Lorin Martin
Notary Public in and for said County and State
Clark, State of Nevada



clearw're US, LLC



clearw're
US, LLC

4400 CARLSON POINT
KIRKLAND, WA 98033

SUN CITY INFORMATION
CENTER
NV-LSV609C

UNADDRESSED
LAS VEGAS, NV 89134

CURRENT ISSUE DATE:
2.17.09
ISSUED FOR:
100% ZONING

STAMP:

PROJECT NO: NV-LSV609C

DRAWN BY: I. CACHU JR.

CHECKED BY: S. MARTINEZ

NO DATE

11/21/09

12/1/09

1/21/10

2/17/09

10/6 ZONING

100% ZONING

100% ZONING

SHEET TITLE

SHEET NUMBER

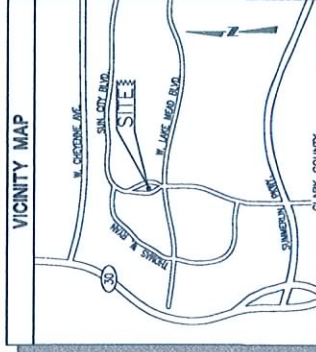
1st SUBMITTAL

2nd SUBMITTAL

FILE NAME:

SITE NAME: SUN CITY INFORMATION CENTER UNADDRESSED LAS VEGAS, NV 89134 APN#: 137-13-897-002 SITE NUMBER: NV-LSV609C

SIGNATURE BLOCK	
SIGNATURE	DATE
LANDLORD:	
RF ENGINEER:	
LEASING MGR:	
ZONING MGR:	
CONSTRUCTION MGR:	
REC. PROJECT MGR:	
EQUIPMENT MGR:	



DRIVING DIRECTIONS	
FROM 1051 MARY CREST RD HENDERSON NV 89074 (CLEARWIRE LAS VEGAS OFFICE):	
1: START OUT GOING WEST ON MARY CREST RD TOWARD N GIBSON RD.	
2: TURN RIGHT ONTO N GIBSON RD.	
3: TURN RIGHT ONTO AUTO SHOW DR.	
4: MERGE ONTO US-95 N VIA THE RAMP ON THE LEFT.	
5: TAKE THE SUMMERLIN PARKY EXIT, EXIT 81A.	
6: MERGE ONTO E SUMMERLIN PARKY.	
7: TAKE THE ANASAZI DR. EXIT.	
8: TURN RIGHT ONTO ANASAZI DR.	
9: STAY STRAIGHT TO GO ONTO SUN CITY BLVD.	
10: END AT SUN CITY BLVD LAS VEGAS, NV 89134.	

PROJECT DATA	
SITE ADDRESS: UNADDRESSED LAS VEGAS, NV 89134 CLARK COUNTY BUILDING DATA: JURISDICTION: CITY OF LAS VEGAS CURRENT USE: PLANNED COMMUNITY DISTRICT (P-C) TYPE OF CONST: TELECOMMUNICATION APN#: 137-13-897-002 LAT: 36.205690 LONG: -115.320007 ELEV: 2,867'	SITE NAME: SUN CITY INFORMATION CENTER SITE NUMBER: NV-LSV609C
APPLICABLE CODE COMPLIANCE	
ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) 2006 EDITION, INTERNATIONAL FIRE CODE (IFC) 2006 EDITION, INTERNATIONAL ELECTRICAL CODE (NEC) 2005 EDITION, INTERNATIONAL MECHANICAL CODE (IMC) 2006 EDITION, INTERNATIONAL PLUMBING CODE (IPC) 2003 EDITION, AND/OR ANY OTHER APPLICABLE LOCAL AND STATE LAWS AND REGULATIONS. IN THE EVENT OF A CONFLICT, THE MOST RESTRICTIVE CODE SHALL PREVAIL.	
ACCESSIBILITY EXEMPTION	
THIS PROPOSED PROJECT IS AN UNOCCUPIED TELECOMMUNICATIONS FACILITY AND IS NOT TO BE ACCESSED BY THE PUBLIC. THEREFORE, IT DOES NOT MEET THE REQUIREMENTS FOR IBC 1103.2.9 LISTED AS AN EQUIPMENT SPACE.	

PROJECT CONTACT	
LANDLORD: PROPERTY OWNER(S): SUN CITY COMMUNITY CONTACT: RON WINKEL PH: (702) 966-1409	PROJECT TEAM ARCHITECTURAL/ENGINEERING/ SUBCONTRACTOR: TELECOM LP 1350 N. 2000 AVE. STE. A LOS ANGELES, CA 90042 CONTACT: SALOMON MARTINEZ PH: (202) 601-3781 FAX: (702) 374-6184 ENGINEER: NADER SALEH ENGINEER LIC. NO.: NY14153 SITE ACQUISITION/ZONING MANAGER: WIRELESS FACILITIES INC 7030 SMOKE RANCH RD LAS VEGAS, NV 89126 CONTACT: JAMIE LIZLE E-MAIL: jlizle@wirelessfacilities.com PH: (702) 586-3885 FAX: (702) 586-3885 CONSTRUCTION MANAGER: WIRELESS FACILITIES INC 7030 SMOKE RANCH RD LAS VEGAS, NV 89126 CONTACT: BOB BIRON E-MAIL: bob.biron@wirelessfacilities.com PH: (702) 497-1727 FAX: (702) 586-3885
PROJECT SUMMARY	
THE MAIN COMPONENTS OF THIS INSTALLATION ARE: THE ADDITION OF AN EQUIPMENT CABINET ON A 3' X 6' PLATFORM, (3) PANEL ANTENNAS AND 2 MICROWAVE DISHES WITH A RAD CENTER OF 65' AGL MOUNTED ONTO A 70' TALL MONOPOLL.	

SHEET INDEX	
SHEET DESCRIPTION	TITLE SHEET
A-1 OVERALL SITE PLAN	
A-2 SITE PLAN	
A-3 ELEVATIONS	
RECEIVED	
JUN 06 2009	



1	OVER-ALL SITE LAYOUT
---	----------------------

SUP-34779
07/23/09 PC

Existing



Proposed



VAR-34780
SUP-34779
07/23/09 PC

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JUN 08 2009

view from West Lake Mead Road looking northwest at site

clearw're

NV-LSV609C Sun City Information Center
Unaddressed APN#137-13-897-002, Las Vegas, NV

AdvanceSim
Photo Simulation & Visualization
Contact 1 925 1 202 8507

Existing



Proposed



view from Sun City Blvd. looking southeast at site

Existing



Proposed



**VAR-34780
SUP-34779
07/23/09 PC**

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view from Button Willow Drive looking south at site

clearw're

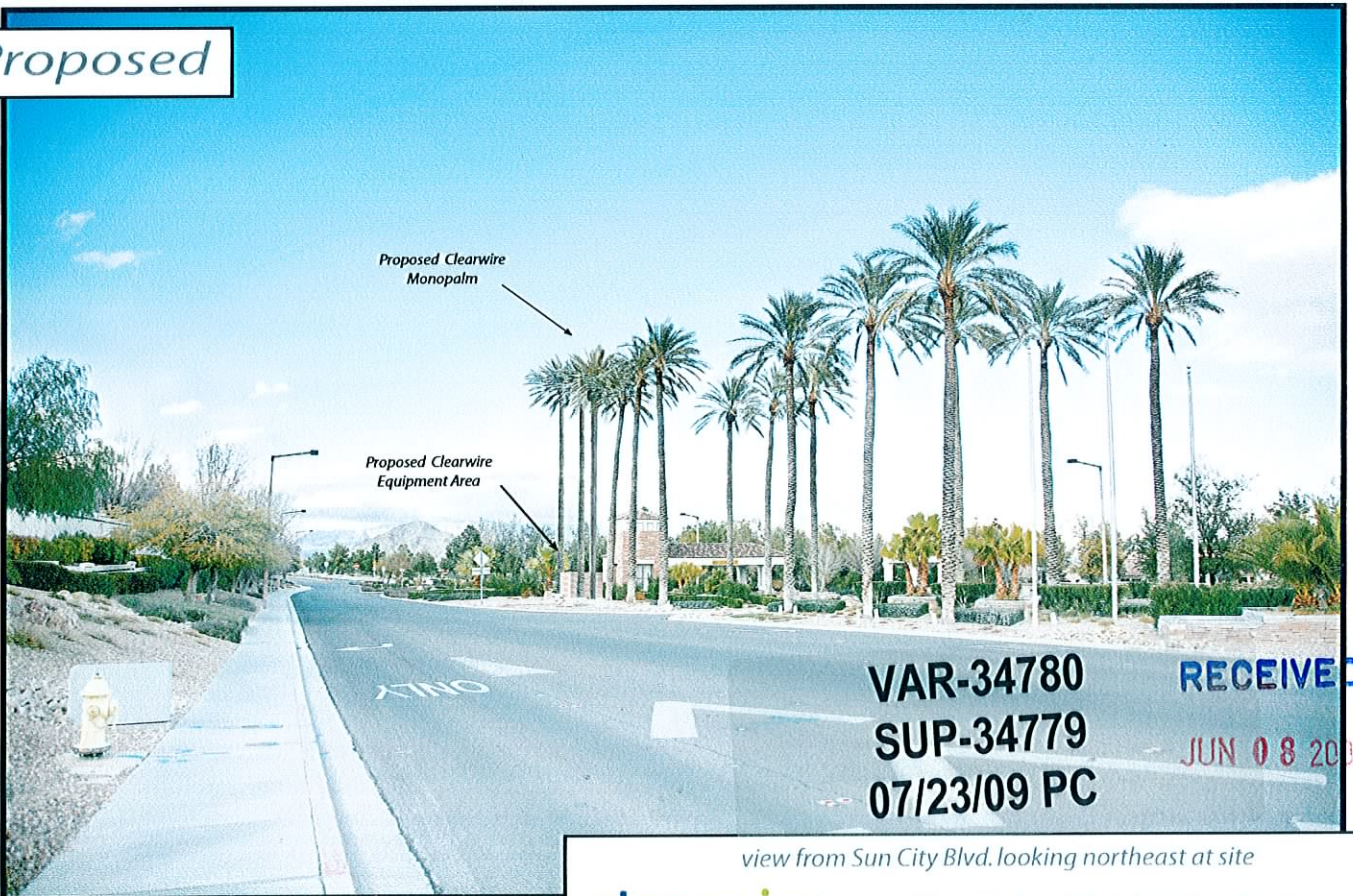
NV-LSV609C Sun City Information Center
Unaddressed APN#137-13-897-002, Las Vegas, NV

AdvanceSim
Photo Simulation Solutions
Contact: 925.362.8507

Existing



Proposed



VAR-34780
SUP-34779
07/23/09 PC

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JUN 08 2009

view from Sun City Blvd. looking northeast at site

clearw're

NV-LSV609C Sun City Information Center
Unaddressed APN# 137-13-897-002, Las Vegas, NV

AdvanceSim
Paving the Way for the Future
Contact: 1-825-1-202-8307



March 26, 2009

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

Re: Wireless Communication Facility Special Use Permit and Variance Land Use Application
Sun City Summerlin Information Center – APN 137-13-897-002 – near Lake Mead & Sun City

Dear Planning Representative:

On behalf of Clear Wireless, LLC, I respectfully request your consideration and acceptance of the attached application. This project is located on APN 137-13-897-002 on the north side of Lake Mead Drive, adjacent to the Sun City Summerlin Information Center at the Sun City Drive intersection. It is designed as a 70-foot stealth mono-palm facility in the line of existing, live palm trees, which welcome citizens to the neighborhood. It will accommodate 3 small antennas and 3 microwave dishes within the stealth branches for Clear Wireless's use. This project has already been reviewed and approved by the Sun City Summerlin Community Association Architectural Review Committee.

Clear Wireless, LLC (www.ClearWireless.com) – a provider of next-generation wireless Internet services enabling fast, simple, portable, reliable and affordable communications anytime and anywhere within Clear Wireless's coverage area – is now in the process of building a network in the greater Las Vegas valley. Clear Wireless provides an easy, off-the-shelf wireless high-speed Internet solution where customers typically have the service operating within minutes of receiving the modem without any need for a technician to visit. There is no software to load and generally no configuring or changes to the customer's computer. The fast and simple service can be accessed by simply taking the modem out of the box, plugging it in and connecting the Ethernet cord to the customer's computer.

Clear Wireless currently provides a next-generation, non-line-of-site WiMAX-class solution. The portable Clear Wireless service can be moved from place-to-place inside Clear Wireless's coverage area, which upon network launch, will allow customers to use the service throughout their home, office or favorite coffee house. Customers will use Clear Wireless to connect to the Internet using licensed spectrum, thus eliminating the confines of traditional cable or phone wiring. For the consumer, the wireless communication facility tower equipment will transmit radio signals from a base site to a small, wireless modem, which easily connects a user's computer to the Internet.

Headquartered in Kirkland, Washington, Clear Wireless has launched wireless high-speed Internet service in 33 metro markets, covering more than 370 cities and towns in Alaska, California, Florida, Hawaii, Idaho, Minnesota, Nevada, North Carolina, Oregon, Texas, Washington and Wisconsin in the United States, as well as Ireland, Belgium, Denmark (under the Clear Wireless name with Danske Telecom) and Mexico (via its partner MVSNet). Clear Wireless is here to provide Internet service as astounding as the Internet itself.

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SUP-34779
07/23/09 PC



It is our feeling that the proposed use is compatible with the adjacent uses and will not generate any additional traffic, noise, lighting odor, dust, or any other external impacts as it will be an unmanned wireless telecommunication facility with visits by the technician as necessary – typically once a month. The proposed use will not exceed the capacity of public services and will not require the use of public transportation. The utility usage is minimal and the site will be maintained on a regular basis. There are not any significant impacts on the natural environment and if an impact occurs, it will be mitigated to the maximum practical extent.

Unfortunately though, as aesthetically pleasing as the project is currently designed, the proposed location does not meet all residential adjacency standards as required by the City of Las Vegas Development Code Title 19 – three foot setback for every foot in height for the tower (ratio 3:1). We meet the code's standards for the residentially developed parcel on the east side of the project – 267-feet where a 210-foot setback is required – but the site is 127-feet from the residential property to the west. Please refer to the included site plan, page A-1, for all additional information.

Please note that prior to this submittal, the Sun City Summerlin Community Association Architectural Review Committee has approved this project with conditions focusing on the design of the screen wall and that it must be finished with stone veneer to match the existing Sun City Summerlin Information Center.

This application located on APN 137-13-897-002 is for 3 Clear Wireless antennas and 3 microwave dishes with a centerline of 65-feet to simply be bolted on to a new, proposed, 70-foot stealth mono-palm communication facility. The small antennas will measure 42-inches in length and the microwave dishes will have a diameter of 24-inches. All associated radio equipment will be housed within an adjacent compound (finished to match the Information Center) with plenty of ground space available for additional collocations by others. If you have any concerns regarding this application, please do not hesitate to contact me at (702) 338-3447.

Sincerely,

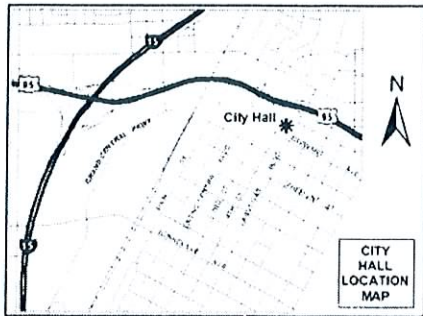
Jamie Lisle
WFI, representing Clear Wireless

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SUP-34779
07/23/09 PC

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

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☐ I SUPPORT
this Request

☒ I OPPOSE
this Request

Please use available blank space on card for your comments.

VAR-34780 & SUP-34779

Planning Commission Meeting of 7/23/2009

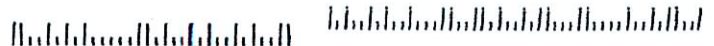
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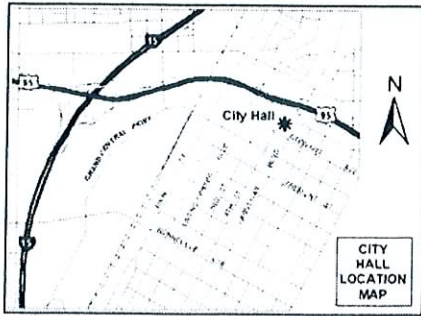
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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
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☐

I SUPPORT
this Request

☒

I OPPOSE
this Request

Please use available blank space on card for your comments.

VAR-34780 & SUP-34779

Planning Commission Meeting of 7/23/2009

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10308 FROSTBURG LN
LAS VEGAS NV 89134-5110

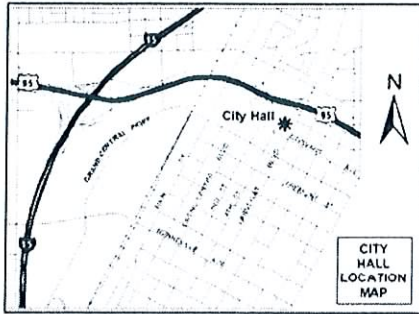
2400511 85104



21P

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-34780 & SUP-34779

Planning Commission Meeting of 7/23/2009

PRESCORTED
FIRST CLASS



UNITED STATES POSTAGE
02 1M \$00.414
0004279218 JUL 10 2009
MAILED FROM ZIP CODE 89101

*Please put one up for
Verion - reception
is terrible!*

13713813009
GRANT BARBARA M
10412 BUTTON WILLOW DR
LAS VEGAS NV 89134-7344

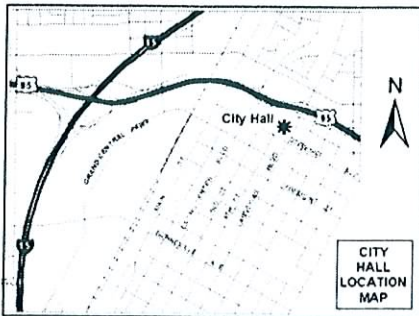
Case: VAR-34780

E4VDS11 49134



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.

VAR-34780 & SUP-34779

Planning Commission Meeting of 7/23/2009

PRESORTED
FIRST CLASS



UNITED STATES POSTAGE
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0004279218 JUL 10 2009
MAILED FROM ZIP CODE 89101
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Case: VAR-34780
13713812035
ROSEN STANLEY & ISABELLE FAM . R
10209 BUTTON WILLOW DR
LAS VEGAS NV 89134-7595

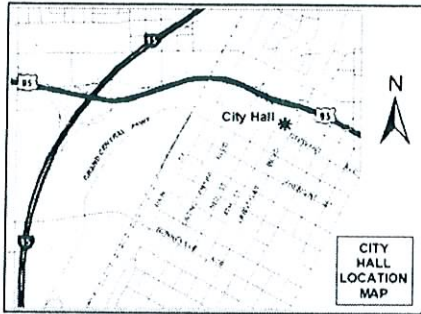
EA40511 25134



21A

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 OPPOSE
this Request

Please use available blank space on card for your comments.

VAR-34780 & SUP-34779

Planning Commission Meeting of 7/23/2009

PRESORTED
FIRST CLASS



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MAILED FROM ZIP CODE 89101

*I feel that the MONO-
PALM will NOT be
detrimental in any way!*

13713812053 Case: VAR-34780
GERLAND FARRELL & DEANNA LIV TR
10212 CRESENT CREEK DR
LAS VEGAS NV 89134-7604

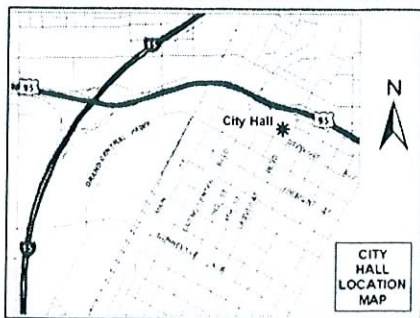
EAUCP 11 89134



21A

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-34780 & SUP-34779

Planning Commission Meeting of 7/23/2009

PRESORTED
FIRST CLASS



UNITED STATES POSTAGE
02 1M
\$ 00.414
0004279218 JUL 10 2009
MAILED FROM ZIP CODE 89101

13713812072
DAVIDSON JERLINDA
10201 CRESENT CREEK DR
LAS VEGAS NV 89134-7605

Case: VAR-34780

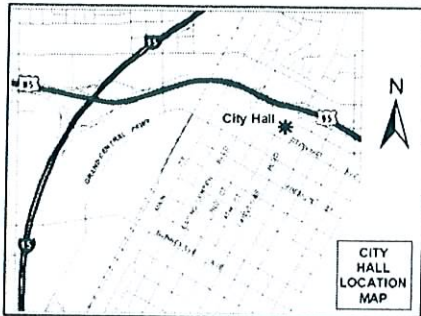
8913487605 5913



21A

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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this Request

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VAR-34780 & SUP-34779

Planning Commission Meeting of 7/23/2009

PRESORTED
FIRST CLASS



UNITED STATES POSTAGE
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MAILED FROM ZIP CODE 89101

*This will enhance
reception for all
cell phone users. I
support it even if I
don't use cell phones
except for emergencies*

Case: VAR-34780
13713812010
TAMARO ADELINE F REVOCABLE TRUST
10124 BUTTON WILLOW DR
LAS VEGAS NV 89134-7592

Adeline F. Brown

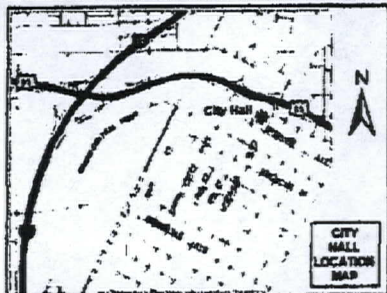
040311 05134



21A.

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
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I OPPOSE
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VAR-34780 & SUP-34779

Planning Commission Meeting of 7/23/2009

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 FIRST CLASS



UNITED STATES POSTAGE
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 0004279218 JUL 10 2009
 MAILED FROM ZIP CODE 89101

13713815028

CESB: VAR-34780

LEESON DONALD D & DOROTHY E
 2404 SPRING WATER DR
 LAS VEGAS NV 89134-5138

EAVDS11 89134



TO: CITY OF LAS VEGAS
 Planning & Development Dept.

22A

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-34780 & SUP-34779

Planning Commission Meeting of 7/23/2009

Case: VAR-34780
 13713812041
 STEEGE HERBERT & M 1990 FAM TR
 10132 MIDDLE RIDGE DR
 LAS VEGAS NV 89134-7598

EAUDE11 AS134

|||||

22A

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JULY 23, 2009

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

RQR-34682 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR, LLC - OWNER: BRIGHT PATH, LLC - Request for Required Review of a previously approved Special Use Permit (SUP-4521) FOR A 40-FOOT BY 48-FOOT OFF-PREMISE SIGN at 820 South Valley View Boulevard (APN 139-31-801-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian)

IF APPROVED, C.C.: 08/19/2009

IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

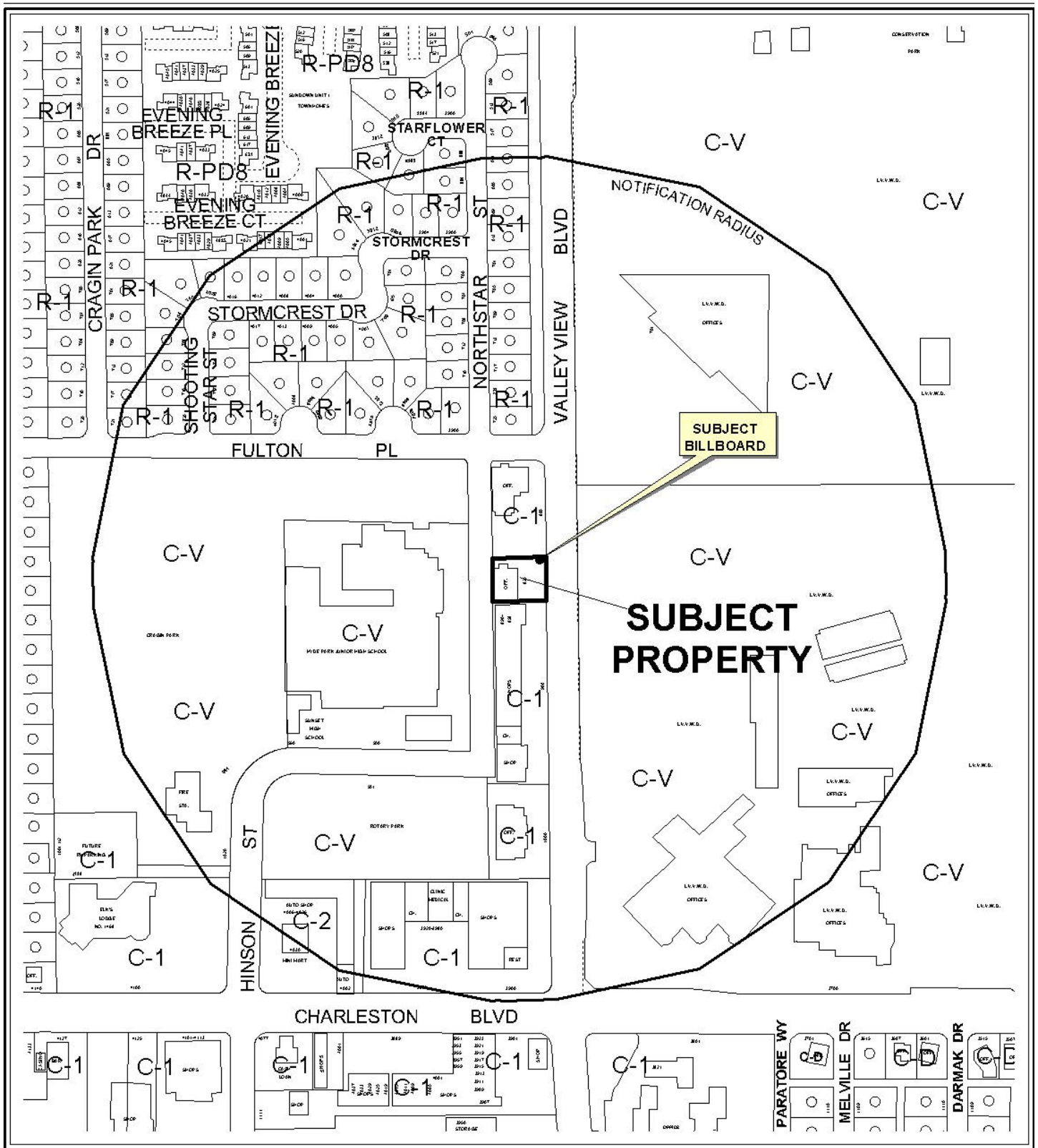
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RECOMMENDATION:

APPROVAL

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. City Council Approval Letter for SUP-4521
6. Protest Postcard

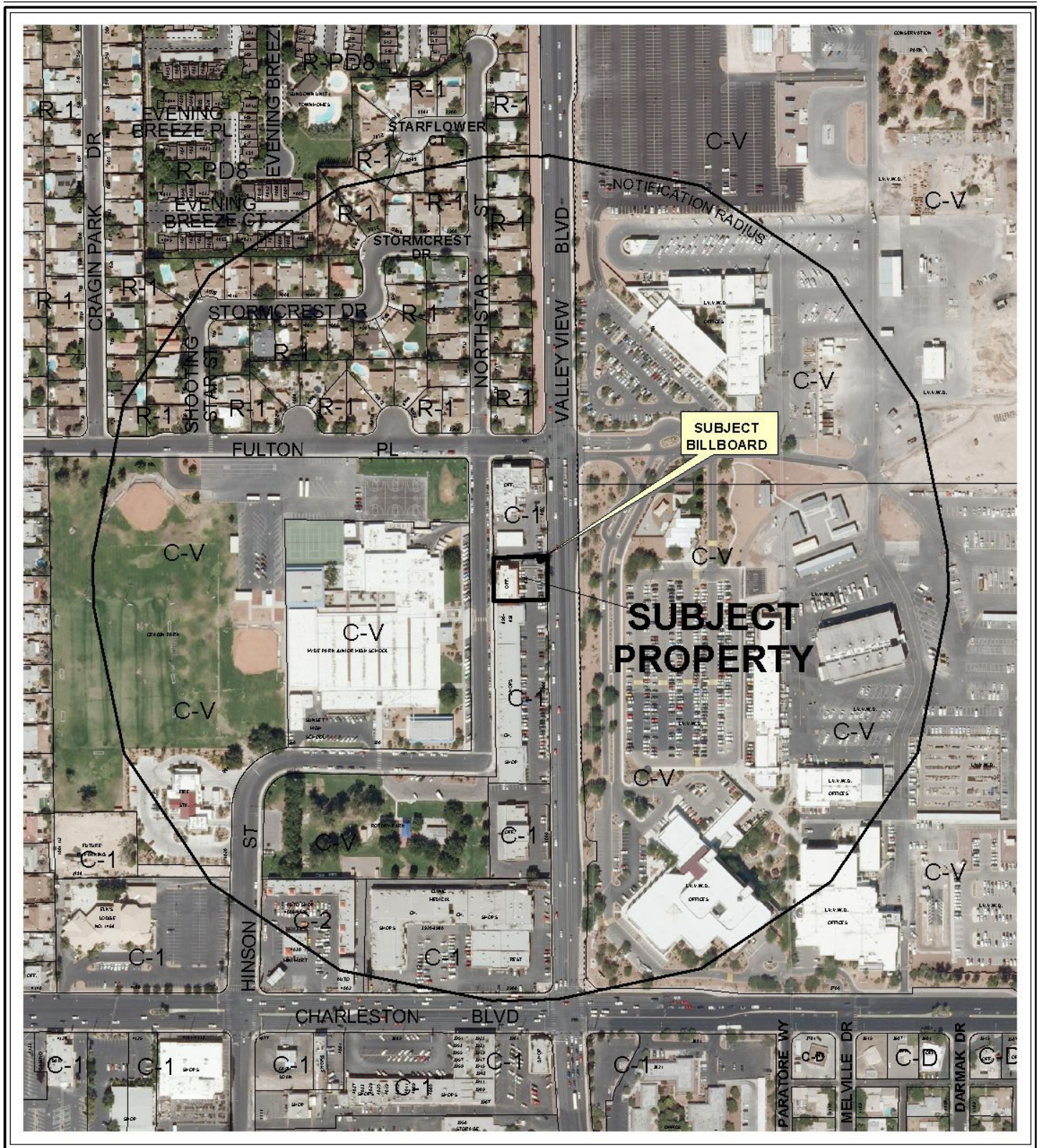


CASE: RQR-34682

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)



