City of Las Vegas

PLANNING COMMISSION AGENDA

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

LAS VEGAS CITY COUNCIL

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

COMMISSIONERS

Glenn E. Trowbridge, Chair
Richard Truesdell, Vice Chair
Byron Goynes
Steven Evans
Vicki Quinn
Keen Ellsworth
Gus W. Flangas

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.

August 13, 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 JULY 9, 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.

6. **EOT-34971 - EXTENSION OF TIME - VARIANCE - APPLICANT: AHERN RENTALS - OWNER: DFA, LLC** - Request an Extension of Time of an approved Variance (VAR-22723) TO ALLOW A WALL TO CONTAIN NO CONTRASTING MATERIAL WHERE TWENTY PERCENT CONTRASTING MATERIAL IS REQUIRED on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive (APN 139-28-302-034), R-E (Residence-Estates) Zone, R-3 (Medium Density Residential) Zone and C-1 (Limited Commercial) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 5 (Barlow)

7. **EOT-34972 - EXTENSION OF TIME - SITE DEVELOPMENT REVIEW - APPLICANT: AHERN RENTALS - OWNER: DFA, LLC** - Request for an Extension of Time of an approved Major Amendment (SDR-22206) of an approved Site Development Plan Review (SDR-13833) FOR A COMMERCIAL DEVELOPMENT OF 30,000 SQUARE FEET OF HARDWARE STORE, 30,000 SQUARE FEET OF OFFICE SPACE, 40,000 SQUARE FEET OF COVERED STORAGE AREA, AND 60,000 SQUARE FEET OF AUTO REPAIR GARAGE (MAJOR) WITH A WAIVER OF PERIMETER LANDSCAPE REQUIREMENTS TO ALLOW A 10-FOOT WIDE BUFFER WHERE 15 FEET IS REQUIRED ALONG SOUTH PROPERTY LINE on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive (APN 139-28-302-034), R-E (Residence-Estates) Zone, R-3 (Medium Density Residential) Zone and C-1 (Limited Commercial) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 5 (Barlow)

8. **RQR-34844 - REQUIRED ONE YEAR REVIEW - PUBLIC HEARING - APPLICANT: CBS OUTDOOR - OWNER: WMC III ASSOCIATES, LLC** - Required Review of an approved Rezoning (Z-0100-97) WHICH ALLOWED AN EXISTING 80-FOOT HIGH, 14-FOOT X 48-FOOT OFF-PREMISE SIGN on property bounded by U.S. 95, I-15 and Grand Central Parkway (APN 139-33-511-004), PD (Planned Development) Zone, Ward 5 (Barlow)

9. **VAC-35041 - VACATION - PUBLIC HEARING - APPLICANT: JHR ASSOCIATES - OWNER: REBEL OIL COMPANY INC.** - Petition to Vacate a 10-foot wide public sewer easement located on the east side of Pecos Road approximately 140 feet south of Washington Avenue, Ward 3 (Reese)

PUBLIC HEARING ITEMS

10. **ABEYANCE - SUP-34152 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CLEAR WIRELESS, LLC - OWNER: KP PROPERTIES, LLC** - Request for a Special Use Permit FOR THE INSTALLATION OF FOUR ADDITIONAL ANTENNAS ONTO TWO EXISTING ROOFTOP MOUNTED ARRAYS AT A HEIGHT OF 50 FEET AND TWO ADDITIONAL ANTENNAS ON AN EXISTING FLUSH MOUNTED WALL ARRAY AT A HEIGHT OF 42 FEET ON AN EXISTING BUILDING at 1050 East Sahara Avenue (APN 162-03-801-118), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

11. **ABEYANCE - RQR-34160 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: CECILE PROPERTIES, LLC** - Required Review of a previously approved Special Use Permit (SUP-27082) FOR A SECONDHAND DEALER at 420 East Sahara Avenue (APN 162-03-416-022), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

12. **ABEYANCE - SDR-34469 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: CARDAN LINDELL NORTH, LLC** - Request for a Major Amendment to an approved Site Development Plan Review (SDR-4551) FOR THE ADDITION OF VEHICLE DISPLAY PARKING SPACES; PARKING LOT SHADE STRUCTURES; FACADE RENOVATIONS; AND TWO PORTE COCHERES ADJACENT TO THE SOUTH AND EAST SIDES OF THE BUILDING AT AN EXISTING MOTOR VEHICLE SALES (NEW) FACILITY on 4.01 acres at 5550 West Sahara Avenue (APN 163-01-404-022), C-2 (General Commercial) and P-R (Professional Office and Parking) Zones, Ward 1 (Tarkanian)

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

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

15. **ABEYANCE - RENOTIFICATION - SUP-34598 - SPECIAL USE PERMIT RELATED TO GPA-34597 - PUBLIC HEARING - APPLICANT: DR. ARTHUR WEATHERS - OWNER: 2701 WESTWOOD, LLC** - Request for a Special Use Permit FOR A PROPOSED 23,390 SQUARE-FOOT, 100-INMATE CUSTODIAL INSTITUTION WITH ACCESSORY DOG KENNELS FOR TRAINING at 2701 Westwood Drive (APN 162-09-102-002), M (Industrial) Zone, Ward 1 (Tarkanian). NOTE: THIS APPLICATION HAS BEEN AMENDED FOR A PROPOSED 22,790 SQUARE-FOOT, 120-INMATE CUSTODIAL INSTITUTION

16. **VAR-35038 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: GLEN A. BECKNER & CATHERINE BECKNER** - Request for a Variance FOR A PROPOSED METAL ACCESSORY STRUCTURE (CLASS II) WITH A HEIGHT OF 18 FEET WHERE 17 FEET IS THE MAXIMUM HEIGHT ALLOWED, TO ALLOW A TOTAL AREA OF 2,140 SQUARE FEET WHERE 1,171 SQUARE FEET IS THE MAXIMUM AREA ALLOWED FOR ALL ACCESSORY STRUCTURES IN THE REAR YARD, AND TO ALLOW AN ACCESSORY STRUCTURE TO NOT BE AESTHETICALLY COMPATIBLE WITH THE PRINCIPLE DWELLING UNIT (STUCCO) on 0.50 acres at 638 Lacy Lane (APN 139-32-301-007), R-E (Residential Estates) Zone, Ward 1 (Tarkanian)

17. **SUP-34859 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: FUN CITY MOTEL - OWNER: CHETAK DEVELOPMENT CORPORATION** - Request for a Special Use Permit FOR A PROPOSED TAVERN WITH A WAIVER TO ALLOW A DISTANCE SEPARATION OF 20 FEET WHERE 1,500 FEET IS REQUIRED FROM A SIMILAR USE at 2233 Las Vegas Boulevard (APN 162-03-410-007), C-2 (General Commercial) Zone, Ward 3 (Reese)

18. **SUP-35049 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: TUNE & LUBE PLUS - OWNER: CHARLESTON PLAZA** - Request for a Special Use Permit FOR A PROPOSED 1,820 SQUARE-FOOT AUTO REPAIR GARAGE, MINOR at 1752 East Charleston Boulevard (APN 162-02-510-003), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

19. **SUP-35053 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: THE COOK LIVING TRUST** - Request for a Special Use Permit FOR A PROPOSED BAILBOND SERVICE at 1616 South Las Vegas Boulevard, Suite #150 (APN 162-03-210-058), C-2 (General Commercial) Zone, Ward 3 (Reese)

20. **SDR-33880 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: CBS OUTDOOR - OWNER: TIE, INC** - Request for a Site Development Plan Review TO REPLACE AN EXISTING OFF-PREMISE SIGN WITH AN APPROVED 85-FOOT HIGH OFF-PREMISE SIGN ON THE SAME PARCEL at 333 North 11th Street (APN 139-35-211-041), C-1 (Limited Commercial) Zone, Ward 5 (Barlow)

21. **SDR-34997 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: VALLEY HEALTH SYSTEMS, LLC** - Request for a Site Development Plan Review FOR A PROPOSED 248 SPACE PARKING LOT, COMMERCIAL WITH WAIVERS OF THE LAS VEGAS MEDICAL DISTRICT LANDSCAPING REQUIREMENTS TO ALLOW A THREE-FOOT LANDSCAPE BUFFER WHERE SIX FEET IS REQUIRED AND A TWO-FOOT SIX-INCH BLOCK WALL WHERE THREE FEET IS REQUIRED AND TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG THE SOUTH PROPERTY LINE WHERE EIGHT FEET IS REQUIRED on 2.42 acres on the east side of Tonopah Drive approximately 315 feet south of Pinto Lane (APN 139-33-302-026 thru 032), PD (Planned Development) Zone [MD-1 (Medical Support) Las Vegas Medical District Special Land Use Designation], Ward 5 (Barlow)

22. **SDR-35043 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: 2301 EAST SAHARA, LLC** - Request for a Site Development Plan Review FOR A PROPOSED 2,450 SQUARE-FOOT RESTAURANT WITH DRIVE-THRU WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS TO ALLOW BUFFER WIDTHS OF FIVE FEET, FOUR FEET, AND SEVEN FEET ALONG THE WEST, NORTH, AND EAST PROPERTY LINES, RESPECTIVELY, WHERE EIGHT FEET IS REQUIRED on 0.71 acres at 2301 East Sahara Avenue (APN 162-01-401-010), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

23. **SDR-35051 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: JOSEPHS FAMILY, LP** - Request for a Site Development Plan Review FOR A PROPOSED 2,160 SQUARE-FOOT MANUFACTURED BUILDING AND A 10,000 SQUARE-FOOT WAREHOUSE BUILDING WITH WAIVERS OF THE PERIMETER LANDSCAPE REQUIREMENTS TO ALLOW A ZERO-FOOT WIDE LANDSCAPE BUFFER ALONG THE NORTH, EAST AND SOUTH PROPERTY LINES WHERE EIGHT FEET IS REQUIRED on 1.75 acres adjacent to the east side of Sheridan Street, approximately 145 feet south of Meade Avenue (APN 162-08-303-019), M (Industrial) Zone, Ward 1 (Tarkanian)

24. **SDR-35202 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - Request for a Site Development Plan Review FOR AN EXISTING 67-SPACE PARKING LOT AND A PROPOSED 96-SPACE PARKING LOT WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER STANDARDS TO ALLOW BUFFERS OF ZERO FEET ALONG THE WEST PERIMETER AND A PORTION OF THE SOUTH PERIMETER WHERE 15 FEET AND EIGHT FEET, RESPECTIVELY, ARE REQUIRED on a portion of 6.59 acres at 1510 North Decatur Boulevard (APN 139-30-101-001), C-V (Civic) Zone, Ward 5 (Barlow)

DIRECTOR'S BUSINESS:

25. **TXT-34879 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - Discussion and possible action to amend the Las Vegas Medical District Plan to add various lodging related uses and to make minor clarifications and corrections, Ward 5 (Barlow)

26. **DIR-35233 - DIRECTOR'S BUSINESS - PUBLIC HEARING** - Progress report by the Planning & Development Department regarding the status of Resolutions of Intent and zoning/land use conflict corrections

CITIZENS PARTICIPATION:

27. CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE PLANNING COMMISSION. NO SUBJECT MAY BE ACTED UPON BY THE PLANNING COMMISSION UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

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

AGENDA SUMMARY PAGE

PLANNING COMMISSION MEETING OF: AUGUST 13, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

SUBJECT:
CALL TO ORDER

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

AGENDA SUMMARY PAGE

PLANNING COMMISSION MEETING OF: AUGUST 13, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

SUBJECT:
ANNOUNCEMENT: COMPLIANCE WITH OPEN MEETING LAW

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

AGENDA SUMMARY PAGE

PLANNING COMMISSION MEETING OF AUGUST 13, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

SUBJECT:
ROLL CALL

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

AGENDA SUMMARY PAGE

PLANNING COMMISSION MEETING OF AUGUST 13, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

SUBJECT:
APPROVAL OF THE FINAL MINUTES FOR THE PLANNING COMMISSION MEETING OF JULY 9, 2009

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

AGENDA SUMMARY PAGE

PLANNING COMMISSION MEETING OF: AUGUST 13, 2009

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

SUBJECT:

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

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 13, 2009

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

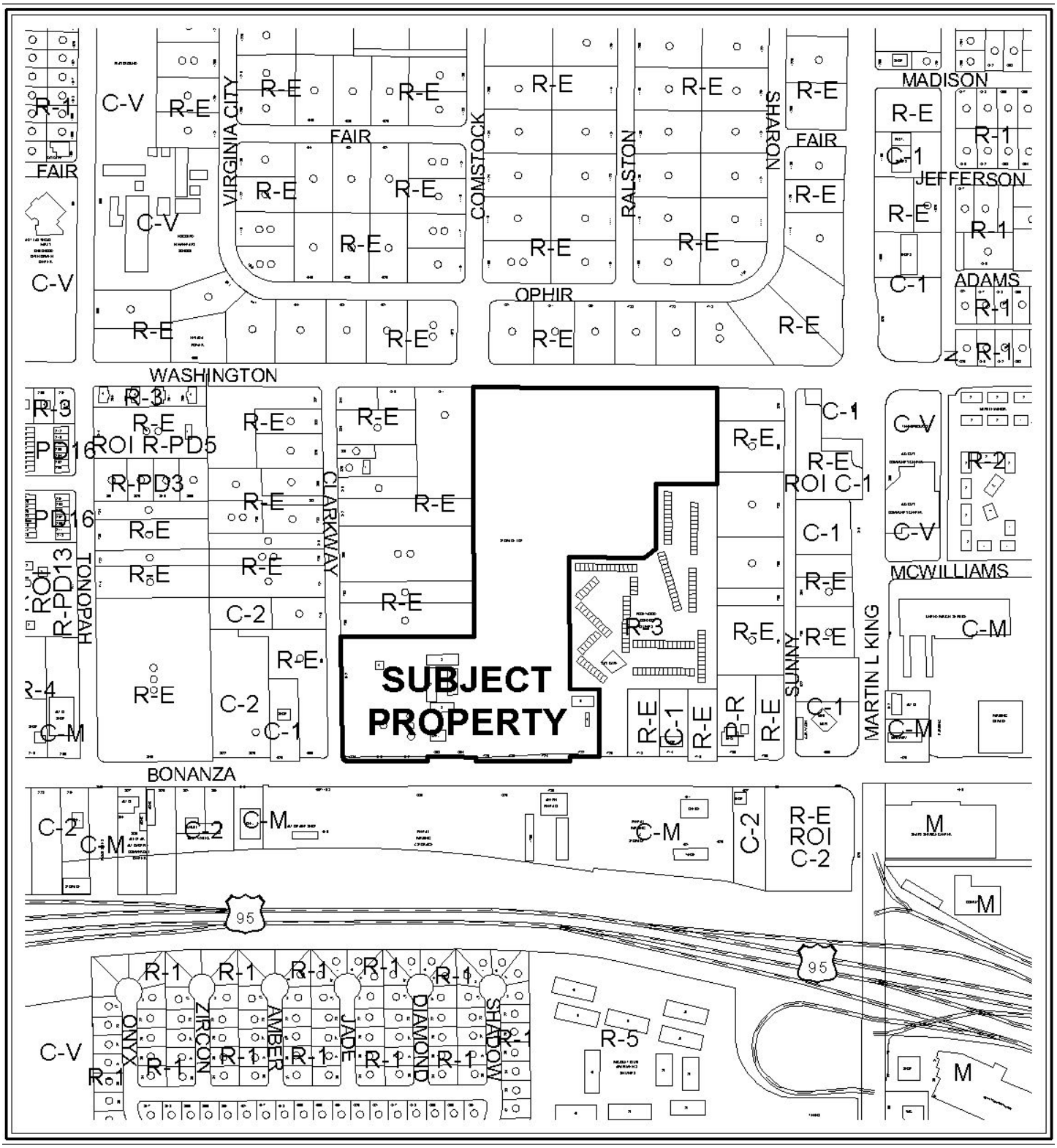
SUBJECT:
EOT-34971 - EXTENSION OF TIME - VARIANCE - APPLICANT: AHERN RENTALS - OWNER: DFA, LLC - Request an Extension of Time of an approved Variance (VAR-22723) TO ALLOW A WALL TO CONTAIN NO CONTRASTING MATERIAL WHERE TWENTY PERCENT CONTRASTING MATERIAL IS REQUIRED on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive (APN 139-28-302-034), R-E (Residence-Estates) Zone, R-3 (Medium Density Residential) Zone and C-1 (Limited Commercial) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 5 (Barlow)

C.C.: 09/16/2009

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
APPROVAL

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Planning Commission Action Letter for VAR-22723



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CASE: **EOT-34971**

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) ZONE, R-3 (MEDIUM DENSITY RESIDENTIAL) ZONE, AND C-1 (LIMITED COMMERCIAL) ZONE UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL) ZONE]

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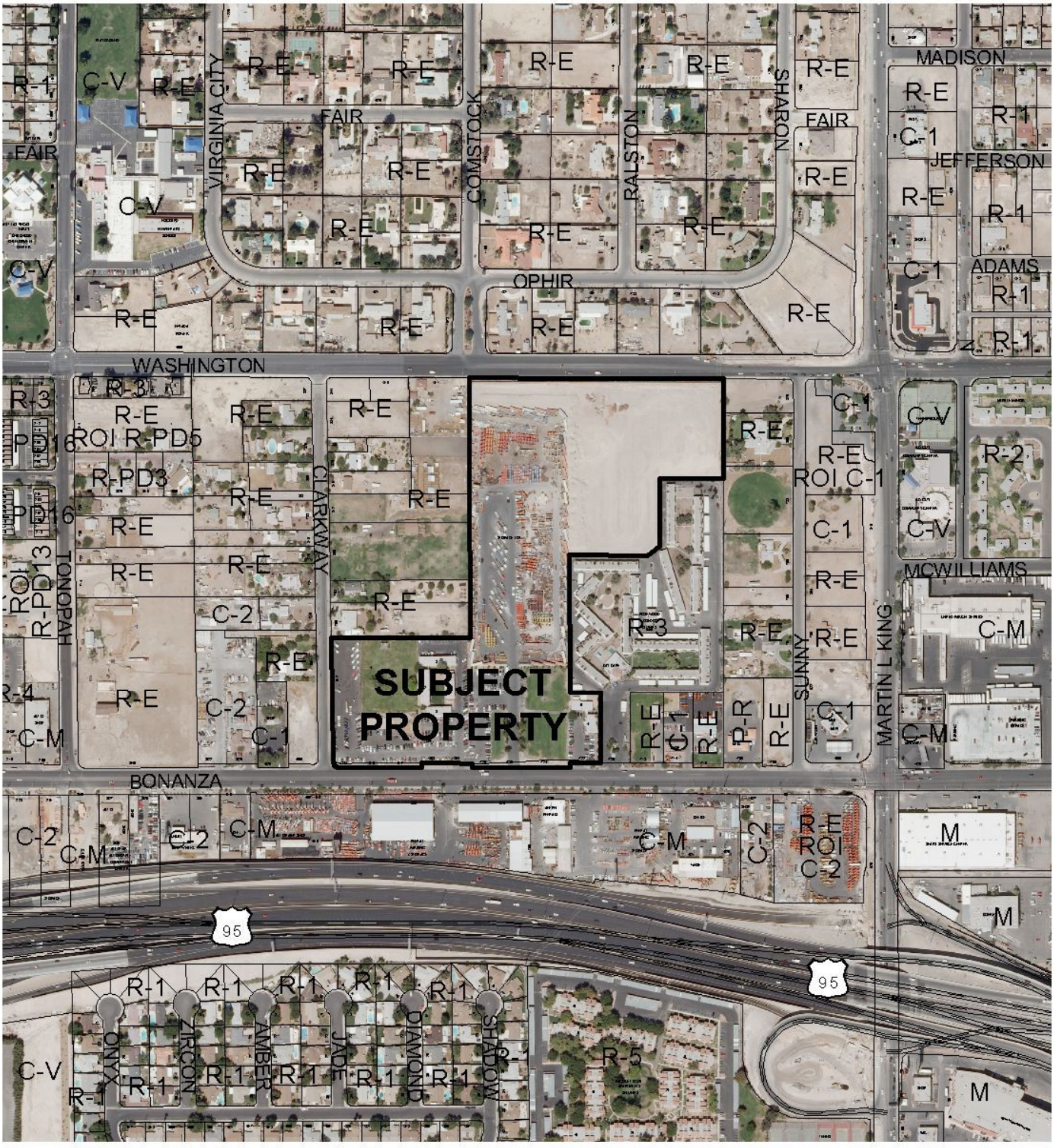

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CASE: **EOT-34971**

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) ZONE, R-3 (MEDIUM DENSITY RESIDENTIAL) ZONE, AND C-1 (LIMITED COMMERCIAL) ZONE UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL) ZONE]

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City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: AUGUST 13, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-34971 - APPLICANT: AHERN RENTALS - OWNER: DFA, LLC

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

1. This Variance (VAR-22723) shall expire on July 12, 2011 unless another Extension of Time is approved by the City Council.

2. Conformance to all conditions of approval of Variance (VAR-22723) and all other related actions required by the Planning and Development Department and Department of Public Works.

BTS

EOT-34971 - Staff Report Page One
August 13, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site contains several offices, apartments and ancillary uses with a previously approved Variance (VAR-22723) to allow a wall to contain no contrasting material where twenty percent contrasting material is required on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive. Since the original approval, five building permits were applied for on August 13, 2008 (#121846, 121847, 121848, 121850 and 121851); no Building Permits have been issued, as they are still under review. Staff has no objection to the request and is therefore recommending approval of the request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
07/21/71	The Board of City Commissioners approved a Rezoning (Z-0039-71) from R-E (Residence Estates) to R-3 (Medium Density Residential) on property generally located on the north side of Bonanza Road between Clarkway Drive and Sunny Place.
09/28/71	The Planning Commission approved a Plot Plan Review [Z-0039-71(1)] for a proposed two-story 24-unit apartment development at 1804 West Bonanza Road.
06/15/94	The City Council approved a Rezoning (Z-0043-94) from R-E (Residence Estates) to C-1 (Limited Commercial) at 1724 West Bonanza Road. The approval expired 06/15/96.
01/27/98	A deed was recorded for a change of ownership for APN 139-28-302-034.
12/21/98	The City Council approved a General Plan Amendment (GPA-0014-98) from M (Medium Density Residential) to SC (Service Commercial) and a request for Rezoning (Z-0026-98) from R-E (Residence Estates) to C-1 (Limited Commercial) on 1.0 acre at the northeast corner of Bonanza Road and Clarkway Drive. The Resolution of Intent did not have an expiration date.
05/21/03	The City Council approved requests for a General Plan Amendment (GPA-1989) from M (Medium Density Residential) and SC (Service Commercial) to SC (Service Commercial); Rezoning (ZON-1992) from R-3 (Medium Density Residential) to C-1 (Limited Commercial) and Site Development Plan Review (SDR-1991) for a proposed 5,255 square-foot office development on 0.57 acres at 1722 West Bonanza Road. The offices were to be converted from two existing apartment buildings. The Planning Commission and staff recommended approval.
01/29/04	A Code Enforcement citation (#9287) was issued for outside storage at 1812 West Bonanza Road.

01/18/06	The City Council approved a Rezoning (ZON-9925) of property on the south side of Bonanza abutting the current Ahern property from C-2 (General Commercial) and R-E (Residence Estates) to C-M (Commercial/Industrial. The Planning Commission and staff recommended approval.
02/24/06	A Code Enforcement citation (#38662) was issued for a parking lot at 612 Clarkway Drive. Code Enforcement closed the case on 06/19/06.
03/14/06	A Code Enforcement citation (#39207) was issued for a review of violations at 1726 West Bonanza Road. Code Enforcement closed the case on 05/01/06.
03/14/06	A Code Enforcement citation (#39206) was issued for a review of violations at 1804 West Bonanza Road. Code Enforcement closed the case on 10/15/06.
03/14/06	A Code Enforcement citation (#39205) was issued for a review of violations at 1824 West Bonanza Road. Code Enforcement closed the case on 10/15/06.
03/24/06	A Code Enforcement citation (#39562) was issued for paved property and a portable toilet being used by employees at 1724 West Bonanza Road. Code Enforcement closed the case on 06/05/06.
03/24/06	A Code Enforcement citation (#39563) was issued for paved property at 1816 West Bonanza Road. The issue was resolved on 10/15/06.
03/24/06	A Code Enforcement citation (#103189) was issued for a paved parking lot and an illegal business use at 1812 West Bonanza Road. The issue was resolved on 11/18/06.
04/05/06	The City Council approved a Variance (VAR-11006) to allow an eight-foot wrought iron fence where four feet is the maximum height allowed and a waiver of the 20 percent contrasting material requirement at 1700, 1710, 1714, 1718, 1722, 1804, 1808, 1812, 1816, and 1824 West Bonanza Road.
04/24/06	The Code Enforcement Division of the Neighborhood Services Department issued to the applicant a Notice and Order to Comply with Municipal Code. Violations included employee parking on R-E and R-3 zoned property, portable toilet onsite, vacant R-3 zoned property has piles of refuse, waste, asphalt and dirt, and R-E (Residence Estates) property being used as commercial storage yard.
05/17/06	The City Council approved a revision (GPA-9219) to the land use map of the Downtown Redevelopment Area and an ordinance (Ord. #5830) adopting the amended plan. The amended plan includes all parcels within the subject site.
05/25/06	The Planning Commission approved the appeal (DIR-11779) of the Director's decision to deny a Temporary Commercial Permit per Title 19.18.100.D that would allow a Temporary Contractor's Construction Yard on 15.54 acres adjacent to the north side of Bonanza Road, approximately 460 feet east of Clarkway Drive. The Temporary Commercial Permit was not to exceed six months from the date of approval.
07/24/06	A Code Enforcement citation (#44793) was issued for a violation of conditions. Code Enforcement closed the case on 10/15/06.
07/24/06	A Code Enforcement citation (#44795) was issued for a violation of conditions. Code Enforcement closed the case on 10/18/06.

10/04/06	The City Council approved a request for a Site Development Plan Review (SDR-13833) for a proposed rental store with outside storage; a 99,000 square-foot covered storage area; a 21,600 square-foot auto repair garage, major; a 25,200 square-foot hardware store and waivers of perimeter landscape buffer and wall design requirements, a Rezoning (ZON-13837) request from: R-E (Residence Estates), R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial), R-3 (Medium Density Residential) and C-1 (Limited Commercial) to C-2 (General Commercial), a Variance (VAR-14320) to allow a setback of 73 feet where residential adjacency standards require a minimum 84-foot setback, and to allow a zero-foot side yard building setback where 10 feet is the minimum setback required in conjunction with a rental store with outside storage, a Variance (VAR-16049) to allow a proposed 10-foot high block wall where eight feet is the maximum allowed, and three Special Use Permits (SUP-13836, SUP-14324, SUP-14329) for a rental store with outside storage, for a truck rental establishment, and an auto repair garage, major on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive. Planning Commission and staff recommended approval.
07/12/07	The Planning Commission approved a request for a request for a Major Amendment (SDR-22206) to a Site Development Plan Review (SDR-13833) for a Commercial Development of 30,000 square feet of Hardware Store, 30,000 square feet of Office space, 40,000 square feet of Covered Storage Area, and 60,000 square feet of Auto Repair Garage (Major) with a Waiver of Perimeter Landscape requirements to allow a 10-foot wide buffer where 15 feet is required along the south property line and a Variance (VAR-22723) to allow a wall to contain no contrasting material where twenty percent contrasting material is required on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive. Staff recommended approval of the Site Development Plan Review and denial of the Variance.
03/17/08	A Code Enforcement citation (#63479) was issued for sewage coming out of a bathtub at 1804 West Bonanza. The issue was resolved on 04/01/08.
08/13/09	The Planning Commission will hear a related Extension of Time (EOT-34972) of an approved Major Amendment (SDR-22206) of an approved Site Development Plan Review (SDR-13833) for a commercial development of 30,000 square feet of Hardware Store, 30,000 square feet of Office space, 40,000 square feet of covered storage area, and 60,000 square feet of Auto Repair Garage (Major) with a Waiver of Perimeter Landscape requirements to allow a 10-foot wide buffer where 15 feet is required along the south property line on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive.

Related Building Permits/Business Licenses	
08/19/05	A Building Permit (#49300) was issued for a demolition permit at 1816 West Bonanza Road. The permit has since expired.
04/17/06	A Business License (#A07-00648) was issued for an Apartment House at 1804 West Bonanza Road. The license is currently active.
08/15/06	A Building Permit (#71003) was issued for grading at 1798 West Bonanza Road. The permit was finaled on 08/15/06.
01/09/07	A Building Permit (#79433) was issued for fencing at 1808 West Bonanza Road. The permit was has since expired.
01/22/07	A Business License (#L33-00898) was issued for a Lawn and Landscape Maintenance business at 1804 West Bonanza Road. The license is currently active.
06/22/07	A Building Permit (#92357) was issued for an eight-foot block wall at 1798 West Bonanza Road. The permit was finaled on 11/30/07.
09/21/07	A Building Permit (#98452) was issued for a demolition permit at 1808 West Bonanza Road.
11/30/07	A Building Permit (#103181) was issued for a demolition permit at 1816 West Bonanza Road.
11/30/07	A Building Permit (#103189) was issued for a demolition permit at 1812 West Bonanza.
08/13/08	Building Permits (#'s: 121846, 121847, 121848 121850 and 121851) were issued for buildings one, two, on-sites, trash enclosures and grading for APN 139-28-302-034. No Building Permits have been issued as they are still under review.
Pre-Application Meeting	
A pre-application meeting is not required for this type of application, nor was one held.	
Neighborhood Meeting	
A neighborhood meeting is not required for this type of application, nor was one held.	
Field Check	
07/09/09	A field check was completed on the subject site on the indicated date. The following items were indicated by Planning and Development Department staff: • The existing business operated by the Ahern Companies. • No additional changes have occurred on-site since the approved Site Development Plan Review (SDR-22206)

Details of Application Request	
Site Area	
Net Acres	20.53 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped, Apartments and Contractors Construction Yard	C (Commercial) and MXU (Mixed Use)	R-E (Residence-Estates), R-3 (Medium Density Residential) and C-1 (Limited Commercial) Zone under Resolution of Intent to C-2 (General Commercial)
North	Single-Family Residential	R (Rural Density Residential)	R-E (Residence Estates)
South	Equipment Rental Store	LI/R (Light Industrial/Research)	C-M (Commercial/Industrial)
East	Condominiums and Single-Family Residential	MXU (Mixed Use)	R-E (Residence Estates) and R-3 (Medium Density Residential)
West	Single-Family Residential	MXU (Mixed Use)	R-E (Residence Estates)

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

ANALYSIS

This is the first request for an Extension of Time of a previously approved Variance (VAR-22723) to allow a wall to contain no contrasting material where twenty percent contrasting material is required on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive. Title 19.18.050 deems a Site Development Plan Review exercised upon the issuance of a building permit for the principle structure on-site, unless otherwise specified in connection with its approval.

FINDINGS

The Variance (VAR-22723) has not met the requirements outlined in Title 19.18.050, since no permits have been issued for the proposed wall. No new development or changes in land use in the surrounding areas have occurred, but there has since been one Code Enforcement violation cited for the subject property. The applicant is requesting a two year Extension of Time, since they have not progressed to a stage in the project to obtain final building permits. Conformance to the conditions of approval of Variance (VAR-22723) shall be required. Staff recommends approval of this request with a two-year time limit.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 22

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EOT-34971 APN: 139-28-302-034

Name of Property Owner: DFA, LLC

Name of Applicant: Ahern Rentals

Name of Representative: APTUS Architecture

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

☐ Yes ☒ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: X Don F Ahern

Print Name: Don F. Ahern

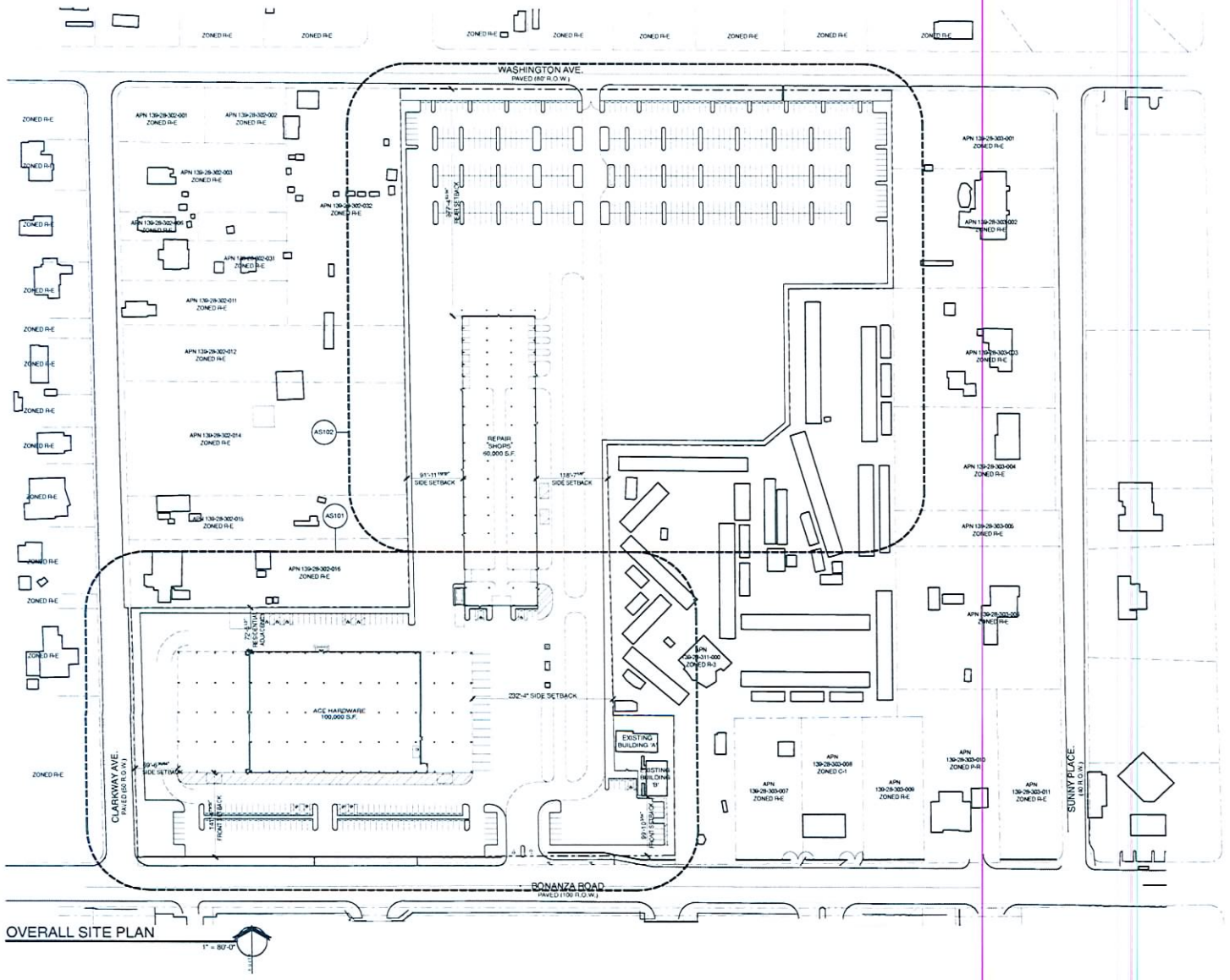
Subscribed and sworn before me

This 22nd day of June, 2009

Joni B Starcher

Notary Public in and for said County and State

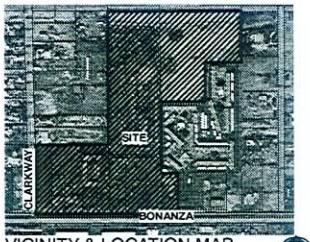
Notary Public - State of Nevada
County of Clark
JONI B. STARCHER
My Appointment Expires
No: 93-0701-1 July 30, 2009



OVERALL SITE PLAN

1" = 80'-0"





VICINITY & LOCATION MAP

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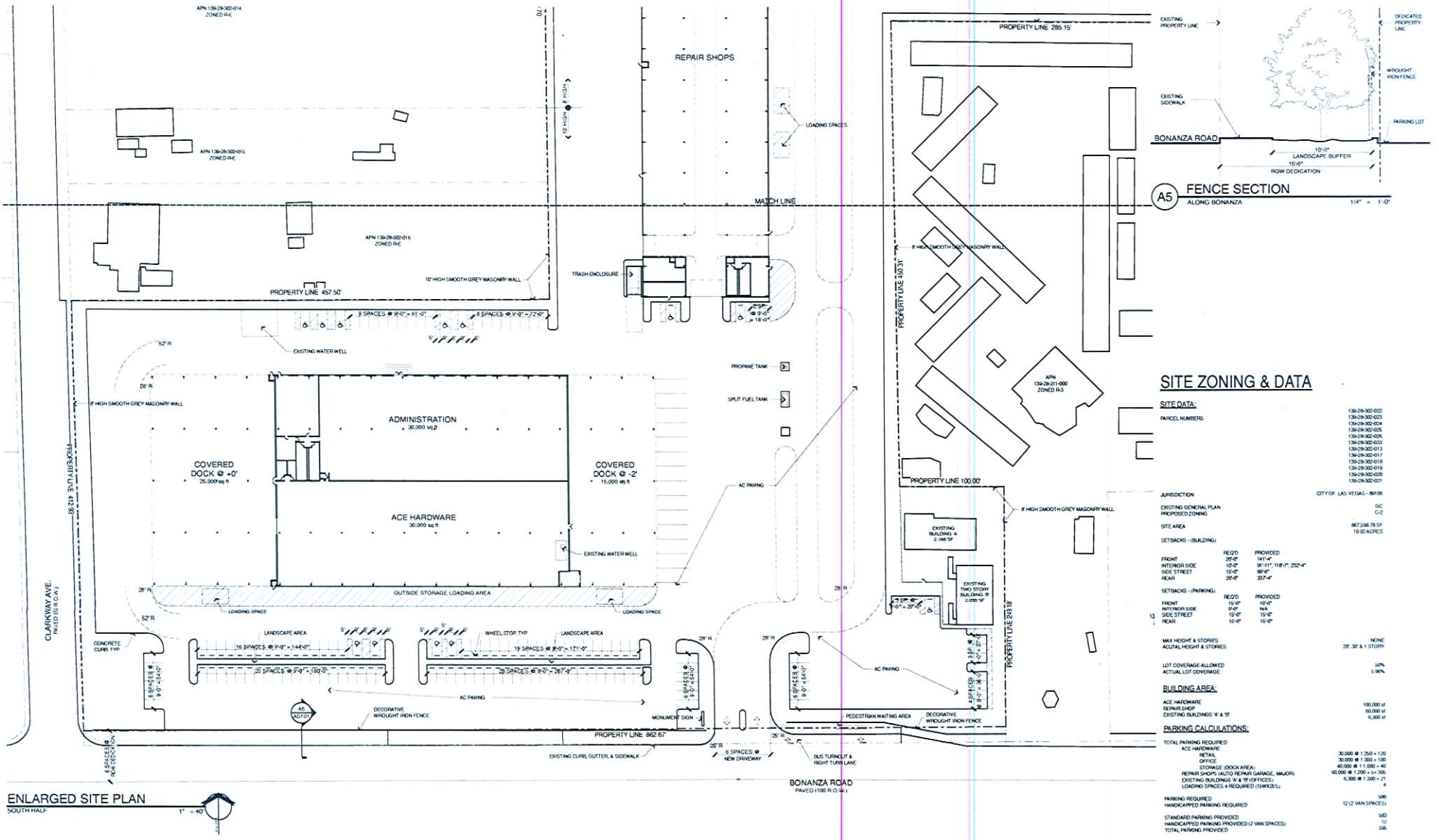
OVERALL SITE PLAN

AS100

06.151 Ahern Ace - Bonanza



A5 FENCE SECTION
ALONG BONANZA 1/4" = 1'-0"

ENLARGED SITE PLAN
SOUTH HALF 1" = 40'

SITE ZONING & DATA

SITE DATA:

PARCEL NUMBERS
139-28-302-022
139-28-302-023
139-28-302-024
139-28-302-025
139-28-302-026
139-28-302-033
139-28-302-013
139-28-302-017
139-28-302-018
139-28-302-019
139-28-302-020
139-28-302-021

JURISDICTION: CITY OF LAS VEGAS - 89106

EXISTING GENERAL PLAN: GC
PROPOSED ZONING: C-2

SITE AREA: 867,598.78 SF / 19.92 ACRES

SETBACKS - (BUILDING)

	REQ'D	PROVIDED
FRONT	20'-0"	141'-4"
INTERIOR SIDE	10'-0"	91'-11", 118'-7", 232'-4"
SIDE STREET	10'-0"	60'-4"
REAR	20'-0"	357'-4"

SETBACKS - (PARKING)

	REQ'D	PROVIDED
FRONT	15'-0"	15'-0"
INTERIOR SIDE	0'-0"	N/A
SIDE STREET	15'-0"	15'-0"
REAR	15'-0"	15'-0"

MAX HEIGHT & STORIES: NONE
ACUTAL HEIGHT & STORIES: 28', 30' & 1 STORY

LOT COVERAGE ALLOWED: 50%
ACTUAL LOT COVERAGE: 5.99%

BUILDING AREA:

ACE HARDWARE	100,000 sf
REPAIR SHOP	60,000 sf
EXISTING BUILDINGS 'A' & 'B'	6,300 sf

PARKING CALCULATIONS:

TOTAL PARKING REQUIRED

ACE HARDWARE	
RETAIL	30,000 @ 1:250 = 120
OFFICE	30,000 @ 1:300 = 100
STORAGE (DOCK AREA)	40,000 @ 1:1,000 = 40
REPAIR SHOPS (AUTO REPAIR GARAGE, MAJOR)	60,000 @ 1:200 + 2= 302
EXISTING BUILDINGS 'A' & 'B' (OFFICES)	6,300 @ 1:300 = 21
LOADING SPACES 4 REQUIRED (15WX25'L)	4
	686
PARKING REQUIRED	
HANDICAPPED PARKING REQUIRED	12 (2 VAN SPACES)
STANDARD PARKING PROVIDED	583
HANDICAPPED PARKING PROVIDED (2 VAN SPACES)	12
TOTAL PARKING PROVIDED	595

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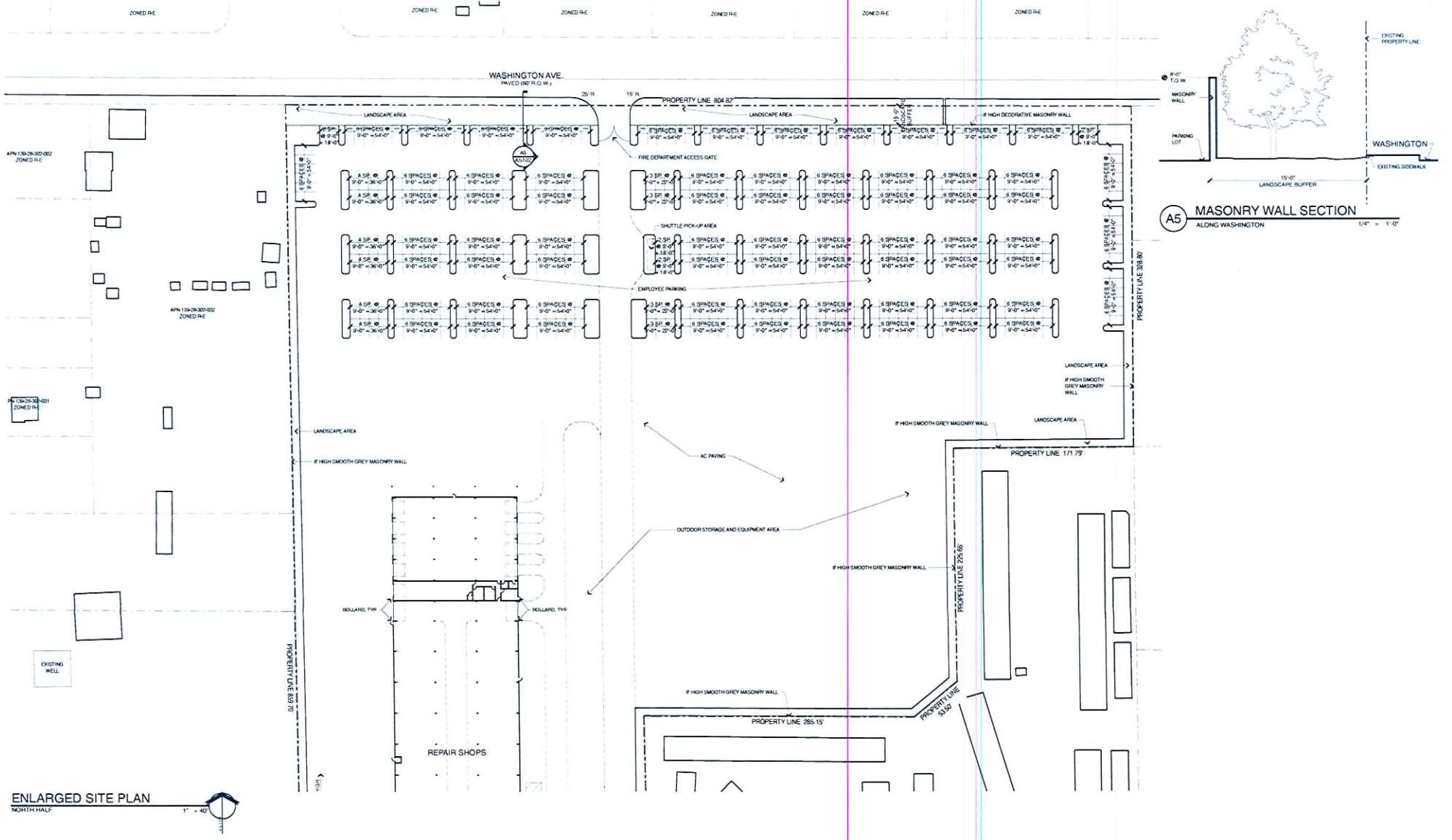
ENLARGED SITE PLAN

AS101

06.151 - Ahern Ace - Bonanza



A5 MASONRY WALL SECTION
ALONG WASHINGTON 1/4" = 1'-0"

ENLARGED SITE PLAN
NORTH HALF 1" = 40'

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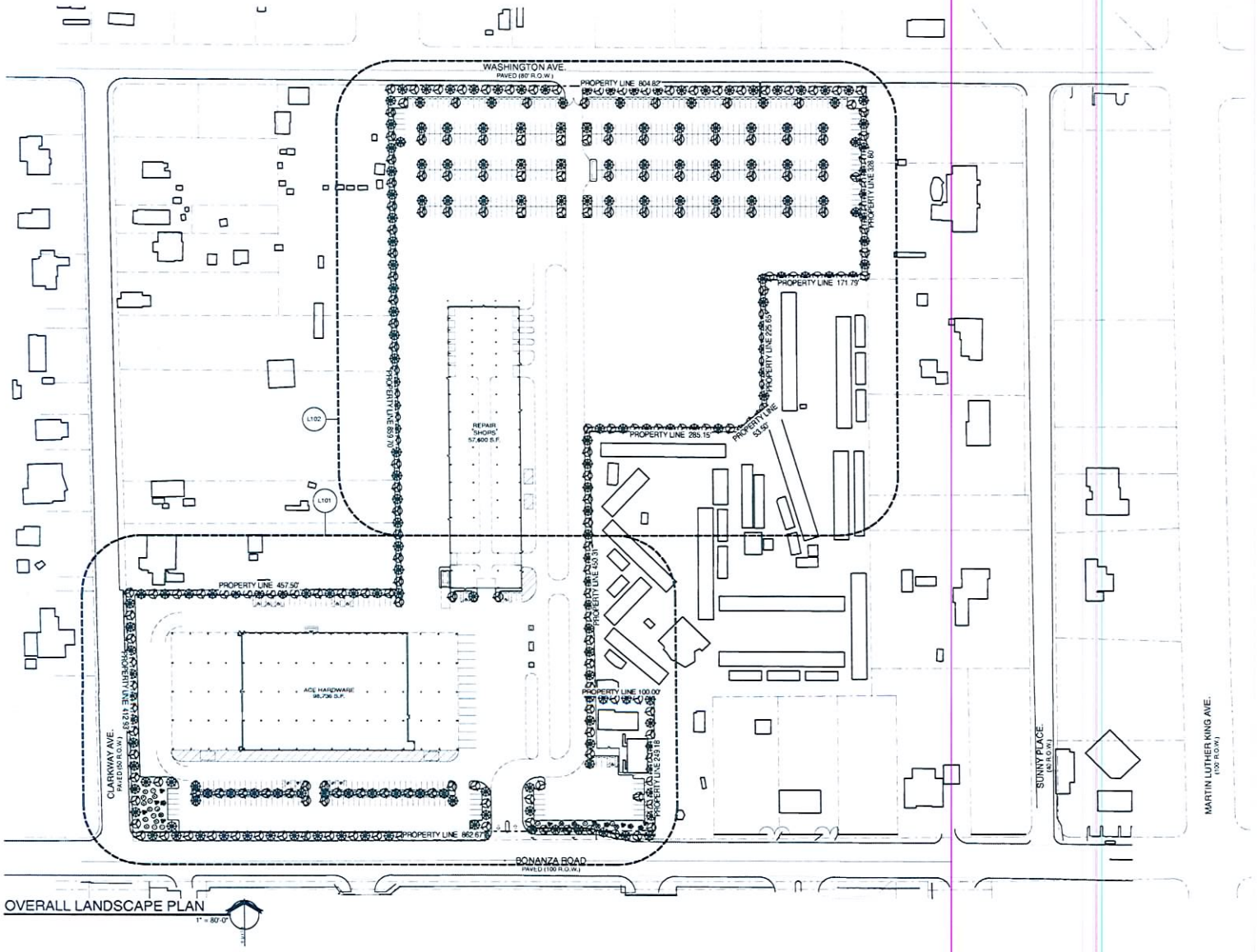
ENLARGED SITE PLAN
AS102
06.151 Ahern Ace - Bonanza



OVERALL LANDSCAPE PLAN
1" = 80'-0"

LANDSCAPE BUFFERS (WAIVER REQUESTED)

	REQ'D	PROVIDED
FRONT	15'-0"	10'-0"
INTERIOR SIDE	8'-0"	8'-0"
SIDE STREET	15'-0"	15'-0"
REAR	8'-0"	8'-0", 15'-0"

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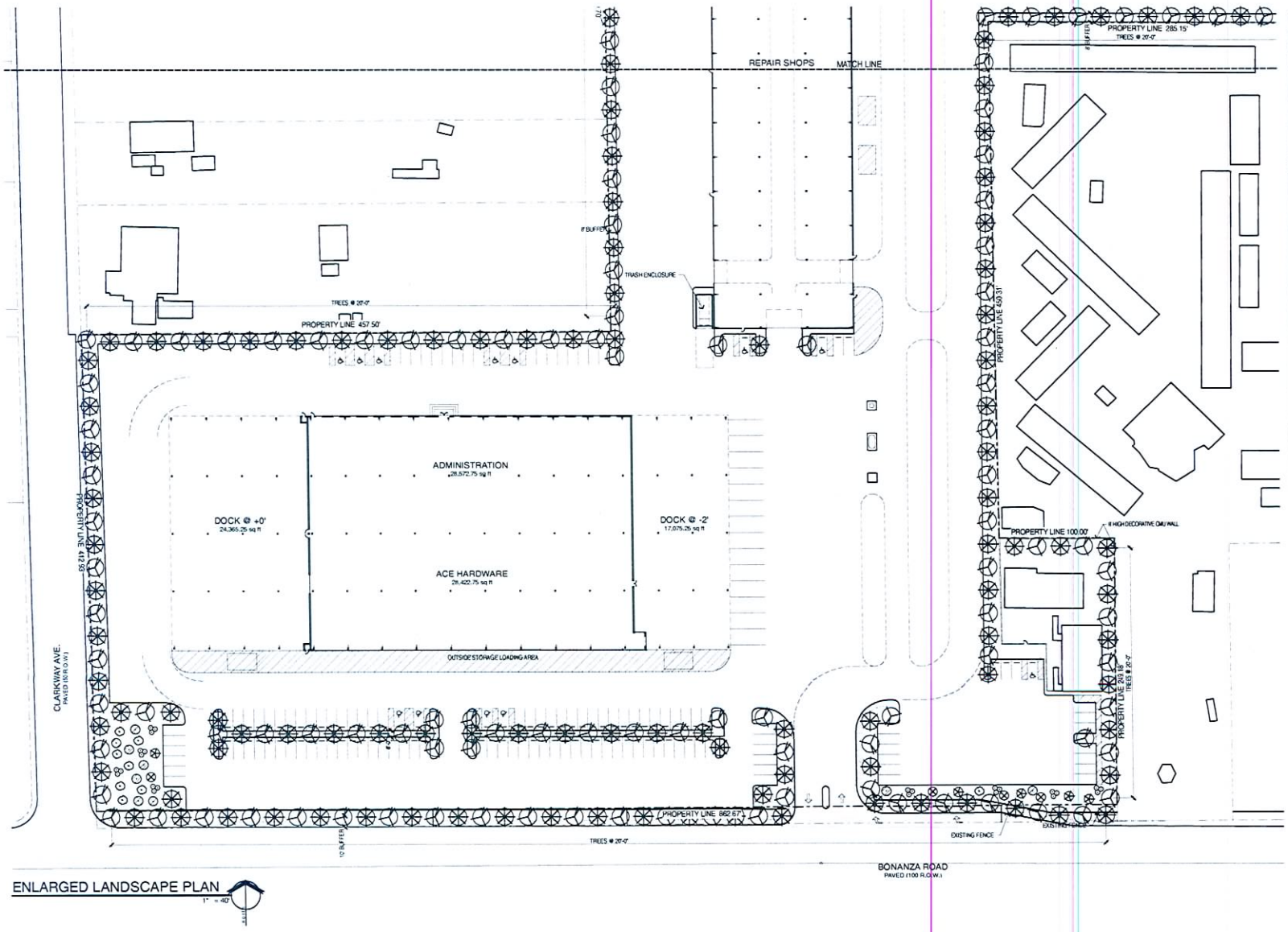
OVERALL LANDSCAPE PLAN
L100

06.151 Ahern Ace - Bonanza



ENLARGED LANDSCAPE PLAN
1" = 40'

LANDSCAPE SCHEDULE

SYMBOL	COMMON NAME	BOTANICAL NAME	SIZE	QTY
TREES				
	HONEY LOCUST	prosopis	24" Box	204
	SHOESTRING ACACIA	acacia stenophylla	24" Box	0
	PURPLE ROBE LOCUST	-	24" Box	203
	MEDETERANIAN FAN PALM	-	24" Box	0
SHRUBS				
	TEXAS RANGER	leucophyllum frutescens Green Cloud	5 gal	233
	GERMANDER	-	5 gal	233
	SALVIA	salvia greggii	5 gal	233
	CREPE MYRTLE	-	15 gal	232
	MEXICAN SAGE	salvia leucantha	5 gal	232
GROUND COVER				
	DESERT CARPET	myoporum parvifolium	5 gal	232
	LANTANA	lantana	3 gal	232
	REGAL MIST FOUNTAIN GRASS	muhlenbergia capillaris regal mist	5 gal	232
ROCK MULCH	SIZE	COLOR	DEPTH	
	3/8" CRUSHED GRANITE	TO BE SELECTED BY ARCHITECT FROM MANUFACTURERS STD COLORS	MIN. 2" DEEP	
	1-4" MINUS GRANITE	TO BE SELECTED BY ARCHITECT FROM MANUFACTURERS STD COLORS	MIN. 2" DEEP	

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ENLARGED LANDSCAPE PLAN
L101

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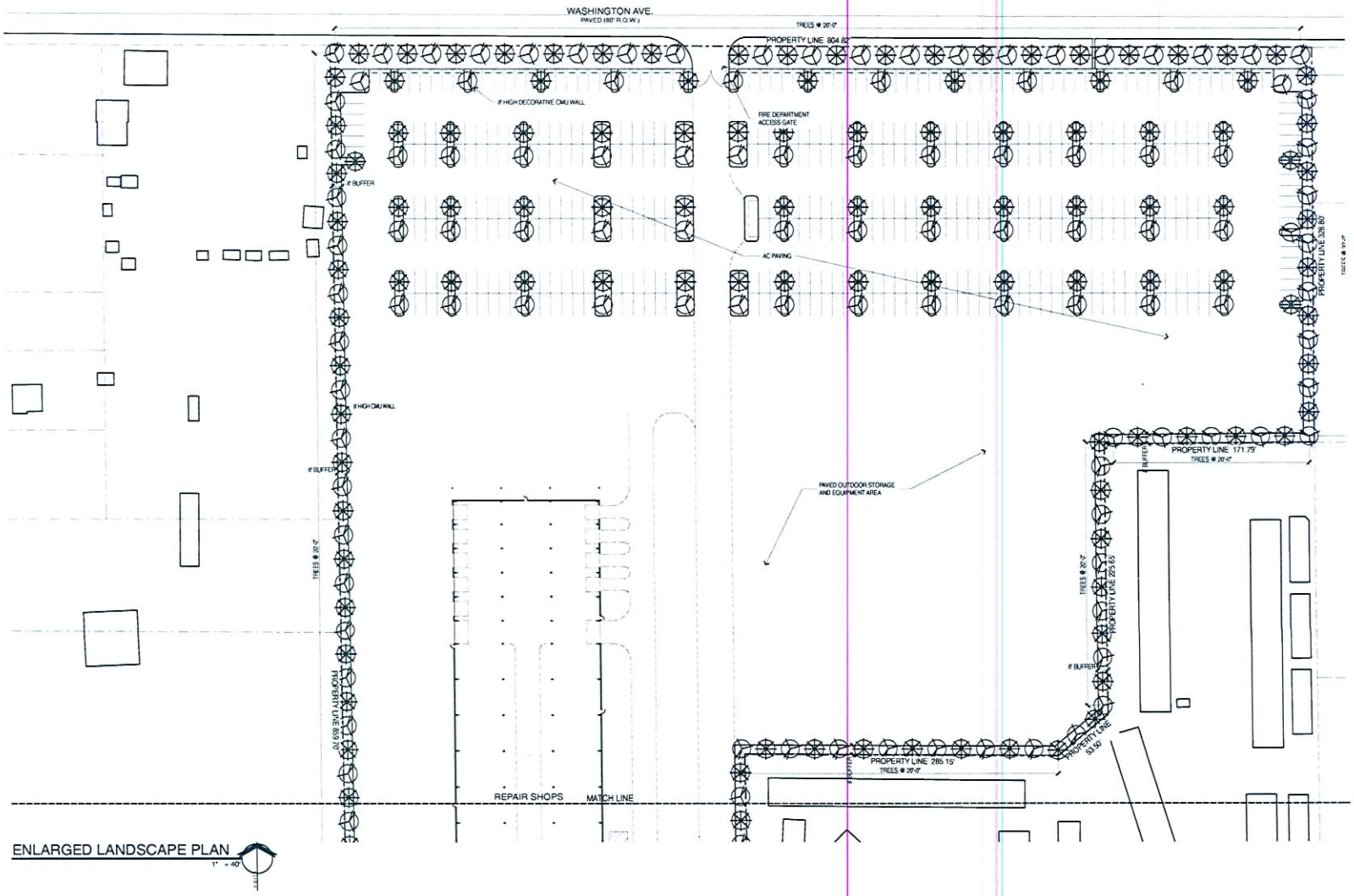

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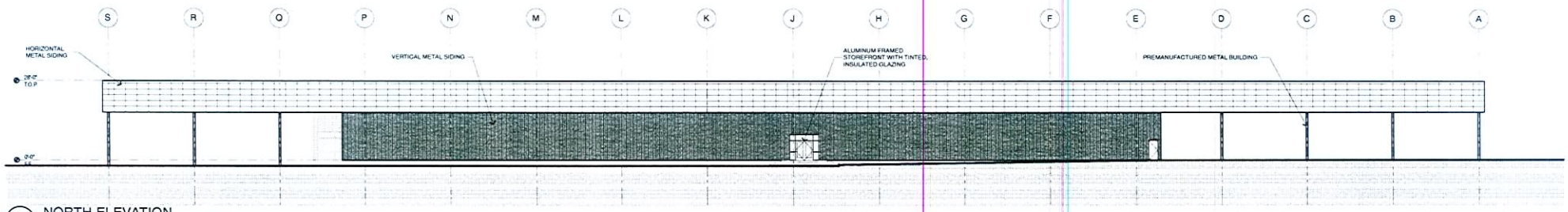
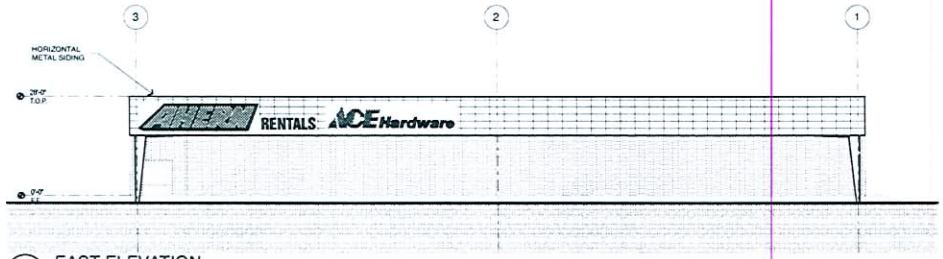
ENLARGED LANDSCAPE PLAN

L102

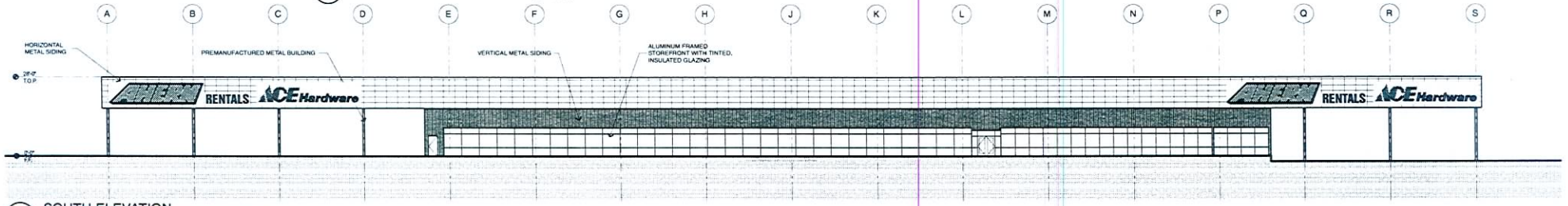
06.151 - Ahern Ace - Bonanza



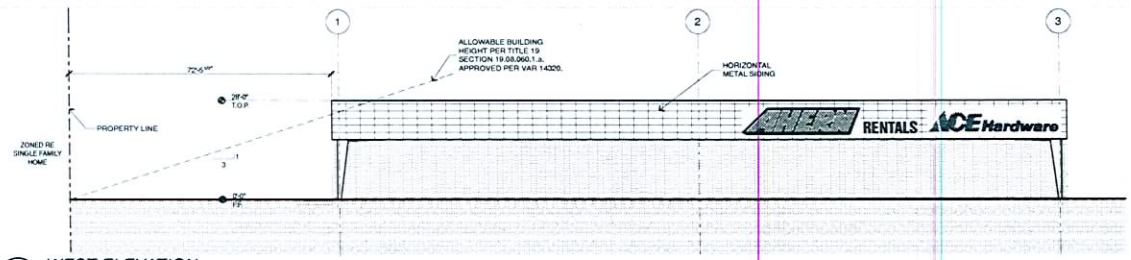
A1 NORTH ELEVATION
1/16" = 1'-0"



B2 EAST ELEVATION
1/16" = 1'-0"



C1 SOUTH ELEVATION
1/16" = 1'-0"



D2 WEST ELEVATION
1/16" = 1'-0"

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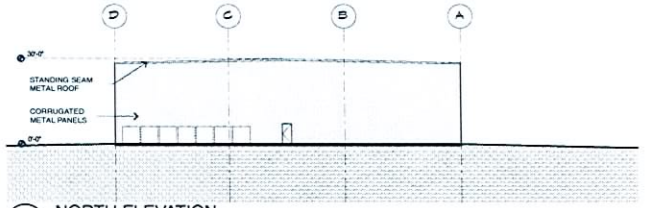
ACE HARDWARE BUILDING ELEVATIONS

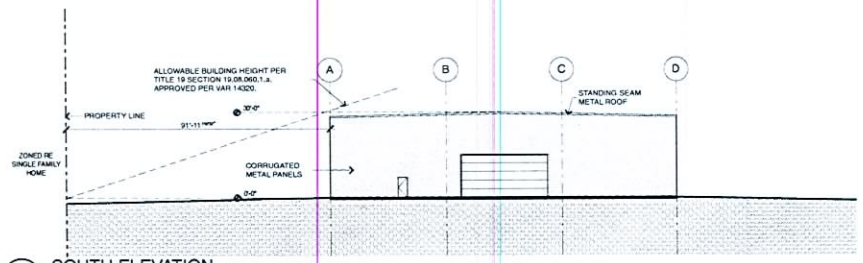
A200

06.151 Ahern Ace - Bonanza



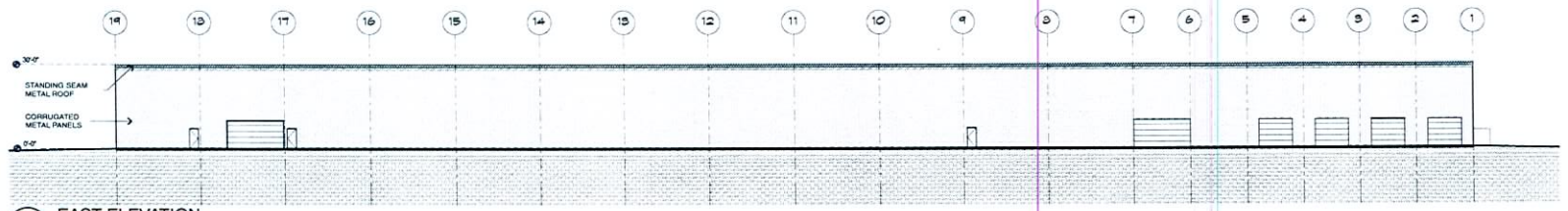
B1 NORTH ELEVATION

1" = 20'



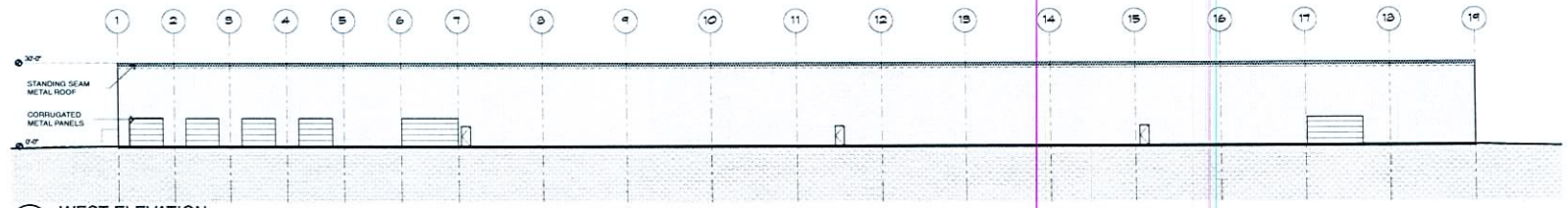
B3 SOUTH ELEVATION

1" = 20'



C1 EAST ELEVATION

1" = 20'



D1 WEST ELEVATION

1" = 20'

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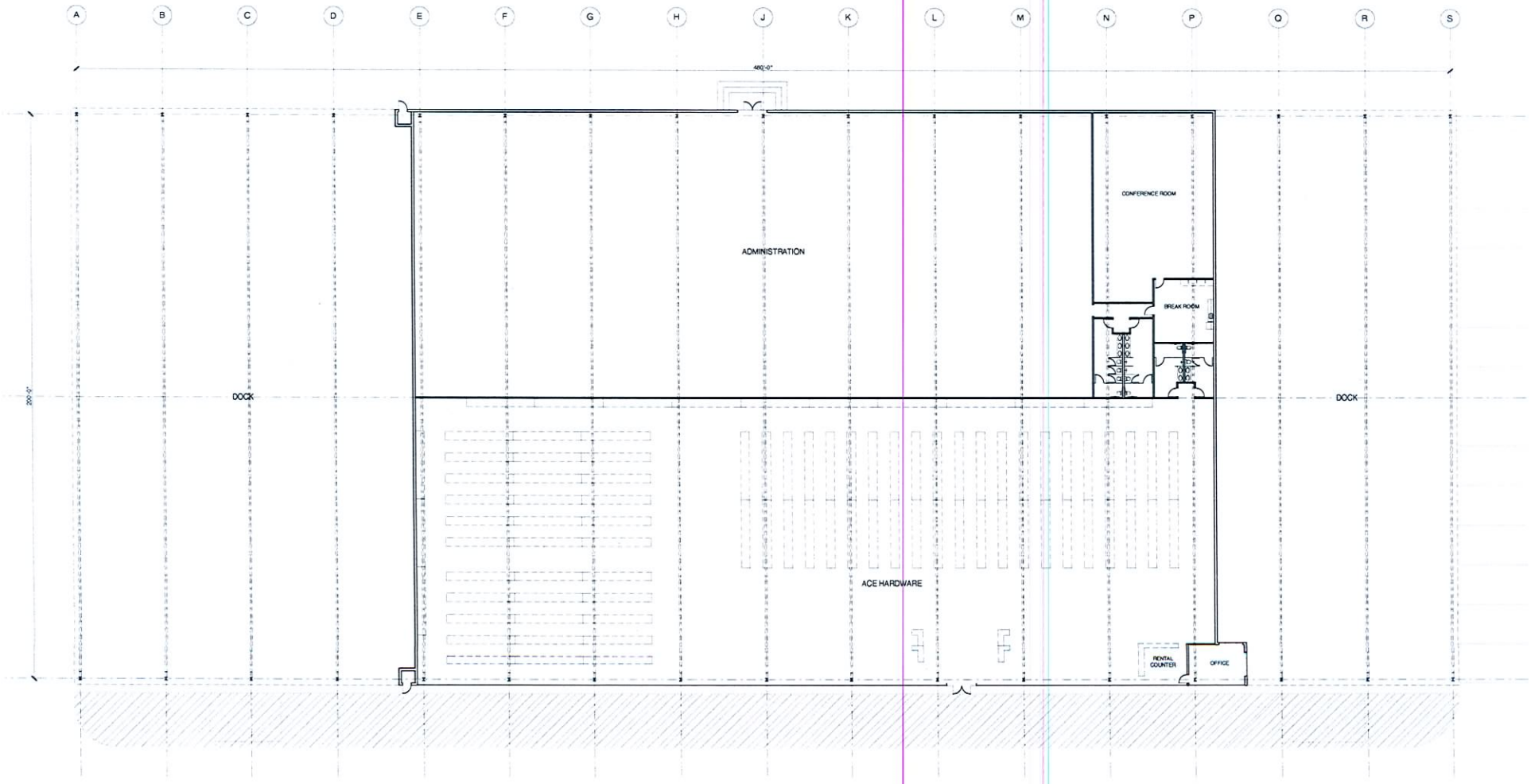
SHOPS BUILDING ELEVATIONS

A201

06.151 Ahern Ace - Bonanza



FLOOR PLAN

1/16" = 1'-0"

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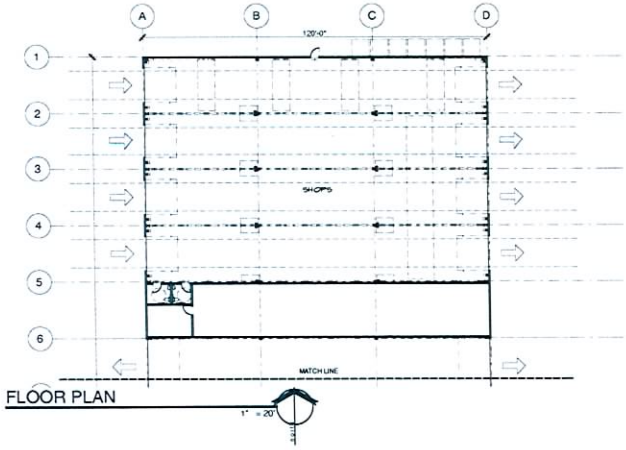
ACE HARDWARE
FLOOR PLAN

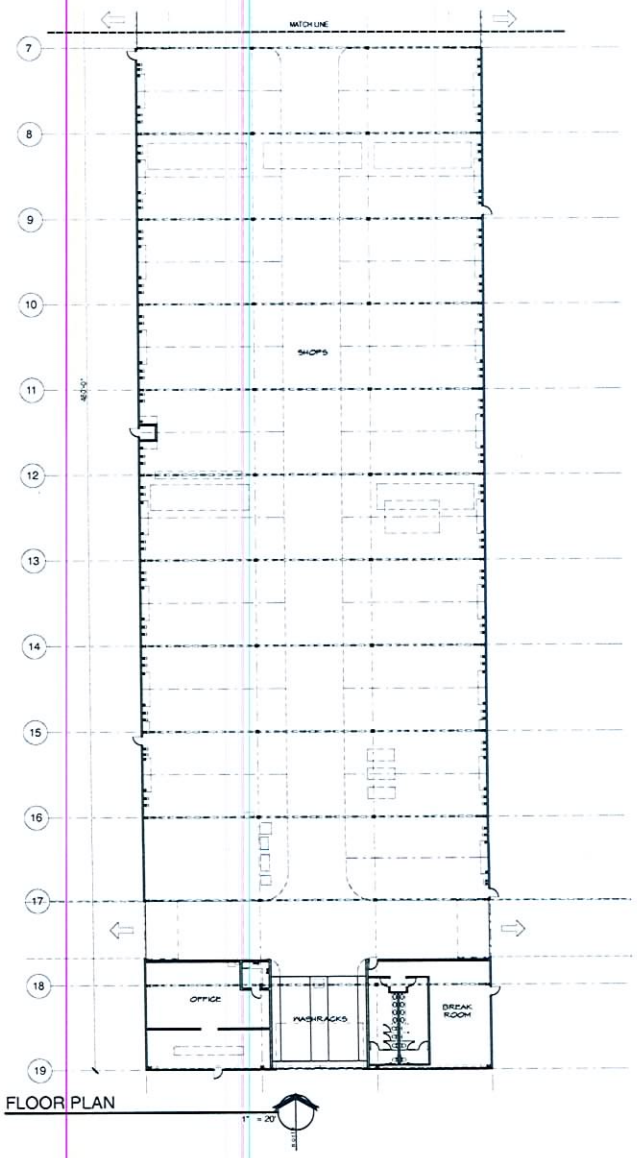
A100

06.151 Ahern Ace - Bonanza



FLOOR PLAN

1" = 20'



FLOOR PLAN

1" = 20'

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SHOPS FLOOR PLAN

A101

06.151 Ahern Ace - Bonanza



EOT-34971 - APPLICANT: AHERN RENTALS - OWNER: DFA, LLC
NORTHEAST CORNER OF BONANZA ROAD AND CLARKWAY DRIVE
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



EOT-34971 - APPLICANT: AHERN RENTALS - OWNER: DFA, LLC
NORTHEAST CORNER OF BONANZA ROAD AND CLARKWAY DRIVE
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



EOT-34971 - APPLICANT: AHERN RENTALS - OWNER: DFA, LLC
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AUGUST 13, 2009 PLANNING COMMISSION

07/09/09

APTUS Architecture

July 10, 2009

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

APN: 139-28-302-034

Re: EOT – Extension of Time

To Whom It May Concern:

We respectfully submit this request for an Extension of Time for a combined rental / retail facility for Ahern and Ace Hardware. This development is located on the north side of Bonanza between Sunny Place and Clarkway Ave.

The applications we are requesting extensions on are as follows:
SDR - 22206
ZON - 13837

We are requesting an extension of time for two years. This project has been submitted to the City of Las Vegas for building permits and approvals are forthcoming. The plan check number is 29391-C-08.

We believe the project, as submitted, is consistent with the City of Las Vegas' vision in this area of the City. We have endeavored to follow Title 19 of the Code as closely as possible, both in the design and layout of this site. We hope you share in our vision for this site and support us in our effort to bring a high-quality and much-needed amenity to the residents of Las Vegas.

Respectfully Submitted,

Kristen G. Neuman

Kristen G. Neuman, AIA
APTUS Architecture

EOT-34971
08/13/09 PC
REVISED

1200 South 4th Street, Suite 206, Las Vegas, Nevada 89104 P 702.839.1200 F 702.839.1213 info@aptusarchitecture.com

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER
731 S. Fourth Street
Las Vegas, NV 89101

Voice: 702-229-6301
Fax: 702-474-0352
TTY 702-386-9108
www.lasvegasnevada.gov

July 13, 2007

Mr. Bruce Bilyeu
DFA, LLC
4141 South Arville Street
Las Vegas, Nevada 89106

RE: VAR-22723 - VARIANCE

Dear Mr. Bilyeu:

Your request for a Variance TO ALLOW A WALL TO CONTAIN NO CONTRASTING MATERIAL WHERE TWENTY PERCENT CONTRASTING MATERIAL IS REQUIRED on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive (APNs 139-28-302-013, 017-026, and 033), R-E (Residence-Estates) Zone under Resolution of Intent to C-2 (General Commercial) Zone, R-3 (Medium Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, C-1 (Limited Commercial) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 5 (Barlow), was considered by the Planning Commission on July 12, 2007.

The Planning Commission voted to ***APPROVE*** your request, subject to the following:

Planning and Development

1. Conformance to the conditions for Site Development Plan Review (SDR-22006) and Review of Condition (ROC-22207), 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.

Mayor
Oscar B. Goodman

City Council
Gary Reese
(Mayor Pro Tem)
Larry Brown
Steve Wolfson
Lois Tarkanian
Steven D. Ross
Ricki Y. Barlow

City Manager
Douglas A. Selby

EOT-34971
08/13/09 PC

07101-001-06-07

This action by the Planning Commission on ***July 12, 2007*** is final unless a written appeal is filed with the City Clerk within ten days of the date of the Planning Commission's decision or there is a review action filed by the City Council within the same time period. The Notice of Final Action was filed with the Las Vegas City Clerk on ***July 13, 2007***.

Sincerely,

Andrew P. Reed

Andrew P. Reed, Planning Supervisor
Planning and Development Department
Current Planning Division

AR:dm

cc: Mr. Bruce Bilyeu
Don F. Ahern
1611 West Bonanza Road
Las Vegas, Nevada 89106

Ms. Kristen Neuman
APTUS Architecture
1200 South Fourth Street, Suite 206
Las Vegas, Nevada 89104

EOT-34971
08/13/09 PC

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 13, 2009

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

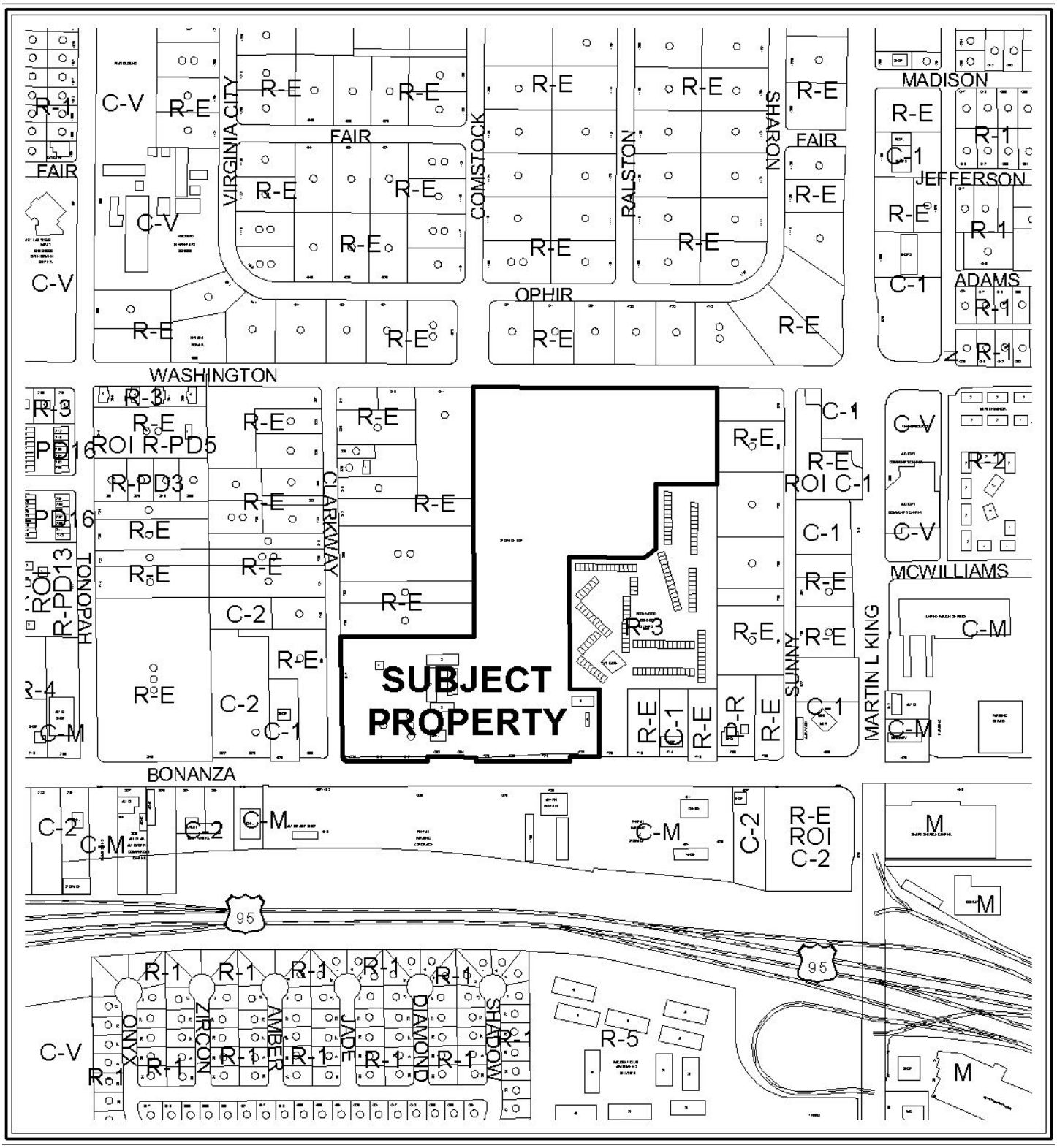
SUBJECT:
EOT-34972 - EXTENSION OF TIME - SITE DEVELOPMENT REVIEW - APPLICANT: AHERN RENTALS - OWNER: DFA, LLC - Request for an Extension of Time of an approved Major Amendment (SDR-22206) of an approved Site Development Plan Review (SDR-13833) FOR A COMMERCIAL DEVELOPMENT OF 30,000 SQUARE FEET OF HARDWARE STORE, 30,000 SQUARE FEET OF OFFICE SPACE, 40,000 SQUARE FEET OF COVERED STORAGE AREA, AND 60,000 SQUARE FEET OF AUTO REPAIR GARAGE (MAJOR) WITH A WAIVER OF PERIMETER LANDSCAPE REQUIREMENTS TO ALLOW A 10-FOOT WIDE BUFFER WHERE 15 FEET IS REQUIRED ALONG SOUTH PROPERTY LINE on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive (APN 139-28-302-034), R-E (Residence-Estates) Zone, R-3 (Medium Density Residential) Zone and C-1 (Limited Commercial) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 5 (Barlow)

C.C.: 09/16/2009

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
APPROVAL

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Planning Commission Action Letter for SDR-22206



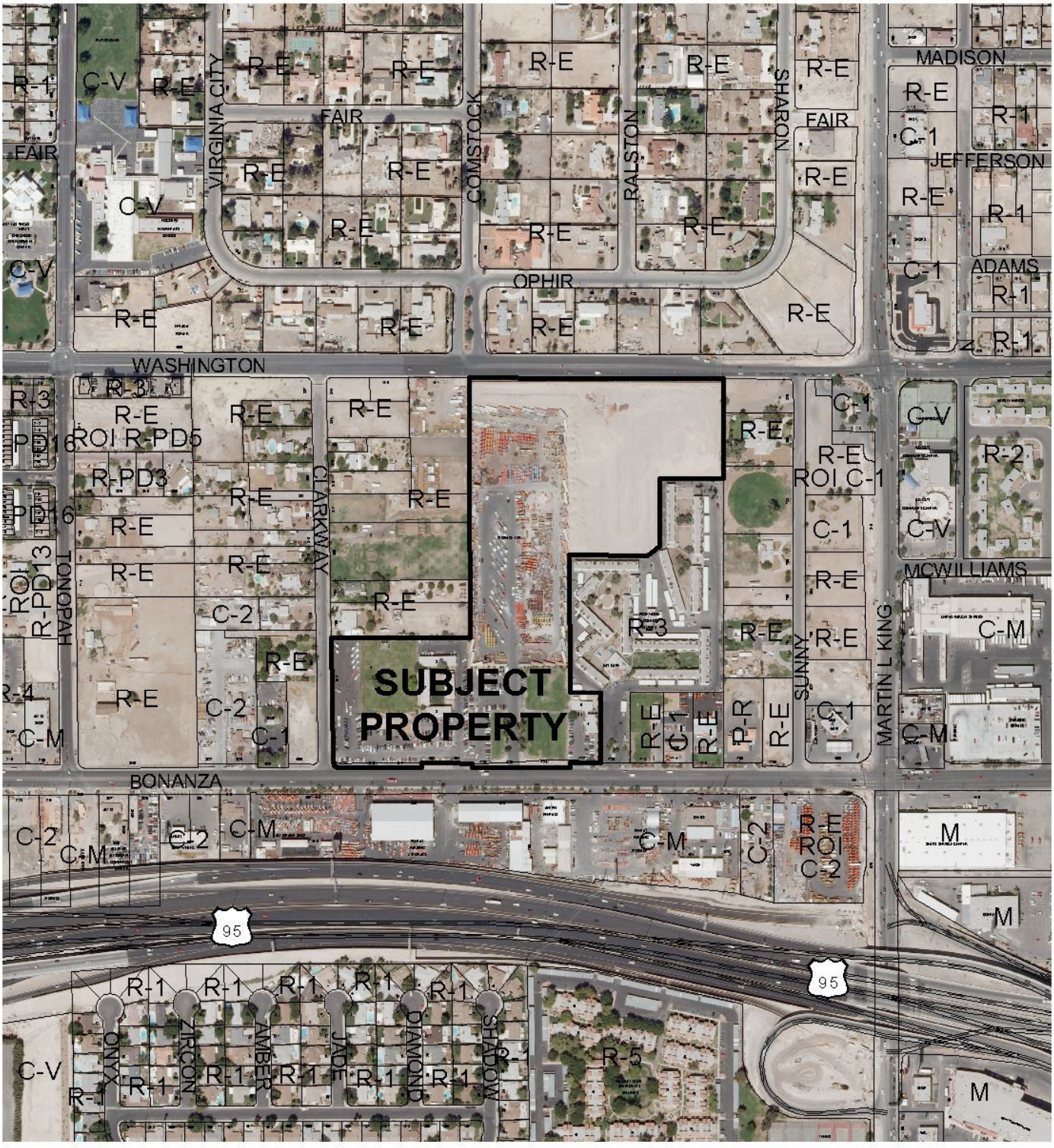
0 400 800 Feet

CASE: **EOT-34972**

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) ZONE, R-3 (MEDIUM DENSITY RESIDENTIAL) ZONE, AND C-1 (LIMITED COMMERCIAL) ZONE UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL) ZONE]

N



0 400 800 Feet

CASE: **EOT-34972**

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R-E (RESIDENCE ESTATES) ZONE, R-3 (MEDIUM DENSITY RESIDENTIAL) ZONE, AND C-1 (LIMITED COMMERCIAL) ZONE UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL) ZONE]

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: AUGUST 13, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-34972 - APPLICANT: AHERN RENTALS - OWNER: DFA, LLC

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

1. This Site Development Plan Review (SDR-22206) shall expire on July 12, 2011 unless another Extension of Time is approved by the City Council.

2. Conformance to all conditions of approval of Site Development Plan Review (SDR-22206) and all other site related actions required by the Planning and Development Department and Department of Public Works.

BTS

EOT-34972 - Staff Report Page One
August 13, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site contains several offices, apartments and ancillary uses with a previously approved Site Development Plan Review (SDR-22206) for a Commercial Development of 30,000 square feet of Hardware Store, 30,000 square feet of Office space, 40,000 square feet of covered storage area, and 60,000 square feet of Auto Repair Garage (Major) with a Waiver of Perimeter Landscape Requirements to allow a 10-foot wide buffer where 15 feet is required along the south property line on 20.53 acres at the northeast corner of Bonanza and Clarkway Drive. Since the original approval, five building permits were applied for on August 13, 2008 (#121846, 121847, 121848, 121850 and 121851); no Building Permits have been issued as they are still under review. Staff has no objection to the request and is therefore recommending approval of the request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
07/21/71	The Board of City Commissioners approved a Rezoning (Z-0039-71) from R-E (Residence Estates) to R-3 (Medium Density Residential) on property generally located on the north side of Bonanza Road between Clarkway Drive and Sunny Place.
09/28/71	The Planning Commission approved a Plot Plan Review [Z-0039-71(1)] for a proposed two-story 24-unit apartment development at 1804 West Bonanza Road.
06/15/94	The City Council approved a Rezoning (Z-0043-94) from R-E (Residence Estates) to C-1 (Limited Commercial) at 1724 West Bonanza Road. The approval expired 06/15/96.
01/27/98	A deed was recorded for a change of ownership for APN 139-28-302-034.
12/21/98	The City Council approved a General Plan Amendment (GPA-0014-98) from M (Medium Density Residential) to SC (Service Commercial) and a request for Rezoning (Z-0026-98) from R-E (Residence Estates) to C-1 (Limited Commercial) on 1.0 acre at the northeast corner of Bonanza Road and Clarkway Drive. The Resolution of Intent did not have an expiration date.
05/21/03	The City Council approved requests for a General Plan Amendment (GPA-1989) from M (Medium Density Residential) and SC (Service Commercial) to SC (Service Commercial); Rezoning (ZON-1992) from R-3 (Medium Density Residential) to C-1 (Limited Commercial) and Site Development Plan Review (SDR-1991) for a proposed 5,255 square-foot office development on 0.57 acres at 1722 West Bonanza Road. The offices were to be converted from two existing apartment buildings. The Planning Commission and staff recommended approval.

01/29/04	A Code Enforcement citation (#9287) was issued for outside storage at 1812 West Bonanza Road.
01/18/06	The City Council approved a Rezoning (ZON-9925) of property on the south side of Bonanza abutting the current Ahern property from C-2 (General Commercial) and R-E (Residence Estates) to C-M (Commercial/Industrial. The Planning Commission and staff recommended approval.
02/24/06	A Code Enforcement citation (#38662) was issued for a parking lot at 612 Clarkway Drive. Code Enforcement closed the case on 06/19/06.
03/14/06	A Code Enforcement citation (#39207) was issued for a review of violations at 1726 West Bonanza Road. Code Enforcement closed the case on 05/01/06.
03/14/06	A Code Enforcement citation (#39206) was issued for a review of violations at 1804 West Bonanza Road. Code Enforcement closed the case on 10/15/06.
03/14/06	A Code Enforcement citation (#39205) was issued for a review of violations at 1824 West Bonanza Road. Code Enforcement closed the case on 10/15/06.
03/24/06	A Code Enforcement citation (#39562) was issued for paved property and a portable toilet being used by employees at 1724 West Bonanza Road. Code Enforcement closed the case on 06/05/06.
03/24/06	A Code Enforcement citation (#39563) was issued for paved property at 1816 West Bonanza Road. The issue was resolved on 10/15/06.
03/24/06	A Code Enforcement citation (#103189) was issued for a paved parking lot and an illegal business use at 1812 West Bonanza Road. The issue was resolved on 11/18/06.
04/05/06	The City Council approved a Variance (VAR-11006) to allow an eight-foot wrought iron fence where four feet is the maximum height allowed and a waiver of the 20 percent contrasting material requirement at 1700, 1710, 1714, 1718, 1722, 1804, 1808, 1812, 1816, and 1824 West Bonanza Road.
04/24/06	The Code Enforcement Division of the Neighborhood Services Department issued to the applicant a Notice and Order to Comply with Municipal Code. Violations included employee parking on R-E and R-3 zoned property, portable toilet onsite, vacant R-3 zoned property has piles of refuse, waste, asphalt and dirt, and R-E (Residence Estates) property being used as commercial storage yard.
05/17/06	The City Council approved a revision (GPA-9219) to the land use map of the Downtown Redevelopment Area and an ordinance (Ord. #5830) adopting the amended plan. The amended plan includes all parcels within the subject site.
05/25/06	The Planning Commission approved the appeal (DIR-11779) of the Director's decision to deny a Temporary Commercial Permit per Title 19.18.100.D that would allow a Temporary Contractor's Construction Yard on 15.54 acres adjacent to the north side of Bonanza Road, approximately 460 feet east of Clarkway Drive. The Temporary Commercial Permit was not to exceed six months from the date of approval.
07/24/06	A Code Enforcement citation (#44793) was issued for a violation of conditions. Code Enforcement closed the case on 10/15/06.

07/24/06	A Code Enforcement citation (#44795) was issued for a violation of conditions. Code Enforcement closed the case on 10/18/06.
10/04/06	The City Council approved a request for a Site Development Plan Review (SDR-13833) for a proposed rental store with outside storage; a 99,000 square-foot covered storage area; a 21,600 square-foot auto repair garage, major; a 25,200 square-foot hardware store and waivers of perimeter landscape buffer and wall design requirements, a Rezoning (ZON-13837) request from: R-E (Residence Estates), R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial), R-3 (Medium Density Residential) and C-1 (Limited Commercial) to C-2 (General Commercial), a Variance (VAR-14320) to allow a setback of 73 feet where residential adjacency standards require a minimum 84-foot setback, and to allow a zero-foot side yard building setback where 10 feet is the minimum setback required in conjunction with a rental store with outside storage, a Variance (VAR-16049) to allow a proposed 10-foot high block wall where eight feet is the maximum allowed, and three Special Use Permits (SUP-13836, SUP-14324, SUP-14329) for a rental store with outside storage, for a truck rental establishment, and an auto repair garage, major on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive. Planning Commission and staff recommended approval.
07/12/07	The Planning Commission approved a request for a Major Amendment (SDR-22206) to an approved Site Development Plan Review (SDR-13833) for a Commercial Development of 30,000 square feet of Hardware Store, 30,000 square feet of Office space, 40,000 square feet of Covered Storage Area, and 60,000 square feet of Auto Repair Garage (Major) with a Waiver of Perimeter Landscape requirements to allow a 10-foot wide buffer where 15 feet is required along the south property line and a Variance (VAR-22723) to allow a wall to contain no contrasting material where twenty percent contrasting material is required on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive. Staff recommended approval of the Site Development Plan Review and denial of the Variance.
03/17/08	A Code Enforcement citation (#63479) was issued for sewage coming out of a bathtub at 1804 West Bonanza. The issue was resolved on 04/01/08.
08/13/09	The Planning Commission will consider a related Extension of Time (EOT-34971) to allow a wall to contain no contrasting material where twenty percent contrasting material is required on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive.
Related Building Permits/Business Licenses	
08/19/05	A Building Permit (#49300) was issued for a demolition permit at 1816 West Bonanza Road. The permit has since expired.
04/17/06	A Business License (#A07-00648) was issued for an Apartment House at 1804 West Bonanza Road. The license is currently active.
08/15/06	A Building Permit (#71003) was issued for grading at 1798 West Bonanza Road. The permit was finaled on 08/15/06.

01/09/07	A Building Permit (#79433) was issued for fencing at 1808 West Bonanza Road. The permit was has since expired.
01/22/07	A Business License (#L33-00898) was issued for a Lawn and Landscape Maintenance business at 1804 West Bonanza Road. The license is currently active.
06/22/07	A Building Permit (#92357) was issued for an eight-foot block wall at 1798 West Bonanza Road. The permit was finaled on 11/30/07.
09/21/07	A Building Permit (#98452) was issued for a demolition permit at 1808 West Bonanza Road.
11/30/07	A Building Permit (#103181) was issued for a demolition permit at 1816 West Bonanza Road.
11/30/07	A Building Permit (#103189) was issued for a demolition permit at 1812 West Bonanza.
08/13/08	Building Permits (#'s: 121846, 121847, 121848 121850 and 121851) were issued for buildings one, two, on-sites, trash enclosures and grading for APN 139-28-302-034. No Building Permits have been issued, as they are still under review.
Pre-Application Meeting	
A pre-application meeting is not required for this type of application, nor was one held.	
Neighborhood Meeting	
A neighborhood meeting is not required for this type of application, nor was one held.	
Field Check	
07/09/09	A field check was completed on the subject site on the indicated date. The following items were indicated by Planning and Development Department staff: • The existing business is operated by the Ahern Companies. • No additional changes have occurred on-site since the approved Site Development Plan Review (SDR-22206)

Details of Application Request	
Site Area	
Net Acres	20.53 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped, Apartments and Contractors Construction Yard	C (Commercial) and MXU (Mixed Use)	R-E (Residence-Estates), R-3 (Medium Density Residential) Zone and C-1 (Limited Commercial) under Resolution of Intent to C-2 (General Commercial)

North	Single-Family Residential	R (Rural Density Residential)	R-E (Residence Estates)
South	Equipment Rental Store	LI/R (Light Industrial/Research)	C-M (Commercial/Industrial)
East	Condominiums and Single-Family Residential	MXU (Mixed Use)	R-E (Residence Estates) and R-3 (Medium Density Residential)
West	Single-Family Residential	MXU (Mixed Use)	R-E (Residence Estates)

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Area Plan			
West Las Vegas Plan	X		Y
Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
A-O Airport Overlay District (140 Feet)	X		Y
Trails (Pioneer Trail)	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

This is the first request for an Extension of Time of a previously approved Site Development Plan Review (SDR-22206) for a Major Amendment to a Site Development Plan Review (SDR-13833) for a Commercial Development of 30,000 square feet of Hardware Store, 30,000 square feet of Office space, 40,000 square feet of Covered Storage Area, and 60,000 square feet of Auto Repair Garage (Major) with a Waiver of Perimeter Landscape requirements to allow a 10-foot wide buffer where 15 feet is required along the south property line on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive. Title 19.18.050 deems a Site Development Plan Review exercised upon the issuance of a building permit for the principle structure on-site, unless otherwise specified in connection with its approval.

FINDINGS

The Site Development Plan Review (SDR-22206) has not met the requirements outlined in Title 19.18.050, since no permits have been issued for the principle structure. No new development or changes in land use in the surrounding areas have occurred, but there has since been one Code Enforcement violation cited for the subject property. The applicant is requesting a two year Extension of Time, since they have not progressed to a stage in the project to obtain final building permits. Conformance to the conditions of approval of Site Development Plan Review (SDR-22206) shall be required. Staff recommends approval of this request with a two-year time limit.

