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

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Richard Truesdell, Vice Chair
Byron Goynes
Steven Evans
Vicki Quinn
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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.

CANCELLATION

October 22, 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.

CANCELLATION

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 SEPTEMBER 24, 2009

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

CONSENT ITEMS:

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

ONE MOTION - ONE VOTE

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

PUBLIC HEARING ITEMS

6. **ABEYANCE - VAR-35528 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: BODYFLYING US, LLC** - Request for a Variance TO ALLOW 59 PARKING SPACES WHERE 69 ARE REQUIRED FOR A PROPOSED COMMERCIAL RECREATION/AMUSEMENT (INDOOR) USE on 0.81 acres on the north side of Sahara Avenue, approximately 440 feet east of Sixth Street (APNs 162-03-801-088 and 137), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

7. **ABEYANCE - SDR-35186 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-35528 - PUBLIC HEARING - APPLICANT/OWNER: BODYFLYING US, LLC** - Request for a Site Development Plan Review FOR A PROPOSED 79-FOOT TALL, 9,979 SQUARE-FOOT COMMERCIAL RECREATION/AMUSEMENT (INDOOR) BUILDING WITH WAIVERS OF PERIMETER LANDSCAPE STANDARDS TO ALLOW LANDSCAPE BUFFERS OF FIVE FEET ALONG THE SOUTH PERIMETER WHERE 15 FEET IS REQUIRED, ZERO FEET ALONG ON THE NORTH AND WEST PERIMETERS WHERE EIGHT FEET IS REQUIRED, AND THREE FEET ALONG THE EAST PERIMETER WHERE EIGHT FEET IS REQUIRED on 0.81 acres on the north side of Sahara Avenue, approximately 440 feet east of Sixth Street (APNs 162-03-801-088 and 137), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

8. **GPA-35866 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CT-1, LLC** - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: L (LOW DENSITY RESIDENTIAL) TO: SC (SERVICE COMMERCIAL) on 1.00 acres at 7204 West Craig Road (APN 138-03-201-009), Ward 4 (Anthony)

9. **ZON-35867 - REZONING RELATED TO GPA-35866 - PUBLIC HEARING - APPLICANT/OWNER: CT-1, LLC** - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-1 (LIMITED COMMERCIAL) on 1.00 acres at 7204 West Craig Road (APN 138-03-201-009), Ward 4 (Anthony)

10. **SDR-35868 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-35866 AND ZON-35867 - PUBLIC HEARING - APPLICANT/OWNER: CT-1, LLC** - Request for a Site Development Plan Review FOR A PROPOSED 2,772 SQUARE-FOOT RESTAURANT WITH DRIVE-THROUGH WITH A WAIVER OF PERIMETER LANDSCAPE BUFFER REQUIREMENTS TO ALLOW A ZERO-FOOT WIDE LANDSCAPE BUFFER ALONG THE SOUTH PROPERTY LINE WHERE 15 FEET IS REQUIRED on 1.00 acres at 7204 West Craig Road (APN 138-03-201-009), R-E (Residential Estates) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 4 (Anthony)

11. **GPA-36056 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - Request to AMEND THE DOWNTOWN NORTH LAND USE PLAN on 772 acres, Ward 5 (Barlow)

12. **MOD-35911 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT/OWNER: ANTHONY M. MARLON AND RENEE MARLON FAMILY PROTECTION TRUST AND LODEWIJK A. VAN GEMERT** - Request for a Major Modification to the Summerlin Master Development Plan TO AMEND THE EXISTING LAND USE DESIGNATION FROM: COS (COMMUNITY OPEN SPACE) TO: SF1 (SINGLE FAMILY DETACHED) on 0.27 acres, a portion of 9021 and 9025 Greensboro Lane (APNs 138-29-110-058 and 059), P-C (Planned Community) Zone, Ward 2 (Wolfson)

13. **VAR-35778 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: CARR LIVING TRUST U/A** - Request for a Variance TO ALLOW A FIVE-FOOT REAR YARD SETBACK WHERE 15 FEET IS REQUIRED FOR AN EXISTING 567 SQUARE-FOOT ADDITION TO A SINGLE FAMILY DWELLING on 0.19 acres at 6017 Cottontail

CANCELLATION

Cove Street (APN 125-26-610-069), R-PD3 (Residential Planned Development - 3 Units per Acre) Zone, Ward 6 (Ross)

14. **VAR-35857 - VARIANCE - PUBLIC HEARING - APPLICANT: FIDENCIO GARCIA - OWNER: WETHERBEE PROPERTIES, LLC** - Request for a Variance TO ALLOW 105 PARKING SPACES WHERE 113 SPACES ARE REQUIRED FOR A PROPOSED 800 SQUARE-FOOT RESTAURANT EXPANSION on 2.15 acres at 941 North Pecos Road (APN 139-25-601-004), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

15. **RQR-35792 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: LAS VEGAS BILLBOARDS, LLC - OWNER: JONATHAN PARK, LLC** - Request for a Required Review of a previously approved Special Use Permit (SUP-4811) FOR A 40-FOOT TALL, 12-FOOT X 24-FOOT OFF-PREMISE SIGN at 3319 Meade Avenue (APN 162-08-303-004), M (Industrial) Zone, Ward 1 (Tarkanian)

16. **RQR-35793 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: LAS VEGAS BILLBOARDS, LLC - OWNER: JONATHAN PARK, LLC** - Request for a Required Review of a previously approved Special Use Permit (SUP-4812) FOR A 40-FOOT TALL, 12-FOOT X 24-FOOT OFF-PREMISE SIGN at 3542 Sirius Avenue (APN 162-08-303-027), M (Industrial) Zone, Ward 1 (Tarkanian)

17. **RQR-35930 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: MOUNTAIN VIEW ESTATES - OWNER: JOHN HERDA** - Request for a Required Review of a previously approved Special Use Permit (SUP-4592) FOR A 40-FOOT TALL, 10-FOOT X 40-FOOT OFF-PREMISE SIGN at 2744 Highland Drive (APN 162-09-202-001), M (Industrial) Zone, Ward 1 (Tarkanian)

18. **SUP-35891 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LEE'S DISCOUNT LIQUOR - OWNER: THOMSON SUMMERLIN HOLDINGS, LLC** - Request for a Special Use Permit FOR A 10,565 SQUARE-FOOT PACKAGE LIQUOR OFF-SALE ESTABLISHMENT at 780 South Rampart Boulevard (APN 138-32-312-002), PD (Planned Development) Zone, Ward 2 (Wolfson)

19. **SUP-35909 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SECOND CHANCES BOUTIQUE - OWNER: TRAILWOOD CENTER, LLC** - Request for a Special Use Permit FOR A PROPOSED 1,549 SQUARE FOOT THRIFT SHOP at 9691 Trailwood Drive, Suite #101 (APN 138-19-420-004), P-C (Planned Community) Zone, Ward 2 (Wolfson)

20. **SUP-35932 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: FOUSTON JORDAN** - Request for a Special Use Permit FOR A PROPOSED CHURCH/HOUSE OF WORSHIP at 1230 West Adams Avenue (APN 139-28-607-009), R-1 (Single Family Residential) Zone, Ward 5 (Barlow)

21. **SDR-35931 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-35932 - PUBLIC HEARING - APPLICANT/OWNER: FOUSTON JORDAN** - Request for a Site Development Plan Review FOR THE CONVERSION OF AN EXISTING 2,871 SQUARE-FOOT RESIDENCE TO A CHURCH/HOUSE OF WORSHIP WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS TO ALLOW BUFFER WIDTHS OF FIVE FEET, TWO FEET, AND SEVEN FEET ALONG THE EAST, WEST, AND NORTH PERIMETERS, RESPECTIVELY; WHERE EIGHT FEET IS REQUIRED AND SIX FEET ALONG THE FRONT PERIMETER WHERE 15 FEET IS REQUIRED on 0.60 acres at 1230 West Adams Avenue (APN 139-28-607-009), R-1 (Single Family Residential) Zone, Ward 5 (Barlow)

22. **SDR-35903 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: YOUNGBLOOD ARCHITECTURE, LTD - OWNER: CLIFF FINDLAY AND DONNA FINDLAY FAMILY TRUST** - Request for a Site Development Plan Review FOR A PROPOSED 25,375 SQUARE-FOOT MOTOR VEHICLE SALES (NEW) FACILITY WITH ACCESSORY AUTO REPAIR WITH A WAIVER OF TOWN CENTER LANDSCAPE ISLAND AND TREE REQUIREMENTS TO ALLOW 46 TREES WHERE 63 ARE REQUIRED AND WAIVERS OF TITLE 19 REQUIREMENTS TO ALLOW A ZERO-FOOT BUFFER WHERE EIGHT FEET IS THE MINIMUM REQUIRED ALONG THE WEST PERIMETER AND A WAIVER OF OPEN SPACE REQUIREMENTS TO ALLOW 13% WHERE 20% IS THE MINIMUM REQUIRED on a portion of an 11.57 acre site adjacent to the north side of Azure Drive, between US 95 and Tenaya Way (APN 125-27-101-036), T-C (Town Center) Zone [GC-TC (General Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross)

23. **SDR-35904 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: STATE OF NEVADA DEPARTMENT OF TRANSPORTATION** - Request for a Site Development Plan Review TO REPLACE A PREVIOUSLY EXISTING 45-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE SIGN WITH A PROPOSED 65-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE SIGN ON THE SAME

CANCELLATION

LOT at the southeast corner of Wallace Drive and Clarice Avenue (APN 138-26-801-009), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian)

CANCELLATION

24. **SDR-35910 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: THE SHADE TREE, INC. -** Request for a Major Amendment of a previously approved Site Development Plan Review [Z-0102-97(1)] FOR THE PROPOSED ADDITION OF TWO 24-FOOT X 60-FOOT TEMPORARY MODULAR STRUCTURES TO AN EXISTING RESCUE MISSION OR SHELTER FOR THE HOMELESS WITH WAIVERS TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG THE NORTH PERIMETER WHERE 15 FEET IS THE MINIMUM REQUIRED AND A ZERO-FOOT BUFFER ALONG THE WEST AND SOUTH PERIMETERS WHERE EIGHT FEET IS THE MINIMUM REQUIRED on a portion of a 1.69 acre site at 1 West Owens Avenue (APN 139-27-502-019), Ward 5 (Barlow)

25. **SDR-35912 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: PRAYER CENTER REVIVAL MINISTRIES** - Request for a Site Development Plan Review FOR A PROPOSED 5,750 SQUARE-FOOT EXPANSION TO AN EXISTING 1,673 SQUARE-FOOT CHURCH WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS TO ALLOW BUFFERS OF ONE, EIGHT AND ZERO FEET ALONG THE NORTH, SOUTH AND EAST PERIMETERS, RESPECTIVELY, WHERE 15 FEET IS REQUIRED ADJACENT TO RIGHT-OF-WAY, AND TWO FEET ALONG THE NORTH AND WEST PERIMETERS WHERE EIGHT FEET IS REQUIRED ALONG INTERIOR LOT LINES on 0.69 acres at 1316 and 1352 Miller Avenue and 1329 West Carey Avenue (APNs 139-21-510-007, 073 and 074), C-V (Civic) Zone, Ward 5 (Barlow)

26. **SDR-36190 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: CORESTONE, LLC** - Request for a Major Amendment to an approved Site Development Plan Review (SDR-29021) TO ALLOW A REDUCTION IN BUILDING AREA, SETBACKS AND OVERALL HEIGHT OF AN APPROVED URBAN LOUNGE on 0.13 acres at 123 East Charleston Boulevard (APN 139-34-410-046), C-2 (General Commercial) Zone, Ward 3 (Reese)

DIRECTOR'S BUSINESS:

27. **DIR-35929 - DIRECTOR'S BUSINESS - PUBLIC HEARING** - Progress report by the Planning & Development Department regarding input received at public input meetings for corridor and walkable community plans.

28. **TXT-36167 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - Discussion and possible action to amend Table 2 of 19.04.010 and Title 19.20 to modify references to the Child Care uses, All Wards

29. **TXT-36168 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - Discussion and possible action to amend Title 19.18.040(H) and (J) to revise provisions related to the zoning of a parcel of land by the Planning Commission and City Council, All Wards

30. **TXT-36169 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - Discussion and possible action to amend Title 19.06.120 to clarify references to parking requirements within the Downtown Entertainment Overlay District, Ward 5 (Barlow)

31. **TXT-36171 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - Discussion and possible action to amend Title 19.06.060 to revise references to the Downtown Overlay District to correspond to the Downtown Centennial Plan, Wards 3 and 5 (Reese and Barlow)

CITIZENS PARTICIPATION:

32. 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

CANCELLATION

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

AGENDA SUMMARY PAGE

PLANNING COMMISSION MEETING OF: OCTOBER 22, 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: OCTOBER 22, 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 OCTOBER 22, 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 OCTOBER 22, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

SUBJECT:
APPROVAL OF THE FINAL MINUTES FOR THE PLANNING COMMISSION MEETING OF SEPTEMBER 24, 2009

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

AGENDA SUMMARY PAGE

PLANNING COMMISSION MEETING OF: OCTOBER 22, 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: OCTOBER 22, 2009

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

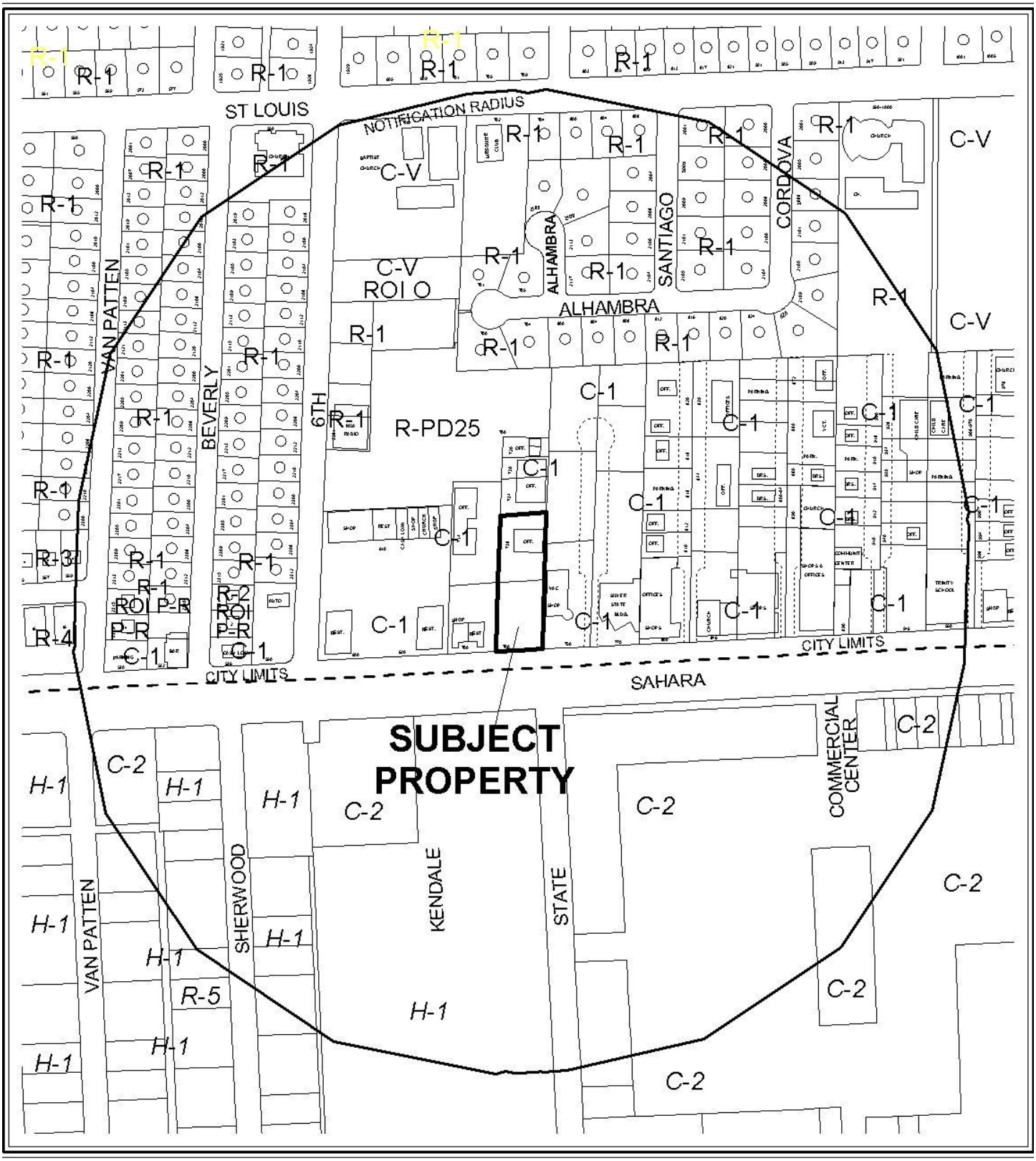
SUBJECT:
ABEYANCE - VAR-35528 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: BODYFLYING US, LLC - Request for a Variance TO ALLOW 59 PARKING SPACES WHERE 69 ARE REQUIRED FOR A PROPOSED COMMERCIAL RECREATION/AMUSEMENT (INDOOR) USE on 0.81 acres on the north side of Sahara Avenue, approximately 440 feet east of Sixth Street (APNs 162-03-801-088 and 137), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

C.C.: 11/18/2009

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**60**	**Planning Commission Mtg.**	**3**
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-35528**

RADIUS: 1000 FT

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

N



0 300 600 Feet

CASE: **VAR-35528**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 22, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - VAR-35528 - APPLICANT/OWNER: BODYFLYING US, LLC

** CONDITIONS **

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

Planning and Development

1. Conformance to the conditions for Site Development Plan Review (SDR-35186) 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.

JB

VAR-35528 - Staff Report Page One
October 22, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site consists of two separate parcels and is partially developed. Currently, the northern portion of the site is being utilized by a 3,475 square-foot medical office building, while the southern portion remains undeveloped, generally located adjacent to the north side of Sahara Avenue, approximately 440 feet east of Sixth Street. The applicant is proposing to add a 9,979 square-foot Commercial Recreation/Amusement (Indoor) building at the site. The proposed and existing uses will require 69 parking spaces where 59 will be provided. Staff cannot support this request as the applicant has not provided compelling evidence of a unique or extraordinary circumstance, and has created a self-imposed hardship by proposing to overbuild the site; therefore, staff recommends denial of this request. If this request is denied, an alternate site design will be required to provide parking for all proposed uses in accordance with Title 19.04 and 19.10. In addition, the associated Site Development Plan Review (SDR-35186) for a 9,979 square-foot Commercial Recreation/Amusement (Indoor) building at the site cannot be approved.

ISSUES

- The proposed development fails to meet the minimum parking requirements listed in Title 19.04.010 for the proposed use.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
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 and staff recommended approval of the request.
08/23/07	The Planning Commission tabled a request for a Site Development Plan Review (SDR-22017) for a proposed 98-foot tall, 12,452 square-foot commercial recreation/ amusement (Indoor) facility with waivers of perimeter landscaping standards to allow five feet on the south property line where 15 feet is required and zero feet on the north, east and west property lines where eight feet is required; and a request for a Variance (VAR-22018) to allow 28 parking spaces where 63 spaces is the minimum required for a proposed commercial recreation/ amusement (Indoor) facility adjacent to the north side of Sahara Avenue, approximately 420 feet east of Sixth Street. Staff recommended denial of the request.

Related Building Permits/Business Licenses	
Circa 1969	Office building located at 738 East Sahara Avenue on APN 162-03-801-088 was constructed.
03/18/02	A business license (T18-00499) was issued for Miscellaneous Telephone Sales and (U05-00244) for a Public Utility Telephone at 738 East Sahara Boulevard, Suite #104. These licenses are still active.
06/06/02	A business license (B20-00414) was issued for Business Support Services at 738 East Sahara Boulevard, Suite #B. This license was marked out of business on 08/10/07.
08/09/07	A business license (I04-03459) was issued for an Insurance Producer and (K10-00257) for a Sales and Service Firm at 738 East Sahara Boulevard, Suite #B. These licenses are still active.
09/30/08	A business license (Q07-00825) was issued for a medical firm at 738 East Sahara Boulevard. This license is still active.
Pre-Application Meeting	
06/29/09	A pre-application meeting was held and elements of this application were discussed. It was noted that there would need to be landscape waivers added to the justification letter and that a parking Variance may be required.

Neighborhood Meeting	
10/07/09	A voluntary neighborhood meeting was held from 6:00 to 7:10 pm at the Mesquite Club located at 702 East St. Louis Avenue, Las Vegas, Nevada 89104. There were 20 attendees for the general public, and one (1) staff member of the Planning and Development Department. Discussion topics included: Reviewed Project: • Predominately by appointment only • Training video & personal approximately 25 minutes • 20 minutes to "suit up" • 3 minutes in the wind • Approximately 20% local, 80% tourists • Approximately 6 employees • Fan surrounded by concrete, takes in no external air • 8:00am – 11:00am Skydiving • 11:00am – 10:00pm Public Concerns & Questions: • Noise • Vibration • Driveway width • Bus traffic • Large crowds at a time

	• Noise in parking lot from patrons • Limo's idling in parking lot • Decibel levels • Signage being overly large • Height of building Conclusion: Approximately 1/3 in favor 1/3 opposed 1/3 no comment

Field Check	
08/20/09	A site inspection was performed by staff with the following observations: • The subject site has been developed with a medical office building on the northern portion of the site, while the southern portion of the site adjacent to Sahara Avenue remains undeveloped with scattered debris.

Details of Application Request	
Site Area	
Gross Acres	0.81 Acres

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Medical Office Building and Undeveloped	C (Commercial)	C-1 (Limited Commercial)
North	Office Building	C (Commercial)	C-1 (Limited Commercial)
South	Multi-Family Residences	CT (Commercial Tourist) - Clark County Designation	H-1 (Limited Resort and Apartment) - Clark County Designation
East	General Retail	C (Commercial)	C-1 (Limited Commercial)
West	Restaurant and General Retail	C (Commercial)	C-1 (Limited Commercial)

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

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	
Medical Office	3,475 S.F.	1:200 for the first 2,000 sq. ft. 1:175 for the remaining gross floor area	19		56	3	N
Commercial Recreation / Amusement (Indoor)	9,979 S.F.	1:200	50				
SubTotal	13,454 S.F.		66	3	56	3	
TOTAL	13,454 S.F.		69		59		
Percent Deviation					14%		

ANALYSIS

The applicant has proposed to build a 9,979 square-foot Commercial Recreation/Amusement (Indoor) facility consisting of a 79-foot tall, cylindrical building for a wind tunnel with an attached six floors of public and mechanical areas with ground level parking on 0.81 acres adjacent to the north side of Sahara Avenue, approximately 440 feet east of Sixth Street. The applicant has indicated that the proposed commercial recreation/amusement (indoor) facility will be utilized by no more than 26 people in an hour, consisting of six staff members and twenty (20) guests. Guests of the proposed facility must receive instruction and special clothing prior to flying, which limits the number of people who can utilize the facility at the same time.

The existing and proposed uses on the subject site require 69 parking spaces where 59 are proposed, which represent a 14% deviation from Title 19 requirements. The 14% reduction in required parking indicates that the site, as proposed, would be overbuilt. Furthermore, the proposed deficiency is preferential in nature and as such, the applicant has created a self-imposed hardship that staff cannot support; therefore, staff is recommending denial of this request.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing to overbuild the site. Alternatively site design or a reduction in the scope of the project would allow conformance to Title 19 parking requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 183

APPROVALS 3

PROTESTS 60

JB

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-35528 APN: 162-03-801-088 & 137

Name of Property Owner: Bodyflying US, LLC

Name of Applicant: Bodyflying US, LLC

Name of Representative: Bob Gronauer - Kummer Kaempfer Bonner Renshaw & Ferrario

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

_____ Yes ✓ No

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

City Official: N/A

Partner(s): _____

APN: _____

Signature of Property Owner: Gary L Speer TNDL 064567322

Print Name: GARY L. SPEER

Subscribed and sworn before me

This 5 day of August, 2009

Notary Public in and for said County and State

County of Sevier; State of TN

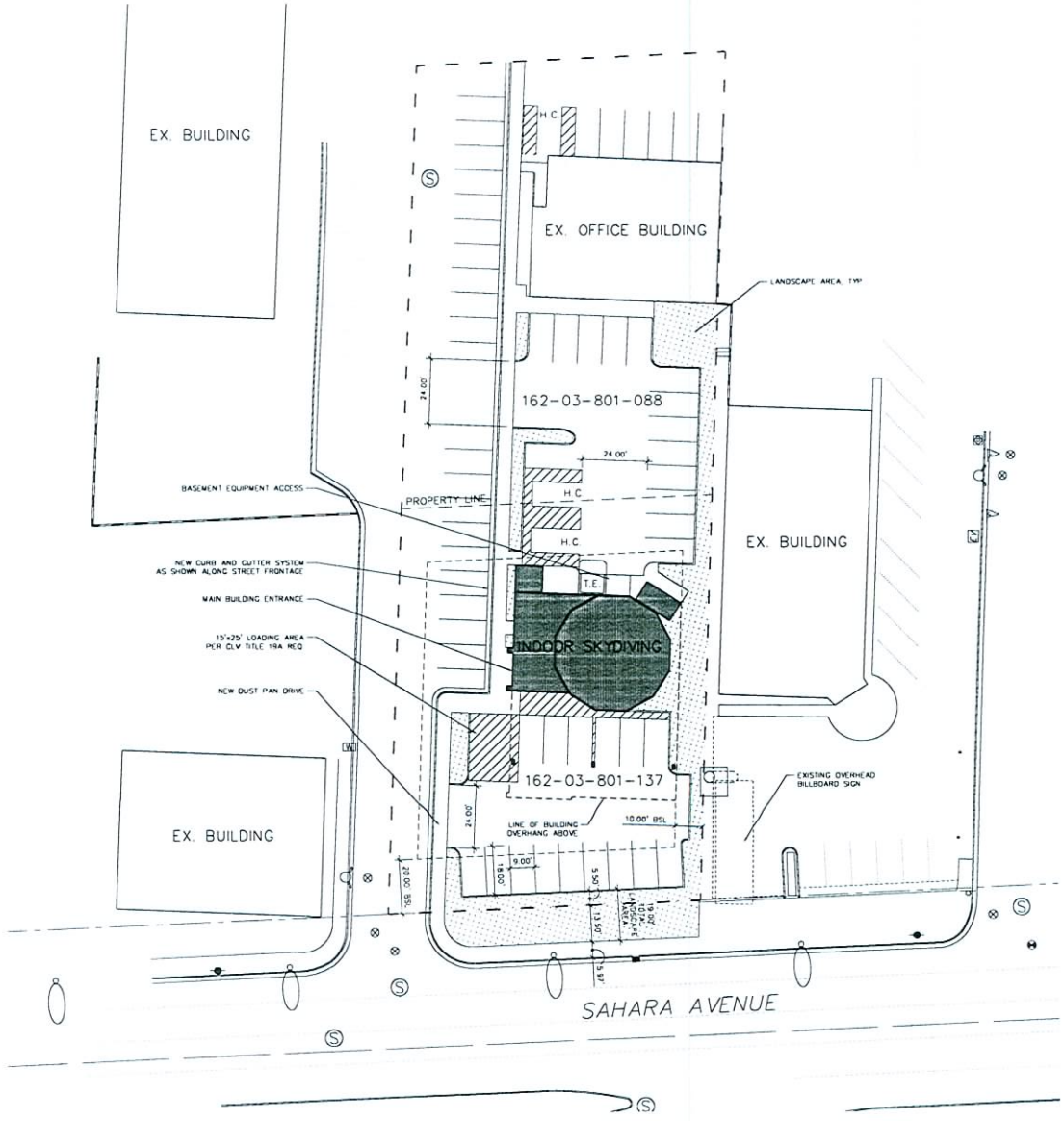
ASHLEY RUSSELL NOTARY PUBLIC STATE OF TENNESSEE SEVIER COUNTY

Revised 11-14-06 f:\depot\Application Packet\Statement of Financial Interest.doc

796368.1 AMP 14670.1

DESIGN DATA

LOT AREA	93 ACRES (162-03-801-137) 42 ACRES (162-03-801-088)
TOTAL BUILDING AREA	23,624 SF (INDOOR SKYDIVING) / 2,325 SF (MECHANICAL) / 25,949 SF (TOTAL)
BUILDING FOOTPRINT	23,624 SQUARE FEET
PARKING REQUIRED (CITY OF LAS VEGAS - TITLE 19A)	
EXISTING OFFICE (RETAIL)	5 EMPLOYEES @ 1,200 SQ FT (2000 SF / 1.75 SEASONS) = 19 STALLS
INDOOR SKYDIVING	1,200 SF @ 1/4 (OCCUPANT) = 50 STALLS
TOTAL STALLS REQUIRED	69 STALLS TOTAL REQUIRED (BOTH PARCELS)
PARKING PROVIDED ACROSS BOTH PARCELS	
REGULAR STALLS	56 STALLS (9'x18' TYP.)
ACCESSIBLE STALLS	1 VAN AND 2 REGULAR STALLS
TOTAL SPACES	59 STALLS TOTAL PROVIDED (BOTH PARCELS) (PARKING VARIANCE FOR 10 STALLS REQUESTED)



BRESLIN BUILDERS

Site Plan

Land-Use Submittal
August 4, 2009

Scale: 1" = 20'-0"
BBDC Project No. 1109A
Version 3

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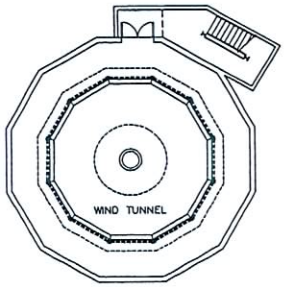
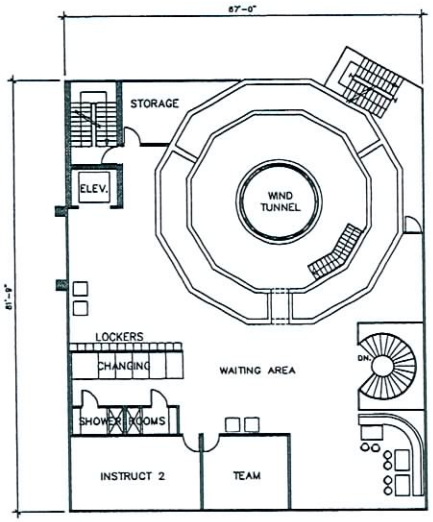
AUG 10 2009

BodyFlying.us LLC - Las Vegas
700 East Sahara Avenue, Las Vegas, Nevada

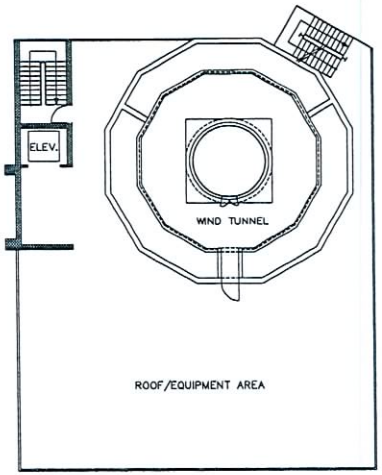
VAR-35528
09/24/09 PC



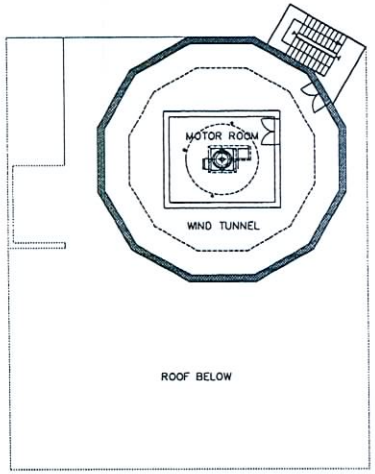
Level B (Basement)



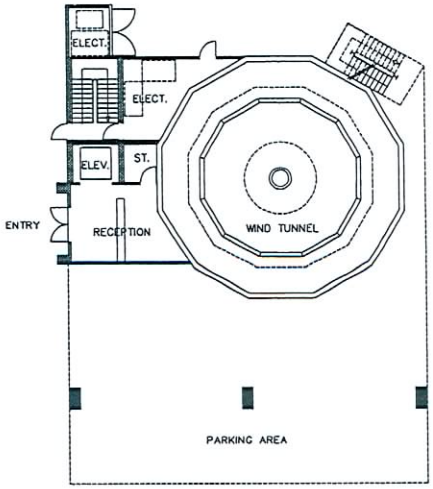
Level 4 (Spectator)



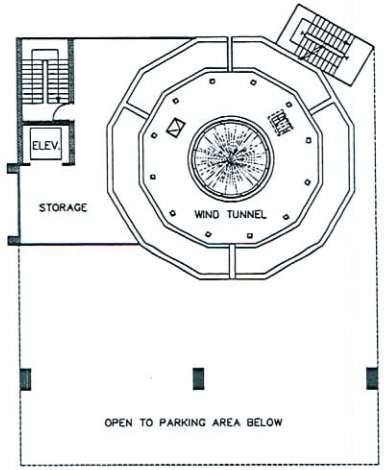
Level 5 (Propeller)



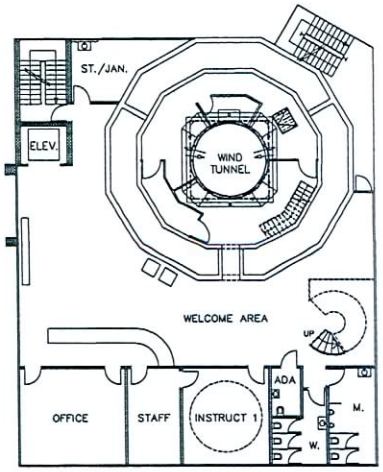
Level 6 (Motor)



Level 1 (Entrance)



Level 2 (Storage)



Level 3 (Flyers)

AREA SQUARE FOOTAGE BREAKDOWN:

AREAS	TECHNICAL AREA	BUSINESS AREA
LEVEL B	250 S.F.	0 S.F.
LEVEL 1	234 S.F.	274 S.F.
LEVEL 2	524 S.F.	0 S.F.
LEVEL 3	165 S.F.	3,841 S.F.
LEVEL 4	165 S.F.	3,489 S.F.
LEVEL 5	714 S.F.	0 S.F.
LEVEL 6	323 S.F.	0 S.F.
TOTALS	2,375 S.F.	7,604 S.F.

TOTAL AREAS = 9,979 SQUARE FEET

Floor Plans

Scale: 3/32" = 1'-0"
BBDG Project No.: 1109A
Version 2

Land-Use Submittal
July 9, 2009

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BodyFlying.us LLC - Las Vegas
700 East Sahara Avenue, Las Vegas, Nevada

VAR-35528
09/24/09 PC



VAR-35528 - APPLICANT/OWNER: BODYFLYING US, LLC
NORTH SIDE OF SAHARA AVENUE, APPROXIMATELY 440 FEET EAST OF SIXTH STREET
OCTOBER 22, 2009 PLANNING COMMISSION

08/20/09



VAR-35528 - APPLICANT/OWNER: BODYFLYING US, LLC
NORTH SIDE OF SAHARA AVENUE, APPROXIMATELY 440 FEET EAST OF SIXTH STREET
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08/20/09

KUMMER KAEMPFER
ATTORNEYS AT LAW
LAS VEGAS OFFICE

ROBERT J. GRONAUER
rgronauer@kkbrf.com
702.792.7052

KUMMER KAEMPFER BONNER
RENSHAW & FERRARIO

LAS VEGAS OFFICE
3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, NV 89169
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
5585 Kietzke Lane
Reno, NV 89511
Tel: 775.852.3900
Fax: 775.852.3982

CARSON CITY OFFICE
510 W. Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

August 7, 2009

VIA HAND DELIVERY

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

Re: Justification Letter – Site Development Plan Review and Parking Variance

To Whom It May Concern:

Our office represents Bodyflying US, LLC ("The Applicant"). Please accept the attached application for a Site Development Plan Review. Our client proposes to develop a commercial recreation/amusement (indoor) facility in the C-1 district on the site located near Sahara and Sixth Street. The site development plan review is for an indoor wind tunnel with support services including an instruction room and gift shop. No functions will be operated outside the facility (i.e. noise).

The building is a total of 9,979 square feet, divided into 2,375 square feet "technical" and 7,604 square feet "business" (public). The first floor of the proposed facility will consist of the entrance and elevator to the second floor. The second floor is for storage and is not accessible to the public. The third floor will consist of the reception area, observation area, gift shop, instruction rooms, restrooms and office. The fourth floor will consist of a lounge area, changing rooms and team room. The fifth and sixth floors of the roof are portion of the wind tunnel and the mechanical equipment. The maximum height of the wind tunnel structure is 78'-9".

The Site Development Plan Review includes a waiver of the required perimeter landscape buffers; the C-1 district requires a 15 foot wide landscape buffer adjacent to Sahara Avenue and an 8 foot wide landscape buffer adjacent to the interior lot lines. The site plan provides 5'-6" landscape buffer adjacent to Sahara Avenue, a 3 foot landscape buffer along the East perimeter and zero landscaping along the North and West property lines. Please note that the applicant will also be providing 13'- 6" of landscaping within the public right of way in addition to the 5'-6" on the site for a total width of 19'-0" inches in addition to a 6 foot wide public sidewalk. The landscaping adjacent to the building will vary in width from 3 feet to 10 feet. All other code requirements have been met.

The applicant is also seeking a parking variance to allow for 59 parking spaces where 69 spaces are required. Based upon the type of business being proposed we feel that the proposed

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VAR-35528
09/24/09 PC

59 parking spaces is more than sufficient to adequately handle the customers and staff that will be utilizing the site. Title 19 Section 19.04 Table 2 specifies the required parking for a commercial recreation/amusement (indoor) however does not have a specific parking requirement for a wind tunnel therefore it has been determined by staff that required parking is based upon "other uses". We feel that based upon the use that the wind tunnel parking demand is closer to the parking demand generated by an indoor court game which requires 3 parking spaces per court which would require a maximum of 30 spaces which we far exceed.

The wind tunnel will be utilized by no more than 26 persons in an hour, including six staff persons and 20 guests, taking into consideration the overlap time between the departing and entering groups. The guests make reservations and are typically in small groups of 3 to 5 persons. The guests must receive instruction and special clothing prior to flying which limits the number of people who can utilize the facility at the same time.

The applicant is the property owner of both parcels associated with this application and will maintain cross access and cross parking requirements as required.

We are excited about this project and look forward to working with staff through the development of this site.

Sincerely,

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO

Robert J Gronauer

Robert J. Gronauer

RJG/mlt

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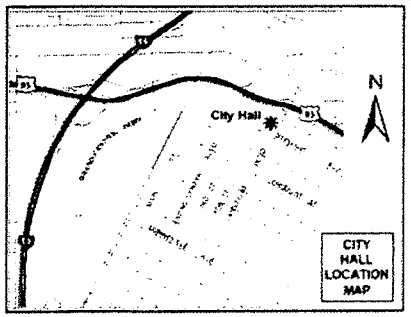
09/24/09 PC

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



Property Or
Business Owner Shannon Prestridge

Address 1909 S. 11th St.

City, State, Zip Las Vegas, NV 89104

Telephone (702) 769-4783

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-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

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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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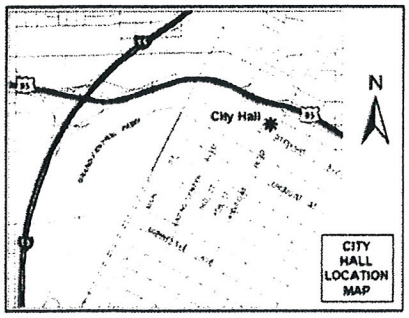

Property Or Business Owner J A Wade

Address 1210 E St Louis

City, State, Zip LV

Telephone 702 796 5195

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VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

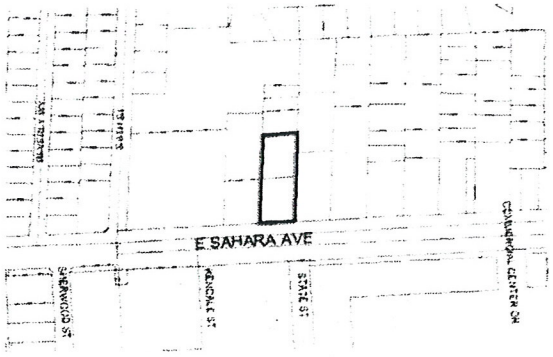
Please Cut Along Dotted Line and return the top portion to the City of Las Planning Commission

Application Information

VAR-35528 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: BODYFLYING US, LLC - Request for a Variance TO ALLOW 59 PARKING SPACES WHERE 69 ARE REQUIRED FOR A PROPOSED COMMERCIAL RECREATION/AMUSEMENT (INDOOR) USE on 0.81 acres on the north side of Sahara Avenue, approximately 440 feet east of Sixth Street (APNs 162-03-801-088 and 137), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

SDR-35186 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-35528 - PUBLIC HEARING - APPLICANT/OWNER: BODYFLYING US, LLC - Request for a Site Development Plan Review FOR A PROPOSED 79-FOOT TALL, 9,979 SQUARE-FOOT COMMERCIAL RECREATION/AMUSEMENT (INDOOR) BUILDING WITH WAIVERS OF PERIMETER LANDSCAPE STANDARDS TO ALLOW LANDSCAPE BUFFERS OF FIVE FEET ALONG THE SOUTH PERIMETER WHERE 15 FEET IS REQUIRED, ZERO FEET ALONG ON THE NORTH AND WEST PERIMETERS WHERE EIGHT FEET IS REQUIRED, AND THREE FEET ALONG THE EAST PERIMETER WHERE EIGHT FEET IS REQUIRED on 0.81 acres on the north side of Sahara Avenue, approximately 440 feet east of Sixth Street (APNs 162-03-801-088 and 137), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	***September 24, 2009***
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file a written objection thereto or approval thereof with the Planning and Development Department, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. Final Action on General Plan Amendments and Rezonings will be determined by the City Council. Other public hearing items may be deemed Final Action by the Planning Commission or forwarded to the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after the discussion of the item. For further information, including the full staff report, please call (702) 229-6301 (TDD 386-9108) or go to http://www.lasvegasnevada.gov.

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

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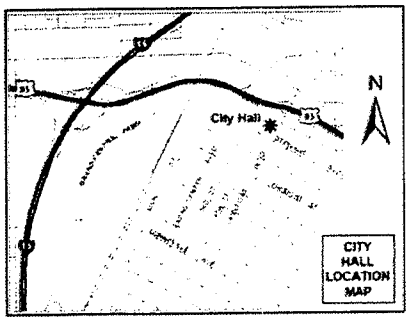

Property Or
Business Owner SILVER CITY DEVT, LLC

Address 1916 S. MARYLAND PKWY.

City, State, Zip LAS VEGAS, NV 89104

Telephone (702) 456-8884

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-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

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

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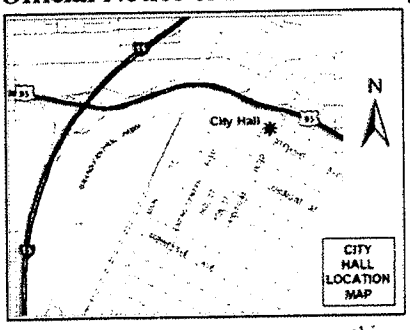

Property Or Business Owner JAMES KELLY

Address 1077 HOWARD DR.

City, State, Zip L.V. NV. 89104

Telephone

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-35528 & SDR-35186
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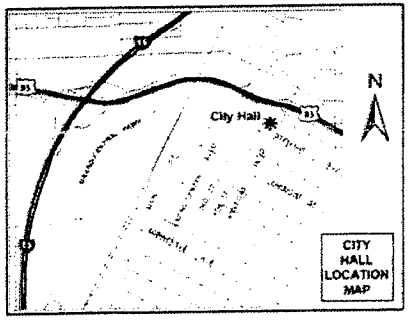

Property Or Business Owner: JACK WEINSTEIN MGR VANCO LLC

Address: 896 E SAHARA

City, State, Zip: 89104

Telephone: 702 630 9555

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

Jack Weinstein

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

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

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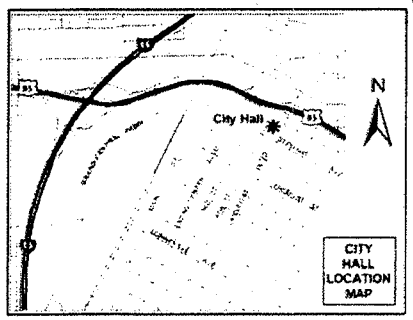

Property Of
~~Business Owner~~ Donald D. & Irene B. Larkin

Address 2104 Cordova St.

City, State, Zip L.V. Nev. 89104

Telephone 702) 735-0002

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

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VAR-35528 & SDR-35186
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City of Las Vegas
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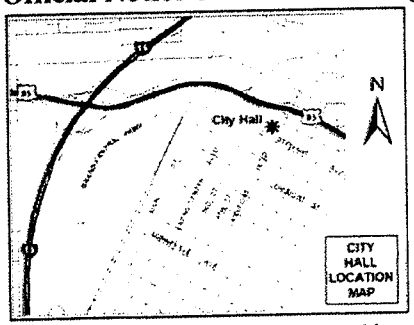

Property Or
Business Owner Jeff Bower

Address 1046 Bonita Ave.

City, State, Zip Las Vegas, NV. 89104-3115

Telephone 702-794-0690

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

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VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

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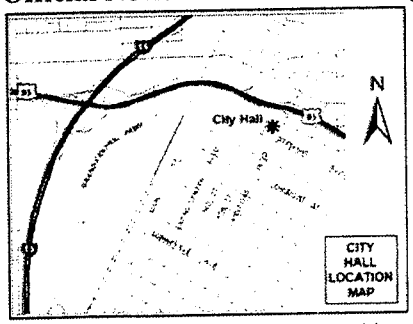
Development Services Center
731 S. Fourth Street
Las Vegas. Nevada 89101-2986

Return Service Requested

Official Notice of Public Hearing



Property Or Business Owner Diane M. Morgan

Address 808 Bonita Ave

City, State, Zip Las Vegas NV 89104

Telephone _____

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

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

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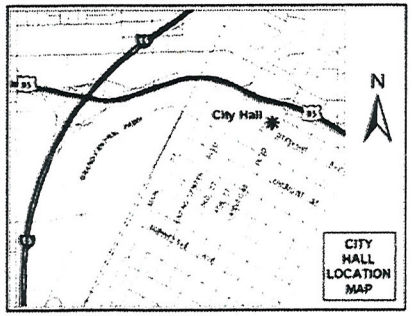

Property Or
Business Owner Joyce Perlman

Address 850 Tam O'Shanter

City, State, Zip Las Vegas Nev 89109

Telephone 702-735-5533

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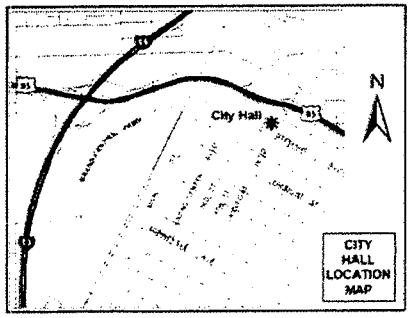

Property Or Business Owner PETERSEN 1994 TRUST

Address 709 CANOSA AVE

City, State, Zip LAS VEGAS NEV 89104

Telephone _____

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NOISE CREATED WOULD BE A CONCERN

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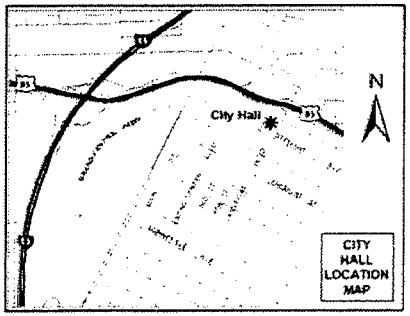

Property Or Business Owner Joseph L. Notaro

Address 2008 Santiago St

City, State, Zip Las Vegas NV 89104

Telephone 702 650 9063

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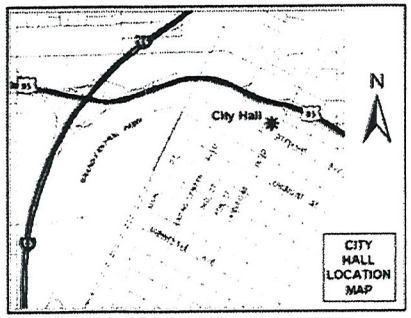

Property Or
Business Owner _____

Address _____

City, State, Zip _____

Telephone _____

Tom & Vivian McHatton
2008 Cordova St
Las Vegas, NV 89104

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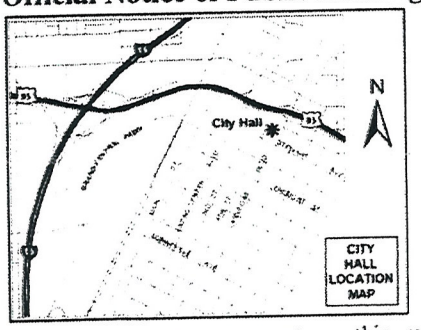

Property Or Business Owner Tenille Cina

Address 1929 So. 6th St

City, State, Zip Las Vegas, NV 89104

Telephone (702) 604-3232

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VAR-35528 & SDR-35186

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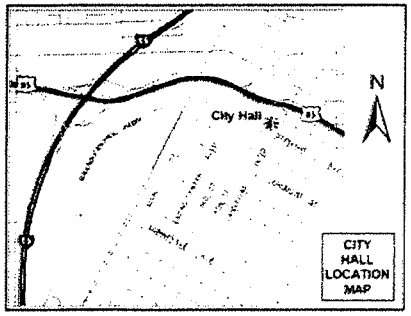

Property Or
Business Owner Patsy Graham

Address 2105 Santiago St

City, State, Zip L.V. NV 89104

Telephone 791-5086

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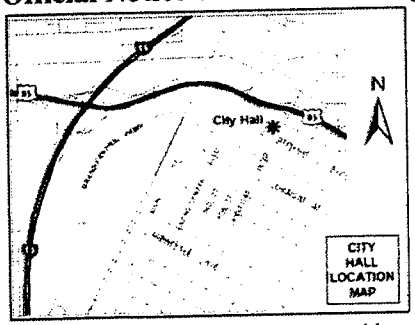

Property Or Business Owner Elisa Povso

Address 1043 Canoga Ave

City, State, Zip Las Vegas NV 89104

Telephone (305) 207-4993

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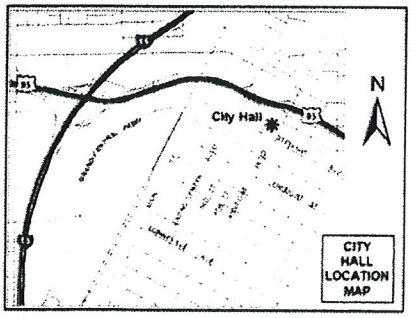

Property Or Business Owner Margaret M Stevens Trust Mary Stevens Trustee

Address 1810 S. 8th St

City, State, Zip LAS VEGAS, NV 89104

Telephone 429-7902

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

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Application Information

VAR-35528 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: BODYFLYING US, LLC - Request for a Variance TO ALLOW 59 PARKING SPACES WHERE 69 ARE REQUIRED FOR A PROPOSED COMMERCIAL RECREATION/AMUSEMENT (INDOOR) USE on 0.81 acres on the north side of Sahara Avenue, approximately 440 feet east of Sixth Street (APNs 162-03-801-088 and 137), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

SDR-35186 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-35528 - PUBLIC HEARING - APPLICANT/OWNER: BODYFLYING US, LLC - Request for a Site Development Plan Review FOR A PROPOSED 79-FOOT TALL, 9,979 SQUARE-FOOT COMMERCIAL RECREATION/AMUSEMENT (INDOOR) BUILDING WITH WAIVERS OF PERIMETER LANDSCAPE STANDARDS TO ALLOW LANDSCAPE BUFFERS OF FIVE FEET ALONG THE SOUTH PERIMETER WHERE 15 FEET IS REQUIRED, ZERO FEET ALONG ON THE NORTH AND WEST PERIMETERS WHERE EIGHT FEET IS REQUIRED, AND THREE FEET ALONG THE EAST PERIMETER WHERE EIGHT FEET IS REQUIRED on 0.81 acres on the north side of Sahara Avenue, approximately 440 feet east of Sixth Street (APNs 162-03-801-088 and 137), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

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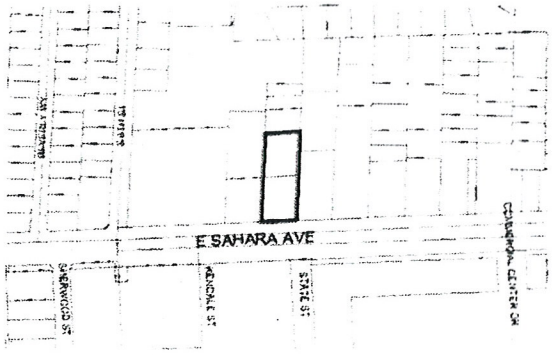

The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	***September 24, 2009***
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file a written objection thereto or approval thereof with the Planning and Development Department, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. Final Action on General Plan Amendments and Rezonings will be determined by the City Council. Other public hearing items may be deemed Final Action by the Planning Commission or forwarded to the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after the discussion of the item. For further information, including the full staff report, please call (702) 229-6301 (TDD 386-9108) or go to http://www.lasvegasnevada.gov.

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

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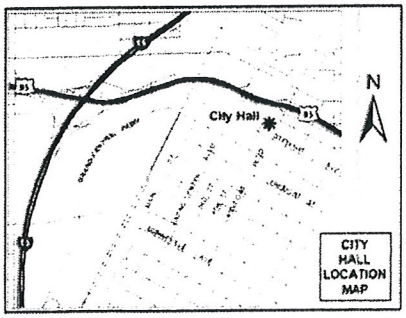

Property Or Business Owner: Firooz Mashhood MD

Address: 734 E Sahara

City, State, Zip: Las Vegas Nevada 89104

Telephone: 702.477.7764

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VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

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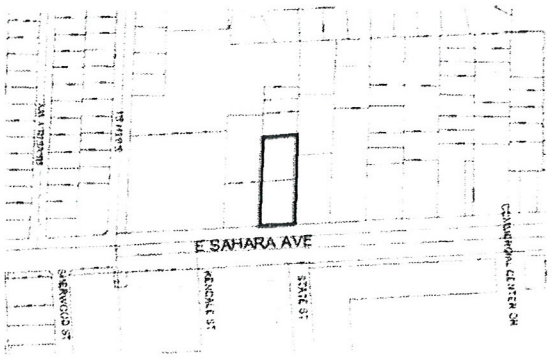

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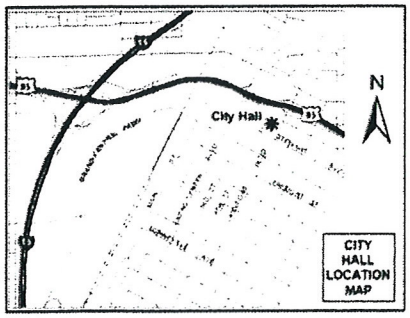

Property Or Business Owner Claudia Ewing

Address 1032 E. Bonita Ave

City, State, Zip Las Vegas, NV 89104

Telephone (702) 354-0917

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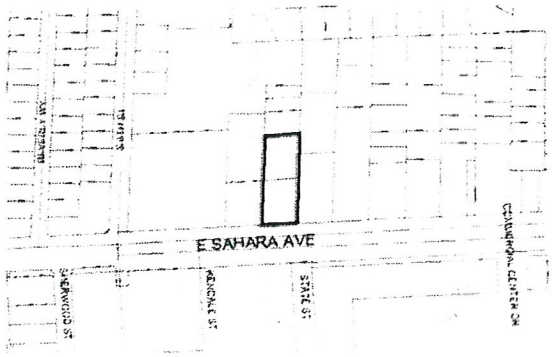

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Telephone Protest/ Approval Log

Meeting Date: 09.24.09 **Case Number:** VAR-35528

Date: 09.16.09

Name: Terry Hunt

Address: 700 E Sahara Ave
Las Vegas, NV 89104

Phone: 702-596-8960

[X] PROTEST [ ] APPROVE

Date: 9-17-09

Name: Eugene Godina

Address: 700 E. Sahara
89104

Phone: 737-7077

[X] PROTEST [ ] APPROVE

Date: 9-17-09

Name: Dr. Mashood

Address: ~~702~~ 734 E. Sahara
89104

Phone: (702) 477-7764

[X] PROTEST [ ] APPROVE

Date:

Name:

Address:

Phone:

[ ] PROTEST [ ] APPROVE

Date:

Name:

Address:

Phone:

[ ] PROTEST [ ] APPROVE

Date:

Name:

Address:

Phone:

[ ] PROTEST [ ] APPROVE

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 SEP 11 2009
MAILED FROM ZIP CODE 89101

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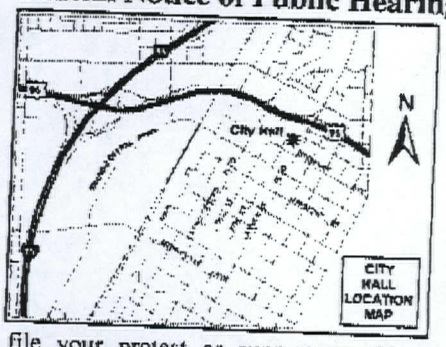

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VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

16203421005 Case: VAR-35528
DAPHNEY IRREVOCABLE TRUST
4769 SPINDLERIDGE CIR
LAS VEGAS NV 89147-5272

GAVDS11 89147

RECEIVED
SEP 14 2009

12P

KAEMPFER CROWELL

ATTORNEYS AT LAW

KAEMPFER CROWELL RENSHAW GRONAUER & FIORENTINO

LAS VEGAS OFFICE
3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, NV 89169
Tel. 702.792.7000
Fax. 702.796.7181

RENO OFFICE
5585 Kietzke Lane
Reno, NV 89511
Tel. 775.852.3900
Fax. 775.852.3982

CARSON CITY OFFICE
510 W. Fourth Street
Carson City, NV 89703
Tel. 775.882.1311
Fax. 775.882.0257

LAS VEGAS OFFICE

ROBERT J. GRONAUER
rgronauer@kkbrf.com
702.792.7000

September 22, 2009

VIA FACSIMILE
385-7268

Mr. Steve Gebeke
Planning Commission Supervisor
LAS VEGAS PLANNING & DEVELOPMENT
731 South Fourth Street
Las Vegas, NV 89101

Re: VAR-35528 and SDR-35186
Bodyflying US, LLC
9/24/09 Planning Commission Items #12-13

Dear Steve:

This office represents the applicant in the above-referenced matters. We respectfully request these matters be held from the presently scheduled Planning Commission hearing of September 24, 2009 until **October 22, 2009**. The additional time is needed to hold a neighborhood meeting.

Thank you for your consideration.

Sincerely,

KAEMPFER CROWELL RENSHAW GRONAUER & FIORENTINO

Bob Gronauer

Robert J. Gronauer

RECEIVED
SEP 22 2009

RJG/mlt

cc: Jonathan Boyles (via e-mail: jboyles@lasvegasnevada.gov)

832085_1.DOC

Submitted after final agenda
14670 1
Date 9.24.09 PC Item 12-13

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

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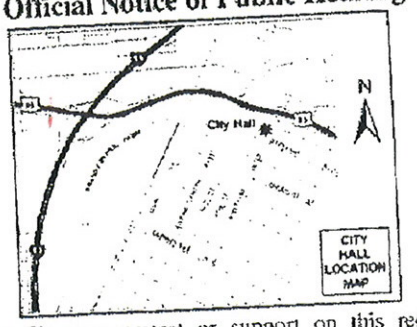

Property Or Business Owner: Gregory S BROWN

Address: 606 Bonita Ave

City, State, Zip: LV NV 89104

Telephone: 580-7798

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VAR-35528 & SDR-35186

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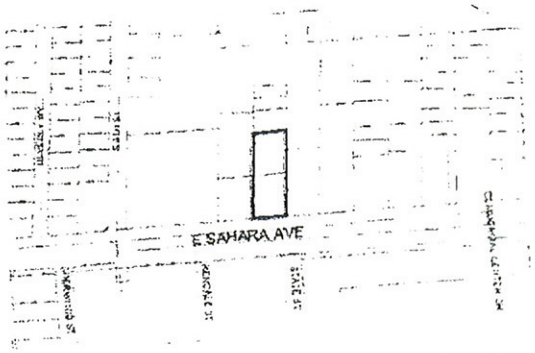
Application Information

VAR-35528 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: BODYFLYING US, LLC - Request for a Variance TO ALLOW 59 PARKING SPACES WHERE 69 ARE REQUIRED FOR A PROPOSED COMMERCIAL RECREATION/AMUSEMENT (INDOOR) USE on 0.81 acres on the north side of Sahara Avenue, approximately 440 feet east of Sixth Street (APNs 162-03-801-088 and 137). C-1 (Limited Commercial) Zone. Ward 3 (Reese)

SDR-35186 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-35528 - PUBLIC HEARING - APPLICANT/OWNER: BODYFLYING US, LLC - Request for a Site Development Plan Review FOR A PROPOSED 79-FOOT TALL, 9,979 SQUARE-FOOT COMMERCIAL RECREATION/AMUSEMENT (INDOOR) BUILDING WITH WAIVERS OF PERIMETER LANDSCAPE STANDARDS TO ALLOW LANDSCAPE BUFFERS OF FIVE FEET ALONG THE SOUTH PERIMETER WHERE 15 FEET IS REQUIRED, ZERO FEET ALONG ON THE NORTH AND WEST PERIMETERS WHERE EIGHT FEET IS REQUIRED, AND THREE FEET ALONG THE EAST PERIMETER WHERE EIGHT FEET IS REQUIRED on 0.81 acres on the north side of Sahara Avenue, approximately 440 feet east of Sixth Street (APNs 162-03-801-088 and 137). C-1 (Limited Commercial) Zone, Ward 3 (Reese)

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	*September 24, 2009*
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

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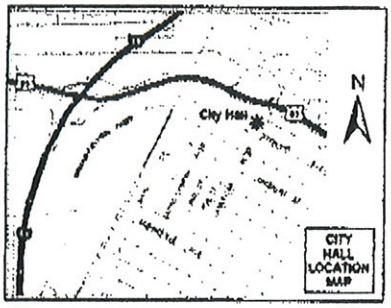
SEP 21 2009

Submitted after final agenda
Date Item 13F

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



Property Or Business Owner: Tenille Cina

Address: 1929 So. 6th St

City, State, Zip: Las Vegas, NV 89104

Telephone: (702) 604-3232

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-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

Please Cut Along Dotted Line and return the top portion to the City of Las Planning Commission

Application Information

VAR-35528 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: BODYFLYING US, LLC - Request for a Variance TO ALLOW 59 PARKING SPACES WHERE 69 ARE REQUIRED FOR A PROPOSED COMMERCIAL RECREATION/AMUSEMENT (INDOOR) USE on 0.81 acres on the north side of Sahara Avenue, approximately 440 feet east of Sixth Street (APNs 162-03-801-088 and 137), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

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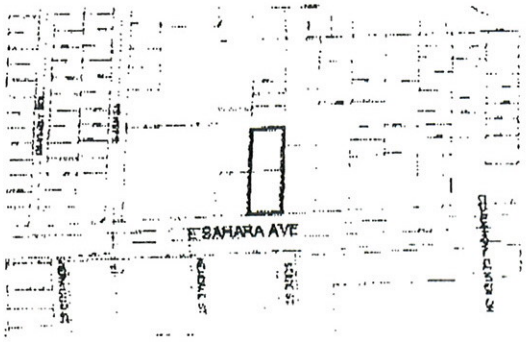
Application Location



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Public Hearing Information

Meeting:	Planning Commission
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Submitted after final agenda
Date Item 21

PAGE 01/01

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

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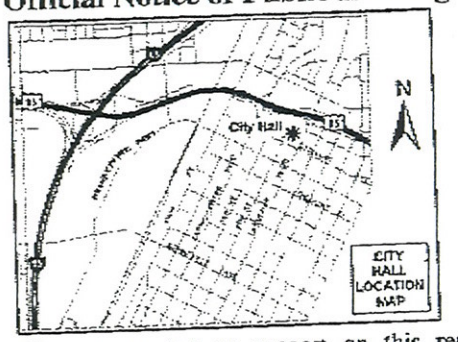
02 1M $ 00.41⁴
0004279218 SEP 11 2009
MAILED FROM ZIPCODE 89101

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.

VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

Case: VAR-35528

16203801058
ZURAWSKI STANLEY M JR ETAL
P O BOX 46110
LAS VEGAS NV 89114-6110

09/17/2009 10:07 7023660626

Late Submitted after final agenda
Item 82

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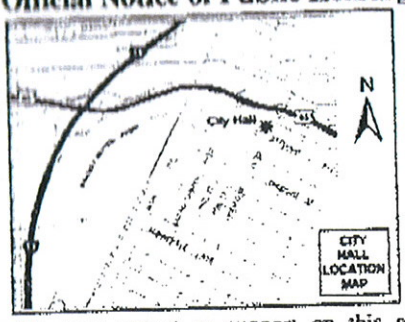
SEP 17 2009
CITY CLERK

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



Property Or Business Owner: Flamingo-Jones Ltd

Address: 1912 S. Maryland Pkwy

City, State, Zip: Las Vegas NV 89104

Telephone: 702-733-7144

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

Margaret Cornell, Trustee

VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

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Application Information

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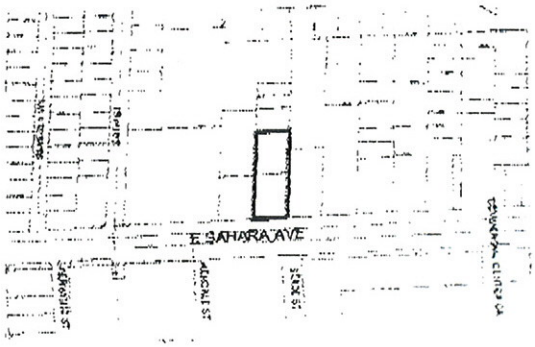
Application Location



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Public Hearing Information

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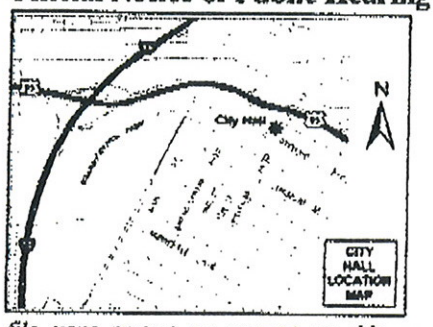
SEP 21 2009

Submitted after final agenda
Date Item 12P

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



Property Or Business Owner PAUL S. WHISLER

Address 1032 E. HASSETT AVE

City, State, Zip LAS VEGAS NV 89104-315

Telephone 702-735-0543

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

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VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

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SEP 21 2009

Submitted after final agenda
Date Item 12P

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

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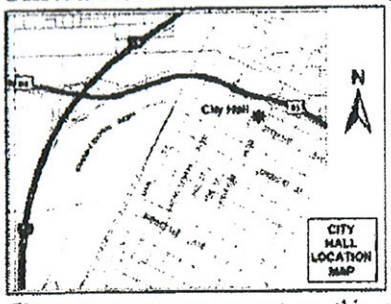
Official Notice of Public Hearing



Property Or Business Owner: KP Management

Address: 1040 E. Sahara # 201

City, State, Zip: Las Vegas, NV 89104

Telephone: (702) 731-0015

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

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Application Information

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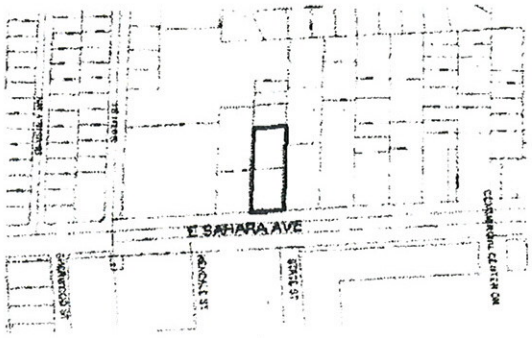

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Public Hearing Information

Meeting:	Planning Commission
Date:	***September 24, 2009***
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

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Submitted after final agenda
Date Item 12P

PAGE 01/01

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

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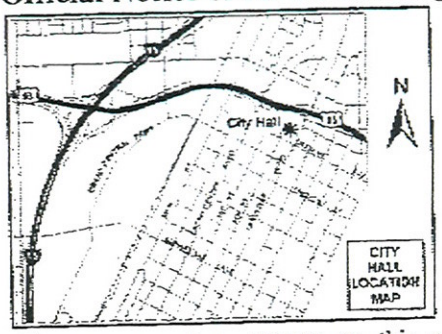
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

Case: VAR-35528
16203801104
ZURAWSKI STANLEY M SR & N ETAL
%M/M S ZURAWSKI JR
P O BOX 46110
LAS VEGAS NV 89114-6110

GAVDS14 89114

Submitted after final agenda
Date
Item 2P

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09/17/2009 10:06 7023660626

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

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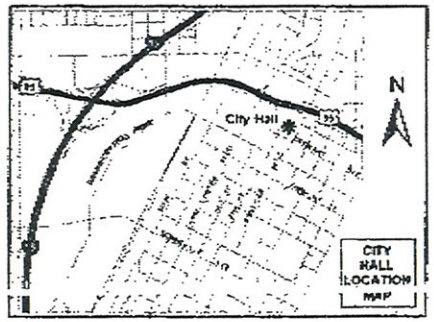
SEP 11 2009
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

Case: VAR-35528
16203417052
FRANCESCHI SHERRILL A SURV TR
8385 W LA MADRE WY
LAS VEGAS NV 89149-4707

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SEP 22 2009

Submitted after final agenda
Date 9.24.09
Item 12 P

GAUDP11 89149

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

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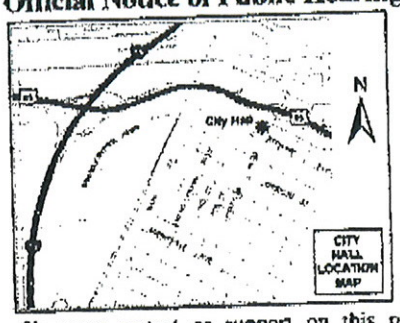
Official Notice of Public Hearing



Property Or Business Owner JOHN MCCORMICK

Address 1064 CIWOSA

City, State, Zip LAS VEGAS NEVADA 89104

Telephone 702 523-4483

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

Please Cut Along Dotted Line and return the top portion to the City of Las Vegas Planning Commission

Application Information

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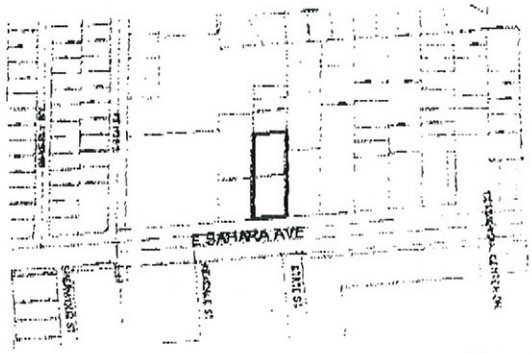

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Public Hearing Information

Meeting: Planning Commission
Date: *September 24, 2009*
Time: 6:00 P.M.
Location: City Council Chambers, 400 Stewart Avenue, Las Vegas, Nevada

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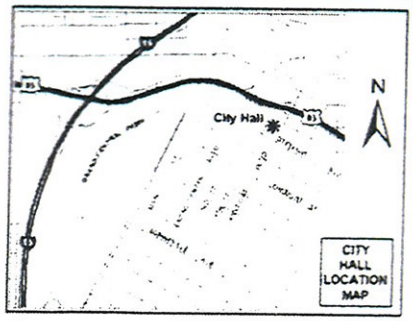
Submitted after final agenda
Date Item 12

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

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

Property Or Business Owner KP Management

Address 1040 E. Sahara # 201

City, State, Zip Las Vegas, NV 89104

Telephone (702) 731-0015

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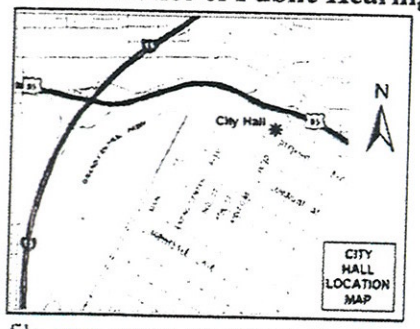
SEP 23 2009

21

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



Property Or
Business Owner Schneider Development

Address 1700 S. 9th

City, State, Zip Las Vegas, Nev. 89104

Telephone 702-340-1068

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

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

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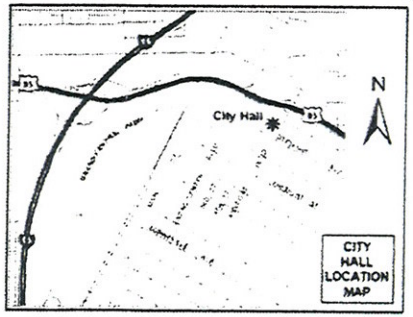

Property Or Business Owner: Rosendo Cano

Address: 1712. S. 11th St.

City, State, Zip: L. V. NV. 89104

Telephone: 702) 380 1717

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

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Development Services Center
731 S. Fourth Street
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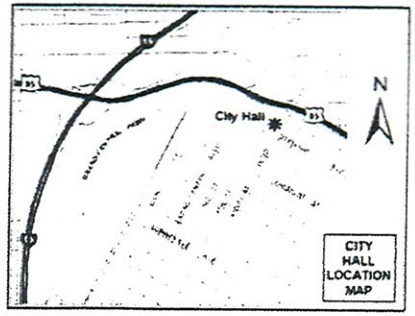

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VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

Property Or Business Owner Ray Beauchamp & Susan Dawn

Address 1709 - 6TH ST

City, State, Zip Las Vegas, NV 89104

Telephone 702-696-9757

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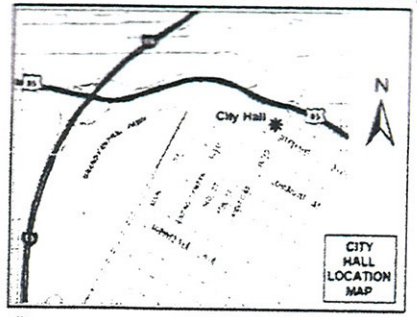

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VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

Property Or Business Owner Kathleen Brooks/Peter Singelton

Address 607 Bonita Ave

City, State, Zip Las Vegas, NV 89104

Telephone 702 - 383-6303

Many of us have lived in this area for years. We consider it our home - We constantly have to fight to protect this neighborhood, because we are not Hills or Southern Highlands - Please do not allow this.

Please Cut Along Dotted Line and return the top portion to the City of Las Vegas Planning Commission

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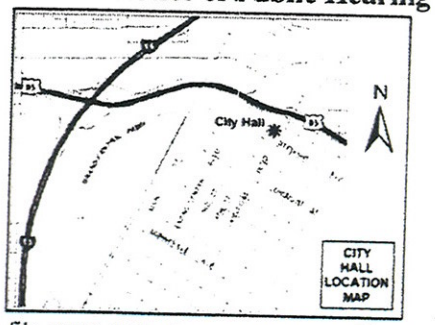

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VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

Property Or Business Owner Jeri Ann Culley

Address 1047 Hassett Ave.

City, State, Zip Las Vegas, NV. 89104

Telephone 702-612-7463 (cell)

We do not need the air & noise pollution. It's already short on parking spaces. Besides it would be trugly (triple ugly).
No! No! No! I've lived here since 1954 and it's gone too far down already said to say.

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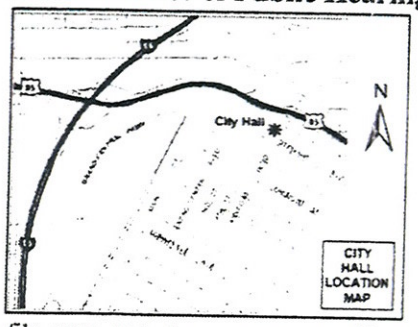

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VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

Property Or Business Owner: Frank Butterfield

Address: 1051 BONITA AVE
2200 6TH ST.
2212 6TH ST.

City, State, Zip: LV. NV 89104

Telephone: 702-596-2845

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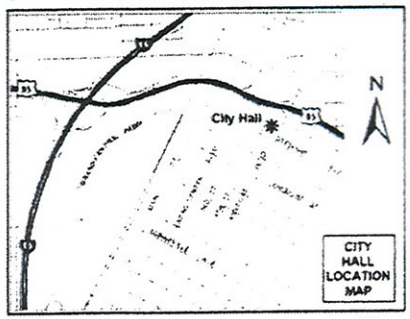

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☒ I OPPOSE this Request

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VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

Property Or Business Owner: Property owner

Address: 910 E. Oakey Blvd.

City, State, Zip: Las Vegas NV 89104

Telephone: 737-5280

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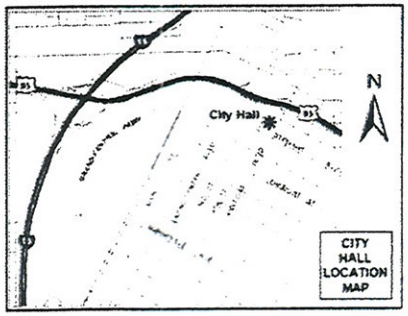

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VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

Property Or Business Owner: Lola Stiborek / Lola Stiborek

Address: 604 Bonita Ave.

City, State, Zip: Las Vegas, NV 89104

Telephone: (702) 734-6153

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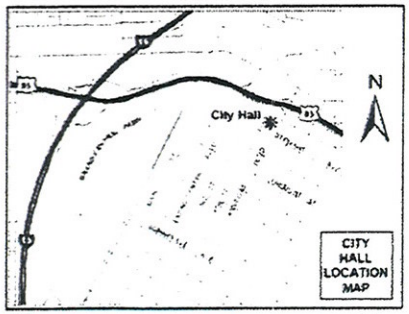

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VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

Property Or Business Owner James L Miller

Address 804 alhambra Dr

City, State, Zip Las Vegas, Nv 89104

Telephone 702 862-8163

I don't want any thing like this in my neighborhood

Jm

City of Las Vegas
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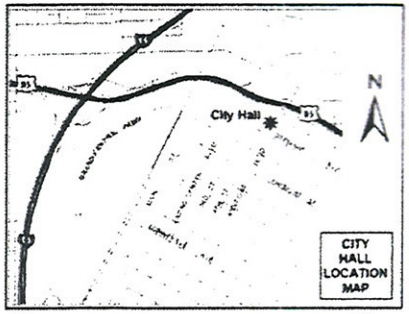

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VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

Property Or ~~Business Owner~~ SIDNEY ROWLAND

Address 1711 SOUTH 7TH ST.

City, State, Zip LAS VEGAS, NV. 89104

Telephone 601-415-2133

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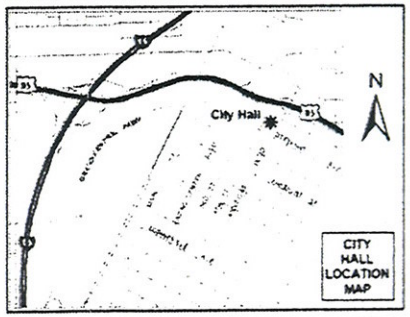

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VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

Property Or Business Owner Jewell Jolliff

Address 1054 Howard Ave

City, State, Zip Las Vegas, NV. 89104

Telephone 702 735-1208

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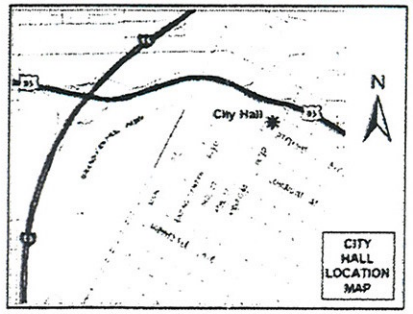

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VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

Property Or
Business Owner MRS. Phyllis M Silvestri

Address 610 Canosa Ave

City, State, Zip Las Vegas. NV 89104-2815

Telephone (702)735-6501

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attached hereto

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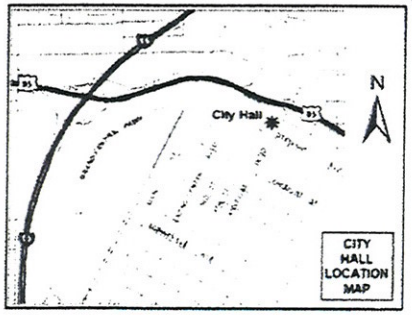

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VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

Property Or Business Owner: Linda Alverson

Address: 904. Canosa Ave

City, State, Zip: Las Vegas, NV. 89104

Telephone: 733-0995

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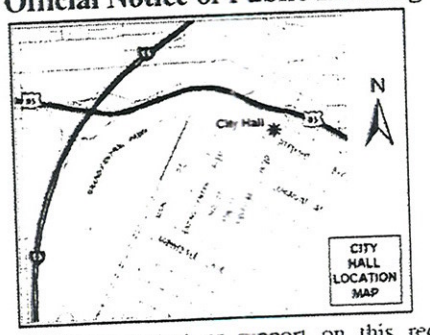

Property Or Business Owner WALTER

Address 820 ALHAMBRA

City, State, Zip LAS VEGAS NV 89104

Telephone 702 884 8874

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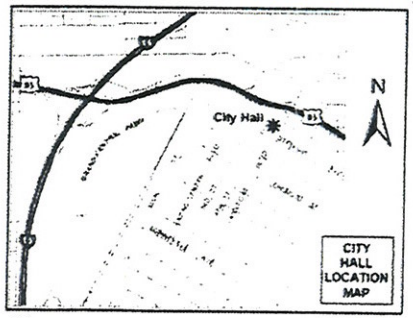

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☒ I OPPOSE this Request

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VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

Property Or Business Owner HENRY SKONIECZNY

Address 705 E. ST. LOUIS

City, State, Zip LAS VEGAS NV 89104

Telephone (702) 369 1991

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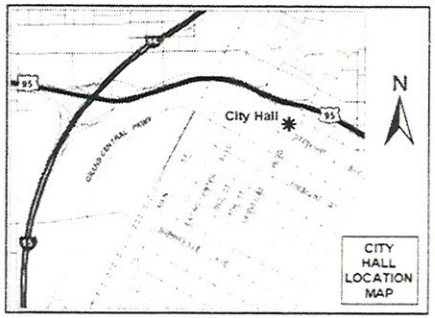

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VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

Case: VAR-35528
16203810012
ZULEY RANDALL B & MIGNON M
2105 ALHAMBRA CIR
LAS VEGAS NV 89104-2910

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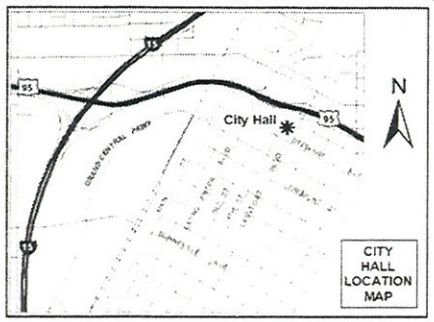

I AM part owner of the Bld at 700 E Sahara - this would be a disaster for my tenants - partly because of the traffic between this Bld & mine - that is just a small part of the problems thanks you for reading this - Miller & Sloan

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VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

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Case: VAR-35528

16203801100
K P E SAHARA L L C ETAL
%M & B SLOAN
6910 N RAINBOW BLVD
LAS VEGAS NV 89131-3446

GAVDS11 89131

Protest

the Tiger Lily
FLOWER SHOP

September 17, 2009

Las Vegas Planning Commission
731 S. 4th St.
Las Vegas, NV 89101

On Thursday, September 24, there is a Planning Commission hearing on VAR-35528 (SDR-35186). BodyFlying US is requesting variances to install an indoor skydiving venue on the vacant lot right next to our business on Sahara Avenue and must get variances in order to build such an operation where it is currently not allowed. Either this or a similar company tried to get the variances last year but, when it was obvious that there was a lot of opposition to the plan, they withdrew their request. The only difference between the one last year and this one is that they previously proposed building a tower of more than 90 feet and currently they are proposing one of 79 feet. We are opposed to the approval of these variances.

- **Noise from this operation would affect existing businesses --- Republic Services, The Tiger Lily Flower Shop, Marie Callender, Tony Roma's, doctors' offices and others. The noise problem would discourage future businesses from locating nearby.**
- **Parking issues would be created by the amount of visitors and inadequate parking available.**
- **It does not fit with the Master Plan of the area.**
- **It abuts a residential neighborhood.**
- **The requested setback and landscaping variances would make an unattractive building which looks like a grain silo a prominent feature on Sahara Avenue.**

This is an amusement type of operation which attracts not just individuals, but large groups who come to either participate or just to watch the action. These groups are quite large at times, even arriving in buses. Where exactly are these buses supposed to hang out for a couple of hours while waiting for the event to finish? Zoning requires 69 parking spaces for this type of operation and they want to reduce it to 59 because they are trying to put it on a lot with is only slightly larger than a residential building lot. They are also requesting a waiver of the setback requirements and landscape buffers to accommodate a nearly 10,000 square foot building on this tiny lot.

The central feature of this type of operation is a vertical wind tunnel. It uses a 16-ft airplane propeller to generate hurricane-force winds of 105 mph to 150 mph in order to create the

700 EAST SAHARA AVENUE · LAS VEGAS, NEVADA 89104 · P (702)737-7077 · F (702)735-4800
3253 SOUTH RAINBOW · LAS VEGAS, NEVADA 89146 · P (702)254-7778 · F (702)254-5702
10271 SOUTH EASTERN, SUITE 113 · HENDERSON, NEVADA 89052 · P (702)492-2324 · F (702)492-2462
WeSendEmotions.com · 1-800-805-9052

Submitted after final agenda
Date 9/17/09 Item 13P

wind necessary to keep a person in the air. This creates a tremendous amount of noise. It cannot be contained with soundproofing because it requires moving huge amounts of air and the sound can be deafening. The fact that they are requesting a shorter tower this time actually increases the noise level as the exhaust air comes out at a lower altitude that with the higher tower. Our business is just 75 feet away from the site and the noise would affect the quiet enjoyment of our property.

There is a currently an indoor skydiving operation on Convention Center Drive called Vegas Indoor Skydiving. The owner of the business is Keith Fields. I have spoken to him in the past regarding the problems associated with a business of this type in the midst of a quiet residential neighborhood like ours. If you have any technical questions regarding this kind of operation, he can answer those questions. His cell number is 813-5790 and his email address is IndoorSkydiving@aol.com.

We realize that there are currently many vacancies in the commercial buildings in our neighborhood, but allowing this business would discourage future businesses from locating here and would create a permanent dead zone around the property. Once it is approved, it can not be undone, and it is not worth the risk to future development.

If you go online and research these types of operation, they are usually located far away from urban areas and are nearly always in industrial parks. This type of amusement is a lot of fun. I have done the indoor skydiving experience on Convention Center Drive and recommend it as a great experience. However, it does not belong in our neighborhood. Highland Drive or Western Ave. would be a more appropriate location for it.

If you have any questions, please feel free to call.

Terry Hunt
596-8960

Eugene Godina
524-9176

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09 SEP 17 PM 2:56
PLANNING AND
DEVELOPMENT

Submitted after final agenda
Date Item

MEETINGS
CONVENTIONS - CONSULTATIONS - BYLAWS

Phyllis M. Silvestri
PROFESSIONAL REGISTERED PARLIAMENTARIAN
CERTIFIED PROFESSIONAL PARLIAMENTARIAN

610 Canosa Ave.
Las Vegas, Nevada 89104

Telephone
(702) 735-6501

CLASSES - LECTURES - ELECTIONS
PROFESSIONAL PRESIDING OFFICER

Protest

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

VAR-35528/SDR-35186

Members of the Planning Commission

As a concerned forty-nine year resident of this neighborhood, I oppose the construction of a 79-foot tower that would be producing noise until 10 p.m.

My children have grown up here, gone to school here, played here, and attended Church in this area. (We have five churches on St. Louis Ave., just a block from where this proposed structure is to be built.)

I sincerely urge the City Council to oppose such a structure in the midst of a residential area.

There is abundant desert land for this proposed structure. Please consider the residents of this area. We will appreciate it very much.

Sincerely,

Phyllis M. Silvestri

Phyllis M. Silvestri
610 Canosa Avenue
Las Vegas, NV 89104-2815

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SEP 23 2009

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SEP 30 2009

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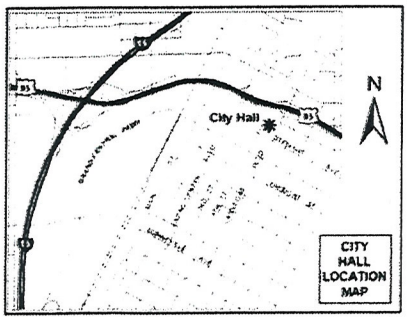

Property Or Business Owner Pandora Eady

Address 2100 Santiago St

City, State, Zip LV. NV 89104

Telephone _____

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

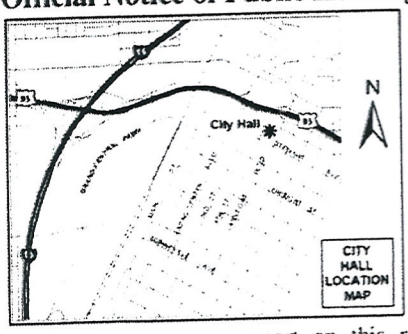
Please use available blank space on card for your comments.

VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

RECEIVED
SEP 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



Property Or
Business Owner Wayne Gordon

Address 1006, 1008 & 994 E. Sahara Ave

City, State, Zip Las Vegas NV 89104

Telephone 702-836-9118

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-35528 & SDR-35186
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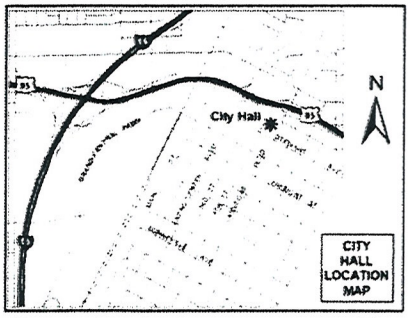

Property Or
Business Owner CONNIE INMAN

CENTRAL BACKGROUND INVESTIGATIONS

Address 608 South 8th Street

City, State, Zip Las Vegas, Nevada 89101

Telephone 702-382-6883

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

I OPPOSE

Connie Inman

RECEIVED
SEP 30 2009

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

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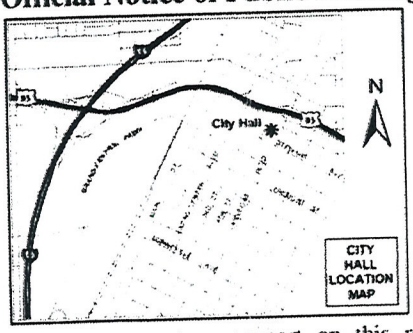


Property Or Business Owner HOWARD L. INMAN

Address 1025 HOWARD DR.

City, State, Zip LAS VEGAS, NV 89104

Telephone 702-524-5385

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.

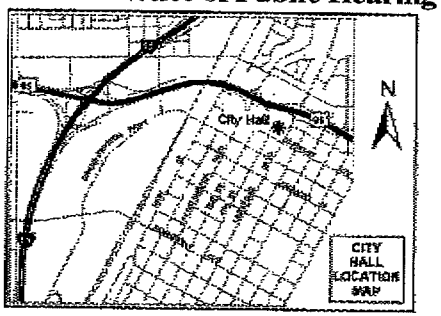
VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

PAGE 01/01
CUSTOM DESIGN CABINE
09/16/2009 10:00 7022555779

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

Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

PRESORTED FIRST CLASS

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0004279218 SEP 11 2009
MAILED FROM ZIPCODE 89101

Case: VAR-35528
16203801089
MY SISTERS COMPANY L L C
2150 S HIGHLAND
LAS VEGAS NV 89102-4622

GAVDS11 A910E

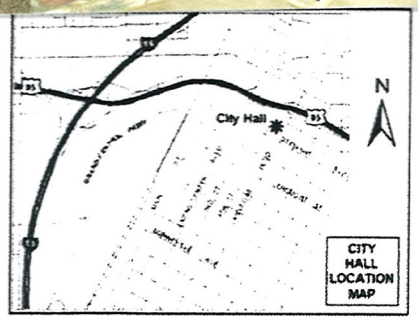


Property Or Business Owner Ronald KRAUSE / OWNER OF KRAUSE'S Pool CARE

Address 2005 S. 11th St.

City, State, Zip Las Vegas, NV

Telephone 702-493-1464



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☒ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

+ Support this new Business!

VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 22, 2009

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

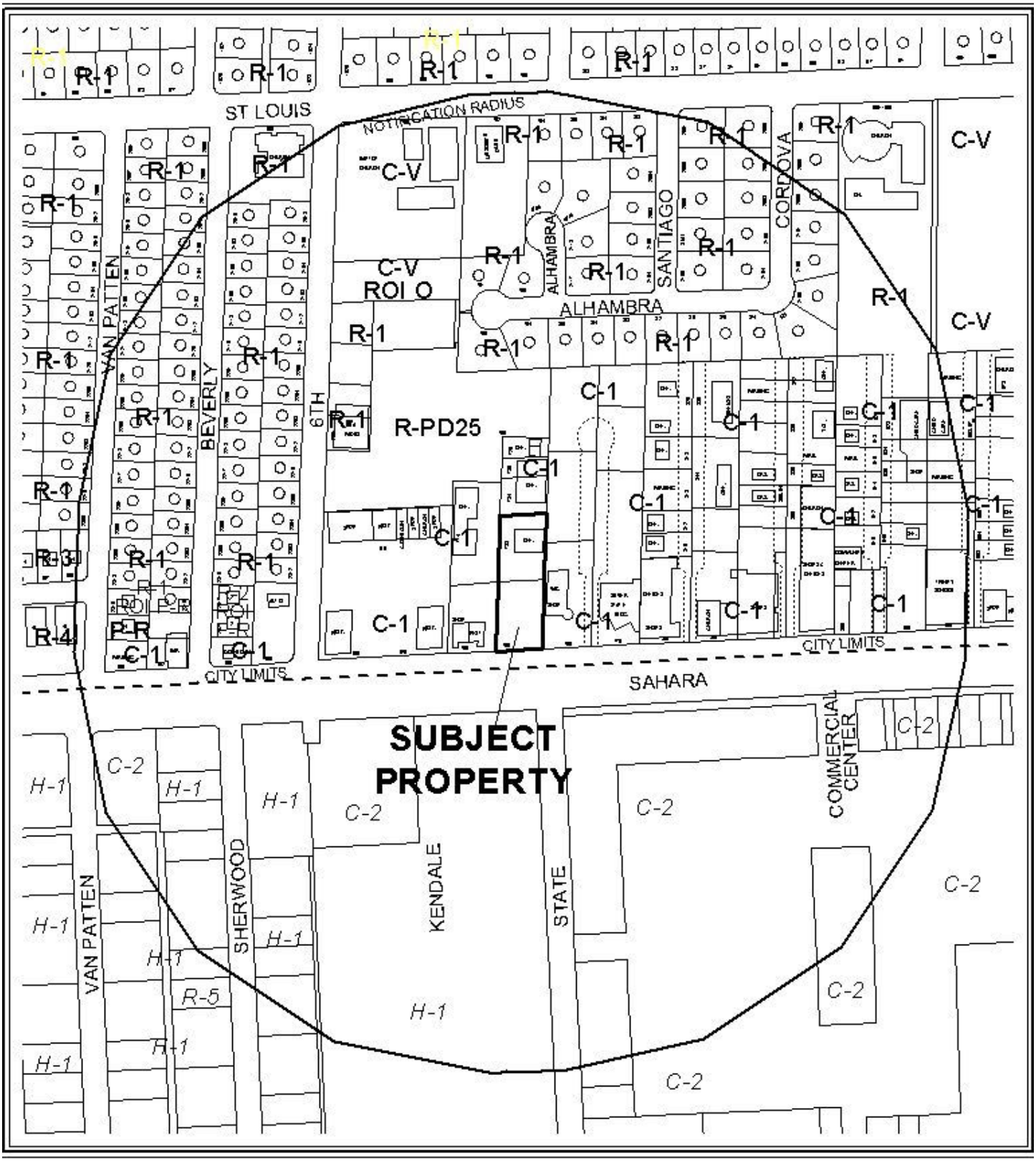
SUBJECT:
ABEYANCE - SDR-35186 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-35528 - PUBLIC HEARING - APPLICANT/OWNER: BODYFLYING US, LLC - Request for a Site Development Plan Review FOR A PROPOSED 79-FOOT TALL, 9,979 SQUARE-FOOT COMMERCIAL RECREATION/AMUSEMENT (INDOOR) BUILDING WITH WAIVERS OF PERIMETER LANDSCAPE STANDARDS TO ALLOW LANDSCAPE BUFFERS OF FIVE FEET ALONG THE SOUTH PERIMETER WHERE 15 FEET IS REQUIRED, ZERO FEET ALONG ON THE NORTH AND WEST PERIMETERS WHERE EIGHT FEET IS REQUIRED, AND THREE FEET ALONG THE EAST PERIMETER WHERE EIGHT FEET IS REQUIRED on 0.81 acres on the north side of Sahara Avenue, approximately 440 feet east of Sixth Street (APNs 162-03-801-088 and 137), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

C.C.: 11/18/2009

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**60**	**Planning Commission Mtg.**	**3**
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

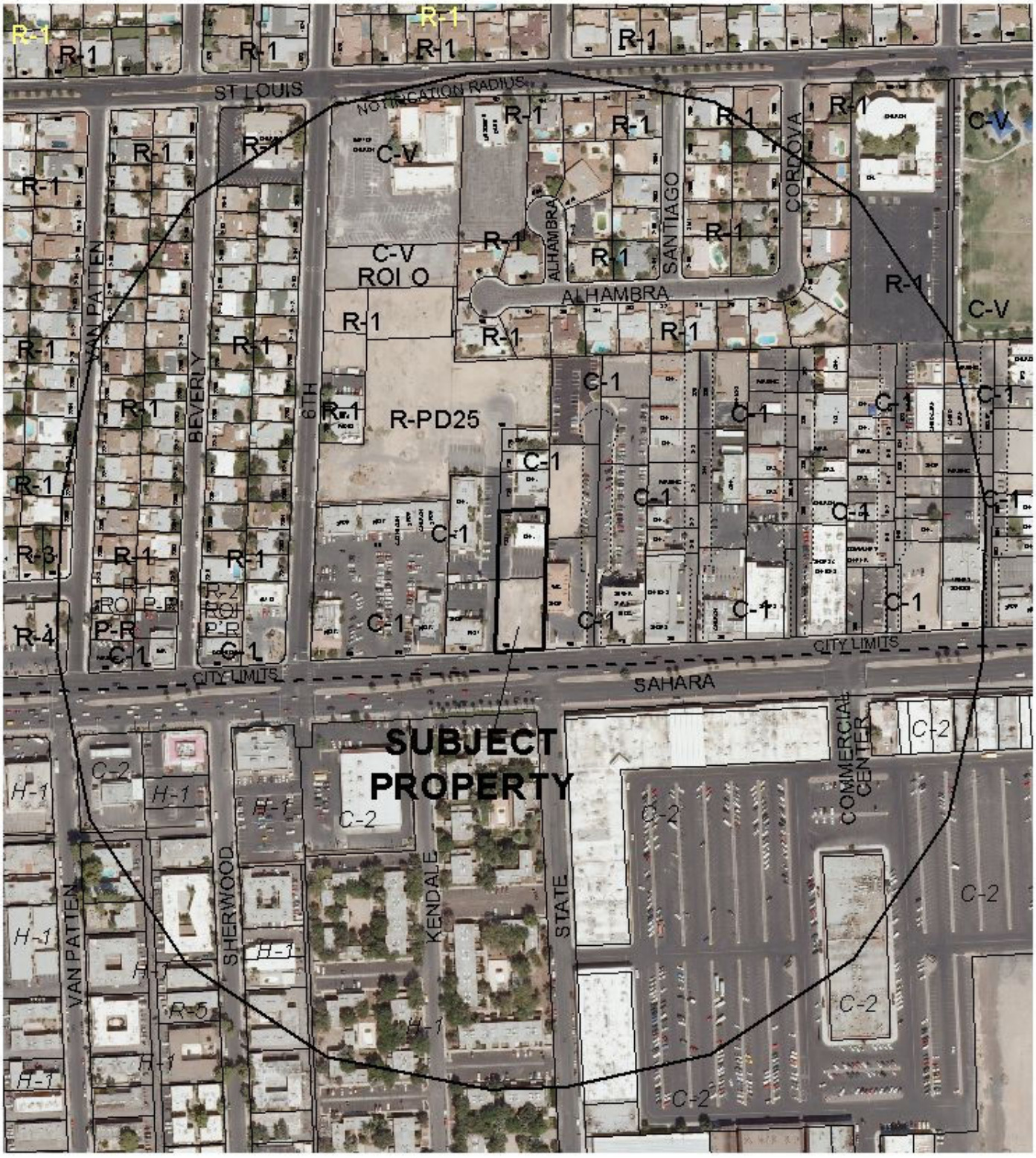


0 300 600 Feet

CASE: **SDR-35186**

RADIUS: 1000 FT

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



0 300 600 Feet

CASE: **SDR-35186**

RADIUS: 1000 FT

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 22, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - SDR-35186 - APPLICANT/OWNER: BODYFLYING US, LLC

** CONDITIONS **

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

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 date stamped 08/10/09, building elevations and floor plans date stamped 07/14/09 and landscaping plan date stamped 09/03/09, 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 and west perimeters where eight feet is required, a three-foot buffer along a portion of the east perimeter where eight feet is required, and a five-foot buffer along the south perimeter where fifteen feet is required.

4. Proof of perpetual, irrevocable access to the site shall be provided by the applicant prior to issuance of any building permits. Access may be provided by an easement, private drive or other means acceptable to the Planning and Development Department.

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

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

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

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

Public Works

11. Coordinate with the City Surveyor to determine whether an Administrative Joining or other map is necessary; comply with the recommendations of the City Surveyor.

12. Remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

13. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.

14. 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 and abutting street intersections.

15. 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.

16. 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 or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

SDR-35186 - Staff Report Page One
October 22, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review, which proposes to add a 9,979 square-foot Commercial Recreation/Amusement (Indoor) building at the subject site, generally located adjacent to the north side of Sahara Avenue, approximately 440 feet east of Sixth Street. The subject site consists of two separate parcels and is partially developed. Currently, the northern portion of the site is being utilized by a 3,475 square-foot medical office building, while the southern portion remains undeveloped. The proposed development, in its current configuration, will precipitate the overbuilding of the site as is evidenced by the requested Waivers and Exceptions as part of the Site Development Plan Review, as well as the associated Variance (VAR-35528) request; therefore, staff is recommending denial of this request. If denied, the applicant will be required to redesign the proposed site and adhere to all Title 19 development standards.

ISSUES

- This proposal fails to meet applicable Title 19 requirements, which is evidenced by the requested Waiver of Perimeter Landscape Buffer standards along the perimeters of the subject property and the Exception to allow no parking-lot landscape islands and reduce the required amount of planting materials in the proposed landscape buffer on the east side of the property.
- Approval of an associated Variance (VAR-35528) is required to approve this Site Development Plan Review request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
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 and staff recommended approval of the request.
08/23/07	The Planning Commission tabled a request for a Site Development Plan Review (SDR-22017) for a proposed 98-foot tall 12,452 square-foot commercial recreation/ amusement (Indoor) facility with waivers of perimeter landscaping standards to allow five feet on the south property line where 15 feet is required and zero feet on the north, east and west property lines where eight feet is required; and a request for a Variance (VAR-22018) to allow 28 parking spaces where 63 spaces is the minimum required for a proposed commercial recreation/ amusement (Indoor) facility adjacent to the north side of Sahara Avenue, approximately 420 feet east of Sixth Street. Staff recommended denial of the request.

Related Building Permits/Business Licenses	
Circa 1969	Office building located at 738 East Sahara Avenue on (APN 162-03-801-088) was constructed.
03/18/02	A business license (T18-00499) was issued for Miscellaneous Telephone Sales and (U05-00244) for a Public Utility Telephone at 738 East Sahara Boulevard, Suite #104. These licenses are still active.
06/06/02	A business license (B20-00414) was issued for Business Support Services at 738 East Sahara Boulevard, Suite #B. This license was marked out of business on 08/10/07.
08/09/07	A business license (I04-03459) was issued for an Insurance Producer and (K10-00257) for a Sales and Service Firm at 738 East Sahara Boulevard, Suite #B. These licenses are still active.
09/30/08	A business license (Q07-00825) was issued for a medical firm at 738 East Sahara Boulevard. This license is still active.
Pre-Application Meeting	
06/29/09	A pre-application meeting was held and elements of this application were discussed. It was noted that there would need to be landscape waivers added to the justification letter and that parking should be calculated at one space per 200 square feet of gross floor area.

Neighborhood Meeting	
10/07/09	A voluntary neighborhood meeting was held from 6:00 to 7:10 pm at the Mesquite Club located at 702 East St. Louis Avenue, Las Vegas, Nevada 89104. There were 20 attendees for the general public, and one (1) staff member of the Planning and Development Department. Discussion topics included: Reviewed Project: • Predominately by appointment only • Training video & personal approximately 25 minutes • 20 minutes to "suit up" • 3 minutes in the wind • Approximately 20% local, 80% tourists • Approximately 6 employees • Fan surrounded by concrete, takes in no external air • 8:00am – 11:00am Skydiving • 11:00am – 10:00pm Public Concerns & Questions: • Noise • Vibration • Driveway width • Bus traffic • Large crowds at a time

	• Noise in parking lot from patrons • Limo's idling in parking lot • Decibel levels • Signage being overly large • Height of building Conclusion: Approximately 1/3 in favor 1/3 opposed 1/3 no comment

Field Check	
08/20/09	A site inspection was performed by staff with the following observations: • The subject site has been developed with a well maintained medical office building on the northern portion of the site. • The southern portion of the site adjacent to Sahara Avenue remains undeveloped with scattered debris.

Details of Application Request	
Site Area	
Gross Acres	0.81 Acres

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Medical Office Building and Undeveloped	C (Commercial)	C-1 (Limited Commercial)
North	Office Building	C (Commercial)	C-1 (Limited Commercial)
South	Multi-Family Residences	CT (Commercial Tourist) - Clark County Designation	H-1 (Limited Resort and Apartment) - Clark County Designation
East	General Retail	C (Commercial)	C-1 (Limited Commercial)
West	Restaurant and General Retail	C (Commercial)	C-1 (Limited Commercial)

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Area Plan			
Redevelopment Plan Area	X		Y
Beverly Green/Southridge Neighborhood	X		Y

JB

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	115 Feet	Y
Min. Setbacks			
• Front	20 Feet	73 Feet	Y
• Side (West Property Line)	10 Feet	40 Feet	Y
• Side (East Property Line)	10 Feet	10 Feet	Y
• Rear	20 Feet	187 Feet	Y
Max. Building Height	N/A	N/A	N/A
Trash Enclosure	Screened, Gated, w/ Roof or Trellis	Y	Y
Mech. Equipment	Screened	Not Shown	By Condition

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	10 Trees	6 Trees	N
Buffer: Min. Trees	1 Tree / 30 Linear Feet	12 Trees	2 Trees	N
TOTAL		22 Trees	8 Trees	N
Min. Zone Width	15 Feet (South) 8 Feet (East) 8 Feet (West and South)		5 Feet 5 Feet Zero Feet	N

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	
Medical Office	3,475 S.F.	1:200 for the first 2,000 sq. ft. 1:175 for the remaining gross floor area	19		56	3	N
Commercial Recreation / Amusement (Indoor)	9,979 S.F.	1:200	50				
SubTotal	13,454 S.F.		66	3	56	3	
TOTAL	13,454 S.F.		69		59		
Percent Deviation					14%		

Waivers		
Requirement	**Request**	**Staff Recommendation**
15 Feet	To allow a 5-foot landscape buffer along the south perimeter (front).	Denial
8 Feet	To allow a 3-foot landscape buffer along the east perimeter and a zero-foot landscape buffer along the north and west perimeters.	Denial

Exceptions		
Requirement	**Request**	**Staff Recommendation**
10 islands/trees	To allow no parking landscape islands with trees.	Denial
Eight Trees (One tree per 30 linear feet)	To allow two 24" box tress 40 linear feet apart within the east perimeter landscape buffer	Denial

ANALYSIS

This request is for a Site Development Plan Review for a proposed 9,979 square-foot commercial recreation/amusement (indoor) facility consisting of a 79-foot tall, cylindrical building for a wind tunnel with an attached six floors of public and mechanical areas with ground level parking on 0.81 acres adjacent to the north side of Sahara Avenue, approximately 440 feet east of Sixth Street. The property currently consists of two parcels of land that are zoned C-1 (Limited Commercial). The parcel located on the northern portion of the subject site has been developed as a 3,475 square-foot medical office development, while the parcel to the south adjacent to Sahara Avenue remains undeveloped. The applicant has requested a Waiver of the perimeter landscape buffer requirements to allow a landscape buffer of five feet along the south perimeter where 15 feet is required; zero feet along the north and west perimeter where eight feet is required; and three feet along the east perimeter where eight feet is required. The applicant is also requesting, as part of the review, an Exception to allow no parking lot landscape islands and trees where ten of each is required. An associated request has also been submitted for a Variance (VAR-35528) to allow 59 parking spaces where 69 parking spaces are required will accompany this item.

The applicant has indicated that the proposed commercial recreation/amusement (indoor) facility will be utilized by no more than 26 people in an hour, consisting of six staff members and twenty (20) guests. Guests of the proposed facility must receive instruction and special clothing prior to flying, which limits the number of people who can utilize the facility at the same time. The proposed commercial recreation/amusement (indoor) facility requires various deviations from standards including waivers and exceptions of landscaping and a reduction in parking; therefore, denial of this request is recommended.

FINDINGS

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

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

The development is not compatible with adjacent development and development in the area because the site, as proposed, will be overbuilt, as is evidenced by the requested Waivers and Exceptions as part of the Site Development Plan Review, as well as the associated Variance request to reduce the required amount of parking.

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 parking and landscape standards.

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

   The proposed commercial recreation/amusement (indoor) facility is accessed by Sahara Avenue which is designated as a 100-foot Primary Arterial by the Master Plan of Streets and Highways via a private access drive and should not negatively impact the adjacent roadways or neighborhood traffic.

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

   The building material is appropriate for this area and for the City; however the landscape materials are not appropriate as evidenced by the requested Waiver of Perimeter Landscape Buffer requirements and Exceptions of parking lot landscaping.

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 commercial recreation/amusement (indoor) facility is not unsightly or obnoxious in appearance; however, due to the height and the type of architectural approach used, it is not compatible with other development in the area.

