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

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

February 25, 2010
6:00 PM

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

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

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

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

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

PLANNING COMMISSION MEETING RULES OF CONDUCT:

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

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

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

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

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

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

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

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

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

BUSINESS ITEMS:

1. CALL TO ORDER

2. ANNOUNCEMENT: COMPLIANCE WITH OPEN MEETING LAW

3. ROLL CALL

4. APPROVAL OF THE FINAL MINUTES FOR THE PLANNING COMMISSION MEETING OF JANUARY 28, 2010

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

CONSENT ITEMS:

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

ONE MOTION - ONE VOTE

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

6. **EOT-37243 - EXTENSION OF TIME - VARIANCE - APPLICANT/OWNER: RICHARD P. BROOKS AND GRACHELLE G. NESCHKE** - Request for an Extension of Time of a previously approved Variance (VAR-25967) TO ALLOW A SIX-FOOT REAR YARD SETBACK WHERE A 15-FOOT REAR YARD SETBACK IS REQUIRED FOR A PROPOSED 1,435 SQUARE-FOOT ADDITION TO AN EXISTING SINGLE-FAMILY RESIDENCE on 0.28 acres at 5780 Speaking Rock Avenue (APN 125-13-414-012), R-PD3 (Residential Planned Development - 3 Units Per Acre) Zone, Ward 6 (Ross)

7. **TMP-37217 - TENTATIVE MAP - WASHINGTON/PECOS - APPLICANT/OWNER: REBEL OIL COMPANY, INC.** - Request for a Tentative Map FOR A ONE-LOT COMMERCIAL SUBDIVISION on 2.39 acres at 3505 East Washington Avenue (APN 140-30-301-001), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

PUBLIC HEARING ITEMS

8. **ABEYANCE - RENOTIFICATION - VAR-36958 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: SHARON ROTH** - Request for a Variance TO ALLOW FOUR PARKING SPACES WHERE NINE ARE REQUIRED on 0.15 acres at 708 South Jones Boulevard (APN 138-25-310-003), P-R (Professional Office and Parking) Zone, Ward 1 (Tarkanian) NOTE: THE ADDRESS HAS BEEN AMENDED TO 708 NORTH JONES BOULEVARD

9. **ABEYANCE - RENOTIFICATION - ROC-36960 - REVIEW OF CONDITION RELATED TO VAR-36958 - PUBLIC HEARING - APPLICANT/OWNER: SHARON ROTH -** Request for a Review of Condition to delete Condition Numbers 3 and 5 of a previously approved Rezoning (ZON-3474) WHICH REQUIRED A COMPREHENSIVE SITE DEVELOPMENT PLAN TO ILLUSTRATE THE LOCATION OF JOINT DRIVEWAYS, JOINT PARKING AND ACCESS AGREEMENTS, A CONSISTENT LANDSCAPING PLAN AND A TRAFFIC IMPACT ANALYSIS on 0.15 acres at 708 South Jones Boulevard (APN 138-25-310-003), P-R (Professional Office and Parking) Zone, Ward 1 (Tarkanian) NOTE: THE ADDRESS HAS BEEN AMENDED TO 708 NORTH JONES BOULEVARD

10. **ABEYANCE - RENOTIFICATION - SDR-36959 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-36958 AND ROC-36960 - PUBLIC HEARING - APPLICANT/OWNER: SHARON ROTH** - Request for a Site Development Plan Review FOR THE PROPOSED CONVERSION OF A SINGLE-FAMILY RESIDENCE TO A 1,770 SQUARE-FOOT OFFICE, MEDICAL WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS TO ALLOW A ZERO-FOOT BUFFER ALONG THE WEST PERIMETER WHERE 15 FEET IS REQUIRED AND ZERO-FOOT BUFFERS ALONG THE NORTH AND SOUTH PERIMETERS WHERE FIVE FEET IS REQUIRED on 0.15 acres at 708 South Jones Boulevard (APN 138-25-310-003), P-R (Professional Office and Parking) Zone, Ward 1 (Tarkanian) NOTE: THE ADDRESS HAS BEEN AMENDED TO 708 NORTH JONES BOULEVARD

11. **VAR-37295 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: WINNER PROPERTIES, LLC** - Request for a Variance to ALLOW NO ADDITIONAL PARKING SPACES WHERE 36 ADDITIONAL SPACES ARE REQUIRED on 36.8 acres at the northwest corner of Fort Apache Road and Sahara Avenue (APNs 163-06-816-002 through 005, 007, 009, 011, 013, 015, 017, 019 through 021, 024, through 027, 029 through 034, 036 through 038), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson)

12. **SUP-36961 - SPECIAL USE PERMIT RELATED TO VAR-37295 - PUBLIC HEARING - APPLICANT/OWNER: WINNER PROPERTIES, LLC** - Request for a Major Amendment to an approved Special Use Permit (U-0038-98) TO ADD 2,820 SQUARE FEET OF BUILDING AREA AND OUTSIDE SEATING AREA TO AN EXISTING 7,265 SQUARE-FOOT SUPPER CLUB USE at 9500 West Sahara Avenue (APN 163-06-816-015), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson)

13. **SDR-36962 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-37295 AND SUP-36961 - APPLICANT/OWNER: WINNER PROPERTIES, LLC** - Request for a Major Amendment to a previously approved Rezoning and Plot Plan Review (Z-0139-88) FOR A PROPOSED 2,036 SQUARE-FOOT ADDITION TO AN EXISTING 6,648 SQUARE-FOOT COMMERCIAL BUILDING at 9500 West Sahara Avenue (APN 163-06-816-015), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson)

14. **VAR-37296 - VARIANCE - PUBLIC HEARING - APPLICANT: CHECK CITY - OWNER: BECKER & SONS, LLC** - Request for a Variance to ALLOW 119 PARKING SPACES WHERE 132 SPACES ARE REQUIRED at 1990 North Rainbow Boulevard (APN 138-23-301-002), C-1 (Limited Commercial) Zone, Ward 5 (Barlow)

15. **SUP-37153- SPECIAL USE PERMIT RELATED TO VAR-37296 - PUBLIC HEARING - APPLICANT: CHECK CITY - OWNER: BECKER & SONS, LLC** - Request for a Special Use Permit TO ADD A JEWELRY STORE, CLASS III USE TO AN EXISTING 3,240 SQUARE-FOOT AUTO TITLE LOAN AND FINANCIAL INSTITUTION, SPECIFIED at 1990 North Rainbow Boulevard (APN 138-23-301-002), C-1 (Limited Commercial) Zone, Ward 5 (Barlow)

16. **VAR-37297 - VARIANCE - PUBLIC HEARING - APPLICANT: CHECK CITY - OWNER: NEWBERG GROUP, LLC** - Request for a Variance to ALLOW 85 PARKING SPACES WHERE 91 SPACES ARE REQUIRED at 2475 South Jones Boulevard, Suite #2 (APN 163-02-802-006), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian)

17. **SUP-37155 - SPECIAL USE PERMIT RELATED TO VAR-37297 - PUBLIC HEARING - APPLICANT: CHECK CITY - OWNER: NEWBERG GROUP, LLC** - Request for a Special Use Permit FOR A JEWELRY STORE, CLASS III USE WITHIN AN EXISTING 3,308 SQUARE-FOOT AUTO TITLE LOAN AND FINANCIAL INSTITUTION, SPECIFIED at 2475 South Jones Boulevard, Suite #2 (APN 163-02-802-006), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian)

18. **SUP-37152- SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: RAPID CASH - OWNER: BECKER INVESTMENT COMPANY, LP** - Request for a Special Use Permit TO ADD A JEWELRY STORE, CLASS III USE TO AN EXISTING 2,400 SQUARE-FOOT AUTO TITLE LOAN AND FINANCIAL INSTITUTION, SPECIFIED at 1532 North Jones Boulevard (APN 138-25-101-001), C-1 (Limited Commercial) Zone, Ward 5 (Barlow)

19. **SUP-37198 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/ OWNER: JAE SHIK KWON AND JI BEOM KWON, ET AL** - Request for a Special Use Permit to ADD A GAMING ESTABLISHMENT, GENERAL BUSINESS-RELATED USE (FOUR GAMING MACHINES) WITHIN AN EXISTING CONVENIENCE STORE at 1600 North Martin L King Boulevard (APN 139-21-804-006), C-1 (Limited Commercial) Zone, Ward 5 (Barlow)

20. **SDR-37195 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: THOTES PROPERTIES, LLC.** - Request for a Site Development Plan Review FOR A PROPOSED 700 SQUARE-FOOT ADDITION TO AN EXISTING 2,000 SQUARE-FOOT BUILDING WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS TO ALLOW A TWO-FOOT LANDSCAPE BUFFER ALONG THE SOUTH PERIMETER WHERE 15 FEET IS REQUIRED, ZERO-FOOT BUFFERS ALONG THE NORTH, EAST, AND WEST PERIMETERS WHERE EIGHT FEET IS REQUIRED AND ZERO FEET BETWEEN THE SIDEWALK AND BACK OF CURB WHERE FIVE FEET IS REQUIRED ADJACENT TO ARTERIAL STREETS on 0.22 acres at 4236 East Charleston Boulevard (APN 140-31-802-005), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

DIRECTOR'S BUSINESS:

21. **ABEYANCE - DIR-36987 - DIRECTORS BUSINESS - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - Progress report by the Planning & Development Department regarding the City's Sustainability Initiative

22. **DIR-37289 - DIRECTOR'S BUSINESS - PUBLIC HEARING** - Presentation by the Planning & Development Department regarding the Complete Streets initiative.

CITIZENS PARTICIPATION:

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

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 25, 2010

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: FEBRUARY 25, 2010

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 FEBRUARY 25, 2010

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 FEBRUARY 25, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

SUBJECT:
APPROVAL OF THE FINAL MINUTES FOR THE PLANNING COMMISSION MEETING OF JANUARY 28, 2010

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

AGENDA SUMMARY PAGE

PLANNING COMMISSION MEETING OF: FEBRUARY 25, 2010

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: FEBRUARY 25, 2010

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

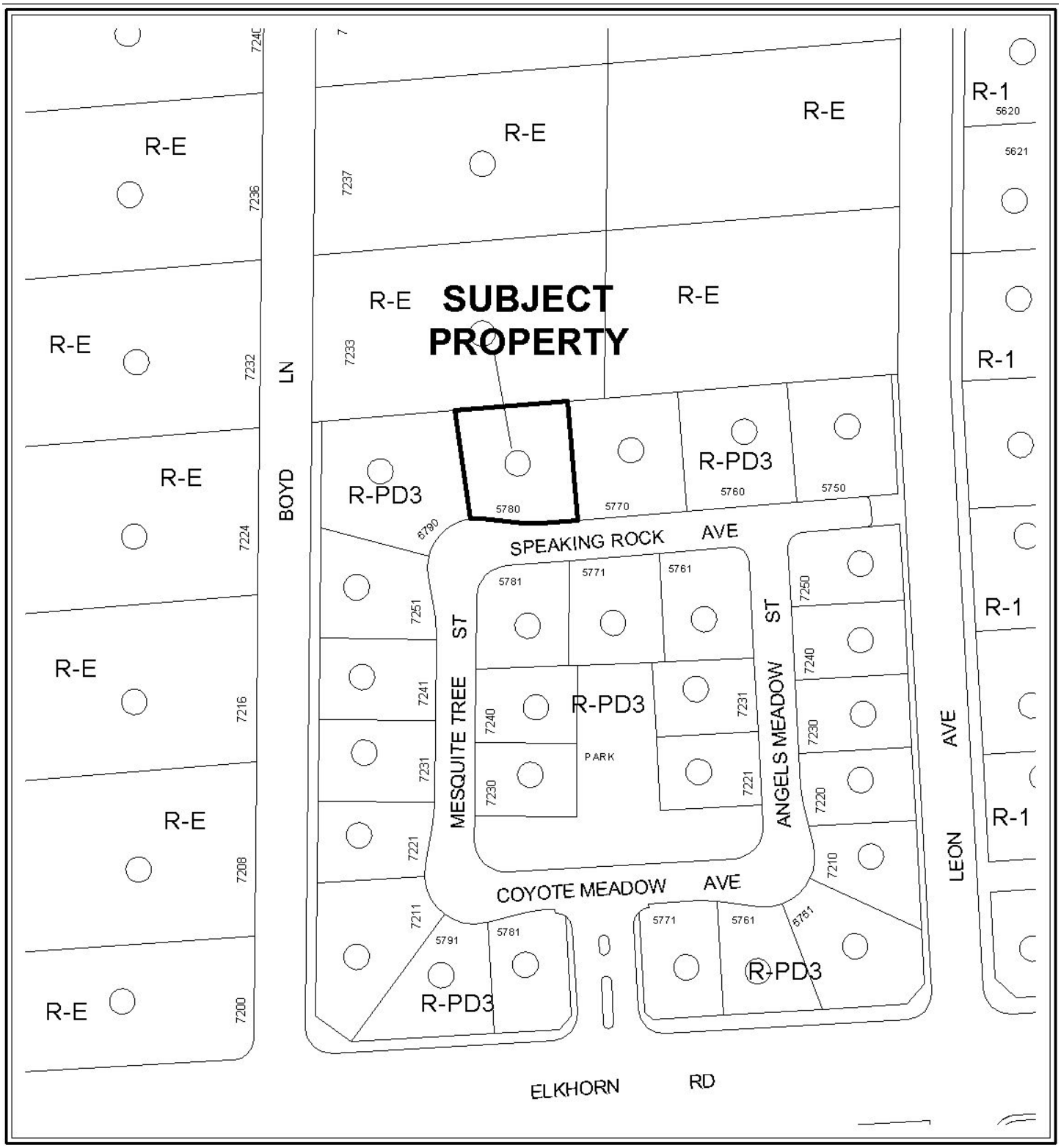
SUBJECT:
EOT-37243 - EXTENSION OF TIME - VARIANCE - APPLICANT/OWNER: RICHARD P. BROOKS AND GRACHELLE G. NESCHKE - Request for an Extension of Time of a previously approved Variance (VAR-25967) TO ALLOW A SIX-FOOT REAR YARD SETBACK WHERE A 15-FOOT REAR YARD SETBACK IS REQUIRED FOR A PROPOSED 1,435 SQUARE-FOOT ADDITION TO AN EXISTING SINGLE-FAMILY RESIDENCE on 0.28 acres at 5780 Speaking Rock Avenue (APN 125-13-414-012), R-PD3 (Residential Planned Development - 3 Units Per Acre) Zone, Ward 6 (Ross)

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:
Staff recommends APPROVAL, subject to conditions:

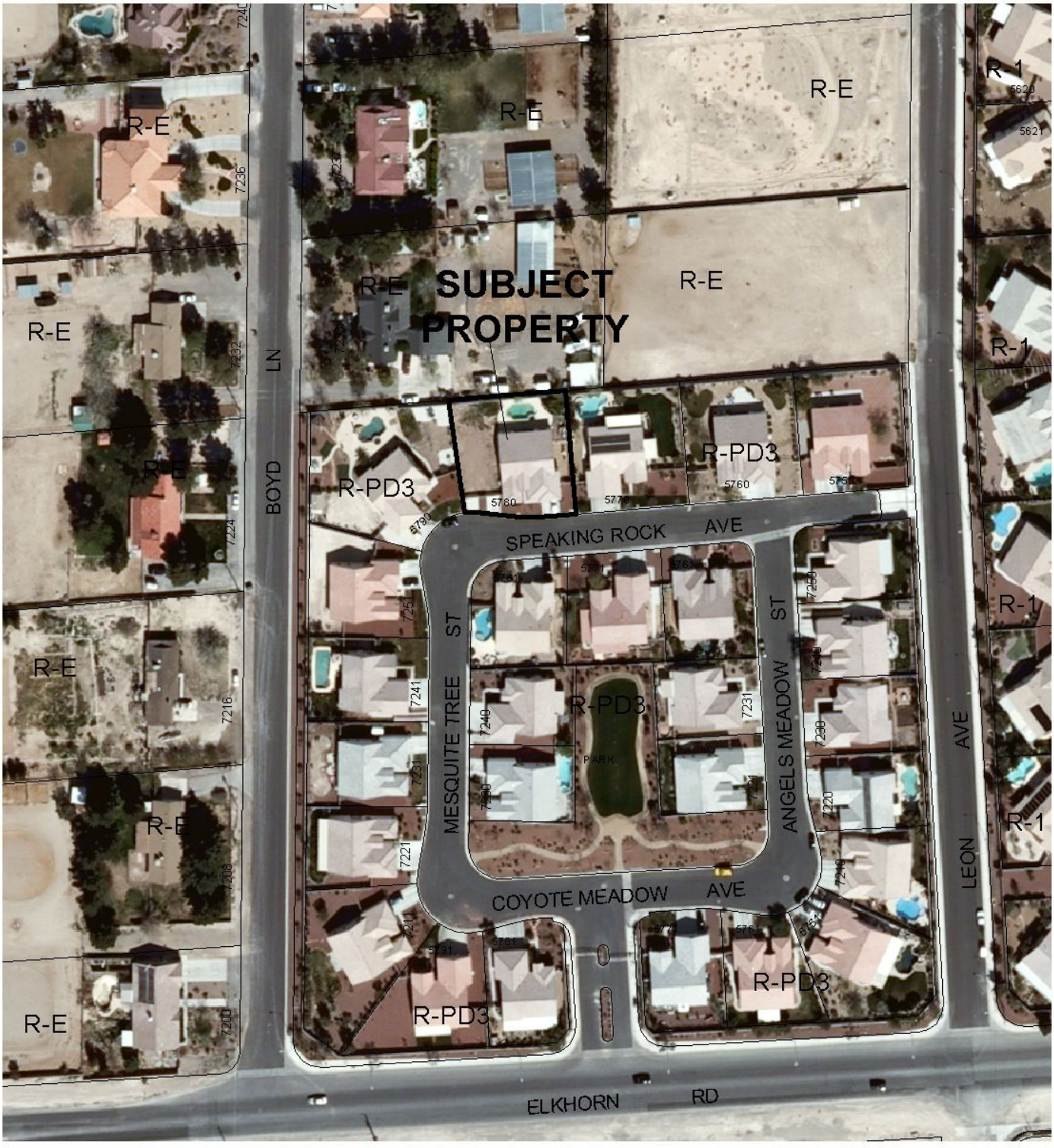
BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Planning Commission Approval Letter for EOT-33086
7. Planning Commission Approval Letter for VAR-25967



CASE: **EOT-37243**

ZONING OF SUBJECT PROPERTY:

R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)



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CASE: **EOT-37243**

ZONING OF SUBJECT PROPERTY:
R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-37243 - APPLICANT/OWNER: RICHARD P. BROOKS AND GRACHELLE G. NESCHKE

** CONDITIONS **

Staff recommends APPROVAL, subject to conditions:

Planning and Development

1. This Variance (VAR-25967) shall expire on 01/24/11, unless another Extension of Time is approved by the Planning Commission.

2. Conformance to all applicable conditions of approval for Variance (VAR-25967) as required by the Planning and Development Department.

EOT-37243 - Staff Report Page One
February 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for an Extension of Time of a previously approved Variance (VAR-25967) to allow a six-foot rear yard setback where a 15-foot rear yard setback is required for a proposed 1,435 square-foot addition to an existing single-family residence on 0.28 acres at 5780 Speaking Rock Avenue. A permit has not been issued for the proposed addition. According to the applicant, there has been a delay in providing acceptable structural plans and additional time is needed. Staff has no objection to the request and recommends approval. If denied, the Variance approval would be allowed to expire.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales	
09/01/99	The City Council accepted the applicant's request to Withdraw without Prejudice a request for a Rezoning (Z-0038-99) from R-E (Residence Estates) to R-PD3 (Residential Planned Development – 3 Units per Acre) on 10 acres located at the northwest corner of Elkhorn Road and Leon Avenue. The Planning Commission and staff recommended denial of this application.
09/07/99	The Board of Zoning Adjustment accepted the applicant's request to Withdraw without Prejudice a request for a Variance (V-0057-99) to allow zero feet of open space where 21,549 square feet is the minimum required in conjunction with a proposed single-family development located at the northwest corner of Elkhorn Road and Leon Avenue.
12/15/99	The City Council approved a request for a Rezoning (Z-0069-99) from R-E (Residence Estates) to R-PD3 (Residential Planned Development - 3 Units per Acre) on 9.70 acres located at the northwest corner of Elkhorn Road and Leon Avenue. The Planning Commission and staff recommended approval of this request.
12/15/99	The City Council approved a Petition to Vacate portions of Boyd Lane and Leon Avenue between Severance Lane and Elkhorn Road (VAC-0050-99). The Planning Commission and staff recommended approval.
02/21/01	The City Council approved a request for an Extension of Time [Z-0069-99(1)] of an approved Rezoning (Z-0069-99) from R-E (Residence Estates) to R-PD3 (Residential Planned Development - 3 Units per Acre) on 9.70 acres located at the northwest corner of Elkhorn Road and Leon Avenue. The Planning Commission and staff recommended approval of this request.
03/22/01	The Planning Commission approved a request for a Site Development Plan Review [Z-0069-99(2)] for a proposed 27-lot single-family residential subdivision on 9.59 acres at the northwest corner of Elkhorn Road and Leon Avenue. Staff recommended approval of this request.

04/26/01	The Planning Commission approved a Tentative Map (TM-0013-01) for a 27-lot single-family residential subdivision (Elkhorn/Leon II) on 9.59 acres located at the northwest corner of Elkhorn Road and Leon Avenue. Staff recommended approval of this request.
01/24/08	The Planning Commission approved a request for a Variance (VAR-25967) to allow a six-foot, 10-inch rear yard setback where a 15-foot rear yard setback is required for a proposed 1,435 square-foot addition to an existing single-family residence on 0.28 acres at 5780 Speaking Rock Avenue. Staff recommended denial of this request.
03/12/09	The Planning Commission approved an Extension of Time (EOT-33086) of a previously approved Variance (VAR-25967) to allow a six-foot, 10-inch rear yard setback where a 15-foot rear yard setback is required for a proposed 1,435 square-foot addition to an existing single-family residence on 0.28 acres at 5780 Speaking Rock Avenue. Staff recommended approval.
Related Building Permits/Business Licenses	
08/15/01	A building permit was issued (#01014762) for a single-family residence at 5780 Speaking Rock Avenue. The permit received final approval 12/28/01.
11/30/01	A building permit (#01020888) was issued for a pool/spa at 5780 Speaking Rock Avenue. The permit received final approval 03/13/02.
11/15/07	A building permit (#102204) was issued for a 13-foot by 7.5-foot shed at 5780 Speaking Rock Avenue. A final inspection has not been completed.
04/18/08	An application for a building permit (#113320) for an attached room and basement addition was submitted for approval. The permit is pending structural review.
Pre-Application Meeting	
A pre-application meeting was neither required nor held for this request.	
Neighborhood Meeting	
A neighborhood meeting is not required, nor was one held.	

Field Check	
02/09/10	A field check was conducted by staff. A well maintained, single-family residence was observed.

Details of Application Request	
Site Area	
Net Acres	0.28

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-E (Residence Estates)
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	R (Rural Density Residential)	R-PD3 (Residential Planned Development – 3 Units per Acre)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.06.040, development standards for R-PD districts are established by the approval of a Site Development Plan Review. The following development standards were established by Site Development Plan Review [Z-0069-99(2)]:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	7,200 SF	12,272 SF	Y
Min. Setbacks			
• Front	15 Feet	15 Feet	Y
• Side	5 Feet	6 Feet	Y
• Rear	15 Feet	6 Feet	Y*
Max. Building Height	2 Stories/35 Feet	1 Story/14 Feet	Y

**Per Variance (VAR-25967), approved 01/24/08.*

ANALYSIS

This is the second request for an Extension of Time for the subject Variance (VAR-25967), which was approved by the Planning Commission on 01/24/08. The applicant indicates that its structural engineer has been working to provide final plans to the City of Las Vegas; however, the structural engineer has encountered delays. The applicant states this issue is being remedied and requests additional time. A review of the building permits for the subject property confirms that the city of Las Vegas is awaiting structural plan revisions.

FINDINGS

The subject site remains in a similar condition as to the original approval. There have been no notable changes to the surrounding land uses since the Variance was originally approved, and the applicant has submitted building permits which are currently in the review process. Approval of this request will allow the applicant and its structural engineer additional time to submit requested drawings in order to continue with the permitting process. The Departments of Planning and Development and Public Works have no objection to this request for a one-year Extension of Time.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 14

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **EOT-37243** APN: 125-13-414-012

Name of Property Owner: RICHARD BROOKS

Name of Applicant: RICHARD BROOKS

Name of Representative: RICHARD BROOKS

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: Richard P. Brooks

Print Name: RICHARD BROOKS

Subscribed and sworn before me

This 22 day of January, 20 10

_____

Notary Public in and for said County and State

State of Nevada
County of Clark

DIANA M. LINDEN
Notary Public State of Nevada
No. 09-10335-1
My appt. exp. June 12, 2013

PLANNING & DEVELOPMENT
CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: ATTACHED GUEST HOUSE & BASEMENT GAMEROOM

Project Address (Location) 5780 SPEAKING ROCK AVE

Project Name _____ **Proposed Use** RESIDENTIAL

Assessor's Parcel #(s) 125-13-414-012 **Ward #** 6

General Plan: existing RURAL proposed _____ **Zoning:** existing RPD3 proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres .28 ACRES **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER RICHARD BROOKS **Contact** RICHARD BROOKS

Address 5780 SPEAKING ROCK AVE **Phone:** 304-5903 **Fax:** _____

City LAS VEGAS **State** NV **Zip** 89131

E-mail Address _____

APPLICANT RICHARD BROOKS **Contact** _____

Address 5780 SPEAKING ROCK AVE **Phone:** _____ **Fax:** _____

City LAS VEGAS, NV **State** NV **Zip** 89131

E-mail Address _____

REPRESENTATIVE _____ **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

Property Owner Signature* Richard P. Brooks

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name RICHARD P. BROOKS

Subscribed and sworn before me

This 22 day of January, 20 10.

Notary Public in and for said County and State

State of Nevada
County of Clark

DIANA M. LINDEN
Notary Public State of Nevada
No. 09-10335-1
My appt. exp. June 12, 2013

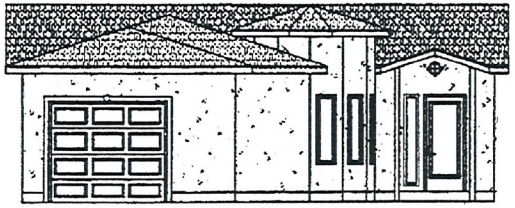
FOR DEPARTMENT USE ONLY

Case #	EOT-37243
Meeting Date:	3/3/10
Total Fee:	$300
Date Received:*	1/22/10
Received By:	Romeo

*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

Revised 10/27/08

A NEW
CUSTOM GUEST HOME



TO BE BUILT BY:

THE BROOKS FAMILY

TO BE BUILT AT:

5780 SPEAKING ROCK AVENUE

LAS VEGAS, NEVADA

CLARK COUNTY

CLARK COUNTY, NEVADA

SQUARE FOOTAGE	
MAIN FLOOR	809 SQ. FT.
GARAGE	230 SQ. FT.

RECEIVED
JAN 27 2010

DESIGN CRITERIA

CODES- IRC, IPC, IMC, NEC
ORDINANCES- CLARK COUNTY
RESIDENT FLOOR LL - 40 PSF

LOADS
SEISMIC D:
SOILS 2500 PSF
17° ROOF

3RD +FTH

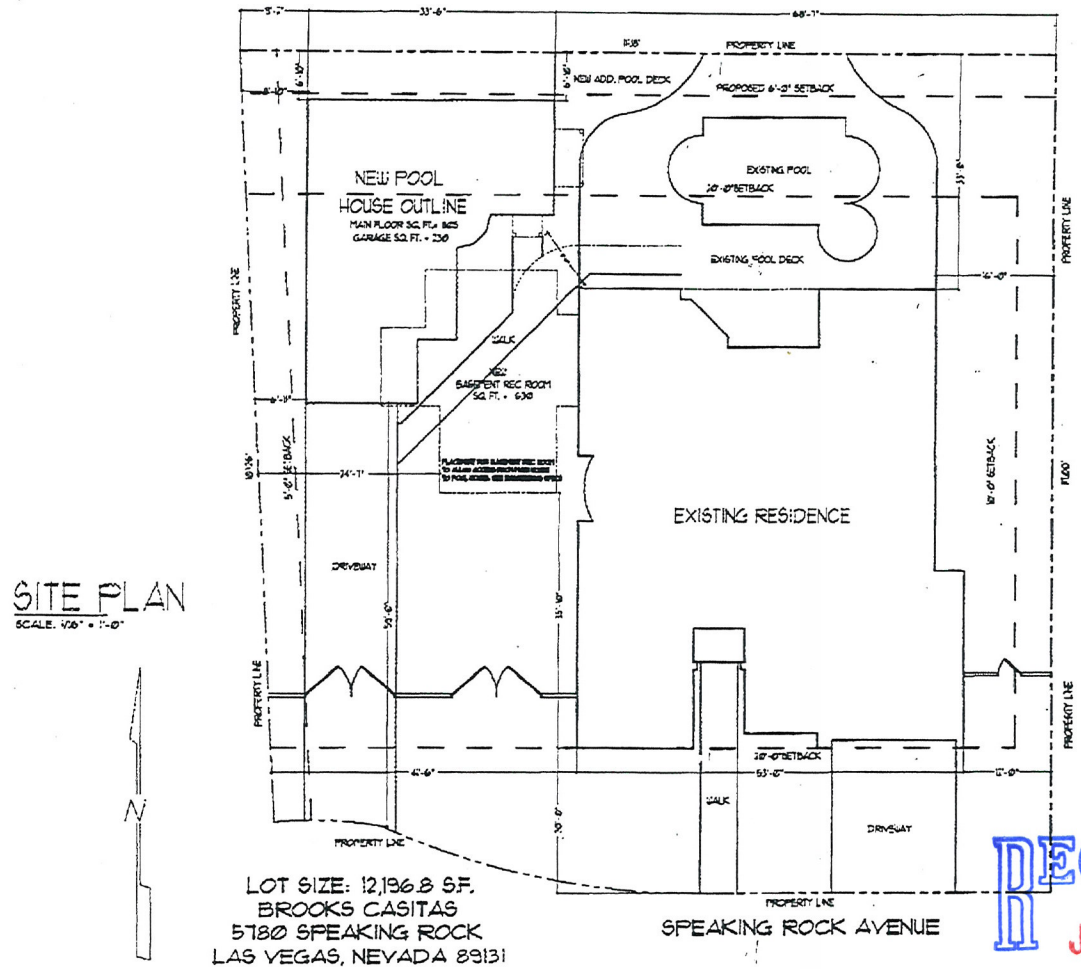
DECEMBER 2007

THIS SET OF PLANS HAS BEEN DESIGNED TO MEET ALL LOCAL CODES AND SPECIFICATIONS. THEY ARE NOT INTENDED TO MEET OR APPLY ENGINEERING STANDARDS CONTRACTOR TO VERIFY ALL BUILDING PRACTICES

A NEW CUSTOM POOL HOUSE
THIS PROJECT TO BE BUILT AT:
5780 SPEAKING ROCK AVENUE
LAS VEGAS, NEVADA
OWNER/BUILDER:
BRIAN BROOKS

TITLE PAGE
DRWN BY: RB
DATE: DEC 2007
SCALE: NOT TO SCALE
Sheet Number
T-1.1

EOT-37243
02/25/10 PC



SITE PLAN

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

RECEIVED
JAN 27 2010

DECEMBER 2007

THIS SET OF PLANS HAS BEEN DESIGNED TO MEET ALL LOCAL CODES AND SPECIFICATIONS. THEY ARE NOT INTENDED TO MEET OR APPLY ENGINEERING STANDARDS. CONTRACTOR TO VERIFY ALL BUILDING PRACTICES.

A NEW CUSTOM POOL HOUSE

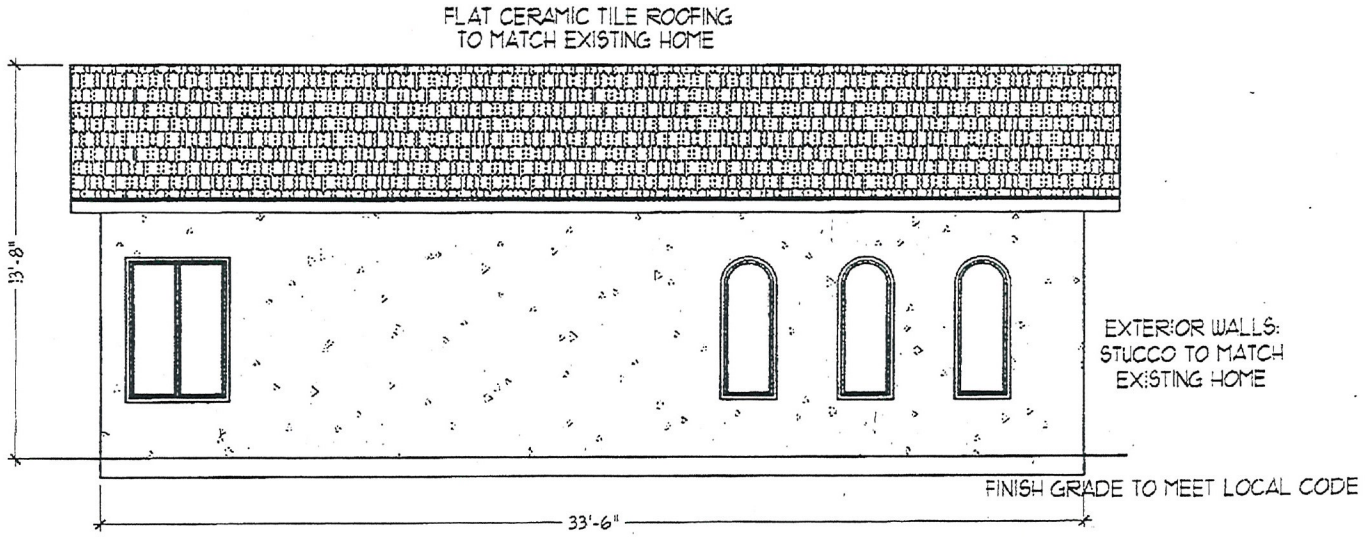
THIS PROJECT TO BE BUILT AT:
5780 SPEAKING ROCK AVENUE
LAS VEGAS, NEVADA.

OWNER/BUILDER:
RICHARD BROOKS

SITE PLAN
DRWN BY: RB
DATE: DEC 2007
SCALE: NOT TO SCALE
Sheet Number
S1

EOT-37243
02/25/10 PC

11X17 IS HALF SCALE



NORTH ELEVATION

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

RECEIVED
JAN 27 2010

DECEMBER 2009

THIS SET OF PLANS HAS BEEN DESIGNED TO MEET ALL LOCAL CODES AND SPECIFICATIONS. THEY ARE NOT INTENDED TO MEET OR APPLY ENGINEERING STANDARDS. CONTRACTOR TO VERIFY ALL BUILDING PRACTICES.

A NEW CUSTOM POOL HOUSE

THIS PROJECT TO BE BUILT AT:
5780 SPEAKING ROCK AVENUE
LAS VEGAS, NEVADA

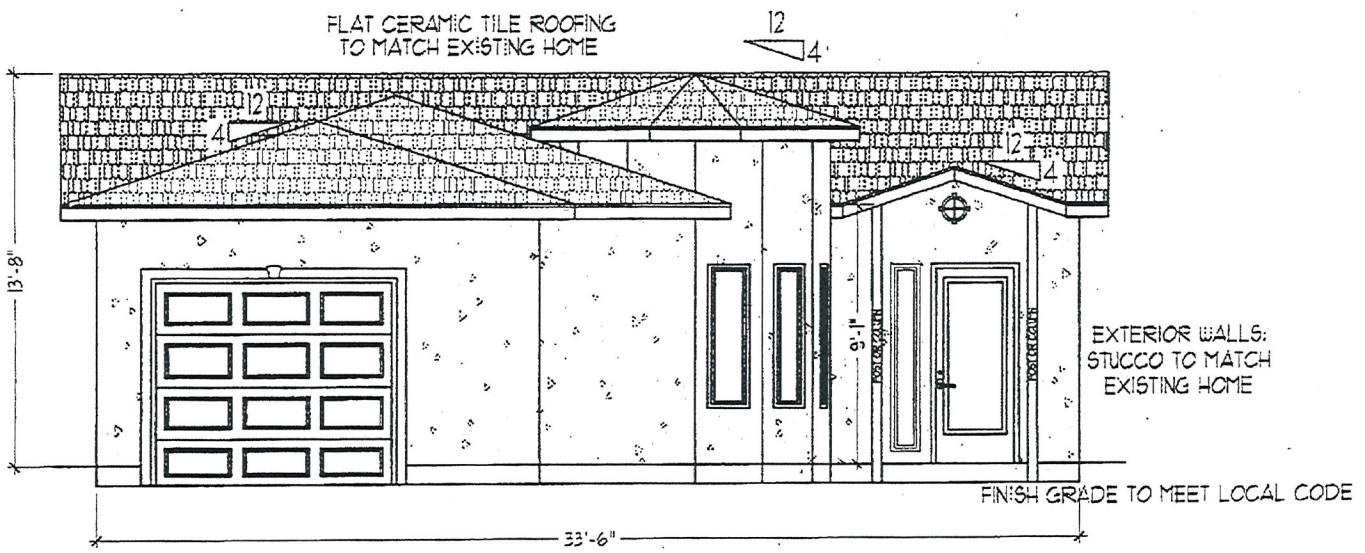
OWNER/BUILDER:
RICHARD BROOKS

REAR ELEVATION

DRWN BY: RB
DATE: DEC 2009
SCALE: 1/4" = 1'-0"

Sheet Number
A-103

EOT-37243
02/25/10 PC



SOUTH ELEVATION

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

RECEIVED
JAN 27 2010

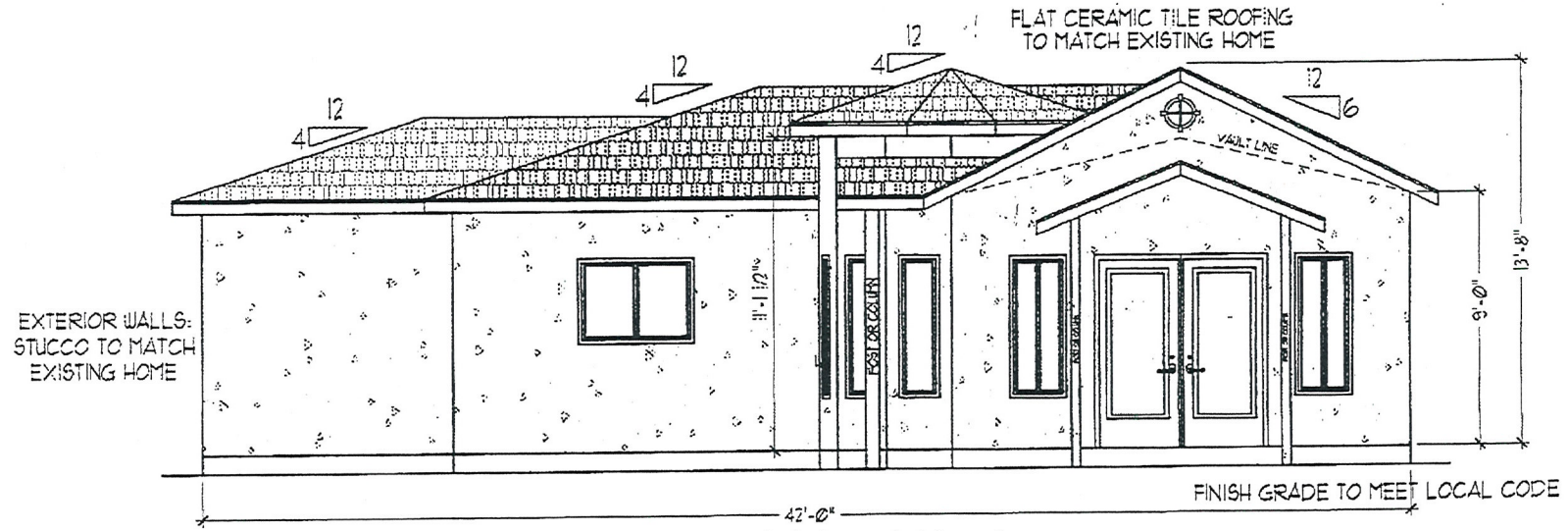
DECEMBER 2009

THIS SET OF PLANS HAS BEEN DESIGNED
TO MEET ALL LOCAL CODES AND
SPECIFICATIONS. THEY ARE NOT INTENDED
TO MEET OR SPELL ENGINEERING STANDARDS.

A NEW CUSTOM POOL HOUSE
THIS PROJECT TO BE BUILT AT:
5180 SPEAKING ROCK AVENUE
LAS VEGAS, NEVADA
OWNER/BUILDER:

FRONT ELEVATI
DRN BY: RB
DATE: DEC 2009
SCALE: 1/4" = 1'-0"
Sheet Number
A-102

EOT-37243
02/25/10 PC



EAST ELEVATION

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

RECEIVED
JAN 27 2010

DECEMBER 2009

THIS SET OF PLANS HAS BEEN DESIGNED TO MEET ALL LOCAL CODES AND SPECIFICATIONS. THEY ARE NOT INTENDED TO MEET OR APPLY ENGINEERING STANDARDS. CONTRACTOR TO VERIFY ALL BUILDING PRACTICES

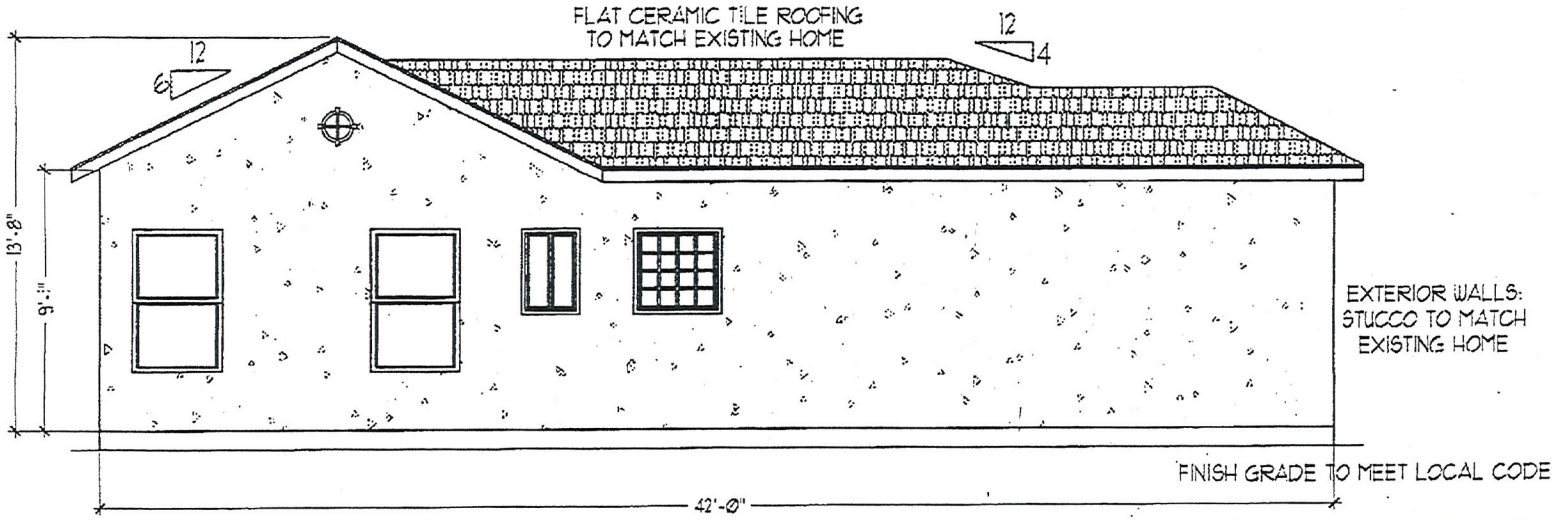
A NEW CUSTOM POOL HOUSE

THIS PROJECT TO BE BUILT AT:
5180 SPEAKING ROCK AVENUE
LAS VEGAS, NEVADA

OWNER/BUILDER:
RICHARD BROOKS

E-SIDE ELEVATIO
DRWN BY: RB
DATE: DEC 2009
SCALE: 1/4" = 1'-0"
Sheet Number
A-104

EOT-37243
02/25/10 PC



WEST ELEVATION

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

RECEIVED
JAN 27 2010

DECEMBER 2007

THIS SET OF PLANS HAS BEEN DESIGNED
TO MEET ALL LOCAL CODES AND
SPECIFICATIONS. THEY ARE NOT INTENDED
TO MEET OR SPELT ENGINEERING STANDARDS.

A NEW CUSTOM POOL HOUSE

THIS PROJECT TO BE BUILT AT:
5180 SPEAKING ROCK AVENUE
LAS VEGAS, NEVADA

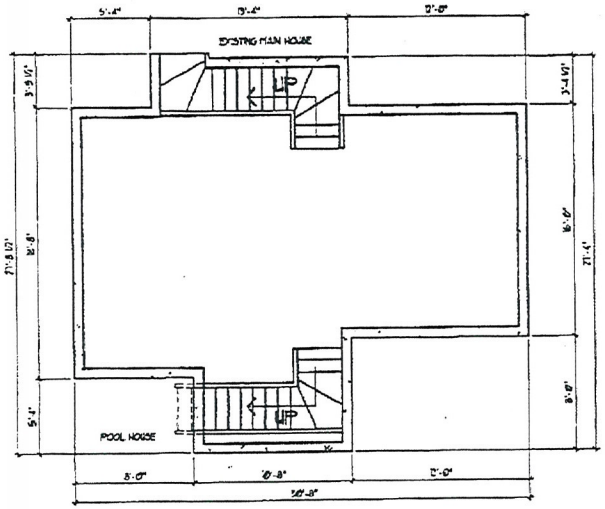
OWNER/BUILDER:

L-SIDE ELEVAT

DRAWN BY: RS
DATE: DEC 2007
SCALE: 1/4" = 1'-0"

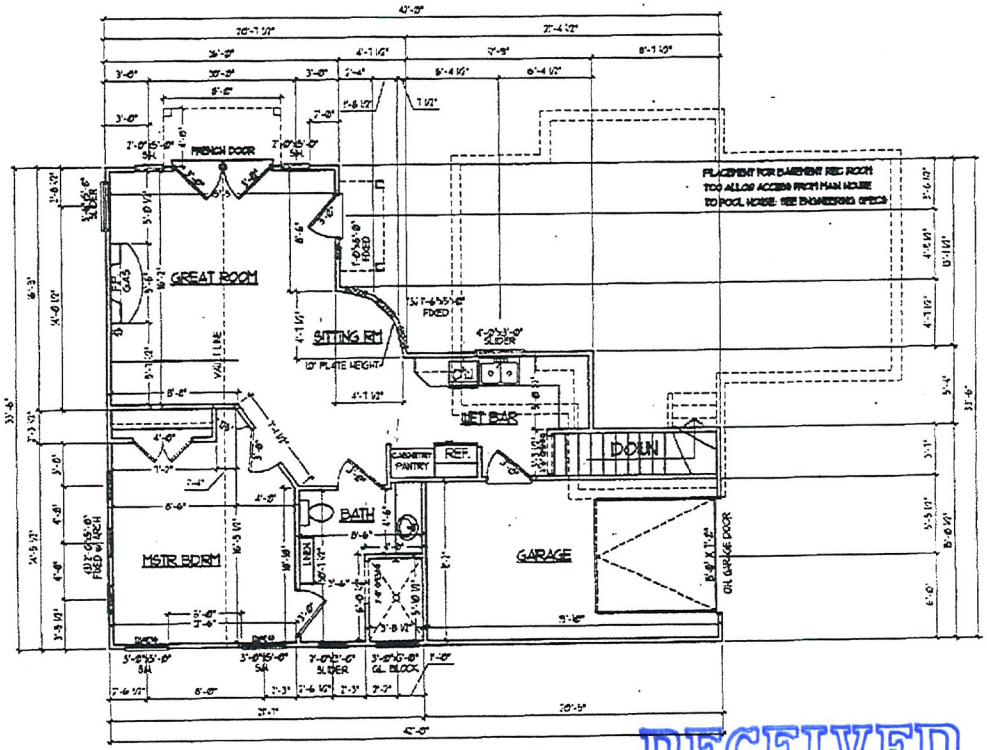
Sheet Number
A-10

EOT-37243
02/25/10 PC



BASEMENT REC ROOM PLAN

SCALE: 1/8" = 1'-0"
MAIN FLOOR SQ. FT. = 182



MAIN LEVEL FLOOR PLAN

SCALE: 1/8" = 1'-0"
MAIN FLOOR SQ. FT. = 805
GARAGE SQ. FT. = 720

RECEIVED
JAN 27 2010

DECEMBER 2007

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TO MEET ALL LOCAL CODES AND
SPECIFICATIONS. THEY ARE NOT INTENDED
TO MEET OR APPLY ENGINEERING STANDARDS.

A NEW CUSTOM POOL HOUSE

THIS PROJECT TO BE BUILT AT:
5180 SPEAKING ROCK AVENUE
LAS VEGAS, NEVADA

OWNER/BUILDER:

MAIN FLOOR PL

DRWN BY: RB
DATE: DEC 2007
SCALE: 1/4" = 1'-0"

Sheet Number
A-101

EOT-37243
02/25/10 PC

Justification Letter for:

CLV Project # 113320-R-08

JAN 22, 2010

I am applying for an extension of time of one year for the variance that was approved for this project. After receiving approval for the variance, we began working with our structural engineer to provide final plans in order to receive our permit. Our structural engineer has been slow to provide the additional items and information requested of us by Lillian Beltran, the structural plans examiner. This issue is being remedied. Permits have been submitted and are in the review process. Please grant my request for a one year extension on our variance so that I may have the time to complete the review process for Permits.

Thank You.

Richard P. Brooks

Richard P. Brooks
5780 Speaking Rock Ave.
Las Vegas, NV 89131
702-304-5903
702-375-3993

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JAN 27 2010

Project # 113320-R-08
APN 125-13-414-012

EOT-37243
02/25/10 PC

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW
DAVID W. STEINMAN
(INTERIM)

ELIZABETH N. FRETWELL
CITY MANAGER

March 13, 2009

Mr. Richard Brooks
5780 Speaking Rock
Las Vegas, Nevada 89131

RE: EOT-33086 - EXTENSION OF TIME

Dear Mr. Brooks:

Your request for an Extension of Time of an approved Variance (VAR-25967) TO ALLOW A SIX-FOOT REAR YARD SETBACK WHERE A 15-FOOT REAR YARD SETBACK IS REQUIRED FOR A PROPOSED 1,435 SQUARE-FOOT ADDITION TO AN EXISTING SINGLE-FAMILY RESIDENCE on 0.28 acres at 5780 Speaking Rock Avenue (APN 125-13-414-012), R-PD3 (Residential Planned Development - Units Per Acre) Zone, Ward 6 (Ross), was considered by the Planning Commission on March 12, 2009.

The Planning Commission voted to recommend ***APPROVAL*** of your request, subject to the following:

1. Conformance to the conditions for Variance (VAR-25967) shall be required, approved.

2. This Variance (VAR-25967) shall expire on 01/24/10, unless another Extension of Time is approved by the Planning Commission.

This action by the Planning Commission on **March 12, 2008** is final unless a written appeal is field within the City Clerk within 10 days of the date of the Planning Commission's decision or there is a review action filed by the City Council within the same time period. The Notice of Final Action was filed with the Las Vegas City Clerk on ***March 13, 2008***.

Sincerely,

Peter Lowenstein, AICP
Planning Supervisor
Case Planning Division

PL:nl

RECEIVED
JAN 27 2010

EOT-37243
02/25/10 PC

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

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

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PLANNING & DEVELOPMENT

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

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

January 25, 2008

Mr. Richard Brooks
5780 Speaking Rock Avenue
Las Vegas, Nevada 89131

RE: VAR-25967 - VARIANCE

Dear Mr. Brooks:

Your request for a Variance TO ALLOW A SIX-FOOT, 10-INCH REAR YARD SETBACK WHERE A 20-FOOT REAR YARD SETBACK IS REQUIRED FOR A PROPOSED 1,435 SQUARE FOOT ADDITION TO AN EXISTING SINGLE FAMILY RESIDENCE on 0.28 acres at 5780 Speaking Rock Avenue (APN 125-13-414-012), R-PD3 (Residential Planned Development - 3 Units Per Acre) Zone, Ward 6 (Ross), was considered by the Planning Commission on January 24, 2008.

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

Planning and Development

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

2. The addition area shall not be rented and shall not contain a kitchen.

This action by the Planning Commission is final. The notice of final action was filed with the City Clerk on ***January 25, 2008***.

Sincerely,

Andrew P. Reed

Andrew P. Reed, AICP
Planning Supervisor
Current Planning Division

AR:clb

RECEIVED
JAN 27 2010

Mayor
Oscar B. Goodman

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

City Manager
Douglas A. Selby

EOT-37243
02/25/10 PC

07101-001-06-07

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 25, 2010

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

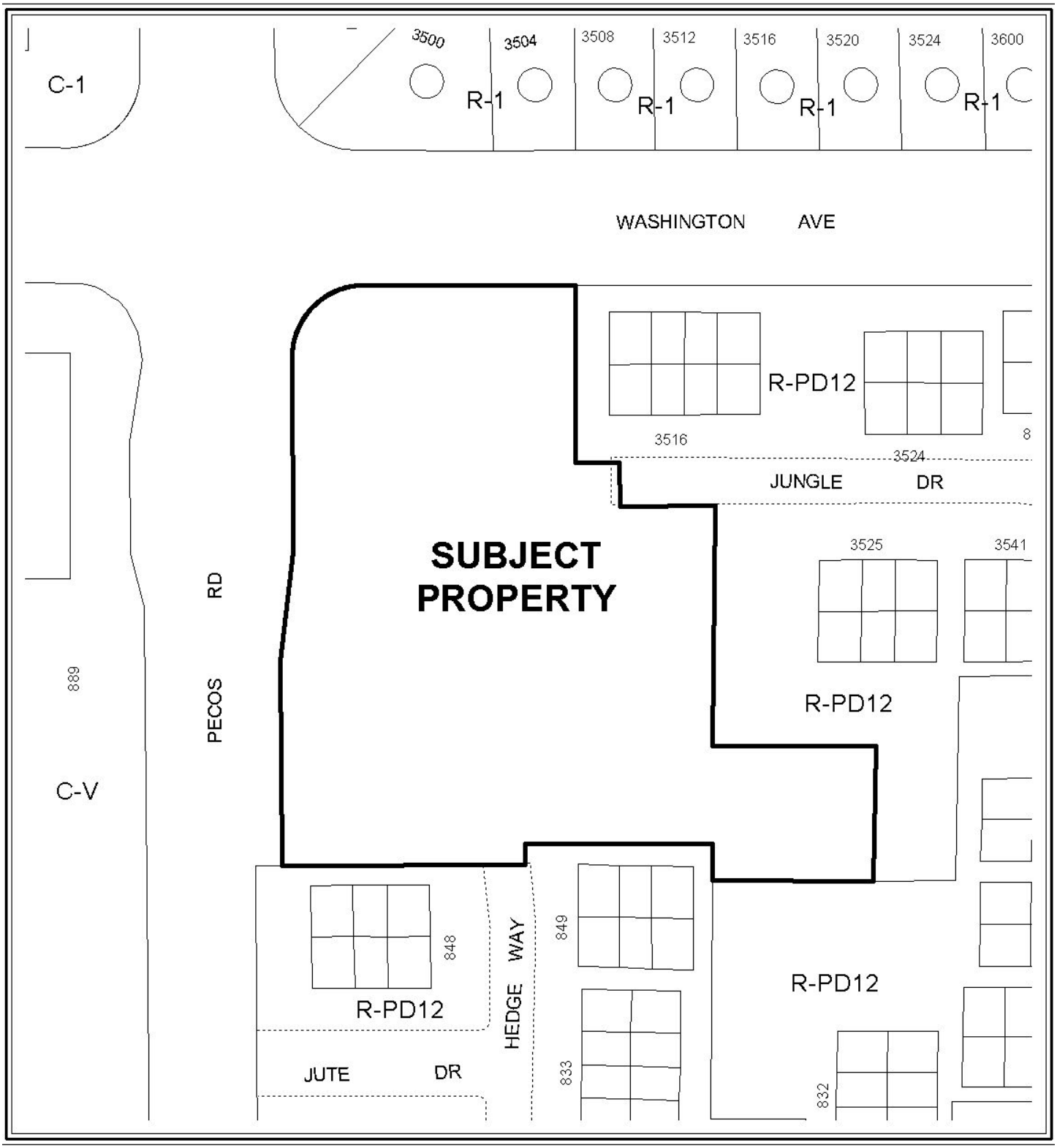
SUBJECT:
TMP-37217 - TENTATIVE MAP - WASHINGTON/PECOS - APPLICANT/OWNER: REBEL OIL COMPANY, INC. - Request for a Tentative Map FOR A ONE-LOT COMMERCIAL SUBDIVISION on 2.39 acres at 3505 East Washington Avenue (APN 140-30-301-001), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

P.C.: FINAL ACTION (Unless Appealed Within 7 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



CASE: **TMP-37217**

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

0 100 200 Feet

CASE: **TMP-37217**

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: TMP-37217 - APPLICANT/OWNER: REBEL OIL COMPANY, INC.

** CONDITIONS **

Staff recommends APPROVAL, subject to conditions:

Planning and Development

1. Approval of the Tentative Map shall be for no more than four (4) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within four (4) years of the approval of the Tentative Map, this action is void.

2. All development shall conform to the Conditions of Approval for Site Development Plan Reviews (SDR-28320 and SDR-36797), Special Use Permit (SUP-28323), Rezoning (ZON-28325) and Variance (VAR-28326).

3. Street names must be provided in accordance with the City's Street Naming Regulations.

4. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions ("CC&R"), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements ("DPMR") as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.

5. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

6. If a Petition of Vacation, such as VAC-35041, has recorded at the time of recordation of the Final Map for this site, the recorded document number for the Order of Vacation shall be shown on the Final Map. All existing easements shall be shown on the Final Map for this site, including the document number for the private sewer easement at the southern boundary of this site in favor of Assessor's Parcel Number 140-30-313-000. Additionally, provide a note on the Final Map which states "No new permanent structures or landscaping taller than 3 feet shall be allowed within public sewer easements".

7. Sewer service for this commercial subdivision shall be shown in accordance with one of the following three alternatives, and the appropriate Note shall appear on the face of the recorded Final Map:

   I. Onsite sewers, 8-inches in diameter or larger, are public sewers within 20 foot wide dedicated public sewer easements.
   II. Onsite sewers are a common element privately owned and maintained per the Conditions, Covenants, and Restrictions (CC&Rs) of this commercial subdivision.
   III. Onsite sewers are a common element privately owned and maintained per the Joint Use Agreement of this Commercial Subdivision.

8. 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.

9. In accordance with the intent of a Commercial Subdivision, all sites within this subdivision shall have perpetual common access to all driveways connecting this site to the abutting streets and a note to this effect shall appear on the Final Map for this site. No barriers (e.g. curbs, wall, etc.) shall be erected within the boundaries of the overall commercial subdivision map site which would prohibit any vehicle on this site from utilizing any driveway connecting this commercial development site to the abutting public streets.

10. All subdivided parcels comprising this commercial subdivision shall provide perpetual intersite common drainage rights across all existing and future parcel limits and a note to this effect shall appear on the Final Map for this site.

11. Site Visibility Restriction Zones (S.V.R.Z.) adjacent to public streets shall be indicated on civil improvement plans, not on Final Maps, and shall include the following note: "No walls, fences, trees, shrubs, utility appurtenances or any other object, other than traffic control devices and street light poles, may be constructed or installed within the Sight Visibility Restriction Zone (S.V.R.Z.) unless said object is maintained at less than 24 inches in height measured from adjacent top of curb, or where no curb exists, a height of 27 inches measured from the top of adjacent asphalt, gravel, or pavement street surface". Area shall be labeled as "Privately Maintained".

12. Site development to comply with all applicable conditions of approval for SDR-28320 and all other site-related actions.

13. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

TMP-37217 - Staff Report Page One
February 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Tentative Map for a one-lot commercial subdivision on 2.39 acres at the southeast corner of Washington Avenue and Pecos Road. The applicant is proposing a one-lot commercial subdivision with an approved Site Development Plan Review (SDR-28320) for a 14,815 square-foot commercial development and approved Minor Site Development Plan Review (SDR-36797) for an additional 895 square feet of retail space for a total of 15,710 square-feet commercial space within the proposed commercial subdivision.

As this request is appropriate for Title 19, and in compliance with both approved Site Development Plan Reviews (SDR-28320 and SDR-36797), staff recommends approval of this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
11/15/00	The City Council approved a request to amend a portion of the Southeast Sector of the General Plan (GPA-0025-00) from M (Medium Density Residential) to SC (Service Commercial), a request for a Rezoning (Z-0079-00) from R-1 (Single Family Residential) under Resolution of Intent to R-3 (Medium Density Residential) to C-1 (Limited Commercial) and a Site Development Plan Review [Z-0079-00(1)] with a Waiver of the required landscaping for a proposes 21,425 square-foot commercial center on 3.05 acres on the southeast corner of Washington Avenue and Pecos Road. The Planning Commission recommended approval of these requests while staff recommended denial.
04/12/01	The Planning Commission approved a request for a Tentative Map (TM-0010-01) for one lot commercial subdivision on 3.05 acres on the southeast corner of Washington Avenue and Pecos Road. Staff recommended approval of this request.
02/05/03	The City Council approved a request for an Extension of Time (EOT-1287) on an approved Rezoning (Z-0079-00) from R-1 (Single Family Residential) under Resolution of Intent to R-3 (Medium Density Residential) to C-1 (Limited Commercial) on 3.05 acres adjacent to the southeast corner of Washington Avenue and Pecos Road. The Planning Commission and staff recommended approval of this request.

09/17/08	The City Council approved a request for a Site Development Plan Review (SDR-28320) for a 4,618 square-foot Convenience Store with Fuel Pumps; a 748 square-foot Restaurant with Drive Through; a 2,608 square-foot Restaurant with Drive Through and a 9,449 square-foot retail building with a Waiver to allow a six-foot three-inch side yard landscape buffer where eight feet is required, a Rezoning (ZON-28325) to change the zoning designation from R-1 (Single Family Residential) to C-1 (Limited Commercial), a Special Use Permit (SUP-28323) for a Beer/Wine/Cooler Off-Sale Establishment within a proposed Convenience Store; and a Variance (VAR-28326) to allow a 11.33-foot setback where residential adjacency requires 60 feet at the southeast corner of Washington Avenue and Pecos Road. The Planning Commission recommended approval of these requests.
09/16/09	The City Council approved a request for a Vacation (VAC-35041) of a 10-foot wide public sewer easement located on the east side of Pecos Road approximately 140 feet south of Washington Avenue. The Planning Commission and staff recommended approval of this request.
01/14/10	A request for a Minor Site Development Plan Review for a Minor Amendment (SDR-28320) to an approved Site Development Plan Review (SDR-36797) for a proposed 15,710 square-foot commercial development at the southeast corner of Washington Avenue and Pecos Road was administratively approved.
Related Building Permits/Business Licenses	
12/07/09	Building plans for commercial development have been submitted (#36865) and are currently under review.
Pre-Application Meeting	
01/14/10	A pre-application meeting was held where the submittal requirements for a Tentative Map were discussed with the following items: • Show current zoning as C-1 • Label net acreage per assessed acreage after dedication of ROW. • Show separate wall elevations indicating worst case retaining/screening scenario. • No note allowing cross access and parking across entire site and will be allowed if on final map. • Change applicant to Rebel Oil Company, Inc and remove JHR as applicant.
Neighborhood Meeting	
A neighborhood meeting is not required for this application, nor was one held.	
Field Check	
01/21/10	A field check was conducted by staff. The site is vacant and undeveloped, with an unpermitted chain link fence on the north portion of the parcel. The property is partially disturbed with heavy equipment on site.

Details of Application Request	
Site Area	
Gross Acres	2.39

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	Condominium Development	ML (Medium Low Density Residential)	R-PD12 (Residential Planned Development – 12 Units per Acre)
East	Condominium Development	ML (Medium Low Density Residential)	R-PD12 (Residential Planned Development – 12 Units per Acre)
West	City Park	PR-OS (Parks/ Recreation/Open Space)	C-V (Civic)

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

ANALYSIS

This is a request for a Tentative Map for a one-lot commercial subdivision on 2.39 acres at the southeast corner of Washington Avenue and Pecos Road. A previous Site Development Plan Review (SDR-28320) entitled this property for a 14,815 square-foot commercial development and a Minor Site Development Plan Review (SDR-36797) entitled this property for an additional 895 square feet of retail space for a total of 15,710 square-feet commercial space within the proposed commercial subdivision.

FINDINGS

- **General information**

  The proposed Tentative Map is for a one-lot commercial subdivision with approved Site Development Plan Reviews (SDR-28320 and SDR-36797). The subject site is directly adjacent to multi-family homes which abut the site to the south and east. There is a Shopping Center located on the northwest corner of Washington Avenue and Pecos Road which directly abuts the site.

- **Cross Section**

  Cross sections show a one lot parcel which does not exceed more than 2% grade.

- **Trails**

  There are no Transportation Trail or Recreation Trail alignments within or adjacent to the subject site.

- **Special Conditions of Approval (SDR-36797)**

  All development shall be in conformance with the site plan date stamped 12/10/09, and landscape plan, building elevations, date stamped 11/30/09 except as amended by conditions herein.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

RECEIVED
JAN 19 2010

STATEMENT OF FINANCIAL INTEREST

Case Number: **TMP-37217** APN: 140-30-301-001

Name of Property Owner: Rebel Oil Company, INC

Name of Applicant: JHR Associates, LTD

Name of Representative: Jahan Azodi

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: Jack E Cason

Print Name: Jack E. Cason

Subscribed and sworn before me

This 6TH day of January, 2010

Carol J. Shivers

Notary Public in and for said County and State

CAROL J. SHIVERS
Notary Public State of Nevada
No. 92-3850-1
My appt. exp. July 23, 2012

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

RECEIVED JAN 19 2010

APPLICATION / PETITION FORM

Application/Petition For: Tentative Map Review

Project Address (Location) 3505 EAST WASHINGTON

Project Name Washington/Pecos **Proposed Use** Commercial

Assessor's Parcel #(s) 140-30-301-001 **Ward #** 3

General Plan: existing SC proposed _ **Zoning:** existing C1 proposed _____

Commercial Square Footage 16,728 **Floor Area Ratio** 6.22/1

Gross Acres 2.94 acres **Lots/Units** 1 **Density** N/A

Additional Information _____

PROPERTY OWNER Rebel Oil Company, INC. **Contact** Jack E. Cason

Address 2200 S. Highland Drive **Phone:** (702) 382-5866 **Fax:** (702) 382-4263

City Las Vegas **State** NV **Zip** 89102

E-mail Address _____

APPLICANT Same as Owner **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

REPRESENTATIVE JHR Associates, LTD **Contact** Jahan Azodi

Address 4880 West University Ave. Suite B2 **Phone:** (702) 876-2341 **Fax:** (702) 876-8395

City Las Vegas **State** NV **Zip** 89103

E-mail Address jazodi@jhrassociates.com

Property Owner Signature* Jack E Cason

* An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Jack E. Cason

Subscribed and sworn before me

This 18TH day of January, 20 10.

Carol J. Shivers

Notary Public in and for said County and State

CAROL J. SHIVERS
Notary Public State of Nevada
No. 92-3850-1
My appt. exp. July 23, 2012

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	TMP 37217
Meeting Date:	3.11.10
Total Fee:	$750.-
Date Received:*	1.19.10
Received By:	JPA

*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

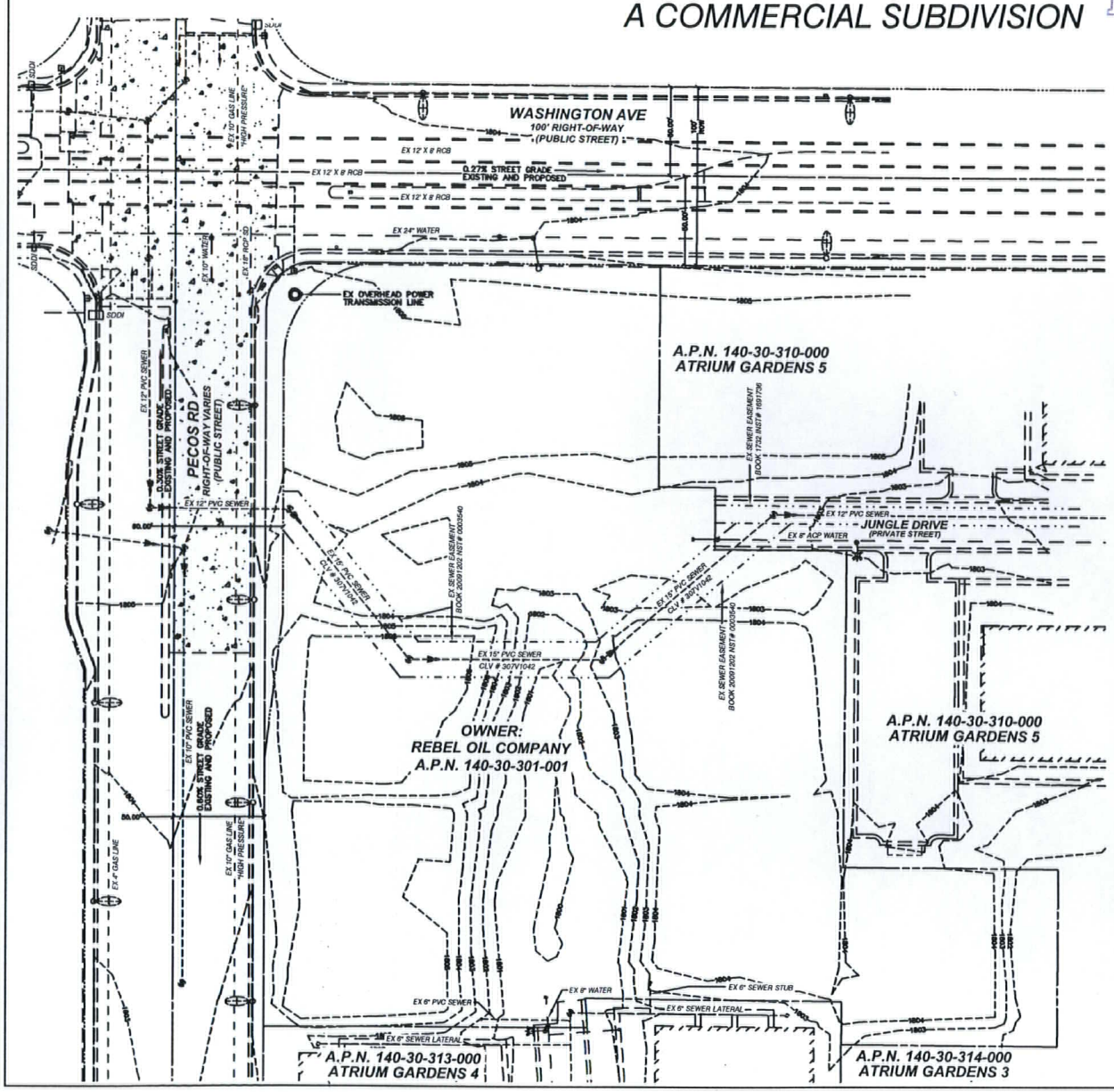
f:\depot\Application Packet\Application Form.pdf

TENTATIVE MAP

FOR

WASHINGTON/PECOS
A COMMERCIAL SUBDIVISION

RECEIVED
JAN 19 2010



LEGEND

- PROPERTY LINE
- RIGHT OF WAY
- CENTERLINE
- EXISTING CURB AND GUTTER
- EXISTING CURB
- EX · · · · · · · · · · · · · EXISTING
- SDDI · · · · · · · · · · · · EXISTING STORM DRAIN DROP INLET
- EXISTING WATER VALVE
- EXISTING SEWER MANHOLE
- EXISTING 250WATT STREET LIGHT
- EXISTING 400 WATT STREET LIGHT TRAFFIC SIGNAL

BENCHMARK

CITY OF LAS VEGAS BENCHMARK 2LV 0230 W4

RIVET & PLATE IN TOP OF CURB NEAR THE SOUTH EAST PC OF PECOS ROAD

500.1314 METERS
1804.555 FEET
(NAVD 88)

BASIS OF BEARING

SOUTH 00°00'06" WEST BEING THE CENTERLINE OF PECOS ROAD AS SHOWN ON BOOK 24, PAGE 72 OF PLATS, IN THE OFFICE OF THE COUNTY RECORDER, CLARK COUNTY, NEVADA.

LEGAL DESCRIPTION

A PORTION OF THE NORTH HALF (N 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 30, TOWNSHIP 20 SOUTH, RANGE 62 EAST, M.D.M., DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 30; THENCE SOUTH 00°00'06" WEST ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 480.85 FEET; THENCE SOUTH 89°59'54" EAST A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89°59'54" EAST A DISTANCE OF 176.87 FEET ALONG THE NORTH LINE OF ATRIUM GARDENS #4; THENCE NORTH 04°36'56" WEST A DISTANCE OF 16.50 FEET; THENCE SOUTH 89°24'51" EAST ALONG THE NORTH LINE OF ATRIUM GARDENS #4 A DISTANCE OF 142.25 FEET; THENCE SOUTH 00°34'51" WEST A DISTANCE OF 24.43 FEET; THENCE SOUTH 89°24'51" EAST A DISTANCE OF 120.00 FEET ALONG THE NORTH LINE OF ATRIUM GARDENS #3; THENCE NORTH 00°35'09" EAST A DISTANCE OF 100.00 FEET ALONG THE WEST SIDE OF ATRIUM GARDENS #5; THENCE NORTH 89°24'51" WEST A DISTANCE OF 119.67 FEET; THENCE NORTH 00°35'09" EAST ALONG THE WEST LINE OF ATRIUM GARDENS #5 A DISTANCE OF 177.70 FEET; THENCE NORTH 89°36'01" WEST A DISTANCE OF 72.89 FEET; THENCE NORTH 00°23'59" EAST A DISTANCE OF 35.00 FEET; THENCE NORTH 89°36'01" WEST A DISTANCE OF 31.83 FEET; THENCE NORTH 00°23'59" EAST A DISTANCE OF 125.00 FEET TO A POINT IN THE SOUTH R/W OF WASHINGTON AVENUE; THENCE NORTH 89°36'01" WEST ALONG THE SOUTH R/W OF WASHINGTON AVENUE A DISTANCE OF 195.33 FEET; THENCE CURVING TO THE LEFT ALONG A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 25.00 FEET, THROUGH A CENTRAL ANGLE OF 90°23'53", AN ARC LENGTH OF 39.44 FEET TO A POINT ON THE EAST R/W OF PECOS ROAD; THENCE SOUTH 00°00'06" WEST ALONG THE EAST R/W LINE OF PECOS ROAD A DISTANCE OF 405.33 FEET TO THE POINT OF BEGINNING.

NOTE: THE ABOVE METES AND BOUNDS DESCRIPTION PREVIOUSLY APPEARED IN THAT CERTAIN DOCUMENT RECORDED AUGUST 4, 2000 IN BOOK 20000804, AS INSTRUMENT NO. 00327 OF OFFICIAL RECORDS.

SEWER CONTRIBUTION

RESTAURANT 1 (SEATING < 45)
EACH FIXTURE 0.65
FIXTURE COUNT 25
EQUIVALENT ERU 16.25

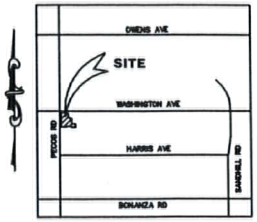
RESTAURANT 2 (TAKE OUT ONLY)
EACH FIXTURE 0.45
FIXTURE COUNT 15
EQUIVALENT ERU 6.75

OFFICE, PROFESSIONAL
EACH FIXTURE 0.45
FIXTURE COUNT 20
EQUIVALENT ERU 9.00

SUMMARY

AVERAGE DAILY FLOW
GPD . . . . . 8,000 GPD
MGD . . . . . 0.008 MGD
CFS . . . . . 0.0123 CFS

PEAK DAILY FLOW
GPD . . . . . 25,600 GPD
MGD . . . . . 0.0256 MGD
CFS . . . . . 0.0396 CFS



AREA MAP

N.T.S.

A PORTION OF THE NORTH HALF (N 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 30, TOWNSHIP 20 SOUTH, RANGE 62 EAST, M.D.M.

OWNER/DEVELOPER

REBEL OIL COMPANY INC.
2200 S. HIGHLAND DRIVE
LAS VEGAS, NEVADA 89102
PH: (702) 382-5805
FAX: (702) 382-4263

ENGINEER/SURVEYOR

JHR ASSOCIATES Ltd.
4980 W. UNIVERSITY STE. B2
LAS VEGAS, NEVADA 89103
PH: (702) 876-2341
FAX: (702) 876-8395

PROJECT DATA

PRESENT ZONING C1
GROSS AREA . . . . . +2.39 ACRES
NET AREA . . . . . +2.39 ACRES
MAXIMUM BUILDING HEIGHT . . . . . 35'
F.E.M.A. ZONE . . . . . ZONE "X"

NORTH
1" = 30'

LANDSCAPE NOTE:

ALL LANDSCAPE AND PLANTING MATERIALS SHALL BE INSTALLED PER, AND IN FULL CONFORMANCE WITH, THE LAS VEGAS URBAN DESIGN STANDARDS MANUAL SECTION ON LANDSCAPE, WALL & BUFFER STANDARDS AND TITTLE 19A AS AMENDED, EXCEPT WHERE CITY STAFF AND CITY COUNCIL DETERMINE THAT LANDSCAPED SETBACKS ARE LESS DESIRABLE THAN ENHANCEMENT OF THE PEDESTRIAN ENVIRONMENT.

GENERAL NOTES

1. CC&R'S WILL BE RECORDED WITH THE FINAL MAP.
2. NO KNOWN FAULTS OR FISSURES ON THESE PARCELS.
3. NO GROUND WATER WAS ENCOUNTERED @ 20' BELOW EXISTING GRADE.
4. NO EXISTING OR PROPOSED IRRIGATION OR DRAINAGE CHANNEL RIGHTS-OF-WAY AND EASEMENTS.
5. THE ENTIRE PROJECT IS TO BE SERVICED BY EXISTING LAS VEGAS VALLEY WATER DISTRICT WATER LINES
6. THERE ARE NO PROPOSED RESERVATIONS OR DEDICATIONS FOR PARKS, SCHOOLS, OR OTHER PUBLIC OR QUASI-PUBLIC USES.
7. NO EXISTING STRUCTURES EXIST ON THE PROPERTY.

UTILITIES

POWER . . . . . -NV ENERGY
TELEPHONE . . . . -CENTURYLINK
GAS . . . . . -SOUTHWEST GAS CORP.
SEWER . . . . . -CITY OF LAS VEGAS
WATER . . . . . -LAS VEGAS VALLEY WATER DISTRICT

FLOOD STATEMENT

FLOOD ZONE "X"
FIRM PANEL #32003C2186E, FEMA ZONE "X", EFFECTIVE SEPTEMBER 27, 2002. A FEMA ZONE "X" IS DEFINED AS AN AREA OUTSIDE THE 0.2 % ANNUAL CHANCE FLOODPLAIN.

GRAPHIC SCALE
30 15 0 30 90
(IN FEET)
1 inch = 30ft.

