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)
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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.

May 27, 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 APRIL 22, 2010 AND THE PLANNING COMMISSION WORKSHOP MEETING OF MAY 13, 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. ABEYANCE - RENOTIFICATION - SUP-37580 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: WALGREEN CO. - OWNER: WALTRUST PROPERTIES, INC. - Request for a Special Use Permit FOR A 48 SQUARE-FOOT ACCESSORY PACKAGE LIQUOR OFF-SALE WITHIN AN EXISTING 13,905 SQUARE-FOOT RETAIL ESTABLISHMENT at 8500 West Cheyenne Avenue (APN 138-08-811-004), C-1 (Limited Commercial) Zone, Ward 4 (Anthony). NOTE: THIS APPLICATION HAS BEEN AMENDED TO REQUEST 79 SQUARE FEET FOR THE ACCESSORY PACKAGE LIQUOR OFF-SALE USE

7. EOT-37908 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT: ROYAL CONSTRUCTION - OWNER: SPINNAKER HOMES IX, LLC - Request for an Extension of Time of a previously approved Site Development Plan Review (SDR-27226) for a 100-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT WITH ACCESS ON WHISPERING SANDS DRIVE on 40.16 acres on the southwest corner of Grand Teton Drive and Tenaya Way (APN 125-15-101-003), U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units Per Acre), Ward 6 (Ross).

8. ZON-37852 - REZONING - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: SCHOOL BOARD OF TRUSTEES - Request for a Rezoning FROM: R-1 (SINGLE-FAMILY RESIDENTIAL) TO: C-V (CIVIC) on 7.45 acres at 931 Franklin Avenue (APN 162-03-604-005), Ward 3 (Reese).

9. ZON-37853 - REZONING - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: SCHOOL BOARD OF TRUSTEES - Request for a Rezoning FROM: R-1 (SINGLE-FAMILY RESIDENTIAL) TO: C-V (CIVIC) on 9.50 acres at 1200 Mallard Street (APN 138-25-201-001), Ward 5 (Barlow).

10. ZON-37854 - REZONING - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: SCHOOL BOARD OF TRUSTEES - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-V (CIVIC) on 36.28 acres at 4601 West Bonanza Road (APN 139-30-401-001), Ward 5 (Barlow).

11. VAR-37980 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: LILLY B. GUERRERO - Request for a Variance TO CREATE FOUR 56-FOOT WIDE LOTS WHERE 65-FOOT WIDE LOTS ARE THE MINIMUM REQUIRED on 0.73 acres adjacent to the east side of Pecos Street, approximately 110 feet south of Sunrise Avenue (APN 140-31-401-008), R-1 (Single Family Residential) Zone, Ward 3 (Reese).

12. SUP-37660 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: L'CHAIM WESTERN VILLAGE PROPERTY, LLC - Request for a Special Use Permit FOR A PACKAGE LIQUOR OFF-SALE USE WITHIN AN EXISTING 5,000 SQUARE-FOOT RETAIL ESTABLISHMENT at 321 Fremont Street (APN 139-34-610-010), C-2 (General Commercial) Zone, Ward 3 (Reese).

13. SUP-37904 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: FOREST CITY COMMERCIAL DEVELOPMENT - OWNER: PQ LAS VEGAS, LLC - Request for a Special Use Permit FOR SIX PROPOSED SATELLITE DISHES THAT EXCEED 10 FEET IN DIAMETER AND 12 FEET IN HEIGHT at 495 South Main Street (APN 139-34-201-022), C-2 (General Commercial) Zone, Ward 3 (Reese).

14. SUP-37905 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: FERGUSON MOTEL - OWNER: SONAL, INC. - Request for a Special Use Permit FOR 22 RESIDENCE HOTEL UNITS WITHIN AN EXISTING 68-UNIT MOTEL at 1028 Fremont Street (APNs 139-35-211-025 and 026), C-2 (General Commercial) Zone, Ward 5 (Barlow).

15. SUP-37922 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: AMERICAN EDUCATION GROUP - OWNER: MARY E. BULLARD REVOCABLE TRUST, ET AL - Request for a Special Use Permit FOR A 10,600 SQUARE-FOOT PRIVATE SCHOOL, PRIMARY at 2750 Lake Sahara Drive (APN 163-08-502-002), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson).

16. SUP-37937 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ALL STAR BAIL BONDS, INC. - OWNER: LSH, LP - Request for a Special Use Permit FOR A PROPOSED 1,807 SQUARE-FOOT BAILBOND SERVICE at 800 South 6th Street (APN 139-34-410-194), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

17. SUP-37939 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: ROBERT AND MARY GRACE AMATO - Request for a Special Use Permit FOR A PROPOSED 600 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS I) at 6825 Emerald Tree Court (APN 125-27-510-021), R-PD2 (Residential Planned Development - 2 Units Per Acre) Zone, Ward 6 (Ross).

18. VAC-37884 - VACATION - PUBLIC HEARING - APPLICANT: FC VEGAS 39, LLC - OWNER: FC VEGAS 39, LLC, ET AL - Petition to Vacate the east six feet of public right-of-way commonly known as First Street and located between Clark Avenue and Bonneville Avenue, Ward 3 (Reese).

19. SDR-37021 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: THE NEON MUSEUM - OWNER: CITY OF LAS VEGAS - Request for a Major Amendment to an approved Site Development Plan Review (SDR-18751) FOR A 779 SQUARE-FOOT ADDITION TO A 2,768 SQUARE-FOOT MUSEUM AND SITE MODIFICATIONS on 1.13 acres at 770 North Las Vegas Boulevard (APNs 139-27-805-005 and 139-27-812-045), C-V (Civic) Zone, Ward 5 (Barlow).

PUBLIC HEARING ITEMS:

20. ABEYANCE - GPA-37567 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: JUDITH PENA - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: L (LOW DENSITY RESIDENTIAL) TO: O (OFFICE) on 0.16 acres at 222 South Bruce Street (APN 139-35-413-100), Ward 3 (Reese).

21. ABEYANCE - ZON-37568 - REZONING RELATED TO GPA-37567 - PUBLIC HEARING - APPLICANT/OWNER: JUDITH PENA - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.16 acres at 222 South Bruce Street (APN 139-35-413-100), Ward 3 (Reese).

22. VAR-37570 - VARIANCE RELATED TO GPA-37567 AND ZON-37568 - PUBLIC HEARING - APPLICANT/OWNER: JUDITH PENA - Request for a Variance TO ALLOW FOUR PARKING SPACES WHERE SEVEN SPACES ARE REQUIRED on 0.16 acres at 222 South Bruce Street (APN 139-35-413-100), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 3 (Reese).

23. VAR-37976 - VARIANCE RELATED TO GPA-37567, ZON-37568 AND VAR-37570 - PUBLIC HEARING - APPLICANT/OWNER: JUDITH PENA - Request for a Variance TO ALLOW A FOUR-FOOT SETBACK FROM THE WEST PROPERTY LINE WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A FIVE-FOOT SETBACK on 0.16 acres at 222 South Bruce Street (APN 139-35-413-100), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 3 (Reese).

24. SDR-37569 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-37567, ZON-37568, VAR-37570 AND VAR-37976 - PUBLIC HEARING - APPLICANT/OWNER: JUDITH PENA - Request for a Site Development Plan Review FOR THE CONVERSION OF AN EXISTING 1,890 SQUARE-FOOT RESIDENCE TO AN OFFICE AND WAIVERS OF PERIMETER LANDSCAPE STANDARDS TO ALLOW ZERO-FOOT BUFFERS ALONG THE SOUTH AND EAST PERIMETERS WHERE 15 FEET IS REQUIRED AND ZERO-FOOT BUFFERS ALONG THE NORTH AND WEST PERIMETERS WHERE EIGHT FEET IS REQUIRED on 0.16 acres at 222 South Bruce Street (APN 139-35-413-100), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 3 (Reese).

25. ABEYANCE - GPA-37823 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CT-1, LLC - Request to Amend a portion of the Centennial Hills Sector Plan of the General Plan FROM: L (LOW DENSITY RESIDENTIAL) TO: SC (SERVICE COMMERCIAL) on 1.00 acres at 7204 West Craig Road (APN 138-03-201-009), Ward 4 (Anthony).

26. ABEYANCE - ZON-37824 - REZONING RELATED TO GPA-37823 - PUBLIC HEARING - APPLICANT/OWNER: CT-1, LLC - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-1 (LIMITED COMMERCIAL) on 1.00 acres at 7204 West Craig Road (APN 138-03-201-009), Ward 4 (Anthony).

27. SDR-37940 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-37823 AND ZON-37824 - APPLICANT/OWNER: CT-1, LLC - Request for a Site Development Plan Review FOR A PROPOSED 4,195 SQUARE-FOOT FINANCIAL INSTITUTION, GENERAL (WITH DRIVE-THRU) WITH A WAIVER OF PERIMETER LANDSCAPE BUFFER REQUIREMENTS TO ALLOW A ZERO-FOOT WIDE LANDSCAPE BUFFER ALONG THE SOUTH PROPERTY LINE WHERE 15 FEET IS REQUIRED on 1.0 acres at 7204 West Craig Road (APN 138-03-201-009), Ward 4 (Anthony).

28. ABEYANCE - SDR-37613 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: A CAB TAXI, CO. - OWNER: FOUR FOURS, LLC - Request for a Major Amendment to a previously approved Site Development Plan Review (SDR-35195) FOR A PROPOSED TAXICAB/LIMO YARD TO INCREASE THE AREA OF BUILDING C FROM 3,000 SQUARE FEET TO 5,000 SQUARE FEET WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER STANDARDS TO ALLOW BUFFER WIDTHS OF ZERO FEET ALONG THE EAST AND SOUTH PERIMETERS WHERE EIGHT FEET AND SIX FEET, RESPECTIVELY, WERE PREVIOUSLY APPROVED, AND TO ALLOW EIGHT PERIMETER TREES WHERE 39 TREES WERE PREVIOUSLY APPROVED on 1.89 acres at 1500 Searles Avenue (APN 139-26-201-004), C-M (Commercial/Industrial) Zone, Ward 5 (Barlow).

29. GPA-36593 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request to adopt an updated Historic Properties Preservation Plan Element and revise the 2020 Master Plan.

30. ZON-37634 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: JALALA, LLC - Request for a Rezoning FROM: R-3 (MEDIUM DENSITY RESIDENTIAL) TO: C-2 (GENERAL COMMERCIAL) on 0.23 acres at 630 South 11th Street (APN 139-34-811-009), Ward 3 (Reese).

31. VAR-37831 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: SANDRA LIPPINCOTT - Request for a Variance TO ALLOW AN EXISTING 316 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS II) WITH A ZERO-FOOT SIDE YARD SETBACK WHERE THREE FEET IS REQUIRED on 0.46 acres at 6791 Sierra Trail (APN 163-02-311-006), R-E (Residence Estates) Zone, Ward 1 (Tarkanian).

32. VAR-37837 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: CRAIG 95, LLC - Request for a Variance TO INCREASE THE HEIGHT OF AN EXISTING 14-FOOT BY 48-FOOT OFF-PREMISE SIGN TO 47 FEET WHERE 40 FEET IS THE MAXIMUM HEIGHT ALLOWED on 3.52 acres at 7075 West Craig Road (APN 138-03-701-003), C-1 (Limited Commercial) Zone, Ward 4 (Anthony).

33. VAR-37850 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: ST. MARY COPTIC ORTHODOX CHURCH - Request for a Variance TO ALLOW A 31-FOOT FRONT YARD SETBACK WHERE 50 FEET IS REQUIRED on 1.96 acres at 6170 West Cartier Avenue (APN 138-14-703-009), R-E (Residence Estates) Zone, Ward 5 (Barlow).

34. SDR-37848 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-37850 - PUBLIC HEARING - APPLICANT/OWNER: ST. MARY COPTIC ORTHODOX CHURCH - Request for a Site Development Plan Review FOR A PROPOSED TWO STORY, 3,338 SQUARE-FOOT PARSONAGE AND GUEST QUARTERS on 1.96 acres at 6170 West Cartier Avenue (APN 138-14-703-009), R-E (Residence Estates) Zone, Ward 5 (Barlow).

35. VAR-37927 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: DEBRA D. MAZZA TRUST OF 2008 - Request for a Variance TO ALLOW AN 11-FOOT REAR YARD SETBACK WHERE 15 FEET IS REQUIRED FOR A 255 SQUARE-FOOT PROPOSED ROOM ADDITION on 0.17 acres at 316 Brighton Road (APN 138-34-212-047), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian).

36. VAR-37943 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: INTERNATIONAL CHURCH OF LAS VEGAS, INC. - Request for a Variance TO ALLOW 119 PARKING SPACES WHERE 338 ARE REQUIRED on 4.99 acres at the southwest corner of Cliff Shadows Parkway and the 215 Beltway (APNs 137-12-401-011), PD (Planned Development) Zone, Ward 4 (Anthony).

37. SDR-37942 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-37943 - PUBLIC HEARING - APPLICANT: INTERNATIONAL CHURCH OF LAS VEGAS, INC. - OWNER: INTERNATIONAL CHURCH OF LAS VEGAS, INC. AND USA - Request for a Site Development Plan Review FOR A PROPOSED TWO-STORY, 35-FOOT HIGH, 66,192 SQUARE-FOOT CHURCH/HOUSE OF WORSHIP WITH WAIVERS OF THE LONE MOUNTAIN WEST WALL AND LANDSCAPE STANDARDS TO ALLOW RETAINING WALLS UP TO 16 FEET IN HEIGHT AND ZERO-FOOT LANDSCAPE BUFFERS ALONG PORTIONS OF THE NORTH, SOUTH, EAST AND WEST PERIMETERS on 9.12 acres at the southwest corner of Cliff Shadows Parkway and the 215 Beltway (APNs 137-12-401-001, 011, 040 and 137-12-410-003), PD (Planned Development) Zone, U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation], and C-V (Civic) Zone [PROPOSED: PD (Planned Development) and C-V (Civic)], Ward 4 (Anthony).

38. VAR-38096 - VARIANCE RELATED TO SUP-37665 - PUBLIC HEARING - APPLICANT: RIVI SALON - OWNER: RECEIVERSHIP ESTATE OF VILLAGE SQUARE SHOPPING CENTER, LLC - Request for a Variance to ALLOW NO ADDITIONAL PARKING SPACES WHERE 10 ADDITIONAL SPACES ARE REQUIRED at 9410 West Sahara Avenue, Suite #140 (APN 163-06-816-037), C-1 (Limited-Commercial) Zone, Ward 2 (Wolfson).

39. SUP-37665 - SPECIAL USE PERMIT RELATED TO VAR-38096 - PUBLIC HEARING - APPLICANT: RIVI SALON - OWNER: RECEIVERSHIP ESTATE OF VILLAGE SQUARE SHOPPING CENTER, LLC - Request for a Special Use Permit TO ADD A PROPOSED 608 SQUARE-FOOT MASSAGE ESTABLISHMENT WITHIN AN EXISTING 2,450 SQUARE-FOOT BEAUTY SALON WITH WAIVERS TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A SYNAGOGUE AND A RESIDENTIAL ZONE WHERE 400 FEET IS REQUIRED at 9410 West Sahara Avenue, Suite #140 (APN 163-06-816-037), C-1 (Limited-Commercial) Zone, Ward 2 (Wolfson).

40. SUP-37739 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: DURANGO MARKET - OWNER: MNLK, LLC - Request for a Special Use Permit FOR A PACKAGE LIQUOR OFF-SALE USE WITHIN AN EXISTING 2,326 SQUARE-FOOT RETAIL ESTABLISHMENT at 6955 North Durango Drive, Suite #1114 (APNs 125-20-215-269 and 270), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Ross).

41. SUP-37871 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CHRONIC TACOS - OWNER: TRAILS VILLAGE CENTER COMPANY - Request for a Special Use Permit FOR A PROPOSED 3,728 SQUARE-FOOT SUPPER CLUB at 1910 Village Center Circle, Suites #1 & #2 (APN 138-19-719-006), P-C (Planned Community) Zone, Ward 2 (Wolfson).

42. SUP-37885 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: VANGUARD LOUNGE, LLC - OWNER: A.W. HAM III TRUST - Request for a Special Use Permit FOR A PROPOSED 2,597 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT at 516 Fremont Street (APN 139-34-611-008), C-2 (General Commercial) Zone, Ward 5 (Barlow).

43. SUP-37892 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: PAITAKA P. AND TASEY MIYAHIRA - Request for a Special Use Permit FOR A 3,508 SQUARE-FOOT GROUP RESIDENTIAL CARE FACILITY (10 SENIOR CITIZENS) WITH A WAIVER TO ALLOW A 1,481-FOOT DISTANCE SEPARATION FROM ANOTHER GROUP RESIDENTIAL CARE FACILITY WHERE 1,500 FEET IS THE MINIMUM REQUIRED at 6640 West Cheyenne Avenue (APN 138-11-406-012), R-E (Residence Estates) Zone, Ward 4 (Anthony).

44. SUP-37930 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: GURDWARA BABA DEEP SINGH, INC. - Request for a Major Amendment to a previously approved Special Use Permit (U-0139-98) FOR THE ADDITION OF A 24,183 SQUARE-FOOT CHURCH/HOUSE OF WORSHIP USE TO AN EXISTING 2,714 SQUARE-FOOT CHURCH/HOUSE OF WORSHIP USE at 6341 West Lone Mountain Road (APNs 138-02-501-002 and 014), R-E (Residence Estates) Zone, Ward 6 (Ross).

45. SDR-37929 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-37930 - PUBLIC HEARING - APPLICANT/OWNER: GURDWARA BABA DEEP SINGH, INC. - Request for a Major Amendment to a previously approved Plot Plan Review (U-0139-98) FOR THE ADDITION OF A MAXIMUM 43-FOOT TALL, 24,183 SQUARE-FOOT CHURCH/HOUSE OF WORSHIP TO AN EXISTING 2,714 CHURCH/HOUSE OF WORSHIP WITH A WAIVER OF THE PERIMETER LANDSCAPE BUFFER STANDRARDS TO ALLOW A TWO-FOOT LANDSCAPE BUFFER ALONG A PORTION OF THE WEST PERIMETER WHERE EIGHT FEET IS REQUIRED at 6341 West Lone Mountain Road (APNs 138-02-501-002 and 014), R-E (Residence Estates) Zone, Ward 6 (Ross).

46. SUP-37951 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SAVERS STORE/TVI - OWNER: WEC 97K-36 INVESTMENT TRUST - Request for a Special Use Permit FOR A 29,950 SQUARE-FOOT THRIFTSHOP at 8530 West Lake Mead Boulevard (APN 138-20-611-001), C-1 (Limited Commercial) Zone, Ward 4 (Anthony).

47. SUP-38028 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LUIS CASTILLO - OWNER: D.I. PROPERTIES, INC. - Request for a Special Use Permit FOR A PROPOSED 4,488 SQUARE-FOOT BILLIARD PARLOR OR POOL HALL at 3050 East Bonanza Road, Suite #190 (APN 139-25-405-009), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

48. SUP-38029 - SPECIAL USE PERMIT RELATED TO SUP-38028 - PUBLIC HEARING - APPLICANT: LUIS CASTILLO - OWNER: D.I. PROPERTIES, INC. - Request for a Special Use Permit FOR A PROPOSED 4,488 SQUARE-FOOT BEER/WINE/COOLER ON-SALE ESTABLISHMENT at 3050 East Bonanza Road, Suite #190 (APN 139-25-405-009), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

49. SDR-37946 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: RESORT GAMING GROUP, LLC - OWNER: 220 NORTH 4TH STREET LV, LLC, ET AL - Request for a Site Development Plan Review FOR PROPOSED FACADE MODIFICATIONS AND THE ADDITION OF A SERVICE YARD, A PORTE COCHERE, A SURFACE PARKING LOT AND A 25-FOOT ADDITION ON THE ROOF OF AN EXISTING HOTEL/CASINO WITH WAIVERS OF DOWNTOWN CENTENNIAL PLAN STREETSCAPE, UTILITY AND PARKING LOT LANDSCAPING AND SCREENING REQUIREMENTS on 3.94 acres at 220 North 4th Street (APNs 139-34-501-009; 139-34-510-019 and 139-34-514-007 through 009), C-2 (General Commercial) Zone, Ward 5 (Barlow).

DIRECTOR'S BUSINESS:

50. ABEYANCE - TXT-37525 - 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 and applicability of the Utility Transmission Lines use to meet NRS requirements, All Wards.

51. ABEYANCE - DIR-37759 - DIRECTOR'S BUSINESS - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Update on Long Range Planning Items.

52. TXT-37855 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to amend Table 2 of Title 19.04 and the Town Center Development Standards Manual to update standards and applicable districts for the Motor Vehicle Sales (New) use.

53. TXT-37903 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to make various corrections and updates to the Downtown Centennial Plan.

54. TXT-37978 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to amend Title 19.08 to revise minimum setbacks for accessory structures.

CITIZENS PARTICIPATION:

55. 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: MAY 27, 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: MAY 27, 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 MAY 27, 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 MAY 27, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

SUBJECT:

APPROVAL OF THE FINAL MINUTES FOR THE PLANNING COMMISSION MEETING OF APRIL 22, 2010 AND THE PLANNING COMMISSION WORKSHOP MEETING OF MAY 13, 2010

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

AGENDA SUMMARY PAGE

PLANNING COMMISSION MEETING OF: MAY 27, 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: MAY 27, 2010

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

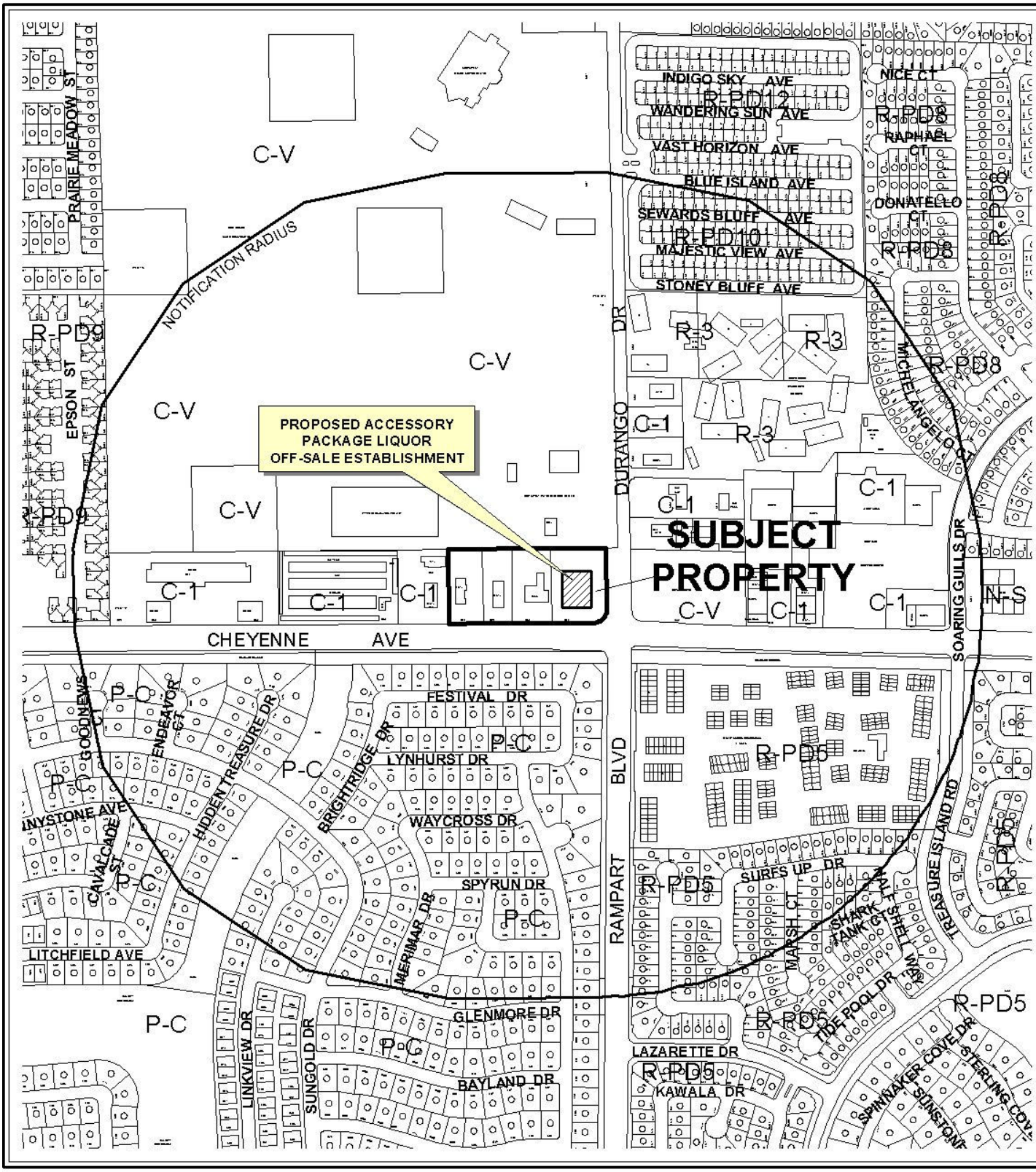
SUBJECT:
ABEYANCE - RENOTIFICATION - SUP-37580 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: WALGREEN CO. - OWNER: WALTRUST PROPERTIES, INC. - Request for a Special Use Permit FOR A 48 SQUARE-FOOT ACCESSORY PACKAGE LIQUOR OFF-SALE WITHIN AN EXISTING 13,905 SQUARE-FOOT RETAIL ESTABLISHMENT at 8500 West Cheyenne Avenue (APN 138-08-811-004), C-1 (Limited Commercial) Zone, Ward 4 (Anthony). **NOTE: THIS APPLICATION HAS BEEN AMENDED TO REQUEST 79 SQUARE FEET FOR THE ACCESSORY PACKAGE LIQUOR OFF-SALE USE** Staff recommends APPROVAL.

IF APPROVED, C.C.: 07/07/2010
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**9**	**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



0 500 1000 Feet

CASE: **SUP-37580**

RADIUS: 1000 FT

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

N



0 500 1000 Feet

CASE: **SUP-37580**

RADIUS: 1000 FT

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



SUP-37580

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: MAY 27, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: WALGREEN CO. - OWNER: WALTRUST PROPERTIES, INC.

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-37580	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-37580 CONDITIONS

Planning and Development

1. All on-site storage containers shall be removed from the premise.

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

3. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity. 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 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.

Staff Report Page One
May 27, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for 79 square-foot Retail Establishment with Accessory Package Liquor Off-Sale use within an existing 8,997 square-foot square-foot Retail Establishment at 8500 West Cheyenne Avenue. The proposed use will not require any 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 existing establishment meets the minimum Special Use Requirements, therefore staff recommends denial. If this request is denied, no alcohol may be sold on the premises without approval of another Special Use Permit.

ISSUES

- The storage containers located on site currently occupy required parking spaces. A condition of approval will require their removal from the property.
- There are no Waivers requested for the proposed Accessory Package Liquor Off-Sale use.
- Accessory Package Liquor Off-Sale is ancillary to the sale of other retail items, and is limited to no more than 10 percent of the retail floor space. The applicant is dedicating 0.53 percent of the retail floor space to the sale of alcohol.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
07/19/95	The City Council approved a request for a Zoning Reclassification (Z-0037-95) at 8500 West Cheyenne Avenue. The Planning Commission recommended approval of the request.
09/12/96	The Planning Commission approved a request for a Plot Plan and Building Elevation Review [Z-0037-95(5)] on a property located at the northwest corner of Cheyenne Avenue and Durango Drive for a proposed 13,905 square foot drug store.
04/22/10	The Planning Commission, at the request of the applicant, voted to hold this item in abeyance to properly renotify a proposed increase in the floor area dedicated to the sale of package liquor.

Most Recent Change of Ownership	
08/19/97	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
09/30/97	A business license application (C05-01835) was issued for cigarette sales at 8500 West Cheyenne Avenue. The license is still active.
09/30/97	A business license application (D11-00146) was issued for a drug store at 8500 West Cheyenne Avenue. The license is still active.
05/30/07	A business license application (C14-00514) was issued for a clinic at 8500 West Cheyenne Avenue. The license was marked out of business on 01/30/08.
07/18/08	A business license application (Q04-00080) was issued for pharmacy at 8500 West Cheyenne Avenue. The license is still active.

Pre-Application Meeting	
02/11/10	A pre-application meeting was held with the applicant where elements of submitting a Special Use permit were discussed. Topics included: • The project meets the 400 foot distance separation. • The applicant is to provide calculations on the floor plan to indicate that the Accessory Package Liquor Off-Sale will occupy no more than 10% of the retail floor space. • No additional Parking is required beyond that which is required for the principal use(s) on the site.

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

Field Check	
03/18/10	A site inspection was conducted by staff with the following observations: • The site was noted as a well maintained commercial development. • There are two storage containers located north and east of the subject site. One of the containers is taking up required parking spaces. • There are two unpermitted banner signs installed on the building façade facing Cheyenne Avenue. The violation has been referred to Code Enforcement.

Details of Application Request	
Site Area	
Net Acres	1.47

Surrounding Property	*Existing Land Use Per Title 19.04*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	Retail Establishment	SC (Service Commercial)	C-1 (Limited Commercial)
North	Water Resource Center	PR-OS (Parks/Recreation/Open Space)	C-V (Civic)
South	Single-Family Dwellings	Single Family (Sun City Summerlin)	P-C (Planned Community)
East	Commercial Development	SC (Service Commercial)	C-1 (Limited Commercial)
West	Nevada Power	PF (Public Facility)	C-V (Civic)

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area			
Centennial Hills Sector Plan	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
Interlocal Agreement	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		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	
General Retail Store, Other than Listed (3,500 Square feet or More)	8,997 SF	1:175	48		66		Y
TOTAL SPACES REQUIRED			51		70		Y
TOTAL (With Handicapped)			48	3	66	4	Y

AO

ANALYSIS

The applicant is proposing an Accessory Package Liquor Off-Sale use as a part of an existing Retail Establishment at 8500 West Cheyenne Avenue. 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. There are no Waivers requested as a part of the subject Special Use Permit application. During a routine field check, staff discovered that two storage containers are being stored on the subject site. One the containers located north of the site is occupying parking spaces which are required to meet Title 19.04 requirements. Staff cannot support this application because the of the placement storage containers on the subject site. Staff therefore recommends denial.

FINDINGS (SUP-37580)

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

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

   The proposed 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 conducted in a manner that is harmonious and compatible with the adjacent surrounding uses.

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 Cheyenne Avenue and Durango Drive, both 100-foot Primary Arterials as designated in the Master Plan of Street 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.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 21

NOTICES MAILED 819

APPROVALS 2

PROTESTS 9

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-37580** APN: 138-08-811-004

Name of Property Owner: Waltrust Properties, 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: 138-08-811-004

Signature of Property Owner: _____

Print Name: Robert M Silverman

Subscribed and sworn before me

This 23rd day of October, 2009

_____

Notary Public in and for said County and State

Revised 11-14-06

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

RECEIVED
MAR 04 2010

#4197

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

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

Project Address (Location) 8500 West Cheyenne Avenue

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

Assessor's Parcel #(s) 138-08-811-004 **Ward #** 4

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

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

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

Additional Information _____

PROPERTY OWNER Waltrust Properties, Inc. **Contact** Rebecca Lidskin

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

City Deerfield **State** IL **Zip** 60015

E-mail Address rebecca.lidskin@walgreens.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 Robert M Silverman

Subscribed and sworn before me

This 23rd day of November, 2009.

_____

Notary Public in and for said County and State

"OFFICIAL SEAL"
SUZANNE L. COLLINS
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 4/4/2010

FOR DEPARTMENT USE ONLY

Case #	SUP-37580
Meeting Date:	4/22/10
Total Fee:	1280.00
Date Received:*	
Received By:	3/4/10

*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 04 2010

Revised 10/27/08

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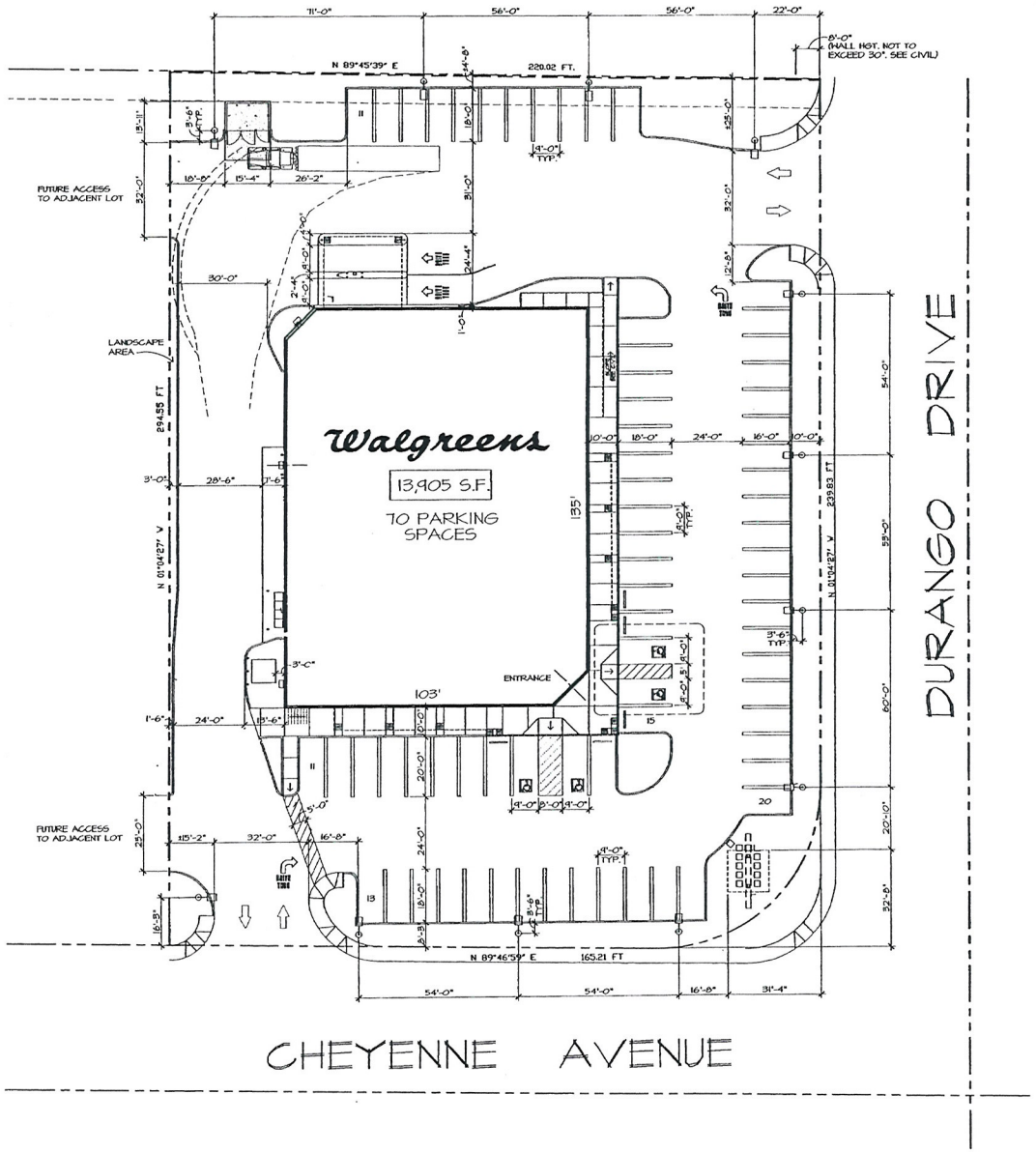
#4197



SITE PLAN

SCALE: 1" = 20'-0"

north

SUP-37580

04/22/10 PC

RECEIVED
MAR 04 2010

Walgreens

FACILITIES PLANNING, DESIGN, & ENGINEERING
106 WILMOT ROAD
DEERFIELD, IL 60015-5105

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 04197

PROJECT NAME
WALGREENS STORE
8500 WEST CHEYENNE AVE.
LAS VEGAS, NV

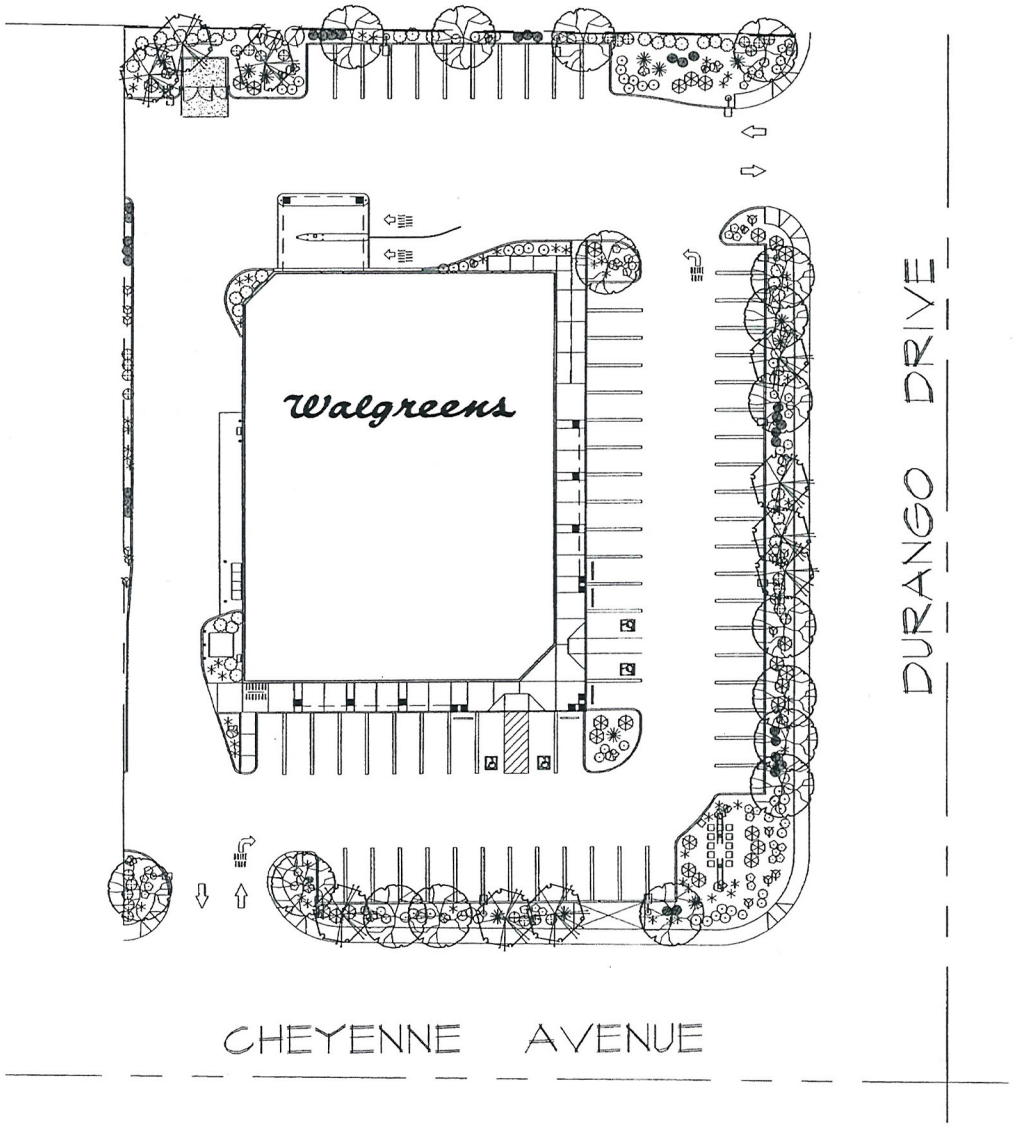
DRAWING TITLE
SITE PLAN

CADD PLOT: 4197-A01-BW-13NOV09
VOID PLOT:
SUPERSEDES PLAN DATED:

SCALE: 1"=20'-0"
DRAWN BY: RH
DATE: 11-13-09
REVIEWED BY:

DRAWING NO. A0.1
OF DWGS.

TIM MICHALSKI 11/17/2009 3:18 PM S:\DOCUMENTS AND SETTINGS\MICHAT\DESKTOP\JAMIE\04197-A01-BW-13NOV09



LANDSCAPE PLANTING PLAN

SCALE: 1"=20'-0"

NORTH

Walgreens

FACILITIES PLANNING, DESIGN, & ENGINEERING
106 WILMOT ROAD
DEERFIELD, IL 60015-5105

NO.	DATE	BY	DESCRIPTION	CONST

REVISIONS

CERTIFICATION AND SEAL

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STORE NUMBER 04197

PROJECT NAME

WALGREENS STORE
8500 WEST CHEYENNE AVE.
LAS VEGAS, NV

DRAWING TITLE

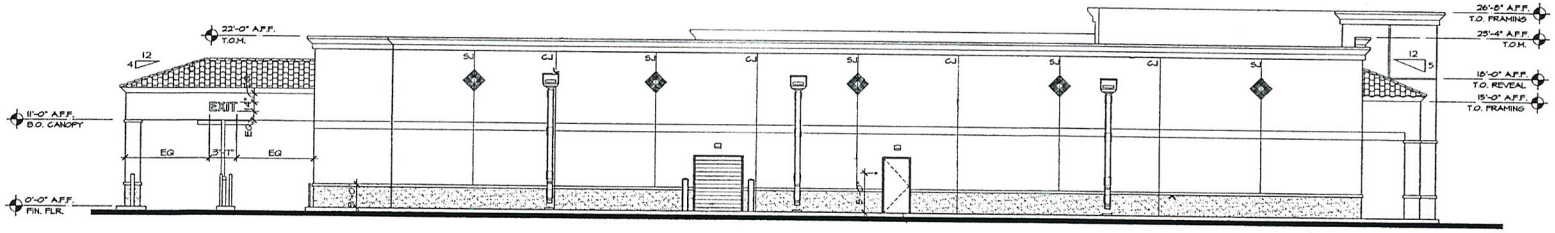
LANDSCAPE PLAN

CADD PLOT: 04197-L1-BW-13NOV09	SCALE: 1"=20'-0"	DRAWING NO.
VOID PLOT:	DRAWN BY: RH	L1
SUPERSEDES PLAN DATED:	DATE: 11-13-09	
	REVIEWED BY:	OF DWGS.

BM MCKALSH 11/17/2009 3:18 PM C:\DOCUMENTS AND SETTINGS\MCRA1\DESKTOP\JAME\04197-L1-BW-13NOV09

SUP-37580
04/22/10 PC

RECEIVED
MAR 04 2010



WEST ELEVATION

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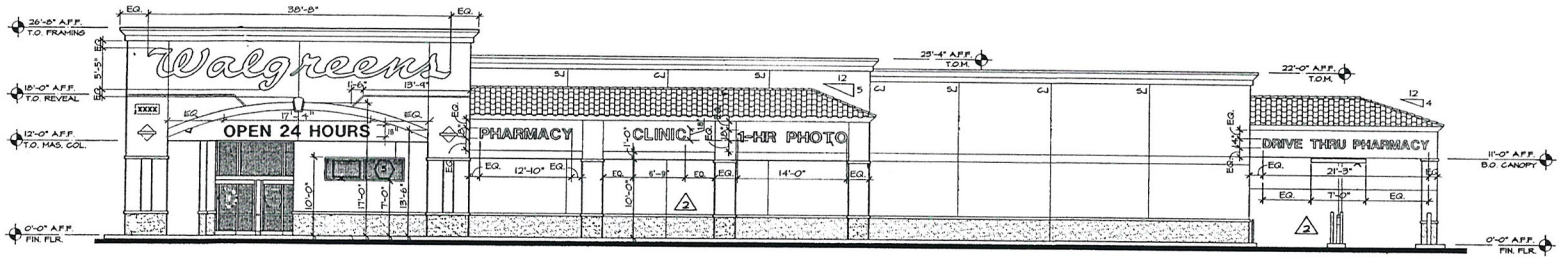

EAST ELEVATION

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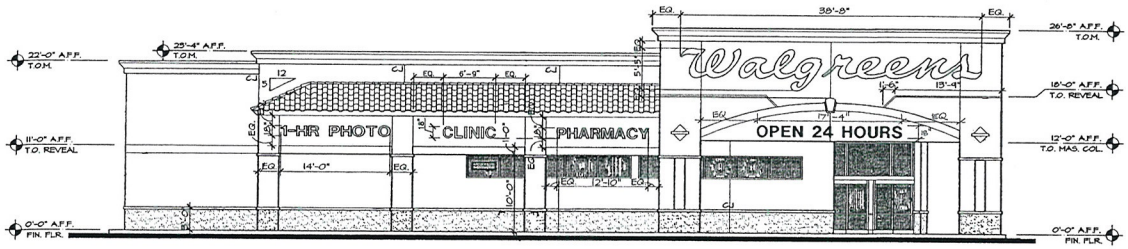
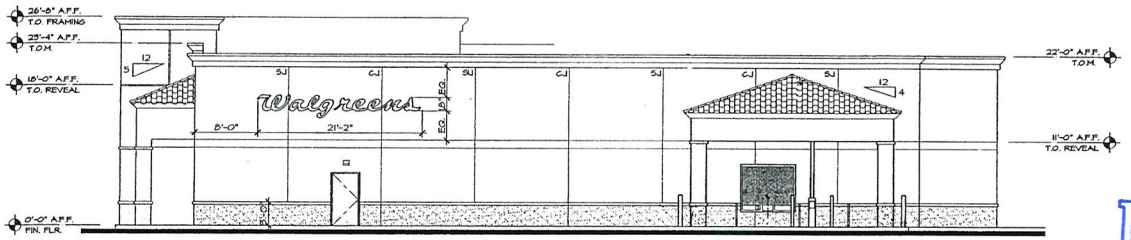


SOUTH ELEVATION

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



NORTH ELEVATION

SUP-37580
04/22/10 PC

RECEIVED
MAR 04 2010

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

PROJECT TYPE

DRAWINGS/SPECIFICATIONS BY:
☐ WALGREENS'
☐ LANDLORD'S CONSULTANT

ALL CONSTRUCTION WORK, UNLESS NOTED OTHERWISE, BY:
☐ WALGREENS' CONTRACTOR
☐ LANDLORD'S CONTRACTOR (TURNKEY CONSTRUCTION)

STORE	BUILDING
NEW ☐	NEW ☐
REMODELING ☐	EXISTING ☐
RELOCATION ☐	NEW SHELL ONLY ☐
OTHERS ☐	

NO.	DATE	BY	DESCRIPTION	CONST

REVISIONS

CERTIFICATION AND SEAL

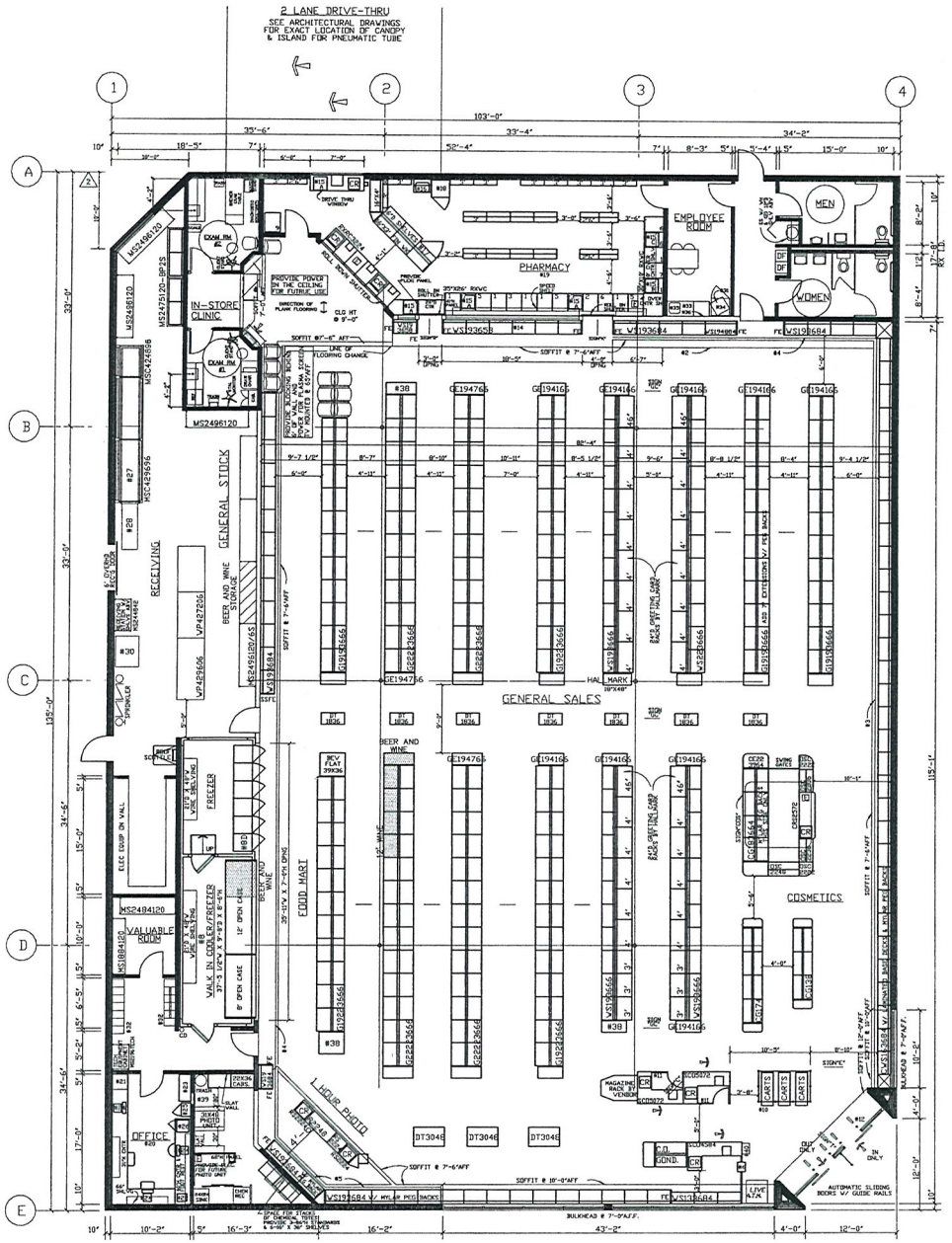
I HEREBY CERTIFY THAT THIS PLAN AND SPECIFICATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED ARCHITECT OR ENGINEER UNDER THE LAWS OF THE STATE OF NEVADA AS SIGNIFIED BY MY HAND AND SEAL.