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

   The proposed commercial recreation/amusement (indoor) facility is subject to regular building and business licensing inspections and therefore should not compromise the public health, safety or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 183

APPROVALS 3

PROTESTS 60

JB

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-35186 APN: 162-03-801-088 & 137

Name of Property Owner: Bodyflying US, LLC

Name of Applicant: Bodyflying US, LLC

Name of Representative: Bob Gronauer - Kummer Kaempfer Bonner Renshaw & Ferrario

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

_____ Yes ✓ No

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

City Official: N/A

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Gary L Speer

Print Name: GARY L. SPEER
LLC MEMBER

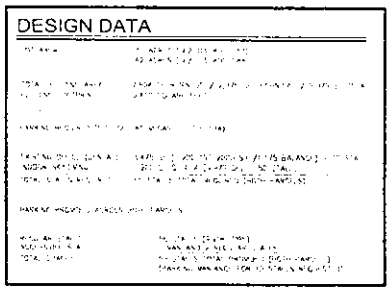
Subscribed and sworn before me

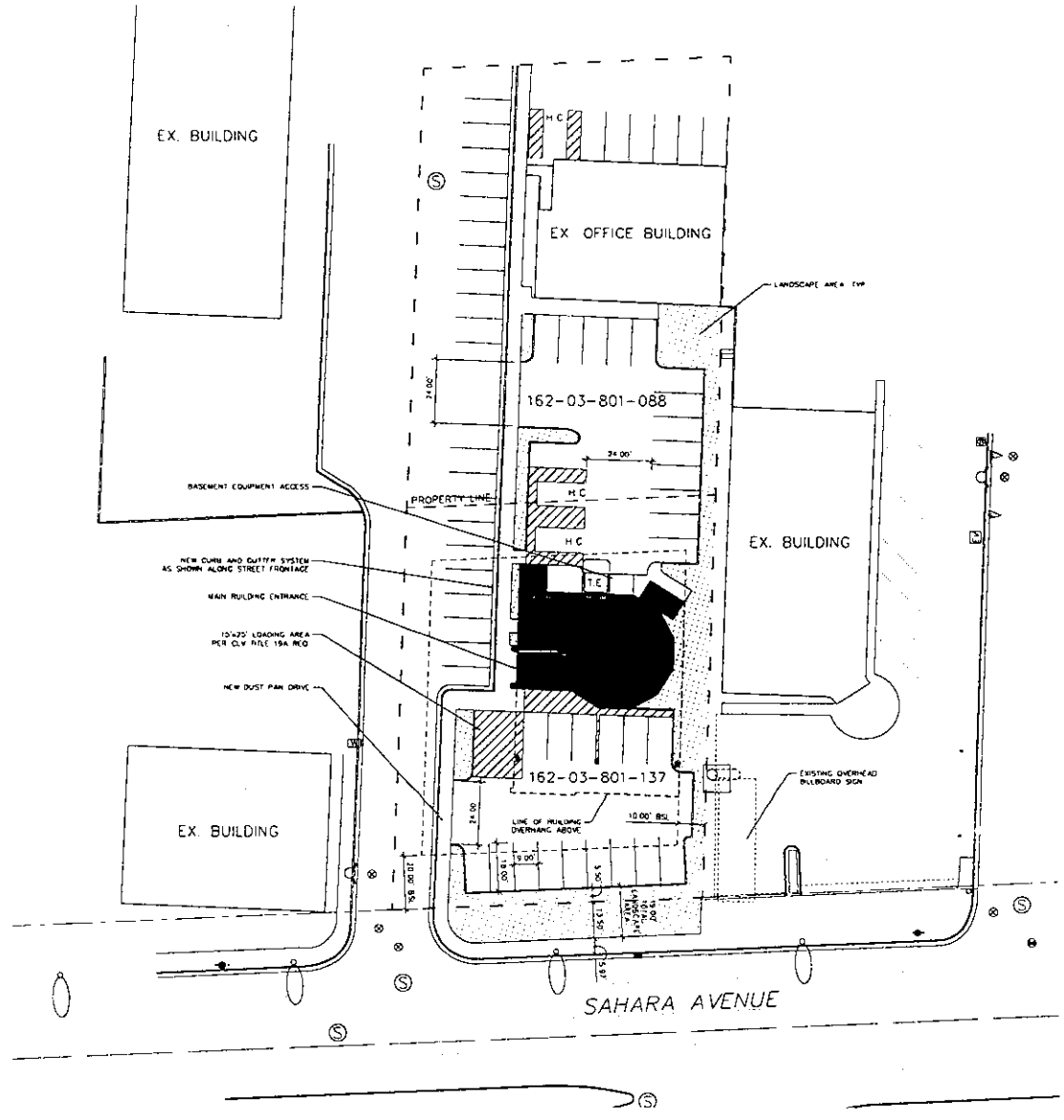
This 13 day of July, 2009

Jesse Shelton
Notary Public in and for said County and State

JESSE R. SHELTON STATE OF TENNESSEE NOTARY PUBLIC SEVIER COUNTY

DESIGN DATA





BRESLIN BUILDERS

Site Plan

Land-Use Submittal
August 4, 2009

Scale: 1" = 20'-0"
BBDC Project No. 1109A
Version 3

RECEIVED
BodyFlying.us LLC - Las Vegas
700 East Sahara Avenue, Las Vegas, Nevada

AUG 10

SDR-35186
09/24/09 PC

LANDSCAPING GENERAL NOTES:

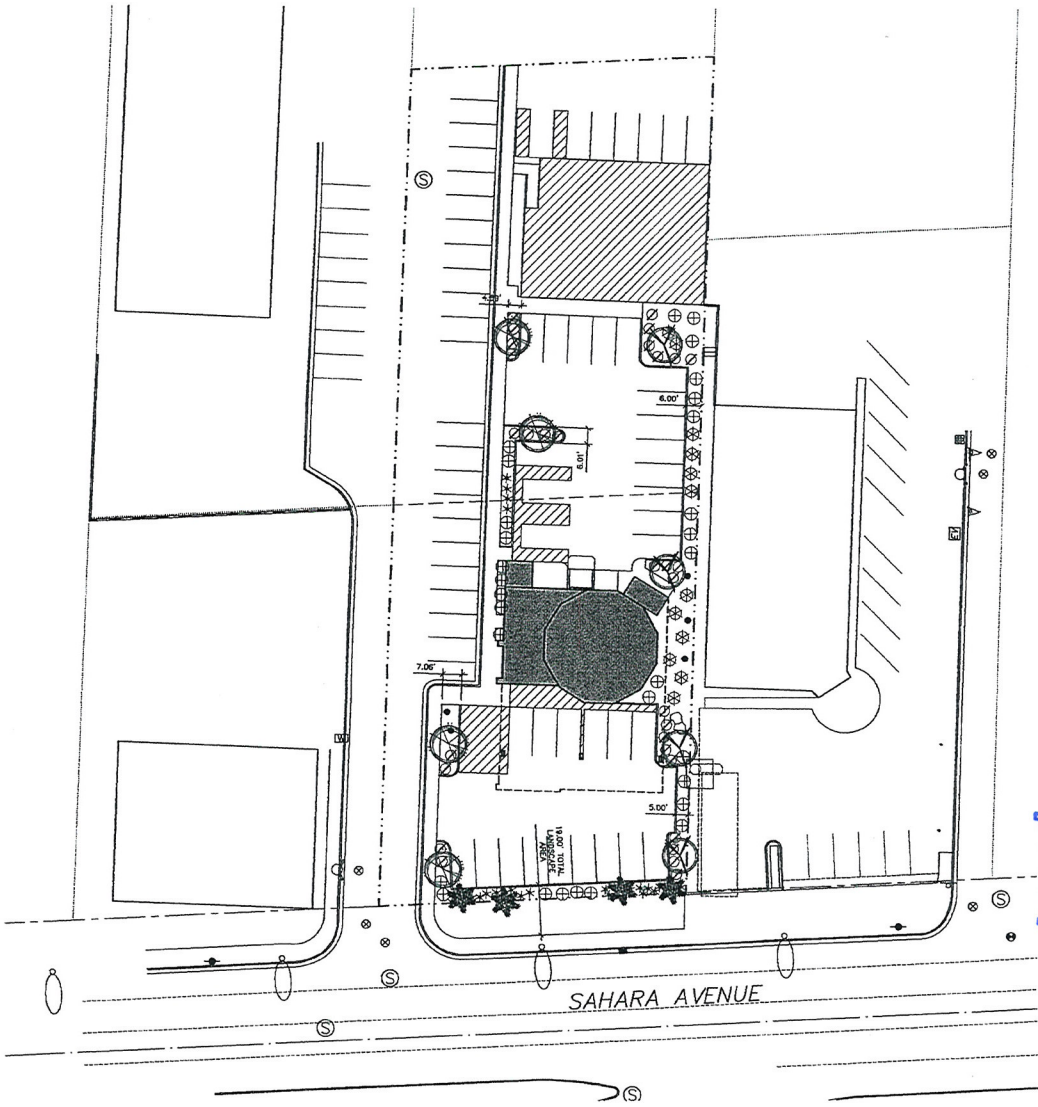
1. CONTRACTOR SHALL BE RESPONSIBLE TO VERIFY ALL PLANT QUANTITIES. THE PLANT LIST IS INTENDED AS A REFERENCE ONLY.
2. THE LANDSCAPE CONTRACTOR SHALL APPROVE ALL PLANT MATERIAL PRIOR TO INSTALLATION. PLANT MATERIAL SHALL HAVE IDENTIFICATION TAGS ON AT LEAST 10% OF TOTAL QUANTITY OF EACH SPECIES. EACH TAG SHALL SHOW THE GENUS, SPECIES AND VARIETY, ETC. THE LANDSCAPE CONTRACTOR SHALL PROVIDE MATCHING SIZES AND FORMS OF LIKE SHRUB SPECIES AS SHOWN ON DRAWINGS.
3. THE LANDSCAPE CONTRACTOR SHALL BE REQUIRED TO DESIGN/BUILD THE IRRIGATION SYSTEM IN ACCORDANCE WITH LOCAL CODES AND ACCEPTABLE INDUSTRY STANDARDS.
4. DECOMPOSED GRANITE USED ON THIS PROJECT SHALL BE 1/4" MINUS, COLOR SHALL BE MOHAVE GOLD PER TOWN CENTER STADARDS AND SHALL BE A MINIMUM OF 2" IN DEPTH TYPICAL IN ALL PLANTING BEDS. DECOMPOSED GRANITE SHALL CONTAIN 40% FINES AND 60% AGGREGATE. THE LANDSCAPE CONTRACTOR SHALL RECEIVE VERIFICATION OF MIX FROM THE SUPPLIER AND PRESENT VERIFICATION TO THE OWNER PRIOR TO ANY CONSTRUCTION.
5. LANDSCAPE BOULDERS COLOR SHALL MATCH OR COMPLEMENT ROCK GROUNDCOVER. ALL BOULDERS TO BE GRANITE UNLESS NOTED OTHERWISE. BOULDERS SHALL BE ROUND IN SHAPE AND SHALL BE 2' TO 4' IN DIAMETER, SIZED ACCORDING TO THE FOLLOWING PERCENTAGES:
   - 40% 4' LARGEST DIAMETER
   - 40% 3' LARGEST DIAMETER
   - 20% 2' LARGEST DIAMETER
6. THE BOULDER SHALL BE SET BY THE LANDSCAPE CONTRACTOR WITH NO MORE 1/4 OF ROCK DIAMETER SET INTO FINISHED GRADE.
7. ALL LANDSCAPING SHALL BE INSTALLED PER CITY OF LAS VEGAS TITLE 19 ZONING CODE AND OTHER APPLICABLE CODES.
8. EACH PLANT SHALL BE PROVIDED IT'S OWN DRIP IRRIGATION LINE. MAIN LINES SHALL BE A MINIMUM OF 1" AND ISOLATION VALVES SHALL BE INCORPORATED AT DIFFERENT PLANTING AREAS AND PLANTING TYPES.
9. ALL AREAS SHALL RECEIVE DECOMPOSED GRANITE AS COVERING UNLESS NOTED OTHERWISE.
10. ALL LANDSCAPING SHALL BE ON AN AUTOMATIC WATERING SYSTEM WITH AN ELECTRIC TIME CLOCK. THE TIME CLOCK SHALL BE PLACED WITHIN THE BUILDING.
11. THE LANDSCAPING CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION OF ALL SLEEVES REQUIRED UNDER PAVEMENT AND SIDEWALK AREAS. PROVIDE A MINIMUM OF (3) PVC CONDUITS WITH (1) 1"ø MINIMUM AND (2) 2 "ø MINIMUM. ALL LANDSCAPE AREAS SHALL BE INTERCONNECTED.
12. ALL TREES PLANTED ALONG RIGHT-OF-WAY SHALL BE PLANTED AT 3'-0" MINIMUM BACK OF SIDEWALK. TREES WITHIN 5' OF SIDEWALKS OR WALLS SHALL BE PLANTED WITH A ROOT SHIELD DESIGNED TO DIRECT ROOT GROWTH DOWNWARD.
13. ANY REQUIRED PLANT MATERIAL THAT DOES NOT SURVIVE, OR SUSTAINS SEVERE DAMAGE, SHALL BE REPLACED WITHIN NINETY (90) DAYS.
14. ALL EXISTING LANDSCAPE AREAS SHALL BE DE-WEEDED AND SHALL HAVE THE TOP 6" OF SOIL REPLACED WITH CLEAN WEED FREE MATERIAL ALL EXISTING LANDSCAPE MATERIAL SHALL BE REMOVED AND DISPOSED OF.

TREE SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE
	WASHINGTONIA ROBUSTA HYBRID	MEXICAN FAN PALM	25 FEET BTH AT STREET ROW
	ROBINIA AMBIGUA "PURPLE ROBE"	PURPLE ROBE LOCUST	24" BOX MINIMUM
	SCHINUS MOLLE	CALIFORNIA PEPPER TREE	24" BOX MINIMUM ONSITE

PLANT SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE
	ROSMARINUS OFFICINALIS	ROSEMARY	5 GAL
	MUHLENBERGIA RIGENS	DEER GRASS	5 GAL
	BAILEYA MULTIRADIATA	DESERT MARIGOLD	5 GAL
	HESPERALOE PARVIFLORA	RED YUCCA	5 GAL
	NANDINA DOMESTICA	HEAVENLY BAMBOO	5 GAL
	LANTANA HORRIDA	DESERT LANTANA	5 GAL. – VARIOUS COLORS
	BOULDERS - TYP.		VARIES – 24" TO 48" – SEE NOTES ABOVE



BRESLIN BUILDERS

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SEP 03 2009

Landscape Plan

Land-Use Submittal
Revised September 4, 2009

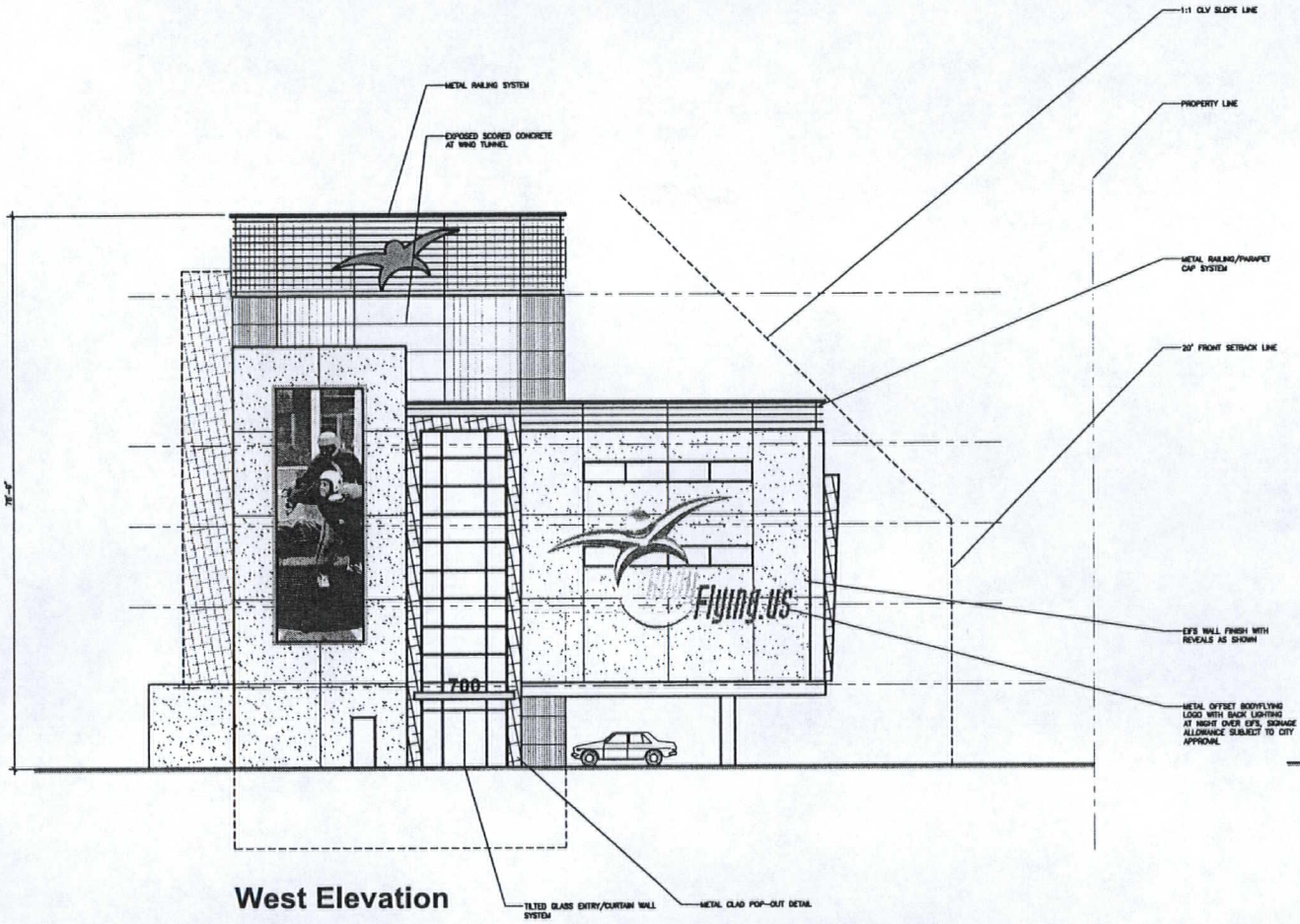
Scale: 1" = 20'-0"
BBDG Project No.: 1109A
Version 3a

BodyFlying.us LLC - Las Vegas

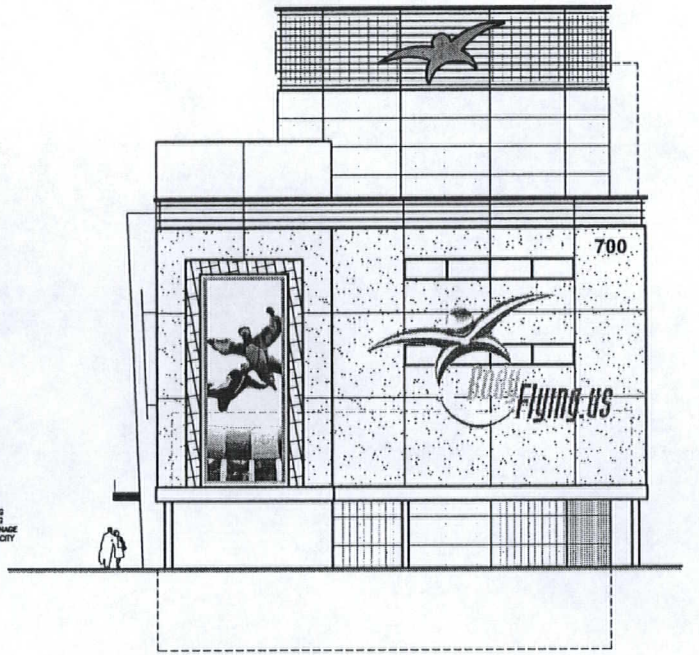
700 East Sahara Avenue, Las Vegas, Nevada

SDR-35186
REVISED
09/24/09 PC

BRESLIN BUILDERS
5525 POLARIS AVENUE, SUITE 6
LAS VEGAS, NEVADA 89118
(702)798-3677
FAX (702)798-3606



West Elevation



South Elevation

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Exterior Elevations

Land-Use Submittal
July 9, 2009

Scale: 1/8" = 1'-0"
BBDG Project No.: 1109A
Version 2

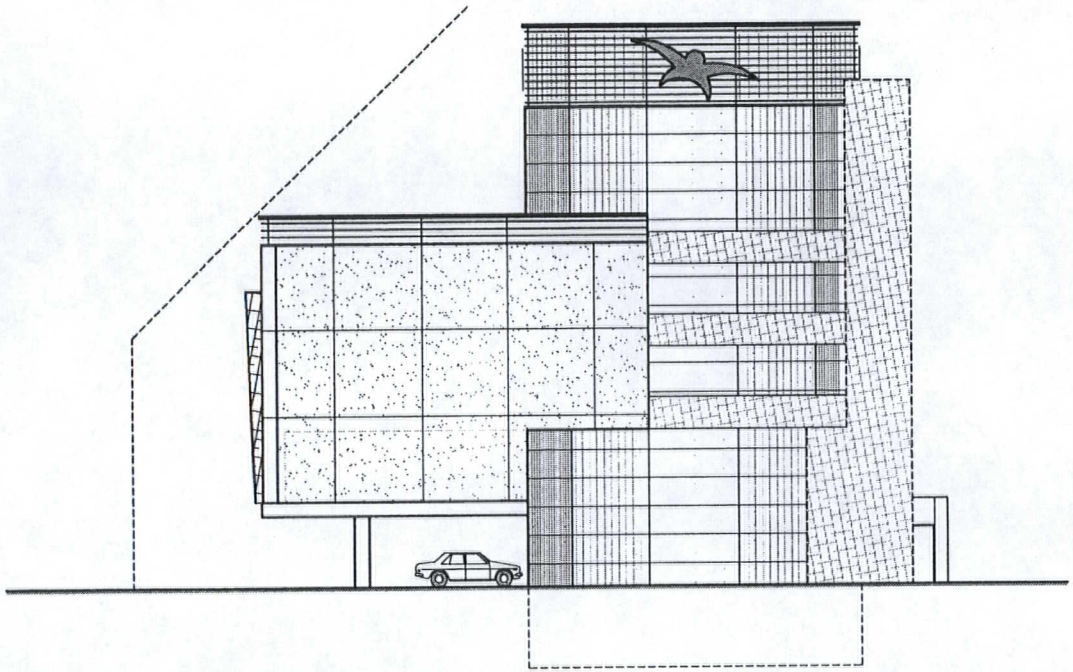
BodyFlying.us LLC - Las Vegas

700 East Sahara Avenue, Las Vegas, Nevada

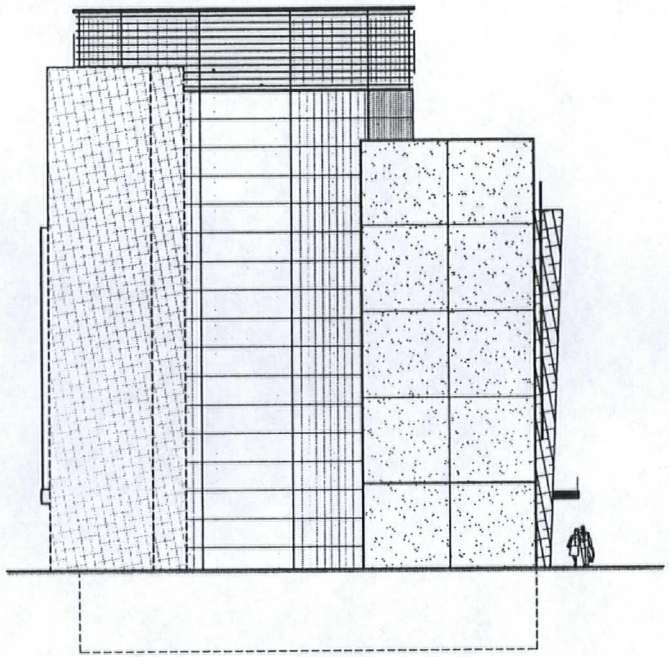
SDR-35186

08/27/09 PC

BRESLIN BUILDERS
DESIGN & CONSTRUCTION
LICENSED GENERAL CONTRACTOR
LICENSE #[illegible]
5525 POLARIS AVENUE, SUITE B
LAS VEGAS, NEVADA 89118
(702)798-3977
FAX (702)798-3808
www.breslinbuilders.com



East Elevation



North Elevation

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SDR-35186
JUL 14 2009
08/27/09 PC

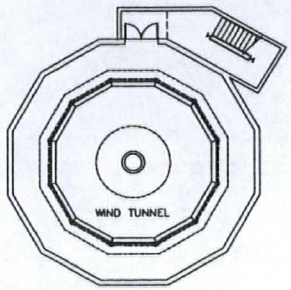
Exterior Elevations

Land-Use Submittal
July 9, 2009

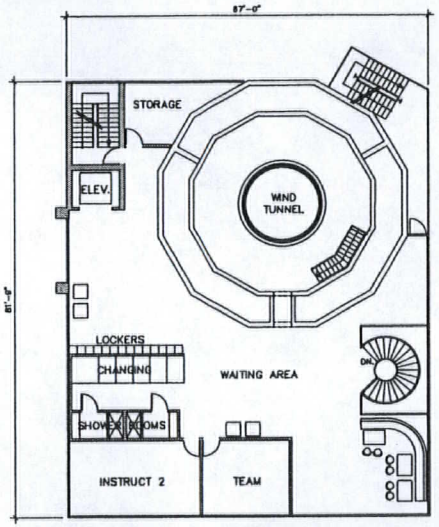
Scale: 1/8" = 1'-0"
BBDG Project No.: 1109A
Version 2

BodyFlying.us LLC - Las Vegas
700 East Sahara Avenue, Las Vegas, Nevada

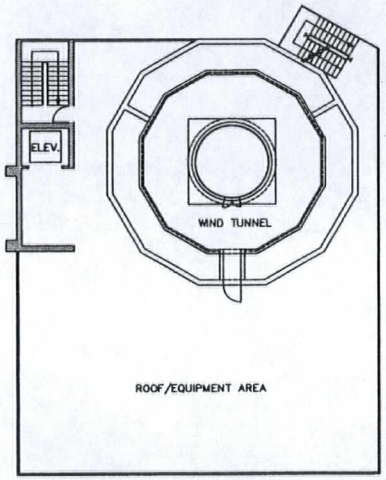
Breslin Builders shall have no liability for use of this information without their written consent. Copyright (c) 1998 - 2008, Use of this information contained in this document for other than the specific purpose for which it was intended is not allowed for other than the client for whom it was prepared is forbidden unless expressly permitted in advance by Breslin Builders. These drawings shall be used for use project only.



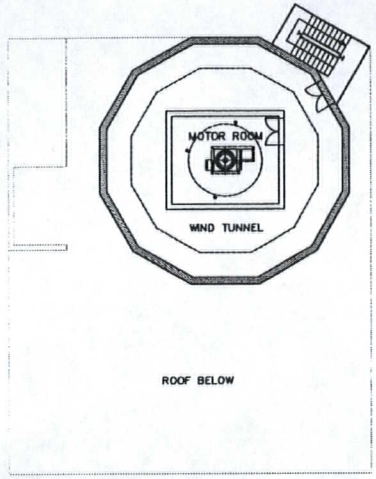
Level B (Basement)



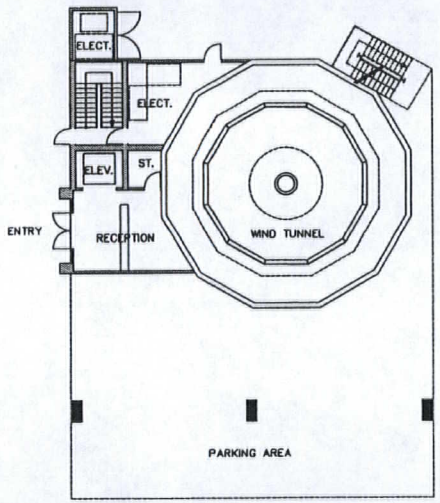
Level 4 (Spectator)



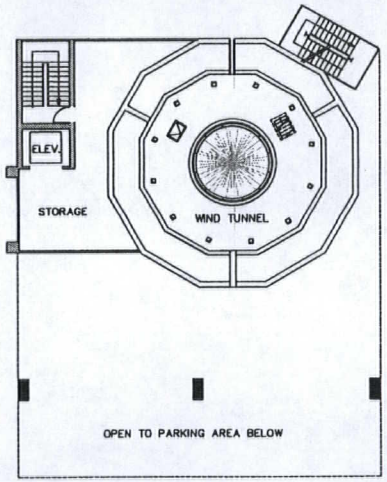
Level 5 (Propeller)



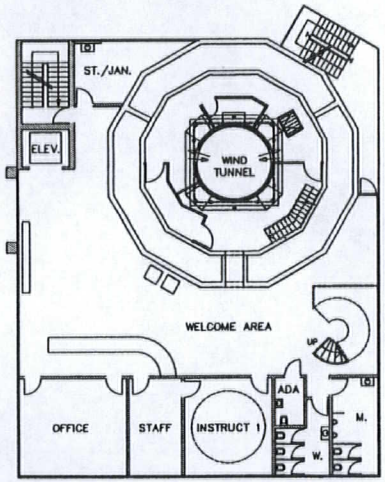
Level 6 (Motor)



Level 1 (Entrance)



Level 2 (Storage)



Level 3 (Flyers)

AREA SQUARE FOOTAGE BREAKDOWN:

AREAS	TECHNICAL AREA	BUSINESS AREA
LEVEL B	250 S.F.	0 S.F.
LEVEL 1	234 S.F.	274 S.F.
LEVEL 2	524 S.F.	0 S.F.
LEVEL 3	165 S.F.	3,841 S.F.
LEVEL 4	165 S.F.	3,489 S.F.
LEVEL 5	714 S.F.	0 S.F.
LEVEL 6	323 S.F.	0 S.F.
TOTALS	2,375 S.F.	7,604 S.F.

TOTAL AREAS = 9,979 SQUARE FEET

Floor Plans

Land-Use Submittal
July 9, 2009

Scale: 3/32" = 1'-0"
BBDG Project No.: 1109A
Version 2

BodyFlying.us LLC - Las Vegas
700 East Sahara Avenue, Las Vegas, Nevada

SDR-35186
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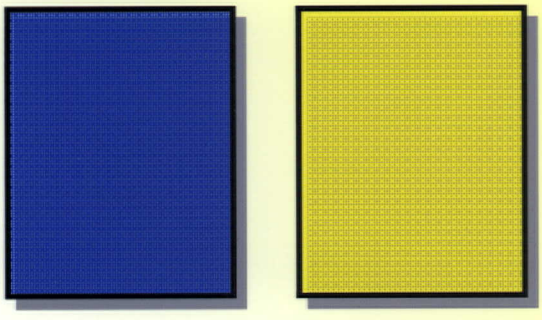
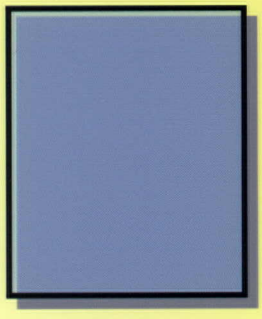
Color and Materials Board



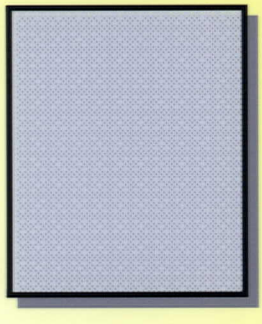
Typical EIFS and Accent
Paint and Trim Colors



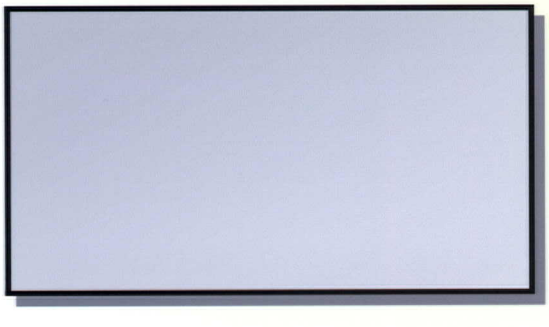
Typical Glazing Color
PPG Solarban® z50 or equal



Typical EIFS
Field Color



Typical Storefront/Glazing
Colors - Anodized Aluminum



Typical Exposed
Concrete



Typical Aluminum
Metal Siding

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Prepared by:

BRESLIN
BUILDERS

BodyFlying.us

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SDR 35186				
Bodyflying US, LLC				
700 E. Sahara Ave.				
Proposed 10 thousand square foot indoor amusement facility.				
Traffic produced by proposed development:				
Existing Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	MEDICAL-DENTAL OFFICE BUILDING [1000 SF]	3.5	36.13	126
AM Peak Hour			2.48	9
PM Peak Hour			3.72	13
(heaviest 60 minutes)				
New Proposal	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	RECREATIONAL COMM CTR [1000SF]	10	22.88	229
AM Peak Hour			1.62	16
PM Peak Hour			1.64	16
(heaviest 60 minutes)				
Net Change	DESCRIPTION	#UNIT		TOTAL
Average Daily Traffic (ADT)	FAST-FOOD W/ DRIVE THRU [1000 SF]	6.5		103
AM Peak Hour				7
PM Peak Hour				3
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Sahara Ave.				
Average Daily Traffic (ADT)	56,901			
PM Peak Hour	4552			
(heaviest 60 minutes)				
6th St.				
Average Daily Traffic (ADT)	2,917			
PM Peak Hour	233			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets				
	Adjacent street ADT			
	Capacity			
Sahara Ave.	51800			
6th St.	16900			

This project will add approximately 103 trips per day on Sahara Ave. and 6th St. This will increase the existing volumes by less than 1 percent on Sahara and about 4 percent on 6th. Sahara is currently over capacity and 6th is at about 17 percent of capacity.				
Based on Peak Hour use, this development will add roughly 7 additional cars into the area; which works out to about 1 every 9 minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



SDR-35186 - APPLICANT/OWNER: BODYFLYING US, LLC
NORTH SIDE OF SAHARA AVENUE, APPROXIMATELY 440 FEET EAST OF SIXTH STREET
OCTOBER 22, 2009 PLANNING COMMISSION

08/20/09



SDR-35186 - APPLICANT/OWNER: BODYFLYING US, LLC
NORTH SIDE OF SAHARA AVENUE, APPROXIMATELY 440 FEET EAST OF SIXTH STREET
OCTOBER 22, 2009 PLANNING COMMISSION

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OCTOBER 22, 2009 PLANNING COMMISSION

08/20/09

KUMMER KAEMPFER

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO

ATTORNEYS AT LAW

LAS VEGAS OFFICE

ROBERT J. GRONAUER
rgronauer@kkbrf.com
702.792.7052

LAS VEGAS OFFICE
3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, NV 89169
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
5585 Kietzke Lane
Reno, NV 89511
Tel: 775.852.3900
Fax: 775.852.3982

CARSON CITY OFFICE
510 W. Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

August 7, 2009

VIA HAND DELIVERY

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

Re: Justification Letter – Site Development Plan Review and Parking Variance

To Whom It May Concern:

Our office represents Bodyflying US, LLC ("The Applicant"). Please accept the attached application for a Site Development Plan Review. Our client proposes to develop a commercial recreation/amusement (indoor) facility in the C-1 district on the site located near Sahara and Sixth Street. The site development plan review is for an indoor wind tunnel with support services including an instruction room and gift shop. No functions will be operated outside the facility (i.e. noise).

The building is a total of 9,979 square feet, divided into 2,375 square feet "technical" and 7,604 square feet "business" (public). The first floor of the proposed facility will consist of the entrance and elevator to the second floor. The second floor is for storage and is not accessible to the public. The third floor will consist of the reception area, observation area, gift shop, instruction rooms, restrooms and office. The fourth floor will consist of a lounge area, changing rooms and team room. The fifth and sixth floors of the roof are portion of the wind tunnel and the mechanical equipment. The maximum height of the wind tunnel structure is 78'-9".

The Site Development Plan Review includes a waiver of the required perimeter landscape buffers; the C-1 district requires a 15 foot wide landscape buffer adjacent to Sahara Avenue and an 8 foot wide landscape buffer adjacent to the interior lot lines. The site plan provides 5'-6" landscape buffer adjacent to Sahara Avenue, a 3 foot landscape buffer along the East perimeter and zero landscaping along the North and West property lines. Please note that the applicant will also be providing 13'- 6" of landscaping within the public right of way in addition to the 5'-6" on the site for a total width of 19'-0" inches in addition to a 6 foot wide public sidewalk. The landscaping adjacent to the building will vary in width from 3 feet to 10 feet. All other code requirements have been met.

The applicant is also seeking a parking variance to allow for 59 parking spaces where 69 spaces are required. Based upon the type of business being proposed we feel that the proposed

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SDR-35186
09/24/09 PC

59 parking spaces is more than sufficient to adequately handle the customers and staff that will be utilizing the site. Title 19 Section 19.04 Table 2 specifies the required parking for a commercial recreation/amusement (indoor) however does not have a specific parking requirement for a wind tunnel therefore it has been determined by staff that required parking is based upon "other uses". We feel that based upon the use that the wind tunnel parking demand is closer to the parking demand generated by an indoor court game which requires 3 parking spaces per court which would require a maximum of 30 spaces which we far exceed.

The wind tunnel will be utilized by no more than 26 persons in an hour, including six staff persons and 20 guests, taking into consideration the overlap time between the departing and entering groups. The guests make reservations and are typically in small groups of 3 to 5 persons. The guests must receive instruction and special clothing prior to flying which limits the number of people who can utilize the facility at the same time.

The applicant is the property owner of both parcels associated with this application and will maintain cross access and cross parking requirements as required.

We are excited about this project and look forward to working with staff through the development of this site.

Sincerely,

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO

Robert J Gronauer

Robert J. Gronauer

RJG/mlt

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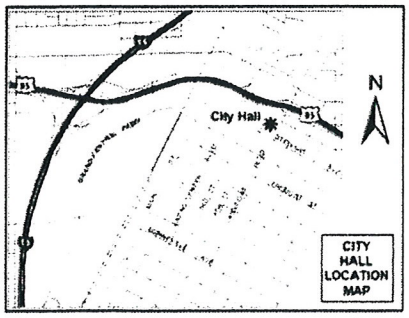
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



Property Or Business Owner J A Wade

Address 1210 E St Louis

City, State, Zip LV

Telephone 702 796 5195

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.

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

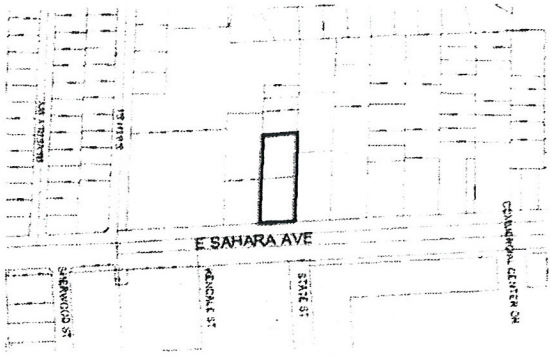
Please Cut Along Dotted Line and return the top portion to the City of Las Planning Commission

Application Information

VAR-35528 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: BODYFLYING US, LLC - Request for a Variance TO ALLOW 59 PARKING SPACES WHERE 69 ARE REQUIRED FOR A PROPOSED COMMERCIAL RECREATION/AMUSEMENT (INDOOR) USE on 0.81 acres on the north side of Sahara Avenue, approximately 440 feet east of Sixth Street (APNs 162-03-801-088 and 137), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

SDR-35186 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-35528 - PUBLIC HEARING - APPLICANT/OWNER: BODYFLYING US, LLC - Request for a Site Development Plan Review FOR A PROPOSED 79-FOOT TALL, 9,979 SQUARE-FOOT COMMERCIAL RECREATION/AMUSEMENT (INDOOR) BUILDING WITH WAIVERS OF PERIMETER LANDSCAPE STANDARDS TO ALLOW LANDSCAPE BUFFERS OF FIVE FEET ALONG THE SOUTH PERIMETER WHERE 15 FEET IS REQUIRED, ZERO FEET ALONG ON THE NORTH AND WEST PERIMETERS WHERE EIGHT FEET IS REQUIRED, AND THREE FEET ALONG THE EAST PERIMETER WHERE EIGHT FEET IS REQUIRED on 0.81 acres on the north side of Sahara Avenue, approximately 440 feet east of Sixth Street (APNs 162-03-801-088 and 137), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	***September 24, 2009***
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file a written objection thereto or approval thereof with the Planning and Development Department, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. Final Action on General Plan Amendments and Rezonings will be determined by the City Council. Other public hearing items may be deemed Final Action by the Planning Commission or forwarded to the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after the discussion of the item. For further information, including the full staff report, please call (702) 229-6301 (TDD 386-9108) or go to http://www.lasvegasnevada.gov.

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

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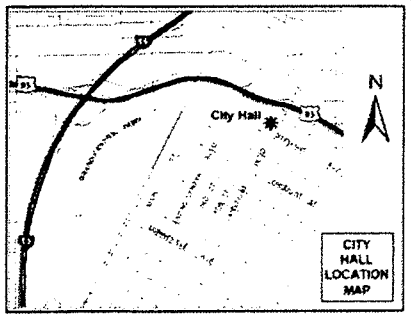
Official Notice of Public Hearing



Property Or
Business Owner Shannon Prestridge

Address 1909 S. 11th St.

City, State, Zip Las Vegas, NV 89104

Telephone (702) 769-4783

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-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

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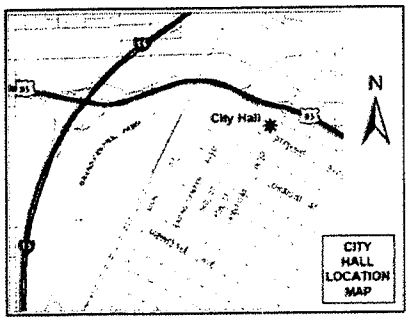
OCT 07 2009

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



Property Or
Business Owner SILVER CITY DEVT, LLC

Address 1916 S. MARYLAND PKWY.

City, State, Zip LAS VEGAS, NV 89104

Telephone (702) 456-8884

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-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

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

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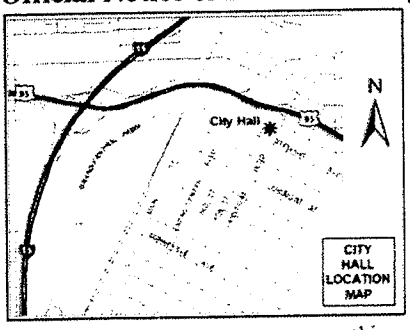

Property Or Business Owner JAMES KELLY

Address 1077 HOWARD DR.

City, State, Zip L.V. NV. 89104

Telephone

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VAR-35528 & SDR-35186
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City of Las Vegas
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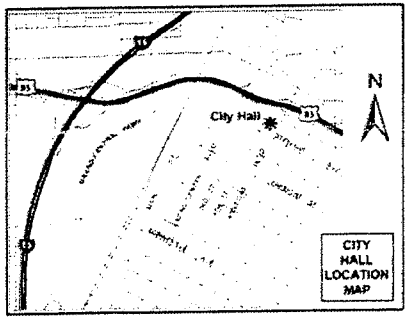

Property Or Business Owner: JACK WEINSTEIN MGR VANCO LLC

Address: 896 E SAHARA

City, State, Zip: 89104

Telephone: 702 630 9555

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Jack Weinstein

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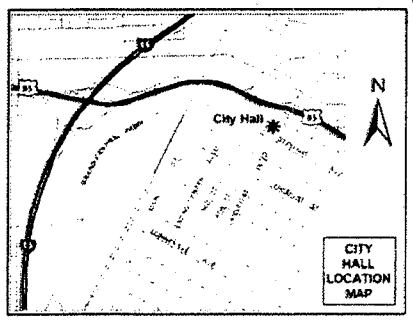

Property Of
~~Business Owner~~ Donald D. & Irene B. Larkin

Address 2104 Cordova St.

City, State, Zip L.V. Nev. 89104

Telephone 702) 735-0002

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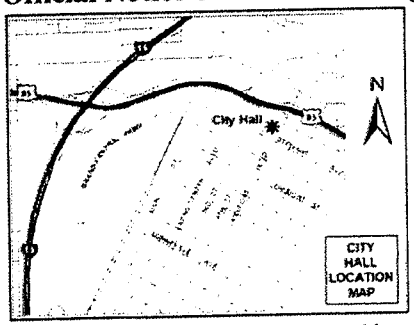

Property Or
Business Owner Jeff Bower

Address 1046 Bonita Ave.

City, State, Zip Las Vegas, NV. 89104-3115

Telephone 702-794-0690

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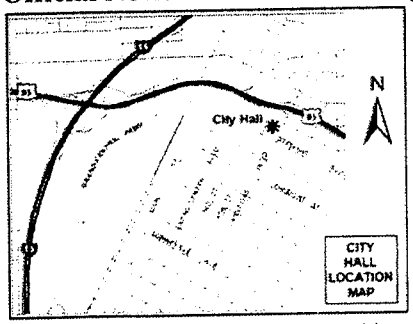

Property Or Business Owner Diane M. Morgan

Address 808 Bonita Ave

City, State, Zip Las Vegas NV 89104

Telephone _____

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VAR-35528 & SDR-35186

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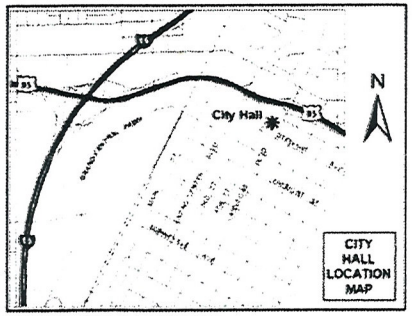

Property Or
Business Owner Joyce Perlman

Address 850 Tam O'Shanter

City, State, Zip Las Vegas Nev 89109

Telephone 702-735-5533

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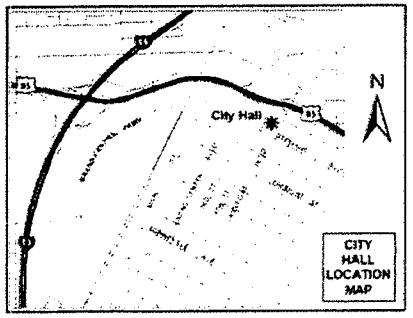

Property Or Business Owner PETERSEN 1994 TRUST

Address 709 CANOSA AVE

City, State, Zip LAS VEGAS NEV 89104

Telephone _____

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NOISE CREATED WOULD BE A CONCERN

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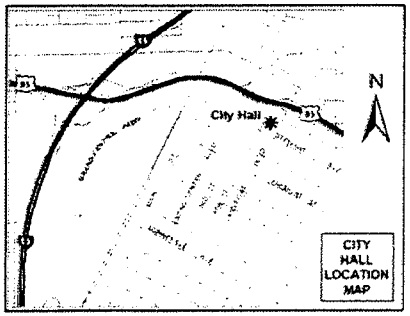

Property Or Business Owner Joseph L. Notaro

Address 2008 Santiago St

City, State, Zip Las Vegas NV 89104

Telephone 702 650 9063

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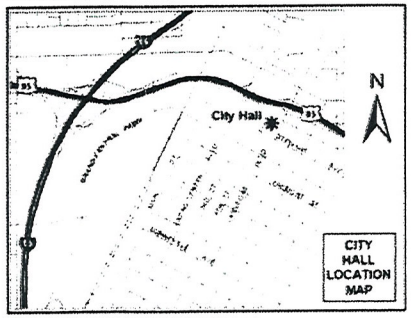

Property Or
Business Owner _____

Address _____

City, State, Zip _____

Telephone _____

Tom & Vivian McHatton
2008 Cordova St
Las Vegas, NV 89104

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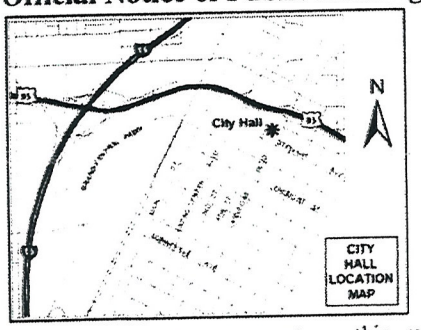

Property Or Business Owner Tenille Cina

Address 1929 So. 6th St

City, State, Zip Las Vegas, NV 89104

Telephone (702) 604-3232

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VAR-35528 & SDR-35186

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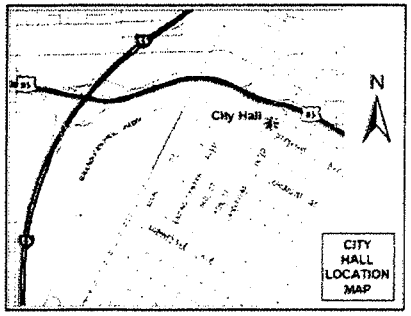

Property Or
Business Owner Patsy Graham

Address 2105 Santiago St

City, State, Zip L.V. NV 89104

Telephone 791-5086

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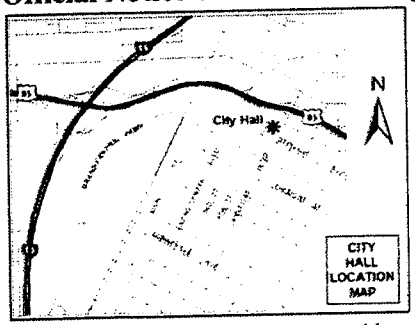

Property Or Business Owner Elisa Povso

Address 1043 Canoga Ave

City, State, Zip Las Vegas NV 89104

Telephone (305) 207-4993

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VAR-35528 & SDR-35186

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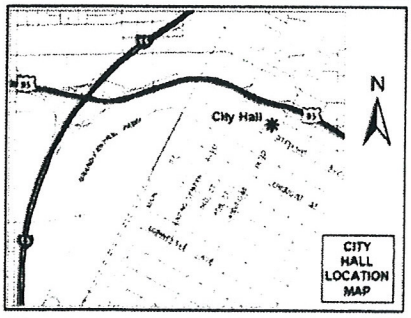

Property Or Business Owner Margaret M Stevens Trust Mary Stevens Trustee

Address 1810 S. 8th St

City, State, Zip LAS VEGAS, NV 89104

Telephone 429-7902

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

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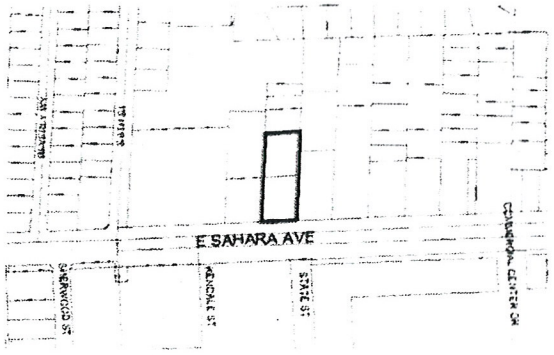
Application Information

VAR-35528 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: BODYFLYING US, LLC - Request for a Variance TO ALLOW 59 PARKING SPACES WHERE 69 ARE REQUIRED FOR A PROPOSED COMMERCIAL RECREATION/AMUSEMENT (INDOOR) USE on 0.81 acres on the north side of Sahara Avenue, approximately 440 feet east of Sixth Street (APNs 162-03-801-088 and 137), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

SDR-35186 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-35528 - PUBLIC HEARING - APPLICANT/OWNER: BODYFLYING US, LLC - Request for a Site Development Plan Review FOR A PROPOSED 79-FOOT TALL, 9,979 SQUARE-FOOT COMMERCIAL RECREATION/AMUSEMENT (INDOOR) BUILDING WITH WAIVERS OF PERIMETER LANDSCAPE STANDARDS TO ALLOW LANDSCAPE BUFFERS OF FIVE FEET ALONG THE SOUTH PERIMETER WHERE 15 FEET IS REQUIRED, ZERO FEET ALONG ON THE NORTH AND WEST PERIMETERS WHERE EIGHT FEET IS REQUIRED, AND THREE FEET ALONG THE EAST PERIMETER WHERE EIGHT FEET IS REQUIRED on 0.81 acres on the north side of Sahara Avenue, approximately 440 feet east of Sixth Street (APNs 162-03-801-088 and 137), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	***September 24, 2009***
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file a written objection thereto or approval thereof with the Planning and Development Department, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. Final Action on General Plan Amendments and Rezonings will be determined by the City Council. Other public hearing items may be deemed Final Action by the Planning Commission or forwarded to the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after the discussion of the item. For further information, including the full staff report, please call (702) 229-6301 (TDD 386-9108) or go to http://www.lasvegasnevada.gov.

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
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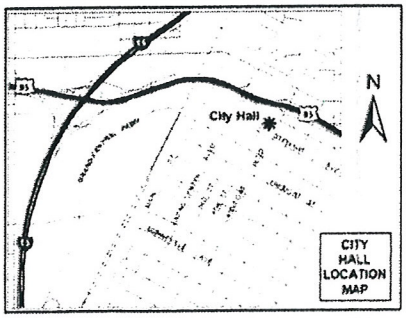

Property Or Business Owner: Firooz Mashhood MD

Address: 734 E Sahara

City, State, Zip: Las Vegas Nevada 89104

Telephone: 702.477.7764

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

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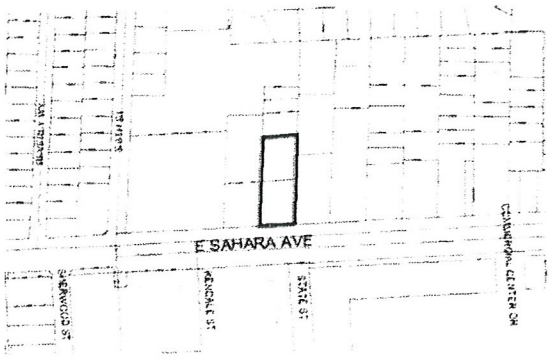

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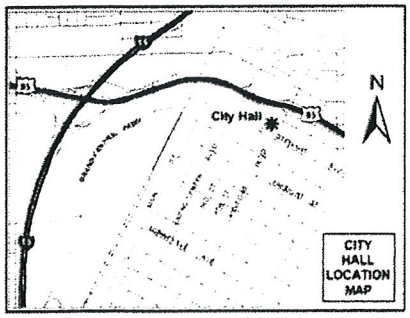

Property Or Business Owner Claudia Ewing

Address 1032 E. Bonita Ave

City, State, Zip Las Vegas, NV 89104

Telephone (702) 354-0917

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VAR-35528 & SDR-35186
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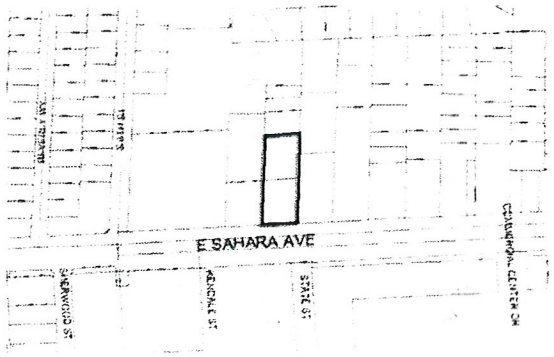

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Telephone Protest/ Approval Log

Meeting Date: 09.24.09 **Case Number:** SDR-35186

Date: 09.16.09

Name: Terry Hunt

Address: 700 E Sahara Ave
Las Vegas, NV 89104

Phone: 702-596-8960

[X] PROTEST [ ] APPROVE

Date: 9-17-09

Name: Eugene Godina

Address: 700 E. Sahara
89104

Phone: 737-7077

[X] PROTEST [ ] APPROVE

Date: 9-17-09

Name: Dr. Mashood

Address: 704 E. Sahara
89104

Phone: (702) 477-7764

[X] PROTEST [ ] APPROVE

Date:

Name:

Address:

Phone:

[ ] PROTEST [ ] APPROVE

Date:

Name:

Address:

Phone:

[ ] PROTEST [ ] APPROVE

Date:

Name:

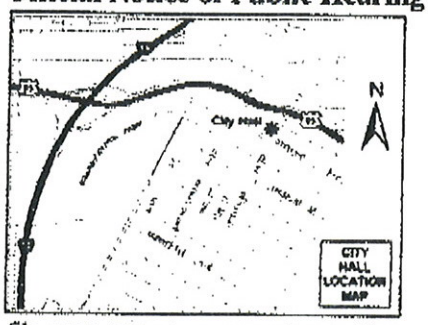
Address:

Phone:

[ ] PROTEST [ ] APPROVE

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



Property Or Business Owner PAUL S. WHISLER

Address 1032 E. HASSETT AVE

City, State, Zip LAS VEGAS NV 89104-315

Telephone 702-735-0543

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-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

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Date Item 139

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

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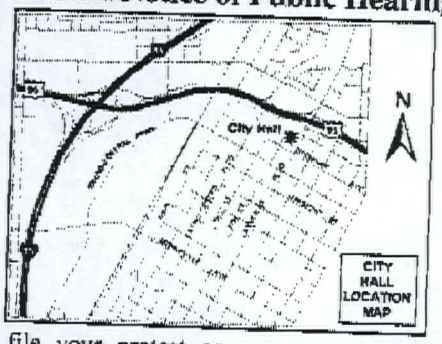

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VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

16203421005 Case: VAR-35528
DAPHNEY IRREVOCABLE TRUST
4769 SPINDLERIDGE CIR
LAS VEGAS NV 89147-5272

CAVDS11 89147

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09/16/2009 10:00 7022555779

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

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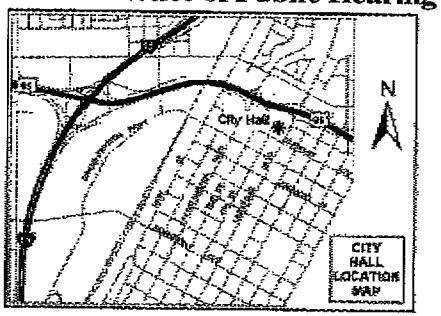

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VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

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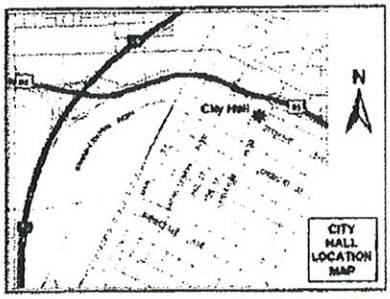
Case: VAR-35528
16203801089
MY SISTERS COMPANY L L C
2150 S HIGHLAND
LAS VEGAS NV 89102-4622

GAVDS11 A910E

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



Property Or Business Owner: KP Management

Address: 1040 E. Sahara # 201

City, State, Zip: Las Vegas, NV 89104

Telephone: (702) 731-0015

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VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

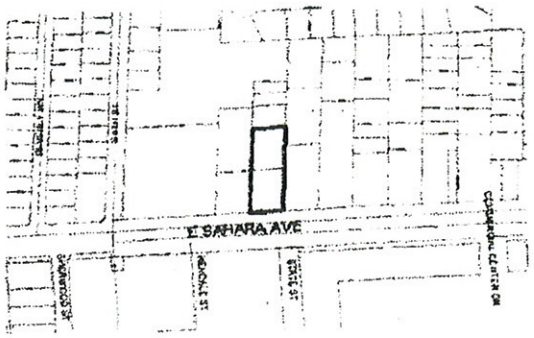
Please Cut Along Dotted Line and return the top portion to the City of Las Planning Commission

Application Information

VAR-35528 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: BODYFLYING US, LLC - Request for a Variance TO ALLOW 59 PARKING SPACES WHERE 69 ARE REQUIRED FOR A PROPOSED COMMERCIAL RECREATION/AMUSEMENT (INDOOR) USE on 0.81 acres on the north side of Sahara Avenue, approximately 440 feet east of Sixth Street (APNs 162-03-801-088 and 137), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

SDR-35186 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-35528 - PUBLIC HEARING - APPLICANT/OWNER: BODYFLYING US, LLC - Request for a Site Development Plan Review FOR A PROPOSED 79-FOOT TALL, 9,979 SQUARE-FOOT COMMERCIAL RECREATION/AMUSEMENT (INDOOR) BUILDING WITH WAIVERS OF PERIMETER LANDSCAPE STANDARDS TO ALLOW LANDSCAPE BUFFERS OF FIVE FEET ALONG THE SOUTH PERIMETER WHERE 15 FEET IS REQUIRED, ZERO FEET ALONG ON THE NORTH AND WEST PERIMETERS WHERE EIGHT FEET IS REQUIRED, AND THREE FEET ALONG THE EAST PERIMETER WHERE EIGHT FEET IS REQUIRED on 0.81 acres on the north side of Sahara Avenue, approximately 440 feet east of Sixth Street (APNs 162-03-801-088 and 137), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	*September 24, 2009*
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

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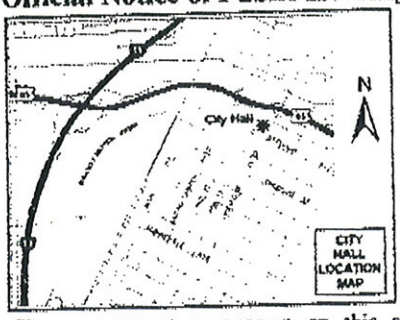
Submitted after final agenda
Date Item 37

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



Property Or Business Owner: Flamingo - Jones Ltd

Address: 1912 S. Maryland Pky

City, State, Zip: Las Vegas NV 89104

Telephone: 702-733-7144

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

Margaret Carnell, Trustee

VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

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Application Information

VAR-35528 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: BODYFLYING US, LLC - Request for a Variance TO ALLOW 59 PARKING SPACES WHERE 69 ARE REQUIRED FOR A PROPOSED COMMERCIAL RECREATION/AMUSEMENT (INDOOR) USE on 0.81 acres on the north side of Sahara Avenue, approximately 440 feet east of Sixth Street (APNs 162-03-801-088 and 137), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

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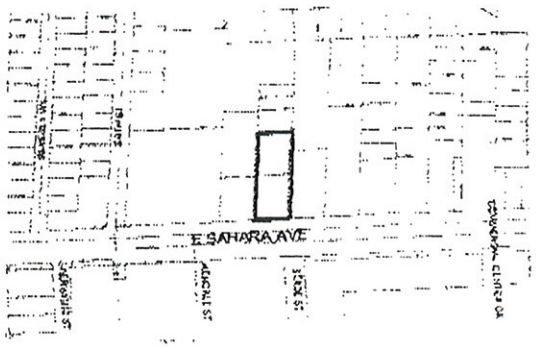
Application Location



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Public Hearing Information

Meeting:	Planning Commission
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Date Item 13

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

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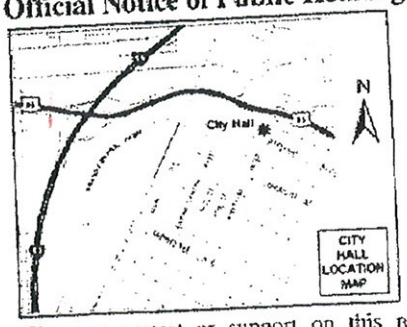
Official Notice of Public Hearing



Property Or Business Owner: Gregory S Brown

Address: 606 Bonita Ave

City, State, Zip: LV NV 89104

Telephone: 580-7798

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

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Application Location



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Public Hearing Information

Meeting:	Planning Commission
Date:	***September 24, 2009***
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

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Date Item 13P

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

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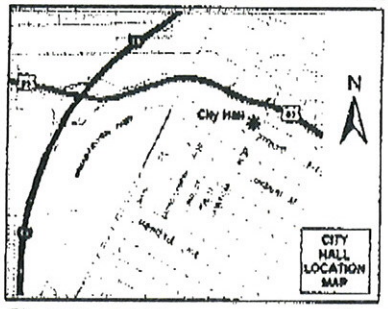

Property Or Business Owner: Tenille Cina

Address: 1929 So. 6th St

City, State, Zip: Las Vegas, NV 89104

Telephone: (702) 604-3232

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

Please Cut Along Dotted Line and return the top portion to the City of Las Planning Commission

Application Information

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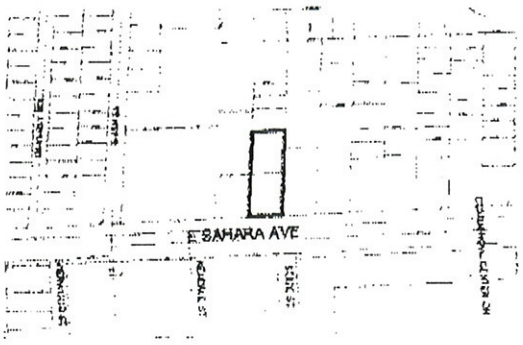
Application Location



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Public Hearing Information

Meeting:	Planning Commission
Date:	*September 24, 2009*
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9-22-209 11:57AM FROM FRANCESCH 702 396 2155 P.1

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

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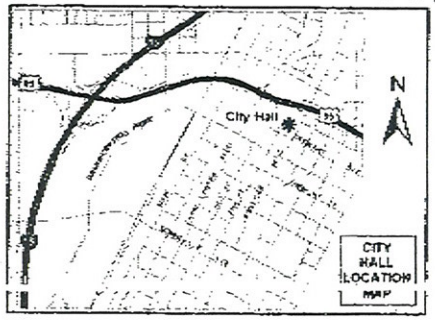

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

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Case: VAR-35528

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

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Submitted after final agenda
Date 9.24.09
Item 13

GAUDF11 89149

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

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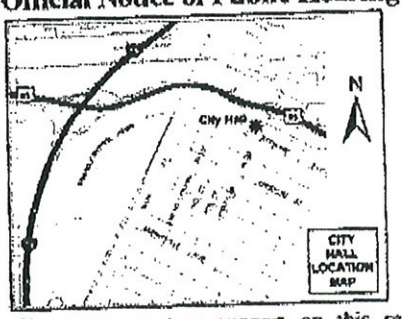

Property Or Business Owner JOHN MCCORMICK

Address 1064 CIRROSA

City, State, Zip LAS VEGAS NEVADA 89104

Telephone 702 523-4483

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VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

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Application Information

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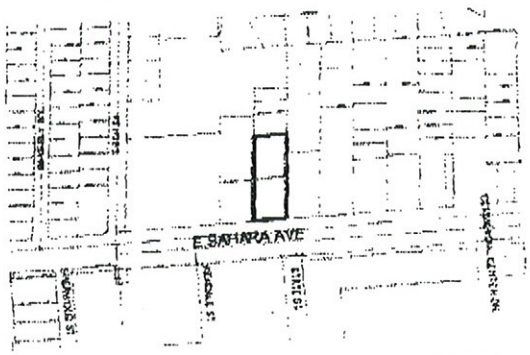

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Public Hearing Information

Meeting: Planning Commission
Date: *September 24, 2009*
Time: 6:00 P.M.
Location: City Council Chambers
400 Stewart Avenue
Las Vegas, Nevada

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Date Item 13f

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City of Las Vegas
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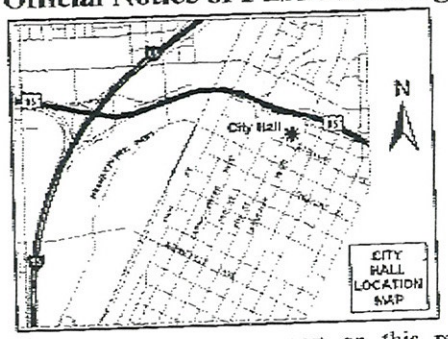

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

Case: VAR-35528
16203801058
ZURAWSKI STANLEY M JR ETAL
P O BOX 46110
LAS VEGAS NV 89114-6110

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CITY CLERK

Submitted after final agenda
Date
Item 13P

09/17/2009 10:07 7023660626

PAGE 01/01

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

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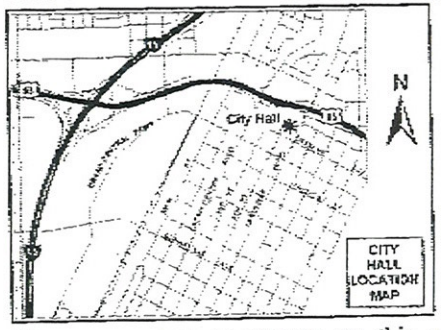

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

Case: VAR-35528
16203801104
ZURAWSKI STANLEY M SR & N ETAL
%M/M S ZURAWSKI JR
P O BOX 46110
LAS VEGAS NV 89114-6110

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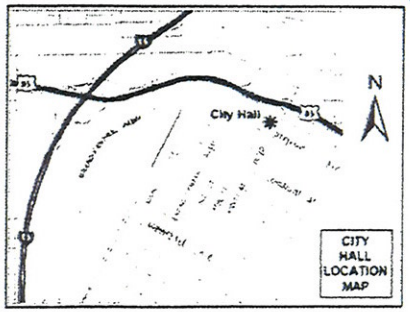

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

Property Or Business Owner: Ray Beauchamp & Susan Dawn

Address: 1709 - 6th St

City, State, Zip: Las Vegas, NV 89104

Telephone: 702-696-9757

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Planning & Development Department
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731 S. Fourth Street
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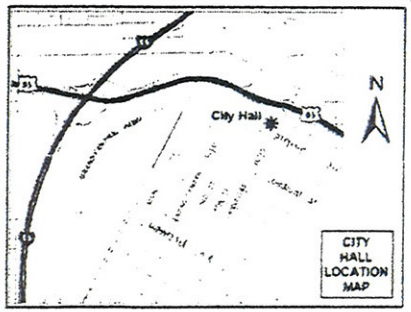

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

Property Or
Business Owner Kathleen Brooks/Peter Singelton

Address 607 Bonita Ave

City, State, Zip Las Vegas, NV 89104

Telephone 702 - 383-6303

Many of us have lived in this area for years. We consider it our home - We constantly have to fight to protect this neighborhood, because we are not Hills or Southern

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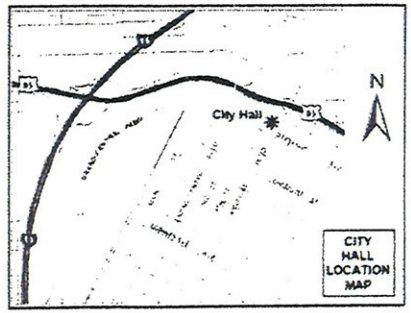

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

Property Or
Business Owner Jeri Ann Culley

Address 1047 Hassett Ave.

City, State, Zip Las Vegas, NV. 89104

Telephone 702-612-7463 (cell)

We do not need the air & noise pollution. It's already short on parking spaces. Besides it would be trugly (triple ugly)
No! No! No! I've lived here since 1954 and it's gone too far down already said to day.

City of Las Vegas
Planning & Development Department
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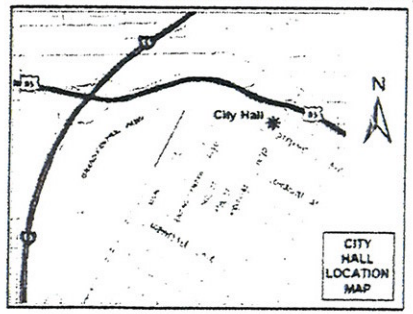

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

Property Or Business Owner: Frank Butterfield

Address: 1051 BONITA AVE
2200 6TH ST.
22.2 6TH ST

City, State, Zip: LV. NV 89104

Telephone: 702-596-2845

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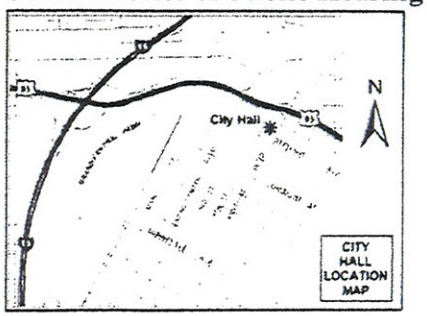

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☒ I OPPOSE this Request

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VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

Property Or Business Owner: Property owner

Address: 910 E. Oakey Blvd.

City, State, Zip: Las Vegas NV 89104

Telephone: 737-5280

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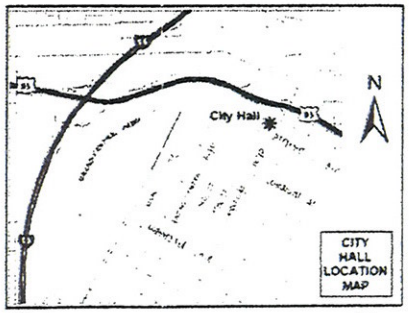

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

Property Or Business Owner Lola Stiborek / Lola Stiborek

Address 604 Bonita Ave

City, State, Zip Las Vegas, NV 89104

Telephone (702) 734-6153

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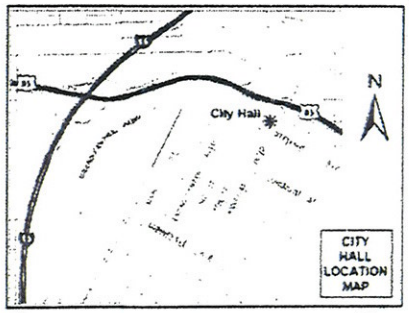

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

Property Or Business Owner James L Miller

Address 804 alhambra Dr

City, State, Zip Las Vegas, NV 89104

Telephone 702 862-8163

I don't want any thing like this in my neighborhood

Jan

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Planning & Development Department
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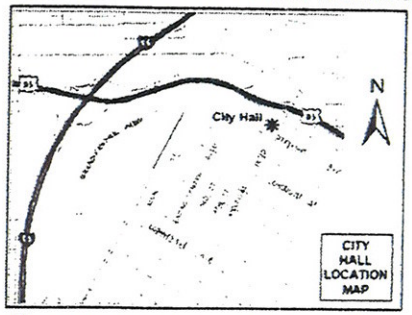

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

Property Or ~~Business Owner~~ SIDNEY ROWLAND

Address 1711 SOUTH 7TH ST.

City, State, Zip LAS VEGAS, NV. 89104

Telephone 601-415-2133

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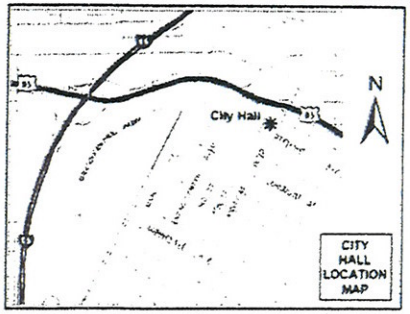

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

Property Or Business Owner Jewell Goliff
Address 1054 Howard Ave
City, State, Zip Las Vegas, NV. 89104
Telephone 702 735-1208

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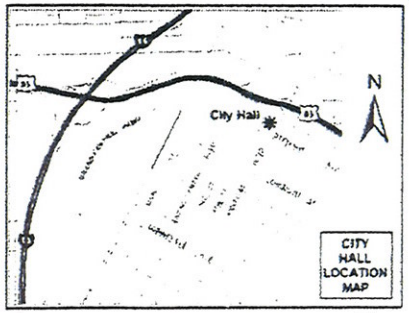

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

Property Or
Business Owner MRS. Phyllis M Silvestri

Address 610 Canosa Ave

City, State, Zip Las Vegas, NV 89104-2815

Telephone (702)735-6501

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attached hereto

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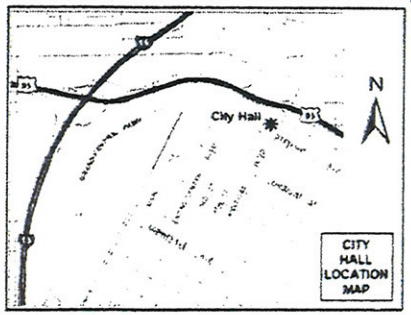

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

Property Or Business Owner: Linda Alverson

Address: 904. Canosa Ave

City, State, Zip: Las Vegas. NV. 89104

Telephone: 733-0995

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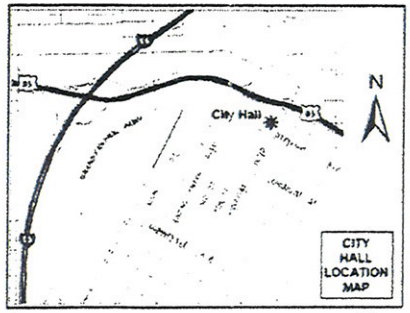

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☒ I OPPOSE this Request

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VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

Property Or Business Owner WALTER

Address 820 ALHAMBRA

City, State, Zip LAS VEGAS NV 89104

Telephone 702 884 8874

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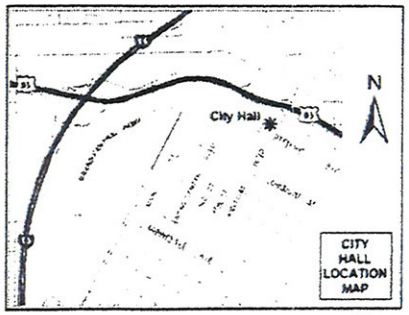

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

Property Or Business Owner HENRY SKONIECZNY

Address 705 E. ST. LOUIS

City, State, Zip LAS VEGAS NV 89104

Telephone (702) 369 1991

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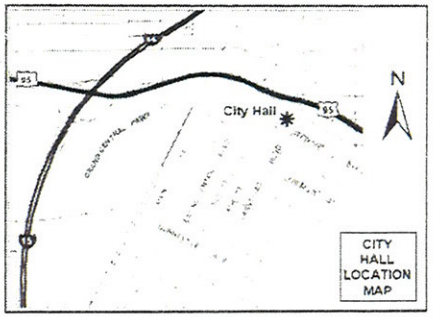

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VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

Case: VAR-35528
16203810012
ZULEY RANDALL B & MIGNON M
2105 ALHAMBRA CIR
LAS VEGAS NV 89104-2910

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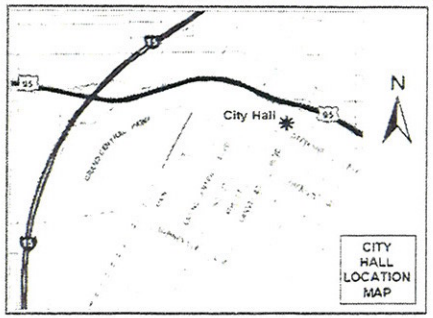

I AM part owner of the Bld at 700 E Sahara - this would be a disaster for my tenants - partly because of the traffic between their Bld & mine - that is just a small part of the problems thank you for reading this - Milagros Sloan

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VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

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Case: VAR-35528

16203801100
K P E SAHARA L L C ETAL
%M & B SLOAN
6910 N RAINBOW BLVD
LAS VEGAS NV 89131-3446

GAUDS11 89131

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

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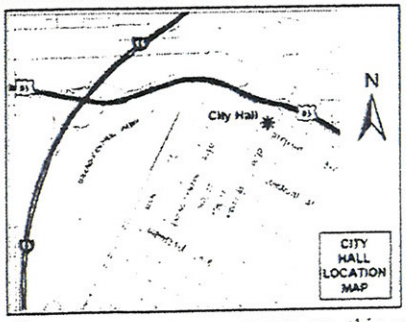

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Property Or Business Owner KP Management

Address 1040 E. Sahara # 201

City, State, Zip Las Vegas, NV 89104

Telephone (702) 731-0015

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VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

D2

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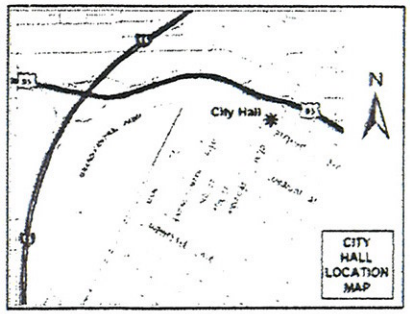

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VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

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Property Or Business Owner: Schneider Development

Address: 1700 S. 9th

City, State, Zip: Las Vegas, Nev. 89104

Telephone: 702-340-1008

City of Las Vegas
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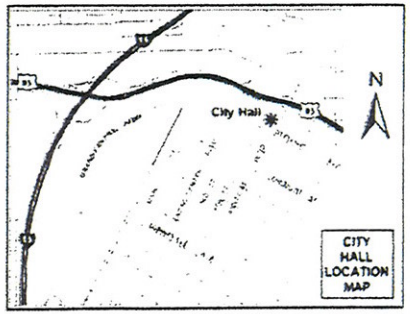

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Property Or Business Owner Rosendo Cano

Address 1712. S. 16th St.

City, State, Zip L.V. NV 9104

Telephone 702) 380 1717

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VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

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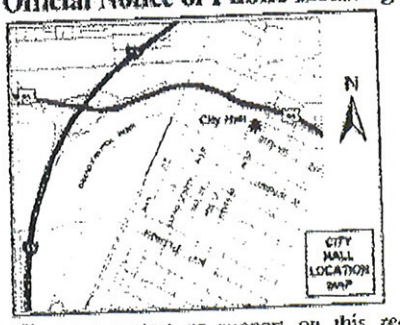
Las Vegas, Nevada 89101-2986

Return Service Requested

Official Notice of Public Hearing



Property Or Business Owner: My Sister's Company

Address: 860 E. Sahara Avenue

City, State, Zip: LV NV 89101

Telephone: (702) 232-5100 Audrey

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

[redacted] this Request

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

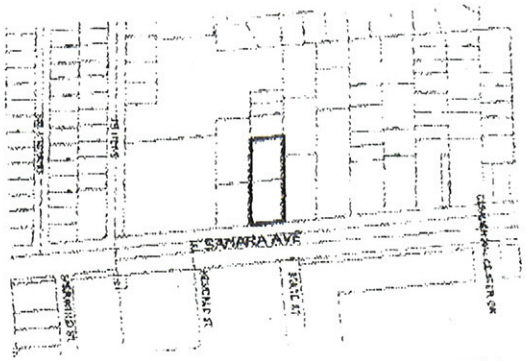
Please Cut Along Dotted Line and return the top portion to the City of Las Planning Commission

Application Information

VAR-35528 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: BODYFLYING US, LLC - Request for a Variance TO ALLOW 59 PARKING SPACES WHERE 69 ARE REQUIRED FOR A PROPOSED COMMERCIAL RECREATION/AMUSEMENT (INDOOR) USE on 0.81 acres on the north side of Sahara Avenue, approximately 440 feet east of Sixth Street (APNs 162-03-801-088 and 137). C-1 (Limited Commercial) Zone. Ward 3 (Reese)

SDR-35186 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-35528 - PUBLIC HEARING - APPLICANT/OWNER: BODYFLYING US, LLC - Request for a Site Development Plan Review FOR A PROPOSED 79-FOOT TALL, 9,979 SQUARE-FOOT COMMERCIAL RECREATION/AMUSEMENT (INDOOR) BUILDING WITH WAIVERS OF PERIMETER LANDSCAPE STANDARDS TO ALLOW LANDSCAPE BUFFERS OF FIVE FEET ALONG THE SOUTH PERIMETER WHERE 15 FEET IS REQUIRED, ZERO FEET ALONG ON THE NORTH AND WEST PERIMETERS WHERE EIGHT FEET IS REQUIRED, AND THREE FEET ALONG THE EAST PERIMETER WHERE EIGHT FEET IS REQUIRED on 0.81 acres on the north side of Sahara Avenue, approximately 440 feet east of Sixth Street (APNs 162-03-801-088 and 137). C-1 (Limited Commercial) Zone, Ward 3 (Reese)

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	*September 24, 2009*
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file a written objection thereto or approval thereof with the Planning and Development Department, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. Final Action on General Plan Amendments and Rezonings will be determined by the City Council. Other public hearing items may be deemed Final Action by the Planning Commission or forwarded to the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after the discussion of the item. For further information, including the full staff report, please call (702) 229-6301 (TDD 386-9108) or go to http://www.lasvegasnevada.gov.

RECEIVED
SEP 29 2009

13

MEETINGS
CONVENTIONS - CONSULTATIONS - BYLAWS

Phyllis M. Silvestri
PROFESSIONAL REGISTERED PARLIAMENTARIAN
CERTIFIED PROFESSIONAL PARLIAMENTARIAN

610 Canosa Ave.
Las Vegas, Nevada 89104

Telephone
(702) 735-650

CLASSES - LECTURES - ELECTIONS
PROFESSIONAL PRESIDING OFFICER

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

Protest

VAR-35528/SDR-35186

Members of the Planning Commission

As a concerned forty-nine year resident of this neighborhood, I oppose the construction of a 79-foot tower that would be producing noise until 10 p.m.

My children have grown up here, gone to school here, played here, and attended Church in this area. (We have five churches on St. Louis Ave., just a block from where this proposed structure is to be built.)

I sincerely urge the City Council to oppose such a structure in the midst of a residential area.

There is abundant desert land for this proposed structure. Please consider the residents of this area. We will appreciate it very much.

Sincerely,

Phyllis M. Silvestri

Phyllis M. Silvestri
610 Canosa Avenue
Las Vegas, NV 89104-2815

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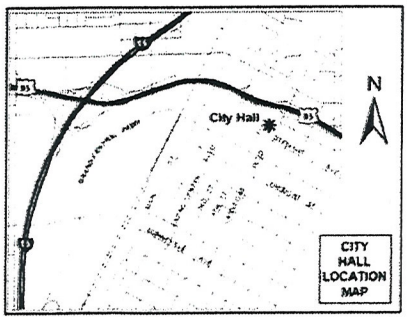
SEP 23 2009

RECEIVED
SEP 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



Property Or Business Owner Pandora Eady

Address 2100 Santiago St

City, State, Zip LV. NV 89104

Telephone _____

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-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

RECEIVED
SEP 30 2009

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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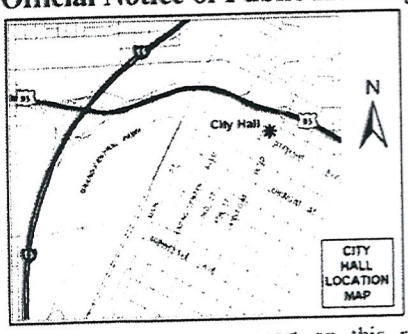

Property Or Business Owner Wayne Yardley

Address 1006, 1008 & 994 E. Sahara Ave

City, State, Zip Las Vegas NV 89104

Telephone 702-836-9118

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35528 & SDR-35186
Planning Commission Meeting of 9/24/2009

RECEIVED
SEP 30 2009

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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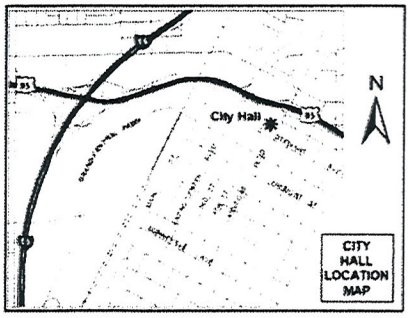

Property Or
Business Owner CONNIE INMAN

CENTRAL BACKGROUND INVESTIGATIONS

Address 608 South 8th Street

City, State, Zip Las Vegas, Nevada 89101

Telephone 702-382-6883

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-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

I OPPOSE

Connie Inman

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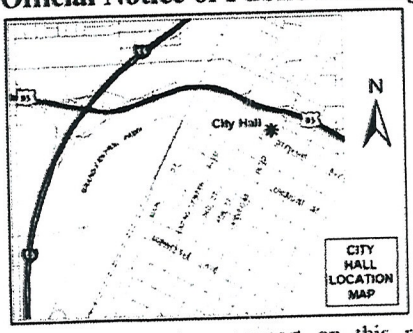
SEP 30 2009

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



Property Or Business Owner HOWARD L. INMAN

Address 1025 HOWARD DR.

City, State, Zip LAS VEGAS, NV 89104

Telephone 702-524-5385

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-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

---

the Tiger Lily
FLOWER SHOP

Protest

September 17, 2009

Las Vegas Planning Commission
731 S. 4th St.
Las Vegas, NV 89101

On Thursday, September 24, there is a Planning Commission hearing on VAR-35528 (SDR-35186). BodyFlying US is requesting variances to install an indoor skydiving venue on the vacant lot right next to our business on Sahara Avenue and must get variances in order to build such an operation where it is currently not allowed. Either this or a similar company tried to get the variances last year but, when it was obvious that there was a lot of opposition to the plan, they withdrew their request. The only difference between the one last year and this one is that they previously proposed building a tower of more than 90 feet and currently they are proposing one of 79 feet. We are opposed to the approval of these variances.

- **Noise from this operation would affect existing businesses --- Republic Services, The Tiger Lily Flower Shop, Marie Callender, Tony Roma's, doctors' offices and others. The noise problem would discourage future businesses from locating nearby.**
- **Parking issues would be created by the amount of visitors and inadequate parking available.**
- **It does not fit with the Master Plan of the area.**
- **It abuts a residential neighborhood.**
- **The requested setback and landscaping variances would make an unattractive building which looks like a grain silo a prominent feature on Sahara Avenue.**

This is an amusement type of operation which attracts not just individuals, but large groups who come to either participate or just to watch the action. These groups are quite large at times, even arriving in buses. Where exactly are these buses supposed to hang out for a couple of hours while waiting for the event to finish? Zoning requires 69 parking spaces for this type of operation and they want to reduce it to 59 because they are trying to put it on a lot with is only slightly larger than a residential building lot. They are also requesting a waiver of the setback requirements and landscape buffers to accommodate a nearly 10,000 square foot building on this tiny lot.

The central feature of this type of operation is a vertical wind tunnel. It uses a 16-ft airplane propeller to generate hurricane-force winds of 105 mph to 150 mph in order to create the

Submitted after final agenda
Date
Item 13P

700 EAST SAHARA AVENUE · LAS VEGAS, NEVADA 89104 · P (702)737-7077 · F (702)735-4800
2253 SOUTH RAINBOW · LAS VEGAS, NEVADA 89146 · P (702)254-7778 · F (702)254-5702
10271 SOUTH EASTERN, SUITE 113 · HENDERSON, NEVADA 89052 · P (702)492-2324 · F (702)492-2462
WeSendEmotions.com · 1-800-805-9052

wind necessary to keep a person in the air. This creates a tremendous amount of noise. It cannot be contained with soundproofing because it requires moving huge amounts of air and the sound can be deafening. The fact that they are requesting a shorter tower this time actually increases the noise level as the exhaust air comes out at a lower altitude that with the higher tower. Our business is just 75 feet away from the site and the noise would affect the quiet enjoyment of our property.

There is a currently an indoor skydiving operation on Convention Center Drive called Vegas Indoor Skydiving. The owner of the business is Keith Fields. I have spoken to him in the past regarding the problems associated with a business of this type in the midst of a quiet residential neighborhood like ours. If you have any technical questions regarding this kind of operation, he can answer those questions. His cell number is 813-5790 and his email address is IndoorSkydiving@aol.com.

We realize that there are currently many vacancies in the commercial buildings in our neighborhood, but allowing this business would discourage future businesses from locating here and would create a permanent dead zone around the property. Once it is approved, it can not be undone, and it is not worth the risk to future development.

If you go online and research these types of operation, they are usually located far away from urban areas and are nearly always in industrial parks. This type of amusement is a lot of fun. I have done the indoor skydiving experience on Convention Center Drive and recommend it as a great experience. However, it does not belong in our neighborhood. Highland Drive or Western Ave. would be a more appropriate location for it.

If you have any questions, please feel free to call.

Terry Hunt
596-8960

Eugene Godina
524-9176

RECEIVED
09 SEP 17 PM 2:56
PLANNING AND
DEVELOPMENT

Submitted after final agenda
Date Item

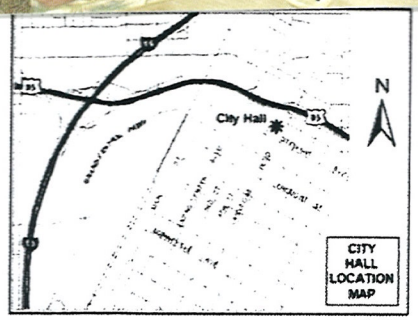


Property Or Business Owner Ronald KRAUSE / OWNER OF KRAUSE'S Pool CARE

Address 2005 S. 11th St.

City, State, Zip Las Vegas, NV

Telephone 702-493-1464



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☒ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

+ Support this new Business!

VAR-35528 & SDR-35186

Planning Commission Meeting of 9/24/2009

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 22, 2009

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

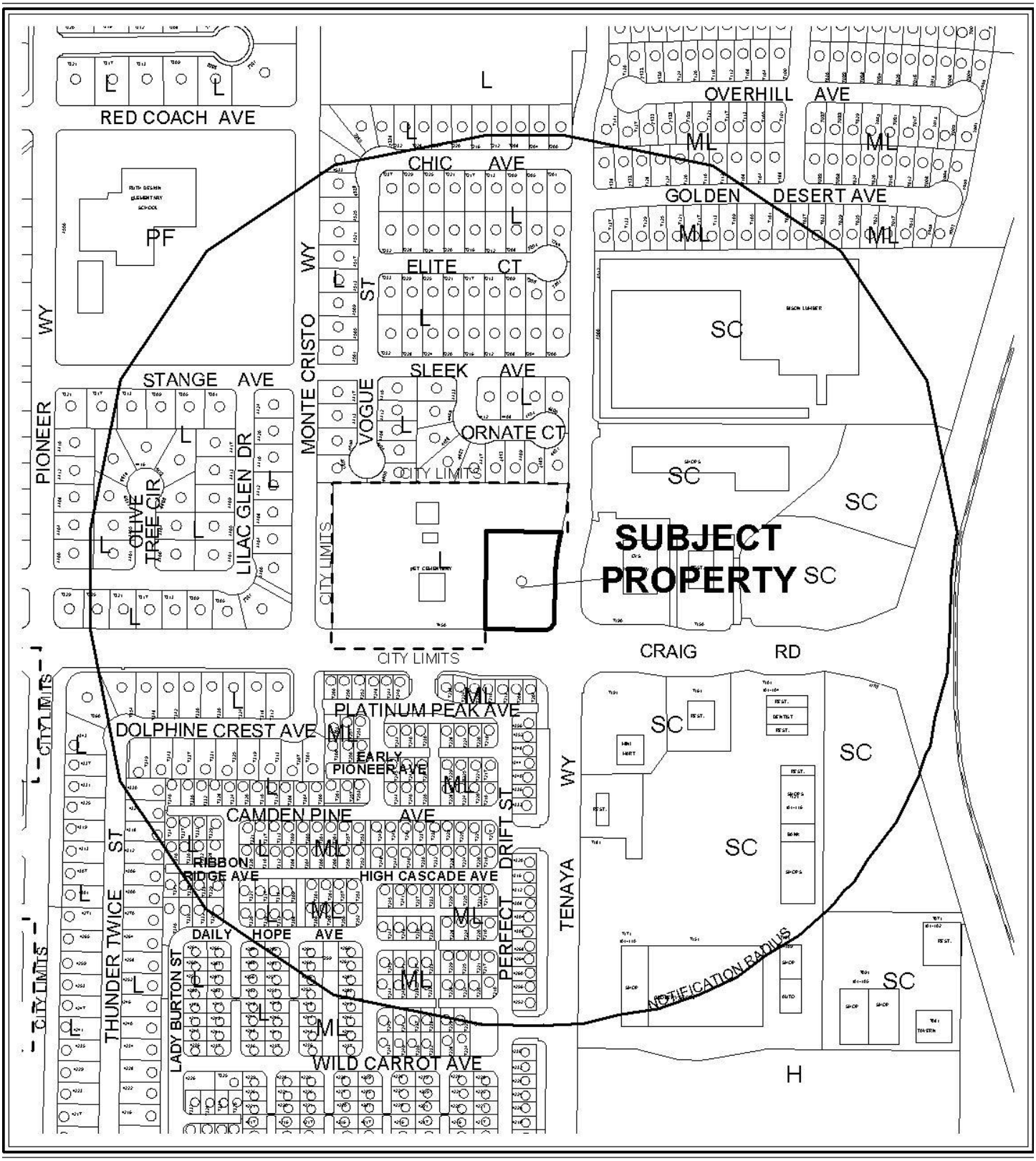
SUBJECT:
GPA-35866 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CT-1, LLC - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: L (LOW DENSITY RESIDENTIAL) TO: SC (SERVICE COMMERCIAL) on 1.00 acres at 7204 West Craig Road (APN 138-03-201-009), Ward 4 (Anthony)

C.C.: 11/18/2009

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**6**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
APPROVAL

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



0 300 600 Feet

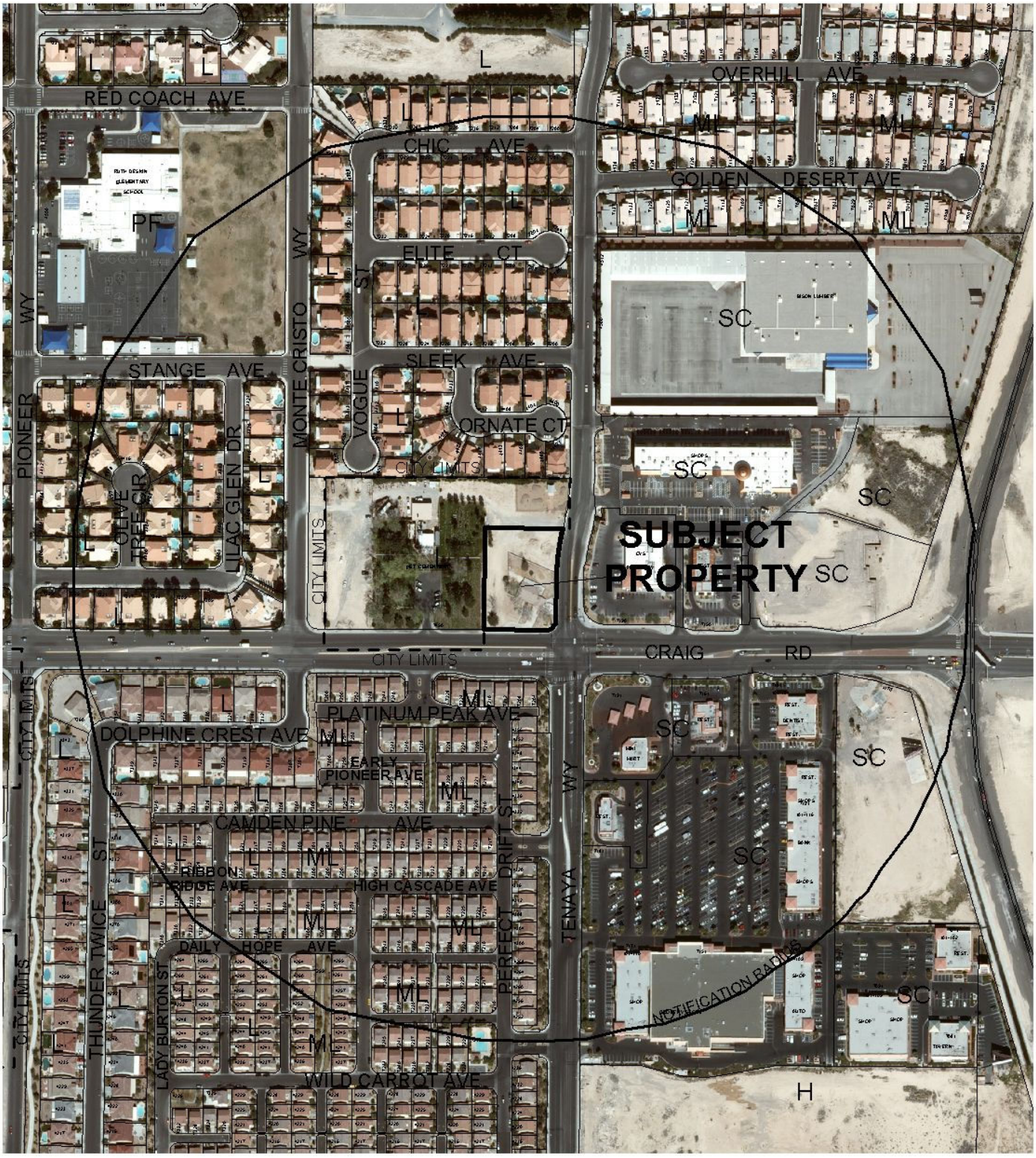
CASE: **GPA-35866**

RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
L (LOW DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
SC (SERVICE COMMERCIAL)

N



0 300 600 Feet

CASE: **GPA-35866**

RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
L (LOW DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
SC (SERVICE COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 22, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: GPA-35866 - APPLICANT/OWNER: CT-1, LLC

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL

JB

GPA-35866 - Staff Report Page One
October 22, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a General Plan Amendment to amend a portion of the Centennial Hills Sector of the General Plan from L (Low Density Residential) to SC (Service Commercial) at 7204 West Craig Road. An associated request to Rezone (ZON-35867) the site from R-E (Residence Estates) to C-1 (Limited Commercial) has also been submitted, to be consistent with the proposed land use designation. The subject site has a current land use designation of L (Low Density Residential), is zoned R-E (Residence Estates) and contains a single-family residence. The proposed land use designation of SC (Service Commercial) would allow uses that are compatible with the existing surrounding land uses and staff is recommending approval. If denied, the associated Rezoning (ZON-35867) and Site Development Plan Review (SDR-35868) would have to be denied, and the site would remain as a single-family residential use.

ISSUES

- The proposed SC (Service Commercial) General Plan designation is consistent with the proposed C-1 (Limited Commercial) zoning district proposed in Rezoning (ZON-35867), which will allow more intense uses and would be compatible with the surrounding commercial land uses; therefore, staff is recommending approval of the request.
- Approval of an associated Rezoning (ZON-35867) is required, if this request is approved.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales	
10/18/06	The City Council approved a request for an Annexation (ANX-15018) of approximately 1.0 acres at 7450 West Craig Road. The Planning Commission recommended approval of the request. The Annexation became effective 10/27/06.
10/03/08	A Code Enforcement citation (#70416) was issued for an abandoned house; dead trees and grass with high vegetation. Code Enforcement closed the case on 02/12/09.
10/15/08	A Code Enforcement citation (#70660) was issued for a referral from Streets and Sewers regarding a tree leaning from the back yard onto wall over onto Tenaya; the property was vacant. Code Enforcement closed the case on 10/20/08.
02/23/09	A deed was recorded for a change of ownership.
08/28/09	A Code Enforcement citation (#81333) was issued for homeowners that cut tree branches and left them piled on front yard for approx. two months. House is now vacant. This case has not been resolved.

Related Building Permits/Business Licenses	
There are no Building Permits or Business Licenses that are pertinent to the subject site.	
Pre-Application Meeting	
08/19/09	A pre-application meeting with the applicant was held where elements of submitting a General Plan Amendment were discussed. Topics included: • Title 19 Zoning Code Requirements • Meeting Dates and Deadlines • Submittal requirements for associated applications to Rezone and Site Development Plan Review for a proposed 2,772 square-foot Restaurant with a Drive-Through were also discussed.
Neighborhood Meeting	
09/23/09	A neighborhood meeting was held on Wednesday, September 23, 2009 at 6:00pm at the Justice Myron E. Leavitt Middle School, Student Theater, located at 4701 Quadrel Street, Las Vegas, 89129. Four members from the applicant attended the meeting along with one member from the Ward 4 City Council office, one member of the Planning and Development staff, one member of the County Liaison office and 29 members of the public During the meeting the following issues were raised by the public: • The principle objection voiced was that the use is incompatible with the adjacent pet cemetery; the drive-through loudspeaker and fast-food smells will disrupt services and take away from the tranquility of the cemetery. • Commercial uses west of Tenaya are inappropriate and inconsistent with previous land use actions. • There are three existing fast-food restaurants in the vicinity, and there isn't a need for another one. • The 24-hour operation of the drive-through will bring additional traffic and crime, and will disrupt the residential properties in the vicinity. • Members of Metro were in attendance, and noted that horses used in mounted patrols and K-9 unit dogs are buried in the cemetery, and that the fast-food restaurant would be inappropriate adjacent to the cemetery. • It was noted that human remains are also located within the pet cemetery, and that the applicant should notify family members of the deceased of the proposed construction of the fast-food restaurant. • Residents stated that the applicant was aware of the existing land use designation and zoning when he purchased the property, and should maintain the existing approvals for the site, but that more intense commercial uses would be inconsistent with abutting properties.

Field Check	
09/17/09	During a routine site inspection staff observed a vacant single-family residence with a large pile of branches and debris in the front yard.

Details of Application Request	
Site Area	
Gross Acres	1.00 Acre

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Single-Family Residence	L (Low Density Residential)	R-E (Residence Estates)
North	Pet Cemetery	RS (Residential Suburban) – Clark County Designation	R-E (Rural Estates Residential) – Clark County Designation
South	Single-Family Residences	ML (Medium-Low Density Residential)	R-PD8 (Residential Planned Development – 8 Units Per Acre)
East	Retail Development	SC (Service Commercial)	C-1 (Limited Commercial)
West	Pet Cemetery	RS (Residential Suburban) – Clark County Designation	R-E (Rural Estates Residential) – Clark County Designation

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

ANALYSIS

The subject site is located in the Centennial Hills Sector of the General Plan and has a current General Plan designation of L (Low Density Residential). This is a proposal to amend the General Plan designation to SC (Service Commercial). The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, and other places of public assembly and public and semi-public uses. This category also includes offices either singly or grouped as office centers with professional and business services. The Service Commercial category may also allow mixed-use development with a residential component where appropriate. The proposed Service Commercial General Plan designation is compatible with the existing surrounding cemetery, residential and commercial uses.

Companion applications have been submitted for a Rezoning (ZON-35867) from R-E (Residence Estates) to C-1 (Limited Commercial); and a Site Development Plan Review (SDR-35868) for a 2,772 square-foot Restaurant with a Drive-Through use. The proposed use is permitted within in the C-1 (Limited Commercial) zoning district, and is consistent with the SC (Service Commercial) 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,**

   The SC (Service Commercial) General Plan designation allows low to medium intensity retail, office, or other commercial uses. The proposed amendment is compatible with the existing adjacent RS (Residential Suburban) – Clark County Designation, ML (Medium-Low Density Residential) and SC (Service Commercial) designations.

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

   The zoning designations allowed by the proposed amendment are compatible with the existing adjacent land use and zoning designations.

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

   The site is accessed by Craig Road, a 100-foot Primary Arterial, and Tenaya Way an 80-foot Secondary Collector, as designated by the Master Plan of Streets and Highways, which are adequate to serve the requirements of the Restaurant with a Drive-Through use. The subject site will be served by existing utilities, transportation and other facilities, which are adequate for the Restaurant with a Drive-Through use.

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

   There are no other plans or policies that would affect the site.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

NOTICES MAILED 351

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-35866** APN: 138-03-201-009

Name of Property Owner: CT-1, LLC

Name of Applicant: CT-1, LLC

Name of Representative: Warren Hardy

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: Bradley Shultis

Print Name: Bradley Shultis

Subscribed and sworn before me

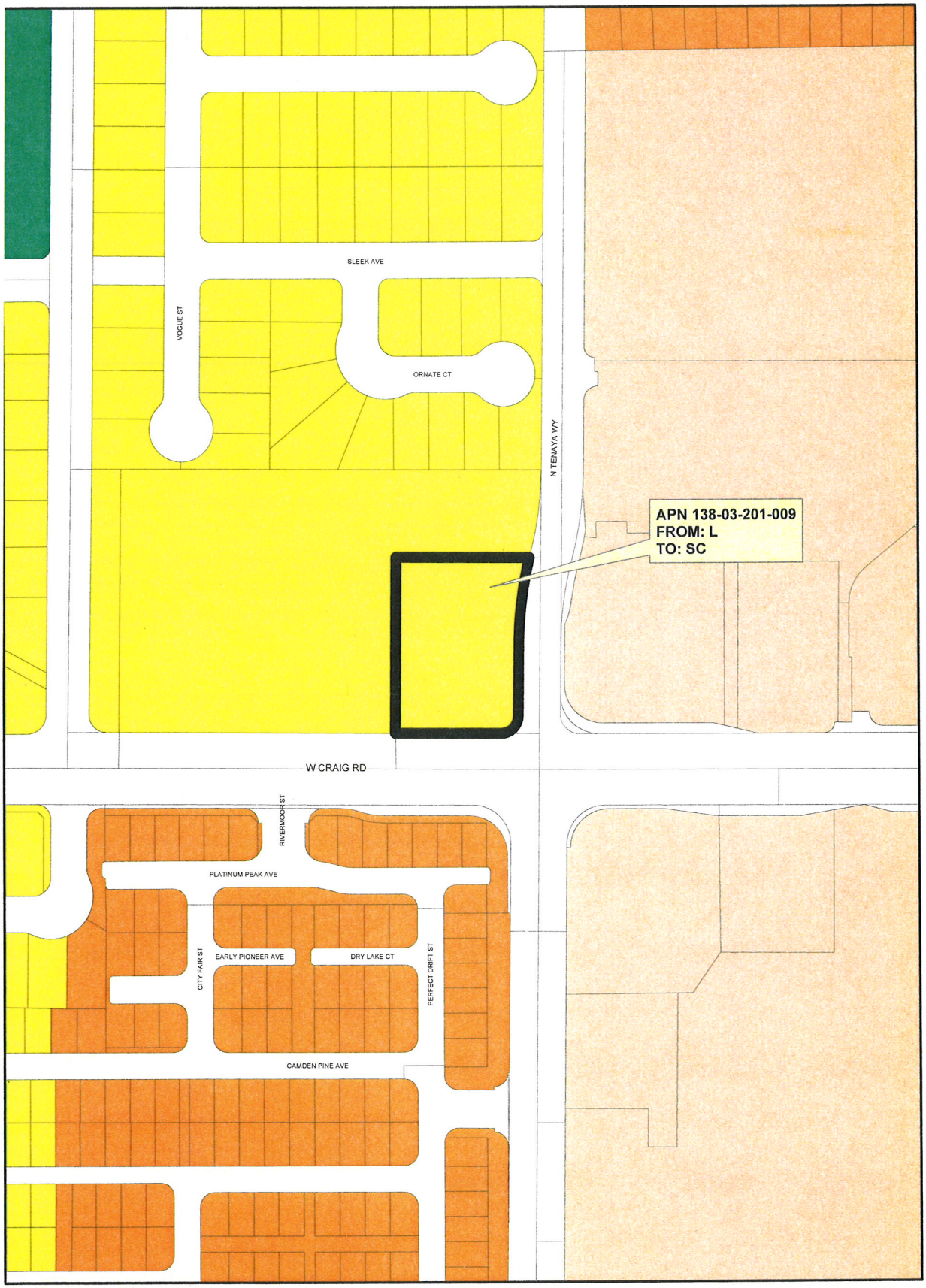
This 21 day of August, 2009

_____

Notary Public in and for said County and State

ALISON M. MILLER
Notary Public State of Nevada
No. 97-0128-1
My appt. exp. Jan. 26, 2013

GENERAL PLAN AMENDMENT



Rural Neighborhood Preservation
Rural Estates
Desert Rural
Rural
Low
Medium - Low
Medium - Low Attached
Medium
High
Office
Service Commercial
General Commercial
Tourist Commercial
Las Vegas Medical District
Light Industrial / Research
Planned Community Development
Downtown Redevelopment Area
Park / Recreation / Open Space
Public Facility
Public Facility - School
Public Facility - Clark County
Town Center
Resource Conservation
Downtown - Commercial
Downtown - Mixed Use
Not in City
Right - of - Way

REVISED

Data Current as of: September 17, 2009

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

PLANNING & DEVELOPMENT

GPA-35866
10/22/09 PC



GPA-35866 - APPLICANT/OWNER: CT-1, LLC
7204 WEST CRAIG ROAD
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



GPA-35866 - APPLICANT/OWNER: CT-1, LLC
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09/17/09

THE HARDY CONSULTING GROUP

GOVERNMENT AFFAIRS • PUBLIC RELATIONS • LEGISLATIVE STRATEGIES

5070 ARVILLE STREET
SUITE 4B
LAS VEGAS, NEVADA 89118

702.889.3024 OFFICE
702.408.6666 CELL
702.543.4093 FAX

August 10, 2009

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

Subject: **Justification Letter for Rezoning, Site Development Review and General Plan Amendment on 1 acre lot at Tenaya and Craig Rd APN: 138-03-201-009**

To whom it may concern;

On behalf of our Client, CT-1, LLC, we respectfully request to rezone APN: 138-03-201-009 (Approx 1 acre) from R-E to C-1. In addition, we request the current General Plan Designation of Low Density Residential be amended to a designation of Service Commercial. Finally, per the requirements of Title 19 and the City of Las Vegas Staff, we also request a Site Development Review.

The proposed use of this property is a fast food establishment, specifically a Carl's Jr. Restaurant at 2772 Square Feet with a drive through. It is planned as a 24-hour operation and will employ an estimated 25 people. The principles on CT-1 LLC have successfully developed these types of projects in the past. Specifically, the Carl's Jr. Restaurant at Cheyenne and Martin Luther King Dr., the Wild Oats Shopping Center at Tenaya and Lake Mead, and the Park Central Plaza at Ann and Losee Roads. In addition, the Lessee, S.L. Investments, is the Current Franchisee for Carl's Jr. and currently owns and operates 36 Carl's Jr. locations in Las Vegas and the surrounding Area.

We believe the property is not viable for development under its current zoning and general plan designation, as the parcel is directly adjoining a Pet Cemetery. In addition, the property located on the adjacent north and southeast corners at Tenaya and Craig Road are currently zoned C-1 with a general plan designation of Service Commercial.

The only residential development near the area is on the southwest corner of Tenaya and Craig Road and that development is fully separated by a block wall running the length of the development. Accordingly, we feel conforming the subject property on the Northwest corner to the current zoning and general plan designations on the north and southeast corners makes sense for the community.

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GPA-35866
10/22/09 PC

Finally, we believe our submittal meets all the zoning, design and landscape requirements of Title 19 with a single exception. We would respectfully request an exception on the minimum throat depth requirement on each driveway entrance. Given the size of the lot, in order to meet the requirements for parking, we were unable to meet the code requirement for minimum throat depth.

Thank you for considering our request. Should you have any questions regarding this request, or require additional information, please do not hesitate to contact me at 702-408-6666.

Sincerely,

W - Bills

Warren B Hardy II
The Hardy Consulting Group

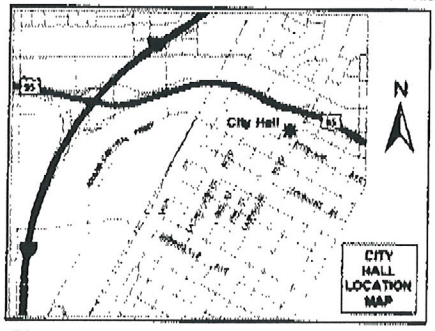
GPA-35866
10/22/09 PC

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 OCT 08 2009
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



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

☐ I SUPPORT this Request

☒ I OPPOSE this Request

We have enough accidents on Craig + Tenaya without this going commercial

Please use available blank space on card for your comments.

GPA-35866 & ZON-35867
Planning Commission Meeting of 10/22/2009

Case: GPA-35866
13803610031
DAY PATRICIA L REVOCABLE LIV TR
7109 GOLDEN DESERT AVE
LAS VEGAS NV 89129-7118

HAVDS11 89129

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

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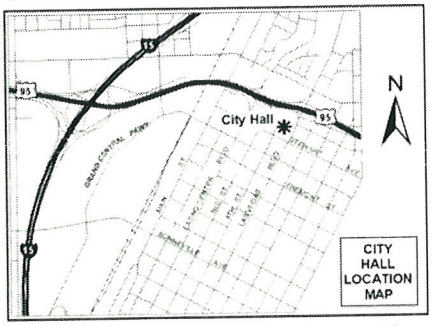

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☑ I OPPOSE this Request

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WE OPPOSE COMMERCIAL CHANGE

GPA-35866 & ZON-35867
Planning Commission Meeting of 10/22/2009

Case: GPA-35866
13803217025
MONTY JEFFREY A & CAROLYN L
7200 SLEEK AVE
LAS VEGAS NV 89129-5985

HAVOS11 89129

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

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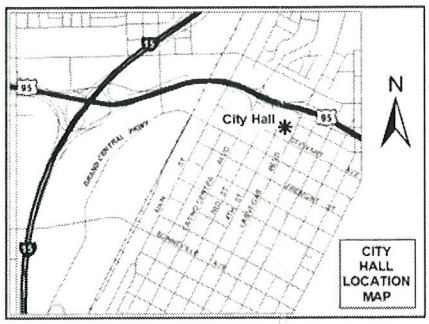

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GPA-35866 & ZON-35867

Planning Commission Meeting of 10/22/2009

Case: GPA-35866

13803217007
GALLAGHER CHARLES T & CONSTANCE
4400 VOGUE ST
LAS VEGAS NV 89129-5983

HAVDS11 89129

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

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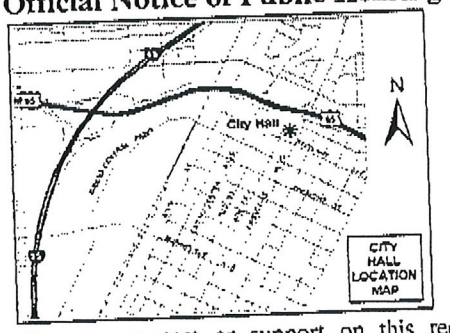

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GPA-35866 & ZON-35867

Planning Commission Meeting of 10/22/2009

Case: GPA-35866

13803218037
SAVAGE CHERRI A
7237 CHIC AVE
LAS VEGAS NV 89129-5994

HAVDSII 88168 IIII

City of Las Vegas

Planning & Development Department

Development Services Center
731 S. Fourth Street

Las Vegas, Nevada 89101-2986

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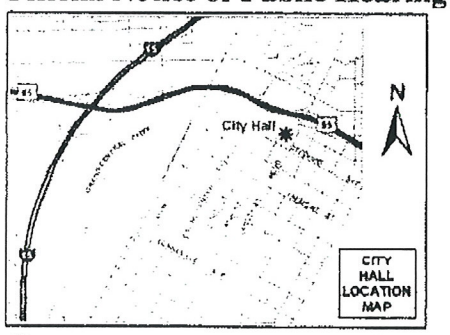
Official Notice of Public Hearing



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☒ I OPPOSE this Request

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GPA-35866 & ZON-35867

Planning Commission Meeting of 10/22/2009

No, No, No. We have been promised by the city council for more than 15 years that there would be no Commercial Property on the West side of Tenaya

HAVDS11 89129

Case: GPA-35866
13803217015
SOWERS DENNIS B & LAURA A
4421 ORNATE CT
LAS VEGAS NV 89129-5986

City of Las Vegas
Planning & Development Department

ity of Las Vegas
anning & Development Department
evelopment Services Center
31 S. Fourth Street
as Vegas, Nevada 89101-2986

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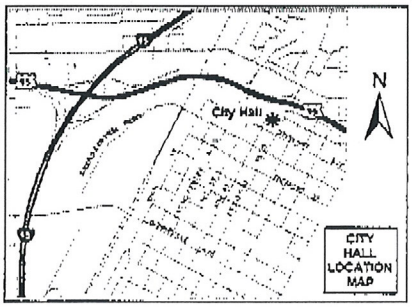

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PA-35866 & ZON-35867
lanning Commission Meeting of 10/22/2009

Case: GPA-35866
13803218037
SAVAGE CHERRI A
7237 CHIC AVE
LAS VEGAS NV 89129-5994

HAVDS11 89129

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 22, 2009

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

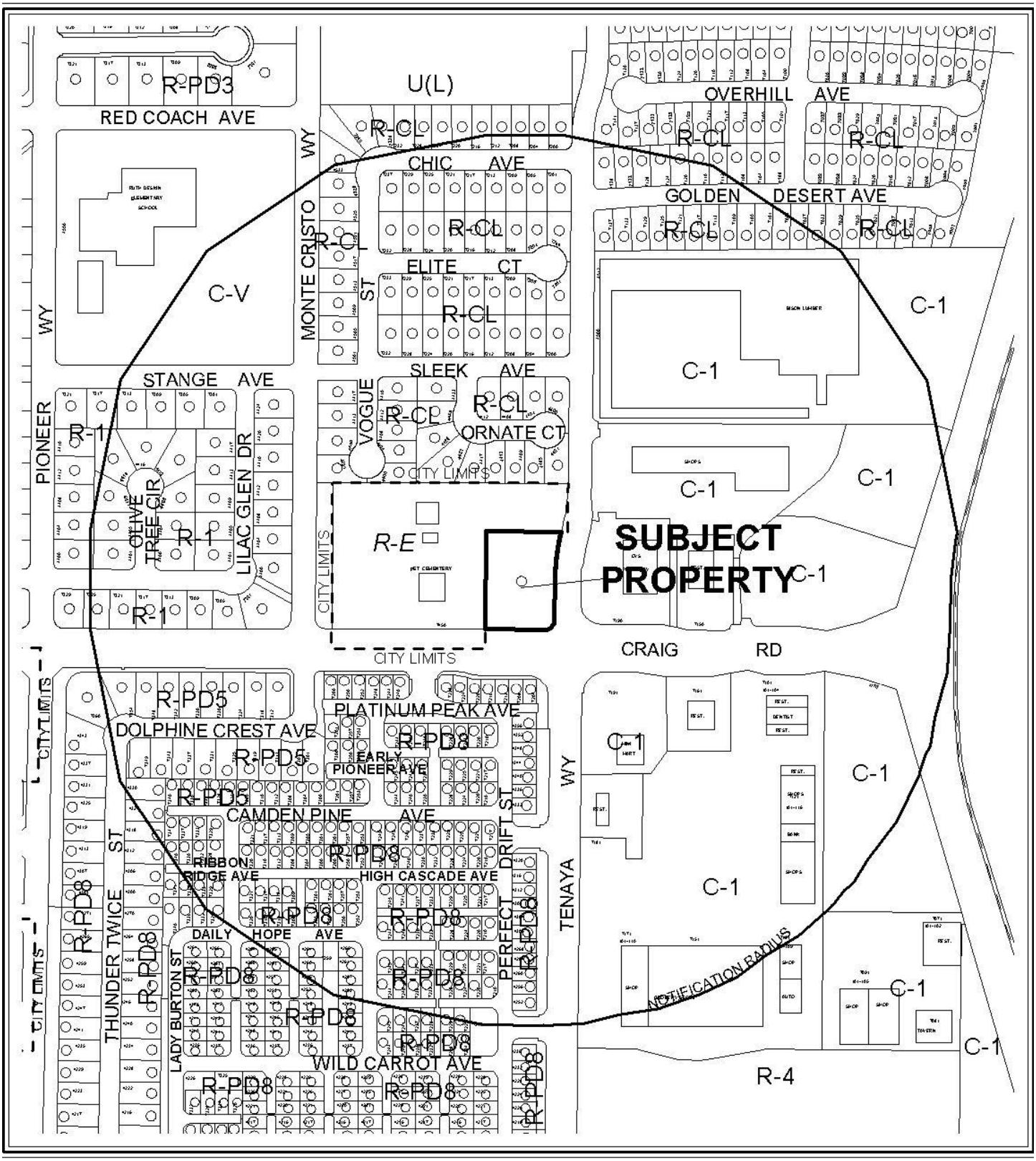
SUBJECT:
ZON-35867 - REZONING RELATED TO GPA-35866 - PUBLIC HEARING - APPLICANT/OWNER: CT-1, LLC - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-1 (LIMITED COMMERCIAL) on 1.00 acres at 7204 West Craig Road (APN 138-03-201-009), Ward 4 (Anthony)

C.C.: 11/18/2009

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**6**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
APPROVAL

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



0 300 600 Feet

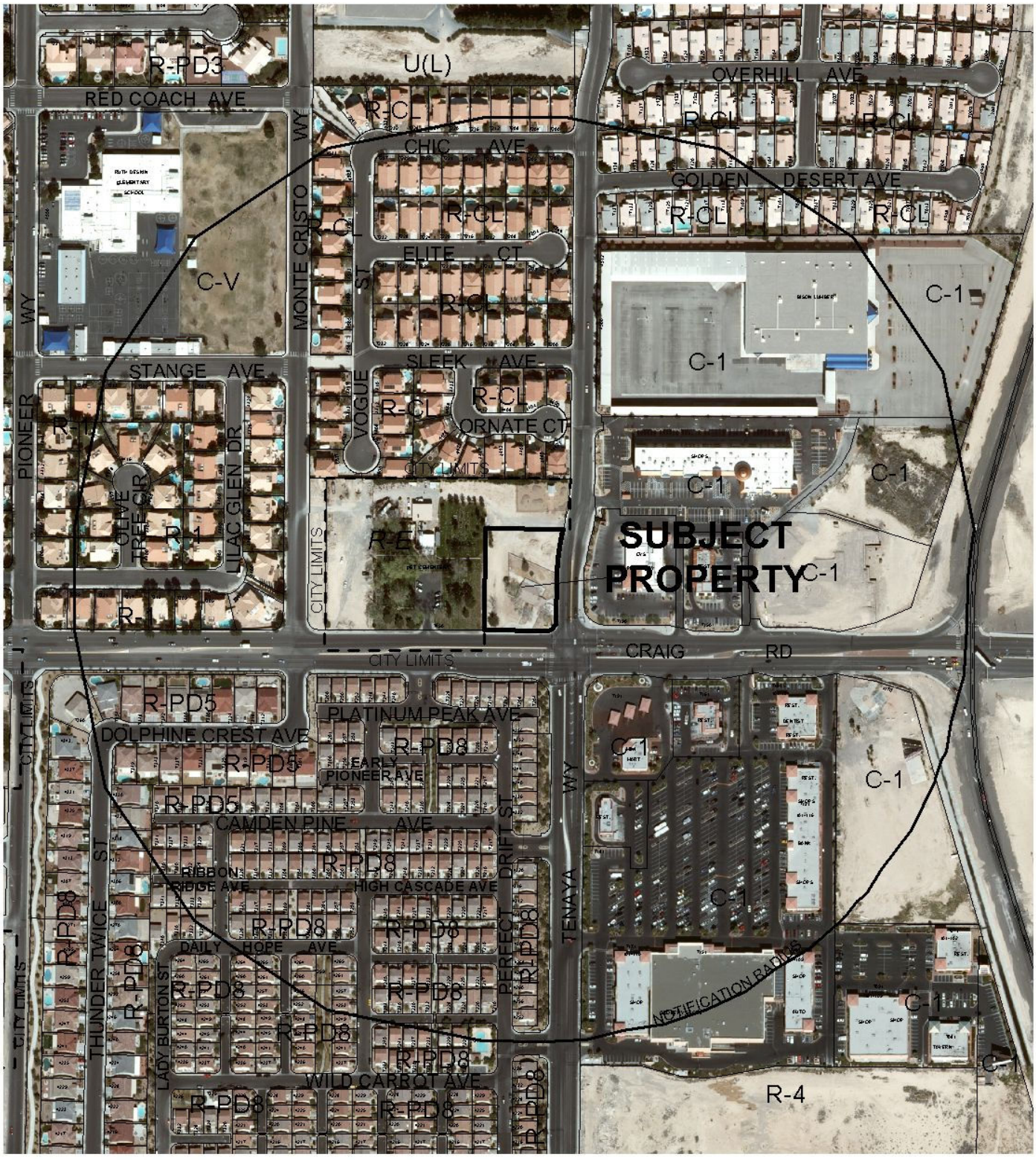
CASE: **ZON-35867**

RADIUS: 1000 FT

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

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

N



0 300 600 Feet

CASE: **ZON-35867**

RADIUS: 1000 FT

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

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 22, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-35867 - APPLICANT/OWNER: CT-1, LLC

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL.