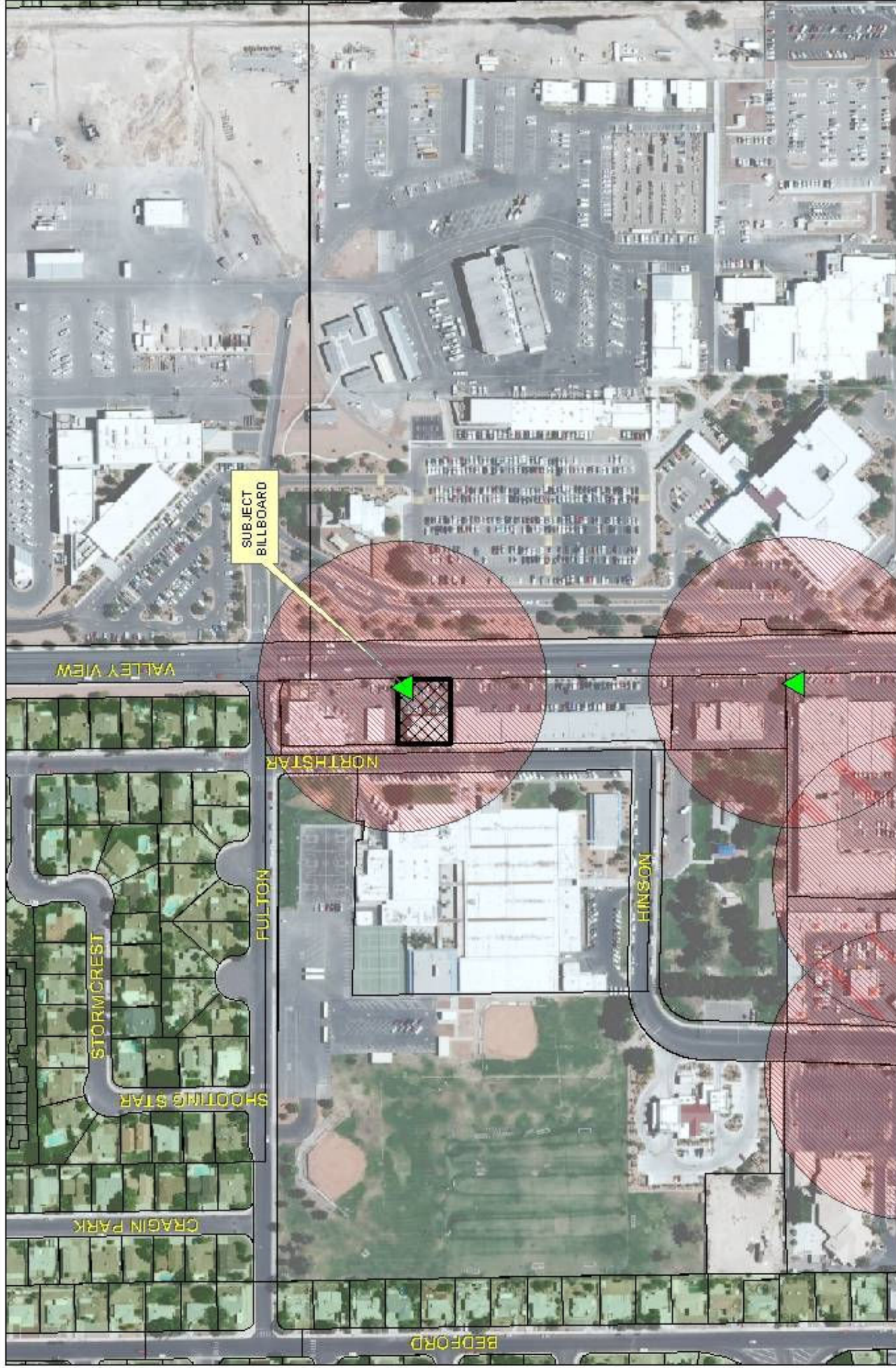


CASE: RQR-34682

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)





RQR-34682

Subject Parcel

City of Las Vegas Billboard Location

Clark County Billboard Location

City of Las Vegas Billboard Data

300 Foot Buffer Around Billboard

750 Foot Buffer Around Freeway Billboard

Residential Zoned Property

Off Premise Sign Exclusion Area

Exempt - Off Premise Area Sign Area



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 23, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: RQR-34682 - APPLICANT: CLEAR CHANNEL OUTDOOR, LLC - OWNER: BRIGHT PATH, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: **APPROVAL**, subject to:

Planning and Development

1. Conformance to the conditions for Special Use Permit (SUP- 4521).
2. This Special Use Permit (SUP-4521) shall be placed on an agenda closest to August 18, 2012 at which time the City Council may require the Off-Premise Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Sign be removed.
3. The Off-Premise Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Sign.
4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit (SUP-4521) shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

RQR-34682 - Staff Report Page One
July 23, 2009 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site currently has a single building for Office use, along with a previously approved Special Use Permit (SUP-4521) that allowed a 14-foot by 48-foot, 40-foot tall Off-Premise Sign to be located in the parking lot at 820 South Valley View Boulevard. The sign faces and supporting structure of the Off-Premise Sign are in good condition with no discrepancies noted. A research of the building permit activity found that permit #95884385 was issued for the installation of a billboard sign under the address of 820 South Valley View Boulevard, which received a final inspection on 12/26/95. There have been no recent changes in land use or new development in the surrounding area since the approval of the Special Use Permit (SUP-4521). If the application is denied, the Off-Premise sign will have to be removed. Staff recommends approval of this request with a three-year review.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
01/18/95	The City Council approved a request for a Special Use Permit (U-0296-94) for a 14-foot by 48-foot Off-Premise Sign located at 820 South Valley View Boulevard. The Board of Zoning Adjustment recommended approval on 12/27/94.
02/16/00	The City Council approved a request for a Required Review [U-0296-94(1)] of a previously approved Special Use Permit (U-0296-94) for a 14-foot by 48-foot Off-Premise Sign located at 820 South Valley View Boulevard. The Planning Commission recommended denial on 01/13/00.
07/05/01	The City Council approved a request for a Required Review [U-0296-94(2)] of a previously approved Special Use Permit (U-0296-94) for a 14-foot by 48-foot Off-Premise Sign located at 820 South Valley View Boulevard. The Planning Commission recommended denial on 02/22/01.
07/25/02	The Planning Commission denied a request for the Required Review [U-0296-94(3)] of a previously approved Special Use Permit (U-0296-94) for a 14-foot by 48-foot Off-Premise Sign located at 820 South Valley View Boulevard.
04/21/04	A Code Enforcement case (#13373) was processed for the removal of an Off-Premise Sign due to zoning violation. Code Enforcement closed the case on 06/29/04.
08/14/04	The City Council approved a request for Special Use Permit (SUP-4521) for a 14-foot by 48-foot, 40-foot tall Off-Premise Sign at 820 South Valley View Boulevard. The Planning Commission recommended approval on 07/22/04.

RQR-34682 - Staff Report Page Two
July 23, 2009 - Planning Commission Meeting

10/15/08	The City Council approved a request for a Review of Condition (ROC-29270) to delete Condition Number Five of a previously approved Special Use Permit (SUP-4521) that limited one advertising sign per face at 820 South Valley View Boulevard.
Related Building Permits/Business Licenses	
12/13/95	A building permit (#95884385) was issued for an Off-Premise Sign at 820 South Valley View Boulevard. The permit was finalized on 12/26/95.
Pre-Application Meeting	
A pre-application meeting was not required for this type of application, nor was one held.	
Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	
Field Check	
06/18/09	Staff conducted a field inspection of the site with the following observations: • The subject billboard has no embellishment, animated signage, or electronic displays. • All structural elements have been properly screened. • The sign and supporting structure is in good condition and does not require repainting or bird deterrents.

Details of Application Request	
Site Area	
Gross Acres	.33

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Offices	SC (Service Commercial)	C-1 (Limited Commercial)
North	Offices	SC (Service Commercial)	C-1 (Limited Commercial)
South	Retail Establishments	SC (Service Commercial)	C-1 (Limited Commercial)
East	Las Vegas Water District Facilities	PF (Public Facilities)	C-V (Civic)
West	School	PF (Public Facilities)	C-V (Civic)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
Rancho Charleston Land Use Study	X		Y

RQR-34682 - Staff Report Page Three
July 23, 2009 - Planning Commission Meeting

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O Airport Overlay District (175 feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Location	No Off-Premise Sign may be located within the public right-of way	Sign is not in public right-of way	Y
Zoning	Off-Premise Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	Sign is located in the C-1 (Limited Commercial) zoning district	Y
Area	No off-premise sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	Sign is 672 square feet in size. The sign does not have an embellishment.	Y
Height	No higher than 40 feet from grade to the point of construction: may be raised to a maximum of 55 feet with approval of the City Council if significantly obscured from view of travel lanes.	Sign is 40 feet tall	Y
Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view.	Structure elements of the sign are adequately screened from public view	Y

RQR-34682 - Staff Report Page Four
July 23, 2009 - Planning Commission Meeting

Off-Premise (Billboard)	At least 750 feet to another Off-Premise Sign along US-95 or at least 300 feet to another Off-Premise Sign (if not along US-95)	The sign is approximately 770 feet from another Off-Premise Sign	Y
Off-Premise Sign (Billboard)	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	Sign is approximately 330 feet from the nearest property line zoned for residential use.	Y
Other	All Off-Premise Signs (Billboards) shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	The sign is secured to the ground on C-1 (Limited Commercial) zoned property.	Y

ANALYSIS

This is the first Required Review of an approved Special Use Permit (SUP-4521) for a 14-foot by 48-foot, 40-foot tall Off-Premise Sign located at 820 South Valley View Boulevard. The billboard had a previous Special Use Permit (U-0296-94) approved in January 1995. In July 2002, the Planning Commission denied a request for a Required Review for the billboard, thereby requiring the sign to be removed, which was never accomplished.

The applicant reapplied for a Special Use Permit (SUP-4521) for the Off-Premise Sign and received approval in August 2004. The sign complies with all Title 19.14.100 requirements. A building permit (95884385) was issued for the installation, which received a final inspection on 12/26/95. During a field inspection of the site, the sign and supporting structure were in good condition with no discrepancies noted.

FINDINGS

The Off-Premise Sign meets Title 19.14.100 requirements, and is in good condition. There have been no significant changes in land use or new development since the approval of the Special Use Permit (SUP-4521) in August 2004; therefore, staff recommends approval, subject to a three-year review.

RQR-34682 - Staff Report Page Five
July 23, 2009 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

ASSEMBLY DISTRICT 34

SENATE DISTRICT 11

NOTICES MAILED 78

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-34682** APN: 139 31 801 002
Name of Property Owner: BRIGHT PATH, LLC
Name of Applicant: Clear Channel Outdoor
Name of Representative: Paul Larsen

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: _____

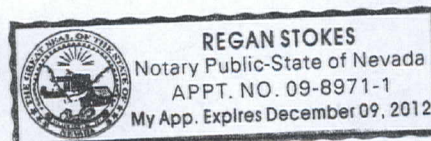
Signature of Property Owner: _____

Print Name: STEPHANIE COOPER HERDMAN

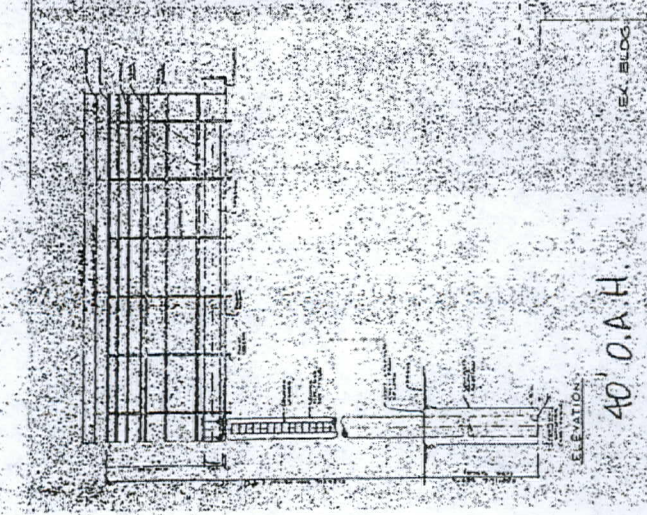
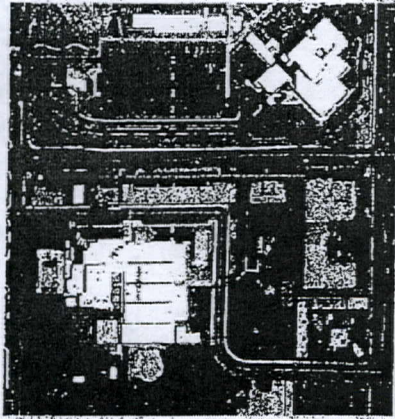
Subscribed and sworn before me

This 29th day of May, 2009

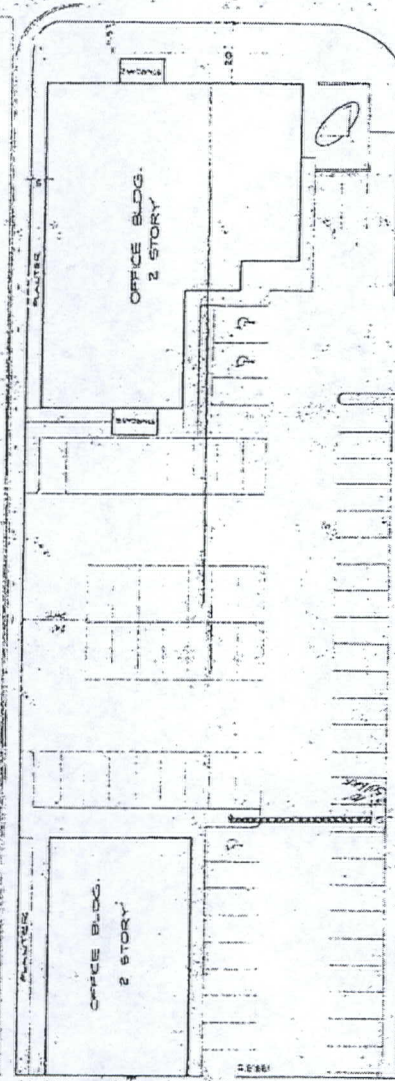
[Signature]
Notary Public in and for said County and State



100' FROM ANOTHER OFF PREMISE ADVERTISING SIGN (BANNED). WHERE 300' IS CODE.



HUNSON ST.



ADDITIONAL NOTES:
- SIGNAGE WITHIN 300' ZONING
- 100' FROM 100' ZONING
- 100' FROM 100' ZONING
- 100' FROM 100' ZONING
- 100' FROM 100' ZONING

139-31-801-002

PARKING SPACES AVAILABLE: 72

RECEIVED

JUN 01 2009

RQR-34682
07/23/09 PC

ALCA ENGINEERING & SURVEYING INC.
1000 S. 1000 E.
SUITE 100
SALT LAKE CITY, UT 84143
TEL: 313-16-8831
FAX: 313-16-8831
WWW.ALCAENGINEERING.COM

CHANNEL 15
SITE PLAN



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM
LARRY BROWN
LAWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov
18112-001-8/04



050644

November 2, 2004

Ms. Stephanie Christensen
Bright Pathologists, Limited Liability Company
820 South Valley View Boulevard
Las Vegas, Nevada 89107

RE: SUP-4521 – SPECIAL USE PERMIT
CITY COUNCIL MEETING OF AUGUST 18, 2004

Dear Ms. Christensen:

The City Council at a regular meeting held August 18, 2004 APPROVED the request for a Special Use Permit FOR A 40 FOOT HIGH, 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 820 South Valley View Boulevard (APN 139-31-801-002), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on August 19, 2004. This approval is subject to:

Planning and Development

1. An aesthetic enhancement covering to be placed around the column of the billboard that may consist of a stucco feature or some other architectural feature that is compatible to the buildings on the property and to the area which is subject to the Planning and Development Department approval.
2. The Special Use Permit shall be reviewed in five (5) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise sign.
5. Only one advertising sign is permitted per sign face.

RQR-34682
07/23/09 PC

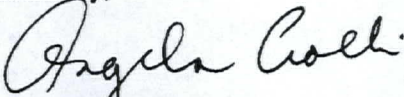
Ms. Stephanie Christensen
SUP-4521 - Page Two
November 2, 2004

6. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
7. All City Code requirements and design standards of all City Departments shall be satisfied.

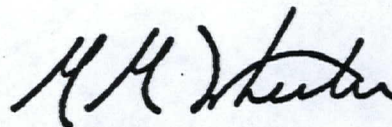
Public Works

8. The off-premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

Sincerely,



Angela Colli
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk



M. Margo Wheeler, AICP
Deputy Director
Planning and Development Department

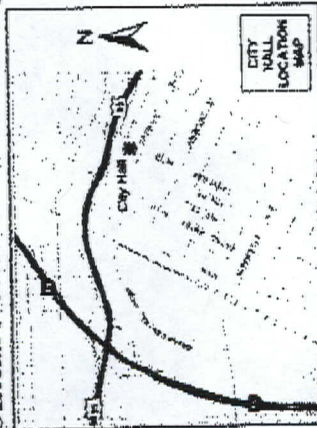
cc: Planning and Development Dept.
Development Coordination-DPW
Dept. of Fire Services

Mr. Rod Carter
Clear Channel Outdoor
2880-B Meade Avenue, Suite #300
Las Vegas, Nevada 89102

RQR-34682
07/23/09 PC

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2005

Return Service Requested Official Notice of Public Hearing



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

☐ I SUPPORT
this Request

☒ I OPPOSE
this Request

Please use available blank space on card for your comments.

RQR-34682

Planning Commission Meeting of 7/23/2009



Case: RQR-34682

13931712004
HERRICK WILLIAM M
708 SHOOTING STAR ST
LAS VEGAS NV 89107-4356



EAC09F11 89107

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JULY 23, 2009

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SUP-34764 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: HOUSE OF VINO, LLC - OWNER: PROVIDENCE VILLAGE, LLC - Request for a Special Use Permit FOR LIQUOR SALES (FOR OFF-PREMISE CONSUMPTION) WITHIN A PROPOSED 1,925 SQUARE-FOOT CONVENIENCE STORE at 7181 North Hualapai Way, Suite #105 (APN 126-24-517-001), PD (Planned Development) Zone [VC (Village Commercial) Cliff's Edge Special Land Use Designation], Ward 6 (Ross)

IF APPROVED, C.C.: 08/19/2009

IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

5

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

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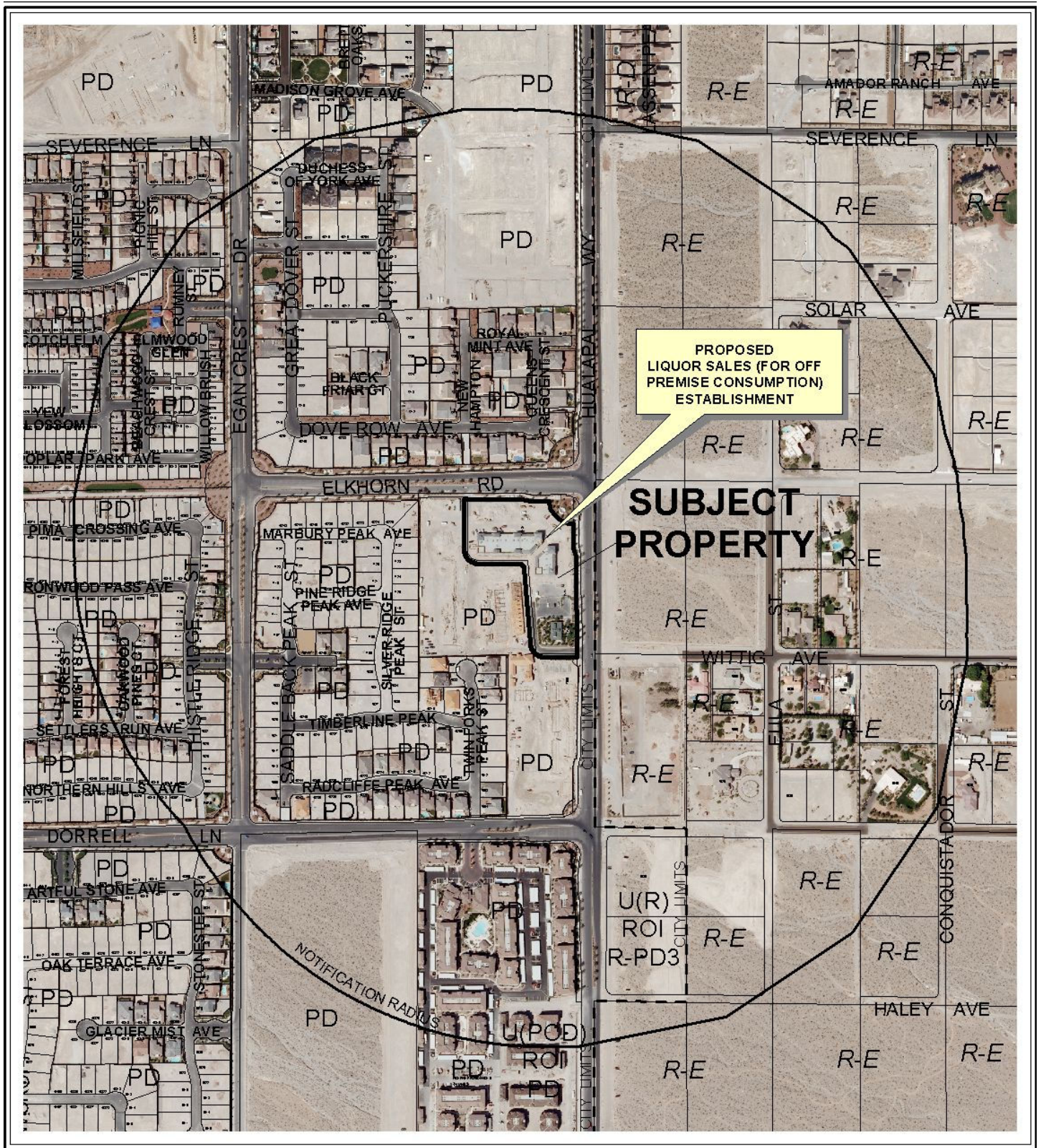
RECOMMENDATION:

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





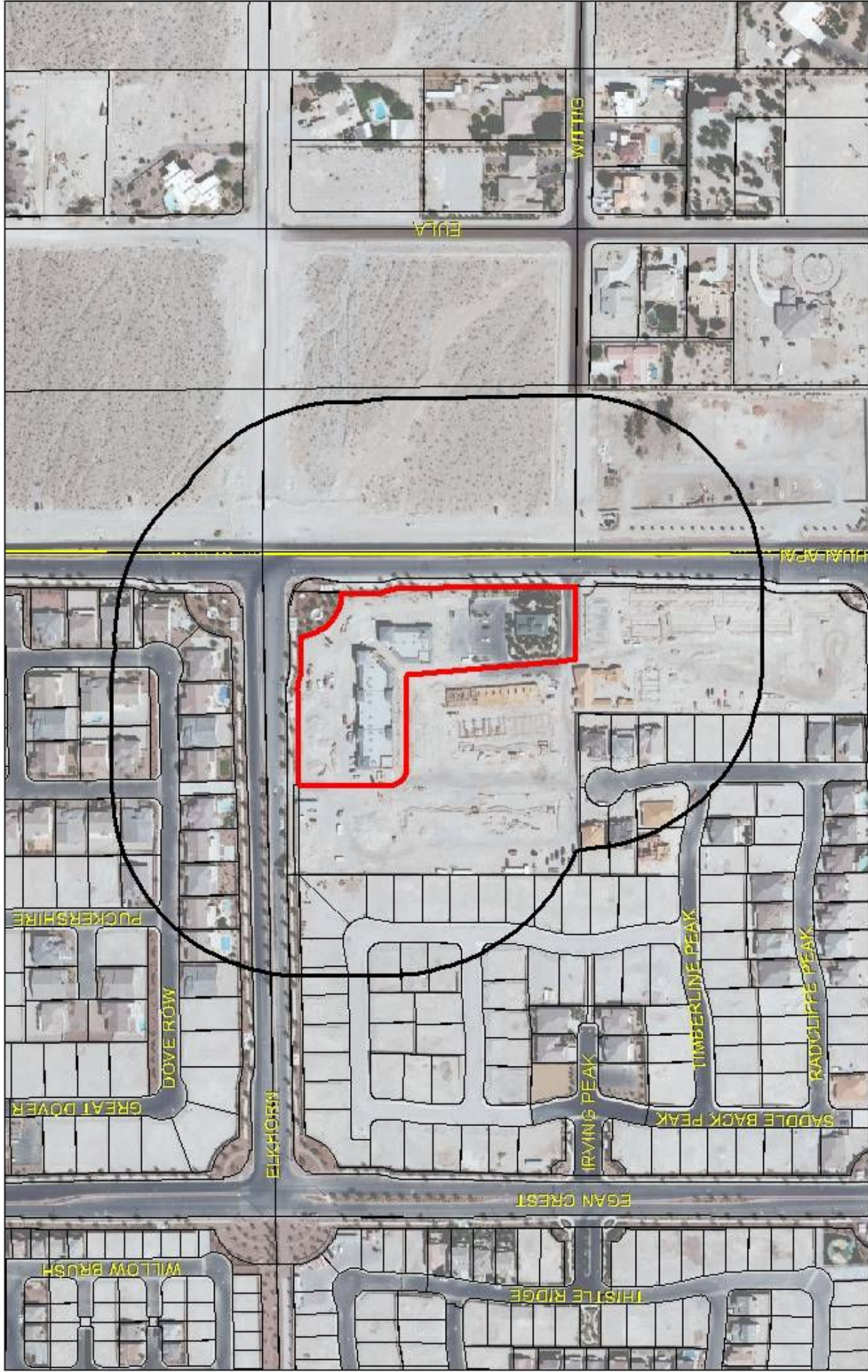
CASE: SUP-34764

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

PD (PLANNED DEVELOPMENT) ZONE [VC (VILLAGE COMMERCIAL) CLIFF'S EDGE SPECIAL LAND USE DESIGNATION]





SUP-34764

Business Licenses

- Child Care/Children Facility
- Supper Club/Restaurant
- Service Bar
- Liquor on/off Sales
- Tavern

- RELIGIOUS
- CITY PARKS
- SCHOOLS

- Subject Property
- 400 foot buffer



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 23, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-34764 - APPLICANT: HOUSE OF VINO - OWNER: PROVIDENCE VILLAGE, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, 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. Approval of this Special Use Permit does not constitute approval of a liquor license.
3. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
4. All beer and wine coolers shall remain in their original manufacturer's configuration of four- or six-packs.
5. The sale of single beers, malt beverages, or wine coolers of any size with alcohol by volume greater than 6% shall be prohibited. The sale of wines with an alcohol by volume of greater than 16% shall be prohibited.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-34764 - Staff Report Page One
July 23, 2009 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for Liquor Sales (For Off-Premise Consumption) located within a proposed 1,925 square foot convenience store located at 7181 North Hualapai Way, Suite #105. The applicant is proposing to sell package liquor as an ancillary use within the proposed convenience store. If denied, liquor sales will not be permitted within the proposed convenience store. Staff is recommending approval of the request as it is a permitted use within the VC (Village Commercial) Cliff's Edge Special Land Use designation and can be conducted in a manner that is compatible with surrounding land uses.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
02/05/03	The City Council approved a petition (A-0035-02) to Annex parcels of land generally located adjacent to the southeast corner of Grand Teton Drive and Puli Road, including this site, containing approximately 1,187 acres. The effective date was 02/14/03.
04/16/03	The City Council approved a request for a Rezoning (ZON-1520) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan designation] to PD (Planned Development) zone on 297.50 acres and to establish a Master Plan for the Cliff's Edge development adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road. The Planning Commission and staff recommended approval.
05/05/04	The City Council approved a Major Modification (MOD-3955) to the Cliff's Edge Master Development Plan to change land use designations from VC (Village Commercial), M (Medium Density Residential) and ML (Medium Low Density Residential) to ML (Medium Low Density Residential), M (Medium Density Residential), RCL (Residential Small Lot) and Pump & Reservoir. To modify section 6.2.3 regarding retaining walls, and to modify Table 1 (Section 2.2) to reflect changes in land use categories on 40 acres located on the south side of Grand Teton Drive, between Hualapai Way and Puli Road.
05/27/04	The Planning and Development Department approved a Minor Modification (MOD-4237) to include an exhibit depicting cross sections for private interior residential streets.
07/12/05	The Planning and Development Department approved a Minor Site Development Plan Review (SDR-6879) for a 1,582 square-foot temporary information center adjacent to the southwest corner of Elkhorn Road and Hualapai Way.

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July 23, 2009 - Planning Commission Meeting

11/16/05	The City Council approved a request for a Major Modification (MOD-9174) to the Cliff's Edge Master Development Plan and Design Guidelines to establish standards for rear loaded residential small lot housing products and to add section 3.2.5b to the design guidelines on 1,156 acres generally located adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road. The Planning Commission and staff recommended approval.
05/16/07	The City Council approved a request for a Variance (VAR-18090) of the Cliff's Edge Master Development Plan and Design Guidelines Section 3.2.1 to allow a balcony-to-balcony separation of 24 feet where 30 feet is required and to allow a setback of two feet from a living area, porch, stoop, and sidewalk where ten feet is required; and a Site Development Plan Review (SDR-18031) for a mixed-use development consisting of 218 proposed condominium units and a three-building, 32,400 square-foot retail development on 15.69 acres at the southwest corner of Hualapai Way and Elkhorn Road. The Planning Commission recommended approval. Staff recommended denial of both applications.
06/14/07	The Planning Commission approved a Tentative Map (TMP-21653) for a Mixed Use subdivision consisting of 218 residential condominium units and one commercial lot located on the southwest corner of Elkhorn Road and Hualapai Way. Staff recommended approval of this request.
02/06/08	The City Council approved a Review Of Condition (ROC-26396) of Condition Five of an approved Site Development Plan Review (SDR-18031) which stated that a certificate of occupancy for retail buildings 1, 2, and 3, shall be obtained prior to the request for certificates of occupancy on all residential units for an approved Mixed-Use Development with 218 residential units and 32,500 square feet of retail space at the southwest corner of Hualapai Way and Elkhorn Road.
<i>Related Building Permits/Business Licenses</i>	
11/30/07	A building permit (#100111) was issued for a retail shell building at 7181 North Hualapai Way. The permit was completed on 01/29/09
08/13/08	A building permit (#122036) was issued for a 225-foot retaining wall at 7181 North Hualapai Way. The permit was completed on 10/14/08.
04/28/09	A building permit (#138322) was issued for a tenant improvement for 7181 North Hualapai Way. The permit is still under review.
<i>Pre-Application Meeting</i>	
05/20/09	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for Liquor Sales (For Off-Premise Consumption) were discussed. Topics included: • Cliff's Edge Master Plan requirements • Application materials and documents • Meeting dates and deadlines
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one conducted.	

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July 23, 2009 - Planning Commission Meeting

Field Check	
06/18/09	During a routine site inspection staff observed: • There is adequate space for the proposed location of the facility; the facility will not interfere with on-site parking or circulation. • The subject site contains a retail space within an existing 32,400 square-foot retail development. • Construction on the retail development is complete.

Details of Application Request	
Site Area	
Gross Acres	3.42

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	PCD (Planned Community Development)	PD (Planned Development) Zone [VC (Village Commercial) Cliff's Edge Special Land Use Designation]
North	Single-Family Residences	PCD (Planned Community Development)	PD (Planned Development) Zone [L (Low Density Residential) Cliff's Edge Special Land Use Designation]
South	Condominiums	PCD (Planned Community Development)	PD (Planned Development) Zone [VC (Village Commercial) Cliff's Edge Special Land Use Designation]
East	Undeveloped (Clark County)	RL (Residential Low) – Clark County	R-E (Rural Estates Residential District) - Clark County
West	Condominiums	PCD (Planned Community Development)	PD (Planned Development) Zone [VC (Village Commercial) Cliff's Edge Special Land Use Designation]

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July 23, 2009 - Planning Commission Meeting

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Cliff's Edge	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
PD [Planned Development District (Cliff Edge)]	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 19.10, 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	
Shopping Center	30,600 SF	1:250	187	6	188	6	Y
TOTAL	30,600 SF		193		194		

ANALYSIS

This is a request for a Special Use Permit for Liquor Sales (For Off Premise Consumption) within a proposed Convenience Store at 7181 North Hualapai Way, Suite #105. The establishment is not located within 400 feet of any church, synagogue, school or child care facility that is licensed for more than 12 children. The hours of operation for the store will be from 8:00am from 12:00am Monday through Sunday. The Convenience Store will contain 48 square feet of Beer & Wine display (including the walk-in cooler area) and 125 square feet of area behind the cashier for display of selected liquors. The 173 square feet of area dedicated to liquor sales is 9% of the total square footage of the Convenience Store. The proposed Special Use Permit is consistent with the requirements of the Cliff's Edge Master Planned Community and can be conducted in a manner that is compatible with existing surrounding land uses; therefore, staff recommends approval.

