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.

March 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 FEBRUARY 25, 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. SUP-37376 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: WALGREEN CO. - OWNER: A D S C, LLC - Request for a Special Use Permit FOR A 48 SQUARE-FOOT ACCESSORY PACKAGE LIQUOR OFF-SALE WITHIN AN EXISTING 15,120 SQUARE-FOOT RETAIL ESTABLISHMENT at 451 South Decatur Boulevard (APN 139-31-221-003), C-2 (General Commercial) Zone, Ward 1 (Tarkanian)

7. SUP-37377- SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: WALGREEN CO. - OWNER: THREE BS INC. - Request for a Special Use Permit FOR A 47 SQUARE-FOOT ACCESSORY PACKAGE LIQUOR OFF-SALE WITHIN AN EXISTING 14,715 SQUARE-FOOT RETAIL ESTABLISHMENT at 8633 West Charleston Boulevard (APN 163-05-517-003), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson)

8. SUP-37378 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: WALGREEN CO. - OWNER: TATSUMI INTERNAT'L LV CO. LTD. - Request for a Special Use Permit FOR A 48 SQUARE-FOOT ACCESSORY PACKAGE LIQUOR OFF-SALE WITHIN AN EXISTING 15,120 SQUARE-FOOT RETAIL ESTABLISHMENT WITH A WAIVER OF 400-FOOT DISTANCE SEPARATION REQUIREMENT FROM AN EXISTING PARK at 7599 West Lake Mead Boulevard (APN 138-22-316-009), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian)

9. SUP-37385 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: THE ARTS FACTORY - Request for a Special Use Permit FOR A PROPOSED 1,385 SQUARE-FOOT URBAN LOUNGE at 107 East Charleston Boulevard, Suite #155 (APN 139-33-811-017), C-2 (General Commercial) Zone, Ward 3 (Reese)

10. VAC-37325 - VACATION - PUBLIC HEARING - APPLICANT: CATALYST CONSULTING COMPANY - OWNER: AGUILAS CENTRO FAMILIAR CRISTIANO - Petition to Vacate public drainage easements generally located east of Michael Way and south of Madre Mesa Drive, Ward 5 (Barlow)

11. VAC-37359 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: ERNESTO SAVINO - Petition to Vacate public right-of-way named Little Acorn Court located north of Edgewood Avenue, Ward 1 (Tarkanian)

PUBLIC HEARING ITEMS

12. ABEYANCE - SUP-37068 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LOVETT COMPANIES - OWNER: SPANISH VILLAS AT SAHARA, LLC - Request for a Special Use Permit FOR A SUPPER CLUB WITHIN AN EXISTING 17,425 SQUARE-FOOT BUILDING at 3190 West Sahara Avenue (APN 162-05-403-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian)

13. ABEYANCE - 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)

14. GPA-37216 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request to adopt an updated Safety and Seismic Safety Element and revise the 2020 Master Plan

15. MOD-37375 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT: MISS DOLLY'S TAVERN - OWNER: MCW-RC NV-CENTENNIAL CROSSROADS PHASE 1, LLC - Request for a Major Modification of the Town Center Land Use Plan to amend the Special Land Use Designation FROM: SX-TC (SUBURBAN MIXED USE - TOWN CENTER) TO: GC-TC (GENERAL COMMERCIAL - TOWN CENTER) on 8.6 acres generally located at the northwest corner of John Herbert Boulevard and Centennial Parkway (APN 125-21-813-002), Ward 6 (Ross)

16. SUP-37373 - SPECIAL USE PERMIT RELATED TO MOD-37375 - PUBLIC HEARING - APPLICANT: MISS DOLLY'S TAVERN - OWNER: MCW-RC NV-CENTENNIAL CROSSROADS PHASE 1, LLC - Request for a Special Use Permit FOR A 3,534 SQUARE-FOOT LIQUOR ESTABLISHMENT, TAVERN WITH A WAIVER TO ALLOW A 147-FOOT DISTANCE SEPARATION FROM A CITY PARK WHERE 400 FEET IS THE MINIMUM DISTANCE REQUIRED at 6430 Sky Pointe Drive, Suite #130 (APN 125-21-813-002), Ward 6 (Ross)

17. VAR-37287 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: LORRAINE BRADY - Request for a Variance TO ALLOW AN EIGHT-FOOT WALL/FENCE WITH SIX FEET OF OPEN FENCING (WROUGHT IRON) AND TWO FEET OF SOLID FENCING (BLOCK) WITHIN THE FRONT YARD WHERE FIVE FEET IS THE MAXIMUM ALLOWED on 0.50 acres at 4112 Del Monte Avenue (APN 162-06-610-025), R-E (Residential Estate) Zone, Ward 1 (Tarkanian)

18. VAR-37379 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: DESERT FOREST, LLC - Request for a Variance TO ALLOW TWO EXISTING ACCESSORY STRUCTURES (CLASS II) TOTALING 5,516 SQUARE FEET AND A PROPOSED 1,360 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS I) WHERE 1,598 SQUARE FEET IS THE MAXIMUM ALLOWED on 2.52 acres at 6832 Thom Boulevard (APN 125-24-602-011), R-E (Residence Estates) Zone, Ward 6 (Ross)

19. SUP-37415 - SPECIAL USE PERMIT RELATED TO VAR-37379 - PUBLIC HEARING - APPLICANT/OWNER: DESERT FOREST, LLC - Request for a Special Use Permit FOR A PROPOSED 1,360 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS I) at 6832 Thom Boulevard (APN 125-24-602-011), R-E (Residence Estates) Zone, Ward 6 (Ross)

20. VAR-37380 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: RYLAND HOMES NEVADA, LLC - Request for a Variance TO ALLOW A 14-FOOT REAR YARD SETBACK WHERE 20 FEET IS REQUIRED ON 26 UNDEVELOPED LOTS WITHIN A PREVIOUSLY APPROVED SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 19.71 acres generally located on the north side of Dorrell Lane, approximately 1,390 feet east of Shaumber Road (Multiple APNs), PD (Planned Development) Zone, Ward 6 (Ross)

21. SUP-37301 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: STEPHEN MURPHY - OWNER: FOSTER-DAY CORP. - Request for a Special Use Permit TO RELOCATE AN EXISTING 36 SQUARE-FOOT AUTO SMOG CHECK ON THE SAME LOT at 2401 North Decatur Boulevard (APN 138-13-801-083), C-1 (Limited Commercial) Zone, Ward 5 (Barlow)

22. SUP-37327 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: HARRISON PROPERTIES, LTD - Request for a Major Amendment to a previously approved Special Use Permit (U-0045-94) FOR A PROPOSED 5,604 SQUARE-FOOT EXPANSION OF AN EXISTING 9,019 SQUARE-FOOT PAWN SHOP USE at 713 South Las Vegas Boulevard (APNs 139-34-410-177 through 179), C-2 (General Commercial) Zone, Ward 3 (Reese)

23. SDR-37326 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-37327 - PUBLIC HEARING - APPLICANT/OWNER: HARRISON PROPERTIES, LTD - Request for a Site Development Plan Review FOR A 5,604 SQUARE-FOOT ADDITION TO AN EXISTING 9,019 SQUARE-FOOT COMMERCIAL BUILDING WITH WAIVERS OF THE DOWNTOWN CENTENNIAL PLAN STREETSCAPE AND PARKING LOT LANDSCAPING STANDARDS on 0.64 acres at 713 South Las Vegas Boulevard (APNs 139-34-410-177 through 179), C-2 (General Commercial) Zone, Ward 3 (Reese)

24. SUP-37358 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: YEON MIN, LLC - OWNER: BIOTRON I, LLC - Request for a Special Use Permit FOR A BEER/WINE/COOLER ON-SALE ESTABLISHMENT WITHIN A FORMER 3,888 SQUARE-FOOT RESTAURANT WITH A WAIVER TO ALLOW A 40-FOOT DISTANCE SEPARATION FROM A SCHOOL WHERE 400 FEET IS REQUIRED at 8427 West Lake Mead Boulevard (APN 138-20-614-004), P-C (Planned Community) Zone, Ward 4 (Anthony)

25. SUP-37362 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CASH AMERICA/SUPER PAWN - OWNER: NORTHSHORE PLAZA, LLC - Request for a Special Use Permit FOR A PAWN SHOP WITH WAIVERS TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A RESIDENTIALLY ZONED PROPERTY AND A FINANCIAL INSTITUTION, SPECIFIED WHERE 200 FEET AND 1,000 FEET, RESPECTIVELY, ARE REQUIRED at 8400 West Cheyenne Avenue (APN 138-09-420-005), C-1 (Limited Commercial) Zone, Ward 4 (Anthony)

26. SUP-37383 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CASH1 - OWNER: GWHC NEVADA, LLC - Request for a Special Use Permit TO ADD AN AUTO TITLE LOAN USE TO AN EXISTING FINANCIAL INSTITUTION, SPECIFIED WITH WAIVERS TO ALLOW A 780-FOOT DISTANCE SEPARATION FROM ANOTHER FINANCIAL INSTITUTION WHERE 1,000 FEET IS REQUIRED, A ZERO-FOOT DISTANCE SEPARATION FROM A PARCEL ZONED FOR RESIDENTIAL USE WHERE 200 FEET IS REQUIRED, AND A BUILDING AREA OF 1,368 SQUARE FEET WHERE 1,500 SQUARE FEET IS THE MINIMUM REQUIRED, at 8450 West Sahara Avenue, Suite #114 (APN 163-04-406-004), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson)

27. SDR-37218 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: 702 S. 6TH STREET, LLC - Request for a Site Development Plan Review FOR A PROPOSED 35-FOOT TALL TWO-STORY, 7,265 SQUARE-FOOT OFFICE BUILDING on 0.16 acres at 702 South 6th Street (APN 139-34-410-187), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

28. SDR-37363 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: LIED FOUNDATION TRUST - Request for a Major Amendment to an approved Site Development Plan Review TO ALLOW ZERO-FOOT LANDSCAPE BUFFERS AND NO PLANTING MATERIALS ALONG THE NORTH AND EAST PERIMETERS WHERE THREE AND FOUR FEET, RESPECTIVELY, WERE PREVIOUSLY APPROVED on 2.81 acres at 3901 West Charleston Boulevard (APN 162-06-502-003), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian)

DIRECTOR'S BUSINESS:

29. TXT-37401 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to amend Table 2 of Title 19.04 and Title 19.20 to modify the descriptions, minimum standards, parking regulations and definitions related to the Shopping Center and Regional Mall uses, All Wards

30. TXT-37402 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to amend Title 19.00 and 19.18 to modify procedures and application requirements for land use applications, All Wards

CITIZENS PARTICIPATION:

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

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 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: MARCH 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 MARCH 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 MARCH 25, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

SUBJECT:
APPROVAL OF THE FINAL MINUTES FOR THE PLANNING COMMISSION MEETING OF FEBRUARY 25, 2010

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

AGENDA SUMMARY PAGE

PLANNING COMMISSION MEETING OF: MARCH 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: MARCH 25, 2010

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

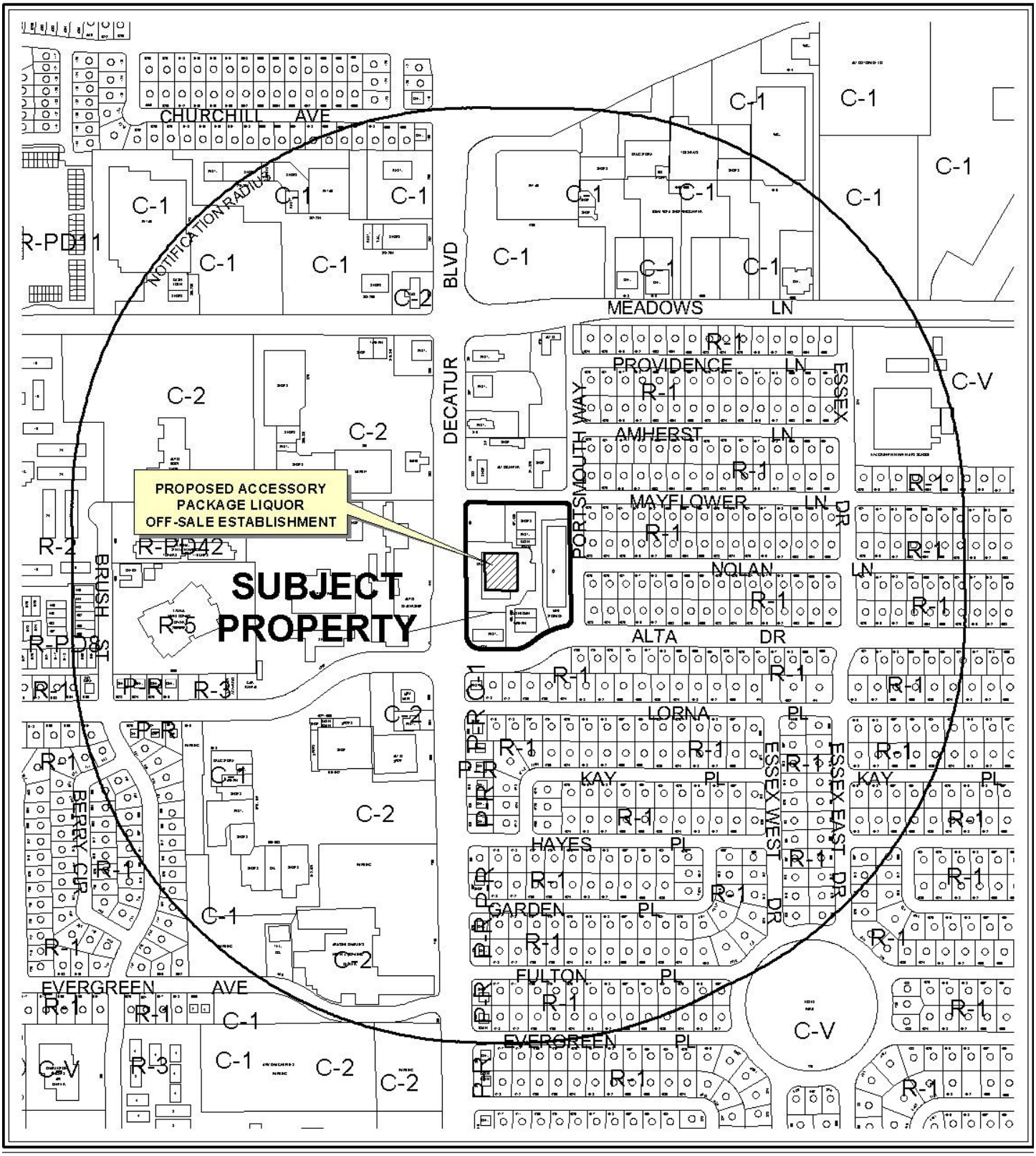
SUBJECT:
SUP-37376 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: WALGREEN CO. - OWNER: A D S C, LLC - Request for a Special Use Permit FOR A 48 SQUARE-FOOT ACCESSORY PACKAGE LIQUOR OFF-SALE WITHIN AN EXISTING 15,070 SQUARE-FOOT RETAIL ESTABLISHMENT at 451 South Decatur Boulevard (APN 139-31-221-003), C-2 (General Commercial) Zone, Ward 1 (Tarkanian)

IF APPROVED, C.C.: 04/21/2010
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**6**	**Planning Commission Mtg.**	**5**
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
6. Protest/Support Postcards



0 500 1000 Feet

CASE: **SUP-37376**

RADIUS: 1500 FT

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

N



0 500 1000 Feet

CASE: **SUP-37376**

RADIUS: 1500 FT

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

N



SUP-37376

Business Licenses

- Child Care/ Children Facility
- Beer/Wine/Cooler On Sale
- Beer/Wine/Cooler Off Sales
- Beer/Wine/Cooler On-Off Sale
- Package Liquor Sales
- Supper Club/ Restaurant Service Bar
- Tavern
- RELIGIOUS
- CITY PARKS
- SCHOOLS
- Subject Property
- 400 foot buffer

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-37376 - APPLICANT: WALGREEN CO. - OWNER: A D S C, LLC

** CONDITIONS **

Staff recommends APPROVAL, subject to conditions:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Retail Establishment with Accessory Package Liquor Off-Sale use.

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

3. Approval of this Special Use Permit does not constitute approval of a liquor license.

4. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

5. The sale of alcoholic beverages is ancillary to the retail use and in which no more than 48 square feet of the retail floor space is devoted to the display or merchandising of alcoholic beverages as shown in the floor plan date stamped on 02/9/10.

6. All beer and wine coolers shall remain in their original manufacturer's configuration of four- or six-packs.

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

SUP-37376 - Staff Report Page One
March 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a 48 square-foot Retail Establishment with Accessory Package Liquor Off-Sale use within an existing 15,120 square-foot Retail Establishment at 451 South Decatur Boulevard. This location does not have any churches, schools, child care facilities or city parks within the required 400-foot distance separation radius. The proposed use will not add parking beyond that which is required for the principal use on the site. No more than 10 percent of the retail floor space is devoted to beer and wine sales. This site location is well suited for this use. For all of these reasons, staff recommends approval. If this request is denied, no alcohol may be sold on the premises without approval of another Special Use Permit.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
12/15/65	The City Council approved a Rezoning (Z-0080-65) from C-1 (Limited Commercial) to C-2 (General Commercial) on this site. The Planning Commission and staff both recommended approval.
10/24/91	The Board of Zoning Adjustment approved a Special Use Permit (U-0244-91) to allow an automobile rental agency on property located at 461 South Decatur Boulevard. Staff recommended approval.
05/27/97	The City Council accepted the withdrawal of the request for a Special Use Permit (U-0011-97) on property located at 421 South Decatur Boulevard for a 40-foot high, 14-foot x 48-foot Off-Premise Sign. The Board of Zoning Adjustment and staff both recommended approval.
09/22/97	The City Council approved a Special Use Permit (U-0072-97) on property located at 431 South Decatur Boulevard for a Jewelry Store (Class III). The Planning Commission and Staff both recommended approval.
09/10/98	The Planning Commission approved a Site Development Plan Review [Z-0080-65(1)] for a proposed 4,500 square foot fast-food restaurant on this site. Staff recommended approval.
06/10/99	The Planning Commission approved a Review of Condition [Z-0080-65(2)] to delete the requirements for a right-turn lane, an access drive and redesign of a parking lot. Staff recommended approval.
05/16/01	The City Council approved a Site Development Plan Review [Z-0080-65(3)] for a 48,116 square foot commercial center. The Planning Commission recommended approval. Staff recommended denial.

05/16/01	The City Council approved a Variance (V-0018-01) application to allow a mini-storage building to be set back 71 feet from a residential property line where the Residential Adjacency Standards requires a setback of 99 feet. The Planning Commission recommended approval. Staff recommended denial.
05/16/01	The City Council unanimously approved a request for a Variance (V-0020-01) to allow 190 parking spaces where 230 spaces were the minimum required on the northeast corner of Decatur Boulevard and Alta Drive. Planning Commission recommended approval, whereas staff recommended denial.
06/18/03	The City Council approved a Master Sign Plan (MSP-2240) for a 15,070 square foot Retail store at 451 South Decatur Boulevard. The Planning Commission recommended approval. Staff recommended denial.
12/15/04	The City Council approved a Required Review (RQR-5372) of an approved Variance (V-0020-01), which allowed 190 parking spaces where 230 parking spaces were the minimum required. The Planning Commission recommended approval whereas staff recommended denial.
05/02/07	The City Council approved an appeal (DIR-20734) of the Planning and Development Department interpretation of Title 19.16 regarding the discontinuation of a nonconforming tavern use located at 465 South Decatur Boulevard. The Planning Commission and staff recommended approval.
Related Building Permits/Business Licenses	
02/12/03	A building permit (#03003470) was issued for a Retail Establishment at 451 South Decatur Boulevard. The project was completed on 08/15/03.
08/12/03	A business license (C05-02274) was issued for a Tobacco Dealer at 451 South Decatur Boulevard. The license is still active.
08/12/03	A business license (D11-00206) was issued for a Drug Store at 451 South Decatur Boulevard. The license is still active.
07/18/08	A business license (Q04-00083) was issued for a Pharmacy at 451 South Decatur Boulevard. The license is still active.
Pre-Application Meeting	
01/27/10	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for a Retail Establishment with Accessory Package Liquor Off-Sale were discussed. The topics included: • The submittal of application materials, meeting dates, and deadlines were discussed. • Need to indicate retail floor space devoted for the sale of alcoholic beverages.
Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	
Field Check	
02/18/10	A temporary sign banner is placed on the building façade and two "A" frame signs at the entrance of the building without a permit per Title 19.14 of the sign ordinance.

Details of Application Request	
Site Area	
Net Acres	1.42

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SC (Service Commercial)	C-2 (General Commercial)
North	Auto Center	SC (Service Commercial)	C-2 (General Commercial)
South	Restaurant	SC (Service Commercial)	C-1 (General Commercial)
	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
East	Single Family Residential	L (Low Density Residential)	C-2 (General Commercial)
West	Vacant Motor Vehicle Sales	GC (General Commercial)	C-2 (General 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 (175 feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	***Required***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	32,506 SF	1:250 SF	130		162		Y

RG

Mini Storage Facility	21,010 SF	1:50 Storage Units, Plus 5	14		14		Y
TOTAL SPACES REQUIRED			144		176		
TOTAL (With handicapped)			139	5	170	6	Y

ANALYSIS

This is a request for a Special Use Permit for a 48 square-foot Accessory Package Liquor Off-Sale use within an existing 15,120 square-foot Retail Establishment at 451 South Decatur Boulevard. This site location does not have any churches, schools, child care facilities or city parks within the required 400-foot distance separation radius. No additional parking beyond that which is required for the principal use on the site is required as a result of the addition of the use.

The sale of alcoholic beverages is ancillary to the retail use, and 48 square feet of the retail floor space is devoted to the display or merchandising of alcoholic beverages. The proposed use meets minimum requirements of Title 19.04; staff therefore recommends approval of this request.

FINDINGS

The following findings must be made for a Special Use Permit:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

   The proposed Retail Establishment with Accessory Package Liquor Off-Sale use will be located within the existing General Retail building and it is an accessory use. The proposed 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 physically suitable for the type and intensity of the proposed use. There is no additional parking requirement for a Retail Establishment with Accessory Package Liquor Off-Sale use other than that which is required for the principal use on site.

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

   Site access is provided from Decatur Boulevard, a 100-foot Primary Arterial and Alta Drive, an 80-foot Secondary Arterial as designated in the Master Plan of Streets and Highways. These streets are of sufficient size to accommodate the needs of the proposed Accessory Package Liquor Off-Sale use.

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

   Approval of 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 will be located within an existing Retail Establishment and complies with the minimum Special Use Permit requirements. The use will devote 48 square-feet of the floor space within the existing Retail Establishment for the sale of alcoholic beverages.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 20

NOTICES MAILED 623

APPROVALS 5

PROTESTS 6

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FEB 09 2010

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-37376** APN: 139-31-221-003

Name of Property Owner: A D S C LLC

Name of Applicant: Walgreen Co.

Name of Representative: Lionel Sawyer & Collins

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: By: _____
Alta Decatur, LLC
Print Name: Barry W. Becker,
Its: Manager

Subscribed and sworn before me

This 26 day of OCTOBER, 2009

Melissa Hamilton
Notary Public in and for said County and State
STATE OF NEVADA
COUNTY OF CLARK

NOTARY PUBLIC
MELISSA HAMILTON
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. APRIL 25, 2012
No: 08-6528-1

#62227

PLANNING & DEVELOPMENT
CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

#6227

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APPLICATION / PETITION FORM

Application/Petition For: SUP: [illegible] Package Liquor Off-Sale

Project Address (Location) 451 South Decatur Boulevard

Project Name Walgreens **Proposed Use** Drug Store (existing)

Assessor's Parcel #(s) 139-31-221-003 **Ward #** 1

General Plan: existing SC proposed _____ **Zoning:** existing C-2 proposed _____

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

Gross Acres 1.4 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER A D S C LLC **Contact** Becker Enterprises

Address 50 South Jones Boulevard #100 **Phone:** (702) 878-1903 **Fax:** (702) 878-1057

City Las Vegas **State** NV **Zip** 89107

E-mail Address none

APPLICANT Walgreen Co. **Contact** Rebecca Lidskin, Attorney

Address 104 Wilmot Road, M.S. #1420 **Phone:** (847) 315-4651 **Fax:** (847) 315-4825

City Deerfield **State** Illinois **Zip** 60015

E-mail Address Rebecca.Lidskin@walgreens.com

REPRESENTATIVE Lionel Sawyer & Collins **Contact** Jennifer Roberts

Address 300 South Fourth Street #1700 **Phone:** (702) 383-8946 **Fax:** (702) 671-2490

City Las Vegas **State** Nevada **Zip** 89101

E-mail Address jroberts@lionelsawyer.com

Property Owner Signature* By: [signature] Alta Decatur, LLC

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

Print Name Barry W. Becker, Its: Manager

Subscribed and sworn before me

This 26 day of OCTOBER, 20 09.

Melissa Hamilton

STATE OF NEVADA
COUNTY OF CLARK

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

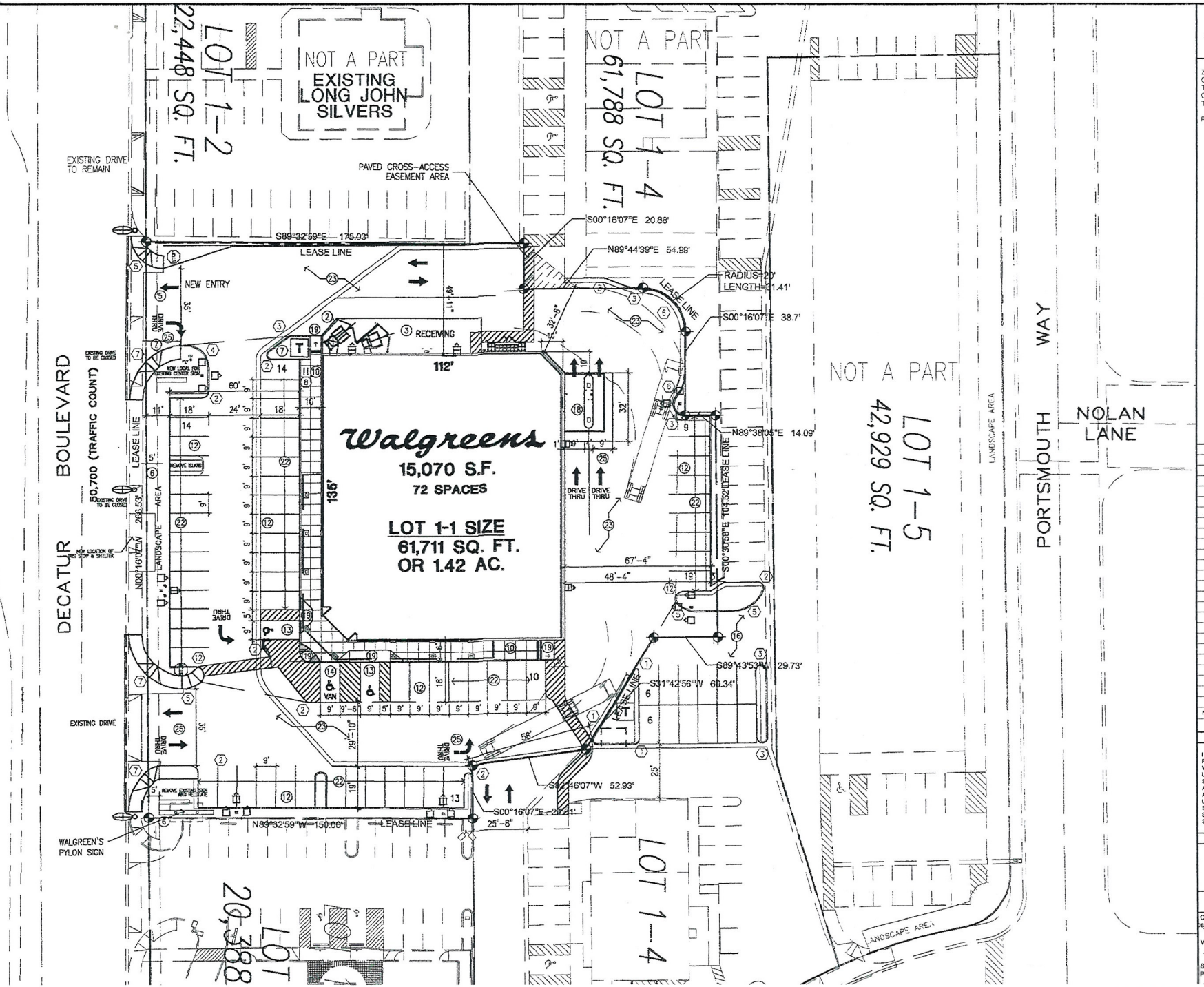
FOR DEPARTMENT USE ONLY

Case #	SUP 37376
Meeting Date:	3.25.10
Total Fee:	$1,280.-
Date Received:*	2.9.10
Received By:	JFA

*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

#6227



Walgreens

FACILITIES PLANNING, DESIGN, & ENGINEERING
106 WILMOT ROAD
DEERFIELD, IL 60015-4616

ZONING:	C-1
OCCUPANT LOAD:	381 OCCUPANTS
TOTAL ACREAGE:	1.42 ACRES
CONSTRUCTION TYPE:	V N SPRINKLERED
TOTAL BUILDING AREA:	15,070 SQARE FEET

PARKING ANALYSIS:
61 REQUIRED PARKING SPACES
72 PROVIDED PARKING SPACES
(69 STANDARD AND 3 ACCESSIBLE SPACES)

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FEB 09 2010

NO.	DATE	BY	DESCRIPTION	CONST

REVISIONS

CERTIFICATION AND SEAL

I HEREBY CERTIFY THAT THIS PLAN AND SPECIFICATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED ARCHITECT OR ENGINEER UNDER THE LAWS OF THE STATE OF XXXXXXXX AS SIGNIFIED BY MY HAND AND SEAL.

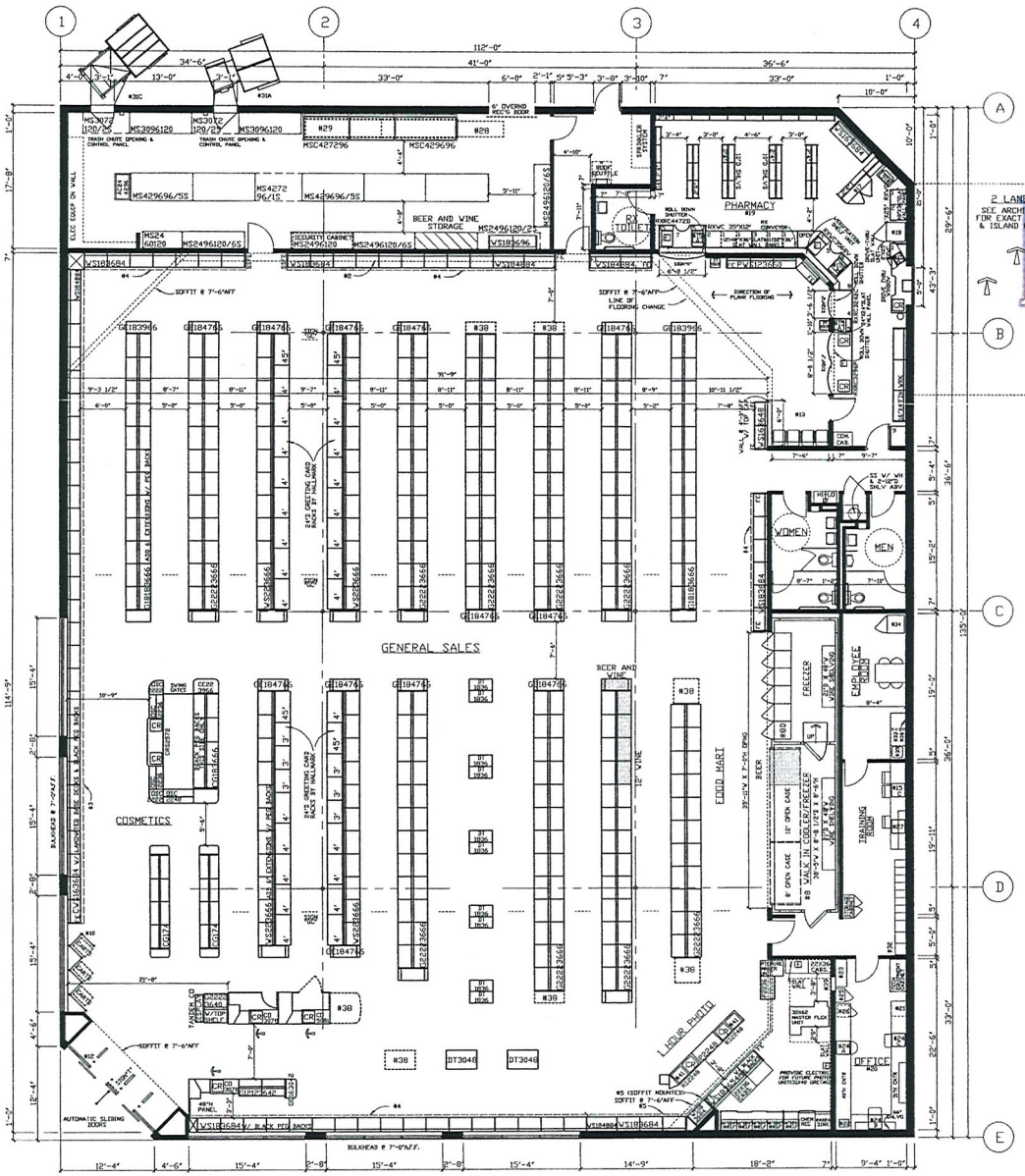
STORE NUMBER 06227

PROJECT NAME
WALGREENS STORE
451 SOUTH DECATOR BOULEVARD
LAS VEGAS, NV

DRAWING TITLE
SITE PLAN - BEER & WINE

CADD PLOT: 6227-A01-BW-13NOV09	SCALE: 1/20 =1'-0"	DRAWING NO.
VOID PLOT:	DRAWN BY: B. HESTER	A0.1
SUPERSEDES PLAN DATED:	DATE: 11/13/09	
	REVIEWED BY:	OF DWGS.

SUP-37376
03/25/10 PC



2 LANE DRIVE-THRU
SEE ARCHITECTURAL DRAWINGS FOR EXACT LOCATION OF CANOPY & ISLAND FOR PNEUMATIC TUBE

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FEB 09 2010

LEGEND

BEER AND WINE SALES

BEER AND WINE STORAGE

OCCUPANCY LOAD

TOTAL OCCUPANCY: 451

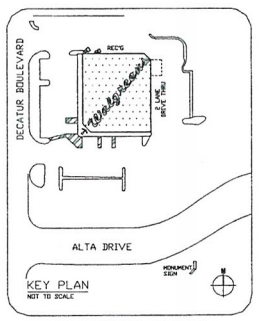
TOTAL BEER/WINE SQUARE FEET

TOTAL BEER AND WINE SALES: 48 SQ. FT.

TOTAL SALES: 9926 SQ. FT.

% SALES FLOOR DEVOTED TO BEER AND WINE = 48%

24 HOUR STORE



FOR REFERENCE ONLY: SEE CONTRACT DOCUMENTS FOR DETAILED SITE PLAN

INTERIOR HANGING SIGNS

GENERAL SALES AREA:
ALL SIGNS AND AISLE MARKERS @ 10'-6" TO BOTTOM OF SIGN UNLESS OTHERWISE NOTED.
SIGN "L" LIQUOR / THANK YOU
SIGN "T" STORE HOURS SIGN
SIGN "GC" GREETING CARD SIGN
SIGN "D" DOWNTOWN CHECKOUT LANE #
SIGN "CA" CALIFORNIA ACCESSIBILITY SIGN (9'-6" TO BOTTOM OF SIGN)

PHARMACY DEPARTMENT:
REFER TO FIXTURE PLAN FOR REQUIRED SIGNS
SIGN "J" PICK UP PRESCRIPTIONS
SIGN "K" DROP OFF PRESCRIPTIONS
SIGN "Q" CONSULTATION WINDOW
SIGN "TA" T. A. S.

ATTACH SIGNS TO UNDERSIDE OF CASED OPENINGS. REFER TO FIXTURE PLAN FOR SIGN LOCATION. PROVIDE (2) HOLLOW WALL ANCHORS PER SIGN. SCREW THREADED EYEBOLT INTO ANCHOR. HANG SIGNS FROM EYEBOLTS WITH "S" HOOKS.

GENERAL NOTES

GENERAL SALES AREA:
1. PLEASE ALLOW FOR PROPER A.D.A. CLEARANCES ON BOTH SIDES OF ALL DOORS
2. MIRROR ON REAR WALL
3. COSMETIC CORNICE
4. SALES AREA CORNICE: (FIXTURE MOUNTED)
5. PHOTO CORNICE (FIXTURE MTD UNLESS NOTED)
6. (NOT USED)
7. MASTER-BILT REACH-IN REFRIGERATION: (PROVIDE 2" AIR SPACE BETWEEN COOLERS AND FREEZERS)
OPEN FRONT, MEDIUM TEMP. COOLERS (ADD 2" AT EACH END, FOR END PANELS)
A. __ MD-06: 6'-0"W X 42 7/8"D
B. __ MD-08: 8'-0"W X 42 7/8"D
MODEL BEI-ENDLESS REACH-IN FREEZERS (ADD 2" AT EACH END, FOR END PANELS)
C. __ BEL-5-24: 10'-1 3/8"W X 38 3/4"D
8. MASTER-BILT WALK-IN COOLER: PROVIDE
__ #1000R COOLMASTER DOORS 26 3/4" X 73" EACH AND
6 #100FR FREEZEMASTER DOORS 29 3/8" X 73" EACH BY ANTHONY
A. __ DOOR(S): FOR EACH DOOR PROVIDE (7) __"D BEV-O-FLOW GRAVITY SHELVES: UPPER (5) WITH SLIDES AND LOWER (2) WITH ROLLERS COMPLETE WITH UPRIGHTS
B. __ DOOR(S): FOR EACH DOOR PROVIDE (7) 26"D ANTHONY WIRE SHELVES AND (4) 84" POSTS
C. __ DOOR(S): __"D ROLLER CONVEYOR AT FLOOR LEVEL
D. 6 DOOR(S): FOR EACH DOOR PROVIDE (8) 27"D ANTHONY SHELVES
E. __ DOOR(S): FOR EACH DOOR PROVIDE (2) 27"D ANTHONY SHELVES AND (4) 30"D MERCHANDISER SHELVES
F. __ DOOR(S): __"D DOUBLE DECK ROLLER CONVEYOR
9. ICE CHEST BY VENDOR
10. CART RAILINGS W/ 10' DISPLAY SHELF ABOVE
11. PROVIDE A 6"H BLACK VINYL BASE AT ALL CHECKOUTS
12. ELECTRONIC ARTICLE SURVEILLANCE SYSTEM
PHARMACY DEPARTMENT:
13. RX WAITING ROOM
(4) SEATS
14. PROVIDE 8'D SHELVES UNTIL BAKER CELLS ARE INSTALLED
15. COMPUTER TERMINAL
15A: INTERCOM PLUS TERMINAL
15C: TRAINING TERMINAL (IN TRAINING ROOM)
16. RX SINK AND CABINET
17. CRX CABINET
18. RX REFRIGERATOR
19. PROVIDE A CARPETED FLOOR WITH A RUBBER RUNNER. RX UNDER COUNTER INSERTS:
#1 - RX 3 DRAWER VIAL INSERT
#2 - RX 3 DRAWER FILE INSERT
#3 - RX OPEN INSERT
#4 - RX CONSULTATION COUNTER UNIT
#5 - RX PRINTER INSERT
#6 - RX 5 DRAWER FILE INSERT
#7 - RX OPEN INSERT WITH CPU SHELF
#8 - RX WILL CALL CABINET
#9 - RX 10 DRAWER FILE CABINET
OFFICE:
20. PROVIDE TILED FLOOR & VINYL WALL COVERING
21. UNDER COUNTER SHELF UNIT
22. COMPUTER PRINTER
23. LATERAL FILE
24. ADMINISTRATION TERMINAL
24A: P.O.S. TERMINAL
24B: AS400 TERMINAL
24C: STAFFWORKS TERMINAL
25. TILL LOCKER
26. SAFE
27. TV & VCR (IN TRAINING ROOM)
STOCKROOM:
28. NEST-A-FLEX CONVEYOR
29. GRAVITY CONVEYOR
30. POWER ROLLER CONVEYOR
31. SEE ARCHITECTURAL DRAWINGS FOR EXACT LOCATION OF COMPACTORS & COMPACTOR/TOTE ENCLOSURES
31A: SHREDDER TRASH COMPACTOR
31B: BALER
31C: CARDBOARD COMPACTOR
EMPLOYEE ROOM:
32. EMPLOYEE LOCKERS: (3) COAT LOCKERS W/ PERFORATED DOORS, (6) 6 TIER BOX LOCKERS & (2) 2 TIER BOX LOCKERS WITH SAFETY VIEW DOORS
33. 6'-0"W X 2'D EMPLOYEE COUNTER W/ (1) CABINET
34. EMPLOYEE ROOM REFRIGERATOR (PROVIDE 32" CLEARANCE WHEN NEXT TO COUNTER)
35. EMPLOYEE ROOM SINK (IN COUNTER)
36. 5'-0" MIRROR CENTERED ON WALL ABOVE COUNTER
MISCELLANEOUS:
37. "E" - ELECTRICAL OUTLET FOR FUTURE USE
38. VENDOR RACKS: REMOVE BASE DECK & SHOES; (END PANEL TO REMAIN)
39. PROVIDE OPENING FOR ONE-WAY GLASS (SEE INTERIOR ELEVATION FOR LOCATION)
40. NEWSPAPER RACK BY VENDOR
41. PICTURE CARE PLUS TERMINAL

EXECUTIVE APPROVAL		DATE
SENIOR VICE PRESIDENT FACILITIES DEVELOPMENT	PROTOTYPE	
SENIOR VICE PRESIDENT STORE OPERATIONS		
VICE PRESIDENT STORE OPERATIONS		
REVIEWED BY:	V.G./M.H.	5.29.2002

FIXTURE LEGEND

G GONDOLA (EA. SIDE)	18	36 D.	66" W. H.	ALL OTHER FIXTURES ARE TYPICALLY CALLED OUT DEPTH BY WIDTH, EXAMPLE:
GE GONDOLA END	18	39 D.	66" W. H.	DT 30 48 DISPLAY TABLE D. W.
WS WALL SHLVG	18	36 D.	84" W. H.	

*DOES NOT INCLUDE STANDARDS, WOOD GROUNDS OR FINISHED END PANELS

Walgreens
FACILITIES PLANNING, DESIGN & ENGINEERING
200 WILMOT ROAD
DEERFIELD, IL 60015-4616

PROJECT DATA

TYPE				
	GENERAL SALES	■	FOOD MART	■
NEW LOCATION	PHARMACY	■	SECURITY	
NEW LOCATION EXIST'G BLDG	LIQUOR		24 HOUR STORE	■
REMODEL	1 HR PHOTO	■	OTHER	

SQUARE FOOT AREA SUMMARY

DEPARTMENT		SALES	STOCK	SERVICE	TOTAL EXIST'G	TOTAL NEW
GEN SALES	NEW	9926	1725	1303		12,954
	EXIST					
FOOD MART	NEW	700				700
	EXIST					
RX	NEW	788				788
	EXIST					
RX WAIT'G	NEW	193				193
	EXIST					
LIQ	NEW					
	EXIST					
1 HR PHOTO	NEW	435				435
	EXIST					
BSMT	NEW					
	EXIST					
2ND FLOOR	NEW					
	EXIST					
TOTAL NEW		12,042	1725	1303		15,070
TOTAL EXIST					0	

TOTAL AREA: FIRST FLOOR 15,070 SQ. FT.
TOTAL AREA: OTHER LEVELS 0 SQ. FT.
GROSS AREA INCLUDING ALL DEPARTMENTS & ALL LEVELS: 15,070 SQ. FT.
RX SHELVING LINEAL FEET: 96 LIN. FT.

FIXTURE MANUFACTURER

KIECHLER/ MYERS | MADIX/ POWERS ■ | LOZIER/ LOZIER

REVISIONS

NO.	DATE	BY	DESCRIPTION
	1.27.2003	JAL	REVIEWED D1
	4.21.2003	JAL	REVIEWED D1

CERTIFICATION AND SEAL

I HEREBY CERTIFY THAT THIS PLAN AND SPECIFICATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED ARCHITECT OR ENGINEER UNDER THE LAWS OF THE STATE OF NEVADA AS SIGNIFIED BY MY HAND AND SEAL.

STORE # 06227

PROJECT NAME
(NEC) DECATUR & ALTA
LAS VEGAS, NV

DRAWING TITLE
FIXTURE FLOOR PLAN

CAD PLOT: F06227D110
VOID PLOT: F06227D109
RELEASED TO CONSTRUCTION:
SCALE: 1/8" = 1'-0"
DRAWN BY: J.LONGANO
DATE: 5.30.2002
SUPERSEDES PLAN DATED: 12.20.99
DRAWING NO. D1
OF DWGS.

SUP-37376
03/25/10 PC



SUP-37376 - APPLICANT: WALGREEN CO. - OWNER: A D S C, LLC
451 SOUTH DECATUR BOULEVARD
MARCH 25, 2010 PLANNING COMMISSION

02/18/10



SUP-37376 - APPLICANT: WALGREEN CO. - OWNER: A D S C, LLC
451 SOUTH DECATUR BOULEVARD
MARCH 25, 2010 PLANNING COMMISSION

02/18/10



SUP-37376 - APPLICANT: WALGREEN CO. - OWNER: A D S C, LLC
451 SOUTH DECATUR BOULEVARD
MARCH 25, 2010 PLANNING COMMISSION

02/18/10

LIONEL SAWYER & COLLINS

ATTORNEYS AT LAW
1700 BANK OF AMERICA PLAZA
300 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101
(702) 383-8888
FAX (702) 383-8845
lsc@lionelsawyer.com
www.lionelsawyer.com

SAMUEL S. LIONEL
GRANT SAWYER
(1918-1996)
JON R. COLLINS
(1923-1987)
RICHARD H. BRYAN
JEFFREY P. ZUCKER
PAUL R. HEJMANOWSKI
ROBERT D. FAISS
DAVID N. FREDERICK
RODNEY M. JEAN
HARVEY WHITTEMORE
TODD TOUTON
CAM FERENBACH
LYNDA S. MABRY
MARK H. GOLDSTEIN
KIRBY J. SMITH
COLLEEN A. DOLAN
JENNIFER A. SMITH
DAN R. REASER
PAUL E. LARSEN
ALLEN J. WILT

LYNN S. FULSTONE
RORY J. REID
DAN C. McGUIRE
JOHN E. DAWSON
FRED D. "PETE" GIBSON, III
CHARLES H. McCREA JR.
GREGORY E. SMITH
MALANI L. KOTCHKA
LESLIE BRYAN HART
CRAIG E. ETEM
TODD E. KENNEDY
MATTHEW E. WATSON
SHAWN M. ELICEGUI
JOHN M. NAYLOR
WILLIAM J. McKEAN
ELIZABETH BRICKFIELD
GREGORY R. GEMIGNANI
LINDA M. BULLEN
LAURA J. THALACKER
DOREEN SPEARS HARTWELL
LAURA K. GRANIER
MAXIMILIANO D. COUVILLIER III

MICHAEL D. KNOX
ERIN FLYNN
JENNIFER ROBERTS
MEREDITH L. STOW
DOUGLAS A. CANNON
RICHARD T. CUNNINGHAM
MATTHEW R. POLICASTRO
JENNIFER J. DiMARZIO
PEARL L. GALLAGHER
CHRISTINE D. SMITH
SUSAN L. MYERS
BRIAN S. PICK
JENNIFER L. BRASTER
LUCAS J. TUCKER
CHRISTOPHER WALTHER

KEVIN J. HEJMANOWSKI
KETAN D. BHIRUD
LAUREN D. CALVERT
ROBERT W. HERNQUIST
CHRISTIAN HALE
TIMOTHY R. MULLINER
COURTNEY MILLER O'MARA
BRIAN H. SCHUSTERMAN
MOHAMED A. IQBAL, JR.
KELLY R. KICHLINE
MARK J. GARDBERG
ELIZABETH A. HIGH
JAMES B. GIBSON
GREG J. CARLSON
ABIGAYLE F. DANG

OF COUNSEL
RICHARD J. MORGAN*
ELLEN WHITTEMORE
CHRISTOPHER MATHEWS
MARK A. CLAYTON

*ADMITTED IN CA ONLY
WRITER'S DIRECT DIAL NUMBER:
(702)-383-8946
jroberts@lionelsawyer.com

February 9, 2010

VIA HAND DELIVERY

Planning and Development Department
City of Las Vegas
Development Services Center
731 South Fourth Street
Las Vegas, Nevada 89101

RECEIVED
FEB 09 2010

RE: ***Application for Special Use Permit***

To Whom It May Concern:

I am writing on behalf of Walgreen Co. in support of the application for a special use permit for the addition of accessory "off-sale" packaged beer, wine, and liquor at the premises of Walgreens at 451 South Decatur Boulevard. The location is currently operating and licensed as a drug store.

This location is zoned C-2, General Commercial. The proposed sale of packaged liquor will not adversely affect surrounding properties, as this store is the center of a commercial complex and is located along the major commercial corridor of Decatur Boulevard. There are other businesses in the general area that sale alcohol, so the proposed use would not be unique to the area. The site also currently complies with all other requirements pursuant to the City of Las Vegas Municipal Code.

With this special use permit, Walgreens will remain competitive with similar businesses by offering patrons the option to purchase packaged beer, wine, or liquor for consumption off-premises. Since this use is commonly found at similar drug and retail grocery stores in Las Vegas, there would be no variable impact on other businesses by allowing Walgreens to sell alcohol for the convenience of its customers at this location.

SUP-37376
03/25/10 PC

Walgreens will continue to maintain its high-level standard of operations, and the design, hours of operation, traffic generation, lighting, and noise at this location will remain unchanged with the issuance of a special use permit to allow for accessory packaged beer, wine, and liquor sales. Also, the location will not devote more than 10% of the retail floor space to the display or merchandising of alcoholic beverages.

Furthermore, Walgreen Co. is a well-established national company with shares traded on the New York Stock Exchange. The company has over 60 stores in southern Nevada that maintain a low impact on neighboring properties. This Walgreens location has 25 employees and is open from 7:00 a.m. to 10:00 p.m. every day.

As Walgreens is currently operating and the addition of packaged beer, wine, and liquor for sale is compatible with the surrounding area, we respectfully request a special use permit for the addition of accessory "off-sale" packaged beer, wine, and liquor sales.

Please call me if you have any questions or need additional information.

Sincerely,

Jennifer Roberts

cc: Ms. Rebecca Lidskin

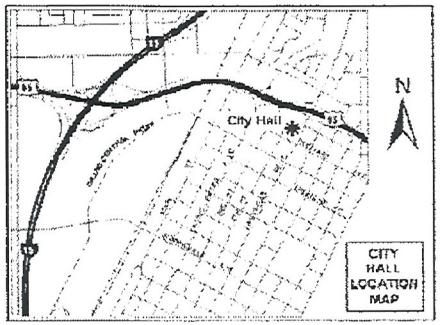
RECEIVED
FEB 09 2010

SUP-37376
03/25/10 PC

RENO OFFICE: 1100 BANK OF AMERICA PLAZA, 50 WEST LIBERTY STREET • RENO, NEVADA 89501 • (775) 788-8666 • FAX (775) 788-8682
CARSON CITY OFFICE: 410 SOUTH CARSON STREET • CARSON CITY, NEVADA 89701 • (775) 841-2115 • FAX (775) 841-2119
WASHINGTON, DC OFFICE: 101 CONSTITUTION AVENUE NW, SUITE 800 • WASHINGTON, DC 20001 • (202) 742-4264 • FAX (202) 742-4265

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

Return Service Requested
Official Notice of Public Hearing



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

☐ I SUPPORT this Request ☑ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37376

Planning Commission Meeting of 3/25/2010

Case: SUP-37376
13931210014
MCCURLEY CHARLES R
4508 PROVIDENCE LN
LAS VEGAS NV 89107-2904

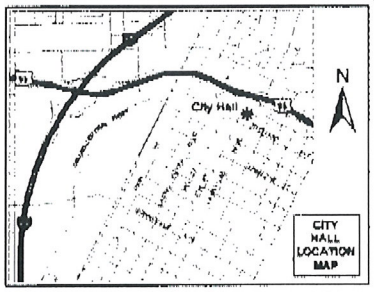
RECEIVED
MAR 15 2010

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]

Return Service Requested
Official Notice of Public Hearing



We already have about 5 liquor-selling establishments in the immediate vicinity. . . bjc

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-37376

Planning Commission Meeting of 3/25/2010

Case: SUP-37376
13931214027
BROWN JOHN A & SADIE M
P O BOX 28225
LAS VEGAS NV 89126-2225

RECEIVED
MAR 15 2010

6P

001

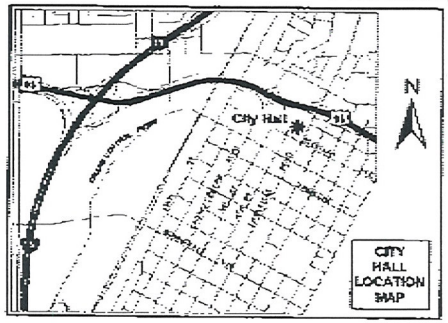
CASH EXPRESS

03/15/2010 09:44 FAX 3092274

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

Return Service Requested

Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-37376

Planning Commission Meeting of 3/25/2010

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES

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Case: SUP-37376

13931311047
CAIRNS JULIE
613 ESSEX EAST DR
LAS VEGAS NV 89107-4111

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MAR 15 2010

LP

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

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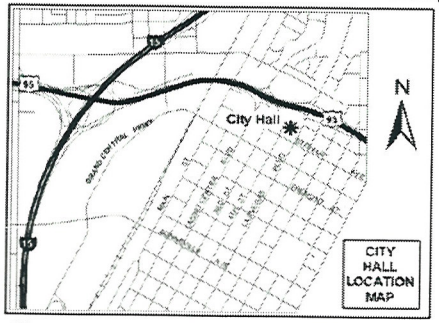

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☐ I SUPPORT this Request

☒ I OPPOSE this Request WE

Please use available blank space on card for your comments.

SUP-37376

Planning Commission Meeting of 3/25/2010

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Case: SUP-37376

13931213023
HOKANSON G KENT & JULENE D
4525 NOLAN LN
LAS VEGAS NV 89107-2944

AAVDS11 89107

6P

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

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MAILED FROM ZIP CODE 89101

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MAR 16 2010

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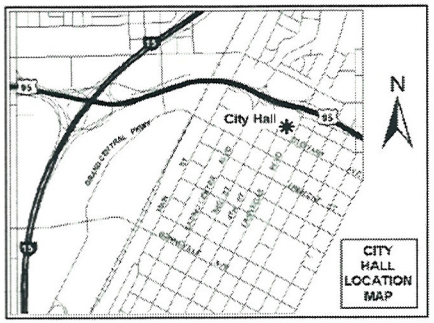
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☑ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37376

Planning Commission Meeting of 3/25/2010

Case: SUP-37376
13931217005
PENCE I B & WANDA J
4405 MAYFLOWER LN
LAS VEGAS NV 89107-2948

AAVDS11 89107

6P

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

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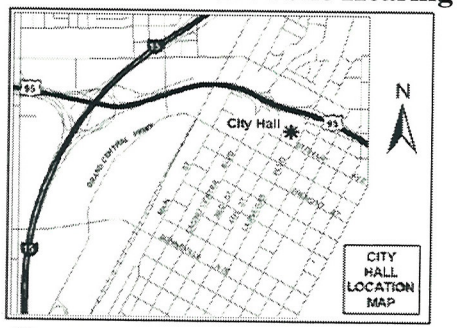

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MAR 16 2010

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-37376

Planning Commission Meeting of 3/25/2010

Case: SUP-37376
13931213012
ERVIN STANLEY K & SUSAN LAVONNE
4516 NOLAN LN
LAS VEGAS NV 89107-2945

AAVDE11 A3107

SP

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 MAR 12 2010
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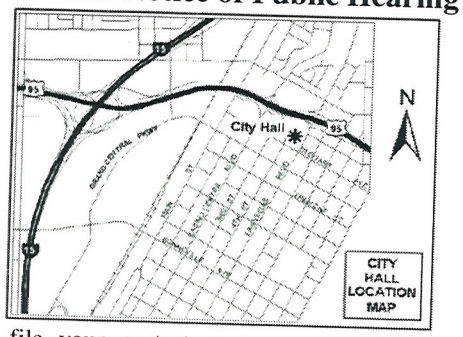
MAR 16 2010

Return Service Requested
Official Notice of Public Hearing



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[X] I SUPPORT this Request

[ ] I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37376

Planning Commission Meeting of 3/25/2010

Please

13931213009 Case: SUP-37376
SMITH JAMES & REBECCA REV LIV TR
4528 NOLAN LN
LAS VEGAS NV 89107-2945

AAVD511 89107

LA

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

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MAILED FROM ZIP CODE 89101

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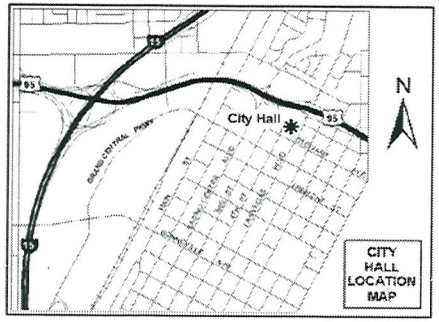
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37376

Planning Commission Meeting of 3/25/2010

Case: SUP-37376

13931311057
MOORE GREGORY A
P O BOX 26627
LAS VEGAS NV 89126-0627

AAUDS11 89126

6A

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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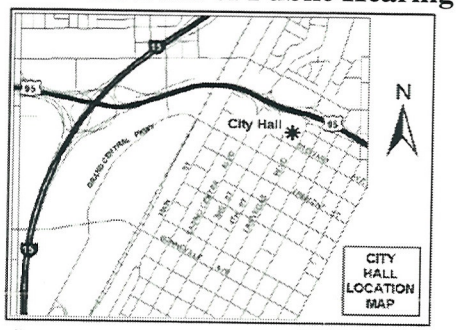

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SUP-37376

Planning Commission Meeting of 3/25/2010

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MAR 16 2010

Case: SUP-37376

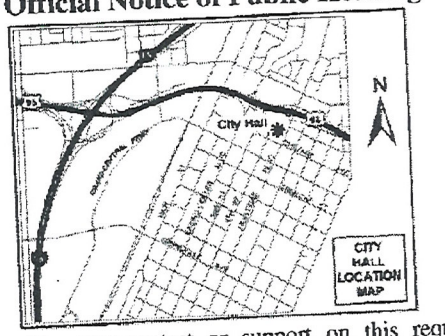
13931310075
KILLIAN DENNIS G
601 S DECATUR BLVD
LAS VEGAS NV 89107-3912

AAVDS11 89107

6A

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

Return Service Requested
Official Notice of Public Hearing



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[X] I SUPPORT this Request

[ ] I OPPOSE this Request

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SUP-37376

Planning Commission Meeting of 3/25/2010

PRESORTED FIRST CLASS

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MAILED FROM ZIP CODE 89101

Case: SUP-37376

13931311057
MOORE GREGORY A
P O BOX 26627
LAS VEGAS NV 89126-0627

AAVDS11 89126

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MAR 15 2010

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

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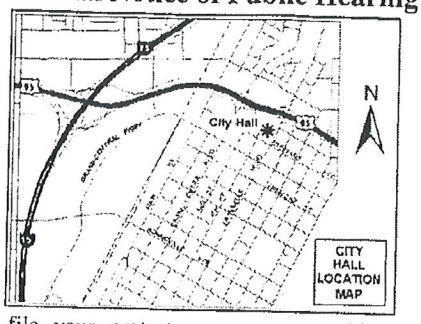

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37376

Planning Commission Meeting of 3/25/2010

13931214002 Case: SUP-37376
CABALLERO REMEDIOS R LIVING TR
8926 FORT CRESTWOOD DR
LAS VEGAS NV 89129-3637

AAUDS11 A81283

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MAR 15 2010

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Mar 15 10 01:33p Hope Health 702 259-3119 p.1

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

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

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

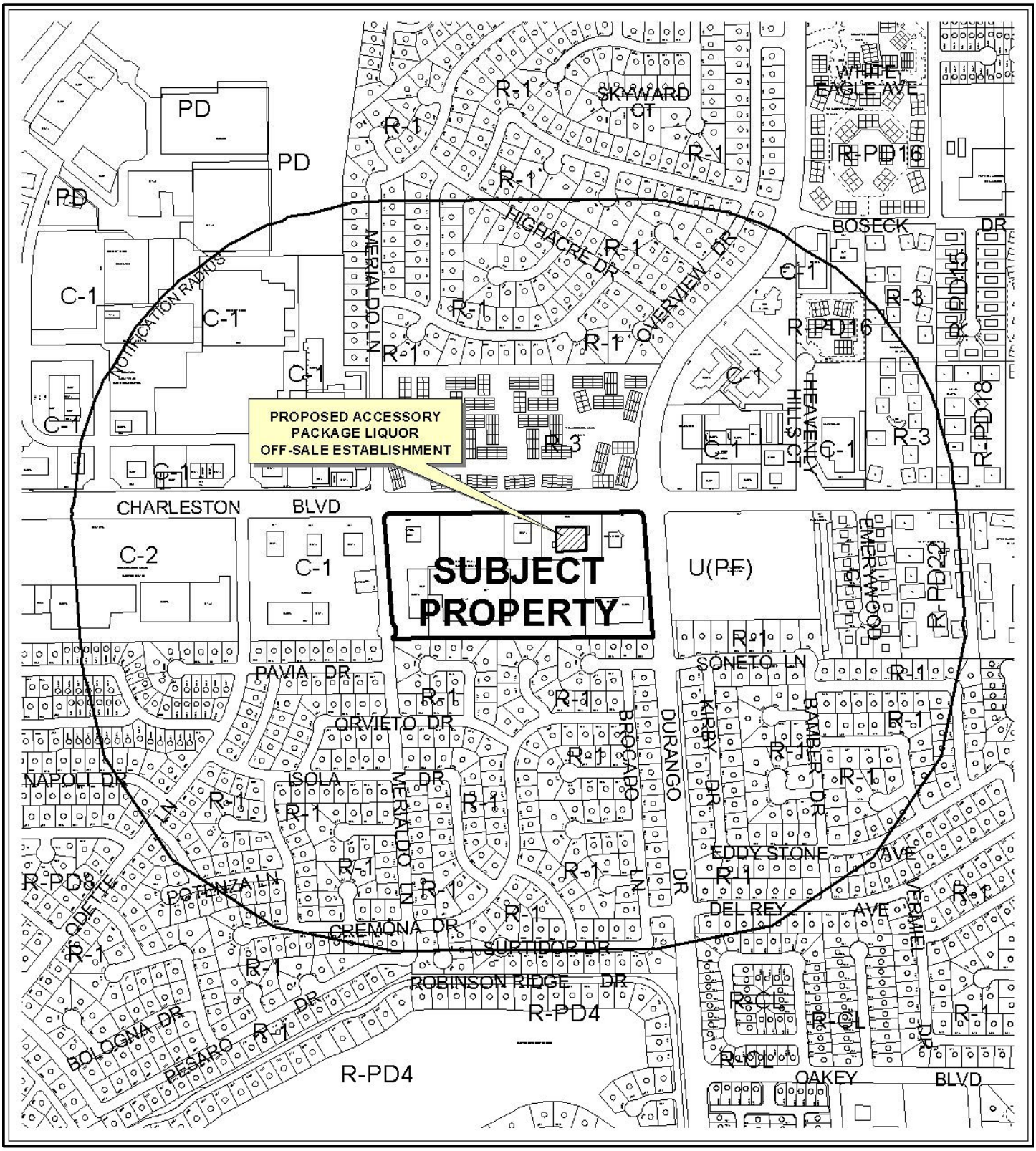
SUBJECT:
SUP-37377- SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: WALGREEN CO. - OWNER: THREE BS INC. - Request for a Special Use Permit FOR A 47 SQUARE-FOOT ACCESSORY PACKAGE LIQUOR OFF-SALE WITHIN AN EXISTING 14,715 SQUARE-FOOT RETAIL ESTABLISHMENT at 8633 West Charleston Boulevard (APN 163-05-517-003), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson)

IF APPROVED, C.C.: 04/21/2010
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**5**	**Planning Commission Mtg.**	**6**
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
6. Protest/Support Postcards



CASE: **SUP-37377**

RADIUS: 1500 FT

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



0 500 1000 Feet

CASE: **SUP-37377**

RADIUS: 1500 FT

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



SUP-37377

Business Licenses

- Child Care/ Children Facility
- Beer/Wine/Cooler On Sale
- Beer/Wine/Cooler Off Sales
- Beer/Wine/Cooler On-Off Sale
- Package Liquor Sales
- Supper Club/ Restaurant Service Bar
- Tavern
- RELIGIOUS
- CITY PARKS
- SCHOOLS
- Subject Property
- 400 foot buffer

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-37377- APPLICANT: WALGREEN CO. - OWNER: THREE Bs, INC.

** CONDITIONS **

Staff recommends APPROVAL, subject to conditions:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Retail Establishment with Accessory Package Liquor Off-Sale use.

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

3. Approval of this Special Use Permit does not constitute approval of a liquor license.

4. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

5. The sale of alcoholic beverages is ancillary to the retail use and in which no more than 47 square feet of the retail floor space is devoted to the display or merchandising of alcoholic beverages as shown in the floor plan date stamped on 02/9/10.

6. All beer and wine coolers shall remain in their original manufacturer's configuration of four- or six-packs.

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

SUP-37377 - Staff Report Page One
March 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a 47 square-foot Retail Establishment with Accessory Package Liquor Off-Sale use within an existing 14,715 square-foot Retail Establishment at 8633 West Charleston Boulevard. This location does not have any churches, schools, child care facilities or city parks within the required 400-foot distance separation radius. The proposed use will not add parking beyond that which is required for the principal use on the site. No more than 10 percent of the retail floor space is devoted to beer and wine sales. This site location is well suited for this use. For all of these reason staff recommends approval. If this request is denied, no alcohol may be sold on the premises without approval of another Special Use Permit.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
02/04/87	The City Council approved a request for a Rezoning (Z-0102-86) from N-U (Non Urban) to C-1 (Limited Commercial) and R-1 (Single Family Residential) of approximately 68 acres located adjacent to the south side of Charleston Boulevard, between Durango Drive and Merialdo Lane. The Planning Commission and staff recommended approval.
Related Building Permits/Business Licenses	
06/12/98	A building permit (#98012413) was issued for a Retail Establishment at 8633 West Charleston Boulevard. The project was completed on 11/6/98.
10/5/99	A business license (C05-01918) was issued for a Tobacco Dealer at 8633 West Charleston Boulevard. The license is still active.
10/5/99	A business license (D11-00159) was issued for a Drug Store at 8633 West Charleston Boulevard. The license is still active.
10/5/99	A business license (Q04-00077) was issued for a Pharmacy at 8633 West Charleston Boulevard. The license is still active.
Pre-Application Meeting	
01/27/10	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for a Retail Establishment with Accessory Package Liquor Off-Sale were discussed. The topics included: • The submittal of application materials, meeting dates, and deadlines were discussed. • Need to indicate retail floor space devoted for the sale of alcoholic beverages.

Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	
Field Check	
2/18/10	A banner sign was observed at the front entrance to the building without a permit per Title 19.14 of the sign ordinance.

Details of Application Request	
Site Area	
Net Acres	1.50

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential
South	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
East	Power Substation	U (Undeveloped)	PF (Public Facility)
	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
West	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
	LVWWD water pump station	P-R (Professional Office and Parking)	PF (Public Facility)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	***Required***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	162,185	1:250 SF	636	13	856	18	
TOTAL			649		874		Y

ANALYSIS

This is a request for a Special Use Permit for a 47 square-foot Retail Establishment with Accessory Package Liquor Off-Sale use within an existing 14,715 square-foot Retail Establishment at 8633 West Charleston Boulevard. This site location does not have any churches, schools, child care facilities or city parks within the required 400-foot distance separation radius. No additional parking beyond that which is required for the principal use on the site is required as a result of the addition of this use.

The sale of alcoholic beverages is ancillary to the retail use, and 47 square feet of the retail floor space is devoted to the display or merchandising of alcoholic beverages. The proposed use meets minimum requirements of Title 19.04; staff therefore recommends approval of this request.

FINDINGS

The following findings must be made for a Special Use Permit:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

   The proposed Retail Establishment with Accessory Package Liquor Off-Sale use will be located within the existing Retail Establishment and it is an accessory use. The proposed 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 physically suitable for the type and intensity of the proposed use. There is no additional parking requirement for a Retail Establishment with Accessory Package Liquor Off-Sale use other than that which is required for the principal use on site.

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 Charleston Boulevard and Durango Drive, both 100-foot Primary Arterials as designated in the Master Plan of Streets and Highways. These streets are of sufficient size to accommodate the needs of the proposed Accessory Package Liquor Off-Sale use.

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

   Approval of 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 will be located within an existing Retail Establishment and complies with the minimum Special Use Permit requirements. The use will devote 47 square feet of the floor space within the existing Retail Establishment for the sale of alcoholic beverages.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 14

NOTICES MAILED 1,095

APPROVALS 6

PROTESTS 5

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FEB 09 2010

3872

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-37377** APN: 163-05-517-003

Name of Property Owner: Three BS Inc.

Name of Applicant: Walgreen Co.

Name of Representative: Lionel Sawyer & Collins

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 N Peccole, President

Print Name: Robert N Peccole

Subscribed and sworn before me

This 3rd day of Nov., 2009

Lynn K. O'Leary

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
LYNN K. O'LEARY
Appt. No. 04-88029-1
My Appt. Expires April 2, 2012

3872

ANNING & VELOPMENT

CITY OF LAS VEGAS DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

FEB 09 2010

APPLICATION / PETITION FORM

Application/Petition For: SUP: ! Package Liquor Off-Sale

Project Address (Location) 8633 West Charleston Boulevard

Project Name Walgreens **Proposed Use** Drug Store (existing)

Assessor's Parcel #(s) 163-05-517-003 **Ward #** 2

General Plan: existing SC proposed _____ **Zoning:** existing C-1 proposed _____

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

Gross Acres 1.4 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Three BS Inc. **Contact** Peccole Enterprises

Address 8981 W. Sahara Ave., Ste 120 **Phone:** (702) 366-9140 **Fax:** none

City Las Vegas **State** NV **Zip** 89117

E-mail Address none

APPLICANT Walgreen Co. **Contact** Rebecca Lidskin, Attorney

Address 104 Wilmot Road, M.S. #1420 **Phone:** (847) 315-4651 **Fax:** (847) 315-4825

City Deerfield **State** Illinois **Zip** 60015

E-mail Address Rebecca.Lidskin@walgreens.com

REPRESENTATIVE Lionel Sawyer & Collins **Contact** Jennifer Roberts

Address 300 South Fourth Street #1700 **Phone:** (702) 383-8946 **Fax:** (702) 671-2490

City Las Vegas **State** Nevada **Zip** 89101

E-mail Address jroberts@lionelsawyer.com

Property Owner Signature*: Robert N. Peccole, President

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

Print Name Robert N. Peccole

Subscribed and sworn before me

This 3RD day of NOVEMBER, 20 09.

Lynn K. O'Leary

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
LYNN K. O'LEARY
Appt. No. 04-88029-1
My Appt. Expires April 2, 2012

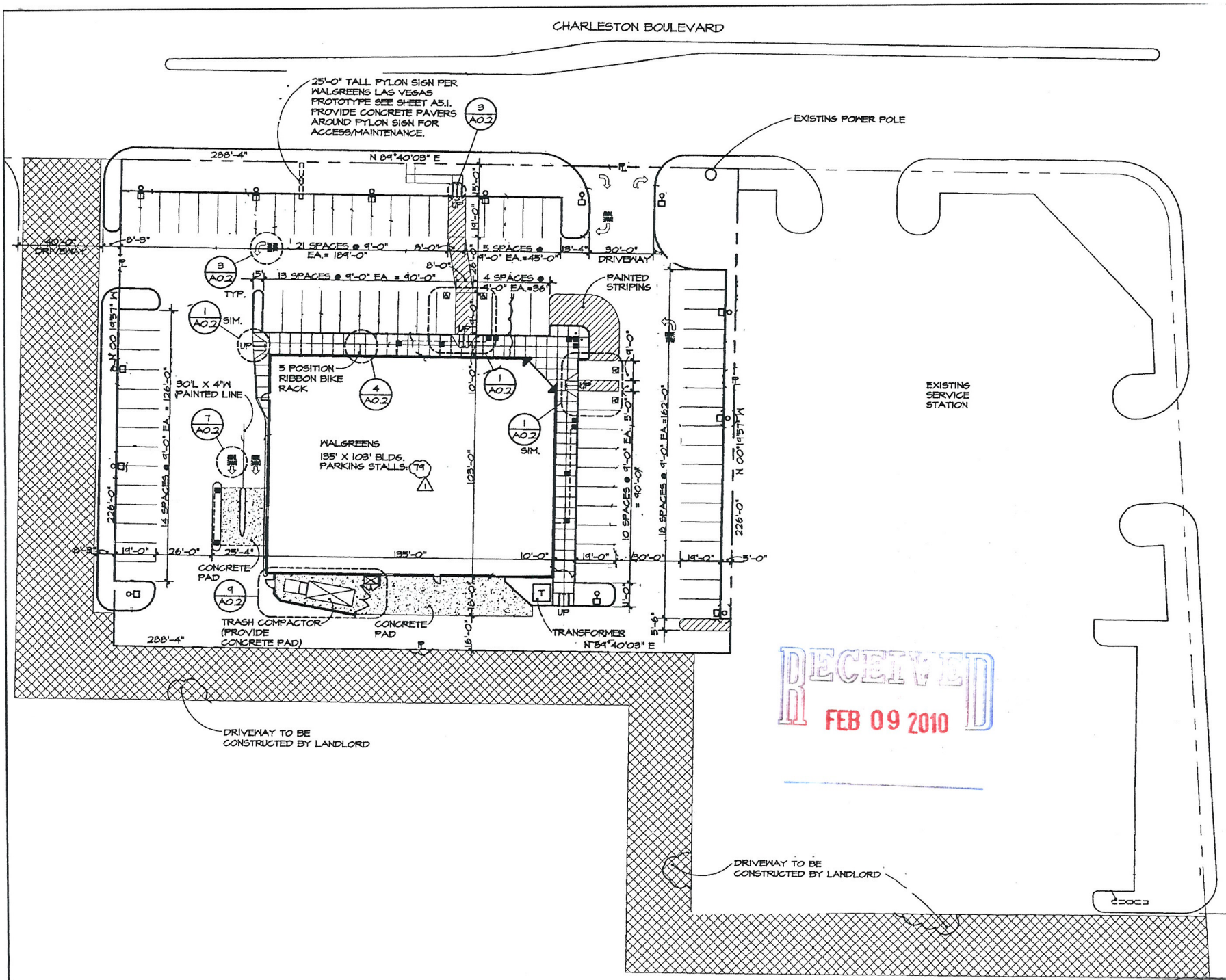
Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SUP 37377
Meeting Date:	3.25.10
Total Fee:	$1,280.-
Date Received:*	2.9.10
Received By:	JFA

*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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SUP-37377
03/25/10 PC

Walgreens
FACILITIES PLANNING, DESIGN, & ENGINEERING
106 WILMOT ROAD
DEERFIELD, IL 60015-4616

NO.	DATE	BY	DESCRIPTION	CON

REVISIONS

CERTIFICATION AND SEAL

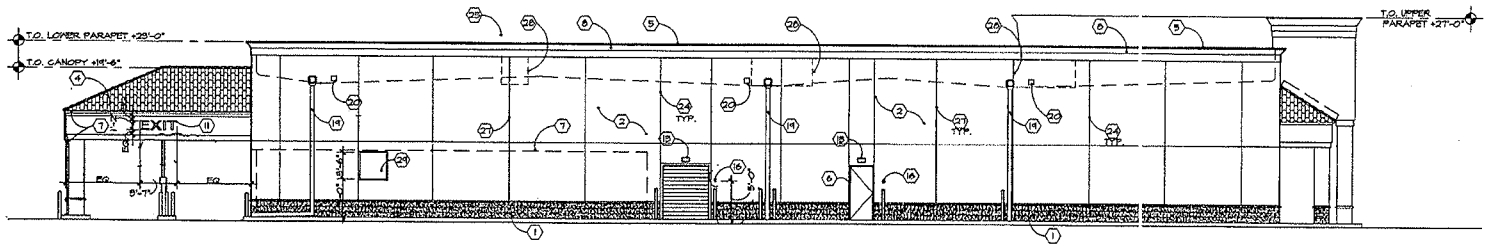
I HEREBY CERTIFY THAT THIS PLAN AND SPECIFICATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED ARCHITECT OR ENGINEER UNDER THE LAWS OF THE STATE OF XXXXXXXX AS SIGNIFIED BY MY HAND AND SEAL.

STORE NUMBER 03872

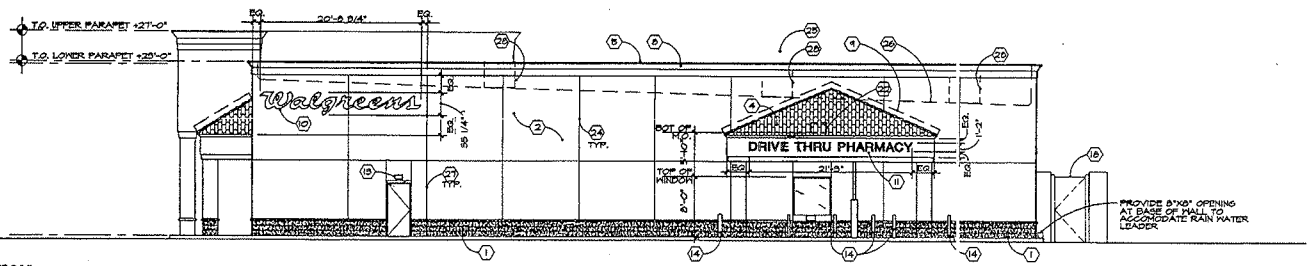
PROJECT NAME
WALGREENS STORE
8633 W CHARELSTON BLVD
LAS VEGAS, NV

DRAWING TITLE
SITE PLAN

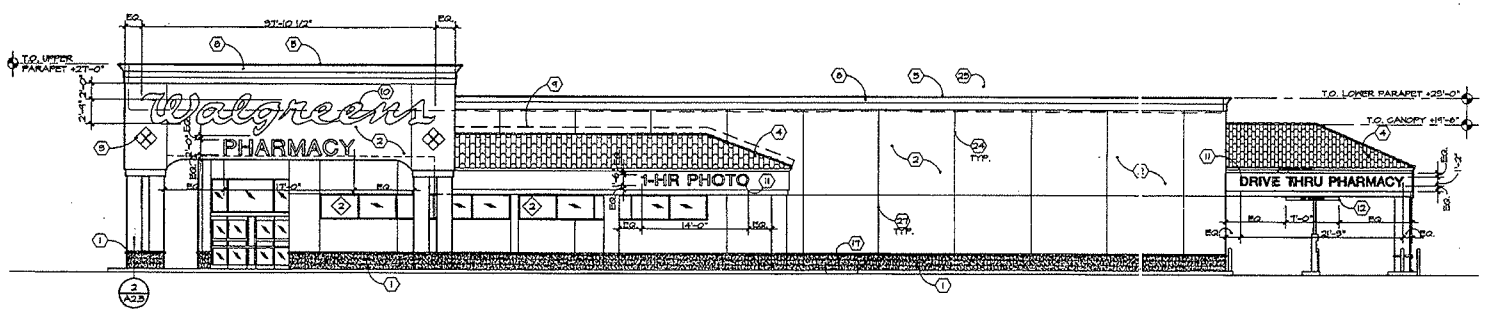
CADD PLOT: 03872-A01-BW-13NOV09	SCALE: 1"-20'-0"	DRAWING NO.
VOID PLOT:	DRAWN BY: K. THALMANN COS	A0.1
SUPERSEDES PLAN DATED:	DATE: 11-13-09	
	REVIEWED BY:	OF DWGS.



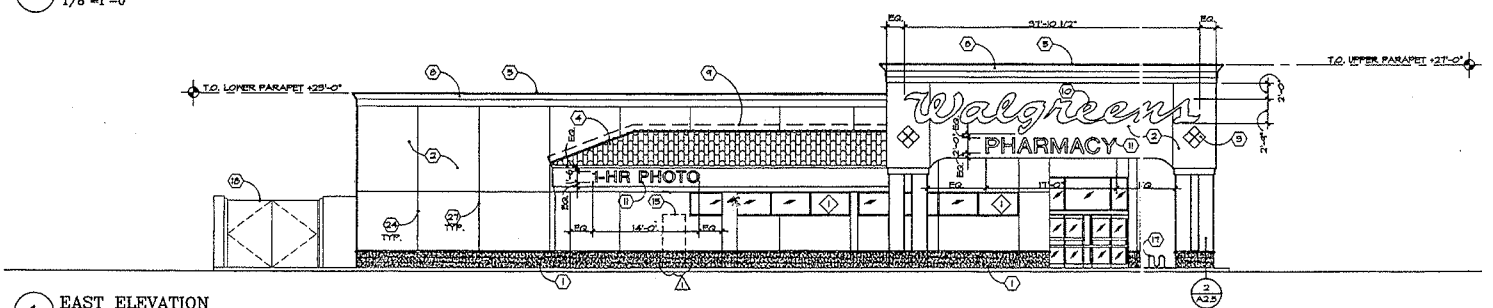
4 SOUTH ELEVATION
1/8"=1'-0"



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



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



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

Walgreens
FACILITIES PLANNING, DESIGN, & ENGINEERING
106 WILMOT ROAD
DEERFIELD, IL 60015-4616

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FEB 09 2010

NO.	DATE	BY	DESCRIPTION	CONST

REVISIONS

CERTIFICATION AND SEAL

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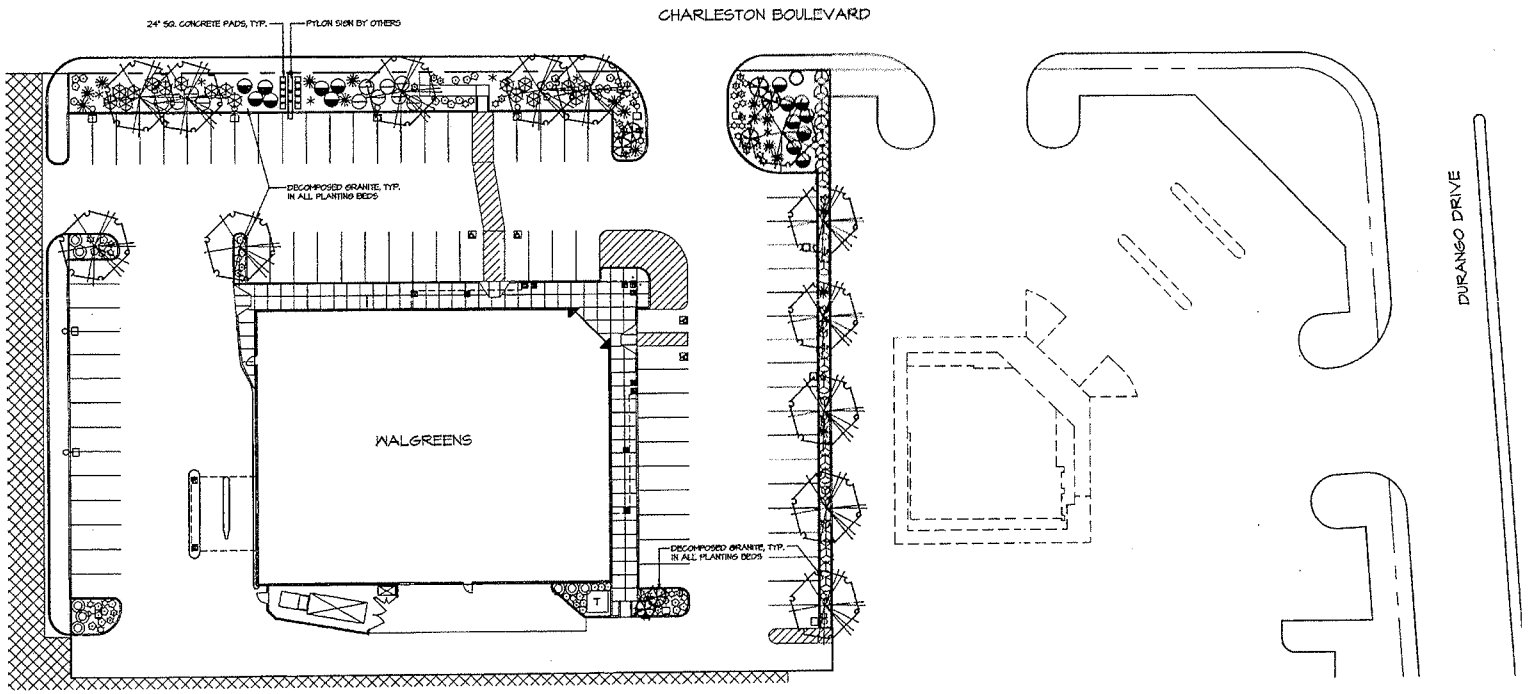
STORE NUMBER 03872

PROJECT NAME
WALGREENS STORE
8633 W CHARELSTON BLVD
LAS VEGAS, NV

DRAWING TITLE
EXTERIOR ELEVATIONS

CADD PLOT: 03872-A21-SW-13NOV09
VOID PLOT:
SUPERSEDES PLAN DATED:
SCALE: 1/8"=1'-0"
DRAWN BY: K. THALMANN COS
DATE: 11-13-09
REVIEWED BY:
DRAWING NO. A2.1
OF DWGS.

SUP-37377
03/25/10 PC



FACILITIES PLANNING, DESIGN, & ENGINEERING
106 WILMOT ROAD
DEERFIELD, IL 60015-4616

FEB 09 2010

NO.	DATE	BY	DESCRIPTION	CONST

REVISIONS

CERTIFICATION AND SEAL

I HEREBY CERTIFY THAT THIS PLAN AND SPECIFICATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED ARCHITECT OR ENGINEER UNDER THE LAWS OF THE STATE OF XXXXXXXX AS SIGNIFIED BY MY HAND AND SEAL.

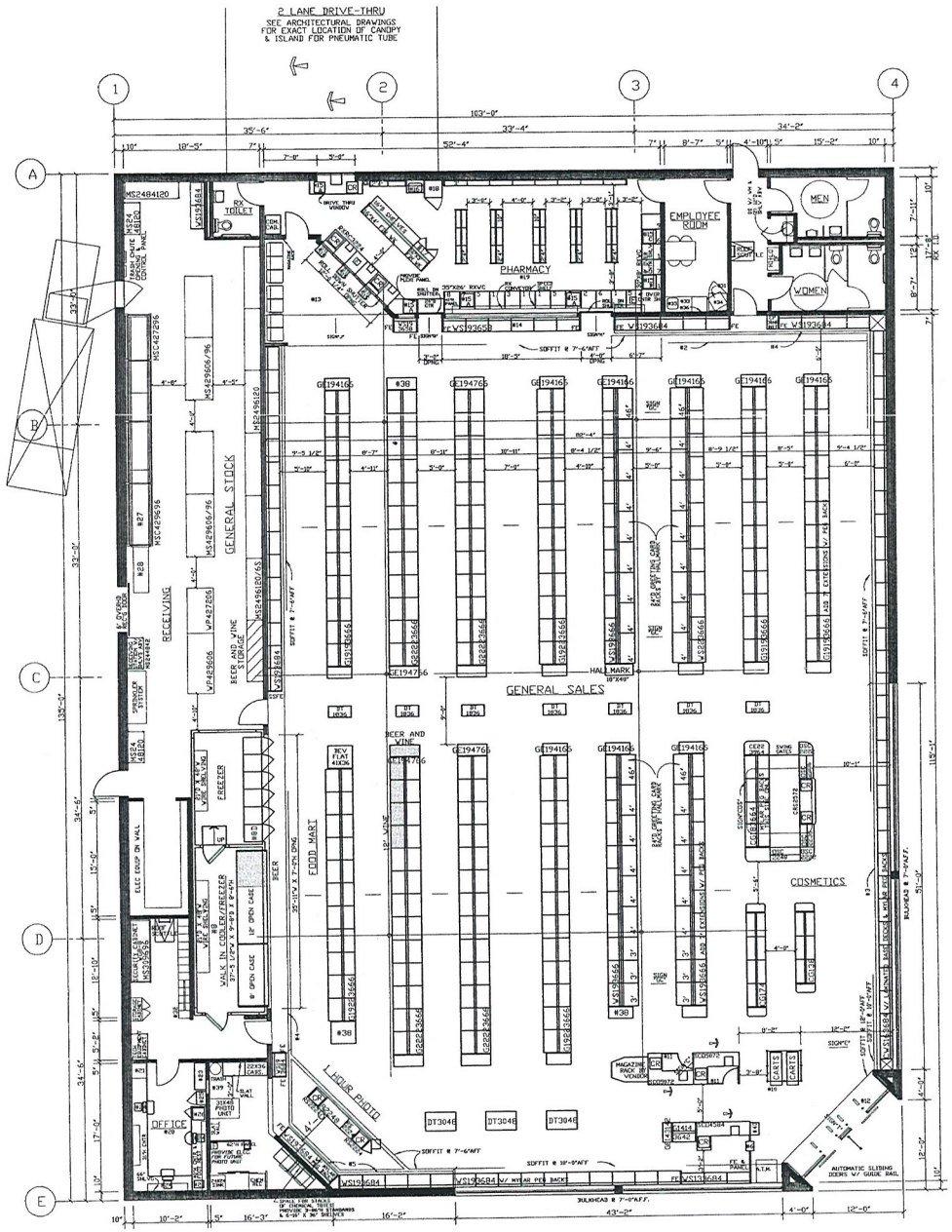
STORE NUMBER 03872

PROJECT NAME
WALGREENS STORE
8633 W CHARELSTON BLVD
LAS VEGAS, NV

DRAWING TITLE
LANDSCAPE PLAN

CADD PLOT: 03872-L1-BW-13NOV09	SCALE: 1"=20'-0"	DRAWING NO.
VOID PLOT:	DRAWN BY: K. THALMANN COS	L1
SUPERSEDES PLAN DATED:	DATE: 11-13-09	
	REVIEWED BY:	OF DWGS.

SUP-37377
03/25/10 PC



LEGEND

BEER AND WINE SALES	BEER AND WINE STORAGE

OCCUPANCY LOAD

TOTAL OCCUPANCY: 410

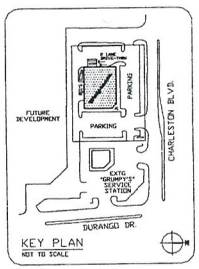
TOTAL BEER/WINE SQUARE FEET

TOTAL BEER AND WINE SALES: 47 SQ. FT.

TOTAL SALES: 8997 SQ. FT.

% SALES FLOOR DEVOTED TO BEER AND WINE = 52%

RECEIVED
FEB 09 2010



FOR REFERENCE ONLY: SEE CONTRACT DOCUMENTS FOR DETAILED SITE PLAN

INTERIOR HANGING SIGNS

GENERAL SALES AREA:
ALL SIGNS AND AISLE MARKERS @ 9'-6" AFF UNLESS OTHERWISE NOTED.

SIGN "C" CHECKOUT/THANK YOU
SIGN "E" ENTRANCE/EXIT
SIGN "L" LIQUOR/THANK YOU
SIGN "T" STORE HOURS SIGN
SIGN "GC" GREETING CARD CUBE
SIGN "COS" COSMETIC HANGING CUBE 8" X 8" X 30"H @ 8'-0" AFF
SIGN "SB" SAN BRUNO CHECKOUT LANE #
SIGN "N" SAN BRUNO PHOTO

PHARMACY DEPARTMENT:
REFER TO FIXTURE PLAN FOR REQUIRED SIGNS
SIGN "J" PICK UP PRESCRIPTIONS
SIGN "K" DROP OFF PRESCRIPTIONS
SIGN "Q" CONSULTATION WINDOW
SIGN "TX" T.A.S.

ATTACH SIGNS TO UNDERSIDE OF SOFFIT. REFER TO FIXTURE PLAN FOR SIGN LOCATION. PROVIDE (2) HOLLOW WALL ANCHORS PER SIGN. SCREW THREADED EYEBOLT INTO ANCHOR. HANG SIGNS FROM EYEBOLTS WITH "S" HOOKS.

GENERAL NOTES

GENERAL SALES AREA:
1. SEE PROJECT DATA FOR FIXTURE MANUFACTURER; CHECKOUT COUNTERS ARE 34"H UNLESS OTHERWISE NOTED.
2. SECURITY MIRROR ON SOFFIT OF REAR WALL
3. COSMETIC CORNICE
4. PLASTIC "S" CORNICE SPECIFIED ON THIS DRAWING TO BE SOFFIT MOUNTED.
5. PHOTO CORNICE
6. CANDY SCALE SHELF
7. REFRIGERATION: 3" SPACE BEHIND CASES
   A. MASTER-BILT: 3 DOOR MEDIUM TEMP CASE BMG-80; 84"W X 34.5"D X 78.5"H
   B. MASTER-BILT: 3 DOOR LOW TEMP CASE BLG-80; 84"W X 34.5"D X 78.5"H
   C. MASTER-BILT: 2 DOOR MEDIUM TEMP CASE BMG-52; 56"W X 34.5"D X 78.5"H
   D. MASTER-BILT: 2 DOOR LOW TEMP CASE BLG-52; 56"W X 34.5"D X 78.5"H
   E. MASTER-BILT: 2 DOOR BACK-UP BOX VLS-52; 56"W X 34.5"D X 78.5"H
   F. MASTER-BILT: WINE COOLER VMB-58D; 78"W X 30"D X 76"H
8. MASTER-BILT WALK-IN COOLER: PROVIDE
   ___ #1000R COOLMASTER DOORS 26 3/4" X 73" EACH AND
   6 #1000FR FREEZEMASTER DOORS 26 3/8" X 73" EACH BY ANTHONY.
   A. __ DOOR(S) FOR EACH DOOR PROVIDE (7) 7" REV-O-FLOW GRAVITY SHELVES; UPPER (5) WITH SLIDES AND LOWER (2) WITH ROLLERS COMPLETE WITH UPRIGHTS.
   B. __ DOOR(S) FOR EACH DOOR PROVIDE (7) 26"D ANTHONY VMC SHELVES AND (4) 84" POSTS.
   C. __ DOOR(S) - 7 ROLLER CONVEYOR AT FLOOR LEVEL
   D. 6 DOOR(S) FOR EACH DOOR PROVIDE (8) 27"D ANTHONY SHELVES
   E. __ DOOR(S) FOR EACH DOOR PROVIDE (2) 27"D ANTHONY SHELVES AND (4) 36"D MERCHANDISER SHELVES
   F. __ DOOR(S) - 7 DOUBLE DECK ROLLER CONVEYOR
   G. __ DOOR(S) FOR EACH DOOR PROVIDE (2) MOBILE ICE MERCHANDISERS
9. ICE CHEST BY VENDOR APPROX. 30 X 34 X 78
10. RAILINGS TO BE 40"H DOUBLE LINE RAILS W/ DISPLAY PLATFORM ABOVE
11. FREE STANDING CHECKOUTS TO HAVE A GATE AND 34"H SIDE SCREEN. PROVIDE A 6"H BLACK VINYL BASE AT ALL CHECKOUTS
12. ELECTRONIC ARTICLE SURVEILLANCE SYSTEM

PHARMACY DEPARTMENT:
13. RX WAITING ROOM
   (7) SEATS
   (-) TABLE LAMP (WHEN SHOWN)
   (1) MAGAZINE RACK: LOCATE AT 42" AFF
   (2) PIECES OF ARTWORK: 20X20'S (SEE INTERIOR ELEVATION FOR LOCATION)
14. FIXED GLASS PANEL OPENING (SEE ARCH DWGS)
15. COMPUTER TERMINAL
   15A: INTERCOM PLUS TERMINAL
   15B: INTERCOM TERMINAL
   15C: TRAINING TERMINAL
16. RX SINK AND CABINET
17. CRX CABINET
18. RX REFRIGERATOR
19. PROVIDE A CARPETED FLOOR WITH A RUBBER RUNNER. RX UNDERCOUNTER INSERTS:
   #1 - RX 3 DRAWER VIAL INSERT
   #2 - RX 3 DRAWER FILE INSERT
   #3 - RX OPEN INSERT
   #4 - RX SHELF INSERT
   #5 - RX PRINTER CABINET
   #6 - RX 5 DRAWER FILE INSERT
   #7 - RX OPEN INSERT W/ CPU SHELF
   #8 - RX WILL CALL CABINET
   #9 - RX 13 DRAWER FILE CABINET

OFFICE:
20. PROVIDE TILED FLOOR & VINYL WALLCOVERING
21. UNDER COUNTER SHELF UNIT
22. COMPUTER PRINTER
23. LATERAL FILE
24. ADMINISTRATION TERMINAL
25. TILL LOCKER
26. SAFE

STOCKROOM:
27. GRAVITY CONVEYOR
28. NEST-A-FLEX CONVEYOR
29. POWER ROLLER CONVEYOR
30. BALER: 56"W X 34"D X 78"H

EMPLOYEE ROOM:
31. T.V. VCR & BRACKET PROVIDED BY WALGREENS
32. EMPLOYEE LOCKERS: (1) 7'W & (1) 6'W X 18"D
33. 9'-6"W X 2'D EMPLOYEE COUNTER W/ CABINET
34. EMPLOYEE ROOM REFRIGERATOR
35. EMPLOYEE ROOM SINK (IN COUNTER)
36. 5'-6" MIRROR ON WALL ABOVE COUNTER

MISC.:
37. (1) ELECTRICAL OUTLET FOR FUTURE USE
38. VENDOR RACKS: REMOVE BASE, DECK & SHOES; END PANEL TO REMAIN.
39. PROVIDE OPENING FOR ONE WAY GLASS (SEE INTERIOR ELEVATION FOR LOCATION)
40. NEWSPAPER RACK BY VENDOR

EXECUTIVE APPROVAL		DATE
EXEC. VICE PRESIDENT DRUG STORE OPERATIONS	G.S.KRAISS	4-29-97
SR. VICE PRESIDENT FACILITIES DEVELOPMENT	W.A.SHIEL	5-1-97
VICE PRESIDENT DRUG STORE OPERATIONS	J.B.KARLIN	5-5-97
REGIONAL VICE PRESIDENT		
SR. MANAGER PLANNING & DESIGN	J.C.MARK	5-1-97

Walgreens
FACILITIES PLANNING AND DESIGN
200 WILMOT ROAD DEERFIELD, IL. 60015
847-940-2500

PROJECT DATA

TYPE		GENERAL SALES	☒	FOOD MART	☒
NEW LOCATION	☒	PHARMACY	☒	BEER	☐
NEW LOCATION EXIST'G BLDG.	☐	LIQUOR	☐	SECURITY	☐
REMODEL	☐	1 HOUR PHOTO	☒	24 HOUR STORE	☐

SQUARE FOOT AREA SUMMARY

DEPARTMENT		SALES	STOCK	SERVICE	TOTAL EXIST'G	TOTAL NEW
GEN. SALES	EXIST					
	NEW	8997	1707	1147		11931
LIQ.	EXIST					
	NEW					
BEER	EXIST					
	NEW					
1 HR PHOTO	EXIST					
	NEW	225				225
BSMT.	EXIST					
	NEW					
MEZZ-ANINE	EXIST					
	NEW					
RX & WAIT'G	EXIST					
	NEW	914		67		1049
FOOD MART	EXIST					
	NEW	700				700
TOTAL EXIST						
TOTAL NEW		10836	1707	1214		14905

TOTAL AREA: FIRST FLOOR 13995 SQ FT
TOTAL AREA: OTHER LEVELS 0 SQ FT
GROSS AREA INCLUDING ALL DEPARTMENTS AND ALL LEVELS 13995 SQ FT
RX SHELVING LINEAL FEET 101 LIN FT
RX SQUARE FOOT AREA 799 SQ FT

FIXTURE MANUFACTURER

KECHLER/MYERS ☐ MARIX/MYERS ☐ LOZIER/STORECRAFT ☒

REVISIONS

NO.	DATE	BY	DESCRIPTION	CONST.
	12-16-97	LLC	REVIEWED HEADS & FIXTURE PLAN	
A	9-17-98	LLC	REMOVE BEER SALES PER MERCHANDISE 9/30/98??	

CERTIFICATION AND SEAL

I HEREBY CERTIFY THAT THIS PLAN AND SPECIFICATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED ARCHITECT OR ENGINEER UNDER THE LAWS OF THE STATE OF NEVADA AS SIGNIFIED BY MY HAND AND SEAL.

PROJECT NAME
DURANGO DR. & CHARLESTON BLVD
LAS VEGAS, NV

DRAWING TITLE
FIXTURE PLAN

DATE: 4-25-97 (LAST REVISED 9-17-98)
DRAWN BY: L.CUMMINGS
CADD PLOT: F03872D107
VOID PLOT: F03872D101-6 F03872D10A
STORE NO. 155-03872
SCALE: 1/8"=1'-0"
RELEASED TO CONSTRUCTION 12-23-97
DRAWING NO. 1 OF 1
REV 0

SUP-37377
03/25/10 PC



SUP-37377 - APPLICANT: WALGREEN CO. - OWNER: THREE Bs INC.
8633 WEST CHARLESTON BOULEVARD
MARCH 25, 2010 PLANNING COMMISSION

02/18/10



SUP-37377 - APPLICANT: WALGREEN CO. - OWNER: THREE Bs INC.
8633 WEST CHARLESTON BOULEVARD
MARCH 25, 2010 PLANNING COMMISSION

02/18/10

LIONEL SAWYER & COLLINS

ATTORNEYS AT LAW
1700 BANK OF AMERICA PLAZA
300 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101
(702) 383-8888
FAX (702) 383-8845
lsc@lionelsawyer.com
www.lionelsawyer.com

SAMUEL S. LIONEL
GRANT SAWYER
(1918-1996)
JON R. COLLINS
(1923-1987)
RICHARD H. BRYAN
JEFFREY P. ZUCKER
PAUL R. HEJMANOWSKI
ROBERT D. FAISS
DAVID N. FREDERICK
RODNEY M. JEAN
HARVEY WHITTEMORE
TODD TOUTON
CAM FERENBACH
LYNDA S. MABRY
MARK H. GOLDSTEIN
KIRBY J. SMITH
COLLEEN A. DOLAN
JENNIFER A. SMITH
DAN R. REASER
PAUL E. LARSEN
ALLEN J. WILT

LYNN S. FULSTONE
RORY J. REID
DAN C. McGUIRE
JOHN E. DAWSON
FRED D. "PETE" GIBSON, III
CHARLES H. McCREA JR.
GREGORY E. SMITH
MALANI L. KOTCHKA
LESLIE BRYAN HART
CRAIG E. ETEM
TODD E. KENNEDY
MATTHEW E. WATSON
SHAWN M. ELICEGUI
JOHN M. NAYLOR
WILLIAM J. McKEAN
ELIZABETH BRICKFIELD
GREGORY R. GEMIGNANI
LINDA M. BULLEN
LAURA J. THALACKER
DOREEN SPEARS HARTWELL
LAURA K. GRANIER
MAXIMILIANO D. COUVILLIER III

MICHAEL D. KNOX
ERIN FLYNN
JENNIFER ROBERTS
MEREDITH L. STOW
DOUGLAS A. CANNON
RICHARD T. CUNNINGHAM
MATTHEW R. POLICASTRO
JENNIFER J. DiMARZIO
PEARL L. GALLAGHER
CHRISTINE D. SMITH
SUSAN L. MYERS
BRIAN S. PICK
JENNIFER L. BRASTER
LUCAS J. TUCKER
CHRISTOPHER WALTHER

KEVIN J. HEJMANOWSKI
KETAN D. BHIRUD
LAUREN D. CALVERT
ROBERT W. HERNQUIST
CHRISTIAN HALE
TIMOTHY R. MULLINER
COURTNEY MILLER O'MARA
BRIAN H. SCHUSTERMAN
MOHAMED A. IQBAL, JR.
KELLY R. KICHLINE
MARK J. GARDBERG
ELIZABETH A. HIGH
JAMES B. GIBSON
GREG J. CARLSON
ABIGAYLE F. DANG

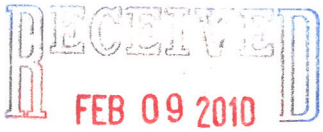
OF COUNSEL
RICHARD J. MORGAN*
ELLEN WHITTEMORE
CHRISTOPHER MATHEWS
MARK A. CLAYTON

*ADMITTED IN CA ONLY
WRITER'S DIRECT DIAL NUMBER:
(702)-383-8946
jroberts@lionelsawyer.com

February 9, 2010

VIAHAND DELIVERY

Planning and Development Department
City of Las Vegas
Development Services Center
731 South Fourth Street
Las Vegas, Nevada 89101



RE: ***Application for Special Use Permit***

To Whom It May Concern:

I am writing on behalf of Walgreen Co. in support of the application for a special use permit for the addition of accessory "off-sale" packaged beer, wine, and liquor at the premises of Walgreens at 8633 West Charleston Boulevard. The location is currently operating and licensed as a drug store.

This location is zoned C-1, Limited Commercial. The proposed sale of packaged liquor will not adversely affect surrounding properties, as this store is located within a large commercial complex on a major thoroughfare and there are multiple commercial uses in the area. In addition, the nearest residential is adequately buffered by Charleston Boulevard. There are also other businesses in the general area that sale alcohol, so the proposed use would not be unique to the location. The site also currently complies with all other requirements pursuant to the City of Las Vegas Municipal Code.

With this special use permit, Walgreens will remain competitive with similar businesses by offering patrons the option to purchase packaged beer, wine, or liquor for consumption off-premises. Since this use is commonly found at similar drug and retail grocery stores in Las Vegas, there would be no variable impact on other businesses by allowing Walgreens to sell alcohol for the convenience of its customers.

SUP-37377
03/25/10 PC

Walgreens will continue to maintain its high-level standard of operations, and the design, hours of operation, traffic generation, lighting, and noise at this location will remain unchanged with the issuance of a special use permit to allow for accessory packaged beer, wine, and liquor sales. Also, the location will not devote more than 10% of the retail floor space to the display or merchandising of alcoholic beverages.

Furthermore, Walgreen Co. is a well-established national company with shares traded on the New York Stock Exchange. The company has over 60 stores in southern Nevada that maintain a low impact on neighboring properties. This Walgreens location has 25 employees and is open from 7:00 a.m. to midnight every day.

As Walgreens is currently operating and the addition of packaged beer, wine, and liquor for sale is compatible with the surrounding area, we respectfully request a special use permit for the addition of accessory "off-sale" packaged beer, wine, and liquor sales.

Please call me if you have any questions or need additional information.

Sincerely,

Jennifer Roberts

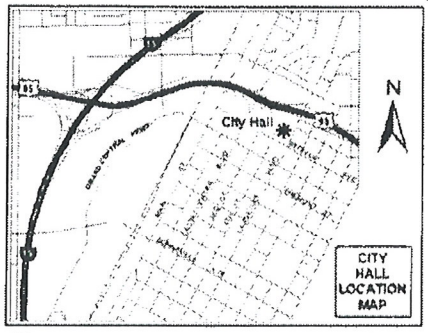
cc: Ms. Rebecca Lidskin

RECEIVED
FEB 09 2010

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

Return Service Requested

Official Notice of Public Hearing



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

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37377

Planning Commission Meeting of 3/25/2010

Case: SUP-37377

16305514016
MCINTOSH BEVERLY
8629 CREMONA DR
LAS VEGAS NV 89117-1187

AAVDS11 89117

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MAR 15 2010

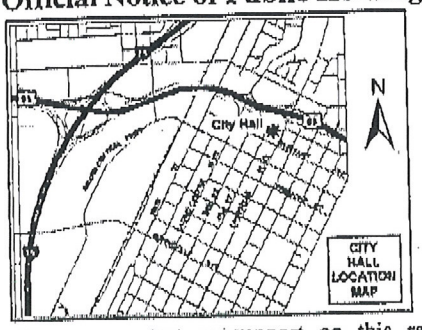
7P

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 MAR 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.

SUP-37377

Planning Commission Meeting of 3/25/2010

Case: SUP-37377

16305514001
WOODS DONALD & LAYNA J FAM TR
1501 FRANDOSA LN
LAS VEGAS NV 89117-1191

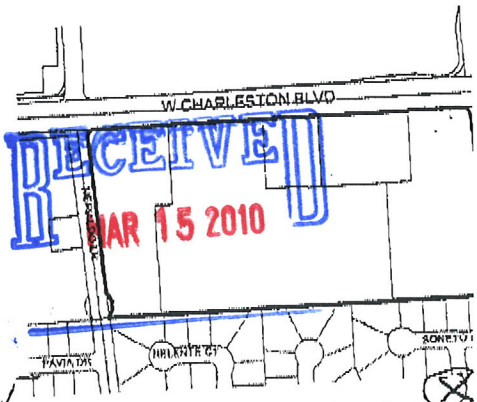
AAU0511 89117

Application Information

SUP-37377- SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: WALGREEN CO. - OWNER: THREE BS INC. - Request for a Special Use Permit FOR A 47 SQUARE-FOOT ACCESSORY PACKAGE LIQUOR OFF-SALE WITHIN AN EXISTING 14,715 SQUARE-FOOT RETAIL ESTABLISHMENT at 8633 West Charleston Boulevard (APN 163-05-517-003), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson)

Next Door is A Rebel Service Station With the Same Services So I Do Not See Any Reason To Add More Liquor Sales Adjacent To Our Residential Neighborhood. There Are 5 Resturants within This high Lighted Area Serving Liquor and Probably 10 more Across Charleston Including Several BARS. Give Us A Break! How Many Do We need Next To Our Homes

Application Location



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

Public Hearing Informa

Meeting:	Planning Commission
Date:	*March 25, 2010*
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request or may, prior to th... written objection thereto or approval thereof with the Planning and Development Department, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. Final A... City Council. Other public hearing items may be deemed Final Action by the Planning Commission or forwarded to the City C... You may not receive an additional notice for the City

12

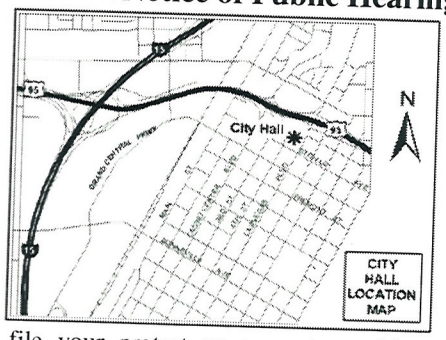
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

MAR 16 2010

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.41⁴
0004279218 MAR 12 2010
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



There are many, many business in this area that provide/sell liquor, Lee's Liquor about to open in Boca Park & another new business that sells Wine & other alcohol in the bld wher bed bath & beyond used to be. Just how many facilities does one area need, not to mention the numerous "resturants"

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-37377

Planning Commission Meeting of 3/25/2010

16305614034 Case: SUP-37377
ASHLEY ROBERT C & COLLEEN FAM TR
1529 VICENZA CT
LAS VEGAS NV 89117-1122

AAVDP11 89117

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Las Vegas, Nevada 89101-2986

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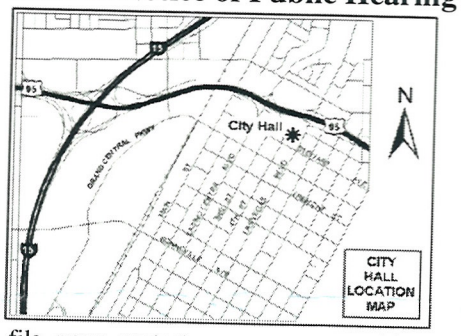

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

We have enough drunks driving down Charleston from the Casinos

SUP-37377

Planning Commission Meeting of 3/25/2010

Case: SUP-37377

16304212033
CELOSSE 1996 TRUST
8425 EDDY STONE AVE
LAS VEGAS NV 89117-1227

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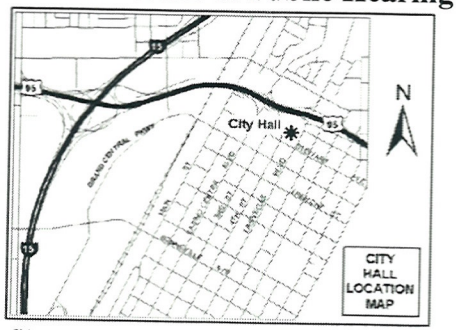

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SUP-37377

Planning Commission Meeting of 3/25/2010

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Case: SUP-37377

16305514012
FOWKES DON L & CHARLYCE M
8634 CREMONA DR
LAS VEGAS NV 89117-1186

AAUOS11 89117

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Development Services Center
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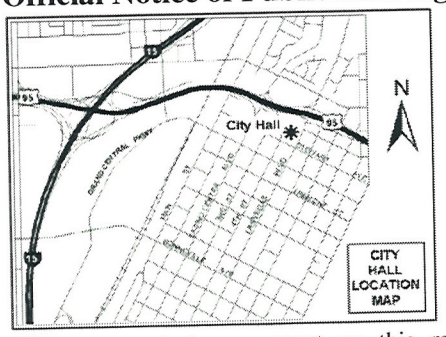

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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SUP-37377
Planning Commission Meeting of 3/25/2010

Case: SUP-37377
16305514013
OBRIEN MICHAEL J JR
8636 CREMONA DR
LAS VEGAS NV 89117-1186

AAVDS11 89117

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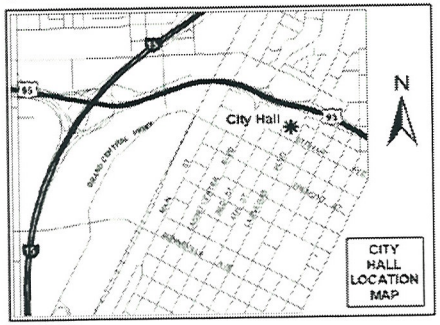

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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SUP-37377

Planning Commission Meeting of 3/25/2010

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Case: SUP-37377
16305514032
GROVE CARL L & YVONNE D
1505 BROCADO LN
LAS VEGAS NV 89117-1168

AAUDE11 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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PITNEY BOWES
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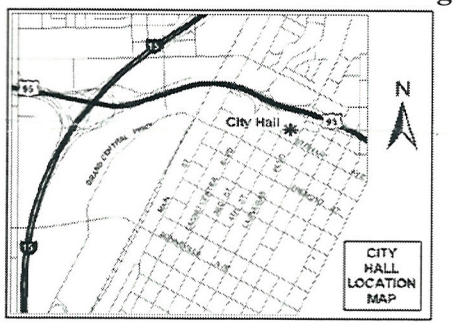
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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SUP-37377

Planning Commission Meeting of 3/25/2010

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Case: SUP-37377

16305613002
MANNING MARTIN J
1513 ODETTE LN
LAS VEGAS NV 89117-1120

AAVDS11 89117

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

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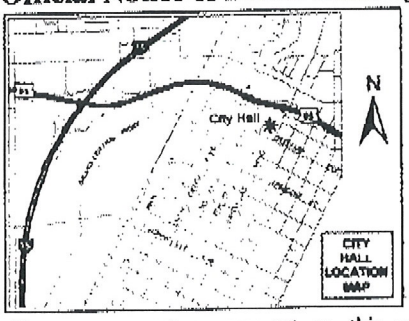
Official Notice of Public Hearing



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SUP-37377

Planning Commission Meeting of 3/25/2010

Case: SUP-37377

16305614038
SHIPP BENJAMIN R & DAWN L
1528 VICENZA CT
LAS VEGAS NV 89117-1122

AAV0511 89117

Application Information

SUP-37377- SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: WALGREEN CO. - OWNER: THREE BS INC. - Request for a Special Use Permit FOR A 47 SQUARE-FOOT ACCESSORY PACKAGE LIQUOR OFF-SALE WITHIN AN EXISTING 14,715 SQUARE-FOOT RETAIL ESTABLISHMENT at 8633 West Charleston Boulevard (APN 163-05-517-003), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson)

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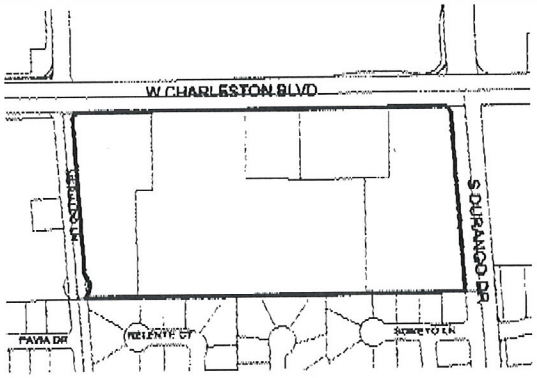
MAR 15 2010

Application Location



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

Public Hearing Information

Meeting:	Planning Commission
Date:	***March 25, 2010***
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

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p.1
702-255-6162
eileen singer

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

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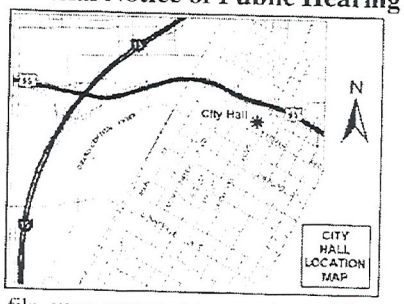

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37377

Planning Commission Meeting of 3/25/2010

Case: SUP-37377

16305514021
SINGER MYRON & EILEEN
8609 CREMONA DR
LAS VEGAS NV 89117-1187

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A7

Mar 16 10 01:55p allen burris p.1
7022401733

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Las Vegas, Nevada 89101-2986

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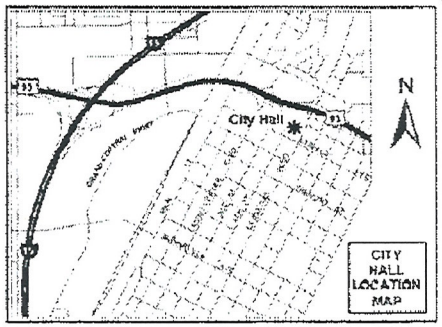

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SUP-37377

Planning Commission Meeting of 3/25/2010

Case: SUP-37377
16304210014
BURRIS ALLEN D & LISA M
1521 KIRBY DR
LAS VEGAS NV 89117-1210

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

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

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

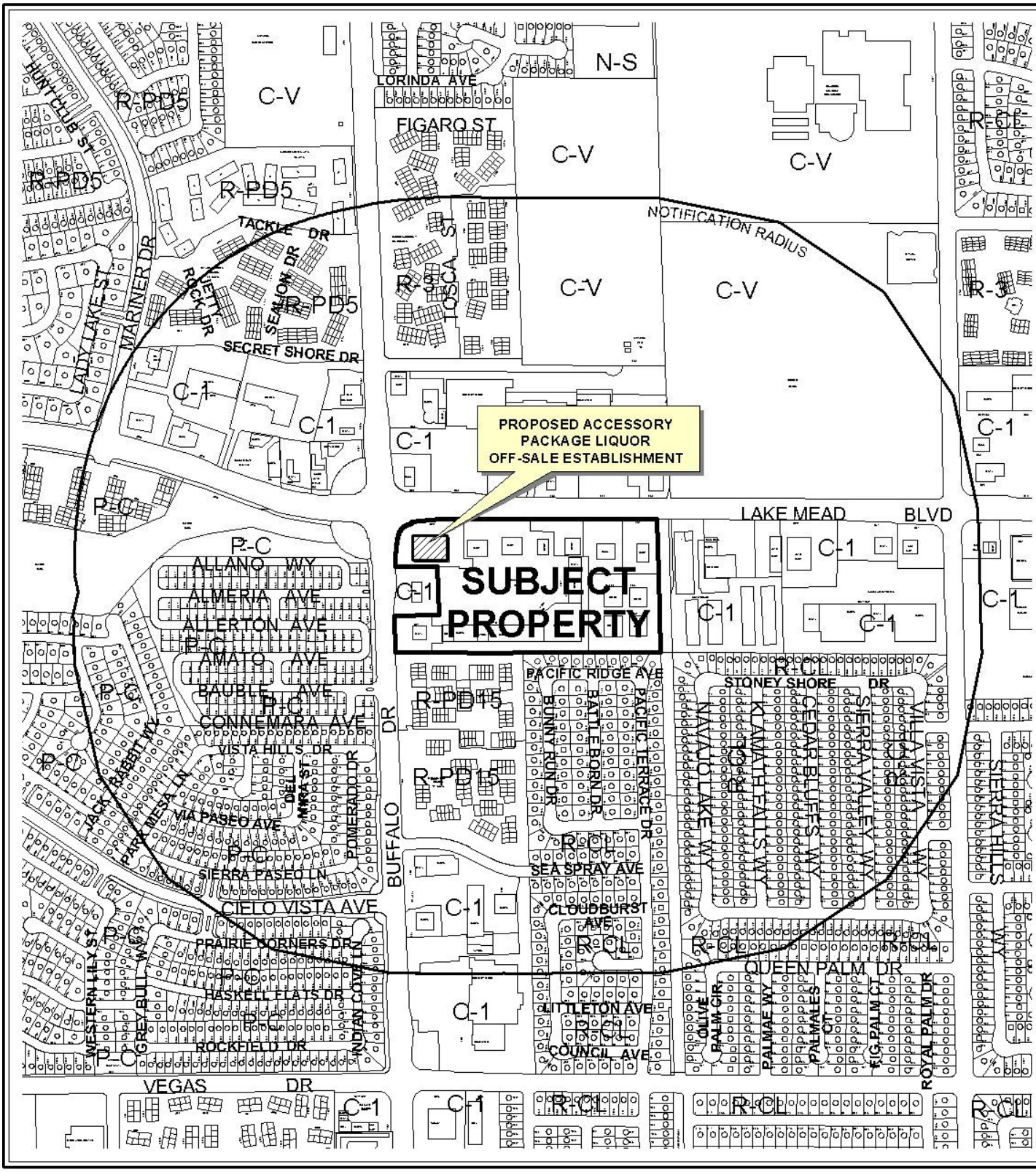
SUBJECT:
SUP-37378 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: WALGREEN CO. - OWNER: TATSUMI INTERNAT"L LV CO. LTD. - Request for a Special Use Permit FOR A 48 SQUARE-FOOT ACCESSORY PACKAGE LIQUOR OFF-SALE WITHIN AN EXISTING 15,120 SQUARE-FOOT RETAIL ESTABLISHMENT WITH A WAIVER OF 400-FOOT DISTANCE SEPARATION REQUIREMENT FROM AN EXISTING PARK at 7599 West Lake Mead Boulevard (APN 138-22-316-009), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian)

IF APPROVED, C.C.: 04/21/2010
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**3**	**Planning Commission Mtg.**	**2**
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
6. Protest/Support Postcards



CASE: **SUP-37378**

RADIUS: 1500 FT

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



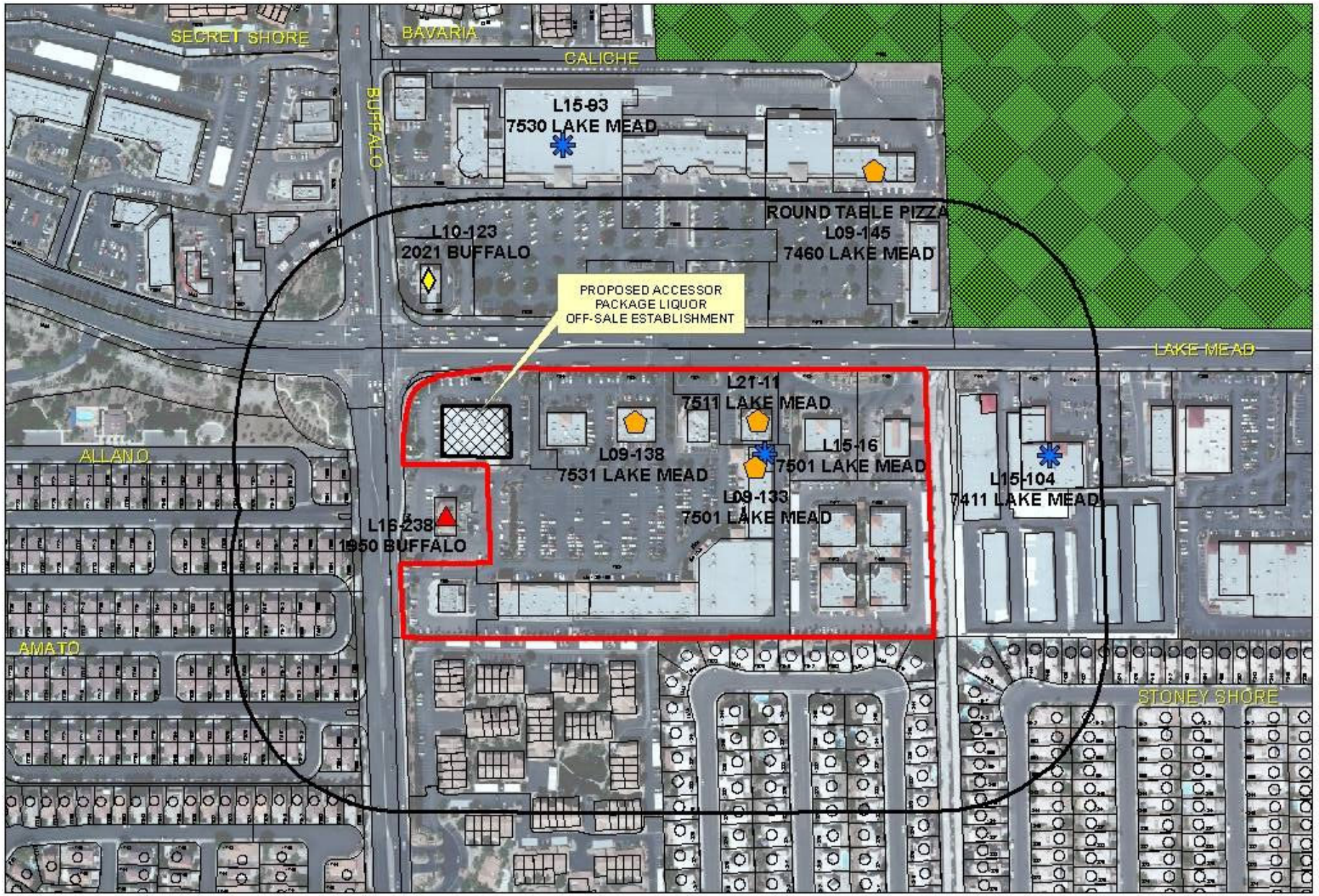
0 500 1000 Feet

CASE: **SUP-37378**

RADIUS: 1500 FT

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

N



SUP-37378

Business Licenses

- Child Care/ Children Facility
- Beer/Wine/Cooler On Sale
- Beer/Wine/Cooler Off Sales
- Beer/Wine/Cooler On-Off Sale
- Package Liquor Sales
- Supper Club/ Restaurant Service Bar
- Tavern
- RELIGIOUS
- CITY PARKS
- SCHOOLS
- Subject Property
- 400 foot buffer

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-37378 - APPLICANT: WALGREEN CO. - OWNER: TATSUMI INTERNAT'L LV CO. LTD

** CONDITIONS **

Staff recommends APPROVAL, subject to conditions:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Retail Establishment with Accessory Package Liquor Off-Sale use.

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

3. Approval of this Special Use Permit does not constitute approval of a liquor license.

4. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

5. The sale of alcoholic beverages is ancillary to the retail use and in which no more than 48 square feet of the retail floor space is devoted to the display or merchandising of alcoholic beverages as shown in the floor plan date stamped on 02/9/10.

6. All beer and wine coolers shall remain in their original manufacturer's configuration of four- or six-packs.

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

SUP-37378 - Staff Report Page One
March 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a 48 square-foot Retail Establishment with Accessory Package Liquor Off-Sale use within an existing 15,120 square-foot Retail Establishment at 7599 West Lake Mead Boulevard. A waiver to allow a 115-foot distance separation from a City Park where 400 feet is required. The proposed use will not require additional parking beyond that which is required for the principal use on the site. No more than 10 percent of the retail floor space is devoted to alcoholic beverage sales. This site location is well suited for this use, and the waiver request can be supported, since the use is located within a large shopping center on property separated from the park by a 100-foot right-of-way. For these reasons, staff recommends approval. If this request is denied, no alcohol may be sold on the premises without approval of another Special Use Permit.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
02/07/96	The City Council approved a request for a Zoning Reclassification (Z-107-95) of property located on the southeast corner of Buffalo Drive and Lake Mead Boulevard from N-U (Non-Urban) (under Resolution of Intent to C-1 and R-E) and C-1 (Limited Commercial) to C-1 (Limited Commercial) zoning for a proposed use of a 41,624 Square Foot Commercial Shopping Center, Two 24,000 Square Foot Two-Story Medical Office Buildings and Two-Story Mini-Storage Facility. Planning Commission recommended approval of the request.
Related Building Permits/Business Licenses	
01/14/97	A building permit (#97000973) was issued for a Retail Establishment at 7599 West Lake Mead Boulevard. The project was completed on 8/7/97.
08/08/97	A business license (C05-01827) was issued for a Tobacco Dealer at 7599 West Lake Mead Boulevard. The license is still active.
08/08/97	A business license (D11-00145) was issued for a Drug Store at 7599 West Lake Mead Boulevard. The license is still active.
08/08/97	A business license (Q07-01492) was issued for a Pharmacy at 7599 West Lake Mead Boulevard. The license is still active.
12/28/06	A building permit (#06007495) was issued for a Tenant Improvement at 7599 West Lake Mead Boulevard. The project was completed on 4/14/07.

Pre-Application Meeting	
01/27/10	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for a Retail Establishment with Accessory Package Liquor Off-Sale were discussed. The topics included: • The submittal of application materials, meeting dates, and deadlines were discussed. • Need to indicate retail floor space devoted for the sale of alcoholic beverages. • Waiver required for distance separation from a City Parking is within 400 feet from the proposed use.

Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	
Field Check	
02/18/10	A field inspection was conducted by staff. The subject property was noted as a well maintained commercial center.

Details of Application Request	
Site Area	
Gross Acres	1.56

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Single Family Residential	ML (Medium Low Density Residential)	R-CL (Single-Family Compact Lot)
	Condominium	M (Medium Density Residential)	R-PD15 (Residential Planned Development – 15 Units per Acre)
East	Commercial Center	SC (Service Commercial)	C-1 (Limited Commercial)
West	Single Family Residential	M (Medium Density Residential)	P-C (Planned Community)

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 (200 Feet)	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
		Required			*Provided*		*Compliance*
			Parking		*Parking*		
Use	*Gross Floor Area or Number of Units*	*Parking Ratio*	Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	102,987 SF	1:250 SF	403	9	510	11	Y
TOTAL (including handicap)			412		521		Y

Waivers		
Requirement	**Request**	**Staff Recommendation**
A 400-foot distance separation from of any church, synagogue, school, and child care facility licensed for more than 12 children, or City Park.	115-Foot	Approval

ANALYSIS

This is a request for a Special Use Permit for a 48 square-foot Accessory Package Liquor, Off-Sale use within an existing 15,120 square-foot Retail Establishment. No additional parking beyond that which is required for the principal use on the site is required as a result of the addition of this use.

The applicant requests a waiver to allow a 115-foot distance separation from the property line of the subject property to a City Park, where 400 feet is required. Staff can support the waiver request as the sale of alcoholic beverages is ancillary to the use, and 48 only square feet of the retail floor space is devoted to the display or merchandising of alcoholic beverages. The proposed use is located within a large shopping center and is separated from the park by Lake Mead Boulevard, a 100-foot right-of-way. The proposed use can be conducted in a manner that is harmonious and compatible with surrounding land uses; staff therefore recommends approval of this request.

FINDINGS

The following findings must be made for a Special Use Permit:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

   The proposed Accessory Package Liquor Off-Sale use will be located within the existing Retail Establishment and it is an accessory use. The proposed 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 physically suitable for the type and intensity of the proposed use. There is no additional parking requirement for the Retail Establishment with Accessory Package Liquor Off-Sale use other than that which is required for the principal use on site.

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 and Buffalo Drive, both 100-foot Primary Arterials as designated in the Master Plan of Streets and Highways. These streets are of sufficient size to accommodate the needs of the proposed Accessory Package Liquor Off-Sale use.

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

   Approval of 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 will be located within an existing Retail Establishment and complies with minimum Special Use Permit requirements with the exception of the minimum distance separation from a City Park. A waiver of 400-foot distance separation requirement to allow the use within 115 feet of a City Park is requested. The existing Retail Establishment is separated by a right-of-way with a width of at least 100 feet from the City Park. The proposed use will devote 48 square feet of the floor space within the existing Retail Establishment for the sale of alcoholic beverages.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

NOTICES MAILED 1,317

APPROVALS 2

PROTESTS 3

RECEIVED
FEB 09 2010

PLANNING & DEVELOPMENT
CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: SUP: Retail Establishment with Accessory Package Liquor Off-Sale

Project Address (Location) 7599 West Lake Mead Boulevard

Project Name Walgreens **Proposed Use** Drug Store (existing)

Assessor's Parcel #(s) 138-22-316-009 **Ward #** 1

General Plan: existing SC proposed _____ **Zoning:** existing C-1 proposed _____

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

Gross Acres 1.5 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Tatsumi Internat'l LV Co Ltd. **Contact** Ask Network

Address 700 S. Flower St., Ste 2450 **Phone:** (213) 629-0255 **Fax:** (213) 629-0253

City Los Angeles **State** CA **Zip** 90017

E-mail Address mayumi@kurashimacpa.com

APPLICANT Walgreen Co. **Contact** Rebecca Lidskin, Attorney

Address 104 Wilmot Road, M.S. #1420 **Phone:** (847) 315-4651 **Fax:** (847) 315-4825

City Deerfield **State** Illinois **Zip** 60015

E-mail Address Rebecca.Lidskin@walgreens.com

REPRESENTATIVE Lionel Sawyer & Collins **Contact** Jennifer Roberts

Address 300 South Fourth Street #1700 **Phone:** (702) 383-8946 **Fax:** (702) 671-2490

City Las Vegas **State** Nevada **Zip** 89101

E-mail Address jroberts@lionelsawyer.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 Takao Shinomiya

Subscribed and sworn before me

This _____ day of _____, 20 _____.