JB

ZON-35867 - Staff Report Page One
October 22, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for Rezoning from R-E (Residence Estates) to C-1 (Limited Commercial) at 7204 West Craig Road. An associated request for a General Plan Amendment (GPA-35866) to amend a portion of the Centennial Hills Sector of the General Plan from L (Low Density Residential) to SC (Service Commercial) has also been submitted, to be consistent with the proposed zoning district. The subject site has a current land use designation of L (Low Density Residential), is zoned R-E (Residence Estates) and contains a single-family residence. The proposed R-E (Residence Estates) zoning district would allow uses that are compatible with the existing surrounding zoning districts and staff is recommending approval. If denied, the associated General Plan Amendment (GPA-35866) and Site Development Plan Review (SDR-35868) would have to be denied, and the site would remain as a single-family residential use.

ISSUES

- The proposed C-1 (Limited Commercial) zoning district is consistent with the proposed SC (Service Commercial) General Plan designation, which will allow more intense uses, including a Restaurant with a Drive-Through, and would be compatible with the surrounding land uses; therefore, staff is recommending approval of the request.
- Approval of an associated General Plan Amendment (GPA-35866) is required to approve this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales	
10/18/06	The City Council approved a request for an Annexation (ANX-15018) of approximately 1.0 acres at 7450 West Craig Road. The Planning Commission recommended approval of the request. The Annexation became effective 10/27/06.
10/03/08	A Code Enforcement citation (#70416) was issued for an abandoned house; dead trees and grass with high vegetation. Code Enforcement closed the case on 02/12/09.
10/15/08	A Code Enforcement citation (#70660) was issued for a referral from Streets and Sewers regarding a tree leaning from the back yard onto wall over onto Tenaya; the property was vacant. Code Enforcement closed the case on 10/20/08.
02/23/09	A deed was recorded for a change of ownership.
08/28/09	A Code Enforcement citation (#81333) was issued for homeowners that cut tree branches and left them piled on front yard for approx. two months. House is now vacant. This case has not been resolved.
Related Building Permits/Business Licenses	
There are no Building Permits or Business Licenses that are pertinent to the subject site.	

JB

Pre-Application Meeting	
08/19/09	A pre-application meeting with the applicant was held where elements of submitting a Rezoning application were discussed. Topics included: • Title 19 Zoning Code Requirements • Meeting Dates and Deadlines • Submittal requirements for associated applications for a Site Development Plan Review for a proposed 2,772 square-foot Restaurant with a Drive-Through were also discussed and General Plan Amendment to amend a portion of the Centennial Hills Sector of the Centennial Hills Master Plan from L (Low Density Residential) to SC (Service Commercial).
Neighborhood Meeting	
09/23/09	A neighborhood meeting was held on Wednesday, September 23, 2009 at 6:00pm at the Justice Myron E. Leavitt Middle School, Student Theater, located at 4701 Quadrel Street, Las Vegas, 89129. Four members from the applicant attended the meeting along with one member from the Ward 4 City Council office, one member of the Planning and Development staff, one member of the County Liaison office and 29 members of the public During the meeting the following issues were raised by the public: • The principle objection voiced was that the use is incompatible with the adjacent pet cemetery; the drive-through loudspeaker and fast-food smells will disrupt services and take away from the tranquility of the cemetery. • Commercial uses west of Tenaya are inappropriate and inconsistent with previous land use actions. • There are three existing fast-food restaurants in the vicinity, and there isn't a need for another one. • The 24-hour operation of the drive-through will bring additional traffic and crime, and will disrupt the residential properties in the vicinity. • Members of Metro were in attendance, and noted that horses used in mounted patrols and K-9 unit dogs are buried in the cemetery, and that the fast-food restaurant would be inappropriate adjacent to the cemetery. • It was noted that human remains are also located within the pet cemetery, and that the applicant should notify family members of the deceased of the proposed construction of the fast-food restaurant. • Residents stated that the applicant was aware of the existing land use designation and zoning when he purchased the property, and should maintain the existing approvals for the site, but that more intense commercial uses would be inconsistent with abutting properties.

Field Check	
09/17/09	During a routine site inspection staff observed a vacant single-family residence with a large pile of branches and debris in the front yard.

Details of Application Request	
Site Area	
Gross Acres	1.00 Acre

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single-Family Residence	L (Low Density Residential)	R-E (Residence Estates)
North	Pet Cemetery	RS (Residential Suburban) – Clark County Designation	R-E (Rural Estates Residential) – Clark County Designation
South	Single-Family Residences	ML (Medium-Low Density Residential)	R-PD8 (Residential Planned Development – 8 Units Per Acre)
East	Retail Development	SC (Service Commercial)	C-1 (Limited Commercial)
West	Pet Cemetery	RS (Residential Suburban) – Clark County Designation	R-E (Rural Estates Residential) – Clark County Designation

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

ANALYSIS

The subject site is located in the Centennial Hills Sector of the General Plan and has a current land use designation of L (Low Density Residential). A General Plan Amendment (GPA-35866) to change the designation to SC (Service Commercial) has been submitted along with this Rezoning request. The SC (Service Commercial) allows low to medium intensity retail, office, or

other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, and other places of public assembly and public and semi-public uses. This category also includes offices either singly or grouped as office centers with professional and business services. The Service Commercial category may also allow mixed-use development with a residential component where appropriate.

This is a request to Rezone the subject site from current R-E (Residential Estates) to the C-1 (Limited Commercial) district, which is intended to provide most retail shopping and personal services, and may be appropriate for mixed use developments. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. The C-1 (Limited Commercial) district is consistent with the Service Commercial and the Neighborhood Center categories of the General Plan. The proposed Rezoning will allow conformance with the proposed General Plan Amendment (GPA-35866) to amend the current land use designation of the subject site from L (Low Density Residential) to SC (Service Commercial). The R-E (Residence Estates) zoning district would allow uses that are compatible with the existing surrounding zoning districts; therefore staff recommends approval of the request.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. **"The proposal conforms to the General Plan."**

   The proposed C-1 (Limited Commercial) zoning district is consistent with the proposed SC (Service Commercial) General Plan designation on this site.

2. **"The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts."**

   The uses allowed by the C-1 (Limited Commercial) zoning district are compatible with the surrounding land uses and zoning districts.

3. **"Growth and development factors in the community indicate the need for or appropriateness of the rezoning."**

   The subject site is surrounded by a pet cemetery to the north and west; and commercial uses to the east and southeast and is no longer appropriate for a residential use.

4. "Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district."

The site is accessed from both Craig Road, a 100-foot Primary Arterial, and Tenaya Way, a 80-foot Secondary Collector as designated by the Master Plan of Streets and Highways. These thoroughfares are capable of accommodating the traffic flow for the proposed zoning district.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

NOTICES MAILED 351

APPROVALS 0

PROTESTS 6

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-35867** APN: 138-03-201-009

Name of Property Owner: CT-1, LLC

Name of Applicant: CT-1, LLC

Name of Representative: Warren Hardy

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: Bradley Shultis

Print Name: Bradley Shultis

Subscribed and sworn before me

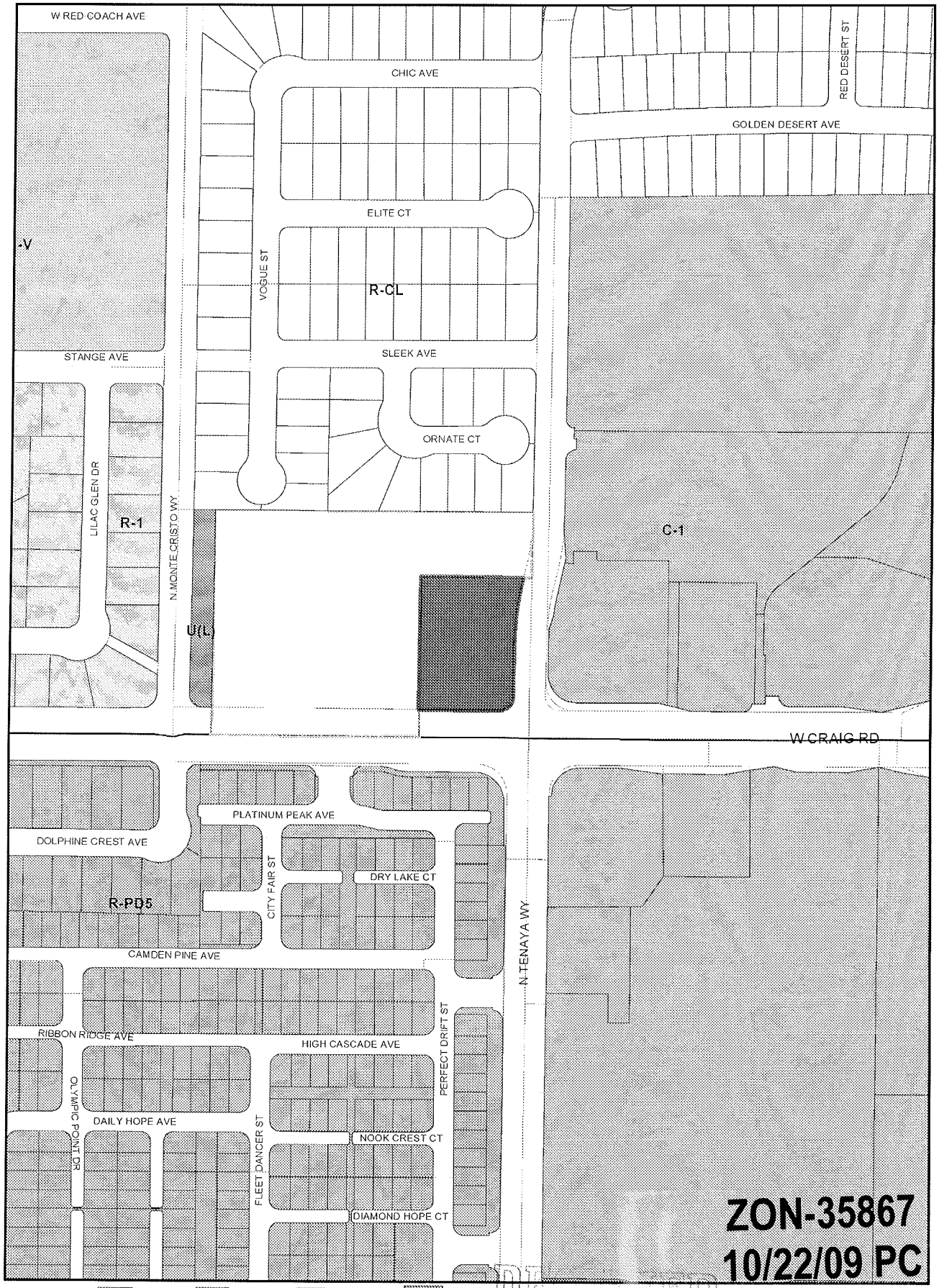
This 21 day of August, 20 09

_____

Notary Public in and for said County and State

ALISON M. MILLER
Notary Public State of Nevada
No. 97-0128-1
My appt. exp. Jan. 26, 2013

REZONING Parcel: 138-03-201-009



ZONING

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

RECEIVED
SEP 02 2009

From R-E to C-1

Data Current as of: August 28, 2009



ZON-35867 - APPLICANT/OWNER: CT-1, LLC
7204 WEST CRAIG ROAD
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



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August 10, 2009

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To whom it may concern;

On behalf of our Client, CT-1, LLC, we respectfully request to rezone APN: 138-03-201-009 (Approx 1 acre) from R-E to C-1. In addition, we request the current General Plan Designation of Low Density Residential be amended to a designation of Service Commercial. Finally, per the requirements of Title 19 and the City of Las Vegas Staff, we also request a Site Development Review.

The proposed use of this property is a fast food establishment, specifically a Carl's Jr. Restaurant at 2772 Square Feet with a drive through. It is planned as a 24-hour operation and will employ an estimated 25 people. The principles on CT-1 LLC have successfully developed these types of projects in the past. Specifically, the Carl's Jr. Restaurant at Cheyenne and Martin Luther King Dr., the Wild Oats Shopping Center at Tenaya and Lake Mead, and the Park Central Plaza at Ann and Losee Roads. In addition, the Lessee, S.L. Investments, is the Current Franchisee for Carl's Jr. and currently owns and operates 36 Carl's Jr. locations in Las Vegas and the surrounding Area.

We believe the property is not viable for development under its current zoning and general plan designation, as the parcel is directly adjoining a Pet Cemetery. In addition, the property located on the adjacent north and southeast corners at Tenaya and Craig Road are currently zoned C-1 with a general plan designation of Service Commercial.

The only residential development near the area is on the southwest corner of Tenaya and Craig Road and that development is fully separated by a block wall running the length of the development. Accordingly, we feel conforming the subject property on the Northwest corner to the current zoning and general plan designations on the north and southeast corners makes sense for the community.

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ZON-35867
10/22/09 PC

Finally, we believe our submittal meets all the zoning, design and landscape requirements of Title 19 with a single exception. We would respectfully request an exception on the minimum throat depth requirement on each driveway entrance. Given the size of the lot, in order to meet the requirements for parking, we were unable to meet the code requirement for minimum throat depth.

Thank you for considering our request. Should you have any questions regarding this request, or require additional information, please do not hesitate to contact me at 702-408-6666.

Sincerely,

W-BH5

Warren B Hardy II
The Hardy Consulting Group

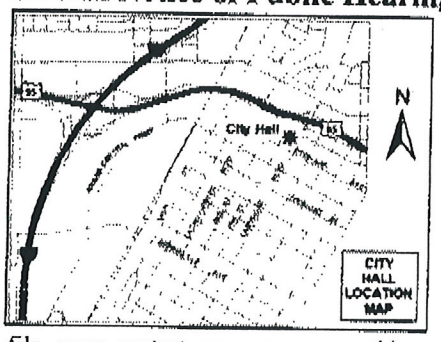
ZON-35867
10/22/09 PC

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 OCT 08 2009
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



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

☐ I SUPPORT this Request

☒ I OPPOSE this Request

We have enough accidents on Craig + Tenaya without this going commercial

Please use available blank space on card for your comments.

GPA-35866 & ZON-35867
Planning Commission Meeting of 10/22/2009

Case: GPA-35866
13803610031
DAY PATRICIA L REVOCABLE LIV TR
7109 GOLDEN DESERT AVE
LAS VEGAS NV 89129-7118

HAVDS11 89129

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

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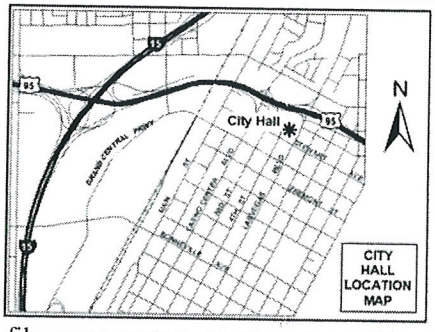

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-35866 & ZON-35867

Planning Commission Meeting of 10/22/2009

Case: GPA-35866

13803217007
GALLAGHER CHARLES T & CONSTANCE
4400 VOGUE ST
LAS VEGAS NV 89129-5983

HAVOS11 89129

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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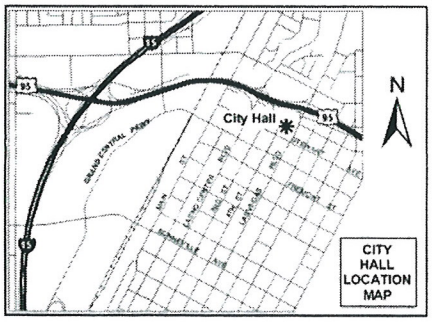
Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☑ I OPPOSE this Request

Please use available blank space on card for your comments.

WE OPPOSE COMMERCIAL CHANGE

Case: GPA-35866

13803217025
MONTY JEFFREY A & CAROLYN L
7200 SLEEK AVE
LAS VEGAS NV 89129-5985

GPA-35866 & ZON-35867
Planning Commission Meeting of 10/22/2009

HAVOS11 A9123

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

PRESORTED FIRST CLASS

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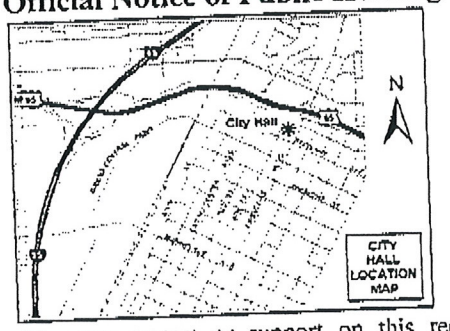
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-35866 & ZON-35867

Planning Commission Meeting of 10/22/2009

Case: GPA-35866

13803218037
SAVAGE CHERRI A
7237 CHIC AVE
LAS VEGAS NV 89129-5994

PRESORTED FIRST CLASS

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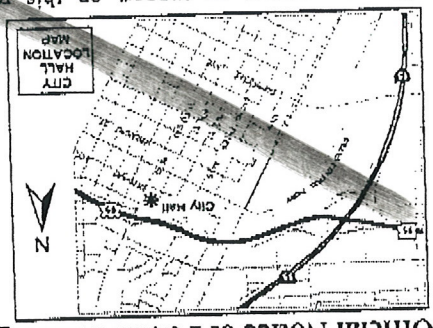
Return Service Requested

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.

SDR-35868

Planning Commission Meeting of 10/22/2009

Case: SDR-35868

13803218037
SAVAGE CHERRI A
7237 CHIC AVE
LAS VEGAS NV 89129-5994

City of Las Vegas

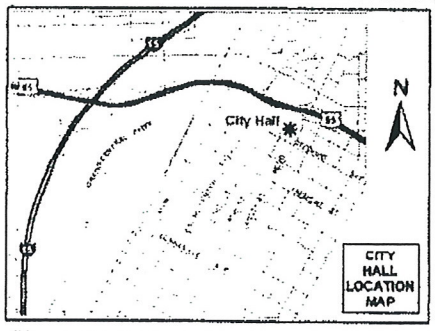
Planning & Development Department

Development Services Center
731 S. Fourth Street

Las Vegas, Nevada 89101-2986

Return Service Requested

Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-35866 & ZON-35867

Planning Commission Meeting of 10/22/2009

No, No, No. We have been promised by the city council for more than 15 years that there would be no Commercial Property on the West side of Tenaya

HAVDS11 89129

Case: GPA-35866
13803217015
SOWERS DENNIS B & LAURA A
4421 ORNATE CT
LAS VEGAS NV 89129-5986

City of Las Vegas
Planning & Development Department

ity of Las Vegas
anning & Development Department
evelopment Services Center
31 S. Fourth Street
as Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

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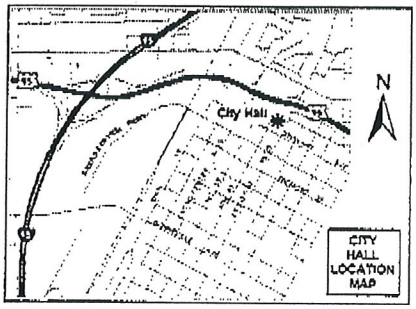
0004279218 OCT 08 2009
MAILED FROM ZIPCODE 89101

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

lease use available blank space on card for your comments.
PA-35866 & ZON-35867
lanning Commission Meeting of 10/22/2009

Case: GPA-35866
13803218037
SAVAGE CHERRI A
7237 CHIC AVE
LAS VEGAS NV 89129-5994

HAVOS11 89129

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 22, 2009

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

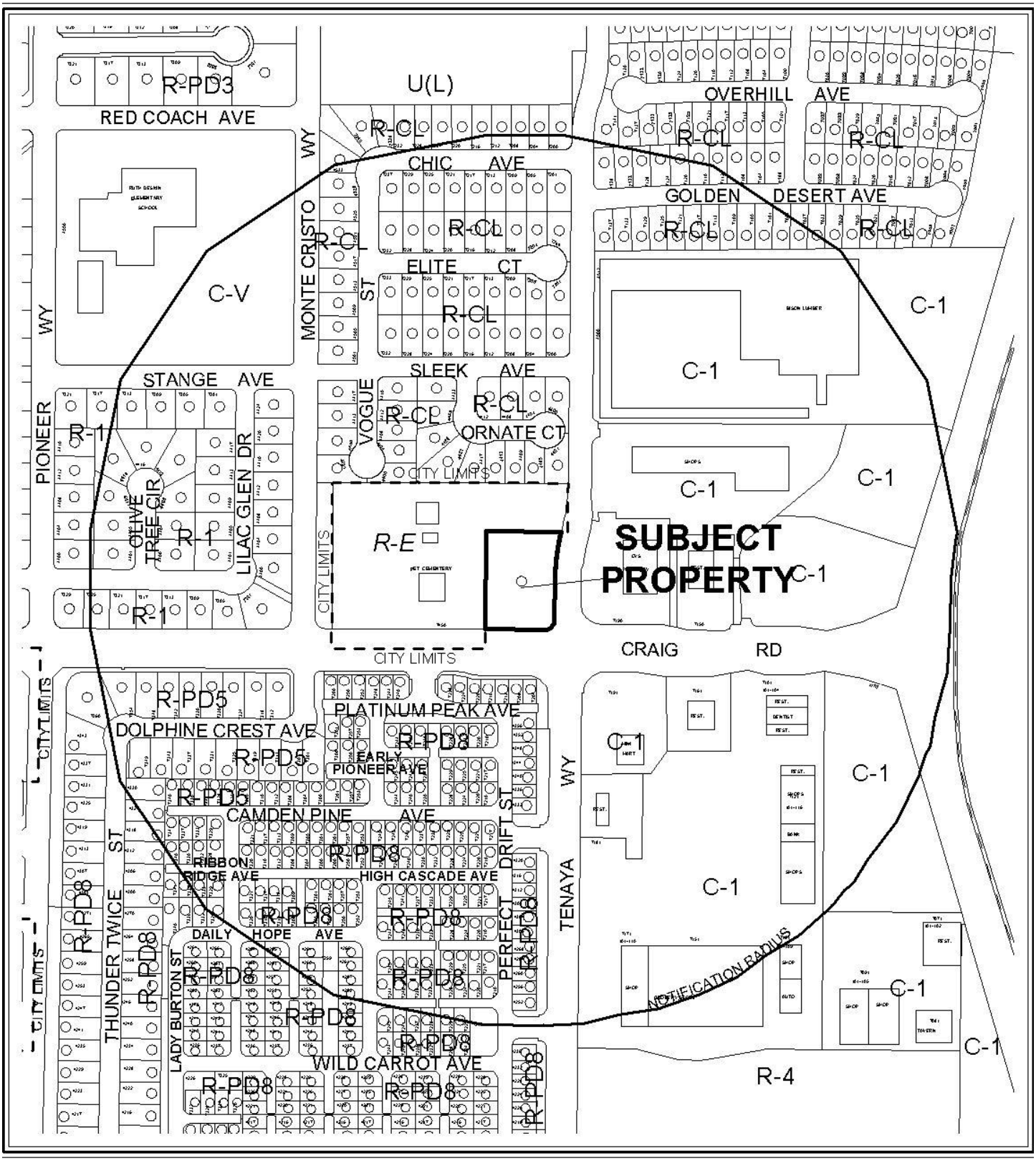
SUBJECT:
SDR-35868 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-35866 AND ZON-35867 - PUBLIC HEARING - APPLICANT/OWNER: CT-1, LLC - Request for a Site Development Plan Review FOR A PROPOSED 2,772 SQUARE-FOOT RESTAURANT WITH DRIVE-THROUGH WITH A WAIVER OF PERIMETER LANDSCAPE BUFFER REQUIREMENTS TO ALLOW A ZERO-FOOT WIDE LANDSCAPE BUFFER ALONG THE SOUTH PROPERTY LINE WHERE 15 FEET IS REQUIRED on 1.00 acres at 7204 West Craig Road (APN 138-03-201-009), R-E (Residential Estates) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 4 (Anthony)

C.C.: 11/18/2009

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**4**	**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. Request to Withdraw Email submitted by Warren Hardy II
4. Supporting Documentation
5. Photos
6. Justification Letter
7. Protest Email/Protest Postcards



0 300 600 Feet

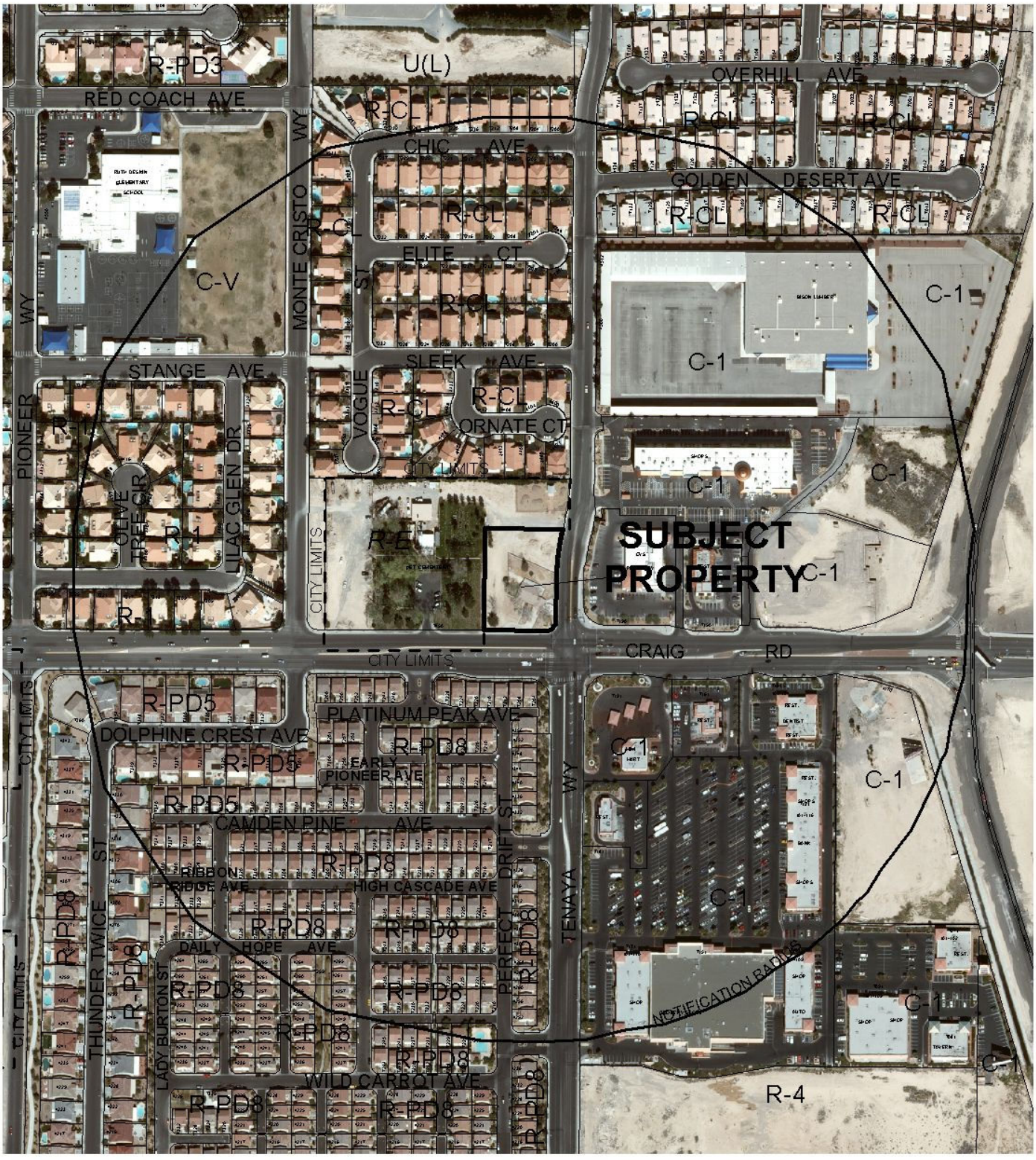
CASE: **SDR-35868**

RADIUS: 1000 FT

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

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

N



0 300 600 Feet

CASE: **SDR-35868**

RADIUS: 1000 FT

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

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 22, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-35868 - APPLICANT/OWNER: CT-1, LLC

ON OCTOBER 14, 2009 THE APPLICANT REQUESTED THIS ITEM BE WITHDRAWN WITHOUT PREJUDICE

Carman Burney

From: Jonathan Boyles
Sent: Wednesday, October 14, 2009 8:09 AM
To: Carman Burney
Subject: FW: CT-1 Application

Carman~

The applicant has requested that Site Development Plan Review [SDR-35868 (Carl's Jr next to the Pet Cemetery)] be withdrawn from the 10/22/09 agenda. The Rezoning (ZON-35867) and General Plan Amendment (GPA-35866) will remain on the agenda. I've attached the formal request below.

From: Warren Hardy II [mailto:whardy@abclasvegas.org]
Sent: Tuesday, October 13, 2009 1:46 PM
To: Jonathan Boyles
Subject: CT-1 Application

Jonathan,

Per our recent conversation. Please consider this email a formal request to withdraw the Site Plan Review application from our packet. Because Carl's Jr. has made the decision to not move forward as the end user, it is very important that their name be removed fully from any and all documentation. Please let me know if I need to do anything additional to insure that their name is removed completely from the application.

It is currently our intention to move forward with the General Plan Amendment and the Zoning change request although we may seek a temporary abeyance on those items. Thank you for your continued assistance with this project and I will let you know on the abeyance as soon as a decision is made by the partners.

W--

Warren Hardy II
Director of Public Affairs
Associated Builders and Contractors of Las Vegas
5070 Arville Street
Suite 4
Las Vegas, Nevada 89118
702-227-0536 Office
702-227-0546 Fax
whardy@abclasvegas.org

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-35868** APN: 138-03-201-009

Name of Property Owner: CT-1, LLC

Name of Applicant: CT-1, LLC

Name of Representative: Warren Hardy

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: Bradley Shutts

Print Name: Bradley Shutts

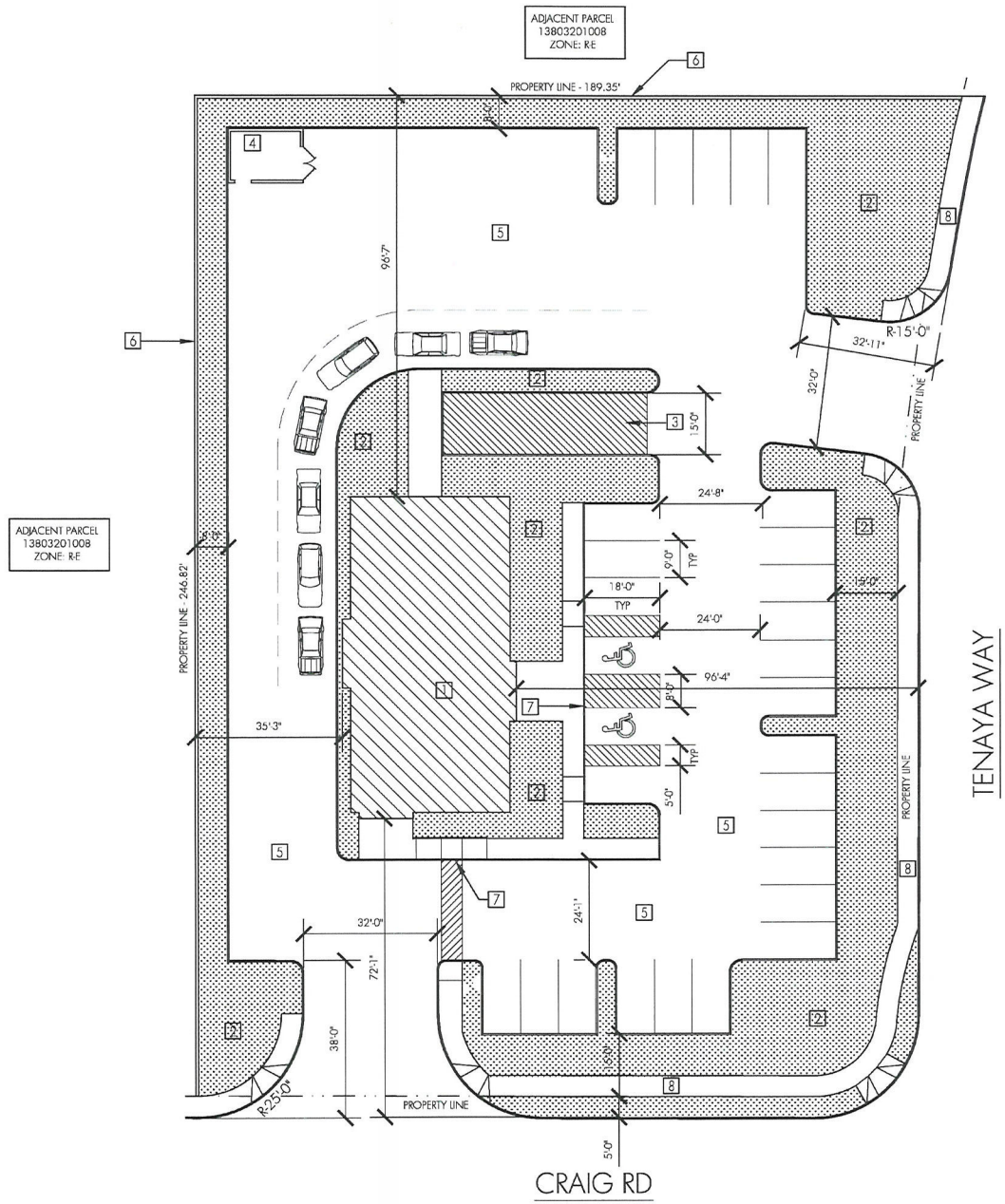
Subscribed and sworn before me

This 24 day of August, 2009

_____

Notary Public in and for said County and State

ALISON M. MILLER
Notary Public State of Nevada
No. 97-0128-1
My appt. exp. Jan. 26, 2013



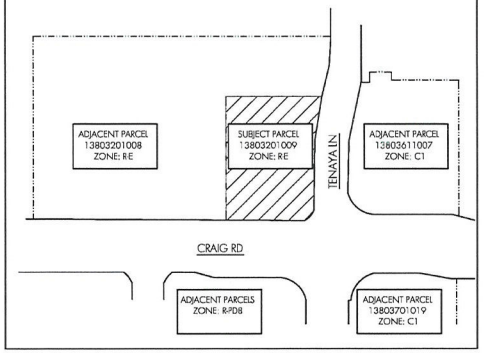
SITE DATA

PARCEL:	13803201009
ADDRESS:	7204 W CRAIG RD
JURISDICTION:	LAS VEGAS - 89129
ZONING:	RE
SUBDIVISION:	PARCEL MAP FILE 105 PAGE 42
LOT SIZE:	1 ACRE
F.A.R.:	1:15.71
BUILDING SIZE:	2,772 SF
PARKING:	
REQUIRED:	1:100 SF = 28 STALLS
PROVIDED:	29 STALLS

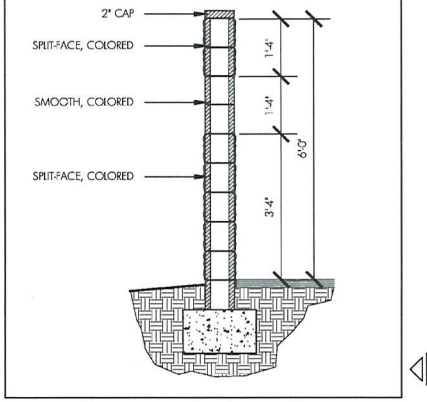
KEYNOTES

1. PROPOSED RESTAURANT
2. LANDSCAPED AREA - REFER TO LANDSCAPE PLAN
3. LOADING ZONE
4. TRASH ENCLOSURE
5. PAVED AREA
6. 6'-0" HIGH DECORATIVE MASONRY WALL - SEE SECTION BELOW
7. ZERO CURB FOR ACCESS
8. 5'-0" CONCRETE WALK

SITE MAP



PROPOSED PERIMETER MASONRY WALL SECTION



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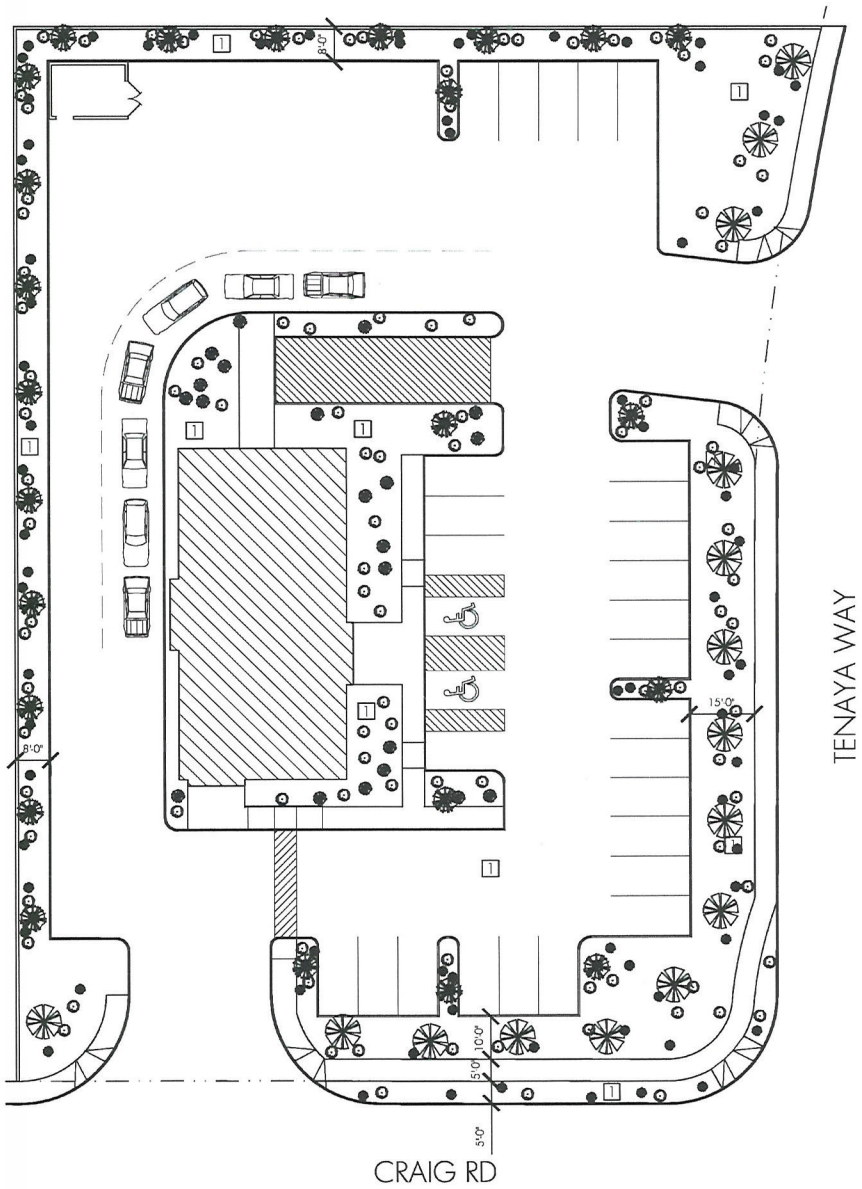
SDR-35868
REVISED
10/22/09 PC

SITE PLAN SCALE: 1"=40'-0"

CARL'S JR RESTAURANT - 7204 W CRAIG RD - LAS VEGAS, NV

CT-1, LLC | RBA ARCHITECTURE
August 31, 2009



PLANT LEGEND

- CHILEAN MESQUITE (PROSOPIS CHILENSIS - 24" BOX - AT 20'-0" O.C.
- SHOESTRING ACACIA (ACACIA STENOPHYLLA) - 24" BOX - AT 20'-0" O.C.
- COMMON WINTER CREEPER (EUONYMOUS FORTUNEI) 15 GAL
- CHASTE TREE (VITUS AGNUS-CASTUS) 15 GAL

KEYNOTES

1 GROUNDCOVER - GRANITE MULCH

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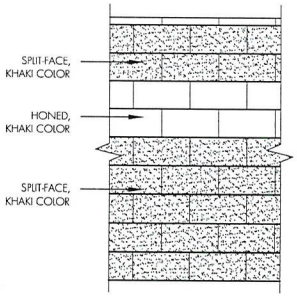
OCT 0 5 2009

SDR-35868
REVISED
10/22/09 PC

LANDSCAPE PLAN SCALE: 1"=40'-0"

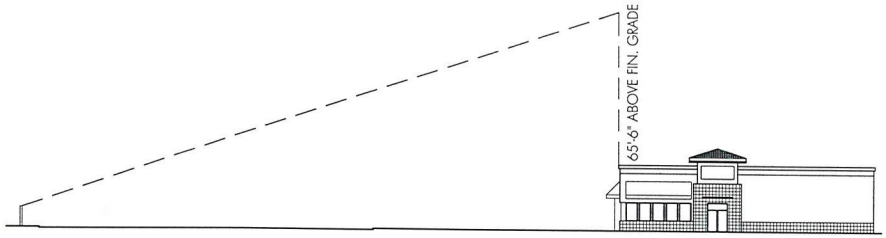
CARL'S JR RESTAURANT - 7204 W CRAIG RD - LAS VEGAS, NV

CT-1, LLC | RBA ARCHITECTURE
August 31, 2009



TYPICAL PERIMETER CMU WALL ELEV

SCALE: $\frac{1}{2}$" = 1'-0"

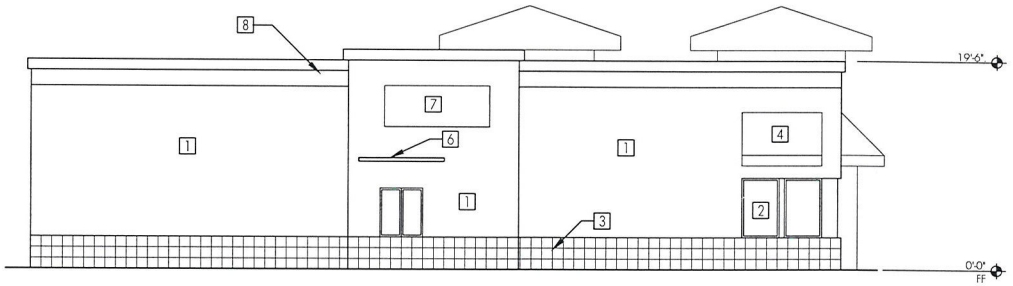


3:1 SITELINE DIAGRAM

SCALE: N.T.S.

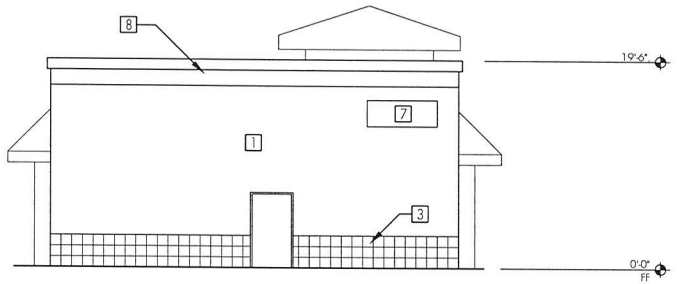
KEYNOTES

1. EXTERIOR CEMENT PLASTER - PAINTED TAWNY TAN
2. ALUMINUM STOREFRONT - YACHT BLUE
3. TILE VENEER - COPRA RED QUARTZITE
4. FABRIC AWNING - SCARLET SUPREME
5. CONCRETE ROOF TILE
6. METAL AWNING - PAINTED YACHT BLUE
7. SIGNAGE
8. EXTERIOR CEMENT PLASTER - PAINTED BISON BEIGE



WEST ELEVATION

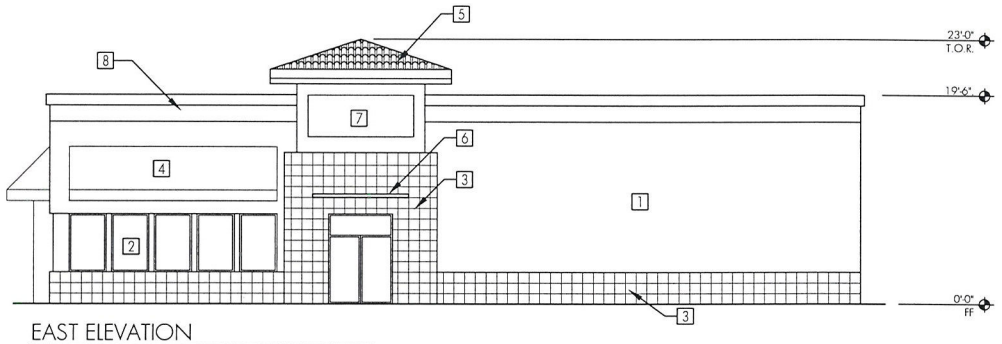
SCALE: 1/8" = 1'-0"



NORTH ELEVATION

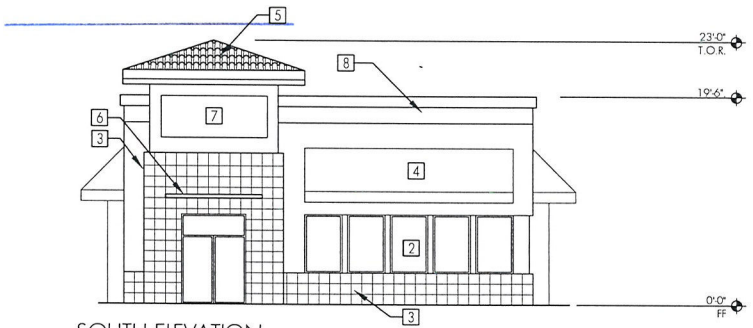
SCALE: 1/8" = 1'-0"

RECEIVED
SEP 02 2009



EAST ELEVATION

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



SOUTH ELEVATION

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

EXTERIOR ELEVATIONS SCALE: AS NOTED

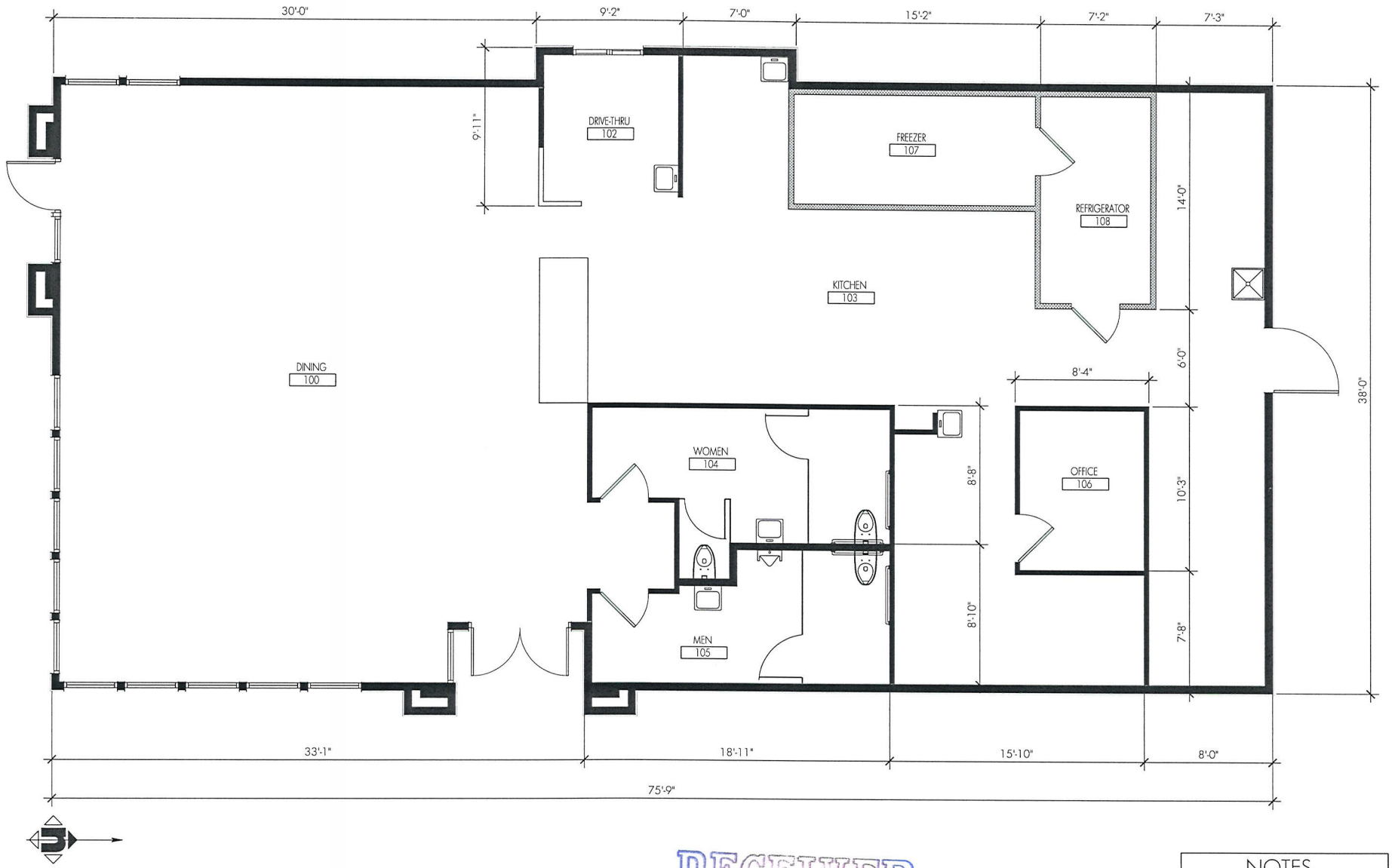
CARL'S JR RESTAURANT - 7204 W CRAIG RD - LAS VEGAS, NV

SDR-35868

10/22/09 PC

CT-1, LLC | RBA ARCHITECTURE

August 31, 2009



RECEIVED
SEP 02 2009

NOTES	
MAXIMUM OCCUPANCY:	87 PERSONS
SEATING CAPACITY:	71 PERSONS

SDR-35868
10/22/09 PC

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

CARL'S JR RESTAURANT - 7204 W CRAIG RD - LAS VEGAS, NV

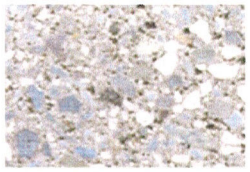
CT-1, LLC | RBA ARCHITECTURE
August 31, 2009



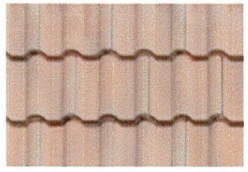
ACCENT WALL TILE



PERIMETER WALL MASONRY (FIELD)



PERIMETER WALL MASONRY (ACCENT)



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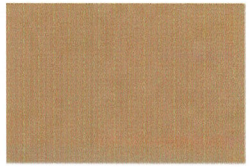
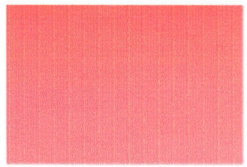


CEMENT PLASTER WALL (ACCENT)



CEMENT PLASTER WALL (FIELD)



AWNING FABRIC

STOREFRONT & TRIM



CARL'S JR RESTAURANT 7204 W CRAIG RD LAS VEGAS, NV

CT-1, LLC | RBA ARCHITECTURE

RECEIVED
SEP 02 2009

SDR-35868
10/22/09 PC

SDR 35868				
CT-1, LLC				
7204 W. Craig Rd.				
Proposed 2.8 thousand square foot fast food restaurant with drive-thru.				
Traffic produced by proposed development:				
Previous Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	FAST-FOOD W/ DRIVE THRU [1000 SF]	2.8	496.12	1,389
AM Peak Hour			53.11	149
PM Peak Hour			34.64	97
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Craig Rd.				
Average Daily Traffic (ADT)	20,525			
PM Peak Hour	1642			
(heaviest 60 minutes)				
Tenaya Way				
Average Daily Traffic (ADT)	9,575			
PM Peak Hour	766			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets				
	Adjacent street ADT			
	Capacity			
Craig Rd.	51800			
Tenaya Way	32775			
This project will add approximately 1,389 trips per day on Craig Rd. and Tenaya Way. This will increase the existing volumes by about 7 percent on Craig and by about 15 percent on Tenaya. Currently, Craig is at about 40 percent of capacity and Tenaya is at about 29 percent of capacity.				
Based on Peak Hour use, this development will add roughly 149 additional cars into the area; or about 5 every 2 minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



SDR-35868 - APPLICANT/OWNER: CT-1, LLC
7204 WEST CRAIG ROAD
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



SDR-35868 - APPLICANT/OWNER: CT-1, LLC
7204 WEST CRAIG ROAD
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



SDR-35868 - APPLICANT/OWNER: CT-1, LLC
7204 WEST CRAIG ROAD
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



SDR-35868 - APPLICANT/OWNER: CT-1, LLC
7204 WEST CRAIG ROAD
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



09/17/09



SDR-35868 - APPLICANT/OWNER: CT-1, LLC
7204 WEST CRAIG ROAD
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



SDR-35868 - APPLICANT/OWNER: CT-1, LLC
7204 WEST CRAIG ROAD
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



SDR-35868 - APPLICANT/OWNER: CT-1, LLC
7204 WEST CRAIG ROAD
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09

THE HARDY CONSULTING GROUP

GOVERNMENT AFFAIRS • PUBLIC RELATIONS • LEGISLATIVE STRATEGIES

5070 ARVILLE STREET
SUITE 4B
LAS VEGAS, NEVADA 89118

702.889.3024 OFFICE
702.408.6666 CELL
702.543.4093 FAX

August 10, 2009

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

Subject: **Justification Letter for Rezoning, Site Development Review and General Plan Amendment on 1 acre lot at Tenaya and Craig Rd APN: 138-03-201-009**

To whom it may concern;

On behalf of our Client, CT-1, LLC, we respectfully request to rezone APN: 138-03-201-009 (Approx 1 acre) from R-E to C-1. In addition, we request the current General Plan Designation of Low Density Residential be amended to a designation of Service Commercial. Finally, per the requirements of Title 19 and the City of Las Vegas Staff, we also request a Site Development Review.

The proposed use of this property is a fast food establishment, specifically a Carl's Jr. Restaurant at 2772 Square Feet with a drive through. It is planned as a 24-hour operation and will employ an estimated 25 people. The principles on CT-1 LLC have successfully developed these types of projects in the past. Specifically, the Carl's Jr. Restaurant at Cheyenne and Martin Luther King Dr., the Wild Oats Shopping Center at Tenaya and Lake Mead, and the Park Central Plaza at Ann and Losee Roads. In addition, the Lessee, S.L. Investments, is the Current Franchisee for Carl's Jr. and currently owns and operates 36 Carl's Jr. locations in Las Vegas and the surrounding Area.

We believe the property is not viable for development under its current zoning and general plan designation, as the parcel is directly adjoining a Pet Cemetery. In addition, the property located on the adjacent north and southeast corners at Tenaya and Craig Road are currently zoned C-1 with a general plan designation of Service Commercial.

The only residential development near the area is on the southwest corner of Tenaya and Craig Road and that development is fully separated by a block wall running the length of the development. Accordingly, we feel conforming the subject property on the Northwest corner to the current zoning and general plan designations on the north and southeast corners makes sense for the community.

SDR-35868
REVISED
10/22/09 PC

RECEIVED
OCT 05 2009

Finally, we believe our submittal meets all the zoning, design and landscape requirements of Title 19 with two exceptions. We would respectfully request an exception on the minimum throat depth requirement on each driveway entrance. Given the size of the lot, in order to meet the requirements for parking, we were unable to meet the code requirement for minimum throat depth. Additionally, we respectfully request a Waiver to allow a zero-foot Perimeter Landscaping Buffer along the south property Line where 15 feet is required

Thank you for considering our request. Should you have any questions regarding this request, or require additional information, please do not hesitate to contact me at 702-408-6666.

Sincerely,

WB-BIII

Warren B Hardy II
The Hardy Consulting Group

RECEIVED
OCT 05 2009

SDR-35868
REVISED
10/22/09 PC

Carman Burney

From: Steve Gebeke
Sent: Wednesday, September 30, 2009 9:59 AM
To: Carman Burney
Subject: FW: Protest Internet Submission - Craig Road Pet Cemetery

10/22 PC - Please add to SDR-35868 file for protests. Thank you.

Steve Gebeke
Planning Supervisor
Department of Planning and Development
City of Las Vegas
Office (702) 229-5410
Fax (702) 385-7268
sgebeke@lasvegasnevada.gov

-----Original Message-----
From: mary_figueras@msn.com [mailto:mary_figueras@msn.com]
Sent: Tuesday, September 29, 2009 9:20 PM
To: Planning Internet Email
Subject: Internet Submission - Craig Road Pet Cemetery

Citizen Name: Mary Figueras

Email: mary_figueras@msn.com

IP Address: 70.189.143.229

Comments: Please forward a copy to: Ric Truesdell, Vicki Quinn, Glenn Trowbridge, Steven Evans, Gus Flangas, Byron A. Goynes & Keen Ellswort I am upset that the City is considering changing the zoning of parcel 138-03-201-009 to allow a Carls Jr to be built next to our only pet cemetery. Pet Lovers and adjacent homeowners had been given the expectation that the property would always remain rural. It is even more upsetting that the current owners are not only asking for a zone change, but they are also asking for a variance so they won't have to install landscaping. They knew what the zoning was when they purchased the property. IT JUST ISN'T FAIR AND IT JUST ISN'T RIGHT. Pet Lovers, Homeowners and Craig Road Pet Cemetery have all played by the rules. The question is: Do the rules matter to you? Will you stand by us and support us? Are the needs, desires and promises made to the community something you will stand by? Can I count on your support?

Date: 9/29/2009 9:20:25 PM

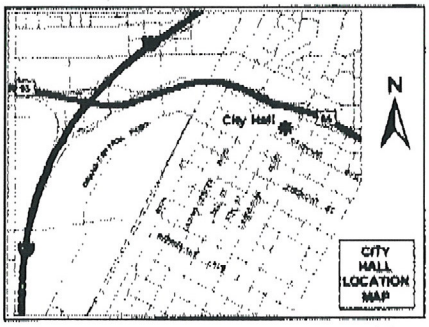
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 OCT 08 2009
MAILED FROM ZIPCODE 89101

Return Service Requested

Official Notice of Public Hearing



There are nine "eateries" on the "block area" of Craig & Tenaya We don't need another one and we have enough accidents now

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-35868

Planning Commission Meeting of 10/22/2009

Case: SDR-35868
13803610031
DAY PATRICIA L REVOCABLE LIV TR
7109 GOLDEN DESERT AVE
LAS VEGAS NV 89129-7118

HAV0511 A9129

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

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UNITED STATES POSTAGE PITNEY BOWES
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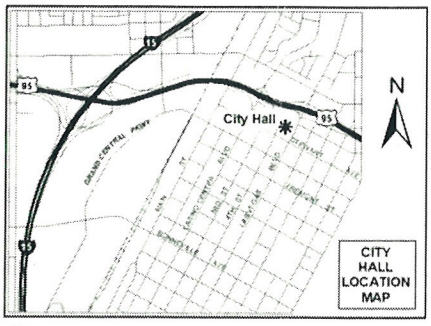

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

We vehemently oppose one more fast-food eyesore. Please let the poor animals and their grieving owners alone. We were promised this years ago. We do not own animals, but feel for these people

Case: SDR-35868

13803217007
GALLAGHER CHARLES T & CONSTANCE
4400 VOGUE ST
LAS VEGAS NV 89129-5983

SDR-35868
Planning Commission Meeting of 10/22/2009

HAVOS11 89129

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

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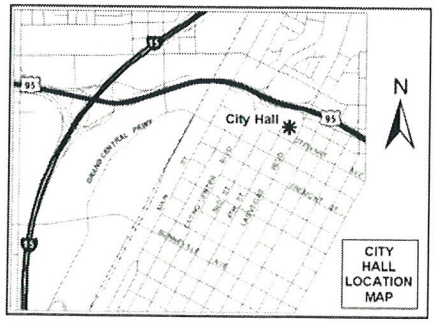
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☑ I OPPOSE this Request

We Oppose Commercial Change

Please use available blank space on card for your comments.

SDR-35868

Planning Commission Meeting of 10/22/2009

Case: SDR-35868
13803217025
MONTY JEFFREY A & CAROLYN L
7200 SLEEK AVE
LAS VEGAS NV 89129-5985

HAVDS11 89129

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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PITNEY BOWES
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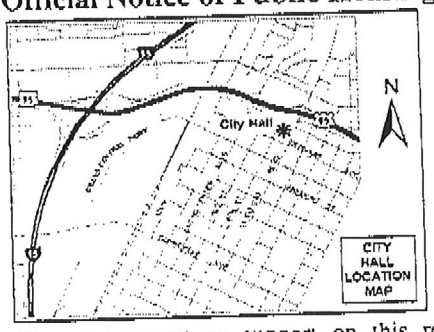
MAILED FROM ZIP CODE 89101

Return Service Requested

Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-35868

Planning Commission Meeting of 10/22/2009

Case: SDR-35868

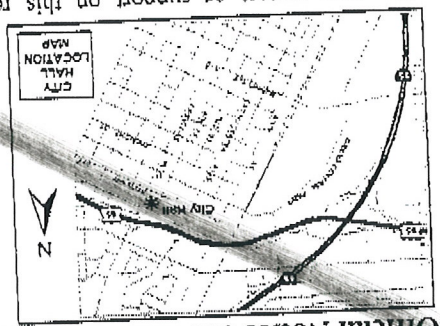
.13803218037
SAVAGE CHERRI A
7237 CHIC AVE
LAS VEGAS NV 89129-5994

OCT-13-2009 TUE 08:06 AM P. 001/001

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

Return Service Requested

Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-35866 & ZON-35867

Planning Commission Meeting of 10/22/2009

Case: GPA-35866

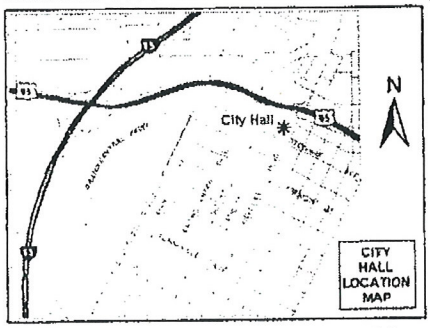
13803218037
SAVAGE CHERRI A
7237 CHIC AVE
LAS VEGAS NV 89129-5994

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.41⁴
0004279218 OCT 08 2009
MAILED FROM ZIP CODE 89101

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-35868

Planning Commission Meeting of 10/22/2009

We do not Need more Commercial Next to A quiet Cemetary AND Neighborhood. There is Lots of Commercial prop. EAST of TENAYA!

HAVDS11 89129

Case: SDR-35868
13803217015
SOWERS DENNIS B & LAURA A
4421 ORNATE CT
LAS VEGAS NV 89129-5986

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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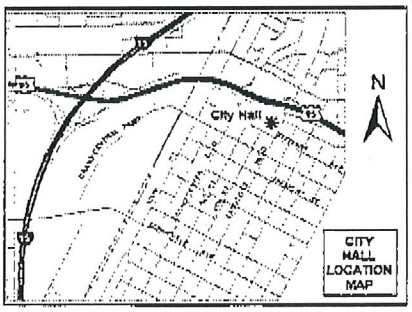

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

Case: SDR-35868

13803218037
SAVAGE CHERRI A
7237 CHIC AVE
LAS VEGAS NV 89129-5994

SDR-35868
Planning Commission Meeting of 10/22/2009

HAVD511 A3123

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 22, 2009

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

SUBJECT:
GPA-36056 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request to AMEND THE DOWNTOWN NORTH LAND USE PLAN on 772 acres, Ward 5 (Barlow)

C.C.: 11/18/2009

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. Conditions (Not Applicable) and Staff Report
2. Supporting Documentation
3. Justification Letter

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 22, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: GPA-36056 - APPLICANT/OWNER: CITY OF LAS VEGAS

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL.

YK

GPA-36056 - Staff Report Page One
October 22, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request to amend the Downtown North Land Use Plan. The change will add a "Social Service" section to the Implementation Chapter. This change will bring the Downtown North Land Use Plan into alignment with the Housing Element of the 2020 Master Plan.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
05/21/03	The City Council approved General Plan Amendment (GPA-2249) adopting the Downtown North Land Use Plan for the area bounded by Interstate 15 on the west, U.S. 95 on the south, Owens and the City limits on the north and Maryland Parkway and Bruce Streets on the east.
10/21/04	The City Council approved General Plan Amendments (GPA-5015 and GPA-5016) to the Downtown North Land Use Plan that added the Scenic Byway Trail along both sides of Las Vegas Boulevard and the Cultural Corridor Trail along the west side of Las Vegas Boulevard between Washington Avenue and Bonanza Road respectfully.
11/19/08	The City Council approved General Plan Amendment (GPA-29886) to the Downtown North Land Use Plan that updated the plan and changed the land use along the northwest corner of Maryland Parkway and Bonanza Road. It also called for a new east/west road along the south property line of Cashman Center connecting Las Vegas Boulevard and Maryland Parkway.
Pre-Application Meeting	
N/A	This requirement was Waived.
Neighborhood Meeting	
10/06/09	A Neighborhood Meeting was held at the Development Service Center, 731 S. Fourth Street.

Field Check	
09/17/09	No issues were noted.

YK

Details of Application Request	
Site Area	
Net Acres	772 Acres

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts	X		
A-O (Airport Overlay) District	X		Y *
Las Vegas Boulevard Scenic Byway Overlay District	X		Y **
Trails	X		Y ***

*The northwest portion of the plan area is covered by the North Las Vegas Airport Overlay.

**The Las Vegas Boulevard Scenic Byway Overlay District governs the design of all signage along Las Vegas Boulevard.

***The Las Vegas Boulevard Scenic Byway Trail and the Cultural Trail are located along Las Vegas Boulevard in the plan area, as well as the Pioneer Trail along Washington Avenue.

ANALYSIS

The following verbiage will be added to the Implementation Chapter:

***Social Services*:** There will continue to be a need for the services of the non-profit social service providers in the Downtown North Land Use area. The area located between Las Vegas Boulevard and Main Street, north of US-95 currently has numerous agencies located within it that provide services to the homeless population. However, in order to have a more equitable distribution of services, the city will work to prevent the expansion or the addition of any new facility that services the homeless within this area. This will further the city's goals under the Housing Element of the 2020 Master Plan.

***Action*:** The Neighborhood Services Department will continue to seek out locations throughout the Las Vegas Valley for suitable locations for homeless shelters and services that are outside of the Downtown North Plan area.

***Action*:** The Planning & Development Department will work with the Neighborhood Services Department to amend Title 19.04 Permissible Use Table for Rescue Mission or Shelter for the Homeless in order to develop minimum Special Use Permit Requirements.

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,**

   The changes proposed do not affect the density and intensity of land uses and thus meets the requirement.

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

   There are no zoning designation changes proposed.

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

   Because this area of the City is completely developed, the proposed changes will not affect these areas of concern and thus meet the requirement.

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

   The proposed changes are compatible with the Downtown Neighborhood 2000 Plan and the Redevelopment Area Plan and thus meet the requirement.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

YK

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-36056** APN: Various

Name of Property Owner: City of Las Vegas

Name of Applicant: Yorgo Kagafas

Name of Representative: Yorgo Kagafas

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: Yorgo Kagafas

Print Name: Yorgo Kagafas

Subscribed and sworn before me

This 16th day of September, 2009

Teresa K. Morrell

Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
TERESA K. MORRELL
No. 99-59083-1 My Appointment Expires Sept. 14, 2011

PLANNING & DEVELOPMENT
CITY OF LAS VEGAS
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

September 16, 2009

To Whom It May Concern:

Please accept this General Plan Amendment to the Downtown North Land Use Plan. The purpose is to add a Social Service section under Implementation that relates to the homeless shelters in the area.

If you have any questions or concerns, please feel free to contact me at (702) 229-6196.

Sincerely,

Yorgo Kagafas

Yorgo Kagafas, AICP
Urban Design Coordinator

Mayor
Oscar B. Goodman

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

City Manager
Elizabeth N. Fretwell

CITY OF LAS VEGAS NEVADA

07101-001-06-09

GPA-36056
10/22/09 PC

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 22, 2009

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

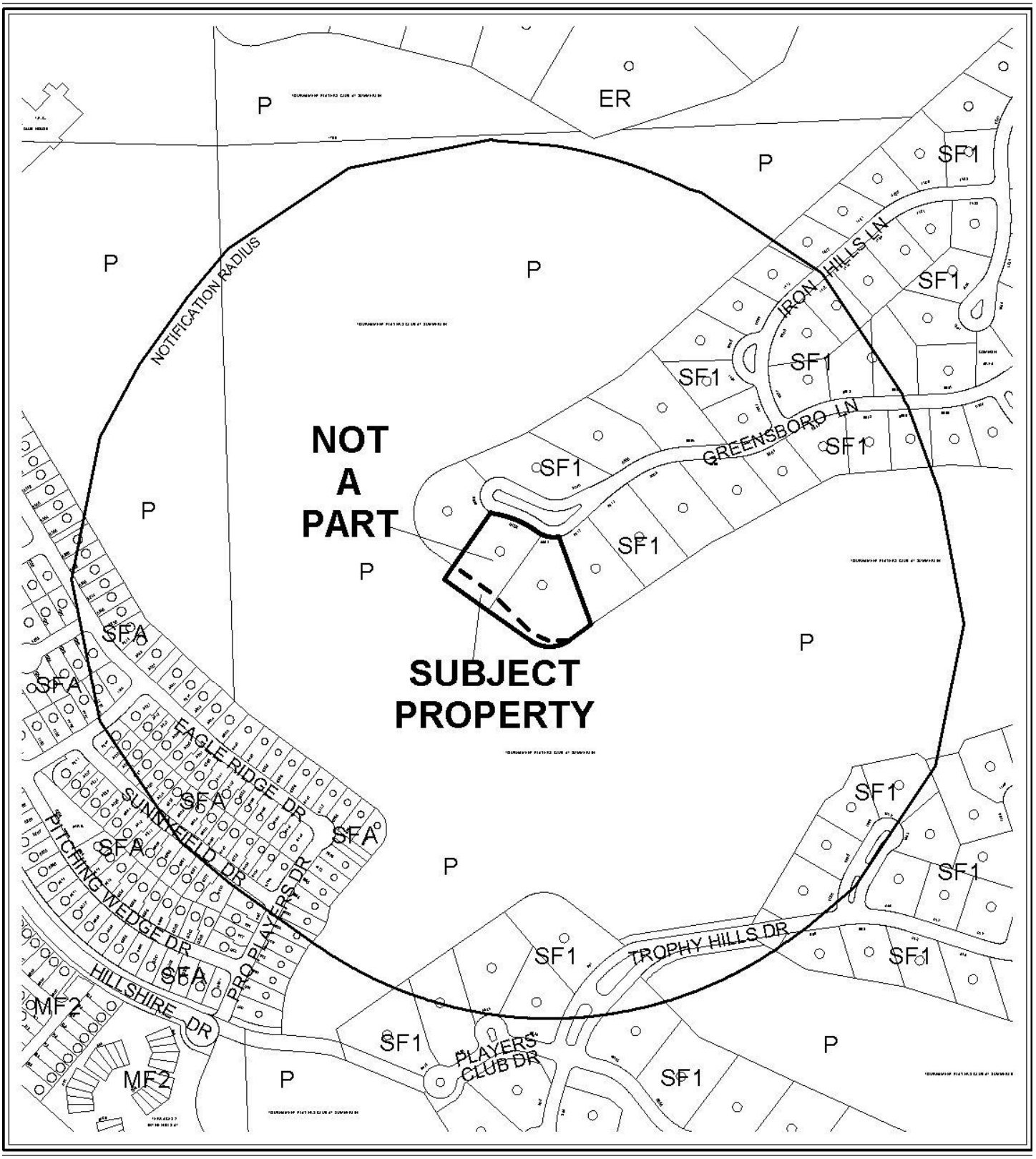
SUBJECT:
MOD-35911 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT/OWNER: ANTHONY M. MARLON AND RENEE MARLON FAMILY PROTECTION TRUST AND LODEWIJK A. VAN GEMERT - Request for a Major Modification to the Summerlin Master Development Plan TO AMEND THE EXISTING LAND USE DESIGNATION FROM: COS (COMMUNITY OPEN SPACE) TO: SF1 (SINGLE FAMILY DETACHED) on 0.27 acres, a portion of 9021 and 9025 Greensboro Lane (APNs 138-29-110-058 and 059), P-C (Planned Community) Zone, Ward 2 (Wolfson)

C.C.: 11/18/2009

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

RECOMMENDATION:
APPROVAL

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letters



0 300 600 Feet

CASE: **MOD-35911**

RADIUS: 1000 FT

SUMMERLIN LAND USE DESIGNATION OF SUBJECT PROPERTY:
COS (COMMUNITY OPEN SPACE) AND SF-1 (SINGLE FAMILY DETACHED)

PROPOSED SUMMERLIN LAND USE DESIGNATION OF SUBJECT PROPERTY:
SF-1 (SINGLE FAMILY DETACHED)

N



0 300 600 Feet

CASE: **MOD-35911**

RADIUS: 1000 FT

SUMMERLIN LAND USE DESIGNATION OF SUBJECT PROPERTY:
COS (COMMUNITY OPEN SPACE) AND SF-1 (SINGLE FAMILY DETACHED)

PROPOSED SUMMERLIN LAND USE DESIGNATION OF SUBJECT PROPERTY:
SF-1 (SINGLE FAMILY DETACHED)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 22, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: MOD-35911 - APPLICANT/OWNER: ANTHONY M. MARLON AND RENEE MARLON FAMILY PROTECTION TRUST AND LODEWIJK A. VAN GEMERT

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL

SS

MOD-35911 - Staff Report Page One
October 22, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Major Modification to the Summerlin Master Development Plan to amend the existing land use designation from COS (Community Open Space) to SF1 (Single Family Detached) on 0.27 acres making up a portion of 9021 and 9025 Greensboro Lane.

Transfer of land from the adjacent golf course to two lots in a residential subdivision has created two separate land use designations on these lots where a single residential designation (SF1) was intended by the Summerlin Master Development Plan. Approval of this modification would keep the land use designation consistent on each lot, whose primary use is single family residential. The Summerlin Design Review Committee has submitted written support for the land use amendment request. If this request is denied, the land use designation of each of the two residential properties would remain "split," with the added portion to each property designated COS (Community Open Space) and the remaining portion of each lot designated SF1 (Single Family Detached).

ISSUES

- Transfer of land from the adjacent golf course to two lots in a residential subdivision has created two separate land use designations on these lots where a single residential designation (SF1) was intended in the Summerlin Master Development Plan.
- The Community Open Space (COS) land use designation is intended for public, quasi-public and community support uses and does not allow residential uses.
- The Summerlin Design Review Committee supports the requested amendment to the land use designation.

DETAILS OF APPLICATION REQUEST

Details of Application Request	
Site Area	
Net Acres	0.27 (11,960 square feet)

	Prior to Transfer		***Transfer area***		***After Transfer***	
Property Description	SF1	COS	SF1	COS	SF1	COS
9025 Greensboro (Lot 32 Block A)	28,543 SF	---	---	6,241 SF	28,543 SF	6,241 SF
9021 Greensboro (Lot 33 Block A)	42,610 SF	---	---	5,719 SF	42,610 SF	5,719 SF
TOTAL	71,153 SF			11,960 SF	71,153 SF	11,960 SF

SS

Existing Designation	*Permitted Density*
COS (Community Open Space)	N/A
Proposed Designation	***Permitted Density***
SF1 (Single Family Detached)	3.5 units per acre

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales	
10/28/86	The Planning Commission approved an Annexation (A-0020-86) of 5,637 acres generally located on the south side of Cheyenne Avenue, west of Buffalo Drive. Staff recommended approval. The annexation became effective 06/10/87.
06/03/87	The City Council approved a Rezoning (Z-0044-87) from N-U (Non-Urban) to P-C (Planned Community) on 4,650 acres generally located south of Cheyenne Avenue and west of Buffalo Drive, containing the subject properties. The Planning Commission and staff recommended approval.
05/05/97	A Boundary Line Adjustment was recorded on Lot 1 Block A of Summerlin Village South – Unit No. 6 and Lot 33 Block A of the Plat of Tournament Hills – Unit 1, adding 4,655 square feet to the original Lot 33 (addressed as 9021 Greensboro Lane).
12/19/08	The Planning and Development Department approved its review of a Boundary Line Adjustment (BLA-32389) for APNs 138-20-413-015; 138-29-110-015 and 057. A total of 11,960 square feet was added to Lots 32 and 33, Block A of the Plat of Tournament Hills – Unit 1 (addressed as 9025 and 9021 Greensboro Lane). The record of survey was recorded on 01/05/09.
Related Building Permits/Business Licenses	
07/20/93	A building permit (#93195123) was issued for a single family dwelling at 9025 Greensboro Lane. The final building inspection was completed 05/08/98.
06/26/97	A building permit (#97013095) was issued for a single family dwelling at 9021 Greensboro Lane. A permit (#98009389) was subsequently issued for a change of contractor on 05/05/98. The final building inspection was completed 02/18/99.
Pre-Application Meeting	
12/10/08	The applicants were in the process of completing a boundary line adjustment at the time of the pre-application meeting. Staff advised the applicants to complete the boundary line adjustment survey first before applying for a modification to change the Summerlin land use designation. A letter of approval of the request from Summerlin would be needed prior to submitting for the land use modification. As there were no changes to the site and the boundary line adjustment had been recorded, staff renewed the pre-application status on 09/21/09.

Neighborhood Meeting
A neighborhood meeting is not required for this application, nor was one held.

Field Check	
09/17/09	Planning and Development Department staff conducted a field check and found two single family residences in excellent condition. A portion of the golf course is located to the rear of the residences.
09/22/09	The Flood Control Section of the Department of Public Works conducted a field check of the area and determined that there was no impact to the existing drainage easement and that a wrought iron fence had been built along the adjusted lot lines. However, access to the existing sewer manhole was not restricted.

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Residential	SF1 (Single Family Detached)/COS (Community Open Space)	P-C (Planned Community)
North	Residential Common Area	SF1 (Single Family Detached)	P-C (Planned Community)
South	Golf Course (Private)	COS (Community Open Space)	P-C (Planned Community)
East	Single Family Residential	SF1 (Single Family Detached)	P-C (Planned Community)
West	Single Family Residential	SF1 (Single Family Detached)	P-C (Planned Community)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan			
Summerlin	X		Y
Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts			
P-C (Planned Community) District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Per the Summerlin Development Standards adopted 09/15/04 by the Las Vegas City Council, the following development standards apply to the subject properties:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Setbacks (SF1)			
• Front	25 Feet	45 Feet	Y
• Side	10 Feet	10 Feet	Y
• Corner	15 Feet	N/A	Y
• Rear	20 Feet	38 Feet	Y
Max. Building Height	38 Feet	< 38 Feet	Y

ANALYSIS

Need for the land use amendment arose when the two adjoining residential property owners executed an agreement with the Tournament Players Club at Summerlin to add 11,960 square feet from the adjacent golf course, designated COS (Community Open Space), to the south side of their properties. A boundary line adjustment (BLA-32389) was recorded and the land sold to the two owners, making the land transfer official. As a consequence of the change to the lot lines, each residential lot then contained two designations where only the SF1 (Single Family Detached) designation was intended by the Summerlin Master Development Plan. Only the 11,960 square foot portion that is designated as COS (Community Open Space) is under consideration for the amendment to the Master Development Plan.

The minimum rear yard setback standard in SF1 (Single Family Detached) designated areas is 20 feet, which will be extended on these properties as a result of the additional land; however, a condition of the Summerlin Design Review Committee's approval of the land transfer was that no structures be built in the transfer area. There is some existing landscaping that encroaches into this area but no structures. Staff supports the change to the SF1 designation, as consistency of the land use designation on each lot would be maintained.

The Department of Public Works notes that the area proposed to be included in the Modification includes a sewer line and manholes, a sewer easement, and also a portion of a drainage easement. The existing utilities and easements will restrict further development of these lots. No structures or vegetation taller than three feet will be allowed over the existing Public Sewer Easement and access to the manholes shall be maintained. In addition, any future development of the parcels will require the recordation of a Petition of Vacation of the portion of the existing drainage easement.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

NOTICES MAILED 111

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **MOD-35911** APN: 138-29-110-~~015~~ 058

Name of Property Owner: A M & R Marlon Family Protection Trust

Name of Applicant: Tournament Players Club

Name of Representative: Horizon Surveys

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: Anthony Marlon

Print Name: Anthony M. Marlon

Subscribed and sworn before me

This 2 day of Dec, 2008

Linda I. Morris

Notary Public in and for said County and State

RECEIVED

SEP 08 2009

LINDA I. MORRIS
Notary Public, State of Nevada
Appointment No. 94-2143-1
My Appt. Expires Sep 18, 2010

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: MOD-35911 APN: 138-29-110-059

Name of Property Owner: Lodewijk A. Vangemert

Name of Applicant: Tournament Players Club

Name of Representative: Horizon Surveys

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: LODEWIJK VAN GEMERT

Subscribed and sworn before me

This 2nd day of DECEMBER, 2008

Teresa Joy Pastorelli

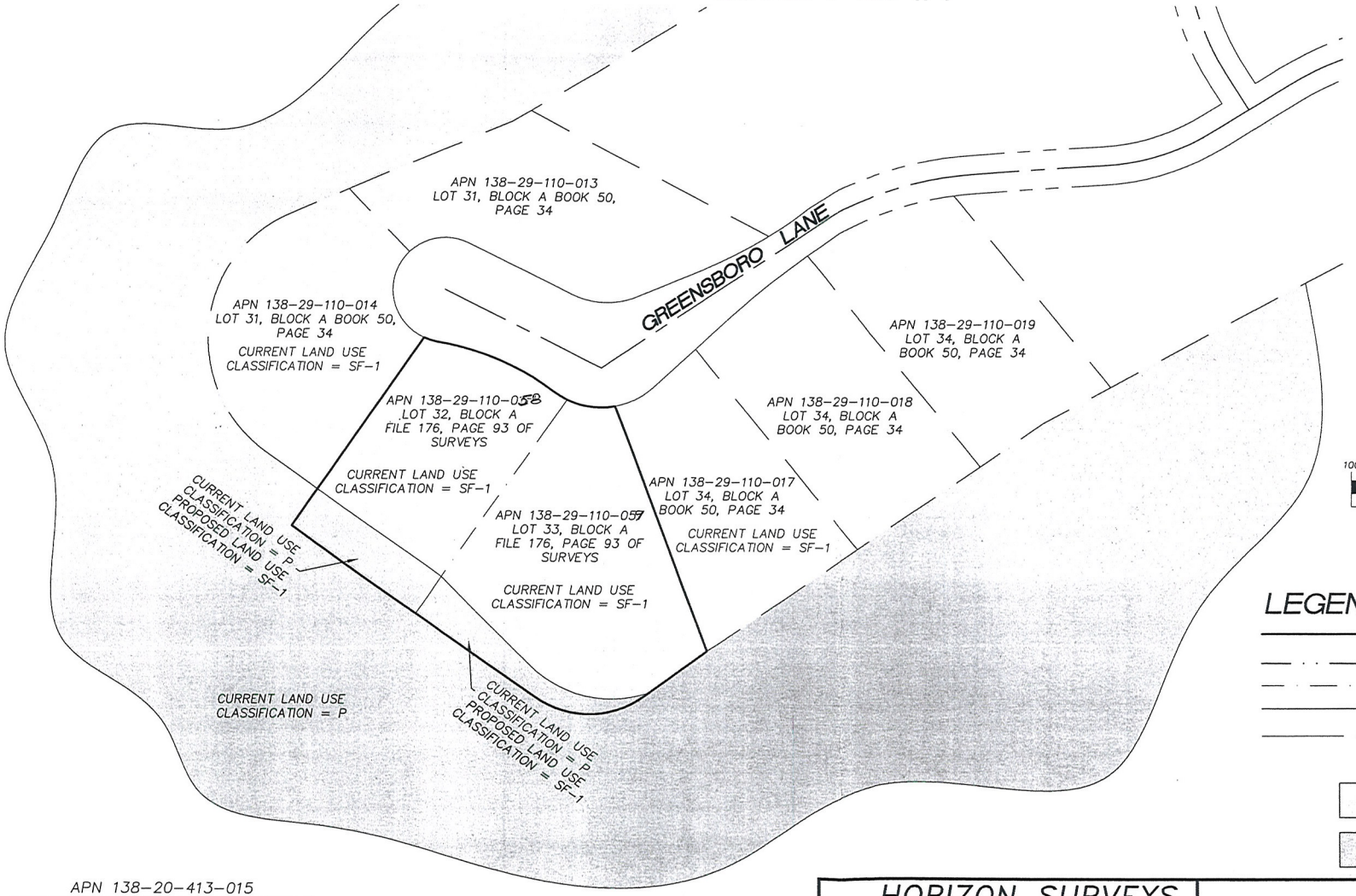
Notary Public in and for said County and State

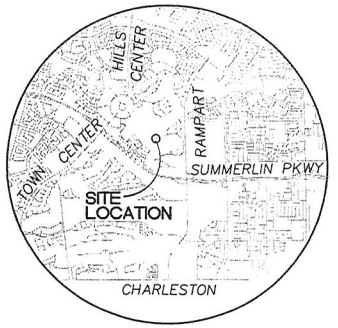
NOTARY PUBLIC STATE OF NEVADA County of Clark TERESA JOY PASTORELLI Appt. No. 05-0016-1 My Appt. Expires Aug. 30, 2011

RECEIVED

SEP 10 2009

TPC/MARLON/VANGEMERT
SITE PLAN





VICINITY MAP
NO SCALE



GRAPHIC SCALE

100 0 50 100 200

1 inch = 100 ft.

LEGEND

- PROPERTY LINE
- LOT LINE
- ADJOINING PARCEL LINE
- STREET CENTERLINE
- RIGHT-OF-WAY
- APN — ASSESSOR'S PARCEL NUMBER
- CURRENT LAND USE CLASSIFICATION "SF-1"
- CURRENT LAND USE CLASSIFICATION "P"

APN 138-20-413-015
SUMMERLIN VILLAGE 1 SOUTH-UNIT 6
BOOK 54, PAGE 44

SECTION 29, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M.

HORIZON SURVEYS
9901 COVINGTON CROSS DRIVE, SUITE 120
LAS VEGAS, NEVADA 89144
PHONE (702)228-5066 FAX (702)228-0677
WWW.HORIZONSURVEYS.COM

TPC/MARLON/VANGEMERT
SITE PLAN

JOB NO.:	762.001
DRAWN BY:	R. SLIGAR
DATE:	1/30/09
CLIENT:	
SHEET 1 OF 1	

RECEIVED
SEP 08 2009

MOD-35911
10/22/09 PC

Instrument
200901105-0003323
Fee/Exempt#
SV-176 0093
Recorded

Receipt/Conformed Copy
Requestor:
HORIZON SURVEYS
01/05/2009 12:19:29 T20090002125
Book/Instr: 20090105-0003323
Survey Page Count: 2
Fees: $31.00 N/C Fee: $0.00

Debbie Conway
Clark County Recorder

RECORD OF SURVEY
FOR
BOUNDARY LINE ADJUSTMENT

OF LOT 32 AND 33 AS SHOWN IN BOOK 50 OF PLATS, PAGE 34 AND LOT 1 AS SHOWN IN BOOK 54 OF PLATS, PAGE 44, BOTH ON FILE AT THE CLARK COUNTY, NEVADA RECORDER'S OFFICE, LOCATED WITHIN THE NORTHWEST QUARTER (NW 1/4) OF SECTION 29, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA.

OWNER'S CERTIFICATE

WE, TOURNAMENT PLAYERS CLUB, SUMMERLIN INC., A DELAWARE LIMITED PARTNERSHIP, ANTHONY MALON AND LODEWIJK VAN GEMERT DO HEREBY CERTIFY THAT THEY ARE THE OWNERS OF THE LAND SHOWN HEREON, HAVE CAUSED A BOUNDARY LINE ADJUSTMENT TO BE PERFORMED AS INDICATED HEREON AND THAT WE HAVE EXAMINED AND APPROVED THIS PLAT AND CONSENT TO AND AUTHORIZE THE RECORDATION OF SAME. FURTHER, WE AGREE TO PREPARE AND EXECUTE THE REQUIRED DOCUMENTS CREATING ANY AND ALL EASEMENTS AS SHOWN HEREON AND TO EXECUTE ALL REQUIRED DOCUMENTATION ABANDONING ANY EXISTING EASEMENTS AFFECTING THE LANDS SHOWN PURSUANT TO THE PROVISIONS N.R.S. 278.010 THROUGH N.R.S. 278.630, INCLUSIVE. TAXES ON THE LAND SHOWN HEREON HAVE BEEN PAID AND ANY AND ALL LENDERS AND OR IMPOUND ACCOUNT HOLDERS FOR PAYMENT OF TAXES HAVE BEEN NOTIFIED OF THE ADJUSTMENT OF THE BOUNDARY LINES OR THE TRANSFER OF THE LANDS SHOWN HEREON.

JAMES C. TRIOLA
SECRETARY-SR. VICE PRESIDENT
BUSINESS AND LEGAL AFFAIRS
TOURNAMENT PLAYERS CLUB AT SUMMERLIN, INC.

LODEWIJK A. VANGEMERT — DATE 12-18-08

ANTHONY MARLON
A.M. & R. MARLON FAMILY PROTECTION TRUST

ACKNOWLEDGMENT

STATE OF NEVADA)
SS
COUNTY OF CLARK)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON 12-22-08
BY James C. Triola AS Secretary/V.P. OF TPC Summerlin
JAMES C. TRIOLA
SECRETARY-SR. VICE PRESIDENT
BUSINESS AND LEGAL AFFAIRS
TOURNAMENT PLAYERS CLUB AT SUMMERLIN, INC.

NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE
MY COMMISSION EXPIRES 11-14-2010
KATHRYN M. RAYNOR

ACKNOWLEDGMENT

STATE OF NEVADA)
SS
COUNTY OF CLARK)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON 12/18/08
BY Anthony Marlon AS owner OF
ANTHONY MARLON TRUSTEE
A.M. & R. MARLON FAMILY PROTECTION TRUST

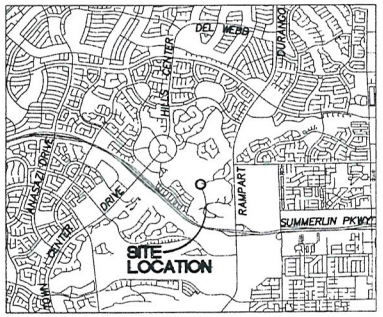
NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE
MY COMMISSION EXPIRES 4-18-10
LINDA I. MORRIS

ACKNOWLEDGMENT

STATE OF NEVADA)
SS
COUNTY OF CLARK)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON 12-18-08
BY LODEWIJK A. VANGEMERT AS OWNER
LODEWIJK A. VANGEMERT

NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE
MY COMMISSION EXPIRES AUGUST 30, 2011.
TERESA JOY PASTORELLI



VICINITY MAP
N.T.S.

LEGAL DESCRIPTION OF TRANSFER AREA 1

SITUATE IN THE CITY OF LAS VEGAS, CLARK COUNTY, NEVADA LYING WITHIN THE NORTHWEST QUARTER (NW 1/4) OF SECTION 29, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., BEING A PORTION OF LOT 1 AS SHOWN IN THE OFFICE OF THE CLARK COUNTY, NEVADA RECORDER IN BOOK 54 OF PLATS ON PAGE 44, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 32, BLOCK A, TOURNAMENT HILLS–UNIT 1; THENCE ALONG THE SOUTHERLY LINE THEREOF, SOUTH 54°50'00" EAST, 145.00 FEET TO THE SOUTHEAST CORNER OF LOT 32; THENCE DEPARTING SAID SOUTH LINE AND ALONG THE EXTENSION OF THE EASTERLY LINE OF LOT 32, SOUTH 35°10'00" WEST, 43.04 FEET; THENCE NORTH 54°50'00" WEST, 145.00 FEET; THENCE NORTH 35°10'00" EAST, 43.04 FEET TO THE POINT OF BEGINNING.

CONTAINING 6,241 SQUARE FEET, MORE OR LESS.

LEGAL DESCRIPTION OF TRANSFER AREA 2

SITUATE IN THE CITY OF LAS VEGAS, CLARK COUNTY, NEVADA LYING WITHIN THE NORTHWEST QUARTER (NW 1/4) OF SECTION 29, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., BEING A PORTION OF LOT 1 AS SHOWN IN THE OFFICE OF THE CLARK COUNTY, NEVADA RECORDER IN BOOK 54 OF PLATS ON PAGE 44, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE FURTHERMOST WESTERLY CORNER OF SAID LOT 33, BLOCK A, TOURNAMENT HILLS–UNIT 1; THENCE ALONG THE SOUTHERLY LINE THEREOF DESCRIBED WITHIN A RECORD OF SURVEY, BOUNDARY LINE ADJUSTMENT, AS SHOWN IN FILE 88 OF SURVEYS, PAGE 81 OF OFFICIAL RECORDS; THENCE ALONG SAID SOUTH LINE SOUTH 44°27'39" EAST, 119.00 FEET TO A CURVE, CONCAVE TO NORTHEASTERLY; THENCE EASTERLY ALONG THE ARC OF A 109.54 FOOT RADIUS CURVE TO THE LEFT, 123.32 FEET, WITH A CENTRAL ANGLE OF 64°30'20". TO A POINT OF CUSP; THENCE SOUTH 54°21'30" WEST, 5.41 FEET TO A POINT OF CURVE, CONCAVE TO THE NORTH; THENCE SOUTHWESTERLY ALONG THE ARC OF A 90.00 FOOT RADIUS CURVE TO THE RIGHT, 111.60 FEET, WITH A CENTRAL ANGLE OF 71°02'48"; THENCE NORTH 54°39'18" WEST, 138.46 FEET; THENCE NORTH 35°10'00" EAST, 43.04 FEET TO THE POINT OF BEGINNING.

CONTAINING 5,719 SQUARE FEET, MORE OR LESS.

MAP REFERENCES

BOOK 50, PAGE 34 OF PLATS
BOOK 54, PAGE 54 OF PLATS
FILE 88, PAGE 81 OF SURVEYS

NOTE

ALL EASEMENTS OF RECORD MAY NOT BE SHOWN AND NO VERIFICATION OF LOCATION OR INFORMATION HAS BEEN MADE BY THE CITY OF LAS VEGAS.

CITY OF LAS VEGAS APPROVAL

THIS MAP HAS BEEN APPROVED FOR THE PURPOSE OF ACHIEVING A BOUNDARY LINE ADJUSTMENT IN ACCORDANCE WITH THE PROVISIONS OF NRS 278.010 TO 278.630, INCLUSIVE ON THIS 5TH DAY OF January, 2009

ALAN R. RIEKKI, P.L.S. — DATE 1/5/09
CITY OF LAS VEGAS SURVEYOR
NEVADA CERTIFICATE NO. 12469

M. MARGO WHEELER, AICP — DATE 12-31-08
DIRECTOR OF PLANNING AND DEVELOPMENT
CITY OF LAS VEGAS, NEVADA

BASIS OF BEARINGS

NORTH 54°50'00" WEST, BEING THE BEARING OF THE SOUTHERLY LINE OF LOTS 32 AND 33 AS SHOWN IN BOOK 50 OF PLATS, PAGE 34 ON FILE AT THE CLARK COUNTY, NEVADA RECORDER'S OFFICE.

SURVEYOR'S CERTIFICATE

I, DENNIS H. JENSEN, A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF NEVADA, AN A AGENT FOR HORIZON SURVEYS CERTIFY THAT:

1. I HAVE PERFORMED A FIELD SURVEY SUFFICIENT TO LOCATE AND IDENTIFY PROPERLY THE PROPOSED BOUNDARY LINE ADJUSTMENT AND THAT THIS PLAT REPRESENTS THE RESULTS OF THAT SURVEY CONDUCTED UNDER MY SUPERVISION AT THE INSTANCE OF CHUCK BOMBARD, GENERAL MANAGER/DIRECTOR OF GOLF, TOURNAMENT PLAYERS CLUB.
2. THE LAND SURVEYED LIES WITHIN SECTION 29, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, AND WAS COMPLETED ON NOVEMBER 6, 2008.
3. THIS PLAT COMPLIES WITH APPLICABLE STATUTES OF THIS STATE AND ANY LOCAL ORDINANCES IN EFFECT ON THE DATE THAT THE SURVEY WAS COMPLETED, AND THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH CHAPTER 625 OF THE NEVADA ADMINISTRATIVE CODE.
4. ALL CORNERS AND ANGLE POINTS OF THE ADJUSTED BOUNDARY HAVE BEEN DEFINED BY MONUMENTS OR WILL BE OTHERWISE DEFINED ON A DOCUMENT OF RECORD AS REQUIRED BY NRS 625.340, AND ARE OR WILL BE OF SUFFICIENT DURABILITY. 5. THIS MAP IS NOT IN CONFLICT WITH THE PROVISIONS OF NRS 278.010 TO 278.630, INCLUSIVE.

DENNIS H. JENSEN, PLS
PROFESSIONAL LAND SURVEYOR
NEVADA LICENSE NO. 5859

DENNIS H. JENSEN No. 5859 — 12-17-08

COUNTY RECORDER'S NOTE

ANY SUBSEQUENT CHANGES TO THIS MAP SHOULD BE EXAMINED AND MAY BE DETERMINED BY REFERENCE TO THE COUNTY RECORDER'S CUMULATIVE MAP INDEX. NRS 278.5695

BLA-32389

RECORD OF SURVEY
FOR
BOUNDARY LINE ADJUSTMENT
OF LOT 32 AND 33 AS SHOWN IN BOOK 50 OF PLATS, PAGE 34 AND LOT 1 AS SHOWN IN BOOK 54 OF PLATS, PAGE 44, BOTH ON FILE AT THE CLARK COUNTY, NEVADA RECORDER'S OFFICE, LOCATED WITHIN THE NORTHWEST QUARTER (NW 1/4) OF SECTION 29, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA

HORIZON SURVEYS
9901 COVINGTON CROSS DRIVE, SUITE 120
LAS VEGAS, NEVADA 89144
PHONE (702) 228-5066
FAX (702) 228-0677
WWW.HORIZONSURVEYS.COM

Date	10-8-08
Drawn	DHJ
Checked	NR
Job Number	762.00101
Sheet No.	1 of 2

No. 0003323
FILED AT THE REQUEST OF: Horizon Surveys
DATE 1-5-09 TIME 12:19:10
FILE 176 PAGE 0093
RECORD OF SURVEY
OFFICIAL RECORDS BOOK
No. 20090105
CLARK COUNTY, NEVADA RECORDS
DEBBIE CONWAY, RECORDER
FEE # 31.00 DEPUTY STN

FILE 176 PAGE 0093

RECEIVED
SEP 08 2009

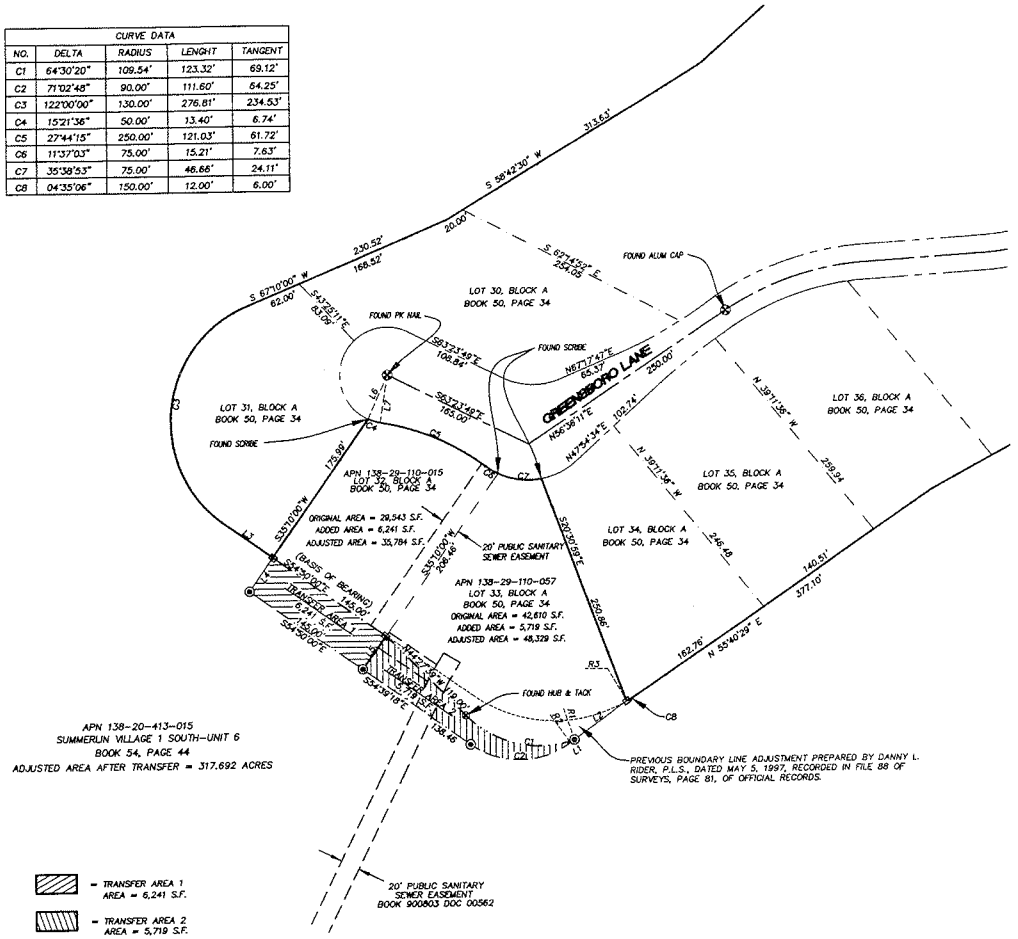
MOD-35911
10/22/09 PC

417

RECORD OF SURVEY
FOR
BOUNDARY LINE ADJUSTMENT

OF LOT 32 AND 33 AS SHOWN IN BOOK 50 OF PLATS, PAGE 34 AND LOT 1 AS SHOWN IN BOOK 54 OF PLATS, PAGE 44, BOTH ON FILE AT THE CLARK COUNTY, NEVADA RECORDER'S OFFICE, LOCATED WITHIN THE NORTHWEST QUARTER (NW 1/4) OF SECTION 29, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA.

CURVE DATA				
NO.	DELTA	RADIUS	LENGHT	TANGENT
C1	64°30'20"	109.54'	123.32'	69.12'
C2	71°02'48"	90.00'	111.60'	64.25'
C3	122°00'00"	130.00'	276.81'	234.53'
C4	15°21'36"	50.00'	13.40'	6.74'
C5	27°44'15"	250.00'	121.03'	61.72'
C6	11°37'03"	75.00'	15.21'	7.63'
C7	35°38'53"	75.00'	46.66'	24.11'
C8	04°35'06"	150.00'	12.00'	6.00'



GRAPHIC SCALE

60 0 30 60 120

0 1" 2" 3"

(IN FEET)

1 inch = 60 ft.

LEGEND

- BOUNDARY LINE
- ORIGINAL LOT LINE
- ADJUSTED LOT LINE
- ADJOINING PROPERTY LINE
- STREET CENTERLINE
- RIGHT-OF-WAY
- EASEMENT LINE
- PREVIOUS BOUNDARY ADJUSTMENT LINE
- FOUND MONUMENTATION AS SHOWN AND DESCRIBED
- SET 5/8" REBAR WITH ALUMINUM CAP STAMPED "PLS 5859"
- SLT NAIL & TAG IN FOOTING OF WALL STAMPED "PLS 5859"
- C1 CURVE LABEL
- L1 LINE LABEL
- APN ASSESSOR'S PARCEL NUMBER
- O.R. OFFICIAL RECORDS
- R1 RADIAL LABEL
- FOUND SCRIBE TOP OF WALL COLUMN

RADIAL LINE DATA	
NO.	COURSE
R1	S18°57'59"E
R2	S35°42'06"E
R3	S29°44'26"E

LINE DATA		
NO.	COURSE	DISTANCE
L1	S54°21'30"W	5.41'
L2	N54°18'10"E	68.00'
L3	S54°50'00"E	62.30'
L4	N35°10'00"E	43.04'
L5	S35°10'00"W	43.04'
L6	S24°31'22"W	50.00'
L7	S09°08'46"W	50.00'

TABULATION

TOTAL AREA OF SUMMERLIN VILLAGE 1 SOUTH-UNIT NO. 6 = 317.966 ACRES
TOTAL AREA OF BOUNDARY LINE ADJUSTMENT THIS MAP = 0.274 ACRES
REMAINING AREA SUMMERLIN VILLAGE 1 SOUTH-UNIT NO. 6 = 317.692 ACRES

BASIS OF BEARINGS

NORTH 54°50'00" WEST, BEING THE BEARING OF THE SOUTHERLY LINE OF LOTS 32 AND 33 AS SHOWN IN BOOK 50 OF PLATS, PAGE 34 ON FILE AT THE CLARK COUNTY, NEVADA RECORDER'S OFFICE.

HORIZON SURVEYS
6601 COVINGTON CROWN DRIVE, SUITE 120
LAS VEGAS, NEVADA 89144
PHONE (702) 294-0046
FAX (702) 226-0677
WWW.HORIZONSURVEYS.COM

Date	10-06-08
Drawn	D. JENSEN
Checked	RCS
Job Number	862.001.01
Sheet No.	2 OF 2

FILE 176 PAGE 0093

MOD-35911
10/22/09 PC
SEP 18 2009



MOD-35911 - APPLICANT/OWNER: ANTHONY M. MARLON AND RENEE MARLON FAMILY PROTECTION TRUST AND LODEWIJK A. VAN GEMERT
9021 AND 9025 GREENSBORO LANE
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



MOD-35911 - APPLICANT/OWNER: ANTHONY M. MARLON AND RENEE MARLON FAMILY PROTECTION TRUST AND LODEWIJK A. VAN GEMERT
9021 AND 9025 GREENSBORO LANE
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



MOD-35911 - APPLICANT/OWNER: ANTHONY M. MARLON AND RENEE MARLON FAMILY PROTECTION TRUST AND LODEWIJK A. VAN GEMERT
9021 AND 9025 GREENSBORO LANE
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



MOD-35911 - APPLICANT/OWNER: ANTHONY M. MARLON AND RENEE MARLON FAMILY PROTECTION TRUST AND LODEWIJK A. VAN GEMERT
9021 AND 9025 GREENSBORO LANE
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09

Horizon
Surveys

September 2, 2009

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

Reference: **Request for Major Modification Land Use Reclassification**
From: Tournament Players Club (138-20-413-~~015~~ 017) PF
To: SF 1 for 138-29-110-058 and 138-29-110-059

On behalf of the property owners of the parcels shown above, we respectfully request your consideration of the referenced Major Modification Land Use Reclassification.

Mr. Lodewijk VanGemert, owner of APN 138-29-110-059 and Dr. Anthony Marlon, owner of APN 138-29-110-058, wish to increase the size of their properties by encroaching into that portion of the Tournament Players Club (TPC) golf course adjacent to their respective lots. Officials of TPC have agreed to grant 6,241 +/- square feet to Dr. Marlon's parcel and 5,719 +/- square feet to Mr. VanGemert's parcel. The Summerlin Design Review Committee had no objection to this land exchange. Their only stipulation is that no structures or impediments can be built on the newly acquired land. To accomplish this land transfer, Horizon Surveys recorded a Record of Survey Boundary Line Adjustment (BLA-32389) on January 5, 2009. A copy of the recorded BLA is included with this application.

The Land Use Classification associated with the golf course is PF while the classification for the two residential parcels is SF-1. Therefore, at this time it will be necessary for us to obtain approval of the land use reclassifications if for no other reason than to satisfy Assessor/Treasurer requirements.

The Summerlin Design Review Committee has provided us with a letter stating that they have no objection to this request. I have included a copy as part of the submittal package.

If you have any questions, please feel free to contact us.

Sincerely,

Terri Pastorelli
Project Coordinator

RECEIVED
SEP 08 2009

MOD-35911
10/22/09 PC

9901 Covington Cross Drive • Suite 120 • Las Vegas, Nevada 89144
Phone (702) 228-5066 • Fax (702) 228-0677 • Website: www.horizonsurveys.com

The Howard Hughes Corporation®

an affiliate of General Growth Properties, Inc.

January 6, 2009

Terri Pastorelli
Horizon Surveys
9901 Covington Cross Drive, Suite 120
Las Vegas, NV 89144

Re: **Request for Land Use Reclassification for portion of APN# 138-20413015,** Tournament Players Club (TPC) to APN 138-29110057 (property owner: Mr. Lodewijk Vangemert) and APN 138-29110015 (property owner: Mr. Anthony Marlon)

Dear Ms. Pastorelli,

We are in receipt of your letter dated December 4, 2008 requesting a land use reclassification of the TPC land portions being deeded to the respective property owners referenced above. The Summerlin Design Review Committee (SDRC) does not object to your request to reclassify the land use of these land portions from PF to SF-1.

Please contact me if you have any questions.

Sincerely,

Julie Cleaver
Vice President, Planning & Design

Encl. Copy of letter *(Horizon Surveys, dtd 12/04/08)*

RECEIVED
SEP 08 2009

HOWARD HUGHES PLAZA
10000 West Charleston Boulevard, Suite 200
Las Vegas, Nevada 89135-1004
Tel 702.791.4000

MOD-35911
10/22/09 PC

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 22, 2009

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

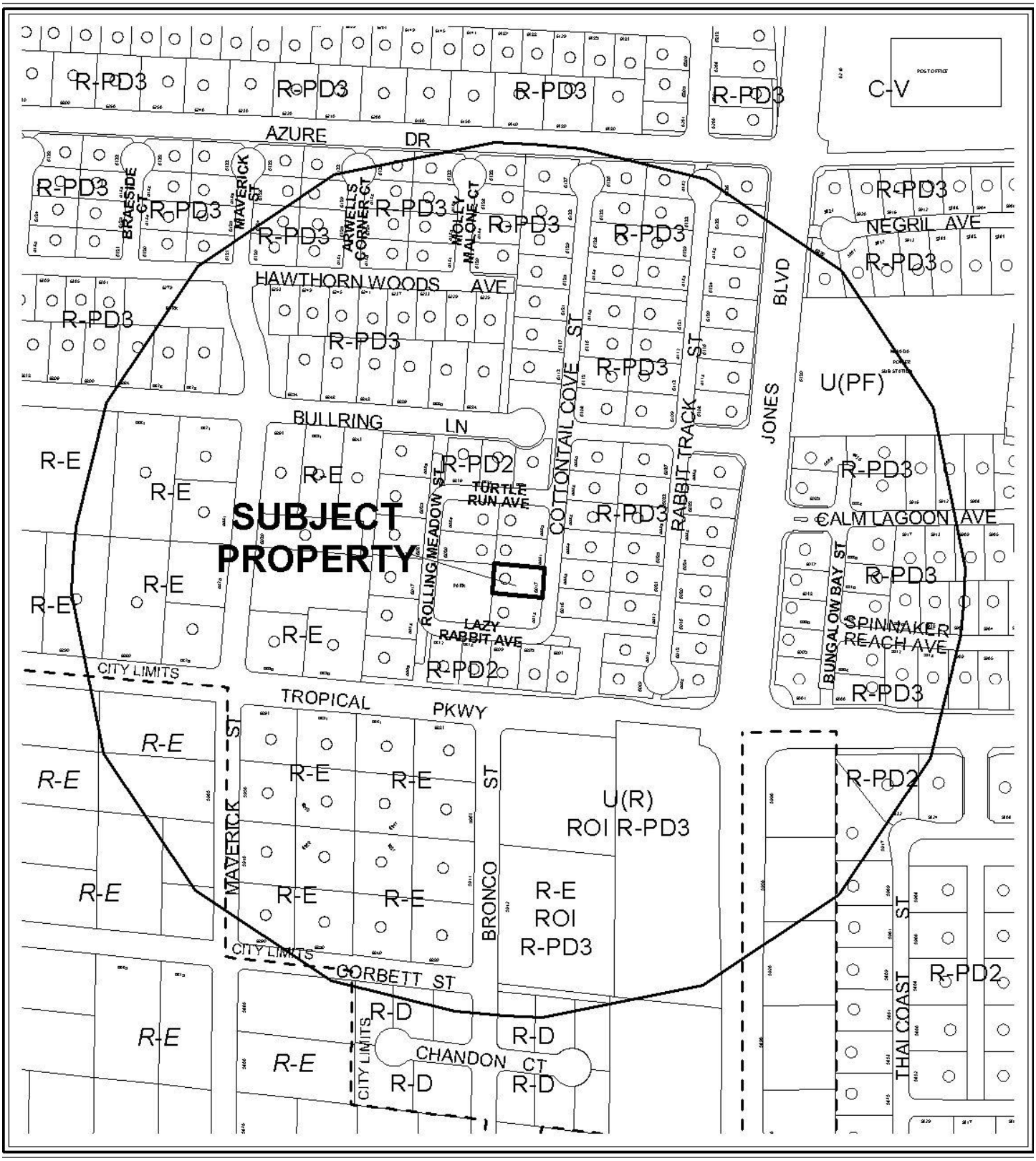
SUBJECT:
VAR-35778 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: CARR LIVING TRUST U/A - Request for a Variance TO ALLOW A FIVE-FOOT REAR YARD SETBACK WHERE 15 FEET IS REQUIRED FOR AN EXISTING 567 SQUARE-FOOT ADDITION TO A SINGLE FAMILY DWELLING on 0.19 acres at 6017 Cottontail Cove Street (APN 125-26-610-069), R-PD3 (Residential Planned Development - 3 Units per Acre) Zone, Ward 6 (Ross)

C.C.: 11/18/2009

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

RECOMMENDATION:
DENIAL

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



CASE: **VAR-35778**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-PD (RESIDENTIAL PLANNED DEVELOPMENT)



0 300 600 Feet

CASE: VAR-35778

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-PD (RESIDENTIAL PLANNED DEVELOPMENT)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 22, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-35778 - APPLICANT/OWNER: CARR LIVING TRUST, U/A

** CONDITIONS **

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

Planning and Development

1. Direct interior access between the addition and existing residence shall be provided and depicted in plans submitted for building permit.