FINDINGS

The following findings must be made for a Special Use Permit:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The proposed use is compatible with the VC (Village Commercial) Cliff’s Edge Master Planned Community 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 Liquor Sales use (For Off Premise Consumption) use will be located in an existing retail 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 Elkhorn Road and Hualapai Way, 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 Convenience Store with Liquor Sales use (For Off Premise Consumption) will be subject to regular inspections.

5. **The use meets all of the applicable conditions per Title 19.04.**

The proposed Convenience Store with Liquor Sales use (For Off-Premise Consumption) use is permitted within the VC (Village Commercial) Cliff’s Edge Special land use designation. Title 19.04 does not apply.

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July 23, 2009 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 206

APPROVALS 0

PROTESTS 5

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-34764** APN: **126-24-517-001**

Name of Property Owner: **Providence Village, LLC**

Name of Applicant: **House of Vino LLC**

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 ☐ 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): _____

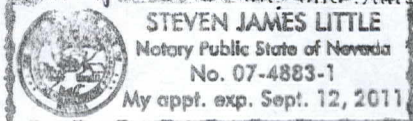
APN: _____

Signature of Property Owner/Authorized Agent: 

Subscribed and sworn before me

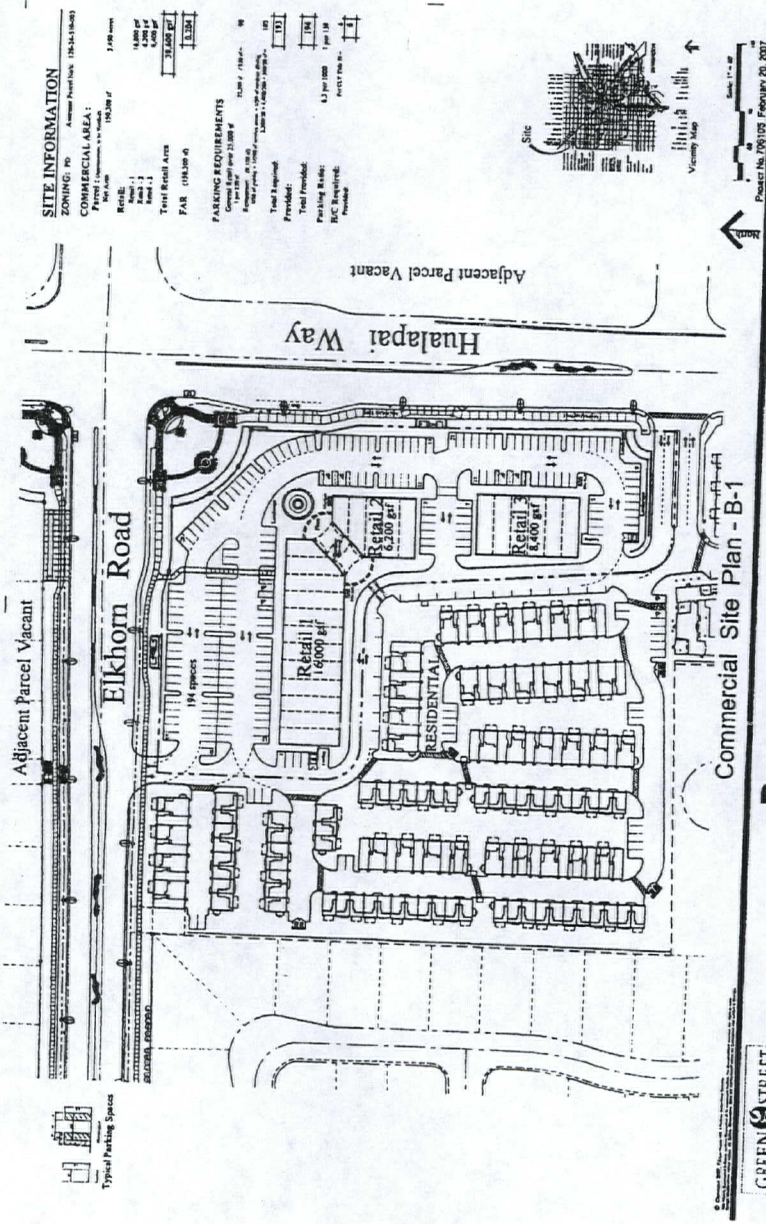
This 4th day of June, 2009

Notary Public in and for said County and State



RECEIVED

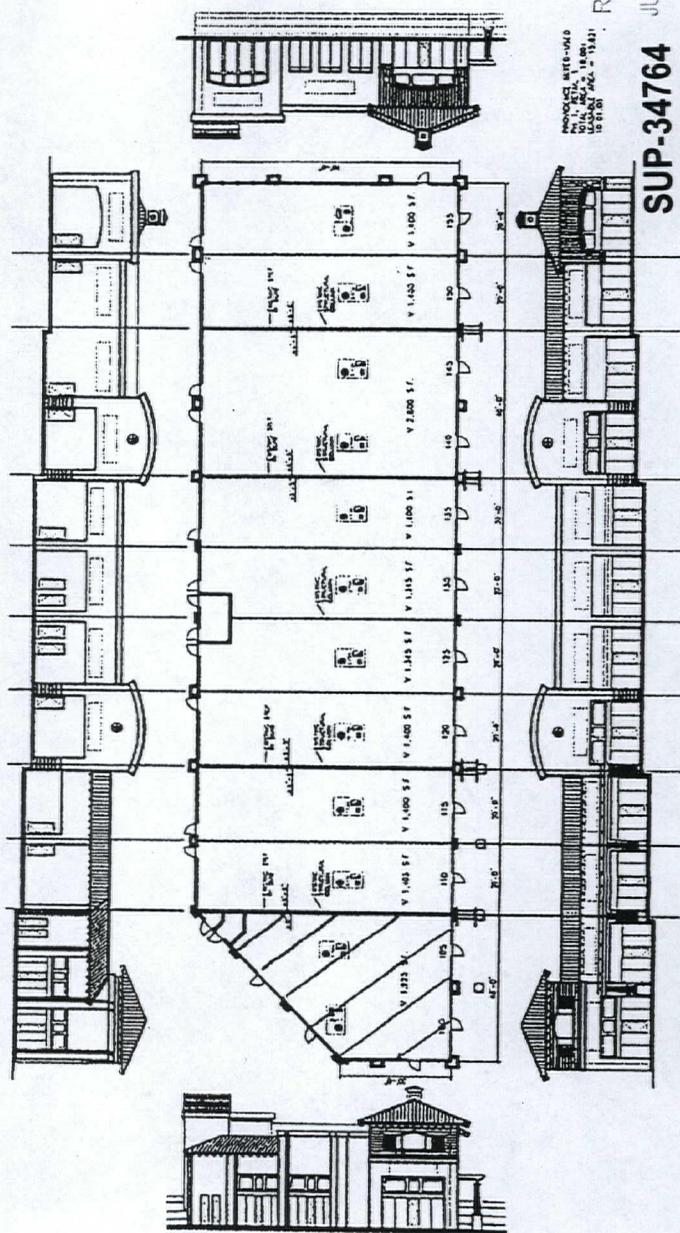
JUN 05 2009



SITE INFORMATION

ZONING: PD
 Commercial Area: 12-14-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000-1001-1002-1003-1004-1005-1006-1007-1008-1009-1010-1011-1012-1013-1014-1015-1016-1017-1018-1019-1020-1021-1022-1023-1024-1025-1026-1027-1028-1029-1030-1031-1032-1033-1034-1035-1036-1037-1038-1039-1040-1041-1042-1043-1044-1045-1046-1047-1048-1049-1050-1051-1052-1053-1054-1055-1056-1057-1058-1059-1060-1061-1062-1063-1064-1065-1066-1067-1068-1069-1070-1071-1072-1073-1074-1075-1076-1077-1078-1079-1080-1081-1082-1083-1084-1085-1086-1087-1088-1089-1090-1091-1092-1093-1094-1095-1096-1097-1098-1099-1100-1101-1102-1103-1104-1105-1106-1107-1108-1109-1110-1111-1112-1113-1114-1115-1116-1117-1118-1119-1120-1121-1122-1123-1124-1125-1126-1127-1128-1129-1130-1131-1132-1133-1134-1135-1136-1137-1138-1139-1140-1141-1142-1143-1144-1145-1146-1147-1148-1149-1150-1151-1152-1153-1154-1155-1156-1157-1158-1159-1160-1161-1162-1163-1164-1165-1166-1167-1168-1169-1170-1171-1172-1173-1174-1175-1176-1177-1178-1179-1180-1181-1182-1183-1184-1185-1186-1187-1188-1189-1190-1191-1192-1193-1194-1195-1196-1197-1198-1199-1200-1201-1202-1203-1204-1205-1206-1207-1208-1209-1210-1211-1212-1213-1214-1215-1216-1217-1218-1219-1220-1221-1222-1223-1224-1225-1226-1227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SITE PLAN



PROXIMATE ANALYSIS - UNO
 PM 1, PM 10, TSP
 TOTAL AREA = 18.001
 WEATHER AREA = 13.021

RECEIVED

JUN 05 2009

SUP-34764

07/23/09 PC

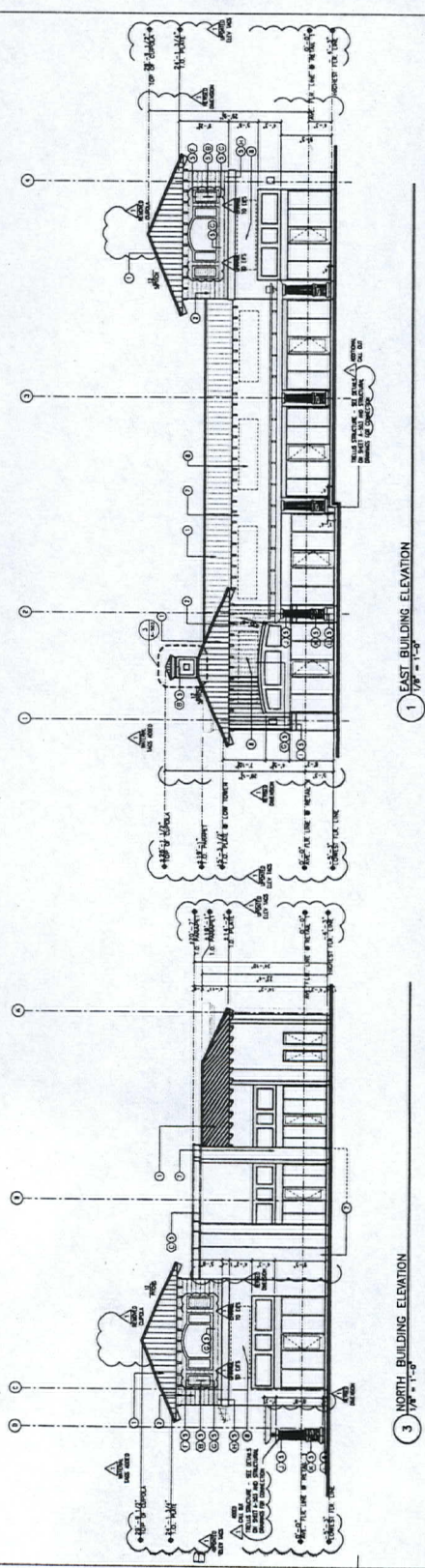
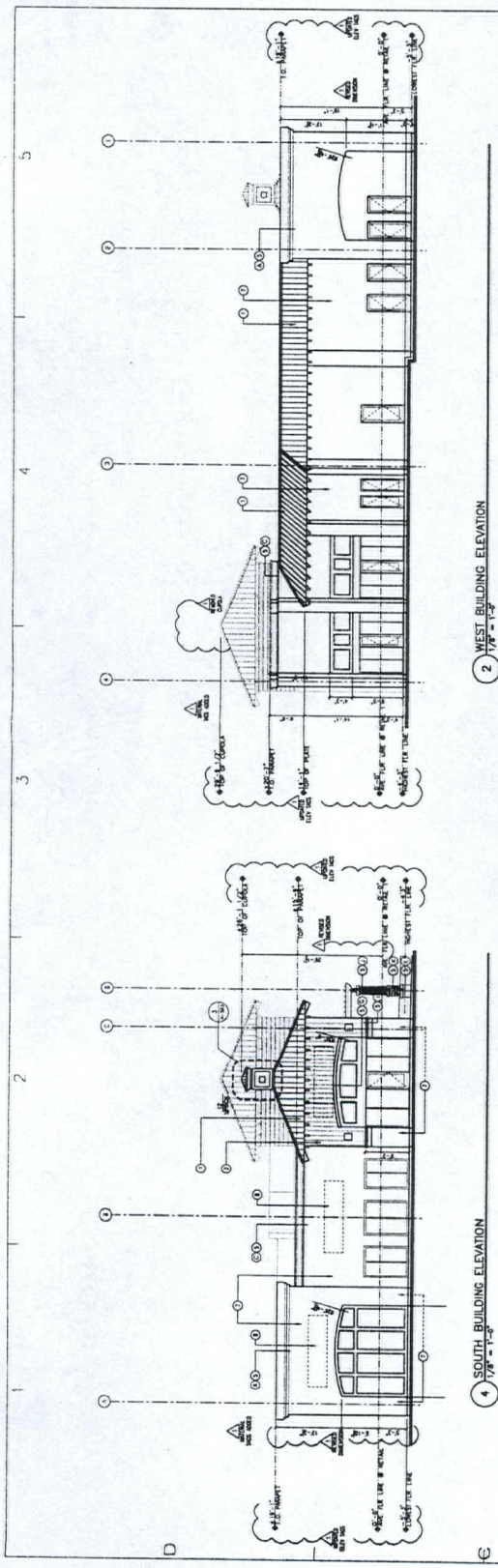
Periman
 2230 COMPASS CIRCLE
 HENDERSON, NV 89024
 702 896 8500 702 833 3333 fax



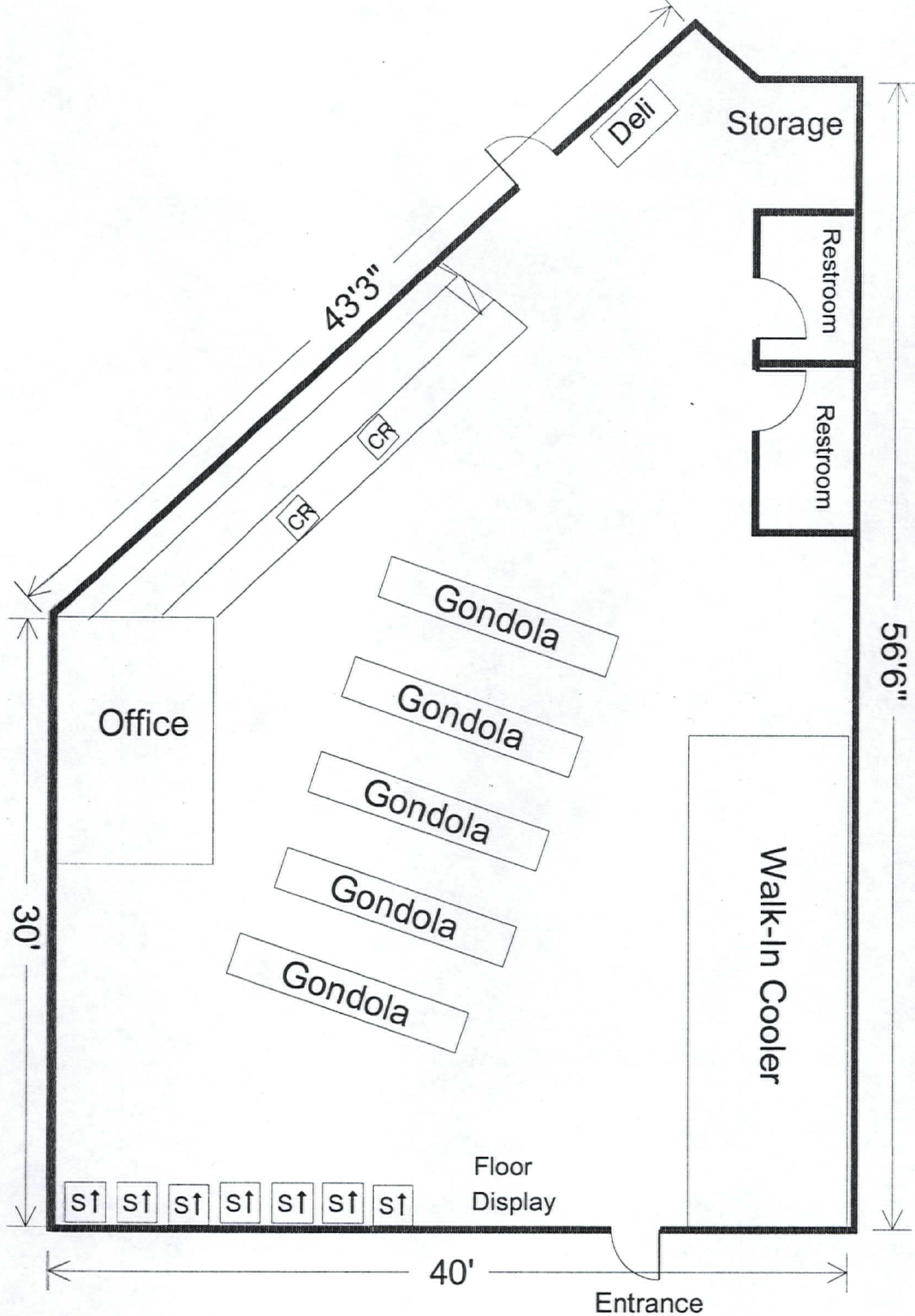
Rev	Date	By	Description
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Providence Mixed-Use
 Retail 1, 2 & 3
 Las Vegas, Nevada 89178
 2230 Compass Circle, Henderson, NV 89024
 GREENSTREET PROPERTIES

RECEIVED
 JUN 05 2009
 RETAIL 2 BUILDING
 ELEVATIONS
 A-202



MATERIAL SCHEDULE		EVS PROFILE SCHEDULE																							
1	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
2	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
3	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
4	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
5	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
6	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
7	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
8	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
9	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
10	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
11	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
12	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
13	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
14	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
15	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
16	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
17	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
18	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
19	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
20	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
21	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
22	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
23	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
24	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
25	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
26	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
27	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
28	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
29	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
30	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
31	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
32	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
33	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
34	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
35	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
36	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
37	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
38	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
39	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
40	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
41	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
42	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
43	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
44	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
45	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
46	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
47	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
48	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
49	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
50	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
51	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
52	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
53	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
54	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
55	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
56	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
57	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
58	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
59	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
60	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
61	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
62	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
63	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
64	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE	9	PROFILE	10	PROFILE	11	PROFILE	12	PROFILE
65	8 1/2" DEEPER 1/2" THK 304 SS PER STD OF FINISH SHOE	1	PROFILE	2	PROFILE	3	PROFILE	4	PROFILE	5	PROFILE	6	PROFILE	7	PROFILE	8	PROFILE								



House of Vino
7181 N. Hualapai, Suite 100
Las Vegas, NV 89147

Proposed - Not yet built out

Total Sq. Ft: 1,925
48 Sq. ft of Walk-in Cooler
dedicated to Beer & Wine

125 Sq. ft of Liquor on shelves
behind counter/registers

Total Sq.Ft for Beer/Wine/Liquor: 173

RECEIVED

SUP-34764
07/23/09 PC

JUN 05 2009

House of Vino
7181 N. Hualapai, Suite 100, Las Vegas, NV 89147
Landscaping



SUP-34764 RECEIVED
07/23/09 PC JUN 05 2009

House of Vino
7181 N. Hualapai, Suite 100, Las Vegas, NV 89147
Elevations



SUP-34764
07/23/09 PC

RECEIVED

JUN 05 2009



3455 Cliff Shadows Parkway, Suite 220
Las Vegas, Nevada 89129
(702) 242-4949 ~ FAX: 242-0414

6/4/2009

Dave Eder
Nevada Gaming Consultants

Via: E-mail (peggyndave@gmail.com)

RE: Special Use Permit application for House of Vino

Dear Mr. Eder:

I am in receipt of you email dated June 2, 2009 requesting acknowledgment of you application for special use permits for the House of Vino proposed at 7181 N. Hualapai, Suite 100.

This letter will serve as the Providence Design review Committee's acknowledgement that you have applied for, and initiated the review and approvals process of, special use permits for liquor sales and restricted gaming with the City of Las Vegas.

While these uses are permissible in the Village Commercial land use category of the Providence Master Plan, they require approval of special use permits by the City of Las Vegas City Council. The decision to approve said uses permits is ultimately at the sole discretion of the City of Las Vegas City Council.

If you have any questions, please do not hesitate to contact our office.

Sincerely,
Providence Design Review Committee

Calvin Champlin
Senior Vice President of Entitlements

cc via email: Chris Dingell – Focus

Enclosures: (none)

RECEIVED

JUN 05 2009

SUP-34764
07/23/09 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.

SUP-34764 & SUP-34765

Planning Commission Meeting of 7/23/2009

PRE-SORTED
FIRST CLASS



02 1M
0004279218 JUL 10 2009
\$00.41
MAILED FROM ZIP CODE 89101

12613818060
NEEDHAM MARIGLEN & JASON
10217 DUCHESS OF YORK AVE
LAS VEGAS NV 89166-6532
Case: SUP-34764

*oppose the
gaming part.*

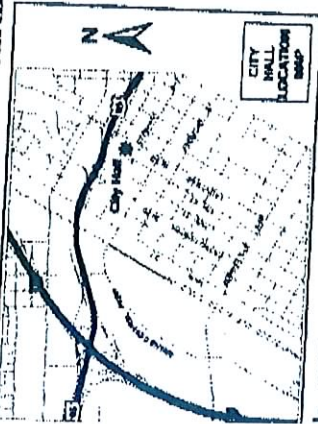
ENCLOSURE

ENCLOSURE

Department
ices Center

89101-2986

Return Service Requested
Official Notice of Public Hearing



le your protest or support on this request, check the
ow and return this card in an envelope with postage to the
parent Department at the address listed above or fax this
702) 385-7268. If you would like to contact your Council
se call (702) 229-6405.

PORT
request



I OPPOSE
this Request

le blank space on card for your comments.

JP-34765

ision Meeting of 7/23/2009



I OPPOSE THESE (SUP34764)
AND (SUP34765) APPLICATIONS
DUE TO LACK OF POLICE PRESENCE
IN THIS AREA.

Thank-you
William D.

12519102009 Case: SUP-34764
SIMON MARC J & KIM
9780 WITTIG AVE
LAS VEGAS NV 89149-1348

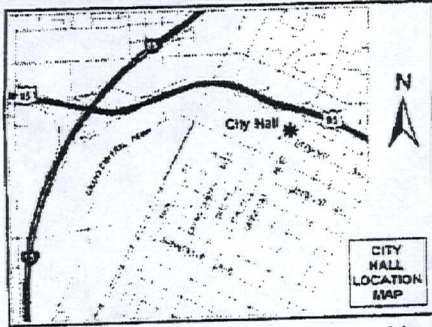
EAUDEF 11 53149

Handwritten signature/initials.

24P

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-34764 & SUP-34765

Planning Commission Meeting of 7/23/2009

Case: SUP-34764

12624516015

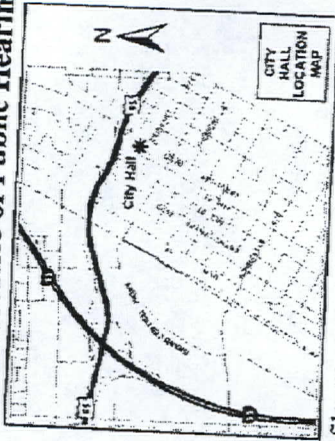
EISEN PAUL & SUSAN REY LIV TR
10219 RADCLIFFE PEAKE
LAS VEGAS NV 89166-7124

EAUDP11 69166



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-34764 & SUP-34765

Planning Commission Meeting of 7/23/2009

12613818048 Case: SUP-34764
BROWN SCOTT J & COLLEEN
10221 DOVE ROW AVE
LAS VEGAS NV 89166-6541

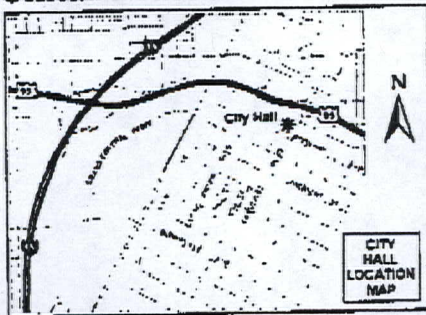
ENCLOSURE



24P

City of Las Vegas
Planning & Development Department
Development Services Center
131 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-34764 & SUP-34765

Planning Commission Meeting of 7/23/2009

PRESORTED
FIRST CLASS



UNITED STATES POSTAGE
02 1M
0004279218 JUL 10 2009
MAILED FROM ZIP CODE 89101
\$ 00.414

Case: SUP-34764
12624516099
GARGAS RONALD S & CATHY S
10224 RADCLIFFE PEAK AVE
LAS VEGAS NV 89166-7125

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JULY 23, 2009

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SUP-34765 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: HOUSE OF VINO - OWNER: PROVIDENCE VILLAGE, LLC - Request for a Special Use Permit FOR GAMING (INCIDENTAL GAMING MACHINES ONLY) WITHIN A PROPOSED 1,925 SQUARE-FOOT CONVENIENCE STORE at 7181 North Hualapai Way, Suite #110 (APN 126-24-517-001), PD (Planned Development) Zone [VC (Village Commercial) Cliff's Edge Special Land Use Designation], Ward 6 (Ross)

IF APPROVED, C.C.: 08/19/2009

IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

5

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

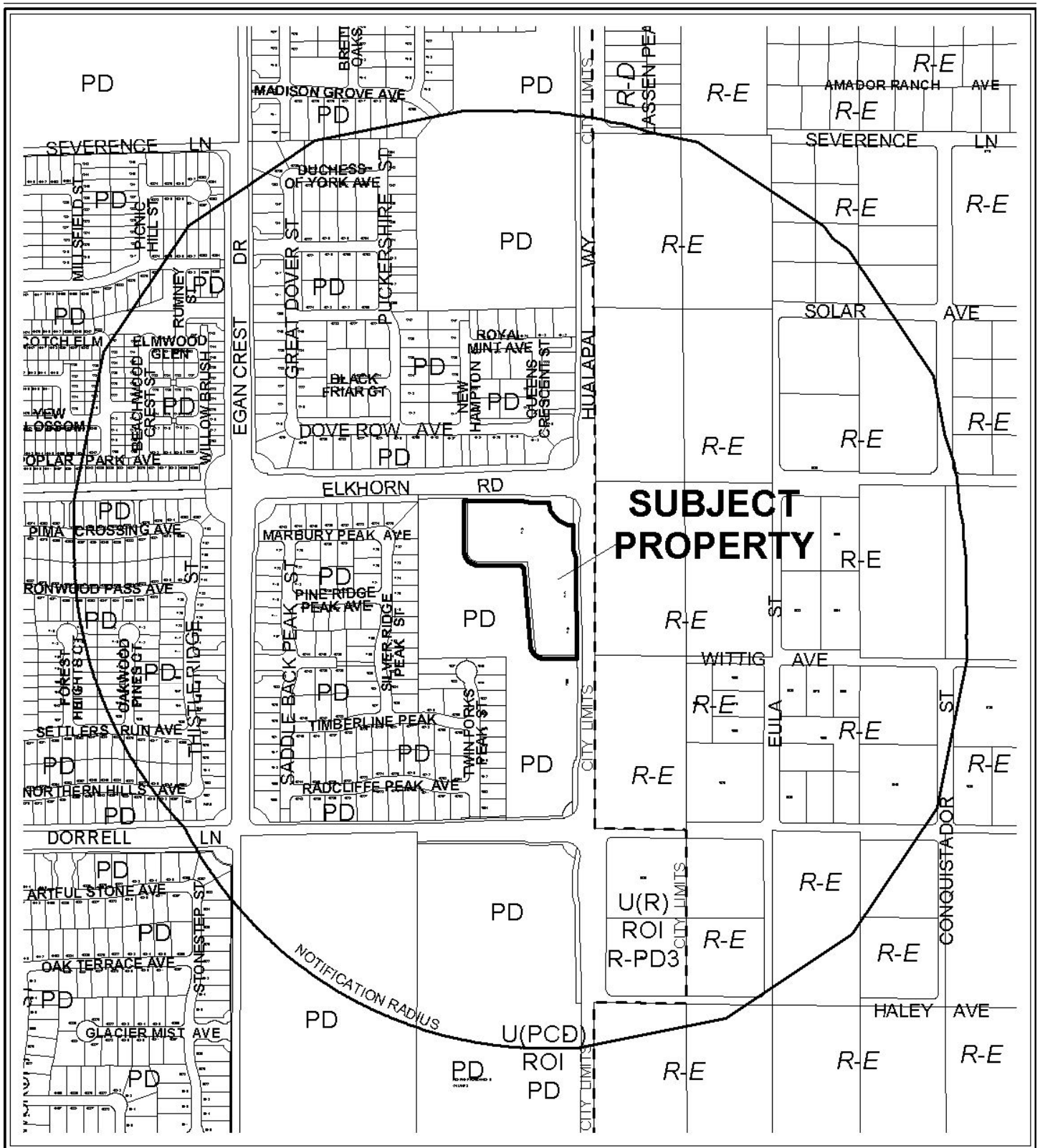
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RECOMMENDATION:

APPROVAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letters
6. Protest Postcards



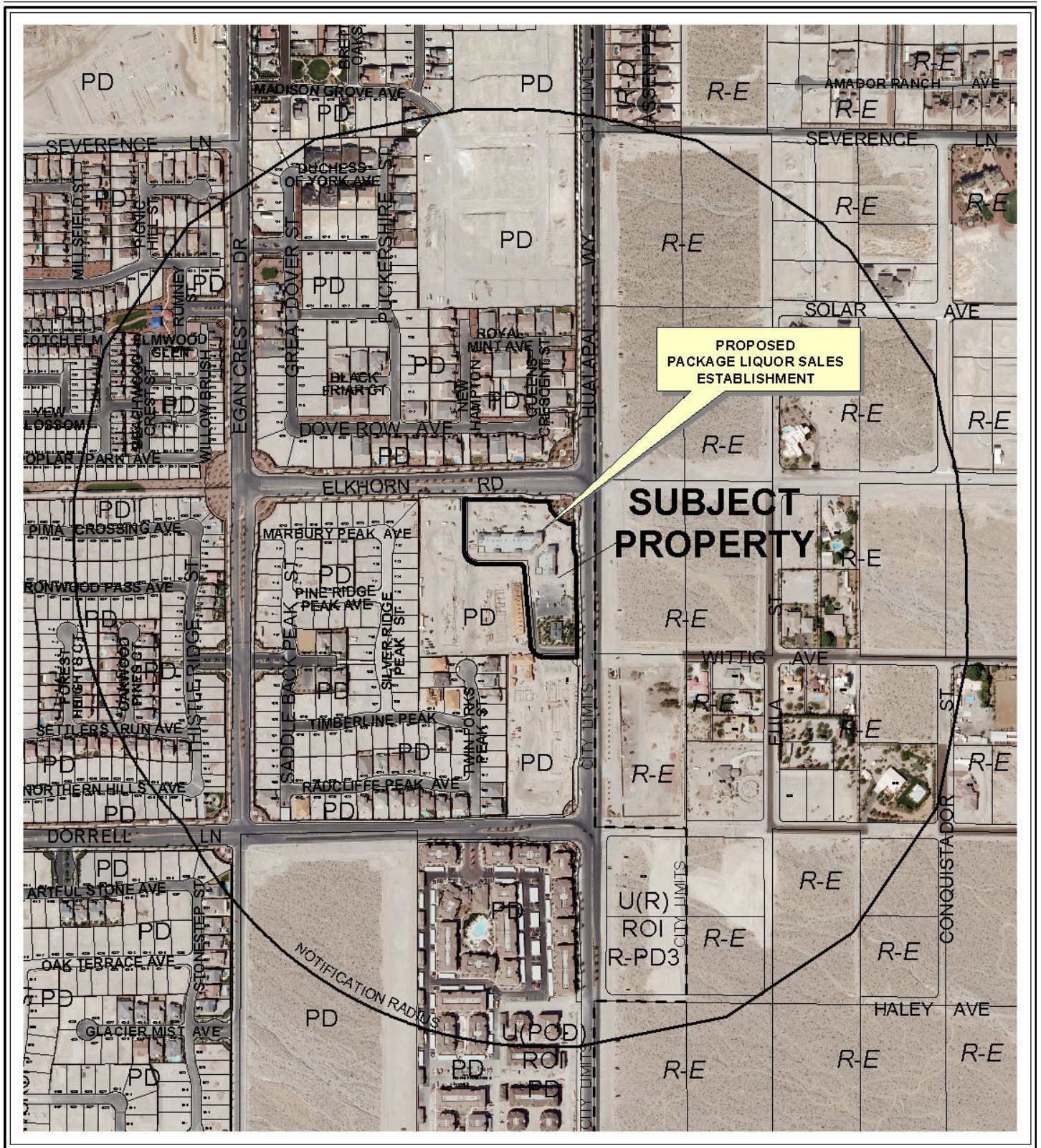
CASE: SUP-34765

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

PD (PLANNED DEVELOPMENT) ZONE [VC (VILLAGE COMMERCIAL) CLIFF'S EDGE
SPECIAL LAND USE DESIGNATION]





CASE: SUP-34765

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

PD (PLANNED DEVELOPMENT) ZONE [VC (VILLAGE COMMERCIAL) CLIFF'S EDGE SPECIAL LAND USE DESIGNATION]

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 23, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-34765 - APPLICANT: HOUSE OF VINO - OWNER:
PROVIDENCE VILLAGE, LLC**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This approval is contingent to allow a maximum of seven gaming machines to be operation at the subject site.
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.