BTS

NEIGHBORHOOD ASSOCIATIONS NOTIFIED	22
ASSEMBLY DISTRICT	N/A
SENATE DISTRICT	N/A
NOTICES MAILED	N/A
APPROVALS	0
PROTESTS	0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EOT-34972 APN: 139-28-302-034

Name of Property Owner: DFA, LLC

Name of Applicant: Ahern Rentals

Name of Representative: APTUS Architecture

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

☐ Yes ☒ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: X Don F Ahern

Print Name: Don F. Ahern

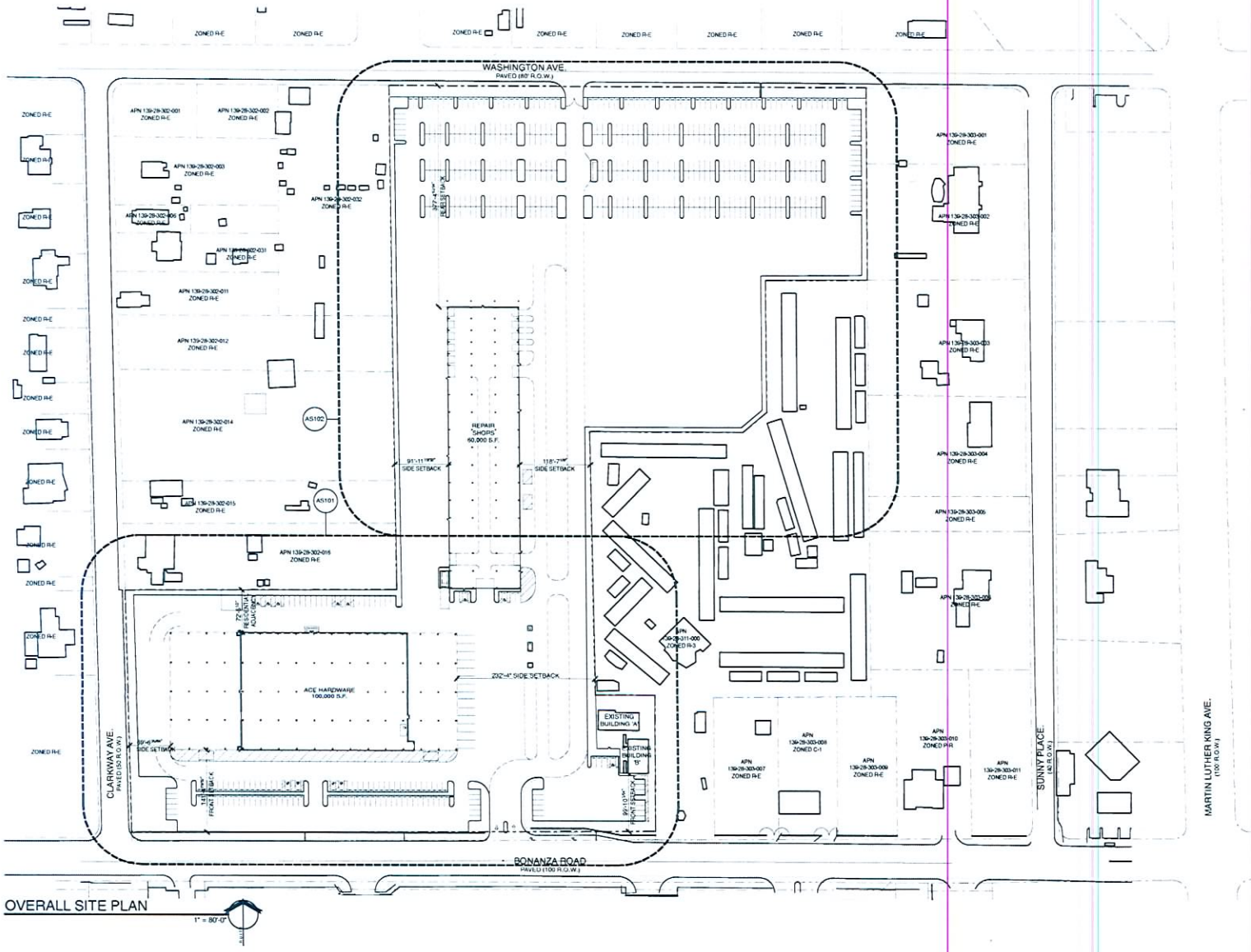
Subscribed and sworn before me

This 22nd day of June, 2009

Joni B Starcher

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
JONI B. STARCHER
My Appointment Expires
July 30, 2009
No: 93-0701-1



OVERALL SITE PLAN

1" = 80'-0"





VICINITY & LOCATION MAP

APTUS Architecture
1200 South 4th Street
Suite 206
Las Vegas, Nevada 89104
P 702.839.1200
F 702.839.1213

Ahern Ace - Bonanza
Site Development Review
1800 Bonanza Road
Las Vegas, Nevada 89106

EOT-34972
08/13/09 PC

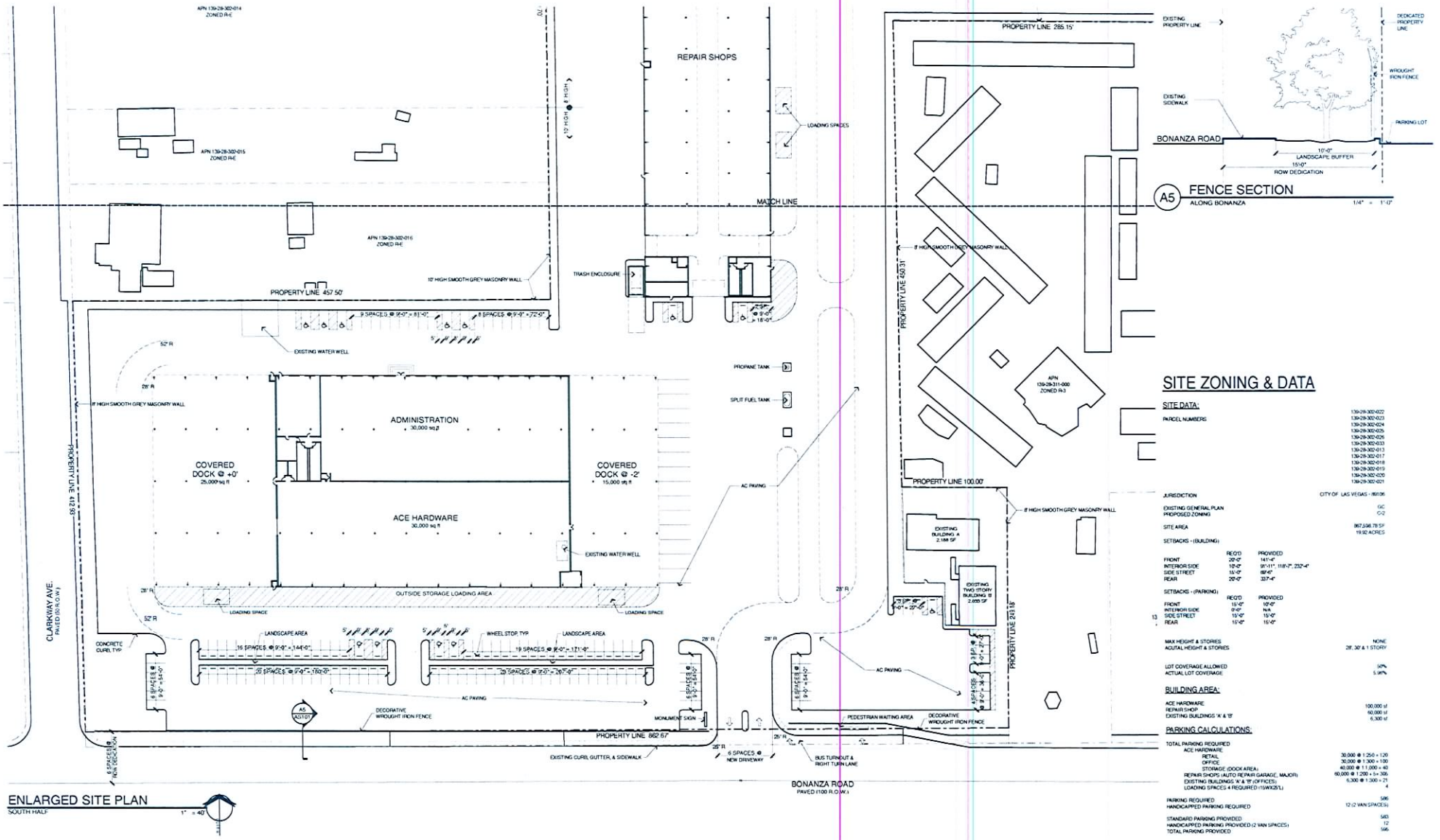
RECEIVED
JUN 23 2009

City of Las Vegas SDR Submittal	05.24.07
City of Las Vegas SDR Submittal (Rev.)	06.13.07
City of Las Vegas EOT Submittal	06.08.09

OVERALL SITE PLAN

AS100

06.151 Ahern Ace - Bonanza



A5 FENCE SECTION
ALONG BONANZA
1/4" = 1'-0"

ENLARGED SITE PLAN
SOUTH HALF
1" = 40'

SITE ZONING & DATA

SITE DATA:

PARCEL NUMBERS
139-28-302-022
139-28-302-023
139-28-302-024
139-28-302-025
139-28-302-026
139-28-302-033
139-28-302-013
139-28-302-017
139-28-302-018
139-28-302-019
139-28-302-020
139-28-302-021

JURISDICTION: CITY OF LAS VEGAS - 89106
EXISTING GENERAL PLAN: GC
PROPOSED ZONING: C-2
SITE AREA: 867,596.78 SF / 19.92 ACRES

SETBACKS - (BUILDING)

	REQ'D	PROVIDED
FRONT	20'-0"	141'-4"
INTERIOR SIDE	10'-0"	91'-11", 118'-7", 232'-4"
SIDE STREET	15'-0"	68'-0"
REAR	20'-0"	337'-4"

SETBACKS - (PARKING)

	REQ'D	PROVIDED
FRONT	15'-0"	10'-0"
INTERIOR SIDE	0'-0"	N/A
SIDE STREET	15'-0"	15'-0"
REAR	15'-0"	15'-0"

MAX HEIGHT & STORIES: NONE
ACUTAL HEIGHT & STORIES: 28', 30' & 1 STORY

LOT COVERAGE ALLOWED: 50%
ACTUAL LOT COVERAGE: 5.9%

BUILDING AREA:

ACE HARDWARE: 100,000 sf
REPAIR SHOP: 60,000 sf
EXISTING BUILDINGS 'A' & 'B': 6,300 sf

PARKING CALCULATIONS:

TOTAL PARKING REQUIRED

ACE HARDWARE	
RETAIL	30,000 @ 1:250 = 120
OFFICE	30,000 @ 1:300 = 100
STORAGE (DOCK AREA)	40,000 @ 1:1,000 = 40
REPAIR SHOPS (AUTO REPAIR GARAGE, MAJOR)	60,000 @ 1:1,200 = 5+ 305
EXISTING BUILDINGS 'A' & 'B' (OFFICES)	6,300 @ 1:300 = 21
LOADING SPACES 4 REQUIRED (15'WX25'L)	4
PARKING REQUIRED	586
HANDICAPPED PARKING REQUIRED	12 (2 VAN SPACES)
STANDARD PARKING PROVIDED	583
HANDICAPPED PARKING PROVIDED (2 VAN SPACES)	12
TOTAL PARKING PROVIDED	595

APTUS Architecture
1200 South 4th Street
Suite 206
Las Vegas, Nevada 89104
P 702.839.1200
F 702.839.1213

Ahern Ace - Bonanza
Site Development Review
1800 Bonanza Road
Las Vegas, Nevada 89106

City of Las Vegas SDR Submittal	05.24.07
City of Las Vegas SDR Submittal (Rev.)	06.13.07
City of Las Vegas EOT Submittal	06.08.09

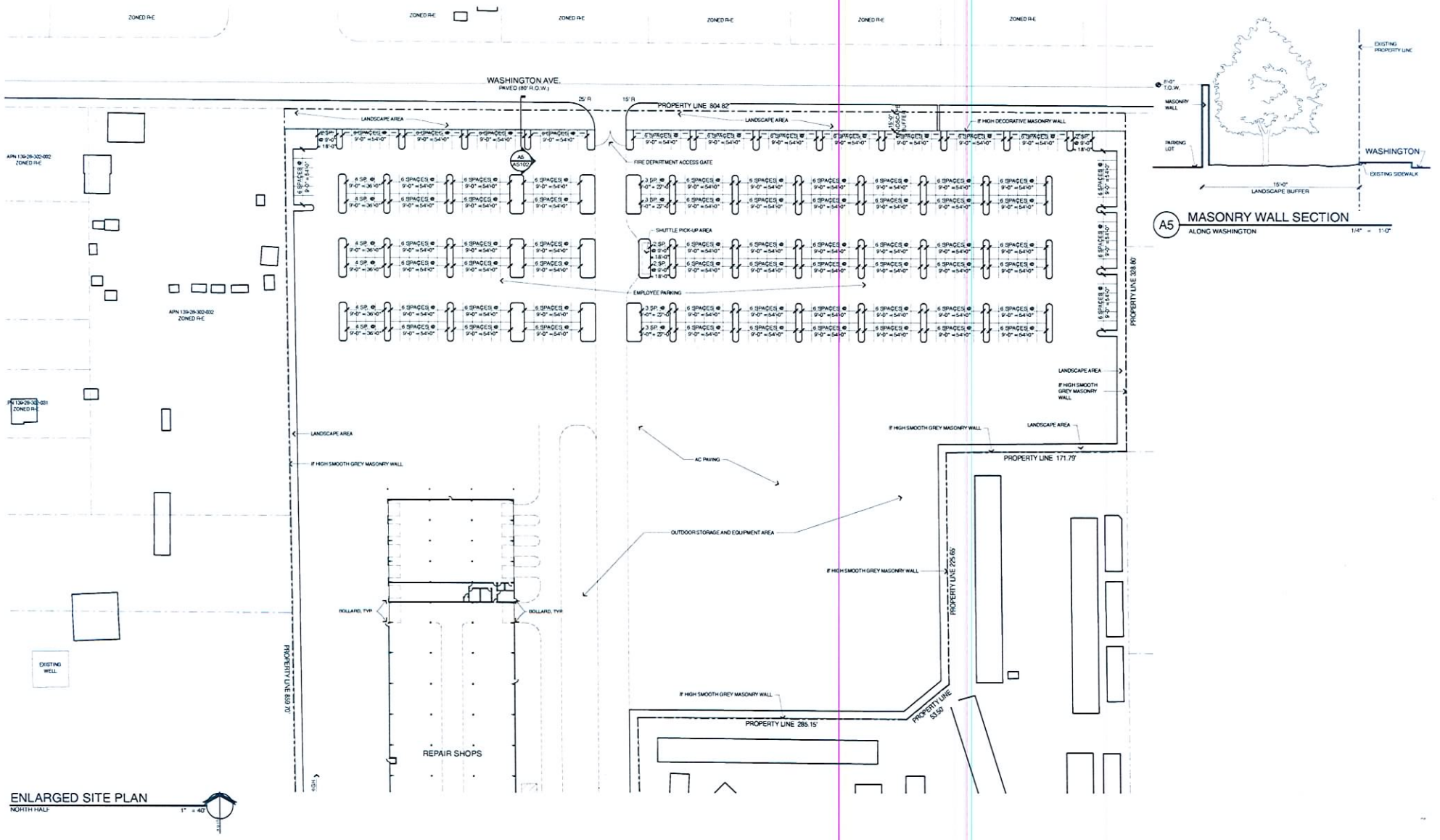
ENLARGED SITE PLAN

AS101

06.151 Ahern Ace - Bonanza

EOT-34972
08/13/09 PC

RECEIVED
JUN 23 2009



A5 MASONRY WALL SECTION
ALONG WASHINGTON 1/4" = 1'-0"

ENLARGED SITE PLAN
NORTH HALF 1" = 40'

APTUS Architecture
1200 South 4th Street
Suite 204
Las Vegas, Nevada 89104
P 702.839.1200
F 702.839.1213

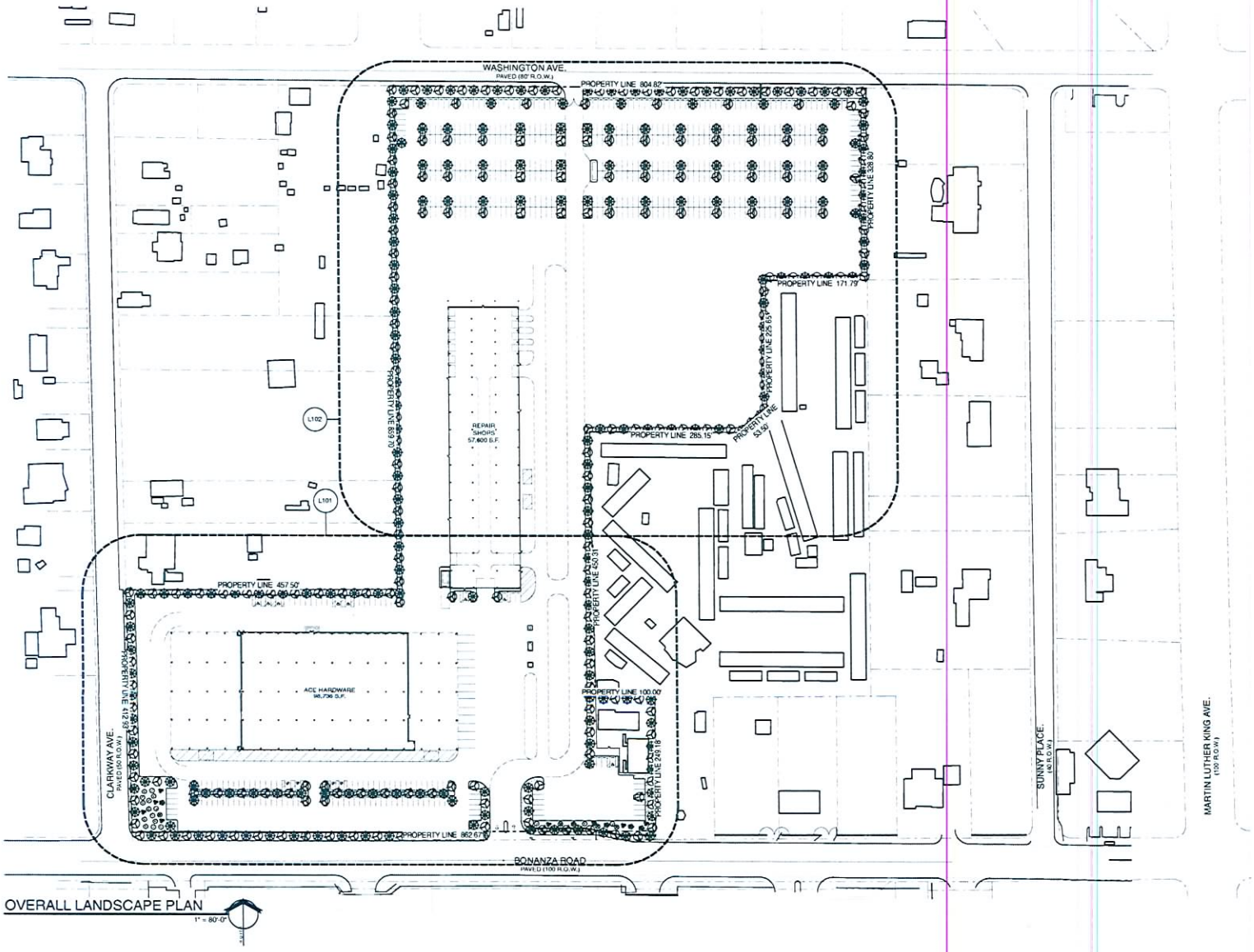
Ahern Ace - Bonanza
Site Development Review
1800 Bonanza Road
Las Vegas, Nevada 89106

EOT-34972
08/13/09 PC

City of Las Vegas SDR Submittal	05.24.07
City of Las Vegas SDR Submittal (Rev.)	06.13.07
City of Las Vegas EOT Submittal	06.08.09

RECEIVED
JUN 23 2009

ENLARGED SITE PLAN
AS102
06.151 Ahern Ace - Bonanza



OVERALL LANDSCAPE PLAN

1" = 80'-0"

LANDSCAPE BUFFERS (WAIVER REQUESTED)

	REQ'D	PROVIDED
FRONT	15'-0"	10'-0"
INTERIOR SIDE	8'-0"	8'-0"
SIDE STREET	15'-0"	15'-0"
REAR	8'-0"	8'-0", 15'-0"

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F 702.839.1213

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1800 Bonanza Road
Las Vegas, Nevada 89106

EOT-34972
08/13/09 PC

City of Las Vegas SDR Submittal	05.24.07
City of Las Vegas SDR Submittal (Rev.)	06.13.07
City of Las Vegas EOT Submittal	06.08.09

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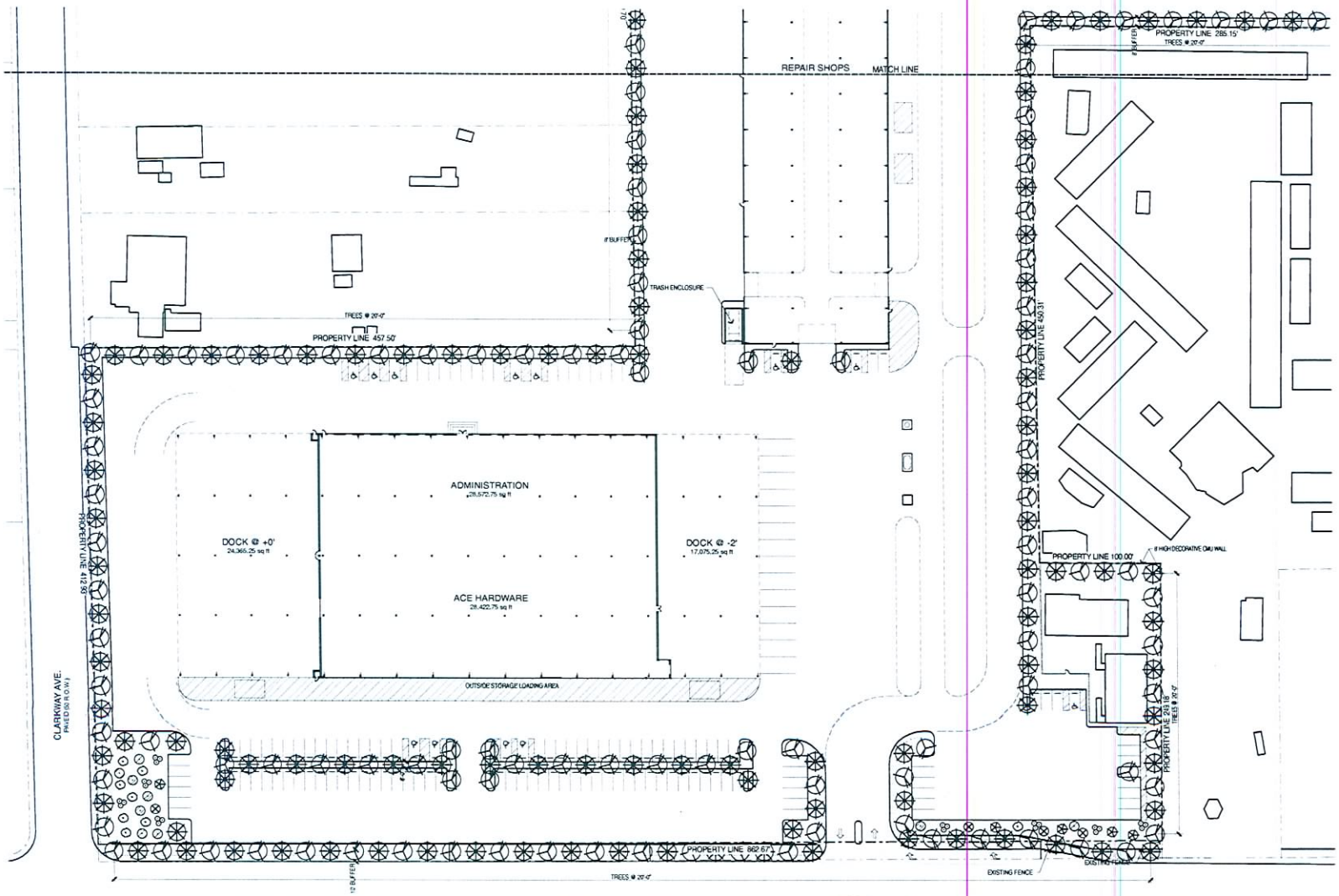
OVERALL LANDSCAPE PLAN

L100

06.151 - Ahern Ace - Bonanza



ENLARGED LANDSCAPE PLAN
1" = 40'

LANDSCAPE SCHEDULE

SYMBOL	COMMON NAME	BOTANICAL NAME	SIZE	QTY
TREES				
	HONEY LOCUST	prosopis	24" Box	204
	SHOESTRING ACACIA	acacia stenophylla	24" Box	0
	PURPLE ROBE LOCUST	-	24" Box	203
	MEDETERANIAN FAN PALM	-	24" Box	0
SHRUBS				
	TEXAS RANGER	leucophyllum frutescens Green Cloud	5 gal	203
	GERMANDER	-	5 gal	203
	SALVIA	salvia greggii	5 gal	203
	CREPE MYRTLE	-	15 gal	232
	MEXICAN SAGE	salvia leucantha	5 gal	232
GROUND COVER				
	DESERT CARPET	myoporum parvifolium	5 gal	232
	LANTANA	lantana	3 gal	232
	REGAL MIST FOUNTAIN GRASS	muhlenbergia capillaris regal mist	5 gal	232
ROCK MULCH	**SIZE**	**COLOR**	**DEPTH**	
	3/8" CRUSHED GRANITE	TO BE SELECTED BY ARCHITECT FROM MANUFACTURERS STD COLORS	MIN. 2" DEEP	
	1-4" MINUS GRANITE	TO BE SELECTED BY ARCHITECT FROM MANUFACTURERS STD COLORS	MIN. 2" DEEP	

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ENLARGED LANDSCAPE PLAN

L101

06.151 Ahern Ace - Bonanza

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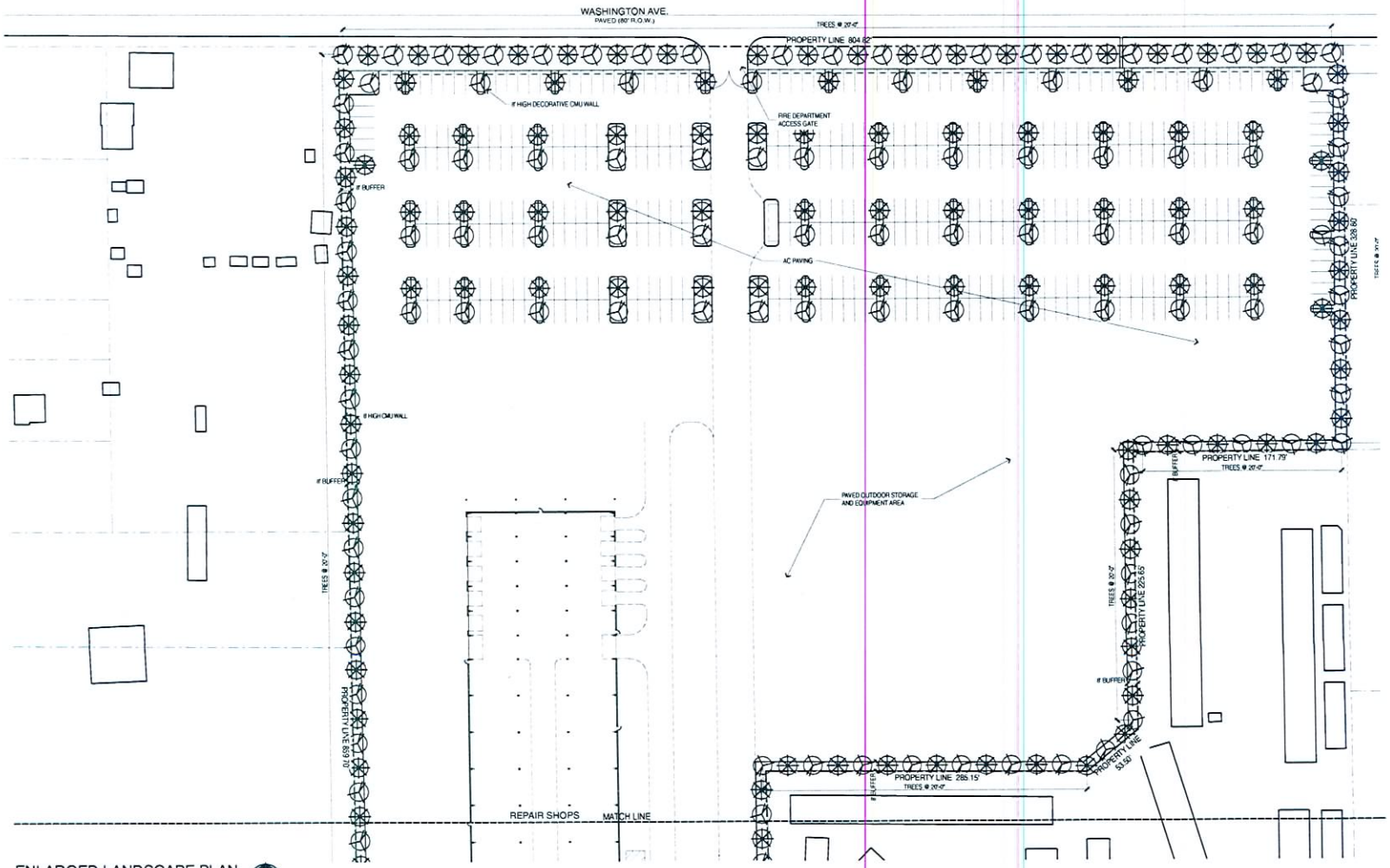

ENLARGED LANDSCAPE PLAN

1" = 40'

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ENLARGED LANDSCAPE PLAN

L102

06.151 Ahern Ace - Bonanza

EOT-34972
08/13/09 PC

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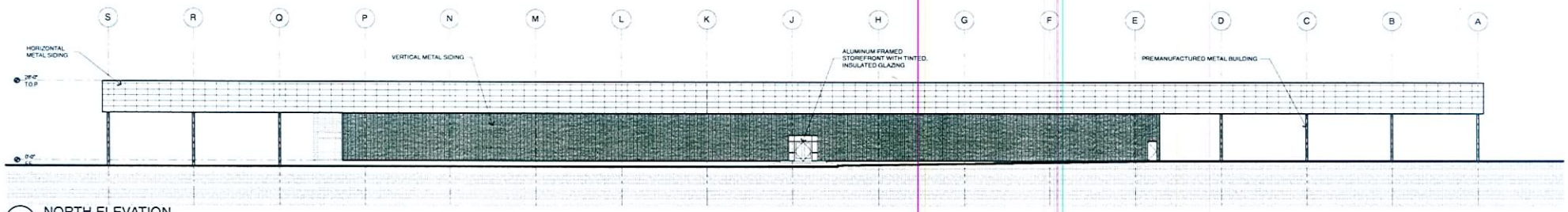
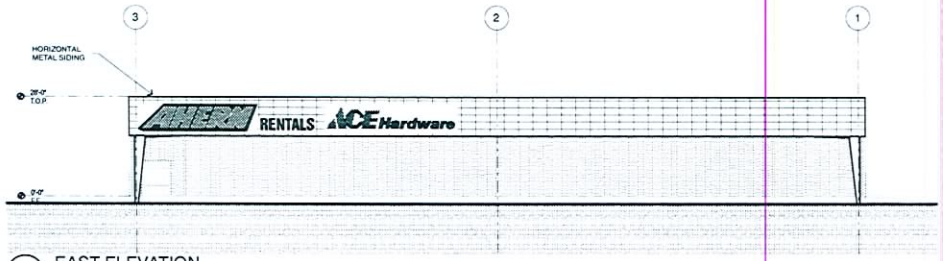


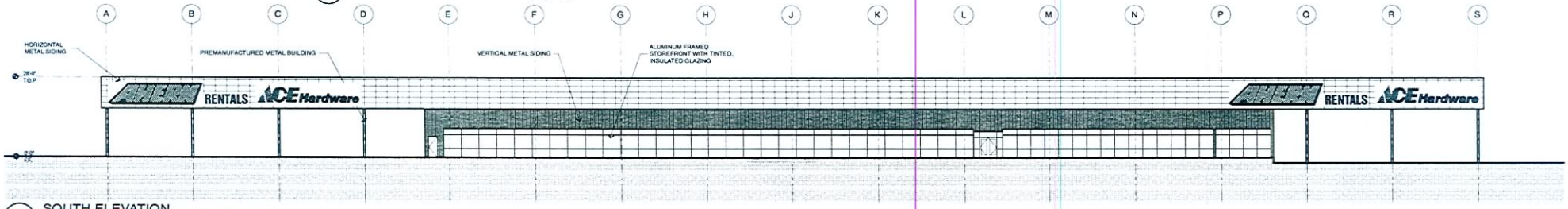
A1 NORTH ELEVATION

1/16" = 1'-0"



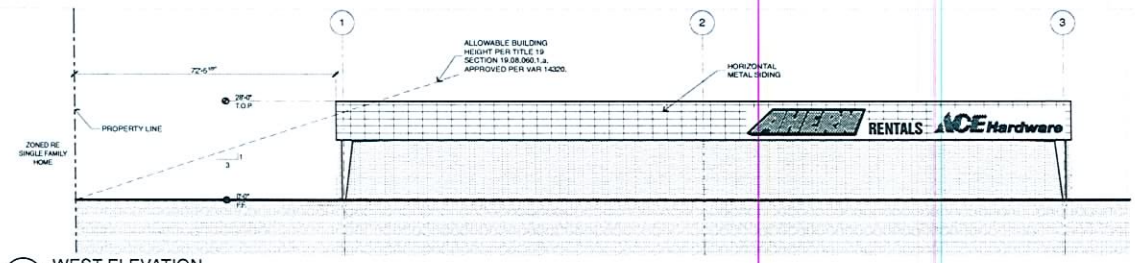
B2 EAST ELEVATION

1/16" = 1'-0"



C1 SOUTH ELEVATION

1/16" = 1'-0"



D2 WEST ELEVATION

1/16" = 1'-0"

APTUS Architecture
1200 South 4th Street
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Las Vegas, Nevada 89104
P 702.834.1200
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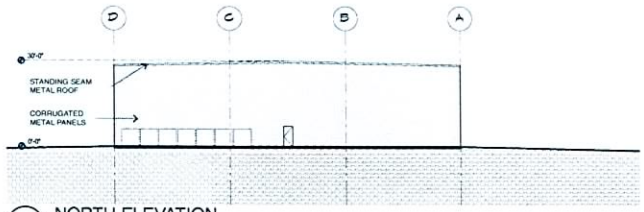
ACE HARDWARE BUILDING ELEVATIONS

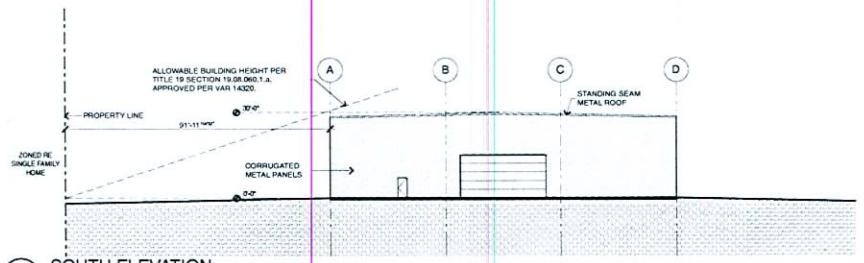
A200

06.151 Ahern Ace - Bonanza



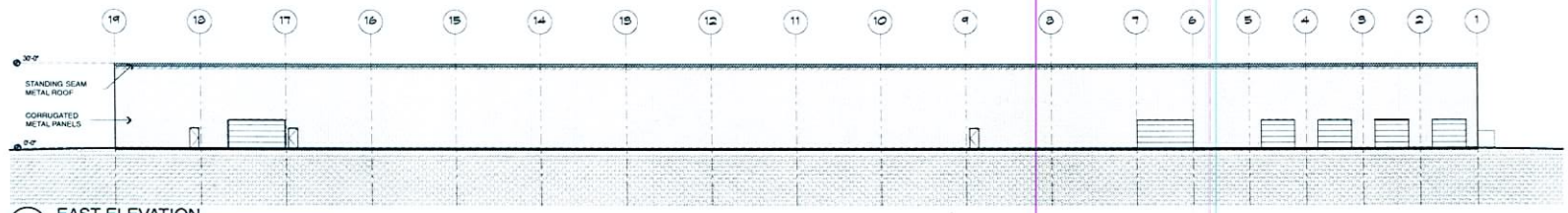
B1 NORTH ELEVATION

1" = 20'



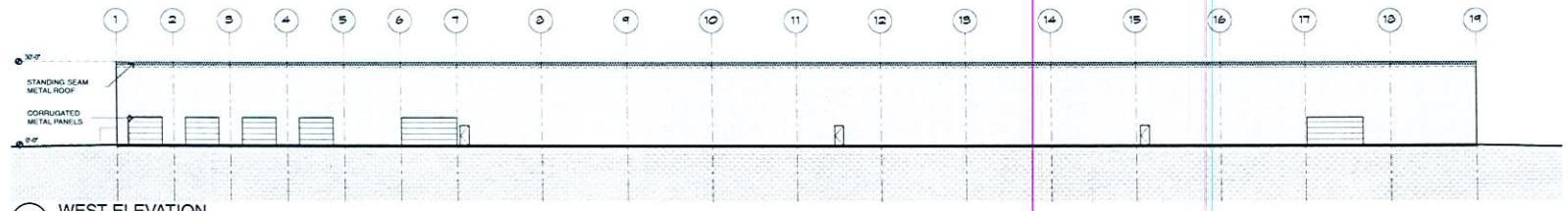
B3 SOUTH ELEVATION

1" = 20'



C1 EAST ELEVATION

1" = 20'



D1 WEST ELEVATION

1" = 20'

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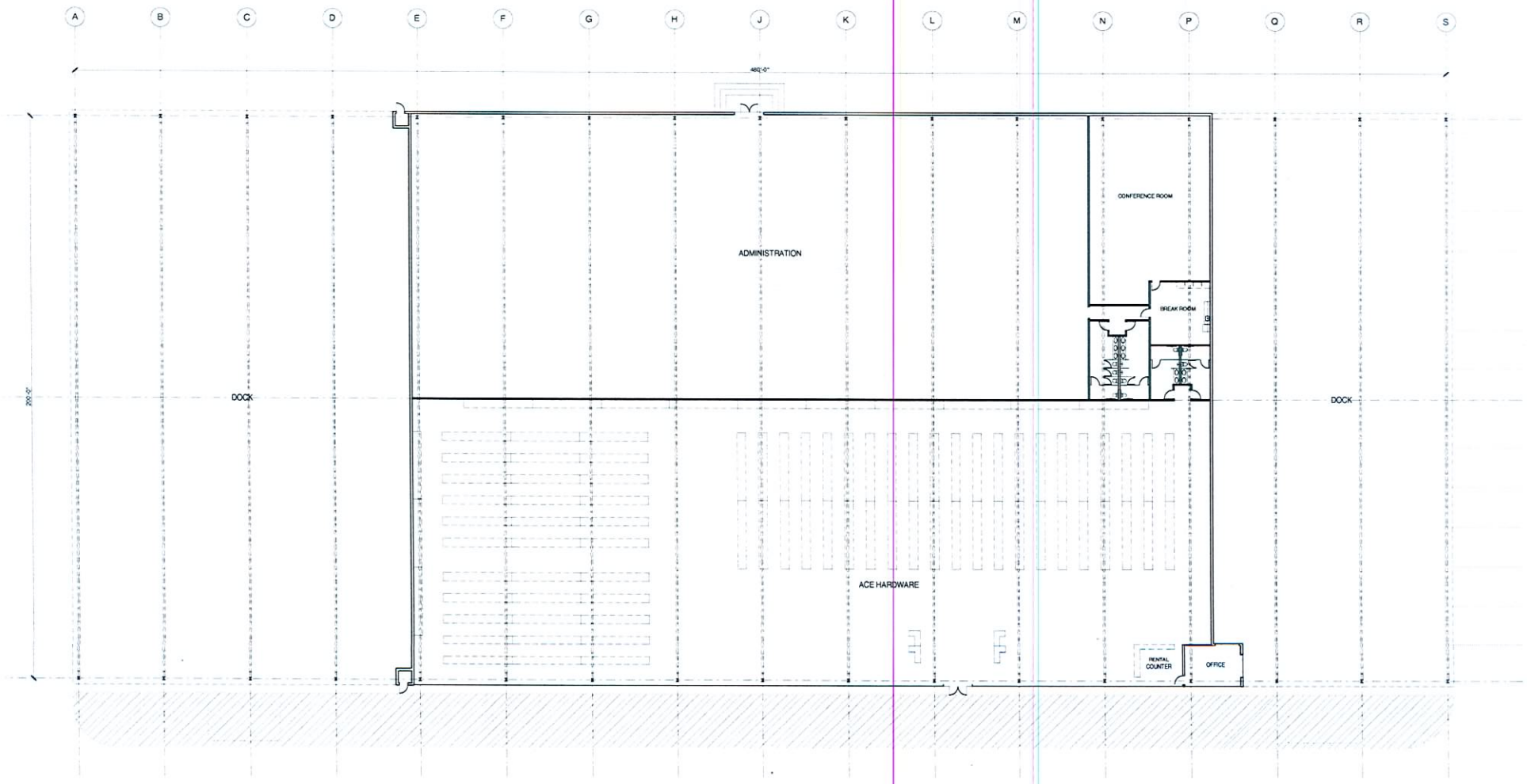
SHOPS BUILDING ELEVATIONS

A201

06.151 Ahern Ace - Bonanza



FLOOR PLAN

1/16" = 1'-0"

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Las Vegas, Nevada 89104
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ACE HARDWARE
FLOOR PLAN

A100

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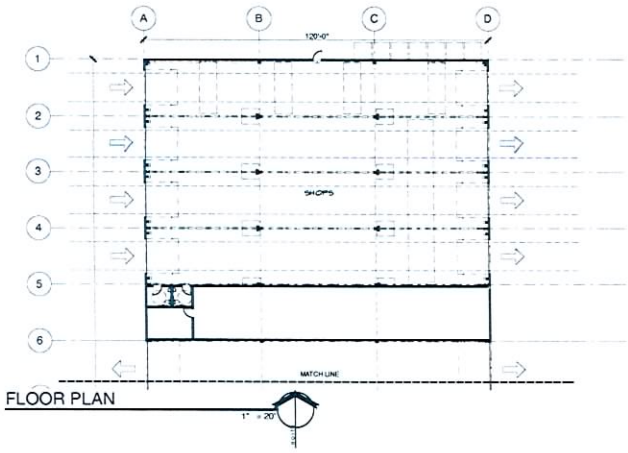
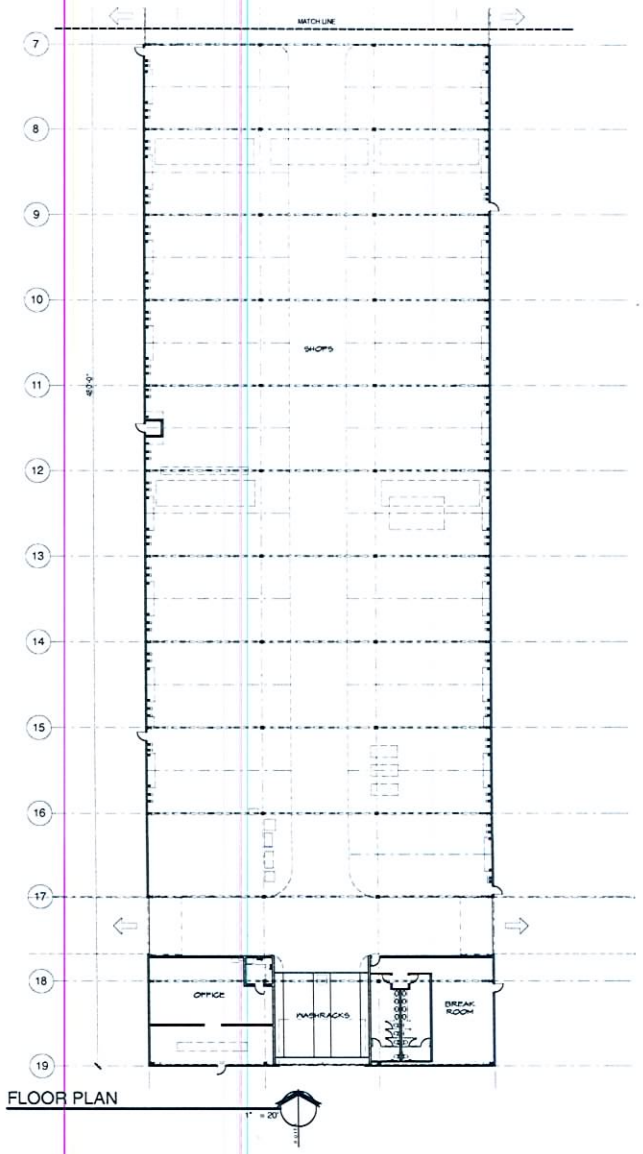


FLOOR PLAN

1" = 20'



FLOOR PLAN

1" = 20'

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SHOPS FLOOR PLAN

A101

06.151 - Ahern Ace - Bonanza



EOT-34972 - APPLICANT: AHERN RENTALS - OWNER: DFA, LLC
NORTHEAST CORNER OF BONANZA ROAD AND CLARKWAY DRIVE
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



EOT-34972 - APPLICANT: AHERN RENTALS - OWNER: DFA, LLC
NORTHEAST CORNER OF BONANZA ROAD AND CLARKWAY DRIVE
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



EOT-34972 - APPLICANT: AHERN RENTALS - OWNER: DFA, LLC
NORTHEAST CORNER OF BONANZA ROAD AND CLARKWAY DRIVE
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



EOT-34972 - APPLICANT: AHERN RENTALS - OWNER: DFA, LLC
NORTHEAST CORNER OF BONANZA ROAD AND CLARKWAY DRIVE
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



EOT-34972 - APPLICANT: AHERN RENTALS - OWNER: DFA, LLC
NORTHEAST CORNER OF BONANZA ROAD AND CLARKWAY DRIVE
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09

APTUS Architecture

July 10, 2009

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

APN: 139-28-302-034

Re: EOT – Extension of Time

To Whom It May Concern:

We respectfully submit this request for an Extension of Time for a combined rental / retail facility for Ahern and Ace Hardware. This development is located on the north side of Bonanza between Sunny Place and Clarkway Ave.

The applications we are requesting extensions on are as follows:
SDR - 22206
ZON - 13837

We are requesting an extension of time for two years. This project has been submitted to the City of Las Vegas for building permits and approvals are forthcoming. The plan check number is 29391-C-08.

We believe the project, as submitted, is consistent with the City of Las Vegas' vision in this area of the City. We have endeavored to follow Title 19 of the Code as closely as possible, both in the design and layout of this site. We hope you share in our vision for this site and support us in our effort to bring a high-quality and much-needed amenity to the residents of Las Vegas.

Respectfully Submitted,

Kristen G. Neuman

Kristen G. Neuman, AIA
APTUS Architecture

EOT-34972
08/13/09 PC
REVISED

1200 South 4th Street, Suite 206, Las Vegas, Nevada 89104 P 702.839.1200 F 702.839.1213 info@aptusarchitecture.com

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER
731 S. Fourth Street
Las Vegas, NV 89101

Voice: 702-229-6301
Fax: 702-474-0352
TTY 702-386-9108
www.lasvegasnevada.gov

July 13, 2007

Mr. Bruce Bilyeu
DFA, LLC
4141 South Arville Street
Las Vegas, Nevada 89106

RE: SDR-22206 - SITE DEVELOPMENT PLAN REVIEW

Dear Mr. Bilyeu:

Your request for a Major Amendment to a Site Development Plan Review (SDR-13833) FOR A COMMERCIAL DEVELOPMENT OF 30,000 SQUARE FEET OF HARDWARE STORE, 30,000 SQUARE FEET OF OFFICE SPACE, 40,000 SQUARE FEET OF COVERED STORAGE AREA, AND 60,000 SQUARE FEET OF AUTO REPAIR GARAGE (MAJOR) WITH A WAIVER OF PERIMETER LANDSCAPE REQUIREMENTS TO ALLOW A 10 FOOT WIDE BUFFER WHERE 15 FEET IS REQUIRED ALONG SOUTH PROPERTY LINE on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive (APNs 139-28-302-013, 017-026, and 033), R-E (Residence-Estates) Zone under Resolution of Intent to C-2 (General Commercial) Zone, R-3 (Medium Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, C-1 (Limited Commercial) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 5 (Barlow), was considered by the Planning Commission on July 12, 2007.

The Planning Commission voted to ***APPROVE*** your request, subject to the following:

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-13837), Variances (VAR-14320 and VAR-16049) and Special Use Permits (SUP-13836, SUP-14324 and SUP-14329).

2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All development shall be in conformance with the site plan and landscape plan date stamped 06/14/07 and building elevations date stamped 05/24/07, except as amended by conditions herein.

4. Site Development Plan Review (SDR-13833) is hereby expunged.

Mayor
Oscar B. Goodman

City Council
Gary Reese
(Mayor Pro Tem)
Larry Brown
Steve Wolfson
Lois Tarkanian
Steven D. Ross
Ricki Y. Barlow

City Manager
Douglas A. Selby

EOT-34972
08/13/09 PC

5. All parking and storage areas shall be paved using asphalt and concrete only.

6. A master sign plan shall be submitted for approval by the City of Las Vegas prior to the issuance of the certificate of occupancy for any building on the site prior to the issuance of sign permits as per Title 19.14.

7. A Waiver from Title 19.12.040A Landscape, Wall and Buffer Standards is hereby approved to allow a ten foot perimeter landscape buffer along the south property line where 15 feet is required.

8. The 60,000 square feet labeled Repair Shop (Auto Repair Garage, Major) shall be utilized as rental repair shop for the owner's rental equipment.

9. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.

10. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

11. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).

12. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

EOT-34972
08/13/09 PC

14. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

15. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

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

Public Works

17. The driveway on Washington Avenue shall be designed, located and constructed in accordance with Standard Drawing #224.

18. Submit an application to the Land Development section of the Department of Public Works for a deviation from Standard Drawing #222a for the depth of the driveway accessing this site from Bonanza Road.

19. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp. Also, grant appropriate pedestrian access easements for all sidewalks located outside of the public right-of-way.

20. Coordinate with the Collection Systems Planning Section of the Department of Public Works to determine offsite relief sewer requirements in Bonanza Road necessary to meet the demands of this development. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

EOT-34972
08/13/09 PC

21. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

22. Site development to comply with all applicable conditions of approval for ZON-13837 and all other site-related actions.

This action by the Planning Commission on ***July 12, 2007*** is final unless a written appeal is filed with the City Clerk within ten days of the date of the Planning Commission's decision or there is a review action filed by the City Council within the same time period. The Notice of Final Action was filed with the Las Vegas City Clerk on ***July 13, 2007***.

Sincerely,

Andrew P. Reed

Andrew P. Reed, Planning Supervisor
Planning and Development Department
Current Planning Division

AR:dm

cc: Mr. Bruce Bilyeu
Don F. Ahern
1611 West Bonanza Road
Las Vegas, Nevada 89106

Ms. Kristen Neuman
APTUS Architecture
1200 South Fourth Street, Suite 206
Las Vegas, Nevada 89104

EOT-34972
08/13/09 PC

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 13, 2009

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

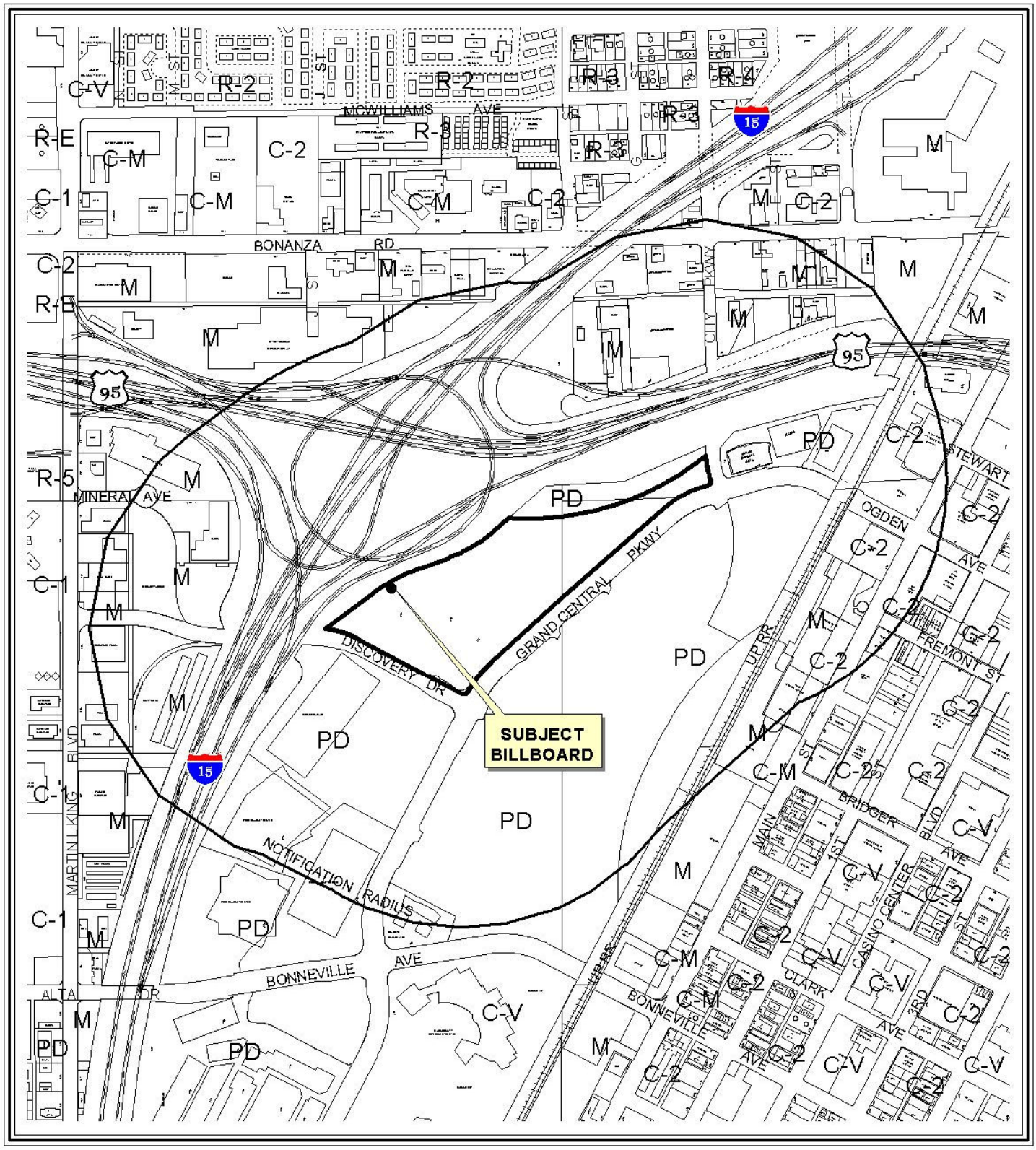
SUBJECT:
RQR-34844 - REQUIRED ONE YEAR REVIEW - PUBLIC HEARING - APPLICANT: CBS OUTDOOR - OWNER: WMC III ASSOCIATES, LLC - Required Review of an approved Rezoning (Z-0100-97) WHICH ALLOWED AN EXISTING 80-FOOT HIGH, 14-FOOT X 48-FOOT OFF-PREMISE SIGN on property bounded by U.S. 95, I-15 and Grand Central Parkway (APN 139-33-511-004), PD (Planned Development) Zone, Ward 5 (Barlow)

C.C.: 09/16/2009

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
APPROVAL

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. City Council Action Letter for Z-100-97
6. City Council Action Letter for RQR-27496



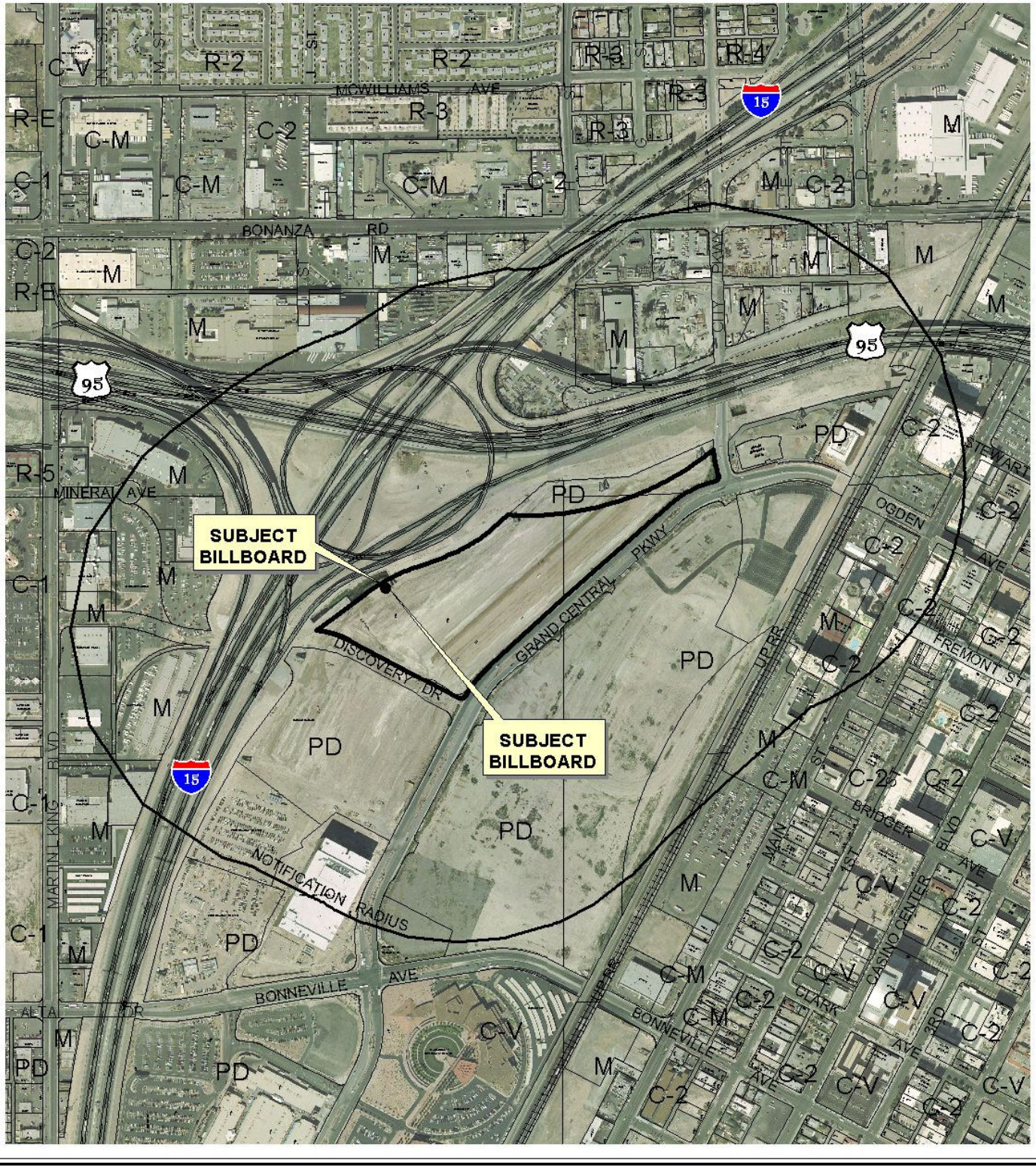
0 700 1400 Feet

CASE: **RQR-34844**

RADIUS: 1250 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

N



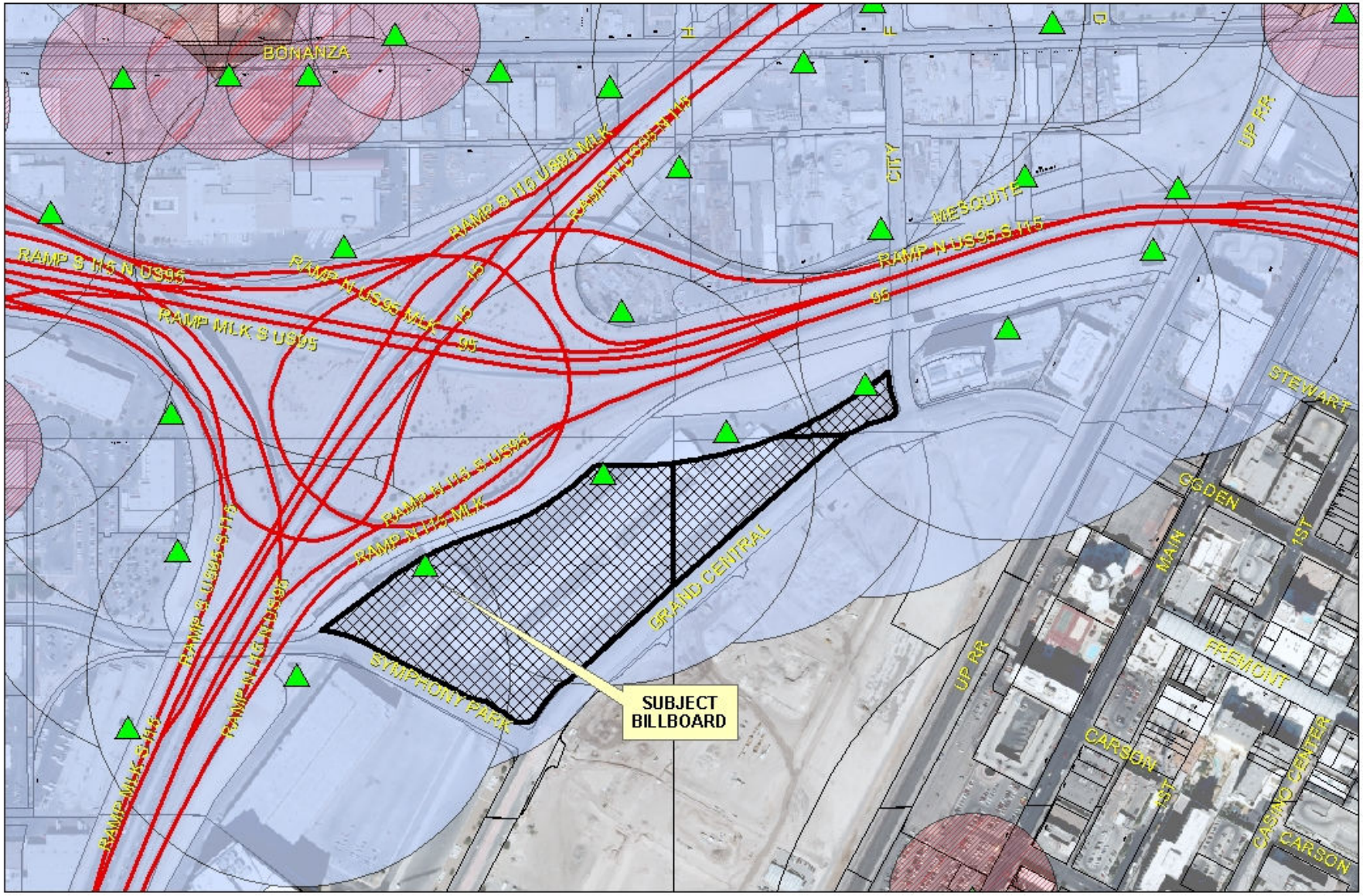
0 700 1400 Feet

CASE: **RQR-34844**

RADIUS: 1250 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

N



RQR-34844

City of Las Vegas Billboard Data

- Subject Parcel
- City of Las Vegas Billboard Location
- Clark County Billboard Location
- 300 Foot Buffer Around Billboard
- 750 Foot Buffer Around Freeway Billboard
- Residential Zoned Property
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: AUGUST 13, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-34844 - APPLICANT: CBS OUTDOOR - OWNER: WMC III ASSOCIATES, LLC

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

1. This Special Use Permit shall be reviewed in three (3) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.

2. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.

5. The Off-Premise Advertising (Billboard) sign shall be removed prior to the issuance of building permits for any new development on this site.

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

RQR-34844 - Staff Report Page One
August 13, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site contains an 80-foot tall, 14-foot x 48-foot Off-Premise Sign (Billboard) along with a 345,670 square foot temporary exhibit space on property bounded by U.S. 95, I-15 and Grand Central Parkway. This is the sixth Required Review of the subject sign. If this request is denied, the subject sign must be removed.

ISSUES

- Staff can support the request as the sign has a building permit with an approved final inspection, and the faces and supporting structure of the Off-Premise Sign are in good condition with no discrepancies noted; therefore, staff is recommending approval.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
11/23/98	The City Council approved a Rezoning (Z-0100-97) from M (Industrial) to PD (Planned Development) zoning designation for this site as part of an action on a 222-acre site located along the east side of Interstate 15 between Charleston Boulevard and Interstate 95. The Planning Commission recommended approval of the request.
02/07/01	The City Council approved a Required Review [Z-0100-97(2)] of 13 existing Off-Premise Advertising (Billboard) Signs on property bounded by U.S.-95, I-15, and Grand Central Parkway. The Planning Commission recommended approval of the request.
05/16/01	The City Council approved a Site Development Plan Review [Z-0100-97(3)] for a proposed 1,000,000 square foot commercial development on approximately 36.11 acres at the northwest corner of the intersection of Bonneville Avenue and Grand Central Parkway. The Planning Commission recommended approval of the request.
05/21/03	The City Council approved a Required Review (RQR-1974) of twelve Off-Premise Advertising (Billboard) Signs on property bounded by U.S.-95, I-15 and Grand Central Parkway. The Planning Commission recommended approval of the request.
10/06/04	The City Council approved a Site Development Plan Review (SDR-4841) for a 345,670 square foot temporary exhibit space at 495 South Grand Central Parkway. The Planning Commission recommended approval of the request.
04/20/05	The City Council approved a Required Review (RQR-5683) of eight Off-Premise Advertising (Billboard) Signs on property bounded by U.S.-95, I-15 and Grand Central Parkway. The Planning Commission recommended approval of the request.

04/20/05	The City Council approved a Required Review (RQR-6003) of one Off-Premise Advertising (Billboard) Sign on property bounded by U.S.-95, I-15 and Grand Central Parkway. The Planning Commission recommended approval of the request.
05/18/05	The City Council approved a request for a Review of Condition (ROC-6466) to allow required landscaping to be installed in phases and to change the location of a required trail at 495 South Grand Central Parkway.
06/07/06	The City Council approved a Required Review (RQR-11403) of eight Off-Premise Advertising (Billboard) Signs on property bounded by U.S.-95, I-15 and Grand Central Parkway. The Planning Commission recommended approval of the request.
06/07/06	The City Council approved a Required Review (RQR-12065) of one Off-Premise Advertising (Billboard) Sign on property bounded by U.S.-95, I-15 and Grand Central Parkway. The Planning Commission recommended approval of the request.
08/15/07	The City Council approved a Required Review (RQR-21496) of one Off-Premise Advertising (Billboard) Sign on property bounded by U.S. 95, I-15 and Grand Central Parkway. The Planning Commission recommended approval of the request.
09/05/07	The City Council approved a Required Review (RQR-21345) of multiple Off-Premise Advertising (Billboard) Signs on property bounded by U.S. 95, I-15 and Grand Central Parkway. The Planning Commission recommended approval of the request.
10/17/07	The City Council approved a request for a Site Development Plan Review (SDR-23606) for a proposed 2,495,091 square-foot commercial center with a Waiver of Downtown Centennial Plan build-to-line standards to allow a 206-foot front setback and the expansion of an approved parking garage located adjacent to the southwest corner of Grand Central Parkway and Discovery Drive, and a 2,306 space temporary parking lot located adjacent to the northwest corner of Grand Central Parkway and Discovery Drive. The Planning Commission recommended approval of the request.
03/18/09	The City Council approved a request for a Street Name Change (SNC-32359) from Discovery Drive to Symphony Park Avenue between Martin Luther King Boulevard and Grand Central Parkway. The Planning Commission recommended approval of the request.
Related Building Permits/Business Licenses	
04/29/99	A building permit (#99008207) was issued for the subject billboard at 203 South Grand Central Parkway. A final sign inspection was approved on 01/11/00.
Pre-Application Meeting	
A pre-application meeting is not required for this type of application.	
Neighborhood Meeting	
A neighborhood meeting is not required for this type of application.	

Field Check	
07/09/09	During a routine site inspection, staff observed a well maintained Off-Premise Sign (Billboard).

Details of Application Request	
Site Area	
Gross Acres	17.97

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Temporary Exhibit Space and two Off-Premise Signs	MXU (Downtown Mixed-Use)	PD (Planned Development)
North	ROW (US 95)	ROW (US 95)	ROW (US 95)
South	Trade Center/Wholesale and Retail Showroom	MXU (Mixed-Use)	PD (Planned Development)
East	Undeveloped (Symphony Park)	MXU (Mixed-Use)	PD (Planned Development)
West	ROW (US 15)	ROW (US 15)	ROW (US 15)

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

DEVELOPMENT STANDARDS

Standards	Code Requirement	Provided	Compliance
Location	No Off-Premise Sign may be located within public right-of-way	Sign is not located within a public right of-way or the Off-Premise Sign Exclusionary Zone	Y

JB

Zoning	Off-Premise Signs are permitted in C-1. C-2, C-M, and M zoning districts only	Sign is located within a PD (Planned Development) zoning district	N*
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	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.	The sign is 80 feet tall per approved Rezoning (Z-0100-97)	Y
Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view.	The structural screening of the Off-Premise Sign does not require repainting to match the structural supports	Y
Off-Premise Sign (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 located 700 feet from another Off-Premise Sign along U-95	N*
Off-Premise Sign (Billboard)	At least 300 feet to the nearest property line of a lot in any "R" or U" zoned districts.	There are no "R" or "U' zoned districts within 300 feet	Y
Other	All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	The billboard is permanently secured to the ground on PD zoned property.	Y

*The sign was approved as a non-conforming use in its current location in its current location by rezoning (Z-0100-97)

ANALYSIS

This is the sixth review of the approved Rezoning (Z-0100-97) which allowed a non-conforming 80-foot tall, 12-foot x 24-foot Off-Premise Advertising Sign (Billboard) to remain on property bounded by U.S. 95, I-15 and Grand Central Parkway. During a field check of the site, staff found the sign and supporting structure in good condition. The sign has a building permit and has received a final inspection. There has been no significant change in development or land use since the previous Required Review (RQR-21496). Therefore, staff is recommending approval of the subject Required Review.

FINDINGS

Approval of this request is recommended, subject to a required review in three years. The Off-Premise Advertising (Billboard) Sign shall be removed prior to commencement of construction of new development.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 48

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

RQR-34844

Case Number: 2-100-97 APN: 139-33-511-004

Name of Property Owner: WMC III Associates LLC

Name of Applicant: CBS Outdoor

Name of Representative: The Skancke Company

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

____ Yes __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: [signature]

Print Name: _____

Subscribed and sworn before me

This 30 day of July, 2009

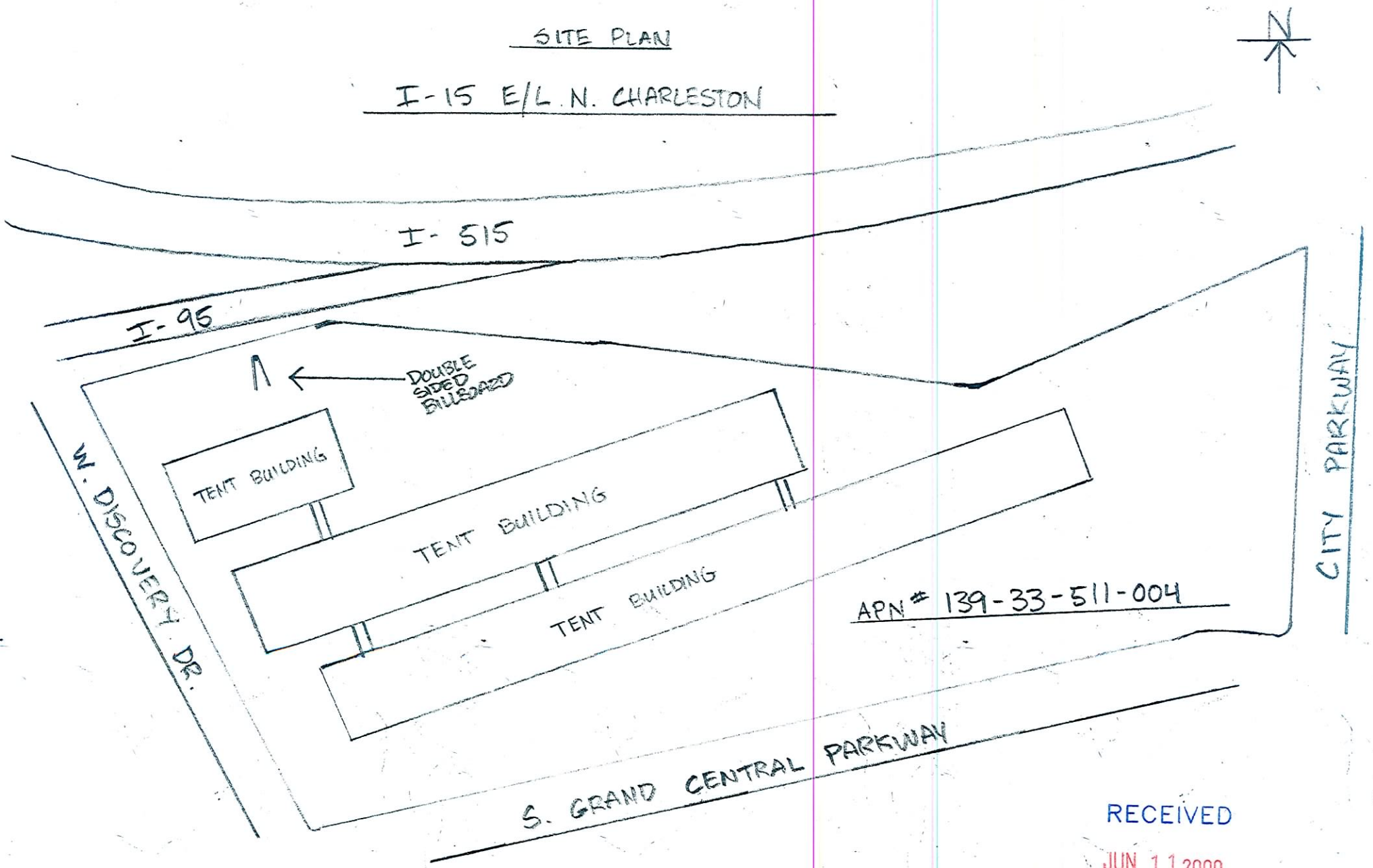
[signature]

Notary Public in and for said County and State

JESSICA GREEN
Notary Public
State of Nevada
Appt. No. 07-5137-1
My Appt. Expires Oct. 25, 2011

SITE PLAN

I-15 E/L N. CHARLESTON



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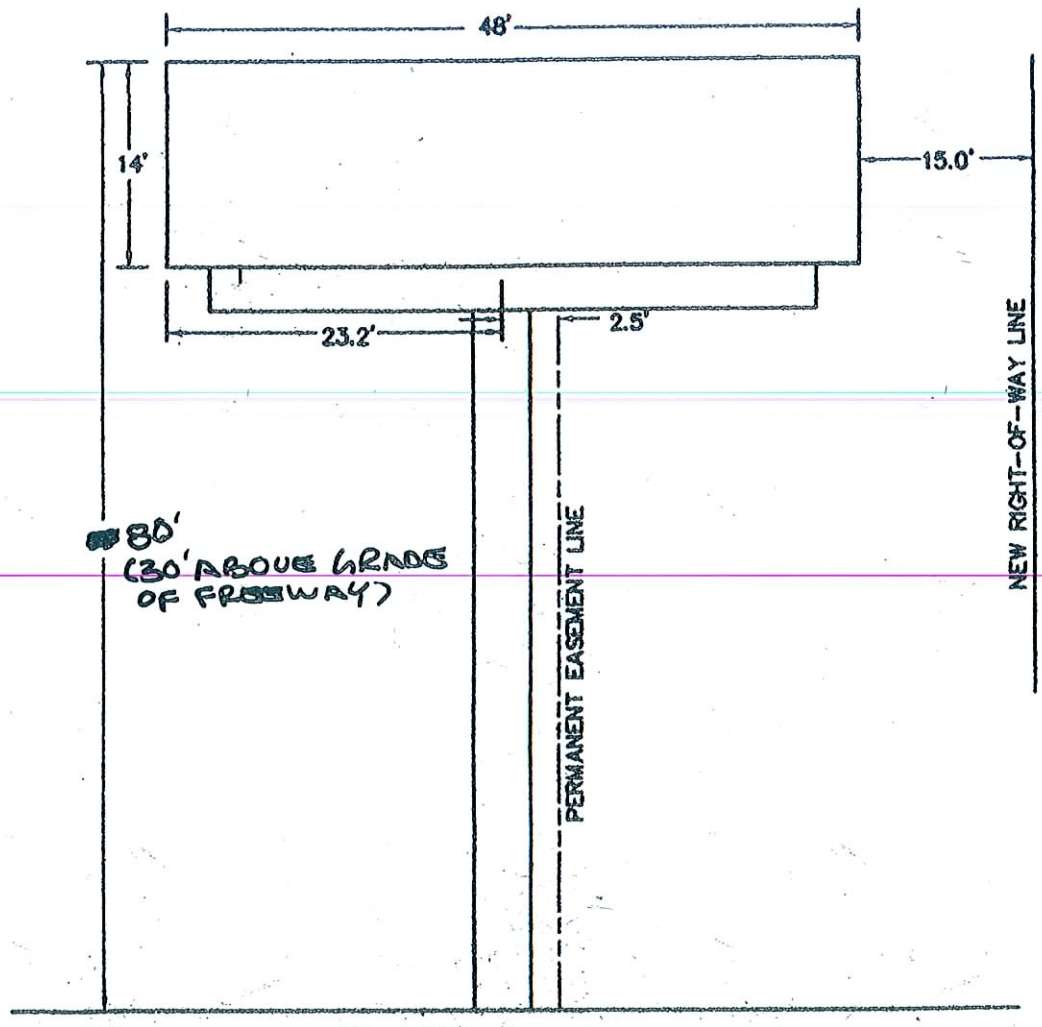
JUN 11 2009

RQR-34844
08/13/09 PC

L-3626-01
JBB



DETAIL "C" NO SCALE

RECEIVED
JUN 11 2009

RQR-34844
08/13/09 PC



RQR-34844 - APPLICANT: CBS OUTDOOR - OWNER: WMC III ASSOCIATES, LLC
PROPERTY BOUNDED BY U.S. 95, I-15 AND GRAND CENTRAL PARKWAY
AUGUST 13, 2009 PLANNING COMMISSION

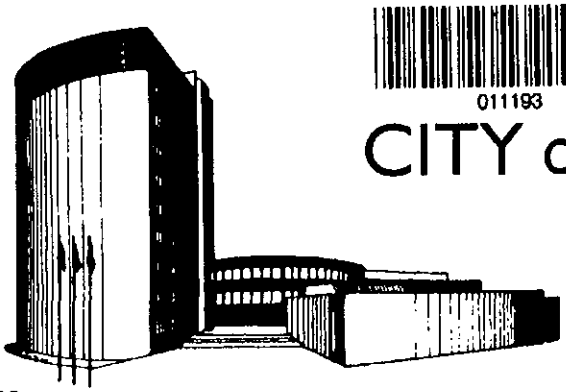
07/09/09

011193

MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
MICHAEL J. MCDONALD
GARY REESE
LARRY BROWN

CITY MANAGER
VIRGINIA VALENTINE



CITY of LAS VEGAS

December 22, 1998

Union Pacific Railroad Company
1700 Farnum Street
Omaha, Nebraska 68102

RE: Z-100-97 - REZONING

Dear Applicant:

The City Council at a regular meeting held November 23, 1998 APPROVED the request for a Rezoning on property located along the east side of Interstate 15 (I-15) between Charleston Boulevard and Interstate 95 (I-95) (Union Pacific property), From: M (Industrial) Zone To: P-D (Planned Development) FOR FUTURE MIXED USE PROJECT, Size: approximately 178.00 Acres. The Notice of Final Action was filed with the Las Vegas City Clerk on November 24, 1998. This approval is subject to:

1. The permitted uses shall be those uses listed within the "Proposed Permitted Land Uses" section of the staff report as follows:

   A. Commercial Office: General Office, Government Office, Medical Office, Professional Office, and Research and Development

   B. Commercial Retail: Bank, Day Care Center, General Retail (excluding adult book stores and other adult uses), Health Club, Incidental Convenience Retail, Regional Shopping Mall, Restaurant/Delicatessen/Coffee Shop/Bakery, and Trade Center

   C. Conference/Convention Facility

   D. Entertainment (excluding adult entertainment, sexually oriented business): Movie Theaters, Museums, Musical Theaters, Performing Arts Center, Sports Facility

   E. High Density Residential

   F. Hotels

RQR-34844
08/13/09 PC

400 E. STEWART AVENUE • LAS VEGAS, NEVADA 89101-2986
(702) 229-6011 (VOICE) • (702) 386-9108 (TDD)
www.ci.las-vegas.nv.us (WEBSITE)

CLV 7009
3810-015-6/98

G. Transportation: Gasoline Sales Station (with no automobile repair or servicing), Heliport, Monorail Station, Parking Facilities, Transportation Center.

2. A Master Development Plan and Development Standards shall be submitted for review and approval by the Planning Commission in conjunction with or prior to the submittal of any Site Development Plan Review application for any phase of this site.

3. New off-premise signs (billboards) shall not be a permitted use on the property, however the pre-existing off-premise signs (billboards) on the property shall be allowed to be relocated and remain on-site subject to a two year review.

4. Resolution of Intent.

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

Sincerely,

BARBARA JO RONEMUS
City Clerk

/ac

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

Nevada Stadium Builders, LLP
16885 Dallas Parkway, Fourth Floor
Dallas, Texas 75248

City of Las Vegas
400 Stewart Avenue
Las Vegas, Nevada 89101

RQR-34844
08/13/09 PC

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
STEVE WOLFSON
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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

August 17, 2007

Mr. Robert Holgate
WMC III Associates, LLC
495 South Grand Central Parkway
Las Vegas, Nevada 89106

RE: RQR-21496 – REQUIRED REVIEW
CITY COUNCIL MEETING OF AUGUST 15, 2007

Dear Mr. Holgate:

The City Council at a regular meeting held August 15, 2007 APPROVED the Required One Year Review of an approved Rezoning (Z-0100-97) WHICH APPROVED ONE EXISTING OFF-PREMISE ADVERTISING (BILLBOARD) SIGN on property bounded by U.S. 95, I-15 and Grand Central Parkway (APN 139-33-511-004), PD (Planned Development) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on August 16, 2007. This approval is subject to:

Planning & Development

1. This Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.

2. 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.

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 (Billboard) Sign.

RQR-34844
08/13/09 PC

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. The off-premise advertising (billboard) sign shall be removed prior to the issuance of building permits for any new development on this site.

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

Sincerely,

Angela Crolli
Deputy City Clerk II for
Beverly K. Bridges, CMC, City Clerk

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

Mr. Shawn Paulsen
CBS Outdoor
5426 South Valley View, Suite #103
Las Vegas, Nevada 89118

Mr. Ryan Arnold
The Skanke Company
3225-B South Rainbow Boulevard, Suite #204
Las Vegas, Nevada 89146

RQR-34844
08/13/09 PC

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 13, 2009

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

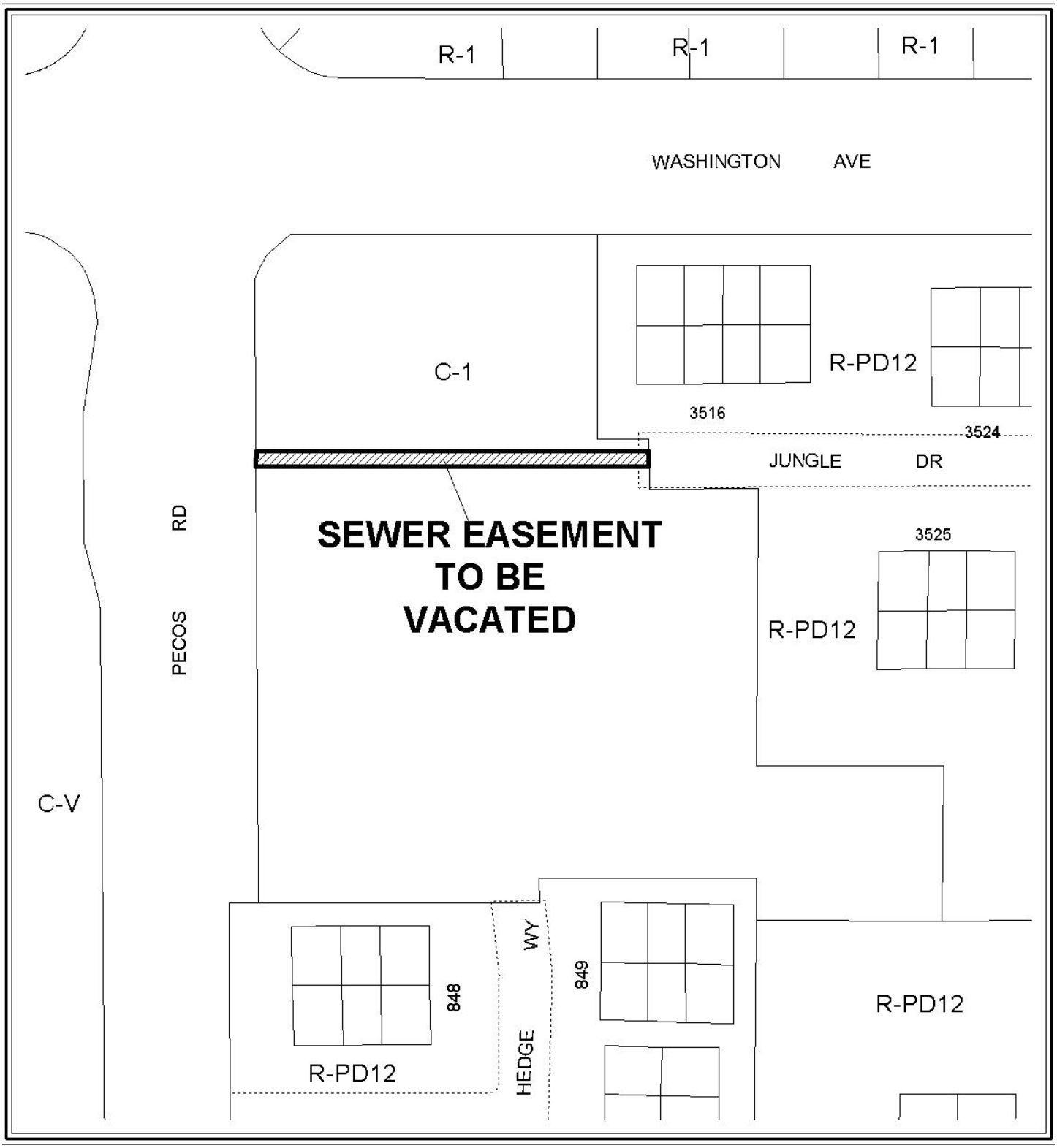
SUBJECT:
VAC-35041 - VACATION - PUBLIC HEARING - APPLICANT: JHR ASSOCIATES - OWNER: REBEL OIL COMPANY INC. - Petition to Vacate a 10-foot wide public sewer easement located on the east side of Pecos Road approximately 140 feet south of Washington Avenue, Ward 3 (Reese)

C.C.: 09/16/2009

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

RECOMMENDATION:
APPROVAL

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



CASE: **VAC-35041**



0 80 160 Feet

CASE: **VAC-35041**

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: AUGUST 13, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-35041 - APPLICANT: JHR ASSOCIATES - OWNER: REBEL OIL COMPANY INC.

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

1. The limits of this Petition of Vacation shall be the public sewer easement located within Assessor Parcel Number #140-30-301-001, generally located at the southeast corner of Pecos Road and Washington Avenue granted by document #1732:1691736.

2. Provide a sewer relocation/abandonment plan acceptable to the Collection System Planning Section of the Department of Public Works prior to the recordation of the Order of Vacation. This Petition of Vacation shall not record until civil improvement plans are approved by the City of Las Vegas, a temporary sewer easement is submitted overlying the vacation limits, and an easement for the new sewer alignment is submitted. The temporary easement shall remain on file until the relocated sewer is accepted for use by the City of Las Vegas; Otherwise, the temporary sewer easement may be recorded by the City of Las Vegas if the sewer relocation is not completed within one year of civil plan approval.

3. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.

4. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

5. All development shall be in conformance with code requirements and design standards of all City Departments.

VAC-35041 - Conditions Page Two
August 13, 2009 - Planning Commission Meeting

6. If the Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

VAC-35041 - Staff Report Page One
August 13, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The subject property is currently an undeveloped lot surrounded by a City park as well as single and multi-family residential dwellings. This request proposes to Vacate a 10-foot wide public sewer easement which is necessary to facilitate construction of a phased commercial development beginning with a convenience store on the northwest corner of the subject property. If denied, the applicant must redesign the proposed site plan so the proposed structures do not encroach into the existing public sewer easement.

ISSUES:

- The applicant has indicated that this request is being submitted to fulfill Condition of Approval number 17 of a previously approved Site Development Plan Review (SDR-28320), which required Vacation of the subject easement.
- Since the proposed Vacation is consistent with Condition of Approval number 17 of the approved Site Development Plan Review (SDR-28320), staff recommends approval of the request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
09/11/80	The Board of City Commissioners approved a Reclassification of Property (Z-0056-80) from R-1 (Single-Family Residential) to R-PD12 (Residential Planned Development -12 Units per Acre) generally located on the southeast corner of Washington Avenue and Pecos Drive. The Planning Commission recommended approval of this request.
11/15/00	The City Council approved a request to amend a portion of the Southeast Sector of the General Plan (GPA-0025-00) from M (Medium Density Residential) to SC (Service Commercial), a request for a Rezoning (Z-0079-00) from R-1 (Single Family Residential) under Resolution of Intent to R-3 (Medium Density Residential) to C-1 (Limited Commercial) and a Site Development Plan Review [Z-0079-00(1)] with a Waiver of the required landscaping for a proposed 21,425 square-foot commercial center on 3.05 acres on the southeast corner of Washington Avenue and Pecos Road. The Planning Commission recommended approval of these requests.
02/05/03	The City Council approved a request for an Extension of Time (EOT-1287) on an approved Rezoning (Z-0079-00) from R-1 (Single Family Residential) under Resolution of Intent to R-3 (Medium Density Residential) to C-1 (Limited Commercial) on 3.05 acres adjacent to the southeast corner of Washington Avenue and Pecos Road. The Planning Commission recommended approval of this request.

09/17/08	The City Council approved a request for a Rezoning (ZON-28325) from R-1 (Single Family Residential) to C-1 (Limited Commercial) zone designation; a request for a Variance (VAR-28326) to allow a 11.33-foot setback where residential adjacency standards require 60 feet for a proposed retail development; a request for a Special Use Permit (SUP-28323) for a proposed Beer/Wine/Cooler Off-Sale Establishment within a proposed convenience store with a Waiver to allow a 100-foot distance separation where 400 feet is required from a City Park; and a request for a Site Development Plan Review (SDR-28320) for a 4,618 square-foot convenience store with fuel pumps, a 748 square-foot restaurant with drive-thru, a 2,608 square-foot restaurant with drive-thru and a 9,449 square-foot retail building with a Waiver to allow a six-foot three-inch landscape buffer where eight feet is required at the southeast corner of Washington Avenue and Pecos Road. The Planning Commission recommended approval of this request.
05/15/09	A deed was recorded for a change of ownership.
Related Building Permits/Business Licenses	
No relevant building permit or licensing history exists pertaining to this request.	
Pre-Application Meeting	
A pre-application meeting was neither required nor held for this Vacation request.	
Neighborhood Meeting	
A neighborhood meeting was neither required nor held for this Vacation request.	
Field Check	
07/08/09	During a routine site inspection, staff observed a relatively flat and undeveloped site with numerous political advertising signs on the property.

Details of Application Request	
Site Area	
Gross Acres	2.78

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped [Proposed Retail Development – per SDR-28320]	SC (Service Commercial)	C-1 (Limited Commercial)
North	Single-Family Residences	L (Low Density Residential)	R-1 (Single-Family Residential)
South	Multi-Family Residences	ML (Medium Low Density Residential)	R-PD12 (Residential Planned Development – 12 Units per Acre)
East	Multi-Family Residences	ML (Medium Low Density Residential)	R-PD12 (Residential Planned Development – 12 Units per Acre)

West	City of Las Vegas Public Park	PR-OS (Parks/ Recreation/Open Space)	C-V (Civic)

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Area Plan		X	N/A
Special Districts/Zones	***Yes***	***No***	***Compliance***
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

LEGAL DESCRIPTION

A request has been submitted by Rebel Oil Company Incorporated to Vacate a public sewer easement generally located on the eastside of Pecos Road, approximately 150 feet south of Washington Avenue.

The above property is legally described as follows:

A portion of the North Half (N ½) of the Southwest Quarter (SW ¼) of Section 30, Township 20 South, Range 62 East, M.D.M.,

ANALYSIS

A) Planning discussion

This is a request to Vacate a 10-foot wide public sewer easement generally located on the eastside of Pecos Road, approximately 150 feet south of Washington Avenue. The applicant has indicated that this request is being submitted to fulfill Condition of Approval number 17 of a previously approved Site Development Plan Review (SDR-28320), which is required prior to the issuance of any permits or recordation of a map for this site. Since the proposed Vacation is consistent with the Conditions of Approval number 17 of the approved Site Development Plan Review (SDR-28320), staff recommends approval of the request.

B) Public Works discussion

This Vacation application proposes to vacate existing public sewer easements. As no right-of-way is proposed to be vacated, and thus no franchise rights are involved, it is not necessary to send this Vacation request to the utility companies and franchise holders, nor wait for their responses. Since only City easements are involved; any utility company interests will not be affected.

VAC-35041 - Staff Report Page Four
August 13, 2009 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED	11
ASSEMBLY DISTRICT	28
SENATE DISTRICT	10
NOTICES MAILED	110
APPROVALS	1
PROTESTS	0

JB

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-35041 APN: 140-30-301-001

Name of Property Owner: REBEL OIL COMPANY INC.

Name of Applicant: JHR ASSOCIATES LTD.

Name of Representative: DERRICK FENNER PLS

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Jean Cason

Print Name: _____

Subscribed and sworn before me

This 23rd day of June, 2009

P. Gregory Shupe

Notary Public in and for said County and State

CLARK COUNTY, NEVADA

P. GREGORY SHUPE
Notary Public State of Nevada
No. 96-1968-1
My appt. exp. Apr. 3, 2012



VAC-35041 - APPLICANT: JHR ASSOCIATES - OWNER: REBEL OIL COMPANY INC.
EAST SIDE OF PECOS ROAD APPROXIMATELY 140 FEET SOUTH OF WASHINGTON AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



VAC-35041 - APPLICANT: JHR ASSOCIATES - OWNER: REBEL OIL COMPANY INC.
EAST SIDE OF PECOS ROAD APPROXIMATELY 140 FEET SOUTH OF WASHINGTON AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



VAC-35041 - APPLICANT: JHR ASSOCIATES - OWNER: REBEL OIL COMPANY INC.
EAST SIDE OF PECOS ROAD APPROXIMATELY 140 FEET SOUTH OF WASHINGTON AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



VAC-35041 - APPLICANT: JHR ASSOCIATES - OWNER: REBEL OIL COMPANY INC.
EAST SIDE OF PECOS ROAD APPROXIMATELY 140 FEET SOUTH OF WASHINGTON AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09

JHR Associates, Ltd.
Civil Engineers & Land Surveyors
Internet: WWW.JHRASSOCIATES.COM
4880 W. University, Suite B-2 Las Vegas, Nevada 89103 Ph: (702) 876-2341
Fax: (702) 876-8395

June 29, 2009

RECEIVED
JUN 29 2009

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

Attn: Planner

Subject: Justification for Vacation of Right of Way Grant for Sewer Purposes:
Vacation of portions of Right of Way Grant as shown in Book 1732, instrument No. 1691736. recorded May 11,1983.

To whom it concerns,

It is necessary to vacate a portion of the above mentioned Right of Way Grant to allow for the construction of a phased commercial development starting with a convenience store on the northwest corner of the subject property.

APN 140-30-301-001
Located on the southeast corner of Pecos Road and Washington Avenue.

If you have questions or concerns that we need to address please don't hesitate to contact our office.

Respectfully submitted,

Derrick R. Fenner P.L.S.
JHR Associates Ltd.

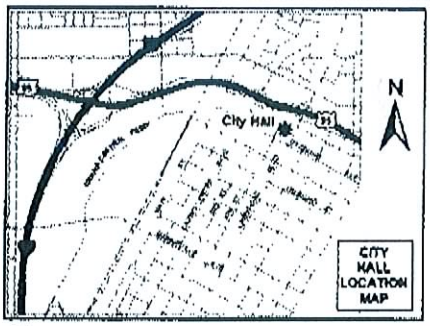
VAC-35041
08/13/09 PC

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 JUL 31 2009
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



RECEIVED
AUG 03 2009

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

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

VAC-35041
Planning Commission Meeting of 8/13/2009

Case: VAC-35041
14030313025
WILLIAMS ALLAN R & LILY H
4900 QUASAR CT
LAS VEGAS NV 89130-1821

9A

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 13, 2009

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

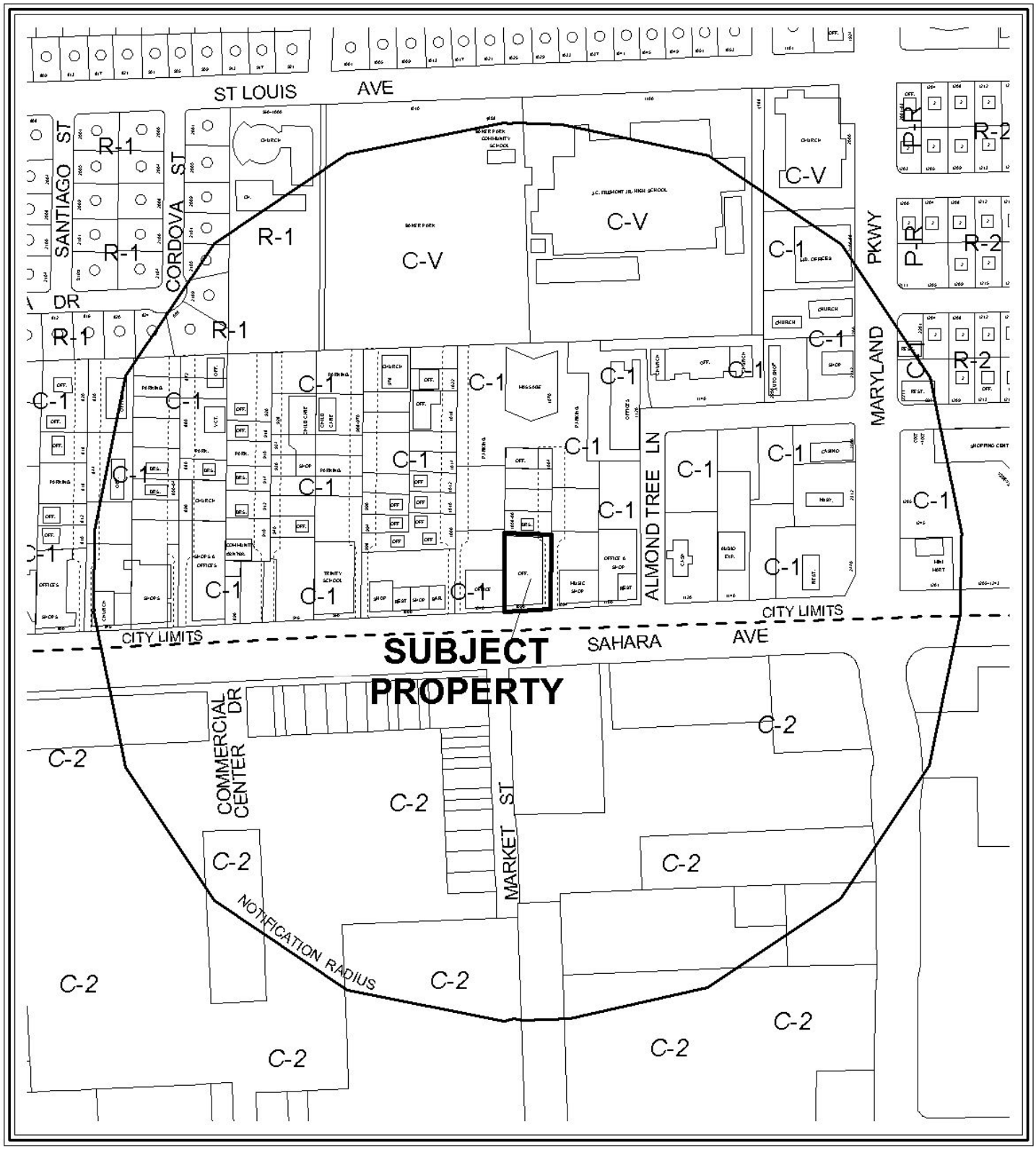
SUBJECT:
ABEYANCE - SUP-34152 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CLEAR WIRELESS, LLC - OWNER: KP PROPERTIES, LLC - Request for a Special Use Permit FOR THE INSTALLATION OF FOUR ADDITIONAL ANTENNAS ONTO TWO EXISTING ROOFTOP MOUNTED ARRAYS AT A HEIGHT OF 50 FEET AND TWO ADDITIONAL ANTENNAS ON AN EXISTING FLUSH MOUNTED WALL ARRAY AT A HEIGHT OF 42 FEET ON AN EXISTING BUILDING at 1050 East Sahara Avenue (APN 162-03-801-118), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

IF APPROVED, C.C.: 09/16/2009
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
APPROVAL

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report (Not Applicable)
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Request to Withdraw Without Prejudice Submitted by Rick Hammel (BCI Communications Inc.)



0 200 400 Feet

CASE: **SUP-34152**

RADIUS: 1000 FT

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

N



0 200 400 Feet

CASE: **SUP-34152**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: AUGUST 13, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - SUP-34152 - APPLICANT: CLEAR WIRELESS, LLC - OWNER: KP PROPERTIES, LLC

APPLICANT REQUESTS THIS ITEM BE WITHDRAWN WITHOUT PREJUDICE

SG

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-34152** APN: 162-03-801-116

Name of Property Owner: KP Properties

Name of Applicant: Clear Wireless, LLC

Name of Representative: Rick Hammel

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: Debra Drake

Print Name: Debra Drake

Subscribed and sworn before me

This 10 day of April, 2009

Allison L Williams

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
ALLISON L. WILLIAMS
Appt. No. 03-8431-1
My Appt. Expires November 10, 2011

clearwire®

US, LLC

NV-LSV109
XOHM 1 - LV01YC120
1050 E SAHARA AVENUE
LAS VEGAS, NV 89104
APN: 162 03 801 118
GATE ACCESS CODE:

CONSULTANT TEAM

ARCHITECT:
MSA ARCHITECTURE & PLANNING, INC.
1 CACTUS GARDEN DRIVE, STE. A-17
HENDERSON, NV 89014
CONTACT: JOE HUSSEY
PHONE: 702-405-1925

APPLICANT REPRESENTATIVE:
BCI COMMUNICATIONS, INC.
4550 COPPER SAGE ST., STE. B
LAS VEGAS, NV 89115

RICK HAMMEL – SITE ACQ. & LAND USE
PHONE: 702-644-3366

LANCE UMBERTIS – CONST. MANAGER
PHONE: 702-644-3366

POWER:
NEVADA POWER COMPANY
702-657-4300

TELEPHONE:
EMBARQ
702-361-3332

SPECIAL INSPECTIONS

HIGH STRENGTH BOLTS:

SPECIAL INSPECTIONS ARE REQUIRED FOR THE TYPES OF WORK DESCRIBED BELOW:

1. HIGH-STRENGTH BOLTS.
2. WELDING: FIELD WELDING OF STRUCTURAL STEEL AND REINFORCING STEEL. (IF REQUIRED)
3. STRUCTURAL STEEL. (IF REQUIRED)
4. CONCRETE: REINFORCING STEEL AND PLACEMENT.
5. CONCRETE WITH DESIGN GREATER THAN 2500 PSI.
6. PILE, PIER OR CAISSON FOUNDATIONS.
7. SOILS: SITE PREPARATION, FILL PLACEMENT, IN-PLACE DENSITY.

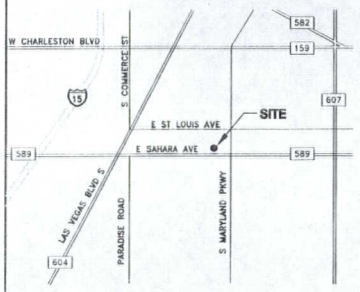
APPLICABLE CODES

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH TH CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES.

INTERNATIONAL BUILDING CODE (IBC) 2006 EDITION
WITH NEVADA STATE AMENDMENTS
NATIONAL ELECTRIC CODE (NEC) 2005 EDITION
UNIFORM MECHANICAL CODE (UMC) 2006 EDITION
UNIFORM PLUMBING CODE (UPC) 2006 EDITION
UNIFORM FIRE CODE (UFC) 2000 EDITION
ANSI/EIA/TIA-222-G STANDARDS FOR BROADCAST STRUCTURES LOCAL CODES AND ORDINANCES

IN THE EVENT OF A CONFLICT, THE MOST RESTRICTIVE CODE SHALL PREVAIL

VICINITY MAP



COORDINATES: LATITUDE: 36 08 39.95
LONGITUDE: 115 08 23.73

DRIVING DIRECTIONS

BEGINNING AT THE CLEARWIRE US, LLC OFFICE AT 1051 MARY CREST ROAD, SUITE K, HENDERSON, NEVADA 89074:

– PROCEED EAST ON MARY CREST RD	0.1 MILES
– TURN LEFT ONTO N GIBSON ROAD	0.5 MILES
– TURN RIGHT ONTO AUTO SHOW ROAD	0.4 MILES
– MERGE ONTO I-515 NORTH	7.5 MILES
– EXIT #70, BOULDER HWY	0.3 MILES
– TURN LEFT ONTO NV-582 NORTH	1.0 MILES
– TURN LEFT ONTO NV-589 WEST / E SAHARA AVE	2.2 MILES

SCALE

THE DRAWING SCALES SHOWN IN THIS SET REPRESENT THE CORRECT SCALE ONLY WHEN THESE DRAWINGS ARE PRINTED IN AN 11" x 17" FORMAT

PROJECT SUMMARY

APPLICANT/LESSEE

CLEARWIRE US, LLC
4400 CARILLON POINT
KIRKLAND, WASHINGTON 98033
PHONE: 425-216-7600
FAX: 425-216-7900

LOCAL ADDRESS:
1051 MARY CREST DRIVE, SUITE K
HENDERSON, NEVADA 89074
CONTACT: ALEX BLASSCYK
PHONE: 702-273-0609

PROPERTY INFORMATION

PROPERTY OWNER:	KP PROPERTIES LLC 1040 E SAHARA AVE, SUITE 202 LAS VEGAS, NV 89104-3232
PROPERTY CONTACT: PROPERTY PHONE:	(702) 735-1095 –
ACCESS CONTACT: ACCESS PHONE:	– –
TOWER OWNER:	– –
TOWER CONTACT: TOWER PHONE:	
JURISDICTION:	CITY OF LAS VEGAS
ASSESSORS PARCEL NUMBER:	162-03-801-118
CURRENT ZONING:	LIMITED COMMERCIAL DISTRICT (C-1)
TOTAL SITE AREA:	0.5 ACRES (21,780 SQ FT)
PROPOSED AREA OF CONSTRUCTION:	49 SF
EXISTING OCCUPANCY:	B
PROJECT OCCUPANCY:	B
TYPE OF CONSTRUCTION:	IIB

PROJECT INFORMATION

EQUIPMENT LOCATION:	_ OUTDOOR X INDOOR
EQUIPMENT SHELTER:	_ YES X NO
ANTENNA LOCATION:	_ NEW MONOPOLE _ SELF SUPPORTING TOWER _ EXISTING MONOPOLE X ROOF TOP _ EXISTING TOWER _ OTHER

ACCESSIBILITY DISCLAIMER

THIS PROJECT IS AN UNOCCUPIED WIRELESS TELECOMMUNICATIONS FACILITY AND IS EXEMPT FROM DISABLED ACCESSIBILITY REQUIREMENTS PER IBC 1103.2.9 (EQUIPMENT SPACES)

SHEET SCHEDULE

T-1	TITLE SHEET & PROJECT DATA
A-1	SITE PLAN
A-2	ENLARGED SITE PLAN & ANTENNA LAYOUT
A-3	EXTERIOR ELEVATIONS

PROJECT DESCRIPTION

THE PROPOSED PROJECT INCLUDES THE FOLLOWING:

- INSTALLATION OF ONE TELECOMMUNICATIONS CABINET MOUNTED INSIDE EXISTING CARRIER'S EQUIPMENT ROOM ON SECOND FLOOR;
- INSTALLATION OF THREE ANTENNA SECTORS, OF ONE ANTENNA EACH (TOTAL OF 3 ANTENNAS) MOUNTED ON AN EXISTING NON-PENETRATING ROOF FRAME ON EXISTING ROOF;
- INSTALLATION OF (3) MICROWAVE DISHES ON AN EXISTING NON-PENETRATING ROOF FRAME ON EXISTING ROOF;
- INSTALLATION OF A NEW GPS ANTENNA;
- INSTALLATION OF NEW 100 AMP ELECTRICAL SERVICE FROM AN EXISTING NEXTEL ELECTRICAL PANEL;
- NO LANDSCAPE OR IRRIGATION IS REQUIRED FOR THIS PROJECT.

APPROVALS

THE FOLLOWING PARTIES HEREBY APPROVE AND ACCEPT THESE DOCUMENTS AND AUTHORIZE THE CONTRACTOR TO PROCEED WITH THE CONSTRUCTION DESCRIBED HEREIN. ALL CONSTRUCTION DOCUMENTS ARE SUBJECT TO REVIEW BY THE LOCAL BUILDING DEPARTMENT AND ANY CHANGES AND MODIFICATIONS THEY MAY IMPOSE.