2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-35778 - Staff Report Page One
October 22, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Variance to allow a five-foot rear yard setback, where a 15-foot setback is required for an existing addition to a single family residence at 6017 Cottontail Cove Street. The applicant enclosed a patio cover at the rear of the residence without obtaining permits, resulting in a room addition that encroaches 10 feet into the required 15-foot rear yard setback of the property. Since the existing addition to the principle dwelling along the western property line was constructed before consulting Title 19 standards and without building permits, it has been determined that the request is a result of a self-imposed hardship. Staff recommends denial of this Variance request; if denied, the addition will have to be removed.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales	
08/21/02	The City Council approved a request for General Plan Amendment (GPA-0025) to amend a portion of the Centennial Hills Sector Plan from: DR (Desert Rural Density Residential) to: R (Rural Density Residential) on approximately 10 acres located adjacent to the northwest corner of Tropical Parkway and Jones Boulevard. The Planning Commission and Staff recommended approval.
09/04/02	The City Council approved a request for a Site Development Plan Review [Z-0059-02(1)] for a proposed 41-lot single-family residential development on approximately 15 acres located adjacent to the west side of Jones Boulevard, between Tropical Parkway and Bullring Lane. The Planning Commission and Staff recommended approval.
09/04/02	The City Council approved a request for a Rezoning (Z-0059-02) from: R-E (Residence Estates) to: R-PD2 (Residential Planned Development - 2 Units per Acre) and R-PD3 (Residential Planned Development). The Planning Commission and Staff recommended approval.
12/18/02	The City Council approved a request for a Site Development Plan Review (SDR-1122) for a 73 lot single family residential development on 24.34 acres adjacent to the northwest corner of Tropical Parkway and Jones Boulevard. The Planning Commission and Staff recommended approval.
10/25/07	A deed was recorded for change of ownership.
Related Building Permits/Business Licenses	
10/05/04	A building permit (#27471) was issued for a pool, waterfall, and 648 square feet deck at 6017 Cottontail Cove Street. The building permit was finalized on 08/03/05.

06/08/05	A building permit (#42311) was issued for a patio cover at 6017 Cottontail Cove Street. The building permit received final approval on 11/05/05.
05/06/09	A building permit (#139040) is pending for a patio enclosure to an existing exercise room at 6017 Cottontail Cove Street.
Pre-Application Meeting	
07/08/09	A pre-application meeting was held where the submittal requirements for a Variance were discussed. Other topic discussed included: • The setback requirements for the subject parcel. • The criteria for approving a Variance request.
Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	

Field Check	
09/17/09	Staff performed a routine field check where a well-maintained single-family residence was observed. Staff was not able to observe the rear yard where the proposed accessory structure is to be constructed.

Details of Application Request	
Site Area	
Gross Acres	.19

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single-Family Residence	R (Rural Density Residential)	R-PD3 (Residential Planned Development – 3 Units per Acre)
North	Single-Family Residence	R (Rural Density Residential)	R-PD3 (Residential Planned Development – 3 Units per Acre)
South	Single-Family Residence	R (Rural Density Residential)	R-PD3 (Residential Planned Development – 3 Units per Acre)
East	Single-Family Residence	R (Rural Density Residential)	R-PD3 (Residential Planned Development – 3 Units per Acre)
West	Single-Family Residence	DR (Desert Rural Density Residential)	R-PD3 (Residential Planned Development – 3 Units per Acre)

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

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Setbacks			
• Front	18 Feet	18 Feet	Y
• Side	5 Feet	5 Feet	Y
• Rear	15 Feet	5 Feet	N

ANALYSIS

The applicant has enclosed an existing patio cover at the rear of the residence, resulting in a room addition that encroaches approximately 10 feet into the required 15-foot rear yard setback of the property. The structure is 21 feet wide by 27 feet long, 567 square feet, and is completely enclosed. Based on photos submitted by the applicant, the overall structure appears to be in good condition, and the stucco matches the existing house. Based on the plans submitted an internal access to the addition from the primary dwelling will be provided; a condition has been added to ensure the provision of the internal access.

Research of the building permit activity found that the applicant had initially obtained permits via Building and Safety for an unenclosed patio cover that was built within the required setback, in conformance with Title 19.08. The structure was later enclosed without obtaining permits. The applicant has created a self-imposed hardship by enclosing the patio and building within the required setback; therefore, staff is recommending denial of this request for a Variance.

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 building within the required setback without obtaining the required building permits. An addition meeting the required rear yard setback 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 13

NOTICES MAILED 184

APPROVALS 1

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-35778** APN: 125-26-610-009

Name of Property Owner: HUBERT CARR

Name of Applicant: SAME

Name of Representative: SAME

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

_____Yes __✓__No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Hubert Carr

Print Name: HUBERT CARR

Subscribed and sworn before me

This 14th day of July, 2009

JAMAAL ROSS
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 07-1373-1
MY APPT. EXPIRES DEC. 1, 2010

Notary Public in and for said County and State

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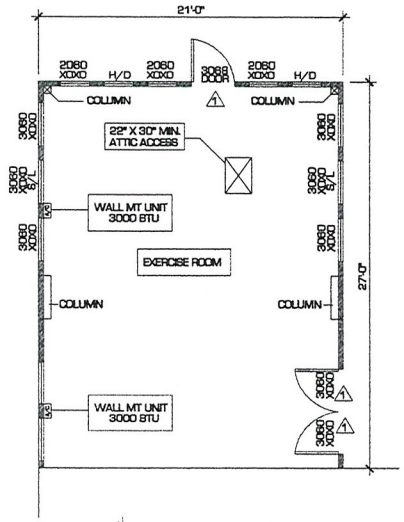
AUG 26 2009

(6)

CARR ADDITION
6017 COTTONTAIL COVE ST
LAS VEGAS, NV 89130



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

WALL LEGEND

GRAPHIC	DESCRIPTION
	NEW 2X4 STUDS AT 16" OC. ½" GYP. BOARD INSIDE FACE AND 3 COAT STUCCO OUTSIDE FACE
	EXISTING WALL

WINDOW SCHEDULE

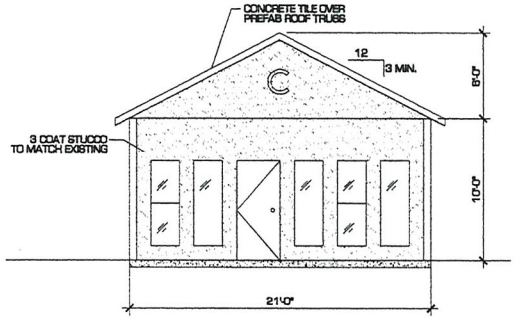
① DUEL PANED TEMPERED LOW E, 1" INSULATED GLASS, FRAME STOBE WOOD

DOOR SCHEDULE

⚠1 3068 METAL HOLLOW CORE PRIVACY LOCK

LIGHT + VENT SCHEDULE

ROOM	AREA	LITE REQ	LITE ACTUAL	VENT REQ	VENT ACTUAL
EXERCISE ROOM	567 SF	45 SF	72 SF	3.78 SF	10 SF



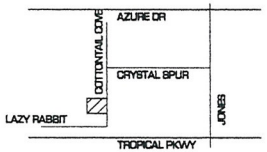
WEST ELEVATION
SCALE: 1/4" = 1'-0"

CODE SUMMARY

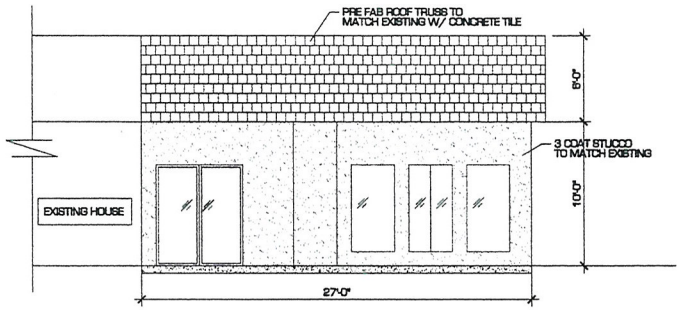
THIS PROJECT SHALL COMPLY WITH:

2006 IBC
2006 IRC
2006 UMC
2006 UPC
2006 IECC
2005 NEC
AND THE SOUTHERN NEVADA CODE AMENDMENTS

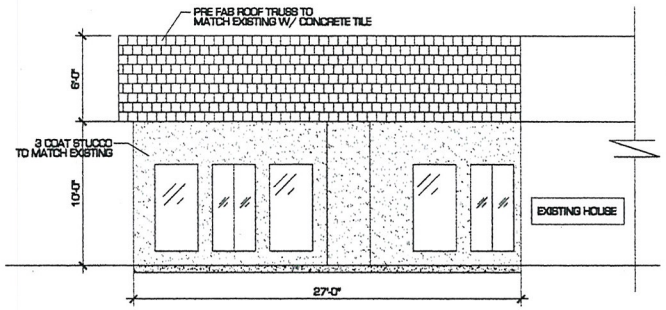
JURISDICTION:	LAS VEGAS
OCCUPANCY:	R-3
CONSTRUCTION TYPE:	V-B
HEIGHT: ACTUAL	15'-0"
HEIGHT: ALLOWABLE	25'-0"
STORY: ACTUAL	[1]
STORY: ALLOWABLE	[2]
AREA: EXERCISE ROOM	= 567 SQ.FT
EXITS:	(2) DOOR
SPECIAL INSPECTOR:	NO
CODE:	2006 IBC



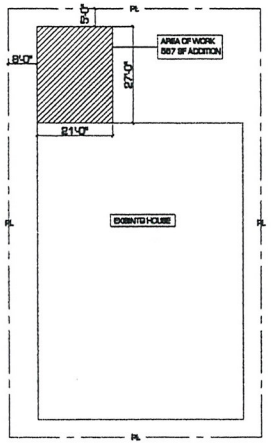
VICINITY MAP
SCALE: NTS



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



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



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

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AUG 26 2009

VAR-35778
10/22/09 PC

REVISIONS	BY:

LARRY'S ENGINEERING
7844 BOARING BROOK STREET
LAS VEGAS, NV 89131
CELL: 702.340.7827
FAX: 702.838.8888

TITLE: FLOORPLAN AND ELEVATIONS
PROJECT: CARR ADDITION
ADDRESS: 6017 COTTONTAIL COVE ST LAS VEGAS NV 89130

DRAWN	PK
CHECKED	LARRY SANCHEZ
DATE	4-28-2009
SCALE	AS SHOWN
JOB NO.	
SHEET	A0





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AUG 27 2009
VAR-35778
10/22/09 PC





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AUG 27 2009
VAR-35778
10/22/09 PC



VAR-35778 - APPLICANT/OWNER: CARR LIVING TRUST U/A
6017 COTTONTAIL COVE STREET
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



VAR-35778 - APPLICANT/OWNER: CARR LIVING TRUST U/A
6017 COTTONTAIL COVE STREET
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



VAR-35778 - APPLICANT/OWNER: CARR LIVING TRUST U/A
6017 COTTONTAIL COVE STREET
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



VAR-35778 - APPLICANT/OWNER: CARR LIVING TRUST U/A
6017 COTTONTAIL COVE STREET
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09

Larry's Engineering
7844 Soaring Brook St.
Las Vegas, NV 89131
Phone (702) 340-7927
Fax (702) 639-6868

October 7, 2009

City of Las Vegas
Planning & Development
731 South Fourth Street
Las Vegas, NV 89101
Attention: **Planning & Development**
Subject: **Justification Letter**

Dear Planning Commission:

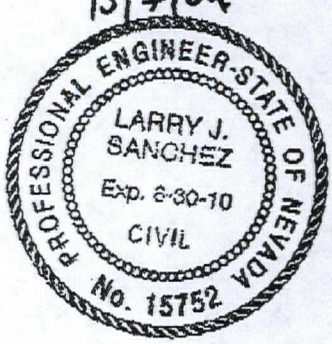
The purpose of this letter is to provide a justification of how the proposal will produce a stable environmental character. My client is applying for (1) condition:

A. Variance

The purpose of this **variance** is to allow my client to leave his new patio cover enclosure 5 feet away from the rear property line. The current enclosure shall have access from the interior and the material used in this construction is wood, drywall, and 3-coat stucco as siding. Currently, my client is under a R-3 zoning standard which does not allow him to leave the enclosure at 5 foot setback. Obtaining a variance request will allow him to legally occupy the completed enclosure without detrimentally impacting the surrounding/adjacent properties.

Should you have any further questions regarding this matter, please do not hesitate to contact me at (702) 340-7927.
Sincerely,
Larry J. Sanchez, PE

10/7/09



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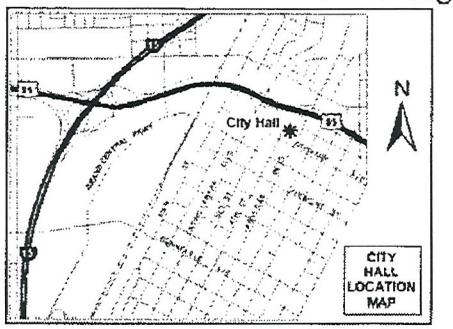
OCT - 7 2009

VAR-35778
10/22/09 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-35778

Planning Commission Meeting of 10/22/2009

Case: VAR-35778
12526603014
SMITH HAROLD G REVOCABLE LIV TR
6290 W TROPICAL PKWY
LAS VEGAS NV 89130-1304

HAYDEN 89130

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 22, 2009

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

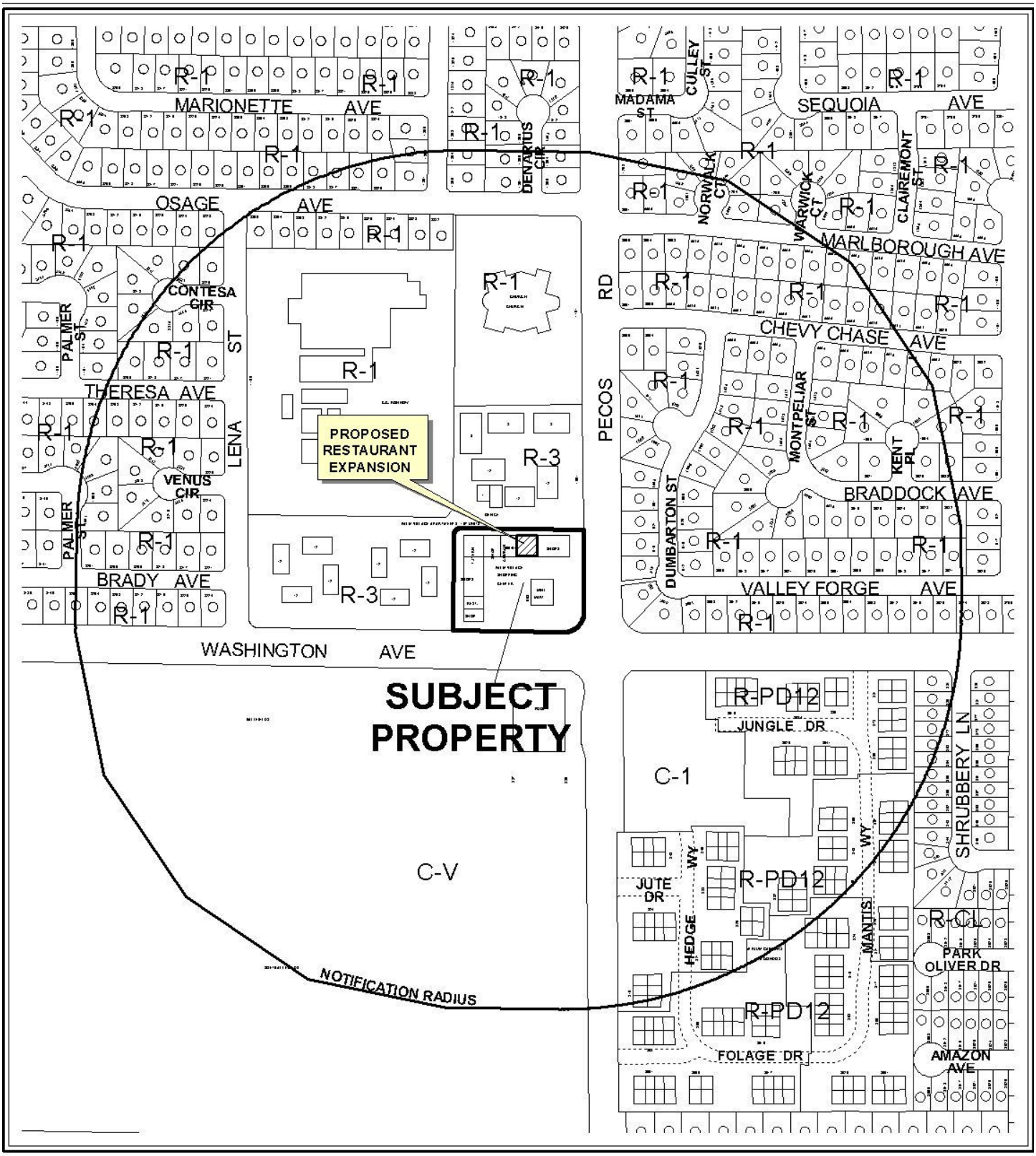
SUBJECT:
VAR-35857 - VARIANCE - PUBLIC HEARING - APPLICANT: FIDENCIO GARCIA - OWNER: WETHERBEE PROPERTIES, LLC - Request for a Variance TO ALLOW 105 PARKING SPACES WHERE 113 SPACES ARE REQUIRED FOR A PROPOSED 800 SQUARE-FOOT RESTAURANT EXPANSION on 2.15 acres at 941 North Pecos Road (APN 139-25-601-004), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

C.C.: 11/18/2009

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**1**	**Planning Commission Mtg.**	**2**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
DENIAL

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



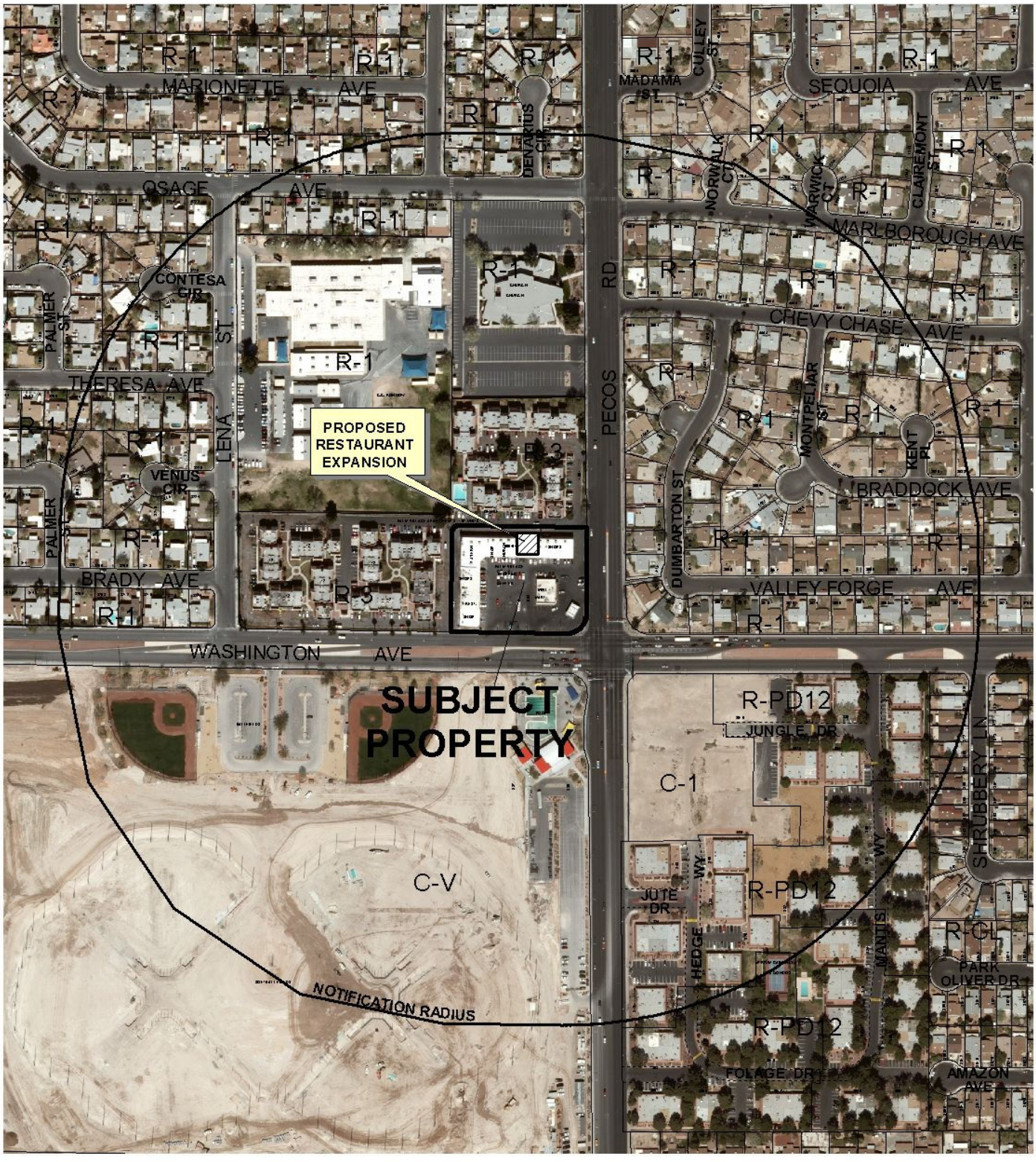
0 300 600 Feet

CASE: **VAR-35857**

RADIUS: 1000 FT

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

N



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CASE: VAR-35857

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 22, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-35857 - APPLICANT: FIDENCIO GARCIA - OWNER: WETHERBEE PROPERTIES, LLC

** CONDITIONS **

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

Planning and Development

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

VAR-35857 - Staff Report Page One
October 22, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Variance to allow 105 parking spaces where 113 parking spaces are required at an existing Restaurant on 2.14 acres at 941 North Pecos Road. The applicant is proposing to expand the existing dining facility space (941 North Pecos Road) into an adjacent tenant space (943 North Pecos Road), increasing the total floor area of the restaurant by 800 square feet. The expansion would increase the amount of parking needed for the subject use by eight spaces. The applicant has created a self-imposed hardship that could be alleviated through alternative site location; staff is recommending denial. If denied, the existing restaurant will remain unaltered.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales	
10/22/96	The Board of Zoning Adjustment approved a request to withdraw a Special Use Permit (U-102-96) on property located at 901 North Pecos Road to allow on-premise beer and wine sales in conjunction with a proposed restaurant.
10/22/96	The Board of Zoning Adjustment approved a request for a Variance (V-145-96) on property located at 901 North Pecos Road to allow 122 parking spaces where the existing and proposed uses required 130 spaces.
03/24/97	The City Council approved a request for a Special Use Permit (U-150-96) on property located at 901 north Pecos Road to allow on-premise beer and wine sales in conjunction with a proposed restaurant and a waiver of the min. 400-foot distance separation requirement for a church and park. The Board of Zoning Adjustment recommended approval.
09/29/03	The Planning and Development Department approved a request for Administrative Approval to allow the placement of two (2) wireless antennas on the existing rooftop of the building at 901 North Pecos Road.
12/26/08	A deed was recorded for change of ownership.
Related Building Permits/Business Licenses	
07/16/01	A business license (C07-02750) was issued for a clothing and gifts store at 943 North Pecos Road. The business license was marked out of business on 02/13/09.
12/13/02	A business license (R07-00571) was issued for a restaurant at 941 North Pecos Road. The business license was marked out of business on 07/05/06.
05/31/03	A building permit (#2011930) was issued for tenant improvement certificate of occupancy at 941 North Pecos Road. The permit expired on 05/31/03.
01/04/06	A business license (R07-00707) was issued for a restaurant at 941 North Pecos Road. The business license is still active.

Pre-Application Meeting	
08/10/09	A pre-application meeting was held with the applicant where elements of submitting a Variance were discussed. Topics included: • The applicant's provision of an accurate square footage of the expansion area showing the amount of public seating, waiting area and remaining gross floor area needed for parking calculation. • The provision of a parking analysis for the entire retail development so the parking requirement for the development can be determined.
Neighborhood Meeting	
A neighborhood meeting was not held, nor was one required.	

Field Check	
09/17/09	A field check was carried out by staff with the following observations: • There is an existing restaurant in operation within the 21,720 square-foot commercial plaza. The adjacent space was vacant. There no other restaurant in the plaza. • There is a code violation of non-permitted banners and signage above the main entrance and on the display windows. These violations have been referred to Code Enforcement.

Details of Application Request	
Site Area	
Net Acres	2.15

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)
South	Public Facility	PR-OS (Parks / Recreation / Open Space)	C-V (Civic)
East	Single Family Residence	L (Low Density Residential)	R-1 (Single Family Residential)
West	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Area Plan		X	N/A
Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts		X	Y
Trails	X		Y

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Use (943 N. Pecos Rd.)	***Gross Floor Area or Number of Units***	***Required Per Current Title 19.04 Standards***	
			Parking
		Parking Ratio	Regular
Retail (current use)	800 SF	1/250 SF	4
Restaurant (proposed expansion)	500 SF	1/50 SF public seating/waiting	10
	300 SF	1/200 SF remaining floor area	2
SubTotal	800 SF		12
Additional required parking spaces subject to this Variance request			8

ANALYSIS

The applicant is proposing to expand the existing dining facility (941 North Pecos Road) into an adjacent tenant space (943 North Pecos Road); without adding any additional parking facilities at a site that is already considered to be parking impaired. This will result in a deficit of eight parking spaces, or a 5% deviation from the requirements. There is illegal signage, including banners, at the subject site. The violations have been referred to Code Enforcement. The proposed Variance is a self imposed hardship; therefore, denial of this request is recommended.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing to expand a use that is too intense for the existing site to accommodate. A less intense use would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

NOTICES MAILED 385

APPROVALS 2

PROTESTS 1

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-35857** APN: 139-25-601-004

Name of Property Owner: Wetherbee Properties LLC

Name of Applicant: Fidencio Garcia

Name of Representative: Patricia Beyer

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: ANTHONY WETHERBEE

Subscribed and sworn before me

This 7th day of August, 2009

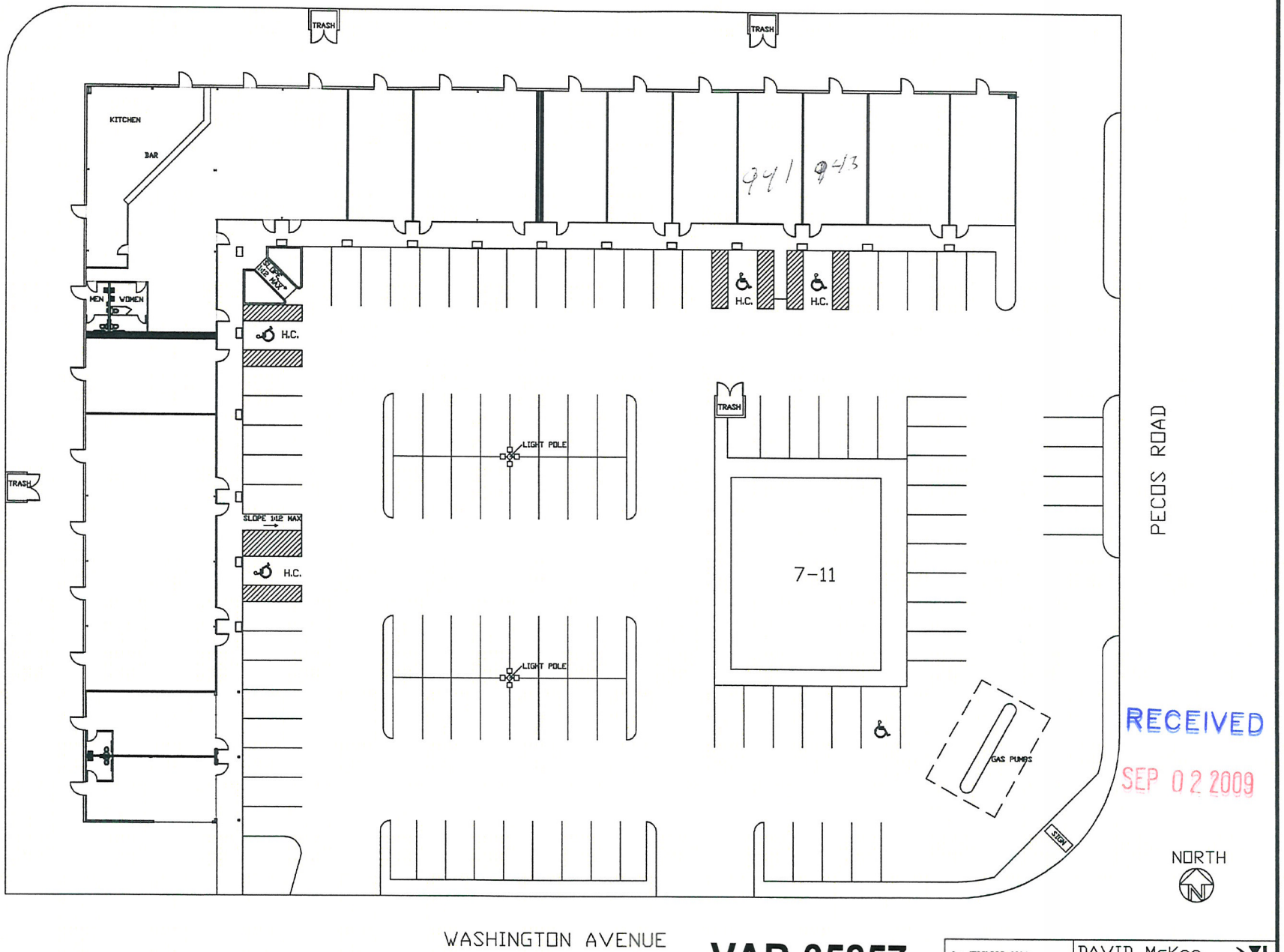
[signature]

Notary Public in and for said County and State

JORDAN FAUST
Commission # 1824515
Notary Public - California
Orange County
My Comm. Expires Nov 25, 2012

RECEIVED

Agosto 3-14



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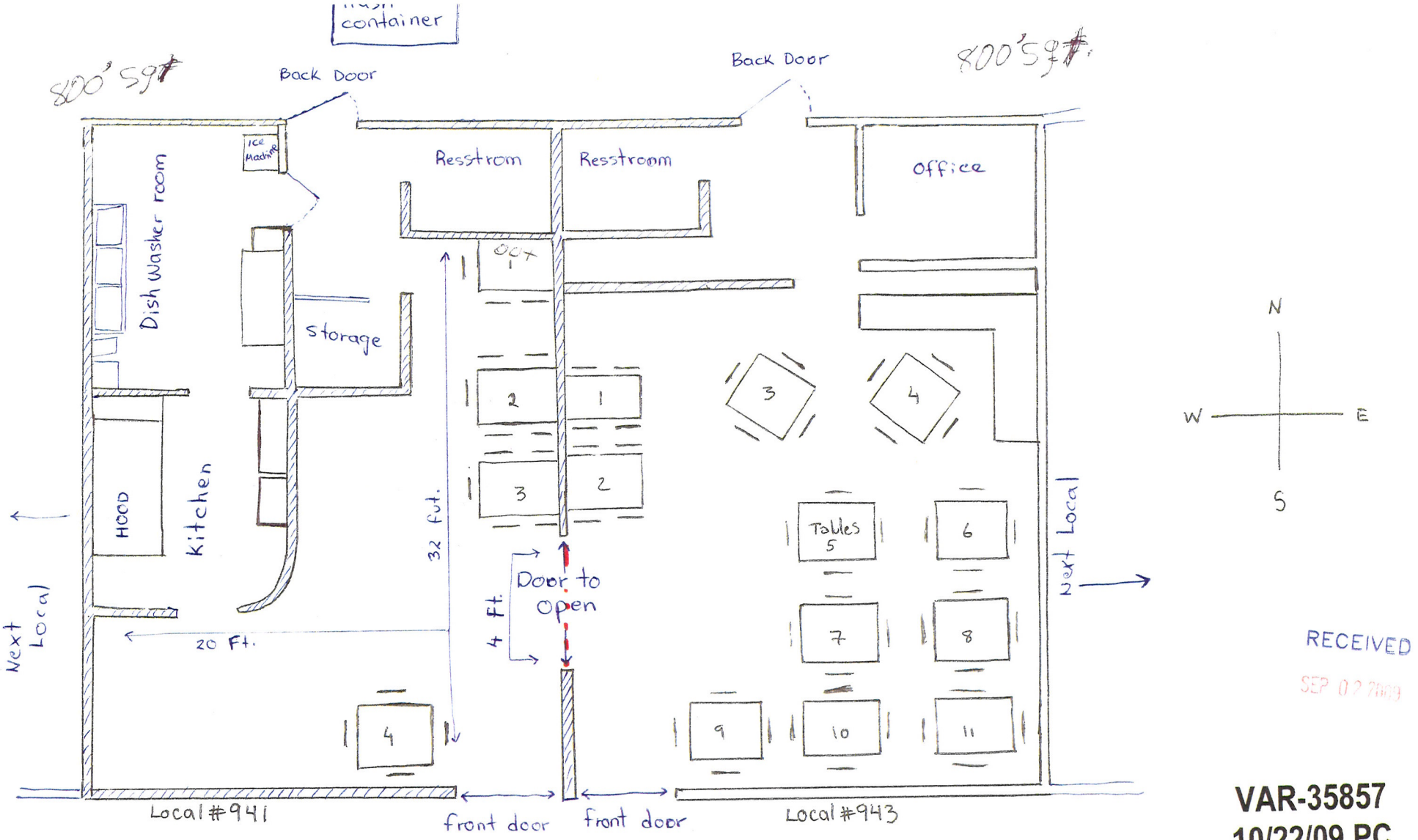
SEP 02 2009

VAR-35857
10/22/09 PC

fx: (702)388-0004
ph: (702)388-0002

DAVID McKee
architect
AIA/ NCARB



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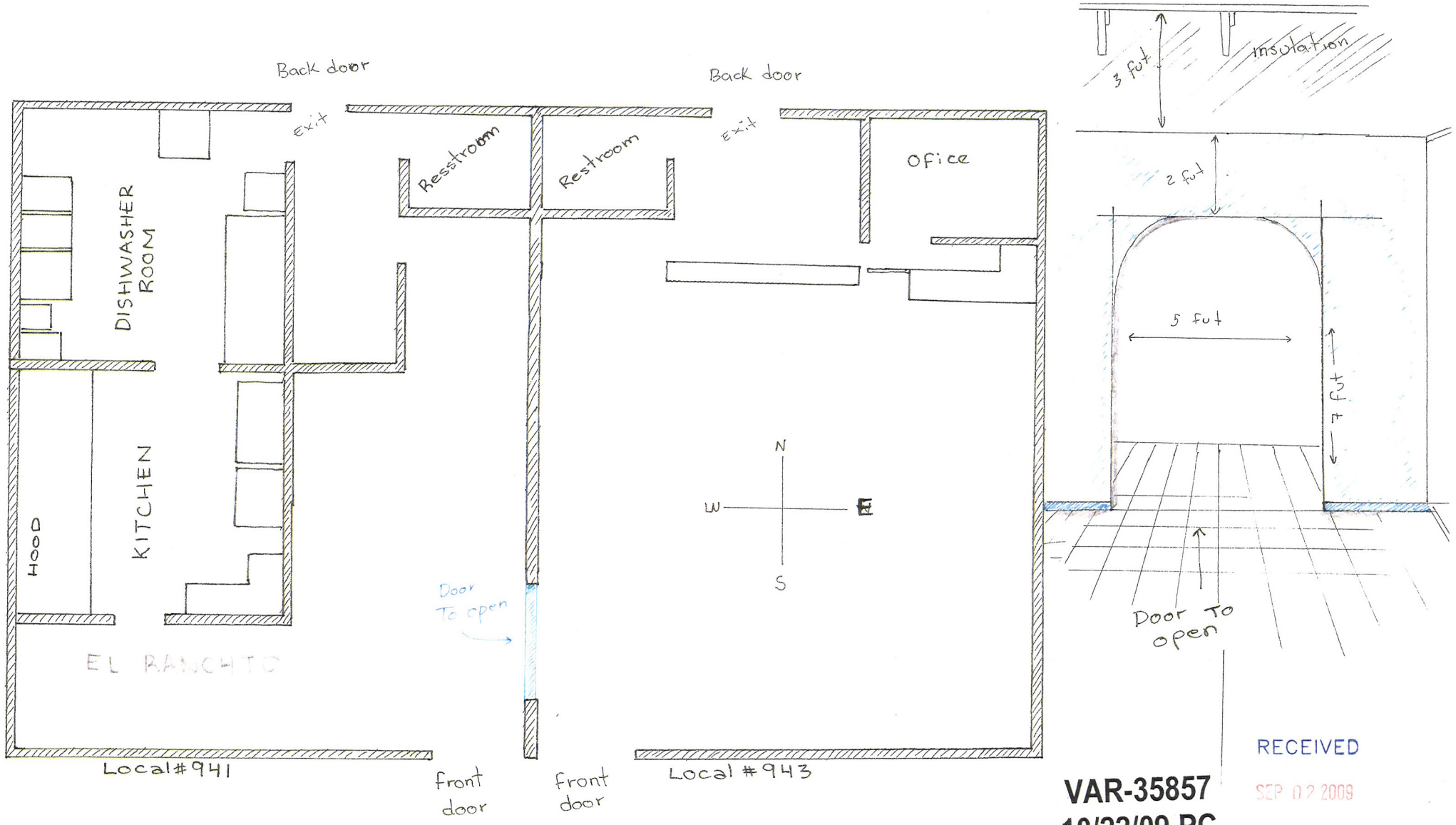
SEP 02 2009

VAR-35857
10/22/09 PC



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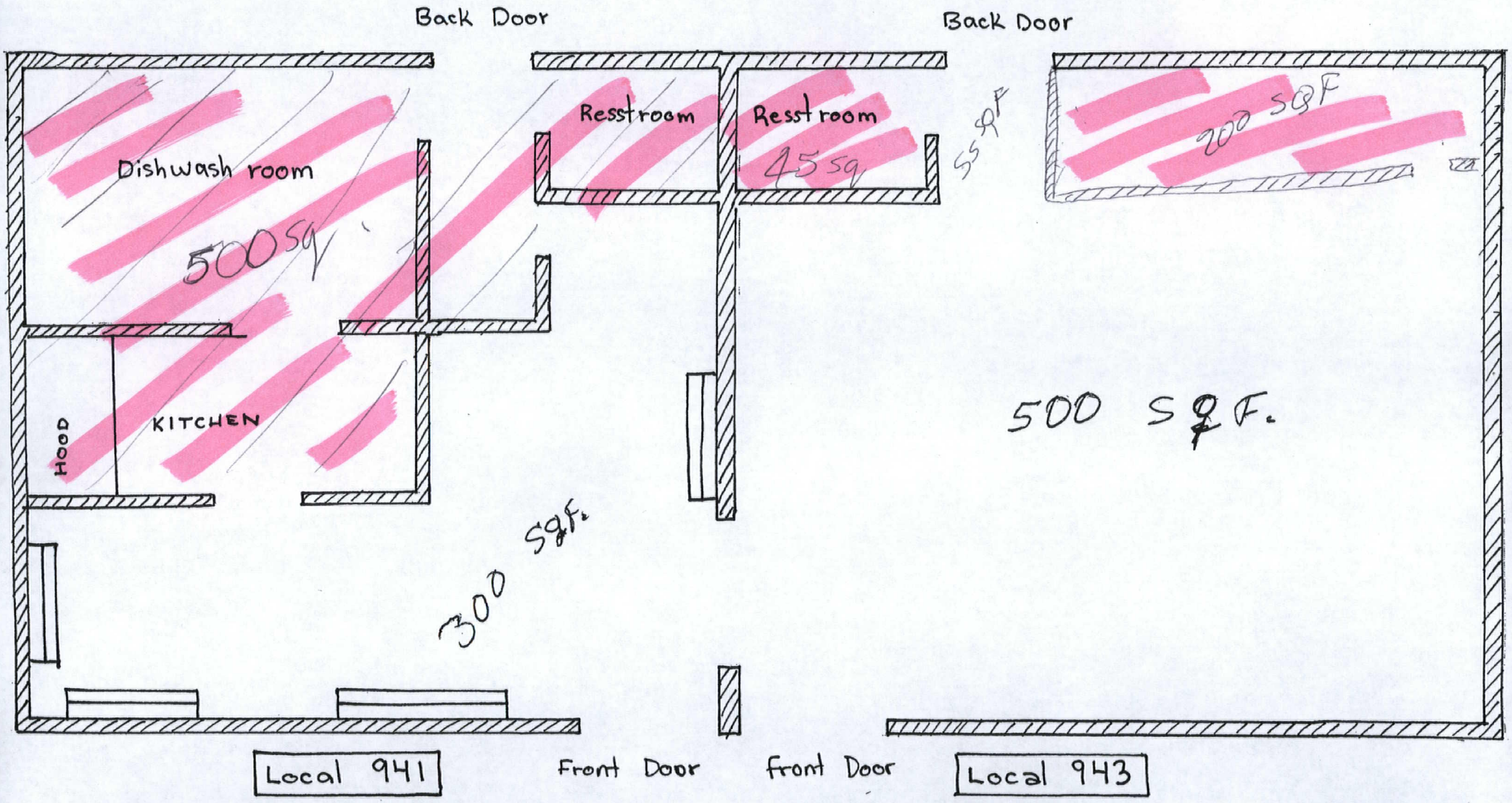
SEP 02 2009

VAR-35857
10/22/09 PC



VAR-35857
REVISED
10/22/09 PC

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SEP 21 2009



RECEIVED
2009
VAR-35857
10/22/09 PC



RECEIVED
SEP 02 2009

VAR-35857
10/22/09 PC



VAR-35857 - APPLICANT: FIDENCIO GARCIA - OWNER: WETHERBEE PROPERTIES, LLC
941 NORTH PECOS ROAD
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



VAR-35857 - APPLICANT: FIDENCIO GARCIA - OWNER: WETHERBEE PROPERTIES, LLC
941 NORTH PECOS ROAD
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



VAR-35857 - APPLICANT: FIDENCIO GARCIA - OWNER: WETHERBEE PROPERTIES, LLC
941 NORTH PECOS ROAD
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



VAR-35857 - APPLICANT: FIDENCIO GARCIA - OWNER: WETHERBEE PROPERTIES, LLC
941 NORTH PECOS ROAD
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



VAR-35857 - APPLICANT: FIDENCIO GARCIA - OWNER: WETHERBEE PROPERTIES, LLC
941 NORTH PECOS ROAD
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



VAR-35857 - APPLICANT: FIDENCIO GARCIA - OWNER: WETHERBEE PROPERTIES, LLC
941 NORTH PECOS ROAD
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



VAR-35857 - APPLICANT: FIDENCIO GARCIA - OWNER: WETHERBEE PROPERTIES, LLC
941 NORTH PECOS ROAD
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09

To Whom it may concern,

I am writing this letter to explain why I wish to combine my restaurant with the vacant space next to it. For starters I would like to say that since it is vacant it would be perfect for my business to expand and use this space. Seeing as how the two spaces are right next door to each other I have made plans on how a single door would be able to make this easy and quick. With the new door installed I wish to have what space I have now to be used solely for take out orders and the kitchen area. Leaving the new space the new dinning area. With the new added room I believe my business will have a better chance of being more successful in its endeavors thank you for your time.

Sincerely,
Fidencio Garcia

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SEP 07 2009
VAR-35857
10/22/09 PC

Tenant Name	Unit Code	Status	Sqft
TUCSON WATERMILLS	901	Current	0
Southland Corporation	903	Current	3,000
DF Wireless	905	Current	800
First Class Insurance	907	Current	800
LAS ISLITAS	911	Current	4,200
Jalisco's Bakery	917	Current	920
Point After Lounge	923	Current	4,600
TAX SERVICES OF AMERICA, INC	929	Current	800
GOOD SAMARITAN BAPTIST CHURCH	931	Current	1,600
DOLEX DOLLAR EXPRESS	937	Current	800
VERONICA HIRALES, RASPADOS	939	Current	800
Fidencio Garcia	941	Current	800
STEPHANIE'S VARITY STORE	943	Current	800
JUAN & ANA MARTINEZ	945	Current	1,000
LUPE RODRIGUEZ	947	Current	800
			21,720

RECEIVED
SEP 02 2009

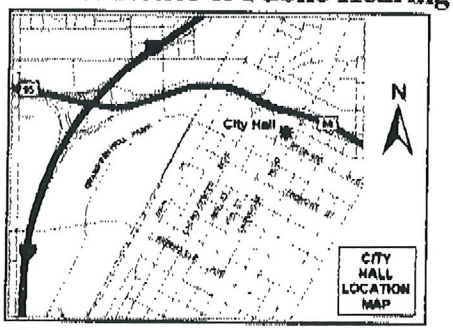
VAR-35857
10/22/09 PC

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 OCT 08 2009
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



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

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35857

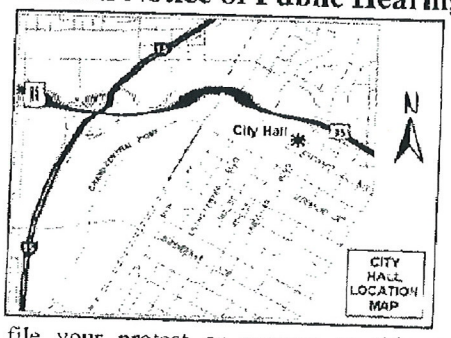
Planning Commission Meeting of 10/22/2009

Case: VAR-35857
14030313025
WILLIAMS ALLAN R & LILY H
4900 QUASAR CT
LAS VEGAS NV 89130-1821

HAVDS11 89130

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

Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35857

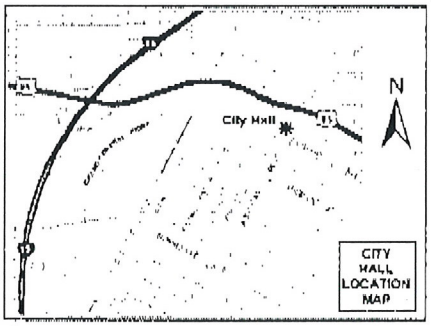
Planning Commission Meeting of 10/22/2009

Case: VAR-35857
14030214025
INGRAM DAVY P & BARBARA LEE
61 LAURA KAY ST
LAS VEGAS NV 89110-5242

Oct 09 09 05:06p Barbara 702-750-0102 p.1

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

Return Service Requested
Official Notice of Public Hearing



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Case: VAR-35857

13925611014
GRAHAM SALLY JEAN W & PAUL H SR
1301 HARRIET ST
LAS VEGAS NV 89101-1818

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-35857

Planning Commission Meeting of 10/22/2009

RECEIVED

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 22, 2009

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

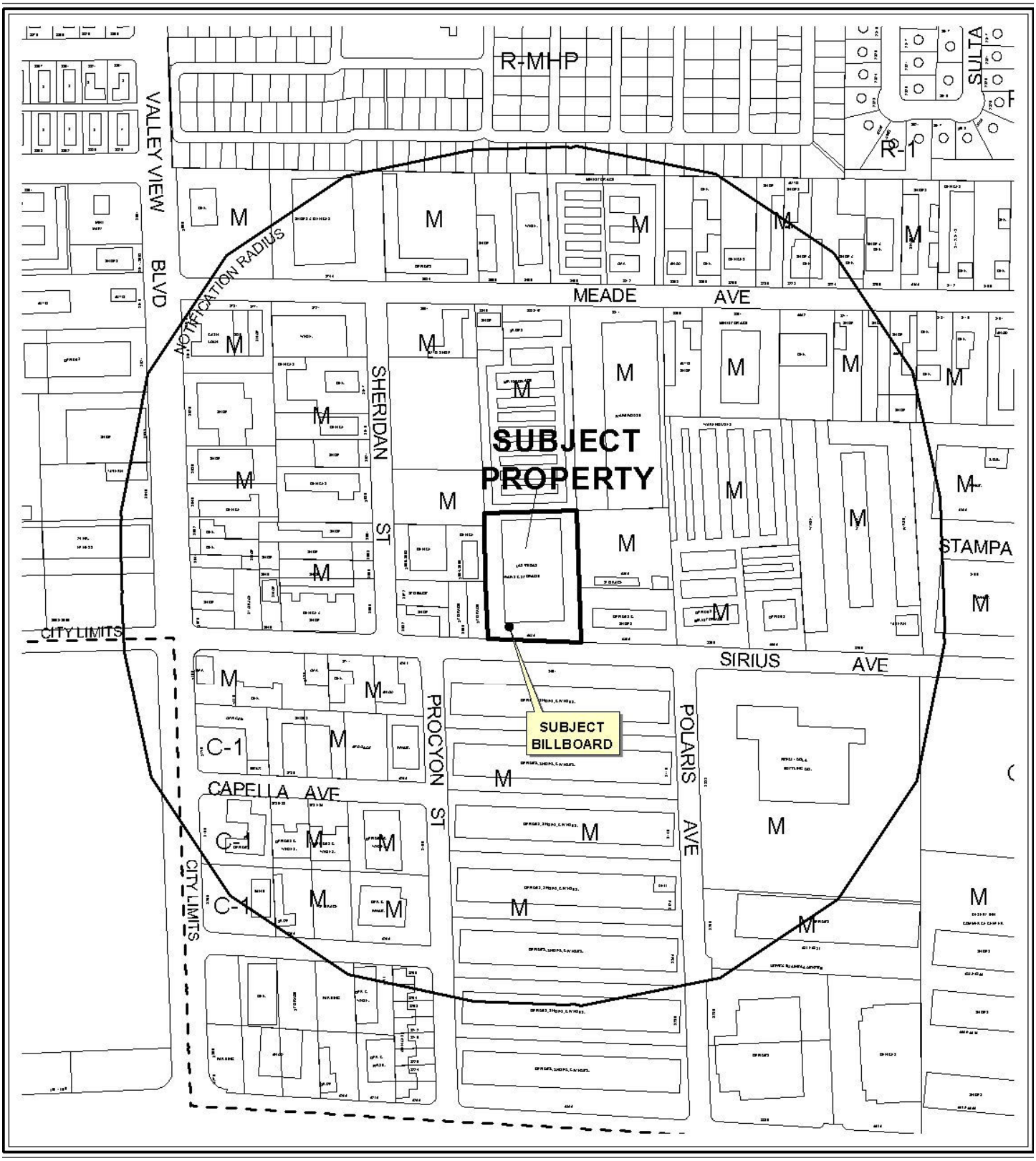
SUBJECT:
RQR-35792 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: LAS VEGAS BILLBOARDS, LLC - OWNER: JONATHAN PARK, LLC - Request for a Required Review of a previously approved Special Use Permit (SUP-4811) FOR A 40-FOOT TALL, 12-FOOT X 24-FOOT OFF-PREMISE SIGN at 3319 Meade Avenue (APN 162-08-303-004), M (Industrial) Zone, Ward 1 (Tarkanian)

IF APPROVED, C.C.: 11/18/2009
IF DENIED, 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, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Protest Postcards



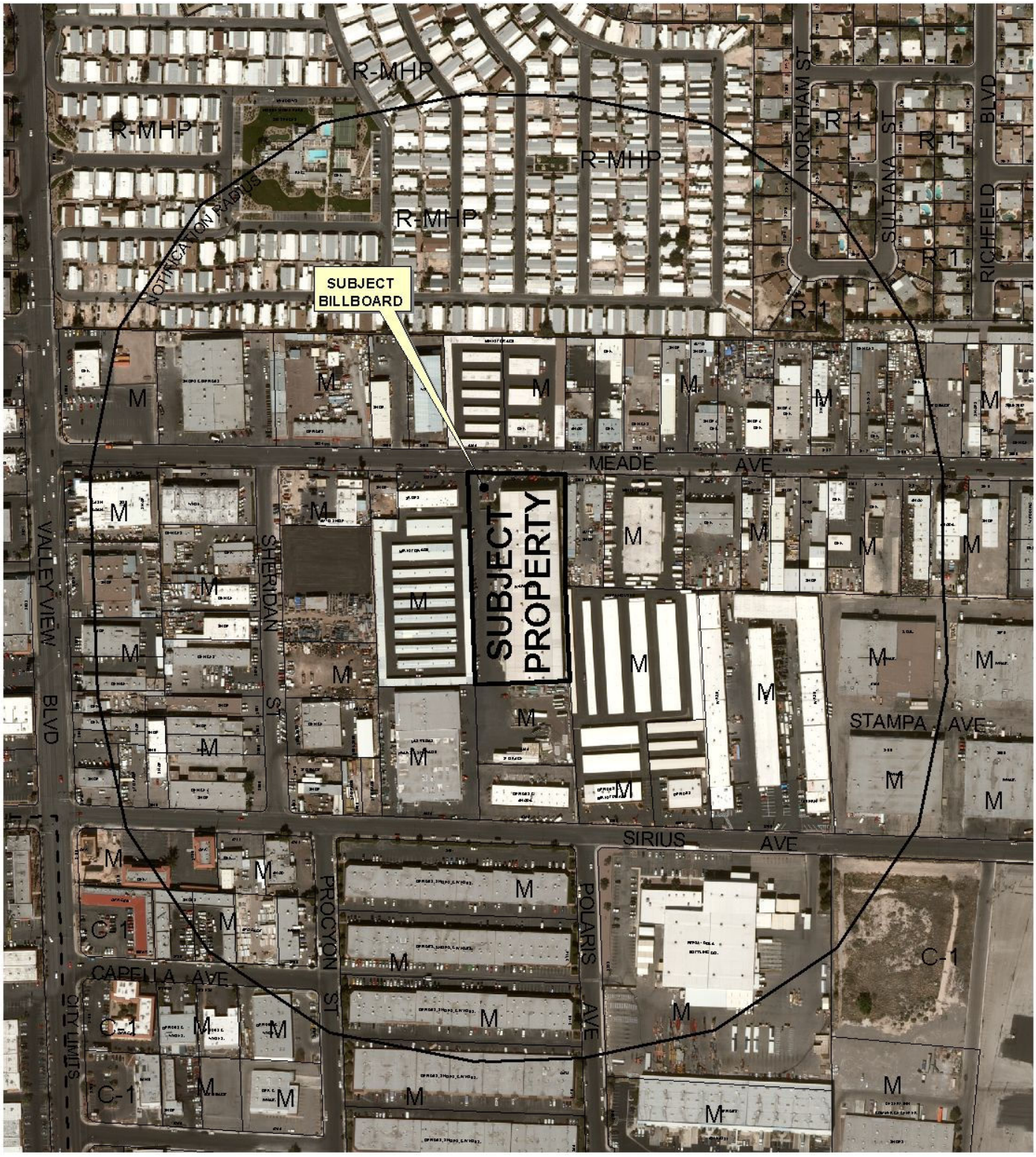
0 300 600 Feet

CASE: **RQR-35792**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



0 300 600 Feet

CASE: **RQR-35792**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



RQR-35792

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: OCTOBER 22, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-35792 - APPLICANT: LAS VEGAS BILLBOARDS, LLC - OWNER: JONATHAN PARK, LLC

** CONDITIONS **

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

Planning and Development

1. Conformance to the conditions for Special Use Permit (SUP-4811).

2. The owner of this Off-Premise Sign shall within 30 days, obtain either construction inspection and approval by the City, or structural certification, as those items are described in Title 19.14.100(D), Paragraph 6. Failure to secure the required final inspection may result in fines and/or removal of the Off-Premise Sign.

3. This Required Review shall be placed on an agenda closest to October 6, 2012, at which time the City Council may require the Off-Premise Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Sign is removed.

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

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

RQR-35792 - Staff Report Page One
October 22, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site contains an existing 12-foot by 24-foot Off-Premise Sign at 3319 Meade Avenue. This is the first Required Review of the subject sign. The applicant has paid the required fees, but the subject sign has not received final building permits. Since the subject billboard has not received its final inspection, denial of this request is recommended. If this request is denied, the subject sign will be required to be removed from the property.

ISSUES

- The subject billboard was approved through a Special Use Permit (SUP-4811), which was approved by City Council on 10/06/04, subject to a five-year review.
- The subject billboard has not received its final building permit inspection.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales	
08/13/96	A deed was recorded for a change of ownership at 3311 Meade Avenue.
10/06/04	The City Council approved a Special Use Permit (SUP-4811) for a 40-foot high, 12-foot by 24-foot Off-Premise Sign at 3311 Meade Avenue. The Planning Commission and staff recommended approval of the request.
Related Building Permits/Business Licenses	
10/14/05	A Building Permit (#5007292) was issued for a billboard at 3319 Meade Avenue. The permit expired on 04/15/06.
Pre-Application Meeting	
A pre-application meeting was not required for this type of application, nor was one held.	
Neighborhood Meeting	
A pre-application meeting was not required, nor was one held.	

Field Check	
09/17/09	Staff conducted a field check of the subject site with the following observations: • Staff identified the subject sign, which is in good condition without graffiti or debris around the subject sign. • There were no embellishments at the time of the inspection.

Details of Application Request	
Site Area	
Net Acres	3.32 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Warehouse/Off-Premise Sign	LI/R (Light Industrial / Research)	M (Industrial)
North	Office/Mini-Warehouse Facility	LI/R (Light Industrial / Research)	M (Industrial)
South	Storage	LI/R (Light Industrial / Research)	M (Industrial)
East	Auto Repair Garage (Major) and Mini-Warehouse Facility	LI/R (Light Industrial / Research)	M (Industrial)
West	Retail and Mini-Warehouse Facility	LI/R (Light Industrial / 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	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 19.04, the following Standards apply to the subject proposal:

Standards	Code Requirement	Proposed	Compliance
Location	No off-premise signs in the right-of-way	Sign is not in right-of-way	Y
	Permitted only in C-1, C-2, C-M, M Zoning Districts	Sign is in a M Zoning District	Y
Off-premise sign area (max.)	672 SF	288 SF	Y

Separation distance from other off-premise sign (min.)	300 Feet	545+ Feet	Y
Separation distance from "U" or "R" zoning district	300 Feet	385+ Feet	Y
Off-premise sign height (max.)	40 Feet, except 55 Feet for signs within 60 feet of ROW when significantly obscured	40 Feet	Y
Setbacks (min.)	50 Feet from nearest ROW intersection	500+ feet	Y

ANALYSIS

This is the first Required Review of an approved Special Use Permit (SUP-4811) for a 40-foot high, 12-foot by 24-foot Off-Premise Sign. A site visit was conducted by staff on 09/17/09. The proposed Off-Premise Sign meets all of the requirements set forth by Title 19.14.100. The sign is located within an M (Industrial) zoning district and is not within the Off-Premise Exclusionary Zone. The site inspection revealed that the sign and support structure were in good condition. The subject billboard lacks a final inspection. A condition of approval has been added, which requires that the applicant obtain proper building permits.

FINDINGS

There is no adverse impact regarding the continued use of the sign at this time, but the subject billboard lacks a final inspection; therefore, staff is recommending denial subject to a three year review, if approved.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

NOTICES MAILED 77

APPROVALS 0

PROTESTS 1

BTS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-35792** APN: 162-08-303-004

Name of Property Owner: Jonathan Park, LLC

Name of Applicant: Las Vegas Billboards

Name of Representative: Greater Nevada Planning

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: A. J. Schwartz

Print Name: A. Jonathan Schwartz

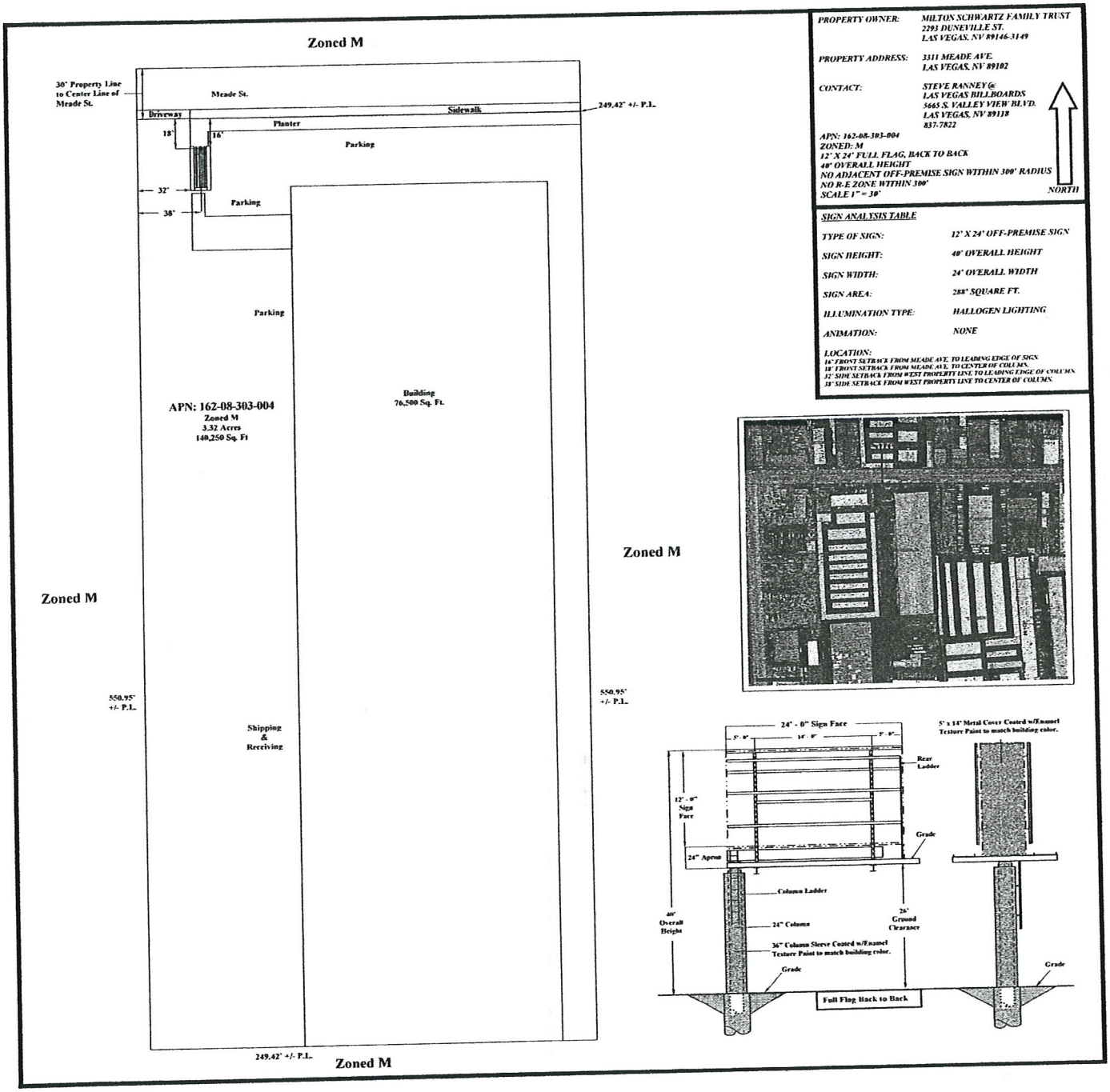
Subscribed and sworn before me

This 10th day of August, 2009

Susan Jean Pacheco

Notary Public in and for said County and State

SUSAN JEAN PACHECO
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 11-26-2011
Certificate No: 91-0015-1



RECEIVED
AUG 27 2009

RQR-35792
10/22/09 PC


Got
Billboards?
www.lasvegasbillboards.com 702-837-7822
Apple Foam &
Plastics, Inc.
Suite E
3311
CLEAR CHANNEL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RQR-35792
10/22/09 PC




3311
Apple P
Plastics
Suit
RQR-35792
10/22/09 PC



RQR-35792 - APPLICANT: LAS VEGAS BILLBOARDS, LLC - OWNER: JONATHAN PARK, LLC
3319 MEADE AVENUE
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



RQR-35792 - APPLICANT: LAS VEGAS BILLBOARDS, LLC - OWNER: JONATHAN PARK, LLC
3319 MEADE AVENUE
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



RQR-35792 - APPLICANT: LAS VEGAS BILLBOARDS, LLC - OWNER: JONATHAN PARK, LLC
3319 MEADE AVENUE
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09

Greater Nevada Planning, Inc.
8610 S. Eastern, Suite 8
Las Vegas, NV 89014

gnpmark@cox.net
702-312-2435
Fax 702-312-3316
Cel 702-332-3021

August 24, 2009

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

Attn: Carman L. Burney, Agenda Technician
Planning and Development

Subject: Justification Letter

SUP-4812 – Required Five Year Review
3542 Sirius Avenue (APN 162-08-303-027)

Also:

SUP-4811 – Required Five Year Review
3311 Meade Ave (APN 162-08-303-004)

The two above referenced billboards have been well maintained and continue to be a great service where they stand.

We therefore request an extension of time for another period of five years or better.

Sincerely,

GREATER NEVADA PLANNING, INC.

Mark M. Sabraw
STS

Mark M. Sabraw
President

Attachments

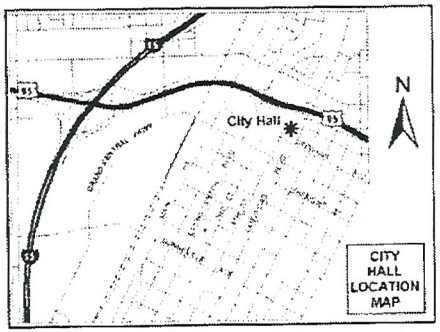
RECEIVED
AUG 27 2009

RQR-35792
10/22/09 PC

Oct 12 09 03:39p Carl Young 702-363-6918 p.1

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

Return Service Requested
Official Notice of Public Hearing



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-35792

Planning Commission Meeting of 10/22/2009

Case: RQR-35792

16208303014
YOUNG C & E 1985 LIV TR SURV TR
%E YOUNG
8160 OBANNON DR
LAS VEGAS NV 89117-1920

HAUDS11 89117

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 22, 2009

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

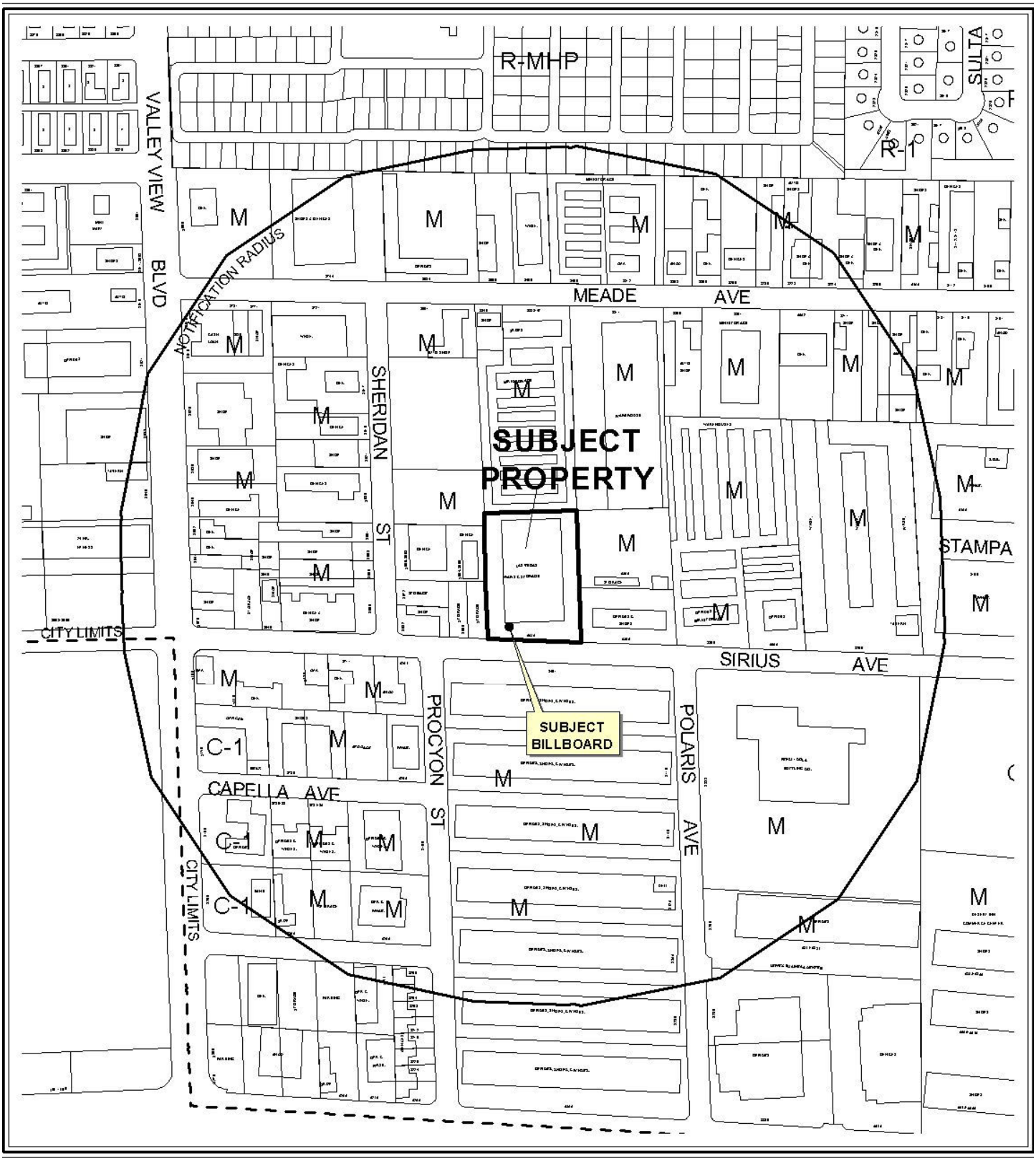
SUBJECT:
RQR-35793 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: LAS VEGAS BILLBOARDS, LLC - OWNER: JONATHAN PARK, LLC - Request for a Required Review of a previously approved Special Use Permit (SUP-4812) FOR A 40-FOOT TALL, 12-FOOT X 24-FOOT OFF-PREMISE SIGN at 3542 Sirius Avenue (APN 162-08-303-027), M (Industrial) Zone, Ward 1 (Tarkanian)

IF APPROVED, C.C.: 11/18/2009
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:
DENIAL

BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos



0 300 600 Feet

CASE: **RQR-35793**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



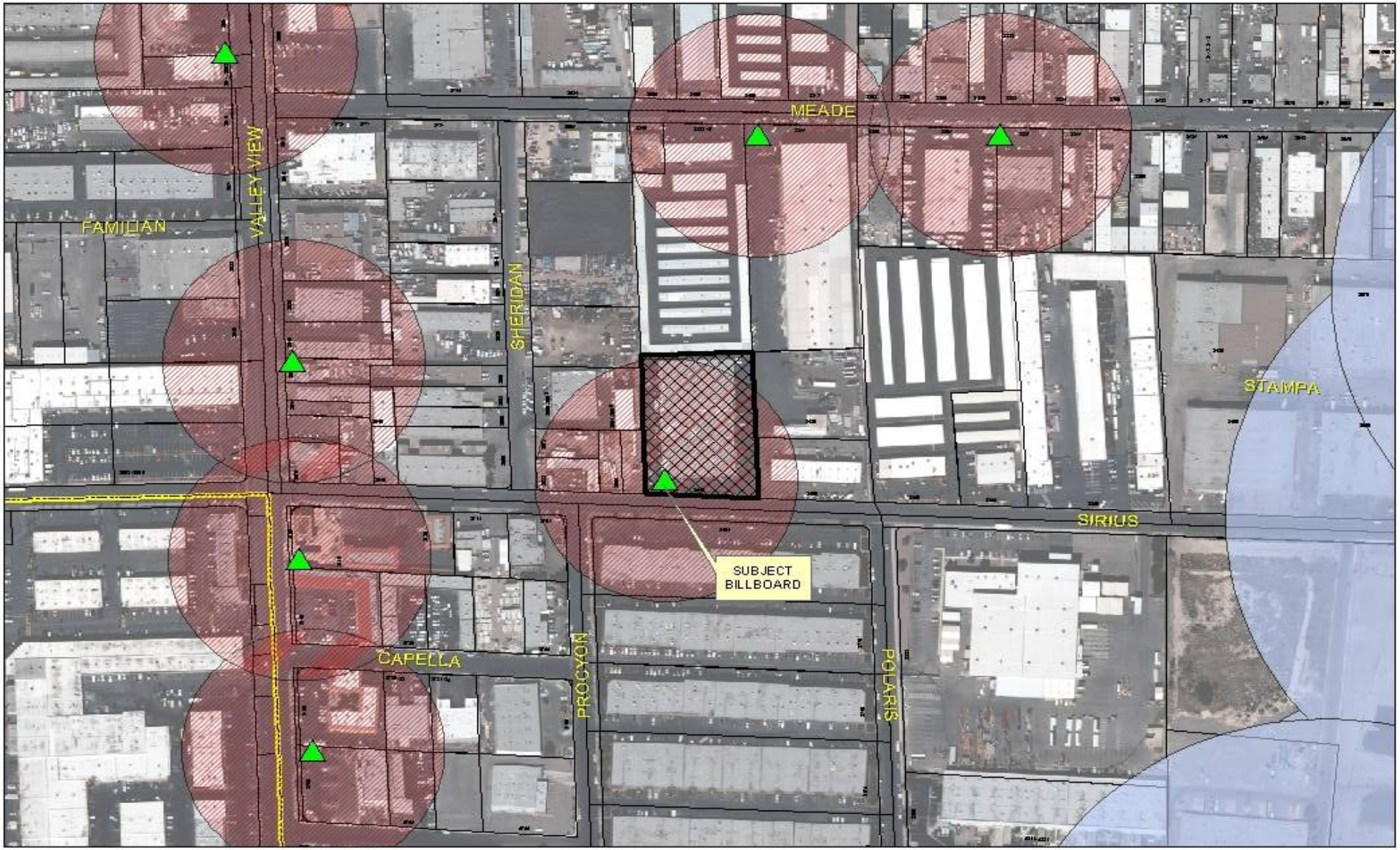
0 300 600 Feet

CASE: **RQR-35793**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



RQR-35793

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: OCTOBER 22, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-35793 - APPLICANT: LAS VEGAS BILLBOARDS, LLC - OWNER: JONATHAN PARK, LLC

** CONDITIONS **

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

Planning and Development

1. Conformance to the conditions for Special Use Permit (SUP-4812).

2. The owner of this Off-Premise Sign shall within 30 days, obtain either construction inspection and approval by the City, or structural certification, as those items are described in Title 19.14.100(D), Paragraph 6. Failure to secure the required final inspection may result in fines and/or removal of the Off-Premise Sign.

3. This Required Review shall be placed on an agenda closest to October 6, 2012, at which time the City Council may require the Off-Premise Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Sign be removed.

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

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

GK

RQR-35793 - Staff Report Page One
October 22, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site contains an existing 12-foot by 24-foot Off-Premise Sign at 3542 Sirius Avenue. This is the first Required Review of the subject sign. The applicant has paid the required fees, but the subject sign has not received approval of a final building inspection. Since the subject billboard has not received its final inspection, denial of this request is recommended. If this request is denied, the subject sign will be required to be removed from the property.

ISSUES

- The subject billboard was approved through a Special Use Permit (SUP-4812), which was approved by City Council on 10/06/04, subject to a five-year review.
- The subject billboard has not received its final building permit inspection.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales	
10/06/04	The City Council approved a Special Use Permit (SUP-4812), which allowed a 40-foot tall, 12-foot x 24-foot Off-Premise Sign. Planning Commission and staff recommended approval.
Related Building Permits/Business Licenses	
07/27/05	A building permit (#5005270) was approved by the Planning & Development Department for an Off-Premise Sign. The permit was issued by the Building & Safety Department on 08/02/05; however a final inspection never occurred; as a result, the permit expired on 02/04/06.
Pre-Application Meeting	
A pre-application meeting is not required, nor was one held.	
Neighborhood Meeting	
A neighborhood meeting is not required, nor was one held.	

Field Check	
09/17/09	Staff conducted a field check of the subject site with the following observations: • Staff identified the subject sign, which is in good condition without graffiti or debris around the subject sign. • There were no embellishments at the time of the inspection.

GK

RQR-35793 - Staff Report Page Two
October 22, 2009 - Planning Commission Meeting

Details of Application Request	
Site Area	
Net Acres	2.09

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Warehouse	LI/R (Light Industry/Research)	M (Industrial)
North	Mini-Warehouse	LI/R (Light Industry/Research)	M (Industrial)
South	Office, Warehouse	LI/R (Light Industry/Research)	M (Industrial)
East	Office, Storage	LI/R (Light Industry/Research)	M (Industrial)
West	Office, Storage	LI/R (Light Industry/Research)	M (Industrial)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts	X		Y
A-O (Airport 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

Standards	*Code Requirement*	*Provided*	*Compliance*
Location	No Off-Premise Sign may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas.	Not located within the public right-of-way or the Exclusionary Zone.	Y
Zoning	Off-Premise Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only.	Located within a M (Industrial) zoning district.	Y

GK

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.	288 SF with no embellishment	Y
Height	No higher than 40 feet from grade at the point of construction	40 Feet	Y
Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view	Screened	Y
Distance Separation	At least 750 feet to another Off-Premise Sign and at least 300 feet to the nearest property line of a lot in any "R" zoned district	850 Feet to nearest Off-Premise Sign and 1,250 Feet to nearest residentially zoned property	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.	Permanently secured to ground. No residential uses on the site.	Y

ANALYSIS

This is the first Required Review of an approved Special Use Permit (SUP-4812) for a 40-foot tall, 12-foot by 24-foot Off-Premise Sign at 3542 Sirius Avenue. The Off-Premise Sign was constructed in 2005. The sign is located in an M (Industrial) zoning district and is not within the Off-Premise Exclusionary zone. During a field check of the site, staff found the sign and supporting structure in good condition. The Off-Premise Sign was issued a permit by the Building & Safety Department on 08/02/05; however, a final inspection never occurred. As a result, the permit expired on 02/04/06. A condition of approval has been added to require that the applicant obtain all required building permits and approval of a final inspection within 30 days of final action.

FINDINGS

Staff finds that there is no adverse impact regarding the continued use of the sign at this time, but the subject billboard lacks a final inspection; therefore, staff is recommending denial, subject to a three year review, if approved.

GK

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

NOTICES MAILED 69

APPROVALS 0

PROTESTS 0

GK

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-35793** APN: 162-08-303-027

Name of Property Owner: Jonathan Park, LLC

Name of Applicant: Las Vegas Billboards

Name of Representative: Greater Nevada Planning

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: A. J. Schwartz

Print Name: A. Jonathan Schwartz

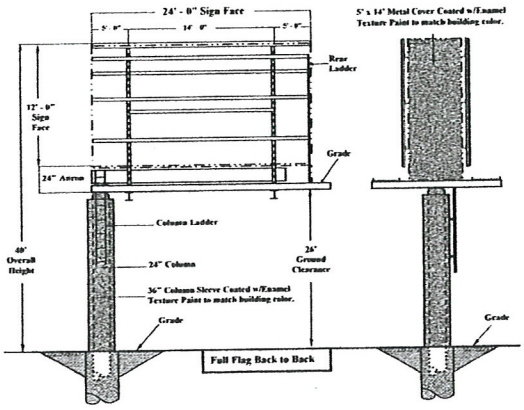
Subscribed and sworn before me

This 26th day of August, 2009

Susan Jean Pacheco

Notary Public in and for said County and State

SUSAN JEAN PACHECO
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 11-26-2011
Certificate No: 91-0015-1



PROPERTY OWNER:	MILTON SCHWARTZ FAMILY TRUST 2293 DUNEVILLE ST. LAS VEGAS, NV 89146-3149
PROPERTY ADDRESS:	3542 SIRIUS AVE. LAS VEGAS, NV 89102
CONTACT:	STEVE RANNEY @ LAS VEGAS BILLBOARDS 5665 S. VALLEY VIEW BLVD. LAS VEGAS, NV 89118 837-7822

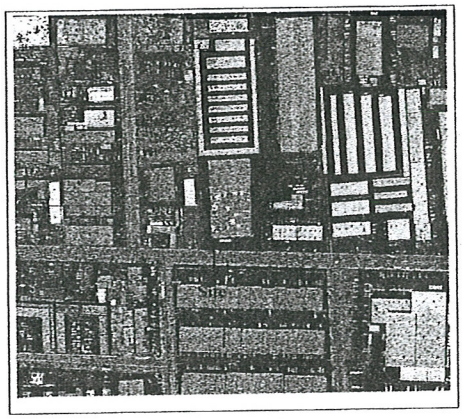
APN: 162-08-303-027
ZONED: M
12' X 24' FULL FLAG, BACK TO BACK
40' OVERALL HEIGHT
NO ADJACENT OFF-PREMISE SIGN WITHIN 300' RADIUS
NO R-E ZONE WITHIN 300'
SCALE 1" = 30'

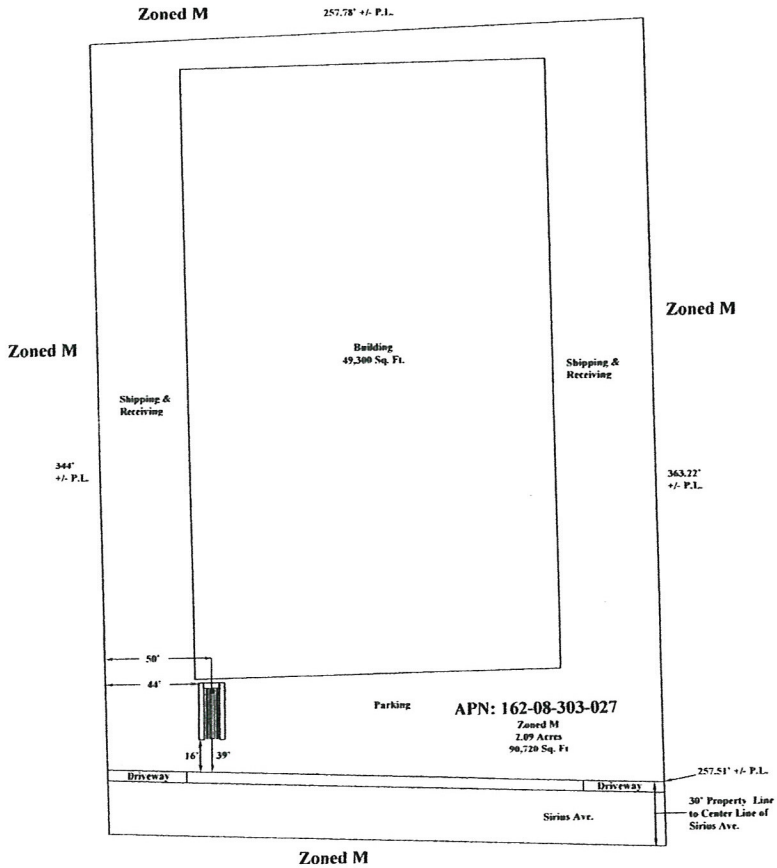
NORTH

SIGN ANALYSIS TABLE

TYPE OF SIGN:	12' X 24' OFF-PREMISE SIGN
SIGN HEIGHT:	40' OVERALL HEIGHT
SIGN WIDTH:	24' OVERALL WIDTH
SIGN AREA:	288' SQUARE FT.
ILLUMINATION TYPE:	HALLOGEN LIGHTING
ANIMATION:	NONE

LOCATION:
16' FRONT SETBACK FROM SIRIUS AVE. TO LEADING EDGE OF SIGN.
29' FRONT SETBACK FROM SIRIUS AVE. TO CENTER OF COLUMN.
44' SIDE SETBACK FROM WEST PROPERTY LINE TO LEADING EDGE OF COLUMN.
50' SIDE SETBACK FROM WEST PROPERTY LINE TO CENTER OF COLUMN.





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RQR-35793
10/22/09 PC



RQR-35793
10/22/09 PC


JONATHAN PARK
3542 SIRIUS AVE.
SUITES A·B·C
LV., NV. 89102
RQR-35793
10/22/09 PC



RQR-35793 - APPLICANT: LAS VEGAS BILLBOARDS, LLC - OWNER: JONATHAN PARK, LLC
3542 SIRIUS AVENUE
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



RQR-35793 - APPLICANT: LAS VEGAS BILLBOARDS, LLC - OWNER: JONATHAN PARK, LLC
3542 SIRIUS AVENUE
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



RQR-35793 - APPLICANT: LAS VEGAS BILLBOARDS, LLC - OWNER: JONATHAN PARK, LLC
3542 SIRIUS AVENUE
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09

Greater Nevada Planning, Inc.
8610 S. Eastern, Suite 8
Las Vegas, NV 89014

gnpmark@cox.net
702-312-2435
Fax 702-312-3316
Cel 702-332-3021

August 24, 2009

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

Attn: Carman L. Burney, Agenda Technician
Planning and Development

Subject: Justification Letter

SUP-4812 – Required Five Year Review
3542 Sirius Avenue (APN 162-08-303-027)

Also:

SUP-4811 – Required Five Year Review
3311 Meade Ave (APN 162-08-303-004)

The two above referenced billboards have been well maintained and continue to be a great service where they stand.

We therefore request an extension of time for another period of five years or better.

Sincerely,

GREATER NEVADA PLANNING, INC.

Mark M. Sabraw
STS

Mark M. Sabraw
President

Attachments

RECEIVED
AUG 27 2009

RQR-35793
10/22/09 PC

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 22, 2009

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

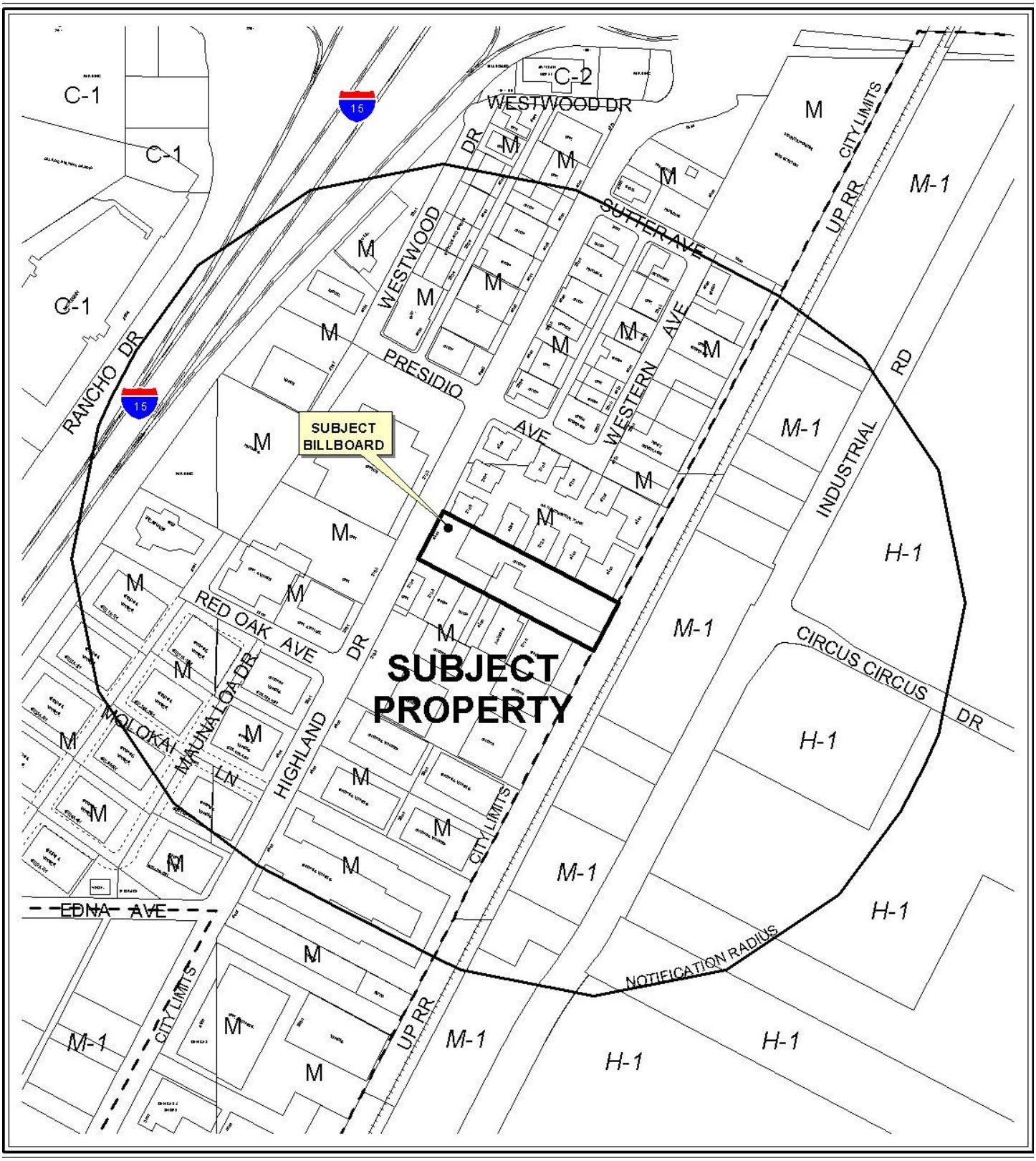
SUBJECT:
RQR-35930 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: MOUNTAIN VIEW ESTATES - OWNER: JOHN HERDA - Request for Required Review of a previously approved Special Use Permit (SUP-4592) FOR A 40-FOOT TALL, 10-FOOT X 40-FOOT OFF-PREMISE SIGN at 2744 Highland Drive (APN 162-09-202-001), M (Industrial) Zone, Ward 1 (Tarkanian)

C.C.: 11/18/2009

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

RECOMMENDATION:
DENIAL

BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. City Council Approval Letter for SUP-4592
6. Justification Letter
7. Protest Postcards



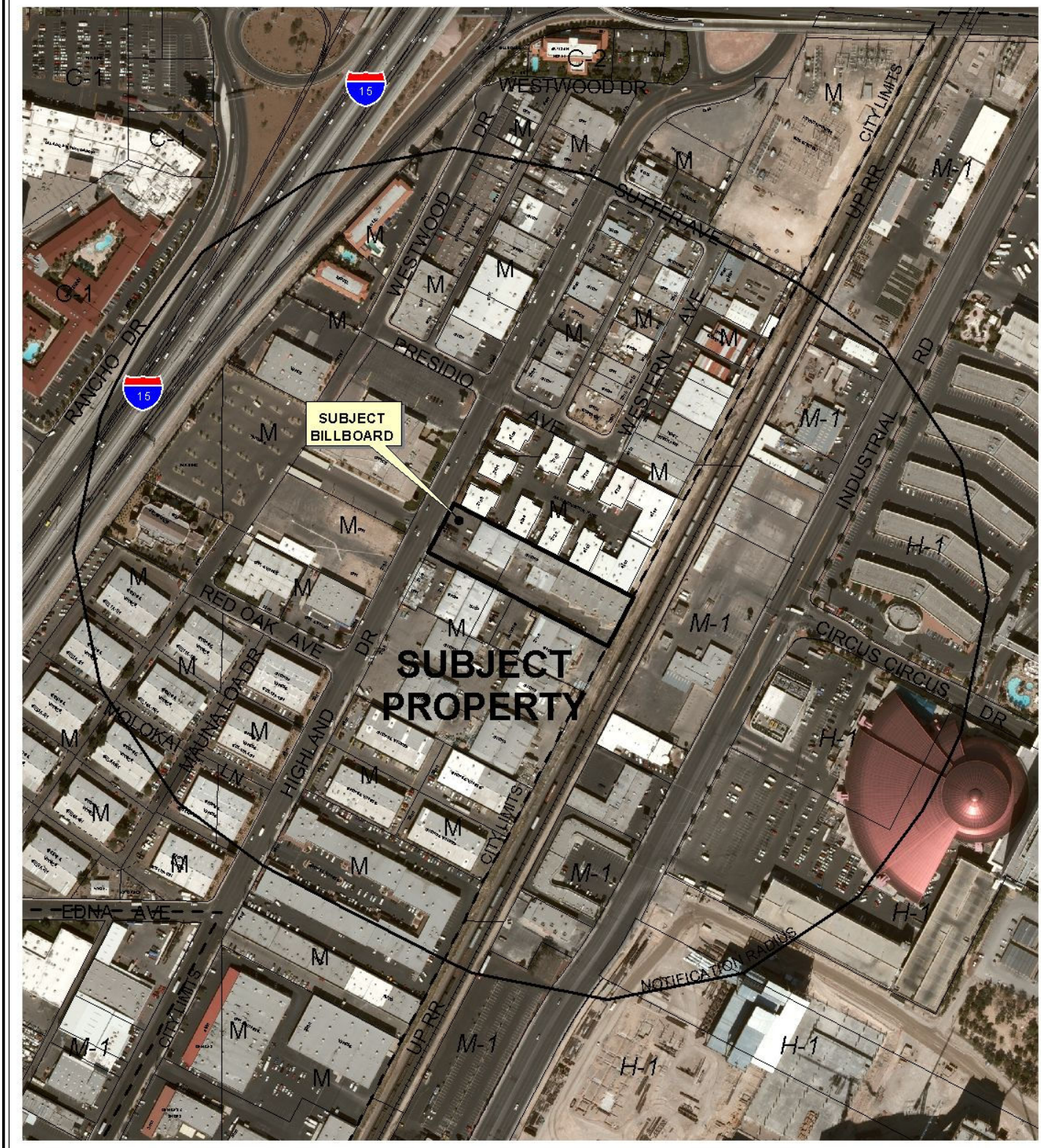
0 400 800 Feet

CASE: **RQR-35930**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



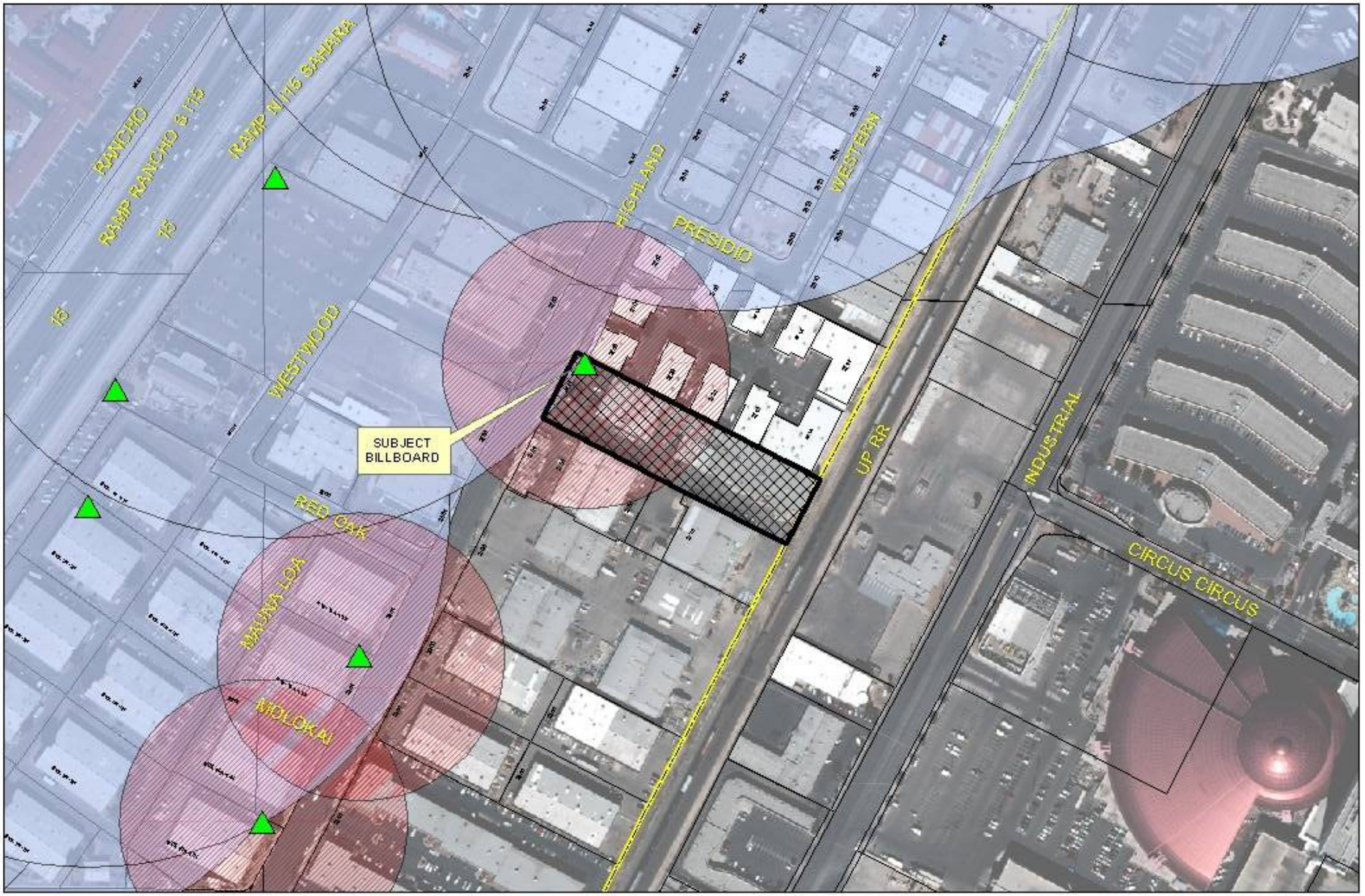
0 400 800 Feet

CASE: **RQR-35930**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



RQR-35930

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: OCTOBER 22, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-35930 - APPLICANT: MOUNTAIN VIEW ESTATES - OWNER: JOHN HERDA

** CONDITIONS **

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

Planning and Development

1. Conformance to the conditions of Special Use Permit (SUP-4592).

2. All required building permits shall be obtained, fees paid, and final inspections approved within 30 days of final action.

3. This Special Use Permit shall be reviewed in Five (5) years at which time the City Council may require that the Off-Premise Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Sign be removed.

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

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

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

7. The Off-Premise Sign shall be removed upon the commencement of any new development on this site.

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

RQR-35930 - Staff Report Page One
October 22, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site contains a 40-foot tall, 10-foot by 40-foot Off-Premise Sign along with a 42,672 square-foot industrial building at 2744 Highland Drive. This is the first Required Review of the subject sign which is located on the western portion of the subject parcel adjacent to Highland Drive. If this request is denied, the subject sign must be removed and Special Use Permit (SUP-4592) will be expired.

ISSUES

- Staff cannot support the request, as the subject sign has not received a final inspection, and the permit has expired; therefore, staff is recommending denial. If approved, a condition has been added which will require all required building permits to be obtained, fees paid, and final inspections approved within 30 days of final action.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales	
01/25/61	The City Council approved a Rezoning (Z-0062-60) from R-E (Residence Estates) to M-1 (Light Industry) on property generally located south of San Francisco Street between Highland Drive and Interstate 15.
10/06/04	The City Council approved a request for a Special Use Permit (SUP-4592) for a 40-foot tall, 10-foot by 40-foot Off-Premise Sign at 2744 Highland Drive. The Planning Commission and Staff recommended approval of the request.
11/16/05	The City Council approved a request for an Extension of Time (EOT-9680) of an approved Special Use Permit (SUP-4592) that allowed a 40-foot tall, 10-foot by 40-foot Off-Premise Sign at 2744 Highland Drive. The Planning Commission and Staff recommended approval of the request.
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 and Staff recommended approval of the request.
11/19/08	A Code Enforcement citation (#72083) was issued for graffiti on semi trailer at 2744 Highland Drive. The case was resolved on 11/20/08.
Related Building Permits/Business Licenses	
05/23/06	A Building Permit (#6003603) was issued for a 40-foot tall, 10-foot by 40-foot Off-Premise Sign at 2744 Highland Drive. This sign has not received a final inspection and the permit was expired on 11/26/06.

JB

RQR-35930 - Staff Report Page Two
October 22, 2009 - Planning Commission Meeting

Pre-Application Meeting
A Pre-Application Meeting was not conducted nor was one required.
Neighborhood Meeting
A Neighborhood Meeting was not conducted nor was one required.

Field Check	
09/17/09	During a routine site inspection, staff observed a well maintained Off-Premise Sign.

Details of Application Request	
Site Area	
Gross Acres	2.01 Acres

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Industrial Development	LI/R (Light Industry / Research)	M (Industrial)
North	Industrial Development	LI/R (Light Industry / Research)	M (Industrial)
South	Industrial Development	LI/R (Light Industry / Research)	M (Industrial)
East	Railroad	ROW (Right-of-Way)	ROW (Right-of-Way)
West	Office	C (Commercial)	M (Industrial)

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

JB

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	Y
Zoning	Off-Premise Signs are permitted in C-1. C-2, C-M, and M zoning districts only	Sign is located within a M (Industrial) zoning district	Y
Area	No Off-Premise Sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	Sign is 400 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 40 feet tall	Y
Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view.	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)	There are no Off-Premise Signs located within 300 feet of the subject sign.	Y
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 a M (Industrial)zoned property.	Y

ANALYSIS

This is the first Required Review of a previously approved Special Use Permit (SUP-4592) which allowed a 40-foot tall, 10-foot by 40-foot Off-Premise Sign at 2744 Highland Drive. During a field check of the site, staff found the sign and supporting structure in good condition. There has been no significant change in development or land use since the approval of Special Use Permit (SUP-4592). However, the subject sign has not received a final building inspection and the building permit has expired; therefore, staff is recommending denial of the subject Required Review.

FINDINGS

This is the first review of an Off-Premise Sign that was constructed in 2006. The sign is located in an M (Industrial) zoning district and is not within the Off-Premise Sign Exclusionary zone. Since the subject sign has not received a final building inspection and the building permit has expired, staff is recommending denial of the subject Required Review.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 14

NOTICES MAILED 61

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-35930** APN: 16209202001

Name of Property Owner: John J. Herda

Name of Applicant: Mountain View Estates

Name of Representative: Michael McDonald

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 J. Herda

Subscribed and sworn before me

This 8th day of Sept, 2009

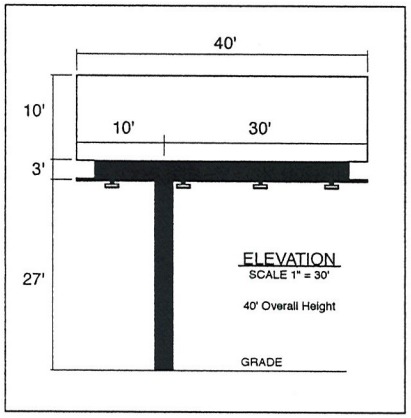
Tina Fagin

Notary Public in and for said County and State

Revised 11-14-06

TINA FAGIN
Notary Public State of Nevada
No. 99-54312-1
My appt. exp. Mar. 29, 2011

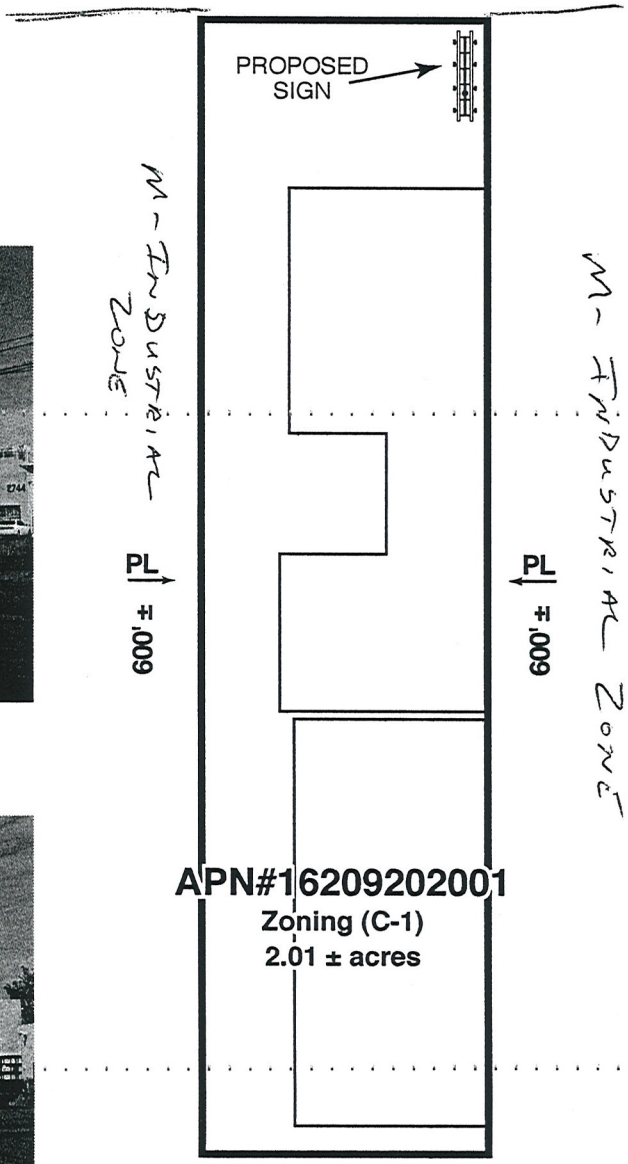
f:\depot\Application Packet\Statement of Financial Interest.doc

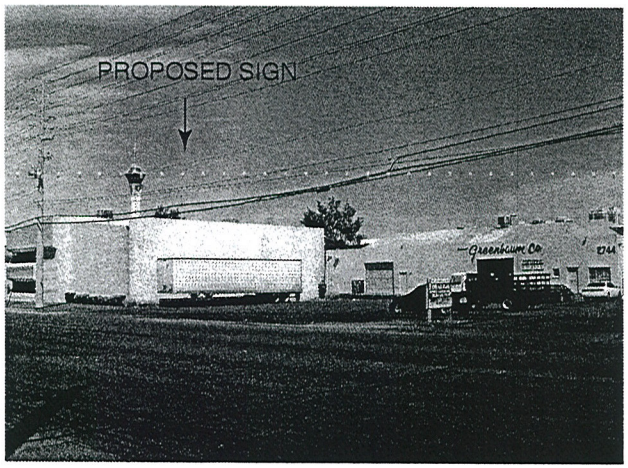




HIGHLAND DR.

TOP VIEW
SCALE 1" = 100'









GENERAL NOTES
1. Not within 300 foot radius of another off-premise billboard.
2. not within 200 foot of an on-premise sign on adjoining property.
3. Not within 300 foot radius of residential use.
4 No parking spaces will be taken for this location.

RECEIVED
SEP 09 2009

RQR-35930
10/22/09 PC

OWNER: NYP CORPORATION			
SCALE: NOTED	APPROVED BY:	DRAWN BY:	
DATE: 05/12/04		REVISED:	
LOCATION: 2744 HIGHLAND DRIVE 89109			
APN#16209202001		DRAWING NO.:	

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

October 11, 2004

Mr. John Herda
3025 South Highland Drive
Las Vegas, Nevada 89103

RE: SUP-4592 – SPECIAL USE PERMIT
CITY COUNCIL MEETING OF OCTOBER 6, 2004

Dear Mr. Herda:

The City Council at a regular meeting held October 6, 2004 APPROVED the request for a Special Use Permit FOR A 40 FOOT HIGH, 10 FOOT X 40 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2744 Highland Drive (APN 162-09-202-001), M (Industrial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on October 7, 2004. This approval is subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in five (5) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

2. All of the supporting structure shall be repainted, as required by the Planning and Development Department, within 30 days of final approval by 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 sign.

5. Only one advertising sign is permitted per sign face.

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

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov
18112-001-6/04

RQR-35930
10/22/09 PC

6. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

Public Works

7. The off-premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

Sincerely,

Angela Crolli
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk

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

Mr. Michael Luce
Mountain View Estates
5500 East Flamingo Road
Las Vegas, Nevada 89122

RQR-35930
10/22/09 PC



RQR-35930 - APPLICANT: MOUNTAIN VIEW ESTATES - OWNER: JOHN HERDA
2744 HIGHLAND DRIVE
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



RQR-35930 - APPLICANT: MOUNTAIN VIEW ESTATES - OWNER: JOHN HERDA
2744 HIGHLAND DRIVE
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



RQR-35930 - APPLICANT: MOUNTAIN VIEW ESTATES - OWNER: JOHN HERDA
2744 HIGHLAND DRIVE
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09

Justification Letter

September 1, 2009

City of Las Vegas
Current Planning Division
731 S. Las Vegas Blvd.
Las Vegas, NV 89101

To Whom it may concern:

We would like to request approval on the 5 year review for a special use permit that allowed us to construct an off premise sign (billboard) on the property located at 2744 Highland Drive. The off premise sign is located in an industrial area that is zoned for the use. The off Premise sign is located more than 300 feet from any other off premise sign located on Highland Drive.

This Billboard meets or exceeds all of the locational provisions outlined in the City of Las Vegas zoning code title 19. We respectfully request your approval on this item.

Thank you for your consideration,



Mike Luce
Mountain View Estates
5500 E. Flamingo Rd.
Las Vegas, NV 89122

RQR-35930
10/22/09 PC

PAGE 01/01
10/13/2009 10:27 1 J

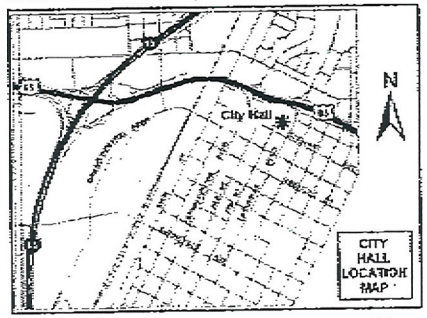
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.41⁴
0004279218 OCT 08 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.