STORE NUMBER 04197

PROJECT NAME
WALGREENS STORE
8500 WEST CHEYENNE AVE.
LAS VEGAS, NV

DRAWING TITLE
EXTERIOR ELEVATIONS

CADD PLOT: 04197-a21-02-11oct06
VOID PLOT:
SUPERSEDES PLAN DATED:
SCALE: AS SHOWN
DRAWN BY: AMH
DATE: 11-12-96
REVIEWED BY: RWK
DRAWING NO. A2.1
OF DWGS.



LEGEND

BEER AND WINE SALES | BEER AND WINE STORAGE

OCCUPANCY LOAD

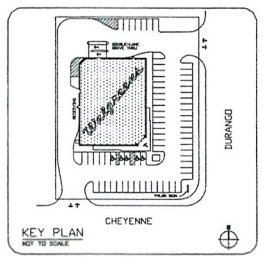
TOTAL OCCUPANCY: 414

TOTAL BEER/WINE SQUARE FEET

TOTAL BEER AND WINE SALES: 48 SQ. FT.

TOTAL SALES: 8997 SQ. FT.

% SALES FLOOR DEVOTED TO BEER AND WINE = .53%



FOR REFERENCE ONLY: SEE CONTRACT DOCUMENTS FOR FINAL 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 CARDS
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 "O" CONSULTATION WINDOW

ATTACH SIGNS TO UNDERSIDE OF SOFFIT. REFER TO FIXTURE PLAN FOR SIGN LOCATION. PROVIDE (2) MOLLOY 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 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 TLS-52; 56"W X 34.5"D X 78.5"H
   F. MASTER-BILT: WINE COOLER WMB-500; 70"W X 31"D X 76"H
   G. MASTER-BILT WALK-IN COOLER: PROVIDE
      ____ #1001 COOLMASTER DOORS 26 3/4" X 73" EACH AND
      6 #101 FREEZMASTER DOORS 26 3/8" X 73" EACH BY ANTHONY.
      A. __ DOORS<5> FOR EACH DOOR PROVIDE (7) "D BEV-O-FLOW GRAVITY SHELVES; UPPER (5) WITH SLIDES AND LOWER (2) WITH ROLLERS COMPLETE WITH UPRIGHTS.
      B. __ DOORS<5> FOR EACH DOOR PROVIDE (7) 27"D ANTHONY WIRE SHELVES AND (4) 84" POSTS.
      C. __ DOORS<5> "D ROLLER CONVEYOR AT FLOOR LEVEL
      D. 6 DOORS<5> FOR EACH DOOR PROVIDE (8) 27"D ANTHONY SHELVES
      E. __ DOORS<5> FOR EACH DOOR PROVIDE (2) 27"D ANTHONY SHELVES AND (4) 36"D MERCHANDISER SHELVES
      F. __ DOORS<5> "D DOUBLE DECK ROLLER CONVEYOR
      G. __ DOORS<5> FOR EACH DOOR PROVIDE (2) MOBILE ICE MERCHANDISERS
8. ICE CHEST BY VENDOR; APPROX. 50 X 34 X 78
9. RAILINGS TO BE 40"H DOUBLE LINE RAILS W/ DISPLAY PLATFORM ABOVE
10. FREE STANDING CHECKOUTS TO HAVE A GATE AND 36"H SIDE SCREEN. PROVIDE A 6"H DARK BROWN VINYL BASE AT ALL CHECKOUTS
11. ELECTRONIC ARTICLE SURVEILLANCE SYSTEM

PHARMACY DEPARTMENT:
12. RX WAITING ROOM
    (6) SEATS
    (-) TABLE LAMP (WHEN SHOWN)
    (1) MAGAZINE RACK; LOCATE AT 42" AFF
    (2) PIECES OF ARTWORK 22X25 (SEE INTERIOR ELEVATION FOR LOCATION)
13. FIXED GLASS PANEL OPENING (SEE ARCH DWGS)
14. COMPUTER TERMINAL
    15a INTERCOM PLUS TERMINAL
    15b INTERCOM TERMINAL
    15c TRAINING TERMINAL
15. RX SINK AND CABINET
16. CRX CABINET
17. RX REFRIGERATOR
18. PROVIDE A CARPETED FLOOR WITH A RUBBER RUNNER. RX UNDERCOUNTER INSERTS:
    #1 - RX 3 DRAWER VIAL UNIT
    #2 - RX 3 DRAWER FILE INSERT
    #3 - RX OPEN UNIT
    #4 - RX PRINTER CABINET
    #5 - RX 5 DRAWER FILE INSERT
    #7 - RX OPEN UNIT W/ CPU SHELF
    #8 - RX PRINTER INSERT
    #9 - RX COMMUNICATION CABINET

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

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

EMPLOYEE ROOM:
30. TV, VCR & BRACKET PROVIDED BY WALGREENS
31. EMPLOYEE LOCKERS: (1) 7'W & (1) 6'W X 18"D
32. 5'-0" W X 2'-0" EMPLOYEE COUNTER W/ CABINET
33. EMPLOYEE ROOM REFRIGERATOR
34. EMPLOYEE ROOM SINK (IN COUNTER)
35. 5'-0" MIRROR ON WALL ABOVE COUNTER

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

EXECUTIVE APPROVAL		DATE
EXEC. VICE PRESIDENT DRUG STORE OPERATIONS	G.S.KRAISS	08-26-96
SR. VICE PRESIDENT FACILITIES DEVELOPMENT	W.A.SHIEL	08-26-96
VICE PRESIDENT DRUG STORE OPERATIONS	J.B.KARLIN	08-26-96
REGIONAL VICE PRESIDENT		
SR. MANAGER PLANNING & DESIGN	J.C.MARK	08-26-96

Walgreens

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

PROJECT DATA

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

SQUARE FOOT AREA SUMMARY

DEPARTMENT		SALES	STOCK	SERVICE	TOTAL EXIST'G	TOTAL NEW
GEN SALES	EXIST					
	NEW	8997	1621	1104		11722
CLINIC	EXIST					
	NEW			274		274
BEER	EXIST					
	NEW					
1 HR PHOTO	EXIST					
	NEW	225				225
BSMT.	EXIST					
	NEW					
MEZZ-ANINE	EXIST					
	NEW					
RX & WAIT'G	EXIST					
	NEW	984				984
FOOD MART	EXIST					
	NEW	700				700
TOTAL EXIST						
TOTAL NEW		10906	1621	1378		13905

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 103 LIN. FT.
RX SQUARE FOOT AREA 799 SQ. FT.

FIXTURE MANUFACTURER

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

REVISIONS

NO.	DATE	BY	DESCRIPTION	CONST.
D1	3-31-97	CAB	REVISE D1 PER MDI	
1	07/24/06	JM	ADDED 3M STORE CLINIC RM'S (TO: REMOVE WINE WALL AT RX WAITING, SHORTEN CONF. VEYOR D 10', RESET AND NEW STOCK RM SHELVING WALGREENS PROVIDES POWER, PHONE, DATA LINES, BUFFED IN PLUMBING, LIGHTING, I GLAZING WHERE INDICATED AND FLOORING: "PINNACLE" WILL RESEARCH TYPE OF FLOORING "PINNACLE" PROVIDES THE DOMINING FINISH MATERIALS ADDED PLANK FLOORING PER JM & RVP REMOVED 3' SEC OF GONDOLA AND DMC GC AND ADDED SIX CHAIRS	
2	01/26/07	BL	UPDATE FIXTURES IN CLINIC PER CLINIC PROVIDER	
3	06/25/08	CAS	ADJUST CLINIC SCOPE 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 04197

PROJECT NAME
WALGREENS STORE
8500 W. CHEYENNE AVE.
LAS VEGAS, NV
REMODEL

DRAWING TITLE
FIXTURE PLAN

CADD PLOT: 04197-D1-06-23JUN08
VOID PLOT: F04197D105
SUPERSEDES PLAN DATED:
SCALE: 1/8"=1'-0"
DRAWN BY: BELLAMY
DATE: 06/22/96
REVIEWED BY:
DRAWING NO. D1
OF DWGS.

SUP-37580
04/22/10 PC

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SUP-37580 - APPLICANT: WALGREEN CO. - OWNER: WALTRUST PROPERTIES, INC.
8500 WEST CHEYENNE AVENUE

03/18/10



SUP-37580 - APPLICANT: WALGREEN CO. - OWNER: WALTRUST PROPERTIES, INC.
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8500 WEST CHEYENNE AVENUE

03/18/10

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
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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
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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

January 26, 2010

VIA FACSIMILE & HAND 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 8500 West Cheyenne Avenue. 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 nearby properties, as this store is intersected by two major thoroughfares – Cheyenne Avenue and Durango Drive – and is adjacent to commercial and public facility uses. The nearby residential areas are adequately buffered by Cheyenne Avenue and a flood channel. There are other businesses in the general area that sale alcohol, including a convenience store, 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 drug and retail grocery stores in Las Vegas, there would be no variable impact on other businesses by

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SUP-37580
04/22/10 PC

allowing Walgreens to sell alcohol for the convenience of its customers at this location.

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.

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

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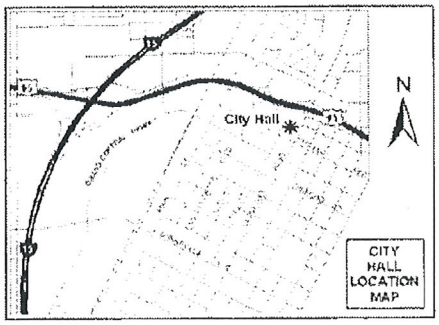
04/22/10 PC

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.

SUP-37580

Planning Commission Meeting of 4/22/2010

Case: SUP-37580
13817512016
WEISROCK CARL J REVOCABLE TRUST
8508 FESTIVAL DR
LAS VEGAS NV 89134-8610

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HIP

7022436477

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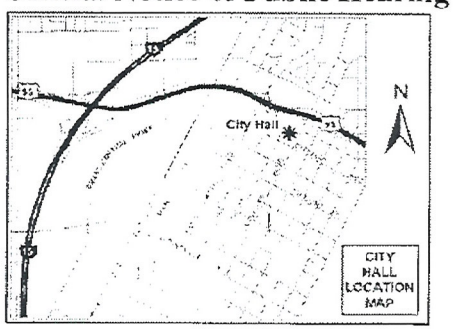

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

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Planning Commission Meeting of 4/22/2010

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Case: SUP-37580

~~13816115009~~
DICKEY BILL JR & RUTH REV LIV TR
7805 LONESOME HARBOR AVE
LAS VEGAS NV 89131-5001

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APR 12 2010

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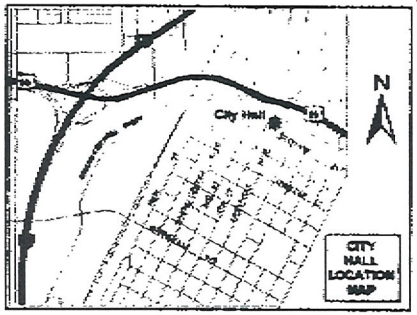

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-37580

Planning Commission Meeting of 4/22/2010

Case: SUP-37580

13817512119
LEE ROBERT G & CAROL J
8525 WAYCROSS DR
LAS VEGAS NV 89134-8671

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HIP

04/12/2010 13:33 7024319795 JE PAGE 01

Application Information

SUP-37580 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: WALGREEN CO. - OWNER: WALTRUST PROPERTIES, INC. - Request for a Special Use Permit FOR A 48 SQUARE-FOOT ACCESSORY PACKAGE LIQUOR OFF-SALE WITHIN AN EXISTING 13,905 SQUARE-FOOT RETAIL ESTABLISHMENT at 8500 West Cheyenne Avenue (APN 138-08-811-004), C-1 (Limited Commercial) Zone, Ward 4 (Anthony)

There must be enough places to buy booze in this town without adding one more. This is close to a park, school & my condo I bought for my son. Please curb this kind of sales in our neighborhoods —

Mr. K. Davis

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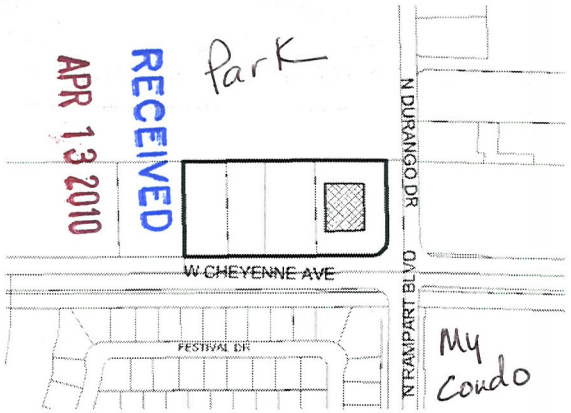
Application Location



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

Public Hearing Information

Meeting:	Planning Commission
Date:	***April 22, 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 of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after the discussion of the item. You may not receive an additional notice for the City Council meeting. For further information, please call (702) 229-6301 (TDD 386-9108) http://www.lasvegasnevada.gov.

4/P

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

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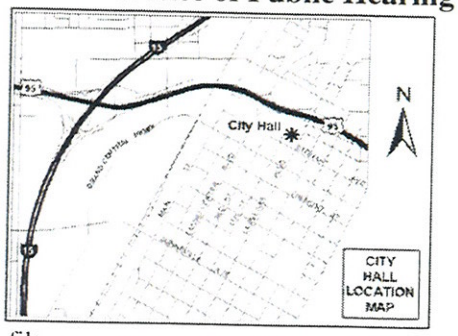

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37580

Planning Commission Meeting of 4/22/2010

Case: SUP-37580

13816120023
LEAVITT FAMILY TRUST
17010 BUTTERFIELD TRL
POWAY CA 92064-1332

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APR 19 2010

Submitted after final agenda
Date 4/19/10
Item 41
P

City of Las Vegas
Planning & Development Department
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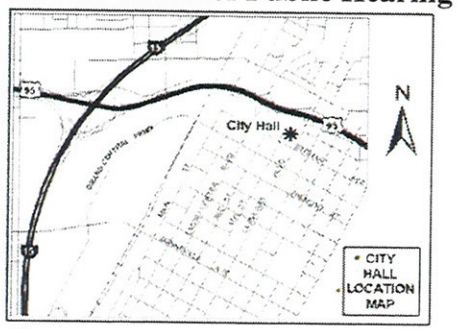

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-37580

Planning Commission Meeting of 4/22/2010

Case: SUP-37580

13816120020
LEAVITT ROBERT A & PENELOPE N
17010 BUTTERFIELD TRL
POWAY CA 92064-1332

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Date 4/19/10
Item 41p

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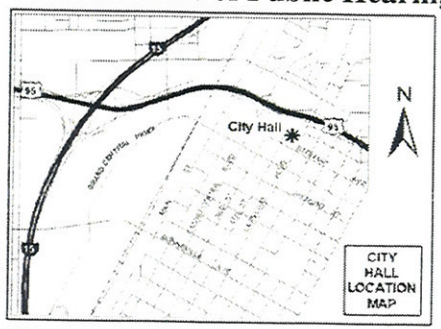

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37580

Planning Commission Meeting of 4/22/2010

Case: SUP-37580

13817510032
BAUER EDITH V VINES & DAVID J
3108 ENDEAVOR CT
LAS VEGAS NV 89134-8584

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APR 19 2010

Submitted after final agenda
Date 4/19/10
Item 41

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Las Vegas, Nevada 89101-2986

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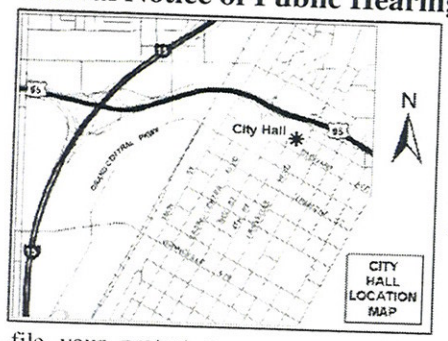

I oppose Because they just open a huge Wine Store in Baca Park & I heard Lee's Liq. also opening a store Near their ~~[illegible]~~, also Smiths & Albers have a nice selection, Wine, Beer, etc.

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

☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-37580

Planning Commission Meeting of 4/22/2010

13817512053 Case: SUP-37580
KRAUSE VIRGINIA L TRUST
3021 MERIMAR DR
LAS VEGAS NV 89134-8659

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Submitted after final agenda
Date 4/14/10
Item 41p

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Las Vegas, Nevada 89101-2986

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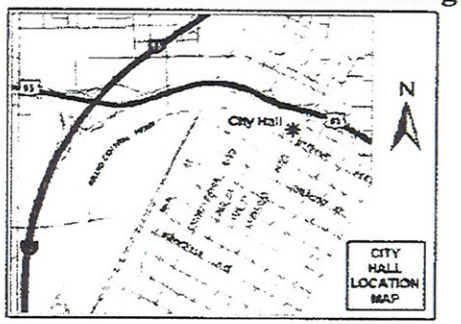

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37580

Planning Commission Meeting of 4/22/2010

Case: SUP-37580

13816120016
MAY WILLIAM M
10729 SPRUCEDALE AVE
LAS VEGAS NV 89144-4401

ENVOF11 89144

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Submitted after final agenda
Date 4/19/10
Item 4b

TO:3857268 P.1/1

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Planning & Development Department
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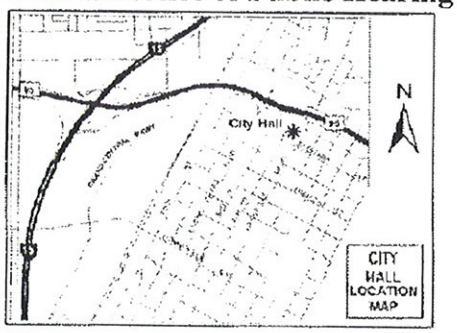
Official Notice of Public Hearing



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-37580

Planning Commission Meeting of 4/22/2010

Case: SUP-37580
13809313067
MURRIN 2003 FAMILY TRUST
1160 SOMERSET DR
SAN JOSE CA 95132-3043

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APR 20 2010

Submitted after final agenda
Date 4/20/10 Item 41 A

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
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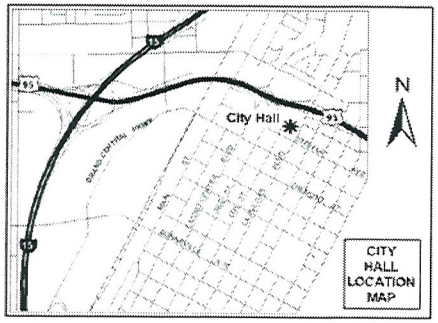
APR 09 2010
MAILED FROM ZIP CODE 89101

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-37580

Planning Commission Meeting of 4/22/2010

Case: SUP-37580

13817512127
GOMSKI LEO & CECILIA TRUST
8516 SPYRUN DR
LAS VEGAS NV 89134-8668

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414

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

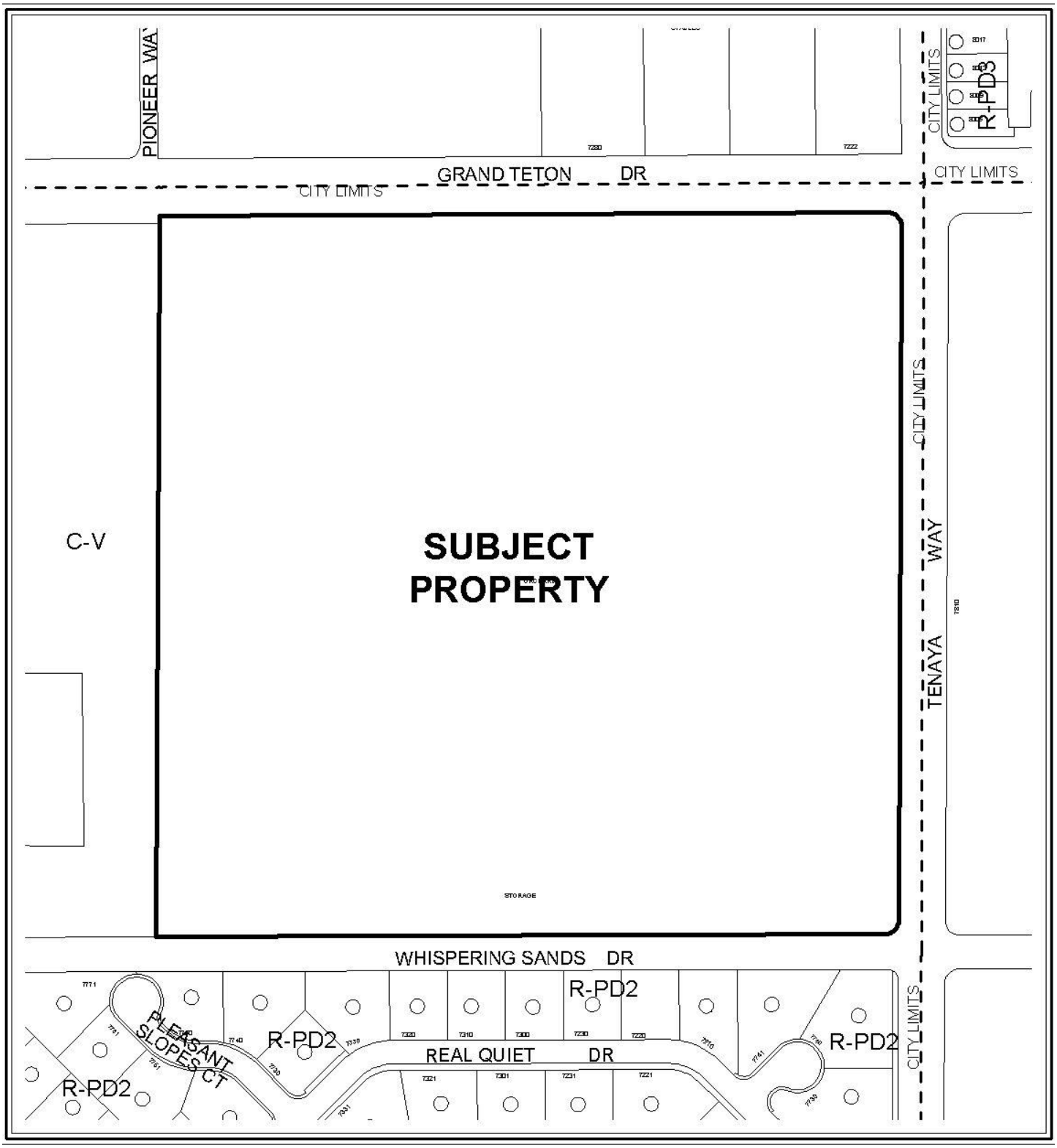
SUBJECT:
EOT-37908 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT: ROYAL CONSTRUCTION - OWNER: SPINNAKER HOMES IX, LLC - Request for an Extension of Time of a previously approved Site Development Plan Review (SDR-27226) for a 100-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT WITH ACCESS ON WHISPERING SANDS DRIVE on 40.16 acres on the southwest corner of Grand Teton Drive and Tenaya Way (APN 125-15-101-003), U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units Per Acre), Ward 6 (Ross). Staff recommends APPROVAL.

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

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

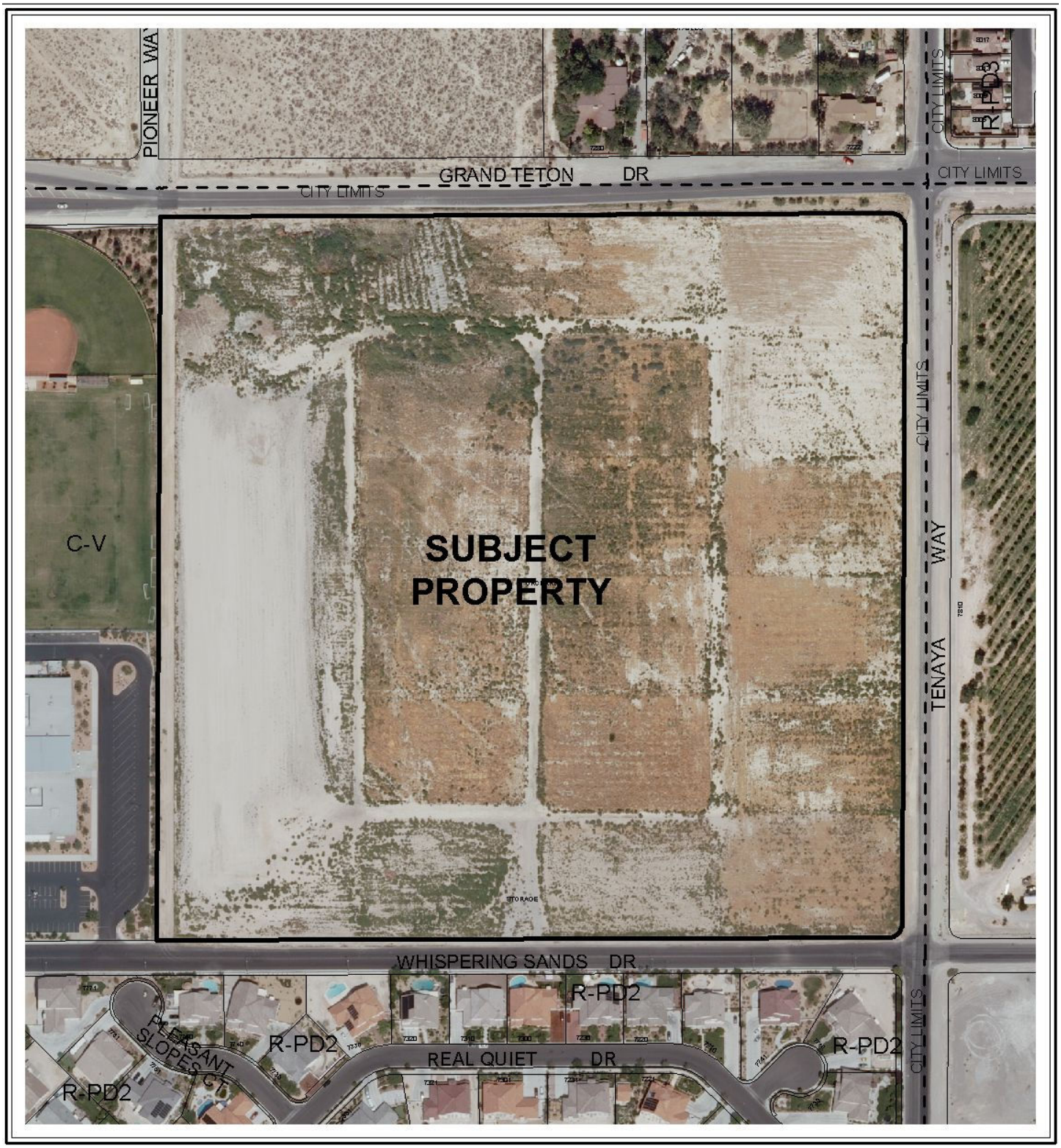
BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Planning Commission Approval Letter for SDR-27226
6. Justification Letter



CASE: **EOT-37908**

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT- 2 UNITS PER ACRE)



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CASE: **EOT-37908**

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT- 2 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: ROYAL CONSTRUCTION - OWNER: SPINNAKER HOMES SIX, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
EOT-37908	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

EOT-37908 CONDITIONS

Planning and Development

1. This Extension of Time shall expire on 04/10/12, unless another Extension of Time is approved by the Planning Commission.

2. Conformance to all applicable conditions of approval for Site Development Plan Review (SDR-27226) as required by the Planning and Development Department.

SS

Staff Report Page One
May 27, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site consists of 40 undeveloped gross acres located at the southwest corner of Grand Teton Drive and Tenaya Way. A 100-lot single family residential planned development was approved on the site in 2008. Lot sizes range from 9,375 square feet to 16,224 square feet. The development will be accessed from a main entry located along Whispering Sands Drive. The interior of the project includes a private street width of 37 feet, which provides access to each residential parking garage. Issues related to drainage on the site have delayed progress of the development. As site conditions and the area around the site remains unchanged, staff recommends approval of the Extension of Time. If this request is denied, the approved Site Development Plan Review will expire and a new Site Development Plan Review would be required for future development of the site.

ISSUES

- The site was originally approved for a 100-lot single-family residential development in Clark County. It was annexed in 2008, and the design was subsequently changed to allow access from Whispering Sands Drive instead of Tenaya Way.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
09/07/05	The Clark County Board of Commissioners approved a Non-Conforming Zone Change (NZC-0681-05) from R-A (Residential Agricultural) to R-E (Rural Estates Residential) and a Use Permit for a maximum 100-lot single family planned unit development on the subject site. The site plan associated with this request indicated that the entrance to the subdivision was to be located on Tenaya Way. The Resolution of Intent to the R-E District was to expire 09/07/08 unless the development was completed or an Extension of Time filed. Clark County Planning staff recommended denial.
11/03/05	The Clark County Planning Commission approved a Tentative Map (TM-0565-05) for a 100-lot single family residential subdivision on the subject site. Clark County Planning staff recommended approval. The approved Tentative Map expired 11/03/07.
03/09/06	The Clark County Planning Commission approved a Waiver (WS-0103-06) of Development Standards to allow a combination wall of retaining and screening to be increased to 13.8 feet where 12 feet (six foot screen, six foot retaining) is the maximum allowed on the subject property. Clark County Planning staff recommended approval.

01/16/08	The City Council approved a Petition to Annex (ANX-19110) property located at the southwest corner of Tenaya Way and Grand Teton Drive, containing approximately 36.57 acres. The Planning Commission and staff recommended approval. The annexation became effective on 01/25/08, and the property was classified U (Undeveloped) [DR (Desert Rural Density Residential) General Plan Designation] under Resolution of Intent to R-PD2 (Residential Planned Development – 2 Units per Acre).
04/10/08	The Planning Commission approved a Site Development Plan Review (SDR-27226) for a proposed 100-lot single family residential development with access on Whispering Sands Drive. Staff recommended approval.
05/08/08	The Planning Commission approved a Tentative Map (TMP-27023) for a proposed 100-lot single family residential subdivision (Spinnaker Homes at the Orchards) on 36.57 acres on the subject site. Staff recommended approval. The Tentative Map will expire 05/08/12 unless a final map covering all or part of the subject property is recorded.
07/22/08	The Planning and Development Department approved a Final Map Technical Review (FMP-28848) for a 33-lot single family residential subdivision (Spinnaker Homes at the Orchards Unit 1). The map has not yet recorded.
08/15/08	A Code Enforcement case (#68788) was opened to investigate a complaint about overgrown vegetation along the Grand Teton Drive, Tenaya Way and Whispering Sands Drive transition strips. The case was resolved by Code Enforcement on 08/29/08.
11/06/08	The Planning Commission approved a Review of Condition (ROC-30013) Number 18 of an approved Site Development Plan Review (SDR-27226), which required the construction of half-street improvements on Grand Teton Drive and Whispering Sands Drive; the extension of all required underground utilities located within public right-of-way and the restoration of all existing paving damaged or removed by the subject development to its original location and to its original width. A new condition of approval allowed phased construction of half-street improvements in accordance with a phasing plan submitted 09/16/08, except that Tenaya Way shall be fully constructed to within 50 feet of the south right-of-way line of Grand Teton Drive concurrent with Phase 2, and each phase shall be considered a "site." Staff recommended approval.
07/31/09	A Code Enforcement case (#80391) was opened to investigate a complaint about weeds growing on the sidewalk adjacent to a large vacant lot on the subject site. The case was resolved by Code Enforcement on 08/03/09.
08/11/09	A Code Enforcement case (#80706) was opened documenting a complaint about high weeds around the perimeter (on the unimproved right-of-way) of a vacant lot on the subject site. The case was resolved by Code Enforcement on 08/26/09.

Most Recent Change of Ownership	
11/16/05	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
09/04/07	Building permit applications were submitted for plan check of two residential floor plans (B-MDL-24340, B-MDL-24341) for development at 7207 Grand Teton Drive (on the subject site). Plan review is incomplete and no permits have been issued.
09/05/07	Building permit applications were submitted for plan check of two residential floor plans (B-MDL-24338, B-MDL-24339) for development at 7207 Grand Teton Drive. Plan review is incomplete and no permits have been issued.
08/05/08	A building permit (#121454) was issued for a 128 square-foot single-faced freestanding (subdivision development sale) sign at 7205 Grand Teton Drive. A final inspection was completed on 08/20/08.

Pre-Application Meeting
A pre-application meeting was not required for this application, nor was one held.

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

Field Check	
04/27/10	A site visit revealed the following: • The site is undeveloped and contains mostly grass and weeds. • A freestanding subdivision development sign advertising the proposed development is located on the south side of Grand Teton Drive, approximately 600 feet from Tenaya Way. • East of Tenaya Way is the Gilcrease Orchards acreage containing outbuildings. • A barbed wire fence is located on the south and east perimeter of the subject property.

Details of Application Request	
Site Area	
Gross Acres	40.16
Net Acres	36.41

Surrounding Property	*Existing Land Use Per Title 19.04*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	Undeveloped	DR (Desert Rural Density Residential)	U (Undeveloped) under Resolution of Intent to R-PD2 (Residential Planned Development – 2 Units per Acre)
North	Single Family Dwelling, Detached	MDP (Major Development Project – Clark County)	R-E (Rural Estates Residential – Clark County)
	Undeveloped	MDP (Major Development Project – Clark County)	R-E (Rural Estates Residential – Clark County) under Resolution of Intent to C-1 (Local Business – Clark County)
South	Single Family Dwellings, Detached	DR (Desert Rural Density Residential)	R-PD2 (Residential Planned Development – 2 Units per Acre)
East	Undeveloped/Agricultural	RE (Rural Estates – Clark County)	R-A (Residential Agricultural – Clark County)
West	Public School, Secondary	PF (Public Facilities)	C-V (Civic)

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area		X	N/A
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
R-PD (Residential Planned Development) District	X		Y
Trails (Multi-Use Non-Equestrian Trail)	X		Y
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A*

*The development associated with the approved Site Development Plan Review (SDR-27226) was considered a Project of Regional Significance and an environmental assessment was processed accordingly.

DEVELOPMENT STANDARDS

Pursuant to Title 19.06 and the approved Site Development Plan Review (SDR-27226), the following development standards apply:

Standard	*Provided*
Min. Lot Size	9,375 s.f.
Min. Lot Width	75 feet

Minimum Building Setback:
• Front
  • House
  • Garage
• Side
• Corner Side
• Rear
• Casita
  • From Main Dwelling
  • Side
  • Rear
	
	10 feet
	18 feet
	5 feet
	10 feet
	15 feet
	
	6 feet
	5 feet
	5 feet

Max. Building Heights • Lots 95 and 96 • All other lots	 1 story/20 feet 2 stories/32 feet

Existing Zoning	*Permitted Density*	*Units Allowed*
U (Undeveloped) [DR (Desert Rural Density Residential) General Plan Designation] under Resolution of Intent to R-PD2 (Residential Planned Development – 2 Units per Acre)	2.49 du/ac	100 (40.16 gross acres)

Pursuant to Title 19.12 and the approval for SDR-27226, the following landscape and open space standards apply to the subject proposal:

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Buffer Trees:				
• North	1 Tree / 30 Linear Feet	20 Trees	0 Trees	Y*
• South	1 Tree / 30 Linear Feet	41 Trees	47 Trees	Y
• East	1 Tree / 30 Linear Feet	39 Trees	45 Trees	Y
• West	1 Tree / 30 Linear Feet	40 Trees	61 Trees	Y
TOTAL PERIMETER TREES		**140 Trees**	**153 Trees**	**Y**
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	6 Feet		15 Feet	Y
• South	6 Feet		6 Feet	Y
• East	6 Feet		6 Feet	Y
• West	0 Feet		16-30 Feet	Y
Wall Height	6 to 8 Feet Adjacent to Residential		6 Feet	Y

*The applicant agreed to plant 20 trees on the north perimeter of the site as a condition of approval of SDR-27226.

Open Space – R-PD only							
Total Acreage	***Density***	***Required***			***Provided***		***Compliance***
		Ratio	***Percent***	***Area***	***Percent***	***Area***	
40.16 acres	2.50 du/ac	1.65	4.125%	72,161 SF	5.38%	94,127 SF	Y

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Single Family Dwelling, Detached	100 units	2 spaces/ dwelling unit	200		200		Y
TOTAL SPACES REQUIRED			200		200		Y
TOTAL (With Handicapped)			200	0	200	0	Y

ANALYSIS

Upon annexation of the property, the city of Las Vegas honored the County approved development plan and allowed the applicants to proceed with the submittal of a Tentative Map, as the previous Tentative Map under the jurisdiction of the County had expired. Review of the Tentative Map revealed the plan originally approved by the County had changed; the entrance to the proposed subdivision was now on Whispering Sands Drive rather than on Tenaya Way. The change to the plan prompted a Site Development Plan Review pursuant to Title 19.18.050.

The applicant states that additional time is needed to complete this development, as drainage issues requiring coordination between the applicant and the city of Las Vegas, Clark County and the Clark County Regional Flood Control District have delayed construction. Construction has also been delayed by the applicant pending improvement in the residential real estate market. According to the applicant, the additional time would be used to analyze the market to target the optimal time to progress.

A Tentative Map (TMP-27023) has been approved for the site and a Final Map Technical Review has been completed for the first phase of the development. A final map on all or a portion of the site must be recorded prior to 05/08/12, the expiration date for the Tentative Map approval.

The site and the surrounding properties have not changed since the time of approval. The owner has complied with all requests to maintain the property. Staff therefore recommends approval, subject to expiration in two years.

FINDINGS (SDR-27226)

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

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

   The proposed development is compatible with development in the area. The lot sizes proposed as part of this development are similar in size to the lots on the south side of this subdivision. A high school is adjacent to the west side of this 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 existing General Plan designation of the subject site is DR (Desert Rural Density Residential), which allows a density of up to 2.49 units per acre. The zoning Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units per Acre), at the current density of 2.49 dwelling units per acre, is consistent with the current General Plan designation. An R-PD District is intended to provide for flexibility and innovation in residential development, with emphasis on enhanced residential amenities, efficient utilization of open space, the separation of pedestrian and vehicular traffic and homogeneity of land use patterns.

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

   Site circulation is provided by 37 foot private drives. Access into the subdivision is provided by Whispering Springs Avenue, a 60-foot public right-of-way. The proposal will not negatively impact adjacent roadways or neighborhood traffic.

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

   Building and landscape materials are appropriate for this area of the City.

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

   The elevations depict one and two story homes with tile shingles, walls finished in stucco and enhanced with stone veneer and composite wood trim. They are not unsightly or obnoxious in appearance. The development provides open space centrally located within the subdivision.

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

   The proposed changes will not compromise the public health or general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **EOT-37908** APN: 125-15-101-003

Name of Property Owner: SPINNAKER HOME IX L L C

Name of Applicant: Royal Construction

Name of Representative: TCE

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: STEPHEN B. AIZENBERG, PRESIDENT S.B.A. DEVELOPMENT INC. DBA ROYAL CONST. CO. MANAGING MEMBER

Subscribed and sworn before me

This 8th day of April, 2010

Stephanie H. Pauley

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
STEPHANIE H. PAULEY
My Appointment Expires
No: 09-11480-1 November 4, 2013

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APR 09 2010

Revised 11-14-06

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PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Extension Of Time for SDR-27226

Project Address (Location) Grand Teton Drive / Tenaya Way

Project Name Spinnaker Homes @ The Orchard **Proposed Use** SFR

Assessor's Parcel #(s) 125-15-101-003 **Ward #** _____

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

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

Gross Acres 40.16 **Lots/Units** 100 **Density** 2.49

Additional Information TMP-27023, ANX-19110

PROPERTY OWNER Spinnaker Home IX LLC **Contact** Ben Young

Address 4511 W. Cheyenne Suite #105 **Phone:** 873-7776 **Fax:** 873-7773

City Las Vegas **State** NV **Zip** 89032

E-mail Address byoung@spinnakerhomes.com

APPLICANT Royal Construction **Contact** Ben Young

Address 4511 W. Cheyenne Suite #105 **Phone:** 873-7776 **Fax:** 873-7773

City Las Vegas **State** NV **Zip** 89032

E-mail Address byoung@spinnakerhomes.com

REPRESENTATIVE TCE **Contact** Sonia Macias

Address 3277 E. Warm Springs Suite #200 **Phone:** 932-6125 **Fax:** 932-6129

City Las Vegas **State** NV **Zip** 89120

E-mail Address smacias@tce-lv.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 STEPHEN B. AIZENBERG, PRESIDENT S.B.A. DEVELOPMENT, INC. DBA ROYAL CONST. CO., MANAGING MEMBER

Subscribed and sworn before me

This 8th day of April, 20 10.

Stephanie H. Pauley

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
STEPHANIE H. PAULEY
My Appointment Expires
November 4, 2013
No: 09-11480-1

RECEIVED
APR 09 2010

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	EOT-37908
Meeting Date:	05/27/10
Total Fee:	$300.00
Date Received:*	~~04~~ 04/09/10
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.

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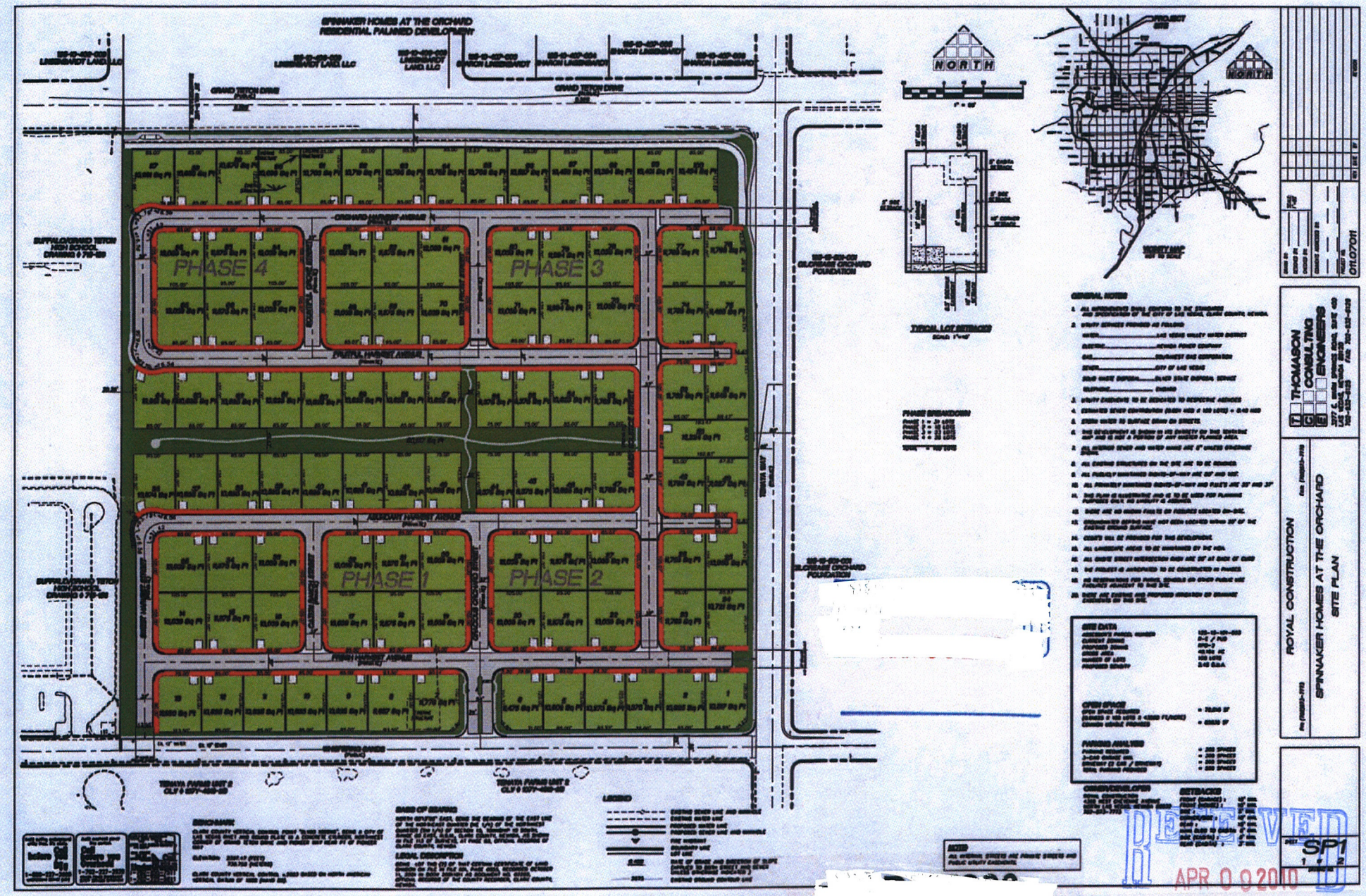
SPINNAKER HOMES AT THE ORCHARD
RESIDENTIAL PLANNED DEVELOPMENT
PHASE 4
PHASE 3
PHASE 1
PHASE 2
NORTH
GENERAL NOTES
SITE DATA
OPEN SPACE
PARKING ANALYSIS
SETBACKS
BENCHMARK
BASIS OF BEARING
LEGAL DESCRIPTION
LEGEND
THOMASON CONSULTING ENGINEERS
ROYAL CONSTRUCTION
SPINNAKER HOMES AT THE ORCHARD
SITE PLAN
SP1
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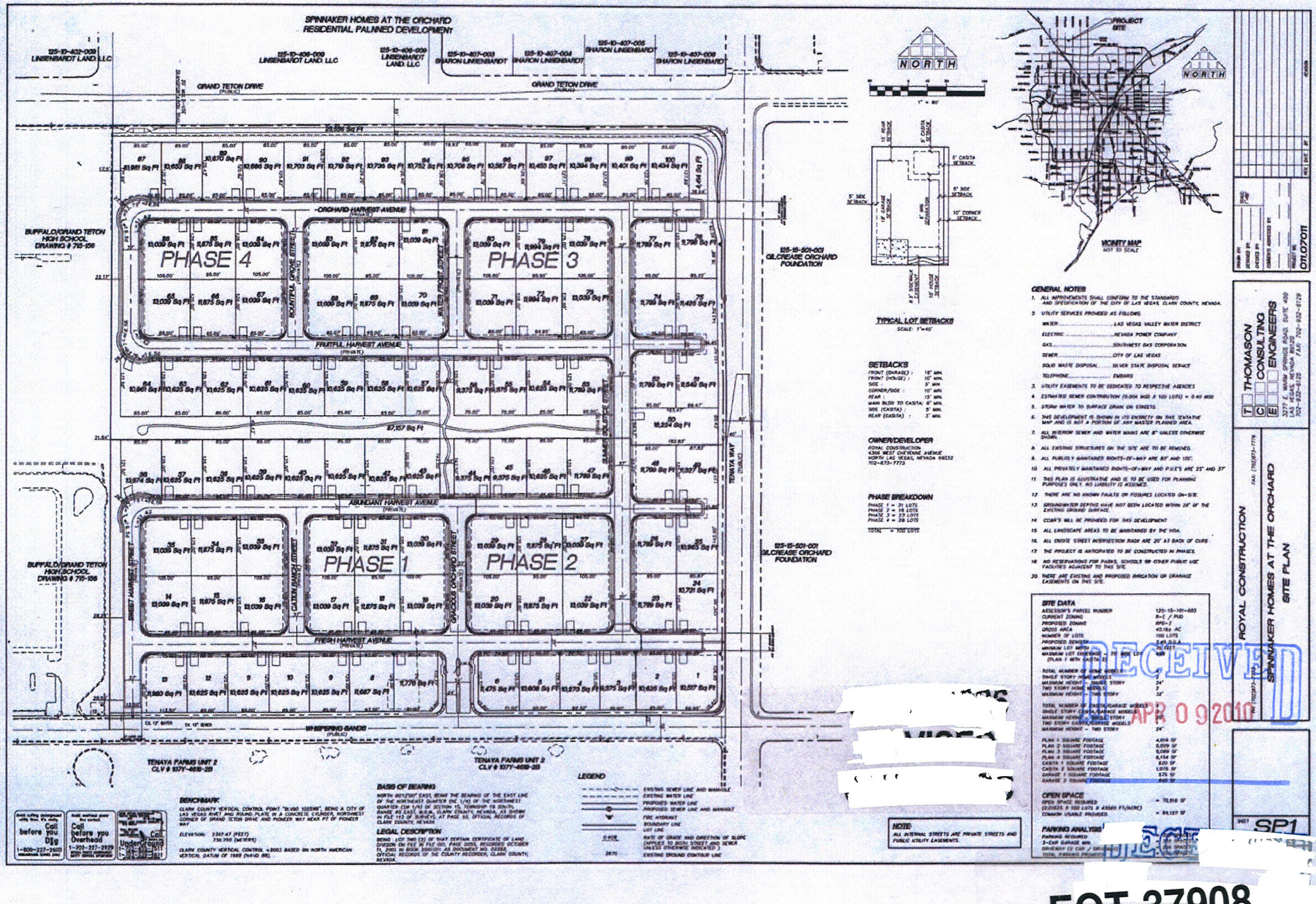
EOT-37908