	SIGNATURE	DATE
LEASING		
ZONING		
RF		
CONSTRUCTION		
INTER CONNECT		
LESSOR		
BACKHAUL		

SUP-34152
REVISED
05/28/09 PC

clearwire
US, LLC
4400 Carillon Point
Kirkland, WA 98033

PROJECT NAME
NV-LSV109x
XOHM 1 - LV01YC120
1050 E. SAHARA AVENUE
LAS VEGAS, NEVADA 89104

MSA
Architecture & Planning, Inc.
1 Cactus Garden Drive, Suite A-17
Henderson, NV 89014
Ph. 702.386.8080
San Francisco - Santa Ana - San Diego - Henderson
www.msa-ap.com

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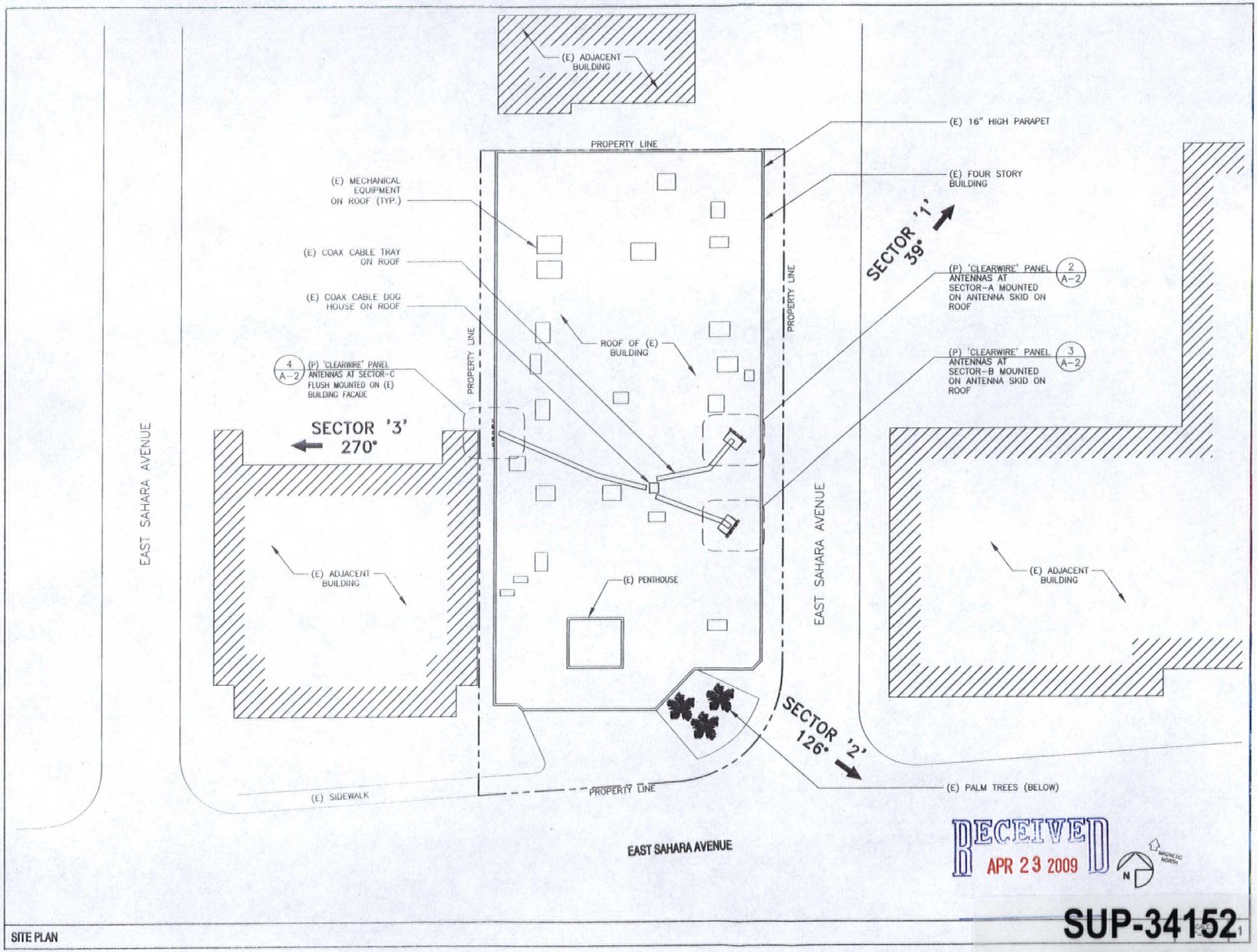
APR 23 2009

DRAWING DATES

0	02/11/09	ISSUED FOR ZD REVIEW	KM
1	02/11/09	ISSUE FOR ZD SUBMITTAL	KM
2	04/10/09	REVISED PER PLANNING COMMENTS; ISSUED FOR ZD REVIEW	JWH
3	04/20/09	REVISED PER CITY COMMENTS; ISSUED FOR ZD RE-SUBMITTAL	JWH

SHEET TITLE
TITLE SHEET & PROJECT DATA

T-1



SITE PLAN

SUP-34152
REVISED
05/28/09 PC

clearwire
US, LLC
4400 Carillon Point
Kirkland, WA 98033

PROJECT NAME
NV-LSV109x
XOHM 1 - LV01YC120
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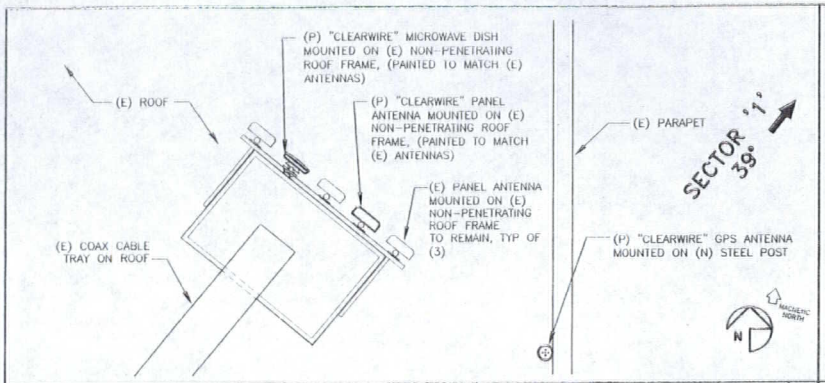
SHEET TITLE
SITE PLAN

A-1



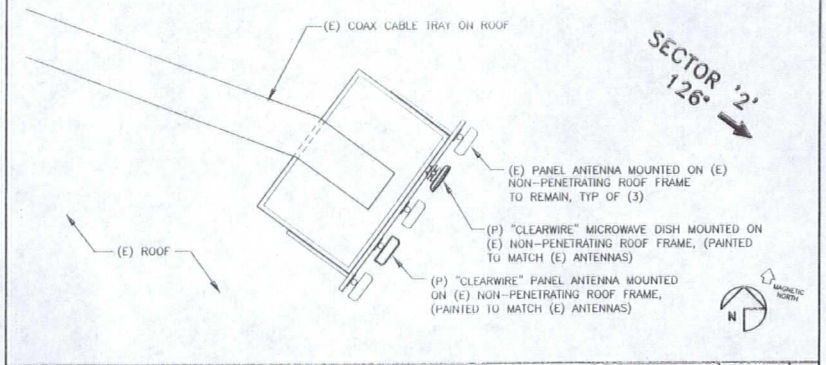
SECTOR A ANTENNA LAYOUT | SCALE: N.T.S. | 3

ANTENNA AND COAXIAL CABLE SCHEDULE

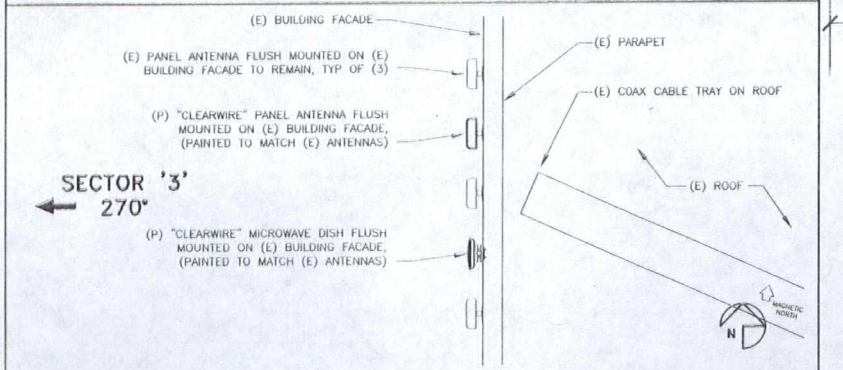
ANTENNA SECTOR	AZIMUTH	ANTENNA MODEL NUMBER	DOWNTILT EDT	DOWNTILT MDT	COAX CABLE LENGTH	COAX SIZE	JUMPER LENGTH	COLOR CODE	COMMENTS
1	39°	KATHREIN SCALA 840 10057			85'	2x5/16"	2x3'	1 RED	SMALLEST NUMBER IN THIS SECTOR DEGREE RANGE WILL BE LABELED "R-1". THE NEXT LARGER NUMBER WILL BE NAMED "R-2".
2	126°	KATHREIN SCALA 840 10057			85'	2x5/16"	2x3'	1 BLUE	SMALLEST NUMBER IN THIS SECTOR DEGREE RANGE WILL BE LABELED "B-1". THE NEXT LARGER NUMBER WILL BE NAMED "B-2".
3	270°	KATHREIN SCALA 840 10057			85'	2x5/16"	2x3'	1 YELLOW	SMALLEST NUMBER IN THIS SECTOR DEGREE RANGE WILL BE LABELED "Y-1". THE NEXT LARGER NUMBER WILL BE NAMED "Y-2".
1	TBD	DRACONIAVE 18G			88'	1/2" COAX/(1) CAT-5		1 WHITE	
2	TBD	DRACONIAVE 18G			88'	1/2" COAX/(1) CAT-5		1 WHITE	
3	TBD	DRACONIAVE 18G			88'	1/2" COAX/(1) CAT-5		1 WHITE	
GPS	N/A	NORTEL GPS			-	1/2" COAX	N/A	N/A	

NOTE:
GENERAL CONTRACTOR TO CONFIRM EDT & MDT VALUES WITH RF UPON INSTALLATION.

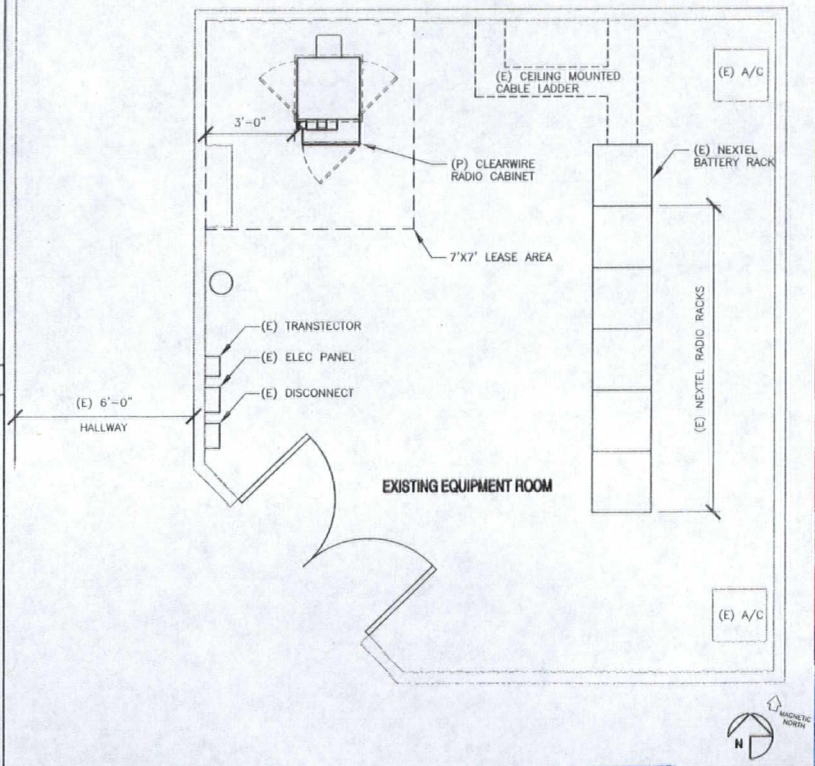
ANTENNA AND CABLE SCHEDULE | SCALE: N.T.S. | 1



SECTOR B ANTENNA LAYOUT | SCALE: N.T.S. | 4



SECTOR C ANTENNA LAYOUT | SCALE: N.T.S. | 5



SECOND FLOOR EQUIPMENT ROOM FLOOR PLAN | SCALE: 1/4"=1'-0" | 2

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APR 23 2009

SUP-34152
REVISED
05/28/09 PC

clearwire US, LLC
4400 Carillon Point
Kirkland, WA 98033

PROJECT NAME
NV-LSV109x
XOHM 1 - LV01YC120
1050 E. SAHARA AVENUE
LAS VEGAS, NEVADA 89104

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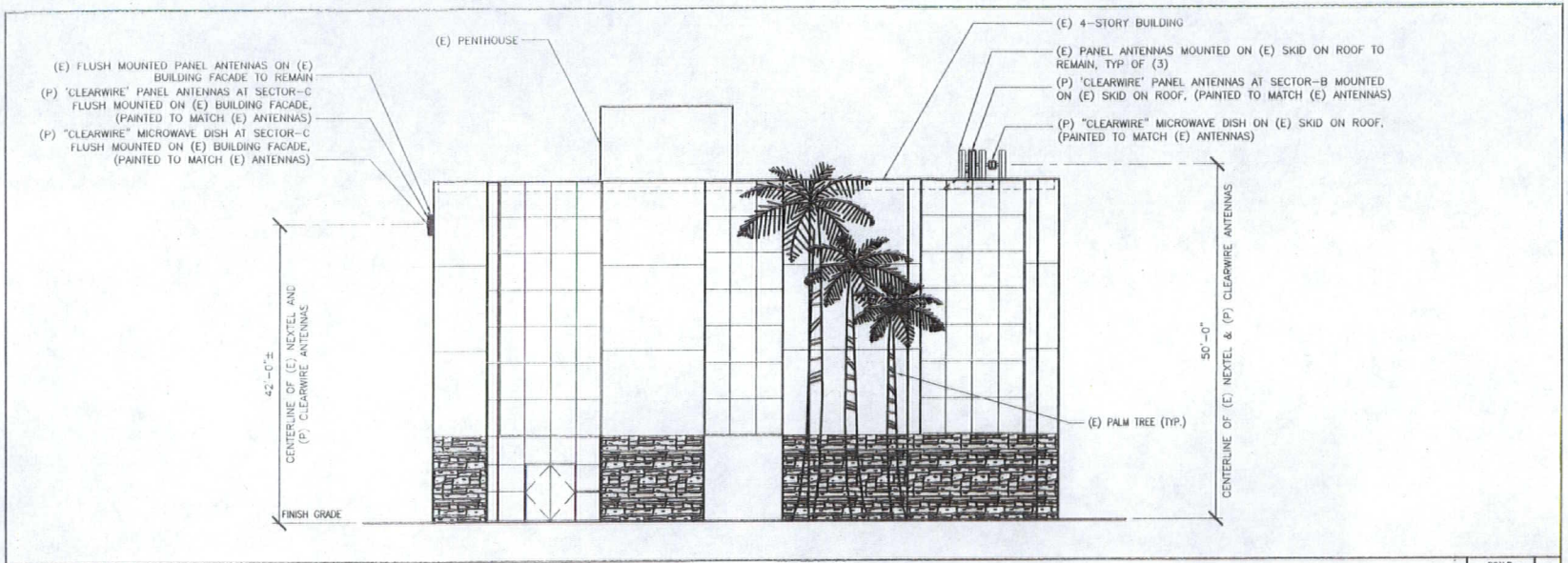
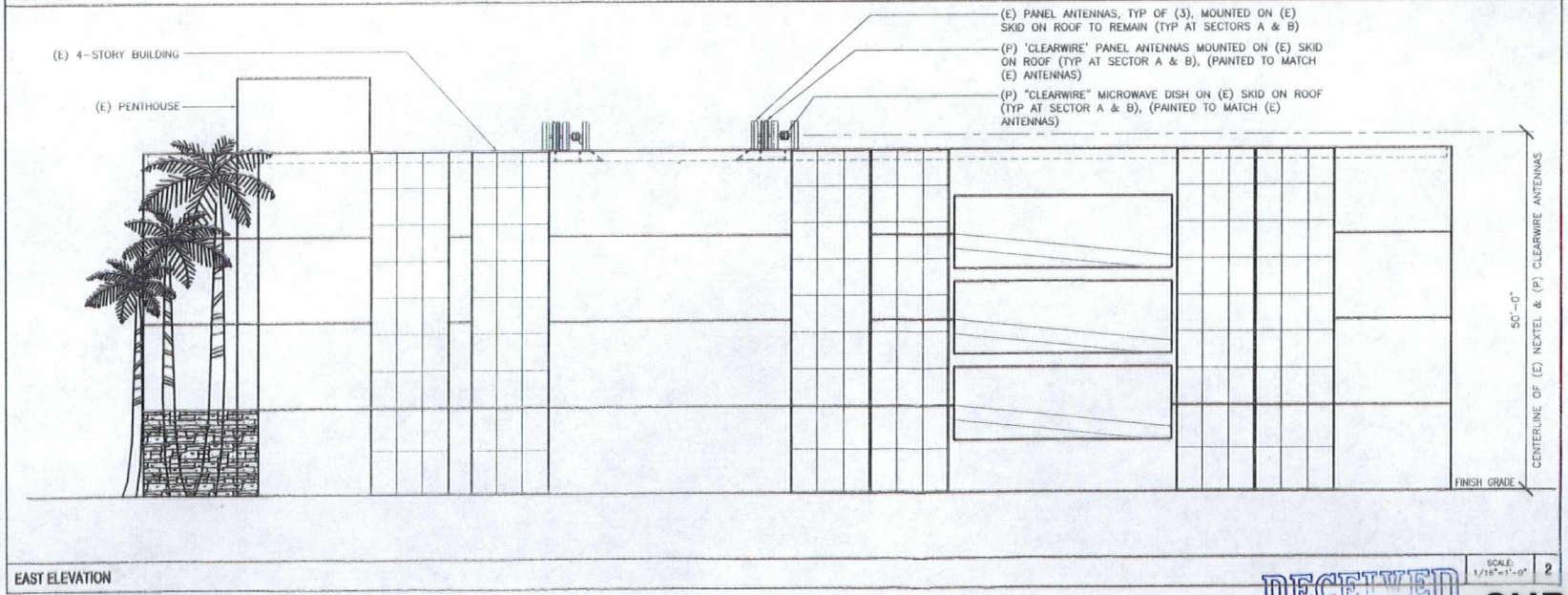
SHEET TITLE
ENLARGED SITE PLAN

A-2



SOUTH ELEVATION — SCALE: 1/16"=1'-0" — 1



EAST ELEVATION — SCALE: 1/16"=1'-0" — 2

clearwire
US, LLC
4400 Carillon Point
Kirkland, WA 98033

PROJECT NAME

NV-LSV109x

XOHM 1 - LV01YC120

1050 E. SAHARA AVENUE
LAS VEGAS, NEVADA 89104

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SHEET TITLE

SOUTH & EAST ELEVATIONS

A-3

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APR 23 2009

SUP-34152
REVISED
05/28/09 PC

clearwire

SITE PHOTO SIMULATIONS

Proposed Wireless Telecommunications Facility

Site Location and Photo-Vantage Map

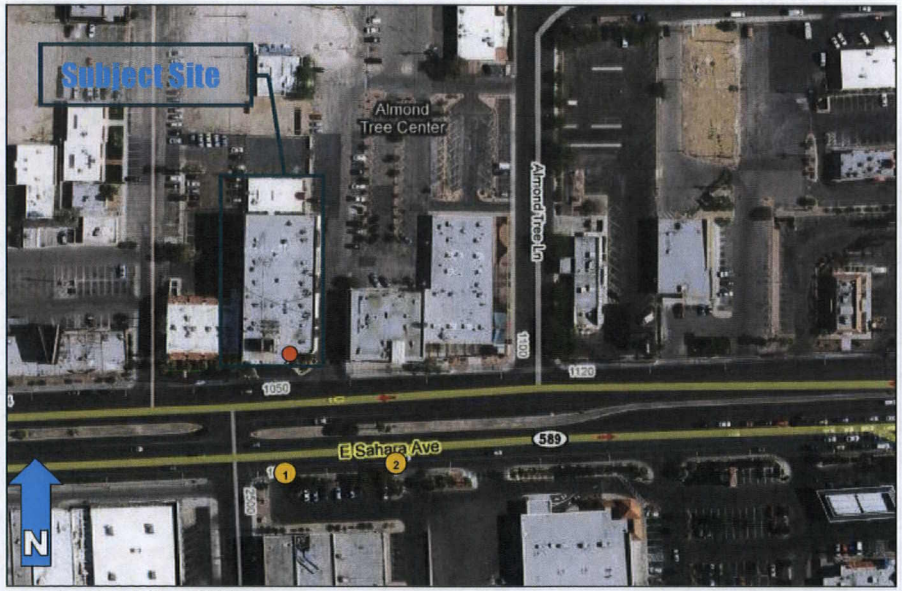

Image from GoogleMaps 2008©

Date: 02/11/09

Site: NV-LSV109 East Sahara
1050 E. Sahara Ave.
Las Vegas, NV 89014

Applicant: Clearwire, LLC
4400 Carillon Point
Kirkland, WA 98033
(425) 216-7600

Contact: Joe Hussey
MSA Architecture and Planning
1 Cactus Garden Dr. Suite A-17
Las Vegas, NV 89014
(702) 386-8080

Prepared by: Adrian Culici
Graphic Detail Productions
www.gdprod.com
aculici@gdprod.com
(323) 359-3326

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APR 13 2009

Certificate of Authenticity / Disclaimer:

Graphic Detail Productions warrants that this photo simulation is an accurate representation of the proposed site based upon the project plans and additional information provided by the Applicant. The final constructed site may vary.

clearwire

MSA Architecture & Planning
Santa Ana | San Diego | San Francisco
1000 E. Dyer Avenue, Santa Ana, California 92705
949.251.1177 fax: 949.251.1120 www.msa-apc.com

GDP

SUP-34152
05/28/09 PC

clearwire



Existing

Photo-simulation



View 1

Looking north from across. E. Sahara Ave. toward subject site.

clearwire

Graphic Detail Productions
3319 Fithian Ave., Los Angeles, CA 90032
gdprod.com ~ ph 323.924.5895 ~ fx 323.230.9248

Date: *02/11/09*
Site Id: *NV-LSV109 East Sahara*

Address: *1050 E. Sahara Ave.*
Las Vegas, NV 89014

SUP-34152
05/28/09 PC

clearwire



Existing

Photo-simulation



View 2

Looking north from across. E. Sahara Ave. toward subject site.



SUP-34152 - APPLICANT: CLEAR WIRELESS, LLC - OWNER: KP PROPERTIES, LLC
1050 EAST SAHARA AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

04/21/09



SUP-34152 - APPLICANT: CLEAR WIRELESS, LLC - OWNER: KP PROPERTIES, LLC
1050 EAST SAHARA AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

04/21/09



SUP-34152 - APPLICANT: CLEAR WIRELESS, LLC - OWNER: KP PROPERTIES, LLC
1050 EAST SAHARA AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

04/21/09



SUP-34152 - APPLICANT: CLEAR WIRELESS, LLC - OWNER: KP PROPERTIES, LLC
1050 EAST SAHARA AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

04/21/09



SUP-34152 - APPLICANT: CLEAR WIRELESS, LLC - OWNER: KP PROPERTIES, LLC
1050 EAST SAHARA AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

04/21/09

COMMUNICATIONS INC.

4550 Copper Sage Street
Suite B
Las Vegas, NV 89115

PH (702) 644-3366
FX (702) 644-9596

February 10, 2009

City of Las Vegas Planning and Development
731 S. 4th Street
Las Vegas, NV 89101

Reference: **Justification Letter for Administrative Review**
Wireless Communication Antennas
Clearwire Site: NV-LSV109
APN# 162-03-801-118
Property: **1051 E. Sahara Ave.**
Las Vegas, NV 89121

Summary:

BCI Communications representing, Clearwire US LLC is requesting approval of an Administrative review to construct three new antennas and three new microwaves on the roof of the existing building located at 1050 E. Sahara, Las Vegas, NV 89121. APN# 162-03-801-118. These antennas and microwaves will accompany existing cellular antennas already in place and being used by a wireless carrier. The radio equipment will be sharing space on the 4th floor of the building already being occupied by the existing wireless carrier.

Purpose and Benefit:

The proposed antennas and microwaves are required to provide adequate coverage to customers who will be using wireless internet services in the area. Businesses, governments, emergency services and the general public are users of wireless voice and data, and internet technologies. The installation of this facility will enhance service coverage and reliability for users in Clark County. The Federal Communications Commission determined the wireless system serves the national interest and directly and indirectly benefits all members of the public.

The Administrative review will not be detrimental to the health, safety or general welfare of persons residing or working in the neighborhood, or injurious to property or improvements in the vicinity.

Facilities:

The proposed facility will be collocated on an existing facility already in place and being used by another wireless carrier.

Scope:

An Administrative Review is requested for the addition of these antennas and microwaves as an addition to the existing site on this building.

Sincerely,

RECEIVED
APR 13 2009

Rick Hammel
Site Acquisition Specialist
BCI Communications
Office-702-644-3366
Mobile-702-813-2893

SUP-34152
05/28/09 PC

Steve Gebeke

From: Hammel, Rick [hammelr@bcisites.com]
Sent: Wednesday, July 15, 2009 1:23 PM
To: Steve Gebeke
Cc: Brown, Barbara; Omar Nushaiwat
Subject: LSV109/1050 E. Sahara - SUP34152

Steve-

Per our conversation we would like to withdraw this application without prejudice. We have identified a cell tower pole for which we will be collocating on. Thank you.

Rick Hammel
Leasing and Zoning Manager
BCI Communications Inc.
4550 Copper Sage St. Suite B
Las Vegas NV 89115
office: 702 644-3366 Office
Mobile: 702-813-2893
email: hammelr@bcisites.com
www.bcisites.com

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 13, 2009

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

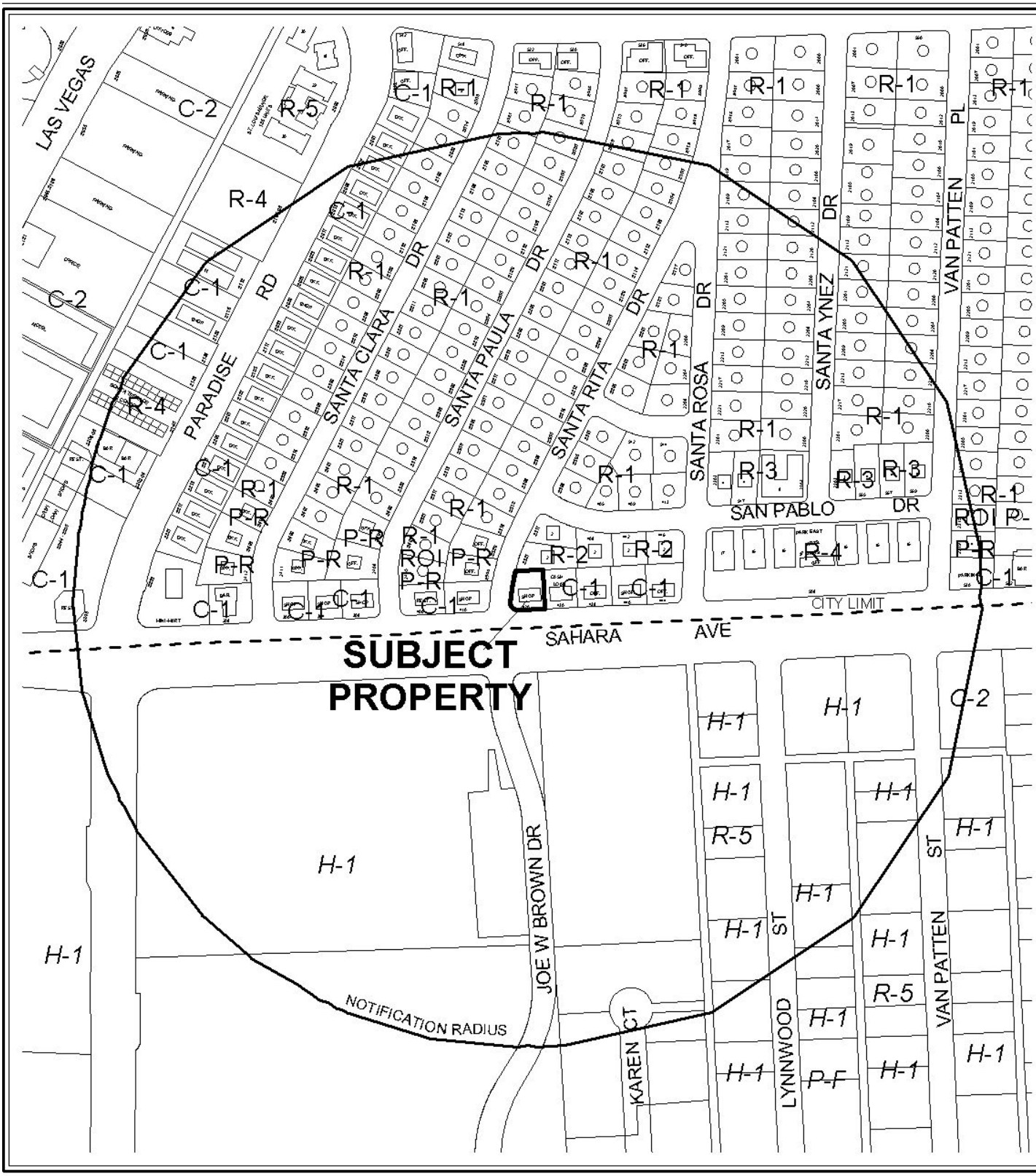
SUBJECT:
ABEYANCE - RQR-34160 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: CECILE PROPERTIES, LLC - Required Review of a previously approved Special Use Permit (SUP-27082) FOR A SECONDHAND DEALER at 420 East Sahara Avenue (APN 162-03-416-022), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

C.C.: 09/16/2009
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**11**	**Planning Commission Mtg.**	**4**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
DENIAL

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. City Council Action Letter for SUP-27082
6. Protest Letter and Protest/Support Postcards



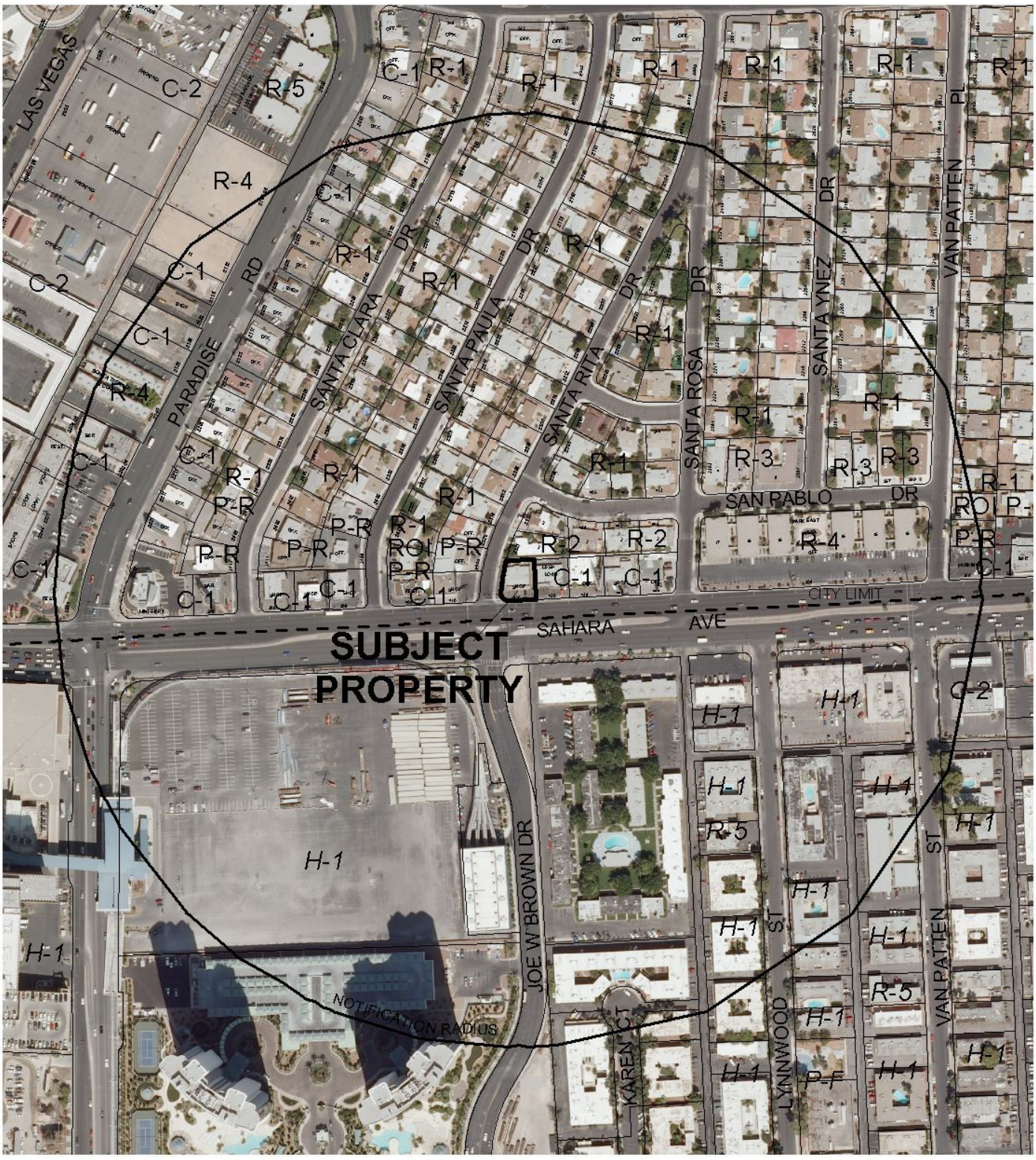
0 500 Feet

CASE: **RQR-34160**

RADIUS: 1000 FT

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

N



0 500 Feet

CASE: **RQR-34160**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: AUGUST 13, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - RQR-34160 - APPLICANT/OWNER: CECILE PROPERTIES, LLC

** CONDITIONS **

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

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for Secondhand Dealer use.

2. Conformance to the conditions for Special Use Permit (SUP-27082).

JB

RQR-34160 - Staff Report Page One
August 13, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This application is in response to a Required Review of an approved Special Use Permit (SUP-27082) for a Secondhand Dealer use at 420 East Sahara Avenue.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
02/22/68	The Board of City Commissioners approved a Rezoning (Z-0003-68) from P-R (Professional Office and Parking) to C-1 (Limited Commercial) at the northeast corner of Sahara Avenue and Santa Rita Drive.
11/16/04	A Code Enforcement case (#23820) was processed for a sign violation involving a banner in front of the building at 420 East Sahara Avenue Code Enforcement closed the case 03/27/07.
05/07/08	The City Council approved a Special Use Permit (SUP-27082) for a proposed Secondhand Dealer use at 420 East Sahara Avenue. The Planning Commission recommended approval of the request.
06/11/09	The Planning Commission at the request of the applicant, approved a request to hold in abeyance the subject Required Review of an approved Special Use Permit (SUP-27082) for a Secondhand Dealer use at 420 East Sahara Avenue.
Related Building Permits/Business Licenses	
10/11/95	A building permit (#95879586) was issued for a wall sign at 420 East Sahara Avenue (Jewelry and Mineral). The permit expired on 09/21/96.
03/21/96	A building permit (#96005465) was issued for a single face sign at 420 East Sahara Avenue. The permit expired on 09/21/96.
07/07/08	A business license (#S26-00020) was issued for a Secondhand Dealer at 420 East Sahara Avenue. The license is still active.
10/16/08	A building permit (#123284) was issued for a Tenant Improvement at 420 East Sahara Avenue. The permit was finalized on 11/18/08.
Pre-Application Meeting	
A pre-application meeting was not required, nr was one held.	
Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	

RQR-34160 - Staff Report Page Two
August 13, 2009 - Planning Commission Meeting

Field Check	
05/07/09	A field check was conducted and found that the parking lot at this facility requires re-stripping to conform to the site plan dated stamped 03/04/08 associated with Special Use Permit (SUP-27082). In addition, the two trees presently on the south side of the property are 15-gallon trees, not the required 24-inch box trees, nor are they in the correct location, as was approved by Special Use Permit (SUP-27082)
05/26/09 & 07/09/09	A field check was conducted and found that 24-inch box trees were installed, however they are not in the correct location indicated in Special Use Permit (SUP-27082). Also, the parking lot at this facility is still not in conformance with Condition #5 of the original Special Use Permit (SUP-27082), which required the parking lot to conform to the site plan dated stamped 03/04/08. The applicant has indicated that they will submit a Review of Condition application in the near future to amend this Condition.

Details of Application Request	
Site Area	
Gross Acres	0.15

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Secondhand Dealer (The Gold Exchange)	SC (Service Commercial)	C-1 (Limited Commercial)
North	Multi-family Residential	ML (Medium Low Density Residential)	R-2 (Medium-Low Density Residential)
South	Apartments – Clark County	CT (Commercial Tourist – Clark County)	H-1 (Limited Resort and Apartment District - Clark County designation)
East	Financial Institute, Specified (Star Loan Center)	SC (Service Commercial)	C-1 (Limited Commercial)
West	Office, General Retail	L (Low Density Residential), SC (Service Commercial)	P-R (Professional Office and Parking District) and C-1 (Limited Commercial)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan			
Beverly Green Southridge Neighborhood Plan	X		Y
Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts			
G-O Gaming Enterprise Overlay District	X		Y
A-O Airport Overlay District –175 Feet	X		Y

JB

Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

This is the first Required Review since the initial approval of the Special Use Permit (SUP-27082) for a Secondhand Dealership at 420 East Sahara Avenue. The existing business purchases and sells antique jewelry, coins, flatware and other precious metals. A research of the business license history reveals the jewelry store has a valid license for the intended use with no Metro incidents noted. Since the original approval of the Special Use Permit, there has been little to no tangible redevelopment in the surrounding area.

FINDINGS

The subject site is located in a C-2 (General Commercial) zoning district. The area surrounding the business is in good condition. During a routine site inspection Staff determined that the site was not is conformance with Condition number 5 of the previously approved Special Use Permit (SUP-27082) which state:

5. Parking lot shall be re-stripped to conform to the site plan date stamped 03/04/08.

As the current site fails to comply with the conditions of approval of Special Use Permit (SUP-27082), staff cannot support this application and is recommending denial.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 517

APPROVALS 4

JB

PROTESTS 11

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-34160 APN: 162-03-416-022

Name of Property Owner: CECILE PROPERTIES, LLC

Name of Applicant: CECILE PROPERTIES, LLC

Name of Representative: BRADSHAW & ASSOCIATES

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

_____ Yes __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: Susi

Print Name: Susi Kestenman

Subscribed and sworn before me

This 20 day of Feb, 2009

_____

Notary Public in and for said County and State

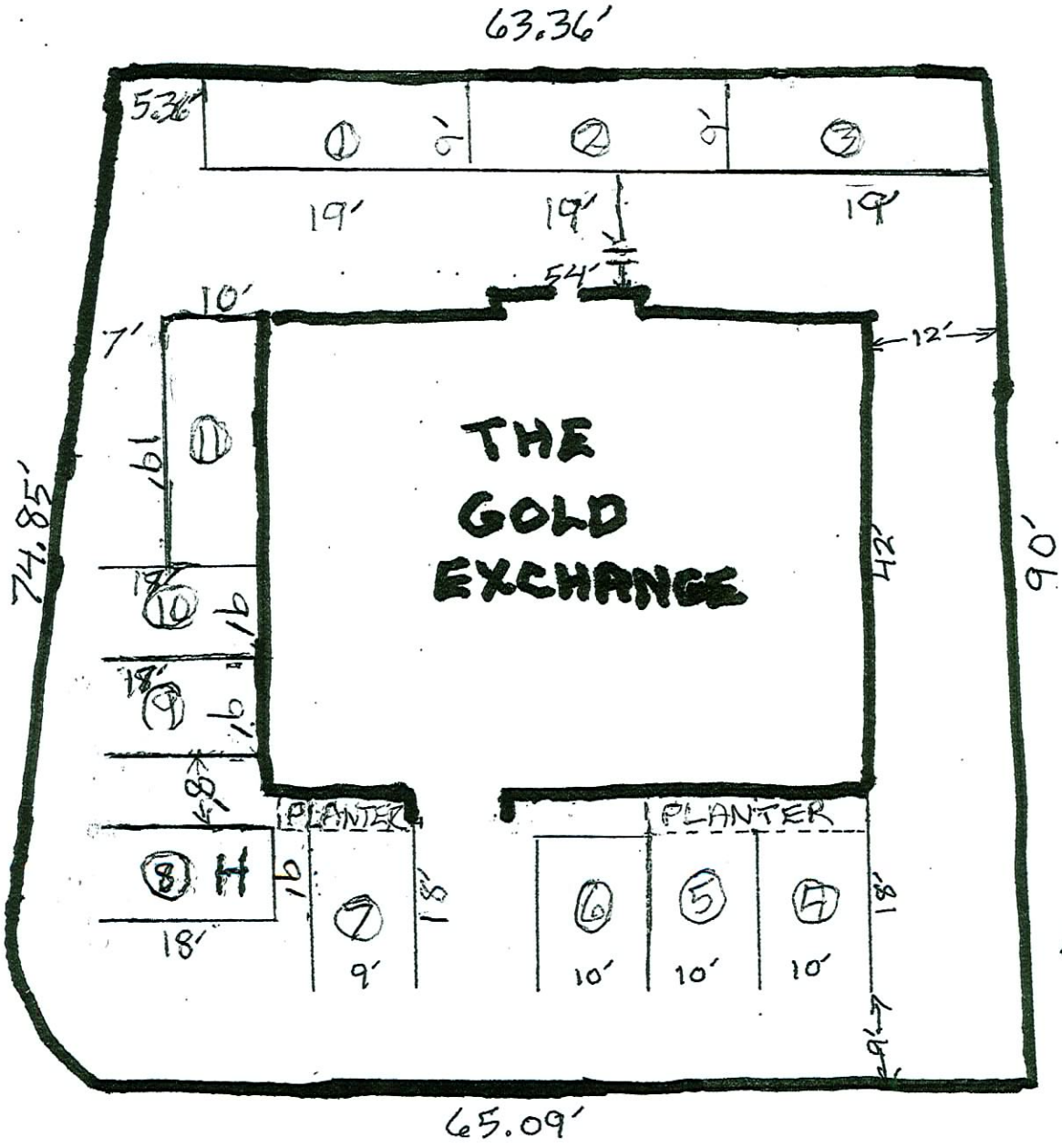
State of Nevada

County of Clark

DANA A. FABIA
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: Sept. 30, 2011
Certificate No: 04-89772-1

Revised 11-14-06

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



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1" = 10 FEET

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420 E. SAHARA

RQR-34160
06/11/09 PC

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APR 13 2009



THE GOLD EXCHANGE

RQR-34160
06/11/09 PC





RECEIVED
APR 13 2009



RQR-34160 - APPLICANT/OWNER: CECILE PROPERTIES, LLC
420 EAST SAHARA AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

05/07/09



RQR-34160 - APPLICANT/OWNER: CECILE PROPERTIES, LLC
420 EAST SAHARA AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

05/07/09



RQR-34160 - APPLICANT/OWNER: CECILE PROPERTIES, LLC
420 EAST SAHARA AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

05/07/09



RQR-34160 - APPLICANT/OWNER: CECILE PROPERTIES, LLC
420 EAST SAHARA AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



RQR-34160 - APPLICANT/OWNER: CECILE PROPERTIES, LLC
420 EAST SAHARA AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



RQR-34160 - APPLICANT/OWNER: CECILE PROPERTIES, LLC
420 EAST SAHARA AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



RQR-34160 - APPLICANT/OWNER: CECILE PROPERTIES, LLC
420 EAST SAHARA AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW

DOUGLAS A. SELBY
CITY MANAGER



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

VOICE 702.229 6011
TTY 702.386.9108
www.lasvegasnevada.gov

May 9, 2008

Ms. Susan Kestenman
Cecile Properties, LLC
3175 Belair Drive
Las Vegas, Nevada 89109

RE: SUP-27082 – SPECIAL USE PERMIT
CITY COUNCIL MEETING OF MAY 7, 2008

Dear Ms. Kestenman:

The City Council at a regular meeting held May 7, 2008 APPROVED the request for a Special Use Permit FOR A PROPOSED SECONDHAND DEALER (JEWELRY) at 420 East Sahara Avenue (APN 162-03-416-022), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on May 8, 2008. This approval is subject to:

Planning & Development

1. One Year Review at a Public Hearing of the Planning Commission from the issuance of the business license.

2. Conformance to all minimum requirements under LVMC Title 19.04.010 for Secondhand Dealer use, including parking requirements.

3. Provide an additional 24-inch box tree at the front of the building, for a total of two trees on the south face of the building.

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. Parking lot shall be re-striped to conform to the site plan date stamped 03/04/08.

RQR-34160
06/11/09 PC

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

Sincerely,

Lean Coleman
Deputy City Clerk II for
Beverly K. Bridges, CMC, City Clerk

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

Ms. Leni Skaar
Bradshaw & Associates
3753 Howard Hughes Parkway, Suite #200
Las Vegas, Nevada 89106

RQR-34160
06/11/09 PC

ASF REALTY & INVESTMENTS, INC.
200 W. Sahara Ave., #4001
Las Vegas, Nevada 89102
(702) 791-3432 BUSINESS
(702) 443-9644 FACSIMILE

Residential, Commercial & Land Specialists

To: City of Las Vegas Planning & Development Department

From: Andrew Fonfa, Gudrun Fonfa, Sahara Investments LLC & LV Land Ventures LLC

Tel/Fax: 702- 385-7268 Pages: inc. cover sheet

Phone: 702-791-3432 Fax 702-443-9644 Date: 6/15/09

Re: **Public Hearings/For the record**

Urgent For Review Please Reply ASAP

~~RECEIVED~~
JUN 15 2009

● Comments: **Andrew S. Fonfa & Gudrun Fonfa together & singularly, oppose SUP-34309, SUP-34310, VAR-34308, WVR-34311, & SDR-34306**

Sahara Investments LLC, opposes SUP-34309, SUP-34310 & SDR-34306

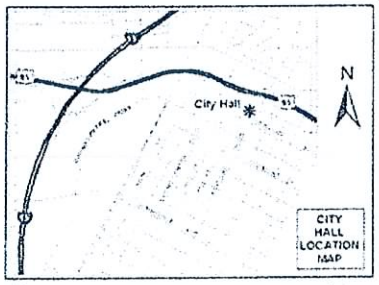
LV Land Ventures LLC opposes SUP-34309, SUP-34310, RQR-34160, VAR-34308, WVR-34311 & SDR-34306

11P

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

Return Service Requested

Official Notice of Public Hearing



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-34160

Planning Commission Meeting of 6/11/2009

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JUN 01 2009

Case: RQR-34160

16210114276
INTERLIND MANAGEMENT SERV L L C
%J & A IMHOFF
933 NORTHWOOD BLVD #20
INCLINE VILLAGE NV 89451-8239

CAVDP1.1 A3451

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

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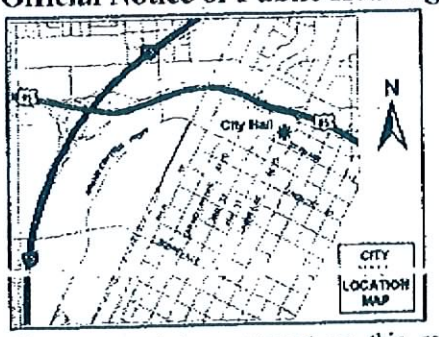

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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RQR-34160
Planning Commission Meeting of 6/11/2009

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JUN 02 2009

Case: RQR-34160
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FRANCESCHI SHERRILL A SURV TR
8385 W LA MADRE WY
LAS VEGAS NV 89149-4707

89149$4707 C013
89149

6-02-2009 7:10AM FROM FRANCESCH 702 396 2155 P.1

31 P

06/02/2009 13:00 FAX 702 366 9413 BARTSAS REALTY 003/003

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

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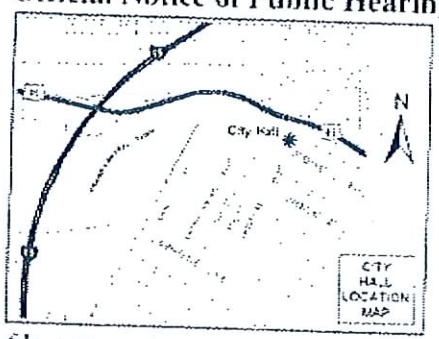

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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RQR-34160

Planning Commission Meeting of 6/11/2009

16203416007 Case: RQR-34160
BARTSAS MARY 16 L L C
601 S RANCHO DR #C23
LAS VEGAS NV 89106-4825

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

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

The AREA has continued to become more + more TRASHY; please Don't Add to it.

Please use available blank space on card for your comments.

RQR-34160
Planning Commission Meeting of 6/11/2009

Case: RQR-34160
16203413026
YANG HSI-CHIEH & BETTY TAYLOR
2400 & 2404 SANTA CLARA DR
LAS VEGAS NV 89104-0000

89104$2648 C079

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

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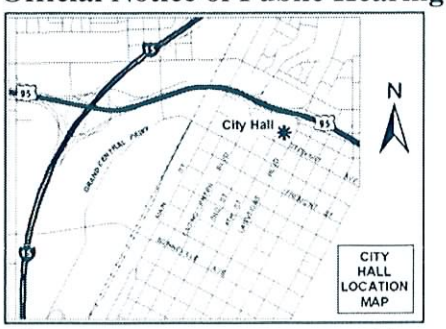

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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RQR-34160

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Case: RQR-34160
16203413027
YANG HSI-CHIEH & BETTY TAYLOR
8184 DOLCE VOLPE
LAS VEGAS NV 89178-8259

CAVDS11 A9175

31P

p.2
818-702-0610
Susan Hayes
Jun 02 09 03:21p

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

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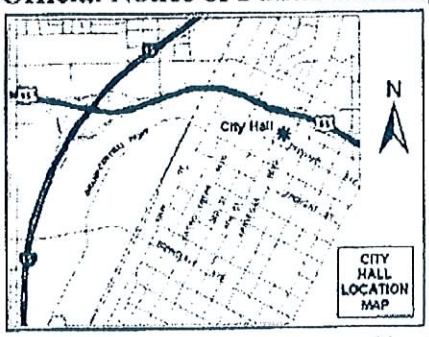

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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RQR-34160
Planning Commission Meeting of 6/11/2009

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JUN 02 2009

Case: RQR-34160
16210114216
HAYES SUSAN J
23679 CALABASAS RD #382
CALABASAS CA 91302-1502

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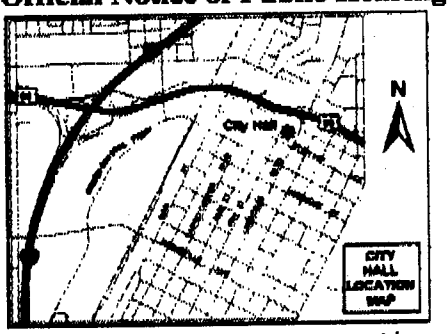
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested

Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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RQR-34160

Planning Commission Meeting of 6/11/2009

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JUN 10 2009

Case: RQR-34160

16210114123
MARKIEWICZ CHESTER LIVING TRUST
4750 N HARLEM AVE
HARWOOD HEIGHTS IL 60706-4607

Submitted after final agenda

Date 6/10/09 Item 31P

CAVOS11 60706

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

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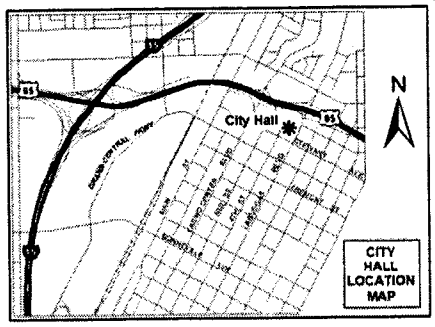
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

RQR-34160
Planning Commission Meeting of 6/11/2009

RECEIVED
JUN 08 2009

Case: RQR-34160
16210114141
YEKTA MEHRDAD & B E REV TR ETAL
655 DUNHILL DR
DANVILLE CA 94506-1354

945068354 0049

Submitted after final agenda

Date 6/8/09 Item 31P

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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0004279218 MAY 29 2009
MAILED FROM ZIPCODE 89101

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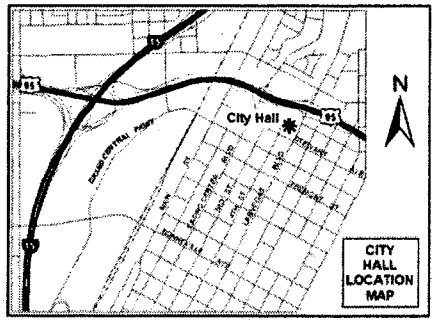

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RQR-34160
Planning Commission Meeting of 6/11/2009

RECEIVED
JUN 08 2009

Case: RQR-34160
16210114557
GHASEDI GHOLAM R & JANET M
66 MEADOWBROOK C C
BALLWIN MO 63011-1697

CAUOF11 63011

Submitted after final agenda

Date 6/8/09 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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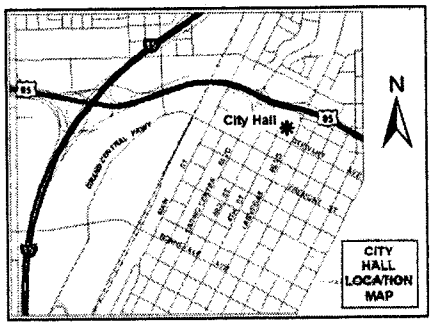

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RQR-34160
Planning Commission Meeting of 6/11/2009

RECEIVED
JUN 08 2009

Case: RQR-34160
16210114628
BENINATO FRANK P JR & HELENA
1207 E GRAND ST
ELIZABETH NJ 07201-2319

CAVDP11 07201

Submitted after final agenda

Date 6/8/09 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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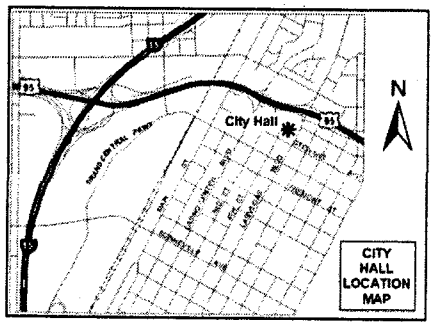

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RQR-34160
Planning Commission Meeting of 6/11/2009

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JUN 08 2009

Case: RQR-34160
16210114494
BENNETT & NANCY G LTD PTNRSHP
2310 PHILLIPS DR
GLENVIEW IL 60026-1175

CAVOF11 60026

Submitted after final agenda

Date 6/8/09 Item 31A

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

Return Service Requested

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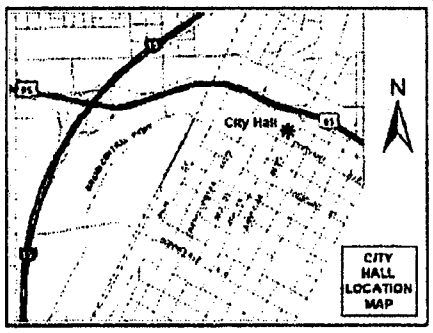

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Case: RQR-34160

16203416022
CECILE PROPERTIES L L C
3175 BELAIR DR
LAS VEGAS NV 89109-1591

☒ I SUPPORT this Request ☐ I OPPOSE this Request

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RQR-34160

Planning Commission Meeting of 6/11/2009

CAVOP11 A3103

Submitted after final agenda

Date 6/4/09 Item 31A

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

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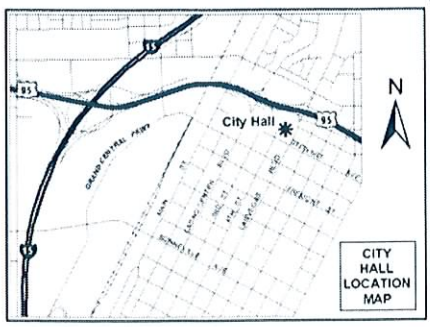

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RQR-34160
Planning Commission Meeting of 6/11/2009

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JUN 03 2009

Case: RQR-34160
16210111005
GREYSTONE PARK INC
%G BARBIERI
5 VENTANA CANYON DR
LAS VEGAS NV 89113-0138

CAVDS11 89113

31A

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

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PITNEY BOWES
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MAY 29 2009
MAILED FROM ZIPCODE 89101

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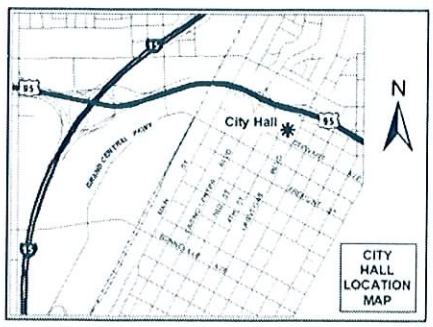

RECEIVED
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☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

RQR-34160
Planning Commission Meeting of 6/11/2009

Case: RQR-34160
16210111014
LYNNWOOD PLACE L L C
%G BARBIERI
5 VENTANA CANYON DR
LAS VEGAS NV 89113-0138

CAVOS11 A311B

31A

City of Las Vegas Agenda Item No.: **12.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 13, 2009

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

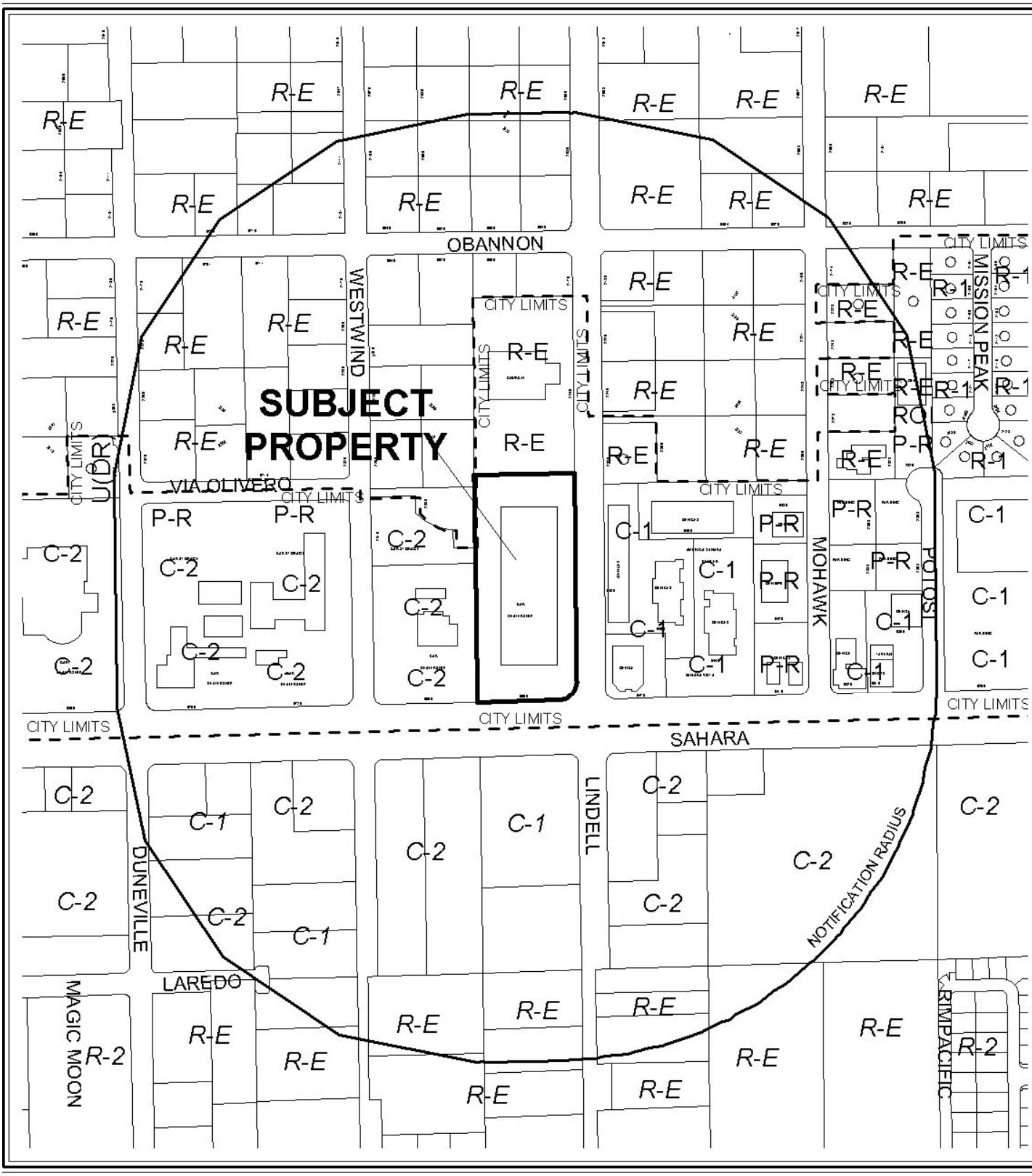
SUBJECT:
ABEYANCE - SDR-34469 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: CARDAN LINDELL NORTH, LLC - Request for a Major Amendment to an approved Site Development Plan Review (SDR-4551) FOR THE ADDITION OF VEHICLE DISPLAY PARKING SPACES; PARKING LOT SHADE STRUCTURES; FACADE RENOVATIONS; AND TWO PORTE COCHERES ADJACENT TO THE SOUTH AND EAST SIDES OF THE BUILDING AT AN EXISTING MOTOR VEHICLE SALES (NEW) FACILITY on 4.01 acres at 5550 West Sahara Avenue (APN 163-01-404-022), C-2 (General Commercial) and P-R (Professional Office and Parking) Zones, Ward 1 (Tarkanian)

C.C.: 09/16/2009

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**7**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
APPROVAL

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



CASE: **SDR-34469**

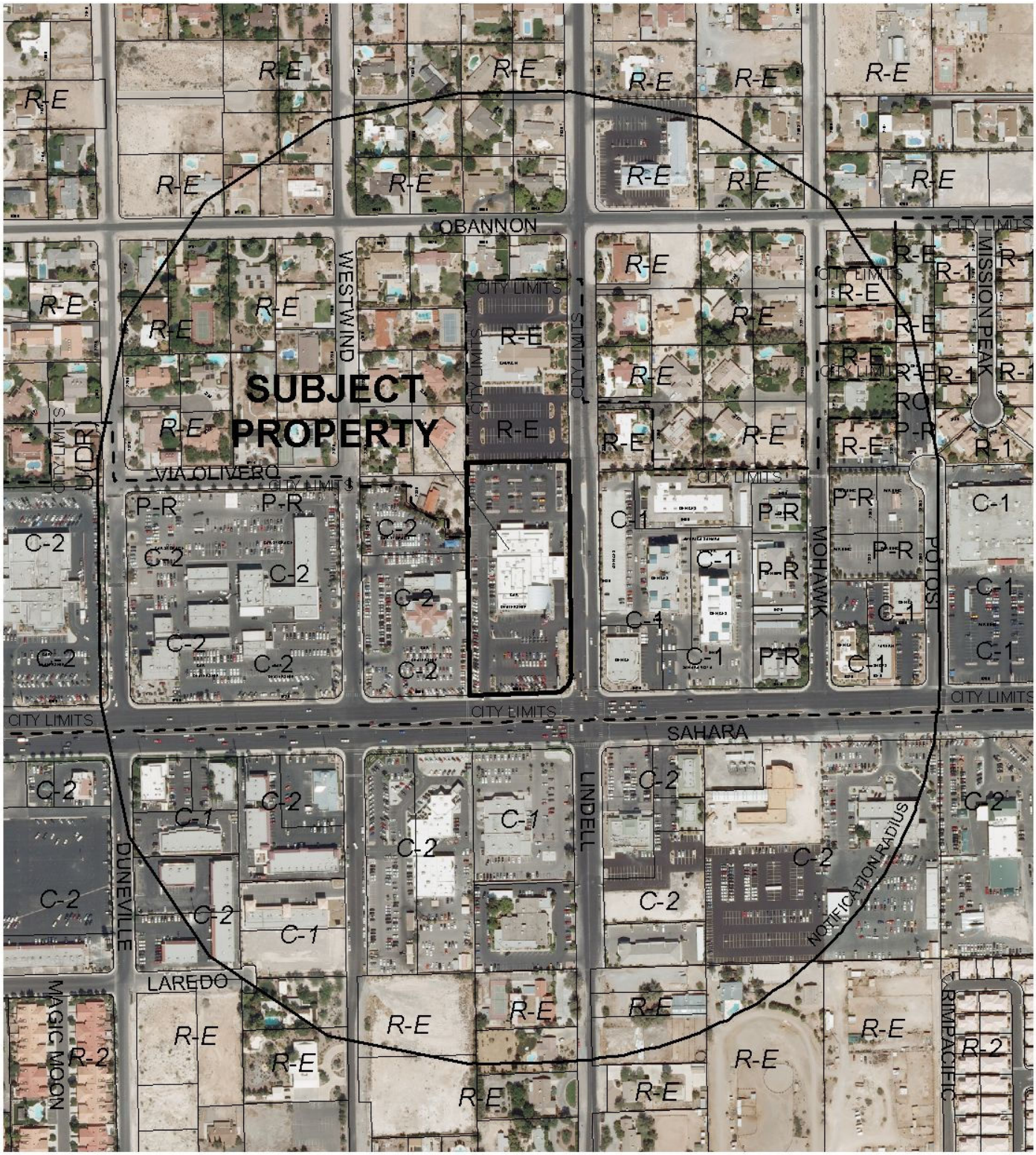
RADIUS: 1000 FT

0 500 Feet

ZONING OF SUBJECT PROPERTY:

C-2 (GENERAL COMMERCIAL) AND P-R (PROFESSIONAL OFFICES AND PARKING)

N



CASE: **SDR-34469**

RADIUS: 1000 FT

0 500 Feet

ZONING OF SUBJECT PROPERTY:
C-2 (GENERAL COMMERCIAL) AND P-R (PROFESSIONAL OFFICES AND PARKING)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: AUGUST 13, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - SDR-34469 - APPLICANT/OWNER: CARDAN LINDELL NORTH, LLC

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4550), Site Development Plan Review (SDR-4551), and Variances (VAR-4553 and VAR-8348) shall be required.

2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 05/12/09, and landscape plan dated 05/27/09 except as amended by conditions herein.

4. All signage shall require permits pursuant to Title 19.14. A Master Sign Plan is not required for projects less than 15 acres in size, per Title 19.14.030, effective 07/16/03.

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 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.

7. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

10. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

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

Public Works

13. 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.

14. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

15. Site development to comply with all applicable conditions of approval for SDR-4551 and all other site-related actions.

SDR-34469 - Staff Report Page One
August 13, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The subject property contains an existing 42,809 square-foot Motor Vehicle Sales (New) Establishment located at 5550 West Sahara Avenue. The applicant is proposing to place vehicle display parking spaces with enhanced paving within the existing parking lot along the south and west portions of the site, provide parking lot shade structures, provide façade renovations and add two porte cocheres along the south and east sides of the existing building. No expansion to the existing building or parking lot will take place as a result of this application. If the application is denied the subject property will remain in its current configuration without any further enhancements.

Issues

- Staff supports the request for a Major Amendment to an Approved Site Development Plan Review as this proposal will allow building façade and interior renovations to take place, place additional landscape within the existing parking lot and vehicle display areas, and add shade structures to the vehicle display area and drop-off areas.
- The proposed modifications to the existing site meet all applicable Title 19 requirements.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
05/16/90	The City Council approved a request for Rezoning (Z-0038-90) from R-E (Residence Estates) to P-R (Professional Office and Parking) on property located at 2333 Lindell Road. Staff recommended approval of this request.
06/15/94	The City Council approved a Variance (V-0061-94) to allow a Beauty Salon where such use is not allowed on property located at 2333 Lindell Road. The Board of Zoning Adjustment recommended approval of this application, whereas staff recommended denial.
09/14/95	The City Council approved a Review of Condition [V-0061-94(1)] for an approved Variance (V-0061-94) which required that any deviation from the Beauty Salon use be reviewed by the City Council at 2333 Lindell Road. Staff recommended approval of this request.
06/14/99	The City Council denied a Review of Condition [V-0061-94(2)] for an approved Variance (V-0061-94) to revise Conditions of Approval to allow a change in hours of operation and to allow parking in the front parking area where previously prohibited at 2333 Lindell Road. The Board of Zoning Adjustment and staff recommended approval of this request.

08/10/00	The Planning Commission approved a request for a Site Development Plan Review (SD-0043-00) for a proposed 7,979 square-foot addition to an existing 12,521 square-foot Auto Dealership at 5550 West Sahara Avenue.
11/01/02	A deed was recorded for change of ownership.
09/25/03	A Code Enforcement complaint (#4751) was processed for non-permitted temporary signs (banners) and trash and debris within the landscape areas at 5550 West Sahara Avenue. The case was closed by Code Enforcement on 03/16/04.
06/04/04	A Code Enforcement complaint (#15966) was processed for removal of the light shields on the parking lot lighting at 5550 West Sahara Avenue. The case was closed by Code Enforcement on 07/22/04.
08/04/04	The City Council approved a General Plan Amendment (GPA-4549) to amend a portion of the Southwest Sector Plan of the General Plan from O (Office) and DR (Desert Rural Density Residential) to GC (General Commercial), a Rezoning (ZON-4550) from P-R (Professional Office) and R-E (Residence Estates) Zone to C-2 (General Commercial) Zone, a Variance (VAR-4553) to allow a 83-foot 1-inch Residential Adjacency setback where 100 feet is required, a Site Development Plan Review (SDR-4551) for a proposed 37,950 square-foot Motor Vehicle Sales (New) facility on 4.15 acres adjacent to the northwest corner of Sahara Boulevard and Lindell Road. The Planning Commission and staff recommended approval of these requests.
07/13/05	The Planning and Development Department administratively approved a Parcel Map (PMP-6652) for a one-lot property located at the northwest corner of Sahara Avenue and Lindell Road. The map was recorded 10/26/05.
07/20/05	The City Council denied a Review of Condition (ROC-6575) Number 21 of an approved Site Development Plan Review (SDR-4551) to eliminate the Condition which prohibits parking and display of vehicles in the landscape buffer area for an approved 37,950 square-foot Motor Vehicle Sales (New) facility on 4.15 acres adjacent to the northwest corner of Sahara Boulevard and Lindell Road. Staff recommended denial of this request.
09/08/05	The Planning Commission approved a Variance (VAR-8348) to allow a proposed 55-foot Freestanding Sign where 40 feet is the maximum height allowed on 4.15 acres at the northwest corner of Sahara Avenue and Lindell Road. The City Council struck this request, which permitted the approval by the Planning Commission to stand. Staff recommended denial of this request.
09/16/05	A Code Enforcement complaint (#33919) was processed for zoning violations at 5550 West Sahara Avenue. The case was closed by Code Enforcement on 01/02/06.
05/03/06	The City Council approved a Variance (VAR-11759) to allow a proposed 130-foot tall Flagpole where 40 feet is the maximum height allowed on 4.15 acres at 5550 West Sahara Avenue. The Planning Commission recommended approval of this request, whereas staff recommended denial.

06/19/06	A Code Enforcement complaint (#43563) was processed for parking violations at 5550 West Sahara Avenue. The case was closed by Code Enforcement on 07/31/07.
04/24/07	A Code Enforcement complaint (#52451) was processed for graffiti on the south wall of 5550 West Sahara Avenue. The case was closed by Code Enforcement on 04/30/07.
06/05/07	A Code Enforcement complaint (#53564) was processed for failure to maintain adequate parking lot driveway aisle widths. The case was closed by Code Enforcement on 08/07/07.
08/01/07	The City Council denied a Required Review (RQR-20054) of a Variance (VAR-11759) to allow a proposed 100-foot tall Flagpole where 40 feet is the maximum height allowed at 5550 West Sahara Avenue. Staff recommended denial of this request.
08/07/07	A Code Enforcement complaint (#56505) was processed for a flag pole in excess of the permissible height. The case was closed by Code Enforcement on 12/22/08.
11/07/07	A Code Enforcement complaint (#59647) was processed for the test driving of new vehicles on O'Bannon Drive. The case was closed by Code Enforcement on 04/24/08.
06/25/09	The Planning Commission held in abeyance a request for a Major Amendment of a previously approved Site Development Plan Review (SDR-4551) for the addition of vehicle display parking spaces; parking lot shade structures; facade renovations; and two porte cocheres adjacent to the south and east sides of the building at an existing motor vehicle sales (new) facility on 4.01 acres at 5550 West Sahara Avenue. The abeyance was to allow the applicant to address possible code violations at the subject site.
06/25/09	A Code Enforcement complaint (#59647) was processed for display of vehicles in the landscape areas. The case was closed by Code Enforcement on 07/14/09.

Related Building Permits/Business Licenses	
06/09/89	A building permit (#89027975) was issued for a tenant improvement at 5550 West Sahara Avenue. The permit received final approval on 10/02/89.
07/07/89	A building permit (#89030748) was issued for a tenant improvement at 5550 West Sahara Avenue. The permit received final approval on 08/08/89.
11/01/02	A deed was recorded for a change in ownership.
04/20/05	A building permit (#05002454) was issued for a new building at 5550 West Sahara Avenue. The permit received final approval on 01/10/07.
04/20/05	A building permit (#05002453) was issued for onsite improvements at 5550 West Sahara Avenue. The permit expired 10/22/05 without receiving final approval.
12/21/05	A building permit (#55373) was issued for a block wall at 5550 West Sahara Avenue. The permit received final approval on 07/21/06.

04/10/06	A building permit (#06002614) was issued for a sign at 5550 West Sahara Avenue. The permit expired 11/04/06 without receiving final approval.
04/28/06	A building permit (#06003130) was issued for a 100-foot tall flagpole at 5550 West Sahara Avenue. The permit received final approval on 06/07/06.
05/22/06	A business license (#A16-01267) was issued for new and used car sales at 5550 West Sahara Avenue. The license is currently active.
07/21/06	A building permit (#06004804) was issued for a neon bordered sign at 5550 West Sahara Avenue. The permit received final approval 01/10/07.
04/12/07	A building permit (#84241) was issued for the addition of pilasters and additional height to an existing block wall at 5550 West Sahara Avenue. The permit received final approval on 07/01/07.
08/07/08	A building permit (#118841) was issued for a tenant improvement at 5550 West Sahara Avenue. The permit received final approval 09/15/08.
08/11/08	A building permit (#121843) was issued for the installation of two sets of channel letter signs at 5550 West Sahara Avenue. The permit is still open awaiting final inspections.
08/29/08	A business license (#A16-01296) was issued for auto sales at 5550 West Sahara Avenue. The permit is currently active.

Pre-Application Meeting	
01/28/09	A pre-application meeting was held with the representative where the submittal requirements of a Major Amendment to an approved Site Development Plan Review were discussed.
Neighborhood Meeting	
A neighborhood meeting was not held, nor was one required	

Field Check	
05/21/09	A field check was conducted by staff with the following observations: • The subject site is an existing operating Motor Vehicle Sales (New) establishment. • Two vehicles were observed parked within the south landscape buffer fronting Sahara Avenue, which was a violation of Condition #21 of Site Development Plan Review (SDR-4551). • Graffiti was noted along the east perimeter wall fronting Lindell Road. • Several required trees and shrubs were noted as missing or removed from the north landscape buffer, and several required trees were noted as missing or removed from the parking lot landscape islands within the north (rear) parking lot area of the subject property. All violations were referred to Code Enforcement for further action.

Details of Application Request	
Site Area	
Gross Acres	4.01

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Motor Vehicle Sales (New)	GC (General Commercial)	C-2 (General Commercial) and P-R (Professional Office and Parking)
North	Church/House of Worship	DR (Desert Rural Density Residential)	R-E (Residence Estates)
South	Motor Vehicle Sales (New)	CG (Commercial General) – Clark County	C-1 (Local Business) – Clark County
East	Office	SC (Service Commercial)	C-1 (Limited Commercial)
	Single-Family Residence	DR (Desert Rural Density Residential)	R-E (Residence Estates)
West	Motor Vehicle Sales (New)	GC (General Commercial)	C-2 (General Commercial)
	Single-Family Residences	RN (Rural Neighborhood) – Clark County	R-E (Rural Estates Residential) – Clark County

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Area Plan		X	N/A
Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	***Required/Allowed***	***Provided***	***Compliance***
Min. Lot Size	N/A	182,951 SF	Y
Min. Lot Width	100 Feet	278 Feet	Y
Min. Setbacks			
• Front	20 Feet	222 Feet	Y
• Side	100 Feet	83 Feet	Y*
• Corner	15 Feet	14 Feet	Y**
• Rear	20 Feet	176 Feet	Y
Max. Lot Coverage	50%	18.3 %	Y

Max. Building Height	35 feet or two stories, whichever is less	33.25 Feet	Y
Trash Enclosure	Screened, Enclosed	Screened, Enclosed	Y
Mech. Equipment	Screened	Screened	Y

* As approved through Variance (VAR-4553).
** As approved through Site Development Plan Review (SDR-4551).

Pursuant to Title 19.08.060, the following Residential Adjacency Standards apply:

Residential Adjacency Standards	*Required/Allowed*	*Provided*	*Compliance*
3:1 proximity slope	83 Feet	83 Feet	Y*
Adjacent development matching setback	30 Feet	83 Feet	Y
Trash Enclosure	50 Feet	55 Feet	Y

* As approved through Variance (VAR-4553).

Pursuant to Title 19.12, the following standards apply:

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Parking Area	1 Tree/6 Spaces	26 Trees*	44 Trees	Y
Buffer: Min. Trees				
(South)	1 Tree/20 Linear Feet	13 Trees*	13 Trees	Y
(East)	1 Tree/30 Linear Feet	25 Trees*	26 Trees	Y
(West)	1 Tree/20 Linear Feet	26 Trees*	27 Trees	Y
(North)	1 Tree/20 Linear Feet	11 Trees*	11 Trees	Y
TOTAL		101 Trees*	121 Trees	Y
Min. Zone Width				
(North)	8 Feet*		8 Feet	Y
(South)	10 Feet*		10.75 Feet	Y
(East)	8.75 Feet*		8.75 Feet	Y
(West)	14 Feet*		14 Feet	Y
Wall Height	6-8 Feet		Existing	Y

* As approved through Site Development Plan Review (SDR-4551).

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	
Motor Vehicle Sales (New)	42,809	1/500 SF of GFA	82	4	198	5	
TOTAL			86		203		Y

DC

ANALYSIS

- **Site Plan**

  The site plan depicts a new hard surface vehicle display area along the southern portion of the site, and along portions of the east and west perimeters of the site. These vehicle display areas will replace existing asphalt paving, and add four circular display pads, which will not intrude into the existing 10-foot landscape buffer area, they will only replace existing asphalt. The two porte cocheres which will be added to the site enhance the proposed renovations to the façade of the building and meet all applicable Title 19 requirements. A total of seven additional shade structures will be added to the southern parking lot area of the site, all visible from Sahara Avenue. All proposed site modifications are in conformance with the requirements of Title 19.

- **Landscape Plan**

  The landscape plan indicates that new landscape material will be added to the southern buffer area, portions of the west and east landscape buffers, along the new porte cochere and within 11 proposed parking lot landscape islands within the southern parking lot area. One, five and fifteen-gallon size shrubs and ground cover will be utilized within the landscape buffers and parking lot landscape islands, and conform to the requirements of Title 19.12. The landscape plans indicate that the remainder of the site, which includes the north parking lot area, and landscape buffers towards the rear of the property, will remain as approved though Site Development Plan Review (SDR-4551).

- **Elevations**

  The elevations submitted depict the portions of the southern and eastern façades to be remodeled, as well as the new shade structures to be added. The southern façade of the existing building will receive an updated metal entry element, constructed of a curved black metal panel system with red accents, revise portions of the existing storefront glazing, and place a new metal porte cochere at the east portion of the building.

  The new metal porte cochere will mirror the curved angle of the existing roof line and be painted to match the existing metal roof. The east façade of the existing building will be affected by the new porte cochere, with the placement of four new red colored columns to support the structure. This shade structure will cover the existing service drive area and proposed vehicle display pads, and will be architecturally compatible with the existing building on site. The proposed porte cochere along the southern façade of the building will be an oval shaped canopy supported from a central pole and be located directly in front of the southern main entry.

The seven vehicle shade structures to be placed within the southern parking lot area will be supported by a central column at the back of the structures, and be streamlined in design. The remaining portions of the east, west and north facades will remain as approved through Side Development Plan Review (SDR-4551), and the existing building height will not be affected by the proposed improvements.

- **Floor Plans**

The floor plans submitted depict minor modifications made to the existing interior space, featuring an expanded showroom area. Renovations include relocated sales offices, management offices, and reception areas. The square-footage of the existing building will remain as approved through Site Development Plan Review (SDR-4551), and no expansions will be made.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

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

   The proposed Major Amendment to an approved Site Development Plan Review (SDR-4551) is compatible with the surrounding uses 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, Title 19 and the previously approved Site Development Plan Review (SDR-4551), as conditioned.

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

   The site is accessed from Sahara Avenue, a 100-foot Primary Arterial, and Lindell Road, an 80-foot Secondary Collector, according to the Master Plan of Streets and Highways. This proposal will not negatively impact adjacent roadways or neighborhood traffic.

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

   The building and landscape materials are appropriate for the area and for the City as conditioned. Compliance with the quantity of landscape material provided through Site Development Plan Review (SDR-4551) has been conditioned, as well as the requirement to indicate the materials utilized for the proposed shade structures and porte cocheres.

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

   The proposed building elevations and design characteristics are aesthetically pleasing and architecturally compatible with the existing building and the surrounding neighborhood.

6. **"Appropriate measures are taken to secure and protect the public health, safety and general welfare."**

   This proposal will not impact public health, safety or welfare since the development will be subject to the International Building Code and City inspections during construction.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 4

ASSEMBLY DISTRICT 3

SENATE DISTRICT 11

NOTICES MAILED 110

APPROVALS 0

PROTESTS 7

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-34469 APN: 16301404022

Name of Property Owner: CARDAN LINDELL NORTH, LLC

Name of Applicant: VEDELAGO PETSCH ARCHITECTS

Name of Representative: S. MARK PETSCH

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: DANIEL TOWBIN

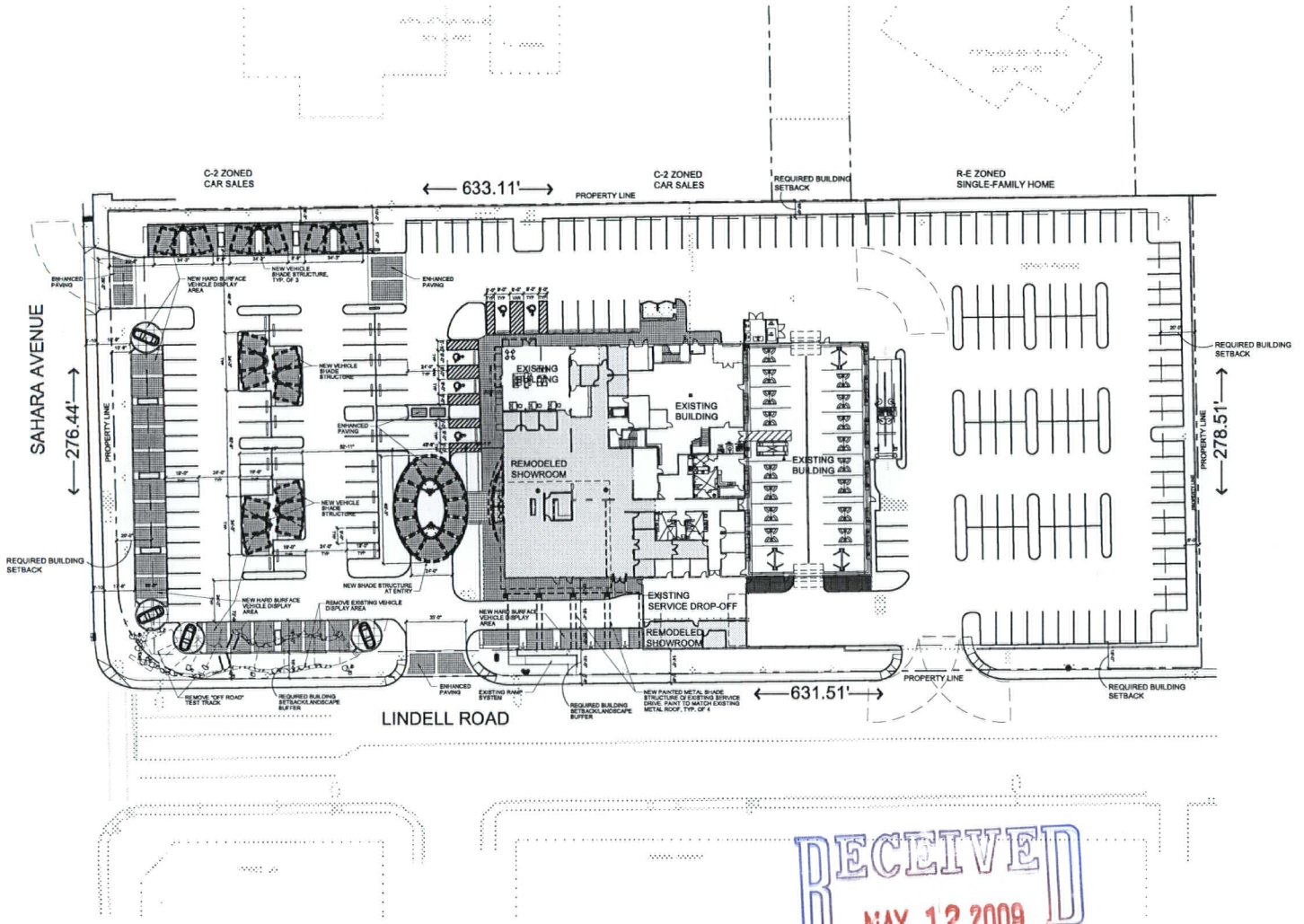
Subscribed and sworn before me

This 11th day of May, 2009

_____

Notary Public in and for said County and State

SONIA QUINONES
Notary Public, State of Nevada
Appointment No. 96-1033-1
My Appt. Expires Aug 29, 2009



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MAY 12 2009

NORTH

SITE INFORMATION

ASSESSORS PARCEL NUMBER (APN)	163-01-404-022
CURRENT ZONING	C-2
SITE AREA	+/- 4.15 ACRES - 182,951 S.F.
SITE COVERAGE	18.3%
F.A.R.	23.5%

EXISTING BUILDING

LEVEL 1	33,487 S.F.
LEVEL 2	9,322 S.F.
	42,809 S.F.

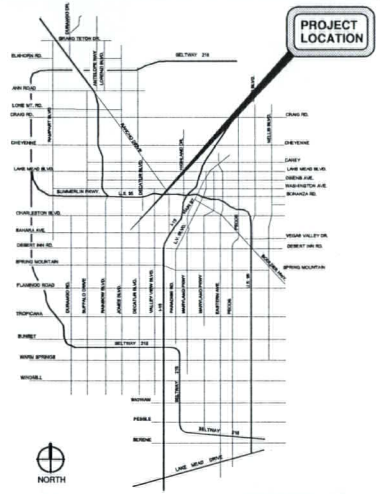
PARKING REQUIRED

AUTO DEALERSHIP - 1 / 500 S.F. (42,809 S.F.)	85 SPACES
TOTAL ACCESSIBLE PARKING REQUIRED	5 SPACES

PARKING PROVIDED

PARKING PROVIDED	198 SPACES
ACCESSIBLE PARKING PROVIDED	5 SPACES
SUB-TOTAL PARKING PROVIDED	203 SPACES
CAR DISPLAY PARKING PROVIDED	42 SPACES
TOTAL PARKING PROVIDED	245 SPACES

VICINITY MAP



Date: 05/12/09

Project No: 2008112

Scale: 1" = 30'-0"

0 15 30 60 90

Vedelago Petsch AIA
architects
3535 Executive Terminal Drive
Suite 310
Henderson, NV 89052
Phn (702)-951-0300
Fax (702)-951-0302

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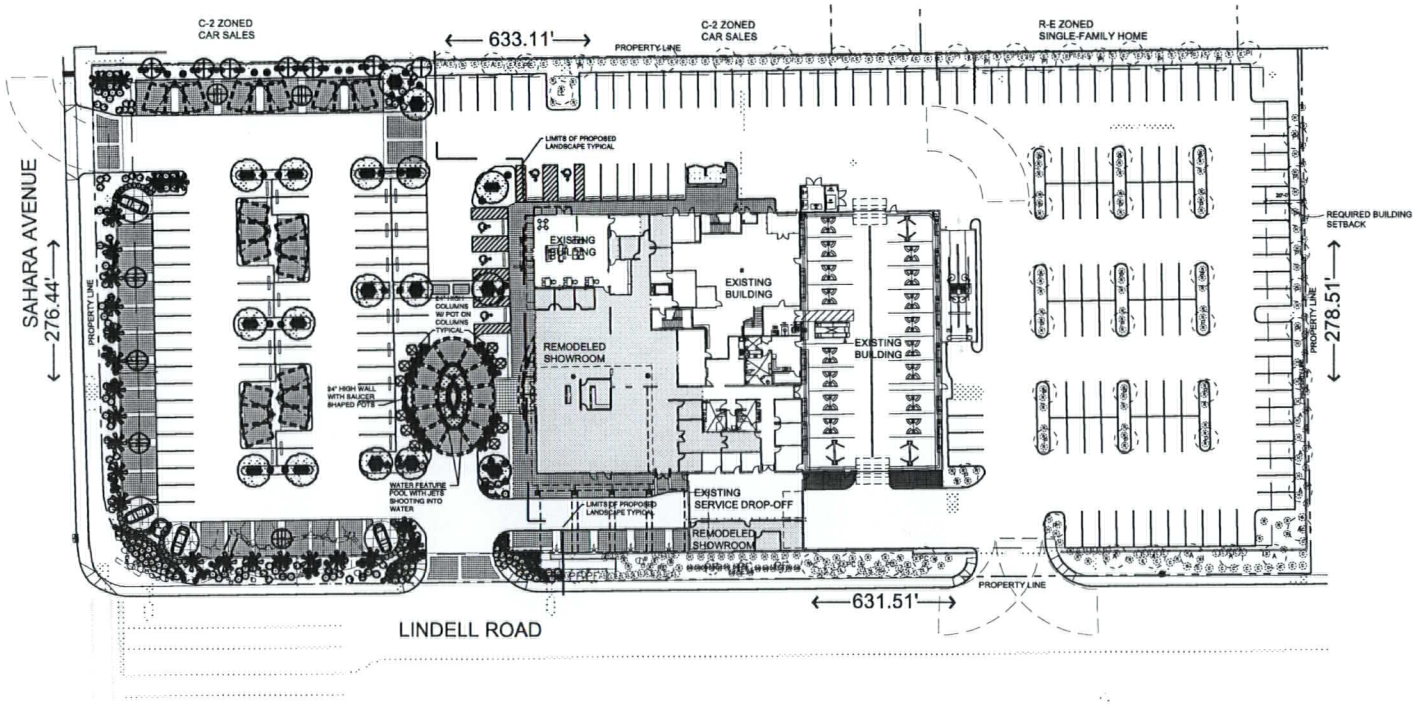
TOWBIN MOTORCARS LAS VEGAS

5550 WEST SAHARA AVENUE - LAS VEGAS, NV.

SITE PLAN

SDR-34469

06/25/09 PC



PLANT SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	REMARKS
TREES					
	LAURUS NOBILIS	GRECIAN LAUREL	34	36" BOX	STD. TRUNK - 3" CLEAR TRUNK
	ELAEOCARPUS DECIPIENS	JAPANESE BLUEBERRY	10	24" BOX	STD. TRUNK - 4" CLEAR TRUNK
	QUERCUS ILEX	HOLLY OAK	17	24" BOX	
	WASHINGTONIA FILIFERA	CALIFORNIA FAN PALM	17	EXISTING & NEW PALMS	SKINNED TRUNK. QUANTITIES INCLUDE EXISTING PALMS. SEE NOTE 4
SHRUBS					
	BUXUS MICROPHYLLA JAPONICA 'COMPACTA'	DWARF JAPANESE BOXWOOD	332	5 GAL	
	EUONYMUS FORTUNEI	EUONYMUS		5 GAL	APPROX. 1,186 FT²
	PITTOSPORUM TOBIRA 'WHEELERS'	WHEELERS DWARF PITTOSPORUM	59	5 GAL	
	RAPHIOLEPIS INDICA 'PINK DANCER'	DWARF INDIAN HAWTHORN	118	5 GAL	
GROUNDCOVERS					
	ASPARAGUS DENSIFLORUS 'SPRENGER'	SPRENGER ASPARAGUS	62	5 GAL	
	GAZANIA	CLUMPING GAZANIA		1 GAL	APPROX. 242 FT²
	LANTANA SPECIES 'NEW GOLD'	NEW GOLD LANTANA	59	5 GAL	
	TEUCRIUM CHAMAEDRYS	BUSH GERMANDER	262	1 GAL	
	TRACHELOSPERMUM ASIATICUM	ASIATIC JASMINE		5 GAL	APPROX. 275 FT²
	TRACHELOSPERMUM JASMINOIDES	STAR JASMINE	151	5 GAL	
ACCENTS					
	CYCAS REVOLUTA	SAGO PALM	12	15 GAL	
	DASYLIRION QUADRANGULATUM	TOOTHLESS DESERT SPOON	29	5 GAL	
	DIETES BICOLOR	EVERGREEN IRIS	54	5 GAL	

NOTES:
1. CONTRACTOR IS RESPONSIBLE TO VERIFY ALL PLANT QUANTITIES. THE PLANT SCHEDULE IS INTENDED AS A REFERENCE ONLY.
2. PLANT MATERIAL IS TO HAVE IDENTIFICATION TAGS ON 10% OF THE TOTAL QUANTITY OF EACH SPECIES, SHOWING GENUS, SPECIES, VARIETY, ETC.
3. CONTRACTOR TO PROVIDE MATCHING SIZES AND FORMS OF LIKE SHRUB SPECIES AS SHOWN ON DRAWINGS.
4. CALIFORNIA FAN PALM NOTES:
   A. TREE TRUNKS TO BE STRAIGHT, EVEN AND MATCHING WITH THE OTHER PALM TRUNKS OF SIMILAR TYPE. 30" MIN WIDTH OR TO MATCH EXISTING PALMS WHICHEVER IS GREATER.
   B. PALMS TO BE SKINNED
   C. PAINT ALL PALMS TRUNKS WITH BROWN HORTICUTURAL PAINT
5. CRUSHED ROCK TYPICAL IN ALL PLANTING BEDS.
   SUBMITTAL REQUIREMENTS:
   A. SUBMIT ROCK SAMPLES TO THE ARCHITECT FOR APPROVAL PRIOR TO THE START OF CONSTRUCTION.
   B. APPROVED SOURCES: KALAMAZOO MATERIALS-PALOMINO CORAL
   C. ROCK DEPTH 2-INCH MINIMUM.
   D. SEE SHEET L3.01 DETAIL '5' FOR ROCK INSTALLATION REQUIREMENTS.
   E. REFER TO CRUSHED ROCK PLAN BELOW FOR ROCK SIZES AND LOCATIONS.
6. PRIOR TO SHIPPING THE DATE PALM TREES PRE-DIG THE PALM TREE HOLES TO VERIFY DEPTH AND LOCATION OF THE UNDERGROUND UTILITIES. THE PALM TREE LOCATIONS MAY CHANGE DUE TO THE UNDERGROUND UTILITIES. DIGGING NEW HOLES DUE TO THE UTILITIES SHALL BE PART OF THE BASE BID.

EXISTING PLANT SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
TREES				
A	ACACIA SP.	ACACIA SP.	24" BOX	
B	BRACHYCHITON SPP.	BOTTLE TREE	24" BOX	
BC	BUTIA CAPITATA	PINDO PALM	24" BOX	
LL	LIGUSTRUM LUCIDUM	GLOSSY PRIVET	24" BOX	
PI	PINUS ELDARICA	MONDELL PINE	24" BOX	
P	PROSOPIS CHILENSIS	CHILEAN MESQUITE	24" BOX	
PC	PYRUS CALLERIANA	BRADFORD PEAR	24" BOX	
PF	WASHINGTONIA SPP	FAN PALM	24" BOX	

SHRUBS				
N	NANDINA DOMESTICA 'COMPACTA'	DWARF HEAVENLY BAMBOO	5 GAL	
SP	PHOTINIA SPP.	PHOTINIA	5 GAL	
H	RAPHIOLEPIS INDICA 'PINK DANCER'	DWARF INDIAN HAWTHORN	5 GAL	
X	XYLOSMA CONGESTUM 'COMPACTA'	COMPACT XYLOSMA	5 GAL	
GROUNDCOVERS				
C	COTONEASTER HORIZONTALIS	ROCK COTONEASTER	5 GAL	
L	LANTANA SP.	LANTANA	5 GAL	
GR	ROSEMARINUS 'HUNTINGTON CARPET'	'HUNTINGTON CARPET' SPREADING ROSEMARY	5 GAL	
DB	BACCHARIS SPP.	DWARF BACCHARIS	5 GAL	
ACCENTS				
AD	DIETES BICOLOR	EVERGREEN IRIS	5 GAL	
AH	HEMEROCALLIS SPP.	DAYLILLY	5 GAL	
R	HESPERALOE PARVIFLORA 'RED'	RED YUCCA	5 GAL	
M	MUHLENBERGIA SP.	REGAL MIST	5 GAL	

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MAY 27 2009

NORTH

Date: 05/12/09
Project No: 2008112
Scale: 1" = 30'-0"

Vedelago Petsch AIA architects
3535 Executive Terminal Drive
Suite 310
Henderson, NV 89052
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Fax (702)-951-0302

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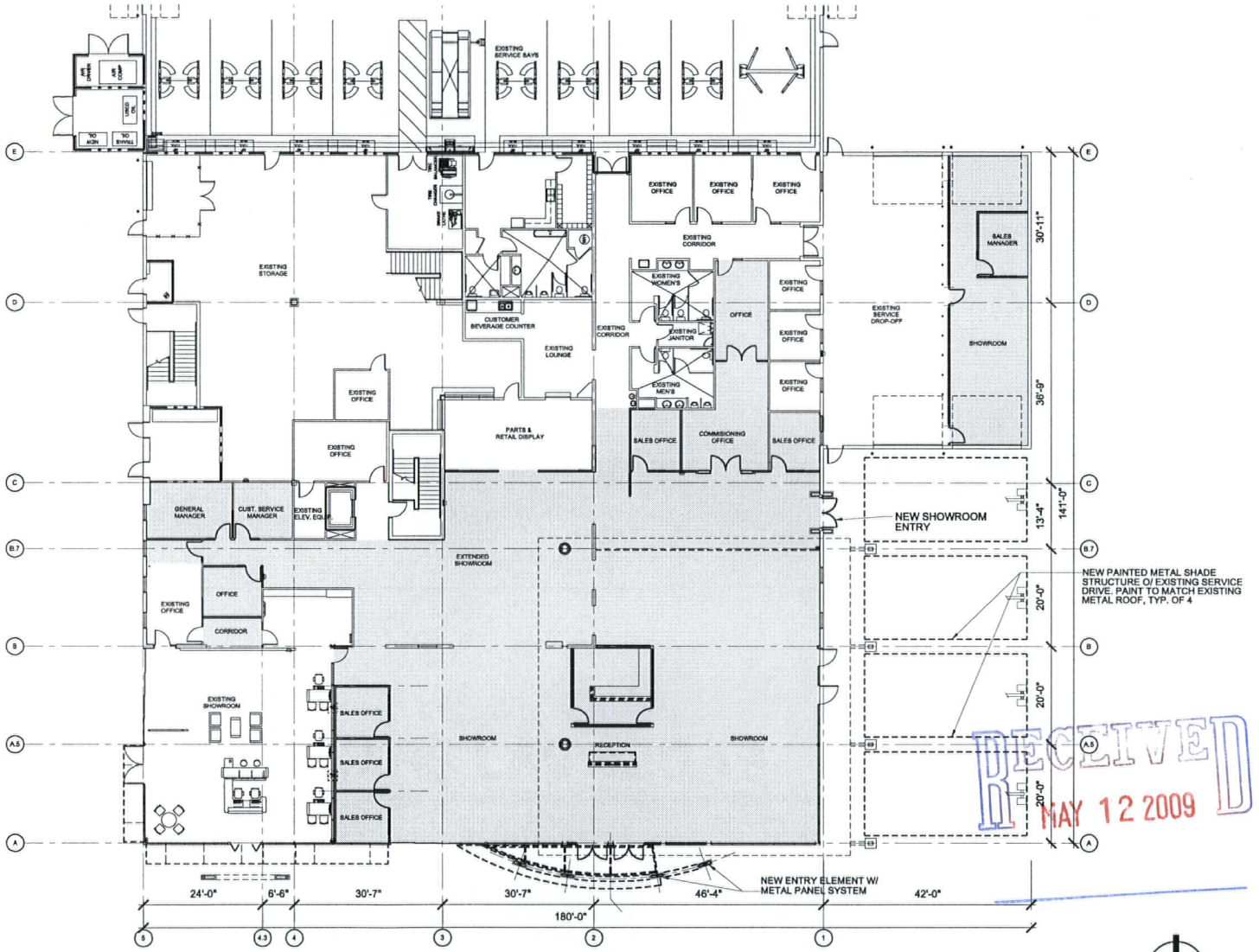
TOWBIN MOTORCARS LAS VEGAS

5550 WEST SAHARA AVENUE - LAS VEGAS, NV.

LANDSCAPE PLAN

SDR-34469
REVISED
06/25/09 PC



FLOOR PLAN INFORMATION

REMODEL AREA (SHADED): 10,300 S.F.

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TOWBIN MOTORCARS LAS VEGAS

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PARTIAL FLOOR PLAN

Date: 05/12/09

Project No: 2008112

Scale: 1" = 10'-0"

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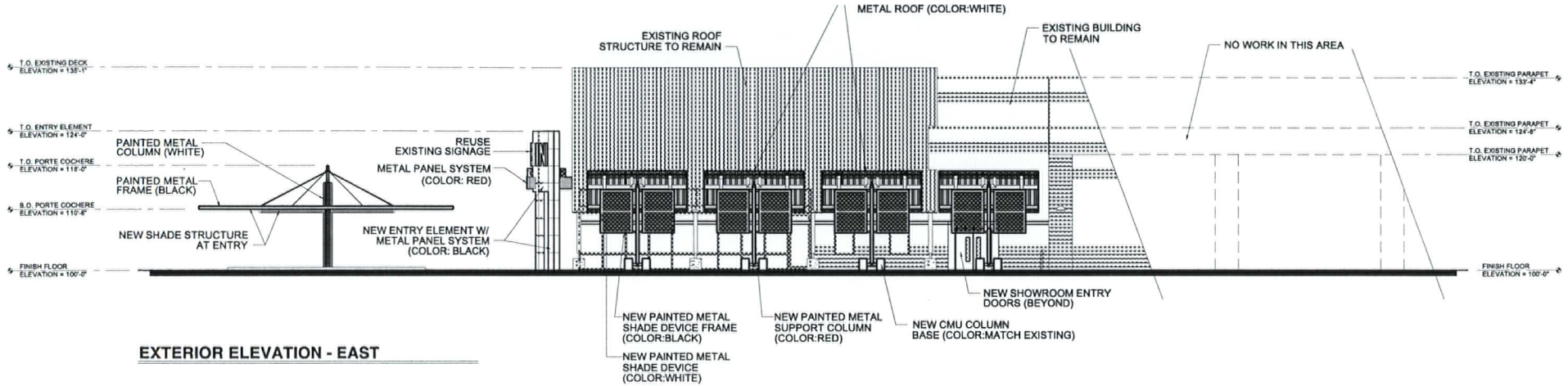
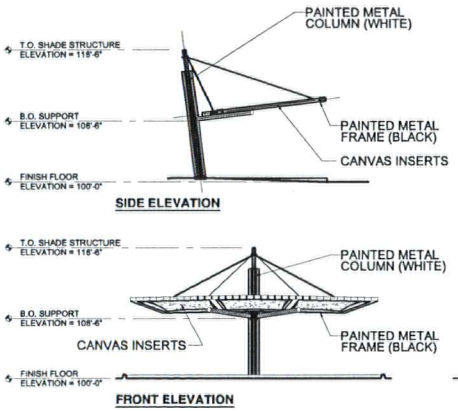
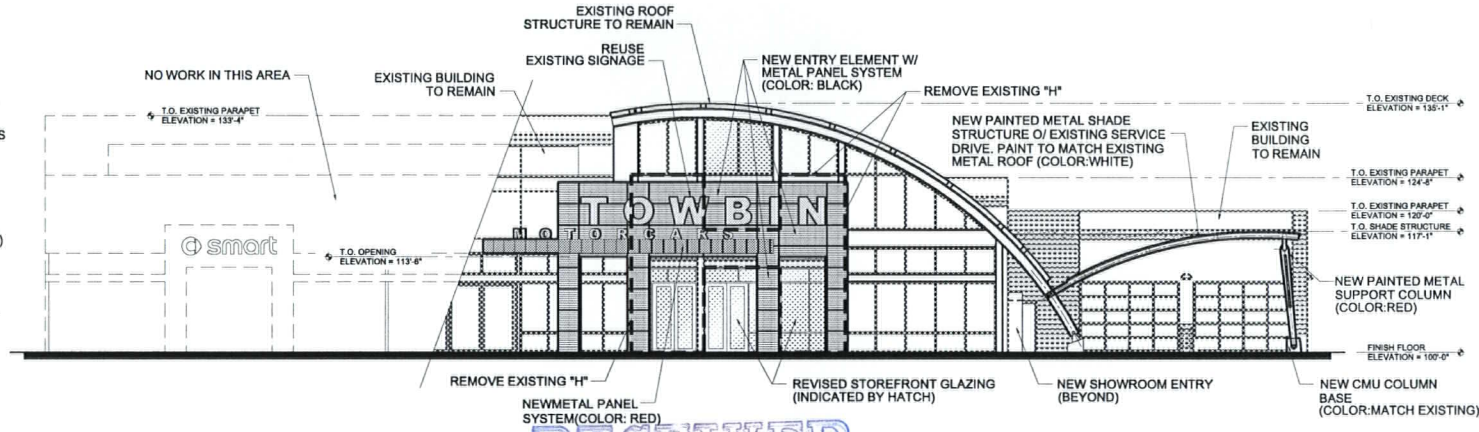


EXTERIOR ELEVATION - EAST



NEW VEHICLE SHADE STRUCTURE



EXTERIOR ELEVATION - SOUTH

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Date: 05/12/09

Project No: 2008112

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

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ELEVATIONS

SDR-34469

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VIEW OF PORTE COCHERE / MAIN ENTRANCE

Schematic Design

TOWBIN
MOTORCARS
5550 W. SAHARA AVE. LAS VEGAS, NV

05.12.2009

LAS VEGAS Development Co.