RQR-35930

Planning Commission Meeting of 10/22/2009

Case: RQR-35930
16209202008
KHAZAI SHAHRIAR & ISABELA
%IMPERIOAL DESIGN
14100 KINGSLEY DR
GARDENA CA 90249-3018

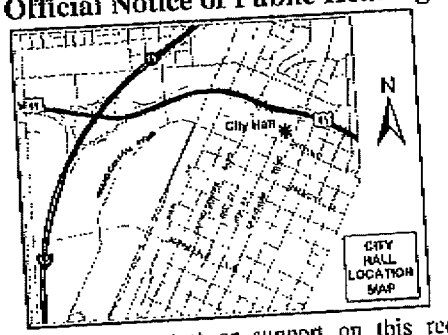
HAUDS14 90249

Oct-14-09 08:32am From-A&B Printing +7027312272 T-480 P.001/001 F-376

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-35930

Planning Commission Meeting of 10/22/2009

PRESORTED FIRST CLASS

UNITED STATES POSTAGE

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MAILED FROM ZIP CODE 89101

Case: RQR-35930

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

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 22, 2009

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

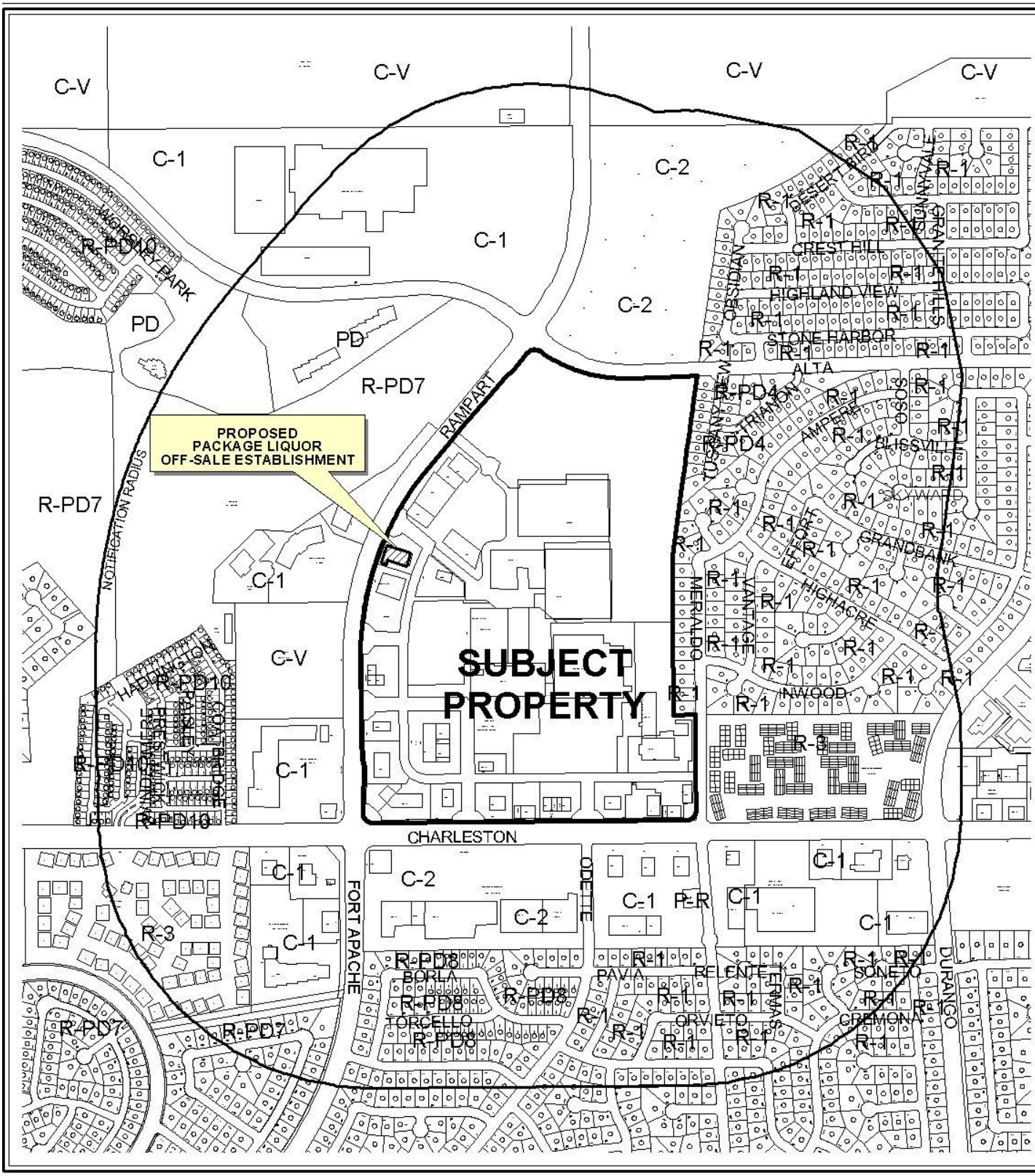
SUBJECT:
SUP-35891 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LEE''S DISCOUNT LIQUOR - OWNER: THOMSON SUMMERLIN HOLDINGS, LLC - Request for a Special Use Permit FOR A 10,565 SQUARE-FOOT PACKAGE LIQUOR OFF-SALE ESTABLISHMENT at 780 South Rampart Boulevard (APN 138-32-312-002), PD (Planned Development) Zone, Ward 2 (Wolfson)

IF APPROVED, C.C.: 11/18/2009
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**5**	**Planning Commission Mtg.**	**11**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
DENIAL

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



0 500 1000 Feet

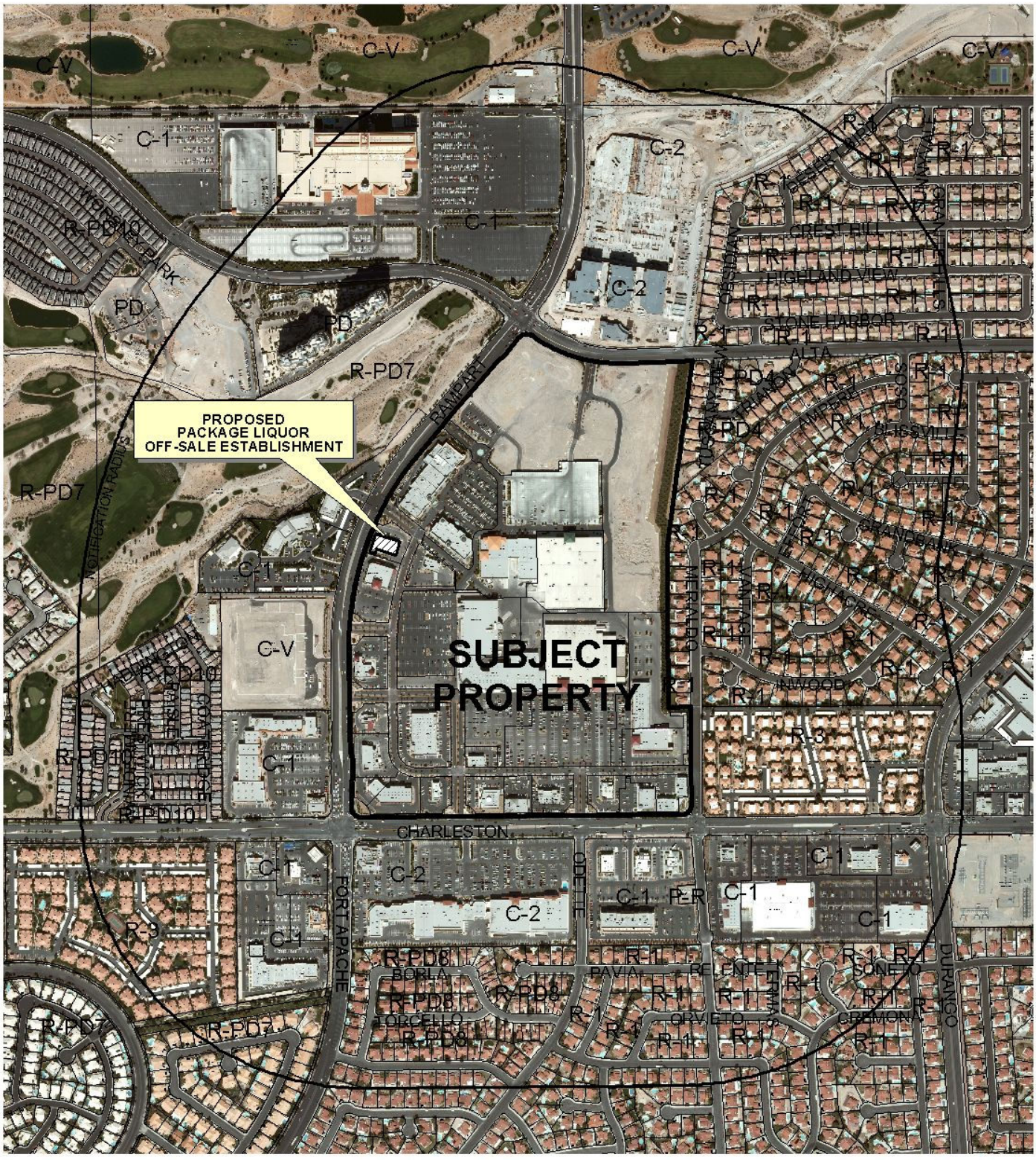
CASE: **SUP-35891**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

PD (PLANNED DEVELOPMENT) AND C-1 (LIMITED COMMERCIAL)

N



0 500 1000 Feet

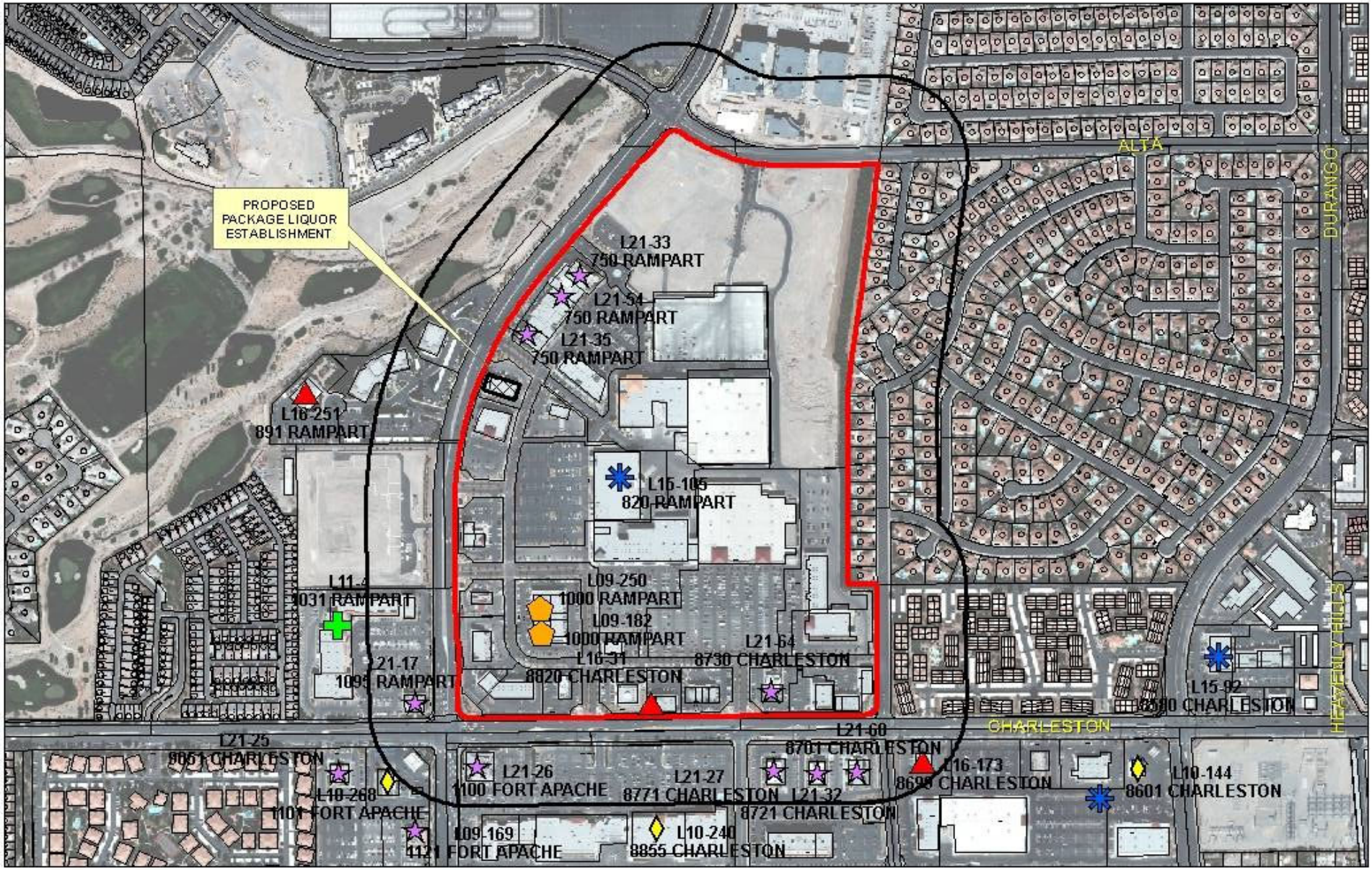
CASE: **SUP-35891**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

PD (PLANNED DEVELOPMENT) AND C-1 (LIMITED COMMERCIAL)

N



SUP-35891

Business Licenses

- Child Care/ Children Facility
- Beer/Wine/Cooler On Sale
- Beer/Wine/Cooler Off Sales
- Beer/Wine/Cooler On-Off Sale
- Package Liquor Sales
- Supper Club/ Restaurant Service Bar
- Tavern
- RELIGIOUS
- CITY PARKS
- SCHOOLS
- Subject Property
- 400 foot buffer

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 22, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-35891 - APPLICANT: LEE'S DISCOUNT LIQUOR - OWNER: THOMSON SUMMERLIN HOLDINGS, LLC

** CONDITIONS **

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

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Package Liquor Off-Sale Establishment use.

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

3. Approval of this Special Use Permit does not constitute approval of a liquor license.

4. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

5. All beer and wine coolers shall remain in their original manufacturer's configuration of four- or six-packs.

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

SUP-35891 - Staff Report Page One
October 22, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a Package Liquor Off-Sale Establishment within an existing building at 780 South Rampart Boulevard. The applicant wishes to operate a liquor shop which will feature a variety of wines from a variety of regions. A majority of the floor space within the 10,565 square-foot shop will be dedicated to the display of wine in wooded wine racks, while the remainder of the store will feature sales of wine accessory merchandise, a large beer cooler area, and display shelves for specialty wines and liquor. Currently, the site consists of a vacant building within a large commercial center.

The addition of the proposed use will contribute to an oversaturation of the use within the Boca Park development; therefore, staff recommends denial. If denied, the proposed use cannot locate at the proposed address.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales	
04/27/98	The City Council approved a request for a Rezoning (Z-0012-98) on property located on the southeast corner of Rampart Boulevard and Alta Drive, from: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] Under Resolution of Intent to C-1 (Limited Commercial) to: PD (Planned Development). The Planning Commission recommended approval and Staff recommended denial.
02/22/99	The City Council approved a request for a Special Use Permit (U-0170-98) on property located on the east side of Rampart Boulevard, approximately 1,120 feet north of Charleston Boulevard for packaged liquor sales in conjunction with a proposed 15,980 square foot drug store. The Planning Commission recommended approval and Staff recommended denial.
04/18/01	The City Council approved a request for a Master Sign Plan Review [Z-0012-98(3)] for property located at the southeast corner of the intersection of Alta Drive and Rampart Boulevard (Boca Park, Phase III). The Planning Commission recommended approval.
04/13/06	A deed was recorded for change of ownership.
Related Building Permits/Business Licenses	
02/07/01	A building permit (#1001981) was issued for a new furniture store at 780 South Rampart Boulevard. The permit completed on 06/08/01.
02/07/01	A building permit (#1001980) was issued for on sites at 780 South Rampart Boulevard. The permit expired on 08/11/01.

02/20/01	A building permit (#1002643) was issued for a new furniture store at 780 South Rampart Boulevard. The permit completed on 06/08/01.
02/13/01	A building permit (#1002300) was issued for a new building at 780 South Rampart Boulevard. The permit was completed on 06/05/01.
06/05/01	A business license (F86-00010) was issued for a bank at 790 South Rampart Boulevard. The business license is still active.
06/20/01	A business license (F07-01693) was issued for a new furniture store at 780 South Rampart Boulevard. The business license was in active.
11/01/00	A business license (D11-00184) was issued for a drug store at 800 South Rampart Boulevard. The business license was marked out of business on 01/28/09.
11/01/00	A business license (L15-00107) was issued for package liquor at 800 South Rampart Boulevard. The business license was marked not listed on 01/28/09.
10/30/03	A building permit (#3023245) was issued for an addition to storage at 780 South Rampart Boulevard. The permit completed on 03/25/04.
Pre-Application Meeting	
08/21/09	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for a Package Liquor Off-Sale Establishment were discussed. Topics included: • The submittal of application materials, meeting dates, and deadlines were discussed at the pre-application meeting. • The Boca Park Phase III Development Plan, which calls out the allowed uses in the Boca Park Phase III Planned Development, was also discussed.
Neighborhood Meeting	
A neighborhood meeting was neither required nor held for this application request.	

Field Check	
09/17/09	Staff conducted a site visit of the subject location and noted it to be vacant. It is part of a larger commercial shopping center.

Details of Application Request	
Site Area	
Gross Acres	0.84

Surrounding Property	*Existing Land Use*	*Planned Land Use*	*Existing Zoning*
Subject Property	Shopping Center	SC (Service Commercial)	PD (Planned Development)
North	Shopping Center	SC (Service Commercial)	PD (Planned Development)
South	Shopping Center	SC (Service Commercial)	PD (Planned Development)
East	Shopping Center	SC (Service Commercial)	PD (Planned Development)
West	Shopping Center	SC (Service Commercial)	PD (Planned Development)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, 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	641,664 SF	1 Space / 250 SF GFA	2,531	36	2,603	36	
TOTAL	641,664 SF		2,567		2,639		

Off-Sale Liquor Uses Within a 1,500-Foot Radius				
Location	**License Number**	**Still Active?**	**Current Use**	**Separation Distance**
730 S Rampart Boulevard Suite #16	License is Pending	Pending	Total Wines & More (Package Liquor Off-Sale)	700 Feet
820 S Rampart Boulevard	L15-00105	Yes (as of 08/14/00)	Vons (Package Liquor Off-Sale)	393 Feet
891 S Rampart Boulevard	L16-00251	Yes (as of 05/13/97)	Emerald at Queensridge (Liquor Establishment, Tavern)	705 Feet
8820 W Charleston Boulevard Suite #105	L16-00031	Yes (as of 01/01/51)	Three Angry Wives Pub (Liquor Establishment, Tavern)	1450 Feet
1031 S Rampart	L11-00004	Yes (as of 04/28/06)	Nora's Wine Bar & Osteria Dining (Beer/ Wine/ Cooler On and Off-Sale)	905 Feet

ANALYSIS

The Boca Park Phase III Development Plan calls out the allowed uses in the PD (Planned Development) zone of Boca Park. The allowed uses are listed as "Retail", and it has been deemed that a Package Liquor Off-Sale use falls within this "retail" use, as similar uses have been established within the subject site.

The applicant states that the proposed business will sell package liquor for off-site consumption. The plans indicate that there will be multiple racks and display areas for liquor and wine. In addition, the suite will feature a large beer cooler, as well as a wine cellar area for tasting events.

Staff finds that the proposed use meets the minimum Title 19.04.010 and the Boca Park Phase III Development Plan standards for this use; however, there is an oversaturation of off-sale liquor uses within a 1,500-foot radius, including two Package Liquor Off-Sale Establishments, two Liquor Establishment, Taverns and an On and Off Sale Beer/Wine/Cooler Establishment; therefore staff recommends denial of the request. If denied, the proposed use would not be permitted in the proposed location.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

The subject proposal will not be harmonious and compatible with existing surrounding land uses and with future uses as projected by the General Plan because of the oversaturation of the use within the notification area.

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

   The subject site is within a large shopping center, and is therefore physically suitable for the type and intensity of land use. However, approval of the request would contribute to oversaturation of the use in the immediate area.

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

   The site is served by Rampart Boulevard, designated as a 100-foot Primary Arterial by the Master Plan of Streets and Highways. This thoroughfare is capable of accommodating the traffic flow created by the site and the use.

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

   Approval of this request will not compromise the public health, safety or welfare of the general public.

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

   The Package Liquor Off-Sale Establishment use meets all standard conditions that apply pursuant to Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

NOTICES MAILED 1362

APPROVALS 11

PROTESTS 5

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-35891** APN: 138-32-312-002

Name of Property Owner: Thomson Summerlin Holdings, LLC

Name of Applicant: Lee's Discount Liquor

Name of Representative: Mark Gowler

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: Jill R Thomson

Print Name: Jill R Thomson

Subscribed and sworn before me

This 1 day of September, 2009

Vanessa Roggio

Notary Public in and for said County and State

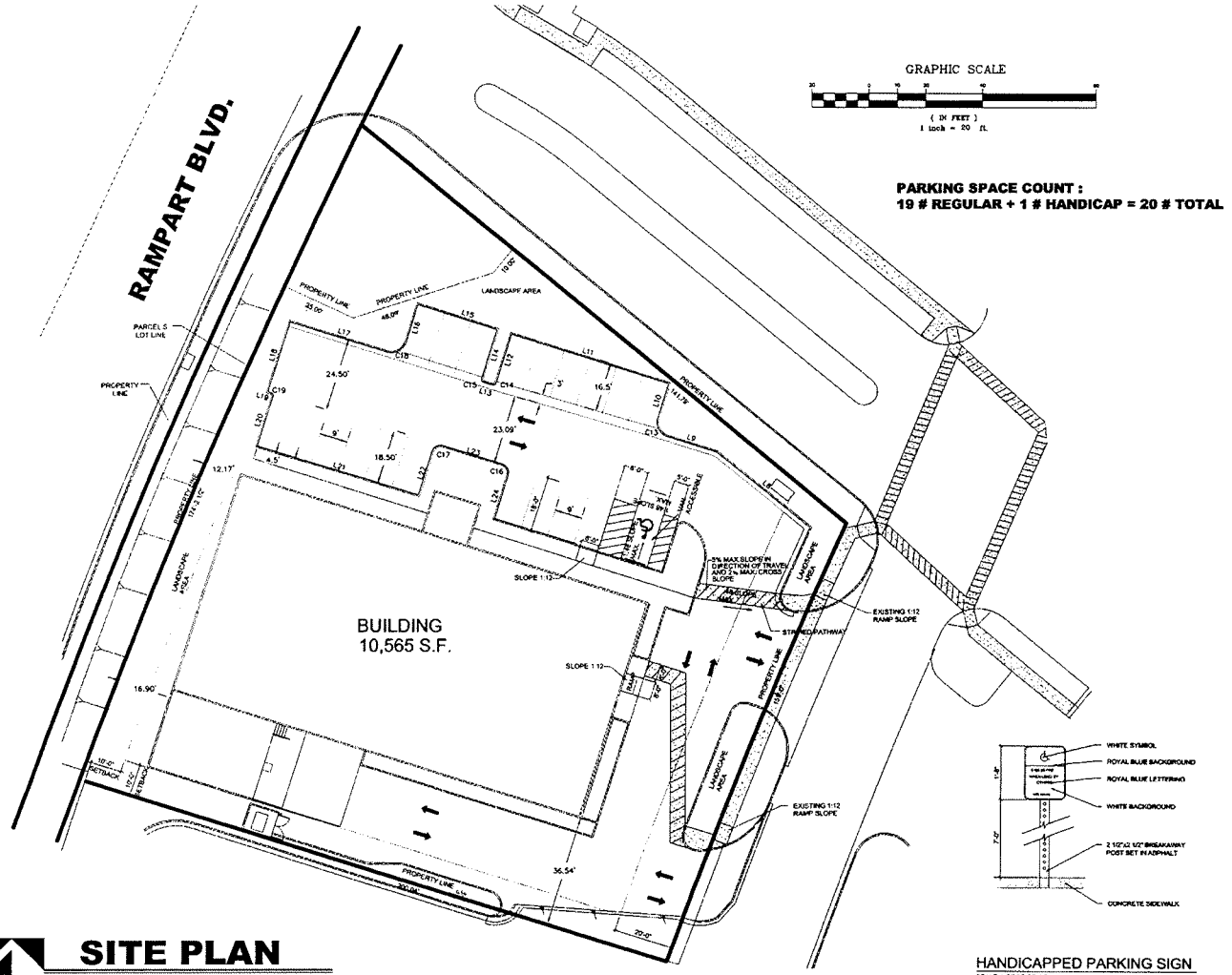
State of Nevada
County of Clark

VANESSA ROGGIO
Notary Public, State of Nevada
Appointment No. 07-5184-1
My Appt. Expires Oct 22, 2011

RECEIVED
SEP - 3 2009
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

LEE'S DISCOUNT LIQUOR

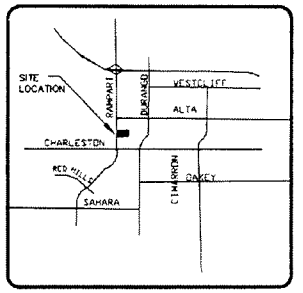
780 S. Rampart Blvd. Las Vegas, NV 89145



SITE PLAN

North

VICINITY MAP



SHEET INDEX

ARCHITECTURAL

A.01	SITE PLAN
A.02	FLOOR PLAN

SUP-35891

10/22/09 PC

M J C
GENERAL CONTRACTOR

M. J. Construction Co.
License # B0049337

2919 S. Decatur Blvd.
Las Vegas, NV 89102

PROJECT:

LEE'S DISCOUNT LIQUOR

780 S. Rampart Blvd.
Las Vegas, NV 89145

DRAWING TITLE

SITE PLAN

REVISIONS:

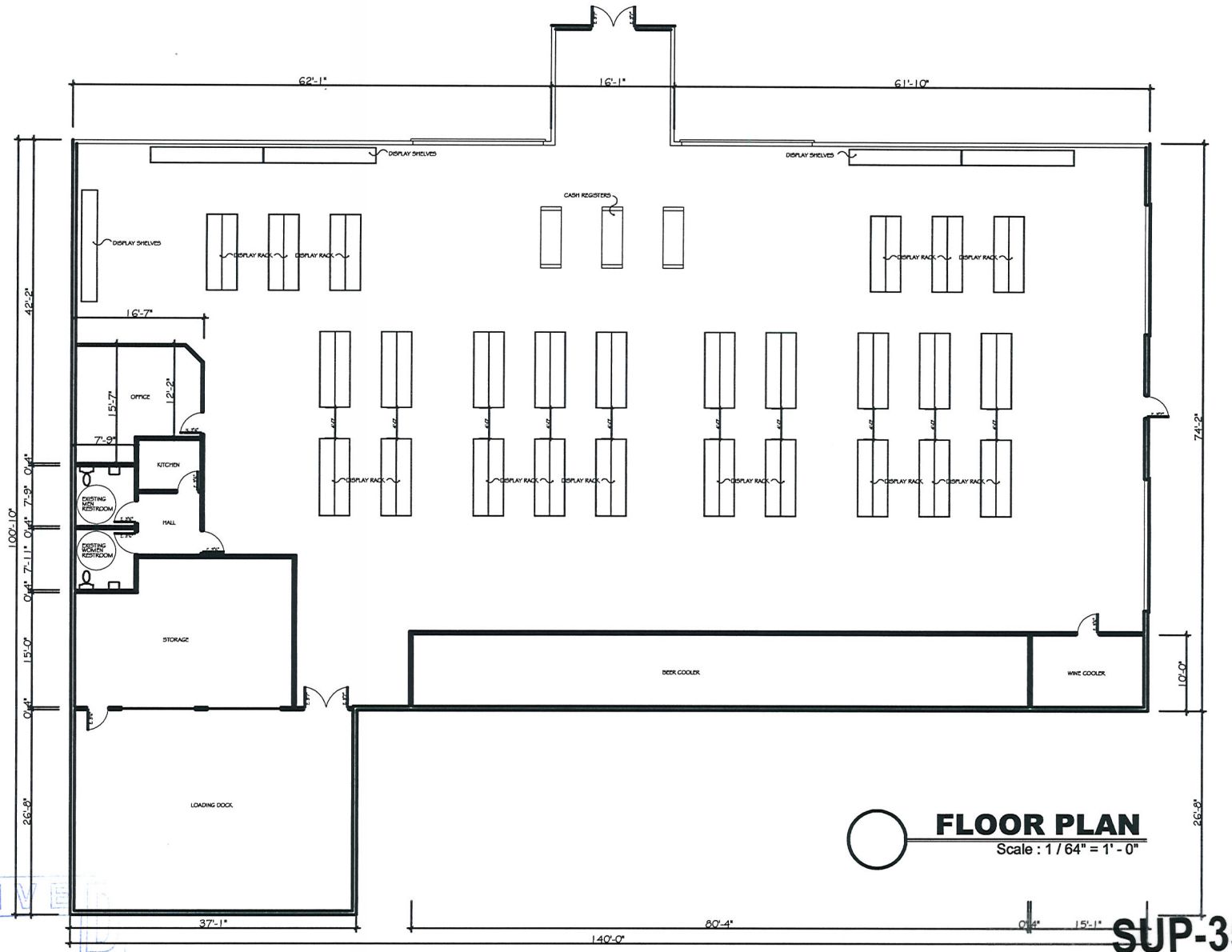
DATE:

SCALE:

NONE.

SHEET No.

A.01



FLOOR PLAN

Scale : 1 / 64" = 1' - 0"

M J C
GENERAL CONTRACTOR

M. J. Construction Co.
License # B0049337

2919 S. Decatur Blvd.
Las Vegas, NV 89102
phone : (702) 307 - 1933
cell : (702) 339 - 3933
fax : (702) 307 - 1934

PROJECT.

LEE'S DISCOUNT LIQUOR

780 S. Rampart Blvd.
Las Vegas, NV 89145

DRAWING TITLE

FLOOR PLAN

REVISIONS.

DATE.

SCALE.

1 / 64" = 1' - 0"

SHEET No.

A.02

SUP-35891
10/22/09 PC

RECEIVED
SEP - 3 2009
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT



SUP-35891 - APPLICANT: LEE'S DISCOUNT LIQUOR - OWNER: THOMSON SUMMERLIN HOLDINGS, LLC
780 SOUTH RAMPART BOULEVARD
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



SUP-35891 - APPLICANT: LEE'S DISCOUNT LIQUOR - OWNER: THOMSON SUMMERLIN HOLDINGS, LLC
780 SOUTH RAMPART BOULEVARD
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



SUP-35891 - APPLICANT: LEE'S DISCOUNT LIQUOR - OWNER: THOMSON SUMMERLIN HOLDINGS, LLC
780 SOUTH RAMPART BOULEVARD
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



SUP-35891 - APPLICANT: LEE'S DISCOUNT LIQUOR - OWNER: THOMSON SUMMERLIN HOLDINGS, LLC
780 SOUTH RAMPART BOULEVARD
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



SUP-35891 - APPLICANT: LEE'S DISCOUNT LIQUOR - OWNER: THOMSON SUMMERLIN HOLDINGS, LLC
780 SOUTH RAMPART BOULEVARD
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09

Justification Letter

Address: 780 S. Rampart Blvd
Las Vegas, NV 89145
APN: 138-32-312-002

Lee's Discount Liquor would like to request a special use permit for packaged liquor at the above mentioned property. The store will sell packaged liquor for offsite consumption. Inside the 11,500 square foot building there will be a walk in cooler for beer and shelving for liquor and wine. This store will have a wine cellar for fine wines and a small area for occasional wine tasting.

Lee's Discount Liquor has been operating in Las Vegas for 28 years, employees over 150 people, and has 15 packaged liquor licenses throughout the valley and in Mesquite. This store will have approximately 8 employees and store hours are generally 9:00am to 11:00pm.

The existing PD zoning complies with the use but requires the Special Use Permit.

Hae Un Lee, Applicant

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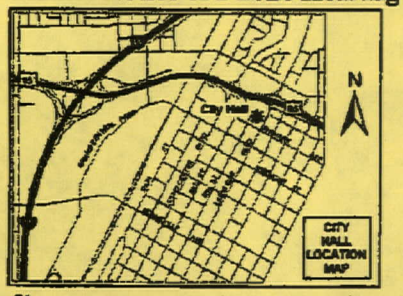
OCT - 2 2009

SUP-35891
REVISED
10/22/09 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.

SUP-35891

Planning Commission Meeting of 10/22/2009

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES 02 1M 0004279218 $ 00.41⁴ OCT 08 2009 MAILED FROM ZIP CODE 89101

RECEIVED CITY CLERK 2009 OCT 12 P 2:01

Case: SUP-35891

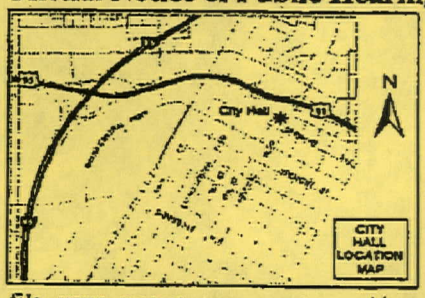
13832611052
YEATON HARVEY W & DEBRA A
8629 DESERT BIRD DR
LAS VEGAS NV 89145-4861

HAVDS11 89145

ity of Las Vegas
lanning & Development Department
evelopment Services Center
31 S. Fourth Street
as 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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UP-35891

lanning Commission Meeting of 10/22/2009

SUP-35891

RECEIVED
CITY CLERK
2009 OCT 13 P 3:20

Case: SUP-35891

13832613051
GRILLO FAMILY TRUST
8545 HIGHLAND VIEW AVE
LAS VEGAS NV 89145-5702

HAYDEN 89145

Oct 13 09 03:17p Victor 702-341-7381 p.1

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.41[4]
0004279218 OCT 08 2009
MAILED FROM ZIP CODE 89101

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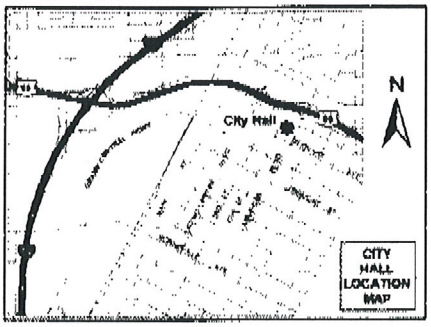
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-35891

Planning Commission Meeting of 10/22/2009

Case: SUP-35891
16305113007
WYCKOFF MARK & THERI
9020 COVERED WAGON AVE
LAS VEGAS NV 89117-7011

HAVDS11 89117

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
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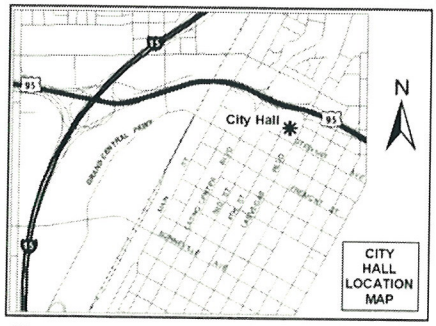
$ 00.41
OCT 08 200
MAILED FROM ZIP CODE 8910

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-35891

Planning Commission Meeting of 10/22/2009

Case: SUP-35891

13832719022
KAZEMINI MATTHEW R
501 TUSCANY VIEW ST
LAS VEGAS NV 89145-4877

HAVOS11 89145

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

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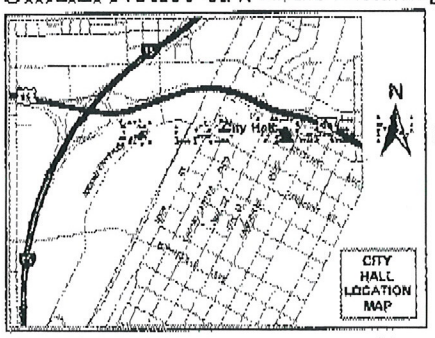

890 10-09-09

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-35891

Planning Commission Meeting of 10/22/2009

Case: SUP-35891

13832614001
GRAF EDWARD JR
123 SAN MIGUEL RD
PASADENA CA 91105-1442

HAVDS11 91105

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

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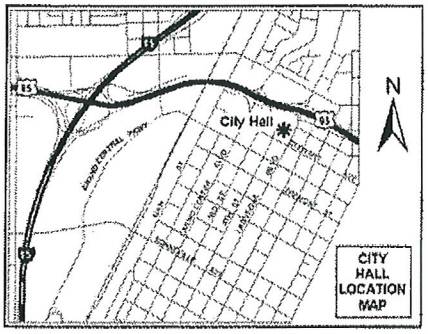

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-35891

Planning Commission Meeting of 10/22/2009

Case: SUP-35891

13832712008
MUCHENBERGER MARKUS REVOCABLE
617 EFFORT DR
LAS VEGAS NV 89145-4818

HAVD511 89145

10/13/2009 TUE 11:50 FAX 001/001

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

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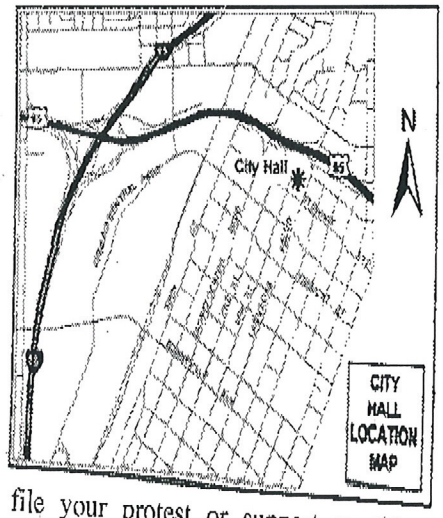

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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SUP-35891

Planning Commission Meeting of 10/22/2009

13832613007 Case: SUP-35891
HOOGE JOHN L & JUDITH M REV TR
8620 HIGHLAND VIEW AVE
LAS VEGAS NV 89145-5708

89145

p.1
702-948-0715
Oct 10 09 03:04p MILTON HOMER

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

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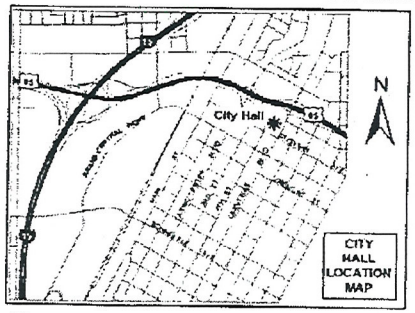

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-35891
Planning Commission Meeting of 10/22/2009

Case: SUP-35891
13832312002
THOMSON SUMMERLIN HOLDINGS LLC
%F & J THOMSON
10316 ROCKY MESA CT
LAS VEGAS NV 89144-4348

HAVOS11 89144

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

p.1

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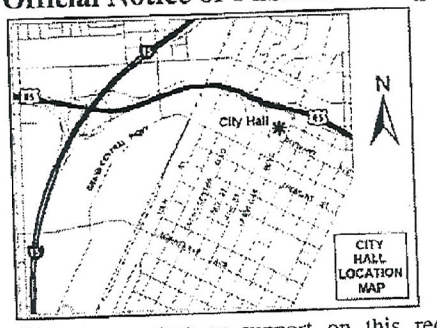

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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SUP-35891
Planning Commission Meeting of 10/22/2009

Case: SUP-35891
13832213017
Q TOWERS M L L C
9755 W CHARLESTON BLVD
LAS VEGAS NV 89117-7536

Oct 09 09 01:10p

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

p.2

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MAILED FROM ZIP CODE 89101

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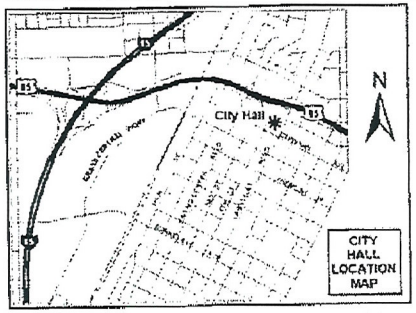

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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SUP-35891

Planning Commission Meeting of 10/22/2009

Case: SUP-35891

13832601003
GREAT WASH PARK L L C
9755 W CHARLESTON BLVD
LAS VEGAS NV 89117-7536

HAVDE11 89117

Oct 09 09 01:10p

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

p.3

PRESORTED
F.I.R.S.T. CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.41
0004279218 OCT 08 2009
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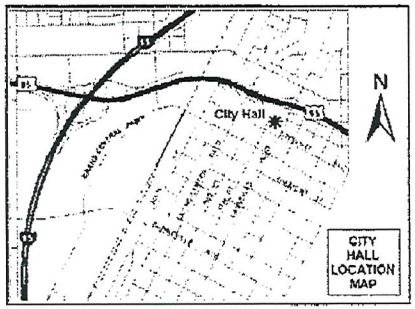

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-35891

Planning Commission Meeting of 10/22/2009

Case: SUP-35891

13832213158
WEIL SHAI
9755 W CHARLESTON BLVD
LAS VEGAS NV 89117-7536

HAVDS11 89117

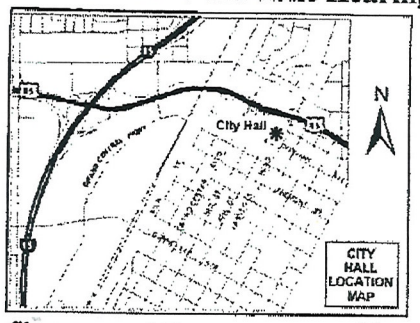
Oct 09 09 01:10p

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

p.7

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.

SUP-35891

Planning Commission Meeting of 10/22/2009

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UNITED STATES POSTAGE PITNEY BOWES

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0004279218 OCT 08 2009
MAILED FROM ZIPCODE 89101

Case: SUP-35891

13832213165
RISSIN LIOR & LIAT
9755 W CHARLESTON BLVD
LAS VEGAS NV 89117-7536

HAVDS11 89117

Oct 09 09 01:11p

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

p.6

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
02 1M $ 00.41
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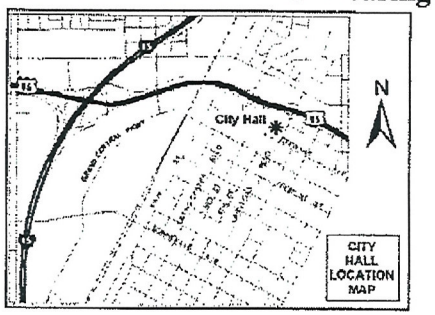

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SUP-35891

Planning Commission Meeting of 10/22/2009

Case: SUP-35891

13832213145
HARARI ALON
9755 W CHARLESTON BLVD
LAS VEGAS NV 89117-7536

H4UDE11 89117

Oct 09 09 01:11p

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

p.5

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
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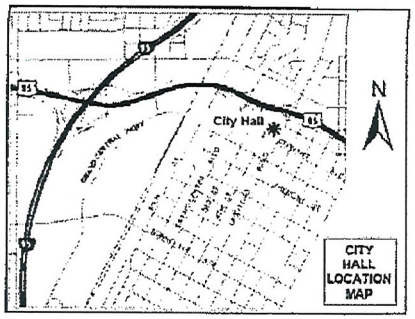

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-35891

Planning Commission Meeting of 10/22/2009

Case: SUP-35891

13832213136
PENINI ERAN E & GUY
9755 W CHARLESTON BLVD
LAS VEGAS NV 89117-7536

HAUDE11 89117

Oct 09 09 01:11p

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

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UNITED STATES POSTAGE
PITNEY BOWES
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MAILED FROM ZIPCODE 89101

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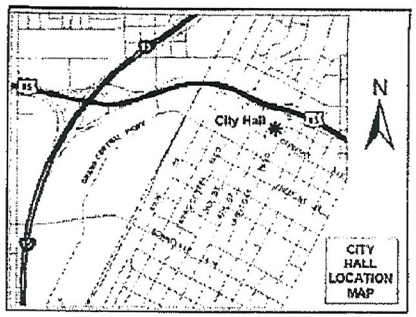
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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SUP-35891

Planning Commission Meeting of 10/22/2009

Case: SUP-35891

13832213080
PENINI GUY
9755 W CHARLESTON BLVD
LAS VEGAS NV 89117-7536

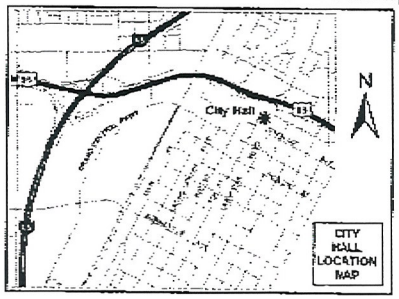
HAVOS11 89117

PAGE 01/01
STEVEN S HOLT
10/12/2009 13:22 7022569362

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-35891

Planning Commission Meeting of 10/22/2009

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES

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MAILED FROM ZIPCODE 89101

Case: SUP-35891

13832819195
BORGNA REAL ESTATE THREE L L C
10624 S EASTERN AVE #A-124
HENDERSON NV 89052-2982

HAVDSLL ASOSE

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 22, 2009

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

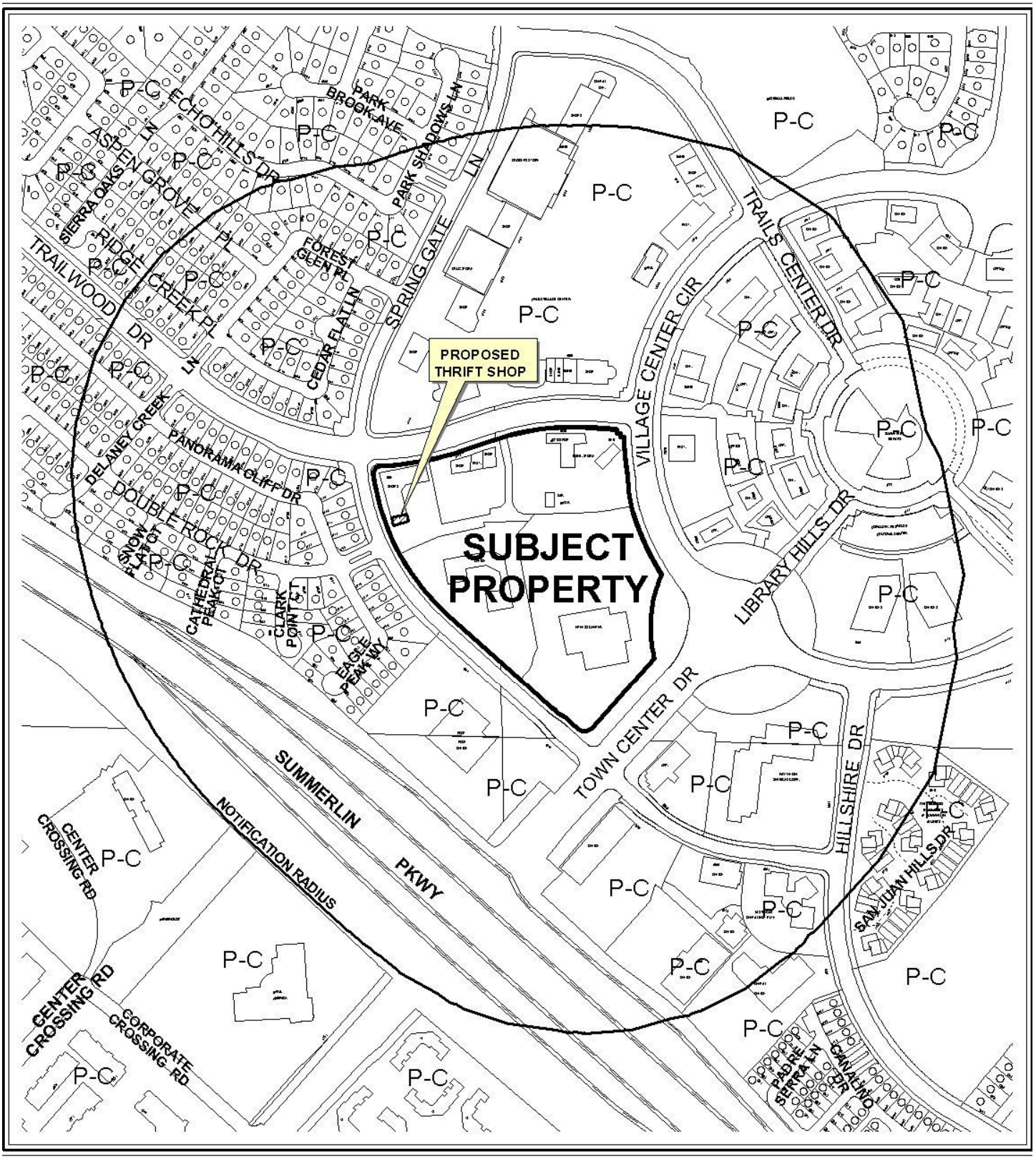
SUBJECT:
SUP-35909 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SECOND CHANCES BOUTIQUE - OWNER: TRAILWOOD CENTER, LLC - Request for a Special Use Permit FOR A PROPOSED 1,549 SQUARE FOOT THRIFT SHOP at 9691 Trailwood Drive, Suite #101 (APN 138-19-420-004), P-C (Planned Community) Zone, Ward 2 (Wolfson)

IF APPROVED, C.C.: 11/18/2009
IF DENIED, 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



0 400 800 Feet

CASE: **SUP-35909**

RADIUS: 1000 FT

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

N



0 400 800 Feet

CASE: **SUP-35909**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 22, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-35909 - APPLICANT: SECOND CHANCES BOUTIQUE - OWNER: TRAILWOOD CENTER, LLC

** CONDITIONS **

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

Planning and Development

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

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

GK

SUP-35909 - Staff Report Page One
October 22, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This request is for a Special Use Permit for a proposed 1,549 square-foot Thrift Shop use within an existing 12,901 square foot retail/office building at 9691 Trailwood Drive, Suite #101. The applicant has indicated that the project will not alter the square footage of the existing tenant space and will not modify the existing condition of the site. The proposed use is compatible with the surrounding area and meets the minimum Special Use Permit requirements for a Thrift Shop use, set forth by Title 19. Therefore, staff recommends approval of this request. If this application is denied, the proposed thrift shop use cannot be located within the subject tenant space, nor can a business license be obtained for this use at this location.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales	
09/07/00	The Summerlin City Referral Group approved a Site Development Plan Review (SV-0015-00) for a proposed car wash, convenience store, and mini-lube for property located on the southwest corner of Village Center Circle and Trailwood Drive. Staff recommended approval.
10/04/00	City Council approved a Special Use Permit (U-0117-00) for gasoline sales in conjunction with a proposed convenience store at the southwest corner of the intersection of Trailwood Drive and Village Center Circle. Planning Commission and staff recommended approval.
10/04/00	City Council approved a Special Use Permit (U-118-00) for a full service car wash at the southwest corner of the intersection of Trailwood Drive and Village Center Circle. Planning Commission and staff recommended approval.
10/04/00	City Council approved a Special Use Permit (U-0119-00) for the sale of beer and wine for off-premise consumption in conjunction with a proposed 4,005 square foot convenience store on property located at the southwest corner of the intersection of Trailwood Drive and Village Center Circle. Planning Commission and staff recommended approval.
10/04/00	City Council approved a Special Use Permit (U-0120-00) for a proposed 1,966 square foot minor auto repair facility on property located at the southwest corner of the intersection of Trailwood Drive and Village Center Circle. Planning Commission and staff recommended approval.
05/02/01	The Summerlin City Referral Group approved a Site Development Plan Review (SV-0007-01) for a two-story, 58,078 square foot fitness club on property located on the southwest corner of Village Center Circle and Town Center Drive. Staff recommended approval.

06/13/01	The Summerlin City Referral Group approved a Site Development Plan Review (SV-0012-01) for a 17,559 square foot retail center located on the southeast corner of Trailwood Drive and Spring Gate Lane. Staff recommended approval.
11/12/03	The Summerlin City Referral Group approved a Site Development Plan Review (CRG-3292) for a 6,817 square foot Restaurant and Office Space, on property located at 9651 Trailwood Drive. Staff recommended approval.
09/29/04	The Summerlin City Referral Group approved a Site Development Plan Review (CRG-5226) for a 2-story, 43,594 square foot office building, located on Spring Gate Lane at Trailwood Drive. Staff recommended approval.
Related Building Permits/Business Licenses	
11/17/02	A building permit (#520003) was issued for the shell building at 9691 Trailwood Drive.
04/01/03	A business license (B05-02888) was issued for a Nail Salon (General Personal Service) use at 9691 Trailwood Drive, Suite #104. The license is currently active.
07/07/06	A business license (P05-96544) was issued for a pet grooming use at 9691 Trailwood Drive, Suite #102. The license is currently active.
08/01/07	A business license (R23-00305) was issued for a scuba instructional establishment at 9691 Trailwood Drive, Suite #106. The license was marked out of business on 10/21/08.
11/05/07	A business license (M14-00093) was issued for a women's fitness center at 9691 Trailwood Drive, Suite #107. The license is currently active.
11/28/07	A business license (B08-96959) was issued for a beauty/cosmetics sales use at 9691 Trailwood Drive, Suite #103. The license was marked out of business on 05/29/08.
11/28/07	A business license (B05-96956) was issued for a cosmetology establishment at 9691 Trailwood Drive, Suite #103. The license was marked out of business on 05/29/08.
01/15/08	A business license (M11-96957) was issued for a massage establishment ancillary use at 9691 Trailwood Drive, Suite #103. The license was marked out of business on 05/29/08.
07/16/08	A business license (C07-02990) was issued for a clothing store establishment at 9691 Trailwood Drive, Suite #108. The license was marked out of business on 06/10/09.
Pre-Application Meeting	
03/26/09	The Planning & Development Department met with the applicant and reviewed the requirements for a Special Use Permit application.
Neighborhood Meeting	
A neighborhood meeting was not held, nor was one required.	

Field Check	
09/17/09	Staff conducted a field inspection and noted a well maintained retail/office building.

Details of Application Request	
Site Area	
Net Acres	1.52

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Retail and Office	VC (Village Center)	P-C (Planned Community)
North	Shopping Center	VC (Village Center)	P-C (Planned Community)
South	Post Office and Offices	VC (Village Center)	P-C (Planned Community)
East	Restaurant	VC (Village Center)	P-C (Planned Community)
West	Single Family Residences	SF3 (Single Family Residential)	P-C Planned Community)

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Area Plan	X		Y
Summerlin	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	
Thrift shop	1,549 SF	1:250	7				
General Retail	2,924 SF	1:175	17				

GK

General Personal Service (Nail Salon)	12 Chairs	2 spaces per chair	24				
Martial Arts Studio	2 Staff Members & 15 students	1 space per staff member & one space per 10 students	4				
General Personal Service (Fitness Center)	1,209 SF	1:250	5				
Sub Total			58	3	59	3	
TOTAL			61		62		Y

ANALYSIS

The applicant is proposing to establish a Thrift shop use within an existing 12,901 square foot retail/office building. The proposed use will locate within an existing 1,549 square foot suite. The applicant is proposing to buy and sell gently used women's clothing and accessories, which is consistent with the Thrift shop use defined in the Summerlin Development Standards. The subject site is capable of accommodating a variety of uses. The addition of a Thrift Shop within this center is compatible with the existing and future land uses, and all on-site parking requirements have been met for the proposed use. Therefore, staff recommends approval.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

   The proposed land use is compatible with the VC (Village Center) Summerlin land use designation and is located within an existing retail/office building. The use can be conducted in a manner that is harmonious and compatible with the surrounding uses.

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

The proposed Thrift Shop use will be in conjunction within an existing retail/office building, which is physically suitable for the type and intensity of the land use proposed.

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

   Site access is provided from Trailwood Drive, a 70-foot Right-of-Way. The 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 Thrift Shop use will be subject to regular inspections.

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

   There are no applicable conditions per the Summerlin Development Standards for this use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 7

NOTICES MAILED 320

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-35909 APN: 138-19-420-004

Name of Property Owner: Ed Yates

Name of Applicant: Nicole Sorrentino

Name of Representative: Brian Sorrentino

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: _____

X Signature of Property Owner: _____

Print Name: EDWIN YATES

RECEIVED
SEP 08 2009

Subscribed and sworn before me

This 28th day of August, 2009

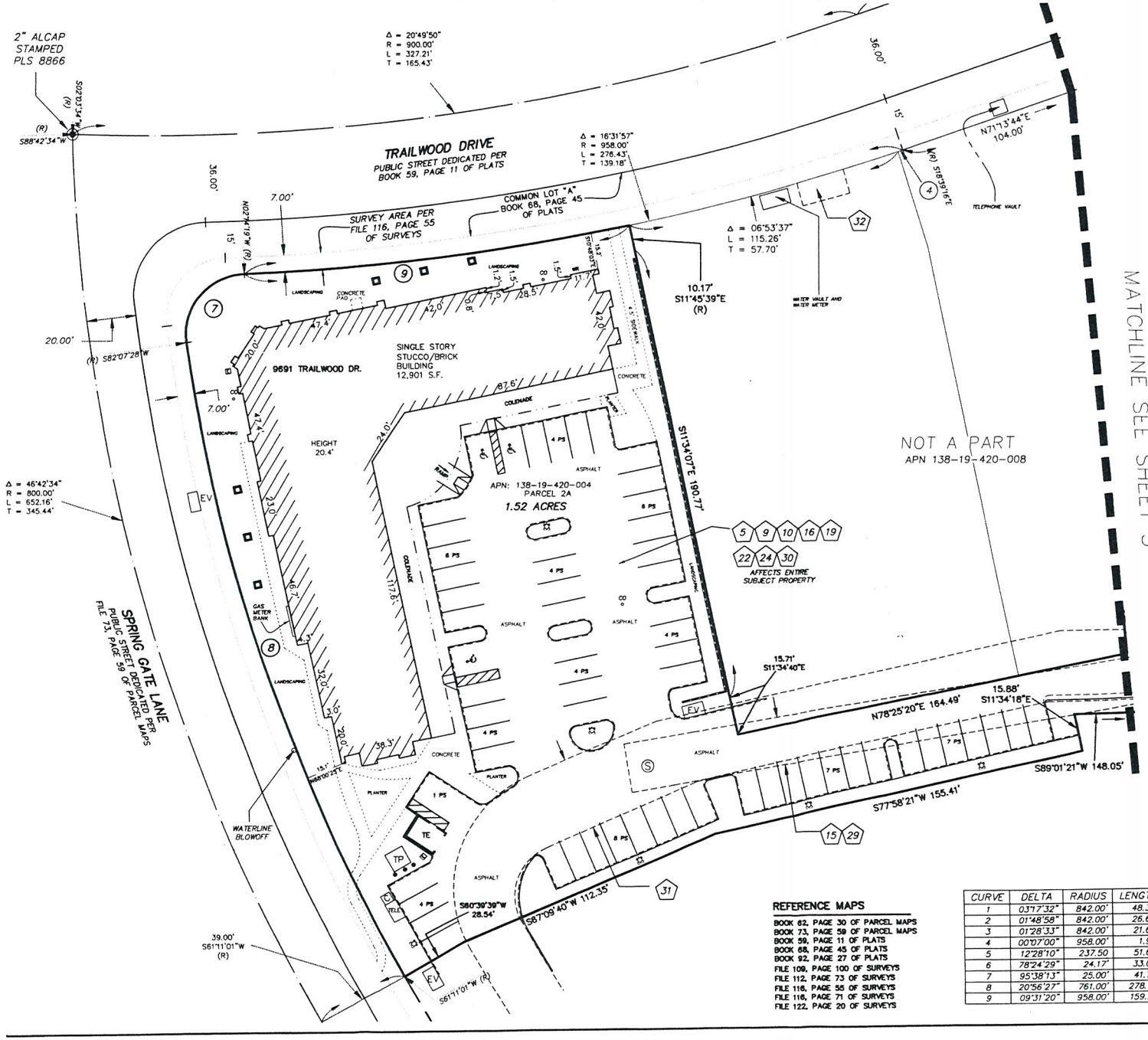
_____
Notary Public in and for said County and State

LISA STUDER
Notary Public, State of Nevada
Appointment No. 07-2359-1
My Appt. Expires Apr 12, 2011

Revised 11-14-06

ALTA/ACSM LAND TITLE SURVEY

LYING WITHIN THE SOUTH HALF (S 1/2)
OF SECTION 19, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA.



REFERENCE MAPS

BOOK 62, PAGE 30 OF PARCEL MAPS
BOOK 73, PAGE 59 OF PARCEL MAPS
BOOK 59, PAGE 11 OF PLATS
BOOK 68, PAGE 45 OF PLATS
BOOK 92, PAGE 27 OF PLATS
FILE 109, PAGE 100 OF SURVEYS
FILE 112, PAGE 73 OF SURVEYS
FILE 116, PAGE 55 OF SURVEYS
FILE 116, PAGE 71 OF SURVEYS
FILE 122, PAGE 20 OF SURVEYS

CURVE	DELTA	RADIUS	LENGTH	TANGENT
1	03°17'32"	842.00'	48.38'	24.20'
2	01°48'58"	842.00'	26.69'	13.35'
3	01°28'33"	842.00'	21.69'	10.85'
4	00°07'00"	958.00'	1.95'	0.98'
5	12°28'10"	237.50	51.69'	25.95'
6	78°24'29"	24.17'	33.08'	19.72'
7	95°38'13"	25.00'	41.73'	27.59'
8	20°56'27"	761.00'	278.13'	140.64'
9	09°31'20"	958.00'	159.21'	79.79'

GRAPHIC SCALE
(IN FEET)
1 inch = 20 ft.

LEGEND

- BUILDING
- SUBJECT PROPERTY BOUNDARY LINE
- BACK OF CURB LINE
- CURB AND GUTTER
- BLOCK WALL
- BOUNDARY LINE
- RIGHT-OF-WAY LINE
- STREET CENTERLINE
- PARKING STRIP
- EDGE OF CONCRETE
- EASEMENT LINE
- ASSESSOR'S PARCEL LINE
- ROOF LINE
- P-O/H — OVERHEAD POWERLINE
- BUILDING SETBACK LINE
- SUBDIVISION LINES OF RECORD
- PARCEL LINE - REMAINDER OF PARCEL
- OVERHANG/CANOPY
- FOUND MONUMENT AS DESCRIBED
- CURVE NUMBER
- LINE NUMBER
- TITLE REPORT EXCEPTION NUMBER
- WATER VALVE
- POWER POLE
- HANDICAP PARKING SPACE
- HANDICAP ACCESS RAMP
- SANITARY SEWER MANHOLE
- ELECTRICAL PULL BOX
- NATURAL GAS METER
- WATER METER
- CABLE PULL BOX
- TELEPHONE BOX
- FIRE HYDRANT
- AREA LIGHT
- BALLARD
- STREET LIGHT
- CO — SEWER CLEANOUT
- TE — TRASH ENCLOSURE
- WR — WATER RISER
- WV — WATER VAULT
- EV — ELECTRICAL VAULT
- TP — ELECTRICAL TRANSFORMER PAD
- S.F. — SQUARE FEET
- APN — ASSESSOR'S PARCEL NUMBER
- PS — PARKING SPACE
- PILLER

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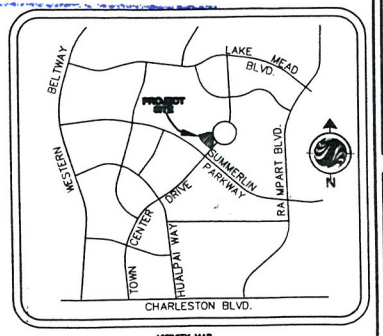
PARKING TABULATION (PARCEL IIA)

REGULAR SPACES	59
HANDICAP SPACES	3
TOTAL SPACES	62



VICINITY MAP
NOT TO SCALE

DATE: 9/14/2009
DRAWN BY: BB

Stantec Consulting Inc.
7251 W. Charleston Blvd.

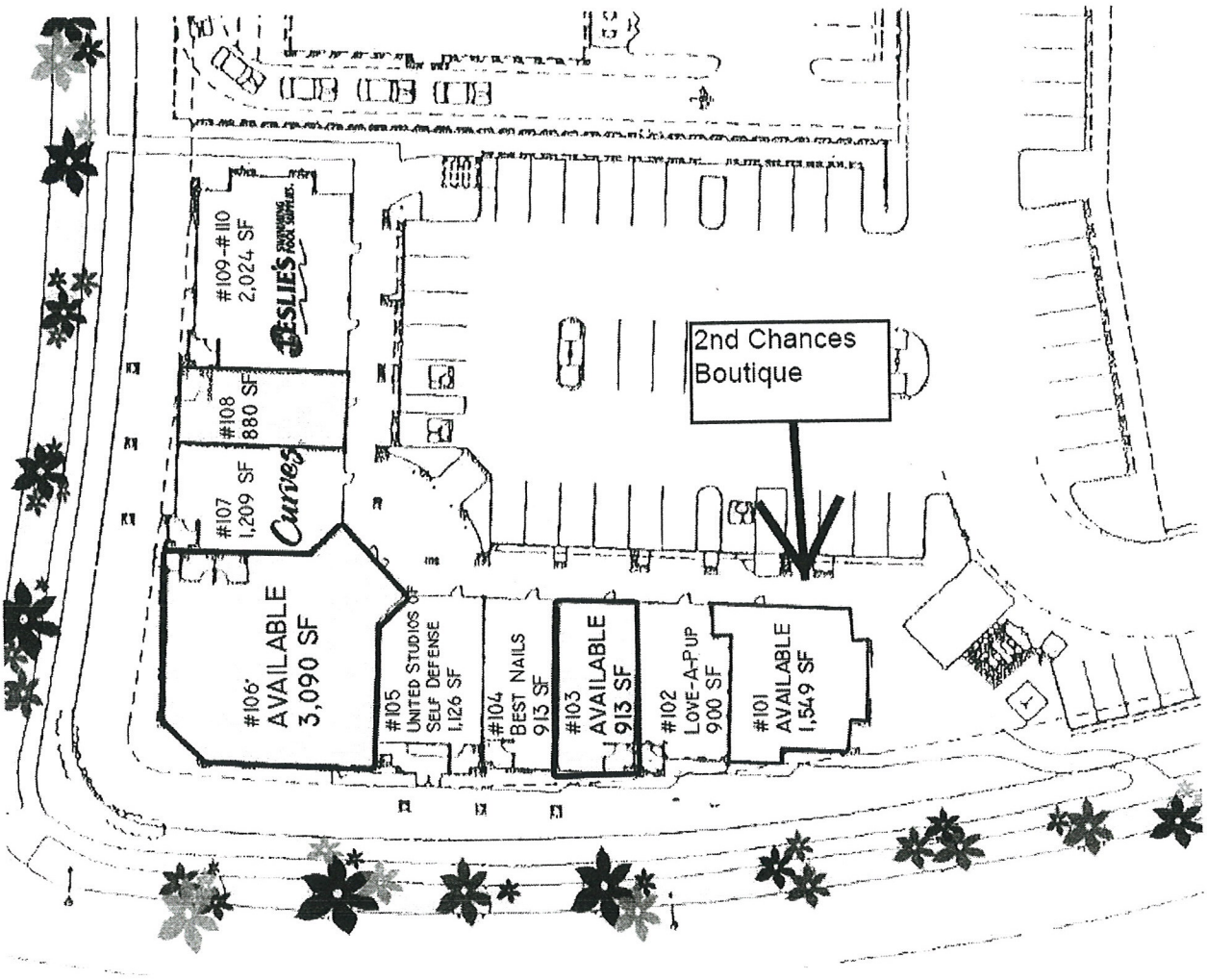
TRAILWOOD CENTER LLC

ALTA/ACSM LAND TITLE SURVEY

SHEET

SUP-35909
10/22/09 PC

EXHIBIT "A"
SITE PLAN



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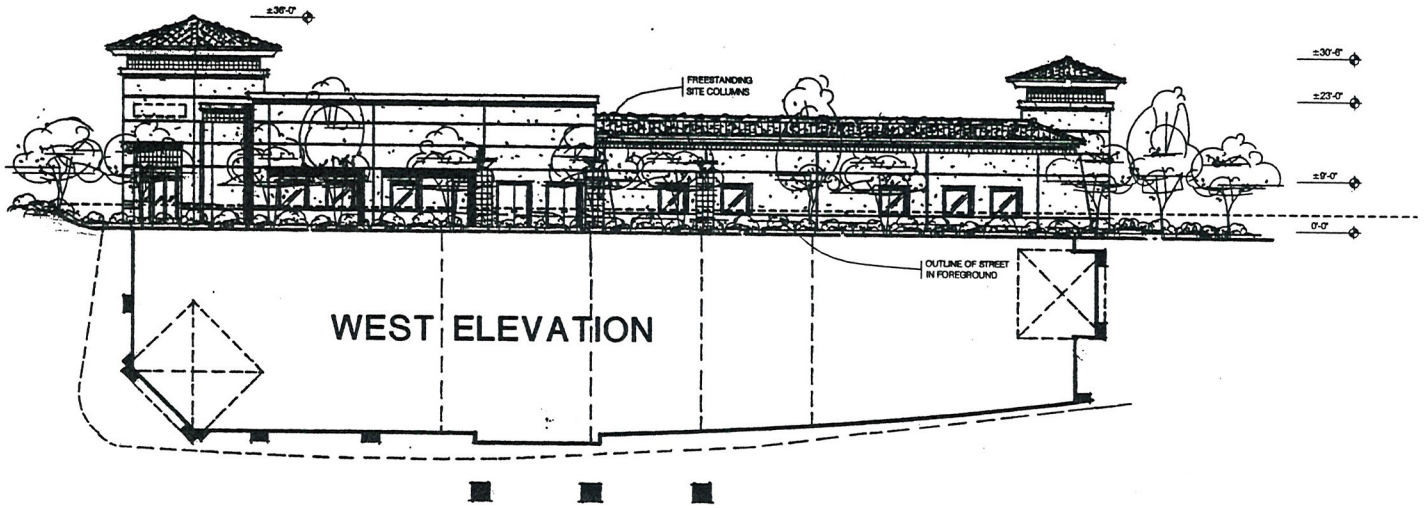
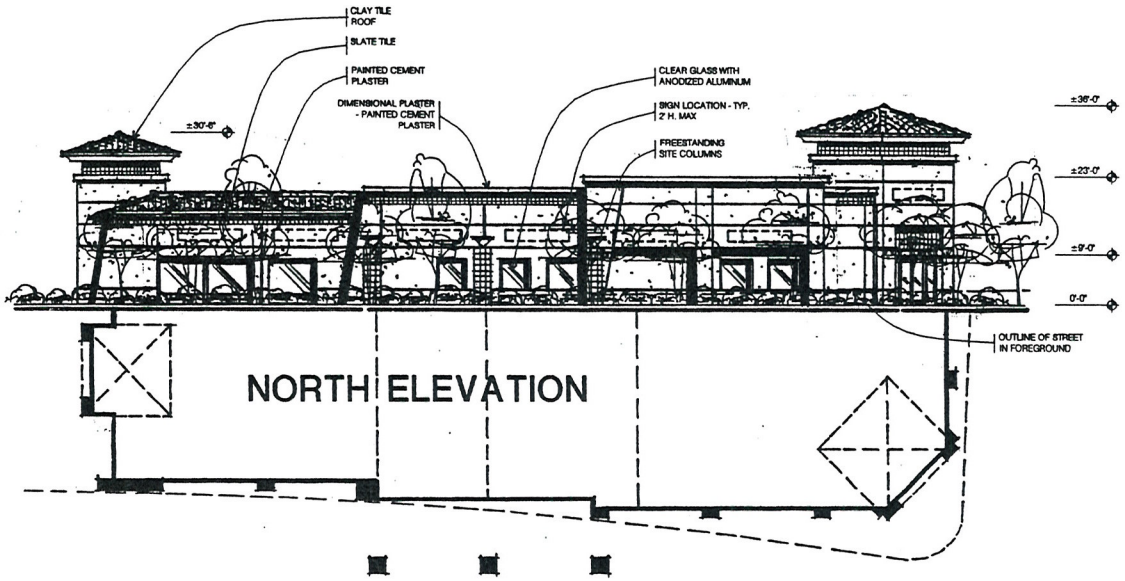
SUP-35909
10/22/09 PC





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SCALE:3/32"=1'-0"

ELEVATIONS

A-4

ELEVATION-B(24x36) 03-28-01 Y0505

LEE & SAKAHARA ARCHITECTS AIA
ARCHITECTURE PLANNING INTERIORS
6280 S. Valley View Blvd., Suite 116, Las Vegas, NV 89118
TEL: (702) 270-6600 FAX: (702) 270-6643
www.leesak.com E-MAIL: leesak@leesakv.com

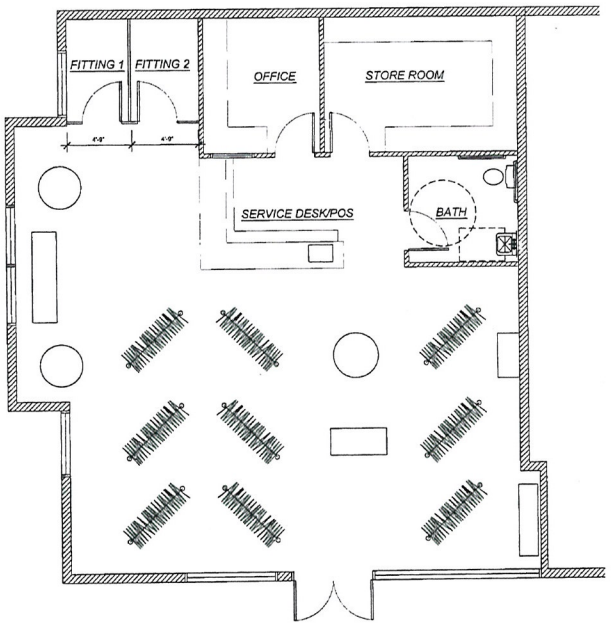
SUMMIT CENTRE AT TRAILS

LAS VEGAS, NEVADA

RETAIL BUILDING

SUP-35909

10/22/09 PC

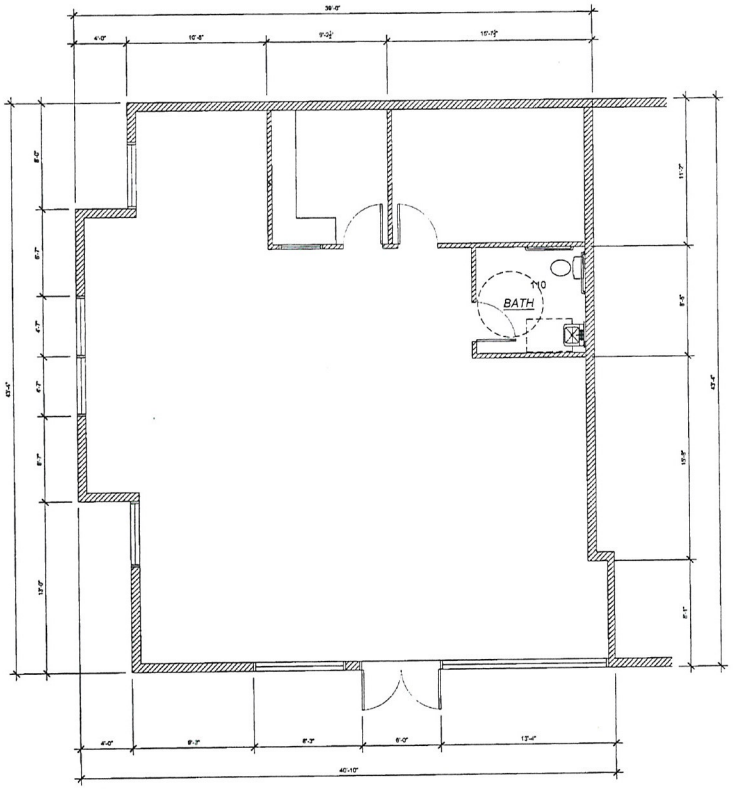


PROPOSED FLOOR PLAN

SCALE: 1/4"=1'0

0 6" 1' 3' 6' 10'

1529 SQUARE FEET



EXISTING FLOOR PLAN

SCALE: 1/4"=1'0

0 6" 1' 3' 6' 10'

1529 SQUARE FEET

RECEIVED

SEP 0 8 2009

SUP-35909

10/22/09 PC

Second Chanc es

A Consignment Boutique

THESE PLANS ARE PREPARED AND SUBMITTED AS AN EXEMPTION TO NRS 624.330 FOR WORK PREFORMED UNDER A CONTRACTORS LICENSE HELD BY AN AUTHORIZED REPRESENTATIVE OF COMPANY: WESTERN UC CONTRACTORS, LLC

PROPOSED/DEMO FLOOR PLAN

VILLAGE CENTER

9691 TRAILWOOD CENTER, SUITE 101

LAS VEGAS, NEVADA 89134

NO.	REVISIONS DESCRIPTION	DATE
1		00.00.09
2		00.00.09
3		00.00.09
4		00.00.09
5		00.00.09
6		00.00.09

PROJECT #: 123456

DRAWN BY: cad

CHECKED BY: pm

PLOT DATE: 03/05/09

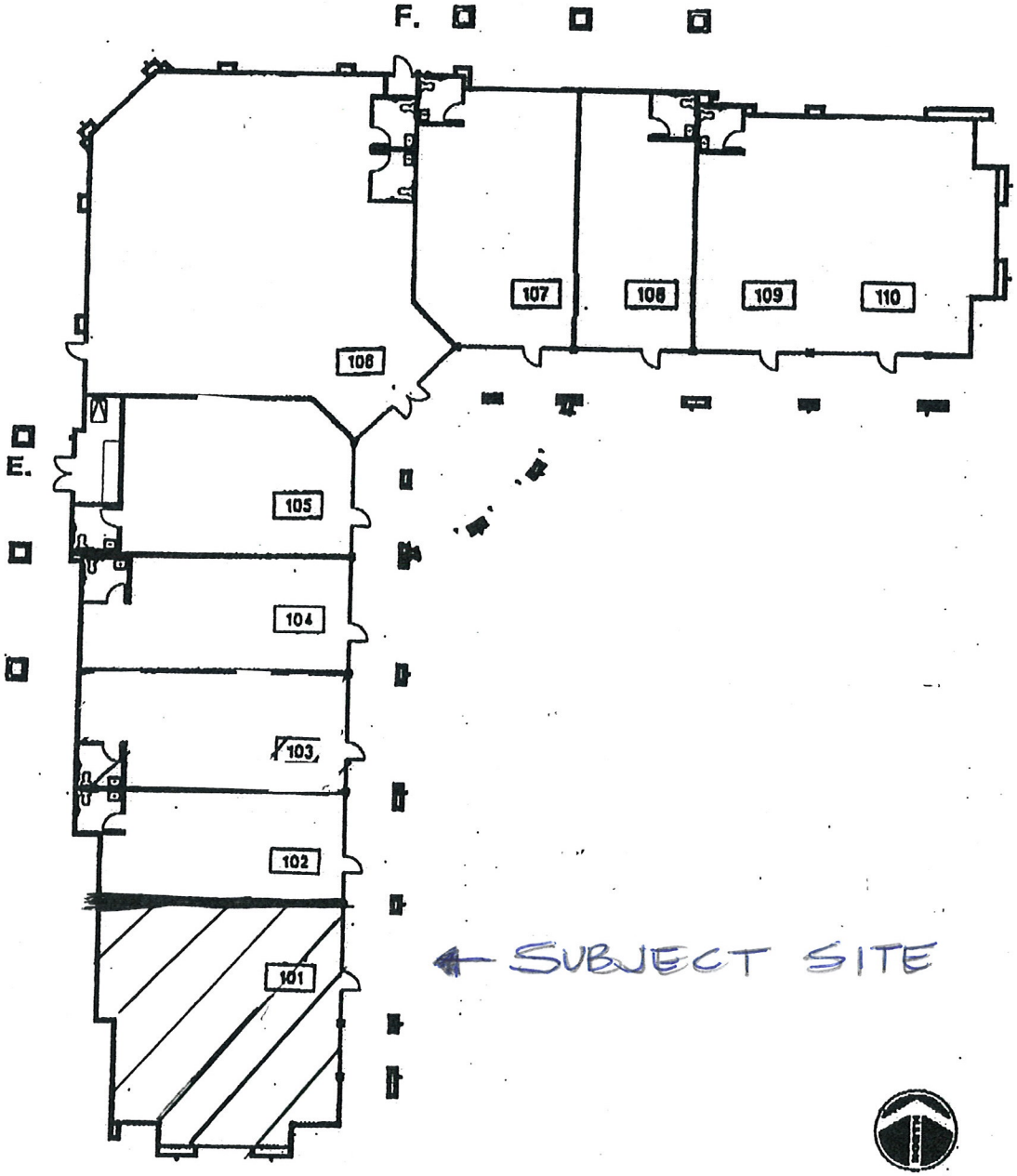
SCALE: NOTED

SHEET:

A0.10

EXHIBIT A-2

FLOOR PLAN



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SUP-35909

10/22/09 PC

Deleted: 421



SUP-35909 - APPLICANT: SECOND CHANCES BOUTIQUE - OWNER: TRAILWOOD CENTER, LLC
9691 TRAILWOOD DRIVE, SUITE #101
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09

Justification Letter
Second Chances, a women's designer clothing consignment store.

Second Chances is requesting to open a high end women's consignment boutique in Summerlin. The store will consist of women's name brand clothing & accessories that will be nearly new and or new for sale. The intended use of the property is to be a neat, clean, organized way to shop for high end consignment women's clothing. This project meets the criteria of the city policy of an so called "Thrift boutique" . Although the store will reflect a very upscale twist of neat merchandising, clean designer lines of fixtures and elegant window displays, the word "Thrift" does it no justice.

Second Chances will provide the mulit-purpose woman with all her designer clothing needs, in consigning and purchasing new and or gently used items. Each client will be able to learn more about their wardrobe and how they can change it for the better without the guilt of over spending at high priced department stores. Second Chances will provide the Las Vegas Valley with innovative ways to make the most of your wardrobe at a fraction of the price.

Second Chances will work with many of the local charities, as well as the local merchants association, and local publications to generate Public Relations to generate shopping in the local neighborhoods & surrounding villages in Summerlin, Henderson and North Las Vegas areas.

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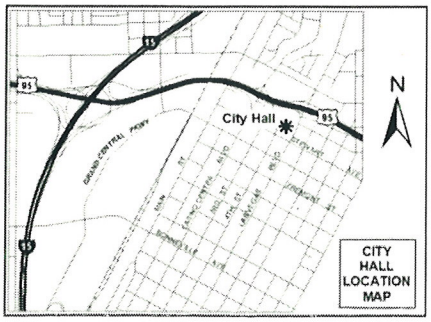
SUP-35909
10/22/09 PC

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
0004279218
$ 00.41
OCT 08 200
MAILED FROM ZIP CODE 8910

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.

SUMMERLIN IS A BEAUTIFUL AREA WITH CLASS A SHOPS, A THRIFT SHOP IS NOT WARRANTED IN THIS AREA

Case: SUP-35909

13830515025
VITTORIO SOLLY R & VALERIE A K
1550 SAN JUAN HILLS DR #101
LAS VEGAS NV 89134-6395

SUP-35909
Planning Commission Meeting of 10/22/2009

HAVDS11 89134

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 22, 2009

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

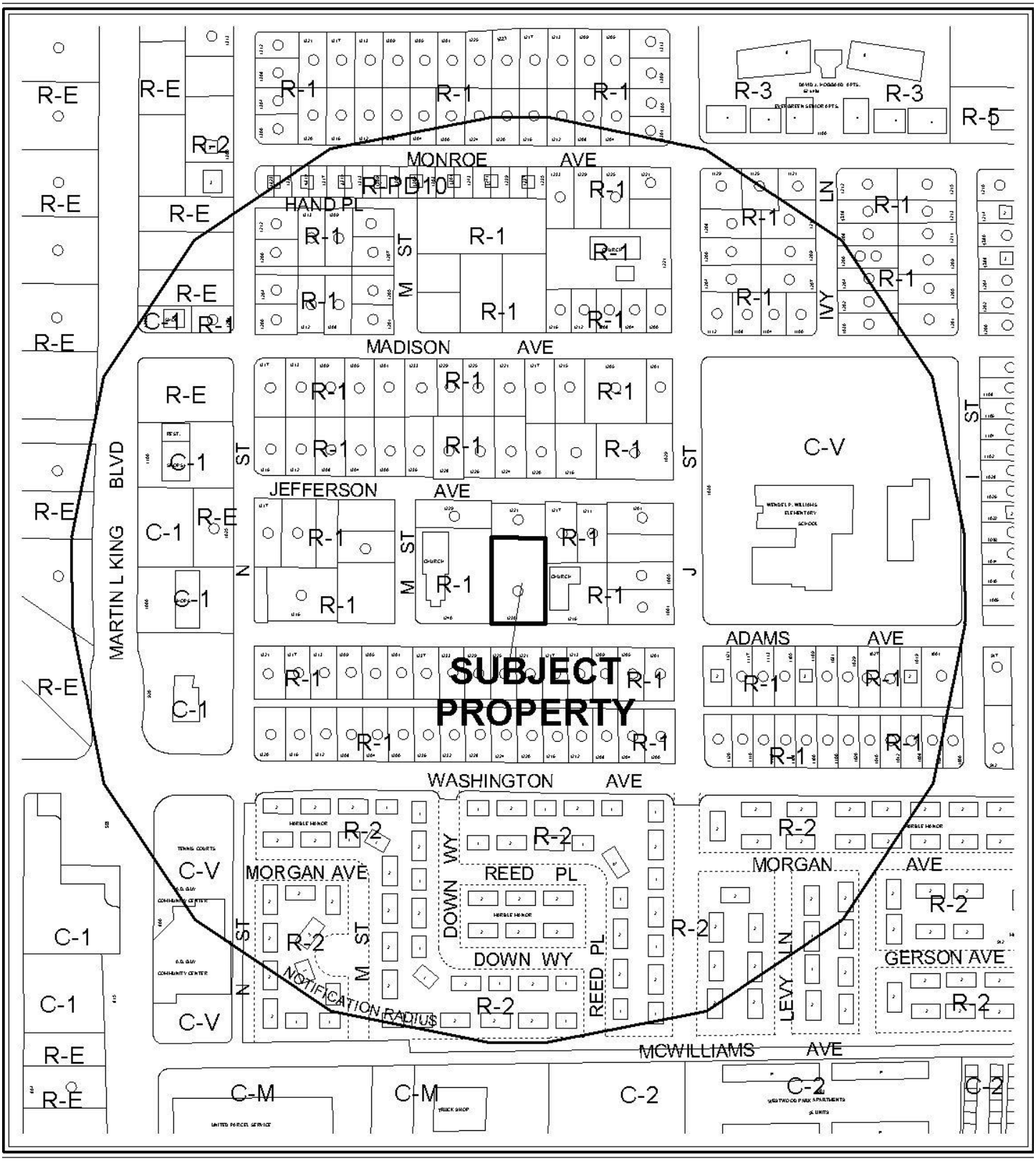
SUBJECT:
SUP-35932 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: FOUSTON JORDAN - Request for a Special Use Permit FOR A PROPOSED CHURCH/HOUSE OF WORSHIP at 1230 West Adams Avenue (APN 139-28-607-009), R-1 (Single Family Residential) Zone, Ward 5 (Barlow)

C.C.: 11/18/2009

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**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

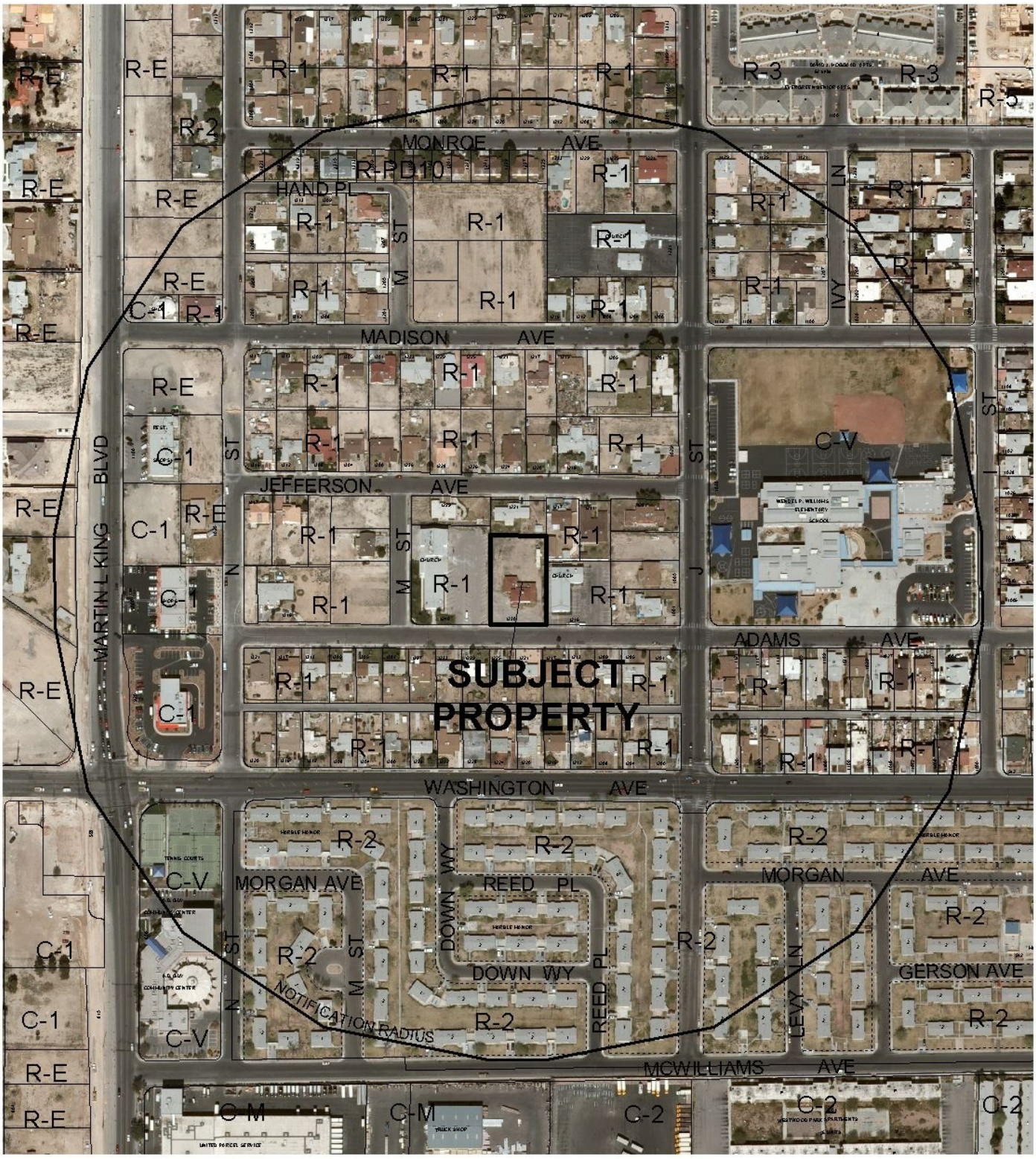


0 300 600 Feet

CASE: **SUP-35932**

RADIUS: 1000 FT

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



0 300 600 Feet

CASE: **SUP-35932**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 22, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-35932 - APPLICANT/OWNER: FOUSTON JORDAN

** CONDITIONS **

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

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for Church/House of Worship use.

2. Conformance to the conditions for Site Development Plan Review (SDR-35931), if approved.

3. All required building permits must be obtained, fees paid, and a final inspection approved prior to occupancy of the building for a church/house of worship use.

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

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

SUP-35932 - Staff Report Page One
October 22, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site contains an existing 2,871 square-foot single-family residence on 0.62 acres at 1230 West Adams Avenue. This is a request for a Special Use Permit (SUP-35932) to convert the existing 2,871 square foot-single family residence to a Church/House of Worship use. The existing R-1 (Single Family Residential) zoning district allows a Church/House of Worship with the approval of a Special Use Permit. However, there are already three similar uses located within the 1,000-foot notification area, with two large churches on either side of the proposed development, oversaturation of the area with a particular use that would negatively impact the area by adding more traffic to this residential area during worship hours. Denial of this application is recommended. If the request is denied, the use on the subject property will remain as a single family residence.

ISSUES

- A condition has been added to require that all necessary permits to convert the residence to a church/house of worship be obtained, fees paid, and a final inspection approved prior to occupancy of the building for a church/house of worship use.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales	
05/03/06	The City Council denied a Site Development Plan Review (SDR-11103) to convert a single family residence to a church/house of worship on the subject site. Planning Commission and staff recommended denial.
05/03/06	The City Council denied a Special Use Permit (SUP-11104) for a proposed church/house of worship on the subject site. Planning Commission and staff recommended denial.
Related Building Permits/Business Licenses	
06/02/05	A building permit was issued (#5004177) for residential improvements and additions to the single family dwelling at 1230 W. Adams Avenue. The changes that were made actually consisted of a worship area, pews, pulpit, and offices for a church. This contradiction was found on 08/05/05 when the site was inspected for construction and setbacks. The permit was voided by the Building & Safety Department on 12/01/05.
06/17/09	A building permit (#141704) was issued for a six-foot CLV design block wall at 1230 W. Adams Avenue. The wall received a final inspection approval on 07/06/09.
08/28/09	A building permit (#146533) was issued for an electrical underground conduit at 1230 W. Adams Avenue. The permit has not received a final inspection.

Pre-Application Meeting	
08/26/09	The Planning and Development Department met with the applicant and reviewed the requirements for a Site Development Plan Review and a Special Use Permit. • Waivers and exceptions for landscaping were discussed. • On-site parking requirements were discussed. • The continuance of curb-side trash pick-up was discussed.

Neighborhood Meeting
A neighborhood meeting is not required, nor was one held.

Field Check	
09/17/09	A field check was completed on the indicated date. The following items were observed by the Planning and Development staff. • Staff observed an existing and well maintained single family residence.

Details of Application Request	
Site Area	
Net Acres	0.62

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

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Area Plan	X		Y
West Las Vegas Plan	X		Y
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 19.10, 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	
Church/House of Worship	1,110 SF	1:100	11	1	31	1	
Total			12		31		Y

ANALYSIS

The existing R-1 (Single Family Residential) zoning district allows a Church/House of Worship with the approval of a Special Use Permit. However, there are already three similar uses located within the 1,000-foot notification area, with two large churches on either side of the proposed development, oversaturation of the area with a particular use that would negatively impact the area by adding more traffic to this residential area during worship hours. Denial of this application is recommended.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

   The proposed Church/House of Worship would be located between two properties that have already been converted from residences to Churches. Due to the two adjacent Church facilities this project would saturate this residential area with a specific use. During worship hours the area would be very congested and would negatively impact the residential neighborhood.

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

   The proposed use as a Church would create a concentration of non residential uses in this Low Density Residential area and therefore is not in compliance with the General Plan.

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 Adams Avenue, designated as a 60-foot Right-of-Way. The site and adjacent facilities will generate a large amount of traffic during worship hours and will have a negative impact on adjacent roadways and the neighborhood.

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 subject site is located within the R-1 (Single Family Residential) Zone and has a General Plan designation of L (Low Density Residential). Church/House of Worship use requires approval of a Special Use Permit within the R-1 (Single Family Residential) Zone. It will not compromise the public health, safety, and welfare or overall objectives of the General Plan.

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

   The proposed use meets all of the applicable standards pursuant to Title 19, with the exception of the Title 19.12.040 Landscape Standards.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 23

NOTICES MAILED 182

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-35932** APN: 139-28-607-009

Name of Property Owner: FOUSTON JORDON

Name of Applicant: FOUSTON JORDON

Name of Representative: JOEY DEBLANCO

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: JOEY DEBLANCO FOR FOUSTON JORDON

Subscribed and sworn before me

This 9TH day of SEPTEMBER, 2009

_____
Notary Public in and for said County and State

GERMAN MENDOZA
Notary Public, State of Nevada
Appointment No. 06-105227-1
My Appt. Expires Apr. 28, 2010

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FRONT
8/11/09



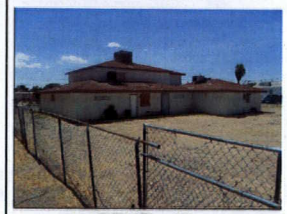
WEST
8/11/09



EAST
8/11/09



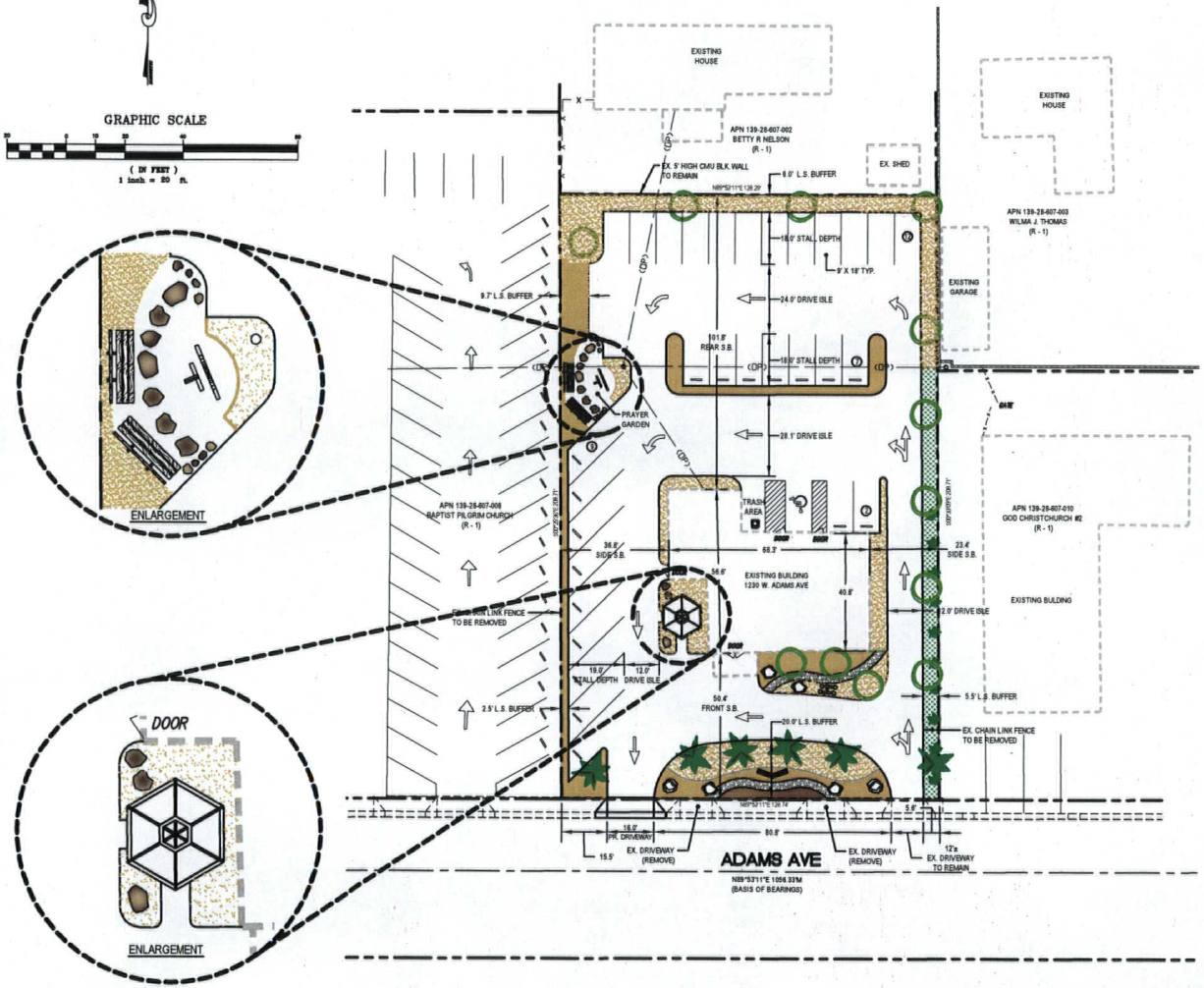
REAR #1
8/11/09



REAR #2
8/11/09

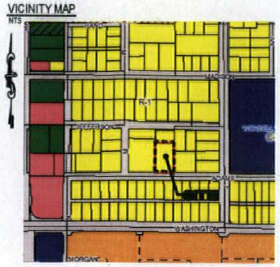
GRAPHIC SCALE

(IN FEET)
1 inch = 20 ft.



VICINITY MAP

NTS



PROJECT INFORMATION

JURISDICTION:	CITY OF LAS VEGAS
A.P.N.	139-28-607-009
LOT SIZE:	26822 S.F. OR 0.62 AC
EX. BUILDING HEIGHT:	18.17'
EX. BUILDING SIZE:	2871 S.F.
SANCTUARY	1110 S.F.
OTHER	1716 S.F.
EX. ZONING:	R - 1
PR. ZONING:	R - 1
EX. USE:	RESIDENTIAL
PR. USE:	PLACE OF WORSHIP
OWNER:	FOUSTON JORDAN

LANDSCAPING

PR. GLOSSY PRIVET	24" BOX: WAIVER REQUESTED
EX. FAN PALM	48" BOX, RELOCATE AS SHOWN
EX. OLEANDER	15 GAL. TO REMAIN
PR. BOULDER	250 - 500 LBS.
PR. CONCRETE STEP STONE	STAINED
PR. DECOMPOSE GRANITE	DARK BROWN
PR. DECOMPOSE GRANITE	LIGHT BROWN
PR. SOLID SURFACING	GOLDEN BROWN
PR. 6" RIVER ROCK	GREY
EX. TURF	TO REMAIN

PARKING ANALYSIS

PARKING REQ:	1 / 100 S.F.	12 SPACES
PARKING PROV:	1 / 36 S.F.	30 SPACES
	INCLUDING:	1 H.C. SPACE

LANDSCAPE BUFFER ANALYSIS

LANDSCAPE REQ:	
REAR LANDSCAPE BUFFER REQ:	6' X 128' = 768 S.F
E.SIDE LANDSCAPE BUFFER REQ:	8' X 208' = 1664 S.F
W.SIDE LANDSCAPE BUFFER REQ:	8' X 208' = 1664 S.F
FRONT LANDSCAPE BUFFER REQ:	15' X 100' = 1500 S.F
TOTAL:	5596 S.F.
LANDSCAPE PROV:	(12% REDUCTION) 4910 S.F.

LEGEND

- PR. MONUMENT SIGN
- PR. PREFAB. GAZEBO
- PR. PARK BENCH
- PR. RESIDENTIAL DRIVEWAY

EXISTING SETBACKS

FRONT:	50.4'
REAR:	101.8'
WEST SIDE:	36.8'
EAST SIDE:	23.4'
TRASH AREA	116.1'

LEGAL DESCRIPTION

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF CLARK, STATE OF NEVADA, DESCRIBED AS FOLLOWS:

BEING A PORTION AT THE NORTHWEST QUARTER (NORTHWEST 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SOUTHWEST 1/4) OF THE NORTHEAST QUARTER (NORTHEAST 1/4) OF SECTION 28, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.B. & M. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 28; THENCE NORTH, 0 26' 28" WEST, A DISTANCE OF 25.00 FEET TO A POINT; THENCE NORTH 89 53' 11" EAST, A DISTANCE OF 183.71 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 0 26' 28" WEST, A DISTANCE OF 208.71 FEET TO A POINT; THENCE NORTH 89 53' 11" EAST TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER (NW 1/4) OF THE, SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 28, SAID POINT BEING NORTHERLY A DISTANCE OF 233.71 FEET FROM THE SOUTHEAST CORNER THEREOF; THENCE SOUTHERLY ALONG THE AFOREMENTIONED EAST LINE, A DISTANCE OF 208.71 FEET TO A POINT; THENCE SOUTH 89 53' 11" WEST TO THE **TRUE POINT OF BEGINNING.**

THIS IS A CONCEPTUAL SITE PLAN AND IS INTENDED TO DEPICT THE OWNER'S DESIRED DEVELOPMENT. THE FINAL PLANS MAY DEVIATE FROM WHAT IS DEPICTED HERE.

VERSION NO. 2
SUP-35932 9-18-09
REVISED
10/22/09 PC

SEP 18 2009

OWNER / DEVELOPER: FOUSTON JORDAN
4045 BOLA DR., NO LAS VEGAS, NV 89032-2462

ENGINEERING FIRM: LAS VEGAS CIVIL ENGINEERING
2301 N. RANCHARRT BLVD. No. 116, LAS VEGAS, NEVADA 89115 (702) 898-6741

REV | DATE | BY | REVISION

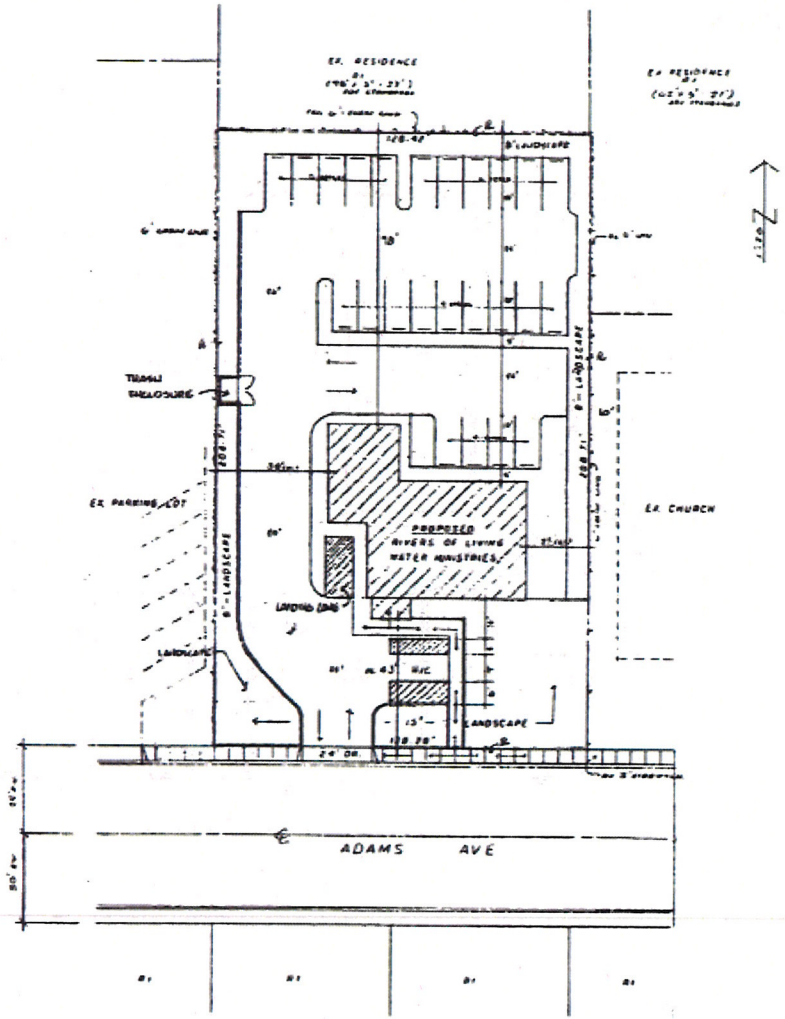
SHEET TITLE: CONCEPTUAL SITE PLAN
PROJECT NAME: RIVER OF LIVING WATER MINISTRY
PROJECT ADDRESS: 1230 ADAMS AVENUE
MUNICIPALITY: CITY OF LAS VEGAS

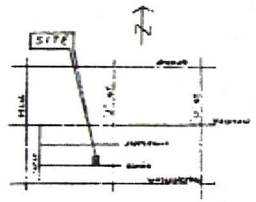
DRAWN BY: STAFF
DESIGNED BY: STAFF
CHECKED BY: STAFF
LVCE PROJ. NO. LVCE

HORIZONTAL SCALE: 1" = 20'
VERTICAL SCALE: N/A

REGISTERED PROFESSIONAL ENGINEER STATE OF NEVADA JOSEPH R. DeBLANCO EXP. 12/31/10 CIVIL No. 15538

SHEET: SP
1 OF 1
QLY NO.





VICININTY MAP

APN. 139.28.507.007
ZONED R1
LOT SIZE 26,857 SF
0.62 ac

BUILDING SIZE (10% LOT COVER)
SANCTUARY 1110 SF
OTHER 1361 SF TL 2871 SF

PARKING
SANCTUARY - 1110 SF x 100 SF PER SPACE - (12) SPACES
FIXED SEATING - (91) x 4 SEATS PER SPACE - 23 SPACES

REQUIRED - 23 SPACES w/ 1 ADA SPACE
PROVIDED - 25 SPACES TL

SITE PLAN 1"=20'

RIVERS OF LIVING WATER MINISTRIES
1230 ADAMS AVE.
LV

SITE PLAN

REVISIONS

S1

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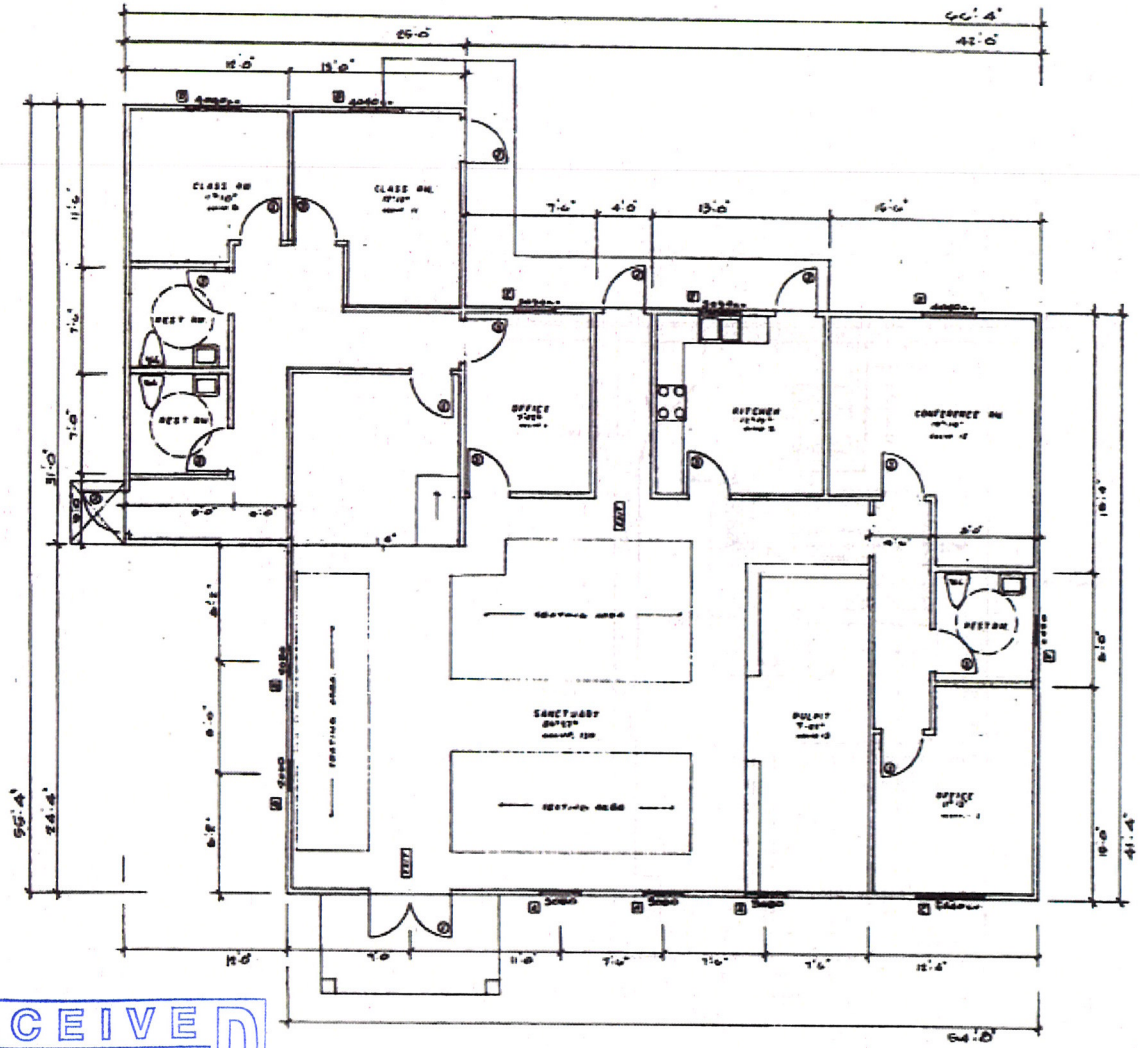

DOORS

1	1	6060	[illegible]	[illegible]
2	4	3060	-	" " " "
3	11	3060	[illegible]	" " [illegible]

WINDOWS

A	3	5060	SW	[illegible]
B	2	2050	-	" " FIXED
C	1	5040	[illegible]	" " [illegible]
D	3	4060	-	" " " "
E	2	3030	-	" " " "
F	2	2020	-	" " " "

FLOOR PLAN

SANCTUARY	- 1110 [illegible]
OFFICES	- 811 [illegible]
CLASS RM	- 536 [illegible]
REST RM	- 162 [illegible]
HALLWAY'S	- 252 [illegible]
	2871 [illegible]

[illegible]URANCY - 181

RIVERS OF LIVING WATER MINISTRIES
1230 ADAMS AVE.
N.V. NEV. 89106

1/4"-1'0"

A1

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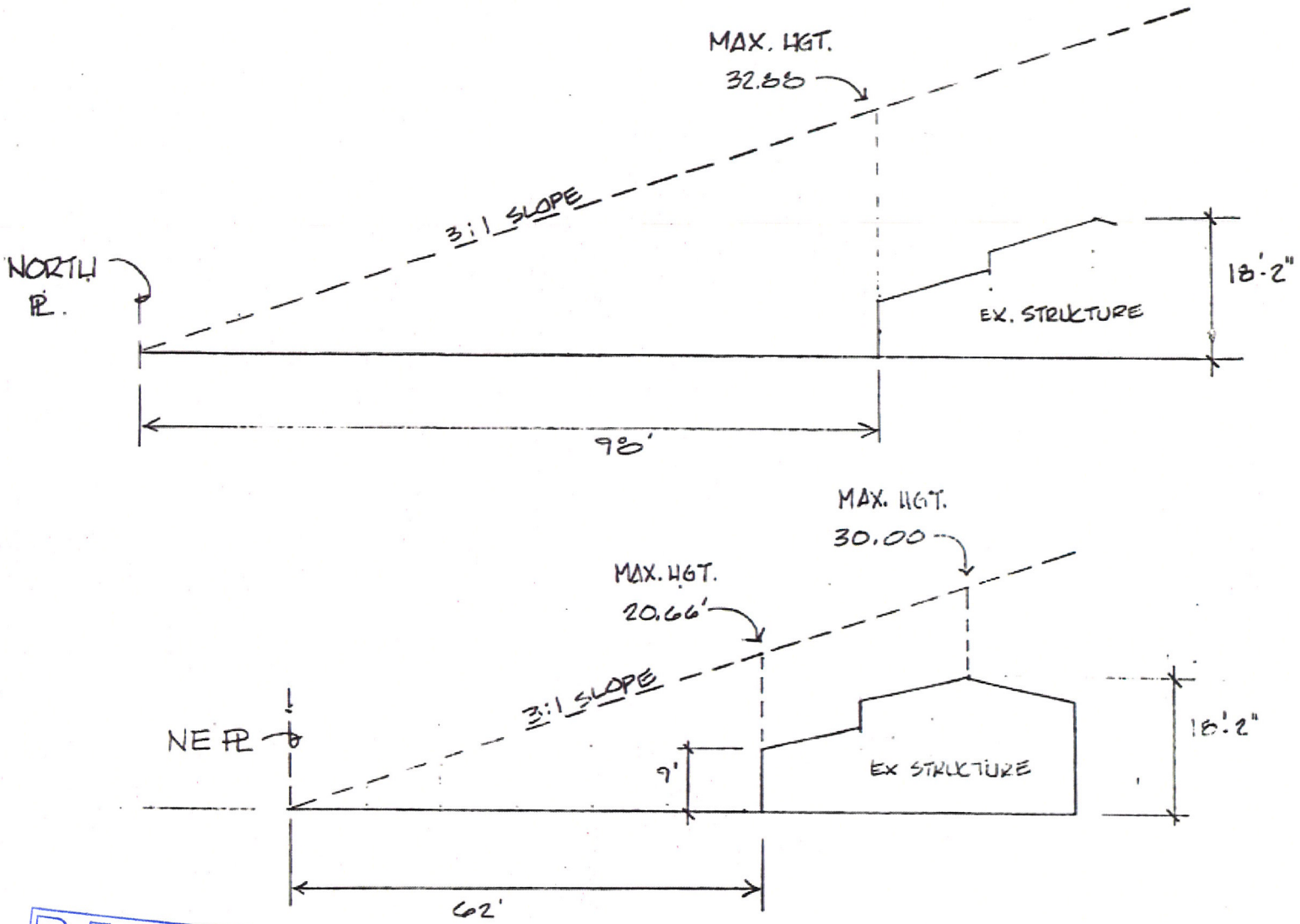

RESIDENTIAL PROXIMITY SLOPE

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1230 WEST ADAMS AVENUE
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



SUP-35932 - APPLICANT/OWNER: FOUSTON JORDAN
1230 WEST ADAMS AVENUE
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



SUP-35932 - APPLICANT/OWNER: FOUSTON JORDAN
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09/17/09



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09/17/09



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09/17/09



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09/17/09



SUP-35932 - APPLICANT/OWNER: FOUSTON JORDAN
1230 WEST ADAMS AVENUE
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09

Tuesday, September 08, 2009

VIA HAND DELIVER

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

LAS VEGAS CIVIL ENGINEERING NEVADA

Re: Justification Letter – River of Living Water Ministry
Place of Worship
SDR & Use Permit
APN 139-28-607-009

To Whom It May Concern:

Please be advised that this office represents River of Living Water Ministry (the "Applicant") in the above referenced matter.

The Applicant is proposing a site development review for a place of worship located at 1230 Adams Avenue (the "Site"). In conjunction with the SDR, the Applicant is proposing a use permit to allow a place of worship in a residential zone.

Previously, the Applicant filed similar applications, SDR 11103 & SUP 11104. Both applications were denied at the City Council Meeting held on May 3, 2006. It appears the denial was predicated on traffic, oversaturation of use and means of establishments.

Traffic
A traffic capacity document, prepared by the City Traffic Engineering Department, was discovered and is attached as Exhibit 1. This document determined that the proposed Site development would generate less than a one percent (< 1%) increase in traffic burden on the surrounding streets. Attached as Exhibit 2 is an email from the same department validating Exhibit 1's present accuracy for this application.

Oversaturation of Use
The West Las Vegas Bible Belt is one of the most recognizable and greatest oversaturations of use in Las Vegas. This particular community embraces religious and spiritual activities and has since its beginning. The ceremonious structure appeals to the constituents which are evidenced by the community's historic trend. For example, there are an additional twenty churches located within 2500 feet of the Site. Even more interesting is that the neighboring sites are both churches as well.

Without objection, the West Las Vegas Community has trended toward a beautiful oversaturation of religious use. And they have done so collectively, and with overwhelming support; just as this Applicant is doing now. Under the previous applications, over 100 people signed a petition for the proposed development; of which most were comprised of surrounding neighbors. Later, City of Las Vegas representatives re-canvassed the surrounding neighborhood and determined similar results.

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Means of Establishments
Originally, the building renovations were performed under a residential permit application. This was an error and the Applicant assumes full responsible charge and desires to move forward with this application.

Landscape
The existing building location imposes development challenges that may warrant relief from Title 19 of the Las Vegas Municipal Code. Specifically, parking spaces were angled and landscape buffers were adjusted in order to maintain appropriate drive isle widths. Based on the conceptual design submitted the following landscape waivers are being requested:

1. Reduction of east landscape buffer width to 5.5'.
2. Reduction of west landscape buffer width to 2.5'.

In addition, the following exceptions are being requested:

1. Omit all 24" box trees along west landscape buffer and landscape parking islands.
2. Omit all shrubs for all landscape buffers and landscape islands.
3. Omit all onsite curbing.
4. Omit 3 – 24" trees along the rear landscape buffer

Trash Enclosure
The capacity of waste accumulation during a given week is less than 30 gallons and is residential in nature. We are requesting omission of a trash enclosure structure and include an acknowledgment email from Republic Services as Exhibit 3, the waste management charter for this property, supporting this request.

Perimeter Fencing
There is an existing 6' high block wall along the rear property line and 5' high chain link fences along the west and east property lines. The block wall will remain as it was constructed recently at the request of Councilman Barlow, while the chain link fences shall be removed.

Driveways
Currently, this property accesses Adams Avenue by three residential driveways. The Applicant proposes eliminating two driveways and constructing a new residential driveway near the westerly property line. This reduction will ease pedestrian travel along the sidewalk and allow simple traffic flow into and out of the site without compounded navigation due to the existing building's location.

We thank you in advance for your consideration.

Sincerely,

Joey DeBlanco

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SDR-35931
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EXHIBIT 1

PAGE 1

SDR 11103				
Fouston Jordan				
1230 W Adams				
Proposed 2.871 thousand square foot conversion of a residence into a church.				
Traffic produced by proposed development:				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	CHURCH [1000 SF]	2.871	9.11	**26**
AM Peak Hour			0.72	**2**
PM Peak Hour			0.66	**2**
(heaviest 60 minutes)				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SINGLE FAMILY DETACHED [DWELL]	1	9.57	**10**
AM Peak Hour			0.75	**1**
PM Peak Hour			1.01	**1**
(heaviest 60 minutes)				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	CHURCH [1000 SF]	2.871		**16**
AM Peak Hour				**1**
PM Peak Hour				**1**
(heaviest 60 minutes)				
Existing traffic on all nearby streets: counts not available for Adams, Jefferson or M				
J Street				
Average Daily Traffic (ADT)	1,736			
PM Peak Hour	139			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
	Adjacent street ADT Capacity			
Adams Avenue	3000			
Jefferson Avenue	3000			
M Street	3000			
J Street	3000			

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EXHIBIT 1

PAGE 2

This project will add approximately 16 trips per day on Adams, Jefferson, M and J. This			
will increase expected volumes by about 1 percent on J Street. J Street is at about 58			
percent of capacity. Counts are not available for Adams, Jefferson or M Street, but they			
are believed to be under capacity.			
Based on Peak Hour use, this development will add roughly 1 additional			
car into the area; which works out to one every hour.			
Note that this report assumes all traffic from this development uses all named streets.			

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SDR-35931
10/22/09 PC

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EXHIBIT 2

From: Rick Schroder [rschroder@LasVegasNevada.GOV]
Sent: Wednesday, July 15, 2009 3:36 PM
To: Joey DeBlanco
Cc: Diane Phomninh; Jonathan Groppenbacher; Victor Bolanos
Subject: RE: New SUP Application

The information submitted by City staff for SDR 11103 (as attached in your original email) should still be essentially valid for subsequent applications that comply with that SDR. Please let me know if you need any further information.

From: Joey DeBlanco [mailto:joey@lvce.net]
Sent: Wednesday, July 15, 2009 3:04 PM
To: Rick Schroder
Subject: New SUP Application

Good Morning Gentlemen,

Attached is a document produced by your office. I would like to use it for a new application. Is the information shown on the attached document still accurate?

Joey DeBlanco
Las Vegas Civil Engineering
2251 N. Rampart Blvd., No. 418
Las Vegas, Nevada 89128
P:702-515-6741 F:702-515-6771
E: joey@lvce.net

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SEP - 9 2009
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

EXHIBIT 3

From: Andrews, Holly [HAndrews@republicservices.com]
Sent: Monday, August 31, 2009 12:50 PM
To: 'Joey DeBlanco'
Subject: RE: 1230 Adams Avenue
Mr. DeBlanco,

Republic Services Corp. will continue to pick up the waste at this address curbside; you are currently set for 1 Can 2x a week.

We require no trash enclosure.