_____

Notary Public in and for said County and State

mk
see attached statement

FOR DEPARTMENT USE ONLY

Case #	SUP 37378
Meeting Date:	3.25.10
Total Fee:	$1,280.-
Date Received:*	2.9.10
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.

Revised 10/27/08

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

#3922

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

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FEB 09 2010

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

State of California

County of Los Angeles

Subscribed and ~~sworn to (or~~ affirmed) before me on this

4th (Date) day of November (Month), 2009 (Year), by

(1) Takao Shinomiya (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 T. Katayama (Signature of Notary Public)

MAYUMI KATAYAMA
Commission # 1682722
Notary Public - California
Los Angeles County
My Comm. Expires Jul 21, 2010

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: Application / Petition Form Planning & Development Dept.

Document Date: November 4, 2009 Number of Pages: 1

Signer(s) Other Than Named Above: NONE

RIGHT THUMBPRINT OF SIGNER #1	RIGHT THUMBPRINT OF SIGNER #2
Top of thumb here	Top of thumb here

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#3922

PLANNING & DEVELOPMENT DEPARTMENT

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STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-37378** APN: 138-22-316-009

Name of Property Owner: Tatsumi International LV Co Ltd.

Name of Applicant: Walgreen Co.

Name of Representative: Lionel Sawyer & Collins

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: Takao Shinomiya

Subscribed and sworn before me

This _____ day of _____, 20____

_____

Notary Public in and for said County and State mk see attached statement

#3922

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
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4
5
6

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

State of California

County of Los Angeles

Subscribed and ~~sworn to (or~~ affirmed) before me on this

4th (Date) day of November (Month), 2009 (Year), by

(1) Takao Shinomiya (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)

MAYUMI KATAYAMA
Commission # 1682722
Notary Public - California
Los Angeles County
My Comm. Expires Jul 21, 2010

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Further Description of Any Attached Document

Title or Type of Document: Statement of Financial Interest

Document Date: November 4, 2009 Number of Pages: 1

Signer(s) Other Than Named Above: NONE

RIGHT THUMBPRINT OF SIGNER #1	RIGHT THUMBPRINT OF SIGNER #2
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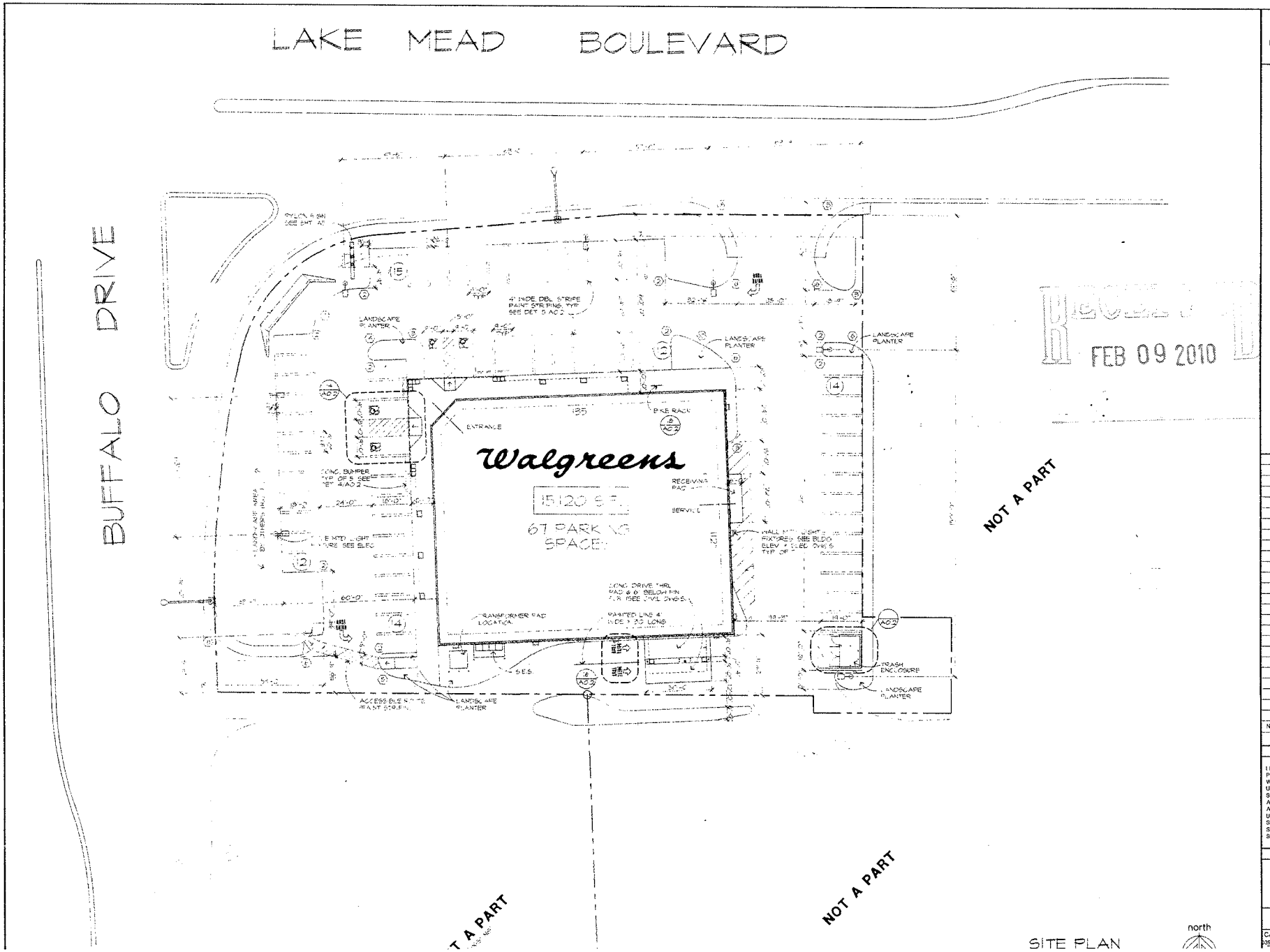
#3922



SITE PLAN

RECEIVED
FEB 09 2010

Walgreens
FACILITIES PLANNING, DESIGN, & ENGINEERIN
106 WILMOT ROAD
DEERFIELD, IL 60015-4616

NO.	DATE	BY	DESCRIPTION

REVISIONS

CERTIFICATION AND SEAL

I HEREBY CERTIFY THAT THIS PLAN AND SPECIFICATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED ARCHITECT OR ENGINEER UNDER THE LAWS OF THE STATE OF XXXXXXXX AS SIGNIFIED BY MY HAND AND SEAL.

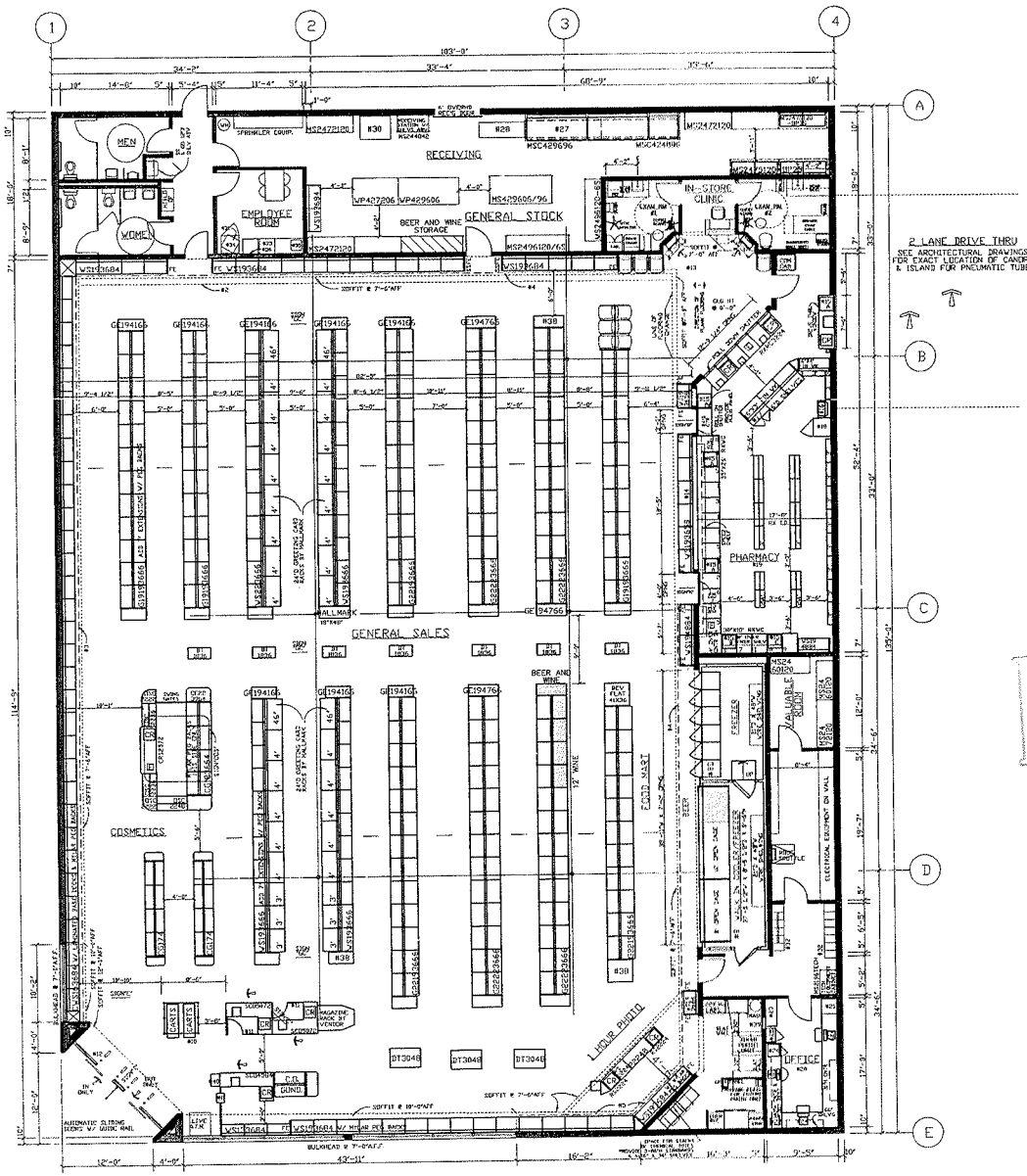
STORE NUMBER 03922

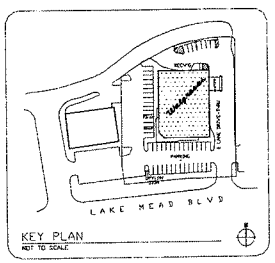
PROJECT NAME
WALGREENS STORE
7599 WEST LAKE MEAD BLVD.
LAS VEGAS, NV

DRAWING TITLE
SITE PLAN

CADD PLOT:	SCALE: 1"=20'-0"	DRAWING NO.
03922-A01-BW-16NOV09		

SUP-37378
03/25/10 PC





FOR REFERENCE ONLY, SEE CONTRACT DOCUMENTS FOR DETAILED SITE PLAN

GENERAL SALES AREA:
ALL SIGNS AND AISLE MARKERS @ 9'-6" AFF UNLESS OTHERWISE NOTED.

SIGN "C"	CHECKOUT/THANK YOU
SIGN "E"	ENTRANCE/EXIT
SIGN "L"	LIQUOR/THANK YOU
SIGN "T"	STORE HOURS SIGN
SIGN "GC"	GREETING CARDS
SIGN "COS"	COSMETIC HANGING CUBE 6" X 8" X 30"H @ 8'-0" AFF
SIGN "SB"	SAN BRUNO CHECKOUT LANE #
SIGN "N"	SAN BRUNO PHOTO

PHARMACY DEPARTMENT:
REFER TO FIXTURE PLAN FOR REQUIRED SIGNS

SIGN "J"	PICK UP PRESCRIPTIONS
SIGN "K"	DROP OFF PRESCRIPTIONS
SIGN "O"	CONSULTATION WINDOW

ATTACH SIGNS TO UNDERSIDE OF SOFFIT. REFER TO FIXTURE PLAN FOR SIGN LOCATION. PROVIDE (2) HOLLOW WALL ANCHORS PER SIGN. SCREW THREADED EYEBOLT INTO ANCHOR. HANG SIGNS FROM EYEBOLTS WITH "S" HOOKS.

GENERAL NOTES

GENERAL SALES AREA:
1. SEE PROJECT DATA FOR FIXTURE MANUFACTURER
2. SECURITY MIRROR ON SOFFIT OF REAR WALL
3. COSMETIC CORNICE
4. PLASTIC "S" CORNICE SPECIFIED ON THIS DRAWING TO BE SOFFIT MOUNTED
5. PHOTO CORNICE
6. CANDY SCALE SHELF
7. REFRIGERATION: 3' SPACE BEHIND CASES
   A. MASTER-BILT, 3 DOOR MEDIUM TEMP CASE #MG-60; 64"W X 34.5"D X 78.5"H
   B. MASTER-BILT, 3 DOOR LOW TEMP CASE #LG-60; 64"W X 34.5"D X 78.5"H
   C. MASTER-BILT, 2 DOOR MEDIUM TEMP CASE #MG-30; 36"W X 34.5"D X 78.5"H
   D. MASTER-BILT, 2 DOOR LOW TEMP CASE #LG-30; 36"W X 34.5"D X 78.5"H
   E. MASTER-BILT, 2 DOOR BACK-UP BOX TLG-36; 36"W X 34.5"D X 78.5"H
   F. MASTER-BILT, WINE COOLER VMB-50R; 70"W X 30"D X 76"H
8. MASTER-BILT WALK-IN COOLER: PROVIDE
   --- #1001 COOLMASTER DOORS
   25 3'4" X 7'2" EACH AND
   6 #101 FREEZEMASTER DOORS
   50 3'8" X 7'2" EACH BY ANTHONY.
   A. __ DOOR(S) FOR EACH BEER PROVIDE (7) 18"D X 7'-0"H GRAVITY SHELVES, UPPER (5) WITH SLIDES AND LOWER (2) WITH ROLLERS COMPLETE WITH UPRIGHTS.
   B. __ DOOR(S) FOR EACH DOOR PROVIDE (7) 21"D ANTHONY WIRE SHELVES AND (4) 84" POSTS.
   C. __ DOOR(S) TO ROLLER CONVEYOR AT FLOOR LEVEL.
   D. 6 DOOR(S) FOR EACH DOOR PROVIDE (8) 21"D ANTHONY SHELVES
   E. __ DOOR(S) FOR EACH DOOR PROVIDE (5) 21"D ANTHONY SHELVES AND (4) 36"D MERCHANDISER SHELVES
   F. __ DOOR(S) TO DOUBLE DECK ROLLER CONVEYOR
   G. __ DOOR(S) FOR EACH DOOR PROVIDE (2) MOBILE ICE MERCHANDISERS
9. ICE CHEST BY VENDOR: APPROX. 34" X 34 X 78
10. RAILINGS TO BE 40TH DOUBLE LINE RAILS W/ BISLAM 90 PLATFORM
11. FREE STANDING CHECKOUTS TO HAVE A GATE AND 36TH SIDE SCREEN. PROVIDE A 6"H BLACK VINYL BASE AT ALL CHECKOUTS
12. ELECTRONIC ARTICLE SURVEILLANCE SYSTEM

PHARMACY DEPARTMENT:
13. RX WAITING ROOM
   (6) SEATS
   (1) TABLE LAMP (WHEN SHOWN)
   (1) MAGAZINE RACK: LOCATE AT 42" AFF
   (2) PIECES OF ARTWORK 22X28 (SEE INTERIOR ELEVATION FOR LOCATION)
14. FIXED GLASS PANEL OPENING (SEE ARCH DWGS)
15. COMPUTER TERMINAL
   15A: INTERCOM PLUS TERMINAL
   15B: INTERCOM TERMINAL
   15C: TRAINING TERMINAL
16. RX SINK AND CABINET
17. CRX CABINET
18. RX REFRIGERATOR
19. PROVIDE A CARPETED FLOOR WITH A RUBBER RUNNER. RX UNDERCOUNTER INSERTS
   #1 - RX 3 DRAWER VAL UNIT
   #2 - RX 3 DRAWER FILE INSERT
   #3 - RX OPEN UNIT
   #5 - RX PRINTER CABINET
   #6 - RX 3 DRAWER FILE INSERT
   #7 - RX OPEN UNIT W/ CPU SHELF
   #8 - RX PRINTER INSERT
   #9 - RX COMMUNICATION CABINET

OFFICE:
20. PROVIDE TILED FLOOR & VINYL WALLCOVERING
21. UNDER COUNTER SHELF UNIT
22. COMPUTER PRINTER
23. LATERAL FILE
24. ADMINISTRATION TERMINAL
25. TILL LOCKER
26. SAFE

STOCKROOM:
27. GRAVITY CONVEYOR
28. NEST-A-FLEX ELEVEVIOR
29. POWER ROLLER CONVEYOR
30. BALER: 50"W X 34"D X 78"H

EMPLOYEE ROOM:
31. TV: VCR / BRACKET PROVIDED BY WALGREENS
32. EMPLOYEE LOCKERS: (1) 7'H X (1) 6'W X 18"D
33. 8'-0"W X 2'D EMPLOYEE COUNTER W/ CABINETS
34. EMPLOYEE ROOM REFRIGERATOR
35. EMPLOYEE SINK (IN COUNTER)
36. 8'-0" MIRROR ON WALL ABOVE COUNTER

MISC:
37. (E) ELECTRICAL OUTLET FOR FUTURE USE
38. VENDOR RACKS: REMOVE BASE, DECK & SHOES; PROVIDE END PANEL TO REMAIN
39. PROVIDE OPENING FOR ONE WAY GLASS (SEE INTERIOR ELEVATION FOR LOCATION)
40. NEWSPAPER RACK BY VENDOR

EXECUTIVE APPROVAL		DATE
EXEC. VICE PRESIDENT DRUG STORE OPERATIONS	G. KRAISS	12-4-96
SR. VICE PRESIDENT FACILITIES DEVELOPMENT	W. SHIEL	11-22-96
VICE PRESIDENT DRUG STORE OPERATIONS	J. KARLIN	1-8-97
REGIONAL VICE PRESIDENT		
SR. MANAGER PLANNING & DESIGN	J. MARK	12-4-96

LEGEND

BEER AND WINE SALES | BEER AND WINE STORAGE

OCCUPANCY LOAD
TOTAL OCCUPANCY: 419

TOTAL BEER/WINE SQUARE FEET
TOTAL BEER AND WINE SALES: 48 SQ. FT.
TOTAL SALES: 9057 SQ. FT.
% SALES FLOOR DEVOTED TO BEER AND WINE = .53%

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FEB 09 2010

FACILITIES PLANNING AND DESIGN
200 WILMOT ROAD DEERFIELD, IL
847-940-2500 60015

PROJECT DATA

TYPE					
NEW LOCATION	☐	GENERAL SALES	☒	FOOD MART	
NEW LOCATION EXISTG. BLDG.	☐	PHARMACY	☒	BEER	
REMODEL	☒	LIQUOR	☐	SECURITY	
		1 HOUR PHOTO	☒	24 HOUR STORE	

SQUARE FOOT AREA SUMMARY

DEPARTMENT		SALES	STOCK	SERVICE	TOTAL EXISTG	TOTAL NEW
GEN SALES	EXIST					
	NEW	9057	1467	1199		11
CLINIC	EXIST					
	NEW			224		2
BEER	EXIST					
	NEW					
1 HR PHOTO	EXIST					
	NEW	205				2
RSM1	EXIST					
	NEW					
MEZZ-ANINE	EXIST					
	NEW					
RX WAITING	EXIST					
	NEW	984				
FOOD MART	EXIST					
	NEW	700				
TOTAL EXIST						
TOTAL NEW		10968	1467	1472		13

TOTAL AREA: FIRST FLOOR 13905 SQ. FT.
TOTAL AREA: OTHER LEVELS 0 SQ. FT.
GROSS AREA INCLUDING ALL DEPARTMENTS AND ALL LEVELS 13905 SQ. FT.
RX SHELVING LINEAL FEET 97 LIN. FT.
RX SQUARE FOOT AREA 798 SQ. FT.

FIXTURE MANUFACTURER

KIECHLER/MYERS ☐ MADIX/MYERS ☐ LOZIER/STOREKRAFT ☒

REVISIONS

NO.	DATE	BY	DESCRIPTION	CON
D1	5-29-97	CAB	REVISE D1 PER MDI. (0103)	
2	04/23/07	BL	ADD NEW RX FIXTURE DEMO (PHARMACIST PRIVACY WINDOW WALL AT RX WAITING, RX COUNTER & CONVEYOR) AT RX, PLANK AT RX, PERMIT & ADD NEW WOOD PAN (BEER & WINE) TO PROVIDE POWER TO ELECTRIC GATES & LINTEL, PROVIDE NEW ELECTRICAL OUTLETS AS INDICATED. *PREVIOUSLY WELL & BOARDED TYPE OF FLOORING & PROVIDE BETWEEN PHARMACY/SALES. ADD PLANK FLOORING PER DWG & SPEC. REMOVED 3' SECTION OF SOFFIT & ADD DWG & ADDED SIS GRAPHIC. REVISE SOFFIT DETAIL PER CLINIC MANUAL & VENDOR REQUEST	
3	06/23/08	CAS	ADJUST CLINIC SQ.FT. ACCORDING TO CLINIC LAYOUT	

CERTIFICATION AND SEAL

I HEREBY CERTIFY THAT THIS PLAN AND SPECIFICATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED ARCHITECT OR ENGINEER UNDER THE LAWS OF THE STATE OF NEVADA AS SIGNIFIED BY MY HAND AND SEAL.

STORE NUMBER 03922

PROJECT NAME
WALGREENS STORE
DEL WEBB AND LAKE MEAD
LAS VEGAS, NEVADA
CLINICAL SERVICES REMODEL

DRAWING TITLE
FIXTURE FLOOR PLAN

CADD PLOT: 03922-D1-03-23JUN08
VOID PLOT: 03922-D1-02-23APR07
SUPERSEDES PLAN DATED:
SCALE: 1/8"=1'-0"
DRAWN BY: B. LEVINE
DATE: 04/23/07
REVIEWED BY: F. LASTNAME
DRAWING NO. D1
OF DWGS.

TM MICHAL90 11/16/2009 12:55 PM Q:_ARCHITECTURE\DEER AND WINE\NEVADA AND WINE\2922\03922-D1-BW-220CT09
PLOT: L1903DSKS

SUP-37378
03/25/10 PC



SUP-37378 - APPLICANT: WALGREEN CO. - OWNER: TATSUMI INTERNAT'L LV CO. LTD.
7599 WEST LAKE MEAD BOULEVARD
MARCH 25, 2010 PLANNING COMMISSION

02/18/10



SUP-37378 - APPLICANT: WALGREEN CO. - OWNER: TATSUMI INTERNAT'L LV CO. LTD.
7599 WEST LAKE MEAD BOULEVARD
MARCH 25, 2010 PLANNING COMMISSION

02/18/10

LIONEL SAWYER & COLLINS

ATTORNEYS AT LAW
1700 BANK OF AMERICA PLAZA
300 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101
(702) 383-8888
FAX (702) 383-8845
lsc@lionelsawyer.com
www.lionelsawyer.com

SAMUEL S. LIONEL
GRANT SAWYER
(1918-1996)
JON R. COLLINS
(1923-1987)
RICHARD H. BRYAN
JEFFREY P. ZUCKER
PAUL R. HEJMANOWSKI
ROBERT D. FAISS
DAVID N. FREDERICK
RODNEY M. JEAN
HARVEY WHITTEMORE
TODD TOUTON
CAM FERENBACH
LYNDA S. MABRY
MARK H. GOLDSTEIN
KIRBY J. SMITH
COLLEEN A. DOLAN
JENNIFER A. SMITH
DAN R. REASER
PAUL E. LARSEN
ALLEN J WILT

LYNN S. FULSTONE
RORY J. REID
DAN C. McGUIRE
JOHN E. DAWSON
FRED D. "PETE" GIBSON, III
CHARLES H. McCREA JR.
GREGORY E. SMITH
MALANI L. KOTCHKA
LESLIE BRYAN HART
CRAIG E. ETEM
TODD E. KENNEDY
MATTHEW E. WATSON
SHAWN M. ELICEGUI
JOHN M. NAYLOR
WILLIAM J. McKEAN
ELIZABETH BRICKFIELD
GREGORY R. GEMIGNANI
LINDA M. BULLEN
LAURA J. THALACKER
DOREEN SPEARS HARTWELL
LAURA K. GRANIER
MAXIMILIANO D. COUVILLIER III

MICHAEL D. KNOX
ERIN FLYNN
JENNIFER ROBERTS
MEREDITH L. STOW
DOUGLAS A. CANNON
RICHARD T. CUNNINGHAM
MATTHEW R. POLICASTRO
JENNIFER J. DiMARZIO
PEARL L. GALLAGHER
CHRISTINE D. SMITH
SUSAN L. MYERS
BRIAN S. PICK
JENNIFER L. BRASTER
LUCAS J. TUCKER
CHRISTOPHER WALTHER

KEVIN J. HEJMANOWSKI
KETAN D. BHIRUD
LAUREN D. CALVERT
ROBERT W. HERNQUIST
CHRISTIAN HALE
TIMOTHY R. MULLINER
COURTNEY MILLER O'MARA
BRIAN H. SCHUSTERMAN
MOHAMED A. IQBAL, JR.
KELLY R. KICHLINE
MARK J. GARDBERG
ELIZABETH A. HIGH
JAMES B. GIBSON
GREG J. CARLSON
ABIGAYLE F. DANG

OF COUNSEL
RICHARD J. MORGAN*
ELLEN WHITTEMORE
CHRISTOPHER MATHEWS
MARK A. CLAYTON

*ADMITTED IN CA ONLY

WRITER'S DIRECT DIAL NUMBER:
(702)-383-8946
jroberts@lionelsawyer.com

February 8, 2010

VIA HAND DELIVERY

Planning and Development Department
City of Las Vegas
Development Services Center
731 South Fourth Street
Las Vegas, Nevada 89101

RECEIVED
FEB 09 2010

RE: ***Application for Special Use Permit***

To Whom It May Concern:

I am writing on behalf of Walgreen Co. in support of the application for a special use permit and waiver of the distance restrictions to allow for the addition of accessory "off-sale" packaged beer, wine, and liquor at the premises of Walgreens at 7599 West Lake Mead Boulevard. The location is currently operating and licensed as a drug store.

This location is zoned C-1, Limited Commercial. The proposed sale of packaged liquor will not adversely affect surrounding properties, as this store is intersected by two major thoroughfares – Buffalo and Lake Mead – and is surrounded by commercial uses. There are other businesses in the general area that sale alcohol, so the proposed use would not be unique to the area. The location also currently complies with all other requirements pursuant to the City of Las Vegas Municipal Code.

However, Walgreen Co. understands that there is a City park located within 400 feet of the larger commercial subdivision. Accordingly, the Applicant hereby respectfully requests a waiver of the distance restrictions since the Walgreens has less than 20,000 square feet of retail floor space and is separated from the park by a right-of-way that is at least 100 feet in width. Here, the Walgreens is located at the farthest

SUP-37378
03/25/10 PC

end away from the City park and is separated from the park by Lake Mead Boulevard, a street at least 100-feet in width.

With this special use permit, Walgreens will remain competitive with similar businesses by offering patrons the option to purchase packaged beer, wine, or liquor for consumption off-premises. Since this use is commonly found at similar drug and retail grocery stores in Las Vegas, there would be no variable impact on other businesses by allowing Walgreens to sell alcohol for the convenience of its customers.

Walgreens will continue to maintain its high-level standard of operations, and the design, hours of operation, traffic generation, lighting, and noise at this location will remain unchanged with the issuance of a special use permit to allow for accessory packaged beer, wine, and liquor sales. Also, the location will not devote more than 10% of the retail floor space to the display or merchandising of alcoholic beverages.

Furthermore, Walgreen Co. is a well-established national company with shares traded on the New York Stock Exchange. The company has over 60 stores in southern Nevada that maintain a low impact on neighboring properties. This Walgreens location has 36 full-time and 5 part-time employees and operates on a 24-hour basis.

As Walgreens is currently operating and the addition of packaged beer, wine, and liquor for sale is compatible with the surrounding area, we respectfully request a special use permit and waiver of the distance restriction to a City park to allow for the addition of accessory "off-sale" packaged beer, wine, and liquor sales.

Please call me if you have any questions or need additional information.

Sincerely,

Jennifer Roberts

cc: Ms. Rebecca Lidskin

RECEIVED
FEB 09 2010

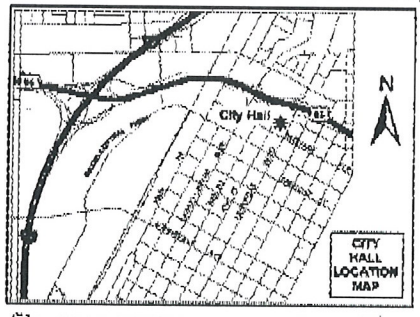
SUP-37378
03/25/10 PC

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 MAR 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.

SUP-37378
Planning Commission Meeting of 3/25/2010

Case: SUP-37378
13821821032
FULTON EUNICE J SR
7737 VIA PASEO AVE
LAS VEGAS NV 89128-2638

AAUDS11 A9128

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MAR 15 2010

WIN XP/HOME E

MK-KTPWV-9BYGP-X4T

8P

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

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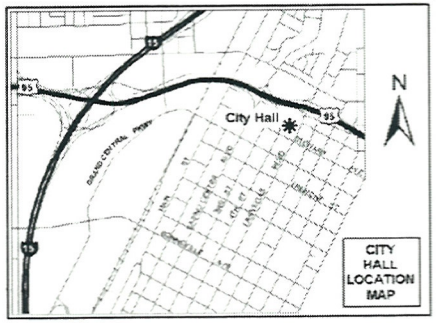
$ 00.41⁴
MAR 12 2010
MAILED FROM ZIP CODE 89101

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.

SUP-37378

Planning Commission Meeting of 3/25/2010

RECEIVED
MAR 16 2010

Case: SUP-37378

13822314090
COCHRAN BARBARA ELLEN & STEVEN M
1830 N BUFFALO DR #2017
LAS VEGAS NV 89128-2781

AAVDS11 89128

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 MAR 12 2010
MAILED FROM ZIP CODE 89101

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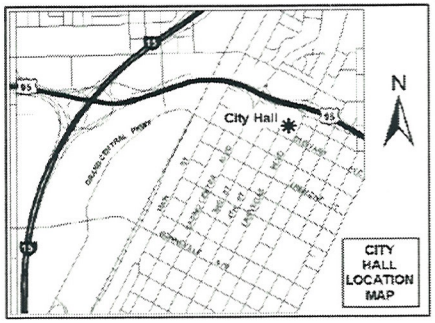
MAR 16 2010

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.

SUP-37378

Planning Commission Meeting of 3/25/2010

Case: SUP-37378
13822315060
DIMICK RANDY SCOTT & BILLI JO
1830 N BUFFALO DR #2085
LAS VEGAS NV 89128-2645

AAVDP11 89128

89

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

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PITNEY BOWES
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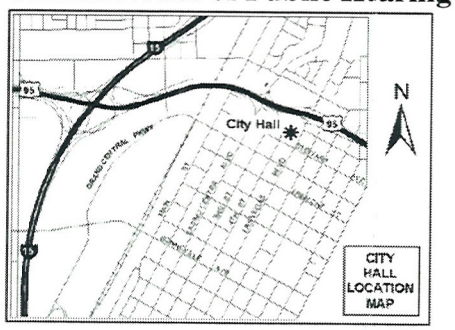
0004279218
$ 00.41⁴
MAR 12 2010
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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SUP-37378

Planning Commission Meeting of 3/25/2010

RECEIVED
MAR 16 2010

Case: SUP-37378
13821618028
FUHREL ROBERT J & MARY FRANCES
1901 RIO CANYON CT #202
LAS VEGAS NV 89128-2708

AAVDS11 89128

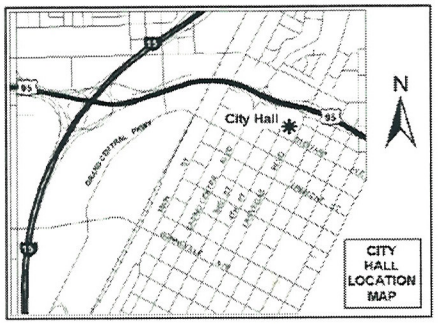
Fax

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 MAR 12 2010
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



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SUP-37378

Planning Commission Meeting of 3/25/2010

RECEIVED
MAR 16 2010

Case: SUP-37378
13821712087
GEDEON FRANTZ M & MARGUERITE M
7604 ALLERTON AVE
LAS VEGAS NV 89128-2767

AAVDS11 89128

8A

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

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

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

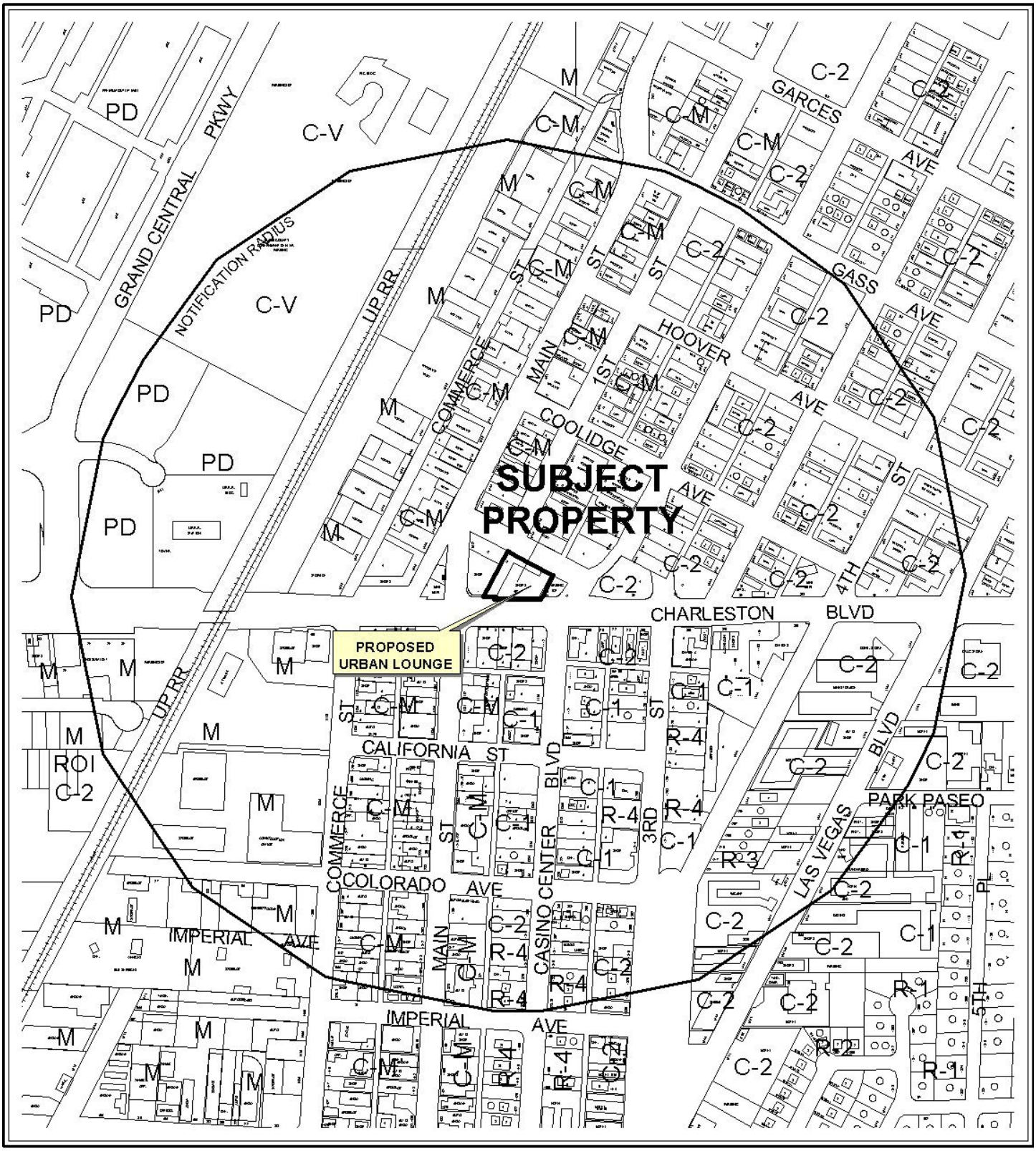
SUBJECT:
SUP-37385 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: THE ARTS FACTORY - Request for a Special Use Permit FOR A PROPOSED 1,385 SQUARE FOOT URBAN LOUNGE at 107 East Charleston Boulevard, Suite #105 (APN 139-33-811-017), C-2 (General Commercial) Zone, Ward 3 (Reese)

IF APPROVED, C.C.: 04/21/2010
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**2**	**Planning Commission Mtg.**	**7**
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/Support Postcards



0 500 1000 Feet

CASE: **SUP-37385**

RADIUS: 1500 FT

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



0 500 1000 Feet

CASE: **SUP-37385**

RADIUS: 1500 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-37385 - APPLICANT/OWNER: THE ARTS FACTORY

** CONDITIONS **

Staff recommends APPROVAL, subject to conditions:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for an Urban Lounge use.

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

3. Approval of this Special Use Permit does not constitute approval of a liquor license.

4. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

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

SUP-37385 - Staff Report Page One
March 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a 1,385 square-foot Urban Lounge located at 107 East Charleston Boulevard, Suite #150. The proposed use meets all the Title 19.04 standards for an Urban Lounge and can be conducted in a manner that is harmonious and compatible with existing surrounding land uses; therefore, staff recommends approval. If this request is denied, the proposed use will not be permitted at this location.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
c. 1947	The existing structure at 107 East Charleston Boulevard was constructed.
12/21/83	The City Council approved a request for a Variance (V-0111-83) to allow the sale of used furniture at 107 East Charleston Boulevard. The Board of Zoning Adjustment recommended approval of the request.
01/19/00	The City Council approved a request for a Special Use Permit (U-0122-99) on a property located at 107 East Charleston Boulevard for a 14 foot by 48 foot Off-Premise sign. The Planning Commission recommended approval of the request.
01/08/03	The City Council approved a Special Use Permit (SUP-1146) for a Restaurant Service Bar at 103 East Charleston Boulevard. The Planning Commission recommended approval of the request.
09/20/06	The City Council approved a Special Use Permit (SUP-15038) request for a proposed Gaming Establishment, General Business-Related at 103-123 East Charleston Boulevard. The Planning Commission recommended approval of the request.
09/20/06	The City Council approved a Site Development Review (SDR-15035) request for a Site Development Plan Review for a proposed 4,930 square-foot Urban Lounge and waivers of Downtown Centennial Plan streetscape and build-to-line standards on 0.13 acres at 103-123 East Charleston Boulevard. The Planning Commission and staff recommended approval of the request.
09/20/06	The City Council approved a Special Use Permit (SUP-15039) request for a proposed Urban Lounge at 103-123 East Charleston Boulevard. The Planning Commission and staff recommended approval of the request.

11/05/08	The City Council approved a request for an Extension of Time (EOT-29992) of an approved Special Use Permit (SUP-15038) for a proposed Gaming Establishment, General Business-Related at 103-123 East Charleston Boulevard that expires 09/20/10.
11/05/08	The City Council approved a request for an Extension of Time (EOT-29994) of an approved Special Use Permit (SUP-15039) for a proposed Urban Lounge at 103-123 East Charleston Boulevard that expires 09/20/10.
Related Building Permits/Business Licenses	
01/21/03	A business license (C11-07412) was issued for a contractor license at 107 East Charleston Boulevard Suite #150. The license is still active.
08/05/94	A business license (Q09-00053) was issued for architectural studios at 107 East Charleston Boulevard Suite #150. The license is still active.
06/14/99	A building permit (#99011645) was issued for tenant improvement at 107 East Charleston Boulevard Suite #150. The permit expired on 12/24/99.
Pre-Application Meeting	
02/05/10	A pre application meeting was held with the applicant where the submittal requirements for a Special Use Permit were discussed. Topics included: • A brief discussion on the suite number for the proposed use. • There was a discussion about the minimum Special Use requirements regarding an Urban Lounge use.
Neighborhood Meeting	
A neighborhood meeting is not required for this application, nor was one held.	
Field Check	
02/18/10	During a routine site inspection performed by staff, the subject property was noted as a well maintained commercial development.

Details of Application Request	
Site Area	
Net Acres	0.64

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Retail/restaurant	C (Commercial)	C-2 (General Commercial)
North	Vacant/Laundry	MXU (Mixed-Use)	C-2 (General Commercial)
South	Retail	C (Commercial)	C-2 (General Commercial)
East	Parking lot	C (Commercial)	C-2 (General Commercial)
West	Retail	C (Commercial)	C-2 (General Commercial)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan			
Downtown Centennial Plan (18b Las Vegas Art District)	X		Y
Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts			
Las Vegas Redevelopment Plan (Downtown Redevelopment Area)	X		Y
Live/Work Overlay District	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Per Title 19.04.010 and Title 6.50, the following standards apply:

Urban Lounge Requirements	Bar Seats	Lounge Seats (Required: 2 per bar seat)	Compliance
Urban Lounge	9	27	Y

ANALYSIS

This request is for a Special Use Permit to allow an Urban Lounge at 107 East Charleston Boulevard Suite #150. An Urban Lounge is defined by Title 19 as "an establishment that is licensed for the sale of alcoholic beverages for consumption on the premises where the same are sold, and the sale, to consumers only and not for resale, of alcoholic beverages in original sealed or corked containers, for consumption off the premises where the same are sold." To qualify as an Urban Lounge, the proposed use must meet all three minimum Special Use Permit requirements: the use must be within the boundaries of the Las Vegas Arts District; for each seat provided at the bar of the establishment, there must be a minimum of two seats within a lounge area located away from the bar; and the use is subject to the provisions of Chapter 6.50 relating to liquor control.

The proposed use is located at the northeast corner of Casino Center Boulevard and Charleston Boulevard. This area is within the boundaries of 18b, the Las Vegas Arts District. The total square footage of the proposed use is 1,385 square feet, seating 36 patrons. The floor plan shows nine seats at the bar and 27 additional seats within the lounge area. This proposed floor plan meets the minimum requirements for a Special Use Permit.

There is a previously approved Urban Lounge to the east, however, there is no distance separation requirement for urban lounges within the Arts District. Per Title 19.06.060, projects located within the Las Vegas Downtown Centennial Plan area are not subject to the automatic application of parking requirements. Parking for an Urban Lounge use is determined on a case-by-case basis. Though the parking area onsite is limited, the use at this site will rely heavily on offsite parking in the street and in area parking structures and walk-up traffic.

Per the submitted floor plan date stamped February 09, 2010, a semicircular concrete landing and stairs will be added east of the proposed lounge. The landing and stairs will provide access to the outside from the proposed lounge. The proposed use meets all of the minimum Special Use Permit requirements of Title 19.04 for an Urban Lounge, and can be conducted in a manner that is harmonious and compatible with existing surrounding land uses. Therefore, staff recommends approval.

FINDINGS

The following findings must be made for a Special Use Permit:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

   The proposed Urban Lounge use is compatible within the subject building and with other uses on surrounding 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 Urban Lounge use.

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

   Site access is provided from Charleston Boulevard, a 100-foot Primary Arterial, and Boulder Avenue, an 80-foot Secondary Collector as designated in the Master Plan of Streets and Highways. These streets provide adequate access to and from the subject property.

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

   The Urban Lounge will be subject to regular inspection for licensing purposes and will not compromise the public health, safety and welfare.

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

   The proposed lounge meets all applicable requirements for an Urban Lounge and is therefore in compliance with all conditions of Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

NOTICES MAILED 474

APPROVALS 7

PROTESTS 2

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-37385** APN: 139-33-811-017

Name of Property Owner: THE ARTS FACTORY LLC.

Name of Applicant: WESTLEY M. ISBUTT

Name of Representative: SAME

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

☐ **Yes** ☑ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Wat Isbutt

Print Name: WESTLEY M. ISBUTT

Subscribed and sworn before me

This 9 day of Feb., 2010

Gail A. Bowman

Notary Public in and for said County and State

GAIL A. BOWMAN
Notary Public State of Nevada
No.96-3637-1
My appt. exp. July 17, 2012

RECEIVED

FEB 09 2010

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: URBAN Lounge

Project Address (Location) 107 E. CHARLESTON bl.

Project Name ARTS FACTORY BAR **Proposed Use** _____

Assessor's Parcel #(s) 139-33-811-017 **Ward #** 3

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

Commercial Square Footage 1400 ± **Floor Area Ratio** 1,400

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

Additional Information _____

PROPERTY OWNER THE ARTS FACTORY **Contact** WES ISBOTT

Address 107 E. CHARLESTON bl. #250 **Phone:** 383-3133 **Fax:** 383-9907

City LV. **State** NV **Zip** 89104

E-mail Address STUDIOWEST@LVCM.com

APPLICANT _____ **Contact** _____

Address SAME AS ABOVE **Phone:** _____ **Fax:** _____

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

E-mail Address _____

REPRESENTATIVE _____ **Contact** _____

Address SAME AS ABOVE **Phone:** _____ **Fax:** _____

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

E-mail Address _____

Property Owner Signature* _____

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

Print Name WESTLEY M. ISBOTT

Subscribed and sworn before me

This 9 day of Feb, 20 10.

Gail A. Bowman

Notary Public in and for said County and State

GAIL A. BOWMAN
Notary Public State of Nevada
No.96-3637-1
My appt. exp. July 17, 2012

Revised 10/27/08

FOR DEPARTMENT USE ONLY

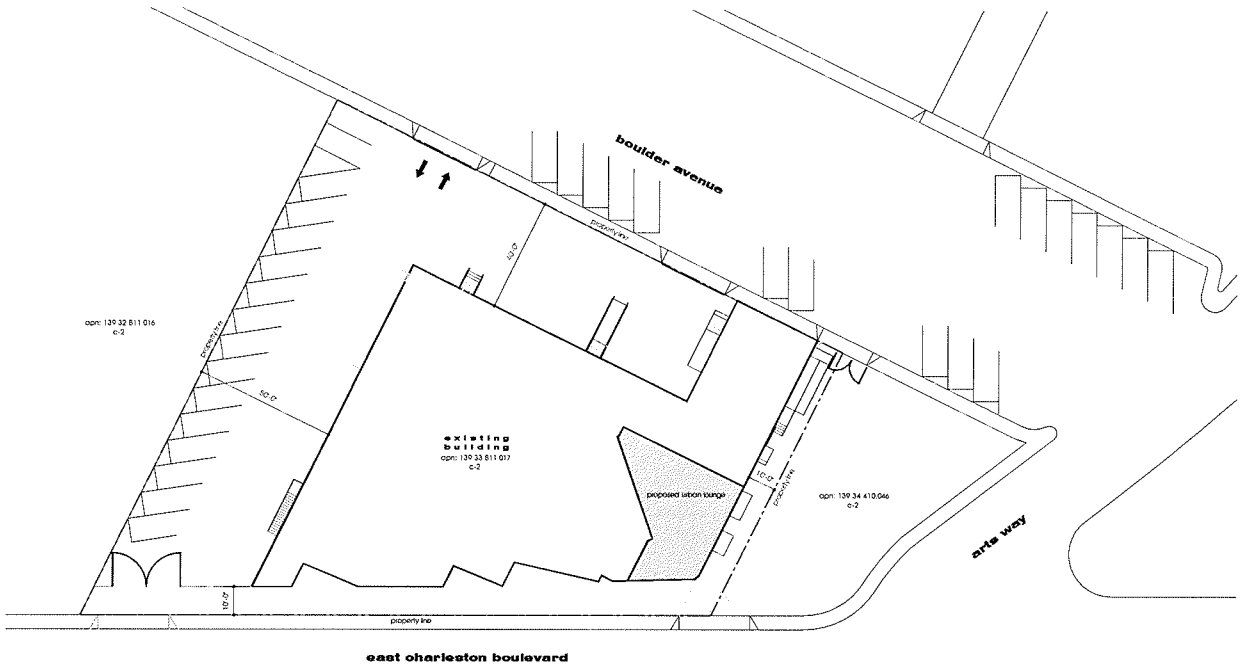
Case #	SUP-37385
Meeting Date:	3/25/10
Total Fee:	$1280.00
Date Received:*	2/9/10
Received By:	MREX

*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.

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

arts factory bar t.i.

107 e. charleston blvd., las vegas, nv



architectural site plan
scale: 1" = 20'-0"

project data

building area

total	± 26,600 sf

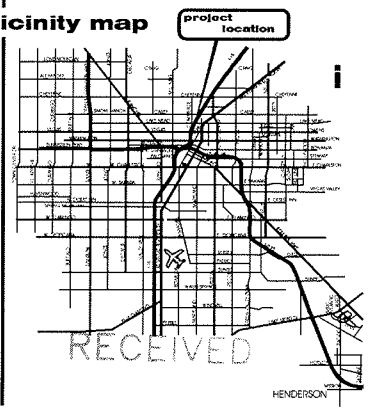
parking required:

urban lounge indoor dining (1,000 sf) @ 1/50 (sf)	20
urban lounge outdoor dining (2,158 sf) @ 1/50 (sf)	44
urban lounge back bar (1,453 sf) @ 1/200 (sf)	8
total	72
parking provided (on site):	15

parcel data

building area (footprint only)	± 13,900 sf
lot area	± 27,800 sf
floor / area	49.6%

vicinity map



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SUP-37385
03/25/10 PC

jawa studio
architecture interior design
107 E. Charleston Suite 150
Las Vegas NV 89104
tel. 702.598.1723
fax. 702.598.1724
mail@jawastudio.com

civil
structural
mechanical
electrical
seal

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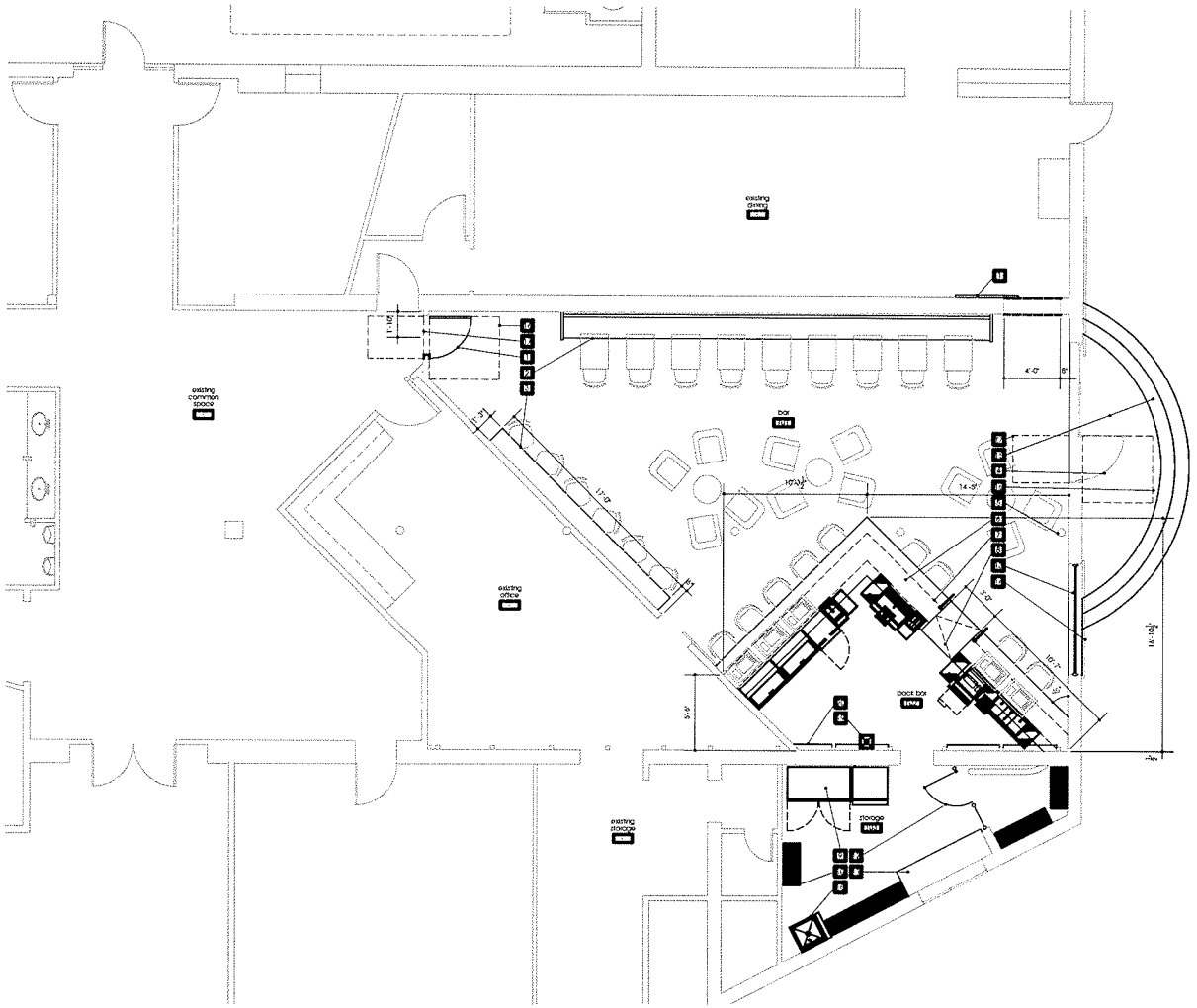
no.	date	description

project / address:
arts factory bar t.i.
107 e. charleston blvd. suite xxx
owner:

sheet title
site plan

drawn/checked by
dej/jw
date
01.29.10
job no.
09043
sheet no.
A0.01
cad dwg file 09043-A0.01



floor plan

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

keynotes

1	new door (see door schedule)
2	new bench
3	new drink rail
4	existing door(s)
5	existing column (typ.)
6	new bar top
7	new dw wall (below)
8	new flip top
9	new bar equipment (typ.)(see equipment schedule, a6.01)
10	new shelving (typ.)(see equipment schedule, a6.01)
11	new p.t. counter w/ base cabinets below (see interior elevation 7, a5.01)
12	chainlink enclosure with gate (by others)
13	aluminum storefront window (see window schedule)
14	steel perforated panel (see window schedule)
15	new concrete landing and steps
16	54" x 60" required approach clearance
17	36" x 48" required approach clearance
18	mop sink with water heater above
19	floor sink (typical)
20	liquor display shelving

general notes

1. all dimensions are to the face of the stud, unless noted otherwise.
2. install all fixtures and appliances per manufactures recommendations.
3. contractors shall be responsible for all temporary shoring or bracing.
4. all abandoned mechanical and electrical piping is to be removed to a point beyond or within finished floor, wall or ceiling surfaces and made safe by capping.
5. contractor to verify existing conditions.
6. all existing areas scheduled to remain during demolition shall be patched, repaired to previous condition in order to match adjacent construction.
6. when existing electrical service, power and lighting is removed, stub back and cap as required in areas between existing conditions and new work.
7. whether or not specifically indicated on the drawings all contractors shall be responsible for removing or demolishing existing construction which will interfere with their new work.

wall legend

symbol	description
	existing wall to remain
	demolish existing wall

project data

tenant improvement area

total: 1,385 sf

occupancy:

urban lounge indoor dining (1,040 sf) @ 1/15 (sf)	70
urban lounge back bar (345 sf) @ 1/200 (sf)	2
total:	72

jawa studio
architecture interior design
107 E. Charleston Suite 150
Las Vegas NV 89104
tel. 702.598.1723
fax. 702.598.1724
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civil:

structural:

mechanical:

electrical:

shell:

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no.	date	description

project / address:
arts factory bar t.i.
107 e. charleston blvd. suite xxx

owner:

sheet title:
floor plan

drawn/checked by:
de/jw

date:
01.29.10

job no.
09043

sheet no.
a1.01

cad dwg file: 09043-a1.01

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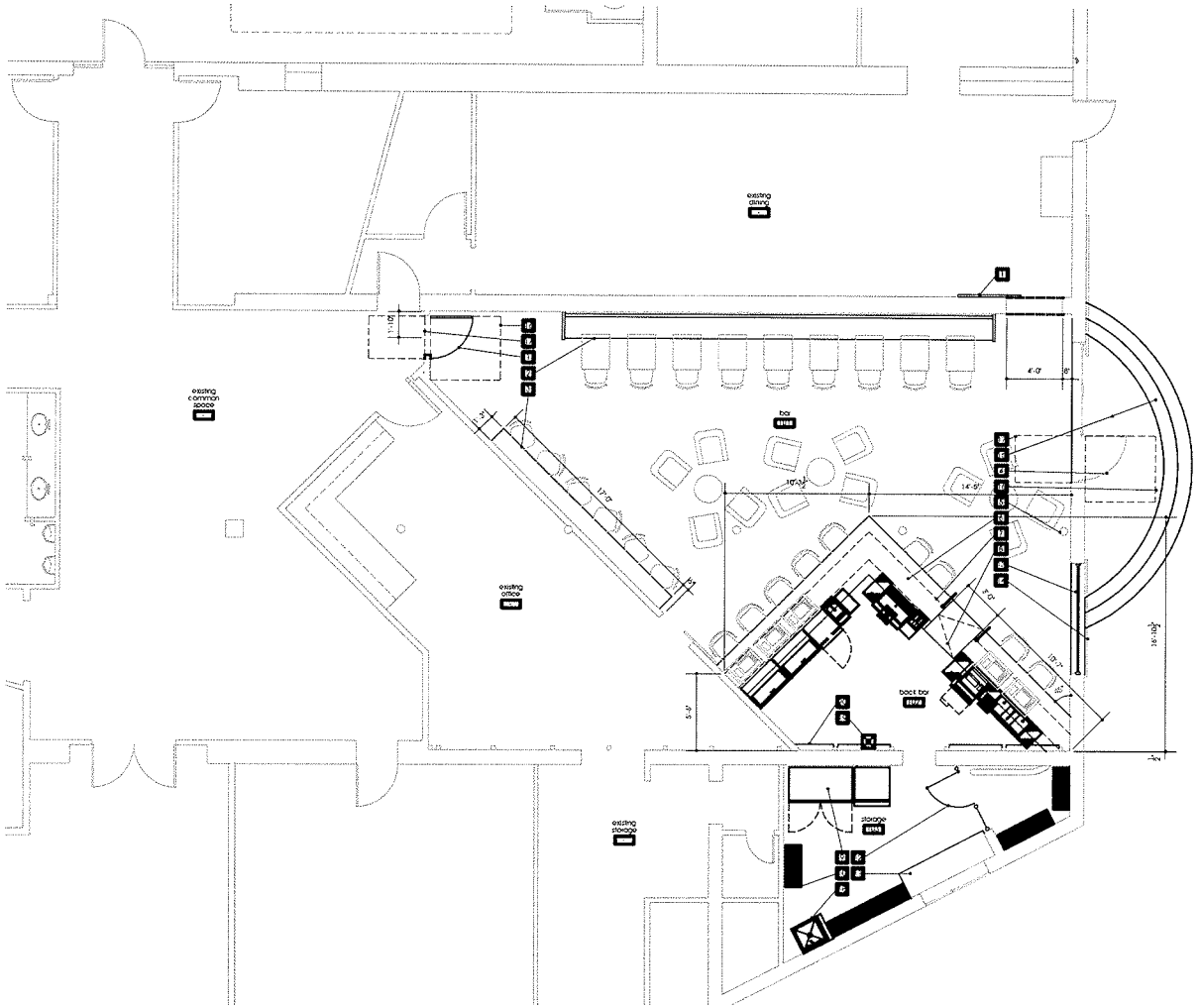
FEB 09 2010

SUP-37385
03/25/10 PC



floor plan

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

keynotes

1	new door (see door schedule)
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4	existing door(s)
5	existing column (typ.)
6	new bar top
7	new dish well (below)
8	new flip top
9	new bar equipment (typ.)(see equipment schedule, a6.01)
10	new shelving (typ.)(see equipment schedule, a6.01)
11	new p.t. counter w/ base cabinets below (see interior elevation 7, a5.01)
12	chainlink enclosure with gate (by others)
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wall legend

symbol	description
	existing wall to remain
	demolish existing wall

project data

tenant improvement area

total 1,385 sf

occupancy:

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urban lounge back bar (345 sf) @ 1/200 (sf)	2
total:	72

jawa studio
architecture interior design
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Las Vegas NV 89104
tel. 702.598.1723
fax. 702.598.1724
mail@jawastudio.com

civil:

structural:

mechanical

electrical

seal:

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no.	date	description

project / address:
arts factory bar t.i.
107 e. charleston blvd. suite xxx
owner

sheet title
floor plan

drawn/checked by
dg/jw

date:
01.29.10

job no.
09043

sheet no.
a1.01

cad dwg. file 09043-a1.01

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FEB 09 2010

SUP-37385
03/25/10 PC


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Arts Factory Bar
LAS VEGAS NEVADA
SUP-37385
03/25/10 PC
jawa studio


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SUP-37385
03/25/10 PC
Arts Factory Bar
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FEB 08 2010
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03/25/10 PC
Arts Factory Bar
LAS VEGAS NEVADA
jawa studio



SUP-37385 - APPLICANT/OWNER: THE ARTS FACTORY
107 EAST CHARLESTON BOULEVARD, SUITE #155
MARCH 25, 2010 PLANNING COMMISSION

02/18/10



SUP-37385 - APPLICANT/OWNER: THE ARTS FACTORY
107 EAST CHARLESTON BOULEVARD, SUITE #155
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02/18/10



SUP-37385 - APPLICANT/OWNER: THE ARTS FACTORY
107 EAST CHARLESTON BOULEVARD, SUITE #155
MARCH 25, 2010 PLANNING COMMISSION

02/18/10

THE ARTS FACTORY
LAS VEGAS

Feb 9, 2010

Planning & Development
Development Services Center
City of Las Vegas

re: special use permit
The Arts Factory Bar
107 E. Charleston Blvd
Las Vegas, NV 89104
apn: 139-33-811-017

This submittal is to request a special use permit for an Urban Lounge in the fantastic 18b LV Arts District. The proposed project is a 1,385 s.f. lounge located on a portion of the parcel referenced above. The build-out for the bar will be in the form of tenant improvements in the existing building and does not include any outdoor modifications.

We intend to hire 10 employees to staff the lounge.

The hours of operation will be Mon – Saturday 11:00am – 2:00am, with extended hours on the First Friday of each month.

The Arts Factory, LLC currently holds a Liquor Caterer License to service events and art openings at this location.

The Arts Factory will be applying for a State Limited Gaming License as stipulated under the provisions of the Urban Lounge designation.

The proposed use complies with applicable provisions of the development code and the general plan; is compatible with adjacent uses in terms of scale, site design and operating characteristics, and will not cause substantial diminution of the value of other properties in the area in which it is located. Public safety, transportation and utility facilities/services will be available to the subject property having no effect on the availability of the same services to existing adjacent development.

Please call if you have any questions or need any additional information.

Thank you,

Westley Myles Isbutt,
Property owner

RECEIVED
FEB 09 2010

107 E. Charleston Boulevard, Suite 250; Las Vegas, NV 89104
Tel: (702) 383-3133 Fax: (702) 383-9907

SUP-37385
03/25/10 PC

PAGE 02/03
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7023848347
03/16/2010 07:42

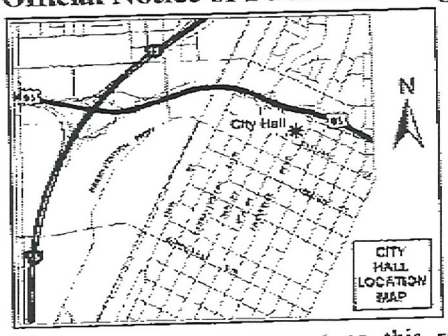
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279216 MAR 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.

SUP-37385

Planning Commission Meeting of 3/25/2010

Case: SUP-37385
16203110030
IDEAL STAPLE CO INC
1200 S 3RD ST
LAS VEGAS NV 89104-1007

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MAR 16 2010

9p

PAGE 03/03
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Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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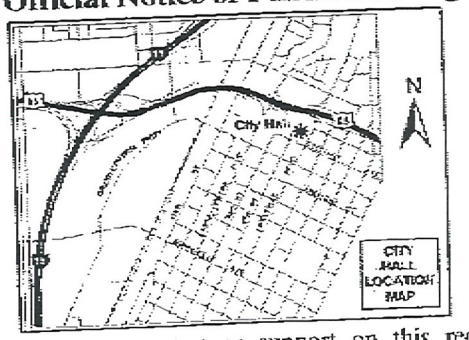

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☐ I SUPPORT this Request

☑ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37385

Planning Commission Meeting of 3/25/2010

Case: SUP-37385
16203110031
EISENBERG IVAN & BERNICE FAM TR
1200 S 3RD ST
LAS VEGAS NV 89104-1007

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MAR 16 2010
PLANNING & DEVELOPMENT

4P

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

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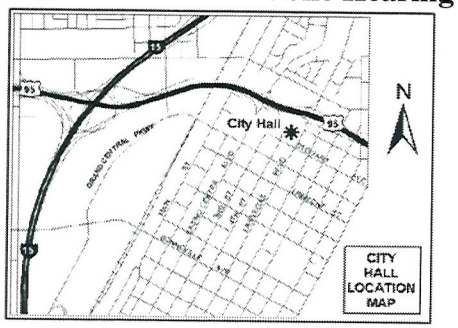

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[X] I SUPPORT this Request [ ] I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37385

Planning Commission Meeting of 3/25/2010

Case: SUP-37385

13933801001
BONZO'S HOLDINGS L L C
%S HERMANN
7618 PLACID ST
LAS VEGAS NV 89123-1142

AAVDS11 89123

9A

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

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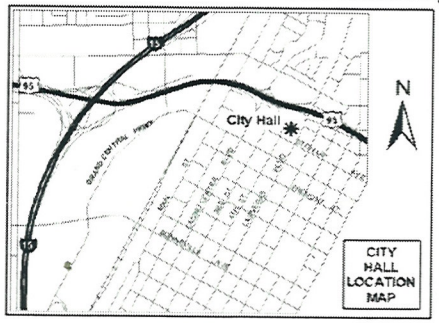
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37385

Planning Commission Meeting of 3/25/2010

Case: SUP-37385
16203110059
VARRICCHIO PHILIP T JR & AMBER S
7152 DURANGO ST
LAS VEGAS NV 89120-3003

AAVDS11 89120

9A

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

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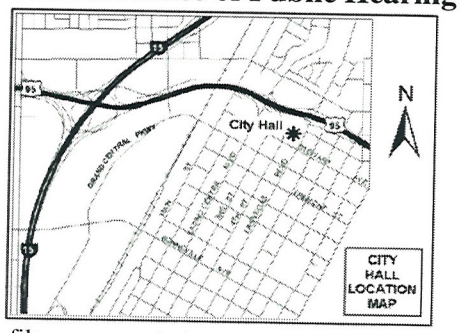

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Please use available blank space on card for your comments.

SUP-37385

Planning Commission Meeting of 3/25/2010

Case: SUP-37385

13934412110
PETERMAN MICHAEL B
200 HOOVER AVE #1706
LAS VEGAS NV 89101-6883

AAVDS11 89101

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

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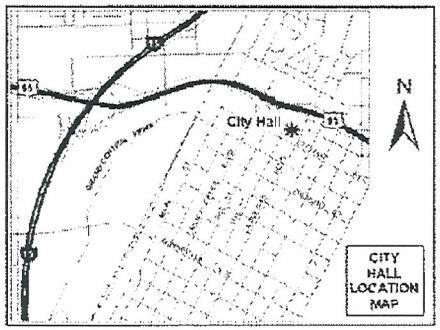

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37385

Planning Commission Meeting of 3/25/2010

Case: SUP-37385

13933811017
ARTS FACTORY L L C
101 E CHARLESTON BLVD
LAS VEGAS NV 89104-1018

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MAR 15 2010

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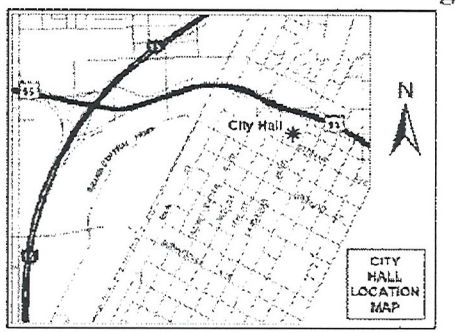
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



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[X] I SUPPORT this Request

[ ] I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37385

Planning Commission Meeting of 3/25/2010

Case: SUP-37385

13934410046
CORESTONE L L C
107 E CHARLESTON BLVD
LAS VEGAS NV 89104-1060

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MAR 15 2010

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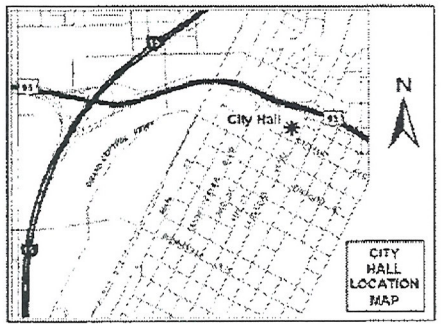
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



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[X] I SUPPORT this Request

[ ] I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37385

Planning Commission Meeting of 3/25/2010

Case: SUP-37385

16203110099
MESQUITE WOOD 2 L L C
107 E CHARLESTON BLVD
LAS VEGAS NV 89104-1060

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MAR 15 2010

9A

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

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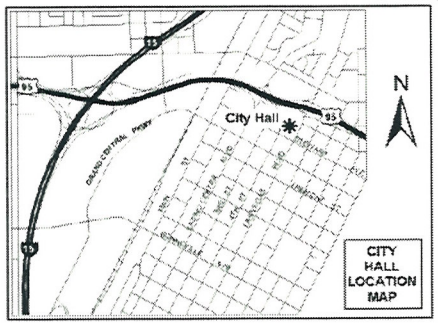

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37385

Planning Commission Meeting of 3/25/2010

I overwhelmingly support this special use permit. We need more innovation downtown, as long as it is self developed we should be as supportive as possible.

Case: SUP-37385
13934411028
MCLOUGHLIN STEVEN JOHN
900 S LAS VEGAS BLVD #812
LAS VEGAS NV 89101-6850

RECEIVED
MAR 16 2010

AAUD311 89101

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 25, 2010

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

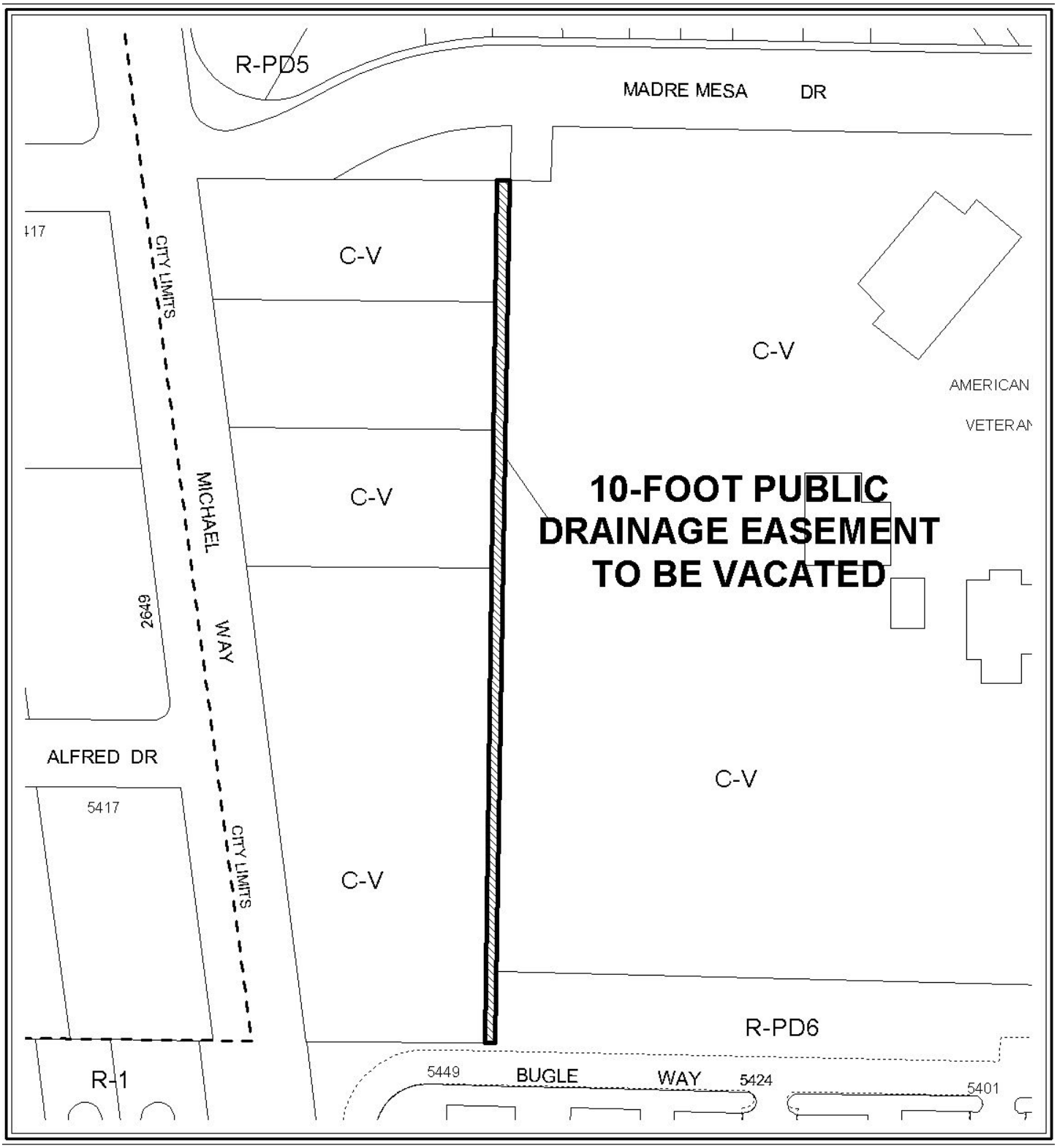
SUBJECT:
VAC-37325 - VACATION - PUBLIC HEARING - APPLICANT: CATALYST CONSULTING COMPANY - OWNER: AGUILAS CENTRO FAMILIAR CRISTIANO - Petition to Vacate public drainage easements generally located east of Michael Way and south of Madre Mesa Drive, Ward 5 (Barlow)

SET DATE: 04/07/2010
C.C.: 04/21/2010

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**1**	**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 Postcard



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CASE: VAC-37325

N



0 100 200 Feet

CASE: VAC-37325

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-37325 - APPLICANT: CATALYST CONSULTING COMPANY - OWNER: AGUILAS CENTRO FAMILIAR CRISTIANO

** CONDITIONS **

Staff recommends APPROVAL, subject to conditions:

1. The limits of this Petition of Vacation shall be two ten-foot wide Public Drainage Easements generally located at the southeast corner of Michael Way and Madre Mesa Drive as shown and granted per Parcel Maps on file in Book 55, Page 62 and in Book 58, Page 98 of Plats on file in the Clark County, Nevada, Recorder's Office.

2. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by SDR-28517 and SDR-36474 may be used to satisfy this requirement provided that it addresses the area to be vacated.

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

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

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

VAC-37325 - Staff Report Page One
March 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a petition to vacate two 10-foot wide drainage easements generally located south of Madre Mesa Drive and east of Michael Way. A previously approved Site Development Plan Review (SDR-28517) and Major Amendment (SDR-36787) to this plan proposes to construct a two-story, 106,000 square-foot church and private primary school on this site, which is currently undeveloped. Staff recommends approval of the petition, as the existing drainage easements are no longer needed in their current configuration and the request does not conflict with any existing city requirements. If this request is denied, no parking or structures would be allowed to be developed within the existing easements.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
08/15/07	The City Council approved an Annexation (ANX-20441) of properties located at the southeast corner of Michael Way and Madre Mesa Drive, containing approximately 11.18 acres. The Planning Commission and staff recommended approval of this request. The annexation became effective 08/24/07.
08/20/08	The City Council approved a General Plan Amendment (GPA-28505) to Amend a portion of the Southwest Sector Plan of the General Plan from R (Rural Density Residential) to PF (Public Facilities) on 11.18 acres at the southeast corner of Madre Mesa Drive and Michael Way. The Planning Commission and staff recommended approval.
08/20/08	The City Council approved a Rezoning (ZON-28506) of properties from U (Undeveloped) and R-D (Single Family Residential-Restricted) to C-V (Civic) on 11.18 acres at the southeast corner of Madre Mesa Drive and Michael Way. The Planning Commission and staff recommended approval.
08/20/08	The City Council approved a Site Development Plan Review (SDR-28517) for a proposed two-story 106,500 square-foot church/house of worship with accessory private school and childcare on 11.18 acres at the southeast corner of Madre Mesa Drive and Michael Way. The Planning Commission and staff recommended approval.
11/20/09	The Planning & Development Department conditionally approved a Parcel Map (PMP-36474) for reversion to acreage of 2.68 acres located at the southeast corner of Michael Way and Madre Mesa Drive. Mylars were released for recordation on 02/18/10. This Parcel Map has not yet been recorded.

01/28/10	The Planning Commission approved a Major Amendment (SDR-36787) to an approved Site Development Plan Review (SDR-28517) to allow site modifications for an approved two-story, 106,500 square-foot Church/House of Worship and Private School, Primary with waivers of building placement standards and landscape buffer standards to allow a buffer width of eight feet along a portion of the south perimeter where 15 feet is required on 11.18 acres at the southeast corner of Madre Mesa Drive and Michael Way. Staff recommended approval.
Related Building Permits/Business Licenses	
There are no building permits associated with this site.	
Pre-Application Meeting	
A pre-application meeting is not required for this request, nor was one held.	
Neighborhood Meeting	
A neighborhood meeting is not required, nor was one held.	
Field Check	
02/18/10	During a routine site visit, it was noted that the west portion of the site was undeveloped and contained a small amount of debris.

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Area Plan		X	N/A
Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
C-V Civic District	X		Y
A-O Airport Overlay District (70 Feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

LEGAL DESCRIPTION

The subject property is legally described as a portion of the South Half (S½) of the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼) of Section 13, Township 20 South, Range 60 East, M.D.M.

ANALYSIS

A) Planning discussion

In 2008, a Site Development Plan Review was approved for a two-story, 106,000 square-foot church and private school on the subject site. In January 2010, a Major Amendment to this Site Development Plan Review was approved for modifications to the design of the building and to allow waiver requests with respect to building placement and perimeter landscaping. The drainage easements in question, which run north to south along a former parcel line, are proposed to be removed to accommodate construction of the church and associated private school. Staff recommends approval of the petition, as the existing drainage easements are no longer needed in their current configuration and the request does not conflict with any existing city requirements.

B) Public Works discussion

This Vacation application proposes to vacate two existing 10-foot public drainage easements. As no right-of-way is proposed to be vacated, and thus no franchise rights are involved, it is not necessary to send this request to the utility companies and franchise holders, nor wait for their responses. Since only City easements are involved, any utility company interests will not be affected.

NOTICES MAILED 109

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAC-37325** APN: 138-13-701-010, 001, 012

Name of Property Owner: Aguilas CFC

Name of Applicant: Catalyst Consulting Company

Name of Representative: Walker Engineering, LLC

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: Jose G. Jimenez

Subscribed and sworn before me

This 10th day of DECEMBER, 2009

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DANNY ALBILLO
Appt. No. 02-72708-1
My Appt. Expires July 27, 2010

RECEIVED
FEB 03 2010

Revised 11-14-06

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

COPY

PLANNING & DEVELOPMENT
CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

RECEIVED CITY CLERK 2010 FEB -9 P 12:33

Application/Petition For: Drainage Easement Vacation

Project Address (Location) SEC Michael Way & Madre Mesa Drive

Project Name A.G. Church **Proposed Use**

Assessor's Parcel #(s) 138-13-701-010, 011, 012, & 036 **Ward #**

General Plan: existing _____ proposed _____ **Zoning:** existing U(R) proposed

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

Gross Acres 11.18 ACRES **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER AGUILAS CFC **Contact** Matt Cady

Address 6744 Spencer St. **Phone:** (352) 458-1161 **Fax:** (800) 761-5743

City Las Vegas **State** NV **Zip** 89119

E-mail Address matt@catalystconsultingcompany.com

APPLICANT Catalyst Consulting Company **Contact** Matt Cady

Address 405 SE 52nd AVENUE **Phone:** (352) 458-1161 **Fax:** (800) 761-5743

City OCALA **State** FL **Zip** 34471

E-mail Address matt@catalystconsultingcompany.com

REPRESENTATIVE Walker Engineering, LLC **Contact** Jody Belsick, P.E.

Address 5765 S. Rainbow Blvd., Suite 101 **Phone:** (702) 873-5197 **Fax:** (702) 873-5346

City Las Vegas **State** NV **Zip** 89118

E-mail Address jbelsick@walker-eng.com

Property Owner Signature* [signature]

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

Print Name Jose G. Jimenez

Subscribed and sworn before me

This 10th day of December, 2009.

[signature]

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DANNY ALBILLO
Appt. No. 02-72708-1
My Appt. Expires July 27, 2010

RECEIVED
RECEIVED
FEB 03 2010

FOR DEPARTMENT USE ONLY

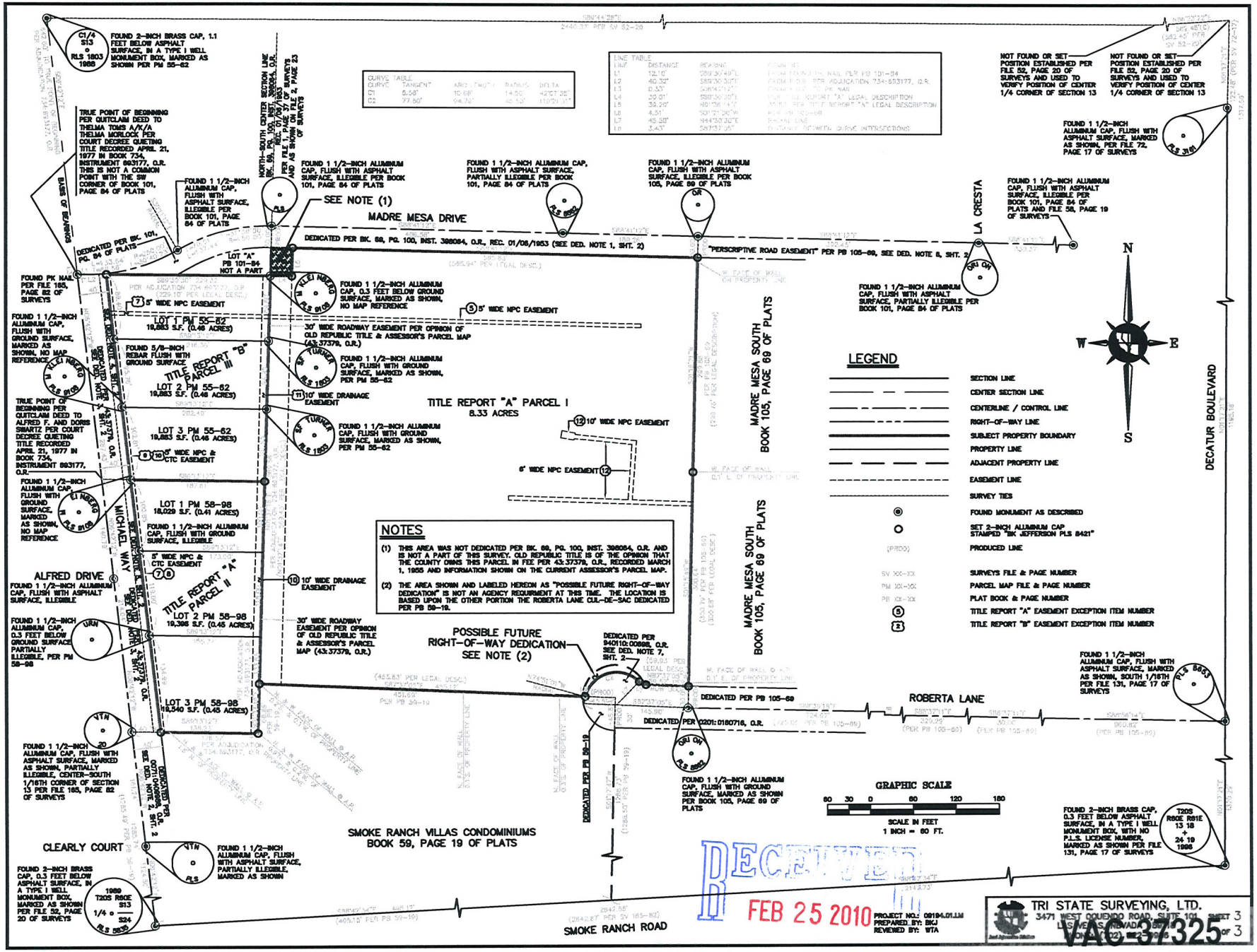
Case #	VAC-37325
Meeting Date:	3/25/10
Total Fee:	$1,000
Date Received:*	2/3/10
Received By:	Bla S.

*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

Depot\Application Packet\Application Form.pdf

E:\1167_CATALYST\DWG\CONSULTANTS\SURVEY\DEC28_09-REVISED ROS\09194011MT200bkjROS.DWG, 3/3/2010 4:28:32 PM, jbelsick, Adobe PDF, 1:178.





VAC-37325 - APPLICANT: CATALYST CONSULTING COMPANY- OWNER: AGUILAS CFC
MARCH 25, 2010 PLANNING COMMISSION

02/18/10



VAC-37325 - APPLICANT: CATALYST CONSULTING COMPANY- OWNER: AGUILAS CFC
MARCH 25, 2010 PLANNING COMMISSION

02/18/10

WALKER ENGINEERING, LLC

February 25, 2010
WE Project No. 1167.00

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

RE: Revised Justification for Vacation of Easements for the AG Church Project Located on the SEC of Madre Mesa and Michael in the City of Las Vegas

To whom it may concern:

This application is for a vacation of two (2) existing easements for a proposed Church project located on Clark County Assessor's Parcels 138-13-701-010, 011, 012 & 036. These vacations are for easements no longer needed with the development of the proposed Church recently approved by the City of Las Vegas under application number SDR-36787.

Vacation #1: 10' wide drainage easement per File 55, Page 62 of Parcel Maps

Vacation #2: 10' wide drainage easement per File 58, Page 98 of Parcel Maps

The drainage easements are no longer needed for this project as identified in the technical drainage study for this project (CLV #: DS4380). We look forward to working with Planning & Development for a favorable recommendation for this vacation application. Please do not hesitate to contact me if you have any questions or require any additional information.

Sincerely,
WALKER ENGINEERING

Jody W. Belsick

Jody Walker Belsick, P.E., LEED AP
President

cc: Matt Cady, Catalyst Consulting

5765 South Rainbow Blvd.
Suite 101
Las Vegas, Nevada, 89118
Phone: 702.873.5197
Fax: 702.873.5346
www.walker-eng.com

RECEIVED
FEB 25 2010
VAC-37325
REVISED
03/25/10 PC

PAGE 01/01
6 BDE COMMAND GROUP
7026392006
03/17/2010 07:11

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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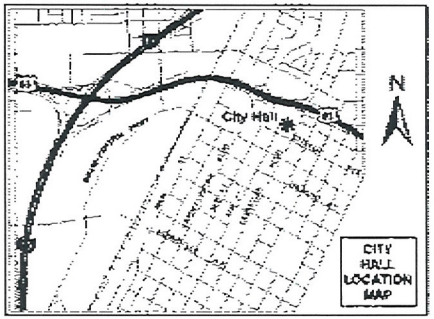
Return Service Requested

Official Notice of Public Hearing



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

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAC-37325
Planning Commission Meeting of 3/25/2010

Case: VAC-37325
13813810056
SAUER ANGELA E
5400 GENEIVE LN #103
LAS VEGAS NV 89108-3543

RECEIVED MAR 17 2010

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 25, 2010

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

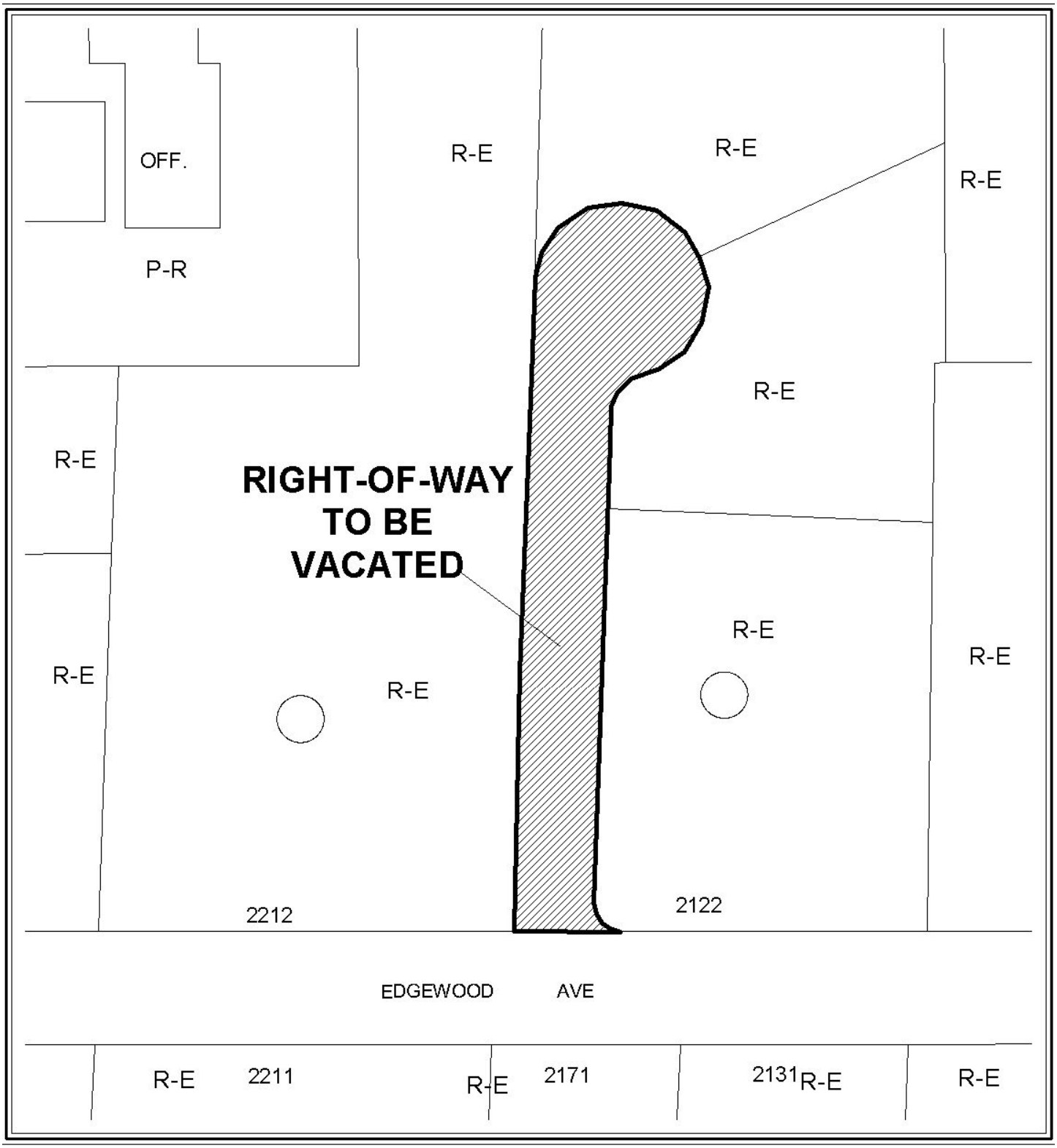
SUBJECT:
VAC-37359 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: ERNESTO SAVINO - Petition to Vacate public right-of-way commonly known as Little Acorn Court and located north of Edgewood Avenue, Ward 1 (Tarkanian)

SET DATE: 04/07/2010
C.C.: 04/21/2010

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



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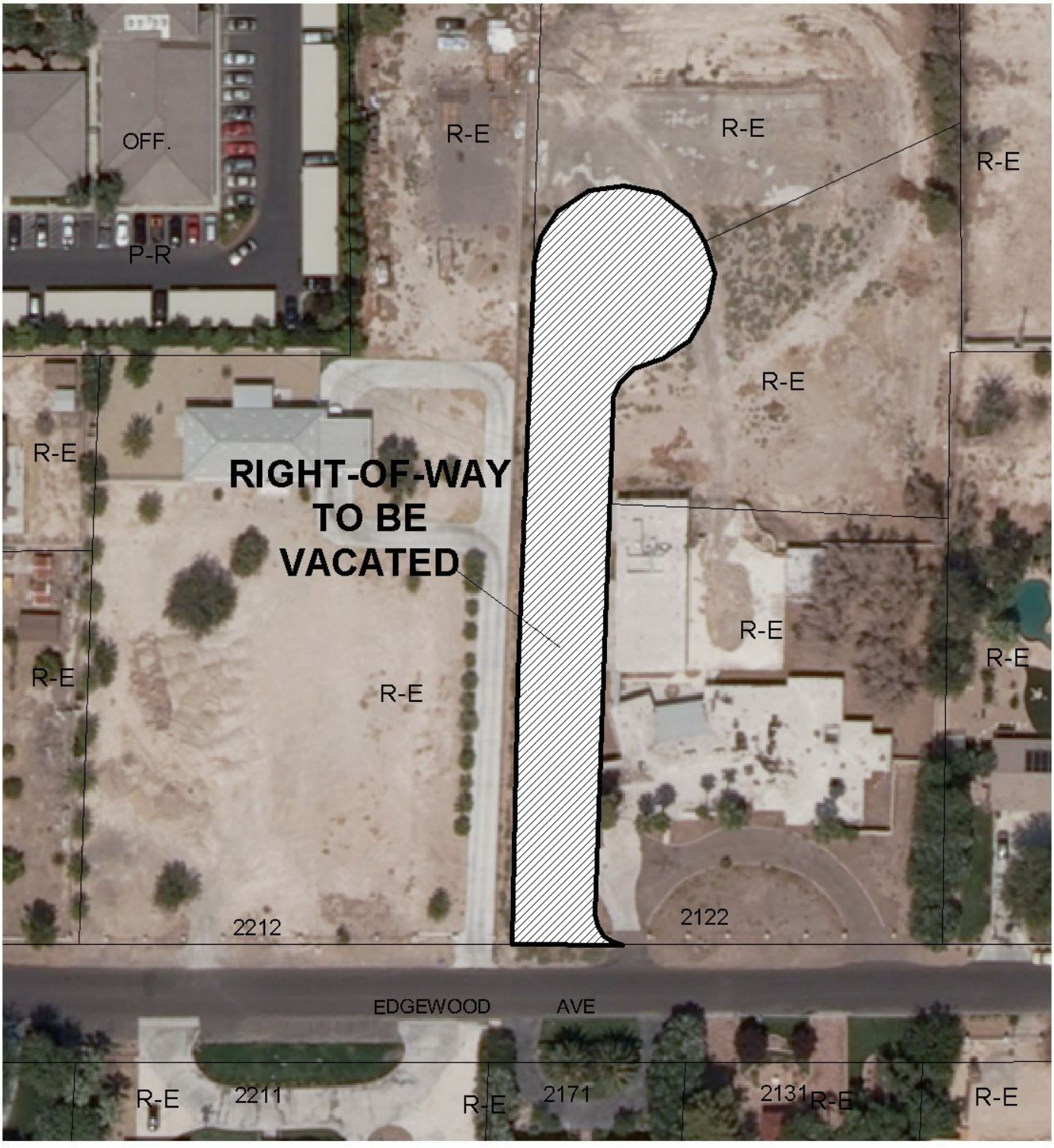
CASE: **VAC-37359**

N



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CASE: **VAC-37359**

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-37359 - APPLICANT/OWNER: ERNESTO SAVINO

** CONDITIONS **

Staff recommends APPROVAL, subject to conditions:

1. The limits of this Petition of Vacation shall be the entire width of Little Acorn Court, including the cul-de-sac bulb and the spandrel area as dedicated per Parcel Map (PMP-11826) on file in Book 113, Page 52 of Plats on file in the Clark County, Nevada, Recorder's Office.

2. This Petition of Vacation shall be revised to retain a minimum 20 foot wide public sewer easement centered over the proposed sewer line.

3. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. Alternatively, retain a drainage easement over the entire area to be vacated.

4. Concurrent with the recordation of this Petition of Vacation, record a Parcel Map to establish a private roadway such that the order of Vacation does not eliminate legal access to any of the parcels created by Parcel Map PMP-11826. A Homeowner's Association or other legal document that assigns maintenance responsibility of the new proposed private roadway shall be established prior to the recordation of this Order of Vacation. A Deviation From Standards may be required at the time of construction drawing submittal should the proposed design deviate from the Uniform Standard Drawings.

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

6. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.

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

GK

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

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

VAC-37359 - Staff Report Page One
March 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This application is a petition for a Vacation of Little Acorn Court generally located on the north side of Edgewood Avenue, approximately 430 feet east of Rancho Drive. This application is meant to privatize the entire 42-foot wide proposed roadway, extending approximately 388 feet north of Edgewood Avenue, including the cul-de-sac, and reduce the width to 24 feet.

ISSUES

- A condition of approval has been added requiring the applicant to submit and record a new Parcel Map or other mapping action, concurrently with this application, to eliminate the existing property lines and create new property lines such that each parcel absorbs portions of the old public right-of-way as it decreases in width and becomes a 24-foot wide private drive.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
06/19/02	The City Council approved a request for a General Plan Amendment (GPA-0047-01) to amend portions of the Southeast Sector map of the General Plan in the general vicinity of the Charleston Boulevard/Rancho Drive intersection from: SC (Service Commercial) to: O (Office); from: R (Rural Density Residential) to: DR (Desert Rural Density Residential); from: O (Office) to: DR (Desert Rural Density Residential) and; from: L (Low Density Residential) to: DR (Desert Rural Density Residential) in accordance with the recommendations of the Rancho Charleston Land Use Study and Strategic Plan. The Planning Commission was unable to obtain a supermajority vote and the application was forwarded to City Council. Staff recommended approval.
06/09/05	The Planning Commission denied a request for a Special Use Permit (SUP-6600) to allow private streets in conjunction with a proposed single family subdivision at 2122 Edgewood Avenue. Staff recommended approval.
02/23/07	A Parcel Map (PMP-11826) was recorded for four lots on 2.54 acres at 2122 Edgewood Avenue. Staff approved and released the mylar for recordation on 02/22/07.

VAC-37359 - Staff Report Page Two
March 25, 2010 - Planning Commission Meeting

Related Building Permits/Business Licenses	
c.1954	The existing residential structure at 2122 Edgewood Avenue was built.
07/15/05	A building permit (46943) was issued to demo an existing horse barn and corral at 2122 Edgewood Avenue. The building permit was finalized on 07/26/05.
12/28/09	A building permit (153725) was issued to demo all fire and water damage at 2122 Edgewood Avenue. The building permit was finalized on 01/12/10.
Pre-Application Meeting	
02/23/10	A meeting was held with the applicant and owner to discuss the proposed petition to vacate. Representatives from the Public Works and Planning & Development Departments were present.
Neighborhood Meeting	
A neighborhood meeting is not required, nor was one held.	
Field Check	
02/18/10	Staff conducted a field check on the indicated date and observed an existing single family residence with extensive fire damage. The remainder of the lot was well maintained.

Details of Application Request	
Site Area	
Net Acres	2.50

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Single Family Residence	DR (Desert Rural Density Residential)	R-E (Residential Estate)
North	Office, Medical or Dental	O (Office)	C-1 (Limited Commercial)
South	Single Family Residence	DR (Desert Rural Density Residential)	R-E (Residential Estate)
East	Single Family Residence	DR (Desert Rural Density Residential)	R-E (Residential Estate)
West	Single Family Residence	DR (Desert Rural Density Residential)	R-E (Residential Estate)

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

GK

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts			
A-O Airport Overlay District – 200 Feet	X		Y
Trails		X	N/A
Rural Preservation Overlay District	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

LEGAL DESCRIPTION

The above property is legally described as situated in the City of Las Vegas, Clark County, Nevada lying on a portion of the NW ¼ of the NW ¼ of Section 4, Township 21 South, Range 61 East, M.D.M.

ANALYSIS

A) Planning discussion

Four parcels abut the right-of-way to be vacated. The three parcels to which the right-of-way provides access are held in common ownership. They contain an existing single family residence on one parcel and two undeveloped parcels. The intended future use of the two undeveloped lots will be for single family residences.

The applicant is proposing to Vacate the 42-foot wide public right-of-way and create a 24-foot private drive. The existing single family residence on the lot adjacent to the north side of Edgewood Drive does not meet the minimum side and rear yard setbacks required in the R-E (Residence Estates) zoning district. The proposed reduction in width will allow the lot to conform to the 10-foot side yard setback requirement. A condition of approval has been added requiring the applicant to submit and record a new Parcel Map or other mapping action to eliminate the existing property lines and create new property lines such that each parcel absorbs portions of the old public right-of-way as it decreases in width and becomes a 24-foot wide private drive. The applicant is not proposing to vacate the public drainage and sewer easements associated with the parcels. A Special Use Permit is not required, as the site is in conformance with the conditional use regulations for a Private Street use.

B) Public Works discussion

The following information is presented concerning this request to vacate certain public street right of ways:

A. Does this vacation request result in uniform or non-uniform right-of-way widths? *N/A as the request is to completely eliminate the right-of-way of a public cul-de-sac.*

B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, since there are currently no homes adjacent to the interior of the cul-de-sac.*

C. Does it appear that the vacation request involves only excess right-of-way? *No, it is to eliminate a public cul-de-sac.*

D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, the developer wished to construct homes adjacent to Little Acorn Court.*

E. Does this vacation request eliminate public street access to any abutting parcel? *It will, but the Department of Public Works will require a private drive in association with a new Parcel Map.*

F. Does this vacation request result in a conflict with any existing City requirements? *No.*

G. Does the Department of Public Works have an objection to this vacation request? *No.*

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

NOTICES MAILED 2

APPROVALS 0

PROTESTS 0

GK

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAC-37359** APN: 162-04-101-022,023 &024

Name of Property Owner: Ernesto Savino

Name of Applicant: Ernesto Savino

Name of Representative: William D. Childs, P.E.

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: Ernesto Savino.

Subscribed and sworn before me

This 4 day of February, 20 10

_____

Notary Public in and for said County and State

CARLOS MACHUCA
Notary Public State of Nevada
No. 09-9317-1
My appt. exp. Feb. 18, 2013

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

COPY

Application/Petition For: Vacation of a Public Street

Project Address (Location) 2122 Edgewood Street

Project Name 2122 Edgewood Street **Proposed Use** R-E

Assessor's Parcel #(s) 162-04-101-022,023 & 024 **Ward #** 1

General Plan: existing R-E proposed R-E **Zoning:** existing R-E proposed R-e

Commercial Square Footage 0 **Floor Area Ratio** <50%

Gross Acres 2.62 Acres **Lots/Units** 3 **Density** .88 units per acre

Additional Information

RECEIVED CLERK 2010 FEB -9 P 12:34

PROPERTY OWNER Ernesto Savino **Contact** Ernesto Savino

Address ~~2122 Edgewood~~ 418 S MARYLAND Pkwy **Phone:** **Fax:**

City Las Vegas **State** NV **Zip** 89101

E-mail Address 'ernesto@saviconstruction.com'

APPLICANT Ernesto Savino **Contact** Ernesto Savino

Address ~~2122 Edgewood~~ 418 S MARYLAND PKWY **Phone:** **Fax:**

City Las Vegas **State** NV **Zip** 89101

E-mail Address

REPRESENTATIVE RRC Engineers, LLC **Contact** William Childs

Address 5720 S. Valley View, #200 **Phone:** (702) 363-8188 **Fax:** (702) 363-3433

City Las Vegas **State** NV **Zip** 89118

E-mail Address billc@rrcengineers.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 Ernesto Savino

Subscribed and sworn before me

This 4 day of February, 20 10.

_____

Notary Public in and for said County and State

CARLOS MACHUCA
Notary Public State of Nevada
No. 09-9317-1
My appt. exp. Feb. 18, 2013

FOR DEPARTMENT USE ONLY

Case #	VAC-37359
Meeting Date:	04/22/10 / 3/25/10
Total Fee:	$ 1000.00
Date Received:*	02/05/10
Received By:	CJ. Van

*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.



VAC-37359 - APPLICANT/OWNER: ERNESTO SAVINO
MARCH 25, 2010 PLANNING COMMISSION

02/18/10



VAC-37359 - APPLICANT/OWNER: ERNESTO SAVINO
MARCH 25, 2010 PLANNING COMMISSION

02/18/10



VAC-37359 - APPLICANT/OWNER: ERNESTO SAVINO
MARCH 25, 2010 PLANNING COMMISSION

02/18/10

RRC ENGINEERS, LLC

February 4, 2010

City of Las Vegas
Planning and Development Department
731 S 4th Street
Las Vegas, Nevada 89101

Re: Vacation of Little Acorn Court
APN 162-04-101-022,023 & 024

Justification Letter

The property is located at 2122 Edgewood Avenue in an area of town known as the Scotch 80. This property was created by a parcel map (PM Map 113 Page 52) in February of 2007. The above referenced street was recorded as a Public Right of Way. This request is to Vacate this Public Right of Way to a Private Access easement, Public Drainage easement and Public Utility easement with all recorded easement to remain in place. This street will serve only three lots with the lot fronting Edgewood having access from Edgewood and this proposed private street.

The purpose of the request is two fold. The first is there are above ground utilities within the public right of way that would be difficult to remove without disrupting adjacent property owners. The second is that the pavement of the proposed public street comes to within 3 feet of the existing house in front.

This request is to vacate this street maintain the current width for easements and to reduce the paves access to the bulb of the cul de sac from 48' to 30'. I have had discussions with traffic engineering and they have no objections to the vacation nor the reduction in width as long as the bulb of the cul de sac is paved as currently planned. The owner has no objection to this. This private drive will be owned by the homeowners association which will be created for that purpose. All lots are currently under single ownership (deed attached)

As this street only serves three lots, is not a part of the major street grid and is internal to a semi private neighborhood, this request does not impact City of Las Vegas policies or regulations. And has no significant impact on the neighborhood. In fact the reduction of paving requested seems to be good for the neighborhood in keeping the rural look.
If you require further information please feel free to contact me

Sincerely,

PROFESSIONAL ENGINEER-STATE OF NEVADA
WILLIAM D. CHILDS
Exp. 12-31-10
CIVIL
No. 9117

William D. Childs, P.E.

RECEIVED
FEB 05 2010
VAC-37359
03/25/10 PC

5720 VALLEY VIEW BLVD, STE 200, LAS VEGAS, NV 89118
PHONE 702-363-8188, FAX 702-363-3433 EMAIL RRC@RRCENGINEERS.COM

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

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

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

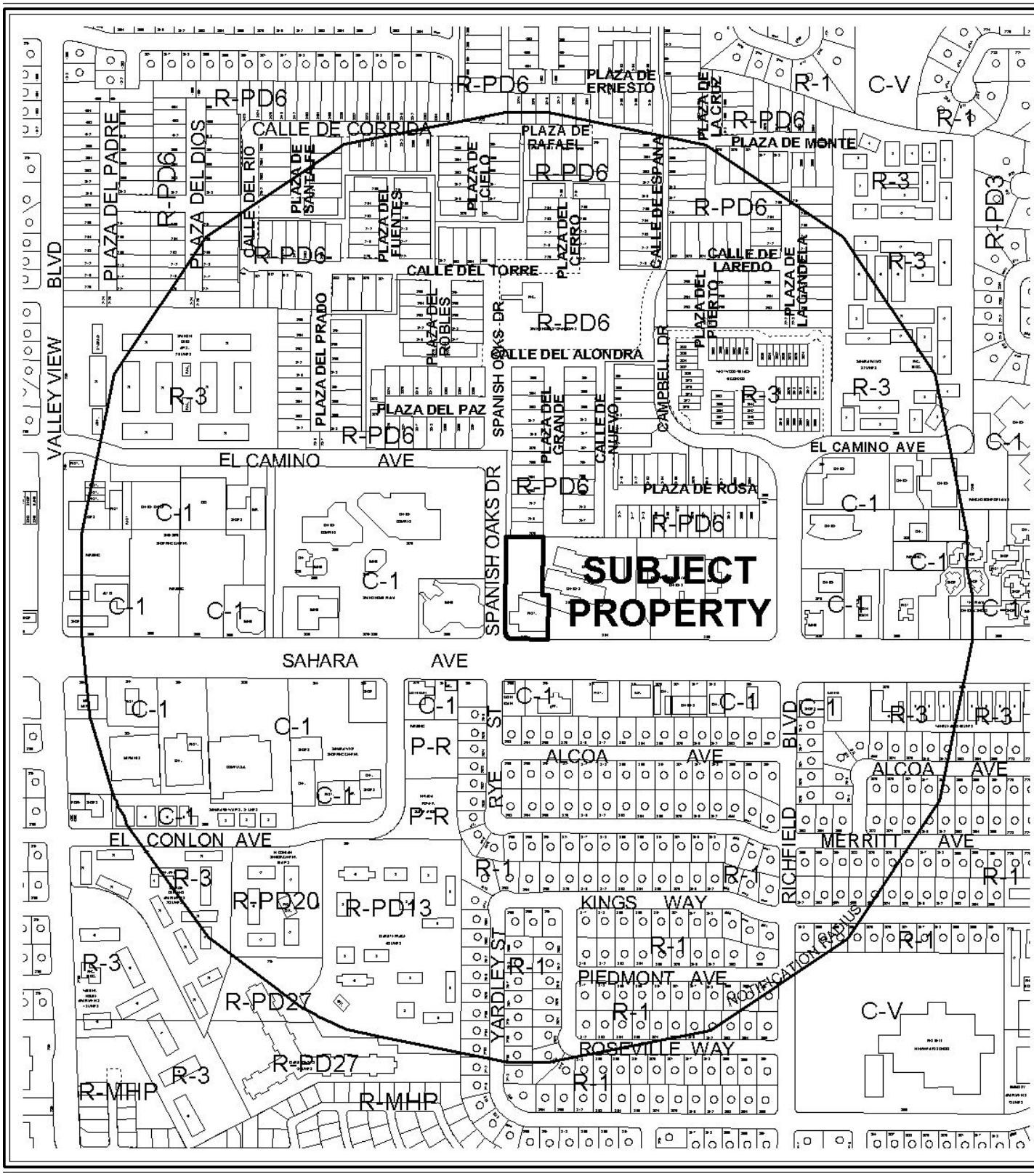
SUBJECT:
ABEYANCE - SUP-37068 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LOVETT COMPANIES - OWNER: SPANISH VILLAS AT SAHARA, LLC - Request for a Special Use Permit FOR A SUPPER CLUB WITHIN AN EXISTING 17,425 SQUARE-FOOT BUILDING at 3190 West Sahara Avenue (APN 162-05-403-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

C.C.: 04/21/2010
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**7**	**Planning Commission Mtg.**	**13**
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/Approval Postcards and Protest Letter



CASE: **SUP-37068**

RADIUS: 1500 FT

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



0 400 800 Feet

CASE: **SUP-37068**

RADIUS: 1500 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - SUP-37068 - APPLICANT: LOVETT COMPANIES - OWNER: SPANISH VILLAS AT SAHARA, LLC

** CONDITIONS **

Staff recommends APPROVAL, subject to conditions:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Supper Club 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. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Department.

4. Approval of this Special Use Permit does not constitute approval of a liquor license.

5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

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

RG

SUP-37068 - Staff Report Page One
March 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit to allow a Supper Club use within an existing 17,425 square-foot building located at 3190 West Sahara Avenue. The Supper Club use meets the minimum requirements of Title 19.04. The building was previously utilized as a nonconforming Liquor Establishment (Tavern), but the business license became inactive as of June 30, 2008, and the nonconforming status subsequently expired. The proposed Supper Club use meets all Title 19.04 Minimum Special Use Permit Requirements and can be conducted in a manner that is compatible with the surrounding uses; therefore, staff recommends approval. If denied, a Supper Club use cannot be conducted on this site without approval of another Special Use Permit.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
09/26/73	The Board of City Commissioners approved a Rezoning (Z-0066-73) application for the reclassification of property generally located between Oakey Boulevard on the north, Sahara Avenue on the south, South Valley View Boulevard on the west, and Richfield Boulevard on the east, south of Westwood Village Tract and west of Springhurst Townhouses, from R-1 (Single-Family Residential) and R 3 (Medium Density Residential) to R-PD6 (Residential Planned Development - 6 Units per Acre), R-4 (High Density Residential) and C-1 (Limited Commercial). The Planning Commission and staff recommended approval.
09/27/84	The Board of Zoning Adjustment approved a Variance (V-0099-84) to allow auto sales for one day only in the months of February, May, August and November of every year where such is not permitted on property located at 3100 West Sahara Avenue. Staff recommended denial.
12/02/04	The Planning Commission accepted a request to Withdraw Without Prejudice a Special Use Permit (SUP-5471) for a Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse at 3150 West Sahara Boulevard Avenue, Suite #B22. Staff recommended approval.
01/27/05	The Planning Commission accepted the applicant's request to Withdraw Without Prejudice a Special Use Permit (SUP-5783) and Site Development Plan Review (SDR-5779) for a proposed Mixed-Use Development on the properties located at the northwest corner of Sahara Avenue and Richfield Boulevard.
06/01/05	The City Council approved requests for a Special Use Permit (SUP-6219) and for a Site Development Plan Review (SDR-6220) for a seven-story mixed-use development including 303 residential units and 20,250 square-feet of office, and a waiver of the 15-foot rear yard setback. The Planning Commission and staff recommended approval.

10/19/05	The City Council approved a request for a Major Amendment to an approved Site Development Plan Review (SDR-8583) for a seven-story mixed-use development, consisting of 325 residential units and 23,695 square feet of office space and a waiver to permit a side yard setback of zero feet where 10 feet is the minimum setback required on 7.78 acres adjacent to the north side of Sahara Boulevard, between Spanish Oaks Drive and Richfield Boulevard. Planning Commission and staff recommended approval.
06/15/07	The City Council approved the request for a Variance (VAR-18984) to allow a 10-foot front yard setback where 20 feet is the minimum setback is required. Planning Commission recommended approval whereas staff recommended denial.
06/06/07	The City Council approved the request for a Site Development Plan Review (SDR-18693) for a four-story, 42,000 square-foot office building, with a 2,450 square-foot restaurant with drive-through, a 14,550 square-foot General Retail Establishment with Drive-Through and a waivers to allow perimeter landscape buffer widths of five feet along the south property line; six feet along the west property line where 15 feet is the minimum required and to allow interior landscape buffer width of six feet where eight feet is the minimum required along the north property line. Planning Commission recommended approval, whereas staff had recommended denial.
02/11/10	The Planning Commission voted to hold this item in abeyance to the March 25, 2010 Planning Commission meeting.
Related Building Permits/Business Licenses	
01/01/51	A business license (L16-00034) was issued for a Tavern at 3190 West Sahara Avenue. The license has been inactive as of 06/30/08.
12/05/96	A building permit (#96024014) was issued for a Tenant Improvement remodel at 3190 West Sahara Avenue. The project was completed on 02/02/99.
12/11/01	A building permit (#01021445) for Non-Work Certificate of Occupancy was issued at 3190 West Sahara Avenue. The project was completed on 12/12/01.
Pre-Application Meeting	
11/16/09	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for a Supper Club were discussed. The topics included: • Floor plans must depict seating; 125 seats separated from the bar are required for a Supper Club. • Site and Floor Plans are inconsistent as to the east side of the building. • Ensure that property lines are correctly displayed on plans • No waivers required. • ADA parking shall be required to meet current standards.

Neighborhood Meeting	
At the request of the Planning Commission, this application was held in abeyance to allow the applicant to conduct a neighborhood meeting and Staff has not yet been notified by the applicant regarding the time and place of the neighborhood meeting.	
Field Check	
01/07/10	Plants and trees are missing within the landscaping areas and islands.

Details of Application Request	
Site Area	
Net Acres	1.03

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
North	Single Family Residential	L (Low Density Residential)	R-PD6 (Residential Planned Development – 6 Units Per Acre)
South	Offices, Restaurant, Financial Institution, Specified	SC (Service Commercial)	C-1 (Limited Commercial)
East	Office, Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
West	Office Complex, Bank	SC (Service Commercial)	C-1 (Limited Commercial)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, 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)	104,462 SF						
TOTAL SPACES REQUIRED			305		396		Y*
TOTAL (Including Handicapped)			297	8	381	15	Y*

**The subject site is part of the Spanish Villas commercial center, which shares parking throughout. The proposed use does not increase the parking requirement for the site.*

ANALYSIS

The proposed Supper Club use meets all Minimum Special Use Permit Requirements of Title 19.04, including the separation of the bar and restaurant areas and the minimum 125 seats required within the restaurant area. The subject site is part of the existing Spanish Villas commercial center, with a recorded reciprocal parking and access easement throughout the entire center. The proposed Supper Club use has the same parking requirement as the previous use, which was a Liquor Establishment (Tavern), with adequate parking provided on-site and handicapped parking spaces provided on the adjacent property along the east side of the building.

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 subject site is zoned C-1 (Limited Commercial). The Supper Club use is permitted with an approval of the Special Use Permit and it is consistent with the General Plan Service Commercial Land Use designation. Therefore, the proposed use will 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 physically suitable for the type and 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."**

   Site access is provided from Sahara Avenue, a 100-foot Primary Arterial as designated in the Master Plan of Streets and Highways; and from Spanish Oaks Drive, a 70-foot right-of-way. 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 Supper Club use meets all minimum requirements of the applicable conditions per Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 22

NOTICES MAILED 527

APPROVALS 13

PROTESTS 7

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: RE-OPEN SUPERCLUB W/ ADDITION

Project Address (Location) 3190 W. SAHARA

Project Name ZODIAC **Proposed Use** SUPERCLUB

Assessor's Parcel #(s) 162-05-403-001 **Ward #**

General Plan: existing C-1 proposed C-1 **Zoning:** existing C-1 proposed C-1

Commercial Square Footage 18,178 **Floor Area Ratio** 36%

Gross Acres 1.03 + 2.72 = 3.75 **Lots/Units** **Density**

Additional Information

PROPERTY OWNER SPANISH VILLAS AT SAHARA, LLC **Contact** HOWARD MANN

Address 11620 WILSHIRE BLVD #800 **Phone:** 3047769 **Fax:** 310 473-0595

City LOS ANGELES **State** CALIF **Zip** 90025

E-mail Address hmann@JLMREALTY.com

APPLICANT LOVETT COMPANIES **Contact** BRENT LOVETT

Address 2340 PASEO DEL PRADO D206 **Phone:** 7029665432 **Fax:** 7024418838

City LAS VEGAS **State** NV **Zip** 89102

E-mail Address BRENT@LOVETT.TV

REPRESENTATIVE N/A **Contact**

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

City **State** **Zip**

E-mail Address

Property Owner Signature* Howard S Mannn

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

Print Name HOWARD S. MANN

Subscribed and sworn before me on the basis of satisfactory evidence to be the person who appeared before me
This 1st day of December, 2009

Elena Ong Dizon

Notary Public in and for said County and State

ELENA ONG DIZON
Commission # 1725264
Notary Public - California
Los Angeles County
My Comm. Expires Mar 11, 2011

FOR DEPARTMENT USE ONLY

Case #	SUP-37068
Meeting Date:	02/11/09
Total Fee:	$1280.00
Date Accepted:	12/30/09
Accepted By:	CV

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

Revised 10/27/08

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

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-37068 APN: 162-05-403-001

Name of Property Owner: SPANISH VILLAS AT SAHARA, LLC

Name of Applicant: BRENT LOVETT

Name of Representative: BRENT LOVETT

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: Howard Mann

Print Name: HOWARD MANN

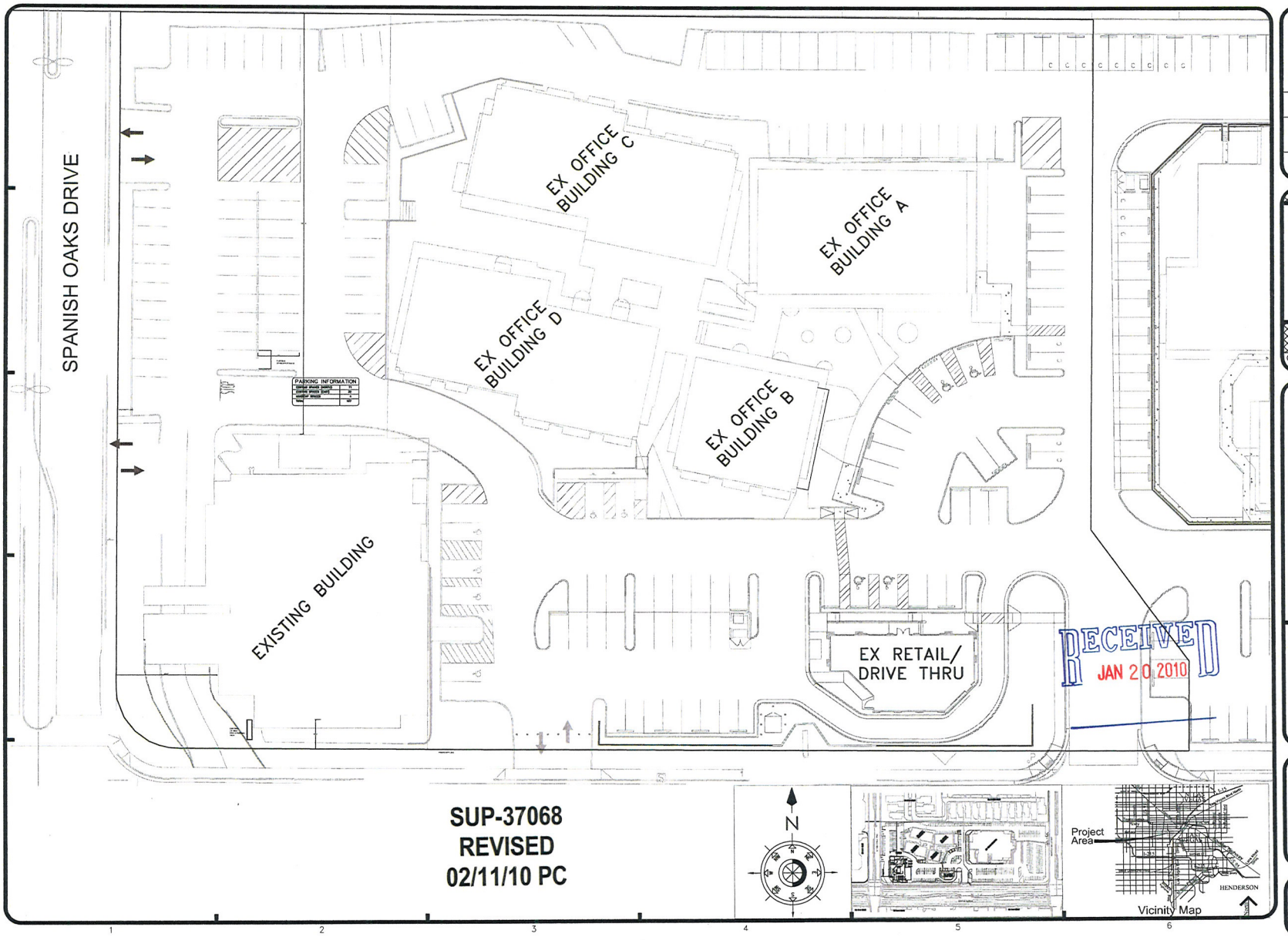
Subscribed and sworn before me on the basis of satisfactory evidence to be the person who appeared before me.

This 1st day of December, 2009

Elena Ong Dizon

Notary Public in and for said County and State

ELENA ONG DIZON
Commission # 1725264
Notary Public - California
Los Angeles County
My Comm. Expires Mar 11, 2011



SUP-37068
REVISED
02/11/10 PC

REV.	DATE	BY:	REVISION:

THE LOVETT COMPANIES
2340 Paseo Del Sol #D 205
LAS VEGAS, NEVADA 89102
(702) 966-5432 – (702) 441-8838 (FAX)
www.LOVETT.TV

Site Plan
Zodiac
3190 West Sahara Ave
Las Vegas, Nevada 89102

DESIGNED BY: Brent Lovett
DRAWN BY: Brent Lovett
CHECKED BY: Brent Lovett
DATE ISSUED: Aug 1 2009
JOB NUMBER: 2009-1258
SCALE: as noted

THESE PLANS ARE PREPARED & SUBMITTED BY THE CONTRACTOR AS AN EXEMPTION TO NRS 629.380 FOR WORK UNDER THE CONTRACTORS LICENSE CATEGORY AUTHORIZED UNDER NRS 624. "Altas Construction Ltd" BUILDERS NCL #: 0053500 PLANS PREPARED BY: Brent E. Lovett
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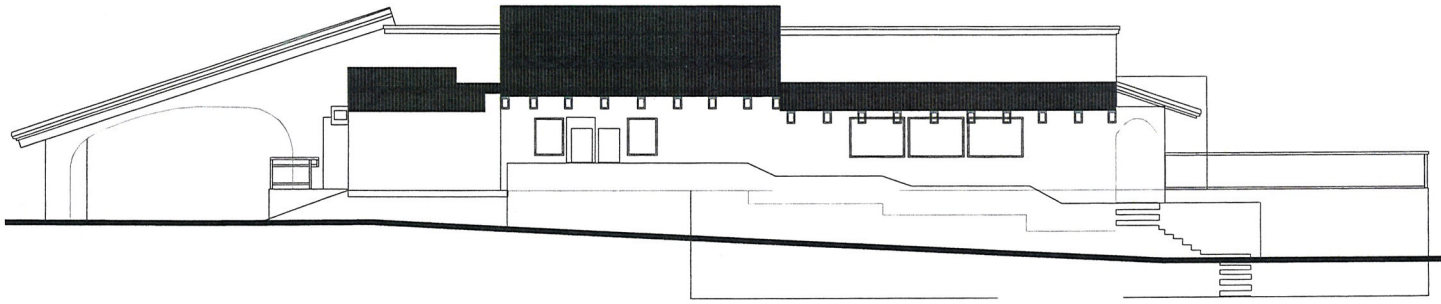
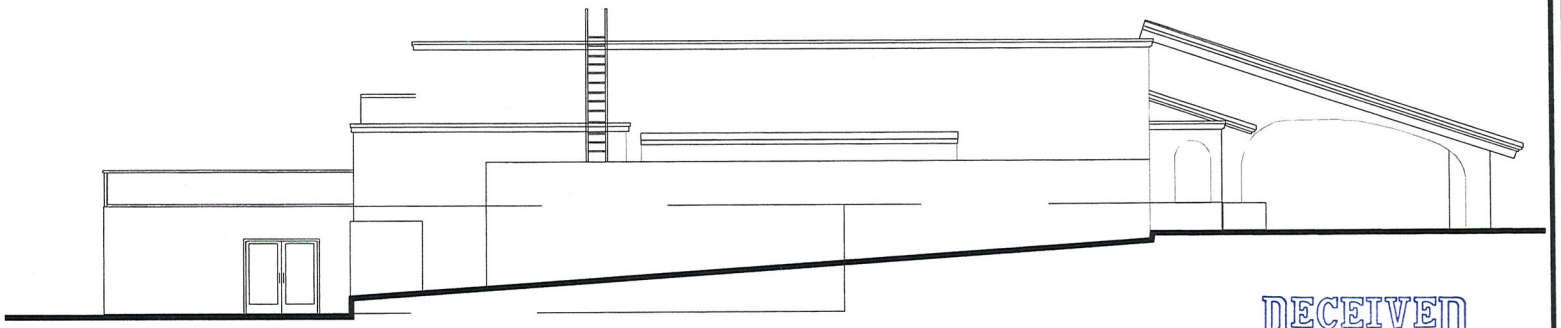
G-01



SOUTH ELEVATION



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NORTH ELEVATION

SUP-37068
REVISED
02/11/10 PC

REV.	DATE	BY:	REVISION:

THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS TO E'HO AND/OR TO COMMENCE WORK, FAILURE TO DO SO SHALL RESULT IN THE CONTRACTOR ASSUMING FULL RESPONSIBILITY AND COST. DRAWINGS ARE NOT TO BE SCALED. FIGURED DIMENSIONS SHALL BE FOLLOWED EVEN WHERE THEY DIFFER FROM SCALED DIMENSIONS. THE CONTRACTOR SHALL COORDINATE ALL THE DRAWINGS AND CONSTRUCTION DOCUMENTS. THE CONTRACTOR SHALL REVIEW ALL SHOP DRAWINGS PRIOR TO SUBMITTAL TO E'HO. E'HO'S REVIEW OF SHOP DRAWINGS SHALL BE FOR GENERAL CONFORMANCE WITH THE DESIGN CONCEPT OF THE PROJECT AND COMPLIANCE WITH THE INFORMATION GIVEN IN THE CONTRACT DOCUMENTS. E'HO SHALL NOT BE RESPONSIBLE FOR ANY DEVIATIONS IN SHOP DRAWINGS FROM THE CONTRACT DOCUMENTS NOR FOR ERRORS OR OMISSIONS IN SHOP DRAWINGS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DIMENSIONS WHICH SHALL BE CONFIRMED AT THE JOB SITE. FABRICATION PROCESSES OR TECHNIQUES OF CONSTRUCTION SHALL BE PROVIDED BY THE CONTRACTOR. REVIEW OF SHOP DRAWINGS SHALL NOT RELIEVE THE CONTRACTOR OF RESPONSIBILITY FOR DEVIATIONS FROM THE CONTRACT DOCUMENTS UNLESS E'HO HAS BEEN NOTIFIED IN WRITING OF SUCH DEVIATIONS AT THE TIME OF SUBMITTAL AND E'HO HAS GIVEN WRITTEN APPROVAL TO THE SPECIFIC DEVIATION. THE CONTRACTOR SHALL NOT BE RELIEVED OF RESPONSIBILITY FOR DEVIATIONS FROM THE REQUIREMENTS OF THE CONTRACT DOCUMENTS BY E'HO'S REVIEW OF SHOP DRAWINGS UNLESS E'HO HAS BEEN NOTIFIED IN WRITING OF SUCH DEVIATIONS AT THE TIME OF SUBMITTAL AND E'HO HAS GIVEN WRITTEN APPROVAL TO THE SPECIFIC DEVIATION. THE CONTRACTOR SHALL NOT BE RELIEVED OF RESPONSIBILITY FOR ERRORS OR OMISSIONS IN SHOP DRAWINGS BY E'HO'S REVIEW OF THEM. THE CONTRACTOR REMAINS RESPONSIBLE FOR DETAILS AND ACCURACY FOR CONFIRMING AND CORRELATING ALL QUANTITIES AND DIMENSIONS, FOR SELECTING FABRICATION PROCESSES AND FOR TECHNIQUES OF ASSEMBLY. E'HO'S REVIEW WILL NOT EXTEND TO MEANS, METHODS, TECHNIQUES, SEQUENCES OR PROCEDURES OF CONSTRUCTION OR SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK. E'HO'S REVIEW OF A SPECIFIC ITEM SHALL NOT INDICATE THAT E'HO HAS REVIEWED THE ENTIRE ASSEMBLY OF WHICH THE ITEM IS A COMPONENT. E'HO SHALL NOT BE RESPONSIBLE FOR ANY DEVIATIONS FROM THE CONTRACT DOCUMENTS NOT BROUGHT TO THE ATTENTION OF E'HO IN WRITING. THE CONTRACTOR SHALL NOT BE RELIEVED OF RESPONSIBILITY FOR DEVIATIONS FROM THE REQUIREMENTS OF THE CONTRACT DOCUMENTS BY E'HO'S REVIEW OF SHOP DRAWINGS, PRODUCT DATA OR SAMPLES UNLESS E'HO HAS BEEN NOTIFIED IN WRITING OF SUCH DEVIATIONS AT THE TIME OF SUBMITTAL AND E'HO HAS GIVEN WRITTEN APPROVAL TO THE SPECIFIC DEVIATION. THE CONTRACTOR SHALL NOT BE RELIEVED OF RESPONSIBILITY FOR ERRORS OR OMISSIONS IN SHOP DRAWINGS, PRODUCT DATA OR SAMPLES BY E'HO'S REVIEW OF THEM. THE CONTRACTOR REMAINS RESPONSIBLE FOR DETAILS AND ACCURACY FOR CONFIRMING AND CORRELATING ALL QUANTITIES AND DIMENSIONS, FOR SELECTING FABRICATION PROCESSES AND FOR TECHNIQUES OF ASSEMBLY. E'HO'S REVIEW WILL NOT EXTEND TO MEANS, METHODS, TECHNIQUES, SEQUENCES OR PROCEDURES OF CONSTRUCTION OR SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK. E'HO'S REVIEW OF A SPECIFIC ITEM SHALL NOT INDICATE THAT E'HO HAS REVIEWED THE ENTIRE ASSEMBLY OF WHICH THE ITEM IS A COMPONENT. E'HO SHALL NOT BE RESPONSIBLE FOR ANY DEVIATIONS FROM THE CONTRACT DOCUMENTS NOT BROUGHT TO THE ATTENTION OF E'HO IN WRITING. THE CONTRACTOR SHALL NOT BE RELIEVED OF RESPONSIBILITY FOR DEVIATIONS FROM THE REQUIREMENTS OF THE CONTRACT DOCUMENTS BY E'HO'S REVIEW OF SHOP DRAWINGS, PRODUCT DATA OR SAMPLES UNLESS E'HO HAS BEEN NOTIFIED IN WRITING OF SUCH DEVIATIONS AT THE TIME OF SUBMITTAL AND E'HO HAS GIVEN WRITTEN APPROVAL TO THE SPECIFIC DEVIATION. THE CONTRACTOR SHALL NOT BE RELIEVED OF RESPONSIBILITY FOR ERRORS OR OMISSIONS IN SHOP DRAWINGS, PRODUCT DATA OR SAMPLES BY E'HO'S REVIEW OF THEM.