VEDELAGO - PETSCH ARCHITECTS

SDR-34469
06/25/09 PC

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VIEW LOOKING NORTHWEST (FROM CORNER OF SAHARA AND LINDELL)

Schematic Design

TOWBIN
MOTORCARS

5550 W. SAHARA AVE. LAS VEGAS, NV

05.12.2009

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SDR-34469
06/25/09 PC

EXTERIOR FINISHES

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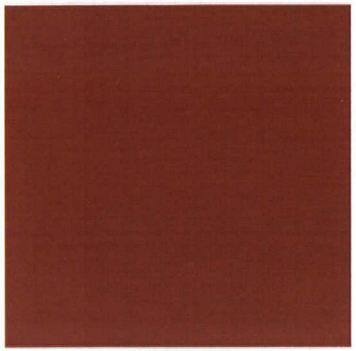
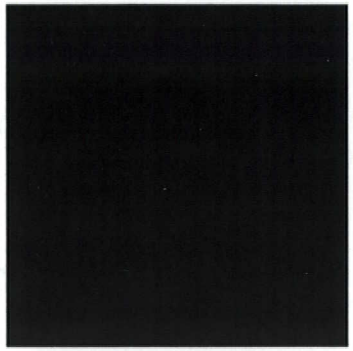
COLOR & MATERIALS BOARD

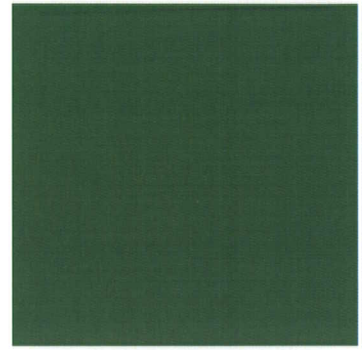


PITTSBURGH PAINTS
233-7 RED GUMBALL

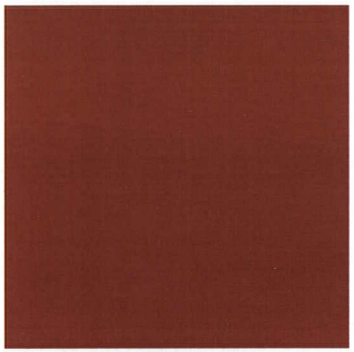


PITTSBURGH PAINTS
518-7 BLACK MAGIC

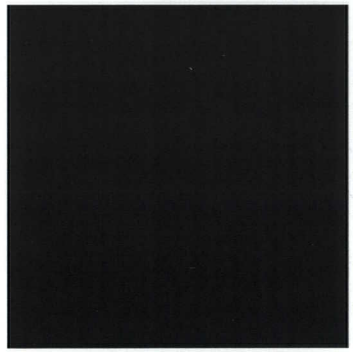
PITTSBURGH PAINTS
WHITE (TO MATCH EXISTING)



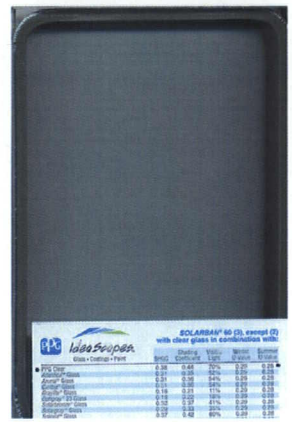
PITTSBURGH PAINTS
505-7 PINE FOREST



CITADEL ARCHITECTURAL
PRODUCTS
METAL PANEL SYSTEM
ENVELOPE 2000
REGAL RED (KYNAR 500)



CITADEL ARCHITECTURAL
PRODUCTS
METAL PANEL SYSTEM
ENVELOPE 2000
EBONY (KYNAR 500)



PPG STOREFRONT GLAZING
SOLARBAN 60 - 1" INSULATED
GLASS



PAVESTONE - PAVERS
PLAZA STONE SERIES
BLACK & GREY

TOWBIN MOTORCARS

5550 WEST SAHARA AVE. LAS VEGAS, NV

SDR-34469
06/25/09 PC



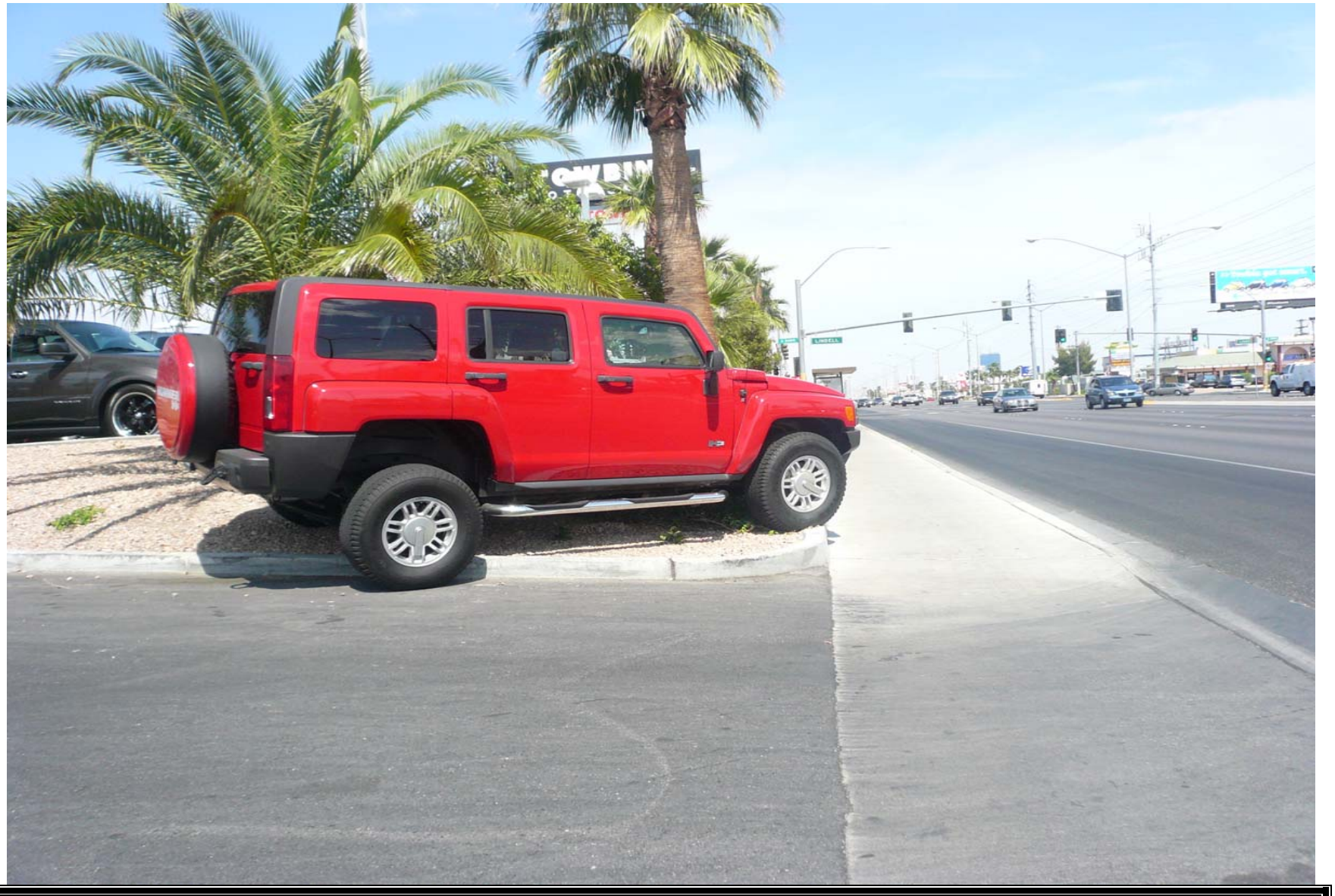
SDR-34469 - APPLICANT/OWNER: CARDAN LINDELL NORTH, LLC
5550 WEST SAHARA AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

05/21//09



SDR-34469 - APPLICANT/OWNER: CARDAN LINDELL NORTH, LLC
5550 WEST SAHARA AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

05/21//09



SDR-34469 - APPLICANT/OWNER: CARDAN LINDELL NORTH, LLC
5550 WEST SAHARA AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

05/21//09



SDR-34469 - APPLICANT/OWNER: CARDAN LINDELL NORTH, LLC
5550 WEST SAHARA AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

05/21//09



SDR-34469 - APPLICANT/OWNER: CARDAN LINDELL NORTH, LLC
5550 WEST SAHARA AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

05/21//09



SDR-34469 - APPLICANT/OWNER: CARDAN LINDELL NORTH, LLC
5550 WEST SAHARA AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

05/21//09



SDR-34469 - APPLICANT/OWNER: CARDAN LINDELL NORTH, LLC
5550 WEST SAHARA AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

05/21//09



SDR-34469 - APPLICANT/OWNER: CARDAN LINDELL NORTH, LLC
5550 WEST SAHARA AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

05/21//09



SDR-34469 - APPLICANT/OWNER: CARDAN LINDELL NORTH, LLC
5550 WEST SAHARA AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

05/21//09



SDR-34469 - APPLICANT/OWNER: CARDAN LINDELL NORTH, LLC
5550 WEST SAHARA AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

05/21//09



SDR-34469 - APPLICANT/OWNER: CARDAN LINDELL NORTH, LLC
5550 WEST SAHARA AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

05/21//09



Submitted at Planning Commission

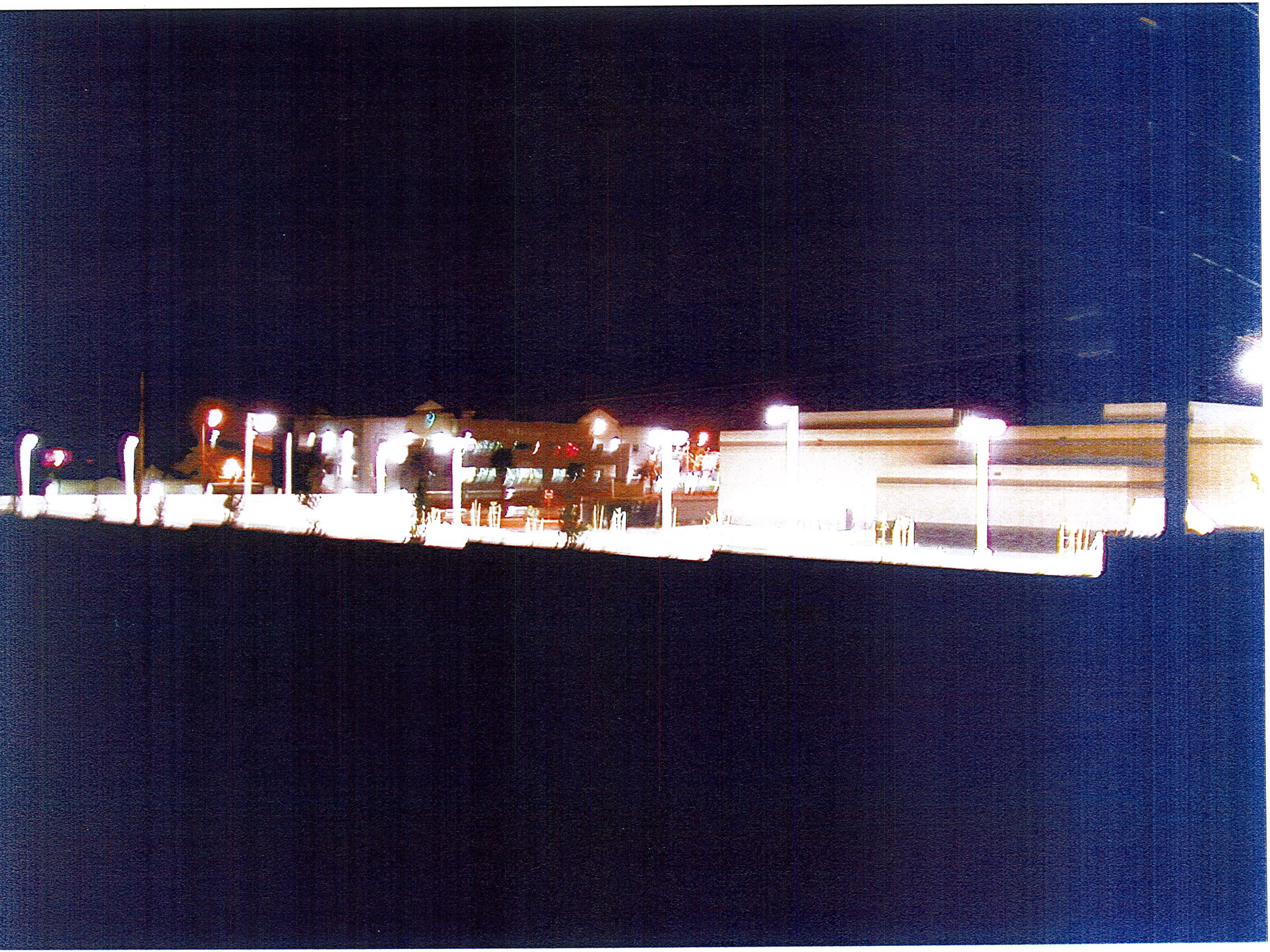
Date 6/25/09 Item 29


STOP
PAYDAY
smart
TRAFFIC
MUST




CAT
204
2434


MOTOR
smart



VEDELAGO - PETSCH ARCHITECTS

May 8, 2009

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

Re: Justification Letter – **Towbin Motorcars Remodel**
Vedelago Petsch Architects Project No. 2008112

To Whom It May Concern:

This justification letter is provided to explain the request and intended changes to the property.

The proposed project consists of a remodel to existing space & minor exterior improvements to an existing automotive dealership, zoned C-2, located at 5550 West Sahara Avenue, Las Vegas, NV 89146 (APN 163-01-404-022).

The proposed improvements consist of the remodel of approx. 10,300 sf of existing automotive showroom space, the addition of an architectural element at the entry & the service drive, the addition of decorative shade structures in the parking area & the revision of the vehicle display areas at the south & east edges of the front parking areas.

This proposed project is not adding to the existing building enclosed area square footage. Also, the proposed changes are not encroaching into any existing setbacks or height restrictions.

If you have any questions regarding this project or the content of this letter, please don't hesitate to contact me.

Sincerely,

S. Mark Petsch, AIA, NCARB

RECEIVED
MAY 12 2009

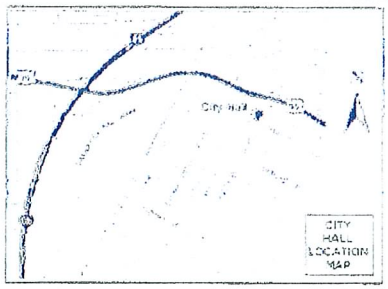
CC: file
H:\2008112\Docs\Justification3.doc

3535 EXECUTIVE TERMINAL DRIVE. • SUITE 310 • HENDERSON, NEVADA • 89052
PHONE (702) 951-0300 • FAX: (702) 951-0302

SDR-34469
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



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-34469

Planning Commission Meeting of 6/25/2009

16301404002 Case: SDR-34469
SAMPSON BILL & MARIANNE TRUST
5625 O'BANNON DR
LAS VEGAS NV 89146-0311

89146$0311 $0444

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Submitted after final agenda
Date 6/25/09 PC Item 29 P

City of Las Vegas
Planning & Development Department
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731 S. Fourth Street
Las Vegas, Nevada 89101-5986

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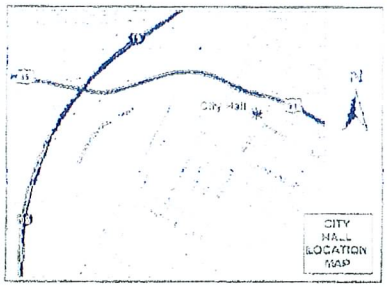

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SDR-34469

Planning Commission Meeting of 6/25/2009

Case: SDR-34469
16301404001
JONES TOM & CONITA TRUST
5645 OBANNON DR
LAS VEGAS NV 89146-0311

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Submitted after final agenda
Date 6/25/09PC Item 29 P

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

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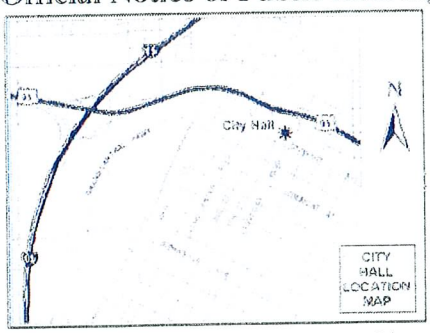

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SDR-34469

Planning Commission Meeting of 6/25/2009

Case: SDR-34469

16301706006
LIEBL ANDREA CAE
5320 O BANNON DR
LAS VEGAS NV 89102-3318

DAVDF11 89145

Submitted after final agenda

Date 6/25/09 Item 29

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

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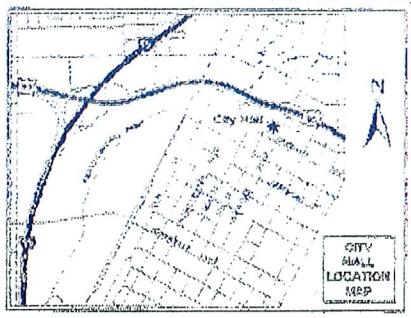

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SDR-34469

Planning Commission Meeting of 6/25/2009

Case: SDR-34469

16301306013
O'BANNON PAUL TRUST
P O BOX 26623
LAS VEGAS NV 89126-0623

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JUN 25 2009

Submitted after final agenda

Date 6/25/09 PC Item 29 P

06/23/2009 16:32 7022229725 PAUL O'BANNON CRS GRI PAGE 01/01

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

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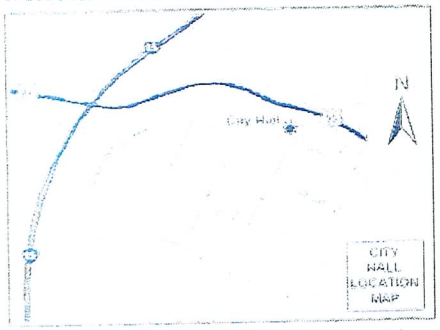

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SDR-34469

Planning Commission Meeting of 6/25/2009

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Case: SDR-34469
16301404017
SWANCIGER GARY L TRUST
2270 WESTWIND RD
LAS VEGAS NV 89146-0305

6/25/09PC
Item 29

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

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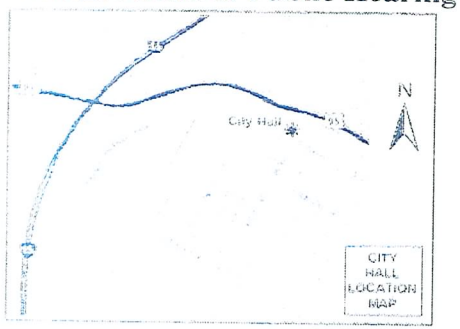

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Planning Commission Meeting of 6/25/2009

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Case: SDR-34469
16301404001
JONES TOM & CONITA TRUST
5645 OBANNON DR
LAS VEGAS NV 89146-0311

DAVDS11 89146

Submitted after final agenda
Date 6/25/09 PC Item 29 p

City of Las Vegas
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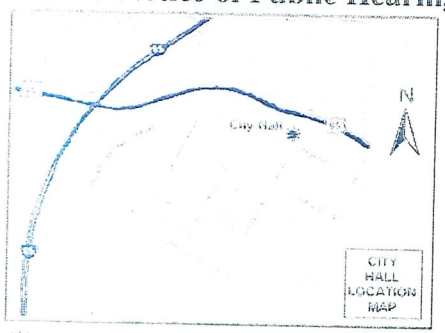

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SDR-34469

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SAMPSON BILL & MARIANNE TRUST
5625 O'BANNON DR
LAS VEGAS NV 89146-0311

89146$0311 $044

Submitted after final report
Date 6/25/09 PC Time 29 P

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 13, 2009

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

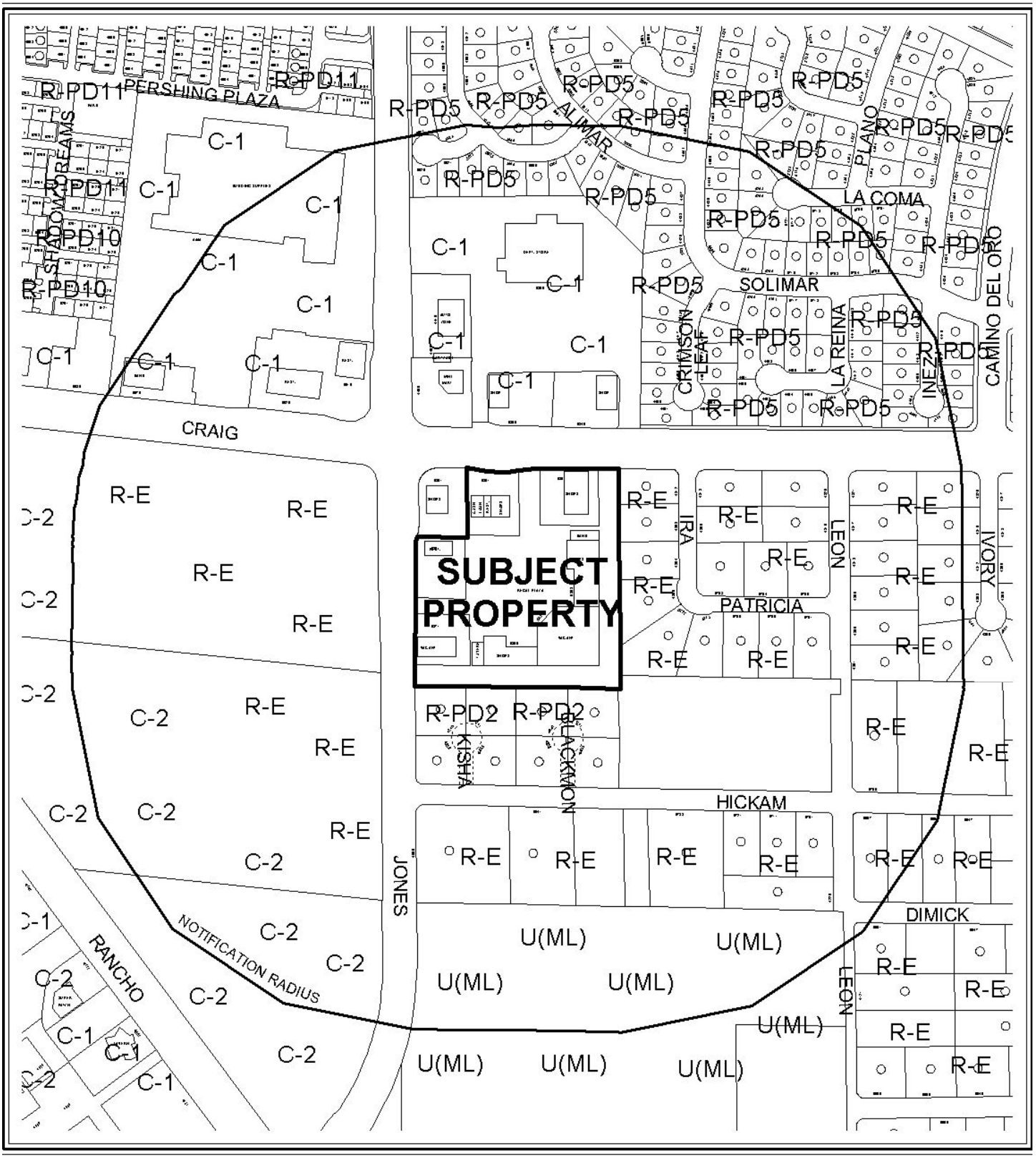
SUBJECT:
ABEYANCE - SDR-34464 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: TOWER REALTY AND DEVELOPMENT, LLC - OWNER: REGAL PLAZA PAD D, LLC - Request for a Major Amendment of a previously approved Site Development Plan Review (SDR-20711) FOR THE ADDITION OF A RESTAURANT WITH DRIVE-THROUGH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

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

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

RECOMMENDATION:
DENIAL

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



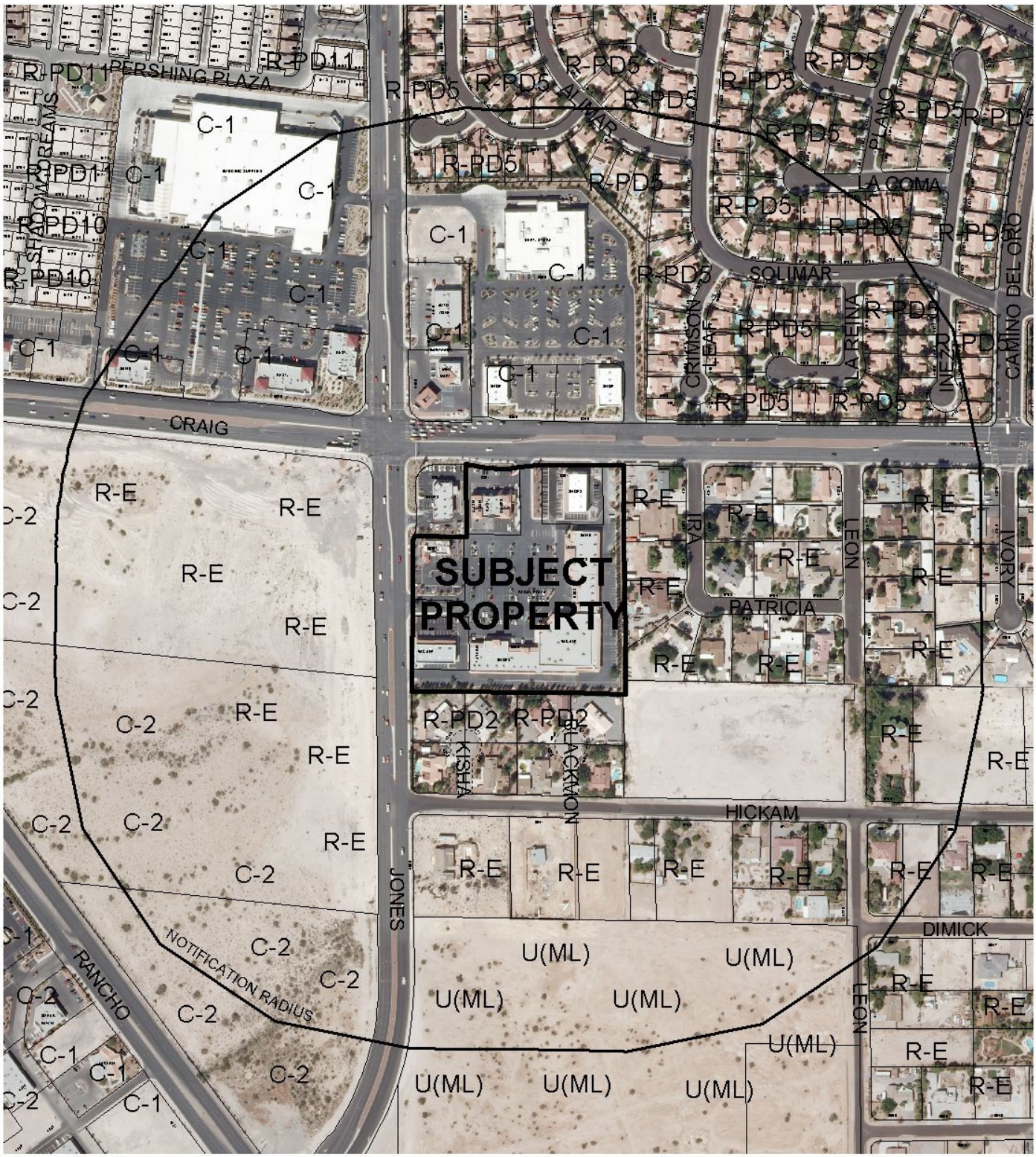
CASE: **SDR-34464**

RADIUS: 1000 FT

0 500 Feet

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

N



CASE: **SDR-34464**

RADIUS: 1000 FT

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

0 500 Feet

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: AUGUST 13, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - SDR-34464 - APPLICANT: TOWER REALTY AND DEVELOPMENT, LLC - OWNER: REGAL PLAZA PAD D, LLC

** CONDITIONS **

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

Planning and Development

1. Conformance to the Conditions of Approval for Site Development Plan Review (SDR-20711) shall be required, except as amended herein.

2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All development shall be in conformance with the site plan, date stamped 06/04/09, and the landscape plan, and building elevations, date stamped 05/12/09, except as amended by conditions herein.

4. A Waiver from Title 19.14.040 is hereby approved, to allow no landscaping or screening for a utility box in excess of 27 cubic feet located within the perimeter landscape buffer at the northeast corner of the site along Craig Road.

5. The trash enclosure shall comply with all requirements of Title 19.08.

6. The handicap accessible parking spaces shall be revised to meet the minimum requirements of Title 19.10, including the requirement for access aisle on both sides of the spaces.

7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan: Street trees along Craig Road shall be palm trees with a minimum height of 15 feet from the ground to the top of the fronds, as approved in Site Development Plan Review (SDR-20711).

8. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

9. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).

10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

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

Public Works

15. No new permanent structures or landscaping taller than 3 feet shall be allowed within the existing 20 foot public sewer easement granted by the Regal Plaza Commercial Subdivision, Book 90, Page 27.

16. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

17. Site development to comply with all applicable conditions of approval for SDR-20711 and all other site-related actions.

** STAFF REPORT **

PROJECT DESCRIPTION

This request for a Major Amendment to an approved Site Development Plan Review (SDR-20711) is the result of a failed construction inspection, which indicated that the site was not constructed per the approved Site Development Plan Review, civil improvement plans or the building permit. The site, as built, added a drive-through for a restaurant, moved the building approximately eight feet to the south and 1.5 feet to the west, and added approximately 66 square feet of floor area for a fire riser room and drive-through window area. The height of the building has increased by one foot. A large utility box located within the north landscape buffer is not screened as required, is elevated above the sidewalk, and is prominently visible at the front of the site, adjacent to Craig Road. This Amendment is necessary to allow the issuance of a certificate of occupancy for the building. If denied, the applicant would be required to bring the site in to compliance with the previously approved Site Development Plan Review, civil improvement plans and building permit.

Issues:

- The site was not constructed per the approved Site Development Plan Review, nor was it constructed per the approved civil improvement plans or the building permit.
- The added drive-through does not function very well in that larger vehicles will have some difficulty navigating the turns without hitting the curbs. The exit for the drive-through is located at the northwest corner of the building, and creates a potentially unsafe condition by channeling additional vehicles into a dead-end parking area that does not provide adequate space to turn a vehicle around unless there is an open parking space to facilitate the maneuver.
- The Waiver of the screening for the utility box cannot be supported as the box is prominently visible from the public right-of-way, and the proposed screening of the box is not adequate to meet the minimum requirements of Title 19.12.040.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
11/17/99	The City Council approved a Special Use Permit (U-102-99) for the sale of packaged liquor in conjunction with a proposed 26,498 square foot grocery store on property located at the southeast corner of Jones Boulevard and Craig Road.
05/27/04	The Planning Commission approved a request for a Site Development Plan Review (SDR-4294) with Waivers of Landscaping, Pad Location and Covered Trash Enclosure Requirements for a proposed retail building on 0.64 acres adjacent to the south side of Craig Road, approximately 370 east of Jones Boulevard.
12/28/06	A deed was recorded for change of ownership.

05/10/07	The Planning Commission approved a request for a Site Development Plan Review (SDR-20711) for a 5,500 square foot commercial building with a Waiver to allow perimeter landscape buffer widths of zero feet on the south and east property lines where eight feet is the minimum required on 0.55 acres on the south side of Craig Road. Staff recommended approval.
06/25/09	The Planning Commission, at the request of the applicant, held in abeyance a request for a Major Amendment (SDR-34464) to an approved Site Development Plan Review (SDR-20711) for the addition of a restaurant with drive-through to an existing 5,566 square-foot retail building with a Waiver of Title 19.12.040(e) utility box and installation screening standards on 8.16 acres at the southeast corner of Craig Road and Jones Boulevard.
07/09/09	The Planning Commission held in abeyance a request for a Major Amendment (SDR-34464) to an approved Site Development Plan Review (SDR-20711) for the addition of a restaurant with drive-through to an existing 5,566 square-foot retail building with a Waiver of Title 19.12.040(e) utility box and installation screening standards on 8.16 acres at the southeast corner of Craig Road and Jones Boulevard. The abeyance was to allow the applicant to submit revised plans for staff review.

Related Building Permits/Business Licenses	
04/15/08	Building permits were issued for an office/retail shell building (#107695), on-site improvements (#107696) and a trash enclosure (#107697) at 5801 W. Craig Road. The permit has not been finaled.
06/17/08	A building permit (#113507) was issued for a tenant improvement at 5801 W. Craig Road, suite #130. The permit has not been finaled.
08/18/08	An application for a building permit (#122386) was received for a tenant improvement at 5801 W. Craig Road, suite #110. The application is currently under review.

Pre-Application Meeting	
04/08/09	A pre-application meeting for a Major Amendment to an existing Site Development Plan Review was held to discuss the following issues: • Revised parking calculations required. Handicap parking spaces to comply with Title 19.10 standards. • Exceptions will be required for required landscape buffer planting materials, parking lot islands and planting materials and parking lot screening requirements. • The preferred location for the trash enclosure is the location approved by SDR-20711

Neighborhood Meeting
A neighborhood meeting was neither required nor held for this application.

Field Check	
05/21/09	A field check was conducted by staff. The existing building was not constructed in accordance with the approved building permit plans. The building remains vacant, as no certificate of occupancy has been issued.

Details of Application Request	
Site Area	
Gross Acres	0.64 Acres

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Single-Family Residences	DR (Desert Rural Density Residential)	R-PD2 (Residential Planned Development – 2 Units per Acre)
East	Single-Family Residences	DR (Desert Rural Density Residential)	R-E (Residence Estates)
West	Undeveloped	SC (Service Commercial)	R-E (Residence Estates)

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Area Plan		X	N/A
Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
A-O Airport Overlay District (140 Feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	***Required/Allowed***	***Provided***	***Compliance***
Min. Lot Size	N/A	28,058 SF	Y
Min. Lot Width	100 Feet	170 Feet	Y

Min. Setbacks • Front • Side • Corner • Rear	 20 Feet 10 Feet 15 Feet 20 Feet	 24 Feet 35 Feet N/A Feet 27 Feet	 Y Y N/A Y
Max. Lot Coverage	50%	20%	Y
Max. Building Height	N/A	23 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Not Indicated	By Condition
Mech. Equipment	Screened	Not Indicated	By Condition

Pursuant to Title 19.08.060, the following Residential Adjacency Standards apply:

Residential Adjacency Standards	***Required/Allowed***	***Provided***	***Compliance***
3:1 proximity slope	69 Feet	95 Feet	Y
Adjacent development matching setback	35 Feet	95 Feet	Y
Trash Enclosure	50 Feet	65 Feet	Y

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

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Parking Area	1 Tree / 6 Spaces, plus 1 at the end of each row of spaces	10 Trees	10 Trees	Y
Buffer: North	1 Tree / 30 Linear Feet	6 Trees	6 Trees	Y
TOTAL		16 Trees	16 Trees	Y
Min. Zone Width North	15 Feet		15 Feet	Y
Wall Height	6 to 8 Feet Adjacent to Residential		6 feet	Y

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	***Required***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	75,850 SF	1:250	296	8	399	17	Y
TOTAL			304		416		Y
Loading Spaces	75,850 SF		4		6		Y

SG

Waivers		
Requirement	**Request**	**Staff Recommendation**
Utility boxes and above-ground utility installations in excess of 27 cubic feet shall be set back a sufficient distance so that a minimum of three feet of landscaping separates the utility structure from the public street right-of-way or sidewalk, whichever is nearer to the structures. The landscaping must include tall grasses and shrubbery which at maturity will provide adequate screening of the utility structures.	To provide less than three feet of landscaping, consisting of a trellis structure supporting hanging vines, for the screening for a utility box.	Denial

ANALYSIS

- **Site Plan**

  The proposed changes to the site include the addition of a drive-through along the east and north sides of the building, with the building moved approximately eight feet to the south and 1.5 feet to the west to accommodate the drive lane. The entrance to the drive-through is located on the east side of the building; larger vehicles will have difficulty navigating the sharp turns associated with the drive-through. The exit for the drive-through is located at the northwest corner of the building, and creates a potentially unsafe condition by channeling additional vehicles into a dead-end parking area that does not provide adequate space to turn a vehicle around unless there is an open parking space to facilitate the maneuver.

  The proposed building is approximately 66 square feet larger than the previously approved building, a result of the addition of a 30 square-foot fire riser room at the southeast corner of the building, and a 36 square-foot drive-up window on the north side of the building. The additional building area will not significantly impact the subject site.

  The previously approved site plan depicted 31 parking spaces, with two handicap spaces and one loading zone. The proposed site will provide 32 parking spaces, with three handicap spaces and one loading zone; two of the three handicap spaces do not have access aisles on both sides of the parking spaces as required by Title 19.10, and a condition has been added to require compliance with the standards.

- **Landscape Plan**

  The landscape plan is similar to the previously approved plan, but the addition of the drive-through has increased the number of parking lot trees required to ten as a result of the additional landscape islands created. A condition has been added to require the correct number of trees and shrubs.

  A large utility box is located in the landscape buffer at the northeast corner of the site, adjacent to Craig Road. A minimum three-foot width of landscaping is required to screen the box from view from the public right-of-way. The proposed screening, consisting of a trellis covered in hanging Honeysuckle vines is not adequate to meet the requirement, and the landscaping depicted in front of the box in submitted plans cannot be accommodated within the pedestal area that supports the utility box as it is constructed; therefore, a Waiver is required. Staff cannot support this request as the utility box is elevated above the sidewalk and is prominently visible from the public right-of-way.

- **Elevations**

  The elevations remain very similar to the previously approved elevations, with the exception of the north building façade. The north façade, adjacent to Craig Road, has had a drive-up window added. Even though the window area pops out from the rest of the building, the limited window area of the façade gives it a plain, unremarkable appearance. Additional embellishment or architectural features would be desirable for this façade as it will be visible from the right-of-way.

  In addition, the overall height of the building has been increased by one foot, which will not significantly impact the subject site or any surrounding developments.

FINDINGS

The following findings must be made for an SDR:

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

   The proposed development is compatible with adjacent development with regards to the uses proposed; however, the layout of the development is not compatible with the adjacent development and development in the area.

2. **The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

   The proposed development is consistent with the General Plan, but is not consistent with Title 19, as is evidenced by the need for a Waiver of required screening for a utility box.

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

   Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic. On-site circulation is not adequate in that vehicles, especially larger vehicles, will have trouble navigating the turns associated with the drive-through. The drive-through exit is located at the end of a parking field that dead-ends, creating a bottleneck for vehicles exiting the drive-through, as well as vehicles trying to enter, exit and turn around in the parking area.

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

   The building materials are as previously approved. Landscape materials, as conditioned, are appropriate for the area and for the city.

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

   The building elevations are almost identical to the previously approved elevations, with the exception of the north elevation. The north elevation, which is adjacent to Craig Road, is not aesthetically pleasing or compatible with development in area.

6. **Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

   The proposed development is subject to permit review and inspection; therefore, appropriate measures will be taken to protect the health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 7

ASSEMBLY DISTRICT 1

SENATE DISTRICT 4

NOTICES MAILED 150

APPROVALS 0

PROTESTS 1

SG

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-34464 APN: 138-01-312-003

Name of Property Owner: REGAL PLAZA PAD, D

Name of Applicant: TOWER REALTY & DEVELOPMENT, LLC

Name of Representative: JOHN MORELLI

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: LOUIS V. CARNESALE, MANAGING /MEMBER

Subscribed and sworn before me

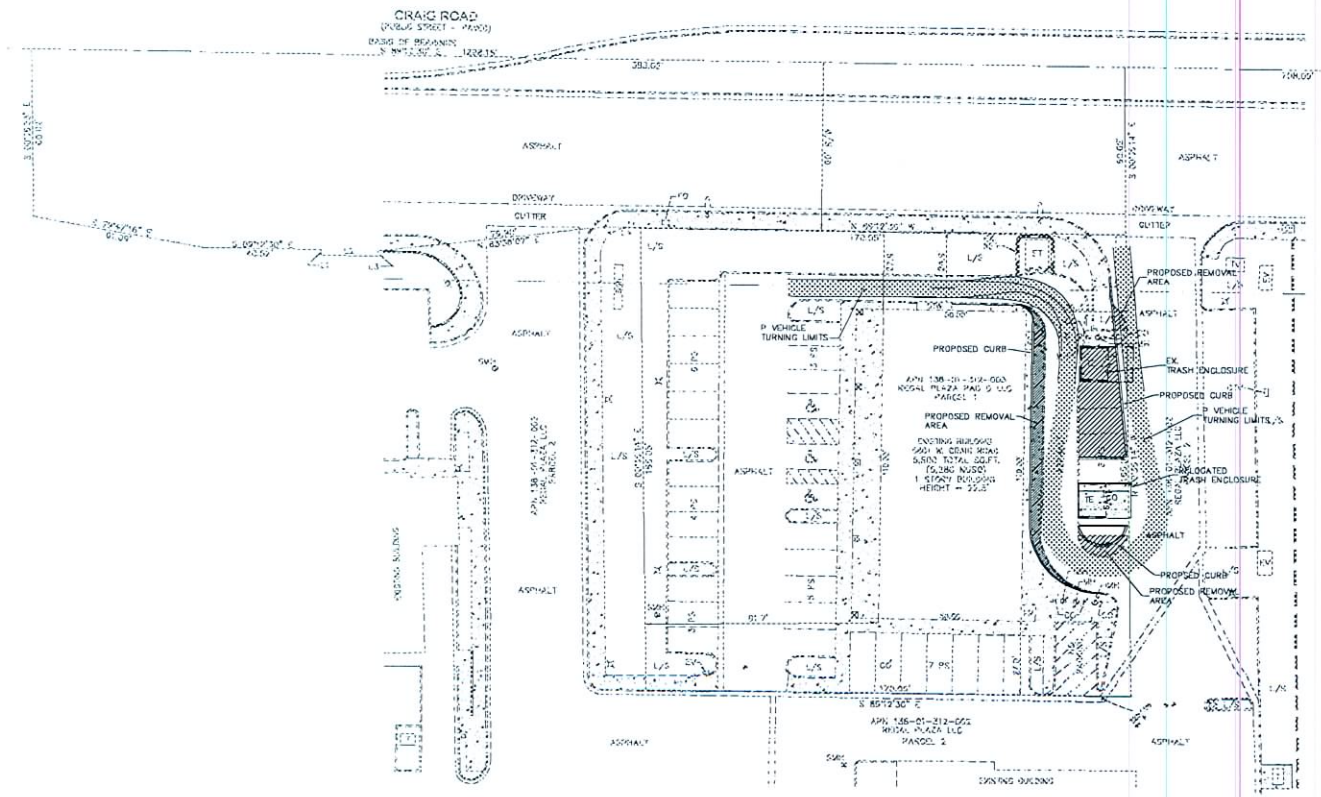
This 11th day of May, 2009

Tonya A Smyth

Notary Public in and for said County and State

TONYA A. SMYTH
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 05-100789-1
My Appt. Expires Oct. 12, 2009

RECEIVED
MAY 12 2009



DESCRIPTION
A PORTION OF LOT 1, BOOK 90 OF PLATS, PAGE 27, CLARK COUNTY OFFICIAL RECORDS, SITUATE IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 01, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, SHOWN AS LOT 1-1 IN FILE 103 OF SURVEYS, PAGE 59, CLARK COUNTY OFFICIAL RECORDS.

BENCHMARK
CITY OF LAS VEGAS VERTICAL CONTROL
RIVET AND PLATE IN TOP OF CURB ON WEST SIDE OF JONES ¼ MILE NORTH OF CRAIG

STATION 1LV00
2NEE6
ELEVATION= 691.2214 METERS (NAVD88)
2267.78 FEET

GRAPHIC SCALE
10 0 20 80 20 40
(IN FEET)
HORIZONTAL SCALE= 20

LEGEND

- SET REBAR W/AL CAP PLS # 8002 WITH REFERENCE MONUMENTS
- SET REBAR W/AL CAP PLS # 8002
- FOUND MONUMENT AS NOTED
- SET NAIL & TAG P.L.S. 8002
- (M) MEASURED BEARING AND/OR DISTANCE
- (C) CALCULATED BEARING AND/OR DISTANCE
- (R) RECORD BEARING AND/OR DISTANCE
- EXISTING CABLE TV BOX
- EXISTING CABLE TV VAULT
- EXISTING STREETLIGHT VAULT
- ELECTRICAL METER
- ELECTRICAL VAULT
- ELECTRICAL TRANSFORMER
- EXISTING WATER METER
- EXISTING WATER M.H.
- EXISTING TELEPHONE M.H.
- EXISTING ELECTRICAL M.H.
- EXISTING SANITARY SEWER M.H.
- EXISTING STORM DRAIN M.H.
- HANDICAPPED MARKING
- EXISTING TELEPHONE BOX
- EXISTING TELEPHONE VAULT
- EXISTING PULL BOX
- EXISTING STREET LIGHT
- EXISTING IRRIGATION CONTROL VALVE
- EXISTING LANDSCAPE LIGHT
- EXISTING BOLLARD/POST
- EXISTING X-WALK POLE
- EXISTING TRAFFIC LIGHT
- EXISTING AREA LIGHT
- EXISTING CONTROLLER BOX
- EXISTING SIGN
- EXISTING GUY WIRE ANCHOR
- EXISTING TELEPHONE POLE
- EXISTING UTILITY POLE
- EXISTING WATER VALVE
- EXISTING FIRE HYDRANT
- EDGE OF PAVEMENT
- EXISTING WALL
- EXISTING CHAIN LINK FENCE
- EXISTING WOOD FENCE
- EX BUILDING LINE
- EXISTING CURB
- EXISTING SIDEWALK
- CENTERLINE
- PROPERTY LINE
- BOUNDARY LINE
- CENTERLINE
- R.O.W. LINE
- SECTION LINE AND SECTIONAL BREAK DOWN LINES
- EXISTING EASEMENT LINE

NO.	DATE	BY	APPV'D	REVISION DESCRIPTION

STAMP DATE

SOUTHWEST ENGINEERING
LAND PLANNING • MAPPING • DEVELOPMENT
3610 North Rancho Drive
Las Vegas, Nevada 89130
Telephone: (702) 648-9700
Fax: (702) 648-4143

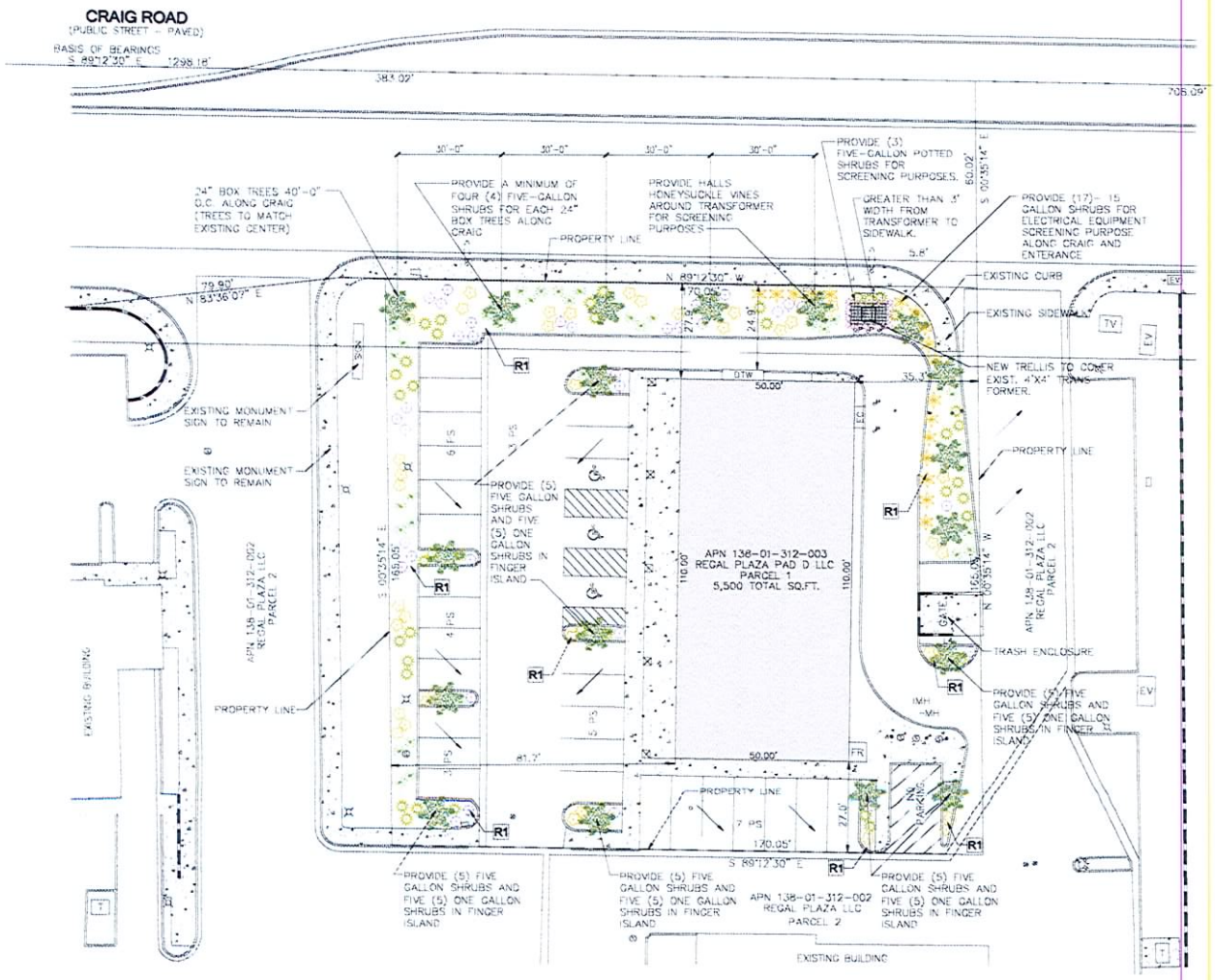
TITLE: PROPOSED SITE PLAN

PROJECT: REGAL PLAZA PAD D

WORK ORDER NO. 090302
DESIGN BY: ER
DATE: 3-9-09
SCALE: 20
CADFILE: RP-PadD-TOPO
SHEET 1 OF 1 SHEETS

RECEIVED
JUN 04 2009

SDR-34464
~~REVISED~~
06/25/09 PC



1 LANDSCAPE PLAN
L1.00 SCALE:1/16"=1'-0"

RECEIVED
JUL 24 2009

SHEET NOTES

1. ALL PLANTING AREAS TO RECEIVE 3/4" MINUS DECOMPOSED GRANITE GROUND COVER.
2. ALL LANDSCAPING TO BE AUTOMATIC IRRIGATION SYSTEM, ALL PLANTS TO BE ON DRIP SYTEM.
3. REFER TO CIVIL DRAWINGS FOR GRADING INFORMATION.
4. REFER TO CIVIL DRAWINGS FOR HORIZONTAL AND VERTICAL CONTROL. NOTIFY ARCHITECT OF ANY DISCREPENCIES BETWEEN ARCHITECTURAL AND CIVIL CONTROL DIMENSIONS.
5. FEE = 100'-0" = REFER TO CIVIL
6. GC TO PROVIDE ALL SLEEVES FOR IRRIGATION SYSTEM.

PLANTING NOTES

1. THE CONTRACTOR IS RESPONSIBLE FOR MAKING HIMSELF FAMILIAR WITH ALL UNDERGROUND UTILITIES, PIPES AND STRUCTURES. CONTRACTOR SHALL TAKE SOLE RESPONSIBILITY FOR ANY COST INCURRED DUE TO DAMAGE OF SAID UTILITIES.
2. DO NOT WILLFULLY PROCEED WITH CONSTRUCTION AS DESIGNED WHEN IT IS OBVIOUS THAT UNKNOWN OBSTRUCTIONS, AREA DISCREPANCIES AND/OR GRADE DIFFERENCES EXIST THAT MAY NOT HAVE BEEN KNOWN DURING DESIGN. SUCH CONDITIONS SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE OWNER/ARCHITECT. THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ALL NECESSARY REVISIONS DUE TO GIVE SUCH NOTIFICATION.
3. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY COORDINATION WITH SUBCONTRACTORS AS REQUIRED TO ACCOMPLISH PLANTING OPERATIONS.
4. ALL PLANT MATERIAL SHALL BE APPROVED FOR QUALITY BY THE OWNER AND LANDSCAPE ARCHITECT/ARCHITECT PRIOR TO INSTALLATION.
5. FINAL LOCATION OF ALL PLANT MATERIAL SHALL BE SUBJECT TO THE APPROVAL OF THE OWNER'S REPRESENTATIVE. LOCATION SHALL BE APPROVED PRIOR TO EXCAVATION.

IRRIGATION NOTES

1. INSTALL ALL IRRIGATION COMPONENTS ACCORDING TO LOCAL CODES AND ORDINANCES.
2. THE CONTRACTOR SHALL OBTAIN, COORDINATE AND PAY FOR ANY AND ALL PERMITS AND ALL INSPECTIONS AS REQUIRED.
3. THE CONTRACTOR SHALL BE RESPONSIBLE AND LIABLE FOR ANY ENCROACHMENT INTO ADJACENT PROPERTY, R.O.W.'S EASEMENT SETBACKS OR ANY OTHER LEGAL PROPERTY RESTRICTIONS EITHER MARKED OR UNMARKED.
4. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO FAMILIARIZE HIMSELF WITH ALL UNDERGROUND UTILITIES. CONTRACTOR SHALL REPAIR/REPLACE AT NO ADDITIONAL COST TO THE OWNER, ANY DAMAGE TO UNDERGROUND UTILITIES THAT MAY OCCOUR.
5. THE CONTRACTOR SHALL BE RESPONSIBLE AND LIABLE FOR ANY AND ALL DAMAGE DUE TO OPERATIONS OR NEGLECT TO WORK OF THE OTHER CONTRACTORS, EXISTING AND NEW PLANT MATERIALS OR ANY OTHER PHYSICAL ELEMENTS EITHER MARKED OR UNMARKED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION OF ACTIVITIES WITH ALL OTHER TRADES.
6. THE CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS SHOWN ON PLANS AT THE SITE PRIOR TO COMMENCEMENT OF ANY WORK. ALL DISCREPENCIES SHALL BE REPORTED TO THE OWNER AND PROJECT LANDSCAPE ARCHITECT/ARCHITECT FOR DIRECTION IMMEDIATELY. ANY CONTINUATION OF WORK IS AT THE CONTRACTOR'S RISK AND EXPENSE.
7. THE CONTRACTOR SHALL VERIFY THE STATIC PRESSURE, METER SIZE, SIZE OF SERVICE TO THE METER, ANY DEVIATIONS FROM DESIGN CRITERIA SHALL BE BROUGHT TO THE ATTENTION OF THE PROJECT LANDSCAPE ARCHITECT/ARCHITECT. CONTINUATION OF WORK WITHOUT NOTIFICATION TO THE CONTRACTING OFFICER SHALL BE AT THE CONTRACTORS RISK AND EXPENSE.
8. ONE CONTROLLER CHART SHALL BE PROVIDED AND APPROVED BY THE OWNER REPRESENTATIVE FOR EACH CONTROLLER. THE CHART SHALL BE A BLACKLINE PRINT, AND DIFFERENT COLOR SHALL BE USED TO SHOW THE AREA OF COVERAGE OF EACH STATION. THE CHART SHALL BE MOUNTED USING VELCRO OR APPROVED EQUAL TYPE OF TAPE INSIDE CONTROLLER CABINET. THESE CHARTS MUST BE COMPLETED AND IN PLACE PRIOR TO THE FINAL ACCEPTANCE OF WORK BY THE OWNER.
9. ADJUST ALL HEADS FOR MINIMUM OVER SPRAY ON NON-PLANTED AREAS AND FOR COMPLETE COVERAGE. THIS SHALL INCLUDE SELECTING THE BEST DEGREE OF ARC TO FIT THE XISTING CONDITIONS. ADJUST FOR PLANT REQUIREMENTS.
10. CONTRACTOR SHALL COORDINATE LOCATION AND POWER HOOKUP FOR AUTOMATIC IRRIGATION CONTROLLER WITH OWNER'S REPRESENTATIVE.

HARDSCAPE SCHEDULE

R1 TO MATCH EXISTING CENTER

PLANTING LEGEND

TREE

	ITEM	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE
A		18	-	PALM TREE (TO MATCH EXISTING CENTER)	24" BOX

SHRUBS

	ITEM	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE
1		36	LEUCOPHYLLUM FRUTESCENS	TEXAS RANGER	SEE PLAN NOTES
2		36	CASSIA ARTEMISIODES	FEATHERY CASSIA	SEE PLAN NOTES
3		36	DASYLIRION WHEELERI	DESERT SPOON	SEE PLAN NOTES
4		39	MUHLENGERGIA RIGENS	DEER GRASS	SEE PLAN NOTES
5		17	TECOMA	ARIZONA YELLOW BELLS	SEE PLAN NOTES
6		-	LONICERA	HALLS HONEYSUCKLE VINE	SEE PLAN NOTES

tkg
231 west charleston boulevard
suite one fourty
las vegas, nv 89102
office: 702.888.2088
fax: 702.888.2089
web: www.tkgstudio.com

PROJECT:
REGAL PLAZA "PAD D"
5801 WEST CRAIG ROAD, SUITE 103
LAS VEGAS, NEVADA 89130

SHEET TITLE:
LANDSCAPE PLAN

REVISIONS	DATE

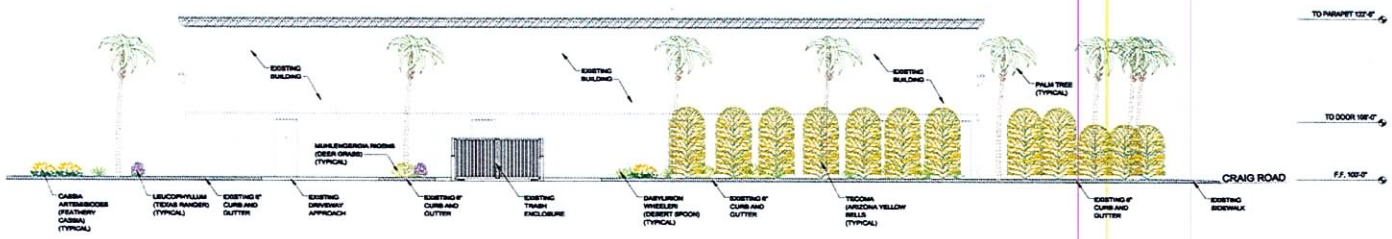
DATE: 07-03-2009
SCALE: AS INDICATED
DRAWN: YORKE
JOB NO: 09-014

SHEET
L1.00

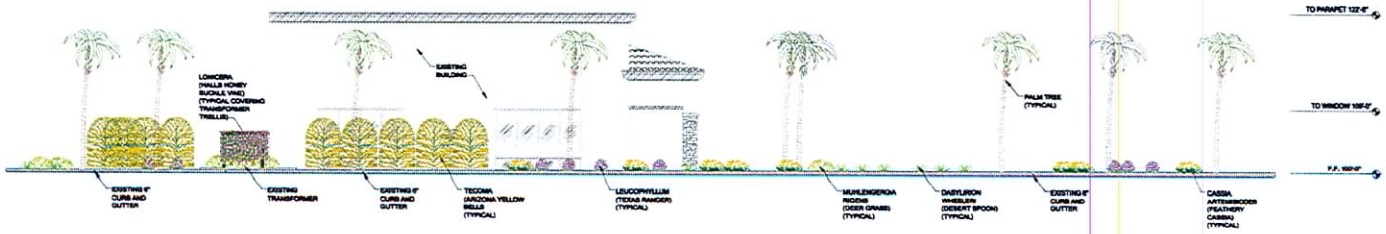
SDR-34464
REVISED
08/13/09 PC

SHEET NOTES

1. ALL SYMBOLS ARE REPRESENTATIONS OF PLANT LOCATIONS. CONTRACTOR TO PROVIDE PLANTING PER PLANTING LEGEND ON SHEET L1.00



1 L2.00 **EAST ELEVATION**
SCALE:1/8"=1'-0"



2 L2.00 **NORTH ELEVATION**
SCALE:1/8"=1'-0"

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JUL 24 2009

SDR-34464
REVISED
08/13/09 PC

tkg
231 west charleston boulevard
suite one fourty
las vegas, NV 89102
office: 702.888.2088
fax: 702.888.2089
web: www.tkgstudio.com

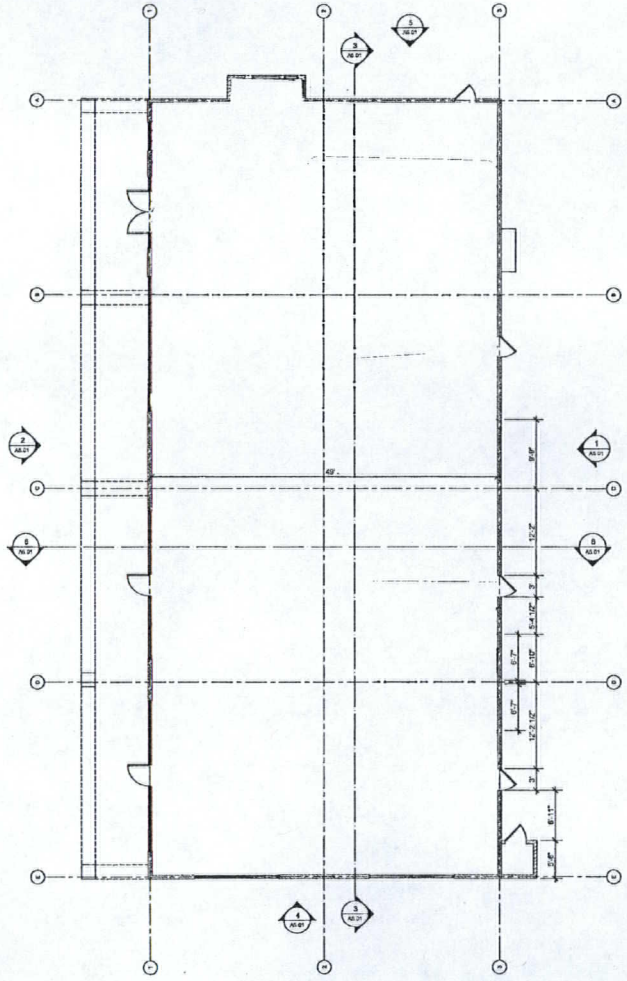
PROJECT
REGAL PLAZA "PAD D"
5801 WEST CRAIG ROAD, SUITE 103
LAS VEGAS, NEVADA 89130

SHEET TITLE
LANDSCAPE ELEVATIONS

REVISIONS	DATE

DATE: 07-03-2009
SCALE: AS INDICATED
DRAWN: YORKE
JOB NO: 09-014

SHEET
L2.00



FLOOR PLAN
1/8"=1'-0"

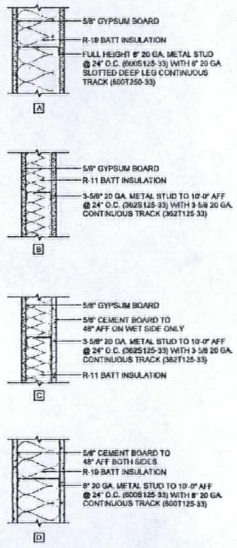
GENERAL NOTES

1. CONTRACTOR TO VERIFY EXISTING SITE CONDITIONS PRIOR TO BEGINNING CONSTRUCTION. IF FIELD CONDITIONS DIFFER FROM PLANS NOTIFY ARCHITECT BEFORE COMMENCING CONSTRUCTION.
2. ALL DIMENSIONS ARE TO FACE OF STUDS UNLESS OTHERWISE NOTED.
3. CONTRACTOR IS RESPONSIBLE FOR AND MUST REPLACE, REPAIR, OR PATCH WALLS, CEILINGS, FLOORING, ETC... THAT ARE EXISTING AND TO REMAIN THAT ARE DAMAGED DURING MOBILIZATION, CONSTRUCTION, OR CLEAN UP.
3. CONTRACTOR IS RESPONSIBLE FOR PROPER INSTALLATION AND QUALITY OF WORKMANSHIP OF ALL MATERIALS CONTRACTED WITH OWNER AND/OR ARCHITECT AND UNDER CONTRACTOR'S SUPERVISION DURING THIS PROJECT.
4. REFER TO ELECTRICAL ENGINEER'S PLANS FOR LIGHT FIXTURES, WIRING, RELATED EQUIPMENT AND INFORMATION.
5. REFER TO PLUMBING PLANS FOR PLUMBING FIXTURES, PIPING, RELATED EQUIPMENT AND INFORMATION.
6. REFER TO MECHANICAL ENGINEER'S PLANS FOR HVAC REGISTER LOCATIONS, DUCT SIZES, RELATED EQUIPMENT AND INFORMATION.
7. NOTIFY CONTRACTOR AND ENGINEER IF THERE ARE DISCREPANCIES BETWEEN ELECTRICAL, MECHANICAL, PLUMBING, AND ARCHITECTURAL PLANS.

EXISTING WALLS

NEW WALLS

WALL TYPES



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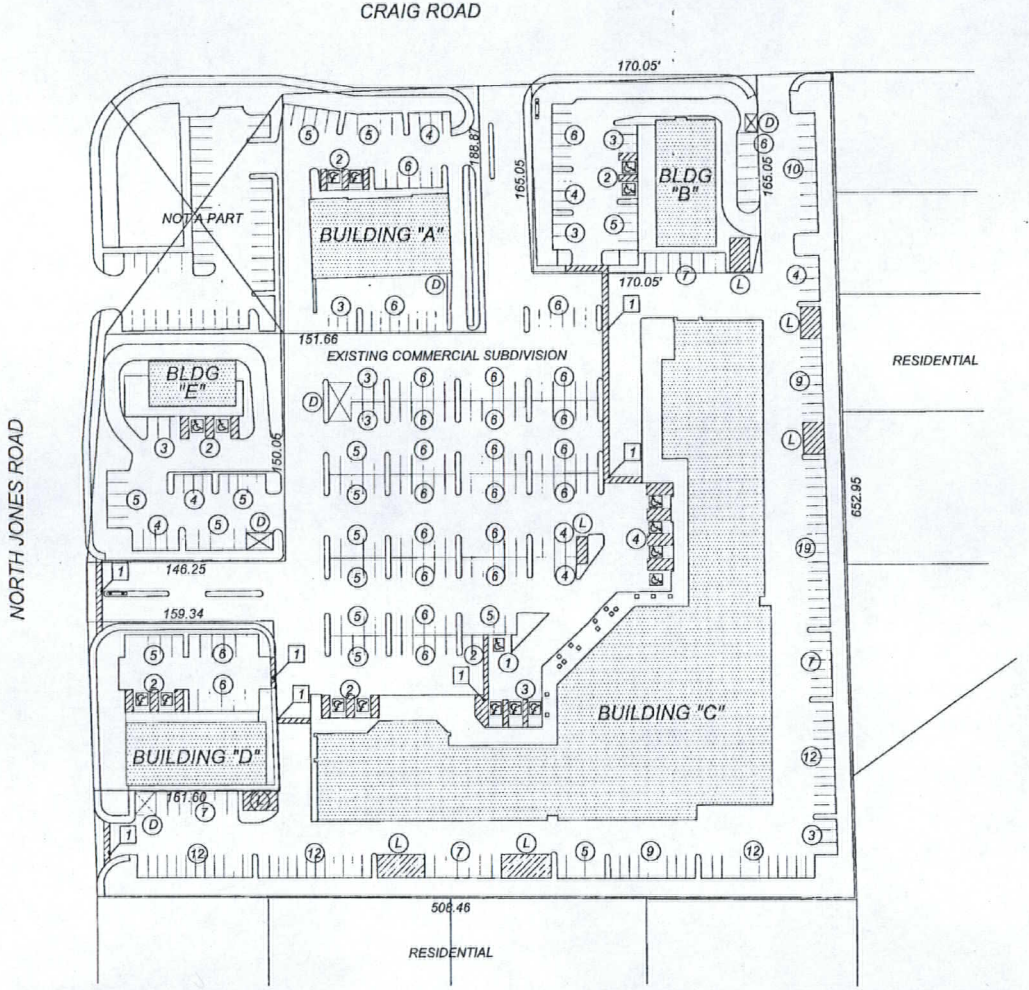
MAY 12 2009

SDR-34464
06/25/09 PC

Western US Contractors LLC
3940 OCTAGON ROAD NORTH LAS VEGAS, NV 89030
PHONE: 702.366.0444 FAX: 702.644.3443
www.westernuscontractors.com

A TENANT IMPROVEMENT:
SUITE #103
5801 WEST CRAIG ROAD
LAS VEGAS, NEVADA 89130

PROJECT NUMBER	0625_103
DRAWN BY	CAD
CHECKED BY	FM
ISSUE DATE	03.18.09
SCALE	AS NOTED
SHEET NUMBER	A2.01
SHEET NAME	FLOOR PLAN

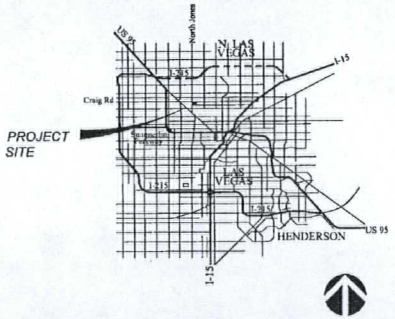


SITE PLAN

GRAPHIC SCALE: 0 10 30 50 200

KEY NOTES

1 (E) ACCESSIBLE EXTERIOR ROUTE TO PUBLIC TRANSPORTATION
(E) ACCESSIBLE PARKING
(L) (E) LOADING ZONES
(D) (E) DUMPSTER LOCATIONS



Vicinity Map

NOT TO SCALE

PARKING STALL CALCULATIONS

BUILDING	SQUARE FOOTAGE
BUILDING 'A'	7,200
BUILDING 'B'	5,500
BUILDING 'C'	55,200
BUILDING 'D'	5,500
BUILDING 'E'	2,450
	75,850

TOTAL

STALL REQUIREMENT RATIO 1:250 (PER TITLE 19, 19.10, TABLE 1)

PARKING REQUIRED	
STANDARD STALLS	303
LOADING ZONES	6
HANDICAP STALLS	6

PARKING SUPPLIED	
STANDARD STALLS	399
LOADING ZONES	6
HANDICAP STALLS	17

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MAY 12 2009

SDR-34464

06/25/09 PC

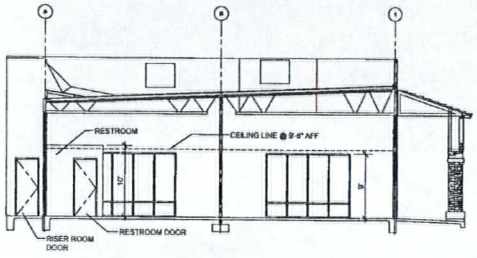
Western US Contractors, LLC
5952 SOUTH JONES, LV, NV 89118
Ph. 702-366-0444 Fax. 702-644-3443

REGAL PLAZA
PARKING ANALYSIS
5895 WEST CRAIG ROAD, SUIT 105
LAS VEGAS, NEVADA 89149

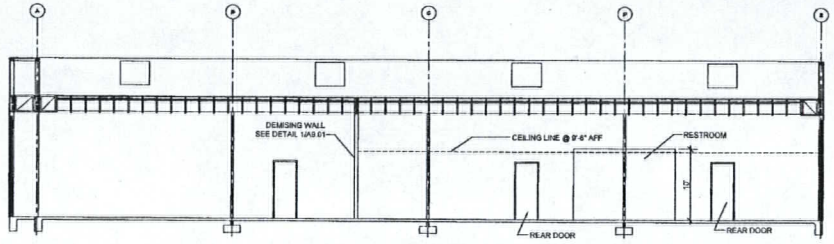
NO.	REVISIONS DESCRIPTION	DATE
1		00-00-00
2		00-00-00
3		00-00-00
4		00-00-00
5		00-00-00
6		00-00-00

DRAWN BY GM
CHECKED BY DS
PLOT DATE 06/05/09
SCALE NOTED

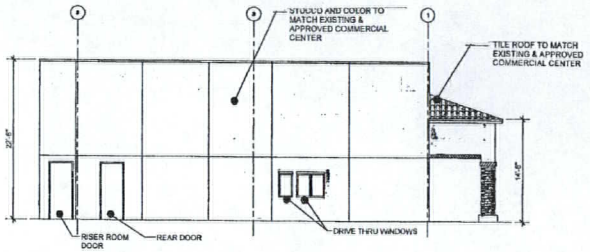
SHEET: A1.01



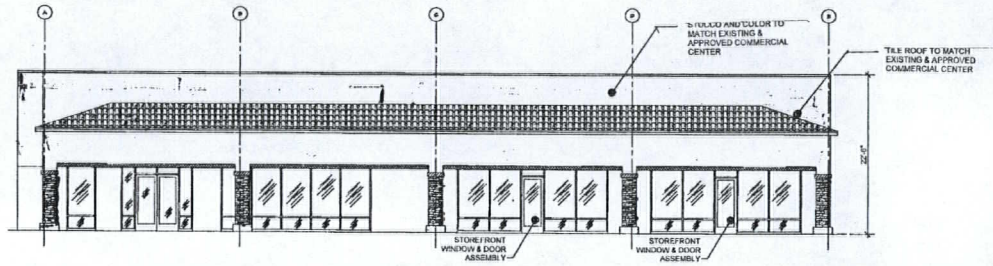
6 SECTION
1/8"=1'-0"



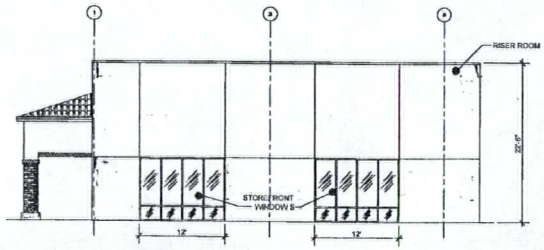
3 SECTION
1/8"=1'-0"



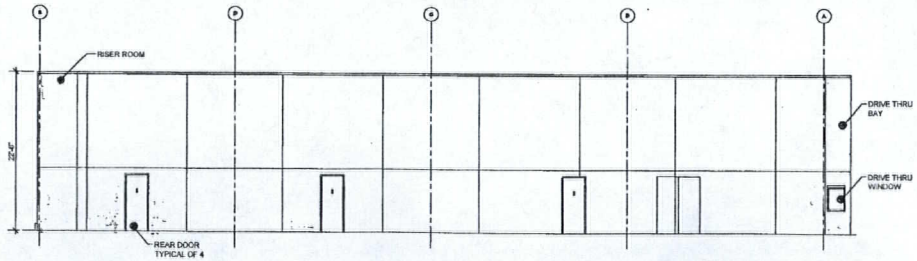
5 NORTH ELEVATION
1/8"=1'-0"



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



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



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

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MAY 12 2009

SDR-34464
06/25/09 PC

Western US Contractors LLC
3942 OCTAGON ROAD NORTH LAS VEGAS, NV. 89030
PHONE: 702.366.0444 FAX: 702.454.3443
www.westernuscontractors.com

A TENANT IMPROVEMENT:
SUITE #103
5801 WEST CRAIG ROAD
LAS VEGAS, NEVADA 89130

PROJECT NUMBER 0525_103
DRAWN BY CAD
DESIGN BY PM
ISSUE DATE 03.19.09
SCALE AS NOTED
SHEET NUMBER A6.01
SECTIONS/ELEVATIONS

SDR 34464

Tower Realty & Development, LLC

SEC Craig Rd. & Jones Blvd.

Proposed amendment to a previously approved site plan for a 5.57 thousand square foot drive-thru restaurant.

Traffic produced by proposed development:

Proposed Amendment	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	FAST-FOOD W/ DRIVE THRU [1000 SF]	5.57	496.12	2,764
AM Peak Hour			53.11	296
PM Peak Hour			34.64	193
(heaviest 60 minutes)				

Previous Approval	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	FAST-FOOD W/ DRIVE THRU [1000 SF]	5.50	496.12	2,729
AM Peak Hour			53.11	293
PM Peak Hour			34.64	191
(heaviest 60 minutes)				

Net Change	DESCRIPTION	#UNIT		TOTAL
Average Daily Traffic (ADT)	FAST-FOOD W/ DRIVE THRU [1000 SF]	0.07		35
AM Peak Hour				3
PM Peak Hour				2
(heaviest 60 minutes)				

Existing traffic on all nearby streets:

Craig Rd.	
Average Daily Traffic (ADT)	32,537
PM Peak Hour	2,603
(heaviest 60 minutes)	

Jones Blvd.	
Average Daily Traffic (ADT)	24,032
PM Peak Hour	1,923
(heaviest 60 minutes)	

Traffic Capacity of adjacent streets:				
	Existing Street Capacity			
Craig Rd.	51800			
Jones Blvd.	34500			
This project will add approximately 2,764 trips per day on Craig Rd. and Jones Blvd. This will increase expected volumes by about 8 percent on Craig and by about 12 percent on Jones. Craig is at about 63 percent of capacity and Jones is at about 70 percent of capacity.				
Based on Peak Hour use, this development will add roughly 296 additional cars into the area; which works out to about 5 every minute.				
Note that this report assumes all traffic from this development uses all named streets.				



SDR-34464 - APPLICANT: TOWER REALTY AND DEVELOPMENT, LLC - OWNER: REGAL PLAZA PAD D, LLC
SOUTHEAST CORNER OF CRAIG ROAD AND JONES BOULEVARD
AUGUST 13, 2009 PLANNING COMMISSION

05/21//09



SDR-34464 - APPLICANT: TOWER REALTY AND DEVELOPMENT, LLC - OWNER: REGAL PLAZA PAD D, LLC
SOUTHEAST CORNER OF CRAIG ROAD AND JONES BOULEVARD
AUGUST 13, 2009 PLANNING COMMISSION

05/21//09



SDR-34464 - APPLICANT: TOWER REALTY AND DEVELOPMENT, LLC - OWNER: REGAL PLAZA PAD D, LLC
SOUTHEAST CORNER OF CRAIG ROAD AND JONES BOULEVARD
AUGUST 13, 2009 PLANNING COMMISSION

05/21//09



SDR-34464 - APPLICANT: TOWER REALTY AND DEVELOPMENT, LLC - OWNER: REGAL PLAZA PAD D, LLC
SOUTHEAST CORNER OF CRAIG ROAD AND JONES BOULEVARD
AUGUST 13, 2009 PLANNING COMMISSION

05/21//09



SDR-34464 - APPLICANT: TOWER REALTY AND DEVELOPMENT, LLC - OWNER: REGAL PLAZA PAD D, LLC
SOUTHEAST CORNER OF CRAIG ROAD AND JONES BOULEVARD
AUGUST 13, 2009 PLANNING COMMISSION

05/21//09



SDR-34464 - APPLICANT: TOWER REALTY AND DEVELOPMENT, LLC - OWNER: REGAL PLAZA PAD D, LLC
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SOUTHEAST CORNER OF CRAIG ROAD AND JONES BOULEVARD
AUGUST 13, 2009 PLANNING COMMISSION

05/21//09

TOWER
Realty & Development, LLC.

May 11, 2009

Las Vegas Planning & Development
731 South Forth Street
Las Vegas, NV 89101

To whom it may concern,

We respectfully request an Amendment to an existing SDR to allow for a Food Service use and a Drive-up window in an existing 5,500 square foot stand alone structure. We shall comply with all Las Vegas zoning and planning ordinances with the following exception:

1. Request to allow for 10'0 palm trees within the parking lot fingers where a 24' box evergreen or shade tree is required.
2. Request to allow for 10'0 palm trees adjacent to Craig Road where 15' trees are required.
3. Request to allow for no parking lot screening adjacent to Craig Road where a low wall, berm, solid living hedge or some other approved screening method is required.

Thank you for your consideration in this matter.

Regards,

John Morelli

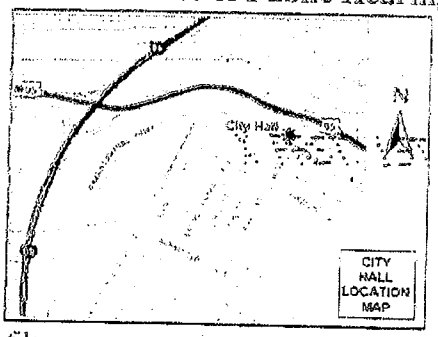
3942 Octagon Road | N Las Vegas | NV 89030 P | 702-366-0444 F | 702-366-1656

RECEIVED
MAY 12 2009
SDR-34464
06/25/09 PC

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

Return Service Requested

Official Notice of Public Hearing



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

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-34464

Planning Commission Meeting of 6/25/2009

Case: SDR-34464

13801211073
MILLER DAVID L
4404 CRIMSON LEAF DR
LAS VEGAS NV 89130-5113

RECEIVED
JUN 22 2009

Submitted after final agenda
Date 6/25/09 PC Item 28 P

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 13, 2009

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

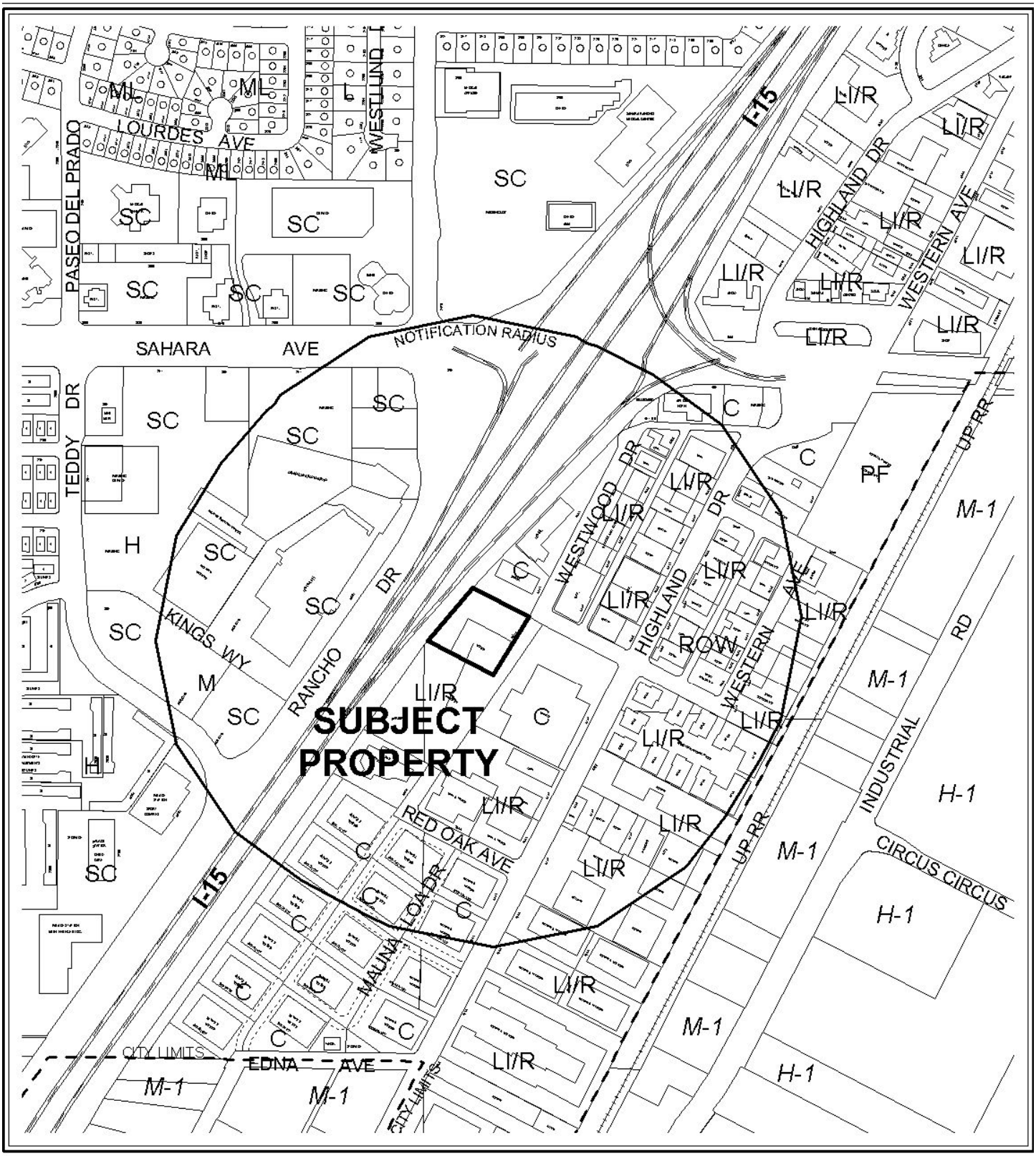
SUBJECT:
ABEYANCE - RENOTIFICATION - GPA-34597 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: DR. ARTHUR WEATHERS - OWNER: 2701 WESTWOOD, LLC - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: C (COMMERCIAL) TO: LI/R (LIGHT INDUSTRY/RESEARCH) on 1.45 acres at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

C.C.: 09/16/2009

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**9**	**Planning Commission Mtg.**	**1**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
APPROVAL

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest Postcards and Letter and Support Postcard



0 400 800 Feet

CASE: **GPA-34597**

RADIUS: 1000 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:
C (COMMERCIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:
LI/R (LIGHT INDUSTRY/RESEARCH)

N



0 400 800 Feet

CASE: **GPA-34597**

RADIUS: 1000 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:
C (COMMERCIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:
LI/R (LIGHT INDUSTRY/RESEARCH)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: AUGUST 13, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - RENOTIFICATION - GPA-34597 - APPLICANT: DR. ARTHUR WEATHERS - OWNER: 2701 WESTWOOD, LLC

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL

JB

GPA-34597 - Staff Report Page One
August 13, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a General Plan Amendment to amend a portion of the Southeast Sector of the Centennial Hills Master Plan from C (Commercial) to LI/R (Light Industry/ Research) on 1.45 acres at 2701 Westwood Drive. The applicant proposes to utilize the subject parcel as a Custodial Institution for up to 100 parolees, with accessory dog training facilities within an existing Office/Warehouse building. If denied, the associated Special Use Permit for a Custodial Institution cannot be approved, as the use is too intense for the existing General Plan designation.

ISSUES

- The proposed LI/R (Light Industry/Research) General Plan designation is consistent with the M (Industrial) zoning district, which will allow more intense uses, including the proposed Custodial Institution, and would be compatible with the surrounding land uses; therefore, staff is recommending approval of the request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
01/12/61	The Board of City Commissioners approved a request for Reclassification of Property (Z-0062-60) from R-E (Residence Estates) to M-1 (Light Industry) generally located south Sahara Avenue between Highland Drive and the proposed freeway [Interstate 15].
10/28/93	The Planning Commission approved a request for a Plot Plan and Building Elevation Review [Z-0062-60(1)] for a warehouse and office building at 2701 Westwood Drive.
03/08/98	The Board of Zoning and Adjustment approved a request for a Variance (V-112-98) to allow a proposed 16,097 square-foot addition to an existing legal non-conforming warehouse building on the side property line where 10 feet is the minimum setback required; and to allow 51 parking spaces where 59 spaces are the minimum required at 2701 Westwood Drive.
05/27/99	The Planning Commission approved a request for a Site Development Plan Review [Z-0062-60(2)] for a proposed 23,148 square foot addition to an existing Print Shop on property located at 2701 Westwood Drive.
09/14/04	A deed was recorded for change of ownership.
04/20/05	A Code Enforcement case (#29063) was processed for outside storage at 2701 Westwood Drive. Code Enforcement closed the case on 06/16/05.

01/17/06	A Code Enforcement Case (#37578) was processed for using the designated parking area for storage, forcing employees to park in complainant's parking lot at 2701 Westwood Drive. Code Enforcement closed the case on 01/18/06.
05/17/06	The City Council approved a request for a General Plan Amendment (GPA-9219) to change the Future Land Use designation to Commercial, Mixed Use, Industrial or Public Facilities on various parcels located within the proposed Las Vegas Redevelopment Plan area and within the proposed Redevelopment Plan expansion area. The Planning Commission recommended approval of the request.
03/04/08	A Code Enforcement case (#62937) was processed for customer who called and asked for assistance at this commercial manufacturing & Processing Plant. States there are environmental and other issues and would like a complete exterior inspection of the business and grounds. Code Enforcement closed the case on 01/14/09.
07/24/08	The Planning Commission approved a request for a Site Development Plan Review (SDR-28536) for a minor amendment to an approved Site Development Plan Review [Z-0062-60(1)] to allow for parking lot modifications at 2701 Westwood Drive.
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-34597) to amend a portion of the Southeast Sector of the Centennial Hills Master Plan from C (Commercial) to LI/R (Light Industry/ Research) at 2701 Westwood Drive.
Related Building Permits/Business Licenses	
06/08/94	A building permit (#94335306) was issued for On-site Improvements at 2701 Westwood Drive. This permit was expired on 12/02/95.
	A building permit (#94335307) was issued for a warehouse/office building Certificate of Occupancy at 2701 Westwood Drive. This permit was completed on 11/02/94.
09/12/94	A building permit (#94347595) was issued for a masonry wall at 2701 Westwood Drive. This permit was completed on 11/03/94.
12/29/00	A building permit (#23291) was issued for a Tenant Improvement to install a paper collector at 2701 Westwood Drive. This permit was expired on 07/07/01.
Pre-Application Meeting	
05/14/09	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit were discussed topics included. • Title 19 Zoning Code requirements • Application Materials and Documents • Meeting Dates and Deadlines

Neighborhood Meeting	
06/09/09	A neighborhood meeting was held on Tuesday, June 9th at 6:30 PM at 2701 Westwood Drive, Las Vegas. Four members from the applicant attended the meeting along with one staff member from the Ward 1 City Council office and one member of the Planning and Development staff. No members of the public attended the meeting. The applicant clarified that they would only be renovating and using the first floor of the building. Pending a positive review of their Special Use Permit (if approved), they may submit a request to renovate the second floor of the building and increase the number of residents. The applicant noted that the pet day care use shown on the plans would be a separate business unrelated to the custodial institution. The applicant would drive to major employment centers (such as casinos) in the morning, pick up employees' pets, care for them at the Westwood location during the day, and drive back to the employment centers to return the pets to employees.
Field Check	
06/04/09	During a routine site inspection performed by staff the subject property was noted as having • Required landscaping along the eastern property line has either been removed or is dying. • No ADA van accessible parking space located on the site. All landscaping infractions have been forwarded to code enforcement.

Details of Application Request	
Site Area	
Gross Acres	1.45

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Warehouse	C (Commercial)	M (Industrial)
North	Motel	C (Commercial)	M (Industrial)
South	Parking Lot	LI/R (Light Industry/ Research)	M (Industrial)
East	Parking Lot	LI/R (Light Industry/ Research)	M (Industrial)
West	Interstate (I-15)	ROW (Right-of-Way)	ROW (Right-of-Way)

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Area Plan			
Downtown Centennial Plan	X		Y

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

ANALYSIS

The subject site is located in the Southeast Sector of the General Plan and has a current General Plan designation of C (Commercial). This is a proposal to amend the General Plan designation to LI/R (Light Industry/ Research). The Light Industry / Research category allows areas appropriate for clean, low-intensity (non-polluting and non-nuisance) industrial uses, including light manufacturing, assembling and processing, warehousing and distributions, and research, development and testing laboratories. Typical supporting and ancillary general uses are also allowed. This category may also allow mixed-use development with a residential component as a transition to less-intense uses where appropriate. The LI/R (Light Industry/ Research) General Plan designation is compatible with the surrounding industrial and warehouse uses.

A companion application for a Special Use Permit (SUP-34598) has been submitted for a Custodial Institution use, and will utilize an existing Office/Warehouse to provide living space, re-entry programs, in-house counseling and job placement assistance for up to 100 parolees. The proposed use is permitted with the approval of a Special Use Permit in the M (Industrial) zoning district, and is consistent with the LI/R (Light Industry/Research) General Plan designation; therefore, staff is recommending approval of this request.

FINDINGS

Section 19.18.030.I of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,

2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,

3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and

4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

In regard to "1":

The LI/R (Light Industry/ Research) General Plan designation allows for low-intensity industrial uses. The proposed amendment is compatible with the existing adjacent LI/R (Light Industry/ Research) and C (Commercial) designations.

In regard to "2":

The subject property currently has an M (Industrial) zoning classification, which is consistent with the proposed LI/R (Light Industry/ Research) General plan designation.

In regard to "3":

The site is accessed by Westwood Drive, designated as a 70-foot Frontage Street in the Master Plan of Streets and Highways, and is adequate for the uses permitted by the proposed amendment.

In regard to "4":

The proposed amendment conforms to the Downtown Centennial Plan and the Downtown Overlay District.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 14

ASSEMBLY DISTRICT 10

SENATE DISTRICT 7

NOTICES MAILED 56

APPROVALS 1

PROTESTS 9

JB

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-34597 APN: 162-09-102-002

Name of Property Owner: 2701 WESTWOOD LLC, ROBERT BRANDY

Name of Applicant: DR. KIT WEATHERS

Name of Representative: LAW OFFICES OF JAY BROWN

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Robert Brandy

Subscribed and sworn before me

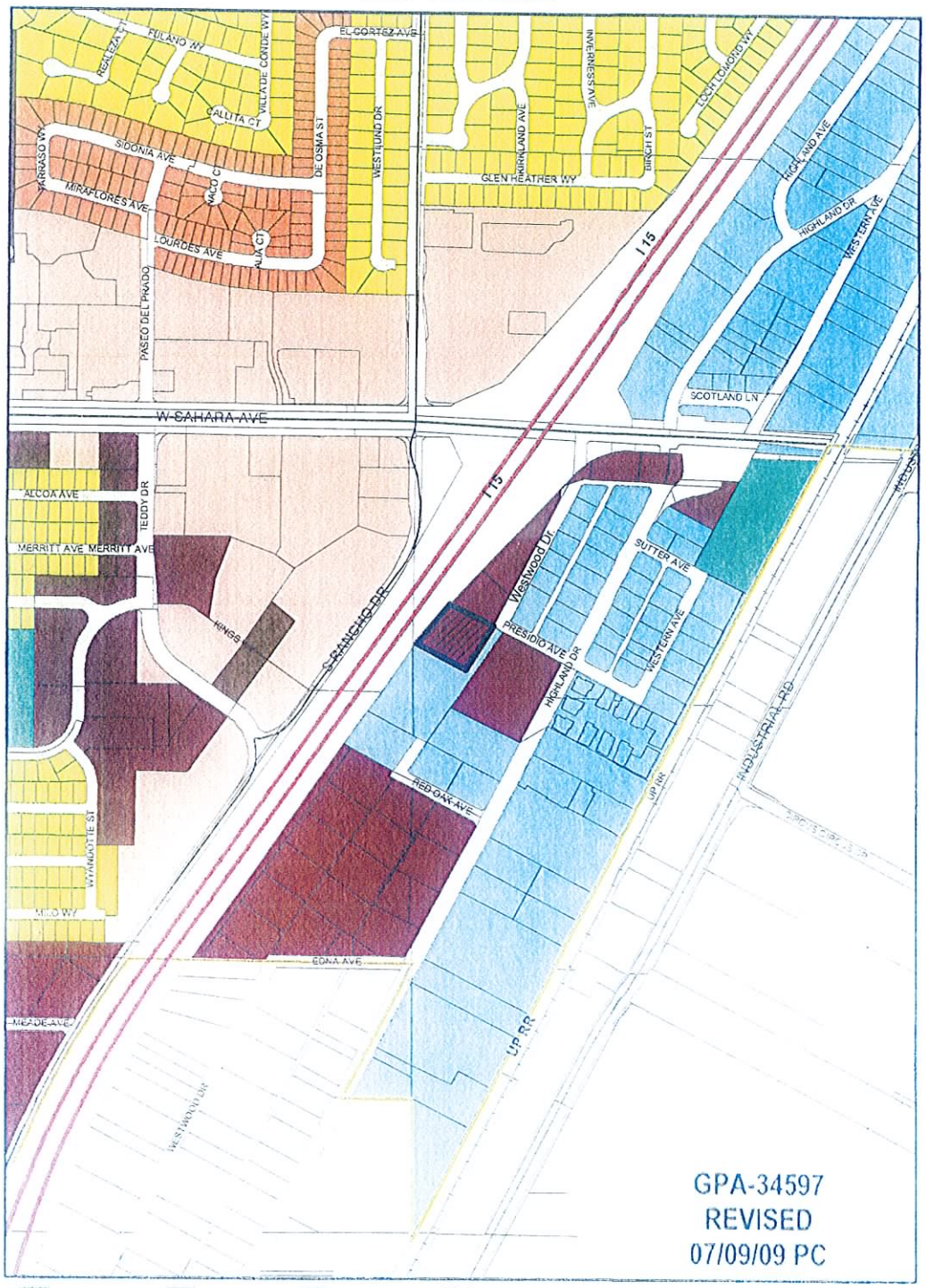
This 26th day of May, 2009

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
ELLIOT ROSENBERGER
No: 07-3299-1
My Appointment Expires Jan. 23, 2011

Parcel: 16209102002



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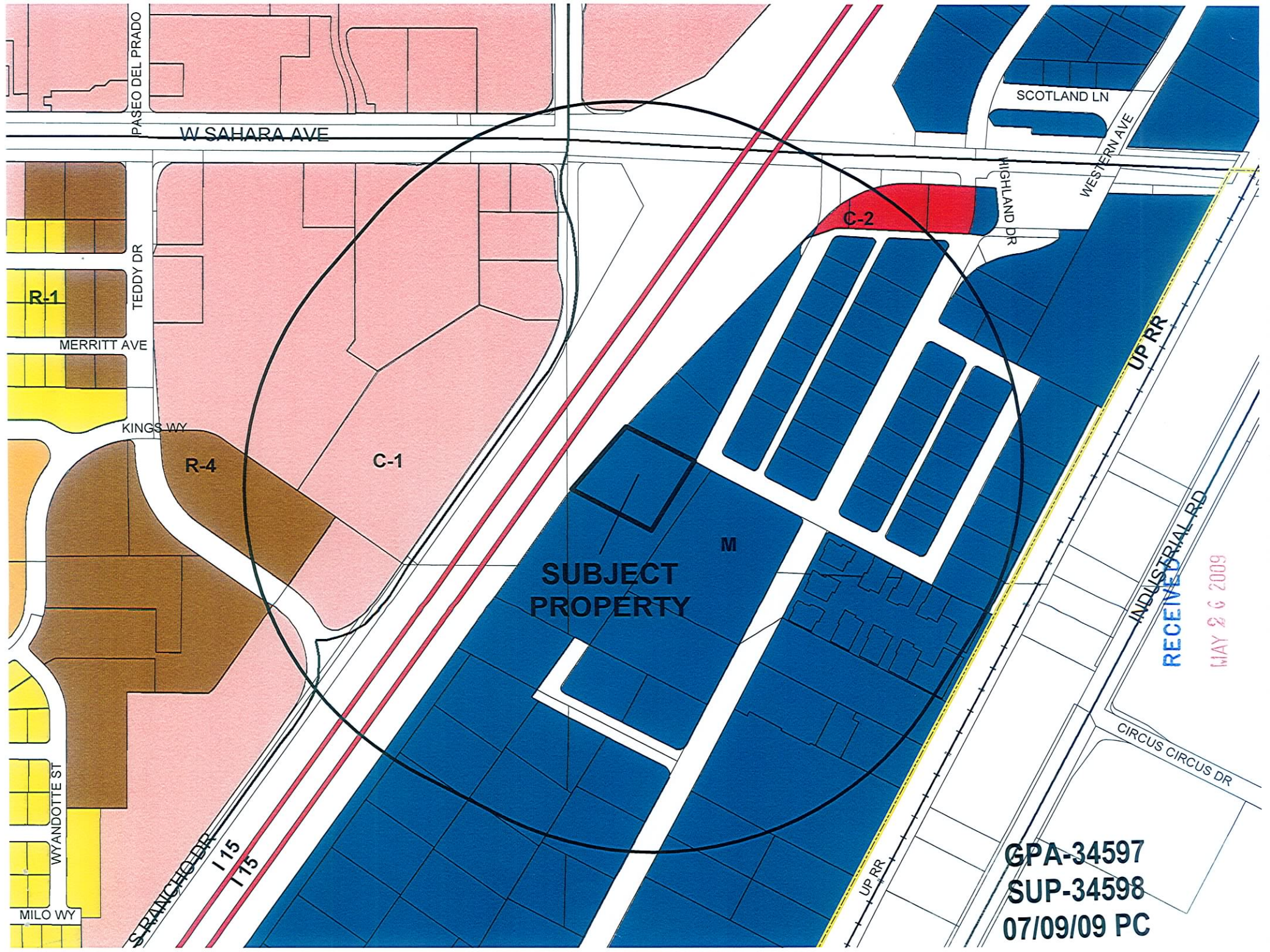
From C to LI/R


PASEO DEL PRADO
W SAHARA AVE
SCOTLAND LN
WESTERN AVE
HIGHLAND DR
C-2
TEDDY DR
R-1
MERRITT AVE
KINGS WY
R-4
C-1
M
SUBJECT PROPERTY
UP RR
INDUSTRIAL RD
CIRCUS CIRCUS DR
WYANDOTTE ST
MILO WY
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UP RR
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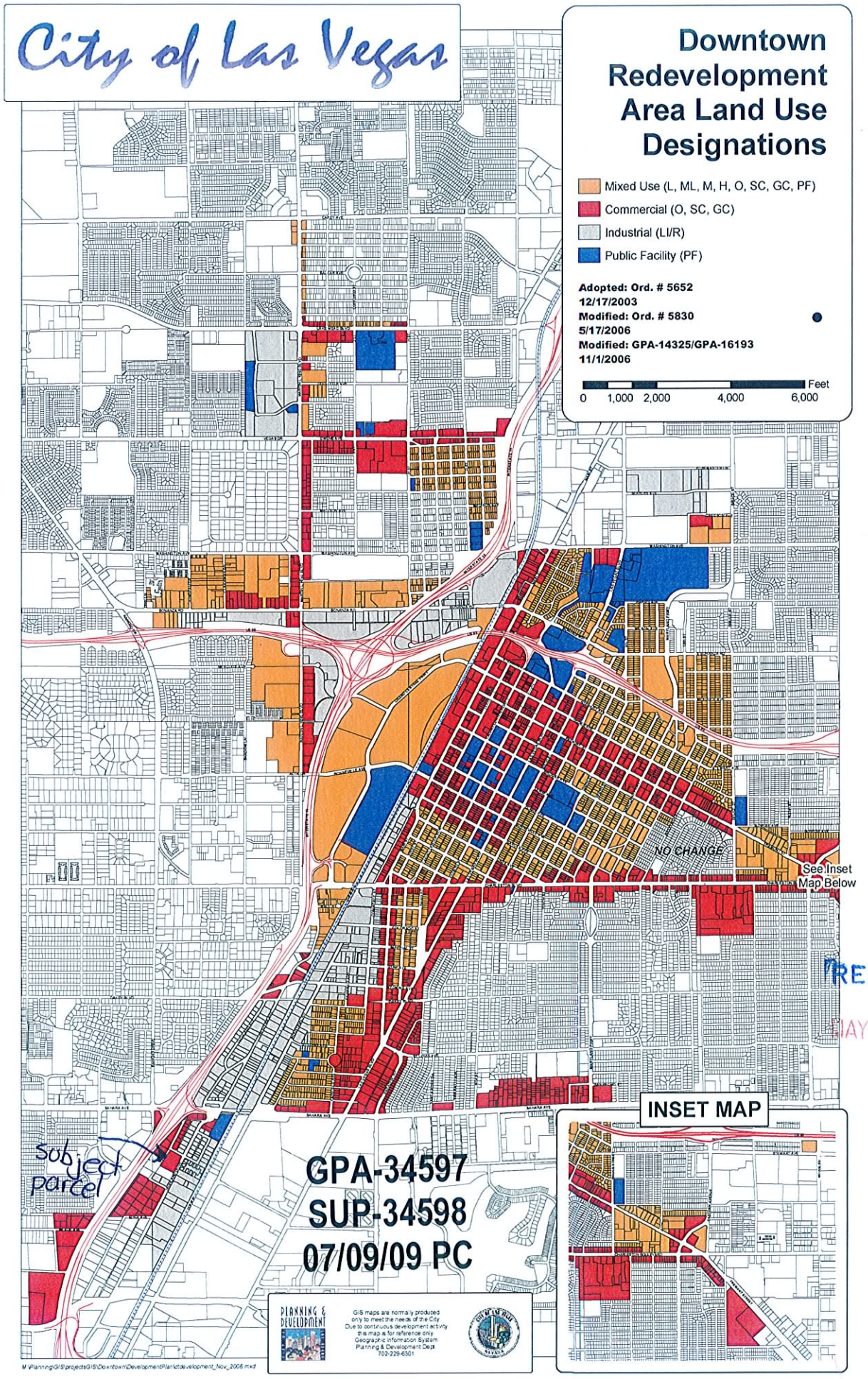
MAY 26 2009
GPA-34597
SUP-34598
07/09/09 PC



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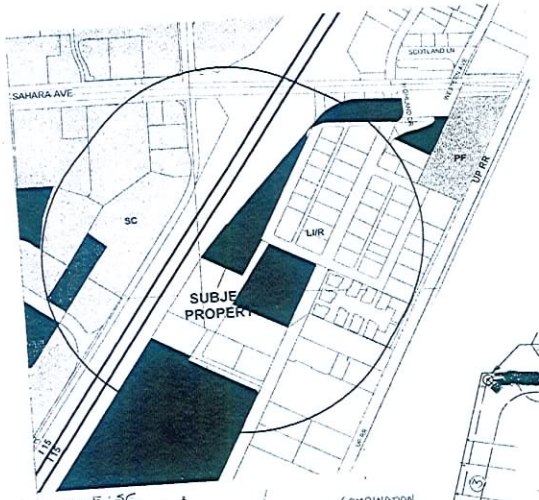
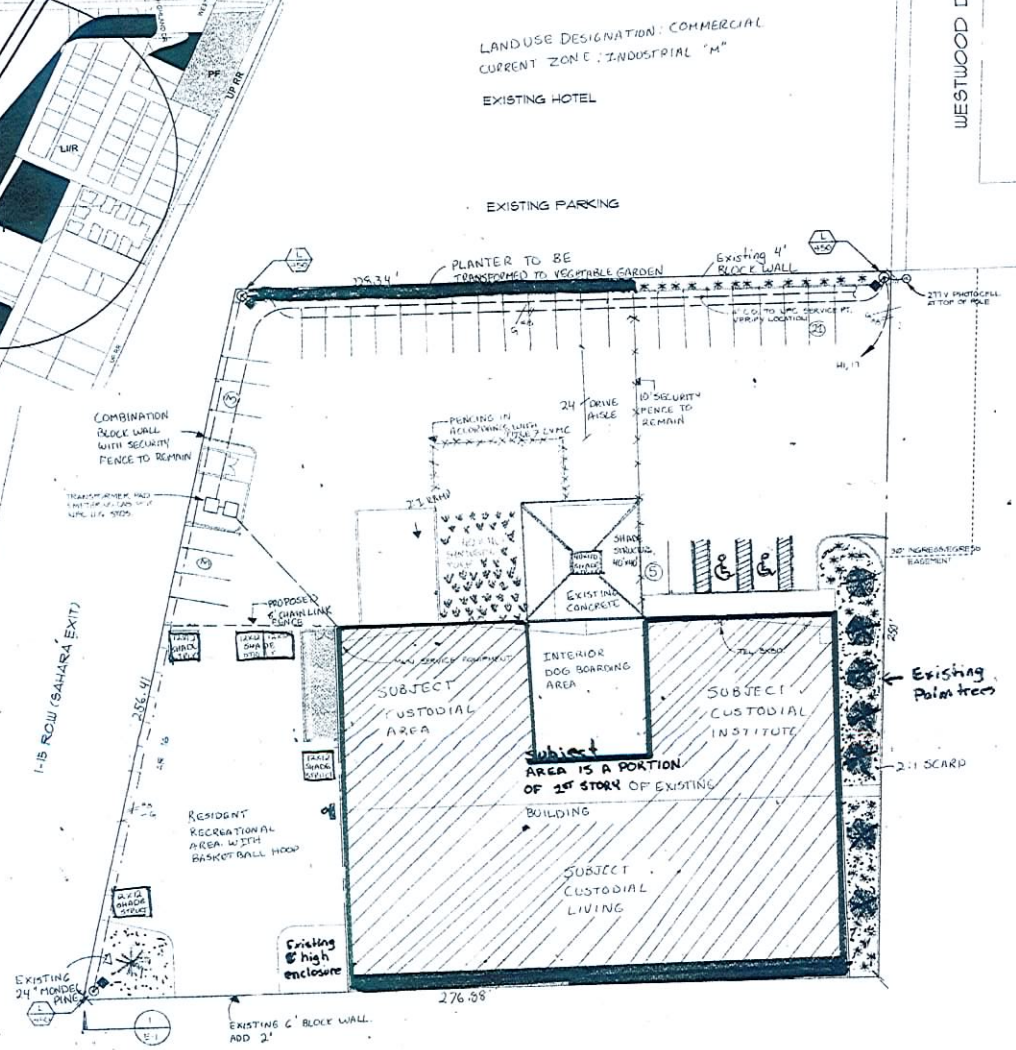




7 SITE PLAN
SCALE: 1" = 20'-0"

SYMBOL LIST

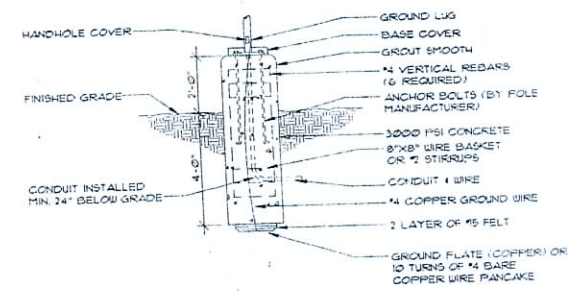
- 20A, 125V, 2P/3W DUPLEX RECEPTACLE, 18" AFF OR AS NOTED.
- DUPLEX RECEPTACLE AS ABOVE EXCEPT IN FLUSH FLOOR BOX.
- DUPLEX RECEPTACLE AS ABOVE EXCEPT W/G#1, 48" AFF.
- JUNCTION BOX.
- TELEPHONE OUTLET, 18" AFF OR AS NOTED.
- COMPUTER OUTLET, 18" AFF OR AS NOTED.
- S 20A, 277V, SPST, TOGGLE SWITCH, 48" AFF.
- S_3 20A, 277V, 3-WAY TOGGLE SWITCH 48" AFF.
- S_4 20A, 277V, 4-WAY TOGGLE SWITCH, 48" AFF.
- SAFETY SWITCH.
- MOTORIZED EQUIPMENT CONNECTION.
- METALLIC CONDUIT AS NOTED.
- 2#12 THHN - ½" C.
- 3#12 THHN - ½" C.
- 4#12 THHN - ½" C.
- 5#12 THHN - ½" C.
- 6#12 THHN - ½" C.