SPINNAKER HOMES AT THE ORCHARD
RESIDENTIAL PALANNED DEVELOPMENT
GRAND TETON DRIVE
ORCHARD HARVEST AVENUE
FRUITFUL HARVEST AVENUE
ABUNDANT HARVEST AVENUE
FRESH HARVEST AVENUE
WHISPERING SANDS
PHASE 1
PHASE 2
PHASE 3
PHASE 4
BUFFALO/GRAND TETON HIGH SCHOOL DRAWING # 715-156
125-15-501-001 GILCREASE ORCHARD FOUNDATION
TENAYA FARMS UNIT 2 CLV # 1071-405-29
TENAYA WAY
NORTH
VICINITY MAP
PROJECT SITE
TYPICAL LOT SETBACKS
SETBACKS
OWNER/DEVELOPER
ROYAL CONSTRUCTION
4368 WEST CHEYENNE AVENUE
NORTH LAS VEGAS, NEVADA 89032
702-873-7773
PHASE BREAKDOWN
PHASE 1 = 31 LOTS
PHASE 2 = 18 LOTS
PHASE 3 = 23 LOTS
PHASE 4 = 28 LOTS
TOTAL = 100 LOTS
GENERAL NOTES
1. ALL IMPROVEMENTS SHALL CONFORM TO THE STANDARDS AND SPECIFICATION OF THE CITY OF LAS VEGAS, CLARK COUNTY, NEVADA.
2. UTILITY SERVICES PROVIDED AS FOLLOWS:
WATER..... LAS VEGAS VALLEY WATER DISTRICT
ELECTRIC..... NEVADA POWER COMPANY
GAS..... SOUTHWEST GAS CORPORATION
SEWER..... CITY OF LAS VEGAS
SOLID WASTE DISPOSAL..... SILVER STATE DISPOSAL SERVICE
TELEPHONE..... EMBARQ
3. UTILITY EASEMENTS TO BE DEDICATED TO RESPECTIVE AGENCIES
4. ESTIMATED SEWER CONTRIBUTION (0.004 MGD X 100 LOTS) = 0.40 MGD
5. STORM WATER TO SURFACE DRAIN ON STREETS.
6. THIS DEVELOPMENT IS SHOWN IN ITS ENTIRETY ON THIS TENTATIVE MAP AND IS NOT A PORTION OF ANY MASTER PLANNED AREA.
7. ALL INTERIOR SEWER AND WATER MAINS ARE 8" UNLESS OTHERWISE SHOWN.
8. ALL EXISTING STRUCTURES ON THE SITE ARE TO BE REMOVED.
9. ALL PUBLICLY MAINTAINED RIGHTS-OF-WAY ARE 80' AND 100'.
10. ALL PRIVATELY MAINTAINED RIGHTS-OF-WAY AND P.U.E'S ARE 25' AND 37'
11. THIS PLAN IS ILLUSTRATIVE AND IS TO BE USED FOR PLANNING PURPOSES ONLY. NO LIABILITY IS ASSUMED.
12. THERE ARE NO KNOWN FAULTS OR FISSURES LOCATED ON-SITE.
13. GROUNDWATER DEPTHS HAVE NOT BEEN LOCATED WITHIN 26' OF THE EXISTING GROUND SURFACE.
14. CC&R'S WILL BE PROVIDED FOR THIS DEVELOPMENT
15. ALL LANDSCAPE AREAS TO BE MAINTAINED BY THE HOA.
16. ALL ONSITE STREET INTERSECTION RADII ARE 25' AS BACK OF CURB
17. THE PROJECT IS ANTICIPATED TO BE CONSTRUCTED IN PHASES.
18. NO RESERVATIONS FOR PARKS, SCHOOLS OR OTHER PUBLIC USE FACILITIES ADJACENT TO THIS SITE.
19. THERE ARE EXISTING AND PROPOSED IRRIGATION OR DRAINAGE EASEMENTS ON THIS SITE.
SITE DATA
ASSESSOR'S PARCEL NUMBER 125-15-101-003
CURRENT ZONING R-E / PUD
PROPOSED ZONING RPD-7
GROSS AREA 43.166 AC
NUMBER OF LOTS 100 LOTS
PROPOSED DENSITY 2.49 D.U.A.
MINIMUM LOT WIDTH 70 FEET
MINIMUM LOT DEPTH 100 FEET
(PLAN 1 WITH CASITA) 75' MIN. LOT
TOTAL NUMBER OF HOME MODELS 4
SINGLE STORY HOME MODELS 2
MAXIMUM HEIGHT - SINGLE STORY 24'
TWO STORY HOME MODELS 2
MAXIMUM HEIGHT - TWO STORY 32'
TOTAL NUMBER OF FLOORPLANS/GARAGE MODELS 8
SINGLE STORY CASITA/GARAGE MODELS 4
MAXIMUM HEIGHT - SINGLE STORY 24'
TWO STORY CASITA/GARAGE MODELS 4
MAXIMUM HEIGHT - TWO STORY 32'
PLAN 1 SQUARE FOOTAGE 4,016 SF
PLAN 2 SQUARE FOOTAGE 5,009 SF
PLAN 3 SQUARE FOOTAGE 5,089 SF
PLAN 4 SQUARE FOOTAGE 6,154 SF
CASITA 1 SQUARE FOOTAGE 620 SF
CASITA 2 SQUARE FOOTAGE 1,075 SF
GARAGE 1 SQUARE FOOTAGE 525 SF
GARAGE 2 SQUARE FOOTAGE 840 SF
OPEN SPACE
OPEN SPACE REQUIRED = 70,816 SF
(0.01625 X 100 LOTS X 43560 FT/ACRE)
COMMON USABLE PROVIDED = 94,127 SF
PARKING ANALYSIS
PARKING REQUIRED
3-CAR GARAGE MIN.
DRIVEWAY (2 CAR / DWELLING UNIT)
TOTAL PARKING PROVIDED
BENCHMARK
CLARK COUNTY VERTICAL CONTROL POINT "BLVD 105'SW", BEING A CITY OF LAS VEGAS RIVET AND ROUND PLATE IN A CONCRETE CYLINDER, NORTHWEST CORNER OF GRAND TETON DRIVE AND PIONEER WAY NEAR PT OF PIONEER WAY
ELEVATION: 3397.47 (FEET)
736,750 (feet WRK)
CLARK COUNTY VERTICAL CONTROL +2003 BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).
BASIS OF BEARING
NORTH 00°12'00" EAST, BEING THE BEARING OF THE EAST LINE OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (SW 1/4) OF SECTION 15, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA, AS SHOWN IN FILE 113 OF SURVEYS, AT PAGE 55, OFFICIAL RECORDS OF CLARK COUNTY, NEVADA
LEGAL DESCRIPTION
BEING LOT TWO (2) OF THAT CERTAIN CERTIFICATE OF LAND DIVISION ON FILE IN FILE 001, PAGE 0055, RECORDED OCTOBER 11, 2001 IN BOOK 20011011 AS DOCUMENT NO. 02282, OFFICIAL RECORDS OF THE COUNTY RECORDER, CLARK COUNTY, NEVADA.
LEGEND
EXISTING SEWER LINE AND MANHOLE
EXISTING WATER LINE
PROPOSED WATER LINE
PROPOSED SEWER LINE AND MANHOLE
FIRE HYDRANT
BOUNDARY LINE
LOT LINE
RATE OF GRADE AND DIRECTION OF SLOPE (APPLIES TO BOTH STREET AND SEWER UNLESS OTHERWISE INDICATED)
EXISTING GROUND CONTOUR LINE
NOTE:
ALL INTERNAL STREETS ARE PRIVATE STREETS AND PUBLIC UTILITY EASEMENTS.
THOMASON CONSULTING ENGINEERS
1375 E. WARM SPRINGS ROAD, SUITE 450
LAS VEGAS, NEVADA 89119
702-932-4125 FAX: 702-932-8179
ROYAL CONSTRUCTION
SPINNAKER HOMES AT THE ORCHARD
SITE PLAN
SHEET SP1
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SDR-27001

PLANNING & DEVELOPMENT

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

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

Josh
Kurt
Sonia
Status
File

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April 11, 2008

Mr. Ben Young
Spinnaker Home IX LLC
4366 West Cheyenne Avenue
North Las Vegas, Nevada 89032

RE: SDR-27226- SITE DEVELOPMENT PLAN REVIEW

Dear Mr. Young:

Your request for a Site Development Plan Review for a 100-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT WITH ACCESS ON WHISPERING SANDS DRIVE on 40.16 acres on the southwest corner of Grand Teton Drive and Tenaya Way (APN 125-15-101-003), U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units Per Acre), Ward 6 (Ross), was considered by the Planning Commission on April 10, 2008.

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

Planning and Development

1. Lots 95 and 96 on the Site Plan dated 3/11/08 shall be limited to one story or 20 feet, whichever is less.

2. Twenty (20) 24-inch box trees shall be added on the subject property exterior to the perimeter wall along Grand Teton as approved by the Department of Public Works.

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

4. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 03/11/08 and 03/12/08, except as amended by conditions herein.

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Mayor
Oscar B. Goodman

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

City Manager
Douglas A. Selby

5. The standards for this development shall include a Minimum lot size of 9,375 square feet and Building height shall not exceed two stories or 32 feet, whichever is less.

6. The setbacks for this development shall be a minimum of 10 feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, five feet on the side, 10 feet on the corner side, and 15 feet in the rear. The casita options shall be six foot from the main dwelling and five foot from the rear and side property lines.

7. A revised elevation of the proposed block wall, indicating 20% contrasting block, shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for permits.

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

9. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

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. Revised elevations shall be submitted to and approved by the Planning and Development Department prior to the time application is made for a building permit to reflect a perimeter block wall with 20% contrasting block.

12. Air conditioning units shall not be mounted on rooftops.

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

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

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

Public Works

16. Dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the southwest corner of Grand Teton Drive and Tenaya Way prior to the issuance of any permits.

17. Dedicate an additional 10 feet of right-of-way for a total half-street width of 60 feet on Grand Teton Drive adjacent to this site prior to the issuance of any permits.

18. Construct half-street improvements including appropriate over paving on Tenaya Way and all incomplete improvements on Grand Teton Drive and Whispering Sands Drive adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, traffic signal system, etc., located within public rights-of-way, prior to construction of hard surfacing (asphalt or concrete). 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.

19. A minimum of two lanes of asphalt pavement on the major access street(s) adjacent to this site, and a working sanitary sewer connection shall be in place prior to final inspection of any units within this development. Full permanent improvements on all major access streets, including all required landscaped areas between the perimeter wall and adjacent public street, shall be constructed and accepted by the City prior to issuance of any building permits beyond 50% of all units within this development. All off-site improvements adjacent to this site, including all required landscaped areas between the perimeter walls and adjacent public streets, shall be constructed and accepted prior to issuance of building permits beyond 75%. The above thresholds notwithstanding, all required improvements shall be constructed within 24 months of approval of construction drawings. No partial bond releases will be allowed until all perimeter roadway improvements are in place.

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20. Gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222a. Emergency vehicle access/crash gated driveways shall be constructed in accordance with Standard Drawing #224.

21. The onsite streets shall be labeled as a private street, be designated as a common lot and shall be labeled as a private street, public utility easement (P.U.E.), public sewer easement and public drainage easement to be privately maintained by the Homeowners' Association on the Final Map for this site.

22. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

23. A Homeowners' Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping 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.

24. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

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25. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

This action by the Planning Commission on **April 10, 2008** is final unless a written appeal is filed with the City Clerk within ten days of the date of the Planning Commission's decision or there is a review action filed by the City Council within the same time period. The Notice of Final Action was filed with the Las Vegas City Clerk on ***April 11, 2008.***

Sincerely,

Douglas J. Rankin, AICP
Planning Manager
Case Planning Division

DR:nl:clb

cc: Mr. Ben Young
Royal Construcion
4366 West Cheyenne Avenue
North Las Vegas, Nevada 89032

Ms. Sonia Macias
TCE
3277 East Warm Springs Road
Las Vegas, Nevada 89120

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THOMASON
CONSULTING
ENGINEERS

April 8, 2010 011-07011

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

Reference: Spinnaker Homes at the Orchard
Extension of Time SDR-27226
APN #125-15-101-003

On behalf of Spinnaker Homes IX LLC, we respectfully request your consideration of the attached extension of time for SDR-27226.

Location: The proposed site is located on Grand Teton Drive and Tenaya Way within Section 15, Township 19 South, Range 60 East.

At this time we are requesting for an extension of time for The Site Development Review was approved by Planning Commission on April 10, 2008 and is related to TMP-27023, which was approved by Planning Commission on May 8, 2008 and will expire in May 2012.

This request for an extension of time is to allow the developer to complete this project. This project has been delayed as a result of complex drainage issues that required extensive coordination with the CLV, Clark County, and CCRFCD. Also, due to the current economic situation the developer wishes to wait until the residential market improves to move forward with the construction of this project. The improvement plans are approved to mylar and the final map has been approved to mylar. The developer anticipates making use of the extension by analyzing the residential real estate market to determine the optimal time to move forward with this project.

If you need additional information or have any questions, please feel free to call me at 932-6125.

Sincerely,

Sonia Macias
Project Coordinator

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APR 09 2010
EOT-37908

3277 East Warm Springs Road, Suite 400
Las Vegas, Nevada 89120
Phone (702) 932-6125 • Fax (702) 932-6129

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

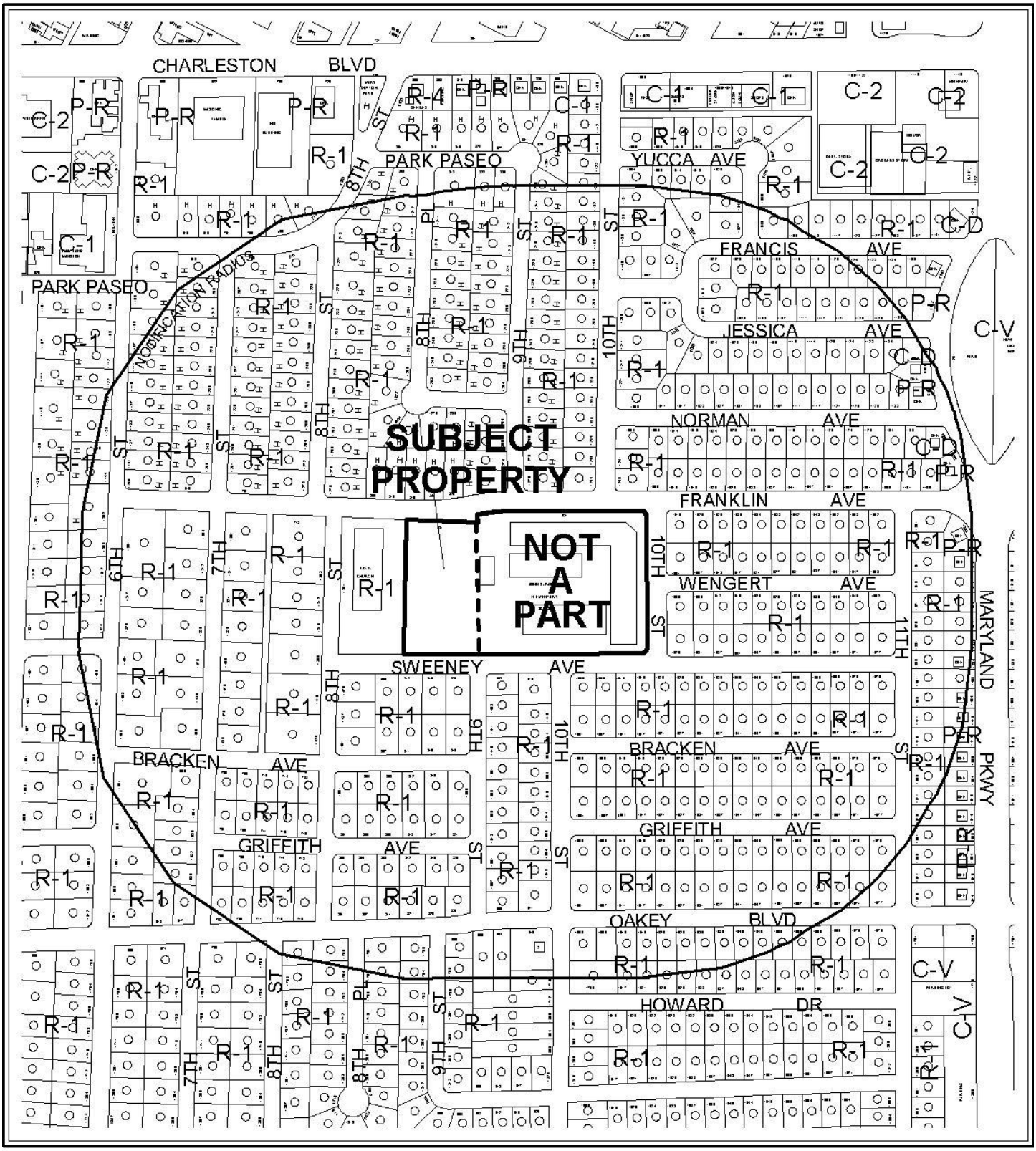
SUBJECT:
ZON-37852 - REZONING - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: SCHOOL BOARD OF TRUSTEES - Request for a Rezoning FROM: R-1 (SINGLE-FAMILY RESIDENTIAL) TO: C-V (CIVIC) on 7.45 acres at 931 Franklin Avenue (APN 162-03-604-005), Ward 3 (Reese). Staff recommends APPROVAL.

C.C.: 07/07/2010

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

RECOMMENDATION:
Staff recommends APPROVAL.

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



0 400 800 Feet

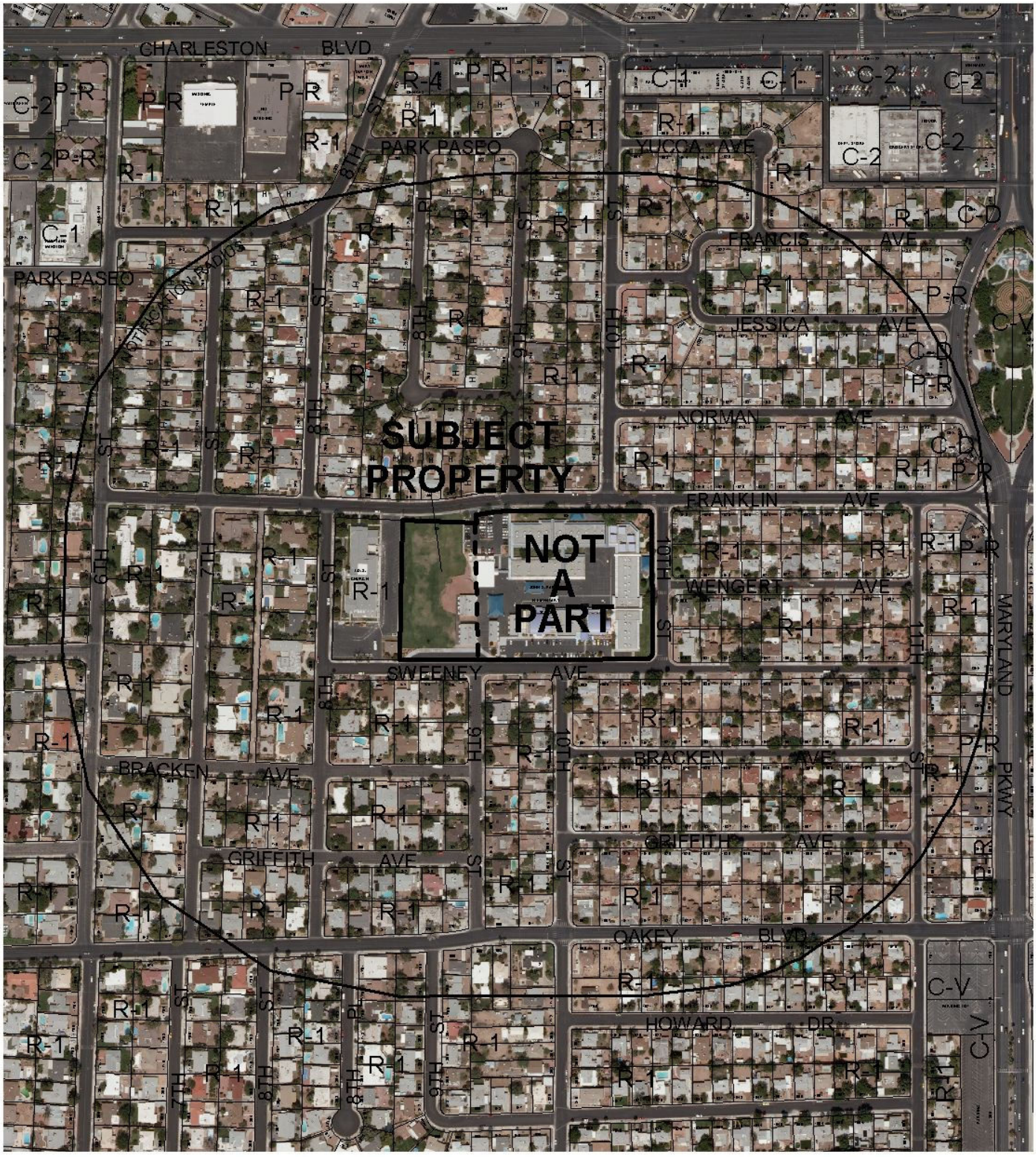
CASE: **ZON-37852**

RADIUS: 1000 FT

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

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

N



0 400 800 Feet

CASE: **ZON-37852**

RADIUS: 1000 FT

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

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: CITY OF LAS VEGAS - OWNER: SCHOOL BOARD OF TRUSTEES

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
ZON-37852	Staff recommends APPROVAL.	

AO

Staff Report Page One
May 27, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site is an elementary school containing approximately 7.35 acres, located at 931 Franklin Avenue. The applicant is requesting a Rezoning from R-1 (Single Family Residential) to the C-V (Civic) district. The requested zoning district is consistent with the existing General Plan Designation. If denied, the site will retain its existing Zoning and General Plan designation. Staff is recommending approval of this request as the requested Rezoning is compatible with the adjacent surrounding zoning districts.

ISSUES:

- The proposed Rezoning will allow conformance with the current land use designation of C-V (Civic) district.
- The existing use of the subject site as an Elementary School is a permissible use in the C-V (Civic) zoning district, and is consistent with the existing General Plan designation.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc
There are no related relevant City actions for the subject site.

Most Recent Change of Ownership	
11/26/63	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
There are no related relevant related building permits/business licenses for the subject site.

Pre-Application Meeting	
04/01/10	A pre-application meeting was conducted internally, as the City is the applicant for the request.

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

Field Check	
04/22/10	During a routine field check staff observed a well maintained site.

Details of Application Request	
Site Area	
Net Acres	7.35

Surrounding Property	*Existing Land Use Per Title 19.04*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	Elementary School	PF (Public Facility)	C-V (Civic)
North	Single Family Dwellings	L (Low Density Residential)	R-1 (Single Family Residential)
South	Single Family Dwellings	L (Low Density Residential)	R-1 (Single Family Residential)
East	Single Family Dwellings	L (Low Density Residential)	R-1 (Single Family Residential)
West	Church	PF (Public Facilities)	R-1 (Single Family Residential)

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area			
John S Park Neighborhood	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts		X	N/A
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

The subject site contains an existing elementary school, which is a permissible use in the proposed C-V (Civic) zoning district, and is allowed by the existing PF (Public Facilities) land use designation. The proposed Rezoning will bring the site into conformance with the existing land use designation.

As the proposed C-V (Civic) zoning district is consistent with the existing PF (Public Facilities) General Plan designation, and the proposal is compatible with the surrounding land uses, staff is recommending approval of this request.

FINDINGS (ZON-37852)

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

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

   The proposed C-V (Civic) zoning district is consistent with the existing PF (Public Facilities) land use category and conforms to the General Plan.

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

   The uses allowed by the C-V (Civic) zoning district are compatible with the surrounding land uses and zoning districts.

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

   The subject site has a land use designation of PF (Public Facilities). Rezoning of the subject site will allow conformance with the existing land use designation of the subject site.

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

   The site is accessed from Franklin Avenue and Sweeney Avenue, both 60-foot Local streets. Access is adequate in size to meet the requirements of the proposed zoning district.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 21

NOTICES MAILED 565

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-37852 APN: 162-03-604-005

Name of Property Owner: School Board of Trustees

Name of Applicant: City of Las Vegas

Name of Representative: Andy Reed

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:~~ REPRESENTATIVE Andrew P. Reed

Print Name: Andrew P. Reed

Subscribed and sworn before me

This 2nd day of April, 2010

Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
NORA LARES
No. 06-103906-1 My Appointment Expires Nov. 9, 2013

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Rezoning

Project Address (Location) 931 Franklin Avenue

Project Name _____ **Proposed Use** _____

Assessor's Parcel #(s) 162-03-604-005 **Ward #** 3

General Plan: existing PF proposed _____ **Zoning:** existing R-1 proposed C-V

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

Gross Acres 7.45 acres **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER School Board of Trustees **Contact** Linda Perri

Address 2832 E. Flamingo Road **Phone:** 799-5214 **Fax:** _____

City Las Vegas **State** NV **Zip** 89121-5205

E-mail Address LKPERRI@interact.ccsd.net

APPLICANT City of Las Vegas **Contact** Andy Reed

Address 731 S. 4TH Street **Phone:** 229-6882 **Fax:** _____

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

E-mail Address _____

REPRESENTATIVE _____ **Contact** _____

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

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

E-mail Address _____

Property Owner Signature* Andrew P. Reed

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

Print Name ANDREW P. REED

Subscribed and sworn before me

This 2nd day of April, 2010.

Nora Lares

Notary Public in and for said County and State

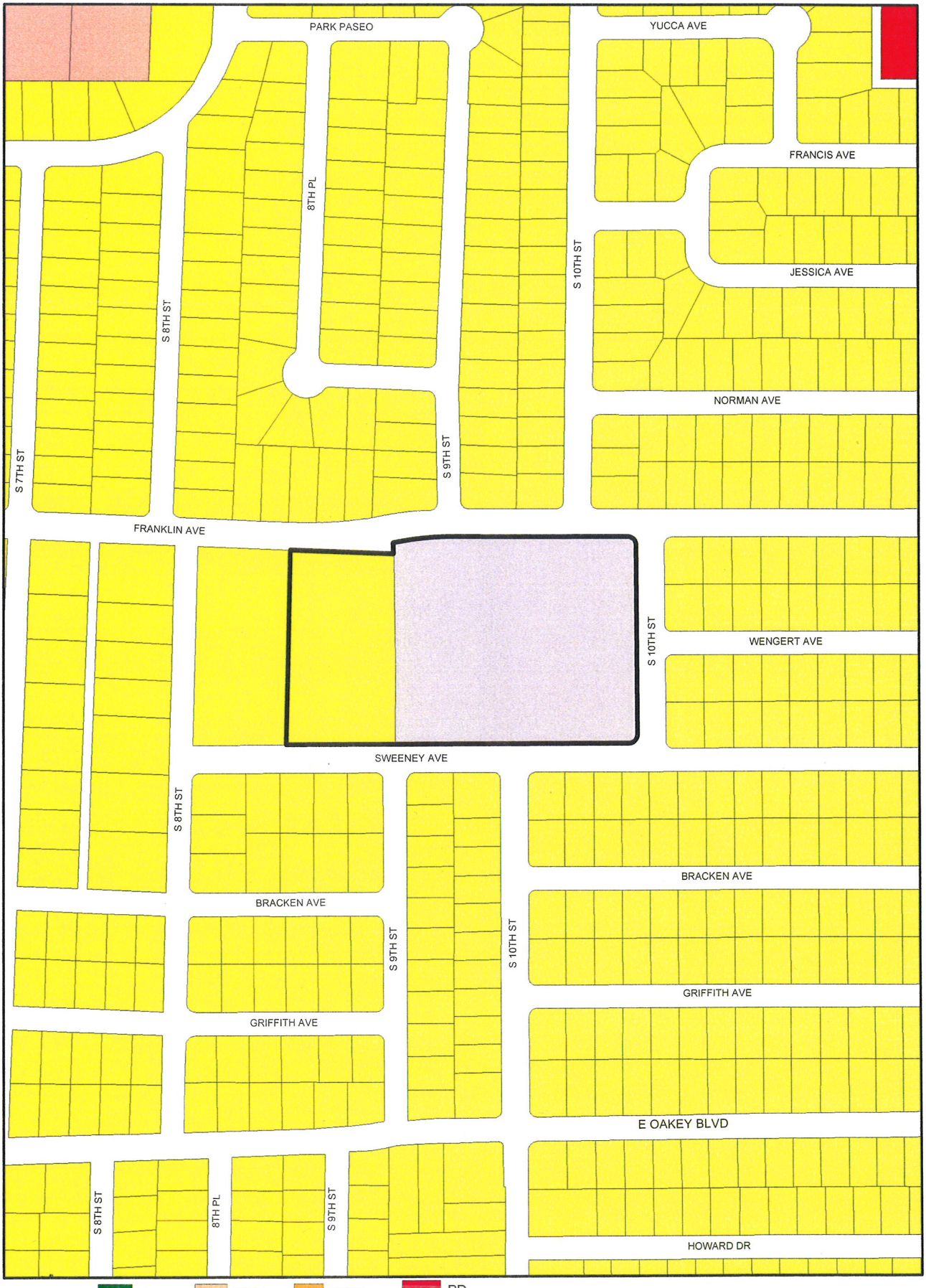
Notary Public - State of Nevada
COUNTY OF CLARK
NORA LARES
No. 06-103906-1 My Appointment Expires Nov. 9, 2013

FOR DEPARTMENT USE ONLY

Case #	ZON-37852
Meeting Date:	5-27-10
Total Fee:	N/A
Date Received:*	4-7-10
Received By:	A Reed

*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.

REZONING Parcel: 162-03-604-005



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APR 09 2010

ZONING

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

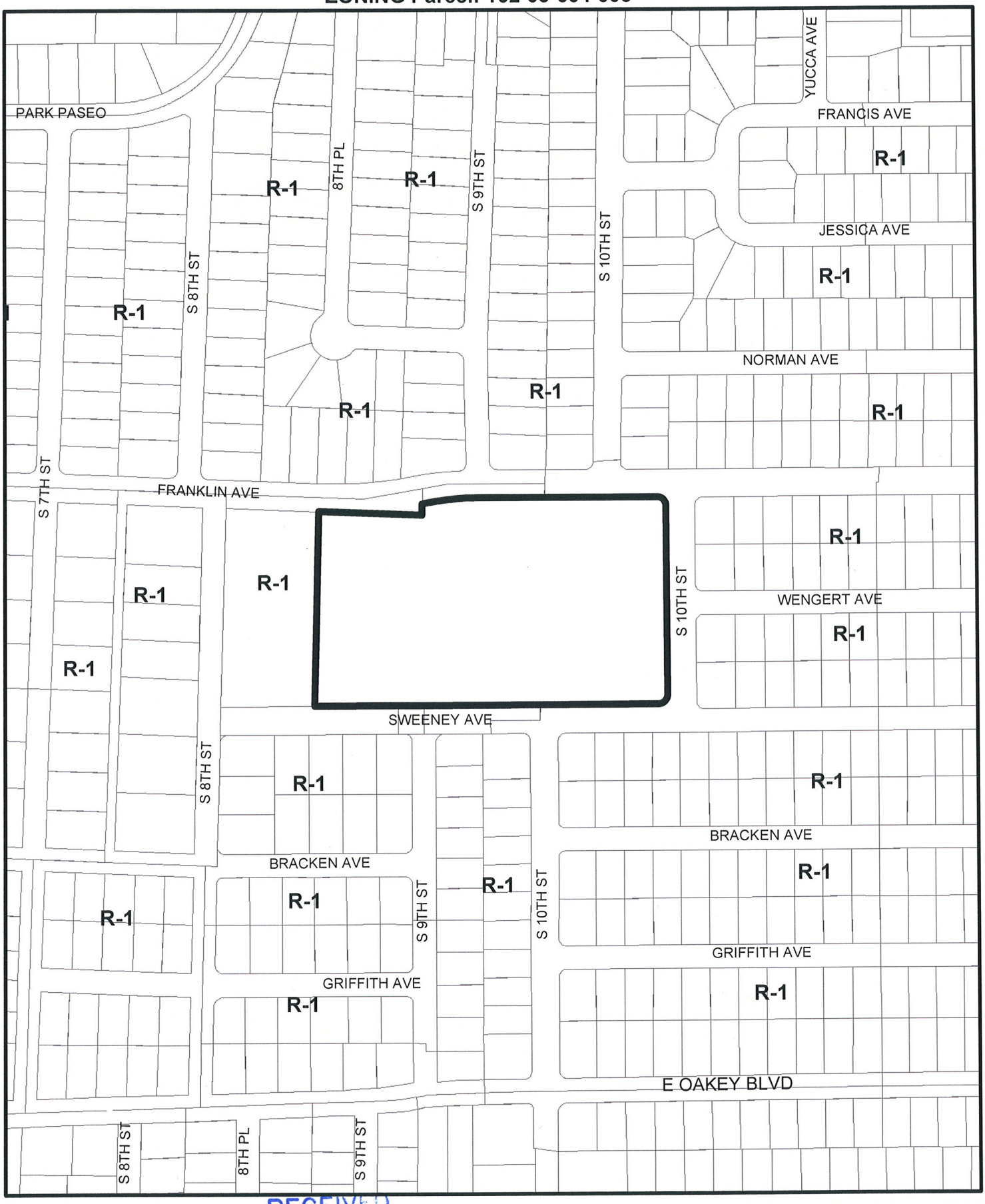
ZON-37852 From R-1 to C-V

Data Current as of: April 6, 2010

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

PLANNING & DEVELOPMENT

ZONING Parcel: 162-03-604-005



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APR 09 2010

From R-1 to C-V

ZON-37852

Data Current as of: April 6, 2010

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

PLANNING & DEVELOPMENT



ZON-37852 - APPLICANT: CITY OF LAS VEGAS - OWNER: SCHOOL BOARD OF TRUSTEES
931 FRANKLIN AVENUE

04/22/10



ZON-37852 - APPLICANT: CITY OF LAS VEGAS - OWNER: SCHOOL BOARD OF TRUSTEES
931 FRANKLIN AVENUE

04/22/10



ZON-37852 - APPLICANT: CITY OF LAS VEGAS - OWNER: SCHOOL BOARD OF TRUSTEES
931 FRANKLIN AVENUE

04/22/10



ZON-37852 - APPLICANT: CITY OF LAS VEGAS - OWNER: SCHOOL BOARD OF TRUSTEES
931 FRANKLIN AVENUE

04/22/10



ZON-37852 - APPLICANT: CITY OF LAS VEGAS - OWNER: SCHOOL BOARD OF TRUSTEES
931 FRANKLIN AVENUE

04/22/10

PLANNING & DEVELOPMENT
CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER
731 S. Fourth Street
Las Vegas, NV 89101

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

April 7, 2010

Steve Gebeke
Planning & Development Department
731 S. 4th Street
Las Vegas NV 89101

RE: Application ZON-37852
Assessor's Parcel Number 162-03-604-005

Dear Mr. Gebeke:

In regard to this parcel, staff has determined that the existing General Plan designation and zoning classifications are inconsistent. In order to resolve this inconsistency and ensure that future development is compatible with existing development, staff is proposing to change the zoning classification of this site to C-V (Civic). Please call me at 229-6882 should you have any questions.

Sincerely,

Andrew P. Reed
Planning Supervisor
City of Las Vegas Planning & Development Department

Mayor
Oscar B. Goodman

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

City Manager
Elizabeth N. Fretwell

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ZON-37852

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

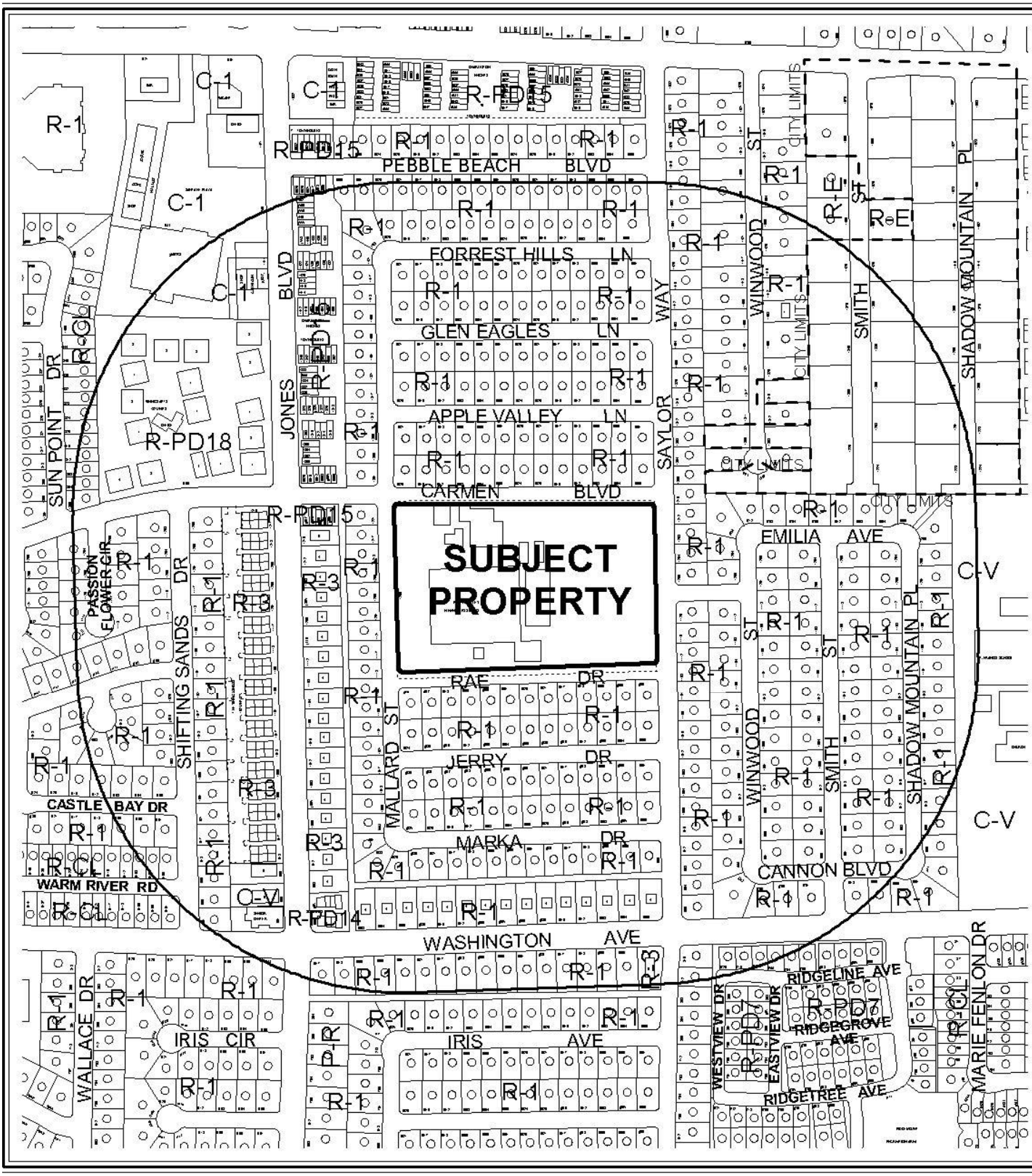
SUBJECT:
ZON-37853 - REZONING - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: SCHOOL BOARD OF TRUSTEES - Request for a Rezoning FROM: R-1 (SINGLE-FAMILY RESIDENTIAL) TO: C-V (CIVIC) on 9.50 acres at 1200 Mallard Street (APN 138-25-201-001), Ward 5 (Barlow). Staff recommends APPROVAL.

C.C.: 07/07/2010

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

RECOMMENDATION:
Staff recommends APPROVAL.

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



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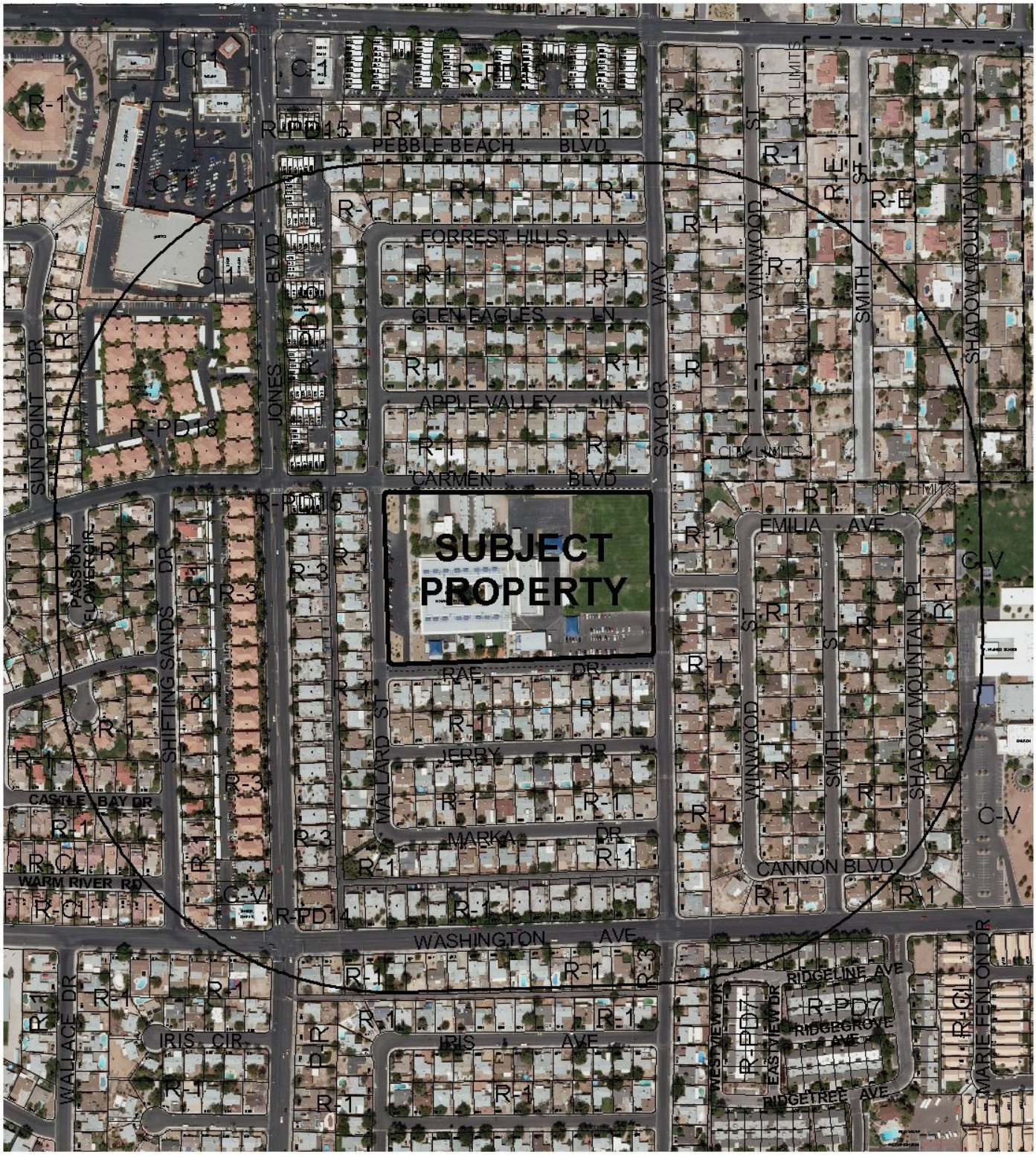
CASE: **ZON-37853**

RADIUS: 1000 FT

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

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

N



0 400 800 Feet

CASE: **ZON-37853**

RADIUS: 1000 FT

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

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: CITY OF LAS VEGAS - OWNER: SCHOOL BOARD OF TRUSTEES

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
ZON-37853	Staff recommends APPROVAL.	

AO

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site is an elementary school lot containing approximately 9.5 acres, located at 1200 north Mallard Street. The applicant is requesting a Rezoning from R-1 (Single Family Residential) to the C-V (Civic) district. The requested zoning district is consistent with the existing General Plan designation. If denied, the site will retain its existing Zoning and General Plan designation. Staff is recommending approval of this request as the requested Rezoning is compatible with the adjacent surrounding zoning districts.

ISSUES:

- The proposed Rezoning will allow conformance with the current land use designation of PF (Public Facilities).
- The existing use of the subject site as an Elementary School is a permissible use in the C-V (Civic) zoning district, and is consistent with the existing General Plan designation.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
10/23/07	A Code Enforcement case (59158) was processed for construction taking place late at night at school. Code Enforcement closed the case on 01/22/10.

Most Recent Change of Ownership	
07/20/62	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
10/25//99	A building permit (#99020598) was issued for a school addition. The project was completed on 10/25/99.

Pre-Application Meeting	
04/01/10	A pre-application meeting was conducted internally, as the City is the applicant for the request.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
04/22/10	During a routine field check staff observed a well maintained site.

Details of Application Request	
Site Area	
Gross Acres	9.5

Surrounding Property	*Existing Land Use Per Title 19.04*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	Elementary School	PF (Public Facility)	R-1 (Single Family Residential)
North	Single Family Residences	L (Low Density Residential)	R-1 (Single Family Residential)
South	Single Family Residences	L (Low Density Residential)	R-1 (Single Family Residential)
East	Single Family Residences	L (Low Density Residential)	R-1 (Single Family Residential)
West	Single Family Residences	L (Low Density Residential)	R-1 (Single Family Residential)

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

ANALYSIS

The subject site contains an existing elementary school, which is a permissible use in the proposed C-V (Civic) zoning district, and is allowed by the existing PF (Public Facilities) land use designation. The proposed Rezoning will bring site into conformance with the existing land use designation.

As the proposed C-V (Civic) zoning district is consistent with the existing PF (Public Facilities) General Plan designation, and the proposal is compatible with the surrounding land uses, staff is recommending approval of this request.

FINDINGS (ZON-37853)

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

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

   The proposed C-V (Civic) zoning district is consistent with the existing PF (Public Facilities) land use category and conforms to the General Plan.

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

   The uses allowed by the C-V (Civic) zoning district are compatible with the surrounding land uses and zoning districts.

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

   The subject site has a land use designation of PF (Public Facilities). Rezoning of the subject site will allow conformance with the existing land use designation of the subject site.

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

   The site is accessed from Rae Drive, a 50-foot Local street. Access is adequate in size to meet the requirements of the proposed zoning district.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

NOTICES MAILED 569

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-37853 APN: 138-25-201-001

Name of Property Owner: School Board of Trustees

Name of Applicant: City of Las Vegas

Name of Representative: Andy Reed

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: _____

REPRESENTATIVE

Signature of ~~Property Owner~~: _____

Print Name: Andrew P. Reed

Subscribed and sworn before me

This 2nd day of April, 20 10

Notary Public - State of Nevada
COUNTY OF CLARK
NORA LARES
No. 06-103908-1 My Appointment Expires Nov. 9, 2013

_____

Notary Public in and for said County and State

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Rezoning

Project Address (Location) 1200 Mallard Street

Project Name _____ **Proposed Use** _____

Assessor's Parcel #(s) 138-25-201-001 **Ward #** 5

General Plan: existing PF proposed _____ **Zoning:** existing R-1 proposed C-V

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

Gross Acres 9.50 acres **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER School Board of Trustees **Contact** Linda Perri

Address 2832 E. Flamingo Road **Phone:** 799-5214 **Fax:** _____

City Las Vegas **State** NV **Zip** 89121-5205

E-mail Address LKPERRI@interact.ccsd.net

APPLICANT City of Las Vegas **Contact** Andy Reed

Address 731 S. 4TH Street **Phone:** 229-6882 **Fax:** _____

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

E-mail Address _____

REPRESENTATIVE _____ **Contact** _____

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

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

E-mail Address _____

Property Owner Signature* Andrew P. Reed

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

Print Name Andrew P. Reed

Subscribed and sworn before me

This 2nd day of April, 20 10.