THE LOVETT COMPANIES
2340 Paseo Del Sol #D 205
LAS VEGAS, NEVADA 89102
(702) 868-5432 – (702) 441-8838 (FAX)
www.LOVETT.TV

Elevations

Zodiac
3190 West Sahara Ave
Las Vegas, Nevada 89102

DESIGNED BY: Brent Lovett
DRAWN BY: Brent Lovett
CHECKED BY: Brent Lovett
DATE ISSUED: Aug 1 2009
JOB NUMBER: 2009-1258
SCALE: as noted

THESE PLANS ARE PREPARED & SUBMITTED BY THE CONTRACTOR AS AN EXEMPTION TO NRS 624.330 FOR WORK WITHIN THE CONTRACTORS LICENSE CATEGORY AND/OR CLASSIFICATION AS A AUTHORIZED UNDER NAC BUILDERS NO. A 0053506 PLANS PREPARED BY: Brent E. Lovett

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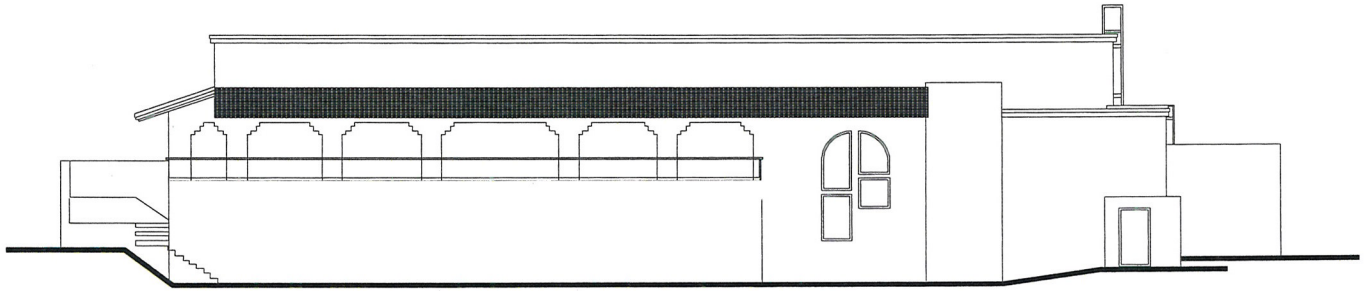
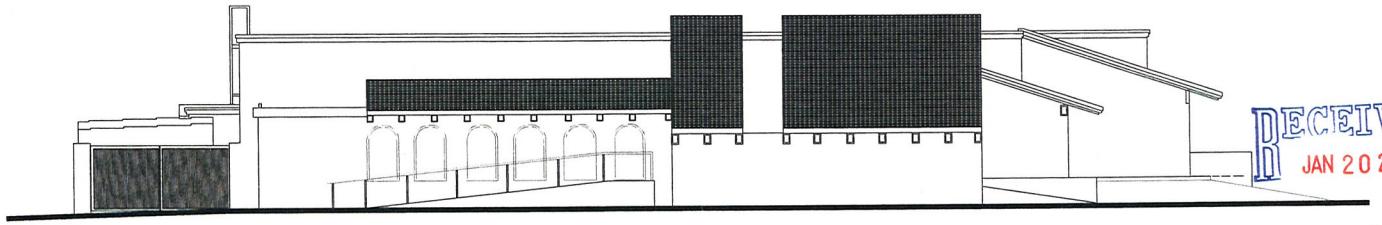


EAST ELEVATION



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WEST ELEVATION

SUP-37068
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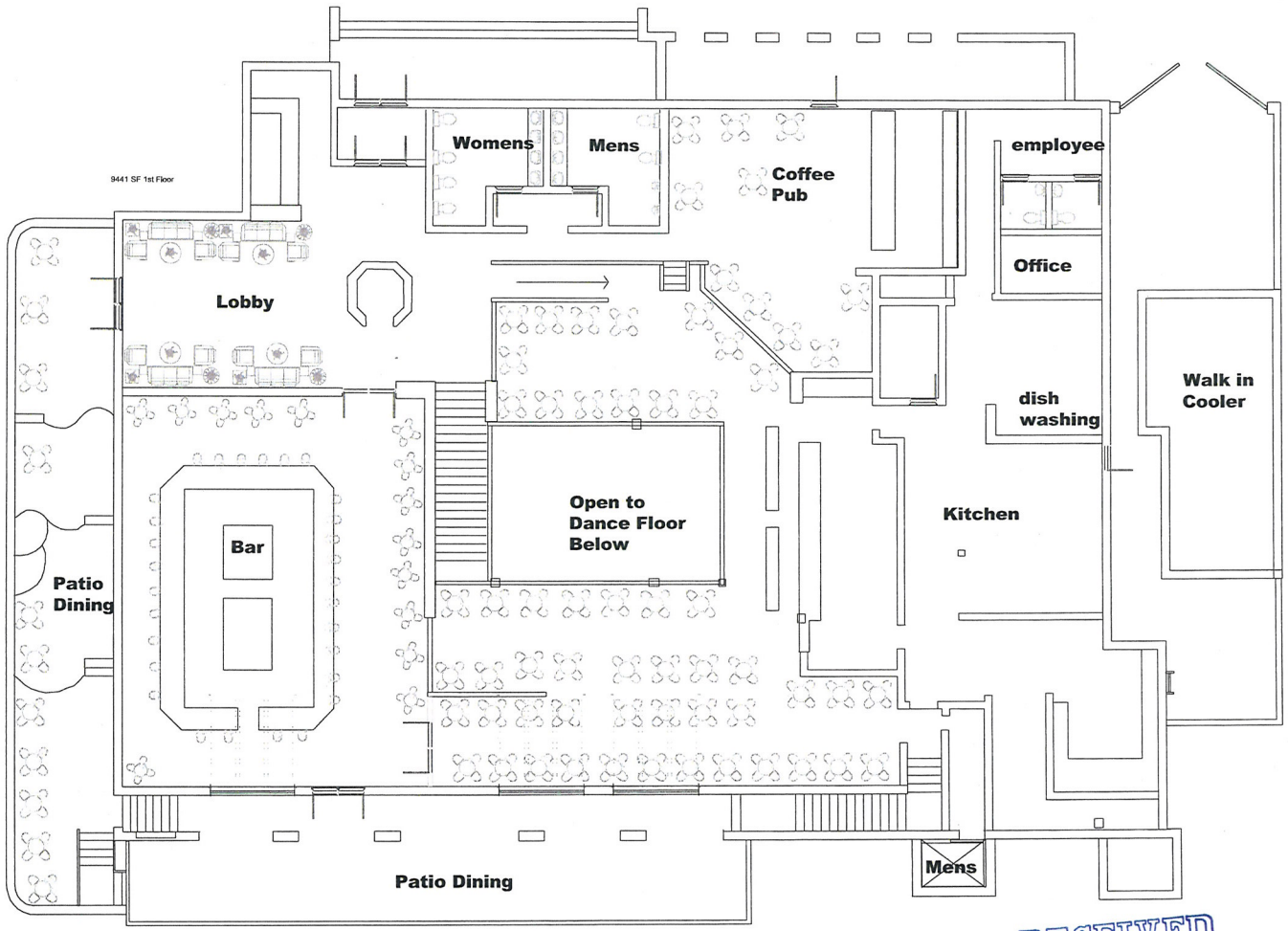

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9441 SF 1st Floor
7984 SF 2nd Floor
17,425 SF Total

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1st Floor Plan

Zodiac

3190 West Sahara Ave
Las Vegas, Nevada 89102

DESIGNED BY: Brent Lovett
DRAWN BY: Brent Lovett
CHECKED BY: Brent Lovett
DATE ISSUED: Aug 1 2009
JOB NUMBER: 2009-1258
SCALE: as noted

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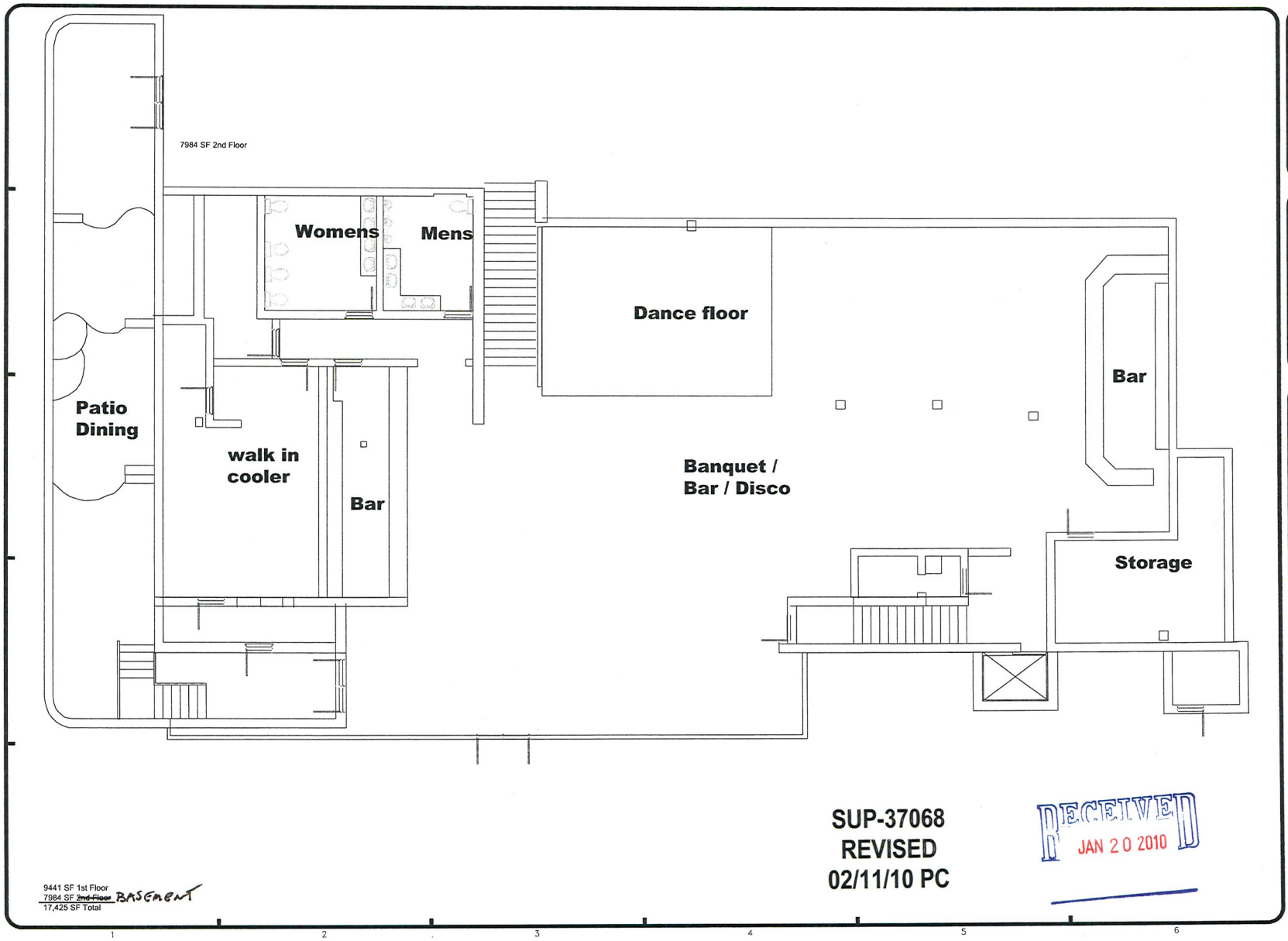

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Basement Plan

Zodiac

3190 West Sahara Ave
Las Vegas, Nevada 89102

DESIGNED BY: Brent Lovett
DRAWN BY: Brent Lovett
CHECKED BY: Brent Lovett
DATE ISSUED: Aug 1 2009
JOB NUMBER: 2009-1258
SCALE: as noted

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SHEET #
A-02



SUP-37068 - APPLICANT: LOVETT COMPANIES - OWNER: SPANISH VILLAS AT SAHARA, LLC
3190 WEST SAHARA AVENUE
MARCH 25, 2010 PLANNING COMMISSION

01/07/10



SUP-37068 - APPLICANT: LOVETT COMPANIES - OWNER: SPANISH VILLAS AT SAHARA, LLC
3190 WEST SAHARA AVENUE
MARCH 25, 2010 PLANNING COMMISSION

01/07/10



SUP-37068 - APPLICANT: LOVETT COMPANIES - OWNER: SPANISH VILLAS AT SAHARA, LLC
3190 WEST SAHARA AVENUE
MARCH 25, 2010 PLANNING COMMISSION

01/07/10



SUP-37068 - APPLICANT: LOVETT COMPANIES - OWNER: SPANISH VILLAS AT SAHARA, LLC
3190 WEST SAHARA AVENUE
MARCH 25, 2010 PLANNING COMMISSION

01/07/10



SUP-37068 - APPLICANT: LOVETT COMPANIES - OWNER: SPANISH VILLAS AT SAHARA, LLC
3190 WEST SAHARA AVENUE
MARCH 25, 2010 PLANNING COMMISSION

01/07/10



SUP-37068 - APPLICANT: LOVETT COMPANIES - OWNER: SPANISH VILLAS AT SAHARA, LLC
3190 WEST SAHARA AVENUE
MARCH 25, 2010 PLANNING COMMISSION

01/07/10

Project Location:	3190 West Sahara Ave
Assessor's Parcel #:	162-05-403-001
Date:	January 12, 2010
Case Number:	SUP-37068
Contact:	Brent E. Lovett
	(702) 966-5432
	Special Use Permit
	Sheet 1 of 1

1. JUSTIFICATION LETTER

The use permit requested is to re-open an supper club at the location of the Vacant Port Tack location, an supper club which operated out of this location for over 25 years.. The current site was constructed for the Port Tack Restaurant. The site has currently been vacant for over 2 years.

The Location will seat over 125 in its dining areas, and 30 in the bar area. The location can also accommodate 75 in its banquet area for weddings and parties.

The site and area will be greatly improved with the new 2 million dollar renovation. The Zodiac will employ over 50 employees and add to the redevelopment of the Sahara West center area.

The business intends to do 75% of its business between 5pm and 11pm, at which time the surrounding areas office business is vacant. Due to past experience with this area, no parking issues are expected.

The current zoning approved in 2007 for a 4 story 50,000 sf office tower will not be going forward due to economic conditions.

Very Truly Yours,

Brent E. Lovett

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JAN 20 2010

SUP-37068
REVISED
02/11/10 PC

Zodiac

2340 Paseo Del Prado D 205
Las Vegas, Nevada 89102
(702) 966-5432
Fax (702) 441-8838

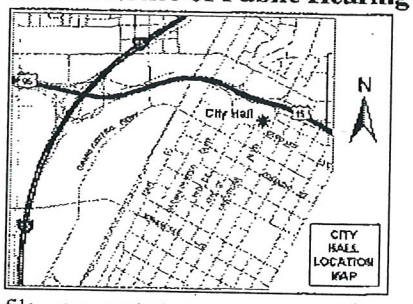
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

02 1M $ 00.41[4]
0004279218 JAN 27 2010
MAILED FROM ZIPCODE 89101

0 01-28-10

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-37068

Planning Commission Meeting of 2/11/2010

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Case: SUP-37068

16205413007
FEINER ELIANE
224 SAYRE DR
PRINCETON NJ 08540-5852

KAVD511 08540

#7P

TECHNOBAKE 7326560899 10 08:24

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

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MAILED FROM ZIP CODE

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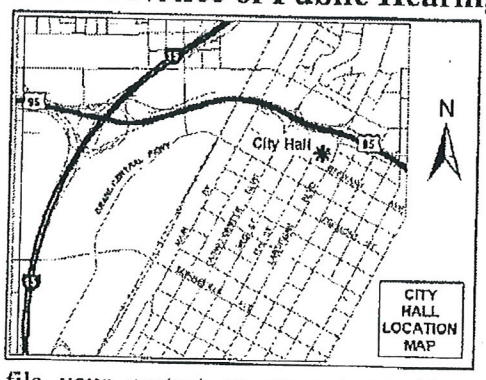

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

Case: SUP-37068

16205410006
OVERTURF THOMAS A LIVING TRUST
3451 E RENO AVE
LAS VEGAS NV 89120-1294

Due to increased night traffic primarily

898.3225

SUP-37068
Planning Commission Meeting of 2/11/2010

#7P

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

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UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.41⁴
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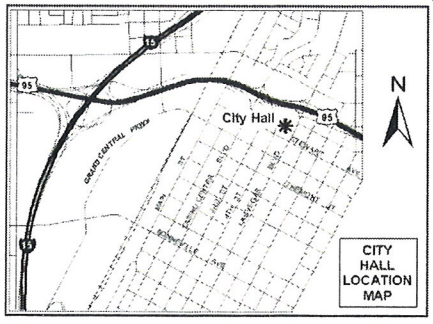
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37068

Planning Commission Meeting of 2/11/2010

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10 FEB -3 AM 11:10
PLANNING AND DEVELOPMENT

Case: SUP-37068

16205317009
PETITTI FAMILY TRUST
3016 CALLE DE LAREDO
LAS VEGAS NV 89102-4038

KAVDS11 89102

#7P

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

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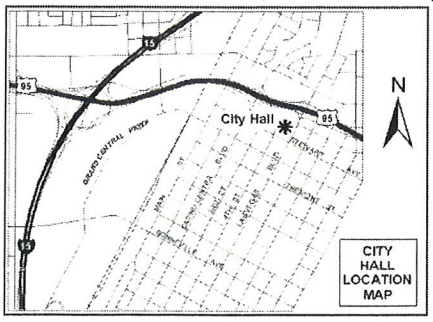

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37068

Planning Commission Meeting of 2/11/2010

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Case: SUP-37068

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

KAVDP11 A910E

#7 P

City of Las Vegas
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Las Vegas, Nevada 89101-2986

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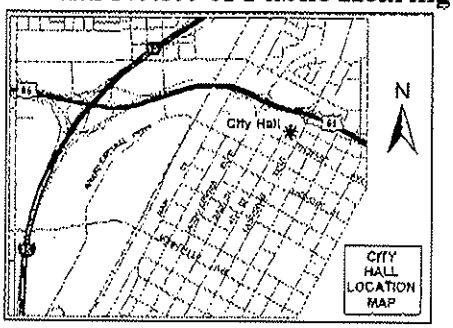

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-37068

Planning Commission Meeting of 2/11/2010

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CITY CLERK

Case: SUP-37068

16205413020
MUNTHE ARNOLD E
P O BOX 80177
LAS VEGAS NV 89180-0177

Submitted after final agenda

Date 2-01-10 Item 7

LAS VEGAS
CITY CLERK

2010 FEB -9 P 3:00

02/09/2010 TUE 14:56 [TX/RX NO 7266] 002

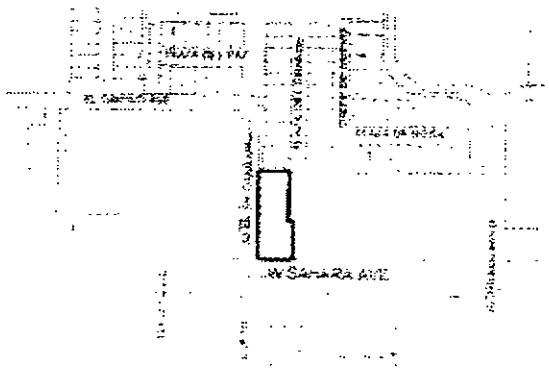
Application Information

SUP-37068 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LOVETT COMPANIES - OWNER: SPANISH VILLAS AT SAHARA, LLC - Request for a Special Use Permit FOR A SUPPER CLUB WITHIN AN EXISTING 17,425 SQUARE-FOOT BUILDING at 3190 West Sahara Avenue (APN 162-05-403-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian)

PLEASE OPPOSE

LOVETT COMPANIES IS FRAUDULENT

Application Location



The proposed project may not pertain to the entire obligated project site

Public Hearing Information

Meeting:	Planning Commission
Date:	*February 11, 2010*
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request, or may, prior to this meeting, file a written objection thereto or approval thereof with the Planning and Development Department, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. Final Action on General Plan Amendments and Rezonings will be determined by the City Council. Other public hearing items may be deemed Final Action by the Planning Commission or forwarded to the City Council. The date

Protest

To:	Vicki Quinn Planning Commission	**From:**	John F. Hayet
	City of Las Vegas	**Pages:**	
	URGENT	**Date:**	2/9/2010
Re:	SUP -37068		702 553 6208

x **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

Commissioner Quinn Ward One

I strongly urge you to look carefully at the application SUP-37068 by Lovett Companies this Thursday. Brent Lovett the principal has a long history of fraudulent activity in Las Vegas.

1-closure of business by the Nevada Commission on Post Secondary Education in 2009.

2-judgemt against him by the Nevada Labor Commission for not paying dozens of employees in 2009.

3-myriad of lawsuits for not paying on multiple commercial properties

It is time for someone to connect the dots and put a stop to more abuse in our community. The idea that the Zodiac Supper Club will be any different is impossible to imagine considering the behavior of the last ten years. The State of Nevada has over 20 companies listed under Brent Lovett all are fronts and shell companies with zero substance.

Thank you for your attention

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CITY CLERK
2010 FEB -9 P 3:00

Submitted after final agenda

Date 2-9-10 Item 7

February 3, 2010

CITY CLERK

2010 FEB -9 P 3:00

Supervisor Lois Tarkanian
Ward One
City of Las Vegas
Las Vegas, Nevada

RE: SUP-37068 Special use permit
Applicant Lovett Companies

Dear Supervisor Tarkanian,

I am writing to you in strong opposition of the above permit for Lovett Companies. I have attached a number of supporting documentation that reflect the total lack of ethics, morals and expected business practices in our community by Mr. Lovett. Brent Lovett has again and again violated a number of state laws, labor laws, national employment laws and standard business regulations.

I had the misfortune to be employed by Brent Lovett along with a number of professional colleagues and we were forcer to file with the labor board for unpaid wages. In my case almost $9,000 creating hardship for myself and family. In some cases over $30,000. Brent Lovett has made it clear that he will not pay and has a long history of not paying his employees. There is no reason to think that this will change with this new venture.

In 2008/2009 Brent Lovett operated Live Production Institute in Las Vegas until it was shut down by the Nevada Commission on Postsecondary Education. As an educator I urge to read the letters attached from former LPI employee that will give you an idea of the truly outrageous practices that Mr. Lovett engaged in as the president of LPI.

My ties to Las Vegas and the community are strong. My family is still there and I go back and forth between San Francisco and Las Vegas on a regular basis.

I will try my hardest to be there on Thursday February 11 to voice my objection to this special permit application. The time is now to stop any further business dealing by Mr. Lovett.

Thank you for your attention in this important matter.

Sincerely,

John F. Hayet
2098 Valley Sand
Las Vegas, NV 89135
702-553-6208

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

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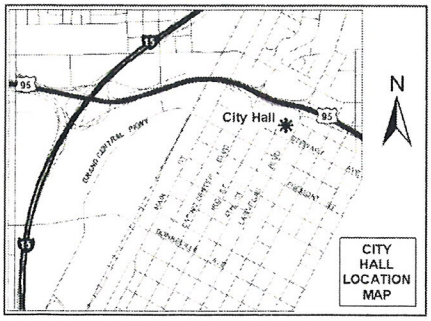

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37068
Planning Commission Meeting of 2/11/2010

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Case: SUP-37068

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WOMMER DEBORAH N
2009 CALLE DE ESPANA
LAS VEGAS NV 89102-4007

KAV0311 89102

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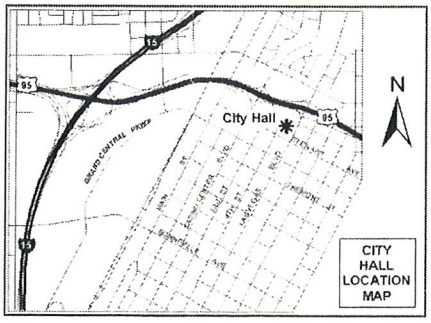

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Yes ☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37068
Planning Commission Meeting of 2/11/2010

Case: SUP-37068
16205413042
COADY/MCGINTY 1986 TRUST
2857 PARADISE RD #2601
LAS VEGAS NV 89109-9034

KAVOS11 89109

#7A

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

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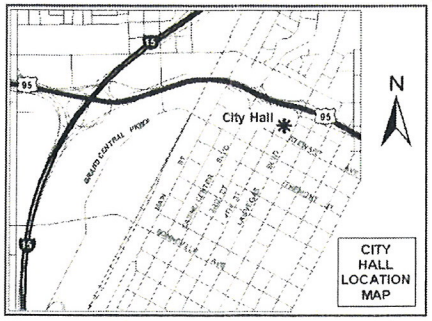

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SUP-37068
Planning Commission Meeting of 2/11/2010

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Case: SUP-37068
16205411008
RIORDAN MICHAEL & JOANN
3325 CALLE DEL TORRE
LAS VEGAS NV 89102-3905

KAVDS11 A910E

#7A

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Las Vegas, Nevada 89101-2986

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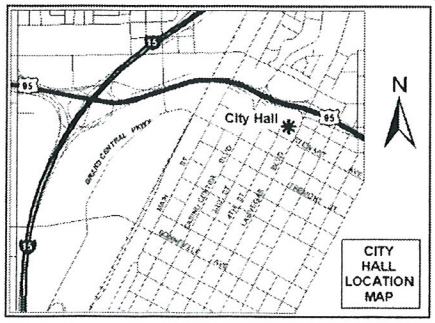

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Planning Commission Meeting of 2/11/2010

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Case: SUP-37068

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

KAUOS11 A5126

#7A

Application Information

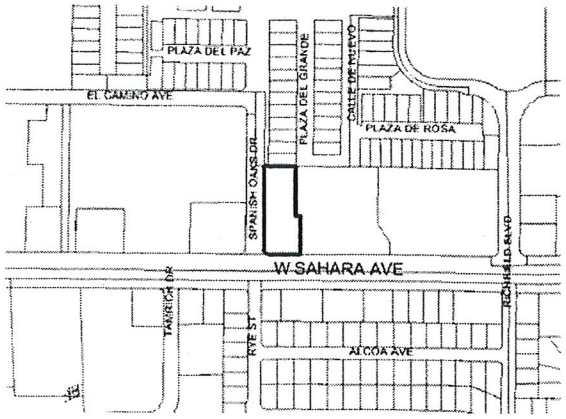
SUP-37068 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LOVETT COMPANIES - OWNER: SPANISH VILLAS AT SAHARA, LLC - Request for a Special Use Permit FOR A SUPPER CLUB WITHIN AN EXISTING 17,425 SQUARE-FOOT BUILDING at 3190 West Sahara Avenue (APN 162-05-403-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian)

A NICE RESTAURANT WOULD ENHANCE THE AREA AND OFFER AN ADDITIONAL EATING ESTABLISHMENT, WHICH IS NEEDED.

THE PRESENT CLOSED STRUCTURE IS AN EYESORE AND DETRACTS FROM THE NEIGHBORHOOD.

D A Lehrter

Application Location



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

Public Hearing Information

Meeting:	Planning Commission
Date:	***February 11, 2010***
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

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

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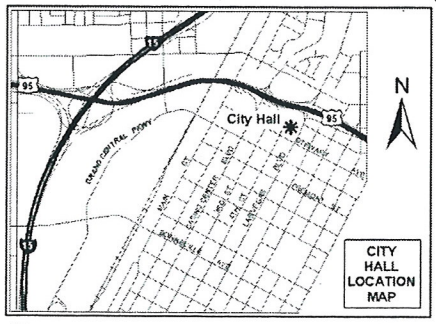

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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SUP-37068
Planning Commission Meeting of 2/11/2010

(SEE OVER)

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Case: SUP-37068
16205413052
LEHRTER HERBERT A & PATRICIA TRS
2200 PLAZA DEL ROBLES
LAS VEGAS NV 89102-4034

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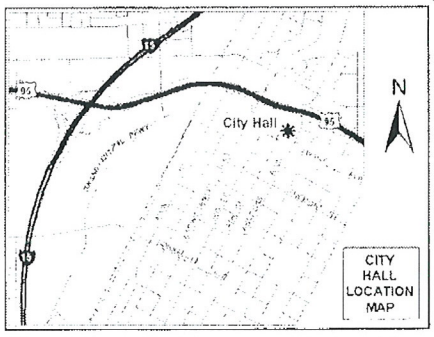

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Case: SUP-37068

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

☒ I SUPPORT this Request ☐ I OPPOSE this Request

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SUP-37068
Planning Commission Meeting of 2/11/2010

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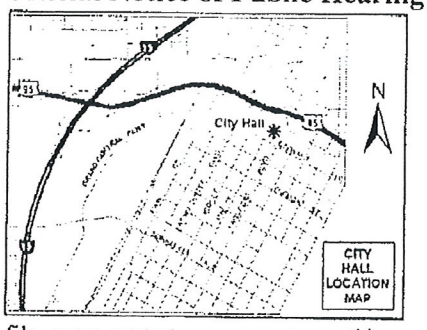

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Case: SUP-37068

16208501002
LEVY JEANNE FAMILY TRUST
7800 SILVER PLATEAU AVE
LAS VEGAS NV 89128-2655

☒ I SUPPORT this Request ☐ I OPPOSE this Request

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SUP-37068
Planning Commission Meeting of 2/11/2010

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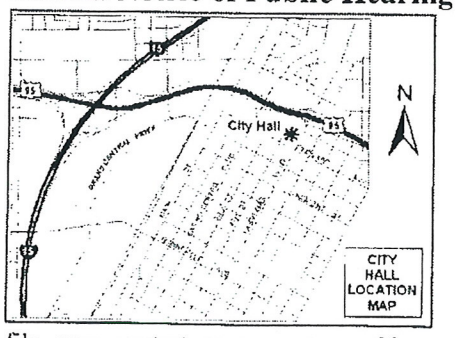

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Case: SUP-37068

16208114011
LASKOWSKI MIECZYSLAW
8218 WILDFIRE ST
LAS VEGAS NV 89123-0923

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37068

Planning Commission Meeting of 2/11/2010

7028971245 Mieczyslaw Laskowski

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City of Las Vegas
Planning & Development Department
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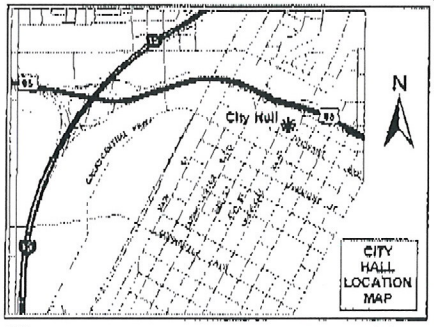

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SUP-37068

Planning Commission Meeting of 2/11/2010

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Fax to: 385-7268

Case: SUP-37068

16205412006
FOYT ELIZABETH ANN
2216 PLAZA DEL PRADO
LAS VEGAS NV 89102-3914

#7A

01/30/2010 10:10 7022581933 ELIZABETH FOY PAGE 01/01

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

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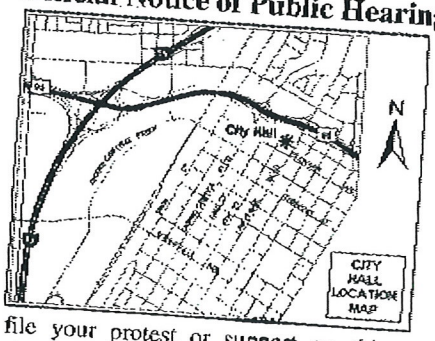

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☒ I SUPPORT this Request

☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37068

Planning Commission Meeting of 2/11/2010

162081130004 Case: SUP-37068
KENNEDY MARTHA P
3108 ROSEVILLE WY
LAS VEGAS NV 89102-0126

KENNEDY 89102

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PAGE 01/01

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

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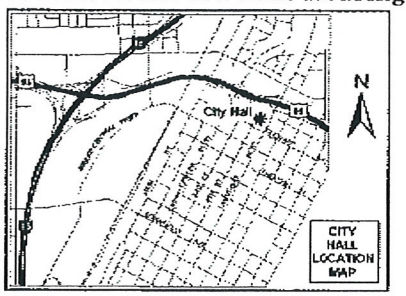

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SUP-37068

Planning Commission Meeting of 2/11/2010

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Case: SUP-37068

16205317017
TYRE R & C LIVING TRUST
2777 PARADISE RD #3502
LAS VEGAS NV 89109-0403

TYRE

18574

#7A

City of Las Vegas
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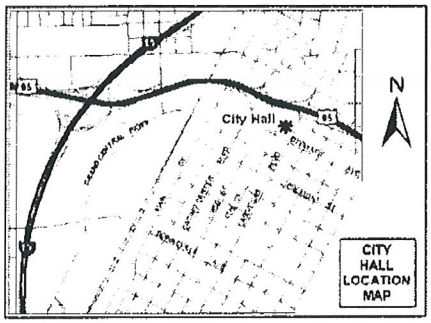

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[X] I SUPPORT this Request [ ] I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37068
Planning Commission Meeting of 2/11/2010

BUT NOT ENOUGH INFO — IS THIS UPSCALE OR A DIVE? WE HAVE HAD ~~DOOL~~ DOOL IN THE PAST. WITH THE MURDERS, AND FIGHTS IN PARKING LOT. THAT GO WITH CANTINAS AND SALSA MUSIC, YOU NEED TO HAVE MORE INFO AS DO VS VERY NEARBY HOMEOWNERS. BEFORE YOU APPROVE!!

Case: SUP-37068

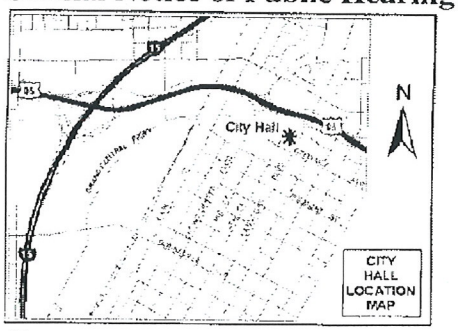
16205416025
CUMMINGS FAMILY TRUST
3025 PLAZA DE ROSA
LAS VEGAS NV 89102-4048

KAVOS1 1 89102

#7A

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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JAN 29 2010

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

Case: SUP-37068

16205315043
LEVY LOIS TRS
2011 PLAZA DE CIELO
LAS VEGAS NV 89102-4016

I SUPPORT this Request

I OPPOSE this Request

lease use available blank space on card for your comments.

UP-37068

lanning Commission Meeting of 2/11/2010

REQUEST 45105

#7A

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

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

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

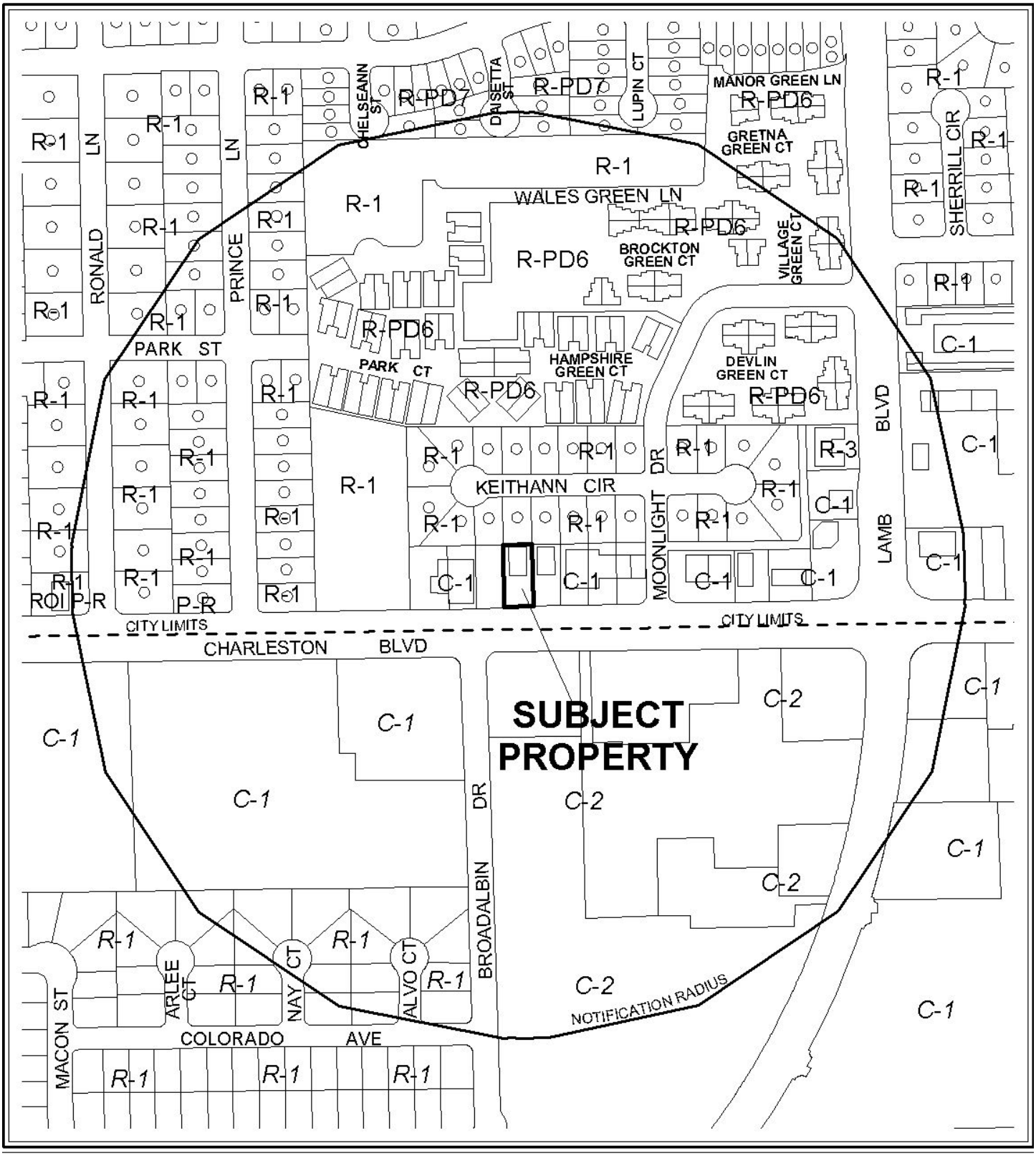
SUBJECT:
ABEYANCE - SDR-37195 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: THOTES PROPERTIES, LLC - Request for a Site Development Plan Review FOR A PROPOSED 700 SQUARE-FOOT ADDITION TO AN EXISTING 2,000 SQUARE-FOOT BUILDING WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS 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.: 04/21/2010

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**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. Justification Letter
6. Support Postcard



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)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-37195 - APPLICANT/OWNER: THOTES PROPERTIES, LLC.

** CONDITIONS **

Staff recommends APPROVAL, subject to conditions:

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
March 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.
02/25/10	The Planning Commission voted to hold this item in abeyance as the applicant was not present.
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

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 1

PROTESTS 0

GK

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: MAI XA

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 XTA

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

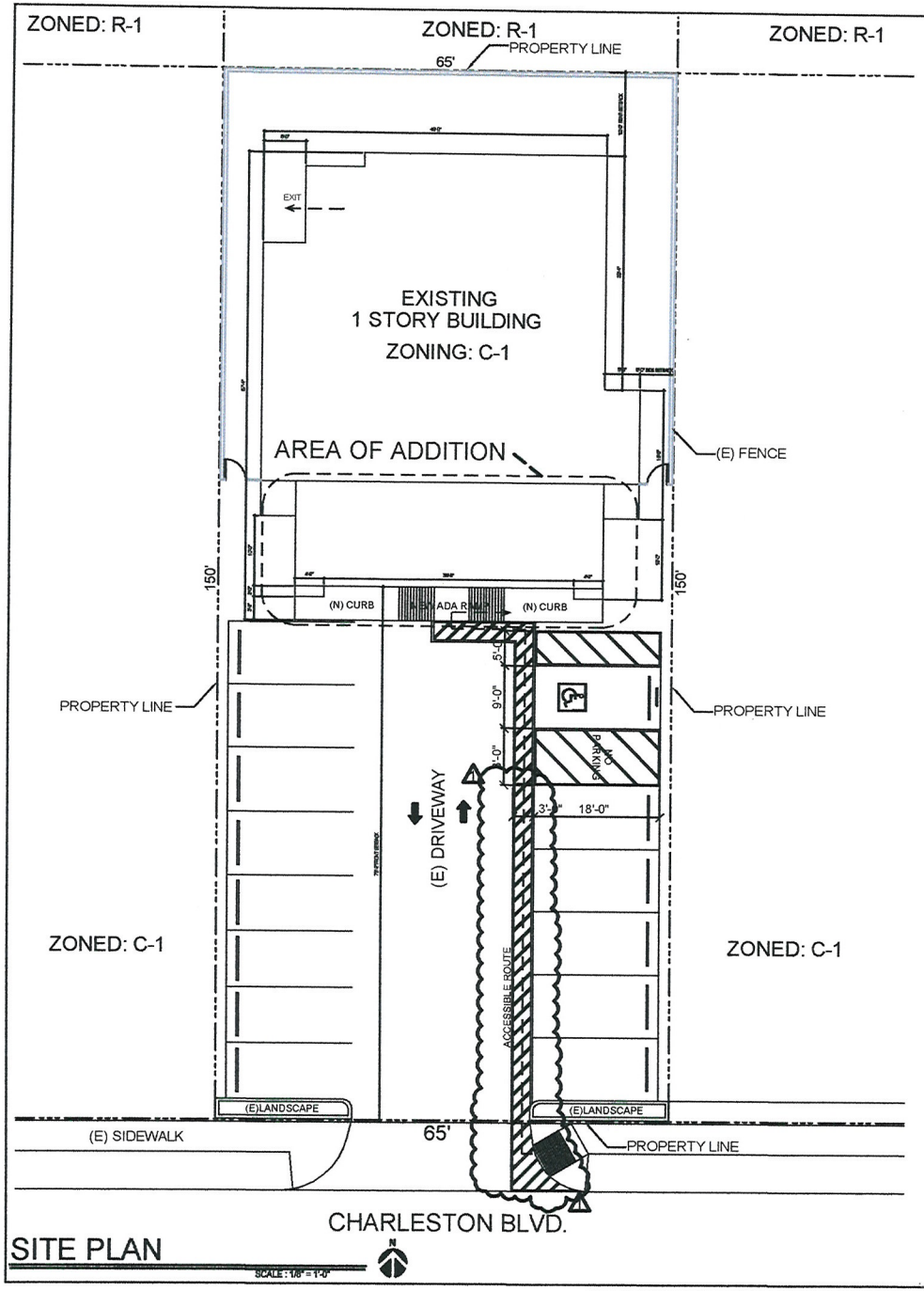
Revised 10/27/08

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"

DATE PLOTTED: 01.11.10

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

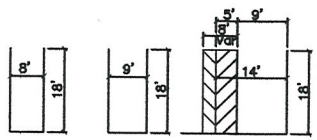
PARKING CALCULATION

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.

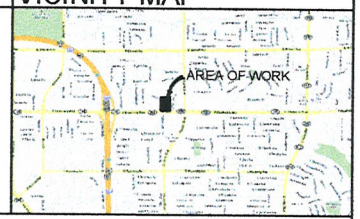
TOTAL PROVIDED PARKING SPACES: 10 (STANDARD) + 4 (COMPACT)= 14 SPACES

TOTAL REQUIRED HANDICAP PARKING SPACES: 1 SPACE
TOTAL PROVIDED HANDICAP PARKING SPACES: 1 SPACE

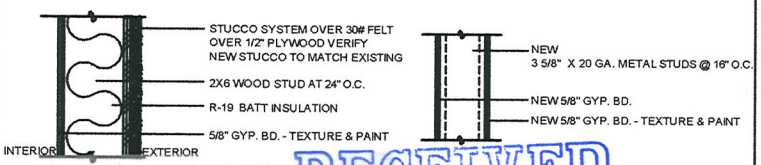
TYPICAL PARKING SPACES



VICINITY MAP



WALL DETAIL



SDR-37195

REVISED
02/25/10 PC

RECEIVED
JAN 28 2010

WG CONSTRUCTORS LLC.
7871 S. RAINBOW BLVD #240
LAS VEGAS, NV 89146
NV LIC. #0072212

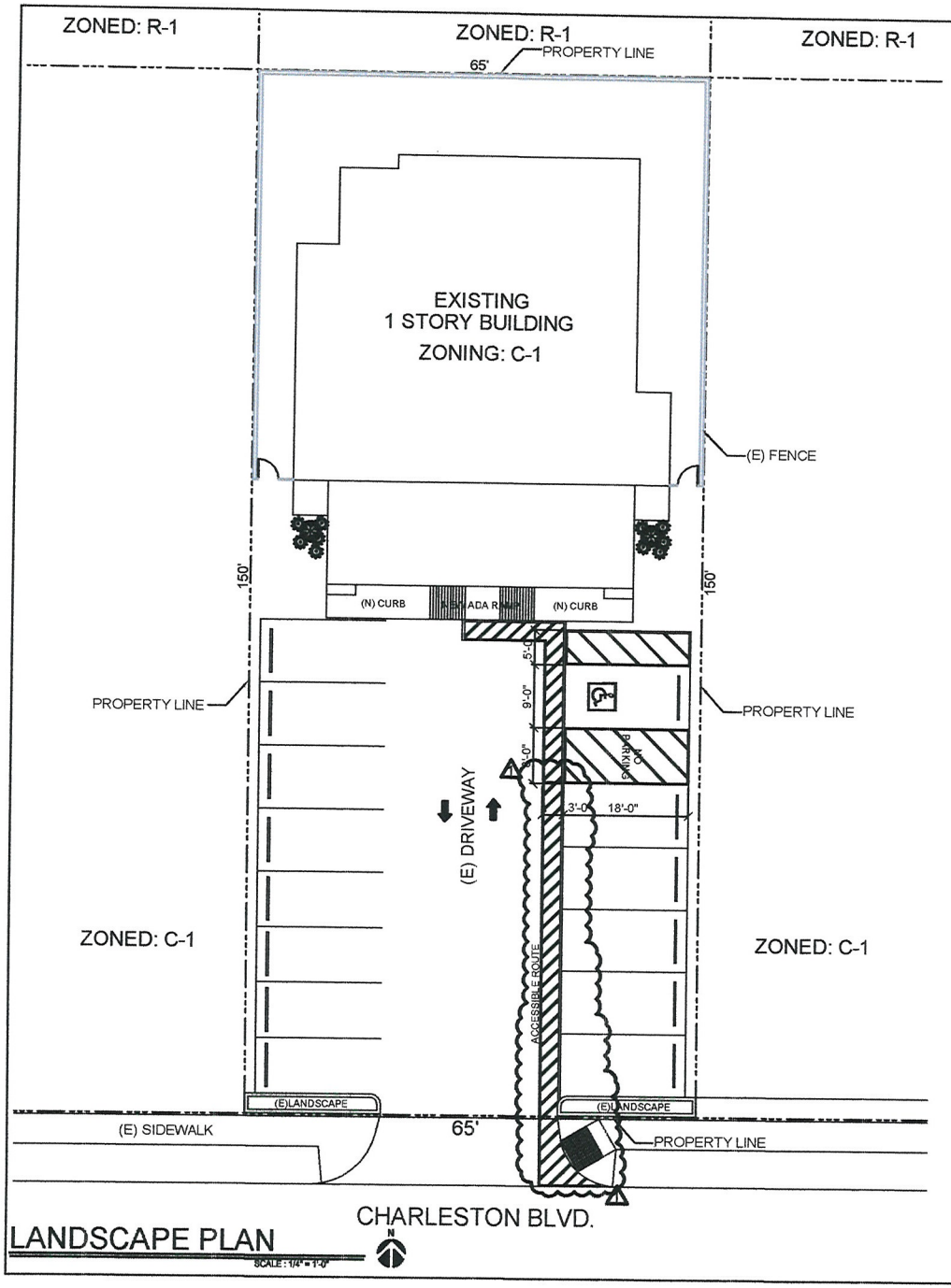
DIGNATURE
DATE

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



LANDSCAPE PLAN

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

DATE PLOTTED: 01.11.10

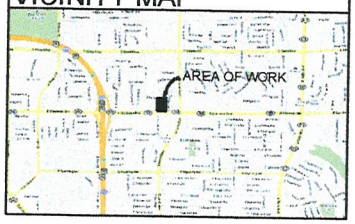
PLANT LEGEND

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



SDR-37195
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02/25/10 PC

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JAN 28 2010

WG CONSTRUCTORS LLC.
1901 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.
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ISSUE DATE
01.11.10

JOB NO.
2010

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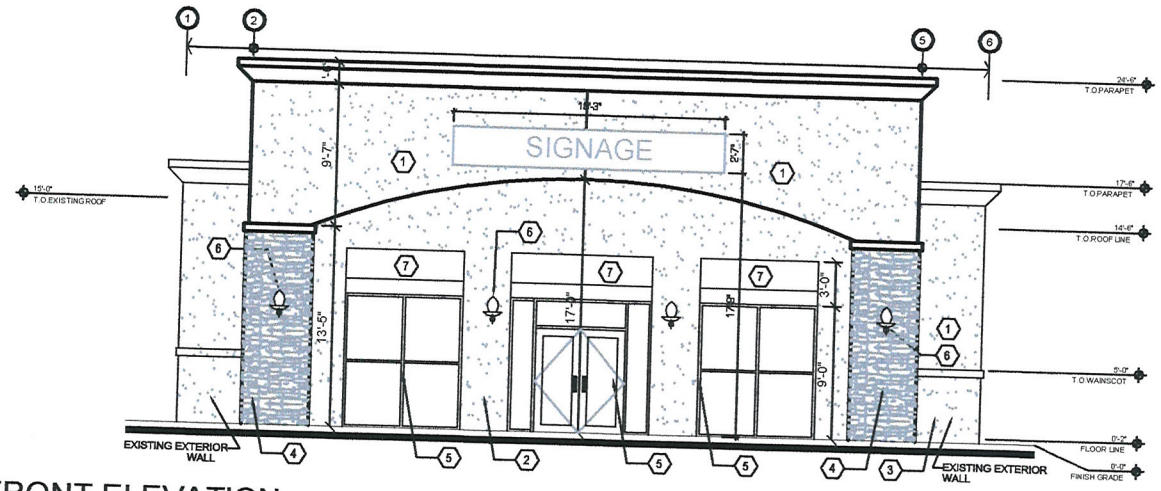
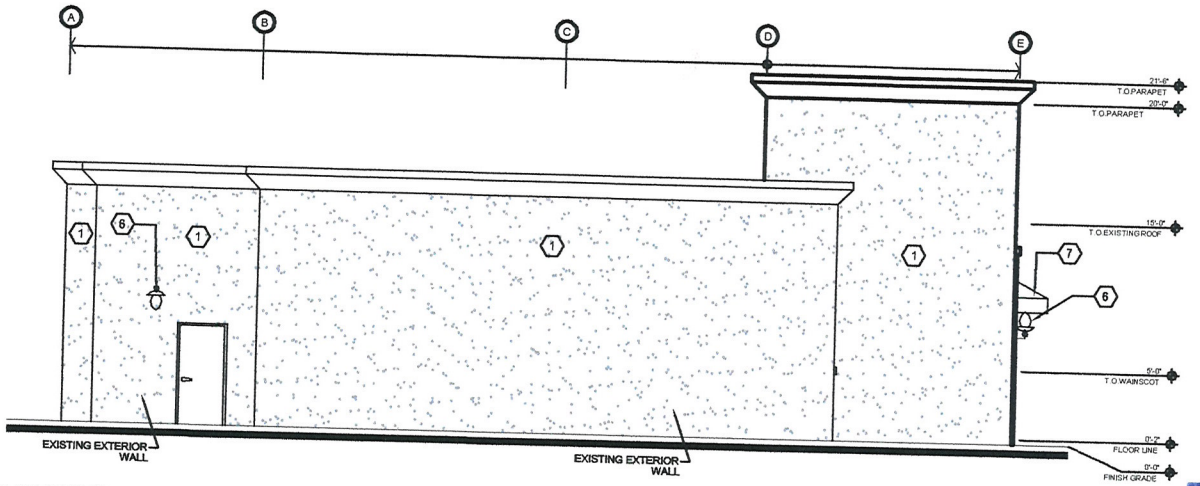


FRONT ELEVATION

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

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02/25/10 PC

DATE PLOTTED: 01.11.10

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NV LIC. #0072212

SIGNATURE

DATE

CORONA DENTAL OFFICE EXTENSION
& TENANT IMPROVEMENT
4236 E. CHARLESTON BLVD.
LAS VEGAS, NV 89110

REVISIONS	NO.

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ISSUE DATE
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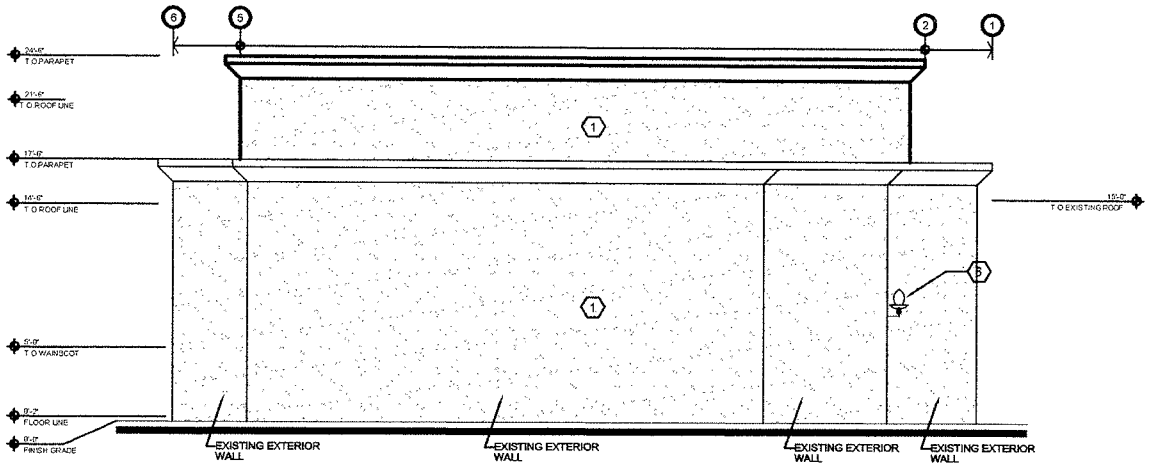
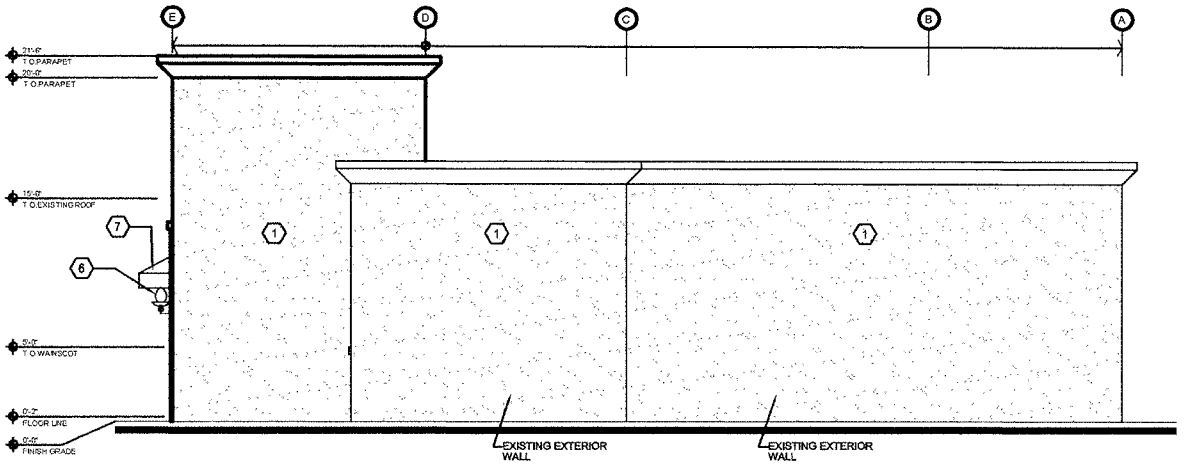


NORTH ELEVATION

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		

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WG CONSTRUCTORS LLC.
1651 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

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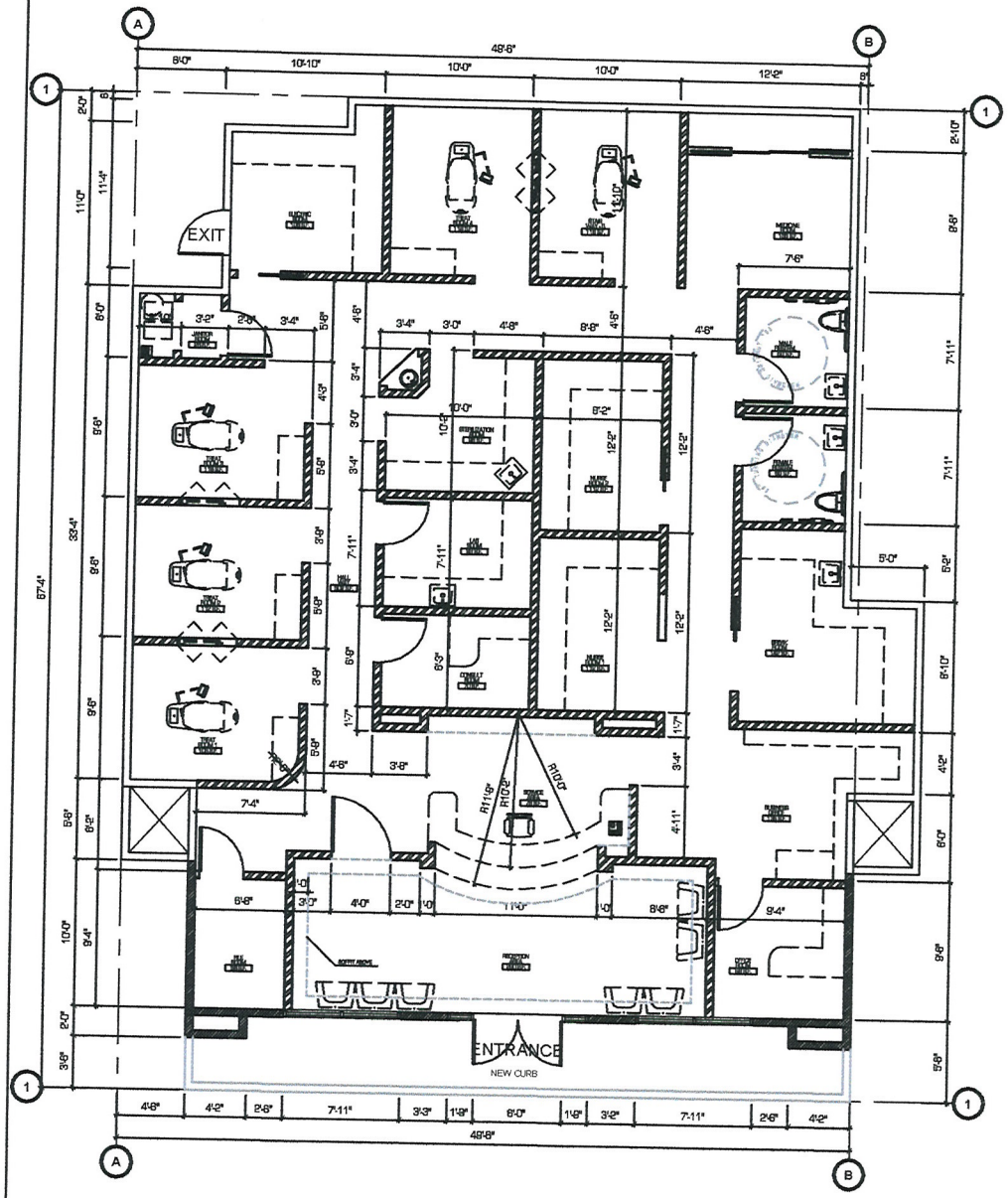

FLOOR PLAN

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

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WG CONSTRUCTORS LLC.
1901 S. RAINBOW BLVD #240
LAS VEGAS, NV 89146
NV LIC. #0073212

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.
2010

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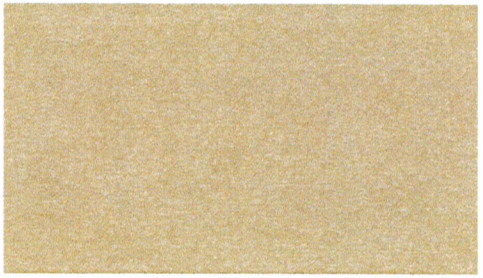
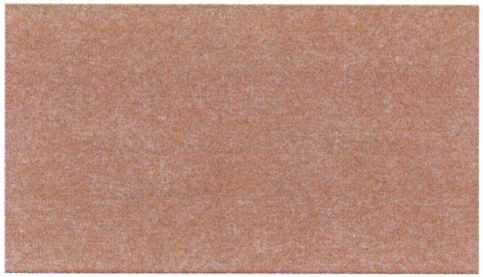
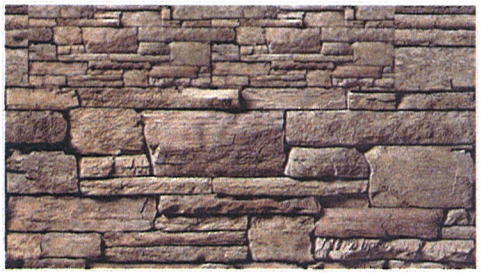
DUNN EDWARDS PAINT
"SANFSTORM" DE5295
1



DUNN EDWARDS PAINT
"PALOMA TAN" DE5297
2



DUNN EDWARDS PAINT
"SECLUDED CANYON" DE5186
3



CULTURED STONE
ARIZONA TILE
4

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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
MARCH 25, 2010 PLANNING COMMISSION

01/22/10



SDR-37195 - APPLICANT/OWNER: THOTES PROPERTIES, LLC.
4236 EAST CHARLESTON BOULEVARD
MARCH 25, 2010 PLANNING COMMISSION

01/22/10



SDR-37195 - APPLICANT/OWNER: THOTES PROPERTIES, LLC.
4236 EAST CHARLESTON BOULEVARD
MARCH 25, 2010 PLANNING COMMISSION

01/22/10



SDR-37195 - APPLICANT/OWNER: THOTES PROPERTIES, LLC.
4236 EAST CHARLESTON BOULEVARD
MARCH 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.

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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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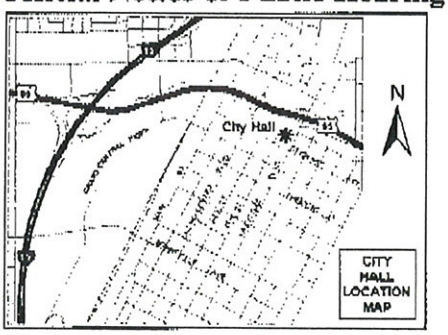
02 1M $ 00.41⁴
0004279218 FEB 12 2010
MAILED FROM ZIP CODE 89101

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.

SDR-37195

Planning Commission Meeting of 2/25/2010

Case: SDR-37195-LABELS
16106512009
BAKER GEORGE C JR LIVING TRUST
2549-B EASTBLUFF DR #475
NEWPORT BEACH CA 92660-3504

LAVDS11 92660

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FEB 23 2010

Submitted after final agenda
Date 2/23/10 Item 20 A

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

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

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

SUBJECT:
GPA-37216 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request to adopt an updated Safety and Seismic Safety Element and revise the 2020 Master Plan.

C.C.: 04/21/2010

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.

BACKUP DOCUMENTATION:
1. Conditions (Not Applicable) and Staff Report
2. Supporting Documentation
3. Justification Letter
4. DRAFT Safety and Seismic Safety Element

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: GPA-37216- APPLICANT: CITY OF LAS VEGAS

** CONDITIONS **

Staff recommends APPROVAL.

YK

GPA-37216 - Staff Report Page One
March 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This request is to adopt an updated Public Safety Element and to incorporate it into the city of Las Vegas 2020 Master Plan.

This element was originally approved September 5, 2001 and has not been updated since. The name of the element has been changed to reflect that it also includes the Seismic Safety Element and thus the name of the new element is the Safety and Seismic Safety Element.

The Safety and Seismic Safety Element satisfies the Nevada Revised Statutes Chapter 278.160 requirements for both a safety and a seismic safety plan. It complies with NRS 278.150, which requires entities with a population of 400,000 or greater to adopt a master plan that addresses both of these elements.

Staff from Fire & Rescue and Public Works reviewed the document as well. Comments have been received and incorporated into the draft document.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales	
04/01/92	The City Council adopted Ordinance No. 3636, thereby adopting the Las Vegas General Plan as required by NRS 278.
09/06/00	The City Council adopted Ordinance 5250, which adopted the Las Vegas 2020 Master Plan.
09/05/01	The City Council the Public Safety Element as an amendment to the Las Vegas 2020 Master Plan.

Neighborhood Meeting	
03/02/10	A neighborhood meeting was held on Tuesday, March 2, 2010 at 5:30pm at the Charleston Heights Arts Center, located at 800 Brush Street, Las Vegas, 89107. Two members of the Planning and Development staff and no members of the public attended.

YK

ANALYSIS

The update to the Safety and Seismic Safety Element is not intended to introduce changes in policy. Rather, it is aimed at complying with state mandated requirements concerning the Master Plan, providing the latest available information, clarifying maps and tables, and presenting a format consistent with other Master Plan elements.

The major changes to the document since it was adopted in 2001 are listed below:

1. Name of Element changed to Safety & Seismic Safety Element to reflect that this element covers two of the required plans called for in NRS 278.160.

2. Police Services Chapter removed as it is not called for in NRS 278.160(l) or (n).

3. Transportation Chapter removed as it is not called for in NRS 278.160(l) or (n).

4. Landslide Hazard Section was added, although it does not apply to the CLV.

5. Two new maps were added: Airport Noise Exposure & Heliport location.

6. All of the Evolution & Implementation Matrix's were deleted from each chapter.

7. A new Implementation Chapter was added with specific recommendations.

8. The Fire Hazard Safety Chapter was updated by F&R.

9. The Drainage & Flood Control Chapter was updated by PW.

10. Noise Chapter was updated with latest research and City of San Diego Noise Element of their General Plan.

11. Various word choices, spelling and grammar corrections were made throughout the document.

<u>Relationship to Nevada Revised Statutes</u>

The Nevada Revised Statutes (NRS) are the current codified laws of the State of Nevada. The Statutes of Nevada are a compilation of all legislation passed by the Nevada Legislature during a particular legislative session. With respect to these laws, the Safety and Seismic Safety Element conforms to the following:

NSR 278.150 through 170 inclusive requires that the governing body (in this case the city of Las Vegas) prepare and adopt a comprehensive, long-term general plan for the physical development of the city. This document, known as the Las Vegas 2020 Master Plan, must include a safety plan and seismic safety plan.

The safety plan must identify potential types of natural and man-made hazards, including, without limitation, hazards from floods, landslides or fires, or resulting from the manufacture, storage, transfer or use of bulk quantities of hazardous materials. The plan may set forth policies for avoiding or minimizing the risks from those hazards.

The seismic safety plan must consist of an identification and appraisal of seismic hazards such as susceptibility to surface ruptures from faulting, to ground shaking or to ground failures.

The Safety and Seismic Safety Element addresses the NRS requirements of these two plans which combining them into one interrelated document.

Relationship to Las Vegas 2020 Master Plan

The city of Las Vegas 2020 Master Plan policy document was adopted in September 2000. It provides a broad policy structure intended to direct the actions of the city regarding land use and development for the period from 2000 to 2020. The individual elements are intended to provide more specific direction, through detailed analysis and recommended actions, as to how the City should react to certain issues. The Safety and Seismic Safety Element contains the goals, objectives and policies from the Master Plan policy document that best relate to safety and seismic safety.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

YK

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-37216** APN: N/A

Name of Property Owner: City of Las Vegas

Name of Applicant: City of Las Vegas

Name of Representative: Flinn Fagg, AICP

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: _____

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Signature of Property Owner: Flinn Fagg

Print Name: Flinn Fagg

Subscribed and sworn before me

This 19th day of January, 2010

Teresa K. Morrell
Notary Public in and for said County and State

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

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: General Plan Amendment

Project Address (Location) Citywide

Project Name Safety & Seismic Safety Element **Proposed Use** N/A

Assessor's Parcel #(s) N/A **Ward #** All

General Plan: existing N/A proposed N/A **Zoning:** existing N/A proposed N/A

Commercial Square Footage N/A **Floor Area Ratio** N/A

Gross Acres N/A **Lots/Units** N/A **Density** N/A

Additional Information

PROPERTY OWNER City of Las Vegas **Contact** Flinn Fagg, AICP

Address 731 S. Fourth Street **Phone:** (702) 229-4848 **Fax:**

City Las Vegas **State** NV **Zip** 89101

E-mail Address ffagg@lasvegasnevada.gov

APPLICANT City of Las Vegas **Contact** Flinn Fagg, AICP

Address 731 S. Fourth Street **Phone:** (702) 229-4848 **Fax:**

City Las Vegas **State** NV **Zip** 89101

E-mail Address ffagg@lasvegasnevada.gov

REPRESENTATIVE **Contact**

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

City **State** **Zip**

E-mail Address

Property Owner Signature* _____

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

Print Name Flinn Fagg

Subscribed and sworn before me

This 19th day of January, 2010.

Teresa K. Morrell

Notary Public in and for said County and State

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

FOR DEPARTMENT USE ONLY

Case #
Meeting Date:
Total Fee:
Date Received:*
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

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

M. Margo Wheeler, AICP
Director
Planning & Development Department
City of Las Vegas
731 S. Fourth Street
Las Vegas, NV 89101

RE: JUSTIFICATION LETTER FOR GPA-37216

Dear Ms. Wheeler:

Please accept this General Plan Amendment application to update the Public Safety Element of the Las Vegas 2020 Master Plan. This element was last updated on September 5, 2001.

The document has been revised to only include sections required in NRS 278. A new title for the element reflects the combination of two of these requirements. Staff from the City of Las Vegas Public Works and Fire & Rescue Departments have reviewed their respective sections and made revisions where necessary.

Sincerely,

Yorgo Kagafas

Yorgo Kagafas, AICP
Urban Design Coordinator

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GPA-37216
03/25/10 PC

CITY OF LAS VEGAS SAFETY & SEISMIC SAFETY ELEMENT
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DRAFT

EXECUTIVE SUMMARY

The Nevada Revised Statutes (NRS), which sets out planning law for the State of Nevada, mandates the preparation of comprehensive, long-term general plans, known as master plans. The NRS also identifies a series of required elements to be covered by the master plan for entities located within counties of more than 400,000 persons. This Safety & Seismic Safety Element is a required element of the Master Plan per NRS 278.160.

For purposes of the City of Las Vegas, the Safety & Seismic Safety Element will address the following sub-elements:

- Fire Hazards
- Flood Hazards
- Seismic Hazards
- Noise Hazards
- Hazardous Materials
- Landslide Hazards

As an element of the City's Master Plan, the planning horizon for the Safety & Seismic Safety Element is 20 years, with updates scheduled every five years. This element has been prepared, as an amendment to and augmentation of the Master Plan, through input from various cities, citizen groups, and public agencies directly responsible for providing the services addressed in this plan. Each of the following sub-elements includes the following recommendations:

- Fire Protection Services: Mitigate both natural and man-made fire hazards found in the City of Las Vegas.

  The Fire & Rescue Department will continue to identify fire hazards and develop policies to respond in case of an emergency.

- Flood Control Hazards: Provide infrastructure to mitigate issues caused by excessive rainfall.

  Due to natural and man-made factors, flooding is a critical concern of many within the entire Las Vegas Valley. Because of the regional significance and consequences of this issue, steps have been taken by the jurisdictions within the Valley to address this matter in a cohesive manner, mainly through the creation of the Clark County Regional Flood Control District (CCRFCD) in 1985. This agency has identified the critical areas of the Valley that are prone to flooding, or are major causes of flooding, and developed a master plan for the construction of facilities (detention basins, channels) that will prevent property damage and/or injury or loss of life as a result of this storm water runoff and associated flooding. The construction of these facilities will also aid in the prevention of water contamination at the primary source of drinking water for Las Vegas: Lake Mead.

- Seismic Hazards: Mitigate damage to property related to geologic hazards found in Las Vegas.

  There are three (3) geologic factors that greatly influence development patterns and practices within the City of Las Vegas: seismic, soil composition, and subsidence.

  - Seismically, a number of faults are present throughout the City of Las Vegas, thus construction practices

have to take this factor into consideration, although no major earthquakes have ever been reported in Clark County.

- The soils present within the City of Las Vegas are directly attributed to the topography and physiographic conditions that prevail in this portion of the state, and have a great impact on the development of a particular site. Some of the soils found locally have a high alkaline content, which compromises the integrity of untreated steel and concrete, while others could jeopardize a building's foundation due to the shrink/swell potential of soil (the reaction of the soil when water is introduced). The City should continue to monitor these areas of concern, and require measures to address adverse soil conditions on a case-by-case basis.

- Arguably, the most severe geologic hazard present within the City of Las Vegas would be the problem of subsidence, or the lowering of the earth's crust. Due to the continued withdrawal of water from the ground, and other natural and man-made phenomenon, certain sections of the city have experienced ground subsidence, which often results in severe damage to a structure's integrity, as evidenced by a number of documented cases. Efforts to address the problem, through groundwater recharge and/or tighter building controls and requirements, should continue.

- Noise Hazards: Mitigate excessive noise pollution within the City.

  As the City of Las Vegas continues to become an increasingly urbanized municipality (as a result of the rapid growth rate and sprawling growth patterns), the urban noise levels that result from increased activity are logically going to increase as well. These increased levels are expected to have a number of impacts on the health and welfare of the residents, including non-auditory, speech interference, and sleep interference. The City of Las Vegas should take a proactive approach to mitigate noise impacts on the general population. This can be accomplished through proper zoning and site design measures, the use of open space buffers, and the construction of noise barriers where appropriate.

- Hazardous Materials: Mitigate any negative effects from the movement of hazardous materials within City limits.

  In Las Vegas, the issue of hazardous materials is primarily focused on the disposal of nuclear waste, and a proposal by the Federal Government to utilize Yucca Mountain (within the Nevada Test Site) as a nuclear waste disposal facility. There are several questions raised about this proposal including health risks to general population along transportation routes, highway transportation risks, accident potential, performance of nuclear waste holding containers, and the amount of waste anticipated for transportation and storage. In response to growing concerns about the shipment of such hazardous materials through the city of Las Vegas, the City Council recently declared the city to be a nuclear-free zone. The city should continue to closely monitor this issue and devise a plan to safeguard the residents of the community in the event the transportation of nuclear waste crosses into the city's boundaries.

- Landslide Hazards: Mitigate damage caused by landslides within the city.

  The topography found within the city limits does not pose a risk of landslides.

INTRODUCTION

The Safety & Seismic Safety Element is intended to provide policy direction to the city with regard to issues that affect the safety, health and welfare of the general public. The range of safety issues addressed

through this Element are covered under the following sections:

- Fire Hazards
- Flood Hazards
- Seismic Hazards
- Noise Hazards
- Hazardous Materials
- Landslide Hazards

Under each of these headings, this Element will:

- Inventory the number and location of public facilities intended to address a particular component;
- Identify established policies and standards, where they exist, to address safety issues;
- Identify gaps or shortcomings that may exist in the current structure of policies and standards; and
- Propose policies and actions intended to address areas of concern.

For purposes of this element, unfamiliar terms are defined in the Definitions section and unfamiliar concepts will be discussed in detail as they are introduced.

RELATIONSHIP TO THE MASTER PLAN

The Nevada Revised Statutes require the preparation and adoption of a comprehensive, long-term general plan for the physical development of the city. For cities like Las Vegas, which is located in a county having a population of 400,000 or greater, state law requires the master plan to address 18 different subject areas. A safety plan and a seismic safety plan are both required components per NRS and are both specifically addressed by this Safety & Seismic Safety Element. Additionally, this Element addresses noise hazards within the city.

This Element forms a component part of the Las Vegas 2020 Master Plan. It is intended to address where possible, the goals, objectives and policies of the Las Vegas 2020 Master Plan document that was approved by City Council in September 2000. In particular, this Element addresses Objective 7.3 of the Master Plan capstone document, which states:

"To ensure that public safety problems are fully and adequately identified and that long term solutions are identified and implemented by the respective local government departments and agencies vested with those responsibilities."

As a follow up to this objective, the document contains a number of policies which are addressed by this Element. These policies focus on protective services, noise issues, seismic activity and hazardous material. These policies are as follows:

> POLICY 7.3.2: That the City continue to provide efficient and cost effective services and facilities for fire prevention, fire suppression, hazardous material control and emergency medical care for the City of Las Vegas and assist Clark County as deemed appropriate in the provision of these services for County islands and County areas north of Cheyenne Avenue and west of Decatur Boulevard.
>
> POLICY 7.3.3: That the City participate with local governments within the Las Vegas Valley, and with other levels of government, to research, monitor and assess the effect on public safety and property that may arise from geologic hazards such as seismic activity, from land subsidence and related groundwater usage practices, and from poor soil conditions

such as collapsible and expansive soils.

POLICY 7.3.4: That the City establish and enforce maximum acceptable levels for noise within residential and public areas in conjunction with state and local agencies.

POLICY 7.3.8: That the City coordinate with the appropriate entities to ensure that any contaminants from federal facilities, such as the Nevada Test Site and Yucca Mountain, do not flow into the Valley water supply as a result of seismic activities or other forces of nature. The City will ensure that wastes of all types are disposed of in an appropriate manner.

The policies and actions contained in the following sections of this Safety & Seismic Element have been designed to comply with and implement the broader general goals, objectives and policies of the Master Plan as listed above.

FIRE HAZARD SAFETY

The geographic condition of the city of Las Vegas does not present a natural fire risk, such as wild land fire. For those fires considered man-made, whether intentional or unintentional, most occur in buildings. In 2006, Las Vegas Fire & Rescue obtained Accredited Agency status through the Commission for Fire Accreditation International (CFAI). Part of this designation requires the department to conduct a thorough community risk assessment for all possible hazards within its jurisdiction for which it provides responses services.

In order to perform community risk assessment, department staff identifies fire types and assigns a score for the hazard level, probability of the occurrence of a fire event, and the likely consequences of the fire event (i.e., economic or loss of life), which yields a total risk score. Based on the risk score for each hazard type, the appropriate level of deployment (number of firefighters and equipment) is determined for each classification, resulting in the department's fire safety plan for man-made fire hazards.

The purpose of this section of the Public Safety Plan is to explain how the services of Las Vegas Fire & Rescue (LVFR) will be incorporated in the accomplishment of public safety in a comprehensive manner. Discussion will detail how LVFR will interact with the city of Las Vegas per Policy 7.3.2 of the 2020 Master Plan.

BACKGROUND

Las Vegas Fire & Rescue operates under a vision statement, mission statement, and strategic business plan that aligns to City Council priorities and promotes community risk reduction and safety. The Department's mission is "to provide fire, medical, and other emergency response and prevention services to residents, businesses, and visitors so they can live, work, and play in a safe community."

Las Vegas Fire & Rescue adopted its first strategic plan in 1990 with the aim of guiding the department into the next millennium and propelling it toward world-class status. Each plan, which functions as a dynamic, living document, has proven to be a successful tool during times of changing variables and explosive growth. As part of a citywide initiative focused on performance-based budgeting, the department developed a new Strategic Business Plan and implemented its use as of July 1, 2007.



Las Vegas Fire & Rescue is organized into four divisions: Emergency Services / Training; Medical Services / Communication; Fire Prevention; and Planning that provide fire suppression, fire investigations, emergency medical services, patient transports, technical rescues, hazardous materials responses, and bomb squad, and administrative services.

As the Las Vegas Valley contends with issues relating to Homeland Security, its ability to respond to and handle terrorist acts must be considered in planning, resource allocation, and training. Through local, regional, and statewide collaboration, LVFR is involved in several projects that, when realized, will provide the permanent and transient populations a level of protection against domestic terrorism.

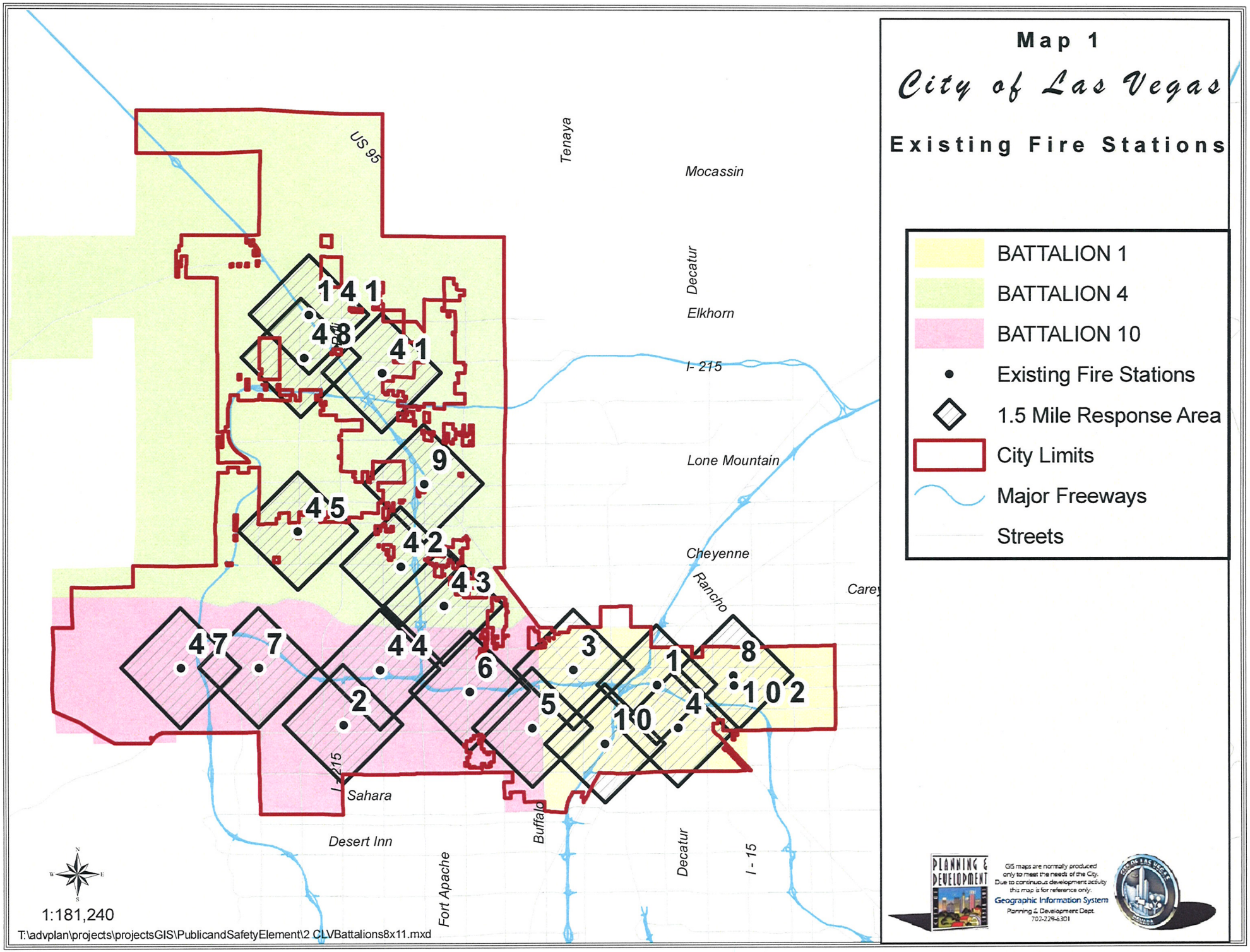
LEVEL OF SERVICE: EXISTING INVENTORY

As of July 1, 2009, LVFR operates out of nineteen stations that provide coverage to all areas within city of Las Vegas boundaries (133.20 square miles) and a resident population of 599,087 (2009 City Estimate). In response to a growing community and increased service demands, LVFR opened six new fire stations between 2001-2008 (Stations 10, 43, 44, 45, 47, and 48). Current fire station locations and 1.5-mile service areas are plotted on ***Map 1***.

LEVEL OF SERVICE: FUTURE INVENTORY

Las Vegas Fire & Rescue maintains a ten-year plan for acquiring land and building fire stations. Most immediately, the Department has entered into a partnership with the College of Southern Nevada (CSN) to build Fire Station 46 on its West Charleston campus. This station will include over 3000 sq. feet of classroom space in which the Department will assist in the delivery of fire-related education courses. The project will be completed and staffed by October 2010.

The Department has also identified three ideal locations for future stations – Fire Station 103 to be located at Mount Mariah Drive and Stella Lake Street; Fire Station 107 at Del Webb Boulevard and Sundial; and Fire Station 108 at Lamb and Bonanza road. These stations are currently proposed to be built in the next five years, and are dependent upon capital funding and prioritization.


Map 1
City of Las Vegas
Existing Fire Stations
BATTALION 1
BATTALION 4
BATTALION 10
Existing Fire Stations
1.5 Mile Response Area
City Limits
Major Freeways
Streets
US 95
Tenaya
Mocassin
Decatur
Elkhorn
I- 215
Lone Mountain
Cheyenne
Rancho
Carey
Sahara
Desert Inn
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AUTOMATIC AID AGREEMENTS

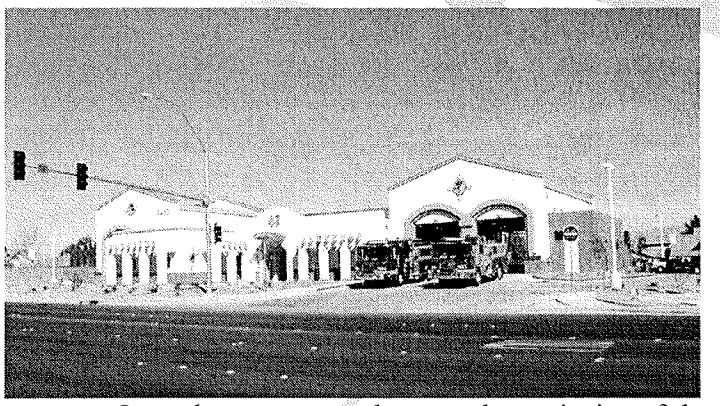
The city has an automatic aid agreement with the Clark County and City of North Las Vegas fire departments. Under this agreement, jurisdictional boundaries between the cities and county are ignored and the closest available emergency response vehicle is dispatched to an incident. The total resources of all agencies are available to respond should a regional emergency occur anywhere in the metro area. Las Vegas Fire & Rescue provides coverage to several Clark County "islands" located within its jurisdiction. ***Map 2*** identifies existing and proposed City of Las Vegas, Clark County, and North Las Vegas fire stations and their service areas.

Through similar automatic aid agreements, the Department's Bomb Squad provides emergency response coverage throughout Clark, Lincoln, and Nye Counties. ***Map 3*** shows the area of coverage provided by the bomb squad.

LAND USE

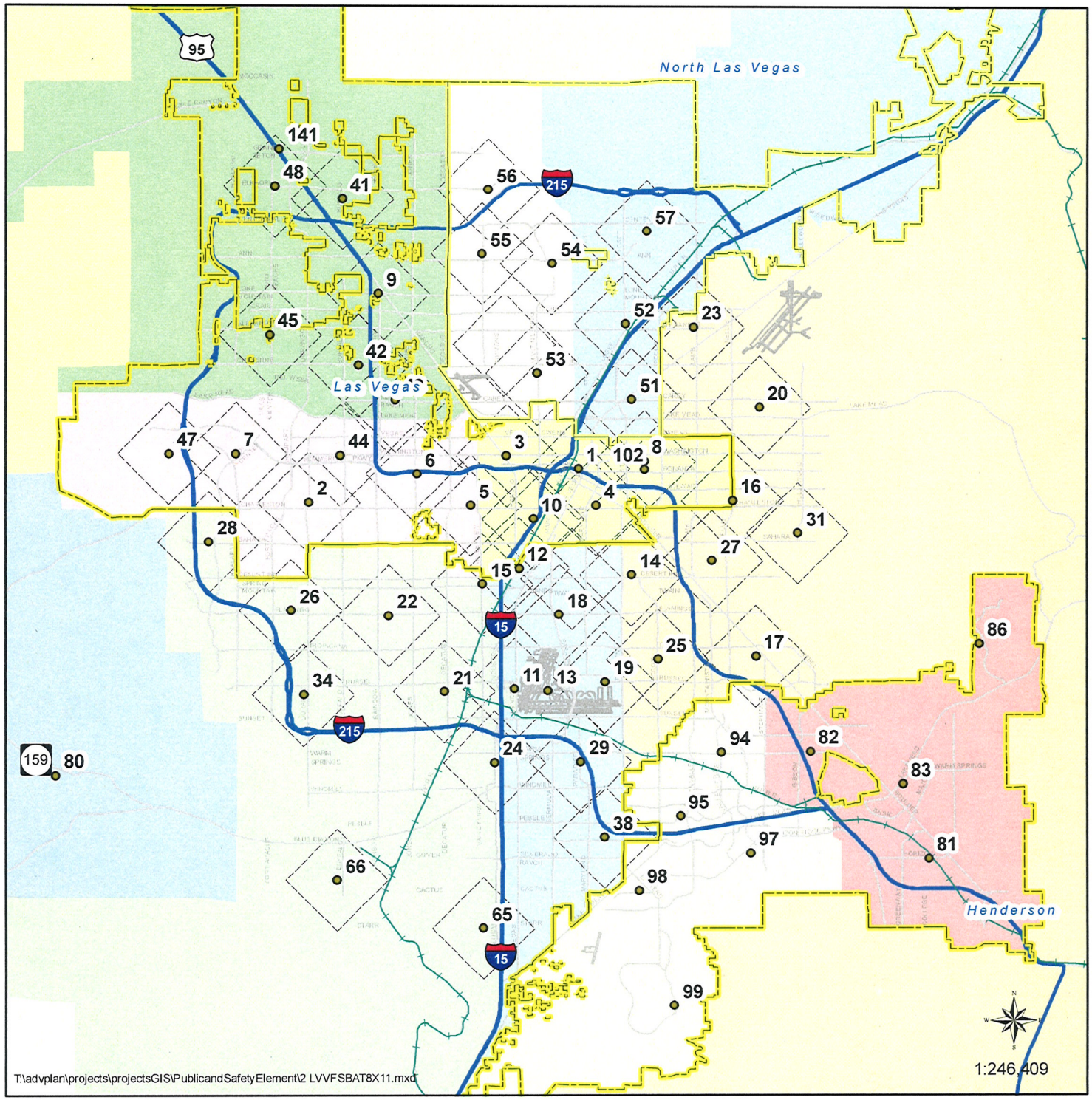
The city of Las Vegas is home to a diverse and rapidly growing population. Increasing commercial- and industrial-based businesses add to the economic base, but make planning effective fire and rescue services a challenge for public safety officials.

The density of the population affects the department's ability to service an area effectively. Higher density areas require more equipment and personnel to service a greater number of residents, tourists, and structures. The higher density areas also represent a greater risk for fire spreading due to the close proximity of buildings. As seen on ***Map 4***, fire stations are generally distributed so that more stations are located in the areas of greatest density. The location of the stations is not so much what areas are considered downtown or suburban, but how (residential) areas are expected to develop over time.



In response to potential high-rise development in its downtown urban core, the Department is planning a fire station in Symphony Park and an additional rescue at Station 10. As densities increase, revisions of the location plan for future stations and resources may occur.

Over the past several years, the majority of the city's population growth occurred in suburban and rural areas in the northwest and west. Substantial growth in the city's northwest area has affected Fire & Rescue services with the addition of major retail facilities, power centers, single- and multi-family residences, businesses, office and industrial parks, gaming, entertainment and recreational facilities. Recent completion of Fire Stations 48 and 47 helps provide emergency medical and fire response services to these expanding parts of the city.



Map 2

City of Las Vegas

Las Vegas, Clark County & North Las Vegas Fire Stations

- ExistingFireStations
- 1.5 Mile Response Area
- BATTALION 1
- BATTALION 2
- BATTALION 3
- BATTALION 4
- BATTALION 5
- BATTALION 6
- BATTALION 8
- BATTALION 9
- BATTALION 10
- BATTALION 15
- BLM
- BLUE DIAMOND
- MOUNT CHARLESTON
- MOUNTAIN SPRINGS

Source: City of Las Vegas Fire and Rescue. October, 2009

Map 3

City of Las Vegas

LVFR Bomb Squad Response Area



Bomb Squad Response Area emcompasses Clark, Lincoln and Nye Counties

N
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Highways

Railroads

State Boundary

Source: City of Las Vegas Fire and Rescue. October, 2009

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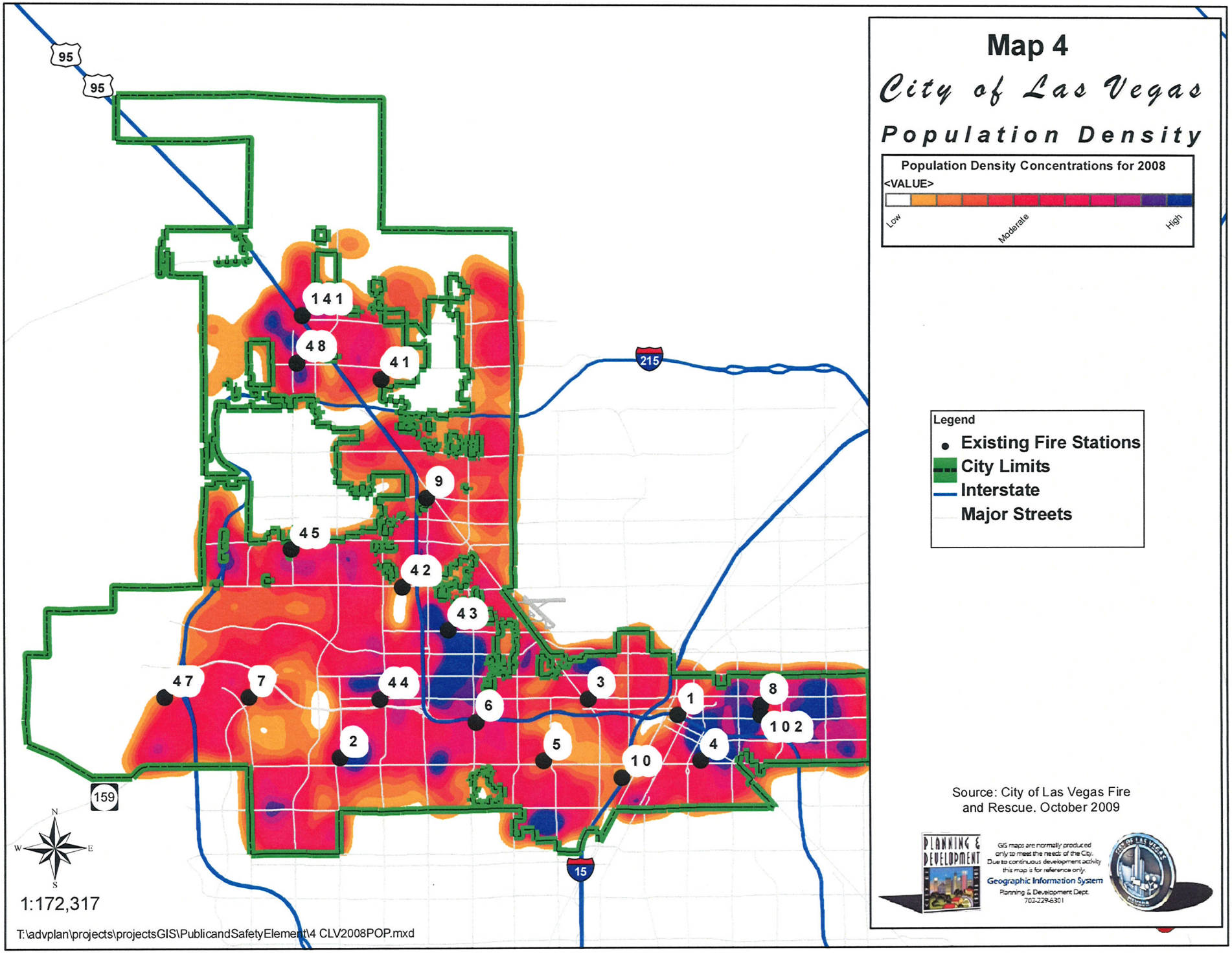
Map 4
City of Las Vegas
Population Density
Population Density Concentrations for 2008
<VALUE>
Low
Moderate
High
Legend
Existing Fire Stations
City Limits
Interstate
Major Streets
95
95
215
15
159
141
48
41
9
45
42
43
47
7
44
6
3
1
8
102
2
5
4
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Source: City of Las Vegas Fire and Rescue. October 2009
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FLOOD CONTROL HAZARD SAFETY

The purpose of this section of the Safety & Seismic Safety Plan is to explain how the services of the Las Vegas Public Works Department and the Clark County Regional Flood Control District will be incorporated in the accomplishment of public safety in a comprehensive manner. Discussion will detail how these agencies will interact with the City of Las Vegas per the general policies of the Las Vegas 2020 Master Plan.

INTRODUCTION

Flooding is one of the more severe environmental hazards affecting the Las Vegas Valley area, despite an average annual precipitation of only four inches. Winter storms cover a large area and historically have not produced major flooding. The summertime high-intensity thunderstorms produce a large amount of rainfall in a short time which historically has caused most of the flooding in the area. Washes fill quickly and overflow onto surrounding areas.

Natural and man-made factors contribute to flooding. The natural factor is the presence of predominantly shallow soils overlaying hardpan, a hardened or cemented soil horizon that inhibits the infiltration of rainfall into the underlying soils. Also, there is a lack of natural ground cover shrubs, trees, and grasses that would slow this runoff. The resulting water builds in velocity and quantity as it flows down the washes resulting in downstream flooding. The man-made factor is contributed through development of paved roads, roofs, parking lots, and other impervious surfaces. These provide hard surfaces that prohibit the percolation of water into the area where it falls and collects. The collection and concentration of runoff caused by urbanization can result in an increase in downstream flooding. Development in flood plains without adequate flood control facilities has also resulted in flood damage.

The primary purpose of flood control is to develop a comprehensive Stormwater Management Plan that will safely convey floodwaters through our neighborhoods. The plan must integrate both regional and local drainage programs allowing for the timely elimination of both flooding potential and nuisance drainage problems.

REGIONAL FLOOD CONTROL PLANNING

The Clark County Regional Flood Control District (CCRFCD) was created in 1985 in an effort to enhance regional flood planning and control in Clark County. By December, 1986, the CCRFCD published the Clark County Flood Control Master Plan. Clark County and each of the incorporated cities within the County adopted the Master Plan. NRS Chapter 543 requires that all the local governments in the CCRFCD adopt drainage regulations. The regulations restrict new development in areas known to flood, require drainage studies on proposed new developments to address localized flooding, and require CCRFCD review of all new developments in areas of regional flood control significance.

STORMWATER MANAGEMENT

Stormwater Management emphasizes the need to protect the public from potential flooding while maximizing the usage of these public facilities. This is accomplished through the integrated planning efforts of the CCRFCD and the City of Las Vegas. The CCRFCD Master Plan details the facilities needed to help protect the public. The City of Las Vegas has integrated the CCRFCD Master Plan into detailed Neighborhood Stormwater Management Plans to further define the needs and impacts of potential flooding within the City. These Neighborhood Plans are the guide to development within the City. Additionally, the Uniform Regulations for the Control of Drainage revised effective December 13, 2007 requires that technical drainage

studies be submitted for developments over two acres in size and any project within a flood zone. These studies ensure compliance to the City of Las Vegas Neighborhood Plans and the Clark County Regional Flood Control District (CCRFCD) Master Plan.

Overall stormwater management strategies combine the use of natural and man-made facilities to convey, route, and store the drainage impacts from storms. The designed use of local and Master planned facilities incorporate multiple public functions where practical.

Detention basins must be considered with multi-use recreation facilities whenever feasible. When designed as multi-use facilities, a minimum 10-year pool for stormwater below the recreation facility will be maintained. Natural/unlined channels are encouraged within Master Planned Communities. The City of Las Vegas does not maintain the unlined channels. This responsibility falls to the Master Planned Community. The use of these washes by Master Planned Communities for both drainage and open space/trail systems is encouraged. The trails along natural and concrete lined channels are encouraged to be integrated into the overall Trails Master Plan for the City. The washes must meet the Regional Flood Control Criteria as outlined in the Clark County Hydraulic Criteria and Drainage Design Manual. The design for such facilities must be done through a Technical Drainage Study that is submitted to Public Works.

STORMWATER QUALITY

Stormwater Quality is a joint effort between the federal, state and local governments to assure the continued improvement of our water quality from storm water discharges.

In 1988, the United States Environmental Protection Agency (EPA) proposed regulations that required cities with populations of 100,000 or more to apply for National Pollution Discharge Elimination System (NPDES) permits for controlling stormwater discharges to water ways, such as rivers, streams, lakes, etc. An EPA study indicated that 38 states reported urban run-off as a major cause of water quality impairment in the United States. Stormwater runoff can pick up such contaminants as pesticides and fertilizers from lawns; oil, grease, and fuel from gas stations; and other contaminants from construction sites, restaurants, dry cleaners, lumberyards, landfills, junk yards, and industrial sites.[1] These contaminants find their way directly into bodies of water without going through sanitary treatment first.

Rather than requiring additional treatment plants or expansions to existing plants to accommodate end-of-pipe treatment of stormwater, EPA favors non-structural best management practices (BMPs) and stormwater management plans to control pollutants at their source.[2] BMPs include the following:

- find and remove illicit connections to storm drains instead of sanitary sewers;
- develope and implement local ordinances to reduce pollutants from construction sites, new development sites, and new industrial sites;
- public education on the use of chemical fertilizers and pesticides;
- encourage proper disposal and the recycling of used oil and hazardous wastes from households; and
- improve operations and maintenance practices of commercial enterprises.

The City of Las Vegas is a co-permittee of the Las Vegas Valley NPDES Municipal Stormwater Discharge Permit. The permit designates the CCRFCD as Lead Agency for permit implementation, with CCRFCD and the Cities of Las Vegas, North Las Vegas, Henderson, Clark County identified together as Co-permittees. The effective date of the current permit is June 19, 2003. This permit was reissued based on the original NPDES municipal stormwater discharge permit of December 13, 1990. In compliance with the conditions of the permit, an annual report is prepared in August of each year. The report is organized based on

the "Monitoring Requirements and Conditions" in the new permit and the "Schedule of Compliance, Monitoring Requirements, Best Management Practices and Conditions" in the original permit.

SERVICE STANDARDS

The service standards for Flood Control are those that are required by Nevada Division of Environmental Protection. The standards are the requirements for the implementation of the Best Management Practices set forth in the Las Vegas Valley NPDES Municipal Stormwater Discharge Permit. The City of Las Vegas and the other co-permittees are in full compliance with the requirements of the Las Vegas Valley NPDES Municipal Stormwater Discharge Permit.

THE SYSTEM

The comprehensive drainage and flood control system will integrate both regional and local drainage facilities. The facilities will include detention basins, large diameter pipes, reinforced concrete boxes, natural washes and man-made channels to allow for the mitigation of both flooding potential and nuisance drainage problems.

THE CCRFCD SYSTEM

These facilities include large diameter pipes, concrete channels, man-made channels, reinforced concrete boxes, and detention basins, which are designed to collect the 100-year flow **(Map 5)**. This system includes 15 existing detention basins along with approximately 140 miles of existing storm drains and channels. Construction and maintenance funding of these facilities comes through the Clark County Regional Flood Control District (CCRFCD). Regional facilities provide the infrastructure or trunk lines for the local City system and storm drain facilities.

THE CITY SYSTEM

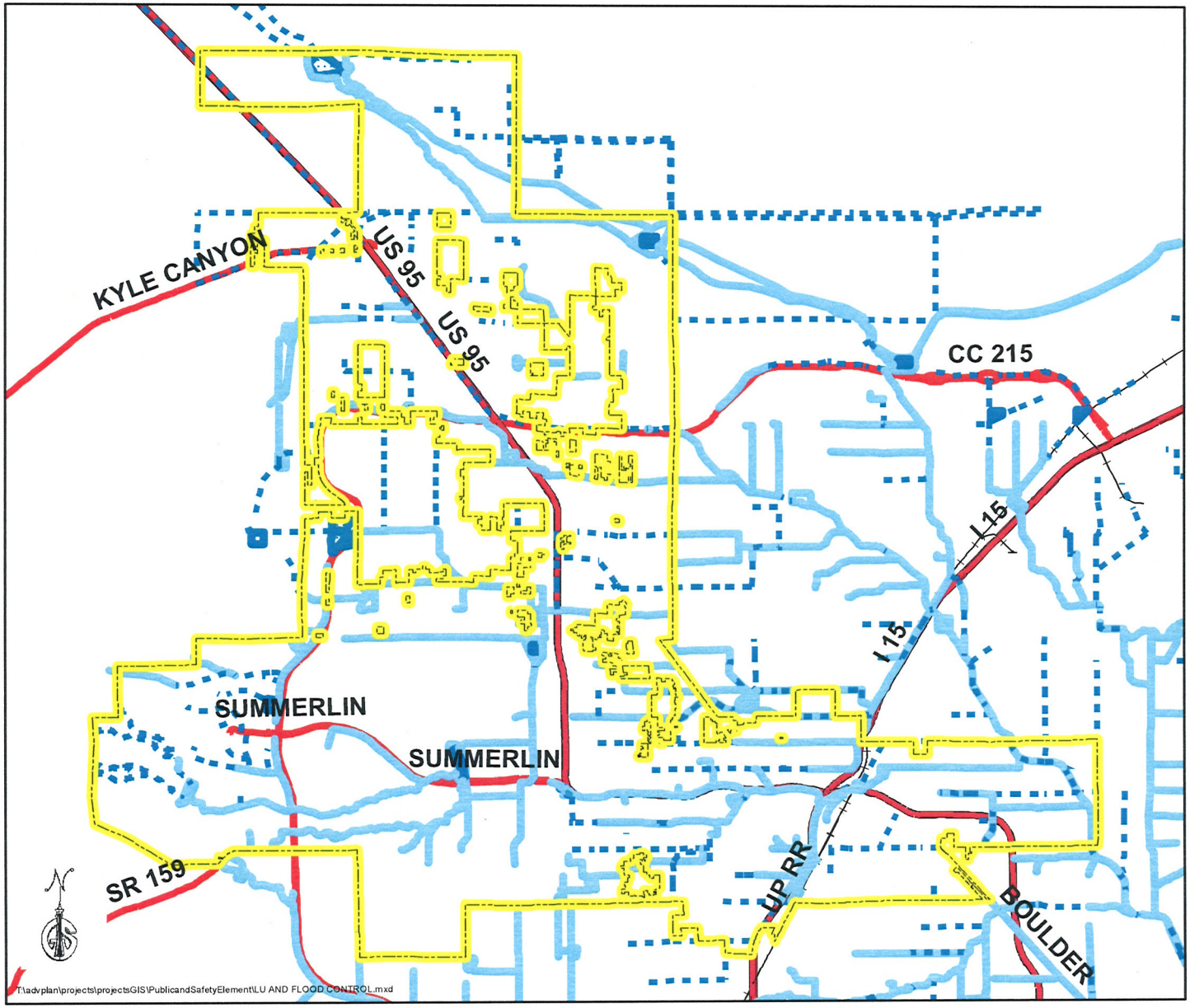
The City system includes smaller diameter pipes, which are designed to collect either 10-year flows, or nuisance flows. There are approximately 240 miles of local facilities within the City. Flood Control has completed three neighborhood drainage studies, which identify proposed local facilities needed within the City. These neighborhood studies serve as the planning tools for development and allow the City to provide the storm drain facilities for both new development and mature neighborhoods. These facilities are constructed primarily within Regional Transportation Commission (RTC) road corridors with RTC projects or with private developments.

CURRENT DEVELOPMENT NEEDS

Proposed developments are required to comply with the Regional Flood Control District's Hydrologic Criteria and Drainage Design Manual. All development projects 2-acres or greater are required to complete a Technical Drainage Study. In the study the engineer identifies the drainage impacts of the project and provides a means to mitigate them.

ADDRESSING FUTURE NEEDS

The proposed drainage facilities will ensure the CCRFCD Design Manual criteria are met which provides for the safe conveyance of stormwater flows. This generally means in RTC road corridors the 10-year flow



MAP 5

City of Las Vegas

Flood Control Facilities

Existing Flood Control (Channels & Basins)

Proposed Flood Control (Channels & Basins)

Printed on: September 17, 2009

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will be intercepted to meet the CCRFCD design manual criteria. The proposed regional facilities will collect the 100-year flows and safely convey them to channels or detention basins. The future system of local and regional facilities will greatly reduce the flooding that currently exists across the valley.

Map 5 shows the planned expansion and improvement of the existing system and how the system will be in 20 years or at system build-out. The major elements of the planned system are the regional drainage facilities. The minor elements are the facilities under the control of local agencies.

ISSUES

1. Areas Prone to Flooding
   The Las Vegas Valley is susceptible to flash floods affecting the safety and quality of life of the residents. Flooding occurs due to heavy localized rainfall combined with the natural topography and soil conditions found in the Valley. Historically, the adverse effects of flooding to Valley residents is due partly to poor planning in the past and to the lack of flood control facilities preceding urbanization.

2. Contaminated Runoff
   Stormwater runoff picks up contaminants such as pesticides and fertilizers from lawns, trash and debris, oil, grease, and gasoline, etc. These contaminants discharge to the Las Vegas Wash and Lake Mead without sanitary treatment. Appropriate stormwater management practices and discharge regulations need to be continually upgraded to provide the necessary improvements to abate polluted runoff.

GOAL, OBJECTIVES, POLICIES AND PROGRAMS

Goal: The City should participate in the protection of the environmental quality of the Las Vegas valley and to promote the conservation of our natural resources.

Objective 4A: Public Works should implement where possible a diversified (which includes use of natural washes or green space such as parks or golf courses), efficient flood control system to protect life and property from severe flood damage at a reasonable cost.

Policy 4A1: Public Works should develop a two-tiered flood control system which should include an appropriate mix of large regional and smaller city neighborhood flood control facilities.

Program 4A1.1: Public Works should implement stormwater channel and drain improvements in accordance with the adopted stormwater management program for the City.

Policy 4A2: The City should continue the implementation of the adopted Master Plan of the Clark County Regional Flood Control District. This Plan provides for construction and maintenance of the large regional component of the City's flood control system, including detention basins, drainage channels and storm drains.

Policy 4A3: Public Works should develop neighborhood master plans consisting of relatively small city drains and other flood control facilities to safely convey flood and nuisance flows to the larger regional facilities. These plans should be prioritized as part of the capital facilities programming process.

DRAFT

Policy 4A4: Public Works should continue the review of plans and drainage studies for new development of property under zoning and subdivision regulations to ensure optimal property drainage in accordance with Uniform Regulations for the Control of Drainage and the Clark County Regional Flood Control District's Hydrologic Criteria and Drainage Design Manual.

Program 4A4.1: Public Works should continue the review of development plans to incorporate, where required, the neighborhood storm drain system plans for the City and the master plan for Clark County Regional Flood Control District.

Policy 4A5: Public Works should investigate and, where necessary, implement funding mechanisms for city neighborhood stormwater capital programs. Funding sources may include, but not be limited to, special improvement districts or stormwater utility fees.

Policy 4A6: Public Works should continue the inspection and maintenance of existing stormwater facilities to provide for the safe and efficient passage of flood water.

Policy 4A7: Public Works should continue to maintain a broadly based Flood Hazard Reduction Program which meets the requirements of the National Flood Insurance Program (NFIP). The City should continue to participate in the federal Community Rating System, thus assuring the availability of flood insurance to city residents and businesses at the least possible cost.

Policy 4A8: Public Works should continue to support the update of Flood Insurance Maps for existing city areas and to create new maps for developing areas, subject to FEMA review.

Objective 4B: The City should continue to participate in a multi-jurisdictional effort to develop, implement and monitor water quality standards for stormwater discharge.

Policy 4B.1: Public Works should continue to implement the comprehensive Stormwater Quality Management Plan in accordance with the valley-wide NPDES stormwater discharge permit.

Program 4B1.1: Public Works should continue to be a participant in valley-wide programs for stormwater quality management.

Program 4B1.2: Public Works should initiate the implementation program for the Stormwater Quality Management Plan.

Program 4B1.3: Public Works should continue to inventory the existing stormwater facilities to address nonpoint pollution sources.

Program 4B1.4: Information Technologies Department should encourage the use of the City Geographic Information System (GIS) in coordination with Clark County GIS in the creation and maintenance of Stormwater Quality Management Plan data to evaluate the plan's effectiveness.

Policy 4B2: Public Works should modify City regulations as needed in order to implement stormwater quality discharge standards as they are developed by the State and the U.S.

Environmental Protection Agency.

Program 4B2.1: Public Works should coordinate with all appropriate entities and agencies in the Valley to establish individual stormwater quality responsibilities and to prepare a funding strategy.

SEISMIC HAZARD SAFETY

The purpose of this section of the Safety & Seismic Safety Plan is to explain how the services of the City Las Vegas will be incorporated in the accomplishment of public safety in a comprehensive manner as it relates to seismic hazards. Discussion will detail how the City of Las Vegas should interact with other government agencies per Policy 7.3.3 of the 2020 Master Plan.

SEISMICITY/EARTHQUAKE HAZARDS

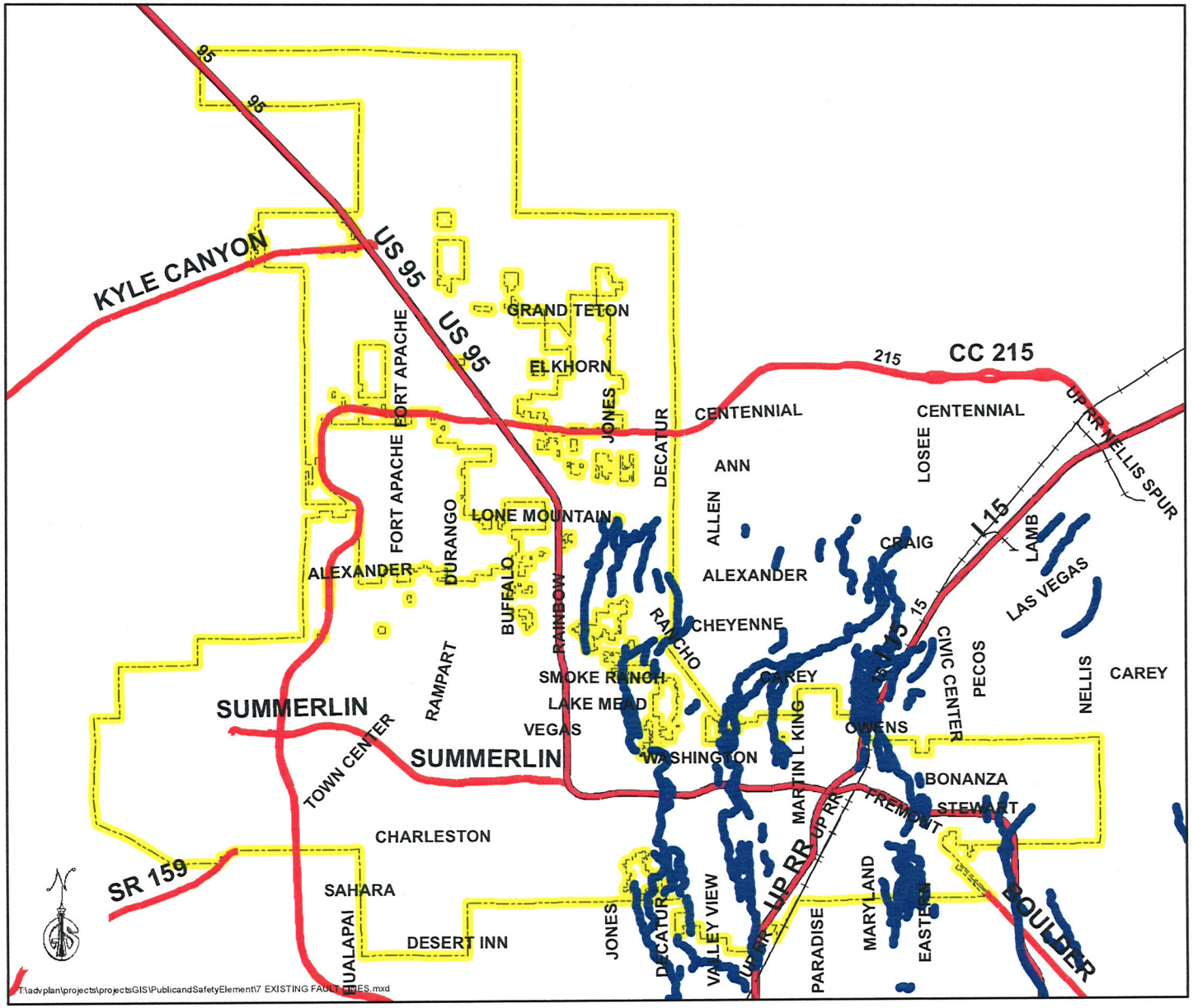
Seismic activity in the Las Vegas Valley has been and is related to man-made and natural causes. Man-made seismic activity has resulted from underground nuclear testing. It was generally of short duration with the only effect being minor inconvenience to those that experienced the tremor. There is no evidence that any structural damage to local buildings has resulted from nuclear testing. However, between 1974 and 1976, there were claims that nuclear testing and the resulting subsidence damaged a number of wells in the Northwest part of the valley. The U.S. Department of Energy established a monitoring program in 1976 that included a number of technical surveys such as: level line, tiltmeter, hydrograph and seismic station surveys. The results of these surveys led to the conclusion that land subsidence was occurring continually with no direct correlation to nuclear events.[3]

Natural causes of seismic activity are due to shifts in the earth's crust. Faulting results from the differential or shearing motion of the earth's crust. Tectonic faulting is found in the Las Vegas Valley and the surrounding mountains. These faults resulted from plate movement that occurred in the middle to late Pleistocene era and traverse the Las Vegas Valley floor in a north-south trending series (**Map 6**). A good example of a major active tectonic fault is the San Andreas Fault running up the coast of California from San Diego to San Francisco. Movement along this fault has resulted in numerous costly earthquakes.

Major earthquake activity in Nevada is concentrated along a series of faults extending in a northerly direction from the Owen's Valley in California to Winnemucca, with the greatest activity in the Reno/Winnemucca/Tonopah triangle, nearly two hundred miles northwest of the Las Vegas Valley.[4] In Clark County there have been no major earthquakes. However, tremors of intensities ranging between VI and VII on the Modified Mercalli Scale have been felt in the Clark County area as a result of strong earthquakes in west-central Nevada and Southern California. Because of these occurrences, the Las Vegas area is classified in Seismic Zone 2B of the Uniform Building Code (UBC) so that construction should remain sound if subjected to Modified Mercalli Scale intensities of VII (see **Map 7**).

TOPOGRAPHY AND SOIL TYPES

The Las Vegas Valley area lies in the southwestern part of the Great Basin, within the Basin and Range physiographic province. The valley is bound on the west by the Spring Mountains, the highest range in Clark County. This range contains Charleston Peak which is the third highest peak in Nevada at 11,918 feet. To the north the valley is bounded by the Desert, Sheep, and Las Vegas Ranges; on the east it is bounded by the Frenchman and Sunrise Mountains; and on the south by the River Mountains and the McCullough Range.[5] Major drainage in the Las Vegas Valley flows through the Las Vegas Wash to Lake Mead. The floor of this



MAP 6

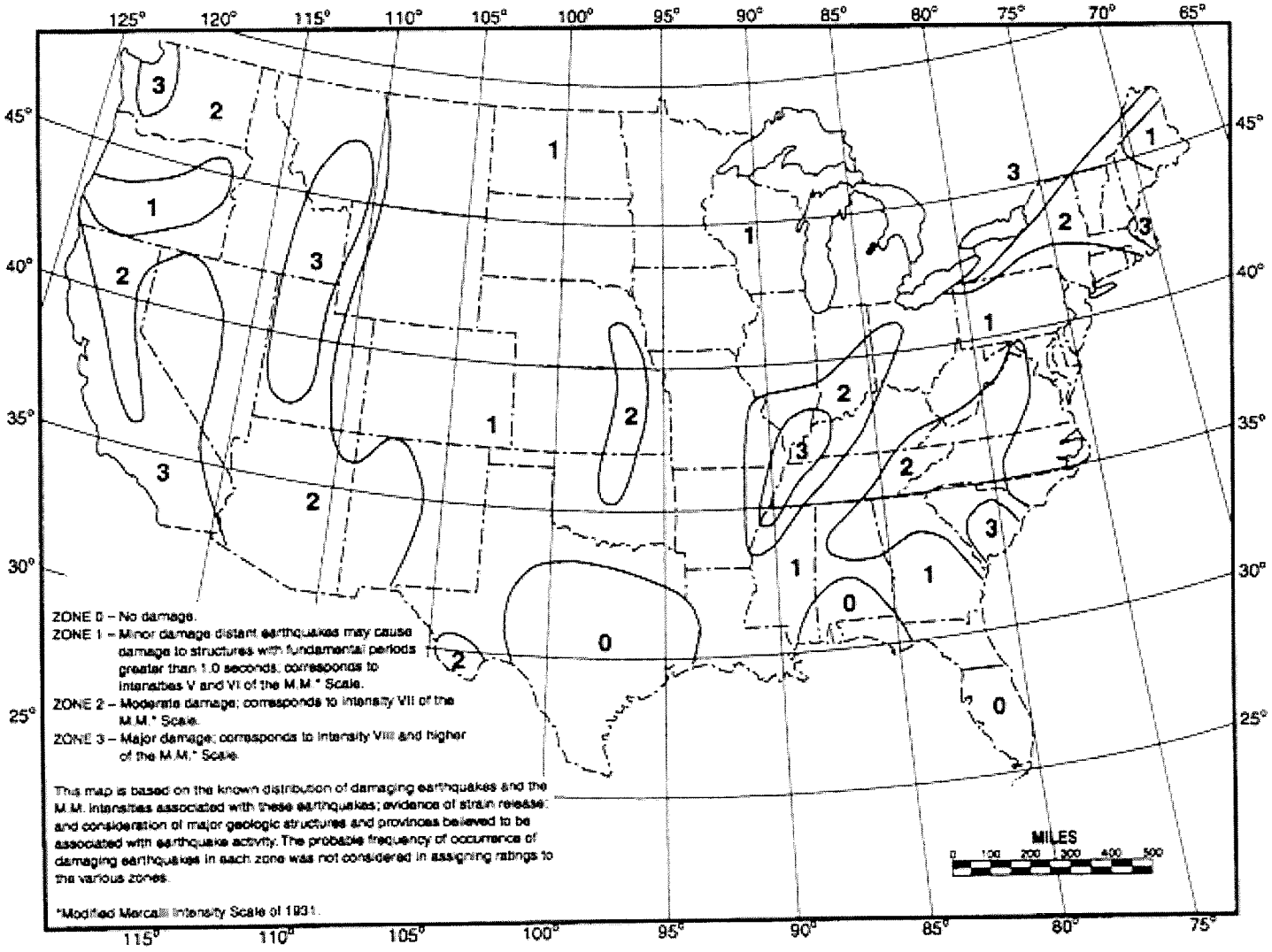
City of Las Vegas

Existing Fault Lines

Fault Lines

Printed on: September 17, 2009

MAP 7


125° 120° 115° 110° 105° 100° 95° 90° 85° 80° 75° 70° 65°
45° 40° 35° 30° 25°
ZONE 0 – No damage.
ZONE 1 – Minor damage distant earthquakes may cause damage to structures with fundamental periods greater than 1.0 seconds; corresponds to intensities V and VI of the M.M.* Scale.
ZONE 2 – Moderate damage; corresponds to intensity VII of the M.M.* Scale.
ZONE 3 – Major damage; corresponds to intensity VIII and higher of the M.M.* Scale.
This map is based on the known distribution of damaging earthquakes and the M.M. intensities associated with these earthquakes; evidence of strain release; and consideration of major geologic structures and provinces believed to be associated with earthquake activity. The probable frequency of occurrence of damaging earthquakes in each zone was not considered in assigning ratings to the various zones.
*Modified Mercalli Intensity Scale of 1931.
MILES
0 100 200 300 400 500
115° 110° 105° 100° 95° 90° 85° 80° 75°

basin ranges from 1,800 to 2,500 feet in elevation. The basin floor is bounded on all sides by alluvial fans or aprons with slopes of 50 to 150 feet per mile and pediment surfaces (collectively called piedmont surfaces). Many of these piedmont surfaces are old and occur only as remnants, the most prominent being Whitney and Paradise Mesas in the southern part of the valley.[6]

The sedimentary formations in the Mountain Ranges consist mainly of limestone and mixtures of sandstone, shale, dolomite, gypsum, and in some places, interceded quartzite. The alluvial fan piedmont is composed of many coalescing fans dissected by numerous drainage channels. The upper portion of the fan piedmont, about 4,500 feet above sea level, is made up of poorly sorted gravelly, cobbly, and stony sand deposits that grade to finer textured material near the valley floor. The basin floors are depositional areas of lake-laid silt and clay and younger alluvial deposits.[7]

Soil formation and deposit characteristics are an important consideration in land use planning and land development decisions. Location of soil types can be used to identify the potentials and limitations of an area for specific land uses and to help prevent construction failures caused by particular soil properties, i.e., slope, depth, drainage, and physical characteristics. For example, impervious soil horizons are an important factor in desert flooding. Construction costs for building roads and preparing building sites are higher in shallow soils overlaying hardpan due to the need for heavy equipment such as backhoes, rippers, and trenching machines to penetrate the hardpan. Occasionally, blasting is necessary. Soils that are moderately to strongly alkaline can cause corrosive chemical reactions to uncoated steel and concrete. The shrink/swell potential of soils is a factor in soil movement that could damage foundations (see also discussion on subsidence, section 5.3, specifically "collapsible soils").

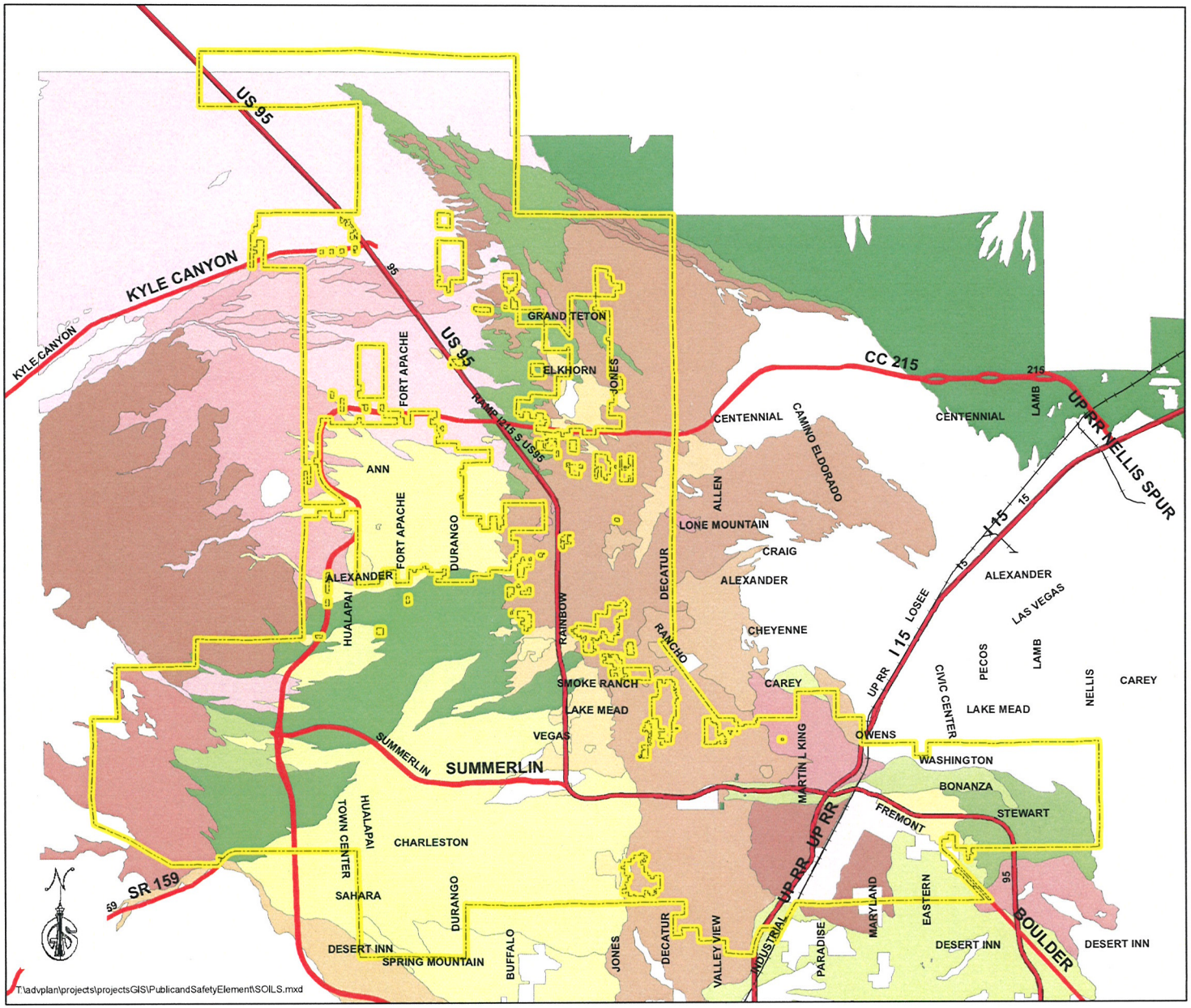
Consideration of the impacts of adverse soil and deposit characteristics is conducted through the permit review process. The review of building plans for geologic hazards, the requirement of a soil engineering report of non-residential development plans, and a geo-technical investigation report on any housing development within 500 feet of a documented fault or fissure are incorporated in the current plot/site plan review process currently being conducted by City staff.

As of this update, staff is not aware of any areas of the city which have seismic or subsidence problems which cannot be mitigated. However, if the existence of such areas becomes known, then the City of Las Vegas should consider a policy that discourages development of such areas and encourages amendments to the Land Use Plan to properly reclassify those areas unsuitable for development because of geologic conditions. If appropriate, a subsidence district could be designated so monitoring can be conducted and mitigation measures determined and carried out when necessary.

Beginning with data available from the Clark County Building Department and in cooperation with the other neighboring governments and agencies, the city maintains and periodically updates maps of documented areas of collapsible soils, subsidence, faulting and fissuring within the city limits. The city makes available to the public information concerning documented areas of seismic hazard, subsidence, and poor soil conditions.

Table 1, Soil Impacts, summarizes individual soil type and **Map 8**, Soils Map, indicates where these soils are within city limits. The information presented in the table and maps are intended as a general representation and not for the purpose of determining hazards to construction. For example, use of this information does not substitute the need for site-specific soils analysis. The following terms and characteristic ratings are used in the table.

- Shallow Excavations:
  Rated by the ease of digging, filling, and compacting soils for trenches or holes dug to a maximum depth



MAP 8

City of Las Vegas

SOILS MAP
Soil Classifications

- Arizo very gravelly loamy sand, flooded, 0 to 4 percent slopes
- Badland
- Boxspring-Zeheme-Rock outcrop association
- Canutio gravelly fine sandy loam, 0 to 2 percent slopes
- Canutio-Cave gravelly fine sandy loams, 2 to 8 percent slopes
- Cave gravelly fine sandy loam, 0 to 4 percent slopes
- Cave gravelly fine sandy loam, 4 to 15 percent slopes
- Dalian very cobbly fine sandy loam, 2 to 8 percent slopes
- Dalian very gravelly fine sandy loam, 2 to 4 percent slopes
- Dalian-McCullough complex, 0 to 4 percent slopes
- Glencarb very fine sandy loam, hardpan substratum
- Glencarb very fine sandy loam, saline
- Goodsprings gravelly fine sandy loam, 2 to 4 percent slopes
- Jean complex, 2 to 4 percent slopes
- Jean gravelly loamy fine sand, 2 to 4 percent slopes
- Jean very gravelly loamy fine sand, 2 to 4 percent slopes
- Land silt loam, drained
- Land silty clay loam
- Las Vegas gravelly fine sandy loam, 0 to 2 percent slopes
- Las Vegas gravelly fine sandy loam, 2 to 4 percent slopes
- Las Vegas-DeStazo complex, 0 to 2 percent slopes
- McCarran fine sandy loam, 0 to 4 percent slopes
- Paradise silt loam
- Pits, gravel
- Purob-Irongold association
- Rock outcrop-St. Thomas complex, 15 to 30 percent slopes
- Skyhaven very fine sandy loam, 0 to 4 percent slopes
- Spring clay loam
- Tencee very gravelly fine sandy loam, 2 to 8 percent slopes
- Urban land
- Vace-Wechech association
- Water
- Weiser extremely gravelly fine sandy loam, 2 to 8 percent slopes
- Weiser-Wechech association

Printed on: September 18, 2009

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GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.

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of five to six feet. The ease of digging is affected by depth to bedrock, a cemented pan, or a very firm dense layer; stone content; soil texture; and slope. The limitations are slight if soil properties and site features are generally favorable for excavation; moderate if soil properties and site features are not favorable and special planning, design, or maintenance is needed to overcome or minimize the limitations; and severe if soil properties or site features are so unfavorable or so difficult to overcome that special design; significant increases in construction costs, and possibly increased maintenance are required. Special feasibility studies may be required where soil limitations are severe.