811 Call before you DIG. 1-800-227-2600
Call before you OVERHEAD 1-702-227-2929
Call before you UNDERGROUND 1-702-455-7511 1-702-432-5300

TMP-37217
02/25/10 PC

CLIENT: BRESLIN BUILDERS
8585 POLARIS AVE. LAS VEGAS, NEVADA
PHONE: (702) 796-3977 FAX: (702) 796-3998

PREPARED: JHR Associates Ltd.
CIVIL ENGINEERS & LAND SURVEYORS
4980 W. UNIVERSITY, SUITE B-2
LAS VEGAS, NEVADA 89103
PH (702) 876-2341
FAX (702) 876-8395

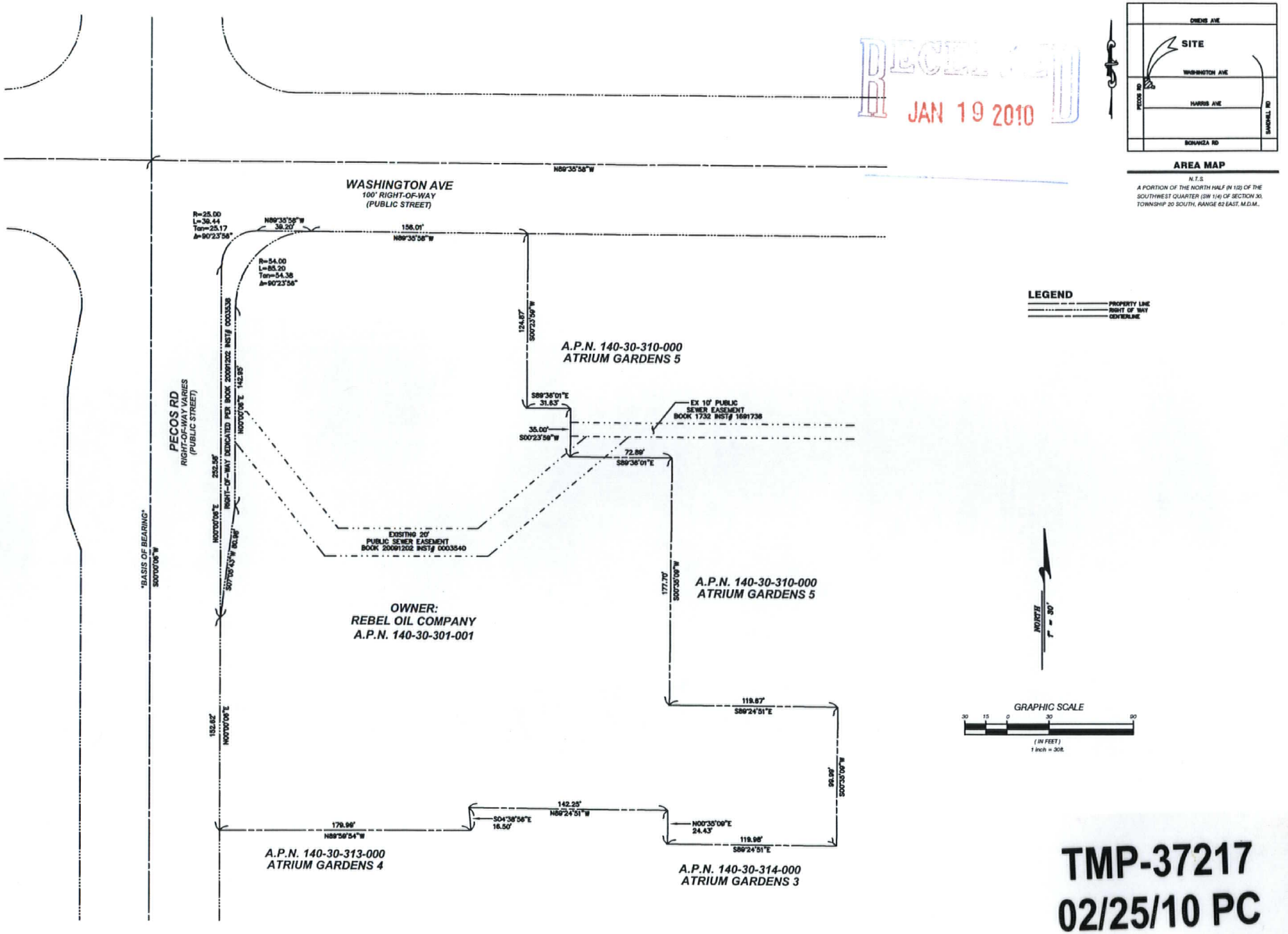
NO	DESCRIPTION	BY	DATE

SHEET: TENTATIVE MAP
PROJECT: WASHINGTON/PECOS
SEC WASHINGTON AVE. & PECOS ROAD
CITY OF LAS VEGAS, NEVADA

DRAWN BY: JA
DESIGNED BY:
CHECKED BY: DF
DATE: 12-28-09
SCALE: HORIZ: 1"=30' VERT: N/A
PROJECT NO. 234-09-011

SEAL: DERRICK R. FENNER EXP 6/30/11

SHEET TM1
SHEET 1 OF 3 SHEETS



CLIENT: BRESLIN BUILDERS
8925 POLARIS AVE, LAS VEGAS, NEVADA
PHONE: (702) 798-3877 FAX: (702) 798-3888

PREPARED: JMR Associates Ltd.
CIVIL ENGINEERING & LAND SURVEYING
4980 W. UNIVERSITY, SUITE B-2
LAS VEGAS, NEVADA 89103
PH (702) 876-2341
FAX (702) 876-8395

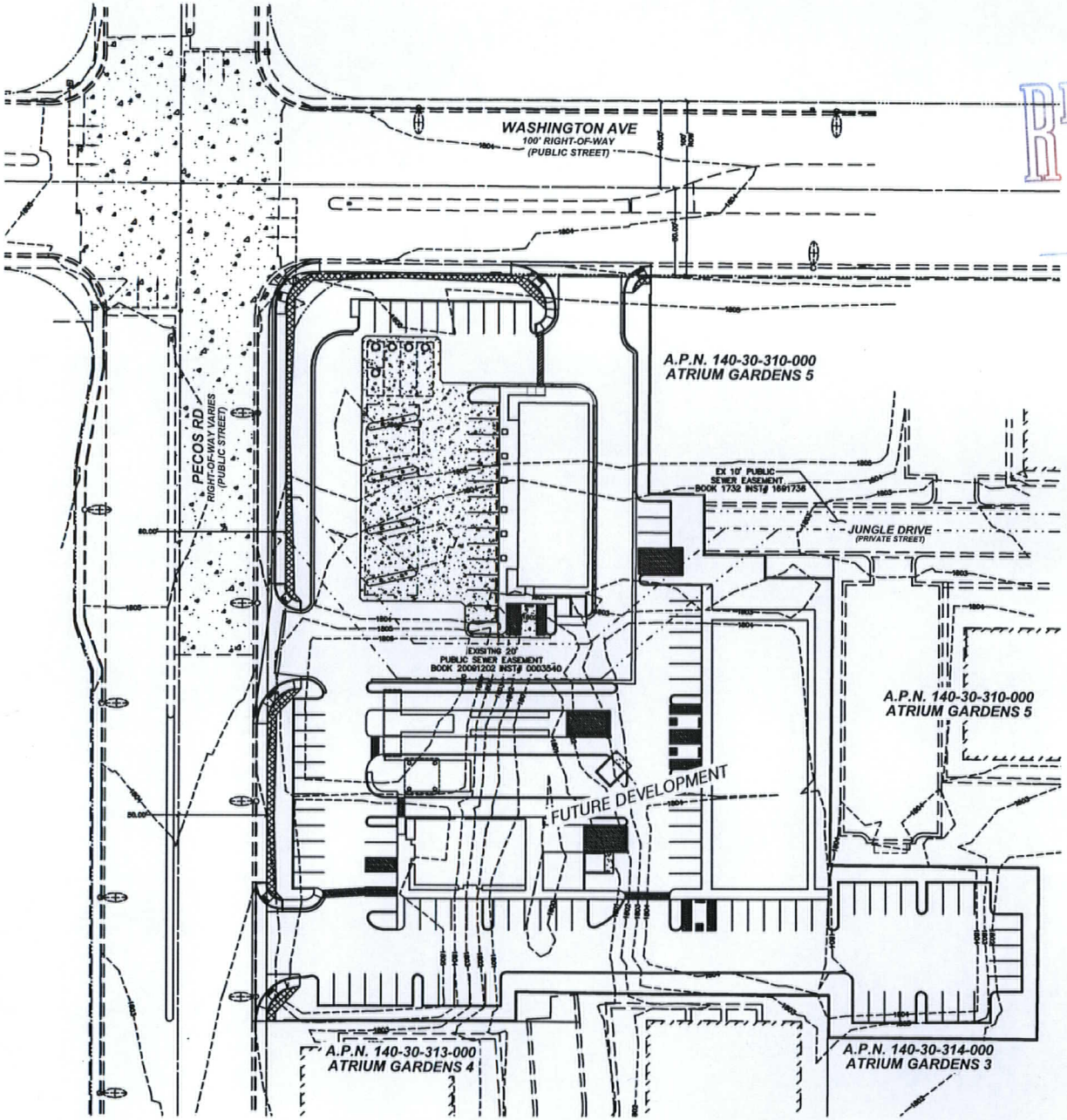
REV | DATE | BY | DESCRIPTION

SHEET: TENTATIVE MAP
PROJECT: WASHINGTON/PECOS
SEC WASHINGTON AVE. & PECOS ROAD
CITY OF LAS VEGAS, NEVADA

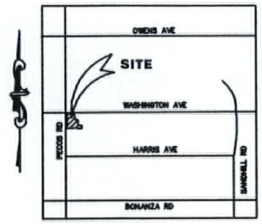
DRAWN BY: AS
DESIGNED BY:
CHECKED BY:
DATE: 12-28-09
SCALE: HORIZ. 1"=30' VERT. N/A
PROJECT NO. 234-09-011

SEAL: DERRICK R. FEMMER Exp 6/30/11 No 20068 STATE OF NEVADA PROFESSIONAL LAND SURVEYOR

SHEET TM2
SHEET 2 OF 3 SHEETS



RECEIVED
JAN 19 2010



AREA MAP

N.T.S.

A PORTION OF THE NORTH HALF (N 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 30, TOWNSHIP 20 SOUTH, RANGE 62 EAST, M.D.M.

LEGEND

PROPERTY LINE
RIGHT OF WAY
CENTERLINE

NORTH
1" = 30'

GRAPHIC SCALE
30 15 0 30 90
(IN FEET)
1 inch = 30ft.

TMP-37217
02/25/10 PC

CLIENT: BRESLIN BUILDERS
2035 PLAZA AVE, LAS VEGAS, NEVADA
PHONE: (702) 796-3977 FAX: (702) 796-3900

PREPARED: GPD Associates Ltd.
CIVIL ENGINEERS & LAND SURVEYORS
4980 W. UNIVERSITY, SUITE B-2
LAS VEGAS, NEVADA 89103
PH (702) 878-2341
FAX (702) 878-5305

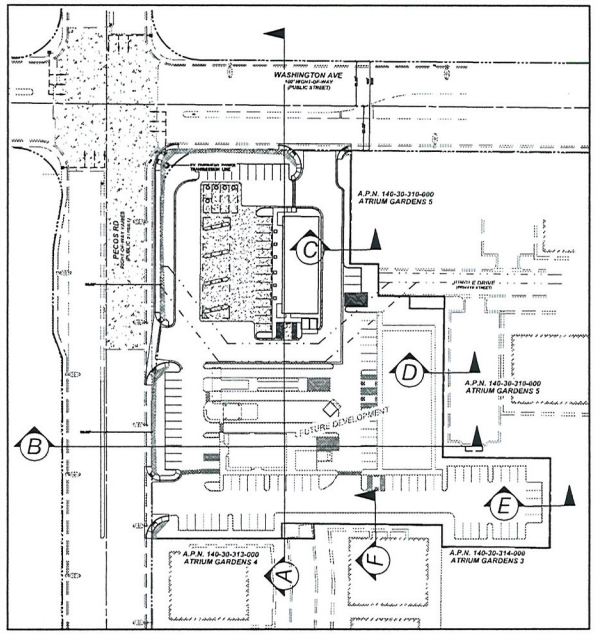
REV	DATE	BY	DESCRIPTION

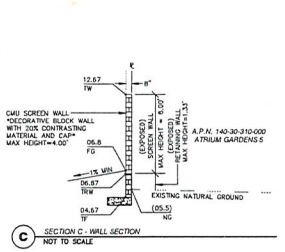
SHEET: TENTATIVE MAP
PROJECT: WASHINGTON/PECOS
SEC WASHINGTON AVE. & PECOS ROAD
CITY OF LAS VEGAS, NEVADA

DRAWN BY:
DESIGNED BY:
CHECKED BY:
PROJECT NO. 234-09-011
SCALE: HORIZ. 1"=30' VERT. N/A
DATE: 12-28-09

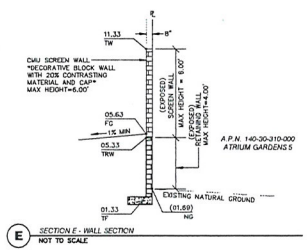
SEAL
DERRICK R. FENNER
EXP. 6/30/11
No. 21004
STATE OF NEVADA

SHEET TM3
SHEET 3 OF 3 SHEETS





C SECTION C - WALL SECTION
NOT TO SCALE



E SECTION E - WALL SECTION
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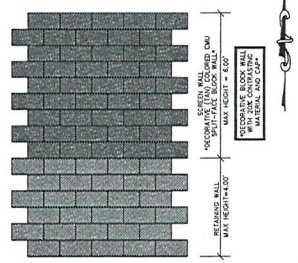

WALL SECTION DETAIL
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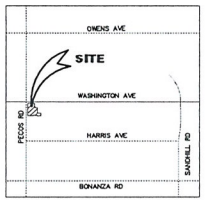


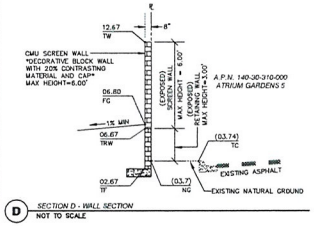
AREA MAP

N.T.S.

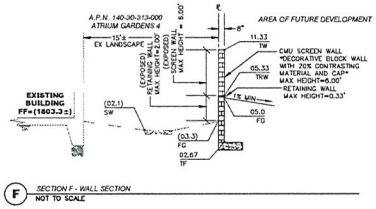
A PORTION OF THE NORTH HALF (N 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 30, TOWNSHIP 20 SOUTH, RANGE 62 EAST, M.D.M.

LEGEND

PROPERTY LINE
RIGHT OF WAY
CENTERLINE
LDSP LANDSCAPE
ROW RIGHT-OF-WAY



D SECTION D - WALL SECTION
NOT TO SCALE



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NOT TO SCALE

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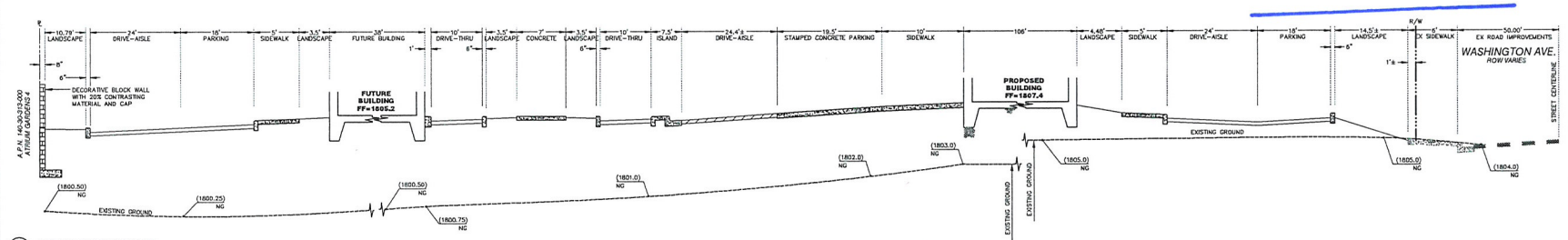
FEB 03 2010



A SECTION A - NORTH/SOUTH SECTION
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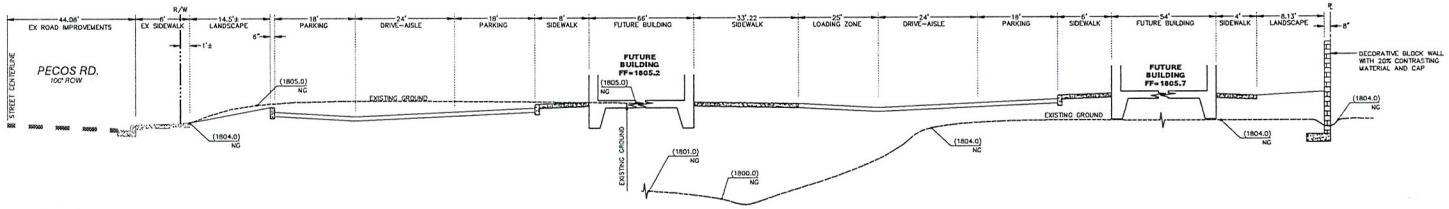


B SECTION B - EAST/WEST SECTION
NOT TO SCALE

TMP-37217
REVISED
02/25/10 PC

BRESLIN BUILDERS
5525 POLARIS AVE. LAS VEGAS, NEVADA
PHONE: (702) 798-1977 FAX: (702) 798-1908

PREPARED
GPR Associates Ltd.
CIVIL ENGINEERS & LAND SURVEYORS
4850 W. UNIVERSITY, SUITE B-2 PH (702) 876-2341
LAS VEGAS, NEVADA 89103 FAX (702) 876-8395

SHEET: CROSS SECTIONS
PROJECT: WASHINGTON/PECOS
SEC WASHINGTON AVE. & PECOS ROAD
CITY OF LAS VEGAS, NEVADA

DRAWN BY: JL
DESIGNED BY:
CHECKED BY:
PROJECT NO: 214-09-011
DATE: 12-28-09
SCALE: HORIZ: N/A VERT: N/A

SEAL
PROFESSIONAL LAND SURVEYOR DERRICK R. FENNER EXP 6/30/11 STATE OF NEVADA NO. 20046

SHEET S1
SHEET 1 OF 1 SHEETS

REV | DATE | BY | DESCRIPTION

TMP-37217 - APPLICANT/OWNER: REBEL OIL COMPANY, INC.
3505 EAST WASHINGTON AVENUE
FEBRUARY 25, 2010 PLANNING COMMISSION

01/22/10

TMP-37217 - APPLICANT/OWNER: REBEL OIL COMPANY, INC.
3505 EAST WASHINGTON AVENUE
FEBRUARY 25, 2010 PLANNING COMMISSION

01/22/10

TMP-37217 - APPLICANT/OWNER: REBEL OIL COMPANY, INC.
3505 EAST WASHINGTON AVENUE
FEBRUARY 25, 2010 PLANNING COMMISSION

01/22/10

TMP-37217 - APPLICANT/OWNER: REBEL OIL COMPANY, INC.
3505 EAST WASHINGTON AVENUE
FEBRUARY 25, 2010 PLANNING COMMISSION

01/22/10

TMP-37217 - APPLICANT/OWNER: REBEL OIL COMPANY, INC.
3505 EAST WASHINGTON AVENUE
FEBRUARY 25, 2010 PLANNING COMMISSION

01/22/10

TMP-37217 - APPLICANT/OWNER: REBEL OIL COMPANY, INC.
3505 EAST WASHINGTON AVENUE
FEBRUARY 25, 2010 PLANNING COMMISSION

01/22/10

TMP-37217 - APPLICANT/OWNER: REBEL OIL COMPANY, INC.
3505 EAST WASHINGTON AVENUE
FEBRUARY 25, 2010 PLANNING COMMISSION

01/22/10

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

January 06, 2010

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

Attn: Planner

Subject: Justification for Tentative map pre-application request.
Washington/Pecos a commercial subdivision

To whom it concerns,

A proposed 2.98-acre site utilizing APN 140-30-301-001, is currently in the design phase by the property owner.

The above referenced project is for a retail and office development. SDR-36797 has been approved as of December 17, 2009 along with VAR-28326, ZON-28322, SUP-28323, and SDR-28320.

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

Respectfully submitted,

Jahan Azodi
JHR Associates Ltd.

RECEIVED
JAN 19 2010

TMP-37217
02/25/10 PC

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 25, 2010

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

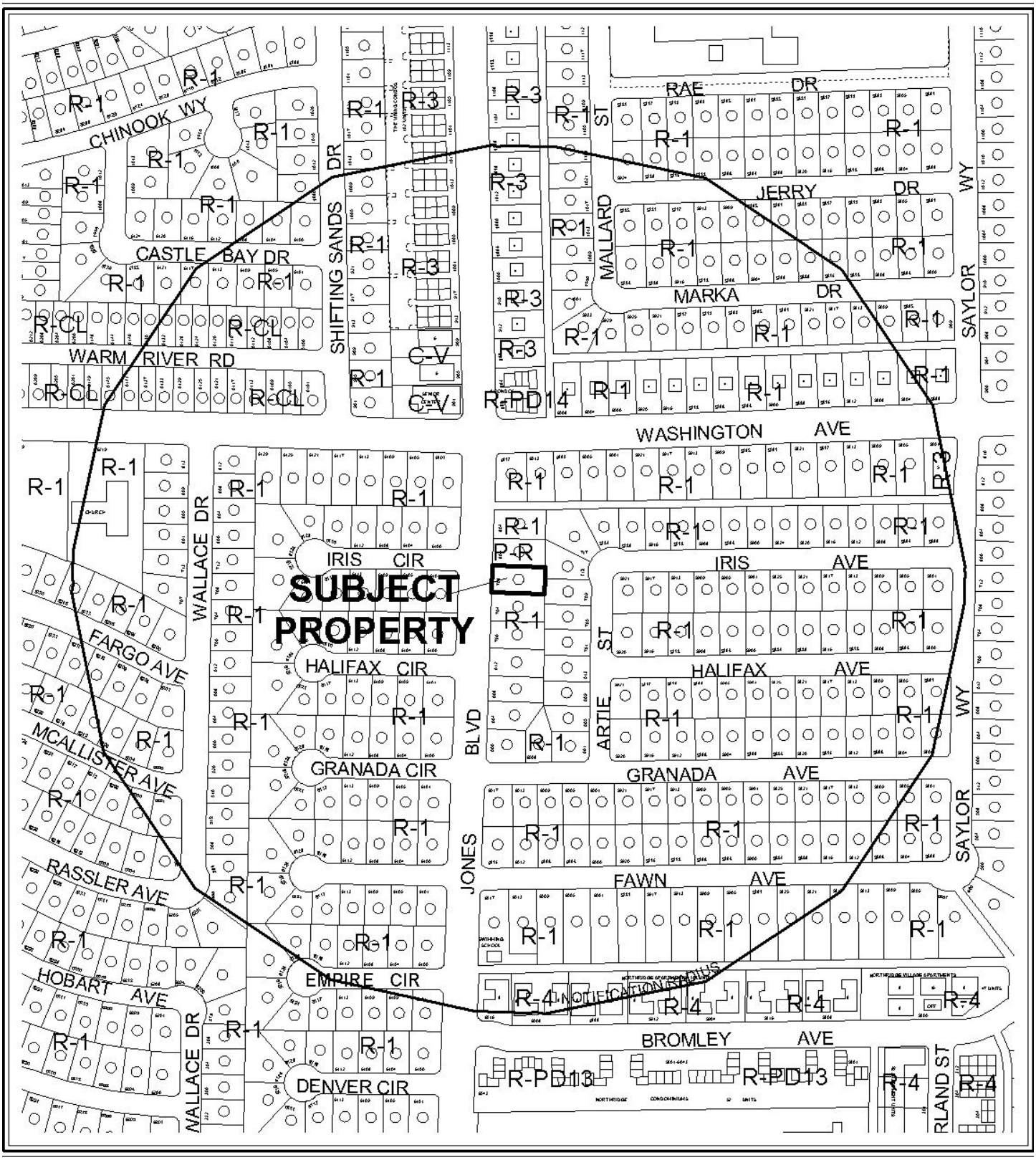
SUBJECT:
ABEAYNCE - RENOTIFICATION - VAR-36958 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: SHARON ROTH - Request for a Variance TO ALLOW FOUR PARKING SPACES WHERE NINE ARE REQUIRED on 0.15 acres at 708 South Jones Boulevard (APN 138-25-310-003), P-R (Professional Office and Parking) Zone, Ward 1 (Tarkanian) **NOTE: THE ADDRESS HAS BEEN AMENDED TO 708 NORTH JONES BOULEVARD**

C.C.: 04/07/2010

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

RECOMMENDATION:
Staff recommends DENIAL, if approved subject to conditions:

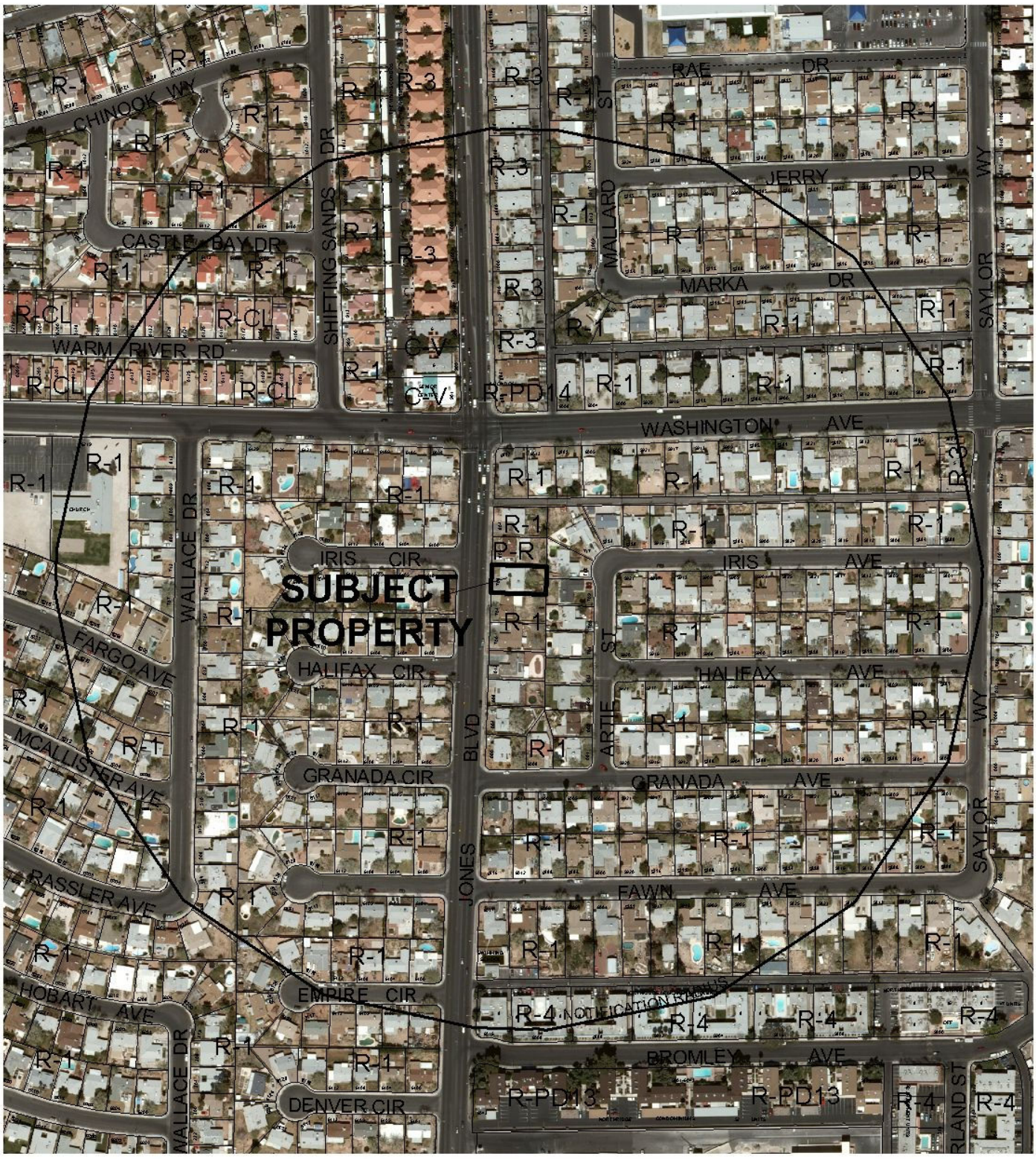
BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards



CASE: **VAR-36958**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: P-R (PROFESSIONAL OFFICE AND PARKING)



0 300 600 Feet

CASE: VAR-36958

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: P-R (PROFESSIONAL OFFICE AND PARKING)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - RENOTIFICATION - VAR-36958 -
APPLICANT/OWNER: SHARON ROTH

** CONDITIONS **

Staff recommends DENIAL, if approved subject to conditions:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-3474), Review of Condition (ROC-36960) and Site Development Plan Review (SDR-36959) shall be required, if approved.

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

SG

VAR-36958 - Staff Report Page One
February 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This request is to allow four parking spaces where nine are required for the conversion of an existing 1,770 square-foot single-family residence to a medical office at 708 North Jones Boulevard. The proposed office will have one doctor and two employees. As one of the provided spaces will be required to be a van accessible handicap space, and parking in the street along Jones Boulevard will not be available, a shortage of parking for staff and patients will result at the subject site. The applicant has provided no evidence of unique or extraordinary circumstances pursuant to Title 19.18.070(L) that would substantiate the Variance request; therefore, staff is recommending denial of the request. If denied, an associated Site Development Plan Review (SDR-36959) cannot be approved, and the site would remain as a single-family residence.

ISSUES

- Associated requests for a Review of Condition (ROC-36960) and a Site Development Plan Review (SDR-36959) have also been submitted. Approval of this Variance request is required for the Site Development Plan Review to be approved.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
02/18/04	The City Council approved a General Plan Amendment (GPA-3388) to O (Office) and a Rezoning (ZON-3474) to P-R (Professional Office and Parking at 600-804 North Jones Boulevard. The Planning Commission and staff recommended approval.
10/20/04	The City Council denied a request for a Review of Condition (ROC-5250) for Condition Number 3 of an approved Rezoning (ZON-3474) which required a comprehensive site plan, including all lots, to be submitted for approval by the Planning and Development Department and the Department of Public Works prior to the issuance of a certificate of occupancy for any of the lots involved in the rezoning to allow the lots to submit site development plan reviews on an individual basis at 600 to 804 North Jones Boulevard. Staff recommended denial.
04/20/05	The City Council approved Ordinance #5760, which amended the zoning map by changing the zoning designations of multiple parcels of land. Included in this action were 708 and 800 North Jones Boulevard, which were part of Rezoning (ZON-3474).

04/05/06	The City Council approved a request for an Extension of Time (EOT-11905) of an approved Rezoning (ZON-3474) from R-1 (Single Family Residential) to P-R (Professional Office and Parking) at 600-804 North Jones Boulevard. Staff recommended approval. The rezoning subsequently expired on 02/18/08.
09/25/09	A change of ownership was recorded.
01/28/10	The Planning Commission voted to abbey this item and its associated requests for a Variance (VAR-36958) to allow four parking spaces where nine are required and a Review of Condition (ROC-36960) to delete Condition Numbers 3 and 5 of a previously approved Rezoning (ZON-3474) which required a comprehensive site development plan to illustrate the location of joint driveways, joint parking and access agreements, a consistent landscaping plan and a traffic impact analysis at 708 North Jones Boulevard.
02/25/10	The Planning Commission will consider associated requests for a Variance (VAR-36958) to allow four parking spaces where nine are required and a Review of Condition (ROC-36960) to delete Condition Numbers 3 and 5 of a previously approved Rezoning (ZON-3474) which required a comprehensive site development plan to illustrate the location of joint driveways, joint parking and access agreements, a consistent landscaping plan and a traffic impact analysis at 708 North Jones Boulevard.

Related Building Permits/Business Licenses	
c. 1964	A single-family residence was constructed at 708 North Jones Boulevard.

Pre-Application Meeting	
10/21/09	A pre-application meeting was held to discuss the requirements for the conversion of a single-family residence to medical office use. Topics included: • Requirement for a Variance for parking, a Review of Condition for conditions 3 and 5 of a previously approved Rezoning (ZON-3474) and a Site Development Plan Review. • Parking requirements, including drive aisle widths, turning radii and an ADA route from the public right-of-way to the building. • Landscape requirements, including required Waivers and Exceptions.

Neighborhood Meeting
A neighborhood meeting was neither required nor held.

Field Check	
12/22/09	A field check was conducted by staff. The subject site contains a well-maintained single-family residence.

Details of Application Request	
Site Area	
Gross Acres	0.18 Acres

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

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	***Required***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Office, Medical	1,770 SF	1 / 200	8	1	3	1	N
TOTAL			**9**		**4**		**N**
Percent Deviation			56%				

ANALYSIS

The proposed site is deficient in parking, and approval of this Variance to allow four parking spaces where nine are required is necessary for the approval of an associated Site Development Plan Review (SDR-36959). One of the provided spaces will be required to be a van accessible handicap space. In addition, parking in the street along Jones Boulevard will not be available, as the Department of Public Works has added a condition of approval to the associated Site Development Plan (SDR-36959) to prohibit such parking due to right-of-way width and traffic volume concerns. The proposed office will have one doctor and two employees, resulting in a shortage of parking for staff and patients. The applicant has provided no evidence of unique or extraordinary circumstances pursuant to Title 19.18.070L that would substantiate the Variance request; therefore, staff is recommending denial of the 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 19.18.070(L) states:

> "Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships

> upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

NOTICES MAILED 356

APPROVALS 1

PROTESTS 2

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-36958 APN: 13825310003

Name of Property Owner: Dr. Sharon Roth, OMD

Name of Applicant: Dr. Sharon Roth, OMD

Name of Representative: NA

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: Sharon Roth

Print Name: Sharon Roth Eric CADASTRA

Subscribed and sworn before me

This 3rd day of November, 2009

M.S. Peterson

Notary Public in and for said County and State

RECEIVED

DEC 15 2009

Revised 11-14-06

M.S. PETERSON
NOTARY PUBLIC, STATE OF NEVADA
APPOINTMENT NO. 02-78422-1
MY APPT. EXPIRES OCT. 16, 2010

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

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For:

Project Address (Location) 708 N Jones Blvd, Las Vegas 89107

Project Name Roth Medical Office **Proposed Use** Acupuncture Office

Assessor's Parcel #(s) 13825310003 **Ward #** 1

General Plan: existing _____ proposed _____ **Zoning:** existing P-R proposed P-R

Commercial Square Footage 1,350 SF **Floor Area Ratio**

Gross Acres 0.19 acres **Lots/Units** 1 **Density**

Additional Information

PROPERTY OWNER Dr. Sharon Roth, OMD **Contact**

Address 101 S Rainbow Blvd, Ste 22 **Phone:** (702) 259-6996 **Fax:** (702) 259-6995

City Las Vegas **State** NV **Zip** 89145

E-mail Address srothlac@cox.net

APPLICANT Dr. Sharon Roth, OMD **Contact**

Address 101 S Rainbow Blvd, Ste 22 **Phone:** (702) 259-6996 **Fax:** (702) 259-6995

City Las Vegas **State** NV **Zip** 89145

E-mail Address srothlac@cox.net

REPRESENTATIVE NA **Contact**

Address **Phone:** **Fax:**

City **State** **Zip**

E-mail Address

Property Owner Signature* Sharon Roth

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Sharon Roth, Eric Labastida

Subscribed and sworn before me

This 3rd day of November, 2009.

M S Peterson

Notary Public in and for said County and State

M.S. PETERSON
NOTARY PUBLIC, STATE OF NEVADA
APPOINTMENT NO. 02-78422-1
MY APPT EXPIRES OCT. 16, 2010

FOR DEPARTMENT USE ONLY

Case #	VAR-36958
Meeting Date:	1/28/09
Total Fee:	830.00
Date Received:*	12/15/09
Received By:	MRE/A

*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

Revised 10/27/08

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PARKING COUNT

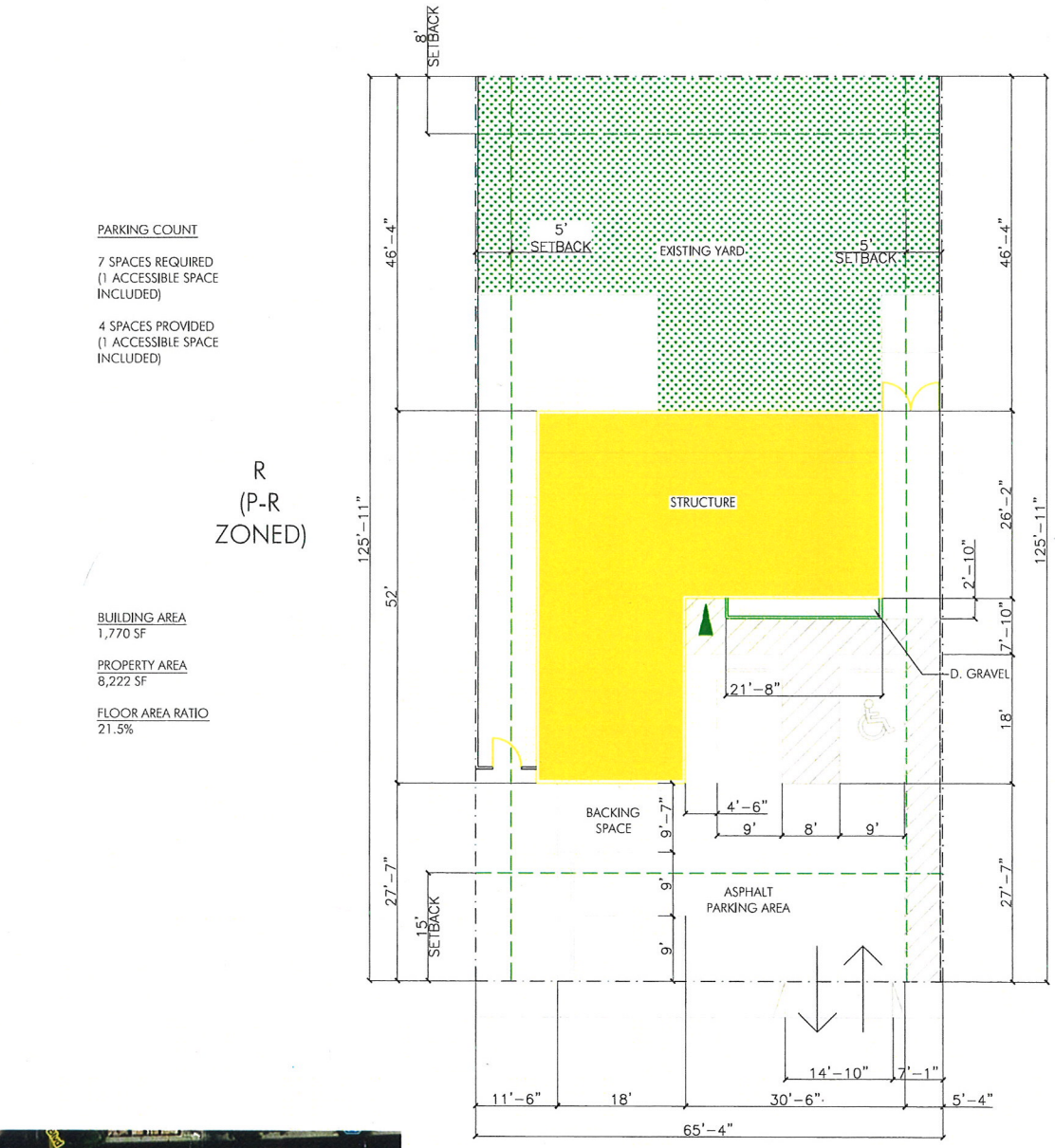
7 SPACES REQUIRED
(1 ACCESSIBLE SPACE INCLUDED)

4 SPACES PROVIDED
(1 ACCESSIBLE SPACE INCLUDED)

BUILDING AREA
1,770 SF

PROPERTY AREA
8,222 SF

FLOOR AREA RATIO
21.5%



JONES BLVD

NORTH

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

NORTH

VICINITY MAP
NTS

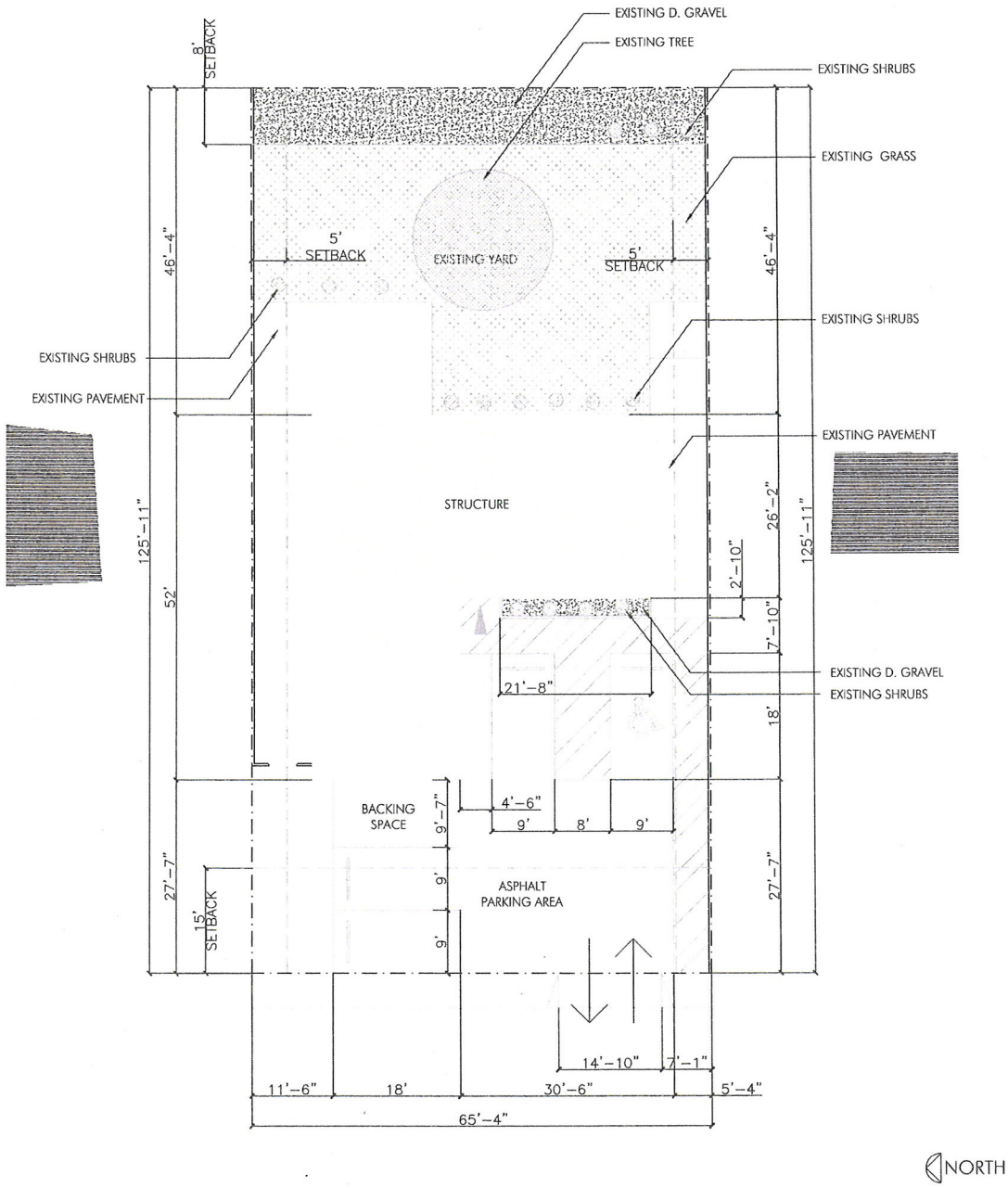
RECEIVED
DEC 15 2009

Roth Medical Office
708 N Jones Ave
LAS VEGAS, NV 89107

VAR-36958
01/28/10 PC

DATE DECEMBER 15, 2009

S-1
SHEET NO



JONES BLVD

LANDSCAPE PLAN

SCALE 1/16" : 1'-0"

RECEIVED
JAN 05 2010

VAR-36958
REVISED
01/28/10 PC

Roth Medical Office

708 N Jones Ave
LAS VEGAS, NV 89107

DATE
DECEMBER 15, 2009

L-1
SHEET NO.

VAR-36958 - APPLICANT/OWNER: SHARON ROTH
708 SOUTH JONES BOULEVARD
FEBRUARY 25, 2010 PLANNING COMMISSION

01/07/10

VAR-36958 - APPLICANT/OWNER: SHARON ROTH
708 SOUTH JONES BOULEVARD
FEBRUARY 25, 2010 PLANNING COMMISSION

01/07/10

VAR-36958 - APPLICANT/OWNER: SHARON ROTH
708 SOUTH JONES BOULEVARD
FEBRUARY 25, 2010 PLANNING COMMISSION

01/07/10

December 15, 2009

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

Dear Planning Department,

I have recently acquired the property located at 708 N Jones Ave, Las Vegas, NV 89107. This is currently a single story residential home which is now zoned for professional office and parking use in the City of Las Vegas. I would like to apply for a variance on the requirement to provide seven parking spaces for this location and to allow us to provide four parking spaces only. I would also like to ask that landscaping requirements on setbacks for commercial properties be waived for this location.

I am highly interested in opening an acupuncture clinic at the above location. I am licensed as a Doctor of Oriental Medicine by the Nevada State Board of Oriental Medicine and have been in private practice for the past 12 years. I currently own and operate a similar clinic at 101 S Rainbow, Suite 22, Las Vegas, NV 89145. The proposed clinic shall serve as my new main office where I shall continue to attend to both current and new patients.

The clinic shall have two employees. I propose to operate this clinic from 8 AM to 5 PM, Monday to Friday. All consultations in the past and present have been by appointment, given that the treatment involves the available use of the treatment room. This shall also be the case in the proposed clinic. Similarly, all other consultations on Saturday and Sunday shall be by appointment only.

The current property is situated between existing structures on neighboring properties. Without hugely altering the existing structure, there is no possibility of providing landscaping along Jones Blvd since the entire frontage is utilized for providing the proposed four parking spaces. This is also the case on the north and south sides. There is also an existing rear yard with shrubs and a mature tree in the middle. I would like to have these be considered in lieu of providing landscaping in the rear setback of the property.

I sincerely believe that the location has great potential for both providing a needed service to the community and promoting the commercial functions in the area. I hope your office can aid me in realizing this goal. Your assistance in reviewing this proposal with all planning and building concerns is greatly appreciated.

Thank you very much.

SRothoms

Dr. Sharon Roth, OMD, L.Ac.

RECEIVED
JAN 05 2010

VAR-36958
REVISED
01/28/10 PC

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
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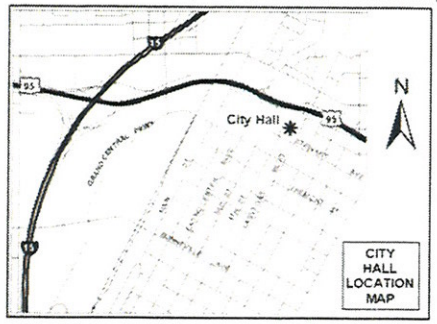
0004279218
$ 00.41⁴
JAN 15 2010
MAILED FROM ZIP CODE 89101

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-36958 & ROC-36960

Planning Commission Meeting of 1/28/2010

RECEIVED
JAN 27 2010

Case: VAR-36958

13826713016
ERNETTE WILLIAM
2035 HALLWOOD DR
LAS VEGAS NV 89119-6177

KAVD511 89119

Submitted after final agenda
Date 1/27/10 Item 208

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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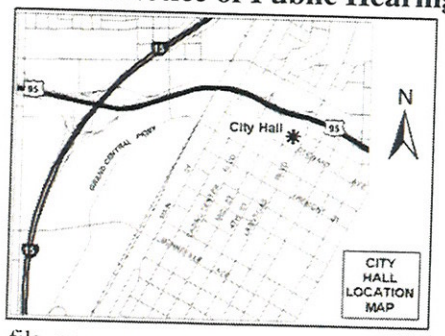
MAILED FROM ZIP CODE 89101

RECEIVED
JAN 27 2010

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-36958 & ROC-36960

Planning Commission Meeting of 1/28/2010

Case: VAR-36958

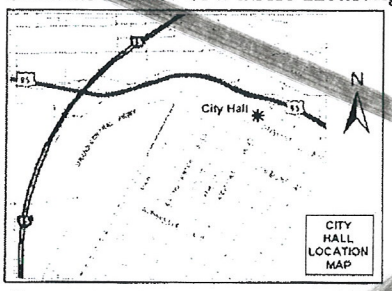
13826713013
ERNETTE WILLIAM C
2035 HALLWOOD DR
LAS VEGAS NV 89119-6177

KAVD511 89119

Submitted after final agenda
Date
Item 26P

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

Return Service Requested
Official Notice of Public Hearing



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

Please use available blank space on card for your comments.

SDR-36959

Planning Commission Meeting of 2/25/2010

=I support this project to improve the overall neighborhood as long as it does not affect the value of properties and it does make a benefit to keep the streets nice and clean=

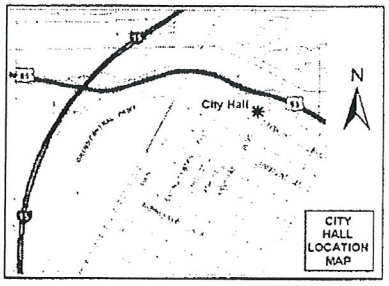
Case: SDR-36959

13826619015
HERNANDEZ ENEDELIA
7720 CRENSHAW WY
LAS VEGAS NV 89129-5498

LAV0511 89129

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

Return Service Requested
Official Notice of Public Hearing



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

Please use available blank space on card for your comments.

VAR-36958 & ROC-36960

Planning Commission Meeting of 2/25/2010

=I support this project to improve the overall neighborhood as long as it does not affect the value of properties and it does make a benefit to keep the streets nice and clean=

Case: VAR-36958

13826619015
HERNANDEZ ENEDELIA
7720 CRENSHAW WY
LAS VEGAS NV 89129-5498

RECEIVED
FEB 16 2010

LAV0511 89129

8A

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 25, 2010

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

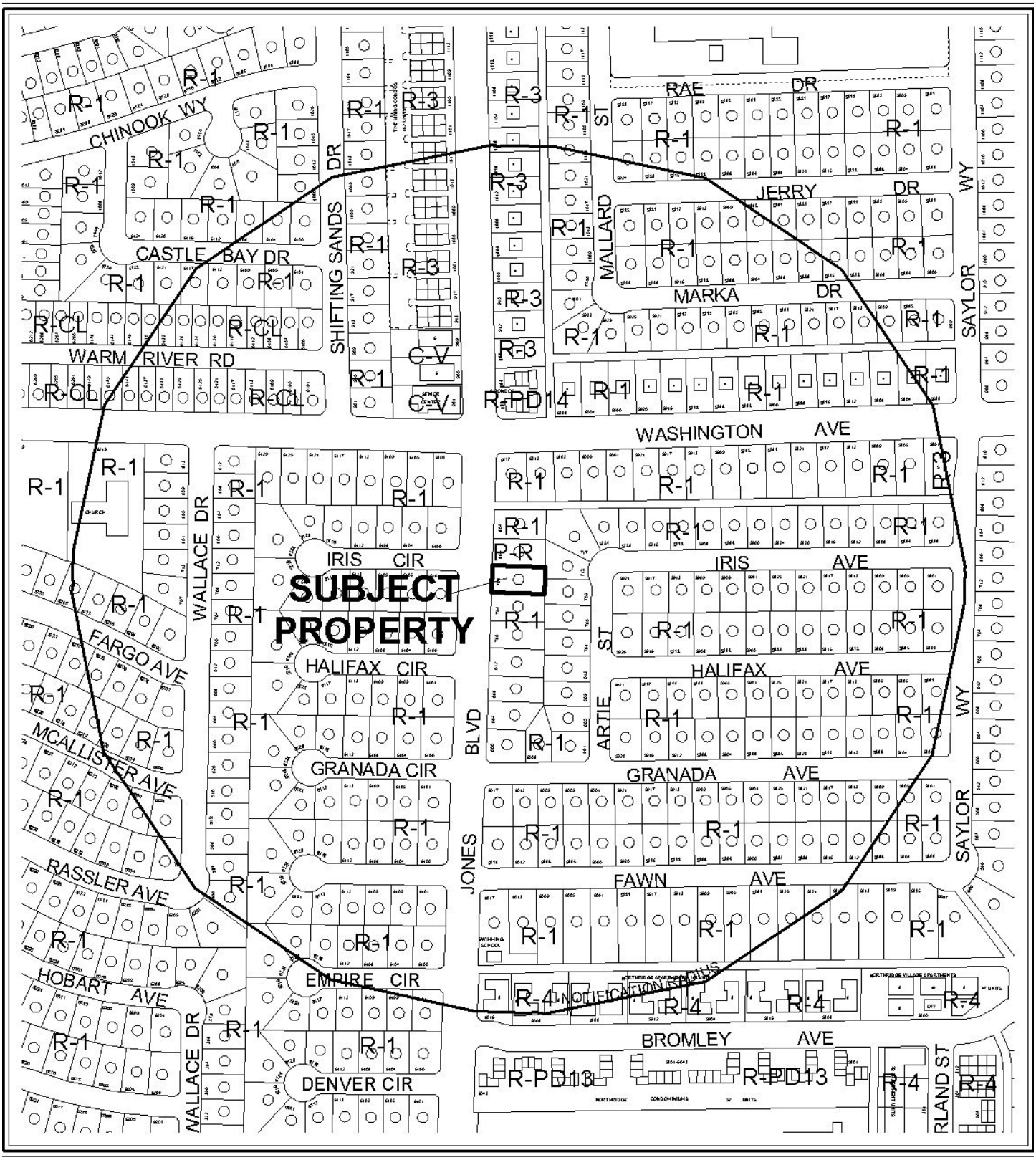
SUBJECT:
ABEYANCE - RENOTIFICATION - ROC-36960 - REVIEW OF CONDITION RELATED TO VAR-36958 - PUBLIC HEARING - APPLICANT/OWNER: SHARON ROTH - Request for a Review of Condition to delete Condition Numbers 3 and 5 of a previously approved Rezoning (ZON-3474) WHICH REQUIRED A COMPREHENSIVE SITE DEVELOPMENT PLAN TO ILLUSTRATE THE LOCATION OF JOINT DRIVEWAYS, JOINT PARKING AND ACCESS AGREEMENTS, A CONSISTENT LANDSCAPING PLAN AND A TRAFFIC IMPACT ANALYSIS on 0.15 acres at 708 South Jones Boulevard (APN 138-25-310-003), P-R (Professional Office and Parking) Zone, Ward 1 (Tarkanian) **NOTE: THE ADDRESS HAS BEEN AMENDED TO 708 NORTH JONES BOULEVARD**

C.C.: 04/07/2010

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

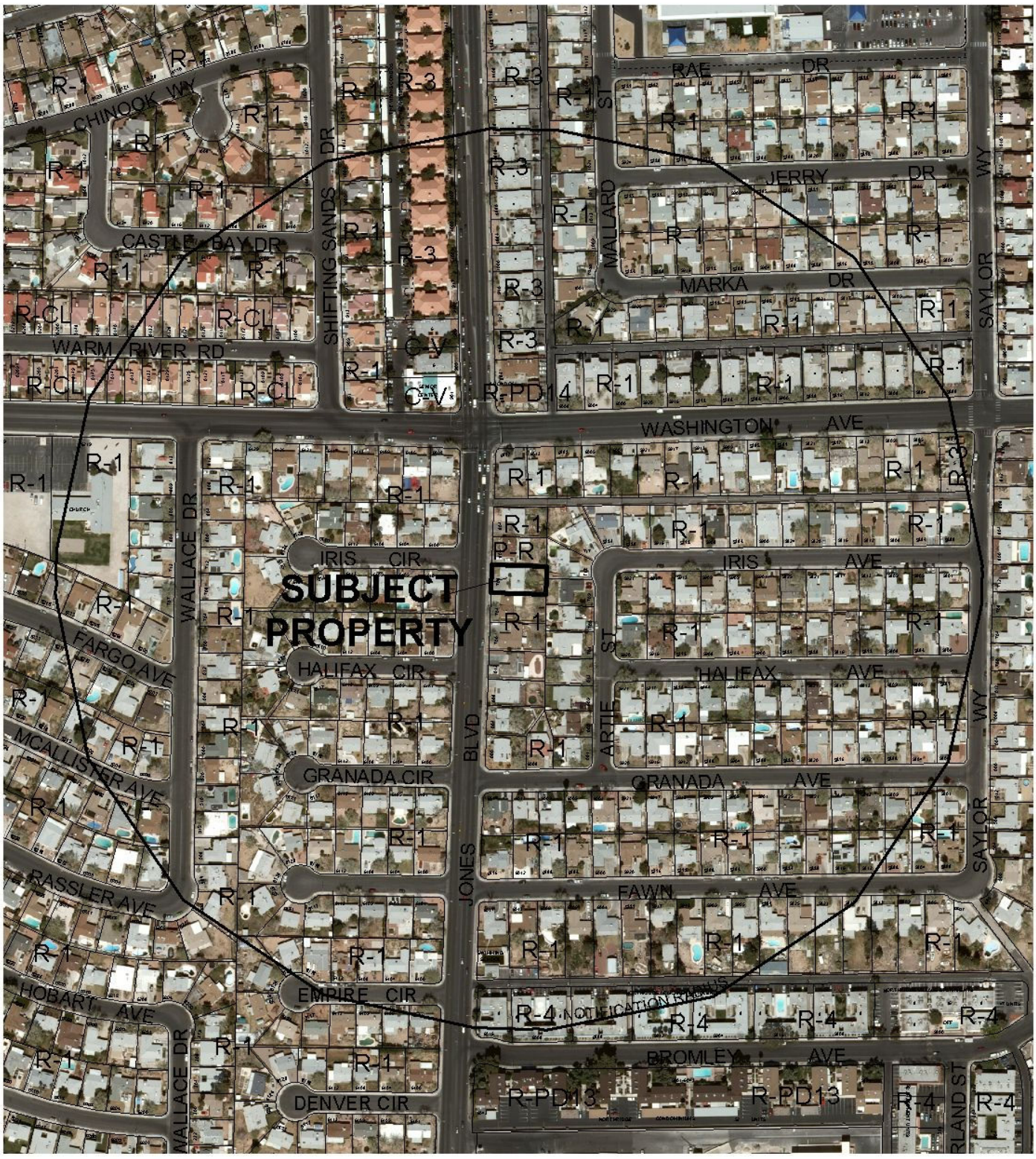
BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. City Council Approval Letter for ZON-3474
6. Justification Letter
7. Protest/Support Postcards



CASE: **ROC-36960**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: P-R (PROFESSIONAL OFFICE AND PARKING)



0 300 600 Feet

CASE: **ROC-36960**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: P-R (PROFESSIONAL OFFICE AND PARKING)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - RENOTIFICATION - ROC-36960 - APPLICANT/OWNER: SHARON ROTH

** CONDITIONS **

Staff recommends APPROVAL, subject to conditions:

Planning and Development

1. Conformance to the Conditions of Approval for Rezoning (ZON-3474) and all other subsequent site-related conditions of approval, except as amended herein.

SG

ROC-36960 - Staff Report Page One
February 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Review of Condition to delete Condition of Approval Numbers 3 and 5 of a previously approved Rezoning (ZON-3474) which required a comprehensive site development plan to illustrate the location of joint driveways, joint parking and access agreements, a consistent landscaping plan and a traffic impact analysis. The rezoning applied to nine properties along Jones Boulevard (600-804 N. Jones Boulevard), but only two of the properties have been hard-zoned to P-R (Professional Office and Parking) as a result of the action. The Resolution of Intent to Rezone subsequently expired on 02/18/08 for the other properties, which remain single-family residences, and a new Rezoning and Site Development Plan Review would be required to convert any of the residences to a commercial use. In addition, a plan that was previously submitted to meet the conditions is not consistent with existing building locations and site conditions. Although staff recommended denial of a similar request in 2004 when the Resolution of Intent to Rezone was still valid for all the affected properties, staff is now recommending approval of the associated Review of Condition for these reasons.

ISSUES

- Approval of this request is necessary for an associated Site Development Plan Review (SDR-36959) for the proposed conversion of an existing 1,770 square-foot single-family residence to a medical office to be approved.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
02/18/04	The City Council approved a General Plan Amendment (GPA-3388) to O (Office) and a Rezoning (ZON-3474) to P-R (Professional Office and Parking at 600-804 North Jones Boulevard. The Planning Commission and staff recommended approval.
10/20/04	The City Council denied a request for a Review of Condition (ROC-5250) for Condition Number 3 of an approved Rezoning (ZON-3474) which required a comprehensive site plan, including all lots, to be submitted for approval by the Planning and Development Department and the Department of Public Works prior to the issuance of a certificate of occupancy for any of the lots involved in the rezoning to allow the lots to submit site development plan reviews on an individual basis at 600 to 804 North Jones Boulevard. Staff recommended denial.

04/20/05	The City Council approved Ordinance #5760, which amended the zoning map by changing the zoning designations of multiple parcels of land. Included in this action were 708 and 800 North Jones Boulevard, which were part of Rezoning (ZON-3474).
04/05/06	The City Council approved a request for an Extension of Time (EOT-11905) of an approved Rezoning (ZON-3474) from R-1 (Single Family Residential) to P-R (Professional Office and Parking) at 600-804 North Jones Boulevard. Staff recommended approval. The rezoning subsequently expired on 02/18/08.
09/25/09	A change of ownership was recorded.
01/28/10	The Planning Commission voted to abey this item and its associated requests for a Variance (VAR-36958) to allow four parking spaces where nine are required and a Review of Condition (ROC-36960) to delete Condition Numbers 3 and 5 of a previously approved Rezoning (ZON-3474) which required a comprehensive site development plan to illustrate the location of joint driveways, joint parking and access agreements, a consistent landscaping plan and a traffic impact analysis at 708 North Jones Boulevard.
02/25/10	The Planning Commission will consider associated requests for a Variance (VAR-36958) to allow four parking spaces where nine are required and a Review of Condition (ROC-36960) to delete Condition Numbers 3 and 5 of a previously approved Rezoning (ZON-3474) which required a comprehensive site development plan to illustrate the location of joint driveways, joint parking and access agreements, a consistent landscaping plan and a traffic impact analysis at 708 North Jones Boulevard.

Related Building Permits/Business Licenses	
c. 1964	A single-family residence was constructed at 708 North Jones Boulevard.

Pre-Application Meeting	
10/21/09	A pre-application meeting was held to discuss the requirements for the conversion of a single-family residence to medical office use. Topics included: • Requirement for a Variance for parking, a Review of Condition for conditions 3 and 5 of a previously approved Rezoning (ZON-3474) and a Site Development Plan Review. • Parking requirements, including drive aisle widths, turning radii and an ADA route from the public right-of-way to the building. • Landscape requirements, including required Waivers and Exceptions.

Neighborhood Meeting
A neighborhood meeting was neither required nor held.

Field Check	
12/22/09	A field check was conducted by staff. The subject site contains a well-maintained single-family residence.

Details of Application Request	
Site Area	
Gross Acres	0.18 Acres

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

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

ANALYSIS

A Rezoning (ZON-3474) was previously approved for nine properties along Jones Boulevard, including the subject site, which required a comprehensive site development plan to illustrate the location of joint driveways, joint parking and access agreements, a consistent landscaping plan and a traffic impact analysis. This request has been submitted to delete the requirements of Condition of Approval numbers 3 and 5, and is necessary for the approval of an associated Site Development Plan Review (SDR-36959) on one of the lots for the proposed conversion of an existing 1,770 square-foot single-family residence to a medical office at 708 North Jones Boulevard. Of the nine properties affected by the rezoning, only two have been hard-zoned to

P-R (Professional Office and Parking) as a result of the action. The Resolution of Intent to Rezone subsequently expired on 02/18/08 for the other properties, which remain single-family residences, and a new Rezoning and Site Development Plan Review would be required to convert any of the residences to a commercial use. In addition, a plan that was previously submitted to meet the conditions is not consistent with existing building locations and site conditions.

As a general note, The Department of Public Works would prefer to see adjacent property owners work together to present multi-lot conversions with common access drives and common parking areas wherever possible, as cooperative redevelopment efforts allow for greater flexibility in the design of site access, parking and landscaping. The department has no comments on the deletion of Condition Number Three, and notes that Condition Number Five requiring a Traffic Impact Analysis was recommended for a larger area that contemplated the joint use of nine separate parcels. Since only one of the parcels is being considered with Site Development Plan Review (SDR-36959), the Department of Public Works has no objection to this request provided all other conditions imposed on this site by Rezoning (ZON-3474) and all other subsequent site-related conditions of approval are ultimately complied with.

Although staff recommended denial of a similar request in 2004 when the Resolution of Intent to Rezone was still valid for all the affected properties, staff is now recommending approval of the associated Review of Condition due to the expiration of the Resolution of Intent to Rezone for seven of the nine parcels, and the limited applicability of the conditions for the remaining two parcels.

FINDINGS

Conditions of Approval Numbers 3 and 5 of Rezoning (ZON-3474) that required a comprehensive site development plan to illustrate the location of joint driveways, joint parking and access agreements, a consistent landscaping plan and a traffic impact analysis were intended to facilitate the cooperative redevelopment of nine parcels along Jones Boulevard. To date, only two of the nine parcels have been hard-zoned to P-R (Professional Office and Parking) as a result of the action. The Resolution of Intent to Rezone has subsequently expired for the remaining seven parcels, and they are no longer subject to the conditions of approval for ZON-3474; therefore, staff is recommending approval of this request.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

NOTICES MAILED 356

APPROVALS 1

PROTESTS 2

SG

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ROC-36960** APN: 13825310003

Name of Property Owner: Dr. Sharon Roth, OMD

Name of Applicant: Dr. Sharon Roth, OMD

Name of Representative: NA

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: Sharon Roth

Print Name: Sharon Roth Eric Carstens

Subscribed and sworn before me

This 3rd day of November, 2009

M. S. Peterson

Notary Public in and for said County and State

M.S. PETERSON
NOTARY PUBLIC, STATE OF NEVADA
APPOINTMENT NO. 02-78422-1
MY APPT EXPIRES OCT. 16, 2010

Revised 11-14-06

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

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For:

Project Address (Location) 708 N Jones Blvd, Las Vegas 89107

Project Name Roth Medical Office **Proposed Use** Acupuncture Office

Assessor's Parcel #(s) 13825310003 **Ward #** 1

General Plan: existing _____ proposed _____ **Zoning:** existing P-R proposed P-R

Commercial Square Footage 1,350 SF **Floor Area Ratio**

Gross Acres 0.19 acres **Lots/Units** 1 **Density**

Additional Information

PROPERTY OWNER Dr. Sharon Roth, OMD **Contact**

Address 101 S Rainbow Blvd, Ste 22 **Phone:** (702) 259-6996 **Fax:** (702) 259-6995

City Las Vegas **State** NV **Zip** 89145

E-mail Address srothlac@cox.net

APPLICANT Dr. Sharon Roth, OMD **Contact**

Address 101 S Rainbow Blvd, Ste 22 **Phone:** (702) 259-6996 **Fax:** (702) 259-6995

City Las Vegas **State** NV **Zip** 89145

E-mail Address srothlac@cox.net

REPRESENTATIVE NA **Contact**

Address **Phone:** **Fax:**

City **State** **Zip**

E-mail Address

Property Owner Signature* Sharon Roth

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Sharon Roth Eric Labastida

Subscribed and sworn before me

This 3rd day of November, 2009.

Notary Public in and for said County and State

M.S. PETERSON
NOTARY PUBLIC, STATE OF NEVADA
APPOINTMENT NO. 02-78422-1
MY APPT. EXPIRES OCT. 16, 2010

FOR DEPARTMENT USE ONLY

Case #	ROC-3C960
Meeting Date:	11/29/2010
Total Fee:	830.00
Date Received:*	12/15/09
Received By:	M. REX

*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

f:\dcpot\Application Packet\Application Form.pdf

Revised 10/27/08

PARKING COUNT

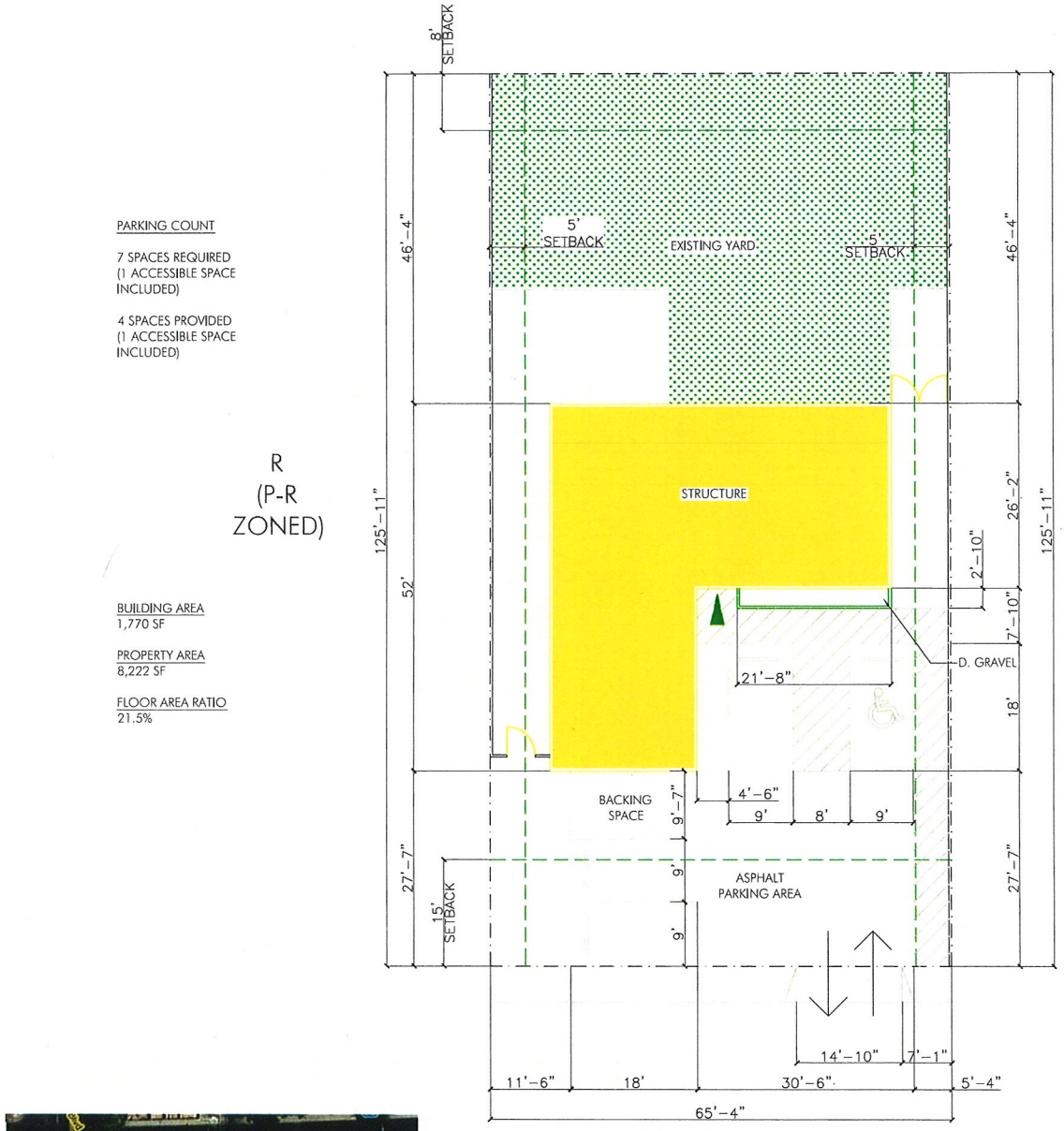
7 SPACES REQUIRED
(1 ACCESSIBLE SPACE INCLUDED)

4 SPACES PROVIDED
(1 ACCESSIBLE SPACE INCLUDED)

BUILDING AREA
1,770 SF

PROPERTY AREA
8,222 SF

FLOOR AREA RATIO
21.5%



JONES BLVD

NORTH

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

NORTH

VICINITY MAP
NTS

RECEIVED
DEC 15 2009

ROC-36960

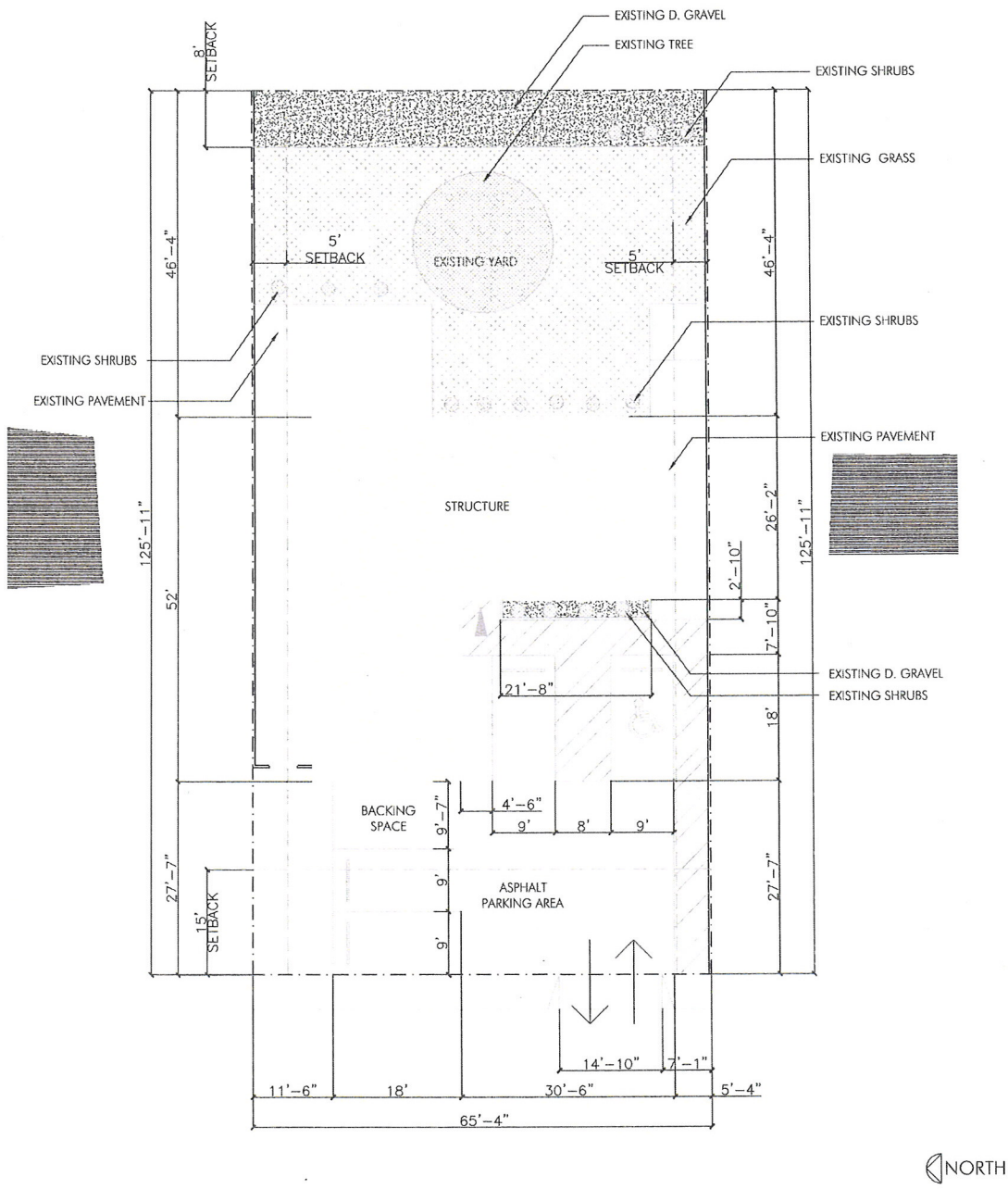
Roth Medical Office

01/28/10 PC

DECEMBER 15, 2009

708 N Jones Ave
LAS VEGAS, NV 89107

S-1
SHEET NO



JONES BLVD

LANDSCAPE PLAN

SCALE 1/16" : 1'-0"

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JAN 05 2010

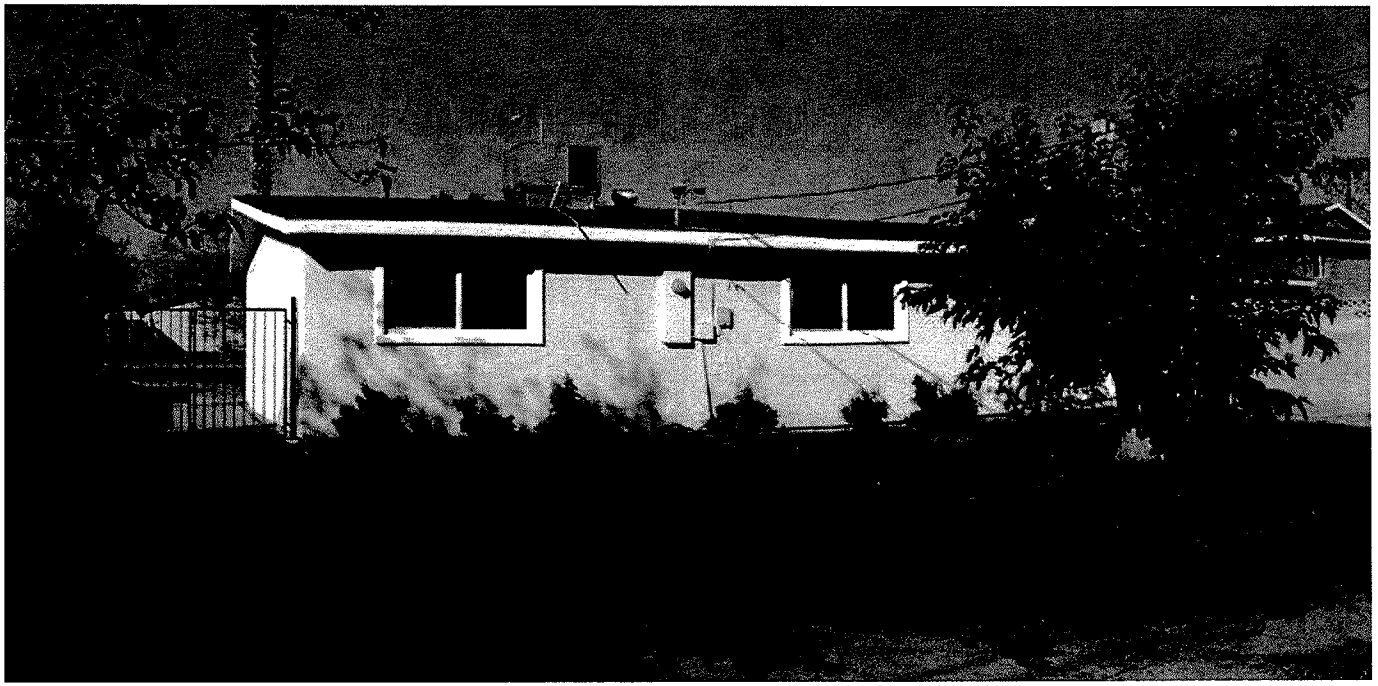
ROC-36960
REVISED
01/28/10 PC

Roth Medical Office
708 N Jones Ave
LAS VEGAS, NV 89107

DATE
DECEMBER 15, 2009

L-1
SHEET NO.