SUP-34765 - Staff Report Page One
July 23, 2009 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for Gaming (Incidental Gaming Machines Only) at a proposed 1,925 square foot convenience store located at 7181 North Hualapai Way, Suite #105. The applicant is proposing to place seven gaming machines in the Convenience Store. The seven gaming machines will occupy a total of 28 square feet (two square feet a piece) area in the center of the store. If denied, gaming will not be permitted within the proposed convenience store. Staff is recommending approval of the request as it is a permitted use within the VC (Village Commercial) Cliff's Edge Special Land Use designation and can be conducted in a manner that is compatible with surrounding land uses.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
02/05/03	The City Council approved a petition (A-0035-02) to Annex parcels of land generally located adjacent to the southeast corner of Grand Teton Drive and Puli Road, including this site, containing approximately 1,187 acres. The effective date was 02/14/03.
04/16/03	The City Council approved a request for a Rezoning (ZON-1520) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan designation] to PD (Planned Development) zone on 297.50 acres and to establish a Master Plan for the Cliff's Edge development adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road. The Planning Commission and staff recommended approval.
05/05/04	The City Council approved a Major Modification (MOD-3955) to the Cliff's Edge Master Development Plan to change land use designations from VC (Village Commercial), M (Medium Density Residential) and ML (Medium Low Density Residential) to ML (Medium Low Density Residential), M (Medium Density Residential), RCL (Residential Small Lot) and Pump & Reservoir. To modify section 6.2.3 regarding retaining walls, and to modify Table 1 (Section 2.2) to reflect changes in land use categories on 40 acres located on the south side of Grand Teton Drive, between Hualapai Way and Puli Road.
05/27/04	The Planning and Development Department approved a Minor Modification (MOD-4237) to include an exhibit depicting cross sections for private interior residential streets.
07/12/05	The Planning and Development Department approved a Minor Site Development Plan Review (SDR-6879) for a 1,582 square-foot temporary information center adjacent to the southwest corner of Elkhorn Road and Hualapai Way.

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July 23, 2009 - Planning Commission Meeting

11/16/05	The City Council approved a request for a Major Modification (MOD-9174) to the Cliff's Edge Master Development Plan and Design Guidelines to establish standards for rear loaded residential small lot housing products and to add section 3.2.5b to the design guidelines on 1,156 acres generally located adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road. The Planning Commission and staff recommended approval.
05/16/07	The City Council approved a request for a Variance (VAR-18090) of the Cliff's Edge Master Development Plan and Design Guidelines Section 3.2.1 to allow a balcony-to-balcony separation of 24 feet where 30 feet is required and to allow a setback of two feet from a living area, porch, stoop, and sidewalk where ten feet is required; and a Site Development Plan Review (SDR-18031) for a mixed-use development consisting of 218 proposed condominium units and a three-building, 32,400 square-foot retail development on 15.69 acres at the southwest corner of Hualapai Way and Elkhorn Road. The Planning Commission recommended approval. Staff recommended denial of both applications.
06/14/07	The Planning Commission approved a Tentative Map (TMP-21653) for a Mixed Use subdivision consisting of 218 residential condominium units and one commercial lot located on the southwest corner of Elkhorn Road and Hualapai Way. Staff recommended approval of this request.
02/06/08	The City Council approved a Review Of Condition (ROC-26396) of Condition Five of an approved Site Development Plan Review (SDR-18031) which stated that a certificate of occupancy for retail buildings 1, 2, and 3, shall be obtained prior to the request for certificates of occupancy on all residential units for an approved Mixed-Use Development with 218 residential units and 32,500 square feet of retail space at the southwest corner of Hualapai Way and Elkhorn Road.
<i>Related Building Permits/Business Licenses</i>	
11/30/07	A building permit (#100111) was issued for a retail shell building at 7181 North Hualapai Way. The permit was completed on 01/29/09
08/13/08	A building permit (#122036) was issued for a 225-foot retaining wall at 7181 North Hualapai Way. The permit was completed on 10/14/08.
04/28/09	A building permit (#138322) was issued for a tenant improvement for 7181 North Hualapai Way. The permit is still under review.
<i>Pre-Application Meeting</i>	
05/20/09	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit to allow Gaming (Incidental Gaming Machines Only) were discussed. Topics included: • Cliff's Edge Master Plan requirements • Application materials and documents • Meeting dates and deadlines

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July 23, 2009 - Planning Commission Meeting

<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one conducted.	
<i>Field Check</i>	
06/18/09	During a routine site inspection staff observed: • There is adequate space for the proposed location of the facility; the facility will not interfere with on-site parking or circulation. • The subject site contains a retail space within an existing 32,400 square-foot retail development. • Construction on the retail development is complete.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	3.42

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	PCD (Planned Community Development)	PD (Planned Development) Zone [VC (Village Commercial) Cliff's Edge Special Land Use Designation]
North	Single-Family Residences	PCD (Planned Community Development)	PD (Planned Development) Zone [L (Low Density Residential) Cliff's Edge Special Land Use Designation]
South	Condominiums	PCD (Planned Community Development)	PD (Planned Development) Zone [VC (Village Commercial) Cliff's Edge Special Land Use Designation]
East	Undeveloped (Clark County)	RL (Residential Low) – Clark County	R-E (Rural Estates Residential District) - Clark County
West	Condominiums	PCD (Planned Community Development)	PD (Planned Development) Zone [VC (Village Commercial) Cliff's Edge Special Land Use Designation]

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July 23, 2009 - Planning Commission Meeting

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Cliff's Edge	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
PD [Planned Development District (Cliff Edge)]	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 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	30,600 SF	1:250	187	6	188	6	Y
TOTAL	30,600 SF		193		194		

ANALYSIS

This is a request for a Special Use Permit for a proposed Gaming (Incidental Machines Only) within a proposed Convenience Store at 7181 North Hualapai Way, Suite #105, located inside an approved 30,600 square-foot retail development within the Cliff's Edge Master Planned Community. The hours of operation for the store will be from 8:00am from 12:00am Monday through Sunday. The proposed use is consistent with the requirements of the Cliff's Edge Master Planned Community and can be conducted in a manner that is compatible with existing surrounding land uses; therefore, staff recommends 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."

AO

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July 23, 2009 - Planning Commission Meeting

The proposed use is compatible with the VC (Village Commercial) Cliff's Edge Master Planned Community 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 Gaming (Incidental Gaming Machines Only) use will be located in an existing retail 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 Elkhorn Road and Hualapai Way, 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 Convenience Store with Gaming (Incidental Gaming Machines Only) use will be subject to regular inspections.

- 5. The use meets all of the applicable conditions per Title 19.04.**

The proposed Gaming (Incidental Gaming Machines Only) use is permitted within the VC (Village Commercial) Cliff's Edge Special land use designation, Title 19.04 does not apply.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

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July 23, 2009 - Planning Commission Meeting

NOTICES MAILED 206

APPROVALS 0

PROTESTS 5

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-34765** APN: 126-24-517-001

Name of Property Owner: **Providence Village, LLC**

Name of Applicant: **House of Vino LLC**

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 X 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): _____

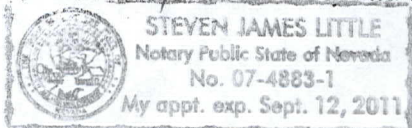
APN: _____

Signature of Property Owner/Authorized Agent: 

Subscribed and sworn before me

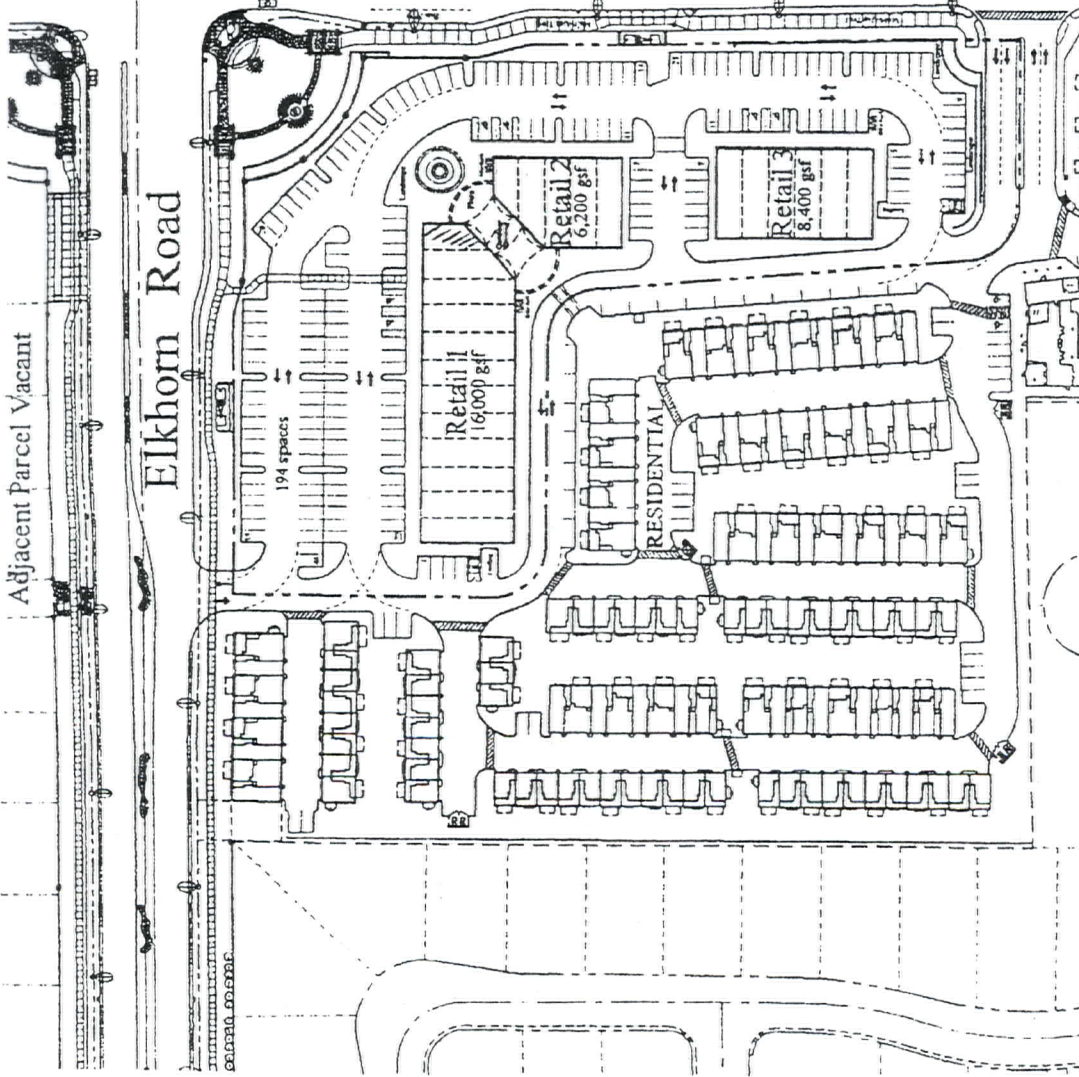
This 20 day of May, 2009

Notary Public in and for said County and State



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JUN 05 2009

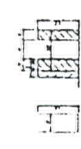


Hualapai Way

Adjacent Parcel Vacant

Elkhorn Road

Adjacent Parcel Vacant



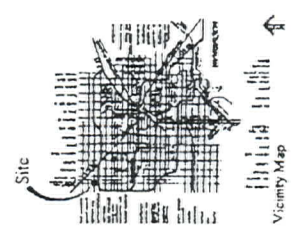
Typical Parking Spaces

SITE INFORMATION

ZONING: PD **Assessed Parcel No.:** 126-14510-003

COMMERCIAL AREA:
 Parcel 2 (Commercial, 150,000 sq ft)
 Net Area: 3,450 sq ft
 Retail - 1: 16,000 gsf
 Retail - 2: 6,200 gsf
 Retail - 3: 8,400 gsf
 Total Retail Area: 30,600 gsf
 FAR (150,000 sf): 0.204

PARKING REQUIREMENTS
 General Reg'd (over 25,000 sf): 21,200 sf / 139 ft
 1 per 139 sf
 Reg'd (under 25,000 sf): 1,000 sf / 1,000 sq ft
 1 per 1,000 sq ft
 Total Required: 22,200 sf
 Provided: 194
 Total Provided: 194
 Parking Ratio: 6.3 per 1,000
 1 per 158
 H/C Required: 6
 Provided: 6



Scale: 1" = 40'
 Project No. 706105 February 20, 2007

Commercial Site Plan - B-1

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GREEN STREET
 PLANNING & DESIGN

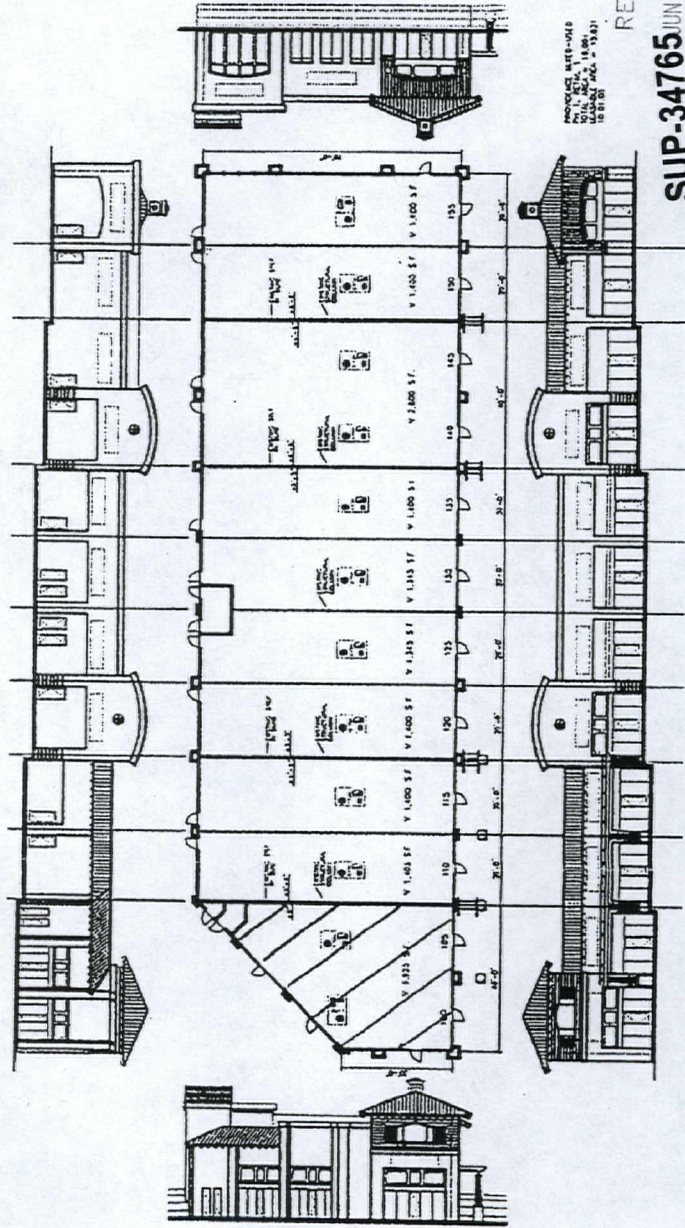
PROVIDENCE MIXED-USE
 Las Vegas, Nevada

SUP-34765
REVISED
07/23/09 PC

pedman
 DESIGN GROUP
 ARCHITECTURE, PLANNING, INTERIORS
 10000 W. SAGINAW AVE. SUITE 200
 LAS VEGAS, NV 89135

EXHIBIT "A"

SITE PLAN



PROJECT MEET-018
 10/10/09 10:00 AM
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SUP-34765 JUN 05 2009

07/23/09 PC

PROVIDENCE MIXED-USE

Perleman

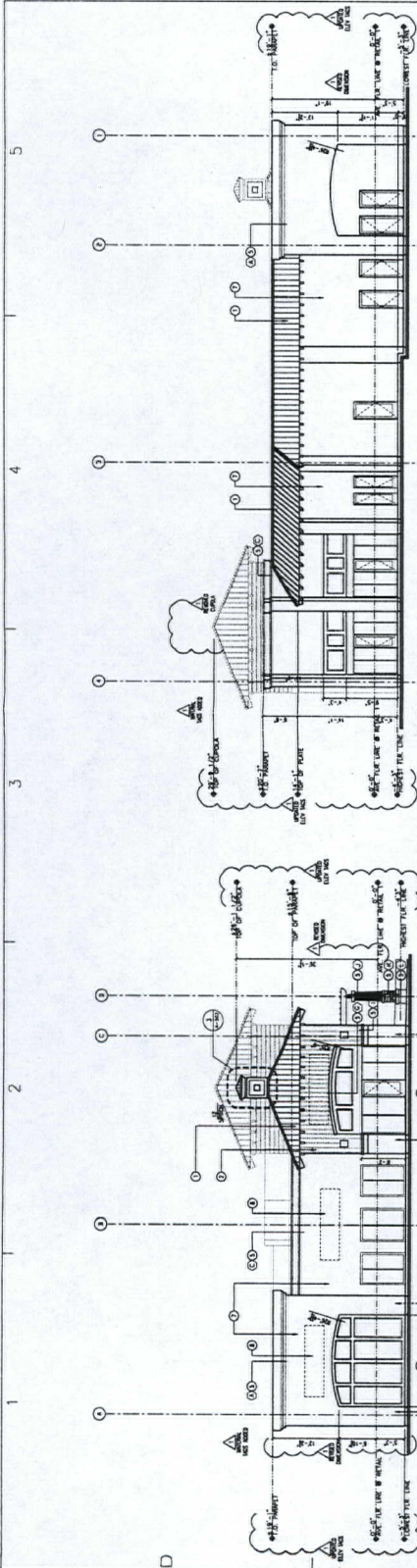
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RETAIL 2 BUILDING
ELEVATION
JUN 05 2009
A-202



Rev	Date	By	Description
1	10/17/09	PL	PLAN CHECK SUBMITTAL
2	10/17/09	PL	PLAN CHECK COMMENTS / M-HOUSE COORDINATION

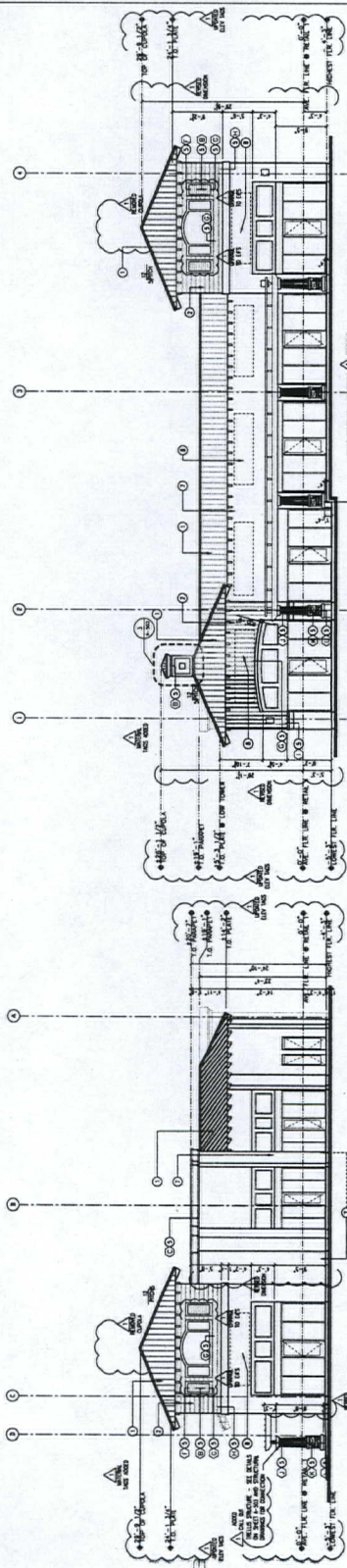
Las Vegas, Nevada 89178
GREENSTREET PROPERTIES
2320 PARKER BLVD. PHASE 2, 2ND FLOOR
LAS VEGAS, NV 89102
Retail 1, 2 & 3
SUP-34765
07/23/09 PC

Drawn/Checked By: JPD
Date: 12/17/07
Project Number: 707036
Sheet Number: RETAIL 2 BUILDING ELEVATION
JUN 05 2009
A-202



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

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



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

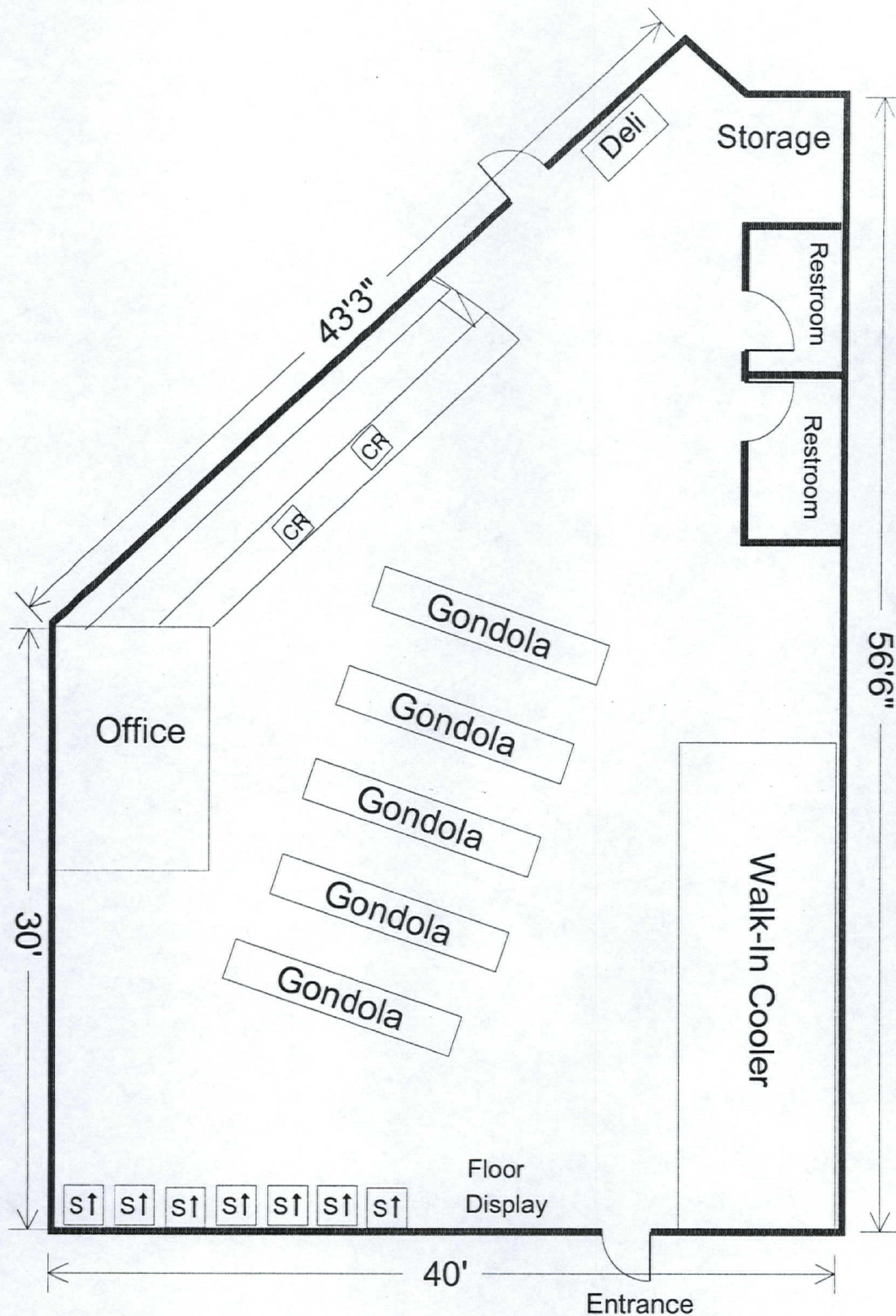
3 NORTH BUILDING ELEVATION
1/8" = 1'-0"

MATERIAL SCHEDULE

- 1. 1/2" X 1/2" X 1/2" ALUMINUM ANGLE
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EFS PROFILE SCHEDULE

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100



House of Vino
7181 N. Hualapai, Suite 100
Las Vegas, NV 89147

Proposed - Not yet built out

Total Sq. Ft: 1,925
48 Sq. ft of Walk-in Cooler
dedicated to Beer & Wine

125 Sq. ft of Liquor on shelves
behind counter/registers

Total Sq.Ft for Beer/Wine/Liquor: 173

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JUN 05 2009

House of Vino
7181 N. Hualapai, Suite 100, Las Vegas, NV 89147
Elevations

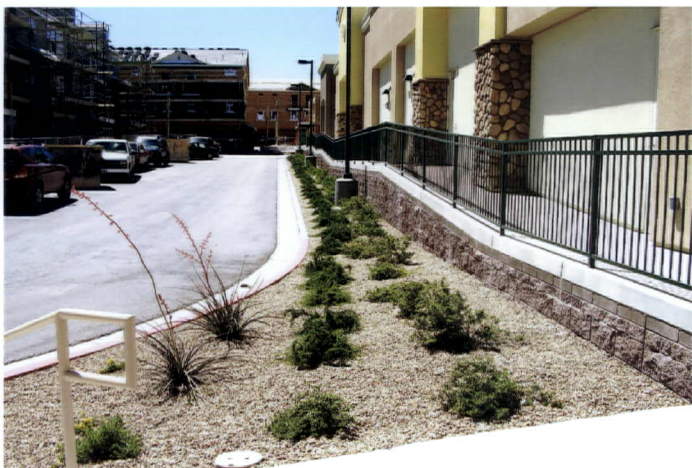


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House of Vino
7181 N. Hualapai, Suite 100, Las Vegas, NV 89147
Landscaping



SUP-34765
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JUN 05 2009

Justification Letter
House of Vino

The House of Vino will be a convenience store with a liquor dept, consisting of 48 sq ft Beer & Wine display and 125 sf ft of selected liquors, these liquors that can not be found in the standard local convenience stores.

The total square footage dedicated to the dept will be 173 sq ft. less than 10% of the total square footage of the convenience store. The liquor will be located behind the cashiers where the liquor can be properly supervised.

The area around the House of Vino is experiencing rapid growth and it is apparent that this type of retail business can take care of the needs of many people in the area. There are no other stores in the area that will be able to offer the same services.

The House of Vino will be a upscale store located in the strip center at 7181 N. Hualapai, and will be operated by experienced and successful management, insuring a harmonies existence with its neighbors.

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07/23/09 PC



3455 Cliff Shadows Parkway, Suite 220
Las Vegas, Nevada 89129
(702) 242-4949 ~ FAX: 242-0414

6/4/2009

Dave Eder
Nevada Gaming Consultants

Via: E-mail (peggyndave@gmail.com)

RE: Special Use Permit application for House of Vino

Dear Mr. Eder:

I am in receipt of you email dated June 2, 2009 requesting acknowledgment of you application for special use permits for the House of Vino proposed at 7181 N. Hualapai, Suite 100.

This letter will serve as the Providence Design review Committee's acknowledgement that you have applied for, and initiated the review and approvals process of, special use permits for liquor sales and restricted gaming with the City of Las Vegas.

While these uses are permissible in the Village Commercial land use category of the Providence Master Plan, they require approval of special use permits by the City of Las Vegas City Council. The decision to approve said uses permits is ultimately at the sole discretion of the City of Las Vegas City Council.

If you have any questions, please do not hesitate to contact our office.

Sincerely,
Providence Design Review Committee

Calvin Champlin
Senior Vice President of Entitlements

cc via email: Chris Dingell – Focus

Enclosures: (none)

RECEIVED
SUP-34765
JUN 05 2009
07/23/09 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.

SUP-34764 & SUP-34765

Planning Commission Meeting of 7/23/2009

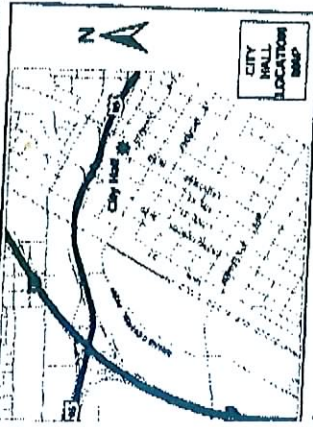
12613818060
NEEDHAM MARI-GLEN & JASON
10217 DUCHESS OF YORK AVE
LAS VEGAS NV 89166-6532
Case: SUP-34764



Department
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89101-2986

Return Service Requested
Official Notice of Public Hearing



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se call (702) 229-6405.

☒ I OPPOSE
this Request

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JP-34765

ision Meeting of 7/23/2009



I OPPOSE THESE (SUP34764)
AND (SUP34765) APPLICATIONS
DUE TO LACK OF POLICE PRESENCE
IN THIS AREA.