DRAFT

Table 1: Soil Impacts

Soil Name	Typical Map Symbol	Shallow Excavations	Risk of Corrosion Uncoated Steel	Concrete	Shrink-Swell Potential
Arizo	112	Severe: Cutbacks Cave	High	Low	Low
Cave	152	Severe: Cemented Pan, Cutbanks cave	High	Low	Low
Cave	155	Severe: Cemented Pan, Cutbanks cave	High	Low	Low
Dalian	190	Slight	High	Low	Low
Dalian	191	Slight	High	Low	Low
Dalian-McCullough	192	Slight	High	Low	Low
Glencarb	200	Slight	High	Moderate	Low-Moderate
Glencarb	236	Slight	High	High	Low-Moderate
Glencarb	237	Moderate: Cemented Pan	High	Low	Low-Moderate
Goodsprings	240	Severe: Cemented Pan, Cutbanks cave	High	Low	Low
Jean	260	Severe: Cutbacks Cave	High	Low	Low
Jean	263	Severe: Cutbacks Cave	High	Low	Low
Jean	264	Severe: Cutbacks Cave	High	Low	Low
land	270	Moderate: too clayey, wetness	High	High	Low-Moderate
land	282	Moderate: too clayey, wetness	High	High	Low-Moderate
Las Vegas	300	Severe: Cemented Pan	High	High	Low
Las Vegas	301	Severe: Cemented Pan	High	High	Low-Moderate
Las Vegas Destazo	305	Severe: Cemented Pan	High	High	Low-Moderate
McCarran	325	Slight	High	High	Low
Paradise	341	Moderate: wetness	Low		
St Thomas	360	Severe: depth to rock, large stones, slope	High	Low	Low
Skyhaven	380	Severe: Cemented Pan	High	High	Low-Moderate
Spring	390	Slight	High	High	Moderate

Soil Name	Typical Map Symbol	Shallow Excavations	Risk of Corrosion Uncoated Steel	Concrete	Shrink-Swell Potential
Tencee	400	Severe: Cemented Pan	High	Low	Low
Canutio	501	Moderate: large stones	High	Low	Low
Canutio-Cave	502 Moderate: large stones	High	Low	Low	
Weiser	540	Slight	High	Low	Low
Pits-Gravel	610	N/A	N/A	N/A	N/A
Urban land	615	N/A	N/A	N/A	N/A
Badland	630	N/A	N/A	N/A	N/A

- Risk of Corrosion:
  Pertains to potential soil-induced electrochemical or chemical action that dissolves or weakens uncoated steel or concrete. For uncoated steel, the risk of corrosion, expressed as low, moderate, or high, is based on soil moisture, particle-size distribution, acidity, and electrical conductivity of the soil. For concrete, the risk of corrosion is also expressed as low, moderate, or high. It is based mainly on the sulfate and sodium content, texture, moisture content, and acidity of the soil. Special site examination and design should be required if the combination of factors creates a severe corrosion environment.

- Shrink-Swell Potential:
  The potential for volume change in a soil with a loss or gain in moisture. Volume change occurs mainly because of the interaction of clay minerals with water and varies with the amount and type of clay minerals in the soil. When the shrink-swell potential is rated moderate to very high, shrinking and swelling can cause damage to buildings, roads, and other structures. Special design is often needed. Shrink-swell potential classes are based on the change in length or diameter of an unconfined clod (of soil) as moisture content is increased from air-dry to saturation. The change is based on the shrinkage or expansion of less than 2 millimeters in diameter. The classes are low, a change of less than 4 percent; moderate, 4 to 8 percent; and high, 8 to 12 percent. Critical, greater than 12 percent, is sometimes used.

SUBSIDENCE

Land subsidence, or the lowering of the earth's surface, can be due to natural causes or man-made processes. These causes are grouped into two categories: endogenic and exogenic subsidence.[8] Endogenic subsidence occurs within the earth and is due to tectonism, volcanism, and continental drift. Exogenic subsidence occurs mainly at the earth's surface and can result from natural causes as well as be induced by the activities of man.

Exogenic subsidence is basically the result of a loss of support. There are three processes that could result in a loss of support. First, loss of support can be caused by fluid extraction as in the case of groundwater withdrawal. Second, loss of support on a regional scale can be caused by an increase of loading from the weight of a body of water such as a lake. A third process that could cause a loss of support is the adding water to, or saturating, of a collapsible soil that has a susceptible structure due to water soluable binding agents. According to John Bell of the Nevada Bureau of Mines and Geology (NBMG), when "dry loose density soils are wetted they undergo compaction due to loss of intergranular strength." Water dissolves the binding agents, such as gypsum, and the soils collapse possibly under their own weight. Collapse is almost certain if in addition the collapsible soils have been supporting a house or some other structure.

Regional subsidence in the Las Vegas Valley was due to the creation of Lake Mead. The weight of the lake and its sediment load is over forty million tons. This weight along with tectonic activity already having occurred in the area is thought to have tilted the Las Vegas Valley four to five inches. However, this regional subsidence is thought to have had little effect on subsidence related problems in the Las Vegas Valley. These tend to be localized. Groundwater withdrawal is thought to be the most common reason for localized ground subsidence in the Las Vegas Valley.

Land subsidence in the Las Vegas Valley has been studied for more than fifty years. In 1978, a panel of U. S. Geological Society (USGS) scientists investigated the potential hazard posed by the subsidence problem concluding that a potential hazard for fissuring and surface faulting existed due to groundwater withdrawal in the valley. The USGS released a Notice of Potential Hazard in accordance with the Disaster Relief Act of 1974. As a supplement to the USGS Notice of Potential Hazard, NBMG prepared a comprehensive overview and analysis of subsidence in the Las Vegas Valley. The report was completed in 1981. This report has been and should continue to be updated by several research groups with NBMG serving as the lead agency. Table 2, Specific Cases of Damage Caused by Subsidence, is a summary of the report and documents the effects of subsidence valley wide. **Map 9** details the location of the cases and the variations of soil elevation due to subsidence.

Table 2: Specific Cases of Damage Caused by Subsidence

Map ID	Type of Damage	Location	Date of Occurrence	Remarks
1	Protruding well	Las Vegas Valley Water District Well Field No. 5	1963	1.5 ft. of protrusion
			As of 1978	4 ft. of protrusion of well head, casing pumping in 1971; pumped much sand.
2	Protruding well	City of N. Las Vegas Stocker (west tank) Well	1936- 1963	3 ft. of protrusion
			1963- 1969	6 in. protrusion; causing 19 replacements in 1969; shows no present protrusion.
3	Protruding well	City of North Las Vegas Losee Well	1968- 1971	7 in. protrusion; casing replaced in 1969; shows no present protrusion.
4	Protruding well	City of North Las Vegas Tonopah Well	Unknown	
5	Protruding well	City of North Las Vegas Tonopah Well	Unknown	Presently shows 6 in. of protrusion with broken well pad.
6	Protruding well	Nellis AFB area Nellis Well No. 4		Wellhead and pad show 4 in. of protrusion.
7	Protruding well	City of North Las Vegas LVVWD Well No. 57	As of 1978	2.5 ft. protrusion of casing; well abandoned.
8	Warping of railroad tracks	UPRR at Owens Ave.	1961	5 in. gradual displacement; 6 in. rapid displacement associated with fissuring.

Map ID	Type of Damage	Location	Date of Occurrence	Remarks
9	Damaged house	Harrison and Owens	1961	2 in. rupture in house believed result of fissuring.
10	Damaged house	Near Craig Ranch near Country Club	Unknown	Reportly large separation
11	Damaged house	Twin Lakes Drive between Bonanza Rd. and Washington Ave.	Pre 1974	Two residences damaged; extent of damage unknown; online with fissures from LVVWD well field.
12	Damaged house	Adams St at Las Vegas Blvd.	Pre 1963	Result of movement on scarp III.
13	Popped windows, cracked driveways, broken curbs	Twin Lakes Drive area	Pre 1965	Attributed to movement on scarp II.
14	Cracked pavement and curbs	Between Owens and Harrison Aves. And A and B Sts.	Pre 1970	Accompanied renewed fissuring.
15	Cracked pavement	Commerce St. near Losee Well	Pre 1971	
16	Cracked pavement	Craig Rd. near Nellis AFB well filed	Unknown	
17	Cracked asphalt in playground	Gilbert School in North Las Vegas	Unknown	Occurs where fissure extends beneath pavement.
	Well failures	Strip area	1970- 1974	At least two failures due to sheared casing.
18	Damaged wells	Northwest of North Las Vegas Airport	1974- 1976	15 claims or complaints of: decreased productivity, turpid or sandy water, and deformation of casing.
19	Ruptured water mains; damaged pavement	Charleston Blvd at Maryland Pkwy.	1964	$10,000 damage reportly related to movement on scarp III.
20	Ruptured water main	Highland Ave at Hastings Ave.	1964	$2,000 damage
21	Ruptured water main	1626 Thelma Ln	1964	$1,500 damage
22	Ruptured water main	12th St between Bonneville and Clark Aves.	1964	$1,500 damage
23	Ruptured water main	1128 Francis Ave	1964	$14,000 damage
24	Ruptured water main	400 E. Garces Ave	1964	$12,000 damage
25	Ruptured water mains	Near Owens Ave and UPRR	1961	Related to fissuring

Map ID	Type of Damage	Location	Date of Occurrence	Remarks
26	Warped sewage line	Charleston Blvd. Between Eastern Ave. and Pecos Rd.	Unknown	Differential movement attributed to land subsidence; lowered flow gradient required construction of new line.
27	Ruptured gas line	Washington Ave near Twin Lakes Dr.	Unknown	Two reported breaks attributed to movement on scarp II.
28	Ruptured swimming pool	Near Commerce St. and Losee Rd.	Unknown	Concrete pool back rotated and cracked; attributed to movement on scarp III.
29	Buckled drainage channel	In Flamingo Wash	1974	

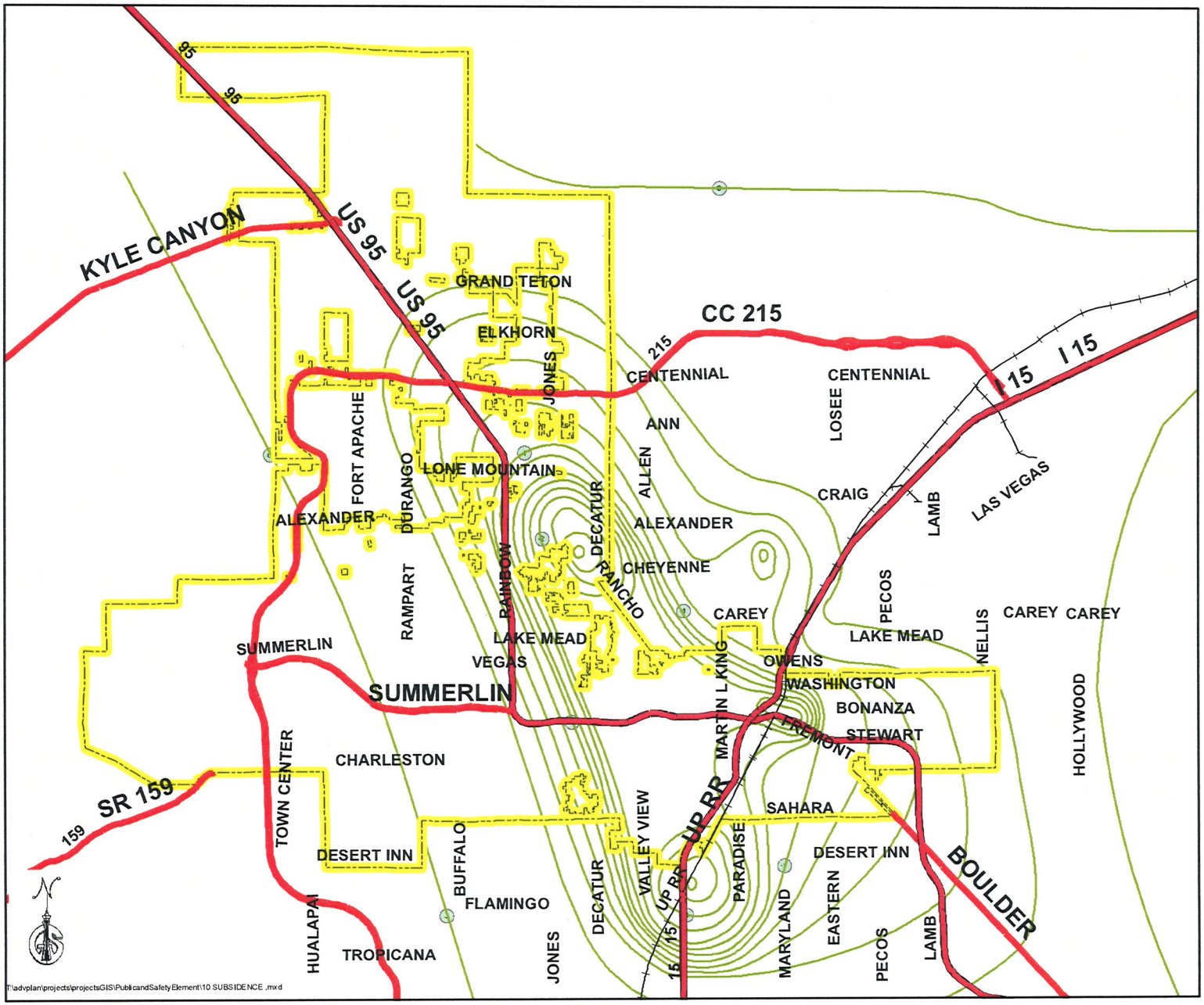
Source: Appendix, 1992 City of Las Vegas General Plan

Parallel to this update, the NBMG is spearheading an integrated modeling research project within the University System, known as Subsidence Modeling and Prediction. **Map 10** shows those areas most susceptible to subsidence. Emphasis is on the poorly understood phenomenon of horizontal movement and related fissuring. Participants in the study intend to establish a reliable method of predicting fissure initiation and propagation.

It is important to understand the distinction between "fault movement" and "fissure movement". Fault movement is associated with the release of natural forces, while fissure movement is associated with hydraulically driven forces associated with groundwater withdrawal. Fissures tend to occur near faults for very good reasons, but what causes fissure movement is very different from what causes fault movement. Thus, one can understand why exploring the causes of groundwater withdrawal related fissures and possibly discovering a method of making accurate predictions about when and where they should occur is very important in the Las Vegas Valley. The results of the study should provide a significant management tool for government agencies, public utilities and private industry in order to avoid or mitigate the potential hazards of subsidence.

According to ongoing analysis, subsidence is continuing at a rate similar to that found during the 1950s and 1960s when pumping of groundwater was at its peak. However, the magnitude and location of the subsidence effects varies according to the hydraulic connection between geologic strata underlying areas of groundwater withdrawal. Coarse grain deposits (sand and gravel) are less susceptible to vertical compaction and recover well when recharged. In contrast, fine-grain deposits (silts and clays) are highly compressible and are not as likely to recover from groundwater withdrawal when recharge begins. Soil samples taken from basin-fill sediments show that the most compressible deposits are located in the center of the Las Vegas valley basin near the city of Las Vegas (**Map 11**). The Subsidence Modeling and Prediction research plan mentioned above should help identify those areas susceptible to subsidence.

Map 10 also shows areas of the Las Vegas Valley that have experienced land subsidence due to the effects of groundwater withdrawal. Consequences of the valley floor sinking include evidence of new fissuring and possible spreading of existing faults and fissures. In most cases, these were originally caused by a combination of tectonic activity and the natural dewatering and subsequent compaction of basin-fill sediments during the warm, dry Pleistocene interglacial period.



MAP 9

City of Las Vegas

Subsidence Potential

Contour

Contour interval: 0.5 ft
except for 0.1 ft contour.
All contours are approximately located.

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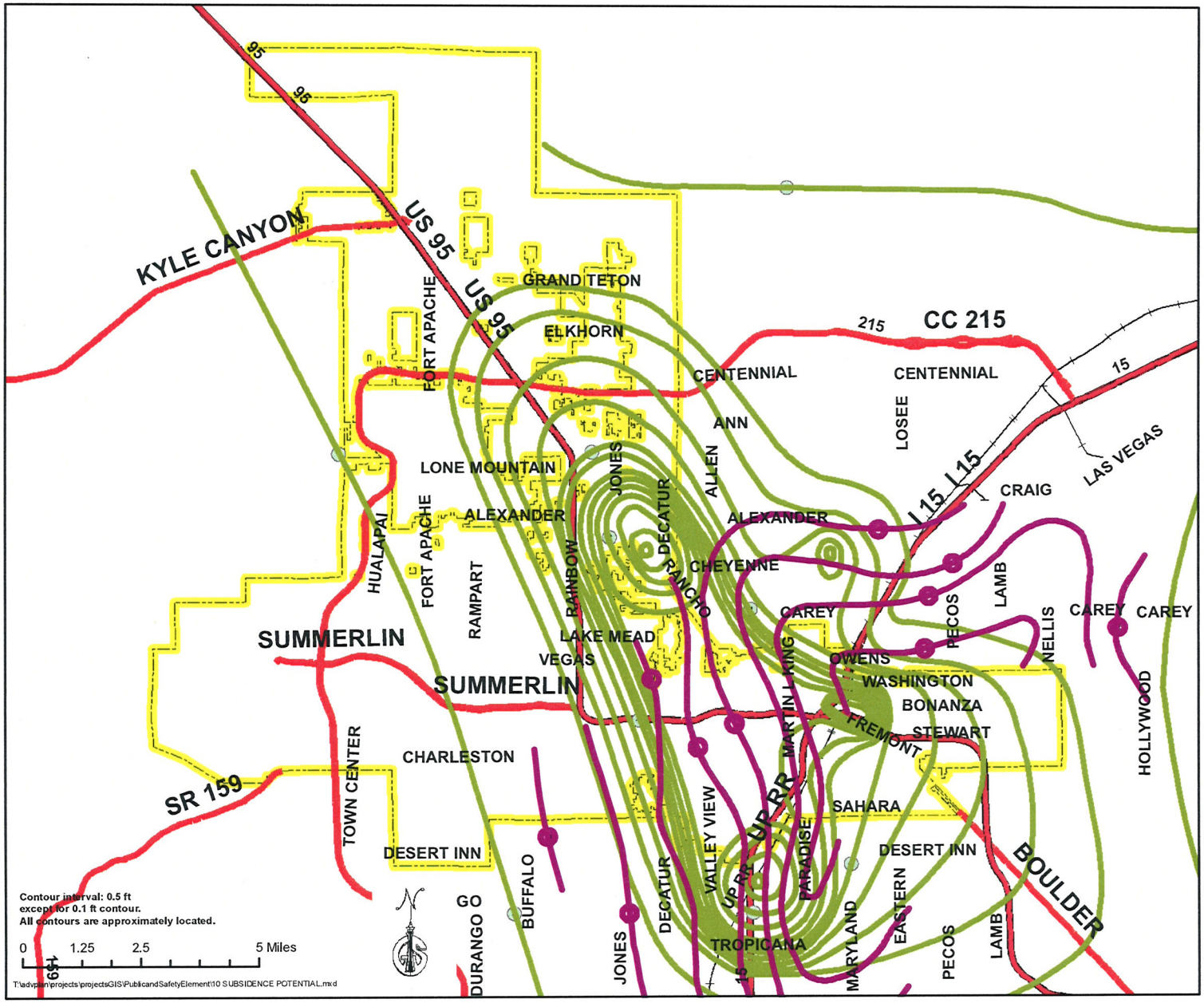

MAP 10

City of Las Vegas

Subsidence/Soil Compressibility

Land Subsidence
(Contour Interval 0.2 ft)

Soil Compressibility
(Contour Interval 0.2ft)

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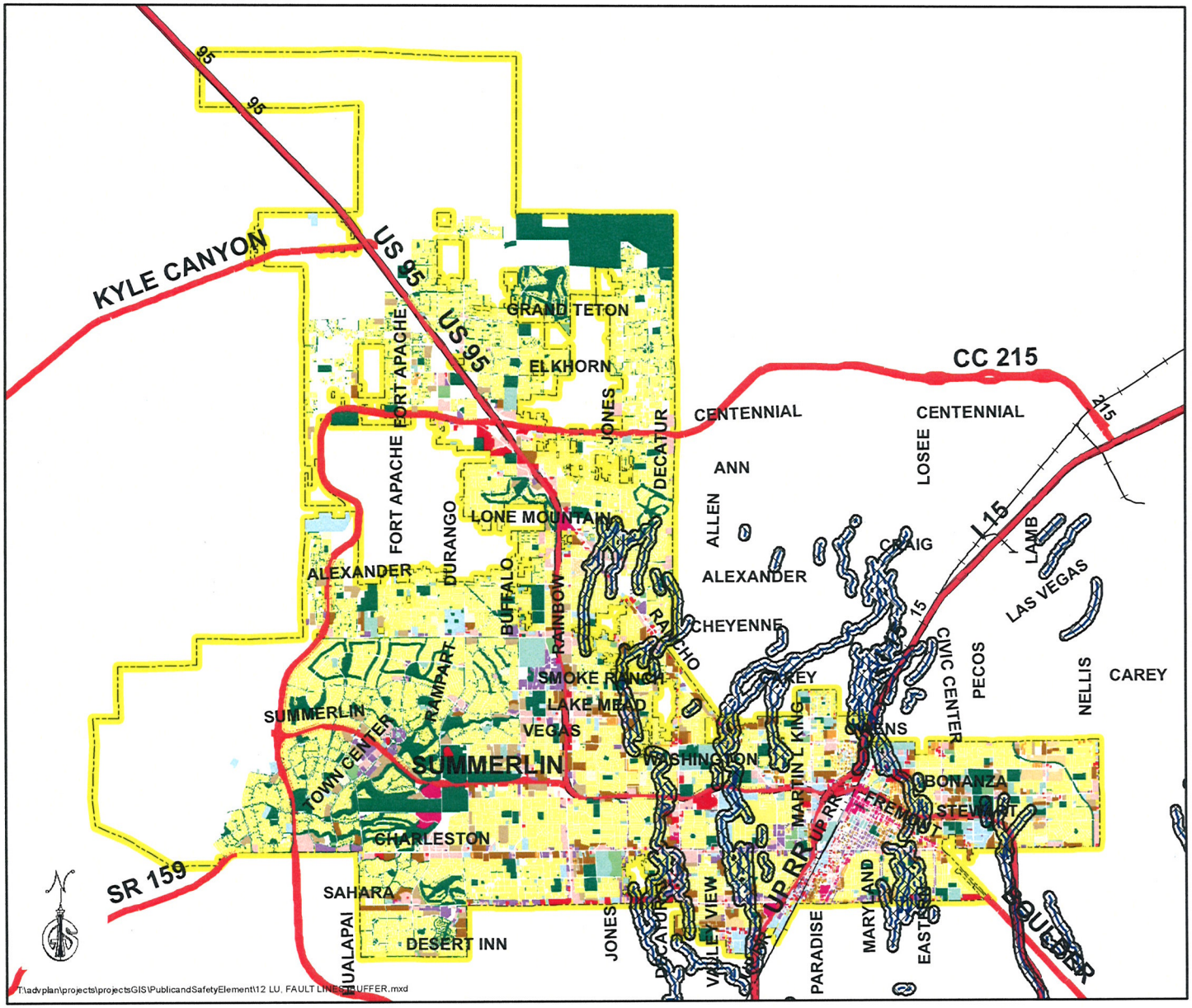

MAP 11

City of Las Vegas

EXISTING LAND USE with Fault Lines

- Single Family
- Mobile Home
- Duplex
- Townhouse
- Condominium
- Apartment
- Group Quarters Facility
- School/Park/Open Space
- Non-Profit Organization
- Tourist Commercial
- Office
- Service Commercial
- General Commercial
- Ind/Comm/Trans/Utility
- Fault Lines
- 500 foot Buffer

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Not all damage of this nature is caused by groundwater withdrawal, however. According to geologists and building officials there are localized problems associated with different types of soils and sometimes poor construction techniques. Updates of the 1981 subsidence report should contain a more thorough analysis of these differences. In the meantime, some governmental entities have initiated a policy that discourages the building of structures on land already documented as a subsidence area. For example, the Clark County School District currently rejects new school site locations if they are located in areas where subsidence damage has occurred in the past. Sites located on or near fissures caused by groundwater withdrawal would be expensive to build on and maintenance costs could be higher over time due to the resulting structural changes in the building. The Las Vegas office of the Department of Housing and Urban Development issued new guidelines requiring anyone building within 500 feet of a mapped fissure or fault to perform a geotechnical study as a condition for receiving federal assistance (**Map 11**). The City of Las Vegas Department of Public Works presently requires a soils investigation on any new construction and depending on the outcome of that report construction recommendations will be stipulated.

SUMMARY

The subsidence problem will continue to occur as long as groundwater withdrawal exceeds annual recharge, natural or injected. The most damaging result will be the spreading of existing fissures and the likely formation of new ones. These phenomena will make such things as the enforcement of adequate construction regulations necessary. It will also require consideration of land use density restrictions on susceptible geographic areas. The NBMG study referenced above should be used by the City of Las Vegas to map high hazard areas. Then, policy can be made regarding the safe use of the land.

Seismic activity in the Las Vegas Valley has had significance in a geologic sense and in geologic time. Current building practices have been adequate to withstand seismic activity both man-induced through nuclear testing and natural from earthquakes. Research intending to update local seismic information may result in more stringent building standards. The pivotal issue in the valley is dealing with certain geologic deposits that are susceptible to horizontal movement and fissuring that may cause structural damage to buildings. Efforts to stabilize groundwater withdrawal practices should be prioritized locally and through State level legislation.

ISSUES

Existing in the Las Vegas Valley are soil and geologic conditions that are susceptible to subsidence problems. Continued withdrawal of groundwater in excess of annual recharge contributes substantially to the subsidence problem. In order to mitigate this phenomenon, efforts to stabilize groundwater withdrawal practices should have higher priority locally than through State level legislation. In the meantime, research, conducted and coordinated by an interagency body such as the Southern Nevada Regional Planning Coalition, will be funded that should develop prediction methods (especially of fissuring events) and continue to update data that can be used to determine development opportunities and constraints due to geologic hazards such as seismic hazards, collapsible soils, subsidence and related groundwater management practices in the Las Vegas Valley.

GOAL, OBJECTIVES, POLICIES AND PROGRAMS

Goal: The City should participate in the protection of the environmental quality of the Las Vegas valley and to promote the conservation of our natural resources.

Objective 5A: The City should preserve life and property from geologic hazards such as seismic hazards, subsidence and related groundwater management practices, and poor soil conditions such as

collapsible soils.

Policy 5A1: Building and Safety should continue the review of building plans for geologic hazards, i.e., collapsible soils, faults and fissuring, and subsidence.

Program 5A1.1: Public Works and Information Technologies should continue to maintain and periodically update maps of documented areas of collapsible soils, subsidence, faulting and fissuring with the latest data available from research.

Policy 5A2: In cooperation with neighboring agencies, the City should develop a policy which shall include, but not be limited to, discouraging development where seismic problems cannot be mitigated, and prepare land use amendments to properly reclassify areas.

Program 5A2.1: As part of development review, the Planning and Development Department should review applications in terms of seismic problems.

Program 5A2.2 If it is determined that there are areas in the city where seismic problems cannot be mitigated the City shall amend the Land Use Plan to prevent development.

Policy 5A3: The city should make available, to the public, information concerning documented areas of seismic hazard, subsidence, and poor soil conditions.

NOISE HAZARD SAFETY

The purpose of this section of the Safety & Seismic Safety Element is to protect people living and working in the city of Las Vegas from an excessive noise environment. Through advance planning and shared responsibility, city government and developers, working cooperatively with Federal and State governments, can plan, design, and construct new development projects and roadways that minimize the adverse effects of noise on the environment. This section details the maximum acceptable levels of noise per Policy 7.3.4 of the Las Vegas 2020 Master Plan.

INTRODUCTION

Noise in excessive levels can affect our environment and our quality of life. Noise is subjective since it is dependent on the listener's reaction, the time of day, distance between source and receptor, and its tonal characteristics. Studies have shown that excessive noise can have adverse physiological and psychological effects. Extreme levels can cause pain and hearing loss. Continuous exposure to low-level noise can have such insidious, long-term effects as raising blood pressure, lessening the quality of sleep, or inhibiting children's ability to learn.

The Noise Hazard Safety Section provides goals and policies to guide compatible land uses and the incorporation of noise attenuation measures for new uses to protect people living and working in the city from an excessive noise environment. This purpose becomes more relevant as the city continues to grow with infill and mixed-use development consistent with the Land Use and Rural Preservation Neighborhood Element.

Guidelines developed by several federal agencies including the Federal Highway Administration, the Federal Aviation Administration, the Environmental Protection Agency and the Department of Housing and Urban Development stipulate that residential land use sound levels not exceed 45-55 decibels. Schools, hospitals, lodging, and certain recreational facilities are "noise sensitive uses" which should be protected from a variety of environmental and public problems.

The decibel (dB) is a unit for measuring the volume of sound. A rating scale, dB (A), was devised to measure sound relative to the sensitivity of the human ear. The dB (A) scale is logarithmic so an increase on ten decibels is a tenfold increase in sound energy. However, measuring sound does not necessarily determine what actually constitutes noise on a community level. The Day-Night Average Sound Level (Ldn) scale is a sound measurement technology that was developed to measure cumulative noise exposure in the community over the twenty-four hour day (Leq). The Environmental Protection Agency recommends outdoor Ldn noise levels of 55 dB or lower and indoor levels of 45 dB or lowers in residential areas with outdoor space, rural areas, and hospitals.

The city will use the Land Use – Noise Compatibility Guidelines shown on Table 3 for evaluating land use noise compatibility when reviewing proposed land use development projects. A "compatible" land use indicates that standard construction methods will sufficiently attenuate exterior noise to an acceptable indoor noise level and people can carry out outdoor activities with essentially no noise interference. In general, evaluation of land use that falls into the "conditional compatible" noise environment should include consideration of the type of noise source, the sensitivity of the noise receptor, and the degree to which the noise source may interfere with speech, sleep, or other activities characteristic of the land use. Structures must be capable of attenuating exterior noise to an acceptable indoor noise level. For land uses indicated as incompatible, new construction should generally not be undertaken. Due to severe noise interference, outdoor activities are unacceptable and for structures, extensive mitigation techniques are required to make the indoor environment acceptable.

DRAFT

Table 3: Land Use – Noise Compatibility Guidelines

Land Use Category	Exterior Noise Exposure (dBA CNEL)				
	60	65	70	75	80
Open Space and Parks and Recreational					
Community & Neighborhood Parks; Open Space; Natural Resources Preservation; Park Maintenance Facilities					
Outdoor Spectator Sports, Golf Courses; Athletic Fields; Outdoor Spectator Sports, Water Recreational Facilities; Horse Stables					
Agricultural					
Crop Raising & Farming; Aquaculture, Dairies; Horticulture Nurseries & Greenhouses; Animal Raising, Maintain & Keeping; Commercial Stables					
Residential					
Single Units; Mobile Homes; Senior Housing		45			
Multiple Units; Mixed Use Commercial/Residential; Live Work.		45	45	45	
Institutional					
Hospitals; Nursing Facilities; Intermediate Care Facilities; Educational Facilities; Libraries; Museums; Places of Worship; Child Care Facilities		45			
Cemeteries					
Sales					
Building Supplies/Equipment; Food, beverage & Groceries; Pets & Pet Supplies; Sundries, Pharmaceutical, & Convenience Sales; Wearing Apparel & Accessories			50	50	
Commercial Services					
Building Services; Business Support; Eating & Drinking; Financial Institutions; Assembly & Entertainment; Radio & Television Studios; Golf Courses			50	50	
Visitor Accommodations		45	45	45	
Offices					
Business & Professional; Government; medical, Dental & health Practitioner; Regional & Corporate Headquarters			50		
Vehicle and Vehicular Equipment Sales and Services Use					
Commercial or Personal Vehicle Repair & Maintenance; Commercial or Personal Vehicle Sales & Rentals; Vehicle Equipment & Supplies Sales & Rentals			50	50	
Wholesale, Distribution, Storage Use Category					
Equipment & Materials Storage Yards; Moving & Storage Facilities; Warehouse; Wholesale Distribution; Mining & Extractive Industries				50	50
Industrial					
Heavy Manufacturing; Light Manufacturing; Marine Industry; Research & Development; Trucking & Transportation Terminals				50	50

Source: City of San Diego Noise Element May 2006

Table 4: Land Use Compatibility

	Compatible	**Indoor Uses**	Standard construction methods should sufficiently attenuate exterior noise to an acceptable indoor noise level.
		Outdoor Uses	Activities associated with the land use may be carried out.
	Conditionally Compatible	**Indoor Uses**	Building structure must attenuate exterior noise to the indoor noise level indicated by the number for occupied areas.
		Outdoor Uses	Feasible noise mitigate techniques should be analyzed and incorporated to make the outdoor activities acceptable.
	Incompatible	**Indoor Uses**	New construction should generally not be undertaken, extensive mitigation techniques are required to make the indoor environment acceptable for activities.
		Outdoor Uses	Severe noise interference makes outdoor activities unacceptable.

EFFECTS OF NOISE

Community or neighborhood noise is emitted from a variety of sources including roadway, rail and air traffic and industrial, construction, and neighborhood activities. The health consequences of harmful levels of noise can be significant, including hearing impairment and loss, interference with speech communication, disturbance of rest and sleep, as well as the potential for physiological, mental-health and performance effects. It has been shown, mainly for workers and children, that noise can adversely affect performance of cognitive tasks. Although noise-induced arousal may produce better performance when doing simple tasks, cognitive performance substantially decreases for more complex tasks. Tasks such as reading, problem solving and memorization are among the cognitive activities most strongly affected by noise (WHO 1999). In addition to these health effects, noise can be an annoyance and interfere with one's day-to-day activities. Table 5 below shows the average sound levels, in decibels, of typical noise sources. Hearing impairment or loss can occur at decibel levels of about 70.

Table 5: Common Outdoor and Indoor Noises

Outdoor Noises	Indoor Noises	Sound Pressures (uPa)	Sound Pressure Levels (dB)
Jet Flyover at 300m	**Rock Band at 5m**	**6,324,555**	**110**
Gas Lawn Mower at 1m	**Inside Subway Train**	**2,000,000**	**100**
Noisy Urban Daytime	**Garbage Disposal at 1m**	**200,000**	**80**
Gas Lawn Mower at 30m	**Normal Speech at 1m**	**63,246**	**70**
Quiet Urban Daytime	**Dishwasher Next Room**	**6,325**	**50**
Quiet Urban Nighttime	**Small Theatre**	**2,000**	**40**
Quiet Rural Nighttime	**Bedroom at night**	**632**	**30**

Source: Corbusier 2003

The Federal Noise Control Act of 1972 (NCA) was established "to promote an environment for all Americans free from noise that jeopardizes their public health and welfare." The NCA provides for a division of powers between the federal, state and local governments. In the past, the Environmental Protection Agency (EPA) coordinated all federal noise control activities through its Office of Noise Abatement and Control; however, in 1982, the EPA officially shifted the primary responsibility of regulating noise to state and local governments. Exceptions include transportation noise sources including aircraft and railroad operations and commercial motor vehicle traffic involved in interstate transport, which have some federal oversight (U.S. EPA 2007).

The Federal Railroad Administration (FRA), which regulates rail safety, requires trains to sound horns when approaching all intersections, regardless of time of day. While the FRA has studied the possibility of eliminating the need for horns at intersections with full quadrant gates (gates constructed so cars are unable to drive around them), at this point no action in that direction has been taken. The only currently acceptable way to eliminate the sounding of the horns is for a pass-through over or under pass.

NOISE MITIGATION METHODS

The major sources of noise in the City are from roadways, aircraft and the railroad. Several methods can be employed to protect the public from these noises and their effects. Guiding the location of noisy activities can be accomplished through the zoning process. Other noise problems can be ameliorated by construction and design measures. Open space buffers, berm and barrier construction; placement of non-sensitive uses to buffer sensitive uses; and proper building orientation, layout and construction are a few methods that can be used to minimize noise effects. Furthermore, evaluation of potential noise conflicts with new or expanded transportation facilities, such as airports and roadways, can incorporate noise mitigation measures in the design. Prohibiting nuisance noise is detailed in Chapter 9.16 of the Municipal Code.

ISSUES

A. Motor Vehicle Traffic Noise

Motor vehicle traffic noise is ubiquitous within the city. Excessive noise levels along major roads, interstate freeways, and state highways affect much of the urban environment. Traffic noise level is dependent upon volume, speed, flow, vehicle mix, and pavement condition as well as distance to the receptor. The city has no control over the noise generated by vehicular traffic on state freeways and highways. For these and more appropriately for city-controlled major roads, the city can, however, influence daily traffic volumes and reduce peak-hour traffic by promoting alternative transportation modes and integration of mixed-use infill development. In addition, local roadway design features and traffic management and calming techniques can minimize noise from traffic speed and frequent vehicle acceleration and deceleration, and innovative roadway paving material can further reduce traffic noise. Future use of hybrid transit buses could help to reduce noise along mixed-use transit corridors. For noise-sensitive land uses adjacent to freeways and highways, these uses should be buffered from excessive noise levels by intervening, less sensitive, industrial-commercial uses or shielded by sound walls or landscaped berms.

B. Train Noise

Daily traffic from freight train operations produces noise that may disrupt adjacent noise-sensitive uses. Trains can generate high, yet relatively brief, intermittent noise events. The interaction of the steel wheels and rails is a major component of train noise. Factors that influence the overall rail noise include the train speed, train horns, type of engine, track conditions, use of concrete cross ties and welded track, the intermittent nature of train events, time of day, and sound walls or other barriers.

The Federal Railroad Administration (FRA), which regulates rail safety, requires trains to sound horns when approaching all intersections, regardless of time of day. While the FRA has studied the possibility of eliminating the need for horns at intersections with full quadrant gates (gates constructed so cars are unable to drive around them), at this point no action in that direction has been taken. The only currently acceptable way to eliminate the sounding of the horns is for a pass-through over or under pass.

Within the city, at grade crossing is only located at Union Pacific Railroad and Wyoming Avenue. Given the traffic count on Wyoming Avenue at the rail crossing (18,000 ADT), and its proximity to residential development at Oakey Boulevard and Martin L. King Boulevard, the city should begin to explore the possibility of creating a grade-separated crossing at this location.

C. Aircraft Noise

Aircraft noise primarily affects communities within an airport influence area. The noise impact or the perceived annoyance depends upon the noise volume, length of the noise event and the time of day. In general, aircraft noise varies with the type and size of the aircraft, the power the aircraft is using, and the altitude or distance of the aircraft from the receptor. Another variable affecting the overall impact of noise is a perceived increase in aircraft noise at night.

Federal Aviation Regulation, Part 150, Airport Noise Compatibility Planning, is the primary Federal regulation guiding and controlling planning for aviation noise compatibility around airports. This regulation establishes the 65-dBA CNEL as the boundary for the normally acceptable level of aircraft noise for noise-sensitive land uses including residential uses near airports. **Map 12** indicates that there are no areas within the City exposed to noise levels of 65 dBA CNEL or greater.

It should also be noted that there are several approved heliports within the City. The noise levels associated with operations at a heliport depend upon the flight path, the helicopter types used, the number of operations, and the time of day (**Map 13**). Helicopter activity from military, private, police, fire/rescue, medical, and news/traffic monitoring helicopters contribute to the general noise environment in the city. In particular, low-flying helicopters are a source of noise complaints in the city, especially at night.

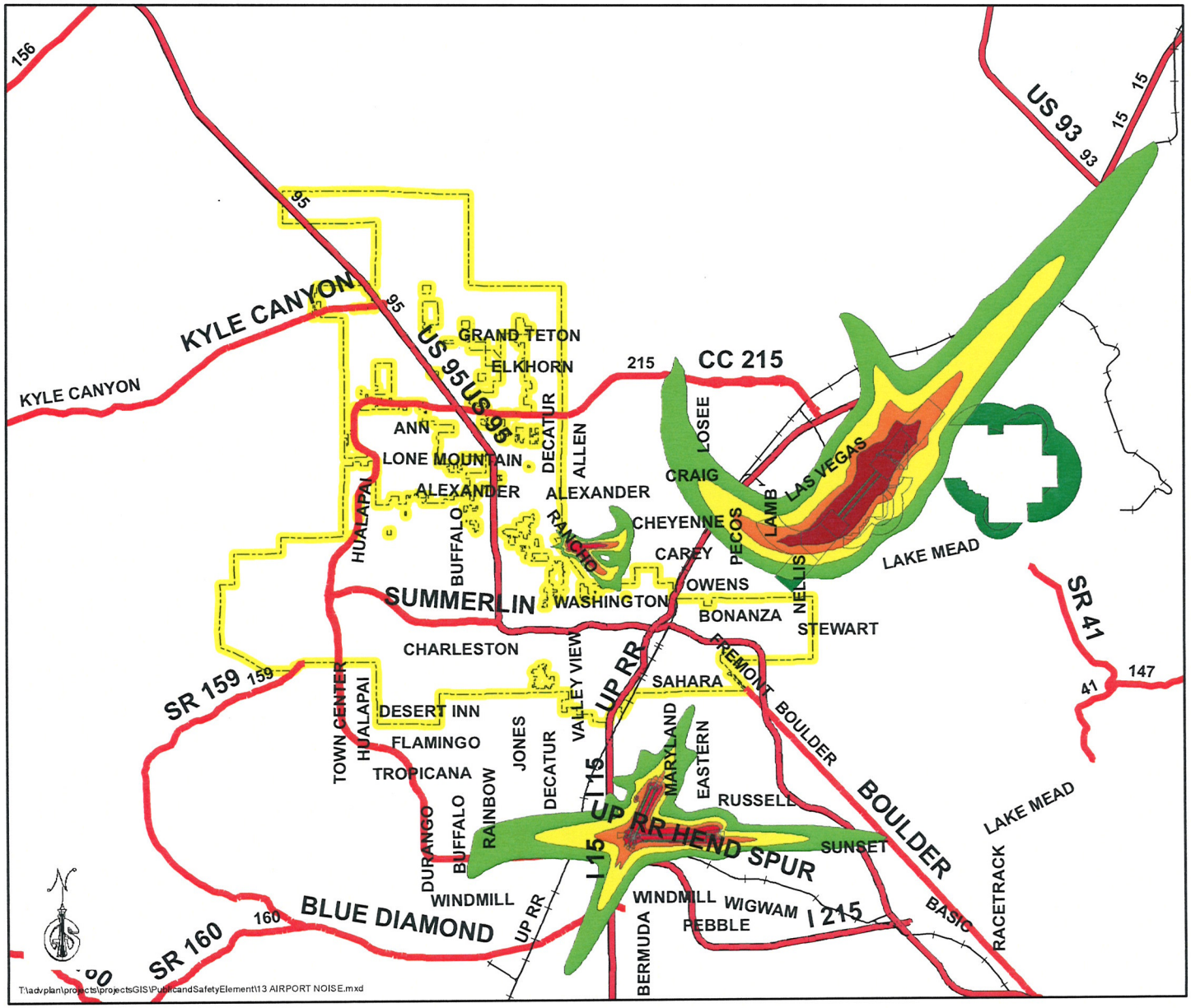
GOALS, OBJECTIVES, AND POLICIES

Goal: The City should minimize the adverse effects of noise through proper land use planning.

Objective 6A: The City should work to reduce unacceptable community noise levels.

Policy 6A1: Ensure that new development can be made compatible with the noise environment by using noise/land use compatibility standards.

Policy 6A2: The City should adopt an ordinance that mandates that exterior



MAP 12

City of Las Vegas

Airport Noise Exposure

Day-Night Average Sound Level (Ldn) in Decibels

- 0
- 60
- 65
- 70
- 75
- 80

Printed on:September 21, 2009

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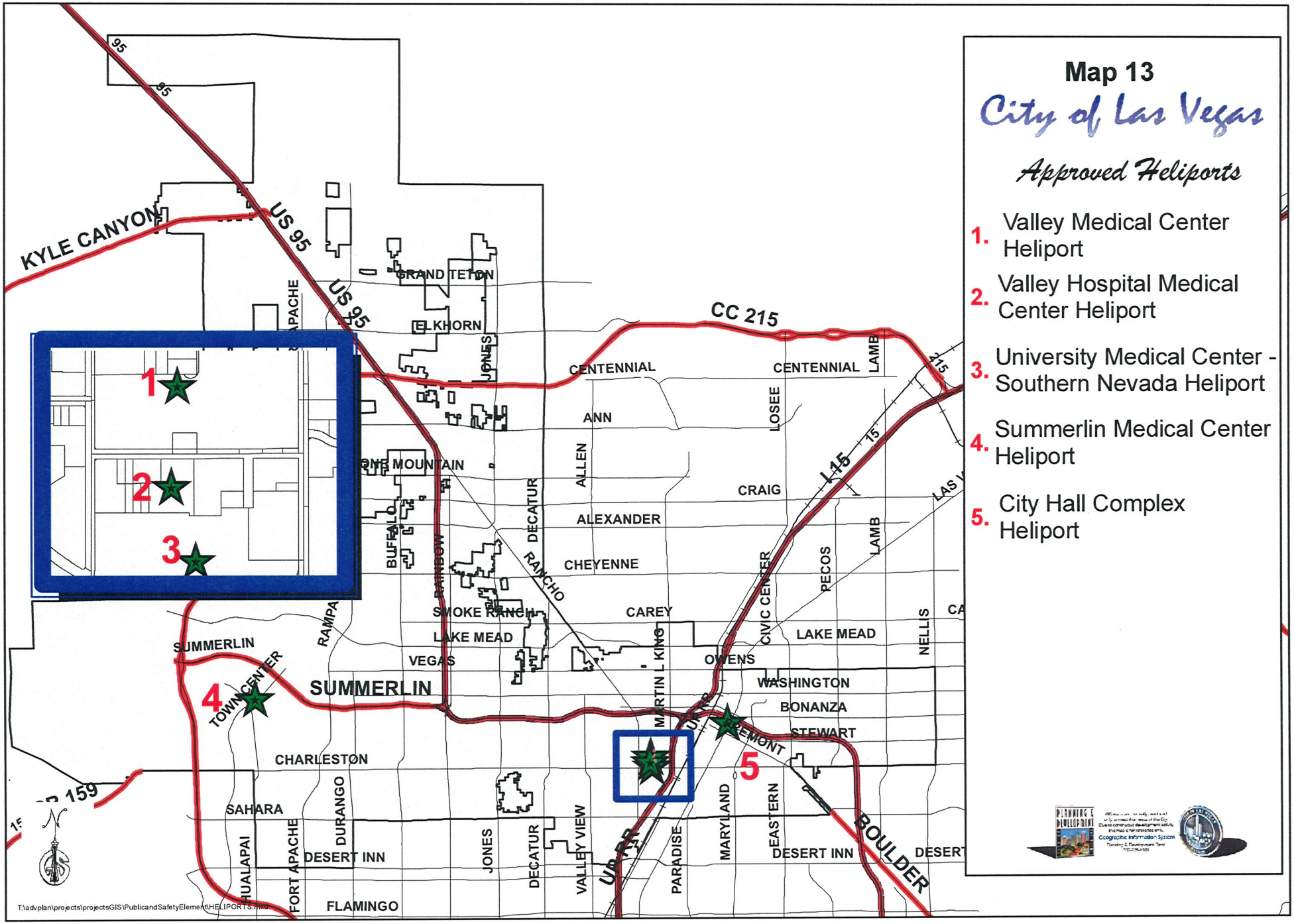
Map 13
City of Las Vegas
Approved Heliports
1. Valley Medical Center Heliport
2. Valley Hospital Medical Center Heliport
3. University Medical Center - Southern Nevada Heliport
4. Summerlin Medical Center Heliport
5. City Hall Complex Heliport
KYLE CANYON
US 95
CC 215
GRAND TETON
ELKHORN
CENTENNIAL
ANN
LOSEE
LAMB
ALLEN
DECATUR
CRAIG
ALEXANDER
CHEYENNE
RANCHO
RAINBOW
BUFFALO
SMOKE RANCH
CAREY
LAKE MEAD
VEGAS
SUMMERLIN
RAMPA
TOWN CENTER
CIVIC CENTER
PECOS
NELLIS
OWENS
WASHINGTON
BONANZA
STEWART
CHARLESTON
SAHARA
DURANGO
FORT APACHE
TUALAPAI
DESERT INN
JONES
VALLEY VIEW
PARADISE
MARYLAND
EASTERN
BOULDER
FLAMINGO
MARTIN L KING
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noise levels of 55 dB and interior noise levels of 45 dB as the noise limits for residential, public and quasi-public uses in the City of Las Vegas.

Policy 6A3: Require the inclusion of noise-reducing design features in development and reuse/revitalization projects to address the impact of noise on residential development.

Objective 6B: Minimize transportation-related noise impacts.

Policy 6B1: The City should seek funding to install an overpass at the intersection of Wyoming Avenue and the Union Pacific Railroad crossing. This would eliminate the requirement for trains to blow their horns at each passing.

Policy 6B2: The City should support the use of landscaping and sound walls as a means to buffer transportation corridors.

Policy 6B3: The Department of Public Works and other applicable agencies and departments should support the use of transportation technologies that minimize vehicular noise along freeways and nearby airports.

Policy 6B4: Control truck traffic routing to reduce transportation-related noise impacts on sensitive uses.

HAZARDOUS MATERIAL SAFETY

The purpose of this section of the Safety and Seismic Safety Plan is to explain how the services of the City of Las Vegas will be incorporated in the accomplishment of public safety in a comprehensive manner as it relates to hazardous materials, particularly high level nuclear waste. Discussion will detail how the City of Las Vegas should coordinate with other agencies on matters concerning hazardous materials per Policy 7.3.2 and 7.3.8 of the Las Vegas 2020 Master Plan.

INTRODUCTION

Hazardous materials are a part of modern life. When properly managed, their potential to harm people and the environment can be minimized. This is done through limiting and regulating the transportation, distribution, storage, use, and disposal of hazardous materials within the community.

The citizens also have a responsibility in the management of hazardous materials. Used motor oil and many common household cleaning and pest control products can negatively impact the environment when they are dumped on the soil or put into landfills. Disposal of hazardous materials is an individual responsibility and collection of hazardous house wastes can be coordinated with the local bulk waste disposal management company. Recycling or disposal of such materials helps reduce groundwater contamination.

The term "hazardous materials" encompasses a large number of substances, including toxic metals, chemicals, and gases; flammable and / or explosive liquids, solids, and gases; erosive materials; infectious substances; and radioactive materials. The transport, distribution, storage, use, and disposal of materials are of extreme concern to the community. There is a potential for catastrophe as well as the pollution of the environment. Of general concern to the Las Vegas valley, and the city of Las Vegas in particular, is the potential of transportation of radioactive waste through the City to the proposed repository at Yucca Mountain, not to mention the potential to impact communities across the nation.

THE RADIOACTIVE WASTE ISSUE: THE CITY'S POSITION

In July 2009, the Federal Government removed all funding in the FY 2011 budget for proceeding with the Nuclear Regulatory Commission (NRC) license application review of a proposed high-level nuclear waste repository site at Yucca Mountain. However, it is important to note that killing the project outright would require an act of Congress to change the Nuclear Waste Policy Act. Until that happens, the project could be restarted if the Federal Government decides to fund it again.

Therefore, in light of issues such as:

- Yucca Mountain is the preferred high-level nuclear waste repository site,
- the waste that will be stored at the repository is potentially extremely dangerous, and
- accidents are possible while the waste is in transit,

the city of Las Vegas has been compelled to make its position clear about the transport of radioactive waste through the City.

On September 6, 2000 the Mayor and City Council of the city of Las Vegas adopted a resolution (R-85-2000) that opposes all legislation that would require or allow the transportation of radioactive waste near or through the city. By the resolution, the city maintains that such waste should be stored at the sites where the waste is generated and the funding that is focused on Nevada as being the only storage option should be shifted to the task of finding a scientifically defensible and publicly acceptable method of disposal. Through the resolution, the Mayor and Council, because of their opposition of legislation that would allow the transportation, storage, or production of high-level nuclear waste, has designated the city of Las Vegas as a Nuclear Free Zone.

This section will review the facts about how highly radioactive waste is generated, the plans for transporting the waste, and how the waste is to be stored. If Yucca Mountain is ever selected as the repository of high level nuclear waste this section will provide long-term policy, objectives, and programs for the city's role in this sensitive issue.

IMPACTS OF NUCLEAR WASTE TRANSPORT

Studies by the State of Nevada[10] and the Department of Energy (DOE) indicate that 43 states would be directly impacted by thousands of spent nuclear fuel and high-level radioactive wastes shipments to Yucca Mountain. At least 109 cities with populations over 100,000 plus thousands of smaller communities could be affected by such shipments.

The many uncertainties surrounding the transportation of nuclear waste to a repository make it extremely difficult to assess potential impacts and plan for contingencies. DOE and the nuclear industry point to the past history of spent nuclear fuel shipments as an indication of the inherent safety of this type of transport activity. While it is true that, since 1962, there have been no radioactive releases as a result of transportation accidents, the amount of waste shipped to the repository in the first full year of operations alone will exceed the total amount shipped in the United States for the past 30 years. In addition, the distances over which spent nuclear fuel and high-level radioactive wastes would have to be shipped will be much greater for future repository shipments than for past shipments. Past shipments of nuclear waste have often been shorter-distance transfers of spent nuclear fuel from one utility location to another.

The State of Nevada has been examining transportation issues associated with the proposed repository for over 10 years. As a result of the State's work, a number of unresolved safety issues have been identified. These will be discussed in detail in the following pages.

ISSUES ON NUCLEAR WASTE

1. Transportation Feasibility and Risks
   The way in which waste is shipped is an area of uncertainty. DOE believes it would be safer to ship waste by rail, since rail shipments could be larger, carry more waste and ultimately require fewer numbers of shipments. However, a number of reactor sites, where waste is currently generated, do not have rail access or are not capable of handling large rail casks.

   To date, DOE has identified three potential rail spur routes in Nevada. Detailed analysis has been performed on only one, and DOE has no plans to study the others in more detail anytime in the near future. The route DOE has studied would require the construction of 360 miles of new track from the Union Pacific main line near Caliente, NV along a roundabout route to Yucca Mountain. The cost would be between $1 billion and $1.4 billion (in 1990 dollars). DOE's own analysis indicates there would be significant engineering challenges and, because of environmental hurdles involved with this spur construction, would have to undergo detailed and lengthy environmental reviews under the National Environmental Policy Act (NEPA).

   All of the other possible rail spur options identified by DOE have similar problems, and it is questionable whether rail access can be provided or whether Congress will appropriate the funds needed for an exceedingly expensive and potentially controversial rail line when highway access is presently available.

   Legislation currently before Congress would require DOE to use an intermodal system of spent nuclear fuel and high-level radioactive wastes transportation to Yucca Mountain or an interim storage site. This would entail the shipment of wastes in large containers by rail to eastern Nevada, and then transferring the canisters to very large "heavy haul" trucks for the trip to Yucca Mountain. Such transport poses new problems, including interference with routine traffic on existing state and U.S. highways, possible weather related problems and risks for large heavy haul vehicles in the winter months, added risks associated with extra handling and long distance truck transport, susceptibility to terrorist attack, and other problems.

2. Highway Transport Risks
   Without rail access to Yucca Mountain or some form of intermodal transfer system, all waste would have to be shipped by truck along the nation's interstate highways or alternative routes designated by states. This creates the possibility that between 35,000 and 100,000 shipments, during the 25-year emplacement phase of the proposed repository will be required through urbanized areas.

   Under present federal routing requirements for spent nuclear fuel and high-level radioactive wastes materials, most of these shipments would be routed through heavily populated areas of major U.S. cities. Under federal regulations, alternative routes could be designated by the states, but any alternative route designations would involve tradeoffs in terms of risk to population centers in contrast to those risks associated with the use of longer routes on two lane highways over difficult terrain and through rural communities. Actions by states to designate alternative routes are complicated by a recent court decision in New Mexico that could make state and local governments liable for loss of property values along designated shipping routes.

   Truck shipments in the numbers needed for moving waste to a repository from reactor sites around the nation would put nuclear waste trucks on the country's interstate highways in large numbers year round for almost three decades. Because of the numbers of shipments involved, the chances for accidents will

increase, and because the new casks will carry more waste per shipment, the consequences of a very severe accident could also increase.

3. Radiological Effects of Routine Shipments
One of the areas of concern in nuclear waste transportation is the exposure of waste handlers, drivers, and the general public to radiation even during routine (non-accident) conditions. Even though shipping containers are shielded and designed to reduce exposures to radiation from spent nuclear fuel or high-level radioactive wastes, federal regulations allow a low level of radiation to emanate from the casks. This level is not dangerous under normal conditions. Nevertheless, repeated and long-term exposure to these low levels of radiation can have health consequences that need to be monitored and managed.

The radiation level of the material within the containers remains high, even after ten years of cooling, and spent nuclear fuel emits dangerous levels of gamma and neutron radiation. A person standing one yard away from an unshielded spent nuclear fuel assembly could receive a lethal dose of radiation (about 500 rems) in less than three minutes. A 30 second exposure (about 85 rems) at the same distance could significantly increase the risk of cancer and/or genetic damage. Defense high-level waste, which contains even higher concentrations of gamma-emitting fission products, is similarly dangerous. The surface dose rate of spent nuclear fuel is so great (10,000 rem/hour or more), that shipping containers with enough shielding to completely contain all emissions would be too heavy to transport economically. Federal regulations allow shipping casks to emit 10 millirems/hour at 2 meters from the cask surface. This is equivalent to about one chest x-ray per hour of exposure.

Routine exposures become especially problematic in situations where the transport vehicle is caught in heavy traffic with cars and other vehicles in close proximity for extended periods. Routine exposures also are of concern when the cask vehicle is stopped for repair, fueling, inspections, etc.

The health effects of even low-level radiation are poorly understood. There is evidence that even small amounts of radiation can have long-term health implications. The potential effects of repeated exposures to large numbers of nuclear waste shipments along highways or railroads during the 25-year repository emplacement phase have not been adequately addressed and could have adverse health consequences for certain segments of the public.

4. Probability of Serious Accidents
Between 1957 and 1964, there were 11 transportation incidents and accidents involving spent nuclear fuel shipments by the US Atomic Energy Commission and its contractors. Several of these incidents resulted in radioactive releases requiring cleanup, including leakage from a rail cask in 1960 and leakage from a truck cask in 1962. There is no comparable data for the period from 1964 to 1970, when utility shipments to reprocessing facilities began. Between 1971 and 1990, there were six accidents and 47 incidents involving nuclear waste shipments. Three accidents (two truck, one rail) involved casks loaded with spent nuclear fuel. No radioactivity was released in these accidents. Most of the incidents involved excess radioactive contamination on cask surfaces, a result of the so-called "weeping" phenomena on casks loaded and unloaded in wet storage pools.

Based on the 1971-1990 accident data, DOE calculated accident and incident rates for commercial spent nuclear fuel shipments to a repository. For truck shipments, DOE calculated 0.7 accidents and 10.5 incidents per million shipment miles. For rail shipments, DOE calculated 9.7 accidents and 19.4 incidents per million shipment miles. Although the number of spent nuclear fuel shipments and accidents during these years was small, DOE compared these accident/incident rates to the general accident rates for large commercial truck and freight rail movements. The DOE concluded the general rates should be used in

repository transportation risk and impact studies. DOE recommended use of a truck accident rate of 0.7 - 3.0 accidents per million shipment miles and a rail accident rate of 11.9 accidents per million shipment miles.

An estimate of the number of accidents likely to occur during spent nuclear fuel shipments to a repository can be obtained by multiplying the anticipated accident rates by the anticipated cumulative shipment miles. If all spent nuclear fuel were to be shipped to the repository by truck in larger-capacity casks, requiring about 46,000 shipments and over 100 million shipment miles, between 70 and 310 accidents and over 1,000 incidents would be expected over the operating life of the repository. Under the DOE base case scenario (88% rail, 12% truck), about 50 to 260 accidents and 250 to 590 incidents would be expected.

While accidents severe enough to cause a failure of the transport cask, with a resulting release of radioactive material, are likely to be rare, the potential exists for serious accidents to occur. Transport containers for repository bound waste shipments have not yet been designed or built. Although Nevada and other states have been advocating it for ten years, DOE has not committed to full scale testing of the casks.

Both DOE and State of Nevada researchers have looked at the potential for a worst-case accident to occur. While there is disagreement over the specifics of a credible worst-case scenario, there is agreement that such an accident would involve the release of some of the radioactive material inside the shipping cask.

Spent nuclear fuel is both highly radioactive and thermally hot. Nuclear fission inside a reactor transforms a small percentage of the original uranium fuel into additional uranium isotopes, isotopes of plutonium and other transuranic elements, and fission products such as strontium-90 and cesium-137. Fission products, which account for most of the radioactivity in spent nuclear fuel during the first hundred years after removal from a reactor, emit both beta and gamma radiation. Reactor operations may also coat the exterior of the fuel rods with corrosion products, or "crud", containing radioactive isotopes of cobalt, nickel, and iron.

A typical ten-year old spent nuclear fuel assembly from a Pressurized Water Reactor (PWR) contains about 26,000 curies of strontium-90 (plus many thousands of curies of other dangerous isotopes). The strontium-90 in just one spent PWR assembly would be sufficient to contaminate twice the volume of water in Lake Mead (23 trillion gallons). While the strontium -90 and most of the other dangerous radionuclides are part of the solid pellets that make up the fuel, and therefore not easily dispersed, a severe accident or series of human errors could cause a release of fuel and/or crud particles mixed with smoke accompanying a fire. The airborne particles could then be inhaled or enter the soil and contaminate the food chain. There are other related isotopes that remain highly radioactive for decades are so hazardous that inhalation or ingestion of even amounts too small to be seen can lead to cancer, radiation-induced disease, and death.

A 1985 DOE contractor report concluded that a severe accident involving a single, current-generation rail cask could result in release of radioactive materials to the environment. The study assumed a severe impact followed by a massive fire fed by large quantities of fuel. According to the study, release of only a small fraction (1380 curies) of the cask's contents would be sufficient to contaminate a 42 square mile area. The costs of cleanup after such an accident would exceed $620 million, and the cleanup effort would require 460 days, if it occurred in a rural area. An alternative analysis by a DOE contractor estimated cleanup costs for the same rural accident ranging from $176 million to $19.4 billion, depending primarily upon post-accident soil concentrations of cobalt-60, cesium-134, and cesium-137, and upon regulatory requirements for disposal of the contaminated soil.

If a similar accident occurred in a typical urban area, the clean up would be considerably more expensive and time consuming. It is estimated that it would cost $9.5 billion just to raze and rebuild the most heavily contaminated square mile or so. Much more detailed studies are necessary to estimate accident cleanup costs for a specific urban location such as metropolitan Las Vegas.

The conditions under which a worst-case accident could occur are poorly understood. DOE places great faith in the design and performance of the shipping container to prevent such an occurrence. However, without full-scale testing, shipping cask performance is, of itself, an area of significant uncertainty. Moreover, new shipping cask designs create new opportunities for human error. The longer shipping distances required because of Yucca Mountain's location (more than 2,200 miles on average compare to 600 miles for past shipments) would create additional opportunities for equipment failures and human errors.

5. Shipping Cask Performance

The first line of defense against an accident involving the release of radioactive material is, in DOE's planning for repository shipments, the shipping container. Designed to be extremely rugged and to withstand severe accident conditions, these casks are intended to assure adequate containment of spent nuclear fuel and nuclear wastes as these are transported from the reactor to a repository. DOE and the nuclear industry point to a good (although not flawless) record of shipping spent nuclear fuel since 1964 as evidence that casks will perform as they are intended.

The State of Nevada's concerns regarding cask performance involve questions about the cask's ability to withstand severe accidents under projected shipment volume conditions, the adequacy of testing requirements, and implications of new cask designs.

While shipping casks are required to be licensed by the U.S. Nuclear Regulatory Commission (NRC), there is no requirement for the actual testing of full-scale casks to determine how they perform. A scaled down cask is required by NRC to be able to withstand, in succession, the following four tests: a drop from 30 feet onto an unyielding surface; a drop from 6 feet onto a spike (a puncture test); a 30 minute fire at 1425 degrees (F); and then a 30 minute submersion in three feet of water. The NRC allows cask designers to substitute scale-model (1/10 to scale) tests and computer simulations for full-scale design testing. Moreover, the NRC performance standards are based on hypothetical accident scenarios supported mainly by a technical study known as the Modal Study, prepared by Lawrence Livermore National Laboratory. The Modal Study's transportation assumptions are not relevant to DOE's Yucca Mountain transportation plans. Additionally, detailed case studies of recent truck and rail accidents have raised serious doubts about how well the NRC standards reflect real world accident conditions. This is particularly the issue regarding accidents involving high-speed impacts (over 55 miles per hour), long duration of accident conditions (up to several days) and high temperature (over 2000 degrees F) fires, and collisions with vehicles carrying high-energy explosives.

None of the spent nuclear fuel casks currently in use have been tested full-scale. The spectacular crash and burn films shown by DOE and the nuclear industry actually depict obsolete casks (withdrawn from service) being tested in the 1970s to validate computer models. Those tests were successful for that purpose, and also provided valuable insights into the importance of cask tie-down systems and other issues. The tests also demonstrated the vulnerability of lead gamma shielding to long duration fires and to multiple impacts. However, the tests were <u>not</u> intended to simulate worst-case accidents or to prove the overall safety of spent nuclear fuel shipments.

The casks that might be used in a repository shipping campaign are currently being designed. None of the

designs have yet been licensed or fabricated. Due to the planned increase of cask size, such casks are very likely to be markedly different from current casks. All of the new designs proposed by DOE would hold more fuel assemblies and be less heavily shielded (due to the age of the fuel to be shipped and weight considerations). How these casks will perform in real world accident situations is uncertain.

The new, larger transportation casks (100-125 tons each) being considered for future spent nuclear fuel shipments have the potential, if not properly loaded, to allow the fuel assemblies to go critical under certain conditions i.e., start a nuclear chain reaction that would cause a catastrophic temperature rise in the canister. The imperative for accurate and verified fuel loading calculations increases the potential for human error and thereby increases the risks and uncertainties associated with waste transport.

The use of such larger shipping containers raises questions about the adequacy of current NRC cask licensing regulations and about the appropriateness of these regulations for assuring these new and much larger canisters will be able to withstand real world accident conditions.

The State of Nevada, the Western Interstate Energy Board, the Western Governors' Association, and numerous other states and multi-state organizations have made detailed recommendations to DOE for full-scale cask testing to demonstrate compliance with the current NRC performance standards, reexamination of the adequacy of the NRC standards, and possible extra-regulatory testing to determine cask failure thresholds. To date, DOE has not implemented these recommendations and has no plans to test proposed new cask designs.

6. Waste Type and Volume

The issue of how much and what type of wastes would be shipped to a repository remain unclear. The first repository is currently limited by law to be no more than 70,000 metric tons of uranium (MTU). However, given the expected amount of spent nuclear fuel from currently operating reactors and defense high-level waste requiring disposal in a repository, more than 100,000 MTU of high-level radioactive wastes could be earmarked for the proposed Yucca Mountain repository. Additionally, an unknown amount of miscellaneous wastes could also be shipped to Yucca Mountain.

The volume and types of waste make a great deal of difference in terms of transportation operations and transportation risks. If all waste available for disposal in a repository is shipped to Yucca Mountain, the number of shipments increases significantly. Civilian spent nuclear fuel from nuclear power plants will be the largest source of high-level radioactive waste shipped to the repository. Under current law, with capacity limited to 70,000 MTU, DOE has reserved 90% of the repository capacity, or about 63,000 MTU, for civilian spent nuclear fuel. However, the currently operating nuclear power plants are projected to generate between 80,000 MTU and 85,000 MTU of civilian spent nuclear fuel by the year 2030. Since there are presently no plans for constructing a second repository, the Agency's planning studies assume that DOE will attempt to ship all civilian spent nuclear fuel to Yucca Mountain if the site is licensed. DOE-owned spent nuclear fuel, from foreign and domestic research reactors and from nuclear-powered naval vessels, will likely also be shipped to Yucca Mountain. This has implications for increased accident risks and routine exposures, and the need for heightened emergency preparedness.

The total amount of defense high-level radioactive wastes requiring geologic disposal is unknown. DOE has allocated 7,000 MTU of capacity at the repository (about 14,000 canisters) for high-level defense wastes. This waste has been generated at DOE weapons facilities at Hanford, Washington, Idaho Falls, Idaho, and Savannah River, South Carolina. Most of this waste is presently stored in liquid form in underground tanks. Prior to shipment, these wastes would be solidified in borosilicate glass logs inside stainless steel canisters. The total amount of such high-level radioactive wastes requiring disposal in a

repository has been estimated to be as high as 40,000 canisters, which is equivalent to 20,000 MTU of spent nuclear fuel. The shipping containers for these wastes have not been designed yet, but for planning purposes, DOE has assumed two canisters per truck cask and five canisters per rail cask. Shipment of 7,000 MTU of these high-level radioactive wastes would require 7,000 truckloads or 2,800 rail casks; shipment of 20,000 MTU would require 20,000 truckloads or 8,000 rail casks.

In addition to spent nuclear fuel and high-level radioactive wastes, a significant quantity of miscellaneous wastes will likely be shipped to a repository. These are transuranic wastes from commercial reactors and industrial facilities, radioactive cesium capsules used in commercial irradiation facilities, reactor decommissioning wastes, and wastes from routine nuclear power reactor operations which are too radioactive for disposal in low-level waste sites. No one knows for sure what will be the amount of these wastes or their transportation package capacities. In 1987, DOE estimated that these wastes could total between 12,100 and 20,600 cubic meters. Such an amount would be equivalent to between 12,100 and 20,600 canisters of defense high-level waste in volume.

7. Emergency Response
In the event of an accident or release of hazardous materials within the City of Las Vegas, the Department of Fire and Rescue would lead the response. All department emergency responders are trained to the hazardous materials first responder operations level, and an additional 45 members are certified Hazardous Materials (HazMat) Technicians and make up the HazMat team. They are all available for response 24 hours a day. Because of automatic and mutual aid agreements with Clark County, the city would also have the Clark County HazMat Team available as an additional resource, if needed.

GOAL, OBJECTIVES, POLICIES, AND PROGRAMS

Goal: The City should protect the community from the risks inherent in the use, storage, transportation, and handling of hazardous materials, recognizing that the use of such substances is an integral part of our society and economy.

Objective 8A. The City should require the safe storage, transportation, and disposal of hazardous materials.

Policy 8A1: The City should cooperate with other government agencies in the development of standards for the proper storage, transportation, and disposal of hazardous materials.

Program 8A1.2: Fire and Rescue, along with Clark County and the State of Nevada should continue the process of determining how a transportation incident could affect the city.

Policy 8A2: The City should support State and Federal legislation that strengthens safety requirements for the transportation of hazardous materials.

Program 8A2.1: The City should continue the adoption of new or revision of existing codes and ordinances that strengthen hazardous materials transportation requirements.

Program 8A2.2: The City should encourage interagency cooperation and communication that should strengthen local hazardous materials transportation requirements.

Policy 8A3: Fire and Rescue should continue the preparation of strategies and plans for the evacuation of inhabitants for emergencies involving hazardous materials.

LANDSLIDE HAZARDS

The topography within the city limits does not pose a landslide hazard.

IMPLEMENTATION

The goal for any long-range master plan element is to remain relevant throughout the life of the document. The primary tool to assure that this goal is achieved is to address the recommendations. The Safety & Seismic Safety Element has highlighted five primary goals. The recommendations are:

- Provide emergency response and fire preventive services to the residents and visitors of the City of Las Vegas;
- Provide infrastructure and policies to mitigate issues caused by excessive rainfall;
- Mitigate damage to property related to geologic hazards found in Las Vegas;
- Mitigate excessive noise pollution within the City; and
- Mitigate any negative effects from the movement of hazardous materials within the city limits.

The recommendations were developed to achieve the desired outcomes stated in the Las Vegas 2020 Master Plan document. The strategies to reach these outcomes are detailed below.

RECOMMENDATION #1: PROVIDE EMERGENCY RESPONSE AND PREVENTATIVE FIRE SERVICES FOR RESIDENTS AND VISITORS OF LAS VEGAS

STRATEGIES:

- Prepare a cost-benefit analysis of maintaining Commission on Fire Accreditation International (CFAI) Accredited Agency status.
- Implement the Fire Safety Plan.

RECOMMENDATION #2: PROVIDE INFRASTRUCTURE AND POLICIES TO MITIGATE ISSUES CAUSED BY EXCESSIVE RAINFALL

STRATEGIES:

- Install stormwater channel and drain improvements in accordance with the adopted stormwater management program for the City.
- Continue to cooperate with the Clark County Regional Flood Control District.
- Maintain a Flood Hazard Reduction Program which meets the basic requirements of the National Flood Insurance Program (NFIP).

- Continue to update Flood Insurance Maps subject to FEMA review.
- Continue to integrate new material, technology and techniques in the construction and maintenance of existing and proposed development.

RECOMMENDATION #3: MITIGATE DAMAGE TO PROPERTY RELATED TO GEOLOGIC HAZARDS FOUND IN LAS VEGAS

STRATEGIES:

- Review all building plans for geologic hazards.
- Maintain updated maps of documented areas of collapsible soils, subsidence, faulting and fissuring.
- Require a soils engineering report on non-residential development plans.

RECOMMENDATION #4: MITIGATE EXCESSIVE NOISE POLLUTION WITHIN THE CITY OF LAS VEGAS

STRATEGIES:

- Utilize the Land Use-Noise Compatibility Guidelines (Table 4) for evaluating land use noise compatibility when reviewing development projects.
- Eliminate at-grade railroad crossing at the intersection of Wyoming Avenue and the Union Pacific Railroad.

RECOMMENDATION #5: MITIGATE ANY NEGATIVE EFFECTS FROM THE MOVEMENT OF HAZARDOUS MATERIALS WTIHIN THE CITY LIMITS

STRATEGIES:

- Actively oppose the development of Yucca Mountain into a nuclear waste repository.
- Support State and Federal legislation that strengthens safety requirements for the transportation of hazardous materials.

DEFINITIONS

Apparatus- A motor driven fire truck, or a collective group of such trucks, which may be different types such as pumper trucks, ladder trucks, etc.[11]

Automatic Aid- A form of mutual aid involving a pre□arrangement between two or more departments that routinely provides emergency response assignments to each other.

Badlands- Badlands area moderately steep to very steep barren dissected by many intermittent drainage channels that have cut into soft geological material. The areas ordinarily are not stony. Local relief generally ranges from 25 to 100 feet. Potential runoff is very high, and erosion is active. Some small areas of identifiable soils support vegetation.

Characteristic- An attribute, descriptive feature, or identity.

Community- A commonly located, interacting population people and business.

Compaction Faults- Shifts in the ground surface due to natural prehistoric dewatering and differential consolidation of sediments.

Data- Raw facts or observations; factual material used as a basis especially for discussion or decision: information.

Endogenic Subsidence- Subsidence due to changes occurring within the earth, such as natural movement of the earth's tectonic plates, volcanic activity, and continental drift.

Evaluation- Measuring the success of a program or concept.

Exogenic Subsidence- Subsidence occurring mainly at the earth's surface due to loss of support, as in the case of fluid extraction, or an increase of loading from the weight of a body of water, such as Lake Mead, or heavy irrigation.

Fire Prevention- That part of fire protection activities exercised to prevent ignition of unwanted fires and to minimize loss when fire does occur.

Fire Protection- The science of reducing losses of life and property due to fire, including both prevention and extinguishment by public or private means. Also, the degree to which such protection is applied.

Fire Protection System- An organized arrangement of people and things performing defined functions to prevent or control unwanted fires.

Function- Something a system does, an activity.

Goal- The general end toward which an effort is directed. That which a system is intended to eventually accomplish.

Hardpan- A hardened or cemented soil horizon or layer. The soil material is sandy, loamy, or clayey and is cemented by iron oxide, silica, calcium carbonate, or other substances.

DRAFT

Mutual Aid- Two way assistance by fire departments of two or more communities freely given under prearranged plans or contracts on the basis that each will aid the other.

Noise- Any useless sound which annoys or disturbs humans or which causes or tends to cause an adverse psychological or physiological effect on humans.

Objective- Something specific toward which an effort is directed. A specific accomplishment necessary in order to achieve goals, the results of which can be measured.

Optimum- Most desirable thing, or status, greatest degree, etc. under implied or specified conditions. Not necessarily either a maximum or minimum.

Pits, Gravel- Consists of open excavations from which soil material and gravel have been removed, exposing rock, a hard pan, or other material.

Projected- Looking forward to the future; forecast in the basis of present information.

Repository- a place where things are stored for safekeeping.

Response- An act responding to an alarm.

Response Time- The length of time required by a complement of firefighters and equipment to respond to a reported fire or other emergency. Response time usually is measured from the time alarm is received by the fire units to the time of arrival at the fire or in the area of the fire.

Risk- Possibility of loss, as in "acceptable fire risk".

System- An arrangement of parts or elements (people, things, and / or organizations) working together to perform a set of operations in the accomplishment of the purpose of the whole, as in "heating system".

Tectonic Faults- Cracks in the earth, resulting from changes in the structure of the earth's crust.

Urban Land- Consists of areas covered by asphalt, concrete, and buildings or other urban structures.

REFERENCES

(1) Clark County 208 Water Quality Management Plan Amendment, Clark County, Nevada, June 1990, p. 65.

(2) Ibid. p. 513.

(3) "Subsidence in Las Vegas, Pahrump, and Indian Springs Valley, Clark and Nye County", Nevada Department of Conservation and Natural Resources, Water Resources Bulletin 5.

(4) Ibid. p. 516.

(5) Clark County Comprehensive Plan, Clark County, Nevada, 1982, p. 17.

(6) "Subsidence in Las Vegas Valley", John W. Bell, Nevada Bureau of Mines and Geology, Bulletin 95, 1981, p. 36.

(7) Clark County Comprehensive Plan, Clark County, Nevada, 1982, p. 17.

(8) "Subsidence in Las Vegas Valley", John W. Bell, Nevada Bureau of Mines and Geology, Bulletin 95, 1981, p. 10.

(9) Renewal of the Nellis Air Force Range Land Withdrawal, Department of the Air Force, Draft Legislative EIS, Vol. 1, 1998, p. 4.21 through 4.211.

(10) Transportation of Spent Nuclear Fuel and High Level Radioactive Waste to a Repository, State of Nevada Nuclear Waste Project Office, 1999, p. 1-13

(11) Master Planning for Fire Protection, FEMA, United States Fire Administration, 1980, p. 56-57.

(12) "Mean Streets 2000", Barbara McCann and Brianca DeVille, Surface Transportation Project, 2000.

(13) "Travel and Built Environment", Robert Cervero and Reid Ewing, (forth coming).

(14) "Land Use and Transportation Interaction: Implications on Public Health and Quality of Life", Journal of Planning, Education, and Research, Oct. 2000.

DRAFT

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

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

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

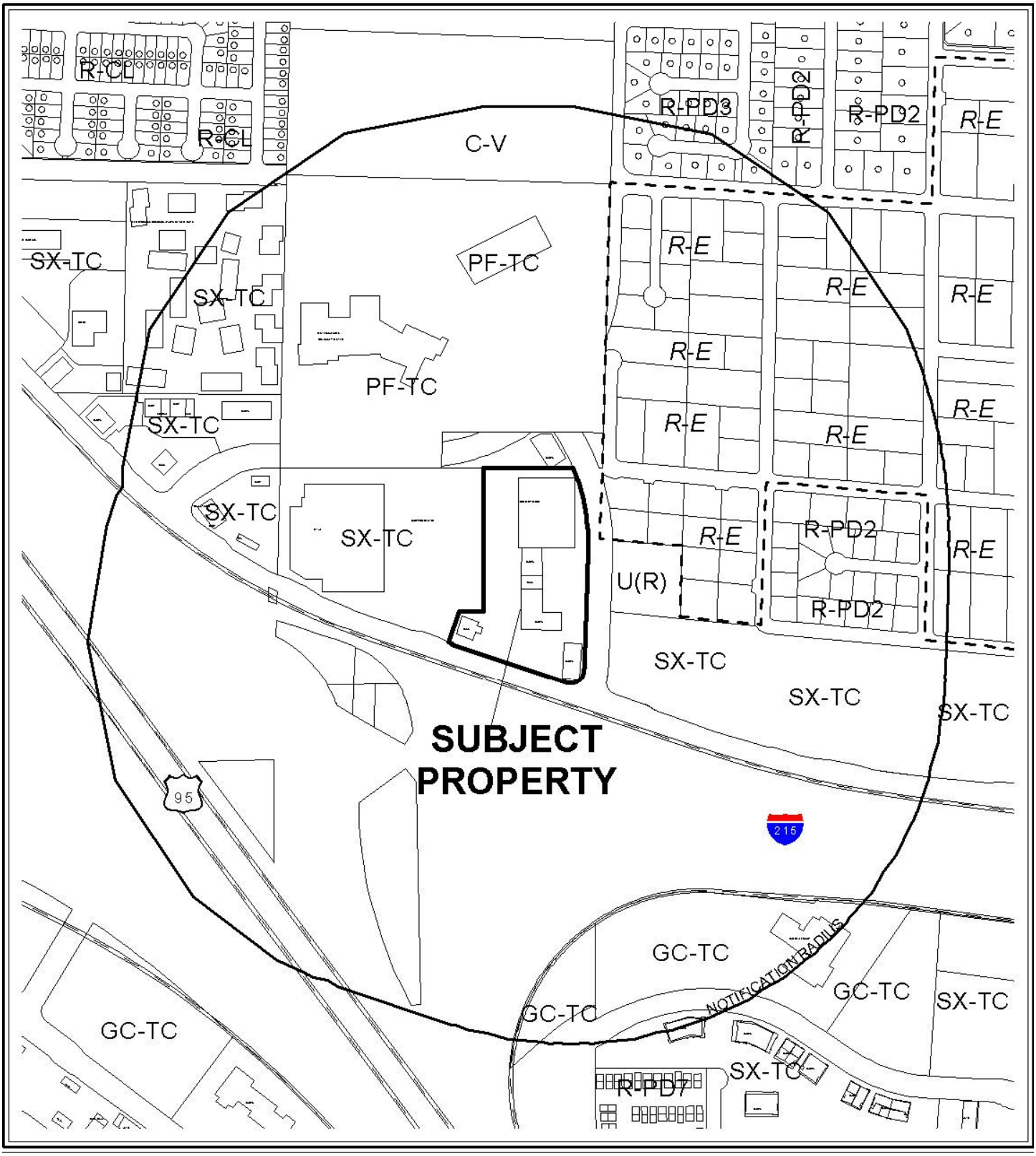
SUBJECT:
MOD-37375 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT: MISS DOLLY"S TAVERN - OWNER: MCW-RC NV-CENTENNIAL CROSSROADS PHASE 1, LLC - Request for a Major Modification of the Town Center Land Use Plan to amend the Special Land Use Designation FROM: SX-TC (SUBURBAN MIXED USE - TOWN CENTER) TO: GC-TC (GENERAL COMMERCIAL - TOWN CENTER) on 8.6 acres generally located at the northwest corner of John Herbert Boulevard and Centennial Parkway (APN 125-21-813-002), Ward 6 (Ross)

C.C.: 04/21/2010

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

RECOMMENDATION:
Staff recommends DENIAL.

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



0 500 1000 Feet

CASE: **MOD-37375**
RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE [SX-TC (SUBURBAN MIXED USE-TOWN CENTER) SPECIAL LAND USE DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE [GC-TC (GENERAL COMMERCIAL-TOWN CENTER) SPECIAL LAND USE DESIGNATION]



0 500 1000 Feet

CASE: **MOD-37375**
RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE [SX-TC (SUBURBAN MIXED USE-TOWN CENTER) SPECIAL LAND USE DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE [GC-TC (GENERAL COMMERCIAL-TOWN CENTER) SPECIAL LAND USE DESIGNATION]

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: MOD-37375 - APPLICANT: MISS DOLLY'S TAVERN - OWNER: MCW-RC NV-CENTENNIAL CROSSROADS PHASE 1, LLC

** CONDITIONS **

Staff recommends DENIAL.

GK

MOD-37375 - Staff Report Page One
March 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Major Modification of the Town Center Land Use Plan from SX-TC (Suburban Mixed Use – Town Center) to GC-TC (General Commercial – Town Center) on 8.63 acres within an existing shopping center located at the northwest corner of John Herbert Boulevard and Centennial Parkway. The applicant has also submitted a request for a Special Use Permit (SUP-37373) to allow a Liquor Establishment (Tavern) use on the affected parcel. The proposed designation is not compatible with the existing and proposed uses surrounding the site, nor is it consistent with existing land use designations in proximity to the site. For these reasons, staff recommends denial of the request. If denied, the property will remain designated SX-TC (Suburban Mixed Use – Town Center).

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
01/12/97	The City Council approved a request for an Extension of Time [Z-0101-94(3)] for a previously approved 705,000 square foot retail shopping center located at the northwest corner of Centennial Parkway and Buffalo Drive. Planning Commission and staff recommended approval.
12/07/98	The City Council approved a Rezoning (Z-0076-98) for the reclassification of property from U (Undeveloped), R-E (Residential Estate), R-PD7 (Residential Planned Development – 7 Units Per Acre), R-PD11 (Residential Planned Development – 11 Units Per Acre), R-PD13 (Residential Planned Development – 13 Units Per Acre), R-PD18 (Residential Planned Development – 18 Units Per Acre), R-CL (Single Family Compact Lot), C-1 (Limited Commercial), C-2 (General Commercial), C-V (Civic), and PD (Planned Development) Zones to TC (Town Center) on 1,468 acres. Planning Commission and staff recommended approval.
01/19/00	The City Council approved a request for a Site Development Plan Review [Z-0076-98(10)] for a proposed commercial center located on the southwest corner of Buffalo Drive and Rome Boulevard. Planning Commission and staff recommended approval.
03/23/00	The Planning Commission approved a request for a Final Map (FMP-0017-00) for one lot at the northwest corner of Sky Pointe Drive and Buffalo Drive. Staff recommended approval.
01/03/01	The City Council approved a request for a Special Use Permit (U-0181-00) for a Packaged Liquor Sales use in conjunction with a proposed grocery store located at the southwest corner of the intersection of Buffalo Drive and Rome Boulevard. Planning Commission and staff recommended approval.

07/12/01	The Planning Commission approved a request for a modification [Z-0076-98(21)] of an approved site plan [Z-0076-98(10)] to change the building footprints and pad site locations on the west side of John Herbert Boulevard between Buffalo Drive and Sky Pointe Drive. Staff recommended approval.
08/01/01	The City Council denied a request for a Variance (V-0035-01) to allow an eighty-foot high freestanding sign where an eight foot high freestanding sign is the maximum height allowed located on the west side of John Herbert Boulevard between Buffalo Drive and Sky Pointe Drive. Planning Commission and staff recommended denial.
09/19/01	The City Council approved a request for a Master Sign Plan (MSP-0002-01) for an approved 265,000 square foot commercial center located at Sky Pointe Drive and John Herbert Drive. Planning Commission and staff recommended approval.
04/25/02	The Planning Commission approved a request for a Site Development Plan Review [Z-0076-98(29)] to modify one pad site and the parking layout of a previously approved site plan [Z-0076-98(10)] located on the west side of John Herbert Boulevard between Buffalo Drive and Sky Pointe Drive. Staff recommended approval.
05/07/02	The Centennial Hills Architectural Review Committee approved a request for a supplement (CHR-0001-02) to the Master Sign Plan (MSP-0002-01) to allow monument signs to be located within 300-feet of other monument signs located at Sky Point Drive and John Herbert Drive.
06/05/02	The City Council approved a request for a Special Use Permit (U-0038-02) to allow a convenience store with gasoline sales within 300 feet of existing single family dwelling units located adjacent on the west side of John Herbert Boulevard between Buffalo Drive and Sky Pointe Drive. Planning Commission and staff recommended approval.
06/05/02	The City Council approved a request for a Special Use Permit (U-0039-02) to allow the sale of beer and wine in conjunction with a convenience store located on the west side of John Herbert Boulevard between Buffalo Drive and Sky Pointe Drive. Planning Commission and staff recommended approval.
06/05/02	The City Council approved a request for a Special Use Permit (U-0040-02) to allow restricted gaming in conjunction with a proposed convenience store located adjacent to the west side of John Herbert Boulevard between Buffalo Drive and Sky Pointe Drive. Planning Commission and staff recommended approval.
06/05/02	The City Council approved a request for a Site Development Plan Review [Z-0076-98(30)] for a proposed convenience store with a waiver of the Town Center Development Standards to allow gasoline pumps adjacent to a public right-of-way located adjacent to the west side of John Herbert Boulevard between Buffalo Drive and Sky Pointe Drive. Planning Commission and staff recommended approval.

08/06/02	The Centennial Hills Architectural Review Committee approved a request for a Master Sign Plan (CHR-0006-02) for a 266,000 square foot commercial center located at Sky Point Drive and John Herbert Drive.
03/25/10	The Planning Commission will consider a related Special Use Permit (SUP-37373) to allow a Liquor Establishment (Tavern) use within an existing shopping center at 6430 Sky Pointe Drive, Suite #130.
Related Building Permits/Business Licenses	
11/08/02	A business license (L15-00125) was issued for packaged liquor sales at 6450 Sky Pointe Drive. The license is still active.
11/21/02	A business license (G01-02100) was issued for restricted gaming at 6450 Sky Pointe Drive. The license is still active.
03/17/03	A building permit (537293) for a retail shell certificate of completion was issued at 6430 Sky Pointe Drive. The building permit was finalized on 08/18/03.
10/02/03	A business license (C14-00402) was issued for a clinic at 6430 Sky Pointe Drive, Suite 150. The license is still active.
10/29/03	A business license (C05-02289) was issued for a novelty shop at 6430 Sky Pointe Drive, Suite 120. The license is still active.
11/03/03	A building permit (570700) for a tenant improvement was issued at 6430 Sky Pointe Drive, Suites 130 and 140. The building permit was never finalized and expired on 08/07/04.
03/03/04	A business license (R07-00636) was issued for a restaurant at 6430 Sky Pointe Drive, Suite 110. The license is still active.
03/25/04	A business license (F86-00016) was issued for a bank at 6430 Sky Pointe Drive, Suite 130. The license is marked out of business.
Pre-Application Meeting	
01/08/10	A pre-application meeting was held with the following topics addressed: • A Major Modification (MOD) of the Town Center Land Use Plan from UC-TC (Urban Center Mixed Use – Town Center) to SC-TC (Service Commercial – Town Center) or GC-TC (General Commercial – Town Center) or EC-TC (Employment Center Mixed Use – Town Center) is required. • A Special Use Permit is required for a Liquor Establishment, Tavern.
Neighborhood Meeting	
03/09/10	Pursuant to the Town Center Development Standards Manual Subsection A.4.c, a neighborhood meeting is required when a waiver of the distance separation requirements is requested. A neighborhood meeting was held from 6:00 to 6:40 pm at the Centennial Hills Community Center located at 6601 N. Buffalo Drive, Las Vegas, Nevada, 89131. There were four attendees for the general public, six attendees representing the applicant and one staff member (Planning and Development). Concerns raised included:

	• Could another Tavern open in this shopping center with the change in zoning? Response: "Yes, as there are no distance separation requirements between tavern uses in Town Center." • A concern about the waiver of the park distance was also noted.
Field Check	
02/18/10	Staff conducted a field check on the indicated date. The following items were noted: • A well maintained shopping center was noted. • Suite #130 is currently a vacant suite.

Details of Application Request	
Site Area	
Net Acres	8.63

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Shopping Center	SX-TC (Suburban Mixed-Use)	T-C (Town Center)
North	Library	PF-TC (Public Facilities)	C-V (Civic)
	Community Recreation Facility	PF-TC (Public Facilities)	C-V (Civic)
South	ROW (CC 215)	ROW (CC 215)	ROW (CC 215)
East	Single Family Residential	Clark County	Clark County
	Undeveloped	SX-TC (Suburban Mixed-Use)	T-C (Town Center)
	Undeveloped	R (Rural Density Residential)	U (Undeveloped)
West	Shopping Center	SX-TC (Suburban Mixed-Use)	T-C (Town Center)

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

GK

DEVELOPMENT STANDARDS

Pursuant to the Town Center Development Standards Manual, the following standards apply to the subject property:

Standard	*Existing SX-TC*	*Proposed GC-TC*
Min. Lot Size	N/A	N/A
Min. Lot Width	N/A	N/A
Min. Setbacks		
• Front	15 feet	15 feet
• Side	10 feet	10 feet
• Corner	15 feet	15 feet
• Rear	20 feet	20 feet

ANALYSIS

Approval of this request would change the special land use designation of the subject property from SX-TC (Suburban Mixed Use – Town Center) to GC-TC (General Commercial – Town Center).

The existing SX-TC (Suburban Mixed Use – Town Center) District is intended to enable development with imaginative adjacency standards. Building and site designs which reflect a mixture of compatible land uses having either vertical or horizontal character will maximize employment and housing opportunities. This district is also more reflective of suburban development than the Urban Center Mixed Use category.

The applicant requests that the subject site be designated GC-TC (General Commercial – Town Center). The General Commercial District allows all types of retail, service, office and other general business uses of a more intense commercial character. These uses will normally require a Special Use Permit and will commonly include limited outdoor display of product and lights or other characteristics not generally compatible with the adjoining residential areas without significant transition. Examples include new and used car sales, highway commercial uses such as hotels and motels, taverns, and tourist commercial uses such as resorts and recreational facilities. Local supporting land uses such as parks, other public recreational facilities, some schools and churches are also allowed in this district.

Staff cannot support this request, as the proposal is not consistent with development occurring in the area or with land use designations currently existing on adjacent properties. To the east and west, the adjacent parcels are designated as SX-TC (Suburban Mixed Use – Town Center). Furthermore, the closest area with a GC-TC (General Commercial) land use designation is located approximately 945 feet south of the subject site, across Clark County 215. Also, parcels to the east of the subject site are currently zoned for low density residential within Clark County. The single family residences require a significant transition from intense uses allowed under the GC-TC (General Commercial) land use designation, which cannot be provided with this proposal; therefore, staff recommends denial of this application.

FINDINGS

The intensity of the proposed modification to the Town Center Land Use Plan is not compatible or consistent with the existing single family residential to the east of the subject site, located within Clark County. Uses that would be allowed by the proposed designation are better suited to a location south of Clark County 215. Street facilities providing access to the subject property are less appropriate for the proposed designation, as the higher intensity uses allowed typically demand more roadway capacity. Note that the site is nearly all developed with uses appropriate to the SX-TC (Suburban Mixed Use – Town Center) zoning designation.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 23

NOTICES MAILED 109

APPROVALS 0

PROTESTS 3

GK

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **MOD-37375** APN: 125-21-813-002

Name of Property Owner: MCW-RC NV-Centennial Crossroads Phase I, LLC

Name of Applicant: Miss Dolly's Tavern (RMTWO, INC.)

Name of Representative: Jennifer Roberts, Lionel Sawyer & Collins

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: Gregg R. Sadowsky, Vice President

Subscribed and sworn before me See attached Jurat

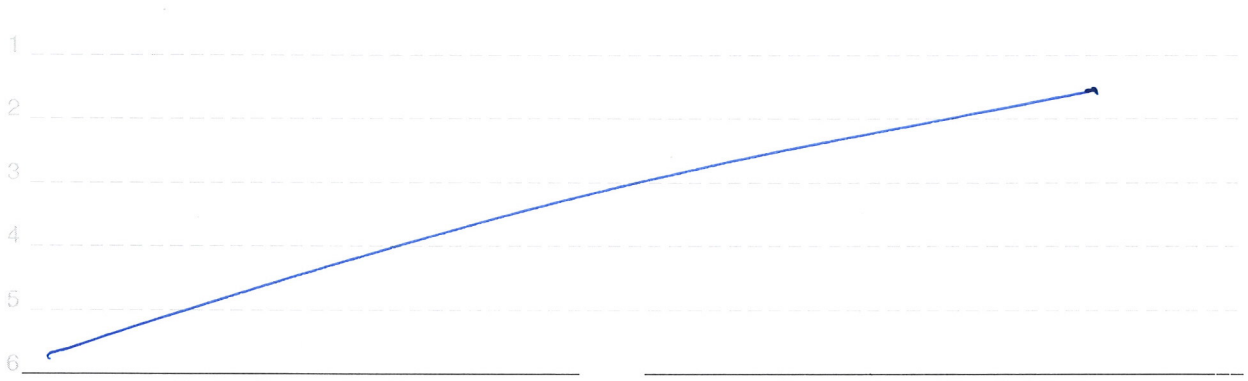
This _____ day of _____, 20____

_____

Notary Public in and for said County and State

CALIFORNIA JURAT WITH AFFIANT STATEMENT

☑ See Attached Document (Notary to cross out lines 1–6 below)
☐ See Statement Below (Lines 1–5 to be completed only by document signer[s], *not* Notary)



Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

State of California

County of San Diego

Subscribed and sworn to (or affirmed) before me on this

6th (Date) day of February (Month), 2010 (Year), by

(1) Gregg R. Sadowsky (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)

RAELEINE K. NABORS
Commission # 1821127
Notary Public - California
San Diego County
My Comm. Expires Nov 1, 2012

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: _____

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Top of thumb here	Top of thumb here

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PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Miss Dolly's Tavern - Major Modification

Project Address (Location) 6430 Sky Pointe Drive, Suite 130, Las Vegas NV 89131

Project Name Centennial Crossroads **Proposed Use** Tavern (GC-TC)

Assessor's Parcel #(s) 125-21-813-002 **Ward #** 6

General Plan: existing TC proposed ____ **Zoning:** existing SX-TC proposed GC-TC

Commercial Square Footage 3,733 **Floor Area Ratio** ____

Gross Acres 8.6 **Lots/Units** ____ **Density** ____

Additional Information ____

PROPERTY OWNER MCW-RC NV-Centennial Crossroads **Contact** Steve Hargrave

Address 265 Santa Helena, Suite 211 **Phone:** (858) 847-4623 **Fax:** (858) 350-1669

City Solana Beach **State** CA **Zip** 92075

E-mail Address shargrave@regencycenters.com

APPLICANT Miss Dolly's Tavern (RMTWO, Inc.) **Contact** Randy Miller

Address 4730 North Jensen Street **Phone:** (702) 592-1456 **Fax:** (702) 383-8845

City Las Vegas **State** Nevada **Zip** 89129

E-mail Address ---

REPRESENTATIVE Lionel Sawyer & Collins **Contact** Jennifer Roberts

Address 300 South Fourth Street #1700 **Phone:** (702) 383-8946 **Fax:** (702) 671-2490

City Las Vegas **State** Nevada **Zip** 89101

E-mail Address jroberts@lionelsawyer.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 Gregg R. Sadowsky, Vice President

Subscribed and sworn before me See attached Jurat

This ____ day of ____, 20 ____.

____

Notary Public in and for said County and State

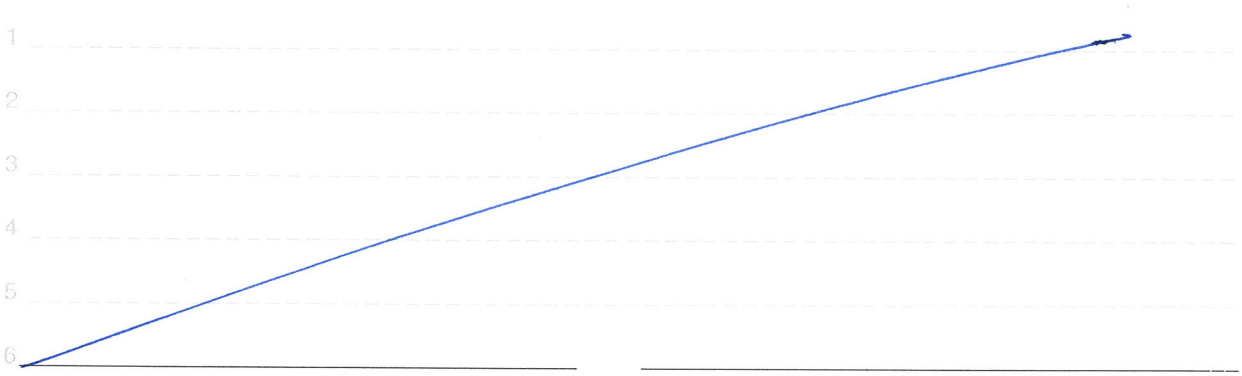
FOR DEPARTMENT USE ONLY

Case #	MOD-37375
Meeting Date:	3-25-10
Total Fee:	1,000
Date Received:*	2-16-10
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.

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)



Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

State of California

County of San Diego

Subscribed and sworn to (or affirmed) before me on this 9th day of February, 2010, by

(1) Gregg R. Sadowsky,

proved to me on the basis of satisfactory evidence to be the person who appeared before me (.) (,)

(and

(2) _____,

proved to me on the basis of satisfactory evidence to be the person who appeared before me.)

Signature _____

Signature of Notary Public

RAELEINE K. NABORS
Commission # 1821127
Notary Public - California
San Diego County
My Comm. Expires Nov 1, 2012

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.

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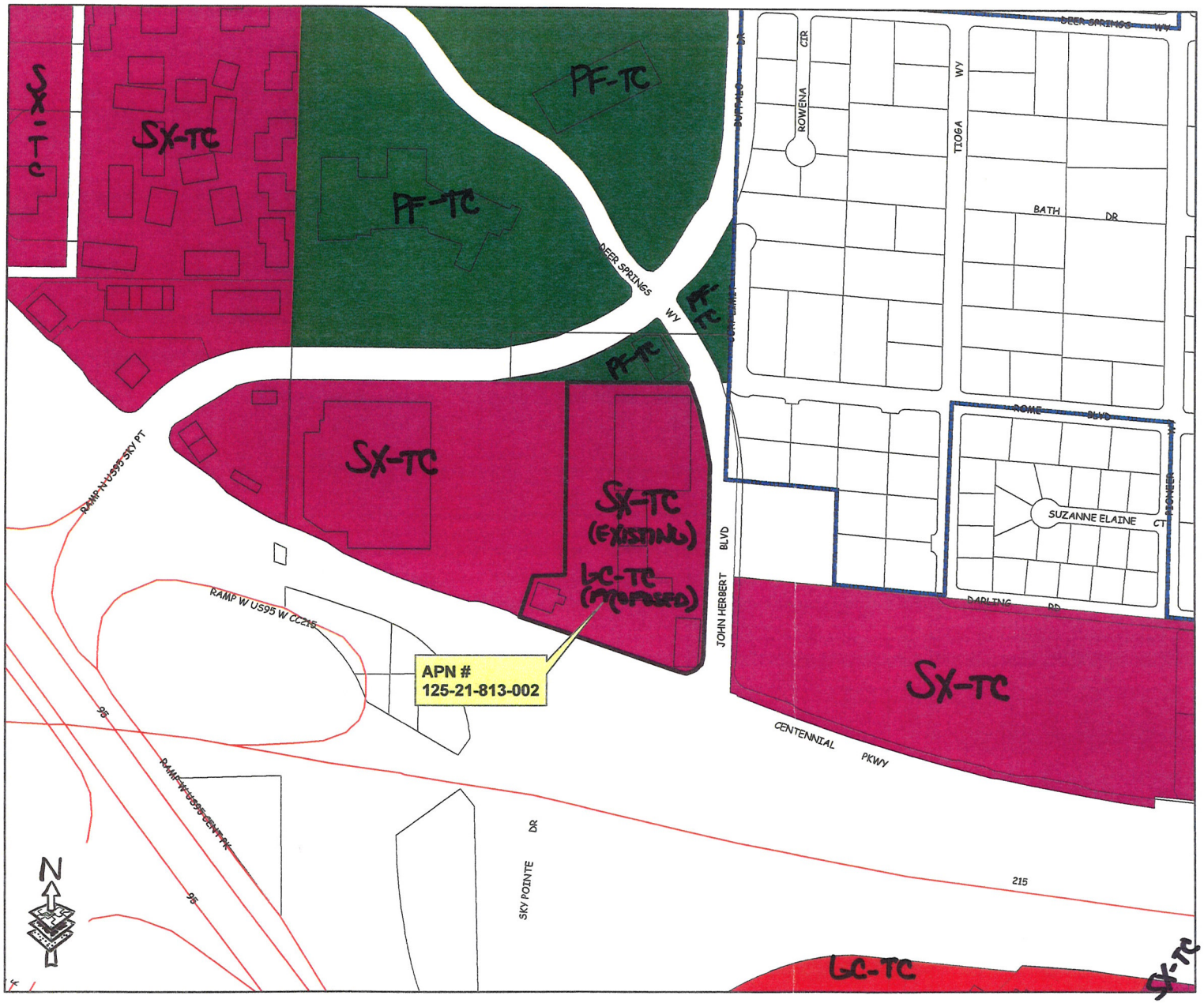

City of Las Vegas

Town Center Landuse

Legend

- City Limits
- EC-TC
- GC-TC
- L-TC
- M-TC
- ML-TC
- MLA-TC
- MS-TC
- PF-TC
- ROW
- SC-TC
- SX-TC
- UC-TC

0 115 230 460 690 920 Feet

Map Printed: October 29, 2009

PLANNING & DEVELOPMENT

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

MOD-37375
REVISED
03/25/10 PC

RECEIVED
MAR 03 2010



MOD-37375 - APPLICANT: MISS DOLLY'S TAVERN - OWNER: MCW-RC NV-CENTENNIAL CROSSROADS PHASE 1, LLC
NORTHWEST CORNER OF JOHN HERBERT BOULEVARD AND CENTENNIAL PARKWAY
MARCH 25, 2010 PLANNING COMMISSION

02/18/10



MOD-37375 - APPLICANT: MISS DOLLY'S TAVERN - OWNER: MCW-RC NV-CENTENNIAL CROSSROADS PHASE 1, LLC
NORTHWEST CORNER OF JOHN HERBERT BOULEVARD AND CENTENNIAL PARKWAY
MARCH 25, 2010 PLANNING COMMISSION

02/18/10

LIONEL SAWYER & COLLINS

ATTORNEYS AT LAW
1700 BANK OF AMERICA PLAZA
300 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101
(702) 383-8888
FAX (702) 383-8845

lsc@lionelsawyer.com

www.lionelsawyer.com

SAMUEL S. LIONEL
GRANT SAWYER
(1918-1996)

JON R. COLLINS
(1923-1987)

RICHARD H. BRYAN
JEFFREY P. ZUCKER
PAUL R. HEJMANOWSKI
ROBERT D. FAISS
DAVID N. FREDERICK
RODNEY M. JEAN
HARVEY WHITTEMORE
TODD TOUTON
CAM FERENBACH
LYNDA S. MABRY
MARK H. GOLDSTEIN
KIRBY J. SMITH
COLLEEN A. DOLAN
JENNIFER A. SMITH
DAN R. REASER
PAUL E. LARSEN
ALLEN J. WILT

LYNN S. FULSTONE
RORY J. REID
DAN C. McGUIRE
JOHN E. DAWSON
FRED D. "PETE" GIBSON, III
CHARLES H. McCREA JR.
GREGORY E. SMITH
MALANI L. KOTCHKA
LESLIE BRYAN HART
CRAIG E. ETEM
TODD E. KENNEDY
MATTHEW E. WATSON
SHAWN M. ELICEGUI
JOHN M. NAYLOR
WILLIAM J. McKEAN
ELIZABETH BRICKFIELD
GREGORY R. GEMIGNANI
LINDA M. BULLEN
LAURA J. THALACKER
DOREEN SPEARS HARTWELL
LAURA K. GRANIER
MAXIMILIANO D. COUVILLIER III

MICHAEL D. KNOX
ERIN FLYNN
JENNIFER ROBERTS
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RICHARD T. CUNNINGHAM
MATTHEW R. POLICASTRO
JENNIFER J. DiMARZIO
PEARL L. GALLAGHER
CHRISTINE D. SMITH
SUSAN L. MYERS
BRIAN S. PICK
JENNIFER L. BRASTER
LUCAS J. TUCKER
CHRISTOPHER WALTHER

KEVIN J. HEJMANOWSKI
KETAN D. BHIRUD
LAUREN D. CALVERT
ROBERT W. HERNQUIST
CHRISTIAN HALE
TIMOTHY R. MULLINER
COURTNEY MILLER O'MARA
BRIAN H. SCHUSTERMAN
MOHAMED A. IQBAL, JR.
KELLY R. KICHLINE
MARK J. GARDBERG
ELIZABETH A. HIGH
JAMES B. GIBSON
GREG J. CARLSON
ABIGAYLE F. DANG

OF COUNSEL
RICHARD J. MORGAN*
ELLEN WHITTEMORE
CHRISTOPHER MATHEWS
MARK A. CLAYTON

*ADMITTED IN CA ONLY

WRITER'S DIRECT DIAL NUMBER:
(702)-383-8946
jroberts@lionelsawyer.com

February 9, 2010

VIA HAND DELIVERY

Planning and Development Department
City of Las Vegas
Development Services Center
731 South Fourth Street
Las Vegas, Nevada 89101

RECEIVED
10 FEB -9 PM 2:45
PLANNING AND DEVELOPMENT

RE: ***Application for Modification, Special Use Permit, & Waiver***

To Whom It May Concern:

I am writing on behalf of RMTWO, Inc. (the "Applicant"), in support of the application for a Modification to the Town Center Land Use Plan and a Special Use Permit with a waiver of the Town Center Development Standards to allow a liquor establishment (tavern) within 400 feet of a City of Las Vegas park called Miss Dolly's Tavern to be located at 6430 Sky Pointe Drive, Suite 130 (APN # 125-21-813-002).

This location is zoned T-C and is subject to the Town Center Development Standards. The Town Center land use designation for the above parcel is SX-TC, which is Suburban Mixed Use. According to that classification, the use is primarily commercial with medium-density residential allowed. Unfortunately, the SX-TC land use designation does not permit a liquor establishment (tavern) as a commercial use, although other businesses that sell and serve liquor are allowed, including, but not limited to, liquor stores, convenience stores, supper clubs, and restaurants with service bars.

The Applicant hereby respectfully requests a modification in the Town Center land use designation for this parcel to GC-TC, which is a general commercial designation. This designation would not conflict with the City of Las Vegas general plan designation for the site of SC. This parcel consists of a commercial center with a variety of commercial and retail uses and is located adjacent to a larger commercial parcel containing a Target. The change to GC-TC would not

MOD-37375
03/25/10 PC

create a wholly-unique zoning arrangement, as there is a series of adjacent SX-TC and GC-TC parcels across the 215 highway from the proposed site. Moreover, a change to GC-TC would not conflict with any current use operating at the location, as each existing use is authorized in an GC-TC classified area. The current uses at the parcel include several retail stores, dental and medical offices, financial institutions (banks), restaurants, a health and fitness store, and a grocery store.

The Applicant is primarily owned by Randy Miller and Richard Gonzales, who are former Las Vegas Metropolitan Police Department officers that operate several successful tavern and gaming establishments in the City of Las Vegas and other jurisdictions throughout the Las Vegas valley. The addition of a tavern to this location would generate additional revenue to the City through taxes and fees, offer the surrounding community an option to frequent a limited gaming establishment, and provide employment opportunities to local residents. As experienced operators of liquor and gaming establishments throughout southern Nevada, the Applicant will continue to maintain its high-level standard of operations, and the design, hours of operation, traffic generation, lighting, and noise at this location will be consistent with the surrounding area upon issuance of a special use permit.

Moreover, changing the land use designation and granting a special use permit to allow for the proposed liquor establishment (tavern) would not adversely affect surrounding properties, as this store is located adjacent to a grocery store that sells alcoholic beverages. The proposed tavern location is surrounded by numerous commercial properties because it is located within a larger commercial complex, so the offer of on-premise consumption of alcohol would be compatible with the area.

The parcel is about 385 feet away from Centennial Hills Park, thus requiring a waiver of the 400-foot separation requirements. However, the proposed liquor establishment is adequately buffered by the major thoroughfare of Buffalo Drive, which is a right-of-way measuring about 100 feet in width, and there are numerous stores and large parking areas that separate the Park from the proposed liquor establishment. Additionally, the location is adequately buffered from nearly residential by Centennial Parkway and John Herbert Road. The location complies with parking and all other requirements of the City of Las Vegas Municipal Code.

As the use would be appropriate for the area as part of a large commercial subdivision and a change in the Town Center land use designation would not adversely impact the surrounding uses, the Applicant respectfully requests a change in the land use designation to GC-TC and the issuance of a special use permit with a waiver for a liquor establishment (tavern).

Please call me if you have any questions or need additional information.

Sincerely,

Jennifer Roberts

MOD-37375
03/25/10 PC

cc: Mr. Randy C. Miller
Mr. Richard M. Gonzales
Mr. Randy W. Miller

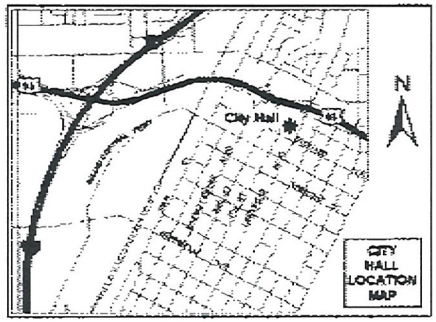
MOD-37375
03/25/10 PC

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 MAR 12 2010
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



Not only do I not want a bar next door, I do not want it close to the park + YMCA. We have something nice going for us. Why do we have to put alcohol in the middle of it.

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.

MOD-37375 & SUP-37373
Planning Commission Meeting of 3/25/2010

Case: MOD-37375
12522302019
GREGORY SANDY S & MICHAEL S
7440 ROME BLVD
LAS VEGAS NV 89131-3502

Sandy + Michael Gregory

AAVDS11 89131

RECEIVED
MAR 15 2010

15 P

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

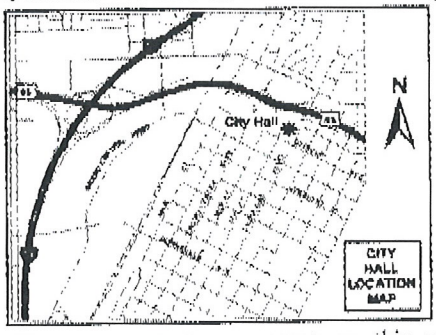
PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES

02 1M $ 00.41⁴
0004279218 MAR 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.

MOD-37375 & SUP-37373

Planning Commission Meeting of 3/25/2010

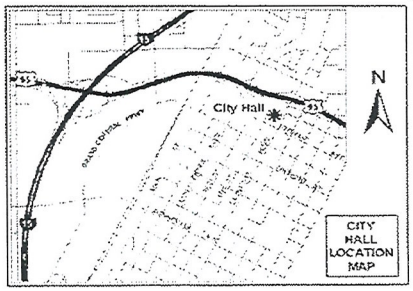
Case: MOD-37375

12522401013
NOLL MARTHA
6505 N TIOGA WY
LAS VEGAS NV 89131-3539

RECEIVED
MAR 17 2010

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

Return Service Requested
Official Notice of Public Hearing



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

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

MOD-37375 & SUP-37373

Planning Commission Meeting of 3/25/2010

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
$ 00.41⁴
MAILED FROM ZIP CODE 89101

Case: MOD-37375

12527114003
AZURE DISK L L C
1012 E SAHARA AVE
LAS VEGAS NV 89104-3218

AAVDS11 89104

RECEIVED
MAR 15 2010

15P

City of Las Vegas Agenda Item No.: **16.**

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

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

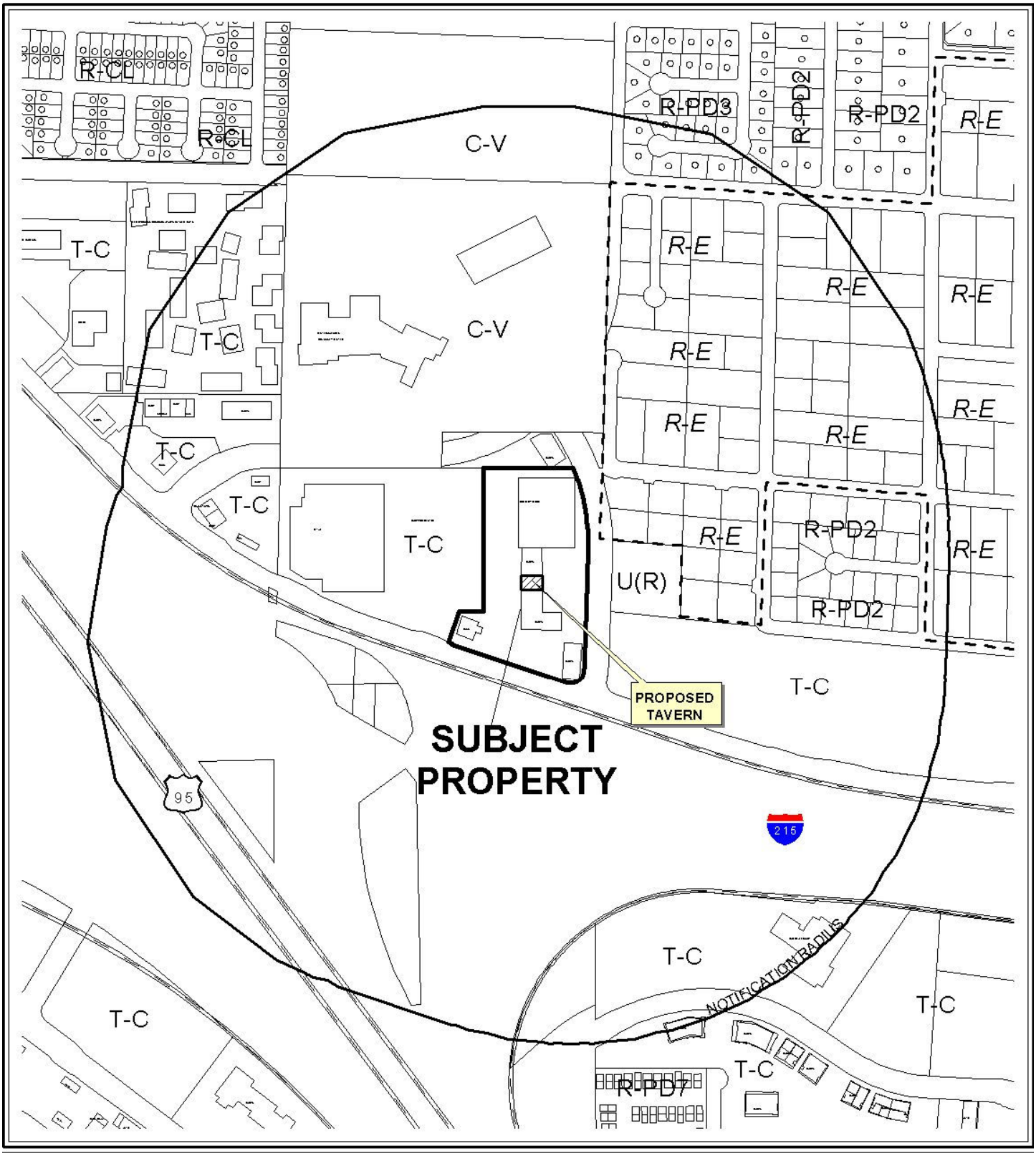
SUBJECT:
SUP-37373 - SPECIAL USE PERMIT RELATED TO MOD-37375 - PUBLIC HEARING - APPLICANT: MISS DOLLY"S TAVERN - OWNER: MCW-RC NV-CENTENNIAL CROSSROADS PHASE 1, LLC - Request for a Special Use Permit FOR A 3,534 SQUARE-FOOT LIQUOR ESTABLISHMENT, TAVERN WITH A WAIVER TO ALLOW A 147-FOOT DISTANCE SEPARATION FROM A CITY PARK WHERE 400 FEET IS THE MINIMUM DISTANCE REQUIRED at 6430 Sky Pointe Drive, Suite #130 (APN 125-21-813-002), Ward 6 (Ross)

C.C.: 04/21/2010

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

RECOMMENDATION:
Staff recommends DENIAL.

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



0 500 1000 Feet

CASE: **SUP-37373**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: T-C (TOWN CENTER)

N



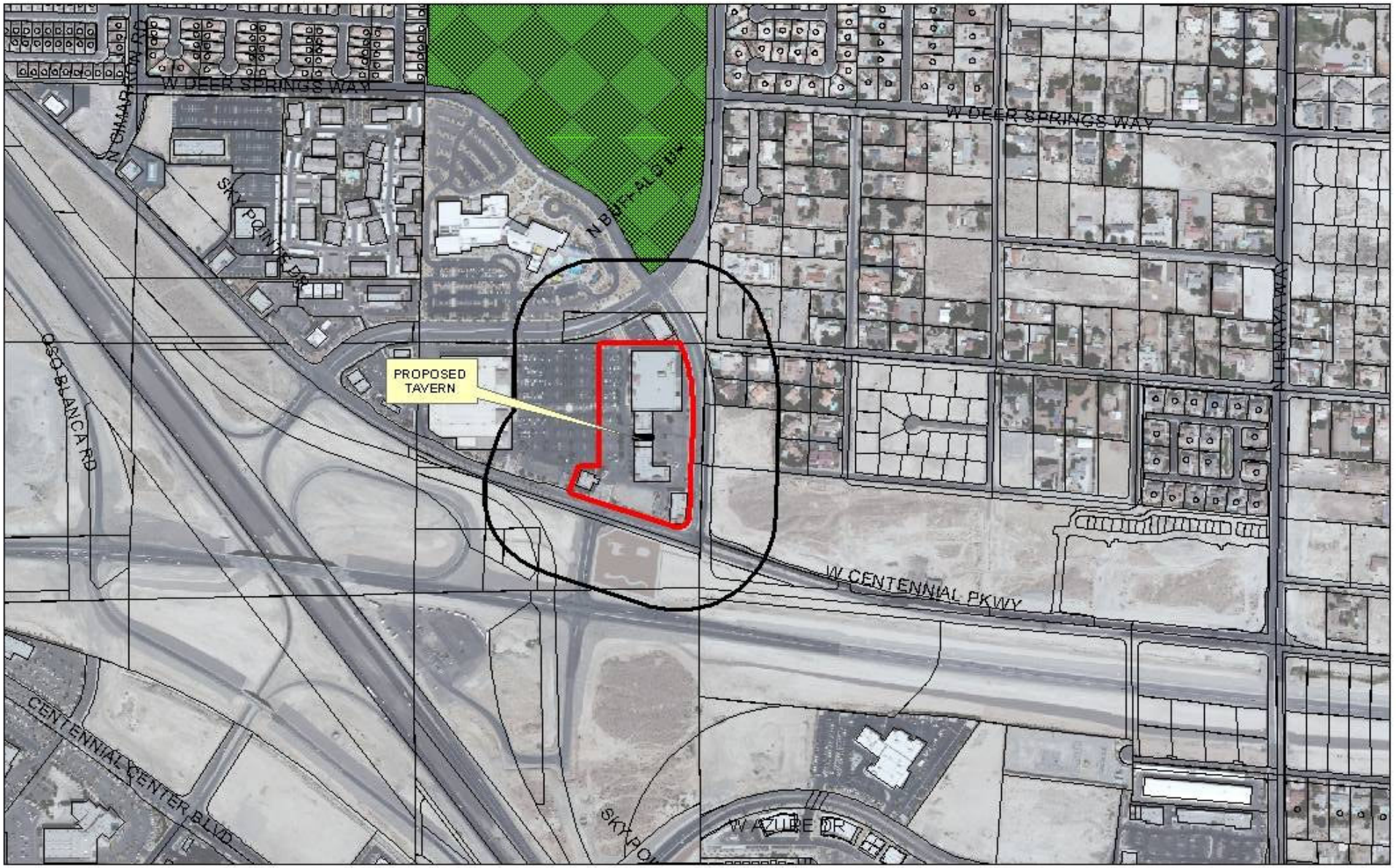
0 500 1000 Feet

CASE: **SUP-37373**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: T-C (TOWN CENTER)

N



SUP-37373

Business Licenses

Child Care/ Children Facility

Tavern

RELIGIOUS

CITY PARKS

SCHOOLS

Subject Property

1500 foot buffer

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-37373 - APPLICANT: MISS DOLLY'S TAVERN - OWNER: MCW-RC NV-CENTENNIAL CROSSROADS PHASE 1, LLC

** CONDITIONS **

Staff recommends DENIAL, if approved subject to conditions:

Planning and Development

1. Conformance to all Minimum Requirements under the Town Center Development Standards for a Liquor Establishment, Tavern use.

2. Approval of Major Modification (MOD-37375) shall be required.

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

4. Approval of this Special Use Permit does not constitute approval of a liquor license.

5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

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

GK

SUP-37373 - Staff Report Page One
March 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is requesting a Special Use Permit for a proposed Liquor Establishment (Tavern) use within an existing shopping center at 6430 Sky Pointe Drive, Suite #130. The request includes a waiver to allow a 147-foot distance separation from an existing City Park where 400 feet is required. An associated request has been submitted for a Major Modification (MOD-37375) to change the special land use designation of the subject property from SX-TC (Suburban Mixed Use – Town Center) to GC-TC (General Commercial – Town Center), as a Liquor Establishment (Tavern) use is not permitted in the current land use designation. Staff recommends denial, as the request is inconsistent with the Town Center Development Standards in that the proposed location for the Liquor Establishment (Tavern) use will not provide the minimum 400 foot distance separation requirement from an existing City Park and is not compatible with surrounding land uses. Also, modifying the Town Center designation to its most intense commercial use is not appropriate for this area, as there are existing single family residences adjacent to the east side of the subject site.

ISSUES

- Approval of a companion Major Modification (MOD-37375) to change the special land use designation of the subject property from SX-TC (Suburban Mixed Use – Town Center) to GC-TC (General Commercial – Town Center) is necessary for this request to be approved.
- A Waiver of the minimum 400-foot distance separation requirement from a City Park is requested to allow a 147-foot distance separation.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
01/12/97	The City Council approved a request for an Extension of Time [Z-0101-94(3)] for a previously approved 705,000 square foot retail shopping center located at the northwest corner of Centennial Parkway and Buffalo Drive. Planning Commission and staff recommended approval.
12/07/98	The City Council approved a Rezoning (Z-0076-98) for the reclassification of property from U (Undeveloped), R-E (Residential Estate), R-PD7 (Residential Planned Development – 7 Units Per Acre), R-PD11 (Residential Planned Development – 11 Units Per Acre), R-PD13 (Residential Planned Development – 13 Units Per Acre), R-PD18 (Residential Planned Development – 18 Units Per Acre), R-CL (Single Family Compact Lot), C-1 (Limited Commercial), C-2 (General Commercial), C-V (Civic), and PD (Planned Development) Zones to TC (Town Center) on 1,468 acres. Planning Commission and staff recommended approval.

GK

01/19/00	The City Council approved a request for a Site Development Plan Review [Z-0076-98(10)] for a proposed commercial center located on the southwest corner of Buffalo Drive and Rome Boulevard. Planning Commission and staff recommended approval.
03/23/00	The Planning Commission approved a request for a Final Map (FMP-0017-00) for one lot at the northwest corner of Sky Pointe Drive and Buffalo Drive. Staff recommended approval.
01/03/01	The City Council approved a request for a Special Use Permit (U-0181-00) for a Packaged Liquor Sales use in conjunction with a proposed grocery store located at the southwest corner of the intersection of Buffalo Drive and Rome Boulevard. Planning Commission and staff recommended approval.
07/12/01	The Planning Commission approved a request for a modification [Z-0076-98(21)] of an approved site plan [Z-0076-98(10)] to change the building footprints and pad site locations on the west side of John Herbert Boulevard between Buffalo Drive and Sky Pointe Drive. Staff recommended approval.
08/01/01	The City Council denied a request for a Variance (V-0035-01) to allow an eighty-foot high freestanding sign where an eight foot high freestanding sign is the maximum height allowed located on the west side of John Herbert Boulevard between Buffalo Drive and Sky Pointe Drive. Planning Commission and staff recommended denial.
09/19/01	The City Council approved a request for a Master Sign Plan (MSP-0002-01) for an approved 265,000 square foot commercial center located at Sky Pointe Drive and John Herbert Drive. Planning Commission and staff recommended approval.
04/25/02	The Planning Commission approved a request for a Site Development Plan Review [Z-0076-98(29)] to modify one pad site and the parking layout of a previously approved site plan [Z-0076-98(10)] located on the west side of John Herbert Boulevard between Buffalo Drive and Sky Pointe Drive. Staff recommended approval.
05/07/02	The Centennial Hills Architectural Review Committee approved a request for a supplement (CHR-0001-02) to the Master Sign Plan (MSP-0002-01) to allow monument signs to be located within 300-feet of other monument signs located at Sky Point Drive and John Herbert Drive.
06/05/02	The City Council approved a request for a Special Use Permit (U-0038-02) to allow a convenience store with gasoline sales within 300 feet of existing single family dwelling units located adjacent on the west side of John Herbert Boulevard between Buffalo Drive and Sky Pointe Drive. Planning Commission and staff recommended approval.
06/05/02	The City Council approved a request for a Special Use Permit (U-0039-02) to allow the sale of beer and wine in conjunction with a convenience store located on the west side of John Herbert Boulevard between Buffalo Drive and Sky Pointe Drive. Planning Commission and staff recommended approval.

06/05/02	The City Council approved a request for a Special Use Permit (U-0040-02) to allow restricted gaming in conjunction with a proposed convenience store located adjacent to the west side of John Herbert Boulevard between Buffalo Drive and Sky Pointe Drive. Planning Commission and staff recommended approval.
06/05/02	The City Council approved a request for a Site Development Plan Review [Z-0076-98(30)] for a proposed convenience store with a waiver of the Town Center Development Standards to allow gasoline pumps adjacent to a public right-of-way located adjacent to the west side of John Herbert Boulevard between Buffalo Drive and Sky Pointe Drive. Planning Commission and staff recommended approval.
08/06/02	The Centennial Hills Architectural Review Committee approved a request for a Master Sign Plan (CHR-0006-02) for a 266,000 square foot commercial center located at Sky Point Drive and John Herbert Drive.
03/25/10	The Planning Commission will consider a related Major Modification (MOD-37375) of the Town Center Land Use Plan from SX-TC (Suburban Mixed Use – Town Center) to GC-TC (General Commercial – Town Center) on 8.63 acres within an existing shopping center located at the northwest corner of John Herbert Boulevard and Centennial Parkway.
Related Building Permits/Business Licenses	
11/08/02	A business license (L15-00125) was issued for packaged liquor sales at 6450 Sky Pointe Drive. The license is still active.
11/21/02	A business license (G01-02100) was issued for restricted gaming at 6450 Sky Pointe Drive. The license is still active.
03/17/03	A building permit (537293) for a retail shell certificate of completion was issued at 6430 Sky Pointe Drive. The building permit was finalized on 08/18/03.
10/02/03	A business license (C14-00402) was issued for a clinic at 6430 Sky Pointe Drive, Suite 150. The license is still active.
10/29/03	A business license (C05-02289) was issued for a novelty shop at 6430 Sky Pointe Drive, Suite 120. The license is still active.
11/03/03	A building permit (570700) for a tenant improvement was issued at 6430 Sky Pointe Drive, Suites 130 and 140. The building permit was never finalized and expired on 08/07/04.
03/03/04	A business license (R07-00636) was issued for a restaurant at 6430 Sky Pointe Drive, Suite 110. The license is still active.
03/25/04	A business license (F86-00016) was issued for a bank at 6430 Sky Pointe Drive, Suite 130. The license is marked out of business.

Pre-Application Meeting	
01/08/10	A pre-application meeting was held with the following topics addressed: • A Major Modification (MOD) of the Town Center Land Use Plan from UC-TC (Urban Center Mixed Use – Town Center) to SC-TC (Service Commercial – Town Center) or GC-TC (General Commercial – Town Center) or EC-TC (Employment Center Mixed Use – Town Center) is required. • A Special Use Permit is required for a Liquor Establishment, Tavern.
Neighborhood Meeting	
03/09/10	Pursuant to the Town Center Development Standards Manual Subsection A.4.c, a neighborhood meeting is required when a waiver of the distance separation requirements is requested. A neighborhood meeting was held from 6:00 to 6:40 pm at the Centennial Hills Community Center located at 6601 N. Buffalo Drive, Las Vegas, Nevada, 89131. There were four attendees for the general public, six attendees representing the applicant and one staff member (Planning and Development). Concerns raised included: • Could another Tavern open in this shopping center with the change in zoning? Response: "Yes, as there are no distance separation requirements between tavern uses in Town Center." • A concern about the waiver of the park distance was also noted.
Field Check	
02/18/10	Staff conducted a field check on the indicated date. The following items were noted: • A well maintained shopping center was noted. • Suite #130 is currently a vacant suite.

Details of Application Request	
Site Area	
Net Acres	8.63

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Shopping Center	SX-TC (Suburban Mixed-Use)	T-C (Town Center)
North	Library	PF-TC (Public Facilities)	C-V (Civic)
	Community Recreation Facility	PF-TC (Public Facilities)	C-V (Civic)

GK

South	ROW (CC 215)	ROW (CC 215)	ROW (CC 215)
East	Single Family Residential	Clark County	Clark County
	Undeveloped	SX-TC (Suburban Mixed-Use)	T-C (Town Center)
	Undeveloped	R (Rural Density Residential)	U (Undeveloped)
West	Shopping Center	SX-TC (Suburban Mixed-Use)	T-C (Town Center)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	***Required***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	250,030 SF	1:250	981	21			
TOTAL			1001		1,093		Y

Waivers		
Requirement	**Request**	**Staff Recommendation**
Title 19.04.010 - No Liquor Establishment (Tavern) shall be located closer than 400-feet from a church, synagogue, child care facility licensed for 12 or more children, or City Park	A Waiver to allow a 147-foot distance separation from a City Park	Denial

ANALYSIS

The applicant is proposing a Liquor Establishment (Tavern) use within an existing shopping center at 6430 Sky Pointe Drive, Suite #130. The subject site is currently zoned T-C (Town Center) with a SX-TC (Suburban Mixed Use – Town Center) Special Land Use designation. The applicant has submitted an associated Major Modification (MOD-37375) of the Town Center Land Use Plan to GC-TC (General Commercial – Town Center) to allow the proposed Liquor Establishment (Tavern) to be within the range of uses permitted with a Special Use Permit.

The Town Center Development Standards require a Tavern to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children or City Park, as measured from property line to property line. In this case, the proposed use is only 147 feet from an existing City Park (Centennial Hills Park) where 400 feet is the minimum distance required. The applicant is requesting a Waiver to address this issue.

The subject site is not an appropriate location for the proposed use, as is evidenced by the request for a Waiver of the distance separation requirement from a city park, and also by the need to modify the Town Center land use designation to the more intense GC-TC (General Commercial – Town Center) Special Land Use designation in order to allow the proposed Liquor Establishment (Tavern) use with the approval of this Special Use Permit. The associated request for a Major Modification (MOD-37375) is not compatible with the existing surrounding land use designations and would allow other uses that are too intense for the surrounding adjacent properties; therefore, staff cannot support the associated request for a Major Modification and recommends denial of this Special Use Permit request.

FINDINGS

The following findings must be made for a Special Use Permit:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

The Liquor Establishment (Tavern) use cannot be conducted in a manner that is compatible with the existing surrounding land uses and with future surrounding land uses as projected by the General Plan, as parcels adjacent to the east property line are zoned for low density residential. These single family residences require a significant transition from intense uses that cannot be provided with this request.

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 proposed Liquor Establishment, Tavern use. The proposed use is only 147 feet from an existing City Park where 400 feet is the minimum distance required.