REAR LANDSCAPING – View 1



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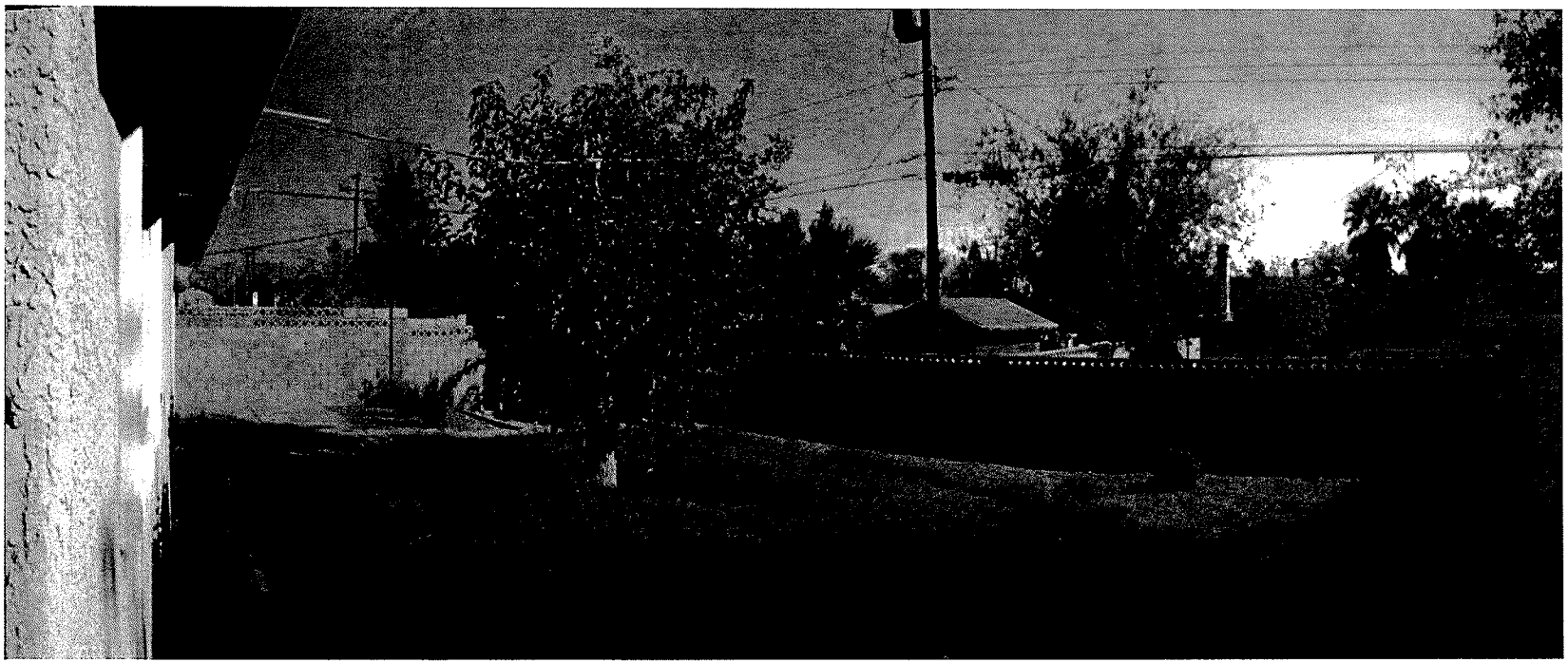
DEC 15 2009

ROC-36960
01/28/10 PC

REAR LANDSCAPING – View 2



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DEC 15 2009

NORTH ELEVATION

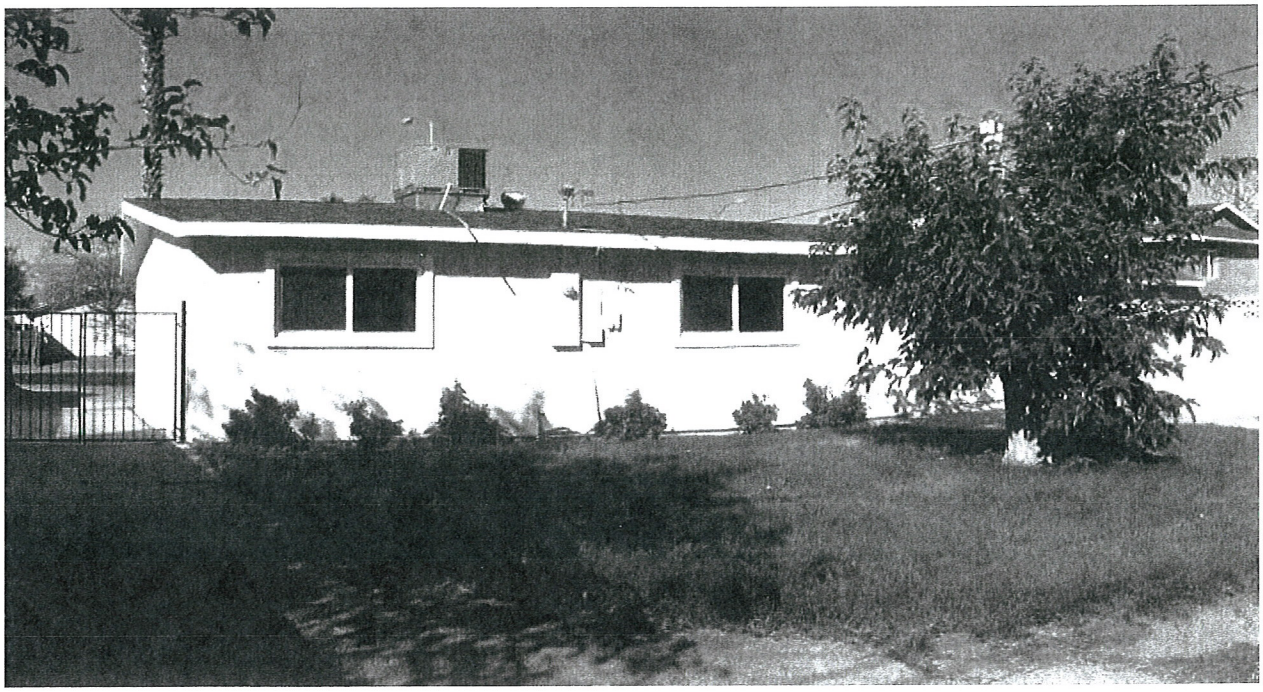
RECEIVED
DEC 15 2009

NORTH ELEVATION

RECEIVED

DEC 15 2009

EAST ELEVATION



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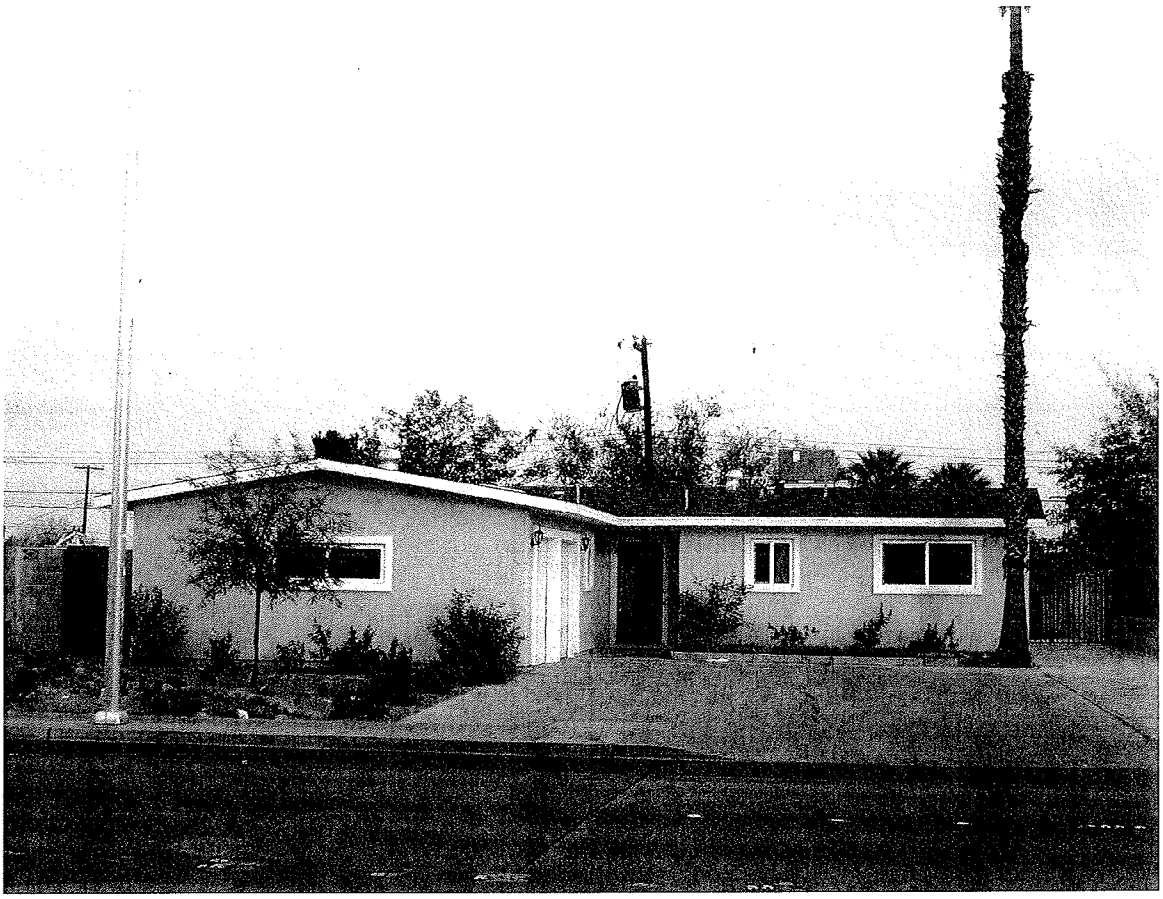
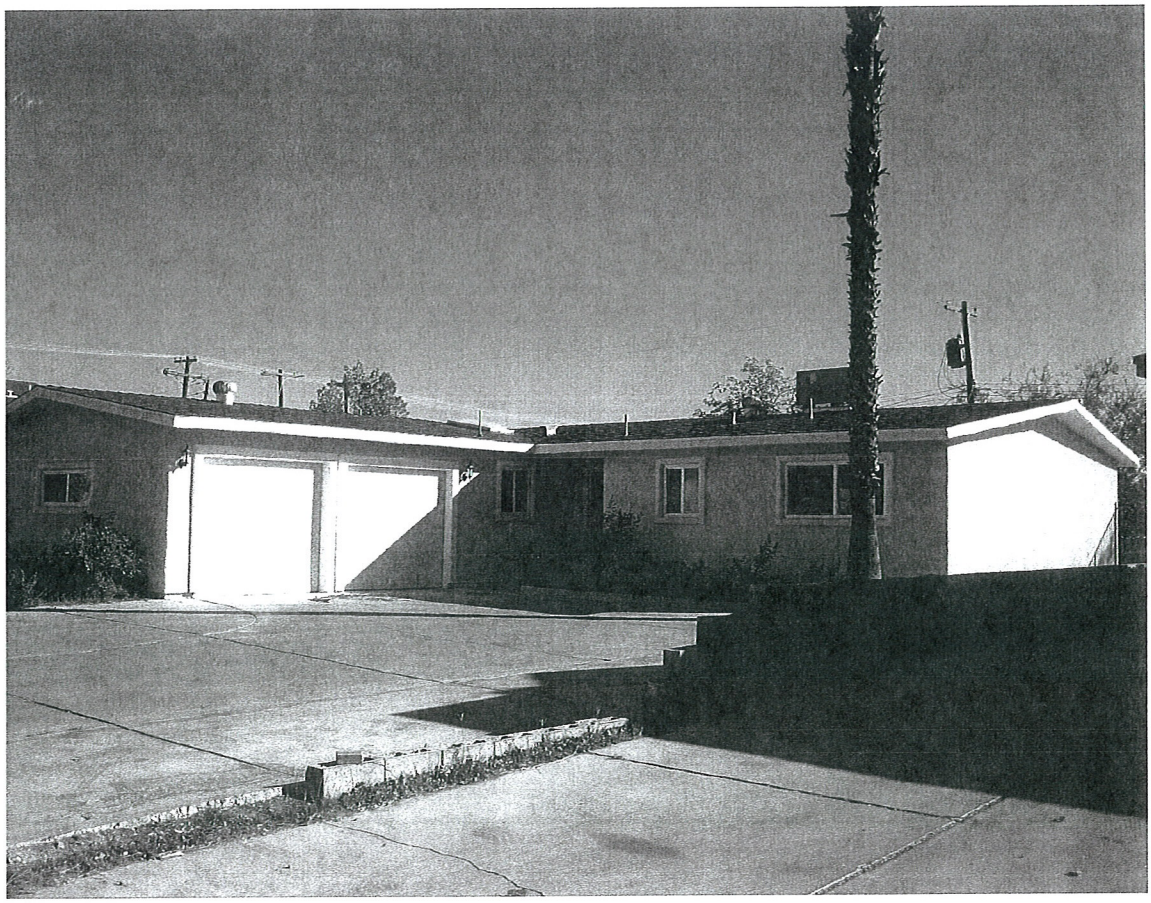
DEC 15 2009

WEST ELEVATION



SOUTH ELEVATION



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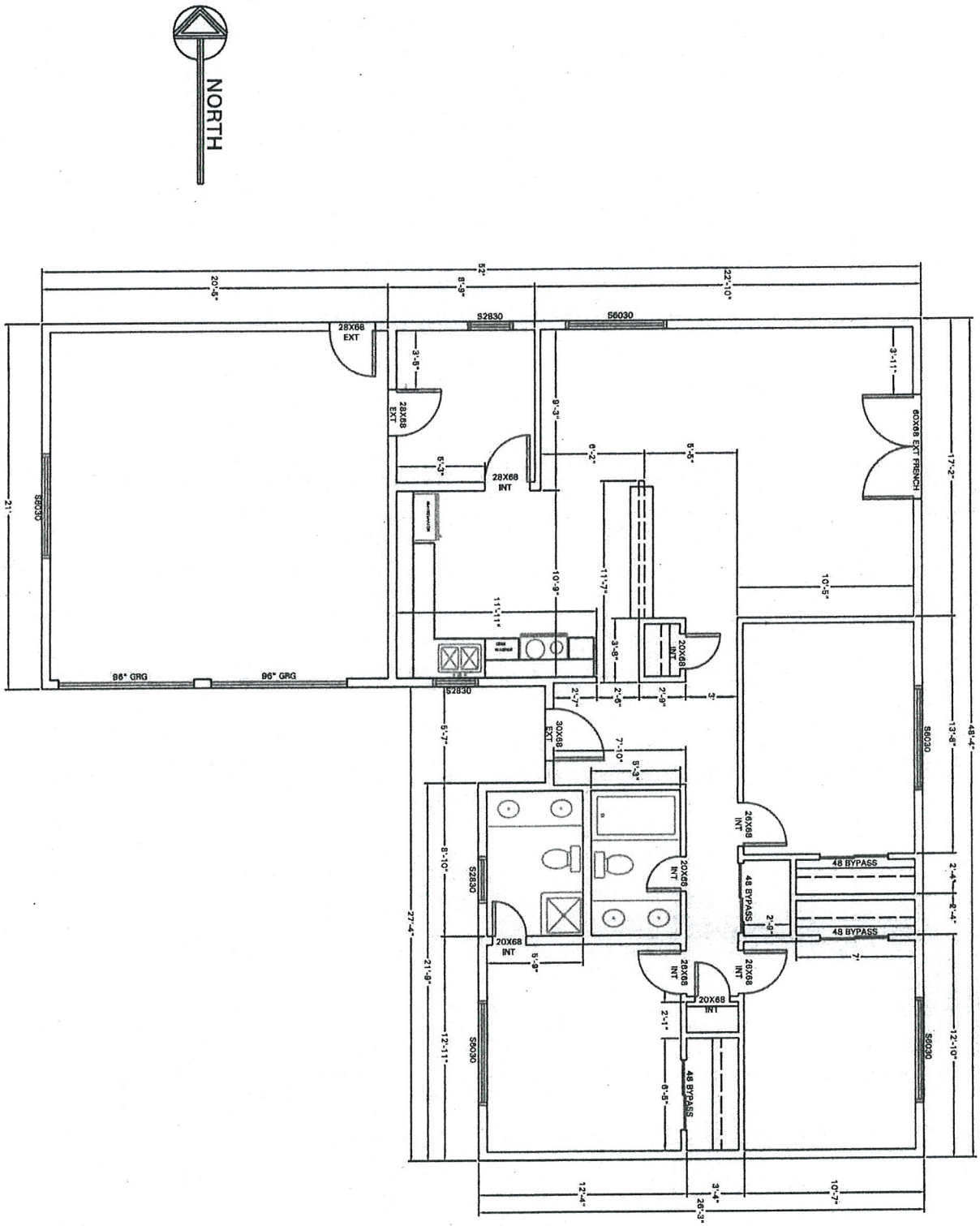

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DEC 15 2009

ROC-36960

01/28/10 PC

FLOOR PLAN

708 N. JONES BLVD., LAS VEGAS, NV 89107

APN #138-25-310-003

1

SCALE: 1"=3'-0"

MAYOR
OSCAR B. GOODMAN

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

CITY MANAGER
DOUGLAS A. SELBY

February 19, 2004

Ms. Melanie Bittner, et al
800 North Jones Boulevard
Las Vegas, Nevada 89107

RE: ZON-3474 - REZONING
CITY COUNCIL MEETING OF FEBRUARY 18, 2004
Related to GPA-3388

Dear Ms. Bittner:

The City Council at a regular meeting held February 18, 2004 APPROVED the request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICES AND PARKING) on 1.7 acres at 600 - 804 North Jones Boulevard (APN: 138-25-310-001 through 009). The Notice of Final Action was filed with the Las Vegas City Clerk on February 19, 2004.

Planning and Development

1. A General Plan Amendment (GPA-3388) from L (Low Density Residential) to an O (Office) land use designation approved by the City Council

2. A Resolution of Intent with a two-year time limit.

3. A comprehensive site development plan, including all lots, shall be submitted for approval by the Planning and Development Department and the Department of Public Works prior to the issuance of a Certificate of Occupancy for any of these lots. This plan shall show the location of joint driveways, a consistent landscaping plan and joint parking and access agreements.

Public Works

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

5. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings. Comply with the

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

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

68112-012-6/03

ROC-36960
01/28/10 PC

recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

6. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this overall 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.

7. Provide a copy of a recorded Joint Access Agreement between all parcels comprising this site prior to the issuance of any permits. All parking and driveways shall be designed and constructed such that no vehicles must back out onto Jones Boulevard or Granada Avenue. Where individual lots are not large enough to accommodate two way traffic into and out of the parking lots, adjacent parcels shall come in together to provide appropriate two way traffic handling.

Sincerely,

Angela Crolli

Angela Crolli
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk

cc: See Attached List

ROC-36960
01/28/10 PC

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

Mr. Roy Dowling
4001 North Torrey Pines Drive
Las Vegas, Nevada 89108

Ms. Susan H. Linton
704 North Jones Boulevard
Las Vegas, Nevada 89107

Mr. Terry Hinse
708 North Jones Boulevard
Las Vegas, Nevada 89107

Mr. Ralph Lampman
Fidelity Trust
3157 North Rainbow Boulevard, Suite #305
Las Vegas, Nevada 89108

Ms. Kathleen Hamzag
Mr. Rashed Murat
3097 South Decatur Boulevard
Las Vegas, Nevada 89102

Mr. Raul Sanchez
700 North Jones Boulevard
Las Vegas, Nevada 89107

Mr. Daniel Robson, Jr.
612 North Jones Boulevard
Las Vegas, Nevada 89107

ROC-36960
01/28/10 PC

ROC-36960 - APPLICANT/OWNER: SHARON ROTH
708 SOUTH JONES BOULEVARD
FEBRUARY 25, 2010 PLANNING COMMISSION

01/07/10

ROC-36960 - APPLICANT/OWNER: SHARON ROTH
708 SOUTH JONES BOULEVARD
FEBRUARY 25, 2010 PLANNING COMMISSION

01/07/10

ROC-36960 - APPLICANT/OWNER: SHARON ROTH
708 SOUTH JONES BOULEVARD
FEBRUARY 25, 2010 PLANNING COMMISSION

01/07/10

December 15, 2009

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

Dear Planning Department,

I have recently acquired the property located at 708 N Jones Ave, Las Vegas, NV 89107. This is currently a single story residential home which is now zoned for professional office and parking use in the City of Las Vegas. I would like to have this location officially converted from a residential (R) use into a professional office (P-R) use.

I am highly interested in opening an acupuncture clinic at the above location. I am licensed as a Doctor of Oriental Medicine by the Nevada State Board of Oriental Medicine and have been in private practice for the past 12 years. I currently own and operate a similar clinic at 101 S Rainbow, Suite 22, Las Vegas, NV 89145. The proposed clinic shall serve as my new main office where I shall continue to attend to both current and new patients.

The clinic shall have two employees. I propose to operate this clinic from 8 AM to 5 PM, Monday to Friday. All consultations in the past and present have been by appointment, given that the treatment involves the available use of the treatment room. This shall also be the case in the proposed clinic. Similarly, all other consultations on Saturday and Sunday shall be by appointment only.

I sincerely believe that the location has great potential for both providing a needed service to the community and promoting the commercial functions in the area. I hope your office can aid me in realizing this goal. Your assistance in reviewing this proposal with all planning and building concerns is greatly appreciated.

Thank you very much.

Sharon Roth

Dr. Sharon Roth, OMD, L.Ac.

RECEIVED
JAN 05 2010

ROC-36960
REVISED
01/28/10 PC

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
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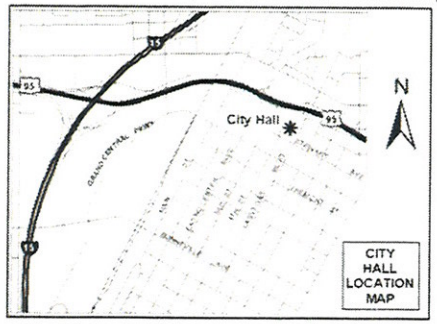
MAILED FROM ZIP CODE 89101

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-36958 & ROC-36960

Planning Commission Meeting of 1/28/2010

RECEIVED
JAN 27 2010

Case: VAR-36958

13826713016
ERNETTE WILLIAM
2035 HALLWOOD DR
LAS VEGAS NV 89119-6177

KAVD511 89119

Submitted after final agenda
Date 1/27/10 Item 208

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

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JAN 27 2010

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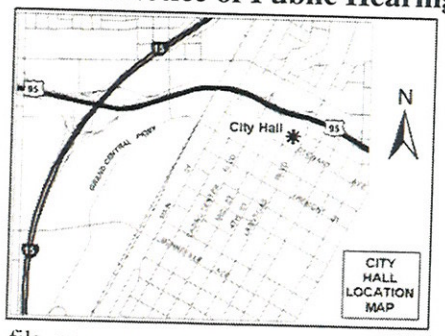
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-36958 & ROC-36960

Planning Commission Meeting of 1/28/2010

Case: VAR-36958

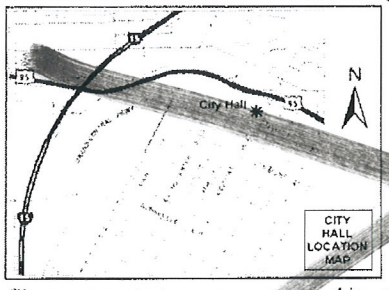
13826713013
ERNETTE WILLIAM C
2035 HALLWOOD DR
LAS VEGAS NV 89119-6177

KAVD511 89119

Submitted after final agenda
Date
Item 26P

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

Return Service Requested
Official Notice of Public Hearing



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.

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

Please use available blank space on card for your comments.

SDR-36959

Planning Commission Meeting of 2/25/2010

=I support this project to improve the overall neighborhood as long as it does not affect the value of properties and it does make a benefit to keep the streets nice and clean=

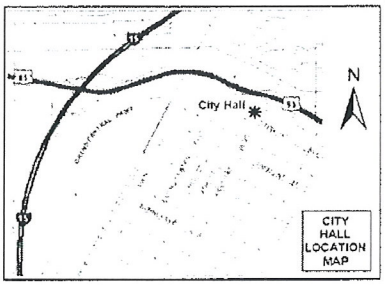
Case: SDR-36959

13826619015
HERNANDEZ ENEDELIA
7720 CRENSHAW WY
LAS VEGAS NV 89129-5498

LAV0511 89129

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

Return Service Requested
Official Notice of Public Hearing



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

Please use available blank space on card for your comments.

VAR-36958 & ROC-36960

Planning Commission Meeting of 2/25/2010

=I support this project to improve the overall neighborhood as long as it does not affect the value of properties and it does make a benefit to keep the streets nice and clean=

Case: VAR-36958

13826619015
HERNANDEZ ENEDELIA
7720 CRENSHAW WY
LAS VEGAS NV 89129-5498

RECEIVED
FEB 16 2010

LAV0511 89129

9A

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 25, 2010

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

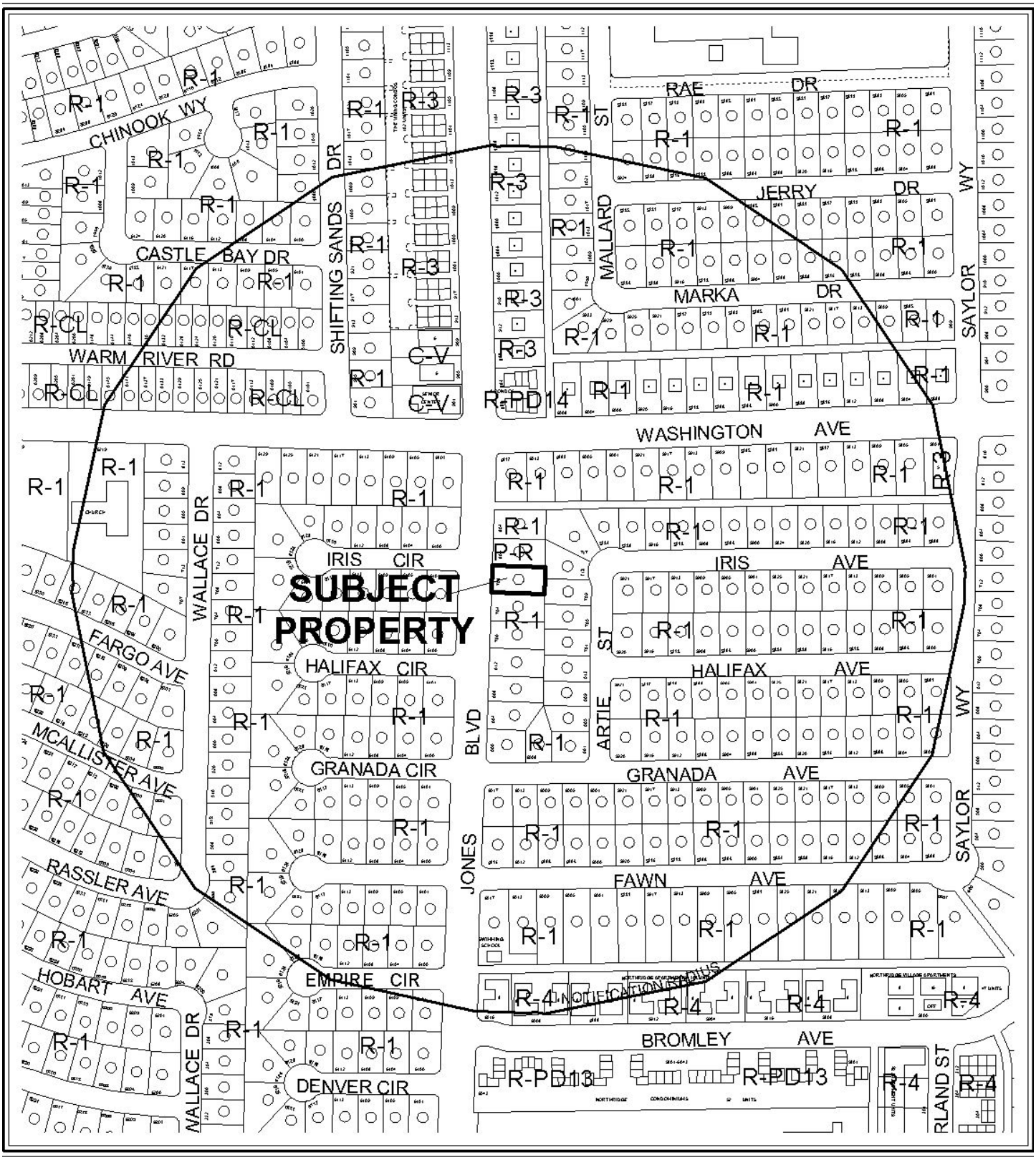
SUBJECT:
ABEYANCE - RENOTIFICATION - SDR-36959 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-36958 AND ROC-36960 - PUBLIC HEARING - APPLICANT/OWNER: SHARON ROTH - Request for a Site Development Plan Review FOR THE PROPOSED CONVERSION OF A SINGLE-FAMILY RESIDENCE TO A 1,770 SQUARE-FOOT OFFICE, MEDICAL WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS TO ALLOW A ZERO-FOOT BUFFER ALONG THE WEST PERIMETER WHERE 15 FEET IS REQUIRED AND ZERO-FOOT BUFFERS ALONG THE NORTH AND SOUTH PERIMETERS WHERE FIVE FEET IS REQUIRED on 0.15 acres at 708 South Jones Boulevard (APN 138-25-310-003), P-R (Professional Office and Parking) Zone, Ward 1 (Tarkanian) **NOTE: THE ADDRESS HAS BEEN AMENDED TO 708 NORTH JONES BOULEVARD**

C.C.: 04/07/2010

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

RECOMMENDATION:
Staff recommends DENIAL, if approved subject to conditions:

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



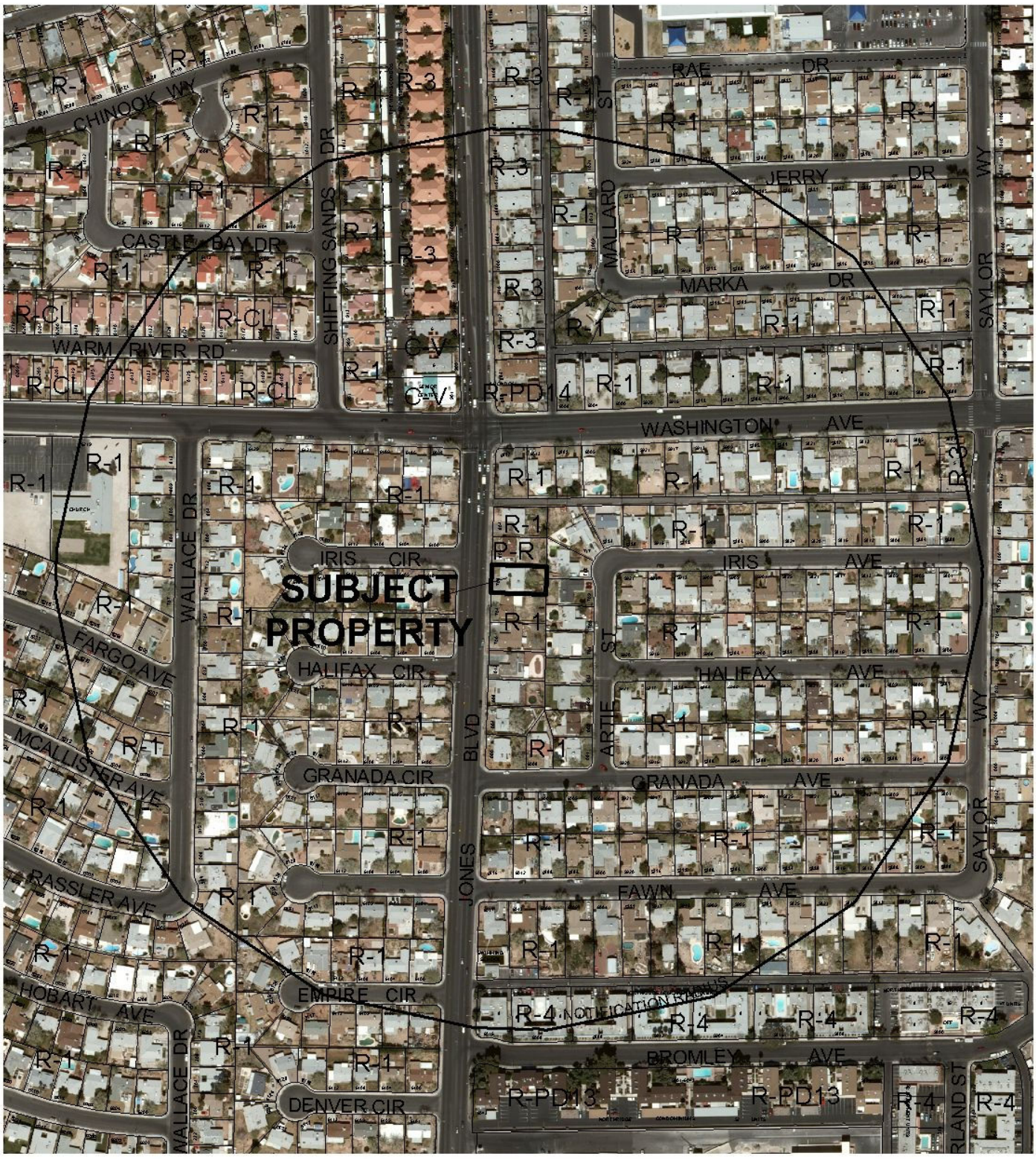
0 300 600 Feet

CASE: **SDR-36959**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: P-R (PROFESSIONAL OFFICE AND PARKING)

N



0 300 600 Feet

CASE: **SDR-36959**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: P-R (PROFESSIONAL OFFICE AND PARKING)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - RENOTIFICATION - SDR-36959 - APPLICANT/OWNER: SHARON ROTH

** CONDITIONS **

Staff recommends DENIAL, if approved subject to conditions:

Planning and Development

1. Conformance to the Conditions of Approval for Rezoning (ZON-3474), except as amended herein.

2. Approval of and conformance to the Conditions of Approval for Variance (VAR-36958) and Review of Condition (ROC-36960) shall be required, if approved.

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

4. All development shall be in conformance with the landscape plan date stamped 02/17/10, and the site plan and building elevations, date stamped 12/15/09, except as amended by conditions herein.

5. A Waiver from Title 19.12.040 is hereby approved, to allow buffer widths of zero feet along the west perimeter where 15 feet is required, and zero feet along portions of the north and south perimeters where five feet is required.

6. An Exception from Title 19.10.010 is hereby approved, to allow no parking lot trees where four trees are required.

7. An Exception from Title 19.12.040 is hereby approved, to allow six perimeter trees where 20 trees are required.

8. A letter from the service provider shall be provided to the Planning and Development Department prior to or at the time of building permit submittal approving the continuation of curb-side trash pickup. If no such letter can be provided, a trash enclosure conforming to all requirements of Title 19.08 shall be provided on site.

9. As needed, the existing walls along the east and south property lines, adjacent to residential properties, shall be raised to a minimum height of six feet to conform to the requirements of Title 19.12.075 for screening purposes.

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

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

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

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

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

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

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

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

Public Works

18. 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.

19. Meet with the Traffic Engineering Representative for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. The driveway accessing this site from Jones Boulevard shall also receive written approval from the Nevada Department of Transportation.

20. If on-street parking is not already prohibited adjacent to this site, submit a written request to the City Traffic Engineer to eliminate on-street parking on Jones Boulevard adjacent to this site.

21. Landscape and maintain all unimproved right-of-way, if any, on Jones Boulevard adjacent to this site prior to the issuance of any permits. All landscaping and private improvements installed with this project shall be situated and maintained so as not to create sight visibility obstructions for vehicular traffic at all development access drives.

22. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Jones Boulevard public right-of-way adjacent to this site.

23. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

SDR-36959 - Staff Report Page One
February 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This request is for the proposed conversion of an existing 1,770 square-foot single-family residence to a medical office at 708 North Jones Boulevard. There are no other existing or proposed structures on the site. The office would be open Monday through Friday from 8:00 a.m. to 5:00 p.m., and weekends by appointment only. The proposed site will not have adequate parking, and requests for Waivers and Exceptions of the required perimeter and parking lot landscaping will result in a lack of adequate buffering between the commercial site and the adjacent single-family residences located to the south, east and west; therefore, staff is recommending denial of this request. If denied, the site will remain as a single-family residence.

ISSUES

- Approval of an associated Variance (VAR-36958) is required to allow four parking spaces where nine are required, with one of the provided spaces required to be a van accessible handicap space. In addition, parking in the street along Jones Boulevard will not be available. The proposed office will have one doctor and two employees, resulting in a shortage of parking for staff and patients. Staff is recommending denial of the associated Variance request.
- Approval of an associated Review of Condition is required to delete Condition Numbers 3 and 5 of a previously approved Rezoning (ZON-3474) which required a comprehensive site development plan to illustrate the location of joint driveways, joint parking and access agreements, a consistent landscaping plan and a traffic impact analysis. The rezoning applied to nine properties along Jones Boulevard (600-804 N. Jones Boulevard), but only two of the properties have been hard-zoned to P-R (Professional Office and Parking) as a result of the action. The Resolution of Intent to Rezone subsequently expired on 02/18/08 for the other properties, which remain single-family residences, and a new Rezoning and Site Development Plan Review would be required to convert any of the residences to a commercial use. In addition, a plan that was previously submitted to meet the conditions is not consistent with existing building locations and site conditions. Although staff recommended denial of a similar request in 2004 when the Resolution of Intent to Rezone was still valid for all the affected properties, staff is now recommending approval of the associated Review of Condition for these reasons.
- Waivers of perimeter landscape buffer standards are requested to allow buffer widths of zero feet along the west perimeter where 15 feet is required, and zero feet along portions of the north and south perimeters where five feet is required. Exceptions of perimeter and parking lot planting requirements are requested to allow six perimeter trees where 20 trees are required and no parking lot trees where four trees are required. Staff cannot support the Waiver and Exception requests as they will result in a lack of adequate buffering between the proposed commercial site and the adjacent single-family residences to the south, east and west.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
02/18/04	The City Council approved a General Plan Amendment (GPA-3388) to O (Office) and a Rezoning (ZON-3474) to P-R (Professional Office and Parking at 600-804 North Jones Boulevard. The Planning Commission and staff recommended approval.
10/20/04	The City Council denied a request for a Review of Condition (ROC-5250) for Condition Number 3 of an approved Rezoning (ZON-3474) which required a comprehensive site plan, including all lots, to be submitted for approval by the Planning and Development Department and the Department of Public Works prior to the issuance of a certificate of occupancy for any of the lots involved in the rezoning to allow the lots to submit site development plan reviews on an individual basis at 600 to 804 North Jones Boulevard. Staff recommended denial.
04/20/05	The City Council approved Ordinance #5760, which amended the zoning map by changing the zoning designations of multiple parcels of land. Included in this action were 708 and 800 North Jones Boulevard, which were part of Rezoning (ZON-3474).
04/05/06	The City Council approved a request for an Extension of Time (EOT-11905) of an approved Rezoning (ZON-3474) from R-1 (Single Family Residential) to P-R (Professional Office and Parking) at 600-804 North Jones Boulevard. Staff recommended approval. The rezoning subsequently expired on 02/18/08.
09/25/09	A change of ownership was recorded.
01/28/10	The Planning Commission voted to abey this item and its associated requests for a Variance (VAR-36958) to allow four parking spaces where nine are required and a Review of Condition (ROC-36960) to delete Condition Numbers 3 and 5 of a previously approved Rezoning (ZON-3474) which required a comprehensive site development plan to illustrate the location of joint driveways, joint parking and access agreements, a consistent landscaping plan and a traffic impact analysis at 708 North Jones Boulevard.
02/25/10	The Planning Commission will consider associated requests for a Variance (VAR-36958) to allow four parking spaces where nine are required and a Review of Condition (ROC-36960) to delete Condition Numbers 3 and 5 of a previously approved Rezoning (ZON-3474) which required a comprehensive site development plan to illustrate the location of joint driveways, joint parking and access agreements, a consistent landscaping plan and a traffic impact analysis at 708 North Jones Boulevard.

Related Building Permits/Business Licenses	
c. 1964	A single-family residence was constructed at 708 North Jones Boulevard.

Pre-Application Meeting	
10/21/09	A pre-application meeting was held to discuss the requirements for the conversion of a single-family residence to medical office use. Topics included: • Requirement for a Variance for parking, a Review of Condition for conditions 3 and 5 of a previously approved Rezoning (ZON-3474) and a Site Development Plan Review. • Parking requirements, including drive aisle widths, turning radii and an ADA route from the public right-of-way to the building. • Landscape requirements, including required Waivers and Exceptions.

Neighborhood Meeting
A neighborhood meeting was neither required nor held.

Field Check	
12/22/09	A field check was conducted by staff. The subject site contains a well-maintained single-family residence.

Details of Application Request	
Site Area	
Gross Acres	0.18 Acres

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Single-Family Residence	O (Office)	P-R (Professional Office and Parking)
North	Single-Family Residence	O (Office)	P-R (Professional Office and Parking)
South	Single-Family Residence	O (Office)	R-1 (Single Family Residential)
East	Single-Family Residence	L (Low Density Residential)	R-1 (Single Family Residential)
West	Single-Family Residence	L (Low Density Residential)	R-1 (Single Family Residential)

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

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	N/A	8,130 SF	N/A
Min. Lot Width	65 Feet	65 Feet	Y
Min. Setbacks			
• Front	20 Feet	27 Feet	Y
• Side	5 Feet	8 Feet	Y
• Rear	15 Feet	46 Feet	Y
Max. Lot Coverage	50%	22%	Y
Max. Building Height	Lesser of 2 Stories or 35 Feet	1 Story	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Curb-side Pickup	By Condition
Mech. Equipment	Screened	Not Indicated	By Condition

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

Residential Adjacency Standards	*Required/Allowed*	*Provided*	*Compliance*
3:1 proximity slope	15 Feet / 1 Story	1 Story	Y
Adjacent development matching setback	5/15 Feet	5/15 Feet	Y
Trash Enclosure	50 Feet	Curb-side Pickup	Y

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

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Parking Area	1 Tree / 6 Spaces, plus 1 tree at the end of each row of spaces	4 Trees	Zero Trees	N
Perimeter Buffer:				
• North	1 Tree / 20 Linear Feet	7 Trees	3 Trees	N
• South	1 Tree / 20 Linear Feet	7 Trees	1 Tree	N
• East	1 Tree / 20 Linear Feet	3 Trees	2 Trees	N
• West	1 Tree / 20 Linear Feet	3 Trees	Zero Trees	N
TOTAL (Perimeter Trees)		**20 Trees**	**6 Trees**	**N**
Min. Zone Width				
• North	5 Feet		Zero Feet	N
• South	5 Feet		Zero Feet	N
• East	8 Feet		8 Feet	Y
• West	15 Feet		Zero Feet	N
Wall Height	6 to 8 Feet Adjacent to Residential		Existing walls	By Condition

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	***Required***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Office, Medical	1,770 SF	1 / 200	8	1	3	1	N
TOTAL			**9**		**4**		**N**
Percent Deviation			56%				

Waivers		
Requirement	**Request**	**Staff Recommendation**
15-Foot landscape buffer along the west perimeter, adjacent to Jones Boulevard	Zero feet	Denial
Five-foot landscape buffer along portions of the north and south perimeters	Zero feet along portions	Denial

SG

Exceptions		
Requirement	**Request**	**Staff Recommendation**
One tree at 20 feet on center along all perimeters (20 trees required)	Six trees	Denial
One tree per six parking spaces, plus one tree at the end of each row of spaces (4 trees required)	Zero Trees	Denial

ANALYSIS

This request is for the proposed conversion of an existing 1,770 square-foot single-family residence to a medical office at 708 North Jones Boulevard. There are no other existing or proposed structures on the site. The office would be open Monday through Friday from 8:00 a.m. to 5:00 p.m., and weekends by appointment only. The proposed office would retain the residential appearance of the existing structure on the site.

The proposed site is deficient in parking, and approval of an associated Variance (VAR-36958) is required to allow four parking spaces where nine are required, with one of the provided spaces required to be a van accessible handicap space. In addition, parking in the street along Jones Boulevard will not be available, as the Department of Public Works has added a condition to prohibit such parking due to right-of-way width and traffic volume concerns. Staff is recommending denial of the associated Variance request.

A Rezoning (ZON-3474) was previously approved for nine properties along Jones Boulevard, including the subject site, which required a comprehensive site development plan to illustrate the location of joint driveways, joint parking and access agreements, a consistent landscaping plan and a traffic impact analysis. An associated Review of Condition has been submitted to remove these requirements, as only two of the nine properties included in the rezoning action have been hard-zoned to P-R (Professional Office and Parking) as a result of the action. The Resolution of Intent to Rezone subsequently expired on 02/18/08 for the other properties, which remain single-family residences, and a new Rezoning and Site Development Plan Review would be required to convert any of the residences to a commercial use. In addition, a plan that was previously submitted to meet the conditions is not consistent with existing building locations and site conditions. As a general note, The Department of Public Works would prefer to see adjacent property owners work together to present multi-lot conversions with common access drives and common parking areas wherever possible, as cooperative redevelopment efforts allow for greater flexibility in the design of site access, parking and landscaping. Although staff recommended denial of a similar request in 2004 when the Resolution of Intent to Rezone was still valid for all the affected properties, staff is now recommending approval of the associated Review of Condition for these reasons.

Waivers of perimeter landscape buffer standards have been requested to allow buffer widths of zero feet along the west perimeter where 15 feet is required, and zero feet along portions of the north and south perimeters where five feet is required. Exceptions of planting requirements have also been requested to allow six trees where 20 perimeter trees and four parking lot trees are required. The six additional trees are proposed for the north, south and east perimeters in existing planter areas. Staff cannot support these Waiver and Exception requests as they will result in a lack of adequate buffering between the proposed commercial site and the adjacent single-family residences to the south, east and west.

The proposed development lacks adequate parking and buffering from the adjacent single-family residences, and cannot be conducted in a manner that is compatible with the surrounding uses; therefore, staff is recommending denial of the request for a Site Development Plan Review.

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 not compatible with adjacent development and development in the area as there is a lack of adequate on-site parking and buffering for the surrounding adjacent properties.

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

   The proposed development is not consistent with Title 19, as is evidenced by the required parking Variance and requested Waivers and Exceptions to landscape standards.

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

   Access to the site is provided by a driveway to Jones Boulevard, designated as an 80-foot Secondary Collector in the Master Plan of Streets and Highways, and is adequate for the proposed development. The lack of on-site parking may adversely impact the surrounding neighborhoods with additional vehicular traffic.

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

The building materials are appropriate for the area and will retain a residential appearance for the site. The landscape materials, as conditioned, are appropriate for the area and for the city.

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

The proposed building elevations will remain essentially the same as the existing residence, thereby retaining a residential appearance that is compatible with the surrounding development.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

NOTICES MAILED 356

APPROVALS 1

PROTESTS 1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-36959** APN: 13825310003

Name of Property Owner: Dr. Sharon Roth, OMD

Name of Applicant: Dr. Sharon Roth, OMD

Name of Representative: NA

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: Sharon Roth

Print Name: Sharon Roth ELIC CATASTA

Subscribed and sworn before me

This 3rd day of November, 2009

M. S. Peterson

Notary Public in and for said County and State

M.S. PETERSON
NOTARY PUBLIC, STATE OF NEVADA
APPOINTMENT NO. 02-78422-1
MY APPT. EXPIRES OCT. 16, 2010

RECEIVED
DEC 15 2009

Revised 11-14-06

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PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For:

Project Address (Location) 708 N Jones Blvd, Las Vegas 89107

Project Name Roth Medical Office **Proposed Use** Acupuncture Office

Assessor's Parcel #(s) 13825310003 **Ward #** 1

General Plan: existing _____ proposed _____ **Zoning:** existing P-R proposed P-R

Commercial Square Footage 1,350 SF **Floor Area Ratio**

Gross Acres 0.19 acres **Lots/Units** 1 **Density**

Additional Information

PROPERTY OWNER Dr. Sharon Roth, OMD **Contact**

Address 101 S Rainbow Blvd, Ste 22 **Phone:** (702) 259-6996 **Fax:** (702) 259-6995

City Las Vegas **State** NV **Zip** 89145

E-mail Address srothlac@cox.net

APPLICANT Dr. Sharon Roth, OMD **Contact**

Address 101 S Rainbow Blvd, Ste 22 **Phone:** (702) 259-6996 **Fax:** (702) 259-6995

City Las Vegas **State** NV **Zip** 89145

E-mail Address srothlac@cox.net

REPRESENTATIVE NA **Contact**

Address **Phone:** **Fax:**

City **State** **Zip**

E-mail Address

Property Owner Signature* Sharon Roth

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Sharon Roth, Eric Labastida

Subscribed and sworn before me

This 3rd day of November, 2009.

M. S. Peterson

Notary Public in and for said County and State

M.S. PETERSON
NOTARY PUBLIC, STATE OF NEVADA
APPOINTMENT NO. 02-78422-1
MY APPT. EXPIRES OCT. 16, 2010

FOR DEPARTMENT USE ONLY

Case #	SDR-36957
Meeting Date:	11/28/010
Total Fee:	1030.00
Date Received:*	12/15/09
Received By:	MREX

*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

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Revised 10/27/08

PARKING COUNT

7 SPACES REQUIRED
(1 ACCESSIBLE SPACE INCLUDED)

4 SPACES PROVIDED
(1 ACCESSIBLE SPACE INCLUDED)

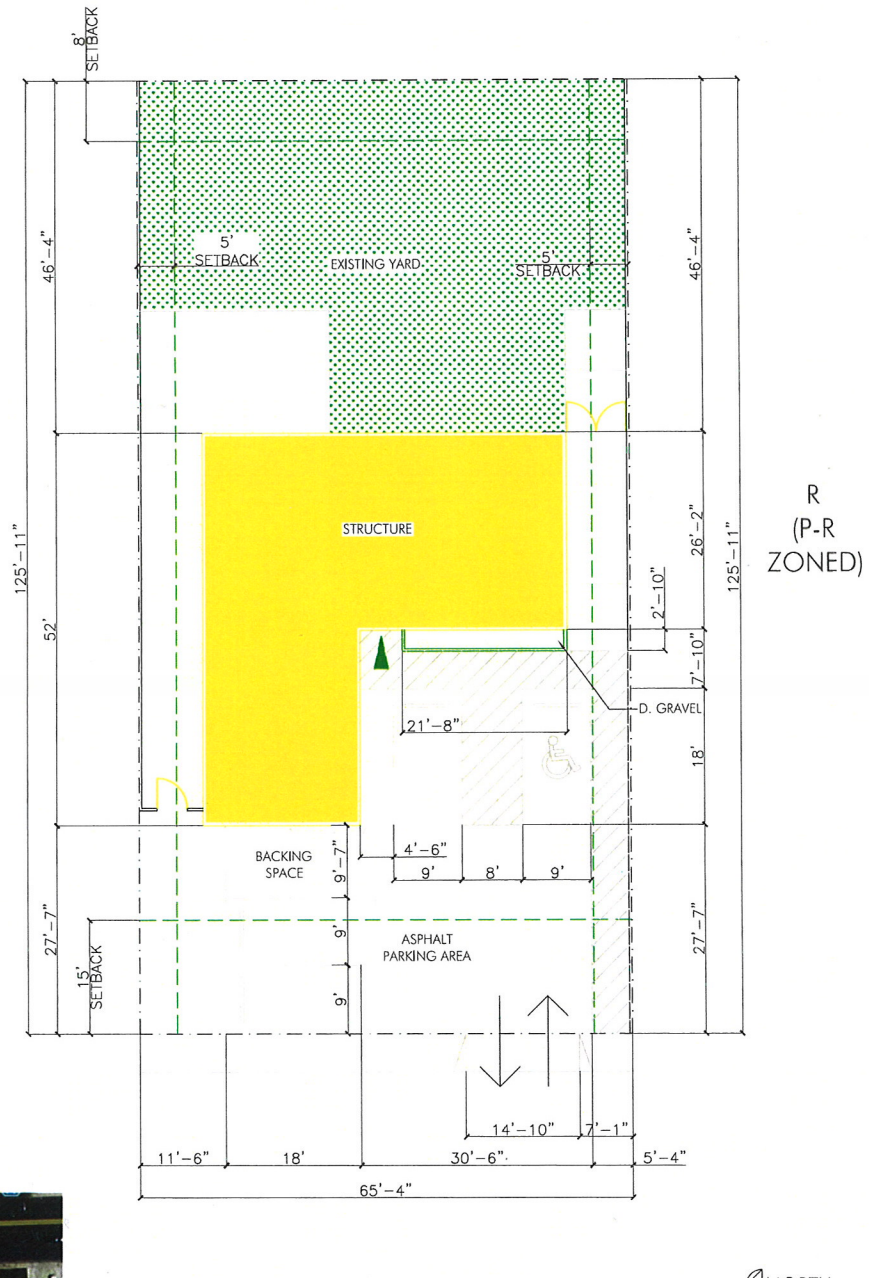
BUILDING AREA
1,770 SF

PROPERTY AREA
8,222 SF

FLOOR AREA RATIO
21.5%

NORTH

VICINITY MAP
NTS



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

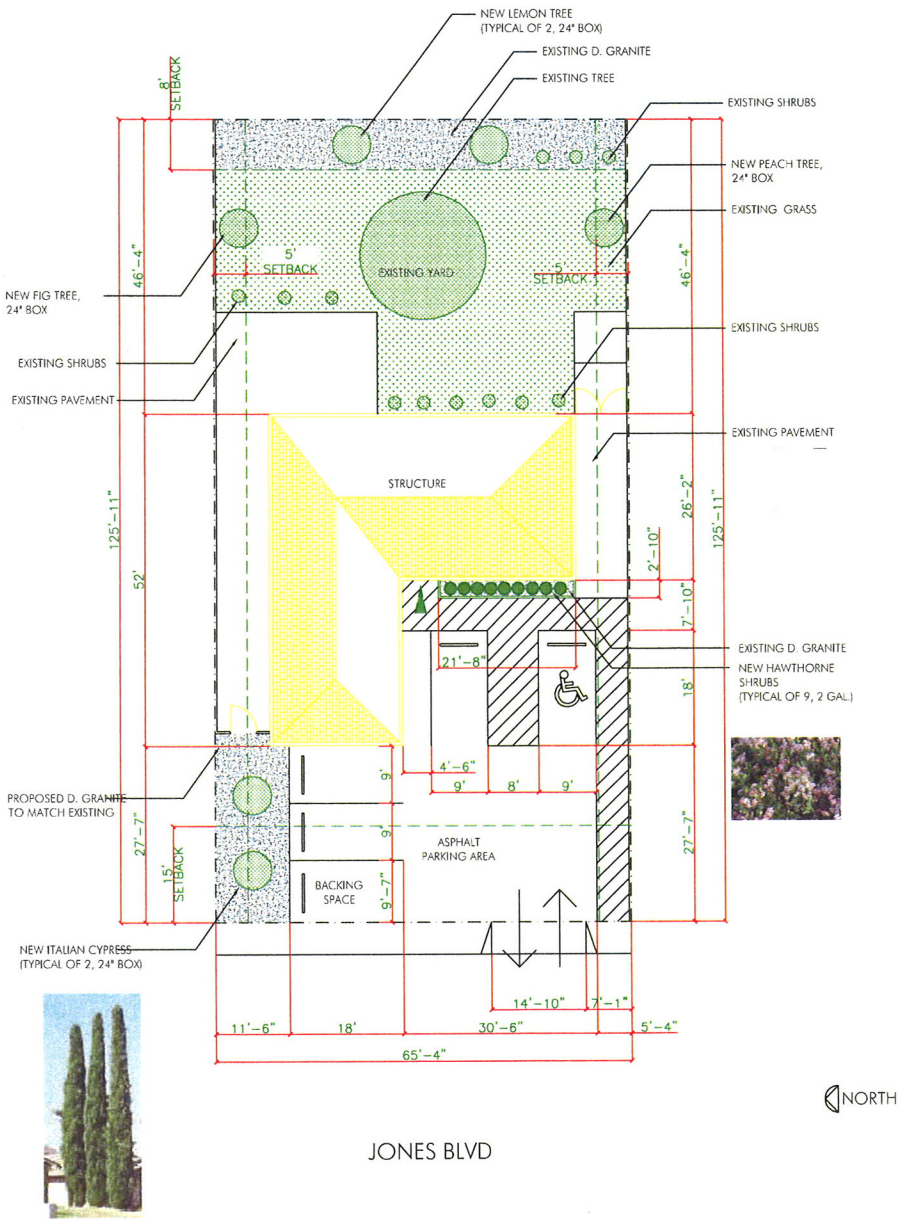
RECEIVED
DEC 15 2009

Roth Medical Office
708 N Jones Ave
LAS VEGAS, NV 89107

SDR-36959
01/28/10 PC

DATE DECEMBER 15, 2009

SHEET NO S-1



LANDSCAPE PLAN

SCALE 1/16" : 1'-0"

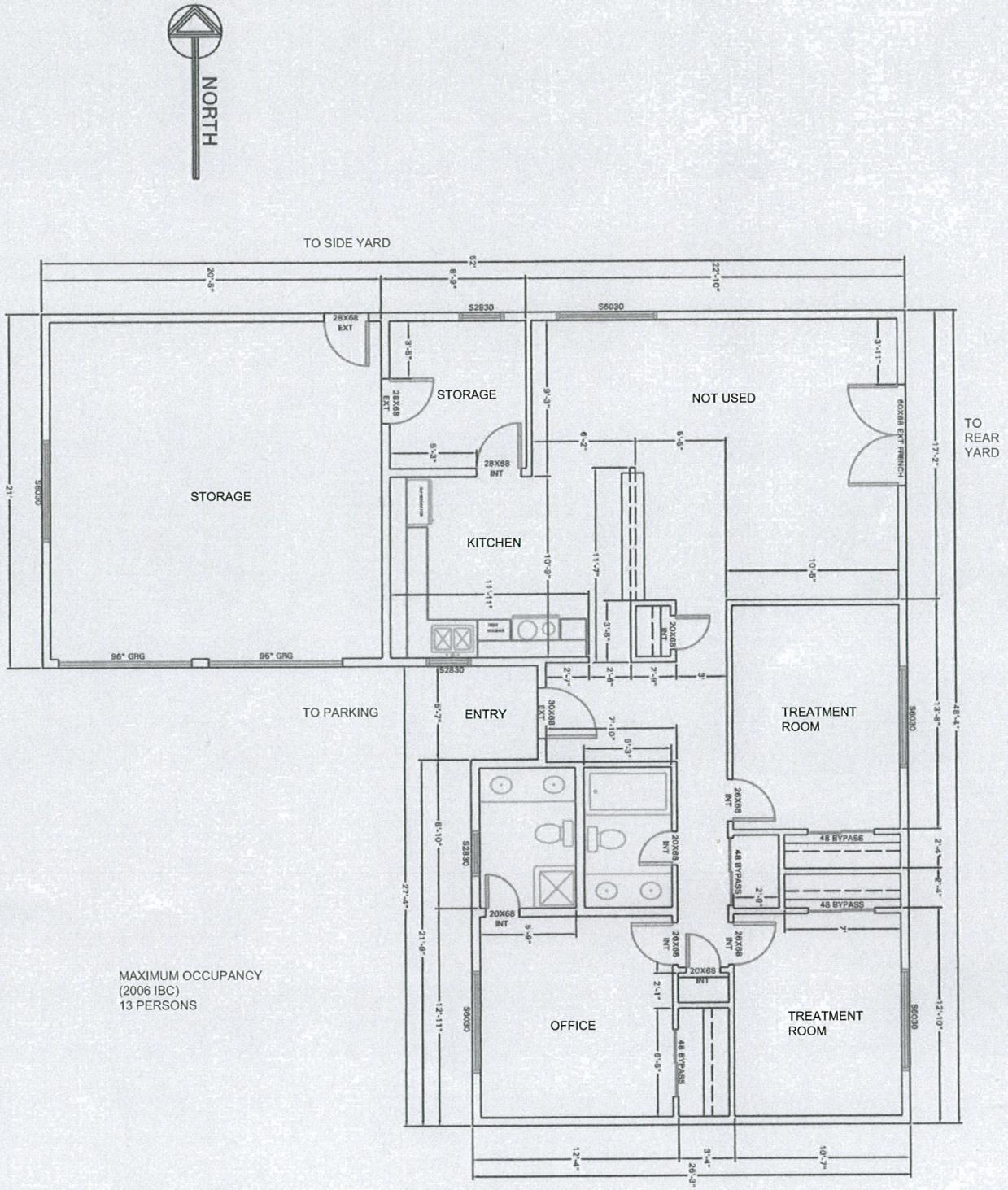
DATE
DECEMBER 15, 2009

Roth Medical Office
708 N Jones Ave
LAS VEGAS, NV 89107

SDR-36959
REVISED
02/25/10 PC

L-1
SHEET NO

RECEIVED
FEB 17 2010



MAXIMUM OCCUPANCY
(2006 IBC)
13 PERSONS

SDR-36959
REVISED
01/28/10 PC

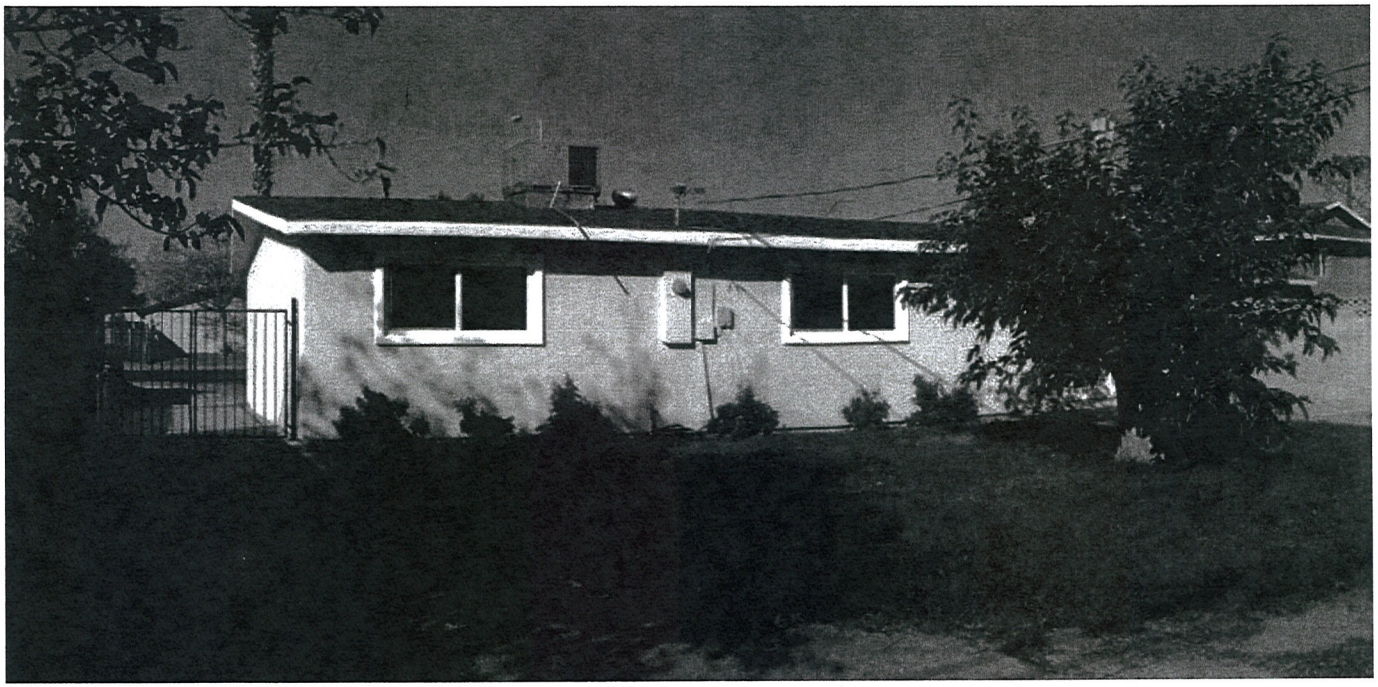
RECEIVED
JAN 05 2010

FLOOR PLAN

SCALE: 1" = 1'-6"

708 N. JONES BLVD., LAS VEGAS, NV 89107
APN #138-25-310-003

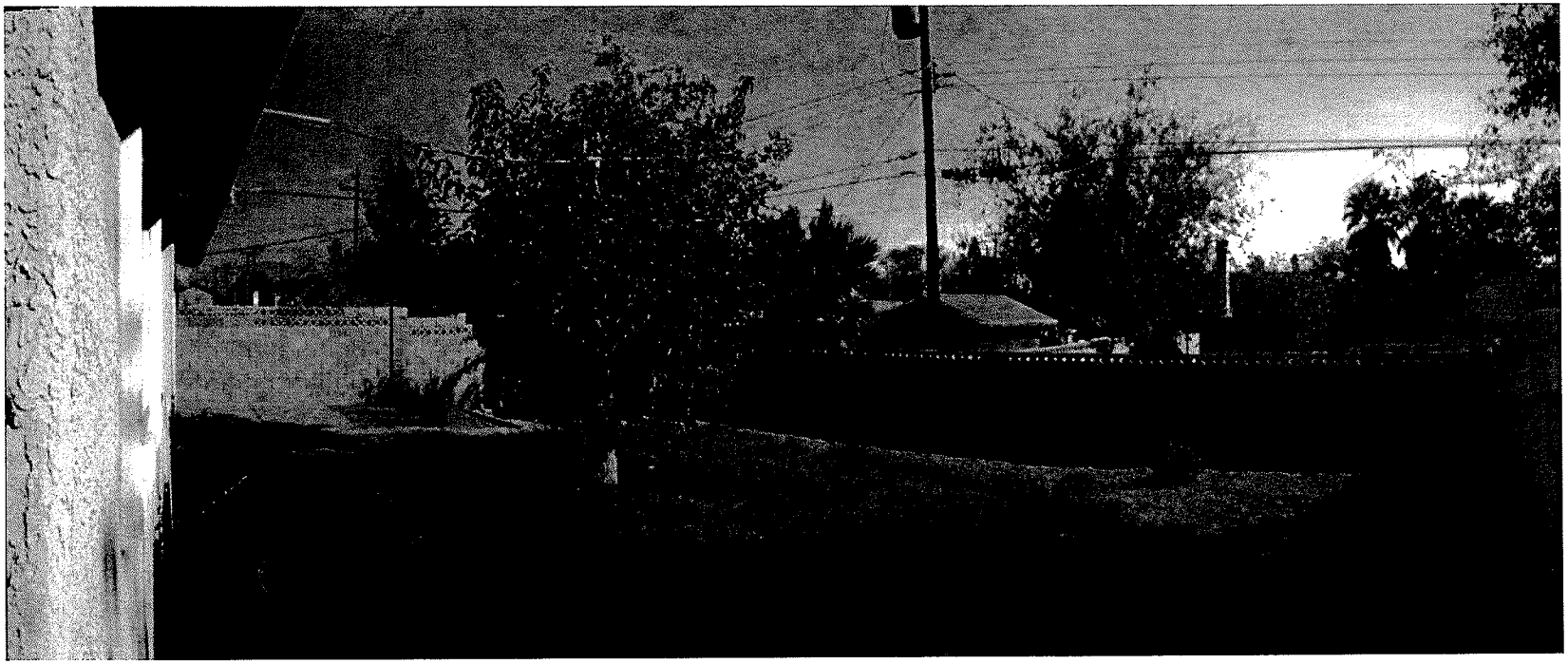
REAR LANDSCAPING – View 1



RECEIVED
DEC 15 2009

SDR-36959
01/28/10 PC

REAR LANDSCAPING – View 2



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DEC 15 2009

SDR-36959
01/28/10 PC

NORTH ELEVATION

RECEIVED
DEC 15 2009

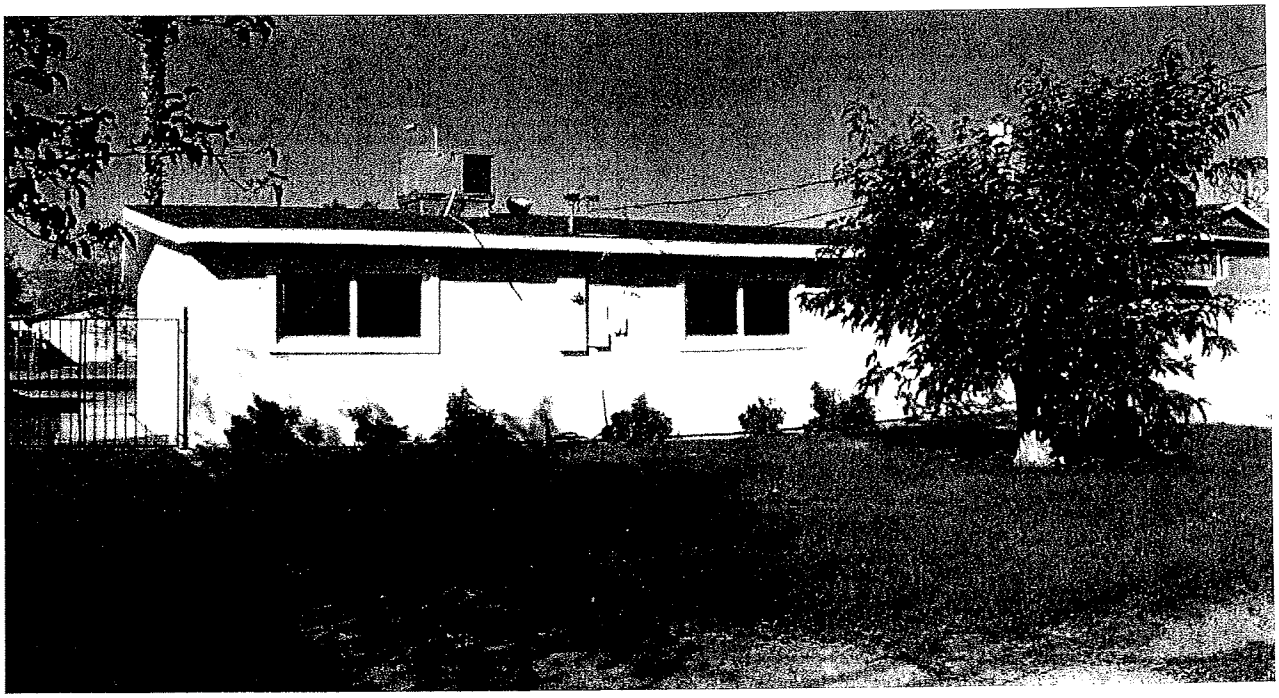
SDR-36959
01/28/10 PC

NORTH ELEVATION

RECEIVED
DEC 15 2009

SDR-36959
01/28/10 PC

EAST ELEVATION



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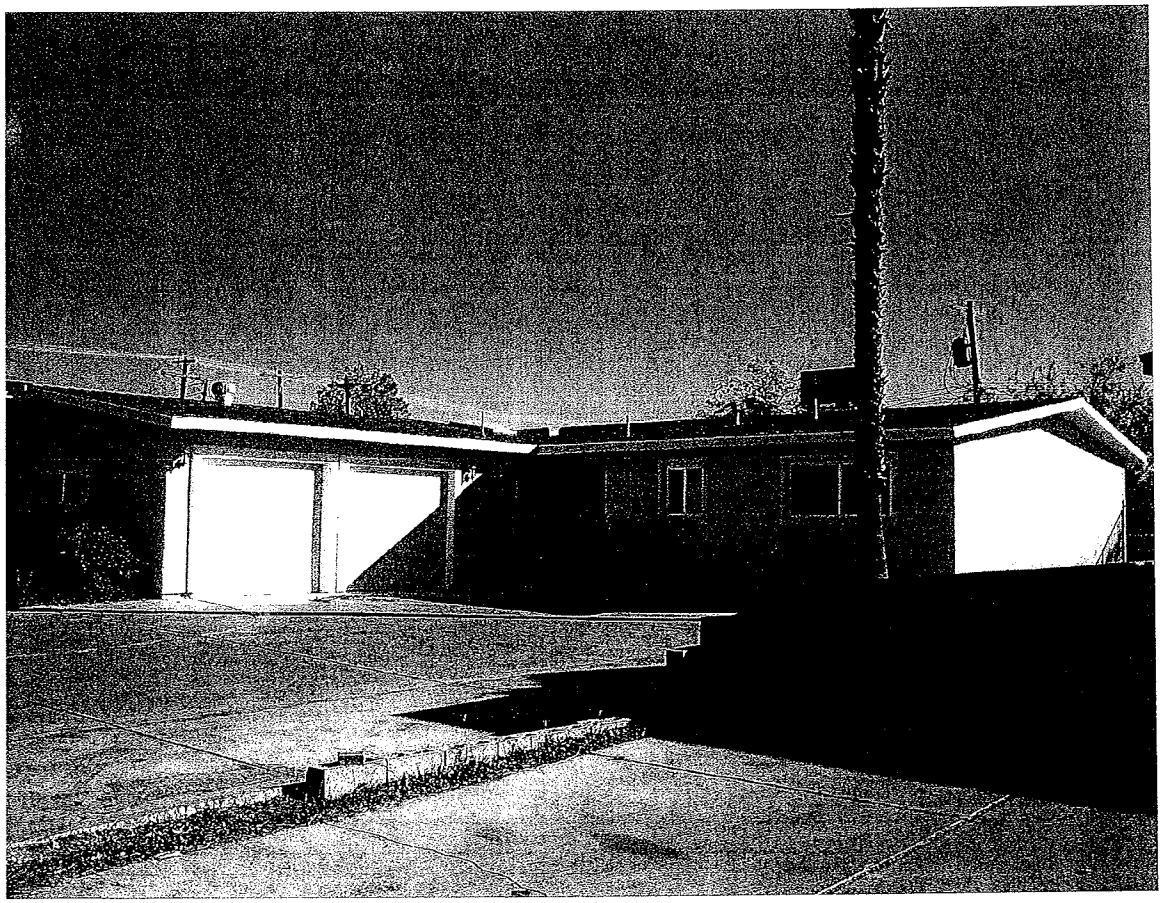
SDR-36959

01/28/10 PC

SOUTH ELEVATION



SDR-36959

RECEIVED
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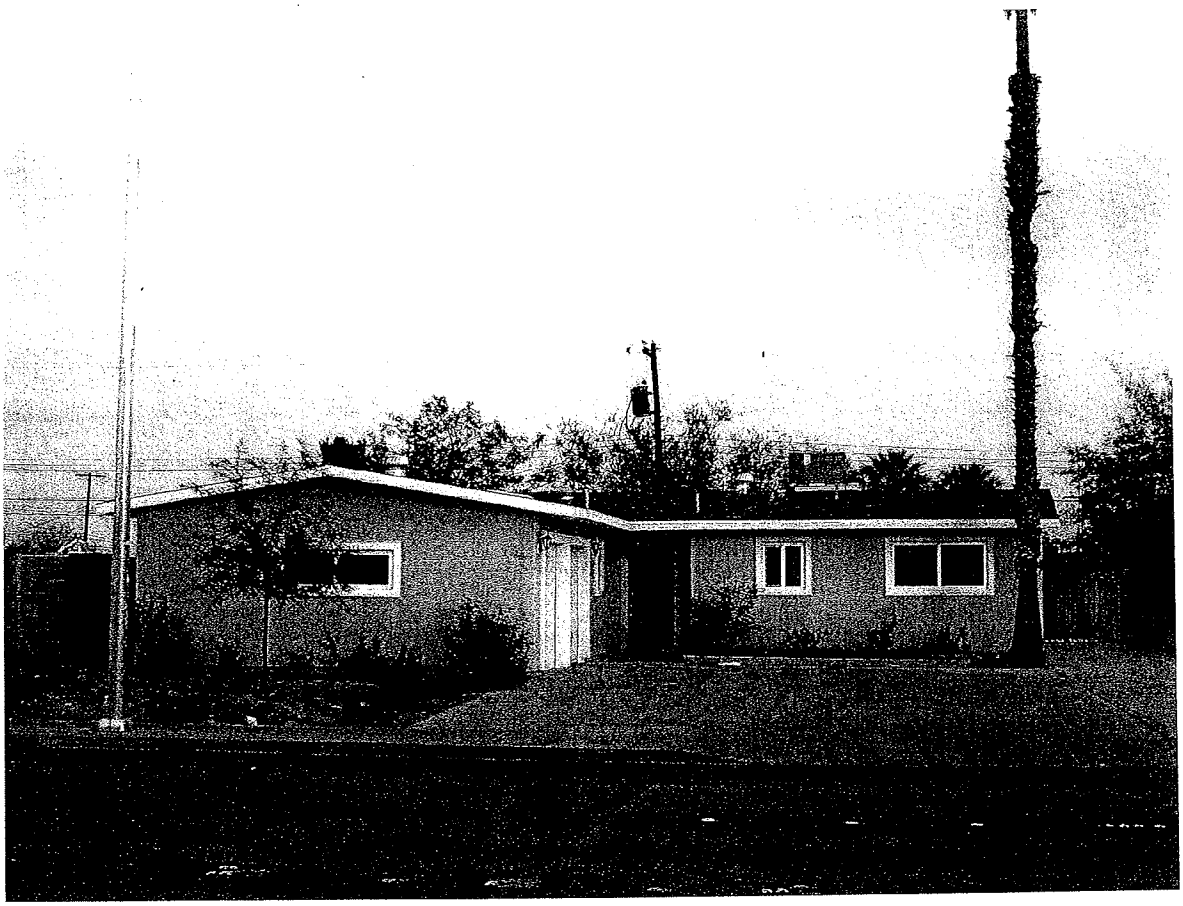
WEST ELEVATION



SDR-36959
01/28/10 PC

RECEIVED
DEC 15 2009

SDR-36959 - APPLICANT/OWNER: SHARON ROTH
708 SOUTH JONES BOULEVARD
FEBRUARY 25, 2010 PLANNING COMMISSION

01/07/10

SDR-36959 - APPLICANT/OWNER: SHARON ROTH
708 SOUTH JONES BOULEVARD
FEBRUARY 25, 2010 PLANNING COMMISSION

01/07/10

SDR-36959 - APPLICANT/OWNER: SHARON ROTH
708 SOUTH JONES BOULEVARD
FEBRUARY 25, 2010 PLANNING COMMISSION

01/07/10

December 15, 2009

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

Dear Planning Department,

I have recently acquired the property located at 708 N Jones Ave, Las Vegas, NV 89107. This is currently a single story residential home which is now zoned for professional office and parking use in the City of Las Vegas. I would like to have conditions no. 3 and no. 5 of ZON-3474 which also required an approved comprehensive site plan for the entire block approved by Planning and Development.

I am highly interested in opening an acupuncture clinic at the above location. I am licensed as a Doctor of Oriental Medicine by the Nevada State Board of Oriental Medicine and have been in private practice for the past 12 years. I currently own and operate a similar clinic at 101 S Rainbow, Suite 22, Las Vegas, NV 89145. The proposed clinic shall serve as my new main office where I shall continue to attend to both current and new patients.

The clinic shall have two employees. I propose to operate this clinic from 8 AM to 5 PM, Monday to Friday. All consultations in the past and present have been by appointment, given that the treatment involves the available use of the treatment room. This shall also be the case in the proposed clinic. Similarly, all other consultations on Saturday and Sunday shall be by appointment only.

I sincerely believe that the location has great potential for both providing a needed service to the community and promoting the commercial functions in the area. I hope your office can aid me in realizing this goal. Your assistance in reviewing this proposal with all planning and building concerns is greatly appreciated.

Thank you very much.

Dr. Sharon Roth, OMD, L.Ac.