Thank-You
William J. Kim

12519102009 Case: SUP-34764
SIMON MARC J & KIM
9780 WITTING AVE
LAS VEGAS NV 89149-1348

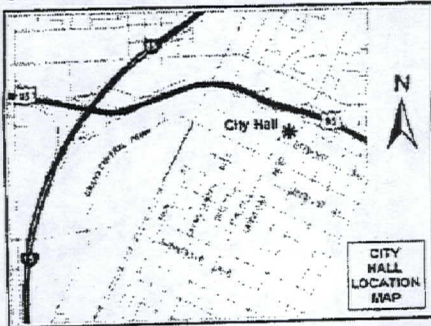
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25P

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

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I SUPPORT
 this Request



I OPPOSE
 this Request

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SUP-34764 & SUP-34765

Planning Commission Meeting of 7/23/2009

Case: SUP-34764

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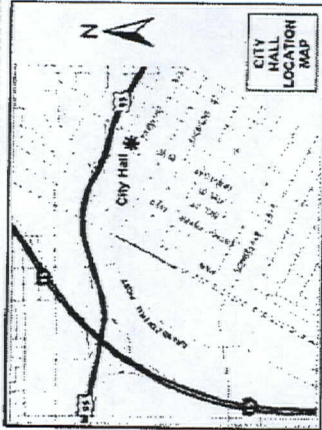
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 10219 RADCLIFFE PEAKE
 LAS VEGAS NV 89166-7124

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

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Official Notice of Public Hearing



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☐ I SUPPORT
this Request

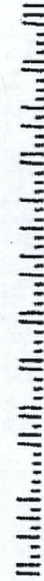
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this Request

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SUP-34764 & SUP-34765

Planning Commission Meeting of 7/23/2009

12613818048
BROWN SCOTT J & COLLEEN
10221 DOVE ROW AVE
LAS VEGAS NV 89166-6541
Case: SUP-34764

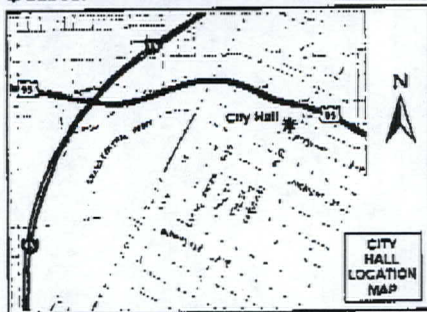


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City of Las Vegas
Planning & Development Department
Development Services Center
131 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



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this Request

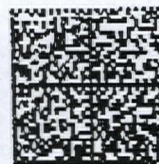
☒ I OPPOSE
this Request

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SUP-34764 & SUP-34765

Planning Commission Meeting of 7/23/2009

PRESORTED
FIRST CLASS



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Case: SUP-34764
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GARGAS RONALD S & CATHY S
10224 RADCLIFFE PEAK AVE
LAS VEGAS NV 89166-7125

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AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JULY 23, 2009

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SUP-34791 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CASH EXPRESS - OWNER: ALTA DECATUR, LLC - Request for a Special Use Permit TO ADD AN AUTO TITLE LOAN USE TO AN EXISTING NON-CONFORMING FINANCIAL INSTITUTION, SPECIFIED at 459 South Decatur Boulevard (APN 139-31-221-005), C-2 (General Commercial), Ward 1 (Tarkanian)

IF APPROVED, C.C.: 08/19/2009

IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

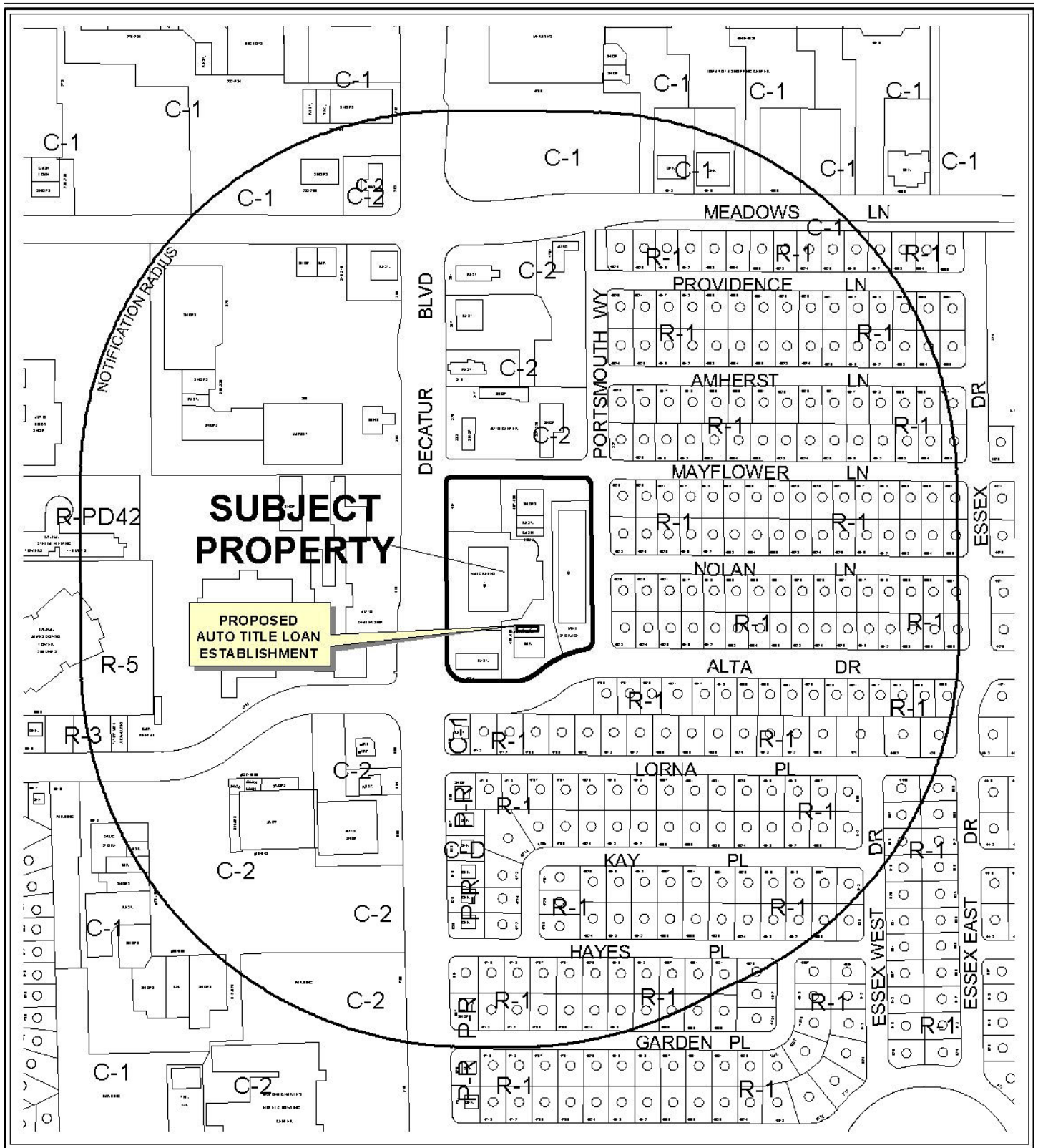
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RECOMMENDATION:

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



CASE: SUP-34791

RADIUS: 1000 FT

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

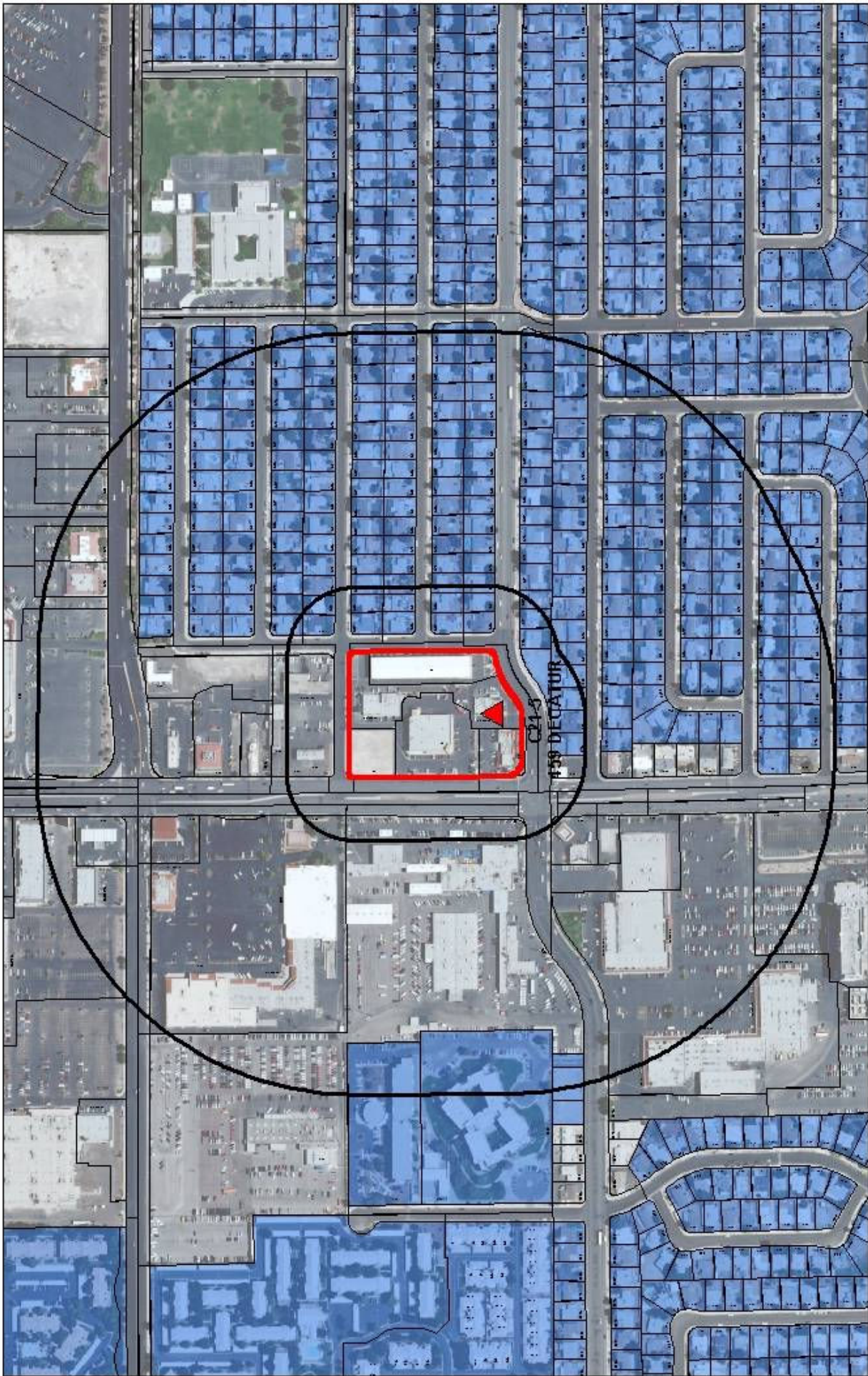




CASE: SUP-34791

RADIUS: 1000 FT

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



SUP-34791

Financial Business Locations

Financial Institution, Specified

Automobile Title Loan

Pawnshops

Subject Property

Residential Property

200ft &
1000ft Buffer

0 285 570 1,140 feet

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 23, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-34791 - APPLICANT: CASH EXPRESS - OWNER: ALTA DECATUR, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: **APPROVAL**, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for an Auto Title Loan use.
2. Conformance to the conditions of approval for Site Development Plan Review [Z-0080-65(3)] and Variance (V-0020-01), if approved.
3. A minimum 190 parking spaces shall be provided at the subject site in compliance with Variance (V-0020-01), prior to issuance of a business license for the Auto Title Loan use.
4. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-34791 - Staff Report Page One
July 23, 2009 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit to add an Auto Title Loan use within an existing non-conforming Financial Institution, Specified at 459 South Decatur Boulevard. If this application is denied the site will remain as a Financial Institution, Specified.

Issues:

- The existing use is located within a developed shopping center that is compatible and harmonious with surrounding development. The addition of an Auto Title Loan use at this location will not increase the intensity or the non-conformity of the existing Financial Institution, Specified use; therefore staff recommends approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
12/15/65	The City Council approved a Rezoning (Z-0080-65) from C-1 (Limited Commercial) to C-2 (General Commercial) on this site. The Planning Commission and Staff both recommended approval.
10/24/91	The Board of Zoning Adjustment approved a Special Use Permit (U-0244-91) application to allow an automobile rental agency on property located at 461 South Decatur Boulevard. Staff recommended approval.
05/27/97	The City Council accepted the withdrawal of the request for a Special Use Permit (U-0011-97) application on property located at 421 South Decatur Boulevard for a 40-foot high, 14-foot x 48-foot off-premise advertisement (billboard) sign. The Board of Zoning Adjustment and Staff both recommended approval.
09/22/97	The City Council approved a Special Use Permit (U-0072-97) application on property located at 431 South Decatur Boulevard for a Class III Secondhand Jewelry Store. The Planning Commission and Staff both recommended approval.
09/10/98	The Planning Commission approved a Site Development Plan Review [Z-0080-65(1)] for a proposed 4,500 square foot fast-food restaurant (McDonald's) on this site. Staff recommended approval.
06/10/99	The Planning Commission approved a Review of Condition [Z-0080-65(2)] to delete the requirements for a right-turn lane, an access drive and redesign of a parking lot. Staff recommended approval.

SUP-34791 - Staff Report Page Two
July 23, 2009 - Planning Commission Meeting

05/16/01	The City Council approved a Variance (V-0018-01) application to allow a mini-storage building to be set back 71 feet from a residential property line where the Residential Adjacency Standards requires a setback of 99 feet. The Planning Commission recommended approval. Staff recommended denial.
05/16/01	The City Council approved a Variance (V-0020-01) to allow 190 parking spaces where 230 parking spaces are the minimum required. The Planning Commission recommended approval.
05/16/01	The City Council approved a Site Development Plan Review [Z-0080-65(3)] for a 48,116 square foot commercial center which included the Walgreen's Drug Store. The Planning Commission recommended approval. Staff recommended denial.
06/18/03	The City Council approved a Master Sign Plan (MSP-2240) for a 15,070 square foot Walgreen's drug store at 451 South Decatur Boulevard. The Planning Commission recommended approval. Staff recommended denial.
12/15/04	The City Council approved a Required Review (RQR-5372) of an approved Variance (V-0020-01) which allowed 190 parking spaces where 230 parking spaces were the minimum required. The Planning Commission recommended approval.
05/02/07	The City Council approved an appeal (DIR-20734) of the Planning and Development Department interpretation of Title 19.16 regarding the discontinuation of a nonconforming tavern use located at 465 South Decatur Boulevard. The Planning Commission and staff recommended approval.
<i>Related Building Permits/Business Licenses</i>	
09/04/97	A business license (C21-0005) was issued for a Financial Institution, Specified. The license is currently active.
<i>Pre-Application Meeting</i>	
04/29/09	A pre-application meeting was held where the submittal requirements for a Special Use Permit for an Auto Title Loan were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required for this application, nor was one held.	
<i>Field Check</i>	
06/18/09	A field check was conducted by staff. The site contains an existing deferred deposits business. The site was well maintained.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	3.75

SUP-34791 - Staff Report Page Three
July 23, 2009 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SC (Service Commercial)	C-2 (General Commercial)
North	Shopping Center	SC (Service Commercial)	C-2 (General Commercial)
South	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
South	Single-Family Residential	L (Low Density Residential)	R-1 (Single-Family Residential)
East	Single-Family Residential	L (Low Density Residential)	R-1 (Single-Family Residential)
West	Auto Dealership	GC (General Commercial)	C-2 (General Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O Airport Overlay District -175 Feet	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08.060, the following distance separation standards apply:

<i>Distance Separation Requirements</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
• East	200 Feet	50 Feet	N
• South	200 Feet	85 Feet	N

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	
Shopping Center	53,516	1:250	215	7	164	12	
TOTAL (including handicap)			222		176		N

SUP-34791 - Staff Report Page Four
July 23, 2009 - Planning Commission Meeting

ANALYSIS

An Auto Title Loan use is proposed to be added to an existing non-conforming Financial Institution, Specified. An Auto Title Loan use is defined as “a business whose primary function is to lend money on the security of the title to a motor vehicle rather than on the security of the vehicle itself.” The suite encompassing the use is 360 square feet and contains a customer counter and waiting area, office space, an employee counter and a rest room. The hours of operation are from 9:00 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 3:00 p.m. on Saturdays.

The existing Financial Institution, Specified is non-conforming for the following Minimum Special Use Permit Requirements from Title 19.04.010;

- The building or portion thereof that is dedicated to the use shall have a minimum size of 1500 square-feet
- No specified financial institution use may be located closer than 200 feet from any parcel used or zoned for residential use.

No Special Use Permit was required for the original Financial Institution, Specified use at the site as the license for the use was obtained prior to the establishment of the requirement for a Special Use Permit in 2003. As a result, the existing use is considered to be legally non-conforming. In addition, the Minimum Special Use Permit Requirements for an Auto Title Loan use are identical to the requirements for a Financial Institution, Specified use. The Financial Institution, Specified use possesses a floor area of 360 square feet where 1500 square feet is required and is located only 50 feet from residential properties to the east and 80 feet from residential properties to the south where 200 feet is required. Staff notes that because the Minimum Special Use Permit Requirements for the uses are identical, the addition of an Auto Title Loan use will not increase the intensity or non-conformity of the use. Therefore, staff recommends approval.

The commercial subdivision was originally approved in 2001 under Site Development Review [Z-0080-65(3)]. A variance (V-0020-01) was approved by City Council in conjunction with the Site Development Review allowing 190 parking spaces where 230 parking spaces were required, resulting in a parking deviation percentage of 17%. However, since 2001 the pad located on the northeast corner of Alta Drive and Decatur Boulevard has been demolished and only an undeveloped dirt lot remains. The demolished pad was not a part of the original Site Development Review [Z-0080-65(3)], but the parking provided on the demolished pad was included in the parking calculation for the approved Variance (V-0020-01), as it was an existing restaurant at the time. The elimination of this pad has resulted in a loss of 35 parking spaces, leaving only 176 parking spaces where 190 are required. A condition has been added that requires a minimum of 190 parking spaces be provided prior to the issuance of a business license for this use.

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 in addition to an existing non-conforming Financial Institution, Specified. The addition of an Auto Title Loan 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 Financial Institution, Specified. Similar 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 Decatur Blvd, a 100-foot Primary Arterial, Mayflower Lane, an 80-foot Frontage Street, and Alta Drive, 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 will be subject to permitting, annual inspections and licensing by the City of Las Vegas, and will not compromise the public health, safety, and welfare, or the overall objectives of the General Plan.

5. **The use meets all of the applicable conditions per Title 19.04.**

The use does not meet all applicable conditions of Title 19.04, however, the addition of an Auto Title Loan use to an existing non-conforming Financial Institution; Specified will not increase the intensity or non-conformity of the use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 21

ASSEMBLY DISTRICT 3

SENATE DISTRICT 3

NOTICES MAILED 285

APPROVALS 2

PROTESTS 3

**PLANNING & DEVELOPMENT DEPARTMENT****STATEMENT OF FINANCIAL INTEREST**Case Number: **SUP-34791** APN: _____Name of Property Owner: Alta Decatur, L.L.C.Name of Applicant: Cash ExpressName of Representative: Sandra Perry

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: XITS: ManagerPrint Name: Barry W. Becker

Subscribed and sworn before me

This 9th day of June, 2009Tonya Taghehee
Notary Public in and for said County and State

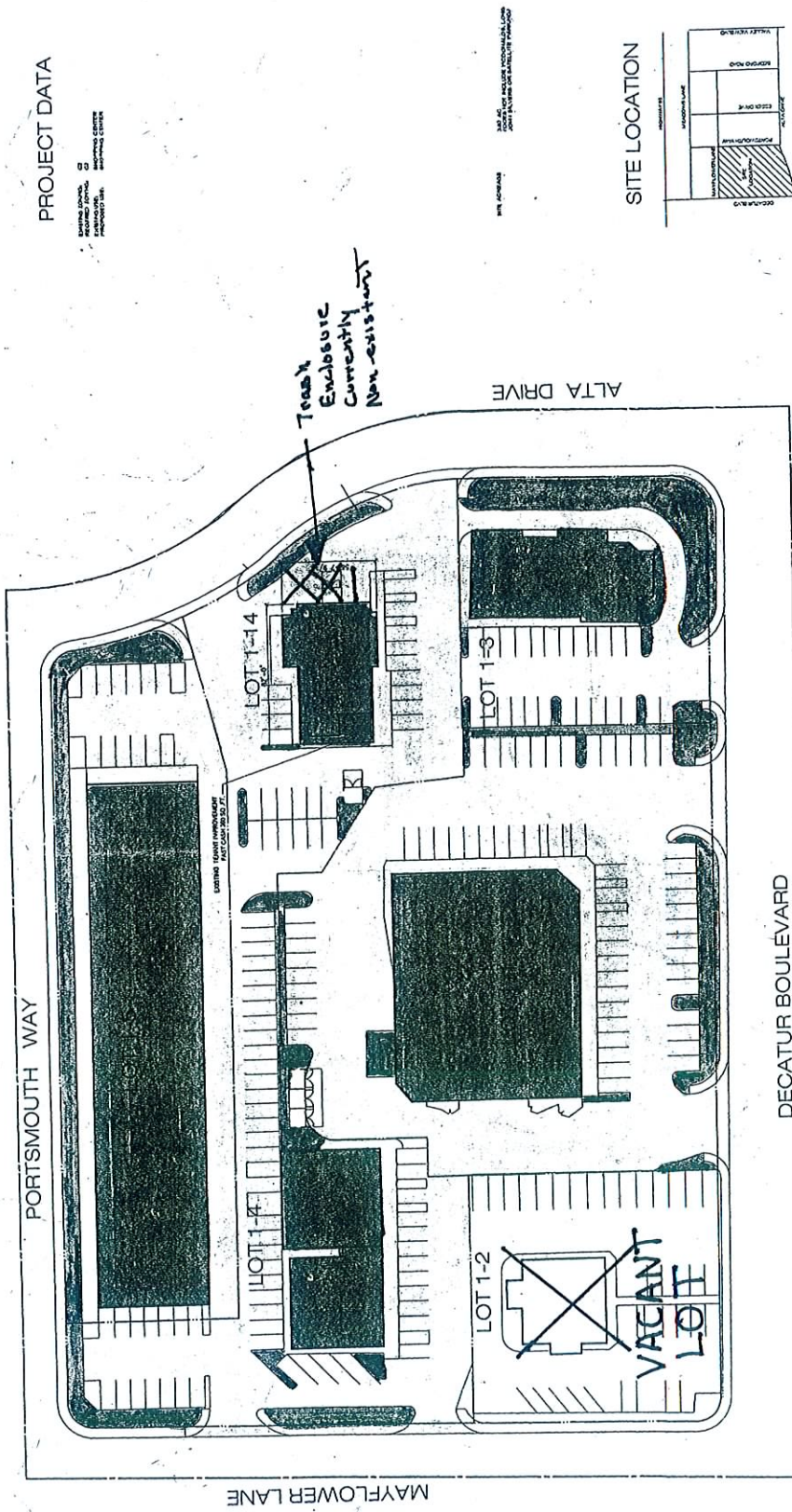
North

SITE PLAN
1" = 60'-0"

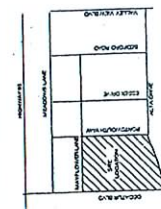
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JUN 09 2009

SUP-34791
07/23/09 PC



SITE LOCATION



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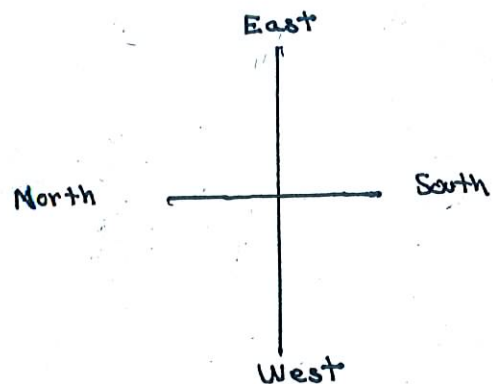
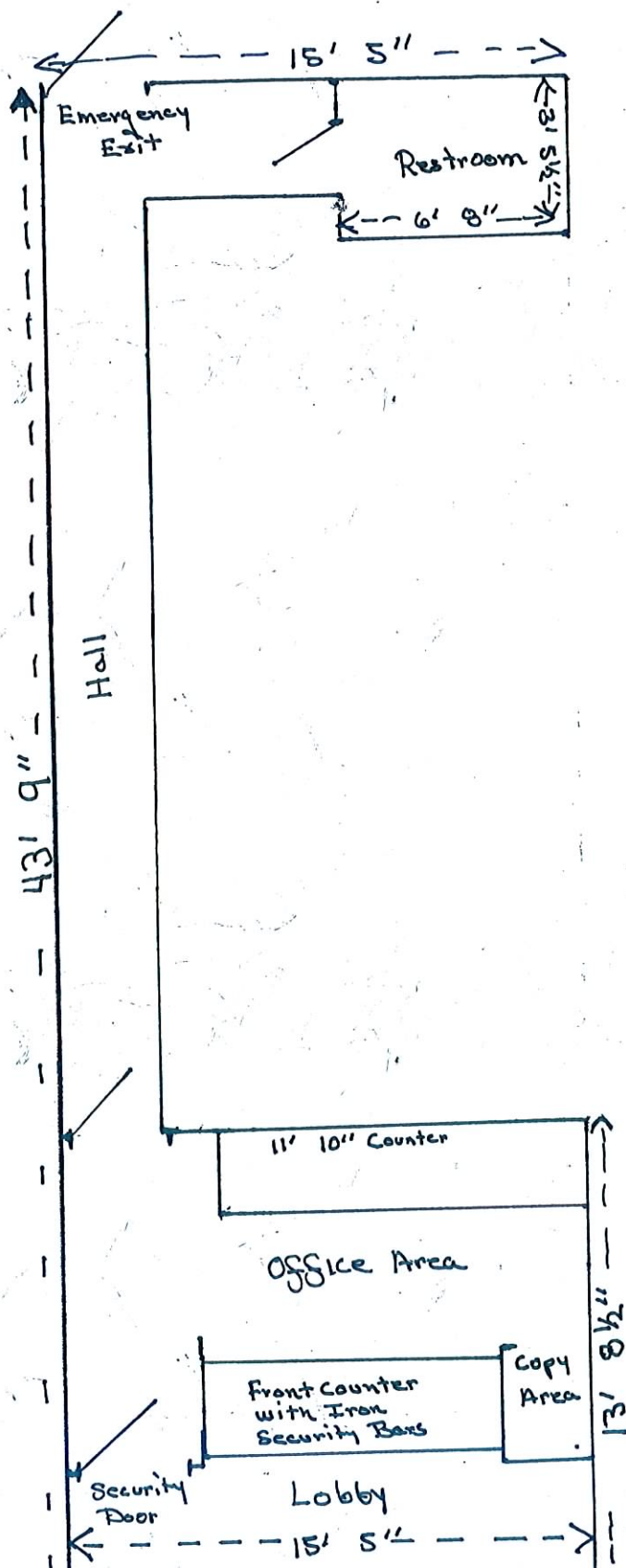
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Cash Express
459 So Decatur
LV. NY. 09107

Scale

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"Floor Plan" JUN 09 2009

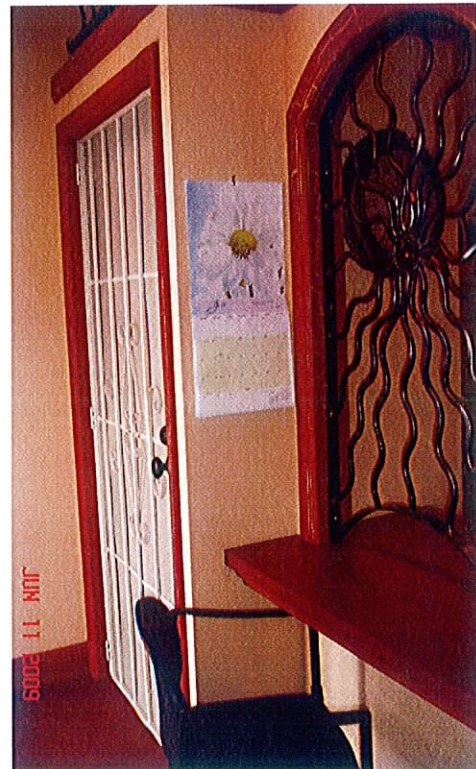
SUP-34791

07/23/09 PC



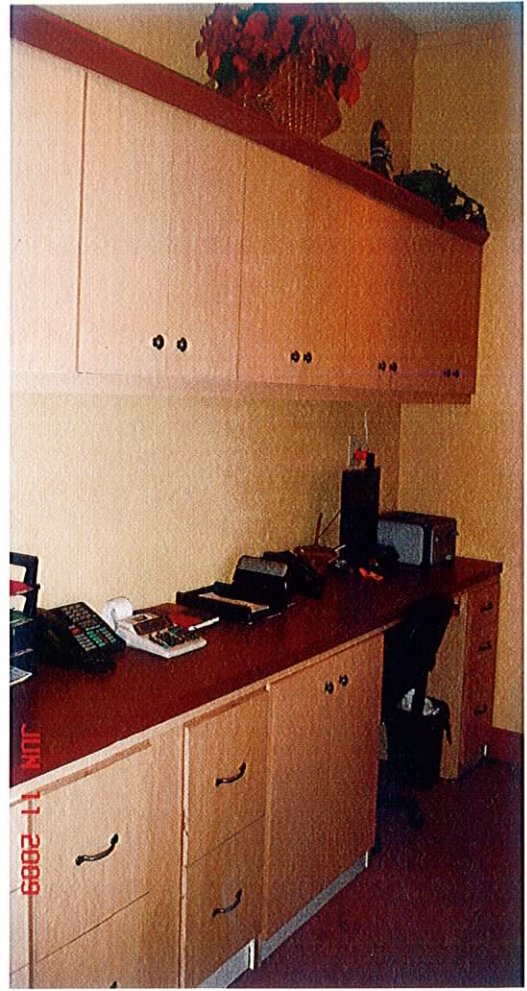
STORE FRONT

RECEIVED
JUN 10 2009



Lobby Area

SUP-34791
07/23/09 PC



OFFICE WORK AREA
Cash Express

RECEIVED
JUN 10 2009

SUP-34791
07/23/09 PC



RECEIVED
JUN 10 2009



SUP-34791
07/23/09 PC

STORE FRONT

Parking - Around Bldg - To North side & over glow
in front (Walgreen - McDonald's)

Cash Express
459 South Decatur
Las Vegas, Nevada 89107
702-258-3325
702-309-2274(fax)
cashexpr@aol.com

June 8, 2009

Las Vegas Planning & Development
431 So. Fourth St.
Las Vegas, NV 89101

Re: Special Use Permit
459 So. Decatur LV. NV 89107
(Auto Title Loan)

To Whom It May Concern:

Cash Express is currently licensed by the State of Nevada, Department of Business & Finance under NRS 604-A which allows for Check Cashing, Deferred Deposits, Auto Title Loans and Signature Loans. Our main office is located at 459 So Decatur Blvd. The hours of operation are Monday – Friday 9:00 AM – 6:00 PM and Saturday 9:00 AM – 3:00 PM. We are making this request in order to incorporate Auto Title Loans with our present business which consists solely of Deferred Deposits.

To outline the nature of this proposed business, we would take phone applications for the auto title loans. If pre- approved, the customer must then come to our store and fill out an application whereupon, if approved, we would inspect the vehicle, (verify mileage, check the VIN number) and ascertain the condition of the vehicle. Based on credit approval and verification of ownership, the customer would receive a loan in compliance with the provisions of NRS 604-A. Cash Express would hold the title until such time the loan was paid in full.