Nora Lares

Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
NORA LARES
No. 06-103908-1 My Appointment Expires Nov. 9, 2013

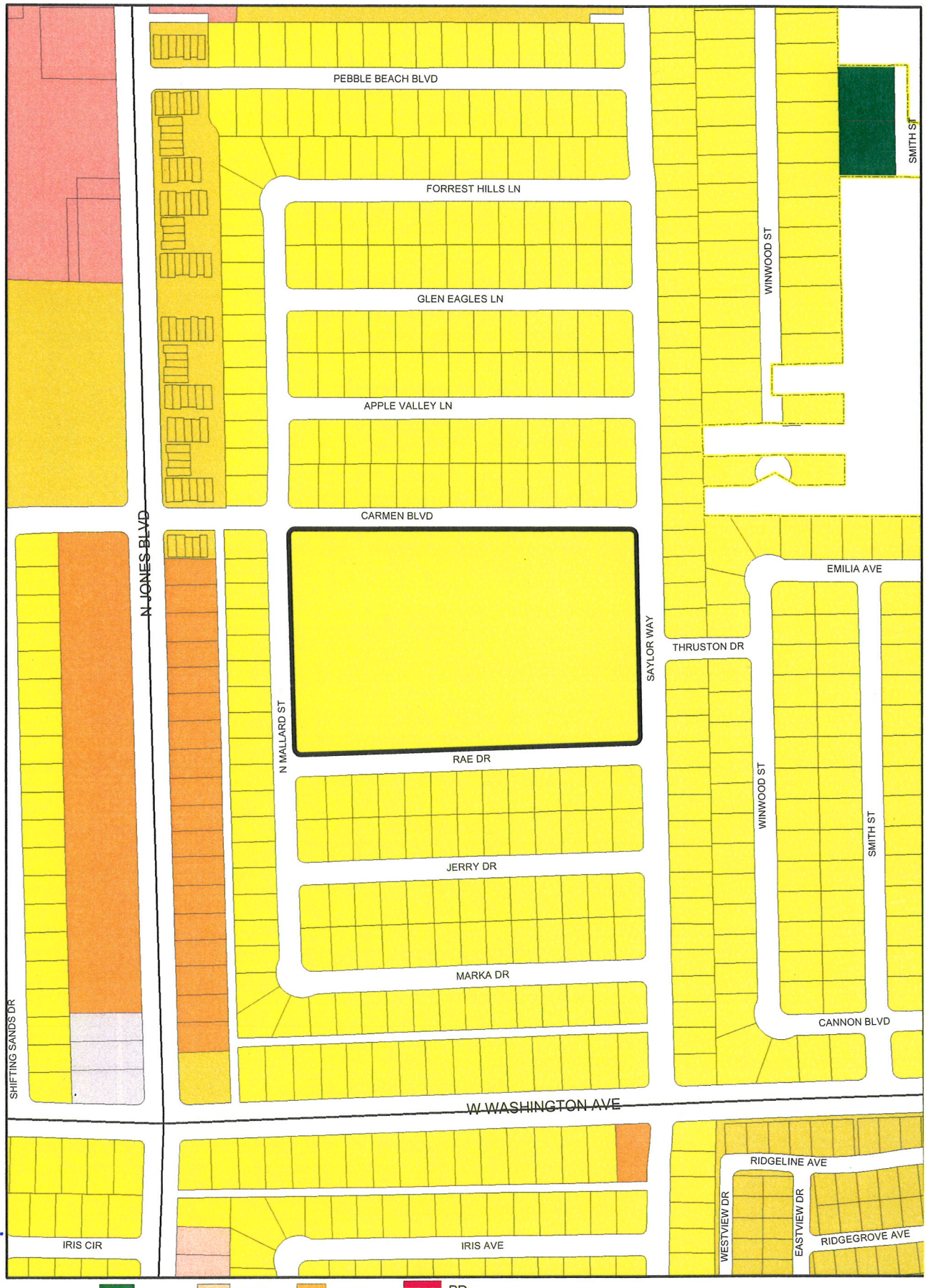
FOR DEPARTMENT USE ONLY

Case #	ZON-37853
Meeting Date:	5-27-10
Total Fee:	N/A
Date Received:*	4-7-10
Received By:	Reed

*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

REZONING Parcel: 138-25-201-001



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APR 09 2010

ZONING

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

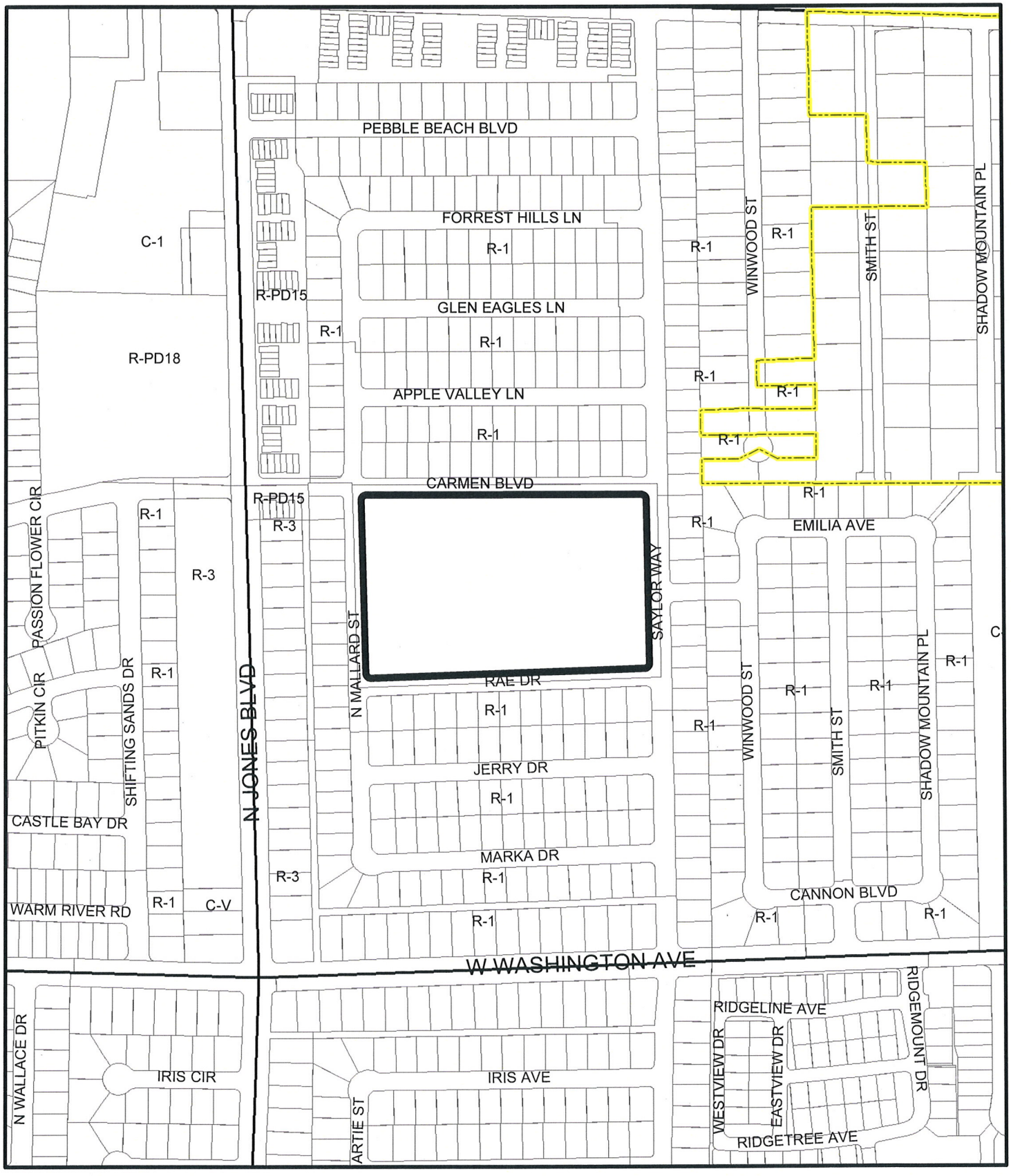
ZON-37853 from R-1to C-V

Data Current as of: April 6, 2010

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

PLANNING & DEVELOPMENT

ZONING Parcel: 138-25-201-001



From R-1 to C-V

ZON-37853

RECEIVED
APR 09 2010

Data Current as of: April 7, 2010

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

PLANNING & DEVELOPMENT



ZON-37853 - APPLICANT: CITY OF LAS VEGAS - OWNER: SCHOOL BOARD OF TRUSTEES
1200 MALLARD STREET

04/22/10



ZON-37853 - APPLICANT: CITY OF LAS VEGAS - OWNER: SCHOOL BOARD OF TRUSTEES
1200 MALLARD STREET

04/22/10



ZON-37853 - APPLICANT: CITY OF LAS VEGAS - OWNER: SCHOOL BOARD OF TRUSTEES
1200 MALLARD STREET

04/22/10

PLANNING & DEVELOPMENT
CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER
731 S. Fourth Street
Las Vegas, NV 89101

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

April 7, 2010

Steve Gebeke
Planning & Development Department
731 S. 4th Street
Las Vegas NV 89101

RE: Application ZON-37853
Assessor's Parcel Number 138-25-201-001

Dear Mr. Gebeke:

In regard to this parcel, staff has determined that the existing General Plan designation and zoning classifications are inconsistent. In order to resolve this inconsistency and ensure that future development is compatible with existing development, staff is proposing to change the zoning classification of this site to C-V (Civic). Please call me at 229-6882 should you have any questions.

Sincerely,

Andrew P. Reed
Planning Supervisor
City of Las Vegas Planning & Development Department

RECEIVED
APR 09 2010

Mayor
Oscar B. Goodman

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

City Manager
Elizabeth N. Fretwell

CITY OF LAS VEGAS NEVADA

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

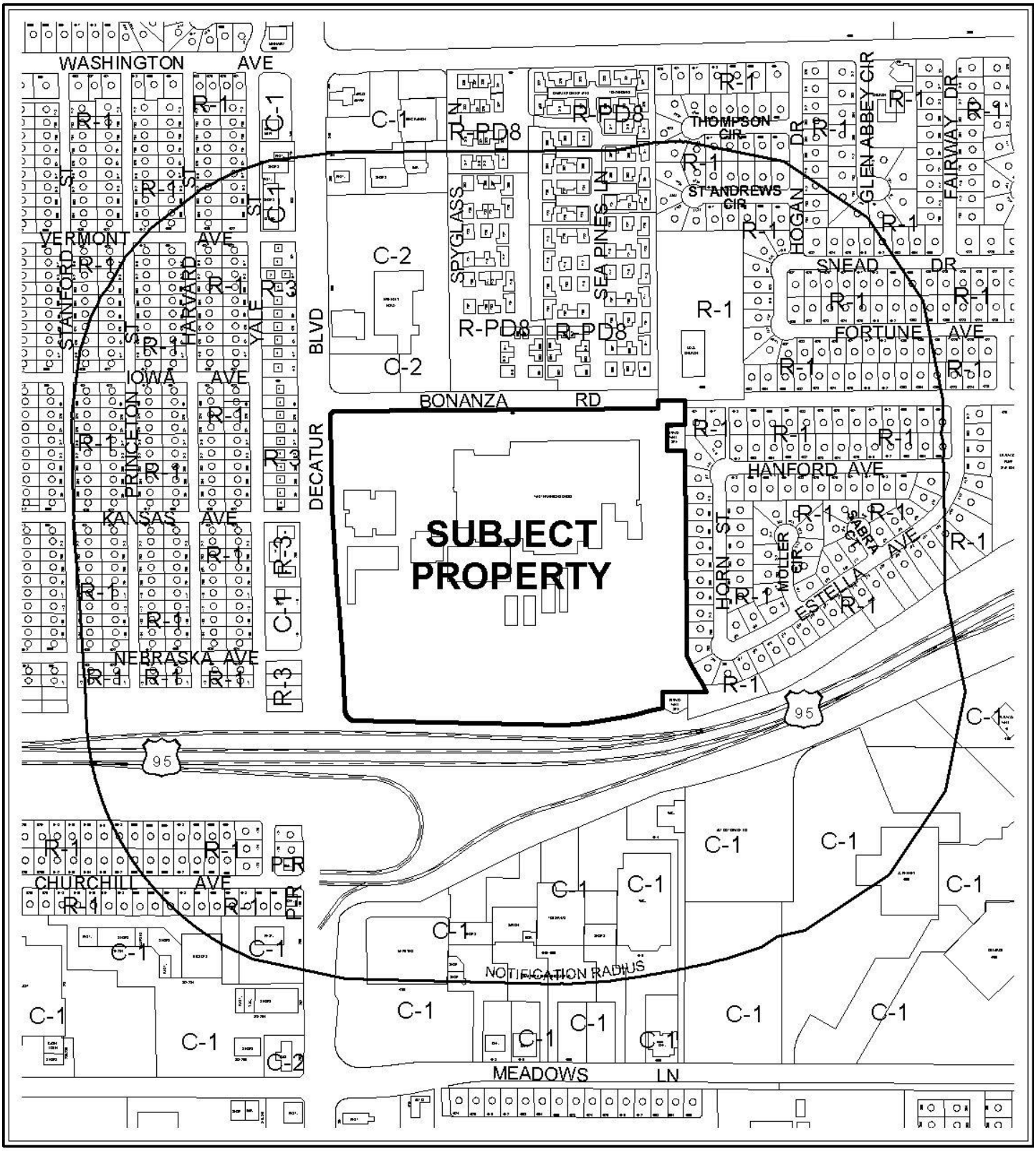
SUBJECT:
ZON-37854 - REZONING - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: SCHOOL BOARD OF TRUSTEES - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-V (CIVIC) on 36.28 acres at 4601 West Bonanza Road (APN 139-30-401-001), Ward 5 (Barlow). Staff recommends APPROVAL.

C.C.: 07/07/2010

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

RECOMMENDATION:
Staff recommends APPROVAL.

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



0 500 1000 Feet

CASE: **ZON-37854**

RADIUS: 1000 FT

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

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

N



0 500 1000 Feet

CASE: **ZON-37854**

RADIUS: 1000 FT

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

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: CITY OF LAS VEGAS - OWNER: SCHOOL BOARD OF TRUSTEES

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
ZON-37854	Staff recommends APPROVAL.	

GK

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request to rezone property at 4601 West Bonanza Road from R-E (Residence Estates) to C-V (Civic), containing 36.28 acres. Currently, a Public School, Secondary is located on this lot. The lot is adjacent to existing residentially zoned properties and is already designated for PF (Public Facilities) land uses by the General Plan. As the proposed zoning conforms to the General Plan and the existing use is compatible with the existing surrounding land uses, staff recommends approval. If denied, the lot will remain designated R-E (Residence Estates) and the zoning designation will remain inconsistent with the existing land use designation.

ISSUES

- The proposed zoning would allow for conformance with the existing General Plan land use designation for this lot.
- The existing use of the subject site as a Public School, Secondary is a permissible use in the C-V (Civic) zoning district, and is consistent with the existing General Plan designations.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
11/13/03	A Code Enforcement citation (6743) was issued for graffiti at 4601 West Bonanza Road. The citation was closed by Code Enforcement on 01/22/10.

Most Recent Change of Ownership	
07/15/58	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
c.1961	The existing building was constructed.
06/28/01	A building permit (1011732) was issued for a tenant improvement at 4601 West Bonanza Road. The permit expired on 02/23/02.
05/02/06	A civil improvement plan (9569) was issued for classroom and administration buildings at 4601 West Bonanza Road. The permit was finaled on 12/06/07.

Pre-Application Meeting	
04/01/10	A pre-application meeting was conducted internally, as the City is the applicant for the request.

Neighborhood Meeting
A neighborhood meeting is not required, nor was one conducted.

Field Check	
04/22/10	Staff conducted a field check on the indicated date. The following items were noted: • A well maintained lot containing a Public School, Secondary.

Details of Application Request	
Site Area	
Net Acres	36.28

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Public School, Secondary	PF (Public Facilities)	R-E (Residence Estates)
North	Motor Vehicle Sales, New	GC (General Commercial)	C-2 (General Commercial)
	Condominiums	ML (Medium Low Density Residential)	R-PD8 (Residential Planned Development – 8 Units per Acre)
South	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
East	Single Family Residence	L (Low Density Residential)	R-1 (Single Family Residential)
West	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)
	Restaurant, Vacant Lot	SC (Service Commercial)	C-1 (Limited Commercial)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area			

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

ANALYSIS

If approved, this request would rezone the subject site from R-E (Residence Estates) to C-V (Civic). Such action would conform to the existing PF (Public Facility) General Plan land use designation on this lot. The C-V (Civic) zoning district is intended to provide for existing public and quasi-public uses and for the development of new schools, libraries, public parks, public flood control facilities, police, fire, and other public utility facilities. Rezoning of this lot is appropriate, as the proposed C-V (Civic) zoning district is consistent with the existing PF (Public Facilities) General Plan designation, the existing public school use is a permissible use in the C-V (Civic) zoning district, and the zoning is compatible with the surrounding adjacent land uses. Staff therefore recommends approval.

FINDINGS (ZON-37854)

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

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

   The site is designated PF (Public Facilities) on the Southeast Sector Land Use Plan Map of the General Plan. The proposed C-V (Civic) Zoning designation is in conformance with the existing General Plan designation.

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

   The potential uses allowed in the proposed C-V (Civic) district are appropriate for the area, which is developed with predominantly single-family residential uses.

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

The subject site has a land use designation of PF (Public Facilities). Rezoning of the subject site will allow conformance with the existing land use designation of the subject site.

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

Access to this site is provided from Bonanza Road, a fully improved 70-foot wide Collector Street as designated by the Master Plan of Streets and Highways. The existing school facility is sufficiently served by existing roadway facilities.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 21

NOTICES MAILED 536

APPROVALS 0

PROTESTS 0

GK

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-37854 APN: 139-30-401-001

Name of Property Owner: School Board of Trustees

Name of Applicant: City of Las Vegas

Name of Representative: Andy Reed

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: _____

REPRESENTATIVE

Signature of ~~Property Owner~~: Andrew P. Reed

Print Name: Andrew P. Reed

Subscribed and sworn before me

This 2nd day of April, 2010

Notary Public - State of Nevada
COUNTY OF CLARK
NORA LARES
No. 06-103908-1 My Appointment Expires Nov. 9, 2013

Nora Lares

Notary Public in and for said County and State

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Rezoning

Project Address (Location) 4601 West Bonanza Road

Project Name _____ **Proposed Use** _____

Assessor's Parcel #(s) 139-30-401-001 **Ward #** 5

General Plan: existing PF proposed _____ **Zoning:** existing R-E proposed C-V

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

Gross Acres 36.28 acres **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER School Board of Trustees **Contact** Linda Perri

Address 2832 E. Flamingo Road **Phone:** 799-5214 **Fax:** _____

City Las Vegas **State** NV **Zip** 89121-5205

E-mail Address LKPERRI@interact.ccsd.net

APPLICANT City of Las Vegas **Contact** Andy Reed

Address 731 S. 4TH Street **Phone:** 229-6882 **Fax:** _____

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

E-mail Address _____

REPRESENTATIVE _____ **Contact** _____

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

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

E-mail Address _____

Property Owner Signature* Andrew P. Reed

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

Print Name Andrew P. Reed

Subscribed and sworn before me

This 2nd day of April, 2010.

Nora Lares

Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
NORA LARES
No. 06-103908-1 My Appointment Expires Nov. 9, 2013

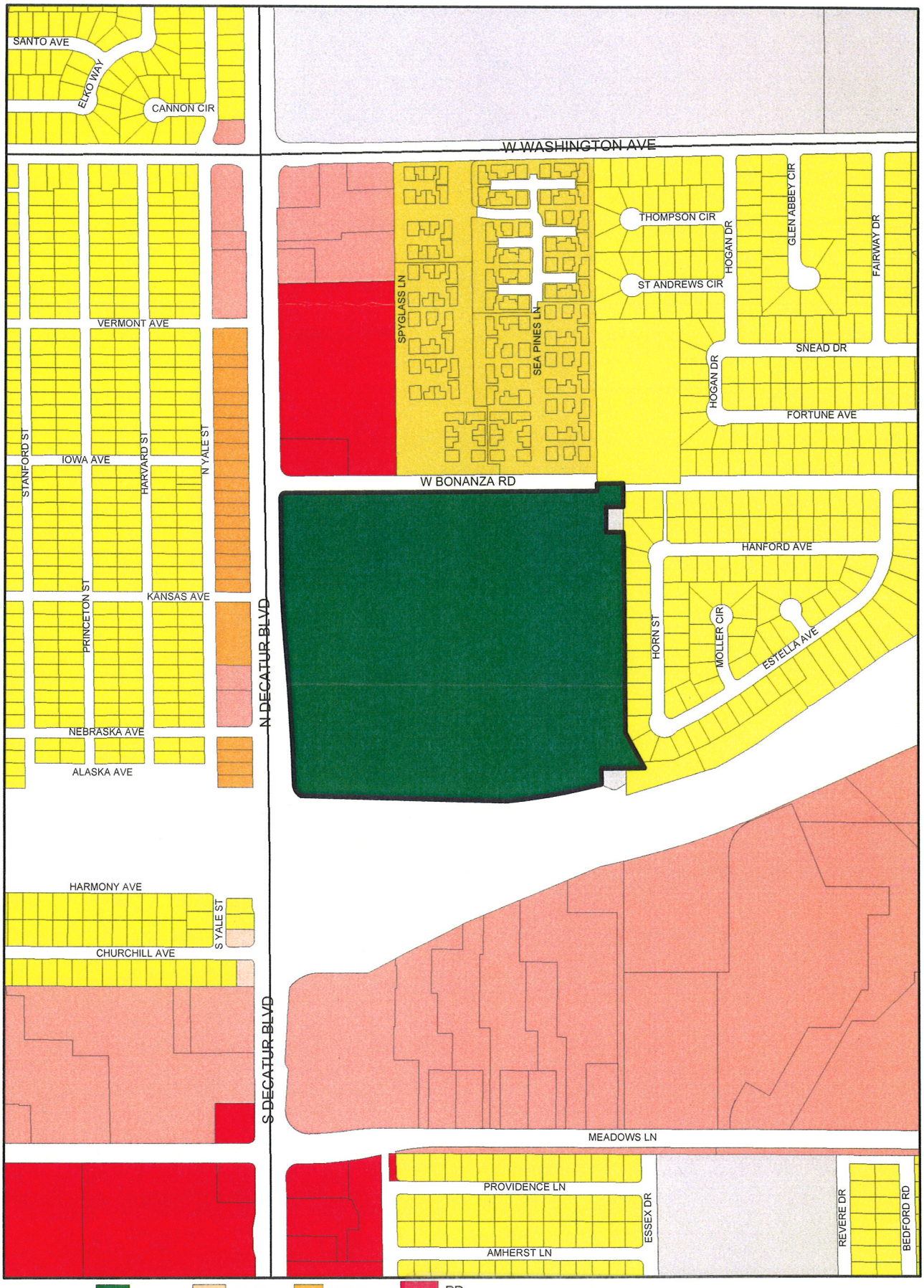
FOR DEPARTMENT USE ONLY

Case #	ZON-37854
Meeting Date:	5-27-10
Total Fee:	N/A
Date Received:*	4-7-10
Received By:	A Reed

*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

REZONING Parcel: 139-30-401-001



RECEIVED
APR 09 2010

ZONING

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

From R-E to C-V

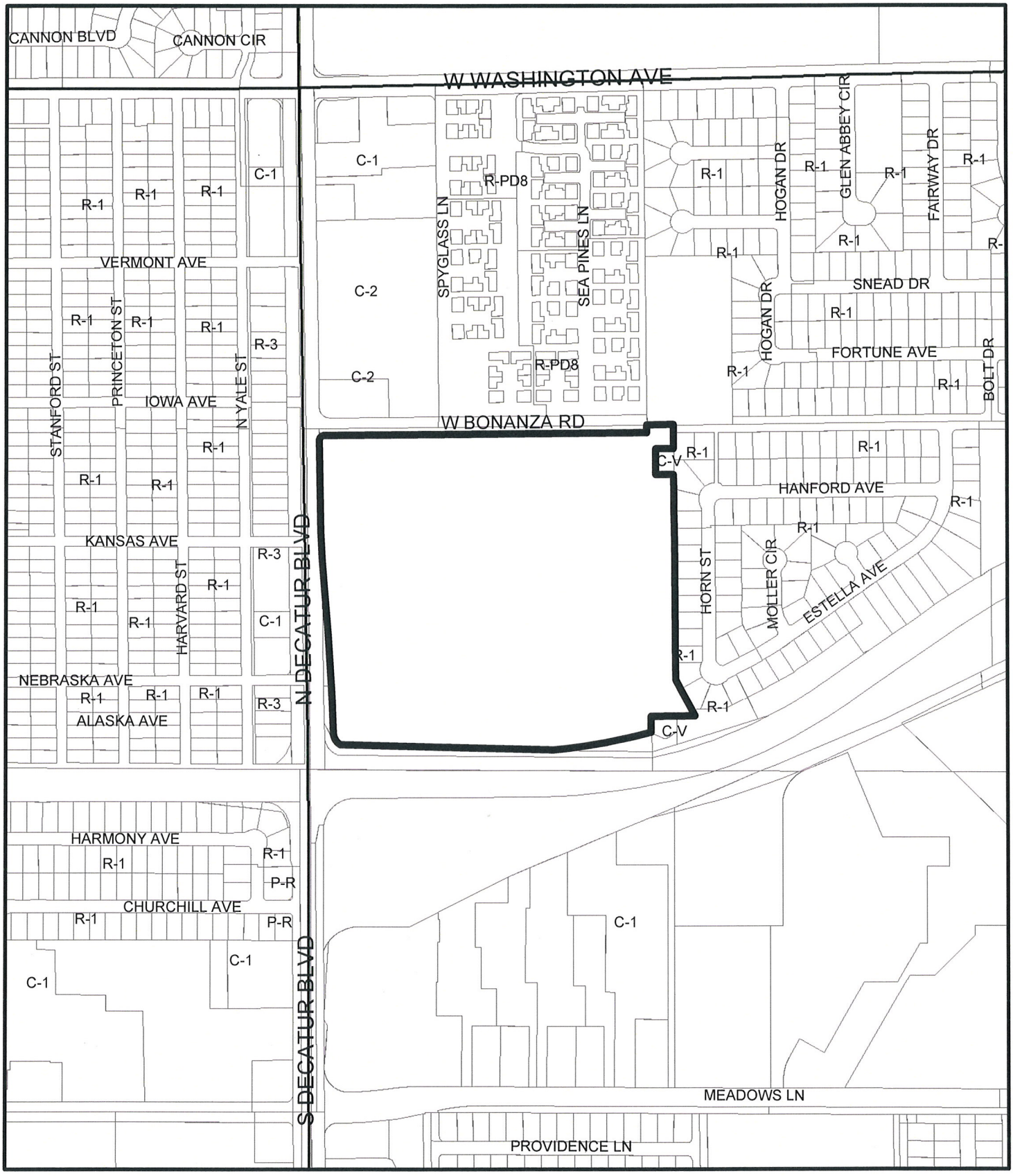
ZON-37854

Data Current as of: April 6, 2010

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

PLANNING & DEVELOPMENT

ZONING Parcel: 139-30-401-001



RECEIVED

APR 09 2010

From R-E to C-V

ZON-37854

Data Current as of: April 7, 2010

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



ZON-37854 - APPLICANT: CITY OF LAS VEGAS - OWNER: SCHOOL BOARD OF TRUSTEES
4601 WEST BONANZA ROAD

04/22/10



ZON-37854 - APPLICANT: CITY OF LAS VEGAS - OWNER: SCHOOL BOARD OF TRUSTEES
4601 WEST BONANZA ROAD

04/22/10

PLANNING & DEVELOPMENT
CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER
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TTY 702-386-9108
www.lasvegasnevada.gov

April 7, 2010

Steve Gebeke
Planning & Development Department
731 S. 4th Street
Las Vegas NV 89101

RE: Application ZON-37854
Assessor's Parcel Number 139-30-401-001

Dear Mr. Gebeke:

In regard to this parcel, staff has determined that the existing General Plan designation and zoning classifications are inconsistent. In order to resolve this inconsistency and ensure that future development is compatible with existing development, staff is proposing to change the zoning classification of this site to C-V (Civic). Please call me at 229-6882 should you have any questions.

Sincerely,

Andrew P. Reed
Planning Supervisor
City of Las Vegas Planning & Development Department

Mayor
Oscar B. Goodman

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

City Manager
Elizabeth N. Fretwell

RECEIVED
APR 09 2010

CITY OF LAS VEGAS NEVADA

07101-001-06-09

ZON-37854

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

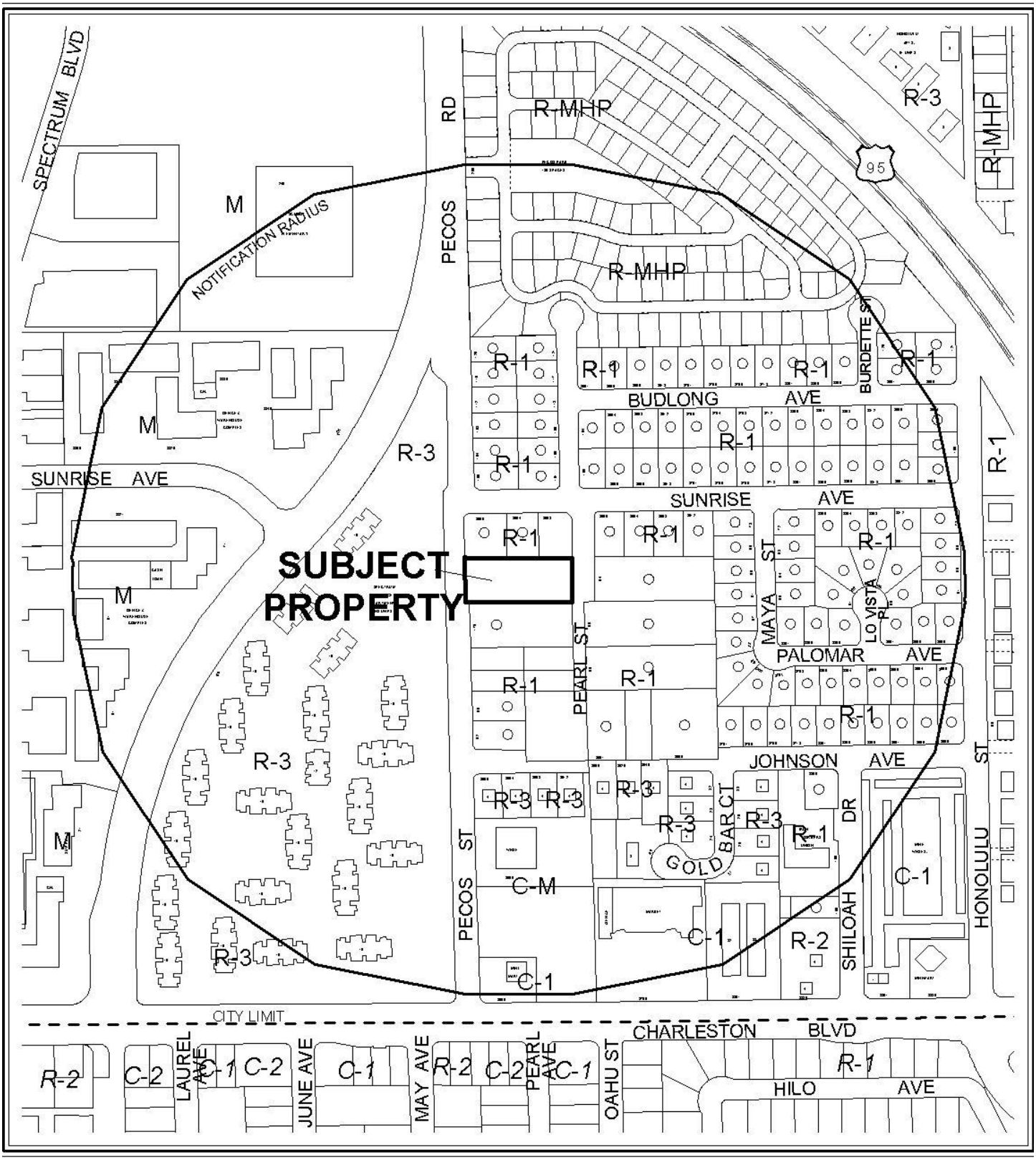
SUBJECT:
VAR-37980 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: LILLY B. GUERRERO - Request for a Variance TO CREATE FOUR 56-FOOT WIDE LOTS WHERE 65-FOOT WIDE LOTS ARE THE MINIMUM REQUIRED on 0.73 acres adjacent to the east side of Pecos Street, approximately 110 feet south of Sunrise Avenue (APN 140-31-401-008), R-1 (Single Family Residential) Zone, Ward 3 (Reese). Staff recommends APPROVAL.

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

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



0 300 600 Feet

CASE: **VAR-37980**

RADIUS: 1000 FT

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

N



0 300 600 Feet

CASE: **VAR-37980**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: LILLY B. GUERRERO

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-37980	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

VAR-37980 CONDITIONS

Planning and Development

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

2. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all code as required by the Building and Safety Department.

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

Staff Report Page One
May 27, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Variance to allow four 56-foot wide lots where 65-foot wide lots are the minimum required, on property adjacent to the east side of Pecos Street, approximately 125 feet south of Sunrise Avenue. The applicant is requesting the Variance in order to complete a four-lot residential Parcel Map. The applicant has provided demonstration of adequate setbacks, but has not shown the proposed dwellings on the site.

This is a third request of the variance, whereas the second Variance (VAR-25064) has expired as of January 11, 2010. The request stems from the ratio of the property depth to the property width, resulting in a unique circumstance in which the anticipated four-lot subdivision will not meet the R-1 (Single Family Residential) Zoning District lot width standards, but will exceed the required lot size and density standards. Therefore, staff recommends approval of this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
01/09/03	The Planning Commission approved a Variance (VAR-1312) to allow four 56-foot wide lots where 65-foot wide lots are the minimum required on this site. Staff recommended denial of this request.
02/24/05	The Planning Commission approved a request for an Extension of Time (EOT-5921) of an approved Variance (VAR-1312) to allow four 56-foot wide lots where 65-foot wide lots are the minimum required on property adjacent to the east side of Pecos Road, approximately 125 feet south of Sunrise Avenue. This Extension of Time expired on 01/09/07.
01/09/08	The City Council approved a Variance (VAR-25064) to create four 56-foot wide lots where 65-foot wide lots are the minimum required on property adjacent to the east side of Pecos Road, approximately 125 feet south of Sunrise Avenue. The Planning Commission and staff recommended approval of this request. This Variance expired on 01/09/10.
02/20/08	A request for technical review of a Parcel Map (PMP-26972) on 0.73 acres adjacent to the east side of Pecos Street, approximately 140 feet south of Sunrise Avenue. A mylar was submitted on 04/29/09 and was not recorded.
03/24/09	A Code Enforcement case (#76047) was processed to evict people from the vacant lot. The case was closed by Code Enforcement on 01/22/10.

Most Recent Change of Ownership	
12/01/06	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
There are no related Building Permits or Business Licenses associated with this property.

Pre-Application Meeting	
03/31/10	A pre-application meeting was held with a designated representative of the applicant to discuss re-applying for a previously approved Variance that had expired. The applicant is seeking a four-lot parcel map and will require an approved Variance to allow a 56-foot wide lot where the R-1 (Single Family Residential) Zoning District requires a 65-foot wide lot.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
04/22/10	Staff conducted a site visit and noted that the property has excessive weeds growing throughout the site. There is trash throughout the site. Graffiti has been observed along the north perimeter block wall. The chain link fence along Pecos Street is partially torn down.

Details of Application Request	
Site Area	
Net Acres	0.73

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	L (Low Density Residential)	R-1 (Single Family Residential)
North	Undeveloped/ Single Family Dwelling	L (Low Density Residential)	R-1 (Single Family Residential)
South	Single Family Dwelling	L (Low Density Residential)	R-1 (Single Family Residential)
East	Single Family Dwelling	L (Low Density Residential)	R-1 (Single Family Residential)
West	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following development standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	6,500 SF	7,600 SF	Y
Min. Lot Width	65 Feet	56 Feet	N*

**The applicant received previous approval for an identical Variance (VAR-1312) to allow 56-foot lot widths where 65 feet is the minimum width required. This approval was granted an Extension of Time (EOT-5921) that expired on 1/09/07 and approval of an identical Variance (VAR-25064) that expired on 01/09/10.*

ANALYSIS

The General Plan Land Use designation for the site has been L (Low Density Residential) on the Southeast Sector Plan. This request is not affected by any General Plan policies, as approval of the Variance will not affect the maximum density of 5.49 dwelling units per acre. The existing R-1 (Single Family Residential) zoning is in conformance with this land use designation.

Although the applicant has requested a lot width that is narrower than what Title 19.08.040 allows, the resulting lots still exceed the minimum lot size required for the R-1 (Single Family Residential) Zoning District and have enough width at the street front to provide adequate site access.

FINDINGS (VAR-37980)

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."

Based upon the particular shape of the site, the ability to maintain the L (Low Density Residential) land use of 5.49 units-per-acre, lot size, and the previous approval, staff has no objection to this Variance request.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

NOTICES MAILED 288

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-37980** APN: 140-31-401-008

Name of Property Owner: LILLY GUERRERO

Name of Applicant: LILLY GUERRERO

Name of Representative: GASPAR ANDRADE

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: Lilly By Guerrero

Print Name: LILLY GUERRERO

Subscribed and sworn before me

This 14th day of April, 20 10

Olga C Cantoral

Notary Public in and for said County and State

OLGA C. CANTORAL
Notary Public, State of Nevada
Appointment No. 05-95021-1
My Appt. Expires Jan. 20, 2013

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: VARIANCE LOT WIDTH

Project Address (Location)

Project Name PECOS & PEARL **Proposed Use** RESIDENTIAL

Assessor's Parcel #(s) 140-31-401-008 **Ward #**

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

Commercial Square Footage N/A **Floor Area Ratio**

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

Additional Information

PROPERTY OWNER LILLY GUERRERO **Contact**

Address 4500 N. CERRITOS DR. **Phone:** (562) 506-8095 **Fax:**

City LONG BEACH **State** CA **Zip** 90807

E-mail Address

APPLICANT LILLY GUERRERO **Contact**

Address 4500 N. CERRITOS DR **Phone:** (562) 506-8095 **Fax:**

City LONG BEACH **State** CA **Zip** 90807

E-mail Address

REPRESENTATIVE GASPAR ANDRADE **Contact**

Address 3157 BATAVIA DR. **Phone:** 821-6699 **Fax:**

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

E-mail Address gandrade390@gmail.com

Property Owner Signature* Lilly By Guerrero

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

Print Name LILLY GUERRERO

Subscribed and sworn before me

This 14th day of April, 2010.

Olga C. Cantoral

Notary Public in and for said County and State

OLGA C. CANTORAL
Notary Public, State of Nevada
Appointment No. 05-95021-1
My Appt. Expires Jan. 20, 2013

FOR DEPARTMENT USE ONLY

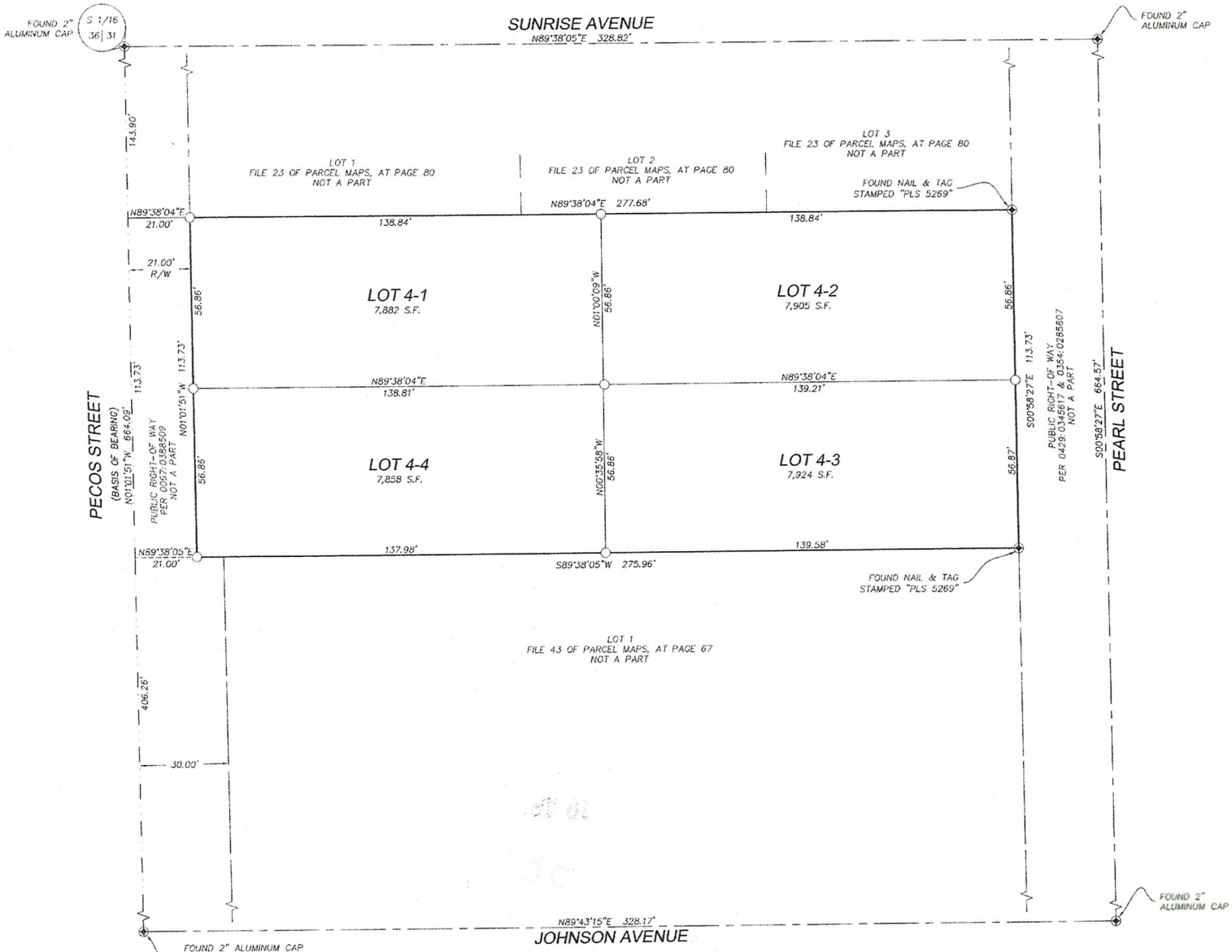
Case #	VAR-37980
Meeting Date:	5-27-10
Total Fee:	830-
Date Received:*	4.14.10
Received By:	

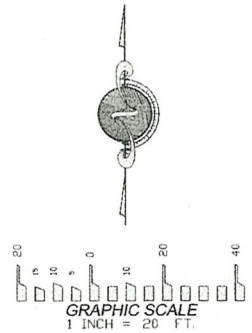
*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

Revised 10/27/08

PARCEL MAP

LOT 4 AS RECORDED IN FILE 23 OF PARCEL MAPS, AT PAGE 80, OFFICIAL RECORDS OF CLARK COUNTY, NEVADA, LYING WITHIN THE SOUTHWEST QUARTER (SW /14) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 31, TOWNSHIP 20 SOUTH, RANGE 62 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA.





LEGEND

- SUBJECT PROPERTY LINE
- LOT LINE
- ADJOINING PROPERTY LINE
- STREET CENTERLINE
- RIGHT-OF-WAY
- SECTION LINE
- FOUND MONUMENTATION AS DESCRIBED
- SET 5/8 REBAR WITH ALUMINUM CAP STAMPED "PLS 16201"

RECEIVED
10 APR 15 PM 4:29
PLANNING AND DEVELOPMENT

VAR-37980

MSG Surveying
3277 E. WARM SPRINGS RD., SUITE 300
LAS VEGAS, NEVADA 89120
PHONE: (702) 932-2965
FAX: (702) 932-5599
HTTP://WWW.MSGSURVEYING.COM

Date:	25-JAN-08
Drawn By:	D. ENGELSEN
Checked By:	M. SMITH
Job Number:	PECOS/JOHNSON
Sheet No.	2 OF 2



VAR-37980 - APPLICANT/OWNER: LILLY B GUERRERO
EAST SIDE OF PECOS ROAD, SOUTH OF SUNRISE AVENUE

04/22/10

April 14, 2010

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

Re: (APN# 140-31-401-008)

To Whom It may concern,

On behalf of Lilly B. Guerrero, I'm submitting herewith a Waiver of standards to allow for 56 foot wide lots where 65 foot wide lots are the minimum required on property adjacent to the east side of Pecos Road, approximately 125 feet South of Sunrise Avenue,
(APN# 140-31-401-008)

We feel this project will enhance the area and the approval of this project will not have a negative effect on the environment, or general welfare of the public or
surrounding area.

Thank you for your consideration of this request. Should you have any questions, Please feel free to contact me at 821-6699

Gaspar Andrade

RECEIVED
APR 15 2010

VAR-37980

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

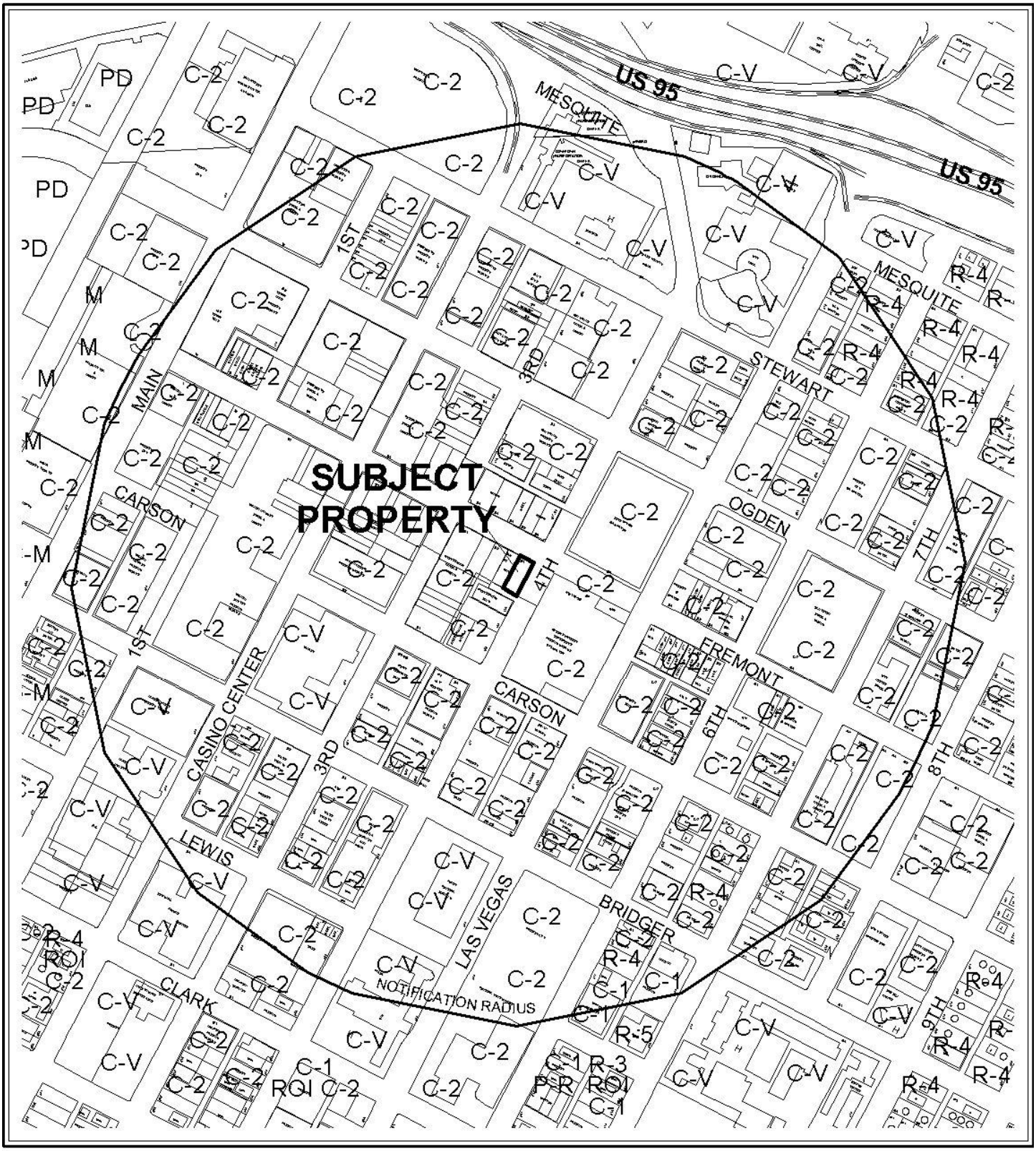
SUBJECT:
SUP-37660 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: L"CHAIM WESTERN VILLAGE PROPERTY, LLC - Request for a Special Use Permit FOR A PACKAGE LIQUOR OFF-SALE USE WITHIN AN EXISTING 5,000 SQUARE-FOOT RETAIL ESTABLISHMENT at 321 Fremont Street (APN 139-34-610-010), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.

IF APPROVED, C.C.: 07/07/2010
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



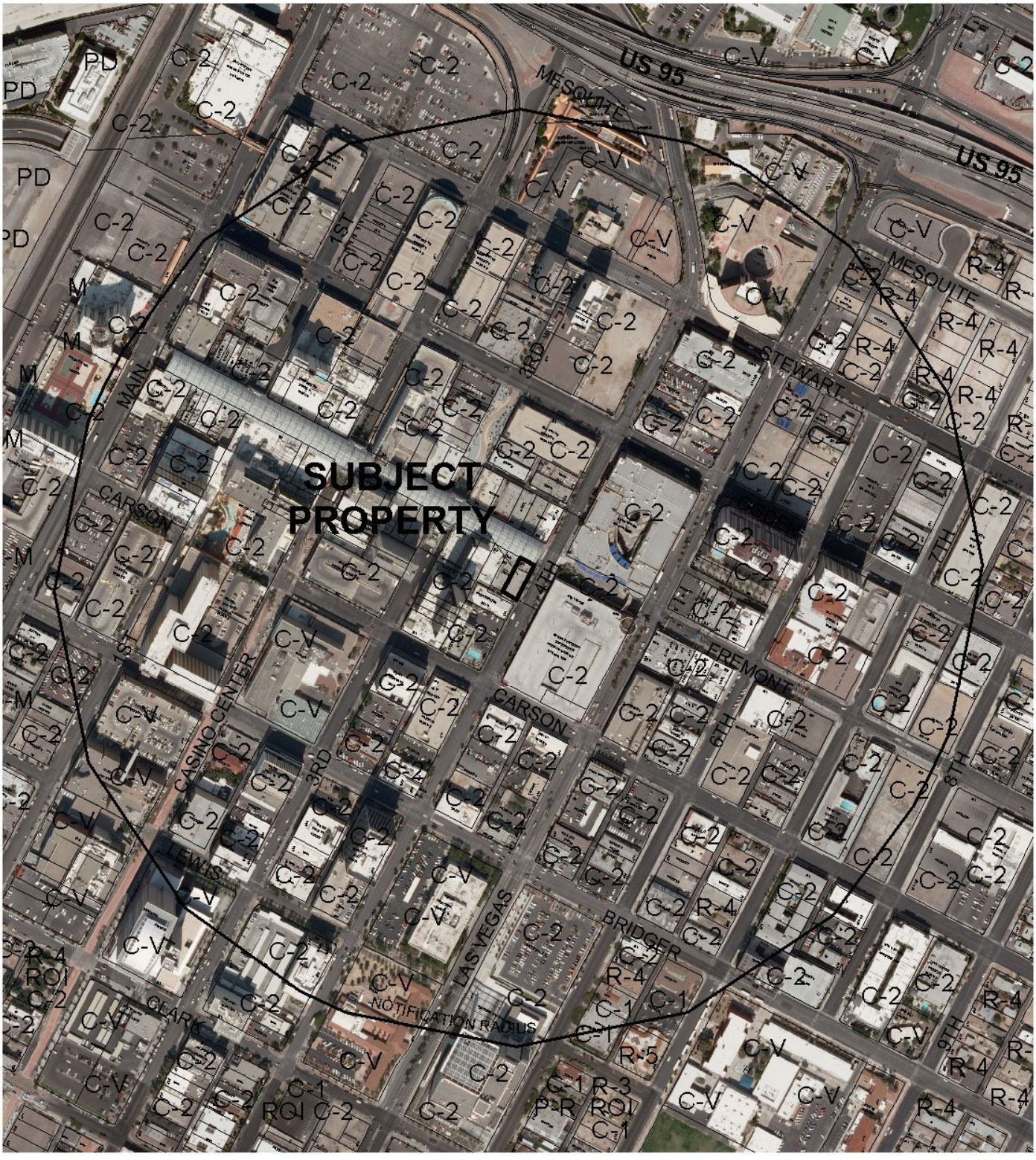
CASE: **SUP-37660**

RADIUS: 1500 FT

0 500 1000 Feet

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

N



CASE: **SUP-37660**

RADIUS: 1500 FT

0 500 1000 Feet

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: L'CHAIM WESTERN VILLAGE PROPERTY, LLC

**** STAFF RECOMMENDATION(S) ****

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-37660	Staff recommends APPROVAL, subject to conditions:	

**** CONDITIONS ****

SUP-37660 CONDITIONS

Planning and Development

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

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

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

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

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

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

Staff Report Page One
May 27, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a Package Liquor Off-Sale Establishment within an existing 5,000 square-foot retail building at 321 Fremont Street. No Waivers are needed as a part of this request. The proposed use meets all Title 19.04 standards for a Package Liquor Off-Sale Establishment, 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.