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 Centennial Parkway, designated as a 90-Foot Town Center Loop and John Herbert Boulevard, designated as a 100-Foot Primary Arterial by the Town Center Development Standards. Both streets will provide adequate access to the site. Site access and circulation will not negatively impact adjacent roadways and neighborhood traffic.

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

A Liquor Establishment (Tavern) use will be subject to regular City and County inspections for licensing; therefore, public health, safety, and welfare will not be compromised. Approval of this Special Use Permit requires approval of an associated Major Modification (MOD-37375), which is not consistent with the objectives of the Town Center Development Standards Manual.

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

The proposal does not meet Condition (a) of the minimum requirements for a Liquor Establishment (Tavern) use contained in the Town Center Development Standards Manual, which requires that "no tavern shall be located within 400 feet of any church, synagogue, school, child care facility, or city park." Approval of a waiver is required to allow the use within 400 feet of a city park.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 23

NOTICES MAILED 109

APPROVALS 0

PROTESTS 3

GK

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-37373** APN: 125-21-813-001,125-21-813-002

Name of Property Owner: MCW-RC NV-Centennial Crossroads, LLC

Name of Applicant: Miss Dolly's Tavern

Name of Representative: Randy Miller

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: Eric Li

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FEB 09 2010

Subscribed and sworn before me

This _____ day of _____, 20____

Please see attached for Jurat

Notary Public in and for said County and State

State of California

County of Los Angeles

Subscribed and sworn to (or affirmed) before me on this 8th day of October, 2009, by Eric Y. Li, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Seal

LINDSAY N. KELLY
Commission # 1858838
Notary Public - California
Los Angeles County
My Comm. Expires Jul 24, 2013

Signature Lindsay N. Kelly

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PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

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APPLICATION / PETITION FORM

Application/Petition For: Miss Dolly's Tavern SPECIAL USE PERMIT

Project Address (Location) 6430 Sky Pointe Dr. Ste. 130 Las Vegas, NV. 89131

Project Name Centennial Crossroads **Proposed Use** TAVERN (LC-TC)

Assessor's Parcel #(s) 125-21-813-002 **Ward #** 6

General Plan: existing TC proposed ____ **Zoning:** existing SX-TC proposed LC-TC

Commercial Square Footage 3,733 **Floor Area Ratio** ____

Gross Acres 8.6 **Lots/Units** ____ **Density** ____

Additional Information ____

PROPERTY OWNER MCW-IZC NV-CENTENNIAL CROSSROADS, LLC **Contact** Chris Daniell

Address 915 Wilshire Blvd. Ste. 2200 **Phone:** (213) 553-2229 **Fax:** (213) 624-2279

City Los Angeles **State** CA **Zip** 90017

E-mail Address cdaniell@regencycenters.com

APPLICANT Miss Dolly's Tavern **Contact** Randy Miller

Address 4730 N. Jensen St. **Phone:** (702) 592-1456 **Fax:** ____

City Las Vegas **State** NV **Zip** 89129

E-mail Address ____

LIONEL SAWYER & COLLINS ATTN: JENNIFER ROBERTS 702-383-8946

REPRESENTATIVE MISS DOLLY'S TAVERN **Contact** RANDY MILLER

Address 4730 N. JENSEN ST. **Phone:** 702.592.1456 **Fax:** 702-383-8845

City LAS VEGAS **State** NV. **Zip** 89129

E-mail Address JROBERTS@LIONELSAWYER.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 ERIC L

Subscribed and sworn before me

This ____ day of ____, 20 ____.

Please see attached for Jurat

Notary Public in and for said County and State

FOR DEPARTMENT USE ONLY

Case #	SUP 37373
Meeting Date:	3.25.10
Total Fee:	$ 1,280.-
Date Received:*	2.9.10
Received By:	JFA

*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.

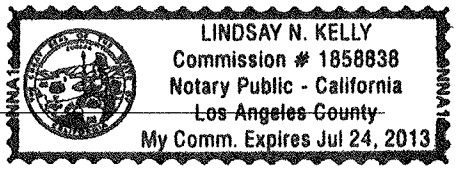
Revised 10/27/08

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

State of California

County of Los Angeles

Subscribed and sworn to (or affirmed) before me on this 8th day of October, 2009, by Eric Y. Li, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Seal 

Signature Lindsay N. Kelly

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SITE SUMMARY

SITE: 928,680 S.F. (21.32 ACRES)

Total building square footage	**250,030**	LAND/BLDG.:	3.7/1 (27% LOT COVERAGE)
Parking required 1:250	**1002**	REQUIRED PARKING:	986 (20 H.C. & 5 VAN H.C.)
Parking existing	**1093**	PROPOSED PARKING:	1,093 (22 H.C. & 10 VAN C.)
Parking ratio	**1:228**	PARKING RATIO:	4.4/1000

THESE TWO PROPERTIES WILL BE COMBINED -

*SEE ATTACHED DOCUMENTS AND REQUIREMENTS

PLANS APPROVED ARCHITECTURAL ... Nevada

JCC APR. - 8 2004

BUFFALO DRIVE

SKYPOINTE DRIVE

JOHN HERBERT BLVD.

WORK AREA (SEE SHEET 6D1)

EXTEND SCREEN W/ ⊥ TO MATCH EXISTING

PAD K 16,454 S.F. FF= 12.50

PAD J 4,900 S.F. (FUTURE BANK) FF= 12.50

PAD I 9,242 S.F. FF= 16.60

SHOP A 6,300 S.F. FF= 100.00

SHOP B 10,800 S.F. FF= 100.50

SHOP C 6,344.5 S.F. FF= 102.17

C. STORE 2,051 S.F.

TARGET 2001 142,600 S.F. FF= 12.50

COMMON AREA

GARDEN CENTER 4001 S.F.

VONS 55,216 S.F. FF= 24.00

FIRE PUMP 680 S.F.

TRASH COMPACTOR

SCREEN WALL

LOADING

PROPERTY LINE

PARCEL LINE

LIMITS OF CONSTRUCTION

EASEMENT

PROPOSED TRAFFIC LIGHT

24' HIGH TARGET PYLON SIGN

24' HIGH DEVELOPER PYLON SIGN

7' WIDE x 8' HIGH MONUMENT SIGNS FOR FUEL STATION

10' WIDE x 8' HIGH MONUMENT SIGN

5' WIDE x 8' HIGH MONUMENT SIGN

GAS

FIRE RISER

PHONE

ELECTRICAL SWITCHGEAR

ELECT. METERS

BOLLARDS AS REQUIRED

STORM DRAIN OUTLET

FLATER

Parcel # 125-16-101-006

Parcel # 125-16-101-001

1. PAINT 4" WIDE BROKEN TRAFFIC STRIPPING. USE TWO (2) COATS HIGHWAY WHITE PAINT.
2. PAINT 4" WIDE PARKING STRIPPING WITH HIGHWAY WHITE PAINT (2 COATS) TYPICAL THROUGHOUT SITE.
3. PAINT 4" WIDE 45 DEGREE DIAGONAL STRIPPING SPACED 3'-0" O.C., USE TWO (2) COATS HIGHWAY YELLOW PAINT
4. BUILDING LIMIT LINE (LIMIT OF CONSTRUCTION).
5. LIMIT OF COMPACTION (10'-0" OUTSIDE OF BUILDING LIMIT LINE).
6. TRASH ENCLOSURE - SEE DETAIL 4/SD-2 PART OF BLDG. CONTRACT
6A. TRASH ENCLOSURE - SEE DETAIL 4A/SD-2 PART OF BLDG. CONTRACT
7. NOT USED
8. CONCRETE DRIVE APPROACH PART OF OFF-SITE IMPROVEMENTS. SEE CIVIL DRAWINGS.
9. BIKE RACK
10. HANDICAPPED PARKING STALL 6/SD-3
11. ON-SITE CONCRETE CURBS AND SIDEWALKS TO MEET AND MATCH FLUSH W/ BACK OF (OFF-SITE) CITY SIDEWALKS, TYPICAL THROUGH-OUT.
12. LANDSCAPE IRRIGATION WATER METER. REFER TO LANDSCAPE DWGS.
13. LANDSCAPE CONTROLLER, REFER TO SHEET L-2.6
14. CONCRETE SWALE 1/SD-3
15. NOT USED
16. HANDICAP ENTRANCE SIGN. REFER TO DETAIL 15/SD-3
17. CONCRETE WALK. PROVIDE T.J. 6/SD-3 @ 5'-0" O.C. & E.J. 7/SD-3 @ 20'-0" O.C.
18. HANDICAP CURB RAMP. 9/SD-3 MAX CROSS SLOPE: 2%
19. PIPE GUARD. 3/SD-3
20. EXCAVATION OF LOADING DOCKS, PART OF SITE CONTRACT. SUMP PUMP DRAIN AT EACH DOCK
21. LANDSCAPING, REFER TO LANDSCAPE DWGS.
22. 2'-0" x 3'-0" PULL BOX FOR SITE LIGHTING, PROVIDE PIPE GUARDS AS REQ. CONTRACTOR TO COORDINATE W/ NEVADA POWER.
23. 6'-0" HIGH SCREEN WALL ABOVE HIGHEST ADJACENT GRADE, PART OF SITE CONTRACT 9/SD-3
24. PAINT 4" WIDE 45 DEGREE DIAGONAL STRIPING SPACED AT 3'-0" O.C. WITH TWO (2) COATS BLUE PAINT
25. STOP SIGN
26. TRANSFORMER PAD/SLAB BOX PER NEVADA POWER COMPANY REQ., PROVIDE BOLLARDS AS REQUIRED
27. RETAINING WALL - SEE CIVIL DWGS.
28. GRATED CATCH BASIN, SEE CIVIL DWGS.
29. STAMPED CONC.
30. CURB & GUTTER 3/SD-3
31. CONC. WALKS, RAMPS, STAIRS, ETC. PART OF BLDG. CONTRACT.
32. PARKING LIGHT ELECTRICAL PANEL
33. NOT USED
34. NOT USED
35. 5'x5' LEVEL LANDING & WALK.
36. MONUMENT SIGN OR PYLON SIGN (N.I.C.). PROVIDE ELEC. CONDUIT W/ PULL STRING
37. PHONE ENTRY POINT
S. SPRINT PHONE PULL BOX
C. COX COMMUNICATIONS PULL BOX
G. GAS METER
X. PAINTED STOP & DIRECTIONAL 1/SD-3

METAL HALIDE, PKG. LOT FIXT. ON 20' POLE & CONC. BASE PER SEE SITE ELECTRICAL DWGS. 12/SD-3

UNDERGROUND UTILITY BOX. REFER TO SITE ELECTRICAL DWGS.

FIRE HYDRANT. REFER TO CIVIL DWGS.

FIRE SPRINKLER RISER LOCATION, REFER TO CIVIL DWGS. FOR ADDITIONAL NOTES

JUNCTION BOX

CONSTRUCTION NOTES

B

SITE PLAN

SCALE: 1" = 60' A

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OCT 23 2003
CITY OF LAS VEGAS PERMITS

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SUP-37373
54:4 Sky Pointe Dr.
REVISED
03/25/10 PC

COPY

Nadel Architects Inc.
Architecture Planning Interiors
7180 S. Industrial Rd. Suite 800 Las Vegas Nevada 89118
702 • 895 2000

REVISIONS:
BLDG. DEPT. 10-22-09

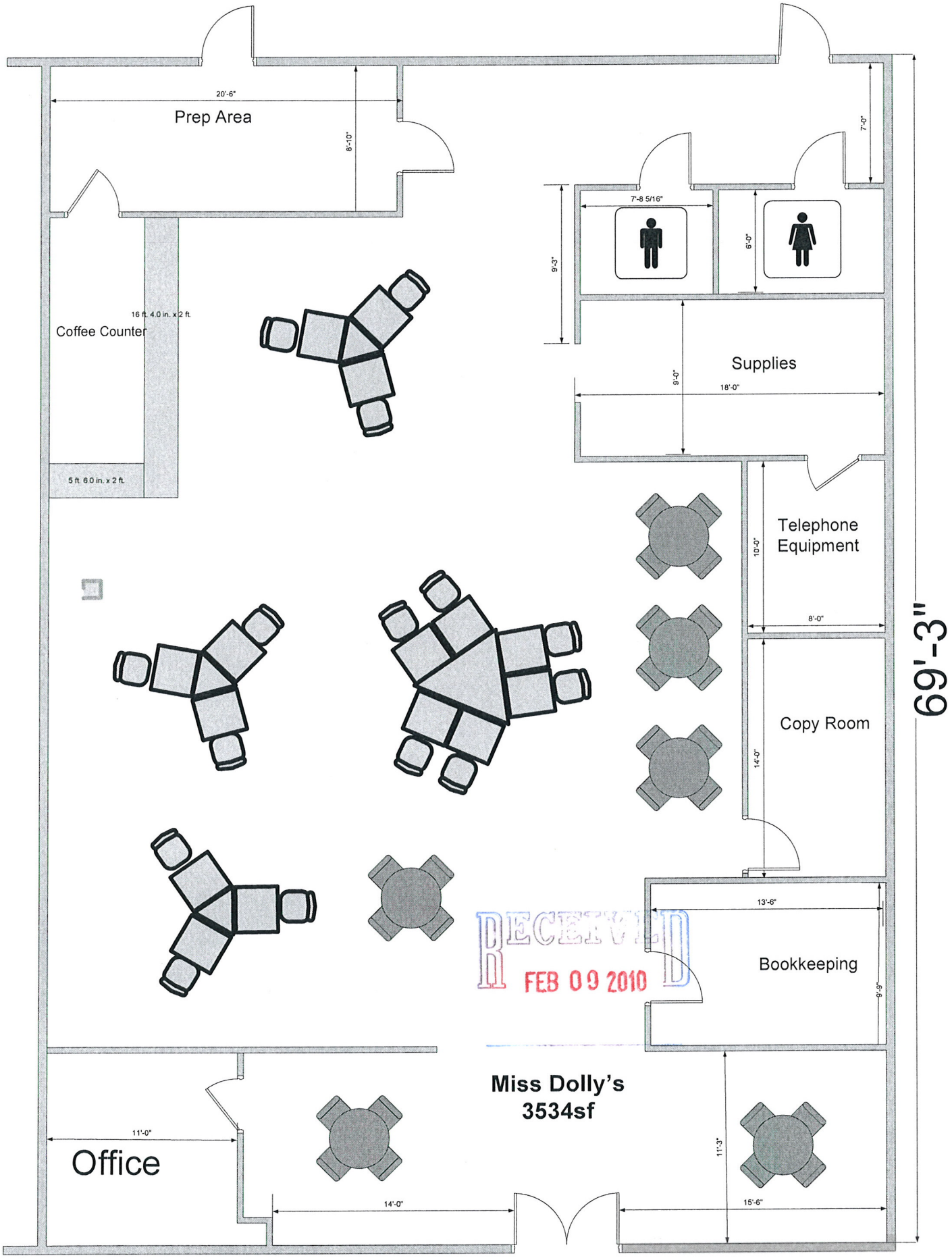
CENTENNIAL CROSSROADS
Las Vegas (Clark Co.), Nevada

PAD K - 6400 SKY POINTE DRIVE

OCT 21 2003

DRAWING TITLE: SITE PLAN
DATE 08-29-09
JOB NO. 0108.730
SHEET SD-1 of sheets

ALL DRAWINGS AND WRITTEN MATERIAL APPEARING HEREIN CONSTITUTE THE ORIGINAL AND UNPUBLISHED WORK OF THE ARCHITECT AND THE SAME MAY NOT BE DUPLICATED, USED OR DISCLOSED WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT COPYRIGHT, NADEL ARCHITECTS, INC. ALL RIGHTS RESERVED



SUP-37373
03/25/10 PC



SUP-37373 - APPLICANT: MISS DOLLY'S TAVERN - OWNER: MCW-RC NV-CENTENNIAL CROSSROADS PHASE 1, LLC
6430 SKY POINTE DRIVE, SUITE #130
MARCH 25, 2010 PLANNING COMMISSION

02/18/10



SUP-37373 - APPLICANT: MISS DOLLY'S TAVERN - OWNER: MCW-RC NV-CENTENNIAL CROSSROADS PHASE 1, LLC
6430 SKY POINTE DRIVE, SUITE #130
MARCH 25, 2010 PLANNING COMMISSION

02/18/10

LIONEL SAWYER & COLLINS

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1700 BANK OF AMERICA PLAZA
300 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101
(702) 383-8888
FAX (702) 383-8845
lsc@lionelsawyer.com
www.lionelsawyer.com

SAMUEL S. LIONEL
GRANT SAWYER
(1918-1996)
JON R. COLLINS
(1923-1987)
RICHARD H. BRYAN
JEFFREY P. ZUCKER
PAUL R. HEJMANOWSKI
ROBERT D. FAISS
DAVID N. FREDERICK
RODNEY M. JEAN
HARVEY WHITTEMORE
TODD TOUTON
CAM FERENBACH
LYNDA S. MABRY
MARK H. GOLDSTEIN
KIRBY J. SMITH
COLLEEN A. DOLAN
JENNIFER A. SMITH
DAN R. REASER
PAUL E. LARSEN
ALLEN J. WILT

LYNN S. FULSTONE
RORY J. REID
DAN C. McGUIRE
JOHN E. DAWSON
FRED D. "PETE" GIBSON, III
CHARLES H. McCREA JR.
GREGORY E. SMITH
MALANI L. KOTCHKA
LESLIE BRYAN HART
CRAIG E. ETEM
TODD E. KENNEDY
MATTHEW E. WATSON
SHAWN M. ELICEGUI
JOHN M. NAYLOR
WILLIAM J. McKEAN
ELIZABETH BRICKFIELD
GREGORY R. GEMIGNANI
LINDA M. BULLEN
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DOREEN SPEARS HARTWELL
LAURA K. GRANIER
MAXIMILIANO D. COUVILLIER III

MICHAEL D. KNOX
ERIN FLYNN
JENNIFER ROBERTS
MEREDITH L. STOW
DOUGLAS A. CANNON
RICHARD T. CUNNINGHAM
MATTHEW R. POLICASTRO
JENNIFER J. DiMARZIO
PEARL L. GALLAGHER
CHRISTINE D. SMITH
SUSAN L. MYERS
BRIAN S. PICK
JENNIFER L. BRASTER
LUCAS J. TUCKER
CHRISTOPHER WALTHER

KEVIN J. HEJMANOWSKI
KETAN D. BHIRUD
LAUREN D. CALVERT
ROBERT W. HERNQUIST
CHRISTIAN HALE
TIMOTHY R. MULLINER
COURTNEY MILLER O'MARA
BRIAN H. SCHUSTERMAN
MOHAMED A. IQBAL, JR.
KELLY R. KICHLINE
MARK J. GARDBERG
ELIZABETH A. HIGH
JAMES B. GIBSON
GREG J. CARLSON
ABIGAYLE F. DANG

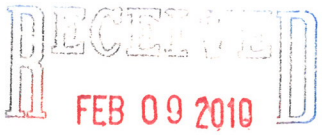
OF COUNSEL
RICHARD J. MORGAN*
ELLEN WHITTEMORE
CHRISTOPHER MATHEWS
MARK A. CLAYTON

*ADMITTED IN CA ONLY
WRITER'S DIRECT DIAL NUMBER:
(702)-383-8946
jroberts@lionelsawyer.com

February 9, 2010

VIA HAND DELIVERY

Romeo Gumarang, Planner I
Planning and Development Department
City of Las Vegas
Development Services Center
731 South Fourth Street
Las Vegas, Nevada 89101



RE: ***Application for Modification, Special Use Permit & Waiver***

Dear Romeo:

Enclosed please find an application for a Modification to the Town Center Land Use Plan Designation and Special Use Permit with a waiver of the Town Center Development Standards to change from an SX-TC to GC-TC zoning classification and allow a tavern use within 400 feet of a City of Las Vegas park. This application is filed on behalf of RMTWO, Inc., which proposes to operate a tavern within a large commercial center on Centennial Parkway near Buffalo Drive at 6430 Sky Pointe Drive, Suite 130 (APN #: 125-21-813-002).

The following application materials are included:

- Submittal checklists
- Application/Petition Form containing notarized signature of property owner
- Deed and legal description
- Justification letter
- Check payable to City of Las Vegas in the amount of $2,280.00 for application, notification, and recordation fees for the Modification and Special Use Permit applications
- Statement of Financial Interest

SUP-37373
03/25/10 PC

- Assessor's Parcel Map
- Project of Regional Significance-Development Impact Notice and Assessment form
- Copy of business license of Lionel Sawyer & Collins, as representative to the Applicant
- 19 folded copies of the Site Plan
- 1 rolled copy of the Site Plan
- 1 reduced copy of the Site Plan
- 19 folded copies of the Location Map
- 1 rolled, colored copy of the Location Map
- 1 reduced copy of the Location Map
- 1 map showing surrounding sites within a 1,000-foot radius
- 1 folded and 1 rolled floor plan
- 1 reduced copy of the floor plan
- Summary of the uses in the surrounding commercial area

The Neighborhood Meeting is currently scheduled for Tuesday, February 23, 2010, from 6:00 to 7:00 p.m. at the Centennial Hills Community Center, Community Resource Room, at 6601 North Buffalo Drive. We are in process of preparing and sending out the notices.

Please let me know if you have any questions or require additional information.

Sincerely,

Jennifer Roberts

Enclosures

cc: Mr. Randy C. Miller (w/o encl.)
Mr. Richard M. Gonzales (w/o encl.)
Mr. Randy W. Miller (w/o encl.)

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FEB 09 2010

SUP-37373
03/25/10 PC

03/15/2010 06:03 7023964875 MIKE/GREGO PAGE 01

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

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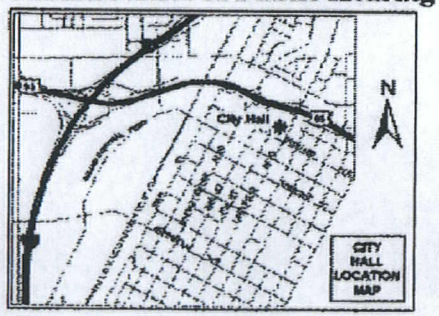

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.
MOD-37375 & SUP-37373
Planning Commission Meeting of 3/25/2010

Not only do I not want a bar next door, I do not want it close to the park + YMCA - We have something nice going for us. Why do we have to put alcohol in the middle of it.

Case: MOD-37375
12522302019
GREGORY SANDY S & MICHAEL S
7440 ROME BLVD
LAS VEGAS NV 89131-3502

Sandy + Michael Gregory

AAVDS11 89131

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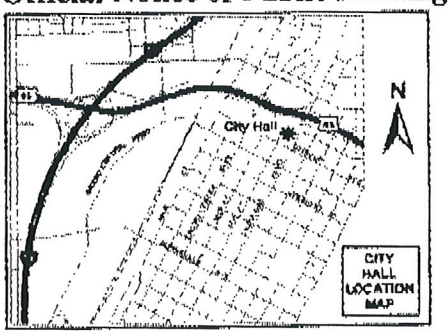

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MOD-37375 & SUP-37373

Planning Commission Meeting of 3/25/2010

Case: MOD-37375

12522401013
NOLL MARTHA
6505 N TIOGA WY
LAS VEGAS NV 89131-3539

AAVDS11 89131

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03/15/2010 MON 11:07 FAX 7024582478 Clinical Reseach 001/001

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

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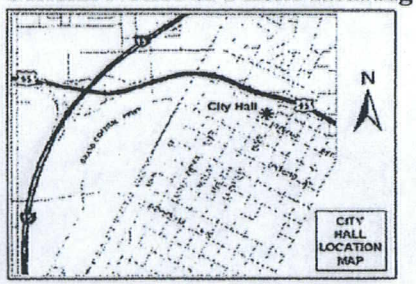

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MOD-37375 & SUP-37373

Planning Commission Meeting of 3/25/2010

Case: MOD-37375

12527114003
AZURE DISK L L C
1012 E SAHARA AVE
LAS VEGAS NV 89104-3218

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AAVDS11 89104

City of Las Vegas Agenda Item No.: **17.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 25, 2010

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

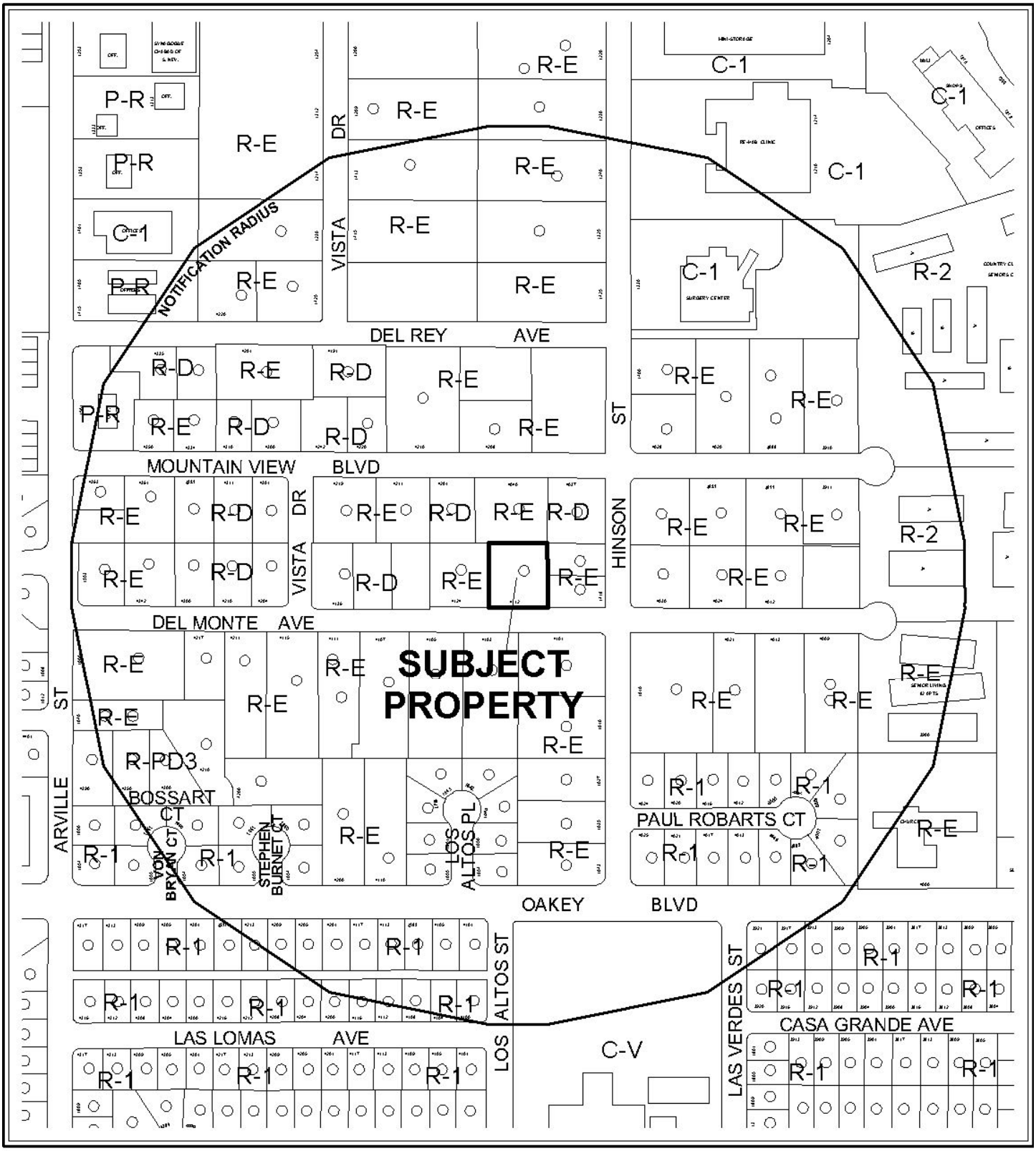
SUBJECT:
VAR-37287 - VARIANCE - PUBLIC HEARING - OWNER/ APPLICANT: LORRAINE BRADY - Request for a Variance TO ALLOW AN EIGHT-FOOT WALL/FENCE WITH SIX FEET OF OPEN FENCING (WROUGHT IRON) AND TWO FEET OF SOLID FENCING (BLOCK) WITHIN THE FRONT YARD WHERE FIVE FEET IS THE MAXIMUM ALLOWED on 0.50 acres at 4112 Del Monte Avenue (APN 162-06-610-025), R-E (Residential Estate) Zone, Ward 1 (Tarkanian)

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

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

RECOMMENDATION:
Staff recommends DENIAL.

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



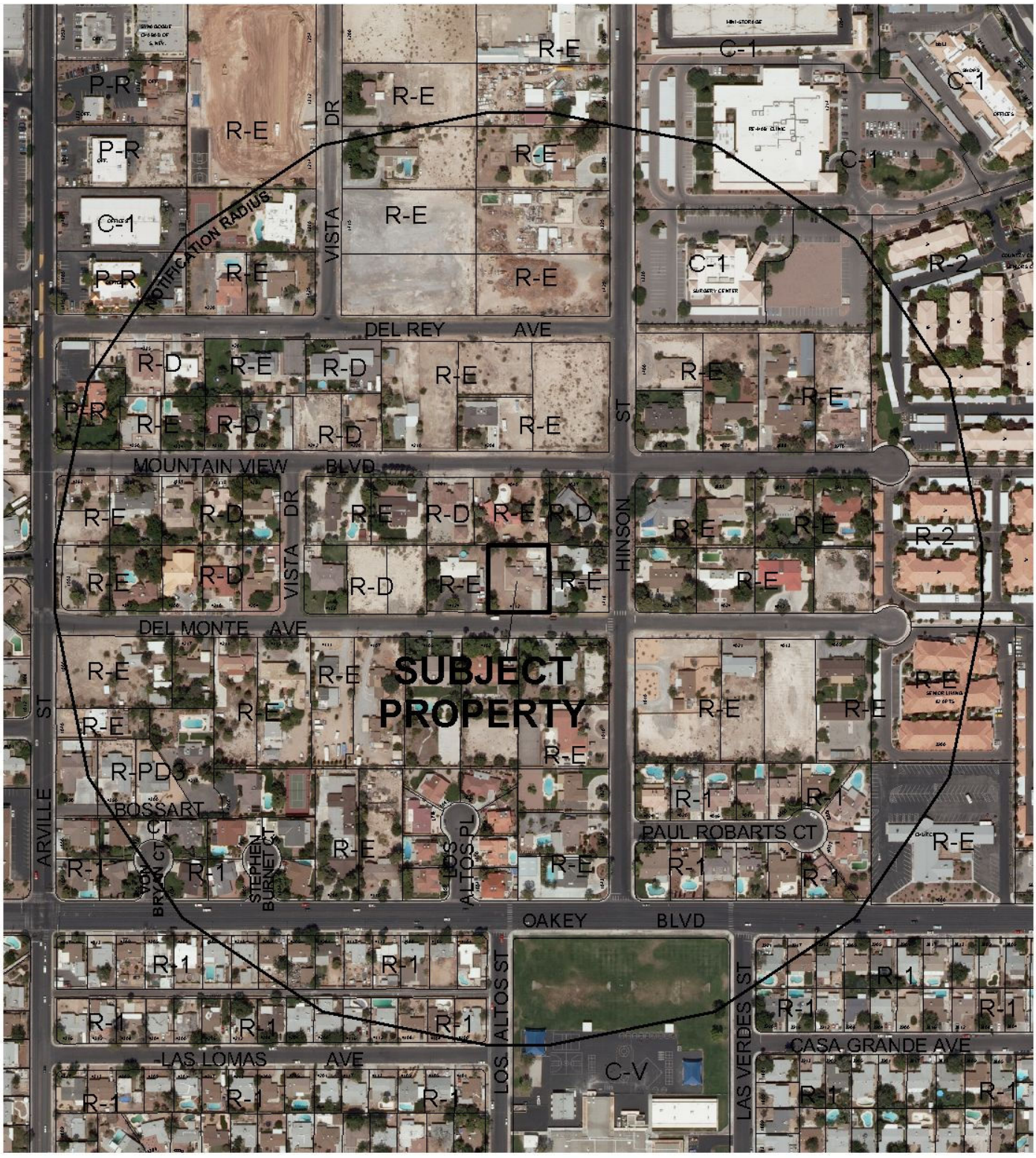
0 300 600 Feet

CASE: **VAR-37287**

RADIUS: 1000 FT

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

N



CASE: **VAR-37287**

RADIUS: 1000 FT

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

0 300 600 Feet

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-37287 – APPLICANT/OWNER: LORRAINE BRADY

** CONDITIONS **

Staff recommends DENIAL, if approved subject to conditions:

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 wall. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Department.

Public Works

3. If the entry gates proposed are to be electrically opened and closed, the gates may be placed immediately behind the street right-of-way line (i.e., on the private property side of where the sidewalk is located). If the entry gate is to manually opened and closed, the gates shall be set back a sufficient distance (a minimum of 18 feet) to allow a vehicle to pull completely out of the public street right-of-way before parking to manually operate the gate. The installation of either swing gates or rolling gates are acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right-of-way.

VAR-37287 - Staff Report Page One
March 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Variance to allow a proposed eight-foot wall/fence within the front yard where five feet is the maximum height allowed. The subject site contains an existing single-family residence located at 4112 Del Monte Avenue. The applicant is requesting the additional height to provide security and minimize vandalism at the subject site. Staff cannot support this request for a Variance, as the proposed fence does not meet Title 19.12.075 requirements and is not harmonious with the surrounding development. For these reasons, staff is recommending denial. If this request is denied, the existing five-foot wall/fence will remain as it is.

ISSUES

- The applicant is requesting to raise the existing wall/fence an additional three feet above the maximum height allowed by Title 19.12.075. No building permits have been issued for the existing wall/fence.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
09/14/09	Code Enforcement issued a citation notice (#81851) for the long term parking of commercial trailers with expired plates. The case was closed by Code Enforcement on 01/22/10.
01/06/10	A deed was recorded for a change of ownership.
Related Building Permits/Business Licenses	
c. 1976	The existing structure at 4112 Del Monte Avenue was constructed.
Pre-Application Meeting	
01/14/10	A pre-application meeting with the applicant was held where the elements of submitting a Variance were discussed. The topics included: • The applicant expressed the need for wanting to raise the wall/fence for security and privacy reasons; the wall is to be raised to 8feet (3feet above the maximum height allowed). • The applicant is a new tenant to the subject site and purchased the property on 11/26/09. • The existing fence was not permitted. • The applicant was informed that he would need a new site plan with the following: setbacks, dimensions, height of wrought iron, height of side walls, and a list of the materials that were to be used in the construction of the wall/fence, and also label any possible accessory structures and label streets). • Applicant has power of Attorney from his mother.

Neighborhood Meeting	
A neighborhood meeting is not required, nor was one held.	
Field Check	
02/18/10	Staff conducted a site visit and observed the following: • A well-maintained residence with an existing wall/fence within the front yard setback. • Currently, the wall/fence, especially the wrought iron section, appears structurally weak and rusty.

Details of Application Request	
Site Area	
Net Acres	.50

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Single-Family Residence	R (Rural) Density Residential	R-E (Residence Estates)
North	Single-Family Residence	R (Rural) Density Residential	R-E (Residence Estates)
South	Single-Family Residence	R (Rural) Density Residential	R-E (Residence Estates)
East	Single-Family Residence	R (Rural) Density Residential	R-E (Residence Estates)
West	Single-Family Residence	R (Rural) Density Residential	R-E (Residence Estates)

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

ANALYSIS

The subject site is presently being utilized for a single-family residence located at 4112 Del Monte Avenue. The applicant is requesting to construct an eight-foot tall wall/fence in the front yard of the site consisting of two-foot tall solid CMU segments with four-foot pilasters. A Variance is required to construct an eight-foot tall fence within the front yard setback where five feet is the maximum height allowed. The proposed wall will have a series of eight-foot tall by 12-inch deep by 16-inch wide brick pilasters located 18 feet on center. The new brick pilasters will match the existing pilasters. The fencing will be constructed of wrought iron, intended to match the existing wrought iron along the east and west side of the property. The wall/fence will be constructed for security purposes. The proposed wall/fence is aesthetically pleasing, as it will be designed to be similar in color to existing residence on the site.

The applicant has provided no evidence of unique or extraordinary circumstances pursuant to Title 19.18.070 that would substantiate the Variance request; therefore, staff is recommending 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 to increase the height of the existing front yard wall/fence. Alternative design of the wall/fence 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 26

NOTICES MAILED 139

APPROVALS 2

PROTESTS 1

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JAN 27 2010

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-37287** APN: 162-06-610-025

Name of Property Owner: LORRAINE BRADY

Name of Applicant: WAYNE DUNETZ

Name of Representative: LARRY SANCHEZ

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: _____

STATE OF NEVADA
COUNTY OF CLARK

Print Name: WAYNE DUNETZ

Subscribed and sworn before me

This 27th day of JANUARY, 20 10

VAN J. HAMILTON
Notary Public State of Nevada
No. 09-9150-1
My appt. exp. Jan. 8, 2013

Notary Public in and for said County and State

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PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

RECEIVED JAN 27 2010

Application/Petition For: VARIANCE

Project Address (Location) 4112 DEL MONTE

Project Name DUNETZ FENCE **Proposed Use** BLOCK WALL

Assessor's Parcel #(s) 162-06-610-025 **Ward #** 1

General Plan: existing R proposed — **Zoning:** existing RE proposed —

Commercial Square Footage — **Floor Area Ratio** 2,737 SF = 0.13

Gross Acres 0.50 **Lots/Units** 1 **Density** — 21,420 SF

Additional Information —

PROPERTY OWNER LORRAINE BRADY **Contact** WAYNE DUNETZ

Address 4412 Del Monte AVE **Phone:** 702 338 9410 **Fax:** 702 684 6015

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

E-mail Address Wayne19672005@yahoo.com

APPLICANT WAYNE DUNETZ **Contact** SON

Address 4112 DEL MONTE **Phone:** 338-9410 **Fax:** —

City LAS VEGAS **State** NV **Zip** 89102

E-mail Address Wayne19672005@yahoo.com

REPRESENTATIVE LARRY SANCHEZ **Contact** ENGINEER

Address 7844 SOARING BROOK ST. **Phone:** 340-7927 **Fax:** 639-6868

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

E-mail Address LARRY7405@YAHOO.COM

Property Owner Signature* [signature]

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

Print Name WAYNE DUNETZ

Subscribed and sworn before me

This 27th day of JANUARY, 20 10.

[signature]

STATE OF NEVADA
COUNTY OF CLARK

Notary Public in and for said County and State

VAN J. HAMILTON
Notary Public State of Nevada
No. 09-9150-1
My appt. exp. Jan. 8, 2013

FOR DEPARTMENT USE ONLY

Case #	VAR 37287
Meeting Date:	3.25.10
Total Fee:	$830.—
Date Received:*	1.27.10
Received By:	JFA

*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

GENERAL STRUCTURAL NOTES

BASIS FOR DESIGN

1. BUILDING CODE: 2006 EDITION OF THE INTERNATIONAL BUILDING CODE (IBC)
2. ROOF LOADS: LIVE LOAD (PSF): 20
   DEAD LOAD (PSF): 14
3. WIND LOAD: 90 MPH BASIC WIND SPEED; EXPOSURE B
4. SEISMIC LOAD: SEISMIC DESIGN CATEGORY = D
   SITE CLASS = D

MASONRY

1. ALL CONCRETE BLOCK MASONRY WALLS TO COMPLY WITH "BUILDING CODE REQUIREMENTS FOR MASONRY STRUCTURES" ACI-ASCE 530-92/ASCE 5-92/TMS 402-92.
2. ALL CONCRETE BLOCK TO BE GRADE N-2, CONFORMING TO ASTM C-90, WITH A MINIMUM NET AREA COMPRESSIVE STRENGTH OF 1900 PSI, AND A PRISM STRENGTH OF 1500 PSI (MINIMUM). MORTAR SHALL BE TYPE M, WITH A MAXIMUM STRENGTH OF 2500 PSI (USE PORTLAND TYPE CEMENT). TEST MASONRY UNITS AND MORTAR BY TESTING LAB AT A RATE OF EVERY 1000 SQUARE FEET OF WALLS ERECTED.
3. MASONRY WALLS SHALL BE REINFORCED HORIZONTALLY EVERY OTHER COURSE WITH 9 GAUGE DEFORMED GALVANIZED STEEL TRUSS.
4. FOR VERTICAL REINFORCEMENT, SEE SCHEDULE AND LAP 48 BAR DIAMETERS MINIMUM. PROVIDE FULL BED OF MORTAR FOR REINFORCED MASONRY.
5. [illegible]: BOND BEARING CONCRETE BLOCK WALL. INSTALL BLOCK BEFORE ADJACENT COLUMNS AND BOND.
6. PROVIDE CLEANOUTS WHEN GROUTING CELLS WITH MORE THAN 5' HT., AND CLEAN OUT CELLS OF MORTAR DROPPINGS. MAXIMUM VERTICAL DROP FOR GROUTING IS 6'-0" IN LAYERS NOT BIGGER THAN 4'-0"
7. PROVIDE 1-#5 AT EACH SIDE OF OPENINGS AND AT EACH CORNER OF MASONRY BLOCK WALL.

WAYNE DUNETZ
FENCE HEIGHT VARIANCE
4112 DEL MONTE AVE.
LAS VEGAS, NV 89102

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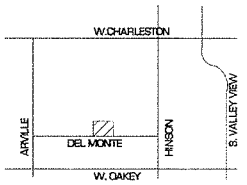
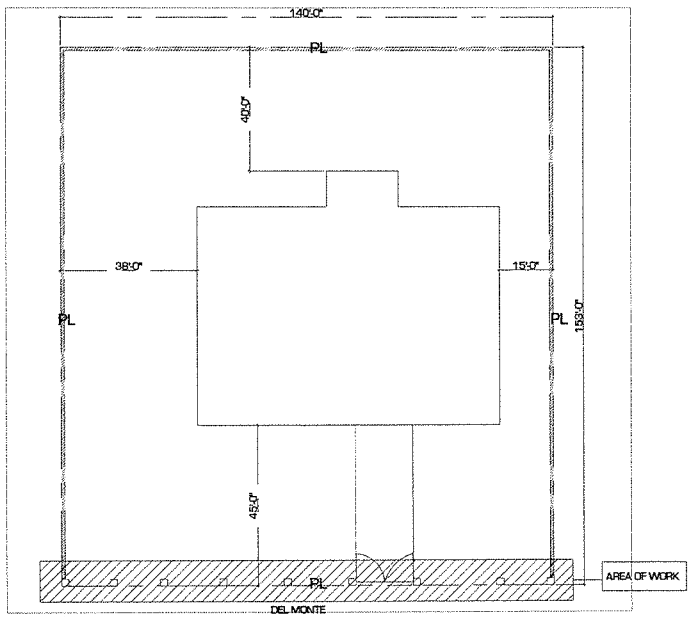
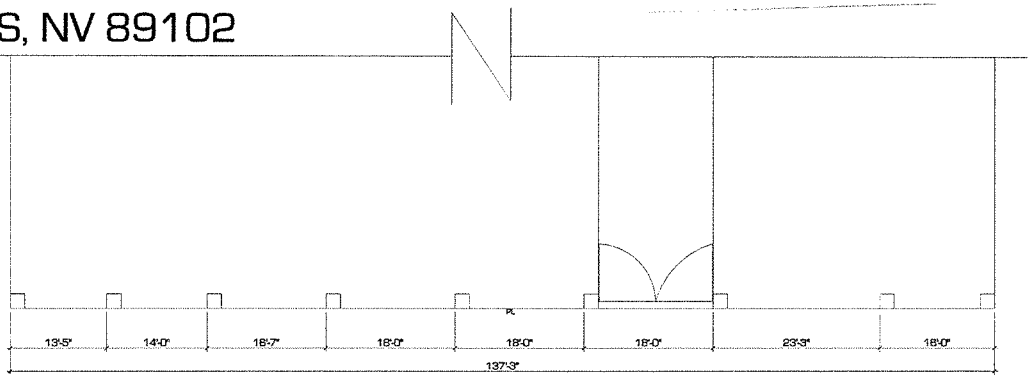


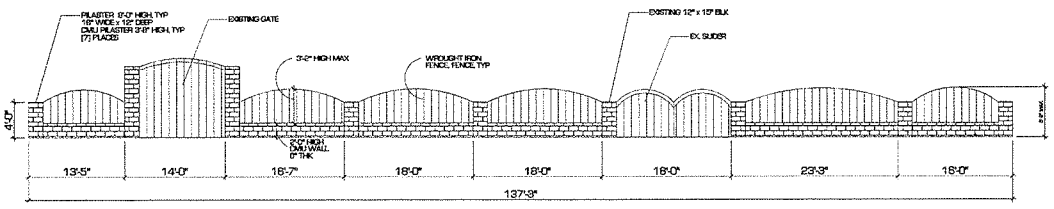
VICINITY MAP
SCALE: NTS



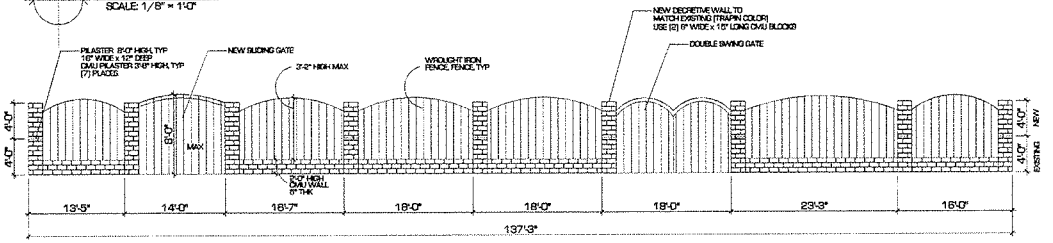
SITE PLAN
SCALE: 1/16" = 1'-0"



ENLARGED SITE PLAN
SCALE: 1/8" = 1'-0"



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



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

VAR-37287
03/25/10 PC

REVISIONS	BY:

LARRY'S ENGINEERING
7944 SOARING BROOK STREET
LAS VEGAS, NV 89131
CELL: 702.340.7927
FAX: 702.639.8698

TITLE: FENCE HEIGHT VARIANCE
PROJECT: CARR ADDITION
ADDRESS: 4112 DEL MONTE AVE. LAS VEGAS NV 89102

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





South



West
north



East

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VAR-37287 - APPLICANT/OWNER: LORRAINE BRADY
4112 DEL MONTE AVENUE
MARCH 25, 2010 PLANNING COMMISSION

02/18/10



VAR-37287 - APPLICANT/OWNER: LORRAINE BRADY
4112 DEL MONTE AVENUE
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02/18/10



VAR-37287 – APPLICANT/OWNER: LORRAINE BRADY
4112 DEL MONTE AVENUE
MARCH 25, 2010 PLANNING COMMISSION

02/18/10

Post-it® Fax Note 7671	Date	# of pages ▶
To WAYNE DUNETT	From L. SANCHEZ	
Co./Dept.	Co. LARRY'S ENGR	
Phone #	Phone #	
Fax # 684-6015	Fax # 639-6868	

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

December 24, 2009

City of Las Vegas
Department of Planning
7551 W. Sauer Drive
Las Vegas, NV 89128

Attention: **Planning Commission**
Subject: **Justification Letter**

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

A. Variance

ISSUE:
The owner of this residence would like to raise the overall height of the front property line block wall from (existing-built in 1976) 4'-0" to (new) 8'-0". The purpose of this raised height is to provide more privacy and home security as well as improve the quality of the property. Currently, the existing state of the block wall is in very poor and unstable condition. By allowing this variance, the owner can increase the property value and improve the quality of the neighborhood.

INFORMATION:

# OF EMPLOYEES/RESIDENTS:	1
HOURS OF OPERATION:	All day
EXISTING:	4'-0" high fence/block wall with wrought iron
STATE LICENSE:	N/A

FINDINGS:
Currently, my client is under RE zoning standard which does not allow him to raise the block wall. Obtaining a variance will allow him to legally raise the block wall without detrimentally impacting the surrounding/adjacent properties.

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

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VAR-37287
03/25/10 PC

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

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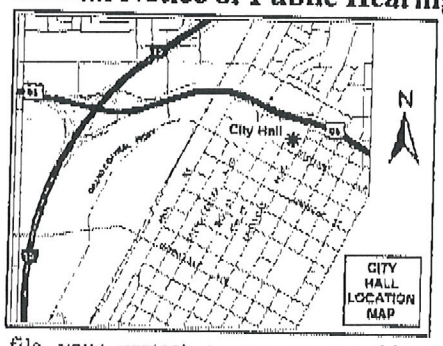

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-37287

Planning Commission Meeting of 3/25/2010

16206510036 Case: VAR-37287
MCGRATH THOMAS J & ELIZABETH J
3075 WESTWIND RD
LAS VEGAS NV 89146-6858

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

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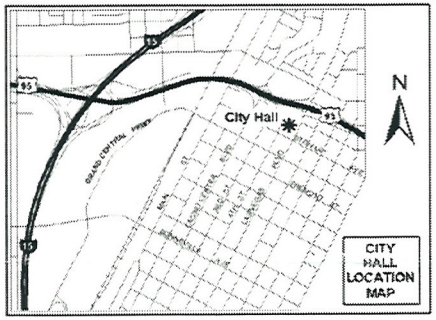

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VAR-37287

Planning Commission Meeting of 3/25/2010

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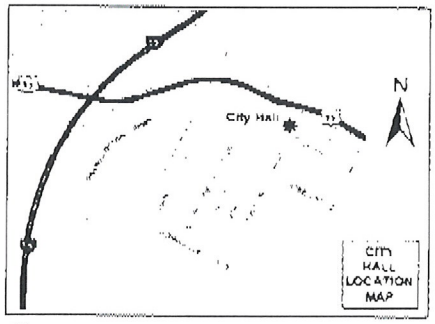
Case: VAR-37287
16206602004
STAMPER ROBERT A & KATHLEEN E
4000 MOUNTAIN VIEW BLVD
LAS VEGAS NV 89102-3809

AAUDP11 A3102

17A

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

Return Service Requested
Official Notice of Public Hearing



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

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-37287

Planning Commission Meeting of 3/25/2010

If this doesn't cost me because I live behind her I will approve it.
Mrs L. Mikulich

Case VAR-37287
16206610042
MIKULICH SEBASTIAN S & L FAM TR
4040 MOUNTAIN VIEW BLVD
LAS VEGAS NV 89102-0543

AAVDS11 89102

RECEIVED
MAR 15 2010

17A

City of Las Vegas Agenda Item No.: **18.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 25, 2010

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

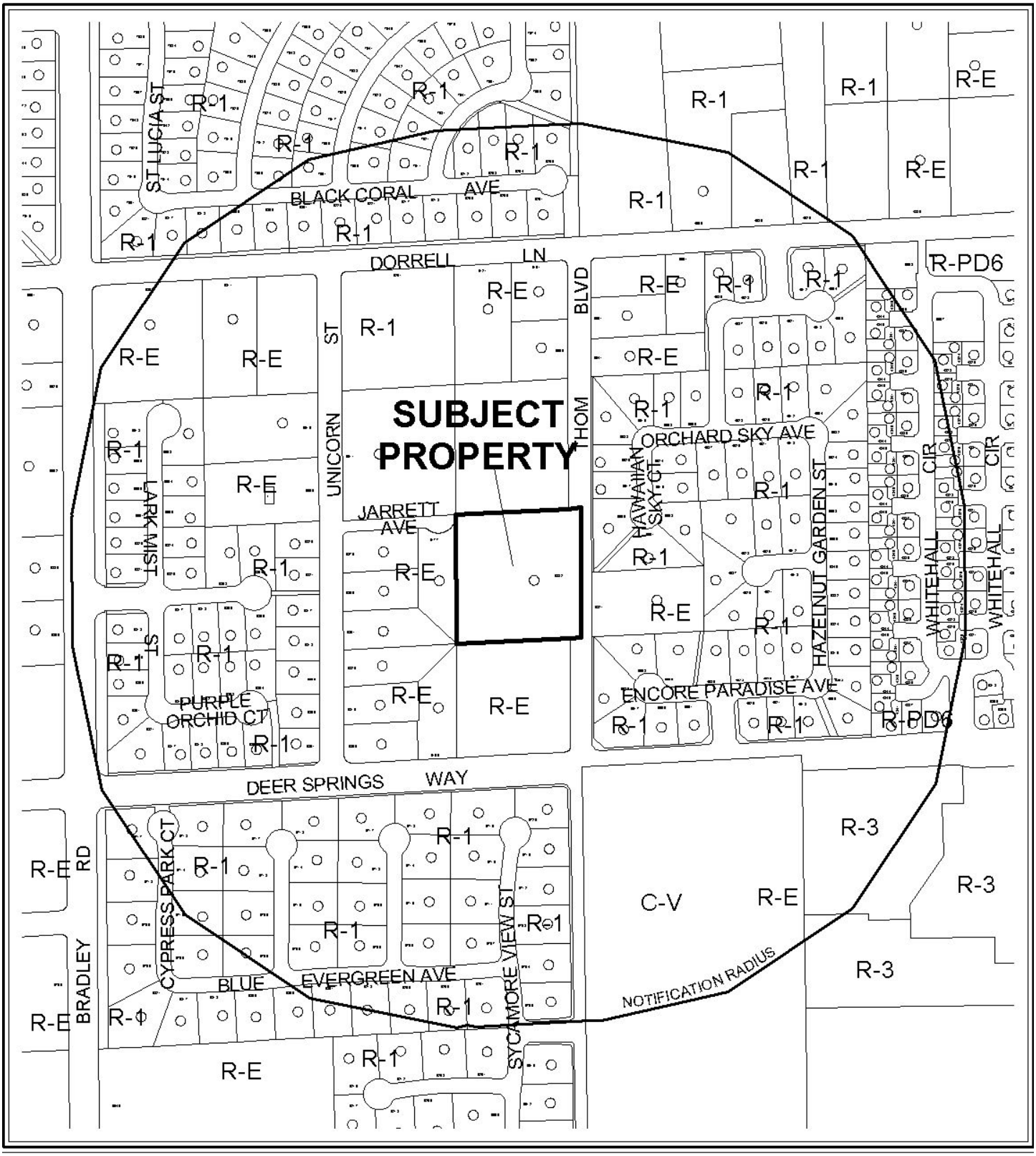
SUBJECT:
VAR-37379 - VARIANCE - PUBLIC HEARING - APPLICANT: KEVIN KELLY - OWNER: DESERT FOREST, LLC - Request for a Variance TO ALLOW TWO EXISTING ACCESSORY STRUCTURES (CLASS II) TOTALING 5,516 SQUARE FEET AND A PROPOSED 1,360 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS I) WHERE 1,598 SQUARE FEET IS THE MAXIMUM ALLOWED on 2.52 acres at 6832 Thom Boulevard (APN 125-24-602-011), R-E (Residence Estates) Zone, Ward 6 (Ross)

C.C.: 04/21/2010

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**1**	**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 Postcard



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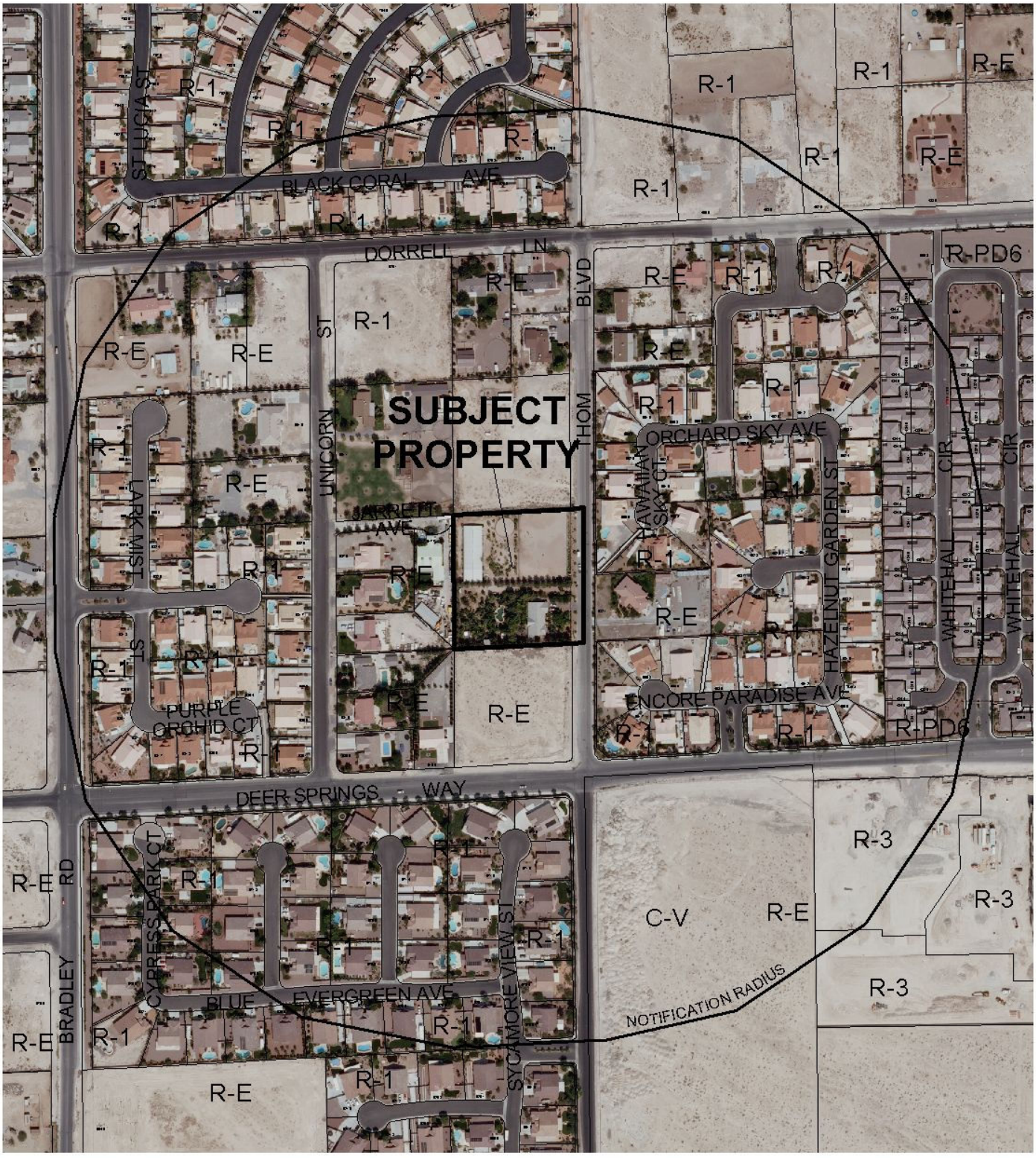
CASE: **VAR-37379**

RADIUS: 1000 FT

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



0 400 800 Feet

CASE: **VAR-37379**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-37379 – APPLICANT/OWNER: DESERT FOREST, LLC

** CONDITIONS **

Staff recommends APPROVAL, subject to conditions:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-37415) shall be required.

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

3. Building permits are required for all structures at the subject site. Permits shall be obtained prior to construction for the proposed accessory structure, and within 60 days of final approval for the existing structures.

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

VAR-37379 - Staff Report Page One
March 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This application is a request for a Variance for multiple accessory structures, where the total floor area of the multiple accessory structures exceeds 50 percent of the floor area of the main dwelling unit on a developed single-family residential lot at 6832 Thom Boulevard. Two of the structures are existing Class II accessory structures that currently do not have building permits. A third structure is a proposed Class I accessory structure for guests. The subject site is a large lot zoned R-E (Residence Estates), which allows some rural uses, including horse corrals and livestock farming. These types of uses often require accessory structures that exceed maximum building area allowed by Title 19. As such, the applicant has presented evidence of an extraordinary circumstance, and staff is recommending approval.

ISSUES

- The combined area of all existing and proposed accessory structures is 6,876 square feet, which exceeds the 1,598 square feet allowed. These three accessory structures equal 6,876 square feet and is 330% larger than 50% of the floor area of the principal dwelling unit.
- Approval of this request is required to approve an associated request for a Special Use permit (SUP-37415) for a 1,360 square-foot Accessory Structure (Class I), and to allow the existing Accessory Structures (Class II) to remain as they are.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
05/12/64	The Board of City Commissioners approved a request for Annexation (A-0003-64) by Ordinance #1137 of 5,000 acres located north of Lone Mountain Road and west of Decatur Boulevard on 5/06/64.
07/23/08	A deed was recorded to show a change in ownership.
03/25/10	An associated Special Use Permit (SUP-37415) for a proposed 1,360 square-foot Accessory Structure (Class I) will be considered by the Planning Commission.
Related Building Permits/Business Licenses	
05/12/93	A building permit (#93186617) was issued for a single family residence at 6832 Thom Boulevard. The permit was finaled on 9/02/93.
11/16/99	A building permit (#99022045) was issued for a garage conversion at 6832 Thom Boulevard. The permit was finaled on 12/15/00.
10/31/00	A building application (# 3895799) was submitted for a detached building; no permit was issued.

01/16/01	A building permit (#01000717) was issued for a 373 square-foot patio enclosure at 6832 Thom Boulevard. The permit was finaled on 2/14/02.
12/17/09	A building application (# 153299) was submitted for an 840 square-foot Accessory Structure (Class I) at 6832 Thom Boulevard. The application was denied because a Special Use Permit is required.

Pre-Application Meeting	
1/25/10	A pre-application meeting was held with the applicant, where elements of a Variance for multiple accessory structutes to exceede fifty percent of the size of the principal dwelling and a Special Use Permit for a Accessory Structure (Class I) 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, nor was one held.	
Field Check	
2/18/10	Staff conducted a site visit and noted a well maintained single family residence on a large rural lot.

Details of Application Request	
Site Area	
Gross Acres	2.52

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Residence	ML (Medium-Low Density Residential)	R-E (Residence Estates)
North	Single Family Residence	ML (Medium-Low Density Residential)	R-E (Residence Estates)
South	Undeveloped	ML (Medium-Low Density Residential)	R-E (Residence Estates)
East	Single Family Residence	ML (Medium-Low Density Residential)	R-E (Residence Estates)/R-1 (Single Family Residential)
West	Single Family Residence	ML (Medium-Low Density Residential)	R-E (Residence Estates)

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

DEVELOPMENT STANDARDS

Per Title 19.08.040, the following development standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	20,000 SF	109,723 SF	Y
Min. Lot Width	100 feet	338 feet	Y
Min. Setbacks (Accessory Structures)			
• Front	Not Allowed	N/A	N/A
• Side (N)	3 Feet	35 Feet	Y
• Side (S)	3 Feet	4 Feet	Y
• Rear	3 Feet	26 Feet	Y
Min. Distance Between Buildings	6 feet	96 feet	Y
Max. Lot Coverage	N/A	N/A	N/A
Max. Building Height	Lesser of 2 stories, 35 feet or the height of the principal building	21 Feet	Y
Max. Floor Area (Accessory Structures)	1,598 SF	6,876 SF	N

ANALYSIS

The applicant is requesting a Variance to allow three accessory structures (two non-permitted existing Accessory Structures, (Class II), that total 5,516 square feet and a proposed Accessory Structure (Class I) of 1,360 square feet) to exceed Title 19 requirements for floor area. Per Title 19.08.040, the total area of all accessory structures shall not exceed fifty percent of the principal dwelling, which is 3,196 square feet. This would allow a combined building area for accessory structures up to 1,598 square feet. The combined area of the three accessory structures is 6,876 square feet, which is a 330% increase in square-footage above what is permitted by code.

The site is 2.52 acres and zoned R-E (Residence Estates). The purpose of the R-E District is to provide for low density residential units located on large lots and conveying a rural environment. Typical R-E uses may require accessory structures that could be larger than the main dwelling unit, such as for Animal Keeping & Husbandry, Horse Corrals or Stables (Private) and Livestock Farming (Bovines/Horses). The property has a round pen, fenced horse corral and a garage converted to living space. Building permits are required for all structures. Permits shall be obtained prior to construction for the proposed accessory structure, and within 60 days of final approval for the existing structures. With these types of uses available for an R-E property, staff recommends approval.

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."

The subject site is a large lot that is zoned R-E (Residence Estates), which allows rural uses including horse corrals and livestock farming. These types of uses often require accessory structures that exceed the maximum building area allowed by Title 19. As such, the applicant has presented evidence of an extraordinary circumstance, and staff is recommending approval.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

NOTICES MAILED 255

APPROVALS 0

PROTESTS 1

JG

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-37379** APN: 125-24-602-011

Name of Property Owner: Desert Forest LLC

Name of Applicant: Kevin Kelly

Name of Representative: ~~Kevin Kelly~~

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: Kevin Kelly

Subscribed and sworn before me

This 2 day of March, 2010

_____
Notary Public in and for said County and State

MARIA T. GALINDO
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 11/17/13
Certificate No: 06-103477-1

RECEIVED
MAR 02 2010

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Variance

Project Address (Location) 6932 Thom Blvd

Project Name Kelly Guest House **Proposed Use** Residential

Assessor's Parcel #(s) 125-24-602-011 **Ward #** 6

General Plan: existing 3196 proposed 130 **Zoning:** existing RE proposed RE

Commercial Square Footage None **Floor Area Ratio**

Gross Acres 2.52 **Lots/Units** 1 **Density**

Additional Information

PROPERTY OWNER Desert Forest LLC **Contact** Kevin Kelly

Address 6932 Thom Blvd **Phone:** 210-6958 **Fax:** 368-3148

City LV **State** NV **Zip** 89131

E-mail Address Kevin@HandKings.com

APPLICANT Kevin Kelly **Contact** Kevin Kelly

Address 6932 Thom Blvd **Phone:** 210-6958 **Fax:** 368-3148

City LV **State** NV **Zip** 89131

E-mail Address Kevin@HandKings.com

REPRESENTATIVE **Contact**

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

City **State** **Zip**

E-mail Address

Property Owner Signature* [signature]

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

Print Name Kevin Kelly

Subscribed and sworn before me

This 2 day of March, 20 10.

[signature]

Notary Public in and for said County and State

MARIA T. GALINDO
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 11/17/13
Certificate No: 06-103477-1

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	VAR-37379
Meeting Date:	3/25/10
Total Fee:	$30.00
Date Received:*	3/2/10
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.

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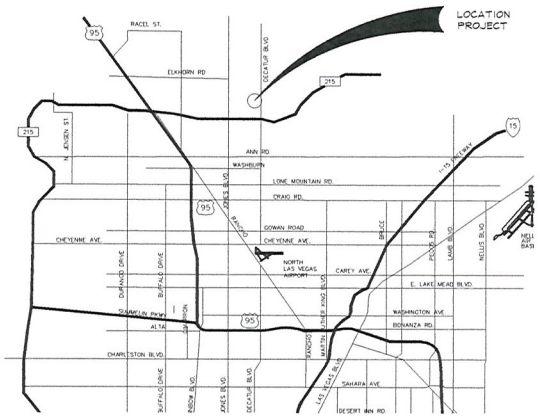


VICINITY MAP

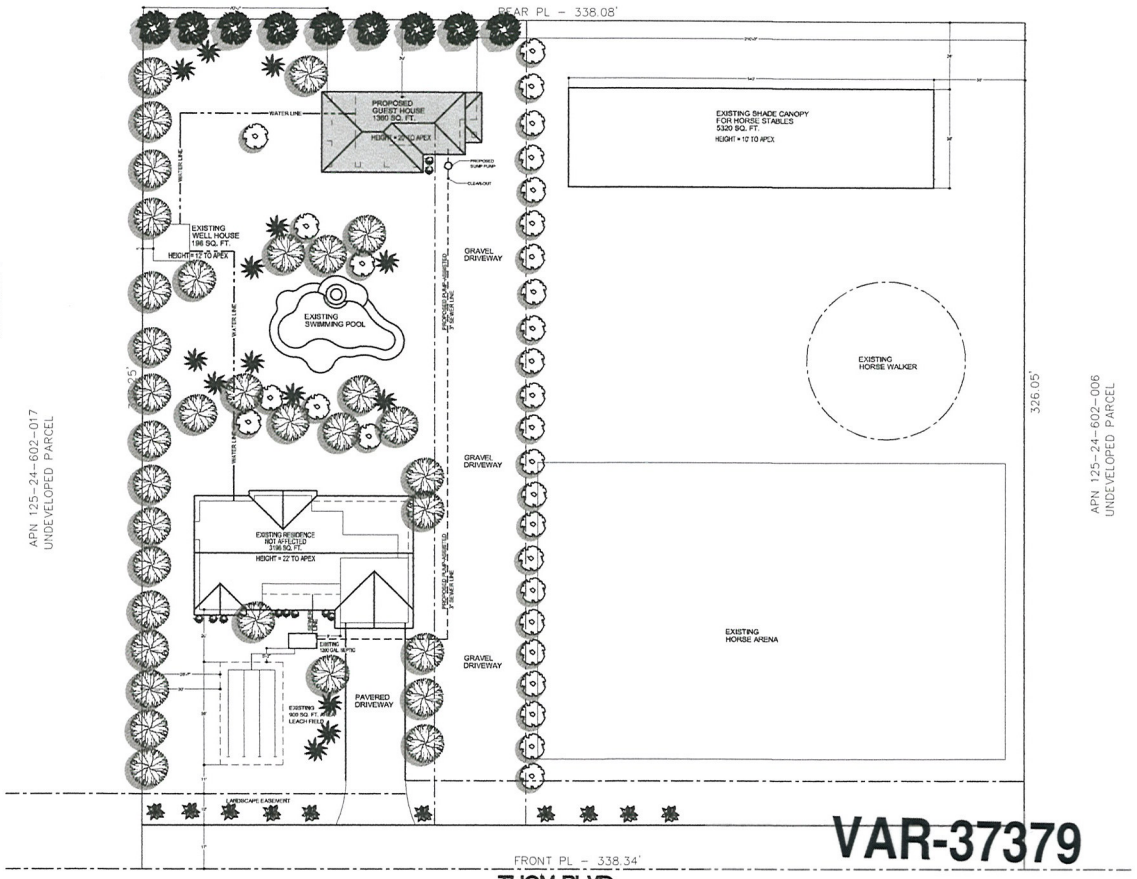
DESIGN ANALYSIS:

JURISDICTION:	CITY OF LAS VEGAS
BUILDING USE:	GUEST HOUSE
CONSTRUCTION TYPE:	V-N
ZONING:	R-E
OCCUPANCY:	R-1
STORIES IN HEIGHT:	1
HEIGHT IN FEET:	20'-7"
BUILDING SET-BACKS:	
FRONT -	N/A
RIGHT -	210'-3"
LEFT -	70'-5"
REAR -	30'-0"

SQUARE FOOTAGE:

EXISTING RESIDENCE	3,196
EXISTING WELL HOUSE	196
EXISTING HORSE CANOPY	5320
PROPOSED GUEST HOUSE	1360
TOTAL SQUARE FOOTAGE UNDER STRUCTURE	10,072
50% OF EXISTING RESIDENCE	1598
TOTAL PROPOSED SQ. FT.	1360

APN 125-24-602-010
EXISTING PARCEL



SITE PLAN
1/32" = 1'

VAR-37379
REVISED
03/25/10 PC

RECEIVED
FEB 26 2010

CONSULTANTS

THE KELLY RESIDENCE
Detached Guest House

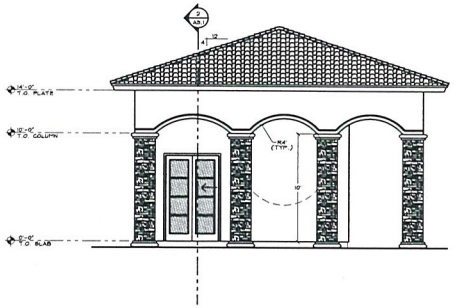
OWNER
Kevin Kelly
6832 Thom Blvd.
Las Vegas, NV 89131-2700

The Kelly Residence
Detached Guest House

MARK	DATE	DESCRIPTION
PROJECT No:		----
CAD DWG FILE:		10 SITE PLAN.DWG
DRAWN BY:		-
CHECKED BY:		-
OWNER/BUILDER:		Kevin Kelly
SIGNED BY:		

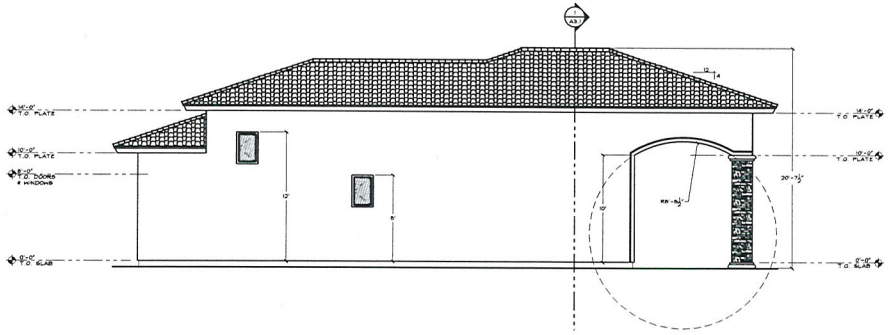
SHEET TITLE
SITE PLAN

AS



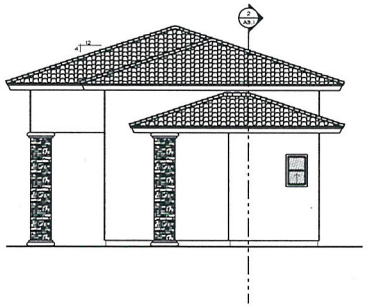
LEFT ELEVATION

1/8" = 1'



REAR ELEVATION

1/8" = 1'



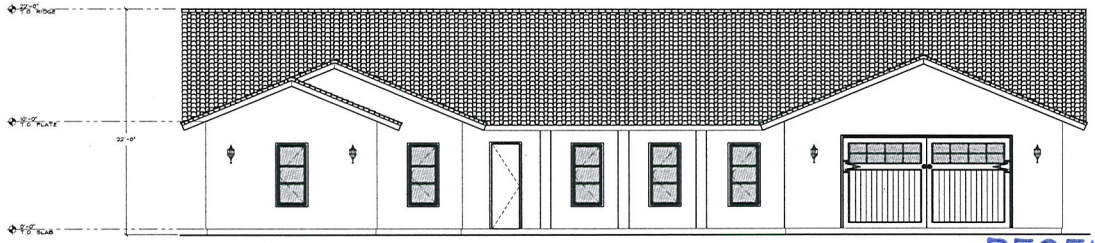
RIGHT ELEVATION

1/8" = 1'



FRONT ELEVATION

1/8" = 1'



EXISTING RESIDENCE FRONT ELEVATION

1/8" = 1'

VAR-37379
03/25/10 PC

RECEIVED
FEB 09 2010

CONSULTANTS

THE KELLY RESIDENCE
Detached Guest House

OWNER

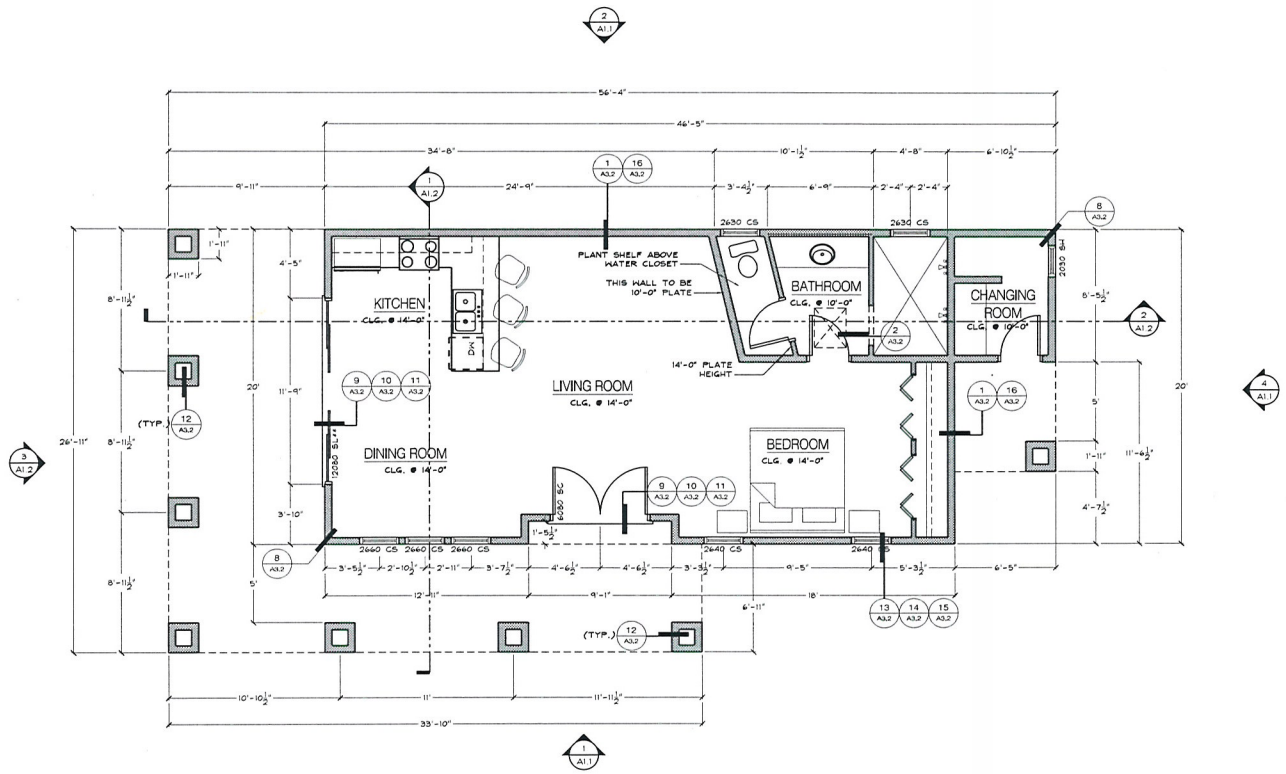
Kevin Kelly
6832 Thom Blvd.
Las Vegas, NV 89131-2700

The Kelly Residence
Detached Guest House

MARK	DATE	DESCRIPTION

PROJECT NO: ----
CAD DWG FILE:
DRAWN BY: -
CHECKED BY: -
OWNER/BUILDER: Kevin Kelly
SIGNED BY:
SHEET TITLE
ELEVATIONS

A2



FLOOR PLAN

3/16" = 1'

RECEIVED
FEB 09 2010

VAR-37379
03/25/10 PC

CONSULTANTS

THE KELLY RESIDENCE
Detached Guest House

OWNER:
Kevin Kelly
6832 Thorn Blvd.
Las Vegas, NV 89131-2700

The Kelly Residence
Detached Guest House

MARK	DATE	DESCRIPTION

PROJECT NO: ----
CAD DWG FILE:
DRAWN BY: -
CHECKED BY: -
OWNER/BUILDER: Kevin Kelly
SIGNED BY:
SHEET TITLE
FLOOR PLAN

A1



VAR-37379 - APPLICANT/OWNER: DESERT FOREST, LLC
6832 THOM BOULEVARD
MARCH 25, 2010 PLANNING COMMISSION

02/18/10



VAR-37379 - APPLICANT/OWNER: DESERT FOREST, LLC
6832 THOM BOULEVARD
MARCH 25, 2010 PLANNING COMMISSION

02/18/10



VAR-37379 - APPLICANT/OWNER: DESERT FOREST, LLC
6832 THOM BOULEVARD
MARCH 25, 2010 PLANNING COMMISSION

02/18/10



VAR-37379 - APPLICANT/OWNER: DESERT FOREST, LLC
6832 THOM BOULEVARD
MARCH 25, 2010 PLANNING COMMISSION

02/18/10



VAR-37379 - APPLICANT/OWNER: DESERT FOREST, LLC
6832 THOM BOULEVARD
MARCH 25, 2010 PLANNING COMMISSION

02/18/10

THE KELLY RESIDENCE

CLV Project Number: 153299-R-09
Project Description: 6832 Thom Blvd.

February 26, 2010

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

Justification:

The request for building an addition on our property is as follows.

1. Our current residence is a modest 3196 square foot home, positioned on a 2 ½ acre parcel. We often have family and friends from out of town stay with us, and we feel the need to add a small guest quarters to the property. The property also contains horse stables with a shade canopy, a small well house and a temporary green house, that has now been removed on the south west portion of the property. Due to these other structures we are in excess of the 50% expandable limit as indicated in Title 19. The shade structure is simply to provide shade for our horses. It is not a barn nor does it have wall or any confined space other than that provided by the panels that make up the stalls. We have no other conditioned spaces throughout the property. This addition will be used periodically for residential purposes. The architecture of the proposed structure will match that of the existing residence. The height will be less than the existing residence. It will add value to our property and benefit our surrounding neighborhood by doing so.

2. Current zoning for the property is R-E. We have no desire to change our zoning. This is a residential property and will remain so. The intended use for the proposed structure will be residential.

Thank you for taking the time to review our submittal, I look forward to your decision.

Sincerely,

Kevin Kelly
Owner/Builder

VAR-37379
REVISED
03/25/10 PC

RECEIVED
FEB 26 2010

6832 THOM BLVD.
LAS VEGAS, NEVADA 89131

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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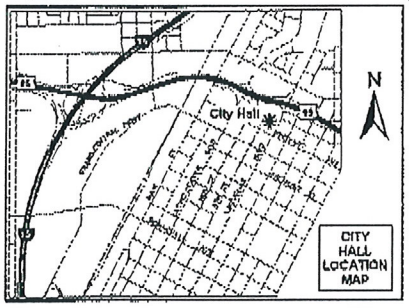
0004279218 MAR 12 2010
MAILED FROM ZIP CODE 89101

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-37379 & SUP-37415
Planning Commission Meeting of 3/25/2010

Case: VAR-37379
12524610001
HORIHAN DEVIN P
6825 UNICORN ST
LAS VEGAS NV 89131-2774

AADC 891 89131

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MAR 16 2010

18P

City of Las Vegas Agenda Item No.: **19.**

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

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

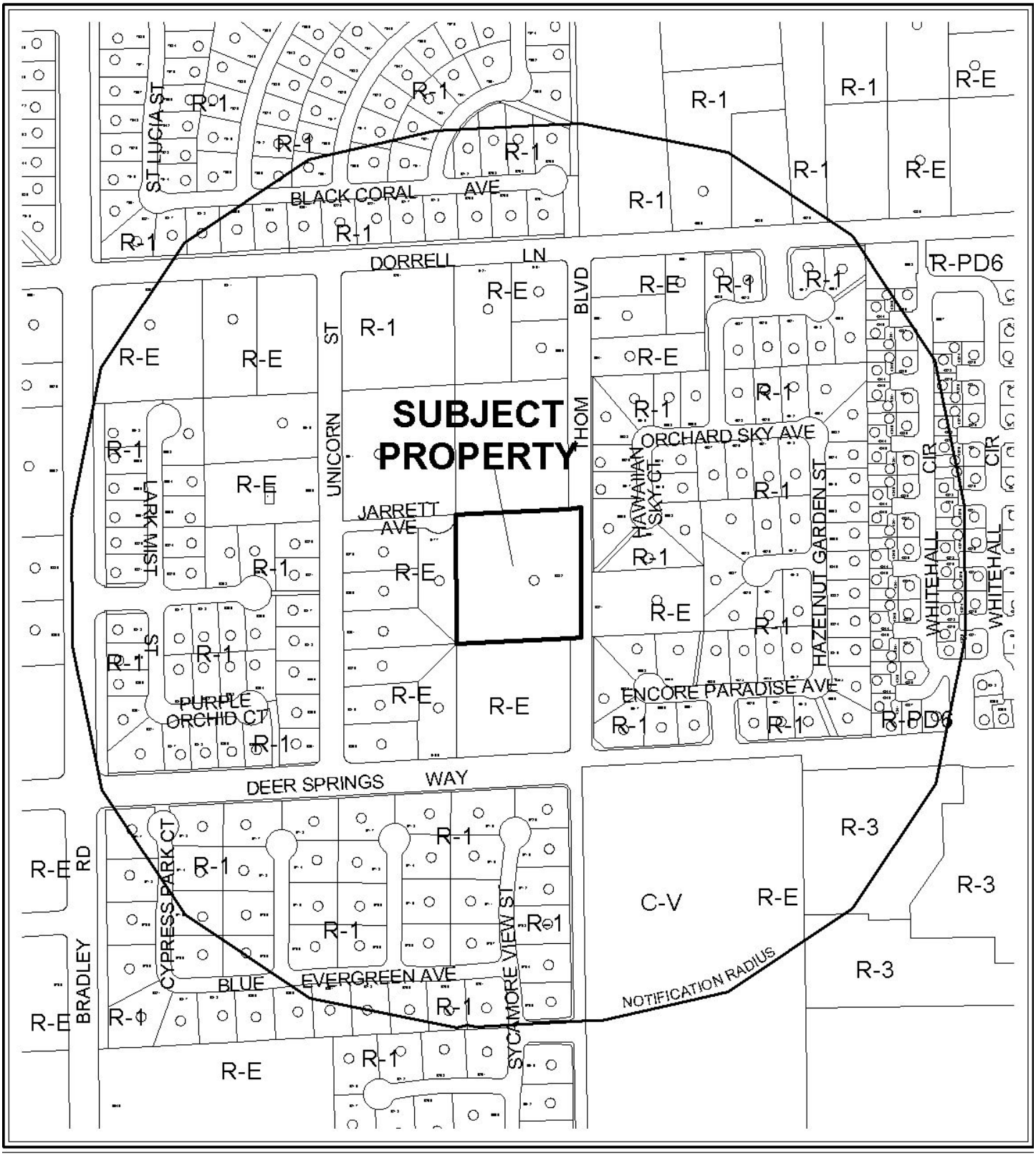
SUBJECT:
SUP-37415 - SPECIAL USE PERMIT RELATED TO VAR-37379 - PUBLIC HEARING - APPLICANT: KEVIN KELLY - OWNER: DESERT FOREST, LLC - Request for a Special Use Permit FOR A PROPOSED 1,360 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS I) at 6832 Thom Boulevard (APN 125-24-602-011), R-E (Residence Estates) Zone, Ward 6 (Ross)

C.C.: 04/21/2010

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**1**	**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 Postcard



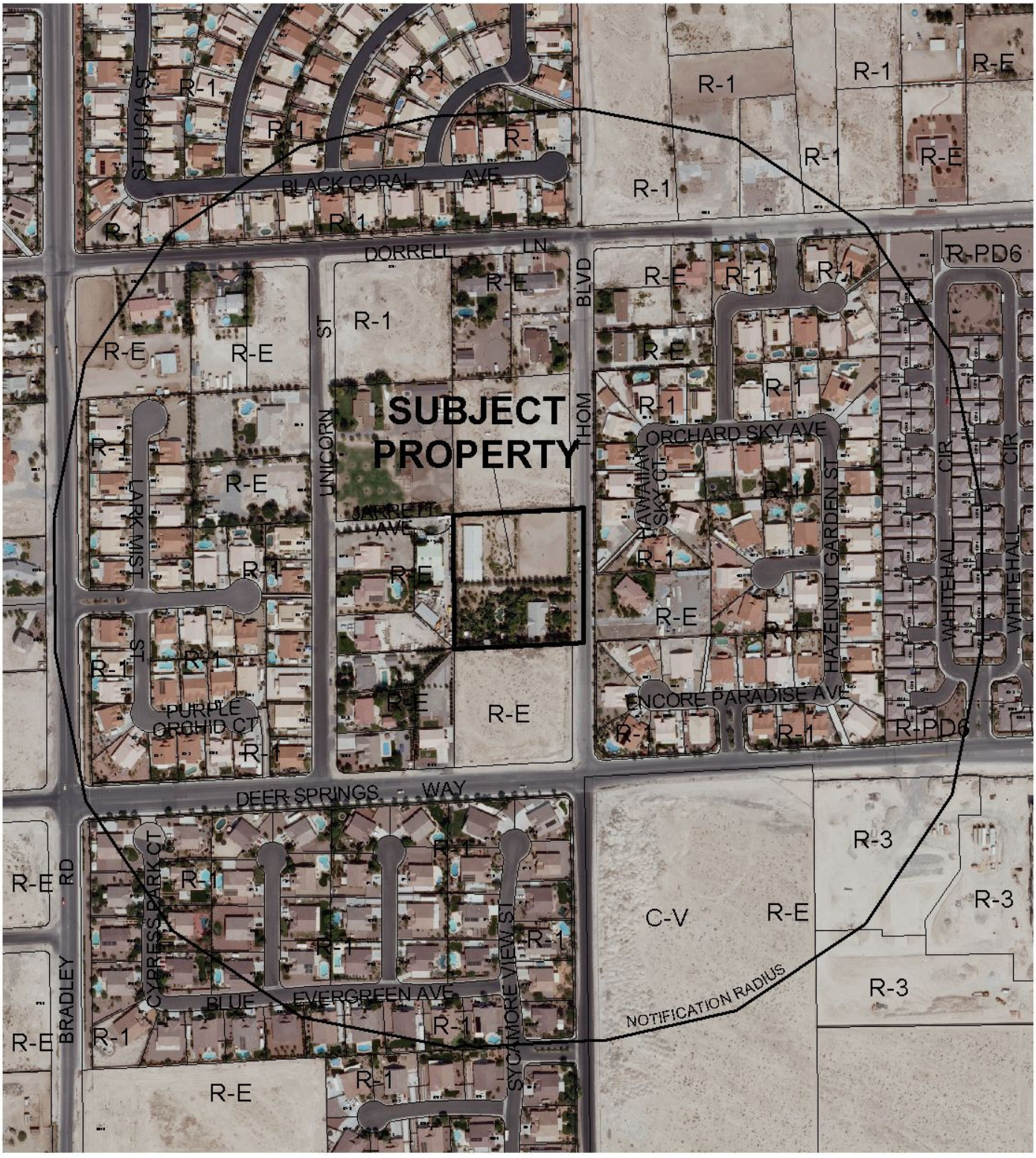
0 400 800 Feet

CASE: **SUP-37415**

RADIUS: 1000 FT

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

N



0 400 800 Feet

CASE: **SUP-37415**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-37415 - APPLICANT/OWNER: DESERT FOREST, LLC

** CONDITIONS **

Staff recommends APPROVAL, subject to conditions:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for an Accessory Structure (Class I) use.

2. Approval of and conformance to the Conditions of Approval for Variance (VAR-37379) shall be required.

3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the Accessory Structure (Class I). 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.

Public Works

5. Coordinate with the Southern Nevada Health District to determine if the existing septic system permit will accommodate the additional square footage of the proposed accessory building; if not coordinate with the City of Las Vegas Collection Systems Planning Section of the Department of Public Works regarding connection to the City of Las Vegas sewer system prior to the issuance of any permits.

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 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.

SUP-37415 - Staff Report Page One
March 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed 1,360 square-foot Accessory Structure (Class I) on a developed single-family residential lot at 6832 Thom Boulevard. The lot contains an existing 3,196 square-foot residence and two unpermitted accessory structures totaling 5,516 square feet of building area. The use complies with Title 19 requirements for an Accessory Structure (Class I) use and can be conducted in a way that is harmonious and compatible with surrounding properties. Staff therefore recomends approval.

ISSUES

- The combined area of all existing and proposed accessory structures is 6,876 square feet, which exceeds the 1,598 square feet allowed by Title 19.08.040. Approval of an associated Variance (VAR-37379) to allow two existing Accessory Structures (Class II) totaling 5,516 square feet and a proposed 1,360 square-foot Accessory Structure (Class I), where 1,598 square feet is the maximum allowed is required to approve this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
05/12/64	The Board of City Commissioners approved a request for Annexation (A-0003-64) by Ordinance #1137 of 5,000 acres located north of Lone Mountain Road and west of Decatur Boulevard on 05/06/64.
07/23/08	A deed was recorded to show a change in ownership.
03/25/10	An associated Variance (VAR-37379) To allow two existing Accessory Structures (Class II) totaling 5,516 square feet and a proposed 1,360 square-foot Accessory Structure (Class I) where 1,598 square feet is the maximum allowed will be considered by the Planning Commission.
Related Building Permits/Business Licenses	
05/12/93	A building permit (#93186617) was issued for a single family residence at 6832 Thom Boulevard. The permit was finaled on 9/02/93.
11/16/99	A building permit (#99022045) was issued for a garage conversion at 6832 Thom Boulevard. The permit was finaled on 12/15/00.
10/31/00	A building application (# 3895799) was submitted for a detached building, no permit was issued.
01/16/01	A building permit (#01000717) was issued for a 373 square-foot patio enclosure at 6832 Thom Boulevard. The permit was finaled on 2/14/02.
12/17/09	A building application (# 153299) was submitted for an 840 square-foot Accessory Structure, (Class I). The application was denied, because a Special Use Permit is required.

JG

Pre-Application Meeting	
01/25/10	A pre-application meeting was held with the applicant where elements of submitting for Special Use Permit for an Accessory Structure (Class I) and a Variance for multiple accessory structutes to exceede fifty-percent of the size of the principal dwelling 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, nor was one held.	
Field Check	
02/18/10	Staff conducted a site visit and noted a well maintained single family residence on a large rural lot.

Details of Application Request	
Site Area	
Gross Acres	2.52

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Single Family Residence	ML (Medium-Low Density Residential)	R-E (Residence Estates)
North	Single Family Residence	ML (Medium-Low Density Residential)	R-E (Residence Estates)
South	Undeveloped	ML (Medium-Low Density Residential)	R-E (Residence Estates)
East	Single Family Residence	ML (Medium-Low Density Residential)	R-E (Residence Estates)/R-1 (Single Family Residential)
West	Single Family Residence	ML (Medium-Low Density Residential)	R-E (Residence Estates)

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

JG

DEVELOPMENT STANDARDS

Per Title 19.08.040, the following development standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	20,000 SF	109,723 SF	Y
Min. Lot Width	100 feet	338 feet	Y
Min. Setbacks (Accessory Structures)			
• Front	Not Allowed	N/A	N/A
• Side (N)	3 Feet	35 Feet	Y
• Side (S)	3 Feet	4 Feet	Y
• Rear	3 Feet	26 Feet	Y
Min. Distance Between Buildings	6 feet	96 feet	Y
Max. Lot Coverage	N/A	N/A	N/A
Max. Building Height	Lesser of 2 stories, 35 feet or the height of the principal building	21 Feet	Y
Max. Floor Area (Accessory Structures)	1,598 SF	6,876 SF	N

ANALYSIS

This is a request for a Special Use Permit for a proposed 1,360 square-foot, single story Accessory Structure, (Class I) on a developed single-family residential lot at 6832 Thom Boulevard. An Accessory Structure (Class I) use is defined by Title 19.20.020 as "an accessory structure which is located on the same residential parcel as a principal dwelling and which, as an ancillary use, provides living quarters, including full kitchen facilities, for the occupants of the principal dwelling or their tenants, domestic employees or temporary guests." If the principal dwelling is owner-occupied, a Class I accessory structure may be offered or occupied as a rental unit.

Approval of an associated Variance (VAR-37379) will be required, as the combined floor area of the existing and proposed accessory structures exceeds 50 percent of the floor area of the principal dwelling. The site is 2.52 acres and zoned R-E (Residence Estates). The purpose of the R-E District is to provide for low density residential units located on large lot and conveying a rural environment. Typical R-E uses may require accessory structures that could be larger than the main dwelling unit, such as for Animal Keeping & Husbandry, Horse Corral or Stable (Private) and Livestock Farming (Bovines/Horses). With these types of uses available for an R-E property, staff is recommending approval of the associated Variance. Staff is recommending approval of this Special Use Permit request, as it is compatible with the existing and future land uses of surrounding properties and otherwise meets Title 19.04 requirements for the use.

FINDINGS

The following findings must be made for a Special Use Permit:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

   The proposed use is compatible with the ML (Medium-Low Density Residential) General Plan designation and is located within an existing R-E (Residence Estates) subdivision and is set back sufficiently from neighboring properties. Therefore, the use can be conducted in a manner that is harmonious and compatible with the surrounding residential uses to the east of the subject property.

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 Accessory Structure (Class I) 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 Deer Springs Way, an 80-foot Secondary Collector street and Thom Boulevard, a 65-foot local street. The proposed use is not expected to have any effect on traffic in the area, and therefore this right-of-way will be adequate to accommodate it and the existing uses on the 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 Accessory Structure (Class I) use will not jeopardize the public health, safety or welfare, as it will be subject to permit review and inspection prior to completion.

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

   The proposed Accessory Structure (Class I) use meets the conditions of Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

NOTICES MAILED 255

APPROVALS 0

PROTESTS 1

JG

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-37415 APN: 125-24-802-011

Name of Property Owner: ~~[illegible]~~ Desert Forest

Name of Applicant: Kevin Kelly

Name of Representative: _____

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

☐ Yes ☒ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: [signature]

Print Name: Kevin Kelly

Subscribed and sworn before me

This 2 day of March, 2010

[signature]

Notary Public in and for said County and State

MARIA T. GALINDO
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 11/17/13
Certificate No: 06-103477-1

RECEIVED
MAR 02 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: Special Use Permit

Project Address (Location) 6932 Thom Blvd

Project Name Kelly Guest House Addition **Proposed Use** Residential

Assessor's Parcel #(s) 125-24-602-011 **Ward #** 6

General Plan: existing 3146 proposed 1360 **Zoning:** existing RE proposed RE

Commercial Square Footage None **Floor Area Ratio**

Gross Acres 2.52 **Lots/Units** 1 **Density**

Additional Information

PROPERTY OWNER Desert Forest LLC **Contact** 702-210-6958

Address 6932 Thom Blvd **Phone:** 210-6958 **Fax:** 368-3148

City LV NV 89131 **State** NV **Zip** 89131

E-mail Address Kevin@LandKings.com

APPLICANT Kevin Kelly **Contact** 210-6958

Address 6932 Thom Blvd **Phone:** 473-520 **Fax:** 368-3148

City Las Vegas **State** NV **Zip** 89131

E-mail Address Kevin@LandKings.com

REPRESENTATIVE **Contact**

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

City **State** **Zip**

E-mail Address

Property Owner Signature* /

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

Print Name Kevin Kelly

Subscribed and sworn before me

This 2 day of March, 20 10.

Maria T. Galindo

Notary Public in and for said County and State

MARIA T. GALINDO
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 11/17/13
Certificate No: 06-103477-1

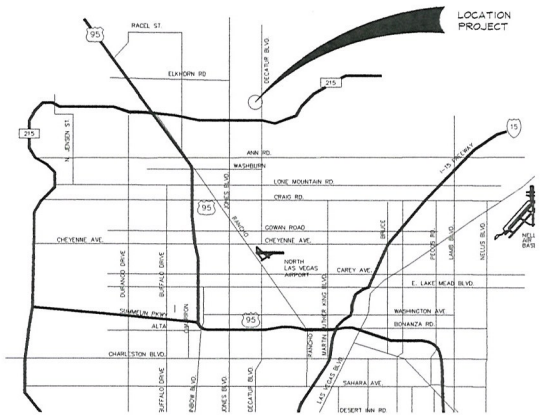
FOR DEPARTMENT USE ONLY

Case #	SUP-37415
Meeting Date:	3/25/10
Total Fee:	1030.00
Date Received:*	3/2/10
Received By:	M Rey

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.

RECEIVED
MAR 02 2010

Revised 10/27/08



VICINITY MAP

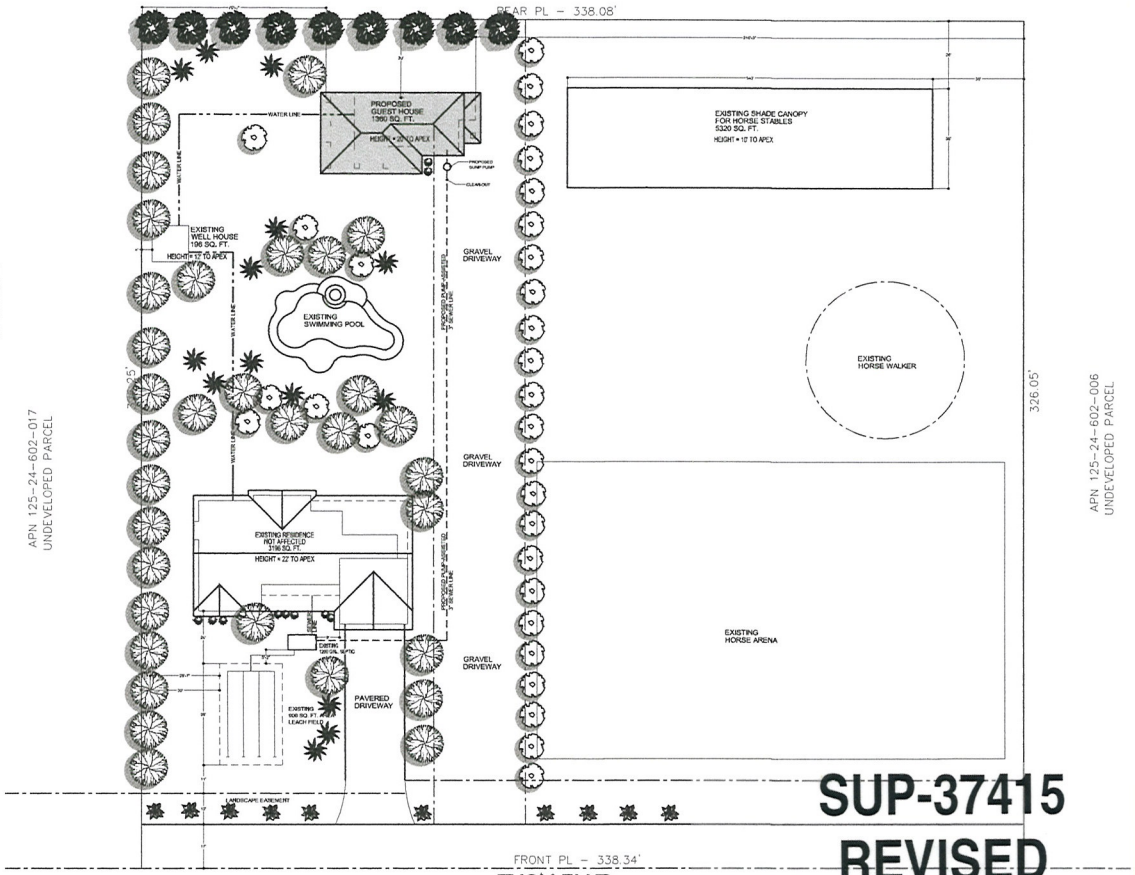
DESIGN ANALYSIS:

JURISDICTION:	CITY OF LAS VEGAS
BUILDING USE:	GUEST HOUSE
CONSTRUCTION TYPE:	V-N
ZONING:	R-E
OCCUPANCY:	R-1
STORIES IN HEIGHT:	1
HEIGHT IN FEET:	20'-7"
BUILDING SET-BACKS:	FRONT - N/A RIGHT - 210'-3" LEFT - 70'-5" REAR - 30'-0"

SQUARE FOOTAGE:

EXISTING RESIDENCE	3,196
EXISTING WELL HOUSE	196
EXISTING HORSE CANOPY	5320
PROPOSED GUEST HOUSE	1360
TOTAL SQUARE FOOTAGE UNDER STRUCTURE	10,072
50% OF EXISTING RESIDENCE	1598
TOTAL PROPOSED SQ. FT.	1360

APN 125-24-602-010
EXISTING PARCEL



APN 125-24-602-017
UNDEVELOPED PARCEL

APN 125-24-602-006
UNDEVELOPED PARCEL

SITE PLAN
1/32" = 1'

SUP-37415
REVISED
03/25/10 PC

RECEIVED
FEB 26 2010

CONSULTANTS

THE KELLY RESIDENCE
Detached Guest House

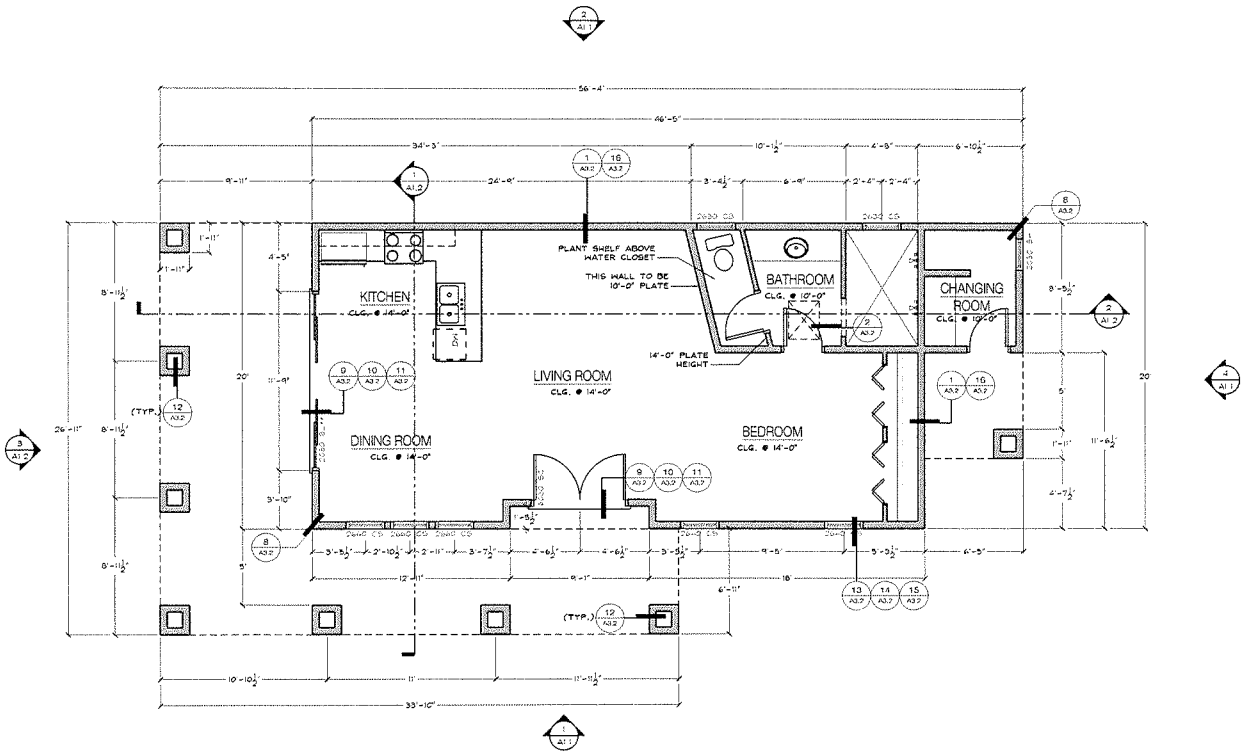
OWNER
Kevin Kelly
6832 Thom Blvd.
Las Vegas, NV 89131-2700

The Kelly Residence
Detached Guest House

MARK	DATE	DESCRIPTION

PROJECT NO: ----
CAD DWG FILE: A0 SITE PLAN.DWG
DRAWN BY: -
CHECKED BY: -
OWNER/BUILDER: Kevin Kelly
SIGNED BY:
SHEET TITLE
SITE PLAN

AS



FLOOR PLAN

3/16" = 1'

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FEB 12 2010

SUP-37415
03/25/10 PC

THE KELLY RESIDENCE
Detached Guest House

OWNER

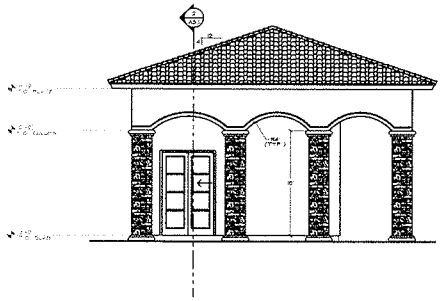
Kevin Kelly
6832 Thom Blvd.
Las Vegas, NV 89131-2700

The Kelly Residence
Detached Guest House

MARK	DATE	DESCRIPTION

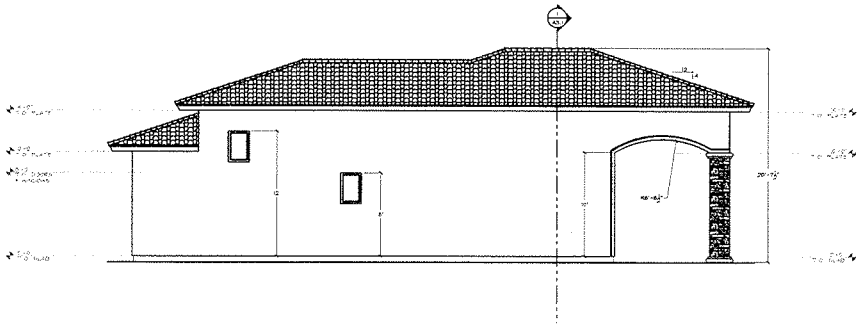
PROJECT NO: ----
CAD DWG FILE:
DRAWN BY: -
CHECKED BY: -
OWNER/BUILDER: Kevin Kelly
SIGNED BY:
SHEET TITLE
FLOOR PLAN

A1



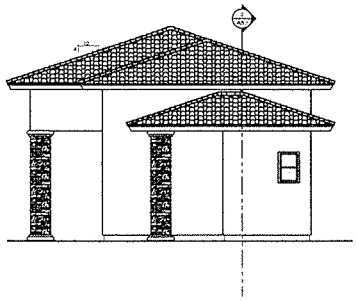
LEFT ELEVATION

1/8" = 1'



REAR ELEVATION

1/8" = 1'



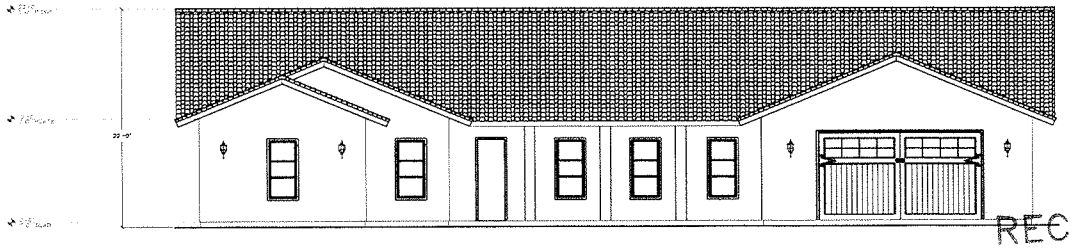
RIGHT ELEVATION

1/8" = 1'



FRONT ELEVATION

1/8" = 1'



EXISTING RESIDENCE FRONT ELEVATION

1/8" = 1'

THE KELLY RESIDENCE
Detached Guest House

OWNER

Kevin Kelly
6832 Thom Blvd.
Las Vegas, NV 89131-2700

The Kelly Residence
Detached Guest House

MARK	DATE	DESCRIPTION

PROJECT NO: ----
CAD DWG FILE:
DRAWN BY: -
CHECKED BY: -
OWNER/BUILDER: Kevin Kelly
SIGNED BY:

SHEET TITLE
ELEVATIONS

A2

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FEB 12 2010

SUP-37415
03/25/10 PC



SUP-37415 - APPLICANT/OWNER: DESERT FOREST, LLC
6832 THOM BOULEVARD
MARCH 25, 2010 PLANNING COMMISSION

02/18/10



SUP-37415 - APPLICANT/OWNER: DESERT FOREST, LLC
6832 THOM BOULEVARD
MARCH 25, 2010 PLANNING COMMISSION

02/18/10



SUP-37415 - APPLICANT/OWNER: DESERT FOREST, LLC
6832 THOM BOULEVARD
MARCH 25, 2010 PLANNING COMMISSION

02/18/10



SUP-37415 - APPLICANT/OWNER: DESERT FOREST, LLC
6832 THOM BOULEVARD
MARCH 25, 2010 PLANNING COMMISSION

02/18/10



SUP-37415 - APPLICANT/OWNER: DESERT FOREST, LLC
6832 THOM BOULEVARD
MARCH 25, 2010 PLANNING COMMISSION

02/18/10

THE KELLY RESIDENCE

CLV Project Number: 153299-R-09
Project Description: 6832 Thom Blvd.

February 26, 2010

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

Justification:

The request for building an addition on our property is as follows.

1. Our current residence is a modest 3196 square foot home, positioned on a 2 ½ acre parcel. We often have family and friends from out of town stay with us, and we feel the need to add a small guest quarters to the property. The property also contains horse stables with a shade canopy, a small well house and a temporary green house, that has now been removed on the south west portion of the property. Due to these other structures we are in excess of the 50% expandable limit as indicated in Title 19. The shade structure is simply to provide shade for our horses. It is not a barn nor does it have wall or any confined space other than that provided by the panels that make up the stalls. We have no other conditioned spaces throughout the property. This addition will be used periodically for residential purposes. The architecture of the proposed structure will match that of the existing residence. The height will be less than the existing residence. It will add value to our property and benefit our surrounding neighborhood by doing so.

2. Current zoning for the property is R-E. We have no desire to change our zoning. This is a residential property and will remain so. The intended use for the proposed structure will be residential.

Thank you for taking the time to review our submittal, I look forward to your decision.

Sincerely,

Kevin Kelly
Owner/Builder

6832 THOM BLVD.
LAS VEGAS, NEVADA 89131

SUP-37415
REVISED
03/25/10 PC

RECEIVED
FEB 26 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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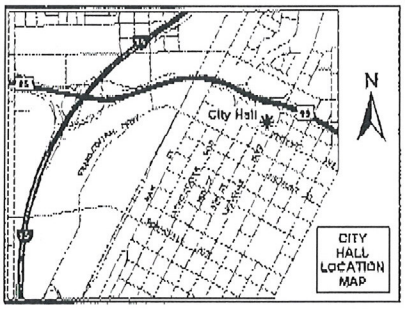
0004279218 MAR 12 2010
MAILED FROM ZIP CODE 89101

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-37379 & SUP-37415

Planning Commission Meeting of 3/25/2010

Case: VAR-37379

12524610001
HORIHAN DEVIN P
6825 UNICORN ST
LAS VEGAS NV 89131-2774

AAVDS11 89131

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MAR 16 2010

19P

City of Las Vegas Agenda Item No.: **20.**

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

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

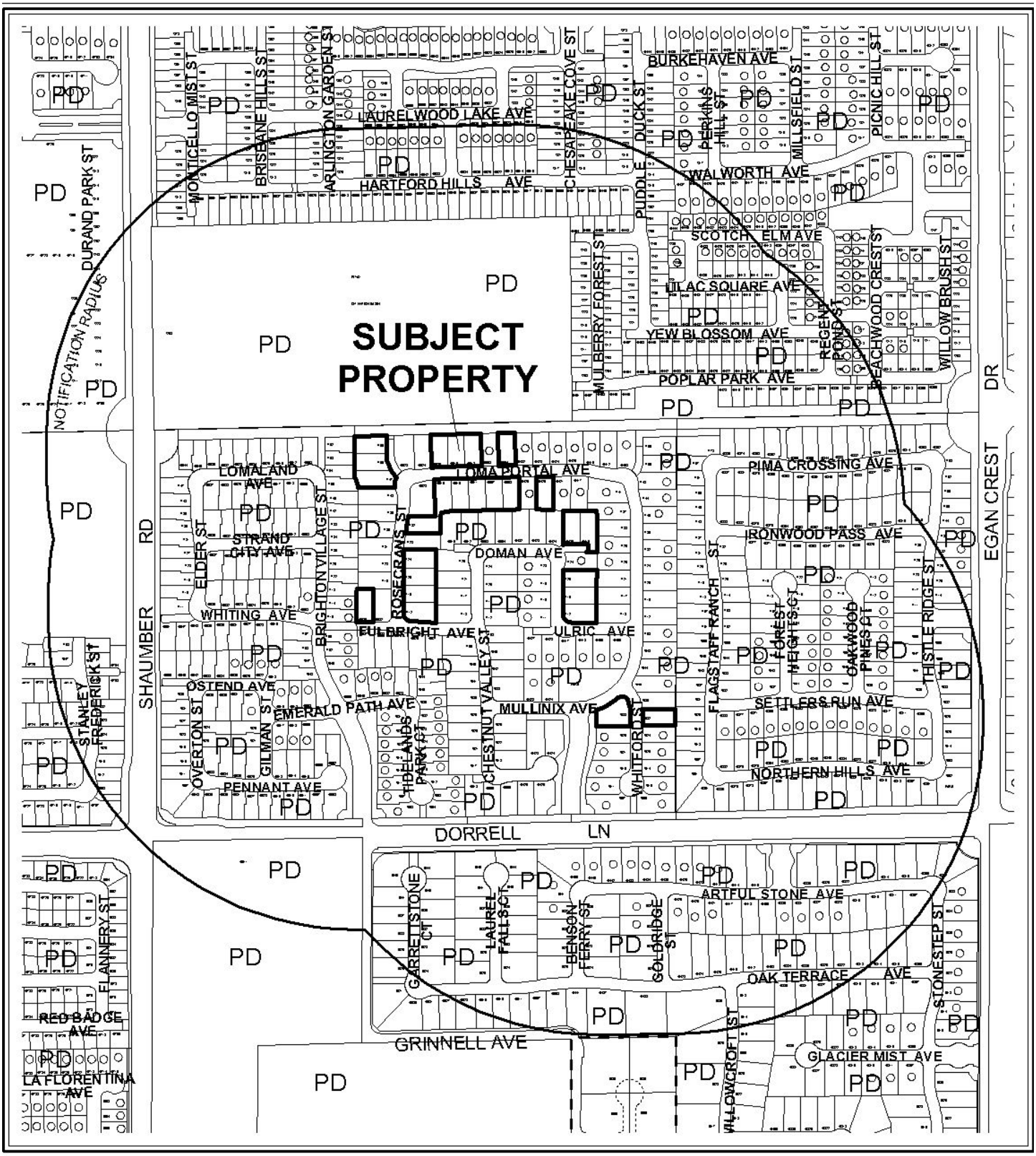
SUBJECT:
VAR-37380 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: RYLAND HOMES NEVADA, LLC - Request for a Variance TO ALLOW A 14-FOOT REAR YARD SETBACK WHERE 20 FEET IS REQUIRED ON 26 UNDEVELOPED LOTS WITHIN A PREVIOUSLY APPROVED SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 19.71 acres generally located on the north side of Dorrell Lane, approximately 1,390 feet east of Shaumber Road (Multiple APNs), PD (Planned Development) Zone, Ward 6 (Ross)

C.C.: 04/21/2010

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

RECOMMENDATION:
Staff recommends DENIAL.

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



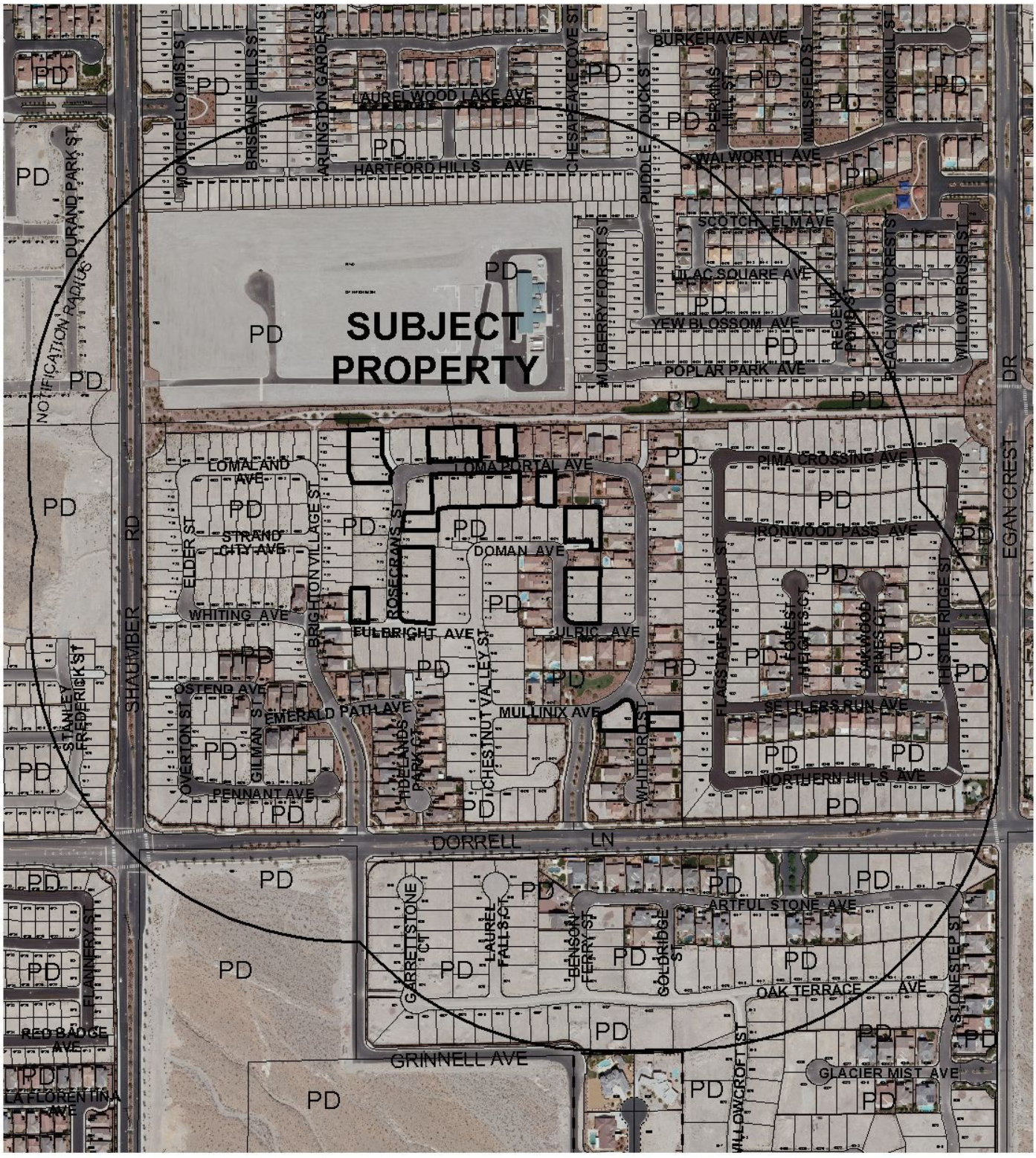
0 500 1000 Feet

CASE: **VAR-37380**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

N



0 500 1000 Feet

CASE: **VAR-37380**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-37380 - APPLICANT/OWNER: RYLAND HOMES NEVADA, LLC

** CONDITIONS **

Staff recommends DENIAL, if approved subject to conditions:

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-1520) and Major Modification (MOD-9174).

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.

JG

VAR-37380 - Staff Report Page One
March 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This application is a request for a Variance to allow a 14-foot rear yard setback where 20 feet is required on 26 undeveloped single-family residential lots located north of Dorrell lane and east of Shaumber Road in the Cliff's Edge Master Planned community. Ryland Homes' single story model only fits on 22 of the 97 lot subdivision. At the present time 49 homes have been constructed and this request would allow the single story model to be available for the 48 remaining lots. This request represents a thirty percent reduction in the rear yard setback established by the Cliff's Edge Site Planning Guidelines. Staff reccomends denial, since neither the applicant, nor the master developer has presented any compelling justification for approval. If this application is denied, the single story model will be restricted to the 22 lots originally approved.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
02/05/03	The City Council approved the Annexation (A-0035-02) of approximately 1,187 acres generally located adjacent to the southeast corner of Grand Teton Drive and Puli Road. The Planning Commission and staff recommended approval. The annexation became effective 02/14/03.
03/19/03	The City Council approved a Rezoning (ZON-1520) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 317.5 acres. Including the subject subdivision. The Planning Commission and staff recommended approval.
03/11/04	The Planning Commission approved the Cliff's Edge Parent Tentative Map (TMP-3798). Staff recommended approval.
06/24/04	The Planning Commission approved the Brighton & Kensington Tentative Map (TMP-3798). Staff recommended approval.
11/16/05	The City Council approved a Major Modification (MOD-9174) to the Cliff's Edge Master Development Plan and Design Guidelines. To establish standards for rear loaded residential small lot housing products and to add section 3.2.5B to the design guidelines on 1,156 acres generally located adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road. The Planning Commission and staff recommended approval.
10/21/09	A deed was recorded to show a change in ownership.
Related Building Permits/Business Licenses	
There are no building permits or business licenses associated with the subject properties.	

JG

Pre-Application Meeting	
01/29/10	A pre-application meeting was held with the applicant where elements of submitting a Variance to allow a 14-foot rear yard setback where 20 feet is required on twenty-six undeveloped single-family residential lots 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 was neither required nor held.	
Field Check	
02/18/10	A partially built out residential subdivision, with many graded pads awaiting single family homes.

Details of Application Request	
Site Area	
Gross Acres	19.71

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Single-Family Residential	L (Low Density Residential)	PD (Planned Development)
North	Single-Family Residential	RSL (Residential Small Lot)	PD (Planned Development)
South	Single-Family Residential	L (Low Density Residential)	PD (Planned Development)
East	Single-Family Residential	ML (Medium-Low Density Residential)	PD (Planned Development)
West	Single-Family Residential	ML (Medium-Low Density Residential)	PD (Planned Development)

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Area Plan			
Cliff's Edge (Providence)	X		N

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

DEVELOPMENT STANDARDS

Cliff's Edge Master Development Plan and Design Guidelines 3.2.5

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Setbacks			
• Front	10 feet	10 feet	Y
• Side	5 feet	5 feet	Y
• Corner	10 feet	10 feet	Y
• Rear	20 feet	14 feet	N
Percent Deviation	30%		N

ANALYSIS

This request is to allow a 14-foot rear yard setback where 20 feet is required on 26 undeveloped single-family residential lots in an approved 97 single-family residential development. The Master Developer, Providence Design Review Committee (DRC) has granted the applicant's request for the rear yard setback variance, via the (DRC) approval letter, but has given no compelling justification for the approval. The proposed single-family floor plan for these lots is too large to accommodate Cliff's Edge Master Development Plan and Design Guidelines for Low Density Residential rear setbacks. The setback variance represents a deviation of 30 percent from the rear setback standard. As the developer has selected a model for the single-family subdivision that does not conform to the development standards, the hardship is self-preferential in nature and cannot be supported by staff.

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 reduce the rear yard setback to 14 feet to allow for current single story homes, the plans for which are too intense on 26 lots. Keeping model home Plan 1 only on the present 22 lots, would allow conformance to the Cliff's Edge Master Development Plan and Design Guidelines requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

NOTICES MAILED 83

APPROVALS 2

PROTESTS 4

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-37380 APN: Various

Name of Property Owner: Ryland Homes Nevada, LLC

Name of Applicant: Ryland Homes Nevada, LLC

Name of Representative: Jeff Stevens

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: Howard Tobler

Subscribed and sworn before me

This 4 day of Feb, 2010

_____

Notary Public in and for said County and State

HEATHER SORENSEN
NOTARY PUBLIC
STATE OF NEVADA
DATE APPOINTMENT EXP: 04-04-2010
CERTIFICATE NO: 02-77139-1

PLANNING & DEVELOPMENT
CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Variance

Project Address (Location) BRIGHTON & KENSINGTON UNIT 2 (Dorrell & Shumber)

Project Name Kensington **Proposed Use** _____

Assessor's Parcel #(s) SEE ATTACHED LIST **Ward #** 6

General Plan: existing PCD proposed PCD **Zoning:** existing PD-L proposed PD-L

Commercial Square Footage N/A **Floor Area Ratio** N/A

Gross Acres 19.71 **Lots/Units** 97 **Density** 4.9

Additional Information _____

PROPERTY OWNER Ryland Homes Nevada, LLC **Contact** Jeff Stevens
Address 8925 W. Russell Rd. Ste. 200 **Phone:** 360-7500 **Fax:** 360-7505
City Las Vegas **State** NV **Zip** 89148
E-mail Address jstevens@ryland.com

APPLICANT Ryland Homes Nevada, LLC **Contact** Jeff Stevens
Address 8925 W. Russell Rd. Ste 200 **Phone:** 360-7500 **Fax:** 360-7505
City LAS VEGAS **State** NV **Zip** 89148
E-mail Address jstevens@ryland.com

REPRESENTATIVE Kaempfer Crowell **Contact** Bob Gronauer
Address 8345 W. Sunset Rd. Ste. 250 **Phone:** 792-7000 **Fax:** 796-7181
City Las Vegas **State** NV **Zip** 89113
E-mail Address rgronauer@kcnvlaw.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 Howard Tollin

Subscribed and sworn before me

This 4 day of Feb, 2010.

_____

Notary Public in and for said County and State

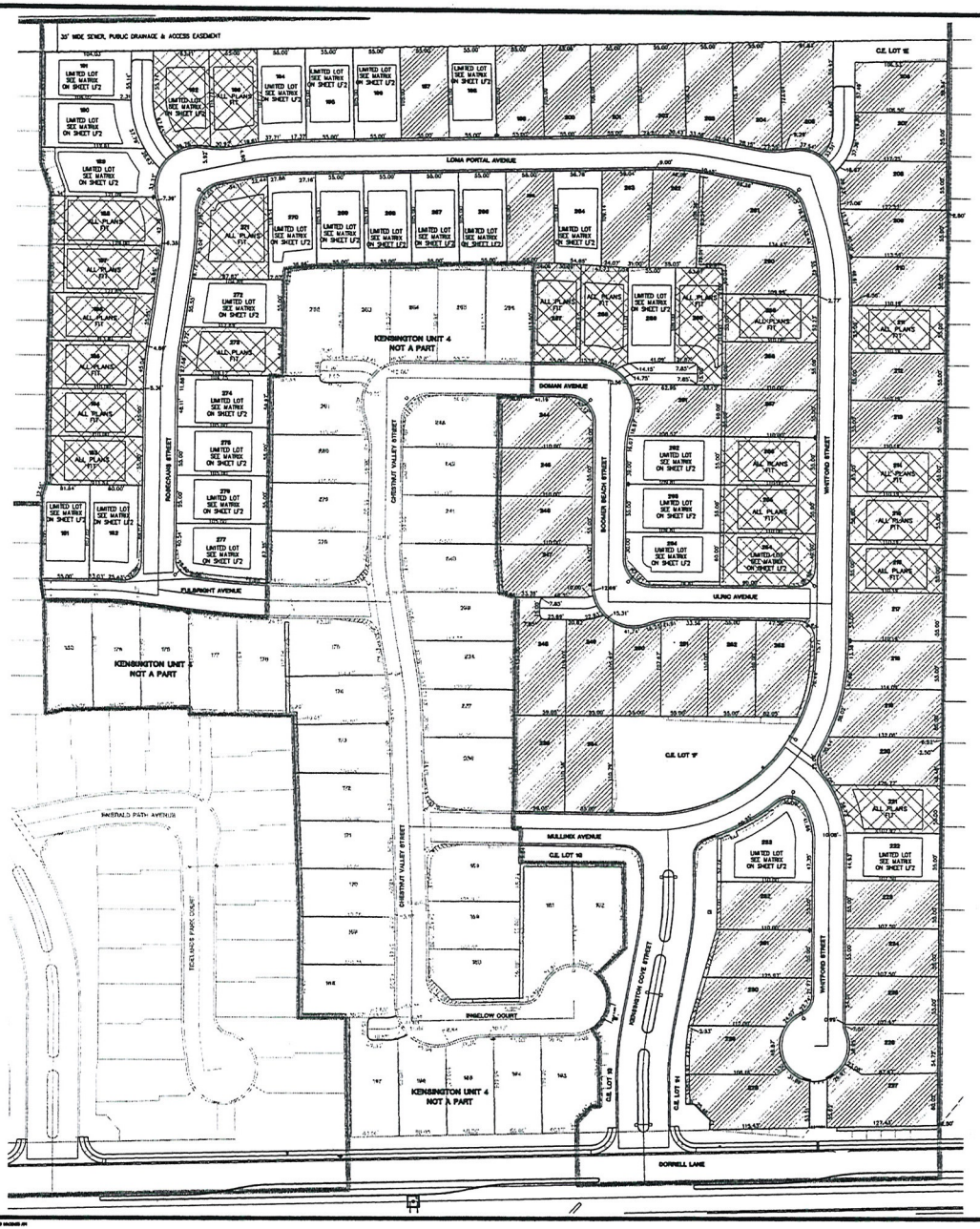
HEATHER SORENSEN
NOTARY PUBLIC
STATE OF NEVADA
DATE APPOINTMENT EXP: 04-04-2010
CERTIFICATE NO: 02-77139-1

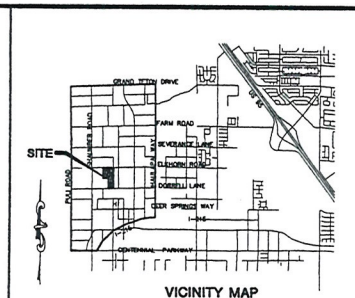
Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	VAR-37380
Meeting Date:	3-25-10
Total Fee:	~~925~~ 830
Date Received:*	2-9-10
Received By:	FS

*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
NOT TO SCALE

NOTES

(1) NO MORE THAN THREE (3) CONTIGUOUS LOTS MAY HAVE THE SAME FRONT SETBACK: OTHERWISE AN ADDITIONAL OFFSET OF AT LEAST 3' IS REQUIRED. SECTION 3.3.2 OF THE CLIFFS EDGE DESIGN GUIDELINES.

(2) FOR HOMES ON PERIMETER EDGES NO MORE THAN THREE (3) ADJACENT DWELLINGS MAY HAVE THE SAME REAR SETBACK: OTHERWISE AN ADDITIONAL OFFSET OF AT LEAST 5' IS REQUIRED. SECTION 3.3.6 OF THE CLIFFS EDGE DESIGN GUIDELINES.

LEGEND

COMPLETED LOTS NOT A PART

LOTS NOT A PART OF VARIANCE

NORTH

GRAPHIC SCALE

1" = 60'

PROJECT BENCHMARK

DATUM: NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88)

CITY OF LAS VEGAS BENCHMARK: BLV99:13SES
NAVD88 ELEVATION: 889.605 METERS (2853.03 FEET)

RIVET AND PLATE IN CONCRETE CYLINDER NW CORNER OF HUALAPAI AND ELKHORN

NOTE: WHEN THE SURVEYING FOR THIS PROJECT BEGAN, THE ABOVE REFERENCED BENCHMARK BLV99:13SES WAS NOT PUBLISHED. THE BASIS FOR THE DATUM FOR THIS PROJECT IS SHOWN ON RECORD OF SURVEY FILE 124 PAGE 94, CLARK COUNTY BENCHMARK 1C00-6N6, WHICH AT THE TIME OF THE ORIGINAL SURVEY (PRIOR TO THE CURRENT 2003 COUNTY BENCHMARK PUBLISHING) HAD AN ELEVATION OF 2564.61 FEET. TO CONVERT THE CURRENT CITY OF LAS VEGAS BENCHMARK BLV99:13SES TO MATCH THE ORIGINAL PROJECT DATUM, 0.34' NEEDS TO BE ADDED TO THE ELEVATION OF 2853.03 FEET.