PROPERTY INFORMATION
APN: 162-09-102-002

CURRENT LAND USE: COMMERCIAL
PROPOSED LAND USE: INDUSTRIAL
CURRENT ZONE: M
PROPOSED ZONE: M

PARKING ANALYSIS

REQUIRED:	20 SPACES
1 SPACE/20 RESIDENTS FOR CUSTODIAL INSTITUTE	= 5 SPACES
1 SPACE/300 SQFT FOR EXISTING 2ND STORY OFFICE	= 11 SPACES
1 SPACE/250 SQFT FOR PET BOARDING	= 4 SPACES
PROVIDED:	= 32 SPACES



TYPICAL POLE BASE 1 E-1
SCALE: NONE

GENERAL PLAN AMENDMENT
162-09-102-002
FROM C TO LI

revisions

sheet no. | date | proj.no. | drwn.by | chkd.by

GPA-34597
SUP-34598
07/09/09 PC



GPA-34597 - APPLICANT: DR. ARTHUR WEATHERS - OWNER: 2701 WESTWOOD, LLC
2701 WESTWOOD DRIVE
AUGUST 13, 2009 PLANNING COMMISSION

06/04/09



GPA-34597 - APPLICANT: DR. ARTHUR WEATHERS - OWNER: 2701 WESTWOOD, LLC
2701 WESTWOOD DRIVE
AUGUST 13, 2009 PLANNING COMMISSION

06/04/09



GPA-34597 - APPLICANT: DR. ARTHUR WEATHERS - OWNER: 2701 WESTWOOD, LLC
2701 WESTWOOD DRIVE
AUGUST 13, 2009 PLANNING COMMISSION

06/04/09



GPA-34597 - APPLICANT: DR. ARTHUR WEATHERS - OWNER: 2701 WESTWOOD, LLC
2701 WESTWOOD DRIVE
AUGUST 13, 2009 PLANNING COMMISSION

06/04/09



GPA-34597 - APPLICANT: DR. ARTHUR WEATHERS - OWNER: 2701 WESTWOOD, LLC
2701 WESTWOOD DRIVE
AUGUST 13, 2009 PLANNING COMMISSION

06/04/09

LAW OFFICE
Jay H. Brown, Ltd.
A PROFESSIONAL CORPORATION
520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
EMAIL: jay@jhbrownltd.com

June 16, 2009

City of Las Vegas Planning and Zoning Department
731 South 4th Street
Las Vegas NV, 89101

RE: General Plan Amendment 162-09-102-002

Dear Mr. Boyles,

On behalf of the applicant, Dr. Kit Weathers, we respectfully request your support for a General Plan Amendment that will return the Land Use on the above mentioned parcel to Light Industrial. The subject property is located within an industrial district generally located south east or the I-15 Sahara interchange. This property has remained vacant since 2007. The attached Land Use map indicates the land use on this parcel was changed from Industrial to Commercial circa 2003. The applicant wishes to return the parcel to the original industrial land use in order to allow for a custodial facility as described in a companion application. The industrial designation will also allow for a pet boarding business.

A two story building exists on the site. The building was previously used as an office and warehouse. The applicant wishes to lease approximately 23,390 square feet on the first floor to house the custodial facility. The second story will remain vacant at this time. A portion of the building and site will be used for a separate pet boarding business which is permitted in the industrial zone. The pet boarding business will occupy a 600 square foot portion of the building in addition to an outdoor play area on the site. The hours of the pet boarding business will be 8:00 AM to 8:00 PM. The pet business is primarily directed to "day care" patrons. However, in order to accommodate a customer's unique needs and schedules, there will be crates for up to six dogs to stay over-night. The building layout does not facilitate interaction between the two uses. These uses are not allowed by right in a commercial district.

The attached land use map delineates that the subject property is the southernmost parcel that was reclassified to commercial. Meanwhile, several surrounding properties maintain the industrial land use. Further, all surrounding properties still hold industrial zoning. Because the subject parcel represents the commercial/industrial boundary, and because the area has not yet transitioned to commercial, this request will have little impact on the area.

Please direct questions and concerns to me at (702) 598-1408.

Sincerely,

Lora Dreja
Land Entitlements
Brown, Brown and Premsrirut.

RECEIVED
JUN 16 2009

GPA-34597
REVISED
07/09/09 PC

RECEIVED
AUG 03 2009

August 1st 2009
Development Service Center
731 South Fourth Street
Las Vegas, NV 89101

RE: Case#SUP-34598
RE Case#GPA-34597

Dear Sir/Madam;

My name is Paul Patel. I am the Managing Partner of the Sahara Westwood Hotel located at 2601 Westwood Drive. I am writing to express my great concern regarding the above outlined cases. These cases seek special permits to create 100 plus inmate custodial institution with accessory dog kennels at 2701 Westwood Drive. This location is two buildings away from my business.

We recently spend a lot of money to paint the building and to improve our room facilities for our clientele. The impact of the proposed facility, essentially a half-way-house for felons and transitioning convicts, would be devastating to my business.

Sahara Westwood Hotel is a Family Oriented Hotel. My clientele are family with kids who don't like to stay at casino hotel because of the non suitable atmosphere for their children. It is already hard to compete with gaming and non –gaming hotels and with a prison facility two buildings away from my location would be devastating to my business.

Although this kind of facilities is necessary, I cannot support one being built in the same block to my hotel.

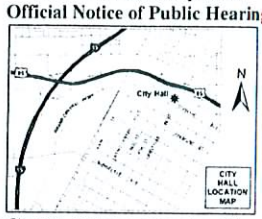
Our neighborhood strongly opposes to this special use permit and would be devastating for all the business if a grant to this permit is given.

Sincerely,

Paul Patel
Sahara Westwood Hotel

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-34597 & SUP-34598
Planning Commission Meeting of 8/13/2009

PRESORTED FIRST CLASS
UNITED STATES POSTAGE
02 1M $ 00.41⁴
0004278218 JUL 31 2009
MAILED FROM ZIPCODE 89101

RECEIVED
AUG 04 2009

Case: GPA-34597
16209102005
SAHARA WESTWOOD HOTEL L L C
2601 WESTWOOD DR
LAS VEGAS NV 89109-1117

EAGLE 89109

14P

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

PRESORTED FIRST CLASS

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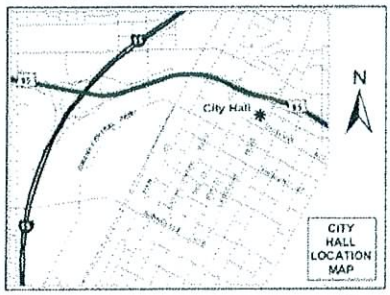
Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-34597 & SUP-34598
Planning Commission Meeting of 8/13/2009

RECEIVED
AUG 04 2009

Case: GPA-34597
16209201002
WESTERN SUPPLY HOLDINGS L L C
2200 RED OAK AVE
LAS VEGAS NV 89109-1017

14P

Aug-02-09 07:24am From-A&B Printing +7027312272 T-741 P.001/001 F-640

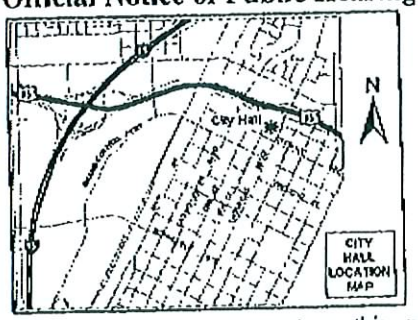
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 JUL 31 2009
MAILED FROM ZIP CODE 89101

Return Service Requested

Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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GPA-34597 & SUP-34598

Planning Commission Meeting of 8/13/2009

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AUG 03 2009

Case: GPA-34597

16209202010
POSITIVE SPACE INC
%B ALLEN PHOTOGRAPHY
18 STAR BROOK AVE
HENDERSON NV 89052-6628

14P

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

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GPA-34597 & SUP-34598
Planning Commission Meeting of 8/13/2009

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Case: GPA-34597
16209202008
KHAZAI SHAHRIAR & ISABELA
%IMPERIOAL DESIGN
14100 KINGSLEY DR
GARDENA CA 90249-3018

14P

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

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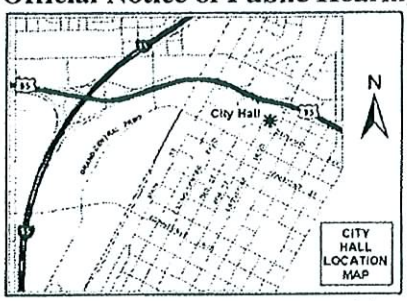

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GPA-34597 & SUP-34598
Planning Commission Meeting of 8/13/2009

Case: GPA-34597
16208604002
HIGHLAND INDUSTRIAL PARK PTNRSHP
%NEVADA DEVELOPMENT & REALTY CO
2500 W SAHARA AVE #211
LAS VEGAS NV 89102-4393

14P

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

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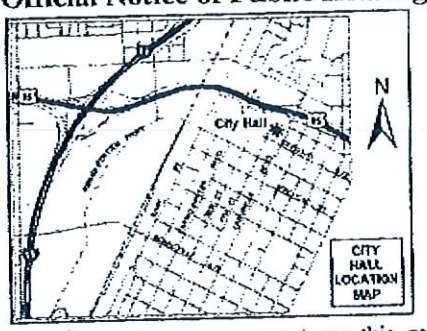

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JUN 29 2009

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☐ I SUPPORT this Request

☑ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-34597 & SUP-34598

Planning Commission Meeting of 7/9/2009

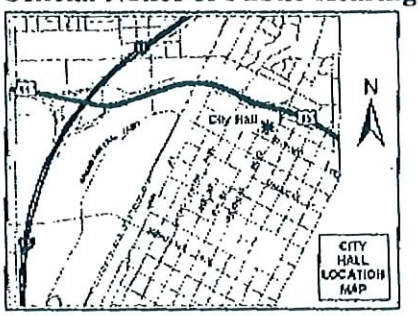
Case: GPA-34597
16209202008
KHAZAI SHAHRIAR & ISABELA
%IMPERIOAL DESIGN
14100 KINGSLEY DR
GARDENA CA 90249-3018

DAVDP11 90249

20 P

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

Return Service Requested
Official Notice of Public Hearing



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GPA-34597 & SUP-34598

Planning Commission Meeting of 7/9/2009

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JUN 29 2009

Case: GPA-34597
16209202010
POSITIVE SPACE INC
%B ALLEN PHOTOGRAPHY
18 STAR BROOK AVE
HENDERSON NV 89052-6628

DAVDP11 89052

20P

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

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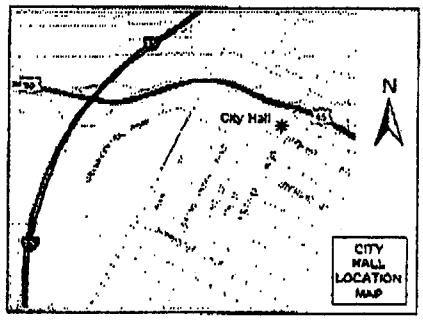

RECEIVED
JUL 07 2009

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☐ I SUPPORT this Request

☑ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-34597 & SUP-34598

Planning Commission Meeting of 7/9/2009

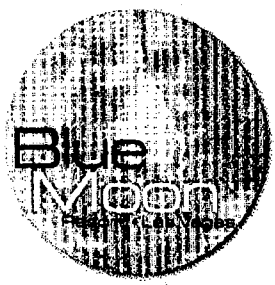
Paul Brosseau

Case: GPA-34597

16209110015
BROSSEAU 1993 TRUST
2609 S HIGHLAND DR
LAS VEGAS NV 89109-1156

Submitted after final agenda

Date 7/7/09 Item 20P



RECEIVED
JUL 07 2009

July 5, 2009

Development Services Center
731 South Fourth Street
Las Vegas, NV 89101

RE: Case# SUP-34598
Case# GPA-34597

Dear Sir/Ma'am;

My name is John Hessling. I am the Managing Partner of Blue Moon Resort located at 2651 Westwood Drive. I am writing to express my great concern regarding the above outlined cases. These cases seek special use permits to create a 23,000 square foot, 100-inmate, "custodial institution" with accessory dog kennels at 2701 Westwood Drive. This location is next door to my business.

The impact of the proposed facility, essentially a half-way-house for felons and transitioning convicts, would be devastating to my business.

Blue Moon Resort is Las Vegas' only resort for gay men. My clientele tend to be discriminate of where they spend their time and money. It is already challenging to get customers to choose Blue Moon over the mega-resorts on the strip. Once word gets out in the press and on the internet that we are now next to a prison, it will be impossible.

This is not to mention the difficulties with parking. The previous occupant of 2701 Westwood leased parking space from my hotel due to lack of parking on his property. I cannot and will not allow transitioning prisoners or facility employees to park in my parking lot and mix with my customers.

I understand that these facilities are necessary. I cannot however support one being built next to my hotel.

If possible I would like to discuss this in person prior to the July 9th Council meeting. I may be reached by cell phone at 860-0032. I appreciate your time.

Sincerely,

John E. Hessling
Managing Partner
Blue Moon Resort

Cc: Councilwoman Lois Tarkanian

Submitted after final agenda
Date 7/7/09 Item 20P

2651 Westwood Drive • Las Vegas, NV 89109
Phone: 702.784.4500 • Fax: 702.361.9110
BlueMoonLasVegas.com • E-mail: info@bluemoonlv.com

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

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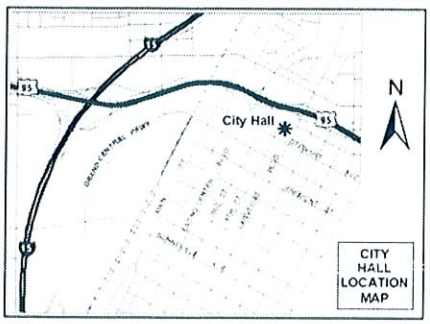

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-34597 & SUP-34598

Planning Commission Meeting of 7/9/2009

Case: GPA-34597

16209102002
2701 WESTWOOD L L C
%MR R BRANDY
1113 PINE ISLAND CT
LAS VEGAS NV 89134-6330

20A

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 13, 2009

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

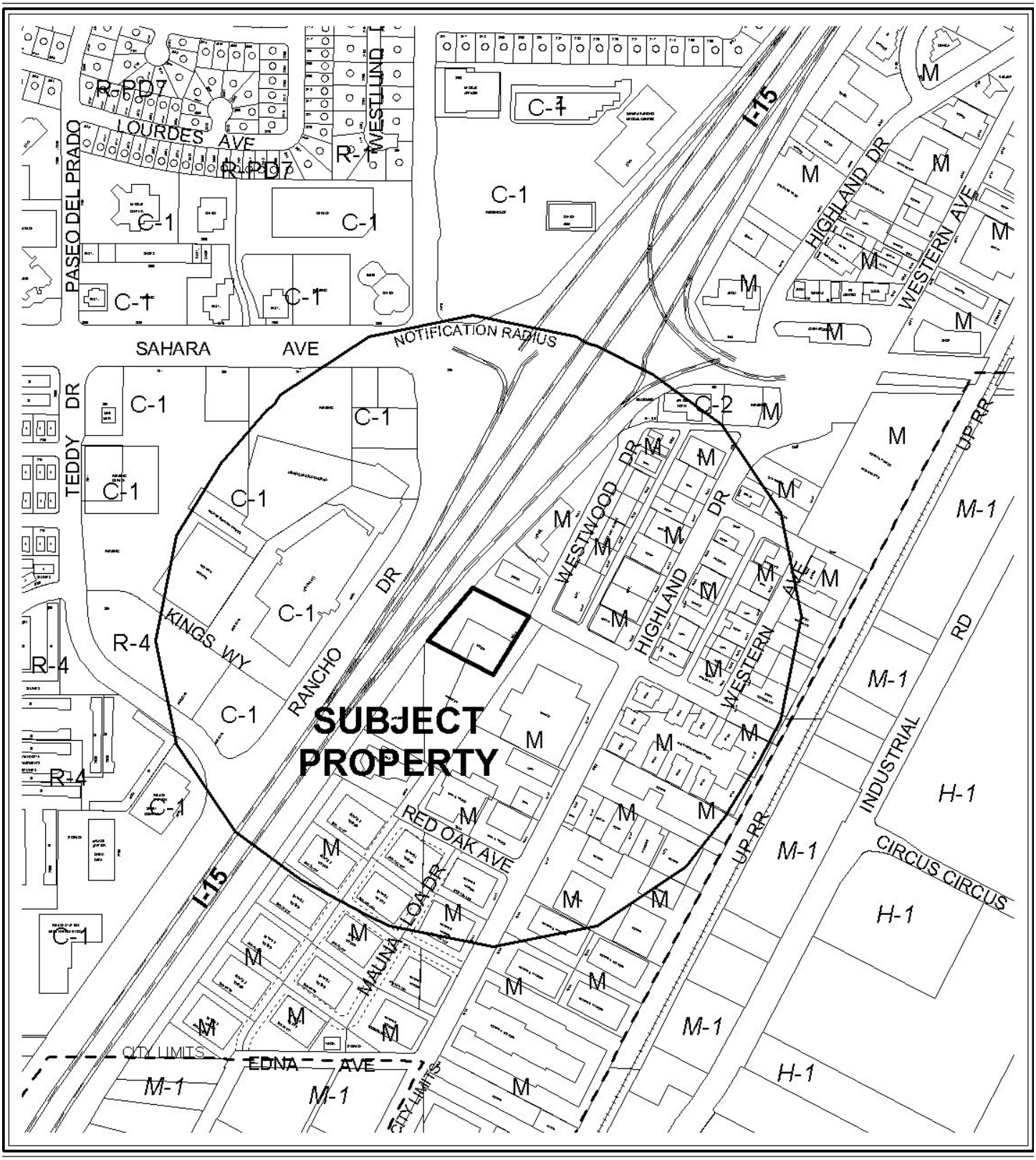
SUBJECT:
ABEYANCE - RENOTIFICATION - SUP-34598 - SPECIAL USE PERMIT RELATED TO GPA-34597 - PUBLIC HEARING - APPLICANT: DR. ARTHUR WEATHERS - OWNER: 2701 WESTWOOD, LLC - Request for a Special Use Permit FOR A PROPOSED 23,390 SQUARE-FOOT, 100-INMATE CUSTODIAL INSTITUTION WITH ACCESSORY DOG KENNELS FOR TRAINING at 2701 Westwood Drive (APN 162-09-102-002), M (Industrial) Zone, Ward 1 (Tarkanian). NOTE: THIS APPLICATION HAS BEEN AMENDED FOR A PROPOSED 22,790 SQUARE-FOOT, 120-INMATE CUSTODIAL INSTITUTION

C.C.: 09/16/2009

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**9**	**Planning Commission Mtg.**	**1**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
APPROVAL

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



0 400 800 Feet

CASE: **SUP-34598**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



0 400 800 Feet

CASE: **SUP-34598**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: AUGUST 13, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - RENOTIFICATION - SUP-34598 - APPLICANT: DR. ARTHUR WEATHERS - OWNER: 2701 WESTWOOD, LLC

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Custodial Institution use.

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

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

4. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for a business license removing all razor wire from perimeter fencing.

JB

SUP-34598 - Staff Report Page One
August 13, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a Custodial Institution; the subject site contains an existing 26,638 square-foot Office/Warehouse located at 2701 Westwood Drive. The applicant has proposed to establish a facility that provides living space, re-entry programs, in-house counseling and job placement assistance for up to 120 parolees. If this application is denied, the applicant will have to find a suitable location for the proposed use.

ISSUES:

- Approval of an associated General Plan Amendment (GPA-34597) to change the General Plan designation from C (Commercial) to LI/R (Light Industry/Research) is required as the proposed Custodial Institution use is too intense for the existing C (Commercial) designation.
- The proposed use complies with all Title 19 Zoning Code requirements and can be conducted in a manner that is harmonious and compatible with the existing and future surrounding land uses; therefore, staff is recommending approval of this application.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
01/12/61	The Board of City Commissioners approved a request for Reclassification of Property (Z-62-60) from R-E (Residence Estates) to M-1 (Light Industry) generally located south Sahara Avenue between Highland Drive and the proposed freeway [Interstate 15].
10/28/93	The Planning Commission approved a request for a Plot Plan and Building Elevation Review [Z-0062-60(1)] for a warehouse and office building at 2701 Westwood Drive.
03/08/98	The Board of Zoning and Adjustment approved a request for a Variance (V-112-98) to allow a proposed 16,097 square-foot addition to an existing legal non-conforming warehouse building on the side property line where 10 feet is the minimum setback required; and to allow 51 parking spaces where 59 spaces are the minimum required at 2701 Westwood Drive.
05/27/99	The Planning Commission approved a request for a Site Development Plan Review [Z-62-60(2)] for a proposed 23,148 square foot addition to an existing Print Shop on property located at 2701 Westwood Drive.
09/14/04	Most recent of ownership
04/20/05	A Code Enforcement case (#29063) was processed for outside storage at 2701 Westwood Drive. Code Enforcement closed the case on 06/16/05.

01/17/06	A Code Enforcement Case (#37578) was processed for using parking area for storage, forcing employees to park in complainant's parking lot at 2701 Westwood Drive. Code Enforcement closed the case on 01/18/06.
05/17/06	The City Council approved a request for a General Plan Amendment (GPA-9219) to change the Future Land Use designation to Commercial, Mixed Use, Industrial or Public Facilities on various parcels located within the proposed Las Vegas Redevelopment Plan area and within the proposed Redevelopment Plan expansion area. The Planning Commission recommended approval of the request.
03/04/08	A Code Enforcement case (#62937) was processed for customer who called and asked for assistance at this commercial manufacturing & Processing Plant. States there are environmental and other issues and would like a complete exterior inspection of the business and grounds. Code Enforcement closed the case on 01/14/09.
07/24/08	The Planning Commission approved a request for a Site Development Plan Review (SDR-28536) for a minor amendment to an approved Site Development Plan Review [Z-0062-60(1)] to allow for parking lot modifications at 2701 Westwood Drive.
07/09/09	The Planning Commission at the request of the applicant, approved a request to hold in abeyance the subject Special Use Permit (SUP-34598) for a Custodial Institution at 2701 Westwood Drive.
Related Building Permits/Business Licenses	
06/08/94	A building permit (#94335306) was issued for On-site Improvements at 2701 Westwood Drive. This permit was expired on 12/02/95.
	A building permit (#94335307) was issued for a warehouse/office building Certificate of Occupancy at 2701 Westwood Drive. This permit was completed on 11/02/94.
09/12/94	A building permit (#94347595) was issued for a masonry wall at 2701 Westwood Drive. This permit was completed on 11/03/94.
12/29/00	A building permit (#23291) was issued for a Tenant Improvement to install a paper collector at 2701 Westwood Drive. This permit was expired on 07/07/01.
Pre-Application Meeting	
05/14/09	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit were discussed topics included. • Title 19 Zoning Code requirements • Application Materials and Documents • Meeting Dates and Deadlines

Neighborhood Meeting	
06/09/09	A neighborhood meeting was held on Tuesday, June 9th at 6:30 PM at 2701 Westwood Drive, Las Vegas. Four members from the applicant attended the meeting along with one staff member from the Ward 1 City Council office and one member of the Planning and Development staff. No members of the public attended the meeting. The applicant clarified that they would only be renovating and using the first floor of the building. Pending a positive review of their Special Use Permit (if approved), they may submit a request to renovate the second floor of the building and increase the number of residents. The applicant noted that the pet day care use shown on the plans would be a separate business unrelated to the custodial institution. The applicant would drive to major employment centers (such as casinos) in the morning, pick up employees' pets, care for them at the Westwood location during the day, and drive back to the employment centers to return the pets to employees.
Field Check	
06/04/09	During a routine site inspection performed by staff the subject property was noted as having • Required landscaping along the eastern property line has either been removed or is dying. • No ADA van accessible parking space located on the site

Details of Application Request	
Site Area	
Gross Acres	1.45

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Warehouse	C (Commercial)	M (Industrial)
North	Motel	C (Commercial)	M (Industrial)
South	Parking Lot	LI/R (Light Industrial/ Research)	M (Industrial)
East	Parking Lot	LI/R (Light Industrial/ Research)	M (Industrial)
West	Interstate (I-15)	ROW (Right-of-Way)	ROW (Right-of-Way)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan			
Downtown Centennial Plan	X		Y

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	*Required*			*Provided*		*Compliance*
			Parking		*Parking*		
Use		*Parking Ratio*	Regular	Handi-capped	Regular	Handi-capped	
Custodial Institution	22,790 SF	1:20 Inmates	6	1	30	2	Y
Office	3,248 SF	1:300	11				
Pet Boarding	600 SF	1:250	3				
TOTAL	26,638 SF		21		32		

ANALYSIS

This is a request for a Special Use Permit for a proposed Custodial Institution defined is Title 19.04 as, "One or more buildings and related facilities used for the housing or detention of persons who have been charged with or have been convicted of felonies or misdemeanors." The subject site contains an existing Office/Warehouse building located at 2701 Westwood Drive. The applicant has proposed to establish a 22,790 square-foot facility that provides living space, re-entry programs, 12-step recovery programs, in-house counseling and job placement assistance for up to 120 parolees. The program was adopted by the Nevada State Senate in 2003, and is now monitored by the Nevada Department of Public Safety – Division of Parole and Probation. The proposed land use is not compatible with the existing C (Commercial) General Plan designation as it is too intense. However, this application has been submitted with an associated General Plan Amendment (GPA-34597) requesting a change from C (Commercial) to LI/R (Light Industrial/Research) which, if approved, would allow the intensity of the proposed use. Staff is recommending approval of this application, as the proposed use complies with all Title 19 Zoning Code requirements and can be conducted in a manner that is harmonious and compatible with the existing and future surrounding land uses.

FINDINGS

The following findings must be made for a Special Use Permit:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

   The proposed land use can be conducted in a manner that is harmonious and compatible with existing and future surrounding land uses, as projected by the General Plan

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

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

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

   Site access is provided from Westwood Drive a 70-foot Frontage Street as designated in the Master Plan of Streets and Highways. This street provides adequate access to and from the subject property.

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

   Approval of this special use permit will not compromise public health, safety, or welfare as the proposed Custodial Institution use will be subject to regular inspections.

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

   The proposed Custodial Institution use complies with the conditions per Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 14

ASSEMBLY DISTRICT 10

SENATE DISTRICT 7

NOTICES MAILED	56
APPROVALS	1
PROTESTS	9

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-34598 APN: 162-09-102-002

Name of Property Owner: 2701 WESTWOOD LLC, ROBERT BRANDY

Name of Applicant: DR. KIT WEATHERS

Name of Representative: LAW OFFICES OF JAY BROWN

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Robert Brandy

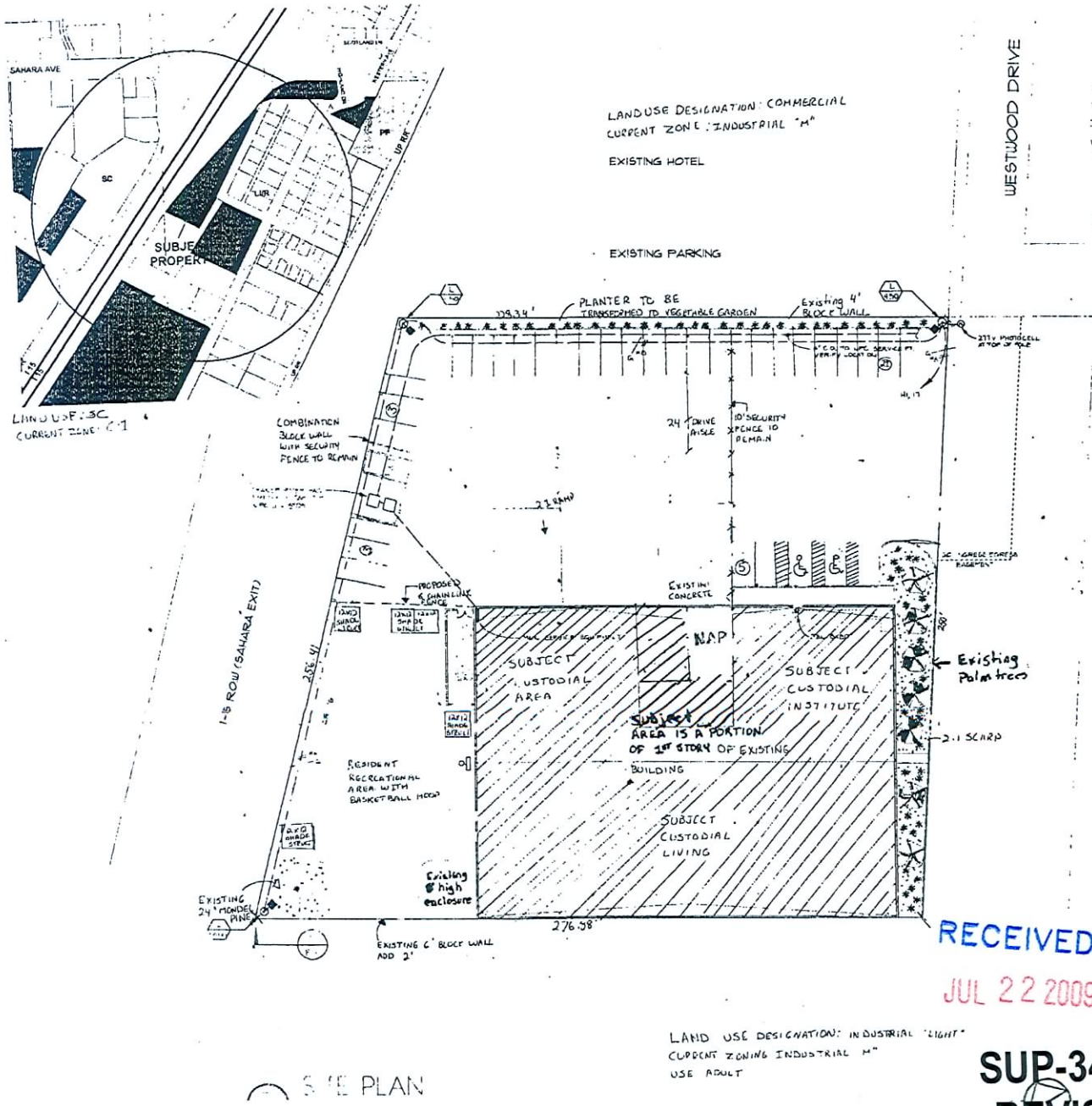
Subscribed and sworn before me

This 26th day of May, 2009

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
ELLIOT ROSENBERGER
No: 07-3299-1
My Appointment Expires Jan. 23, 2011



RECEIVED
JUL 22 2009

SUP-34598
REVISED
08/13/09 PC

LAND USE DESIGNATION LI/P
CURRENT ZONE: M-INDUSTRIAL
EXISTING CREEL PRINTING
CURRENT USE: WAREHOUSE

LAND USE DESIGNATION: COMM
CURRENT ZONE: INDUSTRIAL
CURRENT USE: OFFICE & WAREHOUSE

EXISTING PARKING

SYMBOL LIST

- 20A, 125V, 2P/3W DUPLEX RECEPTACLE, 18" AFF OR AS NOTED
- DUPLEX RECEPTACLE AS ABOVE EXCEPT & FLUSH FLOOR BOX.
- DUPLEX RECEPTACLE AS ABOVE EXCEPT A, G, I, 48" AFF.
- JUNCTION BOX
- TELEPHONE OUTLET 18" AFF OR AS NOTED.
- COMPUTER OUTLET, 18" AFF OR AS NOTED.
- S 20A, 277V, SPST TOGGLE SWITCH, 48" AFF.
- S_3 20A 277V 3-WAY TOGGLE SWITCH 48" AFF.
- S_4 20A 277V, 4 WAY TOGGLE SWITCH 48" AFF
- SAFETY SWITCH
- MOTOR ZED EQUIPMENT CONNECTION.
- METALLIC CONDUIT AS NOTED.
- 2#12 THHN - 1/2" C.
- 3#12 THHN - 1/2" C
- 4#12 THHN - 1/2" C
- 5#12 THHN - 1/2" C.
- 6#12 THHN - 1/2" C

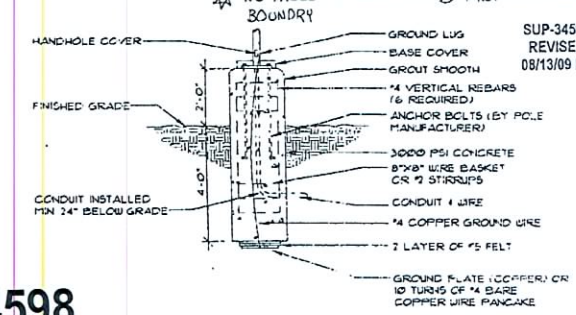
PROPERTY INFORMATION
APN: 162-09-102-002

CURRENT LAND USE: COMMERCIAL
PROPOSED LAND USE: INDUSTRIAL
CURRENT ZONE: M
PROPOSED ZONE: M

PARKING ANALYSIS

REQUIRED	20 SPACES
1 SPACE/20 RESIDENTS FOR CUSTODIAL INSTITUTE	= 5 SPACES
1 SPACE/300 SQFT FOR EXISTING 2ND STORY OFFICE	= 17 SPACES
1 SPACE/250 SQFT FOR PET BOARDING	= 4 SPACES
PROVIDED:	= 32 SPACES

☆ NO TREES TO BE REMOVED FROM NORTHERN BOUNDRY



TYPICAL POLE BASE 1

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revisions

GENERAL PLAN AMENDMENT
162-09-102-002
FROM C TO LI

date
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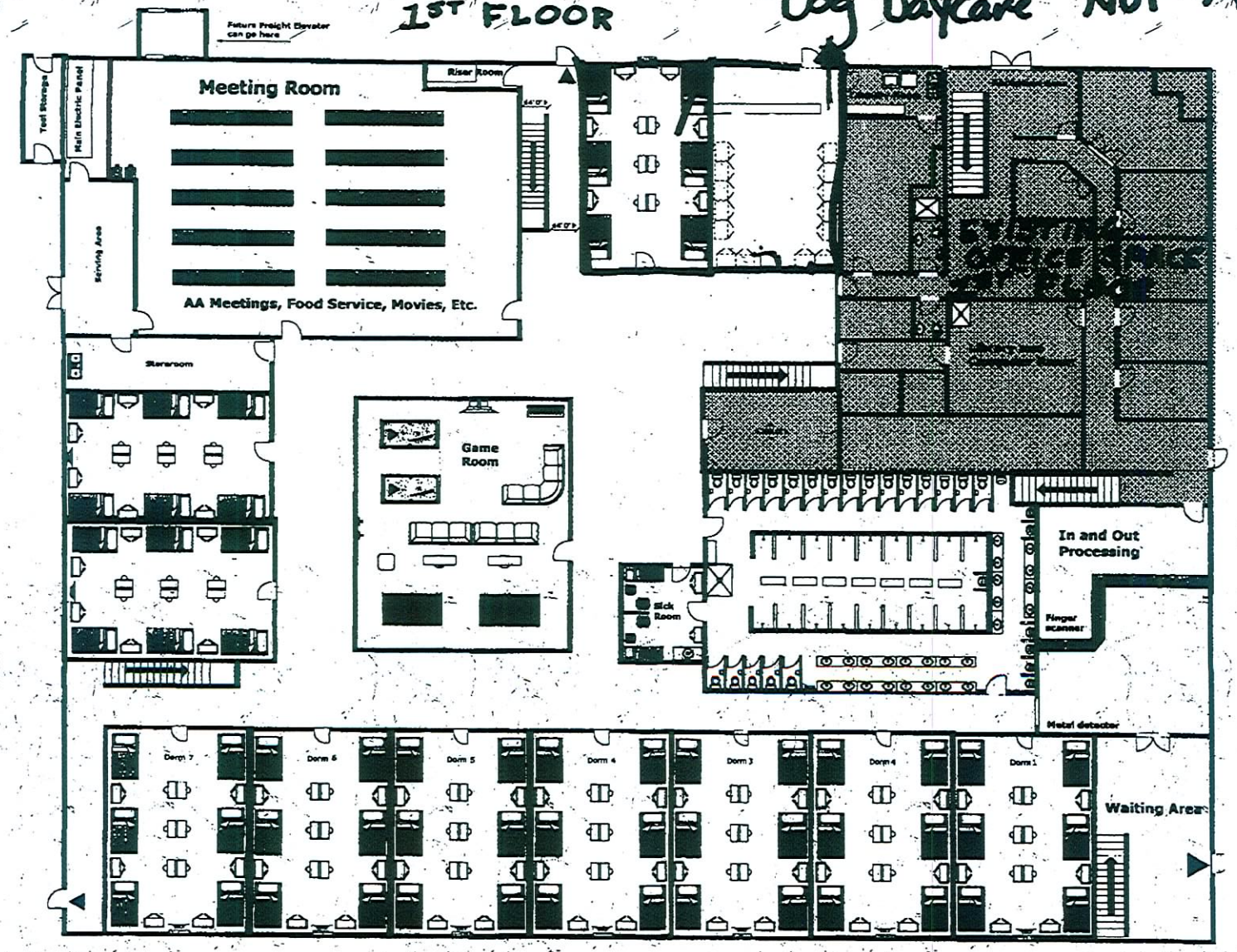
drwn.by
chkd.by

sheet no. E-1

1ST FLOOR

Dog Daycare NOT APART



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2701 Westwood Drive - First Floor - Ten 30' x 20' Dorms - 12 people per dorm
Golden Passages - 702-341-0987

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SUP-34598 - APPLICANT: DR. ARTHUR WEATHERS - OWNER: 2701 WESTWOOD, LLC
2701 WESTWOOD DRIVE
AUGUST 13, 2009 PLANNING COMMISSION

06/04/09



SUP-34598 - APPLICANT: DR. ARTHUR WEATHERS - OWNER: 2701 WESTWOOD, LLC
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2701 WESTWOOD DRIVE
AUGUST 13, 2009 PLANNING COMMISSION

06/04/09

LAW OFFICE

Brown, Brown & Premsrirut

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS

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TELEPHONE (702) 384-5563
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EMAIL: jbrown@brownlawlv.com

July 21, 2009

City of Las Vegas Planning and Zoning Department
731 South 4th Street
Las Vegas NV, 89101

RE: Use Permit to allow a Custodial Living Facility for Released Offenders
parcel 162-09-102-002

Dear Sir/Madam, Jonathan Boyles

On behalf of the applicant, Dr. Kit Weathers, we respectfully request your support for a Custodial Institute in an existing building located at 2701 Westwood Road. This building has sat vacant since 2007. The property is currently zoned M with a *Commercial* Land Use Designation.

Dr. Arthur Weathers is working with the Nevada State Department of Corrections to establish a public/private partnership that both provide re-entry skills to parolees, and abate the costs of keeping offenders in the state prison facilities. This program was adopted by the Nevada State Senate in 2003. It is now monitored by the Nevada Department of Public Safety – Division of Parole and Probation. The Nevada State Division of Health – Bureau of Licensure and Certification also sets parameters for such facilities through NAC 449 Statutes. The Nevada State Department of Health and Human Services also contributes to this program by publishing a workbook that facilitates finding employment. The workbook lists companies throughout the valley that hire ex-felons including ten major strip hotels. The Nevada Department of Public Safety – Division of the Fire Marshal will conduct building inspections. Two similar facilities exist in the Las Vegas Valley. Released offenders that are not housed in Custodial Facilities commonly reside in housing within residential districts.

All residents will be recommended by Lieutenant John Del Villan of the Nevada State Department of Corrections. The recommendations are based on a parole review and the length of the remaining sentence, with a minimum 2/3 of the sentence having been served in a state prison facility. Individuals that have been convicted of crimes of a sexual or violent nature are not eligible for this program.

The facility provides both living space and re-entry programs to residents. Residents will have access to12 step recovery programs, in-house counseling and job placement assistance (as structured by the Division of Welfare and Supportive Services – Nevada). Each resident is expected to find employment within 30 days in order to pay a minimal rental rate of $400 each month. Bus passes are provided to each resident to commute to work. Participants can request terms that exceed the state determined release date if the additional time is needed for a more successful financial and emotional transition into the community. Residents will be subject to rules in addition to those set forth by the conditions of parole (see attached). Residents who fail to meet the requirements for the program will be returned to the prison at the discretion of the

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Facilitator or parole staff. The facility will have continuous on-site employees, secured/alarmed doors and closed circuit monitoring cameras and any needed individual location devices to ensure security within and around the site.

The proposed use will benefit the surrounding community and residents the state. First, the property will be well maintained by residents assigned to daily custodial duties. Therefore, the now vacant building will be more attractive to adjacent properties. The nature of this use limits automobile traffic, the curfew restricts hours of operation, and the renovation does not add to the existing demand on infrastructure or services. Therefore, this proposed use will not be more dense nor intense than the surrounding area which allows for commercial, adult uses and industrial warehousing. The facility is beneficial to the residents of Nevada because removing prisoners from state supported facilities and into private facilities, ensures savings to the tax supported *State General Fund.*

The site location is ideal for custodial living. Because most residents will not have access to a personal automobile, it is important to have pedestrian access to employment centers. Also, the commercial nature of the area provides more nearby employment opportunities when compared to a site in an outlying area. The Las Vegas Valley's most frequent public transit routes are within an easy walking distance from the site thereby providing accessible transportation to many work places. As stated in the April 10 2003, State Assembly Seventy Second Session meeting, individuals in transition usually find employment in the areas of culinary, construction, manufacturing, mechanics and are often hired by the casinos. The area has nearby businesses and trade schools in these fields. The adult nature of the area is attractive as it does not interact with family oriented uses thereby minimizing concerns of the residential population. In summary, the minimal tenant improvements needed, paired with the location's suitability for the proposed use offer a suitable transition to an otherwise vacant building.

A two story building exists on the site. The building was previously used as an office and warehouse. The applicant wishes to lease approximately 23,390 square feet on the first floor to house upwards of 120 residents. The second story will remain vacant at this time. A separate business will occupy a 600 square foot portion of the building in addition to an outdoor area on the site. The building layout does not facilitate interaction between the two uses.

Improvements to the building will include additional walls to provide more bedrooms and additional showers and toilets as required by NAC 449. Residents will be served continental breakfasts; kitchen facilities will not be constructed. Because the applicant is leasing the property existing ancillary structures will remain on-site.

Please direct questions and concerns to me at (702) 598-1408.

Sincerely,

L U Dreja

Lora Dreja
Land Entitlements
Brown, Brown and Premsrirut.

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Attachments:
Halfway House Program Criteria – Nevada Department of Public Safety Parole and Probation
NAC 449 – Nevada State Division of Health – Bureau of Licensure and Certification

Half Way House Program Criteria

issued by
Nevada Department of Public Safety
Division of Parole & Probation

The purpose of placing parole or probation offenders into a half way house or residential living facility is to provide a positive, structured, sober/clean living environment, with available counseling, treatment, educational and/or employment services, which will enable the subjects to successfully complete those programs, reintegrate into society, and become active, responsible and law abiding members in our communities who are free from drug/alcohol abuse issues. With this in mind, the Division requires that Half Way House and Transitional Living Programs follow the rules listed below in order for parolees and probationers to be allowed to reside in those facilities.

1. The facility/residence location must have & maintain a current business license issued by the local jurisdiction (County or City).

2. If operating as a residential half way house for the treatment of alcohol or drug abusers, the facility must have & maintain a current license issued by the Nevada Department of Human Resources, Health Division, Bureau of Licensure & Certification. After October 2005 all facilities providing residential living services must be licensed. This license must specify the maximum number of residents allowed in the facility.

3. The facility must have had an initial inspection, and be regularly inspected by the State Fire Marshal, or the locally authorized fire/safety agency. All safety measures, fire/smoke detection devices, fire extinguishers and exit markings must be up to date, fully functioning and accessible. Emergency exits must be clear, and exit plans must be posted for residents and guests.

4. The facility must have full insurance coverages to operate in the business of providing half way house or residential living services.

5. The facility must not allow persons who are not residents in the home to enter the facility unescorted. Visitors must check in and out on a log. Visitors must comply with other facility rules.

6. The facility must not allow co-ed housing; separate male and female facilities are required.

7. The facility must be maintained in a clean, healthy & sanitary condition at all times. Adequate heating and cooling are required at appropriate times of the year. Waste materials, garbage, filthy conditions, excessive weeds, trash, debris, squalor, insects or vermin, etc. are not acceptable.

8. The facility must be operated in a positive and enabling manner, conducive to the well-being of those in residence; A Sober living environment, free from drugs, alcohol, contraband, illegal substances, distractions, internal conflicts or conflicting activities.

9. The facility must report any problems with compliance, illegal activities, suspected or confirmed drug or alcohol abuse, or attitude issues with parolees or probationers in the residence to the probation or parole officer, or their supervisor, as soon as possible. All incidents need to be documented.

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10. The facility will only house an appropriate number of residents, as either determined by their state license, or by the practical conditions in the residence. Facilities will not approve residential living space (beds) at any one time for more than the number of approved beds which are in that residence. The Division can limit the number of residents to a number which is lower than that which may appear on a license, based on practical considerations.

11. Rates for housing charged by the facilities must be reasonable and not excessive.

12. Honesty in all dealings with the state, licensing or facilitating agencies and residents in the program is required.

13. Ideally, the facility will be located near transportation services and/or bus routes, or provide transportation for their residents to/from employment, counseling or treatment programs.

14. Facilities must be aware of the rules and special conditions for parolees and probationers, and facilities must remain in compliance in order for subjects under P&P supervision to be residents in those programs.

RULE ACCEPTANCE AND UNDERSTANDING

Our program has read and understands the residential program criteria and rules of the Division of Parole & Probation for the placement of parolees and/or probationers in halfway house or transitional living facilities. Our program agrees to abide by these criteria and rules in order to be utilized for residential placement by the Division.

_____ _____

Signature Date

Contact information: Facility Name: _____

Facility Director/Manager: _____

Facility Location: _____

_____

_____

Phone: _____

2nd Phone: _____

Fax: _____

E-mail: _____

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In addition to any City or County business licenses or requirements, to operate a half way house you must also be licensed by the State of Nevada.

The agency which will regulate the licensing of all transitional living and half way house facilities is:

State of Nevada
Department of Human Resources
Health Division
Bureau of Licensure and Certification
4220 S. Maryland Parkway, Suite 810
Las Vegas NV 89119
(702) 486-6515

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FACILITIES FOR TRANSITIONAL LIVING FOR RELEASED OFFENDERS

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FACILITIES FOR TRANSITIONAL LIVING FOR RELEASED OFFENDERS

General Provisions

NAC 449.154951 Definitions. (NRS 449.037) As used in NAC 449.154951 to 449.154999, inclusive, unless the context otherwise requires, the words and terms defined in NAC 449.154953 to 449.154959, inclusive, have the meanings ascribed to them in those sections.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

NAC 449.154953 "Administrator" defined. (NRS 449.037) "Administrator" means a person:

1. Whose name appears on a license issued by the Bureau as administrator of record for a facility; and
2. Who is legally responsible for the management of the facility.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

NAC 449.154955 "Facility" defined. (NRS 449.037) "Facility" means a facility for transitional living for released offenders as defined in NRS 449.0055.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

NAC 449.154957 "Resident" defined. (NRS 449.037) "Resident" means a person who:

1. Is a person who has been released from prison as that term is defined in subsection 2 of NRS 449.0055; and
2. Is admitted to a facility.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

NAC 449.154959 "Supportive services" defined. (NRS 449.037)

1. "Supportive services" mean services provided by a facility, directly or indirectly through arrangements with other providers, which are intended to assist a resident with reintegration into the community.
2. Those services may include, without limitation:

(a) Referrals and the provision of information concerning:
   (1) Health care, including mental health care;
   (2) Access to housing, benefits or employment;
   (3) Resume writing; and
   (4) Required counseling for sex offenders.

(b) Training concerning:
   (1) Life skills;
   (2) Resume writing; and
   (3) Any other topic pursuant to the policies of the facility.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

Administration

NAC 449.154961 Administrator: Qualifications. (NRS 449.037) An administrator must:

1. Be at least 21 years of age;
2. Have the physical examination or certification required by paragraph (a) of subsection 3 of NAC 441A.375 for a person employed in a facility for the dependent; and
3. Maintain evidence that he satisfies the requirements of this section in a file that is maintained on the premises of the facility.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

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NAC 449.154963 Administrator: General duties. (NRS 449.037) An administrator shall:

1. Post the license issued by the Bureau in a conspicuous place within the facility.
2. Organize and manage the facility.
3. Establish policies, procedures and rules for the operation of the facility, including, without limitation, the policies and procedures required to be established by NAC 449.154967.
4. Ensure that the records of the facility are maintained in accordance with the requirements of the policies, procedures and rules for the operation of the facility established pursuant to subsection 3.
5. Ensure that the facility complies with any applicable state statutes and regulations and local ordinances.
6. Ensure that the residents of the facility are afforded the opportunity to exercise their individual rights in a manner consistent with the rules of the facility.
7. Ensure that the facility is maintained in a safe and clean condition.
8. Review and approve changes in the policies and procedures established pursuant to subsection 3 at least annually. This review must be signed and dated.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

NAC 449.154965 Operation of facility. (NRS 449.037) An administrator shall ensure that:

1. Alcohol or drugs are not allowed on the premises of the facility;
2. The policies, procedures and rules established pursuant to NAC 449.154963 are carried out;
3. Each resident complies with those policies, procedures and rules;
4. The facility provides an environment that will facilitate the reintegration of the residents of the facility into the community; and
5. The operation of the facility is not compromised by a resident who violates the policies, procedures or rules of the facility.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

NAC 449.154967 Policies and procedures. (NRS 449.037)

1. An administrator shall establish written policies and procedures concerning:
   (a) The manner in which records of residents will be maintained and protected against unauthorized use;
   (b) The disclosure of confidential information about residents;
   (c) The criteria the facility will use to determine whether to:
      (1) Admit a resident to the facility; and
      (2) Discharge a resident from the facility;
   (d) The discharge of a resident for a violation of the rules of the facility;
   (e) The discharge of a resident for the use of alcohol or drugs;
   (f) The rights and responsibilities of a resident; and
   (g) The evacuation of residents in case of fire or other emergency as required by NAC 449.154999.
2. The administrator shall maintain a manual of policies, procedures and rules of the facility that includes, without limitation, the policies and procedures established pursuant to subsection 1. The manual must be available on the premises of the facility at all times.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

NAC 449.154969 Preparations for disasters and other emergencies. (NRS 449.037)

1. An administrator shall develop a written plan for disasters that outlines procedures for members of the staff of the facility and residents of the facility to follow in case of a disaster or other emergency. The plan must include, without limitation, provisions outlining procedures to be followed with regard to:

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(a) Workplace threats and violence, bomb threats, and the possession of firearms or explosives by a resident;

(b) Medical emergencies;

(c) Natural disasters typical of the particular geographic area in which the facility is located; and

(d) Other disasters, including, without limitation, a power failure, an interruption in the normal supply of water to the facility and threats by terrorists.

2. The plan must include, without limitation, provisions concerning the provision of temporary shelter and other services for residents of the facility who are required to evacuate the facility because of a disaster.

3. The provisions of the plan must be communicated to each member of the staff of the facility and each resident of the facility.

4. Each facility shall conduct a drill for evacuation of the facility at least once each quarter and shall ensure that each shift of the staff of the facility participates in such a drill at least annually.

5. Each facility shall retain a written record of each drill conducted pursuant to subsection 4 on file at the facility for not less than 12 months after the drill is conducted. The administrator shall make such records available for inspection by the Health Division upon request.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

Operation

NAC 449.154971 Limitation on number of admissions. (NRS 449.037) An administrator shall ensure that the facility does not admit more residents to the facility than the number of beds for which it is licensed.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

NAC 449.154973 Prerequisites to provision of particular services. (NRS 449.037)

1. In addition to satisfying the requirements of NAC 449.011, an applicant for a license to operate a facility must include with his application a statement indicating whether he will be operating a facility:

(a) That only provides a housing and living environment;

(b) That provides or arranges for the provision of supportive services for residents of the facility to assist the residents with reintegration into the community, in addition to providing a housing and living environment; or

(c) That provides or arranges for the provision of alcohol and drug abuse programs, in addition to providing a housing and living environment and providing or arranging for the provision of other supportive services.

2. If the applicant wishes to operate a facility described in paragraph (c) of subsection 1, the applicant must:

(a) Obtain certification of its program pursuant to subsection 4 of NRS 458.025 and include evidence of that certification with his application; and

(b) Satisfy the requirements set forth in NAC 449.019 to 449.153, inclusive, for a facility for the treatment of abuse of alcohol or drugs.

3. If the applicant wishes to operate a facility described in paragraph (b) or (c) of subsection 1 which has residents who are under the supervision of a parole officer, the applicant must:

(a) Obtain the approval of the Division of Parole and Probation of the Department of Public Safety; and

(b) Include evidence of that approval with his application.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

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NAC 449.154975 Sanitation, safety and comfort. (NRS 449.037)

1. An administrator shall ensure that the facility:

(a) Has a safe and sufficient supply of water, adequate drainage and an adequate system for the disposal of sewage; and

(b) Complies with all local ordinances and state and federal laws and regulations relating to zoning, sanitation, safety and accessibility to persons with disabilities.

2. A container used to store garbage outside of a facility must be kept reasonably clean and must be covered in such a manner that rodents are unable to get inside the container. At least once each week, the container must be emptied and the contents of the container must be removed from the premises of the facility.

3. To the extent practicable, the premises of the facility must be kept free from:

(a) Offensive odors;

(b) Hazards, including obstacles that impede the free movement of residents within and outside the facility;

(c) Insects and rodents; and

(d) Accumulations of dirt, garbage and other refuse.

4. The administrator shall ensure that the premises of the facility are clean and that the interior, exterior and landscaping of the facility are well maintained.

5. All windows that are capable of being opened in the facility and all doors that are left open to provide ventilation for the facility must be screened to prevent the entry of insects.

6. The administrator shall ensure that electrical lighting is maintained in the facility as necessary to ensure the comfort and safety of the residents of the facility.

7. The temperature in the facility must be maintained at a level that is not less than 68 degrees Fahrenheit and not more than 82 degrees Fahrenheit.

8. The administrator shall ensure that any pest control work performed at the facility is performed by a person licensed to engage in pest control pursuant to chapter 555 of NRS.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

NAC 449.154977 Laundry facilities. (NRS 449.037)

1. An administrator shall ensure that laundry facilities are provided in the facility commensurate with the number of residents in the facility. At least one washer and at least one dryer must be provided in the facility.

2. The laundry area in a facility must be maintained in a sanitary manner. All the equipment in the laundry area must be maintained in good working condition. All dryers must be ventilated to the outside of the building.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

NAC 449.154979 Kitchens; preparation and storage of food. (NRS 449.037)

1. The kitchen in a facility and the equipment in the kitchen must be clean and must allow for the sanitary preparation of food. The equipment must be in good working condition.

2. Perishable food must be refrigerated at a temperature of 40 degrees Fahrenheit or less. Frozen food must be kept at a temperature of 0 degrees Fahrenheit or less.

3. Food must not be stored in any area in which cleaning or pest control products are stored.

4. A facility with more than 10 residents must:

(a) Comply with applicable provisions of chapter 446 of NRS and the regulations adopted pursuant thereto; and

(b) Obtain the necessary permits from the Bureau of Health Protection Services of the Health Division.

5. The equipment used for cooking and storing food in a facility with more than 10 residents must be inspected and approved by the Bureau of Health Protection Services of the Health Division and the state and local fire safety authorities.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

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NAC 449.154981 **Bedrooms and bedding. (NRS 449.037)**

1. A bedroom in a facility that is used by more than one resident must have at least 50 square feet of floor space for each resident who resides in the bedroom. A bedroom that is occupied by only one resident must have at least 80 square feet of floor space.

2. The arrangement of the beds and other furniture in the bedroom must accommodate the residents occupying the bedroom in comfort and safety.

3. A bed with a comfortable and clean mattress must be provided for each resident. The bed must be made with a mattress cover, two clean sheets, a blanket, a pillow and a bedspread. Linens must be changed at least once each week and more often if the linens become dirty.

4. Each mattress used in a facility must comply with the provisions of NRS 444.010 to 444.040, inclusive, and the regulations adopted pursuant thereto.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

NAC 449.154983 Use of certain areas as bedroom prohibited. (NRS 449.037) A hall, stairway, unfinished attic, garage, storage area or shed or other similar area of a facility must not be used as a bedroom. Any other room must not be used as a bedroom if it is used for any other purpose.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

NAC 449.154985 **Bathrooms and toilet facilities; toiletries. (NRS 449.037)**

1. All bathrooms and toilet facilities in the facility must be sufficiently lighted.

2. Each facility must have:

(a) A flush toilet and lavatory for each four residents; and

(b) A tub or shower for each six residents.

3. Each resident must have his own towels and washcloths. Paper towels may be used for hand towels. The towels and washcloths must be changed as often as is necessary to maintain cleanliness, but in no event less often than once each week. A soap dispenser that provides liquid or granular soap may be used instead of individual bars of soap.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

NAC 449.154987 **First aid. (NRS 449.037)**

1. A first-aid kit must be available at the facility. The first-aid kit must include, without limitation:

(a) A germicide safe for use by humans;

(b) Sterile gauze pads;

(c) Adhesive bandages, rolls of gauze and adhesive tape;

(d) Disposable gloves;

(e) A shield or mask to be used by a person who is administering cardiopulmonary resuscitation; and

(f) A thermometer or other device that may be used to determine the bodily temperature of a person.

2. Except for first aid in an emergency, no treatment or medication may be administered to a resident.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

NAC 449.154989 **Medication. (NRS 449.037)**

1. Medication for self-administration may be kept at the facility. That medication must:

(a) Except as otherwise provided in subsection 3, be disposed of immediately when it expires or when a physician orders the medication to be discontinued;

(b) Be stored and controlled in a manner that protects the medication from unauthorized use; and

(c) Not be used by more than one of the residents.

2. Medication kept at the facility must be controlled and distributed in a manner that is consistent with applicable state and federal law.

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3. The provisions of paragraph (a) of subsection 1 do not apply to over-the-counter medication.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

NAC 449.154991 Telephones. (NRS 449.037) An administrator shall ensure that:

1. The facility has at least one telephone that is in good working condition in the facility; and

2. The telephone number of the facility is listed in the telephone directory.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

NAC 449.154993 Notification of occurrence of certain incidents. (NRS 449.037)

1. An administrator shall notify the Bureau within 24 hours after the occurrence of an incident that:

(a) Involved significant harm to a resident of the facility if the resident of the facility required medical treatment as a result of the incident;

(b) May cause imminent danger to the health or safety of a resident of the facility; or

(c) May jeopardize the integrity of the operation of the facility.

2. The administrator shall report to the Health Division any fire or other disaster that takes place in the facility within 24 hours after the fire or other disaster occurs.

3. The administrator shall notify the Division of Parole and Probation of the Department of Public Safety of the occurrence of any of the incidents described in this section.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

NAC 449.154995 Rights of residents. (NRS 449.037) An administrator shall ensure that:

1. A resident of the facility is not abused, neglected or exploited by another resident of the facility or any person who is visiting the facility;

2. A resident is not prohibited from speaking to any person who advocates for the rights of the residents of the facility;

3. Each resident is treated with respect and dignity;

4. The facility provides a safe and comfortable environment;

5. A resident is not prohibited from interacting socially in a manner that is consistent with the rules of the facility;

6. To the extent practicable and in a manner that is consistent with the rules of the facility, each resident is allowed to make his own decisions;

7. The telephone number of the local office of the Bureau and the name and telephone number of the administrator is conspicuously posted on the premises of the facility; and

8. Each resident of the facility is allowed to exercise his right to vote.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

NAC 449.154997 Files for residents. (NRS 449.037)

1. An administrator shall ensure that the facility maintains a separate file for each resident of the facility and retains the file for at least 5 years after the resident permanently leaves the facility. The file must be kept locked in a location that is protected against unauthorized use. Each file must contain the information obtained by the facility that is related to the resident, including, without limitation:

(a) The full name, address and date of birth of the resident;

(b) The address and telephone number of any next of kin or guardian of the resident;

(c) Evidence of compliance with the provisions of NAC 441A.380;

(d) A list of the rules of the facility that is signed by the resident; and

(e) The name and telephone number of the parole officer of the resident, if any.

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JUL 21 2009

2. Except as otherwise provided in this subsection, the file of the resident must be kept confidential. The file of a resident must be made available upon request at any time to an employee of the Bureau who is acting in his capacity as an employee of the Bureau.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

NAC 449.154999 Safety from fire. (NRS 449.037)

1. An administrator shall ensure that the facility complies with the regulations adopted by the State Fire Marshal pursuant to chapter 477 of NRS and any local ordinances relating to safety from fire.

2. A facility with more than 16 beds must be equipped with a sufficient number of sprinklers to cover the entire area of the facility.

3. The administrator shall ensure that the facility has a plan for the evacuation of residents in case of fire or other emergency. The plan must be:

(a) Understood by all residents;

(b) Posted in a common area of the facility; and

(c) Discussed with each resident at the time of his admission.

4. At least one portable fire extinguisher must be available at the facility. Any portable fire extinguishers available at the facility must be inspected, recharged and tagged at least once each year by a person certified by the State Fire Marshal to conduct such inspections.

5. The administrator shall ensure that a written policy on smoking is developed and carried out by the facility. The policy must be:

(a) Developed with the purpose of preventing a fire caused by smoking in the facility; and

(b) Posted in a common area of the facility.

6. Smoke detectors installed in a facility must be maintained in proper operating condition at all times and must be tested monthly. The results of the tests conducted pursuant to this subsection must be recorded and maintained at the facility.

7. If an automatic fire sprinkler system is installed in a facility, the system must be inspected:

(a) Not less than once each calendar quarter by a person who understands the manner in which the system operates and the manner in which the system must be maintained; and

(b) Not less than once each calendar year by a person who is licensed to inspect such a system pursuant to the provisions of chapter 477 of NAC.

(Added to NAC by Bd. of Health by R094-06, eff. 7-14-2006)

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AUG 03 2009

August 1st 2009
Development Service Center
731 South Fourth Street
Las Vegas, NV 89101

RE: Case#SUP-34598
RE Case#GPA-34597

Dear Sir/Madam;

My name is Paul Patel. I am the Managing Partner of the Sahara Westwood Hotel located at 2601 Westwood Drive. I am writing to express my great concern regarding the above outlined cases. These cases seek special permits to create 100 plus inmate custodial institution with accessory dog kennels at 2701 Westwood Drive. This location is two buildings away from my business.

We recently spend a lot of money to paint the building and to improve our room facilities for our clientele. The impact of the proposed facility, essentially a half-way-house for felons and transitioning convicts, would be devastating to my business.

Sahara Westwood Hotel is a Family Oriented Hotel. My clientele are family with kids who don't like to stay at casino hotel because of the non suitable atmosphere for their children. It is already hard to compete with gaming and non–gaming hotels and with a prison facility two buildings away from my location would be devastating to my business.

Although this kind of facilities is necessary, I cannot support one being built in the same block to my hotel.

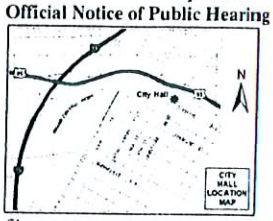
Our neighborhood strongly opposes to this special use permit and would be devastating for all the business if a grant to this permit is given.

Sincerely,

Paul Patel
Sahara Westwood Hotel

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-34597 & SUP-34598
Planning Commission Meeting of 8/13/2009

PRESORTED FIRST CLASS
UNITED STATES POSTAGE
02 1M 0004279218 JUL 31 2009
$ 00.41⁴
MAILED FROM ZIPCODE 89101

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AUG 04 2009

Case: GPA-34597
16209102005
SAHARA WESTWOOD HOTEL L L C
2601 WESTWOOD DR
LAS VEGAS NV 89109-1117

EA0051 89109

15P

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

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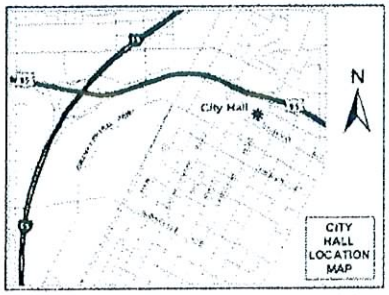

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GPA-34597 & SUP-34598
Planning Commission Meeting of 8/13/2009

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AUG 04 2009

Case: GPA-34597
16209201002
WESTERN SUPPLY HOLDINGS L L C
2200 RED OAK AVE
LAS VEGAS NV 89109-1017

15P

Aug-02-09 07:24am From-A&B Printing +7027312272 T-741 P.001/001 F-640

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

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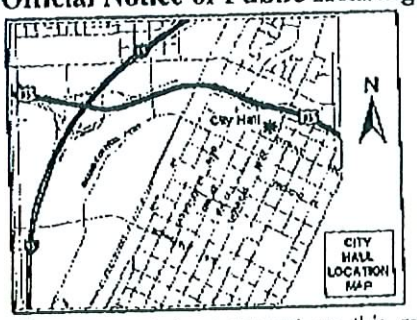

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GPA-34597 & SUP-34598

Planning Commission Meeting of 8/13/2009

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Case: GPA-34597
16209202010
POSITIVE SPACE INC
%B ALLEN PHOTOGRAPHY
18 STAR BROOK AVE
HENDERSON NV 89052-6628

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lanning & Development Department
)evelopment Services Center
31 S. Fourth Street
as Vegas, Nevada 89101-2986

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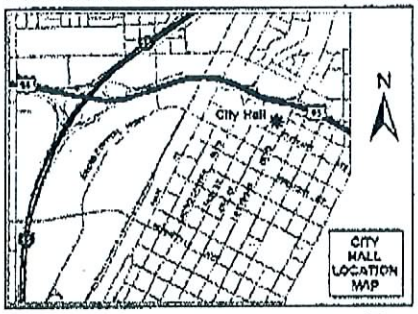

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☐ I SUPPORT this Request

☑ I OPPOSE this Request

lease use available blank space on card for your comments.

Case: GPA-34597

16209202008
KHAZAI SHAHRIAR & ISABELA
%IMPERIOAL DESIGN
14100 KINGSLEY DR
GARDENA CA 90249-3018

PA-34597 & SUP-34598
lanning Commission Meeting of 8/13/2009

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

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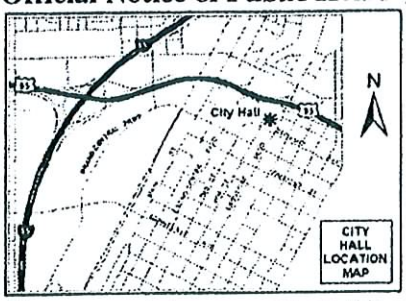

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GPA-34597 & SUP-34598
Planning Commission Meeting of 8/13/2009

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AUG 05 2009

Case: GPA-34597
16208604002
HIGHLAND INDUSTRIAL PARK PTNRSHP
%NEVADA DEVELOPMENT & REALTY CO
2500 W SAHARA AVE #211
LAS VEGAS NV 89102-4393

15P

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

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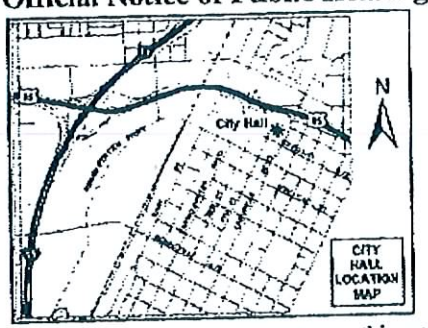

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JUN 29 2009

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☐ I SUPPORT this Request

☑ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-34597 & SUP-34598

Planning Commission Meeting of 7/9/2009

Case: GPA-34597

16209202008
KHAZAI SHAHRIAR & ISABELA
%IMPERIOAL DESIGN
14100 KINGSLEY DR
GARDENA CA 90249-3018

DAVDP11 90249

21P

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

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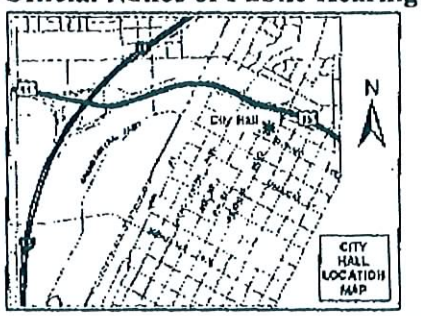

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☒ I OPPOSE this Request

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GPA-34597 & SUP-34598

Planning Commission Meeting of 7/9/2009

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Case: GPA-34597

16209202010
POSITIVE SPACE INC
%B ALLEN PHOTOGRAPHY
18 STAR BROOK AVE
HENDERSON NV 89052-6628

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

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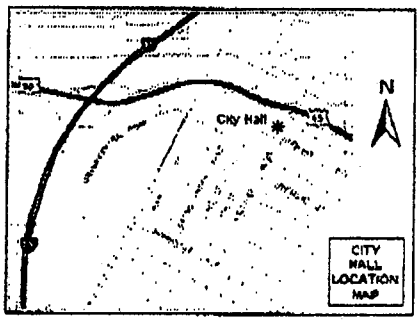

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☐ I SUPPORT this Request

☑ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-34597 & SUP-34598
Planning Commission Meeting of 7/9/2009

Paul Brosseau

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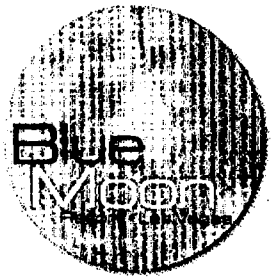
[illegible] 2009

Case: GPA-34597
16209110015
BROSSEAU 1993 TRUST
2609 S HIGHLAND DR
LAS VEGAS NV 89109-1156

Submitted after final agenda

Date 7/7/09 Item 21P



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JUL 07 2009

July 5, 2009

Development Services Center
731 South Fourth Street
Las Vegas, NV 89101

RE: Case# SUP-34598
Case# GPA-34597

Dear Sir/Ma'am;

My name is John Hessling. I am the Managing Partner of Blue Moon Resort located at 2651 Westwood Drive. I am writing to express my great concern regarding the above outlined cases. These cases seek special use permits to create a 23,000 square foot, 100-inmate, "custodial institution" with accessory dog kennels at 2701 Westwood Drive. This location is next door to my business.

The impact of the proposed facility, essentially a half-way-house for felons and transitioning convicts, would be devastating to my business.

Blue Moon Resort is Las Vegas' only resort for gay men. My clientele tend to be discriminate of where they spend their time and money. It is already challenging to get customers to choose Blue Moon over the mega-resorts on the strip. Once word gets out in the press and on the internet that we are now next to a prison, it will be impossible.

This is not to mention the difficulties with parking. The previous occupant of 2701 Westwood leased parking space from my hotel due to lack of parking on his property. I cannot and will not allow transitioning prisoners or facility employees to park in my parking lot and mix with my customers.

I understand that these facilities are necessary. I cannot however support one being built next to my hotel.

If possible I would like to discuss this in person prior to the July 9th Council meeting. I may be reached by cell phone at 860-0032. I appreciate your time.

Sincerely,

John E. Hessling
Managing Partner
Blue Moon Resort

Cc: Councilwoman Lois Tarkanian

Submitted after final agenda
Date 7/7/09 Item 21P

2651 Westwood Drive • Las Vegas, NV 89109
Phone: 702.784.4500 • Fax: 702.361.9110
BlueMoonLasVegas.com • E-mail: info@bluemoonlv.com

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

PRESORTED
FIRST CLASS

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

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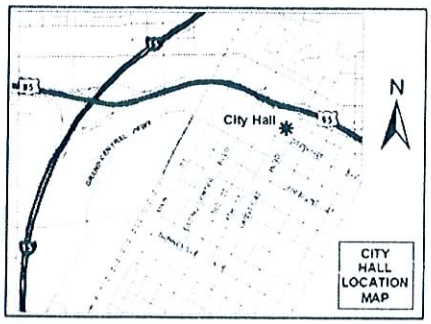
Official Notice of Public Hearing



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JUN 30 2009

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-34597 & SUP-34598

Planning Commission Meeting of 7/9/2009

Case: GPA-34597

16209102002
2701 WESTWOOD L L C
%MR R BRANDY
1113 PINE ISLAND CT
LAS VEGAS NV 89134-6330

21A

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 13, 2009

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

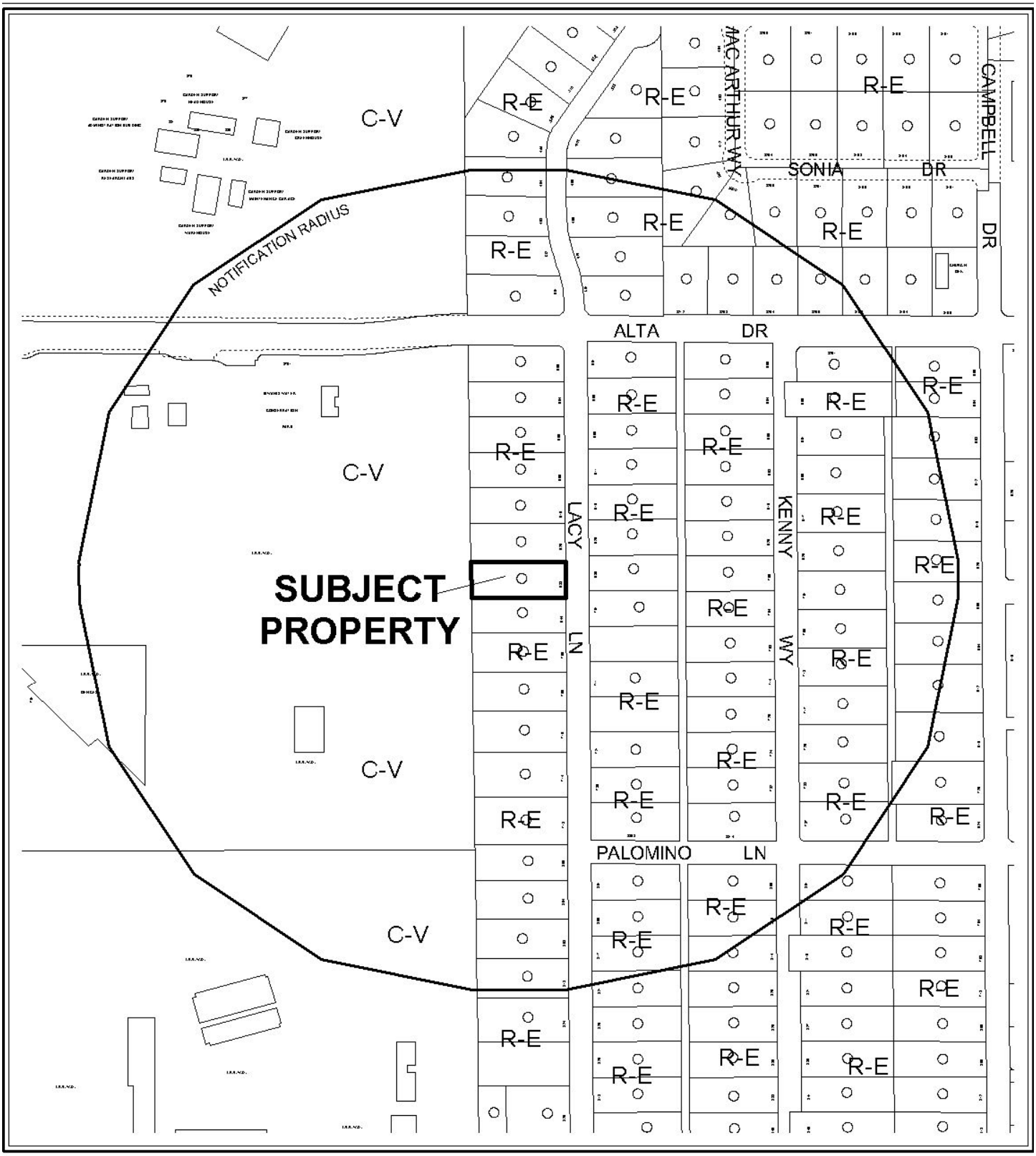
SUBJECT:
VAR-35038 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: GLEN A. BECKNER & CATHERINE BECKNER - Request for a Variance FOR A PROPOSED METAL ACCESSORY STRUCTURE (CLASS II) WITH A HEIGHT OF 18 FEET WHERE 17 FEET IS THE MAXIMUM HEIGHT ALLOWED, TO ALLOW A TOTAL AREA OF 2,140 SQUARE FEET WHERE 1,171 SQUARE FEET IS THE MAXIMUM AREA ALLOWED FOR ALL ACCESSORY STRUCTURES IN THE REAR YARD, AND TO ALLOW AN ACCESSORY STRUCTURE TO NOT BE AESTHETICALLY COMPATIBLE WITH THE PRINCIPLE DWELLING UNIT (STUCCO) on 0.50 acres at 638 Lacy Lane (APN 139-32-301-007), R-E (Residential Estates) Zone, Ward 1 (Tarkanian)

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

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**1**	**Planning Commission Mtg.**	**2**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
DENIAL

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



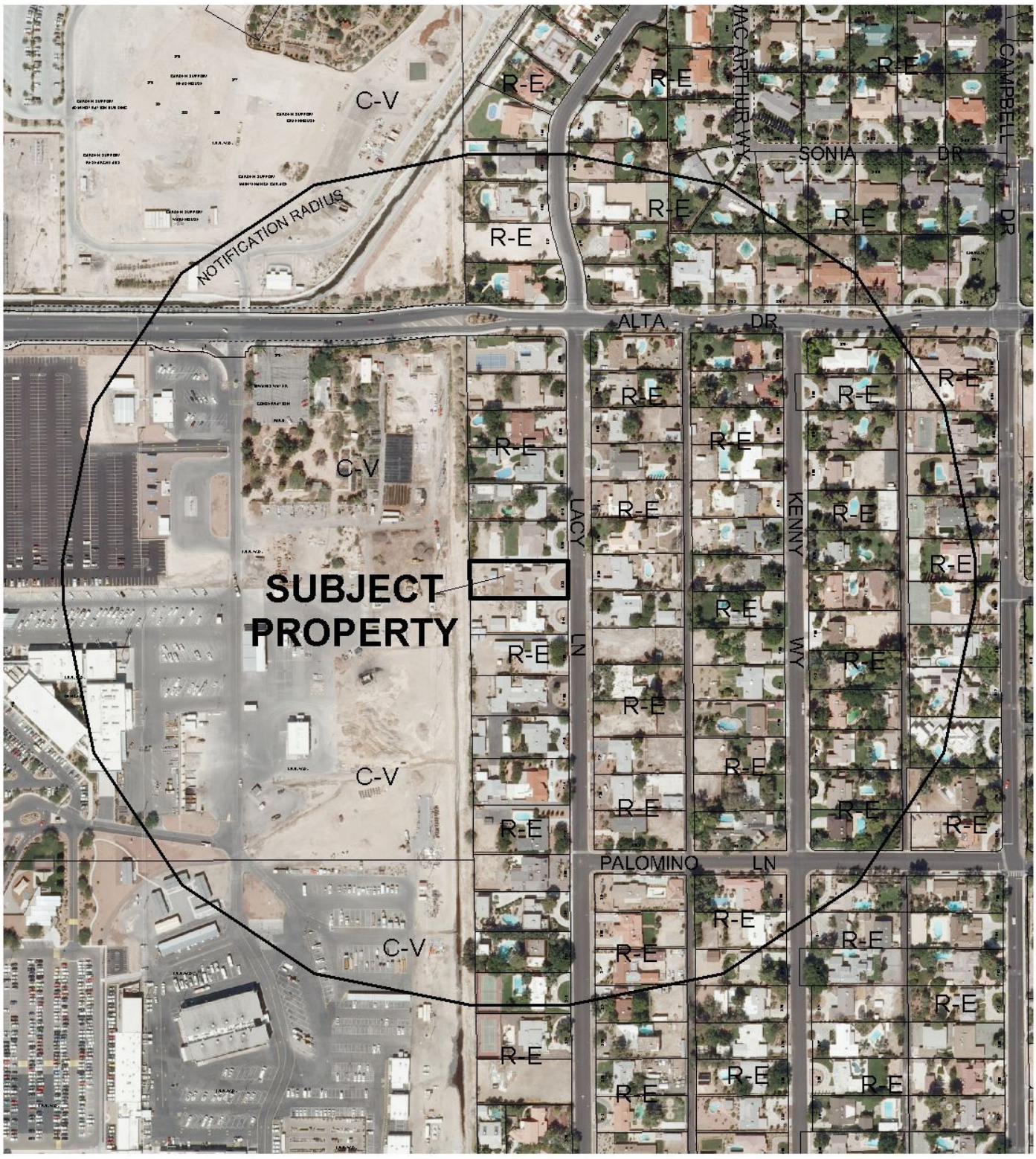
0 300 600 Feet

CASE: **VAR-35038**

RADIUS: 1000 FT

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

N



CASE: **VAR-35038**

RADIUS: 1000 FT

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

0 300 600 Feet

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: AUGUST 13, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-35038 - APPLICANT/OWNER: GLEN A. BECKNER & CATHERINE BECKNER

** 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, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

GK

VAR-35038 - Staff Report Page One
August 13, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Variance for a proposed metal Accessory Structure (Class II) with a height of 18 feet where 17 feet is the maximum height allowed, to allow a total area of 2,140 square feet where 1,171 square feet is the maximum area allowed for all accessory structures in the rear yard, and to allow an accessory structure to not be aesthetically compatible with the principle dwelling unit, which has a stucco finish. The subject site is a well-maintained single-family residence located at 638 Lacy Lane. If denied, the proposed accessory structure will have to be redesigned to comply with the requirements of Title 19 prior to the issuance of any building permit. The proposed structure will not be compatible with either the existing residence at the subject site, or the development on adjacent residential lots. The applicant has provided no evidence of unique of extraordinary circumstances and has created a self-imposed hardship by proposing a structure that does not meet the requirement of Title 19.08; therefore, staff is recommending denial of this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
06/20/02	The City Council approved a request for a General Plan Amendment (GPA-0047-01) from L (Low Density Residential) to DR (Desert Rural Density Residential) on property located in the general vicinity of the Charleston Boulevard/Rancho Drive intersection. The Planning Commission and staff recommended approval.
Related Building Permits/Business Licenses	
10/20/08	A building permit (#125370) was issued for a two-foot block wall located in the front yard at 638 Lacy Lane. The building permit received final approval on 10/20/08.
11/14/08	A building permit (#127220) was issued for a six-foot block wall located in the rear yard at 638 Lacy Lane. The building permit received final approval on 11/14/08.
03/13/09	A building permit (#135517) was issued for an electrical upgrade from the existing 200 amp to 400 amp for a future detached workshop. The building permit received final approval on 03/13/09.
Pre-Application Meeting	
06/12/09	A pre-application meeting was held where the submittal requirements for a Variance were discussed.
Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	
Field Check	
07/09/09	Staff performed a routine field check where a well-maintained single-family residence was observed.

GK

VAR-35038 - Staff Report Page Two
August 13, 2009 - Planning Commission Meeting

Details of Application Request	
Site Area	
Net Acres	0.50

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single-Family Residence	DR (Desert Rural Density Residential)	R-E (Residence Estates)
North	Single-Family Residence	DR (Desert Rural Density Residential)	R-E (Residence Estates)
South	Single-Family Residence	DR (Desert Rural Density Residential)	R-E (Residence Estates)
East	Single-Family Residence	DR (Desert Rural Density Residential)	R-E (Residence Estates)
West	Las Vegas Valley Water District (Offices, Parking Lot, Park)	PF (Public Facilities)	C-V (Civic)

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

DEVELOPMENT STANDARDS

Per Title 19.08.040(B)(1) for Accessory Structures

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	20,000 SF	21,004 SF	Y
Min. Lot Width	100 Feet	89 Feet	N*
Min. Setbacks			
• Front	N/A	N/A	
• Side	3 Feet	5 Feet	Y
• Corner	N/A	N/A	
• Rear	3 Feet	7 Feet	Y
Min. Distance Between Buildings	6 Feet	17 Feet	Y
Max. Lot Coverage	50%	21%	Y
Max. Building Height	17 Feet	18 Feet	N

**The existing lot is legally non-conforming for lot width.*

GK

Variance			
Standard	***Required/Allowed***	***Provided***	***Percent of Deviation***
Per Title 19.08.040(B)(c) The total floor area of all accessory structures shall not exceed fifty (50) percent of the floor area of the principal dwelling unit constructed on the same lot.	1,171 SF Maximum	2,140 SF	83%
Per Title 19.08.040(B)(f) An accessory structure must be aesthetically compatible with the principal dwelling unit.	Stucco, Painted Same Color as Primary Residence.	Corrugated Metal	N/A
Per Title 19.08.040(B)(b) A detached accessory structure shall not exceed two stories in height (with a maximum of 35 feet), or the height of the main building, whichever is less.	17 Feet Maximum	18 Feet	6%

ANALYSIS

The requested Variance for a proposed Accessory Structure (Class II) does not meet the requirements of Title 19 for total area, height and aesthetic compatibility. The structure will not be compatible or harmonious with development in the surrounding area, and the applicant has provided no evidence of unique of extraordinary circumstances to substantiate the request. As the applicant has created a self-imposed hardship by proposing a structure that does not meet the requirement of Title 19.08, staff is recommending denial of this request.

FINDINGS

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

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

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing an accessory structure that exceeds the allowable square-footage, height requirement, and is aesthetically incompatible with the principle dwelling unit, as required by Title 19. Alternative design for the proposed accessory structure 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 17

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 95

APPROVALS 2

PROTESTS 1

GK

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-35038** APN: 139-32-301-007

Name of Property Owner: Glen A. & Catherine C. Beckner

Name of Applicant: Glen A. Beckner

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: Glen A. Beckner Catherine C. Beckner

Print Name: Glen A. Beckner Catherine C. Beckner

Subscribed and sworn before me

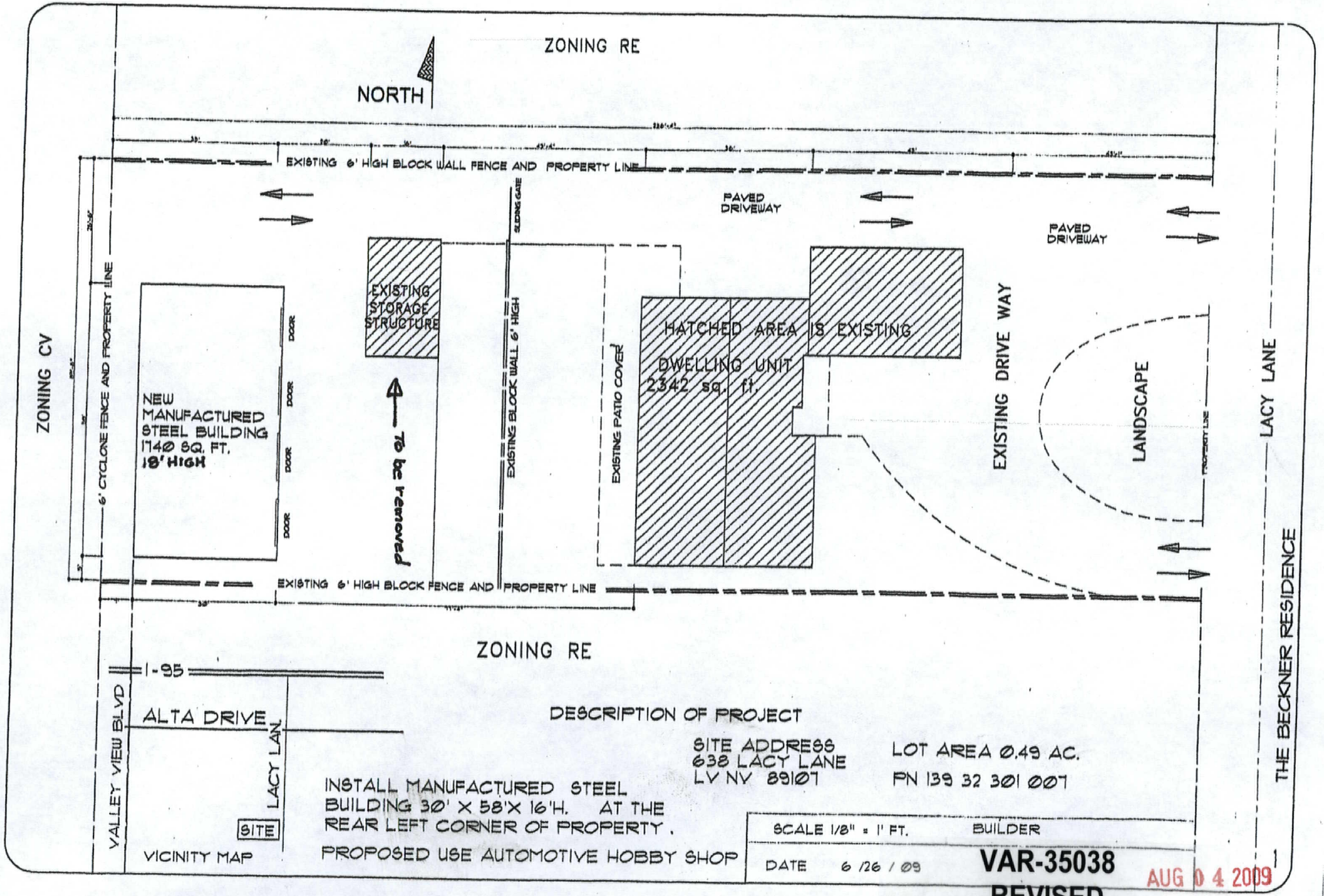
This 15th day of JUNE, 2009

Sharon L. Sisley

Notary Public in and for said County and State

SHARON L. SISLEY
NOTARY PUBLIC
STATE OF NEVADA
DATE APPOINTMENT EXP: MARCH 29, 2013
CERTIFICATE NO: 99-35503-1

RECEIVED
JUN 29 2009



DESCRIPTION OF PROJECT

SITE ADDRESS
638 LACY LANE
LV NV 89107

LOT AREA 0.49 AC.
PN 139 32 301 007

INSTALL MANUFACTURED STEEL BUILDING 30' X 58'X 16'H. AT THE REAR LEFT CORNER OF PROPERTY.

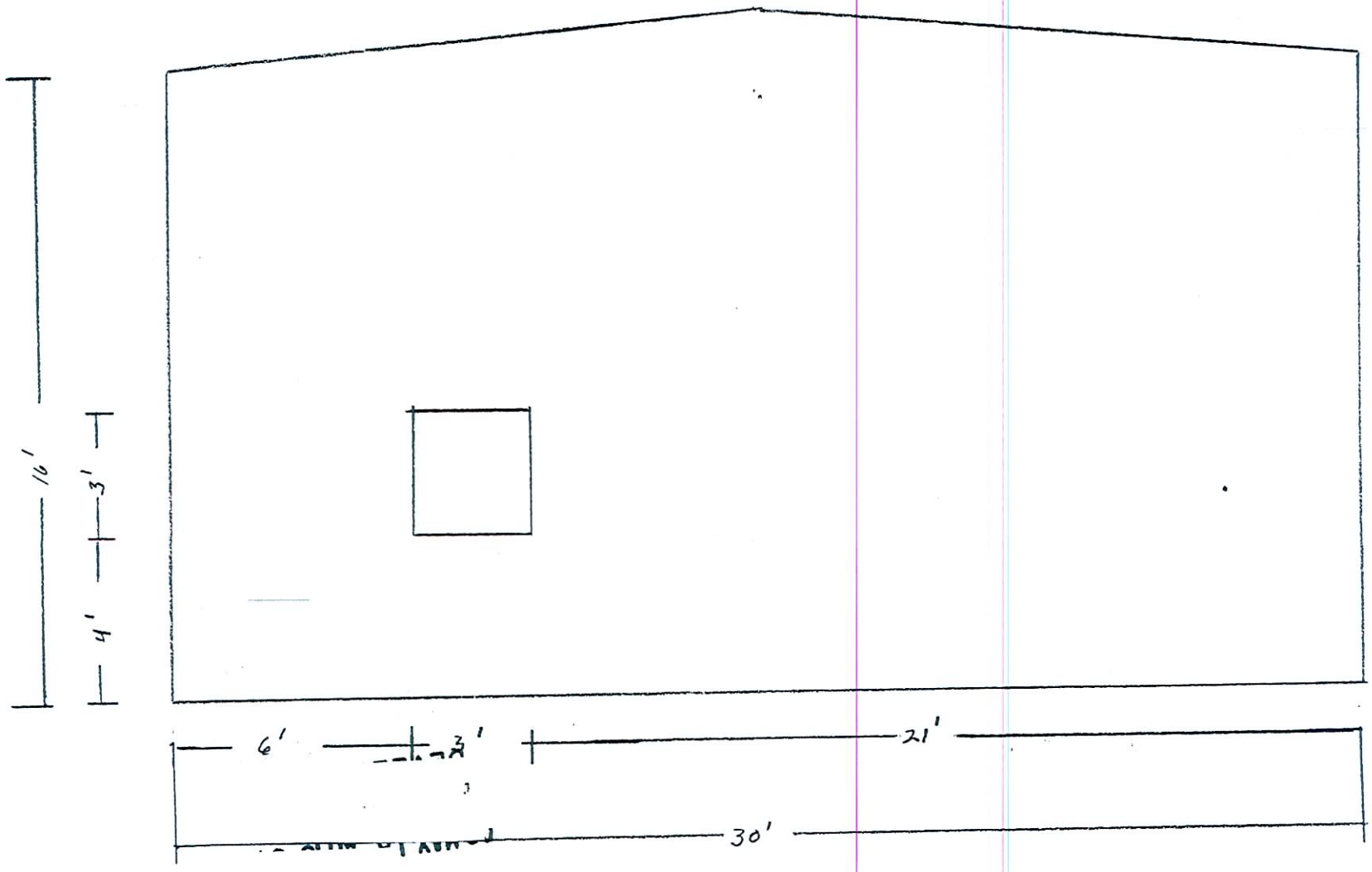
PROPOSED USE AUTOMOTIVE HOBBY SHOP

SCALE 1/8" = 1' FT. BUILDER

DATE 6/26/09

VAR-35038
REVISED
08/13/09 PC

AUG 04 2009



SOUTH ELEVATION

1/4" = 1'
10'

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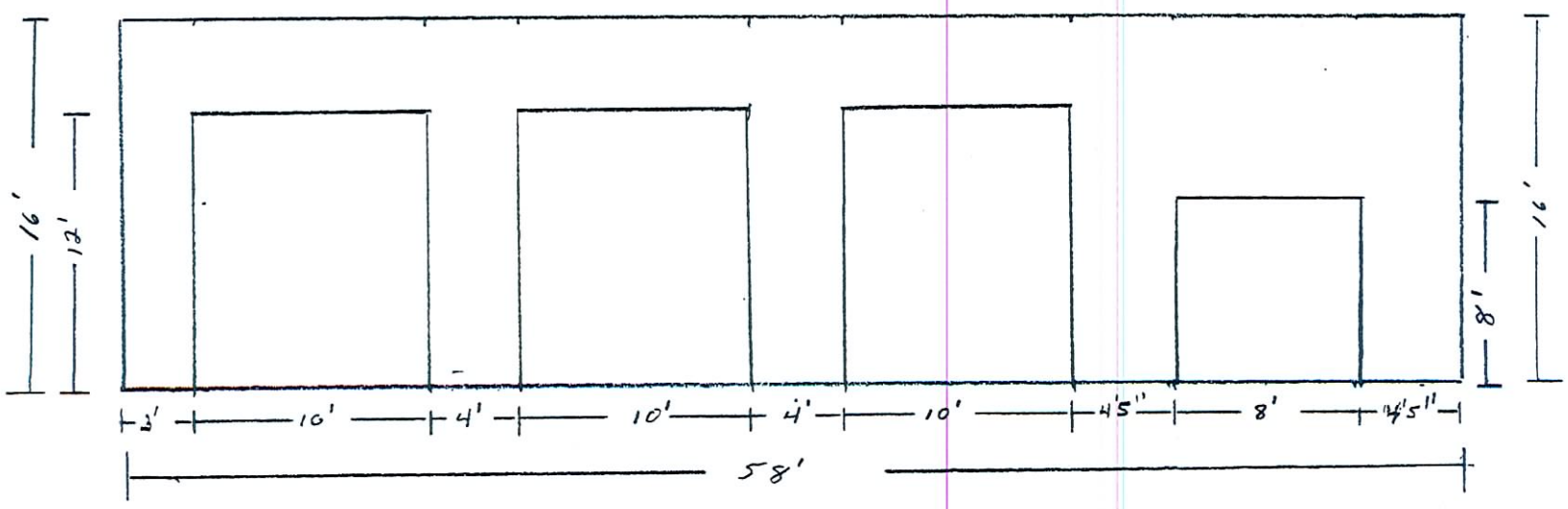
JUN 29 2009

VAR-35038
08/13/09 PC



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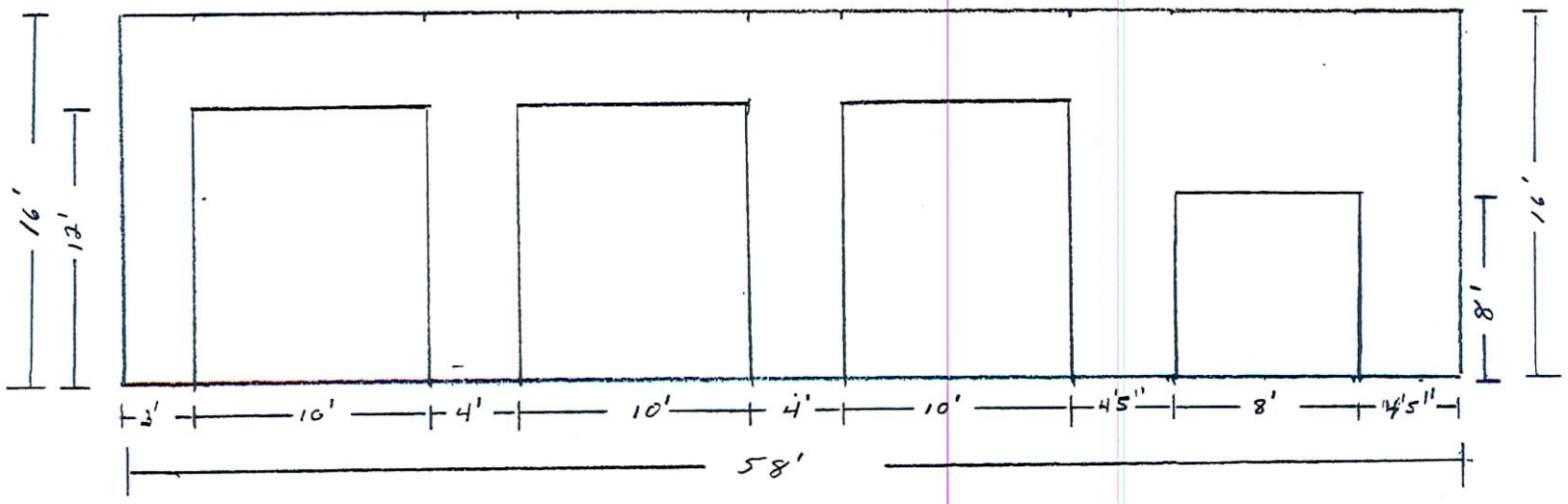
JUN 29 2009

VAR-35038
08/13/09 PC

1/8" = 1'
12'

EAST ELEVATION



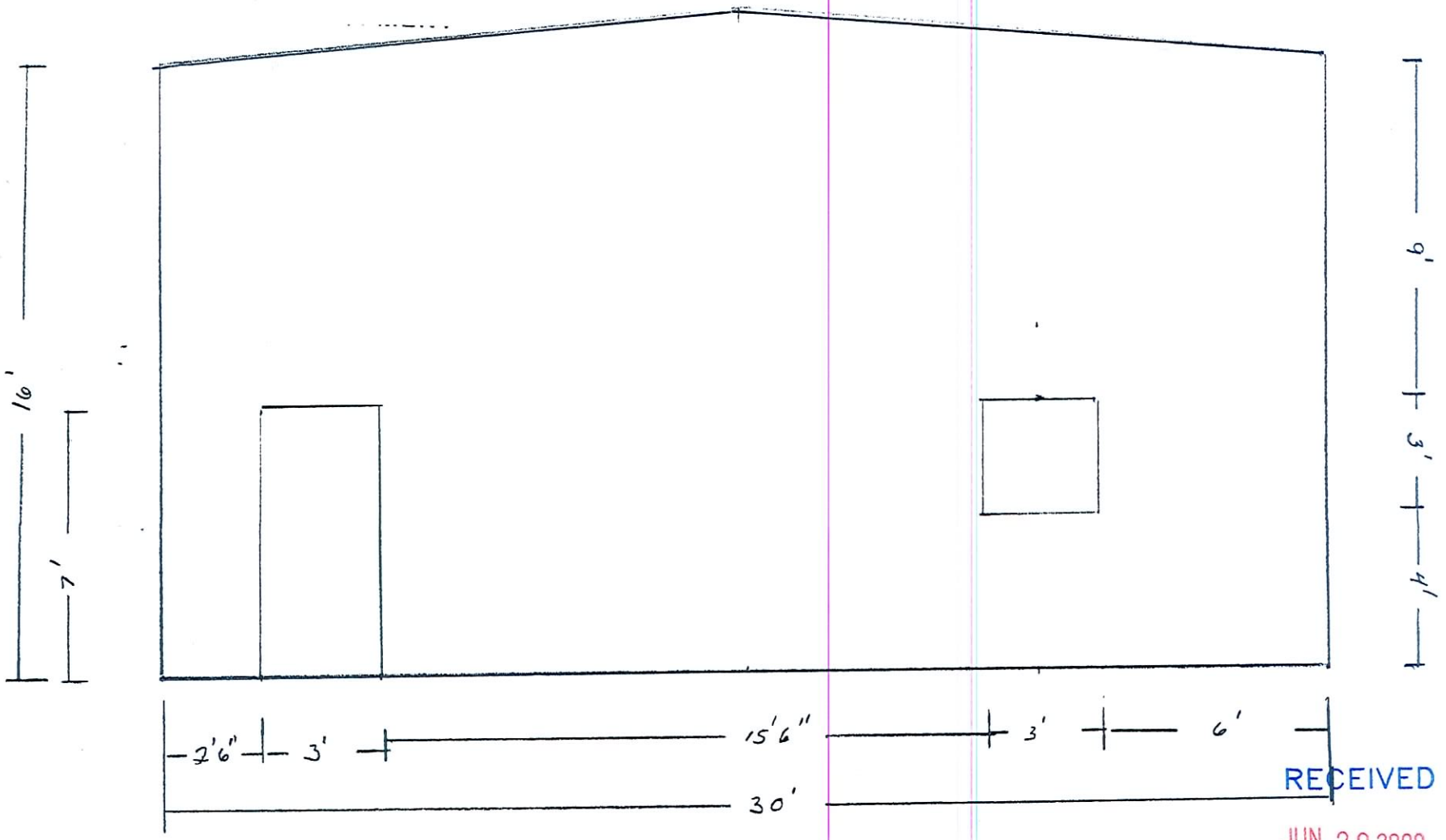
RECEIVED

JUN 29 2009

VAR-35038
08/13/09 PC

1/8" = 1'
12'

EAST ELEVATION



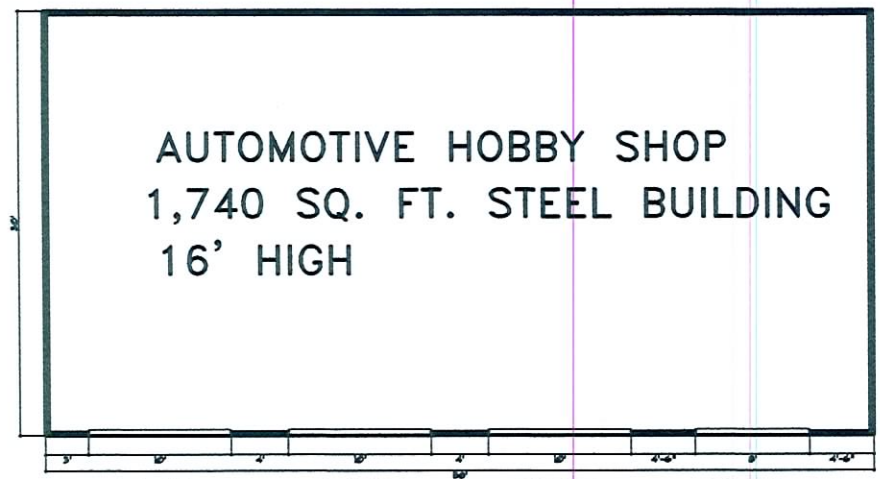
RECEIVED
JUN 29 2009

VAR-35038
08/13/09 PC

NORTH ELEVATION

1/4" = 1'
10'

NORTH



FLOOR PLAN

SCALE 1/4"=1' FT.