Holly Andrews
Republic Services
Commercial Sales Rep.
770 E. Sahara Ave.
Las Vegas, NV
89104
C: 702-280-0006
F: 702-599-5581

From: Joey DeBlanco [mailto:joey@lvce.net]
Sent: Monday, August 31, 2009 12:21 PM
To: Andrews, Holly
Subject: 1230 Adams Avenue

Holly,
Please provide a letter stating you will still pick up trash with out an enclosure for 1230 Adams Avenue (River of Living Water Ministry). Thank you.

Joey DeBlanco
Las Vegas Civil Engineering
2251 N. Rampart Blvd., No. 418
Las Vegas, Nevada 89128
P:702-515-6741 F:702-515-6771
E: joey@lvce.net

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 22, 2009

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

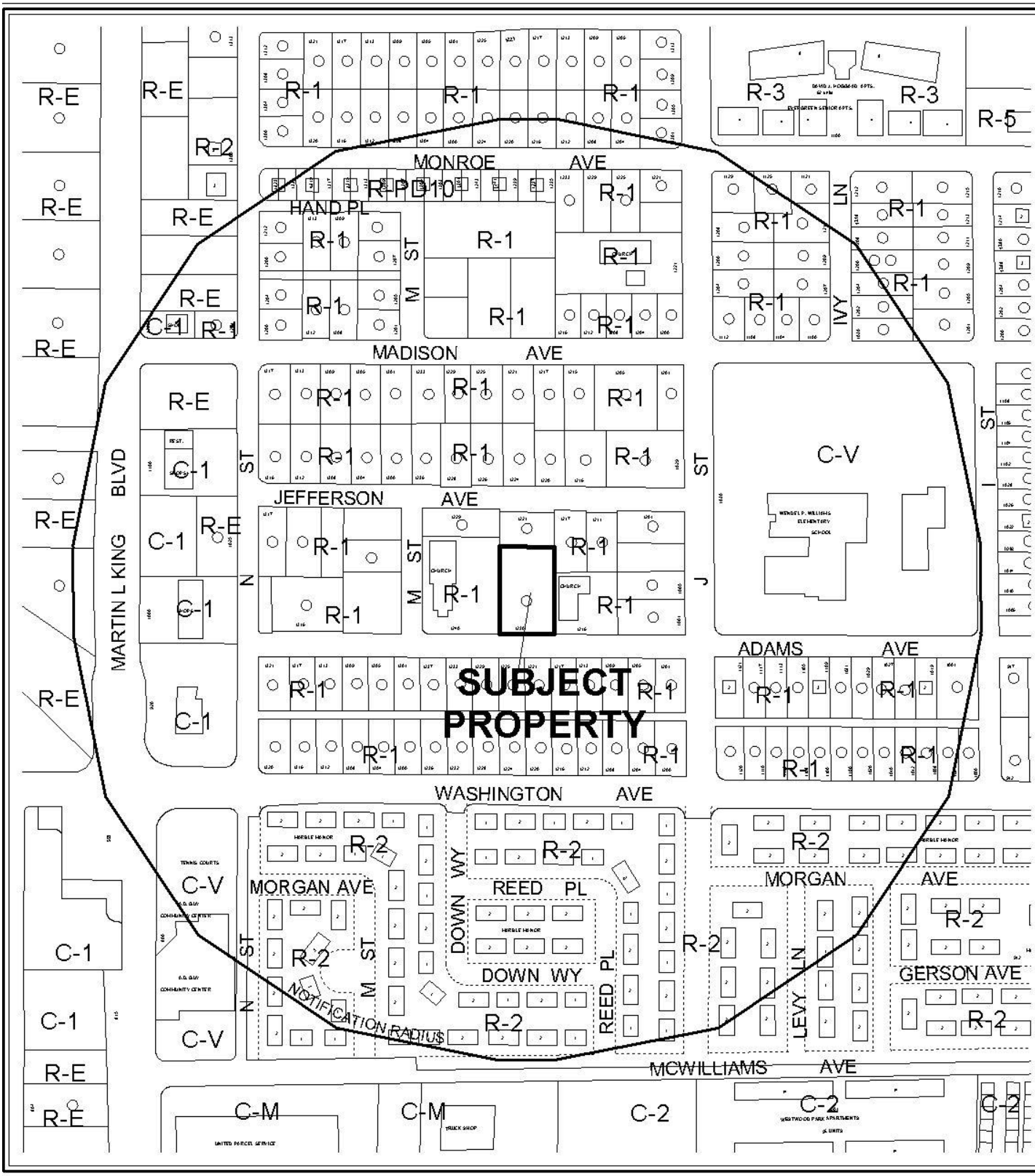
SUBJECT:
SDR-35931 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-35932 - PUBLIC HEARING - APPLICANT/OWNER: FOUSTON JORDAN - Request for a Site Development Plan Review FOR THE CONVERSION OF AN EXISTING 2,871 SQUARE-FOOT RESIDENCE TO A CHURCH/HOUSE OF WORSHIP WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS TO ALLOW BUFFER WIDTHS OF FIVE FEET, TWO FEET, AND SEVEN FEET ALONG THE EAST, WEST, AND NORTH PERIMETERS, RESPECTIVELY; WHERE EIGHT FEET IS REQUIRED AND SIX FEET ALONG THE FRONT PERIMETER WHERE 15 FEET IS REQUIRED on 0.60 acres at 1230 West Adams Avenue (APN 139-28-607-009), R-1 (Single Family Residential) Zone, Ward 5 (Barlow)

C.C.: 11/18/2009

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

RECOMMENDATION:
DENIAL

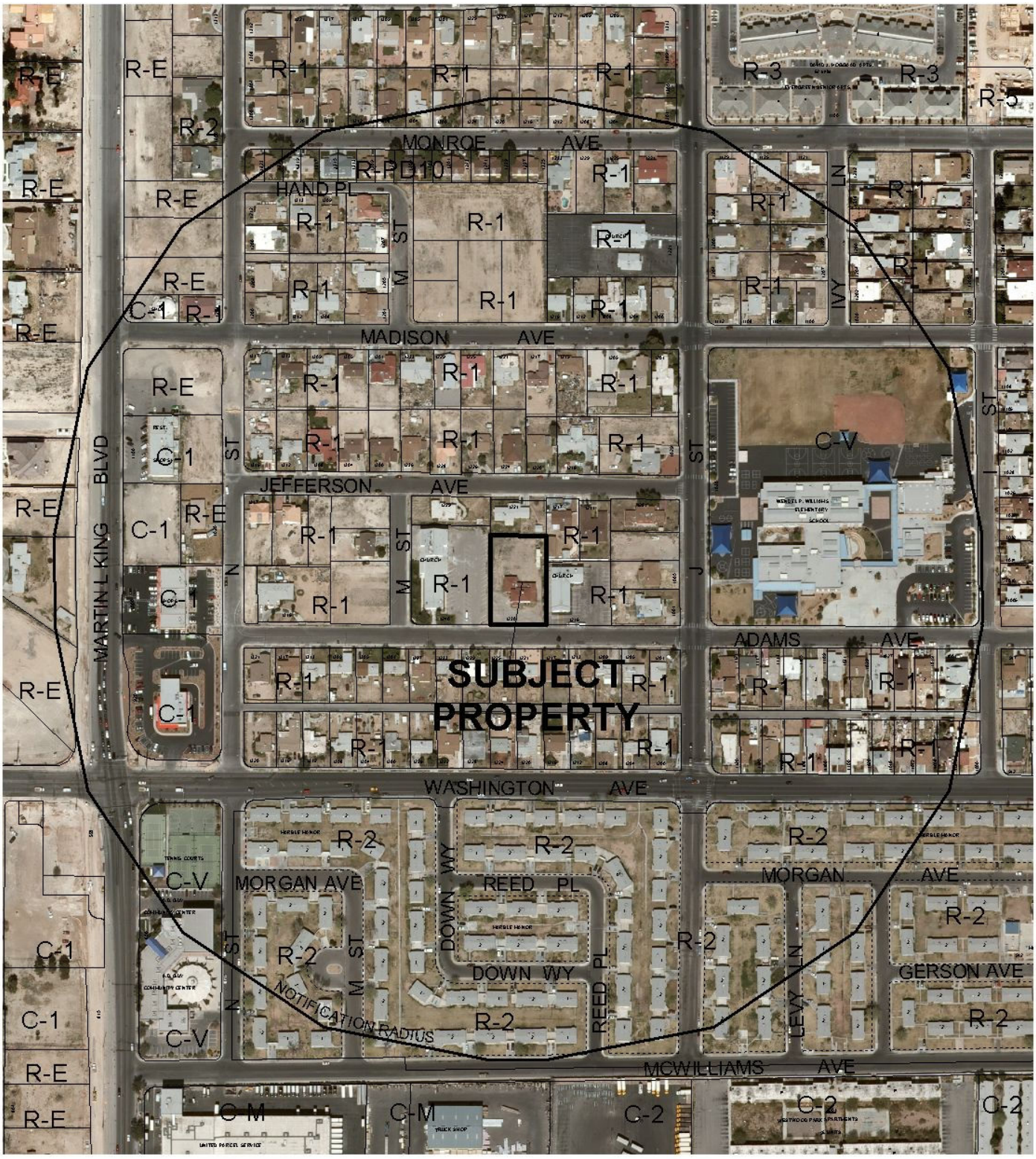
BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter



CASE: **SDR-35931**

RADIUS: 1000 FT

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



0 300 600 Feet

CASE: **SDR-35931**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 22, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-35931 - APPLICANT/OWNER: FOUSTON JORDAN

** CONDITIONS **

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-35932) shall be required, if approved.

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

3. All required building permits must be obtained, fees paid, and a final inspection approved prior to occupancy of the building for a church/house of worship use.

4. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 09/18/09, and the floor plan, date stamped 09/09/09, except as amended by conditions herein.

5. Waivers from 19.12.040 are hereby approved to allow buffers of five, two, and seven feet along the east, west and north perimeters, respectively, where eight feet is required and a buffer of six feet along the south perimeter where 15 feet is required.

6. Exceptions from 19.12.040 are hereby approved to allow one tree within the west landscape buffer where seven trees are required, three trees within the north landscape buffer where five trees are required, six trees within the east landscape buffer where seven are required, and zero parking lot trees where six trees are required.

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

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

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

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

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

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

Public Works

14. 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. The existing driveway for ingress and the proposed driveway for egress for this site are acceptable as "pan" style driveways.

15. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

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

17. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time building permits are issued.

18. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing final grade elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

SDR-35931 - Staff Report Page One
October 22, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site consists of an existing 2,871 square-foot single-family residence that the applicant is requesting to convert to a church/house of worship at 1230 West Adams Avenue. The applicant is requesting Waivers and Exceptions of the Title 19.12.040 Perimeter Landscape Buffer Standards. The immediate area is oversaturated with church/house of worship uses, as there are two existing churches on each side of the subject property. Furthermore, the extensive requests for Waivers and Exceptions indicate that the site, in its current configuration, is not physically suitable for the increased intensity of the proposed use and will not be compatible with the adjacent residential property to the north; therefore, staff is recommending denial of this request. If this application is denied, the subject site shall remain a single-family residence.

ISSUES

- Approval of a related Special Use Permit (SUP-35932) is required to allow a Church/House of Worship as a use on the subject site.
- The applicant is requesting Waivers to allow landscape buffers of five, two, and seven feet along the east, west, and north perimeters, respectively, where eight feet is required.
- The applicant is requesting a Waiver to allow a landscape buffer of six feet along the south perimeter where 15 feet is required.
- The applicant is requesting Exceptions of the landscape buffer standards to allow one tree within the west landscape buffer where seven trees are required, three trees within the north landscape buffer where five trees are required, and six trees within the east landscape buffer where seven trees are required.
- The applicant is requesting an Exception of the parking lot landscaping standards to allow zero trees where six trees are required.
- A condition has been added to require that all necessary permits to convert the residence to a church/house of worship be obtained, fees paid, and a final inspection approved prior to occupancy of the building for a church/house of worship use.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales	
05/03/06	The City Council denied a Site Development Plan Review (SDR-11103) to convert a single family residence to a church/house of worship. Planning Commission and staff recommended denial.
05/03/06	The City Council denied a Special Use Permit (SUP-11104) for a proposed church/house of worship. Planning Commission and staff recommended denial.

Related Building Permits/Business Licenses	
06/02/05	A building permit was issued (#5004177) for residential improvements and additions. The changes that were made actually consisted of a worship area, pews, pulpit, and offices for a church. This contradiction was found on 08/05/05 when the site was inspected for construction, and setbacks. The permit was voided by the Building & Safety Department on 12/01/05.
06/17/09	A building permit (#141704) was issued for a six foot CLV design block wall at 1230 W. Adams Avenue. The wall received a final inspection approval on 07/06/09.
08/28/09	A building permit (#146533) was issued for an electrical underground conduit at 1230 W. Adams Avenue. The permit has not received a final inspection.
Pre-Application Meeting	
08/26/09	The Planning and Development Department met with the applicant and reviewed the requirements for a Site Development Plan Review and a Special Use Permit. • Waivers and exceptions for landscaping were discussed. • On-site parking requirements were discussed. • The continuance of curb-side trash pick-up was discussed.
Neighborhood Meeting	
A neighborhood meeting is not required, nor was one held.	

Field Check	
09/17/09	A field check was completed on the indicated date. The following items were observed by the Planning and Development staff. • Staff observed an existing and well maintained single family residence.

Details of Application Request	
Site Area	
Net Acres	0.62

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

GK

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan	X		Y
West Las Vegas Plan	X		Y
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 19.08.050, the following development standards shall apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	6,500 SF	26,822 SF	Y
Min. Lot Width	65 Feet	128 Feet	Y
Min. Setbacks			
• Front	20 Feet	43 Feet	Y
• Side	5 Feet	23 Feet	Y
• Rear	15 Feet	101 Feet	Y
Max. Lot Coverage	50%	11%	Y
Max. Building Height	2 Stories / 35 Feet	18 Feet	Y
Trash Enclosure	Screened, Gated with a Roof or Trellis	No Trash Enclosure Provided	N

Residential Adjacency Standards	*Required/Allowed*	*Provided*	*Compliance*
3:1 proximity slope setback	55 Feet	101 Feet	Y
Adjacent development matching setback	15 Feet	101 Feet	Y
Trash Area	50 Feet	116 Feet	Y

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Parking Area	1 Tree / 6 Spaces	6 Trees	Zero Trees	N
Buffer:				
Min. Trees				
• North	1 Tree / 20 Linear Feet	7 Trees	3 Trees	N
• South	1 Tree / 30 Linear Feet	3 Trees	5 Trees	Y
• East	1 Tree / 30 Linear Feet	7 Trees	6 Trees	N
• West	1 Tree / 30 Linear Feet	7 Trees	1 Tree	N
TOTAL		30	15	N

GK

Min. Zone Width • North • South • East • West	 8 Feet 15 Feet 8 Feet 8 Feet	 7 Feet 6 Feet 5 Feet 2 Feet	 N N N N
Wall Height	6-8 Feet	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	
Church/House of Worship	1,110 SF	1:100	12	1	30	1	
Total			12		31		Y

Waivers		
Request	**Requirement**	**Staff Recommendation**
A 6-foot landscape buffer along the south perimeter.	15 Feet	Denial
A five-foot landscape buffer along the east perimeter.	8 Feet	Denial
A two-foot landscape buffer along the west perimeter.	8 Feet	Denial
A seven-foot landscape buffer along the north perimeter, adjacent to interior lot lines.	8 Feet	Denial

Exceptions		
Request	**Requirement**	**Staff Recommendation**
One tree within the west landscape buffer.	7 Trees	Denial
Three trees within the north landscape buffer.	7 Trees	Denial
Six trees within the east landscape buffer.	7 Trees	Denial
Zero trees within the parking lot landscaping	6 Trees	Denial

ANALYSIS

The applicant originally applied for a building permit for residential improvements and additions. The permit was issued for these improvements on 06/02/05. A Planning & Development inspection conducted on 08/05/05 revealed that changes made actually consisted of a worship area, pews, pulpit, and offices for a church. As a result, the permit was voided by the Building & Safety Department on 12/01/05. A previous Site Development Plan Review (SDR-11103) and Special Use Permit (SUP-11104) were denied by City Council on 05/03/06 for the conversion of a 2,871 square foot residence to a church/house of worship. These previous cases were denied based on oversaturation of church/house of worship uses in the immediate area.

The site complies with all Title 19 requirements with the exception of the landscaping. Per Title 19.12, a perimeter landscape buffer of 15 feet must be provided adjacent to all street right-of-way and buffers of eight feet shall be provided on interior property lines. The site plan depicts a six-foot landscape buffer along the street right-of-way, which is a nine-foot deviation from standard, a five foot landscape buffer along the east property line, which is a three-foot deviation from standard, a two foot landscape buffer along the west property line, which is a six-foot deviation from standard, and a seven foot landscape buffer along the north property line, which is a one foot deviation from standard.

The applicant is also requesting, as part of the review, Exceptions to allow one, three, and six trees within the west, north, and east landscape buffers, respectively, where seven trees are required, and zero parking lot landscape trees where six are required. The landscape plan indicates the use of plant material that are appropriate in size and type for the surrounding area, including 24-inch box Glossy Privet and 48-inch box Fan Palm trees and 15-gallon Oleander.

The overall site is accessed from Adams Avenue, which is designated as a 60-foot Right-of-Way. The site provides adequate access and circulation for pedestrians and vehicles. The applicant is not proposing to construct a trash enclosure; instead the applicant a letter from Republic Services has been provided to confirm that curb side pick-up twice a week will continue for the proposed site. Elevations for the proposed Church show a single story structure with a maximum height of 18 feet. The building consists of white stucco, asphalt shingles, and mahogany colored fascia and trim. This building has varying rooflines and window heights to break up the silhouette of the structure. There are no changes proposed to the exterior of this existing structure.

The immediate area is oversaturated with church/house of worship uses, as there are already two existing churches in the area, one on either side of the subject property. This oversaturation will negatively impact the area by generating a large influx of traffic and noise during worship hours. Staff cannot support the Waiver and Exception requests as the deficient landscaping denotes that the site is being overbuilt. Furthermore, the elimination of the buffer areas, combined with the elimination of planting materials, is not consistent with Objective 2.2 of the General Plan, which is "to ensure that low density residential land uses within mature neighborhoods can exist in close proximity to higher density residential, mixed-use, or non-residential land uses by mitigating adverse impacts where feasible." The buffer areas are designed to provide mitigation for adverse visual and rural impacts on the adjacent residential properties. Staff is recommending denial of these requests.

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 Church/House of Worship would be located between two properties that have already been converted from residences to Churches. Due to the two adjacent Church facilities this project would saturate this residential area with a specific use. During worship hours the area would be very congested and would negatively impact the residential 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 use as a Church would create a concentration of non residential uses in this Low Density Residential area and therefore is not in compliance with the General Plan. The proposed church does not comply with Title 19 standards as is evidenced by the requested Waivers and Exceptions.

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

   Site access is provided from Adams Avenue, designated as a 60-foot Right-of-Way. The site and adjacent facilities will generate a large amount of traffic during worship hours and will have a negative impact on adjacent roadways and the neighborhood.

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

   Building materials are appropriate for the area and the City of Las Vegas.

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

   Building elevations and design characteristics are not unsightly or obnoxious in appearance and are harmonious and compatible with development in the area.

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

   The proposed 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 23

NOTICES MAILED 182

APPROVALS 0

PROTESTS 0

GK

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-35931** APN: 139-28-607-009

Name of Property Owner: FOUSTON JORDON

Name of Applicant: FOUSTON JORDON

Name of Representative: JOEY DEBLANCO

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: JOEY DEBLANCO FOR FOUSTON JORDON

Subscribed and sworn before me

This 9TH day of SEPTEMBER, 2009

_____

Notary Public in and for said County and State

GERMAN MENDOZA
Notary Public, State of Nevada
Appointment No. 06-105227-1
My Appt. Expires Apr. 28, 2010

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PLANNING & DEVELOPMENT



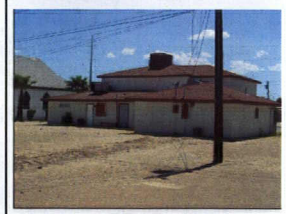
FRONT
8/11/09



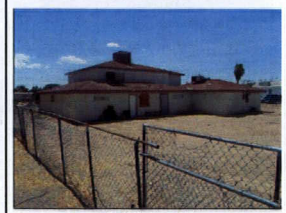
WEST
8/11/09



EAST
8/11/09



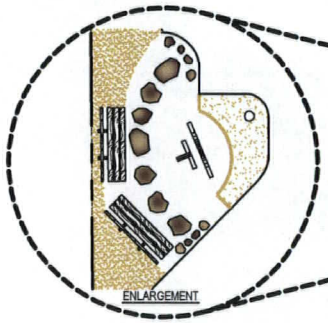
REAR #1
8/11/09

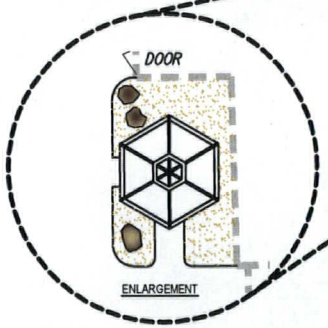


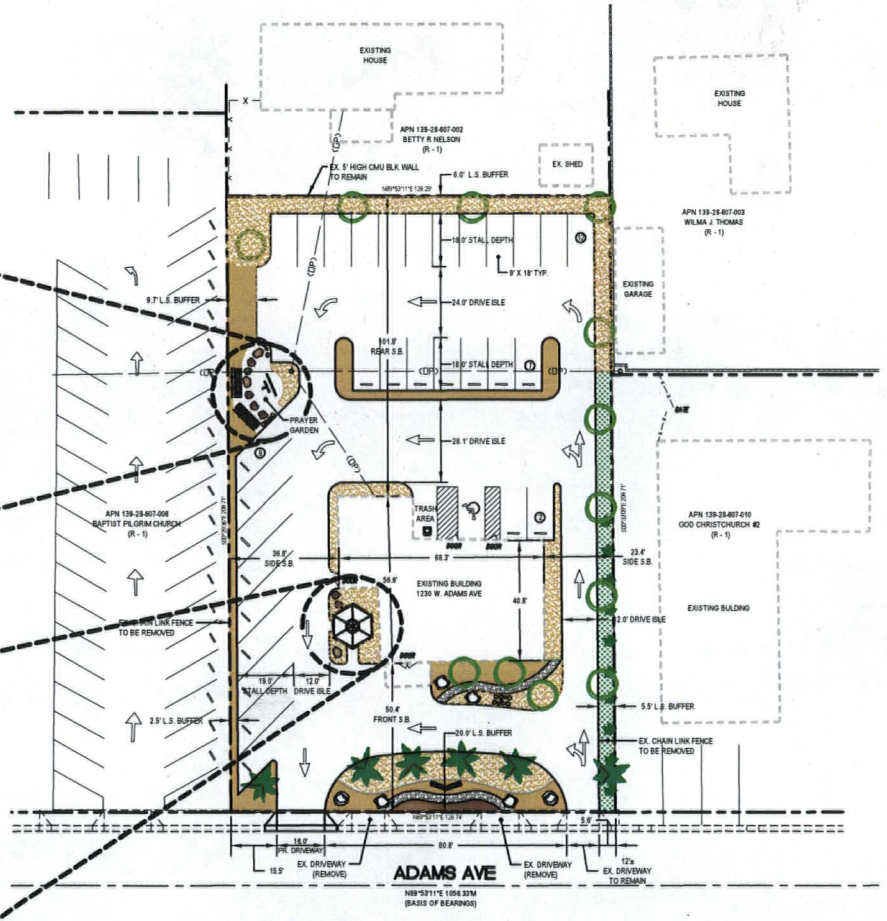
REAR #2
8/11/09

GRAPHIC SCALE

(IN FEET)
1 inch = 20 ft.



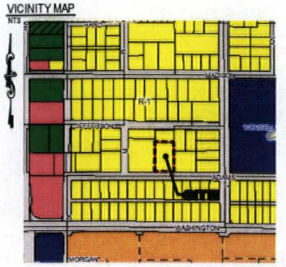




VERSION NO. 2
SDR-35931 9-18-09
REVISED
10/22/09 PC

SEP 18 2009

VICINITY MAP



PROJECT INFORMATION

JURISDICTION:	CITY OF LAS VEGAS
A.P.N.	139-28-607-009
LOT SIZE:	26822 S.F. OR 0.62 AC
EX. BUILDING HEIGHT:	18.17
EX. BUILDING SIZE:	2871 S.F.
SANCTUARY	1110 S.F.
OTHER	1716 S.F.
EX. ZONING:	R - 1
PR. ZONING:	R - 1
EX. USE:	RESIDENTIAL
PR. USE:	PLACE OF WORSHIP
OWNER:	FOUSTON JORDAN

LANDSCAPING

PR. GLOSSY PRIVET	24" BOX: WAIVER REQUESTED
EX. FAN PALM	48" BOX, RELOCATE AS SHOWN
EX. OLEANDER	15 GAL. TO REMAIN
PR. BOULDER	250 - 500 LBS.
PR. CONCRETE STEP STONE	STAINED
PR. DECOMPOSE GRANITE	DARK BROWN
PR. DECOMPOSE GRANITE	LIGHT BROWN
PR. SOLID SURFACING	GOLDEN BROWN
PR. 6" RIVER ROCK	GREY
EX. TURF	TO REMAIN

PARKING ANALYSIS

PARKING REQ:	1 / 100 S.F.	12 SPACES
PARKING PROV:	1 / 36 S.F	30 SPACES
	INCLUDING:	1 H.C. SPACE

LANDSCAPE BUFFER ANALYSIS

LANDSCAPE REQ.

REAR LANDSCAPE BUFFER REQ:	6' X 128' = 768 S.F
E.SIDE LANDSCAPE BUFFER REQ:	8' X 208' = 1664 S.F
W SIDE LANDSCAPE BUFFER REQ:	8' X 208' = 1664 S.F
FRONT LANDSCAPE BUFFER REQ:	15' X 100' = 1500 S.F
TOTAL:	5596 S.F.
LANDSCAPE PROV: (12% REDUCTION)	4910 S.F.

LEGEND

PR. MONUMENT SIGN
PR. PREFAB. GAZEBO
PR. PARK BENCH
PR. RESIDENTAIL DRIVEWAY

EXISTING SETBACKS

FRONT:	50.4'
REAR:	101.8'
WEST SIDE:	36.8'
EAST SIDE:	23.4'
TRASH AREA	116.1'

LEGAL DESCRIPTION

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF CLARK, STATE OF NEVADA, DESCRIBED AS FOLLOWS:

BEING A PORTION AT THE NORTHWEST QUARTER (NORTHWEST 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SOUTHWEST 1/4) OF THE NORTHEAST QUARTER (NORTHEAST 1/4) OF SECTION 28, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.B. & M. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 28; THENCE NORTH, 0 29' 28" WEST, A DISTANCE OF 25.00 FEET TO A POINT; THENCE NORTH 89 53' 11" EAST, A DISTANCE OF 103.71 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 0 29' 28" WEST, A DISTANCE OF 208.71 FEET TO A POINT; THENCE NORTH 89 53' 11" EAST TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER (NW 1/4) OF THE, SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 28, SAID POINT BEING NORTHERLY A DISTANCE OF 233.71 FEET FROM THE SOUTHEAST CORNER THEREOF; THENCE SOUTHERLY ALONG THE AFOREMENTIONED EAST LINE, A DISTANCE OF 208.71 FEET TO A POINT; THENCE SOUTH 89 53' 11" WEST TO THE **TRUE POINT OF BEGINNING.**

THIS IS A CONCEPTUAL SITE PLAN AND IS INTENDED TO DEPICT THE OWNER'S DESIRED DEVELOPMENT. THE FINAL PLANS MAY DEVIATE FROM WHAT IS DEPICTED HERE.

REV	DATE	BY	REVISION

OWNER / DEVELOPER: FOUSTON JORDAN
4046 BOLA DR., NO LAS VEGAS, NV 89032-2862

ENGINEERING FIRM: LAS VEGAS CIVIL ENGINEERING
3281 N. RAMPART BLVD. No. 416, LAS VEGAS, NEVADA 89128 (702) 255-5744

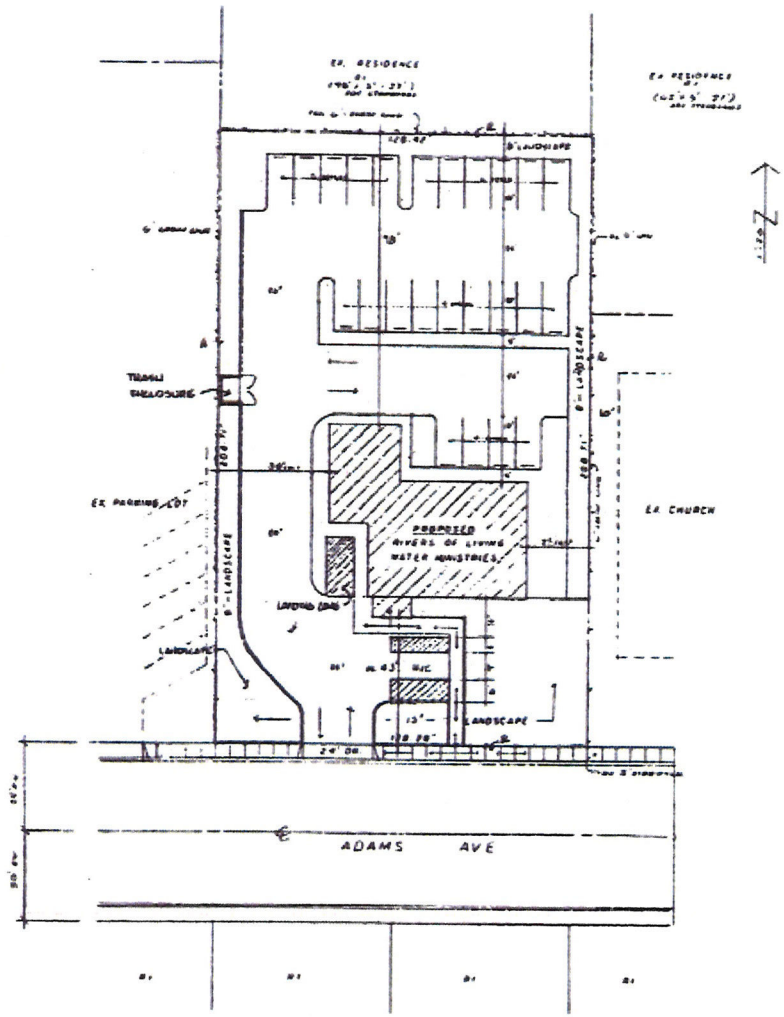
SHEET TITLE: CONCEPTUAL SITE PLAN
PROJECT NAME: RIVER OF LIVING WATER MINISTRY
PROJECT ADDRESS: 1230 ADAMS AVENUE
MUNICIPALITY: CITY OF LAS VEGAS

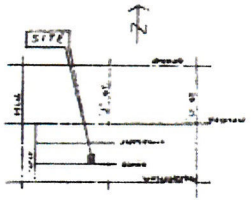
DRAWN BY: STAFF
DESIGNED BY: STAFF
CHECKED BY: STAFF
LVCE PROJ. NO.: LVCE

HORIZONTAL SCALE: 1" = 20'
VERTICAL SCALE: N/A



SHEET: SP
1 OF 1
QLY NO.





VICININTY MAP

APN. 139.28 507.007
ZONED R1
LOT SIZE 26857 sf
0.62 ac
BUILDING SIZE (10% LOT COVER)
SANCTUARY 1110 SF
OTHER 061 SF TL 2871 sf
PARKING
SANCTUARY - 1110 SF x 100 SF PER SPACE - (12) SPACES
FIXED SEATING - (71) x 4 SEATS PER SPACE - 25 SPACES
REQUIRED - 25 SPACES @ 1 SPC SPACE
PROVIDED - 25 SPACES TL

SITE PLAN 1"=20'

RIVERS OF LIVING WATER MINISTRIES
1230 ADAMS AVE
LV

SITE PLAN

REVISIONS

S1

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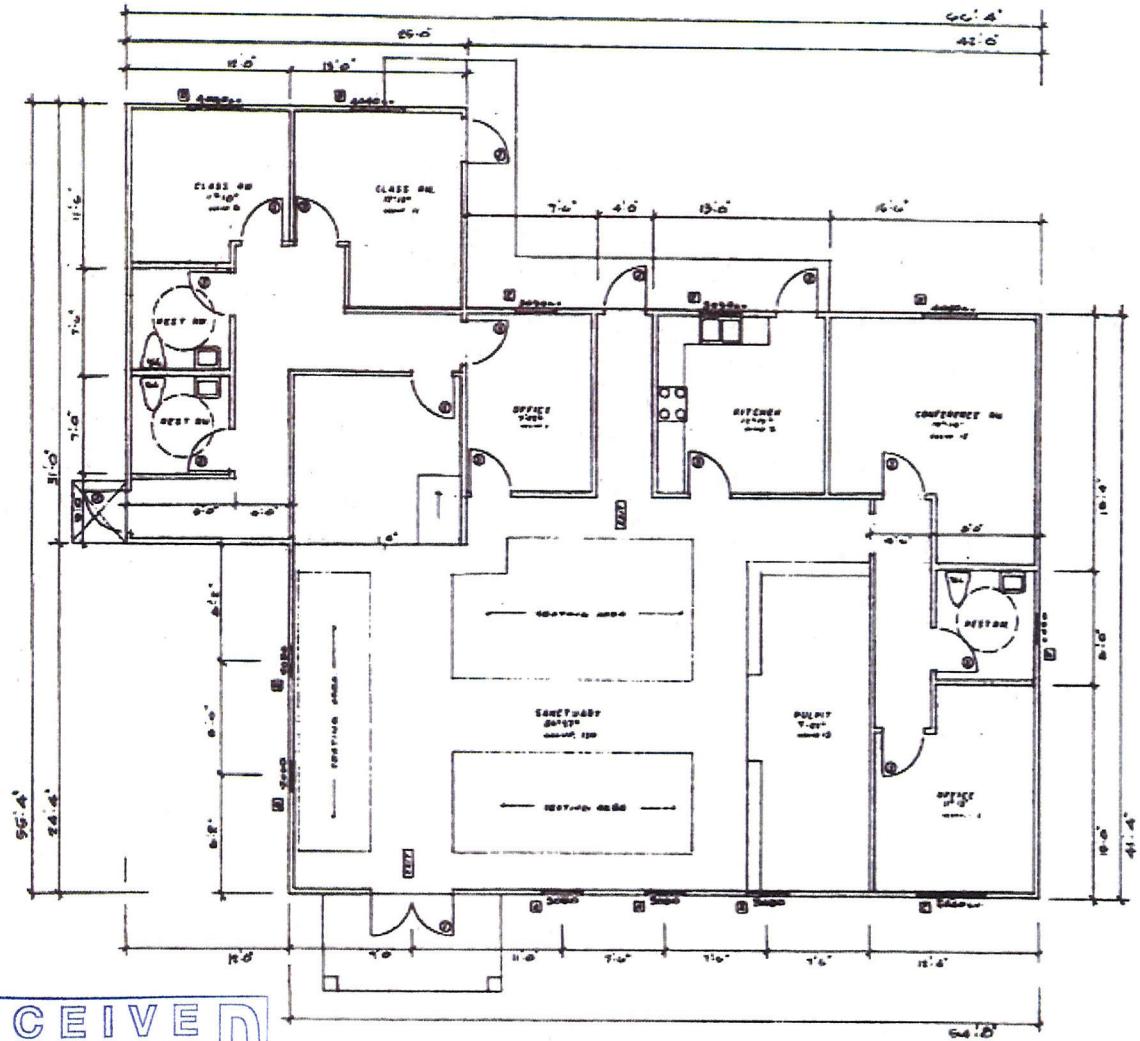
SDR-35931
10/22/09 PC



FLOOR PLAN

RIVERS OF LIVING WATER MINISTRIES
1230 ADAMS AVE.
N. LAS VEGAS, NEV. 89106

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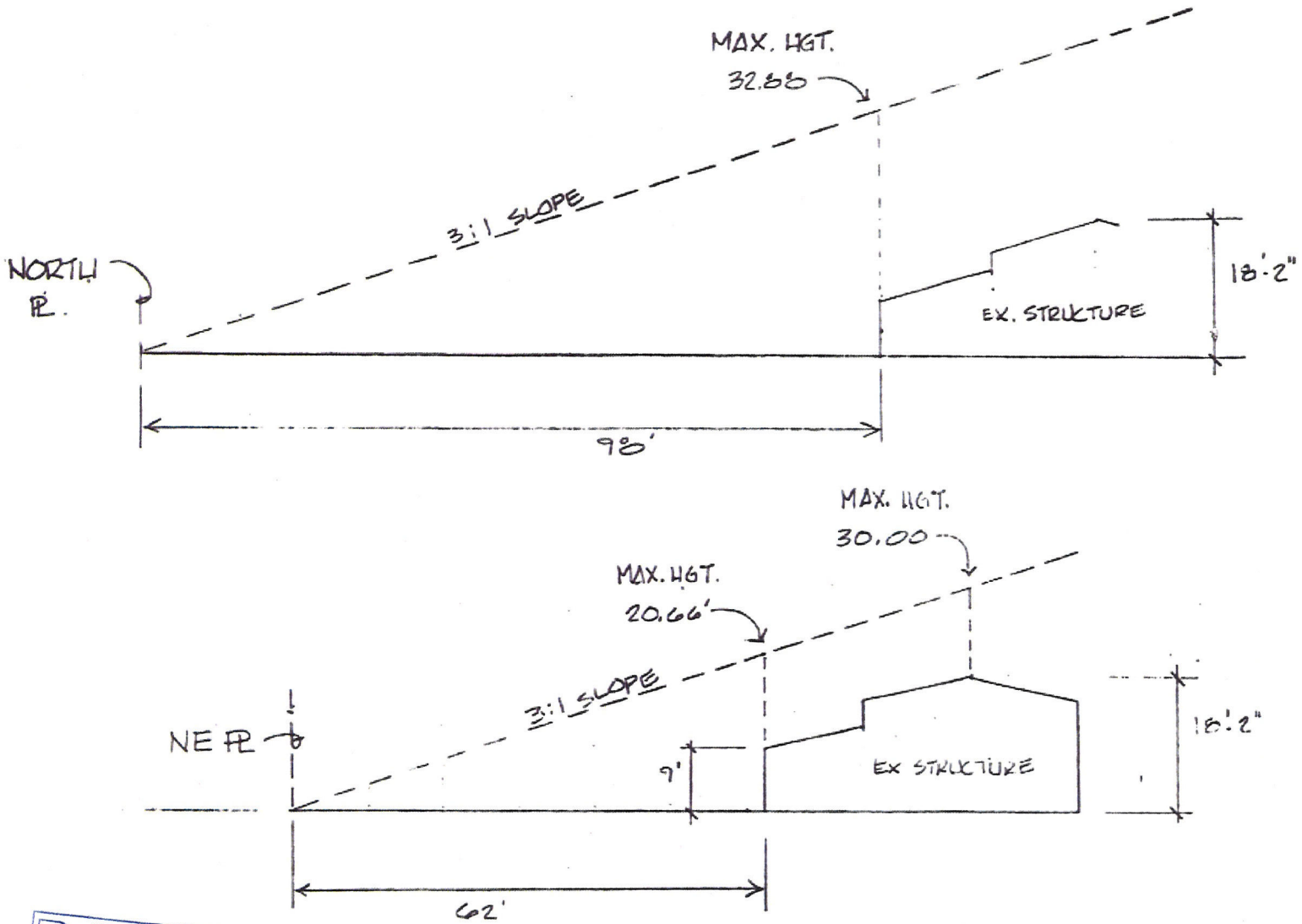

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RESIDENTIAL PROXIMITY SLOPE

SDR-35931
10/22/09 PC

SDR 35931				
Fouston Jordan				
1230 W. Adams Ave.				
Proposed 2.9 thousand square foot conversion.				
Traffic produced by proposed development:				
Previous Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SINGLE FAMILY DETACHED [DWELL]	2.9	9.57	28
AM Peak Hour			0.75	2
PM Peak Hour			1.01	3
(heaviest 60 minutes)				
Proposed Used	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	CHURCH [1000 SF]	2.9	9.11	26
AM Peak Hour			0.72	2
PM Peak Hour			0.66	2
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Washington Ave.				
Average Daily Traffic (ADT)	21,139			
PM Peak Hour	1691			
(heaviest 60 minutes)				
Martin L. King Blvd.				
Average Daily Traffic (ADT)	44,080			
PM Peak Hour	3,526			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets				
	Adjacent street ADT			
	Capacity			
Washington Ave.	32775			
Martin L. King Blvd.	51800			
This project will potentially add 2 less trips per day, on Washington Ave. and Martin L. King Blvd., than the previous use. Washington is currently at about 65 percent of capacity and Martin L. King is at about 85 percent of capacity.				
Based on Peak Hour use, this development will add roughly 2 additional cars into the area; or about 1 every 30 minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



SDR-35931 - APPLICANT/OWNER: FOUSTON JORDAN
1230 WEST ADAMS AVENUE
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



SDR-35931 - APPLICANT/OWNER: FOUSTON JORDAN
1230 WEST ADAMS AVENUE
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



SDR-35931 - APPLICANT/OWNER: FOUSTON JORDAN
1230 WEST ADAMS AVENUE
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



SDR-35931 - APPLICANT/OWNER: FOUSTON JORDAN
1230 WEST ADAMS AVENUE
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



SDR-35931 - APPLICANT/OWNER: FOUSTON JORDAN
1230 WEST ADAMS AVENUE
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



SDR-35931 - APPLICANT/OWNER: FOUSTON JORDAN
1230 WEST ADAMS AVENUE
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



SDR-35931 - APPLICANT/OWNER: FOUSTON JORDAN
1230 WEST ADAMS AVENUE
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



SDR-35931 - APPLICANT/OWNER: FOUSTON JORDAN
1230 WEST ADAMS AVENUE
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09

Tuesday, September 08, 2009

VIA HAND DELIVER

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

LAS VEGAS CIVIL ENGINEERING NEVADA

Re: Justification Letter – River of Living Water Ministry
Place of Worship
SDR & Use Permit
APN 139-28-607-009

To Whom It May Concern:

Please be advised that this office represents River of Living Water Ministry (the "Applicant") in the above referenced matter.

The Applicant is proposing a site development review for a place of worship located at 1230 Adams Avenue (the "Site"). In conjunction with the SDR, the Applicant is proposing a use permit to allow a place of worship in a residential zone.

Previously, the Applicant filed similar applications, SDR 11103 & SUP 11104. Both applications were denied at the City Council Meeting held on May 3, 2006. It appears the denial was predicated on traffic, oversaturation of use and means of establishments.

Traffic
A traffic capacity document, prepared by the City Traffic Engineering Department, was discovered and is attached as Exhibit 1. This document determined that the proposed Site development would generate less than a one percent (< 1%) increase in traffic burden on the surrounding streets. Attached as Exhibit 2 is an email from the same department validating Exhibit 1's present accuracy for this application.

Oversaturation of Use
The West Las Vegas Bible Belt is one of the most recognizable and greatest oversaturations of use in Las Vegas. This particular community embraces religious and spiritual activities and has since its beginning. The ceremonious structure appeals to the constituents which are evidenced by the community's historic trend. For example, there are an additional twenty churches located within 2500 feet of the Site. Even more interesting is that the neighboring sites are both churches as well.

Without objection, the West Las Vegas Community has trended toward a beautiful oversaturation of religious use. And they have done so collectively, and with overwhelming support; just as this Applicant is doing now. Under the previous applications, over 100 people signed a petition for the proposed development; of which most were comprised of surrounding neighbors. Later, City of Las Vegas representatives re-canvassed the surrounding neighborhood and determined similar results.

SUP-35932
SDR-35931
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Means of Establishments
Originally, the building renovations were performed under a residential permit application. This was an error and the Applicant assumes full responsible charge and desires to move forward with this application.

Landscape
The existing building location imposes development challenges that may warrant relief from Title 19 of the Las Vegas Municipal Code. Specifically, parking spaces were angled and landscape buffers were adjusted in order to maintain appropriate drive isle widths. Based on the conceptual design submitted the following landscape waivers are being requested:

1. Reduction of east landscape buffer width to 5.5'.
2. Reduction of west landscape buffer width to 2.5'.

In addition, the following exceptions are being requested:

1. Omit all 24" box trees along west landscape buffer and landscape parking islands.
2. Omit all shrubs for all landscape buffers and landscape islands.
3. Omit all onsite curbing.
4. Omit 3 – 24" trees along the rear landscape buffer

Trash Enclosure
The capacity of waste accumulation during a given week is less than 30 gallons and is residential in nature. We are requesting omission of a trash enclosure structure and include an acknowledgment email from Republic Services as Exhibit 3, the waste management charter for this property, supporting this request.

Perimeter Fencing
There is an existing 6' high block wall along the rear property line and 5' high chain link fences along the west and east property lines. The block wall will remain as it was constructed recently at the request of Councilman Barlow, while the chain link fences shall be removed.

Driveways
Currently, this property accesses Adams Avenue by three residential driveways. The Applicant proposes eliminating two driveways and constructing a new residential driveway near the westerly property line. This reduction will ease pedestrian travel along the sidewalk and allow simple traffic flow into and out of the site without compounded navigation due to the existing building's location.

We thank you in advance for your consideration.

Sincerely,

Joey DeBlanco

SUP-35932
SDR-35931
10/22/09 PC

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EXHIBIT 1

PAGE 1

SDR 11103				
Fouston Jordan				
1230 W Adams				
Proposed 2.871 thousand square foot conversion of a residence into a church.				
Traffic produced by proposed development:				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	CHURCH [1000 SF]	2.871	9.11	**26**
AM Peak Hour			0.72	**2**
PM Peak Hour			0.66	**2**
(heaviest 60 minutes)				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SINGLE FAMILY DETACHED [DWELL]	1	9.57	**10**
AM Peak Hour			0.75	**1**
PM Peak Hour			1.01	**1**
(heaviest 60 minutes)				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	CHURCH [1000 SF]	2.871		**16**
AM Peak Hour				**1**
PM Peak Hour				**1**
(heaviest 60 minutes)				
Existing traffic on all nearby streets: counts not available for Adams, Jefferson or M				
J Street				
Average Daily Traffic (ADT)	1,736			
PM Peak Hour	139			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
	Adjacent street ADT Capacity			
Adams Avenue	3000			
Jefferson Avenue	3000			
M Street	3000			
J Street	3000			

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PLANNING & DEVELOPMENT

SUP-35932
SDR-35931
10/22/09 PC

EXHIBIT 1

PAGE 2

This project will add approximately 16 trips per day on Adams, Jefferson, M and J. This			
will increase expected volumes by about 1 percent on J Street. J Street is at about 58			
percent of capacity. Counts are not available for Adams, Jefferson or M Street, but they			
are believed to be under capacity.			
Based on Peak Hour use, this development will add roughly 1 additional			
car into the area; which works out to one every hour.			
Note that this report assumes all traffic from this development uses all named streets.			

SUP-35932
SDR-35931
10/22/09 PC

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PLANNING & DEVELOPMENT

EXHIBIT 2

From: Rick Schroder [rschroder@LasVegasNevada.GOV]
Sent: Wednesday, July 15, 2009 3:36 PM
To: Joey DeBlanco
Cc: Diane Phomninh; Jonathan Groppenbacher; Victor Bolanos
Subject: RE: New SUP Application

The information submitted by City staff for SDR 11103 (as attached in your original email) should still be essentially valid for subsequent applications that comply with that SDR. Please let me know if you need any further information.

From: Joey DeBlanco [mailto:joey@lvce.net]
Sent: Wednesday, July 15, 2009 3:04 PM
To: Rick Schroder
Subject: New SUP Application

Good Morning Gentlemen,

Attached is a document produced by your office. I would like to use it for a new application. Is the information shown on the attached document still accurate?

Joey DeBlanco
Las Vegas Civil Engineering
2251 N. Rampart Blvd., No. 418
Las Vegas, Nevada 89128
P:702-515-6741 F:702-515-6771
E: joey@lvce.net

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EXHIBIT 3

From: Andrews, Holly [HAndrews@republicservices.com]
Sent: Monday, August 31, 2009 12:50 PM
To: 'Joey DeBlanco'
Subject: RE: 1230 Adams Avenue
Mr. DeBlanco,

Republic Services Corp. will continue to pick up the waste at this address curbside; you are currently set for 1 Can 2x a week.

We require no trash enclosure.

Holly Andrews
Republic Services
Commercial Sales Rep.
770 E. Sahara Ave.
Las Vegas, NV
89104
C: 702-280-0006
F: 702-599-5581

From: Joey DeBlanco [mailto:joey@lvce.net]
Sent: Monday, August 31, 2009 12:21 PM
To: Andrews, Holly
Subject: 1230 Adams Avenue

Holly,
Please provide a letter stating you will still pick up trash with out an enclosure for 1230 Adams Avenue (River of Living Water Ministry). Thank you.

Joey DeBlanco
Las Vegas Civil Engineering
2251 N. Rampart Blvd., No. 418
Las Vegas, Nevada 89128
P:702-515-6741 F:702-515-6771
E: joey@lvce.net

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 22, 2009

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

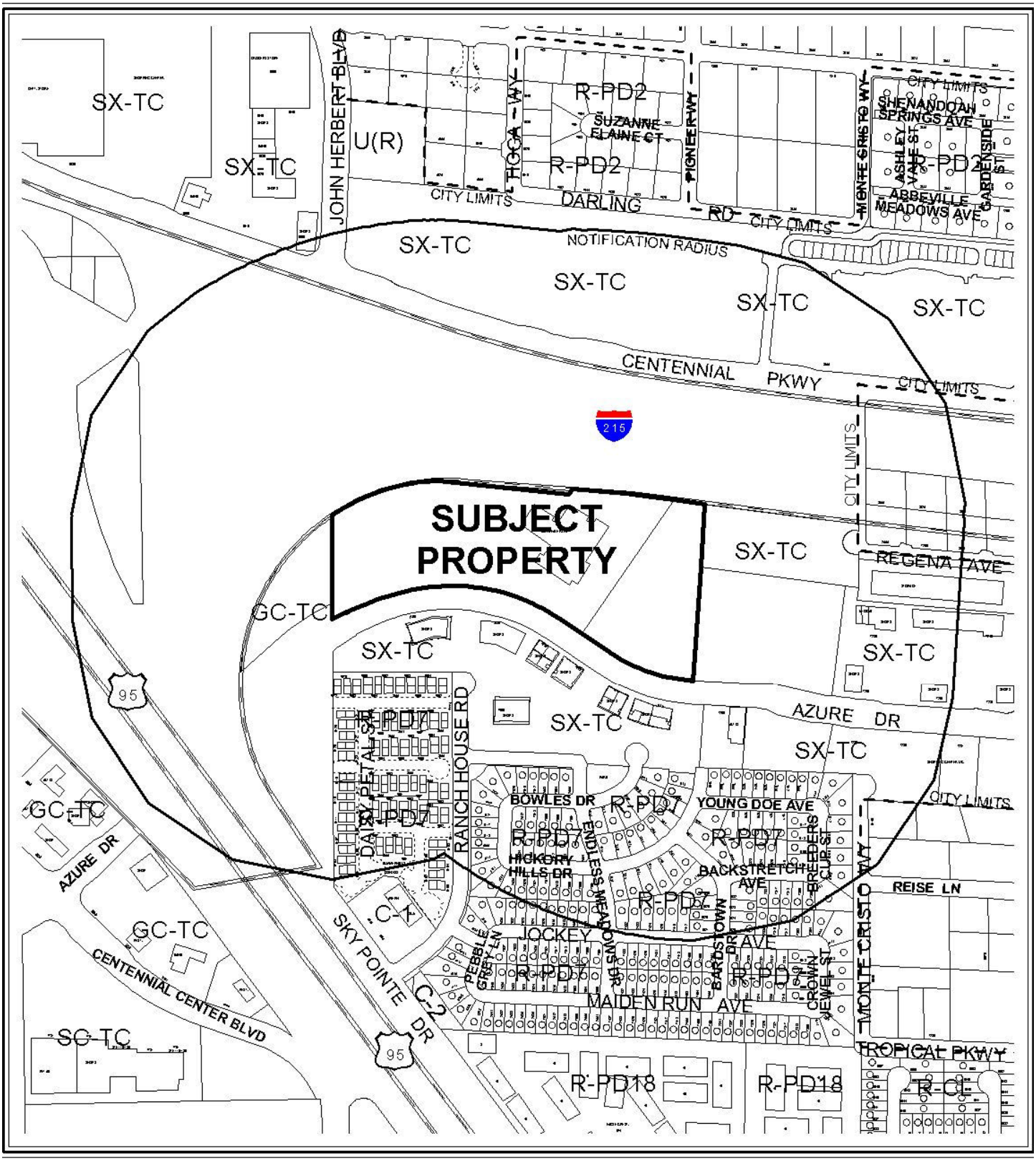
SUBJECT:
SDR-35903 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: YOUNGBLOOD ARCHITECTURE, LTD - OWNER: CLIFF FINDLAY AND DONNA FINDLAY FAMILY TRUST - Request for a Site Development Plan Review FOR A PROPOSED 25,375 SQUARE-FOOT MOTOR VEHICLE SALES (NEW) FACILITY WITH ACCESSORY AUTO REPAIR WITH A WAIVER OF TOWN CENTER LANDSCAPE ISLAND AND TREE REQUIREMENTS TO ALLOW 46 TREES WHERE 63 ARE REQUIRED AND WAIVERS OF TITLE 19 REQUIREMENTS TO ALLOW A ZERO-FOOT BUFFER WHERE EIGHT FEET IS THE MINIMUM REQUIRED ALONG THE WEST PERIMETER AND A WAIVER OF OPEN SPACE REQUIREMENTS TO ALLOW 13% WHERE 20% IS THE MINIMUM REQUIRED on a portion of an 11.57 acre site adjacent to the north side of Azure Drive, between US 95 and Tenaya Way (APN 125-27-101-036), T-C (Town Center) Zone [GC-TC (General Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross)

C.C.: 11/18/2009

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

RECOMMENDATION:
DENIAL

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



CASE: **SDR-35903**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [GC-TC (GENERAL COMMERCIAL - TOWN CENTER) SPECIAL LAND USE DESIGNATION]



0 400 800 Feet

CASE: **SDR-35903**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [GC-TC (GENERAL COMMERCIAL - TOWN CENTER) SPECIAL LAND USE DESIGNATION]

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 22, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-35903 - APPLICANT: YOUNGBLOOD ARCHITECTURE - OWNER: CLIFF FINDLAY AND DONNA FINDLAY FAMILY TRUST

** CONDITIONS **

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-9641) and Architectural Review Committee (ARC-20653) shall be required, if approved.

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

3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 10/05/09, except as amended by conditions herein.

4. A Waiver from 19.06.110 E. Town Center Open Space and Landscape Area Requirements is hereby approved, to allow 13.8% where 20% is required.

5. A Waiver from Town Center Landscape Islands and Tree Requirements to allow 46 trees where a total of 63 trees are required for parking fingers.

6. A Waiver from Title 19.12 Landscape and Buffer Standards to allow a zero-foot landscape buffer along the west property line where eight feet is the minimum required.

7. An Exception from Title 19.12 Landscape and Buffer Standards to allow 103 perimeter buffer trees where 138 is the minimum required.

8. The subject site shall comply with Town Center Development Standards for Trails (Town Center Loop Trail – nine-foot).

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.

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

15. A Master Sign Plan shall be submitted for approval of the Centennial Hills Architectural Review Committee—Town Center (CHARC-TC) prior to the issuance of a Certificate of Occupancy for any building on the site and prior to the issuance of any sign permits.

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

17. A Comprehensive Construction Staging Plan shall be submitted to the Planning and Development Department for review and approval prior to the issuance of any building permits. The Construction Staging Plan shall include the following information: Design and location of construction trailer(s); design and location of construction fencing; all proposed temporary construction signage; location of materials staging area; and the location and design of parking for all construction workers.

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

Public Works

19. Construct all incomplete half-street improvements (sidewalk) on Azure Drive adjacent to this site concurrent with development of this site. All existing off site improvements damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

20. 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.

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

22. In accordance with Town Center Standards, submit an Encroachment Agreement for all landscaping, if any, located in the Azure Drive public right-of-way adjacent to this site prior to occupancy of this site.

23. The site shall be designed such that all delivery vehicles can maneuver for loading and unloading on-site; no displaying of vehicles for sale, parking or deliveries to this site shall be permitted in the Azure Drive public right-of-way.

24. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

25. Site development to comply with all applicable conditions of approval for Z-76-98 and all other applicable site-related actions.

SDR-35903 - Staff Report Page One
October 22, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed 25,375 square-foot Motor Vehicle Sales (New) facility with Accessory Auto Repair on a portion of an undeveloped portion of an 11.57 acre site adjacent to the north side of Azure Drive, between US 95 and Tenaya Way. A related Special Use Permit (SUP-35902) for an Auto Repair Garage (Major) use has been submitted with this request. The applicant fails to comply with Town Center Landscape and Tree Requirements, Town Center Open Space Requirements, and Perimeter Landscaping buffer width and overall tree count requirements; therefore denial of the request is recommended. If denied, the subject site would remain undeveloped until a future entitlement was approved.

ISSUES

- The applicant has requested a total of three Waivers and one Exception as a part of the subject Site Development Plan Review.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales	
No change of ownership has occurred on the subject site.	
05/02/90	The City Council approved a Rezoning (Z-0024-90) from N-U (Non-Urban) and C-2 (General Commercial) to R-PD9 (Residential Planned Development – 9 Units per Acre and C-1 (Limited Commercial) located on the north side of Tropical Parkway and east of Rancho Drive. The Planning Commission and staff recommended denial of the request.
03/09/98	The City Council approved a Rezoning (Z-137-97) from R-PD7 (Residential Planned Development - 7 Units Per Acre) Zone and R-E (Residence Estates) under Resolution of Intent to R-PD7 (Residential Planned Development - 7 Units Per Acre) to PD (Planned Development) on 11.00 Acres on property located south of Centennial Parkway, east of Rancho Drive. The Planning Commission and staff recommended approval of the request.

12/07/98	The City Council approved a Rezoning (Z-0076-98) on property located within the area designated Town Center on the Northwest Amendment to the General Plan from U (Undeveloped), R-E (Residence Estates) R-PD7 (Residential Planned Development – 7 Units per Acre), R-PD11 (Residential Planned Development – 11 Units per Acre), R-PD13 (Residential Planned Development – 13 Units Per Acre), R-PD18 (Residential Planned Development – 18 Units Per Acre), R-CL (Single Family Compact-Lot), C-1 (Limited Commercial), C-2 (General Commercial), C-V (Civic), and P-D (Planned Development) to T-C (Town Center) on 1,468 acres including multiple parcels. The Planning Commission and staff recommended approval of the request.
12/01/99	The City Council approved a General Plan Amendment (GPA-0030-99) to amend a portion of the Northwest Sector Plan on property located on the southeast corner of Buffalo Drive and the proposed Beltway, from R (Rural Density Residential), to TC (Town Center) and a request to amend a portion of the Town Center Land Use Plan, from M-TC (Medium Density Residential - Town Center), to SX-TC (Suburban Mixed Use) (portion of site) and from SX-TC (Suburban Mixed Use), to GC-TC (General Commercial - Town Center) (portion of site), on 63.69 acres. The Planning Commission and staff recommended denial of the request.
12/21/05	The City Council approved a Site Development Plan Review (SDR-9641) for a New Car Dealership with Waiver of the Town Center Parking Lot Landscape Requirements, Open Space Requirements, Building Placement Requirements, and Streetscape Requirements and a Special Use Permit (SUP-9966) for a proposed New Car Dealership with Service Bays Facing a Public Right-of-Way adjacent to the north side of Azure Drive, between US 95 and Tenaya Way. The Planning Commission and staff recommended approval of the request.
04/03/07	The Centennial Hills Architectural Review Committee (ARC-20653) approved a Master Sign Plan and a Waiver of the Town Center Development Standard to allow two 17-foot and seven-inch monument signs where eight feet is the height limit for an Automobile Dealership at 7494 W. Azure Drive.
Related Building Permits/Business Licenses	
09/20/07	A Business License (#A16-01282) was issued for Automobile Sales at 7494 West Azure Drive. The license remains active at this location.
03/11/08	A Building Permit (#92726) was issued for a certificate of occupancy at 7494 West Azure Drive. The permit was finaled on 02/24/09.
Pre-Application Meeting	
08/24/09	A pre-application meeting was held on the indicated date. The following items were discussed: • Town Center Development Standards • Special Use Permit required for Auto Repair Garage (Major) • Waivers of Title 19 and Town Center • Future re-mapping of the subject site

Neighborhood Meeting
A neighborhood meeting is not required nor was one held.

Field Check	
09/17/09	A field check was completed on the indicated date. The following items were observed by the Planning and Development staff. • Staff observed an existing Automobile Dealership on a portion of an overall site. • Staff observed an undeveloped site with no landscaping adjacent to Azure Drive.

Details of Application Request	
Site Area	
Net Acres	A portion of a 11.57 acre site

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Auto Dealership and Undeveloped portion of the Site	TC (Town Center)	T-C (Town Center) [GC-TC (General Commercial - Town Center) Special Land Use Designation]
North	Right-of-Way (Clark County 215)	Right-of-Way (Clark County 215)	Right-of-Way (Clark County 215)
South	Retail	TC (Town Center)	T-C (Town Center) [SX-TC (Suburban Mixed-Use - Town Center) Special Land Use Designation]
East	Undeveloped and Auto Dealership	TC (Town Center)	T-C (Town Center) [SX-TC (Suburban Mixed-Use - Town Center) Special Land Use Designation]
West	Undeveloped	TC (Town Center)	T-C (Town Center) [GC-TC (General Commercial - Town Center) Special Land Use Designation]

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan			
T-C Town Center District	X		N
Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts			
T-C (Town Center) District	X		N
Trails (Beltway Trail)	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Town Center Commercial Development Standards – Table 2

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Setbacks			
• Front (South property line)	15 Feet	153.5 Feet	Y
• Side (West property line)	10 Feet	270 Feet	Y
• Side (East property line)	10 Feet	627 Feet	Y
• Rear (North property line)	20 Feet	60 Feet	Y
Max. Building Height	Two stories	One story or 29.5 feet	Y
Trash Enclosure	Screened	Screened	By Condition
Mech. Equipment	Screened	Screened	By Condition

Pursuant to Title 19.12 Landscape and Buffer Standards and Town Center Landscape Requirements

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Parking Area	1 Tree/6 Spaces	63 Trees	46 Trees	N
Buffer:				
Min. Trees				
Front: south perimeter	1 Tree/20 Linear Feet	27 Trees	19 Trees	N
Side: west perimeter	1 Tree/30 Linear Feet	14 Trees	11 Trees	N
Side: east perimeter	1 Tree/30 Linear Feet	14 Trees	12 Trees	N
Rear: north perimeter	1 Tree/30 Linear Feet	20 Trees	17 Trees	N
TOTAL		138 Trees	103 Trees	N

Min. Zone Width Front: south perimeter Side: west perimeter Side: east perimeter Rear: north perimeter	 15 Feet 8 Feet 8 Feet 8 Feet	 15 Feet Zero Feet 8 Feet 8 Feet	 Y N Y Y
Wall Height	6 Feet	6 Feet	Y

Town Center Streetscape Standards for Frontage/Loop Roads (90-foot Azure Drive)

Streetscape Standards	*Required*	*Provided*	*Compliance*
Town Center Loop Road – 90-Foot (Azure Drive)	4-Foot Amenity Zone 5-Foot Sidewalk 15-Foot Landscape Buffer	4-Foot Amenity Zone 5-Foot Sidewalk 15-Foot Landscape Buffer	Y

Open Space – Pursuant to Title 19.06.110.E			
Total Landscape Area	*Required Percent*	*Provided Percent*	*Compliance*
24,390 square-feet	20%	13.8%	N

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	
Motor Vehicle Sales (New & Used)	25,375 SF	1 space per 500 SF of GFA	48	3	267	7	Y
TOTAL			51		274		Y

Waivers		
Requirement	**Request**	**Staff Recommendation**
Pursuant to 19.06.110.E a 20% open space requirement.	13.8%	Denial
Town Center Landscape Islands and Tree Requirements-63 trees are required for parking fingers.	46 Trees	Denial

BTS

Pursuant to Title 19.12 Landscape and Buffer Standards an eight-foot landscape buffer is required along the west perimeter buffer	Zero Feet	Denial
Exceptions		
Requirement	**Request**	**Staff Recommendation**
Pursuant to Title 19.12 Landscape and Buffer Standards a total of 138 trees are required in the landscape buffers	103 Trees	Denial

ANALYSIS

The applicant is proposing a 25,375 square-foot Motor Vehicle Sales (Used, with New Car Sales) facility with Accessory Auto Repair. There are a total of 277 regular parking spaces and seven handicapped spaces. The building will consist of a showroom, offices, automotive repair and parts storage. The overall site is accessed from Azure Drive a 90-foot Town Center Loop Road.

- **Trails**

  There are two trails adjacent to the subject site. The first trail is located adjacent to the southern portion of the site, which is indicated as an existing Nine-foot Town Center Loop Trail. The second trail is located on the northern portion of the subject site, which is indicated as the Beltway Trail. The Beltway Trail is located on the north side of the subject site. This trail is not required to be built by the applicant and will be constructed at a later date by the City of Las Vegas. The Beltway Trail has in the past qualified for funding from Southern Nevada Public Lands Management Act (S.N.P.L.M.A.) land sales.

- **Elevations**

  The submitted elevations indicate a proposed one-story building with a height of 29.5 feet. The elevations are typical of Motor Vehicle Sales and Auto Repair Garages. The applicant is proposing to utilize CMU, block, glazed windows and roll-up doors. The building materials are consistent with other automobile dealerships in the area.

- **Waivers/Exceptions**

  The applicant is seeking three Waivers and one Exception as a part of the subject application. The applicant fails to comply with Town Center Landscape and Tree Requirements, Title 19 Open Space Requirements, Perimeter Landscaping buffer and overall tree count. First, Town Center Landscape Islands and Tree Requirements require 63 trees for parking fingers, but the applicant is providing 46. Second, pursuant to 19.06.110.E there is a 20% open space requirement for projects within Town Center, but the applicant is providing 13.8%. Third, Pursuant to Title 19.12 Landscape and Buffer Standards an eight-foot landscape buffer is required along the west perimeter buffer, but the applicant is providing a zero-foot buffer. Finally, the Exception pertains to Title 19.12 Landscape and Buffer Standards, which requires a total of 138 trees in the landscape buffers, but the applicant is providing 103 trees. Staff cannot support the requested Waivers, as they are excessive and incompatible with developments in Town Center.

- **Streetscape Plan/Landscape Plan**

  The landscape plan conforms to Town Center Streetscape Standards, which includes; a four-foot amenity zone, five-foot sidewalk and a 15-Foot landscape buffer. The applicant is providing a variety of trees, including Mexican Fan Palm, Rio Grande Ash and Chitalpa. A variety of five gallon shrubs and accent trees are also being provided on the subject site.

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 development is inconsistent with Town Center Landscape Standards as well as adjacent 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 both Town Center Landscape and Island requirements and Title 19.12 Landscape and Buffer Standards. The applicant has failed to comply with open space, tree counts and buffer widths.

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

The overall site is accessed via Azure Drive. Azure Drive is indicated as a 90-foot Loop Road as designated by the Town Center Street Classifications. Azure Drive will provide adequate access to the site and will not negatively impact adjacent roadways or neighborhood traffic.

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

The landscape materials are inappropriate for the area of the City. The applicant fails to comply with Town Center Landscape and Tree Requirements, Title 19 Open Space Requirements, Perimeter Landscaping buffer and overall tree count.

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

The building elevations and design characteristics are appropriate for this area of the City. The design characteristics are compatible with adjacent retail and similar Motor Vehicle Sales (New) developments in Town Center.

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

The proposed development will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

NOTICES MAILED 279

APPROVALS 1

PROTESTS 1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-35903** APN: 125-27-101-036

Name of Property Owner: FINDLAY CLIFF & DONNA FAMILY TR

Name of Applicant: Youngblood Architecture, Ltd

Name of Representative: Tyler Corder

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: Cliff Findlay

Subscribed and sworn before me

This 2 day of Sept, 20 09

_____

Notary Public in and for said County and State

JENNA HUTCHINSON
Notary Public, State of Nevada
Appointment No. 00-60885-1
My Appt. Expires Mar 10, 2012

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PLANNING & DEVELOPMENT



OVERALL COLORED SITE PLAN

SCALE: NTS

NORTH

SDR-35903
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REVISIONS

NO.	DESCRIPTION

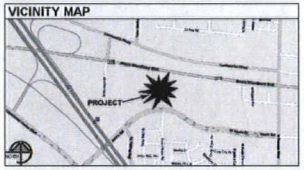
PROJECT
FINDLAY VOLKSWAGEN NORTH

SHEET TITLE:
OVERALL COLORED SITE PLAN

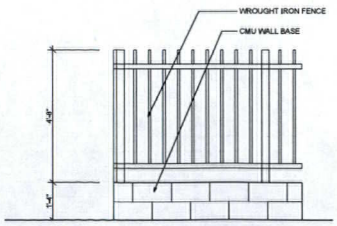
ISSUE DATE: 10/5/2009
PROJECT NO: 08-004-08
ISSUED FOR: PRE-APP CONFERENCE
SHEET NO: DR1.01

PROJECT DATA		
SITE AREA (PORTION OF LARGER SITE - 11.57 ACRES)		4.06 ACRES (176,850 SF)
BUILDING AREA		25,375 SF
LOT COVERAGE		14.3%
LANDSCAPED AREA		24,390 SF
LANDSCAPE PERCENTAGE OF SITE		13.8%
PARKING DATA		
AUTO DEALERSHIP (ALL AREAS)	25,375 SF / 500	51
TOTAL PARKING REQ'D		51
TOTAL PARKING PROVIDED		302
OUTDOOR DISPLAY		83
OUTDOOR DISPLAY AREAS		9
CUSTOMER PARKING		25
EMPLOYEE PARKING		28
SERVICE PARKING		48
INVENTORY PARKING		120
H.C. SPACES REQ'D	201 TO 300	7
H.C. SPACES PROVIDED	INCL. 2 VAN	7

VICINITY MAP

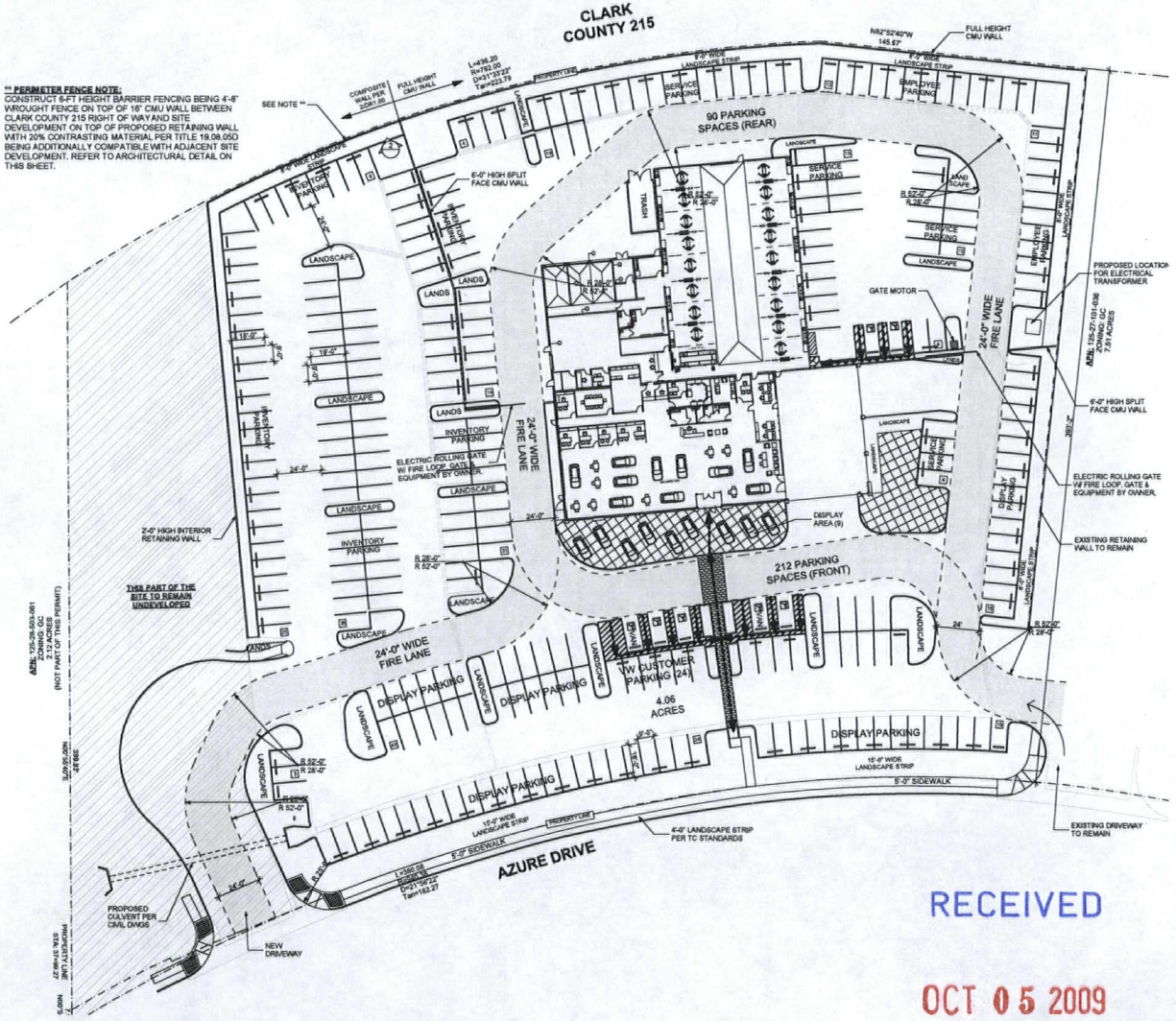


ACCESSIBILITY ROUTE



2 PERIMETER FENCE ELEVATION
SCALE: 1/2" = 1'-0"

**** PERIMETER FENCE NOTE:**
CONSTRUCT 6-FT HEIGHT BARRIER FENCING BEING 4'-8" WROUGHT FENCE ON TOP OF 16" CMU WALL BETWEEN CLARK COUNTY 215 RIGHT OF WAY AND SITE DEVELOPMENT ON TOP OF PROPOSED RETAINING WALL WITH 20% CONTRASTING MATERIAL PER TITLE 19.08.05D BEING ADDITIONALLY COMPATIBLE WITH ADJACENT SITE DEVELOPMENT. REFER TO ARCHITECTURAL DETAIL ON THIS SHEET.



1 OVERALL SITE PLAN
SCALE: 1" = 30'

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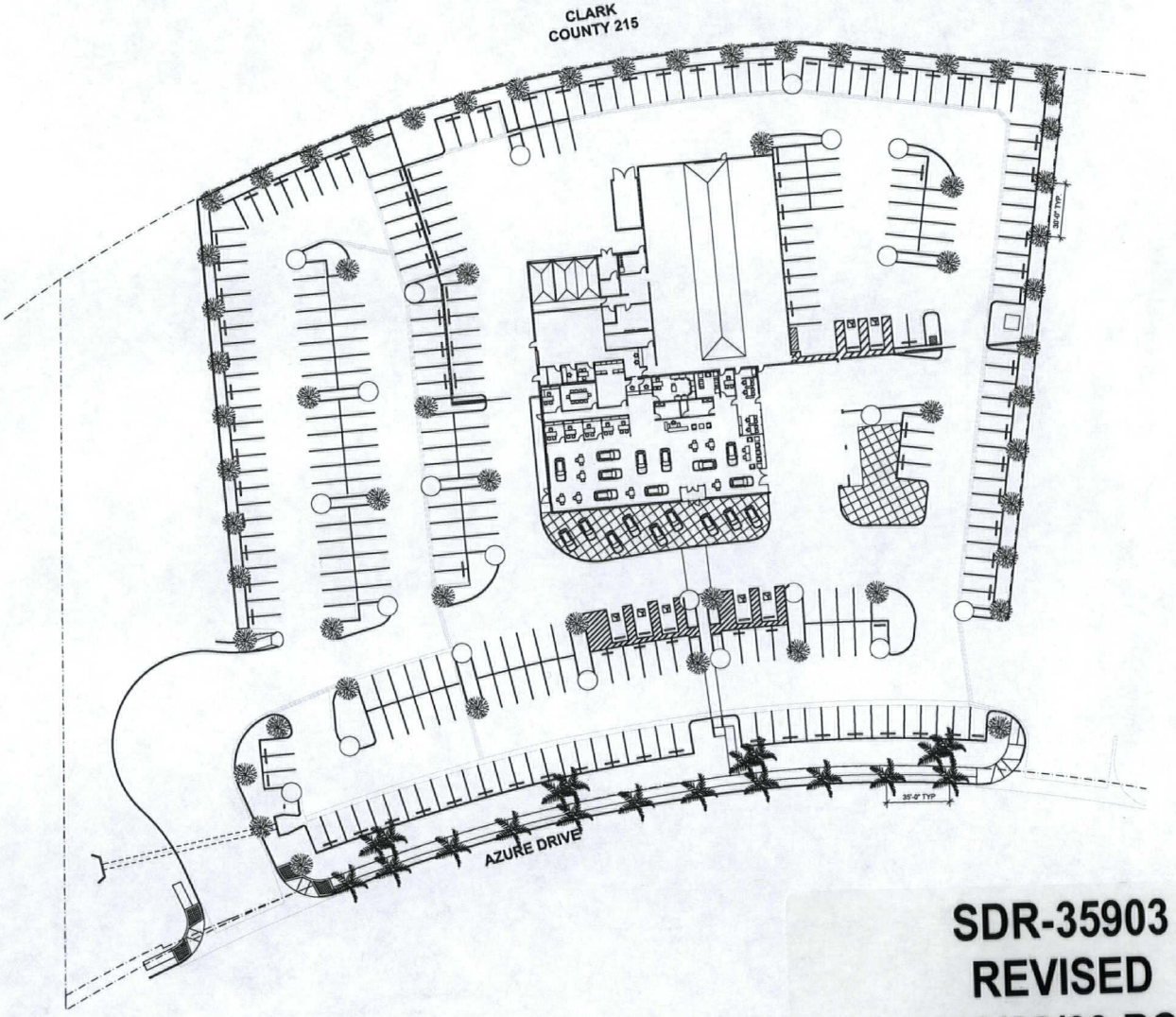
REVISIONS

PROJECT
FINDLAY VOLKSWAGEN NORTH

SHEET TITLE:
OVERALL SITE PLAN

ISSUE DATE: 10/5/2009
PROJECT NO: 08-004-08
ISSUED FOR: PRE-APP CONFERENCE
SHEET NO: DR1.00



PLANTING LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	NO.
	TREES			
	WASHINGTON ROBUSTA HYBRID	MEXICAN FAN PLAM	25'-0"	19
	FRAXINUS VELUTINA RIO GRANDE	RIO GRANDE ASH	24" BOX	60
	CHITALPA TASHKENTENSIS	CHITALPA	24" BOX	22
	SHRUBS			
	LEUCOPHYLLUM CANDIDUM "THUNDER CLOUD"	THUNDER CLOUD RANGER	5 GAL	350
	LEUCOPHYLLUM FRUTESCENS "GREEN CLOUD"	GREEN TEXAS RANGER	5 GAL	350
	LEUCOPHYLLUM LANGMANIAE "RIO BRAVO"	RIO BRAVO SAGE	5 GAL	350
	EREMOPHILA 'VALENTINE'	VALENTINE BUSH	5 GAL	200
	HESPEPALOE PARVIFLORA	RED YUCCA	5 GAL	250
	ACCENTS			
	CISTUS	PURPLE ROCK ROSE	5 GAL	525
	JUSTICIA	MEXICAN HONEYBUCKLE	5 GAL	650
	6" DIA. TO 20" DIA. STONES			

NOTES:

1. ALL PLANTING BEDS TO RECEIVE DECOMPOSED GRANITE, 3/4" "MOJAVE GOLD" (TO MATCH EXITING) MIN. 2" DEPTH TYPICAL
2. ALL PLANTING, IRRIGATION SYSTEM AND PLANTS TO RECEIVE MIN. 12 MONTH GUARANTEE. GUARANTEE TO START WHEN OCCUPANCY PERMIT IS ISSUED.
3. LANDSCAPE PERCENTAGES: 24,360 SF LANDSCAPE / 176,850 SF (LOT SIZE) = 13.8%

1 LANDSCAPE PLAN
SCALE: 1" = 30'

NORTH

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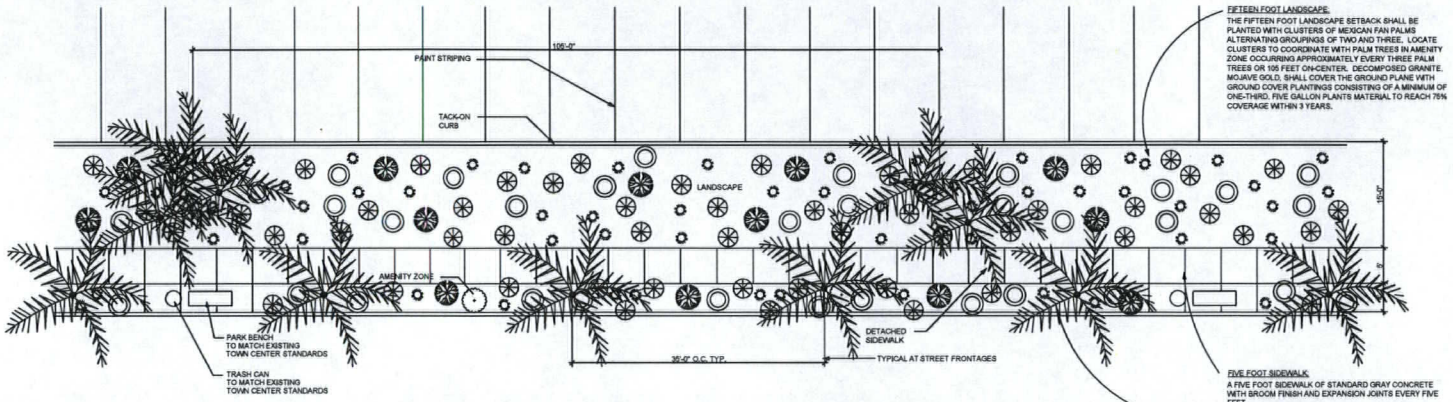
NO.	DESCRIPTION

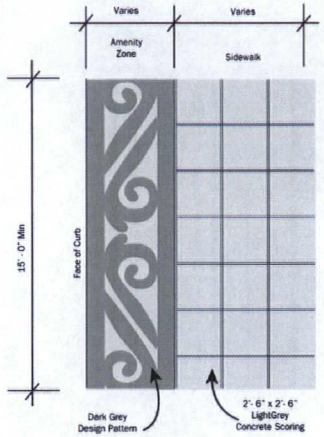
PROJECT
FINDLAY VOLKSWAGEN NORTH

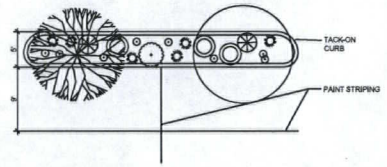
SHEET TITLE:
LANDSCAPE PLAN

ISSUE DATE:
10/5/2009
PROJECT NO:
08-004-08
ISSUED FOR:
PRE-APP CONFERENCE
SHEET NO:
L1.00

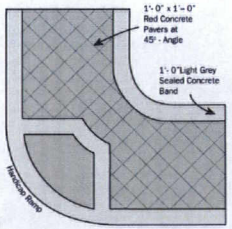


3 FRONTAGE LANDSCAPE
SCALE: 1/8" = 1'-0"



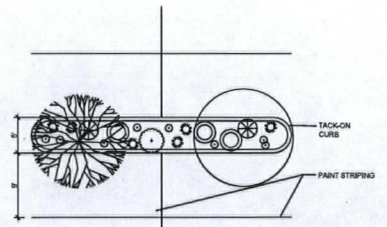


2 PARKING ISLAND @ END
SCALE: 1/8" = 1'-0"



Note:
Building corner design shall comply with City of Las Vegas SVRE requirements.

4 AMENITY ZONE DETAIL
SCALE: 1/8" = 1'-0"



1 PARKING ISLAND
SCALE: 1/8" = 1'-0"

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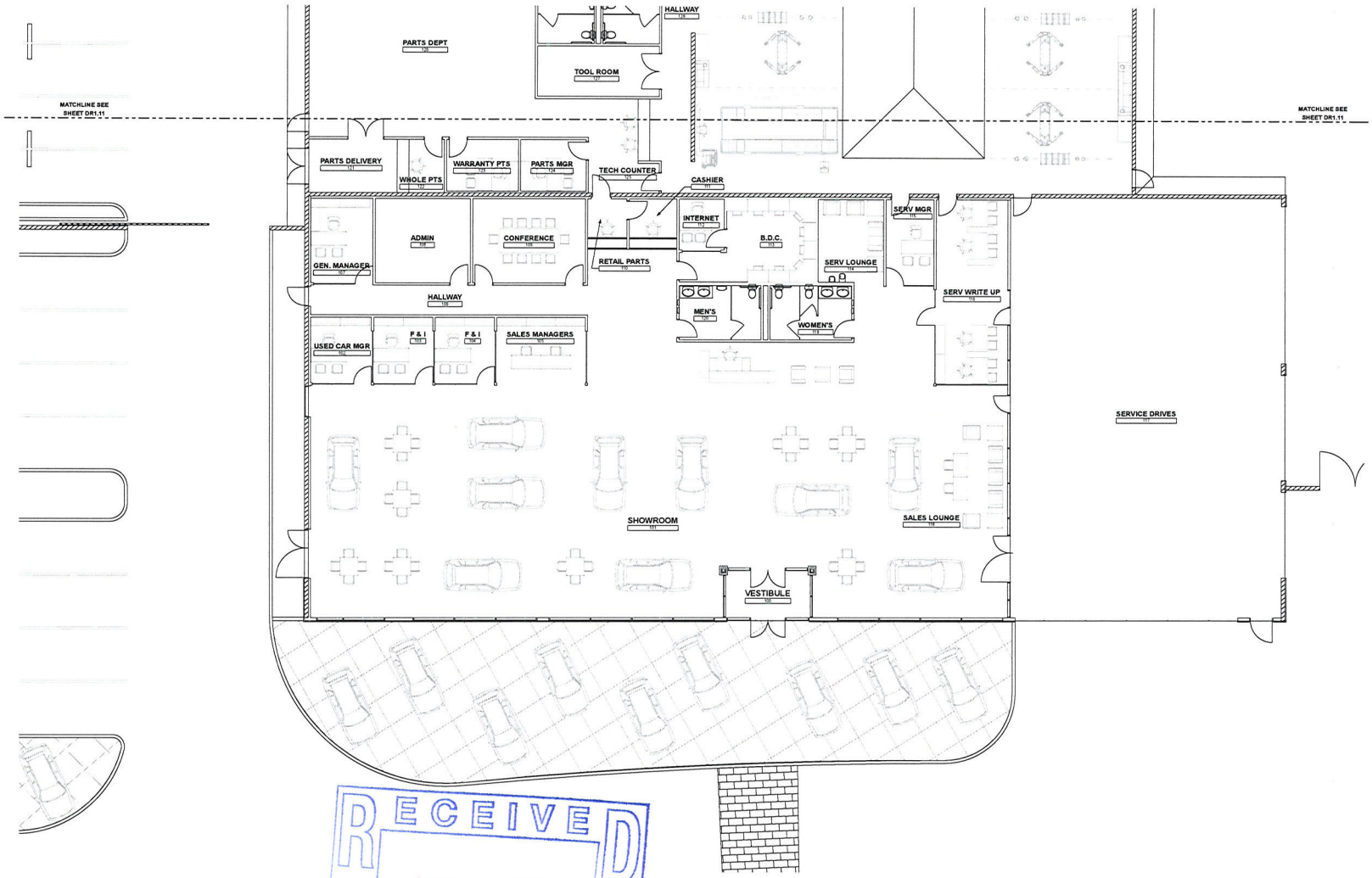
REVISIONS

NO.	DESCRIPTION

PROJECT
FINDLAY VOLKSWAGEN NORTH

SHEET TITLE:
LANDSCAPE DETAILS

ISSUE DATE:
10/5/2009
PROJECT NO:
08-0004-08
ISSUED FOR:
PRE-APP. CONFERENCE
SHEET NO:
L1.01



1 FIRST LEVEL PLAN - AREA 'A'
SCALE: 1/8" = 1'-0"

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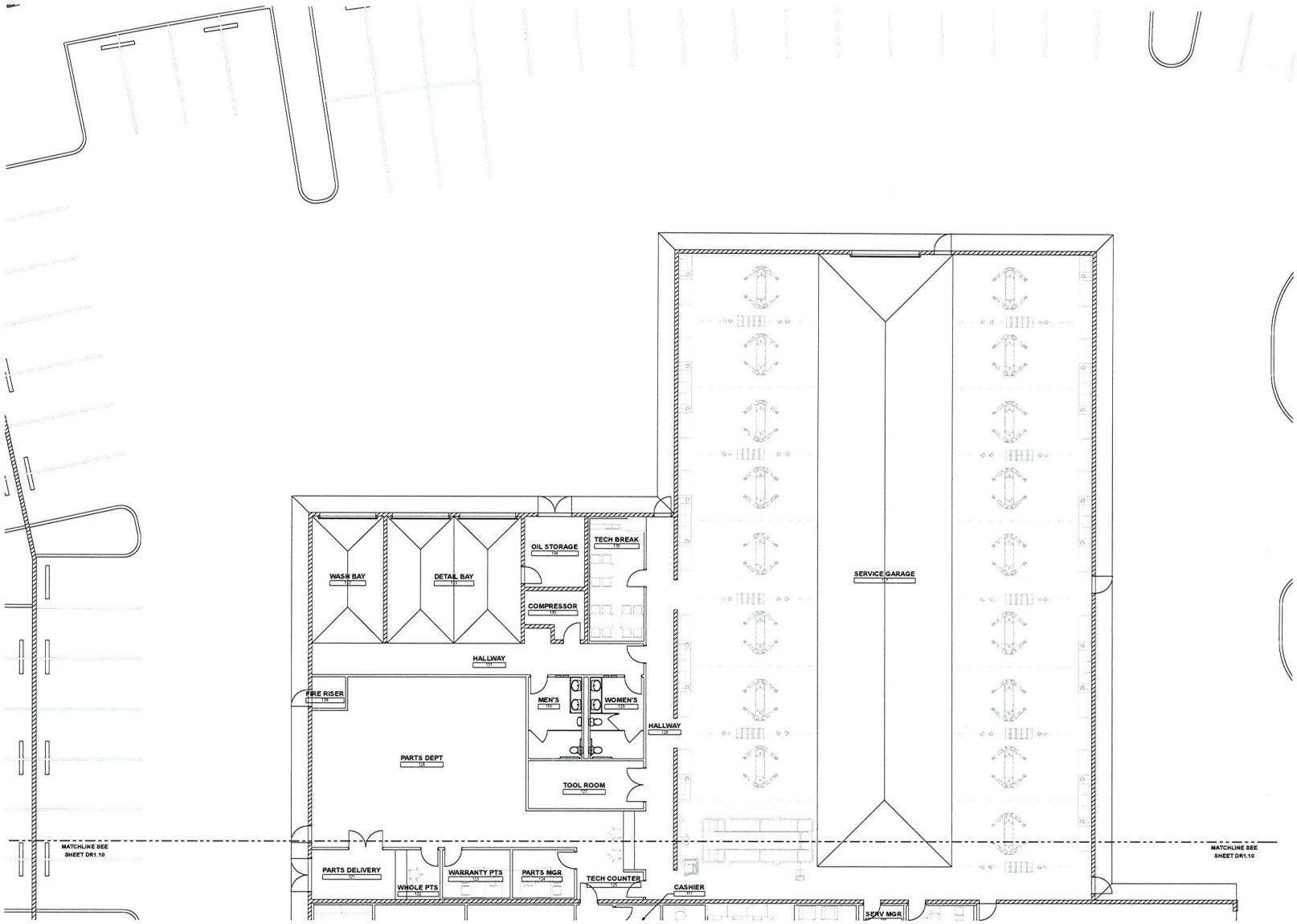
PROJECT
FINDLAY VOLKSWAGEN NORTH

SHEET TITLE:
FIRST LEVEL PLAN - AREA 'A'

ISSUE DATE: 9/1/2009
PROJECT NO: 08-004-08
ISSUED FOR: PRE-APP CONFERENCE
SHEET NO: DR1.10



1 FIRST LEVEL PLAN - AREA 'B'
SCALE: 1/8" = 1'-0"

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PROJECT
FINDLAY VOLKSWAGEN NORTH

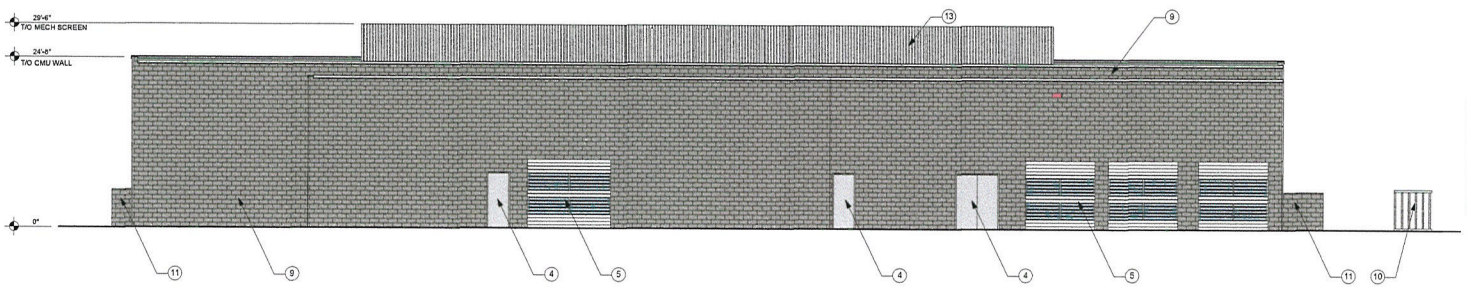
SHEET TITLE:
FIRST LEVEL PLAN - AREA 'B'

ISSUE DATE: 9/1/2009
PROJECT NO: 08-004-08
ISSUED FOR: PRE-APP CONFERENCE
SHEET NO: DR1.11

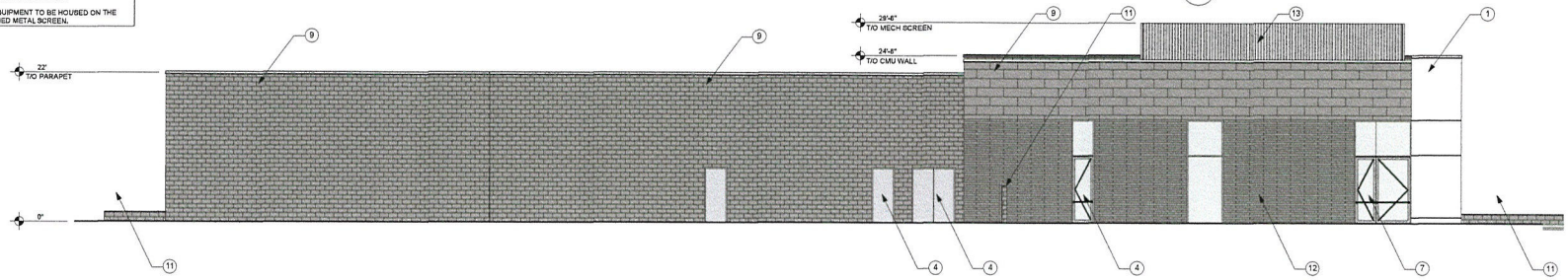
ELEVATION LEGEND

1. ACM (ALUMINUM COMPOSITE MATERIAL) PANEL SYSTEM. COLOR: WHITE - 70% GLOSS
2. PAINTED 3-COAT PLASTER SYSTEM. COLOR: WHITE TO MATCH ACM COLOR
3. CLEAR GLASS CURTAIN WALL ASSEMBLY. GLAZING COLOR: CLEAR
4. PAINTED HOLLOW METAL DOOR & DOOR FRAME COLOR: ZEPPELIN #30YY 46/036
5. PAINTED ROLL UP DOOR COLOR: ZEPPELIN #30YY 46/036
6. VOLKSWAGEN LOGO BY OTHERS - G.C. TO PROVIDE REQUIRED BACKING FOR SIGN & ELECTRICAL FOR POWER.
7. SCHEDULED STOREFRONT GLASS DOOR. REFER TO DOOR SCHEDULE.
8. DEALERSHIP NAME LOGO BY OTHERS - G.C. TO PROVIDE REQUIRED BACKING FOR SIGN & ELECTRICAL FOR POWER.
9. 16"x24" CMU BURNISHED BLOCK COLOR: WHITE
10. SCHEDULED ACCESS GATE COLOR: WHITE
11. 6"x0" HIGH SPLIT FACED CMU WALL
12. 4"x24" CMU BURNISHED BLOCK COLOR: MACON
13. PAINTED METAL MECHANICAL SCREEN COLOR: TO MATCH ACM PANEL COLOR

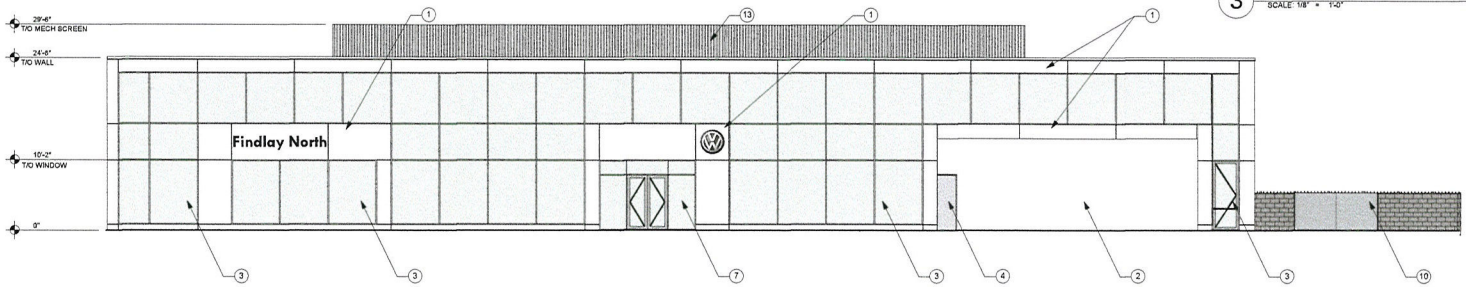
NOTE: ALL HVAC EQUIPMENT TO BE HOUSED ON THE ROOF AND SCREENED METAL SCREEN.



4 EXTERIOR ELEVATION - NORTH
SCALE: 1/8" = 1'-0"



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



2 EXTERIOR ELEVATION - SOUTH
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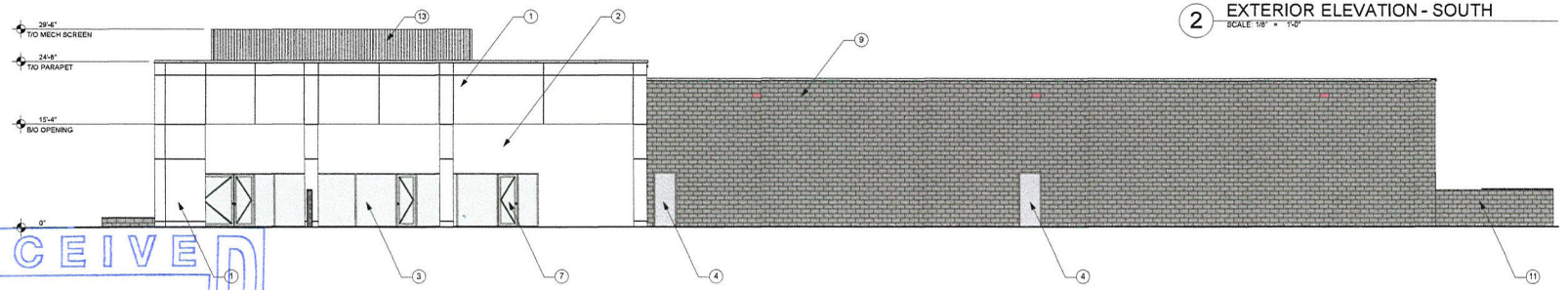

1 EXTERIOR ELEVATION - EAST
SCALE: 1/8" = 1'-0"

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Las Vegas, NV 89103
o 702-997-5080 f 702-999-5208

ALL DIMENSIONS AND CONDITIONS SHALL BE FIELD VERIFIED. DRAWINGS AND SPECIFICATIONS AS INSTRUMENTS OF SERVICE ARE THE PROPERTY OF YOUNGBLOOD ARCHITECTURE, LTD. AND SHALL NOT BE USED FOR ANY PURPOSE NOT SPECIFICALLY AGREED TO IN WRITING BY YOUNGBLOOD ARCHITECTURE, LTD.

YOUNGBLOOD ARCHITECTURE

REVISIONS

NO.	DESCRIPTION

PROJECT
FINDLAY VOLKSWAGEN NORTH

SHEET TITLE:
OVERALL EXTERIOR ELEVATIONS

ISSUE DATE: 9/21/2009
PROJECT NO: 08-004-08
ISSUED FOR: PRE-APP CONFERENCE
SHEET NO: DR2.00

SDR 35903

Youngblood Architecture

7494 W. Azure Dr.

Proposed 25.4 thousand square foot new car sales and service development.

Traffic produced by proposed development:

Existing Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	NEW CAR SALES [1000SF]	25.4	33.34	847
AM Peak Hour			2.05	52
PM Peak Hour			2.64	67
(heaviest 60 minutes)				

Existing traffic on all nearby streets:

Azure Dr.	
Average Daily Traffic (ADT)	9,075
PM Peak Hour	726
(heaviest 60 minutes)	

Centennial Center Blvd.	
Average Daily Traffic (ADT)	14,746
PM Peak Hour	1,180
(heaviest 60 minutes)	

Tenaya Way	
Average Daily Traffic (ADT)	11,328
PM Peak Hour	906
(heaviest 60 minutes)	

Traffic Capacity of adjacent streets

	Adjacent street ADT Capacity
Azure Dr.	34500
Centennial Center Blvd.	34500
Tenaya Way	34500

This project will add approximately 847 trips per day on Azure Dr., Centennial Center Blvd., and Tenaya Way. This will increase the existing volumes by about 9 percent on Azure, by about 6 percent on Centennial Center, and by about 7 percent on Tenaya. Currently, Azure is at about 26 percent of capacity, Centennial Center is at about 43 percent of capacity, and Tenaya is at about 33 percent of capacity.

Based on Peak Hour use, this development will add roughly 67 additional cars into the area; which works out to a little more than 1 every minute.

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



SDR-35903 - APPLICANT: YOUNGBLOOD ARCHITECTURE, LTD - OWNER: CLIFF FINDLAY AND DONNA FINDLAY FAMILY TRUST

ADJACENT TO THE NORTH SIDE OF AZURE DRIVE, BETWEEN US 95 AND TENAYA WAY

OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



SDR-35903 - APPLICANT: YOUNGBLOOD ARCHITECTURE, LTD - OWNER: CLIFF FINDLAY AND DONNA FINDLAY FAMILY TRUST
ADJACENT TO THE NORTH SIDE OF AZURE DRIVE, BETWEEN US 95 AND TENAYA WAY
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



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OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09

YOUNGBLOOD
ARCHITECTURE

October 5, 2009

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

Re: Justification Letter – Findlay Volkswagen North

To Whom It May Concern,

The following letter is to inform you of our intent to develop 4.06 acres (176,850 sf) of the undeveloped portion of parcel **125-27-101-036** along Azure Drive next to Findlay Honda.

We intend to build a new & used car automobile dealership with a service garage totaling **25,375 sf**. The parcel number is currently zoned **GC** under the Town Center District (**T-C**). The proposed project name is Findlay Volkswagen North and the use conforms to the current zoning for the site.

Finally, our site has been designed to conform to the City of Las Vegas Title 19 Development Code along with the 2006 IBC Code, ANSI 117.1 – 2003 and the Town Center Development Standards. However, we would like to apply for a waiver to the Town Center landscape island and tree requirements to allow 46 trees where 63 are required, a waiver of open space requirements to allow 13% where 20% is the minimum required and a waiver of Title 19 requirements to allow zero foot buffer where eight (8) feet perimeter is the minimum required along the west perimeter of the site as shown on the site plan sheet (DR1.00).

Thank you in advance for your cooperation in this matter and do not hesitate to contact our office with any comments or questions.

Regards,

LEED AP Frank Gonzalez, Project Manager
Youngblood Architecture

RECEIVED

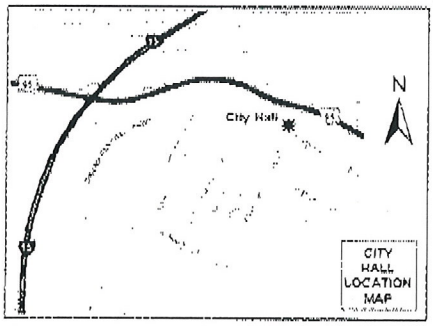
OCT 05 2009

SDR-35903
REVISED
10/22/09 PC

Youngblood Architecture, Ltd. Richard J. Youngblood, A.I.A. 4045 Dean Martin Drive, Las Vegas, NV 89103
T 702 997 5080 F 702 995 0208

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

Return Service Requested
Official Notice of Public Hearing



I would like to maintain the integrity of this area, decreasing the landscape i.e. trees distracts from the intent to promote Centinneal hills as a higher quality area similar to Summerlin. I do not want to degrade the area by allowing less open space or decreasing the buffer.

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.

Case: SDR-35903
12527114011
F I H N PROPERTY HOLDINGS L L C
3117 POINT SAIL CIR
LAS VEGAS NV 89128-8102

SDR-35903
Planning Commission Meeting of 10/22/2009

HAVDS11 89128

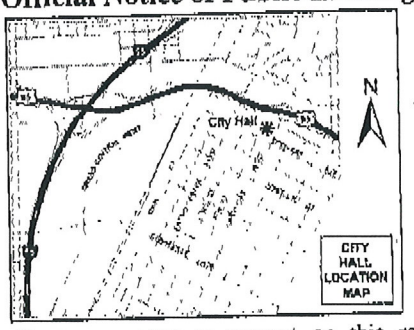
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 OCT 08 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.

SDR-35903

Planning Commission Meeting of 10/22/2009

Case: SDR-35903
12527113005
MONTECITO MINI STORAGE PTNRS LLC
2990 S DURANGO DR
LAS VEGAS NV 89117-4412

RECEIVED
OCT 09 2009
BY:

HAVOE11 89117

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 22, 2009

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

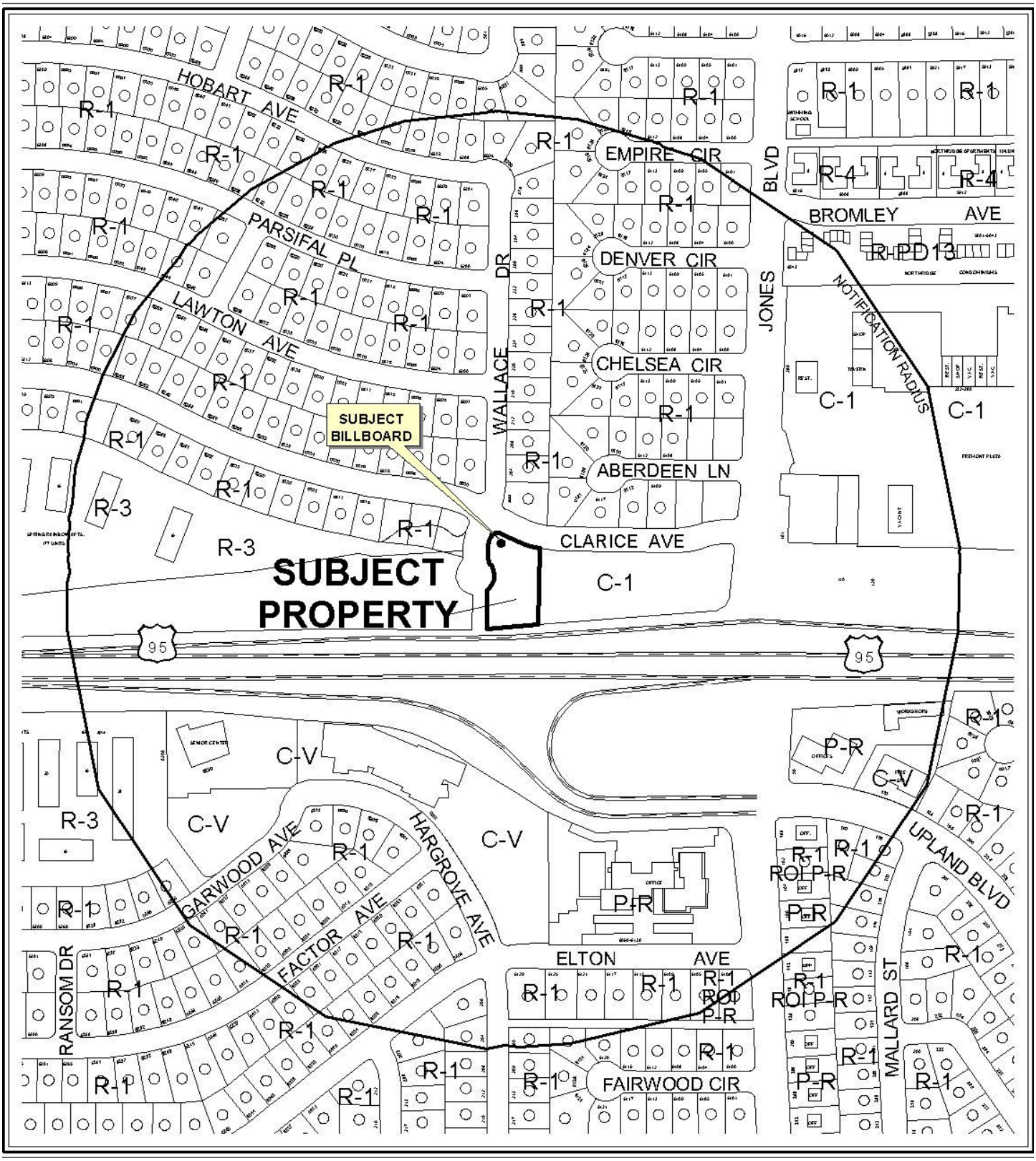
SUBJECT:
SDR-35904 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: STATE OF NEVADA DEPARTMENT OF TRANSPORTATION - Request for a Site Development Plan Review TO REPLACE A PREVIOUSLY EXISTING 45-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE SIGN WITH A PROPOSED 65-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE SIGN ON THE SAME LOT at the southeast corner of Wallace Drive and Clarice Avenue (APN 138-26-801-009), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian)

C.C.: 11/18/2009

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



0 300 600 Feet

CASE: **SDR-35904**

RADIUS: 1000 FT

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

N



0 300 600 Feet

CASE: **SDR-35904**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 22, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-35904 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: NEVADA DEPARTMENT OF TRANSPORTATION

** 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 09/04/09, except as amended by conditions herein.

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

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

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

6. Bird deterrent devices shall be installed on the sign.

Public Works

7. The proposed sign shall not be located within City of Las Vegas public right-of–way or interfere with Site Visibility Restriction Zones. The proposed ground mounted base shall not be located within existing or proposed public sewer or drainage easements.

8. Remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

SDR-35904 - Staff Report Page One
October 22, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review to replace a previously existing 45-foot tall, 14-foot by 48-foot Off-Premise Sign with a proposed 65-foot tall, 14-foot by 48-foot Off-Premise Sign on the same lot at the southeast corner of Wallace Drive and Clarice Avenue. The new sign will be located approximately 152 feet north of the previously existing sign, which was removed to allow for expansion of the U.S. 95 freeway.

The top of the off-premise sign is raised 30 feet above the finished elevation of a sound wall adjacent to U.S. 95, bringing the sign to an overall height of 65 feet.

ISSUES

- This Site Development Plan Review falls under the LVMC provision 19.14.100(G)(4), by Director's determination; no Special Use Permit or Variance approval is required.
- Approval of this Site Development Plan Review may not be conditioned upon a required periodic review of the sign, as no such condition was imposed when the sign was initially approved.
- The previously existing off-premise sign was removed in 2004 to allow for expansion of the Oran K. Gragson Freeway (U.S. 95).

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales	
03/04/1964	The Board of City Commissioners approved a Rezoning (Z-0151-63) from R-1 (Single Family Residential) to C-1 (Limited Commercial) on the subject property as part of a larger request. The Planning Commission recommended approval.
03/01/1978	The Board of City Commissioners approved a request for a Plot Plan Review (Z-0151-63) to allow a proposed 40-foot tall, 14-foot by 48-foot Off-Premise Sign on property generally located at the corner of Jones Boulevard and Clarice Avenue. The Planning Commission recommended approval.
12/01/2004	The City Council adopted Ordinance #5736, which provided for the relocation of off-premise signs that are required to be removed in connection with the installation of publicly-funded improvements.
04/18/2006	A deed was recorded for change of ownership.
01/09/2008	The City Council adopted Ordinance #5959, which updated zoning regulations regarding off-premise signs, including adjustments, relocations and modifications of signs near freeways.

Related Building Permits/Business Licenses	
04/25/1978	A building permit (#5773) was issued for a 40-foot tall, 14-foot by 48-foot off-premise sign at 6115 Clarice Avenue.
05/06/2004	A building permit (#04011125) was issued for demolition of an existing off-premise sign at 6193 Clarice Avenue. The final building inspection was completed 05/13/04.
06/22/2004	A building permit (#04015862) was issued for a 45-foot tall, 14-foot by 48-foot off-premise sign at 192 Wallace Street that was a relocation of an existing sign (same height and size) on the same lot as a result of widening of U.S. 95. No inspections were conducted. The permit subsequently expired 12/25/04.
05/31/2005	A building permit (#05003673) was issued for a 45-foot tall, 14-foot by 48-foot off-premise sign at 192 Wallace Street that was a relocation of an existing sign (same height and size) on the same lot as a result of widening of U.S. 95. No inspections were conducted. The permit subsequently expired 12/03/05.
Pre-Application Meeting	
A pre-application meeting was not required for this application.	
Neighborhood Meeting	
A neighborhood meeting is not required for this application, nor was one held.	

Field Check	
09/17/09	Staff conducted a field check and found the site to be vacant with the exception of several above ground utility boxes. The area is clear of trash and debris.

Details of Application Request	
Site Area	
Net Acres	0.56

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Undeveloped	SC (Service Commercial)	C-1 (Limited Commercial)
North	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
South	U.S. 95 Freeway	ROW (Right-of-Way)	ROW (Right of Way)
East	Undeveloped	SC (Service Commercial)	C-1 (Limited Commercial)
West	Undeveloped	ROW (Right-of-Way)	R-1 (Single Famliy Residential)

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

Minimum Distance Separation Requirements:

Standards	*Code Requirement*	*Original Off-Premise Sign*	*Proposed Relocated Off-Premise Sign*
Off-Premise Sign	Minimum 300-foot distance separation from any other off-premise sign	Approximately 850' to the northeast	Approximately 820' to east
Off-Premise Sign	Minimum 300-foot distance separation from nearest property line of a lot in the U or any "R" zoning district	Nearest U or "R" property is approximately 130' to the northwest	Nearest U or "R" property is approximately 70' to the northwest
Off-Premise Sign within 660 feet of right-of-way and which can be read from I-15, I-515, U.S. 95 or Oran K. Gragson Highway	Minimum 750-foot distance separation from any other off-premise sign along the same frontage	Nearest off-premise sign along freeway is approximately 850' to the northeast	Nearest off-premise sign along freeway is approximately 820' to the east

Locational Requirements:

Standards	***Code Requirement***	***Original Off-Premise Sign***	***Proposed Relocated Off-Premise Sign***
Location	No off-premise sign may be located within the public right-of-way	On property owned by NDOT outside of the U.S. 95 ROW	On property owned by NDOT outside of the U.S. 95 ROW
Zoning	Off-premise signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	C-1 zoning district	C-1 zoning district
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. Max. advertising height 30' Max. advertising width 60'	14'H x 48'W = 672 SF No embellishments	14'H x 48'W = 672 SF No embellishments
Height	No higher than 40 feet from grade at the point of construction, except within 150' of right-of-way of freeway may be constructed 30' above elevation of the elevated freeway nearest the sign	45 feet from grade: was allowed to be no more than 30 feet above the elevation of the U.S. 95 freeway adjacent to the sign	Elevation of sound wall near sign = 2337' Elevation at base of sign = 2305' Requesting 65' from base to top of sign
Setback	Off-premise signs shall not be located closer than 10 feet to the ROW line of a freeway	Set back approximately 25' from ROW	Set back approximately 25' from U.S. 95 ROW
Screening	All structural elements of an off-premise sign to which the display panels are attached shall be screened from view.	Screened	Screened
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.	Pylon sign attached to ground	Pylon sign attached to ground

ANALYSIS

Title 19.14.100(G)(1)(b) allows an off-premise sign located within 660 feet of any highway classified by the State of Nevada as part of the interstate or primary highway system to be relocated to another location on the same existing parcel in order to achieve visibility that is obstructed by a noise abatement or highway improvement project. Pursuant to Title 19.14.100(G)(4), approval for the relocation is achieved by means of a Site Development Plan Review. No periodic review may be conditioned for the proposed relocated sign, as no condition for a review was imposed on the sign at the original time of approval.