ISSUES

- The site was previously approved via Special Use Permit (SUP-33731) for a Beer/Wine/Cooler Off-Sale Establishment. The current request would expand the Off-Sale activity to include all types of liquor.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
12/16/64	The City Council approved a Rezoning (Z-0100-64) from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial), C-2 (General Commercial) and C-V (Civic) to C-2 (General Commercial) for approximately 230 acres generally located on property bound by Main Street to the west, Bonanza Road on the north, Las Vegas Boulevard on the east, and Charleston Boulevard on the south. The Planning Commission and staff recommended approval of the request.
12/18/97	The City Council approved an Aesthetic Review (AR-0017-96) for a proposed exterior remodel to the existing retail business at 321 Fremont Street. The Planning Commission and staff recommended approval.
05/20/09	The City Council approved a Special Use Permit (SUP-33731) for a Beer/Wine/Cooler Off-Sale Establishment. The Planning Commission and staff recommended approval of the request.

Most Recent Change of Ownership	
12/13/07	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
01/19/99	A Building Permit (#99001051) was issued for an exterior remodel at 321 Fremont Street. The permit expired on 10/16/99.
02/26/99	A Building Permit (#98002584) was issued for an exterior remodel at 321 Fremont Street. The permit expired on 10/16/99.
01/18/08	A Business License (#C05-02590) was issued for a tobacco dealer at 321 Fremont Street. The license remains active at this location.
01/18/08	A Business License (#G04-06691) was issued for gifts and novelties at 321 Fremont Street. The license remains active at this location.
01/18/08	A Business License (#C15-00372) was issued for a convenience store at 321 Fremont Street. The license remains active at this location.
11/20/08	A Building Permit (#119927) was issued for a tenant improvement at 321 Fremont Street. The permit remains active and has not been finaled.
04/22/09	A Business License (#I12-00031) was issued for an Internet Cafe at 321 Fremont Street. The license remains active at this location.
05/28/09	A Business License (#L10-00303) was issued for Beer/Wine/Cooler/Off-Sale Establishment at 321 Fremont Street. The license remains active at this location.

Pre-Application Meeting	
03/12/10	A pre-application meeting was held and the submittal requirements of a Special Use Permit application were discussed. Topics included: • The submittal of a revise justification letter to reflect the exact nature of the request, either for Package Liquor Off-Sale Establishment or Retail Establishment with Accessory Package Liquor Off-Sale. • The submittal of a revised floor plan to indicate the location of the Package Liquor. • The proposed use meets the 400 foot distance separation requirement from protected uses such as church, synagogue, school, child care facility, or a City park.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
04/22/10	During a routine site inspection staff observed a well maintained general retail store.

Details of Application Request	
Site Area	
Net Acres	0.16

Surrounding Property	*Existing Land Use Per Title 19.04*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	General Retail	C (Commercial)	C-2 (General Commercial)
North	General Retail	C (Commercial)	C-2 (General Commercial)
South	Casino	C (Commercial)	C-2 (General Commercial)
East	Parking Structure	C (Commercial)	C-2 (General Commercial)
West	General Retail	C (Commercial)	C-2 (General Commercial)

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area			
Downtown Centennial Plan	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
Downtown Centennial Plan Overlay District	X		Y
A-O (Airport Overlay) District - (200 Feet)	X		Y
Downtown Casino Overlay District – (Central Casino Core)	X		Y
Downtown Redevelopment Plan	X		Y
Live/Work Overlay District	X		Y
Trails - Tortoise Trail	X		Y
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
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	
General Retail Store, Other Than Listed (3,500 Square Feet or More)	5,000 SF	1:175 GFA	29		Zero		N
TOTAL SPACES REQUIRED			29				
TOTAL (With Handicapped)			27	2	Zero	Zero	N

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

According to Title 19, a "Package Liquor Off-Sale Establishment" is defined as "an establishment, other than a retail establishment with package liquor off-sale, whose license to sell alcoholic beverages authorizes their sales to consumers only and not for resale, in original sealed or corked containers, for consumption off the premises where the same are sold. This use includes an establishment that provides on-premise wine, cordial and liqueur tasting if the licensee also holds a wine, cordial and liquor tasting license for that location."

The subject site is located within the Las Vegas Downtown Centennial Plan area, which is not subject to the automatic application of parking requirements. There are no parking spaces on the subject site. This is a common occurrence for shops located on Fremont Street within the Fremont Street Experience area. Adequate parking is located in several parking structures within walking distance to Fremont Street.

The proposed Package Liquor Off-Sale Establishment use requires the approval of a Special Use Permit within a C-2 (General Commercial) zoning designation. The proposed use will be operated in conjunction with the existing retail establishment. The sale of package liquor is consistent with previous approvals in the area and is a common business practice for merchants along this portion of Fremont Street. This request meets all minimum Special Use Requirements and can be conducted in a compatible and harmonious manner within the existing retail establishment and with similar uses along Fremont Street; therefore, staff is recommending approval of this application.

FINDINGS (SUP-37660)

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

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

   The proposed Package Liquor Off-Sale Establishment will be operated in conjunction with an existing retail establishment, which is adjacent to similar uses along Fremont Street. The addition of a Package Liquor Off-Sale Establishment 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 retail establishment. Similar alcohol related uses are common in this area of the City. 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.**

   The proposed Package Liquor Off-Sale Establishment use is located on Fremont Street and 4th Street, which are both defined as 80-foot Secondary Collectors, as defined by the Master Plan of Streets and Highways. The location of the subject site is not accessed by vehicular traffic as it is located under the Fremont Street Experience canopy. The site will be accessed primarily by pedestrian traffic.

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

   The proposed Special Use Permit request will not be inconsistent with or compromise the public health, safety, and welfare or overall objectives of the General Plan.

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

   The proposed Package Liquor Off-Sale use meets all of the applicable conditions per Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

NOTICES MAILED 201

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-37660** APN: 139-34-610-010

Name of Property Owner: L'chaim Western Village LLC

Name of Applicant: HAIM GABAY

Name of Representative: NIEVES ALVAREZ

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: HAIM GABAY

Subscribed and sworn before me

This 12th day of March, 2010

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
EVELYN VALDEZ
Appt. No. 03-81899-1
My Appt. Expires June 15, 2011

RECEIVED
MAR 15 2010

PLANNING & DEVELOPMENT
CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: CRAZY ELY WESTERN VILLAGE

Project Address (Location) 321-323 FREMONT ST LAS VEGAS NV 89101

Project Name _____ **Proposed Use** _____

Assessor's Parcel #(s) 139-34-610-010 **Ward #** _____

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

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

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

Additional Information _____

PROPERTY OWNER L'chaim Western Village **Contact** _____

Address 6130 W. FLAMINGO RD #402 **Phone:** (702)743-1304 **Fax:** (702)382-7005

City LAS VEGAS **State** NV **Zip** 89103

E-mail Address haimgabay@hotmail.com

APPLICANT Haim Gabay **Contact** _____

Address 6130 W. FLAMINGO RD #402 **Phone:** 743-1304 **Fax:** 382-7005

City LAS VEGAS **State** NV **Zip** 89103

E-mail Address haimgabay@hotmail.com

REPRESENTATIVE Nieves Alvarez **Contact** _____

Address 6130 W. FLAMINGO RD #402 **Phone:** 287-2048 **Fax:** 382-7005

City LAS VEGAS **State** NV **Zip** 89103

E-mail Address nelly0112@hotmail.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 Haim Gabay

Subscribed and sworn before me

This 19th day of February, 2010.

Corinne Claypool

State of Nevada County of Clark

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
CORINNE CLAYPOOL
Appt. No. 90-2012-1
My Appt. Expires July 16, 2012

FOR DEPARTMENT USE ONLY

Case #	SUP-37660
Meeting Date:	5/27/10
Total Fee:	$1,280
Date Received:*	3/15/10
Received By:	Bos.

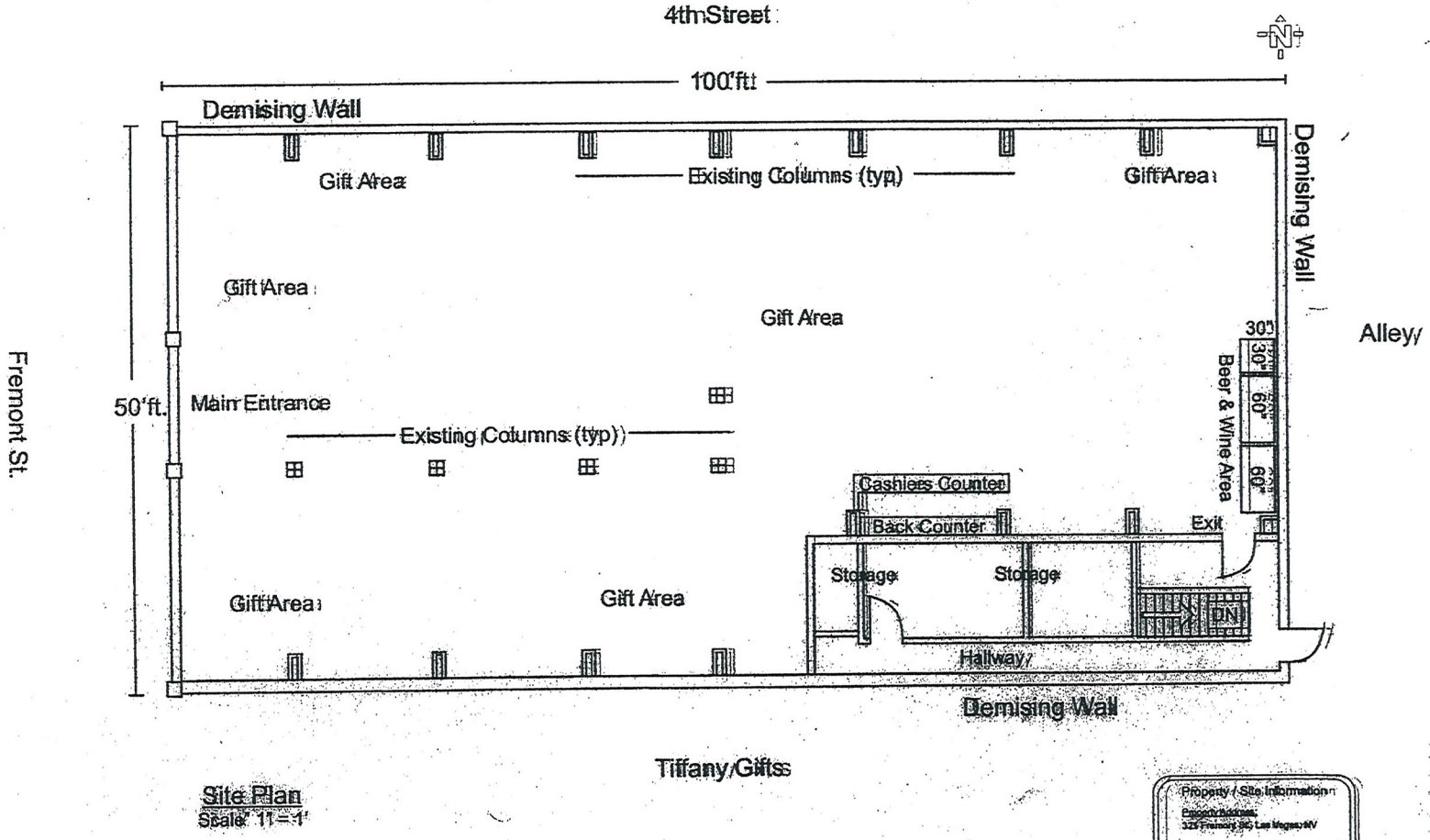
RECEIVED
MAR 15 2010

*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.

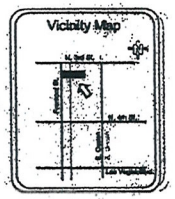
Revised 10/27/08

Crazy Ely Western Village LLC

3211 Fremont Street
Las Vegas, NV



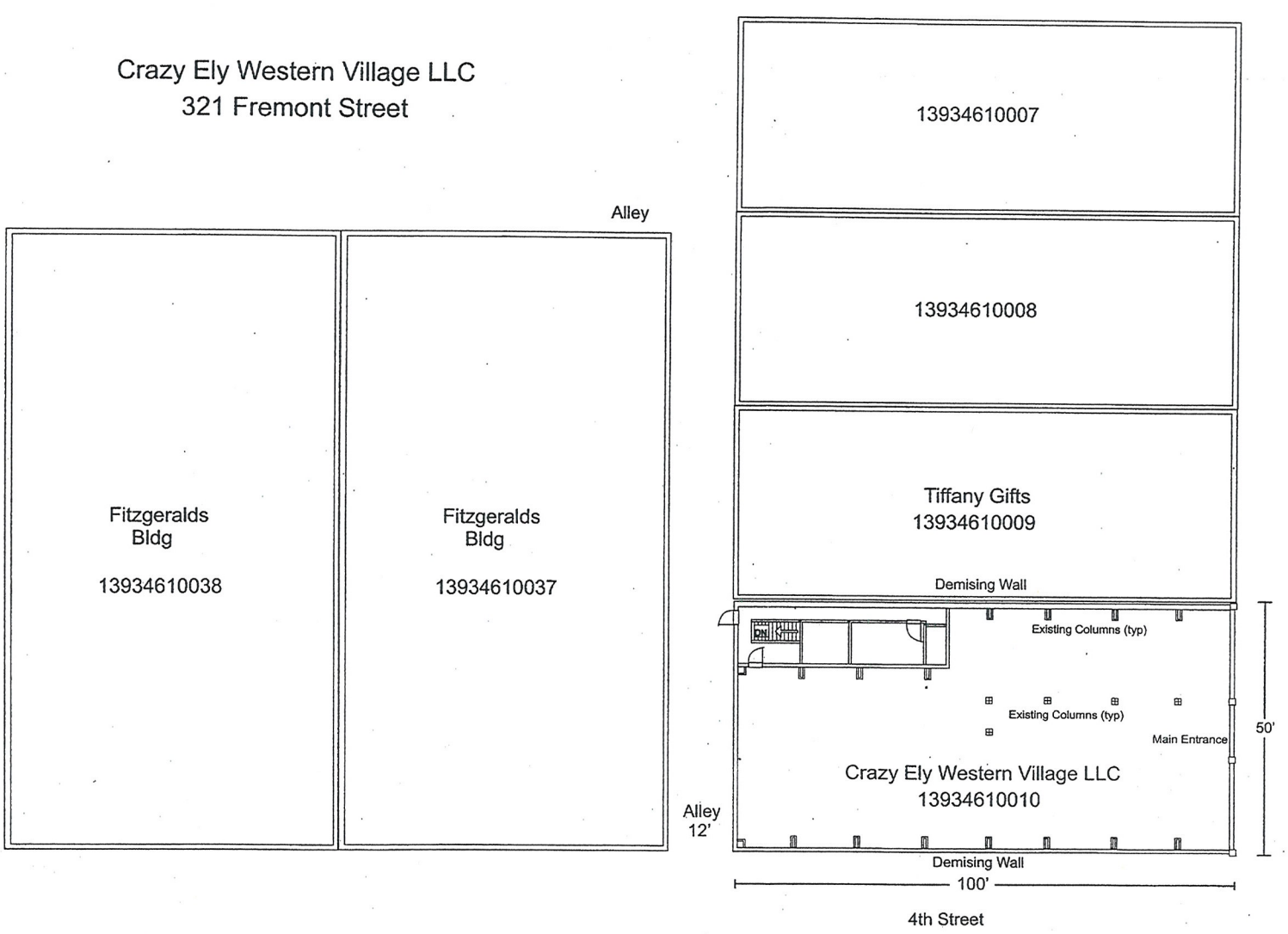
Site Plan
Scale: 1" = 1'



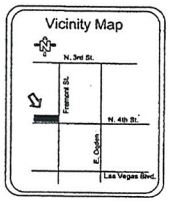
RECEIVED
MAR 15 2010

SUP-37660
05/27/10 PC

Crazy Ely Western Village LLC
321 Fremont Street



Property / Site Information
Property Address:
321 Fremont St., Las Vegas, NV
Parcel No.: 13934610010
Zoning C1
Existing Retail Area: 5000 sq ft.



Site Plan
SCALE: ½"- 10.0'

SUP-37660
05/27/10 PC

RECEIVED
MAR 15 2010



SUP-37660 - APPLICANT/OWNER: L'CHAIM WESTERN VILLAGE PROPERTY, LLC
321 FREMONT STREET

04/22/10



SUP-37660 - APPLICANT/OWNER: L'CHAIM WESTERN VILLAGE PROPERTY, LLC
321 FREMONT STREET

04/22/10

CRAZY ELY WESTERN VILLAGE

321 FREMONT ST
LAS VEGAS NV, 89101

RECEIVED
10 MAY 12 PM 1:46
PLANNING AND DEVELOPMENT

MAY 6, 2010

CRAZY ELY WESTERN VILLAGE LLC IS AN EXISTING RETAIL GIFT CONVENIENCE STORE. WE ARE LOCATED AT 321 FREMONT ST LAS VEGAS NV 89101.
WE CURRENTLY HAVE BEER & WINE OFF SALE PREMISES, BUT NOW WE ARE APPLYING FOR PACKAGE LIQUOR.
THE STORE IS 5000 SQ FT (FLOOR STORE FOOTAGE ONLY)
THE HARD LIQUOR WILL BE LOCATED BEHING THE COUNTER WHICH HAS A TOTAL OF 150 SQ FT, (25x 6) WE HAVE A TOTAL OF 8 EMPLOYEES, HOURS OF OPERATION ARE 8AM TO 2AM.

HAIM GABAY

SUP-37660

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

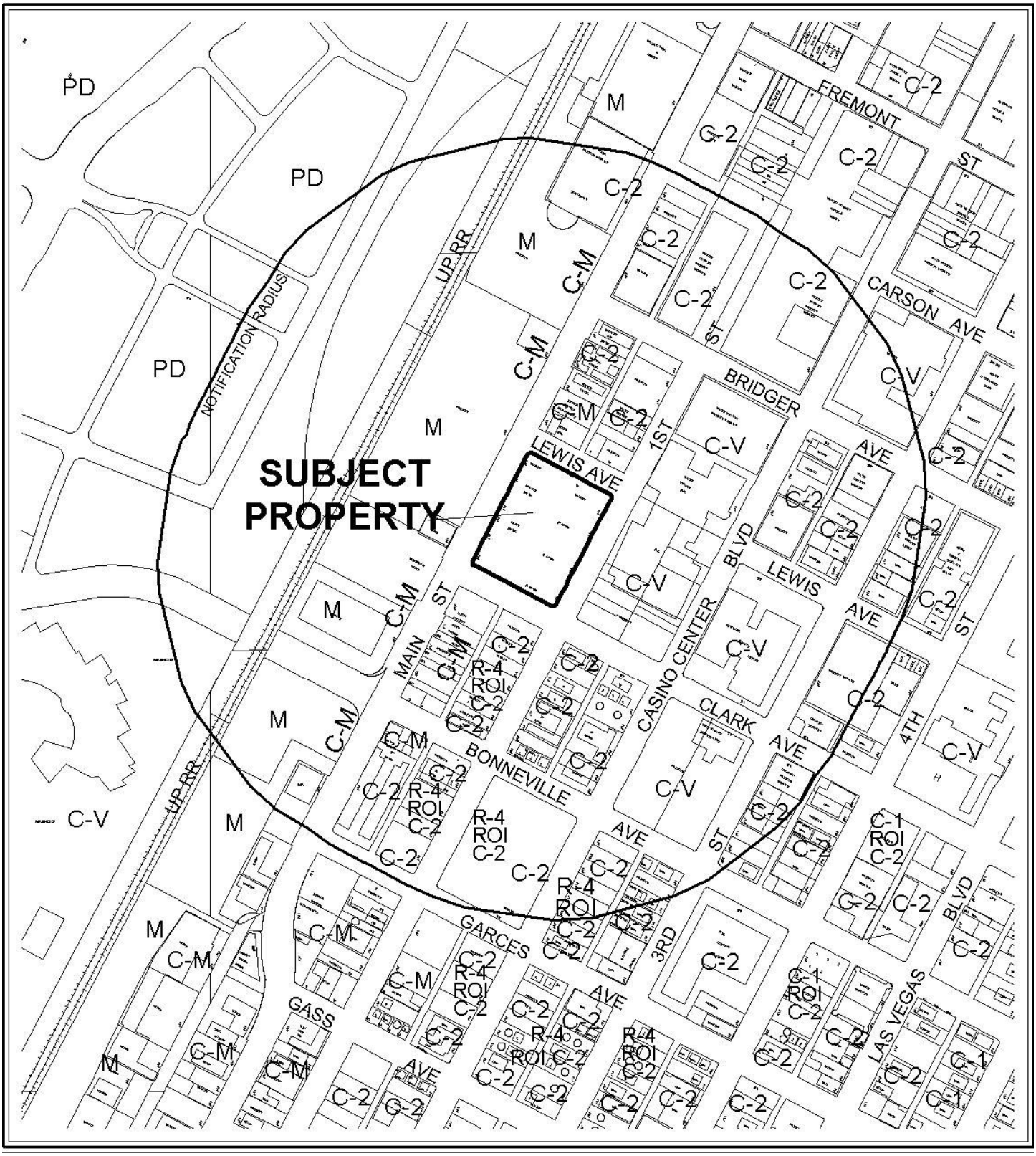
SUBJECT:
SUP-37904 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: FOREST CITY COMMERCIAL DEVELOPMENT - OWNER: PQ LAS VEGAS, LLC - Request for a Special Use Permit FOR SIX PROPOSED SATELLITE DISHES THAT EXCEED 10 FEET IN DIAMETER AND 12 FEET IN HEIGHT at 495 South Main Street (APN 139-34-201-022), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.

IF APPROVED, C.C.: 07/07/2010
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



0 300 600 Feet

CASE: **SUP-37904**

RADIUS: 1000 FT

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

N



0 300 600 Feet

CASE: **SUP-37904**

RADIUS: 1000 FT

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: FOREST CITY COMMERCIAL DEVELOPMENT - OWNER: PQ LAS VEGAS, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-37904	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-37904 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Satellite Dish use.

2. Conformance to the approved conditions for Rezoning (ZON-30369) and Site Development Plan Review (SDR-31749).

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

4. 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.

5. These Conditions of Approval shall be affixed to the cover sheet of the plan set submitted for building permit.

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

Staff Report Page One
May 27, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit to allow six Satellite Dishes, which will be located on the rooftop and unscreened from adjacent properties. They are approximately sixteen feet in diameter and eighteen feet high. The subject site is the location of the new 303,085 square-foot Las Vegas City Hall, which is under construction at the present time. The subject site contains three permitted construction trailers and various machines for demolition and excavation. Staff recommends approval of this request, as the proposed Satellite Dishes will allow the city to provide enhanced communication services to the community. If this request is denied, the proposed Satellite Dishes could not be installed. Alternatively, smaller dishes with limited capabilities and lower bandwidth could be installed.

ISSUES

- Satellite Dishes will be located on the rooftop without being screened to minimize the impact on other properties. Screening the dishes would result in limited or no reception of signals.
- The six Satellite Dishes will be eighteen feet in height and sixteen feet in diameter.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
12/16/64	The City Council approved a Rezoning (Z-0100-64) to reclassify property, including the subject parcels, in the area generally bounded by Main Street, Bonanza Road, Las Vegas Boulevard and Charleston Boulevard from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial).
04/04/07	The City Council approved a Vacation (VAC-19235) of the 20-foot north/south alley located within the subject block. The Planning Commission and staff recommended approval.
06/04/08	The Planning and Development Department approved an Extension of Time (EOT-27762) for a Petition to Vacate (VAC-19235) a 20-foot wide section of public right-of-way generally located south of Lewis Avenue, north of Clark Avenue, between Main Street and First Street.
11/19/08	The City Council approved a Rezoning (ZON-30369) for a portion of the subject property from C-M (Commercial/Industrial) to C-2 (General Commercial). The Planning Commission and staff recommended approval.
01/21/09	The City Council approved a request for a Site Development Plan Review

	(SDR-31749) for a 303,085 square-foot office building with Waivers from the Downtown Centennial Plan Streetscape Requirements, Build-To line Requirements, and Aerial Encroachment Limitation on 4.2 acres at the northwest corner of South 1st Street and Clark Avenue (APNs 139-34-210-007 through 013, and 139-34-210-019 through 023). The Planning Commission and staff recommended approval.
05/14/09	The Planning and Development Department approved an Extension of Time (EOT-33932) for a Petition to Vacate (VAC-19235) a 20-foot wide section of public right-of-way generally located south of Lewis Avenue, north of Clark Avenue, between Main Street and First Street.
11/10/09	A Parcel Map (PMP-36248) Merger and Resubdivision for 2.71 acres located at the northeast corner of Main Street and Clark Avenue (APNs 139-34-210-007 through 013 and 019 through 023) was recorded on 11/10/09.

Most Recent Change of Ownership	
12/10/09	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
12/18/09	A Building Permit (#142811) was issued 12/18/09 for new city hall building. The permit has not been finaled.
12/18/09	A Building Permit (#142812) was issued 12/18/09 for on-site construction. The permit has not been finaled.
02/04/10	A Building Permit (#155983) was issued 02/04/10 for a construction trailer. The permit was finaled 02/12/10.
02/04/10	A Building Permit (#155984) was issued 02/04/10 for a construction trailer. The permit was finaled 02/12/10.
02/04/10	A Building Permit (#155985) was issued 02/04/10 for a construction trailer. The permit was finaled 02/12/10.

Pre-Application Meeting	
03/24/10	A pre application meeting was held with the applicant where the submittal requirements for a Special Use Permit were discussed. Topics included: • Satellite Dishes cannot be properly screened from other properties. • Revise Justification letter to address the physical properties of the Satellite Dishes'.

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

Field Check	
04/22/10	The subject site is undergoing demolition and excavation in preparation for the construction phase.

Details of Application Request	
Site Area	
Net Acres	2.71

Surrounding Property	*Existing Land Use Per Title 19.04*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	City Hall	C (Commercial)	C-2 (General Commercial)
North	Service Station Use, Parking Lot Use	C (Commercial)	C-M (Commercial/Industrial); C-2 (General Commercial)
South	Auto Parts Use, Parking Lot Use	C (Commercial)	C-M (Commercial/Industrial); C-2 (General Commercial)
East	Custodial Institution Use, Parking Lot Use	PF (Public Facility)	C-V (Civic)
West	Parking Lot Use, Warehouse Use	C (Commercial)	C-M (Commercial/Industrial)

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area			
Downtown Centennial Plan	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
Downtown Centennial Plan Overlay District (Office Core)	X		Y
A-O (Airport Overlay) District (200 feet)	X		Y
Live/Work Overlay District	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

This is a request for a Special Use Permit for six Satellite Dishes that are eighteen feet in height and sixteen feet in diameter. The proposed Dishes would be mounted on the rooftop of the new Las Vegas City Hall located at 495 South Main Street. Title 19.20.020 defines a Satellite Dish use as "a device which:

1. Incorporates a reflective surface that is solid, open mesh, or bar-configured;

2. Has the shape of a shallow dish, cone, horn, or cornucopia; and

3. Is used to receive electromagnetic signals."

The proposed Satellite Dishes do not meet the Conditional Use Requirements set forth in (1) (b and c) in Title 19.04; therefore a Special Use Permit is required.

The subject property is located in the Downtown Centennial Plan Overlay District (Office Core) and will provide a start to revitalizing the downtown area. As the new city hall will be 7 stories tall and 151-foot in height, the height of the building will help to minimize the impact of the height and diameter of the dishes, as well as the lack of screening at street level. The addition of the six Satellite Dishes will have a minimal impact on the adjacent properties; therefore, staff recommends approval.

FINDINGS (SUP-37904)

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

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

   The proposed use is located in the Downtown Centennial Plan Overlay District (Office Core) and can be conducted in a manner that is harmonious and compatible with the existing land uses project by the General Plan.

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

   The new city hall building will be physically suitable for the type and intensity of land use proposed by the six 18-foot tall Satellite Dishes with a maximum 16-foot in diameter. The dishes will be located on the roof top and the building height will help to minimize the impact of the Satellite Dishes.

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 city hall will provide vehicular access from Lewis Avenue and 1st Street, both which are 80-foot rights-of-way. The proposed Satellite Dish use requires no additional parking required beyond that which is required for the principal use on site.

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 Satellite Dish 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 Satellite Dish use does not meet the conditions of Title 19.04.010., as they are unscreened and exceed the diameter and height requirements for conditional use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

NOTICES MAILED 59

APPROVALS 0

PROTESTS 0

JG

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-37904 APN: 139-34-201-022

Name of Property Owner: P Q Las Vegas LLC

Name of Applicant: Forest City

Name of Representative: JMA Architecture Studios (Cherie L. Guzman, Assoc. AIA)

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: DIMITRI VAZELAKIS

Subscribed and sworn before me

This _____ day of _____, 20_____

_____

Notary Public in and for said County and State

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Los Angeles }

On April 5, 2010 (Date) before me, Lisa M. Stevens, Notary Public (Here Insert Name and Title of the Officer),

personally appeared Dimitri Vazelakis (Name(s) of Signer(s))

,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Signature of Notary Public)

LISA M. STEVENS
Commission # 1843392
Notary Public - California
Los Angeles County
My Comm. Expires May 3, 2013

Place Notary Seal Above

OPTIONAL

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

Description of Attached Document

Title or Type of Document: Statement of Financial Interest

Document Date: — Number of Pages: 1

Signer(s) Other Than Named Above: —

Capacity(~~ies~~) Claimed by Signer(~~s~~)

Signer's Name: Dimitri Vazelakis

- ☐ Individual
- ☒ Corporate Officer — Title(s): _____
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: _____

Signer Is Representing: PQ Las Vegas, LLC

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____

- ☐ Individual
- ☐ Corporate Officer — Title(s): _____
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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PLANNING & DEVELOPMENT
CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) 495S. 1st Street Las Vegas, NV 89101

Project Name CLV City Hall Building **Proposed Use** Satellites

Assessor's Parcel #(s) 139-34-201-022 **Ward #** 3

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

Commercial Square Footage 303,085 s.f. **Floor Area Ratio** 1.6

Gross Acres 4.2 acres **Lots/Units** n/a **Density** n/a

Additional Information

PROPERTY OWNER PQ Las Vegas LLC **Contact** Dimitri Vazelakis

Address 50 Public Square, Suite 1140 **Phone:** (212) 486-4444 **Fax:** (213) 488-9308

City Cleveland **State** OH **Zip** 44113

E-mail Address dimitrivazelakis@forestcity.net

APPLICANT Forest City Commercial Development **Contact** Dimitri Vazelakis

Address 949 South Hope Street, Suite 110 **Phone:** (213) 416-2200 **Fax:** (213) 488-9308

City Los Angeles **State** CA **Zip** 90051

E-mail Address dimitrivazelakis@forestcity.net

REPRESENTATIVE JMA Architecture Studios **Contact** Cherie L. Guzman

Address 10150 Covington Cross Drive **Phone:** (702) 731-2033 **Fax:** (702) 731-2039

City Las Vegas **State** NV **Zip** 89144

E-mail Address cguzman@jmaarch.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 DIMITRI VAZELAKIS

Subscribed and sworn before me

This _____ day of _____, 20 _____.

_____

Notary Public in and for said County and State

FOR DEPARTMENT USE ONLY

Case #	SUP-37904
Meeting Date:	5/27/10 PC
Total Fee:	$1030.00
Date Received:*	4/09/10
Received By:	M. Howe

*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

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Los Angeles }

On April 5, 2010 (Date) before me, Lisa M. Stevens, Notary Public (Here Insert Name and Title of the Officer),
personally appeared Dimitri Vazelakis (Name(s) of Signer(s))
,

LISA M. STEVENS
Commission # 1843392
Notary Public - California
Los Angeles County
My Comm. Expires May 3, 2013

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Lisa M Stevens (Signature of Notary Public)

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.

Description of Attached Document

Title or Type of Document: Application/Petition Form - Special Use Permit

Document Date: — Number of Pages: 1

Signer(s) Other Than Named Above: —

Capacity(~~ies~~) Claimed by Signer(~~s~~)

Signer's Name: Dimitri Vazelakis
- ☐ Individual
- ☒ Corporate Officer — Title(s): _____
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: _____

Signer Is Representing: PQ Las Vegas, LLC

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
- ☐ Individual
- ☐ Corporate Officer — Title(s): _____
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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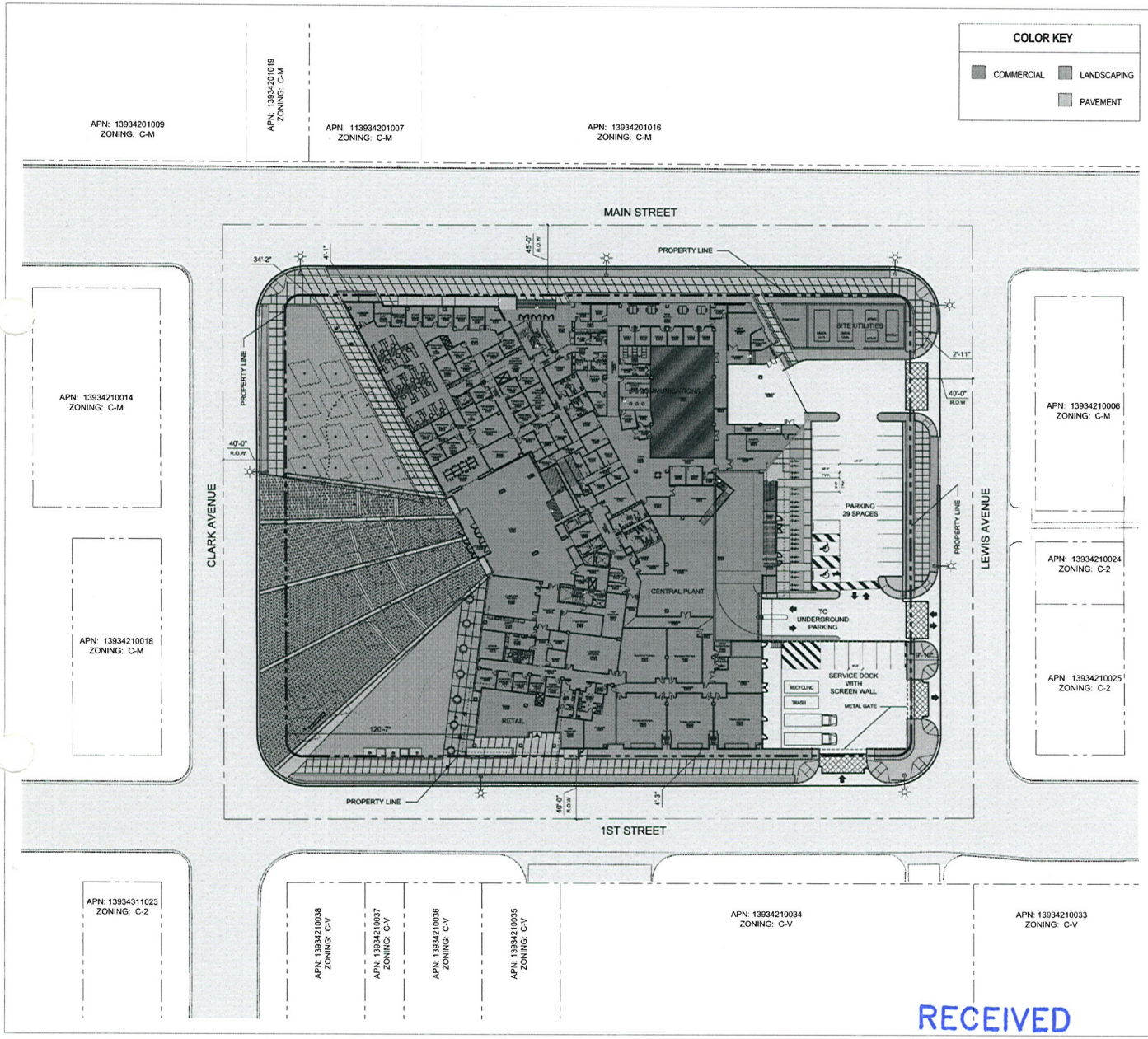

SITE DATA

SITE ANALYSIS:

PROPOSED SITE (NET):	2.71 ACRES (118,173 SF)
PROPOSED SITE (GROSS)	4.20 ACRES (182,728 SF)
A.P.N. #	139-34-201-022
CURRENT ZONING:	C-2
PROPOSED ZONING:	C-2
GRADE LEVEL BUILDING AREA:	59,414 S.F.
LOT COVERAGE:	50.2 %
F.A.R.:	1.6

COMMERCIAL DATA:

RETAIL AREA:	1,545 S.F.
OFFICE AREA:	301,540 S.F.
TOTAL GROSS SQ/FT.	303,085 S.F.

PARKING ANALYSIS:

BASEMENT LEVEL PARKING PROVIDED	47 SPACES
GRADE LEVEL PARKING PROVIDED	35 SPACES
TOTAL PARKING PROVIDED	82 SPACES
ACCESSIBLE PARKING INCLUDED	5 SPACES
(VAN PARKING) INCLUDED	2 SPACES
TOTAL LOADING PRIVIDED	2 SPACES

VICINITY MAP



NORTH
SCALE: 1" = 30'

SWA
580 Broadway, Suite 200
Laguna Beach
CA 92651
voice: (949) 497 5471
fax: (949) 494-7961

ELKUS | MANFREDI
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jma
10150 Covington Cross Drive Las Vegas, NV 89144
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LAS VEGAS CITY HALL
PROJECT #: 200703315
CITY OF LAS VEGAS
APRIL 9, 2010

OVERALL
SITE PLAN

A1.00

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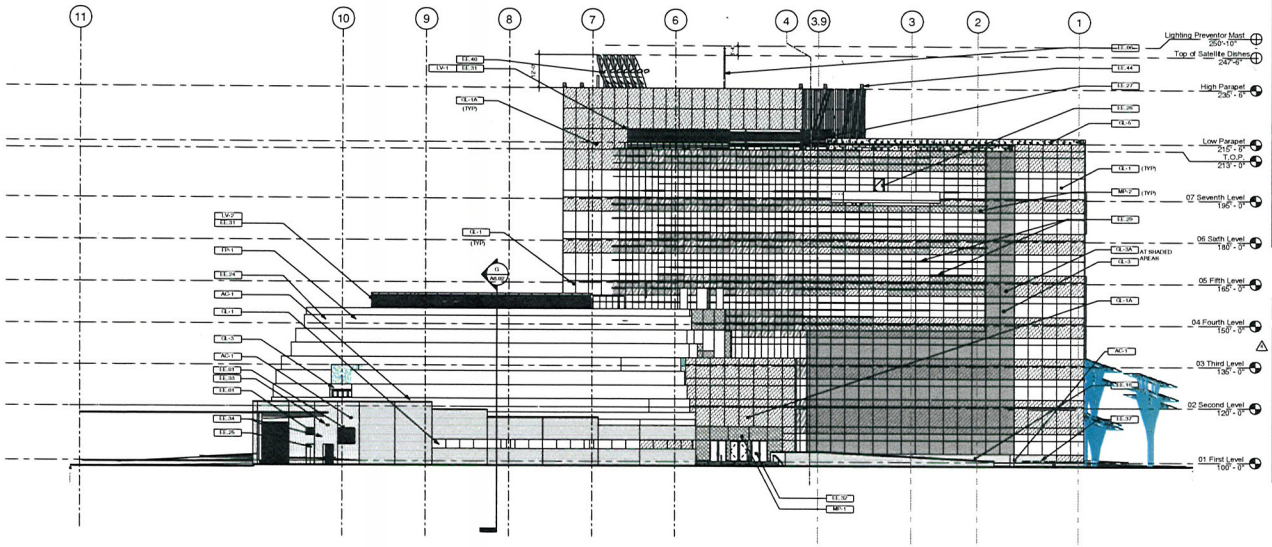
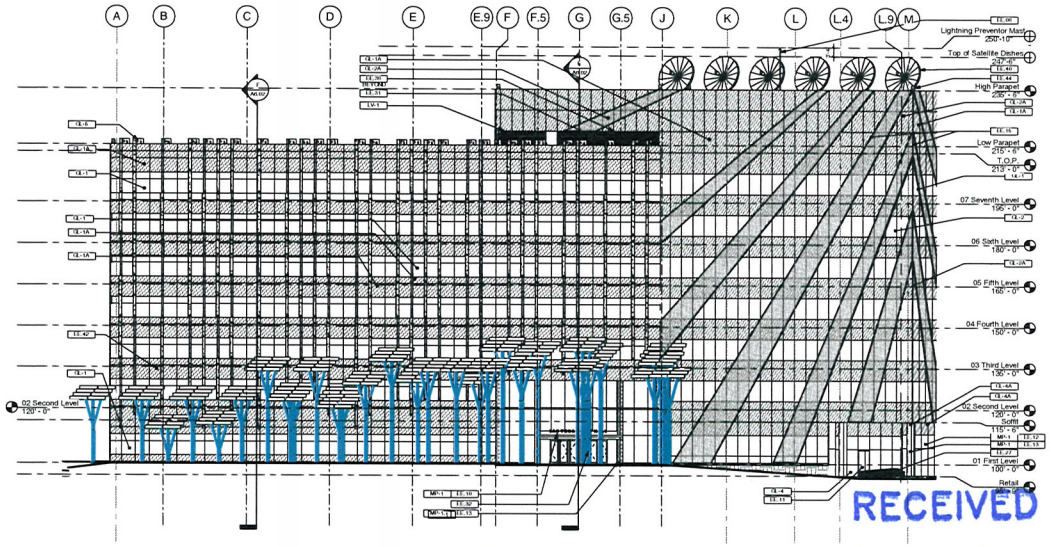
SUP-37904



A OVERALL WEST EXTERIOR ELEVATION
1/16" = 1'-0"



B OVERALL SOUTH EXTERIOR ELEVATION
1/16" = 1'-0"

EXTERIOR ELEVATION LEGEND

- VISION GLASS - GLAZING ABOVE THE PEDESTRIAN LEVEL SHALL BE LIMITED TO A MAXIMUM REFLECTANCE RATING OF 34% (AS DEFINED BY THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY). GLAZING AT PEDESTRIAN LEVELS (IE: LOBBY AND RETAIL SPACES) NO REFLECTIVE GLAZING ALLOWED - REFER TO GLAZING SCHEDULE
- METAL PANEL - COLOR = SILVER - CUSTOM COLOR TO MATCH ARCHITECTS SAMPLE
  METAL PANEL, TYPE 2 COLOR = CHAMPAGNE - CUSTOM COLOR TO MATCH ARCHITECTS SAMPLE
- SPANDREL GLAZING
- 50% HORIZONTAL FRIT GLASS
- FIBERGLASS PANELS - COLOR = CHAMPAGNE - CUSTOM COLOR TO MATCH ARCHITECTS SAMPLE
- CMU WALL

MATERIAL SCHEDULE

KEY	DESCRIPTION
AC-1	CONCRETE MASONRY UNITS- VERIFY COLOR AND PATTERN WITH DESIGN ARCHITECT
FP-1	FIBERGLASS PANELS WITH STAGGERED VERTICAL JOINTS - PANELS WIDTH NOT TO EXCEED 10 FEET IN LENGTH - PANEL JOINTS ARE NOT TO ALIGN VERTICALLY
GL-1	VISION GLASS - BASIS: VISTACYN VNE 1-40
GL-1A	SPANDREL GLASS: BASIS: AS GL-1 W/ SOLID DARK GRAY FRIT ON #4 SURFACE- VITRACON VNE 1-40 W - VIRABRIAN VISION SOLID GRAY FRIT
GL-2	VISION GLASS - (SUN PAYS)- VITRACON VNE 1-40 40% DOT PATTERN (VIRABRIAN 6006 WHITE) ON #2 SURFACE
GL-2A	SPANDREL GLASS: (SUN PAYS)- BASIS: AS GL-2 W/ 40% DOT PATTERN- VIRABRIAN 6006, WHITE) ON #2 SURFACE
GL-3	VISION GLASS - (WEST ELEVATION + SKYLIGHT)- VITRACON VNE 1-40 40% DOT PATTERN (VIRABRIAN 6006, VISN GRAY) ON #2 SURFACE
GL-3A	SPANDREL GLASS: BASIS: AS GL-3 W/ VIRABRIAN VISN SOLID GRAY FRIT
GL-4	BUILDING ENTRANCES / FENESTRATION VITRINES: CLEAR LOW-E GLAZING
GL-4A	SPANDREL GLASS: BASIS: AS GL-4 W/ VIRABRIAN VISN SOLID GRAY FRIT
GL-5	LAMINATED GLASS ITEM
LV-1	ALUMINUM LOUVER - COLOR - SILVER
LV-2	ALUMINUM LOUVER - COLOR TO MATCH MP-2
MP-1	METAL PANEL - COLOR - SILVER
MP-2	METAL PANEL - COLOR - CHAMPAGNE

EXTERIOR ELEVATION NOTES

KEY	DESCRIPTION
EE.01	MECHANICAL LOUVER - VERIFY SIZE WITH MECHANICAL DRAWINGS
EE.06	ROOF MOUNTED LIGHTNING PREVENTOR MAST - COORDINATE LOCATION W/ ELEC. & MECH.
EE.09	POWDER COATED STEEL HANDRAIL
EE.10	ALUMINUM LETTERS MOUNTED TO GLASS BLADE
EE.11	EXPANSION/RETHMIC JOINT
EE.12	METAL CANOPY
EE.13	METAL COLUMN COVER ENCLOSURE
EE.15	EDGE BLADE
EE.16	CMU CONTROL JOINT PER DETAIL 5/A6.05.3
EE.24	VERTICAL JOINTS AT RANDOM SPACING
EE.25	PAINTED HOLLOW METAL DOOR AND FRAME
EE.26	ALUMINUM AND GLASS DOOR
EE.27	PAINTED STEEL PIPE GUARDRAIL
EE.29	MULLION CAP
EE.30	STEEL TUBE FRAME
EE.31	ALUMINUM LOUVERS
EE.32	ENTRY DOORS
EE.33	LIGHT FIXTURE
EE.34	INSULATED OVERHEAD COILING DOOR
EE.37	METAL TRIANGLE
EE.40	ROOF MOUNTED SATELLITE DISH - OWNER FURNISHED OWNER INSTALLED (NIC - SEPARATE PERMIT REQUIRED)
EE.42	PHOTOVOLTAIC TILES - CONCRETE TILE - COLOR: BY ALL THE DAVIS COLOR- SANDSTONE
EE.44	CANTILEVERED LIGHT POST ELECTRICAL DRAWINGS

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City Hall Building
Core and Shell Package
Las Vegas, Nevada
City of Las Vegas

ELKUS | MANFREDI

Issued for: Core and Shell Package
Date: July 2, 2009

Revisions

A	Building Department Comments	7/30/09
B	Building Department Comments	8/31/09
4	Addendum 3	11/5/09

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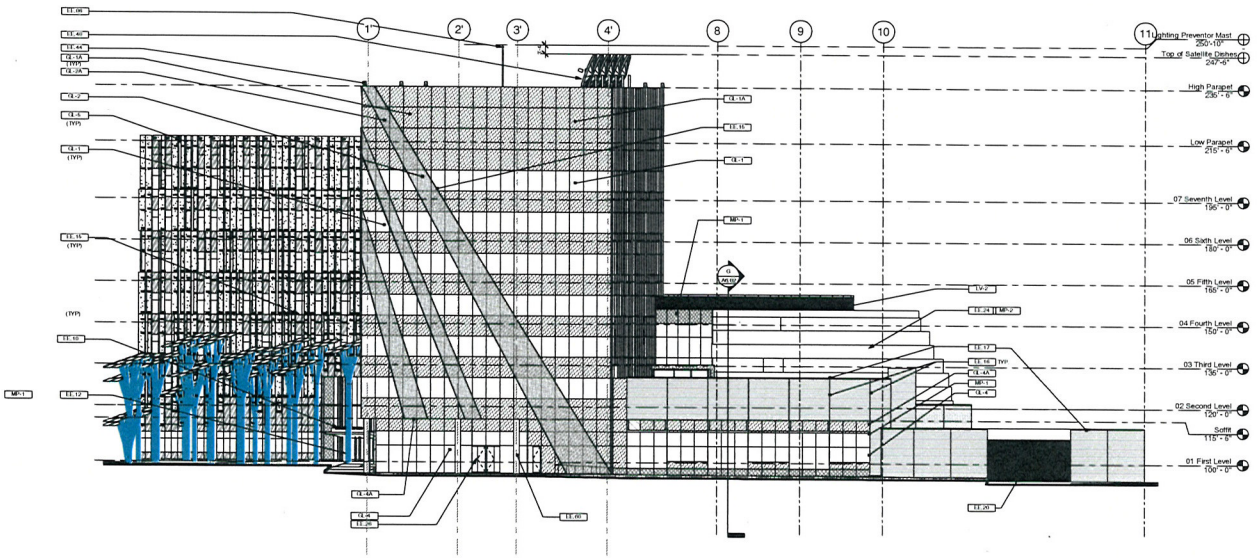
Contractor shall check and verify all dimensions prior to commencing work. Drawings are not to be scaled.