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS PROJECT IS NORTH 00°06'16" EAST BEING THE EAST LINE OF THE NORTHWEST QUARTER (NE 1/4)" OF THE SECTION 24, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CLARK COUNTY, NEVADA, AS SHOWN ON A RECORD OF SURVEY ON FILE IN THE CLARK COUNTY, NEVADA, RECORDER'S OFFICE IN FILE 123 AT PAGE 32.

Call before you Overhead 1-702-227-2929

Call before you Dig 1-800-227-2600

Call before you Underground 1-702-455-7511 CLARK COUNTY TRAFFIC OPERATIONS AND 1-702-229-6611 LAS VEGAS AREA COMPUTERIZED TRAFFIC SYSTEM

RYLAND HOMES
9925 W. RUSSELL ROAD, STE 200
LAS VEGAS, NEVADA 89148
(702) 360-7500

CITY OF LAS VEGAS
2727 SOUTH RAINBOW BOULEVARD
LAS VEGAS, NEVADA 89146-5148
PH. (702) 873-7550 FAX (702) 362-2597 NES WWW.VTINV.COM
CONSULTING ENGINEERS ● PLANNERS ● LAND SURVEYORS

LOT FIT ANALYSIS

KENSINGTON ● PROVIDENCE UNIT 2

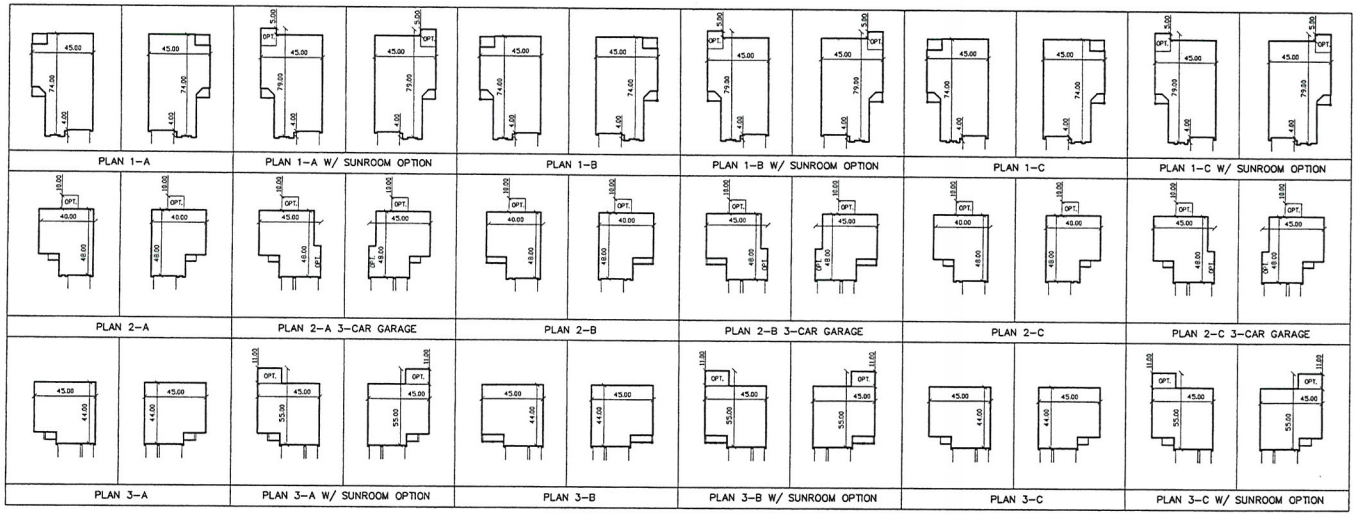
REV	DATE	BY	REVISION
7			
6			
5			
4			
3			
2			
1			

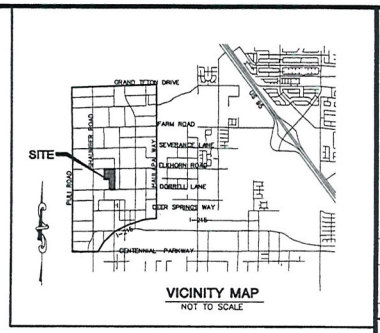
DRAWN BY: DMO DEC 2009
DESIGNED BY: DMO DEC 2009
CHECKED BY: DMO DEC 2009
PROJECT NO: 7254
SCALE: 1"=60' HORIZ. N/A VERT.

SHEET LF1
1 OF 2 SHEETS
DRAWING NO.

VAR-37380
REVISED
03/25/10 PC

RECEIVED
MAR 02 2010





NOTES

(1) NO MORE THAN THREE (3) CONTIGUOUS LOTS MAY HAVE THE SAME FRONT SETBACK; OTHERWISE AN ADDITIONAL OFFSET OF AT LEAST 3' IS REQUIRED. SECTION 3.3.2 OF THE CLIFFS EDGE DESIGN GUIDELINES.

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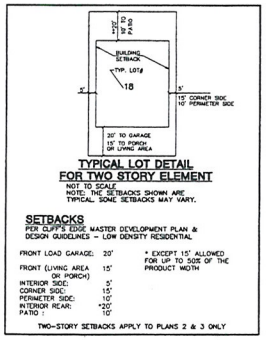
LOT	PLAN 1–A	PLAN 1–A W/ SUN RM	PLAN 1–B	PLAN 1–B W/ SUN RM	PLAN 1–C	PLAN 1–C W/ SUN RM	PLAN 2–A	PLAN 2–A 3–C GARAGE	PLAN 2–B	PLAN 2–B 3–C GARAGE	PLAN 2–C	PLAN 2–C 3–C GARAGE	PLAN 3–A	PLAN 3–A W/ SUN RM	PLAN 3–B	PLAN 3–B W/ SUN RM	PLAN 3–C	PLAN 3–C W/ SUN RM
181							X	X	X	X	X	X	X	X	X	X	X	X
182 (C)							X		X		X							
183	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
184	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
185	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
186	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
187	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
188	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
189							X	X	X	X	X	X	X	X	X	X	X	X
190							X	X	X	X	X	X	X	X	X	X	X	X
191							X		X		X							
192 (C)	X	X	X	X	X	X	X		X									
193	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
194							X	X	X	X	X	X	X	X	X	X	X	X
195							X	X	X	X	X	X	X	X	X	X	X	X
196							X	X	X	X	X	X	X	X	X	X	X	X
198							X	X	X	X	X	X	X	X	X	X	X	X
211	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
214	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
215	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
216	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
221	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
222							X	X	X	X	X	X	X	X	X	X	X	X
233 (C)							X	X	X	X	X	X	X	X	X	X	X	X
254 (C)	X	X	X	X	X	X	X		X		X							
255	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
256	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
259	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
264							X	X	X	X	X	X	X	X	X	X	X	X
266							X	X	X	X	X	X	X	X	X	X	X	X
267							X	X	X	X	X	X	X	X	X	X	X	X
268							X	X	X	X	X	X	X	X	X	X	X	X
269							X	X	X	X	X	X	X	X	X	X	X	X
270							X	X	X	X	X	X	X	X	X	X	X	X
271 (C)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
272							X	X	X	X	X	X	X	X	X	X	X	X
273	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
274							X	X	X	X	X	X	X	X	X	X	X	X
275							X	X	X	X	X	X	X	X	X	X	X	X
276							X	X	X	X	X	X	X	X	X	X	X	X
277 (C)							X		X		X							
287	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
288	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
289							X	X	X	X	X	X	X	X	X	X	X	X
290	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
292							X	X	X	X	X	X	X	X	X	X	X	X
293							X	X	X	X	X	X	X	X	X	X	X	X
294 (C)							X		X		X							

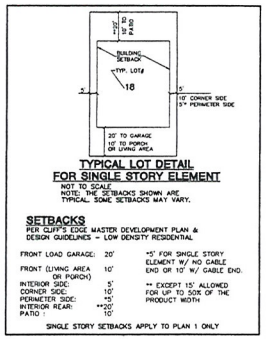


TYPICAL LOT DETAIL FOR TWO STORY ELEMENT
NOT TO SCALE
NOTE: THE SETBACKS SHOWN ARE TYPICAL. SOME SETBACKS MAY VARY.

SETBACKS
PER CLIFF'S EDGE MASTER DEVELOPMENT PLAN & DESIGN GUIDELINES – LOW DENSITY RESIDENTIAL

FRONT LOAD GARAGE:	20'	* EXCEPT 15' ALLOWED FOR UP TO 50% OF THE PRODUCT WIDTH
FRONT (LIVING AREA OR PORCH)	15'	
INTERIOR SIDE:	5'	
CORNER SIDE:	15'	
PERIMETER SIDE:	10'	
INTERIOR REAR:	*20'	
PATIO :	10'	

TWO–STORY SETBACKS APPLY TO PLANS 2 & 3 ONLY



TYPICAL LOT DETAIL FOR SINGLE STORY ELEMENT
NOT TO SCALE
NOTE: THE SETBACKS SHOWN ARE TYPICAL. SOME SETBACKS MAY VARY.

SETBACKS
PER CLIFF'S EDGE MASTER DEVELOPMENT PLAN & DESIGN GUIDELINES – LOW DENSITY RESIDENTIAL

FRONT LOAD GARAGE:	20'	*5' FOR SINGLE STORY ELEMENT W/ NO GABLE END OR 10' W/ GABLE END.
FRONT (LIVING AREA OR PORCH)	10'	
INTERIOR SIDE:	5'	
CORNER SIDE:	10'	** EXCEPT 15' ALLOWED FOR UP TO 50% OF THE PRODUCT WIDTH
PERIMETER SIDE:	5'*	
INTERIOR REAR:	**20'	
PATIO :	10'	

SINGLE STORY SETBACKS APPLY TO PLAN 1 ONLY

LEGEND

(X) INDICATES PLAN FITS/ PATIO ALLOWED
(C) INDICATES CORNER LOT

NOTES

1. HOMES MAY REQUIRE MULTIPLE STEPS IN THE GARAGE TO MEET DRIVEWAY SLOPE CRITERIA. DRIVEWAY SLOPES ARE NOT ANALYZED WITH THE LOT FIT.

Call before you Overhead 1-702-227-2929

Call before you Dig 1-800-227-2600

Call before you Underground 1-702-455-7511 OR 1-702-229-6611

RECEIVED
MAR – 2 2010

VAR-37380
REVISED
03/25/10 PC

RYLAND HOMES
811 W. BONANZA RD. STE 200
LAS VEGAS, NEVADA 89148
(702) 360-7500

CITY OF LAS VEGAS
2727 SOUTH RAINBOW BOULEVARD
LAS VEGAS, NEVADA 89146-5148
PH. (702) 873-7500 FAX (702) 362-2597 WEB WWW.KTGNV.COM
CONSULTING ENGINEERS ● PLANNERS ● LAND SURVEYORS

LOT FIT

KENSINGTON @ PROVIDENCE UNIT 2

NO.	DATE	BY	REVISION
1			
2			
3			
4			
5			
6			
7			

DRAWN BY: SMG — DEC. 2008
DESIGNED BY: DMC — DEC. 2009
CHECKED BY: DMC — DEC. 2009
PROJECT NO: 7251
SCALE: 1"=40' HORIZ. N/A VERT.

SHEET LF2
2 OF 2 SHEETS
DRAWING NO.

PROVIDENCE

3455 Cliff Shadows Parkway, Suite 220
Las Vegas, Nevada 89129
(702) 242-4949 ~ FAX: 242-0414

1/6/2010

Jeffrey Stevens
Ryland Homes
8925 West Russell Road
Suite 200
Las Vegas, NV 89147

VIA: E-mail (Jeffrey.Stevens@ryland.com) and Prolog Website

RE: Providence Master Plan Community
Plotting Variance Request
POD: 119 – Kensington
LOTs: see attached list

Dear Jeffrey:

The Providence Design Review Committee (DRC) is in receipt of Ryland's letter dated January 4, 2010, requesting a waiver to allow the rear yard setback to be reduced to 14' on 26 lots within POD 119.

The DRC agrees to grant this waiver.

If additional deviations are required they must be submitted to the DRC for review and approval. Should you have any questions, please do not hesitate to contact our office.

Unless specifically waived, all elements within Providence must comply with the terms and conditions of the Design Guidelines and other governing documents. The waiver granted herein applies only to the specific items as noted above, and does not constitute an approval of every specific element of the submittal, nor does it constitute a waiver of Providence's rights to enforce compliance with the Design Guidelines and other governing documents. Should an element of the submittal not comply with the Design Guidelines or other governing documents, and is not specifically waived, Providence reserves all of its rights with respect to enforcement of the terms and conditions of such documents as to the non-conforming element. All non-conforming elements must be specifically noted and a specific waiver must be submitted with respect thereto.

Sincerely,
Providence Design Review Committee

Calvin Champlin
Senior Vice President of Entitlements

cc via email: Chris Dingell – Focus
Enclosures: (Ryland waiver request letter dated January 4, 2010)

Document in Prolog Manager 2007 R1

VAR-37380
03/25/10 PC



VAR-37380 - APPLICANT/OWNER: RYLAND HOMES NEVADA, LLC
NORTH SIDE OF DORRELL LANE, APPROXIMATELY 1,390 FEET EAST OF SHAUMBER ROAD
MARCH 25, 2010 PLANNING COMMISSION

02/18/10



VAR-37380 - APPLICANT/OWNER: RYLAND HOMES NEVADA, LLC
NORTH SIDE OF DORRELL LANE, APPROXIMATELY 1,390 FEET EAST OF SHAUMBER ROAD
MARCH 25, 2010 PLANNING COMMISSION

02/18/10



VAR-37380 - APPLICANT/OWNER: RYLAND HOMES NEVADA, LLC
NORTH SIDE OF DORRELL LANE, APPROXIMATELY 1,390 FEET EAST OF SHAUMBER ROAD
MARCH 25, 2010 PLANNING COMMISSION

02/18/10



VAR-37380 - APPLICANT/OWNER: RYLAND HOMES NEVADA, LLC
NORTH SIDE OF DORRELL LANE, APPROXIMATELY 1,390 FEET EAST OF SHAUMBER ROAD
MARCH 25, 2010 PLANNING COMMISSION

02/18/10

RYLAND HOMES®

Las Vegas Division

8925 West Russell Rd
Suite 200
Las Vegas, NV 89148

702-360-7500 Tel
702-360-7505 Fax

www.ryland.com

January 12, 2010

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

RE: Justification Letter for Reduced Rear Yard Setback Request – Kensington

Ryland Homes is requesting that the rear yard setback for single story plans at Kensington be reduced from 20' to 14'.

With the current 20' setback, our single story plan (Plan 1) only fits on 22 of the 48 lots that are for sale. We feel that a single story plan would add variety and be a desired product in the community. Ideally, we would prefer to sell Plan 1 dispersed throughout the community, whereas now this plan would be restricted to certain lots that are, for the most part, grouped together.

With a 14' rear setback, 22 of the 48 lots, as noted above, would still have 20' or more in the rear yard. Another 22 lots would have rear yards varying from 15' to 19.81'. Only 4 lots would be less than 15', varying from 14.03 to 14.89'. Please refer to the attached list for specific lot details.

This request has been approved by the Providence Design Review Committee and is attached for your use.

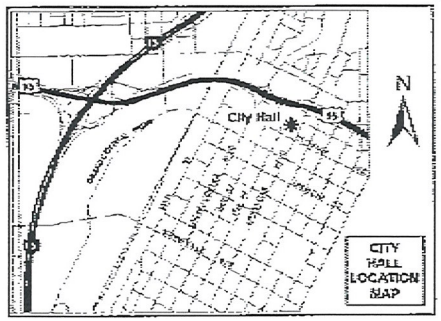
Sincerely,

Jeff Stevens
Land Development Manager
Ryland Homes Nevada LLC

VAR-37380
03/25/10 PC

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

Return Service Requested
Official Notice of Public Hearing



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

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-37380

Planning Commission Meeting of 3/25/2010

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.41⁴
0004279218 MAR 12 2010
MAILED FROM ZIP CODE 89101

Case: VAR-37380
12624113041
DEPIERRO MELODIE
10417 ULRIC AVE
LAS VEGAS NV 89166-7136

AAVDS11 89166

RECEIVED
MAR 15 2010

201

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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MAR 12 2010
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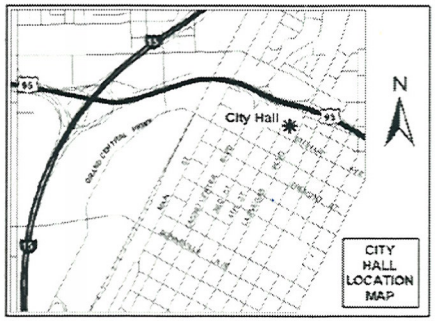

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council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

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-37380

Planning Commission Meeting of 3/25/2010

RECEIVED
MAR 16 2010

Case: VAR-37380
12624513083
PUNZALAN LOURDES C & RODOLFO M
10383 SETTLERS RUN AVE
LAS VEGAS NV 89166-7152

AAVD511 89166

ZOP

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

PRESORTED FIRST CLASS

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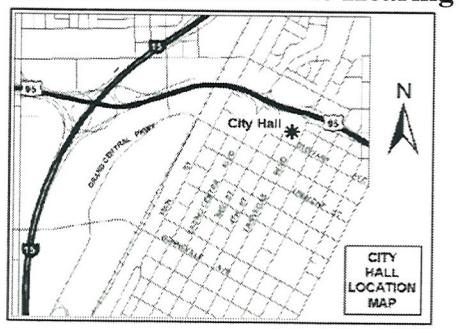

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☒ I OPPOSE this Request

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VAR-37380

Planning Commission Meeting of 3/25/2010

RECEIVED
MAR 16 2010

Case: VAR-37380
12624111003
GREEN MICHAEL & DANIELLE
7023 TIDELANDS PARK CT
LAS VEGAS NV 89166-7132

AAVD511 89166

20p

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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MAR 16 2010

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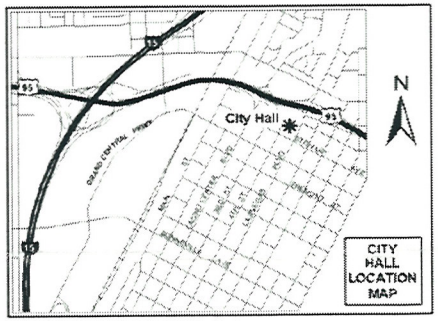

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Please use available blank space on card for your comments.

VAR-37380

Planning Commission Meeting of 3/25/2010

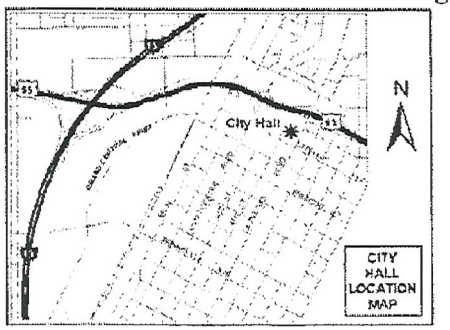
Case: VAR-37380
12624113043
GROSSOEHMIG TERRY & KAYE M
7115 BOOMER BEACH ST
LAS VEGAS NV 89166-7100

AAUBE11 89166

20P

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-37380
Planning Commission Meeting of 3/25/2010

Case: VAR-37380
12624512022
SCAMMELL DEREK & ALICE
7024 WHITFORD ST
LAS VEGAS NV 89145-7137

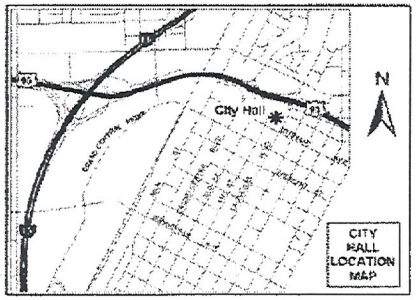
RECEIVED
MAR 15 2010

Mar 14 10 05:25p

20A

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-37380

Planning Commission Meeting of 3/25/2010

Case: VAR-37380
12624512035
TANNENBAUM HENRY & LOIS
10405 ULRIC AVE
LAS VEGAS NV 89166-7136

AAVDS11 89166

RECEIVED
MAR 17 2010

City of Las Vegas Agenda Item No.: **21.**

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

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

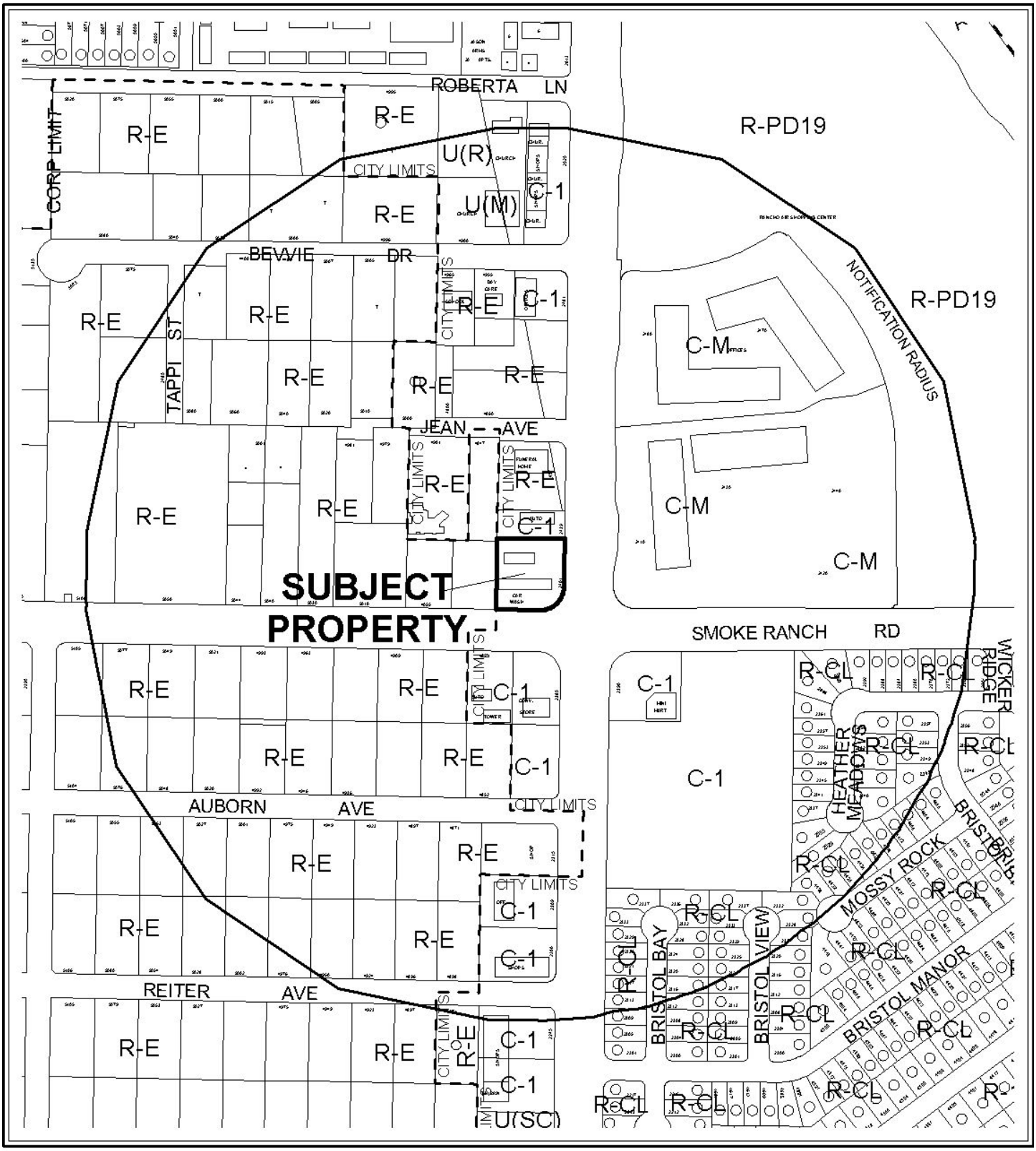
SUBJECT:
SUP-37301 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: STEPHEN MURPHY - OWNER: FOSTER-DAY CORP. - Request for a Special Use Permit TO RELOCATE AN EXISTING 36 SQUARE-FOOT AUTO SMOG CHECK ON THE SAME LOT at 2401 North Decatur Boulevard (APN 138-13-801-083), C-1 (Limited Commercial) Zone, Ward 5 (Barlow)

IF APPROVED, C.C.: 04/21/2010
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 DENIAL.

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



CASE: **SUP-37301**

RADIUS: 1000 FT

0 300 600 Feet

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

N



CASE: **SUP-37301**

RADIUS: 1000 FT

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

0 300 600 Feet

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-37301 - APPLICANT: STEPHEN MURPHY - OWNER: ROGER FOSTER

** 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 an Auto Smog Check use.

2. Auto Smog Check services shall not be performed within any drive aisle.

3. All signage shall conform to Title 19 standards and all necessary building permits shall be obtained prior to issuance of a business license.

4. Prior to issuance of a business license, all necessary building permits shall be obtained and final inspections completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

5. 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.

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

Public Works

7. The Smog testing for vehicles shall be as per the submitted plan date stamped March 1, 2010. Vehicles shall not park in such a manner that would affect traffic on Decatur Boulevard. Meet with the Traffic Engineering Representative for assistance in the final location of the smog check facility and vehicle queue prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first.

SUP-37301 - Staff Report Page One
March 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site is located at the northwest corner of Decatur Boulevard and Smoke Ranch Road, which contains an existing Car Wash, Self Service use and Auto Smog Check use. The applicant is requesting to relocate the existing Auto Smog Check structure closer in proximity to Decatur Boulevard for better visibility. The enclosed structure is 36 square feet in size. A Special Use Permit is required because a condition cannot be met requiring the structure to be at least 400 square feet in size, of which 200 square feet must be an enclosed structure with the remainder of the facility allowed to be located under service canopies. Staff is recommending denial of the request because the existing structure is not adequate to provide the smog check services and is not compatible with surrounding land uses, particularly, the residentially zoned property to the west. If denied, the use must remain in its current location on the site.

ISSUES

- The proposed Auto Smog Check use cannot meet a condition that requires a minimum size of 400 square feet for the structure, of which 200 square feet must be an enclosed structure with the remainder of the facility allowed to be located under service canopies. The proposed facility is 36 square feet, all enclosed.
- A condition has been added to require that smog services shall not be performed within any drive aisle on the site.
- A condition has been added to require that all signage must adhere to Title 19 standards and proper building permits must be obtained.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
01/31/94	A deed was recorded for a change in ownership.
06/21/95	The City Council approved a Special Use Permit (U-0036-95) for a 40-foot high, 14-foot by 48-foot Off-Premise Sign at 2401 Decatur Boulevard. The Board of Zoning Adjustment recommended denial. Staff recommended approval.
08/03/00	The City Council approved a Five-Year Review [U-0036-95(1)] on a Special Use Permit for a 40-foot high, 14-foot by 48-foot Off-Premise Sign at 2401 Decatur Boulevard. The Planning Commission and staff recommended approval.

GK

09/18/02	The City Council approved a Two-Year Review [U-0036-95(2)] on a Special Use Permit for a 40-foot high, 14-foot by 48-foot Off-Premise Sign at 2401 Decatur Boulevard. The Planning Commission and staff recommended denial.
10/20/04	The City Council approved a Required Two-Year Review (RQR-4959) of an approved Special Use Permit (U-0036-95) which allowed a 40-foot high, 14-foot by 48-foot Off-Premise Sign at 2401 North Decatur Boulevard. The Planning Commission and staff recommended denial.
07/11/07	The City Council approved a Required Two-Year Review (RQR-17764) of an approved Special Use Permit (U-0036-95) which allowed a 40-foot high, 14-foot by 48-foot Off-Premise Sign at 2401 North Decatur Boulevard. The Planning Commission and staff recommended approval.
Related Building Permits/Business Licenses	
c.1981	The existing building was constructed.
c.1996	An ongoing business license for a car wash was reclassified to C02-00026 at 2401 North Decatur Boulevard. The license is still active.
03/13/07	A business license (G02-00773) was issued for a smog testing use at 2401 North Decatur Boulevard. The license is still active.
11/02/07	A Code Enforcement Case (59475) was opened for a noise nuisance. The case was closed by Code Enforcement on 01/22/10.
07/21/08	A Code Enforcement Case (67969) was opened for illegal signage. The case was closed by Code Enforcement on 01/22/10.
07/22/08	A Code Enforcement Case (68021) was opened for illegal signage. The case was closed by Code Enforcement on 01/22/10.
09/23/08	A building permit (#124026) was issued for three non-illuminated wall signs and one freestanding sign at 2401 North Decatur Boulevard. The building permit has not been finalized.
10/10/08	A building permit (#125667) was issued for a two-sided fabric sign on an existing freestanding sign at 2401 North Decatur Boulevard. The building permit has not been finalized.
06/26/09	A Code Enforcement Case (79478) was issued for illegal signage. The case was closed by Code Enforcement on 01/22/10.
10/26/09	A Code Enforcement Case (83482) was issued for illegal signage. The case was closed by Code Enforcement on 01/22/10.

Pre-Application Meeting	
11/12/09	A pre-application meeting was held to discuss the application submittal requirements for an Auto Smog Check use. The following items were discussed: • The applicant was informed that a Special Use Permit is required, as the smog check structure is less than the required 400 square feet. • A parking analysis must be included on the site plan including the existing car wash use. • A Project of Regional Significance assessment is required, as the site is located within 500 feet of the City boundary.
Neighborhood Meeting	
A neighborhood meeting is not required, nor was one held.	
Field Check	
02/18/10	Staff conducted a field check on the indicated date. The following items were noted: • No parking spaces are provided on the subject site. • Multiple illegal non-illuminated signs were noted. • No landscaping on the north and west property lines.

Details of Application Request	
Site Area	
Net Acres	0.63

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Car Wash, Self Service	SC (Service Commercial)	C-1 (Limited Commercial)
North	Auto Repair Garage, Minor	SC (Service Commercial)	C-1 (Limited Commercial)
South	Office, Other than Listed	SC (Service Commercial)	C-1 (Limited Commercial)
East	Office, Other than Listed	LI/R (Light Industry/Research)	C-M (Commercial/Industrial)
West	Undeveloped	Clark County	R-E (Residential Estates - Clark County)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan		X	N/A
Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts			
A-O Airport Overlay District – 35 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		Y

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	N/A	27,442 SF	N/A
Min. Lot Width	100 Feet	105 Feet	Y
Min. Setbacks			
• Front	20 Feet	31 Feet	Y
• Side	10 Feet	42 Feet	Y
• Corner	15 Feet	122 Feet	Y
• Rear	20 Feet	122 Feet	Y
Max. Lot Coverage	50%	20%	Y
Max. Building Height	N/A	8 Feet 6 Inches	N/A
Trash Enclosure	Screened, Gated with a Roof or Trellis	Existing on-site, screened	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	
Auto Smog Check	36 SF	1 space	1				
Car Wash, Self Service	8 Stalls	2 per stall	16				
SubTotal			16	1			
TOTAL			**17**		**5**		**N***

**The subject site is parking impaired, per Title 19.10.*

GK

Waivers		
Requirement	**Request**	**Staff Recommendation**
19.04.010 Auto Smog Check #1 – Minimum size of 400 SF, of which a minimum of 200 SF must be in an enclosed structure, with the remainder allowed under service canopies.	36 SF, all of which is enclosed	Denial

ANALYSIS

The subject site is located at the northwest corner of Decatur Boulevard and Smoke Ranch Road, which contains an existing Car Wash, Self Service use and Auto Smog Check use. The applicant is requesting to relocate the existing Auto Smog Check structure closer in proximity to Decatur Boulevard for better visibility. The existing Auto Smog Check use would be relocated approximately 31 feet to the west of Decatur Boulevard from its current location adjacent to the west property line. The use is conditionally permitted in a C-1 (Limited Commercial) zoning district, subject to six use conditions. The requested Special Use Permit is required because a condition cannot be met requiring the structure to be at least 400 square feet in size, of which 200 square feet must be an enclosed structure with the remainder of the facility allowed to be located under service canopies. The existing Auto Smog Check structure is 36 square feet and does not include any awnings or canopies.

The site is a parking impaired development per Title 19.10.010(C). The existing Car Wash, Self Service use requires 16 parking spaces and the existing Auto Smog Check use requires one parking space. In total, the site is required to have 17 parking spaces between the two existing uses. The site currently has zero parking spaces, based on a physical inventory conducted by staff during a field check.

Per Title 19.04.010, an Auto Smog Check use is required to have a stacking lane that will accommodate at least three cars. The existing site does not have such a stacking lane. The applicant will provide a three car stacking lane adjacent to the north property line, five parking spaces, and a fixed service area adjacent to the west side of the Smog Check structure. Although all conditions for the Auto Smog Check use cannot be met, the relocation will further separate the existing Smog Check use from the residentially zoned property to the west and will decrease the existing on-site deficiencies by providing additional parking, service area, and stacking lane.

Over the past seven years, and as recently as 10/26/09, numerous code enforcement complaints regarding illegal signage have been investigated at the subject site. A condition has been added requiring the owner to obtain all necessary building permits prior to erecting any signage. Also, the necessary building permits were never obtained for the existing 36 square foot structure. Another condition has been added requiring the applicant to obtain permits for this structure.

As the Auto Smog Check use cannot meet minimum conditional requirements and the use is not compatible with surrounding land uses, 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 Auto Smog Check use cannot be conducted in a manner that is compatible with the existing surrounding land uses and with future surrounding land uses as projected by the General Plan.

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

   The subject site is not physically suitable for the proposed Auto Smog Check use. The existing kiosk that is proposed to house this use is not of sufficient size to meet the required 400 square feet total or 200 square feet enclosed space requirements.

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 Smoke Ranch Road and Decatur Boulevard. Both are designated as 100-Foot Primary Arterials by the Master Plan of Streets and Highways, and will be adequate in size to meet the requirements of the Auto Smog Check use. Site access and circulation will not negatively impact adjacent roadways and neighborhood traffic.

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

Approval of the Special Use Permit at this location for the Auto Smog Check facility as indicated on the site plan will not compromise the public health, safety, or general welfare, or the overall objectives of the General Plan, as the use will be subject to regular inspections.

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

An Auto Smog Check facility is a conditional use per Title 19.04. The proposed use does not meet Condition 1 of the Auto Smog Check use, which requires a minimum size of 400 square feet, 200 square feet of which must be in an enclosed building. Therefore, a Special Use Permit must be approved for the use to operate at this location.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

NOTICES MAILED 151

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

RECEIVED
FEB 01 2010

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-37301** APN: 13813801083

Name of Property Owner: ROGER FOSTER

Name of Applicant: STEPHEN MURPHY

Name of Representative: _____

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: ROGER FOSTER

Subscribed and sworn before me

This 10th day of December, 20 09

Amanda K Javaux

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
AMANDA K. JAVAUX
My Appointment Expires
January 17, 2013
No: 05-94553-1

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

RECEIVED FEB 01 2010

Application/Petition For: DISCOUNT SMOG

Project Address (Location) 2401 N. DECATUR BLVD

Project Name DISCOUNT SMOG **Proposed Use** SMOG-AUTO CHECK

Assessor's Parcel #(s) 138-13-801-083 **Ward #** 5

General Plan: existing SC proposed — **Zoning:** existing C-1 proposed —

Commercial Square Footage 36 **Floor Area Ratio**

Gross Acres 0.64 **Lots/Units** **Density**

Additional Information

OWNER

PROPERTY OWNER ROGER FOSTER **Contact** 702 460 4396

Address 2560 RED ARROW DR **Phone:** 460 4396 **Fax:** 876 9705

City LAS VEGAS ~~NEVADA~~ **State** NV **Zip** 89

E-mail Address N/A

APPLICANT STEPHEN MURPHY / DISCOUNT SMOG **Contact** STEPHEN MURPHY

Address 2401 N. DECATUR BLVD **Phone:** 702.755.9393 **Fax:**

City LAS VEGAS NEVADA **State** **Zip** 89121

E-mail Address MURPHSSMOGSHOP@HOTMAIL.COM

REPRESENTATIVE **Contact**

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

City **State** **Zip**

E-mail Address

Property Owner Signature* [signature]

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

Print Name ROGER FOSTER

Subscribed and sworn before me

This 10th day of December, 20 09.

Amanda K Javaux

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
AMANDA K. JAVAUX
My Appointment Expires
January 17, 2013
No: 05-94553-1

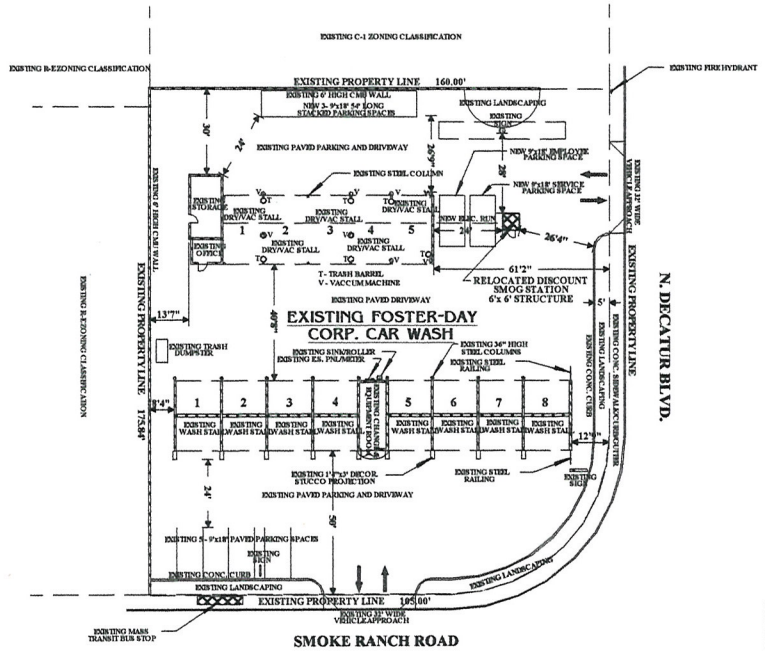
FOR DEPARTMENT USE ONLY

Case #	SUP 37301
Meeting Date:	3.25.10
Total Fee:	$1,030.—
Date Received:*	2.1.10
Received By:	VFA

*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.

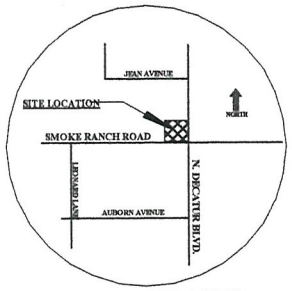
Revised 10/27/08

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



NEW SITE PLAN
SCALE: 1"= 20'

NORTH



VICINITY MAP
NO SCALE

RELOCATED DISCOUNT SMOG STATION
CASE #83482
2401 N. DECATUR BLVD

PLAN INDEX	
SHEET	DESCRIPTION
	ARCHITECTUAL
A1	NEW SITE PLAN

PARKING ANALYSIS

TOTAL PARKING SPACES REQUIRED - 5
STACKED PARKING SPACES REQUIRED - 3
SERVICE PARKING SPACES REQUIRED - 1
EMPLOYEE PARKING SPACES REQUIRED - 1

TOTAL PARKING SPACES PROVIDED - 10

LOT COVERAGE

EXISTING LOT - 0.63 AC - 27,442.8 S.F.

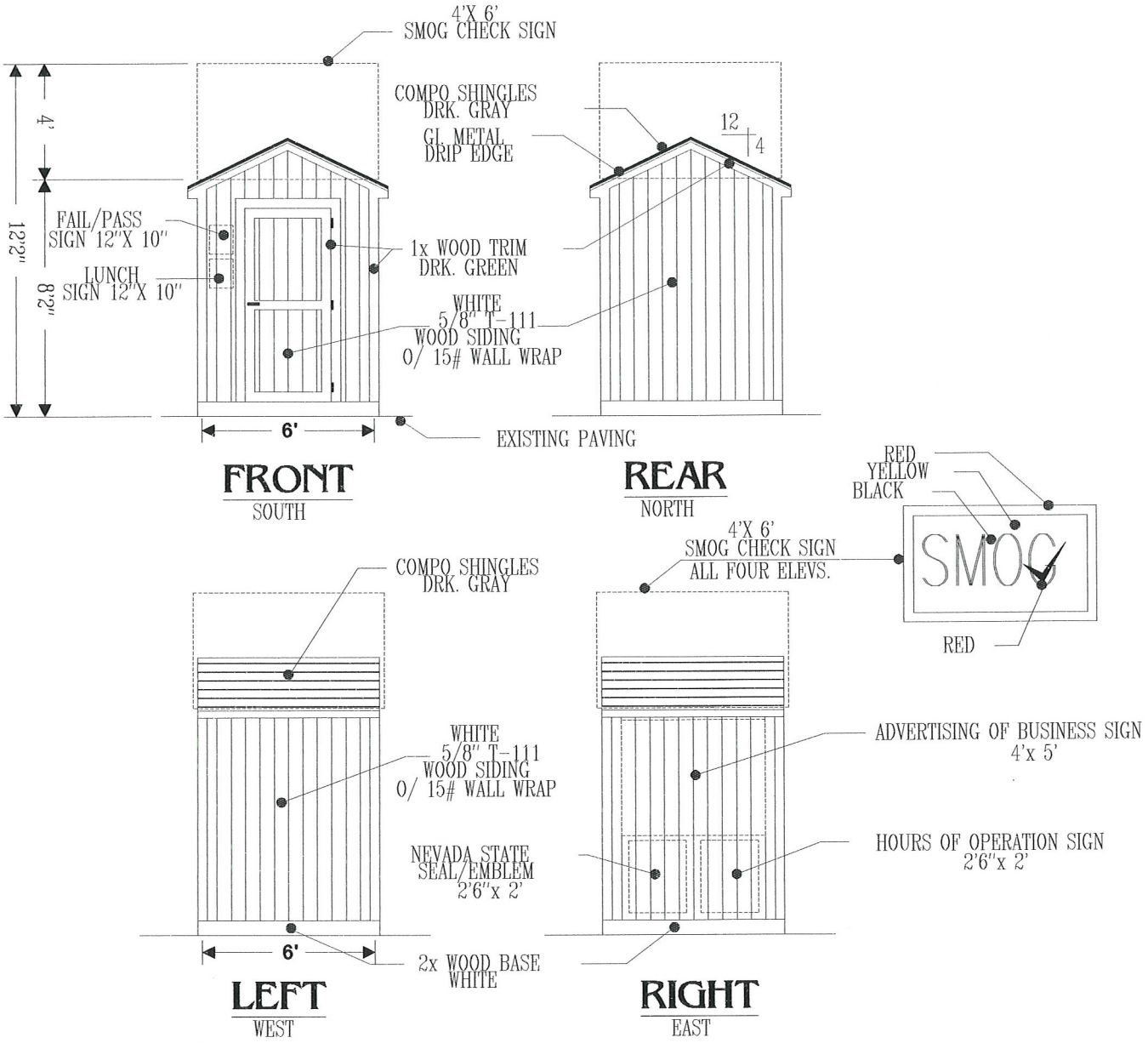
CAR WASH/STALLS - 3,328 S.F.
DRY/VAC STALLS - 1,742 S.F.
OFFICE - 102 S.F.
SMOG STATION - 36 S.F.
STORAGE - 268 S.F.
TOTAL BUILDING AREA - 5,476 S.F. - 0.20%

EXISTING LANDSCAPING - 1,349 S.F. - 0.05%
EXISTING PAVED PARKING/DRIVEWAYS - 20,617.8 S.F. - 75%

ADDRESS: 2401 N. DECATUR BLVD. LAS VEGAS, NEVADA 89108
PARCEL #: APN 138-13-801-083
JURISDICTION: LAS VEGAS - 89108
ZONING CLASSIFICATION: C-1
OWNER: FOSTER-DAY CORP.
PROJECT: NEW SITE PLAN W/ RELOCATED DISCOUNT SMOG STATION CASE #83482
DATE: NOVEMBER 2009
SCALE: 1"= 20'
SHEET TITLE: NEW SITE PLAN
SHEET #: A1

SUP-37301
REVISED
03/25/10 PC

RECEIVED
MAR 01 2010

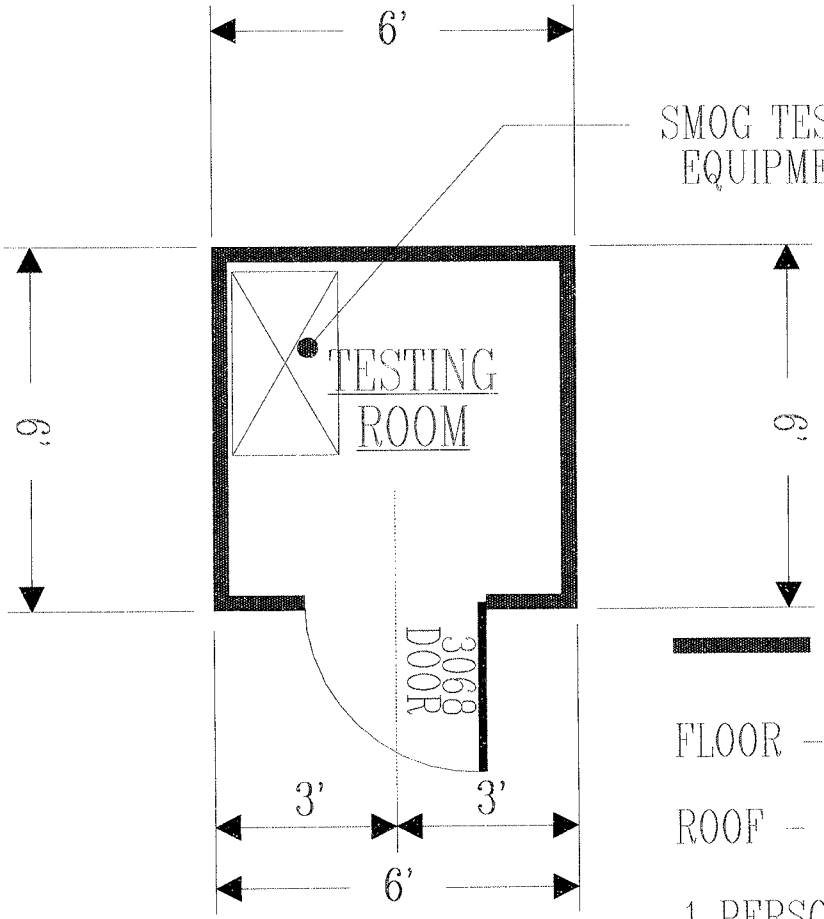


EXTERIOR ELEVATIONS

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

RECEIVED
FEB 01 2010

SUP-37301
03/25/10 PC



NEW WALLS - 2x4 STUDS @ 16"o/c

FLOOR - 3/4" PLYWOOD O/ 2x6 JOISTS @ 16"o/c

ROOF - 2x4 VAULED RAFTERS @ 16"o/c

1 PERSON AND 1 SEAT REQUIRED

FLOOR PLAN

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

SMOG STATION

36 S.F.

FEB 01 2010

SUP-37301
03/25/10 PC



RECEIVED
FEB 01 2010

SUP-37301
03/25/10 PC



SUP-37301 - APPLICANT: STEPHEN MURPHY - OWNER: FOSTER-DAY CORP.
2401 NORTH DECATUR BOULEVARD
MARCH 25, 2010 PLANNING COMMISSION

02/18/10



SUP-37301 - APPLICANT: STEPHEN MURPHY - OWNER: FOSTER-DAY CORP.
2401 NORTH DECATUR BOULEVARD
MARCH 25, 2010 PLANNING COMMISSION

02/18/10



SUP-37301 - APPLICANT: STEPHEN MURPHY - OWNER: FOSTER-DAY CORP.
2401 NORTH DECATUR BOULEVARD
MARCH 25, 2010 PLANNING COMMISSION

02/18/10

TO: PLANNING
RE: JUSTIFICATION LETTER
DATE 11/9/2009

RECEIVED
FEB 01 2010

This is an existing smog test station with (1) full time employee. We are open mon through saturday 8:00 am to 5:00 pm

I currently own a corporation with (6) operational smog test facilities. We have been operating on this site without complaint.

We would like to relocate our smog kiosk / blog to an area on the existing property (2401 N. Decatur Blvd) for the purpose of producing more favorable retail exposure to produce easier customer access and increased sales.

STEPHEN MURPHY
PRESIDENT DISCOUNT SMOG
3295 E. DESERT INN ROAD (CORPORATE ADRESS)
(702) 248-7664
(702) 755-9393 ALT / cellular #

SUP-37301
03/25/10 PC

City of Las Vegas Agenda Item No.: **22.**

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

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

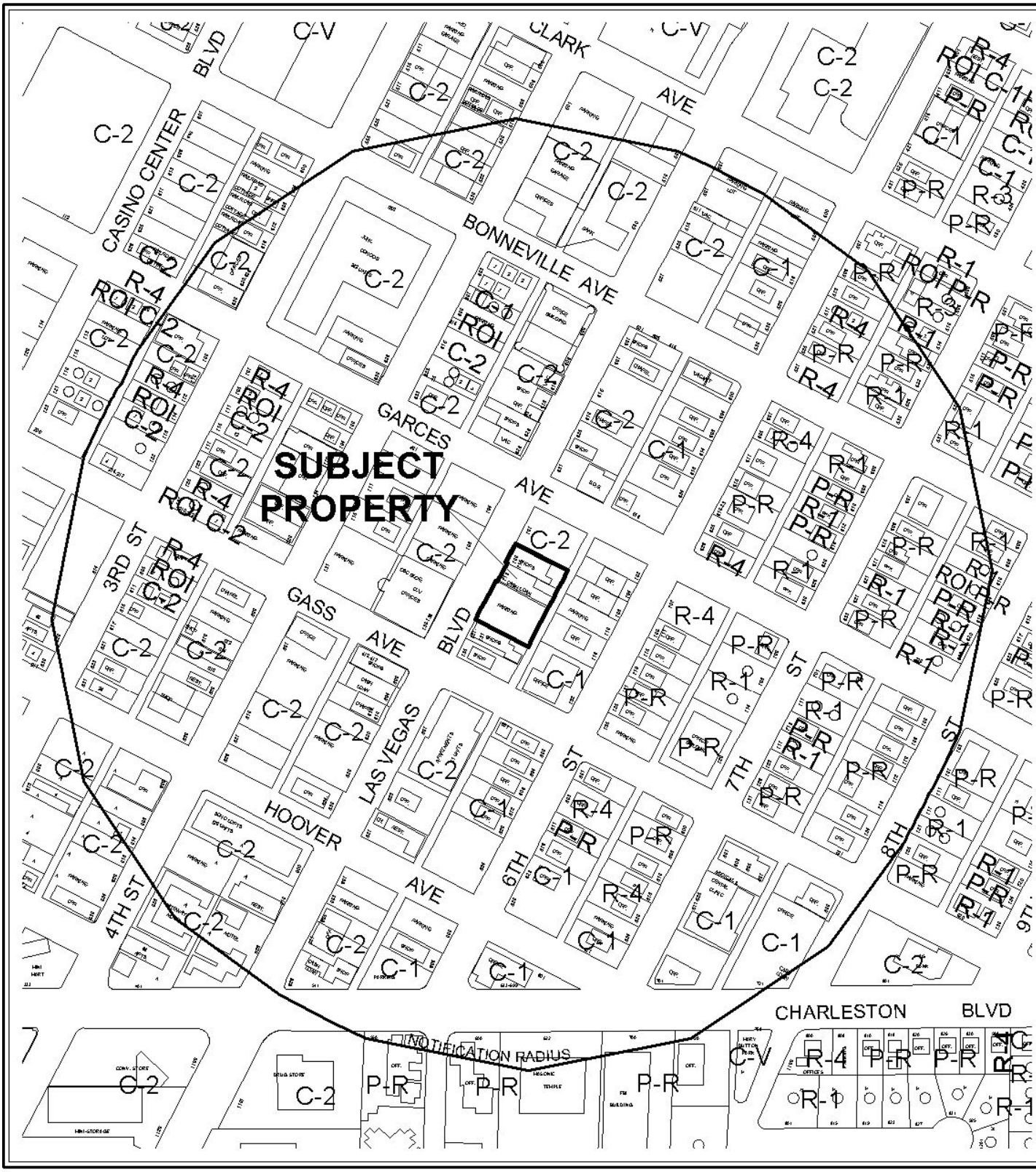
SUBJECT:
SUP-37327 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: HARRISON PROPERTIES, LTD - Request for a Major Amendment to a previously approved Special Use Permit (U-0045-94) FOR A PROPOSED 5,604 SQUARE-FOOT EXPANSION OF AN EXISTING 9,019 SQUARE-FOOT PAWN SHOP USE at 713 South Las Vegas Boulevard (APN 139-34-410-178 and 139-34-410-179), C-2 (General Commercial) Zone, Ward 3 (Reese)

C.C.: 04/21/2010

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**2**	**Planning Commission Mtg.**	**2**
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/Support Postcards

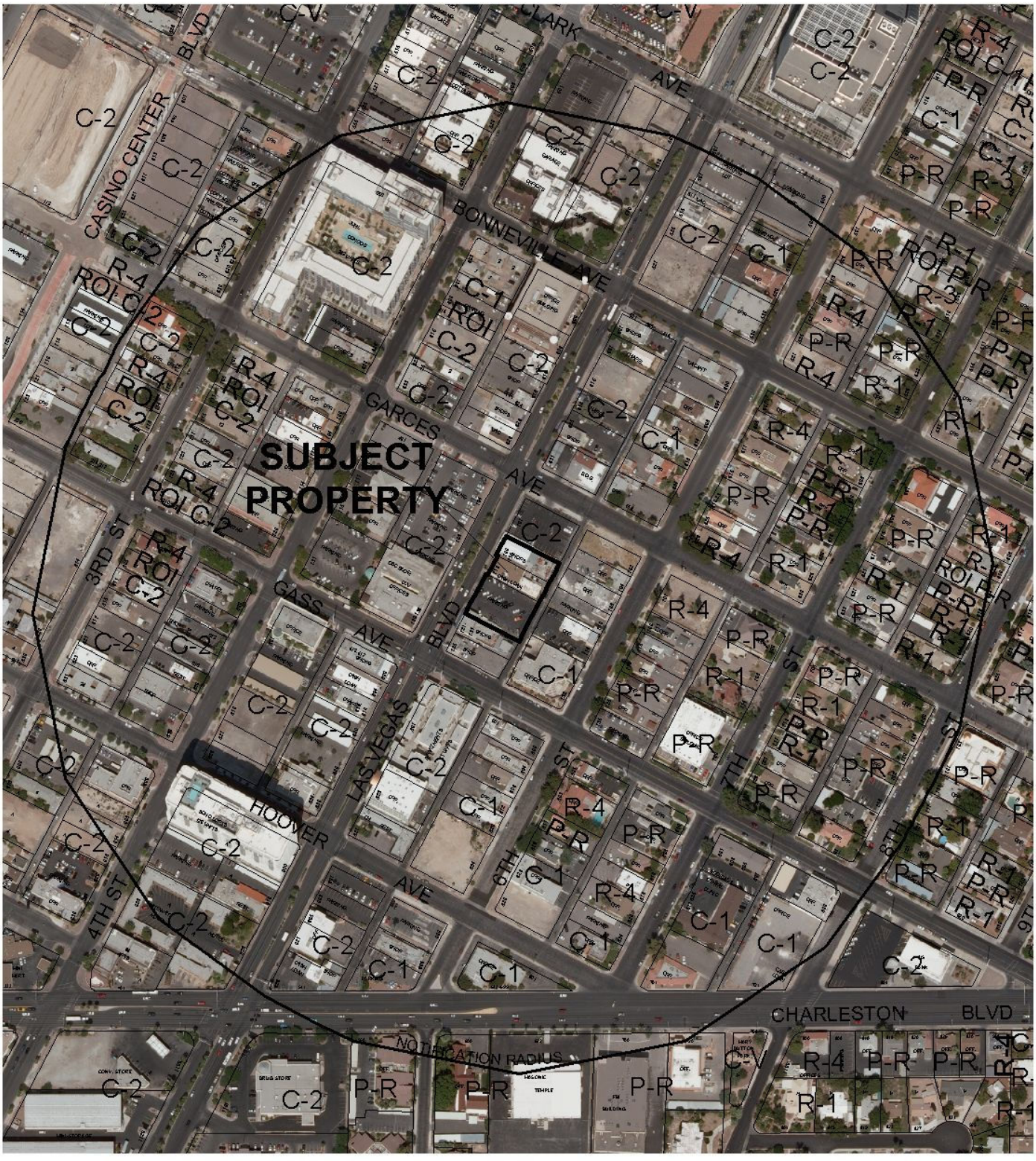


0 300 600 Feet

CASE: **SUP-37327**

RADIUS: 1000 FT

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



0 300 600 Feet

CASE: **SUP-37327**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-37327 – APPLICANT/OWNER: HARRISON PROPERTIES, LTD

** CONDITIONS **

Staff recommends APPROVAL, subject to conditions:

Planning and Development

1. Conformance to the conditions of approval for Special Use Permit (U-0045-94), except as amended herein.

2. Approval of and conformance to the conditions of approval for Site Development Plan Review (SDR-37326), if approved.

3. Conformance to all minimum requirements under LVMC Title 19.04.010 for a Pawn Shop use.

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

5. No temporary signage such as banners, pennants, inflatable objects, streamers, flags, or other similar attention gaining items or devices shall be displayed upon the subject property without appropriate permits.

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

GK

SUP-37327 - Staff Report Page One
March 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site consists of an existing 9,019 square-foot Pawn Shop use at 713 South Las Vegas Boulevard. This is a request for a Major Amendment to an approved Special Use Permit (U-0045-94) to expand the existing Pawn Shop use to 14,623 square feet with a 5,604 square-foot addition. The proposed addition will provide employee offices and additional storage. The addition includes 2,976 square feet on the first floor and 2,628 square feet on a new second floor. The proposed addition requires the subject Special Use Permit and the related Site Development Plan Review (SDR-37326), as the use is being expanded by 38%. Title 19.18 Applications and Procedures requires a new Special Use Permit when an existing use is expanded by more than 10%. The proposed expansion of the existing Pawn Shop is appropriate on the subject site and will be regulated by the City of Las Vegas. Therefore, approval of the request is recommended. If denied, the proposed addition would not be permitted and the existing Pawn Shop would remain.

ISSUES

- The existing use is expanding by more than 10%, thereby requiring the subject Special Use Permit.
- Approval of an associated Site Development Plan Review (SDR-37326) for a proposed 5,604 square-foot expansion of an existing 9,019 square-foot commercial building is also required.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
09/21/88	The City Council approved a request for a Special Use Permit (U-0111-88) for a Class III Secondhand Dealership for the buying and selling of used jewelry, precious metals and gems at 713 South Las Vegas Boulevard. The Board of Zoning Adjustment recommended approval on 08/25/88.
02/15/89	The City Council approved a request for a Variance (V-0162-88) to allow a Secondhand Store at 713 South Las Vegas Boulevard. The Board of Zoning Adjustment recommended approval on 01/26/89.
08/16/89	The City Council approved a request for a Special Use Permit (U-0110-89) for a Pawn Shop in conjunction with an existing Secondhand Dealership (Gold and Silver Coin Shop) at 713 South Las Vegas Boulevard. The Board of Zoning Adjustment recommended approval.

04/20/94	The City Council approved a request for a Special Use Permit (U-0045-94) to allow an expansion of an existing Pawn Shop; and to allow an Auto Pawn dealership on property located at 709-715 South Las Vegas Boulevard. The Board of Zoning Adjustment recommended approval on 03/22/94.
12/05/94	A deed was recorded for a change in ownership.
Related Building Permits/Business Licenses	
05/05/99	A building permit (#99008631) was issued for a sign at 713 South Las Vegas Boulevard. The permit was finalized on 05/13/99.
05/25/00	A building permit (#10182) was issued for exterior wall signs with electric at 713 South Las Vegas Boulevard. The permit was finalized on 06/28/00.
06/02/03	A business license (F03-00039) was issued for pistol/handgun permit sales at 713 South Las Vegas Boulevard. The license is still active.
06/02/03	A business license (P04-00020) was issued for a Pawnbroker at 713 South Las Vegas Boulevard. The license is still active.
06/02/03	A business license (P08-00009) was issued for an Auto Pawnbroker at 713 South Las Vegas Boulevard. The license is still active.
07/07/03	A business license (S25-00011) was issued for a Secondhand Dealer, Class II at 713 South Las Vegas Boulevard. The license is still active.
07/09/08	A business license (M18-04439) was issued for a Management/Marketing Consultant at 713 South Las Vegas Boulevard. The license is still active.
02/10/10	A building permit (#156383) was issued to reroof approximately 9,019 square feet at 713 South Las Vegas Boulevard. The building permit was finalized on 02/16/10.
02/16/10	A building permit (#156692) was approved by staff for interior tenant improvements at 713 South Las Vegas Boulevard. The building permit has not been issued.
Pre-Application Meeting	
01/27/10	A pre-application meeting was held on the indicated date. The following items were discussed at the meeting: • A Site Development Plan Review application is required, as the existing building will be expanding by over 5,000 square feet. The requirements for a Site Development Plan Review were discussed. • A Special Use Permit application is required, as the existing use is being expanded. The requirements for a Special Use Permit were discussed. • A mapping action will be required to eliminate the property line that currently divides the existing building.
Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	
Field Check	
02/18/10	Staff conducted a field check on the indicated date. The following items were noted. • A well maintained commercial lot free of trash and debris.

Details of Application Request	
Site Area	
Net Acres	0.32

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Pawn Shop	MXU (Mixed Use)	C-2 (General Commercial)
North	Parking Lot	C (Commercial)	C-2 (General Commercial)
South	Repair Service, Bailbond Service, Tattoo Parlor	MXU (Mixed Use)	C-2 (General Commercial)
East	Office, Other than Listed	MXU (Mixed Use)	C-1 (Limited Commercial)
	Parking Lot	C (Commercial)	C-1 (Limited Commercial)
West	Parking Lot, Office (Government Facility)	PF (Public Facility)	C-2 (General Commercial)

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

DEVELOPMENT STANDARDS

Parking Requirement - Downtown							
	Gross Floor Area or Number of Units	***Base Parking Requirement***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Pawn Shop	14,971 SF	1:250	56	3	34	1	
TOTAL			**59**		**35**		**Y**

Projects located within the Las Vegas Downtown Centennial Plan area are not subject to the automatic application of parking requirements. However, the above table should be used to illustrate the requirements of an analogous project in another location in the City. The analysis should take a number of factors into consideration when discussing parking availability, including pedestrian access, nearby parking structures, on-street parking, etc.

ANALYSIS

This is a request for a Major Amendment to an approved Special Use Permit (U-0045-94) for a 5,604 square-foot expansion of an existing Pawn Shop. The applicant has indicated that the proposed 5,604 square-foot expansion will provide additional storage and office space for the existing Pawn Shop and will not affect the existing sales floor area. The subject site is located within the Downtown Centennial Plan area and is not subject to the automatic application of parking requirements. However, the applicant has agreed to submit a parking agreement outlining the terms and conditions of the proposed off-site parking; therefore the parking for the site is adequate. The addition of the proposed 5,604 square-foot expansion of an existing Pawn Shop is compatible with the existing and future land uses. Therefore, staff recommends approval.

FINDINGS

The following findings must be made for a Special Use Permit:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

   The Pawn Shop use can continue to operate in a harmonious and compatible fashion with the existing surrounding land uses.

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

The Pawn Shop use will continue to be appropriate on the subject C-2 (General Commercial) zoning designation and is consistent with other uses in the area.

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

   Principal access to the site is provided from Las Vegas Boulevard, a (100-foot wide) Primary Arterial as indicated on the Master Plan of Streets and Highways. Las Vegas Boulevard has sufficient capacity to accommodate the proposed expansion of the use.

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

   Approval of the Special Use Permit is consistent with the General Plan, and will not compromise the public health, safety, or welfare.

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

   The existing Pawn Shop use meets all applicable requirements as set forth pursuant to Title 19.04 and the Downtown Centennial Plan requirements, as conditioned.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

NOTICES MAILED 338

APPROVALS 2

PROTESTS 2

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-37327** APN: 139-34-410-178/179

Name of Property Owner: HARRISON PROPERTIES, LTD.

Name of Applicant: _____

Name of Representative: KEVIN THISTLE

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: Richard K. Harrison

Subscribed and sworn before me

This 15th day of January, 2010

Angela Whitney

Notary Public in and for said County and State

ANGELA WHITNEY
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 03-06-2010
Certificate No: 06-104282-1

RECEIVED
FEB 03 2010

PLANNING & DEVELOPMENT
CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: SPECIAL USE PERMIT

Project Address (Location) 709/713 LAS VEGAS BLVD. S.

Project Name GOLD & SILVER PAWN SHOP **Proposed Use** PAWN SHOP

Assessor's Parcel #(s) 139-34-410-178/179 **Ward #** 3

General Plan: existing C proposed C **Zoning:** existing C-2 proposed C-2

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

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

Additional Information _____

PROPERTY OWNER HARRISON PROPERTIES LTD. **Contact** RICK HARRISON

Address 713 LAS VEGAS BLVD. S. **Phone:** 385-7912 **Fax:** _____

City LAS VEGAS **State** NV **Zip** 89101

E-mail Address _____

APPLICANT ~~P.K. THISTLE ARCHITECT~~ **Contact** ~~KEVIN THISTLE~~

Address ~~7383 ATACAMA AVE.~~ **Phone:** ~~435-1814~~ **Fax:** ~~914-1970~~

City ~~LAS VEGAS~~ **State** ~~NV~~ **Zip** ~~89129~~

E-mail Address ~~PKTHISTLEARCHITECT@COX.NET~~ SAME AS ABOVE

REPRESENTATIVE P.K. THISTLE ARCHITECT **Contact** KEVIN THISTLE

Address 7383 ATACAMA AVE. **Phone:** 435-1814 **Fax:** 914-1970

City LAS VEGAS **State** NV **Zip** 89179

E-mail Address PKTHISTLEARCHITECT@COX.NET

Property Owner Signature* [signature]

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

Print Name Richard K. Harrison

Subscribed and sworn before me

This 15th day of January, 20 10.

Angela Whitney

Notary Public in and for said County and State

ANGELA WHITNEY
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 03-06-2010
Certificate No: 06-104282-1

FOR DEPARTMENT USE ONLY

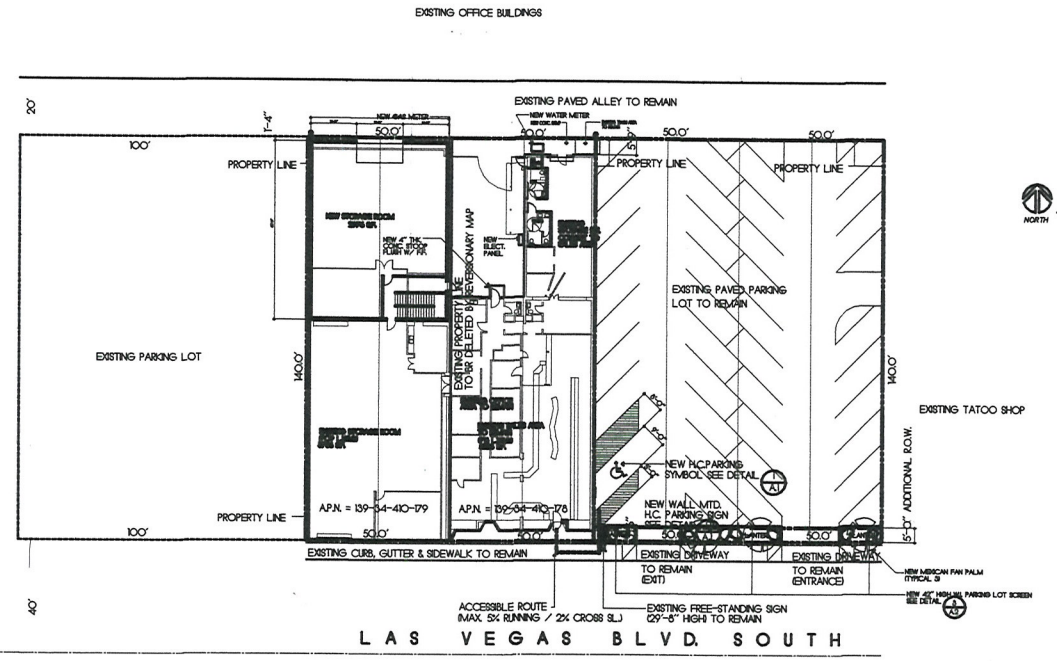
Case #	SUP-37327
Meeting Date:	3/25/10
Total Fee:	$1,030
Date Received:*	2/3/10
Received By:	[signature]

*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.

RECEIVED FEB 03 2010

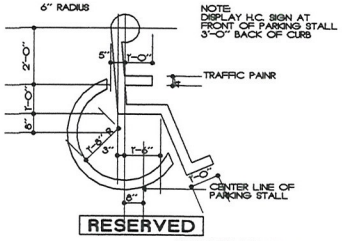
f:\depot\Application Packet\Application Form.pdf

Revised 10/27/08

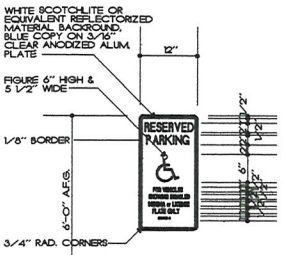




VICINITY MAP
Not to scale



PAINTED H.C. PARKING SYMBOL 1
NO SCALE



HANDICAP PARKING SIGN 2
NO SCALE

EXISTING PARKING LOT

NORTH

SITE & LANDSCAPE PLAN

SCALE 1" = 20'-0"

SITE NOTES:

1- EXISTING FLOOR AREA 709 LAS VEGAS BLVD. S. = 3756 S.F.
NEW ADDITIONAL FLOOR AREA 709 LAS VEGAS BLVD. S. = 2976 S.F. (FIRST FLOOR)
NEW ADDITIONAL FLOOR AREA 709 LAS VEGAS BLVD. S. = 2628 S.F. (SECOND FLOOR)
TOTAL FLOOR AREA 709 LAS VEGAS BLVD. S. = 9360 S.F.

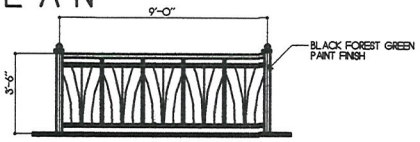
EXISTING FLOOR AREA 713 LAS VEGAS BLVD. S. = 5263 S.F.

TOTAL FLOOR AREA FOR BOTH SITES = 14,623 S.F.

2- TOTAL PARKING PROVIDED = 35 SPACES (9' X 19')

3- SITE AREA = 28,000 S.F.

4- F.A.R. = 42% COVERAGE



PARKING LOT SCREEN DETAIL
NO SCALE

SUP-37327
REVISED
03/25/10 PC

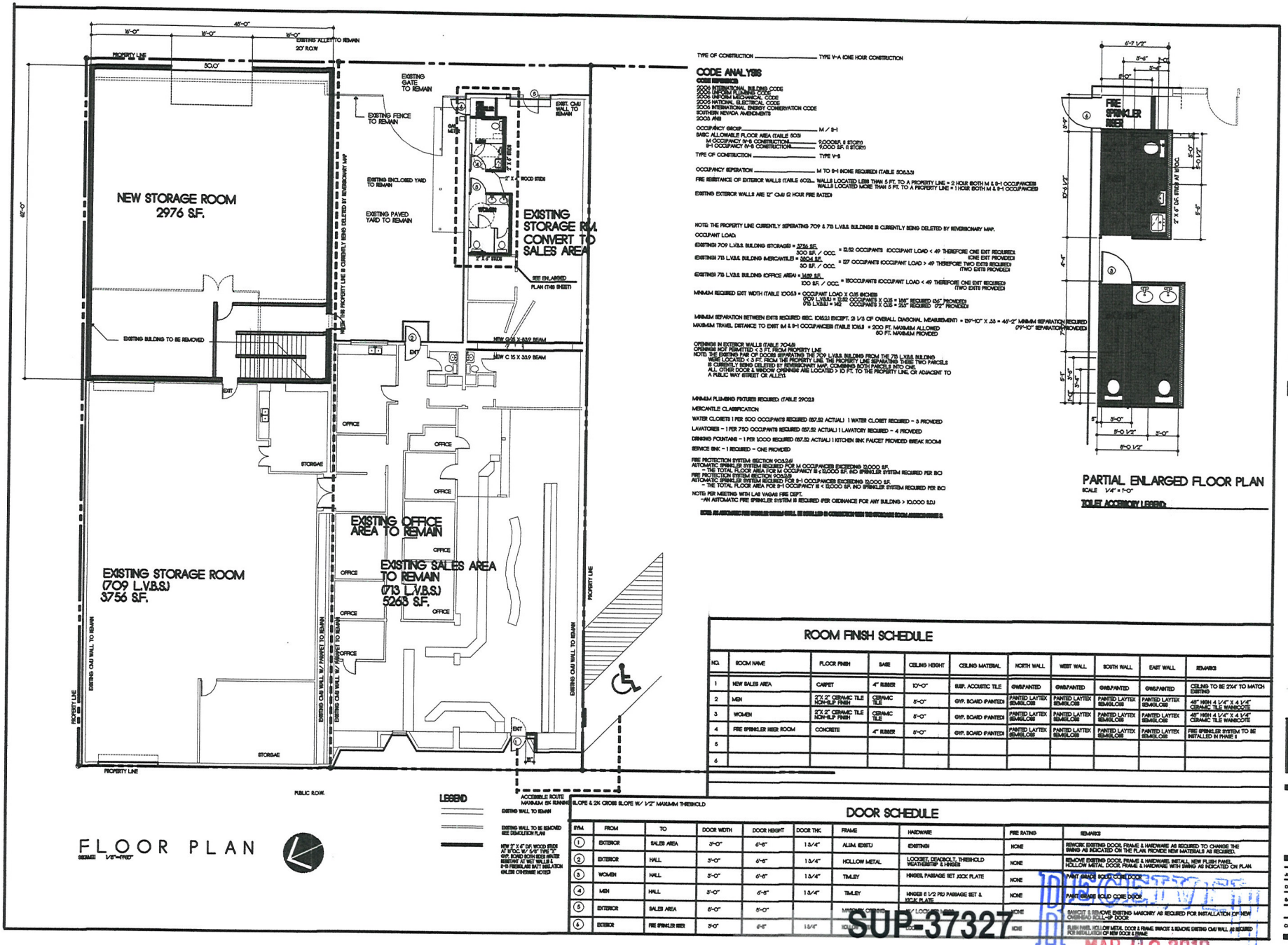
RECEIVED
MAR 02 2010

P.K. THISTLE AIA
ARCHITECTURE PLANNING
334 SUNSET WAY SUITE 24
HENDERSON, NEVADA 89014
PHONE (702) 435-1814 FAX 435-7206

THESE DRAWINGS ARE INSTRUMENTS OF SERVICE AND ARE THE PROPERTY OF P.K. THISTLE A.I.A. ARCHITECT, AND MAY NOT BE USED IN WHOLE OR IN PART WITHOUT COPY RIGHT PERMISSION FROM THISTLE. THESE PLANS, SPECIFICATIONS, DRAWINGS, AND/OR COMPUTER DISKETTES OR TAPES ARE NOT TO BE LOANED, COPIED OR ALTERED IN ANY WAY WITHOUT THE WRITTEN CONSENT OF P.K. THISTLE. ANY UNAUTHORIZED USE, REPRODUCTION OR ALTERATION WITHOUT SUCH CONSENT WILL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO P.K. THISTLE AND CONSULTANT OF P.K. THISTLE
DO NOT SCALE DRAWINGS

GOLD & SILVER PAWN SHOP
713 LAS VEGAS BLVD. SOUTH
LAS VEGAS, NEVADA

JOB NO.
DATE: 3/1/10
SCALE: A.2
CHECKED BY: PKT



FLOOR PLAN

SCALE 1/8"=1'-0"

TYPE OF CONSTRUCTION _____ TYPE V-A ONE HOUR CONSTRUCTION

CODE ANALYSIS

CODE REFERENCES
2006 INTERNATIONAL BUILDING CODE
2006 UNIFORM PLUMBING CODE
2006 UNIFORM MECHANICAL CODE
2005 NATIONAL ELECTRICAL CODE
2006 INTERNATIONAL ENERGY CONSERVATION CODE
SOUTHERN NEVADA AMENDMENTS
2006 IFAS

OCCUPANCY GROUP _____ M / S-1

BASIC ALLOWABLE FLOOR AREA (TABLE 503)
M OCCUPANCY, V-B CONSTRUCTION _____ 9,000SQ.FT. 1 STORY
S-1 OCCUPANCY V-B CONSTRUCTION _____ 9,000 S.F. 1 STORY

TYPE OF CONSTRUCTION _____ TYPE V-B

OCCUPANCY SEPERATION _____ M TO S-1 NONE REQUIRED (TABLE 508.3.3)

FIRE RESISTANCE OF EXTERIOR WALLS (TABLE 602)... WALLS LOCATED LESS THAN 5 FT. TO A PROPERTY LINE = 2 HOUR BOTH M & S-1 OCCUPANCIES
WALLS LOCATED MORE THAN 5 FT. TO A PROPERTY LINE = 1 HOUR BOTH M & S-1 OCCUPANCIES

EXISTING EXTERIOR WALLS ARE 12" CMU (2 HOUR FIRE RATED)

NOTE: THE PROPERTY LINE CURRENTLY SEPERATING 709 & 713 L.V.B.S. BUILDINGS IS CURRENTLY BEING DELETED BY REVERSIONARY MAP.

OCCUPANT LOAD

EXISTING 709 L.V.B.S. BUILDING STORAGE = 3756 SF.
300 SF. / OCC. = 12.52 OCCUPANTS (OCCUPANT LOAD < 49 THEREFORE ONE EXIT REQUIRED) ONE EXIT PROVIDED

EXISTING 713 L.V.B.S. BUILDING MERCANTILE = 3804 S.F.
30 SF. / OCC. = 127 OCCUPANTS (OCCUPANT LOAD > 49 THEREFORE TWO EXITS REQUIRED) (TWO EXITS PROVIDED)

EXISTING 713 L.V.B.S. BUILDING (OFFICE AREA) = 1459 S.F.
100 SF. / OCC. = 15 OCCUPANTS (OCCUPANT LOAD < 49 THEREFORE ONE EXIT REQUIRED) (TWO EXITS PROVIDED)

MINIMUM REQUIRED EXIT WIDTH (TABLE 1005.1) = OCCUPANT LOAD X 0.15 (INCHES)
709 L.V.B.S. = 12.52 OCCUPANTS X 0.15 = 1.90" REQUIRED 0.42" PROVIDED
713 L.V.B.S. = 142 OCCUPANTS X 0.15 = 21.3" REQUIRED 0'-2" PROVIDED

MINIMUM SEPARATION BETWEEN EXITS REQUIRED SEC. 1015.2.1 EXCEPT: 2/3 OF OVERALL DIAGONAL MEASUREMENT) = 159'-10" X .33 = 46'-2" MINIMUM SEPARATION REQUIRED
09'-10" SEPARATION PROVIDED

MAXIMUM TRAVEL DISTANCE TO EXIST (M & S-1 OCCUPANCIES) (TABLE 1016.1) = 200 FT. MAXIMM ALLOWED
60 FT. MAXIMUM PROVIDED

OPENINGS IN EXTERIOR WALLS (TABLE 704.8)
OPENINGS NOT PERMITTED < 3 FT. FROM PROPERTY LINE
NOTE: THE EXISTING PAIR OF DOORS SEPARATING THE 709 L.V.B.S. BUILDING FROM THE 713 L.V.B.S. BUILDING WERE LOCATED < 3 FT. FROM THE PROPERTY LINE. THE PROPERTY LINE SEPARATING THESE TWO PARCELS IS CURRENTLY BEING DELETED BY REVERSIONARY MAP, COMBINING BOTH PARCELS INTO ONE.
ALL OTHER DOOR & WINDOW OPENINGS ARE LOCATED > 10 FT. TO THE PROPERTY LINE, OR ADJACENT TO A PUBLIC WAY (STREET OR ALLEY)

MINIMUM PLUMBING FIXTURES REQUIRED (TABLE 29.03.1)

MERCANTILE CLASSIFICATION

WATER CLOSETS 1 PER 500 OCCUPANTS REQUIRED (127.52 ACTUAL) 1 WATER CLOSET REQUIRED = 5 PROVIDED

LAVATORIES = 1 PER 750 OCCUPANTS REQUIRED (127.52 ACTUAL) 1 LAVATORY REQUIRED = 4 PROVIDED

DRINKING FOUNTAINS = 1 PER 1000 REQUIRED (127.52 ACTUAL) 1 KITCHEN SINK FAUCET PROVIDED (BREAK ROOM)

SERVICE SINK = 1 REQUIRED = ONE PROVIDED

FIRE PROTECTION SYSTEM (SECTION 903.2.6)
AUTOMATIC SPRINKLER SYSTEM REQUIRED FOR M OCCUPANCIES EXCEEDING 12,000 SF.
= THE TOTAL FLOOR AREA FOR M OCCUPANCY IS < 12,000 S.F. NO SPRINKLER SYSTEM REQUIRED PER IBC
FIRE PROTECTION SYSTEM (SECTION 903.2.9)
AUTOMATIC SPRINKLER SYSTEM REQUIRED FOR S-1 OCCUPANCIES EXCEEDING 12,000 SF.
= THE TOTAL FLOOR AREA FOR S-1 OCCUPANCY IS < 12,000 S.F. NO SPRINKLER SYSTEM REQUIRED PER IBC

NOTE: PER MEETING WITH LAS VEGAS FIRE DEPT.
-"AN AUTOMATIC FIRE SPRINKLER SYSTEM IS REQUIRED (PER ORDINANCE FOR ANY BUILDING > 10,000 S.F.)

PARTIAL ENLARGED FLOOR PLAN

SCALE 1/4" = 1'-0"

TOILET ACCESSORY LEGEND:

ROOM FINISH SCHEDULE

NO.	ROOM NAME	FLOOR FINISH	BASE	CEILING HEIGHT	CEILING MATERIAL	NORTH WALL	WEST WALL	SOUTH WALL	EAST WALL	REMARKS
1	NEW SALES AREA	CARPET	4" RUBBER	10'-0"	SUSP. ACOUSTIC TILE	GWB/PAINTED	GWB/PAINTED	GWB/PAINTED	GWB/PAINTED	CEILING TO BE 2'X4' TO MATCH EXISTING
2	MEN	2"X 2" CERAMIC TILE NON-SLIP FINISH	CERAMIC TILE	8'-0"	GYP. BOARD (PAINTED)	PAINTED LATYEX SEMI-GLOSS	PAINTED LATYEX SEMI-GLOSS	PAINTED LATYEX SEMI-GLOSS	PAINTED LATYEX SEMI-GLOSS	48" HIGH 4 1/4" X 4 1/4" CERAMIC TILE WAINSCOTE
3	WOMEN	2"X 2" CERAMIC TILE NON-SLIP FINISH	CERAMIC TILE	8'-0"	GYP. BOARD (PAINTED)	PAINTED LATYEX SEMI-GLOSS	PAINTED LATYEX SEMI-GLOSS	PAINTED LATYEX SEMI-GLOSS	PAINTED LATYEX SEMI-GLOSS	48" HIGH 4 1/4" X 4 1/4" CERAMIC TILE WAINSCOTE
4	FIRE SPRINKLER RISER ROOM	CONCRETE	4" RUBBER	8'-0"	GYP. BOARD (PAINTED)	PAINTED LATYEX SEMI-GLOSS	PAINTED LATYEX SEMI-GLOSS	PAINTED LATYEX SEMI-GLOSS	PAINTED LATYEX SEMI-GLOSS	FIRE SPRINKLER SYSTEM TO BE INSTALLED IN PHASE II
5										
6										

DOOR SCHEDULE

SYM.	FROM	TO	DOOR WIDTH	DOOR HEIGHT	DOOR THK.	FRAME	HARDWARE	FIRE RATING	REMARKS
1	EXTERIOR	SALES AREA	3'-0"	6'-8"	1 3/4"	ALUM. (EXIST.)	(EXISTING)	NONE	REWORK EXISTING DOOR, FRAME & HARDWARE AS REQUIRED TO CHANGE THE SWING AS INDICATED ON THE PLAN. PROVIDE NEW MATERIALS AS REQUIRED.
2	EXTERIOR	HALL	3'-0"	6'-8"	1 3/4"	HOLLOW METAL	LOCKSET, DEADBOLT, THRESHOLD WEATHERSTRIP & HINGES	NONE	REMOVE EXISTING DOOR, FRAME & HARDWARE, INSTALL NEW FLUSH PANEL, HOLLOW METAL DOOR, FRAME & HARDWARE WITH SWING AS INDICATED ON PLAN.
3	WOMEN	HALL	3'-0"	6'-8"	1 3/4"	TIMLEY	HINGES, PASSAGE SET, KICK PLATE	NONE	PAINT GRADE SOLID CORE DOOR
4	MEN	HALL	3'-0"	6'-8"	1 3/4"	TIMLEY	HINGES (1 1/2 PR) PASSAGE SET & KICK PLATE	NONE	PAINT GRADE SOLID CORE DOOR
5	EXTERIOR	SALES AREA	8'-0"	8'-0"		MASONRY OPENING	W/ LOCKING HASP	NONE	REMOVE & REMOVE EXISTING MASONRY AS REQUIRED FOR INSTALLATION OF NEW OVERHEAD ROLL-UP DOOR
6	EXTERIOR	FIRE SPRINKLER RISER	3'-0"	6'-8"	1 3/4"	HOLLOW METAL		NONE	REMOVE & REMOVE EXISTING CMU WALL AS REQUIRED FOR INSTALLATION OF NEW DOOR & FRAME

SUP-37327
REVISED
03/25/10 PC

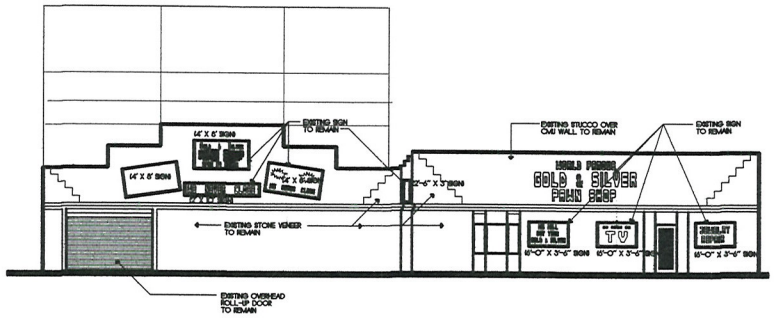
RECEIVED
MAR 02 2010

P.K. THISTLE AIA
ARCHITECTURE PLANNING
7385 ATACAMA AVENUE
LAS VEGAS NEVADA 89179
PH (702)648-1614

THESE DRAWINGS ARE INSTRUMENTS OF SERVICE AND THE PROPERTY OF P.K. THISTLE A.I.A. ARCHITECT. P.K. THISTLE A.I.A. RETAINS ALL COMMON LAW, COPY RIGHT AND OTHER PROPERTY RIGHTS. THESE PLANS ARE NOT TO BE CHANGED OR COPIED IN ANY FORM OR MANNER WHATSOEVER NOR ARE THEY TO BE ASSIGNED TO ANY THIRD PARTY, WITHOUT FIRST OBTAINING THE EXPRESS WRITTEN CONSENT OF P.K. THISTLE
DO NOT SCALE DRAWINGS

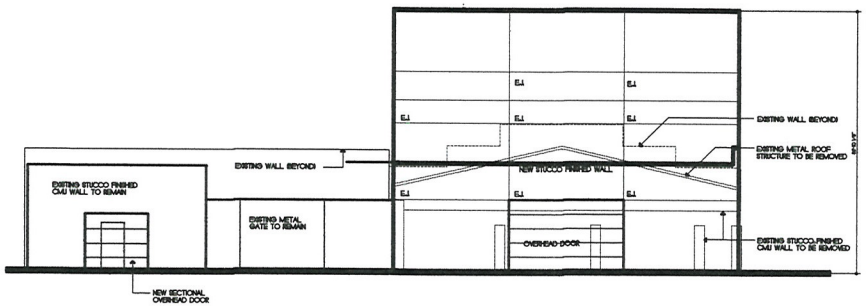
GOLD & SILVER PAWN SHOP
713 LAS VEGAS BLVD. SOUTH
LAS VEGAS, NEVADA

JOB NO.
DATE: 2/15/10
SCALE: A.3
CHECKED BY: PKT



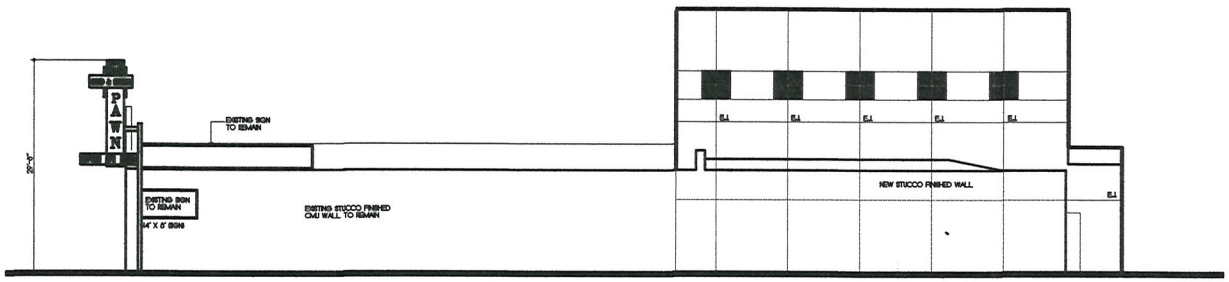
WEST ELEVATION

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



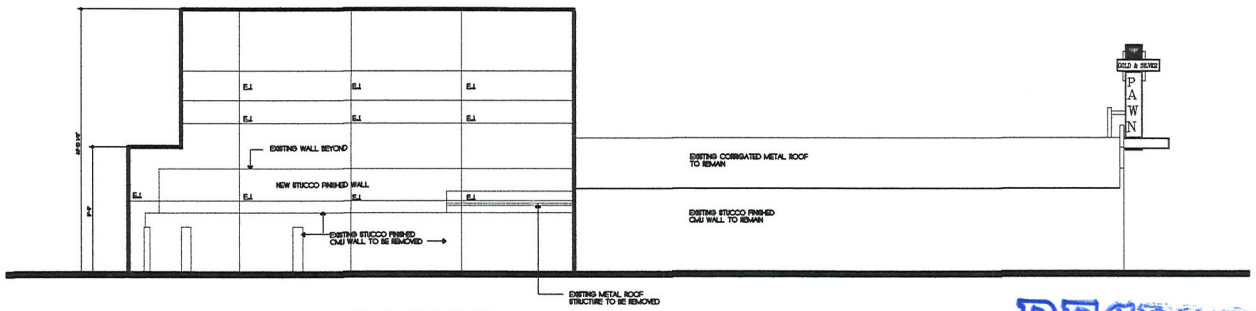
EAST ELEVATION

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



SOUTH ELEVATION

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



NORTH ELEVATION

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

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03/25/10 PC

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MAR 02 2010

P.K. THISTLE A.I.A.
ARCHITECTURE PLANNING
1/A SUNSET WAY SUITE 1H
HENDERSON, NEVADA 89014
PHONE (702) 435-1814 FAX 435-7201

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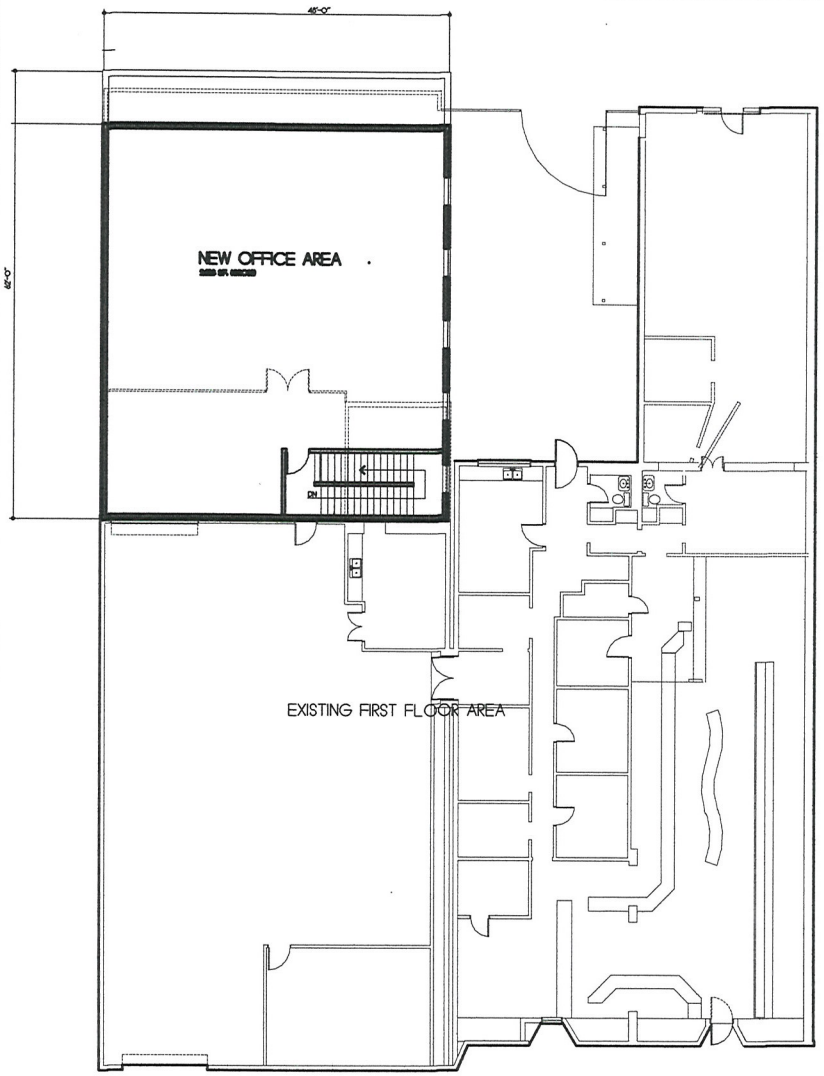
PAWN

GOLD & SILVER PAWN SHOP
713 LAS VEGAS BLVD. SOUTH
LAS VEGAS, NEVADA

JOB NO.
DATE:
SCALE: A.3
CHECKED BY: PKT



SECOND FLOOR PLAN

SCALE 1/8" = 1'-0"

SUP-37327
REVISED
03/25/10 PC

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MAR 02 2010

P.K.
THISTLE A.I.A.
ARCHITECTURE
PLANNING
7388 ATACAMA AVENUE
LAS VEGAS NEVADA 89179
PH 17021435-1814

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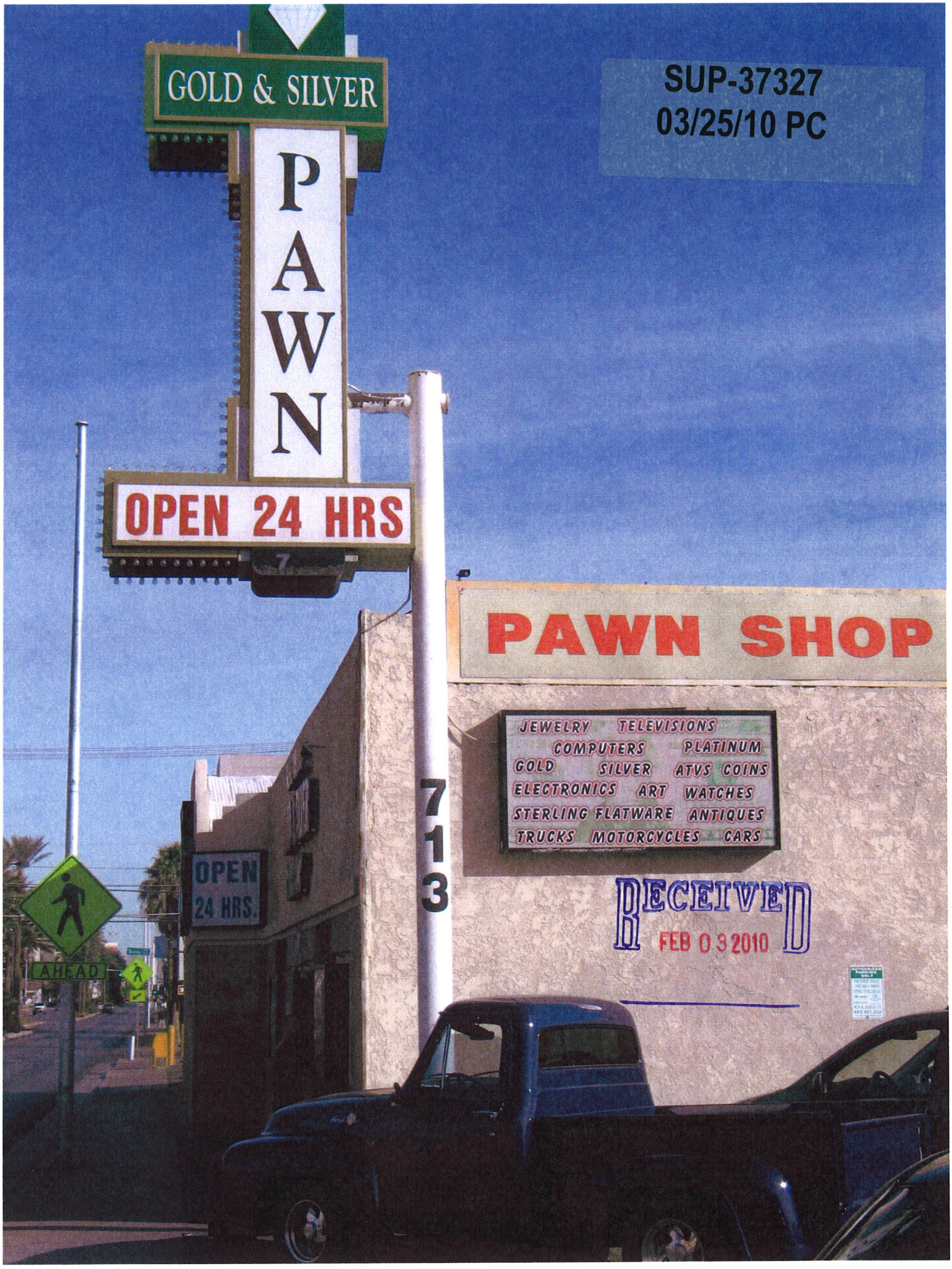
DO NOT SCALE DRAWINGS

PAWN

GOLD & SILVER PAWN SHOP
713 LAS VEGAS BLVD. SOUTH
LAS VEGAS, NEVADA

JOB NO.
DATE: 2/15/10
SCALE:
A5
CHECKED BY: PKT


SUP-37327
03/25/10 PC
GOLD & SILVER
PAWN
OPEN 24 HRS
PAWN SHOP
JEWELRY TELEVISIONS
COMPUTERS PLATINUM
GOLD SILVER ATVS COINS
ELECTRONICS ART WATCHES
STERLING FLATWARE ANTIQUES
TRUCKS MOTORCYCLES CARS
OPEN
24 HRS.
713
AHEAD
RECEIVED
FEB 0 3 2010



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FEB 03 2010

SUP-37327
03/25/10 PC



SUP-37327 - APPLICANT/OWNER: HARRISON PROPERTIES, LTD
713 SOUTH LAS VEGAS BOULEVARD
MARCH 25, 2010 PLANNING COMMISSION

02/18/10



SUP-37327 - APPLICANT/OWNER: HARRISON PROPERTIES, LTD
713 SOUTH LAS VEGAS BOULEVARD
MARCH 25, 2010 PLANNING COMMISSION

02/18/10



SUP-37327 - APPLICANT/OWNER: HARRISON PROPERTIES, LTD
713 SOUTH LAS VEGAS BOULEVARD
MARCH 25, 2010 PLANNING COMMISSION

02/18/10



SUP-37327 - APPLICANT/OWNER: HARRISON PROPERTIES, LTD
713 SOUTH LAS VEGAS BOULEVARD
MARCH 25, 2010 PLANNING COMMISSION

02/18/10

P.K. THISTLE A.I.A.
ARCHITECTURE
ENGINEERING
7383 ATACAMA AVENUE LAS VEGAS, NEVADA 890179 PHONE (702)435-1814

JANUARY 14, 2010

JUSTIFICATION LETTER

CITY OF LAS VEGAS
PLANNING & DEVELOPMENT DEPARTMENT

PROJECT: GOLD AND SILVER PAWN SHOP

LOCATION: 709 / 713 LAS VEGAS BLVD.SOUTH

A.P.N. - 139-34-410-178 / 179

APPLICATION: SPECIAL USE PERMIT

It is our understanding that a Special Use Permit exists for this project. It is also our understanding that since the proposed addition is greater than 10% of the existing building, a new Special Use Permit is required.

This application is submitted to allow for the construction of a new storage building in conjunction with an existing pawn shop. The proposed storage building will be 48' x 62' in size (2976 s.f.) on the ground level ,with future plans to construct a second story for office space. The first phase (single story building) will be 25 feet in height with stucco finished walls to match the existing building. The height of the future second story will add an additional 10 ft. to the building for a total height of 35 ft. The new storage building will be constructed to match the existing buildings and finishes.

The proposed storage building will be located in the rear (northeast) portion of the 709 Las Vegas Blvd. S. parcel that is currently being used to store merchandise in an outside enclosure. The construction of the new storage building will allow the owners to expand the existing sales area which is very much needed. Relocating existing outdoor storage to the new indoor storage area will be a benifit to the neighborhood.

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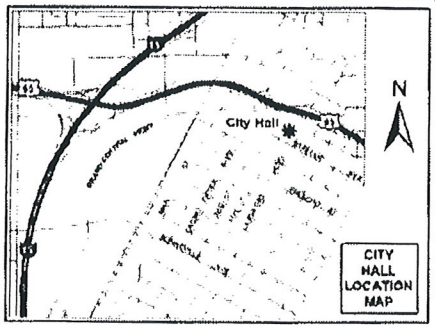
SUP-37327
03/25/10 PC

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 MAR 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.

SUP-37327 & SDR-37326
Planning Commission Meeting of 3/25/2010

Case: SUP-37327

13934311142
GARCES VENTURE L L C
%R FINVARB
1065 KANE CONCOURSE #201
BAY HARBOR ISLANDS FL 33154-2100

AAUDP11 38154

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MAR 15 2010

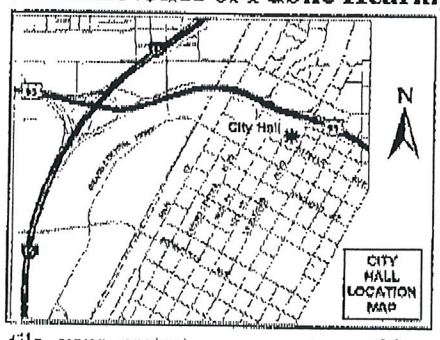
22 P

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 MAR 12 2010
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



I OPPOSE WAIVER OF CENTENNIAL PLAN STREETSCAPE & PARKING LOT LANDSCAPE STANDARDS.

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-37327 & SDR-37326
Planning Commission Meeting of 3/25/2010

Case: SUP-37327

13934411088
JACKSON MICHAEL WILLIAM
2441 WHITE OAK DR
HOUSTON TX 77009-7321

AAUDS1 1 77009

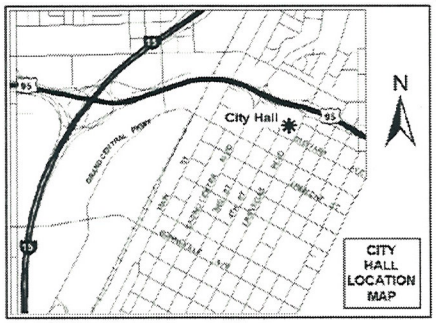
RECEIVED
MAR 16 2010

22P

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

Return Service Requested

Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37327 & SDR-37326

Planning Commission Meeting of 3/25/2010

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES

02 1M $ 00.41⁴
0004279218 MAR 12 2010
MAILED FROM ZIP CODE 89101

The success of Silver & Gold Pawn affects all of Downtown Vegas.

RECEIVED
MAR 16 2010

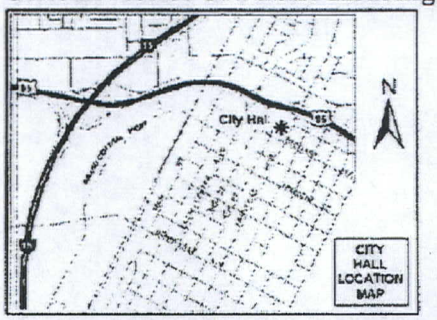
Case: SUP-37327

13934411028
MCLOUGHLIN STEVEN JOHN
900 S LAS VEGAS BLVD #812
LAS VEGAS NV 89101-6850

AAUDS11 89101

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

Return Service Requested
Official Notice of Public Hearing



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Case: SUP-37327

16203501004
FRANCO JOSEPH L P
9920 FOLSOM DR
LAS VEGAS NV 89134-7502

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37327 & SDR-37326
Planning Commission Meeting of 3/25/2010

AAVDS11 89134

RECEIVED
MAR 15 2010

22 A

City of Las Vegas Agenda Item No.: **23.**

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

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

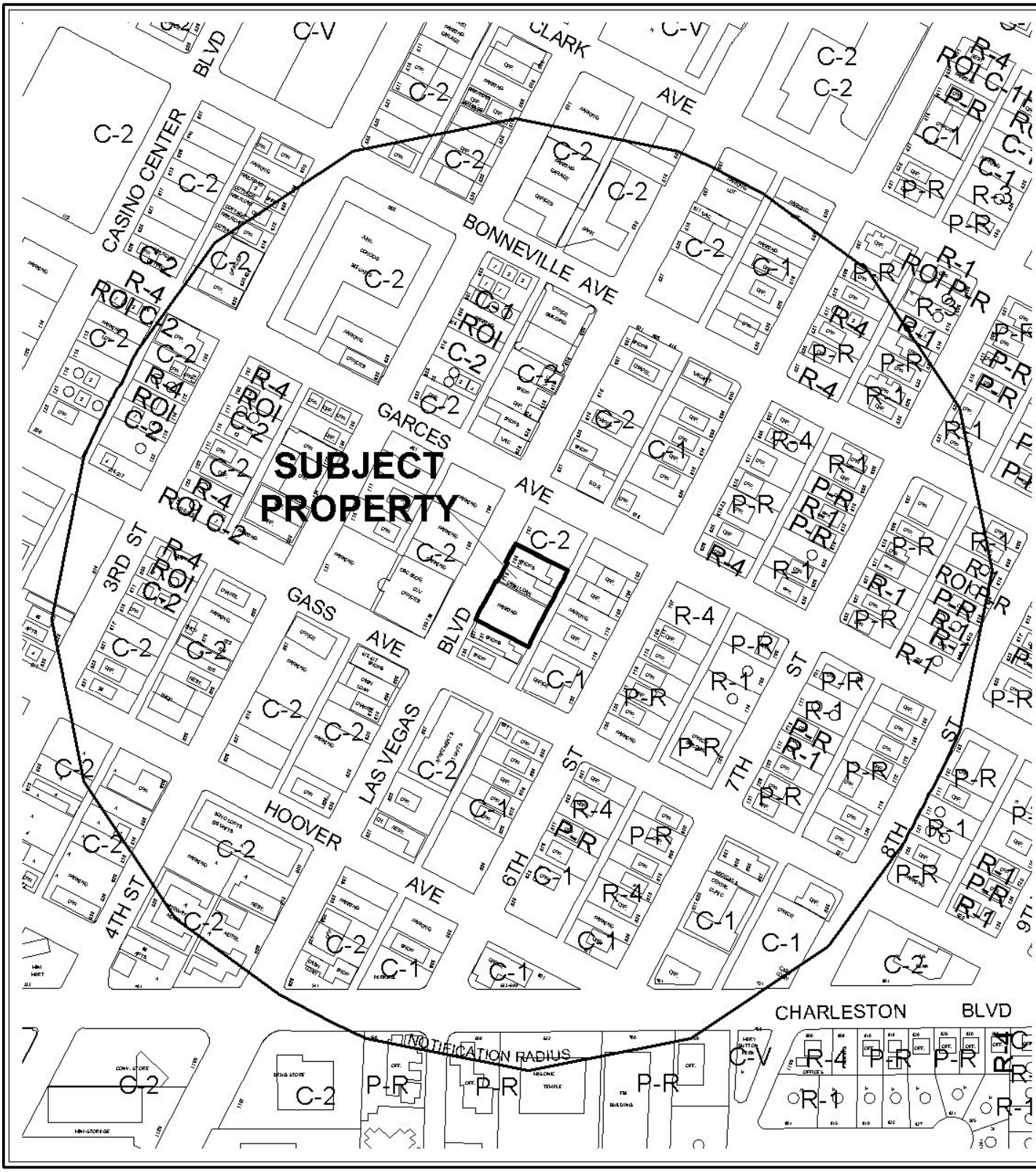
SUBJECT:
SDR-37326 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-37327 - PUBLIC HEARING - APPLICANT/OWNER: HARRISON PROPERTIES, LTD - Request for a Site Development Plan Review FOR A 5,604 SQUARE-FOOT ADDITION TO AN EXISTING 9,019 SQUARE-FOOT COMMERCIAL BUILDING WITH WAIVERS OF THE DOWNTOWN CENTENNIAL PLAN STREETSCAPE STANDARDS on 0.56 acres at 713 South Las Vegas Boulevard (APN 139-34-410-178 and 139-34-410-179), C-2 (General Commercial) Zone, Ward 3 (Reese)

C.C.: 04/21/2010

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**2**	**Planning Commission Mtg.**	**2**
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/Support Postcards

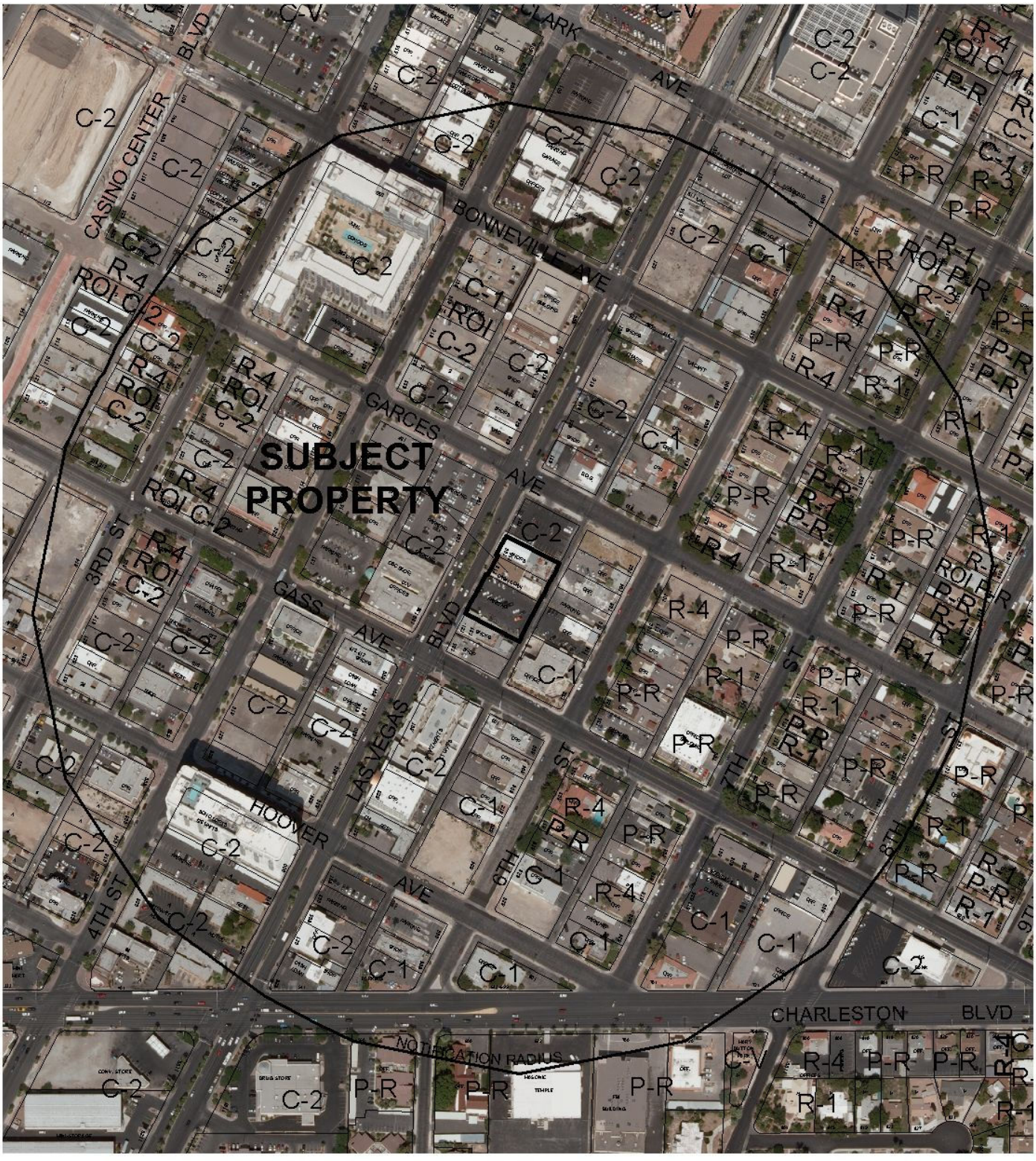


0 300 600 Feet

CASE: **SDR-37326**

RADIUS: 1000 FT

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



0 300 600 Feet

CASE: **SDR-37326**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-37326 – APPLICANT/OWNER: HARRISON PROPERTIES, LTD

** CONDITIONS **

Staff recommends APPROVAL, subject to conditions:

Planning and Development

1. Approval of and conformance to the conditions of approval for Special Use Permit (SUP-37327), if approved.

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

3. The applicant shall work with city staff to determine the most appropriate mapping action necessary to consolidate the existing parcels so that no lot line passes through any structure. The mapping action shall be completed and recorded prior to issuance of a building permit.

4. Pursuant to Title 19.10.010 (H), an off-site parking agreement shall be submitted to the Planning and Development Department and approved by the City Attorney's office prior to issuance of a building permit.

5. All development shall be in conformance with the site plan, landscape plan, building elevations and floor plans date stamped 03/02/10, except as amended by conditions herein.

6. A Waiver from the Downtown Centennial Plan Streetscape Requirements is hereby approved to allow a zero-foot amenity zone and a five-foot sidewalk adjacent to Las Vegas Boulevard, where a five-foot amenity zone and a ten-foot sidewalk are the minimum required.

7. A Waiver from the Downtown Centennial Plan Parking Lot Landscape Standards is hereby approved to allow no additional landscaping where an additional 350 square-feet and six trees is the minimum required.

8. All signage shall be reviewed by the Downtown Design Review Committee and must adhere to the standards of the Las Vegas Scenic Byway Overlay District prior to issuance of building permits for any signage.

9. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan: the Mexican Fan Palms shall be a minimum height of 25 feet.

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

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

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

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

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

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

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

Public Works

17. Dedicate an additional five feet of right-of-way for a total half-street width of 45 feet on Las Vegas Boulevard adjacent to the parking lot for this site (APN #139-34-410-177) prior to the issuance of any permits or in conjunction with the recordation of a Map, whichever may occur first.

18. Coordinate with the Building and Safety Department to determine if existing lot lines are in conflict with existing or the new proposed structures. If it is determined that a mapping or other lot consolidation is required, coordinate with the City Surveyor to determine the most appropriate lot consolidation method.

19. Landscape and maintain all unimproved right-of-way, if any, on Las Vegas Boulevard adjacent to this site.

20. Submit an Encroachment Agreement for all landscaping and private improvements, if any, in the Las Vegas Boulevard public right-of-way adjacent to this site prior to occupancy of this site.

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

22. Prior to the approval of Construction drawings for this site, sign a Covenant Running with Land agreement for the possible future installation of half-street improvements (including undergrounding overhead utility lines and Downtown Centennial Plan Streetscape standards) on Las Vegas Boulevard and the public alley adjacent to this site. The Covenant agreement must be recorded with the County Recorder and a copy of the recorded document must be provided to the City prior to the issuance of building permits for this site.

23. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

24. Meet with the Traffic Engineering Representative for assistance in redesigning the existing parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first.

25. 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-37326 - Staff Report Page One
March 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The current site consists of an existing 9,019 square-foot commercial building on 0.64 acres at 713 South Las Vegas Boulevard. The applicant is proposing to expand the existing commercial building to 14,623 square feet with a 5,604 square-foot addition. The proposed addition will provide employee offices and additional storage. The addition includes 2,976 square feet on the first floor and 2,628 square feet on a new second floor. The applicant is requesting Waivers of the Downtown Centennial Plan Streetscape Standards for sidewalk and amenity zone widths, as well as parking lot landscaping requirements. A condition of approval has been added by Public Works requiring the applicant to sign and record a Covenant Running with Land agreement for the possible future installation of all underground power lines and Downtown Centennial Plan Streetscape Standards on Las Vegas Boulevard and the public alley adjacent to this site prior to the issuance of any permits.

Currently, the commercial building is utilized as a Pawn Shop. An associated request has been submitted for a Special Use Permit (SUP-37327) to expand the Pawn Shop use. The proposed development is consistent with the Downtown Centennial Plan and Title 19 requirements, as conditioned; therefore staff recommends approval of this request. If denied, the site would remain as a 9,019 square-foot commercial building and a new Site Development Plan Review would be required prior to any additional development of the site.

ISSUES

- The site currently consists of multiple parcels and must be remapped to combine these lots so that no lot line extends through any structure prior to issuance of building permits.
- The applicant must submit a parking agreement outlining the terms and conditions of the proposed off-site parking prior to issuance of building permits.
- The applicant must record a Covenant Running with Land agreement for the possible future installation of underground power lines and Downtown Centennial Plan Streetscape Standards.
- The applicant is requesting a Waiver from the Downtown Centennial Plan Streetscape Standards to allow a zero-foot amenity zone and a five-foot sidewalk adjacent to Las Vegas Boulevard, where a five-foot amenity zone and a ten-foot sidewalk are the minimum required.
- The applicant is requesting a Waiver from the Downtown Centennial Plan Parking Lot Landscaping Standards to allow no additional landscaping where an additional 350 square feet and six trees is the minimum required.
- A Special Use Permit is required to expand the Pawn Shop use into the proposed addition.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
09/21/88	The City Council approved a request for a Special Use Permit (U-0111-88) for a Class III Secondhand Dealership for the buying and selling of used jewelry, precious metals and gems at 713 South Las Vegas Boulevard. The Board of Zoning Adjustment recommended approval on 08/25/88.
02/15/89	The City Council approved a request for a Variance (V-0162-88) to allow a Secondhand Store at 713 South Las Vegas Boulevard. The Board of Zoning Adjustment recommended approval on 01/26/89.
08/16/89	The City Council approved a request for a Special Use Permit (U-0110-89) for a Pawn Shop in conjunction with an existing Secondhand Dealership (Gold and Silver Coin Shop) at 713 South Las Vegas Boulevard. The Board of Zoning Adjustment recommended approval.
04/20/94	The City Council approved a request for a Special Use Permit (U-0045-94) to allow an expansion of an existing Pawn Shop; and to allow an Auto Pawn dealership on property located at 709-715 South Las Vegas Boulevard. The Board of Zoning Adjustment recommended approval on 03/22/94.
12/05/94	A deed was recorded for a change in ownership.
Related Building Permits/Business Licenses	
05/05/99	A building permit (#99008631) was issued for a sign at 713 South Las Vegas Boulevard. The permit was finalized on 05/13/99.
05/25/00	A building permit (#10182) was issued for exterior wall signs with electric at 713 South Las Vegas Boulevard. The permit was finalized on 06/28/00.
06/02/03	A business license (F03-00039) was issued for pistol/handgun permit sales at 713 South Las Vegas Boulevard. The license is still active.
06/02/03	A business license (P04-00020) was issued for a Pawnbroker at 713 South Las Vegas Boulevard. The license is still active.
06/02/03	A business license (P08-00009) was issued for an Auto Pawnbroker at 713 South Las Vegas Boulevard. The license is still active.
07/07/03	A business license (S25-00011) was issued for a Secondhand Dealer, Class II at 713 South Las Vegas Boulevard. The license is still active.
07/09/08	A business license (M18-04439) was issued for a Management/Marketing Consultant at 713 South Las Vegas Boulevard. The license is still active.
02/10/10	A building permit (#156383) was issued to reroof approximately 9,019 square feet at 713 South Las Vegas Boulevard. The building permit was finalized on 02/16/10.
02/16/10	A building permit (#156692) was approved by staff for interior tenant improvements at 713 South Las Vegas Boulevard. The building permit has not been issued.

Pre-Application Meeting	
01/27/10	A pre-application meeting was held on the indicated date. The following items were discussed at the meeting: • A Site Development Plan Review application is required, as the existing building will be expanding by over 5,000 square feet. The requirements for a Site Development Plan Review were discussed. • A Special Use Permit application is required, as the existing use is being expanded. The requirements for a Special Use Permit were discussed. • A mapping action will be required to eliminate the property line that currently divides the existing building.
Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	
Field Check	
02/18/10	Staff conducted a field check on the indicated date. The following items were noted. • A well maintained commercial lot free of trash and debris.

Details of Application Request	
Site Area	
Net Acres	0.64

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Pawn Shop	MXU (Mixed Use)	C-2 (General Commercial)
North	Parking Lot	C (Commercial)	C-2 (General Commercial)
South	Repair Service, Bailbond Service, Tattoo Parlor	MXU (Mixed Use)	C-2 (General Commercial)
East	Office, Other than Listed	MXU (Mixed Use)	C-1 (Limited Commercial)
	Parking Lot	C (Commercial)	C-1 (Limited Commercial)
West	Parking Lot, Office (Government Facility)	PF (Public Facility)	C-2 (General Commercial)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan	X		Y
Downtown Centennial Plan	X		N
Las Vegas Redevelopment Plan	X		Y
Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts	X		Y
Downtown Centennial Plan Overlay District (Las Vegas Boulevard)	X		N
Live/Work Overlay District	X		Y
Las Vegas Boulevard Scenic Byway Overlay District	X		Y
Trails – Scenic Byway	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 the Downtown Centennial Plan, the following standards are required for this project:

Standard	*Provided*	*Compliance*
Lot Size	14,000 SF	Y
Building Size	14,971 SF	Y
Min. Setbacks		
• Front	Zero Feet	Y
• Side (East)	Zero Feet	Y
• Side (West)	Zero Feet	Y
• Rear	Zero Feet	Y
Lot Coverage	86%	Y
Building Height	36 Feet	Y

Pursuant to the Downtown Centennial Plan, the following Streetscape Standards are required:

Streetscape Standards	*Required*	*Provided*	*Compliance*
North/South Street (Las Vegas Boulevard)	Five-foot amenity zone and a 10-foot sidewalk; One 25-foot tall palm tree spaced every 30-feet	Zero-foot amenity zone and a five-foot sidewalk; Zero Trees	N
Parking Lot Development Standards	Surface parking lots shall provide one tree for every six spaces - (6 Trees); A minimum of ten square feet of landscape surface area must be provided for each parking space – (350 SF)	Zero Trees; No parking lot landscaping provided	N
Parking Lot Screening	Ornamental screens shall be provided for parking lots that face public streets	Screened adjacent to Las Vegas Boulevard	Y

Parking Requirement - Downtown							
	Gross Floor Area or Number of Units	***Base Parking Requirement***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Pawn Shop	14,623 SF	1:250	56	3	34	1	
TOTAL			**59**		**35**		**Y**

Projects located within the Las Vegas Downtown Centennial Plan area are not subject to the automatic application of parking requirements. However, the above table should be used to illustrate the requirements of an analogous project in another location in the City. The analysis should take a number of factors into consideration when discussing parking availability, including pedestrian access, nearby parking structures, on-street parking, etc.

Waivers		
Requirement	**Request**	**Staff Recommendation**
Las Vegas Boulevard – Five-foot amenity zone and a 10-foot sidewalk	Zero-foot amenity zone and a five-foot sidewalk	Approval
Surface parking lots shall provide one tree for every six spaces (6 Trees)	Zero Trees	Approval
A minimum of ten square feet of landscape surface area must be provided for each parking space (350 SF)	No parking lot landscaping provided	Approval

ANALYSIS

The current site consists of three parcels (or 8 lots) with an existing 9,019 square-foot commercial building on 0.64 acres at 713 South Las Vegas Boulevard. A condition of approval has been added requiring a mapping action to consolidate the multiple parcels. The applicant is proposing to expand the existing commercial building to 14,623 square feet with a 5,604 square-foot addition. The proposed addition will provide employee offices and additional storage. The addition includes 2,976 square feet on the first floor and 2,628 square feet on a new second floor. Currently, the commercial building is utilized as a Pawn Shop. An associated request has been submitted for a Special Use Permit (SUP-37327) to expand the existing Pawn Shop use.

The Downtown Centennial Plan requires a five-foot amenity zone and a 10-foot sidewalk along Las Vegas Boulevard. The applicant is requesting a waiver to allow a zero-foot amenity zone and five-foot wide sidewalk along Las Vegas Boulevard. Staff supports the requested waiver as the existing configuration of the sidewalk on adjacent sites, combined with the location of utilities along Las Vegas Boulevard prohibit the applicant from providing the required amenity zone and sidewalk. As the adjacent properties to the north and south do not provide the required amenity zone and sidewalk, a uniform streetscape will be maintained with the approval of this requested waiver.

The Downtown Centennial Plan Parking Lot Landscape Standards require a minimum of ten square feet of landscape surface area for each parking space provided and one tree for every six parking spaces provided. In this case, the applicant is providing 35 parking spaces and is required to provide 350 square feet of landscaped area and six trees. The applicant is requesting a waiver to allow no additional landscaping throughout the existing parking lot.

The applicant is not providing the required streetscape or parking lot landscaping per the Downtown Centennial Plan. However, in an attempt to meet the overall intent of the Downtown Centennial Plan, the applicant has dedicated an additional five-foot of right-of-way behind the existing five-foot wide sidewalk. Within this dedicated five-foot right-of-way, the applicant is providing the standard 42-inch tall Downtown Centennial parking lot ornamental screen fence

and three Mexican Fan Palm Trees at 30-foot increments. A condition of approval has been added requiring the palm trees to be at least 25 feet in height. The additional trees, landscape area, and screening cannot be considered as part of the streetscape requirements, as it is not located within an amenity zone, nor can it be considered part of the parking lot requirements, as it is located within the right-of-way; however, the landscaping will enhance the streetscape along Las Vegas Boulevard and provide screening for the parking lot.

The Downtown Centennial Plan requires that all power lines be located underground from the nearest street access to the project site. The existing utilities are located adjacent to the west side of the subject site and in the alley way along the east side. The Department of Public Works has added a condition which requires a covenant on the property as it relates to the existing utilities for the possible future installation of all underground utilities and Downtown Centennial Plan Streetscape Standards.

The existing commercial building is accessed by two 24-foot wide driveways fronting Las Vegas Boulevard, designated as a 100-foot Primary Arterial by the Master Plan of Streets and Highways. The site currently provides 42 parking spaces. The proposed site plan depicts a loss of seven parking spaces due to the addition of a handicap accessible parking space and the dedicated five-foot wide landscaped right-of-way for a new total of 35 parking spaces. Title 19.060.060 exempts properties within the Downtown Centennial Plan area from the automatic application of standard parking requirements. The applicant has agreed to enter into an off-site parking agreement to ensure that parking will be provided for the development. A condition has been added requiring the applicant submit a parking agreement, approved by the City Attorney, detailing the terms and conditions of the proposed off-site parking prior to issuance of building permits. The provided access and circulation will be adequate for pedestrians and vehicles.

The site as proposed will not meet the minimum requirements in the Downtown Centennial Plan. Although the applicant is requesting Waivers of the streetscape and parking lot landscaping standards, the applicant is providing an enhanced site through the addition of the Downtown Centennial parking lot ornamental screen fence, a restriped parking surface, the addition of a new handicap accessible space, additional landscaping area, and three Mexican Fan Palm Trees; for these reasons, staff recommends approval.

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 the adjacent commercial development to the north, south, and west. The proposed development is consistent with adjacent development and within the Downtown Centennial Plan Area.

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

The proposed development is consistent with Title 19 and General Plan requirements, but is not consistent with the Downtown Centennial Plan. Staff can support the requests for Waivers of the Downtown Centennial Streetscape and Parking Lot Landscape Standards, as the applicant is providing an enhanced site through the addition of the Downtown Centennial parking lot screen fence, a restriped parking surface, the addition of a new handicap accessible space, additional landscaping area, and three Mexican Fan Palm Trees.

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

The site is accessed from Las Vegas Boulevard, designated as a 100-foot Primary Arterial by the Master Plan of Streets and Highways. The street will provide adequate access to the site. Site access and circulation will not negatively impact adjacent roadways and neighborhood traffic.

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

The building materials are appropriate for the area and the city. Landscape materials are also appropriate for the area and city.

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

The building elevations are not unsightly or obnoxious, and will be compatible with development in the area.

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

The proposed 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.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

NOTICES MAILED 338

APPROVALS 1

PROTESTS 2

GK

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-37326** APN: 139-34-410-178/179

Name of Property Owner: HARRISON PROPERTIES, LTD.

Name of Applicant: _____

Name of Representative: KEVIN THISTLE

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: Richard K. Harrison

Subscribed and sworn before me

This 15th day of January, 2010

_____

Notary Public in and for said County and State

ANGELA WHITNEY
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 03-06-2010
Certificate No: 06-104282-1

RECEIVED
FEB 03 2010

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: SITE PLAN REVIEW

Project Address (Location) 709/713 LAS VEGAS BLVD. S.

Project Name GOLD & SILVER PAWN SHOP **Proposed Use** PAWN SHOP

Assessor's Parcel #(s) 139-34-410-178/179 **Ward #** 3

General Plan: existing C proposed C **Zoning:** existing C-2 proposed C-2

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

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

Additional Information _____

PROPERTY OWNER HARRISON PROPERTIES LTD **Contact** RICK HARRISON

Address 713 LAS VEGAS BLVD. S. **Phone:** 385-7912 **Fax:** _____

City LAS VEGAS **State** NV **Zip** 89101

E-mail Address _____

APPLICANT SAME **Contact** _____

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

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

E-mail Address _____

REPRESENTATIVE PK. THISTLE ARCHITECT **Contact** KEVIN THISTLE

Address 7283 ATACAMA AVE. **Phone:** 435-7814 **Fax:** 914-1970

City LAS VEGAS **State** NV **Zip** 89179

E-mail Address PKTHISTLEARCHITECT@COX.NET

Property Owner Signature* _____

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

Print Name Richard K. Harrison

Subscribed and sworn before me

This 15th day of January, 20 10.

Angela Whitney

Notary Public in and for said County and State

ANGELA WHITNEY
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 03-06-2010
Certificate No: 06-104282-1

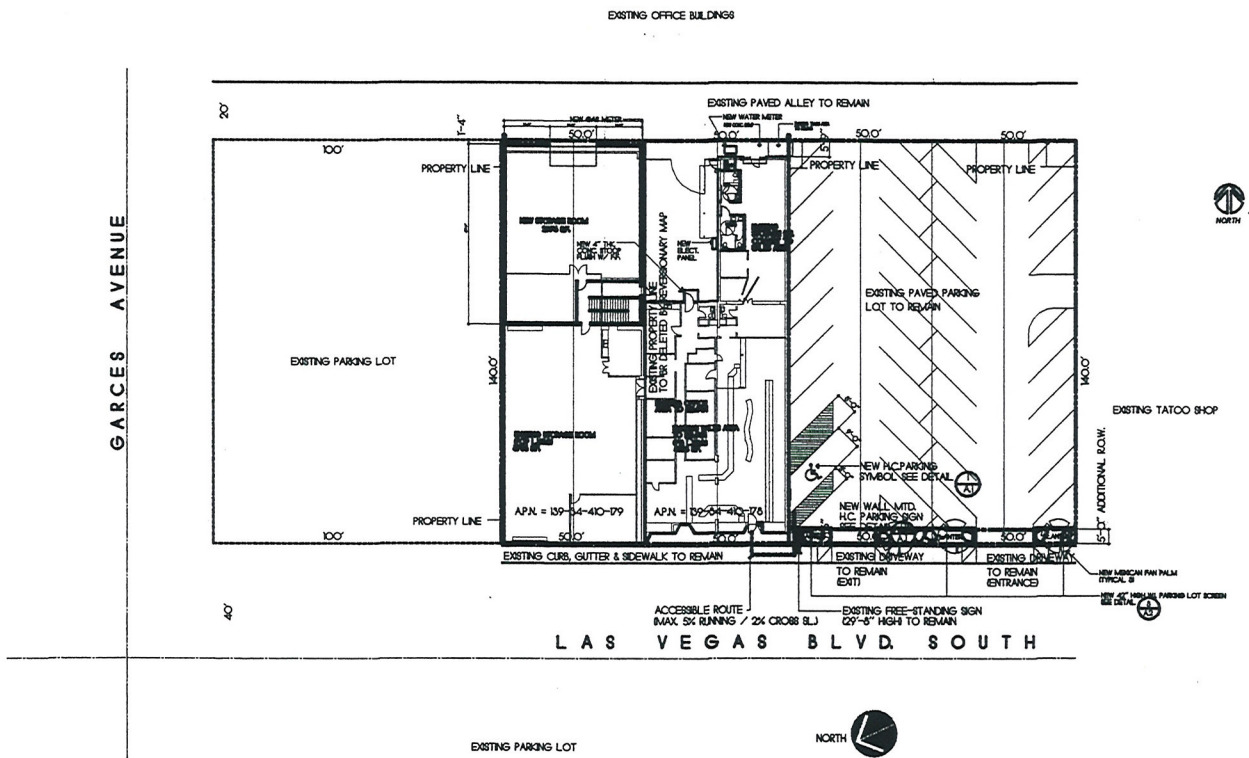
FOR DEPARTMENT USE ONLY

Case #	SDR-37326
Meeting Date:	3/25/10
Total Fee:	$1,030
Date Received:*	2/3/10
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.