The off-premise sign is proposed to be relocated 152 feet north of its original location on the lot. The size of the lot was negotiated with NDOT to allow for this off-premise sign relocation. This location abuts the westbound on-ramp of the U.S. 95 Freeway from Jones Boulevard. In order for the sign to be visible above the sound wall constructed adjacent to the on-ramp, the sign's height is proposed to be increased to 65 feet. This height is approximately 30 feet above the elevation of the wall nearest the sign, which is allowed by Title 19.14.100(F)(1)(e).

The original off-premise sign, constructed in 1978, was nonconforming at the time it was removed with respect to standards governing distance separation from residential properties. Under Title 19.14.100(G)(4), the proposed off-premise sign, which would be located approximately 70 feet southwest of property zoned R-1 (Single Family Residential), would be allowed to maintain this nonconformance. At the present time, no residential structures are located on the three residential parcels nearest the proposed sign location.

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 relocated off-premise sign will be approximately 110 feet from the nearest existing residential structure and will face the U.S. 95 right-of-way.

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 sign is located on property zoned C-1 (Limited Commercial) in conformance with Title 19 standards. The proposed off-premise sign would be relocated pursuant to Title 19.14.100 regulations. Any nonconforming status the original off-premise sign had prior to removal will be retained.

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

   The proposed off-premise sign will require only minimal vehicular access for maintenance and therefore will not negatively impact traffic in the area.

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

   The building materials for the proposed sign are typical of other off-premise signs in the city and are appropriate. No landscaping is required on the property.

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 for the proposed off-premise sign are harmonious and compatible with nearby development and show conformance with Title 19.14.100 requirements concerning height of off-premise signs.

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

   The proposed off-premise sign is subject to building inspections, thereby safeguarding the public health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 20

NOTICES MAILED 275

APPROVALS 1

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-35904** APN: 138-26-801-008 + 009

Name of Property Owner: NEVADA DEPT. OF TRANSPORTATION

Name of Applicant: CLEAR CHANNEL OUTDOOR

Name of Representative: ROD CARTER

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: Carol Lamb, Assistant Chief R/W Agent

Print Name: CAROL LAMB

Subscribed and sworn before me

This 3rd day of September, 2009

Sandra Gail Bennett

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
SANDRA GAIL BENNETT
My Appointment Expires
August 25, 2010
No: 06-106900-1

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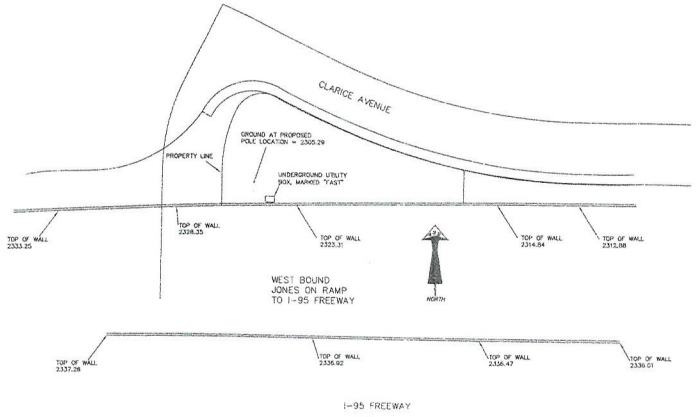
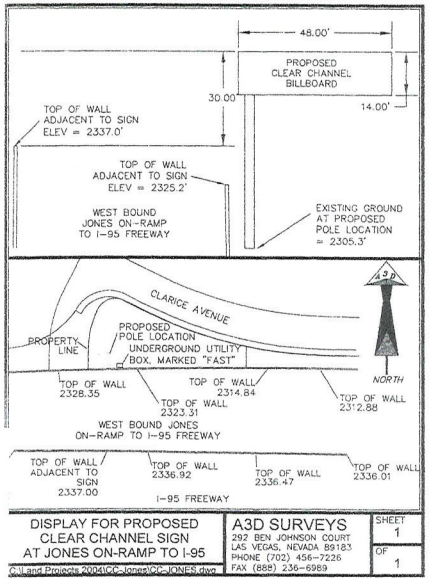
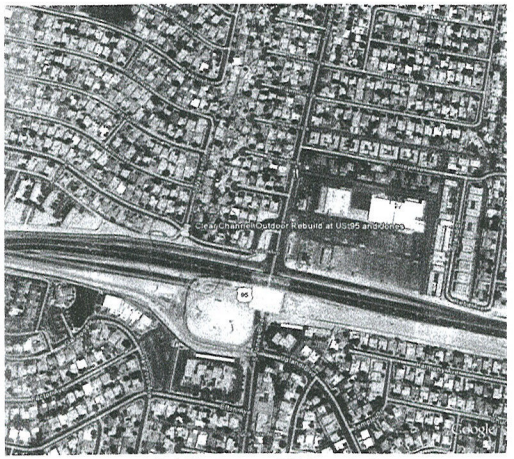
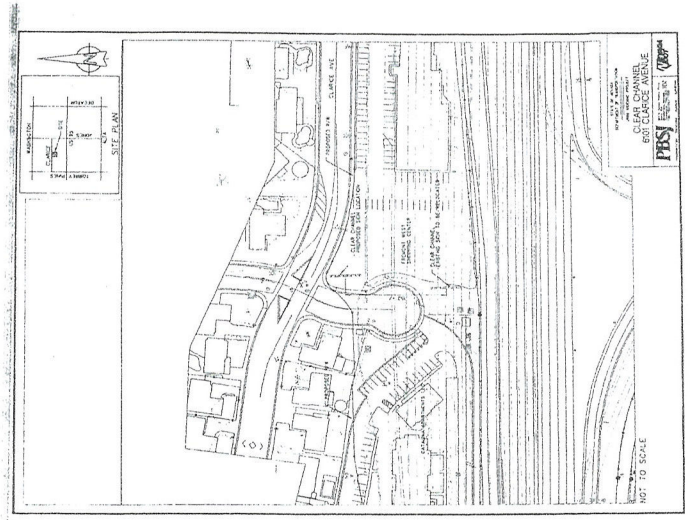
SEP 04 2009

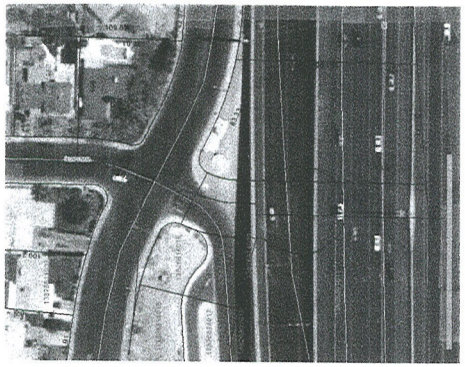






VICINITY MAP APN# 138 26 801 009







RECEIVED
SEP 04 2009

SDR-35904
10/22/09 PC

STATE OF NEVADA

DEPARTMENT OF TRANSPORTATION

RIGHT-OF-WAY DIVISION
P. O. Box 170, Las Vegas, NV 89125-0170
June 24, 2009

JIM GIBBONS, *Governor*

SUSAN MARTINOVICH, P.E., *Director*

MARGO WHEELER
PERMIT OPERATIONS
CITY OF LAS VEGAS
731 S. 4TH STREET
LAS VEGAS NV 89101

Project: EBMGNHSTP-095-2(028)
E.A. 72657
Parcel: U-095-CL-079.607 XS1
Owner: NDOT
Original APN #'s 138-26-801-008 & 009
Clear Channel Billboard permit for 6150 Clarice Ave, (NW corner, US-95 & Jones).

Dear Ms. Wheeler:

This letter is written to acknowledge and consent to a billboard being permitted on the above mentioned parcel. On May 5, 2004, at the request of the Department, Clear Channel Outdoor removed their permitted billboard from the above referenced parcel, to accommodate the construction of the US-95 widening project. That project is now completed and the Department is ready to allow the billboard to be re-erected on a portion of the same parcel. A sketch map depicting the sign pole location is in their permit application.

Please feel free to contact me if you have questions or need additional information regarding this matter. My phone number is: 702-385-6527 and my e-mail address is: clamb@dot.state.nv.us.

Thank you for your assistance.

Sincerely,

Carol Lamb

Carol Lamb
Assistant Chief Right-of-Way Agent

cl/lm
cc: James Lewis, Assistant City Attorney, City of Las Vegas
Kurt Lambeth, Attorney
Eddie Guilbenkian, Deputy Attorney General
Rod Carter, Clear Channel Outdoor
Jon Bunch, Chief Right-of-Way Agent

STATE OF NEVADA
Department of Transportation
JIM GIBBONS, *Governor*

CAROL LAMB
Assistant Chief Right-of-Way Agent

123 E. Washington Avenue
Las Vegas, Nevada 89101
E-mail: clamb@dot.state.nv.us

Office Phone: 385-6527
Fax: 385-6538
Area Code: 702

SDR-35904
10/22/09 PC

CLEAR CHANNEL OUTDOOR

Facsimile

To:	**Margo Wheeler**	**From:**	**Rod Carter**
Fax:	**474-7463**	**Pages:**	**7**
Phone:	**229-3601**	**Date:**	**6/24/09**
Re:	**Clear Channel Outdoor- NDOT**	**CC:**	**Jim Lewis (City Attorney) 386-1749**

☐ **Urgent** **X For Review** ☐ **Please Comment** **Please Reply**

Margo,

Per our discussion yesterday (6/23/09) please find the requested material with regards to Clear Channel Outdoor rebuilding our Billboard due to condemnation at US 95 and Jones.

Enclosed please find:

1. NDOT letters of support and approval
2. Site Plan
3. Permit

As briefly mentioned, the property has been tied up in litigation for several years now. NDOT (State of Nevada) has finally settled all claims and is ready to move forward with allowing us our rights to relocate. Should you have any questions or comments, please feel free in contacting Carol Lamb, Assistant Chief Right-of-Way Agent at 385-6527 or myself directly at 238-7209.

Thank you in advance for your time and help.

Kindest Regards,

Rod Carter
Senior Real Estate Representative
Clear Channel Outdoor
2880-B Meade Ave., Suite 350
Las Vegas, NV 89102
702.238.7209 direct line. 702.238.7266 fax

SDR-35904
10/22/09 PC

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
RIGHT-OF-WAY DIVISION
P. O. Box 170, Las Vegas, NV 89125-0170
June 24, 2009

JIM GIBBONS, *Governor*

SUSAN MARTINOVICH, P.E., *Director*

MARGO WHEELER
PERMIT OPERATIONS
CITY OF LAS VEGAS
731 S. 4TH STREET
LAS VEGAS NV 89101

Project: EBMGNHSTP-095-2(028)
E.A. 72657
Parcel: U-095-CL-079.607 XS1
Owner: NDOT
Original APN #'s 138-26-801-008 & 009
Clear Channel Billboard permit for 6150 Clarice Ave, (NW corner, US-95 & Jones).

Dear Ms. Wheeler:

This letter is written to acknowledge and consent to a billboard being permitted on the above mentioned parcel. On May 5, 2004, at the request of the Department, Clear Channel Outdoor removed their permitted billboard from the above referenced parcel, to accommodate the construction of the US-95 widening project. That project is now completed and the Department is ready to allow the billboard to be re-erected on a portion of the same parcel. A sketch map depicting the sign pole location is in their permit application.

Please feel free to contact me if you have questions or need additional information regarding this matter. My phone number is: 702-385-6527 and my e-mail address is: clamb@dot.state.nv.us.

Thank you for your assistance.

Sincerely,

Carol Lamb

Carol Lamb
Assistant Chief Right-of-Way Agent

cl/lm
cc: James Lewis, Assistant City Attorney, City of Las Vegas
Kurt Lambeth, Attorney
Eddie Guilbenkian, Deputy Attorney General
Rod Carter, Clear Channel Outdoor
Jon Bunch, Chief Right-of-Way Agent

SDR-35904
10/22/09 PC

(NSPO Rev 2-07)

L 135

NOTICE: MECHANICAL, PLUMBING & ELECTRICAL PERMITS DESIGNATED BELOW ARE INVALID WITHOUT SUBCONTRACTOR REGISTRATION AT BUILDING & SAFETY. SEE REVERSE SIDE FOR INSTRUCTIONS.

CUSTOMER COPY

2310-051-2/03

Permit Expires 180 Days After Abandonment of Work

PERMIT

CITY OF LAS VEGAS BUILDING & SAFETY

APP. REC'D. DATE	PLAN CHK. NO.	PERMIT NO.
05/10/05	L-0343-05	05003473

JOB / BUSINESS NAME	JOB ADDRESS	ZIP	ADR TYPE	APPLICATION NO.
CLEAR CHANNEL	192 N WALLACE DR			726168-9

SUBDIVISION RECORDED NAME	UNIT	PHASE	LOT	BLOCK	JOB PHONE	BOOK/PAGE
NO RECORDED SUB					382-3020	

LEGAL DESCRIPTION	SEC. / TWN. / RGE.	SUBDIVISION MARKETING NAME	MODEL NO.
SPLIT SPLIT SPLIT			L-0343-05

CONTRACTOR NAME	CONTR. PHONE NO.	CONTR. FAX NO.	NV CONTR. NO.
CLEAR CHANNEL OUTDOOR	382-3020		51604

CONTRACTOR ADDRESS	CITY	STATE	ZIP	CITY BUS. LIC. NO.
				C11-00679

OWNER NAME	OWNER PHONE	OWNER FAX
CLEAR CHANNEL		

OWNER'S MAILING ADDRESS	CITY	STATE	ZIP

WORK DESCRIPTION	WORK TYPE	COM/APT/RES	ACRES	SETBACK END 0 / FRONT 0 / REAR 0 / SIDE 0	HEATED AREA
BILLBOARD SIGN		COM			UNHEATED AREA

1. The Contractor's Signature below denotes authority from the owner to sign in his behalf and that the owner is aware of all requirements of this application.
2. I have read and understand the contents of this application. I hereby state that the information I have supplied on this application is true and correct.

CONTACT PHONE # _____ SIGNATURE: OWNER ☐ OWNER REP. ☐ CONTR. ☐

LAND USE ZONE	ZONING CASE NO.		SHADE STRUCTURE
OCC. GROUP	CONST. TYPE	NO. STORIES	
NO. DWELL. UNITS	SPRINK. REQ. (Y/N)	SEWER UNITS/CODE	SEPTIC (Y/N)
PARK DIST.	TORTOISE ZONE (E/P)	REDEV. AREA (Y/N)	FIRE MAP NO.
			2317 90
WARD NO.	CENSUS TRACT NO.	ASSESS. PARCEL NO.	CODE YEAR
		- -	BMP E

NEW ADD REM	STATED VALUATION	CORRECTED VALUATION	READY DATE	ISSUE DATE
	$ 23000	$ 25000		05/25/05

COMMENTS

PERMIT TYPE	DESCRIPTION	FEES
10.0	BUILDING PERMIT	213.00
60.0	ZONING	11.00
80.0	PLAN CHECK FEE	138.00
86.0	ADMIN FEE	35.00

SPECIAL CONDITIONS:

SDR-35904
10/22/09 PC

APA BEG. BAL.	EXEMPT NO.	TOTAL FEES
		397.00
APA END BAL.	RECEIPT NO.	LESS PREVIOUS PAID
		0.00
APA ACCT. NO.	RECEIPT NO.	AMOUNT DUE
		397.00

STATE OF NEVADA

DEPARTMENT OF TRANSPORTATION

RIGHT-OF-WAY DIVISION
P. O. Box 170, Las Vegas, NV 89125-170

KENNY C. GUINN, *Governor*

JEFF FONTAINE, P.E., *Director*

October 24, 2005

Mr. Rod Carter
Clear Channel Outdoor, Inc.
2880-B Meade Avenue, Suite 530
Las Vegas, NV 89102

Project: EBMGNHSTP-095-2(028)
E.A.: 72657
Parcel: U-095-CL-079.607
Owner: Fremont West Shopping Center
Tenant: Clear Channel
Re: Clear Channel sign relocation for the US Highway 95 widening project

Dear Mr. Carter:

I am writing this letter as confirmation of the events and timing pertaining to the removal and relocation of the Clear Channel outdoor advertising sign, formerly located on the Fremont West Shopping Center property.

The Nevada Department of Transportation received occupancy of the above-mentioned property through a court order, allowing the Department to begin construction, of the US Highway 95 widening project, on the property. On April 8, 2004, Clear Channel was sent a 30-day notice, from the Department, requiring their sign to be removed from the property within that time. Subsequently, on May 5, 2004, to assist in the construction of the project and in good faith, Clear Channel removed the sign.

As a part of the relocation process, it is the intention of the Department to allow Clear Channel to relocate the sign to a portion of the remainder of the same parcel, as soon as the State obtains ownership of the property and providing that a mutually agreeable lease is executed. Although the State has been granted occupancy of the property, the ownership will not be granted until either a settlement is made with the owner or the Eminent Domain court case is final. The Department cannot enter into a lease of the property until ownership of the property has been granted to the State. Unfortunately, as this issue is in the hands of the court, a definite timetable for executing the lease and the relocation of the sign cannot be established.

The Department would appreciate all due consideration be given to Clear Channel regarding the issuance of required permits and permit extensions regarding the relocation of this sign.

SDR-35904
10/22/09 PC

Thank you for your assistance in this matter. If you have questions or need additional information regarding this matter you may contact me by phone at 702- 385-6527 or by e-mail at cking@dot.state.nv.us.

Sincerely,

Carol King
Right-of-Way Agent III

CK/sgb

c: Pat Springer, Supervisory R/W Agent

SDR-35904
10/22/09 PC

NOTICE: MECHANICAL, PLUMBING & ELECTRICAL PERMITS DESIGNATED BELOW ARE INVALID WITHOUT SUBCONTRACTOR REGISTRATION AT BUILDING & SAFETY. SEE REVERSE SIDE FOR INSTRUCTIONS.

CUSTOMER COPY

2310-051-2/03

Permit Expires 180 Days After Abandonment of Work

PERMIT

CITY OF LAS VEGAS BUILDING & SAFETY

APP. REC'D. DATE	PLAN CHK. NO.	PERMIT NO.
05/18/04	L-4725-04	04015862

JOB / BUSINESS NAME	JOB ADDRESS	ZIP	ADR TYPE	APPLICATION NO.
CLEAR CHANNEL/US 95	192 N WALLACE DR			711422-1

SUBDIVISION RECORDED NAME	UNIT	PHASE	LOT	BLOCK	JOB PHONE	BOOK/PAGE
NO RECORDED SUB			0	0	382-5020	

LEGAL DESCRIPTION	SEC. / TWN. / RGE.	SUBDIVISION MARKETING NAME	MODEL NO.
SPLIT SPLIT SPLIT			L-4725-04

CONTRACTOR NAME	CONTR. PHONE NO.	CONTR. FAX NO.	NV CONTR. NO.
CLEAR CHANNEL OUTDOOR	382-5020		51604

CONTRACTOR ADDRESS	CITY	STATE	ZIP	CITY BUS. LIC. NO.
				C11-00679

OWNER NAME	OWNER PHONE	OWNER FAX
CLEAR CHANNEL/US 95 & JONES		

OWNER'S MAILING ADDRESS	CITY	STATE	ZIP

WORK DESCRIPTION	WORK TYPE	COM/APT/RES	ACRES	SETBACK END 0	HEATED AREA
BILLBOARD SIGN		COM		FRONT 0	
				REAR 0	UNHEATED AREA
				SIDE 0	

1. The Contractor's Signature below denotes authority from the owner to sign in his behalf and that the owner is aware of all requirements of this application.
2. I have read and understand the contents of this application. I hereby state that the information I have supplied on this application is true and correct.

CONTACT PHONE # _____ SIGNATURE: OWNER ☐ OWNER REP. ☐ CONTR. ☐

LAND USE ZONE	ZONING CASE NO.		SHADE STRUCTURE

OCC. GROUP	CONST. TYPE	NO. STORIES	

NO. DWELL UNITS	SPRINK. REQ. (Y/N)	SEWER UNITS/CODE	SEPTIC (Y/N)

PARK DIST.	TORTOISE ZONE (E/P)	REDEV. AREA (Y/N)	FIRE MAP NO.
			2319 28

WARD NO.	CENSUS TRACT NO.	ASSESS. PARCEL NO.	CODE YEAR
		- -	BMP E

NEW ADD REM	STATED VALUATION	CORRECTED VALUATION	READY DATE	ISSUE DATE
	$ 37000	$ 37000		06/22/04

COMMENTS	PERMIT TYPE	DESCRIPTION	FEES
NON-EL DOUBLE 672 SQFT 30-5	14.0	SIGN	284.00
	80.0	PLAN CHECK FEE	105.00
	60.0	ZONING	14.00
	94.0	PLANNING SIGN TAG FEE	336.00
	86.0	ADMIN FEE	35.00

ADDR ASSN JODY 5/20 TAG #07689 **SPECIAL INSPECTOR REQUIRED**

SPECIAL CONDITIONS:	APA BEG. BAL.	EXEMPT NO.	TOTAL FEES
SDR-35904 10/22/09 PC	APA END BAL.		854.00
		RECEIPT NO.	LESS PREVIOUS PAID
	APA ACCT. NO.		0.00
		RECEIPT NO. 125173	AMOUNT DUE 854.00

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

RIGHT-OF-WAY DIVISION
P. O. Box 170, Las Vegas NV 89125-0170
January 24. 2005

KENNY C. GUINN, *Governor*

JEFF FONTAINE, P.E., *Director*

Clear Channel Outdoor
Attn: Rod Carter
1211 West Bonanza Road
Las Vegas, NV 89106

Outdoor Advertising Control
Billboard Relocation
US 95 west of Jones

Dear Mr. Carter:

The Right-of-Way staff at the Nevada Department of Transportation has reviewed your proposed site for the relocation of the sign that had been located along US 95 west of Jones (old parcel 138-26-801-009). This sign is being relocated due to the expansion of US 95. Current State regulations do not allow signs to encroach on or over NDOT right-of-way, however they may be placed up to the edge of the right-of-way with no setback. We will be happy to assist you in the location of the sign so it does not fall within NDOT right-of-way.

Please also be advised that there will be a sound wall installed in this area. NDOT has no objections to a height adjustment so this billboard may be read over the new sound wall.

If you have any questions, you may contact Kevin Leany at the above address or by e-mail at kleany@dot.state.nv.us, or by telephone at (702) 385-6525.

Sincerely,

Loraine Kusuhara

Loraine Kusuhara
Supervisory R/W Agent

LK/KSL/lf

cc: Carson City R/W
Kevin S. Leany

SDR-35904
10/22/09 PC

711422-1

CITY OF LAS VEGAS
APPLICATION -- DEVELOPMENT PERMIT

PLAN CHECK NO. L-4725-04

FOR: SIGNS

PROPOSED CONSTRUCTION / WORK DESCRIPTION: BILLBOARD DATE 05/17/04

ADDRESS: 192 N. Wallace Dr.

TENANT / BUSINESS NAME: CLEAR CHANNEL/US95 & JONES

PROPERTY OWNER: CLEAR CHANNEL

CONTRACTOR: CLEAR CHANNEL

CONTACT PHONE NO: 238-7209 CONTACT FAX NO: 382-7088

STATE LICENSE NO: 51604 CITY LICENSE NO: C11-679

PARCEL NO. 138-26-801-009 ZONE C-1 WARD NO. 2

LOT(s) 2 BLOCK: \ SUBDIVISION: Parcel Map File 82 Page 93

MATERIALS OF CONSTRUCTION: Metal ☐ Wood ☐ Plastic ☐ Other ☐

TYPE OF PROJECT: New ☐ Replacement ☐ Relocation ☐ Campaign ☐

TYPE	SIZE	HEIGHT ZONE* A UP TO 30'	B OVER 30' UP TO 50'	C OVER 50'	VALUATION	PERMIT FEE
BILLBOARD - NON- ELECTRIFIED						
Single-faced freestanding	sq. Ft. @	$5.40	$7.50	$9.65	$	$
Single-faced marquee or projecting	sq. Ft. @	$6.40	$8.50	$10.65	$	$
Double-faced or V-type freestanding	672 sq. Ft. @	$10.75	$12.85	$15.00	$ 37,000	$ 284
Double-faced or V-type on roof marquee or projecting	sq. Ft. @	$12.75	$14.85	$17.00	$	$
ELECTRIFIED						
Single-faced	sq. Ft. @	$12.85	$15.00	$17.15	$	$
Double-faced	sq. Ft. @	$17.15	$19.30	$21.50	$	$

FOR COMPUTER SIGNS, NEON, OR SIGNS NOT INCLUDED ABOVE, USE CONSTRUCTION VALUATION TO DETERMINE FEE		$

*HEIGHT ZONE, DIMENSION FOR CLASSIFYING HEIGHT ZONE A, B OR C SHALL BE TAKEN AS A DISTANCE BETWEEN THE GROUND ELEVATION AND THE HIGHEST POINT OF THE DISPLAY SURFACE.

I state that the information I have supplied on this application is true and correct. By signing this application, I agree to comply with all conditions as noted on this Permit.

Contractor or Agent / Owner — Date 10/22/04

Planning Dept. — Date 05/20/04

Build. Dept. — Date 6/10/04

Permits & Inspections: 229-6251

To schedule Inspections: 229-2071

TAG NUMBER 07689

Date Accepted 5/20/04

Accepted By

1122-2812 Tag Fee $ 336

1172-2431 Build. Permit: $ 284

1172-2438 Plan Check: $ 185

1121-2437 Zoning: $ 14

1172-2431 Elec. Permit: admin $ 35

TOTAL: $ 854 00

Permit expires 180 Days After Abandonment of Work

Permits expire when no inspection has been requested for any 180 day period after the permit has been issued.

SDR-35904

10/22/09 PC

NOTICE: MECHANICAL, PLUMBING & ELECTRICAL PERMITS DESIGNATED BELOW ARE INVALID WITHOUT SUBCONTRACTOR REGISTRATION AT BUILDING & SAFETY. SEE REVERSE SIDE FOR INSTRUCTIONS.

FILE COPY

2310-051-2/03

Permit Expires 180 Days After Abandonment of Work

PERMIT

CITY OF LAS VEGAS BUILDING & SAFETY

APP. REC'D. DATE	PLAN CHK. NO.	PERMIT NO.
05/18/04	L-4725-04	04015862

JOB / BUSINESS NAME	JOB ADDRESS	ZIP	ADR TYPE	APPLICATION NO.
CLEAR CHANNEL/US 95	192 N WALLACE DR			711422-1

SUBDIVISION RECORDED NAME	UNIT	PHASE	LOT	BLOCK	JOB PHONE	BOOK/PAGE
NO RECORDED SUB			0	0	382-5020	

LEGAL DESCRIPTION	SEC. / TWN. / RGE.	SUBDIVISION MARKETING NAME	MODEL NO.
SPLIT SPLIT SPLIT			L-4725-04

CONTRACTOR NAME	CONTR. PHONE NO.	CONTR. FAX NO.	NV CONTR. NO.
CLEAR CHANNEL OUTDOOR	382-5020		51604

CONTRACTOR ADDRESS	CITY	STATE	ZIP	CITY BUS. LIC. NO.
				C11-00679

OWNER NAME	OWNER PHONE	OWNER FAX
CLEAR CHANNEL/US 95 & JONES		

OWNER'S MAILING ADDRESS	CITY	STATE	ZIP

WORK DESCRIPTION	WORK TYPE	COM/APT/RES	ACRES	SETBACK END 0 FRONT 0 REAR 0 SIDE 0	HEATED AREA
BILLBOARD SIGN		COM			UNHEATED AREA

1. The Contractor's Signature below denotes authority from the owner to sign in his behalf and that the owner is aware of all requirements of this application.
2. I have read and understand the contents of this application. I hereby state that the information I have supplied on this application is true and correct.

CONTACT PHONE # _____ SIGNATURE: OWNER ☐ OWNER REP. ☐ CONTR. ☐

LAND USE ZONE	ZONING CASE NO.		
OCC. GROUP	CONST. TYPE	NO. STORIES	SHADE STRUCTURE
NO. DWELL UNITS	SPRINK. REQ. (Y/N)	SEWER UNITS/CODE	SEPTIC (Y/N)
PARK DIST.	TORTOISE ZONE (E/P)	REDEV. AREA (Y/N)	FIRE MAP NO.
			2319 98
WARD NO.	CENSUS TRACT NO.	ASSESS. PARCEL NO.	CODE YEAR
		- -	BMP E

NEW ADD REM	STATED VALUATION	CORRECTED VALUATION	READY DATE	ISSUE DATE
	$ 37000	$ 37000		06/22/04

COMMENTS	PERMIT TYPE	DESCRIPTION	FEES
NON-EL DOUBLE 672 SQFT 30-5	14.0	SIGN	284.00
	80.0	PLAN CHECK FEE	185.00
	60.0	ZONING	14.00
	94.0	PLANNING SIGN TAG FEE	336.00
	86.0	ADMIN FEE	35.00

ADDR ASSN JODY 5/20 TAG #07689 **SPECIAL INSPECTOR REQUIRED**

SPECIAL CONDITIONS:

SDR-35904
10/22/09 PC

APA BEG. BAL.	EXEMPT NO.	TOTAL FEES
		854.00
APA END BAL.	RECEIPT NO.	LESS PREVIOUS PAID
		0.00
APA ACCT. NO.	RECEIPT NO.	AMOUNT DUE
	125173	854.00

SPECIAL INSPECTOR
I-HOLD

Plan Ck # L-4725-04 **Job** BILLBOARD SIGN **Address** 192 N. WALLACE DR.

PLANS EXAMINER GERALD G GUNNY
NAME

		YES	NO
1	Special Inspector set of Plans/Calcs received.	X	
2	Special Inspector set of Plans/Calcs approved.	X	
3	Special Inspector letter received.	X	
4	Special Inspector letter in application folder.	X	
4	I-Hold type: (101) or ____	X	
5	I-Hold type: (140) (for 3rd pty Final Spec. Insp. Report)	X	
6	This project is (Commercial), Residential, Wall (please circle one)		

7	Name of Special Inspection Agency: WESTERN TECH BILL KASSUBE 303-1160	**Date Done** 6/9/04

Name and Cellular Number of Area Supervisor, this job
(to be contacted for removal of I-Hold)

PERMIT TECHNICIAN Chris Reinhold
NAME

		YES	NO
1	Special Inspector set processed?	✓	
2	Comment Line on APPL Screen done?	✓	
	SPECIAL INSPECTOR REQUIRED		
	3rd Party Special Inspection Report Required		

Date Done 6-10-04

CASHIER _____
NAME

		YES	NO
1	Permit # 04015862 APPL # 711422	✓	
2	I-Hold #101 or #_____ put on.	✓	
3	I-Hold #140 put on.	✓	
4	Plan Check # input on Comment Line, I-Hold screen.	✓	
(101)	SPECIAL INSP. TO BE ASSIGNED PC#____		
(140)	FINAL SPECIAL INSPECTION REPORT REQUIRED		
4	Inspections Supervisor fax'd.	✓	
5	Inspections Supervisor copied.	✓	
6	Red Stamp Hard Card.	✓	
7	Have Customer sign & then give copy of this form.	✓	

Customer: Call Area Inspection Supervisor for release of I-holds. Do not call Plans Examiner.

Date Done 6-22-4

SDR-35904
10/22/09 PC

Received by Customer _____ **Date** 6-22-04

WCY Fax # 363-1051
forms.SpecialInspector.SpIhold.doc Rev 4-18-02 Rev 2-17-00 Rev 10-99 8-27-98

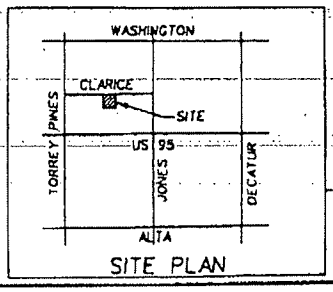
PC #	**L-4725-04**	
TITLE	**PLAN**	
PROJECT	**CLEAR CHANNEL/US 95 & JONES**	
ADDRESS	**192 N. WALLACE DR**	
PERMIT #	**04-015862**	
APPLICATION #	**Original** **711422**	Revision

SDR-35904
10/22/09 PC

CONDEMNATION / RELOCATION PROJECT

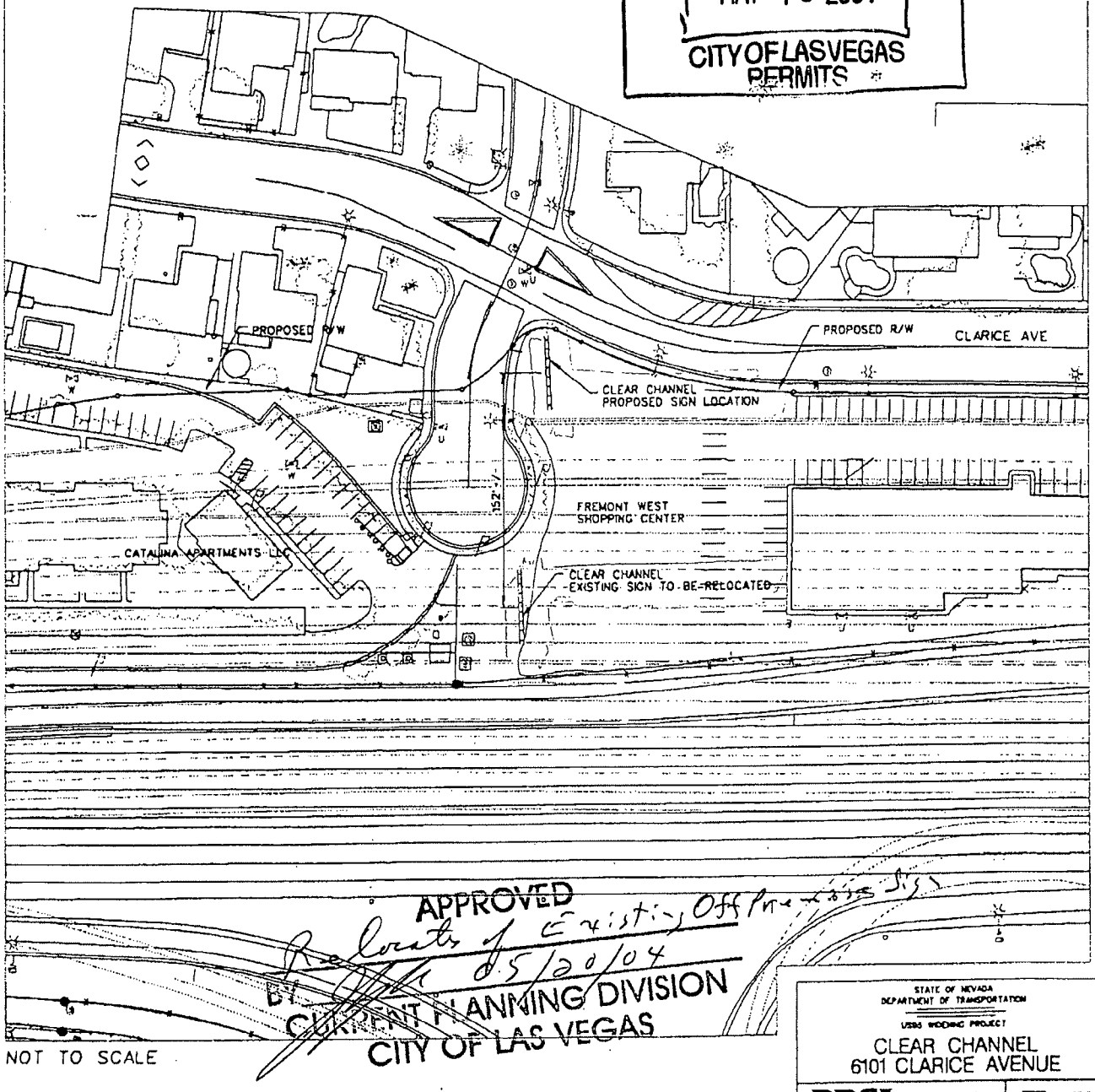
CLV
L-4725-04

CLEAR CHANNEL OUTDOOR
US 95 NL 500' W/O JONES



SITE PLAN

RECEIVED
MAY 18 2004
CITY OF LAS VEGAS
PERMITS



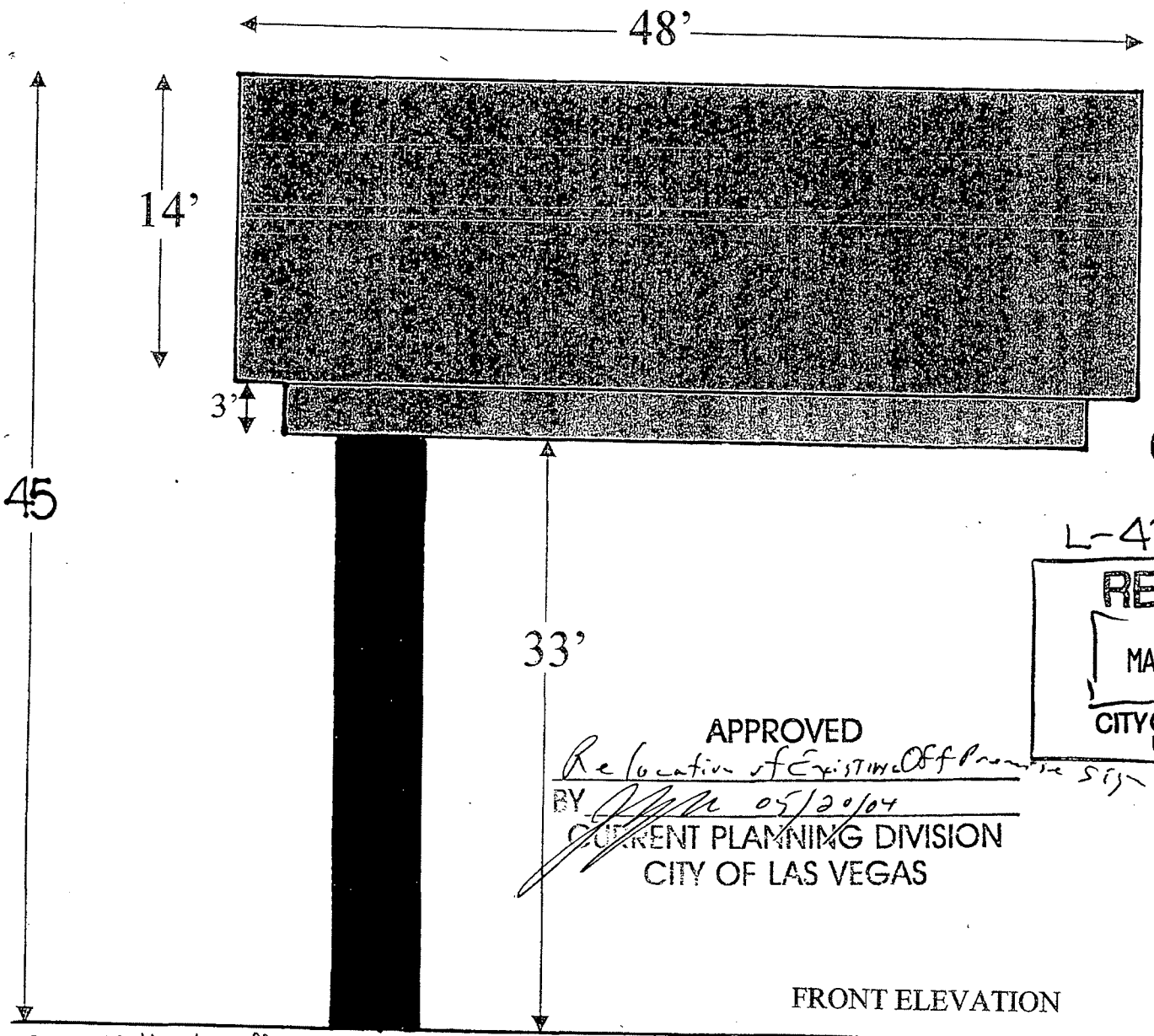
APPROVED
Relocate Existing Off Premises Sign
BY CURRENT PLANNING DIVISION
CITY OF LAS VEGAS
5/20/04

NOT TO SCALE

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
US95 WIDENING PROJECT
CLEAR CHANNEL
6101 CLARICE AVENUE

PBSJ

SDR-35904
10/22/09 PC



CLV

L-4725-04

RECEIVED
MAY 18 2004
CITY OF LAS VEGAS
PERMITS

APPROVED
Relocation of Existing Off Premise Sign
BY 05/20/04
CURRENT PLANNING DIVISION
CITY OF LAS VEGAS

FRONT ELEVATION

EXISTING HEIGHT PRIOR TO TAKE DOWN: CONDEMNATION SAME HEIGHT SAME BUILD * NO MODIFICATIONS *

NOT TO SCALE

SDR-35904
10/22/09 PC

CITY OF LAS VEGAS
DEPARTMENT OF BUILDING & SAFETY
PERMIT APPLICATION

726168-9

TYPE OR PRINT (BLACK INK ONLY)

Project # L343-05 Parent Project # _____

FOR: ☒ Commercial & Public Structures ☐ Single Family Residence

WORK DESCRIPTION: RE-BUILD ONE 14'x48' 45'O.A.H. OFF-PREMISE ADVERTISING "BILLBOARD" SIGN

PERMITS REQUESTED: ☒ Building ☐ Mechanical Val _____

☐ Plumbing Val _____ ☐ Electrical Val _____

TOTAL VALUATION: $ _____

ADDRESS: 192 NORTH WALLACE DRIVE

OWNER/BUILDER NAME: CLEAR CHANNEL OUTDOOR

CONTRACTOR: QUANTUM STRUCTURE & DESIGN A DIVISION OF CLEAR CHANNEL OUTDOOR

PROJECT/BUSINESS NAME: US 95 & JONES BILLBOARD

CONTACT PHONE NO.: 238 7209 CONTACT FAX NO.: 382 7088

STATE CONTRACTOR LICENSE NO.: 51604 CITY BUSINESS LICENSE NO.: C11-00679

PARCEL NO.: 138 26 801 009 ZONE: C-1

LOT(s): _____ BLOCK: _____ SUBDIVISION: _____

OCCUPANCY GROUP: _____ USE: _____ CONST. TYPE: _____

SQUARE FT OF FLOOR AREAS: 1st _____ 2nd _____ 3rd _____ Garage _____

Patio _____ Balcony _____ Total _____ No. of Units _____ No. of Stories _____

SPECIAL CONDITIONS: BILLBOARD IS BEING REBUILT UNDER STATE "CONDEMNATION" VS 95 FREEWAY EXPANSION 45' max height - must have light shield.

I state that the information I have supplied on this application is true and correct. By signing this application, I agree to comply with all conditions as noted on this permit.

Contractor or Agent / Owner — Date 5/9/05

Planning Department — Date 5-23-05

Land Development/Flood Control Engr. — Date

Fire Department — Date

Building Department — Date 5-23-'5

TOTAL PERMIT FEE: $ 397.00

PRE-PAID: Plan Review $_____

PRE-PAID: Zoning $_____

TOTAL $_____

Permit Expires 180 Days After Abandonment of Work

Permits expire when no inspection has been requested for any 180-day period after the permit has been issued.

Revised 02/05

cp: Permit Application

SDR-35904

10/22/09 PC

NOTICE: MECHANICAL, PLUMBING & ELECTRICAL PERMITS DESIGNATED BELOW ARE INVALID WITHOUT SUBCONTRACTOR REGISTRATION AT BUILDING & SAFETY. SEE REVERSE SIDE FOR INSTRUCTIONS.

FILE COPY

2310-051-2/03

Permit Expires 180 Days After Abandonment of Work

PERMIT

CITY OF LAS VEGAS BUILDING & SAFETY

APP. REC'D. DATE	PLAN CHK. NO.	PERMIT NO.
05/10/05	L-0343-05	05003673

JOB / BUSINESS NAME	JOB ADDRESS	ZIP	ADR TYPE	APPLICATION NO.
CLEAR CHANNEL	192 N WALLACE DR			726168-9

SUBDIVISION RECORDED NAME	UNIT	PHASE	LOT	BLOCK	JOB PHONE	BOOK/PAGE
NO RECORDED SUB					382-5020	

LEGAL DESCRIPTION	SEC. / TWN. / RGE.	SUBDIVISION MARKETING NAME	MODEL NO.
SPLIT SPLIT SPLIT			L-0343-05

CONTRACTOR NAME	CONTR. PHONE NO.	CONTR. FAX NO.	NV CONTR. NO.
CLEAR CHANNEL OUTDOOR	382-5020		51604

CONTRACTOR ADDRESS	CITY	STATE	ZIP	CITY BUS. LIC. NO.
				C11-00679

OWNER NAME	OWNER PHONE	OWNER FAX
CLEAR CHANNEL		

OWNER'S MAILING ADDRESS	CITY	STATE	ZIP

WORK DESCRIPTION	WORK TYPE	COM/APT/RES	ACRES	SETBACK END 0 FRONT 0 REAR 0 SIDE 0	HEATED AREA
BILLBOARD SIGN		COM			

1. The Contractor's Signature below denotes authority from the owner to sign in his behalf and that the owner is aware of all requirements of this application.
2. I have read and understand the contents of this application. I hereby state that the information I have supplied on this application is true and correct.

CONTACT PHONE # _____ SIGNATURE: OWNER ☐ OWNER REP. ☐ CONTR. ☐

LAND USE ZONE	ZONING CASE NO.	UNHEATED AREA

OCC. GROUP	CONST. TYPE	NO. STORIES	SHADE STRUCTURE

NO. DWELL UNITS	SPRINK. REQ. (Y/N)	SEWER UNITS/CODE	SEPTIC (Y/N)

PARK DIST.	TORTOISE ZONE (E/P)	REDEV. AREA (Y/N)	FIRE MAP NO.
			2319 98

WARD NO.	CENSUS TRACT NO.	ASSESS. PARCEL NO.	CODE YEAR
		-- --	BMP E

NEW ADD REM	STATED VALUATION	CORRECTED VALUATION	READY DATE	ISSUE DATE
	$ 25000	$ 25000		05/31/05

COMMENTS

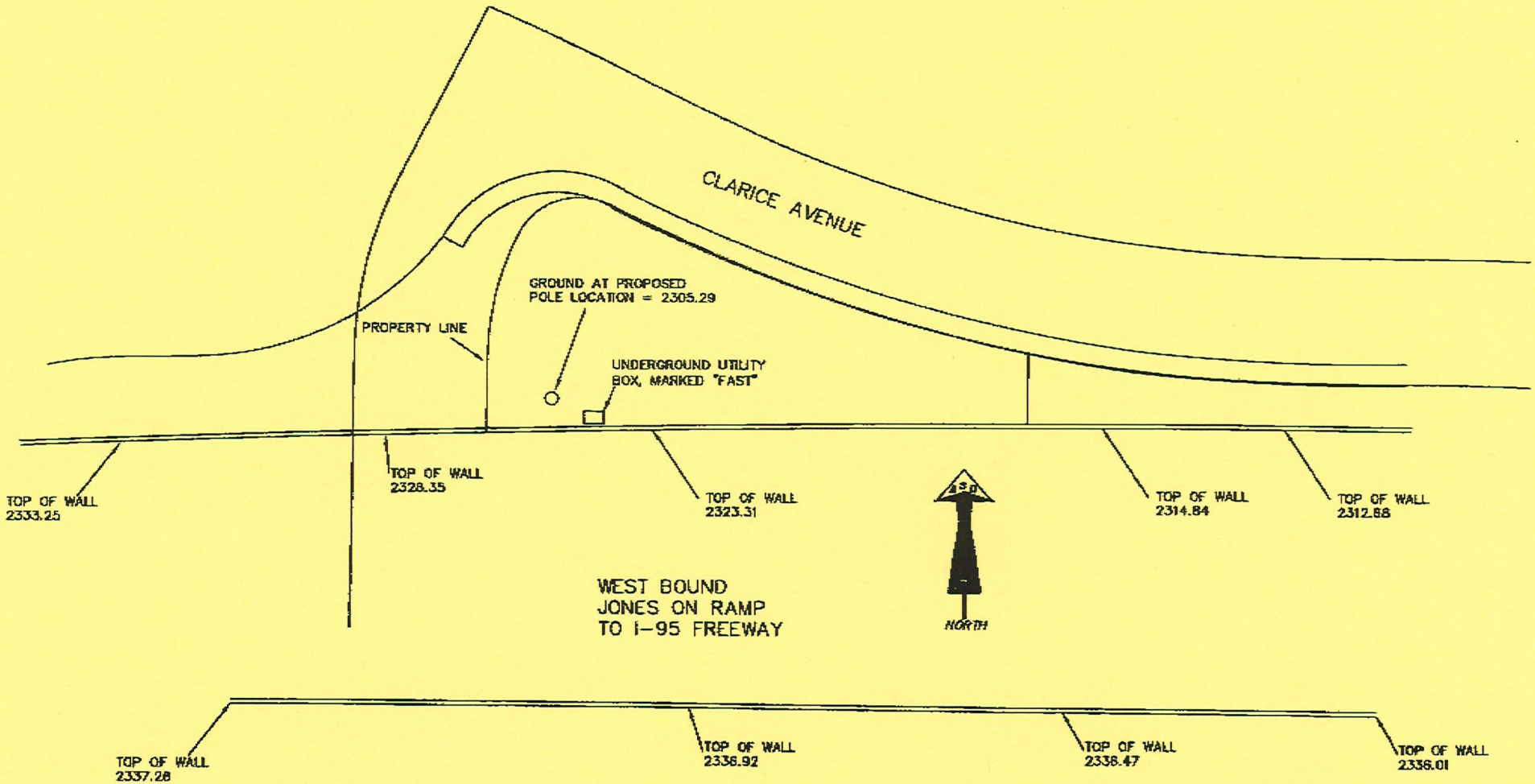
PERMIT TYPE	DESCRIPTION	FEES
10.0	BUILDING PERMIT	213.00
60.0	ZONING	11.00
80.0	PLAN CHECK FEE	138.00
86.0	ADMIN FEE	35.00

SPECIAL CONDITIONS:

SDR-35904
10/22/09 PC

APA BEG. BAL.	EXEMPT NO.	TOTAL FEES
		397.00
APA END BAL.	RECEIPT NO.	LESS PREVIOUS PAID
		0.00
APA ACCT. NO.	RECEIPT NO. 130594	AMOUNT DUE 397.00

06/24/2009 14:17 CLEAR CHANNEL OUTDOOR → 94747463 NO.014 P03



SDR-35904
10/22/09 PC

710812-0

CITY OF LAS VEGAS
DEPARTMENT OF BUILDING & SAFETY
PERMIT APPLICATION

TYPE OR BLACK INK ONLY

PLAN CHECK NO.: L 2180-04 TOTAL VALUATION: $ _____

FOR: ☒ Commercial & Public Structures ☐ Single Family Residence

WORK DESCRIPTION: TAKE DOWN ONE 14'x48' 45' OAH OFF PREMISE ADVERTISING SIGN" BILLBOARD"

PERMITS REQUESTED: ☐ Building ☐ Mechanical Val _____
☒ DEMO PERMIT ☐ Plumbing Val _____ ☐ Electrical Val _____

ADDRESS: US 95 NL 500' W/O JONES BLVD

OWNER/BUILDER NAME: CLEAR CHANNEL OUTDOOR

CONTRACTOR: ~~QUANTUM STRUCTURES AND DESIGN A DIVISION OF~~ CLEAR CHANNEL OUTDOOR

PROJECT/BUSINESS NAME: US 95 CONDEMNATION

CONTACT PHONE NO.: 238-7209 CONTACT FAX NO.: 382-7088

STATE CONTRACTOR LICENSE NO.: 51604 CITY BUSINESS LICENSE NO.: C11-00679-B-000103

PARCEL NO.: 139 26 801 009 ZONE: C1

LOT(s): _____ BLOCK: _____ SUBDIVISION: _____

OCCUPANCY GROUP: _____ USE: _____ CONST. TYPE: _____

SQUARE FT OF FLOOR AREAS: 1st _____ 2nd _____ 3rd _____ Garage _____

Patio _____ Balcony _____ Total _____ No. of Units _____ No. of Stories _____

POOL: TOTAL GALLONS _____ ☐ Gas Line

SPECIAL CONDITIONS: THIS STRUCTURE IS COMING DOWN DUE TO THE US95 PROJECT. UNDER CONDEMNATION.

I state that the information I have supplied on this application is true and correct. By signing this application, I agree to comply with all conditions as noted on this permit.

Contractor or Agent/Owner — Date: 4/22/04

Planning Department — Date: 4/5/6/04

Land Development/Flood Control Engr. — Date

Fire Department — Date

Building Department — Date

TOTAL PERMIT FEE: $ 98.00

JP OK per Ted.

PRE-PAID: Plan Review $_____

PRE-PAID: Zoning $_____

TOTAL $_____

Permit Expires 180 Days After Abandonment of Work

Permits expire when no inspection has been requested for any 180-day period after the permit has been issued.

Revised 02/03

cp: Permit Application

SDR-35904
10/22/09 PC

05/12/04 19:13 | CITY OF LAS VEGAS INSPECTION REPORT | PAGE 1 WEST

ATTENTION CONTRACTOR: RETAIN ON JOB SITE FOR RECORDS

JON LEE (76) / ( ) SCHD DATE: 05/13/04 INSPECTION NBR: 10

PERMIT NBR: 04-011125 APPLICATION NBR: 710812-0

PERMIT ISSUE DT: 05/06/04

ADDRESS: 6193 CLARICE AV

SUBDIVISION: NO RECORDED SUB LOT: BLOCK: MAP: 2319-99
BUSINESS: CLEAR CHANNEL MKT:
CONTRACTOR: QUANTUM STRUCTURE & DESIGN CONTACT PHONE: 238-7209
SUBCONTR: JOB SITE PHONE: 460-2828
WORK DESCRIPTION: DEMO BILL BOARD
CALL-IN: 05/12/04 12:59

INSP 225 REQUESTED INSPECTION: SIGN INSPECTION (225)

PARTIAL APPRVD(P) | PARTIAL NOT APPRVD(N) | PARTIAL DESCR _____

APPRVD(A) | STOP WORK(S) | PERMIT REQUIRED | TEMPORARY APPROVAL(T) UNTIL_____ | HOLD(H)

REJECTED(R) - REINSPECTION REQUIRED - CALL 229-2071

REFEE(F) - REINSPECTION FEE REQUIRED - PAY AT DEVELOPMENT SERVICES CENTER 731 S. FOURTH STREET

PROJECT COMPLETE - BRING HARD CARD WITH FIRE QUALITY CONTROL & PLANNING APPROVALS SIGNED OFF TO BLDG. & SAFETY FOR C. OF O. ISSUANCE (COMMERCIAL ONLY).

COMMENTS DEMO COMPLETE

INSPECTOR SIGNATURE: Jon Lee 76 DATE: 5.13.04

NO PRIOR INSPECTIONS FOR THIS PERMIT 04-011125

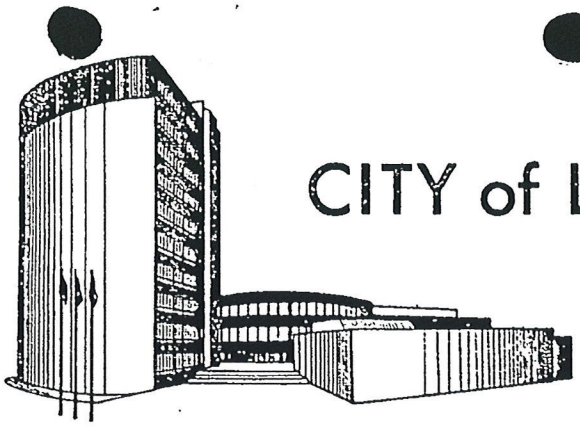
SDR-35904
10/22/09 PC

MAYOR BILL BRIARE

COMMISSIONERS
PAUL J. CHRISTENSEN
RON LURIE
MYRON E. LEAVITT
ROY WOOFTER

CITY ATTORNEY
MIKE SLOAN

CITY MANAGER
RUSSELL DORN



CITY of LAS VEGAS

March 16, 1978

United Outdoor Advertising
900 South Commerce
Las Vegas, Nevada 89106

Re: Z-151-63 Plot Plan Review

At a regular meeting held on March 1, 1978, the Board of City Commissioners APPROVED your request for a Plot Plan Review to allow an off-premise sign 14' x 48' on property immediately to the west of the Fremont West Shopping Center, generally located at the corner of Jones Boulevard and Clarice Avenue, ROI to C-1, as had been recommended by the Planning Commission, subject to the following conditions:

1. Conformance to the plot plan.

2. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.

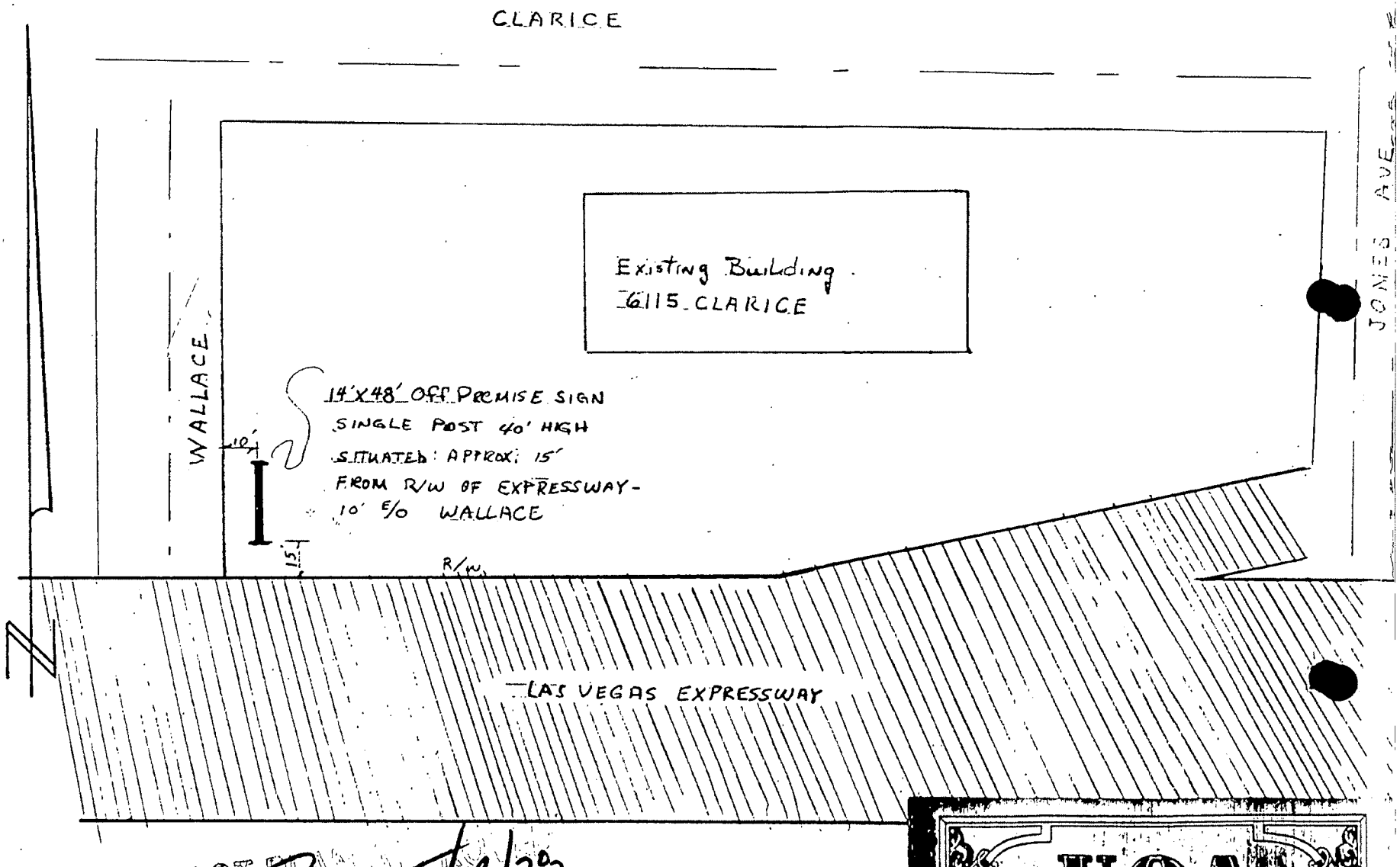
Edwina M. Cole

EDWINA M. COLE, CMC
CITY CLERK

/dmk
cc: Ernest A. Becker
6115 Clarice Avenue
Las Vegas, Nevada 89107
cc: Dept. of Community Planning & Development
Department of Public Services

SDR-35904
10/22/09 PC

ERNEST A. BECKER ENTERPRISES



PLOT PLAN 9/22/09
By: COMMUNITY PLANNING & DEVELOPMENT
City of Las Vegas

SDR-35904
10/22/09 PC

UOA
UNITED OUTDOOR ADVERTISING CO.
Michael Connell, Vice-President Gen. Sales Mgr.
900 South Commerce • Las Vegas Nevada 89106
(702) 385-2515

DEPARTMENT OF BUILDING & SAFETY
CITY OF LAS VEGAS, NEVADA

KARDEX CARD
SIGN

OWNER United Outdoor ADDRESS 6115 Clarice DATE 4-25-79

CONTRACTOR United Outdoor PERMIT NO. 5773

LOT _____ BLOCK _____ SUBDIVISION _____

LOCATION _____	ELECT. ROUGH _____
SHOP (WIRING, CONST.) _____	ELECT. FINAL _____
SITE (BLDG., ETC.) _____	
INST. (SERV: STRUCT.) _____	
BILLBOARD _____	
ELECTRIFIED _____	
FINAL _____	

23.07 D ADDRESS 6115 Clarice LOG NO. _____ AREA M-311

Acme Elec
6111 Ro Elec
6113 Gr. 12-14-64
6117

SDR-35904
10/22/09 PC

Log No. M-311 Const. Valuation $ 5,376.00

CITY OF LAS VEGAS, NEVADA

DEPARTMENT OF BUILDING & SAFETY – SIGN APPLICATION & PERMIT

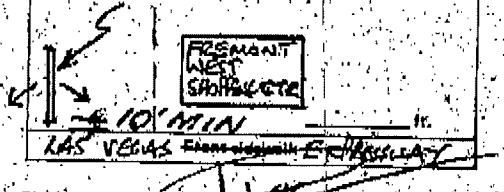
ADDRESS OF CONSTRUCTION: 6115 CLARICE SIGN OWNER: UNITED OUTDOOR ADVERTISING

SIGN CONTRACTOR: UNITED OUTDOOR ADVERTISING STATE LICENSE # 14357 CITY LICENSE # 0022442024-18

PROPERTY OWNER'S NAME: ERNEST A BECKER ZONE: C1

TYPE	SIZE		HEIGHT ZONE A Up to 30'	B Over 30' up to 50'	C Over 50'	VALUATION	PERMIT FEE
BILLBOARD – NON-ELECTRIFIED:							
Single faced freestanding		sq. ft. @	$ 4.00	$ 6.00	$ 8.00	$	$
Single faced roof, marquee or projecting		sq. ft. @	$ 5.00	$ 7.00	$ 9.00	$ 5,376.00	$ 39.00
Double faced or V-type freestanding	672+672	sq. ft. @	$ 8.00	$ 8.00	$ 10.00	$ 5,600	$
Double faced or V-type on roof, marquee or projected		sq. ft. @	$ 8.00	$ 10.00	$ 12.00	$	$
NEON OR OTHER ELECTRIFIED:							
Single faced		sq. ft. @	$ 12.00	$ 14.00	$ 16.00	$	$
Double faced	672+672=1344	sq. ft. @	$ 16.00	$ 18.00	$ 20.00	$	$
For sign not included above use construction valuation							$
Political Signs							$ 25.00
Sign 25 sq. ft. or less							$ 5.00

APPROVED BY THE CITY COMMISSION 3-1-78
SUBJECT TO THE FOLLOWING CONDITIONS:
1. Conformance to the plot plan.
2. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.



MATERIAL FOR SIGN: Metal ☑ Wood ☐ Plastic ☐ Other ☐

TYPE OF PROJECT: New Sign ☑ Replacement ☐ Relocation ☐

CONDITION OF THE PERMIT:

I hereby certify that I have carefully examined and read the above application; that the same is true and correct and that the work herein described is to be in accordance with all provisions of the applicable Ordinances of the City of Las Vegas and State Laws whether specified or not.

Signed: [signature] Date: Mar 8 78
Master Neon-Elec.-Billboard Contractor

PLANNING DEPT. Approved based on the questionnaire attached Date: 3/22/78

PUBLIC WORKS DEPT. Date: 3-22-78

BUILDING DEPT. Date: 4-25-78

PERMIT No. 5773 PERMIT FEE $ 39.00

PERMIT	$ 39.00
SIGN	$ 39.00
STL	$ 39.00
TOTL	$ 39.00
CHEK	$ 39.00

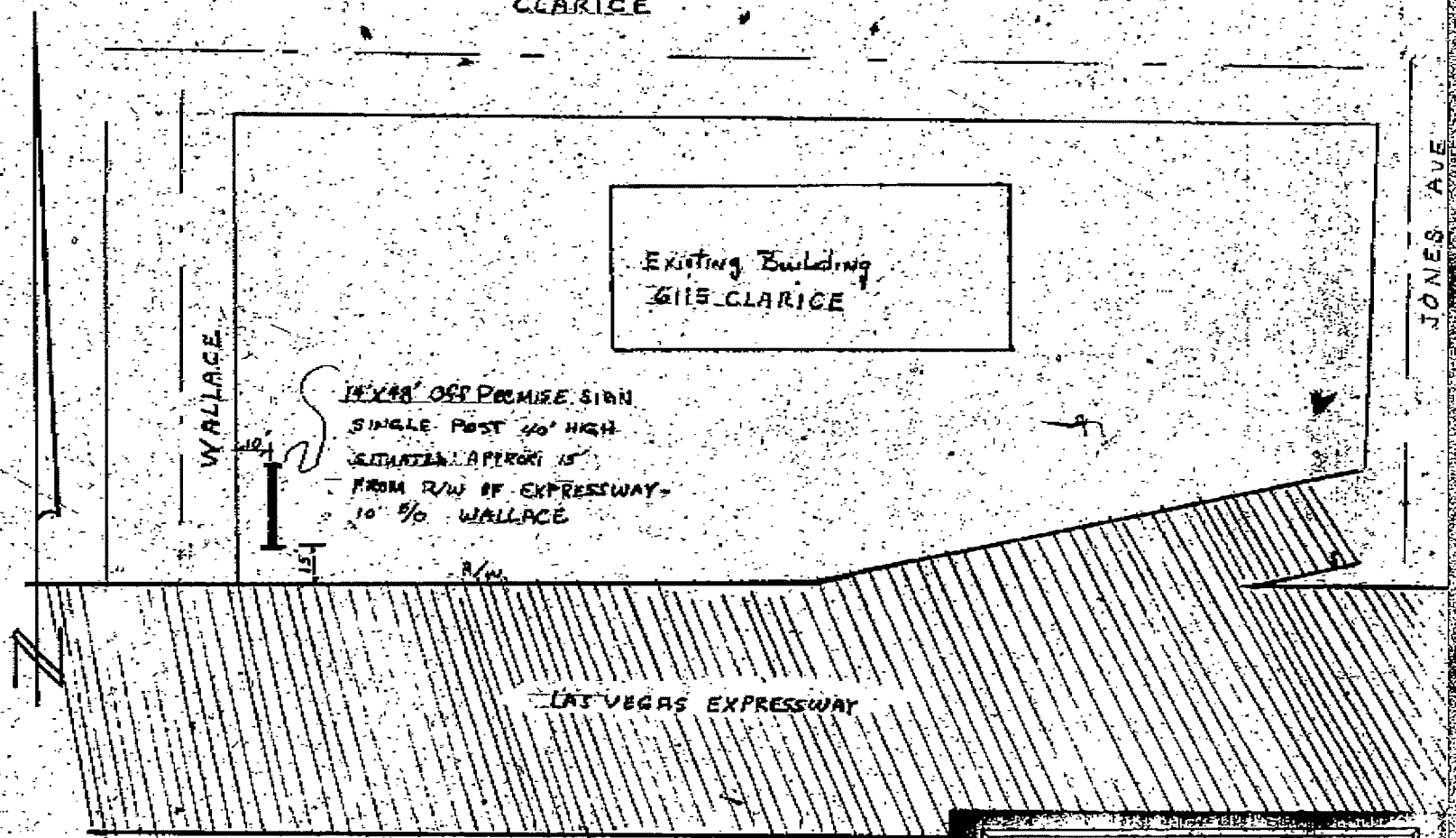
#5773 SR#001/01
CITY OF LAS VEGAS
BLDG. & SAFETY

MUST BE MACHINE VALIDATED

288

SDR-35904
10/22/09 PC

ERNEST A. BECKER ENTERPRISES



PLOT PLAN APPROVED

By: 3/24/18

COMMUNITY PLANNING & DEVELOPMENT
City of Las Vegas

UOA

UNITED OUTDOOR ADVERTISING CO.
Michael Connell | Vice-President
Gen. Sales Mgr.
900 South Commerce St. Las Vegas, Nevada 89106
(702) 385-2515

SDR-35904
10/22/09 PC



SDR-35904 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: STATE OF NEVADA DEPARTMENT OF TRANSPORTATION
SOUTHEAST CORNER OF WALLACE DRIVE AND CLARICE AVENUE
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



SDR-35904 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: STATE OF NEVADA DEPARTMENT OF TRANSPORTATION
SOUTHEAST CORNER OF WALLACE DRIVE AND CLARICE AVENUE
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



SDR-35904 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: STATE OF NEVADA DEPARTMENT OF TRANSPORTATION

SOUTHEAST CORNER OF WALLACE DRIVE AND CLARICE AVENUE

OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09

STATE OF NEVADA

DEPARTMENT OF TRANSPORTATION

RIGHT-OF-WAY DIVISION
P. O. Box 170, Las Vegas, NV 89125-0170
June 24, 2009

JIM GIBBONS, *Governor*

SUSAN MARTINOVICH, P.E., *Director*

MARGO WHEELER
PERMIT OPERATIONS
CITY OF LAS VEGAS
731 S. 4TH STREET
LAS VEGAS NV 89101

Project: EBMGNHSTP-095-2(028)
E.A. 72657
Parcel: U-095-CL-079.607 XS1
Owner: NDOT
Original APN #'s 138-26-801-008 & 009
Clear Channel Billboard permit for 6150 Clarice Ave, (NW corner, US-95 & Jones).

Dear Ms. Wheeler:

This letter is written to acknowledge and consent to a billboard being permitted on the above mentioned parcel. On May 5, 2004, at the request of the Department, Clear Channel Outdoor removed their permitted billboard from the above referenced parcel, to accommodate the construction of the US-95 widening project. That project is now completed and the Department is ready to allow the billboard to be re-erected on a portion of the same parcel. A sketch map depicting the sign pole location is in their permit application.

Please feel free to contact me if you have questions or need additional information regarding this matter. My phone number is: 702-385-6527 and my e-mail address is: clamb@dot.state.nv.us.

Thank you for your assistance.

Sincerely,

Carol Lamb

Carol Lamb
Assistant Chief Right-of-Way Agent

cl/lm
cc: James Lewis, Assistant City Attorney, City of Las Vegas
Kurt Lambeth, Attorney
Eddie Guilbenkian, Deputy Attorney General
Rod Carter, Clear Channel Outdoor
Jon Bunch, Chief Right-of-Way Agent

RECEIVED
SEP 04 2009

SDR-35904
10/22/09 PC

(NSPO Rev. 2-07)

135

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 22, 2009

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

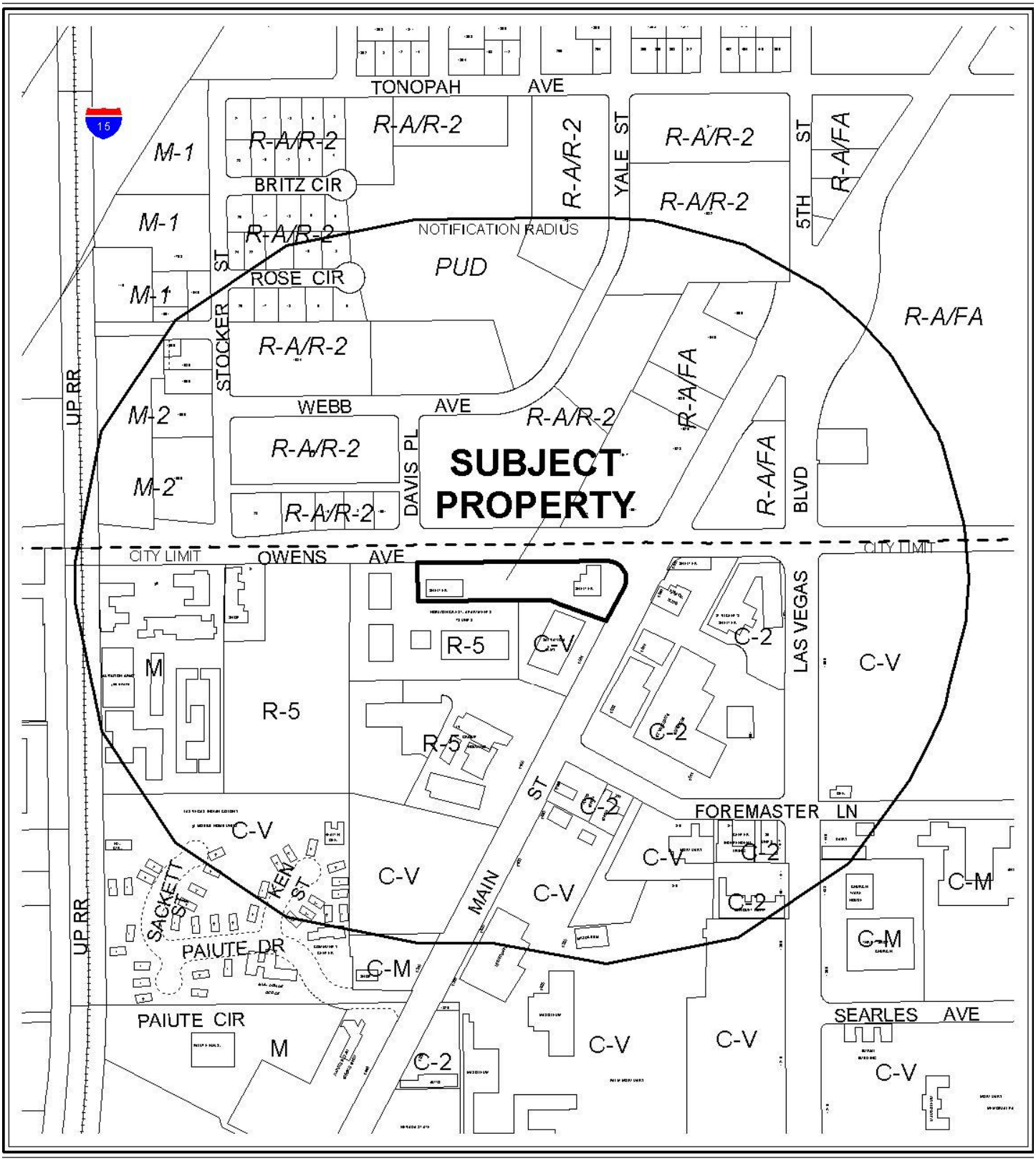
SUBJECT:
SDR-35910 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: THE SHADE TREE, INC. - Request for a Major Amendment of a previously approved Site Development Plan Review [Z-0102-97(1)] FOR THE PROPOSED ADDITION OF TWO 24-FOOT X 60-FOOT TEMPORARY MODULAR STRUCTURES TO AN EXISTING RESCUE MISSION OR SHELTER FOR THE HOMELESS WITH WAIVERS TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG THE NORTH PERIMETER WHERE 15 FEET IS THE MINIMUM REQUIRED AND A ZERO-FOOT BUFFER ALONG THE WEST AND SOUTH PERIMETERS WHERE EIGHT FEET IS THE MINIMUM REQUIRED on a portion of a 1.69 acre site at 1 West Owens Avenue (APN 139-27-502-019), Ward 5 (Barlow)

C.C.: 11/18/2009

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**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 Letters



0 400 800 Feet

CASE: **SDR-35910**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

N



0 400 800 Feet

CASE: **SDR-35910**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 22, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-35910 - APPLICANT/OWNER: THE SHADE TREE, INC.

** CONDITIONS **

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

Planning and Development

1. Conformance to the Conditions of Approval for Site Development Plan Review [Z-0102-97(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 principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 09/08/09, except as amended by conditions herein.

4. An Administrative Review shall be completed within two years, if approved.

5. Decomposed granite shall be placed around both temporary buildings at a depth of two-inches to properly mitigate any fugitive dust.

6. A Waiver from Title 19.12 Landscape and Buffer Standards is hereby approved, to allow a zero-foot Landscape Buffer along the north perimeter where 15 feet is the minimum required and a zero-foot landscape buffer along the west and south perimeters where eight feet is the minimum required.

7. An Exception from Title 19.12 Landscape and Buffer Standards is hereby approved, to allow zero trees where 20 are the minimum required along the north, south and west landscape buffers.

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

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

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

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

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

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

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

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

Public Works

16. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

17. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing final grade elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

18. Site development to comply with all applicable conditions of approval for Z-102-97 and all other site-related actions.

SDR-35910 - Staff Report Page One
October 22, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is proposing to add two 1,440 square-foot modular buildings to the Shade Tree Shelter campus, which currently includes the following: a 36,000 square-foot Shelter (364 beds), a 4,500 square-foot animal shelter, and a 200 square-foot storage building. The proposed modular buildings will be utilized by the attendees of the Rescue Mission or Shelter for the Homeless for educational and training purposes. No additional parking or landscaping is being provided in conjunction with the proposed structures. A Waiver of Perimeter Landscaping has been requested by the applicant along the west, south and north perimeter buffers. The applicant is proposing a project that fails to comply with minimum Title 19.12 Landscape and Buffer Standards, making it incompatible with adjacent developments; therefore, denial of the request is recommended. If denied, the two proposed 1,440 square-foot buildings would not be permitted on the subject site.

ISSUES

- Two modular buildings totaling 2,880 square feet are being proposed for educational and career development.
- No additional parking or landscaping is proposed as a part of the subject application.
- Waivers of Title 19.12 Landscape and Buffer Standards have been requested by the applicant.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales	
No change of ownership has occurred on the subject parcel.	
12/08/97	The City Council approved a Rezoning (Z-0102-97) from C-2 (General Commercial), C-M (Commercial Industrial) and C-V (Civic) to C-V (Civic) on 0.71 acres at 1599 North Main Street. The Planning Commission and staff recommended approval of the request.
06/28/98	The City Council approved a Site Development Plan Review [Z-102-97(1)] for a 38,898 square-foot, three-story Shelter for women and children on 0.71 acres at 1599 North Main Street. The Planning Commission and staff recommended approval of the request.
02/22/99	The City Council approved a Special Use Permit (U-0146-98) for a 66,692 square-foot shelter for the homeless campus with long and short term transitional housing, administrative offices, ancillary child care and medical clinic facilities in conjunction with an existing 40,377 square-foot transitional living center on 0.71 acres at 1599 North Main Street. The Planning Commission and staff recommended approval of the request.

01/06/06	Planning and Development staff administratively approved a Site Development Plan Review (SDR-10800) for the expansion of an existing Social Service Provider consisting of a 2,500 square-foot Animal Shelter (without outside pens) and a 978 square-foot storage building on 1.00 acre adjacent to the south side of Owens Avenue, approximately 250 feet west of Main Street.
09/13/06	A Code Enforcement citation (#46201) was issued for debris at 1 West Owens Avenue. Code Enforcement closed the case on 09/13/06.
09/15/09	The Planning and Development Department administratively approved a Temporary Commercial Permit (TCP-36034) for two temporary modular buildings to be utilized for on-site educational facilities pertaining to job development/life skill programs on an undeveloped portion of a 1.70 acres site located at 1 W Owens Avenue. The permit will expire on 11/30/09.
Related Building Permits/Business Licenses	
02/03/00	A Building Permit (#2007) was issued for a congregate residence at 1 West Owens Avenue. The permit was finaled 10/31/00.
02/07/00	A Building Permit (#2161) was issued for a congregate residence at 1 West Owens Avenue. The permit was finaled on 09/01/00.
01/18/01	A Business License (#N38-00002) was issued for a Non-Profit Homeless Shelter/Rescue Mission at 1 West Owens Avenue. The license remains active at this location.
12/15/06	A Building Permit (#6007383) was issued for a building expansion at 1 West Owens Avenue. The permit expired on 09/01/07.
03/20/07	A Building Permit (#7000953) was issued for an animal shelter at 1 West Owens Avenue. The permit was finaled on 10/05/07.
Pre-Application Meeting	
09/02/09	A pre-application meeting was conducted on the indicated date. The following items were discussed at the meeting: • Expansion of the existing Homeless Shelter on the subject site. • Waivers of Perimeter Landscape Buffer requirements. • Previously approved Site Development Plan Review [Z-0102-97(1)].
Neighborhood Meeting	
A neighborhood meeting is not required nor was one held.	

Field Check	
09/17/09	A field check was completed on the indicated date. Planning and Development identified the following items: • Staff identified the existing Shelter on the subject site and ancillary buildings. • Staff identified the undeveloped area in which the temporary buildings are to be located.

Details of Application Request	
Site Area	
Net Acres	1.69 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Rescue Mission/Shelter for the Homeless	PF (Public Facilities) and M (Medium Density Residential)	C-V (Civic)
North	Apartments and Retail	North Las Vegas	North Las Vegas
South	Apartments and Retail	PF (Public Facilities) and H (High Density Residential)	R-5 (High Density Residential)
East	Offices	GC (General Commercial)	C-2 (General Commercial)
West	Apartments	H (High Density Residential)	R-5 (High Density Residential)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan			
Downtown North Land Use Plan	X		Y
Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts	X		
A-O (Airport Overlay) District – (150-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

DEVELOPMENT STANDARDS

Pursuant to Title 19.06.020, the minimum development standards for property in the C-V (Civic) district shall be established by the City Council in connection with the approval of a rezoning application or administratively in connection with the approval of a site development plan review. The standards shall be designed to ensure compatibility of the development with existing and planned development in the surrounding area. The subject site is located within a C-V (Civic) zoning district and as such, the minimum development standards will be established with the approval of this Site Development Plan Review.

Pursuant to Title 19.06.020, the following standards are proposed:

Standard	***Provided***
Min. Lot Size	A portion of a 1.69 acre site
Min. Setbacks • Front (east property line) • Side (south property line) • Corner (north property line) • Rear (west property line)	 344 Feet 26 Feet 20 Feet 12 Feet
Min. Distance Between Buildings	16 Feet
Max. Building Height	12 Feet
Trash Enclosure	By Condition
Mech. Equipment	By Condition

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 Space	N/A	Existing	N/A
Buffer: Min. Trees				
North buffer	1 Tree/20 Linear Feet	7 Trees	Zero Trees	N
South buffer	1 Tree/20 Linear Feet	7 Trees	Zero Trees	N
West buffer	1 Tree/20 Linear Feet	6 Trees	Zero Trees	N
East buffer	1 Tree/20 Linear Feet	N/A	Existing	N/A
TOTAL		20 Trees	Zero Trees	N
Min. Zone Width				
North buffer	15 Feet		Zero Feet	N
South buffer	8 Feet		Zero Feet	N
West buffer	8 Feet		Zero Feet	N
East buffer	15 Feet		15 Feet	Y
Wall Height	No walls are proposed as a part of the subject application.			

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	
Rescue Mission/ Homeless Shelter (364 beds)	Rescue Mission (36,000 SF) Animal Shelter (4,500 SF) Storage (200 SF)	1 per 4 beds, or 1 per 750 gfa	87	4	53	1	N
Classroom Buildings	2,880 SF						
TOTAL	43,580 SF		91		54		N

Waivers		
Requirement	**Request**	**Staff Recommendation**
15 feet along the north buffer and eight feet along the west and south buffer	Zero Feet	Denial
Exceptions		
Requirement	**Request**	**Staff Recommendation**
20 trees in the perimeter landscape buffer	Zero Trees	Denial

ANALYSIS

- **Site Plan**

  The Shade Tree Shelter complex is located on a 1.69 acre campus at the southwest corner of Owens Avenue and Main Street. The site plan indicates the following: a Shelter at 36,000 square feet, an Animal Shelter at 4,500 square feet, a storage building at 200 square feet and two new classroom buildings at 2,880 square feet.

The two proposed classroom buildings will be utilized for the people who are currently using the Rescue Mission/Shelter for the Homeless. There are a total of 54 parking spaces on the subject site. No additional parking spaces are being added as the classrooms buildings are ancillary to the existing site. The overall site is parking impaired and it does not require additional parking.

The overall site is accessed from Owens Avenue, which is indicated as a 100-foot Primary Arterial on the Master Plan of Streets and Highways. A Pedestrian Path is also located adjacent to Main Street.

- **Landscape Plan**

The subject site is a portion of an existing 1.69 acre site. The two proposed modular classroom buildings are proposed to be located on an undeveloped portion of the site consisting of approximately 12,500 square feet, or 0.17 acres. The landscaping for the existing site exists, except for the 0.17 acres. The applicant is proposing no additional landscaping as a part of the subject application. The Development Standards tables for landscaping are specific to the 0.17 acre portion of the overall site, with the applicant requesting Waivers of Title 19.12 Landscape and Buffer Standards to allow a zero-foot landscape buffer along the north perimeter where 15 feet is the minimum required and a zero-foot landscape buffer along the west and south perimeters where eight feet is the minimum required. Also, the applicant is requesting an exception to allow zero trees in the landscape buffer where 20 trees are required. Staff cannot support the requested Waivers as the lack of required perimeter landscaping will result in a development that is not compatible with adjacent residential development to the west.

- **Elevations/Floor Plan**

The elevations indicate two 12-foot tall modular buildings. These modular style buildings are typical of temporary buildings and have not been designed to be compatible with the existing structures located on the site. The floor plans indicate approximately 2,880 square feet for the two proposed buildings. Both buildings will be utilized as classrooms for the attendees of Shade Tree Shelter.

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 temporary modular buildings are inconsistent with the existing development and surrounding development in the area. The existing and surrounding development have provided adequate landscaping. No landscaping is associated with the addition of two modular buildings on the subject site.

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

   The proposed development is inconsistent with Title 19.12 Landscape and Buffer Standards. The applicant has failed to comply with minimum buffer widths on the west, north and south perimeter buffers. The applicant has also failed to provide the 20 required trees on-site.

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

   The site is accessed via Owens Avenue. Owens Avenue is indicated as a 100-foot Primary Arterial as designated by the Master Plan of Streets and Highways. Owens Avenue will provide adequate access to the site and will not negatively impact adjacent roadways or neighborhood traffic.

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

   The applicant has failed to provide any perimeter landscaping, which includes trees and shrubs on the subject site. The applicant is deficient by 20 trees.

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

   The building elevations and design characteristics are not compatible with adjacent development and other buildings on the Shade Tree campus.

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

   The proposed classroom buildings will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

NOTICES MAILED 51

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-35910** APN: 139 27 502 019

Name of Property Owner: Shade Tree, Inc.

Name of Applicant: The Shade Tree

Name of Representative: Marlene Richter, Executive Director

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: Marlene E Richter

Print Name: Marlene E. Richter

Subscribed and sworn before me

This 8th day of Sept, 2009

Carol C Kehl

Notary Public in and for said County and State

CAROL C. KEHL
Notary Public, State of Nevada
Appointment No. 04-91674-1
My Appt. Expires Sept. 20, 2012



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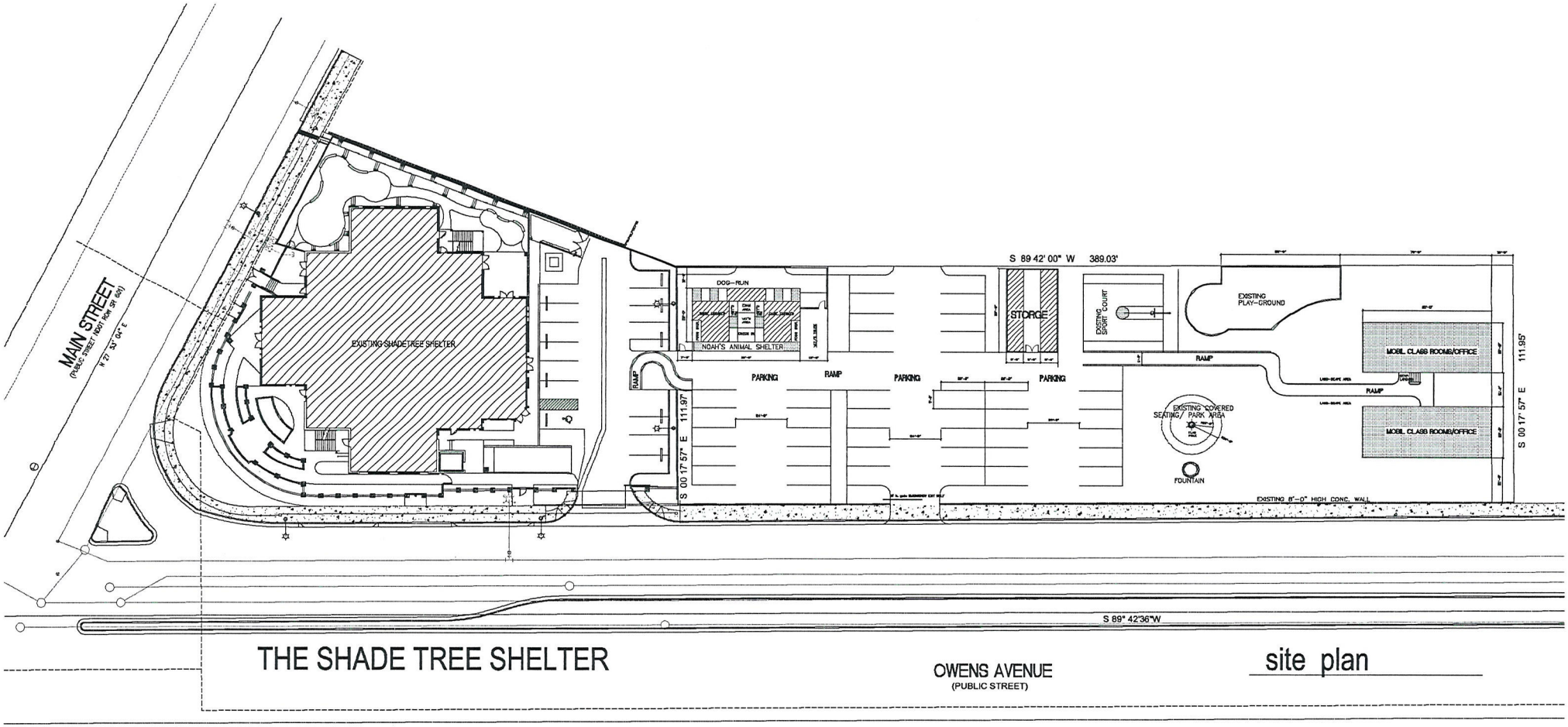
SEP 09 2009

SDR-35910
10/22/09 PC



THE SHADE TREE SHELTER

OWENS AVENUE
(PUBLIC STREET)

site plan

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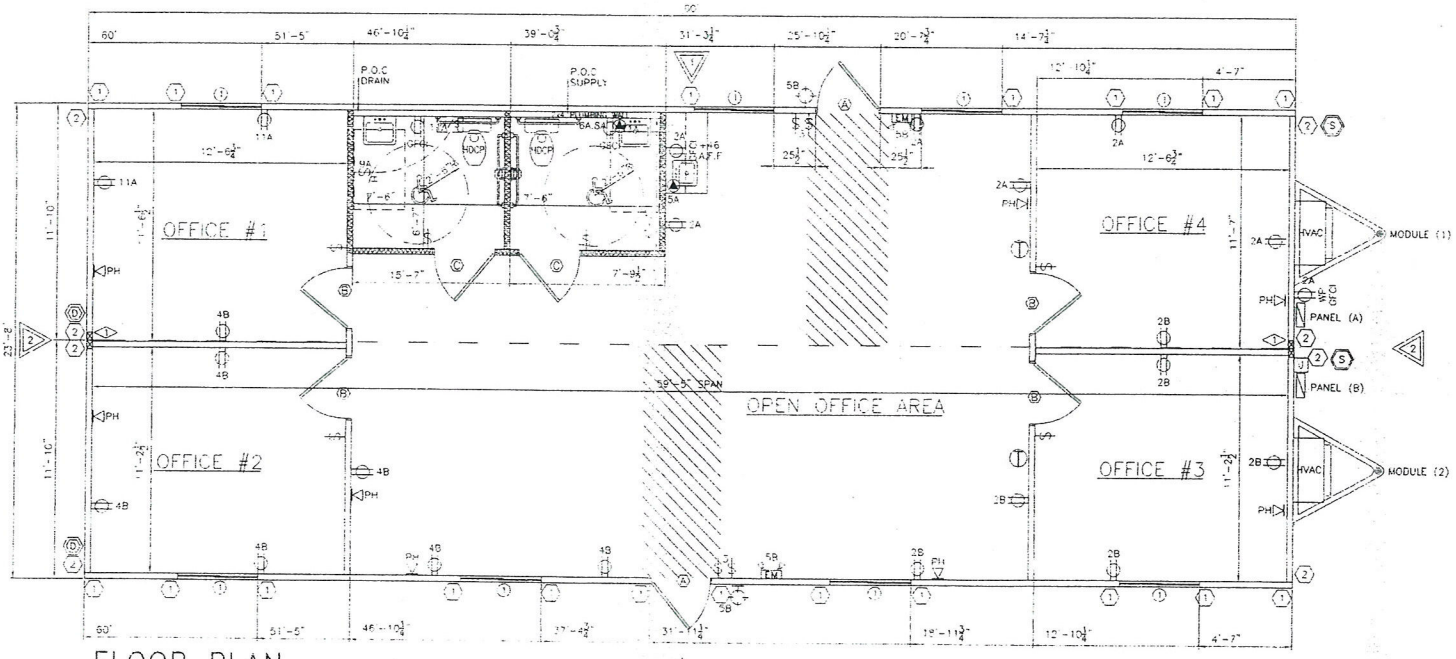
SDR-35910
10/22/09 PC

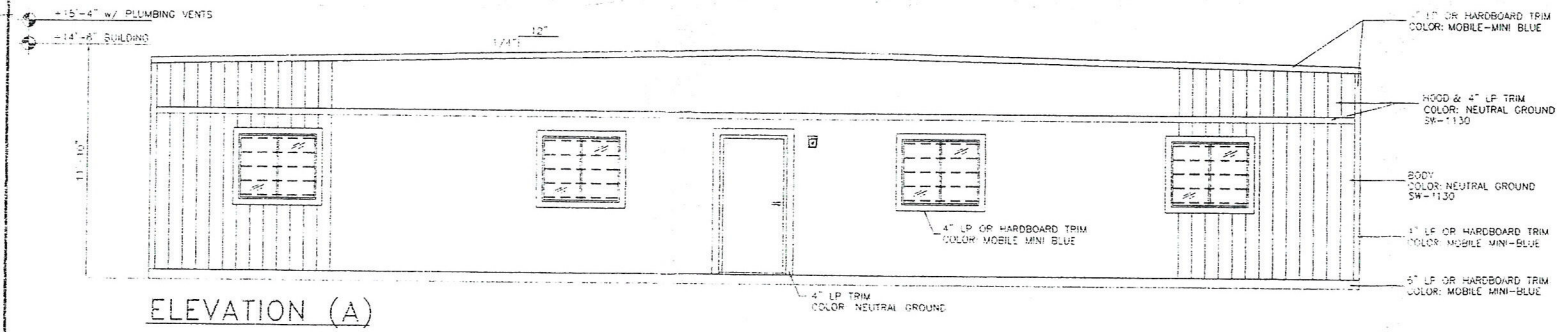


FLOOR PLAN

SCALE 1/4"=1'-0"

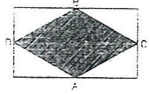
HATCHING DENOTES INSULATED WALLS

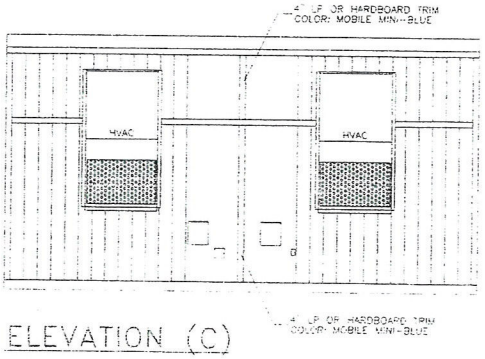
HATCHING DENOTES 100# EXITWAY @16"OC FLOOR JOISTS



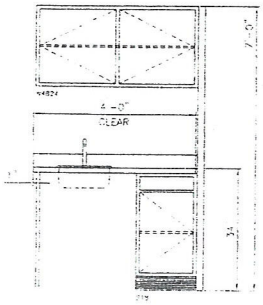
ELEVATION (A)

NOTE:
PROVIDE DEALER STOCK UNIT SIGNS ON THIS BUILDING.

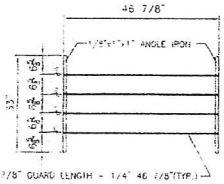




ELEVATION (C)



CAB. ELEV.



INTERIOR SECURITY

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10/22/09 PC



SDR-35910 - APPLICANT/OWNER: THE SHADE TREE, INC.
1 WEST OWENS AVENUE
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



SDR-35910 - APPLICANT/OWNER: THE SHADE TREE, INC.
1 WEST OWENS AVENUE
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



SDR-35910 - APPLICANT/OWNER: THE SHADE TREE, INC.
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09/17/09



SDR-35910 - APPLICANT/OWNER: THE SHADE TREE, INC.
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OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



SDR-35910 - APPLICANT/OWNER: THE SHADE TREE, INC.
1 WEST OWENS AVENUE
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



SDR-35910 - APPLICANT/OWNER: THE SHADE TREE, INC.
1 WEST OWENS AVENUE
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09

The Shade Tree
Sheltering Women, Children & Their Pets

September 5, 2009

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

RECEIVED
SEP 08 2009

Dear City of Las Vegas Planning & Development Department:

The Shade Tree shelter for women, children, and their pets seeks ~~to meet the immediate~~ needs of those in crisis through the provision of not only shelter and food but also life changing opportunities through education. Currently these services are provided within the 36,000 sq. foot building that has been at capacity every night for more than six months due to the economic crisis impacting the Southern Nevada region. Each day more than six new families arrive in need of shelter and the census count conducted at midnight fluctuates minimally. With each success and departure from shelter, new families in crisis are in line for the next bed or family cubicle. One of the critical components to success is our Job Development program that equips our residents for employment. The program seeks to build the women's self-esteem, teach them to update their resume, provide appropriate interview attire, prepare them to apply for employment utilizing computer and web-based applications, and ensure they have the means to utilize public transportation for the search and interview process.

In addition to the Job Development Program, Life Skills classes address the factors that may have lead women and children to shelter including budgeting, grief and loss, domestic violence indicators, credit repair, women's health, nutrition, and child abuse prevention. The shelter lacks a classroom for the Life Skills facilitation so each hour the use of space is transformed to meet the needs of the residents. The Victim's Service Center becomes the "Conflict Resolution" classroom, the shelter day room becomes the "Work Place Skills" work shop, and the Children's Activity Center becomes the Parenting Class. Currently 52 topics in English and Spanish are provided each month along with week long Job Development programs for Adults and Work Readiness for Youth.

In the absence of dedicated space to accomplish the goals and objectives of the educational component, the success of the women is hindered and results in longer shelter stays in order to become work ready and self-sufficient. Funding has been provided by the Omidyar family to address this challenge of inadequate space. The grant allows the purchase of two portable buildings that would be placed in the vacant space on the campus as well as cover 100% of the expense to operate the buildings during the first

P.O. Box 669 / Las Vegas, Nevada 89125 / 702-385-0072 / Fax 702-385-2337
Visit us at www.theshadetree.org

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year and 50% of costs in the second year if necessary. The vacant space is held in anticipation of the future HOPE Center, a permanent three story education and program provision facility. The capital campaign is underway for this critical component to assist the women and children in shelter. The portable buildings will expand our capacity to address the educational needs of women and youth has been named Bridge to HOPE.

Bridge to HOPE Components

Portable Bldg. #1

Main Function: Job Development and Education/Life Skills
Occupant: The Shade Tree Clients (Adults and Youth) and staff
Days/Hours of Operation: Sunday through Saturday 9 a.m. – 8 p.m.

Space Allocation

- 5 staff offices
- Computer lab
- Dress for Success room (extremely large walk in closet including floor to ceiling shoe racks)
- Class Room
- Copier and Storage room
- Restrooms

Occupancy- Maximum 37 persons

- Staff offices – 1 Job Development manager, 3 job developers, 1 volunteer worker
- Computer lab for 12 students, 1 volunteer, 1 employee
- Class Room for 15 adult students, 1 volunteer, 1 employee

Community Partners providing services in Class Room or Computer Lab

- GED preparation through distance education from College of Southern Nevada
- Reading Comprehension provided by Urban League
- Basic Math, English, and computer classes from numerous professional tutors
- Health care class for teens provided by University of Southern Nevada nursing students
- Nutrition classes provided by University of Reno Cooperative Extension
- Yoga provided by certified instructors
- HIV Prevention provided by Aid for AIDS of Nevada

Employee facilitated classes in Class Room

- Housing classes including lease, credit reporting, tenant responsibility, application process, subsidized rent opportunities, transitional housing programs
- Job Development including identifying the right job (Meyers Briggs), the art of resume' building, navigating the on-line application, Dress for Success, Interview Hurdles, and Attitude is Everything.

- 50 Life Skills classes each month addressing issues impacting women- grief and loss, communication, healthy relationships, time management, healing, attitudes, assertive skills, and motivation.

Projected Number of Clients per Year

- Job Development- 200 last year, projected to increase to 650 adults per year.
- Life Skills- 1240 last year, projected to increase to 1860 adults per year.
- GED Preparation- 22 last year, projected to increase to 260 adults per year.
- Nutrition/ Health- 113 last year, projected to increase to 720 adults per year.

Portable Bldg. #2

Main Function: Job Training
Component: Print Shop for letterhead, envelopes, business cards, pamphlets
Occupant: Clients, staff, and public customers
Occupancy- Maximum 20 persons

Customer area- 1 Job Coach, 2 trainees (clients)

- lobby and service counter
- Place, view, receive orders
- HOPE Center Fund Raising Area- Rendering/ Kiosk
- Restroom (customers, clients, and employees)

Pre-press area (computer work station) 2 trainees

- Printer area (Laser printers, computer work stations)

Separate Room
Assembly area (8' tables to compile and package orders) 2 trainees

- Storage area (racks and shelves for paper, ink, stock items)
- Small break area for staff from both buildings

The Shade Tree shelter for women and children has been in operation since 1990 and has resided at the current location since 2000. Job Development has been a component since 2000 and Life Skills provision increased from two classes per day in 2007 to the current level of 6 sessions per day and is available 7 days per week. Classes are taught by staff and volunteers that are professionals in their respective disciplines in our community. There is not a requirement for additional certification or licensure for the components listed in this request from the state or local municipalities.

The Job Development, Job Training, and Life Skills participants would all be current residents of the shelter. To attend classes, they would exit the shelter building and then after walking across the parking lot, enter the Job Development or Job Training buildings. Additional parking is not required as the staff, volunteers, and clients have been accommodated in the current scenario of providing these components within the shelter.

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By adding these two portable buildings to the campus, constantly moving women and children out of rooms in the shelter would cease and the intended purpose of each space would be available each day. For example, the children could play, watch movies, practice music, or create art in the Children's Activity Center while parenting classes are conducted in Bldg. #1. Victim's of Domestic Violence could find a moment of respite and healing in the Victim's Service Center while budgeting classes are held in the other building. This expansion would also allow a larger class to participate in Job Development, and women that have not worked in years could build their work readiness skills in the Job Training program. The end result of this project is that more women could become employed, thus reducing the amount of time they would remain in shelter. With six new families arriving each day, available space in the shelter is essential for their survival. Thank you for your consideration of this proposal to add two portable buildings to the campus of The Shade Tree.

Sincerely,

Marlene E. Richter
Executive Director

SDR-35910
10/22/09 PC

The Shade Tree
Sheltering Women, Children & Their Pets

September 02, 2009

Att: CITY OF LAS VEGAS
Planning & Development Department
Mr. Steve Gebeke
Planning Supervisor

RECEIVED
SEP 08 2009

RE: The Shade Tree Shelter
One West Owens
Mobile class rooms

Landscape requirement waiver request:

Requesting a waiver of all landscape requirements for this project:

1. The existing masonry fence wall is at 8' high, and the required landscape will not be visible from the street.

2. This project is a temporary project, to remove the landscape after a few months for the construction of new building, does not make an economic sense for this shelter.

Regards:

Marlene E. Richter
Executive Director

The Shade Tree Shelter

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Visit us at www.theshadetree.org

SDR-35910
10/22/09 PC

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 22, 2009

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

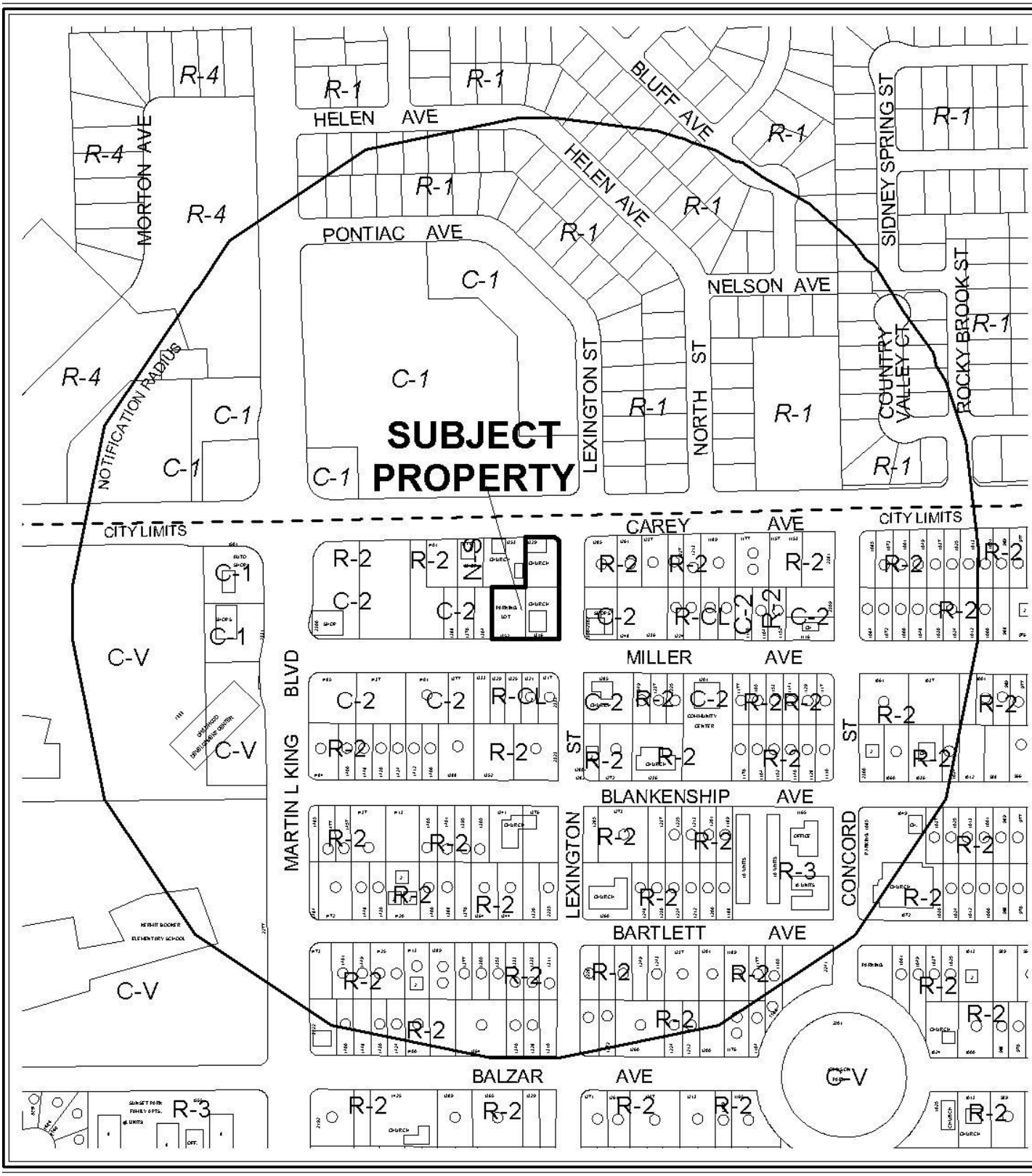
SUBJECT:
SDR-35912 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: PRAYER CENTER REVIVAL MINISTRIES - Request for a Site Development Plan Review FOR A PROPOSED 5,750 SQUARE-FOOT EXPANSION TO AN EXISTING 1,673 SQUARE-FOOT CHURCH WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS TO ALLOW BUFFERS OF ONE, EIGHT AND ZERO FEET ALONG THE NORTH, SOUTH AND EAST PERIMETERS, RESPECTIVELY, WHERE 15 FEET IS REQUIRED ADJACENT TO RIGHT-OF-WAY, AND TWO FEET ALONG THE NORTH AND WEST PERIMETERS WHERE EIGHT FEET IS REQUIRED ALONG INTERIOR LOT LINES on 0.69 acres at 1316 and 1352 Miller Avenue and 1329 West Carey Avenue (APNs 139-21-510-007, 073 and 074), C-V (Civic) Zone, Ward 5 (Barlow)

C.C.: 11/18/2009

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 Postcards



0 300 600 Feet

CASE: **SDR-35912**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

N



0 300 600 Feet

CASE: **SDR-35912**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 22, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-35912 - APPLICANT/OWNER: PRAYER CENTER REVIVAL MINISTRIES

** 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. The applicant shall work with city staff to determine the most appropriate mapping action necessary to consolidate the existing parcels. The mapping action shall be completed and recorded prior to issuance of a building permit.

3. All development shall be in conformance with the site plan, landscape plan, and floor plan date stamped 09/11/09 and building elevations date stamped 09/08/09, except as amended by conditions herein.

4. Waivers from Title 19.12.040 are hereby approved, to allow landscape buffers of one, eight, and zero feet along the north, south, and east perimeters where 15 feet is the minimum required adjacent to right-of-way and two foot landscape buffers along the north and west perimeters where eight feet is required along interior lot lines.

5. An Exception from Title 19.12.040 is hereby approved, to allow two trees within the north landscape buffer where three are required.

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

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

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

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

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

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

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

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

Public Works

14. Coordinate with the City Surveyor to determine if a Reversionary Map or other lot consolidation is necessary prior to the approval of construction drawings; comply with the recommendations of the City Surveyor.

15. Dedicate a 15-foot radius on the northwest corner of Miller Avenue and Lexington Street and an additional 5-foot for a total radius of 25 feet on the southwest corner of Carey Avenue and Lexington Street prior to the issuance of any permits; coordinate with the Right-of-Way Section of the Department of Public Works for assistance in the preparation of appropriate documents.

16. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. 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.

17. Provide a copy of a recorded Joint Access Agreement between the parcels that comprise this site prior to the issuance of any permits, unless the parcels are legally joined into one parcel.

18. Each parcel must have its own lateral connection to public sewer.

19. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.

20. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

21. Submit an Encroachment Agreement for all landscaping, if any, located in the public right-of-way adjacent to this site prior to occupancy of this site.

22. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

SDR-35912 - Staff Report Page One
October 22, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site consists of three lots containing an existing 1,673 square foot church/house of worship, an undeveloped lot, and a vacant building at 1316 and 1352 Miller Avenue and 1329 West Carey Avenue. This request would combine the existing lots for a proposed 5,750 square-foot expansion to the existing 1,673 square-foot church. The applicant is requesting Waivers of the Title 19.12.040 Perimeter Landscape Buffer Standards along the north, south and east perimeters. The applicant is also requesting, as part of the review, an Exception to allow two trees within the north landscape buffer where three trees are required. Staff can support the Waiver and Exception requests as they are minor in nature, and the landscaping provided will be adequate for the development; therefore, staff is recommending approval of this application. If this application is denied, the existing site will remain as it is, and a Site Development Plan Review would be required for any future development.

ISSUES

- The proposed development is identical to the previously approved Site Development Plan Review (SDR-15034). Site Development Plan Review (SDR-15034) expired on 11/15/08.
- The applicant is requesting Waivers to allow landscape buffers of one, eight, and zero-feet along the north, south, and east perimeters where 15 feet is required, adjacent to right-of-way.
- The applicant is requesting a Waiver to allow landscape buffers of two-feet along the north and west perimeters where eight feet is required, adjacent to interior lot lines.
- The applicant is requesting an Exception to allow two trees within the north landscape buffer where three trees are required.
- The site currently consists of three separate parcels, and must be remapped to combine these lots prior to issuance of building permits.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales	
09/20/01	A deed was recorded for a change in ownership at 1316 and 1352 Miller Avenue and 1329 West Carey Avenue.
11/15/06	The City Council approved a Rezoning (ZON-16632) request for a zone change from C-1 (Limited Commercial) and C-2 (General Commercial) to C-V (Civic) on the subject site. The Planning Commission and staff recommended approval. Rezoning (ZON-16632) expired on 11/15/08.

11/15/06	The City Council approved a Site Development Plan Review (SDR-15034) for a 5,750 square-foot expansion to an existing 1,673 square-foot church at 1316 and 1352 Miller Avenue and 1329 West Carey Avenue. Planning Commission and staff recommended approval. Site Development Plan Review (SDR-15034) expired on 11/15/08.
11/15/06	The City Council approved a General Plan Amendment (GPA-17129) request to amend the Southeast Sector Plan from MLA (Medium-Low Attached Density Residential) to PF (Public Facilities) at 1316 and 1352 Miller Avenue and 1329 West Carey Avenue. The Planning Commission and staff recommended approval.
Related Building Permits/Business Licenses	
07/29/09	A building permit (#144228) for a 5,750 square-foot expansion to an existing 1,673 square-foot church was denied by the Planning and Development Department. The permit was denied based on the following; • SDR-15034 expired on 11/15/08. No Extension of Time was granted for the application. A new site development application will need to be submitted and approved by the City Council prior to approval of building permits. • Civil plans shall be approved prior to issuance of building permits.
Pre-Application Meeting	
08/26/09	The Planning and Development Department met with the applicant and reviewed the requirements for a Site Development Plan Review application. • Waivers and exceptions for landscaping were discussed.
Neighborhood Meeting	
A neighborhood meeting was not held, nor was one required.	

Field Check	
09/17/09	Staff conducted a field inspection and noted a well maintained undeveloped lot and a church/house of worship site in good condition.

Details of Application Request	
Site Area	
Net Acres	0.69

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Church	P-F (Public Facilities)	C-V (Civic)
North	Government Facility	City of North Las Vegas	City of North Las Vegas
South	Undeveloped & Single Family Residential	MLA (Medium Low Attached)	R-CL (Residential Compact Lot)

GK

East	Retail & Single Family Residential	SC (Service Commercial) & MLA (Medium Low Attached)	C-2 (General Commercial) & R-2 (Medium-Low Density Residential)
West	Church & Undeveloped	MLA (Medium Low Attached)	R-2 (Medium-Low Density Residential) & C-2 (General Commercial)

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Area Plan	X		Y
C-V Civic District	X		Y
West Las Vegas Plan	X		Y
A-O (Airport 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

Standard	***Provided***	***Compliance***
Min. Lot Size	30,083 SF	Y
Min. Lot Width	162 Feet	Y
Min. Setbacks		
• Front	32 Feet	Y
• Side	55 Feet	Y
• Corner	8 Feet	Y
• Rear	11 Feet	Y
Max. Lot Coverage	25%	Y
Max. Building Height	28 Feet	Y
Trash Enclosure	Screened, Gated with a Roof or Trellis	Y
Mech. Equipment	Screened	Y

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Parking Area	1 Tree / 6 Spaces	6 Trees	2 Trees	N
Buffer:				
Min. Trees				
• North	1 Tree / 30 Linear Feet	3 Trees	2 Trees	N
	1 Tree / 20 Linear Feet	4 Trees	4 Trees	Y
• South	1 Tree / 30 Linear Feet	6 Trees	7 Trees	Y
• East	1 Tree / 30 Linear Feet	5 Trees	6 Trees	Y
	1 Tree / 20 Linear Feet	6 Trees	6 Trees	Y
• West	1 Tree / 30 Linear Feet	6 Trees	13 Trees	Y
TOTAL		36 Trees	40 Trees	Y
Min. Zone Width				
• North	15 Feet		5 Feet	N
• North	8 Feet		2 Feet	N
• South	15 Feet		8 Feet	N
• East	15 Feet		Zero-Feet	N
• West	8 Feet		2 Feet	N
Wall Height	N/A		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	
Church / House of Worship	2,967 SF	1:100	30	2	34	2	
TOTAL			30		36		Y

Waivers		
Request	**Requirement**	**Staff Recommendation**
An 8-foot landscape buffer along the south perimeter adjacent to right-of-way.	15 Feet	Approval
A one-foot landscape buffer along the north perimeter adjacent to right-of-way.	15 Feet	Approval

GK

A zero-foot landscape buffer along the east perimeter adjacent to right-of-way.	15 Feet	Approval
A two-foot landscape buffer along the west perimeter, adjacent to interior lot lines.	8 Feet	Approval
A two-foot landscape buffer along the north perimeter, adjacent to interior lot lines.	8 Feet	Approval

Exceptions		
Request	**Requirement**	**Staff Recommendation**
To allow two trees within the north landscape buffer	3 Trees	Approval

ANALYSIS

A previous Site Development Plan Review (SDR-15034) and Rezoning (ZON-16632) were approved by City Council on 11/15/06 for a 5,750 square-foot expansion to an existing 1,673 square-foot church and Rezoning from C-1 (Limited Commercial) and C-2 (General Commercial) to C-V (Civic); however, these entitlements were not exercised before they expired on 11/15/08. On 07/01/09, the City Council approved Ordinance #6046 and successfully changed the zoning of the property from C-1 (Limited Commercial) and C-2 (General Commercial) to C-V (Civic). Therefore, only a Site Development Plan Review and the acquisition of all required building permits are currently required to expand the church to 7,423 square feet.