The granting of this Special Use Permit would in no way adversely affect the traffic, parking, public health, safety or welfare of the public. This permit would not effect or modify the land use or intent thereof. There would never be vehicles stored on the property. All repossession and subsequent storage of such vehicles would be contracted to a licensed towing and storage company. There are 14 parking spaces around the Lot 1-14 building for the three tenants of which we are one. We have an abundance of overflow parking to the North, West and South. There are 176 total parking spaces for the five buildings on this site.

By this request we are specifically asking for a waiver to the following:

1. A 50 foot distance separation from a Residential use, where 200 feet is required.
2. 790 foot distance separation from a Specified Financial Institution use, where 1,000 is required.
3. A waiver from the 1,500 sq ft. office requirement

Page 1 of 2

RECEIVED

JUN 09 2009

SUP-34791
07/23/09 PC

With reference to item #1. The residential area in question is on the south side of Alta Drive. We do not feel that the proposed business of auto title loans would significantly affect traffic or cause disturbance to peaceful enjoyment of the nearby residence. There are several Auto Title Loan Stores in Las Vegas that are closer than 50 ft. separation.

With reference to item # 2. The subject location at 459 So Decatur Blvd. has been used as a check cashing/payday loan/ deferred deposit location since 1997. The locations in question are highlighted on the attached Exhibits A & B. The location on Exhibit A (license issued on 2/2/ 2001) and Exhibit B (license issued as installment loans on 8/31/2007). We are asking for the same consideration.

With reference to the 1,500 sq. ft office requirement: Much of our work is done by phone. All of our forms, contracts and accounting are done by computer and payments are often made by an ACH method. This business is not a high traffic business and does not require more than two employees at any given time. Our office is very efficient and well designed. We have more than sufficient room to operate deferred deposits and auto title loans within our 360 sq. ft. facility.

During our twelve years of business in Las Vegas, to my knowledge, the State of Nevada has never received a complaint against our company. We have passed every State audit with a clean record. In order to continue and survive in today's market we now find it necessary to expand our services. We are hopeful that you will grant our request for the expansion of our business by allowing us to offer auto title loans.

Thank you for your consideration.

Sincerely,


Sandra J. Perry, Owner
Cash Express

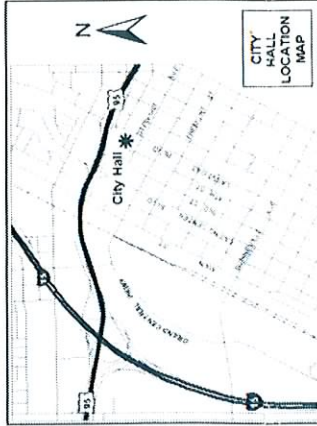
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SUP-34791
07/23/09 PC

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Page 2 of 2
JUN 09 2009

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-34791

Planning Commission Meeting of 7/23/2009

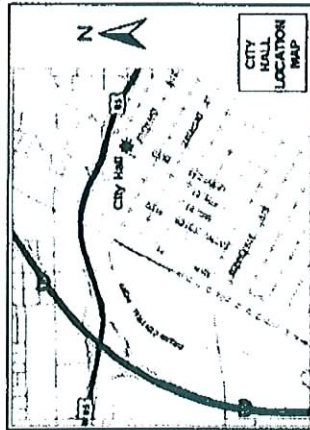


13931213023
Case: SUP-34791
HOKANSON G KENT & JULENE D
4525 NOLAN LN
LAS VEGAS NV 89107-2944

SAVED 11 59:107

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-34791

Planning Commission Meeting of 7/23/2009



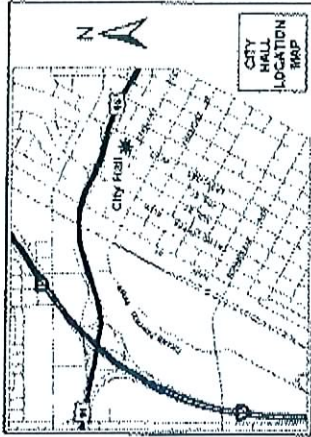
13931310015
GOODMAN MARY F
4506 LORNA PL
LAS VEGAS NV 89107-4107
Case: SUP-34791



26A

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-34791

Planning Commission Meeting of 7/23/2009

130931213006
L R B F TRUST
4121 WAKE FOREST DR
LAS VEGAS NV 89129-5468
Case: SUP-34791

*Thieves' interest rates capped.
Their should be a realistic rate.*



ENCLOSURE

26P

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-34791

Planning Commission Meeting of 7/23/2009

PRESORTED
FIRST CLASS



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JUL 10 2009
FINEY BOWES

13931310075
KILLIAN DENNIS G
601 S DECATUR BLVD
LAS VEGAS NV 89107-3912

Case: SUP-34791

E4VDF11 A3107



26A

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JULY 23, 2009

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SDR-34778 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING -

APPLICANT: GLENCOE PROPERTIES, INC. - OWNER: VIRGIN TERRITORY, LLC

- Request for a Major Amendment to a previously approved Site Development Plan Review (SDR-4995) FOR A 3,200 SQUARE-FOOT RESTAURANT WITH DRIVE-THROUGH WHERE A 2,800 SQUARE-FOOT RESTAURANT WITH DRIVE-THROUGH WAS PREVIOUSLY APPROVED on 17.04 acres on the north side of Craig Road, approximately 765 feet west of Jones Boulevard (APN 138-02-611-004), C-1 (Limited Commercial) Zone, Ward 6 (Ross)

C.C.: 08/19/2009

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

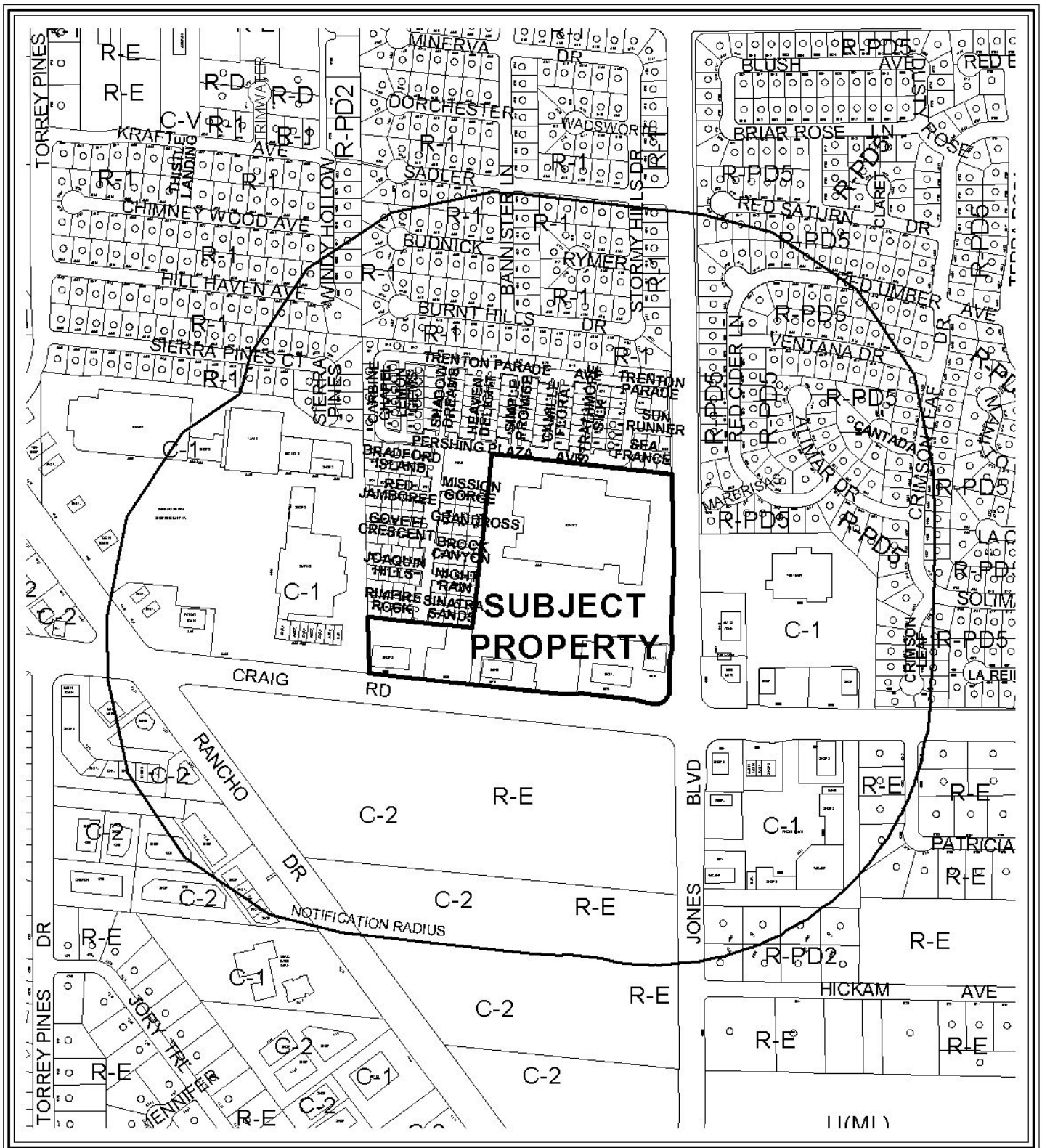
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RECOMMENDATION:

APPROVAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter



CASE: **SDR-34778**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

0 400 800 Feet





CASE: **SDR-34778**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

0 400 800 Feet



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JULY 23, 2009****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-34778 - APPLICANT: GLENCOE PROPERTIES, INC. -
OWNER: VIRGIN TERRITORY, LLC**

**** CONDITIONS ******STAFF RECOMMENDATION: APPROVAL**, subject to:**Planning and Development**

1. Conformance to the conditions for Rezoning (Z-0081-02) and Site Development Plan Review (SDR-4995) 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 landscape plan and building elevations, date stamped 06/08/09 and the site plan date stamped 06/17/09 except as amended by conditions herein.
4. A Waiver from Title 19.08.050(D)(d) is hereby approved, to allow features such as windows and arcades to total less than sixty percent of the length of the south façade facing Craig Road.
5. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
6. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

GK

SDR-34778 - Conditions Page Two
July 23, 2009 - Planning Commission Meeting

9. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

12. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
13. No permanent structures shall be constructed within the existing 20-foot Public Sewer Easement granted by Document #20050603:04581.
14. 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.
15. Site development to comply with all applicable conditions of approval for Z-81-02, SDR-4995, the Lowe's Plaza at Craig and Jones Commercial Subdivision and all other site-related actions.

SDR-34778 - Staff Report Page One
July 23, 2009 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Major Amendment to an approved Site Development Plan Review (SDR-4995) to include 356 additional square-feet to an approved 2,800 square-foot restaurant with drive-through, with a Waiver of the Title 19 Development Standards. The site is currently undeveloped and is located on 0.72 acres at 6080 West Craig Road. If the application is denied the subject building will remain as previously approved. The proposed expansion of the subject site will have a minimal impact on the existing site and the surrounding uses; therefore staff recommends approval of the subject application.

Issues:

- The proposed south elevation does not include features such as windows and arcades totaling at least sixty percent of the façade as outlined by Title 19.08.050 (D)(d). Staff can support this Waiver request as it is minor in nature, and will not negatively impact the proposed development.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
12/18/02	The City Council approved a General Plan Amendment (GPA-0035-02) to designate the subject property as SC (Service Commercial), and a Rezoning (Z-081-02) from R-E (Residence Estates) to C-1 (Limited Commercial) on 34.43 acres. The Planning Commission recommended approval. Staff recommended denial.
03/19/03	The City Council approved a Rezoning (Z-0081-02) from R-E (Residence Estates) to C-1 (Limited Commercial) on 34.43 acres adjacent to the northwest corner of Craig Road and Jones Boulevard. The Planning Commission recommended approval.
10/20/04	The City Council approved a Site Development Plan Review (SDR 4995) for a 204,193 square foot commercial development and a Waiver of the build-to line standards on 16.5 acres. The Planning Commission recommended approval.
10/20/04	City Council approved a Special Use Permit (SUP 4996) for a home improvement warehouse store. The Planning Commission recommended approval.
01/13/05	The Planning Commission approved a Tentative Map (TMP-5698) for a one-lot commercial subdivision on 16.5 acres adjacent to the northwest corner of Craig Road and Jones Boulevard.

SDR-34778 - Staff Report Page Two
July 23, 2009 - Planning Commission Meeting

01/13/05	The Planning Commission approved a Master Sign Plan (MSP-5696) for a proposed commercial development at the northwest corner of Craig Road and Jones Boulevard.
04/20/05	City Council approved an Extension of Time (EOT-6172) of an approved Rezoning (Z-0081-02) from R-E (Residence Estates) to C-1 (Limited Commercial) on 35.0 acres adjacent to the northwest corner of Craig Road and Jones Boulevard.
<i>Related Building Permits/Business Licenses</i>	
06/07/06	A building permit was issued (#67119) for a temporary construction trailer with a temporary generator.
<i>Pre-Application Meeting</i>	
05/20/09	A pre-application meeting was held on the indicated date. The applicant indicated the areas for the proposed addition in square-footage to the building. The applicant was advised on the requirements for the subject Site Development Plan Review.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	
<i>Field Check</i>	
06/18/09	A field check was conducted by staff. The pad is vacant and undeveloped.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.72

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Undeveloped	MLA (Medium Low Attached Density Residential)	R-PD10
South	Undeveloped	SC (Service Commercial)	R-E (Residential Estate) & C-2 (General Commercial)
East	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
West	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

SDR-34778 - Staff Report Page Three
July 23, 2009 - Planning Commission Meeting

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
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:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	718,740	N/A
Min. Lot Width	100 Feet	860 Feet	Y
Min. Setbacks			
• Front	20 Feet	80 Feet	Y
• Side	10 Feet	60 Feet	Y
• Corner	15 Feet	115 Feet	Y
• Rear	20 Feet	50 Feet	Y
Max. Lot Coverage	50%	24%	Y
Max. Building Height	N/A	48 Feet	N/A
Trash Enclosure	Screened, Gated, with Roof or Trellis	Screened, Gated, with Roof or Trellis	Y
Mech. Equipment	Screened	Screened	Y

Pursuant to Title 19.12, the following standards apply:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree / 6 Spaces	132 Trees	141	Y
Buffer:				
Min. Trees	1 Tree / 30 Linear Feet	121 Trees	181	Y
Min. Zone Width	8 Feet		15	Y
Wall Height	8 Feet		8	Y

**As approved by Site Development Review (SDR-4995).*

SDR-34778 - Staff Report Page Four
July 23, 2009 - Planning Commission Meeting

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	
Restaurant w/ Drive-Through	3,156 S.F.	1:250	13	1	28	2	
Total			14		30		Y

Waivers		
Requirement	Request	Staff Recommendation
Title 19.08.050 (D)(d): Features such as windows and arcades shall total at least sixty percent of the length of any façade that abuts a public street.	To allow a building facade with fifty-two percent architectural embellishment and limited openings along a street frontage.	Approval

ANALYSIS

The site is located at the southwest corner of Craig Road and Jones Boulevard. The site plan remains similar to the approved Site Development Plan Review (SDR-4995), with the exception of the proposed additional 356 square-feet of gross floor area. The applicant is requesting the increase in square footage to accommodate an indoor playground.

The applicant is providing 30 total parking spaces where 14 are required, consisting of 28 standard spaces and 2 handicapped van-accessible spaces. The applicant intends to use the existing driveway, located to the west of the proposed building, without any modifications.

The proposed change has resulted in a request for a Waiver of Title 19.08.050 (D)(d) that were not a part of the previous approval. The applicant is proposing fifty-two percent architectural embellishments along the south building elevation facing Craig Road where 60 percent of the façade is required to possess architectural embellishments. This Waiver request is minor in nature, and will not negatively impact the proposed development.

SDR-34778 - Staff Report Page Five
July 23, 2009 - Planning Commission Meeting

The perimeter landscape buffers for the existing commercial subdivision have been installed as approved through Site Development Plan Review (SDR-4995). This proposal will utilize the existing front landscape buffer, which provides one 24-inch box tree for every 30 lineal feet, and add ten additional 24-inch box trees on the site. The ten trees to be added will fulfill the parking lot shade tree requirement of one tree per every six uncovered parking spaces.

FINDINGS

The following findings must be made for a Site Development Plan Review:

- 1. The proposed development is compatible with adjacent development and development in the area;**

The proposed development is compatible with future 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 all City policies and standards related to landscape, wall and buffer standards, with the exception of the requested Waiver.

- 3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

Jones Boulevard is designated as a 100-foot Primary Arterial and Craig Road is designated as a 120-foot Primary Arterial by the Master Plan of Streets and Highways. Site access and circulation are adequate for the proposed use, and will not negatively impact the adjacent roadways or neighborhood traffic.

- 4. Building and landscape materials are appropriate for the area and for the City;**

Building and landscape materials are consistent with other commercial developments in the area.

- 5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

The building elevations are not unsightly or obnoxious in appearance, and are compatible with development in the area.

SDR-34778 - Staff Report Page Six
July 23, 2009 - Planning Commission Meeting

6. **Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

This Restaurant with Drive-Through will not compromise the public health, safety or welfare as it will be subject to regular inspections and the provisions of the Uniform Building Code.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

8

ASSEMBLY DISTRICT 1

SENATE DISTRICT 4

NOTICES MAILED 300

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-34778** APN: 138-02-611-004

Name of Property Owner: Virgin Territory, LLC

Name of Applicant: Glencoe Properties, Inc.

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: John M. Sullivan

Subscribed and sworn before me

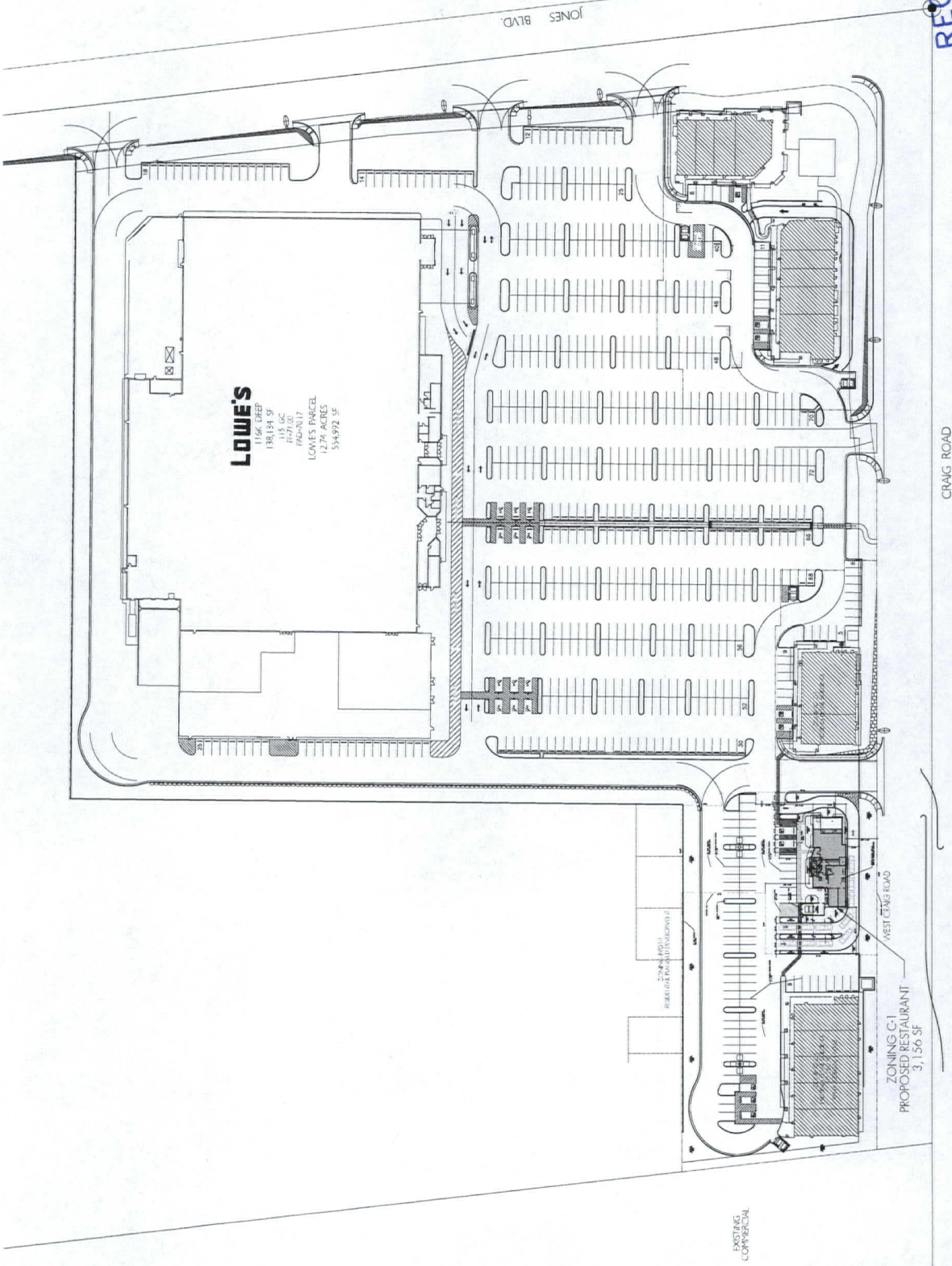
Manager of Sturm Enterprises LLC
its Manager

This 8th day of JUNE, 20 09

Kathleen P. Burns

Notary Public in and for said County and State OF NEVADA
CLARK





RECEIVED

JUN 17 2009

SDR-34778

REVISED

07/23/09 PC

MASTER PLAN

SCALE: 1" = 50'-0"

1

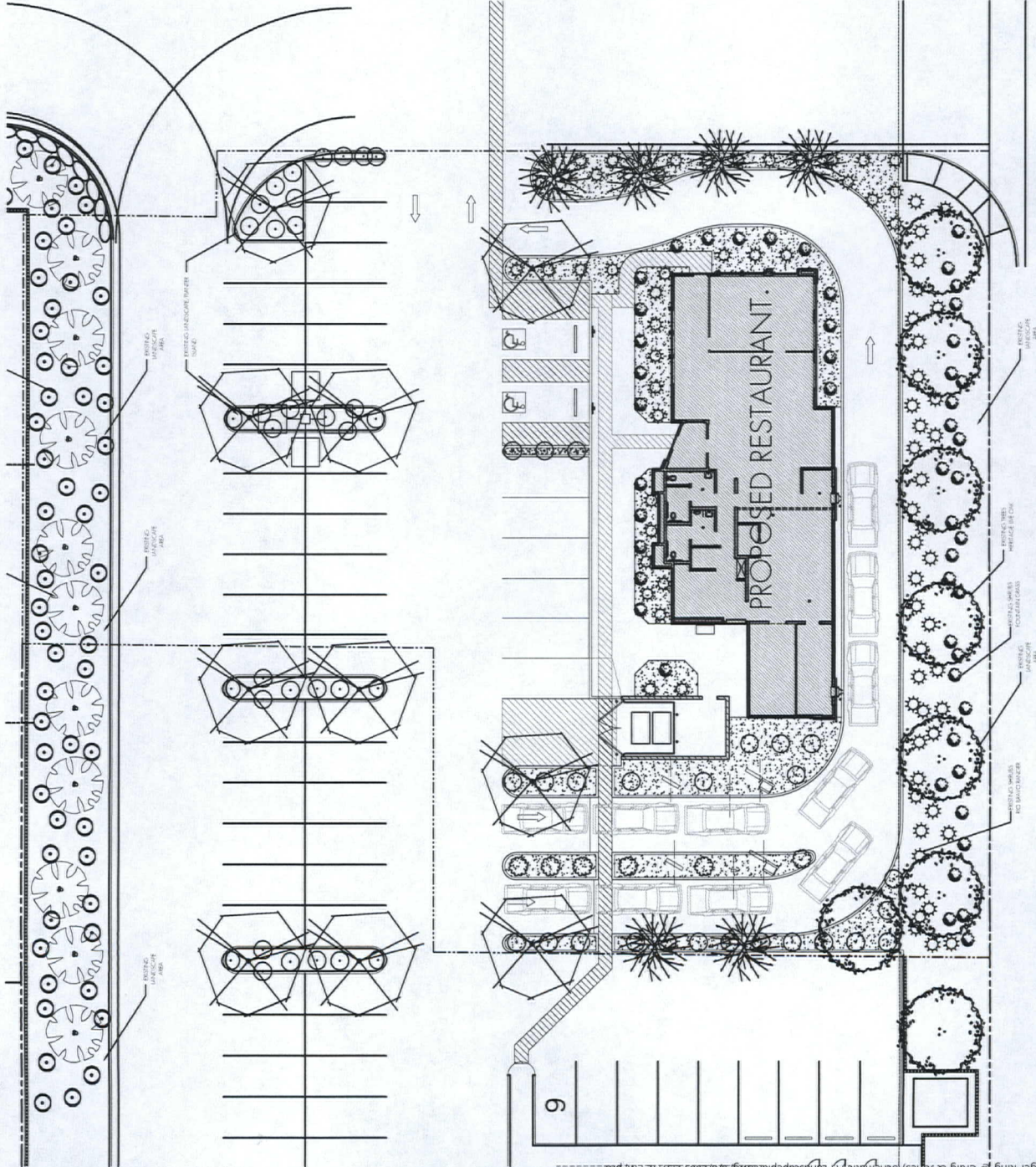
A1

Date:	JUNE 10, 2009
Job Number:	090501
Client:	
Drawn By:	

Project:	
Scale:	
Notes:	

BURGER KING RESTAURANT
 AT CRAIG RD AND JONES BLVD
 CITY OF LAS VEGAS, NEVADA 89130
 0600 BY CRAIG RD

PINNACLE ARCHITECTURAL STUDIO, INC.
 8733 West Charleston Blvd., Suite 100, Las Vegas, NV 89130
 Phone: (702) 596-0520 Fax: (702) 596-0521



1 LANDSCAPE PLAN
SCALE: 3/32" = 1'-0"

RECEIVED
JUN 08 2009



SDR-34778
07/23/09 PC

A4

Date:	June 08, 2009
Job Number:	09501
Drawn By:	
Checked By:	

SCALE DRAWING NOTE
1" = 1'-0"
1/2" = 1'-0"
1/4" = 1'-0"
1/8" = 1'-0"
1/16" = 1'-0"
1/32" = 1'-0"

BURGER KING RESTAURANT
AT CRAIG RD AND JONES BLVD
6080 W CRAIG RD
CITY OF LAS VEGAS, NEVADA 89120
LANDSCAPE PLAN

PINNACLE ARCHITECTURAL STUDIO, INC.
9755 West Charleston Blvd. Las Vegas, Nevada 89117 Phone (702) 400-9070 Fax (702) 940-9971

LANDSCAPE PLANT LEGEND				
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY
<u>TREES</u>				
	FRAXINUS VELUTINA MO GRABBE	FANTEX ASH	24" BOX	3
	PAVONISOMIA ACUTATA	MEXICAN PALM TREE	24" BOX	6
	QUERCUS VIRGINIANA HERITAGE	HERITAGE LIVE OAK	24" BOX	1
<u>SHRUBS</u>				
	ERCAVEA LARICIFOLIA	AGUIRRE TURBENTINE BUSH	5 GAL	26
	FERNETIA SETACEA	EATON CANYON FOUNTAIN GRASS	5 GAL	20
	TEUCOPHILUM LANGSHANAE	PO BRAVO RANGER	5 GAL	42
	TEUCOPHILUM PROSTRATA	GERVANDER	5 GAL	6
<u>GROUND COVERS</u>				
	DECOMPOSED GRANITE, WHITE GOLD, 1/2" MIN. 2" THICK LAYER OVER ALL PLANTING AREAS. SCREENED			

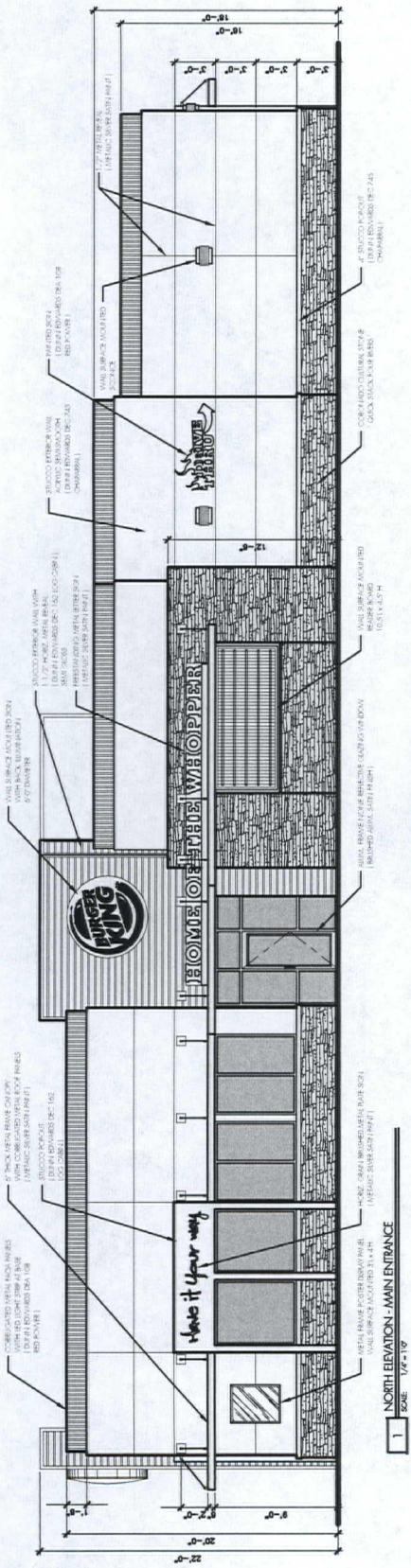
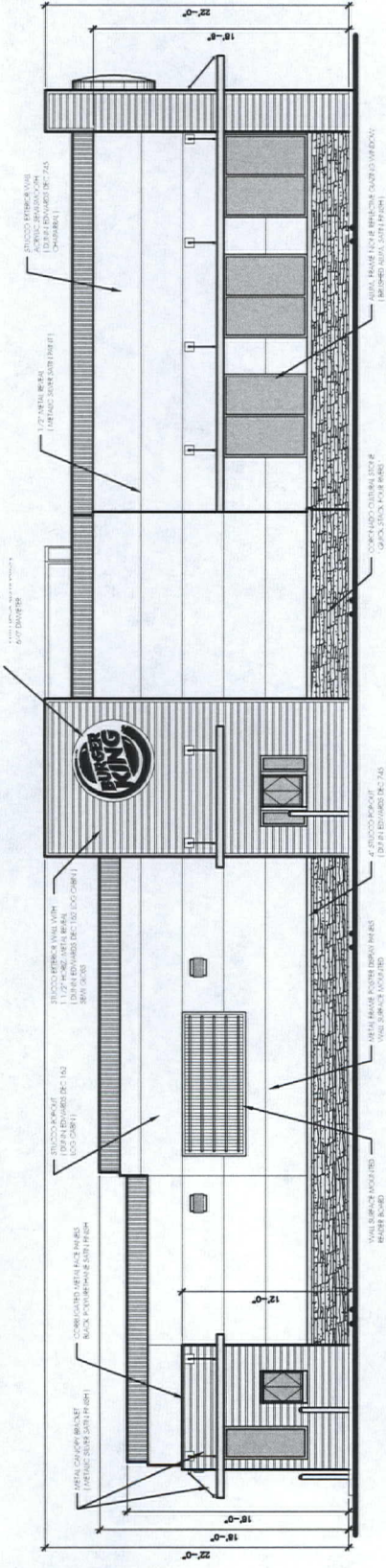
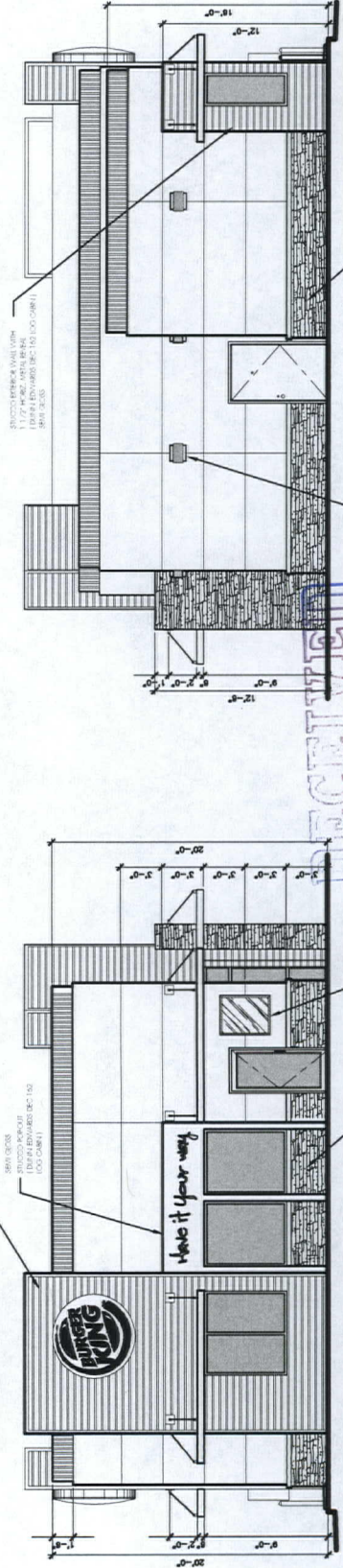
LANDSCAPE NOTES:
ALL SELECTED TREES, SHRUBS & GROUND COVERS MATCH EXISTING DEVELOPMENT, AND ARE BLENDED INTO EXISTING ADJACENT LANDSCAPE AREA WHERE IT OCCURS.