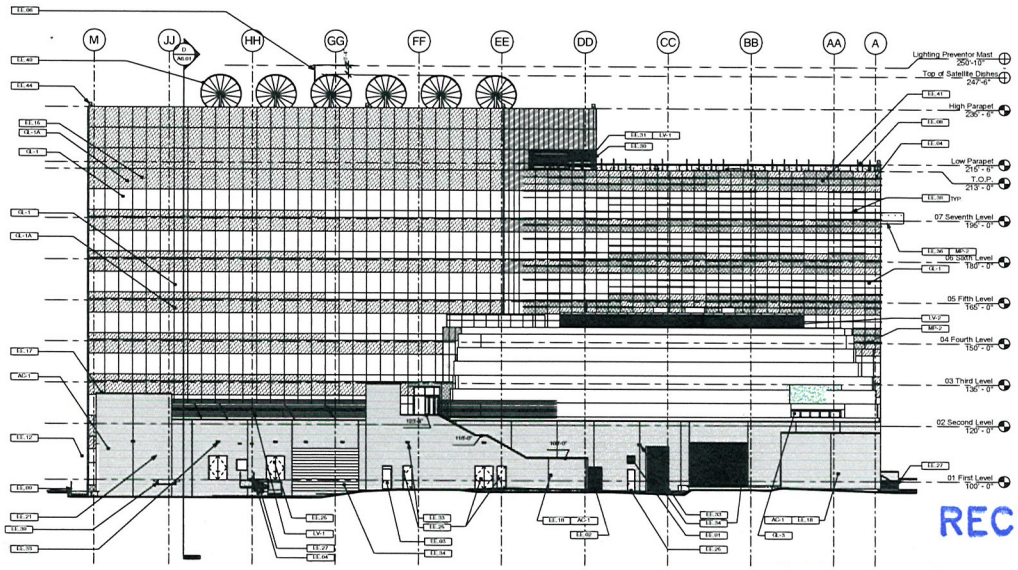
Project Number: 200703315

Overall Exterior Elevations

A5.01



C OVERALL EAST EXTERIOR ELEVATION
1/16" = 1'-0"



D OVERALL NORTHEAST EXTERIOR ELEVATION
1/16" = 1'-0"

EXTERIOR ELEVATION LEGEND

- VISION GLASS - GLAZING ABOVE THE PEDESTRIAN LEVEL SHALL BE LIMITED TO A MAXIMUM REFLECTANCE RATING OF 34% (AS DEFINED BY THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY) GLAZING AT PEDESTRIAN LEVELS (IE: LOBBY AND RETAIL SPACES) NO REFLECTIVE GLAZING ALLOWED - REFER TO GLAZING SCHEDULE
- METAL PANEL - COLOR = SILVER - CUSTOM COLOR TO MATCH ARCHITECTS SAMPLE
  METAL PANEL TYPE 2 COLOR = CHAMPAGNE - CUSTOM COLOR TO MATCH ARCHITECTS SAMPLE
- SPANDREL GLAZING
- 50% HORIZONTAL FRIT GLASS
- FIBERGLASS PANELS - COLOR = CHAMPAGNE - CUSTOM COLOR TO MATCH ARCHITECTS SAMPLE
- CMU WALL

MATERIAL SCHEDULE	
KEY	DESCRIPTION
AC-1	CONCRETE MASONRY UNITS- VERIFY COLOR AND PATTERN WITH DESIGN ARCHITECT
GL-1	VISION GLASS (BASE): VITRACON VNE1-46
GL-1A	SPANDREL GLASS: BASE AS GL-1 W/ SOLID DARK GRAY FRIT ON #4 SURFACE - VITRACON VNE1-46 W/ VITRAPAN VP44 SOLID GRAY FRIT
GL-2	VISION GLASS: (SUN RAYS)- VITRACON VNE1-46 40% DOT PATTERN (VITRAPAN 6006 WHITE) ON #2 SURFACE
GL-2A	SPANDREL GLASS: (SUN RAYS)- BASE AS GL-2 W/ 40% DOT PATTERN VITRAPAN 6006 WHITE) ON #2 SURFACE
GL-3	VISION GLASS: (WEST ELEVATION + SKYLIGHT)- VITRACON VNE1-46 40% DOT PATTERN (VITRAPAN 6006, VP66 GRAY) ON #2 SURFACE
GL-4	BUILDING ENTRANCES + STOREFRONT VITRINES- CLEAR LOW-E GLAZING
GL-4A	SPANDREL GLASS: BASE AS GL-4 W/ VITRAPAN VP66 SOLID GRAY FRIT
GL-5	LAMINATED GLASS FINS
LV-1	ALUMINUM LOUVER- COLOR - SILVER
LV-2	ALUMINUM LOUVER- COLOR TO MATCH MP-2
MP-1	METAL PANEL- COLOR - SILVER
MP-2	METAL PANEL- COLOR - CHAMPAGNE

EXTERIOR ELEVATION NOTES	
KEY	DESCRIPTION
EE.01	MECHANICAL LOUVER - VERIFY SIZE WITH MECHANICAL DRAWINGS
EE.02	POWDER COATED STEEL GATE
EE.03	ELEVATOR
EE.04	STAIR
EE.05	ROOF MOUNTED LIGHTNING PREVENTOR MAST- COORDINATE LOCATION W/ ELEC. & STRUCT.
EE.06	TINTED BIRDLIGHT TO MATCH DOOR
EE.09	POWDER COATED STEEL HANDRAIL
EE.10	ALUMINUM LETTERS MOUNTED TO CLEAR BLADE
EE.12	METAL CANOPY
EE.16	EDGE BLADE
EE.19	SMC CONTROL JOINT PER DETAIL 5/A9.00(C)
EE.17	MASONRY COPING (COLOR TO MATCH CMU FIELD COLOR)
EE.18	SINGLE PLY ROOFING SYSTEM
EE.20	ROLLING STEEL GATE WITH LOUVERS LV-1
EE.21	STEEL TUBE HEADER
EE.24	VERTICAL JOINTS AT RANDOM SPACING
EE.25	PAINTED HOLLOW METAL DOOR AND FRAME
EE.26	ALUMINUM AND GLASS DOOR
EE.27	PAINTED STEEL PIPE GUARDRAIL
EE.30	STEEL TUBE FRAME
EE.31	ALUMINUM LOUVERS
EE.33	LIGHT TEXTURE
EE.34	INSULATED OVERHEAD COILING DOOR
EE.36	CANTILEVERED TERRACE - TYPE 2 METAL PANEL
EE.39	HORIZONTAL MULLION CAP
EE.39	LOADING DOOR
EE.40	ROOF MOUNTED SATELLITE DISH - OWNER FURNISHED OWNER INSTALLED (NIC - SEPARATE PERMIT REQUIRED)
EE.41	METAL PANELS - COLOR TO MATCH MP-2
EE.44	CERTIFICATION LIGHT PER ELECTRICAL DRAWINGS
EE.60	RECESSED FIRE DEPARTMENT KNOX BOX MOUNTED AT 72" AFF

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City Hall Building
Core and Shell Package
Las Vegas, Nevada
City of Las Vegas

ELKUS | MANFREDI

Issued for: Core and Shell Package
Date: July 2, 2009

Revisions

A	Building Department Comments	7/20/09
B	Building Department Comments	9/21/09
4	Addendum 3	11/5/09

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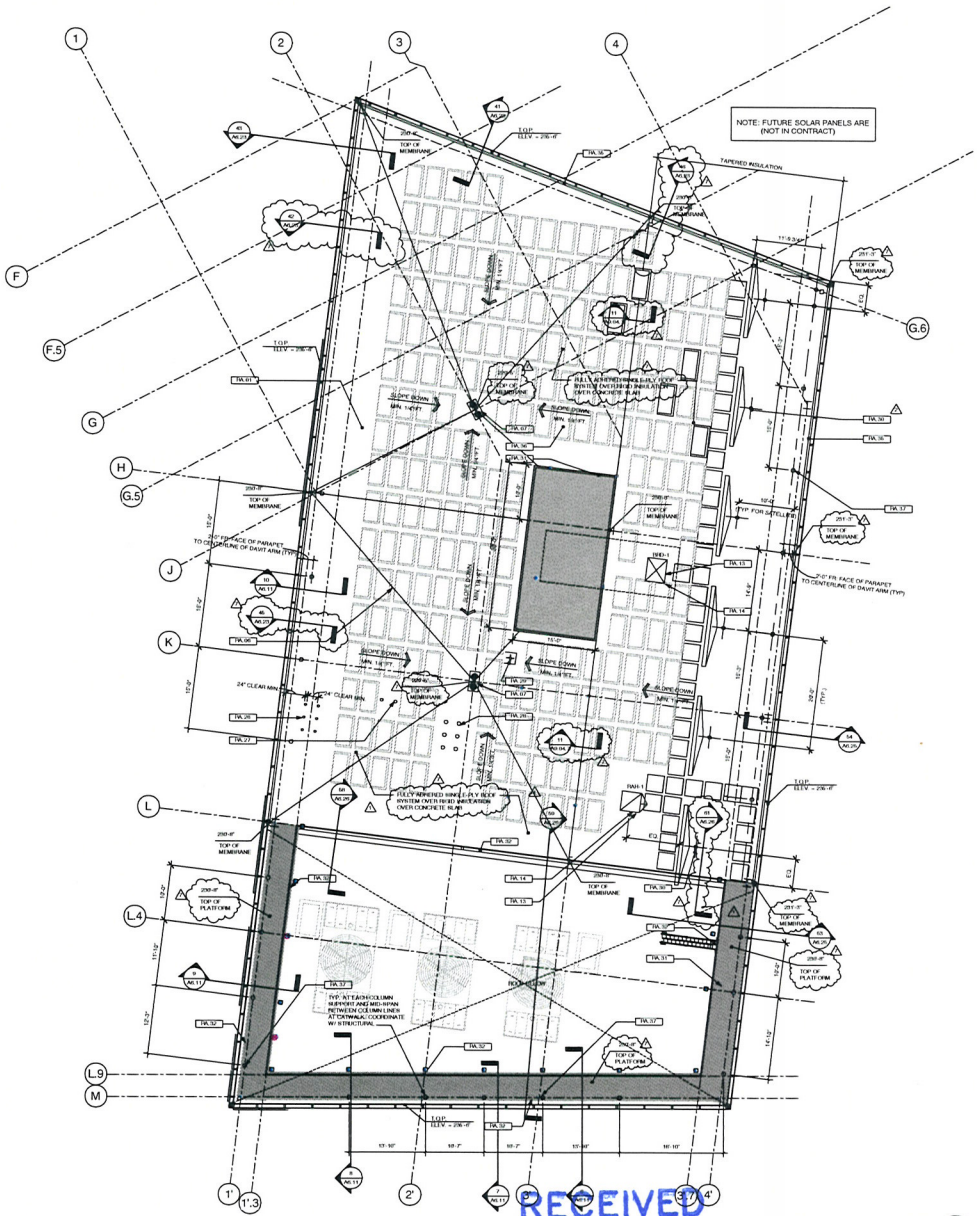
Contractor shall check and verify all dimensions prior to commencing work. Drawings are not to be scaled.

Project Number: 200703315

Overall Exterior Elevations

A5.02



1 HIGH ROOF PLAN
1/8" = 1'-0"

PLAN GENERAL NOTES

GFA.01	CONTRACTOR SHALL VERIFY THAT ROOF EQUIPMENT, VENTS, AND FLUES SHALL NOT PROTRUDE ABOVE ENCLOSURES
GFA.02	ALL FLOOR PLAN PENETRATION LOCATIONS AND ELEVATIONS SHALL BE COORDINATED WITH ENGINEERING (STRUCTURAL, MP&E) DRAWINGS BEFORE CONCRETE SLAB IS POURED
GFA.03	ALL DIMENSIONS SHOWN ON PLANS ARE TO FACE OF RATED UNLESS NOTED OTHERWISE
GFA.04	DO NOT SCALE DRAWINGS
GFA.06	REFER TO DETAIL 1 ON SHEET A9.00 & 1 FOR STANDPIPE CABINET DETAIL AND DETAIL 2 ON SHEET A9.00 & 1 FOR FIRE DEPARTMENT KNOX DETAIL
GFA.07	REFER TO SHEET G1.01 AND G2.02 FOR PARTITION TYPES

ROOF GENERAL NOTES

GRF.01	CONTRACTOR SHALL VERIFY THAT ROOF EQUIPMENT, VENTS, AND FLUES SHALL NOT PROTRUDE ABOVE ENCLOSURES
GRF.04	CONTRACTOR TO COORDINATE ACTUAL SIZE OF ALL ROOF PENETRATIONS WITH THE ACTUAL SIZE OF THE EQUIPMENT BEING INSTALLED
GRF.05	CONTRACTOR TO COORDINATE ACTUAL SIZE OF ALL ROOF PENETRATIONS SO AS NOT TO INTERFERE WITH MAJOR STRUCTURAL MEMBERS
GRF.07	REFER TO MECHANICAL, PLUMBING, AND ELECTRICAL DRAWINGS FOR ADDITIONAL ROOF ELEMENT INFORMATION
GRF.08	ALL ROOF CRICKETS TO BE FORMED WITH TAPERED INSULATION
GRF.09	CONTRACTOR SHALL COORDINATE EXACT LOCATION OF ROOF DRAINS AS NOT TO INTERFERE WITH ANY STRUCTURAL MEMBER. LEADERS SHALL BE LOCATED TO CLEAR A SLOPE AS REQUIRED BY APPLICABLE CODES
GRF.10	FOR ROOF RATED INSULATION, REFER TO SPECIFICATIONS REGARDING THE MINIMUM THICKNESS AND R-VALUES
GRF.11	SINGLE-PLY ROOF MEMBRANE TO BE MECHANICALLY ATTACHED UNLESS OTHERWISE NOTED

ROOF PLAN SPECIFIC NOTES

KEY	DESCRIPTION
RA.01	SINGLE-PLY ROOFING SYSTEM
RA.06	TAPERED CONCRETE CRICKET
RA.07	ROOF OVERFLOW DRAIN, REFER TO PLUMBING DRAWINGS - SEE DETAIL 9/A9.04.2
RA.13	BUILT-UP CURB REFER TO STRUCTURAL DRAWINGS
RA.14	MECHANICAL EQUIPMENT- REFER TO MECHANICAL DRAWINGS
RA.26	BOILER FLUES
RA.27	WATER HEATER FLUES
RA.28	COMBUSTION AIR DUCTS
RA.29	ROOF MOUNTED LIGHTNING PREVENTOR MAST- REFER TO ELECTRICAL DRAWINGS - PROVIDE STRUCTURAL STEEL SUPPORT
RA.30	TYPICAL SATELLITE DISH MOUNT: 18"X18"X1" STL PLATE WELDED TO 12"X12" STEEL TUBE, MIN. 24" ABOVE ROOF SURFACE, LAG TO STRUCTURAL ATTACHMENT TYP. - SATELLITE DISH FURNISHED BY OWNER AND INSTALLED BY OWNER
RA.31	ANTENNA PLATFORM 42" BELOW TOP OF PARAPET AND 24" ABOVE ROOF
RA.32	42" HIGH GUARDRAIL
RA.36	PARAPET WALL
RA.38	PHOTOVOLTAIC ROOF MOUNTED SOLAR PANELS (N.I.C.)
RA.37	DAVIT ARM BASE - COORDINATE LOCATION WITH STRUCTURAL

HIGH ROOF KEY

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City Hall Building
Core and Shell Package
Las Vegas, Nevada

City of Las Vegas

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Issued for: Core and Shell Package
Date: July 2, 2009

Revisions
1 Addendum 1 9/7/09
2 Addendum 1 9/15/09
7 Bulletin 3 4/15/10

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Contractor shall check and verify all dimensions prior to commencing work. Drawings are not to be scaled.

Project Number: 200703315

Partial High Roof Plan - Area B

A2.09B



SUP-37904 - APPLICANT: FOREST CITY COMMERCIAL DEVELOPMENT - OWNER: PQ LAS VEGAS, LLC
495 SOUTH MAIN STREET

04/22/10



SUP-37904 - APPLICANT: FOREST CITY COMMERCIAL DEVELOPMENT - OWNER: PQ LAS VEGAS, LLC
495 SOUTH MAIN STREET

04/22/10

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April 13, 2010

City of Las Vegas
Planning & Development Department
Development Services Center
731 South 4th Street
Las Vegas, NV 89101

Attn: Planning Staff
Re: New City Hall Building
Justification Letter
Special Use Permit
JMA No. #200703315

Apn: #139-34-201-022

Dear Sir or Madam:

We are respectfully requesting a Special Use Permit application for satellite dishes that will be located on the roof of the new City of Las Vegas City Hall building. The project consists of 6 satellite dishes which do not meet two conditions. The first condition not met is, when satellite dishes are located on a rooftop, they shall be located and screened so as to minimize visual impact from other properties in the area. The second condition not met is, satellite dishes shall not exceed 10 feet in diameter, nor 12 feet in height when the dish is vertically positioned. The approximate size of each dish is 16 feet in diameter and 18 feet high.

This development is bound by Main Street to the West, First Street to the East, Lewis Avenue to the North and Clark Avenue to the South. The site is within the Downtown Centennial Plan (Office Core) and the Downtown Redevelopment Plan (Commercial) with a Commercial (C) general plan designation and is currently zoned C-2 (General Commercial District).

Thank you in advance for your time and consideration regarding this application. If you should have any questions or concerns regarding this application, please do not hesitate to call our office.

Sincerely,

Cherie L. Guzman, Assoc. AIA
Strategic Development Director

G:\2007\200703315 City Hall Building\00 Project Information\Entitlements\Entitlements for the Satellite Dishes 2010\CLV_Satellite_LTR_Justification_April 13-2010.doc

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

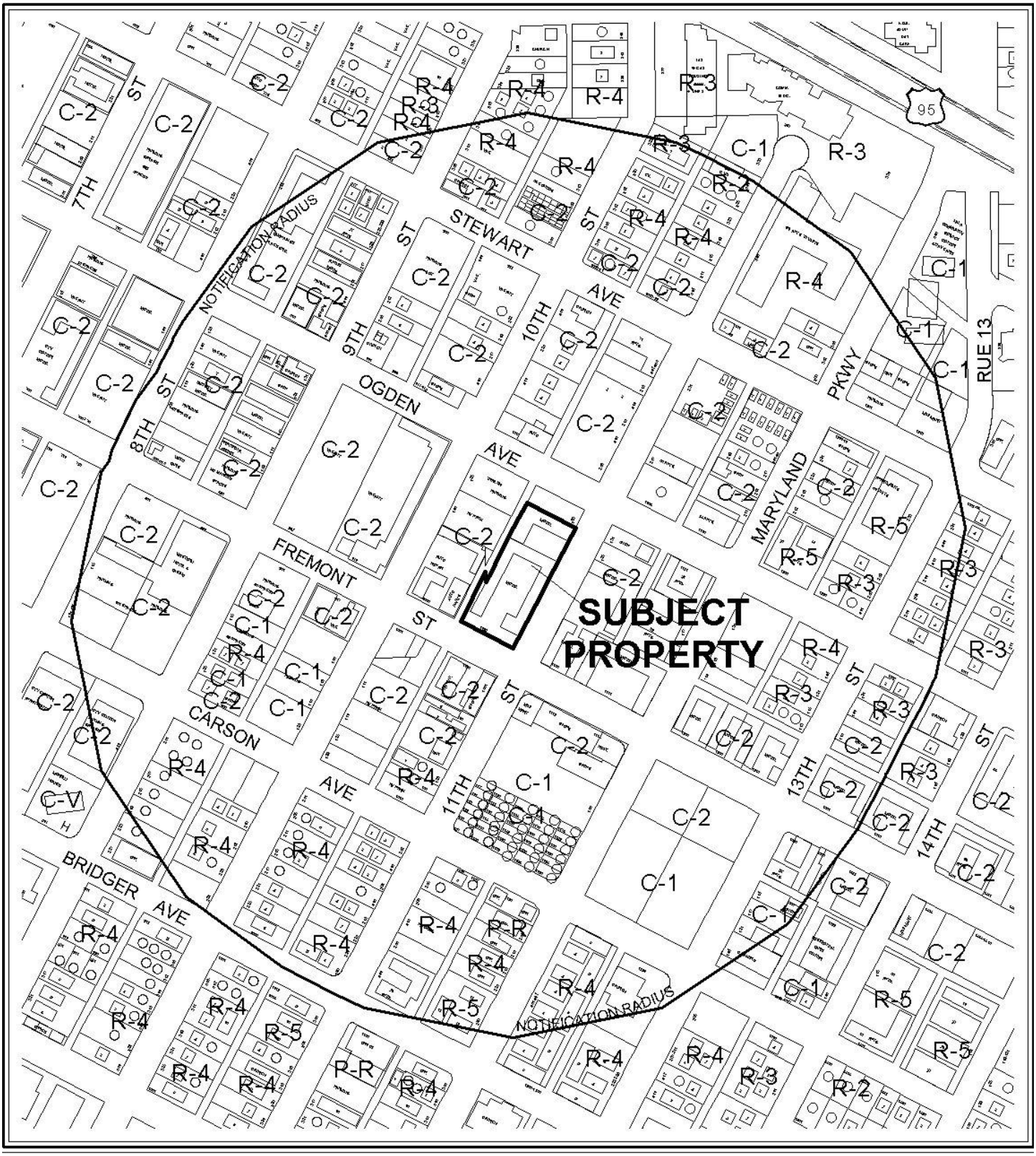
SUBJECT:
SUP-37905 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: FERGUSON MOTEL - OWNER: SONAL, INC. - Request for a Special Use Permit FOR 22 RESIDENCE HOTEL UNITS WITHIN AN EXISTING 68-UNIT MOTEL at 1028 Fremont Street (APNs 139-35-211-025 and 026), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

IF APPROVED, C.C.: 07/07/2010
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



0 300 600 Feet

CASE: **SUP-37905**

RADIUS: 1000 FT

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



CASE: **SUP-37905**

RADIUS: 1000 FT

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

0 300 600 Feet

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: FERGUSON MOTEL - OWNER: SONAL, INC.

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-37905	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-37905 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Hotel, Residence use.

2. This approval shall be void one year from the date of final approval, unless a Business License has been issued for the Hotel, Residence use. 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. These Conditions of Approval shall be affixed to the cover sheet of the plan set submitted for any building permit.

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

Public Works

6. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the Boulder Highway Bus Rapid Transit project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.

Staff Report Page One
May 27, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit to allow twenty-two rooms of an existing sixty-eight room motel to be converted to Hotel, Residence use at 1028 Fremont Street. The subject site consists of two parcels; one has 41 rooms and the second, has 27 rooms. The use complies with Title 19 requirements for a Hotel, Residence use and can be conducted in a manner that is harmonious and compatible with the surrounding properties. Therefore, staff recommends approval. If this request is denied, the motel use would remain in all 68 units.

ISSUES

- The site is parking impaired; it has 59 parking spaces for 68 rooms.
- 22 specific rooms shall be available for Hotel Residence use.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
08/03/05	A Code Enforcement citation (33255) was issued for no air conditioning, a leak under a sink and a bath tub full of cracks at 1028 Fremont Street. The citation was closed by Code Enforcement on 08/30/05.
10/12/06	A Code Enforcement citation (47068) was issued for nine people illegally living in one unit at 1028 Fremont Street. The citation was closed by Code Enforcement on 12/17/06.
08/28/07	A Code Enforcement citation (57263) was issued for high weeds at 1028 Fremont Street. The citation was closed by Code Enforcement on 09/24/07.
06/03/09	A Code Enforcement citation (78666) was issued for vehicles with expired tags parking within perimeter landscape buffers at 1028 Fremont Street. The citation was closed by Code Enforcement on 06/04/09.

Most Recent Change of Ownership	
01/29/99	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
c.1946	A building permit was issued for the main structure.
c.1956	A building permit was issued for the secondary addition.
Predates 1962	A business license (M08-00028) was issued for a motel at 1028 Fremont Street. The license is still active.
06/27/91	A business license (M06-02948) was issued for vending and laundry machines at 1028 Fremont Street. The license is still active.
02/26/09	A building permit (134370) was issued to re-roof at 1028 Fremont Street. The permit was finaled on 04/10/09.
02/18/10	A business license (H11-94068) was denied by the Planning and Development Department for a Hotel, Residence use at 1028 Fremont Street. The proposed use is required to have a Special Use Permit.

Pre-Application Meeting	
03/25/10	A pre application meeting was held with the applicant where the submittal requirements for a Special Use Permit were discussed. Topics included: • Applicant wants to convert 22 rooms of the total of 68 rooms to Hotel Residence. • The site has 59 parking spaces.

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

Field Check	
04/22/10	The site contains an existing motel that has faded and chipped paint along the exterior and at the rear of the building and a broken window that is boarded up.

Details of Application Request	
Site Area	
Net Acres	1.15

Surrounding Property	*Existing Land Use Per Title 19.04*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	Motel	C (Commercial)	C-2 (General Commercial)
North	Undeveloped	C (Commercial)	C-2 (General Commercial)
South	Parking Lot	C (Commercial)	C-2 (General Commercial)
East	Motel	C (Commercial)	C-2 (General Commercial)
West	Auto Repair Garage, Major	C (Commercial)	C-2 (General Commercial)

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area			
Downtown Centennial Plan	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
Downtown Centennial Plan Overlay District (East Village)	X		Y
H (Historic Designation)	X		Y
Live/Work Overlay District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
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	
Motel	46	1/room	46		46		Y
Hotel Residence	22	1/room	22		13		N
TOTAL SPACES REQUIRED			68		59		N
TOTAL (With Handicapped)			65	3	54	5	N*

*Two of the handicapped spaces have striping less than five-foot in width.

JG

ANALYSIS

This is a request for a Special Use Permit to allow twenty-two rooms of an existing sixty-eight room motel to be converted to a Hotel, Residence use at 1028 Fremont Street. A Hotel, Residence use is defined by Title 19.20.020 as "a multi-dwelling unit for extended stay lodging consisting of efficiency units or suites with a complete kitchen suitable for long term occupancy; customary hotel services such as linen, maid service, telephone and upkeep of furniture; and optional resident and guest amenities such as meeting rooms, club house and recreation facilities." The proposed Hotel, Residence use meets all the requirements for a Special Use Permit, per Title 19.04.050. The subject site is parking impaired per Title 19.10.010.C, but the parking requirements for the proposed Hotel, Residence use are the same as the existing use; also, Title 19 parking requirements are not automatically applied in the Downtown Centennial Plan area per Title 19.06.060. The required handicapped parking is three spaces; the Site Plan designates five handicapped spaces, but two spaces do not meet the minimum requirements and are not required by code. Finally, the conversion of the twenty-two rooms to Hotel, Residence use will not have a negative impact on the Historic District, Downtown Centennial Plan, Live Work Plan and the Downtown Redevelopment Area. Therefore, staff recommends approval.

FINDINGS (SUP-37905)

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

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

   The proposed use is located in the Downtown Centennial Plan Overlay District (East Village) and the Las Vegas Redevelopment Plan Area and can be conducted in a manner that is harmonious and compatible with the existing land uses project by the General Plan.

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

   The site is currently operated as a Motel and the addition of the Hotel, Residence use allows the subject site to maintain a similar use type and intensity, which currently exists.

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

   The site is accessed from Fremont Street, an 80-foot Secondary Collector as designated by the Master Plan of Streets and Highways. These facilities are adequate to meet the requirements of the proposed Hotel, Residence 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 at this location for the Hotel, Residence use as indicated by the site plan will not compromise the public health, safety, general welfare, or the overall objectives of the General Plan, as the proposed use will be subject to regular inspections.

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

   The proposed Hotel, Residence use meets all the Special Use Permit requirements per Title 19.04.

NOTICES MAILED 182

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-37905 APN: _____

Name of Property Owner: SONAL, INC.

Name of Applicant: FERGUSON MOTEL

Name of Representative: RAKESH A. PATEL

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: AMARATBHAI R. PATEL

Subscribed and sworn before me

This 29th day of March, 20 10

_____

Notary Public in and for said County and State

REBEKAH SALOMON
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 07-14-13
Certificate No: 09-11190-1

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) 1028 Fremont Street, Las Vegas, NV 89101

Project Name Ferguson Motel **Proposed Use** Hotel, Residence

Assessor's Parcel #(s) 139-35-211-025 / 139-35-211-026 **Ward #** 5

General Plan: existing C proposed N/A **Zoning:** existing C-2 proposed N/A

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

Gross Acres 1.12 **Lots/Units** 68 Units **Density** _____

Additional Information _____

PROPERTY OWNER Sonal, Inc. **Contact** Rakesh Patel

Address 1028 Fremont Street **Phone:** (702) 672-0576 **Fax:** (702) 676-1292

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

E-mail Address rakeshniyati@yahoo.com

APPLICANT Ferguson Motel **Contact** Rakesh Patel

Address 1028 Fremont Street **Phone:** (702) 672-0576 **Fax:** (702) 676-1292

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

E-mail Address rakeshniyati@yahoo.com

REPRESENTATIVE Rakesh Patel **Contact** Rakesh Patel

Address 1028 Fremont Street **Phone:** (702) 672-0576 **Fax:** (702) 672-0576

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

E-mail Address rakeshniyati@yahoo.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 Amaratbhai R Patel / President

Subscribed and sworn before me

This 29th day of March, 2010.

Rebekah Salomon

Notary Public in and for said County and State

FOR DEPARTMENT USE ONLY

Case #	SUP-37905
Meeting Date:	05/27/10
Total Fee:	$1030.00
Date Received:*	04/09/10
Received By:	

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

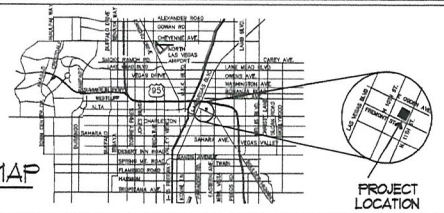
Revised 10/27/08

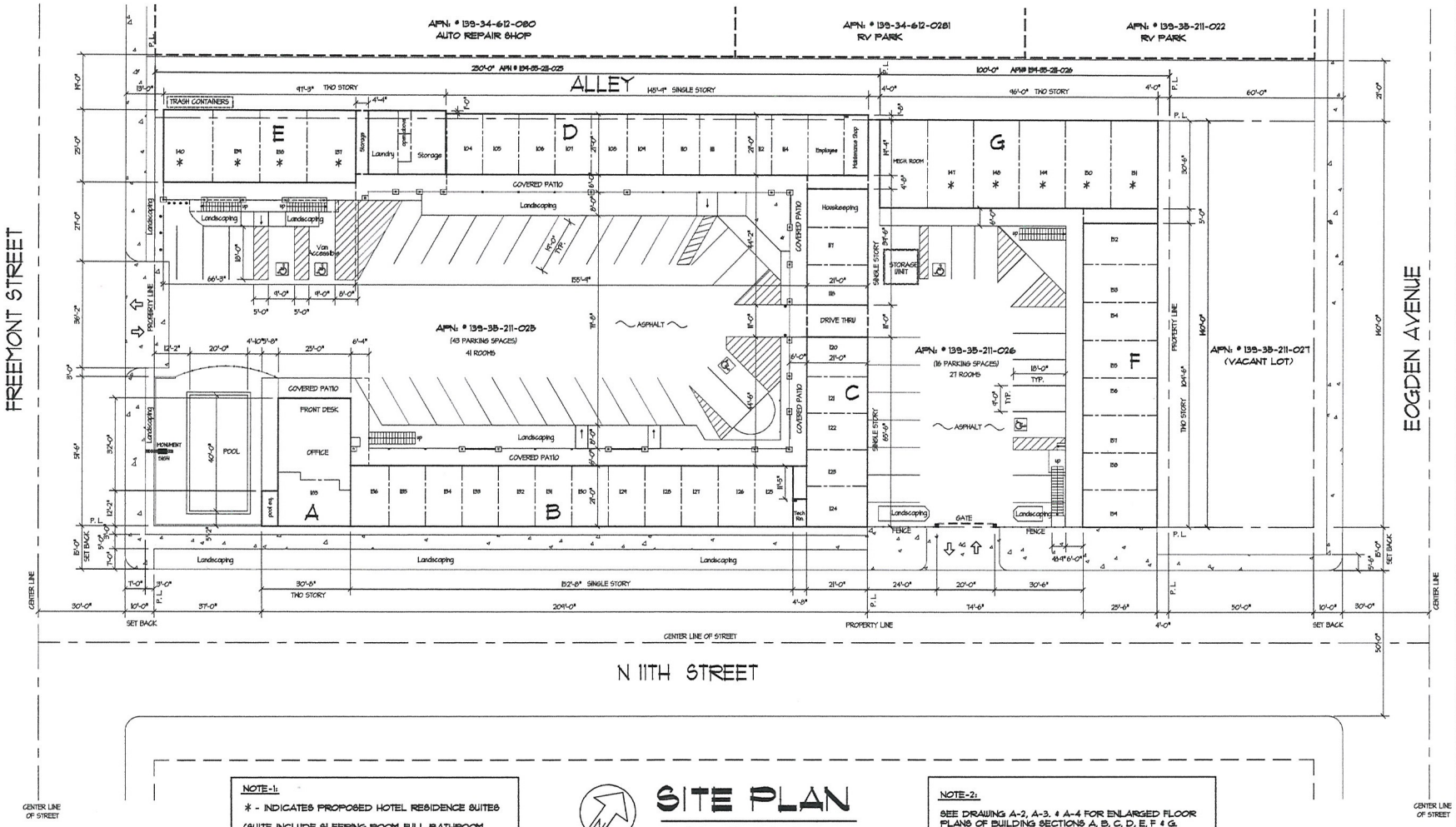
REBEKAH SALOMON
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 07-14-13
Certificate No: 09-11190-1

APN: # # 139-35-211-025 & # 139-35-211-026
ZONING: C-2 - COMMERCIAL MOTEL
AREA: 0. 83 ACRE + .23 ACRE = 1.06 ACRES TOTAL
UNITS: 41 + 27 = 68 UNITS TOTAL
PARKING: 43 + 16 = 59 PARKING SPACES TOTAL

FERGUSONS MOTEL
1028 FREMONT STREET
LAS VEGAS, NEVADA

VICINITY MAP





NOTE-1:
* - INDICATES PROPOSED HOTEL RESIDENCE SUITES
(SUITE INCLUDE SLEEPING ROOM, FULL BATHROOM, CLOSET, SITTING ROOM AND KITCHEN FACILITIES)
TOTAL 22 PROPOSED, SEE FLOOR PLAN FOR DETAILS

SITE PLAN

SCALE:- 1" = 16'-0"

P. L. = PROPERTY LINE

NOTE-2:
SEE DRAWING A-2, A-3, & A-4 FOR ENLARGED FLOOR PLANS OF BUILDING SECTIONS A, B, C, D, E, F & G.

NO.	DATE	REVISION	APPVD.

This drawing is the sole property of the Architect. It has been prepared as an instrument of service for the specific project indicated and shall neither be used on any other project, nor reproduced without the written consent of the Architect. (NRS 623)

Jerry Miceli
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9315 W. Sunset Road, Suite 100
Las Vegas, Nevada 89148
Ph. (702) 431-1241 Fax. (702) 431-1976

FERGUSONS MOTEL
1028 FREEMONT STREET
LAS VEGAS, NEVADA 89101
(APN: # 139-35-211-025 & APN: 139-35-211-026)

SITE PLAN

JOB NO. 2101
DRAWN BY. CP
CHECKED BY. .
DATE. 4-04-2010

A-1

SUP-37905
REVISED

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APR 20 2010

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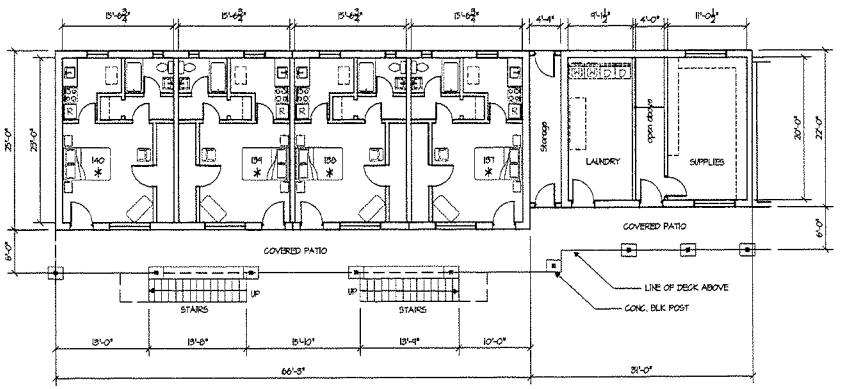


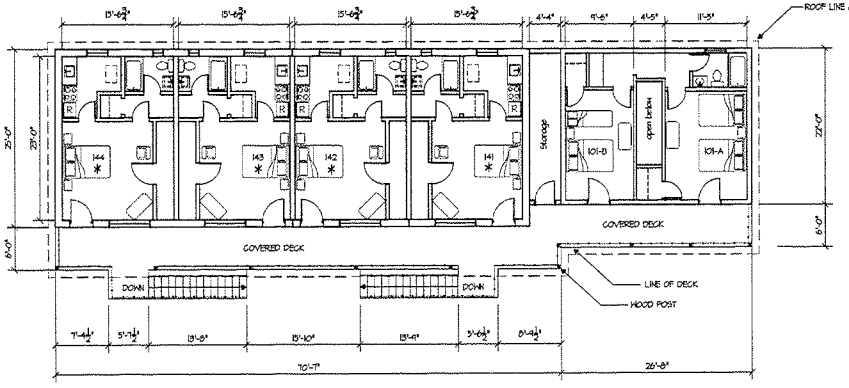
FIRST FLOOR PLAN: SECTION-"E"

SCALE:- 1" = 8'-0"

NOTE:

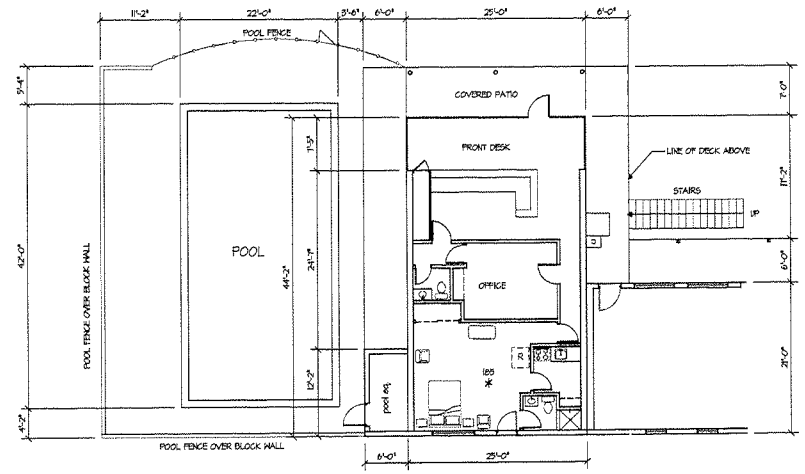
* - INDICATES PROPOSED HOTEL RESIDENCE SUITES

(SUITE INCLUDE SLEEPING ROOM, FULL BATHROOM, CLOSET, SITTING ROOM AND KITCHEN FACILITIES)



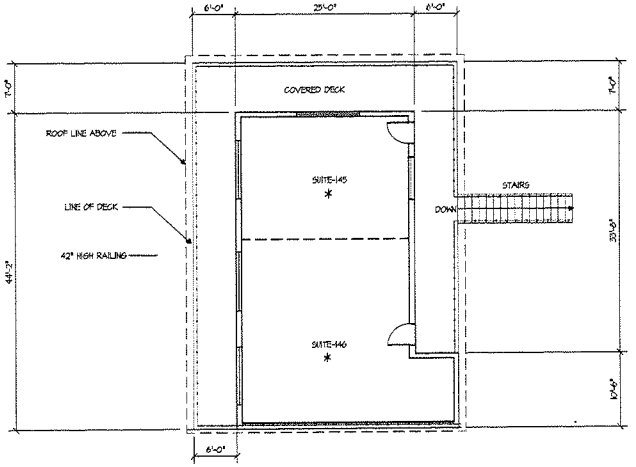
SECOND FLOOR PLAN: SECTION-"E"

SCALE:- 1" = 8'-0"



FIRST FLOOR PLAN: SECTION-"A"

SCALE:- 1" = 8'-0"



SECOND FLOOR PLAN: SECTION-"A"

SCALE:- 1" = 8'-0"

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APR 09 2010

SUP-37905

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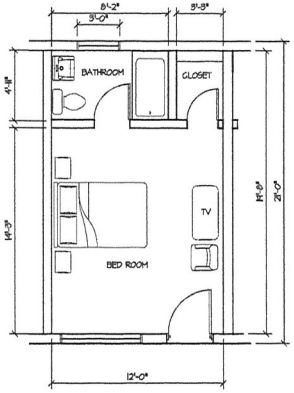
FERGUSONS MOTEL
1028 FREEMONT STREET
LAS VEGAS, NEVADA 89101
(APN: # 139-35-211-025 & APN: 139-35-211-026)

PLAN A & E

JOB NO. 2101
DRAWN BY. CP
CHECKED BY. .
DATE. 3-04-2010

A-2



TYPICAL MOTEL ROOM PLAN

SCALE:- 1" = 4'-0"

FLOOR PLAN: SECTION-"B", "C" & "D"

SCALE:- 1" = 8'-0" SINGLE STORY

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APR 09 2010

SUP-37905

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FERGUSONS MOTEL
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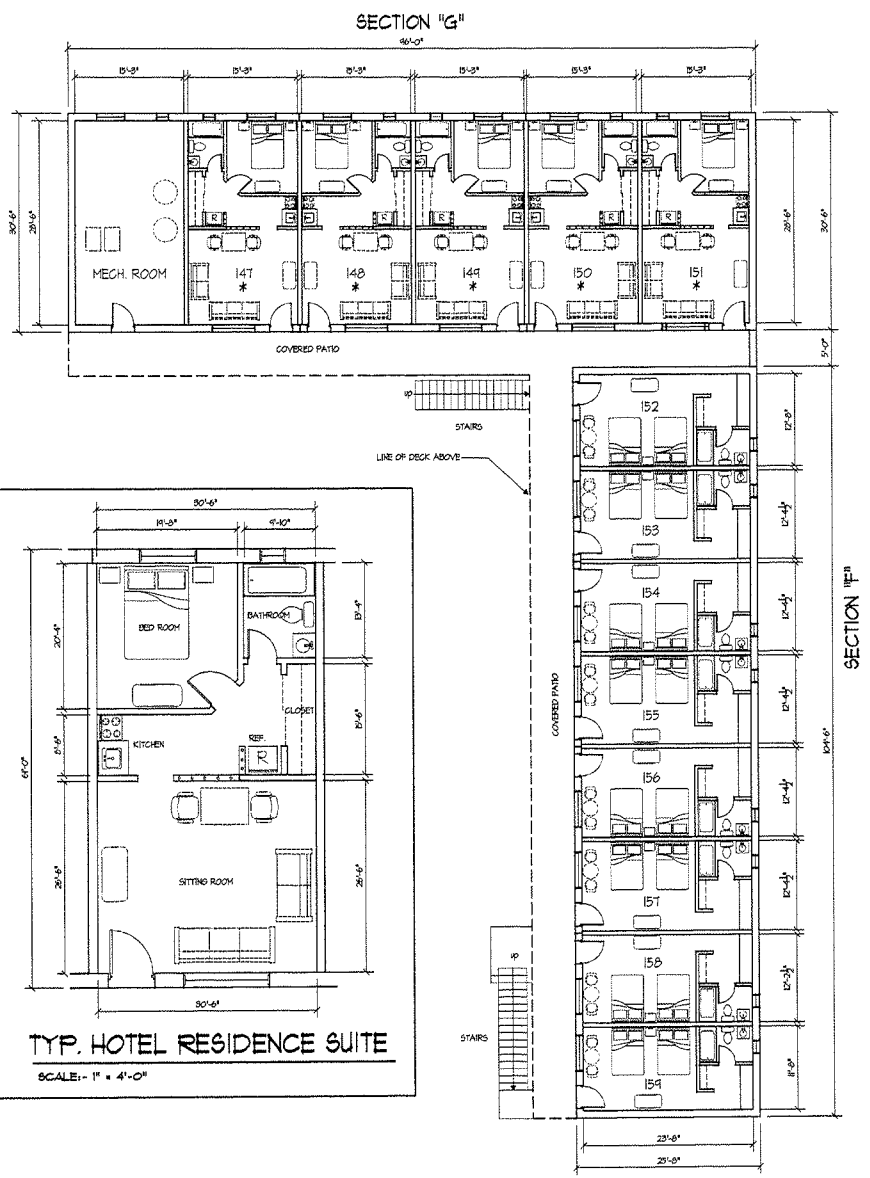
LAS VEGAS, NEVADA 89101
(APN: s 139-35-211-025 & APN: 139-35-211-026)

PLAN B-C-D

JOB NO. 2101
DRAWN BY. CP
CHECKED BY. .
DATE. 3-04-2010

A-3

Sat Apr 03 16:04:08 2010



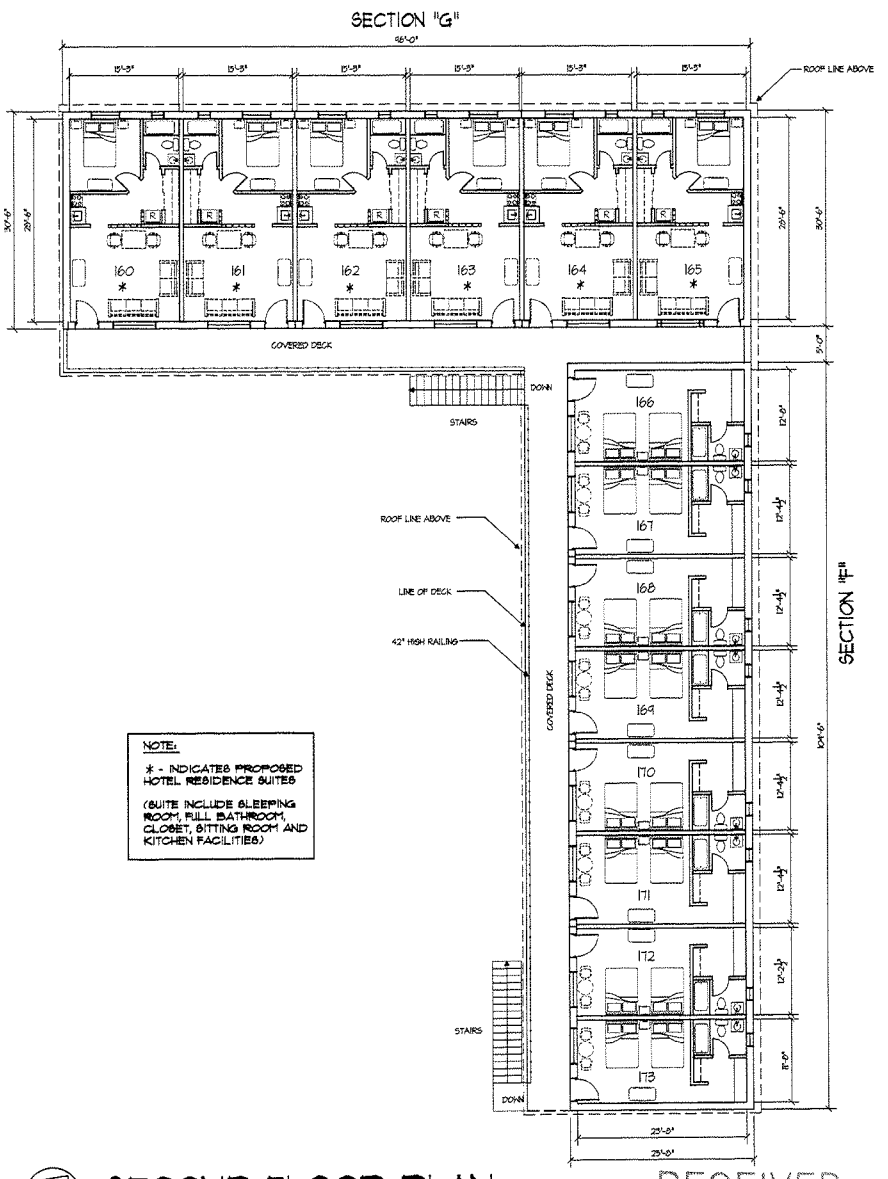
TYP. HOTEL RESIDENCE SUITE

SCALE:- 1" = 4'-0"

FIRST FLOOR PLAN

SECTION-"F", & "G"

SCALE:- 1" = 8'-0"



NOTE:

* - INDICATES PROPOSED HOTEL RESIDENCE SUITES

(SUITE INCLUDE SLEEPING ROOM, FULL BATHROOM, CLOSET, SITTING ROOM AND KITCHEN FACILITIES)

SECOND FLOOR PLAN

SECTION-"F", & "G"

SCALE:- 1" = 8'-0"

RECEIVED

APR 09 2010

NO.	DATE	REVISION	APPR'D.