INSTALL MANUFACTURED STEEL BUILDING 30' X 58'X 16'H. AT THE REAR LEFT CORNER OF PROPERTY .

PROPOSED USE AUTOMOTIVE HOBBY SHOP

VAR-35038

08/13/09 PC

THE BECKNER RESIDENCE

2

FLOOR PLAN

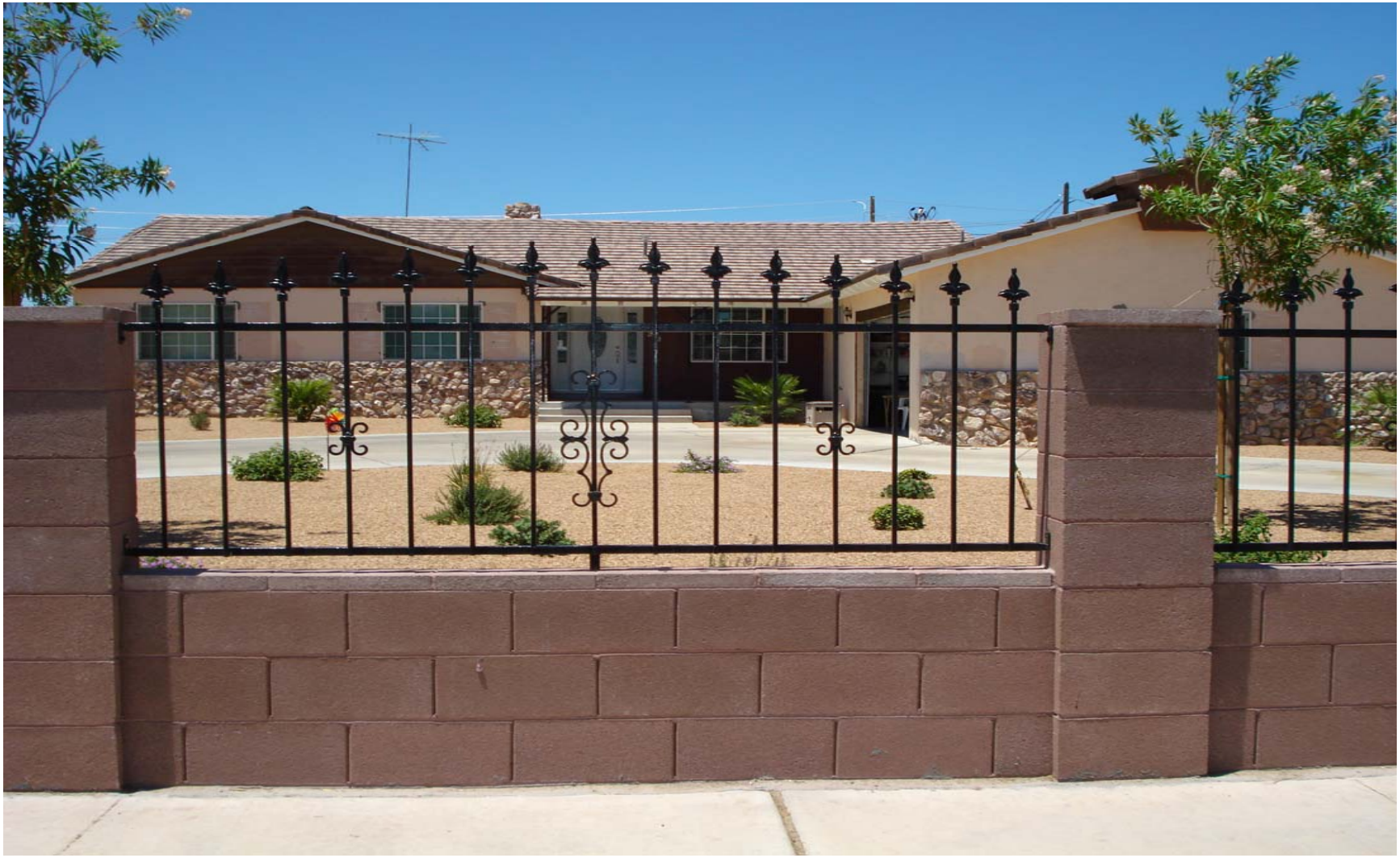
SCALE	SCALE 1/4"=1' FT.	OWNER BUILDER	
DATE	6 / 25 / 09	REVISION #	

RECEIVED
JUN 29 2009



VAR-35038 - APPLICANT/OWNER: GLEN A. BECKNER & CATHERINE BECKNER
638 LACY LANE
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



VAR-35038 - APPLICANT/OWNER: GLEN A. BECKNER & CATHERINE BECKNER
638 LACY LANE
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09

VAR-35038
08/13/09 PC



VAR-35038
08/13/09 PC



VAR-35038
08/13/09 PC




VAR-35038
08/13/09 PC


VAR-35038
08/13/09 PC


VAR-35038
08/13/09 PC

June 29, 2009

To: Planning & Development Department

Re: Request for approval to construct a workshop/hobby shop on the rear of my property at 638 Lacy Lane, Las Vegas, Nevada 89107.

I retired recently and would like to build a workshop/hobby shop on the rear of my property. I have several old vehicles I would like to restore and also would like to do some wood working projects.

Due to the fact there are numerous workshops in my neighborhood, I recently purchased a metal building, which is 30 X 58 feet with 16-foot sidewalls. I have since found out that I need variances in accordance with the building codes.

I am requesting a variance on each of the following:

Height -as my house is 17 feet, 1-1/2 inches, I would like the height allowed for the building to be 18 foot.

Square Footage – My house is approximately 2600 square feet and the building is 1740 square feet, which is more than half the square footage of my house so I would like a variance on the building square footage.

Building wall height is 16 foot and I would like a variance to conform to this.

Also, the completed building on the rear of my property will not be very noticeable from the street.

Thank you for your attention and consideration to my request.

Glen A. Beckner

Glen A. Beckner

RECEIVED

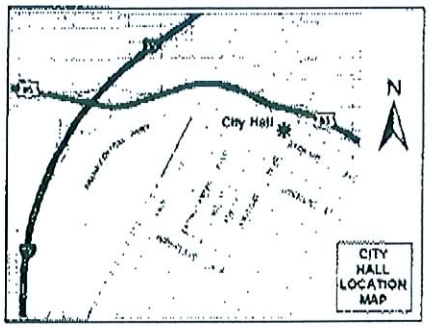
JUN 29 2009

VAR-35038
08/13/09 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-35038

Planning Commission Meeting of 8/13/2009

RECEIVED
AUG 05 2009

Case: VAR-35038
13932210017
ROBINSON ROBERT E & BETTY E
417 LACY LN
LAS VEGAS NV 89107-3210

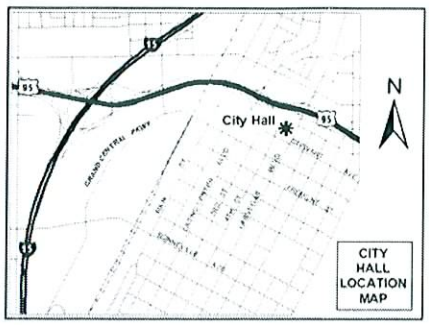
16P

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M
0004279218
$ 00.41⁴
JUL 31 2009
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



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[X] I SUPPORT this Request

[ ] I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35038

Planning Commission Meeting of 8/13/2009

RECEIVED
AUG 04 2009

Case: VAR-35038
13932301007
BECKNER GLEN A & CATHERINE C
638 LACY LN
LAS VEGAS NV 89107-4444

16A

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
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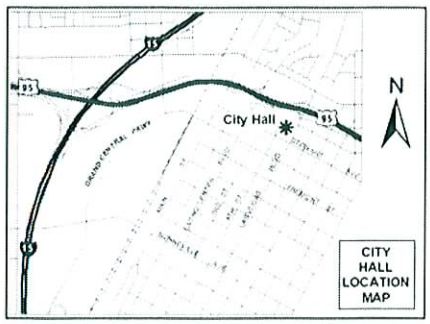
JUL 31 2009
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



RECEIVED
AUG 04 2009

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35038
Planning Commission Meeting of 8/13/2009

Case: VAR-35038
13932310008
S F H LIVING TRUST
701 LACY LN
LAS VEGAS NV 89107-4441

16A

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 13, 2009

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

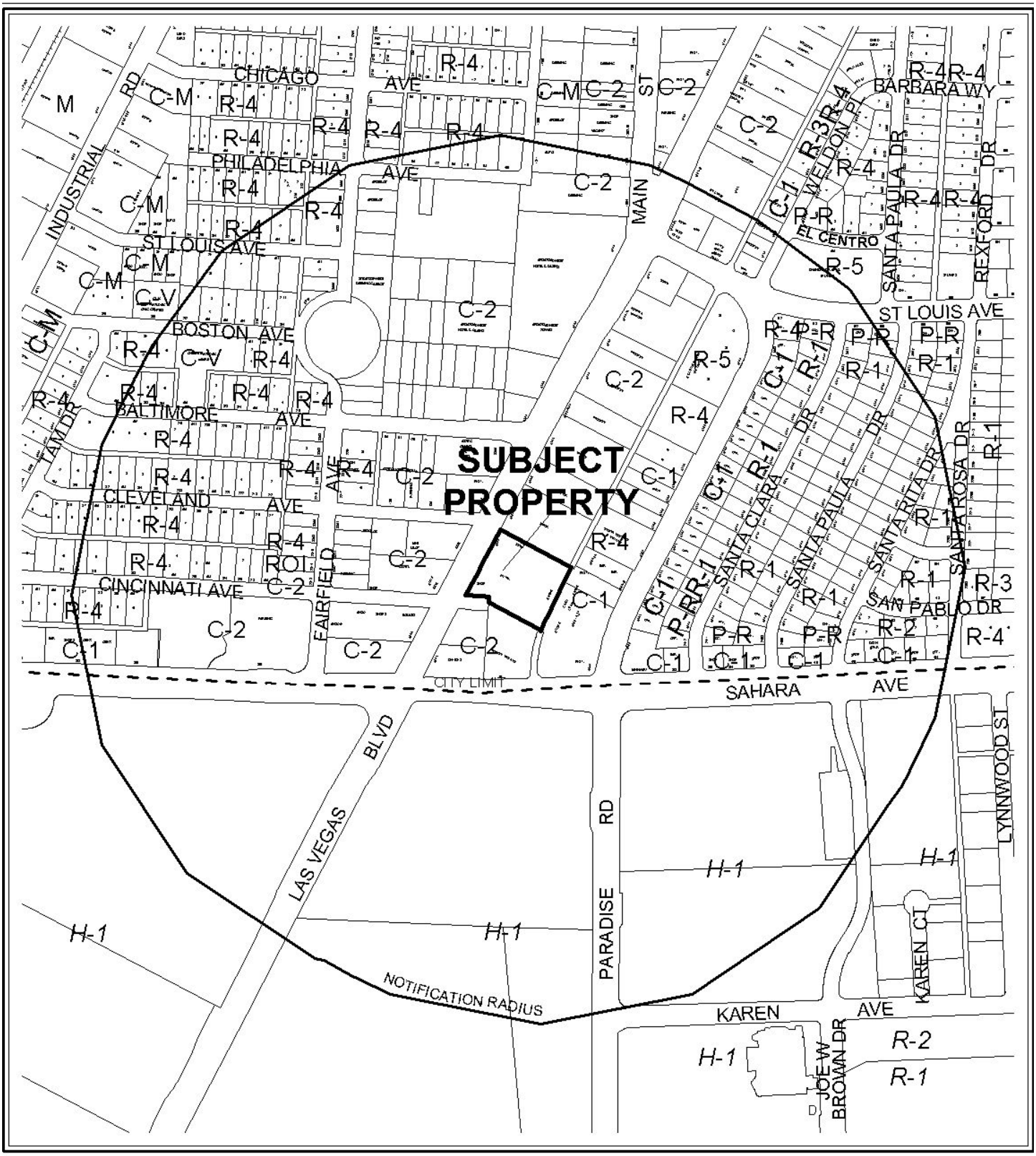
SUBJECT:
SUP-34859 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: FUN CITY MOTEL - OWNER: CHETAK DEVELOPMENT CORPORATION - Request for a Special Use Permit FOR A PROPOSED TAVERN WITH A WAIVER TO ALLOW A DISTANCE SEPARATION OF 20 FEET WHERE 1,500 FEET IS REQUIRED FROM A SIMILAR USE at 2233 Las Vegas Boulevard (APN 162-03-410-007), C-2 (General Commercial) Zone, Ward 3 (Reese)

IF APPROVED, C.C.: 09/16/2009
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
APPROVAL

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Parking Analysis
7. Dust Permit
8. Protest/Support Postcards



0 400 800 Feet

CASE: **SUP-34859**

RADIUS: 1500 FT

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



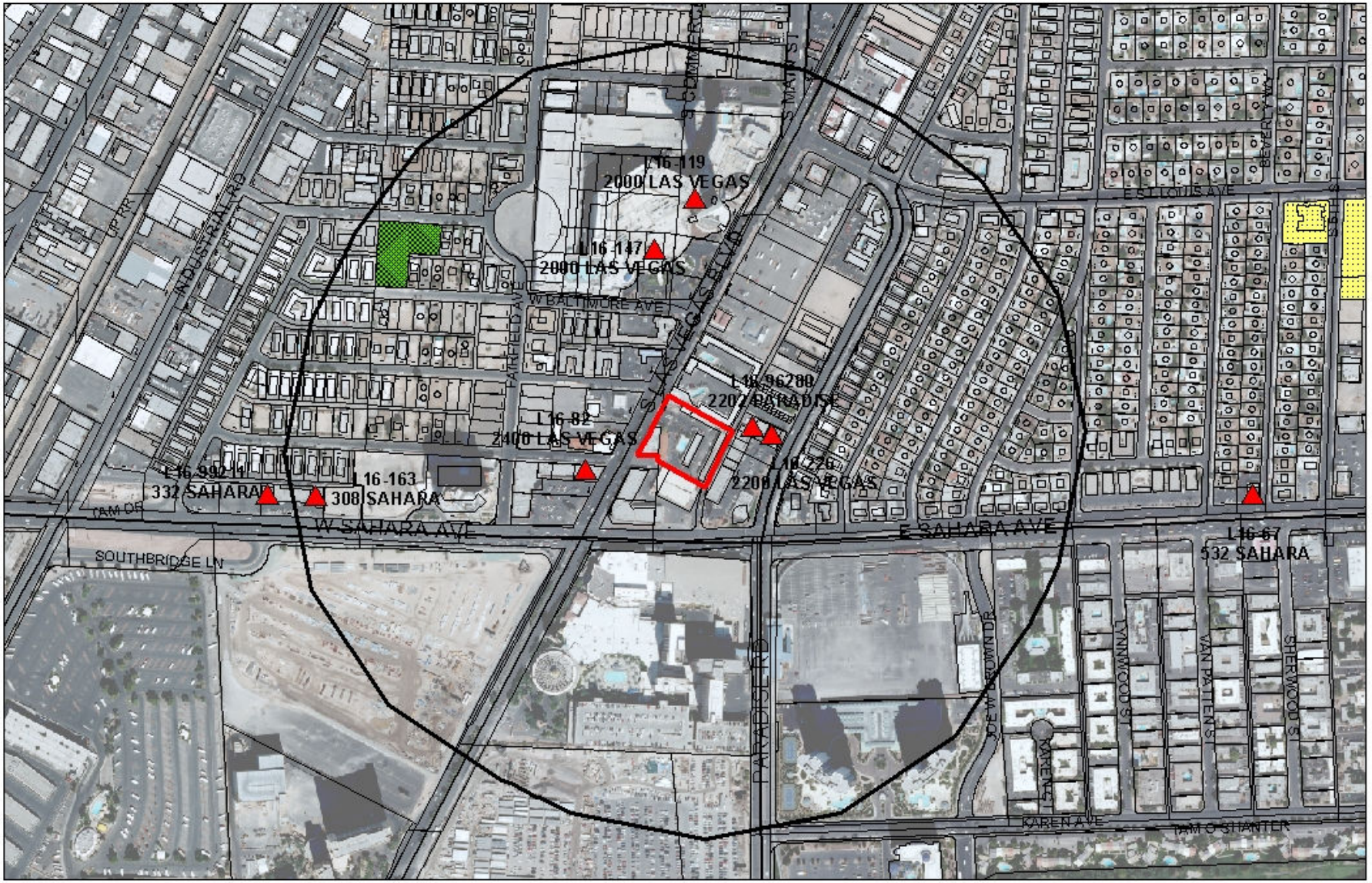
0 400 800 Feet

CASE: **SUP-34859**

RADIUS: 1500 FT

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

N



SUP-34859

Business Licenses

Child Care/ Children Facility

Tavern

RELIGIOUS

CITY PARKS

SCHOOLS

Subject Property

1500 foot buffer

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: AUGUST 13, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-34859 - APPLICANT: FUN CITY MOTEL - OWNER: CHETAK DEVELOPMENT CORPORATION

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

1. The applicant shall work with the Department of Building and Safety to comply with all requirements of the Building Code, including, but not limited to, the provision of exiting and restrooms as required, prior to the issuance of a Certificate of Occupancy for the site.

2. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for Liquor Establishment (Tavern) use.

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

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

AO

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed Liquor Establishment (Tavern) with a waiver of the distance separation of 1500 feet and a waiver of the parking requirements for the subject property located at 2233 South Las Vegas Boulevard. The applicant is proposing to operate a facility for the sale of alcoholic beverages for consumption on the premise. Currently, the site consists of a wedding chapel, commercial retail development area, and where the proposed use it to be located is an existing 825 square feet motel office space that is within an existing motel. If denied, the proposed use will have to be relocated to a more suitable location with ample parking. Staff is recommending approval of the request as it is a permitted use within the C-2 (General Commercial) zoning district and can be conducted in a manner that is compatible with surrounding land uses.

Issues

- The floor plan for the proposed uses shows one restroom – it not clear whether the restroom is to service the staff or the customers. The plan also shows an inadequate access route for getting to the restroom.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
07/16/02	A deed was recorded for change of ownership.
12/04/02	The City Council approved request for a Vacation (VAC-0070-02) to vacate a public alley generally located north of Sahara Avenue. The Planning Commission recommended approval.
11/03/05	The Planning Commission pulled from the agenda a request for a Special Use Permit (SUP-9200) for a tavern and a Waiver of the minimum distance separation requirement from a similar use at 2233 South Las Vegas Boulevard.
01/09/08	The City Council approved request for a Special Use Permit (SUP-25068) for a proposed packaged liquor off-sale establishment at 2301 South Las Vegas Boulevard. The Planning Commission recommended approval.
01/07/09	The City Council approved a request for an Extension of Time (EOT-31998) of an approved Special Use Permit (SUP-25068) for a proposed packaged liquor off-sale establishment at 2301 South Las Vegas Boulevard.
04/09/09	The Planning Commission denied a request for a Minor Site Development Plan Review (SDR-33476) for the installation of a wireless communication facility, stealth design consisting of three antennas to an existing sign on top of the roof of an existing building located at 2233 S. Las Vegas Boulevard

07/01/09	The City Council request for a Special Use Permit (SUP-34158) for a proposed wireless communication facility, stealth design within an existing 61-foot sign at 2233 South Las Vegas Boulevard. The Planning Commission recommended approval.
Related Building Permits/Business Licenses	
11/28/89	A building permit (#89047964) was issued for the retrofit of rooms at 2233 South Las Vegas Boulevard. The permit was completed on 05/25/90.
01/02/90	A building permit (#90051709) was issued for remodeling at 2233 South Las Vegas Boulevard. The permit was completed on 02/28/90.
04/02/90	A building permit (#90063103) was issued for the retrofit of rooms at 2233 South Las Vegas Boulevard. The permit was completed on 05/25/90.
03/13/92	A building permit (#92139235) was issued for the exterior remodeling at 2233 South Las Vegas Boulevard. The permit was completed on 02/18/93.
02/04/93	A business license (#W01-00022) was issued for a wedding chapel at 2233 South Las Vegas Boulevard. This license is still active.
05/04/93	A business license (#M06-00267) was issued for miscellaneous sales at 2233 South Las Vegas Boulevard. This license is still active.
10/09/00	A business license (#W01-00040) was issued for a wedding chapel at 2233 South Las Vegas Boulevard. This license is still active.
01/05/01	A business license (#C05-01887) for a tobacco dealer at 2307 South Las Vegas Boulevard. This license is still active.
03/30/04	A business license (#M08-00034) for a motel at 2233 South Las Vegas Boulevard. This license is still active.
06/06/07	A business license (#M06-99690) for miscellaneous sales at 2301 South Las Vegas Boulevard. This license is still active.
12/06/05	A business license (#C07-03460) for a Clothing Store at 2303 South Las Vegas Boulevard. The license was marked out of business on 01/15/09.
08/16/07	A business license (#R11-92103) for Reflexology Practitioner at 2301 South Las Vegas Boulevard. The license was marked out of business on 12/13/08.
12/08/08	Business licenses (#L15-95907, C05-96244, M06-95920, W10-95917 and C23-95916) were submitted to the business license department for package liquor, tobacco dealer, miscellaneous sales, wire service and check cashing service limited at 2301 South Las Vegas Boulevard.
01/15/09	A business license (#C07-03460) expired for a clothing store at 2303 South Las Vegas Boulevard.
02/09/09	A business license (#S15-00065) was issued for a smoke shop at 2307 South Las Vegas Boulevard.
05/22/09	A business license (#B08-00847) for beauty and cosmetic sales at 2305 Las Vegas Boulevard. The license was marked out of business on 10/12/06.
06/30/09	A business license (#E02-00878) was issued for Equipment Rental & Leasing at 2305 South Las Vegas Boulevard.

Pre-Application Meeting	
No pre-application for this was done.	
Neighborhood Meeting	
A neighborhood meeting was not required, nor was one conducted.	
Field Check	
07/09/09	During a routine site inspection staff observed: • The existing two story motel building within which is the proposed 825 square feet tavern space is currently used as the motel office and is in generally good condition. • The subject site has limited parking. • There are a few other taverns within walking distance of the proposed Liquor Establishment (Tavern). • The streetscape does not conform to the standards of the Las Vegas Boulevard downtown district design standards.

Details of Application Request	
Site Area	
Gross Acres	1.89 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Motel	C (Commercial)	C-2 (General Commercial)
North	Motel/Retail Establishment	C (Commercial)	C-2 (General Commercial)
South	Office Building / Parking Garage	C (Commercial)	C-2 (General Commercial)
East	Commercial Retail Establishment	C (Commercial)	C-1 (Limited Commercial)
West	Motel/Convenience Store	C (Commercial)	C-2 (General Commercial)

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Area Plan	X		Y
Downtown Centennial Plan	X		Y
Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts	X		Y
Las Vegas Redevelopment Plan	X		Y
G-O Gaming Enterprise Overlay District	X		Y
A-O Airport Overlay District	X		Y
Beverly Green Southridge Neighborhood Plan	X		Y
Las Vegas Boulevard Scenic Byway Overlay District	X		Y

Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	Y
Project of Regional Significance	X		Y

DEVELOPMENT STANDARDS

Taverns Within a 1,500-Foot Radius				
Location	**License Number**	**Still Active?**	**Current Use**	**Separation Distance**
332 W. Sahara Avenue	L16-00125	No (as of 03/16/09)	Pounder's Sports Lounge (Closed)	1,336 Feet
	L16-99211	Under Review (submitted 05/20/09)	Red Label Bar and Lounge (would replace Pounder's)	1,336 Feet
308 W. Sahara Avenue	L16-00163	Yes	Golden Steer Steak House	1,336 Feet
2202 Paradise Road	L16-00256	No (as of 09/17/08)	Willy's (Closed)	310 Feet
	L16-96280	Under Review (Submitted 01/05/09)	Doc's Place (would replace Willy's)	310 Feet
2000 S. Las Vegas Boulevard	L16-00147	Yes	Stratosphere Tower Casino and Hotel	420 Feet
2000 S. Las Vegas Boulevard	L16-00167	No (as of 12/01/08)	Polly Esther's (Closed)	420 Feet
2200 S. Las Vegas Boulevard	L16-00226	Yes	Aztec Gold Inn and Casino	205 Feet
2400 S. Las Vegas Boulevard	L16-00082	Yes	Bonanza Mall Liquor	190 Feet

Parking Requirement - Downtown							
	Gross Floor Area or Number of Units	***Base Parking Requirement***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Motel		1: per room	87				Y*
Tavern	825 S F	1:50 1:200	13				
Wedding Chapel	800 S F	1:150	6				

AO

Tattoo Parlor	2,500 S F	1:250	10				
Super Liquor	2,000 S F	1:175	11				
Paradise Rentals	1,280 S F	1:250	5				
International Boutique	500 S F	1:175	3				
SubTotal	7,905 S F		130	5	87	5	
TOTAL (including handicap)	7,905 S F		135		92		

***** The parking requirements for the subject site were previously adequate at the time of completion, however, based on current Title 19 on-site parking requirements for the various uses, the subject site does not have ample parking; and is therefore parking impaired.

Waivers		
Requirement	**Request**	**Staff Recommendation**
No liquor establishment (tavern) may be located within fifteen hundred feet of any other liquor establishment (tavern), church, synagogue, school, child care facility licensed for more than twelve children, or City park.	A waiver of the distance separation of 1500-foot for the subject property located at 2233 South Las Vegas Boulevard.	Staff recommends approval, however, proposed use must meet the following conditional requirements of 19.04.050.
One space for each 50 square feet of public seating and waiting area (including areas for seating and waiting), plus one space for each 200 square feet of the total remaining gross floor area, with a minimum of ten spaces required.	A waiver of the parking requirements for the subject property located at 2233 South Las Vegas Boulevard	Staff recommends approval, however, proposed use must provide ample parking analysis to show that the use will not further impair the already congested site.

ANALYSIS

This is a request for a Special Use Permit for a for a proposed Liquor Establishment (Tavern) with a waiver of the distance separation of 1500 feet and a waiver of parking requirements to be located at 2233 South Las Vegas Boulevard. Title 19.20.020 defines a Liquor Establishment (Tavern) as a facility which sells alcoholic beverages for consumption on the premises where the same are sold and authorizes the sale, to consumers only and not for resale, of alcoholic beverages in original sealed or corked containers, for consumption off the premises where the same are sold. The proposed Tavern hours of operation will 24 hours.

Listed are the applicable conditions as listed in Title 19.04.050 for a Liquor establishment (Tavern):

(1) Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring both a minimum separation between liquor establishments (tavern), and a minimum separation between a liquor establishment (tavern) and certain other uses that should be protected from the impacts associated with a liquor establishment (tavern). Therefore, except as otherwise provided below, no liquor establishment (tavern) may be located within fifteen hundred feet of any other liquor establishment (tavern), church, synagogue, school, child care facility licensed for more than twelve children, or City park.

(2) The distance separation referred to in Paragraph (1) shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed liquor establishment (tavern) which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed liquor establishment (tavern). The distance shall be measured in a straight line without regard to intervening obstacles.

(3) For the purpose of Paragraph (2), and for that purpose only:

(a) The "property line" of a protected use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and

(b) The "property line" of a liquor establishment (tavern) refers to:

(i) The property line of a parcel that has been created by an approved and recorded parcel map or commercial subdivision map; or

(ii) The property line of a parcel that is located within an approved and recorded commercial subdivision and that been created by a recorded of survey or legal description, if:

(4) The distance separation requirement set forth in Paragraph (1) does not apply to an establishment which has a non-restricted gaming license in connection with a hotel having two hundred or more guest rooms on or before July 1, 1992, or in connection with a resort hotel having in excess of two hundred guest rooms after July 1, 1992.

(5) The distance separation requirement set forth in Paragraph (1) may be waived in accordance with the provisions of Subsection 19.04.050(A)(4), but only in connection with a proposed liquor establishment (Tavern) that:

(a) Will be located on a parcel within the C-V District, the Parkway Center District within the Downtown Centennial Plan, the Gaming Enterprise Overlay District or the Downtown Casino Overlay District;

(b) Will be located on a parcel or within a building that, pursuant to State law or City ordinance, has been designated as historic property, historic building, or landmark; or

(c) Will be separated from the existing use by a street or highway with a minimum right-of-way width of one hundred feet.

(6) The use shall conform to the provisions of LVMC Chapter 6.50.

This is request for a Special Use Permit for a Liquor Establishment (Tavern) is an appropriate use for the location, as it is within the Downtown Centennial Plan area where a mixture of uses is encouraged to promote cultural, entertainment, culinary and other opportunities for both tourists and residents alike. A Waiver of the required distance separation from similar uses is required, and may be permitted pursuant to Bill 2009-18, which was adopted on the 06/03/09 City Council agenda. This bill allows for a Waiver of the required distance separation for those properties located with the G-O (Gaming Enterprise Overlay) District, and would apply to the subject site. The site surrounding the proposed Tavern consists of six Liquor Establishments, most within a minimum distance of 450-foot (walk-in) distance.
The floor plan for the proposed uses shows one restroom – it not clear whether the restroom is to service the staff or the customers. There plan also show inadequate access route for getting to the restroom. This issue has being referred to Code Enforcement. Staff recommends approval because area is can be conducted in a manner that is compatible with the existing surrounding land uses, and with future land uses.

FINDINGS

The following findings must be made for a Special Use Permit:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

   The proposed land use can be conducted in a manner that is compatible with the existing surrounding land uses, and with future land uses.

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

   Yes, the subject site is physically suitable for the type and intensity of land use proposed.

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

   Adequate access to the site is provided by existing driveways from Las Vegas Boulevard. Both Sahara Avenue and Las Vegas Boulevard are designated as 100-foot Primary Arterials. Site access and circulation will negatively impact adjacent roadways or neighborhood traffic.

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

   The proposed development is subject to permit review and inspection; therefore, appropriate measures will be taken to protect the health, safety and general welfare. It will not be inconsistent with the overall objectives of the General Plan.

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

   The use meets all applicable conditions per Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 774

APPROVALS 2

PROTESTS 4

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-34859 APN: 162-03-410-007

Name of Property Owner: Chetak Development Corp.

Name of Applicant: Fun City Motel

Name of Representative: Justin Michaels, Cornerstone Company

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

X 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: Richard W. Truesdell, Planning Commissioner

Partner(s): Will Kemp _____

APN: same as above

Signature of Property Owner: Will Kemp, Pres. Chetak

Print Name: Will Kemp, Pres. Chetak Devel., Managing Partner

Subscribed and sworn before me

This 9 day of June, 2009

Notary Public in and for said County and State

MONICA JACOBS
Notary Public State of Nevada
No. 08-6784-1
My appt. exp. Aug. 25, 2011

Revised 11-14-06

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

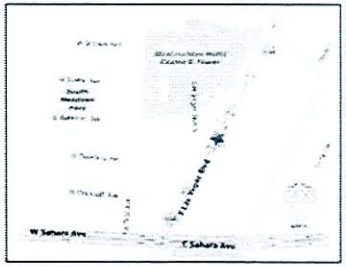


1 AS1.01 **ENLARGED SITE PLAN**
SCALE: 1:250

VICINITY MAP



LOCATION MAP



KEYNOTES

1. PROPERTY LINE
2. 15'-0" LONG x 2'-0" WIDE, + 30'-0" HIGH FREE STANDING SIGNAGE

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SUP-34859
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08/13/09 PC

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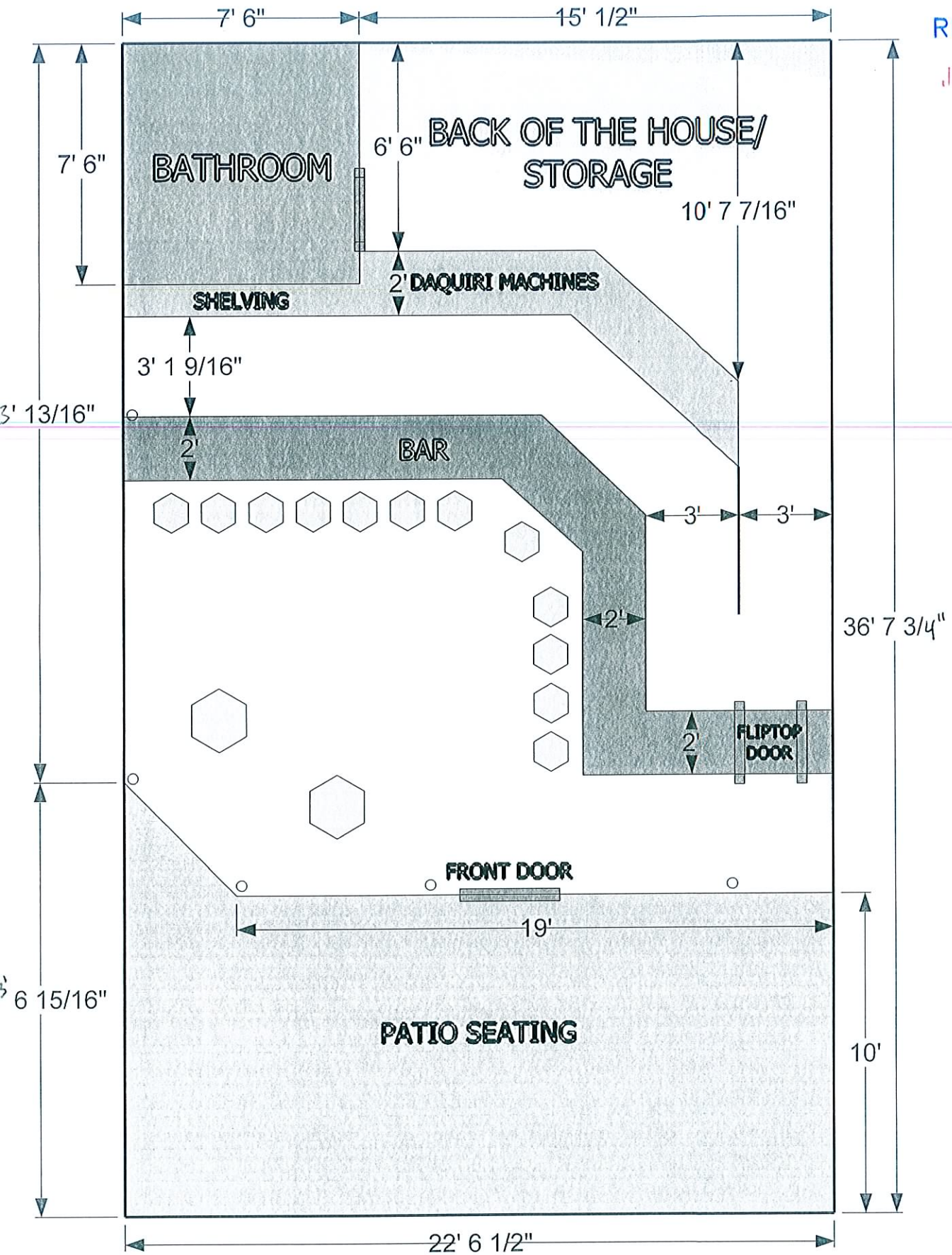
JUN 10 2009



Fun City Tavern
2233 S. Las Vegas Blvd.

SUP-34859
REVISED
08/13/09 PC



SUP-34859 - APPLICANT: FUN CITY MOTEL - OWNER: CHETAK DEVELOPMENT CORPORATION
2233 LAS VEGAS BOULEVARD
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



SUP-34859 - APPLICANT: FUN CITY MOTEL - OWNER: CHETAK DEVELOPMENT CORPORATION
2233 LAS VEGAS BOULEVARD
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



SUP-34859 - APPLICANT: FUN CITY MOTEL - OWNER: CHETAK DEVELOPMENT CORPORATION
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07/09/09



SUP-34859 - APPLICANT: FUN CITY MOTEL - OWNER: CHETAK DEVELOPMENT CORPORATION
2233 LAS VEGAS BOULEVARD
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09

Cornerstone Company

Commercial Real Estate Services

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JUL 10 2009

July 9, 2009

Mr. Douglas Rankin
City of Las Vegas
Planning Department
731 S. 4th Street
Las Vegas, NV 89101

RE: Proposed Tavern
Waiver of Separation and Waiver of Parking Requirements
NEC Las Vegas Boulevard and Cincinnati (APN: 162-03-410-007)

Dear Mr. Rankin,

Cornerstone Company represents the current owner of the above referenced property. On behalf of the owner, I request that the above referenced use and waivers be allowed based on the following reasons:

1. This property is located in the tourist corridor and the proposed use is consistent with existing tourist and commercial uses in the area.

2. This use will allow the owner of the property to reinvest and improve this space.

3. This use would rely predominately on the pedestrian traffic in the area; as most commonly used by tourists.
4. It is anticipated that this will be a twenty-four (24) hour operation as is common among most businesses along the Strip.

Thank you for your consideration in this matter on behalf of the Owner of the property.

Sincerely,

Justin M. Michaels
Associate

JMM/shs

SUP-34859
REVISED
08/13/09 PC

Phone: (702) 383-3033 • Fax: (702) 383-8576 • 9901 Covington Cross Drive, Suite 170, Las Vegas, NV 89144

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Parking Analysis

The proposed tavern establishment will be located within an existing motel/hotel that was built in the 1950s. The site contains 92 parking spaces for the motel and its retail building. A tavern establishment requires an additional thirteen (13) parking spaces beyond that which is required for the principal use, a motel. Since this tavern's customer base is aimed solely at tourists walking the Strip, the existing 92 parking spaces are sufficient to service the tavern establishment.

SUP-34859
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08/13/09 PC

Use	Parking Requirement	Sq/ft/Size	# of Spaces Required
Motel	1 space per room	87 rooms	87 spaces/4 HC spaces
Wedding Chapel	1 Space per 150 sq/ft	800 sq/ft	6 spaces/1 HC space
Tavern	1 Space per 50 sq/ft of seating & 1 space per 200 sq/ft of remaining space.	825 sq/ft	13 spaces/0 HC spaces
Tatoo Parlor - Retail Bldg	1 space per 250 sq/ft	2500	10 spaces
Package Liquor Off-Sale Establishment	1 space per 175 sq/ft	2000	11 spaces
Paradise Rentals	1 space per 250 sq/ft	1280	5 spaces
International Boutique	1 space per 175 sq/ft	500	3 spaces
Total Required:	135 spaces/5 HC spaces		
Provided:	92 spaces.		

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08/13/09 PC

Cornerstone Company
Commercial Real Estate Services

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JUL 1 , 2009

June 19, 2009

VIA FACSIMILE

Mr. Larry Parks
Clark County Air Quality & Environmental Management
500 S. Grand Central Parkway, 1st Floor
Las Vegas, NV 89155-1776

RE: Dust Permit Number: 37114

Dear Mr. Parks,

Due to a delay with the City of Las Vegas we are requesting a change of dates for our dust permit. The permit is for demolition of the bungalows at 2233 Las Vegas Boulevard South. The current dates on the permit are February 1, 2009 through February 3, 2009. We would like to change the demolition dates to July 21, 2009 through July 23, 2009.

Should you have any additional questions or concerns, please do not hesitate to contact me at 702-383-3033.

Sincerely,

Richard W. Truesdell
President/Broker
Property Manager

RWT/shs

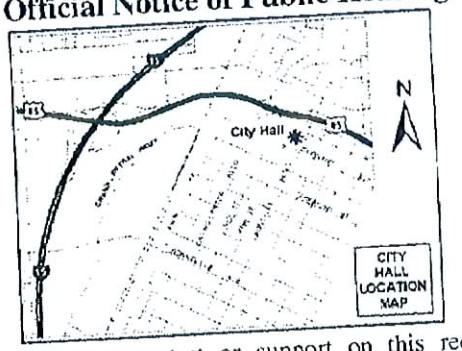
SUP-34859
REVISED
08/13/09 PC

9901 Covington Cross Drive, Suite 170, Las Vegas, NV 89144 Phone: (702) 383-3033 Fax: (702) 383-8576

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-34859

Planning Commission Meeting of 8/13/2009

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Case: SUP-34859

16204815051
WARD-WALLACE JOSEPH R
4206 HALLDALE AVE
LOS ANGELES CA 90062-1858

17P

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

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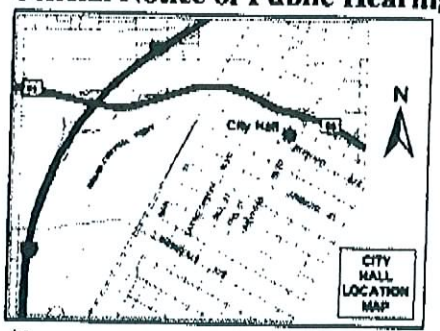
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-34859

Planning Commission Meeting of 8/13/2009

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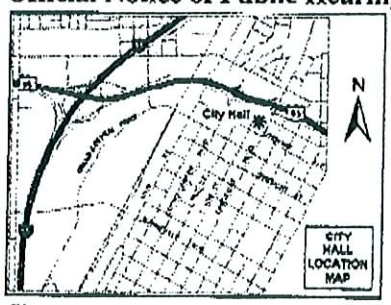
16210114087 Case: SUP-34859
MARKIEWICZ CHESTER LIVING TRUST
4750 N HARLEM AVE
HARWOOD HEIGHTS IL 60706-4607

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

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SUP-34859

Planning Commission Meeting of 8/13/2009

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16210114305 Case: SUP-34859
DELPRINCIPE ROBERT M
2777 PARADISE ARD #2204
LAS VEGAS NV 89109-0400

EAVDS11 89109

17P

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

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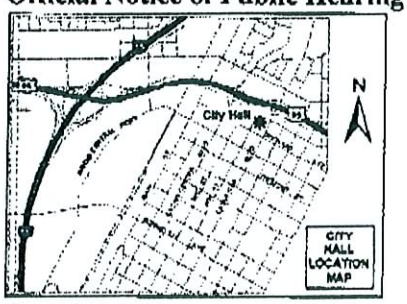

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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Planning Commission Meeting of 8/13/2009

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16210114550 Case: SUP-34859
TYRE R & C LIVING TRUST
2777 PARADISE RD #3502
LAS VEGAS NV 89109-0403

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

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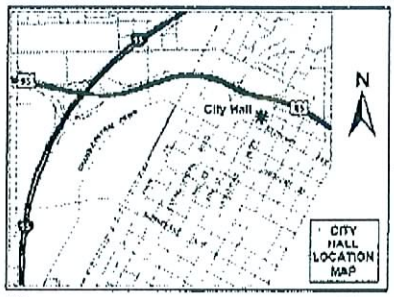

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Case: SUP-34859

162048113003
PARK CIRCLE APARTMENTS L L C
%R OSTERHOUDT
6337 VISTA VERDE NORTH
LAS VEGAS NV 89146-1109

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-34859
Planning Commission Meeting of 8/13/2009

17A

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

Return Service Requested
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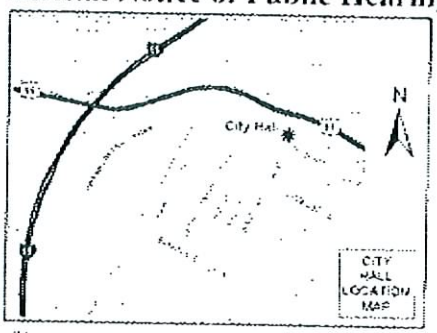

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-34859

Planning Commission Meeting of 8/13/2009

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16203416007 Case: SUP-34859
BARTSAS MARY 16 L L C
601 S RANCHO DR #C23
LAS VEGAS NV 89106-4825

EAVOS11 89106

17A

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 13, 2009

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

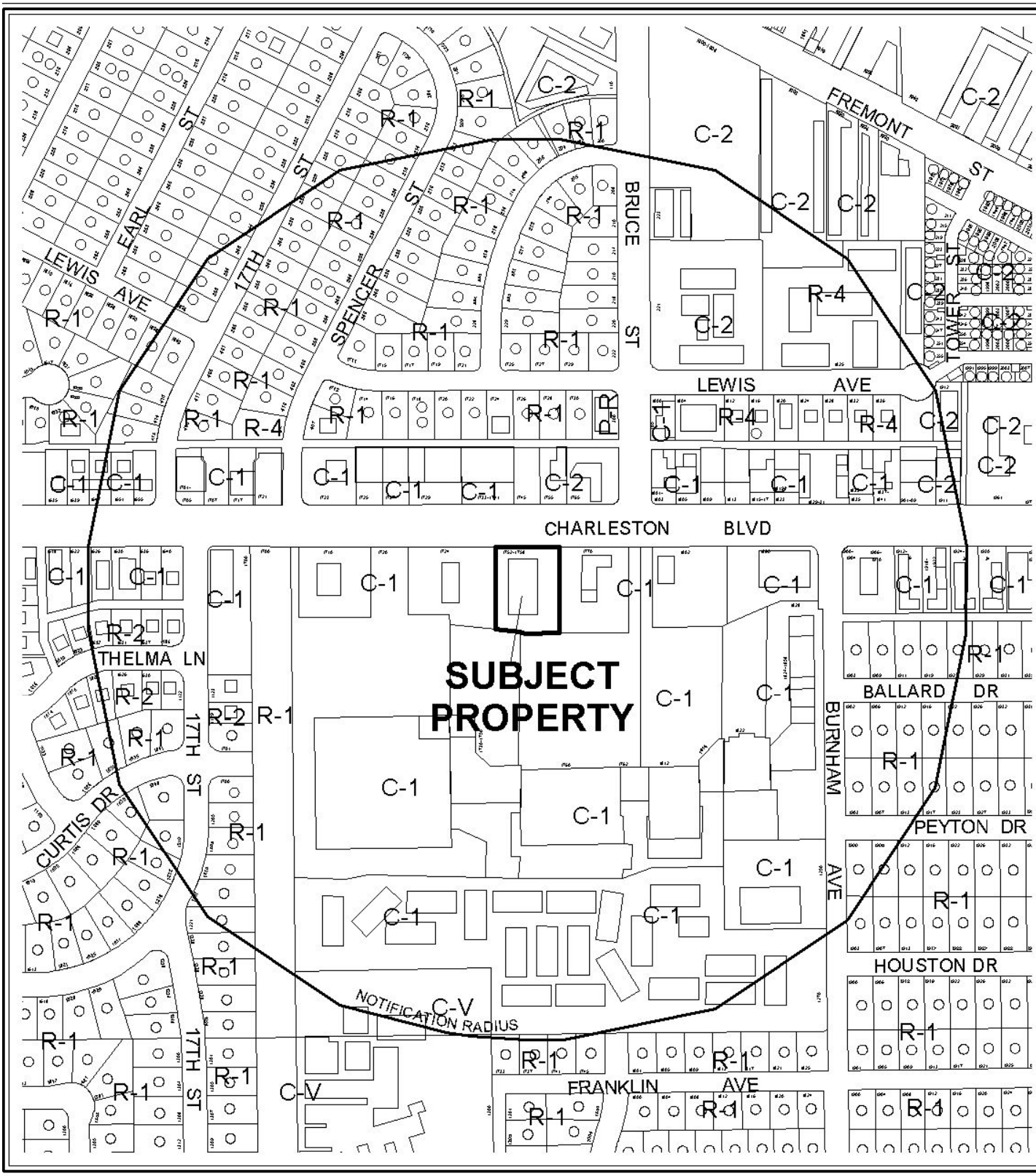
SUBJECT:
SUP-35049 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: TUNE & LUBE PLUS - OWNER: CHARLESTON PLAZA - Request for a Special Use Permit FOR A PROPOSED 1,820 SQUARE-FOOT AUTO REPAIR GARAGE, MINOR at 1752 East Charleston Boulevard (APN 162-02-510-003), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

IF APPROVED, C.C.: 09/16/2009
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
APPROVAL

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



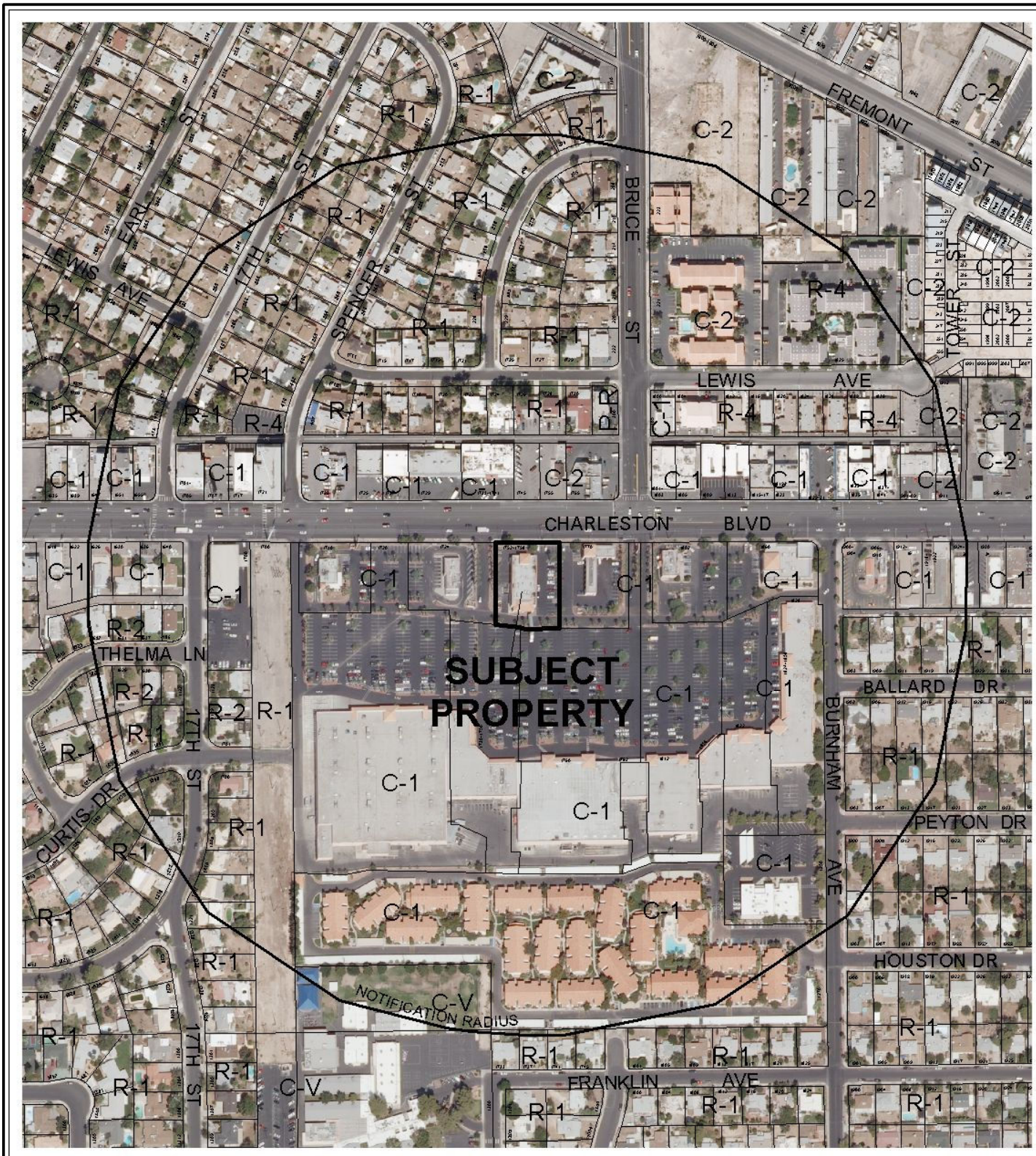
0 300 600 Feet

CASE: **SUP-35049**

RADIUS: 1000 FT

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

N



CASE: **SUP-35049**

RADIUS: 1000 FT

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

0 300 600 Feet

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: AUGUST 13, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-35049 - APPLICANT: TUNE & LUBE PLUS - OWNER: CHARLESTON PLAZA

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for an Auto Repair Garage, Minor use.

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

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

AO

SUP-35049 - Staff Report Page One
August 13, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for an Auto Repair Garage, Minor to be located at 1752 East Charleston Boulevard. Currently, the site consists of an existing building of 7,216 square feet containing a garage facility with two bays not facing the public right-of-way, a second garage, and two restaurants. Previously, the proposed site for the garage was occupied by another tenant that also operated a garage. The previous garage ceased operation 03/10/08, and the business's Special Use Permit expired one year later, therefore a new Special Use Permit for the proposed use at that location must be obtained. If denied, the proposed use will not be permitted within the commercial retail shopping plaza. Staff is recommending approval of the request as it is a permitted use within the C-1 (Limited Commercial) zoning designation and can be conducted in a manner that is compatible with surrounding land uses.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
09/26/91	The Board of Zoning Adjustment approved a request for a Special Use Permit (U-226-91) to allow a minor automotive service and repair facility located at 1752 East Charleston Boulevard.
01/28/92	The Board of Zoning Adjustment approved a request for a Variance (V-186-91) to allow a Major Automotive parts exchange (transmissions) where such use is not allowed, and a minor automotive repair and service facility located at 1752 East Charleston Boulevard.
04/22/04	A deed was recorded for change of ownership.
11/17/04	A Code Enforcement case (#23827) was processed for vehicle sales at 1752 East Charleston Boulevard. The case was closed by Code Enforcement on 01/13/05.
02/08/05	A Code Enforcement case (#25805) was processed for illegal storage of vehicles at a shopping center, no major auto repairs at C-1 zoned property and other zoning/business license violations at 1752 East Charleston Boulevard. The case was closed by Code Enforcement on 04/27/05.
11/21/05	A Code Enforcement case (#36448) was processed to verify conditions of use; applicant was licensed for Minor Auto Repair but operated a Major Auto Repair, and applicant also stored vehicles in shopping center parking spaces 1752 East Charleston Boulevard. The case was closed by Code Enforcement on 09/27/07.
11/28/07	A Code Enforcement case (#60134) was processed for graffiti at 1752 East Charleston Boulevard. The case was closed by Code Enforcement on 12/04/07.

Related Building Permits/Business Licenses	
06/22/92	A building permit (#93149970) was issued for a non-work certificate of occupancy at 1752 East Charleston Boulevard. The permit was completed on 11/13/92.
10/08/92	A building permit (#92162999) was issued for a tenant improvement at 1752 East Charleston Boulevard. The permit was completed on 11/19/92.
12/14/92	A building permit (#92170076) was issued for a non-work certificate of occupancy at 1752 East Charleston Boulevard. The permit was completed on 03/11/93.
06/26/00	A business license (#G03-02252) was issued for a garage major auto repair at 1752 East Charleston Boulevard. The license was marked out of business on 03/10/08.
02/20/04	A business license (#R05-00028) was issued for a restaurant - take out only at 1752 East Charleston Boulevard. The license is still active.
09/28/04	A business license (#E03-00442) was issued for an express delivery service at 1752 East Charleston Boulevard. The license was marked out of business on 03/10/08.
07/16/07	A business license (#G02-00448) was issued to for a garage minor auto repair at 1752 East Charleston Boulevard. The license is still active.
05/26/09	A business license application (#G02-99289) was submitted for a garage-minor auto repair at 1752 East Charleston Boulevard. The license was denied by the Planning Development Department on 06/24/09 pending approval of Special Use Permit.
06/01/09	A business license (#R09-01508) was issued for a restaurant with seating for 45 or more at 1752 East Charleston Boulevard. The license is still active.
Pre-Application Meeting	
06/12/09	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for Automotive Repair Garage Minor were discussed. Topics included: • Application materials, documents, meeting dates and submittal deadlines were also discussed.
Neighborhood Meeting	
A neighborhood meeting was not required, nor was one conducted.	
Field Check	
07/09/09	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 an existing 7,216 square-foot building with multiple tenants. • The building façade has multiply banner signs that are not permitted. This issue has being referred to Code Enforcement.

Details of Application Request	
Site Area	
Gross Acres	.76 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	C (Commercial)	C-1 (Limited Commercial)
North	Restaurant	C (Commercial)	C-1 (Limited Commercial)/ C-2 (General Commercial)
South	Shopping Center	C (Commercial)	C-1 (Limited Commercial)
East	Shopping Center	C (Commercial)	C-1 (Limited Commercial)
West	Restaurant Establishment	C (Commercial)	C-1 (Limited Commercial)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan		X	N/A
Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts	X		
Las Vegas Downtown Redevelopment Plan	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Parking Requirement - Downtown							
	Gross Floor Area or Number of Units	***Base Parking Requirement***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	37,521 S F	1:250	1,208	23			Y
TOTAL (including handicap)			1,231 S F		1,272 S F		

AO

ANALYSIS

This is a request for a Special Use Permit for a proposed Auto Repair Garage Minor, within an existing Commercial Retail Shopping Center located at 1752 East Charleston Boulevard. The subject site is part of a multi-lot commercial subdivision, with shared access and parking defined by the final map. This gives the uses associated with the subdivision ample parking. The hours of operation for the store will be from 8:00 am from 5:00 pm Monday through Friday; and 8:00 am to1:00 pm on Saturdays. The subject site was previously occupied by a tenant that also operated a garage. This garage ceased operation 03/10/08, and the business's Special Use Permit expired one year later, therefore a new Special Use Permit for the proposed use must be obtained. The current proposed use complies with all minimum Special Use Permit requirements of Title 19.04, and can be conducted in a manner that is compatible with existing surrounding land uses; therefore, staff recommends approval of this request.

FINDINGS

The following findings must be made for a Special Use Permit:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

   The proposed Auto Repair Garage Minor use can be conducted in a manner that is harmonious and compatible with the existing surrounding commercial uses.

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

   The subject site is part of a larger commercial subdivision that can accommodate a variety of uses, and is physically suitable for the proposed Auto Repair Garage Minor use.

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

   Access to the site is via a driveway from Charleston Boulevard which is a 100-foot wide Primary Arterials, according to the Master Plan of streets and Highways.

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

The proposed use on this site will be subject to periodic inspection by regulatory agencies for business licensing and environmental health, and it will therefore not compromise the public health, safety and welfare, or the overall objectives of the General Plan.

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

The proposed Auto Repair Garage Minor meets the minimum special use permit requirements of Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

ASSEMBLY DISTRICT 12

SENATE DISTRICT 10

NOTICES MAILED 190

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-35049 APN: 162-02-510-003

Name of Property Owner: Charleston Plaza

Name of Applicant: TUNE & LUBE Plus JOHN RYAN

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 SAFI

Subscribed and sworn before me

This _____day of _____, 20__

_____

Notary Public in and for said County and State

CALIFORNIA JURAT WITH AFFIANT STATEMENT

☑ See Attached Document (Notary to cross out lines 1–6 below)
☐ See Statement Below (Lines 1–5 to be completed only by document signer[s], *not* Notary)

1
2
3
4
5
6

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

State of California

County of Los Angeles

Subscribed and sworn to (or affirmed) before me on this

23rd (Date) day of June (Month), 2009 (Year), by

(1) JOHN SAFI (Name of Signer),

proved to me on the basis of satisfactory evidence to be the person who appeared before me (.) (;)

(and

(2) _____ (Name of Signer),

proved to me on the basis of satisfactory evidence to be the person who appeared before me.)

Signature Myla P. Lanto (Signature of Notary Public)

MYLA P. LANTO
Commission # 1717603
Notary Public - California
Los Angeles County
My Comm. Expires Jan 16, 2011

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Further Description of Any Attached Document

Title or Type of Document: Statement of Financial Interest

Document Date: June 23, 2009 Number of Pages: One

Signer(s) Other Than Named Above: No other Signer

RIGHT THUMBPRINT OF SIGNER #1	RIGHT THUMBPRINT OF SIGNER #2
Top of thumb here	Top of thumb here

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SUP-35049
08/13/09 PC

ALTA / ACSM LAND TITLE SURVEY

CHARLESTON PLAZA MALL

SURVEYOR'S CERTIFICATE

THE UNDERSIGNED, A LAND SURVEYOR, DULY REGISTERED AND LICENSED IN THE STATE OF NEVADA, HEREBY CERTIFIES TO SAFECO CAPITAL CORPORATION, UNITED TITLE OF NEVADA AND GREENWICH CAPITAL FINANCIAL PRODUCTS, INC.,ITS SUCCESSORS AND ASSIGNS THAT:

(I) THIS LAND SURVEY PLAT HAS BEEN PREPARED BASED UPON FIELD WORK CONDUCTED ON THE PROPERTY SHOWN HEREON, PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION ON FEBRUARY 15, 2004, (II) THE DESCRIPTION OF THE PROPERTY SHOWN HEREON IS TRUE AND CORRECT, AND SUCH DESCRIPTION CLOSES BY ENGINEERING CALCULATION, (III) THIS SURVEY PLAT CORRECTLY SHOWS THE LOCATIONS AND DIMENSIONS OF ALL BOUNDARIES OF THE PROPERTY, AND ALL BUILDINGS, STRUCTURES, OTHER IMPROVEMENTS, SETBACK LINES , PARTY WALLS, DITCHES, FLOOD PLAINS, WATERWAYS, BODIES OF WATER, FENCES, EASEMENTS, RIGHTS-OF-WAY, UTILITIES, STREETS, ALLEYS, ROADWAYS, CURBS, GUTTERS, DRIVEWAYS, CURB CUTS, PARKING STALLS, TRAVELED WAYS, DISPOSAL SITES AND OTHER SIGNIFICANT ITEMS, LOCATED ON, ADJACENT TO, APPURTENANT TO, OR AFFECTING THE SUBJECT PROPERTY, IN ALL CASES ARE OF RECORD, DISCOVERABLE UPON VISUAL INSPECTION, OR OTHERWISE KNOWN TO ME, (IV) ALL INFORMATION SHOWN HEREON IS TRUE, CORRECT, AND COMPLETE, (V) THE SUBJECT PROPERTY CONTAINS 765,992.48 SQUARE FEET AND 842 STRIPED PARKING STALLS, (VI) NO PORTION OF SAID PROPERTY SHOWN HEREON LIES WITHIN THE ONE HUNDRED YEAR FLOOD PLAIN OR ANY AREA SUBJECT TO SPECIAL FLOOD HAZARDS AS DESIGNATED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, THE FLOOD INSURANCE ADMINISTRATION, OR ANY GOVERNMENTAL AGENCY HAVING JURISDICTION OVER THE PROPERTY, (VII) NO IMPROVEMENTS UPON, UNDER, OR ADJACENT TO THE PROPERTY CONSTITUTE OR ARE SUBJECT TO ENCROACHMENTS, OVERLAPS, OR OVERHANGS, EXCEPT AS SHOWN HEREON, (VIII) NO COVENANTS, RESTRICTIONS, OR EASEMENTS THAT ARE OF RECORD, DISCOVERABLE UPON VISUAL INSPECTION, OR OTHERWISE KNOWN TO ME APPEAR TO HAVE BEEN VIOLATED IN ANY RESPECT, (IX) THIS MAP OR PLAT AND THE SURVEY ON WHICH IT WAS BASED WERE MADE IN ACCORDANCE WITH THE "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ASCM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA, ASCM, AND NSPS IN 1999; AND PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA, NSPS, AND ASCM AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, THE UNDERSIGNED FURTHER CERTIFIES THAT THE SURVEY MEASUREMENTS WERE MADE IN ACCORDANCE WITH THE "MINIMUM ANGLE, DISTANCE AND CLOSURE REQUIREMENTS FOR SURVEY MEASUREMENTS WHICH CONTROL LAND BOUNDARIES FOR ALTA/ACSM LAND TITLE SURVEYS", AND MEETS THE ACCURACY REQUIREMENTS OF AN "URBAN SURVEY" AS DEFINED THEREIN, AND ALSO IN ALL RESPECTS MEETS THE REQUIREMENTS OF ALL APPLICABLE LAW.

BY:
ALLEN L. HAGEN
PROFESSIONAL LAND SURVEYOR
NEVADA CERTIFICATE NO. 7755

PROFESSIONAL LAND SURVEYOR — STATE OF NEVADA — ALLEN L. HAGEN — NO. 7755

EXP. DATE
6/30/09

ZONING

THIS PROPERTY IS ZONED C-1 (LIMITED COMMERCIAL DISTRICT) PER THE CITY OF LAS VEGAS COMMERCIAL AND INDUSTRIAL DISTRICT DEVELOPMENT STANDARDS.

SETBACK REQUIREMENTS FOR C-1 ZONING
CITY OF LAS VEGAS STANDARDS (REV. NOVEMBER, 2001)

FRONT:	20'
SIDE AT CORNER:	15'(MIN.) SEE NOTE 4
SIDE:	10' (MIN.) SEE NOTE 4
REAR:	20' (MIN.) SEE NOTE 4
LOT COVERAGE:	50% (MAX.) SEE NOTE 4

NOTE 4: DOWNTOWN OVERLAY DISTRICT - ALL STRUCTURES IN THE DOWNTOWN OVERLAY DISTRICT ARE EXEMPTED FROM THE AUTOMATIC APPLICATION OF THE HEIGHT LIMITATIONS, REQUIRED SETBACKS AND LOT COVERAGE REQUIREMENTS SPECIFIED IN THIS CHAPTER. HOWEVER THE EXEMPTION DOES NOT PROHIBIT THE CITY COUNCIL FROM IMPOSING SIMILAR OR EQUIVALENT LIMITATIONS IN CONNECTION WITH THE APPROVAL OF A SITE DEVELOPMENT PLAN IN ACCORDANCE WITH SUBCHAPTER 19.06.060.

TITLE REPORT INFORMATION

INFORMATION BASED ON TITLE REPORT FROM UNITED TITLE OF NEVADA
ORDER NO. 03904481 (1ST AMENDED), DATED FEBRUARY 18, 2004 AT 7:30 PM

FLOOD ZONE

THIS PROPERTY HAS A FLOOD ZONE DESIGNATION OF X (AREA DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD PLAIN) AS SHOWN ON FLOOD INSURANCE RATE MAP PANEL 2170E & 2186E OF 4090, MAP NO. 32003C2170 E & 32003C2186 E WITH AN EFFECTIVE DATE OF SEPTEMBER 27, 2002.

TABLE A, ITEM 14

THERE IS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS

TABLE A, ITEM 15

THERE ARE NO KNOWN CHANGES IN STREET RIGHT-OF-WAY LINES EITHER COMPLETED OR PROPOSED, AND AVAILABLE FROM THE CONTROLLING JURISDICTION.

TABLE A, ITEM 16

THIS PROPERTY IS NOT CURRENTLY BEING USED AS, NOR HAS PREVIOUSLY BEEN USED AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.

PARKING

STANDARD PARKING STALLS	818
HANDICAPPED PARKING SPACES	24
TOTAL PARKING SPACES	842

RECEIVED
JUN 30 2009

EXCEPTIONS

ONLY THOSE EXCEPTIONS LISTED IN UNITED TITLE OF NEVADA ORDER NO. 03904481, (1ST AMENDED), DATED FEBRUARY 18, 2004 AND RELISTED BELOW WERE CONSIDERED FOR THIS SURVEY. ITEM NUMBERS CORRESPOND TO ITEM NUMBERS IN SAID COMMITMENT FOR TITLE INSURANCE. NO ADDITIONAL RESEARCH WAS PERFORMED BY THE CERTIFYING SURVEYOR.

THE FOLLOWING ITEMS LISTED AFFECT PARCEL ONE (1):

(4) WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT SHOWN BY THE PUBLIC RECORD.

(5) MINERAL RIGHTS, RESERVATIONS, EASEMENTS AND EXCLUSIONS IN PATENT FROM THE STATE OF NEVADA.
RECORDED :SEPTEMBER 11, 1911 IN BOOK 2 OF DEEDS, PAGE 62
DOCUMENT NO. :03168, OFFICIAL RECORDS.

(6) AN EASEMENT AFFECTING A PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES
IN FAVOR OF :LAS VEGAS VALLEY WATER DISTRICT
FOR :WATER LINES
RECORDED :NOVEMBER 5, 1979 IN BOOK 1143
DOCUMENT NO. :1102257, OFFICIAL RECORDS.

(8) DEDICATIONS AND EASEMENTS AS INDICATED OR DELINEATED ON THE PLAT OF SAID SUBDIVISION ON FILE IN BOOK 43 OF PLATS, PAGE 85, OFFICIAL RECORDS

(9) THE HEREIN DESCRIBED PROPERTY LIES WITHIN THE BOUNDARIES OF THE CITY OF LAS VEGAS DOWNTOWN REDEVELOPMENT AREA, AND MAY BE SUBJECT TO ALL ASSESSMENTS AND OBLIGATIONS RELATED THERETO, AS DISCLOSED BY AN INSTRUMENTS ENTITLED "NOTICE OF ADOPTION OF REDEVELOPMENT PLAN FOR THE CITY OF LAS VEGAS DOWNTOWN REDEVELOPMENT AREA."
RECORDED :NOVEMBER 22, 1996 IN BOOK 961122
DOCUMENT NO. :00847, OFFICIAL RECORDS.

AND AMENDED BY AN INSTRUMENT
RECORDED :NOVEMBER 22, 1996 IN BOOK 961122
DOCUMENT NO. :00848, OFFICIAL RECORDS.

AND RE-RECORDED :NOVEMBER 25, 1996 IN BOOK 961125
DOCUMENT NO. :00566, OFFICIAL RECORDS.

AND AS SHOWN BY MAP
FILE :LG, OF SURVEYS AT PAGE 78
RECORDED :NOVEMBER 22, 1996 IN BOOK 961122
DOCUMENT NO. :00849, OFFICIAL RECORDS.

THE FOLLOWING ITEMS LISTED AFFECT PARCEL TWO (2):

(20) WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT SHOWN BY THE PUBLIC RECORD.

(21) MINERAL RIGHTS, RESERVATIONS, EASEMENTS AND EXCLUSIONS IN PATENT FROM THE STATE OF NEVADA.
RECORDED :SEPTEMBER 11, 1911 IN BOOK 2 OF DEEDS, PAGE 62
DOCUMENT NO. :03168, OFFICIAL RECORDS.

(22) AN EASEMENT AFFECTING A PORTION OF SAID LAND FOR THE PURPOSE STATED HEREIN, AND INCIDENTAL PURPOSES
IN FAVOR OF :NEVADA POWER COMPANY AND CENTRAL TELEPHONE COMPANY
FOR :POLE LINES, UNDERGROUND LINES AND CONDUITS
RECORDED :MAY 10, 1965 IN BOOK 626
DOCUMENT NO. :503254, OFFICIAL RECORDS.

A RELINQUISHMENT OF RIGHT OF WAY GRANT
DATED :JANUARY 24, 1995
EXECUTED BY :NEVADA POWER COMPANY
RECORDED :JANUARY 31, 1995 IN BOOK 950131
DOCUMENT NO. :00903, OFFICIAL RECORDS.
(AFFECTS LOTS 1 AND 2)

(25) AN EASEMENT AFFECTING A PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES
IN FAVOR OF :LAS VEGAS VALLEY WATER DISTRICT
FOR :WATER LINES
RECORDED :JUNE 23, 1989 IN BOOK 890623
DOCUMENT NO. :00561, OFFICIAL RECORDS.
(AFFECTS LOT 7)

(26) EASEMENTS RESERVED TO THE CITY OF LAS VEGAS, CENTRAL TELEPHONE COMPANY, NEVADA POWER COMPANY AND THE LAS VEGAS VALLEY WATER DISTRICT OVER, ACROSS AND UNDER SAID VACATED PARCEL FOR STREETLIGHT AND FIRE HYDRANT PURPOSES TOGETHER WITH REASONABLE RIGHTS OF INGRESS THERETO AND EGRESS THEREFROM, AS DISCLOSED BY AN INSTRUMENT ENTITLED "ORDER OF VACATION".
RECORDED :JULY 18, 1989 IN BOOK 890718
DOCUMENT NO. :00524, OFFICIAL RECORDS
(AFFECTS LOTS 6 AND 7)

(27) AN EASEMENT AFFECTING A PORTION OF SAID LAND FOR THE PURPOSE STATED HEREIN, AND INCIDENTAL PURPOSES
IN FAVOR OF :LUCKY STORES, INC., A NEVADA CORPORATION
FOR :INSTALLATION AND WATER LINES
RECORDED :AUGUST 31, 1989 IN BOOK 890831
DOCUMENT NO. :00252, OFFICIAL RECORDS.
(AFFECTS LOTS 4, 6 AND 7)

(28) DEDICATIONS AND EASEMENTS AS INDICATED OR DELINEATED ON THE PLAT OF SAID SUBDIVISION ON FILE IN BOOK 43 OF PLATS, PAGE 85, OFFICIAL RECORDS.

(29) AN EASEMENT AFFECTING A PORTION OF SAID LAND FOR THE PURPOSE STATED HEREIN, AND INCIDENTAL PURPOSES
IN FAVOR OF :CHARLESTON SENIOR APARTMENTS
FOR :INGRESS, EGRESS AND INCIDENTAL PURPOSES
RECORDED :JULY 17, 1990 IN BOOK 900717
DOCUMENT NO. :00723, OFFICIAL RECORDS.
(AFFECTS LOT 1)

(30) THE HEREIN DESCRIBED PROPERTY LIES WITHIN THE BOUNDARIES OF THE CITY OF LAS VEGAS DOWNTOWN REDEVELOPMENT AREA, AND MAY BE SUBJECT TO ALL ASSESSMENTS AND OBLIGATIONS RELATED THERETO, AS DISCLOSED BY AN INSTRUMENTS ENTITLED "NOTICE OF ADOPTION OF REDEVELOPMENT PLAN FOR THE CITY OF LAS VEGAS DOWNTOWN REDEVELOPMENT AREA."
RECORDED :NOVEMBER 22, 1996 IN BOOK 961122
DOCUMENT NO. :00847, OFFICIAL RECORDS.

AND AMENDED BY AN INSTRUMENT
RECORDED :NOVEMBER 22, 1996 IN BOOK 961122
DOCUMENT NO. :00848, OFFICIAL RECORDS.

AND RE-RECORDED :NOVEMBER 25, 1996 IN BOOK 961125
DOCUMENT NO. :00566, OFFICIAL RECORDS.

AND AS SHOWN BY MAP
FILE :LG, OF SURVEYS AT PAGE 78
RECORDED :NOVEMBER 22, 1996 IN BOOK 961122
DOCUMENT NO. :00849, OFFICIAL RECORDS.

LEGAL DESCRIPTION

ALL THAT REAL PROPERTY SITUATED IN THE STATE OF NEVADA, COUNTY OF CLARK DESCRIBED AS FOLLOWS:

PARCEL ONE (1):

PARCEL 1A:

LOTS EIGHT (8) AND THIRTEEN (13) AS SHOWN ON A PLAT ENTITLED "RESUBDIVISION OF LOTS 1 AND 2 OF THE AMENDED OFFICIAL PLATS OF CHARLESTON PLAZA MALL" ON FILE IN BOOK 43, PAGE 85 OF PLATS IN THE OFFICIAL RECORDS OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

PARCEL 1B:

EASEMENTS AND ALL OTHER APPURTENANT RIGHTS AS GRANTED BY AND PROVIDED FOR IN THE RESTATED DECLARATION OF RESTRICTIONS AND GRANT OF EASEMENTS RECORDED DECEMBER 6, 1988 IN BOOK 881206 AS DOCUMENT NO. 00428 AND AMENDED BY INSTRUMENT RECORDED APRIL 14, 1997 IN BOOK 970414 AS DOCUMENT NO. 00347, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

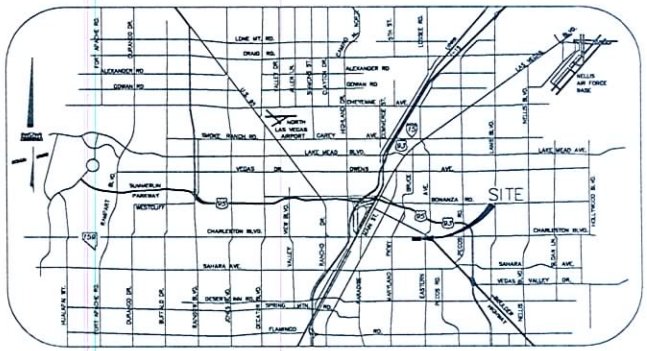
PARCEL TWO (2):

PARCEL 2A:

LOTS ONE (1), TWO (2), FOUR (4), FIVE (5), SIX (6), SEVEN (7), TEN (10), AND ELEVEN (11), AS SHOWN ON A PLAT ENTITLED "RESUBDIVISION OF LOTS 1 AND 2 OF THE AMENDED OFFICIAL PLATS OF CHARLESTON PLAZA MALL" ON FILE IN BOOK 43, PAGE 85 OF PLATS IN THE OFFICIAL RECORDS OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

PARCEL 2B:

EASEMENTS AND ALL OTHER APPURTENANT RIGHTS AS GRANTED BY AND PROVIDED FOR IN THE RESTATED DECLARATION OF RESTRICTIONS AND GRANT OF EASEMENTS RECORDED DECEMBER 6, 1988 IN BOOK 881206 AS DOCUMENT NO. 00428 AND AMENDED BY INSTRUMENT RECORDED APRIL 14, 1997 IN BOOK 970414 AS DOCUMENT NO. 00347, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.



VICINITY MAP

SUP-35049
08/13/09 PC

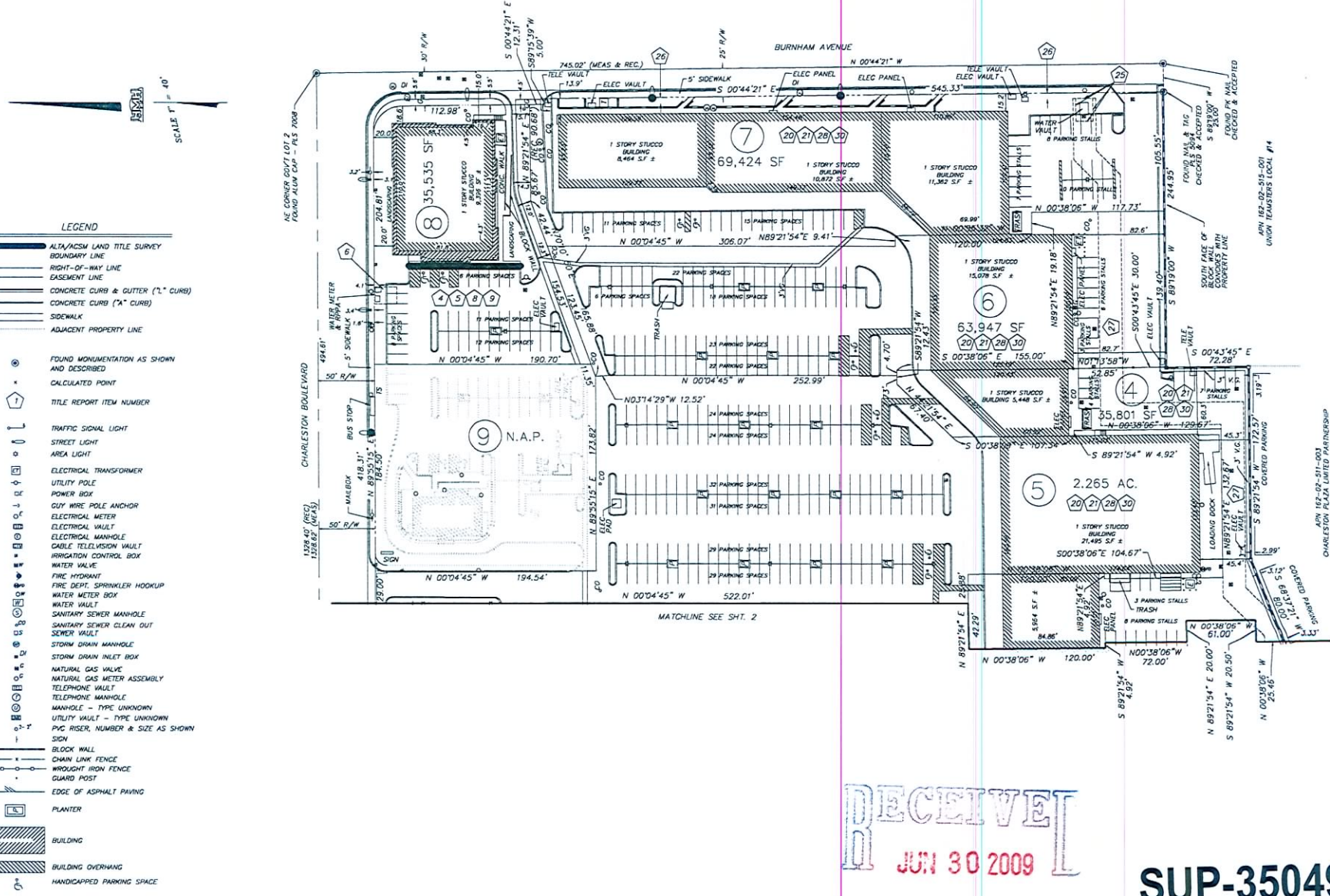
DESCRIPTION | REV | DATE

8010 WEST SAHARA AVENUE, SUITE 140
LAS VEGAS, NEVADA 89117
PHONE: (702) 256-7850
FAX: (702) 256-1710

SAFCO CAPITAL CORPORATION
CHARLESTON PLAZA
ALTA/ACSM LAND TITLE SURVEY

SHEET 1 OF 3 SHEETS

PLOTTED:



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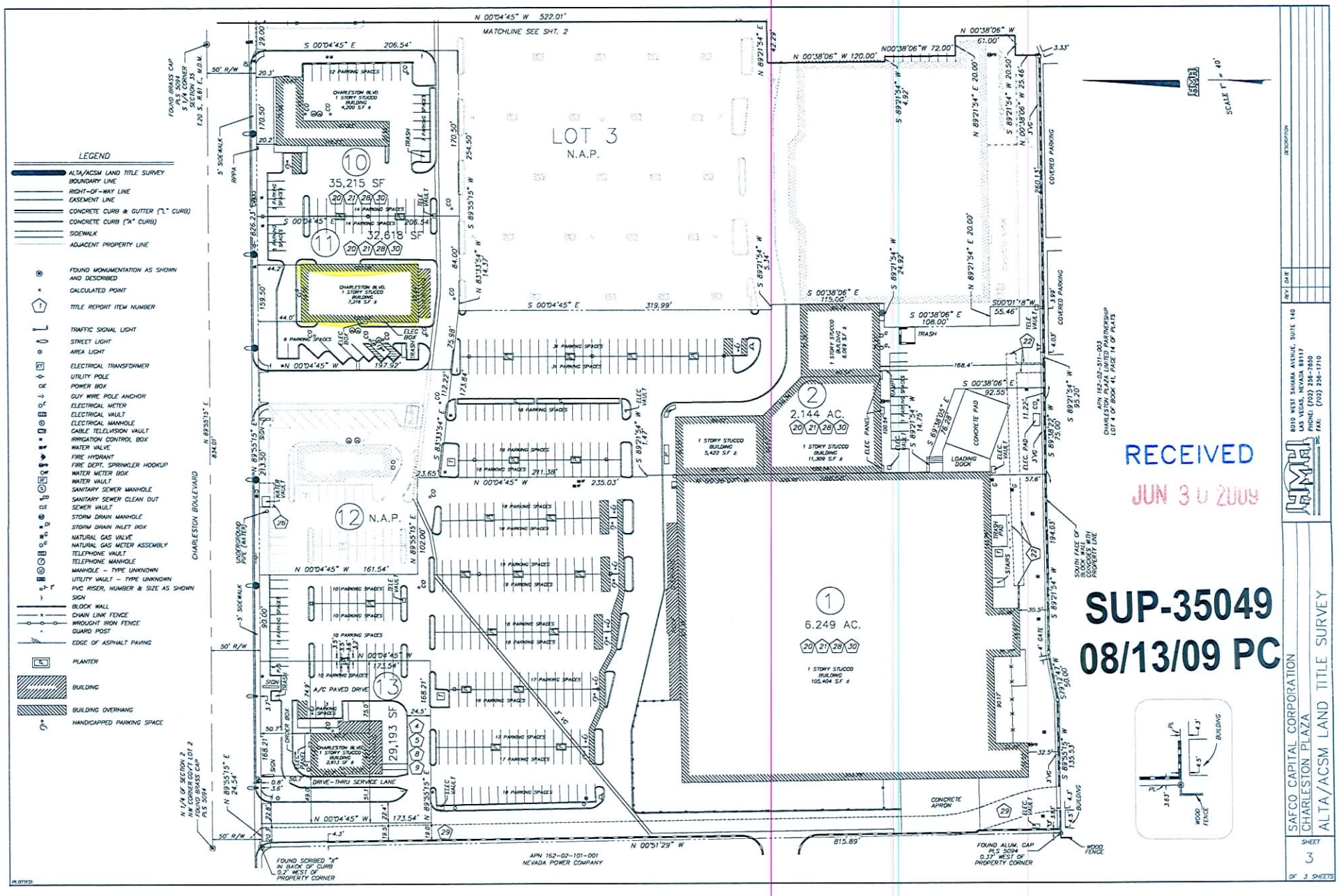
SUP-35049
08/13/09 PC

8010 WEST SAHARA AVENUE, SUITE 140
LAS VEGAS, NEVADA 89117
PHONE: (702) 255-7650
FAX: (702) 255-1710

SAFCO CAPITAL CORPORATION
CHARLESTON PLAZA
ALTA/ACSM LAND TITLE SURVEY

SHEET 2 OF 3 SHEETS

PLOTTED:


LEGEND
ALTA/ACSM LAND TITLE SURVEY BOUNDARY LINE
RIGHT-OF-WAY LINE
EASEMENT LINE
CONCRETE CURB & GUTTER ("L" CURB)
CONCRETE CURB ("A" CURB)
SIDEWALK
ADJACENT PROPERTY LINE
FOUND MONUMENTATION AS SHOWN AND DESCRIBED
CALCULATED POINT
TITLE REPORT ITEM NUMBER
TRAFFIC SIGNAL LIGHT
STREET LIGHT
AREA LIGHT
ELECTRICAL TRANSFORMER
UTILITY POLE
POWER BOX
GUY WIRE POLE ANCHOR
ELECTRICAL METER
ELECTRICAL VAULT
ELECTRICAL MANHOLE
CABLE TELEVISION VAULT
IRRIGATION CONTROL BOX
WATER VALVE
FIRE HYDRANT
FIRE DEPT. SPRINKLER HOOKUP
WATER METER BOX
WATER VAULT
SANITARY SEWER MANHOLE
SANITARY SEWER CLEAN OUT
SEWER VAULT
STORM DRAIN MANHOLE
STORM DRAIN INLET BOX
NATURAL GAS VALVE
NATURAL GAS METER ASSEMBLY
TELEPHONE VAULT
TELEPHONE MANHOLE
MANHOLE – TYPE UNKNOWN
UTILITY VAULT – TYPE UNKNOWN
PVC RISER, NUMBER & SIZE AS SHOWN
SIGN
BLOCK WALL
CHAIN LINK FENCE
WROUGHT IRON FENCE
GUARD POST
EDGE OF ASPHALT PAVING
PLANTER
BUILDING
BUILDING OVERHANG
HANDICAPPED PARKING SPACE
LOT 3
N.A.P.
10
35,215 SF
11
32,618 SF
12
N.A.P.
13
29,193 SF
1
6.249 AC.
2
2.144 AC.
CHARLESTON BOULEVARD
MATCHLINE SEE SHT. 2
APN 162-02-101-001
NEVADA POWER COMPANY
APN 162-02-511-003
CHARLESTON PLAZA LIMITED PARTNERSHIP
LOT 4 OF BOOK 41, PAGE 14 OF PLATS
RECEIVED
JUN 30 2009
SUP-35049
08/13/09 PC
SAFCO CAPITAL CORPORATION
CHARLESTON PLAZA
ALTA/ACSM LAND TITLE SURVEY
SHEET 3 OF 3 SHEETS
8010 WEST SAHARA AVENUE, SUITE 140
LAS VEGAS, NEVADA 89117
PHONE: (702) 256-7800
FAX: (702) 256-1710



SUP-35049 - APPLICANT: TUNE & LUBE PLUS - OWNER: CHARLESTON PLAZA
1752 EAST CHARLESTON BOULEVARD
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



SUP-35049 - APPLICANT: TUNE & LUBE PLUS - OWNER: CHARLESTON PLAZA
1752 EAST CHARLESTON BOULEVARD
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



SUP-35049 - APPLICANT: TUNE & LUBE PLUS - OWNER: CHARLESTON PLAZA
1752 EAST CHARLESTON BOULEVARD
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



SUP-35049 - APPLICANT: TUNE & LUBE PLUS - OWNER: CHARLESTON PLAZA
1752 EAST CHARLESTON BOULEVARD
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



SUP-35049 - APPLICANT: TUNE & LUBE PLUS - OWNER: CHARLESTON PLAZA
1752 EAST CHARLESTON BOULEVARD
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09

6/30/09

Planning Dept.

REF: SUP 35049

This letter is to get a Special use permit for 1752 E. Charleston Blv. LV. NV. 89104.

This location is to Automotive minor Repair. This Building was always for mechanic shop (more than 10 years).

Work Description:

- Tune ups
- A/C svc.
- Trans. svc.
- Balance
- Lubrication
- etc....

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JUN 30 2009

SUP-35049
08/13/09 PC

John Ryan

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 13, 2009

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

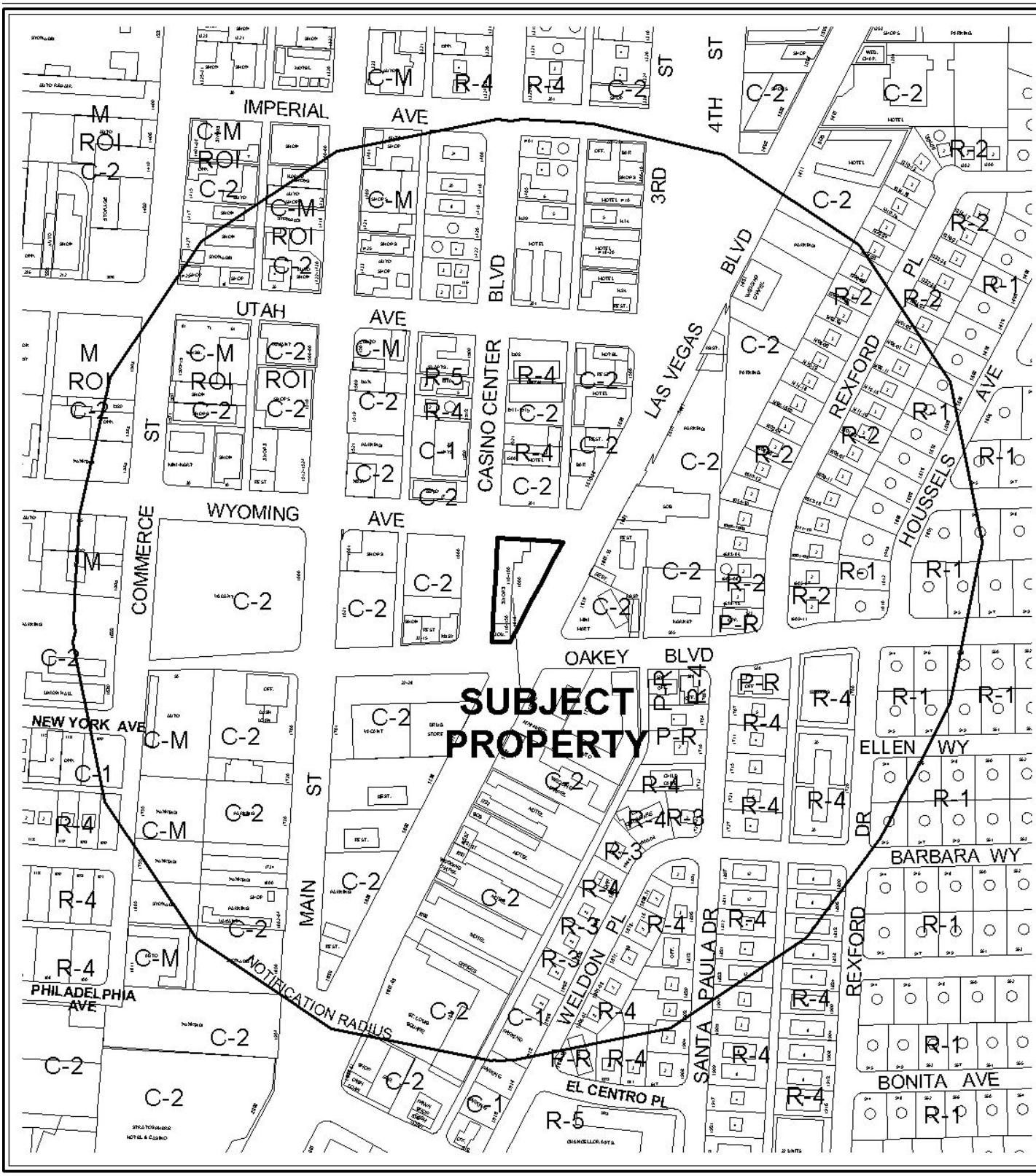
SUBJECT:
SUP-35053 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: THE COOK LIVING TRUST - Request for a Special Use Permit FOR A PROPOSED BAILBOND SERVICE at 1616 South Las Vegas Boulevard, Suite #150 (APN 162-03-210-058), C-2 (General Commercial) Zone, Ward 3 (Reese)

IF APPROVED, C.C.: 09/16/2009
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**3**	**Planning Commission Mtg.**	**1**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
DENIAL

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



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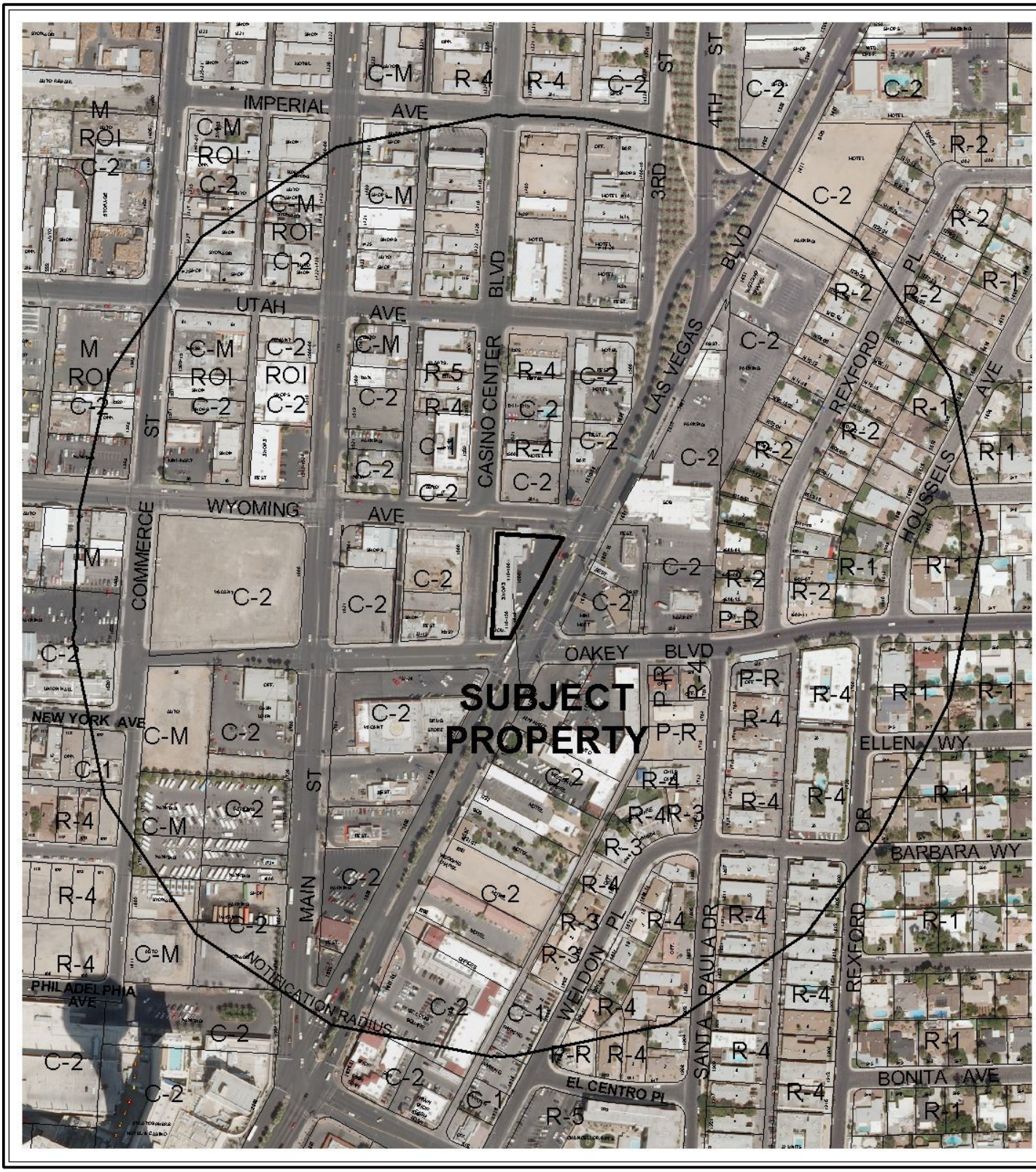
CASE: **SUP-35053**

RADIUS: 1000 FT

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

N



0 300 600 Feet

CASE: **SUP-35053**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: AUGUST 13, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-35053 - APPLICANT/OWNER: THE COOK LIVING TRUST

** CONDITIONS **

STAFF RECOMMENDATION: DENIAL.

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for a BailBond Service use.

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

AO

SUP-35053 - Staff Report Page One
August 13, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed Bailbond Service within an existing 1,200 square foot commercial space located at 1616 South Las Vegas Boulevard, Suite #150. The applicant is proposing to operate a Bailbond Service office at the subject location. Currently, the site consists of 13,822 square feet of multi-tenant spaces within a commercial center located within the Las Vegas Boulevard District of the Downtown Centennial Plan. The Las Vegas Boulevard District is the primary tourist commercial and entertainment-directed link between The Strip, Downtown and its varied Districts. The proposed Bailbond Service is not compatible or harmonious with the existing surrounding land uses or with the intended variety of uses for this district, and is located away from the courthouse facilities found in the Office Core District; therefore, staff is recommending denial of this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
10/13/97	The City Council approved a request for the Off-Premise Sale of Package Liquor (U-0075-97) in conjunction with a proposed convenience store at 1616 South Las Vegas Boulevard, Suite #150.
04/06/05	The City Council denied a request for a Special Use Permit (SUP-6004) for a proposed liquor Establishment (Off Premise Consumption) to allow full liquor sales at 1616 South Las Vegas Boulevard. The Planning Commission recommended approval while Staff recommended denial of this request.
01/23/06	The City Council approved a request for a Special Use Permit (SUP-10144) for a proposed Bailbond Service at 1616 South Las Vegas Boulevard Suite #150. The Planning Commission and Staff recommended approval of this request.
10/22/08	A deed was recorded for change of ownership.
Related Building Permits/Business Licenses	
10/23/97	A building permit (#97021532) was issued for a certificate of occupancy at 1616 South Las Vegas Boulevard, Suite #150. The permit was completed on 12/04/97.
05/24/05	A building permit (#5003551) was issued for a certificate of occupancy at 1616 South Las Vegas Boulevard Suite #150. The permit expired on 01/28/06.
08/22/06	A business license (#W01-00108) was issued for a wedding chapel at 1600 South Las Vegas Boulevard Suite #150. The license is still active.
08/22/06	A business license (#P26-00221) was issued for a party planning service at 1600 South Las Vegas Boulevard Suite #150. The license is still active.

08/22/06	A business license (#H02-01526) was issued for a handbill and oral solicitation at 1600 South Las Vegas Boulevard Suite #150. The license is still active.
08/22/06	A business license (#B23-00028) was issued for a banquet facility at 1600 South Las Vegas Boulevard Suite #150. The license is still active.
02/01/07	A building permit (#7000470) was issued for the tenant improvement for certificate of occupancy at 1616 South Las Vegas Boulevard Suite #120. The permit was completed on 02/20/07.
04/23/07	A building permit (#7001378) was issued for a non-work certificate of occupancy at 1616 South Las Vegas Boulevard Suite #150. The permit was completed on 04/26/07.
09/14/07	A business license (#B05-03024) was issued for a cosmetological establishment at 1600 South Las Vegas Boulevard Suite #110. The license is still active.
07/21/08	A business license (#M16-00111) was issued for a motion picture production company at 1616 South Las Vegas Boulevard Suite #150. The license was marked out of business on 08/27/08.
04/15/08	A business license (#S20-00514) was issued for a secondhand dealer (class IV) at 1616 South Las Vegas Boulevard Suite #140. The license is still active.
Pre-Application Meeting	
06/16/09	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for Bailbond Service were discussed. Topics included: • A parking analysis will be required; per Title 19 the on-site parking requirement for a Bailbond business is one space for each 300 square feet of gross floor area. • The applicant was asked if there will there be any signage associated with the business. If so; the signage must meet the requirements for the Scenic Byway by having signage approved via the DDRC (Downtown Design Review Committee). • Application materials, documents, meeting dates and deadlines were also discussed.
Neighborhood Meeting	
A neighborhood meeting was not required, nor was one conducted.	
Field Check	
07/09/09	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 commercial shopping plaza with mainly vacant multi-tenant spaces. • There was no landscaping on the site.

Details of Application Request	
Site Area	
Gross Acres	.56 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Multi-Tenant/ Commercial	C (Commercial)	C-2 (General Commercial)
North	Parking Lot	C (Commercial)	C-2 (General Commercial)
South	Multi-Tenant/ Commercial	C (Commercial)	C-2 (General Commercial)
East	Convenience Store /Restaurant	C (Commercial)	C-2 (General Commercial)
West	Vacant Motel/ Restaurant	C (Commercial)	C-2 (General Commercial)

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Area Plan	X		
Downtown Centennial Plan	X		Y
Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts	X		
Downtown Redevelopment Plan	X		Y
A-O Airport Overlay District	X		Y
Las Vegas Boulevard Scenic Byway Overlay District	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Parking Requirement - Downtown							
	Gross Floor Area or Number of Units	***Base Parking Requirement***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Retail	1,950 S F	1:175	12	4	35	3	Y*
Retail	1,200 S F	1:175	7				
Secondhand Dealer	1,250 S F	1:250	5				

Bailbond Service	1,200 S F	1:300	4				
General Personal Service	1,200 S F	1:per chair	4				
Retail	1,200 S F	1:175	7				
Retail	1,200 S F	1:175	7				
Retail	1,400 S F	1:175	8				
Wedding Chapel	3,272 S F	1:150	22				
SubTotal	13,822 S F		72				
TOTAL (including handicap)	13,822 S F		76		38		

***The parking requirements at this plaza were previously adequate at the time of completion, however, based on current Title 19 on-site parking requirements for the various uses, the subject site does not have ample parking; and is therefore parking impaired.

ANALYSIS

This is a request for a Special Use Permit for a Bailbond Service office within an existing 13,822 square foot multi-tenant commercial center located at 1616 South Las Vegas Boulevard. Currently, the site consists of 13,822 square feet of multi-tenant spaces within a commercial center located within the Las Vegas Boulevard District of the Downtown Centennial Plan. The Las Vegas Boulevard District is the primary tourist commercial and entertainment-directed link between The Strip, Downtown and its varied Districts. The proposed use as a Bail Bond Service requires a Special Use Permit within the C-2 (General Commercial) zone. However, the use would best be located further north closer to the proximity of the judicial facilities. Parking at the subject site was previously adequate, however, based on current Title 19 standards for onsite parking requirements per the various uses at the center the subject site is parking impaired. Currently, there are 35 regular spaces and three handicap spaces that are non-conforming because there is no code complying side access aisle for the handicap spaces. If the tenant spaces are calculated by the current Title 19 standards for on-site parking requirement there would be a need for 72 regular spaces and four handicap spaces – one of which would have to be handicap van accessible. Therefore, the proposed use is also not compatible with the design standards of the current uses within the surrounding area and staff recommends denial.

FINDINGS

The following findings must be made for a Special Use Permit:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

   The proposed Bailbond Service is not compatible or harmonious with the existing surrounding land uses or with the intended variety of uses for this district.

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

   The site is physically suitable for the type and intensity of land use proposed as this area is designated for this and other similar type uses.

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

   Access to the site is via driveways from Las Vegas Boulevard which is a 100-foot wide Primary Arterials and Wyoming which is a local secondary collector, according to the Master Plan of streets and Highways. .

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

   The proposed BailBond Service would be subject to inspections and would therefore not compromise public health and safety.