SDR-34778
07/23/09 PC

WEST ELEVATION - REAR VIEW
SCALE 1/4" = 1'-0"

JUN 08 2009

EAST ELEVATION - FRONT VIEW
SCALE 1/4" = 1'-0"



Drawn By:	DATE: JUN 08, 2009
Check By:	DATE: 08/01
Scale:	

SCALE DRAWING NOTE
1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS NOTED OTHERWISE.
4. ALL DIMENSIONS ARE TO CENTERLINE UNLESS NOTED OTHERWISE.

BURGER KING RESTAURANT
AT CRAIG RD AND JONES BVD
CITY OF LAS VEGAS, NEVADA 89120
5080 VV CIRCLE RD
BUILDING EXTERIOR ELEVATIONS

PINNACLE ARCHITECTURAL STUDIO, INC.
7755 West Charleston Blvd., Las Vegas, Nevada 89117 Phone: 702.940.9720 Fax: 702.940.9721

SDR-34778
07/23/09 PC

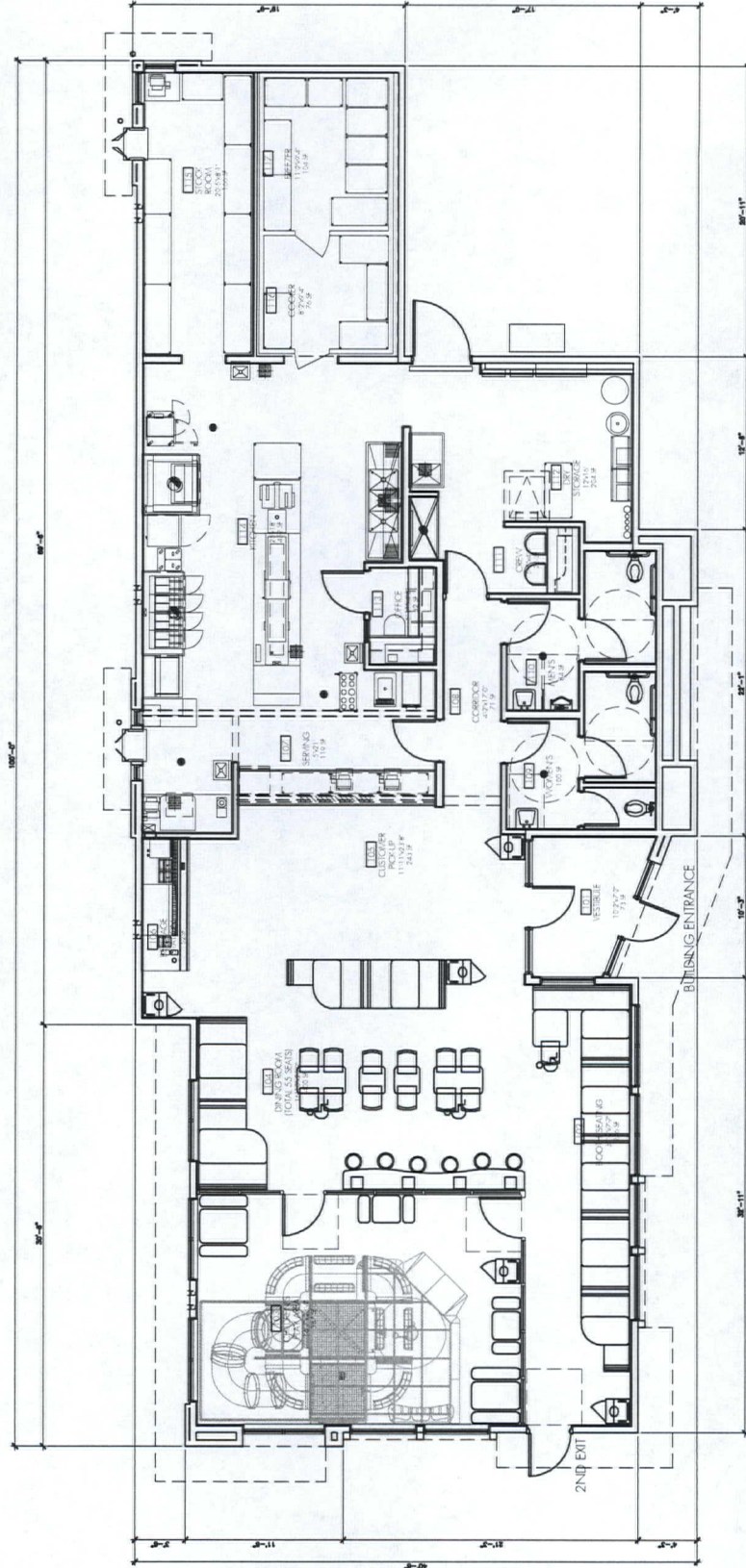
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Drawn By:	
Checked By:	
Job Number:	09501
Date:	JUN 08, 2009

Revisions:	
1	SCALE DRAWING NOTE
2	
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6	
7	
8	
9	
10	

FLOOR PLAN
BURGER KING RESTAURANT
AT CRAIG RD AND JONES BLVD
6080 W CRAIG RD
CITY OF LAS VEGAS, NEVADA 89120

PINNACLE ARCHITECTURAL STUDIO, INC.
9735 West Charleston Blvd., Las Vegas, Nevada 89117 Phone (702) 940-0920 Fax (702) 940-0921
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3,156 SF.

RECEIVED
JUN 08 2009

MAXIMUM OCCUPANT LOAD 90

FLOOR PLAN

SCALE: 1/4" = 1'-0"

1

SDR 34778				
Glencoe Properties, Inc.				
North Side of Craig Rd, West of Jones Blvd.				
Proposed addition of a restaurant and the reduction of retail square footage of a previously approved site plan.				
Traffic produced by proposed development:				
Proposed Amendment	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	FAST-FOOD W/ DRIVE THRU [1000 SF]	3.2	496.12	1,588
AM Peak Hour			53.11	170
PM Peak Hour			34.64	111
(heaviest 60 minutes)				
Previous Approval	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	FAST-FOOD W/ DRIVE THRU [1000 SF]	2.8	496.12	1,390
AM Peak Hour			53.11	149
PM Peak Hour			34.64	97
(heaviest 60 minutes)				
Net Change	DESCRIPTION	#UNIT		TOTAL
Average Daily Traffic (ADT)	SHOPPING CENTER [1000 SF]	0.4		198
AM Peak Hour				21
PM Peak Hour				14
(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.	51800			

This project will add approximately 1,588 trips per day on Craig Rd. and Jones Blvd. This will increase expected volumes by about 5 percent on Craig and by about 7 percent on Tenaya. Craig is at about 63 percent of capacity and Tenaya is at about 46 percent of capacity.				
Based on Peak Hour use, this development will add roughly 170 additional cars into the area; which works out to about 3 every minute.				
Note that this report assumes all traffic from this development uses all named streets.				



Burger King Application Submittal Justification Letter

June 5, 2009

City of Las Vegas
731 South 4th Street
Las Vegas, Nevada 89101

Attn: Planning & Development

Please accept our application submittal for the development of a 3,200 sq ft Burger King restaurant with indoor playground and double drive-thru located at 6080 West Craig Road in the Lowe's Plaza Center. Our lease is expiring at the current Burger King location servicing the area at 4510 North Rancho – at Craig. We will be able to preserve the jobs of our employees and our service to the immediate community by moving to Lowe's Plaza Center.

Restaurant Pad B in the Lowe's Plaza center is entitled as a 2,800 sq ft restaurant with drive-thru. We are requesting an increase in total building square footage to 3,200 sq ft to accommodate a 400 sq ft indoor playground. Our existing Burger King at Rancho and Craig has an indoor playground and it is a family friendly amenity that our guests use and enjoy.

Request for a Waiver of Development Standards: "Features such as windows and arcades shall total at least 60% of the length of any facade that abuts a public street." Due to the functionality of the building (kitchen and storage), we request a waiver of this requirement. A twenty foot set back with existing landscape buffers the site from Craig Road.

Site Plan: The layout is identical to an existing Burger King in the City of Las Vegas located at 6780 N. Durango (Opened September 2006).

Parking: Cross easement parking within the shopping center provides sufficient parking that exceeds requirements.

Our organization operates 19 Burger King restaurants in Las Vegas and we are very excited about joining the Lowe's Plaza at Craig & Jones.

Thank you for your consideration.


Steve Keith
Burger King Development
Glencoe Management
7432 West Sahara Suite 103
Las Vegas, Nevada 89117
Phone: 702-254-7400
Fax: 702-254-7494
skeithglencoe@earthlink.net



SDR-34778
07/23/09 PC

GLENCOE MANAGEMENT, INC.

7432 West Sahara Avenue • Suite 103 • Las Vegas, NV 89117 • (702) 254-7400 • Fax: (702) 254-7494

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JULY 23, 2009

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

TXT-34891 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER:
CITY OF LAS VEGAS - Discussion and possible action to amend Title 19.06.170 to make revisions and updates related to the Hillside Development Standards and Guidelines, All Wards

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

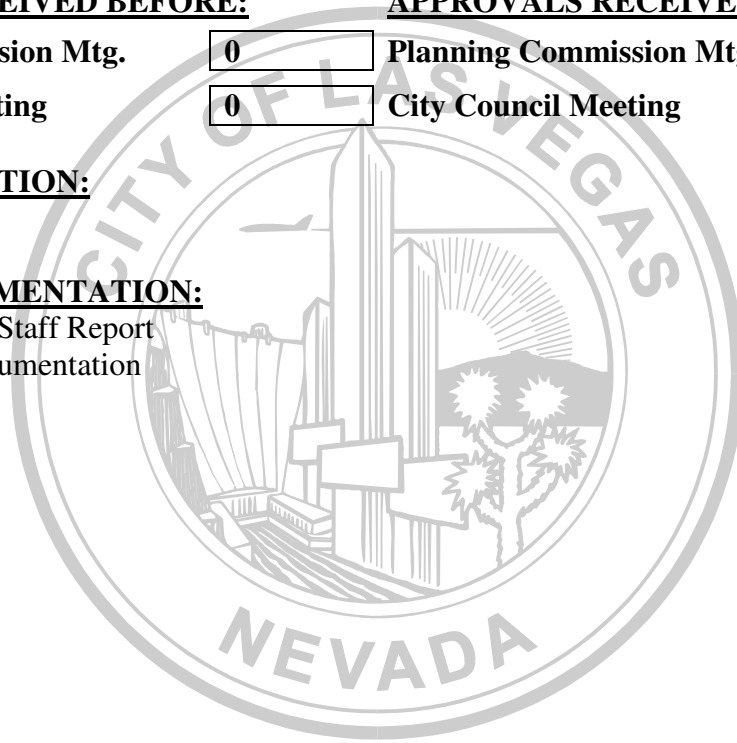
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RECOMMENDATION:

APPROVAL

BACKUP DOCUMENTATION:

1. Conditions and Staff Report
2. Supporting Documentation



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 23, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: TXT-34891 - APPLICANT/OWNER: CITY OF LAS VEGAS

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

1. Title 19.06.170 is hereby amended as follows:

19.06.170 HILLSIDE DEVELOPMENT STANDARDS AND GUIDELINES

(A) Introduction. The west boundary of the City of Las Vegas abuts the Spring Mountain Range. A significant portion of the area along this boundary is designated as national conservation and wilderness area. Eventually the foothills leading up to this area will be affected by development and will require special consideration and a development style that will provide for the unique situations which result from the slope of the land.

(B) Adoption, Purpose and Intent.

(1) The purposes of this Section are to:

- (a) Adopt criteria for the development of properties within hillside areas, which are defined as any portion of land with a vertical slope of fifteen percent or greater; and
- (b) Ensure that development in hillside areas is in compliance with the goals, policies, and implementing strategies of the Las Vegas 2020 Master Plan, namely, Policy 3.5.3, which provides as follows:

Policy 3.5.3: That, where possible, development be designed and oriented to ensure that view sheds of the mountain ranges surrounding the Las Vegas Valley are preserved, possibly through the development of a foothills ordinance or a set of specific urban design guidelines.

(2) This Section:

- (a) Shall apply to development with natural slopes of fifteen percent or more;
- (b) Is intended to encourage and guide low density, rural type, large lot or cluster, single family residential development that is designed to be compatible with the hillside terrain and its environment; and

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July 23, 2009 - Planning Commission Meeting

- (c) Is intended to guide the design of development to work with the land, rather than to alter the land to accommodate the development.
- (3) In general, all development in hillside areas shall be designed with the following considerations:
 - (a) Protect and conserve significant natural and visual resources, including major boulder outcrops, major ridges and peaks, prime wildlife habitat, and unique vegetation specimens;
 - (b) Protect people and property from potentially hazardous conditions that are particular to mountains and hillside areas, including rock falls, other unstable slopes, flooding, subsidence, erosion and sedimentation, range fires, soils with high shrink-swell capacity, foundation instability, and air pollution;
 - (c) Protect water quality, air quality, and other resources, such as soil and natural vegetation, from incompatible land uses;
 - (d) Minimize the public costs of providing public services and facilities such as streets, water, sewer, emergency services, sanitation services, parks and recreation;
 - (e) Ensure that decisions regarding development in hillside areas are based on complete and accurate information about the environmental conditions and probable development impacts;
 - (f) Minimize the impacts of development by controlling the location, intensity, pattern, design, construction techniques, and materials of development and construction;
 - (g) Maintain significant open spaces that provide view corridors and land-use buffers, and maintain the City's unique desert setting;
 - (h) Protect landmarks, prime wash area habitats, and environmentally sensitive lands, while also recognizing the legitimate expectations of property owners and the City's overall economic goals;
 - (i) Encourage innovative planning, design, and construction techniques for development in environmentally sensitive areas; and
 - (j) Minimize grading and site disturbance to maximize compatibility with the natural terrain.
- (C) Standards and Guidelines. Development plans must demonstrate compliance with this Section. However, there is flexibility in the degree to which a requirement of this Section may be addressed by a development plan and the method used to comply. An applicant who believes that a

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July 23, 2009 - Planning Commission Meeting

particular standard does not or should not apply to the applicant's project has the burden to demonstrate why not, and to provide a solution that will meet the intent of the goals and objectives of this Section.

(1) Density.

- (a) The maximum density for a proposed development shall be that permitted by the adopted plan for the area in which the proposed development is located. Where no specific plan for that area has been adopted, the maximum density shall be that established by the land use element of the General Plan.
- (b) The maximum recommended density within hillside development is two units per acre. Large lot development is encouraged. Non-residential development other than public facilities is discouraged.
- (c) One hundred percent site disturbance may occur on areas of a lot or parcel with a slope of less than fifteen percent. Sites with a slope of fifteen percent or greater are subject to the allowable maximum percentage of site disturbance as set forth below:

Slope	Maximum Site Disturbance	Minimum Undisturbed Area of Site
15% to 25%	50%	50%
Over 25%	35%	65%

- (d) Density and site disturbance may be transferred from portions of a lot or parcel with a slope of fifteen percent or greater to any other portion of the lot, parcel or development site. The portions of the lot or parcel from which density and site disturbance are transferred shall be designated as natural areas. The gross density of the parcel(s) to which density is transferred shall not exceed that allowed by the zoning of the property.

(2) Site Design. (See Figures 1 and 2)

- (a) Structures shall be sited in a manner that will fit into the hillside's contour and relate to the form of the terrain. This may be done through a variety of methods, such as varying setbacks and structure heights; the use of innovative building techniques (e.g., earth shelter or earth berm construction); and retaining walls.

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July 23, 2009 - Planning Commission Meeting

- (b) Site design should take into account the need to do the following, while maintaining the natural character of a hillside area:
 - (i) Preserve vistas of natural hillside areas and ridgelines from "key vantage points";
 - (ii) Preserve views from existing development; and
 - (iii) Allow new ~~dwellings~~ development access to views similar to those enjoyed from existing ~~dwellings~~ development.
- (c) Site design should allow for different lot shapes and sizes, as well as split development pads, with the prime determinant being the natural terrain.
- (3) Grading, Slope Stabilization, Drainage Design. Disturbance to the natural landform should be minimized, should not destroy visual quality and community character, and should not create conditions that result in flooding or erosion. Grading design should address both safety and aesthetics, incorporating the following requirements and guidelines:
 - (a) Portions of a site or lot that are to be graded must be clearly shown on the grading plan.
 - (b) Landform or contour measures should be utilized to produce cut and fill slopes that are compatible with existing land character. Continuous unbroken slope surfaces that are visible from off the site are discouraged.
 - (c) Berms at top of slopes and other locations should be used to screen, vary profile, and insure drainage away from slopes.
 - (d) Where any cut or fill slope exceeds ten feet in horizontal length, the horizontal contours of the slope shall be developed to appear similar to the existing natural contours. (See Figure 3)
 - (e) Grading should be balanced on site whenever possible to avoid excessive cut and fill, and to avoid the unnecessary import or export of earth material. (See Figure 4)
 - (f) No grubbing, grading or clearing shall occur prior to the approval of civil improvement plans and final grading plans by the Director of Public Works and the issuance of a grading permit. Grubbing, grading, clearing and stockpiling are only to occur in areas identified for those activities on the approved grading plan.
 - (g) All portions of the site or lot that are to be left ungraded are to remain undisturbed, and are not to be used for stockpiling of materials or excess fill.

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July 23, 2009 - Planning Commission Meeting

- (h) Areas on a site that are designated as natural areas shall be temporarily fenced, or a barrier placed where they abut construction areas, in order to prevent any disturbance of the natural area.
- (i) Disturbed areas shall be restored as close as possible to their natural condition by using eonite, permeon, or a similar approved process designed to restore natural color to the landscape.
- (j) Sides of roadways and driveways that are disturbed shall be revegetated, revarnished, or both.
- (k) Cut or fill design on slopes that encroach into a floodplain must be approved by the Director of Planning and Development and the Director of Public Works concurrent with final grading plan approval.
- (l) Pad elevations above street level shall be varied to avoid the appearance associated with monotonous, flat, level pads.
- (m) Unless addressed by means of a retaining wall, slopes that are steeper than thirty-three percent, and slopes for which such stabilization is recommended or required by a geotechnical report, shall be stabilized with properly engineered stone rip rapping, sculptured rock or other similar material as follows:
 - (i) Stabilizing material shall blend with the natural appearance of the site or lot and its surrounding terrain;
 - (ii) Vegetation retention and revegetation shall be used in conjunction with rip rapping;
 - (iii) All site revegetation and varnishing shall be completed within ninety days after completion of work or prior to issuance of a final inspection approval, whichever occurs first.
- (n) Project designs shall be in accordance with the Clark County Regional Flood Control District Hydrologic Criteria and Drainage Design Manual, and shall maintain natural runoff characteristics where at all possible.
- (4) Architecture/Building Design. ~~Dwellings built~~ Development within hillside areas shall conform to the following:
 - (a) Reflective building materials (i.e. mirror finishes or metal roofs) are not permitted unless treated to eliminate glare.
 - (b) Limited slab-on-grade, with staggered floor elevations, shall be utilized to avoid massive building forms, excessive cuts and fill, and surfaces which contrast with the surrounding terrain.

- (c) All external mechanical equipment shall be screened, and required vents shall be architecturally compatible with the structure.
 - (d) Building architecture should have predominant horizontal features. Vertical features should be minimized and generally used to accentuate entryways, garages, main doors and any type of vertical embellishment.
 - (e) No portion of a structure shall exceed a height of two stories or thirty-five feet, and a minimum of twenty feet of the structure must be lower than the elevation of the primary ridgeline. (See Figure 5)
 - (f) ~~Dwellings shall use wall~~ Wall articulation (e.g., insets, pop-outs, etc.) and roof orientation shall be used as a means to prevent a massive look.
 - (g) Rooflines and elements shall reflect the naturally occurring ridgeline silhouettes and topographical variation in order to blend with the hillside. (See Figure 6)
 - (h) Building materials and colors shall be compatible with the natural setting. Whenever possible, exterior colors shall be limited to earthtones that are found in nearby natural vegetation or soil, that come from natural sources (e.g., rock, stone, wood), or that resemble a natural appearance.
- (5) Clustered Development. Clustered development is encouraged as a means of preserving the natural appearance of the hillside and maximizing the amount of open space. Under this concept, ~~dwellings are~~ development is grouped ~~in~~ on the more level portions of the site, while steeper areas are preserved in a natural state. Clustering can enhance the environmental sensitivity of a development project, and facilitate the permanent protection of key features of the natural environment, such as biological habitats, open space areas, scenic areas, ridgelines, and steep slopes. (See Figure 7) Also, it is often more feasible to provide the needed infrastructure for a cluster development, since clustering results in shorter roads and water, sewer, and utility lines. Clustering does not allow an increase in the overall density of an area beyond that which is otherwise permitted by the General Plan.
- (a) Clustered ~~dwellings~~ development shall ~~be placed~~ occur in a staggered or stepped manner so ~~that~~ the visual impact is lessened.
 - (b) Clustered subdivisions shall be sited so they do not have a dominant presence within the hillside.
 - (c) The location of clustered units shall be restricted to the flatter portions of a site, unless another location better

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July 23, 2009 - Planning Commission Meeting

- minimizes impacts as relates to public safety, visual impact or environmental issues.
- (d) Clustered development must preserve open space in its undeveloped form. Appropriate documents must be recorded to ensure the preservation of the open space areas in perpetuity. Open space areas shall be identified on the final subdivision map or parcel map as common lots.
- (6) Walls and Fences.
- (a) The height of walls shall be in accordance with Section 19.12.075.
 - (b) Walls shall conform to the topography of the site. (See Figure 8)
 - (c) Walls shall either incorporate the use of native materials or be earthtone colors to match the native soils and rocks. Walls and fences (other than retaining walls) should be made of natural materials (e.g., stone, wood, split rail) whenever possible and, at a minimum, shall be a color that blends with the surrounding environment. Where retaining walls front on or are visible from public streets or public vantage points, they shall be constructed of (or faced with) materials that are appropriate in color and texture to help visually blend the wall into the terrain. (See Figure 9)
 - (d) The use of retaining walls and retaining structures is encouraged when it significantly reduces site grading.
 - (e) Large retaining walls in a uniform plane should be avoided. Retaining walls should be broken up into elements and terraces, with landscaping used to screen them from view. (See Figure 10)
 - (f) Retaining structures shall be located so that they do not become a dominating visual feature.
 - (g) Tall retaining structures that are absolutely necessary should be located behind ~~the dwelling~~ development so as to be screened from view.
 - (h) Whenever possible, the location of walls and fences (other than retaining walls) should be limited to areas within fifty feet of ~~dwellings~~ primary buildings and accessory structures in order to limit their impact on hillside viewsheds.
 - (i) Solid walls and fences shall be prohibited within fifty vertical feet of a ridgeline in order to prevent impacts on wildlife corridors and maintain the natural area surrounding the ridgeline.
 - (j) Fences that have pointed vertical elements shall not be permitted.

- (7) Landscaping. Landscape improvements on the overall project site shall be integrated with the natural topography and existing or indigenous vegetation. Plant materials shall be used to mitigate development impacts on washes, slopes, and any other sensitive environmental features.
 - (a) The use of non-native or competitive species that could threaten the native flora within the area is prohibited.
 - (b) Landscape design for all development shall consist of plant materials similar in form and scale to the existing vegetation in the area.
 - (c) Each natural area shall contain only those species that are indigenous to the native desert or mountain elevation and climate zone in which it exists.
 - (d) The interface between new development and natural open space shall be designed to provide a gradual transition from manufactured slopes into natural slopes.
 - (e) Landscaping (which is compatible with natural vegetation) shall be designed so that it extends out from developed areas and forms a cohesive pattern with existing natural vegetation, arranged in random, informal groupings. (See Figure 11)
 - (f) Landscaping along the slope side of development shall be designed to maintain controlled views from the residences, yet screen and soften the architecture from community vantage points.
 - (g) Trees and shrubs shall be arranged in informal, randomly spaced masses, and shall be placed selectively to reduce the scale of and help to blend manufactured slopes.
 - (h) Plant materials that are used to stabilize a graded slope shall blend with the surrounding native plant materials in color and texture to the greatest extent feasible.
 - (i) Landscaping shall be designed so as to avoid invasive species that could negatively impact indigenous plant species. Invasive species shall be identified through a recognized resource, such as a local Cooperative Weed Management Area.
- (8) Trails.
 - (a) Each subdivision shall provide and maintain pedestrian access for trails that are identified in the City's Trail Master Plan and that are located within the subdivision, including subdivisions that are to be established as gated communities.

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July 23, 2009 - Planning Commission Meeting

- (b) A trail system that is designed to preserve habitat and ensure public safety shall be provided to link new development to existing trails within hillside areas.
 - (c) New subdivisions shall prepare a trails plan to link new residential areas to existing and planned trails in the City that are shown in the Trails Elements of the City's Master Plan, including hiking, equestrian and multi-use trails. The subdivision's trails plan must be submitted to the City for review and approval.
 - (d) Once approved by the City, the trails identified in each subdivision's trails plan shall be constructed by the developer prior to the final inspection of residential units. Such trails shall be maintained as agreed to by the developer and the City.
- (9) Open Space/Natural Areas.
 - (a) Portions of hillside areas will be retained in their natural state.
 - (b) Within areas designated as natural areas, site disturbance, other than for the construction of hiking trails, is not permitted.
 - (c) Any area designated as a natural area shall be shown on the tentative subdivision map with existing surveyed topographical information, and the area itself shall be identified with horizontal control data on the final subdivision map or parcel map.
 - (d) Any area designated as a natural area may be designated as a separate parcel or as a deed-restricted portion of a parcel. If designated as a separate parcel, such parcel:
 - (i) May be under the ownership of a owners' association or may be deeded to any organization which accepts responsibility for the perpetual preservation and maintenance of the natural area, subject to approval and acceptance by the Directors of Planning and Development and Public Works; and
 - (ii) Shall be mapped as a common lot in order to help protect natural areas.
- (10) Circulation/Roadways.
 - (a) All public or private roadways shall be designed according to the standards of this Section, the Master Plan of Streets and Highways (if applicable), the Municipal Code, current City Standards and, if required, an approved traffic study. These standards are intended to supplement the Public

Works Department Review Guidelines. Streets in hillside areas should be constructed in areas that would have the least impact on the natural environment.