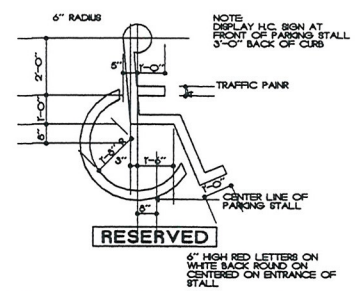
RECEIVED
FEB 03 2010

Revised 10/27/08

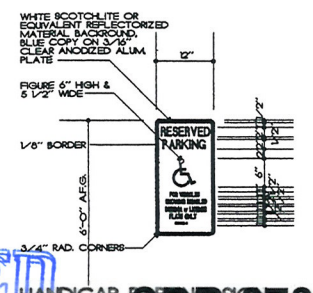




VICINITY MAP
Not to scale



PAINTED H.C. PARKING SYMBOL 1
NO SCALE



HANDICAP PARKING SIGN 2
NO SCALE

SITE & LANDSCAPE PLAN

SCALE 1" = 20'-0"

SITE NOTES:

1- EXISTING FLOOR AREA 709 LAS VEGAS BLVD. S. = 3756 S.F.
NEW ADDITIONAL FLOOR AREA 709 LAS VEGAS BLVD. S. = 2976 S.F. (FIRST FLOOR)
NEW ADDITIONAL FLOOR AREA 709 LAS VEGAS BLVD. S. = 2628 S.F. (SECOND FLOOR)
TOTAL FLOOR AREA 709 LAS VEGAS BLVD. S. = 9360 S.F.

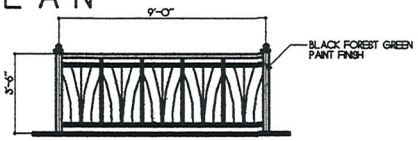
EXISTING FLOOR AREA 713 LAS VEGAS BLVD. S. = 5263 S.F.

TOTAL FLOOR AREA FOR BOTH SITES = 14,623 S.F.

2- TOTAL PARKING PROVIDED = 35 SPACES (9' X 19')

3- SITE AREA = 28,000 S.F.

4- F.A.R. = 42% COVERAGE



PARKING LOT SCREEN DETAIL
NO SCALE

RECEIVED
MAR 02 2010

SDR-37326
REVISED
03/25/10 PC

P.K. THISTLE A.I.A.
ARCHITECTURE PLANNING
15A SUNSET WAY SUITE 34
HENDERSON, NEVADA 89014
PHONE (702) 456-1814 FAX 456-7201

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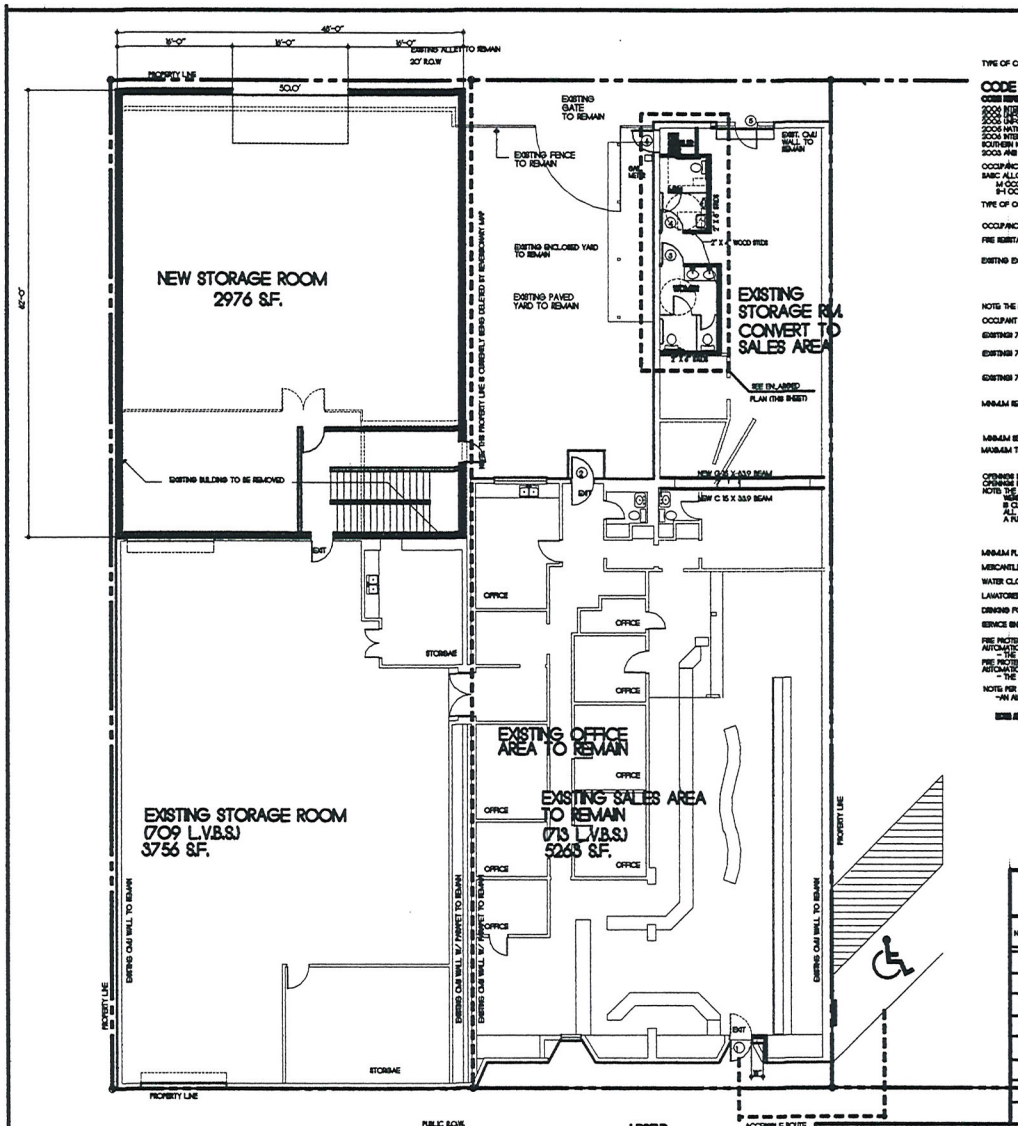
DO NOT SCALE DRAWINGS

PAWN

GOLD & SILVER PAWN SHOP
713 LAS VEGAS BLVD. SOUTH
LAS VEGAS, NEVADA

JOB NO.
DATE: 3/1/10
SCALE: A.2
CHECKED BY: PKT



FLOOR PLAN

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

LEGEND

EXISTING WALL TO REMAIN

EXISTING WALL TO BE REMOVED SEE DEMOLITION PLAN

NEW 2" X 6" DFL WOOD STUD AT MOCK 16" O/C W/ 5/8" TYPE 'X' GYP. BOARD BOTH SIDES WHERE INDICATED AT WET WALLS & P.R. FINISH, AS NOTED. INSULATION AS PER ON-SEISMIC NOTES

TYPE OF CONSTRUCTION _____ TYPE V-A ONE HOUR CONSTRUCTION

CODE ANALYSIS

CODE REFERENCES
2003 INTERNATIONAL BUILDING CODE
2003 INTERNATIONAL FUEL GAS CODE
2003 UNIFORM MECHANICAL CODE
2005 NATIONAL ELECTRICAL CODE
2006 INTERNATIONAL ENERGY CONSERVATION CODE
SOUTHERN NEVADA AMENDMENTS
2003 IMB

OCCUPANCY GROUP _____ M / S-1

BASIC ALLOWABLE FLOOR AREA (TABLE 503)
M OCCUPANCY (V-B CONSTRUCTION) _____ 9,000SF, 1 STORY
S-1 OCCUPANCY (V-B CONSTRUCTION) _____ 9,000 SF, 1 STORY

TYPE OF CONSTRUCTION _____ TYPE V-B

OCCUPANCY SEPERATION _____ M TO S-1 NONE REQUIRED (TABLE 508.3.3)

FIRE RESISTANCE OF EXTERIOR WALLS (TABLE 602)... WALLS LOCATED LESS THAN 5 FT. TO A PROPERTY LINE = 2 HOUR BOTH M & S-1 OCCUPANCIES
WALLS LOCATED MORE THAN 5 FT. TO A PROPERTY LINE = 1 HOUR BOTH M & S-1 OCCUPANCIES

EXISTING EXTERIOR WALLS ARE 12" CMU (2 HOUR FIRE RATED)

NOTE: THE PROPERTY LINE CURRENTLY SEPERATING 709 & 713 L.V.B.S. BUILDINGS IS CURRENTLY BEING DELETED BY REVERSIONARY MAP.

OCCUPANT LOAD

EXISTING 709 L.V.B.S. BUILDING STORAGE = 3756 SF. / 300 S.F. / OCC. = 12.52 OCCUPANTS (OCCUPANT LOAD < 49 THEREFORE ONE EXIT REQUIRED, ONE EXIT PROVIDED)

EXISTING 713 L.V.B.S. BUILDING MERCANTILE = 5624 SF. / 30 SF. / OCC. = 187 OCCUPANTS (OCCUPANT LOAD > 49 THEREFORE TWO EXITS REQUIRED, TWO EXITS PROVIDED)

EXISTING 713 L.V.B.S. BUILDING OFFICE AREA = 1449 SF. / 100 S.F. / OCC. = 15 OCCUPANTS (OCCUPANT LOAD < 49 THEREFORE ONE EXIT REQUIRED, TWO EXITS PROVIDED)

MINIMUM REQUIRED EXIT WIDTH (TABLE 1005.1) = OCCUPANT LOAD X 0.15 INCHES
(709 L.V.B.S.) = 12.52 OCCUPANTS X 0.15 = 1.88" REQUIRED 44" PROVIDED
(713 L.V.B.S.) = NIL OCCUPANTS X 0.15 = 28.1" REQUIRED 72" PROVIDED

MINIMUM SEPARATION BETWEEN EXITS REQUIRED (SEC. 1014.2.1 EXCEPT, 2/3 V/S OF OVERALL DIAGONAL MEASUREMENT) = 159'-10" X .33 = 46'-2" MINIMUM SEPARATION REQUIRED
MAXIMUM TRAVEL DISTANCE TO EXIST (M & S-1 OCCUPANCIES (TABLE 1016.1) = 200 FT. MAXIMUM ALLOWED
80 FT. MAXIMUM PROVIDED
09'-10" SEPARATION PROVIDED

OPENINGS IN EXTERIOR WALLS (TABLE 704.8)
OPENINGS NOT PERMITTED < 3 FT. FROM PROPERTY LINE
NOTE: THE EXISTING TWO (2) DOOR SEPARATING THE 709 L.V.B.S. BUILDING FROM THE 713 L.V.B.S. BUILDING WERE LOCATED < 3 FT. FROM THE PROPERTY LINE. THE PROPERTY LINE SEPARATING THESE TWO PARCELS IS CURRENTLY BEING DELETED BY REVERSIONARY MAP, CONSEQUENTLY BOTH DOORS ARE NOW ALL OTHER DOOR & WINDOW OPENINGS ARE LOCATED > 3'0 FT. TO THE PROPERTY LINE, OR ADJACENT TO A PUBLIC WAY STREET OR ALLEY.

MINIMUM PLUMBING FIXTURES REQUIRED (TABLE 2902.1)

MERCANTILE CLASSIFICATION

WATER CLOSETS 1 PER 500 OCCUPANTS REQUIRED (187.52 ACTUAL) 1 WATER CLOSET REQUIRED = 5 PROVIDED

LAVATORIES = 1 PER 750 OCCUPANTS REQUIRED (187.52 ACTUAL) 1 LAVATORY REQUIRED = 4 PROVIDED

DRINKING FOUNTAINS = 1 PER 1000 REQUIRED (187.52 ACTUAL) 1 KITCHEN SINK FAUCET PROVIDED (BREAK ROOM)

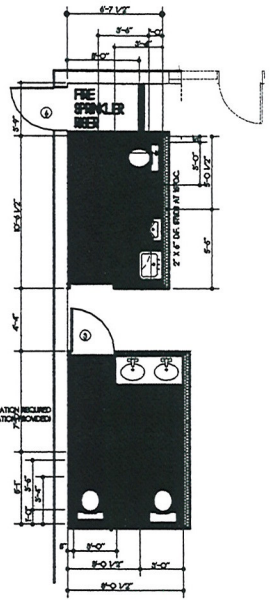
SERVICE SINK = 1 REQUIRED = ONE PROVIDED

FIRE PROTECTION SYSTEM (SECTION 903.2.6)
AUTOMATIC SPRINKLER SYSTEM REQUIRED FOR M OCCUPANCIES EXCEEDING 12,000 SF.
= THE TOTAL FLOOR AREA FOR M OCCUPANCY IS ± 12,000 SF. NO SPRINKLER SYSTEM REQUIRED PER IBC

FIRE PROTECTION SYSTEM (SECTION 903.2.8)
AUTOMATIC SPRINKLER SYSTEM REQUIRED FOR S-1 OCCUPANCIES EXCEEDING 12,000 SF.
= THE TOTAL FLOOR AREA FOR S-1 OCCUPANCY IS ± 12,000 SF. NO SPRINKLER SYSTEM REQUIRED PER IBC

NOTE PER MEETING WITH LAS VEGAS FIRE DEPT.
-AN AUTOMATIC FIRE SPRINKLER SYSTEM IS REQUIRED PER ORDINANCE FOR ANY BUILDING > 10,000 SQ.I

SOME AS ASSESSMENT FIRE SPRINKLER SYSTEM WILL BE INSTALLED IN CONNECTION WITH RENOVATIONS FROM ASSESSOR PARCEL B.



PARTIAL ENLARGED FLOOR PLAN

SCALE 1/4" = 1'-0"

TOILET ACCESSORY LEGEND:

ROOM FINISH SCHEDULE

NO.	ROOM NAME	FLOOR FINISH	BASE	CEILING HEIGHT	CEILING MATERIAL	NORTH WALL	WEST WALL	SOUTH WALL	EAST WALL	REMARKS
1	NEW SALES AREA	CARPET	4" RUBBER	10'-0"	SUSP. ACOUSTIC TILE	GWB/PAINTED	GWB/PAINTED	GWB/PAINTED	GWB/PAINTED	CEILING TO BE 2'X4' TO MATCH EXISTING
2	MEN	12"X 12" CERAMIC TILE NON-SLIP FINISH	CERAMIC TILE	8'-0"	GYP. BOARD /PAINTED	PAINTED LAYTEX SEMI-GLOSS	PAINTED LAYTEX SEMI-GLOSS	PAINTED LAYTEX SEMI-GLOSS	PAINTED LAYTEX SEMI-GLOSS	48" HIGH 4 1/4" X 4 1/4" CERAMIC TILE WAINSCOTE
3	WOMEN	12"X 12" CERAMIC TILE NON-SLIP FINISH	CERAMIC TILE	8'-0"	GYP. BOARD /PAINTED	PAINTED LAYTEX SEMI-GLOSS	PAINTED LAYTEX SEMI-GLOSS	PAINTED LAYTEX SEMI-GLOSS	PAINTED LAYTEX SEMI-GLOSS	48" HIGH 4 1/4" X 4 1/4" CERAMIC TILE WAINSCOTE
4	FIRE SPRINKLER RISER ROOM	CONCRETE	4" RUBBER	8'-0"	GYP. BOARD /PAINTED	PAINTED LAYTEX SEMI-GLOSS	PAINTED LAYTEX SEMI-GLOSS	PAINTED LAYTEX SEMI-GLOSS	PAINTED LAYTEX SEMI-GLOSS	FIRE SPRINKLER SYSTEM TO BE INSTALLED IN PHASE 1
5										
6										

DOOR SCHEDULE

SYM.	FROM	TO	DOOR WIDTH	DOOR HEIGHT	DOOR THK.	FRAME	HARDWARE	FIRE RATING	REMARKS
1	EXTERIOR	SALES AREA	3'-0"	6'-8"	1 3/4"	ALUM. (EXIST.)	(EXISTING)	NONE	REMOVE EXISTING DOOR, FRAME & HARDWARE AS REQUIRED TO CHANGE THE SWING AS INDICATED ON THE PLAN. PROVIDE NEW MATERIALS AS REQUIRED.
2	EXTERIOR	HALL	3'-0"	6'-8"	1 3/4"	HOLLOW METAL	LOCKSET, DEADBOLT, THRESHOLD WEATHERSTRIP 1 MINIMUM	NONE	REMOVE EXISTING DOOR, FRAME & HARDWARE. INSTALL NEW FLUSH PANEL HOLLOW METAL DOOR, FRAME & HARDWARE WITH SWING AS INDICATED ON PLAN.
3	WOMEN	HALL	3'-0"	6'-8"	1 3/4"	TIMLEY	HINGES, PASSAGE SET, JOCK PLATE	NONE	PAINT GRADE SOLID CORE DOOR
4	MEN	HALL	3'-0"	6'-8"	1 3/4"	TIMLEY	HINGES & 1/2 PR) PASSAGE SET & JOCK PLATE	NONE	PAINT GRADE SOLID CORE DOOR
5	EXTERIOR	SALES AREA	6'-0"	8'-0"		MARCO	DOOR, FRAME, HARDWARE	NONE	REMOVE & REMOVE EXISTING MASONRY AS REQUIRED FOR INSTALLATION OF NEW STOREFRONT SYSTEM & DOOR
6	EXTERIOR	FIRE SPRINKLER RISER	3'-0"	6'-8"	1 3/4"	HOLLOW METAL	LOCKSET	NONE	FLUSH PANEL HOLLOW METAL DOOR & FRAME, REMOVE & REMOVE EXISTING CMU WALL AS REQUIRED FOR INSTALLATION OF NEW DOOR & FRAME

SDR-37326

REVISED
03/25/10 PC

RECEIVED
MAR 02 2010

P.K. THISTLE A.I.A.
ARCHITECTURE
PLANNING
7855 ATACAMA AVENUE
LAS VEGAS NEVADA 89129
PH (702)486-1814

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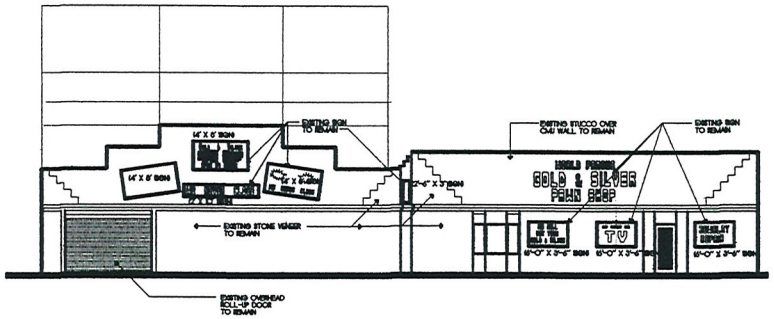
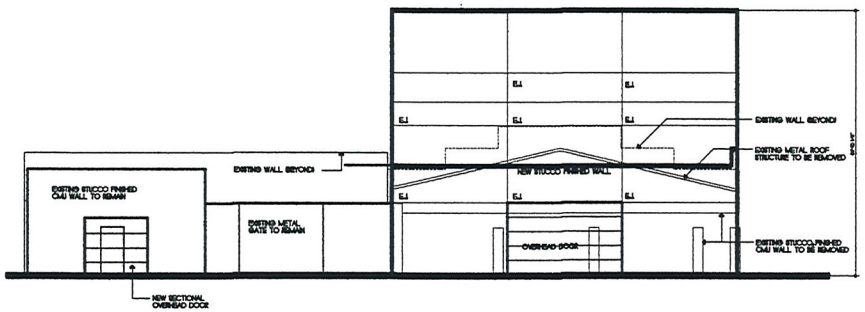
GOLD & SILVER PAWN SHOP
713 LAS VEGAS BLVD. SOUTH
LAS VEGAS, NEVADA

JOB NO.
DATE: 2/15/10
SCALE:
A.3
CHECKED BY: PKT



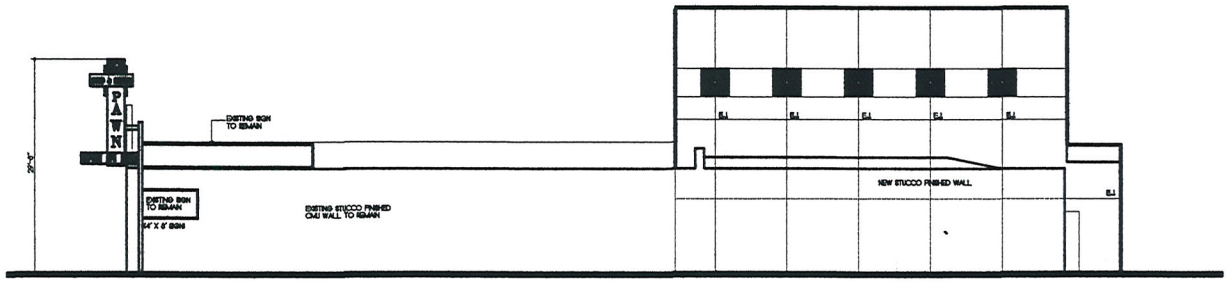
WEST ELEVATION

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



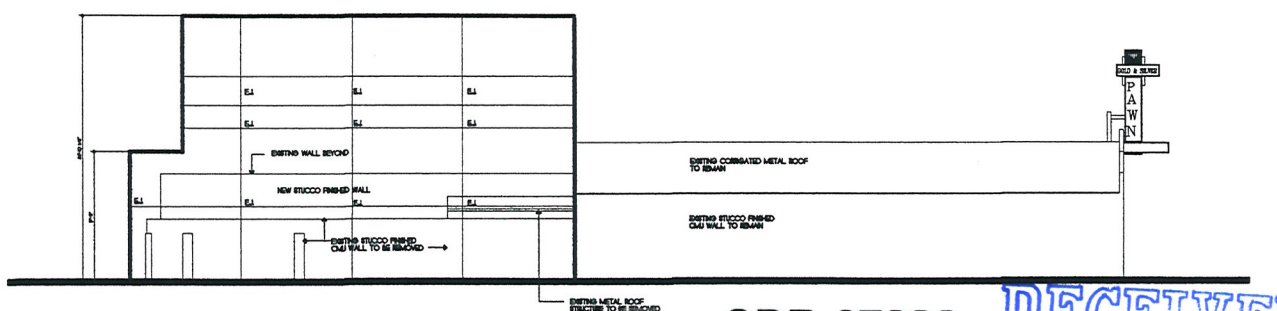
EAST ELEVATION

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



SOUTH ELEVATION

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



NORTH ELEVATION

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

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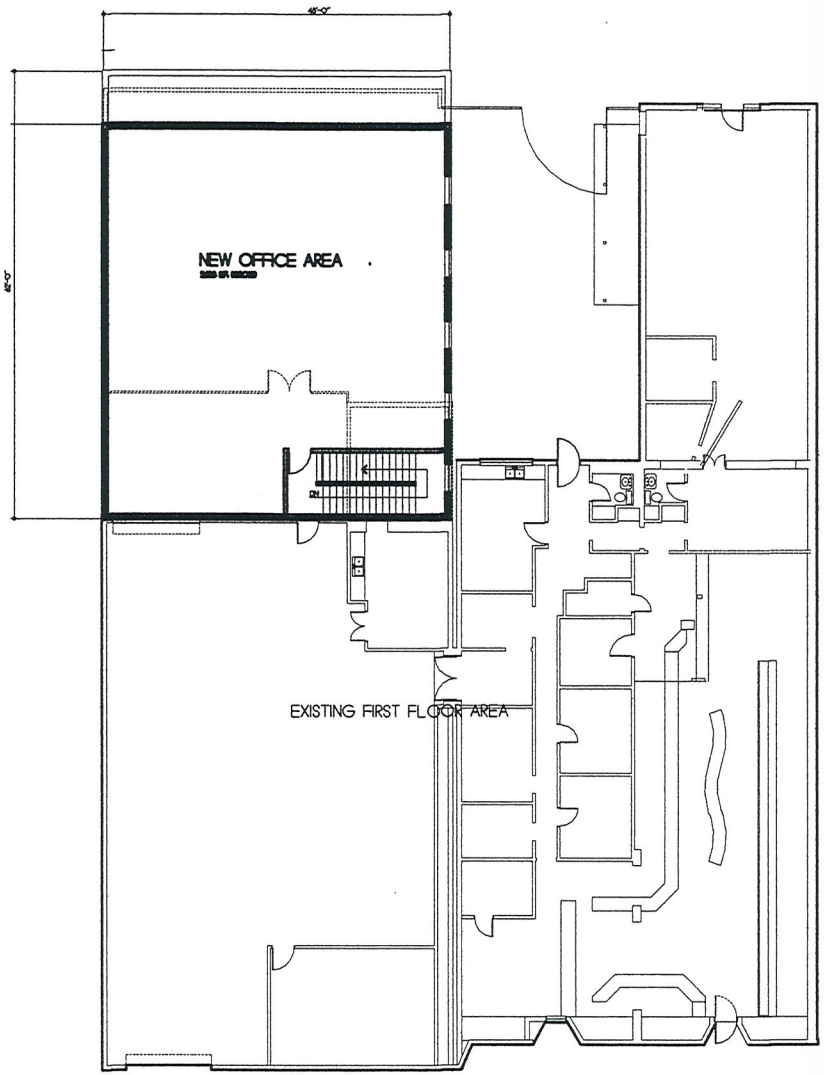
GOLD & SILVER PAWN SHOP
713 LAS VEGAS BLVD. SOUTH
LAS VEGAS, NEVADA

JOB NO.
DATE:
SCALE:
A.3
CHECKED BY: PKT



SECOND FLOOR PLAN

SCALE 1/8" = 1'-0"

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THISTLE A.I.A.
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PLANNING
7555 ATACAMA AVENUE
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PAWN

GOLD & SILVER PAWN SHOP
713 LAS VEGAS BLVD. SOUTH
LAS VEGAS, NEVADA

JOB NO.
DATE: 2/15/10
SCALE:
A.5
CHECKED BY: PKT

SDR 37326

P. K. Thistle Architect

713 S. Las Vegas Blvd.

Proposed 5.95 square foot addition to an existing commercial building.

Traffic produced by proposed development:

Existing Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SHOPPING CENTER [1000 SF]	9.02	42.94	387
AM Peak Hour			1.00	9
PM Peak Hour			3.73	34

Proposed Addition	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SHOPPING CENTER [1000 SF]	5.95	42.94	255
AM Peak Hour			1.00	6
PM Peak Hour			3.73	22

Total Proposed Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SHOPPING CENTER [1000 SF]	14.97	42.94	642
AM Peak Hour			1.00	15
PM Peak Hour			3.73	56

Existing traffic on all nearby streets:

Bonneville Ave.	
Average Daily Traffic (ADT)	7,613
PM Peak Hour (heaviest 60 minutes)	609
Gass Ave.	
Average Daily Traffic (ADT)	3,775
PM Peak Hour (heaviest 60 minutes)	302
Las Vegas Blvd.	
Average Daily Traffic (ADT)	19,763
PM Peak Hour (heaviest 60 minutes)	1581

Traffic Capacity of adjacent streets:

	Adjacent Street ADT Capacity
Bonneville Ave.	17745
Gass Ave.	16900
Las Vegas Blvd.	31700

This project will add approximately 255 trips per day on Bonneville Ave., Gass Ave., and Las Vegas Blvd. This will increase expected volumes by about 3 percent on Bonneville, by about 7 percent on Gass, and by about 1 percent on Las Vegas Blvd. Currently, Bonneville is at about 43 percent of capacity, Gass is at

about 22 percent of capacity, and Las Vegas is at about 62 percent of capacity. Count data was unavailable for Garces Ave. and 6th St., but both are believed to be under capacity.				
Based on Peak Hour use, this development will add roughly 22 additional cars into the area, or about 1 every 3 minutes				
Note that this report assumes all traffic from this development uses all named streets.				

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03/25/10 PC





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SDR-37326 - APPLICANT/OWNER: HARRISON PROPERTIES, LTD
713 SOUTH LAS VEGAS BOULEVARD
MARCH 25, 2010 PLANNING COMMISSION

02/18/10



SDR-37326 - APPLICANT/OWNER: HARRISON PROPERTIES, LTD
713 SOUTH LAS VEGAS BOULEVARD
MARCH 25, 2010 PLANNING COMMISSION

02/18/10



SDR-37326 - APPLICANT/OWNER: HARRISON PROPERTIES, LTD
713 SOUTH LAS VEGAS BOULEVARD
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02/18/10



SDR-37326 - APPLICANT/OWNER: HARRISON PROPERTIES, LTD
713 SOUTH LAS VEGAS BOULEVARD
MARCH 25, 2010 PLANNING COMMISSION

02/18/10

P.K. THISTLE A.I.A.
ARCHITECTURE
ENGINEERING
7383 ATACAMA AVENUE LAS VEGAS, NEVADA 890179 PHONE (702)435-1814

JANUARY 14, 2010

JUSTIFICATION LETTER

CITY OF LAS VEGAS
PLANNING & DEVELOPMENT DEPARTMENT

PROJECT: GOLD AND SILVER PAWN SHOP

LOCATION: 709 / 713 LAS VEGAS BLVD.SOUTH

A.P.N. - 139-34-410-178 / 179

APPLICATION: SITE DESIGN REVIEW

This application is submitted to allow for the construction of a new storage building in conjunction with an existing pawn shop. The proposed storage building will be 48' x 62' in size (2976 s.f.) on the ground level ,with future plans to construct a second story for office space. The first phase (single story building) will be 25 feet in height with stucco finished walls to match the existing building. The height of the future second story will add an additional 10 ft. to the building for a total height of 35 ft. The new storage building will be constructed to match the existing buildings and finishes.

The proposed storage building will be located in the rear (northeast) portion of the 709 Las Vegas Blvd. S. parcel that is currently being used to store merchandise in an outside enclosure. The construction of the new storage building will allow the owners to expand the existing sales area which is very much needed. Relocating existing outdoor storage to the new indoor storage area will be a benifit to the neighborhood.

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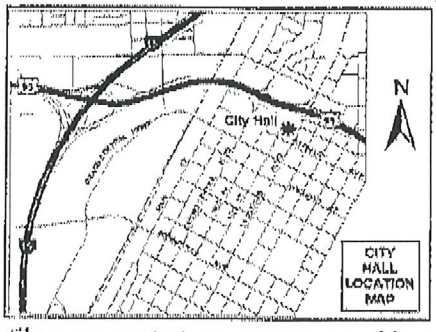
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.41⁴
0004279218 MAR 12 2010
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



I OPPOSE WAIVER OF CENTENNIAL PLAN STREETSCAPE & PARKING LOT LANDSCAPE STANDARDS.

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-37327 & SDR-37326

Planning Commission Meeting of 3/25/2010

Case: SUP-37327
13934411088
JACKSON MICHAEL WILLIAM
2441 WHITE OAK DR
HOUSTON TX 77009-7321

AAVDS11 77009

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23P

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

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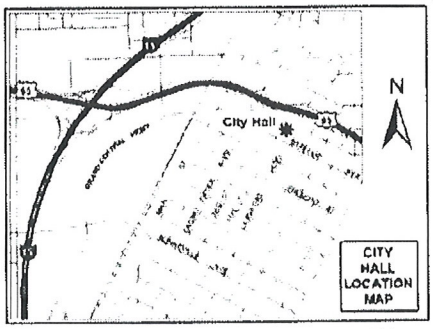

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☐ I SUPPORT this Request

☑ I OPPOSE this Request

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SUP-37327 & SDR-37326
Planning Commission Meeting of 3/25/2010

Case SUP-37327
13934311142
GARCES VENTURE L L C
%R FINVARB
1065 KANE CONCOURSE #201
BAY HARBOR ISLANDS FL 33154-2100

AAUDP 1 1 33154

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MAR 15 2010

23P

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

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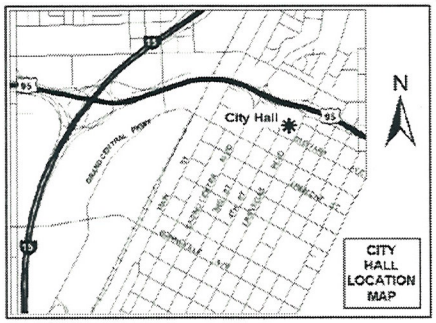

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Please use available blank space on card for your comments.

SUP-37327 & SDR-37326

Planning Commission Meeting of 3/25/2010

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UNITED STATES POSTAGE PITNEY BOWES

02 1M $ 00.41⁴
0004279218 MAR 12 2010
MAILED FROM ZIP CODE 89101

The success of Silver & Gold Pawn affects all of Downtown Vegas.

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MAR 16 2010

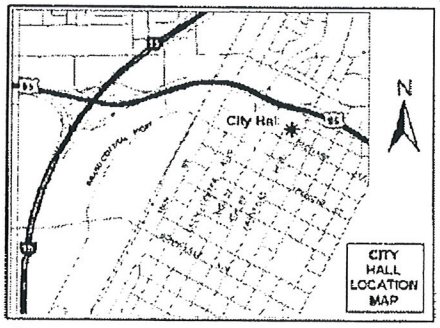
Case: SUP-37327

13934411028
MCLOUGHLIN STEVEN JOHN
900 S LAS VEGAS BLVD #812
LAS VEGAS NV 89101-6850

AAUDS11 89101

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

Return Service Requested
Official Notice of Public Hearing



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Case: SUP-37327

16203501004
FRANCO JOSEPH L P
9920 FOLSOM DR
LAS VEGAS NV 89134-7502

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37327 & SDR-37326
Planning Commission Meeting of 3/25/2010

89134

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MAR 15 2010

23A

City of Las Vegas Agenda Item No.: **24.**

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

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

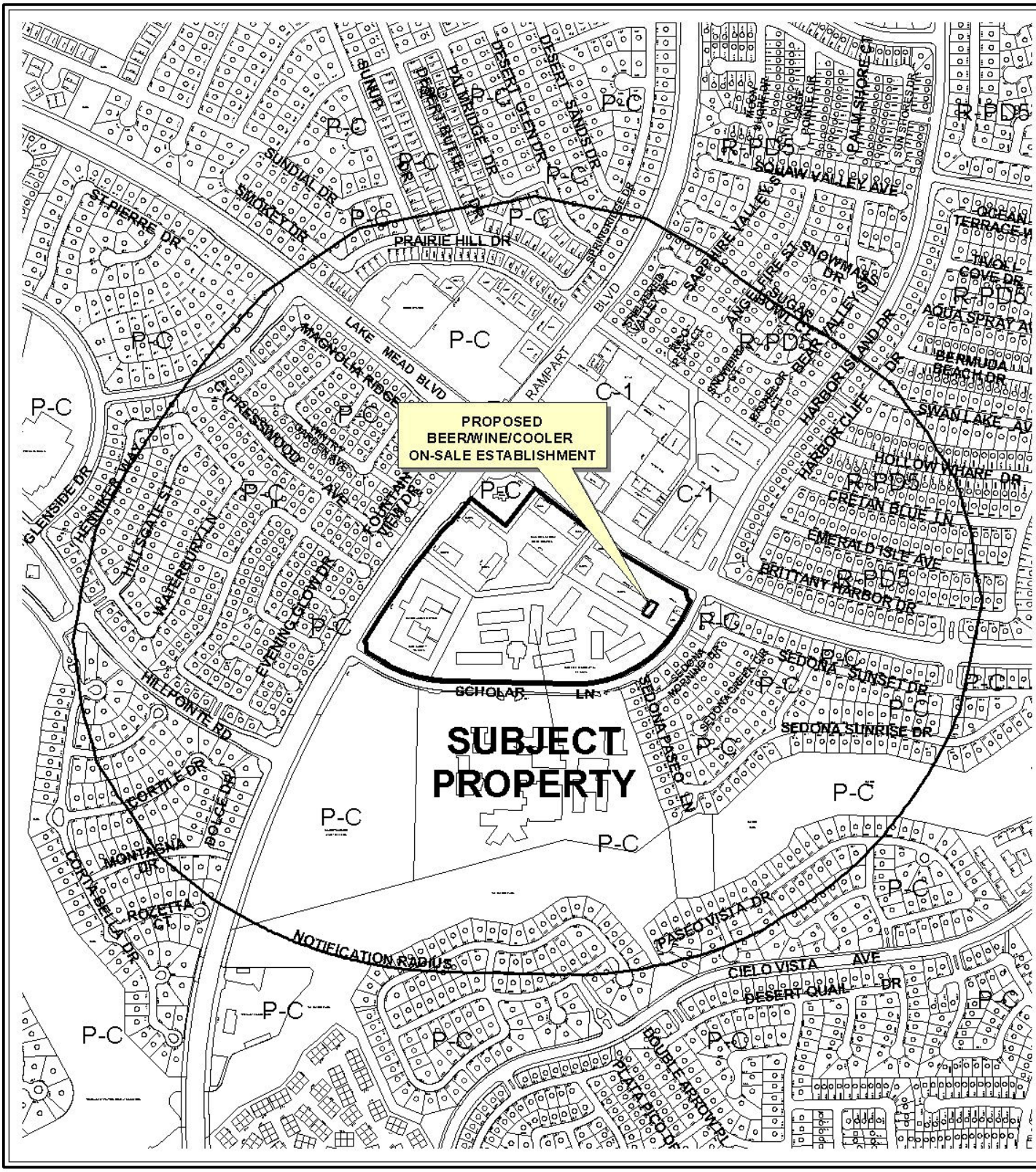
SUBJECT:
SUP-37358 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: YEON MIN, LLC - OWNER: BIOTRON I, LLC - Request for a Special Use Permit FOR A BEER/WINE/COOLER ON-SALE ESTABLISHMENT WITHIN A FORMER 3,888 SQUARE FOOT RESTAURANT WITH A WAIVER TO ALLOW A 370 FEET DISTANCE SEPARATION REQUIREMENT WHERE 400 FEET IS REQUIRED FROM A SCHOOL at 8427 West Lake Mead Boulevard (APN 138-20-614-004), P-C (Planned Community) Zone, Ward 4 (Anthony)

IF APPROVED, C.C.: 04/21/2010
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**5**	**Planning Commission Mtg.**	**2**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL.

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



0 700 1400 Feet

CASE: **SUP-37358**

RADIUS: 1500 FT

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

N

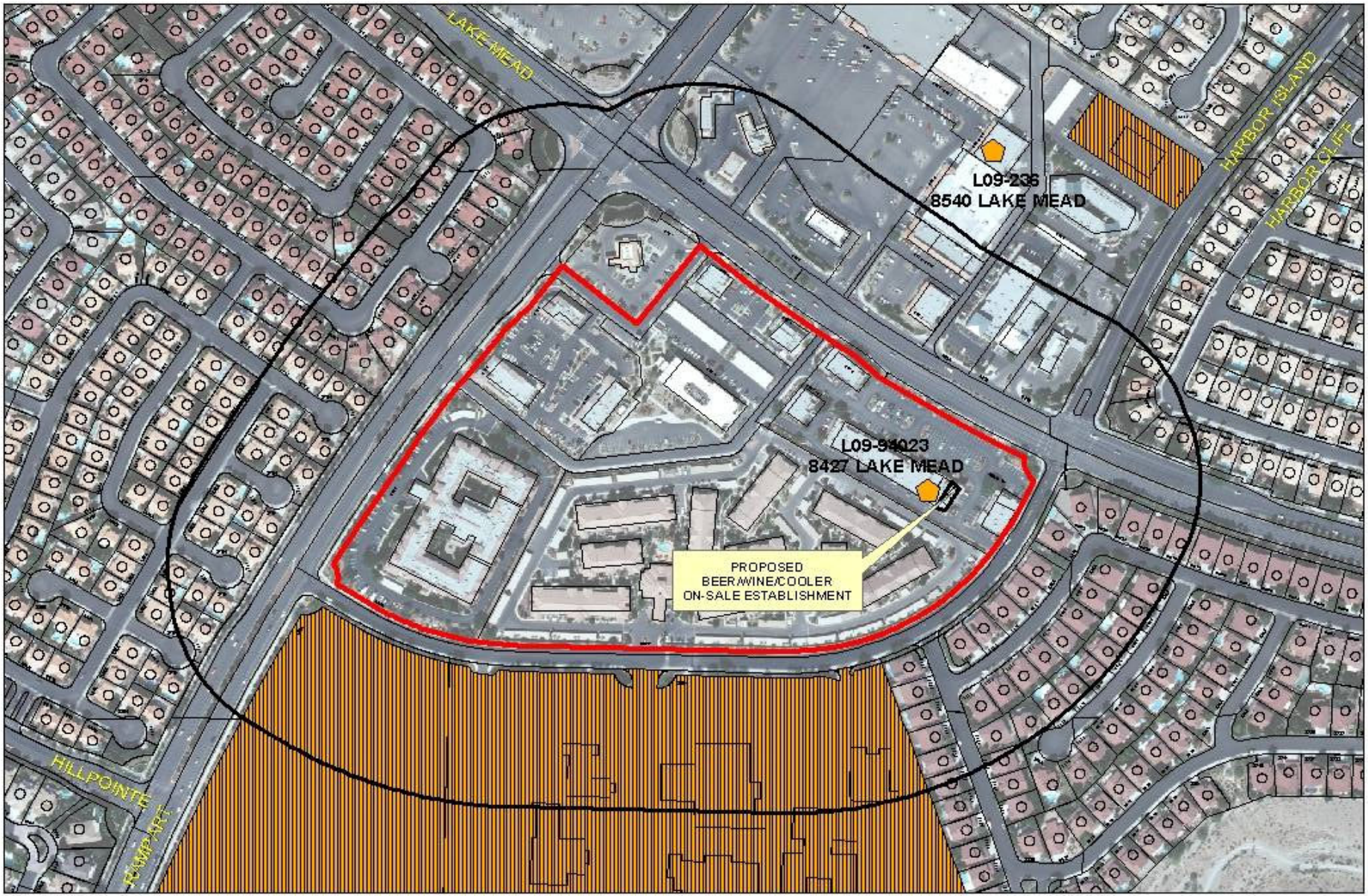


0 700 1400 Feet

CASE: **SUP-37358**

RADIUS: 1500 FT

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



SUP-37358

Business Licenses

- Tavern
- Supper Club/ Restaurant Service Bar
- Beer/Wine/Cooler On Sale
- Child Care/ Children Facility
- RELIGIOUS
- CITY PARKS
- SCHOOLS
- Subject Property
- 400 foot buffer

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-37358 - APPLICANT: YEON MUN, LLC - OWNER: BIOTRON I, 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 Beer/Wine/Cooler On-Sale Establishment use.

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

3. Approval of this Special Use Permit does not constitute approval of a liquor license.

4. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

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

SUP-37358 - Staff Report Page One
March 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit to allow a Beer/Wine/Cooler On-Sale Establishment within a former 3,888 square-foot restaurant at 8427 West Lake Mead Boulevard. The Beer/Wine/Cooler On-Sale Establishment use will be in conjunction with the restaurant. The applicant is requesting a waiver to allow a 40-foot distance separation from a school where 400 feet is required. The school is located across Scholar Lane, a 40-foot Local Street where there is direct access from the commercial shopping to the school.

As this request cannot be conducted in a compatible and harmonious manner with the surrounding land uses, and due to the waiver request of the distance separation, staff is recommending denial of this application. If the application is denied, the subject site will remain as a restaurant that cannot sell beer or wine on the premises.

ISSUES

- There is direct access from the commercial shopping center to the school along Scholar Lane.
- A Special Use Permit for a proposed Pub, Bar, and Lounge was previously approved on the subject site, which is located within a shopping center. All previous alcohol-related business licenses have expired. The Special Use Permit expired 11/06/08.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
05/20/93	The Summerlin Referral Group approved a request for a review (SV-0013-93) of the Pueblo at Summerlin commercial center located at the southwest corner of Lake Mead Boulevard and Scholar Lane in Summerlin Village 2.
07/25/94	The Summerlin Referral Group approved a request for a review (SV-0012-94) of a proposed retail pad site, located at the southwest corner of Lake Mead Boulevard and Scholar Lane in Summerlin Village 2 Commercial Center.
08/17/94	The City Council approved a request for a Special Use Permit (U-0178-94) for a Restaurant Service Bar in a proposed restaurant on property located at 8427 West Lake Mead Boulevard. The Board of Zoning Adjustment recommended approval.
04/30/02	A deed was recorded for change of ownership.
06/07/06	The City Council approved a request for a Special Use Permit (SUP-12348) for a proposed Pub, Bar & Lounge in conjunction with an existing restaurant at 8427 West Lake Mead Boulevard. The Planning Commission and staff recommended approval

AO

Related Building Permits/Business Licenses	
11/01/94	A business license (A15-00033) was issued for arts and crafts at 8427 West Lake Mead Boulevard. The license was marked out of business on 01/23/08.
11/09/01	A building permit (#1019745) was issued for a tenant improvement at 8427 West Lake Mead Boulevard. The permit expired on 07/06/02.
09/27/05	A business license (R09-01314) was issued for Beer/Wine/Cooler On-Sale at 8427 West Lake Mead Boulevard. The license was marked out of business on 02/15/08.
07/07/06	A business license (L09-00227) was issued for Beer/Wine/Cooler On-Sale at 8427 West Lake Mead Boulevard. The license was marked out of business on 05/06/08.
02/04/10	A business license (R09-94024) application was submitted for a restaurant at 8427 West Sahara Suite. The license is pending an approval from the Planning and Development Department.
02/04/10	A business license (L09-94023) application was submitted for a Beer/Wine/Cooler On-Sale at 8427 West Lake Mead Boulevard. The license is pending an approval from the Planning and Development Department.
Pre-Application Meeting	
01/25/10	A pre-application meeting was held with the applicant, where the submittal requirements for a Special Use Permit were discussed. Topics included: • A Waiver of the 400-foot minimum distance separation requirement from a School (The Meadows Private School). • A revised justification letter to address the days and hours of operation and to request a waiver for distance separation of 40 feet, where 400 feet is required. • A revised site plan needs to be submitted to scale. • A revised floor plan needs to be submitted to scale, include seating area square-footage, non-seating square-footage and total square-footage. • The minimum seating requirement is 45 seats/stools. • Beer wine or coolers must be served with meals.
Neighborhood Meeting	
A neighborhood meeting is not required for this application, nor was one held.	
Field Check	
02/18/10	During a routine site inspection performed by staff, the subject property was noted as a well maintained suite within a shopping center.

Details of Application Request	
Site Area	
Net Acres	3.42

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Commercial Strip Center	SC (Service Commercial)	P-C (Planned Community)
North	Commercial Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Apartments	VC (Village Center)	P-C (Planned Community)
East	Single Family Residential	SF2 (Single Family Detached)	P-C (Planned Community)
West	Commercial Center	VC (Village Center)	P-C (Planned Community)

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

DEVELOPMENT STANDARDS

Parking Requirement							
	Gross Floor Area or Number of Units	*Required*			*Provided*		*Compliance*
			Parking		*Parking*		
Use		*Parking Ratio*	Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	34,600 SF	1:250	133	5	142	6	Y
TOTAL	**34,600 SF**		**138**		**148**		**Y**

Waivers		
Requirement	**Request**	**Staff Recommendation**
A 400-foot distance separation from of any church, synagogue, school, and child care facility licensed for more than 12 children, or City Park.	40 Feet from an existing school	Denial

ANALYSIS

This request is for a Special Use Permit for a Beer/Wine/Cooler On-Sale Establishment use within a former 3,888 square-foot restaurant located at 8427 West Lake Mead Boulevard. The subject site use is located within the Summerlin Master Plan area. According to the Summerlin Development Standards "if any issue pertaining to land use and development that may arise in connection with these Development Standards, and that are not addressed or provided for specifically in these standards or a development agreement entered in pursuant Section 19.06.030 of the City of Las Vegas Zoning Code (Title 19 of the Las Vegas Municipal Code), the applicable regulations and standards contained in City of Las Vegas Zoning Ordinance will apply. The "Pubs, Bars & Lounges" use per the Summerlin Development Standard is comparable to that of "Beer/ Wine/ Cooler On-Sale" use of Title 19, and requires an approval of the Special Use Permit. A new restaurant is proposed to occupy this space.

Beer and wine will be sold in conjunction with meals on the premises for up to 85 people at any one time at tables or stools. The hours of operation for the proposed restaurant are Monday through Friday, 11 a.m. to 11 p.m. and 12:30 p.m. to 11 p.m. Saturday and Sunday.

The site was previously approved for a Special Use Permit for a Pub, Bar & Lounges use which expired because the license for the Beer/Wine/Cooler On-Sale Establishment had expired for more than six months. The addition of the Beer/Wine/Cooler On-Sale Establishment use will not increase the intensity of the use. The subject site is part of a 34,600 square-foot shopping center, and parking is calculated at one space per 250 square feet; as a result, the subject site has adequate parking and the addition of the proposed use will not yield an increased parking requirement.

The proposed use cannot be conducted in a manner that is compatible with surrounding land uses as it is located approximately 40 feet from a school, a protected use that requires a minimum 400-foot distance separation. In addition, there is direct access from the proposed use location to the school. There are no other Beer/Wine/Cooler On-Sale Establishments in the 400-foot radius area. Staff cannot support the request for a Waiver, and is recommending denial of this Special Use Permit.

FINDINGS

The following findings must be made for a Special Use Permit:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

   The proposed use cannot be conducted in a manner that is harmonious and compatible with the existing surrounding land uses because it is located approximately 40 feet from a School, a protected use that requires a minimum 400-foot distance separation from this proposed use.

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

   The subject site is physically suitable for the type and intensity of land use proposed; however, it does not meet the minimum 400-foot distance separation required from a school.

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 west Lake Mead Boulevard, a 100-foot Primary Arterial, and Scholar Lane, a 40-foot Right of Way as designated in the Master Plan of Streets and Highways. These streets are adequate in size to accommodate the proposed use.

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

   It will not compromise the public health, safety, or welfare as the use is subject to licensing and inspections by the City of Las Vegas.

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

   The proposed Beer/Wine/Cooler On-Sale Establishment use does not meet all of the applicable conditions per Title 19.04. It is located approximately 40 feet from a protected use (School) where 400 feet is required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 970

APPROVALS 2

PROTESTS 5

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-37358** APN: 138-20-614-004

Name of Property Owner: Biotron I, LLC.

Name of Applicant: Yeon S. Mun

Name of Representative: _____

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

☐ Yes ☑ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Biotron I, LLC

By Elbert L. Adams G.P.

RECEIVED
FEB 11 2010

Print Name: _____

Subscribed and sworn before me

This 4th day of February, 2010

Los Angeles, California

Notary Public in and for said County and State

Linda Cade

LINDA CADE
Commission # 1671243
Notary Public - California
Los Angeles County
My Comm. Expires May 29, 2010

Revised 11-14-06

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

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FEB 11 2010

PLANNING & DEVELOPMENT
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: BEER AND WINE LICENSE.

Project Address (Location) 8407 W. LAKE MEAD BLVD, LAS VEGAS, NV 89128

Project Name "THE SUSHI" **Proposed Use** RESTAURANT.

Assessor's Parcel #(s) _____ **Ward #** _____

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

Commercial Square Footage 3,833 **Floor Area Ratio** _____

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

Additional Information _____

PROPERTY OWNER BIOTRON I LLC **Contact** _____

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

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

E-mail Address _____

APPLICANT YEON MUN, INC. **Contact** YEON S MUN

Address 44 SULLY CREEK CT. **Phone:** (702) 326-6117 **Fax:** _____

City LAS VEGAS, NV 89148 **State** NV **Zip** 89148

E-mail Address LEE5368@YAHOO.COM

REPRESENTATIVE _____ **Contact** _____

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

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

E-mail Address _____

Elbert K Adams

Property Owner Signature* Biotron I, LLC

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

Print Name BIOTRON I, LLC - ELBERT L. ADAMS

Subscribed and sworn before me

This 4th day of February, 2010.

Linda Cade

Notary Public in and for said County and State Los Angeles California

LINDA CADE
Commission # 1671243
Notary Public - California
Los Angeles County
My Comm. Expires May 29, 2010

FOR DEPARTMENT USE ONLY

Case #	SUP-37358
Meeting Date:	3/25/10
Total Fee:	
Date Received:*	
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.

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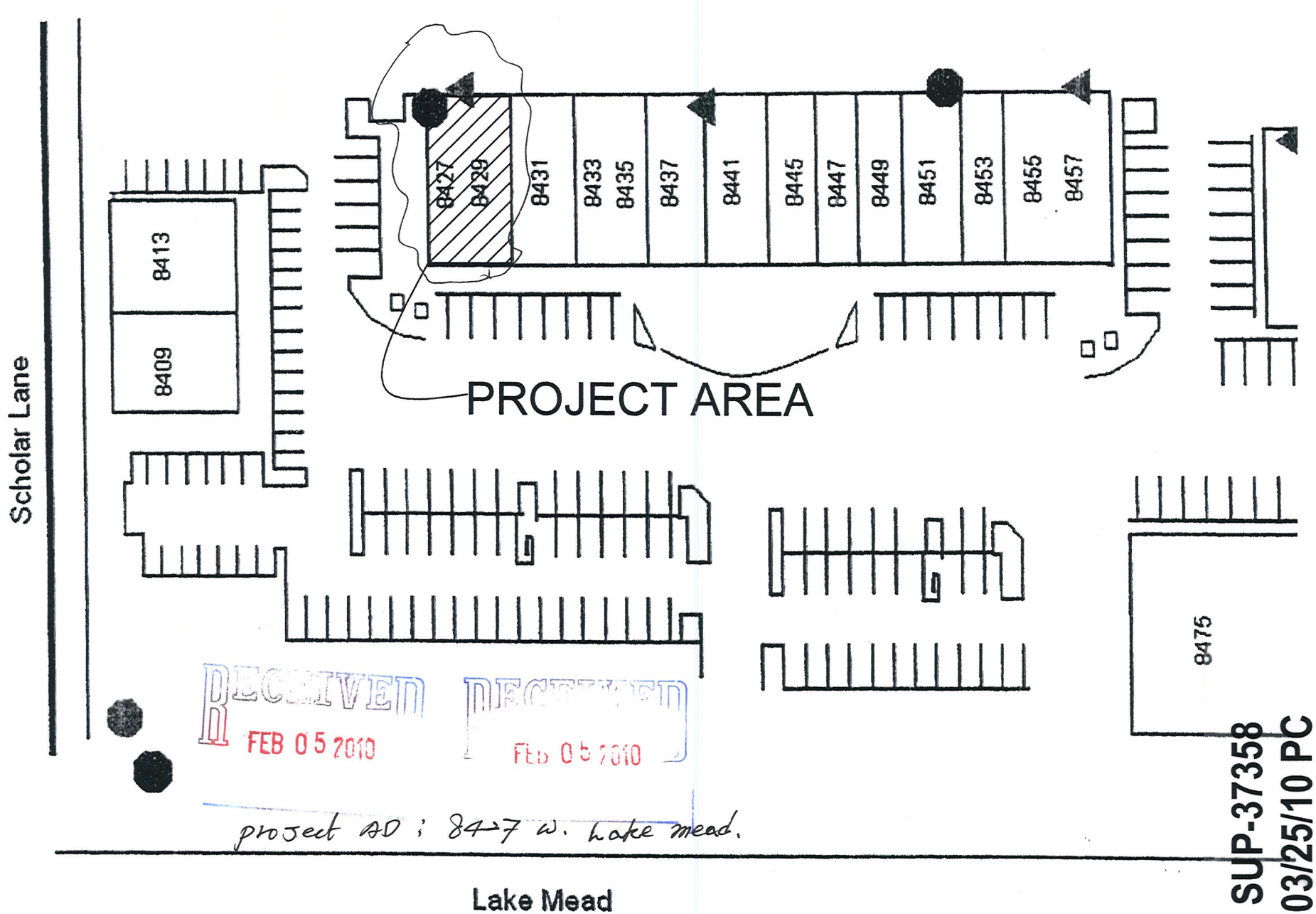
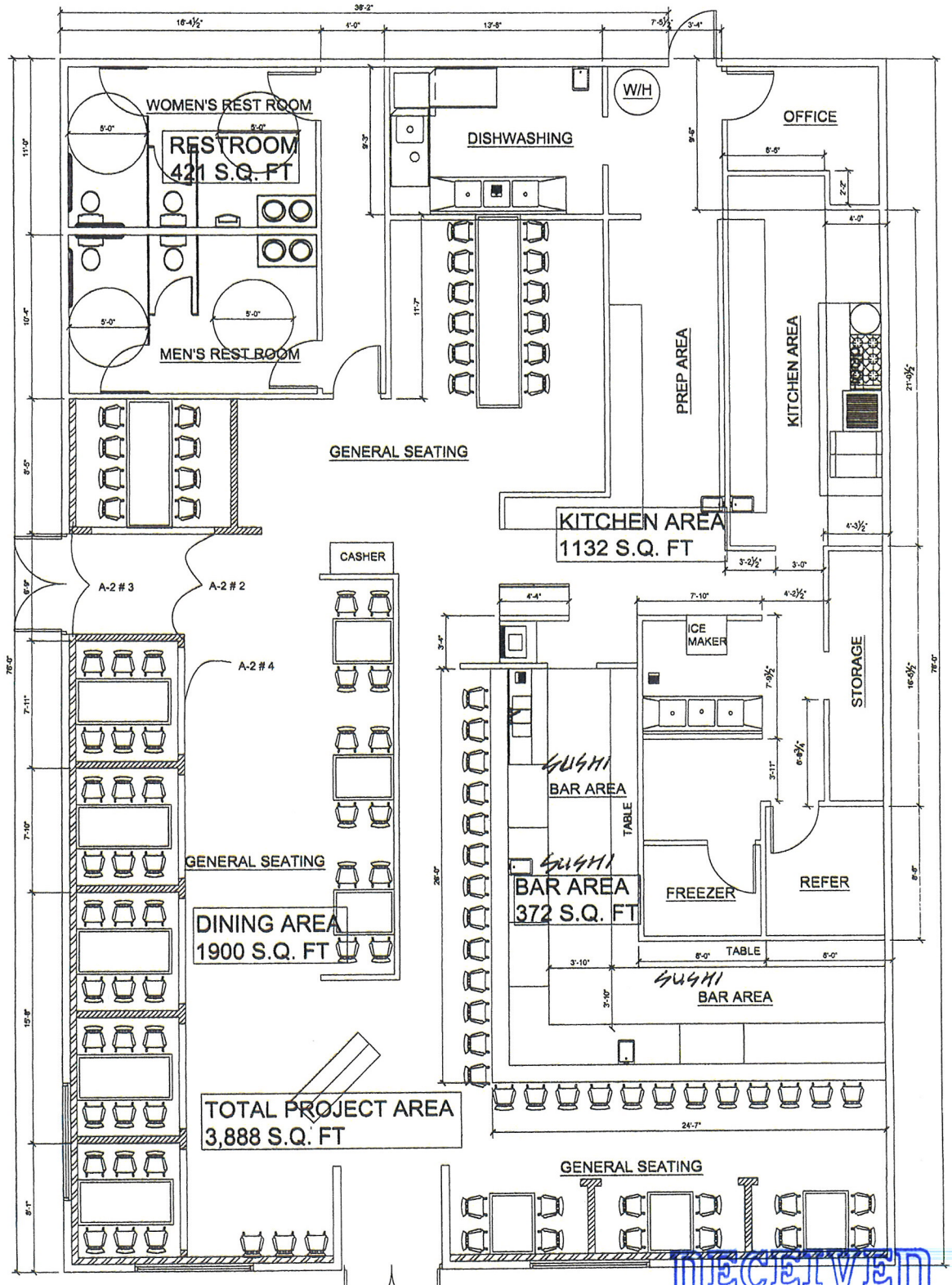
Revised 10/27/08



SUP-37358
03/25/10 PC



FLOOR PLAN

1/4" = 1'-0"

1

BAR:
25 seats

Dining:
75 seats

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FEB 25 2010

SUP-37358
REVISED
03/25/10 PC





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FEB - 5 2010

SUP-37358
03/25/10 PC





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FEB - 5 2010

SUP-37358
03/25/10 PC



SUP-37358 - APPLICANT: YEON MIN, LLC - OWNER: BIOTRON I LLC
8427 WEST LAKE MEAD BOULEVARD
MARCH 25, 2010 PLANNING COMMISSION

02/18/10



SUP-37358 - APPLICANT: YEON MIN, LLC - OWNER: BIOTRON I LLC
8427 WEST LAKE MEAD BOULEVARD
MARCH 25, 2010 PLANNING COMMISSION

02/18/10

Yeon Mun Inc.
44 Sully Creek Court
Las Vegas, NV 89148

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

February 3, 2010

Re: Justification Letter

To Whom It May Concern:

I would like to request an application meeting to discuss a Special Use Permit for beer/wine/cooler on-sale in conjunction with my existing restaurant located at 8427 West Lake Mead Boulevard- The Sushi. The restaurant will be a Japanese restaurant that serves several items. They include, but are not limited to appetizers, sushi rolls, nigiri, sashimi, entrees and desserts. Everything will be served during our normal hours of operation of 11 AM to 11 PM Monday through Friday and 12:30 PM to 11 PM on Saturdays and Sundays. Operations will commence once all proper permits and licenses have been obtained from the city.

Sincerely,

Yeon Mun

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FEB 05 2010

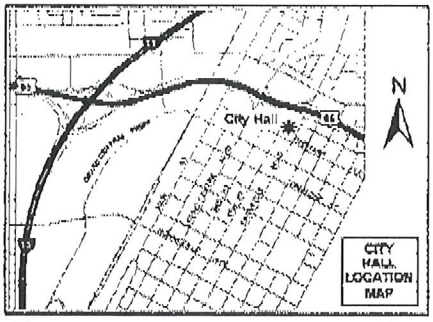
SUP-37358
03/25/10 PC

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
02 1M $ 00.41⁴
0004279218 MAR 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.

SUP-37358
Planning Commission Meeting of 3/25/2010

Case: SUP-37358
13820615013
SULLIVAN DANIEL & BETTY
2016 SEDONA MORNING DR
LAS VEGAS NV 89128-8484

AAVDS11 89128

RECEIVED
MAR 15 2010

24 P

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

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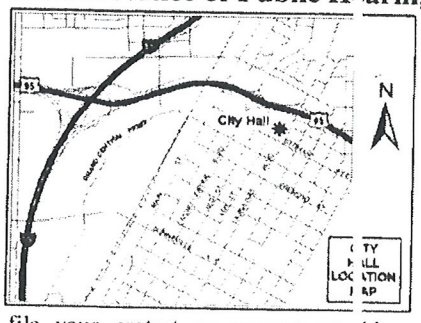

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SUP-37358

Planning Commission Meeting of 3/25/2010

Case: SUP-37358

1382052007 1
JAUREGUI [illegible]RIA
8812 CYPRI[illegible]SWOOD AVE
LAS VEGAS[illegible] V 89134-0312

AA0011 89134

RECEIVED
MAR 15 2010

24 P

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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0004279218 MAR 12 2010
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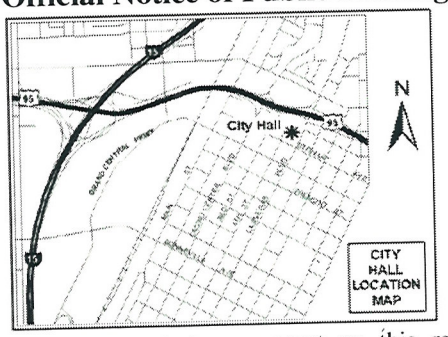
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☑ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37358

Planning Commission Meeting of 3/25/2010

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MAR 16 2010

Case: SUP-37358
13821310014
MUELLER JOHN & TAMI A
8220 SEDONA SUNRISE DR
LAS VEGAS NV 89128-7909

AADS11 A3138

ZIP 24

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

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MAR 12 2010
MAILED FROM ZIPCODE 89101

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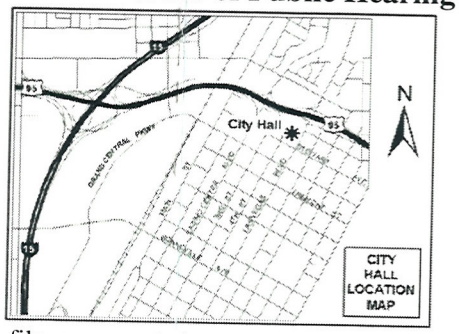
Official Notice of Public Hearing



RECEIVED
MAR 16 2010

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37358

Planning Commission Meeting of 3/25/2010

Case: SUP-37358

13821212004
BAUR ROSE M
2037 HARBOR CLIFF DR
LAS VEGAS NV 89128-7461

AAVD511 89128

240

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

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MAR 16 2010

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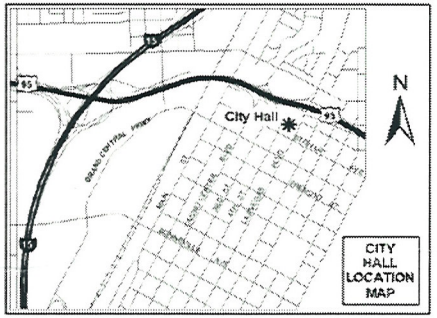
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37358

Planning Commission Meeting of 3/25/2010

Case: SUP-37358

13821317007
GUADAGNI LUIGI & GRACE TRUST
8324 ARROYO JUSTIN AVE
LAS VEGAS NV 89128-8278

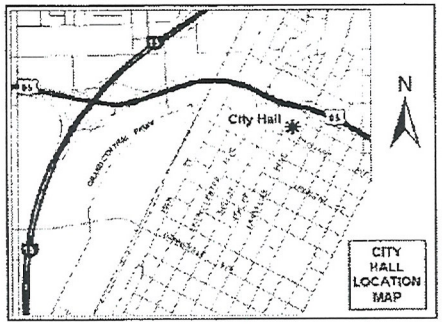
AAVDS11 89128

ZUP

Mar 15 10 10:16p James Ealey 233-9347 p.1

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

Return Service Requested
Official Notice of Public Hearing



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MAR 16 2010

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37358

Planning Commission Meeting of 3/25/2010

Case: SUP-37358

13820610007
EALEY JAMES R & CARRIE L
8725 CYPRESSWOOD AVE
LAS VEGAS NV 89134-0314

24 A

AAUOS11 A3134

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

PRESORTED FIRST CLASS

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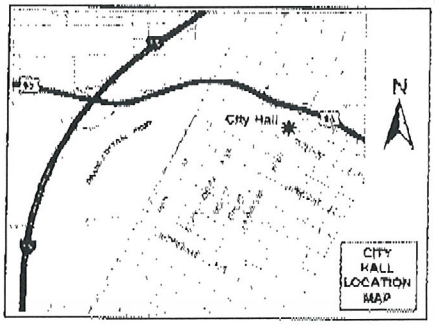
MAILED FROM ZIPCODE

Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37358

Planning Commission Meeting of 3/25/2010

Case: SUP-37358
13820520011
WARNER MICHAEL & DINA M
3069 N OAK CIR
BOOMFIELD CO 80020-1054

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MAR 17 2010

City of Las Vegas Agenda Item No.: **25.**

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

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

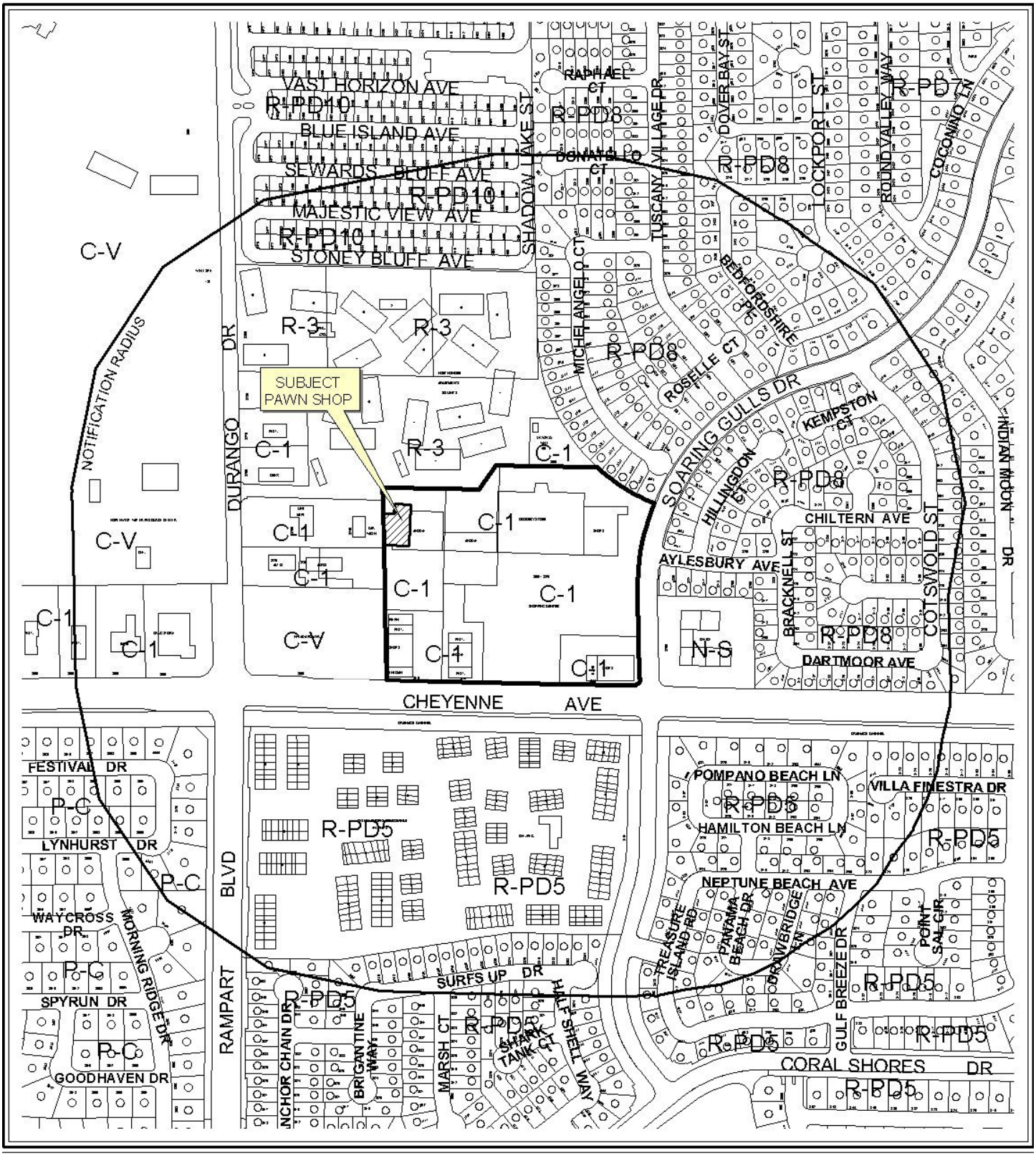
SUBJECT:
SUP-37362 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CASH AMERICA/SUPER PAWN - OWNER: NORTHSHORE PLAZA, LLC - Request for a Special Use Permit FOR A PAWN SHOP WITH WAIVERS TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A RESIDENTIALLY ZONED PROPERTY AND A FINANCIAL INSTITUTION, SPECIFIED WHERE 200 FEET AND 1,000 FEET, RESPECTIVELY, ARE REQUIRED at 8400 West Cheyenne Avenue (APN 138-09-420-005), C-1 (Limited Commercial) Zone, Ward 4 (Anthony)

IF APPROVED, C.C.: 04/21/2010
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL.

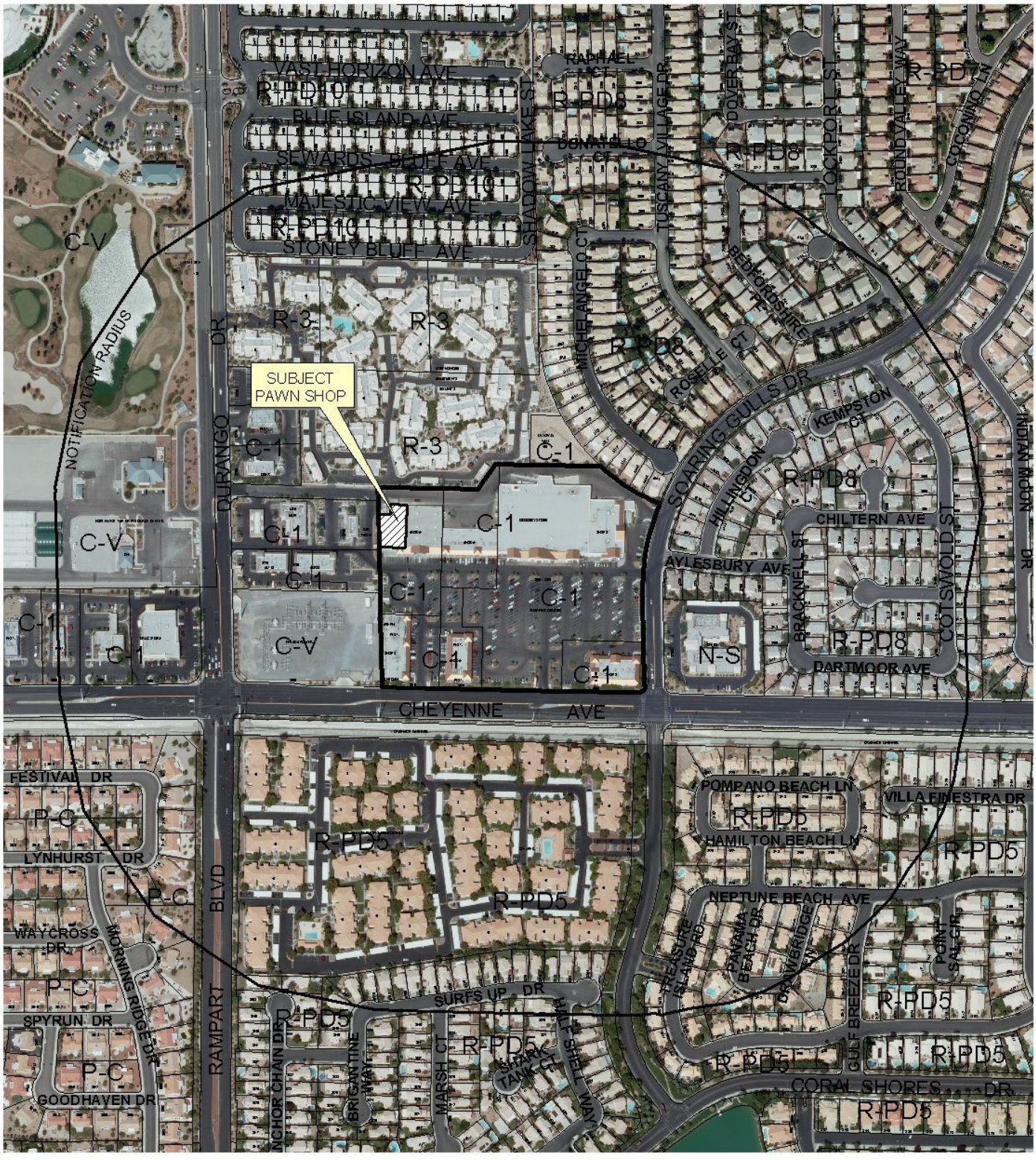
BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest Postcards



CASE: **SUP-37362**

RADIUS: 1000 FT

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



0 500 1000 Feet

CASE: **SUP-37362**

RADIUS: 1000 FT

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

N



SUP-37362

Financial Business Locations

- Financial Institution, Specified
- Pawnshops
- Automobile Title Loan

- Subject Property
- Residential Property
- 200ft & 1000ft Buffer

N

0 280 560 1,120 Feet

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-37362 - APPLICANT: CASH AMERICA/SUPER PAWN - OWNER: NORTHSHORE PLAZA, 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 Pawn Shop use.

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

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

SUP-37362 - Staff Report Page One
March 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a Pawn Shop within a portion of an existing building with waivers to allow a zero-foot distance separation from residentially zoned property and a Financial Institution, Specified where 200 feet and 1000 feet, respectively, are required at 8400 West Cheyenne Avenue. The proposed Pawn Shop use will occupy 9,650 square feet of the building space with a 2,900 square-foot outdoor patio. Staff is recommending denial of this application because the proposed use cannot be conducted in a manner that is compatible with the surrounding land uses, as is evidenced by the requested waivers of distance separation requirements.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
03/16/94	The City Council approved a request for a General Plan Amendment (GPA-0004-94 from ML (Medium Low Density Residential) to SC (Service Commercial) on the northeast corner of Durango Drive and Cheyenne Avenue. The Planning Commission recommended approval
03/16/94	The City Council approved a request for Reclassification of Property (Z-0007-94) from N-U (Non-Urban) to R-PD8 (Residential Planned Development) and C-1 (Limited Commercial) on the northeast corner of Durango Drive and Cheyenne Avenue. The Planning Commission recommended approval.
09/14/95	The Planning Commission approved a request for a Plot Plan and Building Elevation Review [Z-0007-94(3)] for a proposed retail shopping center located on the northwest corner of Cheyenne Avenue and Soaring Gulls Drive. Planning and Development recommended approval.
Related Building Permits/Business Licenses	
09/16/96	A building permit (#9618721) was issued for a retail building at 8400 West Cheyenne Avenue. The project was completed on 02/10/97.
09/26/03	A building permit (#03020713) was issued for a Non-Work Certificate of Occupancy at 8400 West Cheyenne Avenue. The project was completed on 10/2/03.
10/06/03	A business license (F07-01794) was issued for a Furniture Store at 8400 West Cheyenne Avenue. The license was marked out of business on 06/26/09.

Pre-Application Meeting	
01/25/10	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for a Pawn Shop were discussed. The topics included: • The submittal of application materials, meeting dates, and deadlines were discussed. • Provide floor plan upon submittal of Special Use Permit application. • Revise Site Plan to include building size with parking calculations. • Waiver for the 200-foot residential use and the 1000-foot distance separation requirement from Financial Institution, Specified use.

Neighborhood Meeting	
03/15/10	A neighborhood meeting is to be held at 6:00 pm at the Durango Hills Community Center YMCA located at 3521 North Durango Drive Las Vegas, Nevada 89129.

Field Check	
02/18/10	The retail building is vacant and well maintained.

Details of Application Request	
Site Area	
Net Acres	1.74

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)
South	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
East	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
West	Service Station with Convenience Store and Self Service Car Wash	SC (Service Commercial)	C-1 (Limited Commercial)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	*Required*			*Provided*		*Compliance*
			Parking		*Parking*		
Use		*Parking Ratio*	Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	155,663 SF	1:250 SF	610	13	577	23	
TOTAL			623		600		N

ANALYSIS

This is a request for a Special Use Permit for a Pawn Shop use within a portion of an existing 21,733 square-foot building. The Northshore Plaza Shopping Center is a parking impaired site. The Site Plan indicated 623 parking spaces are required, whereas only 600 parking spaces are provided. The approved civil plans for this commercial center illustrate 600 parking spaces. The Shopping Center parking requirement is one space per 250 square feet and the proposed use does not require additional parking spaces over the previous retail furniture store use.

The minimum Special Use Permit requirements for the proposed use are a 200-foot distance separation from adjacent residential property and a 1000-foot distance separation from a Financial Institution, Specified use. The applicant has requested waivers of these requirements. Due to the waiver request, the proposed use is not compatible with this commercial center and the surrounding area; therefore, staff recommends denial of this request.

FINDINGS

The following findings must be made for a Special Use Permit:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

   The proposed Pawn Shop use cannot be conducted in a manner that is harmonious and compatible with the existing site due to the waiver requests to allow a zero-foot distance separation from residential property and Financial Institution, Specified use.

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

   The proposed use is located directly adjacent to a residential property and a Financial Institution Specified use is located within the same shopping center. The subject site does not meet the minimum standards set forth in Title 19.04 for a Pawn Shop within a C-1 (Limited Commercial) zoned property. The subject site is not physically suitable for the intensity of the proposed land use, due to the need for waivers of Title 19.04 standards.

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 Cheyenne Avenue and Durango Drive, both 100-foot Primary Arterials as designated in the Master Plan of Streets and Highways. These streets are adequate in size to accommodate the proposed Pawn Shop use.

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

   Approval of the proposed Special Use Permit will not be inconsistent with or 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 Pawn Shop use does not comply with the minimum Special Use Permit requirements. The proposed use will be located within 200 feet of a parcel used or zoned for residential use. In addition, the use will be located within 1,000 feet of a Financial Institution, Specified use. A waiver has been requested from these requirements.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

NOTICES MAILED 845

APPROVALS 0

PROTESTS 11

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-37362** APN: 138-09-420-005

Name of Property Owner: Northshore Plaza, LLC

Name of Applicant: Cash America/Super Pawn

Name of Representative: Jennifer Lazovich -- Kaempfer Crowell

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: _____, Pres.

Print Name: Richard Gordon

Subscribed and sworn before me

This 29 day of Jan, 2010

_____
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
LAURA GROSETH
Appt. No. 98-3646-1
My Appt. Expires July 1, 2010

RECEIVED
FEB 08 2010

Revised 11-14-06

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393052.1

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit for a Pawn Shop

Project Address (Location) 8400 W. Cheyenne Avenue

Project Name Super Pawn **Proposed Use** Pawn Shop

Assessor's Parcel #(s) 138-09-420-005 **Ward #** 4

General Plan: existing _____ proposed N/A **Zoning:** existing C-1 proposed N/A

Commercial Square Footage 13,000 +/- **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** 1 **Density** _____

Additional Information See attached justification letter

PROPERTY OWNER Northshore Plaza, LLC **Contact** _____

Address 8400 W. Cheyenne Avenue **Phone:** _____ **Fax:** _____

City Las Vegas **State** Nevada **Zip** 89129

E-mail Address _____

APPLICANT Cash America/Super Pawn **Contact** Caroline Ciocca

Address 3021 Business Lane **Phone:** 735-4444 **Fax:** 739-7888

City Las Vegas **State** Nevada **Zip** 89103

E-mail Address cciocca@casham.com

REPRESENTATIVE Kaempfer Crowell Renshaw Gronauer & Fiorentino **Contact** Jennifer Lazovich

Address 8345 W. Sunset Road, Suite 250 **Phone:** 792-7000 **Fax:** 796-7181

City Las Vegas **State** Nevada **Zip** 89113

E-mail Address jlazovich@kcnvlaw.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 Richard Gordon

Subscribed and sworn before me

This 29 day of Jan, 20 10.

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
LAURA GROSETH
Appt. No. 98-3646-1
My Appt. Expires July 1, 2010

FOR DEPARTMENT USE ONLY

Case #	SUP-37362
Meeting Date:	3/25/2010
Total Fee:	1030.00
Date Received:*	2/8/10
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.

Revised 10/27/08

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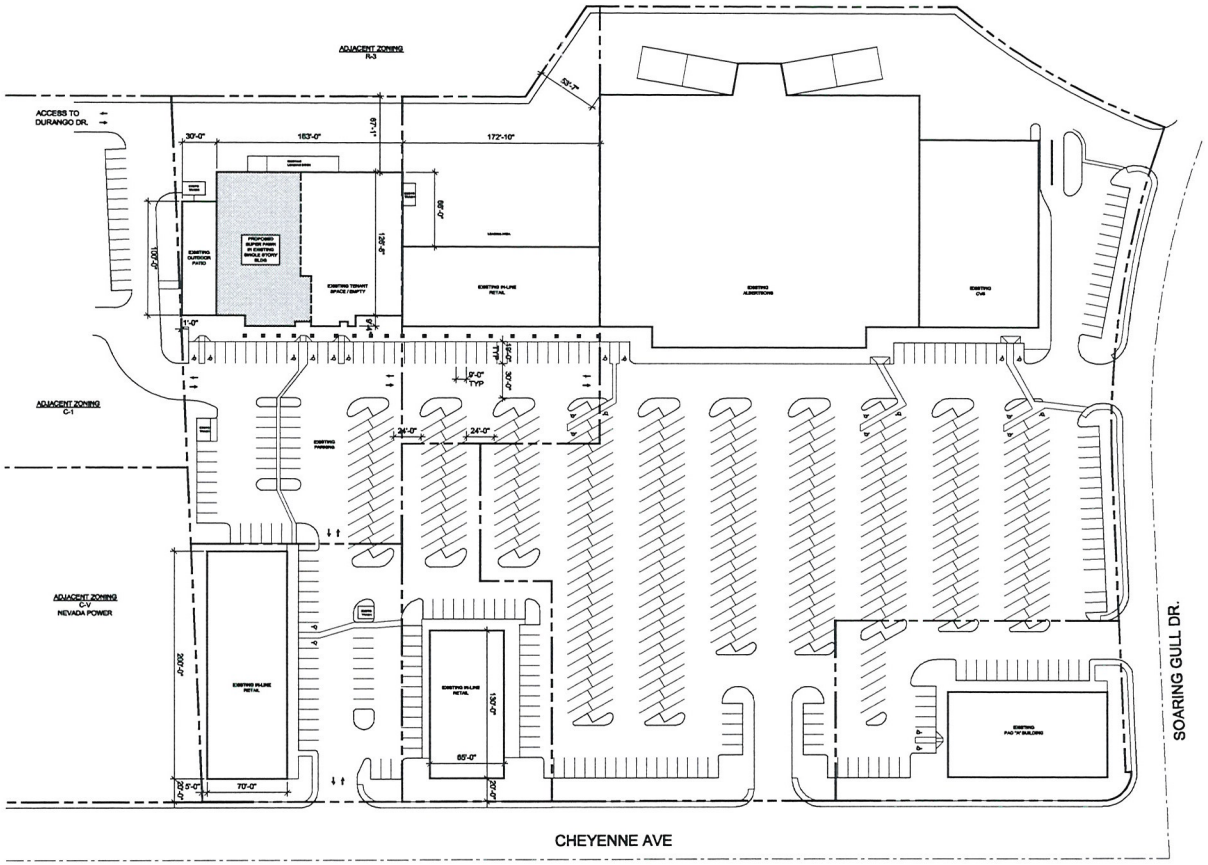


EXISTING SITE PLAN

PROJECT DESCRIPTION

THIS PROJECT IS A REMODEL OF A PORTION OF AN EXISTING COMMERCIAL BUILDING CONVERTING IT FROM FORMER HARDWARE STORE INTO A PAWN SHOP USE. THE BUILDING IS EXISTING. ARCHITECTURAL PLANS DEPICT A PORTION OF EXISTING SINGLE STORY BUILDING THAT IS APPROXIMATELY 9,650 SF.

SITE DATA

SITE DATA:

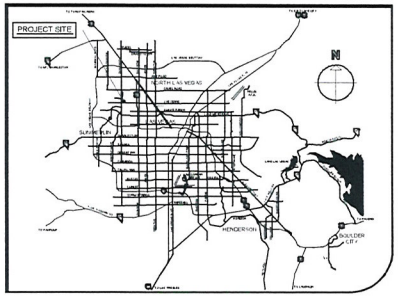
JURISTICTION:	LAS VEGAS
APN #	138-09-420-005
SITE AREA:	1.74 ACRES
EXISTING BLDG. FOOTPRINT:	24,500 SF
LOT COVERAGE:	32.2%
CURRENT ZONING:	C-1 LIMITED COMMERCIAL DISTRICT

PARKING CALCULATION:

TENANT NAME	AREA (SF)
SUPER PAWN	9,650
PAD A	10,500
PAD B	8,450
PAD C	14,000
ADJACENT TENANT	21,426
IN-LINE SHOPS	12,133
GROCERY STORE	62,279
DRUG STORE	17,275
TOTAL	155,713

TOTAL PARKING REQUIRED: (1/250 SF)	623
TOTAL PARKING PROVIDED	600
ACCESSIBLE PARKING REQUIRED	13
ACCESSIBLE PARKING PROVIDED	23

VICINITY MAP



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FEB 19 2010

CASH AMERICA SUPER PAWN
8400 W CHEYENNE AVE. LAS VEGAS, NV 89129

SUP-37362
REVISED
03/25/10 PC

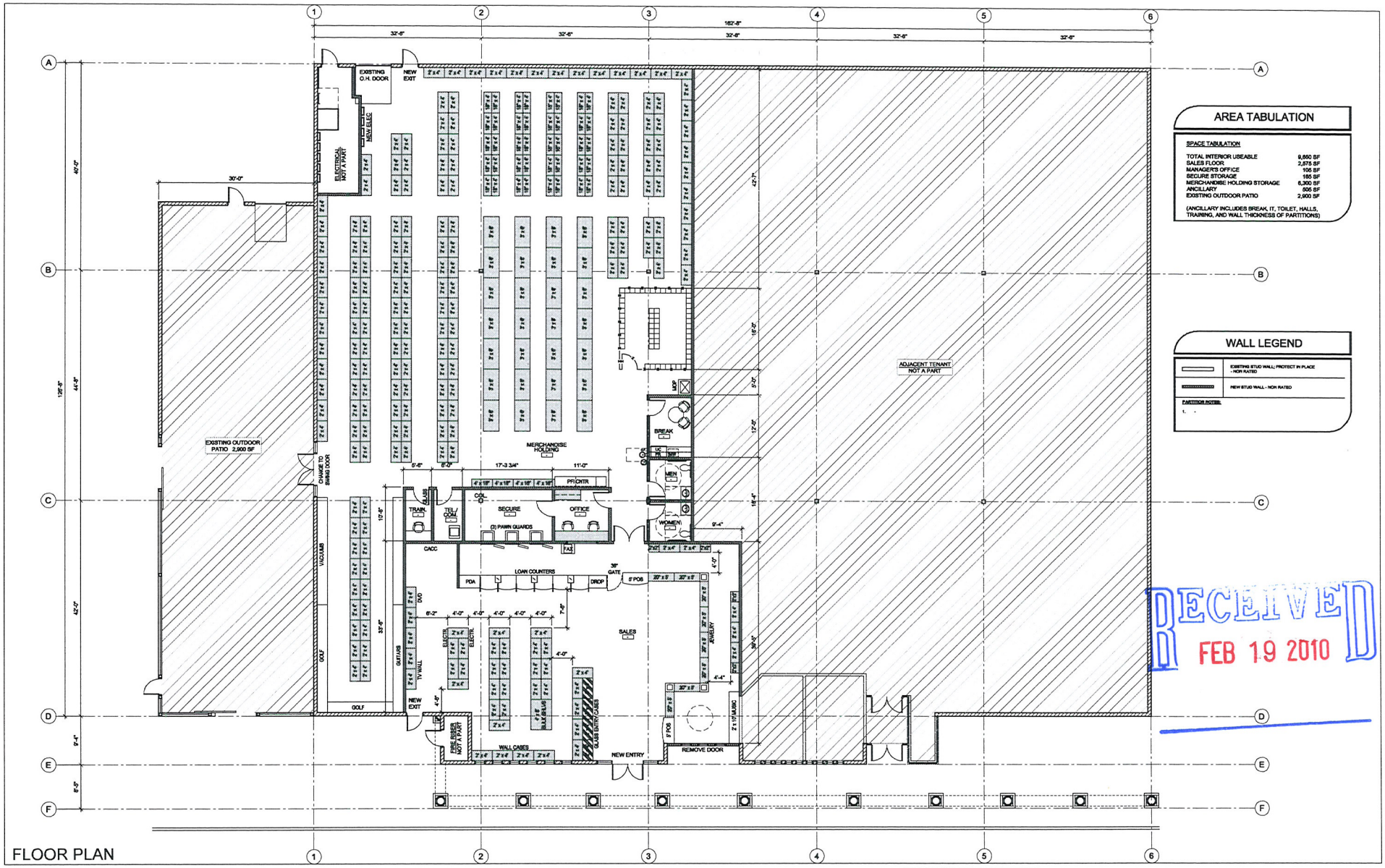
PROJECT NO: 10.005
DATE: 02/18/10

0 25' 50' 100'
SCALE: 1"=50'-0"

NORTH

SHEET NO:
DR-01

designcell
10777 W.TWAIN AVE, SUITE 125, T 702-403-1575
LAS VEGAS NV 89135 WWW.DESIGNCELL.CC



FLOOR PLAN

CASH AMERICA SUPER PAWN
8400 W. CHEYENNE LAS VEGAS, NV

SUP-37362
REVISED
03/25/10 PC

PROJECT NO: 10 005
DATE: 2/18/10

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

NORTH

SHEET NO:
DR-02

designcell
10777 W.TWAIN AVE, SUITE 125, T 702-403-1575
LAS VEGAS NV 89135 WWW.DESIGNCELL.CC



SUP-37362 - APPLICANT: CASH AMERICA/SUPER PAWN - OWNER: NORTHSHORE PLAZA, LLC
8400 WEST CHEYENNE AVENUE
MARCH 25, 2010 PLANNING COMMISSION

02/18/10



SUP-37362 - APPLICANT: CASH AMERICA/SUPER PAWN - OWNER: NORTHSHORE PLAZA, LLC
8400 WEST CHEYENNE AVENUE
MARCH 25, 2010 PLANNING COMMISSION

02/18/10



SUP-37362 - APPLICANT: CASH AMERICA/SUPER PAWN - OWNER: NORTHSHORE PLAZA, LLC
8400 WEST CHEYENNE AVENUE
MARCH 25, 2010 PLANNING COMMISSION

02/18/10



SUP-37362 - APPLICANT: CASH AMERICA/SUPER PAWN - OWNER: NORTHSHORE PLAZA, LLC
8400 WEST CHEYENNE AVENUE
MARCH 25, 2010 PLANNING COMMISSION

02/18/10



SUP-37362 - APPLICANT: CASH AMERICA/SUPER PAWN - OWNER: NORTHSHORE PLAZA, LLC
8400 WEST CHEYENNE AVENUE
MARCH 25, 2010 PLANNING COMMISSION

02/18/10

KAEMPFER CROWELL

KAEMPFER CROWELL RENSHAW GRONAUER & FIORENTINO

ATTORNEYS AT LAW
LAS VEGAS OFFICE

ANTHONY J. CELESTE
aceleste@kcnvlaw.com
702.693.4215

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8345 West Sunset Road
Suite 250
Las Vegas, NV 89113
Tel: 702.792.7000
Fax: 702.796.7181

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

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

February 18, 2010

VIA HAND DELIVERY

CITY OF LAS VEGAS
PLANNING & DEVELOPMENT
731 S. Fourth St.
Las Vegas, NV 89101

Re: Second Revised Justification Letter – Special Use Permit to Allow for a Pawn Shop & Waiver of Separation Requirements
8400 W. Cheyenne (APN: 138-09-420-005)

To Whom It May Concern:

Please be advised this office represents Cash America/SuperPawn (the "Applicant"). The Applicant is seeking a special use permit for a pawn shop in the above referenced location (the "Site"). The Site is zoned C-1. Pawn shops are allowed in a C-1 zone with the approval of a special use permit. Additionally, the Applicant is seeking a waiver for: (i) the 200 foot distance requirement to a residential use and (ii) the 1000 foot distance requirement from any other payday use.

The Applicant is a well established and highly regarded pawn shop operator throughout the Las Vegas valley. The Applicant is proposing to locate in an existing building, formerly occupied by a Sears Hardware Store. The building is approximately 9,650 square feet with an additional 2,900 square foot existing outdoor storage area. The existing building is part of a large commercial center with an Albertson's, Blockbuster, and CVS.

The Applicant is requesting a use permit to allow for a pawn shop. Accessory uses such as jewelry sales, payday loans/cash checking services and second hand sales will be included. Since the Applicant is proposing to locate in an existing building, waivers of the distance requirements are necessary. The property line of the existing building abuts an apartment complex. However, the actual distance is approximately 120 feet measured from the rear existing building to the closest apartment unit. The existing building and the apartment units are separated by drive aisles for both the shopping center and the apartment complex. The entrance into SuperPawn would be about 260 feet from the nearest apartment unit. Additionally, the Applicant is seeking a waiver from the required distance to another payday loan use. Similar to the residential separation, the property line from the existing building to the payday loan use abut each other. However, the actual distance between the proposed SuperPawn and the existing payday loan use is about 170 feet. There are no existing pawn shops within the required distance separation.

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03/25/10 PC

KAEMPFER CROWELL

SuperPawn would be an appropriate business in the vacant building. The hours of operation would be 9:00 a.m. to 7:00 p.m. Therefore, the limited hours of operation would not be detrimental to the residential use and would be compatible with the existing shopping center's hours of operation.

Thank you, in advance, for your consideration of this request. If you need any additional information, please do not hesitate to contact me.

Sincerely,

KAEMPFER CROWELL RENSHAW
GRONAUER & FIORENTINO

Anthony J. Celeste

AJC/dmf

Cc: Caroline Ciocca

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03/25/10 PC

09/25/2009 03:11 8088857000 S4 PAGE 01

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

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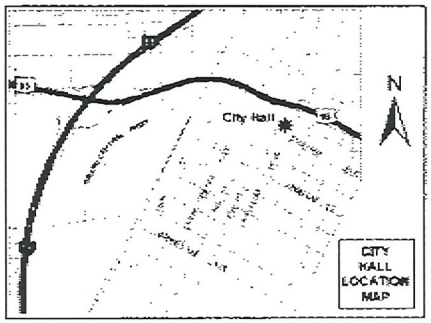

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council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

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362

Planning Commission Meeting of 3/25/2010

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Case: SUP-37362
13816120254
HELM GORDON LAVERN
64-5272 PUANUANU PL
KAMUELA HI 96743-8220

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Mar. 15. 2010 6:57AM AGGREGATE IND. No. 5542 P. 1

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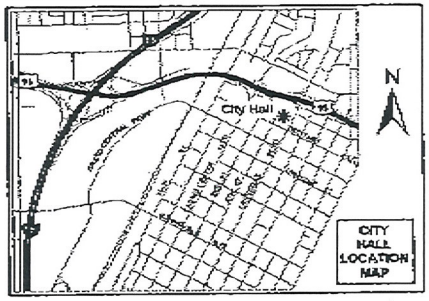

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-37362

Planning Commission Meeting of 3/25/2010

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Case: SUP-37362

13809411009
LONGO ROBERT & SHARON
3345 INDIAN MOON DR
LAS VEGAS NV 89129-7325

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MAR 15 2010

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Las Vegas, Nevada 89101-2986

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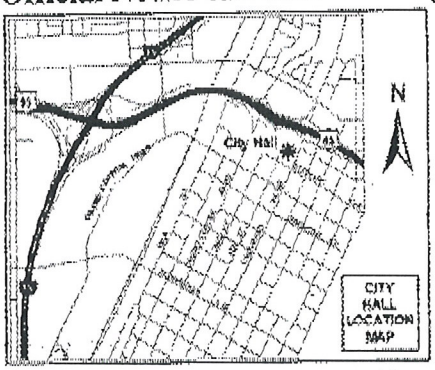

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☒ I OPPOSE this Request

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SUP-37362

Planning Commission Meeting of 3/25/2010

Case: SUP-37362

13809413013
YOUNG BEN D & LARENDA G
7872 MORNING FLOWER
LAS VEGAS NV 89129-2138

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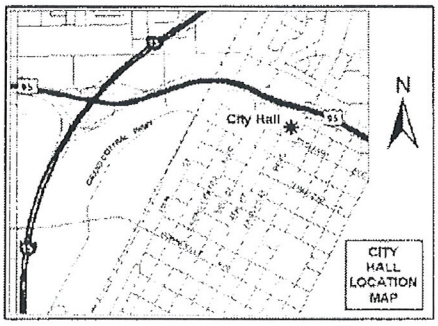

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Case: SUP-37362
13817512016
WEISROCK CARL J REVOCABLE TRUST
8508 FESTIVAL DR
LAS VEGAS NV 89134-8610

AAVDS11 89134

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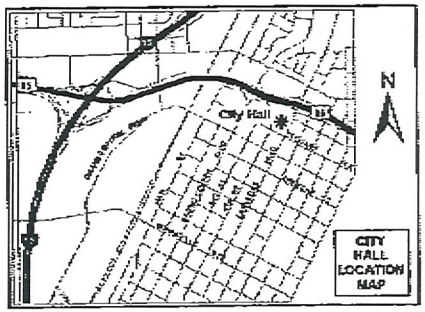

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STOUGHTON ALETHEA W
8105 GREENWICH CT
LAS VEGAS NV 89129-7364

AAVDS11 89129

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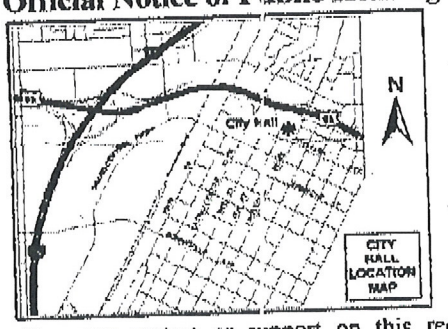

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-37362
Planning Commission Meeting of 3/25/2010

Case: SUP-37362
13809419029
LEWIS SUZAN D
2731 PARSONS RUN CT
HENDERSON NV 89074-1907

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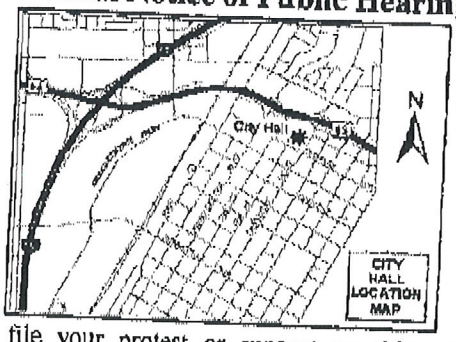

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☐ I SUPPORT this Request

☑ I OPPOSE this Request

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Case: SUP-37362
13809417013
ROBERTO ELANA E & JOSEPH M
8264 ROSELLE CT
LAS VEGAS NV 89129-2155

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Mar 15 2010 5:44PM HP LASERJET FAX 671-4359 p.1

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

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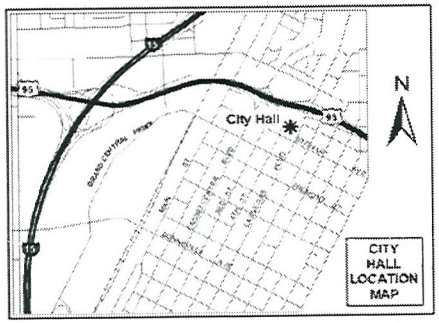

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362

Planning Commission Meeting of 3/25/2010

Case: SUP-37362

13816111069
FEE FAMILY TRUST
3029 DRAWBRIDGE LN
LAS VEGAS NV 89128-7058

AAVDS11 89128

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

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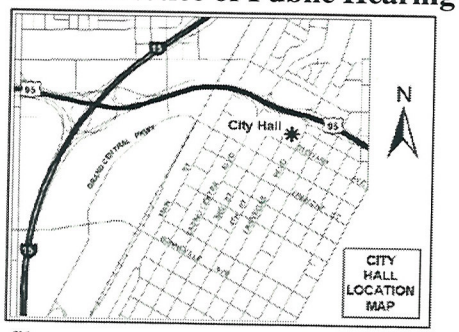

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362

Planning Commission Meeting of 3/25/2010

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Case: SUP-37362

13816111020
DRYDEN TRUST
10640 HERITAGE HILLS DR
LAS VEGAS NV 89134-5213

AAVDS11 89134

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

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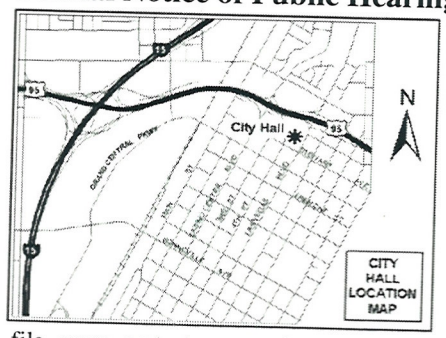

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council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

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362

Planning Commission Meeting of 3/25/2010

RECEIVED
MAR 16 2010

13809313060 Case: SUP-37362
SHABAREKH ALBERT & MARIE
8401 SEWARDS BLUFF AVE
LAS VEGAS NV 89129-7374

AAVDS11 89129

25P

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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0004279218 MAR 12 2010
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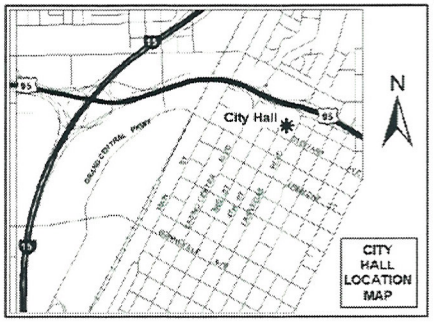
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362

Planning Commission Meeting of 3/25/2010

RECEIVED
MAR 16 2010

Case: SUP-37362
13809315005
MULLEN JOSEPH W & RENA R FAM TR
8216 CORNWALL AVE
LAS VEGAS NV 89129-7362

AAVDS11 89129

250

City of Las Vegas Agenda Item No.: **26.**

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

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

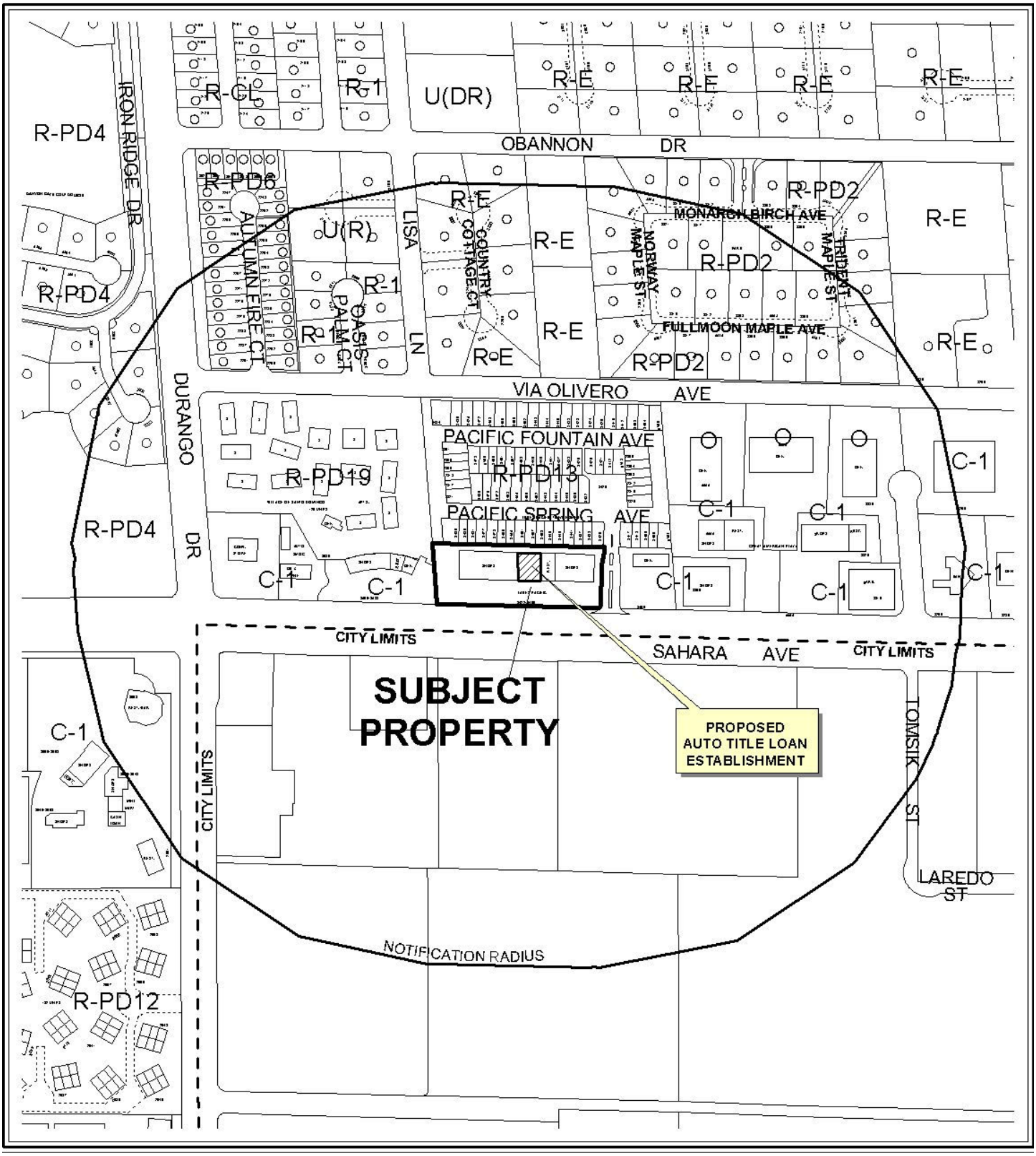
SUBJECT:
SUP-37383 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CASH1 - OWNER: GWHC NEVADA, LLC - Request for a Special Use Permit TO ADD AN AUTO TITLE LOAN USE TO AN EXISTING FINANCIAL INSTITUTION, SPECIFIED WITH WAIVERS TO ALLOW A 780-FOOT DISTANCE SEPARATION FROM ANOTHER FINANCIAL INSTITUTION WHERE 1,000 FEET IS REQUIRED, A ZERO FOOT DISTANCE SEPARATION FROM A PARCEL ZONE FOR RESIDENTIAL USE WHERE 200 FEET IS REQUIRED, AND A MINIUM BUILDING AREA OF 1,368 SQUARE FEET WHERE 1,500 SQUARE FEET IS REQUIRED, at 8450 West Sahara Avenue, Suite #114 (APN 163-04-406-004), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson)

IF APPROVED, C.C.: 04/21/2010
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**4**	**Planning Commission Mtg.**	**1**
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
6. Protest/Support Postcards

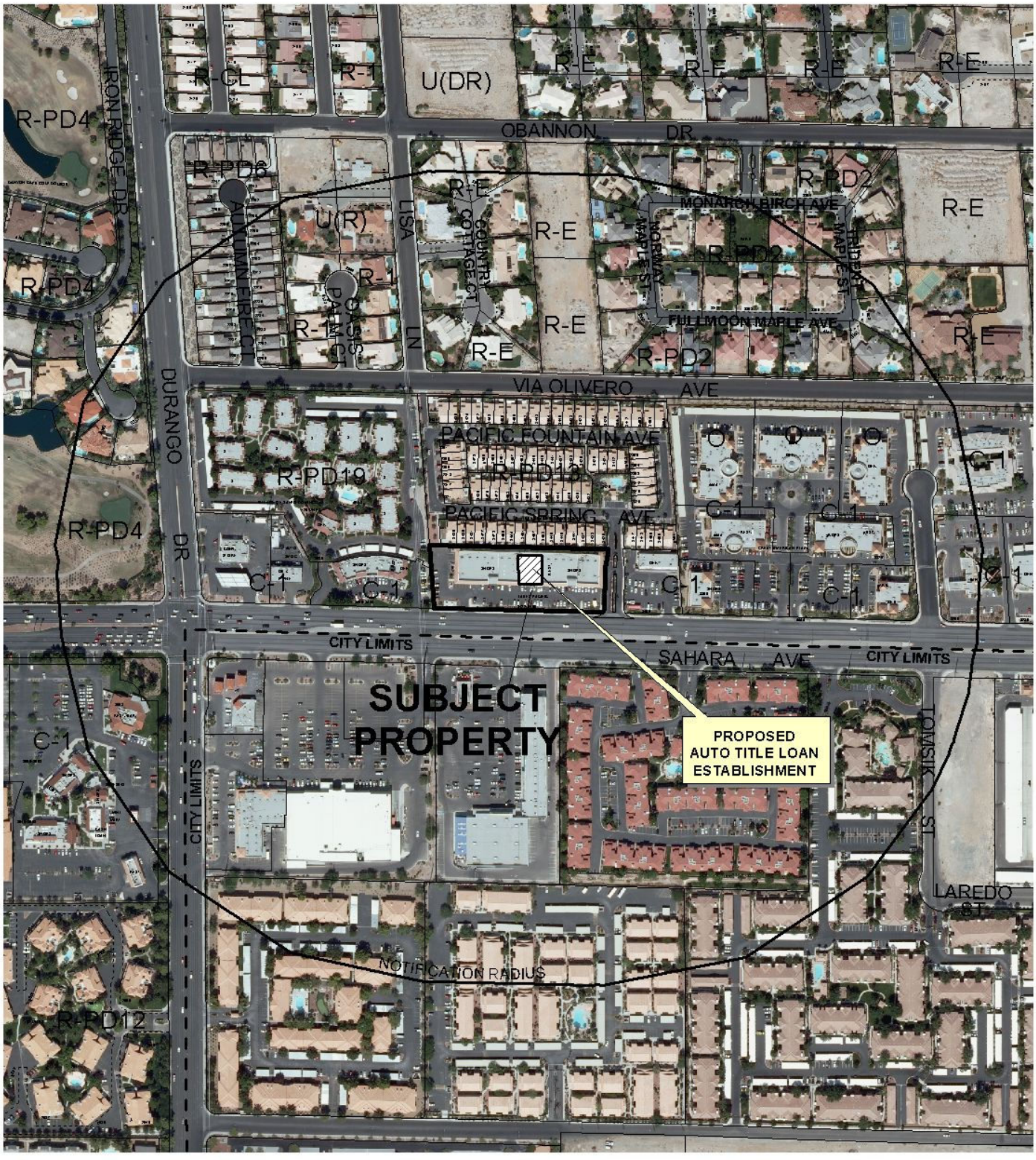


0 400 800 Feet

CASE: **SUP-37383**

RADIUS: 1000 FT

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



0 400 800 Feet

CASE: **SUP-37383**

RADIUS: 1000 FT

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

N



SUP-37383

Financial Business Locations

Financial Institution, Specified

Pawnshops

Automobile Title Loan

Subject Property

Residential Property

200ft & 1000ft Buffer

N

0 235 470 940 Feet

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-37383 - APPLICANT: CASH1 - OWNER: GWHC NEVADA, LLC

** CONDITIONS **

Staff recommends APPROVAL, subject to conditions:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for an Auto Title Loan use.

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

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

SUP-37383 - Staff Report Page One
March 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit to add an Auto Title Loan Establishment use within an existing 1,368 square-foot Financial Institution, Specified located at 8450 West Sahara, Suite #114. Waivers have been requested as part of this review to allow a 780-foot distance separation requirement from another financial institution where 1,000 foot is required, a zero-foot distance separation requirement from a parcel zoned for residential use where 200 feet is required, and a minimum building area of 1,368 square feet where 1,500 square feet is required for an Auto Title Loan use. Staff recommends approval of the Waivers and the Special Use Permit, as the distance separation requirements are the same as for the existing Financial Institution, Specified. If this request is denied, the site will remain as a Financial Institution, Specified.

ISSUES

- The applicant has been operating and conducting an Auto Title Loan use without a permit or license.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
01/03/90	The City Council approved a Rezoning and Site Development Plan Review (Z-0128-89) application for the reclassification of property located on the northwest corner of Sahara Avenue and Al Carrison Street from N-U (Non-Urban) to C-1 (Limited Commercial) for the proposed use of retail commercial and an indoor/outdoor sports facility. The Planning Commission and staff both recommended approval.
02/08/96	The Planning Commission approved a Site Development Plan Review [Z-0128-89(6)] for proposed retail stores on property located on the north side of Sahara Avenue, east of Durango Drive. The Planning Commission and staff both recommended approval.
07/18/01	The City Council approved a Special Use Permit (U-0063-01) application for secondhand sales in conjunction with a proposed children's apparel at 8450 West Sahara Avenue. The Planning Commission and staff both recommended approval.
03/17/03	A deed was recorded for change of ownership.

11/03/04	The City Council denied a request for a Special Use Permit (SUP-5067) with waivers of the required 1,000-foot separation distance from similar uses, the 200-foot separation distance from residential uses and a minimum 1,500 square-foot floor area for a proposed Auto Title Loan Establishment at 8450 West Sahara Avenue, Suite # 114. The Planning Commission recommended approval, but staff recommended denial.
08/17/05	The City Council approved a request for a Special Use Permit (SUP-6807) for a Liquor Establishment (Package Liquor) off-sale at 8450 West Sahara Avenue, Suite #117. The Planning Commission and staff recommended denial
Related Building Permits/Business Licenses	
12/10/97	A building permit (#97024614) was issued for an office building at 8450 West Sahara. The project was completed on 11/20/98.
12/10/97	A building permit (#97024615) was issued for onsite improvements at 8450 West Sahara. The project was completed on 12/02/98.
03/09/98	A building permit (#98004753) was issued for a new building at 8450 West Sahara. The permit expired on 02/05/00.
07/30/99	A building permit (#99015158) was issued for tenant improvement remodel at 8450 West Sahara Suite #114. The project was completed on 08/17/99.
08/02/99	A building permit (#99015282) was issued for tenant improvement at 8450 West Sahara Suite #114. The project was completed on 08/17/99.
11/05/99	A building permit (#99021375) was issued for tenant improvement build out at 8450 West Sahara Suite #114. The project completed on 11/24/99.
11/29/99	A business license (N02-00093) was issued for non depository lender at 8450 West Sahara Suite #114. The license is still active.
11/29/99	A business license (F14-92965) was issued for an Auto Title Loan at 8450 West Sahara Suite #114. The license was marked out of business on 11/29/08.
01/12/06	A business license (F02-00293) was issued for an installment loan establishment at 8450 West Sahara Suite #114. The license was marked out of business on 05/05/07.
04/17/07	A building permit (#7001261) was issued for tenant improvement at 8450 West Sahara Suite #114. The project was completed on 11/15/07.

Pre-Application Meeting	
01/19/10	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for an Auto Title Loan use were discussed. Topics included: • The requirements for a Project of Regional Significance, because the site is within one-half mile of the City boundary with Clark County. The distance separation requirement from a residential use. • A waiver would be required to allow an Auto Title Loan to be closer than 1,000 feet from any other Auto Title Loan, Auto Pawn use or specified financial institution use. • A waiver would also be required to allow the square footage of the suite to be less than 1,500 square feet.
Neighborhood Meeting	
A neighborhood meeting is not required for this application, nor was one held.	
Field Check	
02/18/10	During a routine site inspection performed by staff, the subject property was noted as a well maintained commercial development.

Details of Application Request	
Site Area	
Gross Acres	1.79

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Commercial Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Town homes	M (Medium Density Residential)	R-PD13 (Residential Planned Development – 13 Units Per Acre)
South	Clark County	Clark County	Clark County
East	Commercial Center	M (Medium Density Residential)/ SC (Service Commercial)	R-PD19 (Residential Planned Development – 19 Units Per Acre)/ C-1 (Limited Commercial
West	Office	M (Medium Density Residential)/ SC (Service Commercial)	R-PD13 (Residential Planned Development – 13 Units Per Acre)/ C-1 (Limited Commercial)

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

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	
Shopping Center	29,250 SF	1:250	113		95		Y
SubTotal			113	4	83	8	
TOTAL	**29,250 SF**		**117**		**91**		**Y***

*Per Title 19.16.030, the subject site is parking impaired. The proposed use will not increase the parking requirement for the site.

Pursuant to Title 19.08.060, the following distance separation standards apply:

Distance Separation Requirements	*Required/Allowed*	*Provided*	*Compliance*
• East	200 Feet	780 Feet	N
• West	200 Feet	887 Feet	N

Waivers		
Requirement	**Request**	**Staff Recommendation**
Per Title 19.04 the use may not be located within 200 feet of any parcel zoned for residential use.	To allow a zero-foot distance separation from any parcel zoned for residential use.	Approval
Per Title 19.04 the use may not be located closer than 1,000 feet from any other auto title loan use, auto pawn use or specified financial institution use.	To allow a zero-foot distance separation from any other auto title loan use, auto pawn use or specified financial institution use.	Approval

Per Title 19.04 the building or portion thereof that is dedicated to be the use shall have a minimum size of 1,500 square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space.	To allow a 1,368 square-foot suite.	Approval

ANALYSIS

This is a request for a proposed Auto Title Loan use to be added to an existing non-conforming Financial Institution, Specified. An Auto Title Loan use is defined as "a business whose primary function is to lend money on the security of the title to a motor vehicle rather than on the security of the vehicle itself." The suite encompassing the use is 1,368 square feet and contains a customer counter and waiting area, office space, a storage room and a rest room. The hours of operation are from 8:00 a.m. to 9:00 p.m. Monday through Saturday and 11:00 a.m. to 5:00 p.m. on Sundays.

The existing Financial Institution, Specified is non-conforming per Title 19.16.030 as the use was established prior to the requirement for a Special Use Permit in 2003. The minimum Special Use Permit Requirement pertaining to distance separation minimum floor area and parking for an Auto Title Loan use are identical to the requirements for a Financial Institution, Specified use. The addition of an Auto Title Loan use will not increase the intensity or non-conformity of the use. Therefore, staff recommends approval.

FINDINGS

The following findings must be made for a Special Use Permit:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

   The proposed use is in addition to an existing non-conforming Financial Institution, Specified. The addition of an Auto Title Loan use within this area is compatible with the existing and future land uses as specified by the General Plan.

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

   The subject site is currently operated as a Financial Institution, Specified. Similar related uses are common in this area of the City. The addition of this use will not intensify the physical requirements; therefore, the subject site is physically suitable to accommodate the proposed use.

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

   Site access is provided from Sahara Avenue, a 100-foot Primary Arterial, as designated in the Master Plan of Streets and Highways. This street is adequate in size to meet the requirements of the proposed Auto Title Loan use.

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

   The site will be subject to permitting, annual inspections and licensing by the City of Las Vegas, and will not compromise the public health, safety, and welfare, or the overall objectives of the General Plan.

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

   The use does not meet all applicable conditions of Title 19.04; however, the addition of an Auto Title Loan use to an existing non-conforming Financial Institution, Specified will not increase the intensity or non-conformity of the use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

NOTICES MAILED 649

APPROVALS 1

PROTESTS 4

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-37383** APN: 163-04-406-004

Name of Property Owner: GWHC Nevada LLC

Name of Applicant: Cash 1

Name of Representative: Cash 1

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: ROBINSON LEUNG

Subscribed and sworn before me

This 3rd day of MARCH, 20 10

_____

Notary Public in and for said County and State

TERRY LO
COMM. #1645685
NOTARY PUBLIC • CALIFORNIA
SAN MATEO COUNTY
Comm. Exp. MARCH 14, 2010

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: SUP for an Auto Title Loan

Project Address (Location) 8450 W. Sahara

Project Name Cash 1 **Proposed Use** Auto Title Loan

Assessor's Parcel #(s) 163-04-406-004 **Ward #** 2

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 New owners rec'd BL for auto title loan, found out there was no SUP

PROPERTY OWNER GWHC Nevada LLC **Contact** c/o MDL Group

Address 3065 S. Jones **Phone:** (702) 388-1800 **Fax:** _____

City Las Vegas **State** NV **Zip** 89146

E-mail Address _____

APPLICANT Cash1 **Contact** Yesenia Rivera

Address 8450 W. Sahara #114 **Phone:** (702) 234-9555 **Fax:** _____

City Las Vegas **State** NV **Zip** 89117

E-mail Address yesenia@cash1loans.com

REPRESENTATIVE Cash1 **Contact** Yesenia Rivera

Address 8450 W. Sahara #114 **Phone:** (702) 234-9555 **Fax:** _____

City Las Vegas **State** NV **Zip** 89117

E-mail Address yesenia@cash1loans.com

Property Owner Signature* Robinson Leung

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

Print Name ROBINSON LEUNG

Subscribed and sworn before me

This 3rd day of MARCH, 2010.

Terry Lu

Notary Public in and for said County and State

TERRY LU
COMM. #1645685
NOTARY PUBLIC • CALIFORNIA
SAN MATEO COUNTY
Comm. Exp. MARCH 14, 2010

FOR DEPARTMENT USE ONLY

Case #
Meeting Date:
Total Fee:
Date Received:*
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

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

GENERAL NOTE:

1. DETAILS 1, 2 & 3 ARE ALTERNATES TO ROOF OVERFLOW DRAINAGE AS SHOWN IN DETAIL 8/A-9.
2. SEE DETAIL 8/A-9 FOR GENERAL WALL NOTES & CONDITIONS (SIMILAR).

KEY NOTES:

1. ROOF DRAIN (DOWNSPOUT) SCHED. 40 GA. S.S.
2. 6" DIA. ROOF DRAIN LEADER
3. 24" 6"ND WALL @ 16" O.C.
4. 7/8" PLYWOOD ROOF SHEATHING.
5. 12" x 8" 20 GA. G.I. OVERFLOW SCUPPER
6. CANT
7. TRASH FLOOR
8. CONC. WALK
9. ROOF DRAIN LEADER TO DAYLIGHT AT EDGE OF CONC. WALK.

PROVIDE ROOF DRAINS AND OVERFLOW DRAINS PER 94 UBC 1504.

DET. (1)

DET. (2)

DET. (3)

CONSTRUCTION DATA

OCCUPANCY (MIXED) — GROUP B & GROUP M
CONSTRUCTION TYPE — V-N WITH AUTOMATIC FIRE EXTINGUISHING SPRINKLERS
ALLOWABLE AREA ONE STORY BUILDING — 8,000 S.F. + 2 SIDES @ 2-1/2% x20' = 50 X OR 12,000 S.F. x3 (AUTOMATIC SPRINKLER SYSTEM) = 36,000 S.F. ALLOWABLE AREA
BUILDING AREA PROVIDED = — 29,250 S.F.
NO SEPARATION REQUIRED FOR MIXED OCCUPANCY GROUP B AND GROUP M AS PER TABLE 3-B, 1994 U.B.C.

SITE DATA

ZONING — C-1
LOT AREA — 80,160 S.F. NET
BUILDING AREA — 29,250 S.F.
LOT COVERAGE — 36%
PARKING PROVIDED — 29,250 S.F. @ 285 S.F./CAR = 99 PARKING SPACES

CLV Zoning Ordinance, Chapter 19A.14.030(D)
Wheel Stops/Curbing:
Concrete wheel stops or curbing at least six inches high and six inches wide shall be provided to prevent vehicles overhanging abutting sidewalks, properties or public rights-of-way, to protect landscaped areas, and to protect adjacent properties. Such curbing shall be located at least three feet from any adjacent wall, fence, property line, walkway, or structure unless parking spaces or drive aisles are located

ALL BLOCK WALLS, TRASH ENCLOSURES, SIGNS, & POOLS REQUIRE SEPARATE PERMITS.

6' HIGH DUMPSTER ENCLOSURE OF 8" CMU.

EXISTING BLOCK WALL TO REMAIN

PLANTER

S. 88° 44' 10" E. 479.24'

WALK

P.F. = 47.00

105'-0"

75'-0"

35'-0"

70'-0"

P.F. = 43.25

43.50

105'-0"

P.F. = 41.75

60'-0"

845 CTYD RAMP

VALE

DRIVEWAY

TYP. 6" CURB

TYP. HANDICAP

S. 88° 44' 01" E. 492.10'

SIDEWALK

CURB & GUTTER

LAKES PACIFIC STREET

Subject property

Aliante Pkwy

Alexander W. Cochran Ave. #114

SITE PLAN

ROBERT B. BALL, ARCHITECT
2700 NORTH 3rd STREET, STE. 2010
PHOENIX, ARIZONA 85004
PH. (602) 266-6018

PACIFIC LAKES BUSINESS CENTER
LAS VEGAS, NEVADA

SITE PLAN
1"=20'-0"

JOB NUMBER 1994
DRAWING DATE 10/10/95
REVISIONS 10/9/96, 11/15/96, 7/10/97

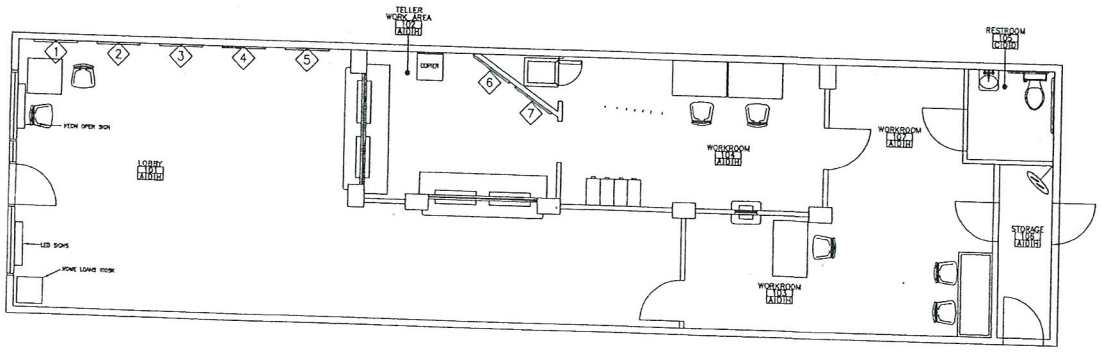
SHEET NUMBER SP-1

RECEIVED
FEB 09 2010

SUP-37383
03/25/10 PC

NON–ILLU

1. PAYDAY L
2. SIGNATURE
3. AUTO TITL
4. TAX SERVI
5. CUSTOMER
6. LOCATIONS
7. PAYDAY L



FURNITURE PLAN

RECEIVED
FEB 09 2010

SUP-37383
03/25/10 PC


Mr. Bill's
CASH 1
PETS
PET SUPPLIES
GROOMING
SANDWICH SHOP
RECEIVED
FEB 09 2010
SUP-37383
03/25/10 PC


HHH-25136
300
RECEIVED
SUP-37383
03/25/10 PC

LA Stewart Consulting, Inc.
2211 Rampart #130
Las Vegas, NV 89124
(702) 499-6469-Cell
(702) 946-0857-fax

February 9, 2010

City of Las Vegas, Planning & Development
739 South Fourth Street
Las Vegas, NV. 89101

RE: APN 163-04-406-004

Dear Sir or Madam:

Please accept this letter as our request for a Special Use Permit for Auto Title Loan. There is an existing pay day loan business at this location. The previous owners requested auto title loan a few years ago and were denied. They then sold the business to the current owners, who thought they had entitlements for auto title loan in addition to their payday loan business. It wasn't until they went to renew the business license that they found out they did not have an auto title loan special use permit. No cars are parked on site so there is no impact on the surrounding uses.

.

The current owner has been operating an auto title loan in conjunction with their other business without any impact on the shopping center, or the surrounding area. Approval of this request would not have any impact because it is just a continuation of an existing business, that was incorrectly given a business license. We are also requesting a waiver from residential to the north. Again, the property has been mistakenly operating a title loan business without any effect on the neighbors. We are also requesting a waiver to a similar business , and to reduce the required square footage. The site was approved for a financial institution prior to the ordinance requiring a minimum size went into effect.

Please contact me with any questions regarding this matter. Thank you for your consideration in this matter.

Yours truly,

Lucy Stewart

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FEB 09 2010

SUP-37383
03/25/10 PC

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

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FIRST CLASS

UNITED STATES POSTAGE
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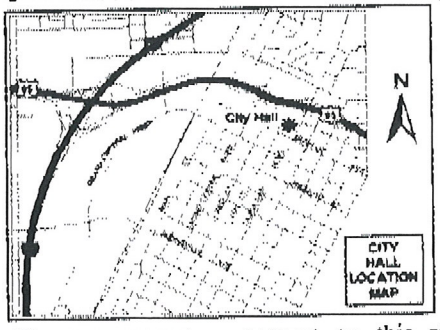

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37383

Planning Commission Meeting of 3/25/2010

RECEIVED
MAR 16 2010

Case: SUP-37383
16309112065
STEWART JOSEPH & ERMA REV LIV TR
4523 DON VALDES DR
LOS ANGELES CA 90008-4116

26P

AA0051 90008

03/16/2010 08:26 3232997125 STEWART PAGE 02

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

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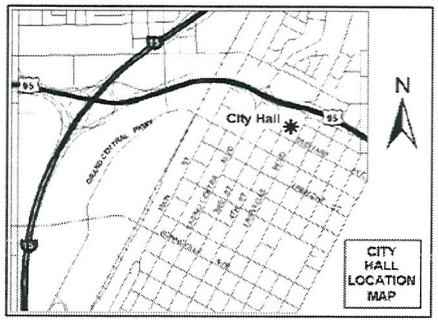
Official Notice of Public Hearing



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

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37383

Planning Commission Meeting of 3/25/2010

Case: SUP-37383

16304412048
JORDAHL RONALD M
8421 PACIFIC FOUNTAIN AVE
LAS VEGAS NV 89117-1859

AAVDS11 89117

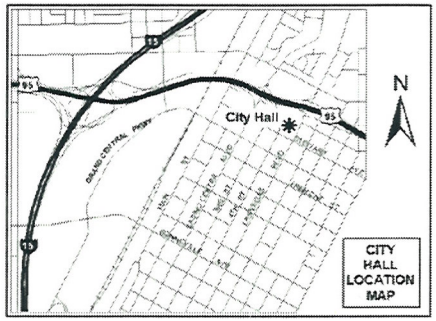
268

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M
0004279218
$ 00.41⁴
MAR 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.

SUP-37383

Planning Commission Meeting of 3/25/2010

RECEIVED
MAR 16 2010

Case: SUP-37383

16304412056
STEVENS JOANNE D
8453 PACIFIC FOUNTAIN AVE
LAS VEGAS NV 89117-1861

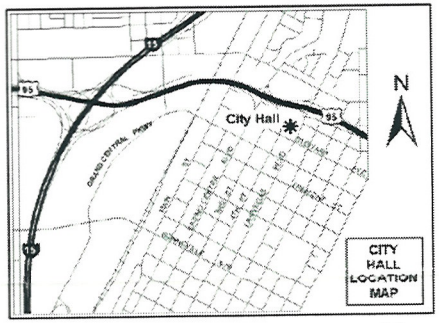
AAVDS11 89117

26P

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

Return Service Requested

Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37383

Planning Commission Meeting of 3/25/2010

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES

02 1M $ 00.41⁴
0004279218 MAR 12 2010
MAILED FROM ZIP CODE 89101

The fact that at least three waivers are requested suggests this is ~~###~~ not the right place for the business. Please don't blight the area with another payday loan operation.

Case: SUP-37383

16304413027
COOK SHERWOOD N QUAL PERS RES
8308 FULLMOON MAPLE AVE
LAS VEGAS NV 89117-1895

RECEIVED
MAR 16 2010

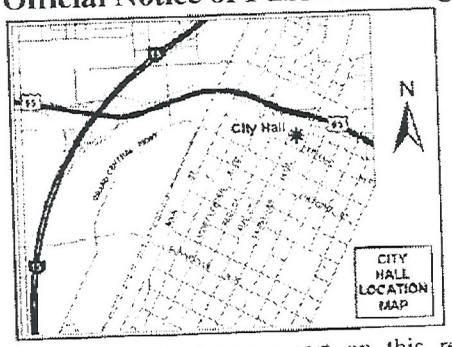
AAVDS11 89117

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.