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

   The proposed use wants all applicable conditions per Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

ASSEMBLY DISTRICT 9

SENATE DISTRICT	10
NOTICES MAILED	166
APPROVALS	1
PROTESTS	3

AO

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-35053 APN: 162 03210058

Name of Property Owner: Herd Properties LLC

Name of Applicant: Shila Sheikhan

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: Kobyne Brooks

Print Name: Kobyne Brooks

Subscribed and sworn before me

This 29 day of JUNE, 2009

Notary Public in and for said County and State

STEFANIE RENNIE
NOTARY PUBLIC STATE OF NEVADA
06-103094-1
MY APPT. EXP. DEC. 8, 2009

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JUN 30 2009

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-35053** APN: 162-03-210-058

Name of Property Owner: Cook Living Trust

Name of Applicant: Shila Shaikhan

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: Nevada Cook TTEE

Print Name: Nevada Cook Trustee Cook Living TRUST

Subscribed and sworn before me

This _____ day of _____, 20____

_____

Notary Public in and for said County and State

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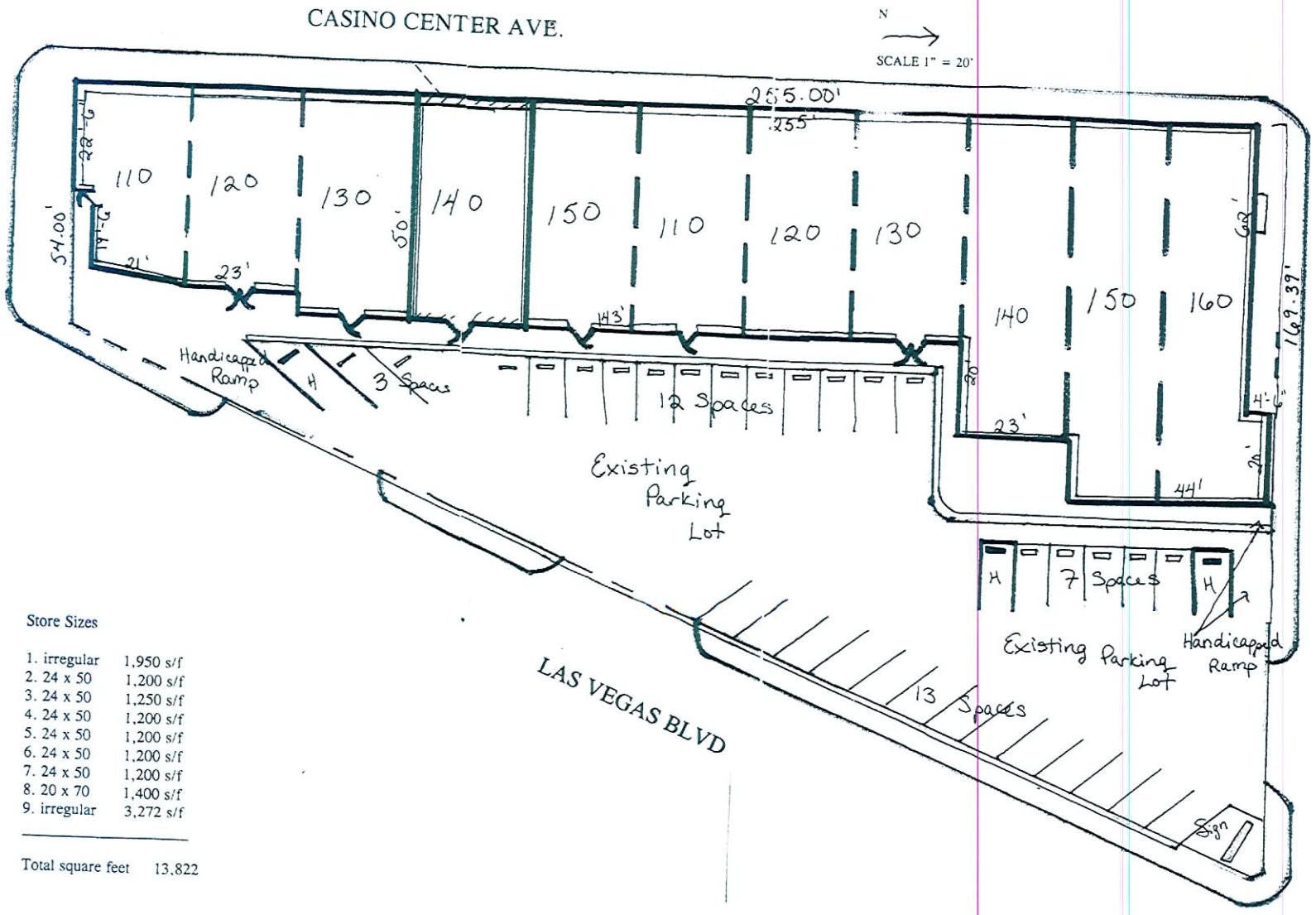
JUN 30 2009



Store Sizes

1. irregular	1,950 s/f
2. 24 x 50	1,200 s/f
3. 24 x 50	1,250 s/f
4. 24 x 50	1,200 s/f
5. 24 x 50	1,200 s/f
6. 24 x 50	1,200 s/f
7. 24 x 50	1,200 s/f
8. 20 x 70	1,400 s/f
9. irregular	3,272 s/f
Total square feet	13,822

SUP-35053
08/13/09 PC

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JUN 30 2009

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SUP-35053
08/13/09 PC



SUP-35053 - APPLICANT/OWNER: THE COOK LIVING TRUST
1616 SOUTH LAS VEGAS BOULEVARD, SUITE #150
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



SUP-35053 - APPLICANT/OWNER: THE COOK LIVING TRUST
1616 SOUTH LAS VEGAS BOULEVARD, SUITE #150
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



SUP-35053 - APPLICANT/OWNER: THE COOK LIVING TRUST
1616 SOUTH LAS VEGAS BOULEVARD, SUITE #150
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09

May 29, 2009

To: City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

From: Bail Busters c/o
Shila Sheikhan
1608 Sun Ridge Drive
Las Vegas, NV 89117

RE: 1616 S. Las Vegas Blvd. #150
Special Use Permit
Justification Letter

To whom it may concern;

I would like to request for a Special Use Permit for the above mentioned location. The property is currently zoned as the following:

C-2 General Commercial District. The C-2 District is designed to provide the broadest scope of compatible services for both the general and traveling public. This category allows retail, service, automotive, wholesale, office and other general business uses of an intense character, as well as mixed –use developments. The district should be located away from low and medium density residential development and may be used as a buffer between retail and industrial uses. The C-2 District is also appropriate along commercial corridors. The C-2 District is consistent with the General Commercial category of the General Plan.

The business that I will be conducting out of this location is that of a Bail Bonds Company. The space I intend to operate my business out of will be an office setting. I intend to keep the appearances both inside and outside appealing to the public eye. The business location will be able to blend in with the existing businesses within the area, and not appear to be an eyesore or out of character for the location.

This location is still located away from both low and medium density residential development as required. To allow for such a variance appears to be well within compatible uses according to the definitions of each zoning per the Las Vegas Zoning Codes. It has also been brought to my attention that the reference number SUP-10144 was approved by the City Council on January 18, 2006. The request for a Special Use Permit was approved for a proposed Bail Bond Service at 1616 S. Las Vegas Blvd. The Notice of Final Action was filed with the Las Vegas City Clerk on January 19, 2006. It is my understanding as well that this business owner had chosen not to continue with opening his business prior to opening at this location.

I also would like to draw attention to the fact that there are currently no other Bail Bond Companies within this area of the Strip. This leads me to believe that my business will be beneficial to the other businesses in the area due to generating additional traffic to our location.

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SUP-35053
08/13/09 PC

I do appreciate your time and careful consideration of this matter. Please feel free to contact myself with any questions or concerns.

Sincerely,

Shila Sheikhan

Shila Sheikhan
Ph 702-232-2831

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JUN 30 2009

SUP-35053
08/13/09 PC

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES

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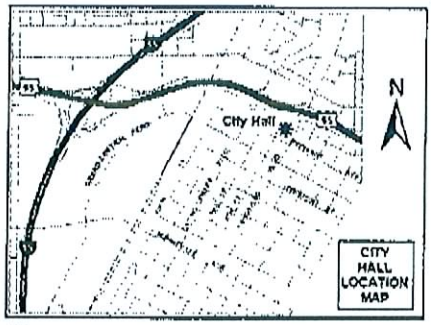
0004279218 JUL 31 2009
MAILED FROM ZIPCODE 89101

Return Service Requested
Official Notice of Public Hearing



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

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-35053

Planning Commission Meeting of 8/13/2009

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Case: SUP-35053

16203210042
NELSON FAMILY TRUST
5030 ALTA CANYADA
LA CANADA CA 91011-1735

19P

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

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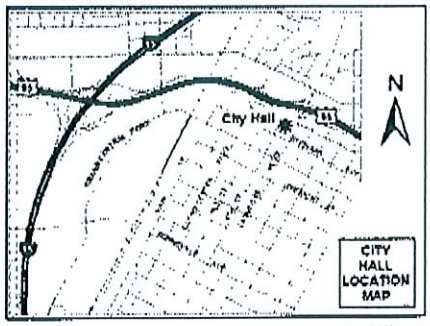
MAILED FROM ZIP CODE 89101

Return Service Requested

Official Notice of Public Hearing



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AUG 03 2009

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-35053

Planning Commission Meeting of 8/13/2009

Case: SUP-35053

16203210044
NELSON FAMILY TRUST
5030 ALTA CANYADA RD
LA CANADA CA 91011-1735

19P

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

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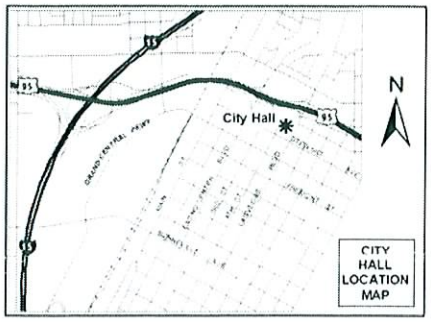
JUL 31 2009
MAILED FROM ZIP CODE 89101

RECEIVED
AUG 04 2009

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-35053
Planning Commission Meeting of 8/13/2009

Case: SUP-35053
16203213025
FULLMER ROY W & PATSY M
1611 HOUSSELS AVE
LAS VEGAS NV 89104-1434

19P

002/002

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2985

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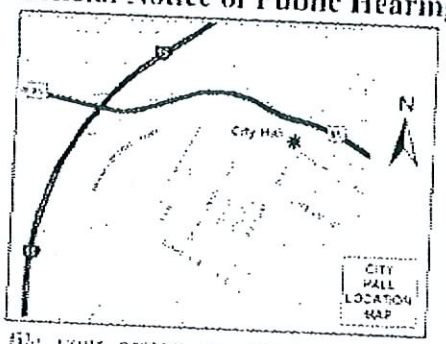
JUL 31 2009
MAILED FROM ZIPCODE 89101

Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT this Request

☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-35053

Planning Commission Meeting of 8/13/2009

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AUG 03 2009

16203311002 Case SUP-35053
BARTSAS MARY 19 L L C
681 S RANCHO DR #C23
LAS VEGAS NV 89106-4825

19A

08/03/2009 10:54 FAX 702 366 9413 BARTSAS REALTY

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 13, 2009

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

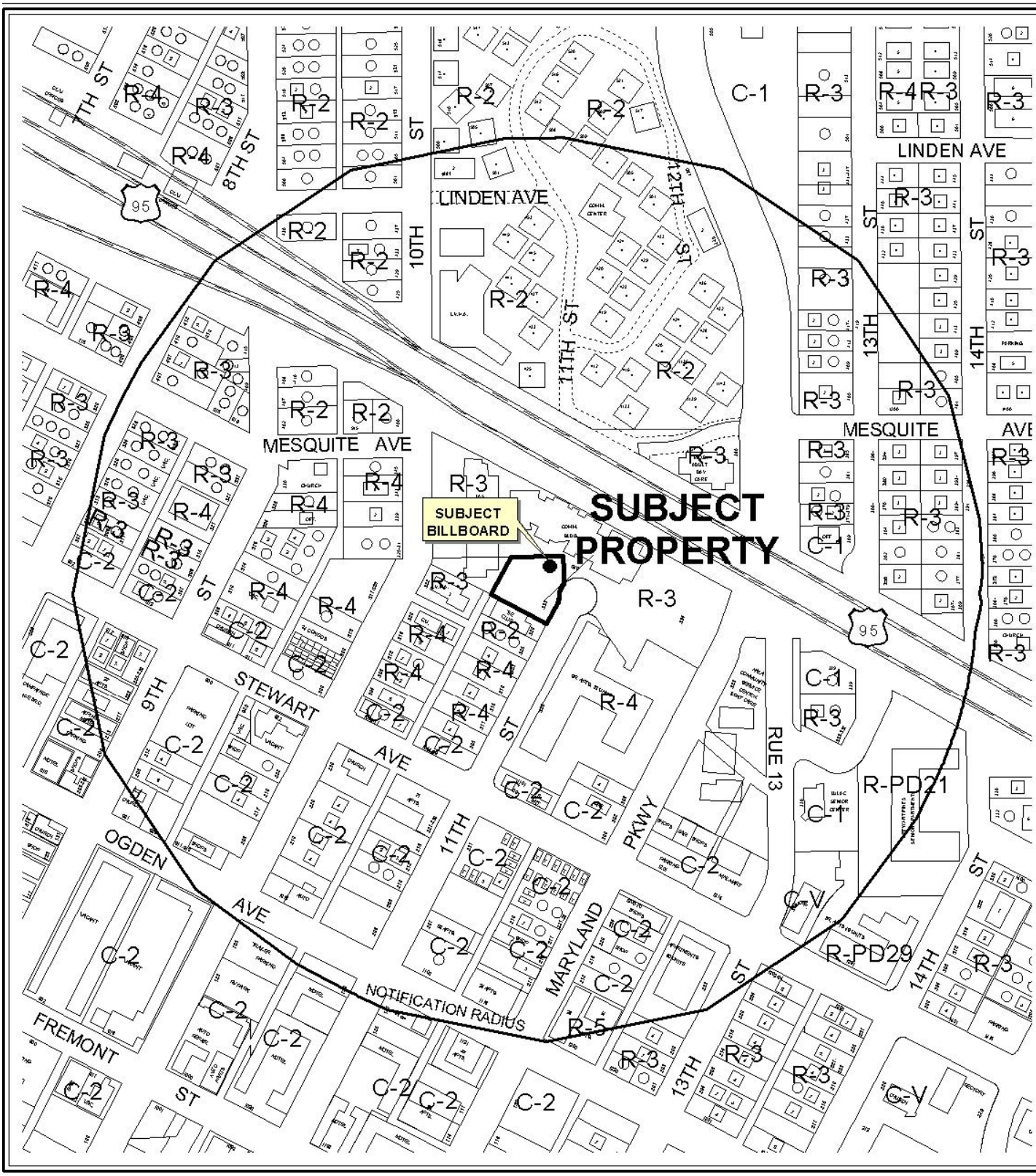
SUBJECT:
SDR-33880 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: CBS OUTDOOR - OWNER: TIE, INC - Request for a Site Development Plan Review TO REPLACE AN EXISTING OFF-PREMISE SIGN WITH AN APPROVED 85-FOOT HIGH OFF-PREMISE SIGN ON THE SAME PARCEL at 333 North 11th Street (APN 139-35-211-041), C-1 (Limited Commercial) Zone, Ward 5 (Barlow)

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

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
APPROVAL

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. City Council Action Letter for SDR-27728



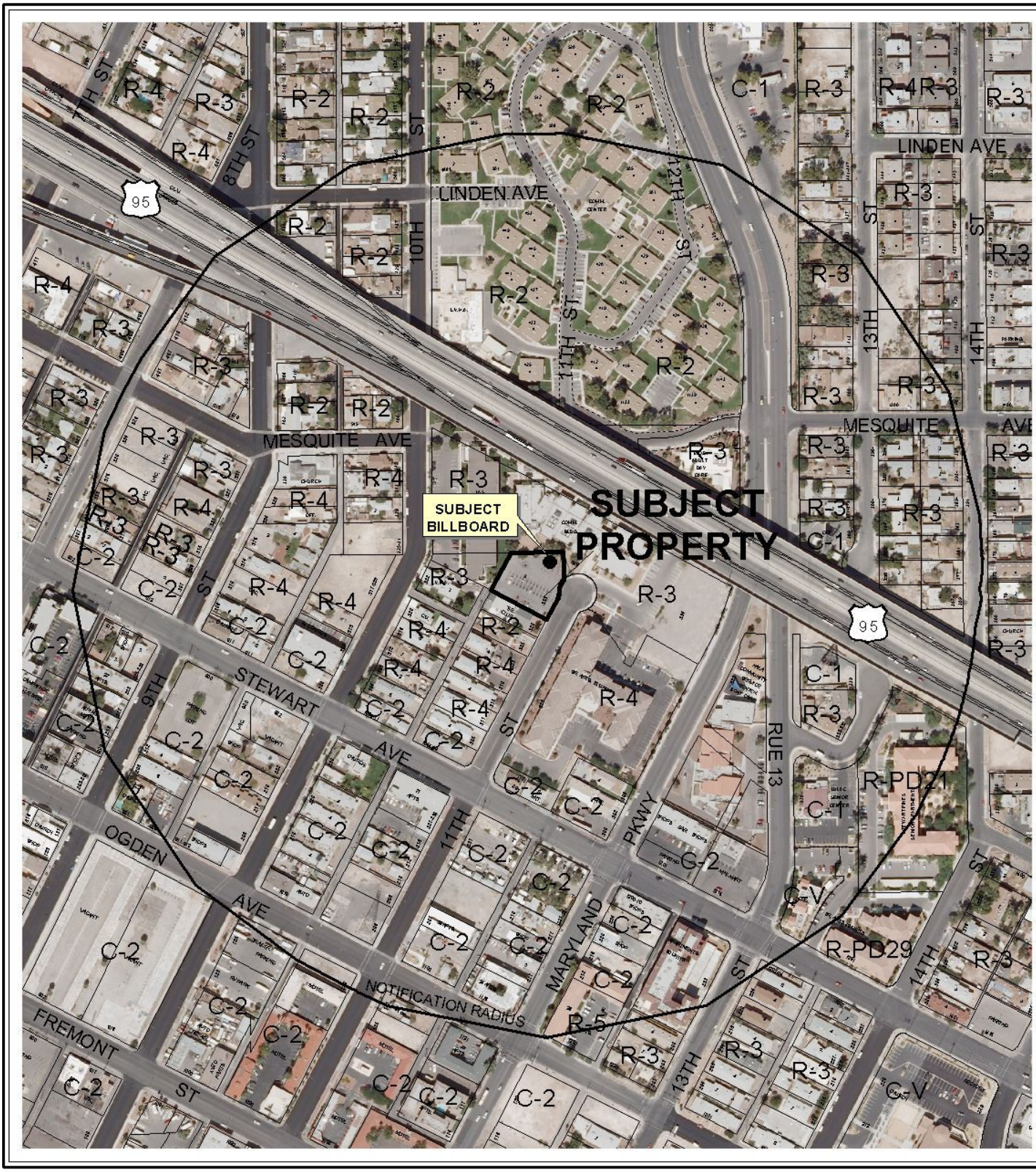
0 300 600 Feet

CASE: **SDR-33880**

RADIUS: 1000 FT

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

N



0 300 600 Feet

CASE: **SDR-33880**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: AUGUST 13, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-33880 - APPLICANT: CBS OUTDOOR - OWNER: TIE INC

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

1. Conformance to the conditions for Site Development Plan Review (SDR-27728), Rezoning (Z-0008-95) and Review of Condition [Z-0008-95(1)] if approved.

2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 06/16/09, except as amended by conditions herein.

4. The structural elements exposed to the opening at south end of the billboard shall be screened from view.

5. The Off-Premise Sign (Billboard) and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Sign (Billboard).

6. 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 (Billboard).

7. Bird deterrent devices shall be installed on the sign within 30 days of final approval by the City of Las Vegas.

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

Public Works

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

SDR-33880 - Staff Report Page One
August 13, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is proposing to replace an existing non-conforming Off-Premise sign with an approved 85-foot high Off-Premise sign on the same parcel located at 333 North 11th Street. The existing sign was approved as a part of Rezoning (Z-0008-95) in 1993 and received a final inspection approval on 06/15/95. An 85-foot sign was approved by a Site Development Plan Review (SDR-27728) to replace the existing sign due to the installation of sound walls along Highway US-95. This request would move the approved sign approximately 11 feet to the south of its current location on the same parcel to accommodate additional structural requirements for the sign. Pursuant to Title 19.14.100 Section G (4) Off-Premise Signs, this sign shall maintain any non-conforming status it had immediately before such approval. If denied, the subject billboard would not be permitted on the subject site without additional application reviews. The relocation of the sign is necessary to accommodate the additional height approved by Site Development Plan Review (SDR-27728), and will not result in any reduction of parking or landscaping on the subject site; therefore staff is recommending approval of the request.

Issues:

- Pursuant to Title 19.14.100 Section G (4) Off-Premise Signs, this sign shall maintain any non-conforming status it had immediately before such approval.
- The existing Off-Premise Advertising (Billboard) Sign received its final inspection on 06/15/95.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
1978	A deed was recorded for a change of ownership at 333 North 11th Street.
11/23/93	The City Council denied a request for a Rezoning (Z-0084-93) from the R-1 (Single Family Residential) zoning district to the C-1 (Limited Commercial) zoning district in order to convert an existing assembly hall and clubhouse for commercial uses. The Planning Commission recommended denial
04/05/95	The City Council approved a request for a reclassification of property (Z-0008-95) located at 333 North 11th Street, from the R-1 (Single Family Residence) zoning district to the C-1 (Limited Commercial) zoning district for a proposed Off-Premise Advertising (Billboard) Sign. The Planning Commission recommended denial on 03/09/95.
02/07/96	The City Council approved a request for a Review of Condition Number Five [Z-0008-95(1)] to allow lighting of an Off-Premise Advertising (Billboard) Sign where such is prohibited on property located at 333 North 11th Street.

06/18/08	The City Council approved a request for a Site Development Plan Review (SDR-27728) to raise an existing 65-foot tall Off-Premise Advertising (Billboard) Sign to a height of 85 feet on 0.51 acres at 333 North 11th Street.
Related Building Permits/Business Licenses	
04/25/95	A Building Permit (#95374729) was issued for a final electrical inspection at 333 North 11th Street. The permit was finaled on 06/15/95.
02/16/96	A Building Permit (#96003336) was issued for service to an existing billboard at 333 North 11th Street. The permit was finaled on 03/26/96.
Pre-Application Meeting	
A pre-application meeting is not required for this type of request, nor was one held.	
Neighborhood Meeting	
A neighborhood meeting is not required for this type of request, nor was one held.	
Field Check	
07/09/09	A field check was completed on the indicated date. The following items were observed by Planning and Development Department staff: • Staff noted the existing billboard and the new location it's being moved to on the same parcel. • Staff noted that there are no parking spaces affected by the location of the billboard.

Details of Application Request	
Site Area	
Net Acres	0.51 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Parking Lot	MXU (Mixed Use)	C-1 (Limited Commercial)
North	Las Vegas Housing Authority	MXU (Mixed Use)	R-3 (Medium Density Residential)
South	Social Service Provider	MXU (Mixed Use)	R-2 (Medium-Low Density Residential)
East	Las Vegas Housing Authority/Senior Apartments	MXU (Mixed Use)	R-3 (Medium Density Residential/ R-4 (Medium-High Density Residential)
West	Apartments	MXU (Mixed Use)	R-3 (Medium Density Residential

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Area Plan			
Redevelopment Plan Area	X		N/A

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts			
Live/Work Overlay District	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

Per Title 19.14.100, the following sign standards apply to the Off-Premise Sign (Billboards):

Standards	Code Requirement	Provided	Compliance
Location	No Off-Premise Advertising (Billboard) Sign may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas.	The existing sign is not located within the public right-of-way or the Off-Premise Sign Exclusionary Zone.	Y
Zoning	Off-Premise Advertising (Billboard) Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only.	C-1	Y
Area	No Off-Premise Advertising (Billboard) Signs shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	672 square feet with no embellishments shown or proposed	Y
Height	No more than 45 feet above the noise abatement improvement project from the tallest point of the improvement project to the top of the sign and no higher than 65 feet from grade at the point of construction	45 feet above the sound wall	Y
Screening	All structural elements of an Off-Premise Advertising (Billboard) Sign to which the display panels are attached shall be screened from view.	The structural elements of the sign are exposed at the southern face.	By Condition

Off-Premise Advertisement (Billboard)	At least 750 feet to another Off-Premise Sign	670 feet from Off-Premise Sign to the south	By Condition
Off-Premise Advertisement (Billboard)	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	20 feet	N*
Other	All Off-Premise Advertising (Billboard) Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Sign is permanently attached and is located on non-residential property.	Y

*Pursuant to Title 19.14.100 Section G (4) Off-Premise Signs, this sign will retain its non-conforming status, as approved by Rezoning (Z-0008-95).

ANALYSIS

The subject Off-Premise Advertising (Billboard) Sign was originally approved under Rezoning (Z-0008-95). The subject billboard was approved as Site Development Plan Review (SDR-27728) to raise the height of an existing 65-foot tall Off-Premise Advertising (Billboard) Sign to a height of 85 feet. Due to changes in the Building Code since the originally construction of the billboard, a new billboard is to be constructed on the same parcel, which replaces the existing sign. The applicant is proposing to move the sign 11 feet to the south on the same parcel, which is a parking lot. There are currently 39 parking spaces on the subject site. None of the parking spaces will be affected by the relocated billboard. Also, the applicant has maintained a 24-foot drive isle between the billboard and the parking spaces, which is adequate for vehicular movement on the subject site. The relocation of the sign is necessary to accommodate the additional height approved by Site Development Plan Review (SDR-27728), and will not result in any reduction in parking or landscaping on the subject site; therefore, staff is recommending approval of this request.

FINDINGS

The following findings must be made for an SDR:

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

Pursuant to Title 19.14.100(G)(4), the existing sign is a legal, nonconforming sign, if approved, will retain its non-conforming status.

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 sign is consistent with the MXU (Mixed-Use) General Plan Land Use category and is a permissible use in the C-1 (Limited Commercial) Zoning District with the approval of a Special Use Permit or Site Development Plan Review. However, this Off-Premise Sign (Billboard) is a legal, non-conforming use for distance separation from both residentially zoned property and other Off-Premise Signs.

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

   The existing sign is located in the rear portion of a parking lot and does not negatively impact the site access. The relocation of the sign will not impact site circulation or parking.

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

   The building materials involved in the raising of the sign are typical of the tubular-steel supported billboards found throughout the city. Staff has conditioned the approval of this review to add screening to the opening between the two billboard faces on the southern exposure.

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

   The proposed sign is appropriate in its proposed location but, the structural support on the southern end of the billboard is not properly screened. Staff has placed a condition of approval to adequately screen the open portion of the sign that faces outwards to the south.

6. **Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

   The proposed Off-Premise Sign will be subject to inspections, and will not compromise the public health, safety or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED	15
ASSEMBLY DISTRICT	9
SENATE DISTRICT	3
NOTICES MAILED	169
APPROVALS	0
PROTESTS	0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-33880** APN: 139-35-211-041

Name of Property Owner: TIE INC.

Name of Applicant: CBS Outdoor

Name of Representative: Ryan Arnold

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: Albert Lewis

Print Name: ALBERT LEWIS

Subscribed and sworn before me

This 18th day of March, 2009

Regine C Skancke

Notary Public in and for said County and State

REGINE C. SKANCKE
Notary Public State of Nevada
No. 99-51264-1
My appt. exp. Feb. 21, 2011

ZONING

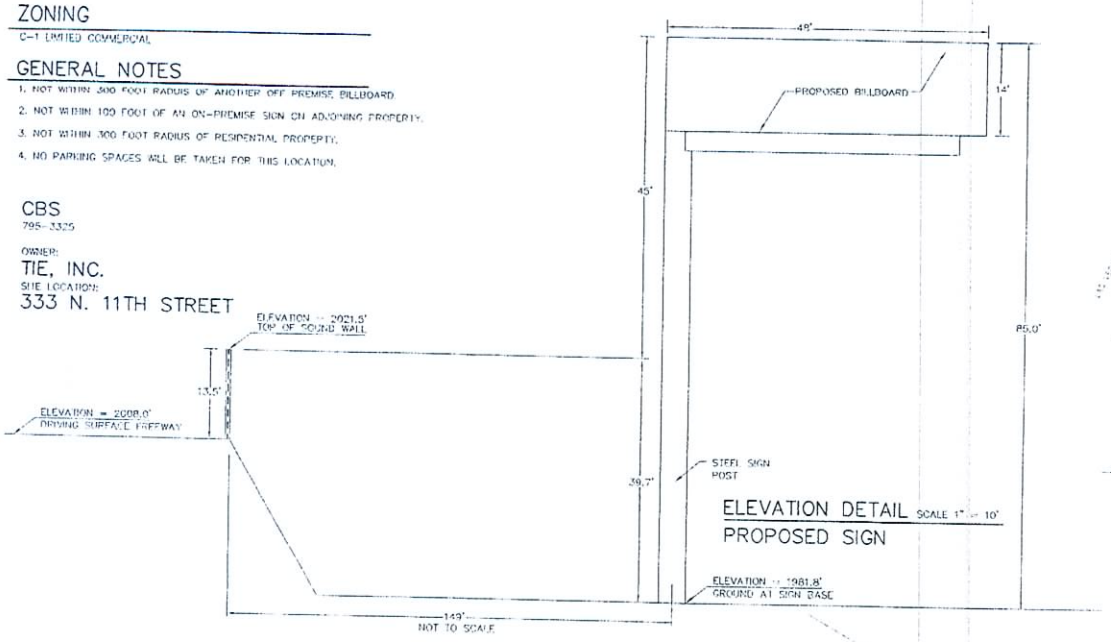
C-1 LIMITED COMMERCIAL

GENERAL NOTES

1. NOT WITHIN 300 FOOT RADIUS OF ANOTHER OFF PREMISE BILLBOARD.
2. NOT WITHIN 100 FOOT OF AN ON-PREMISE SIGN ON ADJOINING PROPERTY.
3. NOT WITHIN 300 FOOT RADIUS OF RESIDENTIAL PROPERTY.
4. NO PARKING SPACES WILL BE TAKEN FOR THIS LOCATION.

CBS
795-3325

OWNER:
TIE, INC.
SITE LOCATION:
333 N. 11TH STREET



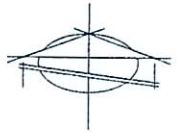
ELEVATION DETAIL SCALE 1" = 10'
PROPOSED SIGN

LEGEND

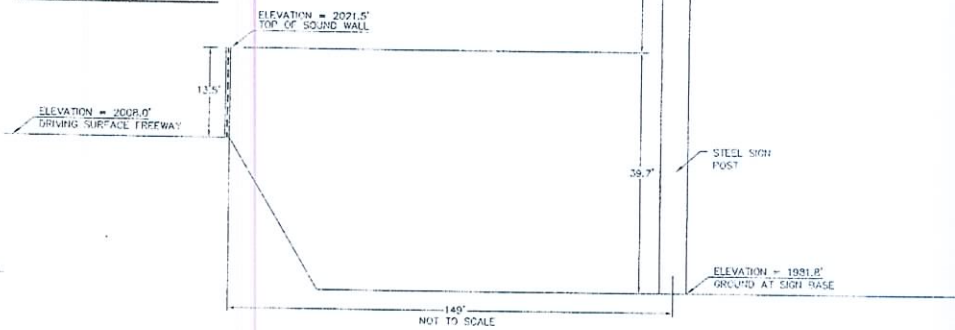
STREET CENTERLINE
PROPERTY LINE
CHAIN LINK FENCE



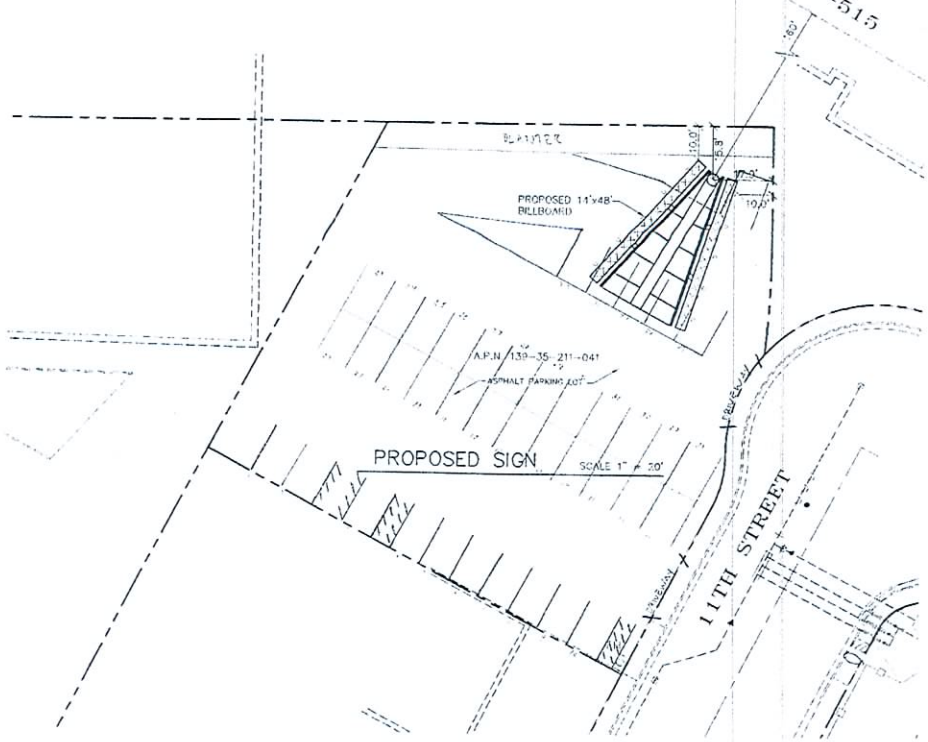
VICINITY MAP NO SCALE

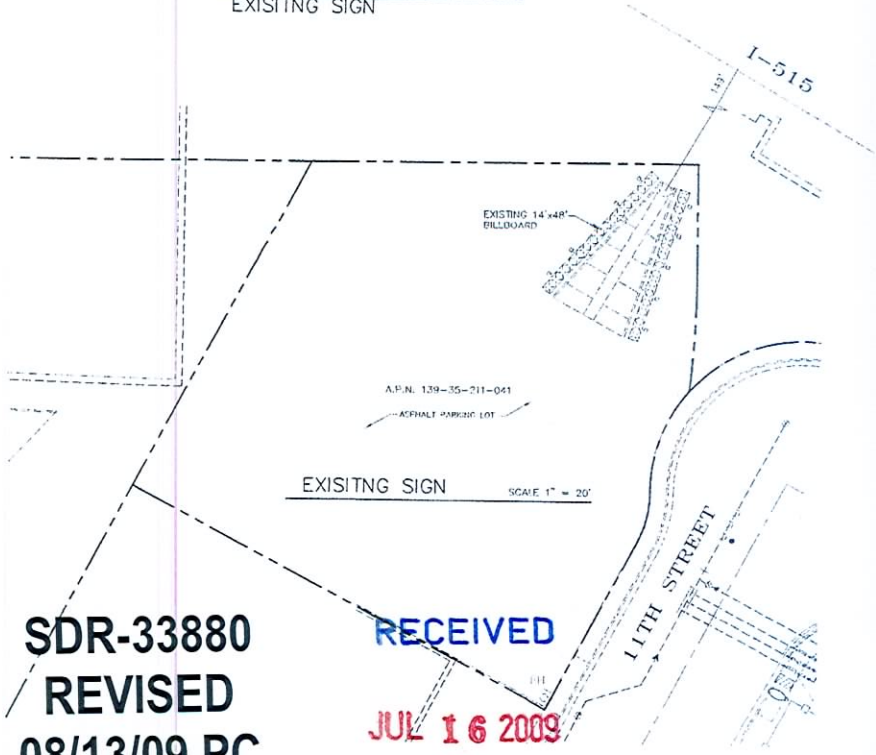


SCALE 1" = 20'



ELEVATION DETAIL SCALE 1" = 10'
EXISITNG SIGN





SDR-33880
REVISED
08/13/09 PC

RECEIVED
JUL 16 2009



SDR-33880 - APPLICANT: CBS OUTDOOR - OWNER: TIE, INC
333 NORTH 11TH STREET
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



SDR-33880 - APPLICANT: CBS OUTDOOR - OWNER: TIE, INC
333 NORTH 11TH STREET
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



SDR-33880 - APPLICANT: CBS OUTDOOR - OWNER: TIE, INC
333 NORTH 11TH STREET
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



SDR-33880 - APPLICANT: CBS OUTDOOR - OWNER: TIE, INC
333 NORTH 11TH STREET
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



SDR-33880 - APPLICANT: CBS OUTDOOR - OWNER: TIE, INC
333 NORTH 11TH STREET
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



SDR-33880 - APPLICANT: CBS OUTDOOR - OWNER: TIE, INC
333 NORTH 11TH STREET
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09

The Skancke Company

March 13, 2009

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

RE: SDR-27728

To Whom It May Concern:

On behalf of my client, CBS Outdoor, please consider this as our letter of justification to relocate our existing sign at 333 N. 11th Street eleven (11) feet to the south.

On June 18, 2008, the Las Vegas City Council approved this location for an increase in height to clear the thirteen (13) foot tall sound wall along US95. Given our sign was originally constructed in 1995, and the increase in height, the new engineering standards require a new structure. Based on Las Vegas Zoning Code 19.14.100 Subsection G, (1), (b), we are requesting the ability to reconstruct our sign eleven (11) feet to the south of the existing location through a Minor Site Development Administrative Plan Review.

If you should have any questions, please feel free to contact me at 702.870.7068.

Sincerely,

Ryan C. Arnold
Vice President

702.870.7068

2620 Regatta Drive
Suite 102
Las Vegas, Nevada 89128
Fax 702.474.4606

SDR-33880
08/13/09 PC

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW

DOUGLAS A. SELBY
CITY MANAGER

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

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

097673

June 20, 2008

TIE, Inc.
329 North 11th Street
Las Vegas, Nevada 89101

RE: SDR-27728 – SITE DEVELOPMENT PLAN REVIEW
CITY COUNCIL MEETING OF JUNE 18, 2008

Dear Applicant:

The City Council at a regular meeting held June 18, 2008 APPROVED the request for a Site Development Plan Review TO RAISE AN EXISTING 65 FOOT TALL OFF-PREMISE SIGN (BILLBOARD) TO A HEIGHT OF 85 FEET on 0.51 acres at 333 North 11th Street (APN 139-35-211-041), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on June 19, 2008. This approval is subject to:

Planning & Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0008-95) and Review of Condition [Z-0008-95(1)] shall be required.

2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the off-premise sign. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All development shall be in conformance with the site plan and sign elevations, date stamped 05/05/08, except as amended by conditions herein.

4. The Off-Premise Sign (Billboard) and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Sign (Billboard).

5. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Sign (Billboard).

6. The structural elements exposed to the 30-foot opening at south end of the billboard shall be screened from view.

SDR-33880
08/13/09 PC

7. Bird deterrent devices shall be installed on the sign within 30 days of final approval by the City of Las Vegas.

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

Sincerely,

Angela Crolli
Senior Deputy City Clerk for
Beverly K. Bridges, CMC, City Clerk

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

Mr. Shawn Paulsen
CBS Outdoor
6655 West Sahara Avenue, Suite D-110
Las Vegas, Nevada 89146

Mr. Ryan Arnold
The Skancke Company
3225-B South Rainbow Boulevard, Suite #204
Las Vegas, Nevada 89146

SDR-33880
08/13/09 PC

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 13, 2009

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

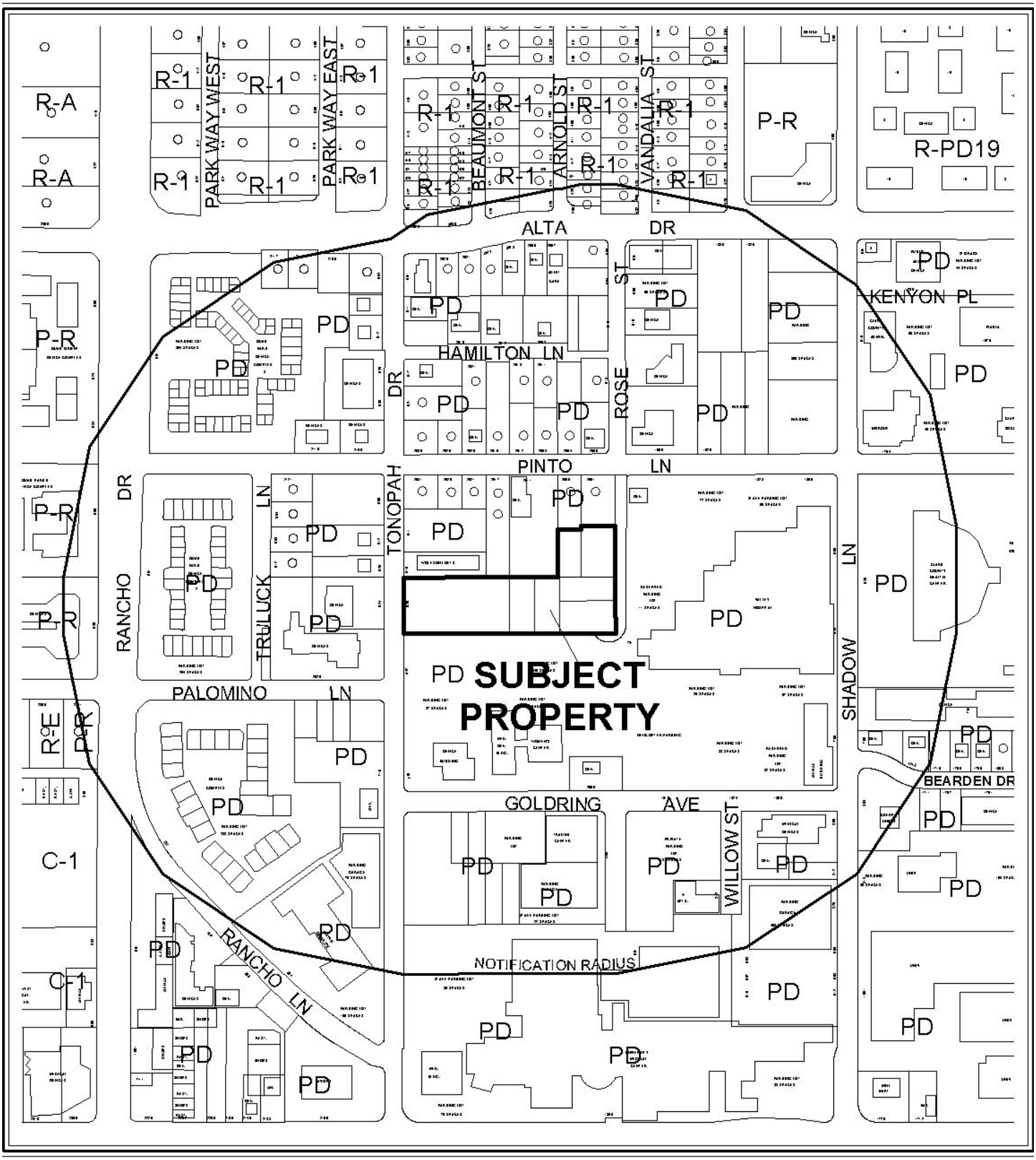
SUBJECT:
SDR-34997 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: VALLEY HEALTH SYSTEMS, LLC - Request for a Site Development Plan Review FOR A PROPOSED 248 SPACE PARKING LOT, COMMERCIAL WITH WAIVERS OF THE LAS VEGAS MEDICAL DISTRICT LANDSCAPING REQUIREMENTS TO ALLOW A THREE-FOOT LANDSCAPE BUFFER WHERE SIX FEET IS REQUIRED AND A TWO-FOOT SIX-INCH BLOCK WALL WHERE THREE FEET IS REQUIRED AND TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG THE SOUTH PROPERTY LINE WHERE EIGHT FEET IS REQUIRED on 2.42 acres on the east side of Tonopah Drive approximately 315 feet south of Pinto Lane (APN 139-33-302-026 thru 032), PD (Planned Development) Zone [MD-1 (Medical Support) Las Vegas Medical District Special Land Use Designation], Ward 5 (Barlow)

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

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

RECOMMENDATION:
APPROVAL

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



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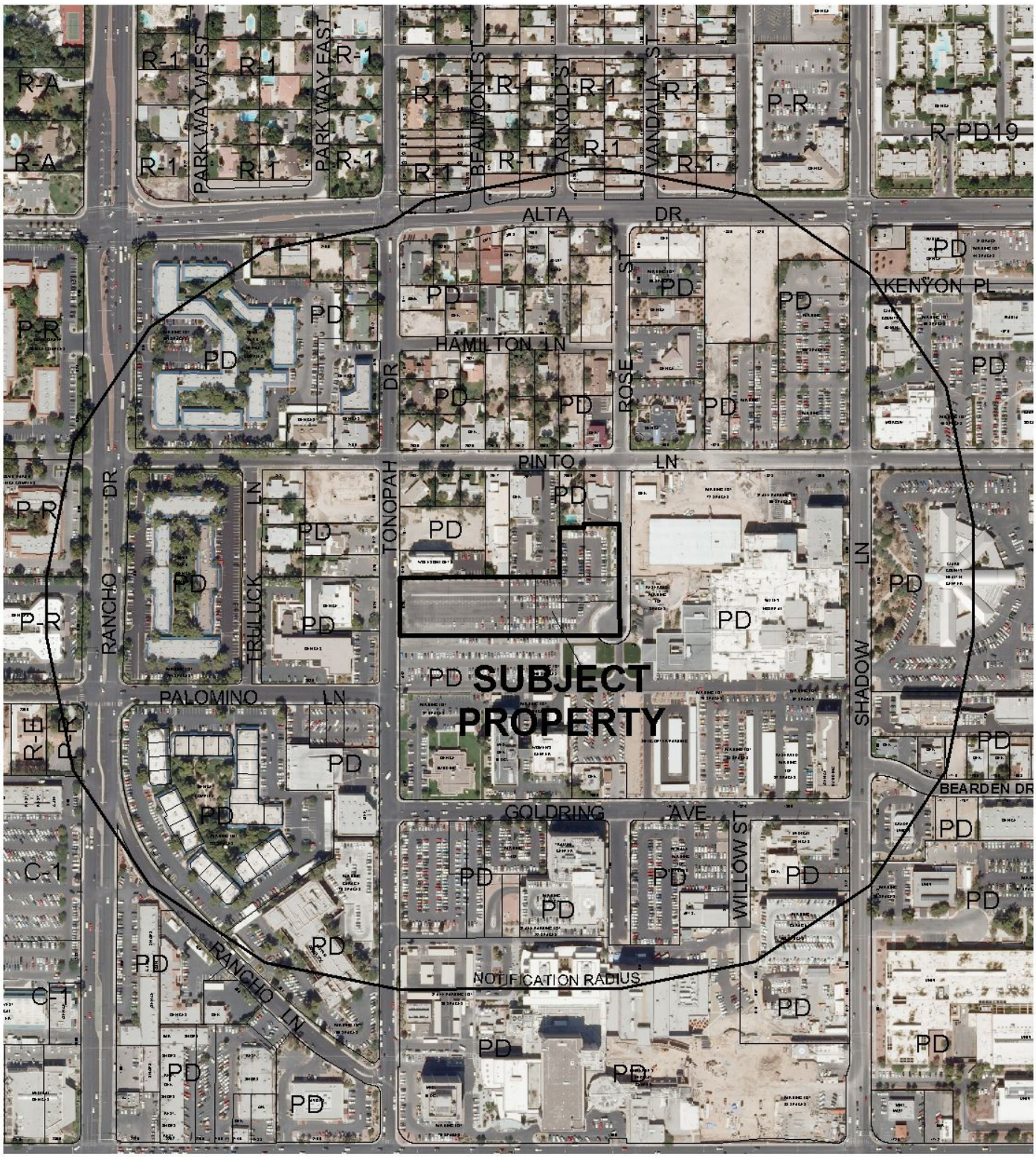
CASE: **SDR-34997**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

PD (PLANNED DEVELOPMENT) ZONE [MD-1 (MEDICAL SUPPORT) LAS VEGAS MEDICAL DISTRICT SPECIAL LAND USE DESIGNATION]

N



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CASE: **SDR-34997**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

PD (PLANNED DEVELOPMENT) ZONE [MD-1 (MEDICAL SUPPORT) LAS VEGAS MEDICAL DISTRICT SPECIAL LAND USE DESIGNATION]

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: AUGUST 13, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-34997 - APPLICANT/OWNER: VALLEY HEALTH SYSTEMS, LLC

** 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 06/25/09, except as amended by conditions herein.

3. Site Development Plan Review (SDR-3054) shall be expunged, if approved.

4. A Waiver from the Landscape Buffer requirements is hereby approved, to allow a zero-foot landscape buffer along the south property line where eight feet is the minimum required, if approved.

5. A Waiver from the Las Vegas Medical District Plan landscaping requirements is hereby approved, to allow a 2.5-foot block wall adjacent to the right-of-way where a three-foot wall is required, if approved.

6. A Waiver from the Las Vegas Medical District Plan landscaping requirements is hereby approved, to allow a three-foot landscape buffer adjacent to the right-of-way where a six-foot buffer is required, if approved.

7. An Exception from the Las Vegas Medical District Plan landscaping requirements is hereby approved, to allow 30 parking fingers where 42 are required, if approved.

8. An Exception from the Las Vegas Medical District Plan landscaping requirements is hereby approved, to allow no landscaping along the southern property line where one tree every 20 feet on-center is required, if approved.

9. 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.

10. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.

11. 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.

12. Pursuant to the Las Vegas Medical District Plan, all utilities serving new development shall be underground. Above ground utility appurtenances visible from public streets shall be screened. The existing utility boxes on-site shall be placed underground or relocated in accordance with the requirements of the Las Vegas Medical District Plan and 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 luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

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. Submit a Reversionary Map for this site or coordinate with the City Surveyor to determine an acceptable mapping method; comply with the recommendations of the City Surveyor.

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. 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.

18. No permanent structures or landscaping over 30 inches tall shall be constructed within the existing 20-foot Public Sewer Easement granted by Document #20040407:01657.

19. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

20. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

21. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-20-97 and all other applicable site-related actions.

SDR-34997 - Staff Report Page One
August 13, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is proposing to replace an existing Temporary Parking Lot with a permanent 248-space Parking Lot, Commercial use within the Las Vegas Medical District. The applicant is requesting Waivers to allow a 2.5-foot block wall adjacent to Tonopah Drive, a three-foot landscape buffer adjacent to Tonopah Drive, no landscaping along the southern property line and less than the required number of parking fingers. If denied, the continued use of the temporary parking lot would not be allowed unless the originally entitled Site Development Plan Review (SDR-3054) is extended or a new use is proposed. The Waivers are minor in nature and mitigated by the additional landscaping added as a part of the proposed Parking Lot, Commercial use; therefore staff is recommending approval of the request.

Issues

- Staff can support the proposed Parking Lot, Commercial due to the significant upgrade of landscaping on the overall site.
- Waivers are needed due to pre-existing conditions and are minor in nature.
- Waivers are mitigated by additional provided landscaping.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
05/27/97	The City Council approved a request for a Rezoning (Z-0020-97) from R-1 (Single Family Residential), R-3 (Medium Density Residential), R-4 (High Density Residential), R-5 (Apartment District), R-E (Residence Estates), P-R (Professional Office and Parking), C-1 (Limited Commercial), C-2 (General Commercial), and C-V (Civic) to PD (Planned Development) on 171 acres located between Alta Drive and Charleston Boulevard. The Planning Commission and staff recommended approval on 04/24/97.
06/19/02	The City Council approved a request for a Major Modification to the Las Vegas Medical District Neighborhood Plan [Z-0020-97(33)] to update and revise the plan, as a part of the City's General Plan for the area bounded by Alta Drive to the north, Charleston Boulevard to the south, Martin L. King Boulevard to the east, and Rancho Drive to the west. The Planning Commission and staff recommended approval on 04/11/02.
07/01/02	The Planning Commission approved a request for a Minor Site Development Plan Review [Z-0020-97(36)] to allow the reconfiguration of the parking lots within the Clark County Pinto Campus on approximately 11.6 acres generally located between Alta Drive, Shadow Lane and Desert Lane.

11/19/03	The City Council approved a request for a Site Development Plan Review (SDR-3054) and Waivers of the Medical District Standards for a proposed Temporary Parking Lot and a Waiver of internal parking lot standards on 2.42 acres adjacent to the northeast corner of Tonopah Drive and Valerie Street. The City Council approved a request for a Petition to Vacate (VAC-3057) Valerie Street, generally located east of Tonopah Drive. The Planning Commission and staff recommended approval of the requests on 10/23/03.
01/18/06	The City Council approved a request for a Special Use Permit (SUP-10124) for a Heli-pad at 620 Shadow Lane. The Planning Commission and staff recommended approval of the request.
02/04/09	The City Council approved a request for a Required Review (RQR-32084) of an approved Site Development Plan Review (SDR-3054) for a Temporary Parking Lot and a Waiver of internal parking lot standards on 2.42 acres at the northwest corner of Tonopah Drive and Valerie Street. The Planning Commission and staff recommended approval of the request.
Related Building Permits/Business Licenses	
10/20/04	A Building Permit (#4020695) was issued for site electrical for the parking lot. The permit was finaled on 10/20/04.
10/20/04	A Building Permit (#4020696) was issued for on-site improvements for a parking lot, which included a block wall. The permit was finaled on 07/28/05.
Pre-Application Meeting	
06/16/09	The following items were discussed at the pre-application meeting: • The existing 322 space Temporary Parking Lot, which was approved as Site Development Plan Review (SDR-3054). • Compliance issues with Medical District Plan requirements for a parking lot.
Neighborhood Meeting	
A neighborhood meeting is not required, nor was one held.	
Field Check	
07/09/09	A field check was completed on the indicated date. Planning and Development found the following items: • Staff identified the existing 322 space Temporary Parking Lot. • Staff identified the areas requested in need of Waivers and Exceptions.

Details of Application Request	
Site Area	
Net Acres	2.42 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Temporary Parking Lot	UMC (Las Vegas Medical District)	PD (Planned Development) [MD-1 (Medical Support) Las Vegas Medical District Land Use Designation]
North	Offices	UMC (Las Vegas Medical District)	PD (Planned Development) [MD-1 (Medical Support) Las Vegas Medical District Land Use Designation]
South	Parking Lot	UMC (Las Vegas Medical District)	PD (Planned Development) [MD-2 (Major Medical) Las Vegas Medical District Land Use Designation]
East	Hospital	UMC (Las Vegas Medical District)	PD (Planned Development) [MD-2 (Major Medical) Las Vegas Medical District Land Use Designation]
West	Condominiums	UMC (Las Vegas Medical District)	PD (Planned Development) [P-O (Professional Office) Las Vegas Medical District Land Use Designation]

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Area Plan	X		N
Las Vegas Medical District	X		N
Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
A-O Airport Overlay District	X		Y
Live/Work Overlay District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to the Las Vegas Medical District Plan and Title 19.12, the following standards apply:

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Parking Area	1 Tree/6 Spaces	42 Trees	30 Trees	N
Street Trees	1 Tree/30 Linear Feet	16 Trees	16 Trees	Y
Buffer: Min. Trees	1 Tree/20 Linear Feet	86 Trees	76 Trees	N
TOTAL		144 Trees	122 Trees	N
Min. Zone Width	6 Feet		3 Feet	N
Wall Height	3 Feet adjacent to R.O.W.		2.5 Feet	N

Pursuant to the Las Vegas Medical District Plan, the following standards apply:

Streetscape Standards	***Required***	***Provided***	***Compliance***
Tonopah Drive	10-foot wide public sidewalk with 24-inch box trees spaced 30 feet on center near the curb with tree grates; Landscape buffer area to contain 24-inch box trees spaced 20 feet on center; Street furniture shall be required as part of streetscape improvements	10-foot wide public sidewalk with 24-inch box trees spaced 30 feet on center near the curb with tree grates; Landscape buffer area to contain 24-inch box trees spaced 20 feet on center; Street furniture shall be required as part of streetscape improvements	Y

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	***Required***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Parking Lot, Commercial			0	0	241	7	
TOTAL					248		N/A

BTS

Waivers & Exceptions		
Requirement	**Request**	**Staff Recommendation**
Eight-foot landscape buffer is required along the south property line	Zero-foot landscape buffer along the south property line	Approval
Three-foot wall is required adjacent to the right-of-way	2.5-foot wall adjacent to the right-of-way	Approval
Six-foot landscape buffer is required adjacent to the right of way	Three-foot landscape buffer adjacent to the right-of-way	Approval
One tree for every six parking spaces (42 required)	To allow less than one tree for every six parking spaces (30 provided)	Approval
One tree every 20 feet on-center is required along the south property line	Zero trees provided along the south property line	Approval

ANALYSIS

The subject site consists of an existing 322-space Temporary Parking Lot, which was approved as Site Development Plan Review (SDR-3054) at the 11/19/03 City Council meeting. The existing Temporary Parking Lot was allowed pursuant to a five-year Required Review. The Required Review (RQR-32084) was approved by the City Council on 02/04/09. An additional Required Review was conditioned to occur on the 10/20/09 City Council meeting, in order to ensure that the applicant had conformed to the required landscape improvements pursuant to both Title 19 and The Las Vegas Medical District Plan requirements. The applicant is now proposing a permanent Parking Lot, Commercial use with 248 spaces and an increase in landscaping over the existing temporary lot.

The parking lot is located on seven individual parcels. A condition of approval has been added, which requires the applicant to complete a Reversionary Map, which will consolidate all existing parcels. The requested Waivers are needed due to pre-existing conditions, which inhibit conformance to minimum landscape requirements that are minor in nature. The proposed Parking Lot/Commercial use is an improvement to the existing parking lot; therefore, staff is recommending approval of the request.

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 248-space parking lot provides adequate screening and buffering, and is therefore 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 fails to meet the landscape and streetscape standards listed in the Las Vegas Medical District Plan and Title 19, but are minimal and pre-existing in nature.

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

   The proposed parking lot accesses the existing Clark County Medical Office parking lot to the south, and does not provide direct access to Kenyon Place or Desert Lane. The existing parking lot provides access to Shadow Lane and Pinto Lane, both 60-foot Local Roads, according to the Master Plan of Streets and Highways, which will provide adequate access to the site.

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

   The proposed landscape materials as conditioned; are appropriate for the area and for the City, and incorporate plant materials tolerant of the Las Vegas climate as specified in the Las Vegas Medical District Plan.

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 layout and materials used will be harmonious with other parking lots found throughout the Las Vegas Medical District and the Las Vegas Valley, and will be compatible with surrounding development.

6. **Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

   The proposed parking lot will be subject to final Building and Safety and Planning and Development inspections; therefore this development will not compromise the public, health, safety or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED	22
ASSEMBLY DISTRICT	6
SENATE DISTRICT	3
NOTICES MAILED	113
APPROVALS	0
PROTESTS	1

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-34997 APN: 139-33-302-026 THROUGH 032

Name of Property Owner: VALLEY HEALTH SYSTEMS, LLC

Name of Applicant: NED COLE, AIA

Name of Representative: NED COLE, AIA

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: Steve Filton

Print Name: Steve Filton

Subscribed and sworn before me

This 18th day of June, 2009

Christina E. O'Donnell

Notary Public in and for said County and State

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Christina E. O'Donnell, Notary Public
Upper Merion Twp., Montgomery County
My Commission Expires Oct. 6, 2010
Member, Pennsylvania Association of Notaries

RECEIVED

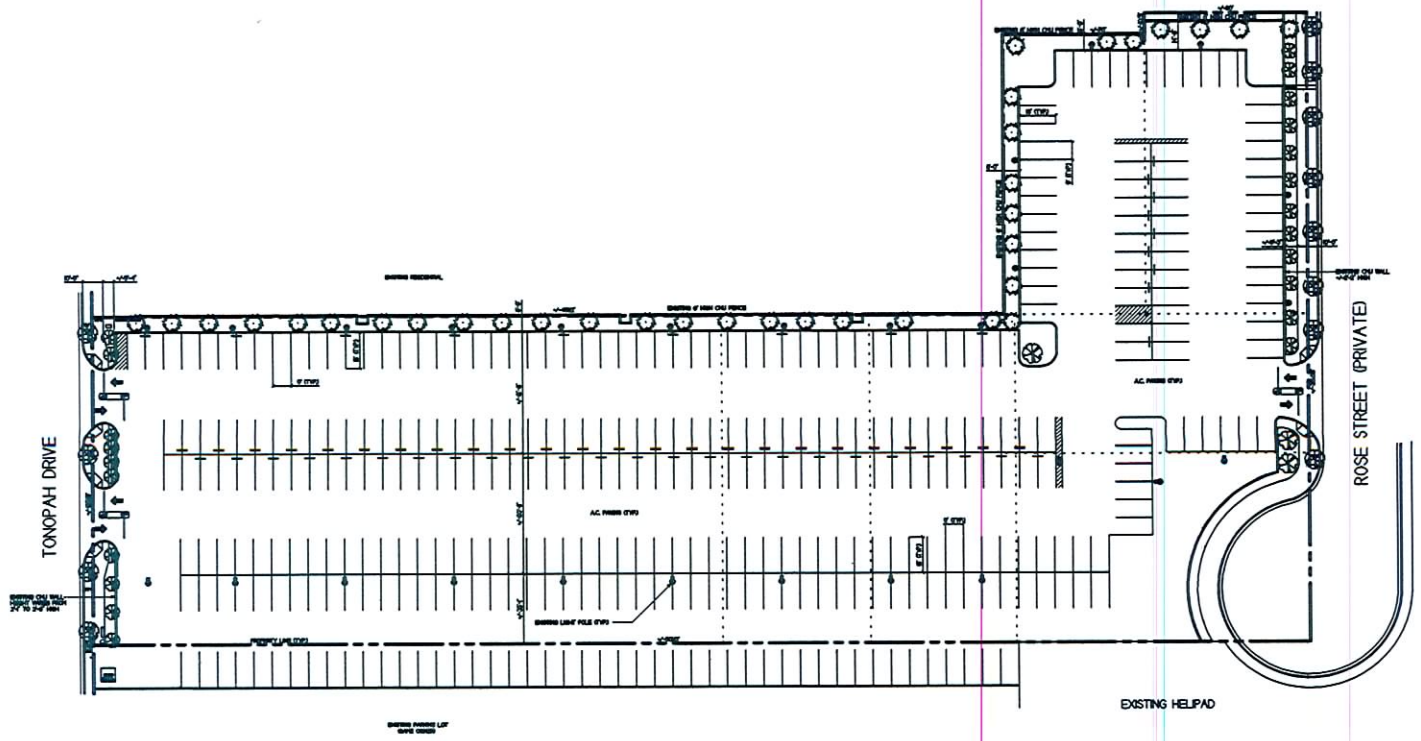
JUN 25 2009



VICINITY MAP

THIS PARKING LOT IS COMPRISED OF ASSESSOR PARCEL NUMBERS 139-33-302-026, 139-33-302-027, 139-33-302-028, 139-33-302-029, 139-33-302-030, 139-33-302-031 AND 139-33-302-032.

EXISTING PARKING - 322 SPACES



EXISTING PARKING LOT PLAN

1" = 30'

NORTH

SDR-34997
08/13/09 PC

RECEIVED
JUN 25 2009

NED COLE, A.I.A.
ARCHITECT, INC.
2801 ROSAR STREET
LAS VEGAS, NEVADA 89101
(702) 735-1833

PROJECT NAME
VALLEY HOSPITAL PARKING LOT
for AFFORDABLE CONCEPTS, INC.

SHEET TITLE
EXISTING
PARKING LOT PLAN

G:\Weds_BackupJump_Drive_Files_20090619\Projects\091011AR1.gxd -- 06/24/2009 -- 03:24 PM -- Scale 1 : 1139 13/16

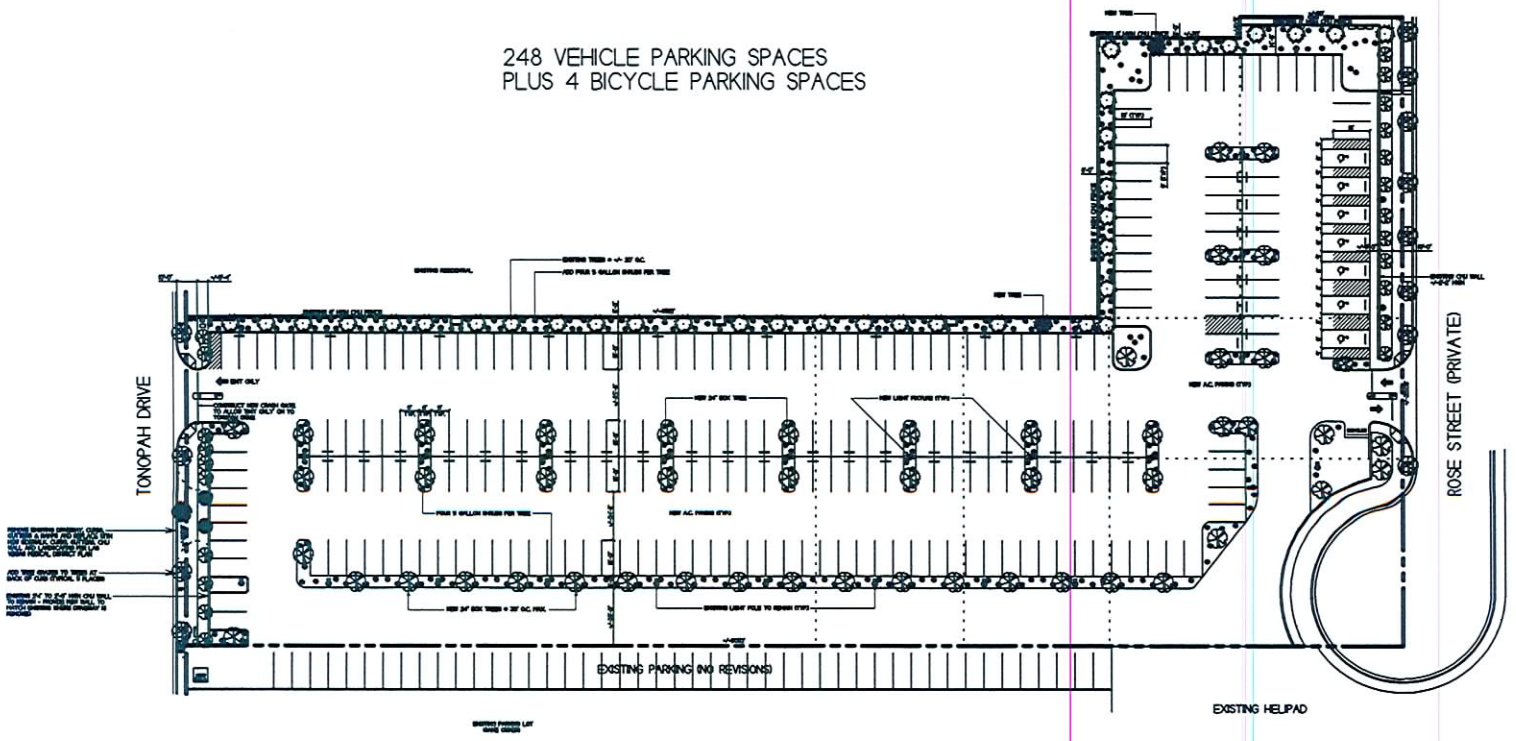
DATE 6-24-09
PROJECT # 09-10

SHEET # 1A
OF SHEETS

THIS PARKING LOT IS COMPRISED OF ASSESSOR PARCEL NUMBERS 139-33-302-026, 139-33-302-027, 139-33-302-028, 139-33-302-029, 139-33-302-030, 139-33-302-031 AND 139-33-302-032.

NOTE: THE SIX PARCELS WHICH COMPRISE THIS PARKING LOT WILL BE COMBINED TO FORM ONE LOT IN ORDER TO AVOID A MULTITUDE OF VARIANCES OR WAIVERS RELATIVE TO SETBACKS, PROPERTY LINE LANDSCAPING, ETC.

248 VEHICLE PARKING SPACES
PLUS 4 BICYCLE PARKING SPACES



PROPOSED PARKING LOT PLAN

1" = 30'

NORTH

SDR-34997
08/13/09 PC

RECEIVED
JUN 25 2009

REVISIONS

NED COLE, A.I.A.
ARCHITECT, INC.
3501 ROBAR STREET
LAS VEGAS, NEVADA 89121
Scale 1 : 1139 13/16

PROJECT NAME
VALLEY HOSPITAL PARKING LOT
for AFFORDABLE CONCEPTS, INC.

SHEET TITLE
PROPOSED
PARKING LOT PLAN
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DATE 6-24-09
PROJECT # 09-10

SHEET # 1B
OF SHEETS

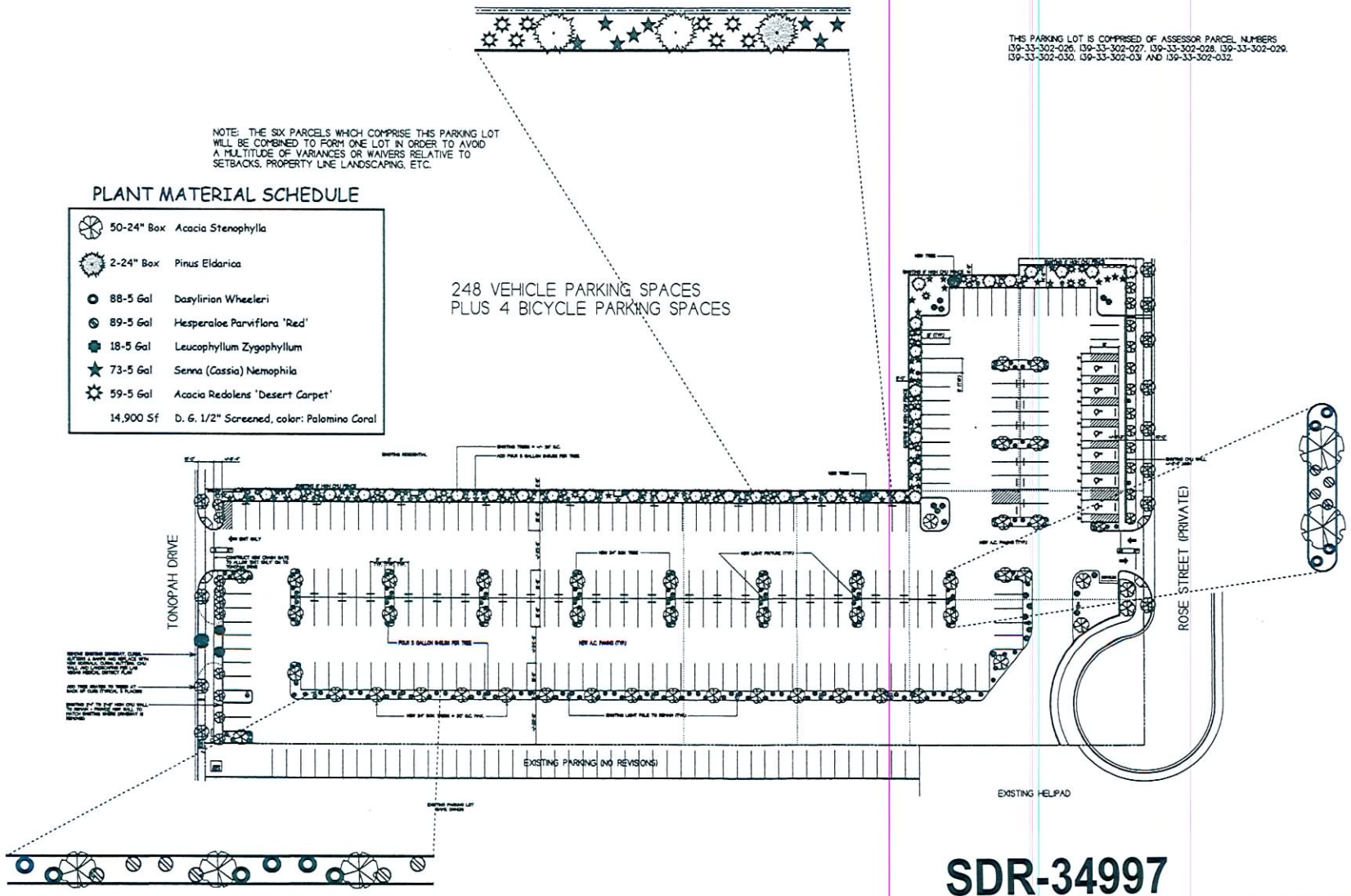
THIS PARKING LOT IS COMPRISED OF ASSESSOR PARCEL NUMBERS 139-33-302-026, 139-33-302-027, 139-33-302-028, 139-33-302-029, 139-33-302-030, 139-33-302-031 AND 139-33-302-032.

NOTE: THE SIX PARCELS WHICH COMPRISE THIS PARKING LOT WILL BE COMBINED TO FORM ONE LOT IN ORDER TO AVOID A MULTITUDE OF VARIANCES OR WAIVERS RELATIVE TO SETBACKS, PROPERTY LINE LANDSCAPING, ETC.

PLANT MATERIAL SCHEDULE

50-24" Box	Acacia Stenophylla
2-24" Box	Pinus Eldarica
88-5 Gal	Dasylirion Wheeleri
89-5 Gal	Hesperaloe Parviflora 'Red'
18-5 Gal	Leucophyllum Zygophyllum
73-5 Gal	Senna (Cassia) Nemophila
59-5 Gal	Acacia Redolens 'Desert Carpet'
14,900 Sf	D. G. 1/2" Screened, color: Palomino Coral

248 VEHICLE PARKING SPACES
PLUS 4 BICYCLE PARKING SPACES



PROPOSED PARKING LOT PLAN
1" = 30'

NORTH

SDR-34997
08/13/09 PC

RECEIVED
JUN 25 2009

LANDSCAPE PLAN

REVISIONS

NED COLE, A.I.A.
ARCHITECT, INC.
3901 ROBAR STREET
LAS VEGAS, NEVADA 89121
PH 702-736-4599 FAX 702-736-9562

PROJECT NAME
VALLEY HOSPITAL PARKING LOT
for AFFORDABLE CONCEPTS, INC.
LAS VEGAS, NEVADA

SHEET TITLE
PROPOSED
PARKING LOT PLAN

DATE
6-3-09

PROJECT #
09-10

SHEET #
1B
OF SHEETS



SDR-34997 - APPLICANT/OWNER: VALLEY HEALTH SYSTEMS, LLC
EAST SIDE OF TONOPAH DRIVE APPROXIMATELY 315 FEET SOUTH OF PINTO LANE
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



SDR-34997 - APPLICANT/OWNER: VALLEY HEALTH SYSTEMS, LLC
EAST SIDE OF TONOPAH DRIVE APPROXIMATELY 315 FEET SOUTH OF PINTO LANE
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



SDR-34997 - APPLICANT/OWNER: VALLEY HEALTH SYSTEMS, LLC
EAST SIDE OF TONOPAH DRIVE APPROXIMATELY 315 FEET SOUTH OF PINTO LANE
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09

Ned Cole, A.I.A., Architect, Inc.

3801 Robar Street Las Vegas, Nevada 89121

June 24, 2009

RECEIVED
JUL 09 2009

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

Re: Valley Hospital Parking Lot
Site Development Plan Review
Letter of Justification

This existing parking lot was originally approved by SDR-3054 as a 'Temporary Parking Lot' with the stipulation that it would be upgraded with a new SDR to become a "Permanent Parking Lot" within five years. As this deadline is approaching we intend to upgrade it to conform with Title 19 and the Las Vegas Medical District Plan. This generally means that we need to revise the parking layout to include handicapped spaces and accessibility and much more landscaping as well as adding tree rings, etc. on Tonopah Drive. After meeting with Doug Rankin, Planning Manager and with Bart Anderson of the Public Works Department, we decided to close off one of the driveways which currently accesses Tonopah Drive and to make the remaining driveway which accesses Tonopah Drive an 'exit only' driveway. Entrance to the parking lot (except for emergencies) is to be from Rose Street only. Rose Street is a private street as it has been previously vacated.

Because the adjacent parking lot to the south belongs to the same owner and is contiguous with this one, we would request that we be allowed a waiver to delete the requirement for perimeter landscaping on that property line. Without a waiver, the adjacent row of parking would be inaccessible due to grade differences. We also understand that there may be an interpretation that additional fingers of landscaping are required along the north property line which currently has an eight foot wide planter. If so, we would request a waiver of that requirement also, since we may want to consider having covered parking there in the future. One other concern is that the existing masonry screen wall along Tonopah Drive is only 2'-1" to 2'-6" high where the Medical District Plan requirement is for 3'-0" high and we would like to leave it at its current height as it may not be designed to accept the additional height and the landscaping between this screen wall and the existing sidewalk currently varies in width from 3'-0" to 5'-4" where 6' is required. We believe that all other modifications will bring us into conformance with Title 19 and the Las Vegas Medical District Plan.

We also understand that a Required Review RQR-32084 is scheduled to take place automatically on 10/21/09 for the same purpose as this SDR. We would request that, if this SDR is approved, it would take the place of that RQR-32084 and therefore, that RQR would be cancelled. Thank you for your consideration.

Sincerely,

Ned Cole

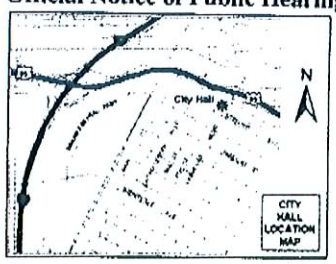
Ned Cole, A.I.A.
President

SDR-34997
08/13/09 PC
REVISED

Ph. 702-735-4530 FAX 702-735-1952

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-34997
Planning Commission Meeting of 8/13/2009

PRESORTED FIRST CLASS

UNITED STATES POSTAGE

02 1M $ 00.41⁴
0004279218 JUL 31 2009
MAILED FROM ZIPCODE 89121

The developers forgot that plants and trees help keep our air clean and produce oxygen. When it is required to create landscaping in a big city with traffic and air pollution they have to take their part to keep the city green, the air clean and the parking lot has to look nice. Let's emulate the example of Summerlin instead of asking for waivers that will turn the block into asphalt-city.

Case: SDR-33880
13934512096
DREXLER MICHAEL
750 S ROYAL CREST CIR #146
LAS VEGAS NV 89169-8319

RECEIVED
AUG 03 2009

21P

08/02/2009 17:12 7028936264 MICHAELDREXLER PAGE 01

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 13, 2009

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

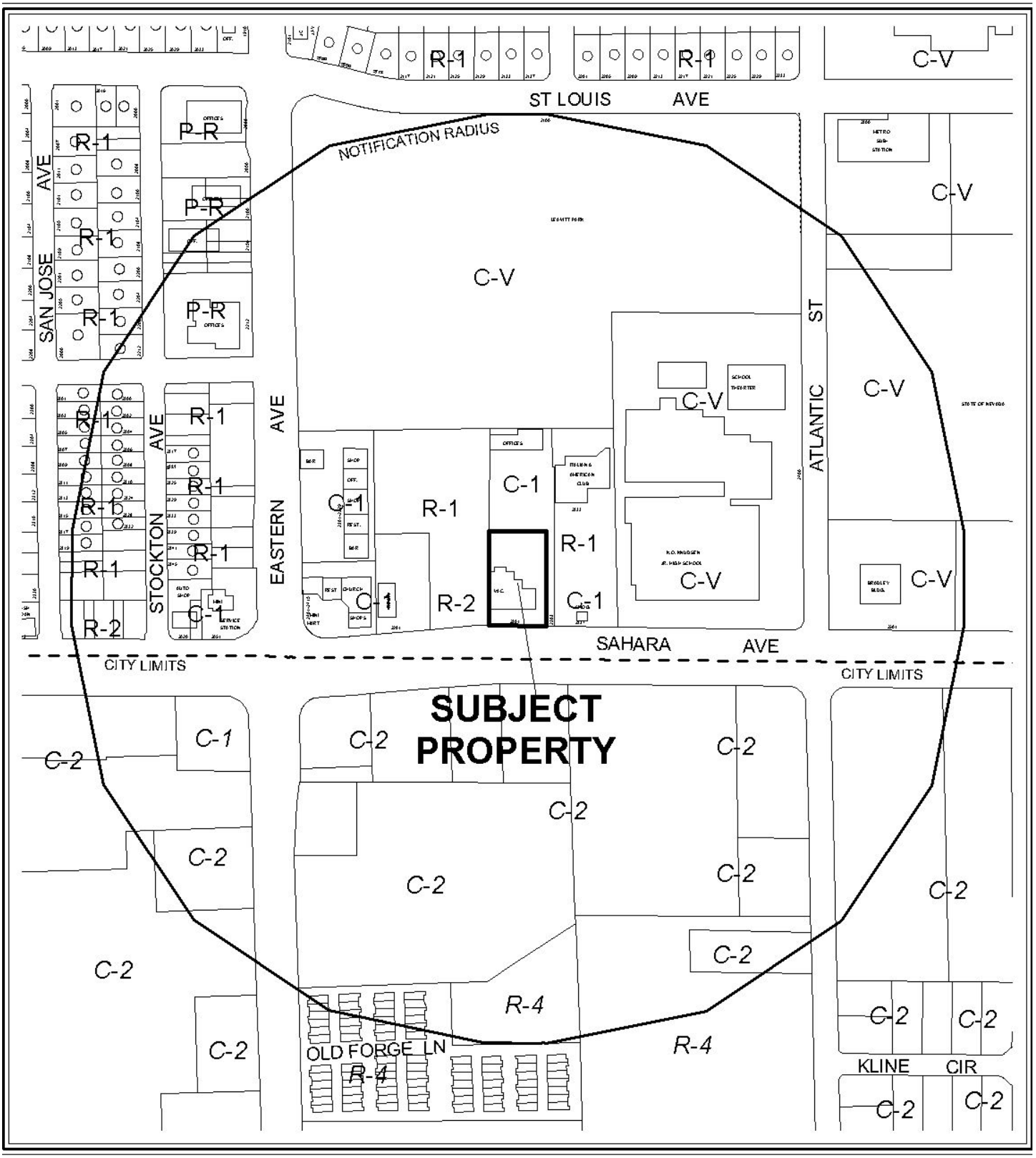
SUBJECT:
SDR-35043 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: 2301 EAST SAHARA, LLC - Request for a Site Development Plan Review FOR A PROPOSED 2,450 SQUARE-FOOT RESTAURANT WITH DRIVE-THRU WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS TO ALLOW BUFFER WIDTHS OF FIVE FEET, FOUR FEET, AND SEVEN FEET ALONG THE WEST, NORTH, AND EAST PROPERTY LINES, RESPECTIVELY, WHERE EIGHT FEET IS REQUIRED on 0.71 acres at 2301 East Sahara Avenue (APN 162-01-401-010), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

C.C.: 09/16/2009

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

RECOMMENDATION:
APPROVAL

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



0 300 600 Feet

CASE: **SDR-35043**

RADIUS: 1000 FT

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

N



0 300 600 Feet

CASE: **SDR-35043**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: AUGUST 13, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-35043 – APPLICANT/OWNER: 2301 EAST SAHARA, LLC

** 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 07/13/09, except as amended by conditions herein.

3. A Waiver from Title 19.12.040 is hereby approved, to allow landscape buffer widths of five, four, and seven feet along the west, north, and east property lines, respectively, where eight feet is required.

4. Site Development Plan Review (SDR-23545) and Variance (VAR-23547) are hereby expunged.

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 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.

7. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

10. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

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

Public Works

13. 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.

14. The driveway accessing this site from Sahara is acceptable as shown on the site plan date stamped June 29, 2009 subject to the applicant providing written documentation that the driveway is acceptable to the Nevada Department of Transportation. This documentation shall be provided with the submittal package to the Land Development section of the Department of Public Works for a deviation from Standard Drawing #222a.

15. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.

16. Provide a copy of a recorded Joint Access Agreement between this site and Assessor's Parcel Number 162-01-401-005 prior to the issuance of any permits.

17. Coordinate the design and construction of a median island, per Standard Drawing #221.1, on Sahara Avenue with the Nevada Department of Transportation to restrict left hand turns from this site concurrent with onsite development.

18. Landscape and maintain all unimproved right-of-way, if any, on Sahara Avenue adjacent to this site. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives.

19. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Sahara Avenue public right-of-way adjacent to this site.

20. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.

21. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans, the issuance of any building or grading permits or the recordation of a map for this site, whichever may occur first. Provide and improve all drainage ways as recommended.

SDR-35043 - Staff Report Page One
August 13, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review (SDR-35043) for a 2,450 square-foot Restaurant with Drive-Through on an undeveloped lot at 2301 East Sahara Avenue. The applicant is also requesting Waivers of the perimeter landscape buffer requirements to allow buffer widths of five, four, and seven feet along the west, north, and east property lines, respectively, where eight feet is required. Staff can support the landscape buffer Waivers as the request does not significantly impact the overall appearance of the site or adjacent developments. If this application is denied, the site will not be permitted to construct a restaurant with drive-through but will retain the previously approved Site Development Plan Review (SDR-23545) and Variance (VAR-23547) for a retail establishment.

Issues

- The site does not meet the minimum landscape buffer requirements as outlined by Title 19.12. The applicant is proposing buffer widths of five, four, and seven feet along the west, north, and east property lines, respectively, where eight feet is required.
- A previously approved Site Development Plan Review (SDR-23545) for a retail establishment, along with an associated Variance (VAR-23547) for parking, shall be expunged, if this request is approved.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
05/15/07	A deed was recorded for a change of ownership at 2301 East Sahara Avenue.
01/09/08	A Site Development Review (SDR-23545) was approved by City Council for a 6,170 square-foot retail establishment with Waivers of the landscape buffer requirements. Planning Commission recommended approval. Staff recommended denial.
01/09/08	A Variance (VAR-23547) was approved by City Council to allow 41 parking spaces where 63 parking spaces were required. Planning Commission recommended approval. Staff recommended denial.
Related Building Permits/Business Licenses	
07/18/08	A building permit was approved (#120240) to demolish a 5,000 square-foot office building.
Pre-Application Meeting	
06/17/09	A pre-application meeting was held on the indicated date. The applicant was advised on the requirements for the subject Site Development Plan Review. The applicant indicated that the landscape waivers approved under Site Development Review (SDR-23545) would be unchanged.

GK

Neighborhood Meeting	
A neighborhood meeting is not required, nor was one held.	
Field Check	
07/09/09	A field inspection was conducted at the site and staff noted a well maintained undeveloped lot.

Details of Application Request	
Site Area	
Net Acres	0.71

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	SC (Service Commercial)	C-1 (Limited Commercial)
North	Office	SC (Service Commercial)	C-1 (Limited Commercial)
South	Clark County (Offices)	Clark County	Clark County
East	Emission Testing Station	SC (Service Commercial)	C-1 (Limited Commercial)
West	Undeveloped	SC (Service Commercial)	R-1 (Single Family Residential), R-2 (Medium-Low Density Residential)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following development standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Width	100 Feet	138 Feet	Y
Min. Setbacks			
• Front	20 Feet	41 Feet	Y
• Side	10 Feet	59 Feet	Y
• Rear	20 Feet	87 Feet	Y

GK

Max. Lot Coverage	50%	8%	Y
Max. Building Height	N/A	25 Feet	Y
Trash Enclosure	Screened, Gated, with a Roof or Trellis	Screened, Gated, with a Roof or Trellis	Y
Mech. Equipment	Screened	Screened	Y

Pursuant to Title 19.12, the following landscape standards apply:

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Parking Area	1 Tree/ 6 Spaces	5 Trees	11 Trees	Y
Buffer: Min. Trees	1 Tree/ 30 Linear Feet	25 Trees	27 Trees	Y
TOTAL		30 Trees	38 Trees	Y
Min. Zone Width North South East West	 8 Feet 15 Feet 8 Feet 8 Feet		 4 Feet 15 Feet 7 Feet 5 Feet	 N Y N N
Wall Height	Minimum 6 feet and maximum 8 feet, adjacent to residential		6 Feet	Y

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	***Required***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Restaurant, more than 2000 sq. ft. (with Drive-Through)	2,450 SF	1:100	24	1	24	1	
TOTAL			25		25		Y
Loading Spaces			1		1		Y

GK

ANALYSIS

This is a request for a Site Development Plan Review for a 2,450 square-foot Restaurant with Drive-Through located at 2301 East Sahara Avenue, and includes 1,450 square feet of enclosed restaurant and 1,000 square feet of outside patio seating. The site meets all Title 19 requirements for parking, and provides adequate access and circulation for both pedestrians and vehicles. Building elevations also comply with Title 19.08 development standards, and utilize materials that are consistent with similar developments, and will be compatible with adjacent surrounding development.

A Waiver of Title 19.12 Landscaping Standards is required as the applicant is proposing a 15 foot landscape buffer on the south property line where 15 feet is required, a seven foot landscape buffer along the east property line where eight feet is required, a five foot landscape buffer along the west property line where eight feet is required and a four foot landscape buffer along the north property line where eight feet is required.

Staff can support the landscape buffer Waivers as the request does not significantly impact the overall appearance of the site and the adjacent developments.

FINDINGS (SDR)

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.

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 requested Waiver of perimeter landscape buffer standards.

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

   The site gains access from a 24-foot wide driveway off of Sahara Boulevard, which is classified as a 100-foot Primary Arterial by the Master Plan of Streets and Highways. This driveway provides adequate access for the development.

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

   Building materials are appropriate for the area and consistent with other commercial sites within the City. Landscape materials are appropriate in type, size and quantity for the area and for the City.

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

   The proposed building elevations depict appropriate design and architectural features that are consistent with the area and the requirements of Title 19.

6. **Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

   The proposed development will be subject to inspections for Certificate of Occupancy, and therefore the development will not compromise the public health, safety or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 6

ASSEMBLY DISTRICT 12

SENATE DISTRICT 10

NOTICES MAILED 118

APPROVALS 0

PROTESTS 1

GK

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-35043** APN: 162-01-401-010

Name of Property Owner: 2301 East Sahara LLC

Name of Applicant: John David Burke, Architect

Name of Representative: J. Dapper

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: J. Dapper

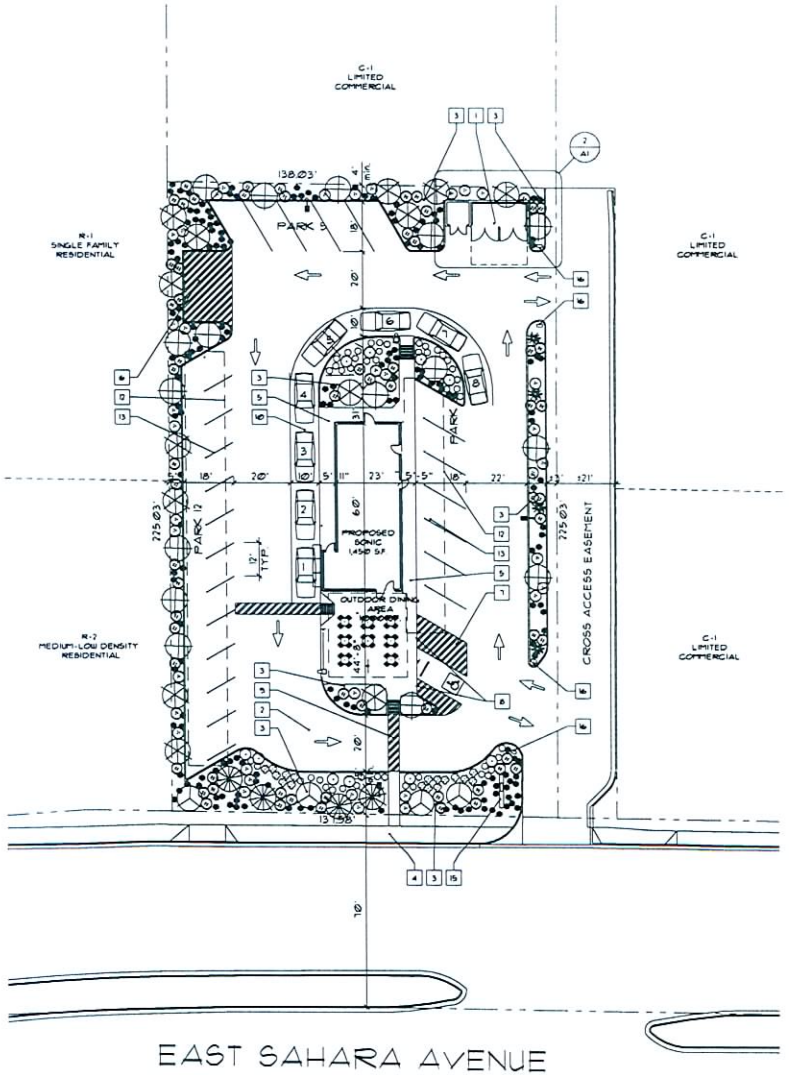
Subscribed and sworn before me

This 22nd day of June, 2009

Virginia G. Shelton

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
VIRGINIA G. SHELTON
Appt. No. 04-92987-1
My Appt. Expires Oct. 31, 2012



1 SITE/LANDSCAPE PLAN

SCALE: 1" = 20'-0"

LANDSCAPE LEGEND

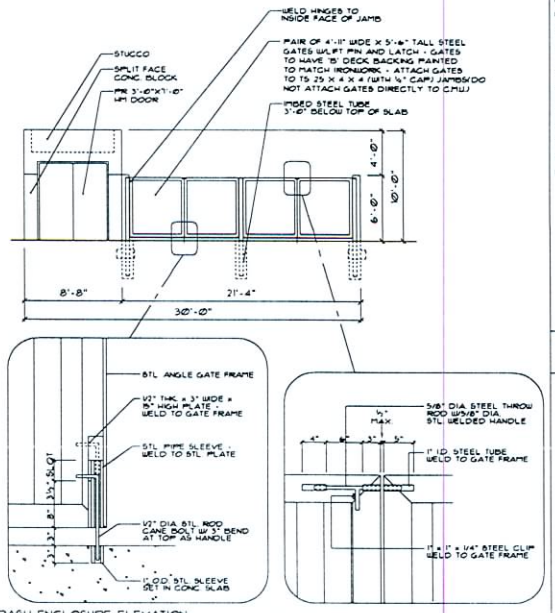
SYMBOL	QTY	LARGE TREES	TYPE	SIZE
	4	CHILEAN MESQUITE Prosopis chilensis	LARGE DECIDUOUS	24" BOX
	4	MEXICAN PALO VERDE Parkinsonia aculeata	LARGE EVERGREEN	24" BOX
	13	CALIFORNIA PEPPER Schinus Molle	MEDIUM EVERGREEN	24" BOX
	14	SHOESTRING ACACIA Acacia stenophylla	MEDIUM EVERGREEN	24" BOX
	4	MEDITERRANEAN FAN PALM Chamaerops humilus	SMALL EVERGREEN	24" BOX

SYMBOL		SHRUBS and GROUND COVER	SIZE
	63	TEXAS RANGER Leucophyllum frutescens	5 GAL
	36	FEATHERY CASSIA Cassia Artemisioides	5 GAL
	15	DESERT SPOON Dasylirion Wheeleri	5 GAL
	15	ROSEMARY Rosmarinus Officinalis	1 GAL
	48	AUSTRALIAN RACER Prostate Hyoporum	1 GAL
	185	DWARF COYOTE BRUSH Baccharis pilularis 'Twin Peaks'	1 GAL

NOTE: ALL INORGANIC LANDSCAPE GROUND COVER TO BE ¾" INDIAN RED WASHED GRAVEL

STREET FRONTAGE NOTE:
SHRUBS SHALL BE DESIGNED TO COVER MORE THAN FIFTY PERCENT OF THE LANDSCAPED AREA AND MAY BE GROUPED IF DISTRIBUTED ALONG ENTIRE STRIP
PROVIDE ROOT SHIELDS FOR ANY TREE PLANTED CLOSER THAN 5' TO THE SIDEWALK

INTERIOR PARKING NOTE:
ONE LARGE TREE MUST BE PROVIDED PER 6 PARKING SPACES



TRASH ENCLOSURE ELEVATION

2 DETAIL

NO SCALE

KEYNOTES

#	description
1	6'-0" HIGH CONCRETE BLOCK TRASH ENCLOSURE WITH PAIR OF IRON GATES WITH 15" DECK BACKING, STEEL TRELLIS AND LIFT PIN LOCK/LATCH - SEE SHEETS S12 + S13
2	A.C. PAVING
3	LANDSCAPED AREA - BY OTHERS
4	CONCRETE SIDEWALK, CURB + GUTTER AS PER CITY OF LAS VEGAS
5	4" CONCRETE SIDEWALK W/ROCKSALT FINISH
6	15'x25' LOADING ZONE - PAINTED STRIPES
7	HANDICAP ACCESS AISLE
8	ZERO FACE CURB - SEE DRAWINGS BY CIVIL ENGINEER
9	HANDICAP ACCESSIBLE ROUTE
10	DRIVE THRU
11	NEW RETAINING WALL W/ +42" GUARDRAIL ON TOP
12	LINE OF CANOPY ABOVE
13	PARKING CANOPY COLUMN + MENU BOARD
14	NOT USED
15	14'-0" X 8'-0" PYLON SIGN. 35'-0" MAX HEIGHT (BY OTHERS)
16	3'-4" X 1'-8" ENTER/EXIT SIGN. 3'-8" MAX HEIGHT (BY OTHERS)

PROJECT DATA

REQUIRED ZONING:	C1
EXISTING ZONING:	C1
BUILDING AREA:	1,450 SF
SITE ACREAGE:	31,090 SF ± .71 AC
BUILDING COVERAGE:	4.6%
APN#:	162-01-401-010

USE	AREA	FACTOR	CALCULATION	PARKING REQUIRED	PARKING PROVIDED
DRIVE-THRU RESTAURANT	1,450 SF				
OUTDOOR DINING AREA	1,000 SF				
TOTALS	2,450 SF	1/100 GFA	2,450 SF/100= 25 SPACES	25 SPACES	25 SPACES

PARKING REQUIREMENTS (City of Las Vegas)

6 CAR STACKING SPACE FOR EA. DRIVE THRU

HANDICAP SPACE ONE SPACE FOR 1-25 STANDARD SPACES

LOCATION



SDR-35043
REVISED
08/13/09 PC

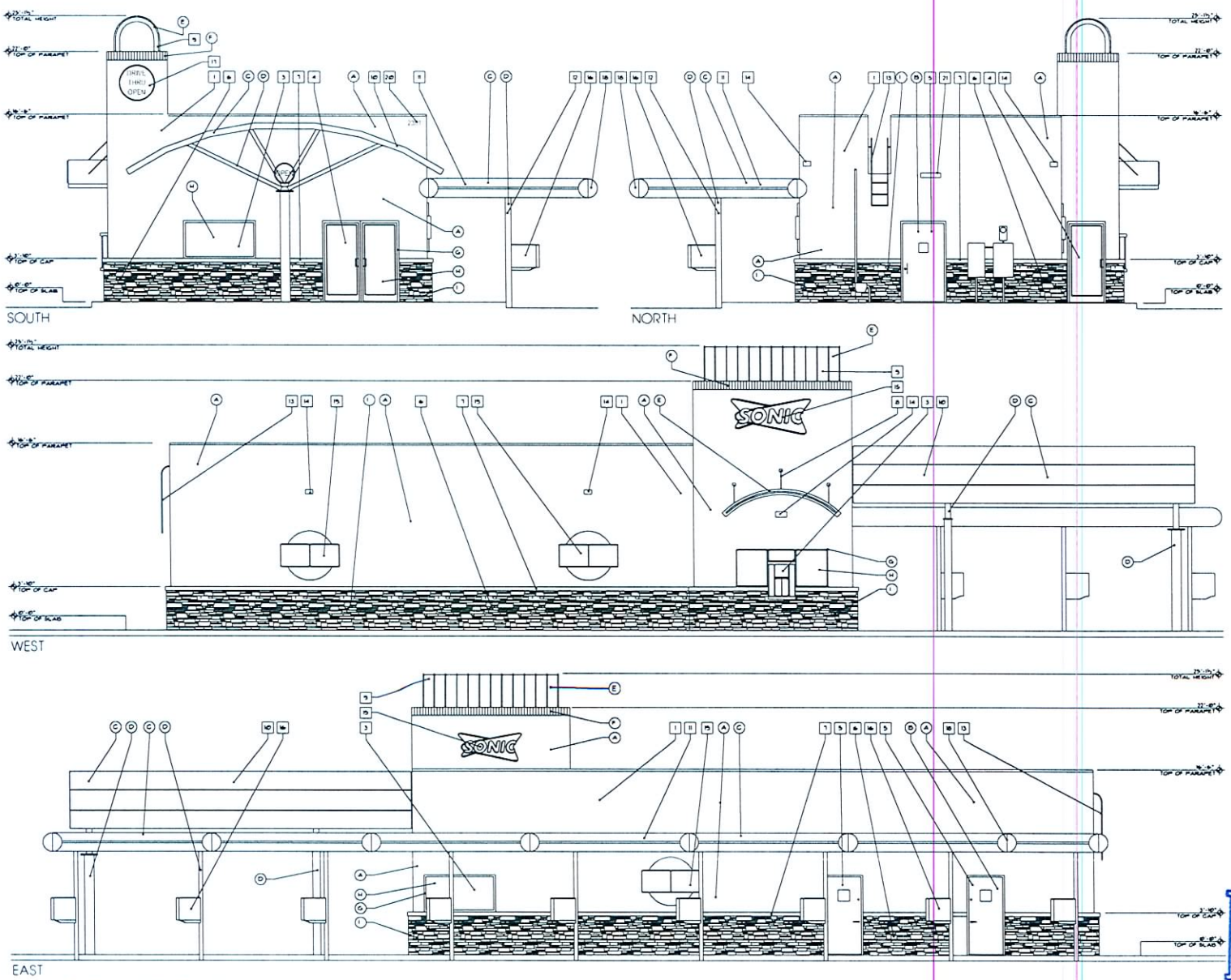
john
david
burke. architect
3411 W. OQUENDO ROAD • LAS VEGAS, NV 89118 • (702) 876-4863

SONIC DRIVE-IN
2301 East Sahara
for: J.D. Merritt
City of Las Vegas Nevada

revisions

date	3/3/09
proj. no.	0855.3
drwn. by	
chkd. by	

sheet no. A1



1 ELEVATIONS

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

KEYNOTES

#	description
1	STUCCO
2	STUCCO CONTROL JOINT W/ 1/2" WIDE GROOVE
3	STOREFRONT WINDOW
4	STOREFRONT DOOR
5	H.M. DOOR
6	STONE VENEER WAINSCOAT
7	4" STONE CAP TO MATCH WAINSCOAT
8	ARCHED DRIVE-THRU CANOPY
9	ARCHED DRIVE-THRU TOWER CAP
10	ARCHED FABRIC CANOPY ON STEEL STRUCTURE
11	PARKING CANOPY
12	STALL CANOPY COLUMN
13	ROOF LADDER W/ SECURITY GATE
14	LIGHT FIXTURE
15	BACK-LIT SIGN BY OWNER
16	INDIVIDUAL MENU BOARDS AT EACH PARKING STATION
17	ROUND LED DRIVE-THRU SIGN
18	LED "STALL STAR"
19	POSTER DISPLAY BOARD
20	6" HIGH ADDRESS LETTERS
21	OVERFLOW SCUPPER

COLOR LEGEND

A	STUCCO FIELD SHERWIN WILLIAMS, SW6352 - "SOFT ARPICOT"
B	EXTERIOR DOORS & FRAMES, COPING & METAL TRIM SHERWIN WILLIAMS, SW7025 - "BACKDROP"
C	CANOPY BEAMS, PERLINS & PANELS SHERWIN WILLIAMS, SW8588 11 - "BRITE WHITE"
D	CANOPY COLUMNS, PATIO CANOPY TRUSSES & BEAMS SHERWIN WILLIAMS, SW6447 - "EVERGREENS"
E	ARCHED DRIVE THROUGH TOWER CAP & CANOPY SHERWIN WILLIAMS, SW6509 - "LEMON TWIST"
F	FASCIA CAP NICOLS ALUMINUM, SILVER METALLIC, DEV 5010
G	STOREFRONT FRAMES AB-4 BRONZE
H	GLAZING [illegible] SOLARCOOL BRONZE
I	CULTURED STONE VENEER CORONADO HONEY LEDGE - "GOLDEN HARVEST"

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JUN 29 2009

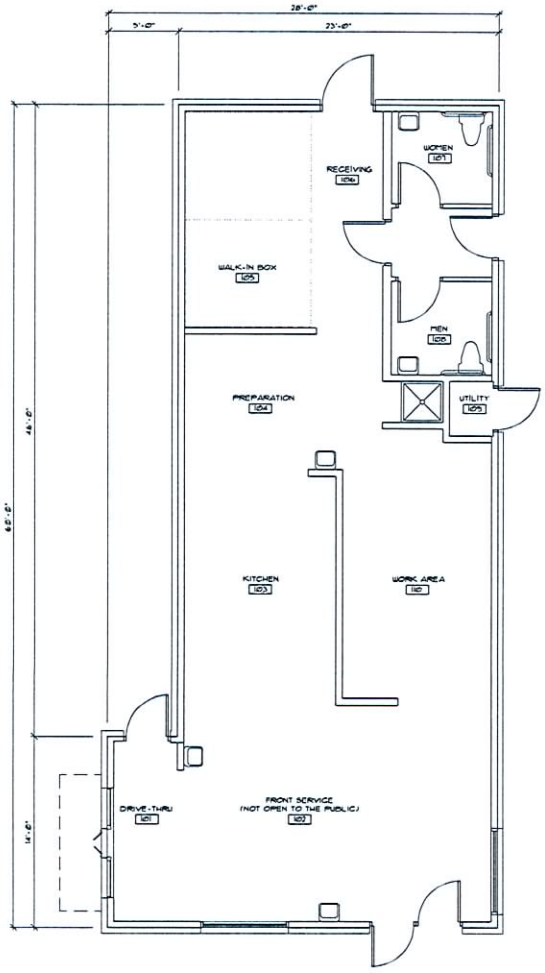
revisions

John David Burke, architect
3471 W. OQUENDO ROAD #301 LAS VEGAS, NV. 89118 (702)876-4863

SONIC DRIVE-IN
2301 East Sahara
for: J.D. Merritt
City of las Vegas Nevada

date	6/26/09
proj. no.	2009-11
drwn. by	
chkd. by	
sheet no.	A2

SDR-35043
08/13/09 PC



1 FLOOR PLAN

SCALE: ¼" = 1'-0"

BUILDING TYPE IIX = 1,450 S.F.