- (b) The following elements of road and sidewalk circulation shall be incorporated in hillside area developments:
 - (i) Roadway design which generally follows existing contours, thereby minimizing grading and resulting in an informal, curving internal network;
 - (ii) The provision of two major points of access to principal roads in developments exceeding one hundred fifty units or when required by the Department of Fire and Rescue in order to minimize fire hazards;
 - (iii) Roadways with a maximum slope of seven percent; (See Figure 12 for illustration of a seven percent slope in comparison to other slopes)
 - (iv) Preservation of existing trees and natural features by dividing or routing roads and sidewalks around these elements;
 - (v) Provision of safe, convenient pedestrian access to schools, parks and other recreational facilities;
 - (vi) Combinations of collective private driveways, cluster parking areas and off-street parking bays, which are encouraged in order to minimize paved areas;
 - (vii) The location of all utilities underground in a common trench in the parkway or under the sidewalk;
 - (viii) Rolled curbs as the preferred road edge along any paved roads, where such curbing will be adequate to contain drainage and prevent erosion;
 - (ix) Roadway improvements that do not adversely affect other properties or create the need for extensive grading, flood control facilities, or other types of construction or support infrastructure;
 - (x) Roadways that meet the requirements of the Department of Fire and Rescue, including roadway grades and curves to accommodate safety and emergency vehicles;
 - (xi) Streets that follow the natural contours of the hillside to minimize cut and fill; (See Figure 13)
 - (xii) Cul-de-sacs or loop roads, which are encouraged where they are necessary to fit the terrain;

TXT-34891 - Conditions Page Eleven
July 23, 2009 - Planning Commission Meeting

- (xiii) The elimination of on-street parking and sidewalks in order to reduce required grading, subject to approval thereof by the Planning Commission or City Council (or both) as a specific element of an approved Site Development Plan Review;
 - (xiv) The preferred use of driveways that serve more than one lot, as well as diagonal driveways running along contour lines, where:
 - A. Such driveways will reduce the need for grading, paving, and site disturbance;
 - B. Such driveways have been approved by the Department of Fire and Rescue;
 - C. Sight visibility restriction zones will be maintained in accordance with the most recent version of the guidelines of the American Association of Street and Highway Transportation Officials; and
 - D. The maximum change in grade between driveway slope and the cross-slope of roadways is twelve percent for local roadways, and ten percent for collector roadways; and
 - (xv) Street lighting that is limited to intersections and other locations where necessary in order to provide safe access or passage, as determined by the Director of Public Works. Facilities for other public street lighting will be stubbed out for later use, including all necessary underground conduit and pull boxes at each streetlight location, but the installation of the streetlights may be deferred provided that the developer provide to the City such streetlights for the future installation. Alternatively, monies in lieu of such deferred streetlights, including bases, may be contributed to the City if allowed by the Department of Public Works.
- (D) Hillside Development Design Review.
 - (1) The objective of the Hillside Development Design Review under this Subsection (D) is to preserve significant natural features within hillside areas by encouraging design that minimizes disturbance to existing topographical forms. A development should be designed to fit into hillside areas rather than altering the earth forms to create a flatland type of development.
 - (2) Project design should:

TXT-34891 - Conditions Page Twelve
July 23, 2009 - Planning Commission Meeting

- (a) Initially identify the existing geographic, topographic, and environmental features of the site (such as geological hazards, steep slopes, ridges, valleys, streams, views, existing drainage patterns, significant biota, and outcroppings); and
 - (b) Then determine the impact the proposed project will have on these elements.
- (3) Preparation of a site plan should be based upon a determination concerning how traffic circulation, fire protection and access, drainage, sound barriers, buffers, land alteration, and other measures will be employed to limit any negative impacts of the development. The final site plan should reflect how all of these impacts are successfully solved or mitigated.
- (4) Other elements that should be considered in a successful design and, where indicated, reflected in submittal documents are the following:
 - (a) Preservation of distinctive natural features, the general existing topographical forms, significant trees, landscaping, natural water courses and wildlife corridors, with data and aerial maps to be provided showing the location, type and nature of existing major vegetation, including significant clusters or contiguous areas of dense growth and existing vegetation to be preserved;
 - (b) Preservation of prominent skyline ridges, which must be shown by providing a graph or other visual analysis indicating rooftop in relation to ridgeline; (See Figure 14)
 - (c) The location of roads and structures below the skyline ridge, with a visual analysis to be provided indicating circulation related to existing contours;
 - (d) The location and construction of roadways, with drawings and explanations to be provided showing how roadways will be constructed in a manner compatible with the natural terrain and with scarring eliminated;
 - (e) Incorporation of hiking, biking, walking and equestrian trails, where appropriate;
 - (f) Variation in lot size, building placements, setbacks, and orientation;
 - (g) Variable changes in elevation and siting of buildings to ensure views and avoid monotony;
 - (h) Preservation of steep hillsides by clustering buildings or use of other innovative approaches;
 - (i) Sensitivity to the project's appearance from lower or adjacent development;

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July 23, 2009 - Planning Commission Meeting

- (j) Placement of equipment and other unsightly forms below ridgelines and in bermed and landscaped areas.
 - (k) Dwelling Development design, with documentation to be provided indicating that significant effort has been made towards incorporating energy-conservation and water saving techniques;
 - (l) Maintenance of natural drainage/water runoff characteristics where possible;
 - (m) The use of exterior lighting for buildings that is:
 - (i) Of a "cut-off" type designed to ensure that excess light does not spill over; and
 - (ii) Of the lowest intensity feasible so as to be adequate for the purposes intended but not likely to attract undue attention.
- (5) Prior to the submittal of an application for Site Development Plan Review, a grading plan and drainage plan must be submitted to and approved by the Department of Public Works. The plans must clearly identify the topography of the land and how it relates to the development. Areas known or suspected to be hazardous, as determined by the Department of Public Works, shall not be disturbed without a geological survey, other data and tests, or a combination thereof, as required by the Department of Public Works. The submittal must include or be accompanied by a topographic map of the area proposed for development and shall show the location of, and distinguish, each of the following slope categories:
- (a) Slope less than fifteen percent;
 - (b) Slope between fifteen percent and twenty percent;
 - (c) Slope between 20.01 percent and twenty-five percent;
 - (d) Slope greater than twenty-five percent.
- (6) A ~~final~~ grading plan must first be approved by the Director of Planning and Development before Site Development Plan Review is considered by the Planning Commission. The Director's review shall coincide with staff review of the Site Development Plan and drainage study.
- (7) Site Development Plan Review for all hillside area development shall be processed as a public hearing item. In order to address the sensitive nature of hillside development, the final grading plan that was approved with the Drainage Study and by the Planning and Development Director shall be submitted with the design review applications.
- (8) The burden of proof is on the applicant to demonstrate that the proposed development:

TXT-34891 - Conditions Page Fourteen
July 23, 2009 - Planning Commission Meeting

- (a) Is located and designed so as to protect the safety of residents and will not create significant threats to life or property by reason of the presence of hazards relating to geology, slope instability, flood, fire or erosion;
 - (b) Is compatible with the natural, biotic, cultural, scenic and open space resources of the area;
 - (c) Can be conveniently served by neighborhood shopping and provided essential public services without imposing significant costs on the total community;
 - (d) Is consistent with the objectives and policies of the General Plan; and
 - (e) Incorporates creative and imaginative design, resulting in a visual quality that will complement community character and benefit residents.
- (9) Any variance from or adjustment to any requirement set forth in this Section may be obtained by means of a Variance application in accordance with LVMC 19.18.070.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request to amend Title 19.06.170 to make revisions and updates related to the Hillside Development Standards and Guidelines.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
08/15/07	The City Council adopted Ordinance 5923, which was introduced as Bill No. 2007-36, to provide development standards and guidelines for future development in areas with slopes greater than 15 percent or more and satisfies Policy 3.5.3 of the Las Vegas 2020 Master Plan. The Planning Commission and staff recommended approval of this Text Amendment (TXT-8744).

ANALYSIS

The proposed amendment would change references to “dwelling” in the Hillside Development Standards and Guidelines to indicate that the standards apply to all potential development within the applicable area. Title 19 defines “dwelling” as a structure with one or more rooms that is used exclusively for human habitation; designed, occupied, or intended for occupancy as a separate living quarter with sleeping, cooking and sanitary facilities provided. When the Hillside Ordinance (Ordinance 5923) was adopted in 2007, it was not anticipated that there would be anything other than residential development contemplated for this area. Since the adoption of these standards and guidelines there has been interest in developing uses other than residential units, most recently was a request for a Church/House of Worship use. The existing language has resulted in confusion and questions regarding the applicability of those standards that refer to dwellings or dwelling units.

The proposed clarification will change the nine references to “dwelling” or “dwelling units” to non-use specific language. This modification will eliminate any confusion associated with the expected development patterns and design criteria associated with future development (residential and non-residential) proposed within areas of the City where the Hillside Development Standards and Guidelines section of Title 19 is applicable. Therefore, staff recommends approval of this amendment.

TXT-34891 - Staff Report Page Two
July 23, 2009 - Planning Commission Meeting

FINDINGS

The proposed text amendment will accomplish the following:

- Modify language throughout the Hillside Development Standards and Guidelines section (Title 19.06.170) of the Zoning Code to eliminate references to dwelling and dwelling units and refer instead to general development.

The following table summarizes all proposed changes:

Code Requirements	Existing Regulations	Proposed Regulations
Title 19.06.170 Hillside Development Standards and Guidelines	• Nine references to dwelling or dwelling units	• References changed to development or primary building as appropriate • Slight language changes as a result of reference changes

NOTICES MAILED

NEWSPAPER ONLY

APPROVALS

0

PROTESTS

0

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JULY 23, 2009

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

DIR-34988 - DIRECTOR'S BUSINESS - PUBLIC HEARING - APPLICANT/OWNER:
CITY OF LAS VEGAS - Progress report by the Planning & Development Department
regarding the City's Sustainability Initiative

NO ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

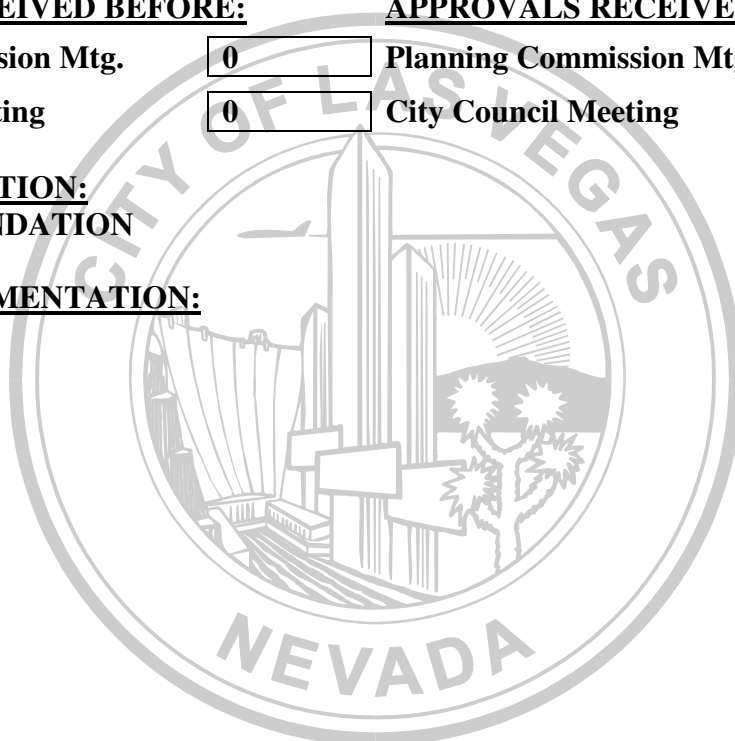
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RECOMMENDATION:

NO RECOMMENDATION

BACKUP DOCUMENTATION:

NONE



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JULY 23, 2009

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

DIR-35033 - DIRECTOR'S BUSINESS - PUBLIC HEARING - Progress report by the Planning & Development Department regarding the development of walkable community plans as discussed at the March 23rd 2009 Joint City Council and Planning Commission workshop.

NO ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

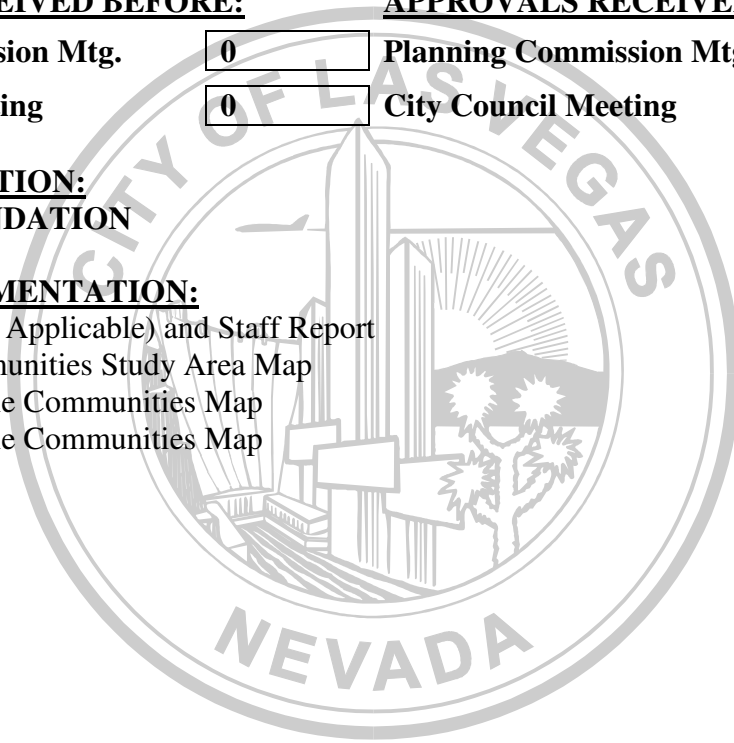
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RECOMMENDATION:

NO RECOMMENDATION

BACKUP DOCUMENTATION:

1. Conditions (Not Applicable) and Staff Report
2. Walkable Communities Study Area Map
3. Ward 1 Walkable Communities Map
4. Ward 2 Walkable Communities Map



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 23, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: DIR-35033 - APPLICANT/OWNER: CITY OF LAS VEGAS

**** CONDITIONS ****

STAFF RECOMMENDATION: NO RECOMMENDATION

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July 23, 2009 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a progress report by the Planning & Development Department regarding the development of walkable community plans, as discussed at the March 23rd 2009 Joint City Council and Planning commission workshop.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales</i>	
03/23/09	At the Joint City Council and Planning Commission Workshop, walkable community plans were discussed as contributing to the implementation of the Las Vegas 2020 Master Plan, and also assist with sustainability goals and improving the quality of life of residents.
<i>Neighborhood Meeting</i>	
N/A	Neighborhood meetings have not yet been held. The initial public input session for the Meadows Land and Village Square plans will tentatively be held in August 2009.

ANALYSIS

The development of walkable community plans was first discussed at the Joint City Council and Planning Commission Workshop, held on 23 March, 2009. At the meeting, Planning & Development Department staff provided information regarding the American Planning Association's "Great Neighborhoods" award program, and described the qualities and characteristics of great neighborhoods. It was noted that the quality of neighborhoods is a vital factor in defining the character of a city, and that residents and visitors alike form impressions of a city based on the appearance of its neighborhoods. To that end, staff is initiating a series of walkable community plans as a means to facilitate walking and biking within neighborhoods, and to encourage reinvestment and neighborhood pride.

General Information – Walkable Community Plans

Walkable community plans are plan documents that focus on improving walkability within a defined neighborhood area. The study area will generally be limited to a half-mile radius, which is equivalent to a 10-minute walk for most pedestrians.

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July 23, 2009 - Planning Commission Meeting

The goals of walkable community plans are as follows:

- Improve pedestrian access to the “needs of daily life,” which include grocery stores, pharmacies, restaurants, schools, parks;
- Reduce traffic congestion by encouraging walking or cycling for local trips;
- Enhance pedestrian and cyclist safety and comfort, through the provision of a complete sidewalk network, shaded sidewalks, defined bicycle lanes, and improved pedestrian crosswalks; and
- Identify and promote needed amenities for the neighborhood that will reduce the need for trips outside of the neighborhood.

Neighborhoods to be Studied

A total of six neighborhoods have been identified for study by the Planning & Development Department. The areas were selected by doing a GIS (Geographic Information Systems) query, evaluating neighborhoods by the proximity of residences to neighborhood commercial areas and recreational amenities. The areas that have been selected for study are as follows:

- Meadows Lane (between Valley View Boulevard and Decatur Boulevard)
- Village Square (intersection of Sahara Avenue and Ft. Apache Road)
- Eastern (intersection of Eastern Avenue/Charleston Boulevard/Fremont Street)
- Buffalo (between Cheyenne Avenue and Smoke Ranch Road)
- West Side (intersection of Owens Avenue and H Street)
- Rancho (intersection of Rancho Drive and Craig Road)

Walkable Community Plan Contents

Each walkable community plan document will define the study area, provide existing conditions, and propose a list of improvements to the neighborhood. Specifically, the plans will cover the following items:

- Introduction, including study area boundaries, background, and history of the neighborhood;
- Existing conditions review, including a study of the existing sidewalk network, bicycle paths, transit stops and shelters, and neighborhood amenities and recreation areas.
- Analysis of proposed improvements, including improvements and additions to the sidewalk network, street trees and other streetscape enhancements to improve pedestrian comfort and safety, crosswalk improvements, addition of bicycle lanes, and removal of any impediments to pedestrian accessibility.
- An implementation plan, listing all action items and possible funding sources.

Walkable Community Plan Development and Adoption Process

The process for the development of each walkable community plan is intended to follow the steps below:

- Preparation of background information and study of existing conditions by Planning & Development staff, including consultation with other departments.
- Public input sessions with neighborhood property owners, business owners, and any associations within the study area to discuss existing conditions and identify improvements that will improve walkability;

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July 23, 2009 - Planning Commission Meeting

- Development of a draft plan by Planning & Development staff, with internal review by other departments;
- Second public input session to review the draft plan document and receive comments;
- Planning Commission input and review of the draft document, and recommendations to City Council;
- City Council review and adoption of the walkable community plan; and
- Implementation of the walkable community plan.

Timeframe for Development of Walkable Community Plans

It is intended that the Planning & Development Department will produce two walkable community plans for adoption each year. The initial schedule is as follows:

Year: 2009

- Meadows Lane
- Village Square

Year 2010

- West Side
- Eastern

Year 2011

- Buffalo
- Rancho

After the adoption of the first group of walkable community plans, additional areas will be selected for study. The timeframe for the development of the plans may be modified depending on the initiation of any capital projects or private developments that may be proposed for the area.

Progress to Date

The first two areas selected for study are the Meadows Lane area, located in the vicinity of the Meadows Mall, and the Village Square area, centered on the intersection of Sahara Avenue and Ft. Apache Road. The initial research and study of existing conditions has been completed for both neighborhoods, and the first public input meeting will be scheduled in August 2009. Additional updates on the development of the plan documents will be given to Planning Commission as work progresses.

NOTICES MAILED

NEWSPAPER ONLY

APPROVALS

0

PROTESTS

0

All Wards

High Walkable Score

Low Walkable Score

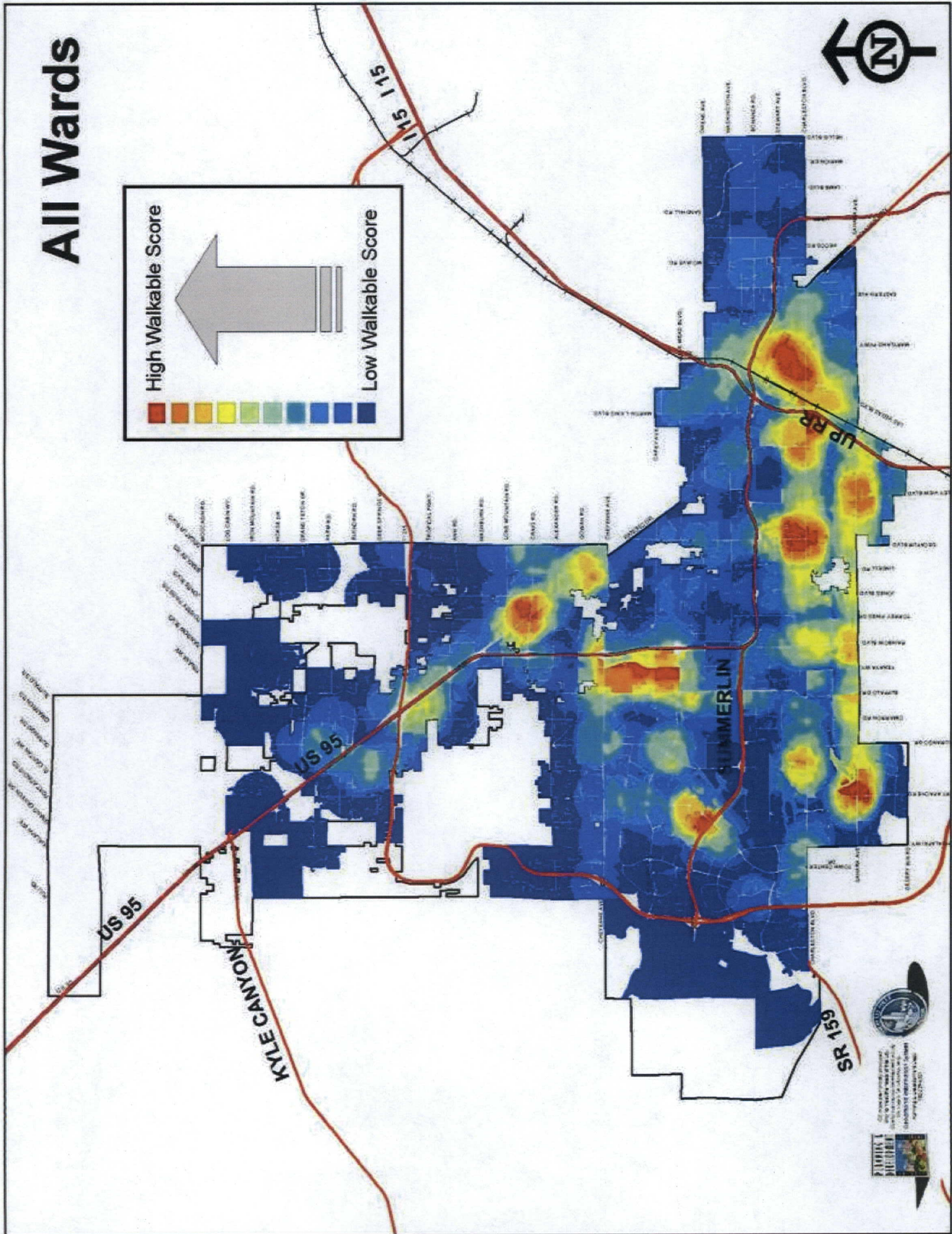
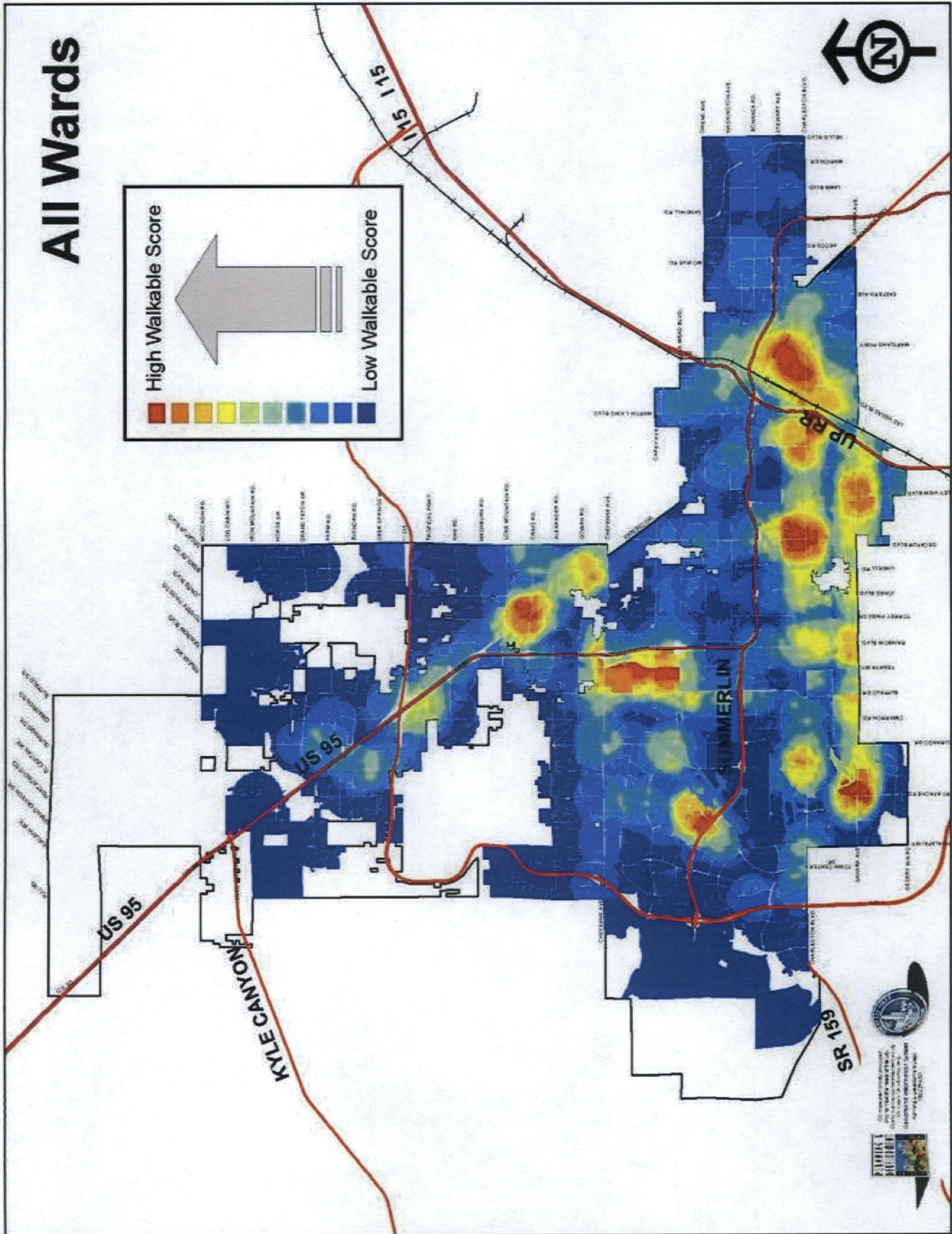
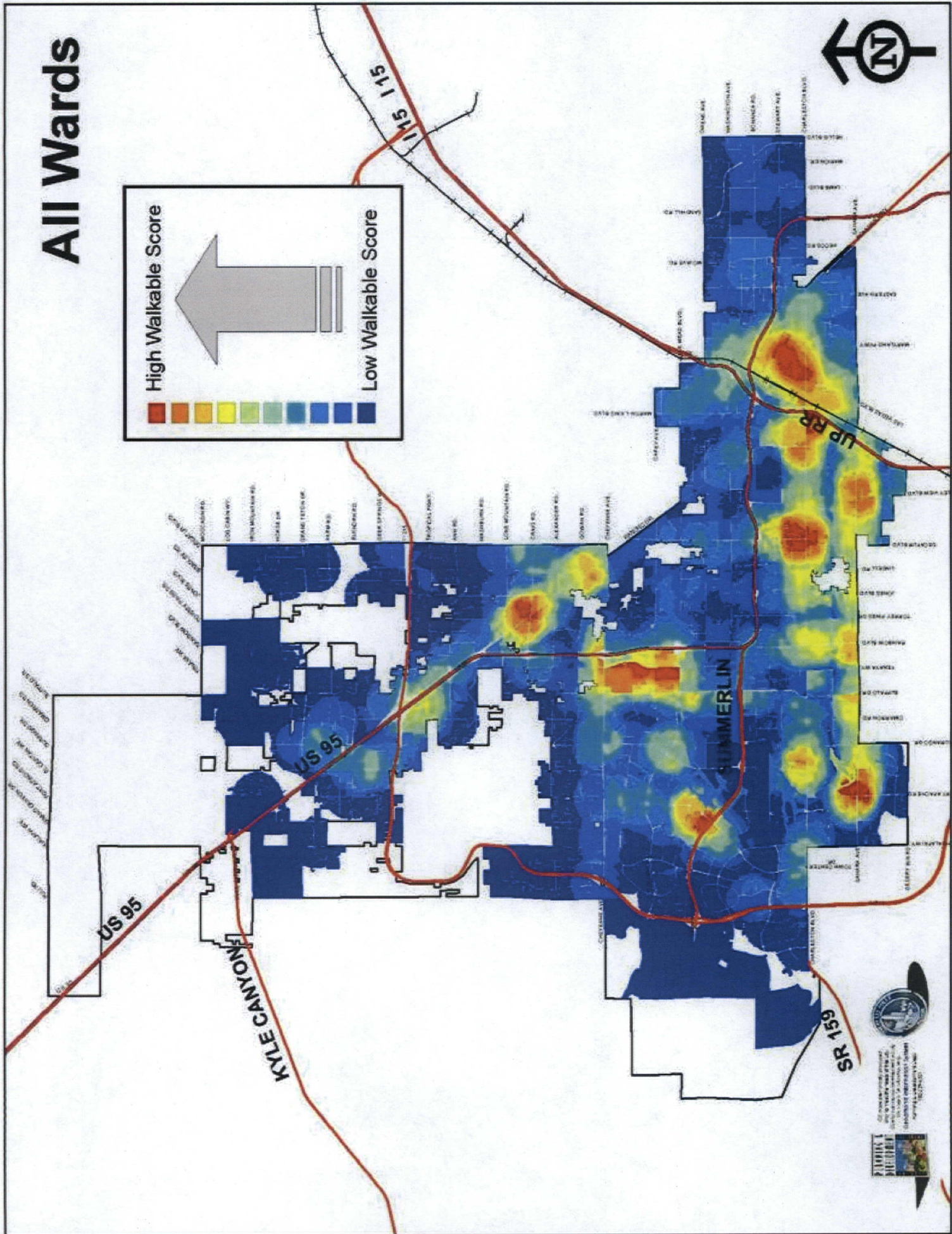
US 95

SR 169

I-15

Summerlin

Map of All Wards in Summerlin, NV, showing Walkable Score.

[illegible][illegible][illegible][illegible]

City of Las Vegas

- Half Mile Walking Radius
- Boundaries for Walkable Communities

Neighborhood Associations

- Charleston Estates NA
- Meadows Neighborhood Preservation NA
- Palomino Area Preservation Association (PAPA)
- Rancho Oakey NA & Rancho South NCG
- Sundown HOA



1/2 Mile

ALTA

CAMPBELL

CHARLESTON

VALLEY VIEW

MEADOWS

1/2 Mile

DECATUR

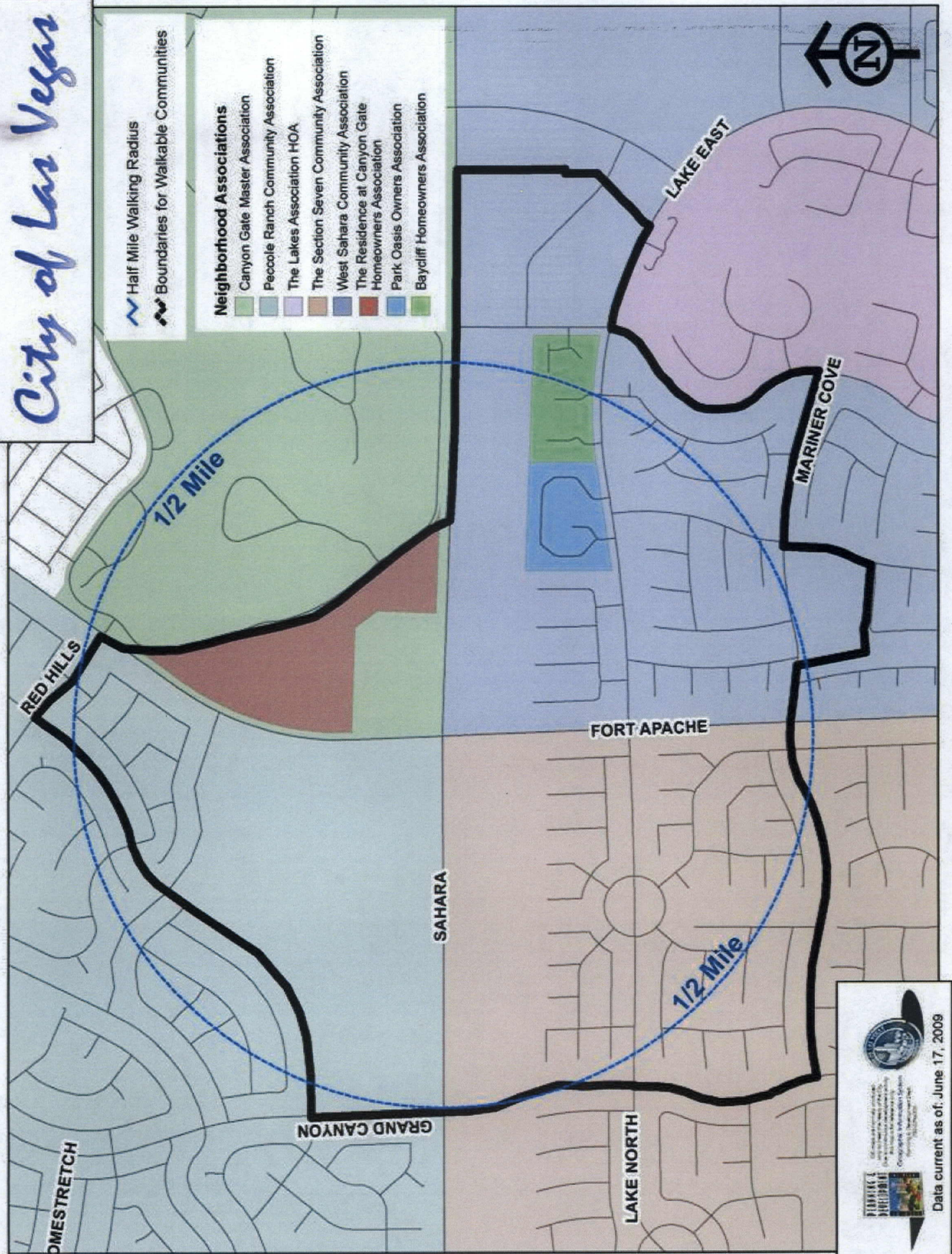


GIS maps are normally produced only for use for the City of Las Vegas. This map is for reference only. Geographic Information System Planning Department Date: 7/28/2009



Data current as of: July 8, 2009

City of Las Vegas



AGENDA SUMMARY PAGE
PLANNING COMMISSION MEETING OF JULY 23, 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