SUP-37383

Planning Commission Meeting of 3/25/2010

Case: SUP-37383

16309112007
SAIGHANI FATANA TRUST
24131 DELPHI ST
MISSION VIEJO CA 92691-3906

RECEIVED
MAR 16 2010

City of Las Vegas Agenda Item No.: **27.**

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

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

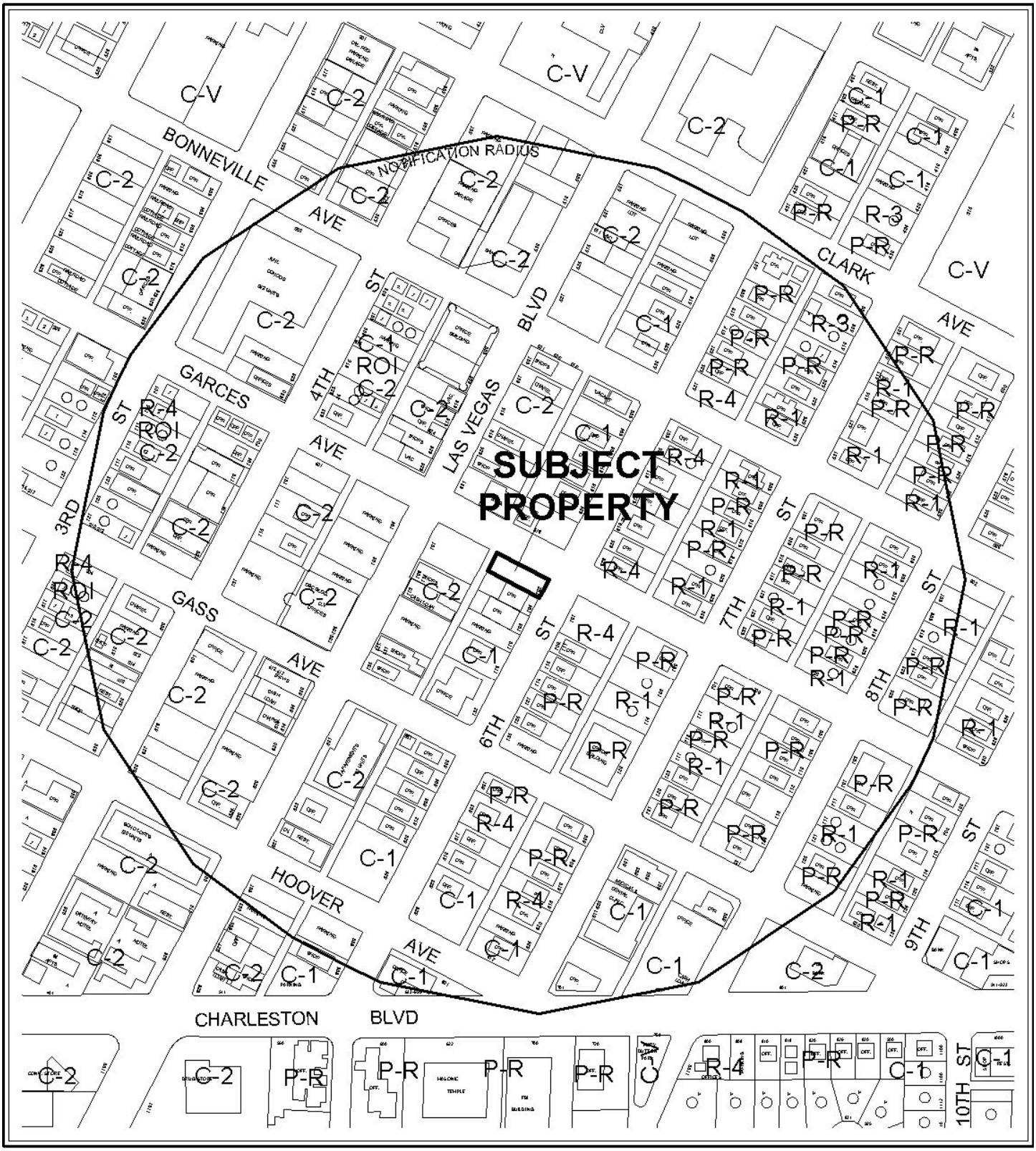
SUBJECT:
SDR-37218 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: 702 S. 6TH STREET, LLC - Request for a Site Development Plan Review FOR A PROPOSED TWO-STORY, 11,302 SQUARE-FOOT OFFICE BUILDING on 0.16 acres at 702 South 6th Street (APN 139-34-410-187), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

C.C.: 04/21/2010

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**3**
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. Support Postcards



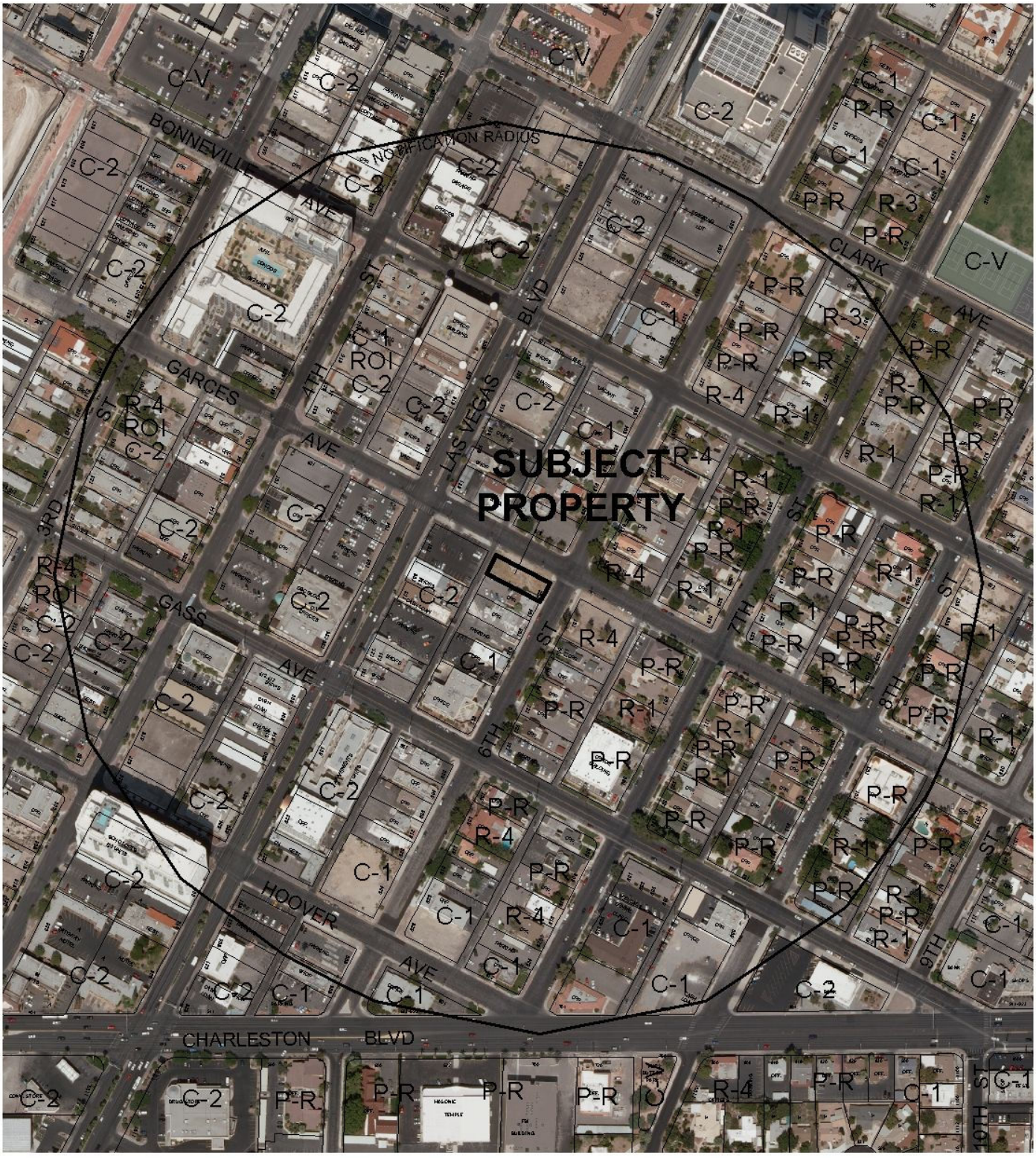
0 300 600 Feet

CASE: **SDR-37218**

RADIUS: 1000 FT

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

N



0 300 600 Feet

CASE: **SDR-37218**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-37218 - APPLICANT/OWNER: 702 S. 6TH STREET, LLC

** CONDITIONS **

Staff recommends APPROVAL, subject to conditions:

Planning and Development

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

2. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 03/10/10, except as amended by conditions herein.

3. The applicant shall work with city staff to determine the most appropriate mapping action necessary to consolidate the existing lots. The mapping action shall be completed and recorded prior to issuance of a building permit.

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

5. 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).

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

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

8. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

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

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

Public Works

11. Coordinate with the Building and Safety Department to determine if existing lot lines are in conflict with the proposed structure. If it is determined that a mapping or other lot consolidation is required, coordinate with the City Surveyor to determine the most appropriate lot consolidation method.

12. Dedicate a 10-foot radius on the southwest corner of 6th Street and Garces Avenue prior to the issuance of any permits.

13. Construct all incomplete half-street improvements on 6th Street and Garces Avenue adjacent to this site per the Downtown Centennial Plan Threshold Requirements concurrent with development of this site. Remove all substandard public street improvements adjacent to this site and replace with new improvements meeting Downtown Centennial Plan Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Sign and record a Covenant Running with Land agreement for the possible future undergrounding of all above ground utilities adjacent to the site, Downtown Centennial alley treatment for the alley adjacent to this site, and any other streetscape not implemented due to existing conditions prior to approval of construction drawings for this site.

14. Landscape and maintain all unimproved rights-of-way, if any, on 6th Street and Garces Street adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

15. Submit an Encroachment Agreement for all landscaping, if any, located in the 6th Street and Garces Street public rights-of-way adjacent to this site prior to occupancy of this site.

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

SDR-37218 - Staff Report Page One
March 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This request is for a Site Development Plan Review for a proposed 35-foot tall, two-story, 7,265 square-foot office building at 702 South Sixth Street. The site is currently undeveloped and abuts a public alley. The site provides parking within a 4,037 square-foot garage on the ground floor. The site is in substantial compliance with Downtown Centennial Plan standards, with the exception of undergrounding of utilities and alleyway treatment, which are required to be provided through a recorded Covenant Running with Land agreement. Staff therefore recommends approval. If denied, the site will remain undeveloped and a new Site Development Plan Review will be required for future development.

ISSUES

- The site must be remapped to combine the two legal lots that make up the site prior to issuance of building permits.
- The applicant must record a Covenant Running with Land agreement for the future installation of underground utilities and Downtown Centennial Plan Streetscape standards, including the standard alleyway treatment.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
10/17/07	The City Council approved a request for a Site Development Plan Review (SDR-23592) for a proposed two-story, 11,141 square-foot Office building on 0.15 acres located at the southwest corner of Sixth Street and Garces Avenue. The Planning Commission and staff recommended approval. SDR-23592 expired 10/17/09.
12/04/07	A deed was recorded showing a change in ownership.
Related Building Permits/Business Licenses	
08/22/08	Plan Check #29608 was processed for an office building and garage located at 702 South Sixth Street. Building Permits #122736 for an office building, #122737 for onsite improvements, and #122738 for a trash enclosure were processed on 10/22/08, but no permits were issued.

Pre-Application Meeting	
01/11/10	A pre-application meeting with the applicant was held where elements of submitting a Site Development Plan Review for an Office Building were discussed. The topics included: • The justification letter is inconsistent with plans with regard to the floor area of the building. The letter states 6,630 square feet GFA of office out of a total 11,302 square feet; the plans show 7,506 square feet GFA of office out of a total 11,302 square feet. • Downtown Centennial Plan requirements • Encroachment Agreement for landscaping in the Public Right-of-Way • A parking analysis needed to be included on the plans • A Reversionary Map is required prior to the issuance of permits to combine the two lots on site. • Trash Enclosure gates encroach into the alley right-of-way; trash enclosure must contain a roof or trellis. • Questions on what is located within the easement to the south of the building.
Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	
Field Check	
02/18/10	During a routine field check, it was noted that the subject site is undeveloped. It consists primarily of gravel; however, some grass and weeds are growing on the property. Utility poles line the alleyway to the west of the site.

Details of Application Request	
Site Area	
Net Acres	0.16

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	C (Commercial)	C-1 (Limited Commercial)
North	Offices	C (Commercial)	C-1 (Limited Commercial)
South	Offices	C (Commercial)	C-1 (Limited Commercial)
East	Undeveloped	MXU (Mixed Use)	R-4 (High Density Residential)
West	Parking Lot	C (Commercial)	C-2 (General Commercial)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.06.060 and the Las Vegas Downtown Centennial Plan (Downtown South District), the following standards apply. Title 19 setback, lot coverage, residential adjacency, landscaping and parking standards are exempt from automatic application.

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Setbacks			
• Front (Sixth Street)	70% of the first story facade shall align along the front property line	100% aligns along the front property line	Y
• Side	Not required	0 feet	Y
• Corner (Garces Avenue)	70% of the first story facade shall align along the property line	100% aligns along the property line	Y
• Rear (Alley)	Not required	10 feet	Y
Maximum Building Height	Height limits are not automatically applied	34'-6"	Y
Trash Enclosure	Screened, gated, with roof or trellis	Not Indicated	By Condition
Mechanical Equipment	Screened	Not Indicated	By Condition

Streetscape Standards	***Required***	***Provided***	***Compliance***
East/West Street (Garces Avenue)	One 36" box shade tree at 15' to 20' intervals (Min. 5 trees)	5 African Sumac trees	Y
North/South Street (6th Street)	One shade tree at 30' intervals (Min. 2 trees)	2 African Sumac trees	Y
Right-of-Way Improvements	Alleyway treatments per Downtown Centennial Plan	Not Indicated	By Condition
Amenity Zone (Garces Avenue and 6th Street)	5 feet	5 feet	Y
Sidewalks	10 feet	10 feet	Y

Parking Requirement - Downtown							
Use	***Gross Floor Area or Number of Units***	***Base Parking Requirement***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Office, Other Than Listed	7,265 SF	1/300 SF GFA	24	1	8	1	
TOTAL	**7,265 SF**		**25**		**9**		**Y**

Projects located within the Las Vegas Downtown Centennial Plan area are not subject to the automatic application of parking requirements. However, the above table should be used to illustrate the requirements of an analogous project in another location in the City. The analysis should take a number of factors into consideration when discussing parking availability, including pedestrian access, nearby parking structures, on-street parking, etc.

ANALYSIS

A similar office building had been proposed and approved on the subject site in 2007 with nearly identical landscaping and streetscaping and the same number of covered parking spaces. The floor area dedicated to the office is slightly larger (4.8%) than previously approved, the height has increased five feet and the total building area has increased by 161 square feet. The previous approval expired in October 2009, and therefore a new Site Development Plan Review has been requested.

The proposed professional office building is permitted within the existing C-1 (Limited Commercial) zone and is compatible with the surrounding office uses in the neighborhood. The project is in spirit with the Downtown South District of the Las Vegas Downtown Centennial Plan in that it brings the building facades to the property lines, integrates a parking garage and office into a coherent design, utilizes an alley access and creates a streetscape inviting to pedestrians. The project is consistent with all Downtown Centennial Plan requirements with the exception that the standard alleyway treatments as indicated in Graphic 9 of the Plan and the undergrounding of utility lines are not provided. Pursuant to the Subsection VIII.A of the Downtown Centennial Plan (Threshold Requirements), new developments having partial block frontage that cannot implement undergrounding at this time due to existing conditions will require a Covenant Running with Land agreement to obtain the property owner's consent for future improvements. The condition of approval to record a Covenant Running with Land agreement encompasses undergrounding of utilities and the alleyway treatment.

Access to the site is from a public alley having ingress and egress primarily from Garces Avenue, but also from Gass Avenue on the south. Vehicles do not pass from the alley through the garage to exit on Sixth Street; rather, they must enter a parking space and back out at an angle to turn around and exit to the alley. The drive aisle next to these spaces is 26 feet wide. The Building and Safety Department supports the parking configuration on the site.

A trash enclosure is indicated on the site plan within the rear yard. While it is possible that the enclosure's required gates may encroach into the public alley with the enclosure in this position, this would only be necessary during times of refuse pickup and will not impede access to any public street.

The property comprises two legal 25-foot wide platted lots. These lots must be combined through a mapping action prior to the issuance of building permits so that the building does not cross property lines.

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 office building is compatible in appearance and use with the existing office uses to the north and south, and the private parking lot to the west of the subject property.

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 office project is consistent with the Downtown Centennial Plan, with the exception of undergrounding utilities and providing the standard alleyway treatment; these will be required in the future through recordation of a Covenant Running with Land agreement. The project also conforms to Title 19 zoning requirements where applicable and is consistent with Downtown Redevelopment Area policies.

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

The site is accessed from a 20-foot public alley with ingress and egress from Garces Avenue on the north and Gass Avenue on the south. Garces and Gass are both 80-foot rights-of-way. Circulation conflicts will be minimal. Site access will not negatively impact adjacent roadways or neighborhood traffic.

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

The building utilizes various EIFS finishes and fenestration typical of larger office buildings. These materials fit into the context of an office-oriented neighborhood. Landscape materials match the specifications of the Downtown Centennial Plan and are appropriate for the area.

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

The proposed building elevations, design characteristics, and aesthetics are in context with the nearby Historic Las Vegas High School Neighborhood District and are harmonious and compatible in scale and massing with professional office development in the area.

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

The site will be subject to inspection and will therefore not compromise the public health, safety, and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

NOTICES MAILED 336

APPROVALS 3

PROTESTS 0

SS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-37218** APN: 139-34-410-187

Name of Property Owner: 702 S. 6TH STREET LLC

Name of Applicant: ERROL FARMER

Name of Representative: LANDON CHRISTOPHERSON

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: ERROL FARMER

Print Name: ERROL FARMER

Subscribed and sworn before me

This 19 day of JANUARY, 2010

Rocky Lyon

Notary Public in and for said County and State

ROCKY LYON
Notary Public, State of Nevada
Appointment No. 06-105685-1
My Appt. Expires Mar. 24, 2010

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: ~~Update to~~ Design Review

Project Address (Location) 702 S. Sixth Street

Project Name Murphy / Farmer Office Building **Proposed Use** Office

Assessor's Parcel #(s) 139-34-410-187 **Ward #** 3

General Plan: existing C-1 proposed C-1 **Zoning:** existing C-1 proposed C-1

Commercial Square Footage 11,302 **Floor Area Ratio** 2 floors

Gross Acres 0.16 **Lots/Units** 1 **Density** 82%

Additional Information

PROPERTY OWNER 702 S. Sixth Street LLC **Contact** Errol Farmer

Address 9345 Helena Ave. **Phone:** 496-2983 **Fax:** 254-6905

City Las Vegas **State** NV **Zip** 89129

E-mail Address farmerconsulting@cox.net

APPLICANT Same as Above **Contact**

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

City **State** **Zip**

E-mail Address

REPRESENTATIVE Landon Christopherson **Contact**

Address 1000 N Green Valley Pky. Suite 300-231 **Phone:** 521-7021 **Fax:**

City Henderson **State** NV **Zip** 89074

E-mail Address landon@hcconllc.com

Property Owner Signature* [signature]

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

Print Name ERROL FARMER

Subscribed and sworn before me

This 9th day of May, 20 09.

[signature] Rodriguez

Notary Public in and for said County and State

ELIZABETH RODRIGUEZ
NOTARY PUBLIC
STATE OF NEVADA
APPT. NO. 08-8697-1
MY APPT. EXPIRES AUGUST 13, 2012

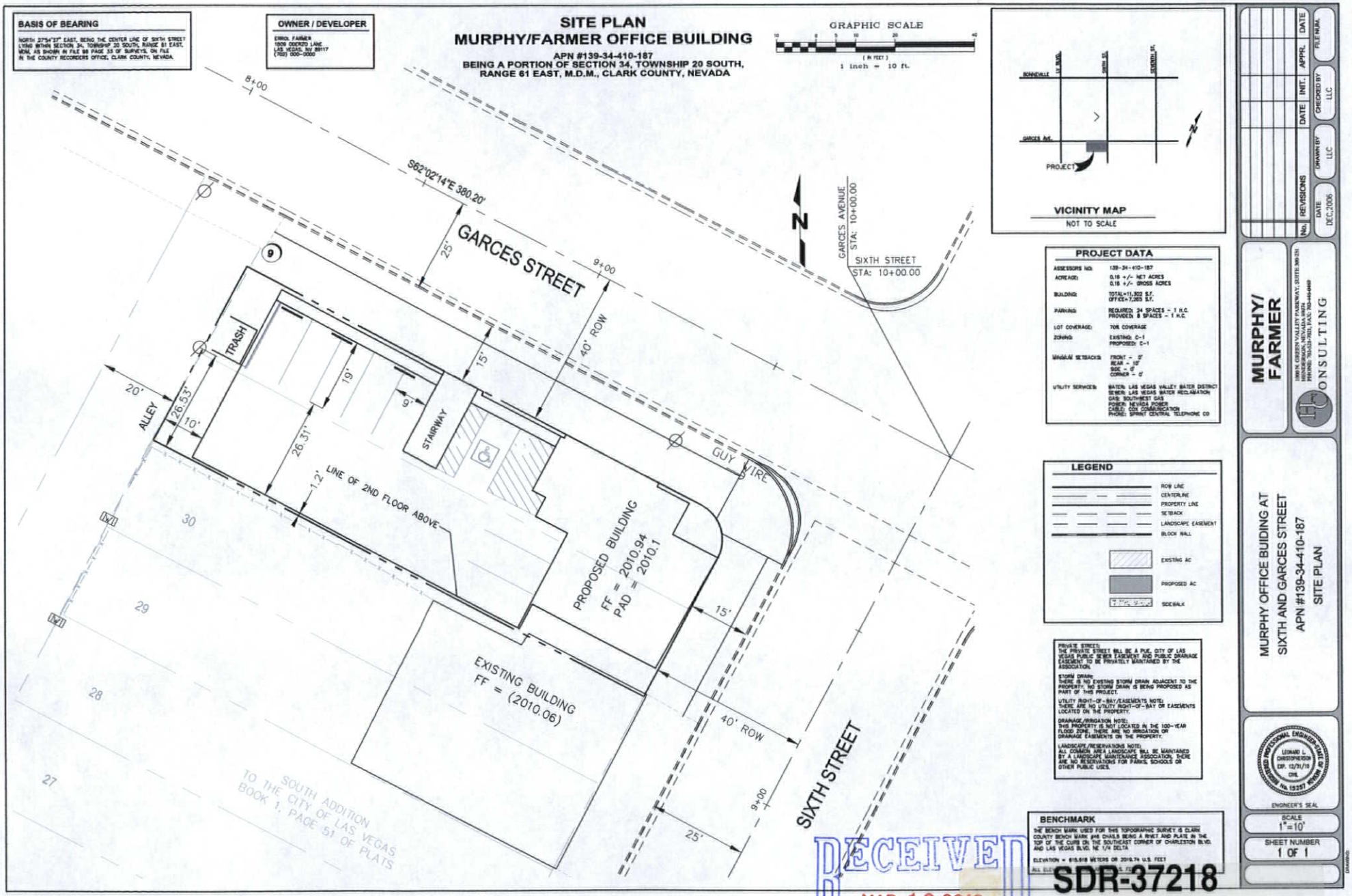
Revised 10/27/08

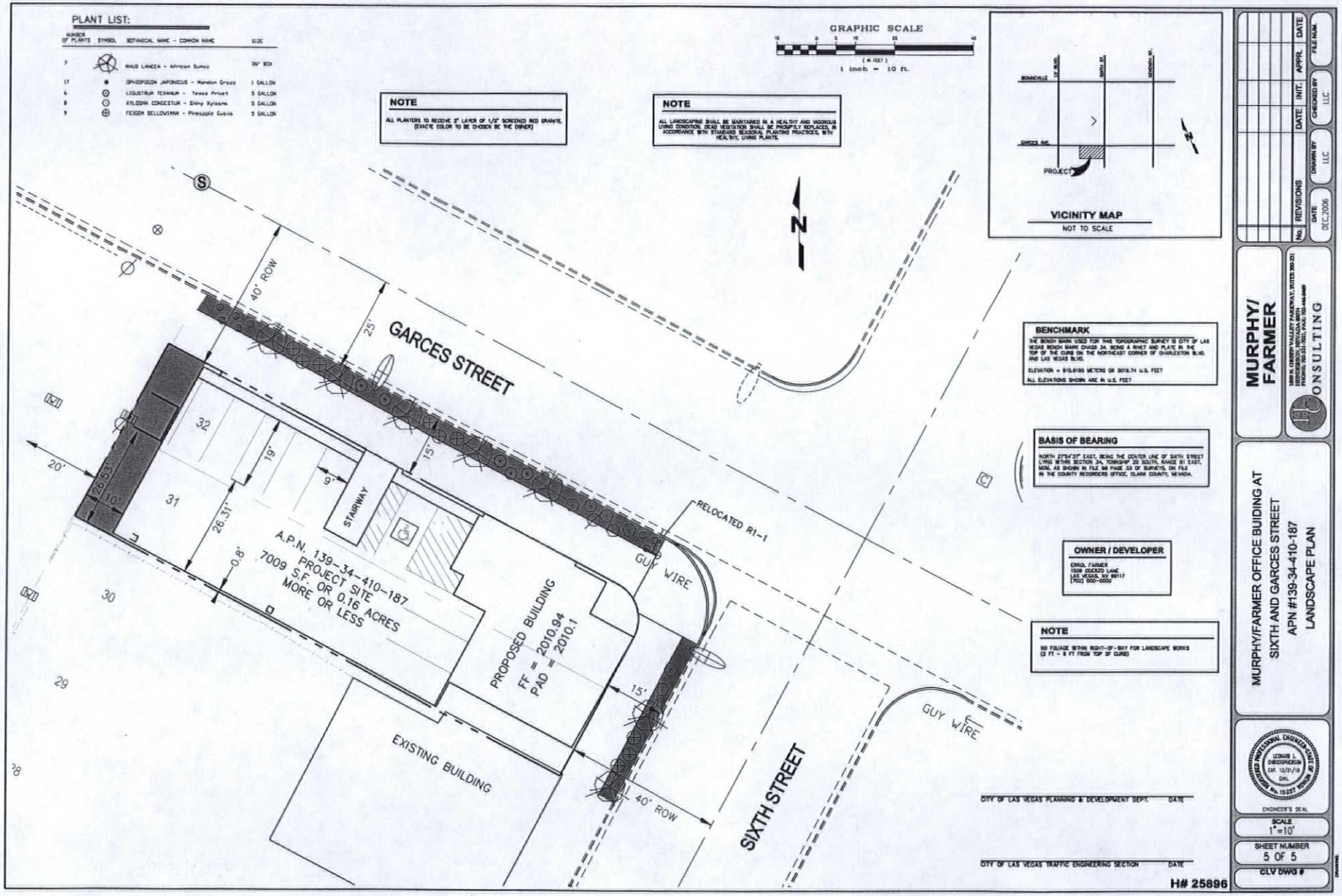
FOR DEPARTMENT USE ONLY

Case #	SDR-37218
Meeting Date:	3-25-10
Total Fee:	1030
Date Received:*	1-19-10
Received By:	T-S

*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


BASIS OF BEARING
NORTH 27°54'37" EAST, BEING THE CENTER LINE OF SIXTH STREET LYING WITHIN SECTION 34, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M. AS SHOWN IN FILE 88 PAGE 33 OF SURVEYS, ON FILE IN THE COUNTY RECORDERS OFFICE, CLARK COUNTY, NEVADA.
OWNER / DEVELOPER
ERROL FARMER
1509 OSCEOLO LANE
LAS VEGAS, NV 89117
(702) 000-0000
SITE PLAN
MURPHY/FARMER OFFICE BUILDING
APN #139-34-410-187
BEING A PORTION OF SECTION 34, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., CLARK COUNTY, NEVADA
GRAPHIC SCALE
1 inch = 10 ft.
8+00
S62°02'14"E 380.20'
GARCES STREET
25'
9+00
40' ROW
GARCES AVENUE
STA: 10+00.00
SIXTH STREET
STA: 10+00.00
N
9
TRASH
20'
ALLEY
26.53'
10'
19'
9'
STAIRWAY
15'
26.31'
1.2'
LINE OF 2ND FLOOR ABOVE
GUY WIRE
PROPOSED BUILDING
FF = 2010.94
PAD = 2010.1
15'
EXISTING BUILDING
FF = (2010.06)
40' ROW
9+00
25'
SIXTH STREET
30
29
28
27
SOUTH ADDITION
TO THE CITY OF LAS VEGAS
BOOK 1, PAGE 51 OF PLATS
VICINITY MAP
NOT TO SCALE
BONNEVILLE
GARCES Ave.
PROJECT
PROJECT DATA
ASSESSORS NO: 139-34-410-187
ACREAGE: 0.18 +/- NET ACRES
0.18 +/- GROSS ACRES
BUILDING: TOTAL=11,302 S.F.
OFFICE=7,265 S.F.
PARKING: REQUIRED: 24 SPACES - 1 H.C.
PROVIDED: 8 SPACES - 1 H.C.
LOT COVERAGE: 70% COVERAGE
ZONING: EXISTING: C-1
PROPOSED: C-1
MINIMUM SETBACKS: FRONT - 0'
REAR - 10'
SIDE - 0'
CORNER - 0'
UTILITY SERVICES: WATER: LAS VEGAS VALLEY WATER DISTRICT
SEWER: LAS VEGAS WATER RECLAMATION
GAS: SOUTHWEST GAS
POWER: NEVADA POWER
CABLE: COX COMMUNICATION
PHONE: SPRINT CENTRAL TELEPHONE CO
LEGEND
ROW LINE
CENTERLINE
PROPERTY LINE
SETBACK
LANDSCAPE EASEMENT
BLOCK WALL
EXISTING AC
PROPOSED AC
SIDEWALK
PRIVATE STREET:
THE PRIVATE STREET WILL BE A PUE, CITY OF LAS VEGAS PUBLIC SEWER EASEMENT AND PUBLIC DRAINAGE EASEMENT TO BE PRIVATELY MAINTAINED BY THE ASSOCIATION.
STORM DRAIN:
THERE IS NO EXISTING STORM DRAIN ADJACENT TO THE PROPERTY. NO STORM DRAIN IS BEING PROPOSED AS PART OF THIS PROJECT.
UTILITY RIGHT-OF-WAY/EASEMENTS NOTE:
THERE ARE NO UTILITY RIGHT-OF-WAY OR EASEMENTS LOCATED ON THE PROPERTY.
DRAINAGE/IRRIGATION NOTE:
THIS PROPERTY IS NOT LOCATED IN THE 100-YEAR FLOOD ZONE. THERE ARE NO IRRIGATION OR DRAINAGE EASEMENTS ON THE PROPERTY.
LANDSCAPE/RESERVATIONS NOTE:
ALL COMMON AREA LANDSCAPE WILL BE MAINTAINED BY A LANDSCAPE MAINTENANCE ASSOCIATION. THERE ARE NO RESERVATIONS FOR PARKS, SCHOOLS OR OTHER PUBLIC USES.
BENCHMARK
THE BENCH MARK USED FOR THIS TOPOGRAPHIC SURVEY IS CLARK COUNTY BENCH MARK #46 CHAS BEING A RIVET AND PLATE IN THE TOP OF THE CURB ON THE SOUTHEAST CORNER OF CHARLESTON BLVD. AND LAS VEGAS BLVD. NE 1/4 DELTA
ELEVATION = 615.618 METERS OR 2019.74 U.S. FEET
No. REVISIONS DATE
DRAWN BY LLC
CHECKED BY LLC
APPR. DATE
INIT. DATE
FILE NUM.
DATE DEC.2006
MURPHY/ FARMER
CONSULTING
MURPHY OFFICE BUIDING AT
SIXTH AND GARCES STREET
APN #139-34-410-187
SITE PLAN
ENGINEER'S SEAL
SCALE 1"=10'
SHEET NUMBER 1 OF 1
RECEIVED
MAR 10 2010
SDR-37218
REVISED
03/25/10 PC



SDR-37218
REVISED
03/25/10 PC

RECEIVED
MAR 10 2010

EXTERIOR FINISH AND MATERIAL LEGEND

EIFS COLOR: PT-1
INTEGRAL COLOR EIFS TO MATCH
VISTA PAINT - 8459 TRAVERTINE TRAIL
LIGHT SAND FINISH

EIFS COLOR: PT-2
INTEGRAL COLOR EIFS TO MATCH
VISTA PAINT - 8457 BAMBOO BEACH
LIGHT SAND FINISH

EIFS COLOR: PT-3
INTEGRAL COLOR EIFS TO MATCH VISTA
PAINT - 8454 CREME DE CARMEL
LIGHT SAND FINISH

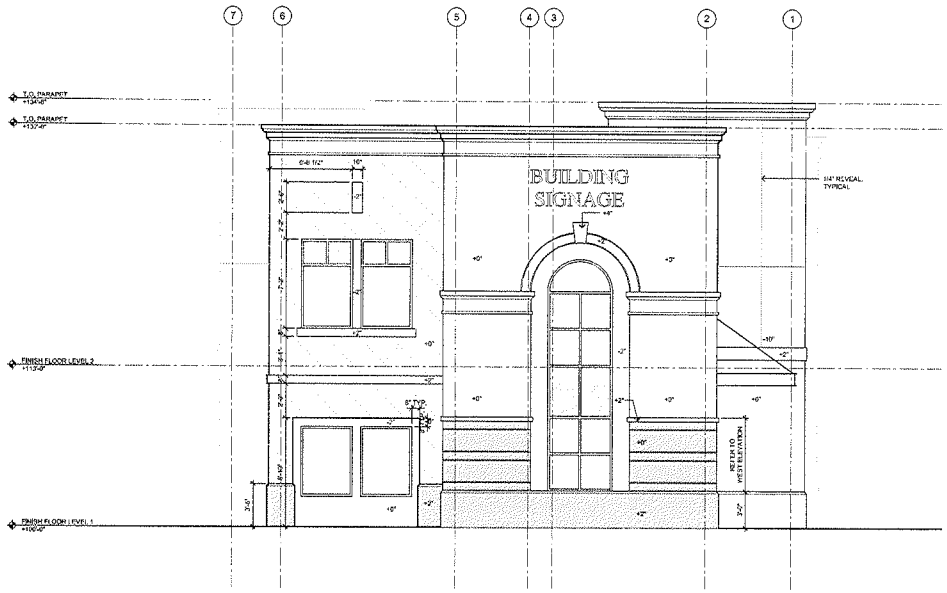
PRECAST CONCRETE PANEL: PC-1
INTEGRAL COLOR CONCRETE TO MATCH
VISTA PAINT - 8453 MOCHA MOUSSE

GLAZING TYPE 1: GL-2
VIRICON - SPANDREL

GLAZING TYPE 2: GL-2
VIRICON - SPANDREL

NOTES:

1. ALL ALUMINUM WINDOW FRAMES TO BE CLEAR ANODIZED
2. ALL EXTERIOR ARCHITECTURAL METAL TO BE PAINTED TO MATCH PC-1
3. REFER TO WINDOW SCHEDULE FOR ADDITIONAL GLAZING INFORMATION



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



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

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JAN 19 2010

SDR-37218
03/25/10 PC

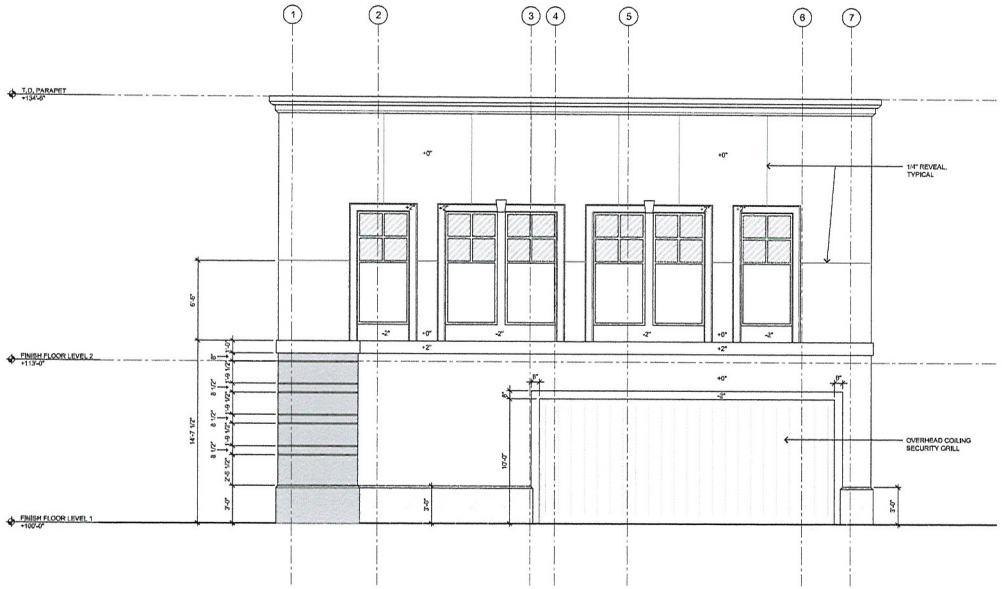
MURPHY / FARMER
OFFICE BUILDING
702 SOUTH 6TH STREET
LAS VEGAS, NEVADA

NUMBER	DATE	DESCRIPTION

2008113
PROJECT NUMBER
JULY 21, 2008
DATE

EXTERIOR ELEVATIONS

A5.01



2 SOUTH ELEVATION

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

EXTERIOR FINISH AND MATERIAL LEGEND

EIFS COLOR: PT-1
INTEGRAL COLOR EIFS TO MATCH VISTA PAINT - 8459 TRAVERTINE TRAIL LIGHT SAND FINISH

EIFS COLOR: PT-2
INTEGRAL COLOR EIFS TO MATCH VISTA PAINT - 8457 BAMBOO BEACH LIGHT SAND FINISH

EIFS COLOR: PT-3
INTEGRAL COLOR EIFS TO MATCH VISTA PAINT - 8454 CREME DE CARMEL LIGHT SAND FINISH

PRECAST CONCRETE PANEL: PC-1
INTEGRAL COLOR CONCRETE TO MATCH VISTA PAINT - 8463 MOCHA MOUSSE

GLAZING TYPE 1: GL-2
VIRICON - SPANDREL

GLAZING TYPE 2: GL-2
VIRICON - SPANDREL

NOTES:

1. ALL ALUMINUM WINDOW FRAMES TO BE CLEAR ANODIZED
2. ALL EXTERIOR ARCHITECTURAL METAL TO BE PAINTED TO MATCH PC-1
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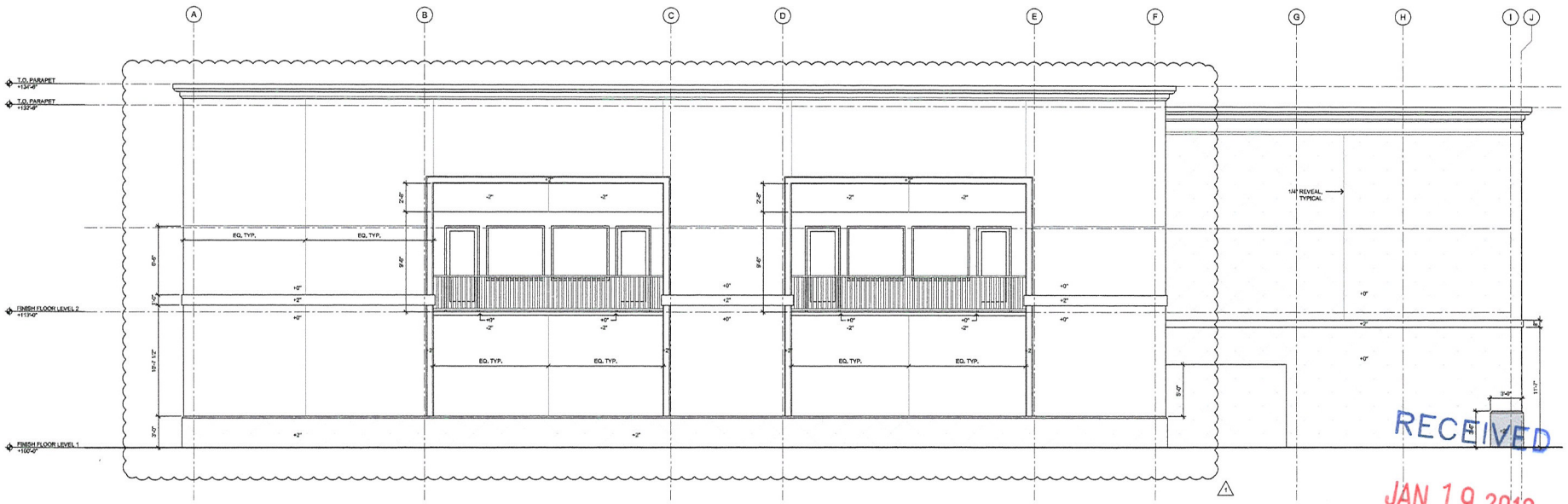


1 SOUTH ELEVATION

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

RECEIVED
JAN 19 2010

SDR-37218
03/25/10 PC

MURPHY / FARMER
OFFICE BUILDING
702 SOUTH 6TH STREET
LAS VEGAS, NEVADA

NUMBER	DATE	DESCRIPTION
1	11-2-09	Bldg. Dept. Comments

2008113
PROJECT NUMBER

JULY 21, 2008
DATE

EXTERIOR ELEVATIONS

A5.02

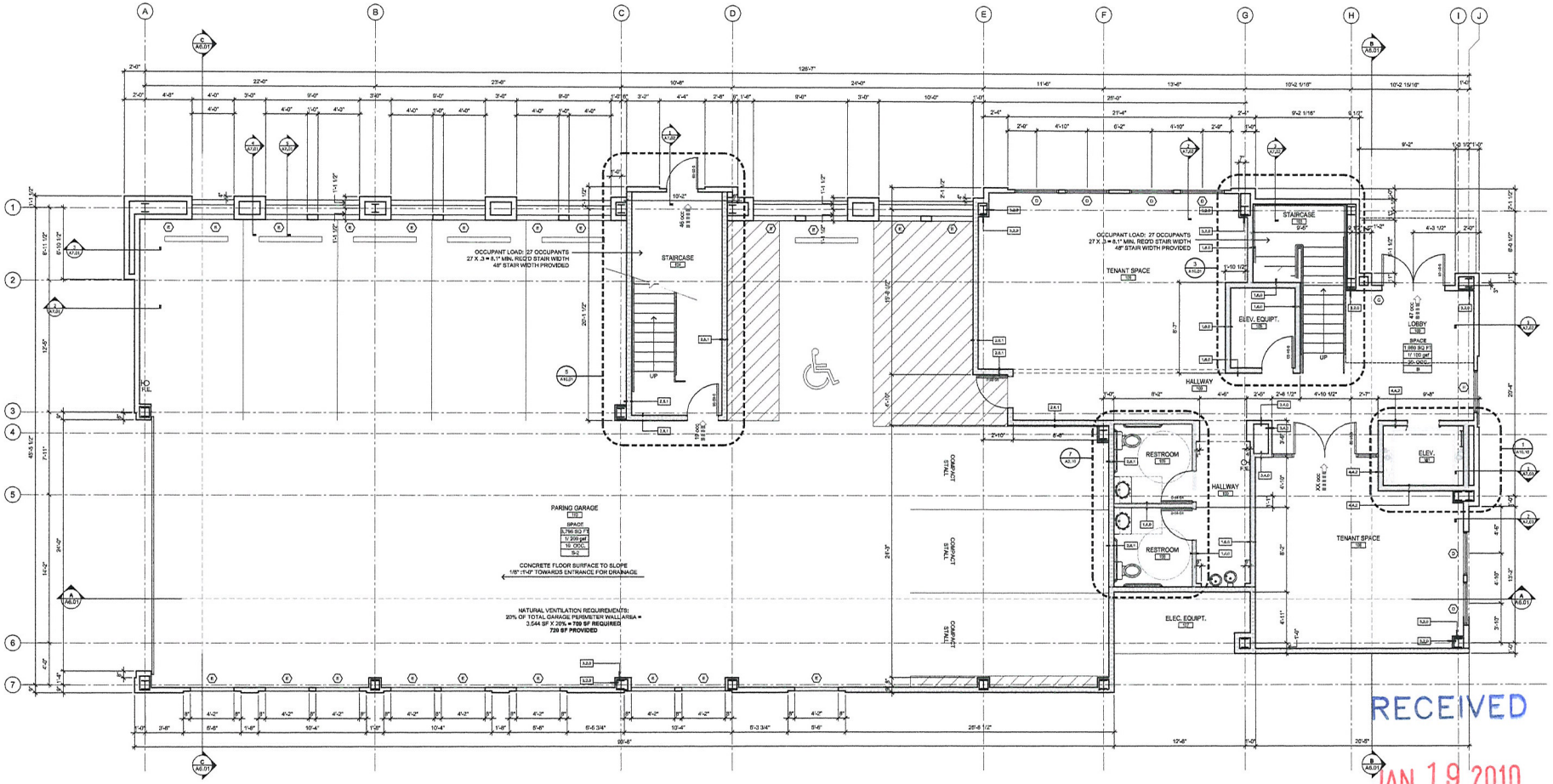
LEGEND

PARTITIONS

- EXTERIOR WALL - 6" METAL STUD WALL W/ EIFS FINISH W/ R-19 BATT INSULATION TYPICAL - U.N.O.
- INTERIOR PARTITION - SEE PARTITION TYPES ON SHEET A2.20
- INTERIOR PARTITION WITH SOUND ATTENTUATION PROVIDED - SEE PARTITION TYPES ON SHEET A2.20
- RATED WALL - REFER TO PARTITION TYPES ON SHEET A2.30
- DIRECTION AND NUMBER OF OCCUPANTS AT INDICATED EXIT
- F.E. FIRE EXTINGUISHER (LARSEN'S 'MP' SERIES)

FLOOR PLAN NOTES

1. ALL EXTERIOR WALLS TO RECEIVE R-19 BATT INSULATION. PROVIDE EIFS FINISH OVER EXTERIOR SHEATHING UNLESS NOTED OTHERWISE.
2. ALL INTERIOR WALLS ARE TO BE PARTITION TYPE 1.A.0 UNLESS OTHERWISE NOTED. REFER TO SHEET A2.20 FOR PARTITION TYPES.
3. ALL WALL DIMENSIONS ARE FROM FACE OF STUD UNLESS NOTED OTHERWISE.
4. ALL STRUCTURAL COLUMN DIMENSIONS ARE FROM CENTERLINE OF COLUMN UNLESS NOTED OTHERWISE.
5. PROVIDE WATERPROOF GYPSUM BOARD ON ALL WALLS IN ALL WET AREAS, U.N.O.
6. CONTRACTOR TO VERIFY ALL INTERIOR FINISHES AND FIXTURES WITH OWNER PRIOR TO INSTALLATION
7. CONTRACTOR TO VERIFY LOCATION OF ALL THERMOSTATS, ACCESS PANELS, ALARM & A/V DEVICES, ETC WITH OWNER FOR APPROVAL PRIOR TO INSTALLATION.
8. REFER TO TYPICAL I.I. DETAILS ON SHEET A2.20



RECEIVED
JAN 19 2010

SDR-37218
03/25/10 PC

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

MURPHY / FARMER
OFFICE BUILDING
702 SOUTH 6TH STREET
LAS VEGAS, NEVADA

NUMBER	DATE	DESCRIPTION

2008113
PROJECT NUMBER
JULY 21, 2008
DATE

FIRST FLOOR PLAN

A2.01

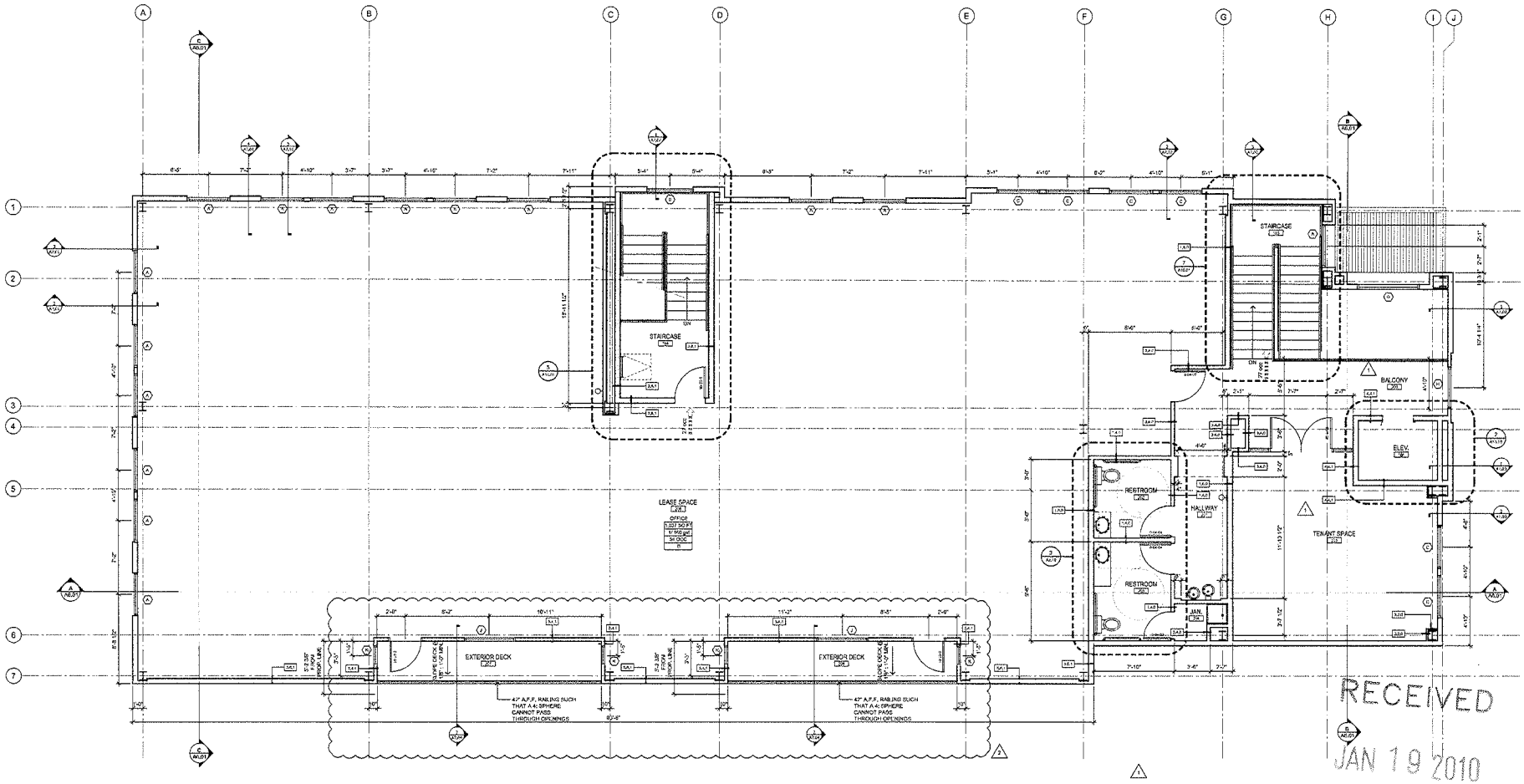
LEGEND

PARTITIONS

- EXTERIOR WALL - 6" METAL STUD WALL W/ EIFS FINISH W/ R-19 BATT INSULATION TYPICAL - U.N.O.
- INTERIOR PARTITION - SEE PARTITION TYPES ON SHEET A2.20
- INTERIOR PARTITION WITH SOUND ATTENTUATION PROVIDED - SEE PARTITION TYPES ON SHEET A2.20
- RATED WALL - REFER TO PARTITION TYPES ON SHEET A2.20
- DIRECTION AND NUMBER OF OCCUPANTS AT INDICATED EXIT
- F.E. FIRE EXTINGUISHER (LARSENS 'MP' SERIES)

FLOOR PLAN NOTES

1. ALL EXTERIOR WALLS TO RECEIVE R-19 BATT INSULATION. PROVIDE EIFS FINISH OVER EXTERIOR SHEATHING UNLESS NOTED OTHERWISE.
2. ALL INTERIOR WALLS ARE TO BE PARTITION TYPE 1A.0 UNLESS OTHERWISE NOTED. REFER TO SHEET A2.20 FOR PARTITION TYPES.
3. ALL WALL DIMENSIONS ARE FROM FACE OF STUD UNLESS NOTED OTHERWISE.
4. ALL STRUCTURAL COLUMN DIMENSIONS ARE FROM CENTERLINE OF COLUMN UNLESS NOTED OTHERWISE.
5. PROVIDE WATERPROOF GYPSUM BOARD ON ALL WALLS IN ALL WET AREAS, U.N.O.
6. CONTRACTOR TO VERIFY ALL INTERIOR FINISHES AND FIXTURES WITH OWNER PRIOR TO INSTALLATION
7. CONTRACTOR TO VERIFY LOCATION OF ALL THERMOSTATS, ACCESS PANELS, ALARM & A/V DEVICES, ETC WITH OWNER FOR APPROVAL PRIOR TO INSTALLATION.
8. REFER TO TYPICAL UL DETAILS ON SHEET A0.20.
9. REFER TO SHEET A6.10 FOR DOOR SCHEDULE.



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JAN 19 2010

SDR-37218
03/25/10 PC

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

MURPHY / FARMER
OFFICE BUILDING
702 SOUTH 6TH STREET
LAS VEGAS, NEVADA

NUMBER	DATE	DESCRIPTION
1	11-2-09	Misc. Dept. Comments
2	1-20-09	Misc. Dept. Comments

2008113
JULY 21, 2008

SECOND FLOOR PLAN

A2.02

SDR 37218

702 S. 6th Street, LLC

702 S. 6th St.

Proposed 11.3 square foot office development.

Traffic produced by proposed development:

Existing Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	GENERAL OFFICE BUILDING [1000 SF]	11.3	11.01	124
AM Peak Hour			1.55	18
PM Peak Hour			1.49	17

Existing traffic on all nearby streets:

Bonneville Ave.	
Average Daily Traffic (ADT)	7,613
PM Peak Hour (heaviest 60 minutes)	609

Gass Ave.	
Average Daily Traffic (ADT)	3,775
PM Peak Hour (heaviest 60 minutes)	302

Las Vegas Blvd.	
Average Daily Traffic (ADT)	19,763
PM Peak Hour (heaviest 60 minutes)	1581

Traffic Capacity of adjacent streets:

	Adjacent Street ADT Capacity
Bonneville Ave.	17745
Gass Ave.	16900
Las Vegas Blvd.	31700

This project will add approximately 124 trips per day on Bonneville Ave., Gass Ave., and Las Vegas Blvd. This will increase expected volumes by about 2 percent on Bonneville, by about 3 percent on Gass, and by about 1 percent on Las Vegas Blvd. Currently, Bonneville is at about 43 percent of capacity, Gass is at about 22 percent of capacity, and Las Vegas is at about 62 percent of capacity. Count data was unavailable for Garces Ave. and 6th St., but both are believed to be under capacity.

Based on Peak Hour use, this development will add roughly 18 additional cars into the area, or about 1 every 3 minutes

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



SDR-37218 - APPLICANT/OWNER: 702 S. 6TH STREET, LLC
702 SOUTH 6TH STREET
MARCH 25, 2010 PLANNING COMMISSION

02/18/10



SDR-37218 - APPLICANT/OWNER: 702 S. 6TH STREET, LLC
702 SOUTH 6TH STREET
MARCH 25, 2010 PLANNING COMMISSION

02/18/10

HC CONSULTING

December 23, 2009

City of Las Vegas
Planning Department
731 S. 4th Street
Las Vegas, NV 89101
702-229-6301

RE: 702 S. Sixth Street – Murphy/Farmer Office Building

To Whom It May Concern:

On behalf of our client, Merlin T. Murphy, HC Consulting respectfully request consideration of the enclosed site development plan review for the propose office building. The site is currently zone Limited Commercial District (C-1).

The proposed project is a 11,302 square foot building (including under building parking) at the southwest corner of Sixth Street and Garces Street. The proposed development meets the allowed zoning use. The site is designed to the "Downtown South" Centennial Plan.

The proposed office structures setbacks are as follows:

Rear – 10'
Side – 0'
Side Street – 0'
Front – 0'

Per the Centennial Plan the street will have a 10 foot sidewalk with a 5' amenity zone. The rear borders an alley way and the side is adjacent to another commercial development.

The structure will be a total of 11,302 square feet with a gross square footage of 7,265 of office space and 4,037 square feet of under structure parking. This structure is 4.5% larger in office space then what was previously approved. The parking spaces that are being provided is a total of 9 spaces including 1 handicap space. This meets the intent of the Centennial plan with the parking being provided onsite.

Should you have any questions and/or need additional information please feel free to contact our office at (702) 521-7021.

Sincerely,

Landon Christopherson

RECEIVED
JAN 19 2010

SDR-37218
03/25/10 PC

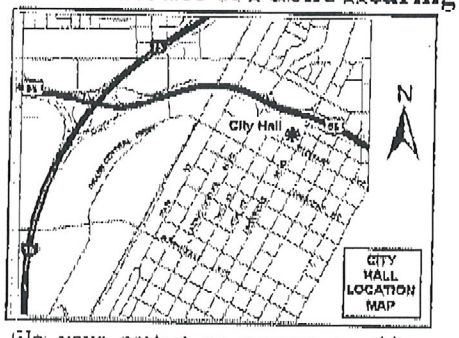
1000 N. Green Valley Parkway, Suite 300-PMB 231; Henderson, Nevada 89074
Telephone: 702 / 521-7021 Facsimile: 702 / 446-0469

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 MAR 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.

SDR-37218

Planning Commission Meeting of 3/25/2010

Case: SDR-37218

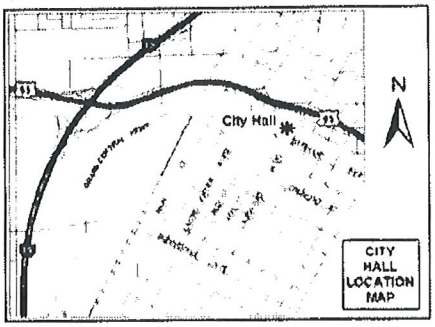
13934411014
JACKSON MICHAEL WILLIAM
2441 WHITE OAK DR
HOUSTON TX 77009-7321

RECEIVED
MAR 16 2010

Z7 A

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-37218

Planning Commission Meeting of 3/25/2010

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
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0004279218 MAR 12 2010
MAILED FROM ZIP CODE 89101

RECEIVED
MAR 15 2010

Case SDR-37218
13934311142
GARCES VENTURE L L C
%R FINVARB
1065 KANE CONCOURSE #201
BAY HARBOR ISLANDS FL 33154-2100

27 A

AAVDS11 33154

MAR-15-2010 10:56A FROM: 3058667515 TO:17023857268 P.1/1

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
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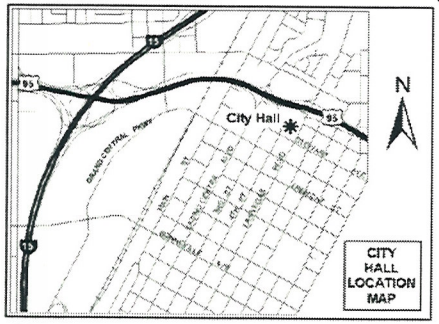
0004279218
$ 00.41⁴
MAR 12 2010
MAILED FROM ZIP CODE 89101

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.

SDR-37218

Planning Commission Meeting of 3/25/2010

RECEIVED
MAR 16 2010

Case: SDR-37218

13934411028
MCLOUGHLIN STEVEN JOHN
900 S LAS VEGAS BLVD #812
LAS VEGAS NV 89101-6850

AAVDS11 89101

City of Las Vegas Agenda Item No.: **28.**

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

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

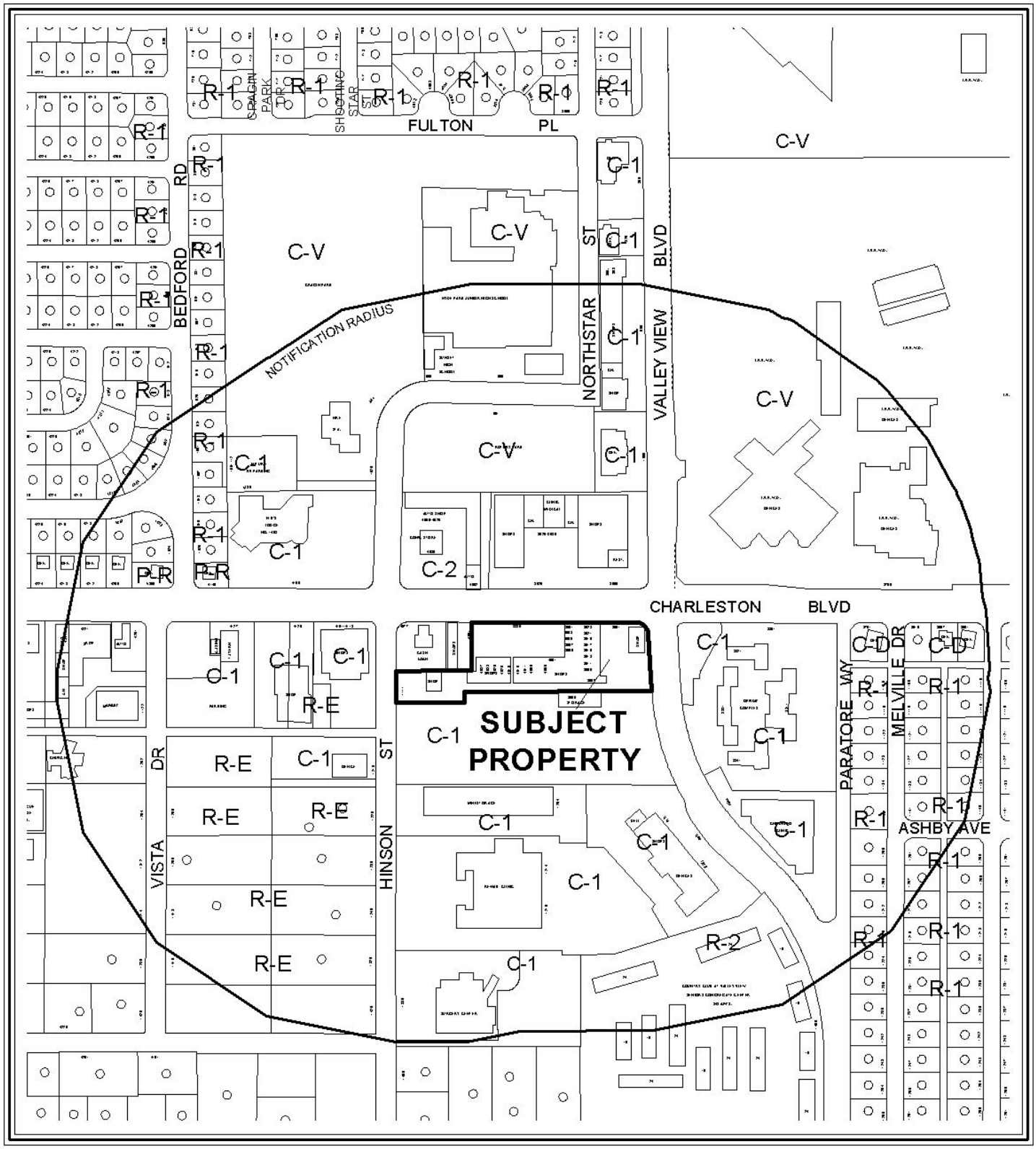
SUBJECT:
SDR-37363 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: LIED FOUNDATION TRUST - Request for a Major Amendment to an approved Site Development Plan Review TO ALLOW ZERO-FOOT LANDSCAPE BUFFERS AND NO PLANTING MATERIALS ALONG THE NORTH AND EAST PERIMETERS WHERE THREE AND FOUR FEET WERE PREVIOUSLY APPROVED, RESPECTIVELY on 2.81 acres at 3901 West Charleston Boulevard (APN 162-06-502-003), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian)

C.C.: 04/21/2010

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



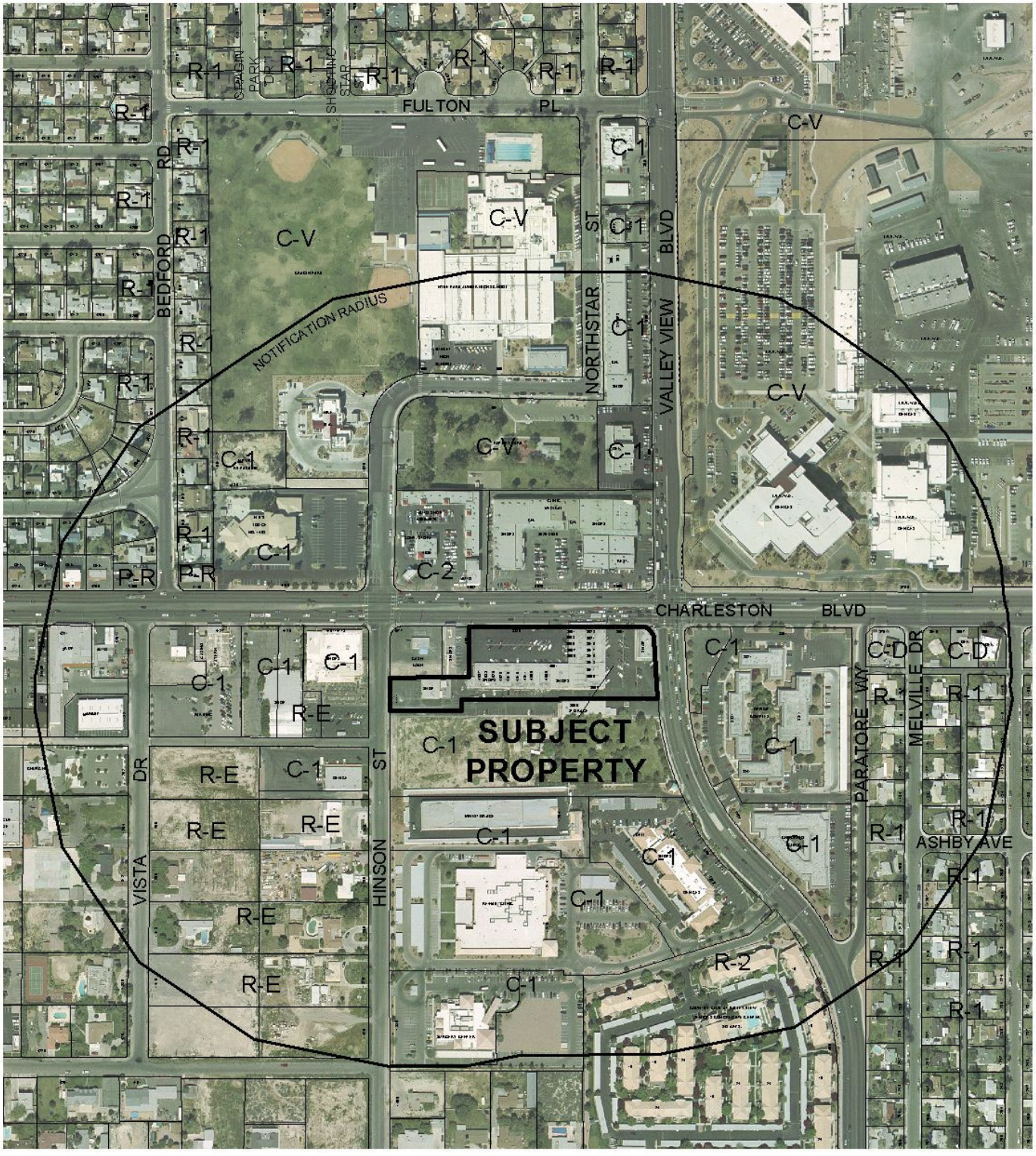
0 300 600 Feet

CASE: **SDR-37363**

RADIUS: 1000 FT

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

N



0 300 600 Feet

CASE: **SDR-37363**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-37363 - APPLICANT/OWNER: LIED FOUNDATION TRUST

** CONDITIONS **

Staff recommends APPROVAL, subject to conditions:

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a final inspection has been conducted by the Planning and Development Department. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. The perimeter landscaping buffer along Charleston Boulevard shall be landscaped with trees and shrubs in conformance with the site plan date stamped 02/12/79 and landscape plan, date stamped 02/13/79, except as amended by conditions herein. A final inspection by the Planning and Development Department shall be completed within 90 days of final approval.

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

SDR-37363 - Staff Report Page One
March 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Major Amendment to an approved Site Development Plan Review to allow zero-foot landscape buffers and no planting materials within the Charleston Boulevard and Valley View Boulevard perimeter landscape buffers, where three and four-foot buffers respectively, were previously approved at 3901 West Charleston Boulevard. There is an approved site plan and landscaping plan that was submitted as part of an approved building permit for the site in 1979.

ISSUES

- The landscape buffer area along Valley View Boulevard is sloped, and located adjacent to a bus stop. Staff can support the request for this area due to the topography of the buffer area and the damage to the buffer area from heavy foot traffic associated with the bus stop.

- A condition has been added to require a landscape buffer and planting materials along Charleston Boulevard as the applicant has provided no compelling justification for the removal of the required landscaping. With this condition, staff recommends approval of this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
02/27/63	The City Board of Commissioners approved a request of Rezoning (Z-0158-62) from R-E to R-4, for property generally located on the south side of West Charleston Boulevard, between Valley View Boulevard and Hinson Street. Planning Commission and staff recommended approval.
11/12/08	A Code Enforcement case (#71758) was processed for the business to remove graffiti at the rear/south wall of the building. The case was closed by Code Enforcement on 01/22/10.
Related Building Permits/Business Licenses	
03/16/79	A building permit (#1762) was approved for a new Restaurant at 3901 West Charleston Boulevard. The project was completed on 09/18/79.
05/15/91	A business license (B11-00400) was approved for a business supply store at 3901 West Charleston Boulevard. The license is active.

12/02/94	A building permit (#94358907) was approved to install an aluminum awning at 3901 West Charleston Boulevard. The project was completed on 02/14/95.
09/15/00	A business license (M18-01995) was approved for a consulting business at 3901 West Charleston Boulevard. The license is active.
03/21/01	A business license (B11-00651) was approved for a business supply store at 3901 West Charleston Boulevard. The license is active.
04/05/01	A business license (M18-02121) was approved for a consulting business at 3901 West Charleston Boulevard. The license is active.
03/28/02	A business license (Q01-00380) was approved for a real estate firm at 3901 West Charleston Boulevard. The license was marked out of business.
05/29/07	A business license (A44-00016) was approved for automobile sales at 3901 West Charleston Boulevard. The license is active.
Pre-Application Meeting	
02/09/10	A pre-application meeting with the applicant was held where elements of submitting a Site Development Plan Review to allow a zero-foot landscape buffer were discussed. The topics included: • The submittal of application materials, meeting dates, and deadlines were discussed.
Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	
Field Check	
02/18/10	The site has banner signs on the south side of the building without permit per Title 19.14. A trash bin is located at the rear of the building at the parking area with no trash enclosure on-site.

Details of Application Request	
Site Area	
Gross Acres	2.81

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	General Retail	SC (Service Commercial)	C-1 (Limited Commercial)
North	Commercial Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Vacant	SC (Service Commercial)	C-1 (Limited Commercial)
East	Office	SC (Service Commercial)	C-1 (Limited Commercial)
West	General Retail	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 (175 Feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.12.040, the following standards apply:

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Buffer Trees: • North • East	By Approved Landscape Plan	2 Trees 0 Trees	3 Palm Trees 0 Trees	N*
TOTAL PERIMETER TREES		**2 Trees**	**3 Trees**	**N**
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width • North • East	15 Feet 15 Feet		4 Feet 4 Feet	N

*The trees provided along Charleston Boulevard are not located in approved planter areas, but are clustered together further to the west.

ANALYSIS

This is a request for a Major Amendment to an approved Site Development Plan Review to allow zero-foot landscape buffers and no planting materials along Charleston Boulevard and Valley View Boulevard perimeter landscape buffers, where three and four feet respectively, were previously approved at 3901 West Charleston Boulevard.

The site was approved via building permit in 1979, with approved site and landscaping plans depicting perimeter landscaping along both Valley View Boulevard and Charleston Boulevard. At some point, the landscaping materials were removed and the buffer areas were filled with concrete. This request is to allow the concrete to remain. The landscape buffer area along Valley View Boulevard is sloped, and located adjacent to a bus stop. Staff can support the request for this area due to the topography of the buffer area and the damage to the buffer area from heavy foot traffic associated with the bus stop.

However, staff cannot support the request along Charleston Boulevard, as the applicant has provided no compelling justification for the removal of the required landscaping. A condition has been added to require a landscape buffer and planting materials to comply with the approved plans along Charleston Boulevard. With this condition, staff recommends approval of this request.

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 contains an existing building and is compatible with adjacent development and development in the area as conditioned.

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 is not consistent with the site and landscape plans approved for the site in 1979.

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

   The site is accessed from Charleston Boulevard, a 100-foot Primary Arterial and Valley View Boulevard, an 80-foot Secondary Collector. The site access and circulation do not impact the adjacent roadways or neighborhood traffic and it is part of the existing commercial center.

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

   The existing building material is appropriate for the area and for the City. However, the perimeter landscaping buffer is non-existent. As conditioned, the landscape materials are appropriate for the area and for the City.

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

   The existing building elevations are not unsightly or obnoxious, and are compatible with development in the area.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 20

NOTICES MAILED 90

APPROVALS 0

PROTESTS 3

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-37363** APN: 162-06-302-003

Name of Property Owner: LIED FOUNDATION TRUST

Name of Applicant: LIED FOUNDATION TRUST

Name of Representative: BARRY W. BECKER

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: _____

RECEIVED
FEB 08 2010

Signature of Property Owner: Christina M. Hixson

Print Name: LIED FOUNDATION TRUST
CHRISTINA M. HIXSON, TRUSTEE

Subscribed and sworn before me

This 2ND day of FEBRUARY, 2010

Dennis H. Smith
Notary Public in and for said County and State

DENNIS H. SMITH
NOTARY PUBLIC
STATE OF NEVADA
My Commission Exp. June 22, 2012
Commission No: 92-3295-1

PLANNING & DEVELOPMENT
CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Review of Landscape & Modification request

Project Address (Location) 3889 W. CHARLESTON BLVD, LAS VEGAS, NV
for 3901 W. CHARLESTON BLVD.

Project Name _____ **Proposed Use** _____

Assessor's Parcel #(s) 162-06-502-003 **Ward #** _____

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

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

Gross Acres 2.81 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER LIED FOUNDATION TRUST **Contact** CHRISTINA M. HIXSON
Address 3907 WEST CHARLESTON BLVD **Phone:** 878-1559 **Fax:** 878-6469
City LAS VEGAS **State** NV **Zip** 89102
E-mail Address N/A

APPLICANT LIED FOUNDATION TRUST **Contact** CHRISTINA M. HIXSON
Address 3907 WEST CHARLESTON BLVD **Phone:** 878-1559 **Fax:** 878-6469
City LAS VEGAS **State** NV **Zip** 89102
E-mail Address N/A

REPRESENTATIVE BARRY W. BECKER **Contact** BARRY W. BECKER
Address 50 So. JONES BLVD **Phone:** 870-0212 Ext 6530 **Fax:** 870-4976
City LAS VEGAS **State** NV **Zip** 89108
E-mail Address _____

Property Owner Signature* Christina M. Hixson

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

Print Name LIED FOUNDATION TRUST, CHRISTINA M. HIXSON TRUSTEE

Subscribed and sworn before me

This 2ND day of FEBRUARY, 2010.

Dennis H. Smith
Notary Public in and for said County and State

DENNIS H. SMITH
NOTARY PUBLIC
STATE OF NEVADA
My Commission Exp. June 22, 2012
Commission No: 92-3295-1

RECEIVED
FEB 08 2010

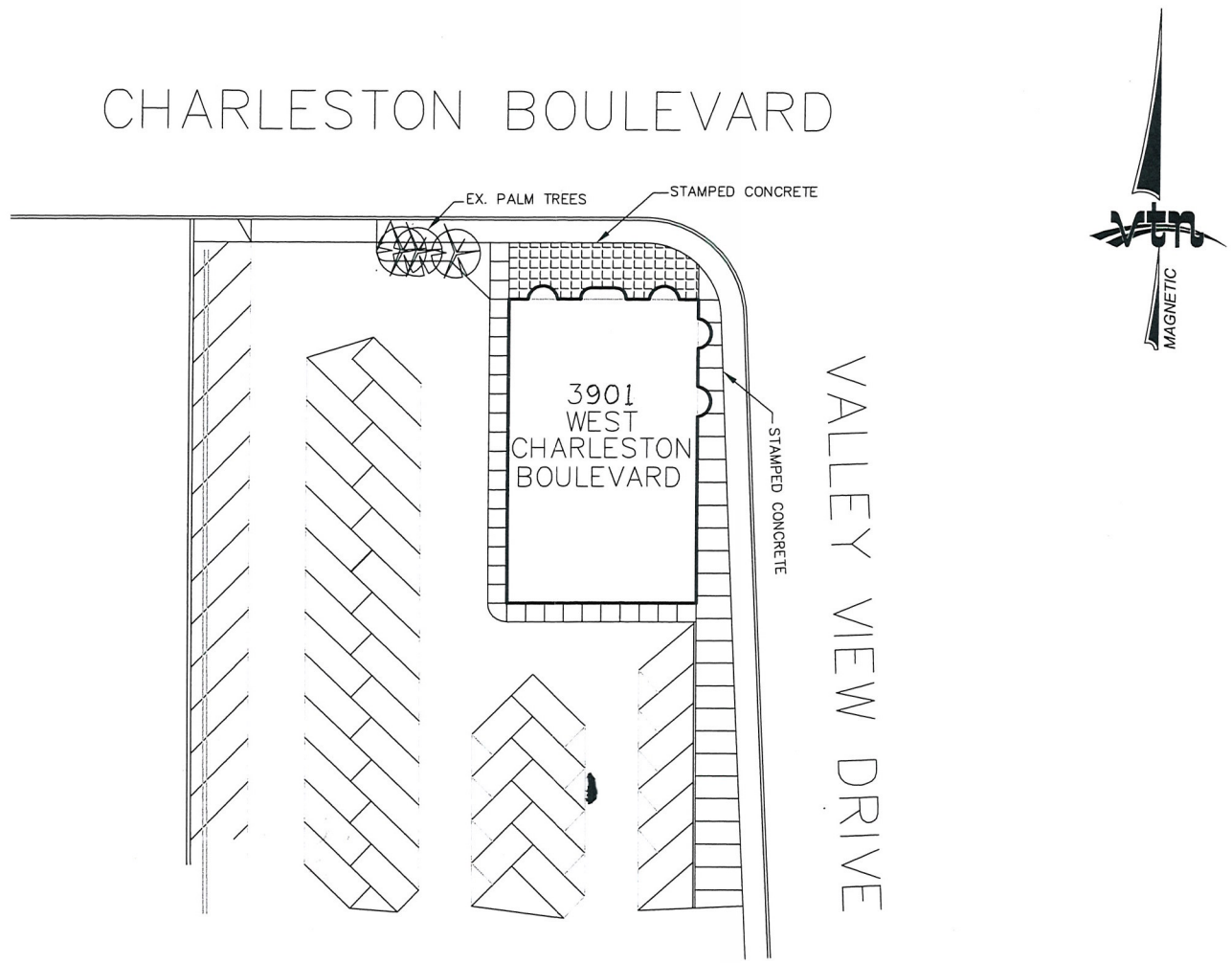
Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SDR-37363
Meeting Date:	03/25/10
Total Fee:	$1030.00
Date Received:*	02/08/10
Received By:	Jonathan B.

*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



W.O.#: 0000
DATE: 1/05/2010
BY: JRA
SCALE: 30'
SHEET 1 OF

PRELIMINARY LANDSCAPE PLAN
FOR
CHARLESTON/VALLEY VIEW

SDR-37363
REVISED
03/25/10 PC

RECEIVED
MAR 04 2010

INDEX OF DRAWINGS

ARCHITECTURAL:

1.1 SITE PLAN, INDEX, GEN'L NOTES
2.1 FLOOR PLAN
2.2 FOUNDATION PLAN
2.3 EXT. ELEVATION
2.4 EXT. ELEV. DOOR SCHED. DETS.
2.5 REFLECTED CLG. PLAN

3.1 ROOF FRAMING, AIR COND'G.

4.1 BUILDING SECT., INT. ELEVS.
5.1 CONST. DETS.
6.1 PLUMBING PLAN.

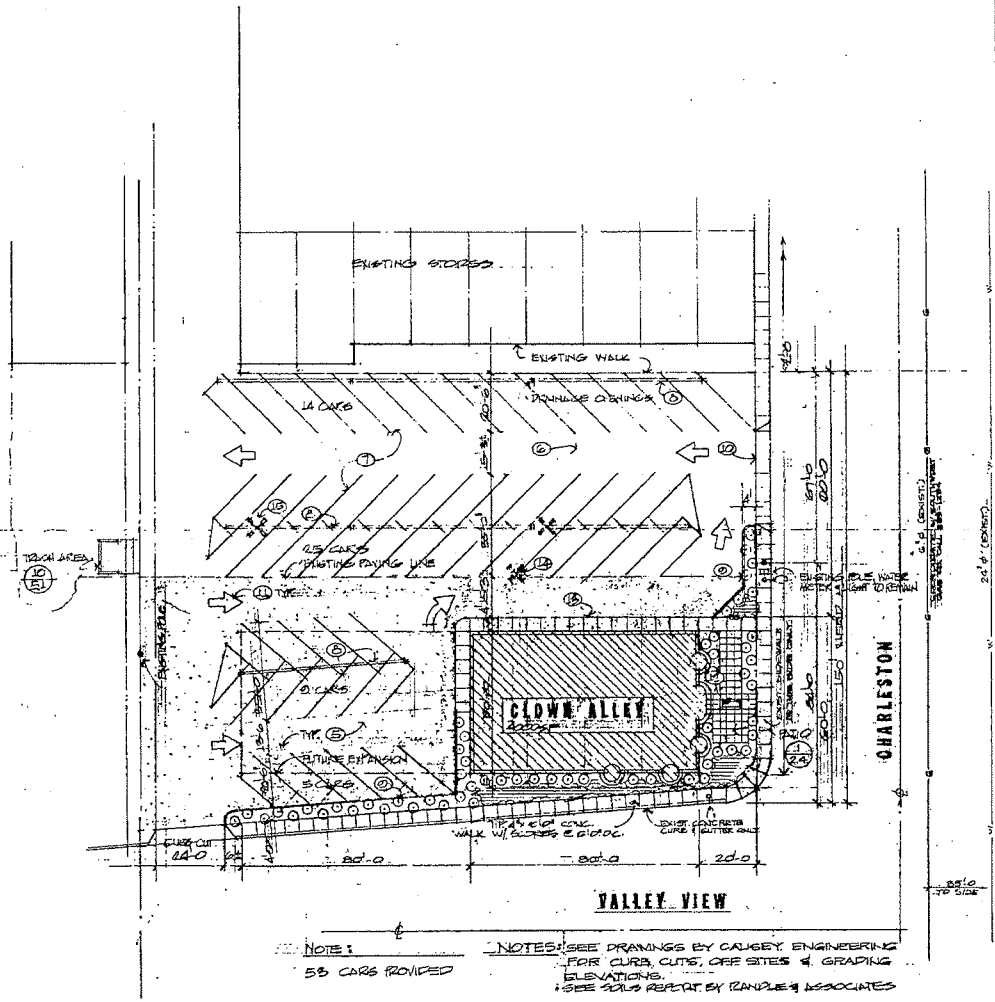
7.1 ELECT. PLAN & FIXTURES
7.2 ELECT. SYMBOLS & SCHEDULES
8.1 SPECIFICATIONS

GENERAL NOTES & SITE PLAN NOTES

1. ALL CONSTRUCTION TO BE EQUAL TO OR EXCEED MINIMUM REQUIREMENTS OF CURRENT EDITIONS OF UNIFORM BUILDING CODE, UNIFORM PLUMBING CODE, NATIONAL ELECTRICAL CODE, & LOCAL AGENCIES.
2. ALL MATTERS RELATING TO THE USE OR INTERPRETATION OF THESE VARIOUS DRAWINGS, THE ARCHITECT'S WRITTEN APPROVAL OR STATEMENT SHALL BE CONSIDERED FINAL.
3. CONTRACTOR TO PROVIDE COMPLETE, OPERABLE, AUTOMATIC WATERING SYSTEM TO ALL PLANTS AND PLANTED AREAS. SYSTEM TO BE OF SUFFICIENT SIZE & CAPACITY TO SUPPLY NORMAL PLANT GROWTH IN ALL PLANTED AREAS AS SHOWN ON SHT. 1.1.
4. ALL RADII @ PLANTERS TO BE 3'-0 U.O.N.
5. 2" A.C. TO BE ROLLED OVER 6" PEA GRAVEL OVER CLEAN COMPACT BASE OF TYPE I OR BETTER.
6. PROVIDE NEW SEAL COAT AND STRIPING OVER EXISTING ASPHALT CONC. PAVING.
7. TYP. 8½'x20' STALLS W/4" PAINT STRIPES.
8. CONT. 6" CONC. BUMPER CURB.
9. 6" CONC. PLANTER CURB
10. EXISTING CURB CUT TO REMAIN
11. DIRECTION ARROW PAINTED ON A.C. (UNLESS LARGER SIZE AS INDICATED BY PLAN)
12. PYLON SIGN BY SIGN CO.
13. 4'-0 & 4' CONC. WALK
14. EXISTING LIGHT TO BE RELOCATED
15. NEW LIGHTING TO MATCH EXISTING

LANDSCAPE NOTES: ALSO SEE (5) ABOVE

1. PFITZER JUNIPERS, 5 GAL. @ 6'-0 O.C. MULTI-COLORED TRAILING GAZANIA GROUND COVER FROM FLATS @ 6"-8" O.C.



NOTE: 58 CARS PROVIDED

NOTES: SEE DRAWINGS BY CAUSEY ENGINEERING FOR CURB CUTS, OFF SITES & GRADING ELEVATIONS.
SEE SOILS REPORT BY RANDLE & ASSOCIATES
SEE JOB SITE FOR CLEARING

SITE PLAN
SC 1"=20'-0
10/15/78

SEE STRUCTURAL CALCS BY I.L.D. BRZANSKI, P.E.

APPROVED LANDSCAPING PLAN
Department of Community Planning & Development

GARY G. WILSON REGISTERED No. 540 STATE OF NEVADA

FEB 9 1979

SDR-37363
REVISED
03/25/10 PC

THIS DWG. IS AN INSTR. OF SVS. BETWEEN THE ARCH. & HIS CLIENT FOR USE ON THIS PROJECT ONLY. ALL RIGHTS RESERVED UNDER COPYRIGHT LAWS.

GARY GUY WILSON, A.I.A.
ARCHITECT - PLANNER
3365 South Jones Blvd. Las Vegas, Nevada 89102
(702) 876-1444

PROJECT: COMMERCIAL BLDG.
FOR: E. FLAMINGO
AT: VALLEY VIEW & CHARLESTON
LAS VEGAS, NEVADA

PROJECT NO. 7811
DATE 12-12-78
REVISIONS
APPD BY

SHEET NO. A1

A.P. 3901 W. Charleston

INDEX OF DRAWINGS

ARCHITECTURAL:

1.1 SITE PLAN, INDEX, GEN'L NOTES
2.1 FLOOR PLAN
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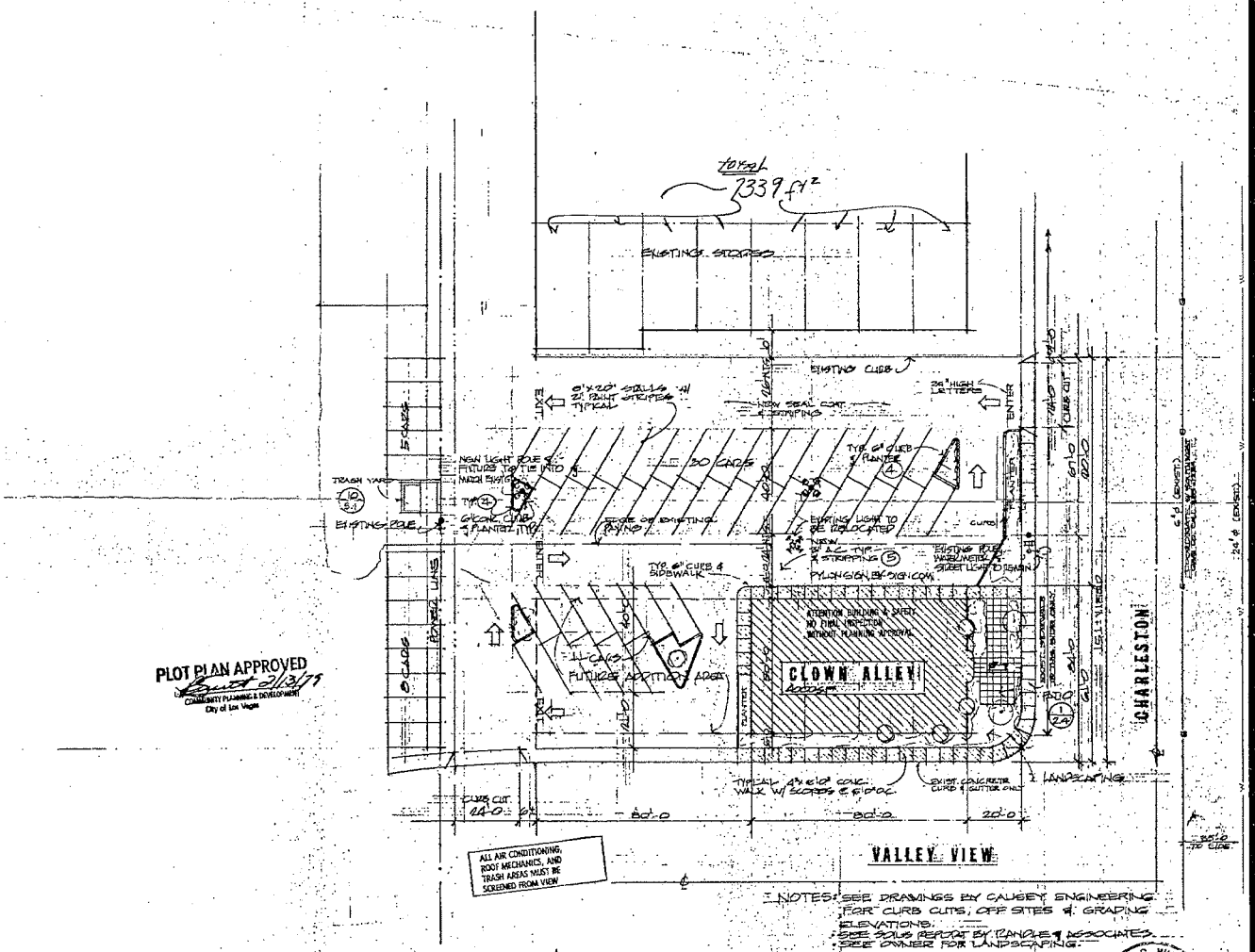
4. ALL RADII @ PLANTERS TO BE 2'-0 U.O.N.
5. 2" A.C. TO BE ROLLED OVER 6" PBA GRAVEL OVER CLEAN COMPACT BASE OF TYPE I OR BETTER.

PROJECT DATA:

1. BLOCK:
2. PRESENT ZONING:
3. PARKING REQ'D:
4. PARKING PROVIDED: 54 CARS
5. HGHT:
6. SETBACKS REQ'D: ZERO
7. 100 FT. = 4,000 S.F.
8. U.B.C. DATA: 1976 EDITION



PLOT PLAN APPROVED
Date 9/13/79
COMMUNITY PLANNING & DEVELOPMENT
City of Las Vegas

NOTES:
1. SEE DRAWINGS BY CAUSEY ENGINEERING FOR CURB CUTS, OFF SITES & GRADING ELEVATIONS.
2. SEE SOILS REPORT BY CANDLE & ASSOCIATES.
3. SEE OWNER FOR LANDSCAPING.
4. SEE 1.05 SITE FOR CLEARING.

SITE PLAN
SC 1"=20'-0" 10/16/79

SEE STRUCTURAL CALCS BY ILA BRANCH

GARY G. WILSON REGISTERED ARCHITECT STATE OF NEVADA

SEE LANDSCAPING PLAN FOR NEW PARKING
Parking Required - 34
Parking Furnished - 38

SDR-37363
REVISED
03/25/10 PC



SDR-37363 - APPLICANT/OWNER: LIED FOUNDATION TRUST
3901 WEST CHARLESTON BOULEVARD
MARCH 25, 2010 PLANNING COMMISSION

02/18/10



SDR-37363 - APPLICANT/OWNER: LIED FOUNDATION TRUST
3901 WEST CHARLESTON BOULEVARD
MARCH 25, 2010 PLANNING COMMISSION

02/18/10

January 7, 2010

Evan M. DuVall
City of Las Vegas Planning and Development Services
Planner 1
731 S. Fourth Street
Las Vegas, NV 89101

Re: Landscape Violation; APN: 162-06-502-003, 3901 W. Charleston Blvd.

Dear Mr. DuVall,

This letter is in response to a landscape violation that was filed at 3901 West Charleston Boulevard (APN: 162-06-502-003), regarding conformance to the approved landscaping plan dated September, 1979.

3901 W. Charleston Blvd. was occupied by Mr. Tom Carns, PDQ Printing, for over 15 years (1984 – 1999). He cemented the area in question after the current bus stop was placed on Valley View. The decision was made to cement the area due to the increased traffic the bus stop brought, making it difficult to keep the landscaping alive. The negligence of the public; stepping on bushes, littering, knocking the small rock ground covering onto the public sidewalk, not to mention the limited seating at a highly trafficked bus stop created loitering in the landscaping, all of which continuously destroyed the shrubs and ground cover, making the upkeep costly.

In September, 1999, Mr. Carns vacated the property where the building stood vacant for 10 months. Nevada Legal Forms & Books leased the building in July, 2000, where they are currently located today.

In today's economy, it seems that keeping the area "as is", per say, for now would make the most economical sense. This is the first and only notice that we have received from the Planning and Development Services Department of the City of Las Vegas in 15 years. We would be grateful if you would re-access the area in question and take into consideration the amount of traffic the bus stop incurs each and every day as well as the amount of damage/clean-up that would be continuously required.

Thank you for your help, we look forward to your response.

Yours truly,

Barry W. Becker
Lied Foundation Trust

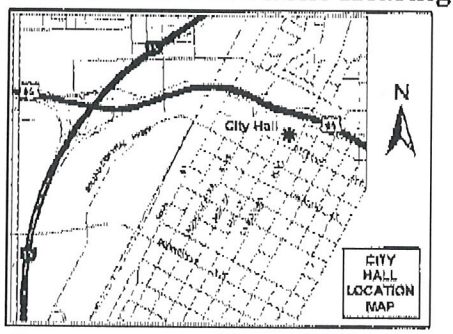
RECEIVED
FEB 08 2010
SDR-37363
03/25/10 PC

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 MAR 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.

SDR-37363

Planning Commission Meeting of 3/25/2010

Case: SDR-37363
16206510036
MCGRATH THOMAS J & ELIZABETH J
3075 WESTWIND RD
LAS VEGAS NV 89146-6858

RECEIVED
MAR 15 2010

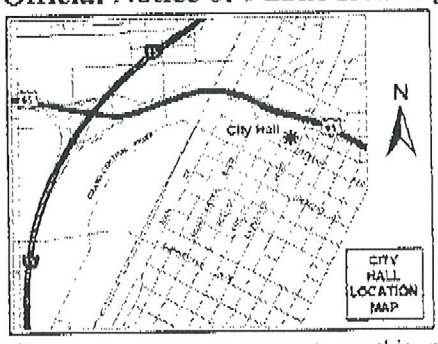
28P

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

PRESORTED FIRST CLASS

02 1M $ 00.41
03042/9218 MAR 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.

SDR-37363

Planning Commission Meeting of 3/25/2010

Case: SDR-37363
16205113015
BRAVIN GERALD & ADELINA
1201 MELVILLE DR
LAS VEGAS NV 89102-1821

RECEIVED
MAR 16 2010

28P

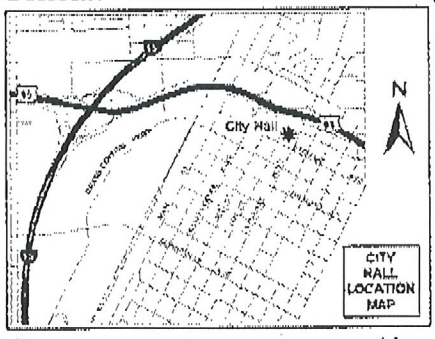
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

MAILED FROM ZIP CODE 89101

Return Service Requested

Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-37363

Planning Commission Meeting of 3/25/2010

Case: SDR-37363

16205113016
BRAVIN GERALD & ADELINA FAM TR
1201 MELVILLE DR
LAS VEGAS NV 89102-1821

RECEIVED
MAR 16 2010

28P

City of Las Vegas Agenda Item No.: **29.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 25, 2010

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

SUBJECT:
TXT-37401 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to amend Table 2 of Title 19.04 and Title 19.20 to modify the descriptions, minimum standards, parking regulations and definitions related to the Shopping Center and Regional Mall uses, All Wards

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

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

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Conditions and Staff Report

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: TXT-37401 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS

** CONDITIONS **

Staff recommends APPROVAL.

1. Table 2 of Title 19.04.010 is hereby amended by amending the description of the use "Shopping Center" in the "Retail and Personal Services" element of Table 2 as follows:

Table 2 – Retail & Personal Service

USE	RESIDENTIAL												COMMERCIAL						INDUSTRIAL		
Shopping Center	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
																	P	P		P	P
	Description: Any structure or group of structures that: 1. House any assemblage of various commercial tenants, including without limitation, retail uses, personal service uses, food service uses, and other ancillary uses; 2. Have a minimum combined gross floor area of 25,000 square feet ~~and a maximum combined gross floor area of 350,000 square feet~~; 3. Are located upon a single parcel of land or upon contiguous parcels of land; and 4. Have common vehicular access and parking facilities. This use includes a Regional Mall as defined in LVMC 19.20.010.																				
	On-site Parking Requirement: One space per 250 square feet of gross floor area.																				

2. Table 2 of Title 19.04.010 is hereby amended by deleting the use "Regional Mall" in the "Retail and Personal Services" element of Table 2.

3. Title 19.20.020 is hereby amended by adding hereto the term "Shopping Center" and its corresponding definition as follows:

Shopping Center. Any structure or group of structures that:

1. House any assemblage of various commercial tenants, including without limitation, retail uses, personal service uses, food service uses, and other ancillary uses;
2. Have a minimum combined gross floor area of 25,000 square feet;
3. Are located upon a single parcel of land or upon contiguous parcels of land; and
4. Have common vehicular access and parking facilities.

This use includes a Regional Mall as defined in LVMC 19.20.020.

TXT-34701 - Staff Report Page One
March 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

APPLICATION REQUEST

This is a request to amend Table 2 of Title 19.04 and Title 19.20 to modify the descriptions, minimum standards, parking regulations and definitions related to the Shopping Center and Regional Mall uses.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
08/02/06	The City Council adopted Ordinance 5842, which was introduced as Bill No. 2006-36, to update the Land Use Tables and include therein certain parking requirements and other development standards. The Shopping Center use was added to the "Retail and Personal Services" element of Table 2 . The Planning Commission and staff recommended approval of this Text Amendment (TXT-9890).

The Shopping Center use is permitted in the C-1 (Limited Commercial), C-2 (General Commercial), C-M (Commercial/Industrial) and M (Industrial) zoning districts. Shopping Center is described as any structure or group of structures that 1) house any assemblage of various commercial tenants, including without limitation, retail uses, personal service uses, food service uses, and other ancillary uses; 2) have a minimum combined gross floor area of 25,000 square feet and a maximum combined gross floor area of 350,000 square feet; 3) are located upon a single parcel of land or upon contiguous parcels of land; and 4) have common vehicular access and parking facilities. The Shopping Center use has an on-site parking requirement of one parking space per 250 square feet of gross floor area.

The Regional Mall use is conditionally permitted in the C-1 (Limited Commercial), C-2 (General Commercial), C-M (Commercial/Industrial) and M (Industrial) zoning districts and by a Special Use Permit in the N-S (Neighborhood Services) zoning district. There are no Conditional Use Regulations or Minimum Special Use Permit Requirements specified for this use. Regional Mall is defined as an enclosed structure with a minimum square footage in excess of 350,000 square feet 1) that is used or intended to be used as an assemblage of various tenants, including without limitation, retail uses, personal service uses, food service uses, and other ancillary uses; 2) that includes a minimum of 2 major anchor tenants; and 3) in which the typical means of access to the various uses is from inside the mall structure. The Regional Mall use has an on-site parking requirement of one parking space per 250 square feet of gross floor area.

ANALYSIS

The proposed amendment will consolidate the Shopping Center and Regional Mall uses into a single use entry. Currently the Regional Mall use is conditional in the same districts that a Shopping Center use is permitted; however, there are no established Conditional Use Regulations to apply to the use. Both uses have the same on-site parking requirement of one parking space per 250 square feet of gross floor area. The main differences between the two uses are the configuration relationship of the assemblage of tenants and the size constraints indicated for said assemblage.

In the description of the Shopping Center use, the assemblage of tenants must either be on one parcel or on contiguous parcels to be considered a shopping center. No limitation is placed on the configuration (one building or multiple buildings, large enclosed structure or open-air center, etc.) of the shopping center other than it having common vehicular access and parking facilities. In contrast the Regional Mall use's assemblage of tenants are limited to an enclosed structure that has at least two "anchor" tenants and public access to the individual tenants is typically via the inside of the structure. This approach for larger-scale retail development is typical of the suburban shopping malls of previous decades but does not take into account the more open, less contained development patterns seen more often today with large open-air pedestrian malls like Premium Outlets in downtown Las Vegas or Town Square south of the Las Vegas Strip.

A shopping center as currently described is limited to a maximum of 350,000 square feet of gross floor area. Any retail development bigger than 350,000 square feet would be expected to conform to the description of the Regional Mall use. However, as indicated above the Regional Mall use description is limiting in terms of the configuration that a center may take and does not account for large retail centers that are not enclosed within a single structure. By removing the square-footage limitation on the Shopping Center use, the use, which has a broader description, expands to cover development currently associated with the Regional Mall use. This relatively minor change to the Shopping Center use will make the Regional Mall use redundant and allow for its removal while maintaining the applicable districts and parking standards appropriate for retail development over 350,000 square feet in size as currently provided.

There is one slight exception to the above in that currently there is an allowance for a Special Use Permit to locate a Regional Mall use within an N-S (Neighborhood Service) District. This allowance is proposed to be eliminated with the deletion of the Regional Mall use. The N-S (Neighborhood Service) District is intended for the development of convenience retail shopping, services and professional offices principally serving neighborhood needs and should be compatible in scale, character and intensity with adjacent residential development. The district is meant to be a buffer between residential development and more intense retail and commercial uses such as the Regional Mall use. By not allowing the Shopping Center use as a permitted, conditional, or special use within the N-S (Neighborhood Service) District, it indicated that the scale of a retail shopping center in excess of 25,000 square feet would not be appropriate within the district. As such it is not appropriate to allow a 350,000-plus square-foot retail structure within this zoning district and this amendment would eliminate this inconsistency.

The proposed modification to the description of the Shopping Center use is relatively minor and incorporates the development activity anticipated under the Regional Mall use. The changes identified will allow the same intensity of uses without separate categories or titles. The addition of a definition for Shopping Center will make Title 19.20 consistent with the description included in Table 2 of Title 19.04. For these reasons staff recommends approval of this amendment.

FINDINGS

The proposed text amendment will achieve the following:

- Consolidate the Shopping Center and Regional Mall uses into one use entry;
- Remove the Regional Mall use from the Land Use Table; and
- Add a definition of Shopping Center to Chapter 19.20 consistent with the Land Use Table description.

The following table summarizes all proposed changes:

Code Requirements	Existing Regulations	Proposed Regulations
Title 19.04.010 Land Use Tables	• Shopping Center use has a maximum gross square-footage limitation of 350,000 SF • Regional Mall use, for retail centers with a gross square-footage of more than 350,000 SF, has a limited configuration	• Delete maximum gross square floor area from the Shopping Center use description • Adds that Regional Mall as defined in Chapter 19.20 is included within the Shopping Center use • Delete the Regional Mall use
Title 19.20.020 Definitions – Words and Terms Defined	• There is no definition for Shopping Center	• Adds a definition for Shopping Center

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

City of Las Vegas Agenda Item No.: **30.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 25, 2010

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

SUBJECT:
TXT-37402 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to amend Title 19.00 and 19.18 to modify procedures and application requirements for land use applications, All Wards

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

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

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Conditions and Staff Report
2. Backup Reference from the September 13, 2007 Planning Commission Meeting Item #55

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: TXT-37402 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS

** CONDITIONS **

Staff recommends APPROVAL.

1. 19.00.070 is hereby amended as follows:

19.00.070 ENFORCEMENT

F. Appeals of Interpretation

Any person aggrieved in connection with the inability to obtain a building permit or by the decision of any administrative officer or agency based upon or made in the course of the administration or enforcement of any provision for which no application referenced herein is applicable of this Title may appeal the decision to the City Council. An appeal must be in written form and must be filed in the office of the City Clerk, with a copy to be filed in the office of the Department of Planning and Development. The appeal must be filed within ten days after the administrative decision is made and shall specifically describe the decision at issue and the basis for the appeal. The appeal shall be considered on the next available agenda of the City Council.

2. 19.18.030 is hereby amended as follows:

19.18.030 GENERAL PLAN AMENDMENT

C. Application

1. **Initiation of Application.** A General Plan Amendment may be initiated by the Planning and Development Department, the Planning Commission or the City Council, or by means of an application filed by the owner(s) of record of each parcel of property proposed for a General Plan Amendment.

4. **Other Governmental Ownership.** With respect to property which is owned by the State of Nevada or the United States of America, a General Plan Amendment application is sufficient if it is signed and acknowledged by a prospective purchaser of that property who has: ~~entered into a contract with the governmental entity to obtain ownership of the property.~~

MMW

a. Entered into a contract with the governmental entity to obtain ownership of the property; or
b. Provided a letter of no objection from the governmental entity.

3. 19.18.040 is hereby amended as follows:

19.18.040 REZONING

C. Minimum Site Requirements

Property which is proposed to be rezoned to the following zoning districts must meet the minimum criteria denoted below in order to be considered for rezoning~~, except that a minimum site area requirement may be waived in a particular case by the City Council~~.

D. Application - General

2. **Initiation of Application.** An application for a rezoning may be initiated by the Planning and Development Department, the Planning Commission or by the City Council, or by means of an application filed by the owner(s) of record of each parcel of property proposed for rezoning.

3. **Other Governmental Ownership.** With respect to property which is owned by the State of Nevada or the United States of America, a rezoning application is sufficient if it is signed and acknowledged by a prospective purchaser of that property who has: ~~entered into a contract with the governmental entity to obtain ownership of the property.~~

   a. Entered into a contract with the governmental entity to obtain ownership of the property; or
   b. Provided a letter of no objection from the governmental entity.

6. **Contiguous Land.** Except with respect to rezoning applications initiated by the Planning and Development Department, the Planning Commission or the City Council, all of the land in the application shall be contiguous with at least one common point.

H. Planning Commission Public Hearing and Action

2. **Notice**

   b. Names Provided. The Department of Planning and Development shall provide, at the request of the applicant, the name, address ~~and phone number~~ of any person notified pursuant to Subparagraph (F) above.

~~**N. Authorization to Proceed**~~

~~Approval of a rezoning application by the City Council constitutes a declaration of intent to amend the Official Zoning Map Atlas of the City to reflect the zoning district approved for the property. Such approval authorizes the applicant to proceed with the process to develop and/or use the property in accordance with the development and design standards and procedures of all City departments and in conformance with all requirements and provisions of the City of Las Vegas Municipal Code.~~

4. 19.18.050 is hereby amended as follows:

19.18.050 SITE DEVELOPMENT PLANS

B. Applicability

4. Certain Conversions. The conversion of any development from multi-family or apartment development to condominium status~~, or the conversion of any condominium development to a rental only multi-family or apartment development,~~ shall require a Site Development Plan Review.

C. Authority

The Director shall have the authority to determine whether a Site Development Plan will be exempt or subject to a major review or a minor review and to approve or deny any Site Development Plans which requires a minor review. However, final approval authority shall rest with:

D. Design Standards

All required Site Development Plans shall meet or exceed the minimum standards established in this Title. In addition, the City~~'s~~ may adopt policy documents ~~entitled "Landscape, Wall and Buffer Standards" is~~ as a resource for acceptable standards and design solutions. To the extent that such documents establish~~es~~ minimum requirements and standards and ~~is~~ are formally adopted by the City Council, Site Development Plans must comply with ~~that~~ those documents.

F. Minor Review of Site Development Plans

1. Minor Review Decisions. Site Development Plans requiring Minor Reviews may be approved administratively by the Director. Minor Reviews include but are not limited to:

a. Alterations which affect the external dimensions of a building or structure meeting all code requirements and any previous conditions of discretionary approval.

b. New construction, commercial or industrial, 5000 square feet or less meeting all code requirements.

c. Residential construction up to 4 units meeting all code requirements and not part of a sequential application for additional units.

3. **Minor Review Appeal by City Council.** The administrative approval of a Site Development Plan pursuant to this Section (F) shall be final action unless, within 10 days following the approval, a member of the City Council files with the Director a written request ~~for the Council~~ to appeal ~~review~~ the approval. In the event such a request is filed, ~~the Council shall have final authority to approve, deny or modify the~~ a Major Site Development Plan Review shall be required.

G. Major Review of Site Development Plans

2. Major Review Process

a. Application. A pre-application shall be required prior to the submittal of any application for a Major Development Review. An application for a Major Development Review shall be filed in the Department of Planning and Development. The application shall be signed and notarized by:

i. The owner of the property where the development is to occur or by the owner's authorized agent;

ii. The applicant, when the property is owned by the State of Nevada or the United States of America, and the applicant has entered into a contract with the governmental entity to obtain ownership of the property or has a letter of no objection from the governmental entity. In cases where the applicant is providing a letter of no objection, any approval shall be conditioned upon the applicant securing a contract to obtain ownership of the property.

f. Appeal of Planning Commission Action. If the applicant is aggrieved by the Planning Commission's denial of an application, or by any condition imposed upon an approval, the applicant may appeal the decision to the City Council by written request. If an owner of property within the notification area wishes to appeal an approval, they may appeal the decision. ~~The~~ Any appeal must be filed in the Office of the ~~City Clerk~~ Planning and Development Department within 10 days after the Planning Commission's action. Fee for public hearing as set by resolution of the City Council shall accompany appeal.

H. Amendment to an Approved Site Development Plan

1. **Minor Amendment.** Minor relocation or reorientation of buildings, lot lines and/or easements, relocation of internal access and circulation; relocation or rearrangement of parking areas, reduction of established square footage and/or density limitations ~~by 10 percent or less,~~ and increase of landscape or building setbacks are considered minor amendments and may be approved administratively. However, the Director has no authority to approve any:

a. Alteration in the basic relationship of the proposed development to adjacent property;

b. ~~Material change in the uses or types of uses permitted;~~ Change necessitating a waiver or variance of development standards set by Title 19.

c. Material increase in the maximum density, floor area, or height by more than 10 percent;

d. Material decrease in the amount of off-street parking, unless the amount of parking remains sufficient and conforms to the requirements of this Title;

e. Reduction in the minimum yards or setbacks by more than 10 percent; or

f. Material change in the characteristics of the elevational drawings ~~or Site Development Plan as approved~~ so as to alter the basic design quality and character of the proposed development.

g. Material change not necessitated by minimum requirements of adopted city codes-building (Title 16), drainage, (Chapter 20.10), and Uniform Standard Drawings.

J. Expiration

A Site Development Plan which is not exercised within the approval period shall be void, unless an extension of time is granted upon a showing of good cause. An extension of time may be granted only if application therefore is made prior to the expiration of the approval period. For purposes of this Subsection (J):

1. The "approval period" for a Site Development Plan is the time period specified in the approval, if one is specified, and is two years otherwise.

2. A Site Development Plan is exercised upon the issuance of a building permit for the principal structure on the site or the recordation of a final map for residential subdivision**.**

5. 19.18.060 is hereby amended as follows:

19.18.060 SPECIAL USE PERMIT

B. Authority

The City Council~~, upon recommendation by~~ and the Planning Commission, shall have the authority to approve, approve with conditions, or deny an application for a Special Use Permit.

G. Planning Commission Public Hearing and Action

2. Notice

b. Names Provided. The Department of Planning and Development shall provide at the request of the applicant, the name, address ~~and phone number~~ of any person notified pursuant to Subparagraph (F) above.

~~J. Appeals and City Council Review~~

~~*(Ord 5792 - 10/05/05)*~~

~~**1. Appeal of Denial.** A decision by the Planning Commission to deny a Special Use Permit application becomes final and effective at the expiration of 10 days after the date of the decision unless, within that period, the applicant appeals the decision by written request filed with the City Clerk. The City Council may establish a fee for the filing of an appeal, and the amount of any fee so established shall be as set forth in the fee schedule.~~

~~**2. Final Action by City Council Concerning Approval.** A decision by the Planning Commission to approve a Special Use Permit application constitutes a recommendation to the City Council. The City Council shall make the final decision concerning the application.~~

J. Planning Commission Decision.

1. In making its final decision, the Planning Commission shall consider the recommendation of the City Departments, the evidence presented at the hearing and the criteria set forth in Section (L) of this subchapter. The Planning Commission may approve, approve with conditions, or deny an application. All actions by the Planning Commission are final unless:

   a) Otherwise required by prior action of the City Council; or

   b) a member of the City Council files with the department of Planning and Development, within 10 days following the approval, a written request for the Council to review the approval.

2. If the applicant is aggrieved by the Planning Commission's denial of an application, or by any condition imposed upon an approval, the applicant may appeal the decision to the City Council by written request. If the owner of property within the notification area wishes to appeal an approval, they may appeal the decision. Any appeal must be filed in the Office of the Planning and Development Department within 10 days after the Planning Commission's action. Fee for public hearing as set by resolution of the City Council shall accompany appeal.

M. Amendments to an Approved Special Use Permit

~~A Special Use Permit is limited to the uses and structures which are shown on the approved site development plan and are consistent with any conditions of approval.~~ Any request to amend or modify an approved Special Use Permit shall be submitted to the Department of Planning and Development. Upon receipt of such a request, the Director shall determine if the request constitutes a minor amendment or a major amendment. Minor amendments may be approved administratively. A major amendment requires approval by the Planning Commission or City Council, ~~after a recommendation by the Planning Commission~~. Minor and major amendments are categorized as follows:

1. **Minor Amendments.** A minor amendment includes a:

   a. ~~Relocation or reorientation of buildings which does not alter the basic relationship to adjacent property;~~ Reduction or expansion of the use permitted by the Special Use Permit that is less than 50 percent of the square footage of the original approval.

   b. ~~Minor adjustment in lot lines and/or easements;~~ Change of location on the same legal parcel of original approval where use meets provisions of section "a" above.

   c. ~~Minor rearrangement of internal access and circulation;~~ Change in size or location meeting criteria above may not require a waiver or an increase of an original waiver requirement of distance separation requirements.

   ~~**d.** Relocation or rearrangement of parking areas;~~

   ~~**e.** Change in the approved square footage or density that does not represent an increase of more than 10 percent;~~

   ~~**f.** Change in landscaping or building setbacks that does not represent a significant decrease.~~

P. ~~Termination~~ Expiration

~~**1.** Failure to Exercise~~

1. ~~**a.**~~ A Special Use Permit which cannot be exercised except upon construction of a new building, and which is not exercised within the approval period, shall be void, unless the Planning Commission or City Council whichever body took final action grants an extension of time upon a showing of good cause. An extension of time may be granted only if application therefore is made prior to the expiration of the approval period. For purposes of the Subparagraph (a):

   a. ~~**i.**~~ The "approval period" for a Special Use Permit is the time period specified in the approval, if one is specified, and is two years otherwise.

   b. ~~**ii.**~~ A Special Use Permit is exercised upon the issuance of a building permit for the new construction.

2. ~~b.~~ A Special Use Permit which does not require the construction of a new building in order to be exercised, and which is not exercised within the approval period shall be void, unless the Planning Commission or City Council whichever body took final action grants an extension of time upon a showing of good cause. An extension of time may be granted only if application therefore is made prior to the expiration of the approval period. For purposes of the Subparagraph (b):

a. ~~i.~~ The "approval period" for a Special Use Permit is the time period specified in the approval, if one is specified, and is ~~one year~~ two years, otherwise.

b. ~~ii.~~ A Special Use Permit is exercised upon the approval of a business license to conduct the activity, if one is required, or otherwise, upon the issuance of a non-work certificate of occupancy or approval of a final inspection for tenant improvements.

6. 19.18.070 is hereby amended as follows:

19.18.070 VARIANCE

J. Appeals

1. **Denials Generally.** Except as otherwise provided in Subsection (3), a decision by the Planning Commission to deny a Variance application becomes final and effective at the expiration of 10 days after the date of the decision unless, within that period, the applicant appeals the decision by written request filed with the ~~City Clerk~~ Department of Planning and Development. ~~The City Council may establish a fee for the filing of an appeal, and the amount of any fee so established shall be set forth in the fee schedule~~. Fee for public hearing as set by resolution of City Council shall accompany appeal filed.

2. **Approvals Generally.** Except as otherwise provided in Paragraph (3), a decision by the Planning Commission to approve a Variance application becomes final and effective at the expiration of 10 days after the date of the decision unless, within that period, a member of the City Council requests that the item be reviewed by the Council, or an aggrieved ~~person~~ property owner within the notification area appeals the decision by written request filed with ~~the City Clerk. The City Council may establish a fee for the filing of an appeal, and the amount of any fee so established shall be as set forth in the fee schedule~~ department of Planning and Development. Fee for public hearings as set by Resolution of City Council shall accompany appeal filed.

3. **~~Automatic~~ Review by City Council.** ~~In each of the following cases, t~~ The decision by the Planning Commission on a Variance application constitutes a recommendation to the City Council, and the City Council shall make the final decision concerning the application on:

~~**a.** A Variance application that has been approved by the Planning Commission regarding a reduction in required parking or regarding an existing structure; or~~

~~**b.**~~ A Variance application, whether approved or denied by the Planning Commission, that is related to and has been filed in connection with an application for a General Plan Amendment; an application for rezoning; or an application for a Special Use Permit or ~~an application for~~ Site Development Plan Review that requires final action by the City Council.

O. ~~Termination~~ Expiration

1. Failure to Exercise

a. A Variance which will require the construction of a new building and which is not exercised within ~~two years after~~ the approval period shall be void, unless the applicant obtains an extension of time upon a showing of good cause. Application for an extension shall be made to the Planning Commission or City Council, whichever body took final action to approve the Variance. An extension of time may be granted only if application therefore is made prior to the expiration of the two-year period. For purposes of the Subparagraph (a)~~,~~ .

a) The "approval period" for a Variance is the time period specified in the approval, if one is specified and is two years otherwise

b) A ~~a~~ Variance is exercised upon the issuance of a building permit for the new construction.

b. A Variance which will not require the construction of a new building and which is not exercised within ~~one year after approval~~ the approval period shall be void, unless the applicant obtains an extension of time upon a showing of good cause. Application for an extension shall be made to the Planning Commission or City Council, whichever body took final action to approve the Variance. An extension of time may be granted only if application therefore is made prior to the expiration of the ~~one year~~ approval period. For purposes of this Subparagraph (b), a Variance is exercised upon the approval of a business license to conduct the activity, if one is required, or otherwise, upon the issuance of a non-work certificate of occupancy or approval of a final inspection for tenant improvements.

7. 19.18.080 is hereby amended as follows:

TXT-37402 - Conditions Page Ten
March 25, 2010 - Planning Commission Meeting

19.18.080 ADMINISTRATIVE DEVIATION

A. Purpose

The purpose of this subchapter is to establish a procedure (entitled an Administrative Deviation) to allow for minor adjustments of specific requirements of the Zoning Code where, because of special and unique conditions applicable to a specific lot or structure, the literal enforcement of the requirements as applied to the lot or structure would result in an unnecessary hardship. ~~The Administrative Deviation procedure is available as an alternative to the Variance procedure, to be pursued at the option of the applicant~~. If the Administrative deviation is denied, a Variance application is required.

A. Authority

The Director of the Department of Planning and Development shall have the authority to grant an Administrative Deviation, in accordance with the provisions of this Subchapter, to allow a minor deviation up to 10% ~~residential~~ lots regarding the following:

1. Front, rear and side yard building setbacks (~~for developed single family lots only);~~
2. ~~Block~~ wall heights; and
3. Accessory structure setbacks and heights.
4. Planting areas and materials.
5. Loading and stacking spaces.

C. Eligibility to Apply

1. No application for an Administrative Deviation regarding a building setback may be submitted unless:

~~**d.** The applicant submits signatures representing ownership of all abutting properties indicating no objection to the requested deviation.~~

2. No application for an Administrative Deviation may be submitted regarding the height of an accessory structure unless:

~~**b.** The applicant submits signatures representing the ownership of all abutting properties indicating no objection to the requested deviation, or the ownership of all properties within 100 feet of the subject property, whichever would require the most signatures.~~

~~**3.** For purposes of this Section (C), the term "abutting" means sharing any property line with the parcel for which the deviation is sought, or which would share a property line but for an intervening right-of-way. In the case of deviations for setbacks or block walls, the Director shall have the authority to waive the signature requirement regarding properties which are deemed not to be adversely affected.~~

19.18.150 REQUIRED REVIEWS

A. Purpose

The purpose of a Required Review is to provide a mechanism for reviewing applications for appropriateness of conduct in accordance to this Title and/or compliance with conditions of approval imposed by the Planning Commission or City Council.

B. Application.

An application for a Required Review shall be filed with the Department of Planning and Development on a form provided by the Department. The application shall be signed by the owner of record of the property for which the Required Review is sought, and shall be notarized as to the owner's signature. Fees as set by Resolution of City Council shall be required.

C. Hearing.

An application for a Required Review shall be heard by the Planning Commission or City Council, depending on which body took final action to approve. Notice of the time, place and purpose of the hearing must be given at least ten days before the hearing by:

1. Publishing the notice in a newspaper of general circulation within the City; and

2. Mailing a copy of the notice to:

a) The applicant;

b) Each owner of real property located within a minimum of one thousand feet of the property described in the application;

c) The president or head of any registered local neighborhood organization whose organization boundaries are located within the minimum of one mile of the property described in the application; and

d) The owner of each of the 30 separately-owned parcels nearest to the property described in the application to the extent this notice does not duplicate the notice otherwise required by this Paragraph (2).

D. Decision.

The Planning Commission or City Council may approve or deny an application for a Required Review.

E. Notice of Decision.

Written notice of the decision by the Planning Commission or City Council, as the case may be, including the reasons therefore, shall be provided to the applicant or agent. A copy of the notice shall also be filed with the City Clerk, and the date of the notice shall be deemed to be the date that notice of the decision is filed with the City Clerk.

F. Minor Required Reviews.

Minor Required Reviews, as determined by condition of approval, are completed administratively by the Director.

TXT-37402 - Staff Report Page One
March 25, 2010 - Planning Commission Meeting

** STAFF REPORT **

EXECUTIVE SUMMARY

Discussion and possible action to amend Title 19.00 and 19.18 of the Las Vegas Zoning Code to modify procedures and application requirements for land use applications.

BACKGROUND INFORMATION

In December 2009, the Development Review Process Efficiency Analysis (DRP) contracted by the city was submitted. On January 20, 2010, the City Council accepted and approved the report.

ANALYSIS

The DRP recommendation #3 is to "Use the recommendations made by the Planning Director in the TXT-23848 staff report dated 09/13/2007 as the basis for improving the entitlement process. This well thought out recommendation would allow Planning Commission to take final action on Special Use Permits. The consequence of this practice, which is generally consistent with other jurisdictions in the region, would reduce the timeframe for the approval process and the amount of staff time spent processing applications (thousands of staff hours are dedicated to this annually). It would allow the City Council to devote more time to other pressing matters."

Finding #18 "The language in Title 19 allows for the applicant to appeal anything that the Planning & Development Department does in its review of an application"

Recommendation #18 "Limit the conditions under which an applicant can appeal. This action will improve the quality of first reviews and the amount of staff time expended recycling applications back to the City Council."

RECOMMENDATION

Staff recommendation is to limit appeals. The proposal at this time is to clarify that appeals are only allowed when there is no provision in code for an application that would be allowed for the request. Staff is recommending that SUP's may be final action at Planning Commission. Notification to the City Council office will continue to be closely monitored.

TXT-37402 - Staff Report Page Two
March 25, 2010 - Planning Commission Meeting

The chart below summarizes the changes proposed for consideration. They are presented as clarifying versus substantive.

Section	Existing	Clarifying Proposed	Substantive Proposed
1	Allows appeal of all administrative decisions.	a) Allows appeals only when no application procedure exists in code.	
2	GPA Applications	a) Staff initiate amendments b) BLM applications with letter of no objection	
3	Rezoning	a) Staff initiate amendments b) BLM applications with letter of no objection c) Phone numbers of parties notified are unavailable d) Rezoning no longer are ROI's	a) Disallow waiver of size requirement of zoning districts
4	SDR	a) Condominium to apartment conversion to not require Site Development Plan Review b) Staff to determine exempt, in addition to major or minor per code c) All adopted design standards apply d) BLM applications with letter of no objection e) Appeals allowed by aggrieved property owners within notification area f) Recordation of final map exercises residential subdivision SDR	a) Minor Site Development Plan Reviews of building additions meeting code and all previous approvals up to 5000 square feet new commercial or industrial meeting code; up to 4 units and not part of additional applications b) Require pre-application meeting for Site Development Plan Review (same as Special Use Permit) c) Require noticing fee for appeals d) Allow reductions in size of approved Site Development Reviews to be minor e) Allow increase up to 10% in density, floor area or height to be minor amendments (note: no Variances)

5	SUP	a) Special Use Permit approval 2 years as designated to be same as other discretionary b) Appeals allowed by aggrieved property owners within notification area c) Special Use Permit exercised with non-work Certificate of Occupancy or final of Tenant Improvement	a) Special Use Permit approvals may be Planning Commission Final Action (like denials, SDR's and most Variances now) b) Allow reduction or expansion of use less than 50% of area as minor amendment c) Allow use to change location on the same parcel
6	VAR	a) All approved periods may be set in approval action, otherwise 2 years b) Appeals as above	a) Allow Variances for parking or existing structures to be Final Action at Planning Commission like all other Variances
7	Admin Deviation	a) Administrative Deviation denial necessitates a Variance application	a) Eliminate neighboring owners' signature requirement, keep code limitations
8	RQR	a) Add required reviews	

In reviewing other southern Nevada jurisdictions the following information applies regarding final actions.

Special Use Permits	**City of Henderson**	**City of North Las Vegas**	**Clark County**
Final Approval	Planning Commission	Planning Commission	Planning Commission
Exceptions		• Hotels • Pawn/Payday Loan	• Resort Casinos

In all cases the existing procedures with regard to land use applications shall apply:

21 days prior to Planning Commission:
All cases and preliminary recommendation sent to the City Council ward staff.

Day after Planning Commission:
All cases and actions taken by Planning Commission sent to City Council ward staff. Request for review by Council via email sent to Planning and Development within 10 days.

MMW

Note that all SUP's, Variances and SDR's associated with GPA's and Rezoning shall always be required to go forward to the City Council as only the City Council may amend the City's General Plan and Zoning maps.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

MMW

City of Las Vegas **Agenda Item No.: 55.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 13, 2007

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

SUBJECT:
TXT-23848 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - Discussion and possible action to amend Title 19.18.060 to allow the Planning Commission action to be Final Action for Special Use Permits.

This Item Will be Forwarded to City Council In Ordinance Form

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

RECOMMENDATION:
NO RECOMMENDATION

BACKUP DOCUMENTATION:
Conditions and Staff Report

Motion made by RICHARD TRUESDELL to Approve subject to conditions and adding the following condition as read for the record:

Section 3 (J)(2) should read: "Final Action by City Council Concerning Approval. A decision by the Planning Commission to Approve a Special Use Permit application constitutes final action. The City Council shall make the final decision concerning the application if appealed."

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1
GLENN TROWBRIDGE, DAVID STEINMAN, [NAME NOT FOUND], LEO DAVENPORT, RICHARD TRUESDELL, SAM DUNNAM; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-BYRON GOYNES)

Minutes:
CHAIRMAN DAVENPORT declared the Public Hearing open.

MARGO WHEELER, Director, Planning and Development Department, summarized the proposed revisions to the Text Amendment.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 13, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: TXT-23848 - APPLICANT: CITY OF LAS VEGAS

** CONDITIONS **

STAFF RECOMMENDATION: NO RECOMMENDATION, subject to:

1. That Title 19.18.060(B), "Authority," is hereby amended as follows:

   B. Authority

   The City Council~~, upon recommendation by~~ or the Planning Commission~~,~~ shall have the authority to approve, approve with conditions, or deny an application for a Special Use Permit.

2. That Title 19.18.060(G), "Planning Commission Public Hearing and Action," is hereby amended as follows:

   G. Planning Commission Public Hearing and Action

   3. Hearing. The Planning Commission shall conduct a public hearing on the application. In its discretion and for good cause, the Planning Commission may hold the application in abeyance for further study. However, subject to the provisions of State law, the Commission may not grant to an applicant more than two continuances on the same matter, unless the Commission determines, upon good cause shown, that the granting of additional continuances is warranted. Following the hearing or hearings, the Planning Commission shall make its recommendation to approve, approve with conditions, or deny the application for a Special Use Permit. The recommendation shall be based upon evidence that makes the grant or denial of the Special Use Permit appropriate.

   4. Conditions of Approval ~~Recommendation~~. In ~~recommending the approval of~~ reviewing a Special Use Permit application, the Planning Commission may impose any conditions, restrictions or limitations as the Commission may determine to be necessary to meet to the general purpose and intent of this Title and to ensure that the public health, safety and welfare are being maintained.

5. Notice of Planning Commission Decision. ~~Written notice of the Planning Commission's decision shall be provided to the applicant, agent, or both.~~ The Planning Commission shall provide written notice of its decision, which shall include the reasons for the decision and if the decision is to approve the Special Use Permit, any modifications, conditions or limitations that the Planning Commission may impose. The notice shall be provided to the owner, developer or agent. A copy of the notice shall also be filed with the City Clerk and the date of the notice shall be deemed to be the date that the decision is filed with the City Clerk.

3. That Title 19.18.060(J), "Appeals and City Council Review," is hereby amended as follows:

J. Appeals and City Council Review

1. Planning Commission Action. A decision by the Planning Commission to approve or deny a Special Use Permit application is final, unless the item is:

a. Forwarded to the City Council at the request of a member of City Council;

b. Part of a series of associated applications, where the other applications may require final action by City Council;

c. Appealed by the applicant; or

d. Appealed by a property owner within the notification radius of the subject property.

2.~~1.~~ Appeal of Denial. A decision by the Planning Commission to deny a Special Use Permit application becomes final and effective at the expiration of 10 days after the date of the decision unless, within that period, the applicant appeals the decision by written request filed with the City Clerk. The City Council may establish a fee for the filing of an appeal, and the amount of any fee so established shall be as set forth in the fee schedule.

~~**2. Final Action by City Council Concerning Approval.** A decision by the Planning Commission to approve a Special Use Permit application constitutes a recommendation to the City Council. The City Council shall make the final decision concerning the application.~~

4. That Title 19.18.060(M), "Amendments to an Approved Special Use Permit," is hereby amended as follows:

M. Amendments to an Approved Special Use Permit

A Special Use Permit is limited to the uses and structures which are shown on the approved site development plan and are consistent with any conditions of approval. Any request to amend or modify an approved Special Use Permit shall be submitted to the Department of Planning and Development. Upon receipt of such a request, the Director shall determine if the request constitutes a minor amendment or a major amendment. Minor amendments may be approved administratively. A major amendment requires approval by the Planning Commission or City Council, dependent upon which body exercised final approval of the request ~~City Council, after a recommendation by the Planning Commission~~. Minor and major amendments are categorized as follows:

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** STAFF REPORT **

APPLICATION REQUEST

This is a request to amend Title 19.18.060 to allow the Planning Commission action to be final action for Special Use Permit applications.

EXECUTIVE SUMMARY

The proposed amendment will allow Planning Commission to have final approval on most Special Use Permit applications. Exceptions to this would be where a member of City Council wishes to hear the item at a City Council meeting, where multiple associated applications are involved that require action by City Council, or where the item is appealed to City Council. As the new process will save time while still guaranteeing opportunities for public input, staff recommends approval of the request.

BACKGROUND INFORMATION

Title 19.18 currently dictates that all Special Use Permit applications must be reviewed by the Planning Commission, and then forwarded to the City Council for final action. No exceptions are available to allow Planning Commission final action on any Special Use Permit application.

ANALYSIS

The proposed amendment would allow Planning Commission to take final action on most Special Use Permit applications. The exceptions to this would be where a member of City Council could pull the item forward to be heard at a City Council meeting, where there are multiple applications that require action by City Council, or where the item is appealed. The appeal process would be expanded to indicate that either the applicant or any property owner within the notification radius would be able to appeal a decision of the Planning Commission on a Special Use Permit application.

Other jurisdictions in the Las Vegas Valley currently allow Planning Commission to take final action on Special Use Permit applications. The following table offers a comparison of the procedures for each of the jurisdictions in the valley:

Special Use Permits	City of Las Vegas	City of Henderson	City of North Las Vegas	Clark County
Final Approval	City Council	Planning Commission	Planning Commission (with exceptions)	Planning Commission (with exceptions)
Exceptions	(None)	(None)	• Hotels • Motels • Schools • Pawnshops • Deferred deposit loan facilities • Auto title loans • Short-term loans	• Resorts • Hotels • Casinos • Mixed-use developments

Based on the table above, the requested text amendment is generally consistent with the procedures of other jurisdictions in the valley. By allowing the Planning Commission to take final action on Special Use Permit applications, the timeframe for the approval process is reduced, and the amount of time spent processing applications for city staff will also be reduced. The procedures still allow adequate opportunities for public input, and any potential impacts can be addressed by the Planning Commission.

FINDINGS

Staff finds that the proposed amendment to the approval process for Special Use Permit applications will achieve the following:

- The timeframe for approvals is reduced, which improves customer service;
- The new process will result in time savings for city staff;
- Adequate opportunities for public input are maintained; and
- The process is generally consistent with the procedures employed by the other municipalities in the area.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

City of Las Vegas Agenda Item No.: **31.**

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