SDR-36959
REVISED
01/28/10 PC

RECEIVED
JAN 05 2010

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
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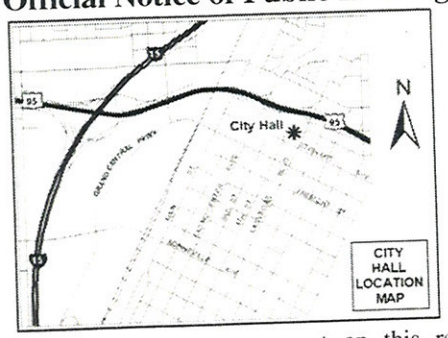
0004279218
$ 00.41⁴
JAN15 2010
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



RECEIVED
JAN 27 2010

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-36959

Planning Commission Meeting of 1/28/2010

Case: SDR-36959

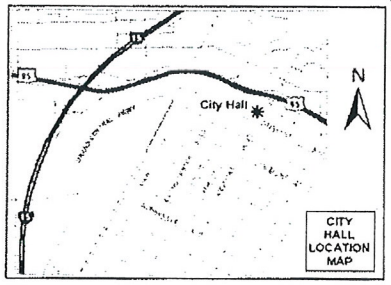
13826713016
ERNETTE WILLIAM
2035 HALLWOOD DR
LAS VEGAS NV 89119-6177

KAVDS11 89119

Submitted after final agenda
Date 1/27/10 Item 28

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

Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-36959

Planning Commission Meeting of 2/25/2010

=I support this project to improve the overall neighborhood as long as it does not affect the value of properties and it does make a benefit to keep the streets nice and clean=

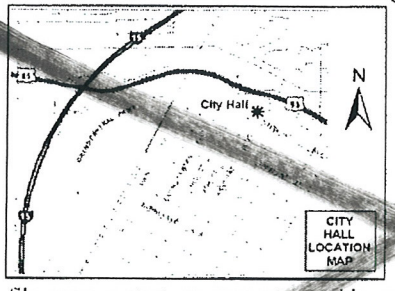
Case: SDR-36959

13826619015
HERNANDEZ ENEDELIA
7720 CRENSHAW WY
LAS VEGAS NV 89129-5498

LAVDS11 89129

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-36958 & ROC-36960

Planning Commission Meeting of 2/25/2010

=I support this project to improve the overall neighborhood as long as it does not affect the value of properties and it does make a benefit to keep the streets nice and clean=

Case: VAR-36958

13826619015
HERNANDEZ ENEDELIA
7720 CRENSHAW WY
LAS VEGAS NV 89129-5498

RECEIVED
FEB 16 2010

LAVDS11 89129

10 A

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 25, 2010

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

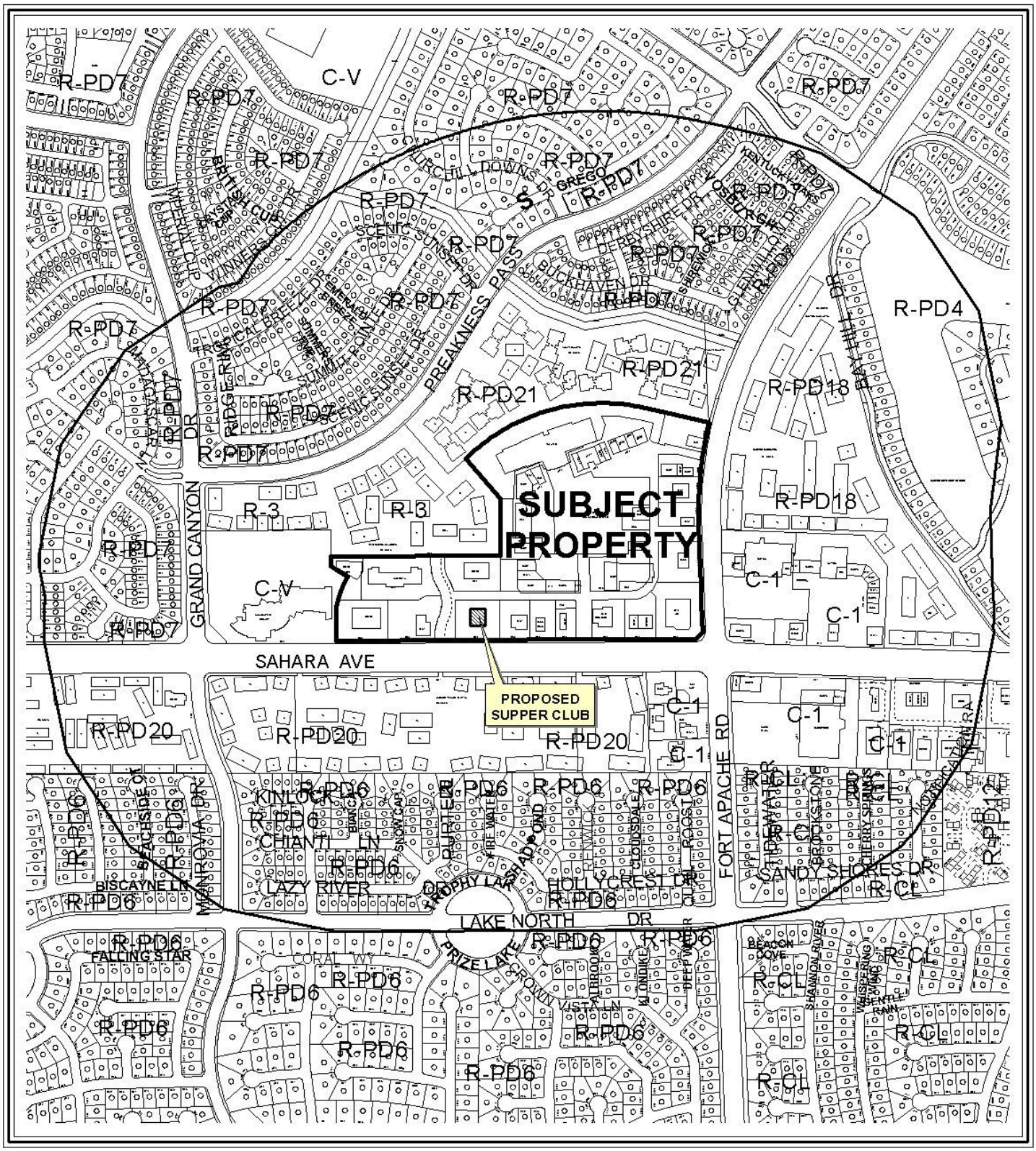
SUBJECT:
VAR-37295 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: WINNER PROPERTIES, LLC - Request for a Variance to ALLOW NO ADDITIONAL PARKING SPACES WHERE 36 ADDITIONAL SPACES ARE REQUIRED on 36.8 acres at the northwest corner of Fort Apache Road and Sahara Avenue (APNs 163-06-816-002 through 005, 007, 009, 011, 013, 015, 017, 019 through 021, 024, through 027, 029 through 034, 036 through 038), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson)

C.C.: 04/07/2010

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**1**	**Planning Commission Mtg.**	**3**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL, if approved subject to conditions:

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



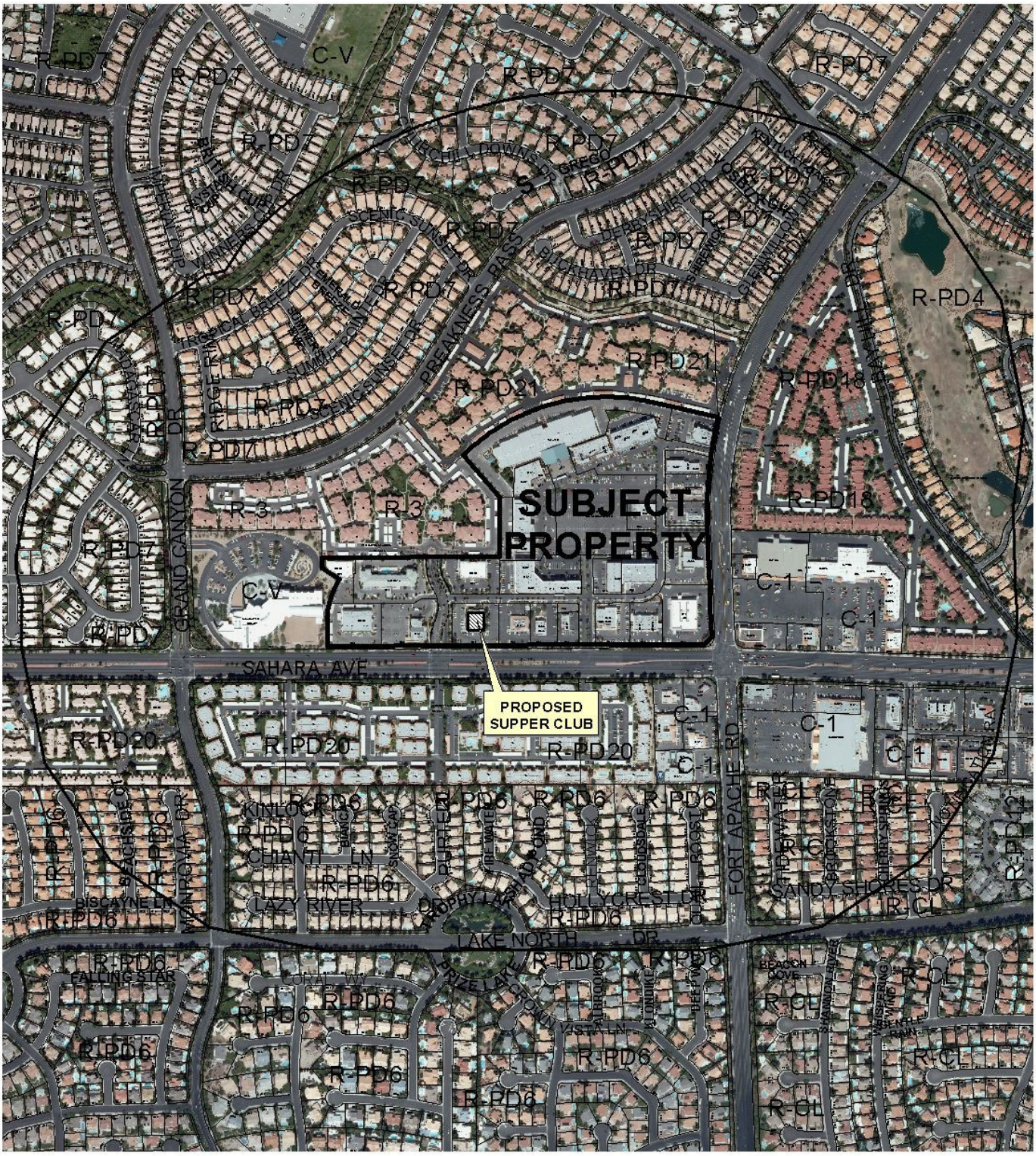
0 500 1000 Feet

CASE: **VAR-37295**

RADIUS: 1500 FT

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

N



CASE: **VAR-37295**

RADIUS: 1500 FT

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

0 500 1000 Feet

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-37295 - APPLICANT/OWNER: WINNER PROPERTIES, LLC

** CONDITIONS **

Staff recommends DENIAL, if approved subject to conditions:

Planning and Development

1. Conformance to the conditions of approval for Special Use Permit (SUP-36961) and Site Development Plan Review (SDR-36962), if approved.

2. A revised site plan and parking analysis for all current uses shall be submitted to and approved by the Planning and Development Department prior to or at the time of submittal for a building permit. The site plan shall depict existing conditions at the site, including all standard and handicap parking spaces, loading zones and drive through lanes.

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.

VAR-37295 - Staff Report Page One
February 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is requesting a Variance to allow no additional parking spaces where 36 additional parking spaces are required for the expansion of an existing Supper Club located on a portion of 36.8 acres at 9500 West Sahara Avenue. The pad site with the proposed expansion is located on the south side of an existing commercial subdivision. The proposed design of the expansion will not provide any additional parking spaces to be incorporated into the site. As this is due to site design and not the physical characteristics of the land, the hardship is self-imposed and denial is recommended. If this application is denied, associated requests for a Site Development Plan Review (SDR-36962) and Special Use Permit (SUP-36961) must also be denied.

ISSUES

- Approval of this request is necessary for the approval of a companion Site Development Plan Review (SDR-36962) and companion Special Use Permit (SUP-36961).
- The subject site is part of a commercial subdivision with shared access and parking throughout.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales	
12/22/80	The City Council approved a request for Annexation (A-0018-80) of a parcel of land generally bounded by Sahara Avenue on the south, Hualapai Way on the west, Ducharme Avenue on the north and Durango Drive on the east, containing approximately 2,246 acres of land. Planning Commission and staff recommended approval.
02/15/89	The City Council approved a Rezoning (Z-0139-88) application for the reclassification of property from N-U (Non Urban) under Resolution of Intent to R-PD4 (Residential Planned Development - 4 Units Per Acre), P-R (Professional Office and Parking), C-1 (Limited Commercial), and C-V (Civic), to R-PD7 (Residential Planned Development- 7 Units Per Acre), R-3 (Medium Density Residence), and C-1 (Limited Commercial) for property generally located on the west side of Fort Apache Road, between Sahara Avenue and Charleston Boulevard. The Planning Commission and staff recommended approval.

07/14/97	The City Council approved a request for a Special Use Permit (U-0049-97) for a proposed Tavern in conjunction with restaurant on property located on the north side of Sahara Avenue, west of Fort Apache Road. Planning Commission and staff recommended approval.
	The City Council approved a request for a Special Use Permit (U-0050-97) for a proposed Tavern with a Waiver of the 1,500-foot distance separation requirement from an existing and proposed tavern on property located on the north side of Sahara Avenue, west of Fort Apache Road. Planning Commission and staff recommended approval.
10/27/97	The City Council approved a request for a Site Development Plan Review [Z-0139-88(19)] for a proposed 8,400 square-foot one story retail building located at 9310 West Sahara Avenue. The Planning Commission recommended approval of the request.
11/24/97	The City Council approved a request for a Site Development Plan Review [Z-0139-88(21)] for a proposed 16,708 square-foot one story drugstore with drive-through located on the northwest corner of Sahara Avenue and Fort Apache Road. The Planning Commission recommended approval of the request.
01/26/98	The City Council approved a request for a Special Use Permit (U-0128-97) for the sale of Packaged Liquor in conjunction with a proposed 16,708 square-foot drugstore on property located on the northwest corner of Sahara Avenue and Fort Apache Road. Planning Commission recommended approval.
03/23/98	The City Council approved a request for a Site Development Plan Review [Z-0139-88(23)] for a proposed 4,716 square-foot restaurant located on the north side of Sahara Avenue, west of Fort Apache Road. The Planning Commission recommended approval of the request.
04/27/98	The City Council approved a request for a Special Use Permit (U-0146-97) for a proposed three-story, non-gaming residence hotel, consisting of seventy-three one-bedroom units on property located on the north side of Sahara Avenue, west of Fort Apache Road. Planning Commission recommended approval.
	The City Council approved a request for a Special Use Permit (U-0020-98) for a Restaurant Service Bar in conjunction with a proposed 3,784 square-foot restaurant located at 9350 West Sahara Avenue. Planning Commission recommended approval.
05/11/98	The City Council approved a request for a Special Use Permit (U-0031-98) for the On-Premise sale of Beer and Wine in conjunction with a proposed restaurant located at 9350 West Sahara Avenue. Planning Commission recommended approval.

06/08/98	The City Council approved a request for a Special Use Permit (U-0038-98) for a proposed Supper Club in conjunction with a proposed 6,648 square-foot restaurant on property located on the north side of Sahara Avenue, west of Fort Apache Road. Planning Commission recommended approval.
	The City Council approved a request for a Site Development Plan Review [Z-0139-88(24)] for a proposed 27,418 square-foot two-story retail and office building and a 33,207 square-foot two-story retail and office building located on the north side of Sahara Avenue, west of Fort Apache Road. The Planning Commission recommended approval of the request.
09/28/98	The City Council approved a request for a Special Use Permit (U-0080-98) for the On-Premise sale of Beer and Wine in conjunction with a proposed 2,160 square-foot restaurant located on the northwest corner of Fort Apache Road and Sahara Avenue. Planning Commission recommended approval.
	The City Council approved a request for a Site Development Plan Review [Z-0139-88(27)] for a proposed 4,212 square-foot commercial retail building located on the northwest corner of Sahara Avenue and Fort Apache Road. The Planning Commission recommended approval of the request.
10/12/98	The City Council approved a request for a Special Use Permit (U-0090-98) for a proposed Supper Club in conjunction with a proposed 6,990 square-foot restaurant on property located on the north side of Sahara Avenue approximately 1,400 feet west of Fort Apache Road.
10/16/98	The City Council approved a request for a Site Development Plan Review [Z-0139-88(29)] for a proposed 3,190 square-foot restaurant located on the north side of Sahara Avenue, west of Fort Apache Road. The Planning Commission recommended approval of the request.
11/09/98	The City Council approved a request for a Special Use Permit (U-0115-98) for a proposed Supper Club in conjunction with a proposed 8,802 square-foot restaurant on property located on the north side of Sahara Avenue, west of Fort Apache Road.
07/12/06	The City Council approved a Variance (VAR-12102) to allow 2,404 parking spaces where 2,440 is the minimum number of spaces required in conjunction with the addition of a 1,200 square-foot restaurant within the existing shopping center. The Planning Commission recommended approval and staff recommended denial.
01/22/10	The Planning and Development Department administratively approved a Minor Amendment (SUP-37062) to a previously approved Special Use Permit (U-0038-98) to allow alcohol service into an additional 617 square-feet of existing outdoor seating at an existing 6,648 square foot Supper Club at 9500 West Sahara Avenue.

Related Building Permits/Business Licenses	
07/15/98	A building permit (#98014454) was issued for a new restaurant Certificate of Occupancy at 9500 West Sahara Avenue. The building permit was finalized on 02/02/99.
	A building permit (#98014455) was issued for on-site improvements and hardscapes at 9500 West Sahara Avenue. The building permit was expired on 04/01/00.
09/02/98	A building permit (#98017819) was issued for on-site fire and water at 9500 West Sahara Avenue. The building permit was expired on 04/01/00.
11/09/98	A building permit (#98022139) was issued for patio addition for a restaurant at 9500 West Sahara Avenue. The building permit was expired on 04/01/00.
11/18/98	A building permit (#98022669) was issued for a sign at 9500 West Sahara Avenue. The building permit was finalized on 02/02/99.
12/17/98	A business license (#L21-00012) was issued for a Supper Club at 9500 West Sahara Avenue. The license was marked out on 12/08/09.
09/02/99	A building permit (#99017403) was issued for two illuminated wall signs at 9500 West Sahara Avenue. The building permit was finalized on 09/16/99.
11/13/09	A building permit (#151159) was issued for an illuminated wall sign at 9500 West Sahara Avenue. The building permit has not been finalized.
12/07/09	A temporary business license (#L21-92278) was issued for a Supper Club at 9500 West Sahara Avenue. The license is still active.
12/08/09	A business license (#R09-00907) was issued for a Restaurant seating 45 people or more at 9500 West Sahara Avenue. The license is still active.
Pre-Application Meeting	
09/16/09	A pre-application meeting was held where submittal requirements for a Site Development Plan Review were discussed. Topics discussed included: • Title 19 Zoning Code requirements • Application Materials and Documents • Meeting Dates and Deadlines
Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	

Field Check	
12/22/09	During a routine site inspection staff observed a well maintained commercial center.

Details of Application Request	
Site Area	
Gross Acres	36.8

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-PD21 (Residential Planned Development – 21 Units Per Acre), R-3 (Medium Density Residential)
South	Bank, Apartments	SC (Service Commercial), M (Medium Density Residential)	C-1 (Limited Commercial), R-PD20 (Residential Planned Development – 20 Units Per Acre)
East	Commercial Shopping Center	M (Medium Density Residential), SC (Service Commercial)	C-1 (Limited Commercial), R-PD18 (Residential Planned Development – 18 Units Per Acre)
West	Library, Church, Apartments	PF (Public Facilities), SC (Service Commercial), M (Medium Density Residential)	C-V (Civic) C-1 (Limited Commercial), 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	
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	
Commercial Center (Existing)	425,720 S.F.		2,406	34	2,324	80	
SubTotal			2,440		2,404*		
Supper Club	1,392 S.F.	1:50	28				
(Proposed Increase)	1,428 S.F.	1:200	8		0	0	
SubTotal			**34**	**2**			
TOTAL			**2,476**		**2,112****		N

*As approved by Variance (VAR-12102)
**Per physical inventory

ANALYSIS

The applicant is requesting a Variance to allow no additional parking spaces where 36 additional parking spaces are required for a proposed 2,820 square-foot expansion of an existing Supper Club. The proposal includes 2,036 square-feet of additional building area and 784 square-feet of additional outdoor seating area. A companion Site Development Plan Review (SDR-36962) and companion Special Use Permit (SUP-36961) have been submitted to address the proposed expansion.

The subject site is located within a commercial subdivision with reciprocal parking and access throughout. A previous Variance (VAR-12102) was approved in 2006 to allow 2,404 parking spaces where 2,440 spaces were required. There are currently 2,112 spaces that are provided within the commercial subdivision, based on a physical inventory conducted by staff during a field check. The previous Variance was calculated based on the individual uses that existed at the site at the time of the request. A condition has been added to require a revised site plan and parking analysis for the entire commercial subdivision prior to or at the time of submittal for a building permit.

The current request is to account for the increase in parking that is required as a result of the proposed expansion of the existing Supper Club use only, or 36 spaces. Currently, Title 19.04 allows parking for either a Shopping Center or a Regional Mall to be calculated at the rate of one space per 250 square feet of gross floor area, regardless of the individual uses. This would result in a parking requirement of 1,703 spaces for the entire commercial subdivision, and a Variance would not be necessary as there are 2,112 spaces provided. However, per Title 19.04, a Shopping Center is limited to a minimum of 25,000 to 350,000 square feet of gross floor area

and a Regional Mall is defined as an enclosed structure with a minimum of 350,000 square feet of gross floor area, with typical means of access to the various uses from inside the mall structure. The subject site does not meet either of these requirements as the gross floor area exceeds the maximum 350,000 square feet allowed for Shopping Center, and consists of numerous pad sites containing buildings with less than 350,000 square feet of gross floor area each, and with separate outside access from one another. Therefore, the parking requirement for the overall commercial subdivision must be calculated based on the individual uses.

The additional required parking spaces result in an increase in the parking deficiency of the overall commercial subdivision, and the applicant has provided no evidence of a unique or extraordinary circumstance that would substantiate the Variance request; therefore staff is recommending denial of the request as the applicant has created a self-imposed hardship by proposing to overbuild the site.

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. Alternative development of the site with a reduced building footprint 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 8

NOTICES MAILED 1488

APPROVALS 3

PROTESTS 1

GK

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-37295 APN: 163-06-816-015

Name of Property Owner: Winner Properties, LLC

Name of Applicant: Same

Name of Representative: Dwayne R. Eshenbaugh

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Antonio Accornero

Subscribed and sworn before me

This 26th day of January, 2010

Rhonda F. DiGennaro

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
RHONDA F. DIGENNARO
No: 99-56461-1
My Appointment Expires April 27, 2011

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Winner Properties, LLC.

Project Address (Location) 9500 West Sahara Ave.

Project Name Siena Italian Expansion **Proposed Use** Deli/ Market Addition

Assessor's Parcel #(s) 163-06-816-015 **Ward #** _____

General Plan: existing _____ proposed _____ **Zoning:** existing _____ proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information _____

_____

PROPERTY OWNER Winner Properties, LLC **Contact** Joy Bustamante

Address 9601 Orient Express Ct. **Phone:** (213) 760-9377 **Fax:** _____

City Las Vegas **State** NV **Zip** 89145

E-mail Address _____

APPLICANT Same **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

REPRESENTATIVE Dwayne R. Eshenbaugh **Contact** _____

Address 3225 Via Seranova **Phone:** (702) 522-9292 **Fax:** _____

City Henderson **State** NV **Zip** 89044

E-mail Address dwayne@drearchitecture.com

Property Owner Signature* _____

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Antonio Accornero

Subscribed and sworn before me

This 26th day of January, 20 10.

Rhonda F. DiGennaro

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
RHONDA F. DIGENNARO
No: 99-56461-1
My Appointment Expires April 27, 2011

FOR DEPARTMENT USE ONLY

Case #	VAR-37295
Meeting Date:	2/25/10
Total Fee:	$830.00
Date Received:*	1/28/10
Received By:	MREX

*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

MASTERPLAN PARKING DATA

APN NO: 163-06-816-015

PROPERTY SIZE: 1.06 ACRES (46,174 SQUARE FEET)

EXISTING FLOOR AREA: 6,648 SF + 1,108 (PATIO) = 7,756 SF
F.A.R. (FLOOR AREA RATIO): 7,756 S.F./ 46,174 S.F. = 0.17%

PROPOSED FLOOR AREA: 608 SF (DINING) + 1,428 (DELI) - 293 SF (PATIO) = 2,329 SF
COMBINED/TOTAL F.A.R.: 7,756 + 2,329/ 46,174 SF = 21%

DENSITY: N/A

PARKING ANALYSIS (TITLE 19 ZONING CODE, SECTION 19.04)
One space for each 50 S.F. of public seating and waiting area, including outdoor areas for seating and waiting, plus one space for each 200 s.f. of the total remaining gross floor area, with a minimum of 10 spaces required.

REQUIRED PARKING (ALL SPACES ARE 9'-0" X 19' - 0"):

NEW WEST DINING: 608 SF (/50 = 13 SPACES)
NEW EAST DELI: 1428 SF (/200 = 8 SPACES)
NEW PATIO: 293 SF (/50 = 6 SPACES)

TOTAL PARKING REQUIRED FOR NEW ADDITION: 27 SPACES

EXISTING 2006 VARIANCE: 2,404 SPACES
EXISTING PARKING: 2,440 SPACES

PROPOSED NEW PARKING: 27 SPACES

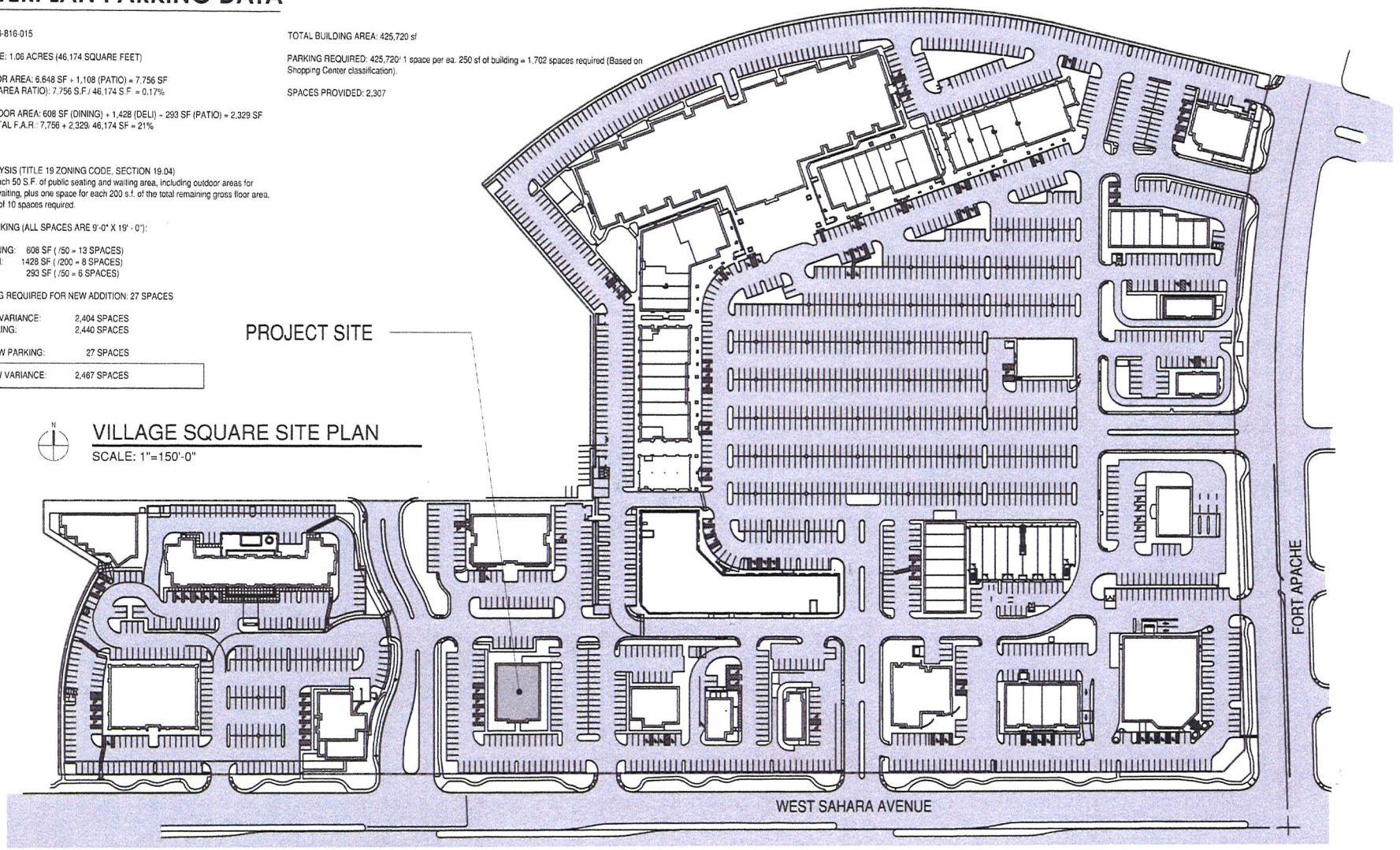
REQUIRED NEW VARIANCE: 2,467 SPACES

TOTAL BUILDING AREA: 425,720 sf

PARKING REQUIRED: 425,720/ 1 space per ea. 250 sf of building = 1,702 spaces required (Based on Shopping Center classification).

SPACES PROVIDED: 2,307

PROJECT SITE



VILLAGE SQUARE SITE PLAN

SCALE: 1"=150'-0"

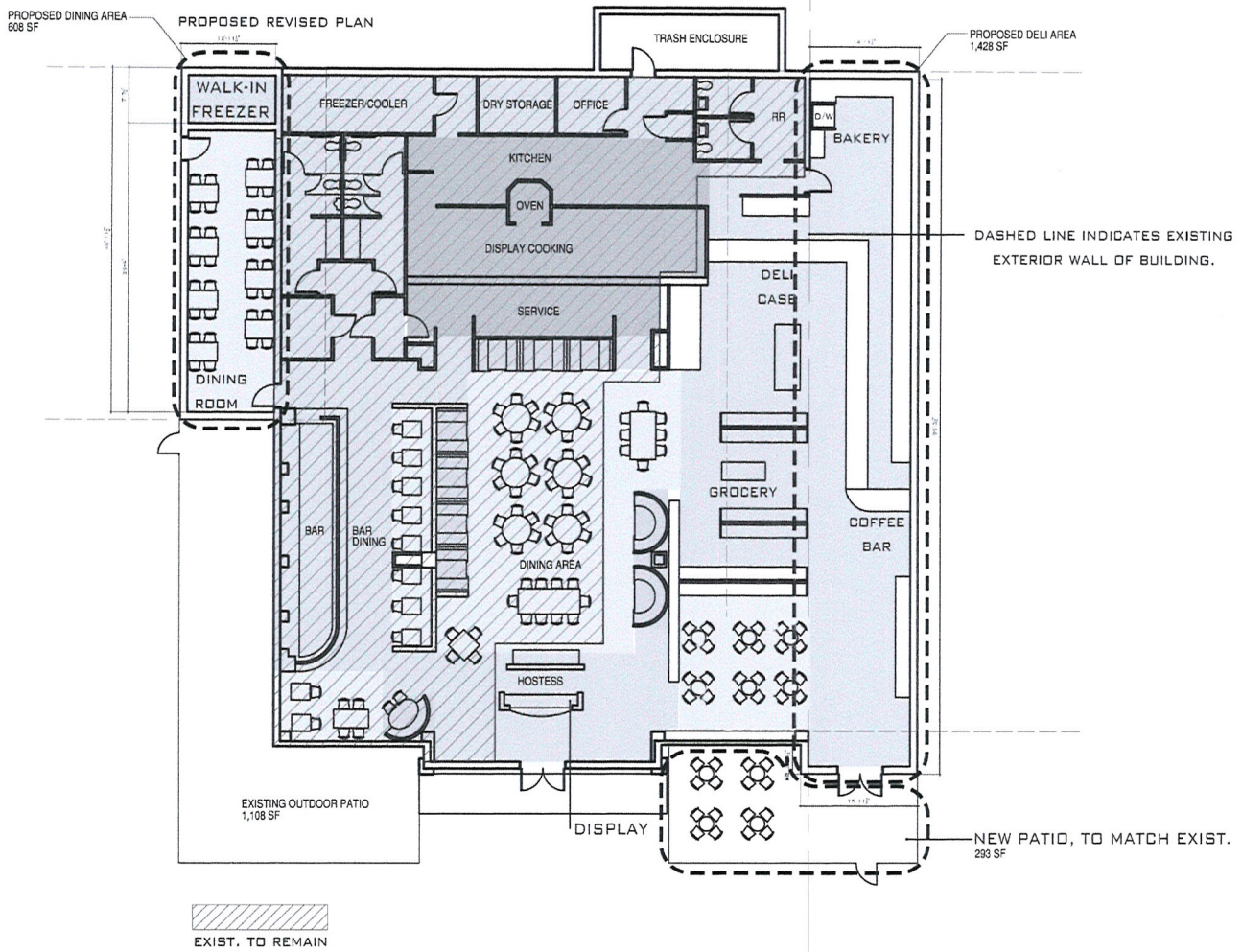
DWAYNE R. **ESHENBAUGH**, AIA, NCARB, LEED AP
Principal Architect

architecture I interiors I planning
CONNECT I CREATE I CULTIVATE
3225 Via Seranova I Henderson, Nevada 89044
702.522.9292 O I 702.332.7975 C

SIENNA DELI 9500 West Sahara Avenue Las Vegas, Nevada 89117	VILLAGE SQUARE OVERALL SITE PLAN
	DRAWN BY: DRE — SCALE: 1"=150'-0"
	REVIEWED BY: DRE
	DATE ISSUED: 1/28/2010 — A1.01
	PROJECT NO: 09-101(D) — NO

RECEIVED
JAN 28 2010

VAR-37295
02/25/10 PC



FLOOR PLAN

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

FLOOR PLAN DATA

USE AND OCCUPANCY CLASSIFICATION PER 2006 IBC SECTION 302
GROUP A-2: ASSEMBLY USES INTENDED FOR FOOD AND/OR DRINK CONSUMPTION INCLUDING BUT NOT LIMITED TO:
BANQUET HALLS
NIGHT CLUBS
RESTAURANTS
TAVERNS AND BARS

TOTAL SQUARE FOOTAGE OF EXISTING AND PROPOSED = 6,648 + 1,108 (EXISTING PATIO) + 608 (NEW DINING) + 1,428 (NEW DELI) + 293 (NEW PATIO) = 10,085 SF

MAXIMUM ALLOWABLE FLOOR AREA ALLOWANCES PER OCCUPANT (2006 IBC - TABLE 1004.1.1)

BUSINESS AREAS (100 GSF Floor Area Per Occupant)
4261 GSF/ 100 = 43 OCCUPANTS

ASSEMBLY WITHOUT FIXED SEATS (15 Net SF - Unconcentrated
2189 NSF/ 15 = 146 OCCUPANTS

COMMERCIAL KITCHEN (200 GSF Floor Area Per Occupant)
1071 GSF/ 200 = 6 OCCUPANTS

FIXED BOOTH (PER SECTION 1004.7 - 1 Occupant per 24")
1032" TOTAL SEAT LENGTH/ 24" = 43 OCCUPANTS

TOTAL OCCUPANTS: 238

MAXIMUM DINING CAPACITY: 189 OCCUPANTS
ACTUAL DINING: 183 OCCUPANTS

LEGEND

- BUSINESS AREAS
- ASSEMBLY AREAS (WITHOUT FIXED SEATS)
- COMMERCIAL KITCHEN
- FIXED BOOTH

DWAYNE R. **ESHENBAUGH**, AIA, NCARB, LEED AP
Principal Architect

architecture I interiors I planning
CONNECT I CREATE I CULTIVATE
3225 Via Seranova I Henderson, Nevada 89044
702.522.9292 O I 702.332.7975 C

VAR-37295
02/25/10 PC

SIENNA DELI
9500 W. Sahara Avenue
Las Vegas, Nevada 89117

FLOOR PLAN

DRAWN BY	3FN	SCALE	1/16" = 1'-0"
REVIEWED BY	DRE		A3.01
DATE ISSUED	1/28/2010		
PROJECT NO	09-001.00		NO

RECEIVED
JAN 28 2010

VAR-37295 - APPLICANT/OWNER: WINNER PROPERTIES, LLC
NORTHWEST CORNER OF FORT APACHE ROAD AND SAHARA AVENUE
FEBRUARY 25, 2010 PLANNING COMMISSION

02/04/10

VAR-37295 - APPLICANT/OWNER: WINNER PROPERTIES, LLC
NORTHWEST CORNER OF FORT APACHE ROAD AND SAHARA AVENUE
FEBRUARY 25, 2010 PLANNING COMMISSION

02/04/10

VAR-37295 - APPLICANT/OWNER: WINNER PROPERTIES, LLC
NORTHWEST CORNER OF FORT APACHE ROAD AND SAHARA AVENUE
FEBRUARY 25, 2010 PLANNING COMMISSION

02/04/10

VAR-37295 - APPLICANT/OWNER: WINNER PROPERTIES, LLC
NORTHWEST CORNER OF FORT APACHE ROAD AND SAHARA AVENUE
FEBRUARY 25, 2010 PLANNING COMMISSION

02/04/10

VAR-37295 - APPLICANT/OWNER: WINNER PROPERTIES, LLC
NORTHWEST CORNER OF FORT APACHE ROAD AND SAHARA AVENUE
FEBRUARY 25, 2010 PLANNING COMMISSION

02/04/10

VAR-37295 - APPLICANT/OWNER: WINNER PROPERTIES, LLC
NORTHWEST CORNER OF FORT APACHE ROAD AND SAHARA AVENUE
FEBRUARY 25, 2010 PLANNING COMMISSION

02/04/10

WINNER

PROPERTIES, L.L.C.

9601 Orient Express Ct.
Las Vegas, NV 89145
TEL: (702) 234-6622
FAX: (702) 657-1921

September 1, 2009

To Whom It May Concern:

Siena Deli was established in Las Vegas thirty years ago as a family-owned/ operated Italian deli, restaurant, and specialty market. In 2008, Winner Properties, L.L.C. purchased Siena Deli. As the town grew majority of the customer base has migrated to the west side of town, so on December 7, 2009 we are acquiring the building at 9500 West Sahara Ave. (formerly Bertolini's at Village Square) in order to keep our business easily accessible to our customers.

The existing use of the 9500 West Sahara Ave. facility is a fully functional restaurant/ supper club which is currently operational. We wish to make the following changes:

1) West side of building: remove existing grass and plants and expand the west wall of the building approximately 15' X 95' to add the Italian-style deli and small specialty market modeled after the current location at 2250 E. Tropicana, #20.
2) East side of building: remove existing grass and plants and expand east rear corner of the building approximately 13' X 43' to create a private dining room for meetings.

The building design is to match the existing Italian-themed elevations as shown in our submittal package. The landscape around the lot's perimeter shall be preserved so that visual impact of the change is minimized to passers-by. We expect seating occupancy to exceed the current 258 occupancy by approximately 35 seats or less because the existing private room and part of the dining room shall be lost to the market area.

We believe that these uses complement the adjacent land uses of the shopping center as well as the commercial and residential surroundings by better accommodating both the nearby commercial business-lunch needs at the deli as well as the current loyal customer base desiring authentic Italian food products which to our knowledge are not available in the Peccole Ranch area/ township.

VAR-37295
02/25/10 PC

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Parking in the Village Square Shopping Center is governed by a reciprocal parking easement for use with over 2000 spaces available in the Shopping Center. See attached parking easement documents.

The current staff at 9500 West Sahara Ave. (over 20 staff) is trained and capable of handling the additional work provided by the expansion as many of them work shifts at the old location as well. The hours of operation shall not change from the existing (8AM – 10PM). Additionally, the landlord at the existing location is unresponsive and creates a hardship for operations where the majority of businesses have left. Our lease in the old location is up Summer 2010 and we need to make our final move before the clock runs.

The County recorder's office will likely not update their files on the ownership of the building at 9500 West Sahara Ave. until such reasonable time has passed for their records to update. We will present the grant deed to the you as soon as reasonably possible.

Thank you in advance for your consideration.

Andrew Keroles
Director of Land Development
Winner Properties, L.L.C.
(702) 234-6622

VAR-37295
02/25/10 PC

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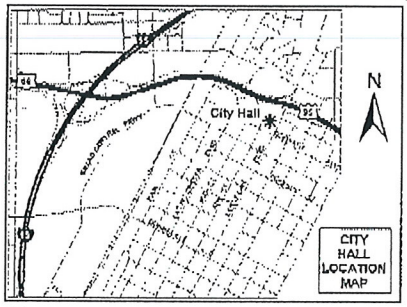
15 2009
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

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 FEB 12 2010
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-37295 & SUP-36961
Planning Commission Meeting of 2/25/2010

Case: VAR-37295-LABELS
16306411037
NELSON RICHARD H & BELVA E
2212 MADAGASCAR LN
LAS VEGAS NV 89117-5927

THIS WOULD LEAVE NO PARKING SPACES FOR THE SUPPER CLUB OR ANY BUSINESSES NEAR IT!

LAVDS11 89117

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

PRESORTED FIRST CLASS

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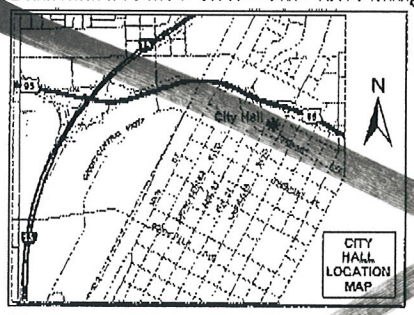

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Please use available blank space on card for your comments.
SDR-36962
Planning Commission Meeting of 2/25/2010

Case: SDR-36962-LABELS
16306411037
NELSON RICHARD H & BELVA E
2212 MADAGASCAR LN
LAS VEGAS NV 89117-5927

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FEB 16 2010

LAVDS11 89117

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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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UNITED STATES POSTAGE
PITNEY BOWES
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MAILED FROM ZIPCODE 89101

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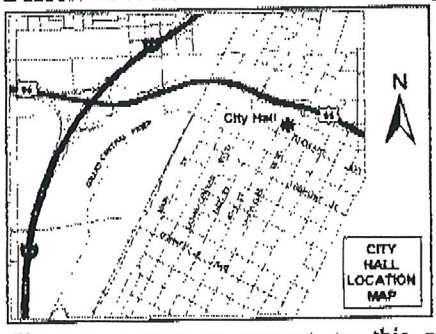
Official Notice of Public Hearing



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

Please use available blank space on card for your comments.

VAR-37295 & SUP-36961
Planning Commission Meeting of 2/25/2010

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FEB 16 2010

Case: VAR-37295-LABELS
16305315042
YONEMURA TOM M & YUKO 1980 TRUST
1924 BAY HILL DR
LAS VEGAS NV 89117-5732

LAVOS11 89117

11A

02/16/2010 04:37 3103794740 T YONEMURA PAGE 01

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

PRESORTED FIRST CLASS

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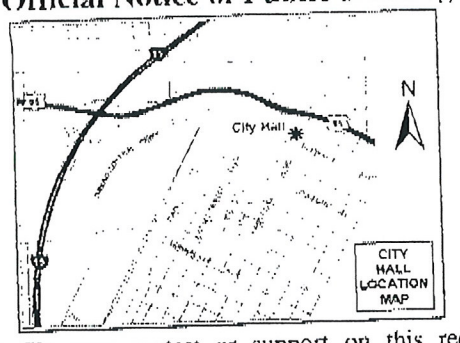
FEB 12 2010
MAILED FROM ZIPCODE 89101

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-37295 & SUP-36961

Planning Commission Meeting of 2/25/2010

Case: VAR-37295-LABELS

16307512050
TOMSICH CAROL ELAINE REV TR
9333 HOLLYCREST DR
LAS VEGAS NV 89117-0409

LAUDE11 8917

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FEB 16 2010

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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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UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
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MAILED FROM ZIP CODE 89101

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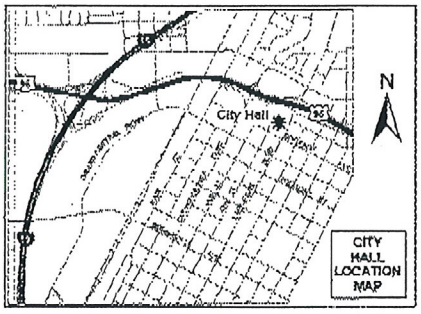
Official Notice of Public Hearing



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Please use available blank space on card for your comments.

VAR-37295 & SUP-36961
Planning Commission Meeting of 2/25/2010

Case: VAR-37295-LABELS
16307510011
HORN SIDNEY W
9600 LAZY RIVER DR
LAS VEGAS NV 89117-0662

LAVEGAS 89117

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FEB 16 2010

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 25, 2010

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

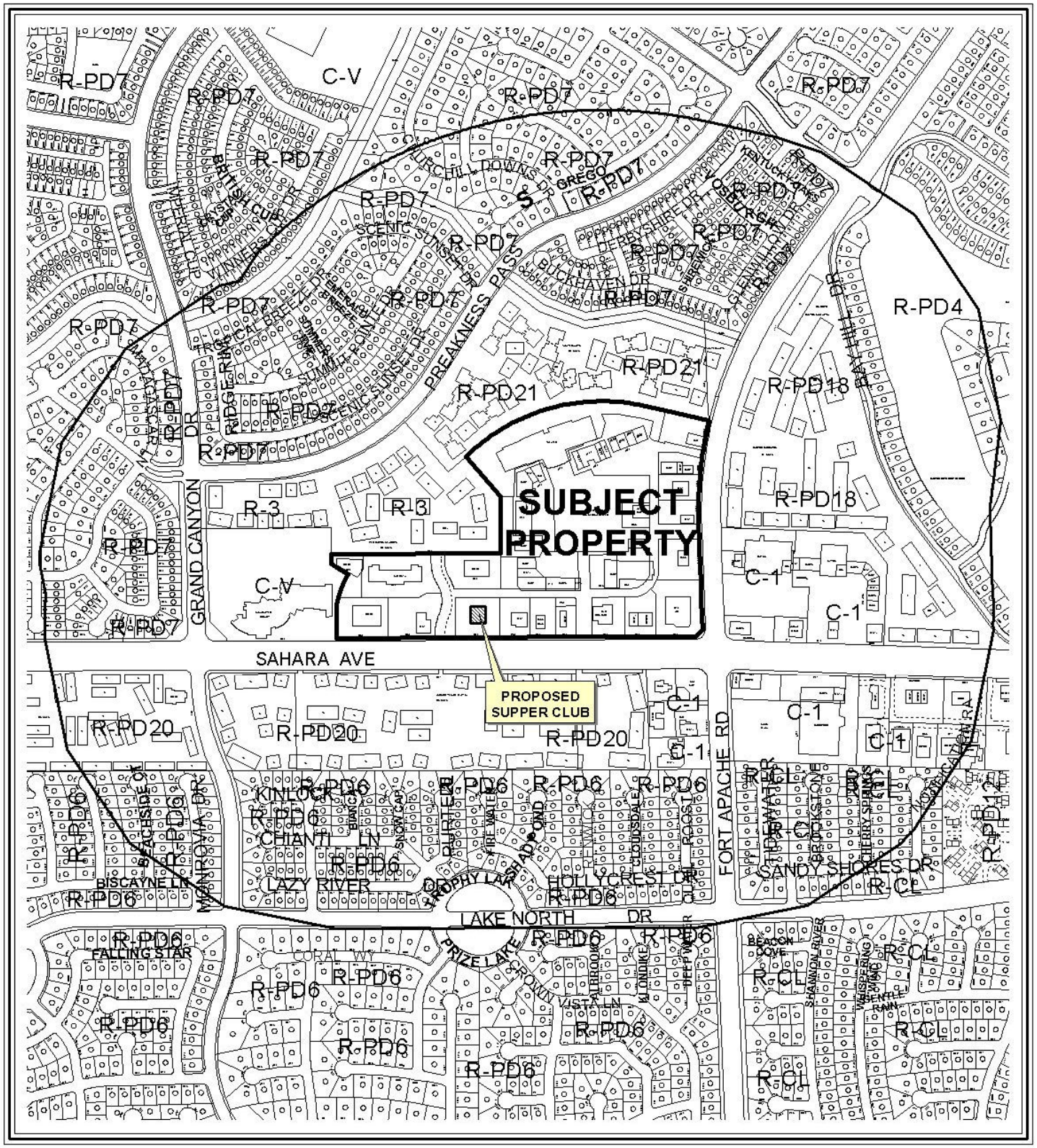
SUBJECT:
SUP-36961 - SPECIAL USE PERMIT RELATED TO VAR-37295 - PUBLIC HEARING - APPLICANT/OWNER: WINNER PROPERTIES, LLC **-** Request for a Major Amendment to an approved Special Use Permit (U-0038-98) TO ADD 2,820 SQUARE FEET OF BUILDING AREA AND OUTSIDE SEATING AREA TO AN EXISTING 7,265 SQUARE-FOOT SUPPER CLUB USE at 9500 West Sahara Avenue (APN 163-06-816-015), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson)

C.C.: 04/07/2010

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**1**	**Planning Commission Mtg.**	**3**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL, if approved subject to conditions:

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



0 500 1000 Feet

CASE: **SUP-36961**

RADIUS: 1500 FT

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

N

0 500 1000 Feet

CASE: **SUP-36961**

RADIUS: 1500 FT

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

N

SUP-36961

Business Licenses

- Tavern
- Supper Club/ Restaurant Service Bar
- Child Care/ Children Facility

- RELIGIOUS
- CITY PARKS
- SCHOOLS

- Subject Property
- 400 foot buffer

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-36961 - APPLICANT/OWNER: WINNER PROPERTIES, LLC

** CONDITIONS **

Staff recommends DENIAL, if approved subject to conditions:

Planning and Development

1. Special Use Permits (U-0038-98) and (SUP-37062) shall be expunged.

2. Approval of and conformance to the conditions of approval for Site Development Plan Review (SDR-36962) and Variance (VAR-37295) shall be required, if approved.

3. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Supper Club use.

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

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

GK

SUP-36961 - Staff Report Page One
February 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site consists of an existing 7,265 square-foot Supper Club use at 9500 West Sahara Avenue. This is a request for a Major Amendment to an approved Special Use Permit (U-0038-98) to expand the existing Supper Club use to 10,085 square feet with a 2,820 square-foot expansion. The expansion includes 2,036 square feet of additional building area and 784 square feet of additional outdoor seating area. The proposed expansion requires the subject Special Use Permit and the related Site Development Plan Review (SDR-36962), as the use is being expanded by 39%. There is also an associated request for a parking Variance (VAR-37295). Staff recommends denial, as the request is inconsistent with Title 19. The site, as designed, will not accommodate required landscaping along the east side of the building, nor will it allow for sufficient parking throughout the commercial subdivision. If denied, the Supper Club use will remain as originally approved under Special Use Permits (U-0038-98) and (SUP-37062).

ISSUES

- Approval of an associated Site Development Plan Review (SDR-36962) to expand the existing building is necessary for this request to be approved.
- Approval of an associated Variance (VAR-37295) to allow no additional parking spaces where 36 additional parking spaces are required is necessary for this request to be approved.
- The applicant is expanding the existing Supper Club use by more than 10% or 2,820 square feet, which requires the subject Special Use Permit and the related Site Development Plan Review (SDR-36124) pursuant to Title 19.18 requirements.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales	
12/22/80	The City Council approved a request for Annexation (A-0018-80) of a parcel of land generally bounded by Sahara Avenue on the south, Hualapai Way on the west, Ducharme Avenue on the north and Durango Drive on the east, containing approximately 2,246 acres of land. Planning Commission and staff recommended approval.

02/15/89	The City Council approved a Rezoning (Z-0139-88) application for the reclassification of property from N-U (Non Urban) under Resolution of Intent to R-PD4 (Residential Planned Development - 4 Units Per Acre), P-R (Professional Office and Parking), C-1 (Limited Commercial), and C-V (Civic), to R-PD7 (Residential Planned Development- 7 Units Per Acre), R-3 (Medium Density Residence), and C-1 (Limited Commercial) for property generally located on the west side of Fort Apache Road, between Sahara Avenue and Charleston Boulevard. The Planning Commission and staff recommended approval.
07/14/97	The City Council approved a request for a Special Use Permit (U-0049-97) for a proposed Tavern in conjunction with restaurant on property located on the north side of Sahara Avenue, west of Fort Apache Road. Planning Commission and staff recommended approval.
	The City Council approved a request for a Special Use Permit (U-0050-97) for a proposed Tavern with a Waiver of the 1,500-foot distance separation requirement from an existing and proposed tavern on property located on the north side of Sahara Avenue, west of Fort Apache Road. Planning Commission and staff recommended approval.
10/27/97	The City Council approved a request for a Site Development Plan Review [Z-0139-88(19)] for a proposed 8,400 square-foot one story retail building located at 9310 West Sahara Avenue. The Planning Commission recommended approval of the request.
11/24/97	The City Council approved a request for a Site Development Plan Review [Z-0139-88(21)] for a proposed 16,708 square-foot one story drugstore with drive-through located on the northwest corner of Sahara Avenue and Fort Apache Road. The Planning Commission recommended approval of the request.
01/26/98	The City Council approved a request for a Special Use Permit (U-0128-97) for the sale of Packaged Liquor in conjunction with a proposed 16,708 square-foot drugstore on property located on the northwest corner of Sahara Avenue and Fort Apache Road. Planning Commission recommended approval.
03/23/98	The City Council approved a request for a Site Development Plan Review [Z-0139-88(23)] for a proposed 4,716 square-foot restaurant located on the north side of Sahara Avenue, west of Fort Apache Road. The Planning Commission recommended approval of the request.
04/27/98	The City Council approved a request for a Special Use Permit (U-0146-97) for a proposed three-story, non-gaming residence hotel, consisting of seventy-three one-bedroom units on property located on the north side of Sahara Avenue, west of Fort Apache Road. Planning Commission recommended approval.
	The City Council approved a request for a Special Use Permit (U-0020-98) for a Restaurant Service Bar in conjunction with a proposed 3,784 square-foot restaurant located at 9350 West Sahara Avenue. Planning Commission recommended approval.

05/11/98	The City Council approved a request for a Special Use Permit (U-0031-98) for the On-Premise sale of Beer and Wine in conjunction with a proposed restaurant located at 9350 West Sahara Avenue. Planning Commission recommended approval.
06/08/98	The City Council approved a request for a Special Use Permit (U-0038-98) for a proposed Supper Club in conjunction with a proposed 6,648 square-foot restaurant on property located on the north side of Sahara Avenue, west of Fort Apache Road. Planning Commission recommended approval.
06/08/98	The City Council approved a request for a Site Development Plan Review [Z-0139-88(24)] for a proposed 27,418 square-foot two-story retail and office building and a 33,207 square-foot two-story retail and office building located on the north side of Sahara Avenue, west of Fort Apache Road. The Planning Commission recommended approval of the request.
09/28/98	The City Council approved a request for a Special Use Permit (U-0080-98) for the On-Premise sale of Beer and Wine in conjunction with a proposed 2,160 square-foot restaurant located on the northwest corner of Fort Apache Road and Sahara Avenue. Planning Commission recommended approval. The City Council approved a request for a Site Development Plan Review [Z-0139-88(27)] for a proposed 4,212 square-foot commercial retail building located on the northwest corner of Sahara Avenue and Fort Apache Road. The Planning Commission recommended approval of the request.
10/12/98	The City Council approved a request for a Special Use Permit (U-0090-98) for a proposed Supper Club in conjunction with a proposed 6,990 square-foot restaurant on property located on the north side of Sahara Avenue approximately 1,400 feet west of Fort Apache Road.
10/16/98	The City Council approved a request for a Site Development Plan Review [Z-0139-88(29)] for a proposed 3,190 square-foot restaurant located on the north side of Sahara Avenue, west of Fort Apache Road. The Planning Commission recommended approval of the request.
11/09/98	The City Council approved a request for a Special Use Permit (U-0115-98) for a proposed Supper Club in conjunction with a proposed 8,802 square-foot restaurant on property located on the north side of Sahara Avenue, west of Fort Apache Road.
07/12/06	The City Council approved a Variance (VAR-12102) to allow 2,404 parking spaces where 2,440 is the minimum number of spaces required in conjunction with the addition of a 1,200 square-foot restaurant within the existing shopping center. The Planning Commission recommended approval and staff recommended denial.
01/22/10	The Planning and Development Department administratively approved a Minor Amendment (SUP-37062) to a previously approved Special Use Permit (U-0038-98) to allow alcohol service into an additional 617 square-feet of existing outdoor seating at an existing 6,648 square foot Supper Club at 9500 West Sahara Avenue.

Related Building Permits/Business Licenses	
07/15/98	A building permit (#98014454) was issued for a new restaurant Certificate of Occupancy at 9500 West Sahara Avenue. The building permit was finalized on 02/02/99.
	A building permit (#98014455) was issued for on-site improvements and hardscapes at 9500 West Sahara Avenue. The building permit was expired on 04/01/00.
09/02/98	A building permit (#98017819) was issued for on-site fire and water at 9500 West Sahara Avenue. The building permit was expired on 04/01/00.
11/09/98	A building permit (#98022139) was issued for patio addition for a restaurant at 9500 West Sahara Avenue. The building permit was expired on 04/01/00.
11/18/98	A building permit (#98022669) was issued for a sign at 9500 West Sahara Avenue. The building permit was finalized on 02/02/99.
12/17/98	A business license (#L21-00012) was issued for a Supper Club at 9500 West Sahara Avenue. The license was marked out on 12/08/09.
09/02/99	A building permit (#99017403) was issued for two illuminated wall signs at 9500 West Sahara Avenue. The building permit was finalized on 09/16/99.
11/13/09	A building permit (#151159) was issued for an illuminated wall sign at 9500 West Sahara Avenue. The building permit has not been finalized.
12/07/09	A temporary business license (#L21-92278) was issued for a Supper Club at 9500 West Sahara Avenue. The license is still active.
12/08/09	A business license (#R09-00907) was issued for a Restaurant seating 45 people or more at 9500 West Sahara Avenue. The license is still active.
Pre-Application Meeting	
09/16/09	A pre-application meeting was held where submittal requirements for a Site Development Plan Review were discussed. Topics discussed included: • Title 19 Zoning Code requirements • Application Materials and Documents • Meeting Dates and Deadlines
Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	

Field Check	
12/22/09	During a routine site inspection staff observed a well maintained commercial center.

Details of Application Request	
Site Area	
Gross Acres	1.06

GK

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-PD21 (Residential Planned Development – 21 Units Per Acre), R-3 (Medium Density Residential)
South	Bank, Apartments	SC (Service Commercial), M (Medium Density Residential)	C-1 (Limited Commercial), R-PD20 (Residential Planned Development – 20 Units Per Acre)
East	Commercial Shopping Center	M (Medium Density Residential), SC (Service Commercial)	C-1 (Limited Commercial), R-PD18 (Residential Planned Development – 18 Units Per Acre)
West	Library, Church, Apartments	PF (Public Facilities), SC (Service Commercial), M (Medium Density Residential)	C-V (Civic), C-1 (Limited Commercial), 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	
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 Width	100 Feet	205 Feet	Y
Min. Setbacks			
• Front	20 Feet	77 Feet	Y
• Side	10 Feet	73 Feet	Y
• Corner	15 Feet	78 Feet	Y
• Rear	20 Feet	31 Feet	Y
Max. Lot Coverage	50%	21%	Y
Max. Building Height	N/A	18 Feet	N/A
Trash Enclosure	Screened, Gated with a Roof or Trellis	Existing screened and gated trash enclosure	Y
Mech. Equipment	Screened	Screened	Y

Pursuant to Title 19.12.040, the following development standards shall apply:

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Parking Area	1 Trees/6 Space	10 Trees	9 Trees	N
Buffer: Min. Trees	1 Tree/30 Linear Feet	Zero Trees	Zero Trees	Y
TOTAL(Perimeter Trees)		Zero Trees	Zero Trees	Y
Wall Height	6-8 Feet Adjacent to Residential		No wall existing or proposed	Y

GK

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	***Required***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Commercial Center (Existing)	425,720 S.F.		2,406	34	2,324	80	
SubTotal			2,440		2,404*		
Supper Club	1,392 S.F.	1:50	28				
(Proposed Increase)	1,428 S.F.	1:200	8		0	0	
SubTotal			**34**	**2**			
TOTAL			**2,476**		**2,112****		N

*As approved by Variance (VAR-12102)
**Per physical inventory

ANALYSIS

As discussed in the accompanying Site Development Plan Review, the site, as designed, cannot accommodate the additional required parking spaces or required landscaping. A Variance (VAR-37295) from Title 19.10 parking requirements is required for relief from the parking space standards and an exception is required to allow no landscaping to buffer the building from the parking lot. Additionally, with the elimination of the existing landscape buffer, the applicant is proposing to eliminate five existing trees which requires the applicant to request another exception from Title 19.12.040 Parking Lot Landscape Standards. These difficulties with the site design and location indicate that the expanded use is not compatible with the existing adjacent land uses.

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 existing Supper Club use is permitted in the C-1 (Limited Commercial) zoning district and is located within an existing commercial subdivision adjacent to similar uses, however, the proposed expansion results in inadequate landscaping and will not accommodate the additional required parking spaces. Thus, the expanded Supper Club use cannot 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 existing Supper Club use is located within a commercial subdivision that was designed to accommodate a variety of uses; however, with the proposed expansion the use cannot provide the additional required parking spaces, making the subject site unsuitable for the intensity of the proposed Supper Club use.

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

   The site is accessed by Sahara Avenue, which is designated as a 100-Foot Primary Arterial by the Master Plan of Streets and Highways. 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."**

   The proposed Special Use Permit will not compromise the public health, safety or welfare as a Supper Club use is subject to licensing and inspection by the City of Las Vegas. The Supper Club use is consistent with the existing SC (Service Commercial) General Plan designation.

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

   The Supper Club use fails to meet both Title 19.10 on-site parking standards and Title 19.12 Parking Lot Landscape Standards.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

NOTICES MAILED 1488

APPROVALS 3

PROTESTS 1

GK

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-36961** APN: 163-06-816-015

Name of Property Owner: Winner Properties, LLC

Name of Applicant: Same

Name of Representative: Dwayne R. Eshenbaugh

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Antonio Accornero

Subscribed and sworn before me

This 26th day of January, 2010

Rhonda L. DiGennaro

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
RHONDA F. DIGENNARO
No: 99-56461-1
My Appointment Expires April 27, 2011

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Winner Properties, LLC.

Project Address (Location) 9500 West Sahara Ave.

Project Name Siena Italian Expansion **Proposed Use** Deli/ Market Addition

Assessor's Parcel #(s) 163-06-816-015 **Ward #** _____

General Plan: existing _____ proposed _____ **Zoning:** existing _____ proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Winner Properties, LLC **Contact** Joy Bustamante

Address 9601 Orient Express Ct **Phone:** (213) 760-9377 **Fax:** _____

City Las Vegas **State** NV **Zip** 89145

E-mail Address _____

APPLICANT Same **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

REPRESENTATIVE Dwayne R. Eshenbaugh **Contact** _____

Address 3225 Via Seranova **Phone:** (702) 522-9292 **Fax:** _____

City Henderson **State** NV **Zip** 89044

E-mail Address dwayne@drearchitecture.com

Property Owner Signature* _____

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Antonio Accornero

Subscribed and sworn before me

This 26th day of January, 20 10.

Rhonda F. DiGennaro

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
RHONDA F. DIGENNARO
No: 99-56461-1
My Appointment Expires April 27, 2011

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SUP-36961
Meeting Date:	2/25/10
Total Fee:	1,280.00
Date Received:*	1/28/10
Received By:	

*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

f:\depot\Application Packet\Application Form.pdf

MASTERPLAN PARKING DATA

APN NO: 163-06-816-015

PROPERTY SIZE: 1.06 ACRES (46,174 SQUARE FEET)

EXISTING FLOOR AREA: 6,648 SF + 1,108 (PATIO) = 7,756 SF
F.A.R. (FLOOR AREA RATIO): 7,756 S.F./ 46,174 S.F. = 0.17%

PROPOSED FLOOR AREA: 608 SF (DINING) + 1,428 (DELI) - 293 SF (PATIO) = 2,329 SF
COMBINED/TOTAL F.A.R.: 7,756 + 2,329/ 46,174 SF = 21%

DENSITY: N/A

PARKING ANALYSIS (TITLE 19 ZONING CODE, SECTION 19.04)
One space for each 50 S.F. of public seating and waiting area, including outdoor areas for seating and waiting, plus one space for each 200 s.f. of the total remaining gross floor area, with a minimum of 10 spaces required.

REQUIRED PARKING (ALL SPACES ARE 9'-0" X 19' - 0"):

NEW WEST DINING: 608 SF (/50 = 13 SPACES)
NEW EAST DELI: 1428 SF (/200 = 8 SPACES)
NEW PATIO: 293 SF (/50 = 6 SPACES)

TOTAL PARKING REQUIRED FOR NEW ADDITION: 27 SPACES

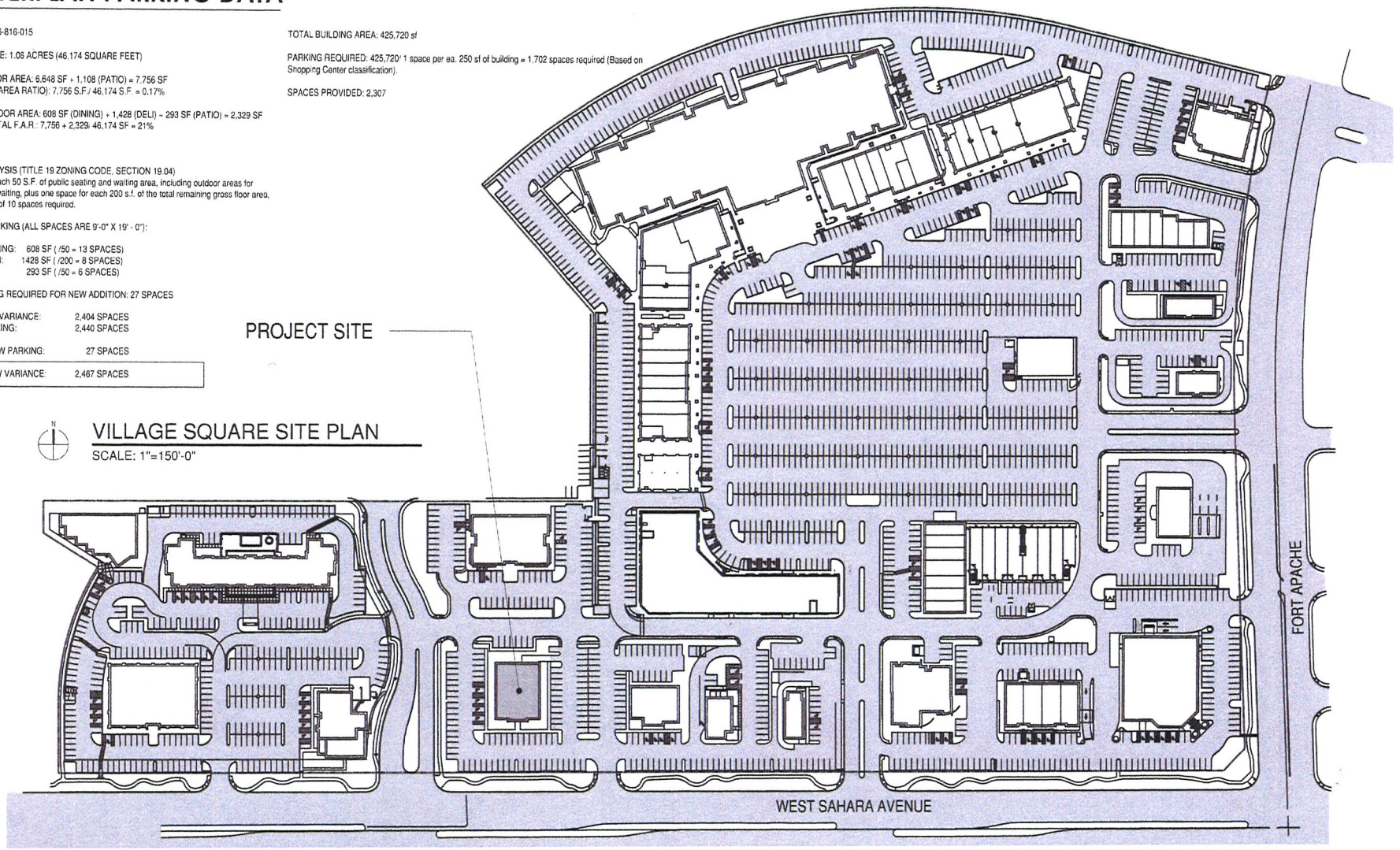
EXISTING 2006 VARIANCE:	2,404 SPACES
EXISTING PARKING:	2,440 SPACES
PROPOSED NEW PARKING:	27 SPACES
REQUIRED NEW VARIANCE:	2,467 SPACES

TOTAL BUILDING AREA: 425,720 sf

PARKING REQUIRED: 425,720/ 1 space per ea. 250 sf of building = 1,702 spaces required (Based on Shopping Center classification).

SPACES PROVIDED: 2,307

PROJECT SITE



VILLAGE SQUARE SITE PLAN

SCALE: 1"=150'-0"

DWAYNE R. **ESHENBAUGH**, AIA, NCARB, LEED AP
Principal Architect

architecture I interiors I planning
CONNECT I CREATE I CULTIVATE
3225 Via Seranova I Henderson, Nevada 89044
702.522.9292 O I 702.332.7975 C

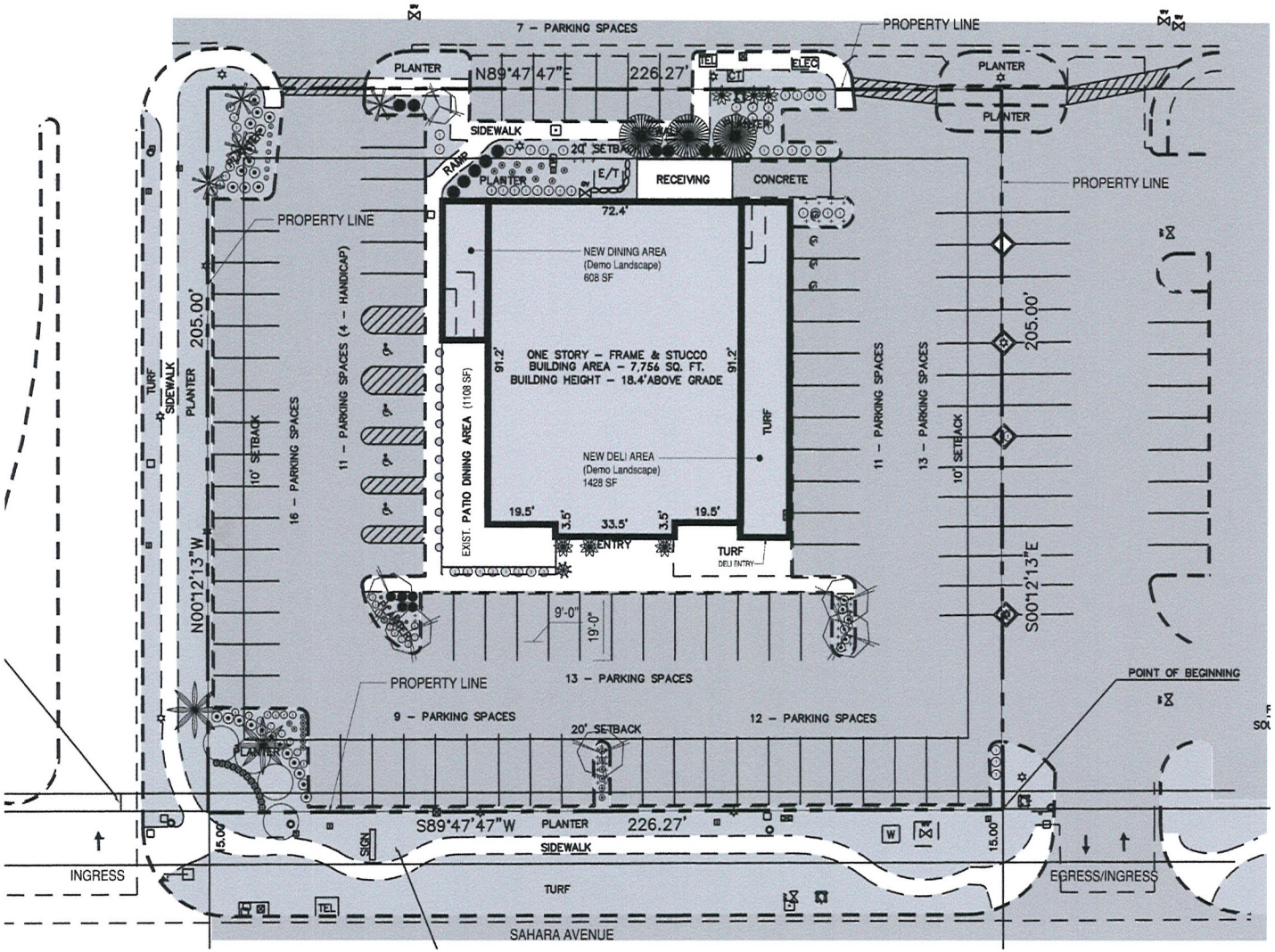
SUP-36961
02/25/10 PC

VILLAGE SQUARE
OVERALL SITE PLAN

SIENNA DELI
9500 West Sahara Avenue
Las Vegas, Nevada 89117

DRAWN BY	DRE	SCALE	1"=150'-0"
REVIEWED BY	DRE		
DATE ISSUED	1/28/2010		A1.01
PROJECT NO.	09-001DI		NO

RECEIVED
JAN 28 2010



SIENNA DELI SITE DATA

APN NO: 163-06-816-015

PROPERTY SIZE: 1.06 ACRES (46,174 SQUARE FEET)

EXISTING FLOOR AREA: 6,648 SF + 1,108 (PATIO) = 7,756 SF
F.A.R. (FLOOR AREA RATIO): 7,756 S.F./ 46,174 S.F. = 0.17%

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COMBINED/TOTAL F.A.R.: 7,756 + 2,329/ 46,174 SF = 21%

DENSITY: N/A

PARKING ANALYSIS (TITLE 19 ZONING CODE, SECTION 19.04)
One space for each 50 S.F. of public seating and waiting area, including outdoor areas for seating and waiting, plus one space for each 200 s.f. of the total remaining gross floor area, with a minimum of 10 spaces required.

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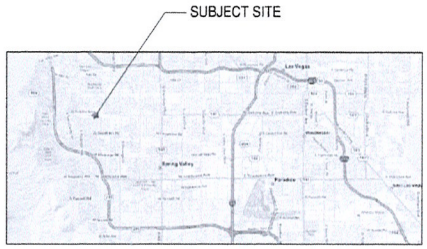
NEW EAST DELI: 1428 SF (/200 = 8 SPACES)
NEW PATIO: 293 SF (/50 = 6 SPACES)

TOTAL PARKING REQUIRED FOR NEW ADDITION: 27 SPACES

EXISTING 2006 VARIANCE:	2,404 SPACES
EXISTING PARKING:	2,440 SPACES
PROPOSED NEW PARKING:	27 SPACES
REQUIRED NEW VARIANCE:	2,467 SPACES

N

SIENNA DELI SITE PLAN
1" = 30'-0"



VICINITY MAP

NTS

DWAYNE R. **ESHENBAUGH**, AIA, NCARB, LEED AP
Principal Architect

architecture I interiors I planning
CONNECT I CREATE I CULTIVATE
3225 Via Seranova I Henderson, Nevada 89044
702.522.9292 O I 702.332.7975 C

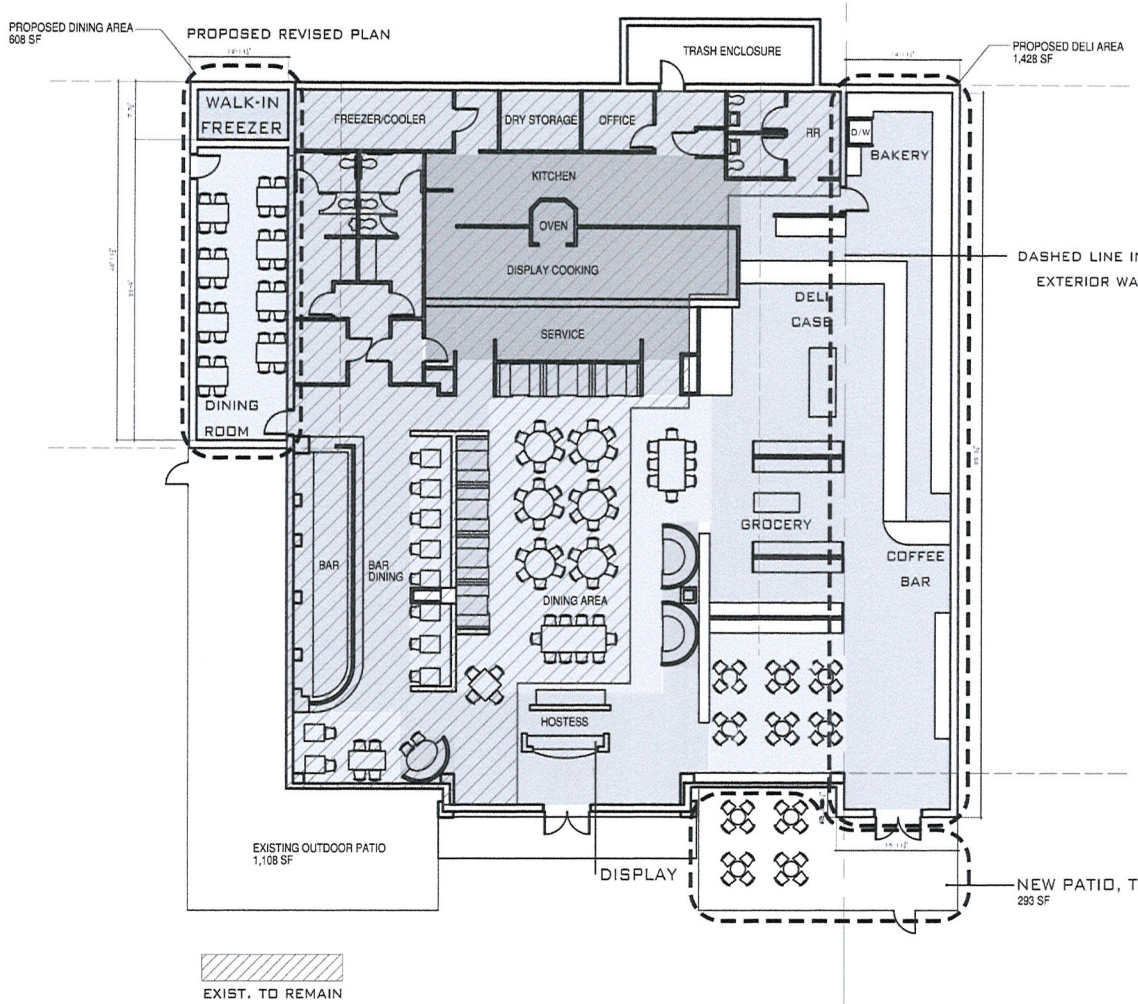
SUP-36961
02/25/10 PC

SITE PLAN

SIENNA DELI
9500 W. Sahara Avenue
Las Vegas, Nevada 89117

DRAWN BY	3FN	SCALE	1"=30'-0"
REVIEWED BY	DRE		
DATE ISSUED	1/29/2010		A1.02
PROJECT NO.	09-001.00		NO.

RECEIVED
JAN 28 2010



FLOOR PLAN

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

FLOOR PLAN DATA

USE AND OCCUPANCY CLASSIFICATION PER 2006 IBC SECTION 302
GROUP A-2: ASSEMBLY USES INTENDED FOR FOOD AND/OR DRINK CONSUMPTION INCLUDING BUT NOT LIMITED TO:
BANQUET HALLS
NIGHT CLUBS
RESTAURANTS
TAVERNS AND BARS

TOTAL SQUARE FOOTAGE OF EXISTING AND PROPOSED = 6,648 + 1,108 (EXISTING PATIO) + 608 (NEW DINING) + 1,428 (NEW DELI) + 293 (NEW PATIO) = 10,085 SF

MAXIMUM ALLOWABLE FLOOR AREA ALLOWANCES PER OCCUPANT (2006 IBC - TABLE 1004.1.1)

BUSINESS AREAS (100 GSF Floor Area Per Occupant)
4261 GSF/ 100 = 43 OCCUPANTS

ASSEMBLY WITHOUT FIXED SEATS (15 Net SF - Unconcentrated
2189 NSF/ 15 = 146 OCCUPANTS

COMMERCIAL KITCHEN (200 GSF Floor Area Per Occupant)
1071 GSF/ 200 = 6 OCCUPANTS

FIXED BOOTH (PER SECTION 1004.7 - 1 Occupant per 24")
1032" TOTAL SEAT LENGTH/ 24" = 43 OCCUPANTS

TOTAL OCCUPANTS: 238

MAXIMUM DINING CAPACITY: 189 OCCUPANTS
ACTUAL DINING: 183 OCCUPANTS

LEGEND

- BUSINESS AREAS
- ASSEMBLY AREAS (WITHOUT FIXED SEATS)
- COMMERCIAL KITCHEN
- FIXED BOOTH

DWAYNE R. **ESHENBAUGH**, AIA, NCARB, LEED AP
Principal Architect

architecture I interiors I planning
CONNECT I CREATE I CULTIVATE
3225 Via Seranova I Henderson, Nevada 89044
702.522.9292 O I 702.332.7975 C

SUP-36961
02/25/10 PC

FLOOR PLAN

SIENNA DELI
9500 W. Sahara Avenue
Las Vegas, Nevada 89117

DRAWN BY	3FN
REVIEWED BY	DRE
DATE ISSUED	1/28/2010
PROJECT NO.	09.001.00
SCALE	1/16" = 1'-0"
NO.	A3.01

RECEIVED
JAN 28 2010

SUP-36961 - APPLICANT/OWNER: WINNER PROPERTIES, LLC
NORTHWEST CORNER OF FORT APACHE ROAD AND SAHARA AVENUE
FEBRUARY 25, 2010 PLANNING COMMISSION

02/04/10

SUP-36961 - APPLICANT/OWNER: WINNER PROPERTIES, LLC
NORTHWEST CORNER OF FORT APACHE ROAD AND SAHARA AVENUE
FEBRUARY 25, 2010 PLANNING COMMISSION

02/04/10

SUP-36961 - APPLICANT/OWNER: WINNER PROPERTIES, LLC
NORTHWEST CORNER OF FORT APACHE ROAD AND SAHARA AVENUE
FEBRUARY 25, 2010 PLANNING COMMISSION

02/04/10

SUP-36961 - APPLICANT/OWNER: WINNER PROPERTIES, LLC
NORTHWEST CORNER OF FORT APACHE ROAD AND SAHARA AVENUE
FEBRUARY 25, 2010 PLANNING COMMISSION

02/04/10

SUP-36961 - APPLICANT/OWNER: WINNER PROPERTIES, LLC
NORTHWEST CORNER OF FORT APACHE ROAD AND SAHARA AVENUE
FEBRUARY 25, 2010 PLANNING COMMISSION

02/04/10

SUP-36961 - APPLICANT/OWNER: WINNER PROPERTIES, LLC
NORTHWEST CORNER OF FORT APACHE ROAD AND SAHARA AVENUE
FEBRUARY 25, 2010 PLANNING COMMISSION

02/04/10

WINNER

PROPERTIES, L.L.C.

9601 Orient Express Ct.
Las Vegas, NV 89145
TEL: (702) 234-6622
FAX: (702) 657-1921

September 1, 2009

To Whom It May Concern:

Siena Deli was established in Las Vegas thirty years ago as a family-owned/ operated Italian deli, restaurant, and specialty market. In 2008, Winner Properties, L.L.C. purchased Siena Deli. As the town grew majority of the customer base has migrated to the west side of town, so on December 7, 2009 we are acquiring the building at 9500 West Sahara Ave. (formerly Bertolini's at Village Square) in order to keep our business easily accessible to our customers.