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FERGUSONS MOTEL
1028 FREEMONT STREET
LAS VEGAS, NEVADA 89101
(APN: # 139-35-211-025 & APN: 139-35-211-026)

PLAN
F & G

JOB NO. 2101
DRAWN BY. CP
CHECKED BY.
DATE. 4-04-2010

A-4

SUP-37905



NORTH ELEVATION - FREEMONT STREET



SOUTH ELEVATION - OGEDEN AVENUE



PARTIAL EAST ELEVATION - N 11TH STREET



WEST ELEVATION - ALLEY



MONUMENT SIGN - FREEMONT STREET



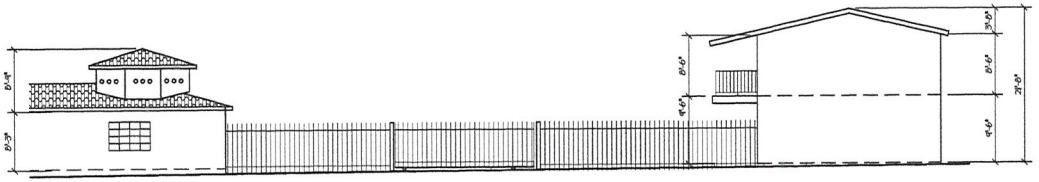
PARKING LOT & LANDSCAPE



INSIDE ELEVATION- SECTION F & G

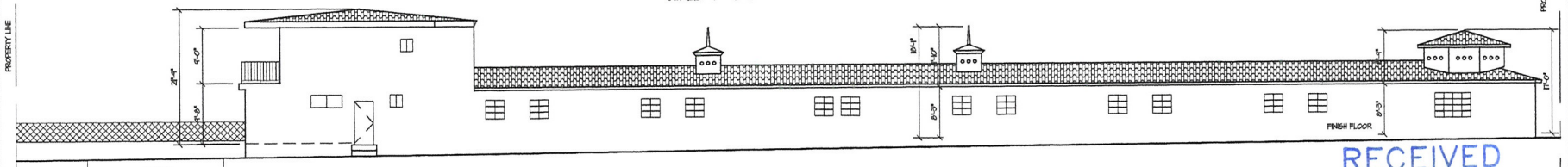


OFFICE BLDG ELEVATION



EAST ELEVATION - 11TH ST - CONT.

SCALE:- 1" = 8'-0"



EAST ELEVATION - 11TH ST

SCALE:- 1" = 8'-0"

RECEIVED

APR 09 2010

NO.	DATE	REVISION	APPVD.

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FERGUSONS MOTEL
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LAS VEGAS, NEVADA 89101
(APN: s 139-35-211-025 & APN: 139-35-211-026)

Elevation Photos

JOB NO.	2101
DRAWN BY.	CP
CHECKED BY.	.
DATE.	4-04-2010

A-5

Sat, Apr 03 16:40:10 2010

SUP-37905



SUP-37905 - APPLICANT: FERGUSON MOTEL - OWNER: SONAL, INC.
1028 FREMONT STREET

04/22/10



SUP-37905 - APPLICANT: FERGUSON MOTEL - OWNER: SONAL, INC.
1028 FREMONT STREET

04/22/10



SUP-37905 - APPLICANT: FERGUSON MOTEL - OWNER: SONAL, INC.
1028 FREMONT STREET

04/22/10



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1028 FREMONT STREET

04/22/10



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1028 FREMONT STREET

04/22/10



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1028 FREMONT STREET

04/22/10



SUP-37905 - APPLICANT: FERGUSON MOTEL - OWNER: SONAL, INC.
1028 FREMONT STREET

04/22/10



SUP-37905 - APPLICANT: FERGUSON MOTEL - OWNER: SONAL, INC.
1028 FREMONT STREET

04/22/10

FERGUSONS MOTEL

1028 Freemont street, Las Vegas, Nevada 89101
Phone: (702) 382-3500, Fax: (702) 676-1292

April 4, 2010

LETTER OF JUSTIFICATION

RE: ***SPECIAL USE PERMIT – HOTEL, RESIDENCE – C-2 COMMERCIAL***
FOR APN # 139-35-211-025 (41 UNITS) AND APN # 1359-35-211-026 (27 UNITS) MOTEL

Fergusons Motel is located at 1028 Freemont Street in the City of Las Vegas. The project sits on two parcels, 41 Units on APN 139-35-211-025 originally built in1946 and 27 Units on APN 139-35-211-026 originally built in 1956. The property is currently zoned for C-2 Commercial for Hotel, Motel or Hotel suites.

There are a total of 68 rooms. All rooms are directly accessible from the parking area. 22 rooms consist of suites which include kitchen facilities and sitting rooms in addition to the sleeping room, full bathroom and closet. The remaining 46 rooms have a sleeping room, full bathroom and closet. Currently all room provide a temporary lodging with a rental period of less than one week.

I am requesting the city of Las Vegas to grant a SPECIAL USE PERMIT to Fergusons Motel to use the 22 suites as HOTEL RESIDENCE thus changing the use from "Hotel, Motel or Hotel suites" to "Hotel, Residence". (Suite no. 137, 138, 139, 140, 142, 142, 143, 144,145, 146, 147, 148, 149, 150, 151,160, 161, 162, 163, 164, 165 and 185) These suites are suitable for long term occupancy. The remaining 46 rooms will remain as Motel suites. The facility also provides onsite maid & linen services, telephones and maintenance staff for the upkeep of the property.

Fergusons Motel provides very economical temporary lodging to the residents of city who are very much in need of short term lodging. Many of them do not even own a car and rely on public transportation.

The recession has really hurt the citizens of Vegas. The occupancy of the motel is down by 50%. Many people are looking for temporary lodging for a week or more. With the approval of the Special Use Permit, I will be better able to meet the requirements of our guests. I also feel that the motel is compatible with the surrounding neighborhood and will provide an environment of stable and desirable character consistent with the City & County's policies and regulations.

Looking forward for you cooperation.

RECEIVED
APR 09 2010

Sincerely,

Amarat R. Patel – President
Sonal Inc.
dba Fergusons Motel

SUP-37905

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

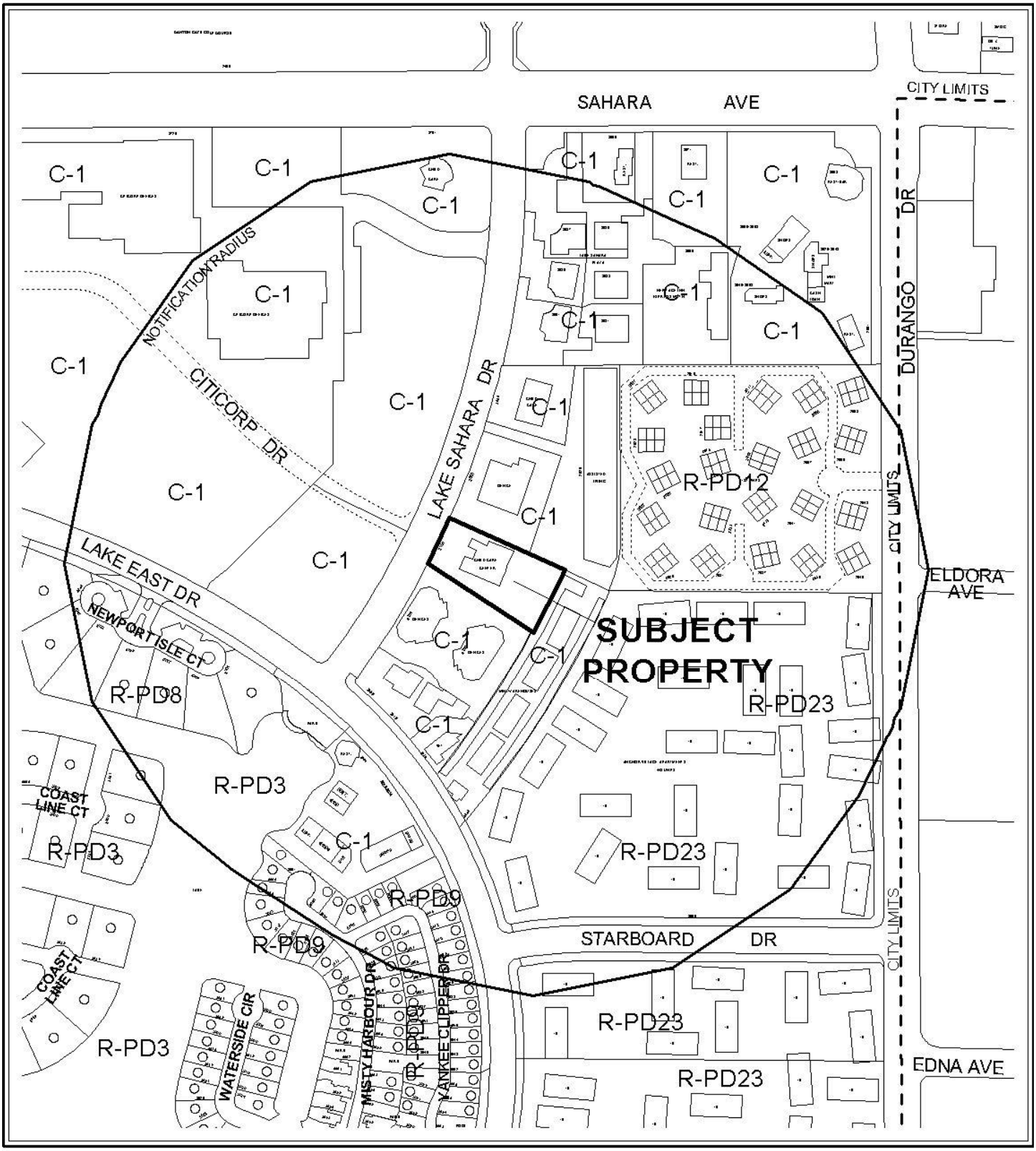
SUBJECT:
SUP-37922 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: AMERICAN EDUCATION GROUP - OWNER: MARY E. BULLARD REVOCABLE TRUST, ET AL - Request for a Special Use Permit FOR A 10,600 SQUARE-FOOT PRIVATE SCHOOL, PRIMARY at 2750 Lake Sahara Drive (APN 163-08-502-002), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL.

IF APPROVED, C.C.: 07/07/2010
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



0 300 600 Feet

CASE: **SUP-37922**

RADIUS: 1000 FT

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

N



0 300 600 Feet

CASE: **SUP-37922**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: AMERICAN EDUCATION GROUP
OWNER: MARY E. BULLARD REVOCABLE TRUST, ET AL

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-37922	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-37922 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Private School, Primary use.

2. Conformance to the approved conditions for Site Development Plan Review (Z-0113-87).

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

4. 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.

5. These Conditions of Approval shall be affixed to the cover sheet of the plan set submitted for building permit.

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

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a Private School, Primary use within an existing 10,680 square-foot building at 2750 Lake Sahara Drive. The proposed Private School, Primary use at this location provides adequate pick-up and drop-off areas, and meets the parking requirements. As the use can be conducted in a manner that is harmonious and compatible with existing neighboring land uses and meets the minimum Special Use Permit requirements of Title 19.04, staff recommends approval. If denied, a Private School, Primary use cannot be allowed to be located on this site.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
11/18/87	The City Council approved the Reclassification of Property (Z-0113-87) located on the northeast corner of Lake East Drive and Lake Sahara Drive, From: N-U (Non-Urban)(under Resolution of Intent to P-R), To: C-1(Limited Commercial), Proposed Use: Retail/Office/Restaurant/Commercial Storage Facility. Planning Commission and staff recommended approval.

Most Recent Change of Ownership	
08/13/04	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
02/08/88	A building permit (#8082) was issued for a Day Care Center at 2750 Lake Sahara Drive. The project was completed 06/07/88
06/08/99	A business license (N14-00019) was issued for a Nursery Center at 2750 Lake Sahara Drive. The license is inactive as of 05/12/09.

Pre-Application Meeting	
04/01/10	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for a Private School, Primary were discussed. The topics included: • The submittal of application materials, meeting dates, and deadlines were discussed at the pre-application meeting. • The revision of the site plan to include parking calculation for Private School, Primary use of three spaces per classroom. • The revision of the site plan to illustrate the adequacy of pick-up and drop-off areas on-site.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
04/22/10	Staff conducted a site visit and noted that the landscape buffer along the eastern side of the property is lacking sufficient trees and shrubs to meet code. The perimeter wall will need to be repainted due to graffiti removal paint not matching with the overall color of the wall.

Details of Application Request	
Site Area	
Net Acres	1.37

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Vacant	SC (Service Commercial)	C-1(Limited Commercial)
North	Residential Facility for Group (11 or more) / Dental Office	SC (Service Commercial)	C-1(Limited Commercial)
South	Office	SC (Service Commercial)	C-1(Limited Commercial)
East	Mini-Storage Facility	SC (Service Commercial)	C-1(Limited Commercial)
West	Parking/Vacant Lot	SC (Service Commercial)	C-1(Limited Commercial)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area		X	N/A
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		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	
Private School, Primary	10,680 SF or 11 classrooms	Three spaces per classroom	33		43		Y
TOTAL SPACES REQUIRED			33		43		Y
TOTAL (With Handicapped)			31	2	41	2	Y

ANALYSIS

The site was utilized as a Day Care Center until May 12, 2009 and the proposed Private School, Primary use will have no additions to the size of the building. The exterior of the building will be improved by re-striping and sealing the existing parking lot. During the site visit, staff had noted that the landscaping areas at the rear will need to be restored to their original condition. The perimeter wall has been repainted to cover up graffiti which does not match the color of the existing wall. The applicant had indicated the landscaping deficiencies on the justification letter and indicated that the landscaping will be restored to the original condition.

The floor plan submitted depicts the single story building as consisting of eleven classrooms and six offices. The front entrance is located on the west side of the building along with two separate doors to the east side of the building leading to an outdoor play area. The applicant has submitted a site plan detailing 43 parking spaces, while two parking stalls are ADA compliant per Title 19.10 standards. The minimum parking requirement for Private School, Primary use is three spaces per classroom; therefore, 33 parking spaces are required. The designated pick-up and drop-off area is located on the south side of the building. The proposed use will have minimal impact on the existing Commercial Center and surrounding neighborhood and meets the requirements set forth in Title 19; therefore, staff recommends approval of this request.

FINDINGS (SUP-37922)

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

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

   The proposed Private School, Primary 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 Private School, Primary will have minimal impact on the surrounding Commercial Center and neighborhood land uses.

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

   The proposed Private School, Primary use will locate within an existing building, which is physically suitable for the type and intensity of the land use proposed.

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

   The adjacent roadways are of adequate capacity: Lake East Drive and Lake Sahara Drive (80-foot wide Secondary Collectors) provide access to the overall Commercial Center. The roadway network has adequate capacity to serve the Private School, Primary.

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

   The proposed Private School, Primary will be consistent with the General Plan land use designation of SC (Service Commercial) and will not be inconsistent with nor compromise the public health, safety, welfare or overall objectives of the General Plan.

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

   The proposed use conforms to the Minimum Special Use Requirements for a Private School, Primary use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

NOTICES MAILED 535

APPROVALS 0

PROTESTS 0

RG

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-37922** APN: 163-08-502-002

Name of Property Owner: Security Financial Bancorp Inc - 50 Percent Ownership

Name of Applicant: American Education Group

Name of Representative: WESTAR Architects - Dee Frandsen

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 Heymann

Subscribed and sworn before me

This 28 day of April, 2010

_____

Notary Public in and for said County and State

SCOTT LEACH
Commission # 1833864
Notary Public - California
San Diego County
My Comm. Expires Jan 27, 2013

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-37922** APN: 163-08-502-002

Name of Property Owner: Mary E. Bullard Revocable Trust - 50 Percent Ownership

Name of Applicant: American Education Group

Name of Representative: WESTAR Architects - Dee Frandsen

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: Mary E. Bullard, Trustee

Print Name: MARY E. BULLARD, TRUSTEE

Subscribed and sworn before me

This _____ day of _____, 20____

_____

Notary Public in and for said County and State

SEE ATTACHMENT FOR OFFICIAL NOTARIZATION

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) 2750 Lake Sahara Drive, Las Vegas, Nevada 89117

Project Name American Education Group Lexis Prep School **Proposed Use** Private School

Assessor's Parcel #(s) 163-08-502-002 **Ward #** _____

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

Commercial Square Footage 10,600 **Floor Area Ratio** _____

Gross Acres 1.37 **Lots/Units** One **Density** 18% Lot Covergae

Additional Information Present use of building is a Day Care Center. SUP is for the change of use to a Private Preparatory School, grades K through 8

PROPERTY OWNER Security Financial Bancorp Inc **Contact** Richard Heymann

Address P O Box 9704 **Phone:** (858) 756-1005 **Fax:** (858) 756-3038

City Rancho Santa Fe **State** CA **Zip** 92067-4704

E-mail Address heymann@cox.net

APPLICANT American Education Group **Contact** Mike VanDinther

Address 25 Ionia Avenue SW, Suite 400 **Phone:** (616) 301-1221 **Fax:** (616) 301-1224

City Grand Rapids **State** MI **Zip** 49503

E-mail Address mvandinther@americanedgroup.com

REPRESENTATIVE WESTAR Architects **Contact** Dee Frandsen

Address 701 Bridger Avenue, Suite 400 **Phone:** (702) 878-0000 **Fax:** (702) 878-8430

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

E-mail Address dfrandsen@wagnarchitects.com

Property Owner Signature* _____ pwo

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

Print Name Richard Heymann

Subscribed and sworn before me

This 28 day of April, 2010.

_____

Notary Public in and for said County and State

SCOTT LEACH
Commission # 1833864
Notary Public - California
San Diego County
My Comm. Expires Jan 27, 2013

FOR DEPARTMENT USE ONLY

Case #	SUP-37922
Meeting Date:	5/27/10
Total Fee:	$1030
Date Received:*	5/4/10 (Revised)
Received By:	Romeo

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

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

Revised 10/27/08

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) 2750 Lake Sahara Drive, Las Vegas, Nevada 89117

Project Name American Education Group Lexis Prep School **Proposed Use** Private School

Assessor's Parcel #(s) 163-08-502-002 **Ward #** _____

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

Commercial Square Footage 10,600 **Floor Area Ratio** _____

Gross Acres 1.37 **Lots/Units** One **Density** 18% Lot Covergae

Additional Information Present use of building is a Day Care Center. SUP is for the change of use to a Private Preparatory School, grades K through 8

PROPERTY OWNER Mary E. Bullard Revocable Trust **Contact** Mary Bullard

Address 2685 Piantino Circle 1 **Phone:** (619) 284-0900 **Fax:** _____

City San Diego **State** CA **Zip** 92108

E-mail Address mbullard@san.rr.com

APPLICANT American Education Group **Contact** Mike VanDinther

Address 25 Ionia Avenue SW, Suite 400 **Phone:** (616) 301-1221 **Fax:** (616) 301-1224

City Grand Rapids **State** MI **Zip** 49503

E-mail Address mvandinther@americanedgroup.com

REPRESENTATIVE WESTAR Architects **Contact** Dee Frandsen

Address 701 Bridger Avenue, Suite 400 **Phone:** (702) 878-0000 **Fax:** (702) 878-8430

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

E-mail Address dfrandsen@wagnarchitects.com

Property Owner Signature* Mary E. Bullard, Trustee

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

Print Name MARY E. BULLARD, TRUSTEE

Subscribed and sworn before me

This _____ day of _____, 20 _____.

_____

Notary Public in and for said County and State

SEE ATTACHMENT FOR OFFICIAL NOTARIZATION

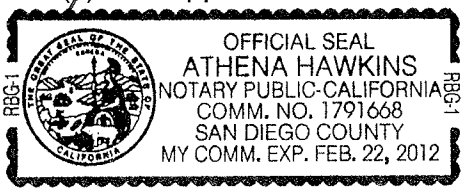
FOR DEPARTMENT USE ONLY

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.

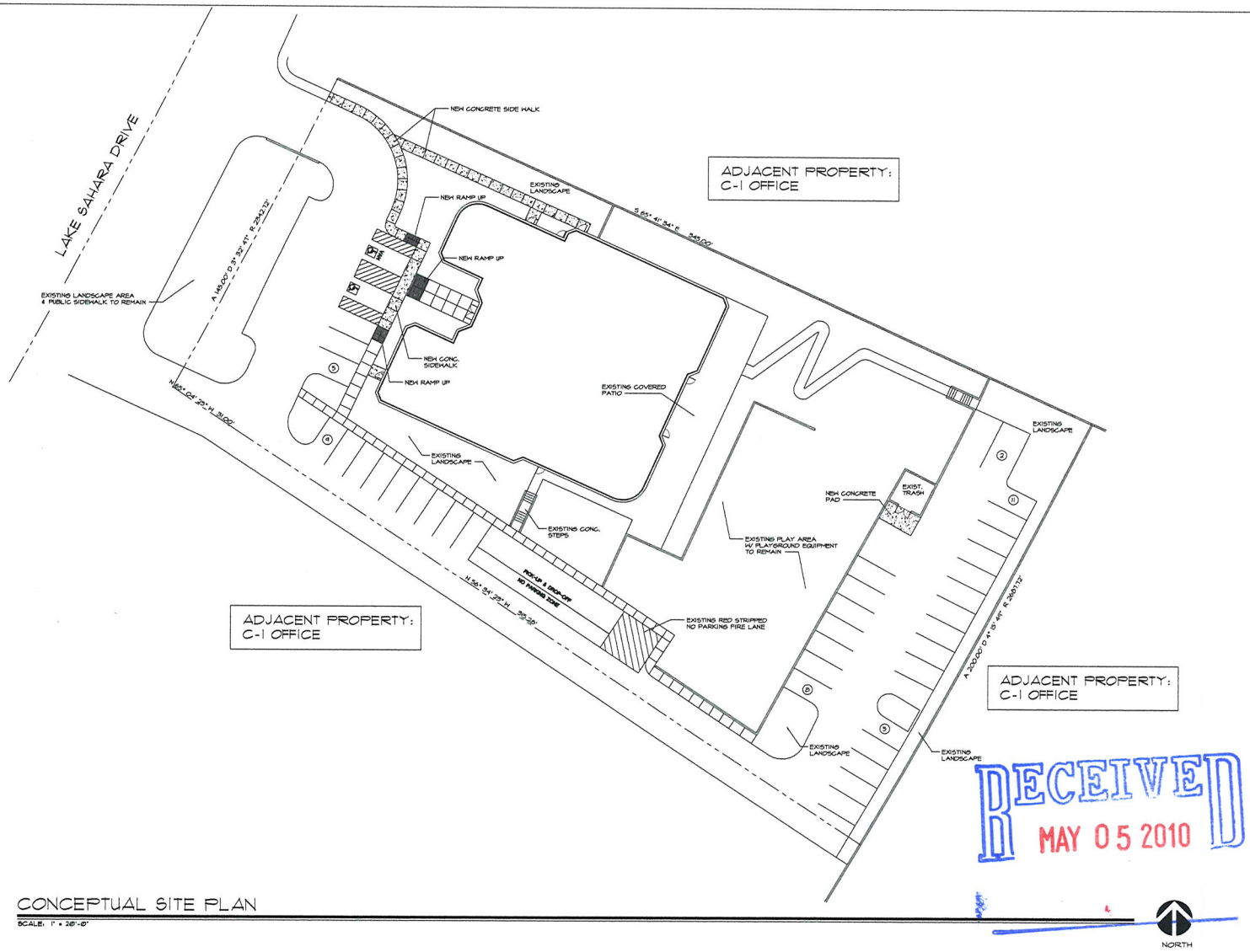
State of California
County of San Diego

Subscribed and sworn to (or affirmed) before me on this 28th day of April, 2010, by Mary E. Bullard, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.



(Seal)

Signature _____



CONCEPTUAL SITE PLAN

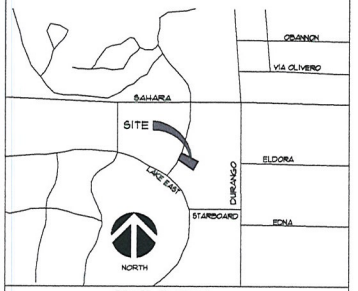
SCALE: 1" = 20'-0"

RECEIVED
MAY 05 2010

VICINITY MAP



LOCATION MAP



SITE DATA

TOTAL SITE AREA:	1.37 ACRES
ZONING:	LIMITED COMMERCIAL DISTRICT (C-1)
OCCUPANCY CLASSIFICATION:	E (EDUCATIONAL GROUP)
LANDSCAPING:	NO CHANGE
STREET ACCESS:	EXISTING
SETBACKS:	APPROVED BY EXISTING NO CHANGE
PARKING:	PARKING REQUIRED PER TITLE 19.04 LAND USE TABLE 3 PARKING SPACES PER CLASSROOM 11 CLASSROOMS x 3 = 33 SPACES REQ. PROVIDED - 38 STANDARD 1 ACCESSIBLE 1 VAN TOTAL 40 SPACES
BUILDING SIZE:	+/- 10,680 SQ. FT.

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WESTAR
WESTAR Architectural Group/Nevada, Inc.
ARCHITECTURE • PLANNING • INTERIOR DESIGN
701 Bridger Avenue, Las Vegas, NV 89101 ph 702.878.2000 fax 702.878.6430

A REMODEL FOR:
AMERICAN EDUCATION GROUP
LEXIS PREPARATORY SCHOOL LAS VEGAS
2750 LAKE SAHARA DRIVE
LAS VEGAS, NEVADA 89117

SUP-37922
REVISED

A1 - SITE PLAN

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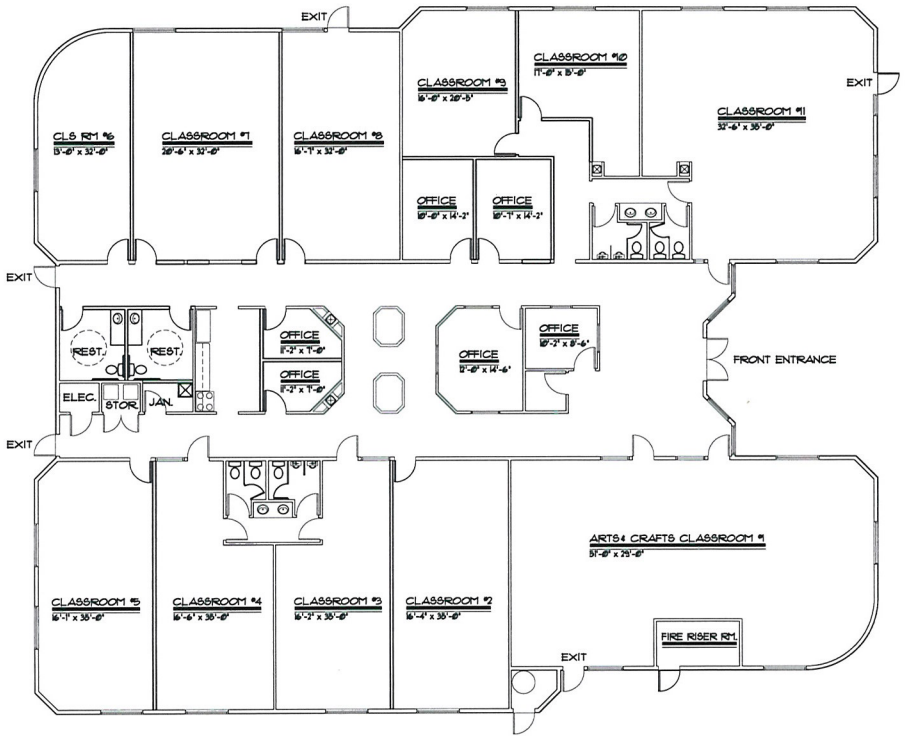


CONCEPTUAL FLOOR PLAN

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

NORTH

WESTAR
WESTAR Architectural Group/Nevada, Inc.
ARCHITECTURE • PLANNING • INTERIOR DESIGN
701 Bridger Avenue, Las Vegas, NV. 89101 ph 702.878.0200 fax 702.878.8430

RECEIVED
APR 12 2010

A REMODEL FOR:
AMERICAN EDUCATION GROUP
LEXIS PREPARATORY SCHOOL LAS VEGAS
2750 LAKE SAHARA DRIVE
LAS VEGAS, NEVADA 89117

DR2 - FLOOR PLAN

SUP-37922



SUP-37922 - APPLICANT: AMERICAN EDUCATION GROUP - OWNER: MARY BULLARD REVOCABLE TRUST, ET AL
2750 LAKE SAHARA DRIVE

04/22/10



SUP-37922 - APPLICANT: AMERICAN EDUCATION GROUP - OWNER: MARY BULLARD REVOCABLE TRUST, ET AL
2750 LAKE SAHARA DRIVE

04/22/10



SUP-37922 - APPLICANT: AMERICAN EDUCATION GROUP - OWNER: MARY BULLARD REVOCABLE TRUST, ET AL
2750 LAKE SAHARA DRIVE

04/22/10



SUP-37922 - APPLICANT: AMERICAN EDUCATION GROUP - OWNER: MARY BULLARD REVOCABLE TRUST, ET AL
2750 LAKE SAHARA DRIVE

04/22/10



SUP-37922 - APPLICANT: AMERICAN EDUCATION GROUP - OWNER: MARY BULLARD REVOCABLE TRUST, ET AL
2750 LAKE SAHARA DRIVE

04/22/10



SUP-37922 - APPLICANT: AMERICAN EDUCATION GROUP - OWNER: MARY BULLARD REVOCABLE TRUST, ET AL
2750 LAKE SAHARA DRIVE

04/22/10

Architecture
Interior Design
WESTAR
ARCHITECTS

April 12, 2010

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

RE: American Education Group
Lexis Preparatory School
2750 Lake Sahara Drive
Las Vegas, Nevada 89117
APN 163-08-502-002

To Whom It May Concern,

Please accept this letter as justification for the above referenced property.
Our client, American Education Group of Grand Rapids, Michigan is seeking to purchase the 'Mini-Skool' Day Care Center located at 2750 Lake Sahara Drive, Las Vegas, Nevada.
Our client is requesting a Special Use Permit to change the property referenced above from a day care center to a private school with grades K through 8.

The existing building will be brought up to current codes.
There will be no additions to the size of the building.

Exterior improvements will include re-stripe and seal existing parking lot. Add required accessible parking spaces with accessible aisles and accessible ramps as required.
The dead landscaping located at the East parking lot will be removed and replaced with trees and plants as required by City of Las Vegas, Title 19 Zoning Code.
Exterior walls will be repaired as necessary and repainted colors to match or complement surrounding buildings.

Interior improvements will include the installation of an Automatic Fire Sprinkler System.
Remodel of existing restrooms to make ADA compliant and up-grade all plumbing fixtures.

RECEIVED
APR 12 2010

SUP-37922

3900 Meadows Lane suite, 220 Las Vegas, NV., 89107 phone: 878.0000 fax: 878.8430 email: info@wagnarchitects.com

Building Area = 10,600 square feet

Parking Requirements per Title 19.04 'Land Use Table'

3 Parking Spaces per Classroom.
11 Classrooms x 3 spaces = 33 Parking Spaces are required.
43 Parking Spaces are provided.
Pick-Up and Drop-Off Area shown on Site Plan (66'-0" x 18'-0"), located on South side Parking Area.

Thank you for your consideration in this matter.

Yours truly,
WESTAR Architects

Dee Frandsen
Project Manager

RECEIVED
APR 12 2010

SUP-37922

3900 Meadows Lane suite, 220 Las Vegas, NV., 89107 phone: 878.0000 fax: 878.8430 email: info@wagnarchitects.com

City of Las Vegas Agenda Item No.: **16.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

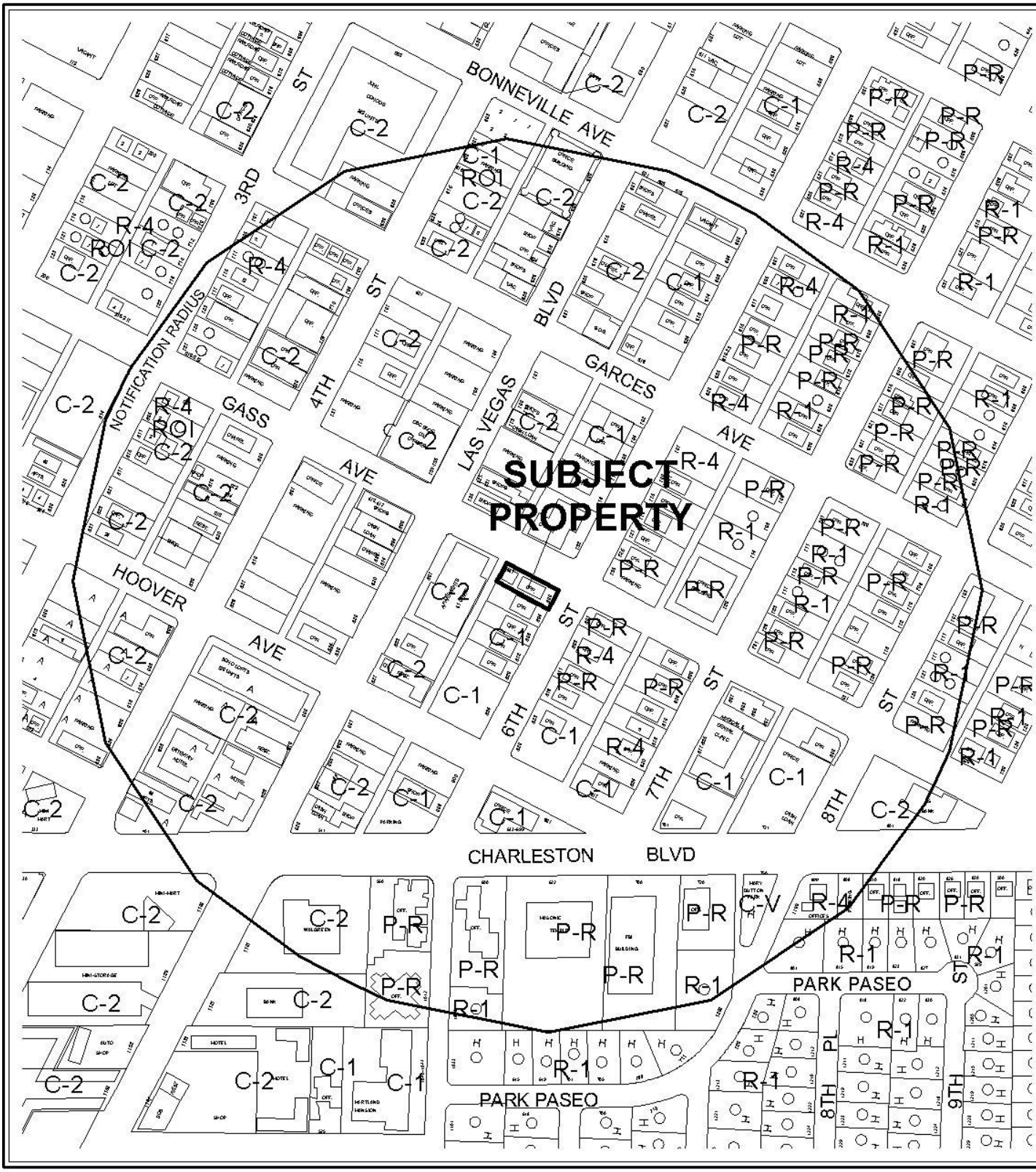
SUBJECT:
SUP-37937 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ALL STAR BAIL BONDS, INC. - OWNER: LSH, LP - Request for a Special Use Permit FOR A PROPOSED 1,807 SQUARE-FOOT BAILBOND SERVICE at 800 South 6th Street (APN 139-34-410-194), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.

IF APPROVED, C.C.: 07/07/2010
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



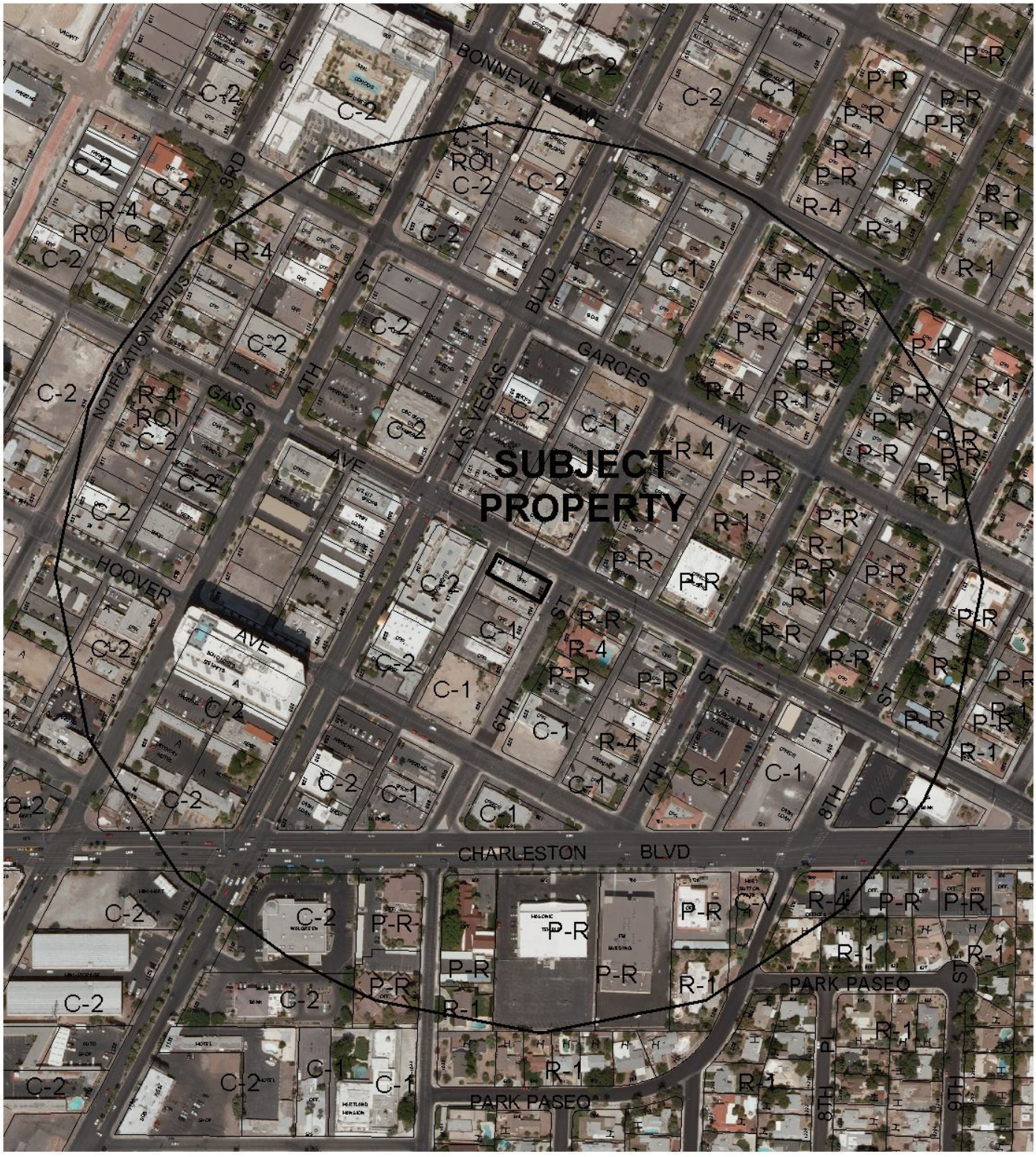
0 300 600 Feet

CASE: **SUP-37937**

RADIUS: 1000 FT

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

N



0 300 600 Feet

CASE: **SUP-37937**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: SHAWN W. MAYFIELD - OWNER: LSH, LP

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-37937	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-37937 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for Bail bond Service 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. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. One van accessible handicapped parking space in conformance with Title 19.10 and the site plan date stamped 04/21/10 shall be provided at the subject site.

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

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a 1,807 square-foot Bailbond Service use at 800 South 6th Street. The site is accessed from Gass Avenue, and an alley. Two office buildings exist on the subject site, which total 2,828 square feet; the proposed Bailbond Service use will be located in the east building, which is located adjacent to 6th Street. The proposed Bailbond Service use complies with all Title 19.04 requirements and can be conducted in a compatible manner with the surrounding development and land uses; therefore staff recommends approval. If the Special Use Permit is denied, the building will remain vacant.

ISSUES

- The site is parking impaired, per Title 19.10. The proposed use of the site for a Bailbond Service will not result in any increase of the parking requirement for the site.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc
No applicable cases apply to this property.

Most Recent Change of Ownership	
09/16/93	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
c.1945	The structures were built.
03/02/00	A business license (Q13-00791) was issued for a Law Firm at 551 Gass Avenue. The license is still active.
04/27/01	A building permit (#01007390) Certificate of Occupancy was issued for an addition of 229 square-foot of office space at 800 South 6th Street. The permit was finaled 06/19/01.
02/11/02	A business license (M21-00634) was issued for a Merchandise Broker at 800 South 6th Street. The license was marked out of business 03/13/09.
02/05/10	A business license (B20-01777) was issued for a Tax and Legal Support service at 551 Gass Avenue. The license is still active.
02/11/10	A business license (Q13-01298) was issued for a Law Firm at 551 Gass Avenue. The license is still active.

Pre-Application Meeting	
03/29/10	A pre application meeting was held with the applicant where the submittal requirements for a Special Use Permit were discussed. Topics included: • Revise the Site Plan to show the correct setbacks. • Six parking spaces are located in the Right-of-Way and cannot be counted towards onsite parking. Revise the Site Plan to eliminate these spaces from the parking table.

Neighborhood Meeting
A neighborhood meeting was neither required nor held.

Field Check	
04/22/10	There are two existing buildings on the subject site, with an unscreened trash dumpster, an unpermitted banner at 551 Gass Avenue, and a few weeds growing along the alley.

Details of Application Request	
Site Area	
Net Acres	0.16

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Office	MXU (Mixed-Use)	C-1 (Limited Commercial)
North	Office	MXU (Mixed-Use)	C-1 (Limited Commercial)
South	Office	MXU (Mixed-Use)	C-1 (Limited Commercial)
East	Office	C (Commercial)	P-R (Professional Offices and Parking) R-4 (High Density Residential)
West	Apartments	MXU (Mixed-Use)	C-2 (General Commercial)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area			
Downtown Centennial Plan	X		Y

JG

Special Purpose and Overlay Districts	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts			
Downtown Centennial Plan Overlay District - (Downtown South)	X		Y
Live/Work Overlay District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
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	
Office, Other than Listed	1,021 Square Feet	1:300 SF	4		1		N
BailBond Service	1,807 Square Feet	1:300 SF	6		2		N
TOTAL SPACES REQUIRED			10		3		N
TOTAL (With Handicapped)			9	1	2	1	N

ANALYSIS

This is a request for a Special Use Permit to allow a Bailbond Service use in a 1,807 square-foot building located at 800 South 6th Street. A Bailbond Service use is defined by Title 19.20.020 as "an establishment that makes available to the public undertakings of bail in connection with judicial proceedings." The subject site is located in close proximity to various courthouse and correctional facilities.

The proposed Bailbond Service use requires approval of a Special Use Permit within a C-1 (Limited Commercial) zoning district. There are no minimum Special Use Permit requirements for a Bailbond Service use. If approved, the subject application for a Special Use Permit would fulfill that requirement. The proposed Bailbond Service use meets all applicable Title 19.04 requirements and can be conducted in a manner that is compatible with surrounding uses. Therefore, staff is recommending approval of the subject Special Use Permit.

FINDINGS (SUP-37937)

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

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

   The proposed use is compatible with the neighboring commercial and future land uses proposed by the General Plan. Similar uses are located on adjacent properties and within the Downtown Centennial Plan area.

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

   The proposed Bailbond Service use will be located within an existing office building, which is vacant. The proposed use is appropriate in the subject C-1 (Limited Commercial) zoning designation and is consistent with other Bailbond Service 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 Gass Avenue, an 80-foot Local Street. An alley also provides access to the site. The alley is located adjacent to the west property line. Gass Avenue has sufficient capacity 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.**

   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 proposed Bailbond Service use meets all applicable requirements as set forth pursuant to Title 19.04 requirements, as conditioned.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 21

NOTICES MAILED 321

APPROVALS 0

PROTESTS 0

JG

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-37937** APN: 139-34-410-194

Name of Property Owner: LSH

Name of Applicant: ALL STAR BONDING, INC.

Name of Representative: LEA ENGINEERING

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: _____ TRUSTEE

Print Name: STEPHEN HAMPE - TRUSTEE FOR LSH

Subscribed and sworn before me

This 6th day of May, 20 10

Wendy Whitmore

Notary Public in and for said County and State

WENDY WHITMORE
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 09-7-2011
Certificate No: 96-3006-1

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: SPECIAL USE PERMIT

Project Address (Location) 551 GASS AVE

Project Name ALL STAR BAILBOND **Proposed Use** _____

Assessor's Parcel #(s) 139-34-410-194 **Ward #** _____

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

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

Gross Acres 0.16 **Lots/Units** 1 **Density** 6.25

Additional Information _____

PROPERTY OWNER LSH **Contact** STEPHEN HAMPE

Address P.O. BOX 60933 **Phone:** (702) 210-7614 **Fax:** _____

City BOULDER CITY **State** NV **Zip** 89006-0933

E-mail Address _____

APPLICANT ALL STAR BONDING INC. **Contact** SEAYNOAH MAYFIELD

Address 2414 HIGH VISTA DR **Phone:** (702) 327-7661 **Fax:** _____

City HENDERSON **State** NV **Zip** 89014

E-mail Address _____

REPRESENTATIVE LEA ENGINEERING **Contact** PETYA BALOVA

Address 823 LAS VEGAS BLVD. SOUTH, #500 **Phone:** (702) 682-1706 **Fax:** _____

City LAS VEGAS **State** NV **Zip** 89101

E-mail Address petya@lea-engineering.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 STEPHEN HAMPE - TRUSTEE FOR LSH

Subscribed and sworn before me

This 6th day of May, 20 10.

Wendy Whitmore

Notary Public in and for said County and State

WENDY WHITMORE
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 09-7-2011
Certificate No: 96-3006-1

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SUP-37937
Meeting Date:	5/27/10
Total Fee:	$1030.00
Date Received:*	5/10/10
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.

GRAPHIC SCALE

(IN FEET)
1 inch = 20 ft.

BASIS OF BEARING

NORTH 89° 52' 34" WEST – THE CENTER LINE OF GASS STREET, AS SHOWN ON PLAT BOOK 1, PAGE 51, CLARK COUNTY RECORDS, NEVADA.

LEGAL DESCRIPTION

A PORTION OF THE SOUTH HALF OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 34, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., MORE PARTICULARLY DESCRIBED AS LOT 31 AND LOT 32, OF BLOCK 20 OF SOUTH ADDITION SUBDIVISION, AS RECORDED IN BOOK 1 OF PLATS, PAGE 51, CLARK COUNTY, NEVADA OFFICIAL RECORDS.

FLOOD ZONE INFORMATION

THIS PROPERTY IS LOCATED IN A FLOOD ZONE DESIGNATED "ZONE X", DESIGNATED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN PER FEMA FLOOD INSURANCE RATE MAP NO. 32003C2170, CLARK COUNTY, NEVADA AND INCORPORATED AREAS, DATED SEPTEMBER 27, 2002.

ZONING REQUIREMENTS

ZONING CLASSIFICATION: C-1
LAND USE PLAN: MIXED USE

OWNER

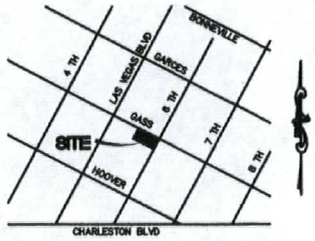
LSH
PO BOX 60633
BOULDER CITY
NV 89006-0633

APN 139-34-410-194

AREA: 0.16 ACRES NET

PARKING SPACES

REQUIRED: ONE SPACE FOR EACH 300 SQUARE FEET OF GROSS FLOOR AREA
2,828 SQ. FT. TOTAL AREA
REQUIRED: 10 SPACES
PROVIDED: 9 ON-SITE SPACES
(1 HC SPACE)



VICINITY MAP
N.T.S.