As proposed, this infill project will combine an existing church/house of worship site, a vacant building site, and an undeveloped site into an expanded church/house of worship building, with the three properties remapped to create a single parcel. The existing 1,673 square foot church/house of worship will be expanded by 5,750 square feet. The vacant building will be removed to provide a majority of the required parking for the expanded church/house of worship. The additions to the site meet all development standards of Title 19, including setbacks, parking, and design standards.

The proposed site does not meet the minimum landscape standards of Title 19.12. Per Title 19.12, a perimeter landscape buffer of 15 feet must be provided adjacent to all street right-of-way. The site plan depicts a five-foot landscape buffer along the north perimeter, adjacent to Carey Avenue, which is a 10-foot deviation from standard, an eight foot landscape buffer along the south perimeter, adjacent to Miller Avenue, which is a 7-foot deviation from standard, and a zero-foot landscape buffer along the east perimeter, adjacent to Lexington Street, which is a 15-foot deviation from standard.

Per Title 19.12, a perimeter landscape buffer of eight feet must be provided adjacent to interior lot lines. The site plan depicts two-foot landscape buffers along the north and west perimeters, which is a six foot deviation from standard. The applicant is also requesting, as part of the review, an Exception to allow two trees within the landscape buffer along the north perimeter where three are required.

Although the applicant is requesting Waivers for each perimeter landscape buffer, the applicant has exceeded the minimum landscaping requirements with respect to overall tree and shrub count in an effort to compensate for the reduced buffer widths; therefore, staff recommends approval of this application.

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 development is compatible with adjacent development and development in the area.

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

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

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

   The site is accessed from Miller Avenue, which is a 60-foot Right-of-Way and will provide adequate access to the site. Site access and circulation will not negatively impact adjacent roadways and neighborhood traffic.

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

   The building materials are appropriate for the area and the city. Landscape materials are also appropriate for the area and city.

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

   The building elevations are not unsightly or obnoxious, and will be compatible with development in the area.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

NOTICES MAILED 259

APPROVALS 1

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-35912** APN: 139-21-510-007, 139-21-510-073 & 074

Name of Property Owner: Prayer Center Revival Ministries, Michael Hatch

Name of Applicant: Prayer Center Revival Ministries, Michael Hatch

Name of Representative: Michael Livingston 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 ☒ 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: _____

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SEP - 8 2009

Print Name: Michael Hatch

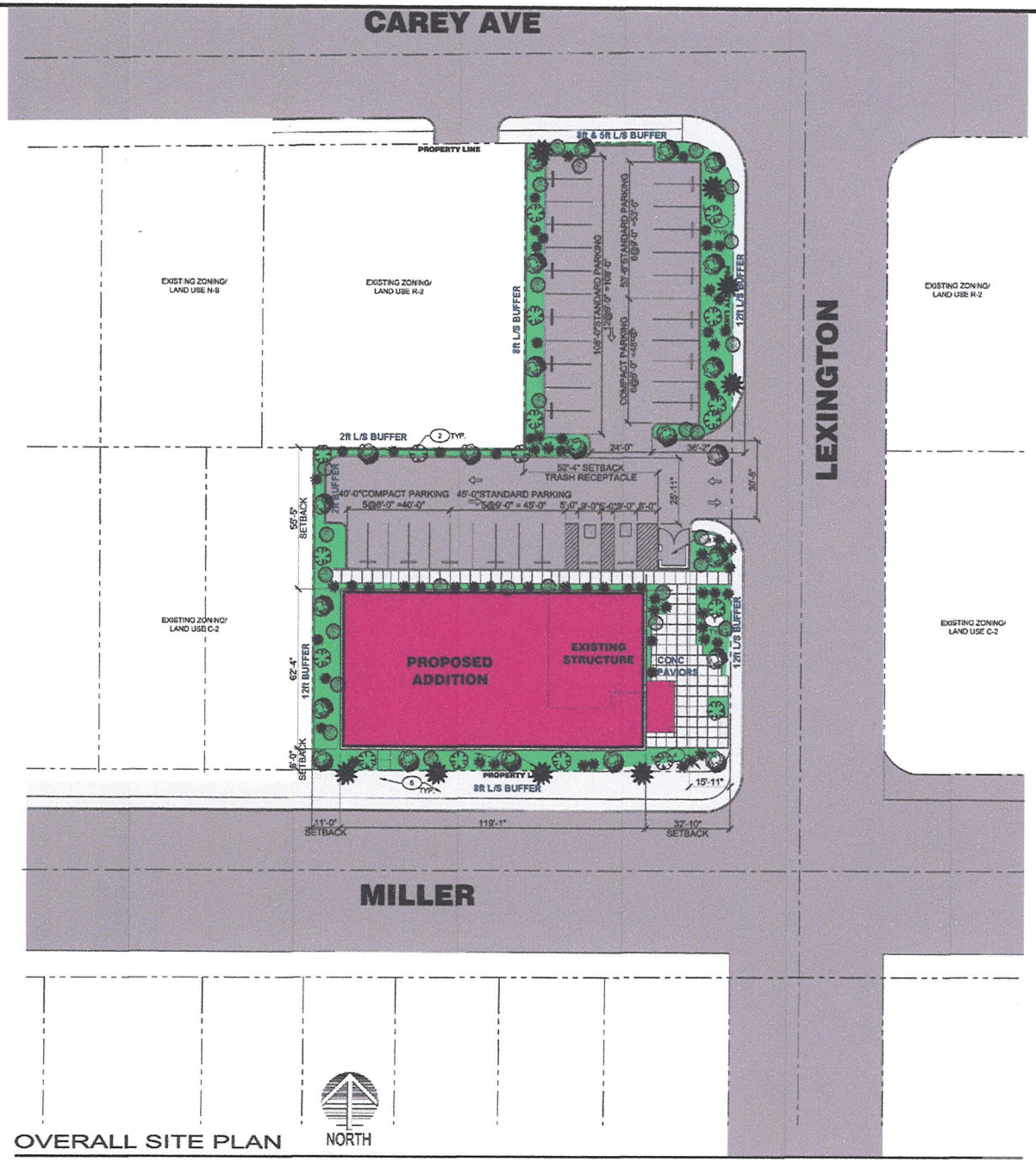
Subscribed and sworn before me

This 8 day of September, 20 09

State of Nevada
County of Clark

C. Frank Villa
Notary Public in and for said County and State

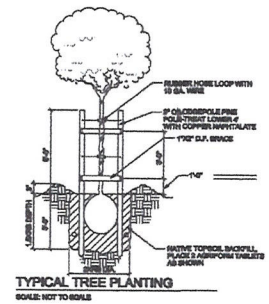
C. FRANK VILLA
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 07-28-2012
Certificate No: 08-7972-1



OVERALL SITE PLAN

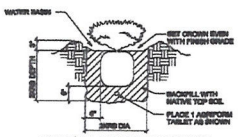
SCALE:1" = 20'-0"

SCALE 1"=40' ON 12"X18" HALF SHEET



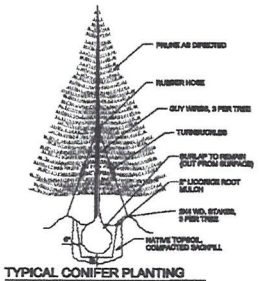
TYPICAL TREE PLANTING

SCALE: NOT TO SCALE



TYPICAL SHRUB PLANTING

SCALE: NOT TO SCALE



TYPICAL CONIFER PLANTING

SCALE: NOT TO SCALE

PLANTING LEGEND

SYMBOL	BOTANICAL/ COMMON NAME	QUANTITY	SIZES
	PINUS/ MONDELL PINE	17	24" BOX
	RHUS LANCEA/ AFRICAN SUMAC	29	24" BOX
	EXISTING TREES TO REMAIN	N/A	N/A
SHRUB SYMBOL	**BOTANICAL/ COMMON NAME**	**QUANTITY**	**SIZES**
	CASSIA/ DESERT CASSIA	101	5 GALLON
	JUNIPERUS/ SHRUB JUNIPERUS	112	5 GALLON
	ROSMARINUS/ ROSEMARY	113	5 GALLON

GENERAL NOTES

1) LANDSCAPE ISLANDS SHALL INCLUDE A MINIMUM OF 4 FIVE GALLON SHRUBS FOR EVERY REQUIRED TREE.

2) GROUND COVERS SHALL BE INSTALLED IN ALL LANDSCAPED AREAS AND ISLANDS. NON-ASSISTATIVE GROUND COVERS SHALL INCLUDE, WITHOUT LIMITATION, ROCKS AND SMALL STONES, CRUSHED ROCK AND BARK, INSTALLED TO A MINIMUM DEPTH OF TWO INCHES IN ALL AREAS.

3) THE SPRINKLER SYSTEM DESIGN WILL BE BASED ON THE MINIMUM OPERATING PRESSURE AND THE MAXIMUM FLOW DEMAND SHOWN ON THE SHOP DRAWINGS AT EACH POINT OF CONNECTION. THE IRRIGATION CONTRACTOR SHALL VERIFY WATER PRESSURE PRIOR TO CONSTRUCTION. REPORT ANY DIFFERENCE BETWEEN THE WATER PRESSURE INDICATED ON THE SHOP DRAWINGS AND THE ACTUAL PRESSURE READING AT THE IRRIGATION POINT OF CONNECTION TO THE CONTRACTOR. IN THE EVENT PRESSURES DIFFERENCES ARE NOT REPORTED PRIOR TO START OF CONSTRUCTION, THE IRRIGATION CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ANY REVISIONS NECESSARY.

4) THE SHOP DRAWING DESIGN WILL BE DIAGRAMATIC. ALL PIPING, VALVES, ETC. SHOWN WITHIN PAVED AREAS IS FOR DESIGN CLARITY ONLY AND SHALL BE INSTALLED IN PLANTING AREAS. AVOID ANY CONFLICTS BETWEEN THE SPRINKLER SYSTEM, PLANTING AND ARCHITECTURAL FEATURES.

5) IT IS THE RESPONSIBILITY OF THE IRRIGATION CONTRACTOR TO FAMILIARIZE HIMSELF WITH ANY GRADE DIFFERENCES, LOCATION OF WALLS AND RETAINING WALLS.

6) THE IRRIGATION CONTRACTOR SHALL FLUSH AND ADJUST ALL SPRINKLER HEADS FOR OPTIMUM PERFORMANCE AND TO PREVENT OVER SPRAY ONTO WALKS, ROADWAYS AND/OR BUILDING AS MUCH AS POSSIBLE.

7) ALL POP-UP SPRINKLERS SHALL BE INSTALLED SO THAT UPON RETRACTION OF THE RISER PISTON, NO DEBRIS OR SOIL OF ANY KIND WILL BE SUCK WASHED INTO THE SPRINKLER CAUSING THE RISER PISTON TO STUCK IN THE "UP" POSITION.

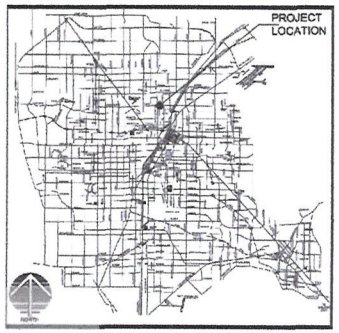
8) ALL SPRINKLER HEADS SHALL BE SET PERPENDICULAR TO FINISH GRADE OF THE AREA TO BE IRRIGATED UNLESS SITE CONDITIONS REQUIRE DIFFERENT ADJUSTMENTS TO BE MADE.

9) ALL UTILITY BOXES AND ABOVE GROUND UTILITY INSTALLATIONS, OTHER THAN UTILITY POLES, THAT ARE IN EXCESS OF TWENTY-INCHES (20IN) FEET IN SIZE (EXCLUDING PAD AND CONCRETE COLLAR) SHALL BE SET BACK A SUFFICIENT DISTANCE SO THAT A MINIMUM OF THREE FEET OF LANDSCAPING SEPARATES THE UTILITY STRUCTURES FROM THE PUBLIC STREET RIGHT-OF-WAY OR SIDEWALK, WHICHEVER IS NEARER TO THE STRUCTURES. THE LANDSCAPING MUST INCLUDE TALL GRASSES AND SHRUBBERY WHICH A MATURITY WILL PROVIDE ADEQUATE SCREENING OF THE UTILITY STRUCTURES. IN ADDITION, ALL UTILITY BOXES SHALL BE PLACED SO THAT THE ACCESS DOORS OPEN PARALLEL TO THE STREET CORRIDOR AND ARE ACCESSIBLE WITHOUT THE NEED TO CUT DOWN OR REDUCE THE EFFECTIVENESS OF THE LANDSCAPED SCREENING.

KEYNOTES

1	LANDSCAPE ISLAND, SEE ENLARGED PLAN AND GEN. NOTES
2	DECOMPOSED GRANITE
3	15' MIN. LANDSCAPING BUFFER
4	BERM

VICINITY MAP



SDR-35912
REVISED
10/22/09 PC

SEP 11 2009

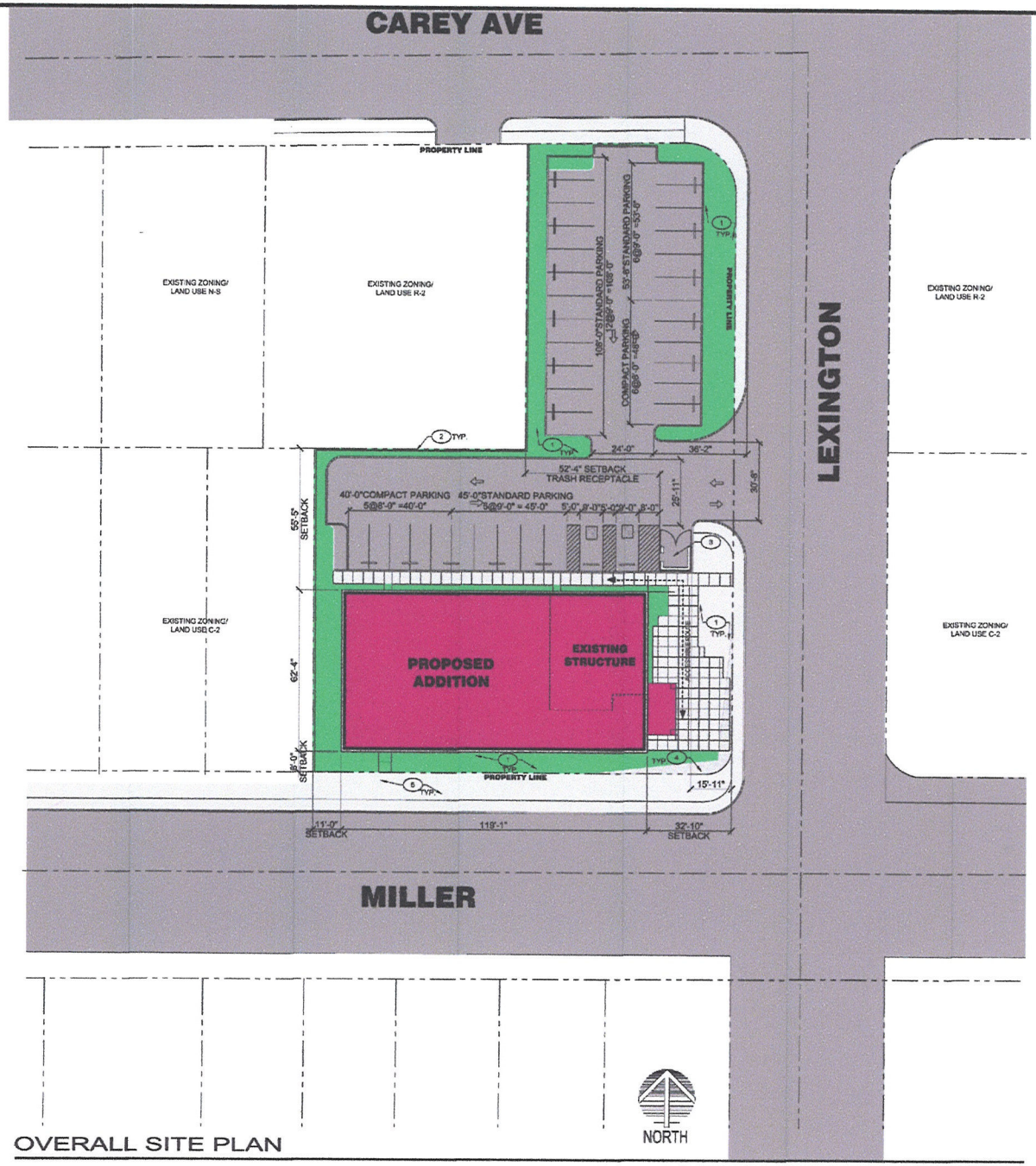
PRAYER CENTER REVIVAL MINISTRIES
CHURCH PROJECT
139-215-100-07, 139-215-073 + 074
1316 MILLER AVE. LAS VEGAS NEVADA 89106

LANDSCAPE PLAN

Michael Lindgren Architect
3944 Weber Heights Drive
Las Vegas NV, 89108
PH. 702-221-0400
FAX. 866-888-7697

Dwn. NAME:

LS1.01

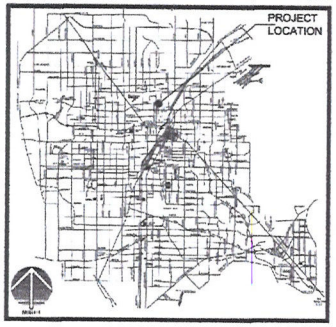


OVERALL SITE PLAN

SCALE:1" = 20'-0"

SCALE 1"=40' ON 12"X18" HALF SHEET

VICINITY MAP



PROJECT SITE ANALYSIS

SITE AREA =	30,083 S.F
EXISTING STRUCTURE	1,673 S.F.
PROPOSED ADDITION	5,750 S.F.
TOTAL BUILDING AREA	7,423 S.F.
SITE COVERAGE =	25%
OCCUPANCY GROUP	"A-3"
TYPE OF CONSTRUCTION	TYPE 5-A
PROJECT PROPERTY = SITE DEVEL. PLAN SPECIAL USE PERMIT	C-1, C-2 (EXISTING)

PARKING ANALYSIS

REQUIRED:

CHURCH / HOUSE OF WORSHIP
1 SPACE PER 100 S.F. OF NON FIXED SEATING AREA IN WORSHIP AREA = 2,967/100 S.F. = 30

CLASSROOM
2 SPACES FOR EACH CLASSROOM
3 CLASSROOMS X 2 = 6

HANDICAPPED PARKING (26-50 = 2 PARKING SPACES)
HANDICAPPED SPACES REQUIRED= 2 SPACES

TOTAL PARKING REQUIRED = 36

PARKING PROVIDED

STANDARD PARKING STALLS 9' X 18' = 22 SPACES
COMPACT PARKING STALLS 8' X 18' = 11 SPACES
= 30% of TOTAL PARKING SPACES

HANDICAPPED SPACES = 2 SPACES

TOTAL PARKING PROVIDED = 36 SPACES

KEYNOTES

1	LANDSCAPE AREA
2	6" CMU PERIMETER WALL
3	TRASH ENCLOSURE
4	SIGHT DISTANCE SETBACK
5	STREET RIGHT OF WAY

GENERAL NOTES

1. REFER TO CIVIL DRAWINGS FOR HORIZONTAL DIMENSIONS NOT SHOWN
2. FOLLOW ALL RECOMMENDATIONS AND REQUIREMENTS OF THE GEOTECHNICAL INVESTIGATION REPORT
3. CONCRETE CONTRACTOR SHALL COORDINATE WITH FENCING CONTRACTOR.
4. CONCRETE PAVING PER SOILS REPORT
5. TURF, LANDSCAPING AND IRRIGATION SYSTEMS TO BE INSTALLED BY CONTRACTOR. COORDINATE W/ LANDSCAPE DRAWINGS
6. COORDINATE WITH CIVIL DRAWINGS FOR RETAINING WALLS.
7. COORDINATE WITH CIVIL DRAWING FOR PARKING STALL DIMENSIONS AND PLANTER AREAS.
8. CHANGES IN LEVEL ALONG AN ACCESSIBLE ROUTE SHALL COMPLY WITH ANSI A117.1 SEC. 3.01. CHANGES IN LEVEL OF 1/4" HIGH MAXIMUM ARE PERMITTED TO BE VERTICAL WITHOUT EDGE TREATMENT; CHANGES BETWEEN 1/4" AND 1/2" HIGH MAXIMUM ARE TO BE BEVELED WITH SLOPE NOT STEEPER THAN 1:2; CHANGES GREATER THAN 1/2" ARE TO BE ACCOMPLISHED WITH CURB RAMP, RAMP OR ELEVATOR, ANSI A117.1 SEC 3.03.
9. THE RUNNING SLOPE OF WALKING SURFACES SHALL NOT BE STEEPER THAN 1:20.
10. PORTIONS OF AN ACCESSIBLE ROUTE WITH RUNNING SLOPES STEEPER THAN 1:20 ARE RAMPS AND SHALL COMPLY WITH ANSI A117.1 SEC. 4.8. THE CROSS SLOPE OF AN ACCESSIBLE ROUTE SHALL NOT BE STEEPER THAN 1:48. ANSI A117.1 SEC. 403.3
11. ALL MASONRY WALLS TO MATCH IN SIZE AND COLOR TO EXISTING MASONRY WALLS.
12. SLOPE ALL SLABS 1/8"/ FT AWAY FROM BUILDING
13. (E) INDICATES EXISTING

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NORTH

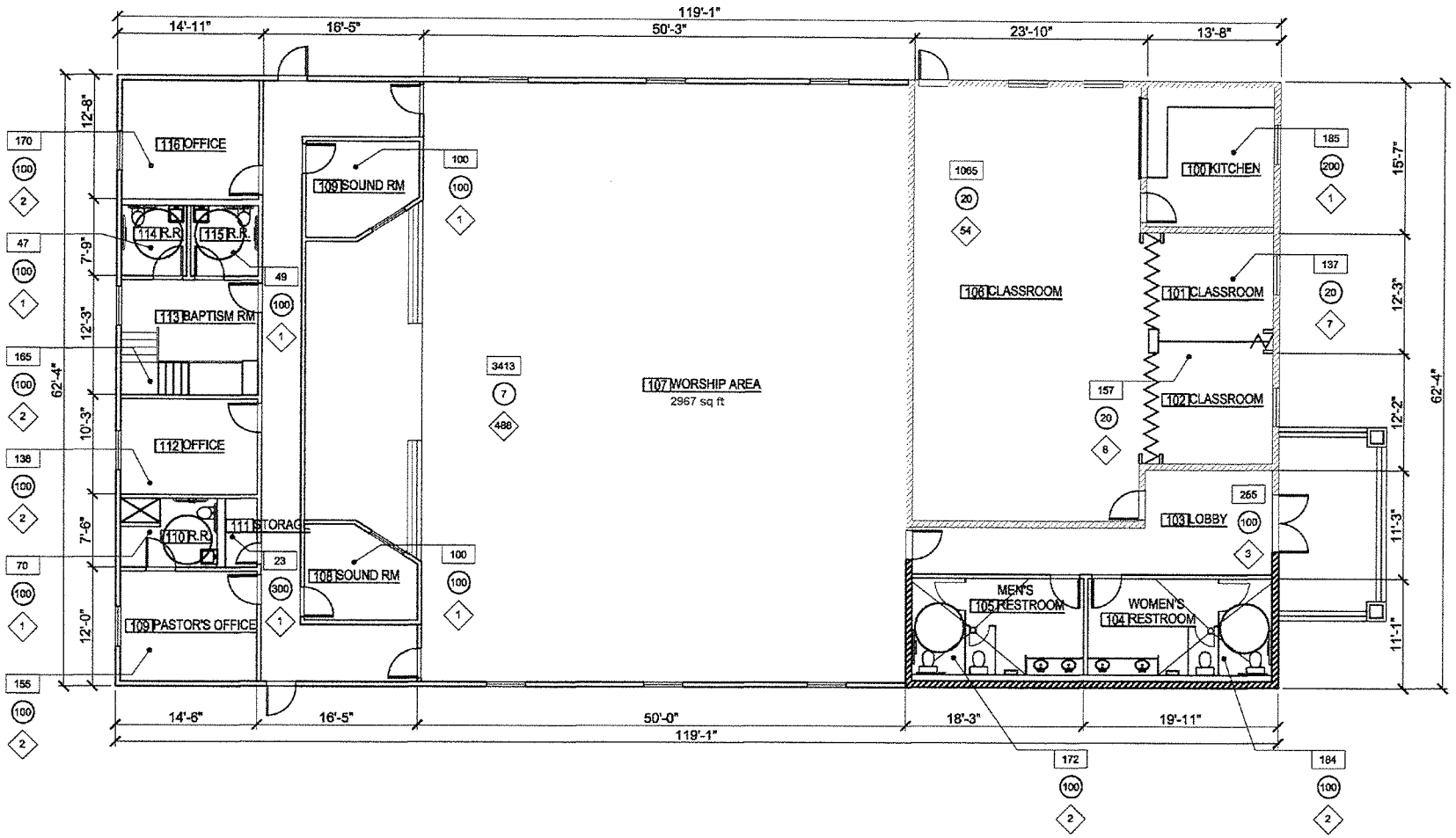
SDR-35912

10/22/09 PC

PRAYER CENTER REVIVAL MINISTRIES
CHURCH PROJECT
139-215-100-07, 139-215-073 + 074
1316 MILLER AVE. LAS VEGAS NEVADA 89106

SITE PLAN

DWG NUMBER
AS1.01



1 OVERALL FLOOR PLAN

1/8" = 1'-0"

SCALE 3/32"=1'-0" ON 12"X18" HALF SHEET

NORTH

LEGEND	
XXX	AREA
XX	OCCUPANT LOAD FACTOR
X	NUMBER OF OCCUPANTS

TOTAL OCCUPANTS: 579

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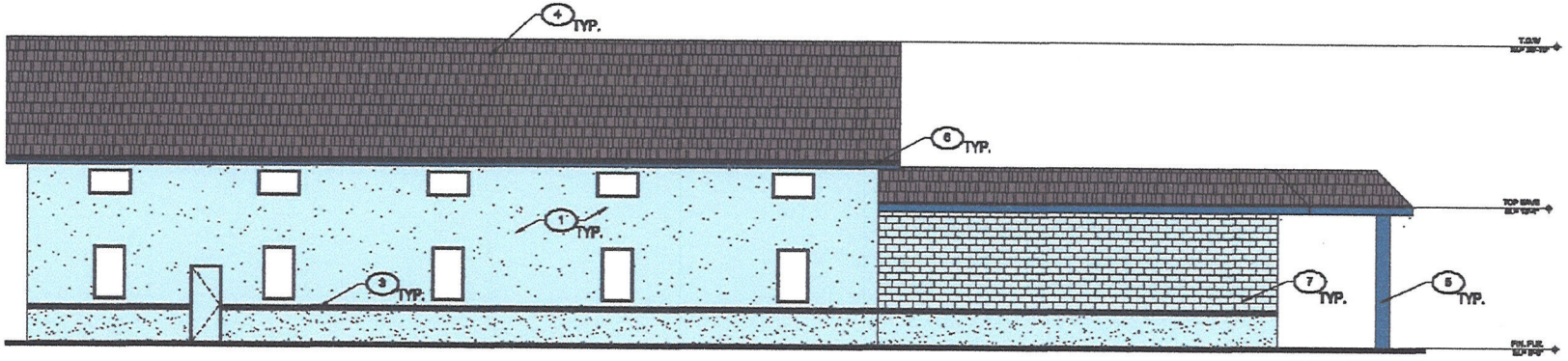
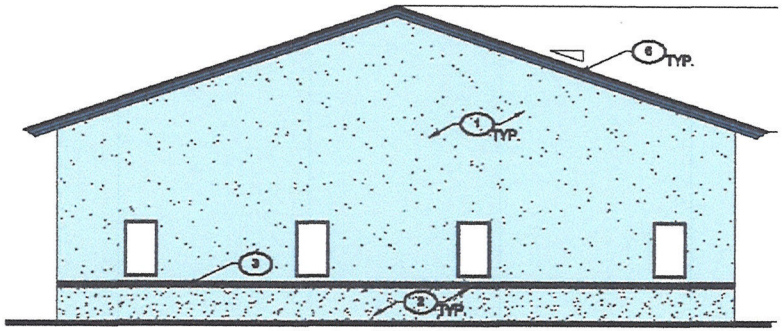
PRAYER CENTER REVIVAL MINISTRIES
CHURCH PROJECT
139-215-100-07, 139-215-073 + 074
1316 MILLER AVE. LAS VEGAS NEVADA 89106

OVERALL FLOOR PLAN

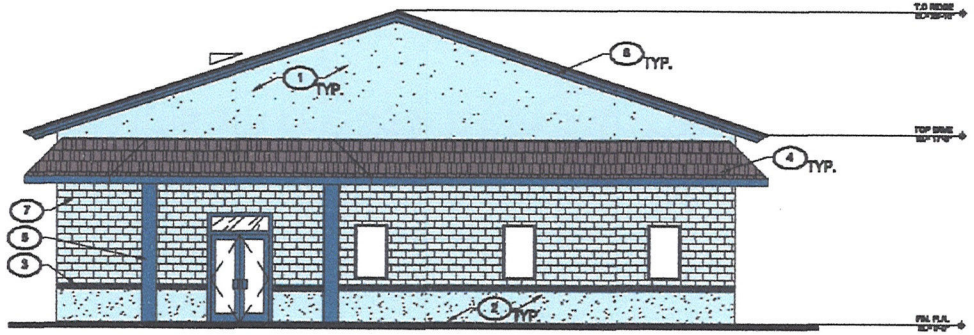
DWG. NUMBER:
A1.01



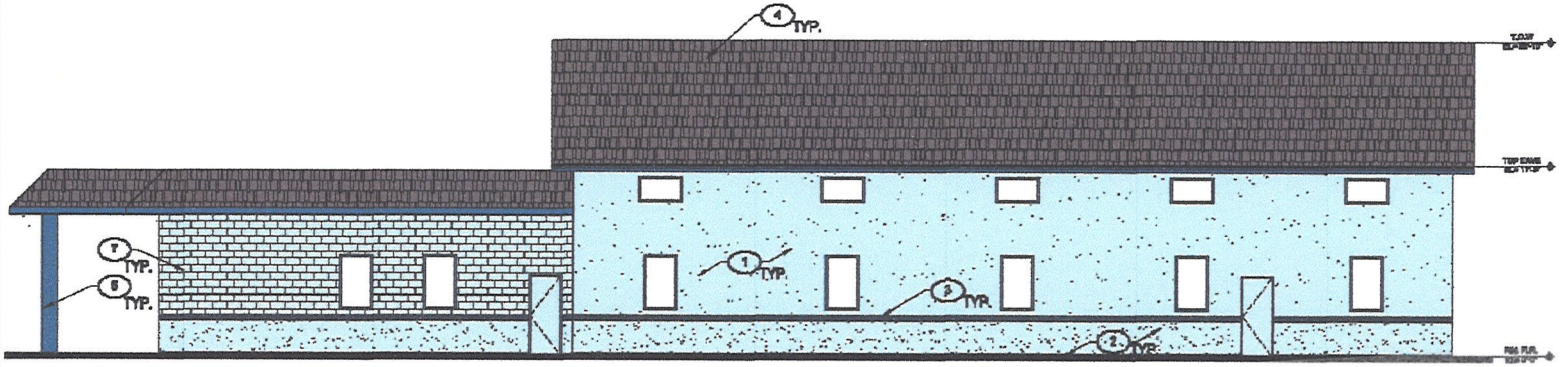
SOUTH EXTERIOR ELEVATION



WEST EXTERIOR ELEVATION



EAST EXTERIOR ELEVATION



NORTH EXTERIOR ELEVATION

BUILDING ELEVATIONS

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EXTERIOR FINISH SCHEDULE

	MATERIAL	FINISH	DESCRIPTION / COLOR
1	STUCCO - TOP	TEXTURED	VISTA PAINT/7326 LRV 10
2	STUCCO - BOTTOM	TEXTURED	VISTA PAINT/7363 LRV 73
3	TRIM	SMOOTH	VISTA PAINT/6599 LRV 18
4	ROOF SHINGLES	TEXTURED	VISTA PAINT/6597 LRV 11
5	COLUMN	TEXTURED	VISTA PAINT/6594 LRV 84
6	ROOF EAVE TRIM	SMOOTH	VISTA PAINT/6599 LRV 18
7	CMU WALL	SMOOTH	N/A

SDR-35912
10/22/09 PC

SCALE 3/16"=1'-0" ON 12"X18" HALF SHEET

PRAYER CENTER REVIVAL MINISTRIES
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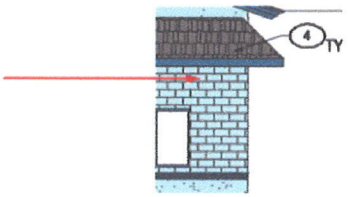
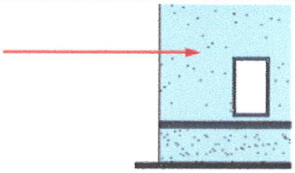
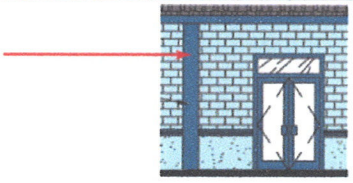
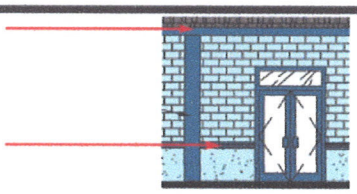
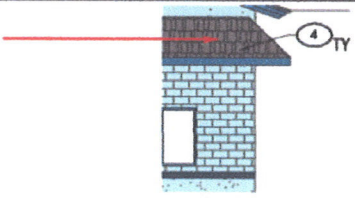
1316 MILLER AVE. LAS VEGAS NEVADA 89106

EXTERIOR ELEVATIONS

DWG. NUMBER:
A2.01

Color & Materials Sheet

Material Sample	Material Description	Location on Building
	Material: CMU **Coating:** Paint **Paint Type:** Vista Paints, High Spirits (7363-LRV73)	
	Material: Stucco **Coating:** Paint **Paint Type:** Vista Paints, High Spirits (7363-LRV73)	
	Material: Stucco **Coating:** Paint **Paint Type:** Vista Paints, Cascade Twilight (7325-LRV 10)	
	Material: Wood trim **Coating:** Paint **Paint Type:** Vista Paints, Cascade Twilight (7325-LRV 10)	
	Material: Slate shingles **Manufacturer**: MonierLifetile **Color**: Saxony Slate	

RECEIVED
SEP - 8 2009

Project: Prayer Center

Dept: Planning & Development

Site Development Plan Review Submittal

SDR-35912
10/22/09 PC

MGA
Melvin Green Architect, LTD.
3305 West Spring Mountain Road, Suite 92
Las Vegas, Nevada 89102

SDR 35912				
Prayer Center Revival Ministries				
1316 & 1352 Miller Ave. and 1329 W. Carey Ave.				
Proposed 5.75 thousand square foot addition to an existing church.				
Traffic produced by proposed development:				
Existing Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	CHURCH [1000 SF]	1.67	9.11	15
AM Peak Hour			0.72	1
PM Peak Hour			0.66	1
(heaviest 60 minutes)				
Proposed Addition	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	CHURCH [1000 SF]	5.75	9.11	52
AM Peak Hour			0.72	4
PM Peak Hour			0.66	4
(heaviest 60 minutes)				
Net Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	CHURCH [1000 SF]	4.1	9.11	67
AM Peak Hour			0.72	5
PM Peak Hour			0.66	5
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Carey Ave.				
Average Daily Traffic (ADT)	23,819			
PM Peak Hour	1906			
(heaviest 60 minutes)				
Martin L. King Blvd.				
Average Daily Traffic (ADT)	39,326			
PM Peak Hour	3,146			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets				
	Adjacent street ADT Capacity			
Carey Ave.	34500			
Martin L. King Blvd.	51800			

This project will add approximately 52 trips per day on Carey Ave. and Martin L. King Blvd. This will increase the existing volumes by less than 1 percent on both of these streets. Carey is at about 69 percent of capacity and Martin L. King is at about 76 percent of capacity.				
Based on Peak Hour use, this development will add roughly 4 additional cars into the area; which works out to about 1 every 15 minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



SDR-35912 - APPLICANT/OWNER: PRAYER CENTER REVIVAL MINISTRIES
1316 AND 1352 MILLER AVENUE AND 1329 WEST CAREY AVENUE
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



SDR-35912 - APPLICANT/OWNER: PRAYER CENTER REVIVAL MINISTRIES
1316 AND 1352 MILLER AVENUE AND 1329 WEST CAREY AVENUE
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09



SDR-35912 - APPLICANT/OWNER: PRAYER CENTER REVIVAL MINISTRIES
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09/17/09



SDR-35912 - APPLICANT/OWNER: PRAYER CENTER REVIVAL MINISTRIES
1316 AND 1352 MILLER AVENUE AND 1329 WEST CAREY AVENUE
OCTOBER 22, 2009 PLANNING COMMISSION

09/17/09

AeCP Architecture Inc.
Michael J Livingston NCARB, AIA, Architect

2844 Huber Heights Drive, Las Vegas NV 89128
Tel (702) 271-0437 Fax (206) 339-7097 mjlivingston@acpglobal.com

design
planning
engineering
project management
landscape architecture

September 11th, 2009

Planning and Development Department
Development Services
731 South 4th Street
Las Vegas NV

Re: Justification Letter for APN 139-215-100-07, 139-215-100-073 and 074, for General Plan Amendment, Rezoning and Site Development Plan Submittal

AeCP Architecture, Inc. acting as authorized agent for the applicant/property owner is submitting this justification letter in support for Site Development Plan submittals for the above referenced project.

This project was previously submitted as GPA-17129, ZON-16632 and SDR-15034 which expired and the applicant seeks to restore new approvals without any changes to the previously approved site plans and building noting that the site now conforms to the general Plan and Zoning.

The proposed project consists of a single-storey, 7423 sq ft church, fully described in the architectural exhibits that are part of the Site Development Review. Church hours are typical for a Sunday operation and with occasional worship use during the week. All teaching is ancillary to the worship use.

The proposed church will be compatible with the surrounding area. The main building entrance will be located adjacent to Lexington Street. Landscaping compliments the building façade. Additional intense landscaping will be added to screen the proposed parking lot. The proposed development shall be consistent with the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adoptive city plans, policies and standards expect for the waivers and exception requested as follows.

Waiver

- Landscape buffers

Allow a reduction from 15ft to 8ft for exterior property line facing Miller Avenue

Allow a reduction from 15ft to 12ft for exterior property line facing Lexington

Allow a reduction from 15ft to 8ft and 5ft for exterior property line facing Carey Avenue

Construct landscaping with increased density where buffer width is reduced

Allow a reduction from 8ft to2ft for interior East-West property line adjacent parking

Allow a reduction from 8ft to4ft for interior North-South property line adjacent building on West side

Construct an 8ft CMU wall per standards along interior lot line in lieu of reduced landscape buffer widths

SDR-35912
REVISED
10/22/09 PC
SEP 11 2009

- Building Placement

Provide a waiver for building placement at corner which is restricted by existing construction

Exception

Parking Finger

Allow an exception for the requirement for parking finger with one tree and landscaping every 6 spaces. The building/parking occupancy is restrictive and providing fingers will reduce the parking count. Landscaping density shall be increased to compensate.

Landscaping

Increase interior tree spacing to 20' o.c to compensate for reduced buffer widths and loss of 'fingers'

The site access is centered on Lexington Street between Carey Ave and Miller and therefore will not adversely impact intersections.

If you have any questions or comments regarding this matter, please feel free to contact my office.

Michael Livingston, AIA
Principal
AeCP Architecture Inc.

SDR-35912
REVISED
10/22/09 PC

SEP 11 2009

City of Las Vegas
Planning & Development Department
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 presentative, please call (702) 385-7268. If you would like to contact your Council of this card to (702) 229-6405.

☒ I SUPPORT this Request

☐ I OPPOSE this Request

Use additional blank space on card for your comments.

-35912

ning Commission Meeting of 10/22/2009

PRESORTED FIRST CLASS

02 1M
0004279218

13921510014
LASHORE NATHANIEL K & HELGA B
4108 FORESTVILLE ST
NO LAS VEGAS NV 89032-1158

Case: SDR-35912

City of Las Vegas Agenda Item No.: **26.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 22, 2009

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

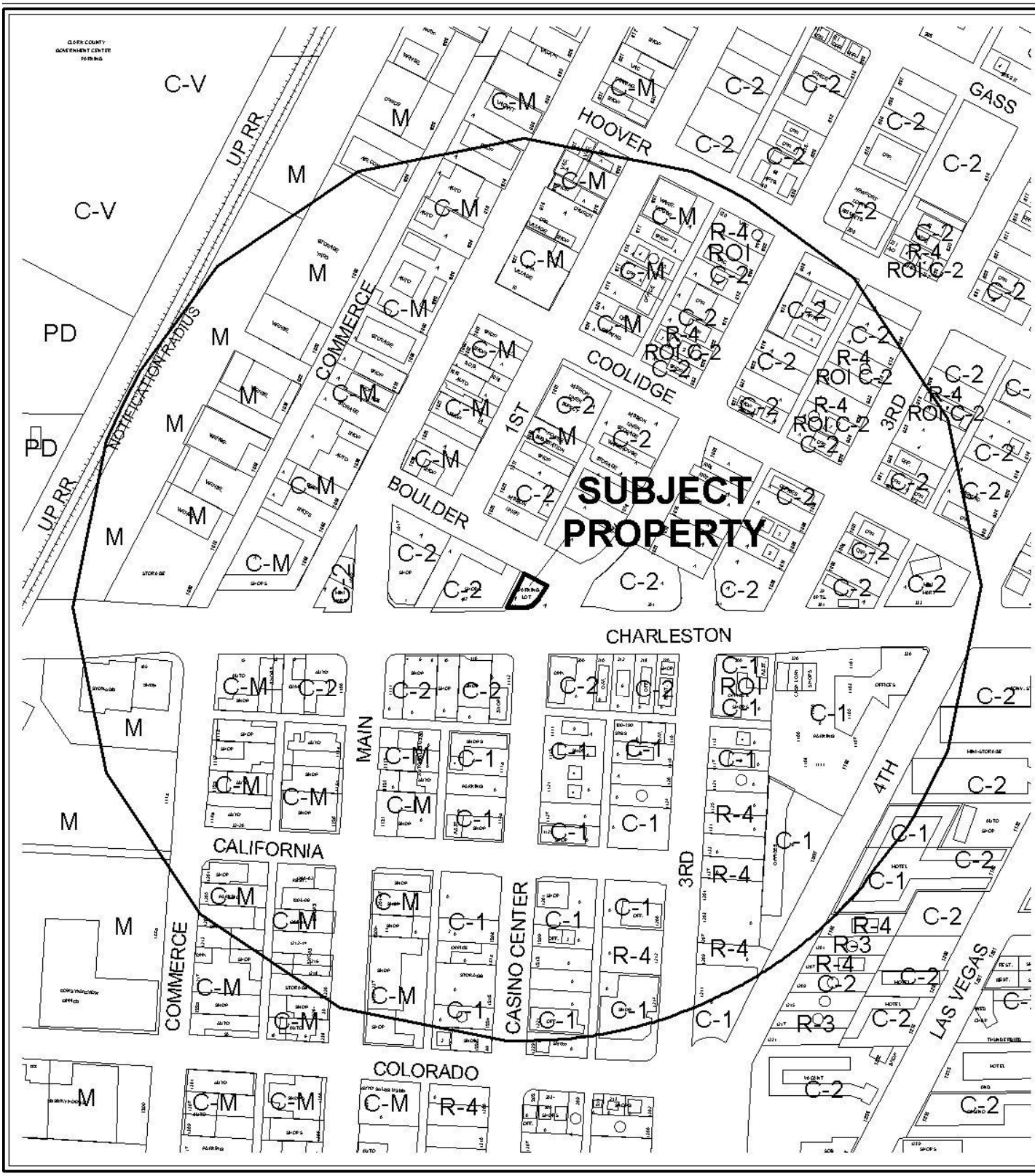
SUBJECT:
SDR-36190 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: CORESTONE, LLC - Request for a Major Amendment to an approved Site Development Plan Review (SDR-29021) TO ALLOW A REDUCTION IN BUILDING AREA, SETBACKS AND OVERALL HEIGHT OF AN APPROVED URBAN LOUNGE on 0.13 acres at 123 East Charleston Boulevard (APN 139-34-410-046), C-2 (General Commercial) Zone, Ward 3 (Reese)

C.C.: 11/18/2009

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

RECOMMENDATION:
APPROVAL

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



CASE: **SDR-36190**

RADIUS: 1000 FT

0 300 600 Feet

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

N



CASE: **SDR-36190**

RADIUS: 1000 FT

0 300 600 Feet

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 22, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-36190 - APPLICANT/OWNER: CORESTONE, LLC

** CONDITIONS **

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

Planning and Development

1. Conformance to the Conditions of approval for Site Development Plan Review (SDR-32544), Site Development Plan Review (SDR-29021), Site Development Plan Review (SDR-15035), Special Use Permit (SUP-15038), Special Use Permit (SUP-15039), Vacation (VAC-26443) and Waiver (WVR-26441).

2. All development shall be in conformance with the site plan, landscape plan and building elevations date stamped 09/25/09, except as amended by conditions herein.

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

Public Works

4. Site development to comply with all applicable conditions of approval for Site Development Plan Review SDR-15035, SDR-29021 and all other subsequent site-related actions.

BTS

SDR-36190 - Staff Report Page One
October 22, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Major Amendment to an approved Site Development Plan Review (SDR-29021) to allow a reduction in building area, setbacks and overall height of an approved Urban Lounge on 0.13 acres at 123 East Charleston Boulevard. No new Waivers of the Downtown Centennial Plan are being requested as a part of the subject application. The proposed Major Amendment to the approved Site Development Plan Review is in keeping with the revitalization and continued enhancement of the Downtown Centennial Plan – 18b Las Vegas Arts District and the on-going development in the area; therefore, staff is recommending approval of the request. If denied, a new Site Development Plan Review would be required to address any further changes.

ISSUES

- The subject Major Amendment is needed since the applicant is reducing the building area, setbacks and overall height.
- The related Development Standards, Landscape and Buffer Standards, Streetscape Standards, Parking and Waivers were approved as a part of Site Development Plan Review (SDR-32544, SDR-29021 and SDR-15035).

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales	
01/08/03	The City Council approved a request for a Special Use Permit (SUP-1146) for a Restaurant Service Bar located at 103 E. Charleston Boulevard. The Planning Commission and staff recommended approval on 12/05/02.
05/11/06	A deed was recorded for a change of ownership.
09/20/06	The City Council approved a request for a Site Development Plan Review (SDR-15035) for a proposed 4,930 square-foot Urban Lounge and Waivers of Downtown Centennial Streetscape and Build-To-Line Standards; Special Use Permit (SUP-15038) for a proposed General Business-Related Gaming Establishment and Special Use Permit (SUP-15039) for a proposed Urban Lounge on 0.13 acres at 103-123 East Charleston Boulevard. The Planning Commission and staff recommended approval on 08/24/06.
05/21/08	The City Council approved a request for an Encroachment Agreement (ENCR-26070) for portions of a building to be constructed into the Boulder Avenue public right-of way for approximately 23.5 feet. The encroachment will include (but not be limited to): stairs, handicap ramp, light gauge steel stud wall, planter wall, and a patio. If this portion of Boulder Avenue is vacated by the City of Las Vegas this encroachment will become null and void upon recordation of the vacation with the Clark County Recorder's office.

06/04/08	The City Council approved a request for a Waiver (WVR-26441) of Title 18.12.130 to allow First Street to terminate in a dead end street where a cul-de-sac is required at the southeast corner of First Street and Boulder Avenue. A Vacation (VAC-26443) was also approved to Vacate Boulder Avenue between First Street and Casino Center Boulevard, the alley generally located at the northwest corner of Boulder Avenue and Casino Center Boulevard, and a portion of the west side of Casino Center Boulevard located between Coolidge Avenue and Boulder Avenue. The Planning Commission recommended denial, but staff recommended approval on 03/27/08.
08/28/08	The Planning Commission approved a Site Development Plan Review (SDR-29021) for a Major Amendment to an approved Site Development Plan Review (SDR-15035) to modify the building elevations and placement of a proposed Urban Lounge on 0.13 acres at 123 East Charleston Boulevard.
01/22/09	The Planning Commission approved a Major Amendment to an approved Site Development Plan Review (SDR-32544) to an approved Site Development Plan Review (SDR-29021) to add a pedestrian plaza with a Waiver of the Downtown Centennial Plan Streetscape Standards on 0.70 acres at 123 East Charleston Boulevard. Staff recommended approval of the request.
Related Building Permits/Business Licenses	
There are no Building Permits or Business Licenses that apply to the subject site.	
Pre-Application Meeting	
09/24/09	A pre-application meeting was held on the indicated date. The following items were discussed at the meeting: • Staff discussed the reduction of overall square-footage, building height and setbacks for a proposed Urban Lounge. • Staff indicated that a Major Amendment to an approved Site Development Plan Review would be needed. • No additional Waivers of Downtown Centennial Plan Requirements were requested.
Neighborhood Meeting	
A neighborhood meeting is not required, nor was one held.	

Field Check	
09/28/09	A field check was completed on the indicated date. The following items were noted: • The subject site is a parking lot. • Adjacent to the site is the existing Paymon's restaurant and Casino Center future Bus Rapid Transit Route (BRT).

Details of Application Request	
Site Area	
Net Acres	0.13 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Parking Lot	C (Commercial)	C-2 (General Commercial)
North	Parking Lot	MXU (Mixed Use)	R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial)
South	Retail	C (Commercial)	C-2 (General Commercial)
East	Undeveloped, proposed to be a mixed-use development; Site Development Plan Review (SDR-9888) and Extension of Time (EOT-25786)	C (Commercial)	C-2 (General Commercial)
West	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			
Downtown 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

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of building height limitations, setbacks, lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements. The Centennial Plan addresses certain site development standards, which are detailed below:

Pursuant to the Downtown Centennial Plan, the following development standards apply to the subject proposal:

Standard	*Required/Allowed*	*Provided*
Min. Lot Size	N/A	0.13 acres
Min. Lot Width	100 feet	60 feet
Min. Setbacks • Front (Boulder Avenue) • Side (West property line) • Corner (Casino Center Boulevard) • Rear (Charleston Boulevard)	 Zero Feet Zero Feet Zero Feet Zero Feet	 Zero Feet Zero Feet 2.75 Feet 1.2 Feet
Build-to-Line • Front (Bonneville Avenue • Side (west property line) • Corner (Casino Center Boulevard) • Rear (Charleston Boulevard)	 70% of frontage line 70% of frontage line 70% of frontage line 70% of frontage line	 Varies Varies Varies Varies
Max. Lot Coverage	Up to 100%	35%
Max. Building Height	N/A	27.5 Feet

Pursuant to the Downtown Centennial Plan, the following landscape and buffer standards apply:

Landscaping and Open Space Standards			
Standards	**Required**		**Provided**
	Ratio	**Trees**	
Parking Area	1 Tree/6 Spaces	Zero Trees	Zero Trees
Buffer: Min. Trees (Front: Boulder Avenue) (Side: west property line) (Corner: Casino Center Boulevard) (Rear: Charleston Boulevard)	 1 Tree/ 20 Linear Feet 1 Tree/ 20 Linear Feet 1 Tree/ 20 Linear Feet 1 Tree/ 20 Linear Feet	 3 Trees 4 Trees 3 Trees 3 Trees	 2 Trees Zero Trees 2 Trees 2 Trees
TOTAL		13 Trees	6 Trees
Min. Zone Width	N/A		1-Foot
Wall Height	8 Feet		8 Feet

Pursuant to the Downtown Centennial Plan, the following streetscape standards apply:

Streetscape Standards	Required	Provided
East/West Street (Boulder Avenue)	1 Shade Tree @ 20' O.C. Maximum (min. 36" box) 3 Shade Trees	1 Shade Tree @ 20' O.C. Maximum (min. 36" box) 2 Shade Trees
East/West Street (Charleston Boulevard)	1 Shade Tree @ 20' O.C. Maximum (min. 36" box) 3 Shade Trees	1 Shade Tree @ 20' O.C. Maximum (min. 36" box) 2 Shade Trees
North/South Street (Casino Center Boulevard	1 Palm Tree @ 30' O.C. Maximum (min. 25' height) 2 Palm Trees	1 Palm Tree @ 30' O.C. Maximum (min. 25' height) 0 Palm Trees
Right-Of-Way Improvements	Sidewalk and Amenity Zones (Per Graphics 5, 11 & 12 of the Downtown Centennial Plan	5' sidewalk along Casino Center Boulevard and Boulder Avenue and a 10' wide sidewalk along Charleston Boulevard. 1' amenity zone along Charleston Boulevard, 3' along Casino Center Boulevard and 0' along Boulder Avenue

Pursuant to Title 19.04 and 19.10, the following parking standards apply:

Parking Requirement - Downtown						
		Base Parking Requirement			Provided	
			Parking		Parking	
Use	Gross Floor Area or Number of Units	Parking Ratio	Regular	Handi-capped	Regular	Handi-capped
Urban Lounge	4,274 SF	1 Space /50 SF of GFA	86	4	Zero	Zero
TOTAL (including handicap)	4,274 SF		90		Zero	

Waivers – Approved as a part of SDR-15035	
Requirement	**Request**
To provide a five-foot amenity zone and a ten-foot wide sidewalk per Graphic 11 of the Downtown Centennial Plan	To allow a five-foot wide sidewalk along Casino Center Boulevard, a five-foot wide sidewalk along Boulder Avenue and a 10-foot wide sidewalk along Charleston Boulevard.
To provide a five-foot amenity zone and a ten-foot wide sidewalk per Graphic 11 of the Downtown Centennial Plan	To allow a one-foot wide landscape amenity area along Charleston Boulevard, a three-foot wide landscape amenity area along Casino Center Boulevard and no landscape amenity area along Boulder Avenue.

BTS

70% of the first story façade shall align along the front and corner side property lines	To allow variations in the 70% build-to-line requirement.

ANALYSIS

The applicant is requesting a Major Amendment to an approved Site Development Plan Review (SDR-29021) to allow a reduction in building area, setbacks and overall height of an approved Urban Lounge on 0.13 acres at 123 East Charleston Boulevard. A table has been included, which highlights the changes from the previously approved Site Development Plan Review (SDR-29021).

The proposed development conforms to the previously approved Site Development Plan Reviews (SDR-15035, SDR-29021 and SDR-32544) and requirements specified by the Downtown Centennial Plan and Title 19 requirements. Waivers were previously approved, as a part of Site Development Plan Review (SDR-15035) and Site Development Plan Review (SDR-32544). The last Major Modification included three phases to the subject site. The new Site Development Plan Review depicts two phases, which included the following: Phase 1 included the building pad area and outdoor dinning and Phase 2 included streetscape treatment for the future Boulder Plaza project.

The proposed Major Amendment to the approved Site Development Plan Review is in keeping with the revitalization and continued enhancement of the Downtown Centennial Plan – 18b Las Vegas Arts District and the on-going development in the area; therefore staff is recommending approval of the request.

- **Site Plan**

  The site plan for the proposed Major Amendment to the approved Site Development Plan Review (SDR-29021) is generally in compliance with the standards of 18b The Las Vegas Arts District. The proposed modifications to the site are indicated below as they relate to the overall site plan.

Approved: SDR-29021	**Proposed: SDR-36190**
1st Floor: 2,482 SF 2nd Floor: 1,792 SF Total: 4,274 SF	1st Floor: 2,453 SF 2nd Floor: Removed Total: 2,453 SF
Building Height: 51 feet, 9 inches	Building Height: 27.5 Feet
Lot Coverage: 44%	Lot Coverage: 35%
Setbacks: Front (Boulder Avenue): Zero Feet Side (west property line): Zero Feet Corner (Casino Center Blvd): 2.9 Feet Rear (Charleston Blvd): 1.5 Feet	Setbacks: Front (Boulder Avenue): Zero Feet Side (west property line): Zero Feet Corner (Casino Center Blvd): 2.75 Feet Rear (Charleston Blvd): 1.2 Feet

- **Waivers**

  There are no new Waivers requested as a part of the subject Site Development Plan Review. Waivers were approved as a part of Site Development Plan Reviews (SDR-15035, SDR-29021 and SDR-32544).

- **Trails**

  The proposed project is adjacent to two Urban Trails. These trails are the Boulder Plaza and the Tortoise Trails. There are no requirements of the property owner with respect to these trails.

- **Landscape Plan**

  Waivers of the Downtown Centennial Plan Streetscape standards were approved as a part of Site Development Plan Review (SDR-15035).

- **Elevations/Floor Plan**

  The previous Site Development Plan Review (SDR-29021) approved elevations for a two-story building with a height of 51.75 feet. The subject application proposes a reduction of height to a one-story building with an overall height of 27.5 feet. The building elevations continue to utilize an extensive amount of glass windows and various building materials.

  The floor plans have also been reduced from a total square footage of 4,274 to 2,453, due to the removal of the second floor, which has also reduced the lot coverage from 44% to 35%. An exterior outdoor patio area is calculated at 2,158 square feet.

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 Urban Lounge is compatible with the adjacent development and uses in the area, as it will allow for the successful revitalization and enhancement within the Downtown Centennial Plan - 18b The Las Vegas Arts District.

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 project is consistent with the C (Commercial) designation of the General Plan, the zoning regulations of the existing C-2 (General Commercial) zoning district and the Downtown Centennial Plan –18b Arts Las Vegas Arts District design standards.

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

Pedestrian access to the site is from Boulder Avenue, an 80-foot wide right-of-way, which should be adequate to meet the needs of the proposed improvements and should not negatively impact the adjacent roadways. There is no vehicular access to the site as there is no on-site parking.

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

Building and landscape materials are appropriate for the area and the City, as proposed and previously approved.

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

This project will be harmonious and compatible with surrounding commercial properties, while providing site improvements that will not be unsightly, undesirable, or obnoxious in appearance.

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

The proposed plan will not impact public health, safety or welfare since the development will be subject to City inspections during construction of the building as well routine business license inspections for any commercial activities.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

NOTICES MAILED 127

APPROVALS 2

PROTESTS 3

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-36190** APN: 139.34.410.046

Name of Property Owner: CORESTONE LLC

Name of Applicant: SAME AS ABOVE

Name of Representative: JAVA STUDIO

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: WESTLEY SBUTT

Subscribed and sworn before me

This 24th day of SEPT, 2009

GAIL A. BOWMAN
Notary Public State of Nevada
No.96-3637-1
My appt. exp. July 17, 2012

Gail A. Bowman
Notary Public in and for said County and State Clark County, Nevada

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

urban lounge
123 east charleston boulevard

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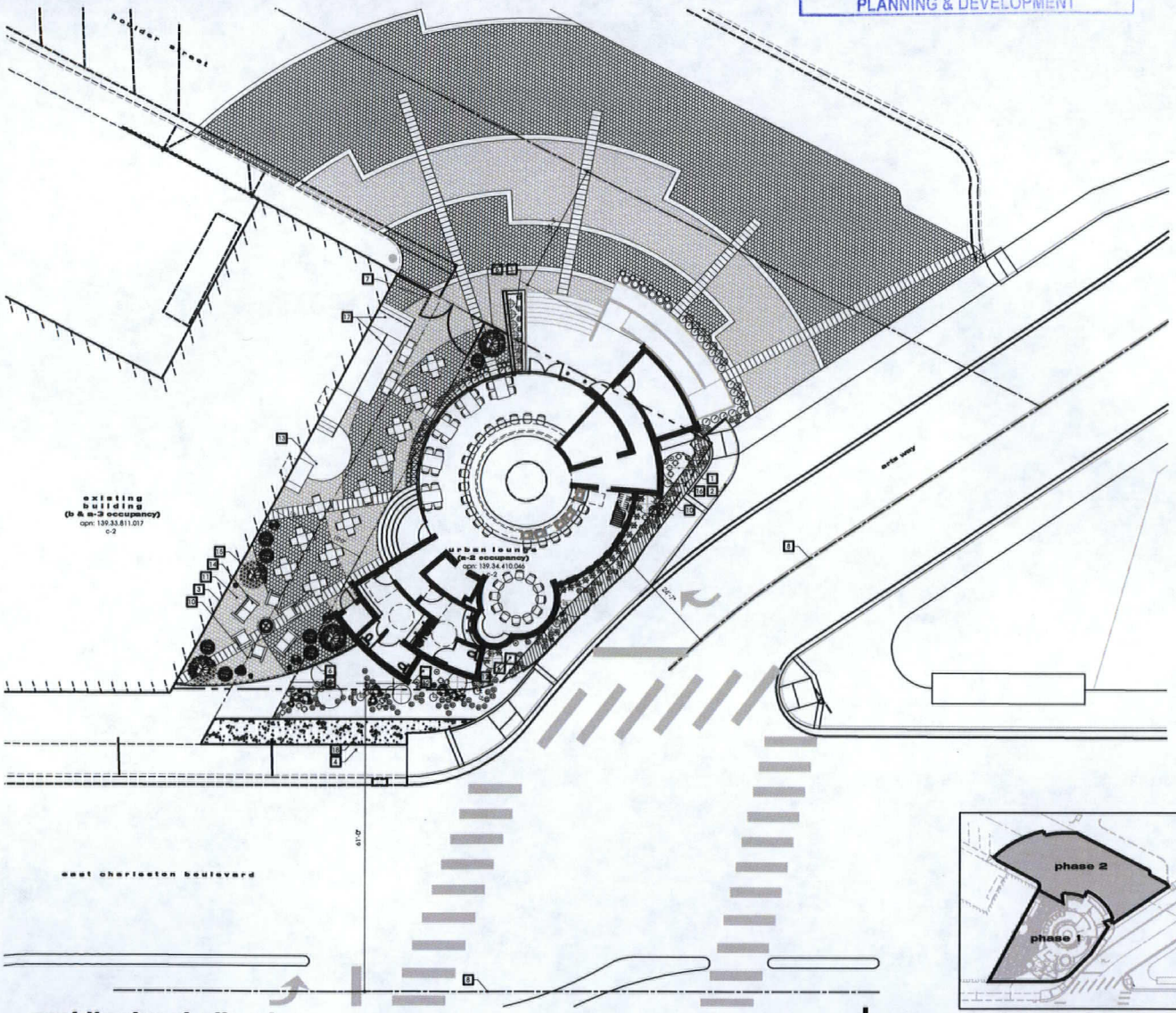


D1 **architectural site plan**
scale 1" : 10'-0"

D4 **phase plan**
not to scale

sheet index

A0.01	architectural site plan
A1.01a	floor plan
A4.01	exterior elevations
A4.02	exterior elevations
L1.00	landscape plan

keynotes

1	landscape
2	existing curb
3	existing building
4	existing side walk
5	accessibility route
6	wrought iron fence, by owner
7	wrought iron gates, by owner
8	right of way center line
9	easement line
10	property line
11	precast concrete pavers
12	kitchen equipment condensers, see kitchen equipment drawings
13	concrete pavement for stage (level with pavers)
14	owner supplied furnishings, typ.
15	owner supplied plants & pots, typ.
16	amenity zone, see civil drawings
17	existing ramp & stairs
18	new paving as addition to existing sidewalk, see civil drawings

general notes

1. all sidewalk dimensions are form face of curb
2. refer to electrical drawings for location of additional site lighting and equipments
3. general contractor shall take care not to damage or disupt existing utilities while excavating, grading and drilling or digging during construction
4. contractor shall be responsible for all work shown on or required by architectural, and electrical drawings
5. slope all plants areas and walks adjacent to the building away form structure, wrap perimeter footing with bithuthene waterproofing for protection against water & moisture
6. the slope of all accessible routes shall not exceed 1:20 (cross slope not to exceed 1:48)
7. all accessible routes shall be of 36" min.
8. landings to be provided at all exterior doors as required by IBC section 1008.1.6

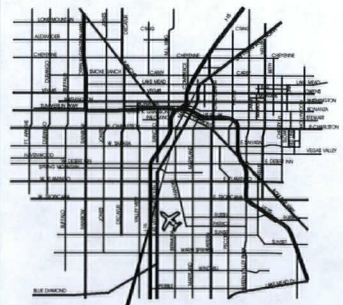
project data

building area
total 2,453 sf

parking required:
urban lounge indoor dining (1,000 sf) @ 1/50 (sf)	20
urban lounge outdoor dining (2,168 sf) @ 1/50 (sf)	44
urban lounge back bar (1,453 sf) @ 1/200 (sf)	8
total	72
parking provided (on site):	0

parcel data
building area	2,453 sf
lot area	0.16 acres
floor / area	35%

vicinity map



north

jawa studio
architecture interior design
107 E. Charleston Suite 150
Las Vegas NV 89104
tel.702.598.1723
fax. 702.598.1724
mail@jawastudio.com

civil:
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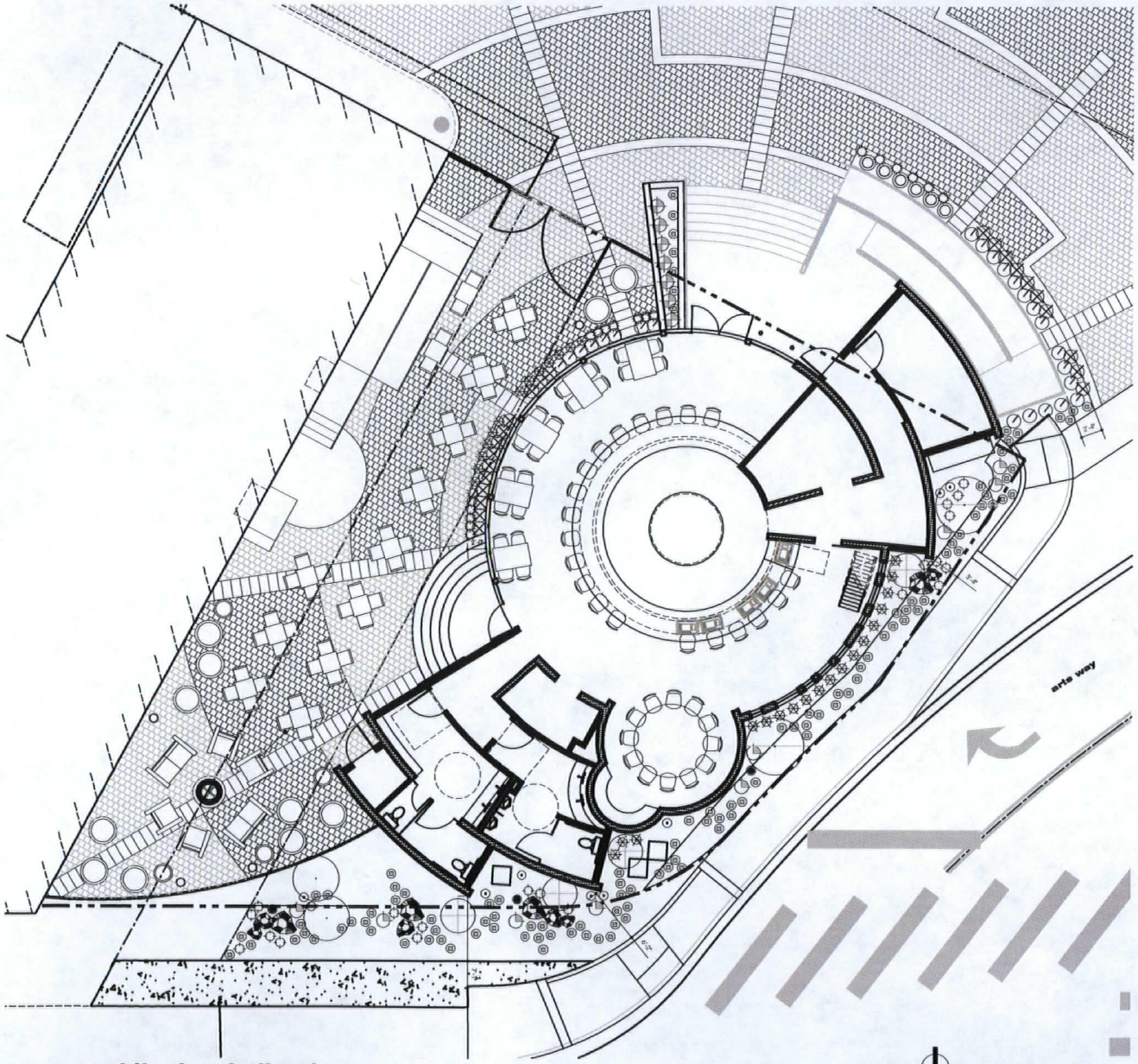
no.	date	description

project / address: **urban lounge**
123 east charleston boulevard
las vegas nevada 89104
owner:

sheet title: **architectural site plan**
drawn/checked by: **de/jw**
date: **09.23.09**
job no. **09015**
sheet no. **a0.01**
cad dwg. file: 09015-a0.01.dwg

SDR-36190
10/22/09 PC



D1 **architectural site plan**
scale 1" : 10'-0"

landscape legend

trees

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY
	ACACIA STENOPHYLLA	SHOESTRING ACACIA	15 GAL	2
	SOPHORA SECUNDIFLORA	TEXAS MOUNTAIN LAUREL	15 GAL	4
	FRAXINUS ANGUSTIFOLIA 'RAYWOOD'	RAYWOOD ASH	15 GAL	2

shrubs

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY
	FEIJOA SELLOWIANA	PINEAPPLE GUAVA	1 GAL	24
	YUCCA RECURVIFLORA	CURVELEAF YUCCA	1 GAL	9
	BUXUS M. J. 'KOREANA'	KOREAN BOXWOOD	1 GAL	6
	CALLISTEMON VIMINALIS 'LITTLE JOHN'	DWARF BOTTLEBRUSH	1 GAL	23
	EUONYMOUS J. 'MICROPHYLLUS'	BOX-LEAF EUNOYMOUS	1 GAL	7

accent plants

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY
	AGAVE PARRYI	PARRY'S AGAVE	1 GAL	9
	DIETES BICOLOR	EVERGREEN IRIS	1 GAL	31
	HESPERALOE PARVIFLORA	RED YUCCA	1 GAL	3
	MUHLENBERGIA CAPILLARIS 'REGAL MIST'	REGAL MIST MUHLEY	1 GAL	19
	PENSTEMON EATONII	FIRECRACKER PENSTEMON	1 GAL	20

groundcovers

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY
	ROSMARINUS O. 'HUNTINGTON CARPET'	PROSTRATE ROSEMARY	1 GAL	111
	DECOMPOSED GRANITE COBBLE, MOHAVE GOLD - 1/2" SCREENED @ 2" DEEP IN ALL PLANTING AREAS			

boulders

SYMBOL	NAME	COLOR	SIZE	QTY
	GRANITE BOULDER	APACHE BROWN	3' X 3'	4
	GRANITE BOULDER	APACHE BROWN	3' X 2'	3
	GRANITE BOULDER	APACHE BROWN	2' X 2'	3

general notes

QUANTITIES SHOWN ARE FOR REFERENCE ONLY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO COUNT PLANTS SHOWN ON THE PLAN.

50% MINIMUM VEGETATIVE COVER REQUIRED IN ALL NON-PAVED AREAS (TYP).

PROVIDE ROOT GUARD WHERE TREES ARE LOCATED LESS THAN 5'-0" FROM WALKS/CURBS (TYP).

ALL TURF AREAS SHALL BE A MINIMUM OF 6' WIDE AND A MINIMUM OF 3' FROM ANY BUILDING FACE OR WALL (INCL. RETAINING WALLS).

BURY ALL BOULDERS 1/3 DEEP

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107 E. Charleston Suite 160
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tel. 702.598.1723
fax. 702.598.1724
mail@jawastudio.com

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rev.	date	description

project / address:
urban lounge
123 east charleston boulevard
las vegas nevada 89104
owner:

sheet title:

drawn/checked by: de/jw
date: 09.23.09
job no. 09015
sheet no. La1.00
cad dwg. file: 09015-LA1.00.dwg

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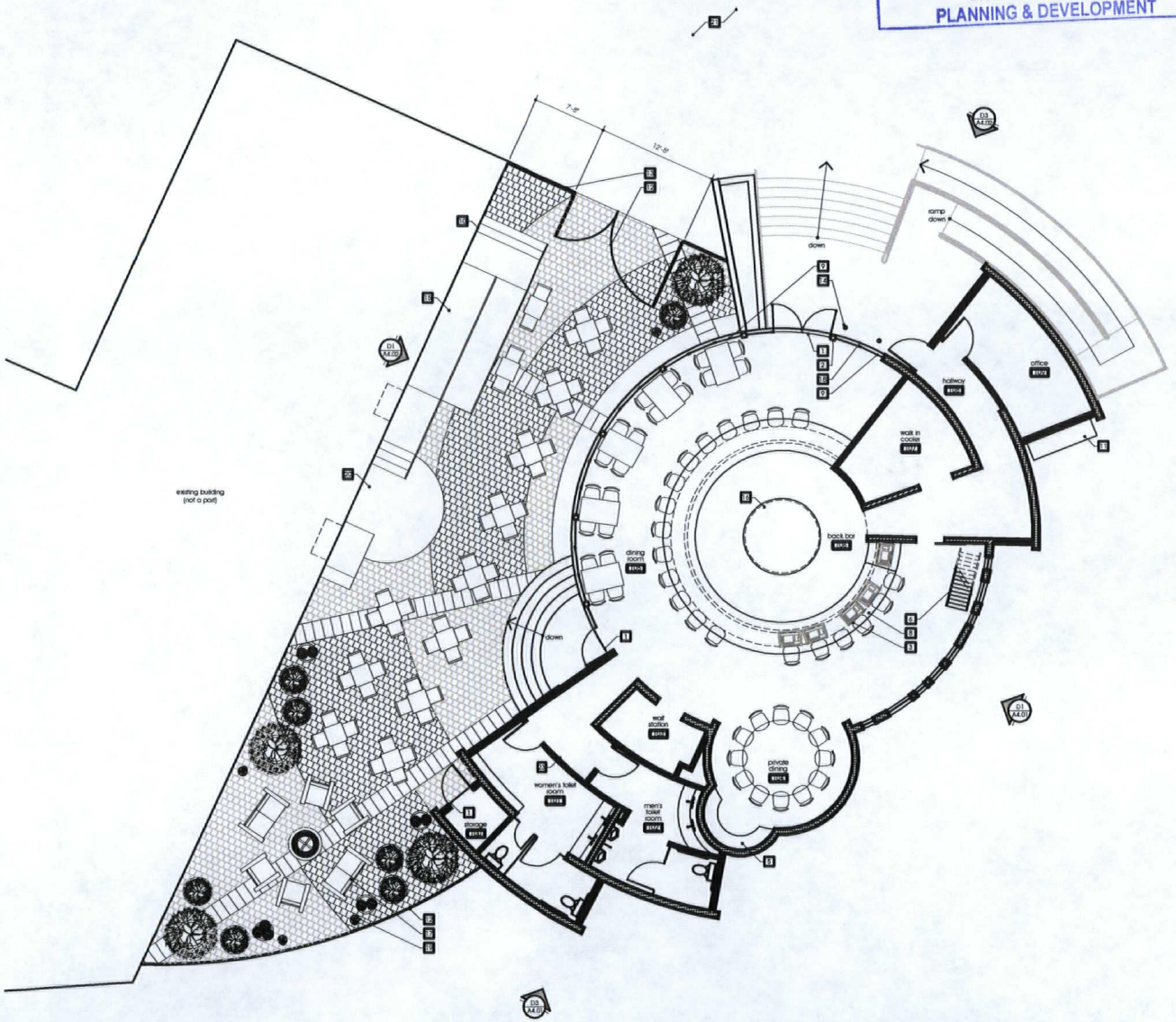

D1 floor plan
scale 3/16" : 1'-0"

north

keynotes

1	door threshold
2	column, typical, see structural drawings, fur out
3	gorming machine, typical, install per manufacturer's specifications
4	stair railing, owner supplied, contractor installed
5	buffet counter
6	roof access ladder
7	pavement designated for performers
8	bar, see enlarged bar plan
9	folding doors, typical
10	existing building line
11	main switch gear, see electrical drawings
12	wrought iron fence, owner supplied, contractor installed
13	wrought iron gate, owner supplied, contractor installed
14	floor recessed light fixtures, typical
15	existing ramp
16	back bar
17	owner supplied furnishings, typical
18	concrete slab edge
19	owner supplied planters & pots
20	concrete easement for stage (level with paves)
21	see site plan, a0.01 for additional paver layout

wall legend

symbol	description
	2" x 6" wood studs framing @ 16" on center
	6" gauge 20 metal studs @ 24" on center
	3-5/8" 20 gauge metal stud @ 24" on center
	2"x 8" wood stud framing @ 16" on center

general notes

1. all dimensions are to the face of the stud, unless noted otherwise.
2. install all fixtures and appliances per manufactures recommendations
3. refer to interior elevations and finish schedule for interior finishes
4. landings & thresholds to be provided at all exterior doors as required by the 2006 IBC sections 1003.3.1.5 (landings), 1003.3.1.4 (floor elevation), & 1003.3.1.6 (thresholds)
5. contractor to verify existing conditions
6. refer to site plan for additional information
7. coordinate architectural dimensions with structural drawings for foundation and as required.
8. provide insulation @ all exterior walls per energy code - see code analysis
9. provide water resistant gypsum board at all wet locations.
10. angle walls @ tower 3.3 degrees vertically, angle walls everywhere else 4 degrees vertically

floor plan data

		o-2, b & s-2
dining room/private dining:	1,015 sf @ 1/15 sf	68 occupants
back bar/wait station:	791 sf @ 1/200 sf	4 occupants
office:	155 sf @ 1/100 sf	2 occupants
acessory:	437 sf @ 1/100 sf	5 occupants
storage:	145 sf @ 1/300 sf	1 occupants
total	2,453 sf	80 occupants

jawa studio
architecture
interior design
107 E. Charleston Suite 150
Las Vegas NV 89104
tel.702.598.1723
fax. 702.598.1724
mail@jawastudio.com

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rev.	date	description

project / address:
urban lounge
123 east charleston boulevard
las vegas nevada 89104
owner:

sheet title:
ground floor plan
drawn/checked by:
de/jw
date:
09.23.09
job no.
09015
sheet no.
A1.01a
cad dwg. file: 09015-A1.01a.dwg

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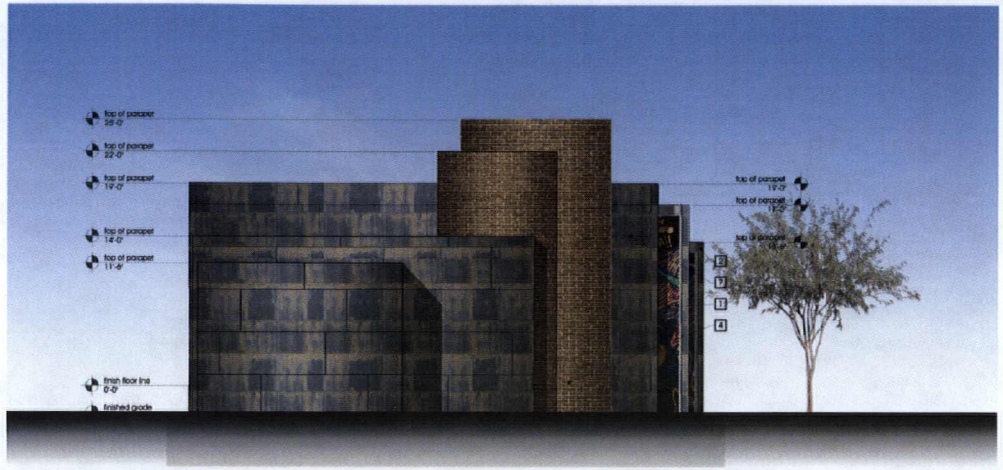
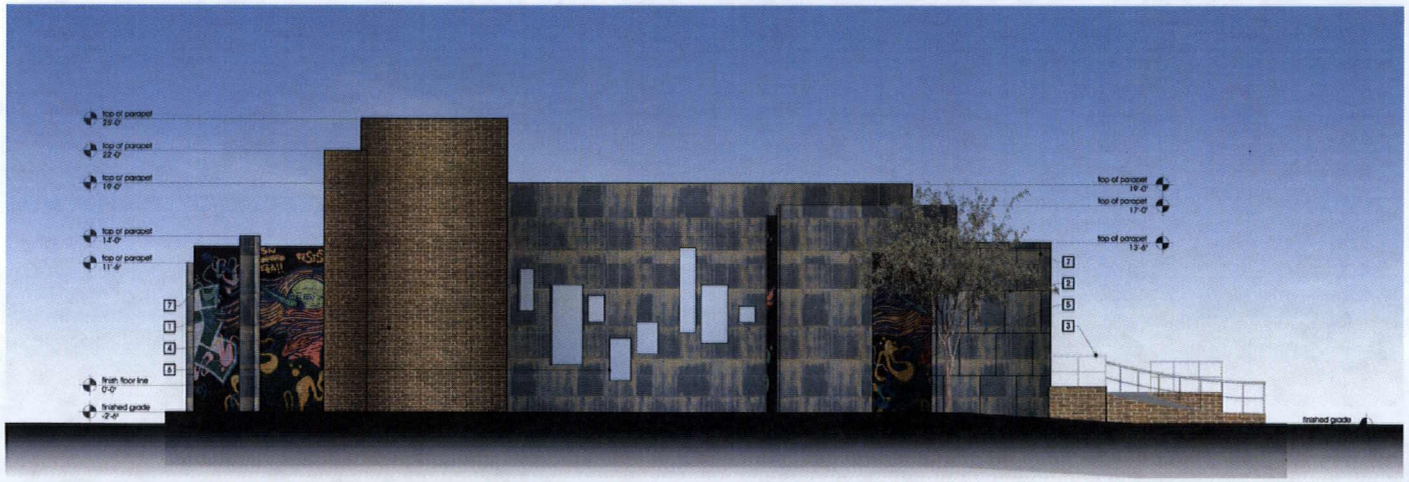


D3 **south elevation**
scale 3/16" : 1'-0"



D1 **east elevation**
scale 3/16" : 1'-0"

keynotes

1. corten metal cladding over framing - see exterior finish legend
2. stucco over framing or exposed cmu - see exterior finish legend
3. metal railing / guardrail
4. wood siding - see exterior finish legend
5. standing seam metal roof at fascia only
6. aluminum framed glazing - see window schedule
7. line of roof beyond - typical

exterior finish legend

EP-1 — exterior plaster with acrylic paint finish
three coat sand finish
color to be determined

WOOD-1 — vertically oriented distressed wood siding

CT-1 — corten panels
4' x 10'

NOTE:
ALL EXTERIOR MATERIALS TO BE INSTALLED PER MANUFACTURER
PROVIDE WEATHER RESISTIVE BARRIER AS REQD FOR ALL
EXTERIOR FINISH ES
ANY SUBSTITUTION TO BE REVIEWED
BY ARCHITECT

jawa studio
architecture
interior design
107 E. Charleston Suite 150
Las Vegas NV 89104
tel. 702.598.1723
fax. 702.598.1724
mail@jawastudio.com

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rev.	date	description

project / address:
urban lounge
123 east charleston boulevard
las vegas nevada 89104
owner:

sheet title:
exterior elevation

drawn/checked by:
cle/jw

date:
09.14.09

job no.
09015

sheet no.
A4.01

cad dwg. file: 09015-A4.01.dwg

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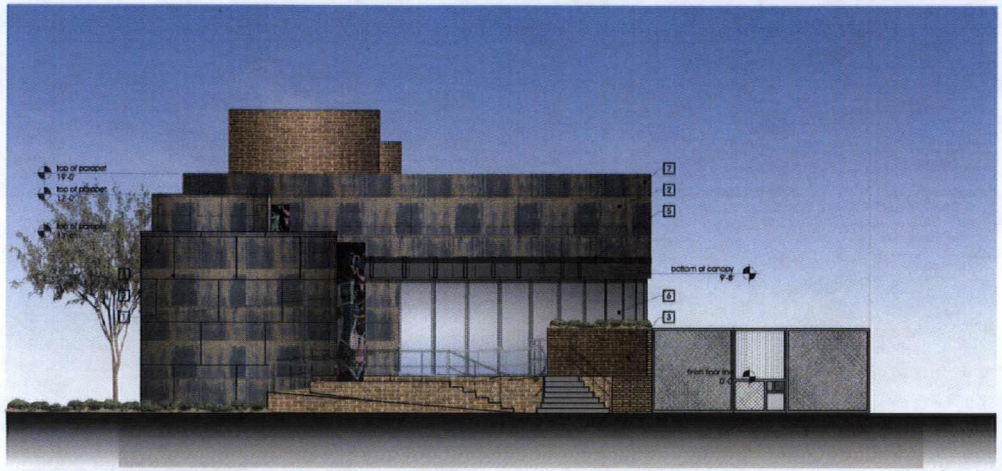

D3 **north elevation**
scale 3/16" = 1'-0"



D1 **west elevation**
scale 3/16" = 1'-0"

keynotes

1. corten metal cladding over framing - see exterior finish legend
2. stucco over framing or exposed cmu - see exterior finish legend
3. metal railing / guardrail
4. wood siding - see exterior finish legend
5. standing seam metal roof at fascia only
6. aluminum framed glazing - see door schedule
7. line of roof beyond - typical

exterior finish legend

EP-1		exterior plaster with acrylic paint finish three coat sand finish color: to be determined
WOOD-1		vertically oriented distressed wood siding
CT-1		corten panels 4' x 10'

NOTE:
ALL EXTERIOR MATERIALS TO BE INSTALLED PER MANUFACTURER PROPER WEATHER RESISTIVE BARRIER AS REQD FOR ALL EXTERIOR FINISHES
ANY SUBSTITUTION TO BE REVIEWED BY ARCHITECT

jawa studio
architecture interior design
107 E. Charleston Suite 150
Las Vegas NV 89104
tel. 702.598.1723
fax. 702.598.1724
mail@jawastudio.com

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rev.	date	description

project / address: **urban lounge**
123 east charleston boulevard
las vegas nevada 89104
owner:

sheet title: **exterior elevations**
drawn/checked by: **cle/jw**
date: **09.14.09**
job no. **09015**
sheet no. **A4.02**
cad dwg. file: 09015-A4.02.dwg

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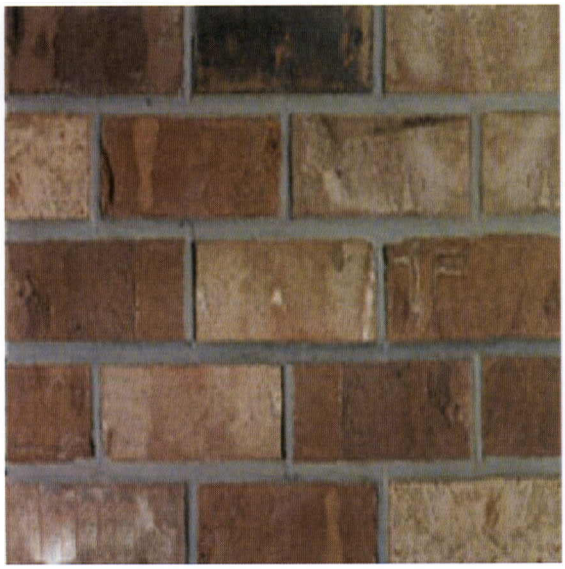
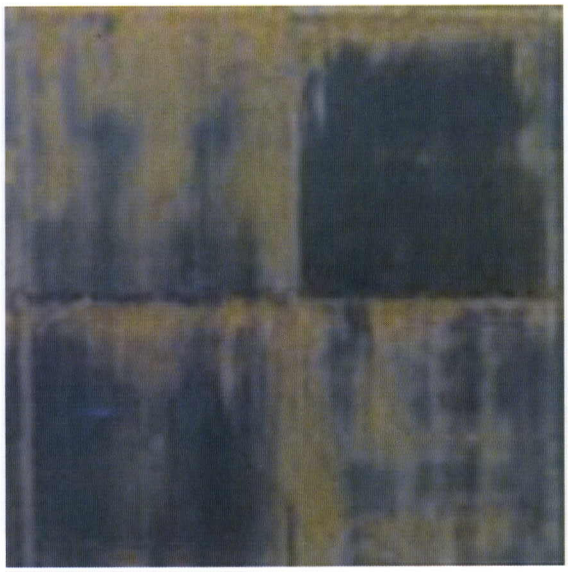


m.c. muddox - thin brick - redwood



exposed rough sawn wood beams



cor-ten metal cladding



mural art

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SDR-36190 - APPLICANT/OWNER: CORESTONE, LLC
123 EAST CHARLESTON BOULEVARD
OCTOBER 22, 2009 PLANNING COMMISSION

09/28/09



SDR-36190 - APPLICANT/OWNER: CORESTONE, LLC
123 EAST CHARLESTON BOULEVARD
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09/28/09

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702.598.1723 fax 702.598.1724

09.23.09
planning & development
development services center
city of las vegas

re: sdpr
urban lounge
las vegas, nv
apn: 139-34-410-046

this submittal is to request an administrative update to the previously approved site development plan review (sdr-32544) for an urban lounge. the proposed project is a 2,453 s.f. lounge with 2,158 s.f. of patio located on a portion of the parcel referenced above. the site and building were revised in response to the client's need to reduce the project's costs. the proposed use complies with applicable provisions of the development code and the general plan; is compatible with adjacent uses in terms of scale, site design and operating characteristics; and will not cause substantial diminution of the value of other properties in the area it is located. public safety, transportation and utility facilities/services will be available to the subject property having no effect on the availability of the same services to existing adjacent development.

please call if you have any questions or need additional information

thank you,

j. david ellertsen

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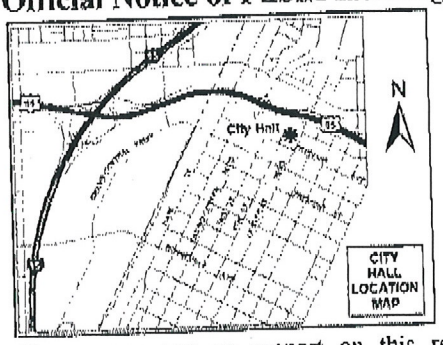

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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Case: SDR-36190
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LAS VEGAS NV 89104-1007

89104 A 31 04

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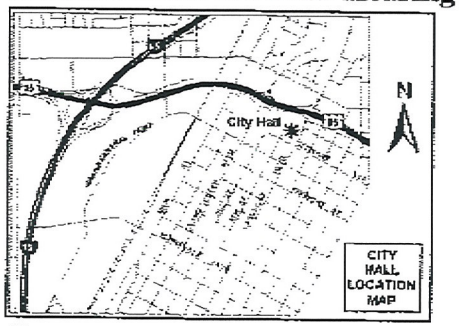

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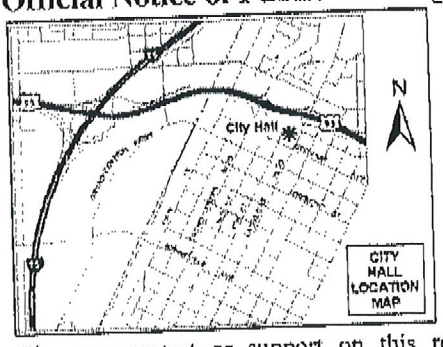

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LAS VEGAS NV 89104-1007

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731 S. Fourth Street
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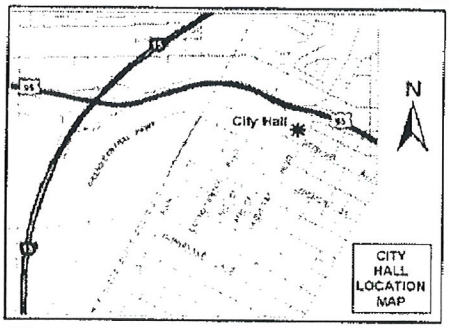

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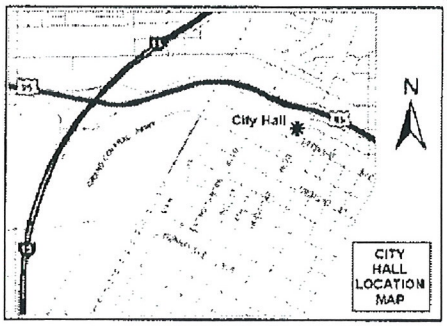

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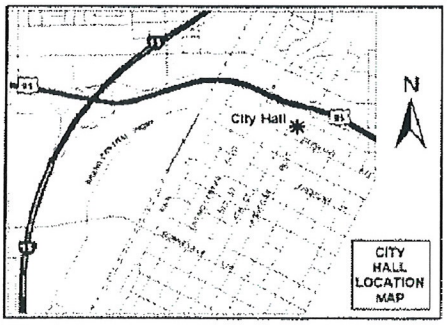
LAS VEGAS NV 89104-1060

HAVOE11 89104

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.

Case: SDR-36190

13933811017
ARTS FACTORY L L C
101 E CHARLESTON BLVD
LAS VEGAS NV 89104-1018

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-36190
Planning Commission Meeting of 10/22/2009

HAVD511 89104

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 22, 2009

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

SUBJECT:
DIR-35929 - DIRECTOR''S BUSINESS - PUBLIC HEARING - Progress report by the Planning & Development Department regarding input received at public input meetings for corridor and walkable community plans.

P.C.: 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:
NONE

BACKUP DOCUMENTATION:
1. Conditions (Not Applicable) and Staff Report

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 22, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: DIR-35929 - DIRECTOR'S BUSINESS

** CONDITIONS **

STAFF RECOMMENDATION: NO RECOMMENDATION

YK

DIR-35929 - Staff Report Page One
October 22, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a progress report by the Planning & Development Department regarding the development of walkable community and corridor plans including a summary of the first three community meetings held.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales	
03/23/09	At the Joint City Council and Planning Commission Workshop, walkable community and corridor plans were discussed as contributing to the implementation of the Las Vegas 2020 Master Plan, and also assist with sustainability goals and improving the quality of life of residents.
07/23/09	Planning & Development provided an update on the development of walkable community plans, outlining the six areas of the city to be targeted for such plans.
Neighborhood Meetings	
08/20/09	The first community meeting for the Village Square Walkable Community Plan was held at M.J. Christensen School.
09/22/09	The first community meeting for the W. Charleston Corridor Plan was held at the Charleston Heights Arts Center.
09/30/09	The first community meeting for the Meadows Walkable Community Plan was held at the Bill & Lillie Heinrich YMCA.

ANALYSIS

The Planning & Development Department has proposed the development of walkable community and corridor plans as tools for implementing many of the goals of the Las Vegas 2020 Master Plan. The first two walkable community plans are being developed in Wards 1 and 2 and are centered around Village Square and Meadows Mall respectively. The first corridor plan is covering the area along West Charleston Boulevard between Martin L. King Boulevard and Rainbow Boulevard. The primary purpose of these plans is to facilitate walking and biking within neighborhoods and to encourage reinvestment in developed urban areas of the city. The first round of community meetings has been held for these plans to collect the public's opinions about what should be addressed in these plans. A summary of each follows.

Village Square

The first of a series of community meetings was held on August 20, 2009 at the M.J. Christensen Elementary School. The purpose of the meeting was to survey the community interest in the development of a walkable community plan and to find out what the public wanted addressed in such a plan. Although the turnout was relatively low, many valuable suggestions were received. The top three areas of concern were:

1. The need to install sidewalks where none are present to complete the sidewalk network around the neighborhood;
2. Install additional crosswalks along Fort Apache Road and make the existing ones safer; and
3. Reduce vehicle lane widths in order to reduce the speed of traffic.

Additional items of concern mentioned included the need for additional street trees, shaded bus shelters, and the removal of obstacles, such as utility boxes, from sidewalks. Staff will address these concerns in a draft plan that will then be presented to the community at another public meeting in the near future.

West Charleston Boulevard

The first community meeting for the West Charleston Boulevard Corridor Plan was held on September 20, 2009 at the Charleston Heights Arts Center. The meeting was attended primarily by property and business owners along the corridor. Many were concerned that plans were underway to extend the right-of-way. Staff clearly stated that this was not being planned and that any improvements would take place in the existing right-of-way. However, it was discussed that easements may be requested for bus turnouts when properties are being redeveloped in the future. The top three concerns raised at this meeting were:

1. Reduce travel lane widths to provide for additional sidewalk widths;
2. Most were opposed to the addition of any new medians as they felt that these would limit access to existing businesses; and
3. Enhance the landscaping of existing raised medians.

The overall mood of the meeting was one of excitement that the city was taking notice of the problems along West Charleston Boulevard. Improvements of the aesthetics were generally supported as long as the street trees did not block signage. A petition was submitted from nine business owners in the Village Center at the northwest corner of Valley View Boulevard and Charleston Boulevard. They would like the existing raised median to be modified to allow a left turn to be made by vehicles traveling east on Charleston Boulevard into their center.

Meadows

The first of two scheduled community meetings was held September 30, 2009 at the Bill & Lillie Heinrich YMCA at 4141 Meadows Lane. Councilwoman Tarkanian, neighborhood leaders and several residents attended. All were excited about the potential improvements that could be included in the walkable plan being developed by staff. The top three areas of concern that residents would like addressed are:

1. The installation of a sidewalk on the south side of Meadows Lane;
2. The installation of a crosswalk on Meadows Lane; and
3. Widen sidewalks along Bedford and install shade trees.

Other areas of concern included the need for additional bus stops and shelters in the neighborhood and the need for additional pedestrian access to Meadows Mall from the neighborhood.

Now that staff has heard what the community wants and does not want in their respective plans, draft plans can be developed. Once the plans have been developed and reviewed by the appropriate city departments, a series of second community meetings will be held for public input.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

YK

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 22, 2009

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

SUBJECT:
TXT-36167 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to amend Table 2 of 19.04.010 and Title 19.20 to modify references to the Child Care uses, All Wards

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

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

RECOMMENDATION:
APPROVAL

BACKUP DOCUMENTATION:
1. Conditions (Not Applicable) and Staff Report

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 22, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: TXT-36167 - APPLICANT/OWNER: CITY OF LAS VEGAS

** CONDITIONS **

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

1. Title 19.04.010 "Land Use Tables" is hereby amended as follows:

Table 2 – Land Use Table
Institutional and Community Service

USE	RESIDENTIAL												COMMERCIAL						INDUSTRIAL		
Child Care - Family Home (1-6 Children)	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
	P	P	P	P	P	P	P	P	P	P	P										
	Description: A residential dwelling used primarily as a residence which also provides day or overnight care for a maximum of 6 children for compensation. Such a use is subject to the child care regulations and standards of the State of Nevada. ~~Department of Finance and Business Services, including the ability to provide care for up to 3 additional children before and after school hours~~																				
	On-site Parking Requirement: No additional parking required beyond that which is required for the principal use on the site.																				

USE	RESIDENTIAL												COMMERCIAL						INDUSTRIAL		
Child Care – ~~Family~~ Group Home (7-12 Children)	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
	S	S	S	S	S	S	S	S	S	S											
	Description: A residential dwelling used primarily as a residence which also provides day or overnight care for a minimum of 7 children and a maximum of 12 children for compensation. Such a use is subject to the child care regulations and standards of the State of Nevada. ~~Department of Finance and Business Services, including the ability to provide care for up to 3 additional children before and after school hours.~~ **Minimum Special Use Permit Requirements:** *1. The minimum lot size shall be 6500 square feet. *2. The site shall be designed so that all loading and unloading of passengers occurs on-site. *3. In order for this use to be conducted on a parcel developed with multi-family housing, the child care must be provided within a separate structure. *4. The use shall be subject to the child care regulations and standards of the State of Nevada. ~~Department of Finance and Business Services.~~ 5. Access to the facility shall be by means of a right-of way with a width of 60 feet or less. 6. The use of outdoor play areas shall be limited to the hours between 6:00 A.M. and 10:00 P.M. 7. All lighting shall be designed so it does not shine directly onto any abutting residential property.																				
	On-site Parking Requirement: One space for each staff member, plus one space for each 6 children.																				

JM

USE	RESIDENTIAL												COMMERCIAL						INDUSTRIAL		
Child Care Center	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
	S	S	S	S				S	S	S	S	S	C	C	C	P	P	P	P	P	P
	Description: Any commercial facility which provides day or overnight care for more than 12 children. Such a use is subject to the child care regulations and standards of the State of Nevada. ~~Department of Finance and Business Services~~. **Conditional Use Regulations:** 1. Access to the child care center shall be by means of a collector street or larger. 2. The maximum lot coverage shall not exceed 30 percent. 3. The site shall be designed so that all discharging or loading of passengers from a vehicle is accomplished on the site. The layout of driveways, circulation patterns and parking must be approved by the City Traffic Engineer prior to the issuance of any building permits. 4. Where structures or play areas have residential adjacency: a. An 8-foot high block wall shall be installed along the common property line, with an additional buffer of evergreen trees along the play area. The trees shall be a minimum of 24-inch box, shall be installed at a minimum of 20 feet on center, and shall be a variety that will grow together to form a visual screen. b. The building entrance and access shall be oriented away from residential uses on local streets. c. Outdoor play shall be limited to daylight hours. d. Outdoor lighting shall be designed so as to not shine directly onto any abutting residential property.																				
	On-site Parking Requirement: One space for each staff member, plus one space for each 10 children.																				

2. Title 19.20.020 "Words and Terms Defined" is hereby amended as follows:

"Child Care – ~~Group~~ Family Home (1-6 Children)" means a residential dwelling used primarily as a residence which also provides day or overnight care for a maximum of six children for compensation. Such a use is subject to the child care regulations and standards of the State of Nevada. ~~Department of Finance and Business Services, including the ability to provide care for up to three additional children before and after school hours.~~

"Child Care - Group Home (7-12 Children)" means a residential dwelling used primarily as a residence which also provides day or overnight care for a minimum of seven and a maximum of twelve children for compensation. Such a use is subject to the child care regulations and standards of the State of Nevada. ~~Department of Finance and Business Services, including the ability to provide care for up to three additional children before and after school hours.~~

"Child Care Center" means any commercial facility which provides day or overnight care for more than twelve children. Such a use is subject to the child care regulations and standards of the State of Nevada. ~~Department of Finance and Business Services~~.

TXT-36167 - Staff Report Page One
October 22, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request to amend Table 2 of Title 19.04.010 and Title 19.20 to modify references to the Child Care uses.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
01/07/09	The City Council adopted Ordinance #6022 in Title 6.24.05 and 6.24.10 which established a framework for transitioning the licensing and regulation of child care facilities within the city to the Nevada Bureau of Services for Child Care; to provide a prospective repealer of the city's child care regulations; and to provide for other related matters. The repealer became effective on 05/08/09.

ANALYSIS

By modifying references for child care uses, the proposed amendment would bring consistency to Table 2 of Title 19.04.010 and Title 19.20 to references in Title 6.24.010, which were recently updated on 01/07/09 by Ordinance 6022.

Beginning on 01/01/09, all new license applications for Child Care Facilities were sent and processed by the Nevada Bureau of Services for Child Care, as to applications approved, all subsequent licensing and regulatory activity regarding those licensees will be addressed by the Bureau. Beginning 05/08/09, all licensing and regulatory activities otherwise occurring under Chapter 6.24 will proceed under the jurisdiction, authority and regulations of the Bureau. To bring consistency to the child care uses in Table 2 of Title 19.04.010 and Title 19.20, the reference to the "Department of Finance and Business Services" has been replaced with the "State of Nevada."

Currently, the child care uses are referenced differently in Table 2 of Title 19.04.010 and Title 19.20. In Table 2 of Title 19.040.010, the child care uses are referenced as Child Care – Family Home while in Title 19.20 definitions, they are referenced as Child Care- Group Home. Therefore, the proposed amendment would modify "Child Care –Family Home (7-12 Children)" in Title 19.04.010 to be referenced as "Child Care- Group Home (7-12 Children). This is consistent with the reference of "Child Care – Group Home" in Title 6.24.010.

In addition, the proposed amendment would modify "Child Care – Group Home (1-6 Children)" in Title 19.20 to be referenced as Child Care – Family Home (1-6 Children). This is consistent with the reference of "Child Care – Family Home", which were in Title 6.24.010, before it was repealed on 05/08/09.

FINDINGS

The proposed text amendment will achieve the following:

- Amend Table 2 of Title 19.04.010 and Title 19.20 to modify references to the Child Care uses.

The following table summarizes all proposed changes:

Code Requirements	Existing Regulations	Proposed Regulations
Title 19.04.010 - Land use tables	• Child Care – Family Home (7-12 children)	• Change to Child Care – Group Home (7-12 children) to be consistent with Title 6.24.010
Title 19.20.020 Words and Terms Defined	• Child Care – Group Home (1-6 children)	• Change to Child Care- Family Home (1-6 children) to be consistent with Title 6.24.010
Title 19.20.020 – Words and Terms Defined	• Reference to "Department of Finance and Business Services" in Child Care Uses	• Change reference to "State of Nevada"

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

JM

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 22, 2009

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

SUBJECT:
TXT-36168 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to amend Title 19.18.040 (H) and (J) to revise provisions related to the rezoning of a parcel of land by the Planning Commission and City Council, All Wards

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

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

RECOMMENDATION:
APPROVAL

BACKUP DOCUMENTATION:
1. Conditions (Not Applicable) and Staff Report

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 22, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: TXT-36168 - APPLICANT/OWNER: CITY OF LAS VEGAS

** CONDITIONS **

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

1. Title 19.18.040 "Rezoning" is hereby amended as follows:

(H) Planning Commission Public Hearing and Action

(1) Hearing. The Planning Commission shall hold a public meeting when considering any application for rezoning of property.

(2) Notice

(a) Notice Provided. Notice of the time, place and purpose of the hearing must be given at least 10 days before the hearing by:

(1) Publishing the notice in a newspaper of general circulation within the City;

(2) Mailing a copy of the notice to:

(A) The applicant;

(B) Each owner of real property located within a minimum of one thousand feet of the property described in the application;

(C) Each tenant of any mobile home park that is located within on thousand feet of the property described in the application;

(D) The owner of each of the thirty separately-owned parcels nearest to the property described in the application to the extent this notice does not duplicate the notice otherwise required by this Paragraph 2;

(E) Any advisory board which has been established for the affected area by the City Council; and

(F) The president or head of any registered local neighborhood organization whose organization boundaries are located within a minimum of one mile of the property described in the application.

JM

(b) Names Provided. The Department of Planning and Development shall provide, at the request of the applicant, the name, address and phone number of any person notified pursuant to Subparagraph (F) above.

(c) Additional Notice. The Department may give additional notice of the hearing by expanding the area of notification or using other means of notification or both. The Department shall endeavor to provide any additional notice at least 10 days before the date of the hearing.

(d) Signs. Notification signs shall be posted in conformance with Section 19.18.010 (D).

(3) Planning Commission Decision

Following the public hearing or hearings, the Planning Commission shall make its recommendations concerning the application for rezoning. The recommendation may be for approval~~, approval with conditions,~~ or denial. In considering whether to recommend approval or denial of an application, the Planning Commission may, when it appears necessary or expedient, ~~consider the rezoning of only a portion of the land described in the application for rezoning, or it~~ may recommend that ~~all or a portion of~~ the property be rezoned to a more restrictive classification.

(4) Notice of Planning Commission Decision

Following the date of the Planning Commission decision, a report of its findings and decision shall be forwarded to the City Council. The report shall recite, among other things, the facts and reasons which, in the opinion of the Commission, make the approval or the denial of the rezoning necessary or appropriate to carry out the provisions and general purposes of this Title. Written notice of the decision shall be provided to the applicant, agent, or both.

(J) City Council Public Hearing and Action.

(1) Notice and Hearing. The City Council shall consider the proposed rezoning and the recommendation of the Planning Commission at the next available meeting following the receipt of the recommendation. The City Clerk shall mail written notice of the Council hearing, at least ten days before the hearing, to the property owners who were notified by mail of the Planning Commission hearing, or to the current owners of record in the case of properties whose ownership has changed in the interim.

(2) City Council Decision.

(a) Decision. The City Council may approve, ~~approve with conditions,~~ or deny an application for a rezoning. In considering whether to approve or deny an application, the City Council may consider the rezoning of ~~only a portion of the land described in the application for rezoning or amend all or a portion of the application~~ property to a more restrictive zoning classification.

(b) Change to More Restrictive Zoning. If, at the public hearing, the applicant proposes amending the rezoning application to a more restrictive zoning classification, the City Council may act on the request or refer the application back to the Planning Commission for consideration.

(c) Significant Changes to Application. If the applicant proposes significant changes to the application during the hearing, or if new information is presented that significantly changes the nature and scope of the application, the request should be referred back to the Planning Commission for consideration.

(3) Notice of City Council Decision. Following the hearing on a proposed rezoning, the City Council shall reach a decision concerning the proposal. The decision shall include the reasons for the decision and, if the decision is to approve the rezoning, any modifications, conditions or limitations that the Council may impose. Written notice of the decision shall be provided to the applicant or his agent, or both. A copy of the notice shall also be filed with the City Clerk, and the date of the notice shall be deemed to be the date that notice of the decision is filed with the City Clerk.

TXT-36168 - Staff Report Page One
October 22, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request to amend Title 19.18.040 (H) and (J) to revise provisions related to the rezoning of a parcel of land by the Planning Commission and City Council.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
06/20/07	The City Council adopted Ordinance #5909 to amend Title 19.18.040 to delete all references to "Resolutions of Intent" for rezoning applications and to amend rezoning procedures accordingly. Planning Commission and staff recommended approval (TXT-19240).

ANALYSIS

On 06/20/07, the City Council amended Title 19.18.040 to delete all reference to "Resolutions of Intent" for rezoning applications. As noted in the Text Amendment (TXT-19240), a Resolution of Intent may have been effective as a means to place conditions of approval on applications before the applicant came in for a building permit. However, it was determined pursuant to Title 19.18.050 – "Site Development Plan Review" that the Site Development Plan Review requirements may remedy that situation as they ensure the City a review and an opportunity to condition applications prior to permitting. Therefore, to bring Title 19.18.040 (H) and (J) consistent with this prior amendment, this text amendment proposes to delete references to "conditions of approval."

In addition, this amendment proposes to delete references in Title 19.18.040 (H) and (J) to "portion of" property when Planning Commission and City Council consider an approval or denial of a rezoning application. Staff's concern is that by approving "a portion of" property could potentially create a split zoning or inconsistency with the adjacent zoning designations. This proposal would eliminate that potential issue.

FINDINGS

The proposed text amendment will achieve the following:

- Amend Title 19.18.040 (H) and (J) to revise provisions related to the rezoning of a parcel of land by the Planning Commission and City Council.

The following table summarizes all proposed changes:

Code Requirements	Existing Regulations	Proposed Regulations
Title 19.18.040 (H) – Planning Commission Public Hearing and Action	• Planning Commission may approve a rezoning application with conditions and for a portion of a property.	• Remove "approval with conditions" • Remove "a portion of"
Title 19.18.040 (J) – City Council Public Hearing and Action	• City Council may approve a rezoning application with conditions for a portion of a property.	• Remove "approval with conditions" • Remove "a portion of"

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

JM

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 22, 2009

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

SUBJECT:
TXT-36169 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to amend Title 19.06.120 to clarify references to parking requirements within the Downtown Entertainment Overlay District, 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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 22, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: TXT-36169 - APPLICANT/OWNER: CITY OF LAS VEGAS

** CONDITIONS **

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

1. Title 19.06.120 "Downtown Entertainment Overlay District" is hereby amended as follows:

   D. Parking Requirements
   ~~For any banquet facility, restaurant, café, tavern, bar, supper club, billiard parlor, nightclub/discotheque, general retail store or video arcade that is approved by means of Special Use Permit or otherwise for a parcel located within the District, the on-site parking requirements set forth in Chapter 19.10 shall not apply. The Special Use Permit or other approval may include conditions designed to mitigate any impacts related to parking.~~ All parking requirements shall be pursuant to Title 19.06.060.

JM

TXT-36169 - Staff Report Page One
October 22, 2009 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request to amend Title 19.06.120 to clarify references to parking requirements within the Downtown Entertainment Overlay District.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
10/02/02	The City Council adopted Ordinance #5521 to establish the Downtown Overlay District and corresponding regulatory provisions; to establish a tavern-limited liquor license pertaining to the district.
03/04/09	The City Council adopted Ordinance #6030 to amend Title 19.06, "Special Purpose and Overlay Districts," to update the design review process for the Downtown Casino, Downtown Entertainment and Scenic Byway Overlay Districts. Planning Commission and staff recommended approval (TXT-31878).

ANALYSIS

The proposed amendment will clarify the parking requirements for property in the Downtown Entertainment Overlay District. The Entertainment Overlay District is bound by Ogden Avenue on the north, Carson Avenue on the south, Las Vegas Boulevard on the west and 8th Street on the east. These boundaries are within the Downtown Overlay District, which is coterminous with the boundaries of the Las Vegas Downtown Centennial Plan.

The existing parking requirement language in Title 19.06.120 has resulted in confusion and questions as it lists specific uses and Special Use Permit considerations. This has created a conflict with the applicability of the Downtown Overlay District parking standards, which are the correct standards to follow. These standards are the following: *properties within the Downtown Overlay District standards are exempt from the automatic application … of the standard parking requirements… in Chapter 19.12. However, the exemption does not prohibit City staff, the Planning Commission, and the City Council from imposing limitations on the approval of a Site Development Plan.*

This amendment proposes to delete the confusing text and clearly state and reference that parking standards in the Entertainment Overlay District shall be pursuant to Title 19.06.060-Downtown Overlay District standards.

FINDINGS

The proposed text amendment will achieve the following:

- Amend Title 19.06.120 to clarify references to parking requirements within the Downtown Entertainment Overlay District.

The following table summarizes all proposed changes:

Code Requirements	Existing Regulations	Proposed Regulations
Title 19.06.120 – Downtown Entertainment Overlay	• Confusing	• Clarify reference to Title 19.06.060 Downtown Overlay Standards for parking requirements.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 22, 2009

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

SUBJECT:

TXT-36171 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to amend Title 19.06.060 to revise references to the Downtown Overlay District to correspond to the Downtown Centennial Plan, Wards 3 and 5 (Reese and 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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 22, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: TXT-36171 - APPLICANT/OWNER: CITY OF LAS VEGAS

** CONDITIONS **

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

Planning and Development

1. Title 19.06.060 Downtown Overlay District is hereby amended as follows:

   A. Title: The title will be changed to Downtown Centennial Plan Overlay.

YK

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** STAFF REPORT **

PROJECT DESCRIPTION

Discussion and possible action to amend Title 19.06.060, "Downtown Overlay District", to change the title of the section to the Downtown Centennial Plan Overlay District in order to bring these two documents into alignment with each other.

BACKGROUND INFORMATION

Title 19.06.060, Downtown Overlay District, refers to the same boundary area as the Downtown Centennial Plan.

ANALYSIS

Title 19.06.060, Downtown Overlay District refers to the same boundary area as the Downtown Centennial Plan. This has confused the public causing many to believe that they are different areas with different standards. In order to streamline our documents and make them more user-friendly for the public, staff is proposing the name change. The result would change out the words, "Downtown Overlay District" with the words, "Downtown Centennial Plan District" throughout the section. All development standards would remain the same.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

YK

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

AGENDA SUMMARY PAGE

PLANNING COMMISSION MEETING OF OCTOBER 22, 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