The existing use of the 9500 West Sahara Ave. facility is a fully functional restaurant/ supper club which is currently operational. We wish to make the following changes:

1) West side of building: remove existing grass and plants and expand the west wall of the building approximately 15' X 95' to add the Italian-style deli and small specialty market modeled after the current location at 2250 E. Tropicana, #20.
2) East side of building: remove existing grass and plants and expand east rear corner of the building approximately 13' X 43' to create a private dining room for meetings.

The building design is to match the existing Italian-themed elevations as shown in our submittal package. The landscape around the lot's perimeter shall be preserved so that visual impact of the change is minimized to passers-by. We expect seating occupancy to exceed the current 258 occupancy by approximately 35 seats or less because the existing private room and part of the dining room shall be lost to the market area.

We believe that these uses complement the adjacent land uses of the shopping center as well as the commercial and residential surroundings by better accommodating both the nearby commercial business-lunch needs at the deli as well as the current loyal customer base desiring authentic Italian food products which to our knowledge are not available in the Peccole Ranch area/ township.

SUP-36961
02/25/10 PC

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2009
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Parking in the Village Square Shopping Center is governed by a reciprocal parking easement for use with over 2000 spaces available in the Shopping Center. See attached parking easement documents.

The current staff at 9500 West Sahara Ave. (over 20 staff) is trained and capable of handling the additional work provided by the expansion as many of them work shifts at the old location as well. The hours of operation shall not change from the existing (8AM – 10PM). Additionally, the landlord at the existing location is unresponsive and creates a hardship for operations where the majority of businesses have left. Our lease in the old location is up Summer 2010 and we need to make our final move before the clock runs.

The County recorder's office will likely not update their files on the ownership of the building at 9500 West Sahara Ave. until such reasonable time has passed for their records to update. We will present the grant deed to the you as soon as reasonably possible.

Thank you in advance for your consideration.

Andrew Keroles
Director of Land Development
Winner Properties, L.L.C.
(702) 234-6622

SUP-36961
02/25/10 PC

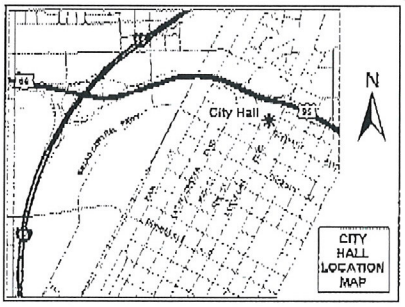
RECEIVED
2009
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

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 FEB 12 2010
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.
VAR-37295 & SUP-36961
Planning Commission Meeting of 2/25/2010

Case: VAR-37295-LABELS
16306411037
NELSON RICHARD H & BELVA E
2212 MADAGASCAR LN
LAS VEGAS NV 89117-5927

THIS WOULD LEAVE NO PARKING SPACES FOR THE SUPPER CLUB OR ANY BUSINESSES NEAR IT!

LAUDS11 89117

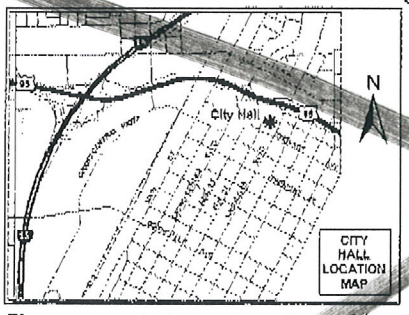
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 FEB 12 2010
MAILED FROM ZIPCODE 89101

RECEIVED
FEB 16 2010

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-36962
Planning Commission Meeting of 2/25/2010

Case: SDR-36962-LABELS
16306411037
NELSON RICHARD H & BELVA E
2212 MADAGASCAR LN
LAS VEGAS NV 89117-5927

LAUDS11 89117

12P

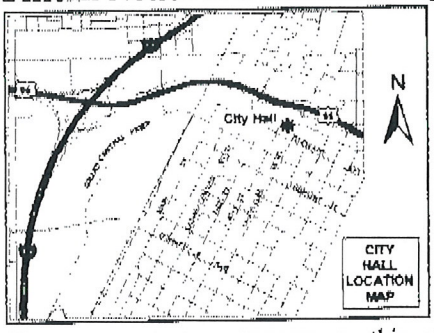
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 FEB 12 2010
MAILED FROM ZIPCODE 89101

Return Service Requested

Official Notice of Public Hearing



RECEIVED
FEB 16 2010

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-37295 & SUP-36961

Planning Commission Meeting of 2/25/2010

Case: VAR-37295-LABELS
16305315042
YONEMURA TOM M & YUKO 1980 TRUST
1924 BAY HILL DR
LAS VEGAS NV 89117-5732

12A

LAVOS11 89117

02/16/2010 04:37 3103794740 T YONEMURA PAGE 01

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

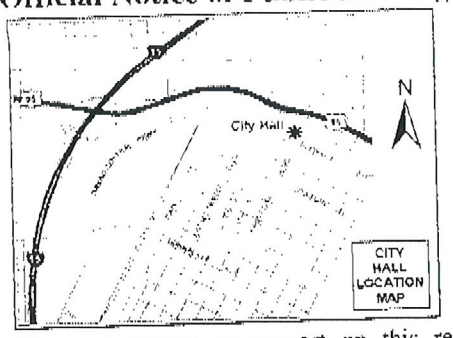
PRESORTED FIRST CLASS

$ 00.41[4]

MAILED FROM ZIPCODE 89117

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-37295 & SUP-36961

Planning Commission Meeting of 2/25/2010

Case: VAR-37295-LABELS

16307512050
TOMSICH CAROL ELAINE REV TR
9333 HOLLYCREST DR
LAS VEGAS NV 89117-0409

RECEIVED
FEB 16 2010

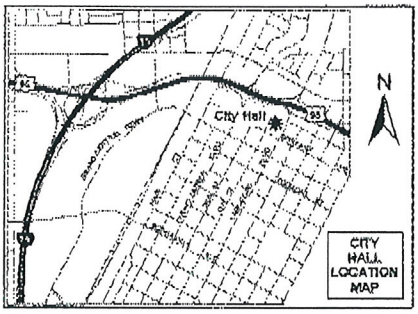
12A

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 FEB 12 2010
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-37295 & SUP-36961

Planning Commission Meeting of 2/25/2010

Case: VAR-37295-LABELS

16307510011
HORN SIDNEY W
9600 LAZY RIVER DR
LAS VEGAS NV 89117-0662

LAVDE11 89117

RECEIVED
FEB 16 2010

12A

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 25, 2010

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

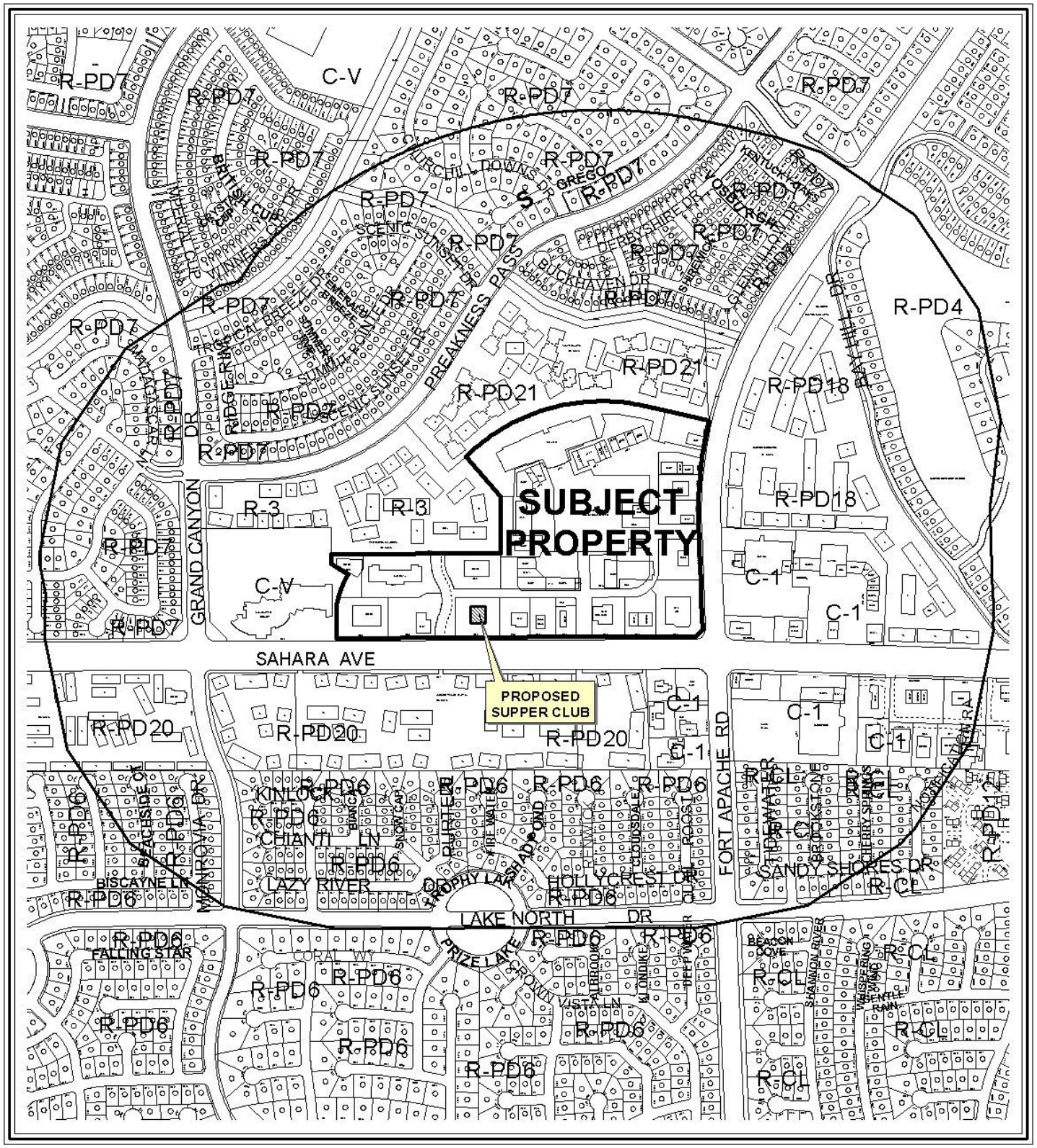
SUBJECT:
SDR-36962 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-37295 AND SUP-36961 - APPLICANT/OWNER: WINNER PROPERTIES, LLC **-** Request for a Major Amendment to a previously approved Rezoning and Plot Plan Review (Z-0139-88) FOR A PROPOSED 2,036 SQUARE-FOOT ADDITION TO AN EXISTING 6,648 SQUARE-FOOT COMMERCIAL BUILDING at 9500 West Sahara Avenue (APN 163-06-816-015), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson)

C.C.: 04/07/2010

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

RECOMMENDATION:
Staff recommends DENIAL, if approved subject to conditions:

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-36962**

RADIUS: 1500 FT

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

CASE: **SDR-36962**

RADIUS: 1500 FT

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-36962 - APPLICANT/OWNER: WINNER PROPERTIES, LLC

** CONDITIONS **

Staff recommends DENIAL, if approved subject to conditions:

Planning and Development

1. Conformance to the conditions of approval for Rezoning and Plot Plan Review (Z-0139-88), except as amended herein.

2. Approval of and conformance to the conditions of approval for Special Use Permit (SUP-36961) and Variance (VAR-37295) shall be required, if approved.

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

4. All development shall be in conformance with the site plan and floor plan date stamped 01/28/10, the building elevations date stamped 01/26/10, and the landscape plan date stamped 01/10/10, except as amended by conditions herein.

5. An Exception from Title 19.10.010(J)(11)(e) is hereby approved to allow a zero-foot buffer along the east side of the building where a five-foot wide landscape buffer or five-foot wide sidewalk is required to provide a buffer between the building and parking lot.

6. An Exception from Title 19.10.010 is hereby approved to allow nine parking lot landscape trees where ten trees are required.

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. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

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.

16. Site development to comply with all applicable conditions of approval for Z-139-88 and all other site-related actions.

SDR-36962 - Staff Report Page One
February 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site consists of an existing 6,648 square-foot Supper Club building within an existing commercial subdivision at 9500 West Sahara Avenue. This is a request for a Major Amendment to an approved Rezoning and Plot Plan Review (Z-0139-88) to expand the existing commercial building to 8,684 square-feet with a 2,036 square-foot addition. This request will increase the building area and required parking; therefore a Major Amendment to the approved Rezoning and Plot Plan Review (Z-0139-88) is required. The applicant is requesting, as part of this review, Exceptions of the Parking Lot Landscape Standards. Associated requests have been submitted for a Special Use Permit (SUP-36961) to expand an existing Supper Club use and a Variance (VAR-37295) for parking. A Variance (VAR-12102) for parking was previously approved for the entire commercial subdivision, but the proposed expansion will further increase the parking deficiency on the commercial site, and a new parking Variance is required. Staff recommends denial, as the request is inconsistent with Title 19. The site as designed will not allow for landscaping along the east side of the building, nor will it allow for sufficient parking throughout the commercial subdivision. If denied, the pad site will remain as originally approved under Rezoning and Plot Plan Review (Z-0139-88).

ISSUES

- Approval of a companion Variance (VAR-37295) to allow no additional parking spaces where 36 parking spaces are required is necessary for this request to be approved.
- The applicant is requesting an Exception of Title 19.10.010(J)(11)(e) Parking Lot Landscaping Standards to allow a parking lot to directly abut a building where a minimum five-foot wide landscape buffer or five-foot wide sidewalk should be used to buffer buildings from parking lots.
- The applicant is requesting an Exception of Title 19.10.010 to allow nine parking lot trees where 10 trees are required.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales	
12/22/80	The City Council approved a request for Annexation (A-0018-80) of a parcel of land generally bounded by Sahara Avenue on the south, Hualapai Way on the west, Ducharme Avenue on the north and Durango Drive on the east, containing approximately 2,246 acres of land. Planning Commission and staff recommended approval.

GK

02/15/89	The City Council approved a Rezoning (Z-0139-88) application for the reclassification of property from N-U (Non Urban) under Resolution of Intent to R-PD4 (Residential Planned Development - 4 Units Per Acre), P-R (Professional Office and Parking), C-1 (Limited Commercial), and C-V (Civic), to R-PD7 (Residential Planned Development- 7 Units Per Acre), R-3 (Medium Density Residence), and C-1 (Limited Commercial) for property generally located on the west side of Fort Apache Road, between Sahara Avenue and Charleston Boulevard. The Planning Commission and staff recommended approval.
07/14/97	The City Council approved a request for a Special Use Permit (U-0049-97) for a proposed Tavern in conjunction with restaurant on property located on the north side of Sahara Avenue, west of Fort Apache Road. Planning Commission and staff recommended approval.
	The City Council approved a request for a Special Use Permit (U-0050-97) for a proposed Tavern with a Waiver of the 1,500-foot distance separation requirement from an existing and proposed tavern on property located on the north side of Sahara Avenue, west of Fort Apache Road. Planning Commission and staff recommended approval.
10/27/97	The City Council approved a request for a Site Development Plan Review [Z-0139-88(19)] for a proposed 8,400 square-foot one story retail building located at 9310 West Sahara Avenue. The Planning Commission recommended approval of the request.
11/24/97	The City Council approved a request for a Site Development Plan Review [Z-0139-88(21)] for a proposed 16,708 square-foot one story drugstore with drive-through located on the northwest corner of Sahara Avenue and Fort Apache Road. The Planning Commission recommended approval of the request.
01/26/98	The City Council approved a request for a Special Use Permit (U-0128-97) for the sale of Packaged Liquor in conjunction with a proposed 16,708 square-foot drugstore on property located on the northwest corner of Sahara Avenue and Fort Apache Road. Planning Commission recommended approval.
03/23/98	The City Council approved a request for a Site Development Plan Review [Z-0139-88(23)] for a proposed 4,716 square-foot restaurant located on the north side of Sahara Avenue, west of Fort Apache Road. The Planning Commission recommended approval of the request.
04/27/98	The City Council approved a request for a Special Use Permit (U-0146-97) for a proposed three-story, non-gaming residence hotel, consisting of seventy-three one-bedroom units on property located on the north side of Sahara Avenue, west of Fort Apache Road. Planning Commission recommended approval.
	The City Council approved a request for a Special Use Permit (U-0020-98) for a Restaurant Service Bar in conjunction with a proposed 3,784 square-foot restaurant located at 9350 West Sahara Avenue. Planning Commission recommended approval.

05/11/98	The City Council approved a request for a Special Use Permit (U-0031-98) for the On-Premise sale of Beer and Wine in conjunction with a proposed restaurant located at 9350 West Sahara Avenue. Planning Commission recommended approval.
06/08/98	The City Council approved a request for a Special Use Permit (U-0038-98) for a proposed Supper Club in conjunction with a proposed 6,648 square-foot restaurant on property located on the north side of Sahara Avenue, west of Fort Apache Road. Planning Commission recommended approval.
	The City Council approved a request for a Site Development Plan Review [Z-0139-88(24)] for a proposed 27,418 square-foot two-story retail and office building and a 33,207 square-foot two-story retail and office building located on the north side of Sahara Avenue, west of Fort Apache Road. The Planning Commission recommended approval of the request.
09/28/98	The City Council approved a request for a Special Use Permit (U-0080-98) for the On-Premise sale of Beer and Wine in conjunction with a proposed 2,160 square-foot restaurant located on the northwest corner of Fort Apache Road and Sahara Avenue. Planning Commission recommended approval.
	The City Council approved a request for a Site Development Plan Review [Z-0139-88(27)] for a proposed 4,212 square-foot commercial retail building located on the northwest corner of Sahara Avenue and Fort Apache Road. The Planning Commission recommended approval of the request.
10/12/98	The City Council approved a request for a Special Use Permit (U-0090-98) for a proposed Supper Club in conjunction with a proposed 6,990 square-foot restaurant on property located on the north side of Sahara Avenue approximately 1,400 feet west of Fort Apache Road.
10/16/98	The City Council approved a request for a Site Development Plan Review [Z-0139-88(29)] for a proposed 3,190 square-foot restaurant located on the north side of Sahara Avenue, west of Fort Apache Road. The Planning Commission recommended approval of the request.
11/09/98	The City Council approved a request for a Special Use Permit (U-0115-98) for a proposed Supper Club in conjunction with a proposed 8,802 square-foot restaurant on property located on the north side of Sahara Avenue, west of Fort Apache Road.
07/12/06	The City Council approved a Variance (VAR-12102) to allow 2,404 parking spaces where 2,440 is the minimum number of spaces required in conjunction with the addition of a 1,200 square-foot restaurant within the existing shopping center. The Planning Commission recommended approval and staff recommended denial.
01/22/10	The Planning and Development Department administratively approved a Minor Amendment (SUP-37062) to a previously approved Special Use Permit (U-0038-98) to allow alcohol service into an additional 617 square-feet of existing outdoor seating at an existing 6,648 square foot Supper Club at 9500 West Sahara Avenue.

Related Building Permits/Business Licenses	
07/15/98	A building permit (#98014454) was issued for a new restaurant Certificate of Occupancy at 9500 West Sahara Avenue. The building permit was finalized on 02/02/99.
	A building permit (#98014455) was issued for on-site improvements and hardscapes at 9500 West Sahara Avenue. The building permit was expired on 04/01/00.
09/02/98	A building permit (#98017819) was issued for on-site fire and water at 9500 West Sahara Avenue. The building permit was expired on 04/01/00.
11/09/98	A building permit (#98022139) was issued for patio addition for a restaurant at 9500 West Sahara Avenue. The building permit was expired on 04/01/00.
11/18/98	A building permit (#98022669) was issued for a sign at 9500 West Sahara Avenue. The building permit was finalized on 02/02/99.
12/17/98	A business license (#L21-00012) was issued for a Supper Club at 9500 West Sahara Avenue. The license was marked out on 12/08/09.
09/02/99	A building permit (#99017403) was issued for two illuminated wall signs at 9500 West Sahara Avenue. The building permit was finalized on 09/16/99.
11/13/09	A building permit (#151159) was issued for an illuminated wall sign at 9500 West Sahara Avenue. The building permit has not been finalized.
12/07/09	A temporary business license (#L21-92278) was issued for a Supper Club at 9500 West Sahara Avenue. The license is still active.
12/08/09	A business license (#R09-00907) was issued for a Restaurant seating 45 people or more at 9500 West Sahara Avenue. The license is still active.
Pre-Application Meeting	
09/16/09	A pre-application meeting was held where submittal requirements for a Site Development Plan Review were discussed. Topics discussed included: • Title 19 Zoning Code requirements • Application Materials and Documents • Meeting Dates and Deadlines
Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	

Field Check	
12/22/09	During a routine site inspection staff observed a well maintained commercial center.

Details of Application Request	
Site Area	
Gross Acres	1.06 Acres

GK

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-PD21 (Residential Planned Development – 21 Units Per Acre), R-3 (Medium Density Residential)
South	Bank, Apartments	SC (Service Commercial), M (Medium Density Residential)	C-1 (Limited Commercial), R-PD20 (Residential Planned Development – 20 Units Per Acre)
East	Commercial Shopping Center	M (Medium Density Residential), SC (Service Commercial)	C-1 (Limited Commercial), R-PD18 (Residential Planned Development – 18 Units Per Acre)
West	Library, Church, Apartments	PF (Public Facilities), SC (Service Commercial), M (Medium Density Residential)	C-V (Civic), C-1 (Limited Commercial), 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	
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 Width	100 Feet	205 Feet	Y
Min. Setbacks			
• Front	20 Feet	77 Feet	Y
• Side	10 Feet	73 Feet	Y
• Corner	15 Feet	78 Feet	Y
• Rear	20 Feet	31 Feet	Y
Max. Lot Coverage	50%	21%	Y
Max. Building Height	N/A	18 Feet	N/A
Trash Enclosure	Screened, Gated with a Roof or Trellis	Existing screened and gated trash enclosure	Y
Mech. Equipment	Screened	Screened	Y

Pursuant to Title 19.12.040, the following development standards shall apply:

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Parking Area	1 Trees/6 Space	10 Trees	9 Trees	N
Buffer: Min. Trees	1 Tree/30 Linear Feet	Zero Trees	Zero Trees	Y
TOTAL(Perimeter Trees)		Zero Trees	Zero Trees	Y
Wall Height	6-8 Feet Adjacent to Residential		No wall existing or proposed	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	
Commercial Center (Existing)	425,720 S.F.		2,406	34	2,324	80	
SubTotal			2,440		2,404*		

GK

Supper Club (Proposed Increase)	1,392 S.F.	1:50	28		0	0	
	1,428 S.F.	1:200	8				
SubTotal			**34**	**2**			
TOTAL			**2,476**		**2,112****		N

*As approved by Variance (VAR-12102)
** Per physical inventory

Exceptions		
Requirement	**Request**	**Staff Recommendation**
Title 19.10.010(J)(11)(e) A minimum five-foot wide landscape buffer or sidewalk shall be used to buffer buildings from parking spaces.	Zero-Feet	Denial
10 Parking Lot Trees	9 parking lot trees	Denial

ANALYSIS

Per Title 19.18.050(H), this Major Amendment to a previously approved Rezoning and Plot Plan Review (Z-0139-88) is required, as the proposed expansion will increase the building by 31% in floor area, from 6,648 square feet to 8,684 square feet. The proposed expansion will accommodate additional dining area for the existing Supper Club use.

The site complies with all Title 19 requirements with the exception of required parking and landscaping. A parking Variance (VAR-12102) was approved by City Council in 2006 to allow 2,404 parking spaces where 2,440 parking spaces were required. The expansion will require an additional 36 parking spaces, which cannot be accommodated on the site, thus creating an increase in parking deficiency. A companion Variance (VAR-37295) has been submitted to address this issue.

Per Title 19.10.010(J), no parking lot shall directly abut any building. The applicant is requesting an Exception to allow a zero-foot buffer along the east side of the building where a five-foot wide landscape buffer or a five-foot wide sidewalk is required to buffer the building from parking spaces. The elimination of the existing landscape buffer will result in the loss of five trees from the existing site and will negatively impact the aesthetics of the site. The loss of required trees within the landscape necessitates another Exception to allow nine parking lot trees where ten trees are required. The proposed expansion of an existing commercial building requires various deviations from standards including exceptions of landscaping and an increased deficiency in parking; therefore, denial of this request is recommended.

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 expansion to the existing commercial building will not allow for required parking lot landscaping, nor will it meet the minimum required parking of Title 19.04, which is inconsistent with other development in the vicinity.

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

   The site, as proposed, will not meet the minimum required parking of Title 19.04, and the elimination of a required landscape buffer within the parking area will negatively impact the aesthetics of the site. The inconsistencies with standards are a result of site design and not physical characteristics of the site itself, and therefore cannot be supported.

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

   The site is accessed by Sahara Avenue, a 100-foot Primary Arterial, as designated by the Master Plan of Streets and Highways. The site provides adequate access and circulation for pedestrians and vehicles.

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. The applicant is requesting Exceptions to allow a zero-foot buffer where a 5-foot wide landscape buffer or 5-foot wide sidewalk is required and to allow 9 parking lot landscaping trees where ten trees are required. The elimination of the required buffer zone and trees will negatively impact the aesthetics of the subject 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 depict design and materials that will provide an aesthetically acceptable building and are compatible with the neighboring properties.

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 health, safety, and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

NOTICES MAILED 1,488

APPROVALS 1

PROTESTS 1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-36962** APN: 163-06-816-015

Name of Property Owner: Winner Properties, LLC

Name of Applicant: Same

Name of Representative: Dwayne R. Eshenbaugh

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Antonio Accornero

Subscribed and sworn before me

This 26th day of January, 2010

Rhonda F. Digennaro

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
No: 99-56461-1 RHONDA F. DIGENNARO
My Appointment Expires April 27, 2011

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Winner Properties, LLC.

Project Address (Location) 9500 West Sahara Ave.

Project Name Siena Italian Expansion **Proposed Use** Deli/ Market Addition

Assessor's Parcel #(s) 163-06-816-015 **Ward #** _____

General Plan: existing _____ proposed _____ **Zoning:** existing _____ proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Winner Properties, LLC **Contact** Joy Bustamante

Address 9601 Orient Express Ct **Phone:** (213) 760-9377 **Fax:** _____

City Las Vegas **State** NV **Zip** 89145

E-mail Address _____

APPLICANT Same **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

REPRESENTATIVE Dwayne R. Eshenbaugh **Contact** _____

Address 3225 Via Seranova **Phone:** (702) 522-9292 **Fax:** _____

City Henderson **State** NV **Zip** 89044

E-mail Address dwayne@drearchitecture.com

Property Owner Signature* _____

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Antonio Accornero

Subscribed and sworn before me

This 26th day of January, 2010.

Rhonda L DiGennaro

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
RHONDA F. DIGENNARO
No: 99-56461-1
My Appointment Expires April 27, 2011

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SDR-36962
Meeting Date:	2/25/10
Total Fee:	1,030.00
Date Received:*	1/28/10
Received By:	

*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

MASTERPLAN PARKING DATA

APN NO: 163-06-816-015

PROPERTY SIZE: 1.06 ACRES (46,174 SQUARE FEET)

EXISTING FLOOR AREA: 6,648 SF + 1,108 (PATIO) = 7,756 SF
F.A.R. (FLOOR AREA RATIO): 7,756 S.F./ 46,174 S.F. = 0.17%

PROPOSED FLOOR AREA: 608 SF (DINING) + 1,428 (DELI) + 293 SF (PATIO) = 2,329 SF
COMBINED/TOTAL F.A.R.: 7,756 + 2,329/ 46,174 SF = 21%

DENSITY: N/A

PARKING ANALYSIS (TITLE 19 ZONING CODE, SECTION 19.04)
One space for each 50 S.F. of public seating and waiting area, including outdoor areas for seating and waiting, plus one space for each 200 s.f. of the total remaining gross floor area, with a minimum of 10 spaces required.

REQUIRED PARKING (ALL SPACES ARE 9'-0" X 19' - 0"):

NEW WEST DINING: 608 SF (/50 = 13 SPACES)
NEW EAST DELI: 1428 SF (/200 = 8 SPACES)
NEW PATIO: 293 SF (/50 = 6 SPACES)

TOTAL PARKING REQUIRED FOR NEW ADDITION: 27 SPACES

EXISTING 2006 VARIANCE: 2,404 SPACES
EXISTING PARKING: 2,440 SPACES

PROPOSED NEW PARKING: 27 SPACES

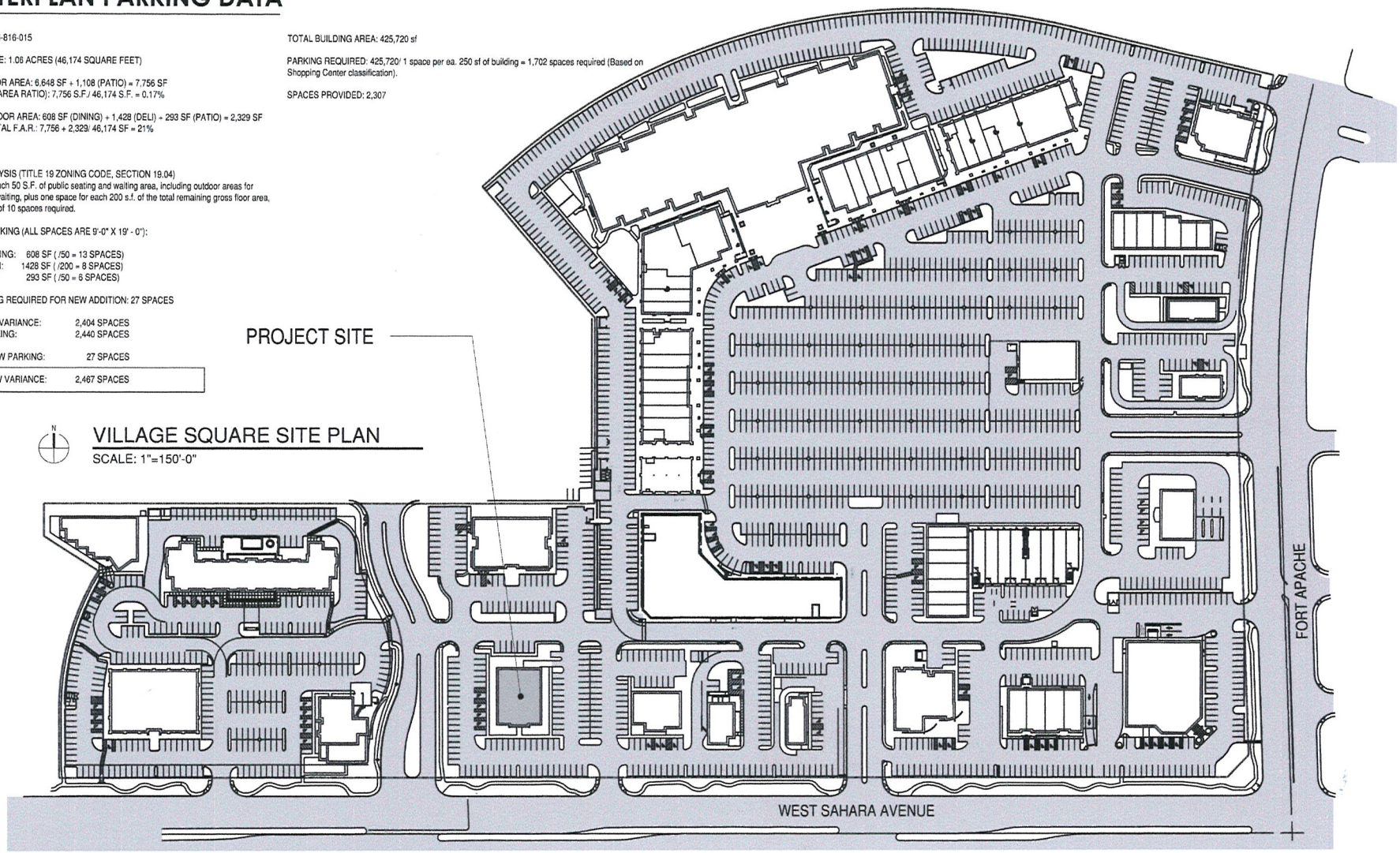
REQUIRED NEW VARIANCE: 2,467 SPACES

TOTAL BUILDING AREA: 425,720 sf

PARKING REQUIRED: 425,720/ 1 space per ea. 250 sf of building = 1,702 spaces required (Based on Shopping Center classification).

SPACES PROVIDED: 2,307

PROJECT SITE



VILLAGE SQUARE SITE PLAN

SCALE: 1"=150'-0"

DWAYNE R. **ESHENBAUGH**, AIA, NCARB, LEED AP
Principal Architect

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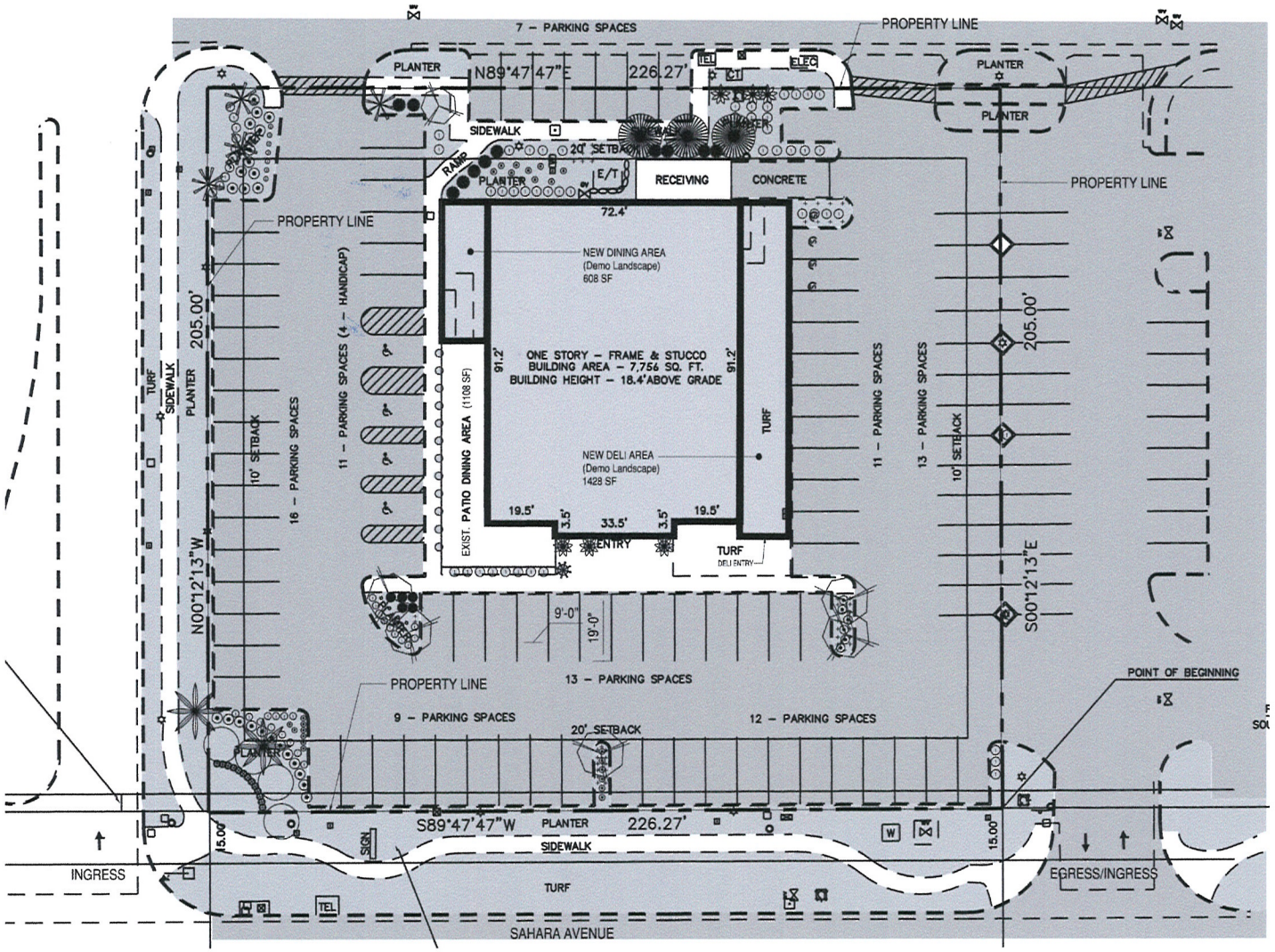
702.522.9292 O I 702.332.7975 C

SDR-36962
02/25/10 PC

SIENNA DELI 9500 West Sahara Avenue Las Vegas, Nevada 89147	VILLAGE SQUARE OVERALL SITE PLAN
DRAWN BY DRE	SCALE 1"=150'-0"
REVIEWED BY DRE	
DATE ISSUED 1/28/2010	A1.01
PROJECT NO 09-401.00	NO

RECEIVED
JAN 28 2010



SIENNA DELI SITE DATA

APN NO: 163-06-816-015

PROPERTY SIZE: 1.06 ACRES (46,174 SQUARE FEET)

EXISTING FLOOR AREA: 6,648 SF + 1,108 (PATIO) = 7,756 SF
F.A.R. (FLOOR AREA RATIO): 7,756 S.F./ 46,174 S.F. = 0.17%

PROPOSED FLOOR AREA: 608 SF (DINING) + 1,428 (DELI) + 293 SF (PATIO) = 2,329 SF
COMBINED/TOTAL F.A.R.: 7,756 + 2,329/ 46,174 SF = 21%

DENSITY: N/A

PARKING ANALYSIS (TITLE 19 ZONING CODE, SECTION 19.04)
One space for each 50 S.F. of public seating and waiting area, including outdoor areas for seating and waiting, plus one space for each 200 s.f. of the total remaining gross floor area, with a minimum of 10 spaces required.

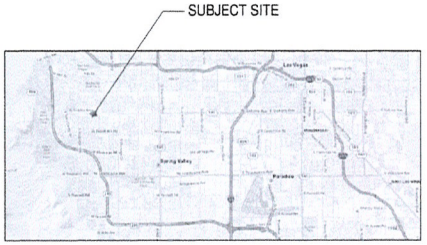
REQUIRED PARKING (ALL SPACES ARE 9'-0" X 19' - 0"):

NEW WEST DINING: 608 SF (/50 = 13 SPACES)
NEW EAST DELI: 1428 SF (/200 = 8 SPACES)
NEW PATIO: 293 SF (/50 = 6 SPACES)

TOTAL PARKING REQUIRED FOR NEW ADDITION: 27 SPACES

EXISTING 2006 VARIANCE:	2,404 SPACES
EXISTING PARKING:	2,440 SPACES
PROPOSED NEW PARKING:	27 SPACES
REQUIRED NEW VARIANCE:	2,467 SPACES

SIENNA DELI SITE PLAN
1" = 30'-0"



VICINITY MAP

NTS

DWAYNE R. **ESHENBAUGH**, AIA, NCARB, LEED AP
Principal Architect

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SITE PLAN

SIENNA DELI	DRAWN BY	3FN	SCALE 1"=30'-0"
9500 W. Sahara Avenue	REVIEWED BY	DRE	
Las Vegas, Nevada 89117	DATE ISSUED	1/28/2010	A1.02
	PROJECT NO.	09.001.00	NO.

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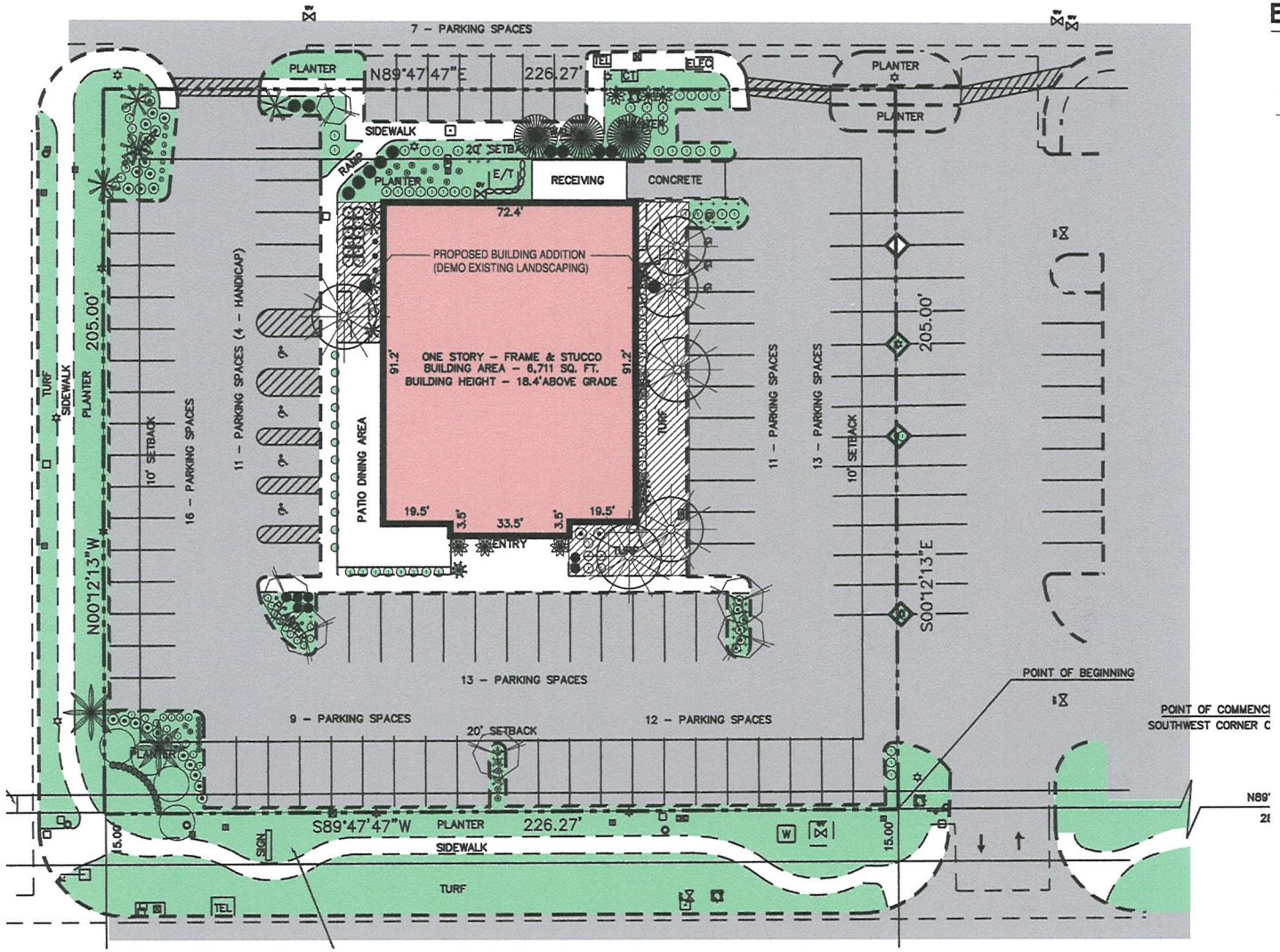

LANDSCAPING SITE PLAN
1" = 30'-0"

EXISTING ON-SITE PLANT LEGEND

SPECIES	NUMBER and SIZE
MEXICAN SYCAMORE	6 - 15 GALLON TREES (ALL WILL BE REMOVED FOR NEW CONSTRUCTION).
GLOSSY PRIVIT	6 - 24" BOX TREES
CANARY ISLAND DATE PALM	1 - ON PROPERTY - 25' BTH
MONDALE PINE	3 - 24" BOX
PLUM TREE	3 - 24" BOX
MEXICAN FAN PALM	12 - 15 GALLON (6 - IN POTS WILL BE REMOVED FOR NEW CONSTRUCTION).
SAGO PALM	3 - 15 GALLON
TEXAS RANGER	18 - 15 GALLON (2 - WILL BE REMOVED FOR NEW CONSTRUCTION).
INDIA HAWTHORNE	88 - 15 GALLON (23 - WILL BE REMOVED FOR NEW CONSTRUCTION).
DAYLILLY	70 - 1 GALLON (2 - WILL BE REMOVED FOR NEW CONSTRUCTION).
WHEELERS DWARF	42 - 15 GALLON (14 - WILL BE REMOVED FOR NEW CONSTRUCTION).
CONCRETE PLANTER	21 - 5 WILL BE REMOVED FOR THE NEW CONSTRUCTION).
ROSEMARY	12 - 15 GALLON
DESERT MARIGOLD	13 - 15 GALLON
TEXANUM PRIVIT	4 - 5 GALLON
ROSE BUSH	7 - 15 GALLON

NOTE: ALL LANDSCAPING IN COMMON AREAS TO REMAIN UNDISTURBED. THE ONLY LANDSCAPING TO BE REMOVED IS IN THE TWO AREAS IDENTIFIED WITH CROSS HATCH FOR THE NEW CONSTRUCTION.

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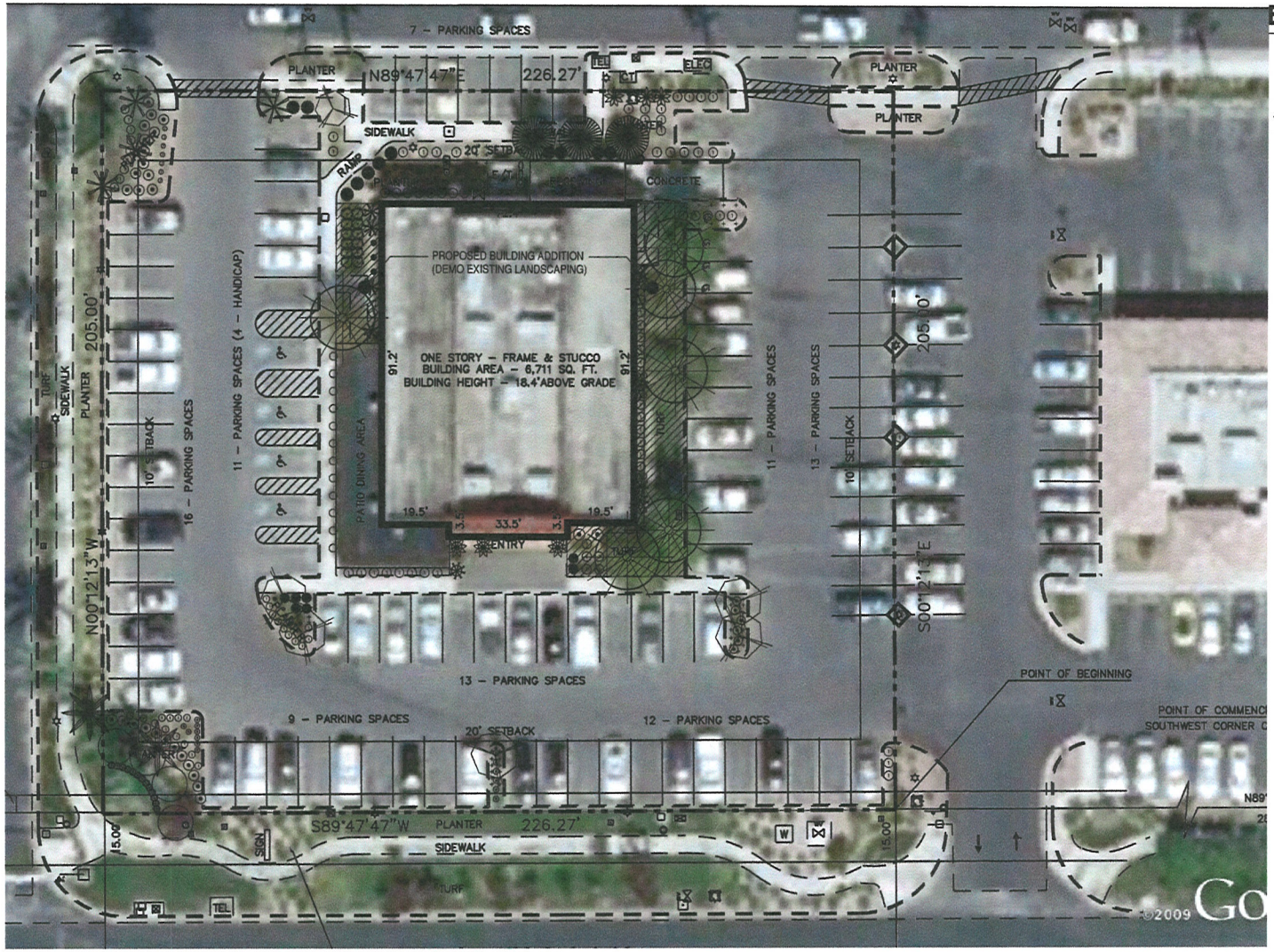
BASED ON A.L.T.A. SURVEY
BASED ON AERIAL PHOTO
BASED ON SITE VISIT & PHOTOS

LANDSCAPE AS-BUILT

SIENNA DELI
LANDSCAPE AS-BUILT
9500 W. SAHARA AVE.
Las Vegas, NV 89117

DRAWN BY	DRE	SCALE	1"= 30'-0"
REVIEWED BY	DRE		L1.01
DATE ISSUED	January 11, 2010		
PROJECT NO.	09-001-00		NO

RECEIVED
JAN 10 2010



LANDSCAPING SITE PLAN
1" = 30'-0"

EXISTING ON-SITE PLANT LEGEND

SPECIES	NUMBER and SIZE
MEXICAN SYCAMORE	6 - 15 GALLON TREES (ALL WILL BE REMOVED FOR NEW CONSTRUCTION).
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BASED ON A.L.T.A. SURVEY
BASED ON AERIAL PHOTO
BASED ON SITE VISIT & PHOTOS

LANDSCAPE AS-BUILT

SIENNA DELI
LANDSCAPE AS-BUILT
9500 W. SAHARA AVE.
Las Vegas, NV 89117

DRAWN BY	DRE	SCALE	1"= 30'-0"
REVIEWED BY	DRE		
DATE ISSUED	January 11, 2010		L1.01
PROJECT NO.	09-001.00	NO.	1

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BASED ON A.L.T.A. SURVEY
BASED ON AERIAL PHOTO
BASED ON SITE VISIT & PHOTOS

LANDSCAPE PHOTOS

SIENNA DELI
LANDSCAPE AS-BUILT
9500 W. SAHARA AVE.
Las Vegas, NV 89117

DRAWN BY	DRE	SCALE	NTS
REVIEWED BY	DRE		
DATE ISSUED	1/11/2010		L1.00
PROJECT NO.	09-001.00	1 NO.	1

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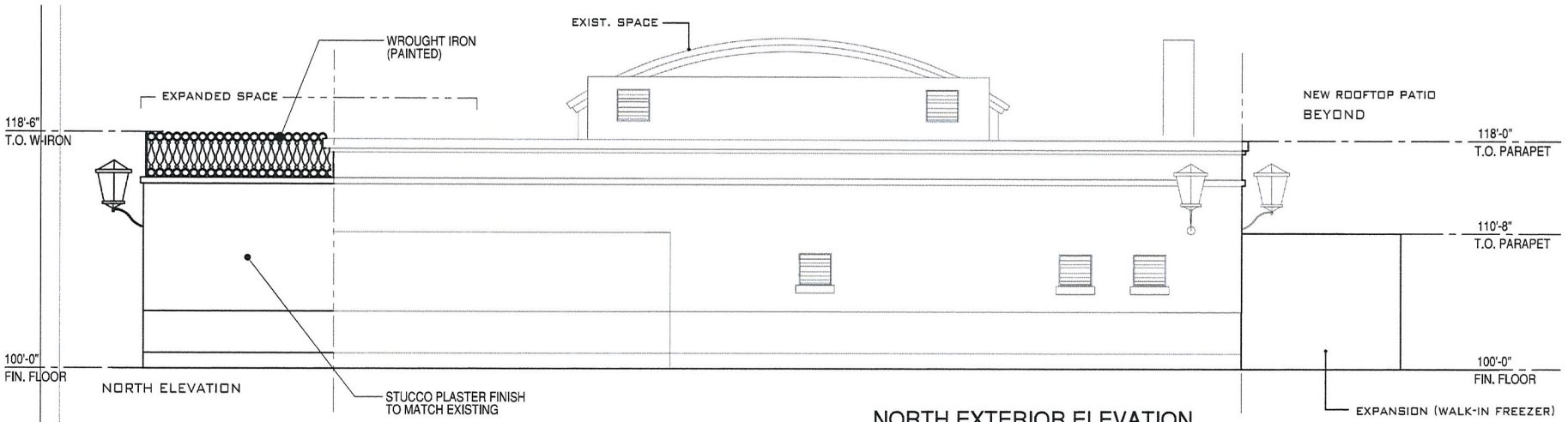
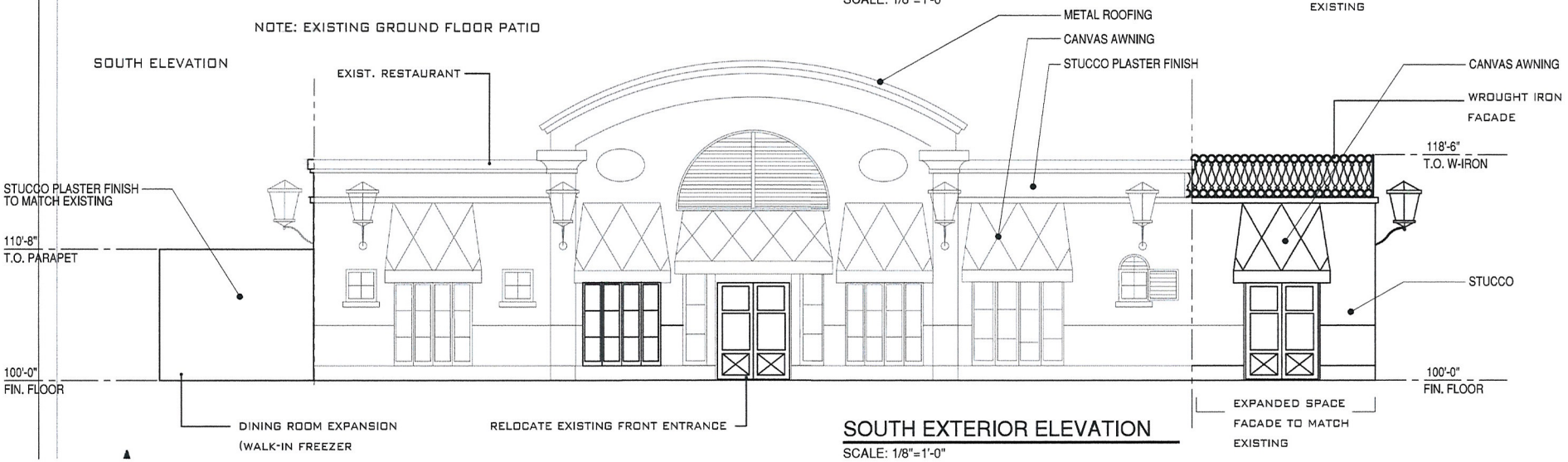


NORTH EXTERIOR ELEVATION

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

NOTE: EXISTING GROUND FLOOR PATIO



SOUTH EXTERIOR ELEVATION

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

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Principal Architect

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	EXTERIOR BUILDING ELEVATIONS			
SIENNA DELI 9500 W. Sahara Avenue Las Vegas, Nevada 89117	DRAWN BY	3FN	SCALE	1/8" = 1'-0"
	REVIEWED BY	DRE		A2.01
	DATE ISSUED	1/26/2010		NO.
	PROJECT NO.	09-001.00		

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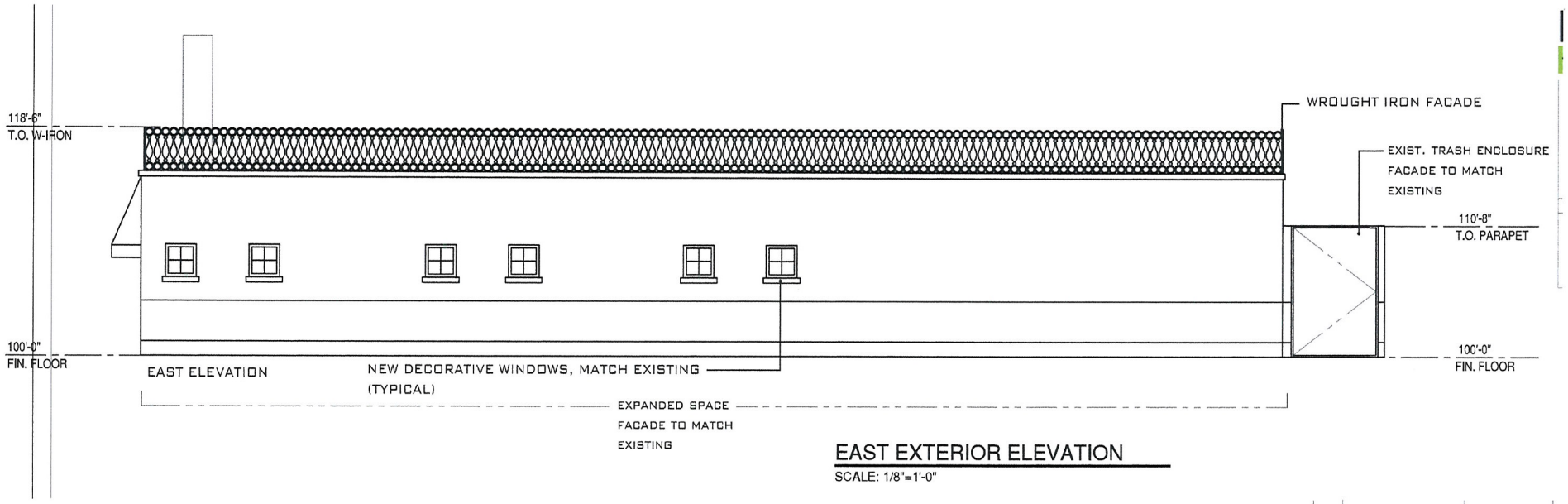
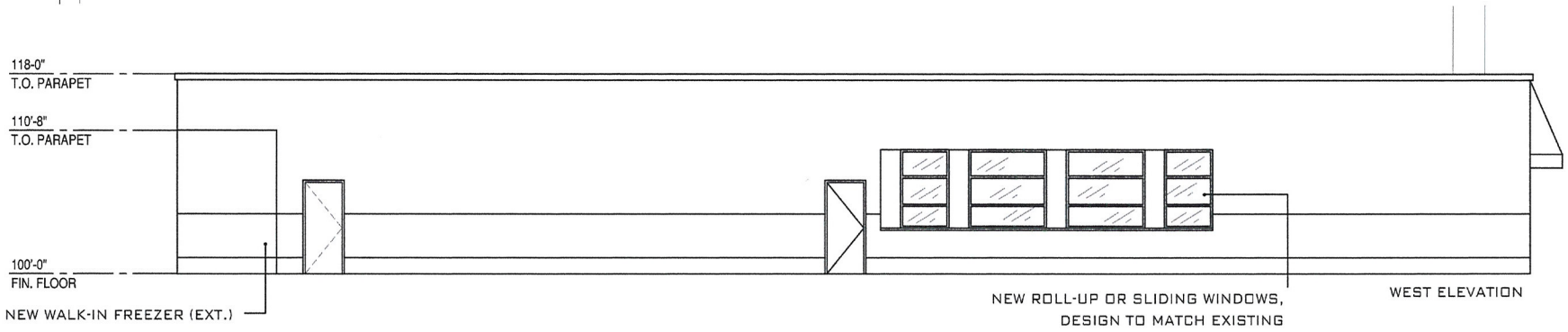
JAN 26 2010



EAST EXTERIOR ELEVATION

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



WEST EXTERIOR ELEVATION

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

SIENNA DELI

DWAYNE R. **ESHENBAUGH**, AIA, NCARB, LEED AP
Principal Architect

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702.522.9292 O I 702.332.7975 C

	EXTERIOR BUILDING ELEVATIONS			
SIENNA DELI 9500 W. Sahara Avenue Las Vegas, Nevada 89117	DRAWN BY	3FN	SCALE	1/8" = 1'-0"
	REVIEWED BY	DRE		A2.02
	DATE ISSUED	1/26/2010		
	PROJECT NO.	09-001.00		NO.

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JAN 26 2010

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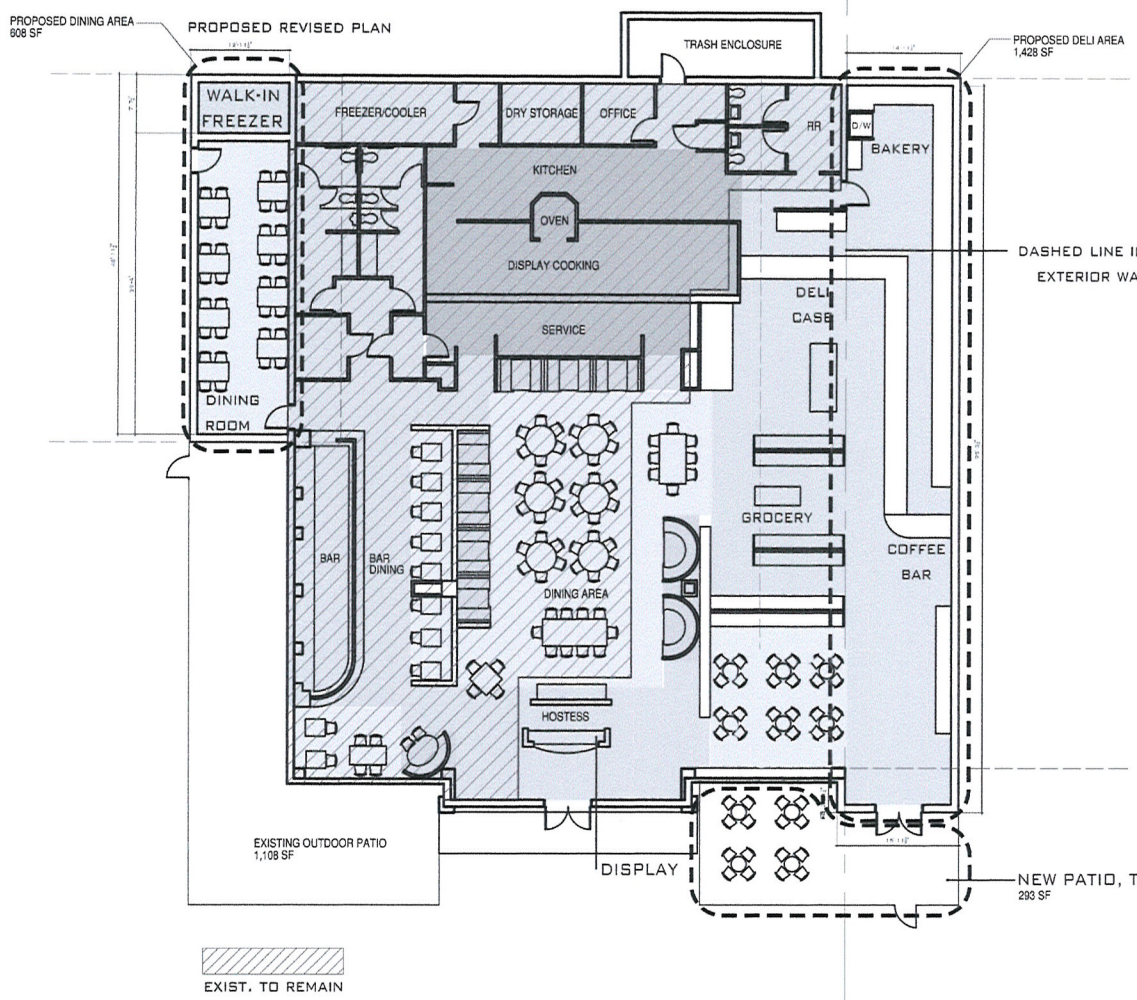

N

FLOOR PLAN

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

FLOOR PLAN DATA

USE AND OCCUPANCY CLASSIFICATION PER 2006 IBC SECTION 302
GROUP A-2: ASSEMBLY USES INTENDED FOR FOOD AND/OR DRINK CONSUMPTION INCLUDING BUT NOT LIMITED TO:
BANQUET HALLS
NIGHT CLUBS
RESTAURANTS
TAVERNS AND BARS

TOTAL SQUARE FOOTAGE OF EXISTING AND PROPOSED = 6,648 + 1,108 (EXISTING PATIO) + 608 (NEW DINING) + 1,428 (NEW DELI) + 293 (NEW PATIO) = 10,085 SF

MAXIMUM ALLOWABLE FLOOR AREA ALLOWANCES PER OCCUPANT (2006 IBC - TABLE 1004.1.1)

BUSINESS AREAS (100 GSF Floor Area Per Occupant)
4261 GSF/ 100 = 43 OCCUPANTS

ASSEMBLY WITHOUT FIXED SEATS (15 Net SF - Unconcentrated
2189 NSF/ 15 = 146 OCCUPANTS

COMMERCIAL KITCHEN (200 GSF Floor Area Per Occupant)
1071 GSF/ 200 = 6 OCCUPANTS

FIXED BOOTH (PER SECTION 1004.7 - 1 Occupant per 24")
1032" TOTAL SEAT LENGTH/ 24" = 43 OCCUPANTS

TOTAL OCCUPANTS: 238

MAXIMUM DINING CAPACITY: 189 OCCUPANTS
ACTUAL DINING: 183 OCCUPANTS

LEGEND

- BUSINESS AREAS
- ASSEMBLY AREAS (WITHOUT FIXED SEATS)
- COMMERCIAL KITCHEN
- FIXED BOOTH

DWAYNE R. **ESHENBAUGH**, AIA, NCARB, LEED AP
Principal Architect

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02/25/10 PC

SIENNA DELI
9500 W. Sahara Avenue
Las Vegas, Nevada 89117

FLOOR PLAN

DRAWN BY	3FN	SCALE	1/16" = 1'-0"
REVIEWED BY	DRE		
DATE ISSUED	1/28/2010		A3.01
PROJECT NO.	09-001.00		NO

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SDR-36962 - APPLICANT/OWNER: WINNER PROPERTIES, LLC
NORTHWEST CORNER OF FORT APACHE ROAD AND SAHARA AVENUE
FEBRUARY 25, 2010 PLANNING COMMISSION

02/04/10

SDR-36962 - APPLICANT/OWNER: WINNER PROPERTIES, LLC
NORTHWEST CORNER OF FORT APACHE ROAD AND SAHARA AVENUE
FEBRUARY 25, 2010 PLANNING COMMISSION

02/04/10

SDR-36962 - APPLICANT/OWNER: WINNER PROPERTIES, LLC
NORTHWEST CORNER OF FORT APACHE ROAD AND SAHARA AVENUE
FEBRUARY 25, 2010 PLANNING COMMISSION

02/04/10

SDR-36962 - APPLICANT/OWNER: WINNER PROPERTIES, LLC
NORTHWEST CORNER OF FORT APACHE ROAD AND SAHARA AVENUE
FEBRUARY 25, 2010 PLANNING COMMISSION

02/04/10

SDR-36962 - APPLICANT/OWNER: WINNER PROPERTIES, LLC
NORTHWEST CORNER OF FORT APACHE ROAD AND SAHARA AVENUE
FEBRUARY 25, 2010 PLANNING COMMISSION

02/04/10

SDR-36962 - APPLICANT/OWNER: WINNER PROPERTIES, LLC
NORTHWEST CORNER OF FORT APACHE ROAD AND SAHARA AVENUE
FEBRUARY 25, 2010 PLANNING COMMISSION

02/04/10

WINNER

PROPERTIES, L.L.C.

9601 Orient Express Ct.
Las Vegas, NV 89145
TEL: (702) 234-6622
FAX: (702) 657-1921

September 1, 2009

To Whom It May Concern:

Siena Deli was established in Las Vegas thirty years ago as a family-owned/ operated Italian deli, restaurant, and specialty market. In 2008, Winner Properties, L.L.C. purchased Siena Deli. As the town grew majority of the customer base has migrated to the west side of town, so on December 7, 2009 we are acquiring the building at 9500 West Sahara Ave. (formerly Bertolini's at Village Square) in order to keep our business easily accessible to our customers.

The existing use of the 9500 West Sahara Ave. facility is a fully functional restaurant/ supper club which is currently operational. We wish to make the following changes:

1) West side of building: remove existing grass and plants and expand the west wall of the building approximately 15' X 95' to add the Italian-style deli and small specialty market modeled after the current location at 2250 E. Tropicana, #20.
2) East side of building: remove existing grass and plants and expand east rear corner of the building approximately 13' X 43' to create a private dining room for meetings.

The building design is to match the existing Italian-themed elevations as shown in our submittal package. The landscape around the lot's perimeter shall be preserved so that visual impact of the change is minimized to passers-by. We expect seating occupancy to exceed the current 258 occupancy by approximately 35 seats or less because the existing private room and part of the dining room shall be lost to the market area.

We believe that these uses complement the adjacent land uses of the shopping center as well as the commercial and residential surroundings by better accommodating both the nearby commercial business-lunch needs at the deli as well as the current loyal customer base desiring authentic Italian food products which to our knowledge are not available in the Peccole Ranch area/ township.

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PLANNING & DEVELOPMENT

Parking in the Village Square Shopping Center is governed by a reciprocal parking easement for use with over 2000 spaces available in the Shopping Center. See attached parking easement documents.

The current staff at 9500 West Sahara Ave. (over 20 staff) is trained and capable of handling the additional work provided by the expansion as many of them work shifts at the old location as well. The hours of operation shall not change from the existing (8AM – 10PM). Additionally, the landlord at the existing location is unresponsive and creates a hardship for operations where the majority of businesses have left. Our lease in the old location is up Summer 2010 and we need to make our final move before the clock runs.

The County recorder's office will likely not update their files on the ownership of the building at 9500 West Sahara Ave. until such reasonable time has passed for their records to update. We will present the grant deed to the you as soon as reasonably possible.

Thank you in advance for your consideration.

Andrew Keroles
Director of Land Development
Winner Properties, L.L.C.
(702) 234-6622

RECEIVED
1215 2009
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

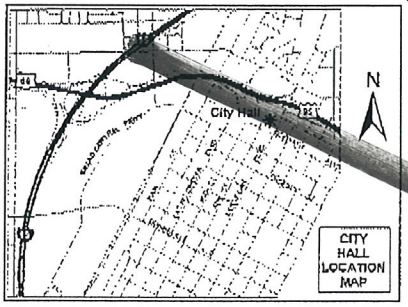
SDR-36962
02/25/10 PC

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 FEB12 2010
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.

VAR-37295 & SUP-36961

Planning Commission Meeting of 2/25/2010

Case: VAR-37295-LABELS
16306411037
NELSON RICHARD H & BELVA E
2212 MADAGASCAR LN
LAS VEGAS NV 89117-5927

THIS WOULD LEAVE NO PARKING SPACES FOR THE SUPPER CLUB OR ANY BUSINESSES NEAR IT!

LAVDS11 89117

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

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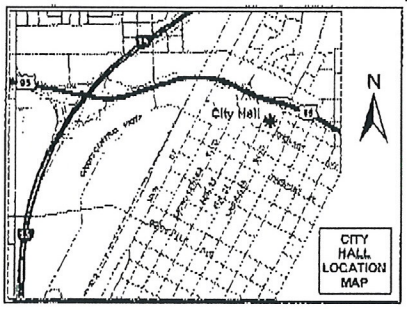
UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 FEB12 2010
MAILED FROM ZIPCODE 89101

Return Service Requested
Official Notice of Public Hearing



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Please use available blank space on card for your comments.

SDR-36962

Planning Commission Meeting of 2/25/2010

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FEB 16 2010

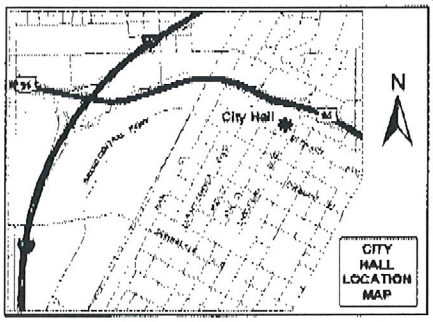
Case: SDR-36962-LABELS
16306411037
NELSON RICHARD H & BELVA E
2212 MADAGASCAR LN
LAS VEGAS NV 89117-5927

LAVDS11 89117

13P

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

Return Service Requested
Official Notice of Public Hearing



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Please use available blank space on card for your comments.

SDR-36962

Planning Commission Meeting of 2/25/2010

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0004279218 FEB 12 2010
MAILED FROM ZIP CODE 89101

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FEB 16 2010

Case: SDR-36962-LABELS
16305315042
YONEMURA TOM M & YUKO 1980 TRUST
1924 BAY HILL DR
LAS VEGAS NV 89117-5732

LA4OS11 89117

13A

02/16/2010 04:37 3103794740 T YONEMURA PAGE 02

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 25, 2010

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

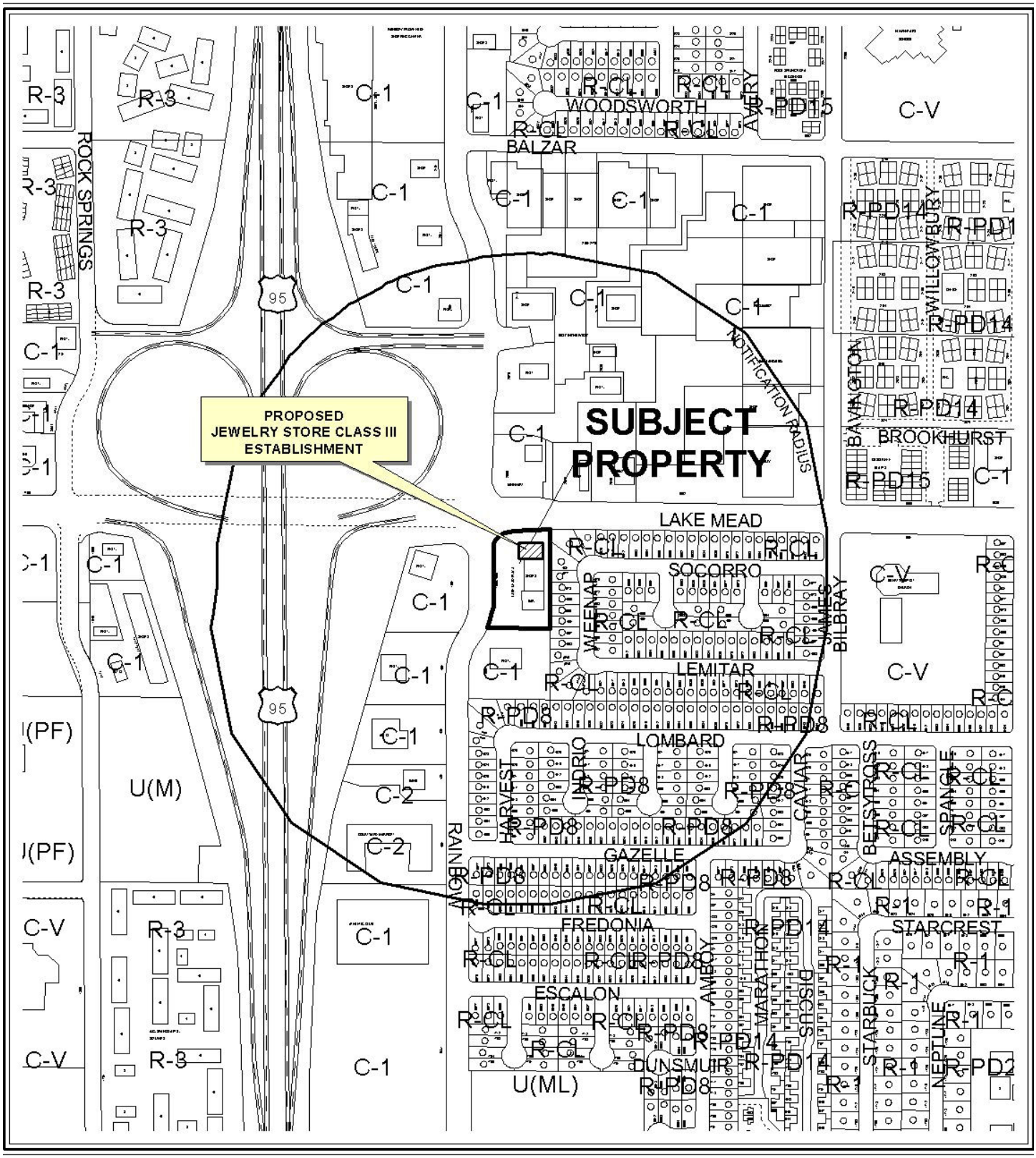
SUBJECT:
VAR-37296 - VARIANCE - PUBLIC HEARING - APPLICANT: CHECK CITY - OWNER: BECKER & SONS, LLC - Request for a Variance to ALLOW 119 PARKING SPACES WHERE 132 SPACES ARE REQUIRED at 1990 North Rainbow Boulevard (APN 138-23-301-002), C-1 (Limited Commercial) Zone, Ward 5 (Barlow)

C.C.: 04/07/2010

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

RECOMMENDATION:
Staff recommends DENIAL, if approved subject to conditions:

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



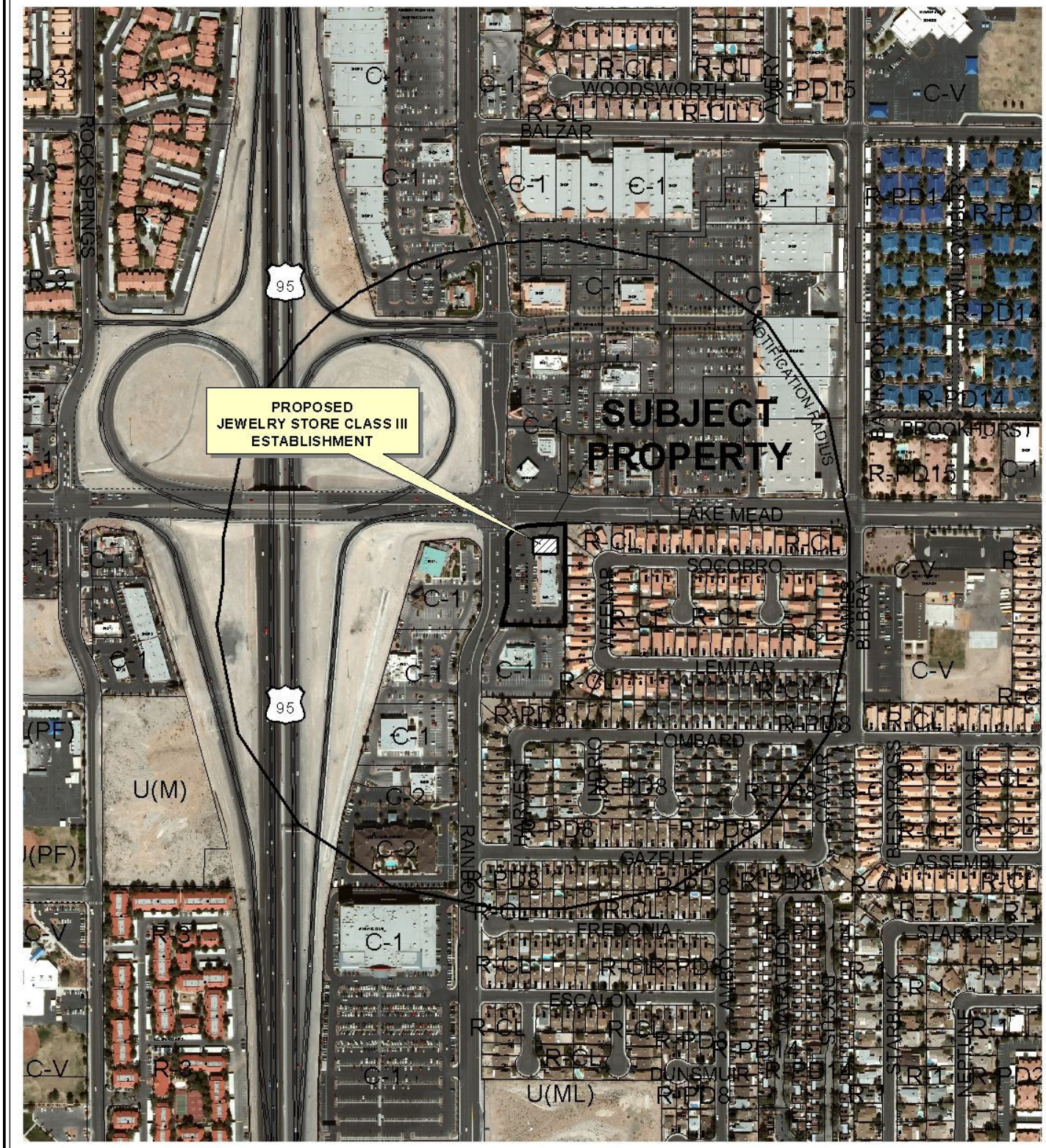
CASE: **VAR-37296**

RADIUS: 1000 FT

0 500 1000 Feet

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

N



CASE: **VAR-37296**

RADIUS: 1000 FT

0 500 1000 Feet

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-37296- APPLICANT: CHECK CITY - OWNER: BECKER & SONS

** CONDITIONS **

Staff recommends DENIAL, if approved subject to conditions:

Planning and Development

1. Conformance to the conditions for Special Use Permit (SUP-37153) if approved.

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.