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SDR-35043
08/13/09 PC

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john dauid burke, architect
3471 W. OQUENDO ROAD #301 LAS VEGAS, NV. 89118 (702)876-4863

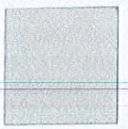
SONIC DRIVE-IN
2301 East Sahara
for: J.D. Merritt
City of las Vegas Nevada

date	6/15/09
proj. no.	2009-1
drwn. by	
chkd. by	

sheet no. A3

COLOR/MATERIALS BOARD









(A)	SHERWIN WILLIAMS SW 6352 SOFT APRICOT	STUCCO FIELD
(B)	SHERWIN WILLIAMS SW 7025 BACKDROP	EXTERIOR DOORS & FRAMES, COPING & METAL TRIM
(C)	SHERWIN WILLIAMS SW SW6588 BRITE WHITE	CANOPY BEAMS, PURLINS & PANELS
(D)	SHERWIN WILLIAMS SW 6447 EVERGREENS	CANOPY COLUMNS, PATIO CANOPY TRUSSES & BEAMS
(E)	SHERWIN WILLIAMS SW 6908 LEMON TWIST	ARCHED DRIVE-THRU TOWER CAP/CANOPY
(F)	NICOLS ALUMINUM SILVER METALLIC	FASCIA
(G)	AB-4 BRONZE	STOREFRONT FRAMES
(H)	PPG - SOLARCOOL BRONZE REFLECTIVE	GLAZING
(I)	CORONADO HONEY LEDGE GOLDEN HARVEST	CULTURED STONE VENEER









APPROVED BY: _____

DATE: _____

SONIC DRIVE-IN
2301 East Sahara
for: J.D. Merritt
City of las Vegas Nevada

John David Burke, Architect
341 WEST COLBROOK RD. NO. LAS VEGAS, NV 89 8 - 702 616-4663

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08/13/09 PC

SDR 35043				
Jay Dapper				
2301 E. Sahara Ave.				
Proposed 2.45 thousand square foot restaurant with drive-thru.				
Traffic produced by proposed development:				
Previous Approval	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	FAST-FOOD NO INDOOR SEAT-COFFEE [1000 SF]	1.7	1,400.00	2,380
AM Peak Hour			260.00	442
PM Peak Hour			60.00	102
(heaviest 60 minutes)				
Average Daily Traffic (ADT)	SHOPPING CENTER [1000 SF]	2.07	42.94	89
AM Peak Hour			1.03	2
PM Peak Hour			3.75	8
(heaviest 60 minutes)				
Average Daily Traffic (ADT)	HIGH-TURNOVER (SIT-DWN) RESTRNT [1000 SF]	2.4	127.15	305
AM Peak Hour			11.52	28
PM Peak Hour			10.92	26
(heaviest 60 minutes)				
New Proposal	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	FAST-FOOD W/ DRIVE THRU [1000 SF]	2.45	496.12	1,215
AM Peak Hour			53.11	130
PM Peak Hour			34.64	85
(heaviest 60 minutes)				
Net Change	DESCRIPTION	#UNIT		TOTAL
Average Daily Traffic (ADT)	FAST-FOOD W/ DRIVE THRU [1000 SF]	-3.72		-1,559
AM Peak Hour				-342
PM Peak Hour				-51
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Sahara Ave.				
Average Daily Traffic (ADT)	40,937			
PM Peak Hour	3275			
(heaviest 60 minutes)				

Eastern Ave.				
Average Daily Traffic (ADT)	54,076			
PM Peak Hour	4326			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets				
	Adjacent street ADT			
	Capacity			
Sahara Ave.	51800			
Eastern Ave.	49210			
This project will add approximately 1,215 trips per day on Sahara Ave. and Eastern Ave. This will increase the existing volumes by about 3 percent on Sahara and about 2 percent on Eastern. Sahara is at about 79 percent of capacity and Eastern is currently over capacity.				
Based on Peak Hour use, this development will add roughly 130 additional cars into the area; which works out to about 2 every minute.				
Note that this report assumes all traffic from this development uses all named streets.				



SDR-35043 - APPLICANT/OWNER: 2301 EAST SAHARA, LLC
2301 EAST SAHARA AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



SDR-35043 - APPLICANT/OWNER: 2301 EAST SAHARA, LLC
2301 EAST SAHARA AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



SDR-35043 - APPLICANT/OWNER: 2301 EAST SAHARA, LLC
2301 EAST SAHARA AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



SDR-35043 - APPLICANT/OWNER: 2301 EAST SAHARA, LLC
2301 EAST SAHARA AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09

John David Burke, Architect

July 15, 2009

CITY OF LAS VEGAS
DEPARTMENT OF PLANNING & DEVELOPMENT
731 South Fourth Street
Las Vegas, Nevada 89101

Re: Justification Letter –Site Plan Development Review and Waiver of Landscape Standard
Restaurant with drive through service (Sonic Burger)
2301 East Sahara Avenue
Tax Assessor's Parcel No.: 162-01-401-010

The plans we are submitting today for your review depict a restaurant pad building with drive through service. The structure is to be of stud/stucco construction with a varied earth-tone color scheme and aluminum storefront. The franchise is a Sonic Burger which features car hop service and outdoor dining (no inside dining). Note that at the east property line, there will be shared cross access with adjacent parcels with whom we are seeking cooperation to resolve traffic issues.

The developer is further requesting an easing of the landscape buffer requirements as follows:
East side - provide 7' of landscaping where 8' is required
West side - provide 5' of landscaping where 8' is required
North side - provide 4' of landscaping where 8' is required
The street frontage along East Sahara Avenue has the full 15' depth per staff recommendations. Additionally, the developer will provide 6 feet of landscaping within the unimproved Sahara right of way in accordance with NDOT regulations.

Otherwise, these plans are consistent with the requirements of City of Las Vegas Zoning Code.

We respectfully request your consideration in this matter. If you have any questions or comments, please call.

Sincerely,

JOHN DAVID BURKE, R.A., LEED-AP

RECEIVED
JUL 17 2009

3471 West Oquendo Rd., Suite 301, Las Vegas, Nevada 89118, (702)876-4863, fax (702)876-9355, jburke@jburkearchitect.com

SDR-35043
REVISED
08/13/09 PC

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
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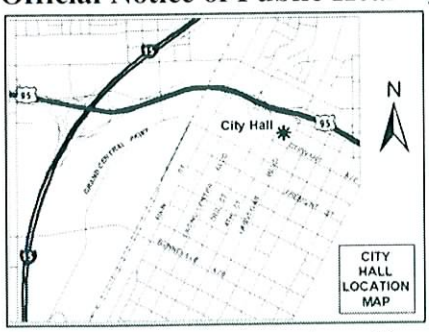
JUL 31 2009
MAILED FROM ZIP CODE 89101

8-1-9

Return Service Requested
Official Notice of Public Hearing



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AUG 05 2009

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

☐ I SUPPORT this Request

☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-35043

Planning Commission Meeting of 8/13/2009

Case: SDR-35043

16202811189
SARLES & MICEV
%P SARLES
3691 W ARBY AVE
LAS VEGAS NV 89118-5203

22P

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 13, 2009

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

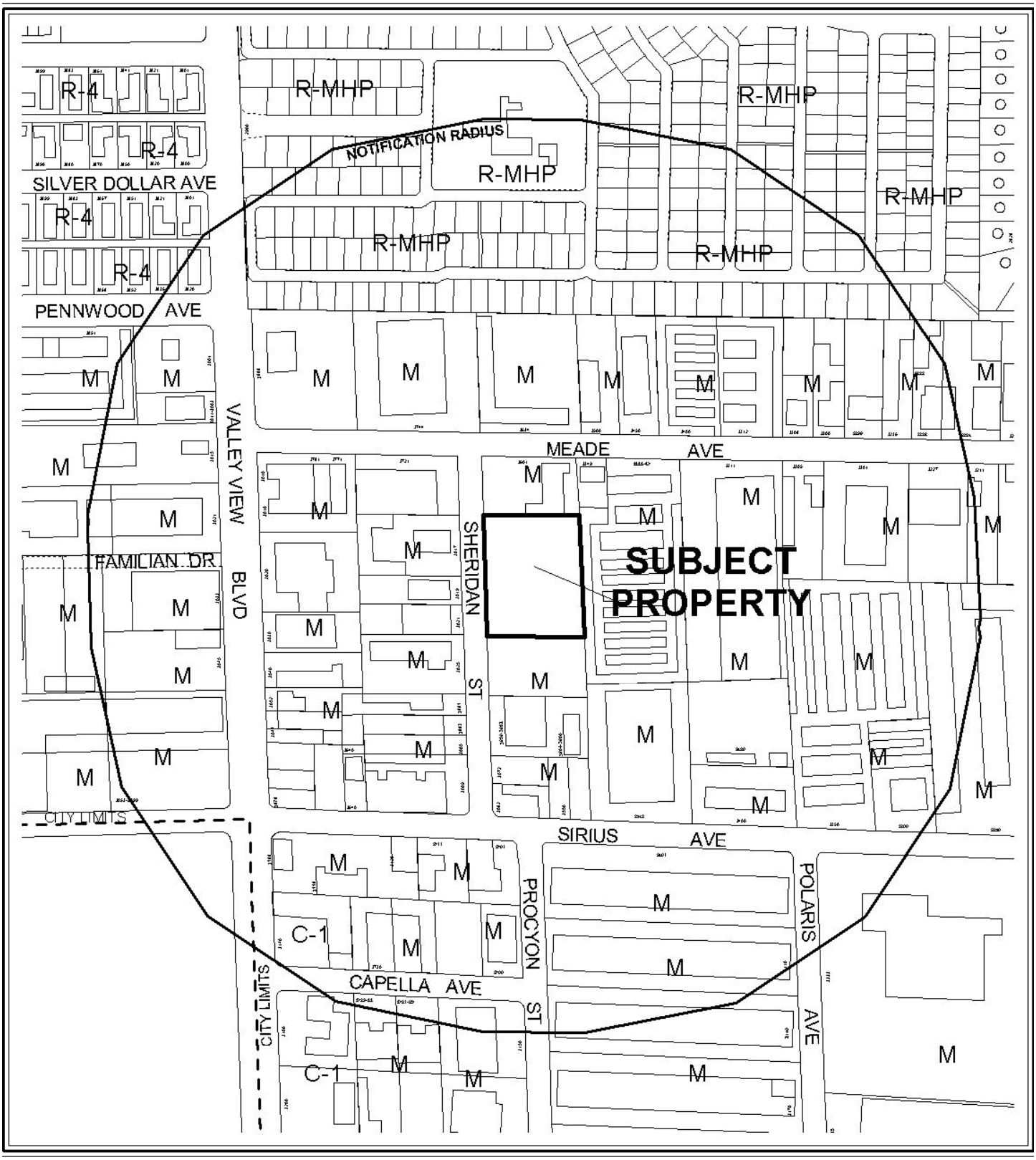
SUBJECT:
SDR-35051 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: JOSEPHS FAMILY, LP - Request for a Site Development Plan Review FOR A PROPOSED 2,160 SQUARE-FOOT MANUFACTURED BUILDING AND A 10,000 SQUARE-FOOT WAREHOUSE BUILDING WITH WAIVERS OF THE PERIMETER LANDSCAPE REQUIREMENTS TO ALLOW A ZERO-FOOT WIDE LANDSCAPE BUFFER ALONG THE NORTH, EAST AND SOUTH PROPERTY LINES WHERE EIGHT FEET IS REQUIRED on 1.75 acres adjacent to the east side of Sheridan Street, approximately 145 feet south of Meade Avenue (APN 162-08-303-019), M (Industrial) Zone, Ward 1 (Tarkanian)

C.C.: 09/16/2009

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

RECOMMENDATION:
APPROVAL

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



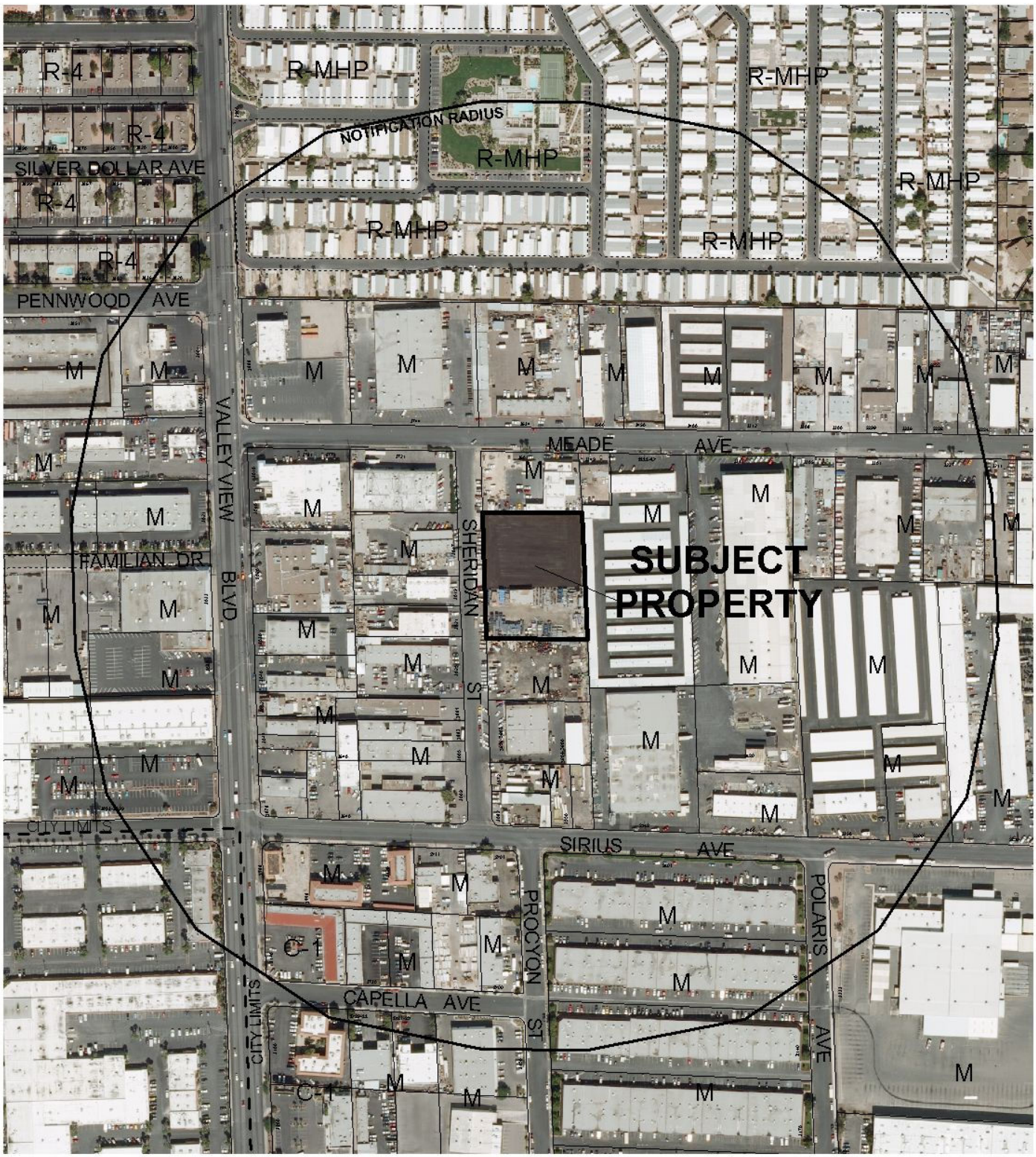
0 300 600 Feet

CASE: **SDR-35051**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



0 300 600 Feet

CASE: **SDR-35051**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: AUGUST 13, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-35051 - APPLICANT: MATTHEWS DEVELOPMENT - OWNER: JOSEPHS FAMILY, LP

** 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 and landscape plan date stamped 07/20/09 and building elevations date stamped 06/30/09, except as amended by condition herein**.**

3. A Waiver from Title 19.12.040 is hereby approved to allow a zero-foot buffer along the north, east and south perimeters where eight feet is required.

4. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.

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. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

7. 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.

8. 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.

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

Public Works

10. Sign and record a Covenant Running with Land agreement for the possible future installation of half-street improvements (including curb and gutter, sidewalks, street lighting, permanent paving and possibly fire hydrants and sewers) on Sheridan Street adjacent to this site prior to occupancy of this site.

11. The proposed entry gate 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; the installation of any gate, 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; the gates shall remain open during regular hours of operation.

12. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.

13. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

14. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

SDR-35051 - Staff Report Page One
August 13, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site is currently undeveloped and generally located adjacent to the east side of Sheridan Avenue, approximately 150 Feet south of Meade Avenue. Currently, the subject property is being utilized as outside storage space for construction equipment; however there have been no building permits or business licenses issues for the subject property. The applicant is proposing to add a 2,160 square-foot manufactured building and 10,000 square-foot warehouse building at the site. If denied, the applicant will be required to redesign the proposed site and adhere to all Title 19 development standards.

ISSUES

- This proposal meets all applicable Title 19 requirements, with the exception of the requested Waiver of Perimeter Landscape Buffer standards along portions of the north, east and south perimeters of the subject property.
- Staff can support the request for multiple Waivers of Perimeter Landscape Buffer standards as they are interior to the site and not visible from the public right-of-way, are minor in nature and will not negatively impact the adjacent industrial uses; therefore, staff is recommending approval of this Site Development Plan Review.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
05/01/71	A deed was recorded for a change of ownership.
Related Building Permits/Business Licenses	
There are no relevant Building Permits/Business Licenses pertaining to the subject property.	
Pre-Application Meeting	
06/17/09	A pre-application meeting was held and elements of this application were discussed. It was noted that the site plan was to identify all uses on-site. Additionally, various parking standards were identified along with parking lot landscaping and perimeter landscaping buffer requirements. Submittal requirements were also discussed along with meeting dates and times.
Neighborhood Meeting	
A neighborhood meeting is not required nor was one held.	
Field Check	
07/09/09	A site inspection was performed by staff with the following observations: • The subject site is primarily undeveloped with asphalt paving in the northern portion of the site, the southern portion of the site is currently unpaved and is being utilized for outdoor storage of construction equipment.

Details of Application Request	
Site Area	
Gross Acres	1.75

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	LI/R (Light Industry/Research)	M (Industrial)
North	Auto Repair Garage	LI/R (Light Industry/Research)	M (Industrial)
South	Outdoor Storage Space	LI/R (Light Industry/Research)	M (Industrial)
East	Mini-Storage	LI/R (Light Industry/Research)	M (Industrial)
West	Office	LI/R (Light Industry/Research)	M (Industrial)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan		X	N/A
Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District – (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 19.08.050 the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	N/A	N/A	N/A
Min. Lot Width	100 Feet	305 Feet	Y
Min. Setbacks			
• Front	10 Feet	15 Feet	Y
• Side (North Property Line)	10 Feet	100 Feet	Y
• Side (South Property Line)	10 Feet	10 Feet	Y
• Rear	0 Feet	115 Feet	Y
Max. Building Height	N/A	N/A	N/A
Trash Enclosure	Screened, Gated, w/ Roof or Trellis	2	Y
Mech. Equipment	Screened, Gated, w/ Roof or Trellis	Screened	Y

Pursuant to Title 19.12.040 the following standards apply:

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Parking Area	1 Tree / 6 Spaces	5 Trees	10 Trees	Y
Buffer: Min. Trees	1 Tree / 30 Linear Feet	7 Trees	7 Trees	Y
TOTAL		12 Trees	17 Trees	Y
Min. Zone Width	15 Feet (West) 8 Feet (North, East and South)		15 Feet Zero Feet	N
Wall Height	Minimum adjacent to public right-of-way 8 Feet		8 Feet	Y

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	***Required***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Office	2,460 S.F.	1:300	9	1	24	3	Y
Warehouse	9,700 S.F.	1:1000	10				
SubTotal	12,160 S.F.		19	1	27		
TOTAL	12,160 S.F.		20		27		
Loading Spaces	-	2			2 (14'x16' High Rollup Doors)		Y

Waivers		
Requirement	**Request**	**Staff Recommendation**
Eight-foot perimeter landscape buffer.	To provide a zero-foot perimeter landscape buffer along the northern, eastern and southern perimeter lot lines.	Denial

ANALYSIS

This is a request for a Site Development Plan Review for a proposed 2,160 square-foot manufactured building and 10,000 square-foot warehouse building. The site is generally located adjacent to the east side of Sheridan Avenue approximately 150 Feet south of Meade Avenue. The proposed site development plan meets all requirements of Title 19 with the exception of the requested Waivers of Perimeter Landscaping buffer requirements, to allow a zero-foot buffer along interior lot lines on the north, east and south perimeters where eight feet is required. The requested Waivers are minor in nature and will not negatively impact the adjacent industrial land uses and are not visible from the public right-of-way. Staff is recommending approval of this request as the proposed use of the site as an office building and warehouse is compatible with the adjacent industrial uses, and can be conducted in a manner that is harmonious with the surrounding development in the area.

FINDINGS

The following findings must be made for an SDR:

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

   The proposed development is compatible with 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 inconsistent with Title 19.12 Landscape and Buffer Standards. This is evidenced by the number of Waivers of 19.12 Landscape and Buffer Standards requested as a part of this Site Development Plan Review.

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

   Access to the site is provided from Sheridan Avenue, which is a 70-foot Frontage Street as designated by the Master Plan of Streets and Highways. This street will provide adequate access and will accommodate the traffic generated by the proposed development.

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

   Building materials are appropriate for the area and consistent with other industrial sites within the City. Landscape materials are appropriate in type, size and quantity for the area and for the City.

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

   The building elevations, design characteristics and architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance. In addition, the proposed development is harmonious and compatible with development in the area.

6. **Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

   The proposed Site Development Plan Review will not impact public health, safety, or welfare since the development will be subject to the International Building Code and City inspections during construction.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED	10
ASSEMBLY DISTRICT	10
SENATE DISTRICT	7
NOTICES MAILED	403
APPROVALS	0
PROTESTS	2

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-35051** APN: 162-08-303-019

Name of Property Owner: Josephs Family Ltd. Partnership

Name of Applicant: Matthews Development

Name of Representative: Adele Matthews

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: Jennifer Josephs

Print Name: Jennifer Josephs

Subscribed and sworn before me

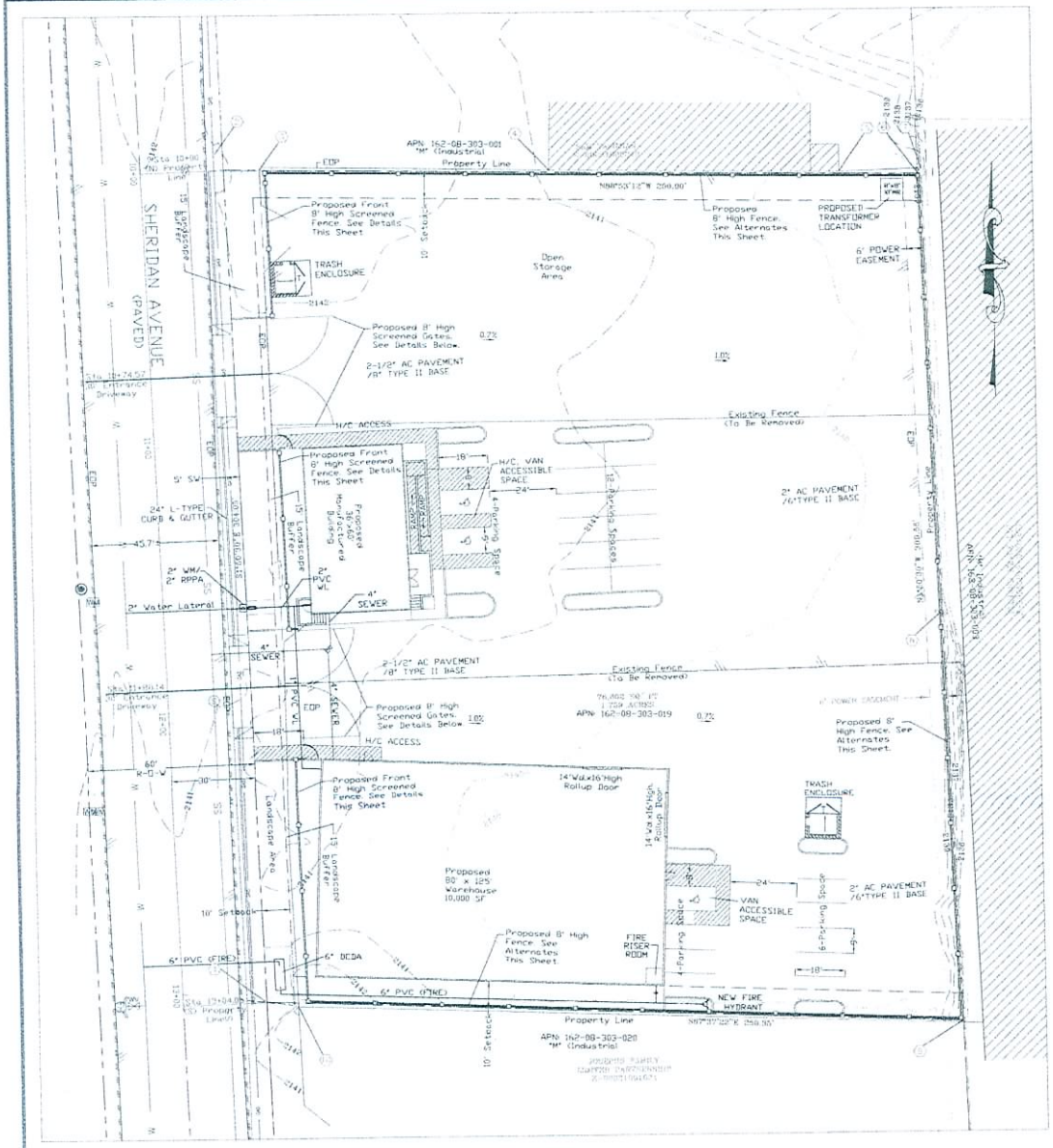
This 23rd day of June, 2009

Notary Public in and for said County and State

SHELLY TABACZYNSKI
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: March 31, 2010
Certificate No: 06-104195-1

RECEIVED

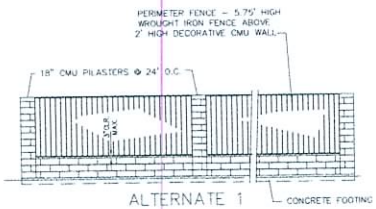
JUN 30 2009



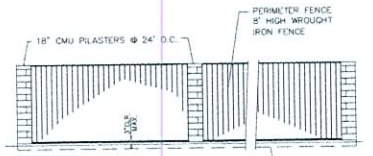
GRAPHIC SCALE

(IN FEET)

1 inch = 20 ft.



ALTERNATE 1



ALTERNATE 2

PERIMETER FENCE ALTERNATES

NTS



VICINITY MAP

NTS

APN

162-08-303-019

OWNER/DEVELOPER

Jennifer Joseph
5395 Polaris Avenue
LAS VEGAS, NV. 89118

LEGAL DESCRIPTION

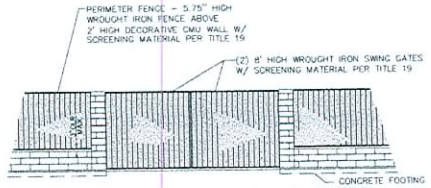
Located in the Southwest Quarter of Section 8, Township 21 South, Range 61 East, Mount Diablo Base & Meridian Las Vegas, Nevada

SITE DATA

APN: 162-08-303-019
CURRENT ZONING: M
MASTER PLAN: M
GROSS ACREAGE: 1.759 AC.
NUMBER OF UNITS: 2
DENSITY (GROSS): 1.13/AC.

DEVELOPMENT STANDARDS

1. 10' FRONT SETBACK
2. 10' SIDE SETBACK
3. 0' REAR YARD SETBACK
4. 6' HIGH DECORATIVE CMU/WROUGHT IRON FENCE FRONT
5. 60' WIDE STREETS



DECORATIVE FENCE AND GATES W/SCREENING MATERIAL ADJACENT TO ROW

NTS

PARKING ANALYSIS

REQUIRED

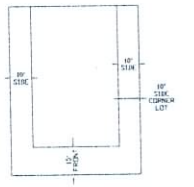
OFFICE TRAILER		
2160 SF OFFICE	1/300	8
WAREHOUSE		
300 SF OFFICE	1/200	1
9,700 SF WAREHOUSE	1/1000	10
H/C PARKING	1/10 SPACES	1

PROVIDED

OFFICE TRAILER	17
H/C PARKING	2
WAREHOUSE	10
H/C PARKING	1

NOTES:

1) THIS PROJECT WILL IMPLEMENT RESTRICTIVE COVENANTS.
2) LANDSCAPE MAINTENANCE IS THE RESPONSIBILITY OF THE PROPERTY OWNER.
3) UTILITIES PROVIDED BY THE FOLLOWING:
WATER: LAS VEGAS VALLEY WATER DISTRICT
SEWER: CLARK COUNTY WATER RECLAMATION DISTRICT
GAS: SOUTHWEST GAS COMPANY
ELECTRICITY: NV ENERGY
TELEPHONE: EMBARQ
CABLE: COX CABLE
3) THERE ARE NO KNOWN, MAPPED OR OBSERVABLE FAULTS OR FISSURES ON THIS SITE.
4) THE GROUND WATER IN THIS AREA IS GREATER THAN 20 FEET IN DEPTH.
5) THIS SITE LIES IN A FLOOD ZONE "X" AS DESCRIBED ON FEMA FIRM MAP PANEL 2165 OF 4080, EFFECTIVE DATE SEPTEMBER 27, 2002. FLOOD ZONE "X" IS DETERMINED TO BE OUTSIDE OF THE 500-YR FLOOD PLAIN.



TYPICAL SETBACKS (M)

RECEIVED
JUL 20 2009

SDR-35051
REVISED
08/13/09 PC

R. LUCERO & ASSOCIATES, INC.
CONSULTING ENGINEERING - PLANNING - DESIGN
9946 LIBERTY VIEW ROAD LAS VEGAS, NV 89148
PHONE: 702-362-0808
FAX: 702-362-7552

DEVELOPER
Jennifer Joseph
5395 Polaris Avenue
Las Vegas, NV 89118
PHONE: (801) 201-9909

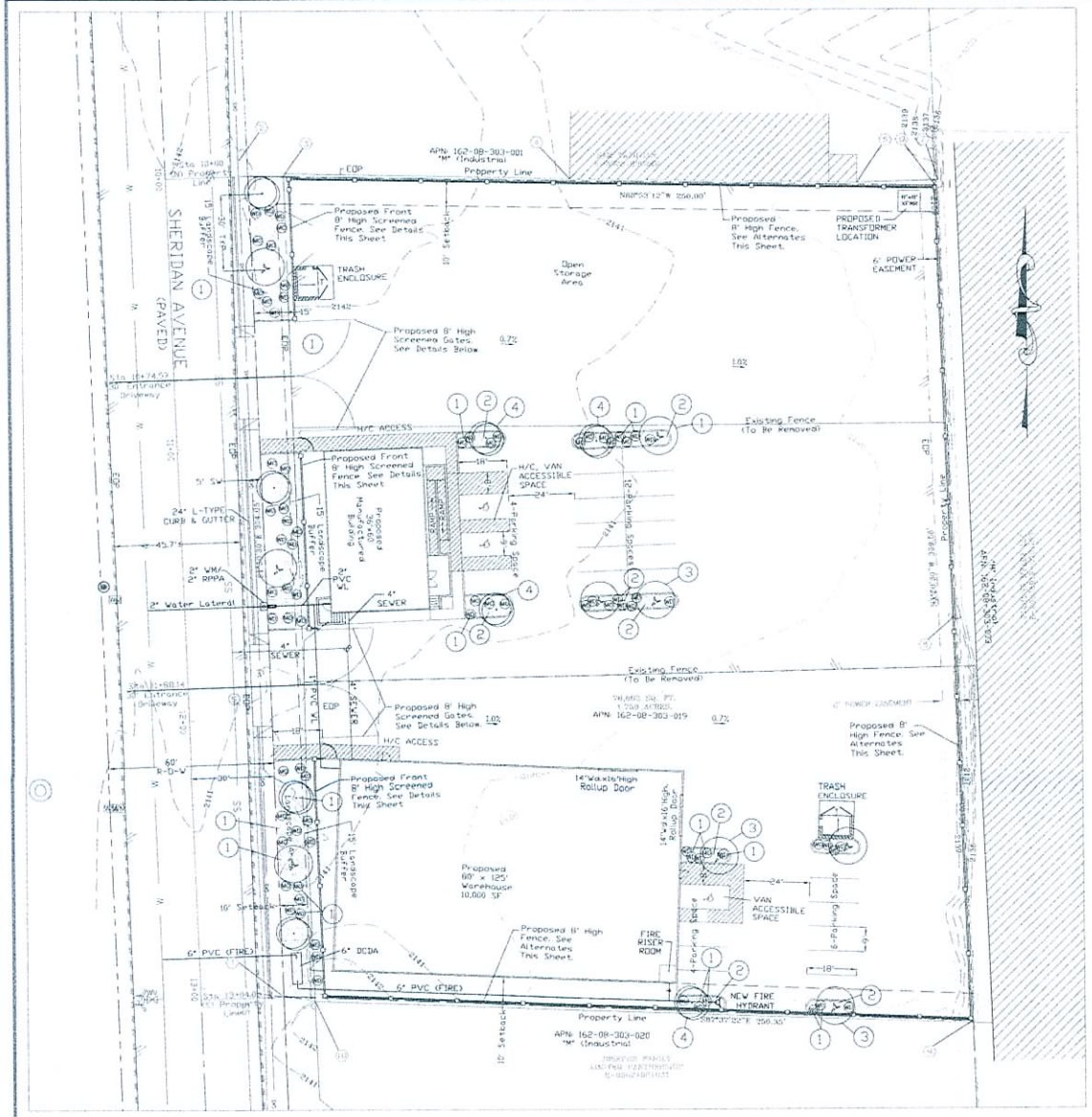
DESIGNED: RLL
CHECKED: RLL
SCALE: HOR. 1"=20' VERT. NA
FILE No. DATE: 5/13/09

SHERIDAN AVE. PROPERTY
3030/3040 SHERIDAN STREET
OFFICE/WAREHOUSE
SITE PLAN
CITY OF LAS VEGAS NEVADA

REV.	DATE	DESCRIPTION	BY	APP'D

SEAL

SHEET SP1
1 OF 2 SHEETS



GRAPHIC SCALE

1 inch = 20 ft.

PLANT LEGEND

	SYMBOL	PLANT COMMON NAME	SIZE
1	WD	WHEELERS DWARF	5g
	MO	MOCK ORANGE	5g
2		USC PERRIWINKLE W/ 3/8"-3/4" DIA. DECOMPOSED GRANITE (GREY/BROWN)	FLATS=1 GAL
3		MIMOSA (MULTI-TRUNK)	24" BOX
4		ARIZONA ASH	24" BOX



VICINITY MAP
NTS

APN
162-08-303-019

OWNER/DEVELOPER
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SEWER: COUNTY WATER RECLAMATION DISTRICT
GAS: SOUTHWEST GAS COMPANY
ELECTRICITY: NV ENERGY
TELEPHONE: EMBARQ
CABLE: COX CABLE
3) THERE ARE NO KNOWN, MAPPED OR OBSERVABLE FAULTS OR FISSURES ON THIS SITE.
4) THE GROUND WATER IN THIS AREA IS GREATER THAN 20 FEET IN DEPTH.
5) THIS SITE LIES IN A FLOOD ZONE "X" AS DESCRIBED ON FEMA FIRM MAP PANEL 2165 OF 4090, EFFECTIVE DATE SEPTEMBER 27, 2002. FLOOD ZONE "X" IS DETERMINED TO BE OUTSIDE OF THE 500-YR FLOOD PLAIN.

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JUL 20 2009

SDR-35051
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08/13/09 PC

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9946 LIBERTY VIEW ROAD
LAS VEGAS, NV 89148
PHONE: 702-262-0808
FAX: 702-362-7952

DEVELOPER
Jennifer Joseph
5395 Polaris Avenue
Las Vegas, NV 89118
PHONE: (801) 201-5899
FAX:

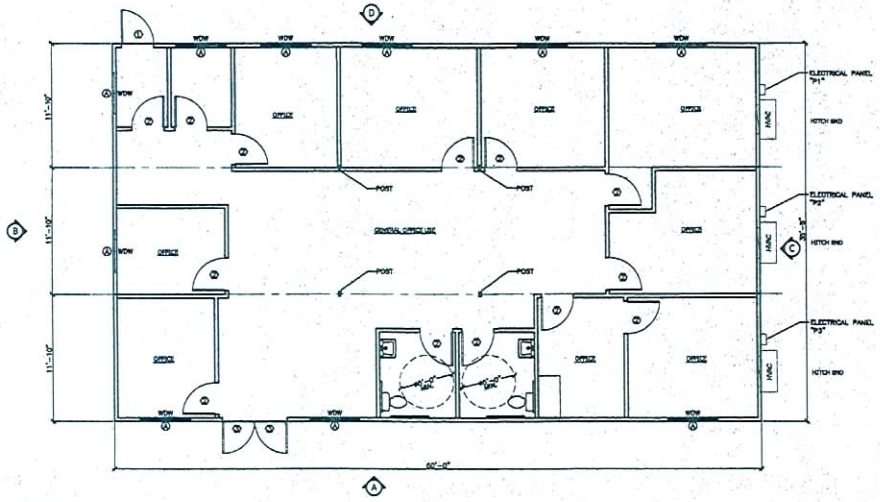
DESIGNED: RLL
CHECKED: RLL
SCALE: HOR. 1"=20' VER. NA
FILE No.: DATE: 5/19/09

SHERIDAN AVE. PROPERTY
3030/3040 SHERIDAN STREET
OFFICE/WAREHOUSE
LANDSCAPE PLAN
CLARK COUNTY NEVADA

REV	DATE	DESCRIPTION	BY	APP'D

SEAL

SHEET LS1
2 OF 2 SHEETS

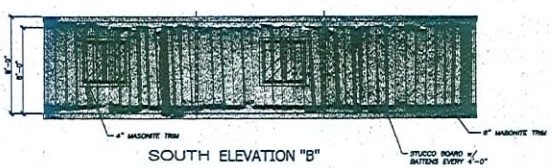


FLOOR PLAN

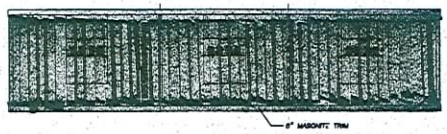
SCALE: 3/16=1'-0"



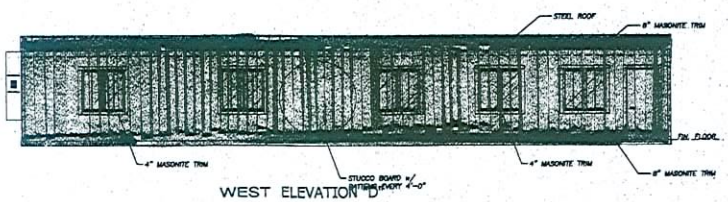
EAST ELEVATION "A"



SOUTH ELEVATION "B"



NORTH ELEVATION "C"



WEST ELEVATION "D"

CONSTRUCTION NOTES

CHASSIS		FLOOR		EXTERIOR WALLS			
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

ROOF		RIDGE BEAM		CLEAR SPAN		ACCESSORIES	
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

GLUE-LAM BEAM		SPRKLR SYSTEM		SKIRTING	
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

CLOSE-UP PREP.	
[illegible]	[illegible]

DOOR SCHEDULE								WINDOW SCHEDULE							
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

HEADER HEIGHT	MISCELLANEOUS
[illegible]	1. ALL WINDOWS TO HAVE SIDE BLOCK. 2. ALL WINDOWS TO HAVE SIDE SCREENS.

BUILDING SPECIFICATIONS

MAIN SPECIFICATIONS			
[illegible]	[illegible]	[illegible]	[illegible]

DETAIL SPECIFICATIONS	
[illegible]	[illegible]

DESIGN CRITERIA

DESIGN CODE: 2006 IBC
ROOF LIVE LOAD = 20 PSF
FLOOR LIVE LOAD = 50 PSF
WIND = 90 MPH EXP. C 19.2 PSF
SEISMIC ZONE Sa= 0.5 Sds =0.52
V= 0.096W

REGISTERED PROFESSIONAL ENGINEER
DAVID A. DAHMEN
CIVIL
No. 3025 STATE OF NEVADA

RECEIVED
JUN 30 2009

SDR-35051
08/13/09 PC

LOCATION FOR STATE APPROVAL STAMP

REVISIONS	BY

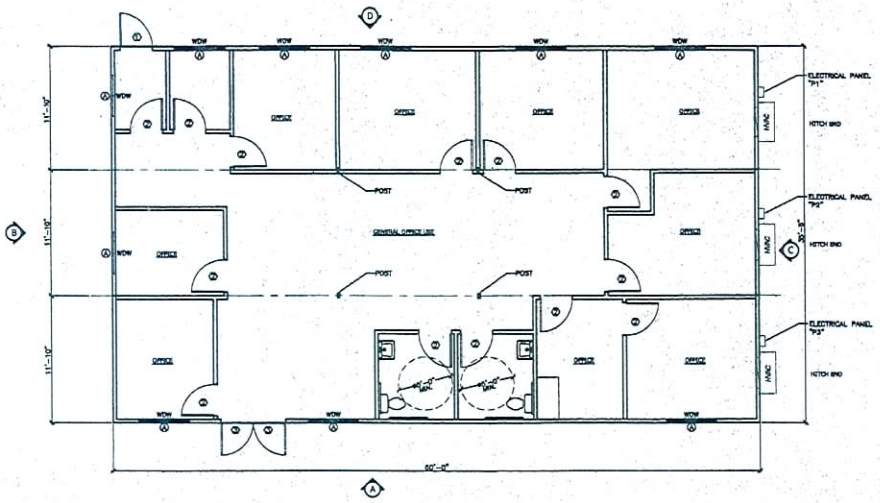
PACIFIC CONSULTING ENGINEERS
2150 Bell Ave. Suite # 145
Sacramento, California 95838
Phone: 916-564-6028 – Fax: 916-564-6029

TLW Consulting Service LLC
2150 Bell Avenue #145
Sacramento, California 95838
Ph: (916) 833-0372
Fax: (916) 922-2118

ModSpace
5950 Emerald Ave., LAS VEGAS, NV. 89122
(702) 450-0783 fax (702) 454-8569

DRAWING TITLE: UNIT # 921483 "ELEVATIONS"

DRAWN: T.WALLACE
CHECKED: D.DAHMEN
DATE: 06/24/09
SCALE: AS NOTED
JOB NO.: 09-540
SHEET: 1
OF – SHEETS



FLOOR PLAN

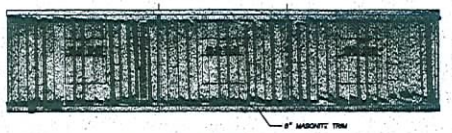
SCALE: 3/16"=1'-0"



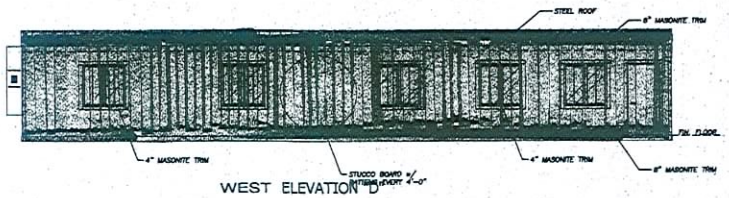
EAST ELEVATION "A"



SOUTH ELEVATION "B"



NORTH ELEVATION "C"



WEST ELEVATION "D"

CONSTRUCTION NOTES

CHASSIS | FLOOR | EXTERIOR WALLS | BUILDING SPECIFICATIONS

ROOF | RIDGE BEAM | CLEAR SPAN | ACCESSORIES

DOOR SCHEDULE | WINDOW SCHEDULE

HEADER HEIGHT | MISCELLANEOUS

SIGHTING

MAIN SPECIFICATIONS | DETAIL SPECIFICATIONS

DESIGN CRITERIA

DESIGN CODE: 2006 IBC
ROOF LIVE LOAD = 20 PSF
FLOOR LIVE LOAD = 50 PSF
WIND = 90 MPH EXP. C 19.2 PSF
SEISMIC ZONE Sa= 0.5 Sds =0.52
V= 0.096W

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JUN 30 2009

LOCATION FOR STATE APPROVAL STAMP

SDR-35051
08/13/09 PC

REVISIONS	BY

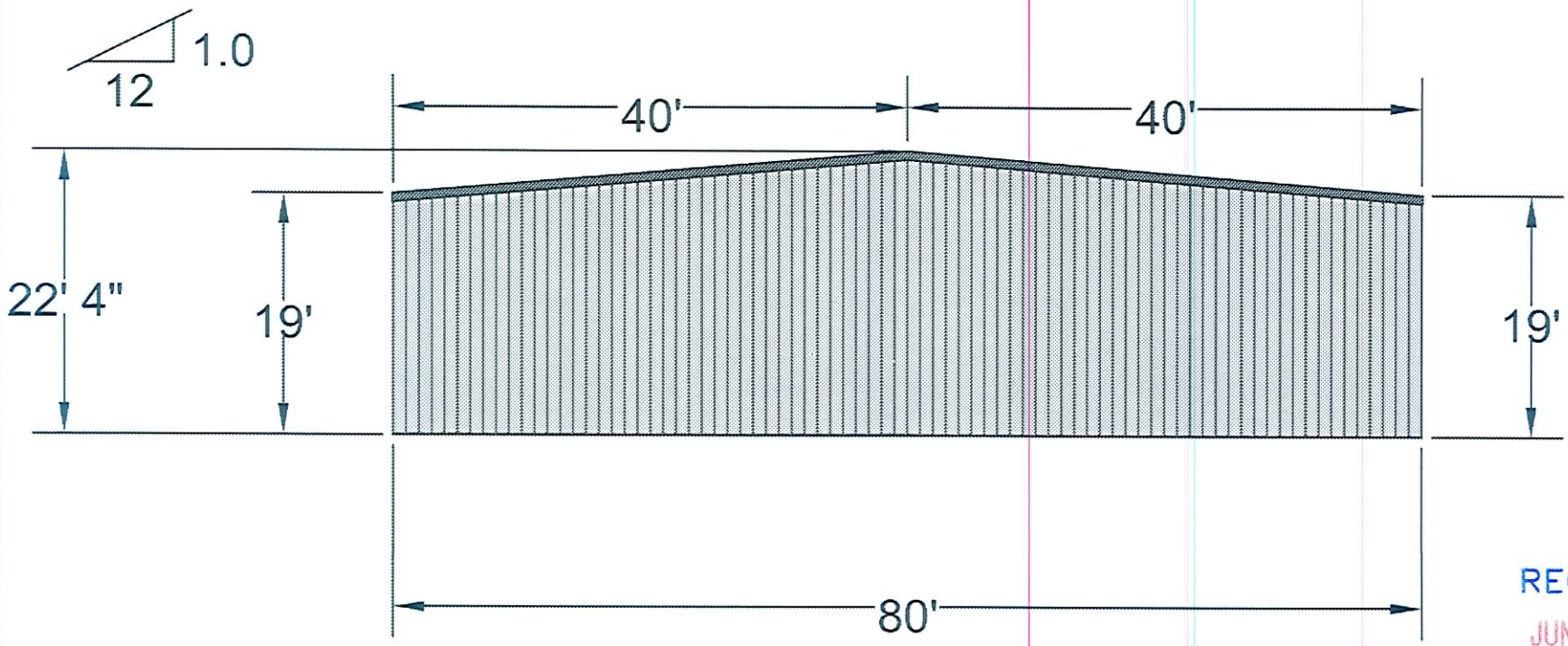
PACIFIC CONSULTING ENGINEERS
2150 Bell Avenue Suite # 145
Sacramento, California 95838
Phone: 916-564-6028 – Fax: 916-564-6029

TLW Consulting Service LLC
2150 Bell Avenue # 145
Sacramento, California 95838
Ph: (916) 633-0372
Fax: (916) 922-2118

ModSpace
5999 Emerald Ave., Las Vegas, NV. 89122
(702) 450-0765 fax (702) 454-9559

DRAWING TITLE: UNIT # 921483 "ELEVATIONS"

DRAWN: T.WALLACE
CHECKED: D.DAHMEN
DATE: 06/24/09
SCALE: AS NOTED
JOB NO.: 09-540
SHEET: 1
OF – SHEETS



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JUN 30 2009

SDR-35051
08/13/09 PC

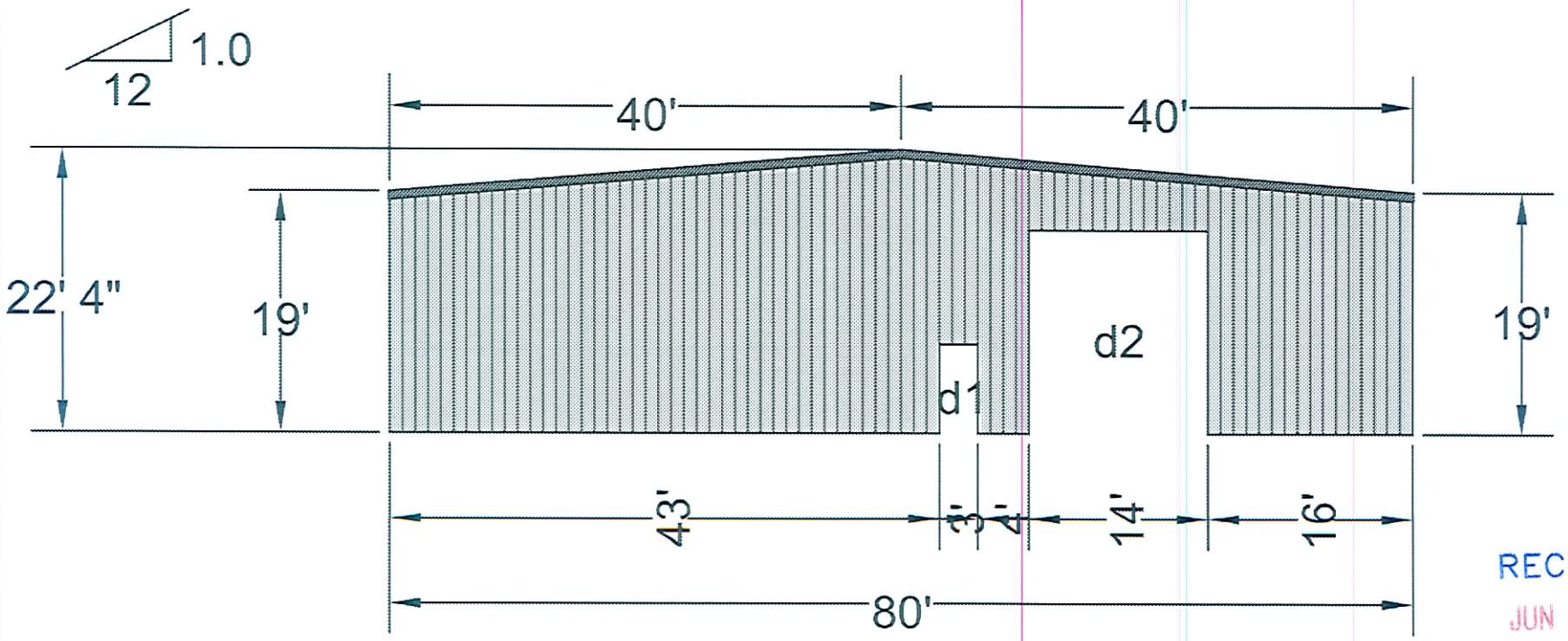
ALL TERRAIN STEEL
1204 N 7TH ST
STE 110
GRAND JCT, 81501
CO
PH: 970-257-9515
FX:

Check One:
☐ Approved as designed ☐ Approved as noted (subject to verification)

Approved by: _____
End Use Customer Signature

PROJECT: Grazier	JOB NO.: ATS1045	
DESCRIPTION: Left end wall		
SIZE: 80' x 125' x eave height: 19', peak height: 22' 4"		
CUSTOMER: Grazier		
LOCATION: Las Vegas, 89102		
DATE: 6/2/2009	REV. NO.: 7	SHEET NO.: 3/7

ID	Description
d1	3' x 7'
d2	14' x 16'



RECEIVED
JUN 30 2009

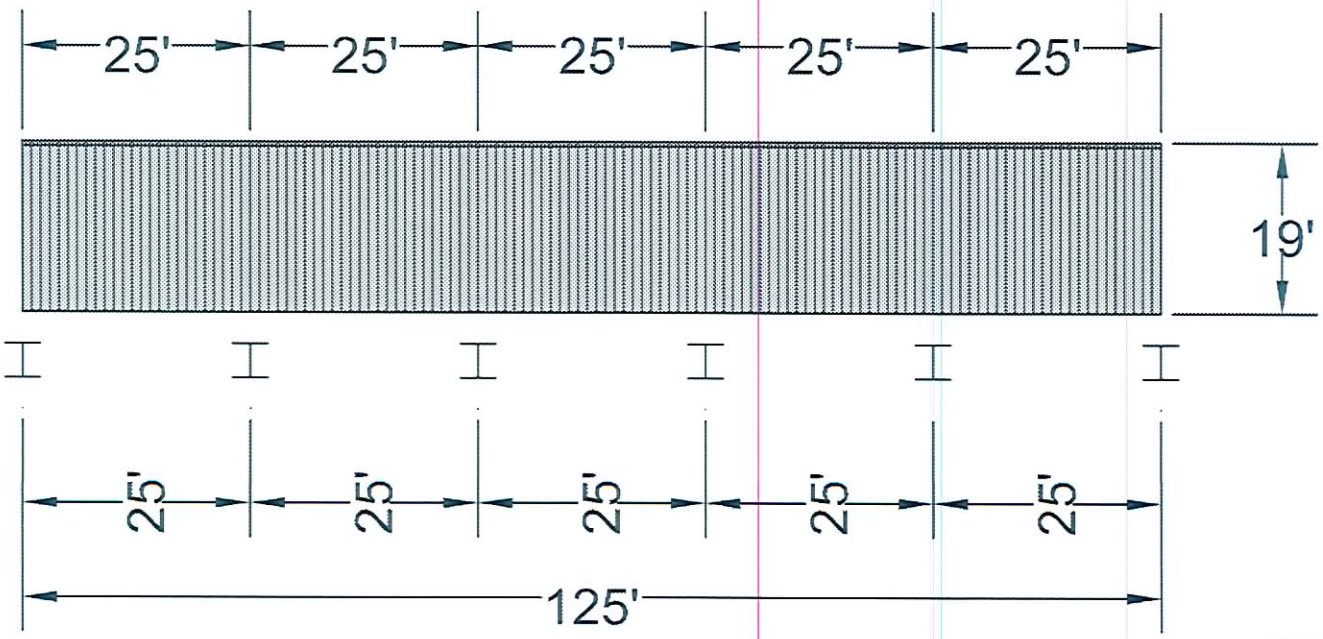
SDR-35051
08/13/09 PC

ALL TERRAIN STEEL
1204 N 7TH ST
STE 110
GRAND JCT, 81501
CO
PH: 970-257-9515
FX:

Check One:
☐ Approved as designed ☐ Approved as noted (subject to verification)

Approved by: _____
End Use Customer Signature

PROJECT: Grazier		JOB NO.: ATS1045
DESCRIPTION: Right end wall		
SIZE: 80' x 125' x eave height: 19', peak height: 22' 4"		
CUSTOMER: Grazier		
LOCATION: Las Vegas, 89102		
DATE: 6/2/2009	REV. NO.: 7	SHEET NO.: 4/7



RECEIVED
JUN 30 2009

SDR-35051
08/13/09 PC

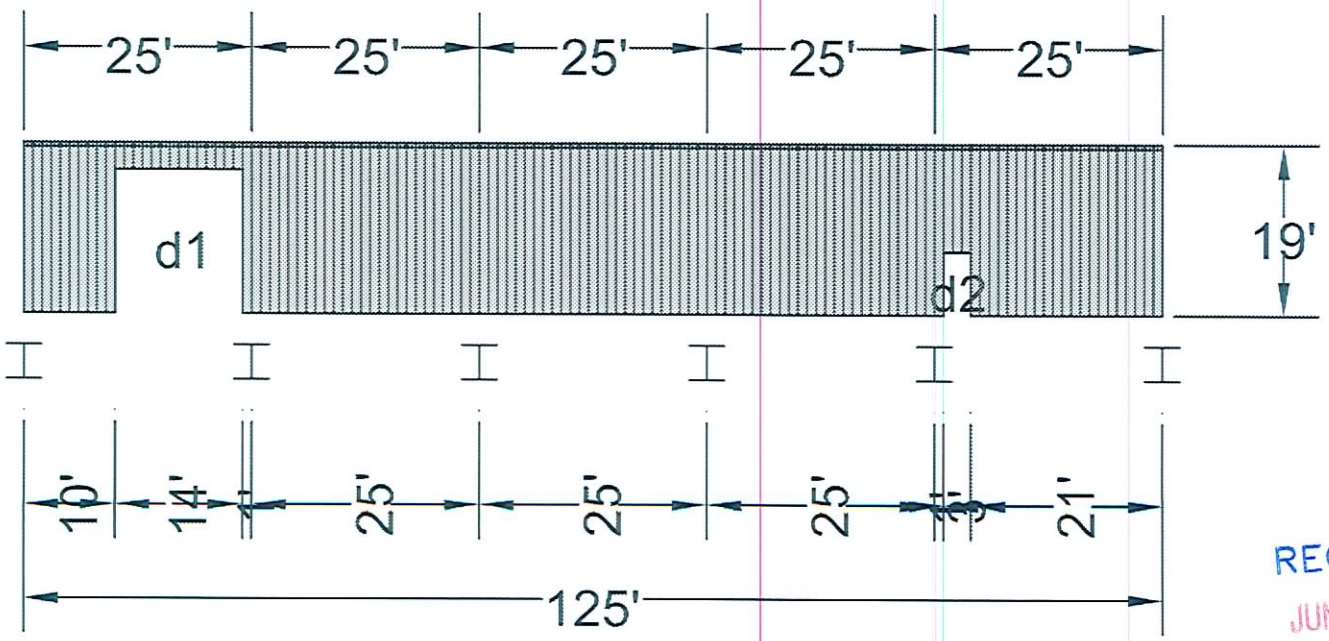
ALL TERRAIN STEEL
1204 N 7TH ST
STE 110
GRAND JCT, 81501
CO
PH: 970-257-9515
FX:

Check One:
☐ Approved as designed ☐ Approved as noted
(subject to varification)

Approved by: _____
End Use Customer Signature

PROJECT: Grazier		JOB NO.: ATS1045
DESCRIPTION: Front side wall		
SIZE: 80' x 125' x eave height: 19', peak height: 22' 4"		
CUSTOMER: Grazier		
LOCATION: Las Vegas, 89102		
DATE: 6/2/2009	REV. NO.: 7	SHEET NO.: 5/7

ID	Description
d1	14' x 16'
d2	3' x 7'



RECEIVED
JUN 30 2009

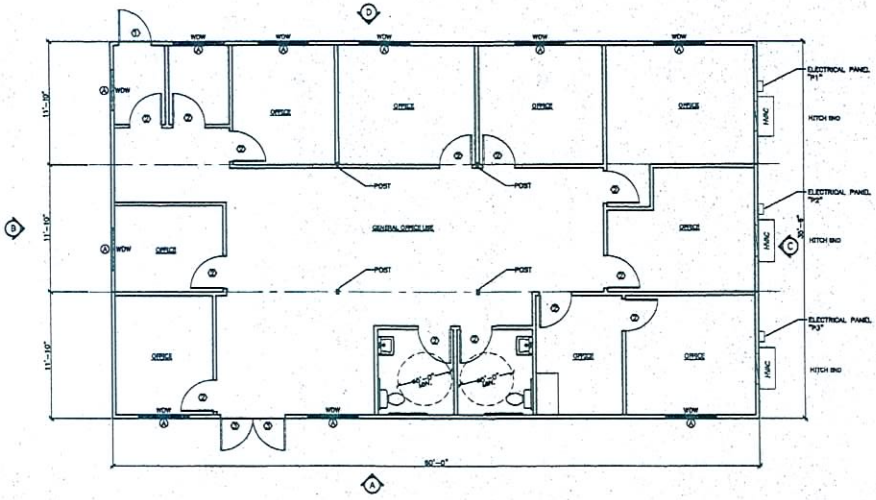
SDR-35051
08/13/09 PC

ALL TERRAIN STEEL
1204 N 7TH ST
STE 110
GRAND JCT, 81501
CO
PH: 970-257-9515
FX:

Check One:
☐ Approved as designed ☐ Approved as noted (subject to varification)

Approved by: _____
End Use Customer Signature

PROJECT: Grazier | JOB NO.: ATS1045
DESCRIPTION: Back side wall
SIZE: 80' x 125' x eave height: 19', peak height: 22' 4"
CUSTOMER: Grazier
LOCATION: Las Vegas, 89102
DATE: 6/2/2009 | REV. NO.: 7 | SHEET NO.: 6/7

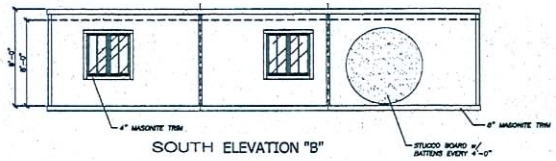


FLOOR PLAN

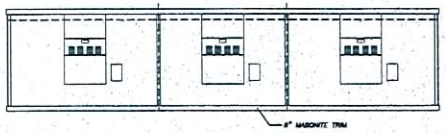
SCALE: 3/16"=1'-0"



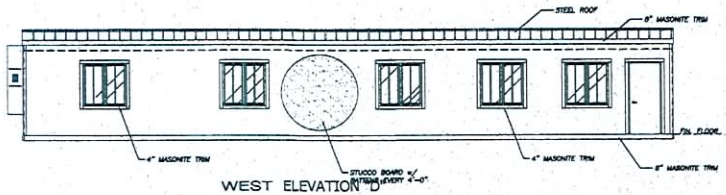
EAST ELEVATION "A"



SOUTH ELEVATION "B"



NORTH ELEVATION "C"



WEST ELEVATION "D"

CONSTRUCTION NOTES

BUILDING SPECIFICATIONS

DESIGN CRITERIA

DESIGN CODE: 2006 IBC
ROOF LIVE LOAD = 20 PSF
FLOOR LIVE LOAD = 50 PSF
WIND = 90 MPH EXP. C 19.2 PSF
SEISMIC ZONE Sa= 0.5 Sds =0.52
V= 0.096W

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JUN 30 2009

LOCATION FOR STATE APPROVAL STAMP

SDR-35051
08/13/09 PC

REVISIONS	BY

PACIFIC CONSULTING ENGINEERS
2150 Bell Ave. Suite # 145
Sacramento, California 95838
Phone: 916-564-6028 - Fax: 916-564-6029

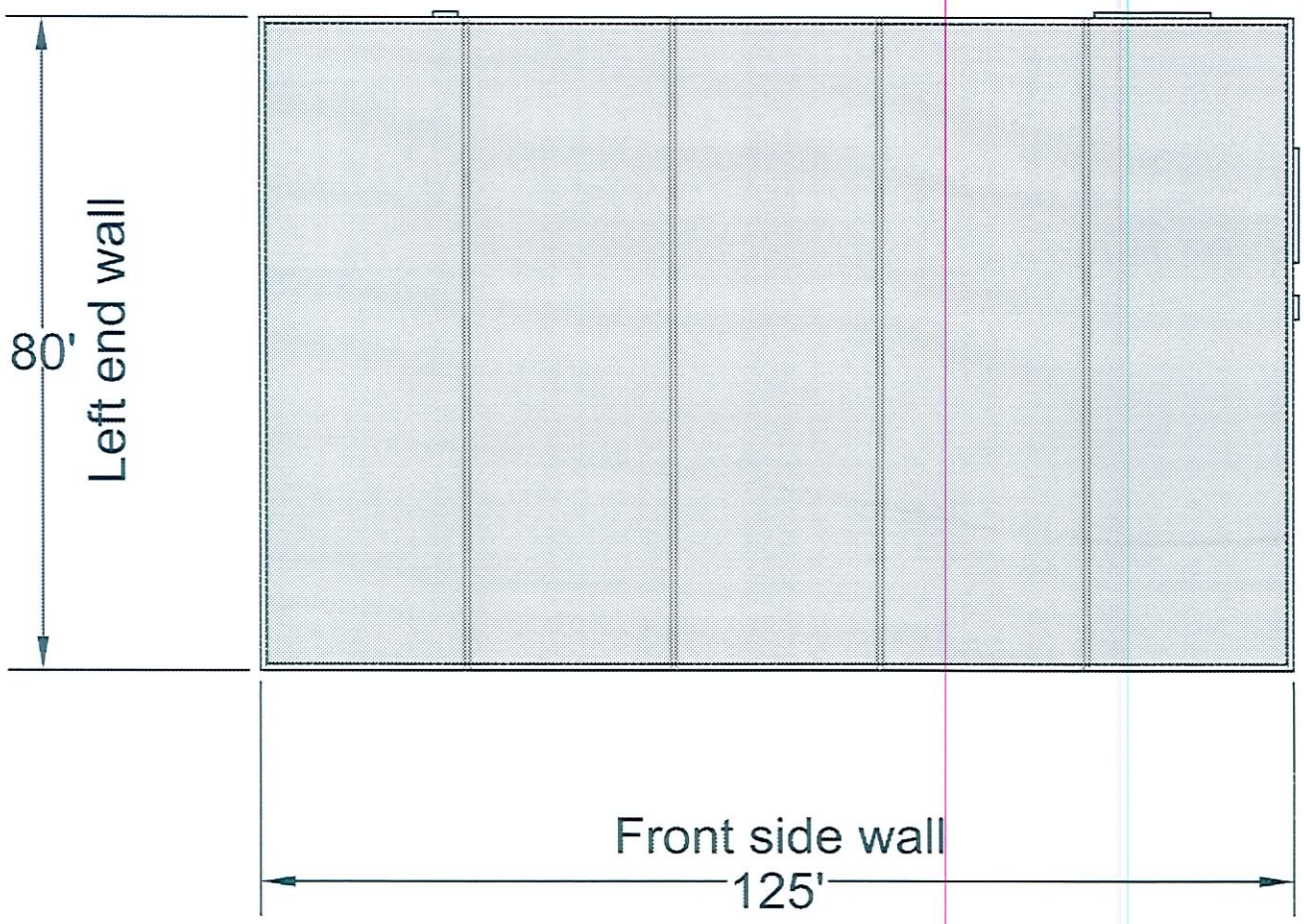
TUV Consulting Services LLC
2150 Bell Avenue #145
Sacramento, California 95838
Ph: (916) 833-0370
Fax: (916) 922-2118

ModSpace
5950 Emerald Ave., LAS VEGAS, NV. 89122
(702) 459-0783 fax (702) 454-8569

DRAWING TITLE: UNIT # 921483 "FLOOR PLANS"

DRAWN	T.WALLACE
CHECKED	D.DAHMEN
DATE	06/24/09
SCALE	AS NOTED
JOB NO.	09-540
SHEET	1
OF	SHEETS

ID	Description
d1	3' x 7'
d2	14' x 16'
d3	14' x 16'
d4	3' x 7'



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SDR-35051
08/13/09 PC

ALL TERRAIN STEEL
1204 N 7TH ST
STE 110
GRAND JCT, 81501
CO
PH: 970-257-9515
FX:

Check One:
☐ Approved as designed ☐ Approved as noted (subject to verification)

Approved by: _____
End Use Customer Signature

PROJECT: Grazier	JOB NO.: ATS1045	
DESCRIPTION: Floor plan		
SIZE: 80' x 125' x eave height: 19', peak height: 22' 4"		
CUSTOMER: Grazier		
LOCATION: Las Vegas, 89102		
DATE: 6/2/2009	REV. NO.: 7	SHEET NO.: 7/7

Josephs Family LP

Sheridan Industrial Complex

3030–3040 SHERIDAN STREET

(Proposed Address)

APN.162–08–303–019

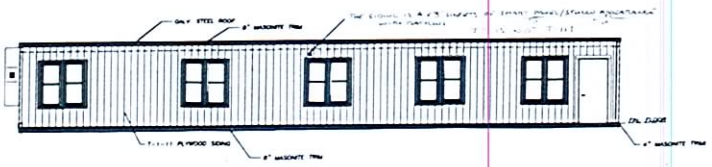
MODULAR OFFICE BUILDING

Body – Modspace Light Grey

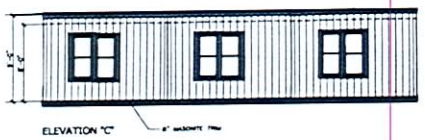


Material – Wood

WEST ELEVATION D



SOUTH ELEVATION C



ELEVATION "C"

Trim – Modspace Dark Grey



Material – Wood

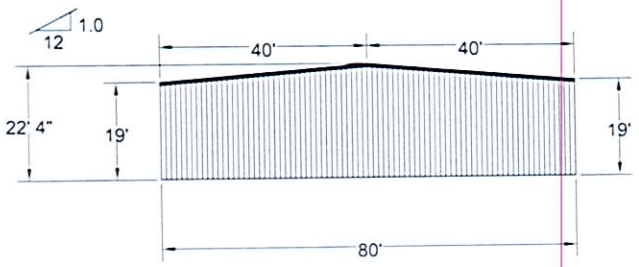
Commercial Aluminum Frame Glass Doors & Windows

Body – Ash Grey

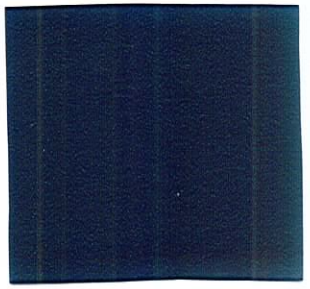


Material – Steel

WAREHOUSE



Trim – Charcoal Grey



Material – Steel

Color, Materials and Trim consistant on all sides of both buildings

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SDR 35051				
Matthews Development				
East side of Sheridan St., South of Meade Ave.				
Proposed 12.16 thousand square foot office and warehouse development.				
Traffic produced by proposed development:				
New Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	GENERAL OFFICE BUILDING [1000 SF]	2.16	18.63	40
AM Peak Hour			1.55	3
PM Peak Hour			1.49	3
(heaviest 60 minutes)				
New Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	WAREHOUSE [1000 SF]	10	5.88	59
AM Peak Hour			0.45	5
PM Peak Hour			0.47	5
(heaviest 60 minutes)				
Net Use	DESCRIPTION	#UNIT		TOTAL
Average Daily Traffic (ADT)	WAREHOUSE [1000 SF]	12.16		99
AM Peak Hour				8
PM Peak Hour				8
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Valley View Blvd.				
Average Daily Traffic (ADT)	45,151			
PM Peak Hour	3,612			
(heaviest 60 minutes)				
Sirus Ave.				
Average Daily Traffic (ADT)	9,779			
PM Peak Hour	782			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
	Existing Street Capacity			
Valley View Blvd.	32775			
Sirus Ave.	17745			

This project will add approximately 99 trips per day on Valley View Blvd and Sirus Ave. This will increase expected volumes by less than 1 percent on Valley View and by about 1 percent on Sirius. Currently Valley View is over capacity and Sirius is at about 55 percent.				
Based on Peak Hour use, this development will add roughly 8 additional cars into the area; which works out to about 1 every 8 minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



SDR-35051 - APPLICANT/OWNER: JOSEPHS FAMILY, LP
EAST SIDE OF SHERIDAN STREET, APPROXIMATELY 145 FEET SOUTH OF MEADE AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



SDR-35051 - APPLICANT/OWNER: JOSEPHS FAMILY, LP
EAST SIDE OF SHERIDAN STREET, APPROXIMATELY 145 FEET SOUTH OF MEADE AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



SDR-35051 - APPLICANT/OWNER: JOSEPHS FAMILY, LP
EAST SIDE OF SHERIDAN STREET, APPROXIMATELY 145 FEET SOUTH OF MEADE AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



SDR-35051 - APPLICANT/OWNER: JOSEPHS FAMILY, LP
EAST SIDE OF SHERIDAN STREET, APPROXIMATELY 145 FEET SOUTH OF MEADE AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



SDR-35051 - APPLICANT/OWNER: JOSEPHS FAMILY, LP
EAST SIDE OF SHERIDAN STREET, APPROXIMATELY 145 FEET SOUTH OF MEADE AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



SDR-35051 - APPLICANT/OWNER: JOSEPHS FAMILY, LP
EAST SIDE OF SHERIDAN STREET, APPROXIMATELY 145 FEET SOUTH OF MEADE AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



SDR-35051 - APPLICANT/OWNER: JOSEPHS FAMILY, LP
EAST SIDE OF SHERIDAN STREET, APPROXIMATELY 145 FEET SOUTH OF MEADE AVENUE
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09

RL

R. LUCERO & ASSOCIATES, INC.

Consulting, Engineering, Planning & Design

June 29, 2009

City of Las Vegas Planning and Development Department

RE: SHERIDAN STREET PROPERTY – OFFICE AND WAREHOUSE

To Whom It May Concern:

On behalf of the Josephs Family LP, I am requesting your approval of a Site Development Plan for APN: 162-08-303-019, a 1.75 acre parcel, zoned "M" (Industrial) in order to construct two buildings; one (1) Permanent 10,000-SF Office Warehouse, and one (1) Semi-temporary 2160-SF office trailer. The office trailer will be placed onsite for approximately three (3) to five (5) years, until a new structure can be built.

The proposed development is located on the east side of Sheridan Street, south of Meade Avenue and north of Sirius Avenue, Las Vegas, NV. Josephs Family LP proposes to construct the office/warehouse on the south portion of the property and place the office trailer north of that location. The two buildings will be utilized by a scaffolding business. The remaining area will be used for open storage of their supplies. The maximum density for this project is projected for the permanent structure is 1.14 DU's/Ac. Parking and landscaping will be provided per "Title 19" code requirements.

We understand that a requirement for this development is the construction of full offsite street improvements. Our review of Sheridan Street shows that the existing street improvements are substandard and that eventually the entire street will have to be reconstructed to meet code. We also note that construction of full offsite improvements adjacent to our site at this time would not be of great value, and therefore we are in favor of entering in a "Covenant Running With The Land", to pay our fair share of the cost of the improvements, in the future. We are requesting a waiver of the street improvement in favor of the covenant.

Additionally, we request a waiver of the required perimeter landscape strips as follows. The front landscape strip adjacent to Sheridan Street to be 10-ft wide, where 15-ft is required, and waiving the requirement for the interior sides and rear landscaping all together. The adjacent parcels are developed but do not meet this requirement. We feel that in this industrial area side and rear landscaping provide absolutely no aesthetic value. As shown on the Landscape Plan we intend to provide landscaping at the parking area as required by code.

A new combined cmu/wrought iron screen fence with two (2) wrought iron gated entries will be constructed along the inside landscape boundary adjacent to Sheridan Street. The existing chain link fences along the side lot lines are screened and will be left as they are. The rear yard is currently screened by the existing, building, on the adjacent parcel, and a new fence would have no value.

SDR-35051
08/13/09 PC

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9946 Liberty View Road • Las Vegas, Nevada 89148 • Ph 702.262.0808 • Fax 702.362.7952

9946 Liberty View Road • Las Vegas, Nevada 89148 • Ph 702.262.0808 • Fax 702.362.7952

Utilities are readily available in Sheridan Street for this project and drainage issues will be addressed as required. Plans are attached for your review.

Note: Addresses have not been dedicated for this project. The addresses shown on the plans are those that the owners will request.

We ask that you consider this request and approve this development as proposed.

If you wish to discuss this matter further, please don't hesitate to call me at (702) 362-7952 or (702) 277-4937

Respectfully yours,
R. Lucero & Associates, Inc.

Robert L. Lucero, P.E.

SDR-35051
08/13/09 PC

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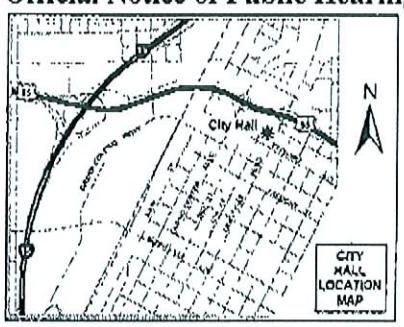
JUN 30 2009

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.

SDR-35051

Planning Commission Meeting of 8/13/2009

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
02 1M
0004279210 JUL 31 2009
MAILED FROM ZIP CODE 89101

RECEIVED
AUG 04 2009

Case: SDR-35051
16208302021
SHERIDAN D J C L L C ETAL
%C CAMPBELL
500 CATADEL DR #140
COMMERCE CA 90040-1588

23P

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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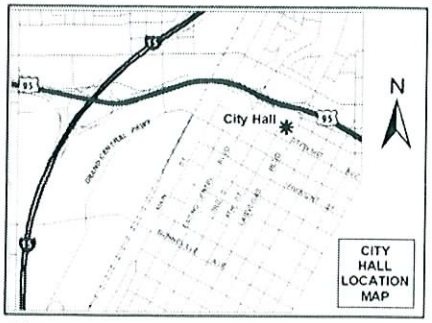
0004279218 JUL 31 2009
MAILED FROM ZIP CODE 89101

RECEIVED
AUG 05 2009

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-35051

Planning Commission Meeting of 8/13/2009

SDR-35051 Occupant
Meadows Mobile Home Park
2900 South Valley View Boulevard, Space 320
Las Vegas, Nevada 89102

23P

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 13, 2009

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

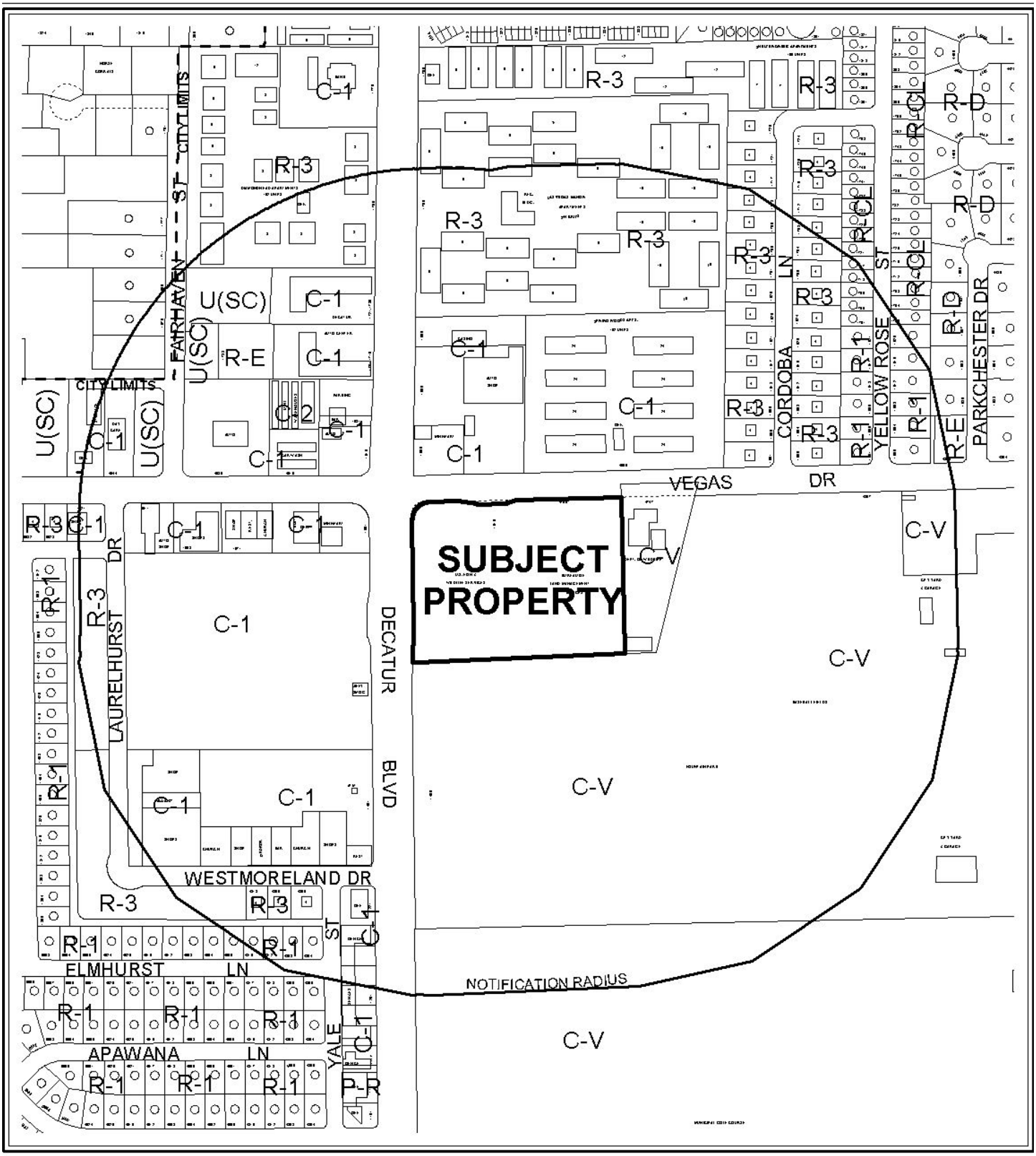
SUBJECT:
SDR-35202 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR AN EXISTING 67-SPACE PARKING LOT AND A PROPOSED 96-SPACE PARKING LOT WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER STANDARDS TO ALLOW BUFFERS OF ZERO FEET ALONG THE WEST PERIMETER AND A PORTION OF THE SOUTH PERIMETER WHERE 15 FEET AND EIGHT FEET, RESPECTIVELY, ARE REQUIRED on a portion of 6.59 acres at 1510 North Decatur Boulevard (APN 139-30-101-001), C-V (Civic) Zone, Ward 5 (Barlow)

C.C.: 09/16/2009

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

RECOMMENDATION:
APPROVAL

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



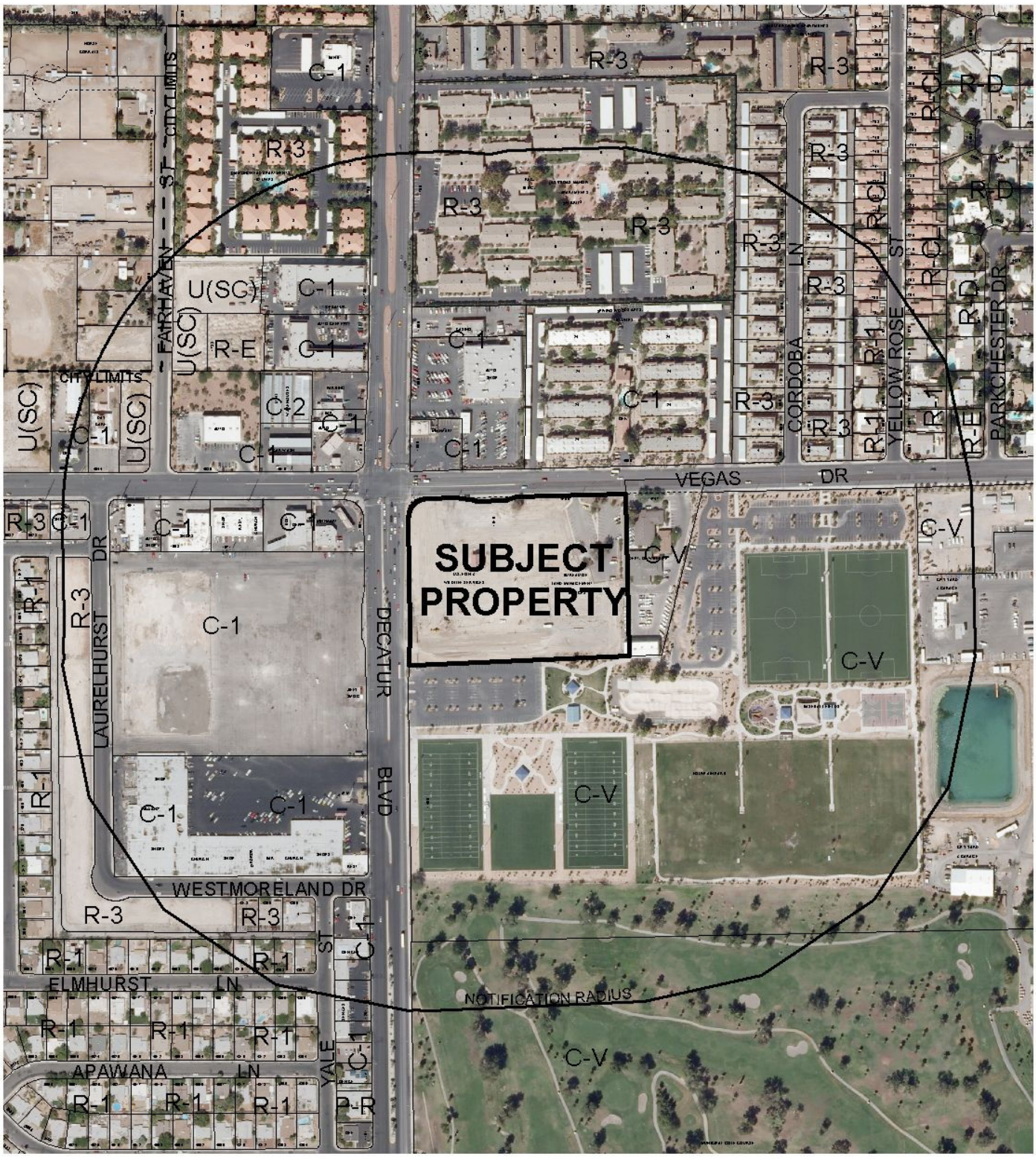
0 400 800 Feet

CASE: **SDR-35202**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

N



0 400 800 Feet

CASE: **SDR-35202**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: AUGUST 13, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-35202 - OWNER/APPLICANT: CITY OF LAS VEGAS

** 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 07/14/09, except as amended by conditions herein.

3. A Waiver from Title 19.10.010 is hereby approved, to allow landscape buffers of zero feet along the west perimeter and a portion of the south perimeter where 15 feet and eight feet, respectively, are required.

4. An Exception from Title 19.10.010 is hereby approved, to allow six parking lot landscape 40 shade trees are required. Four, five-gallon shrubs shall be required for each required tree.

5. Barbed wire shall be removed from the existing chain link fence prior to final inspection.

6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.

7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

9. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

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

Public Works

11. 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.

12. Submit a grading plan covering the entire parking area contiguous to the south property line of this site to the Department of Public Works prior to issuance of a grading permit for this site.

SDR-35202 - Staff Report Page One
August 13, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed 96-space parking lot and an existing 67-space parking lot on a portion of 6.59 acres at 1510 North Decatur Boulevard. The subject site for the proposed parking lot is an undeveloped vacant lot. The existing parking lot was constructed prior to obtaining approval of a Site Development Plan Review as required by Title 19.18.050. If the application is denied, the existing parking lot must be demolished and the area of the proposed lot will remain undeveloped.

Issues

- The proposed lot requires an Exception to allow six parking lot landscape islands and six trees where 24 parking lot islands and 24 trees are required. Four, five-gallon shrubs shall be required for each required tree.
- The existing 67-space parking lot requires a Waiver of the landscape buffer requirements to allow zero feet along the west perimeter and a portion of the south perimeter where 15 feet and eight feet, respectively, are required.
- The existing lot also requires an Exception to allow zero parking lot landscape islands and zero parking lot trees where 16 parking lot islands and 16 trees are required.

The proposal is in conformance with the C-V (Civic) zoning district as well as Title 19 standards with the exception of the requested waiver and exceptions. Therefore, staff supports the project and recommends approval.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
03/05/07	A deed was recorded for a change of ownership at 1510 North Decatur Boulevard.
Related Building Permits/Business Licenses	
11/06/08	A building permit was issued (#126905) to demolish a house at 1510 North Decatur Boulevard.
Neighborhood Meeting	
A neighborhood meeting is not required, nor was one held.	
Field Check	
07/09/09	During a routine field check staff noted an undeveloped lot. The site was surrounded by a chain link fence with trash and weeds present.

GK

Details of Application Request	
Site Area	
Net Acres	6.59

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	PF (Public Facilities)	C-V (Civic)
North	Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)
North	Auto Repair Garage (Major)	SC (Service Commercial)	C-1 (Limited Commercial)
South	City Park (Ed Fountain Park)	PF (Public Facilities)	C-V (Civic)
East	State of Nevada Department of Wildlife	PF (Public Facilities)	C-V (Civic)
West	Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)
West	Undeveloped	SC (Service Commercial)	C-1 (Limited Commercial)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts	X		Y
A-O Airport Overlay District - 105 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 19.12, the following standards apply

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Parking Area				
Proposed Lot	1 Tree / 6 Spaces	24 Trees	6 Trees	N
Existing Lot	1 Tree / 6 Spaces	16 Trees	Zero Trees	N
Totals	40 Trees		6 Trees	N

GK

Buffer:				
Proposed Lot				
Min. Trees	1 Tree / 30 Feet	16 Trees	16 Trees	Y
Existing Lot				
Min Trees	1 Tree / 30 Feet	13 Trees	Zero Trees	N
TOTAL		69 Trees	22 Trees	N
Proposed Lot				
Min. Zone Width				
South	8 Feet		8 Feet	Y
East	8 Feet		8 Feet	Y
Existing Lot				
Min. Zone Width				
South	8 Feet		Zero Feet	N
West	15 Feet		Zero Feet	N
Wall Height	6-8 Foot Screen Wall		6 Foot Chain Link Fence	N

Waivers		
Requirement	**Request**	**Staff Recommendation**
Title 19.12.040 West – 15 feet South – 8 feet	To allow landscape buffers of zero feet along the west perimeter and a portion of the south perimeter where 15 feet and eight feet, respectively, are required.	Approval

Exceptions		
Requirement	**Request**	**Staff Recommendation**
Title 19.10.010(J)(11)(a) Parking lot landscape islands shall be provided at the end of each row of parking spaces and at a ratio of one island for every six parking spaces.	To allow 6 parking lot landscape islands where 40 are required.	Approval
Title 19.10.010(J)(11)(c) One tree shall be planted for every six parking spaces. Each landscape island shall have at least one tree.	To allow 6 parking lot shade trees where 40 are required.	Approval

GK

Title 19.12.040(B)(4) Shrubs are required in all buffer areas with a minimum of four 5-gallon shrubs for every required tree.	To allow zero 5-gallon shrubs and no groundcover along the east landscape buffer where 28 5-gallon shrubs and two inches of groundcover is required.	Approval
Title 19.12.040(B)(4) Shrubs are required in all buffer areas with a minimum of four 5-gallon shrubs for every required tree.	To allow zero 5-gallon shrubs and no groundcover along the south landscape buffer where 36 5-gallon shrubs and two inches of groundcover is required.	Approval

ANALYSIS

This is a request for a Site Development Plan Review for a proposed 96 space parking lot and an existing 67 space parking lot at 1510 North Decatur Boulevard. The existing parking lot was constructed prior to obtaining approval of a Site Development Plan Review as required by Title 19.18.050. The site meets all Title 19 requirements with the exception of a Waiver regarding the landscape buffer requirement and exceptions regarding parking lot landscape requirements. The site provides adequate access and circulation for both pedestrians and vehicles and the site utilizes materials that are consistent with similar developments, and will be compatible with adjacent surrounding development.

The proposed parking lot is located at the southeastern end of the parcel. The proposed 96 space parking lot will be paved, striped, and contain wheel stops. An existing six foot chain link fence with barbed wire on the south and east property lines will remain. However, a condition has been added requiring the owner to remove the barbed wire from the existing chain link fencing. Per Title 19.08.050 barbed wire is a prohibited material for use as a fence or wall. The applicant also proposes to install a new six foot chain link fence along the north and west sides of the proposed parking lot. Chain link fencing is a permitted material for fencing if approved through a Site Development Plan Review. Access to the site will be provided by one 24-foot drive aisle on the west side of the lot connecting to the existing 67 space parking lot.

The existing parking lot is located at the southwestern end of the parcel. The existing 67 space parking lot is paved, striped, and does not contain wheel stops. The parking lot has an existing six foot chain link fence with barbed wire around the perimeter of the lot. A condition has been added to remove the barbed wire from the chain link fence as it is not allowed within city limits per Title 19. The existing site contains a 24-foot drive aisle connecting to Decatur Boulevard, however, this drive aisle contains a crash gate and is not used as the main access point to the parking lot. Instead, the site contains two 24-foot drive aisles along the south property line connecting to the original Ed Fountain Park parking lot as approved in Site Development Plan Review (SDR-1327).

The landscaping proposed for both the proposed parking lot and existing parking lot will be minimal. In regards to the proposed 96-space parking lot, the applicant has requested Exceptions of the perimeter landscape buffering requirements listed in Title 19.12 to allow zero five-gallon shrubs and no groundcover along the south and east property lines where 36 5-gallon shrubs, 28 5-gallon shrubs, and two inches of groundcover are required, respectively. The applicant is also requesting exceptions from the Title 19.10.010 standards to allow six parking lot landscape islands and six trees where 24 landscape islands and 24 trees are required. Staff can support the landscape Exceptions as the request does not significantly impact the overall appearance of the site and the adjacent developments.

In regards to the existing 67-space parking lot, the applicant has requested a Waiver of the perimeter landscape buffer requirements to allow buffers of zero feet along the west perimeter and a portion of the south perimeter where 15 feet and eight feet, respectively, are required. The applicant is also requesting an Exception from the parking lot landscape requirements listed in Title 19.10.010 to allow zero parking lot landscape islands where 16 landscape islands are required. Staff can support the landscape buffer Waiver as the request does not significantly impact the overall appearance of the site and the adjacent developments.

The proposal is in conformance with the C-V (Civic) zoning district as well as Title 19 standards with the exception of the requested waiver and exceptions. Therefore, staff supports the project and recommends approval.

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 parking lot and existing parking lot are compatible with the surrounding C-V (Civic) zoned parcels and is appropriate for the neighborhood.

2. **The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

   The proposed development is consistent with the General Plan but does not conform with Title 19 standards; however a Waiver and Exceptions have been requested as part of this approval. Staff supports the requested Waiver and Exceptions as the request does not impact the overall appearance of the site.

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

   The site will be accessed from Decatur Boulevard, a 100-foot primary arterial as designated by the Master Plan Streets and Highways, which is more than adequate to handle the proposed use.

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

   Building materials and landscape materials are appropriate for the area and consistent with other commercial sites within 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 proposed site is not unsightly or obnoxious in appearance and is compatible with the development in the area.

6. **Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

   The proposed 163 space parking lot and fence installation will be subject to building inspection during construction and is subject to the Las Vegas Municipal Code. Staff finds that this proposal will not compromise the health, safety and welfare of the general public.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

ASSEMBLY DISTRICT 37

SENATE DISTRICT 4

NOTICES MAILED 90

APPROVALS 1

PROTESTS 0

GK

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-35202 APN: 139-30-101-001

Name of Property Owner: CITY OF LAS VEGAS

Name of Applicant: HARLOW SMOOT

Name of Representative: HARLOW SMOOT

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: 139-30-101-001

Signature of Property Owner: Steven Ford

Print Name: STEVEN FORD

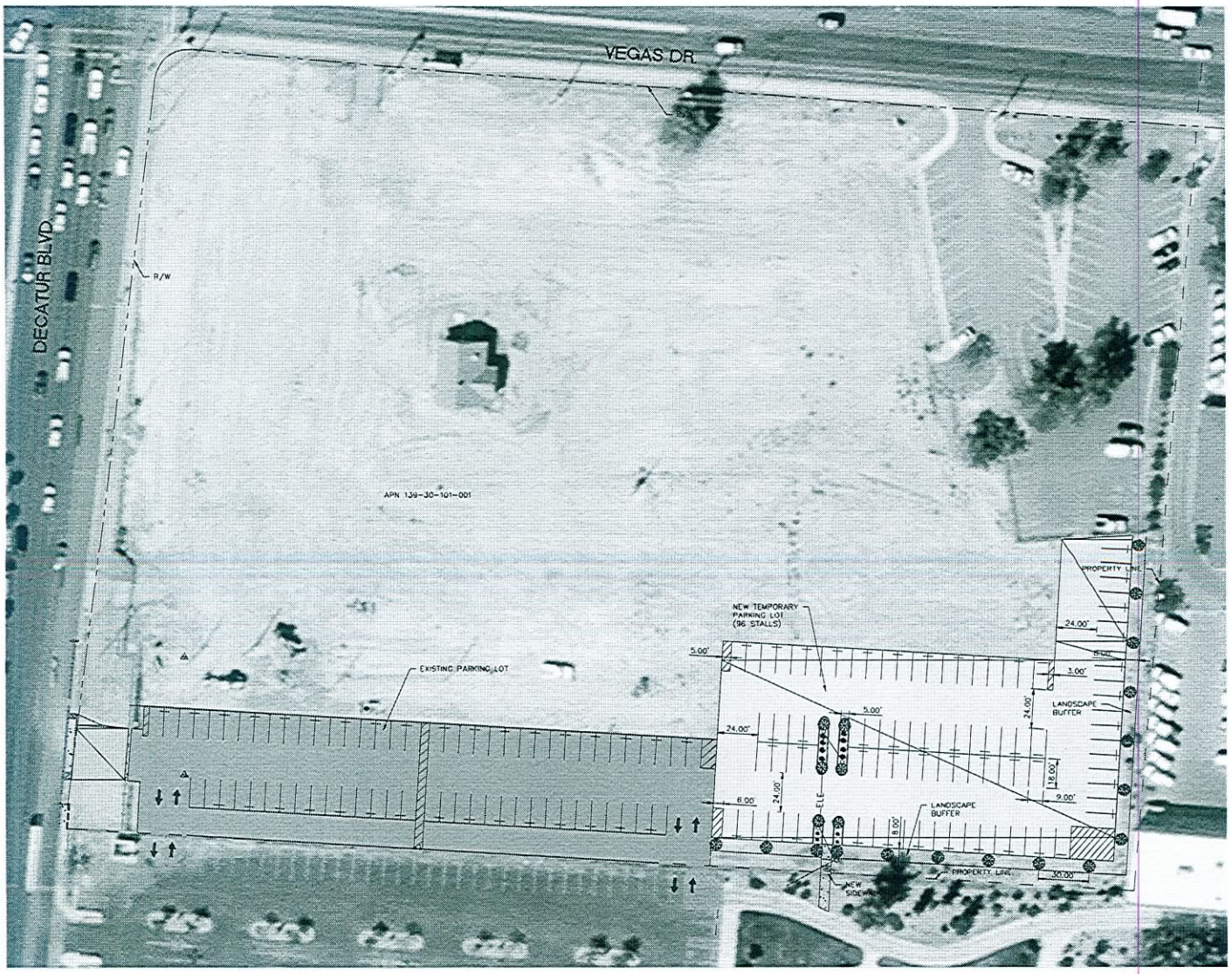
Subscribed and sworn before me — Christina Strong —

This 9th day of July, 2009

Christina Strong

Notary Public in and for said County and State

CHRISTINA STRONG
Notary Public State of Nevada
No. 07-1185-1
My appt. exp. Jan. 4, 2011



NORTH

GRAPHIC SCALE
(IN FEET)
1 inch = 30 ft.



VICINITY MAP
NOT TO SCALE

LEGEND

- FAN-TEX ASH (FRAXINUS VELUTINA 'RIO GRANDE')
- DEER GRASS (MUHLENBERGIA RIGENS)
- PARKING LOT LIGHT
- BUMPER BLOCK

SDR-35202
08/13/09 PC

JUL 14 2009

REVISIONS

NO.	DATE	DESCRIPTION	APP'D

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DESIGN SECTION

CITY ENGINEER: CHERI L. EDELMAN, P.E.
PROGRAM MANAGER:
DESIGNED BY: xxx
DRAWN BY: xxx
CHECKED BY: xxx
DATE: DECEMBER 2008

TITLE: ED FOUNTAIN TEMPORARY PARKING LOT

EXHIBIT

Sheet: EX1
1 of 1

7/14/09 F:\PROJECT\CITY_ENGINEER\ENG_DESIGN\TEAM\TEAM 1-MARK'S TEAM\HARLOW PROJECT FILES\DECATUR-EDAS PARKING LOT\DWG\070909 EXHIBIT.DWG



SDR-35202 – APPLICANT/OWNER: CITY OF LAS VEGAS
1510 NORTH DECATUR BOULEVARD
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



SDR-35202 – APPLICANT/OWNER: CITY OF LAS VEGAS
1510 NORTH DECATUR BOULEVARD
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09



SDR-35202 – APPLICANT/OWNER: CITY OF LAS VEGAS
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07/09/09



SDR-35202 – APPLICANT/OWNER: CITY OF LAS VEGAS
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07/09/09



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07/09/09



SDR-35202 – APPLICANT/OWNER: CITY OF LAS VEGAS
1510 NORTH DECATUR BOULEVARD
AUGUST 13, 2009 PLANNING COMMISSION

07/09/09

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW
STAVROS S. ANTHONY

ELIZABETH N. FRETWELL
CITY MANAGER

July 13, 2009

City of Las Vegas
Department of Planning and Development
731 S. 4th Street
Las Vegas, Nevada 89101

RE: ED FOUNTAIN PARK TEMPORARY PARKING LOT
APN 139-30-101-001
REQUEST FOR SITE DEVELOPMENT REVIEW IN CIVIC (C-V)

LETTER OF JUSTIFICATION

Per a request from Council, the Department of Public Works has been tasked with providing additional temporary parking spaces adjacent to Ed Fountain Park. The existing parking lots do not meet the current high demand of the park causing public safety concerns with overflow traffic trespassing on adjacent private property. The City proposes to add 96 additional parking stalls by building a 31,915 SF temporary parking lot with limited landscaping and lighting.

The City appreciates your kind consideration of our request for a site development review to allow this temporary parking lot in Ed Fountain Park as it will help alleviate the current parking shortage.

Any concerns regarding the application should be directed to me at 229-6160.

Sincerely,

Harlow Smoot
Senior Engineering Associate
Department of Public Works

cc: Cheri Edelman, P.E., City Engineer (CLV)
Mark Sorensen, P.E. (CLV)
File

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

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

SDR-35202
08/13/09 PC

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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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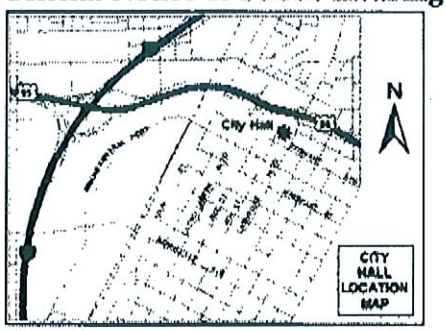
Official Notice of Public Hearing



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-35202

Planning Commission Meeting of 8/13/2009

RECEIVED
AUG 03 2009

Case: SDR-35202
13919413001
HUGGINS WILLIAM D
1601 YELLOW ROSE ST
LAS VEGAS NV 89108-2022

24A

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 13, 2009

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

SUBJECT:
TXT-34879 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to amend the Las Vegas Medical District Plan to add various lodging related uses and to make minor clarifications and corrections, Ward 5 (Barlow)

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
APPROVAL

BACKUP DOCUMENTATION:
1. Conditions (Not Applicable) and Staff Report (Not Applicable)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: AUGUST 13, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: TXT-34879 - APPLICANT/OWNER: CITY OF LAS VEGAS

APPLICANT REQUESTS THIS ITEM BE HELD IN ABEYANCE

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 13, 2009

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

SUBJECT:
DIR-35233 - DIRECTOR''S BUSINESS - PUBLIC HEARING - Progress report by the Planning & Development Department regarding the status of Resolutions of Intent and zoning/land use conflict corrections

NO ACTION

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
NO RECOMMENDATION

BACKUP DOCUMENTATION:
1. Conditions (Not Applicable) and Staff Report

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: AUGUST 13, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: DIR-35233

** CONDITIONS **

STAFF RECOMMENDATION: NO RECOMMENDATION

AR

DIR-35233 - Staff Report Page One
August 13, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a progress report by the Planning & Development Department regarding the status of Resolutions of Intent and zoning/land use conflict corrections.

ANALYSIS:

RESOLUTIONS OF INTENT:

The City Council approved a text amendment (TXT-19240) in 2007, which revised the process of having the council adopt a Resolution of Intent (ROI) prior to effectuating the zoning for parcels as part of the rezoning process. The ROI process is no longer utilized for parcels that have been rezoned since July 2007.

However, there still remain 484 parcels that are under an ROI, which were approved prior to the July 2007 text amendment. Staff has begun the process of resolving the remaining ROIs by taking the following actions:

1. Expired 34 ROIs where no development had occurred by the specified expiration date.

2. Requested that the City Attorney prepare an Ordinance which would officially rezone 194 parcels which had been developed in accordance with the conditions of approval. This Ordinance was approved by City Council on July 1, 2009.

3. Identified 171 parcels which have an ROI with an active expiration date but no development. Staff is tracking these parcels and will request that the City Attorney Office ordinance them if they are developed in accordance with the conditions of approval. If they are not developed, and the ROI is not extended, the ROI will expire.

This process leaves 85 parcels with ROI's and no expiration date. As a first step toward resolving the status of these parcels, staff has divided them into three categories, described as follows:

1. ORDINANCE

This group consists of 66 parcels where the ROI zoning classifications are consistent with the existing pattern of development, and it is staff's opinion that compatibility with adjacent parcels can be achieved through the Site Development Plan Review process. Staff is compiling the necessary information so that the City Attorney can prepare an Ordinance which would officially rezone the parcels.

2. MAINTAIN THE ROI

There are 15 undeveloped parcels with an ROI where the "original" zoning classifications are no longer consistent with the surrounding pattern of development. Consequently, reverting to the original zoning classification is no longer appropriate for the surrounding neighborhood. Staff will further investigate the proper zoning for those parcels as part of the zoning/land use conflict evaluation, but will maintain the ROI status until such resolution is accomplished.

3. RESCIND THE ROI

This group consists of four parcels where the ROI zoning classifications are not consistent with the surrounding pattern of development, and it is staff's opinion that the appropriate course of action is to rescind the ROIs, which would revert the parcels back to their original zoning classification. However, because these ROIs were approved without an expiration date, staff is required to schedule any rescission as a public hearing before the City Council, as required by Chapter 19.18.040(O)(4) of the zoning code. The code requires council to schedule a hearing on the matter, and may rescind the ROI or change the conditions of approval. Furthermore, the code states that council may stipulate a time limit for exercising the approval of the rezoning.

ZONING/LAND USE CONFLICT EVALUATION:

Staff is currently comparing the General Plan Land Use Maps and the Zoning Map, and has identified 7,738 parcels with zoning that is inconsistent with the land use designation. A preliminary review of these inconsistencies indicates that almost all of the affected parcels can be categorized into one of three groups:

1. Mapping errors. An example of this would be a General Plan designation inadvertently applied to right-of-way. Staff can resolve these types of errors administratively.

2. Undeveloped parcels. The majority of these parcels are located in the Centennial Hills Sector, have a General Plan designation of PCD, and are currently zoned R-E (Residence Estates). The PCD General Plan designation supports the PD (Planned Development) and R-PD (Residential Planned Development) zoning classification, both of which require development standards to be submitted in conjunction with a rezoning application. Because these properties cannot be developed without approved development standards in place, it is appropriate to use the R-E zoning as a temporary classification until the property is ready for development for a more permanent use. As such, no action should be taken relative to these parcels at the present time.

3. Developed parcels. The majority of the developed parcels with inconsistent Land Use and Zoning designations received their zoning entitlement prior to the adoption of the 1992 General Plan. Prior to the adoption of that Plan, there was no requirement that a zone change approval comply with the General Plan. Staff is in the process of identifying all the developed parcels where this situation exists and determining where General Plan Amendment or Rezoning applications are necessary. Staff anticipates having the first set of applications ready for consideration as public hearings before the Planning Commission and City Council in early 2010.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

ASSEMBLY DISTRICT

SENATE DISTRICT

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

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

AGENDA SUMMARY PAGE

PLANNING COMMISSION MEETING OF AUGUST 13, 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