VAR-37296 - Staff Report Page One
February 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Variance to allow 119 parking spaces where 132 spaces are required for a Jewelry Store, Class III use within an existing Auto Title Loan and Financial Institution, Specified at 1990 North Rainbow Boulevard. This represents a 10% deviation from standard. Staff cannot support the Variance request, as a Jewelry Store, Class III use has a more intense parking requirement than the existing uses. If this application is denied, the associated Special Use Permit (SUP-37153) must be denied.

ISSUES

- Approval of this request is necessary for the approval of Special Use Permit (SUP-37153) for a Jewelry Store, Class III within an existing Auto Title Loan and Financial Institution, Specified.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales	
10/03/84	The City Council approved a Rezoning (Z-0042-84) from N-U (Non-Urban) to C-1 (Limited Commercial) on the subject property as part of a larger request. The Planning Commission recommended
02/5/86	The City Council approved an extension of time [Z-0042-84(1)] for an approved Rezoning (Z-0042-84) on the subject site. The Planning Commission recommended approval.
02/4/87	The City Council approved an extension of time [Z-0042-84(2)] for an approved Rezoning (Z-0042-84) on the subject site. The Planning Commission recommended approval.
04/20/88	The City Council approved an extension of time [Z-0042-84(3)] for an approved Rezoning (Z-0042-84) on the subject site. The Planning Commission recommended approval.
10/12/89	The Planning Commission approved a request for a Plot Plan and Building Elevation Review [Z-0042-84(4)] for a proposed Gas Station Convenience Store on the subject site.
04/8/90	The City Council approved an extension of time [Z-0042-84(5)] for an approved Rezoning (Z-0042-84) on the subject site. The Planning Commission recommended approval.
07/22/91	The City Council approved a request for a Variance (V-0111-91) to allow 110 parking spaces where 121 parking spaces are required on property located at the southeast corner of Lake Mead Boulevard.

01/19/07	The City Council approved a Special Use Permit (SUP-19296) request for a proposed Auto Title Loan Establishment and a Waiver of the 200-foot distance separation requirement from residentially zoned property. The Planning Commission recommended approval, whereas staff recommended denial.
04/01/09	The City Council approved a Variance (VAR-32995) request for a Variance to allow 119 parking spaces where 126 are required on a parking impaired site. The Planning Commission recommended approval, whereas staff recommended denial.
Related Building Permits/Business Licenses	
08/22/07	A building permit (#92503) for a Tenant Improvement to an existing commercial building was issued for the subject Auto Title Loan and Financial Institution, Specified at 1990 North Rainbow Boulevard. The project was completed on 12/21/07.
11/08/07	A business license (C21-00182) was issued for a Check Cashing Service at 1990 North Rainbow Boulevard. The license was marked out of business on 07/24/09.
04/17/09	A business license (W10-00266) was issued for a Wire Service at 1990 North Rainbow Boulevard. The license is still active.
10/13/09	A business license (N02-00087) was issued for a Non-Depository Lender at 1990 North Rainbow Boulevard. The license is still active.
Pre-Application Meeting	
12/02/09	Description A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for a Jewelry Store, Class III were discussed. The topics included: • The submittal of application materials, meeting dates, and deadlines were discussed at the pre-application meeting. • A Variance application is required due to the parking requirement for the Jewelry Store, Class III use.
Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	

Field Check	
01/21/10	Window signage exceeds 20 percent of the window area. The hours of operation are posted on the storefront window, and indicate 7:00 a.m. to 11:00 p.m.

Details of Application Request	
Site Area	
Gross Acres	1.66

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
East	Single-Family Residence	ML (Medium Low Residential)	R-CL (Single Family Compact-Lot)
West	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Area Plan		X	N/A
Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (140-foot)	X		Y
Trails			
Pedestrian Path	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	
Restaurant, with Service Bar	1,485 SF	1:50 SF Public Area	30				
	1,515 SF	1:200 SF Non-Public	8				
Jewelry Store, Class III	3,240 SF	1:175 SF	18				

Dry Cleaners	1,000 SF	1:250 SF	4				
Nail Salon	8 stations	2 per station	16				
Liquor Establishment (Tavern)	2,330 SF	1:50 SF Public Area	47				
	1,700 SF	1:200 SF Non-Public	9				
SubTotal			127	5	114	5	N
TOTAL			132		119		N
Percent Deviation			10%				

ANALYSIS

A total of 132 parking spaces are required on the subject site per Title 19.10 Parking Standards for the existing and proposed uses. The site plan depicts 119 parking spaces, including five handicap spaces, which is a 10% deviation from standard. The proposed use will be located within an existing Auto Title Loan and Financial Institution, Specified, where the parking requirement is one space per 250 square feet. The Jewelry Store, Class III use has a parking requirement of one space per 175 square feet, resulting in an increase of six spaces, which is the subject of this request. A previously approved Variance (VAR-32995) allowed 119 parking spaces where 126 parking spaces were required. The applicant has provided no evidence of unique or extraordinary circumstances pursuant to Title 19.18.070(L) that would substantiate the Variance request; therefore, staff recommends denial.

FINDINGS

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

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

Additionally, Title 19.18.070(L) states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing a use that is too intense for the site to accommodate. 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 10

NOTICES MAILED 262

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-37296 APN: 138-23-301-002

Name of Property Owner: Becker & Sons

Name of Applicant: Check City

Name of Representative: Check City

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: By _____
Its: Manager

Print Name: Barry W. Becker

Subscribed and sworn before me

This 23 day of December, 2009

Melissa Hamilton
Notary Public in and for said County and State

NOTARY PUBLIC
MELISSA HAMILTON
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. APRIL 25, 2012
No: 08-6528-1

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: SUP for Class III Jewelry

Project Address (Location) 1974 N. Rainbow

Project Name Check City **Proposed Use** Class III Jewelry

Assessor's Parcel #(s) 138-23-301-002 **Ward #** _____

General Plan: existing NC proposed NC **Zoning:** existing C-1 proposed C-1

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information Adding use of gold purchase to existing financial institution

PROPERTY OWNER Becker & Sons. **Contact** _____

Address 50 S. Jones **Phone:** _____ **Fax:** _____

City Las Vegas **State** NV **Zip** 89107

E-mail Address Cmartin@Beckerlv.com

APPLICANT Check City **Contact** Jim Marchesi

Address 2640 Crimson Canyon **Phone:** (702) 258-8888 **Fax:** _____

City Las Vegas **State** nv **Zip** 89128

E-mail Address jtskee@aol.com

REPRESENTATIVE Check City **Contact** Jim Marchesi

Address 2640 Crimson Canyon **Phone:** (702) 258-8888 **Fax:** _____

City Las Vegas **State** NV **Zip** 89128

E-mail Address jtskee@aol.com

Becker & Sons

Property Owner Signature* By: _____
Barry W. Becker, Manager

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Barry W. Becker,

Subscribed and sworn before me

This 23 day of DECEMBER, 20 09.

Melissa Hamilton

Notary Public in and for said County and State

NOTARY PUBLIC
MELISSA HAMILTON
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. APRIL 25, 2012
No: 08-6528-1

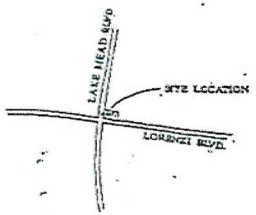
FOR DEPARTMENT USE ONLY

Case #	VAR-37296
Meeting Date:	2/25/10
Total Fee:	830.00
Date Received:*	10/29/10
Received By:	

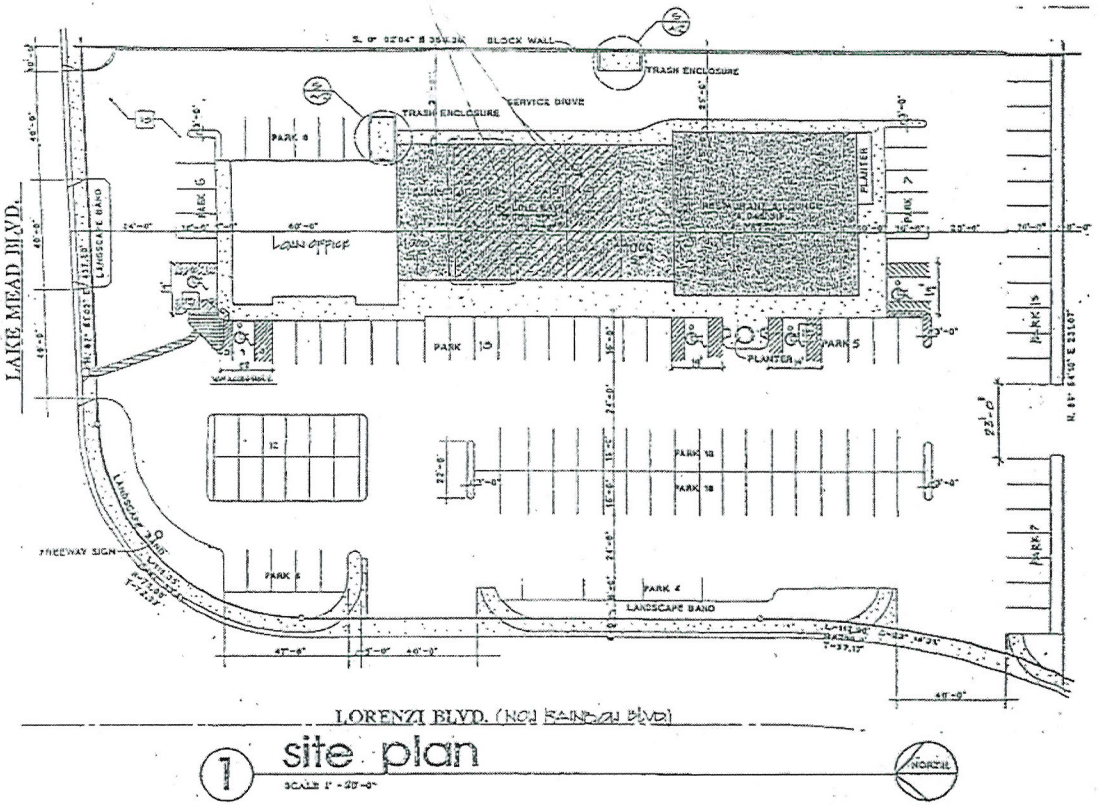
*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

SHEET INDEX

CO SITE PLAN, 2006 IBC CODE ANALYSIS, PROJECT DATA
A-1 FLOOR PLAN OF EXISTING RESTAURANT, LIST OF EQUIPMENT
A-2 FLOOR PLAN OF EXISTING ADDITION, FINISH SCHED.
A-3 REFLECTED CEILING PLAN, CEILING SOFFIT BRACE
M-1 AIR CONDITIONING PLAN
M-2 HOOD DETAILS
E-1 POWER PLAN FOR ADDITION, PANEL SCHED, ELEC LEGEND
E-2 LIGHTING PLAN FOR ADDITION, INTERIOR LIGHTING COMPLIANCE
P-1 PLUMBING PLAN, HOT, COLD & GAS PIPING



3 location N.T.S. NORTH



1 site plan SCALE 1" = 20'-0" NORTH

PARKING REQUIRED:

LAWN OFFICE	1 PER 250 SF (44+44+42)=3300 SF ÷250 = 13 SPACES REQUIRED	25%
TAT CLEANING	1 PER 250 SF 100 ÷250 = 4 SPACES REQUIRED.	8.4%
RESTAURANT	(484+431 SF ÷50 = 24.01 SPACES REQUIRED (PLAN 1): 3005 SF −1454.69 SF = 1515.37 SF 1515.37 ÷120 = 7.574+24.01=31.40 = 32 SPACES REQUIRED.	25.2%
SIDEWALK	1 PER CHAIR. EXISTING CHAIRS 8 24+16 SPACES REQUIRED.	8.4%
DRINKING ESTABLISHMENT	1 PER 50 SF SERVICE AREA + 1 PER EMPLOYEE 752 (SERVICE AREA) SF 4040 SF = 3330 3330 ÷50 = 67 SPACES + 6 EMPLOYEE @ 1SPACE EACH. 61+6 = 67 SPACES REQUIRED.	34%

13+4+32+16+67= 132 SPACES REQUIRED
117 SPACES PROVIDED
INCLUDING 5 HANDICAP SPACES.

⊠ INDICATES 8' X 16' SPACES — ALL OTHERS ARE 9' X 16'

2 PROJECT INFORMATION

APPLICABLE BUILDING CODE - IBC 2006

PROPOSED USE: RESTAURANT
OCCUPANCY CLASSIFICATION: A-2 CHAP. 3 SECTION 302
TYPE OF CONSTRUCTION: 5B CHAP. 6 SECTION 602-5
FIRE SPRINKLERS YES/NO: YES
STORIES: ONE
LOT AREA:
BUILDING AREA (TENANT) 3000 SQ. FT.

OCCUPANT LOAD SECTION 1004 TABLE 1004.1.1

		LOAD FACTOR	OCCUPANT LOAD
BLDG.	SF. 3000		
DINING	SF. 1484.69+(1245.69+231)	15	(99+10)+123.60
KITCHEN	SF. 1040.62	200	5.20
RESTROOM	SF. 204.80	100	2.04
HALLWAYS	SF. 217.34	100	2.17
PATIO	SF. 520.71	30	1.75
			134+1=135

EXITING REQUIREMENTS — CHAP. 10 TABLE 1003 & 1004

EXIT DOORS = OCCUPANT LOAD x 0.2: 133 x 0.2 = 27
EXIT WIDTH REQUIRED: 27
EXIT WIDTH PROVIDED: 2 DOORS 2'10" = 210"

PLUMBING FIXTURES — CHAP. 29 TABLE 2901, 2902 TABLE 2902.1

	MEN	WOMEN
W.C. REQUIRED	2	2
W.C. PROVIDED	1+1 UNISEX	2
LAVATORY REQUIRED	1	2
LAVATORY PROVIDED	1	2

PARKING
EXISTING PROVIDED BY BLDG. COMPLEX

ENERGY COMPLIANCE STATEMENT
BUILDING ENVELOPE IS EXISTING AND WILL NOT BE ALTERED BY THIS PROJECT.

VAR-37296
02/25/10 PC

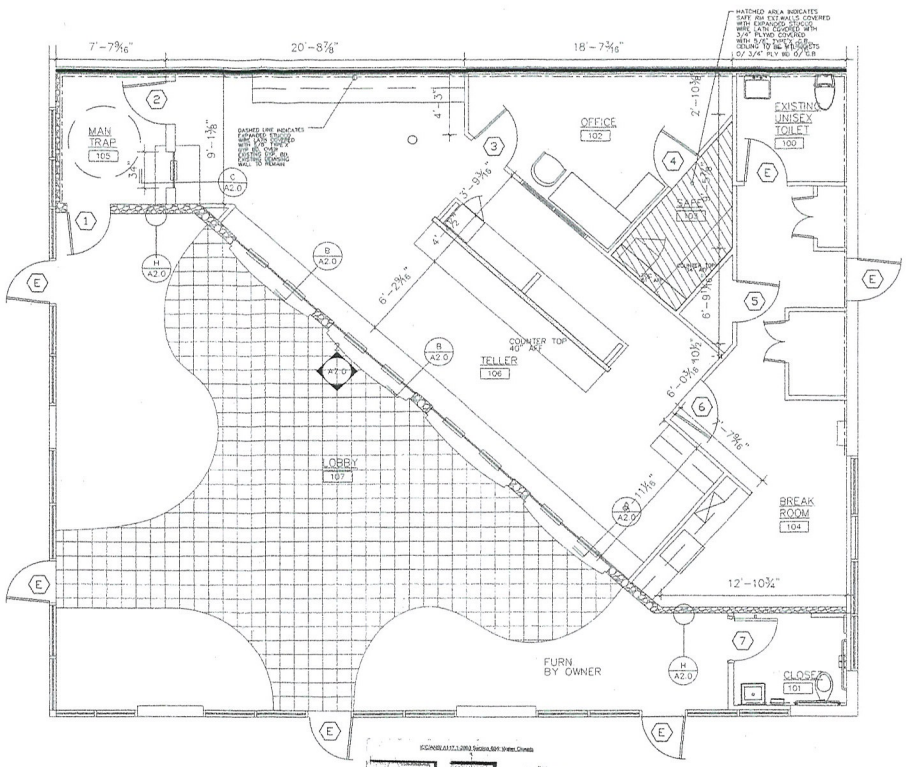
02/2 RECEIVED
JAN 29 2010

REVISIONS | BY
1 DEC 2009 | HR

PIN KAEW THAI RESTAURANT
TENANT IMPROVEMENT
1478 NORTH RAINBOW, LAS VEGAS, NEVADA 89108

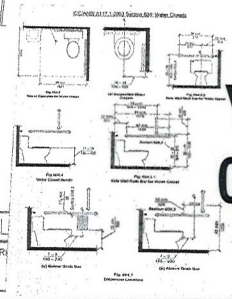
Management & Construction
3365 W. Eagle Mountain, Suite 51 Las Vegas, NV 89102
Tel: 702-258-5916 License # 0066556 Fax: 702-258-6761

DRAWN: M.R.
CHECKED:
DATE: OCT 2009
SCALE: 1"=20'-0"
JOB NO.
SHEET: CO.
OF SHEETS



A FLOOR PLAN

1/4" = 1'-0"



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OCT 05 2007
CITY OF LAS VEGAS
PERMITS

VAR-37296

02/25/10 PC

DOOR SCHEDULE

DOOR NO.	DOOR SIZE W	H	T	MAT'L	TYPE	GLASS	LOUVER W	H	FRAME MAT'L	TYPE	DETAILS	HWD SET NO.	ROOM SIGN	LABEL	REMARKS
1	3'-0"	6'-8"	1 3/4"	MTL					MTL			4			
2	3'-0"	6'-8"	1 3/4"	MTL					MTL			4			
3	3'-0"	6'-8"	1 3/4"	WD					MTL			5			
4	3'-0"	6'-8"	1 3/4"	WD					MTL			5			
5	3'-0"	6'-8"	1 3/4"	WD					MTL			6			
6	3'-0"	6'-8"	1 3/4"	WD					MTL			2			

HARDWARE

HW-1
1.5 PR HINGES BB1279 X 4.5NRP US26D
1 EA CLOSER-DORMA TS83EDA AL
1 EA LATCH DISPR/HOBBS US26D
1 EA STOPS 411 US26D

HW-2
1.5 PR HINGES BB1279 X 4.5NRP US26D
1 EA LATCH DISPR/HOBBS US26D
1 EA STOPS 411 US26D

HW-3
1.5 PR HINGES BB1279 X 4.5X4.5 US26D
1 EA LOCK 3465 US26D
1 EA STOPS 411 US26D

HW-4
1.5 PR HINGES BB1279 X 4.5NRP US26D
1 EA LOCK DISPR/HOBBS US26D
1 EA CLOSER-DORMA TS83EDA AL
1 EA SURVEYVOLT 696 US26D
1 EA STOPS 411 US26D

HW-5
1.5 PR HINGES BB1279 X 4.5X4.5 US26D
1 EA LOCK DISPR/HOBBS US26D
1 EA CLOSER-DORMA TS83EDA AL
1 EA WALL PLATES 18X34 US26D
1 EA STOPS 411 US26D

HW-6
1.5 PR HINGES BB1279 X 4.5X4.5 US26D
1 EA LOCK TIMELOCK US26D
1 EA DEADLOCK B460 US26D
1 EA SURVEYVIEW 696 US26D
1 EA STOPS 411 US26D

HINGES: MACKINNON/MCKY, PARKER
CLOSERS: SCHLAGE, CORBIN, STANLEY, SARGENT
LOCKS: SCHLAGE, CORBIN, STANLEY, SARGENT
STOPS: RICH PLATES, REES, IVES, TRIMCO, BURTON, OTY, ROCKWOOD

HARDWARE

HW-1
1.5 PR HINGES BB1279 X 4.5NRP US26D
1 EA CLOSER-DORMA TS83EDA AL
1 EA LATCH DISPR/HOBBS US26D
1 EA STOPS 411 US26D

HW-2
1.5 PR HINGES BB1279 X 4.5NRP US26D
1 EA LATCH DISPR/HOBBS US26D
1 EA STOPS 411 US26D

HW-3
1.5 PR HINGES BB1279 X 4.5X4.5 US26D
1 EA LOCK 3465 US26D
1 EA STOPS 411 US26D

HW-4
1.5 PR HINGES BB1279 X 4.5NRP US26D
1 EA LOCK DISPR/HOBBS US26D
1 EA CLOSER-DORMA TS83EDA AL
1 EA SURVEYVOLT 696 US26D
1 EA STOPS 411 US26D

HW-5
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HINGES: MACKINNON/MCKY, PARKER
CLOSERS: SCHLAGE, CORBIN, STANLEY, SARGENT
LOCKS: SCHLAGE, CORBIN, STANLEY, SARGENT
STOPS: RICH PLATES, REES, IVES, TRIMCO, BURTON, OTY, ROCKWOOD

ROOM FINISH SCHEDULE

ROOM NUMBER	ROOM NAME	FLOORS	BASE	WALLS	CEILINGS	REMARKS
100	EXISTING TOILET					
101	CLOSET					
102	OFFICE					
103	SAFE					
104	BREAK ROOM					
105	MAIN TRAP					
106	TELLER					
107	LOBBY					

TA • MG •
CT • P WD
CB M QT TC

PUBLIC RESTROOMS AVAILABLE UPON REQUEST

H SIGN DETAIL N.T.S.

B FRAMING DETAIL N.T.S.

B1 FRAMING DETAIL N.T.S.

A FRAMING DETAIL N.T.S.

B FRAMING DETAIL N.T.S.

D FRAMING DETAIL N.T.S.

C FRAMING DETAIL N.T.S.

G FRAMING DETAIL N.T.S.

F FRAMING DETAIL N.T.S.

E BOX SECTION HEADER DETAIL SCALE: 3" = 1'-0"

RECEIVED
JAN 29 2010
06D-1034

06D-1034

REV	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		

DRAWING STATUS
- ☐ PRELIMINARY
- ☐ BLDG DEPT SUBMIT
- ☐ APPROVED
- ☐ REDLINE COMPLETION
- ☐ FINAL CHECK
- ☐ ISSUED FOR CONSTRUCTION

DATE INITIALS

CONSULTANT:

DESIGNED D.D.
DRAWN NGC
CHECKED D.D.
FILE
DATE 02/25/2007

ALL DRAWINGS, SPECIFICATIONS AND COPIES THEREOF FURNISHED BY THE ARCHITECT ARE AND SHALL REMAIN HIS SOLE PROPERTY. THEY ARE TO BE USED ONLY WITH RESPECT TO THIS PROJECT, AND NOT TO BE USED ON ANY OTHER PROJECT WITH EXCEPTION OF ONE CONTRACT SET FOR EACH PARTY TO THE BUILDING CONTRACT. SUCH DOCUMENTS ARE TO BE RETURNED OR SUITABLY ACCOUNTED FOR TO THE ARCHITECT ON REQUEST AT THE COMPLETION OF THE PROJECT. SUBMISSION OR DISTRIBUTION TO MEET OFFICIAL REGULATORY REQUIREMENTS OR FOR OTHER PURPOSES IN CONNECTION WITH THIS PROJECT IS NOT TO BE CONSTRUED AS PUBLICATION IN DEROGATION OF THE ARCHITECTS COMMON LAW COPYRIGHTS OR OTHER RESERVED RIGHTS. ANY USE OR REPRODUCTION OF THIS DRAWING, IN WHOLE OR IN PART, BY ANY MEANS WHATSOEVER, IS STRICTLY PROHIBITED EXCEPT WITH THE SPECIFIC WRITTEN CONSENT OF DAVID L. DOWNEY P.C.

DO NOT SCALE THIS DRAWING

DAVID L. DOWNEY P.C.
ARCHITECT
4075 WEST DESERT INN RD. SUITE A
LAS VEGAS NEVADA 89103
(702) 245 8221 email downeyinc@aol.com

Tenant Improvement For

TOHAYA & CHEYENNE
7050 WEST CHEYENNE
Suite 112
Las Vegas, Nevada

STAMP

DAVID L. DOWNEY
REGISTERED ARCHITECT
12250
12/31/07
STATE OF NEVADA

PLANS APPROVED FOR CONSTRUCTION
Building & Safety Dept.
City of Las Vegas, Nevada
OCT 10 2007

SHEET
A2.0

SCALE AS NOTED

TONY ROMA'S
1990
CINTAS
RECEIVED
JAN 29 2010
VAR-37296
02/25/10 PC

RECEIVED
JAN 29 2010

VAR-37296
02/25/10 PC

VAR-37296 - APPLICANT: CHECK CITY - OWNER: BECKER & SONS, LLC
1990 NORTH RAINBOW BOULEVARD
FEBRUARY 25, 2010 PLANNING COMMISSION

01/22/10

VAR-37296 - APPLICANT: CHECK CITY - OWNER: BECKER & SONS, LLC
1990 NORTH RAINBOW BOULEVARD
FEBRUARY 25, 2010 PLANNING COMMISSION

01/22/10

LA Stewart Consulting
2211 Rampart #130
Las Vegas, NV 89124
(702) 499-6469-Cell
(702) 946-0857-fax

VAR-37296
02/25/10 PC

January 28, 2010

Romeo Gumarang, Planner I
City of Las Vegas, Planning & Development
739 South Fourth Street
Las Vegas, NV. 89101

RE: 1990 Rainbow

Dear Mr Gumarang :

Please accept this letter as our request for a variance for parking on the above referenced site.

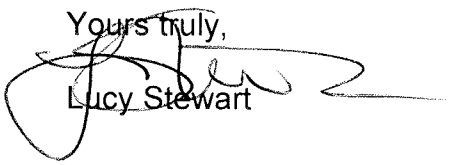
Check City believes this to be another service for their existing customers. Below is the parking calculation for the previous variance. With the new requirement of calculating the parking at one space per 175 square feet (3,060 SF 1:175 SF =18) an additional 5 spaces is required.

Parking Requirement

Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Restaurant, with Service Bar	1,485 SF	1:50 SF Public Area	30				
	1,515 SF	1:200 SF Non-Public	8				
Financial Institution, Specified	3,060 SF	1:250 SF	13				
Dry Cleaners	1,000 SF	1:250 SF	4				
Nail Salon	8 stations	2 per station	16				
Liquor Establishment (Tavern)	2,330 SF	1:50 SF Public Area	47				
	1,700 SF	1:200 SF Non-Public	9				
SubTotal			121	5	114	5	
TOTAL	12,100 sq. ft		126		119		N
Percent Deviation					6 %		N

This is an existing building and the size and shape of the property will not allow for additional parking spaces. Check City is already providing this service in Clark County and has found no increase in demand for their parking. Because this is a service for existing customers, additional parking will not be necessary. Thank you for your consideration.

Yours truly,



Lucy Stewart

VAR-37296
02/25/10 PC

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 25, 2010

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

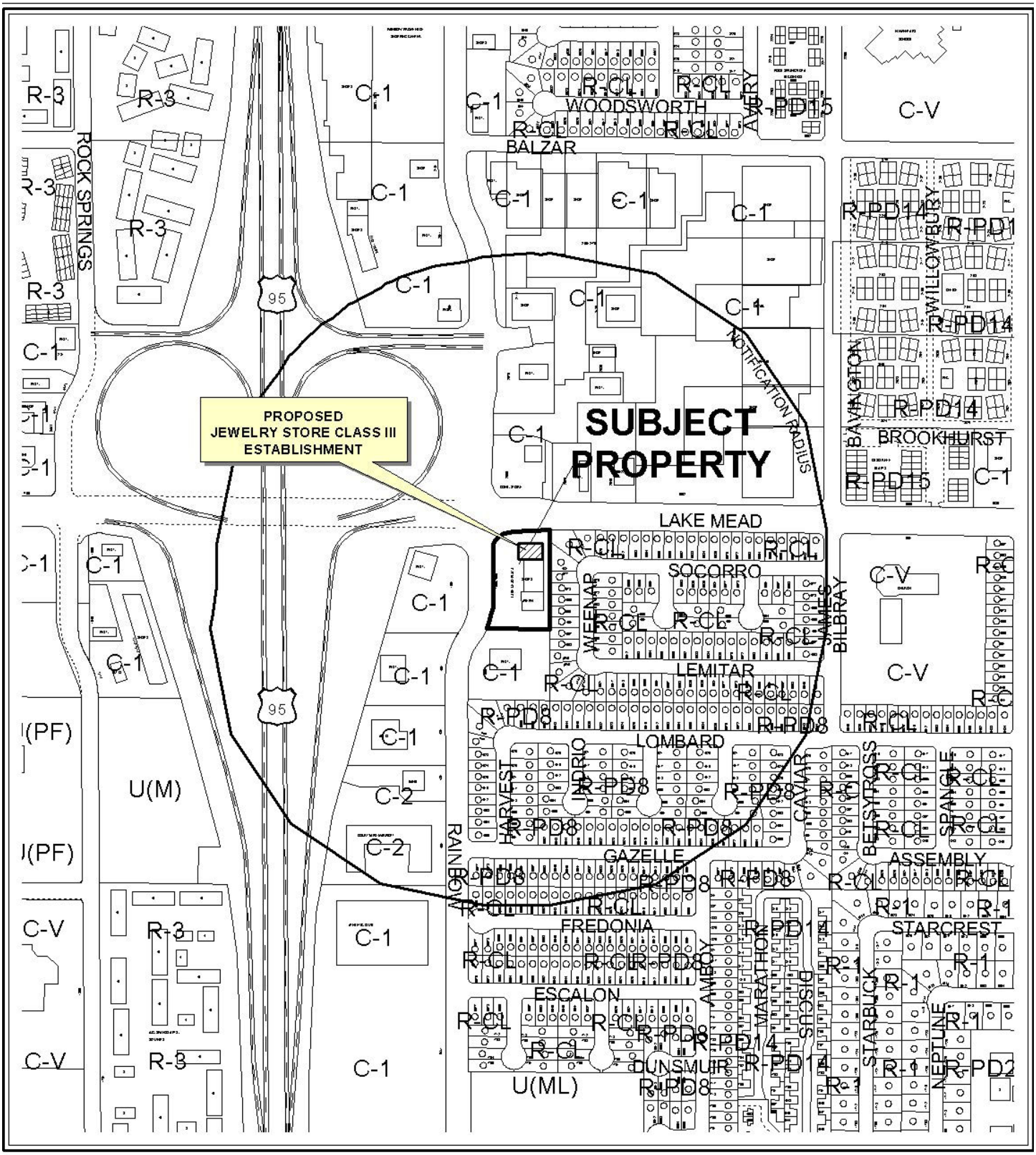
SUBJECT:
SUP-37153- SPECIAL USE PERMIT RELATED TO VAR-37296 - PUBLIC HEARING - APPLICANT: CHECK CITY - OWNER: BECKER & SONS, LLC - Request for a Special Use Permit TO ADD A JEWELRY STORE, CLASS III USE TO AN EXISTING 3,240 SQUARE-FOOT AUTO TITLE LOAN AND FINANCIAL INSTITUTION, SPECIFIED at 1990 North Rainbow Boulevard (APN 138-23-301-002), C-1 (Limited Commercial) Zone, Ward 5 (Barlow)

C.C.: 04/07/2010

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

RECOMMENDATION:
Staff recommends DENIAL, if approved subject to conditions:

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



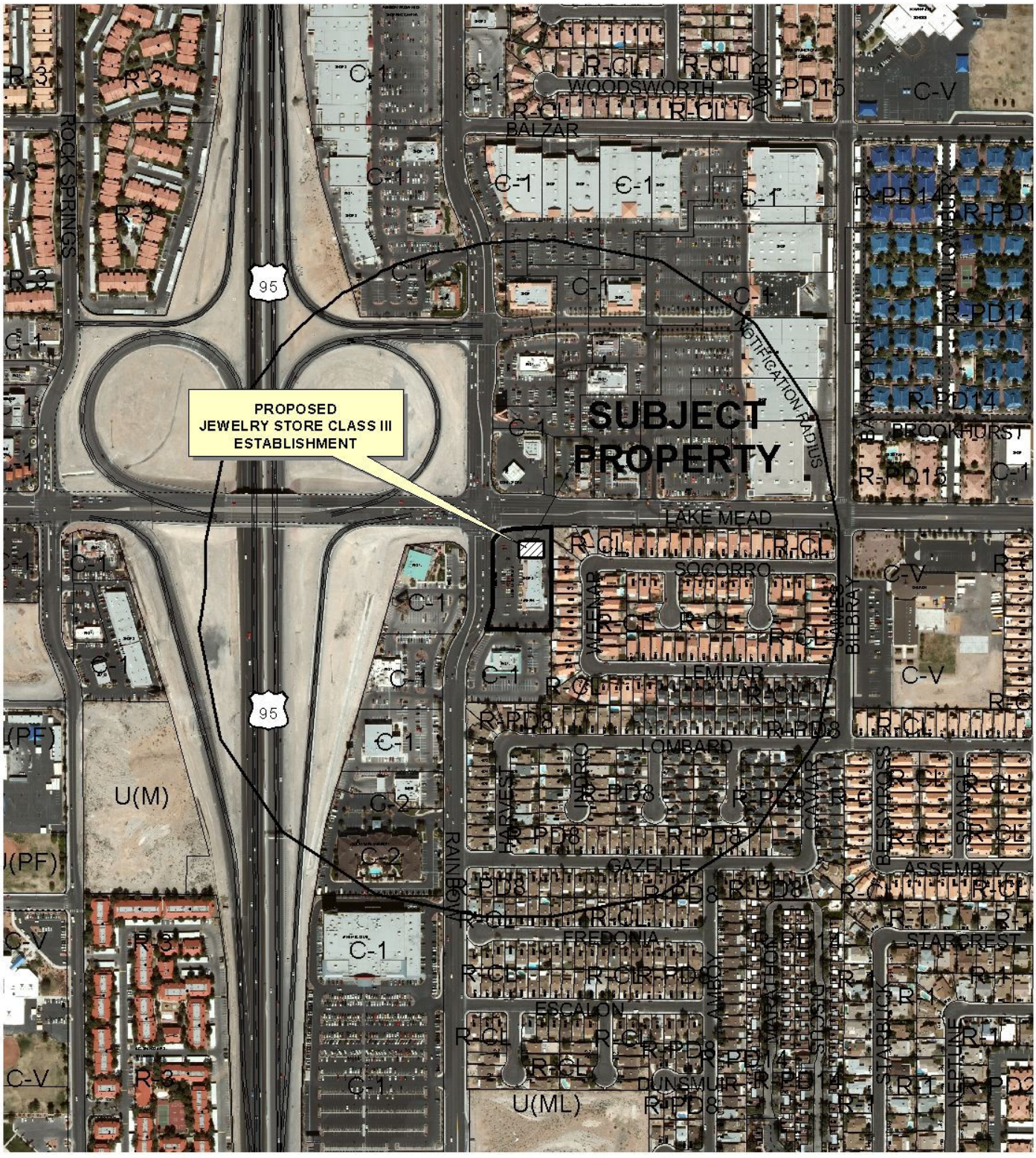
CASE: **SUP-37153**

RADIUS: 1000 FT

0 500 1000 Feet

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

N



CASE: **SUP-37153**

RADIUS: 1000 FT

0 500 1000 Feet

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-37153- APPLICANT: CHECK CITY - OWNER: BECKER & SONS

** CONDITIONS **

Staff recommends DENIAL, if approved subject to conditions:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Jewelry Store, Class III use.

2. Approval of and conformance to the conditions for Variance (VAR-37296) shall be required.

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

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

SUP-37153 - Staff Report Page One
February 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit to add a Jewelry Store, Class III use within an existing 3,240 square-foot Auto Title Loan and Financial Institution, Specified at 1990 North Rainbow Boulevard. The use will allow the option to buy broken or discarded gold jewelry on premise. There is no resale of the jewelry; it is not a loan, but a purchase of the jewelry for gold. Staff recommends denial of the proposed use, as it does not meet the minimum parking requirements for a Jewelry Store, Class III use of Title 19.04. If denied the Auto Title Loan and Financial Institution, Specified would remain as it is.

ISSUES

- Approval of an associated Variance (VAR-37296) to allow 119 parking spaces where 132 are required is necessary to approve this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
10/03/84	The City Council approved a Rezoning (Z-0042-84) from N-U (Non-Urban) to C-1 (Limited Commercial) on the subject property as part of a larger request. The Planning Commission recommended
02/05/86	The City Council approved an extension of time [Z-0042-84(1)] for an approved Rezoning (Z-0042-84) on the subject site. The Planning Commission recommended approval.
02/04/87	The City Council approved an extension of time [Z-0042-84(2)] for an approved Rezoning (Z-0042-84) on the subject site. The Planning Commission recommended approval.
04/20/88	The City Council approved an extension of time [Z-0042-84(3)] for an approved Rezoning (Z-0042-84) on the subject site. The Planning Commission recommended approval.
10/12/89	The Planning Commission approved a request for a Plot Plan and Building Elevation Review [Z-0042-84(4)] for a proposed Gas Station Convenience Store on the subject site.
04/08/90	The City Council approved an extension of time [Z-0042-84(5)] for an approved Rezoning (Z-0042-84) on the subject site. The Planning Commission recommended approval.
07/22/91	The City Council approved a request for a Variance (V-0111-91) to allow 110 parking spaces where 121 parking spaces are required on property located at the southeast corner of Lake Mead Boulevard.

RG

01/19/07	The City Council approved a Special Use Permit (SUP-19296) request for a proposed Auto Title Loan Establishment and a Waiver of the 200-foot distance separation requirement from residentially zoned property. The Planning Commission recommended approval, whereas staff recommended denial.
04/01/09	The City Council approved a Variance (VAR-32995) request for a Variance to allow 119 parking spaces where 126 are required on a parking impaired site. The Planning Commission recommended approval, whereas staff recommended denial.
Related Building Permits/Business Licenses	
08/22/07	A building permit (#92503) for a Tenant Improvement to an existing commercial building was issued for the subject Auto Title Loan and Financial Institution, Specified at 1990 North Rainbow Boulevard. The project was completed on 12/21/07.
11/08/07	A business license (C21-00182) was issued for a Check Cashing Service at 1990 North Rainbow Boulevard. The license was marked out of business on 07/24/09.
04/17/09	A business license (W10-00266) was issued for a Wire Service at 1990 North Rainbow Boulevard. The license is still active.
10/13/09	A business license (N02-00087) was issued for a Non-Depository Lender at 1990 North Rainbow Boulevard. The license is still active.
Pre-Application Meeting	
12/02/09	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for a Jewelry Store, Class III were discussed. The topics included: • The submittal of application materials, meeting dates, and deadlines were discussed at the pre-application meeting. • A Variance application is required due to the parking requirement for the Jewelry Store, Class III use.
Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	
Field Check	
01/21/10	Window signage exceeds 20 percent of the window area. The hours of operation are posted on the storefront window, and indicate 7:00 a.m. to 11:00 p.m.

Details of Application Request	
Site Area	
Gross Acres	1.66

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
East	Single-Family Residence	ML (Medium Low Residential)	R-CL (Single Family Compact-Lot)
West	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Area Plan		X	N/A
Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (140-foot)	X		Y
Trails			
Pedestrian Path	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	
Restaurant, with Service Bar	1,485 SF	1:50 SF Public Area	30				
	1,515 SF	1:200 SF Non-Public	8				
Jewelry Store, Class III	3,240 SF	1:175 SF	18				

Dry Cleaners	1,000 SF	1:250 SF	4				
Nail Salon	8 stations	2 per station	16				
Liquor Establishment (Tavern)	2,330 SF	1:50 SF Public Area	47				
	1,700 SF	1:200 SF Non-Public	9				
SubTotal			127	5	114	5	
TOTAL			132		119		N

ANALYSIS

This is a request for a Special Use Permit for a Jewelry Store, Class III use within an existing 3,240 square-foot Auto Title Loan and Financial Institution, Specified. A Jewelry Store, Class III use is defined by Title 19.20.020 as a "store which buys and sells scrap precious metals for marketing as a commodity in bar form or in other than jewelry form, or which buys and sells precious metal bars and coins that are sold as a commodity rather than for numismatic purposes. This may include operations similar to a new jewelry store." The proposed use is within the guideline of the permissible use definition. The applicant will buy used jewelry as a way to acquire gold, but no resale of the jewelry is involved.

The parking requirement for the existing Auto Title Loan and Financial Institution, Specified, is one space per 250 square feet. The proposed Jewelry, Class III use has a more intense parking requirement of one space per 175 square feet, which will result in a net increase of six spaces. As the increased number of spaces cannot be accommodated on the site, an associated Variance (VAR-37296) has been requested to address the issue. The proposed use will be located within an established Auto Title Loan and Financial Institution, Specified, and the proposed use is more parking intensive, staff recommends denial.

FINDINGS

The following findings must be made for a Special Use Permit:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

The proposed Jewelry Store Class III use can be harmonious and compatible with the uses in the existing site and with the commercial uses on adjacent properties.

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

   The subject site is not physically suitable for the type and intensity of the proposed, as is evidenced by the request for a Variance to allow 119 parking spaces where 132 spaces are required. The proposed use will be operated in conjunction with the existing business.

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 Lake Mead Boulevard, a 100-foot Primary Arterial and Rainbow Boulevard, an 80-foot Secondary Arterial as designated in the Master Plan of Streets and Highways. These streets provide adequate access to and from the subject property.

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

   The proposed use is consistent with the General Plan and will be subject to state and City of Las Vegas business and licensing requirements and will be monitored to ensure public safety and welfare is protected.

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

   The proposed store complies with the Minimum Special Use Permit requirements for the use. There are no distance separation requirements for a Jewelry Store, Class III use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

NOTICES MAILED 262

APPROVALS 0

PROTESTS 0

RG

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: SUP for Class III Jewelry

Project Address (Location) 1974 N. Rainbow / 1990

Project Name Check City **Proposed Use** Class III Jewelry

Assessor's Parcel #(s) 138-23-301-002 **Ward #** _____

General Plan: existing NC proposed NC **Zoning:** existing C-1 proposed C-1

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information Adding use of gold purchase to existing financial institution

PROPERTY OWNER Becker & Sons. **Contact** _____

Address 50 S. Jones **Phone:** _____ **Fax:** _____

City Las Vegas **State** NV **Zip** 89107

E-mail Address Cmartin@Beckerlv.com

APPLICANT Check City **Contact** Jim Marchesi

Address 2640 Crimson Canyon **Phone:** (702) 258-8888 **Fax:** _____

City Las Vegas **State** nv **Zip** 89128

E-mail Address jtskee@aol.com

REPRESENTATIVE Check City **Contact** Jim Marchesi

Address 2640 Crimson Canyon **Phone:** (702) 258-8888 **Fax:** _____

City Las Vegas **State** NV **Zip** 89128

E-mail Address jtskee@aol.com

Becker & Sons

Property Owner Signature* By: _____
Barry W. Becker, Manager

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Barry W. Becker,

Subscribed and sworn before me

This 23 day of DECEMBER, 20 09.

Melissa Hamilton

Notary Public in and for said County and State

NOTARY PUBLIC
MELISSA HAMILTON
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. APRIL 25, 2012
No: 08-6528-1

FOR DEPARTMENT USE ONLY

Case #	SUP-37153
Meeting Date:	2/25/2010
Total Fee:	1030.00
Date Received:*	12/10
Received By:	MRey

*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

Revised 10/27/08

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-37153** APN: 138-23-301-002

Name of Property Owner: Becker & Sons

Name of Applicant: Check City

Name of Representative: Check City

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: _____

RECEIVED
JAN 12 2010

Signature of Property Owner: By: _____
Its: Manager

Print Name: Barry W. Becker

Subscribed and sworn before me

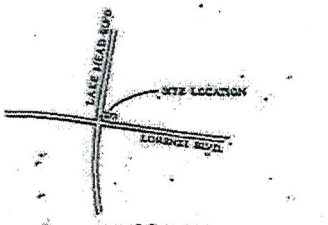
This 23 day of December, 2009

Melissa Hamilton
Notary Public in and for said County and State

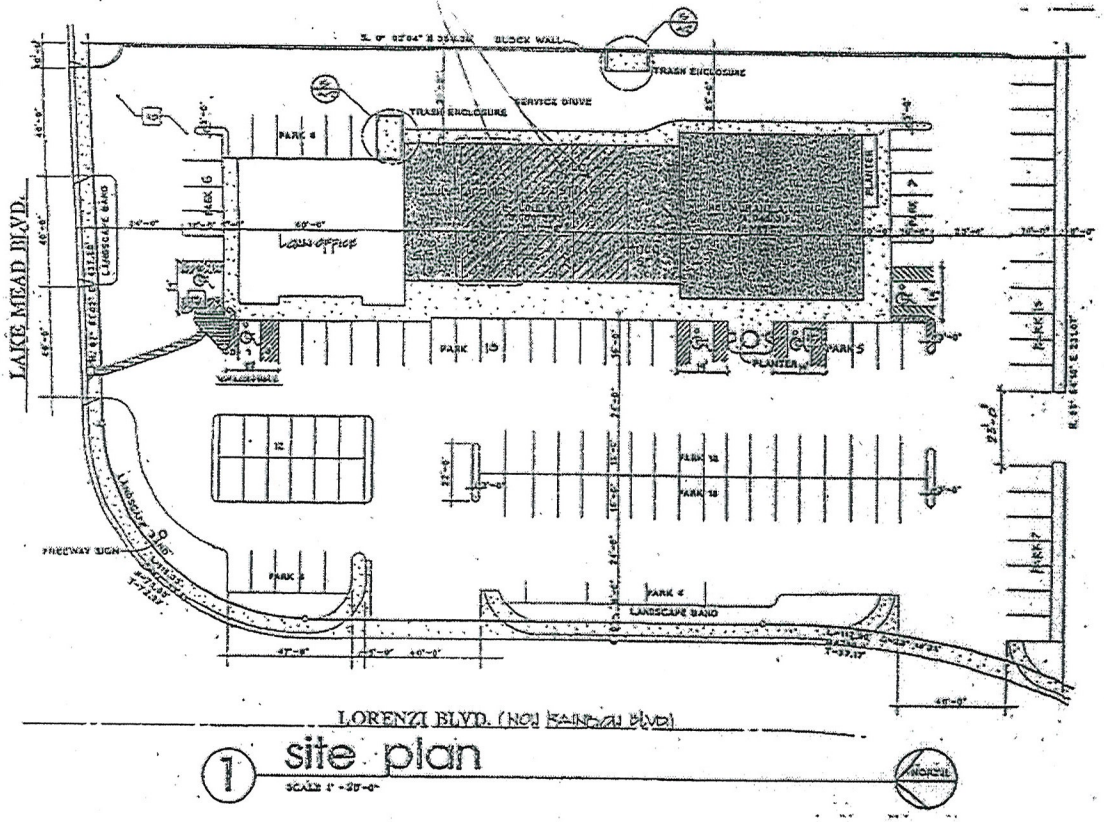
NOTARY PUBLIC
MELISSA HAMILTON
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. APRIL 25, 2012
No: 08-6528-1

SHEET INDEX

T-0 SITE PLAN, CODE ANALYSIS, PROJECT DATA
A-1 FLOOR PLAN OF EXISTING RESTAURANT, LIST OF EQUIPMENT
A-2 FLOOR PLAN OF EXISTING ADDITION, FINISH SCHED.
A-3 REFLECTED CEILING PLAN, CEILING SYSTEM SPACE
M-1 AIR CONDITIONING PLAN
M-2 HOOD DETAILS
E-1 POWER PLAN FOR ADDITION, PANEL SCHED, ELEC. LEGEND
E-2 LIGHTING PLAN FOR ADDITION, EMERGENCY LIGHTING COMPLIANCE
P-1 PLUMBING PLAN, HOT, COLD & GAS PIPING



3 location
N.T.S.



1 site plan
SCALE 1" = 20'-0"

PARKING REQUIRED:

LAW OFFICE	1 PER 250 SF (4+1+1+1+1)=3,000 SF ÷ 250 = 12 SPACES REQUIRED	25%
DAY CARE	1 PER 250 SF 1,000 ÷ 250 = 4 SPACES REQUIRED.	8.4%
RESTAURANT	1 PER 3 SEATS + 10 = 21.67 SPACES REQUIRED (PHASE 1); 3,000 SF - 1,484 SF = 1,516 SF; 1,516 SF ÷ 220 = 7.52 + 21.67 = 29.19 SPACES REQUIRED.	25.2%
SIDEWALK	1 PER 4 LINEAL FEET OF CURB, 3 3+3+12 = 18 SPACES REQUIRED.	8.4%
DRINKING ESTABLISHMENT	1 PER 50 SF OF SERVICE AREA + 1 PER EMPLOYEE TSF (SERVICE AREA) 3,000 SF = 3,000 SF 3,000 ÷ 50 = 61 SPACES + 6 EMPLOYEES = 67 SPACES REQUIRED.	34%

13+4+35+16+67 = 135 SPACES REQUIRED
117 SPACES PROVIDED
INCLUDING 5 HANDICAP SPACES.

⊠ INDICATES 8' X 16' SPACES - ALL OTHERS ARE 9' X 18'

2 PROJECT INFORMATION

APPLICABLE BUILDING CODE - IBC 2006

PROPOSED USE: RESTAURANT
OCCUPANCY CLASSIFICATION: A-2 CHAP. 3 SECTION 303
TYPE OF CONSTRUCTION: 5B CHAP. 6 SECTION 602.5
FIRE SPRINKLERS YES/NO: YES
STORIES: ONE
LOT AREA:
BUILDING AREA (TENANT): 3,000 SQ. FT.

OCCUPANT LOAD: SECTION 1004 TABLE 1004.1.1

			LOAD FACTOR	OCCUPANT LOAD
BLDG.	SF.	3,000		
DINING	SF.	1,484.03-(12+95.67+22.5)	15	(9+1+1)=123.05
KITCHEN	SF.	1,040.52	200	5.20
RESTROOM	SF.	204.80	100	2.04
HALLWAYS	SF.	217.34	100	2.17
PATIO	SF.	52.71	30	1.75
				133.16=135

EXITING REQUIREMENTS CHAP. 10 TABLE 1003 & 1004

EXIT DOORS = OCCUPANT LOAD x 0.2	135 x 0.2 = 27	
EXIT WIDTH REQUIRED	27"	
EXIT WIDTH PROVIDED	4 DOORS @ 36" = 216"	

PLUMBING FIXTURES CHAP. 29 TABLE 2901, 2902 TABLE 2902.1

	MEN	WOMEN
W.C. REQUIRED	1	1
W.C. PROVIDED	1+1 UNISEX	
LAVATORY REQUIRED	1	1
LAVATORY PROVIDED		

PARKING
EXISTING PROVIDED BY BLDG. COMPLEX.

ENERGY COMPLIANCE STATEMENT
BUILDING ENVELOPE IS EXISTING AND WILL NOT BE ALTERED BY THIS PROJECT.

RECEIVED
JAN 29 2010

SUP-37153
REVISED
02/25/10 PC

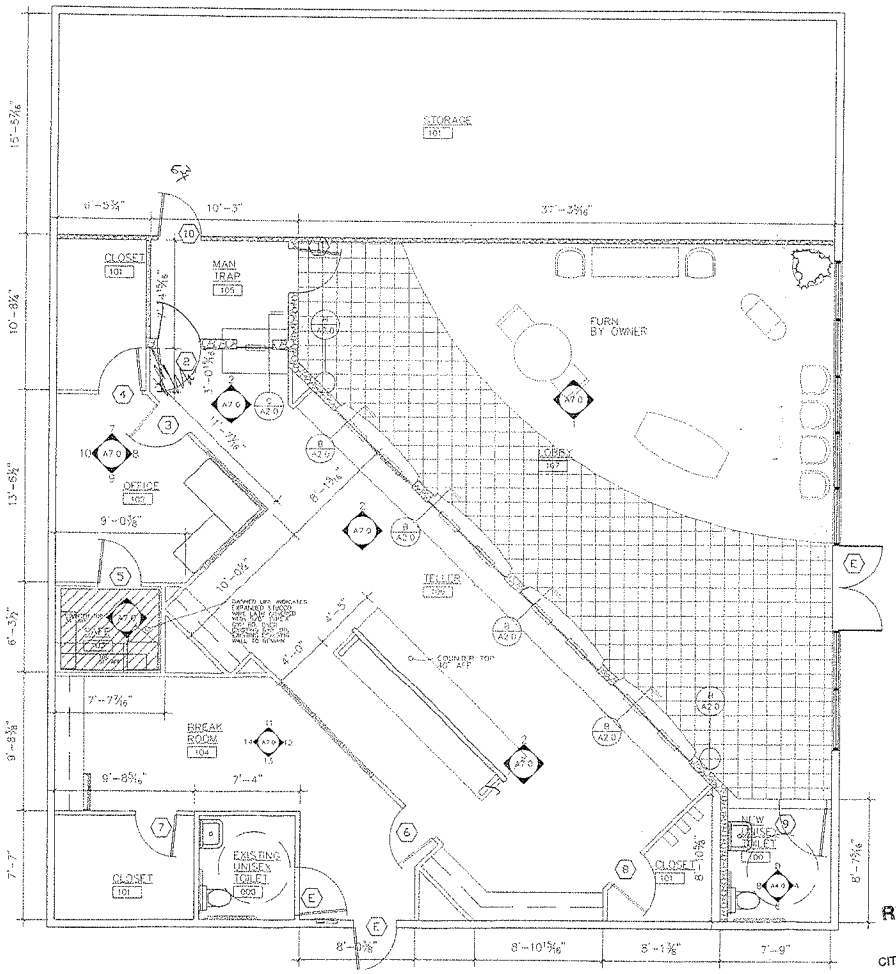
REVISIONS	BY
1 CHG 2nd MR	

GLOBAL Management & Construction
3345 W. Spring Mountain, Suite 51 Las Vegas, NV 89102
Tel: 702-258-9516 License # 0066666 Fax: 702-369-6NN

PIN KAEW THAI RESTAURANT
TENANT IMPROVEMENT
1178 (NOW) FAIRVIEW LAS VEGAS, NEVADA

DRAWN
CHECKED
DATE
SCALE
JOB NO.
SHEET
T-0

RECEIVED
JAN 12 2010



A FLOOR PLAN
1/4" = 1'-0"

RECEIVED
CITY OF LAS VEGAS
PERMITS

DOOR SCHEDULE

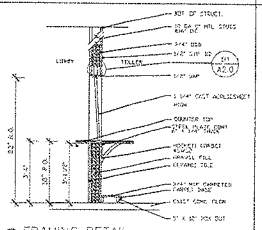
DOOR NO.	DOOR SIZE W	DOOR SIZE H	DOOR SIZE T	DOOR MATL	DOOR TYPE	DOOR GLASS	DOOR LOUVER W	DOOR LOUVER H	DOOR FINISH	FRAME MATL	FRAME TYPE	FRAME DETAILS	HRWD SET NO	ROOM SIGN	LABEL	REMARKS
1	3'-0"	7'-0"	1 3/4"	MTL						MTL						
2	3'-0"	6'-8"	1 3/4"	MTL						MTL						
3	3'-0"	6'-8"	1 3/4"	WD						MTL						
4	3'-0"	6'-8"	1 3/4"	WD						MTL						
5	3'-0"	6'-8"	1 3/4"	WD						MTL						
6	3'-0"	6'-8"	1 3/4"	WD						MTL						

PUBLIC RESTROOMS AVAILABLE UPON REQUEST

H SIGN DETAIL
NTS

ROOM FINISH SCHEDULE

ROOM NUMBER	ROOM NAME	FLOORS	BASE	WALLS	CEILINGS	REMARKS
100	CLOSET					
101	CLOSET					
102	OFFICE					
103	MAN TRAP					
104	BREAK ROOM					
105	MAN TRAP					
106	TELLER					
107	LOBBY					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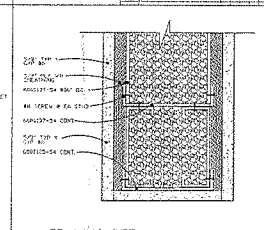
NTS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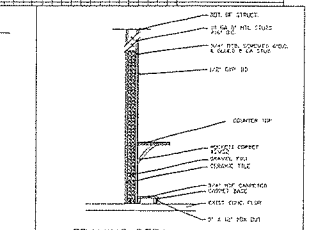
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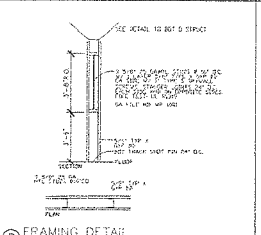
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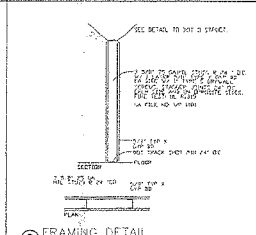
NTS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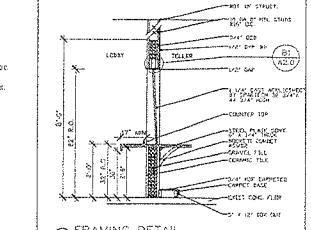
NTS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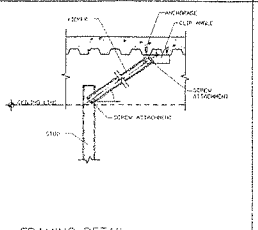
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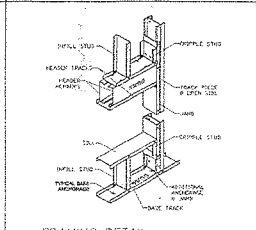
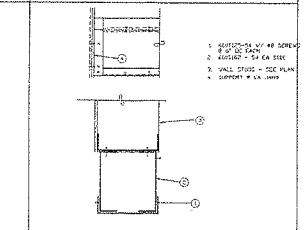
NTS


F FRAMING DETAIL
1" = 1'-0"


E BOX SECTION HEADER DETAIL
SCALE: 3" = 1'-0"

06D-1034

06D-1034

HARDWARE

FINISH SCHEDULE

REV	DATE	DESCRIPTION	DRAWING STATUS	DATE	INITIALS
			PRELIMINARY		
			BLDG DEPT SUBMIT		
			APPROVED		
			RESUBMIT COMPLETION		
			FINAL CHECK		
			ISSUED FOR CONSTRUCTION		

CONSULTANT

DESIGNED D.D.
DRAWN NGC
CHECKED D.D.
FILE
DATE 02/25/2007

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DO NOT SCALE THIS DRAWING

DAVID L. DOWNEY P.C.
ARCHITECT
4075 WEST DESERT INN RD SUITE A
LAS VEGAS NEVADA 89103
(702) 245 9221 email downeyinc@nel.com

Tenant Improvement For
RAINBOW & EASY MEADE
1900 N. RAINBOW
Las Vegas, Nevada

STAMP
DAVID LEE DOWNEY
No. 2256
12/31/07
ARCHITECT
STATE OF NEVADA

PLANS APPROVED
BUILDING CONSTRUCTION
SERVICES
MAY AUG 22 2007

A2.0

SCALE: AS NOTED

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JAN 12 2010

SUP-37153
02/25/10 PC

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02/25/10 PC

SUP-37153 - APPLICANT: CHECK CITY - OWNER: BECKER & SONS, LLC
1990 NORTH RAINBOW BOULEVARD
FEBRUARY 25, 2010 PLANNING COMMISSION

01/22/10

SUP-37153 - APPLICANT: CHECK CITY - OWNER: BECKER & SONS, LLC
1990 NORTH RAINBOW BOULEVARD
FEBRUARY 25, 2010 PLANNING COMMISSION

01/22/10

LA Stewart Consulting
2211 Rampart #130
Las Vegas, NV 89124
(702) 499-6469-Cell
(702) 946-0857-fax

January 12, 2010

City of Las Vegas, Planning & Development
739 South Fourth Street
Las Vegas, NV. 89101

RE: APN 138-23-301-002, 1910 N. Rainbow

Dear Sir or Madam:

Please accept this letter as our request for a Special Use Permit to allow the existing Check City Payday & Auto Title Loan store to purchase gold on the premises. Recently there have been several commercials on TV for gold purchase where the customer requests an envelope, places their broken or discarded gold jewelry in the envelope and send it to the company. In turn, the company send the customer a check for approximately 10-15 cents on the dollar.
.
Check City would like to do something similar, only with more controls and a better situation for the customer. The customer brings the jewelry to the store and it is weighed and the customer walks away with a check for approximately 60-65 cents on the dollar-5 times more than if they mailed it. Also, the customer has control because they actually hand it over to a person, not a post office. In addition, it is held for 30 days so if the customer changes their mind they can return and get their jewelry back. Also, every purchase is reported to Metro on a daily basis. There is no resale of the jewelry, it is not a loan but a purchase of the jewelry for the gold. It will be an incidental use to the main business and is considered just another service for the customer. Please contact me with any questions regarding this matter. Thank you for your consideration in this matter.

Yours truly,

Lucy Stewart
LA Stewart Consulting

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JAN 12 2010
SUP-37153
02/25/10 PC

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 25, 2010

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

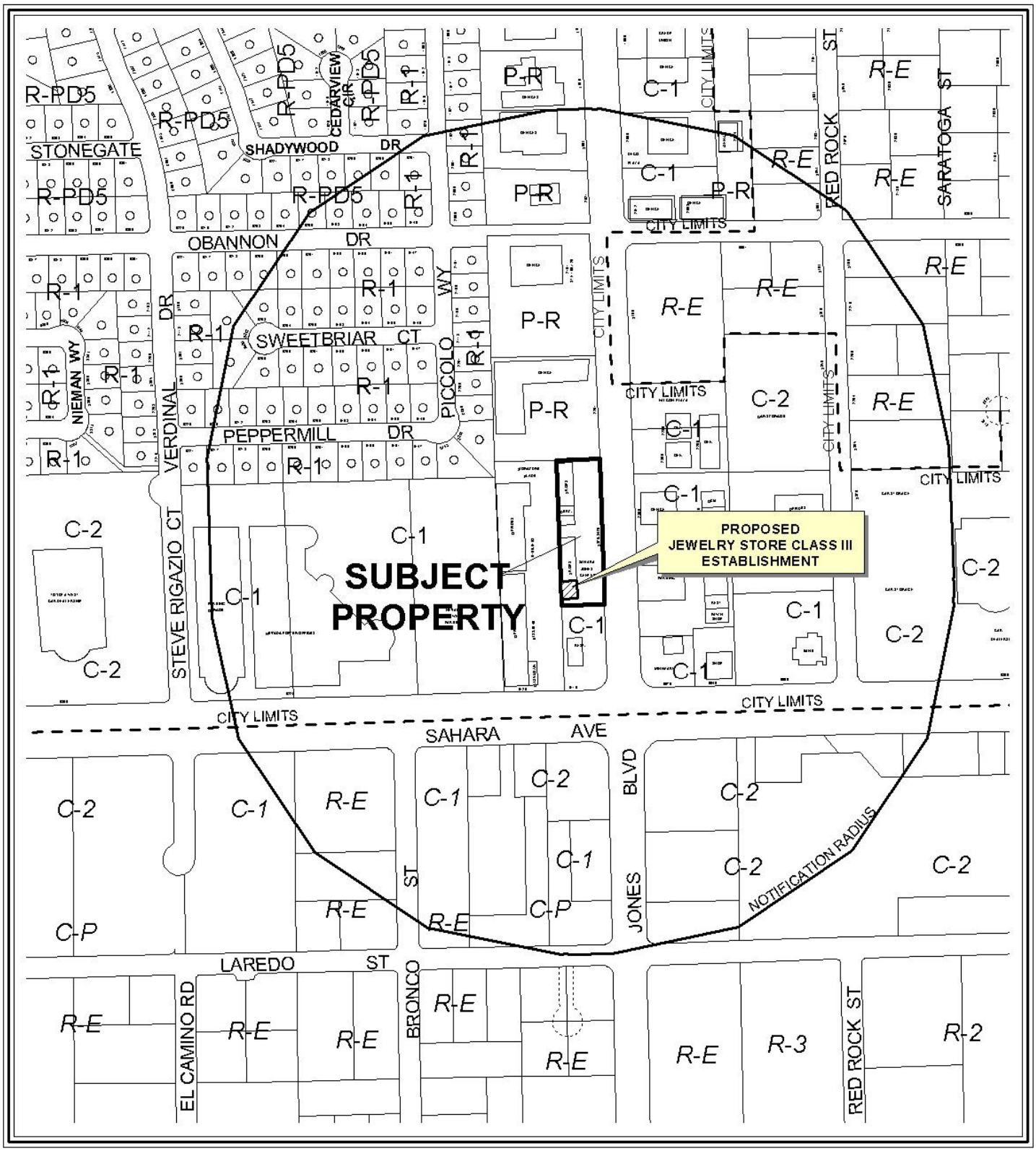
SUBJECT:
VAR-37297 - VARIANCE - PUBLIC HEARING - APPLICANT: CHECK CITY - OWNER: NEWBERG GROUP, LLC **-** Request for a Variance to ALLOW 85 PARKING SPACES WHERE 91 SPACES ARE REQUIRED at 2475 South Jones Boulevard, Suite #2 (APN 163-02-802-006), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian)

C.C.: 04/07/2010

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

RECOMMENDATION:
Staff recommends DENIAL, if approved subject to conditions:

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



0 500 1000 Feet

CASE: **VAR-37297**

RADIUS: 1000 FT

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

N

0 500 1000 Feet

CASE: **VAR-37297**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-37297 - APPLICANT: CHECK CITY - OWNER: NEWBERG GROUP, LLC

** CONDITIONS **

Staff recommends DENIAL, if approved subject to conditions:

Planning and Development

1. Conformance to the conditions for Special Use Permit (SUP-37155).

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. A revised site plan depicting existing site conditions shall be submitted prior to the approval of a business license.

AO

VAR-37297 - Staff Report Page One
February 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Variance to allow 85 parking spaces where 91 parking spaces are required at an existing Auto Title Loan and Financial Institution, Specified at 2475 South Jones Boulevard, Suite #2. The applicant is proposing to add a Jewelry Store, Class III use, which will increase the parking requirement by six spaces. The applicant has created a self-imposed hardship by proposing a use that is too intense for the site to accommodate; therefore, staff is recommending denial. If denied, the existing Auto Title Loan and Financial Institution, Specified facility will remain unaltered.

ISSUE

- The existing site is parking impaired with 85 spaces provided where 98 are required by current Title 19.10 standards. The proposed use will result in an increase in the parking required by six spaces, which is the subject of this Variance request.
- Approval of the request is required to approve an associated request for a Special Use Permit (SUP-37155) for a Jewelry Store, Class III use.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
04/05/89	The City Council approved a Rezoning (Z-0008-89) to C-1 (Limited Commercial on this site. The Planning and Development Department recommended approval.
04/07/04	The City Council accepted the applicant's request to withdraw without prejudice a request for a Special Use Permit (SUP-3479) for a proposed 40 foot tall, 14 foot by 48 foot, Off-Premise sign at 2475 South Jones Boulevard. The Planning Commission and staff recommended denial.
12/07/06	A deed was recorded for change of ownership.
Related Building Permits/Business Licenses	
05/19/99	A building permit (#99009708) was issued for an interior remodel at 2475 South Jones Boulevard Suite #2. The project was completed on 05/20/99.
02/08/02	A building permit (#2002256) was issued for a tenant improvement certificate of occupancy at 2475 South Jones Boulevard Suite #2. The project was completed on 05/15/02.
05/30/02	A business license (C21-00116) was issued for a check cashing establishment at 2475 South Jones Boulevard Suite #2. The license expired on 07/24/09.

05/30/02	A business license (W10-00025) was issued for a wire transfer at 2475 South Jones Boulevard Suite #2. The license was marked out of business on 12/31/09.
11/26/02	A business license (N02-00086) was issued for a non depository lender at 2475 South Jones Boulevard Suite #2. The license is still active.
Pre-Application Meeting	
12/02/09	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for a Jewelry Store, Class III were discussed topics included: • The minimum Special Use Permit Requirements. • The application materials and documents. • The meeting dates and deadlines. • No Waivers are required as a part of the request.
Neighborhood Meeting	
A neighborhood meeting is not required for this application, nor was one held.	
Field Check	
01/21/10	Staff conducted a site visit and observed the following: • An existing and well maintained check cashing establishment. • The hours of operation listed on the store front door indicate 7 a.m. to 11 p.m.

Details of Application Request	
Site Area	
Gross Acres	1.18

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Commercial Center	S-C (Service Commercial)	C-1 (Limited Commercial)
North	Offices	O (Office)	P-R (Professional Offices and Parking)
South	Restaurant	S-C (Service Commercial)	C-1 (Limited Commercial)
East	Commercial Center	S-C (Service Commercial)	C-1 (Limited Commercial)
West	Offices	S-C (Service Commercial)	C-1 (Limited Commercial)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	***Required***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Jewelry Store, Class III	3440 SF	1:175 SF	20	5			N
Office	6020 SF	1:300 SF					
Beauty Saloon	10 Stations	3:Stations	30				
General Retail	3440 SF	1:175 SF	5				
Office, Medical	1720 SF	1:200 SF	9				
SubTotal			**99**	**5**	**83**	**2**	**N**
TOTAL (with handicap spaces)			**104***		**85**		**N**
Percent Deviation			7 %				N

* The existing site is parking impaired, per Title 19.10.0.0.10 (C).

ANALYSIS

The existing site is parking impaired, per Title 19.10.010 (C), with 85 spaces provided where 98 spaces are required by the current Title 19.10 standards. The proposed use will be located within an existing Auto Title Loan and Financial Institution, Specified where the parking requirement is one space per 250 square feet. The proposed Jewelry Store, Class III use has a parking requirement of one space per 175 square feet, resulting in an increase in the parking required by six spaces, or a 7% deviation, which is the subject of this variance request. A condition has been added requiring submittal of a site plan depicting the existing conditions of the site. The applicant has provided no evidence of unique or extraordinary circumstances pursuant to Title 19.18.070(L) that would substantiate the Variance request; therefore, staff recommends denial.

FINDINGS

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

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

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 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 3

NOTICES MAILED 118

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-37297** APN: 163-03-802-006

Name of Property Owner: Newberg Group LLC

Name of Applicant: Check City

Name of Representative: Check City

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Robert A. Newberg

Print Name: ROBERT A. NEWBERG

Subscribed and sworn before me

This _____ day of _____, 20____

See attached

Notary Public in and for said County and State

CALIFORNIA JURAT WITH AFFIANT STATEMENT

☑ See Attached Document (Notary to cross out lines 1–6 below)
☐ See Statement Below (Lines 1–5 to be completed only by document signer[s], *not* Notary)

1
2
3
4
5
6

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

State of California

County of San Luis Obispo

Subscribed and sworn to (or affirmed) before me on this

29th day of December, 2009, by

Date Month Year

(1) Robert A Newberg,

Name of Signer

proved to me on the basis of satisfactory evidence to be the person who appeared before me (.) (,)

(and

(2) _____,

Name of Signer

proved to me on the basis of satisfactory evidence to be the person who appeared before me.)

Signature Joyce L Seat

Signature of Notary Public

SM01 JOYCE L. SEAT COMM. #1870922 NOTARY PUBLIC-CALIFORNIA SAN LUIS OBISPO COUNTY My Comm. Expires December 9, 2013 SM01

Place Notary Seal Above

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Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Further Description of Any Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

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Top of thumb here	Top of thumb here

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VAR-37297
02/25/10 PC

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: SUP for Class III Jewelry

Project Address (Location) 2475 Jones Blvd. Ste B, 2, 3

Project Name Check City **Proposed Use** Class III Jewelry

Assessor's Parcel #(s) 163-03-802-006 **Ward #** _____

General Plan: existing NC proposed NC **Zoning:** existing C-1 proposed C-1

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information Adding use of gold purchase to existing financial institution

PROPERTY OWNER Newberg Group LLC **Contact** BOB NEWBERG

Address 2671 Carpenter Canyon **Phone:** 805 544-5225 **Fax:** 805 544-3260

City San Luis Obispo **State** CA **Zip** 93401

E-mail Address RNEWBERG@MSN.COM.

APPLICANT Check City **Contact** Jim Marchesi

Address 2640 Crimson Canyon **Phone:** (702) 258-8888 **Fax:** _____

City Las Vegas **State** nv **Zip** 89128

E-mail Address jtskee@aol.com

REPRESENTATIVE Check City **Contact** Jim Marchesi

Address 2640 Crimson Canyon **Phone:** (702) 258-8888 **Fax:** _____

City Las Vegas **State** NV **Zip** 89128

E-mail Address jtskee@aol.com

Property Owner Signature* Robert A Newberg

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name ROBERT A. NEWBERG

Subscribed and sworn before me

This _____ day of _____, 20 _____.

See attached

Notary Public in and for said County and State

FOR DEPARTMENT USE ONLY

Case #	VAR-37297
Meeting Date:	2/25/10
Total Fee:	$830.00
Date Received:*	01/29/10
Received By:	

*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

Revised 10/27/08

CALIFORNIA JURAT WITH AFFIANT STATEMENT

☑ See Attached Document (Notary to cross out lines 1–6 below)
☐ See Statement Below (Lines 1–5 to be completed only by document signer[s], *not* Notary)

1
2
3
4
5
6

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

State of California

County of San Luis Obispo

Subscribed and sworn to (or affirmed) before me on this

29th (Date) day of December (Month), 2009 (Year), by

(1) Robert A Newberg (Name of Signer),

proved to me on the basis of satisfactory evidence to be the person who appeared before me (.) (,)

(and

(2) _____ (Name of Signer),

proved to me on the basis of satisfactory evidence to be the person who appeared before me.)

Signature _____ (Signature of Notary Public)

JOYCE L. SEAT
COMM. #1870922
NOTARY PUBLIC-CALIFORNIA
SAN LUIS OBISPO COUNTY
My Comm. Expires December 8, 2013

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Further Description of Any Attached Document

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Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

RIGHT THUMBPRINT OF SIGNER #1	RIGHT THUMBPRINT OF SIGNER #2
Top of thumb here	Top of thumb here

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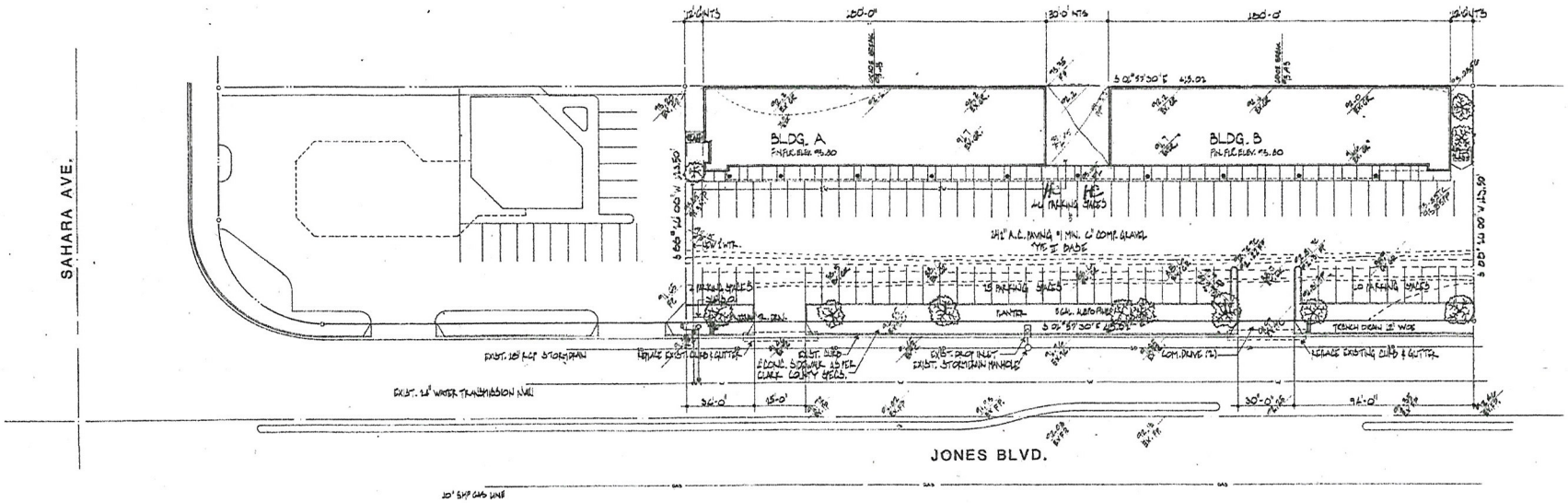


SITE PLAN

1" = 30'-0"

Parking Analysis SUP 37155

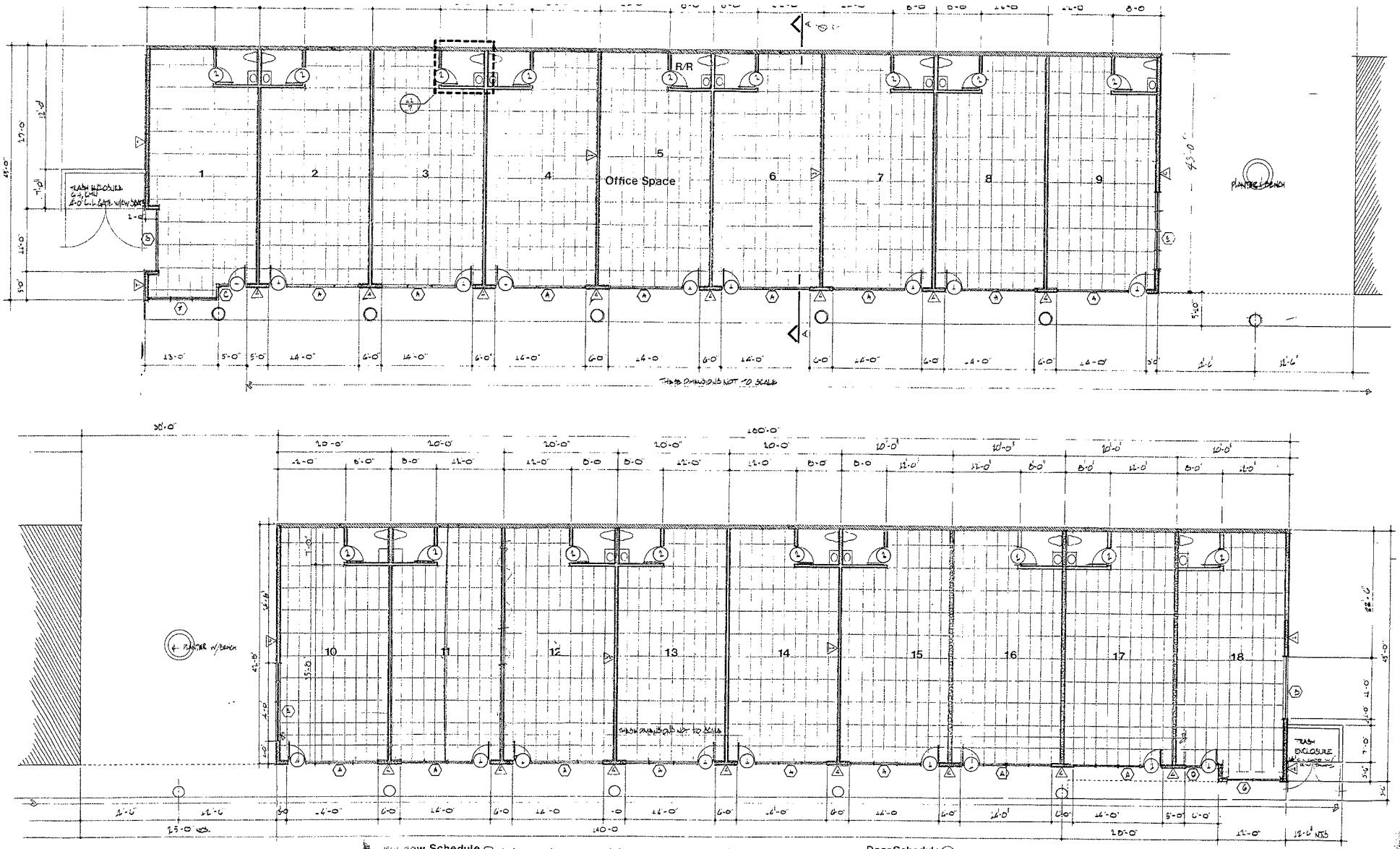
Suites 1,2,3 – Check City 3440 square feet /175 square feet = 19.6
Suite 4-Private Office 860 square ft /300=2.8
Suite 5,6-Beauty & Best 1720 sq.ft/175=9.8
Suite 7,8,9 Help U Sell (Real Estate) 3440 sq ft /300=11.5
Suite 10, 11- vacant 1720 sq.ft/175=9.8
Suite 12-Dress Shop-860 sq.ft./175=4.9
Suite 13-Dentist-860 sq.ft./200=4.3
Suite 14-Bra Store 860 sq.ft. /175=4.0
Suite 15 Insurance 860 sq.ft/300=2.8
Suite 16.17 Chiropractor -1720 sq.ft./200=8.6
Suite 18 Farmer's Insurance 860 sq.ft./300=2.8
Total - 81.8 or 82 parking spaces required, 75 provided

THAT PORTION OF THE SOUTHEAST QUARTER (SE ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 2 TOWNSHIP 21 SOUTH, RANGE 60 EAST, MDB & M. DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 2; THENCE NORTH 01° 51' 30" WEST A DISTANCE OF 330.00 FT. THENCE SOUTH 88° 21' 00" WEST A DISTANCE OF 50.00 FT. TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF JONES BOULEVARD (100.00 FT. WIDE), SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 88° 21' 00" WEST A DISTANCE OF 128.50 FT.; THENCE NORTH 01° 51' 30" EAST A DISTANCE OF 415.02 FT TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF THE AFOREMENTIONED JONES BOULEVARD; THENCE SOUTH 01° 51' 30" EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 415.02 FT. TO THE TRUE POINT OF BEGINNING.

VAR-37297
02/25/10 PC

RECEIVED
JAN 29 2010



Window Schedule

- (A) 4'-0" x 7'-0" FASET 400 WINDOW SYS. W/MED. BRONZE ANODIZED FRAME & MED. BRONZE TINT GL. TEMPERED AS PER ELEVATIONS
- (B) 2'-0" x 2'-0" FASET 400 WINDOW W/MED. BRONZE ANO[illegible] TINT GL.
- (C) 5'-0" x 7'-0" FASET 400 WINDOW SYS. W/MED. BRONZE [illegible] TINT GL. TEMPERED
- (D) 6'-0" [illegible] WINDOW SYS. W/MED. [illegible] TEMPERED

Door Schedule

- (1) 3'-0" x 7'-0" NARROW STILE ALUM. DOOR W/ 1/4" TEMPERED GLASS HARDWARE: TOP & BOTTOM PIVOTS & FLOOR CONCEALED CLOSER, CYLINDER LOCK, ALUM. PUSH & PULL, ALUM. THRESHOLD, FLOOR & TOP
- (2) 3'-0" x 7'-0" x 1 3/4" HOLLOW CORE WOOD DOOR, (ASHPACE) STAINED HARDWARE: 1 1/2 PR. BUTTS, PRIVACY LOCKSET, WALL BUMPER 2 x 3 1/2" H.M. FRAME

VAR-37297
02/25/10 PC

Patrick Kevin

Floor Plan 1/8" = 1'-0"

DRAWN BY:
DATE:
PROJECT NO.

CHECK CITY
YDAY LOANS
PAYDAY LOANS
Check City
CHEC
VAR-37297
02/25/10 PC

HHH-25135
300
VAR-37297
02/25/10 PC

VAR-37297 - APPLICANT: CHECK CITY - OWNER: NEWBERG GROUP, LLC
2475 SOUTH JONES BOULEVARD, SUITE #2
FEBRUARY 25, 2010 PLANNING COMMISSION

01/22/10

VAR-37297 - APPLICANT: CHECK CITY - OWNER: NEWBERG GROUP, LLC
2475 SOUTH JONES BOULEVARD, SUITE #2
FEBRUARY 25, 2010 PLANNING COMMISSION

01/22/10

LA Stewart Consulting
2211 Rampart #130
Las Vegas, NV 89124
(702) 499-6469-Cell
(702) 946-0857-fax

January 28, 2010

City of Las Vegas, Planning & Development
739 South Fourth Street
Las Vegas, NV. 89101

RE: 2478 S. Jones

Dear Sir or Madam:

Please accept this letter as our request for a variance for parking on the above referenced site.

Check City believes this to be another service for their existing customers. The parking required for a Class III Jewelry store is 1 space per 175 square feet, requiring an additional 7 parking spaces.

This is an existing building and the size and shape of the property will not allow for additional parking spaces. Check City is already providing this service in Clark County and has found no increase in demand for their parking. Because this is a service for existing customers, additional parking will not be necessary.

Below is the parking calculations for the center:
Suites 1,2,3 – Check City 3440 square feet /175 square feet = 19.6
Suite 4-Private Office 860 square ft /300=2.8
Suite 5,6-Beauty & Best 1720 sq.ft/175=9.8
Suite 7,8,9 Help U Sell (Real Estate) 3440 sq ft /300=11.5
Suite 10, 11- vacant 1720 sq.ft/175=9.8
Suite 12-Dress Shop-860 sq.ft./175=4.9
Suite 13-Dentist-860 sq.ft./200=4.3
Suite 14-Bra Store 860 sq.ft. /175=4.0
Suite 15 Insurance 860 sq.ft/300=2.8
Suite 16.17 Chiropractor -1720 sq.ft./200=8.6
Suite 18 Farmer's Insurance 860 sq.ft./300=2.8
Total - 81.8 or 82 parking spaces required, 75 provided

Yours truly,

Lucy Stewart

VAR-37297
02/25/10 PC

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 25, 2010

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

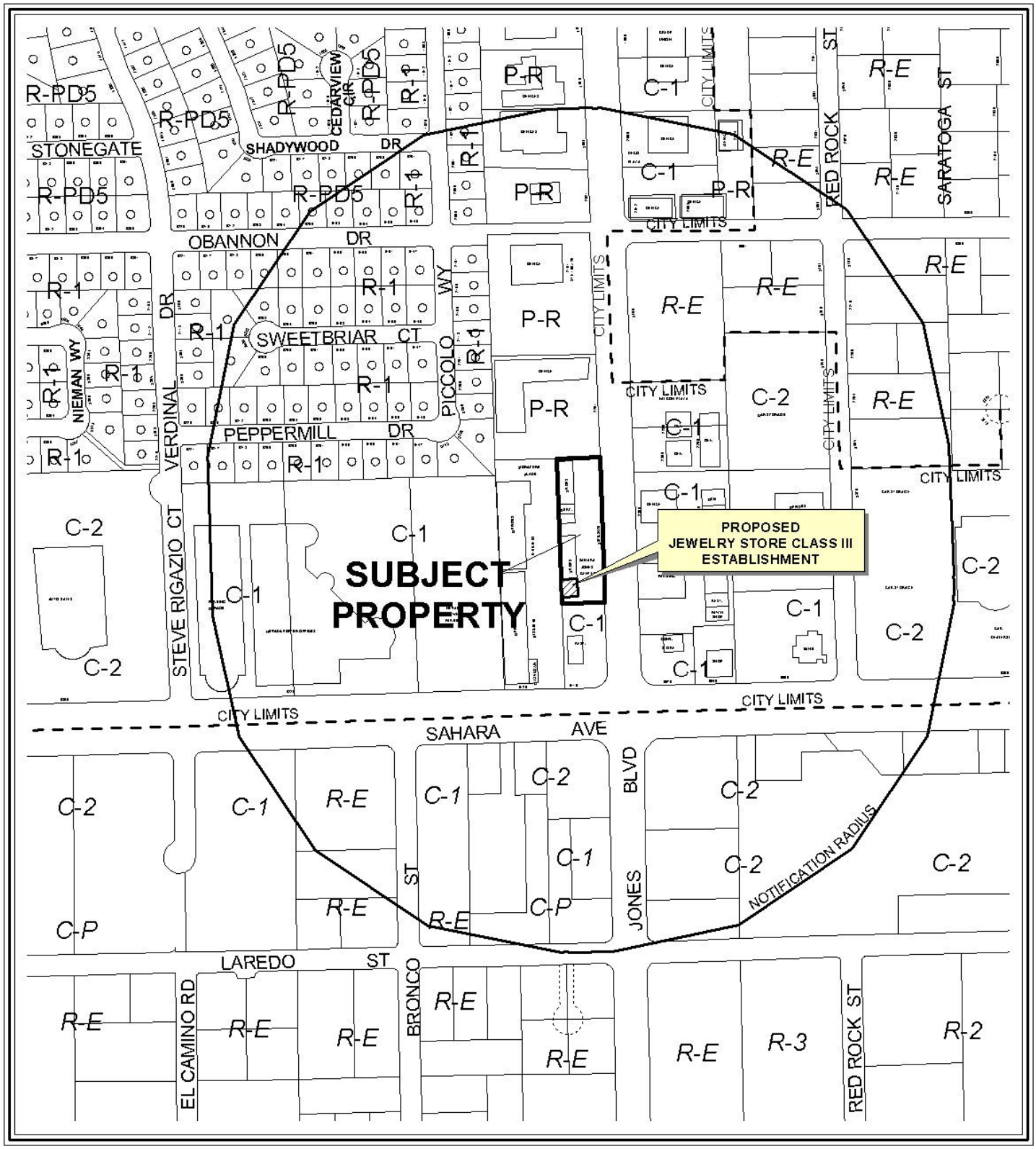
SUBJECT:
SUP-37155 - SPECIAL USE PERMIT RELATED TO VAR-37297 - PUBLIC HEARING - APPLICANT: CHECK CITY - OWNER: NEWBERG GROUP, LLC - Request for a Special Use Permit FOR A JEWELRY STORE, CLASS III USE WITHIN AN EXISTING 3,308 SQUARE-FOOT AUTO TITLE LOAN AND FINANCIAL INSTITUTION, SPECIFIED at 2475 South Jones Boulevard, Suite #2 (APN 163-02-802-006), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian)

C.C.: 04/07/2010

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

RECOMMENDATION:
Staff recommends DENIAL, if approved subject to conditions:

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



0 500 1000 Feet

CASE: **SUP-37155**

RADIUS: 1000 FT

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

N

0 500 1000 Feet

CASE: **SUP-37155**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-37155 - APPLICANT: CHECK CITY - OWNER: NEWBERG GROUP, LLC

** CONDITIONS **

Staff recommends DENIAL, if approved subject to conditions:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Jewelry Store, Class III use.

2. Approval of and conformance to the conditions for Variance (VAR-37297) shall be required.

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

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

SUP-37155 - Staff Report Page One
February 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This application is a request for a Special Use Permit to add a Jewelry Store, Class III use within an existing 3,308 square-foot Auto Title Loan and Financial Institution, Specified at 2475 South Jones Boulevard, Suite #2. The use will allow the option to buy broken or discarded gold jewelry on premise. There is no resale of the jewelry; it is not a loan, but a purchase of the jewelry for gold. Staff recommends denial of the request, as the site cannot accommodate the increased minimum parking requirement for a Jewelry Store, Class III use. If denied the Auto Title Loan and Financial Institution, Specified would remain as it is.

ISSUES

- Approval of a companion Variance (VAR-37297) to allow 85 parking spaces where 91 parking spaces are required is necessary for this request to be approved.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
04/05/89	The City Council approved a Rezoning (Z-0008-89) to C-1 (Limited Commercial on this site. The Planning and Development Department recommendation was for approval.
04/07/04	The City Council accepted the applicant's request to withdraw without prejudice a request for a Special Use Permit (SUP-3479) for a proposed 40 foot tall, 14 foot by 48 foot, Off-Premise sign at 2475 South Jones Boulevard. The Planning Commission and staff recommended denial.
12/07/06	A deed was recorded for change of ownership.
Related Building Permits/Business Licenses	
05/19/99	A building permit (#99009708) was issued for an interior remodel at 2475 South Jones Boulevard Suite 2. The project was completed on 05/20/99.
02/08/02	A building permit (#2002256) was issued for a tenant improvement certificate of occupancy at 2475 South Jones Boulevard Suite 2. The project was completed on 05/15/02.
05/30/02	A business license (C21-00116) was issued for a check cashing establishment at 2475 South Jones Boulevard Suite 2. The license expired on 07/24/09.
05/30/02	A business license (W10-00025) was issued for a wire transfer at 2475 South Jones Boulevard Suite 2. The license was marked out of business on 12/31/09.

11/26/02	A business license (N02-00086) was issued for a non depository lender at 2475 South Jones Boulevard Suite 2. The license is still marked active.
05/13/09	A business license (W10-00303) was issued for a wire transfer at 2475 South Jones Boulevard Suite 2. The license is still marked active.
Pre-Application Meeting	
12/02/09	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for a Jewelry Store, Class III were discussed topics included: • The minimum Special Use Permit Code Requirements. • The application materials and documents. • The meeting dates and deadlines. • No Waivers are required as a part of the request.
Neighborhood Meeting	
A neighborhood meeting is not required for this application, nor was one held.	
Field Check	
01/21/10	Staff conducted a site visit and observed the following: • An existing and well maintained check cashing establishment. • The hours of operation listed on the store front door indicate that the hours of operation were from 7 a.m. to 11 p.m. Title 19.04 requires the operational hours to be 8 a.m. to 11 p.m.

Details of Application Request	
Site Area	
Gross Acres	1.18

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Commercial Center	S-C (Service Commercial)	C-1 (Limited Commercial)
North	Offices	O (Office)	P-R (Professional Offices and Parking)
South	Restaurant	S-C (Service Commercial)	C-1 (Limited Commercial)
East	Commercial Center	S-C (Service Commercial)	C-1 (Limited Commercial)
West	Offices	S-C (Service Commercial)	C-1 (Limited Commercial)

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

DEVELOPMENT STANDARDS

Parking Requirement							
	Gross Floor Area or Number of Units	*Required*			*Provided*		*Compliance*
			Parking		*Parking*		
Use		*Parking Ratio*	Regular	Handi-capped	Regular	Handi-capped	
Jewelry Store, Class III	3440 SF	1:175 SF	20	5			N
Office	6020 SF	1:300 SF					
Beauty Saloon	10 Stations	3:Stations	30				
General Retail	3440 SF	1:175 SF	5				
Office, Medical	1720 SF	1:200 SF	9				
SubTotal			**99**	**5**	**83**	**2**	**N**
TOTAL (with handicap spaces)			**104***		**85**		**N**
Percent Deviation			7 %				N

* The existing site is parking impaired, per Title 19.10.0.0.10 (C).

ANALYSIS

This is a request for a Special Use Permit for a Jewelry Store, Class III use within an existing 3,308 square-foot Auto Title Loan and Financial Institution, Specified at 2475 South Jones Boulevard, Suite #2. A Jewelry Store, Class III use is defined by Title 19.20.020 as a "store which buys and sells scrap precious metals for marketing as a commodity in bar form or in other than jewelry form, or which buys and sells precious metal bars and coins that are sold as a commodity rather than for numismatic purposes. This may include operations similar to a new jewelry store." The proposed use is within the guideline of the permissible use definition, as the applicant will buy used jewelry as a way to acquire gold, but no resale of the jewelry is involved.

The parking requirement for the existing Auto Title Loan and Financial Institution, Specified, is one space per 250 square feet. The proposed Jewelry, Class III use has a more intense parking requirement of one space per 175 square feet, which will result in a net increase of six spaces for the existing site. As the increased number of spaces cannot be accommodated on the site, an associated Variance (VAR-37297) has been requested to address the issue.

As the proposed use is more intense and the existing site cannot accommodate the increased number of parking spaces required, staff recommends denial.

FINDINGS

The following findings must be made for a Special Use Permit:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

   The proposed Jewelry Store Class III use can be conducted in a manner that is harmonious and compatible with the uses in the existing site and with the commercial uses on adjacent properties.

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

   The subject site is not physically suitable for the type and intensity of the proposed, as is evidenced by the request for a Variance to allow 85 parking spaces where 91 spaces are required. The proposed use will be operated in conjunction with the existing business.

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 Jones Boulevard, a 100-foot Primary Arterial as designated in the Master Plan of Streets and Highways. This street provides adequate access to and from the subject property.

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

   Approval of the proposed Special Use Permit will not compromise the public health, safety and general welfare, as the use will be subject to regular inspections for business licensing.

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

The proposed use complies with the Minimum Special Use Permit requirements and there are no distance separation requirements for a Jewelry Store, Class III use. However, the proposed use is more parking intensive for a site that is already parking impaired.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

NOTICES MAILED 118

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number **SUP-37155** APN: 163-03-802-006

Name of Property Owner: Newberg Group LLC

Name of Applicant: Check City

Name of Representative: Check City

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Robert A. Newberg

Print Name: ROBERT A. NEWBERG

Subscribed and sworn before me

This ____ day of _____, 20____

See attached

Notary Public in and for said County and State

RECEIVED
JAN 12 2010

CALIFORNIA JURAT WITH AFFIANT STATEMENT

☑ See Attached Document (Notary to cross out lines 1–6 below)
☐ See Statement Below (Lines 1–5 to be completed only by document signer[s], *not* Notary)

1
2
3
4
5
6

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

State of California

County of San Luis Obispo

Subscribed and sworn to (or affirmed) before me on this

29th (Date) day of December (Month), 2009 (Year), by

(1) Robert A Newberg (Name of Signer),

proved to me on the basis of satisfactory evidence to be the person who appeared before me (.) (,)

(and

(2) _____ (Name of Signer),

proved to me on the basis of satisfactory evidence to be the person who appeared before me.)

Signature Joyce L Seat (Signature of Notary Public)

JOYCE L. SEAT
COMM. #1870922
NOTARY PUBLIC-CALIFORNIA
SAN LUIS OBISPO COUNTY
My Comm. Expires December 6, 2013

SM01 SM01

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Further Description of Any Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

RIGHT THUMBPRINT OF SIGNER #1	RIGHT THUMBPRINT OF SIGNER #2
Top of thumb here	Top of thumb here

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PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: SUP for Class III Jewelry

Project Address (Location) 2875 Jones Blvd. # 2

Project Name Check City **Proposed Use** Class III Jewelry

Assessor's Parcel #(s) 163-02-802-006 **Ward #** 2nd

General Plan: existing NC proposed NC **Zoning:** existing C-1 proposed C-1

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information Adding use of gold purchase to existing financial institution

NEWBERG-FLORELLO

PROPERTY OWNER Newberg Group LLC **Contact** BOB NEWBERG

Address 2671 Carpenter Canyon **Phone:** 805 544-5225 **Fax:** 805 544-3260

City San Luis Obispo **State** CA **Zip** 93401

E-mail Address RNEWBERG@MSN.COM

APPLICANT Check City **Contact** Jim Marchesi

Address 2640 Crimson Canyon **Phone:** (702) 258-8888 **Fax:** _____

City Las Vegas **State** nv **Zip** 89128

E-mail Address jtskee@aol.com

REPRESENTATIVE Check City **Contact** Jim Marchesi

Address 2640 Crimson Canyon **Phone:** (702) 258-8888 **Fax:** _____

City Las Vegas **State** NV **Zip** 89128

E-mail Address jtskee@aol.com

Property Owner Signature* Robert A Newberg

* An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name ROBERT A. NEWBERG

Subscribed and sworn before me

This _____ day of _____, 20 _____.

See Attached

Notary Public in and for said County and State

FOR DEPARTMENT USE ONLY

Case #	SUP - 37155
Meeting Date:	2/25/2010
Total Fee:	$1030.00
Date Received:*	1/12/2010
Received By:	MRC

*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

CALIFORNIA JURAT WITH AFFIANT STATEMENT

☑ See Attached Document (Notary to cross out lines 1–6 below)
☐ See Statement Below (Lines 1–5 to be completed only by document signer[s], *not* Notary)

1
2
3
4
5
6 _____ _____

Signature of Document Signer No. 1 — Signature of Document Signer No. 2 (if any)

State of California

County of San Luis Obispo

Subscribed and sworn to (or affirmed) before me on this

29th (Date) day of December (Month), 20 09 (Year), by

(1) Robert A Newberg (Name of Signer),

proved to me on the basis of satisfactory evidence to be the person who appeared before me (.) (,)

(and

(2) _____ (Name of Signer),

proved to me on the basis of satisfactory evidence to be the person who appeared before me.)

Signature Joyce L Seat (Signature of Notary Public)

SM01 JOYCE L. SEAT COMM. #1870922 NOTARY PUBLIC-CALIFORNIA SAN LUIS OBISPO COUNTY My Comm. Expires December 6, 2013 SM01

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Further Description of Any Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

RIGHT THUMBPRINT OF SIGNER #1	RIGHT THUMBPRINT OF SIGNER #2
Top of thumb here	Top of thumb here

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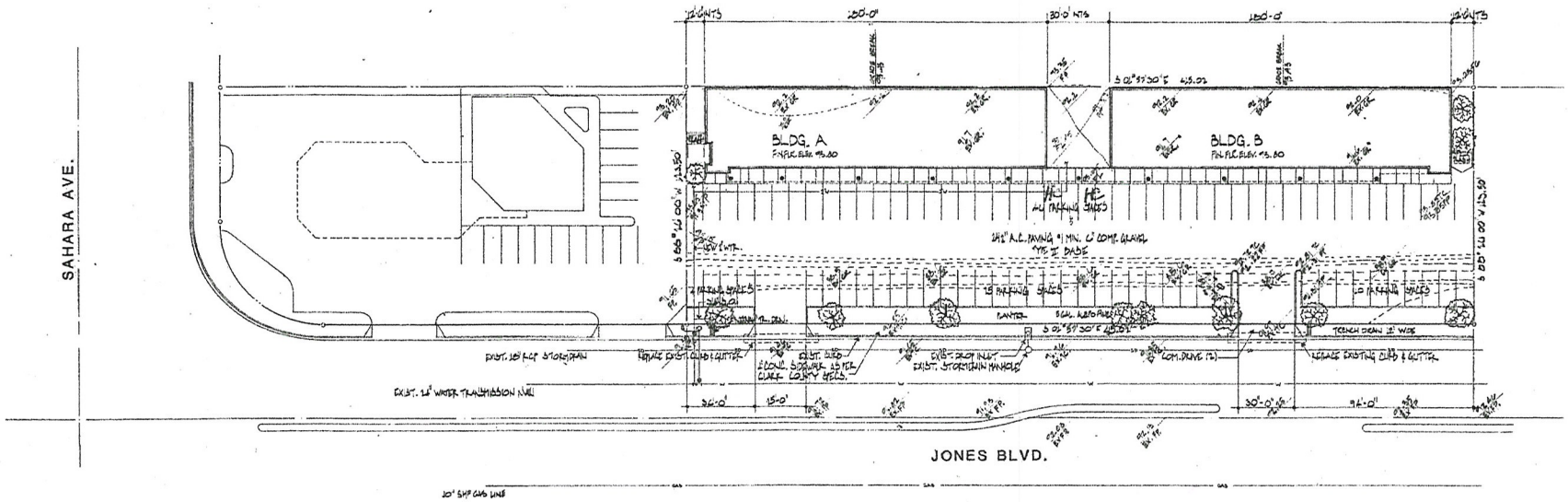

SITE PLAN

1" = 30'-0"

Parking Analysis SUP 37155

Suites 1,2,3 – Check City 3440 square feet /175 square feet = 19.6
Suite 4-Private Office 860 square ft /300=2.8
Suite 5,6-Beauty & Best 1720 sq.ft/175=9.8
Suite 7,8,9 Help U Sell (Real Estate) 3440 sq ft /300=11.5
Suite 10, 11- vacant 1720 sq.ft/175=9.8
Suite 12-Dress Shop-860 sq.ft./175=4.9
Suite 13-Dentist-860 sq.ft./200=4.3
Suite 14-Bra Store 860 sq.ft. /175=4.0
Suite 15 Insurance 860 sq.ft/300=2.8
Suite 16.17 Chiropractor -1720 sq.ft./200=8.6
Suite 18 Farmer's Insurance 860 sq.ft./300=2.8
Total - 81.8 or 82 parking spaces required, 75 provided

THAT PORTION OF THE SOUTHEAST QUARTER (SE ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 2 TOWNSHIP 2, SOUTH RANGE 60 EAST, MDB & M. DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 2; THENCE NORTH 0° 51' 30" WEST A DISTANCE OF 330.00 FT. THENCE SOUTH 88° 42' 00" WEST A DISTANCE OF 50.00 FT. TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF JONES BOULEVARD (100.00 FT. WIDE), SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 88° 42' 00" WEST A DISTANCE OF 125.80 FT.; THENCE NORTH 0° 51' 30" EAST A DISTANCE OF 415.02 FT TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF THE AFOREMENTIONED JONES BOULEVARD; THENCE SOUTH 0° 51' 30" EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 415.02 FT. TO THE TRUE POINT OF BEGINNING.

SUP-37155
REVISED
02/25/10 PC

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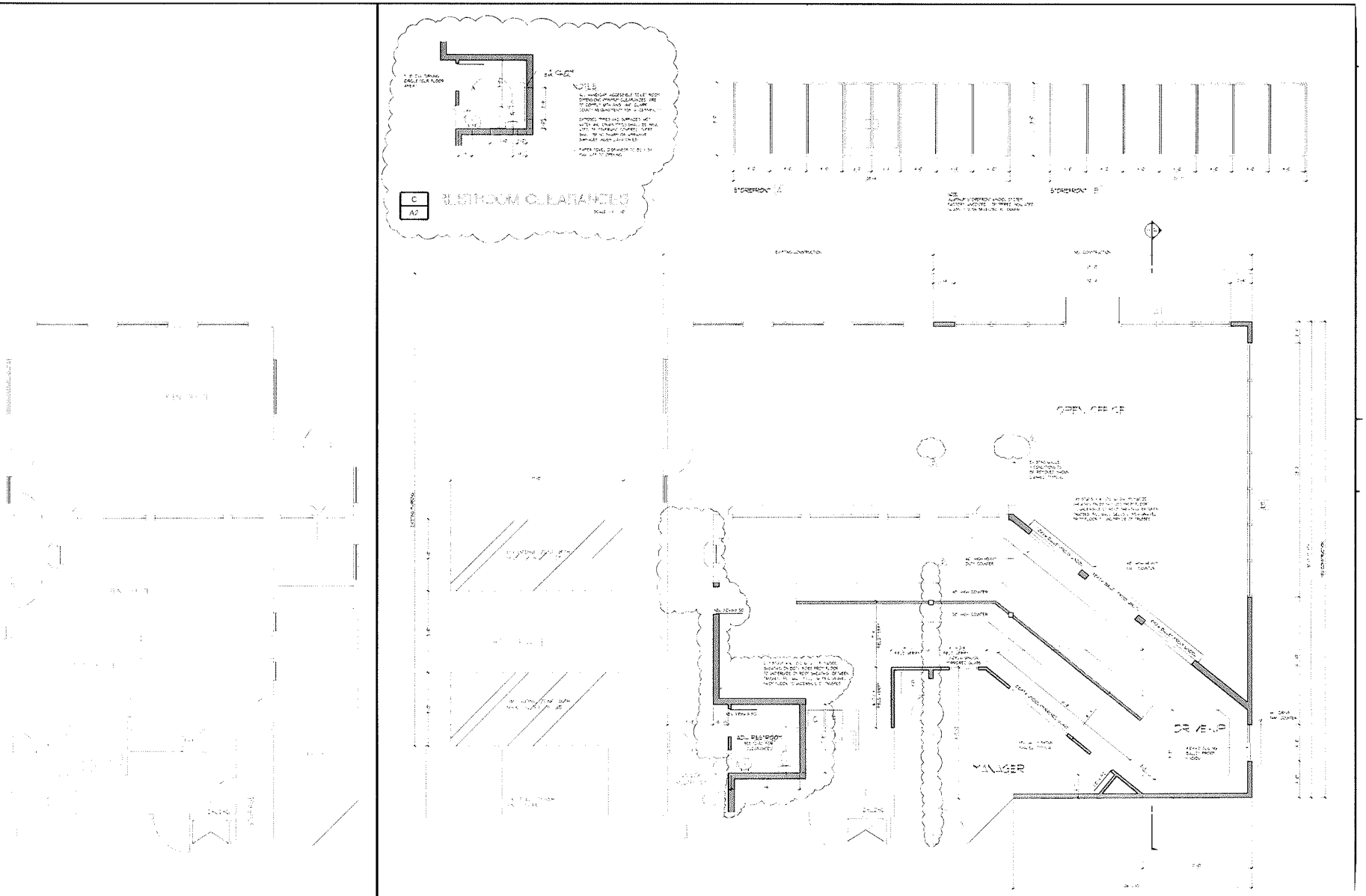
JAN 29 2010



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JAN 12 2010

SUP-37155
02/25/10 PC

A
A2
FLOOR PLAN-EXISTING

B
A2
FLOOR PLAN-PROPOSED

CHECK CITY
YDAY LOANS
PAYDAY LOANS
Check City
CHEC
RECEIVED
JAN 12 2010
RECEIVED
JAN 12 2010
SUP-37155
02/25/10 PC

RECEIVED
JAN 12 2010
SUP-37155
02/25/10 PC
S&W

SUP-37155 - APPLICANT: CHECK CITY - OWNER: NEWBERG GROUP, LLC
2475 SOUTH JONES BOULEVARD, SUITE #2
FEBRUARY 25, 2010 PLANNING COMMISSION

01/22/10

SUP-37155 – APPLICANT: CHECK CITY – OWNER: NEWBERG GROUP, LLC
2475 SOUTH JONES BOULEVARD, SUITE #2
FEBRUARY 25, 2010 PLANNING COMMISSION

01/22/10

LA Stewart Consulting
2211 Rampart #130
Las Vegas, NV 89124
(702) 499-6469-Cell
(702) 946-0857-fax

January 12, 2010

City of Las Vegas, Planning & Development
739 South Fourth Street
Las Vegas, NV. 89101

RE: APN 163-02-802-006, 2475 S. Jones

Dear Sir or Madam:

Please accept this letter as our request for a Special Use Permit to allow the existing Check City Payday & Auto Title Loan store to purchase gold on the premises. Recently there have been several commercials on TV for gold purchase where the customer requests an envelope, places their broken or discarded gold jewelry in the envelope and send it to the company. In turn, the company send the customer a check for approximately 10-15 cents on the dollar.
.
Check City would like to do something similar, only with more controls and a better situation for the customer. The customer brings the jewelry to the store and it is weighed and the customer walks away with a check for approximately 60-65 cents on the dollar-5 times more than if they mailed it. Also, the customer has control because they actually hand it over to a person, not a post office. In addition, it is held for 30 days so if the customer changes their mind they can return and get their jewelry back. Also, every purchase is reported to Metro on a daily basis. There is no resale of the jewelry, it is not a loan but a purchase of the jewelry for the gold. It will be an incidental use to the main business and is considered just another service for the customer. Please contact me with any questions regarding this matter. Thank you for your consideration in this matter.

Yours truly,

Lucy Stewart
LA Stewart Consulting

RECEIVED
JAN 12 2010

SUP-37155
02/25/10 PC

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 25, 2010

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

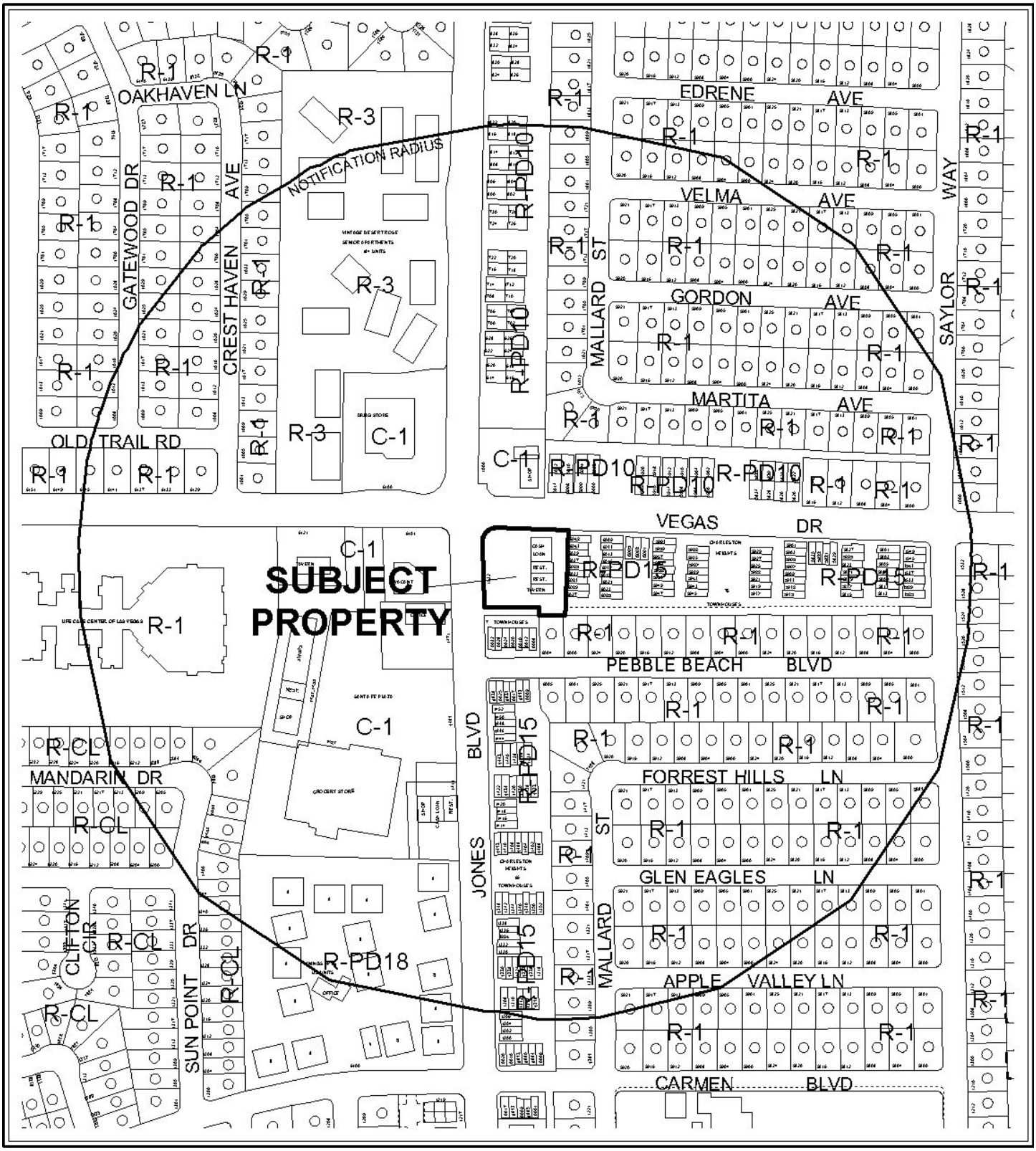
SUBJECT:
SUP-37152- SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: RAPID CASH - OWNER: BECKER INVESTMENT COMPANY, LP - Request for a Special Use Permit TO ADD A JEWELRY STORE, CLASS III USE TO AN EXISTING 2,400 SQUARE-FOOT AUTO TITLE LOAN AND FINANCIAL INSTITUTION, SPECIFIED at 1532 North Jones Boulevard (APN 138-25-101-001), C-1 (Limited Commercial) Zone, Ward 5 (Barlow)

C.C.: 04/07/2010
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



0 300 600 Feet

CASE: **SUP-37152**

RADIUS: 1000 FT

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

N

0 300 600 Feet

CASE: **SUP-37152**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-37152- APPLICANT: RAPID CASH - OWNER: BECKER INVESTMENT COMPANY, L.P.

** CONDITIONS **

Staff recommends APPROVAL, subject to conditions:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Jewelry Store Class, III 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. A sign permit shall be obtained for all unpermitted signage from the Department of Building and Safety within 30 days of final approval.

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

JG

SUP-37152 - Staff Report Page One
February 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This application is a request for a Special Use Permit to add a Jewelry Store, Class III use within an existing 2,400 square-foot Auto Title Loan and Financial Institution, Specified at 1532 North Jones Boulevard. The use will allow the option to buy broken or discarded jewelry on the premises. There is no resale of the jewelry; it is not a loan, but a purchase of the jewelry for the gold. Staff recommends approval of this request, as the proposed use meets minimum requirements for a Jewelry Store, Class III, and is compatable with surrounding land uses.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
06/17/70	The Board of City Commissioners approved a request for a Zoning Reclassification (Z-0029-70) from R-3 (Limited Multiple Residence) to C-1 (Service Commercial) by Resolution of Intent on property generally located on the southeast corner of Vegas Drive and Jones Boulevard. The Planning Commission and staff recommended approval.
02/03/71	The Board of City Commissioners approved a request for a Reinstatement and six-month Extension of Time for a Zoning Reclassification (Z-0029-70) from R-3 (Limited Multiple Residence) to C-1 (Service Commercial) by Resolution of Intent on property generally located on the southeast corner of Vegas Drive and Jones Boulevard. The Planning Commission recommended approval.
09/12/73	The Board of City Commissioners approved a request for a Reinstatement and six-month Extension of Time for a Zoning Reclassification (Z-0029-70) from R-3 (Limited Multiple Residence) to C-1 (Service Commercial) by Resolution of Intent on property generally located on the southeast corner of Vegas Drive and Jones Boulevard. The Planning Commission recommended approval.
03/20/74	The Board of City Commissioners approved a request for a six-month Extension of Time for a Zoning Reclassification (Z-0029-70) from R-3 (Limited Multiple Residence) to C-1 (Service Commercial) by Resolution of Intent on property generally located on the southeast corner of Vegas Drive and Jones Boulevard. The Planning Commission recommended approval.
03/22/79	The Board of Zoning Adjustment approved Use Permit (U-0012-79) to allow the retail sale of gasoline on property generally located on the southeast corner of Vegas Drive and Jones Boulevard.

Related Building Permits/Business Licenses	
08/28/01	A building permit (#01015364) was issued for a Non-Work Certificate of Occupancy for a Convenience Store at 1532 North Jones Avenue. A final inspection was completed on 8/27/01.
03/05/02	A building permit (#02003881) was issued for two wall signs at 1532 North Jones Avenue. No final inspection was completed.
03/07/02	A building permit (#02004103) was issued for Tenant Improvement for a Certificate of Occupancy at 1532 North Jones Avenue. A final inspection was completed on 4/09/02.
04/10/02	A business license (C21-00114) was issued for a Check Cashing Service at 1532 North Jones Boulevard. The license was reclassified on 2/19/09 as a (N02-00023) for a Non-Depository Lender.
02/04/09	A business license (W10-00220) was issued for a Wire Transfer at 1532 North Jones Boulevard. The license is still active.
02/19/09	A business license (N02-00023) was issued for a Non-Depository Lender at 1532 North Jones Boulevard. The license is still active.
Pre-Application Meeting	
12/02/09	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for a Jewelry Store, Class III were discussed. The topics included: • The submittal of application materials, meeting dates, and deadlines were discussed at the pre-application meeting.
Neighborhood Meeting	
A neighborhood meeting is not required for this application, nor has one been conducted.	
Field Check	
01/21/10	During a routine site inspection staff observed: • Unpermitted Banner on the store front.

Details of Application Request	
Site Area	
Gross Acres	0.95

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Auto Title Loan, Financial Institution, Specified, Retail and Office	SC (Service Commercial)	C-1 (Limited Commercial)

North	Restaurant/ Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)
South	Townhouses	M (Medium-Density Residential)	R-PD15 (Residential Planned Development – 15 Units per Acre)
East	Townhouses	M (Medium-Density Residential)	R-PD15 (Residential Planned Development – 15 Units per Acre)
West	Restaurant/ Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Area Plan		X	N/A
Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
A-O Airport Overlay District (140 foot)	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	
Financial Institution, Specified, Auto Title Loan, Jewelry Store, Class III	2,400 SF	1/175 SF	14				
Office, Other Than Listed	1,008 SF	1/300 SF	4				

General Retail Store, Other Than Listed (Less than 3500 Square Feet)	1,008 SF	1/175 SF	6				
Liquor Establishment (Tavern)	2,017 SF	1/50 SF(1097 sf) 1/200 SF (920 sf)	27				
SubTotal			48	3	49	3	
TOTAL			51		52		Y

ANALYSIS

This is a request for a Special Use Permit for a Jewelry Store, Class III use within an existing Auto Title Loan and a Financial Institution, Specified at 1532 North Jones Boulevard. A Jewelry Store, Class III use is defined by Title 19.20.020 as a "store which buys and sells scrap precious metals for marketing as a commodity in bar form or in other than jewelry form, or which buys and sells precious metal bars and coins that are sold as a commodity rather than for numismatic purposes. This may include operations similar to a new jewelry store." The proposed use is within the guideline of the permissible use definition. The applicant will buy used jewelry as a way to acquire gold, with no resale of the acquired items to the general public.

The parking requirement for the existing Auto Title Loan and Financial Institution, Specified, is one space per 250 square feet, but the proposed Jewelry Store, Class III use has a more intense parking requirement of one space per 175 square feet. The site can accommodate the more restrictive parking requirements of the proposed Jewelry, Class III use; the use meets all minimum requirements of the Jewerly Store, Class III and is compatable with adjacent development. Therefore, staff recommends approval.

FINDINGS

The following findings must be made for a Special Use Permit:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

The proposed Jewelry Store Class III use can be conducted in a manner that is harmonious and compatible with the uses in the existing shopping center and with the uses on adjacent properties.

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

   The subject site is physically suitable for the type and intensity of the proposed use. The existing site can accommodate the more restrictive parking requirements of the proposed Jewelry, Class III use. The proposed use will be operated in conjunction with the existing Auto Title Loan and Financial Institution, Specified business.

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 Vegas Drive and Jones Boulevard, both of which are 80-foot Secondary Collectors, as designated in the Master Plan of Streets and Highways. These streets provide adequate access to and from the subject property.

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

   Approval of the proposed Special Use Permit will not compromise the public health, safety and general welfare, as the use will be subject to regular inspections for business licensing.

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

   The proposed use complies with the Minimum Special Use Permit requirements. There are no distance separation requirements for a Jewelry Store Class III use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 468

APPROVALS 0

PROTESTS 2

JG

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-37152 APN: 138-25-101-001

Name of Property Owner: Becker Inv. Co. LP

Name of Applicant: Rapid Cash

Name of Representative: Rapid Cash

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.

N/A City Official: _____

Partner(s): _____ _____

APN: _____

Becker Investment Co. L.P.

Signature of Property Owner: By: _____
Barry W. Becker, Trustee

Print Name: By: Barry W. Becker and Susan D. Becker Family Trust
Its: General Partner

Subscribed and sworn before me

This 23 day of December, 2009

Melissa Hamilton
Notary Public in and for said County and State

NOTARY PUBLIC
MELISSA HAMILTON
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. APRIL 28, 2012
No: 08-6528-1

RECEIVED
JAN 12 2010

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: SUP for Jewelry Store, Class III

Project Address (Location) 1532 N. Jones Blvd

Project Name Rapid Cash Gold Purchase **Proposed Use** Jewelry StoreClass III

Assessor's Parcel #(s) 138-25-101-001 **Ward #** 5

General Plan: existing NC proposed NC **Zoning:** existing C-1 proposed C-1

Commercial Square Footage na **Floor Area Ratio** na

Gross Acres na **Lots/Units** na **Density** na

Additional Information Existing payday locations will add service of purchasing gold

PROPERTY OWNER Becker Inv. Co. LP **Contact** c/oBecker Inves.

Address 50 S. Jones **Phone:** **Fax:**

City Las Vegas **State** NV **Zip** 89107

E-mail Address Cmartin@beckerlv.com

APPLICANT Rapid Cash **Contact** Chris Darnell

Address 3527 N Ridge Rd **Phone:** (316) 214-5174 **Fax:**

City Wichita **State** KS **Zip** 67205

E-mail Address ChrisDarnell@speedyinc.com

REPRESENTATIVE Rapid Cash **Contact** Chris Darnell

Address 3527 N Ridge Rd **Phone:** (316) 214-5174 **Fax:**

City Wichita **State** KS **Zip** 67205

E-mail Address ChrisDarnell@speedyinc.com

Property Owner Signature* By: Barry W. Becker, Trustee

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Becker Inv. Co. LP By: Barry W. Becker and Susan D. Becker Family Trust, Its: General Partner

Subscribed and sworn before me

This 23 day of DECEMBER, 20 09.

Melissa Hamilton

Notary Public in and for said County and State

NOTARY PUBLIC
MELISSA HAMILTON
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. APRIL 25, 2012
No: 08-6528-1

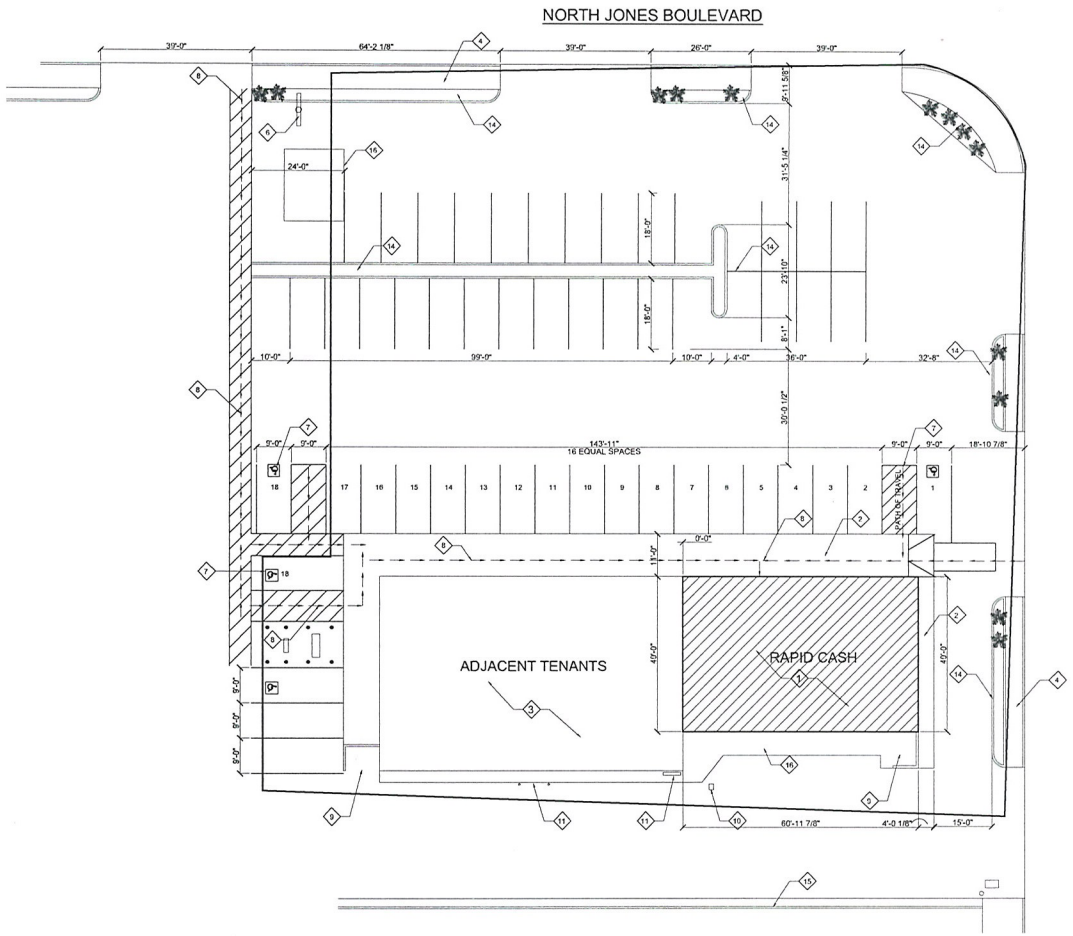
Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SUP-37152
Meeting Date:	2/25/10
Total Fee:	1030.00
Date Received:*	1/12/10
Received By:	M Rex

*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

f:\depot\Application Packet\Application Form.pdf



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JAN 29 2010

TRUE NORTH

SITE PLAN

1 MAIN BUILDING	6 PYLON SIGN (MULTIPLE TENANT)	11 MAIN ELECTRICAL PANEL	16 WALK WAY
2 ROOF OVERHANG, TYP.	7 ADA ACCESSIBLE PARKING SPACE	12 ELECTRICAL PANEL	17 SMALL WINDMILL STRUCTURE
3 ADJACENT TENANT	8 ADA PATH OF TRAVEL	13 GAS UTILITY	
4 CITY SIDEWALK	9 TRASH ENCLOSURE	14 LANDSCAPING / PLANTER	
5 BUILDING PYLON (NOT USED)	10 WATER METER LOCATION	15 MASONRY WALL	

KEY NOTES

SUP-37152
REVISED
02/25/10 PC

SCALE: 1/16"=1'-0" (2)

LANDSCAPING	EXISTING	NON-EXISTING
LANDSCAPING	X	
IRRIGATION		X
SWALES		X
GROUND COVER	X	

BUILDING AREA	1329.0
PARKING	
EXISTING NON-ACCESS COMMON USE	41
REQUIRED NON-ACCESS	4
EXISTING ACCESSIBLE	3
REQUIRED ACCESSIBLE	1
TOTAL PARKING PROVIDED	7

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

Project Owner:

RAPID CASH

Consultant:

Menemsha construction solutions
■ TI Planning ■ CMG Construction ■ Brand Builders
■ Boston ■ Los Angeles

T.I. PLANNING & MANAGEMENT
4950 W. 145TH ST.
HAWTHORNE, CA 90250
Voice: 310-343-3430
Fax: 310-343-3431
www.menemshasolutions.com

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Menemsha Companies.

Project Address:

RAPID CASH 15
1532 NORTH JONES BOULEVARD
LAS VEGAS, NV 89108

Stamp:

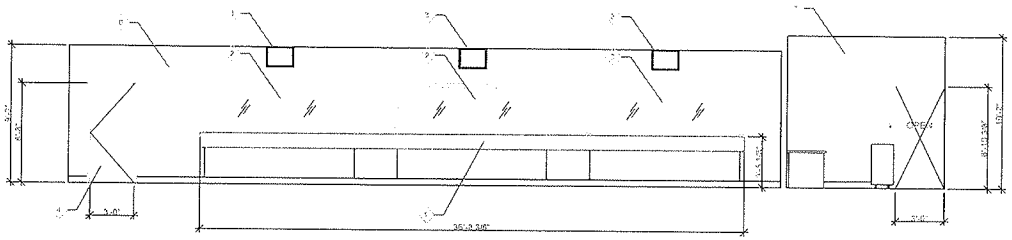
No.	Date	Description

Sheet Title:

SITE PLAN

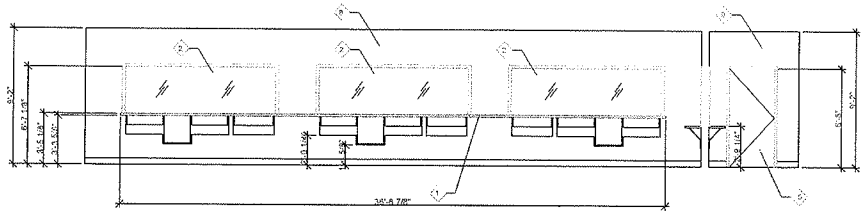
REVIEWED BY: RH
DRAWN BY: OG
DWG. DATE: 01/22/10
SCALE: AS NOTED
PROJECT NUMBER: 12148
SHEET:

A100



INTERIOR ELEVATION

SCALE: 1/4"=1'-0" (3)



INTERIOR ELEVATION

SCALE: 1/4"=1'-0" (2)

1. TELLER COUNTER , TYP
2. TELLER GLASS WINDOW, TYP.
3. WALL MOUNTED TV MONITOR
4. DOOR TO HALLWAY 102
5. DOOR TO LOBBY 101
6. LOBBY 101
7. OFFICE 105
8. TELLER AREA 103
9. HALLWAY 102

KEYNOTES

SCALE: NTS (1)

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JAN 12 2010

SUP-37152
02/25/10 PC

Project Owner:

RAPID CASH

Consultant:

Menemsha construction solutions
■ TI Planning ■ CM/GC Construction ■ Shell Builders
■ Boston ■ Los Angeles

T.I. PLANNING & MANAGEMENT
4959 W. 145TH ST.
HAWTHORNE, CA 90250
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LAS VEGAS, NV 89108

Stamp:

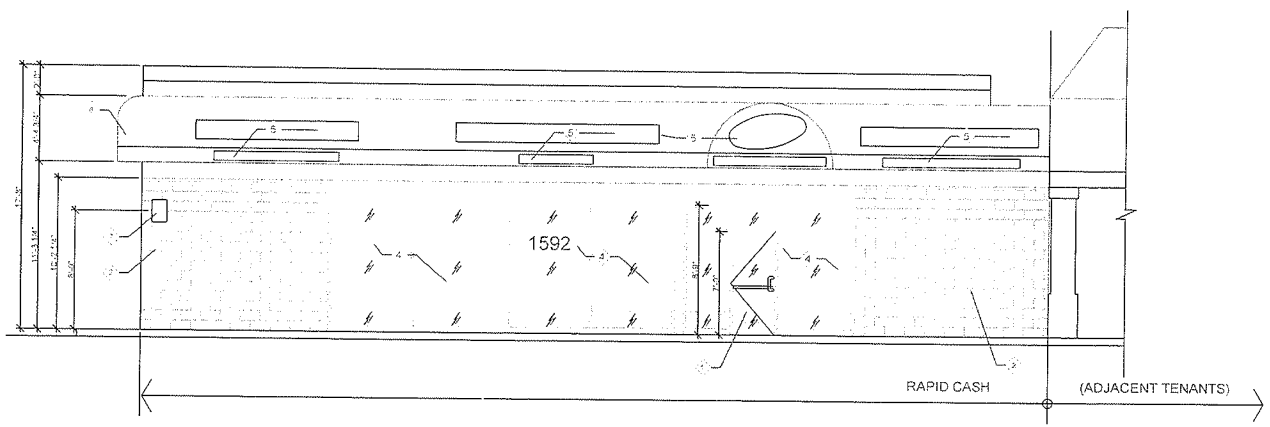
No.	Date	Description

Sheet Title:

INTERIOR ELEVATION

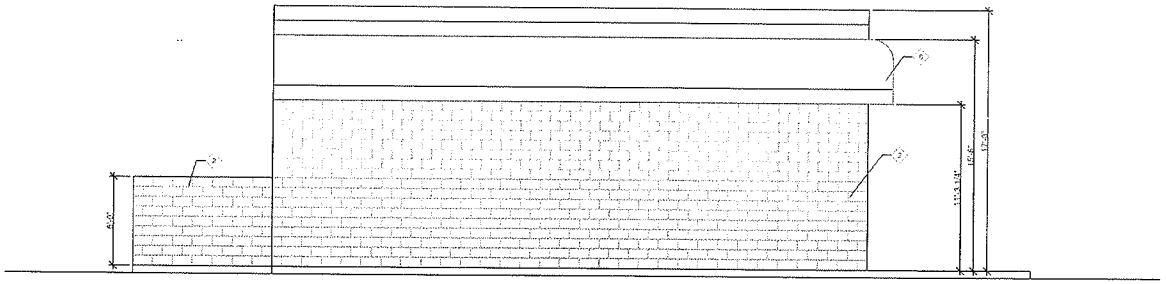
REVIEWED BY: RH
DRAWN BY: OG
DWG. DATE: 10/28/09
SCALE: AS NOTED
PROJECT NUMBER: 12148
SHEET:

A220



EXTERIOR ELEVATION - NORTH

SCALE: 1/4"=1'-0" (3)



EXTERIOR ELEVATION - WEST

SCALE: 1/4"=1'-0" (2)

1. MAIN ENTRANCE
2. MASONRY BLOCK
3. CONTROL JOINTS - NOT USED
4. STOREFRONT GLASS TYP
5. RAPID CASH SIGNAGE
6. CANVASS AWNING
7. ACCESSIBLE PARKING SIGN

KEYNOTES

SCALE: NTS (1)

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JAN 12 2010

SUP-37152
02/25/10 PC

Project Owner:

RAPID CASH

Consultant:

Menemsha construction solutions
■ TI Planning ■ CMG Construction ■ Brand Builders
■ Boston ■ Los Angeles

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4909 W. 147TH ST.
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1532 NORTH JONES BOULEVARD
LAS VEGAS, NV 89108

Stamp:

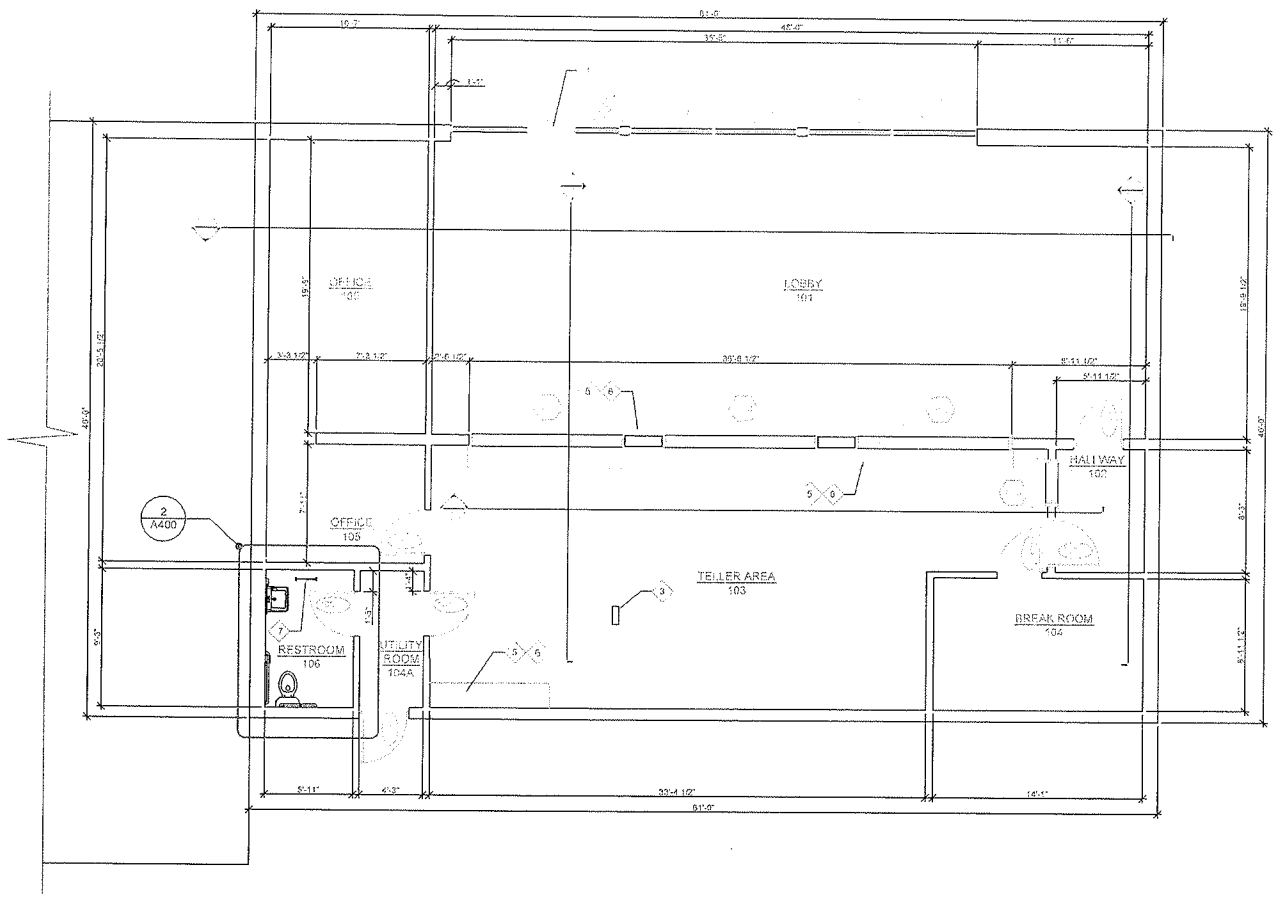
No.	Date	Description

Sheet Title:

EXTERIOR ELEVATION

REVIEWED BY: RH
DRAWN BY: OG
DWG. DATE: 10/28/09
SCALE: AS NOTED
PROJECT NUMBER: 12148
SHEET:

A200



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JAN 12 2010

FLOOR PLAN

SCALE: 1/4"=1'-0" (2)

1 MAIN ENTRANCE
2 ROOF OVERHANG
3 COLUMN
4 PARTIAL HEIGHT WALL (NOT IN USE)
5 COUNTER
6 BUILT-IN MILLWORK (CABINETS/SHELVES)
7 ROOF ACCESS

KEYNOTES

SCALE: NTS (1)

SUP-37152
02/25/10 PC

Project Owner:

RAPID CASH

Consultant:

Menemsha construction solutions
TI Planning ■ CMC Construction ■ Brand Builders
■ Boston ■ Los Angeles

TI PLANNING & MANAGEMENT
4950 W. 147th ST.
HAWTHORNE, CA 90250
Voice: 310-343-3410
Fax: 310-343-3431
www.menemshasolutions.com

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Menemsha Companies

Project Address:

RAPID CASH 15
1532 NORTH JONES BOULEVARD
LAS VEGAS, NV 89108

Stamp:

No.	Date	Description

Sheet Title:

FLOOR PLAN

REVIEWED BY: RH
DRAWN BY: OG
DWG. DATE: 10/26/09
SCALE: AS NOTED
PROJECT NUMBER: 12148
SHEET:

A110

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JAN 12 2010

SUP-37152
02/25/10 PC

PAYDAY LOANS
NO CREDIT REQUIRED
CHECK CASHING
LOW RATES
RAPID CASH
FAST AND EASY
TITLE LOANS
SIGNATURE LOANS
CASH TODAY!
EASY APPROVAL!
1532
TITLE LOANS
SIGNATURE LOANS
OPEN
PAYDAY LOANS
SUP-37152
02/25/10 PC
RECEIVED
JAN 12 2010

PAYDAY LOANS
NO CREDIT REQUIRED
CHECK CASHING
LOW RATES
RAPID CASH
FAST AND EASY
TITLE LOANS
SIGNATURE LOANS
CASH TODAY!
EASY APPROVAL!
1532
PAYDAY LOANS
RECEIV
JAN 12 2010
REC
SUP-37152
02/25/10 PC

SUP-37152 - : RAPID CASH - OWNER: BECKER INVESTMENT COMPANY, LP
1532 NORTH JONES BOULEVARD
FEBRUARY 25, 2010 PLANNING COMMISSION

01/22/10

SUP-37152 - : RAPID CASH - OWNER: BECKER INVESTMENT COMPANY, LP
1532 NORTH JONES BOULEVARD
FEBRUARY 25, 2010 PLANNING COMMISSION

01/22/10

SUP-37152 – : RAPID CASH - OWNER: BECKER INVESTMENT COMPANY, LP
1532 NORTH JONES BOULEVARD
FEBRUARY 25, 2010 PLANNING COMMISSION

01/22/10

LA Stewart Consulting
2211 Rampart #130
Las Vegas, NV 89124
(702) 499-6469-Cell
(702) 946-0857-fax

November 18, 2009

City of Las Vegas, Planning & Development
739 South Fourth Street
Las Vegas, NV. 89101

RE: APN 138-25-101-001-1532 N. Jones

Dear Sir or Madam:

Please accept this letter as our request for a Special Use Permit to allow the existing Rapid Cash Payday & Auto Title Loan store to purchase gold on the premises (jewelry store, class III). Recently there have been several commercials on TV for gold purchase where the customer requests an envelope, places their broken or discarded gold jewelry in the envelope and send it to the company. In turn, the company sends the customer a check for approximately 10-15 cents on the dollar.

Rapid Cash would like to do something similar, only with more control and a better situation for the customer. The customer brings the jewelry to the store where it is weighed. The customer walks away with a check for approximately 50-55 cents on the dollar-5 times more than if they mailed it. Also, the customer has control because they actually hand it over to a person, not a post office. Also, every purchase is reported to Metro on a daily basis.

There is no resale of the jewelry; it is not a loan but a purchase of the jewelry for the gold. It will be an incidental use to the main business and is considered just another service for the customer. Please contact me with any questions regarding this matter. Thank you for your consideration in this matter.

Yours truly,

Lucy Stewart
LA Stewart Consulting

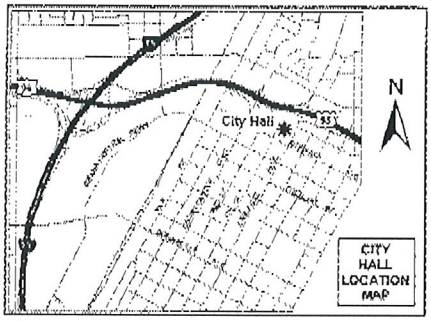
RECEIVED
JAN 12 2010
SUP-37152
02/25/10 PC

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 FEB12 2010
MAILED FROM ZIPCODE 89101

Return Service Requested
Official Notice of Public Hearing



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

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37152

Planning Commission Meeting of 2/25/2010 We See Cops arresting people at this location at least 2 times a week

Case: SUP-37152-LABELS
13824412059
FISHER PHILLIP C
5905 MARTITA AVE
LAS VEGAS NV 89108-2479

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FEB 16 2010

18P

PAGE 01

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

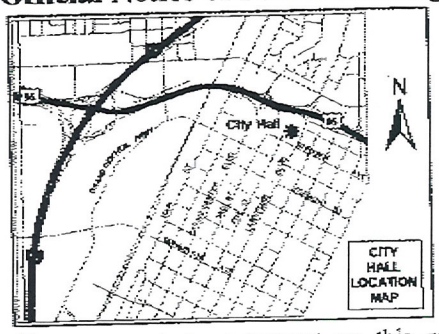
PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 FEB 12 2010
MAILED FROM ZIP CODE 89101

Return Service Requested

Official Notice of Public Hearing

RECEIVED FEB 16 2010



Too much of this in the neighborhood 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.

SUP-37152

Planning Commission Meeting of 2/25/2010

Case: SUP-37152-LABELS

13825111021
CORNELIUS ROBERT STANLEY
1442 N JONES BLVD
LAS VEGAS NV 89108-1621

LAV0511 89108

CORNELIUS
02/14/2010 10:55 7023625011

89

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 25, 2010

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

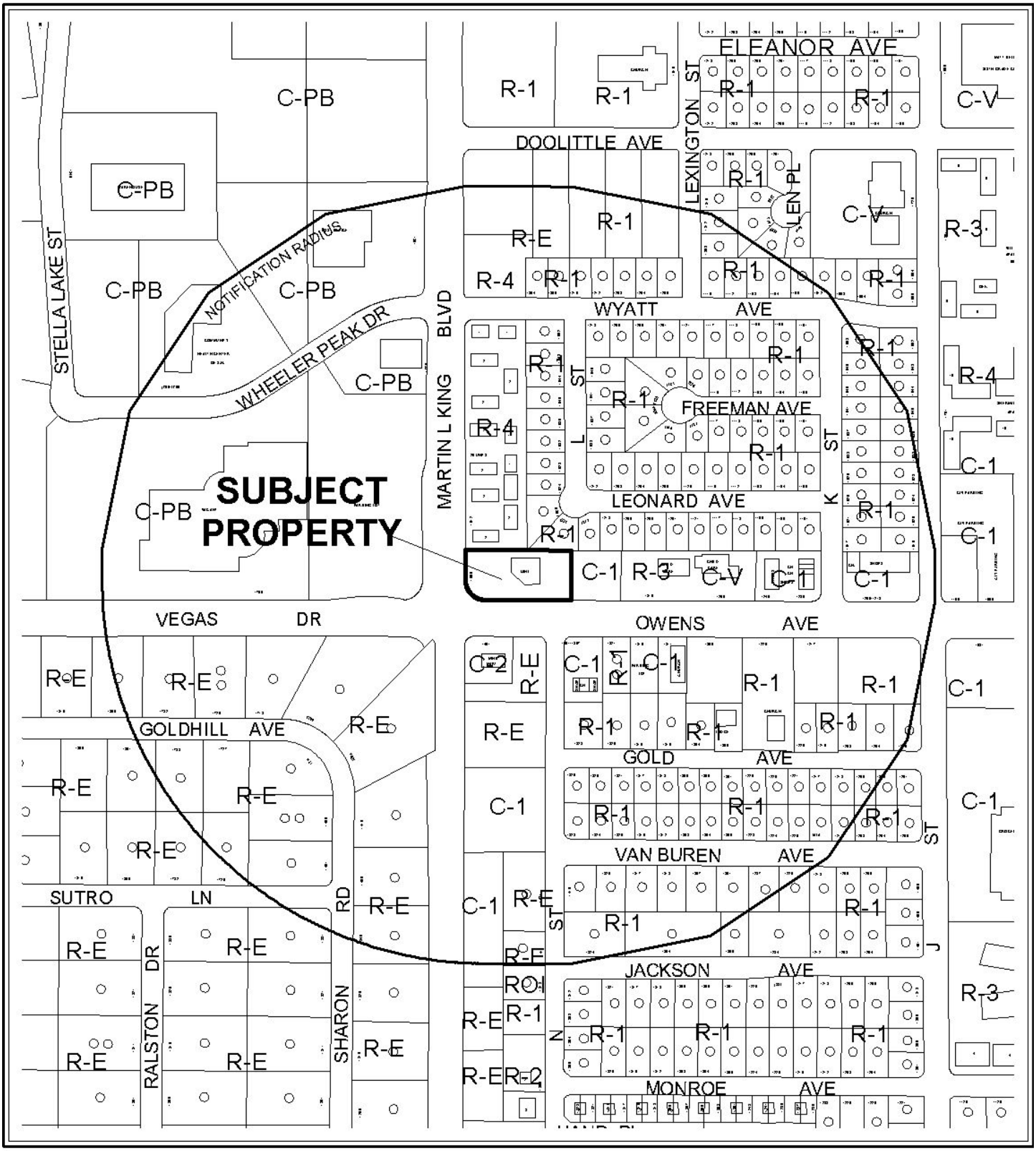
SUBJECT:
SUP-37198 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/ OWNER: JAE SHIK KWON AND JI BEOM KWON, ET AL - Request for a Special Use Permit to ADD A GAMING ESTABLISHMENT, GENERAL BUSINESS-RELATED USE (FOUR GAMING MACHINES) WITHIN AN EXISTING CONVENIENCE STORE at 1600 North Martin L King Boulevard (APN 139-21-804-006), C-1 (Limited Commercial) Zone, Ward 5 (Barlow)

C.C.: 04/07/2010
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:
Staff recommends APPROVAL, subject to conditions:

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



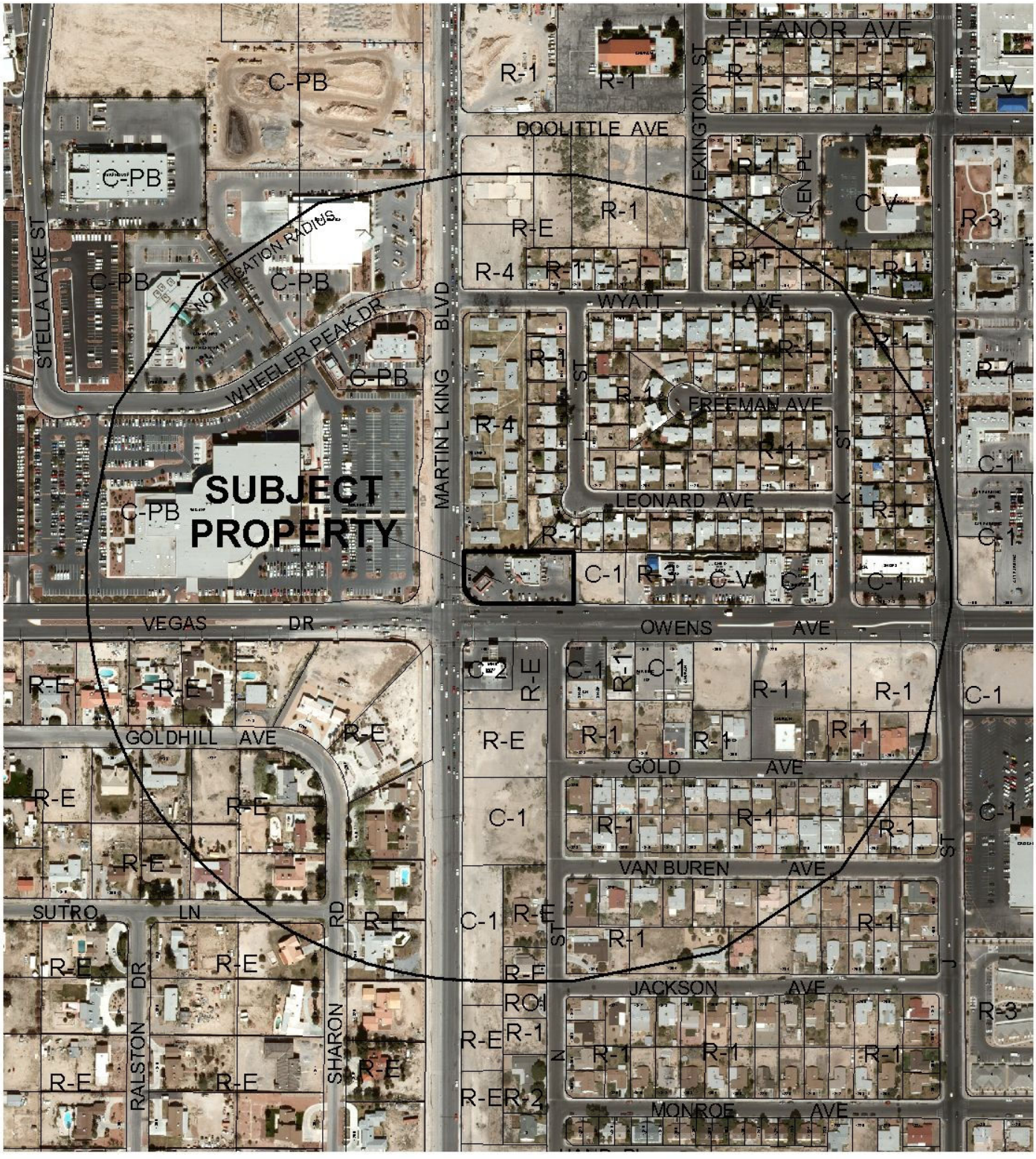
0 300 600 Feet

CASE: **SUP-37198**

RADIUS: 1000 FT

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

N



0 300 600 Feet

CASE: **SUP-37198**

RADIUS: 1000 FT

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

N

SUP-37198

Gaming Restricted Locations

Gaming Restricted

Subject Property

Residential Property

200ft &
1000ft Buffer

N

0 250 500 1,000 Feet

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-37198 – APPLICANT/OWNER: JAE SHIK KWON AND JI BEOM KWON, ET AL

** CONDITIONS **

Staff recommends APPROVAL, subject to conditions:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Gaming Establishment, General Business-Related use.

2. Approval of this Special Use Permit does not constitute approval of a gaming license.

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

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

SUP-37198 - Staff Report Page One
February 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a Gaming Establishment, General Business Related to be added to an existing 4,422 square-foot Convenience Store, located at 1600 Martin Luther King Boulevard. Four gaming machines are to be located near the entry way of store. If denied, the proposed use will not be permitted at this location. Staff is recommending approval of the request as it is a permitted use within the C-1 (Limited Commercial) zoning designation and can be conducted in a manner that is compatible with surrounding land uses.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales	
07/08/65	The City Council approved a request for a Reclassification (Z-0028-65) from R-1 (Single Family Residential), R-E (Residence Estates), R-3 (Medium Density Residential) and R-4 (High Density Residential) to C-1 (Limited Commercial) and P-R (Professional Office and Parking) of a property generally located on Owens Avenue between "J" Street and Highland Drive. The Planning Commission recommended approval.
03/13/78	The City Council approved a request for a Reclassification (Z-0025-78) from R-3 (Medium Density Residential) and R-4 (High Density Residential) to C-2 (General Commercial) for a property generally located on the northeast corner of Owens and Highland Drive. The Planning Commission recommended approval.
05/18/94	The City Council reconsidered a request for Reclassification of Zoning (U-0005-94). The Planning Commission and staff recommended approval.
07/20/94	The City Council approved a request for a Special Use Permit (U-0084-94) for the sale of Beer and Wine and the sale of gasoline at a proposed convenience store. The Board of Adjustment recommended approval.
10/06/99	The City Council denied a request for a Special Use Permit (U-0074-99) for the Off-Premise Sale of Beer and Wine in conjunction with 4,422 square foot convenience store; and a waiver of the 400 foot separation requirement from a Church and a Child Care Facility on property located at 1600 Martin L. King Boulevard. The Planning Commission and staff recommended approval.
10/06/99	The City Council denied a request for a Special Use Permit (U-0073-99) for gasoline sales in conjunction with a 4,422 square foot Convenience Store on a property located at 1600 Martin L. King Boulevard. The Planning Commission and staff recommended approval.

04/21/04	The City Council approved a request for a Special Use Permit (SUP-3875) for gasoline sales in conjunction with a 4,500 square foot convenience store at 1600 North Martin L. King Boulevard. The Planning Commission and staff recommended approval.
02/23/06	A deed was recorded for change of ownership.
Related Building Permits/Business Licenses	
01/24/95	A building permit (#95364764) was issued for a tenant improvement at 1600 North Martin Luther Boulevard. The permit expired on 08/26/95.
09/22/06	A business license (R05-00506) was issued for a restaurant take-out at 1600 North Martin Luther Boulevard. The license was marked out of business on 10/30/07.
07/23/09	A business license (R05-00506) was issued for a restaurant take-out at 1600 North Martin Luther Boulevard. The license was marked out of business on 10/30/07.
Pre-Application Meeting	
12/17/09	A pre-application meeting was held to discuss the application submittal requirements for a Gaming Establishment, General Business-Related use. Topics included: • The applicant was informed that no alcohol sales will be allowed because of the close proximity of a daycare. • The submittal requirement for a Gaming Establishment, General Business-Related use was explained to applicant. • The applicant was informed that he would need an enlarged and revised site plan, revised floor plan indicating where the four slot machines will be located, and the submittal of an accurate parking analysis.
Neighborhood Meeting	
A neighborhood meeting is not required for this application, nor was one held.	

Field Check	
01/21/10	Staff conducted a site visit and observed the following: • An existing and well maintained Convenience Store. • The hours of operation listed on the store front door from 5:30 a.m. to 11 p.m. • The existing landscaping is as approved.

Details of Application Request	
Site Area	
Gross Acres	.92

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Convenience Store	C (Commercial)	C-1 (Limited Commercial)
North	Apartments / Residential	MXU (Mixed Use) / L (Low Density Residential)	R-4 (High Density Residential) / R-1 (Single Family Residential)
South	Convenience Store	C (Commercial)	C-2 (General Commercial)/ R-E (Residence Estates)
East	Undeveloped	C (Commercial)	C-1 (Limited Commercial)
West	Office	LI/R (Light Industry / Research)	C-PB (Planned Business Park)

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Area Plan			
Downtown Redevelopment Area	X		Y
West Las Vegas Plan	X		Y
Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (140 Feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	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	
Convenience Store	3,139 SF	1:175 SF GFA	18				
Restaurant	1,283 SF	1:100 SF	13				
SubTotal	4,422 SF		29	2	35	2	Y
TOTAL			**31**		**37**		**Y**

AO

ANALYSIS

This is a request for a Special Use Permit for a Gaming Establishment, General Business-Related use which according to Title 19 is defined as "a building or structure which is primarily used for some business other than gaming but in which restricted gaming is permitted pursuant to Title 6." Title 6.40 allows no more than four gaming machines if the location contains less than 5,000 square feet of floor area. The existing building floor area is 4,422 square-feet and the four machines will be located adjacent to the entrance of the convenience store; this area represents three percent of the floor area of the store. There is no alcohol sold on the premises.

No additional parking is required for a Gaming Establishment, General Business-Related use. The hours of operation are from 5:30 a.m. to 11:00 p.m. seven days a week. There are no minimum use conditions for the Special Use Permit and the use can be conducted in a manner that is compatible with existing and surrounding land uses; therefore, staff recommends approval of this request.

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 Gaming Establishment, General Business-Related use can be conducted in a manner that is harmonious and compatible with the existing surrounding commercial uses. The proposed use is a will be operated in conjunction with the existing Convenience Store.

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

   The subject site has ample space on-site for parking that makes it physically suitable for the proposed Gaming Establishment General Business-Related use.

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

   Access to the site is via Owens Avenue and Martin Luther King Boulevard. Both are designated as 100-foot Primary Arterials by the Master Plan of Streets and Highways. These thoroughfares are 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."**

   If approved, the proposed use on this site will be subject to periodic inspection by regulatory agencies for business licensing and environmental health, and it will therefore not compromise the public health, safety and welfare, or the overall objectives of the General Plan.

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

   The proposed Gaming Establishment General Business-Related use meets all applicable conditions of Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

NOTICES MAILED 190

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

RECEIVED
JAN 15 2010

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-37198 APN: 139-21-804-006

Name of Property Owner: KWON MANAGEMENT, INC

Name of Applicant: _____

Name of Representative: _____

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

_____ Yes _____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: Bok Soo Kwon

Print Name: BOK SOO KWON

Subscribed and sworn before me

This 18th day of December, 2009

Maria Guzman Clark, Nevada

Notary Public in and for said County and State

MARIA GUZMAN
NOTARY PUBLIC - STATE OF NEVADA
COUNTY OF CLARK
APPT. No. 08-6838-1
MY APPT. EXPIRES SEPTEMBER 10, 2011

DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

JAN 15 2010 JAN 15 2010

APPLICATION / PETITION FORM

Application/Petition For: MLK GAS MART

Project Address (Location) 1600 N. MARTIN LUTHER KING, 89106

Project Name _____ **Proposed Use** _____

Assessor's Parcel #(s) 139-21-804-006 **Ward #** 5

General Plan: existing C proposed – **Zoning:** existing C-1 proposed –

Commercial Square Footage 4,422 **Floor Area Ratio** –

Gross Acres 0.92 **Lots/Units** – **Density** –

Additional Information TI

KWON MANGEMENT, INC, (B.K)

PROPERTY OWNER _____ **Contact** _____

Address 1600 N MARTIN LUTHER KING **Phone:** 538-6278 **Fax:** _____

City Las Vegas **State** Nevada **Zip** 89101

E-mail Address N/A

APPLICANT BOK KWON **Contact** BOK KWON

Address 1600 N. MARTIN LUTHER KING **Phone:** 550-1078 **Fax:** –

City LAS VEGAS **State** NV **Zip** 89106

E-mail Address N/A

REPRESENTATIVE Taylor Consulting Group, LLC **Contact** Nathaniel Taylor

Address P.O. Box 750521 **Phone:** (702) 280-6175 **Fax:** _____

City Las Vegas **State** NV **Zip** 89136

E-mail Address nathan@thetaylorconsultinggroup.com

Property Owner Signature* _____

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name BOK SOO KWON

Subscribed and sworn before me

This 30th day of November, 2009.

Bea Green

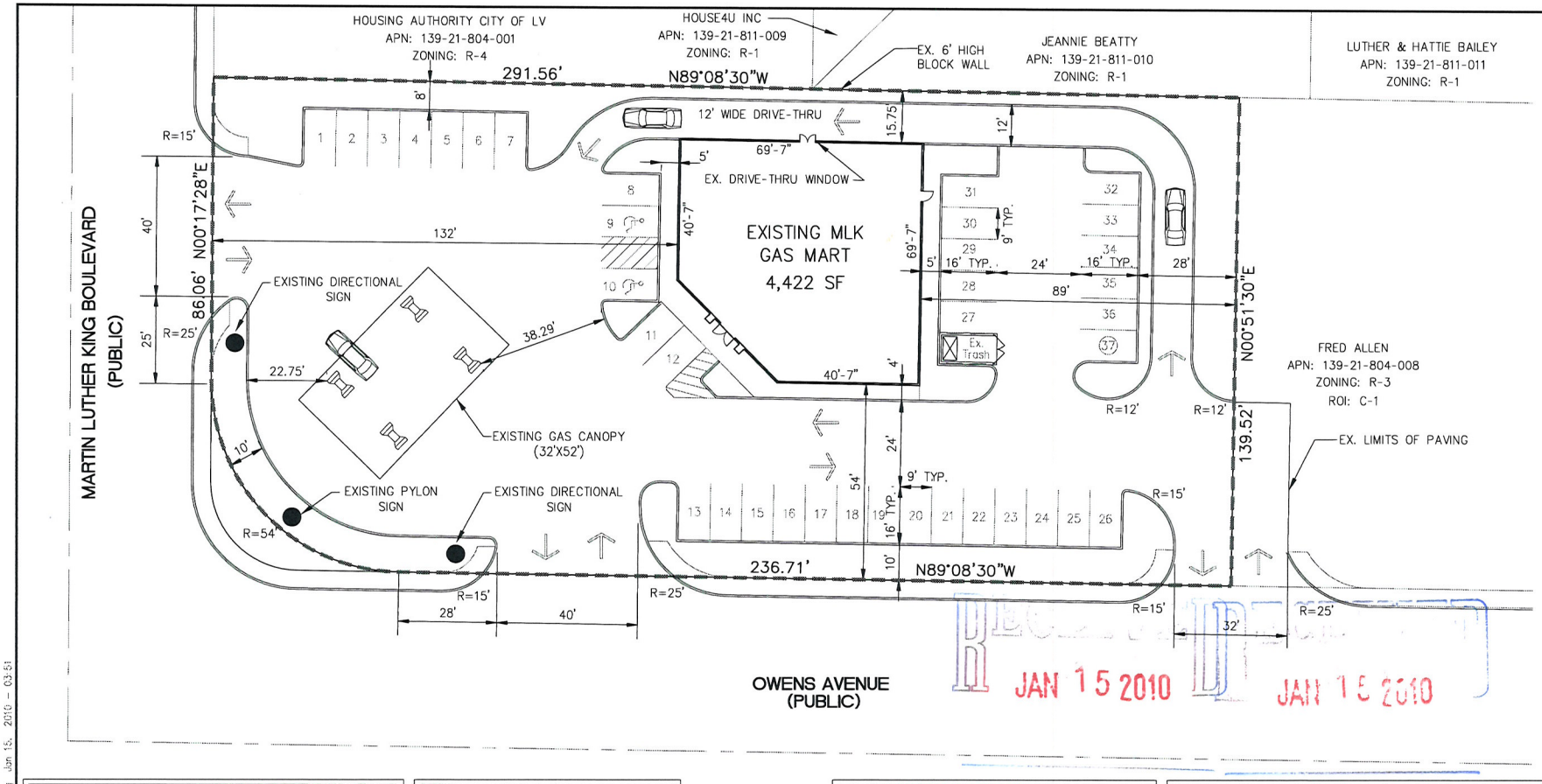
Notary Public in and for said County and State

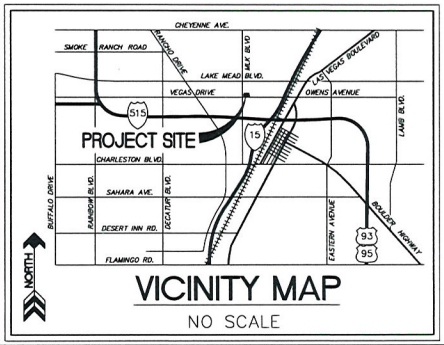
BEA GREEN
NOTARY PUBLIC - STATE OF NEVADA
COUNTY OF CLARK
APPT. No. 86-1659-1
MY APPT. EXPIRES APRIL 11, 2012

FOR DEPARTMENT USE ONLY

Case #	SUP 37198
Meeting Date:	3.11.10
Total Fee:	$1,080.–
Date Received:*	1.15.10
Received By:	JTA

*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.





VICINITY MAP
NO SCALE

LEGEND

- BACK OF CURB
- FACE OF CURB
- EGDE OF PAVEMENT
- PROPERTY LINE
- 29 PARKING STALL COUNT
- INGRESS/EGRESS ARROWS
- GAS PUMPS
- FREESTANDING SIGN

NORTH

0 30 60
FEET

SITE DATA

ASSESSOR PARCEL NUMBER	=	139-21-804-006
EXISTING ZONING	=	C-1
LOT AREA	=	39,971± SF
TOTAL BUILDING AREA	=	4,422 SF
CONVENIENCE STORE	=	3,139 SF
KITCHEN	=	858 SF
SEATING FOR RESTAURANT	=	425 SF

PARKING ANALYSIS

CONVENIENCE STORE (PRIMARY USE)

REQUIREMENT	= 1 SPACE PER 175 S.F.
CONVENIENCE STORE	= 3,139 SF
REQUIRED PARKING	= 18 PARKING STALLS

RESTAURANT LESS THAN 2000 SF W/ DRIVE THRU (SECONDARY USE)

REQUIREMENT	= 1 SPACE PER 100 S.F.
KITCHEN AND SEATING	= 1,283 SF
REQUIRED PARKING	= 13 PARKING STALLS
TOTAL REQUIRED PARKING STALLS	= 31 PARKING STALLS
TOTAL REQUIRED HANDICAP STALLS	= 2 PARKING STALLS
PROVIDED PARKING	= 37 PARKING STALLS
PROVIDED HANDICAP STALLS (W/ VAN ACCESSIBLE)	= 2 HC STALLS

JAN 15 2010

JAN 15 2010

NO.	DESCRIPTION	DATE	BY	APP.

LATITUDE CONSULTING, LLC
CIVIL ENGINEERING AND PLANNING
2677 AFRICAN VIOLET AVENUE, HENDERSON, NV 89074
PHONE: (702) 812-8891 FAX: (866) 285-3522

KWON MANAGEMENT, INC.

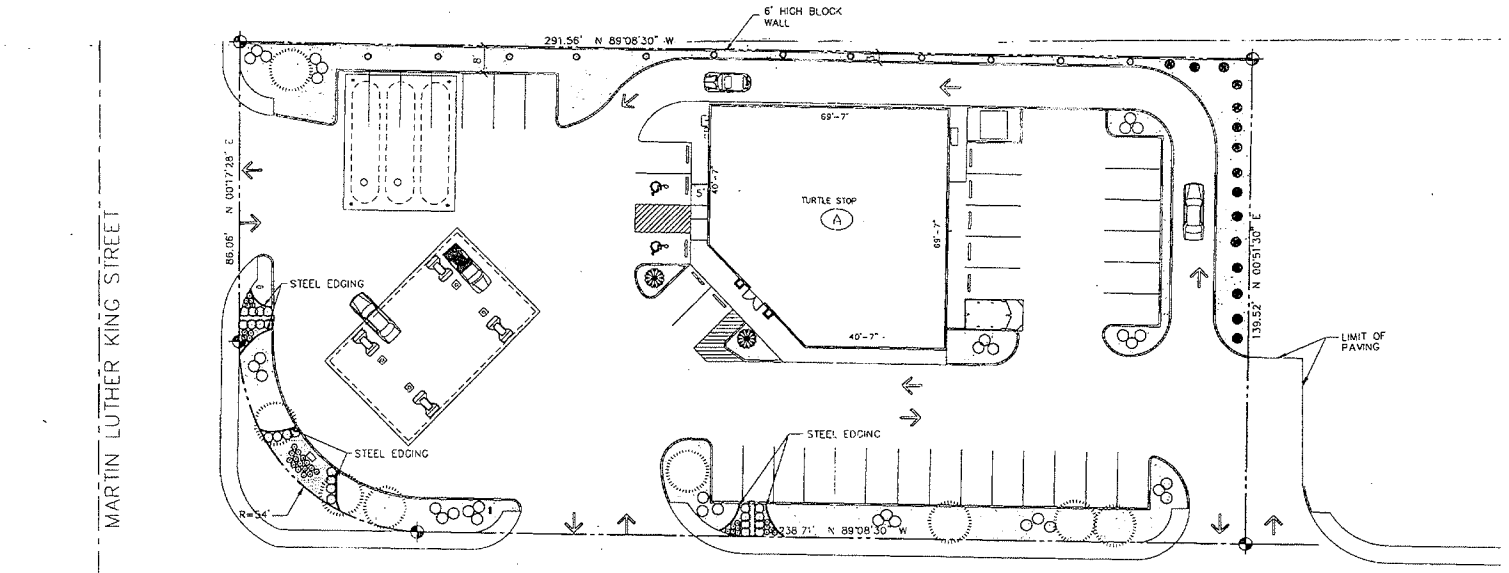
MLK GAS MART
SITE PLAN-BW

DATE: 1/15/10
DRAFTER: DCL
DESIGNER: DCL
CHECKED: DCL
PROJECT NO. KM110010.000

SP-BW
SHEET 3 OF 4

File: C:\Latitude\Work\KM1001\Dwg\Exhibits\site plan.dwg Jan 15, 2010 - 03:51

SUP-37198
02/25/10 PC



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

LEGEND		
	24" BOX WASHINGTONIA ROBUSTA	8 EA.
	24" BOX MONDEL PINE	12 EA.
	5 GAL. MEDITERRANIAN FAN PALM	2 EA.
	5 GAL GREEN CLOUD TEXAS RANGER	36 EA.
	5 GAL FEATHERY CASSIA	15 EA.
	5 GAL INDIAN HAWTHORN	24 EA.
	1 GAL. GREEN SANTALINA	36 EA.
	3/4" NEVADA ROSE GRAVEL MULCH	40 CU. YD
	1/2" MINUS MOJAVE GOLD DG	3 CU. YD.

DEVELOPER: JN SKILLION INC. 6150 W. SUNSET ROAD, SUITE 201 LAS VEGAS, NEVADA 89118 TELEPHONE (702)736-1111

CONTRACTOR: SAHARA LAND DEVELOPMENT CO. 5130 W. SAHARA, SUITE 201 LAS VEGAS, NEVADA 89146 TELEPHONE (702)252-1111

PROJECT: THE TURTLE STOP (MLK & OWENS) CITY OF LAS VEGAS, NV

OWNER: L.M.E.D.D. INC., LAS VEGAS, NV

SHEET TITLE: LANDSCAPE PLAN

9371L11A

JOB NO: 9371

DRAWN BY: K.S.K.

CHKD BY:

DATE	DESCRIPTION
2/2/04	PERMIT SET
5/8/04	ADD'L
5/25/04	SLM
7/15/04	SLM

SHEET NO: L1.1

SUP-3875
3-25-04 PC

SUP-37198
02/25/10 PC

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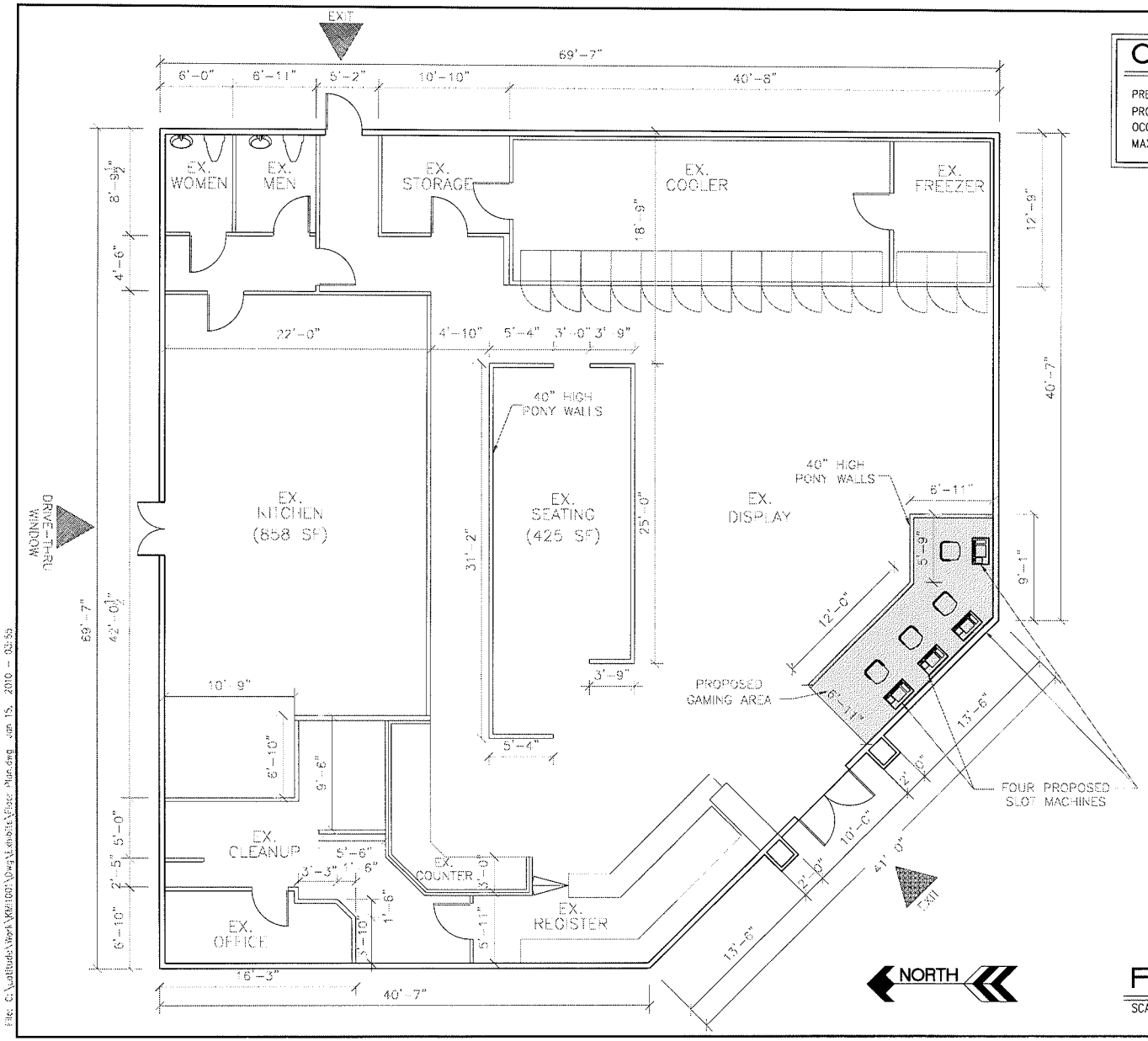


OCCUPANCY LOAD

PREVIOUSLY APPROVED TOTAL BUILDING AREA:	=	4,422
PROPOSED TOTAL BUILDING AREA (UNCHANGED):	=	4,422
OCCUPANY LOAD FACTOR (SF PER OCCUPANT):	=	30
MAXIMUM OCCUPANY LOAD:	=	148

RECEIVED
JAN 15 2010

FLOOR PLAN

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

NO.	DESCRIPTION	DATE	BY	APP.

LATITUDE GEOGRAPHICS GROUP LLC
CIVIL ENGINEERING AND PLANNING
2677 AFRICAN VIOLET AVENUE, HENDERSON, NV 89074
PHONE: (702) 672-8891 FAX: (866) 286-5582

KWON MANAGEMENT, INC.

MLK GAS MART
FLOOR PLAN-B+W

DATE: 1/15/10
DRAFTER: DCL
DESIGNER: DCL
CHECKED: DCL
PROJECT NO.: KM1001.000

FP-BW
SHEET 1 OF 4

File: C:\LatitudeWork\KM1001\Drawings\Exhibits\Floor Plan.dwg, Jan 15, 2010 - 03:55

SUP-37198
02/25/10 PC

SUP-37198 – : APPLICANT/ OWNER: JAE SHIK KWON AND JI BEOM KWON, ET AL
1600 NORTH MARTIN L KING BOULEVARD
FEBRUARY 25, 2010 PLANNING COMMISSION

01/22/10

SUP-37198 – : APPLICANT/ OWNER: JAE SHIK KWON AND JI BEOM KWON, ET AL
1600 NORTH MARTIN L KING BOULEVARD
FEBRUARY 25, 2010 PLANNING COMMISSION

01/22/10

SUP-37198 – : APPLICANT/ OWNER: JAE SHIK KWON AND JI BEOM KWON, ET AL
1600 NORTH MARTIN L KING BOULEVARD
FEBRUARY 25, 2010 PLANNING COMMISSION

01/22/10

TAYLOR CONSULTING GROUP, LLC

GOVERNMENT AFFAIRS & LAND USE CONSULTANTS

January 15, 2010

City of Las Vegas Planning & Development
400 Stewart Ave.
Las Vegas, NV 89101

To Whom It May Concern:

We are respectfully submitting this application for a Special Use Permit with the department of Planning & Development. This permit is for Kwon Management, Inc. dba MLK Gas Mart, located on the Northeast corner of Martin Luther King & Owens (1600 N. Martin Luther King Blvd.).

Our SUP is for the operation of gaming machines in our convenience store. There will be no construction as a result of installing the gaming machines, and the change in floor plan is attached to this application.

Currently, MLK Gas Mart has 7 employees, and operates during the hours of: 5:30am - 11:00pm.

This application meets all current City of Las Vegas codes and regulations. We respectfully ask for your approval of this SUP for the sole purpose of operating gaming machines in our existing convenience store.

Respectfully,

Nathaniel Taylor

Bok Kwon

Bok Soo Kwon

TAYLOR CONSULTING GROUP LLC, P.O. BOX 750521, LAS VEGAS, NEVADA 89136
(702) 280.6175
www.thetaylorconsultinggroup.com

SUP-37198
02/25/10 PC

City of Las Vegas Agenda Item No.: **20.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 25, 2010

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

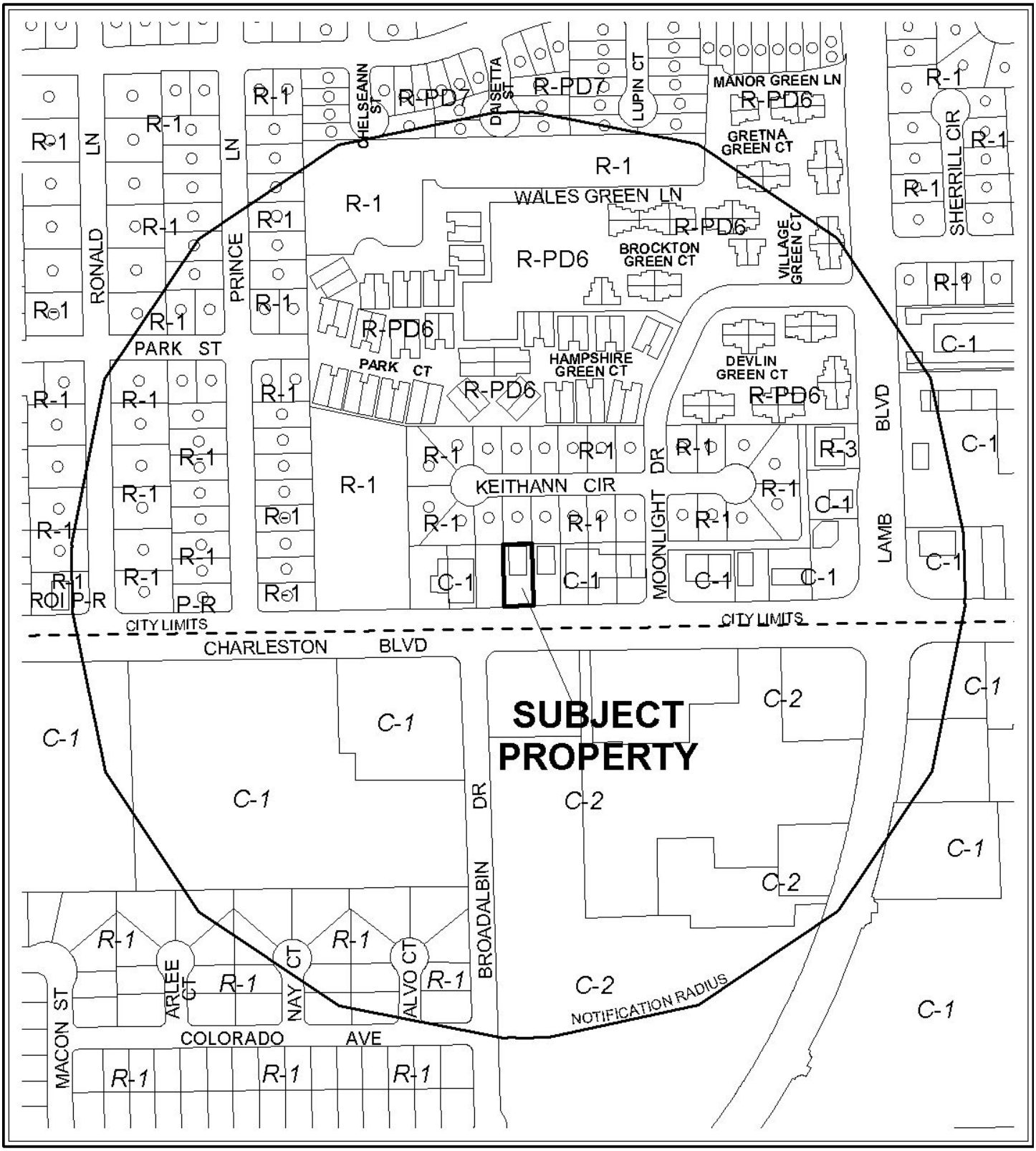
SUBJECT:
SDR-37195 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: THOTES PROPERTIES, LLC - Request for a Site Development Plan Review FOR A PROPOSED 700 SQUARE-FOOT ADDITION TO AN EXISTING 2,000 SQUARE-FOOT BUILDING WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS TO ALLOW A TWO-FOOT LANDSCAPE BUFFER ALONG THE SOUTH PERIMETER WHERE 15 FEET IS REQUIRED, ZERO-FOOT BUFFERS ALONG THE NORTH, EAST, AND WEST PERIMETERS WHERE EIGHT FEET IS REQUIRED AND ZERO FEET BETWEEN THE SIDEWALK AND BACK OF CURB WHERE FIVE FEET IS REQUIRED ADJACENT TO ARTERIAL STREETS on 0.22 acres at 4236 East Charleston Boulevard (APN 140-31-802-005), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

C.C.: 04/07/2010

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



0 300 600 Feet

CASE: **SDR-37195**

RADIUS: 1000 FT

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

0 300 600 Feet

CASE: **SDR-37195**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-37195 - APPLICANT/OWNER: THOTES PROPERTIES, LLC.

** CONDITIONS **

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

Planning and Development

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

2. All development shall be in conformance with the site plan and landscape plan, date stamped 01/28/10 and building elevations and floor plans, date stamped 01/15/10, except as amended by conditions herein.

3. A Waiver from Title 19.12.040(A) is hereby approved to allow a two-foot wide landscape buffer along the south property line where 15 feet is required and zero-foot wide landscape buffers along the north, east, and west property lines where eight feet is required.

4. A Waiver from Title 19.12.040(F) is hereby approved to allow a zero-foot wide landscape buffer between the back of curb and sidewalk along Charleston Boulevard where a five foot landscape buffer is required.

5. An Exception from Title 19.12.040 is hereby approved, to allow zero trees within the perimeter landscape buffers where 17 trees are required.

6. An Exception from Title 19.10.010(J)(11) is hereby approved, to allow zero landscape islands with zero trees within the on-site parking area where a minimum of four islands and 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. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

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

Public Works

15. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the ITS Communications Infrastructure Phase 1B project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.

16. The pan-style driveway accessing this site from Charleston Boulevard is acceptable as shown on the site plan date stamped January 15, 2010.

17. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

SDR-37195 - Staff Report Page One
February 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The current site consists of an existing 2,000 square-foot commercial building on 0.22 acres at 4236 East Charleston Boulevard. The applicant is proposing to expand the existing commercial building to 2,700 square feet with a 700 square-foot expansion. Due to the size of the site, landscaping cannot be provided to Title 19 standards and the applicant is requesting Waivers and Exceptions. Staff recommends approval of the site as proposed along with the requested landscape waivers and exceptions, subject to conditions. If denied, the site would remain as is and approval of a new Site Development Plan Review would be required prior to any additional development of the site.

ISSUES

- Perimeter landscape waivers are required along all sides of the development, and exceptions of the parking lot landscaping requirements are also requested.
- The proposed development is not consistent with Title 19.12.040(F), which requires "any sidewalk along arterial streets one hundred feet and wider to be separated from the back of the street curb by a minimum five-foot wide landscape buffer." The applicant has requested a waiver of this standard. Staff can support the request, as the existing sidewalk is part of a fully improved right-of-way and is located at the back of curb for this site and the adjacent properties.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
05/22/1963	The Board of City Commissioners approved a Rezoning (Z-0083-63) from R-1 (Single-Family Residential) to R-3 (Medium Density Residential) and C-1 (Limited Commercial) at the subject site. Planning Commission and staff recommended approval.
03/28/1978	The Planning Commission approved a Plot Plan Review [Z-0083-63(A)] for a neighborhood shopping center on 9.8 acres generally located at the northeast corner of Charleston Boulevard and Lamb Boulevard. Staff recommended approval.
08/14/08	A deed was recorded for a change in ownership.
Related Building Permits/Business Licenses	
c.1985	The existing building was constructed.
02/28/91	A building permit (91098891) was issued for an illuminated pylon sign at 4236 East Charleston Boulevard. The permit received a final inspection on 07/02/91.

GK

04/21/97	A building permit (97009580) was issued for a tenant improvement remodel at 4236 East Charleston Boulevard. The permit received a final inspection on 08/20/97.
09/10/04	A business license (T18-00629) was issued for a Cellular Phone Accessory store at 4236 East Charleston Boulevard. The license was marked out of business on 04/18/08.
09/10/07	A business license (B10-02443) was issued for a Building Supply/Hardware store at 4236 East Charleston Boulevard. The license was marked out of business on 10/14/08.
02/26/08	A business license (R05-99572) was issued for a Hot Dog Cart at 4236 East Charleston Boulevard. The license was marked out of business on 04/18/08.
11/16/09	A demolition permit (#151406), related to building permit (#150667) was denied by the Planning and Development Department, as the proposed expansion of the existing building requires a Site Development Plan Review.
11/25/09	A building permit (#150667) was processed for the expansion of an existing structure at 4236 East Charleston Boulevard. The permit is pending approval of this request.
01/19/10	A building permit (#151401) was processed for onsite improvements at 4236 East Charleston Boulevard. The permit is pending approval of this request.
03/26/09	A Code Enforcement Case (76117) was opened for graffiti. The case was closed by Code Enforcement on 04/14/09.
Pre-Application Meeting	
12/31/09	A pre-application meeting was held on the indicated date. The following items were discussed at the meeting: • A Variance in regards to setbacks and Residential Adjacency will not be required, per Title 19.16.030, as the subject site contains a Nonconforming Building. The proposed expansion does not encroach into setback areas. • A Site Development Plan Review application will be required. The requirements for a Site Development Plan Review were discussed. • Waivers of Title 19.12.040 Perimeter Landscape Buffer Requirements will be required, as the applicant is not providing any landscaping along the perimeters of the site. • An Exception of Title 19.10.010(J) Parking Lot Landscape Requirements will be required as the applicant is not providing any parking lot landscaping.
Neighborhood Meeting	
A neighborhood meeting is not required, nor was one held.	

Field Check	
01/21/10	Staff conducted a field check on the indicated date. The following items were noted: • A well maintained existing 2,000 square-foot commercial building. • An existing six-foot block wall along the north property line and portions of the east and west property lines. • Faded parking lot striping. • No landscaping on the entire site.

Details of Application Request	
Site Area	
Net Acres	0.22

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Vacant Commercial Building	SC (Service Commercial)	C-1 (Limited Commercial)
North	Single-Family Residence	L (Low Density Residential)	R-1 (Single-Family Residential)
South	Shopping Center	Clark County	Clark County
East	Office, Medical or Dental	SC (Service Commercial)	C-1 (Limited Commercial)
West	Undeveloped	SC (Service Commercial)	C-1 (Limited Commercial)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08.050, the following development standards apply to the proposed site:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	N/A	9,750 SF	N/A
Min. Lot Width	100 Feet	65 Feet	N*
Min. Setbacks			
• Front	20 Feet	76 Feet	Y
• Side	10 Feet	5 Feet	N*
• Rear	20 Feet	12 Feet	N*
Max. Lot Coverage	50%	28%	Y
Max. Building Height	N/A	24 Feet	N/A
Trash Enclosure	Curbside Pick-up	Curbside Pick-up	Y
Mech. Equipment	Not Indicated	Not Indicated	N/A

**The existing structure is nonconforming for setbacks and lot width, per Title 19.16. The proposed addition meets all required setback requirements.*

Residential Adjacency Standards	*Required/Allowed*	*Provided*	*Compliance*
3:1 proximity slope	72 Feet	12 Feet	N*

*******The existing structure is nonconforming, per Title 19.16. The proposed addition will not be located within the required setback area.*

Pursuant to Title 19.12, the following landscaping standards apply to the subject proposal:

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Parking Area	1 Tree/6 Spaces	4 Trees	Zero Trees	N
Buffer:				
Min. Trees				
• North	1 Tree/20 Linear Feet	4 Trees	Zero Trees	N
• East	1 Tree/30 Linear Feet	5 Trees	Zero Trees	N
• West	1 Tree/30 Linear Feet	5 Trees	Zero Trees	N
• South	1 Tree/30 Linear Feet	3 Trees	Zero Trees	N
TOTAL(Perimeter)		**17 Trees**	**Zero Trees**	**N**

Min. Zone Width • North • East • West • South	 8 Feet 8 Feet 8 Feet 15 Feet	 Zero Feet Zero Feet Zero Feet 2 Feet	 N N N N
Wall Height	6-8 Feet Adjacent to Residential	Existing 6-foot block wall	Y

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	***Required***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Office, Medical or Dental	2,000 SF	1:200	10				
	700 SF	1:175	4				
SubTotal	2,700 SF		13	1	13	1	
TOTAL			**14**		**14**		Y

Waivers		
Requirement	**Request**	**Staff Recommendation**
Title 19.12.040(A) – Minimum 8' landscape buffer along the north perimeter	Zero feet	Approval
Title 19.12.040(A) – Minimum 8' landscape buffer along the east and west perimeters	Zero feet	Approval
Title 19.12.040(A) – Minimum 15' landscape buffer along the south perimeter	Two Feet	Approval
Title 19.12.040(F) – Minimum 5' landscape buffer between the back of curb and the sidewalk along Charleston Boulevard	Zero feet	Approval

GK

Exceptions		
Requirement	**Request**	**Staff Recommendation**
Title 19.10.010(J)(11) – Four minimum 5' wide landscape islands within parking area with minimum of one tree per island	Zero landscape islands with zero trees	Approval
Title 19.12.040(B) – Minimum 17 trees within perimeter buffers	Zero trees within perimeter buffers	Approval

ANALYSIS

The current site consists of an existing 2,000 square-foot vacant commercial building at 4236 East Charleston Boulevard. The applicant is proposing to expand the existing commercial building to 2,700 square-feet with a 700 square-foot addition. The addition will house a new reception area, storage room, and office space.

The subject property meets the requirements of Title 19.16.030 for a non-conforming building. The existing side and rear yard setbacks do not meet the current minimum setback requirements in the C-1 (Limited Commercial) zone, however, the proposed expansion does meet all required setback requirements; therefore, a Variance for setbacks and residential adjacency is not required.

Access is provided to the site by an existing 24-foot wide driveway on Charleston Boulevard. The development is proposing to include a curb cut for ADA access on the east side of the existing driveway. Currently, parking requirements are satisfied by the provision of 14 on-site parking spaces, including one van accessible parking space where 14 spaces are required. The site has adequate access and circulation for vehicles.

The applicant is also requesting a Waiver of Title 19.12.040(F), which requires a five-foot landscape buffer between the back of curb and the sidewalk along Charleston Boulevard. As Charleston Boulevard is improved to its fullest extent and the existing sidewalk condition is continued along the extent of Charleston Boulevard in this area, the requirement for a detached sidewalk and landscape buffer is inappropriate at this location.

Waivers of perimeter landscaping and arterial streetscape requirements, as well as exceptions of parking lot and perimeter tree requirements are needed for approval of the site as proposed. Per Title 19.12, a perimeter landscape buffer of 15 feet shall be provided adjacent to all street right-of-way and a buffer of eight feet shall be provided on interior property lines. The landscape plan depicts a two-foot landscape buffer along the south property line, adjacent to Charleston Boulevard, which is a 13 foot deviation from standard, and zero-foot landscape buffers along the north, east, and west property lines, which are eight-foot deviations from standard.

The applicant is also requesting an Exception to allow zero parking lot trees/islands where four are required. Staff can support the request as the parking lot is existing and the addition of the required islands and trees would result in a parking deficiency for the site. Also, in an effort to compensate for the deficiency in parking lot landscaping, two, 24-inch box Mondel pine trees are proposed on either side of the addition.

The requested Waivers and Exceptions are supported as the subject site is non-conforming for existing building setbacks and lot width. As a result, the site can accommodate parking and circulation, but does not allow for development to current Title 19 landscape standards.

Although the perimeter landscape buffer areas are deficient and will not be increased in size, the proposed site design is improved from the existing commercial building site, as the existing non-conforming building will be improved aesthetically. Staff therefore recommends approval of these waivers and exceptions.

FINDINGS

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

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

   The proposed development is compatible with adjacent development and development in the area. The site has existed in its current configuration since 1985, and the proposed changes will have a minimal impact on the functionality of the site, but will improve the aesthetic quality of the site.

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

   The proposed development is consistent with the General Plan and Title 19, with the exception of the requests for Waivers and Exceptions of Title 19. The request for reduced landscaping is necessary to accommodate parking. Overall, the site is improved from the existing commercial building, which did not contain any landscaping in parking areas or along the perimeter.

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

The site is accessed by Charleston Boulevard, designated as a 100-Foot Primary Arterial by the Master Plan of Streets and Highways, and will provide adequate access to the site. Site access and circulation will not negatively impact adjacent roadways and neighborhood traffic.

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

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

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

   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 the International Building Code and City inspections during construction as well as routine business license inspections for any commercial activities.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 5

NOTICES MAILED 213

APPROVALS 0

PROTESTS 0

GK

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-37195** APN: 14031808005

Name of Property Owner: THOTES PROPERTIES L L C

Name of Applicant: THOTES PROPERTIES L L C

Name of Representative: DANIEL KIM

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: MARIA DE JESUS DIAZ

Subscribed and sworn before me

This 28th day of January, 20 10

_____

Notary Public in and for said County and State Clark Nevada

Notary Public - State of Nevada
County of Clark
MARIA DE JESUS DIAZ
My Appointment Expires
No: 07-1425-1 January 15, 2011

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: CORONA DENTAL, EXT/INT REMODEL

Project Address (Location) 4236 E. CHARLESTON

Project Name CORONA DENTAL **Proposed Use**

Assessor's Parcel #(s) 14031802005 **Ward #**

General Plan: existing proposed **Zoning:** existing proposed

Commercial Square Footage 2700 **Floor Area Ratio**

Gross Acres 0.25 **Lots/Units** **Density**

Additional Information

PROPERTY OWNER THOTES PROP. LLC./HAI XA **Contact** AITIEN

Address 2178 ORCHARD MIST **Phone:** 606-2227 **Fax:** (702) 434-8401

City LAS VEGAS **State** NV **Zip** 89135

E-mail Address starbritedental@yahoo.com

APPLICANT THOTES PROP. LLC **Contact** DANIEL, KIM

Address 2178 ORCHARD MIST **Phone:** 635-2208 **Fax:** (888) 635-3309

City LAS VEGAS **State** NV **Zip** 89135

E-mail Address dkim@wgconstructors.com

REPRESENTATIVE SAME AS ABOVE **Contact**

Address **Phone:** **Fax:**

City **State** **Zip**

E-mail Address

RECEIVED
JAN 27 2010

Property Owner Signature* _____

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name HAI XA

Subscribed and sworn before me

This 28 day of January, 20 10.

_____

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
ANGELICA V. LOPEZ
My Appointment Expires
July 6, 2013
No: 09-10765-1

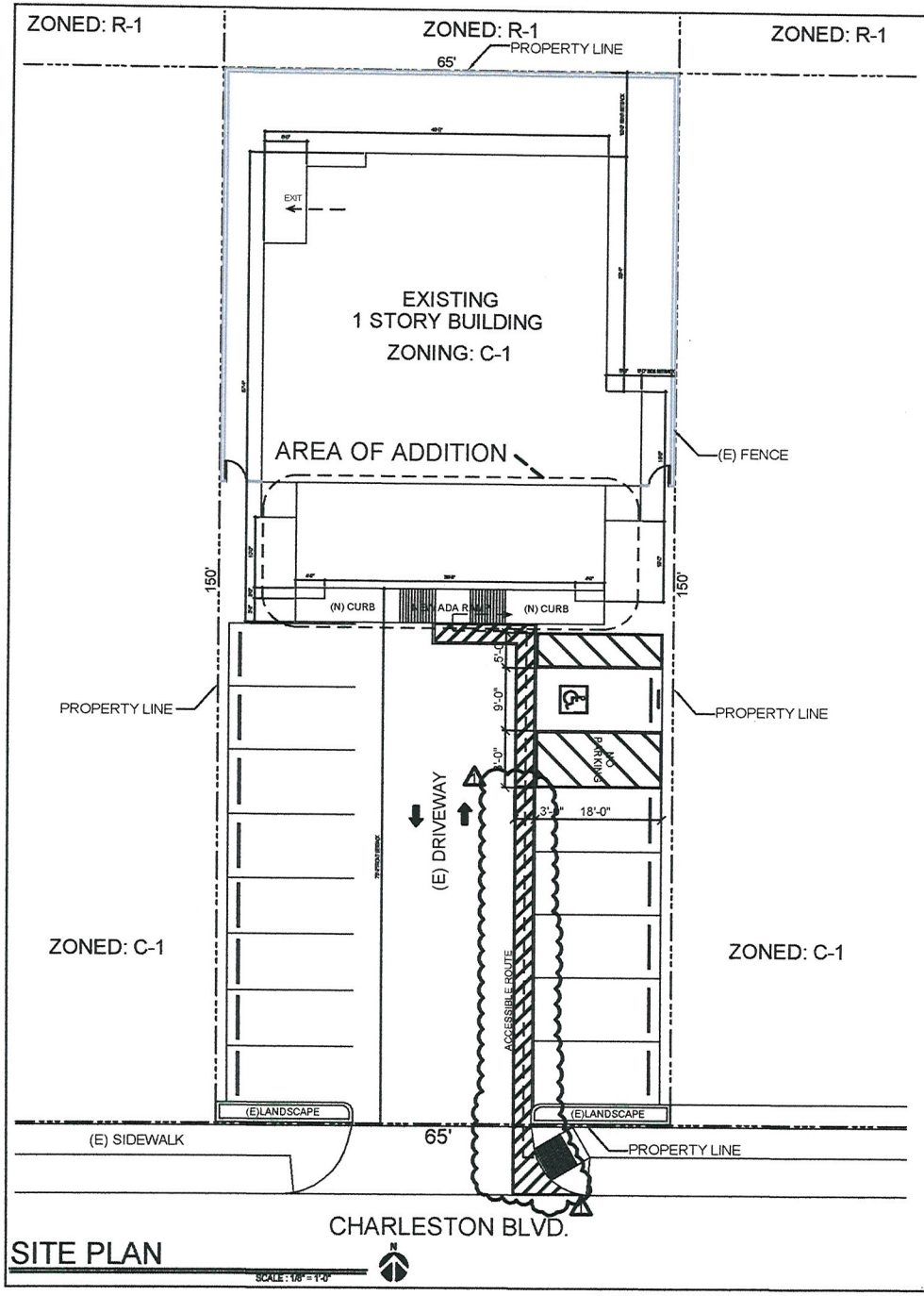
Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SDR-37195
Meeting Date:	2/25/10
Total Fee:	1,030.00
Date Received:*	1/28/10
Received By:	

*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

f:\depot\Application Packet\Application Form.pdf



SITE PLAN

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

SITE PLAN IFORMATION

JURISDICTION: CITY OF LAS VEGAS
PROJECT ADDRESS: 4236 E CHARLESTON BLVD., LAS VEGAS, NV. 89110
PARCEL #: 14031802005
NET SITE AREA: 9,750 S.F. = 0.22 AC.
ZONING DISTRICT: C-1
TOTAL BUILDING AREA: 2,700 S.F.
AREA of EXTENSION : 700 S.F.
AREA of EXISTING OFFICE : 2,000 S.F.
F.A.R.: 0.28

CONSTRUCTION TYPE :	V-B
OCCUPANCY CLASSIFICATION:	B OFFICE
BUILDING USE:	SEPERATED USE, 2006 IBC 508
FLOOR AREA:	2700 S.F.
JOB AREA:	2700 S.F.
FIRE SPRINKLER:	NO
ACTUAL STORIES:	1
ALLOWABLE STORIES:	1
USE OF STRUCTURE:	DENTAL OFFICE
HANDICAPPED VAN PARKING:	YES
TO THE PUBLIC SIDEWALK:	YES
DISTANCE FROM FACILITY TO VAN PARKING:	+/- 50 FEET

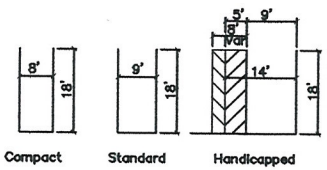
PARKING CALCULATION

TOTAL REQUIRED PARKING SPACES:
One space for each 200 square feet of gross floor area
2,700 S.F. X 1 SPACE PER 200 S.F. = 13.5 SPACES
Compact Spaces Permitted: A minimum of 70 percent of the parking spaces shall be standard size and up to 30 percent of the required on-site parking spaces may be designated as compact parking spaces.

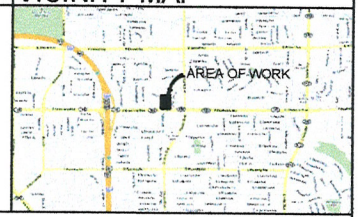
TOTAL PROVIDED PARKING SPACES: 10 (STANDARD) + 4 (COMPACT)= 14 SPACES

TOTAL REQUIRED HANDICAP PARKING SPACES: 1 SPACE
TOTAL PROVIDED HANDICAP PARKING SPACES: 1 SPACE

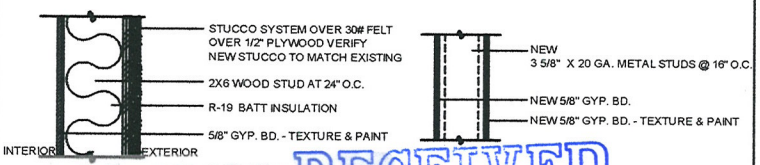
TYPICAL PARKING SPACES



VICINITY MAP



WALL DETAIL



SDR-37195
REVISED
02/25/10 PC

RECEIVED
JAN 28 2010

WG CONSTRUCTORS LLC.
1801 S. RAINBOW BLVD #240
LAS VEGAS, NV 89146
NV LIC. #0072210

SIGNATURE

DATE

CORONA DENTAL OFFICE EXTENSION & TENANT IMPROVEMENT

4236 E. CHARLESTON BLVD.
LAS VEGAS, NV 89110

REVISIONS	NO.
01.19.2010	1

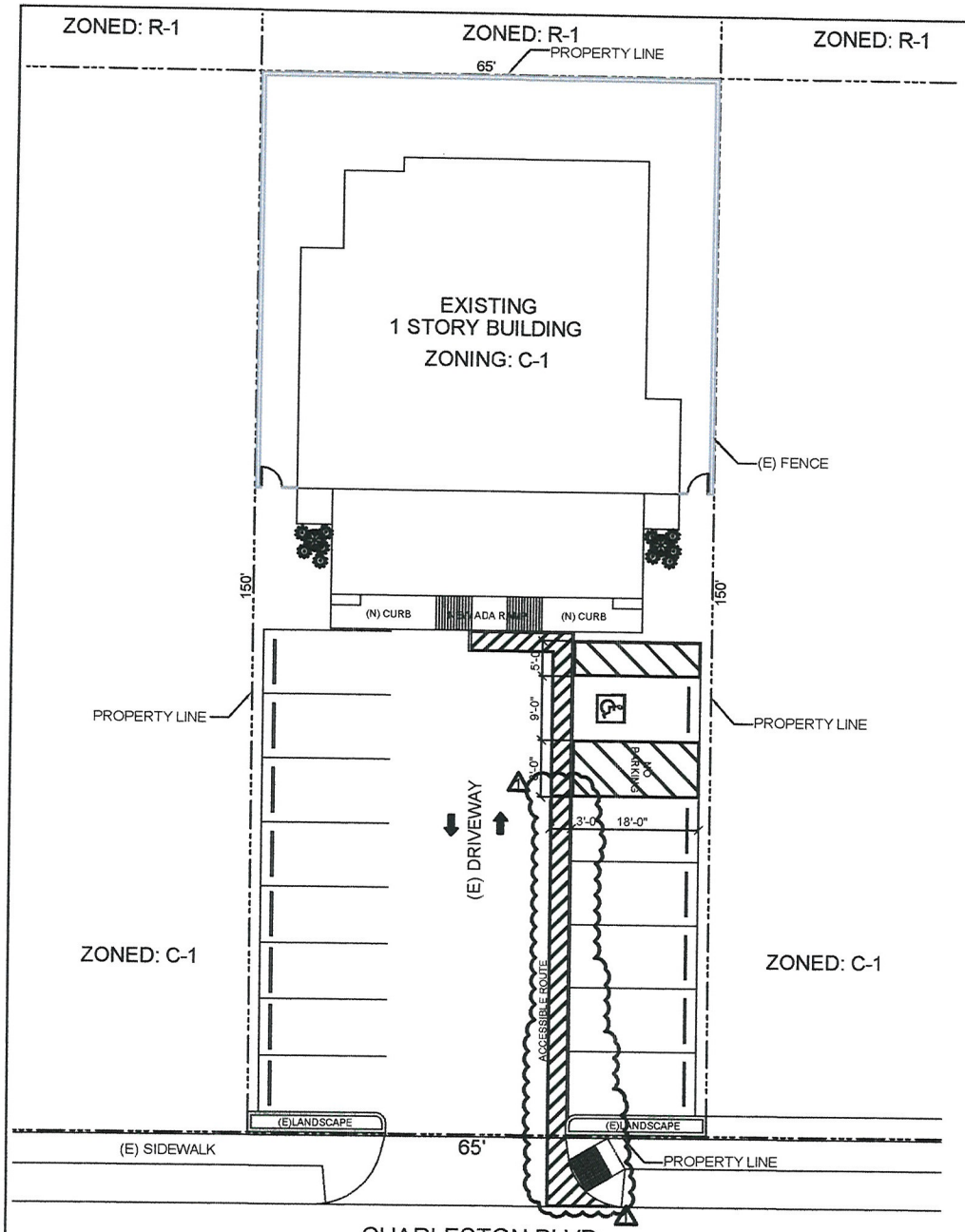
DRAWN/CHECKED
DE/DE

ISSUE DATE
01.11.10

JOB NO.
2010

SHEET
A-0

DATE PLOTTED: 01.11.10



LANDSCAPE PLAN

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

DATE PLOTTED: 01.11.10

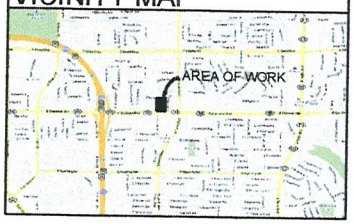
PLANT LEGEND

SYMBOLS	BOTANICAL NAME	COMMON NAME	QTY.	SIZE
	TREES			
	PINUS ELDARICA	MONDEL PINE	2	24" BOX
SYMBOL	BOTANICAL NAME	COMMON NAME	QTY.	SIZE
	SHRUBS/ACCENTS			
	NANDINA DOMESTICA 'HARBOR DWARF'	HEAVANLY BAMBOO	270	5 GAL.

NOTES

1. ALL LANDSCAPING SHALL MEET OR EXCEED THE REQUIREMENTS OUTLINED IN THE CITY OF LAS VEGAS LANDSCAPE GUIDELINES AND STANDARDS FOR COMMERCIAL DEVELOPMENT.
2. ALL PLANTS SHALL BE WATERED BY AN AUTOMATIC DRIP IRRIGATION SYSTEM.
3. 2" DEEP LAYER OF DECOMPOSED GRANITE ROCK MULCH TO BE APPLIED ON ALL LANDSCAPE AREAS
4. SHRUBS ARE REQUIRED IN ALL BUFFER AREAS, WITH A MINIMUM OF FOUR 5-GALLON SHRUBS REQUIRED FOR EVERY REQUIRED TREE
5. 1-24 INCH BOX TREE FOR EVERY 20 LINEAR FEET FOR ALL PROPERTY LINES
6. MINIMUM ZONE DEPTH-ADJACENT TO RIGHT-OF-WAY IS 15 FEET.

VICINITY MAP



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02/25/10 PC

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1801 S. RAINBOW BLVD #240
LAS VEGAS, NV 89146
NV LIC. #0072212

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DATE

CORONA DENTAL OFFICE EXTENSION
& TENANT IMPROVEMENT
4236 E. CHARLESTON BLVD.
LAS VEGAS, NV 89110

REVISIONS	NO.
01.19.2010	1

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ISSUE DATE
01.11.10

JOB NO.
2010

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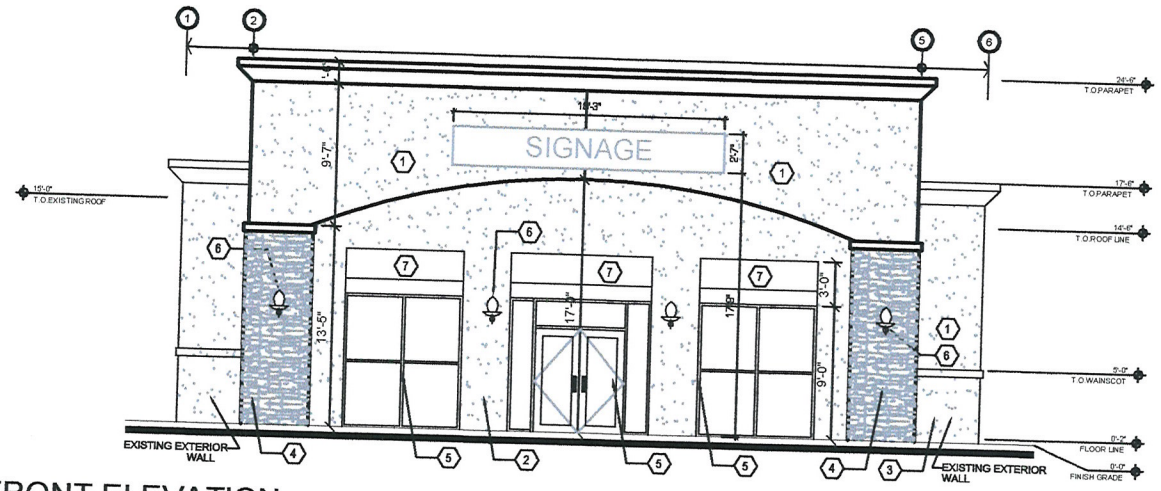
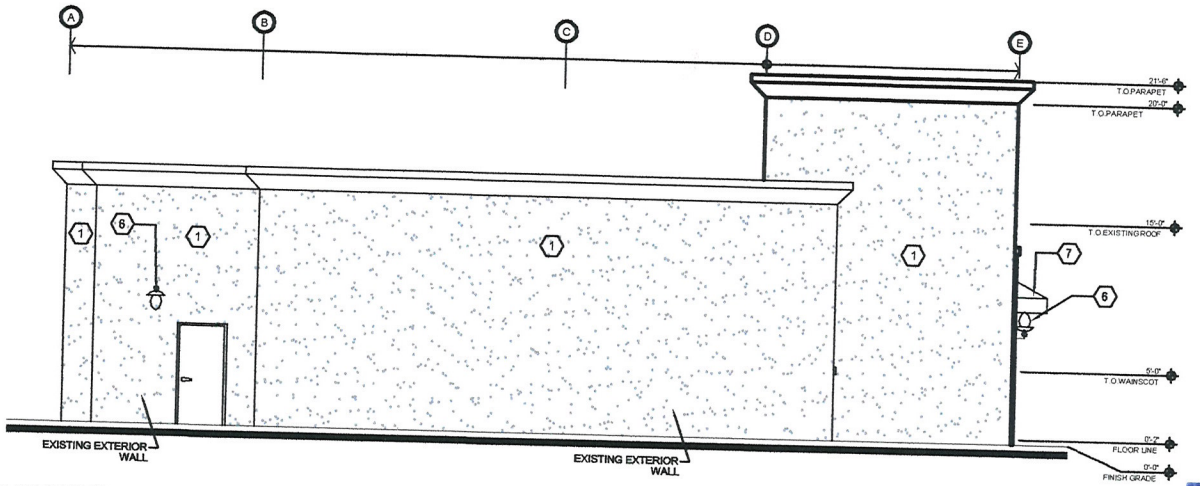


FRONT ELEVATION

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



WEST ELEVATION

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

MATERIALS		COLOR
1	EIFS - OVER WOOD FRAME	SEE MATERIAL BOARD
2	PAINT OVER EXISTING EXTERIOR WALL	SEE MATERIAL BOARD
3	EIFS - WAINSCOTT	SEE MATERIAL BOARD
4	CULTURED STONE VENEER	SEE MATERIAL BOARD
5	ANODIZED ALUMINUM STOREFRONT	-
6	LIGHTING FIXTURE	SELECTED BY TENANT
7	AWNING	-
8		

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JAN 15 2010

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JAN 15 2010

SDR-37195
02/25/10 PC

DATE PLOTTED: 01.11.10

WG CONSTRUCTORS LLC.
1601 S. RAINBOW BLVD #340
LAS VEGAS, NV 89146
NV LIC. #0072212

SIGNATURE

DATE

CORONA DENTAL OFFICE EXTENSION
& TENANT IMPROVEMENT

4236 E. CHARLESTON BLVD.
LAS VEGAS, NV 89110

REVISIONS	NO.

DRAWN/CHECKED
DE/DE

ISSUE DATE
01.11.10

JOB NO.
2010

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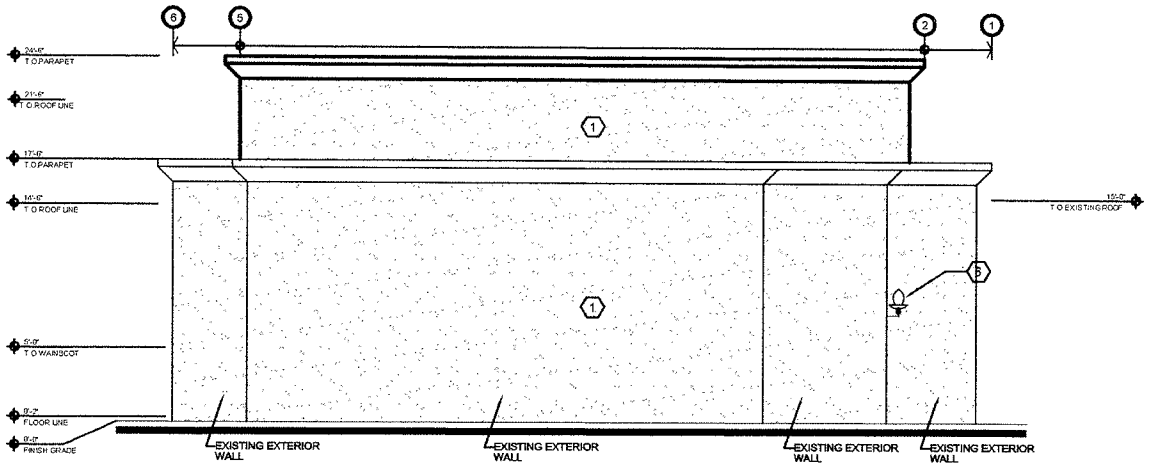
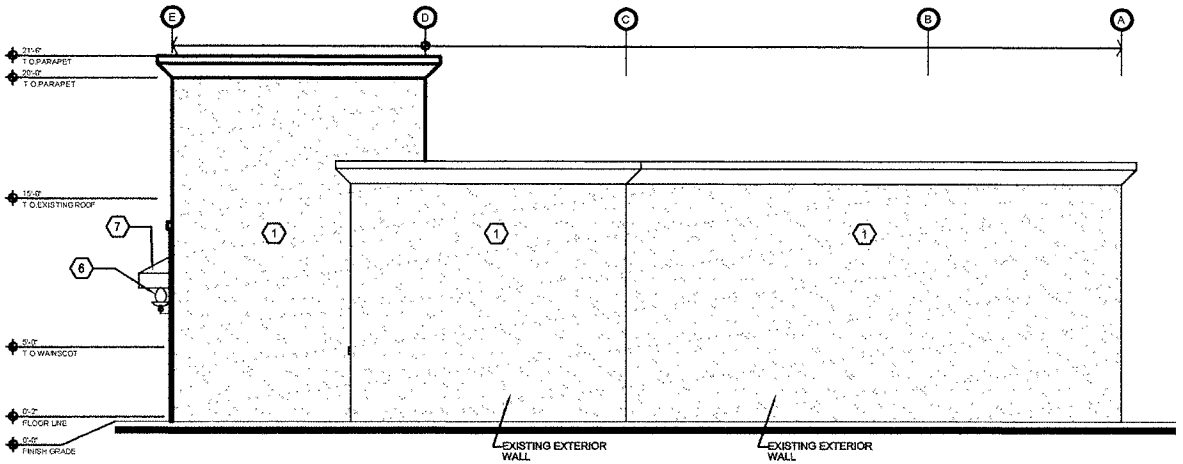


NORTH ELEVATION

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



EAST ELEVATION

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

MATERIALS		COLOR
1	EIFS - OVER WOOD FRAME	SEE MATERIAL BOARD
2	PAINT OVER EXISTING EXTERIOR WALL	SEE MATERIAL BOARD
3	EIFS - WAINSCOTT	SEE MATERIAL BOARD
4	CULTURED STONE VENEER	SEE MATERIAL BOARD
5	ANODIZED ALUMINUM STOREFRONT	-
6	LIGHTING FIXTURE	SELECTED BY TENANT
7	AWNING	-
8		

SDR-37195
02/25/10 PC

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JAN 15 2010

WG CONSTRUCTORS LLC
1601 S. RAINBOW BLVD #240
LAS VEGAS, NV 89146
NV LIC. #0073218

SIGNATURE

DATE

CORONA DENTAL OFFICE EXTENSION & TENANT IMPROVEMENT

4236 E. CHARLESTON BLVD.
LAS VEGAS, NV 89110

REVISIONS	NO.

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ISSUE DATE
01.11.10
JOB NO.
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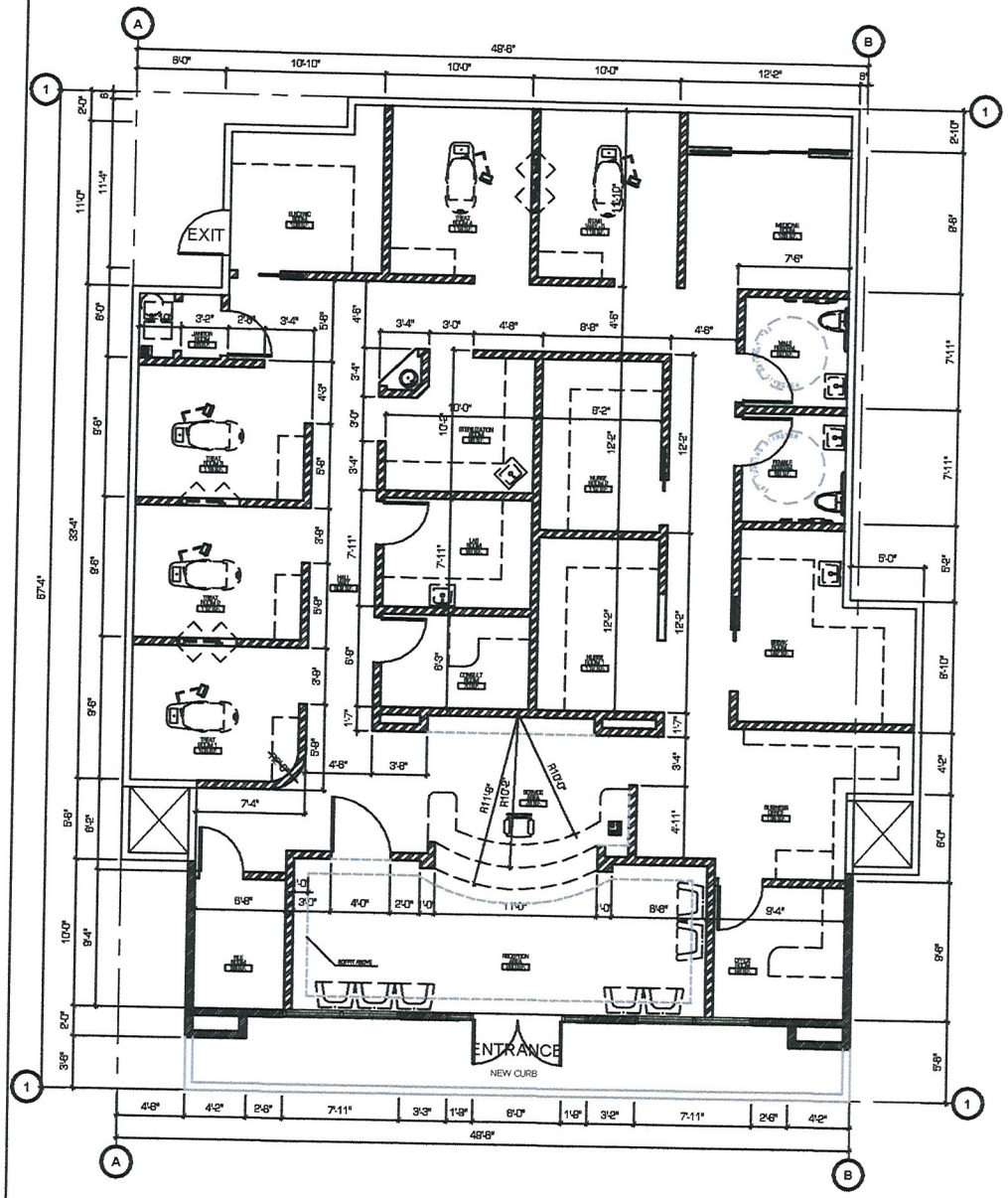
01.11.10



FLOOR PLAN

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

DATE PLOTTED: 01.11.10

FLOOR PLAN IFORMATION

OCCUPANCY GROUP:	B OFFICE
BUILDING USE:	DENTAL OFFICE
FLOOR AREA:	2700 S.F.

OCCUPANCY LOAD

RECEPTION AREA:	290 S.F./15 = 20
SERVICE AREA:	76 S.F./100 = 1
FILE ROOM:	58 S.F./100 = 1
TREAT ROOM 1~5:	574 S.F./100 = 6
ELECTRIC ROOM:	105 S.F./200 = 1
MEDICINE ROOM:	135 S.F./200 = 1
CONSULT ROOM:	70 S.F./100 = 1
LAB ROOM:	83 S.F./100 = 1
STERILIZATION:	98 S.F./100 = 1
NURSE ROOM 1~2:	224 S.F./100 = 3
OFFICE ROOM:	223 S.F./100 = 3
BREAK ROOM:	142 S.F./100 = 2
RESTROOM M/F:	120 S.F./100 = 2
HALLWAY:	502 S.F./100 = 6

TOTAL OCCUPNCY = 49

WALL TYPE LEGEND

- EXISTING EXTERIOR WALL TO REMAIN
- NEW EXTERIOR WALL
- NEW INTERIOR PARTITION WALL

RECEIVED
JAN 15 2010

SDR-37195
02/25/10 PC

WG CONSTRUCTORS LLC.
1501 S. RAINBOW BLVD. #240
LAS VEGAS, NV 89146
NV LIC. #0072212

SIGNATURE

DATE

CORONA DENTAL OFFICE EXTENSION & TENANT IMPROVEMENT

4236 E. CHARLESTON BLVD.
LAS VEGAS, NV 89110

REVISIONS	NO.

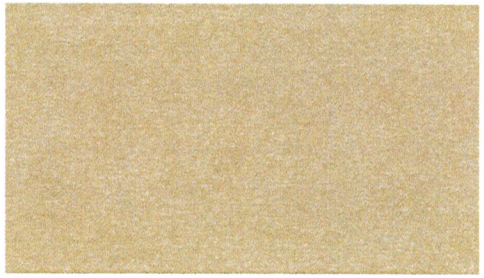
DRAWN/CHECKED
DE/DE

ISSUE DATE
01.11.10

JOB NO.
2010

SHEET
A-1

DUNN EDWARDS PAINT
"SANFSTORM" DE5295
1



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"PALOMA TAN" DE5297
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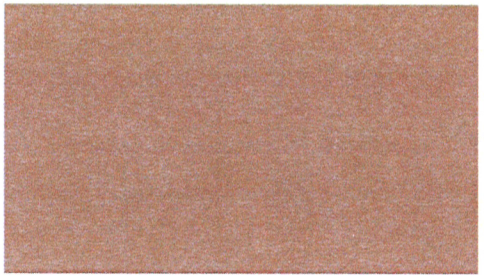
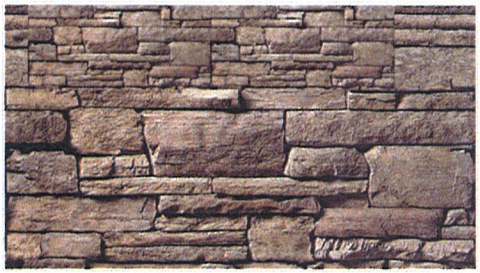


DUNN EDWARDS PAINT
"SECLUDED CANYON" DE5186
3



CULTURED STONE
ARIZONA TILE
4

RECEIVED
JAN 15 2010

SDR-37195
02/25/10 PC

WG CONSTRUCTORS LLC.
1601 S. RAINBOW BLVD. #240
LAS VEGAS, NV 89146
NV LIC. #0073212

MATERIAL BOARD

CORONA DENTAL OFFICE EXTENSION
& TENANT IMPROVEMENT

4236 E. CHARLESTON BLVD.
LAS VEGAS, NV 89110

CITY OF LAS VEGAS

SDR 37195				
Thotes Properties, LLC				
4236 E. Charleston Blvd.				
Proposed 700 square foot addition to an existing office.				
Traffic produced by proposed development:				
Existing Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	GENERAL OFFICE BUILDING [1000 SF]	2.0	11.01	22
AM Peak Hour			1.55	3
PM Peak Hour			1.49	3
Proposed Addition	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	GENERAL OFFICE BUILDING [1000 SF]	0.7	11.01	8
AM Peak Hour			1.55	1
PM Peak Hour			1.49	1
New Total Use	DESCRIPTION	#UNIT		TOTAL
Average Daily Traffic (ADT)	GENERAL OFFICE BUILDING [1000 SF]	2.7		30
AM Peak Hour				4
PM Peak Hour				4
Existing traffic on all nearby streets:				
Charleston Blvd.				
Average Daily Traffic (ADT)	30,150			
PM Peak Hour (heaviest 60 minutes)	2412			
Pecos Rd.				
Average Daily Traffic (ADT)	20,563			
PM Peak Hour (heaviest 60 minutes)	1645			
Traffic Capacity of adjacent streets:				
	Adjacent Street ADT Capacity			
Charleston Blvd.	51800			
Pecos Rd.	49210			
This project will add approximately 8 trips per day on Charleston Blvd. and Pecos Rd. This will increase expected volumes by less than 1 percent on both of these streets. Currently, Charleston is at about 58 percent of capacity and Pecos is at about 47 percent of capacity.				
Based on Peak Hour use, this development will add roughly 1 additional car into the area.				
Note that this report assumes all traffic from this development uses all named streets.				

SDR-37195 - APPLICANT/OWNER: THOTES PROPERTIES, LLC.
4236 EAST CHARLESTON BOULEVARD
FEBRUARY 25, 2010 PLANNING COMMISSION

01/22/10

SDR-37195 - APPLICANT/OWNER: THOTES PROPERTIES, LLC.
4236 EAST CHARLESTON BOULEVARD
FEBRUARY 25, 2010 PLANNING COMMISSION

01/22/10

SDR-37195 - APPLICANT/OWNER: THOTES PROPERTIES, LLC.
4236 EAST CHARLESTON BOULEVARD
FEBRUARY 25, 2010 PLANNING COMMISSION

01/22/10

SDR-37195 - APPLICANT/OWNER: THOTES PROPERTIES, LLC.
4236 EAST CHARLESTON BOULEVARD
FEBRUARY 25, 2010 PLANNING COMMISSION

01/22/10

WWW.WGCONSTRUCTORS.COM
CONSTRUCTORS LLC.

3180 W. Sahara Ave. Ste. C23
Las Vegas, NV 89102
P.702.635.2208
F.888.635.3309

08 Jan. 2010

Project Name: Corona Dental
Parent project #: 36698-c-09
Addres: 4236 E. Charleston Blvd.

JUSTIFICATION LETTER

Issue –

Exterior remodel for Project Corona Dental. Changes in exterior designs with existing parking spaces to remain as same. Possible landscape addition base on setback clearance between West/East side by front addition.

Information –

Number of employees: 4
Hours of operations: 9
Formal medical office covert to dental office.
City of Las Vegas business license and health permits are required.

Findings –

All Exterior/site changes comply with 2006 IBC, City of Las Vegas Building Code, and Title 19 Zoning Code requirements. Please reference the submitted plans for details.

1.8.2010

Daniel, Kim
Project Manager,
W G Constructors LLC.

SDR-37195
02/25/10 PC

RECEIVED
JAN 15 2010

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 25, 2010

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

SUBJECT:
ABEYANCE - DIR-36987 - DIRECTORS BUSINESS - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Progress report by the Planning & Development Department regarding the City's Sustainability Initiative

NO ACTION REQUIRED

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:
NONE

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 25, 2010

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

SUBJECT:
DIR-37289 - DIRECTOR'S BUSINESS - PUBLIC HEARING - Presentation by the Planning & Development Department regarding the Complete Streets initiative.

NO ACTION REQUIRED

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

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Conditions (Not Applicable) and Staff Report
2. Resolution Adopting Complete Streets Policy

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: DIR-37289 – APPLICANT/OWNER: CITY OF LAS VEGAS

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL

JM

DIR-37289 - Staff Report Page One
February 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a progress report by the Planning & Development Department regarding the Complete Streets Initiative.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales	
12/21/09	An internal staff meeting between Planning & Development, Public Work and Field Operations was conducted to discussion the Complete Streets Initiative and proposed resolution.
03/03/10	A resolution authorizing the support of a Complete Streets Policy for the city of Las Vegas has been scheduled for discussion and possible action for the 03/03/10 City Council Meeting.

ANALYSIS

Complete Streets Initiative

"Complete Streets" is an initiative by which cities, states, and other jurisdictions make a policy decision that all future roadway projects may be designed to safely accommodate all uses - pedestrians, bicyclists, motorists, transit riders and vehicles, and people of all ages and abilities, including children, older adults, and people with disabilities. Residents across the U.S. are demanding street features that consider the needs of all users. In 2005, the Complete Streets Coalition was formed to advocate for and track the adoption of Complete Streets projects, as well as state and local Complete Streets policies and standards. The Complete Streets Coalition's website notes that there are over 110 cities, states and other jurisdictions that have adopted complete street policies.

What are Complete Streets?

Complete Streets are designed and operated so they are safe, comfortable, and convenient for all users – pedestrians, bicyclists, motorists and transit riders of all ages and abilities. The complete streets framework includes not only retrofitting existing streets to increase safety for all, but changing project scoping, planning procedures, and design standards so that streets are routinely designed with all users in mind from the outset.

Roadways considered to be "complete" are not of any one size or description. However, when focusing on urban arterials, a number of standard design techniques are typically used:

- Lanes are reduced in width (from 12 feet to 11 or even 10 feet).
- The number of lanes may be reduced, often from 4 to 3, which also improves safety for left turns and allows the most prudent driver to set the speed. This treatment is known as a "road diet."
- Sidewalks, if missing, are installed.
- Curb cuts (driveways) may be consolidated to reduce walkway interruptions by moving vehicles.
- Raised medians are installed, which improves safety for crossing pedestrians.
- Universal design features are installed, including audible signals, curb ramps, and providing a 4-foot wide clear path of travel on the sidewalk, in accordance with the Americans with Disabilities Act and Public Rights-of-Way Accessibility Guidelines (PROWAG).
- Pedestrian crossings are enhanced with ladder-style or zebra-style crosswalk markings, signal modifications such as a leading pedestrian interval or countdown timer , and as needed, flashing crosswalks -- lights embedded in the pavement that flash when activated by a crossing pedestrian.
- Street parking is maintained or installed, which helps to discourage speeding.
- Corner treatments are installed. These may include curb extensions, right-turn slip lanes, or tighter turning radii, all of which slow right turns and provide greater visibility for pedestrians.
- Transit accommodations are improved in a variety of ways.

Benefits of Complete Streets

Studies show that complete streets improve safety. A Federal Highways Administration safety review found that designing the street with pedestrians in mind — sidewalks, raised medians, better bus stop placement, traffic-calming measures, and treatments for disabled travelers — all improve pedestrian safety. One study found that designing for pedestrian travel by installing raised medians and redesigning intersections and sidewalks reduced pedestrian risk by 28%.

The implementation of complete streets encourages walking and bicycling for health. The National Institutes of Medicine recommends fighting childhood obesity by changing ordinances to encourage construction of sidewalks, bikeways, and other places for physical activity. A report of the National Conference of State Legislators found that the most effective policy avenue for encouraging bicycling and walking is complete streets.

Complete streets can ease transportation woes for the one-third of Americans that do not drive. Complete streets help provide safe access for people who use wheelchairs, have vision impairments, and for older people and children. More than one quarter of all trips are one mile or less — and almost half are under five miles. Most of those trips are now made by car. Streets that provide travel choices give people the option to avoid traffic jams and increase the overall capacity of the transportation network.

The instituting of complete streets makes fiscal sense. Integrating sidewalks, bike lanes, transit amenities, and safe crossings into the initial design of a project spares the expense of retrofits later.

Adopted Complete Street Policies

Over 100 cities, states and other jurisdictions have adopted complete street policies. In 2007, the mayor of Salt Lake City, Utah, by Executive Order mandated that bicycle and pedestrian ways be established in new construction projects in the public right-of-way. In response to neighborhood groups complaining about high traffic volumes and speeds, the City of Sacramento, developed a Best Practices for Complete Streets Manual. The City of Denver developed the Living Streets Concept: enhancing Denver's most congested roadways with pedestrian amenities and bicycle lanes without the expense of widening them.

City Policies and Initiatives that support Complete Streets

The Las Vegas 2020 Master Plan, the Sustainability and Urban Forestry Initiative all support the Complete Street Initiative. 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 primary purpose of these plans is to facilitate walking and biking within neighborhoods and to encourage reinvestment in developed urban areas of the city.

As part of the form-based Unified Development Code, staff is preparing a new section tentatively called Complete Streets that will house the street standards that currently reside in Title 18. In addition to those standards, Planning and Development Department is working with the Public Works Department to update standards to integrate the Complete Streets concept by enhancing current street sections to include multimodal travel lanes, separated sidewalks, and parkways where signage, utility boxes, street light poles and other items can be put to ensure clear and open pedestrian access to seniors, children and the disabled.

Grant Funding Available

The American Reinvestment Recovery Act (ARRA) of 2009 included $48 billion for transportation investments, of that $27.5 billion were in funding categories that make funds eligible for complete street elements, and another $3.8 billion were available for bicycle and pedestrian infrastructure.

In addition, $825 million of ARRA funds are set aside for the Transportation Enhancement program, which is often used for bicycle and pedestrian improvements. Community Development Grant funds ($1 billion) and Energy Efficiency Block Grants funds ($2.8 billion) include bicycle and pedestrian improvements as eligible uses.

Established in May 2006, the National Center for Safe Routes to School through funding from the Federal Highway Administration assists communities in enabling and encouraging children to safely walk and bike to school. Through Safe Routes to School, the Department of Transportation has provided $600 million from fiscal year 2005 to 2009.

Complete Streets Resolution

At the March 3, 2010 City Council Meeting, a resolution authorizing the support of a Complete Streets Policy for the city of Las Vegas has been scheduled for discussion and possible action. The resolution will guide the development of a balanced system, through appropriate planning, that integrates multiple transportation modes, where appropriate, for transportation users of all types, ages and abilities. A copy of the resolution has been provided as an attachment to this report.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

JM

RESOLUTION ADOPTING A COMPLETE STREETS POLICY FOR THE CITY OF LAS VEGAS

WHEREAS, a number of organizations, including the American Planning Association, the National Complete Streets Coalition, and a number of transportation-related agencies have been urging state and local governments to adopt policies and programs relating to the concept of "Complete Streets"; and

WHEREAS, the guiding principle of "Complete Streets" is to promote a safe network of access for pedestrians, bicyclists, motorists and transit riders of all ages and abilities; and

WHEREAS, the promotion of capital improvements in Las Vegas that are planned, designed and constructed to encourage walking, bicycling and transit use will promote the general safety and welfare for all Las Vegas citizens; and

WHEREAS, the full integration of landscape components in the design of streets and highways will improve air quality, limit greenhouse gas emissions, provide energy savings, reduce stormwater runoff, extend the lifespan of paved surfaces through shading and enhance the aesthetic value of the area; and

WHEREAS, the City Council desires to establish a clear policy that the City should integrate and implement Complete Streets as a guiding principle for public improvement design and construction.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAS VEGAS as follows:

1. To the extent financially feasible, future construction or reconstruction of City rights-of-way or any parts thereof shall be in conformity with the policies set forth in this Resolution, except in cases where:

a. Bicyclists and pedestrians are otherwise prohibited by law from using the street or facility;

b. The cost of establishing bikeways or walkways would be excessively disproportionate to the need or probable use;

c. Scarcity of population or other factors indicate an absence of need, with consideration given to future population growth; or

d. Engineering judgment prohibits the establishing of bikeways along high speed or high volume corridors.

2. In the design and development of transportation infrastructure, the City shall endeavor to:

a. Integrate and implement the concept of Complete Streets, as defined herein.

b. Include within nonmotorized network plans, at a minimum, reasonable accommodations for accessibility, sidewalks, curb ramps and cuts, signage and bike lanes, in order to maximize walkable and bikeable streets within the City.

3. The City shall establish as a goal to adequately fund the implementation of this policy.

PASSED, ADOPTED, AND APPROVED this _____ day of _____, 2010.

CITY OF LAS VEGAS

BY _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, MMC
City Clerk

APPROVED AS TO FORM

Validated 2-11-10
Date

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

AGENDA SUMMARY PAGE

PLANNING COMMISSION MEETING OF FEBRUARY 25, 2010

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