LEGEND

- RIGHT-OF-WAY LINE
- STREET CENTERLINE
- CURB AND GUTTER
- EXISTING BLOCK WALL
- EXISTING BUILDING
- LOT LINE
- EXISTING STREET LIGHT
- POWER POLE
- SIGN
- FIRE HYDRANT
- APN ASSESSOR'S PARCEL NUMBER
- R/W RIGHT OF WAY
- SQ. FT. SQUARE FEET
- TRASH DUMPSTER
- CONCRETE AREA
- ADA ACCESS

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APR 21 2010

SUP-37937
REVISED

NO	DATE	BY	REVISION
1	3/29/10	PB	PER STAFF COMMENTS
2	4/21/10	PB	PER STAFF COMMENTS

LEA
LAND ENGINEERING ASSOCIATES
9979-B Charleston Blvd
Las Vegas, NV 89117
Phone: 702-341-1040
www.LEAengineering.com

ALLSTAR BAIL BONDS
SITE PLAN

800 SOUTH 6TH AVE
LAS VEGAS, NEVADA

DESIGNED BY: PB
CHECKED BY: PB
DATE: 03/29/10
JOB #: 10-003
APN: 139-34-410-194
SECTION 34 T 20S R 61E
SCALE: 1" = 20'

SHEET #
SP
1 OF 1



RECEIVED
APR 13 2010
SUP-37937

April 12, 2010

City Las Vegas
Planning and Zoning Department
823 South 4th Avenue
Las Vegas, NV 89101

Re: LETTER OF INTENT FOR A SPECIAL USE PERMIT
APN 139-34-410-194

The purpose of this letter is to request a Special Use Permit, on behalf of the owner, for a bailbond service in a 1,807 building, on an area of 0.44 acres net, located at 800 South Sixth Street. The Assessor's Parcel Number is 139-34-410-194. Bailbond service is defined as an establishment that makes available to the public undertakings of bail in connection with judicial proceedings.

The property is currently zoned C-1 (Limited Commercial District). Bailbond service requires a Special Use Permit application. The Future Land Use map shows the property in the Mixed Use planning area. The C-1 District is consistent with the Service Commercial and the Neighborhood Center categories of the General Plan.

The property consists of two office buildings, one 1,021-square foot one-story building, and a 1,807-square foot building. There are currently six on-site parking spaces. The parcel is fully improved and no construction is proposed at this time. The parcel borders Gass Avenue and Sixth Street, which are fully improved public streets with curb, gutter and sidewalk. There is an existing 6-foot CMU block wall along the southerly property line. The buildings height is approximately 14 feet. There are 3-foot wide planters along the northerly and the easterly face of the buildings.

The bailbonding service, All Star Bail Bonds, Inc. will occupy the existing 1,807-square foot building. The company will have eight full time licensed employees. The office will be open seven days a week, 24 hours a day.

Currently, All Star Bail Bonds, Inc. is licensed in the State of Nevada, and has the following four locations:

- 501 South First Street, City of Las Vegas, which the company is required to vacate, due to proposed CLV Public Works street improvements
- 223 Water Street, City of Henderson
- 1852 Civic Center Drive, City of North Las Vegas, and
- Laughlin

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APR 15 2010

SUP-37937

823 Las Vegas Blvd. So., #500 Las Vegas, NV 89101 Office: 702.385.3343 Fax: 702.385.2899

The proposed use will not be detrimental to the health, safety or welfare of the community, nor will cause additional traffic congestion. This use is compatible with the existing uses of the surrounding businesses, and it will not affect the value of the surrounding properties.

If you require further information, please feel free to contact me at (702) 682-1706.

Sincerely,

Petya Balova, P.E.

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APR 13 2010

SUP-37937

823 Las Vegas Blvd. So., #500 Las Vegas, NV 89101 Office: 702.385.3343 Fax: 702.385.2899

City of Las Vegas Agenda Item No.: **17.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

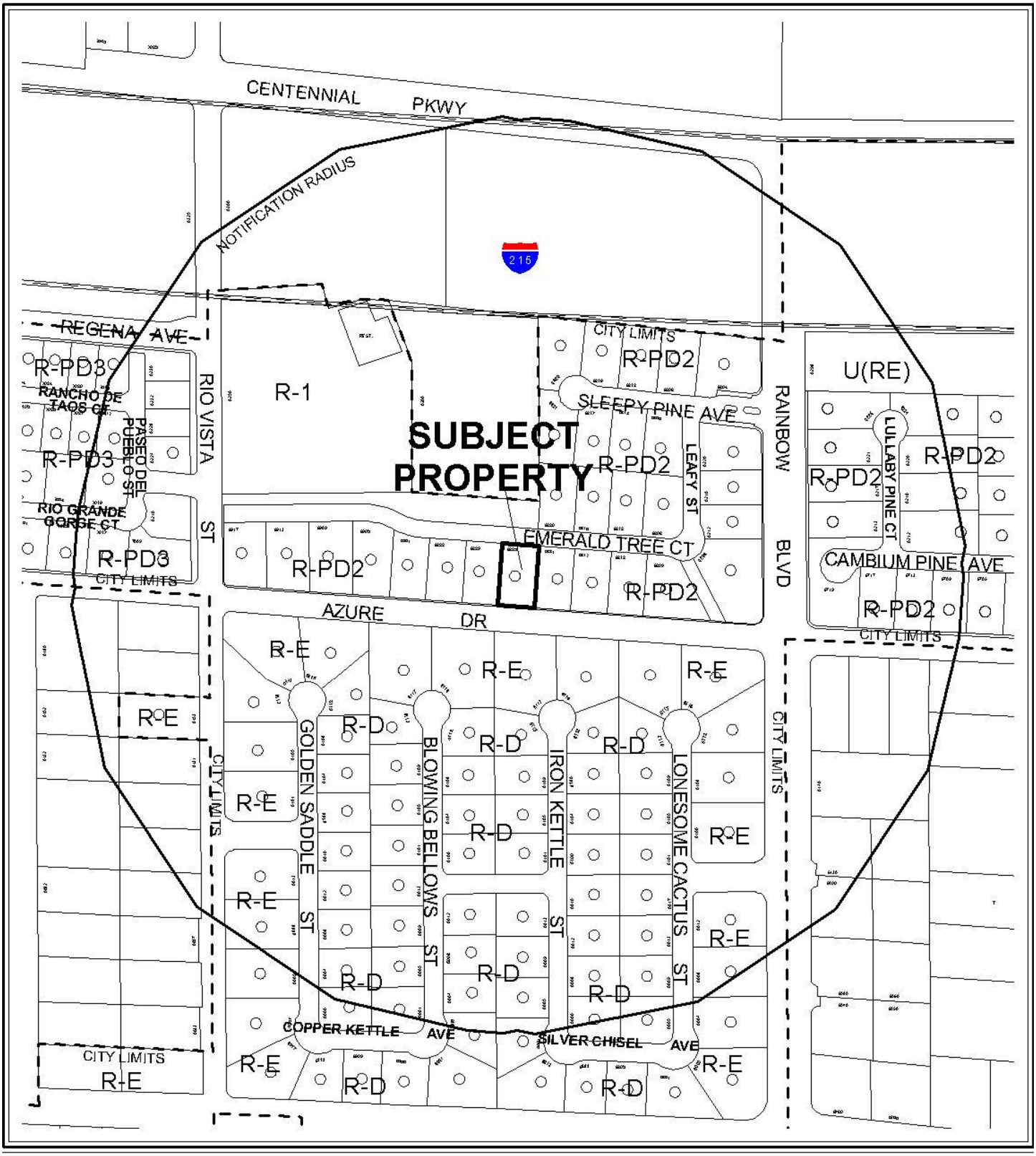
SUBJECT:
SUP-37939 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: ROBERT AND MARY GRACE AMATO - Request for a Special Use Permit FOR A PROPOSED 600 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS I) at 6825 Emerald Tree Court (APN 125-27-510-021), R-PD2 (Residential Planned Development - 2 Units Per Acre) Zone, Ward 6 (Ross). Staff recommends APPROVAL.

IF APPROVED, C.C.: 07/07/2010
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



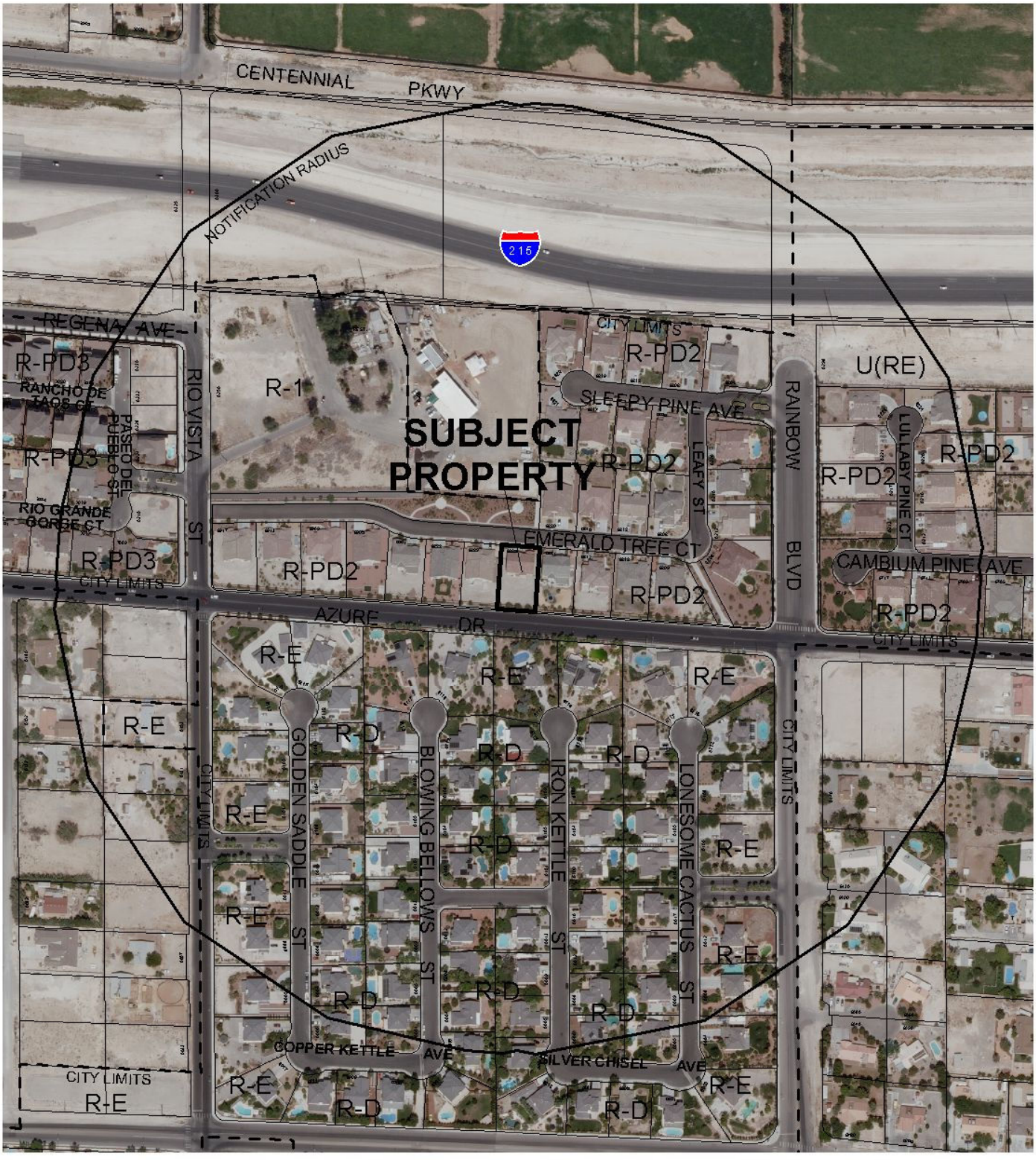
0 300 600 Feet

CASE: **SUP-37939**

RADIUS: 1000 FT

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

N



0 300 600 Feet

CASE: **SUP-37939**

RADIUS: 1000 FT

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

N

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-37939** APN: 125-27-510-021

Name of Property Owner: Robert & MARY GRACE AMATO

Name of Applicant: Robert Amato & Mary Amato

Name of Representative: Robert Amato

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Robert Amato

Subscribed and sworn before me

This 19th day of March, 2010

Bonnie Furnell

Notary Public in and for said County and State

Bonnie Furnell
Notary Public
State of Nevada
Date Appointment Exp: 12-12-2010
Certificate No: 07-1682-1

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APR 13 2010

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Robert & MARYGRACE AMATO

Project Address (Location) 6825 EMERALD TREE COURT LV. NV. 89130-7908

Project Name AMATO GUEST HOUSE **Proposed Use**

Assessor's Parcel #(s) 125-27-510-021 **Ward #** 6

General Plan: existing _____ proposed _____ **Zoning:** existing R-PD2 proposed _____

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

Gross Acres 0.28 **Lots/Units** 21 **Density** _____

Additional Information _____

PROPERTY OWNER Robert & MARY GRACE AMATO **Contact** (702) 355-8372

Address 6825 EMERALD TREE COURT **Phone:** 355-8372 **Fax:** _____

City LAS VEGAS **State** NV **Zip** 89130

E-mail Address THE BUILDER 911 @ HOTMAIL.COM

APPLICANT Robert & MARYGRACE AMATO **Contact** _____

Address 6825 EMERALD TREE COURT **Phone:** 355-8372 **Fax:** _____

City LAS VEGAS **State** NV **Zip** 89130

E-mail Address THE BUILDER 911 @ HOTMAIL.COM

REPRESENTATIVE Robert AMATO **Contact** _____

Address 6825 EMERALD TREE COURT **Phone:** 355-8372 **Fax:** _____

City LAS VEGAS **State** NV. **Zip** 89130

E-mail Address THE BUILDER 911 @ HOTMAIL.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 Robert Amato

Subscribed and sworn before me

This 19th day of March, 2010.

Bonnie Funnell

Notary Public in and for said County and State

Bonnie Funnell
Notary Public
State of Nevada
Date Appointment Exp: 12-12-2010
Certificate No: 07-1682-1

Revised 10/27/08

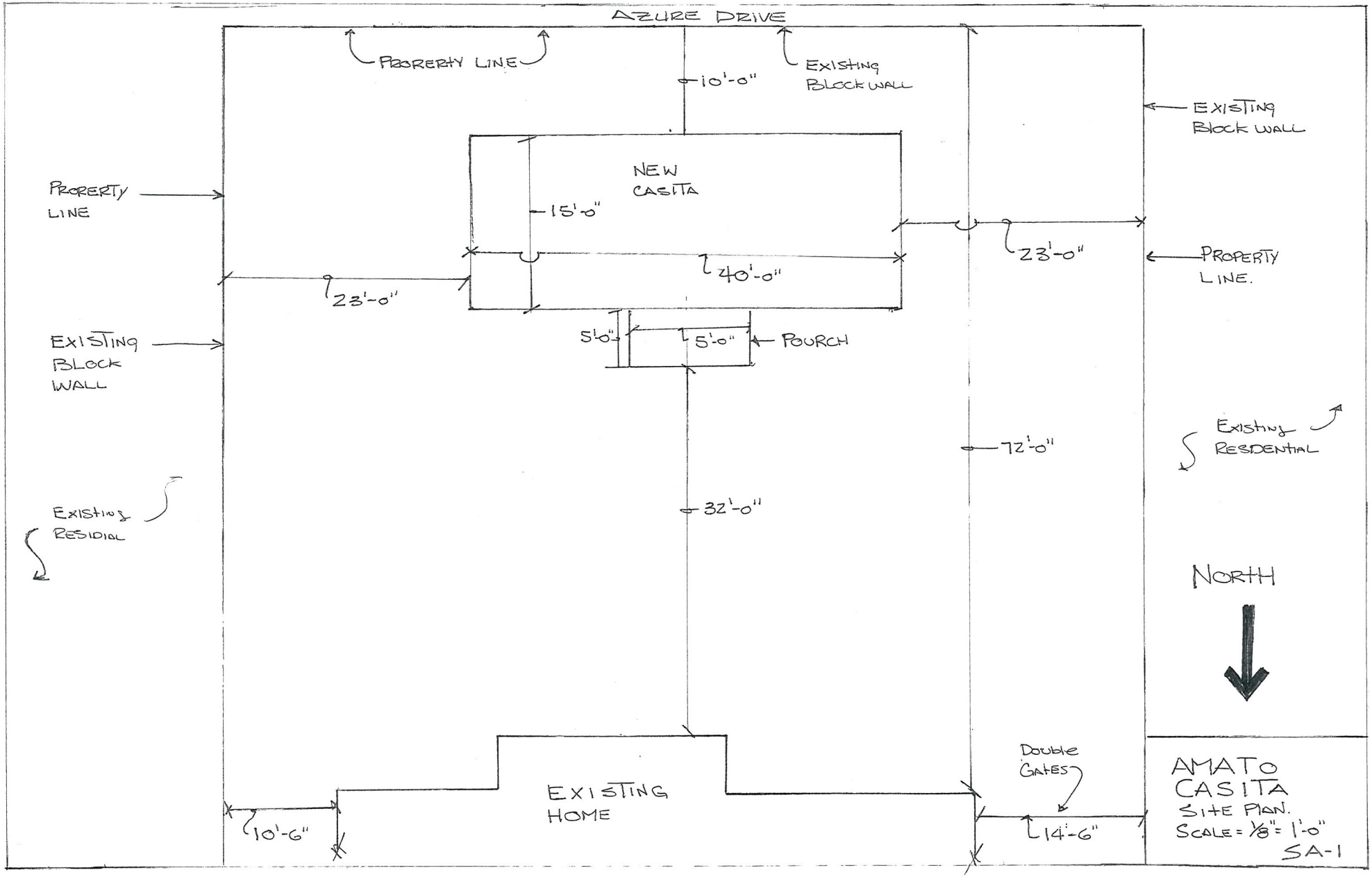
FOR DEPARTMENT USE ONLY

Case #	SUP-37939
Meeting Date:	05/27/10
Total Fee:	$1030.00
Date Received:*	04/13/10
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.

RECEIVED
APR 13 2010

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



EMERALD TREE COURT.

SUP-37939

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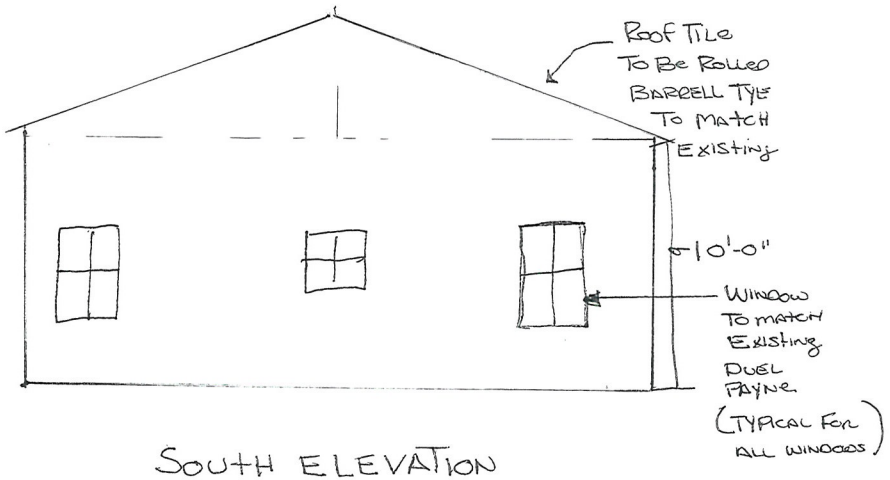
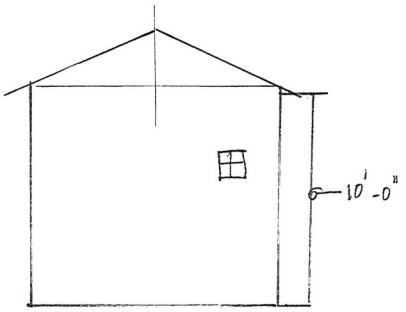
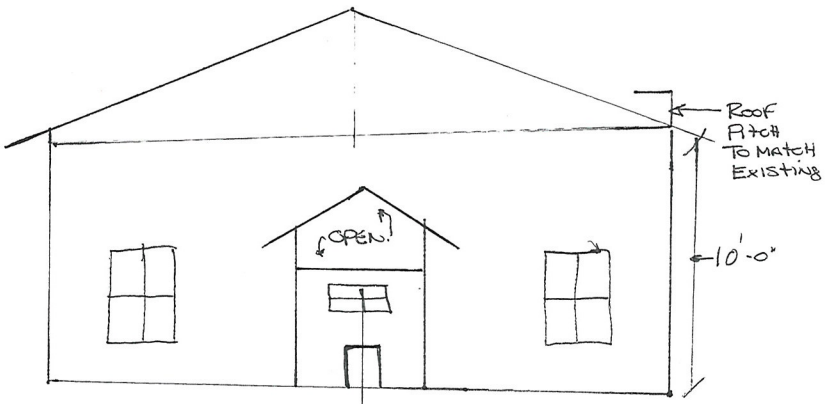
APR 1 5 2010



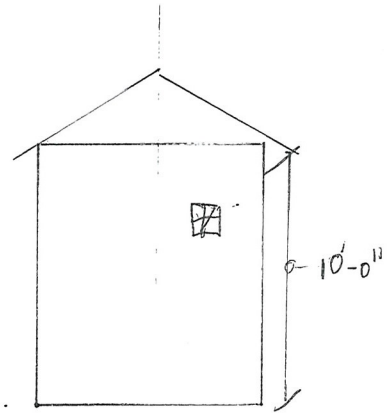
South Elevation



East Elevation.



North Elevation



West Elevation.

Blue
Notes:

Building
To be Wood
Frame

(3) Part Stucco
over Lath.

Color To
Match Existing
Home.

Window To Be
Duel Payne
Style To Match
Existing
Home.

Roof Tile
& Pitch To
Match Existing

North.

AMATO
CASTIA
Scale = 1/8" = 1'-0"

A-1

SUP-37939

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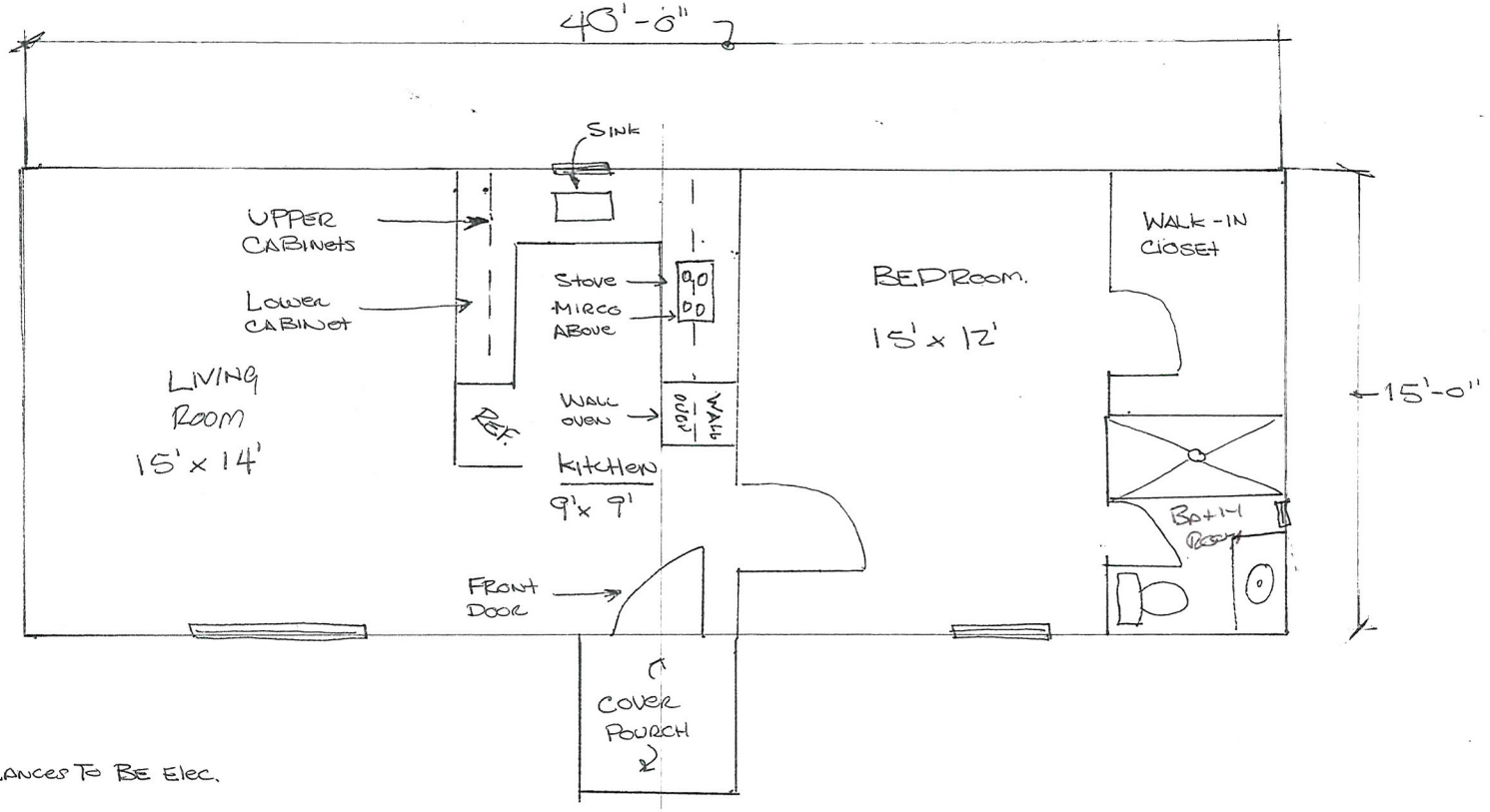
APR 13 2010



NOTES:

1) ALL APPLIANCES TO BE ELEC.
2) ALL EXISTIOR FINISH TO MATCH EXISTING HOME.
3) HEIGHT NOT TO EXCESS 15'-0"

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

TOTAL SQFT = 600±

AMATO
CASITA
FLOOR PLAN
SCALE 1/4" = 1'-0"
A-2

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APR 13 2010
SUP-37939


SUP-37939



SUP-37939 - APPLICANT/OWNER: ROBERT AND MARY GRACE AMATO
6825 EMERALD TREE COURT

04/22/10



SUP-37939 - APPLICANT/OWNER: ROBERT AND MARY GRACE AMATO
6825 EMERALD TREE COURT

04/22/10



SUP-37939 - APPLICANT/OWNER: ROBERT AND MARY GRACE AMATO
6825 EMERALD TREE COURT

04/22/10

March 18 2010

Robert Amato
6825 Emerald Tree Ct.
Las Vegas, NV 89130

Dear Sir or Madam,

This letter is being written regarding the Amato Purposed guest house located at 6825 Emerald Tree ct in Las Vegas Nevada, with in the county of Clark and the APN being 125-27-510-021. We would like to build this guest house, so that when our elderly parents and relatives come to visit they can have a space of their own that does not consist of going up and down stairs, because all of our bedrooms are up stairs and they can are not able to fluidly maneuver the stairs because of their age.

Thank you for your consideration.



Robert Amato

RECEIVED
APR 13 2010
SUP-37939

City of Las Vegas Agenda Item No.: **18.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

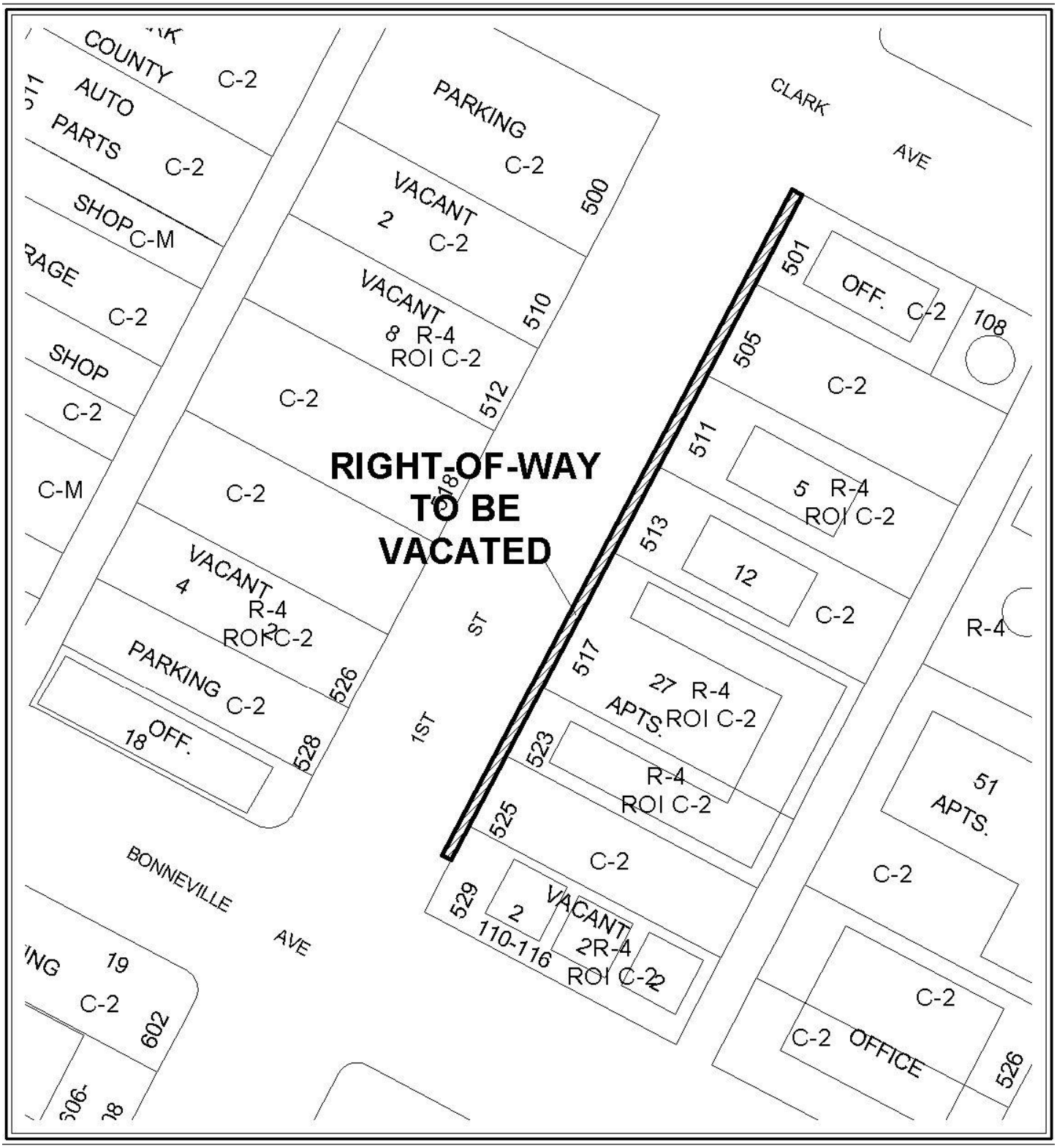
SUBJECT:
VAC-37884 - VACATION - PUBLIC HEARING - APPLICANT: FC VEGAS 39, LLC - OWNER: FC VEGAS 39, LLC, ET AL - Petition to Vacate the east six feet of public right-of-way commonly known as First Street and located between Clark Avenue and Bonneville Avenue, Ward 3 (Reese). Staff recommends APPROVAL.

SETD ATE: 06/16/2010
C.C.: 07/07/2010

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



0 80 160 Feet

CASE: **VAC-37884**

N



0 80 160 Feet

CASE: **VAC-37884**

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: FC VEGAS 39, LLC - OWNER: FC VEGAS 39, LLC, ET AL

**** STAFF RECOMMENDATION(S) ****

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAC-37884	Staff recommends APPROVAL, subject to conditions:	

**** CONDITIONS ****

VAC-37884 CONDITIONS

1. The limits of this Petition of Vacation shall be the easternmost six feet of First Street between Clark Avenue and Bonneville Avenue.

2. 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.

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

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

5. 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.

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

** STAFF REPORT **

PROJECT DESCRIPTION

This is a petition to vacate the existing east six feet of First Street between Bonneville Avenue and Clark Avenue. The purpose of the vacation is to allow for continuity throughout the project located within the downtown redevelopment area. The vacation request is being submitted pursuant to the terms of the Bonneville-Clark connector Agreement and Right of Entry Agreement. Since the portion of right-of-way is no longer being utilized in its intended form, staff recommends approval of this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
12/16/64	The City Council approved a Rezoning (Z-0100-64) to reclassify property, including the subject parcels, in the area generally bounded by Main Street, Bonanza Road, Las Vegas Boulevard and Charleston Boulevard from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial).
02/15/06	The City Council approved a request for a Site Development Plan Review (SDR-10451) for a 32-story residential building with 20,850 square feet of commercial spaces; a 25-story office building with 9,995 square feet of commercial space; and waivers of the Downtown Centennial Plan Building Placement Standards, Downtown Centennial Plan Streetscape and Downtown Centennial Plan Step Back requirements on 1.84 acres at 501 through 529 South First Street; 108 and 122 Clark Avenue; and 508 thru 514 South Casino Center Boulevard. Planning Commission and staff recommended approval.
02/15/06	The City Council approved a Special Use Permit (SUP-10452) for a proposed mixed use development for a 32 story building and a 25 story building on 1.84 acres at 501 through 529 South First Street; 108 and 122 Clark Avenue; and 508 through 514 South Casino Center Boulevard. Planning Commission and staff recommended approval.
02/15/06	The City Council approved a Special Use Permit (SUP-10453) for a 405 foot building in the Airport Overlay District on 1.84 acres at 501 through 529 South First Street; 108 and 122 Clark Avenue; and 508 through 514 South Casino Center Boulevard. Planning Commission and staff recommended approval.

Most Recent Change of Ownership	
06/22/07	A deed was recorded for a change in ownership for 139-34-311-023, 025 through 031

Related Building Permits/Business Licenses
There are no related Building Permits or Business Licenses associated with this property.

Pre-Application Meeting
A pre-application meeting is not required, nor was one held

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

Field Check	
04/22/10	Staff conducted a field check on the indicated date and noted the following: • No landscaping between the curb and sidewalk along First Avenue.

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Office and Multi-Family Residential	C (Commercial)	C-2 (General Commercial) and R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial) Zone
North	Parking and Government Buildings	PF (Public Facilities)	C-V (Civic)
South	Office and Multi-Family Residential	C(Commercial)	C-2 (General Commercial)
East	Parking and Government Buildings	PF (Public Facilities)	C-V (Civic)
West	Office and Multi-Family Residential	C (Commercial)	C-2 (General Commercial) and R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial) Zone

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area			
Downtown Centennial Plan	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
Downtown Centennial Plan Overlay District	X		Y
A-O (Airport Overlay) District	X		Y
Live/Work Overlay District	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	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 the east six feet of First Street, extending approximately 382 feet south of Clark Avenue. Said Property being a portion of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of Section 34, Township 20 South, Range 61 East, M.D.M.

ANALYSIS

A) Planning Discussion

The six-foot wide right-of-way extends approximately 382 feet south of Clark Avenue. The vacation will allow for continuity throughout the project located within the downtown re-development area. The area of the proposed vacation is within the Office Core of the Downtown Centennial Plan. The vacation request is being submitted pursuant to the terms of the Bonneville-Clark connector Agreement and Right of Entry Agreement. Since the portion of right-of-way is no longer being utilized in its intended form, staff recommends approval of this request.

B) Public Works Discussion

We present the following information concerning this request to vacate certain public street ROW:

A. Does this vacation request result in uniform or non-uniform right-of-way widths? Uniform. *The width of First Street will be 74 feet for the entire block between Clark Avenue and Bonneville Avenue.*

B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, since the street width will still be wide enough to accommodate two way traffic.*

C. Does it appear that the vacation request involves only excess right-of-way? *No, it is to vacate right-of-way unnecessary for the Bonneville/Clark couplet project.*

D. Does this vacation request coincide with development plans of the adjacent parcels? *Not parcels, but it is for the construction of the Bonneville/Clark couplet.*

E. Does this vacation request eliminate public street access to any abutting parcel? *No.*

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.*

NOTICES MAILED 1

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAC-37884** APN: 139-34-311-023, 025-031

Name of Property Owner: FC Vegas 39, LLC

Name of Applicant: FC Vegas 39, LLC

Name of Representative: Dimitri Vazelakis

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 names(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: Dimitri G. Vazelakis

Subscribed and sworn before me

This _____ day of _____ ,20 ____

_____

Notary Public in and for said County and State

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Revised 11-14-06

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

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-37884 APN: 139-34-311-023, 025-031

Name of Property Owner: Livework, LLC

Name of Applicant: FC Vegas 39, LLC

Name of Representative: Dimitri Vazelakis

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 names(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: David Mitchell

Subscribed and sworn before me

This 2 day of April ,20 10

_____

Notary Public in and for said County and State

SARAH MOORE NOTARY PUBLIC STATE OF NEW YORK NO. 01MO6213730 QUALIFIED IN NEW YORK COUNTY

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PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAC-37884** APN: 139-34-311-023, 025-031

Name of Property Owner: FC Vegas 20, LLC

Name of Applicant: FC Vegas 39, LLC

Name of Representative: Dimitri Vazelakis

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 names(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: Dimitri G. Vazelakis

Subscribed and sworn before me

This _____ day of _____ ,20 ____

_____

Notary Public in and for said County and State

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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Los Angeles }

On March 23, 2010 (Date) before me, Lisa M. Stevens, Notary Public (Here Insert Name and Title of the Officer),
personally appeared Dimitri Vazelakis (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Lisa M Stevens (Signature of Notary Public)

LISA M. STEVENS
Commission # 1843392
Notary Public - California
Los Angeles County
My Comm. Expires May 3, 2013

Place Notary Seal Above

OPTIONAL

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

Description of Attached Document

Title or Type of Document: Application / Petition Form

Document Date: — Number of Pages: 2

Signer(s) Other Than Named Above: —

Capacity(ies) Claimed by Signer(s)

Signer's Name: Dimitri Vazelakis
- ☐ Individual
- ☒ Corporate Officer — Title(s): Authorized Rep.
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: _____

Signer Is Representing: FC Vegas 20, LLC

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
- ☐ Individual
- ☐ Corporate Officer — Title(s): _____
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
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PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: VACATION

Project Address (Location) First Street between Bonneville Ave & Clark

Project Name First Street Vacation **Proposed Use** N/A

Assessor's Parcel #(s) 139-34-311-023, 025-031 **Ward #** 3

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 VAC-30172

PROPERTY OWNER Livework, LLC **Contact** David J Mitchell

Address 41 E. 60th Street **Phone:** 212-486-4444 **Fax:**

City New York **State** NY **Zip** 10021

E-mail Address djm@mitchellholdings.com

APPLICANT FC Vegas 39, LLC **Contact** Dimitri Vazelakis

Address 949 South Hope Street **Phone:** 213-416-2274 **Fax:**

City Los Angeles **State** CA **Zip** 90015

E-mail Address dimitrivazelakis@forestcity.net

REPRESENTATIVE VTN Nevada **Contact** Kathy Dancho

Address 2727 S. Rainbow Blvd. **Phone:** 702-253-2469 **Fax:** 702-362-2597

City Las Vegas **State** NV **Zip** 89146

E-mail Address kathyd@vtnnv.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 David Mitchell

Subscribed and sworn before me

This 2nd day of April, 20 10.

_____

Notary Public in and for said County and State

SARAH MOORE NOTARY PUBLIC NO. 01MO6213730 QUALIFIED IN NEW YORK COUNTY STATE OF NEW YORK

RECEIVED APR 07 2010

Revised 10/21/08

FOR DEPARTMENT USE ONLY

Case #	VAC-37884
Meeting Date:	05/27/10
Total Fee:	$1000.00
Date Received:*	04/07/10
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.

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: VACATION

Project Address (Location) First Street between Bonneville Ave & Clark

Project Name First Street Vacation **Proposed Use** N/A

Assessor's Parcel #(s) 139-34-311-023, 025-031 **Ward #** 3

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 VAC-30172

PROPERTY OWNER FC Vegas 20, LLC **Contact** Dimitri Vazelakis

Address 949 South Hope Street **Phone:** 213-416-2274 **Fax:**

City Los Angeles **State** CA **Zip** 90015

E-mail Address dimitrivazelakis@forestcity.net

APPLICANT FC Vegas 39, LLC **Contact** Dimitri Vazelakis

Address 949 South Hope Street **Phone:** 213-416-2274 **Fax:**

City Los Angeles **State** CA **Zip** 90015

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REPRESENTATIVE VTN Nevada **Contact** Kathy Dancho

Address 2727 S. Rainbow Blvd. **Phone:** 702-253-2469 **Fax:** 702-362-2597

City Las Vegas **State** NV **Zip** 89146

E-mail Address kathyd@vtnnv.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 Dimitri G. Vazelakis

Subscribed and sworn before me

This _____ day of _____, 20 _____.

_____

Notary Public in and for said County and State

RECEIVED
APR 07 2010

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	VAC-37884
Meeting Date:	05/27/10
Total Fee:	$1000.00
Date Received:*	04/07/10
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.

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: VACATION

Project Address (Location) First Street between Bonneville Ave & Clark

Project Name First Street Vacation **Proposed Use** N/A

Assessor's Parcel #(s) 139-34-311-023, 025-031 **Ward #** 3

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 VAC-30172

PROPERTY OWNER FC Vegas 39, LLC **Contact** Dimitri Vazelakis

Address 949 South Hope Street **Phone:** 213-416-2274 **Fax:**

City Los Angeles **State** CA **Zip** 90015

E-mail Address dimitrivazelakis@forestcity.net

APPLICANT FC Vegas 39, LLC **Contact** Dimitri Vazelakis

Address 949 South Hope Street **Phone:** 213-416-2274 **Fax:**

City Los Angeles **State** CA **Zip** 90015

E-mail Address dimitrivazelakis@forestcity.net

REPRESENTATIVE VTN Nevada **Contact** Kathy Dancho

Address 2727 S. Rainbow Blvd. **Phone:** 702-253-2469 **Fax:** 702-362-2597

City Las Vegas **State** NV **Zip** 89146

E-mail Address kathyd@vtnnv.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 Dimitri G. Vazelakis

Subscribed and sworn before me

This _____ day of _____, 20 _____.

_____

Notary Public in and for said County and State

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Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	VAC-37889
Meeting Date:	05/27/10
Total Fee:	$ 1000.00
Date Received:*	04/07/10
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.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Los Angeles }

On March 23, 2010 (Date) before me, Lisa M. Stevens, Notary Public (Here Insert Name and Title of the Officer),
personally appeared Dimitri Vazelakis (Name(s) of Signer(s)),

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Signature of Notary Public)

LISA M. STEVENS
Commission # 1843392
Notary Public - California
Los Angeles County
My Comm. Expires May 3, 2013

Place Notary Seal Above

OPTIONAL

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

Description of Attached Document

Title or Type of Document: Application / Petition Form

Document Date: — Number of Pages: 2

Signer(s) Other Than Named Above: —

Capacity(ies) Claimed by Signer(s)

Signer's Name: Dimitri Vazelakis
☐ Individual
☒ Corporate Officer — Title(s): Authorized Rep.
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: FC Vegas 39, LLC

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

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VAC-37884 - APPLICANT: FC VEGAS 39, LLC – OWNER: FC VEGAS 39, LLC, ET AL
FIRST STREET, BETWEEN CLARK AND BONNEVILLE AVENUES

04/22/10



VAC-37884 - APPLICANT: FC VEGAS 39, LLC – OWNER: FC VEGAS 39, LLC, ET AL
FIRST STREET, BETWEEN CLARK AND BONNEVILLE AVENUES

04/22/10

vtn nevada
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3/30/2010
W.O. 7118-A-2

City of Las Vegas Planning & Development Department
Current Planning Division
731 South Fourth Street
Las Vegas, Nevada 89101

RE: JUSTIFICATION FOR VACATION OF FIRST STREET

On behalf of our client, FC Vegas 39, LLC, FC Vegas 20, LLC, and LiveWork LLC (collectively "FCLW"), VTN Nevada respectfully submits this vacation application to vacate the east 6 feet of First Street between Bonneville Avenue and Clark Avenue.

FCLW intends to master plan the entire 2 city blocks bisected by First Street between Bonneville Avenue and Clark Avenue. The vacation will allow for continuity throughout the project located within the downtown re-development area. Further, the vacation request is being submitted pursuant to the terms of the Bonneville-Clark connector Agreement and Right of Entry Agreement which is being negotiated between FCLW and the City staff.

We appreciate your consideration of this request. Should you have any questions or concerns please contact me at 702-873-7550.

Sincerely,

VTN NEVADA

David Edwards, P.E.
Principal

RECEIVED
APR 07 2010
VAC-37884

2727 SOUTH RAINBOW BOULEVARD LAS VEGAS, NEVADA 89146-5148
TEL. (702) 873-7550 FAX: 362-2597

City of Las Vegas Agenda Item No.: **19.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

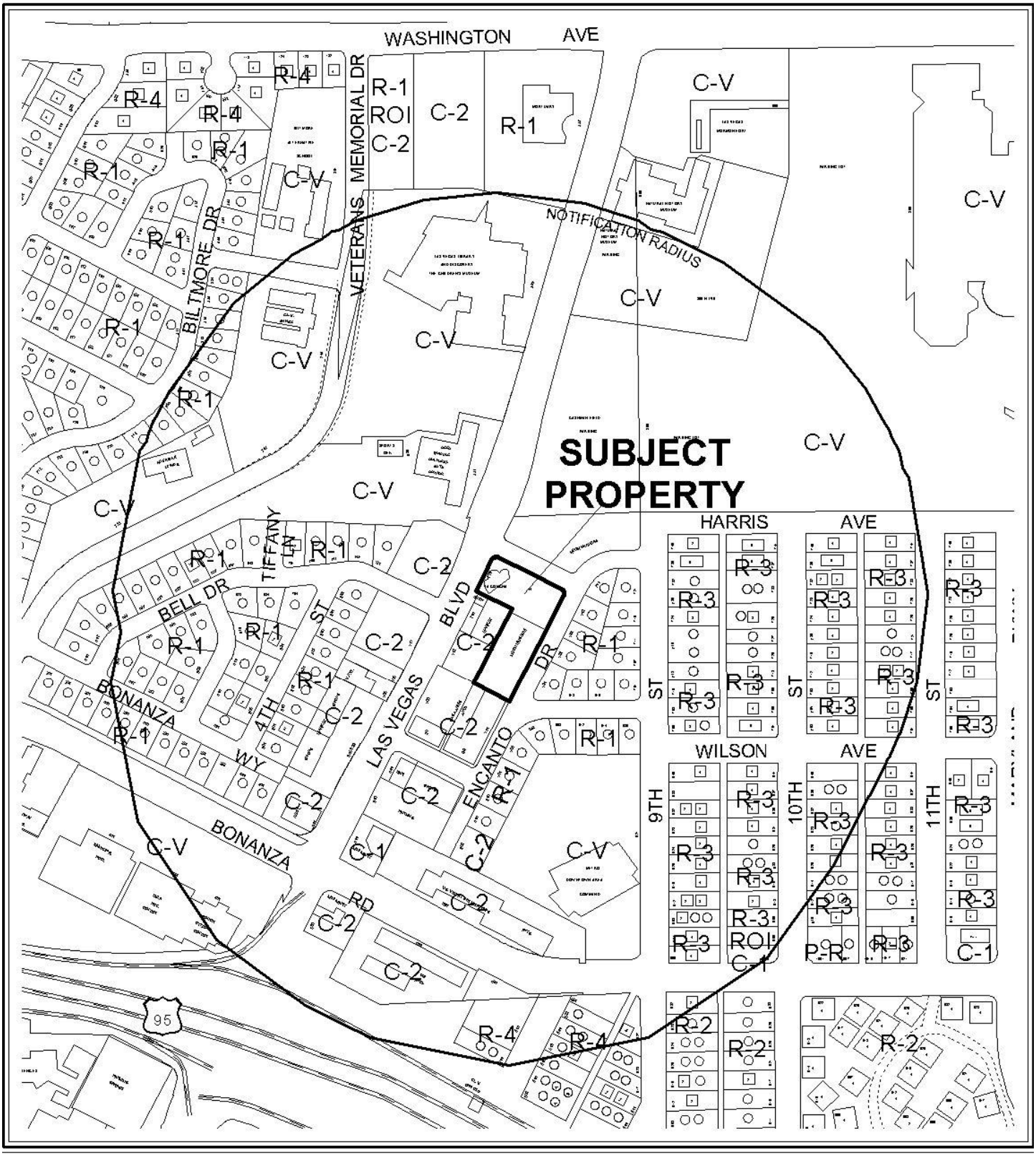
SUBJECT:
SDR-37021 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: THE NEON MUSEUM - OWNER: CITY OF LAS VEGAS - Request for a Major Amendment to an approved Site Development Plan Review (SDR-18751) FOR A 779 SQUARE-FOOT ADDITION TO A 2,768 SQUARE-FOOT MUSEUM AND SITE MODIFICATIONS on 1.13 acres at 770 North Las Vegas Boulevard (APNs 139-27-805-005 and 139-27-812-045), C-V (Civic) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

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

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



0 300 600 Feet

CASE: **VAR-37022 AND SDR-37021**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

N



0 300 600 Feet

CASE: **VAR-37022 AND SDR-37021**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: NEON MUSEUM - OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SDR-37021	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SDR-37021 CONDITIONS

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-18755) and Site Development Plan Review (SDR-18751) shall be required.

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

3. 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.

4. All development shall be in conformance with the site plan date stamped 04/30/10, the landscape plan, building elevations, and floor plans date stamped 04/13/10, except as amended by conditions herein.

5. 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 and Conditions of Approval for Site Development Plan Review (SDR-18757) prior to issuance of building permits for any signage.

6. 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.

7. These Conditions of Approval shall be affixed to the cover sheet of the plan set submitted for building permit.

8. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan: 50 five-gallon shrubs shall be provided along the east perimeter landscape buffer fronting Encanto Drive.

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

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

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

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

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

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

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

Public Works

16. Grant a 20-foot Public Sewer Easement over the existing public sewer line on this site. Alternatively, provide appropriate documentation acceptable to the City Engineer of the intent to reserve a 20-foot Public Sewer Easement over the existing sewer line prior to the issuance of any building permits. The proposed building shall not encroach into the public sewer easement area and the easement may be offset a distance (acceptable to the Collection Systems Planning Section of the Department of Public Works) from the center of the existing public sewer line to accommodate the proposed building.

17. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the Neon Boneyard Park project, the Las Vegas Boulevard Widening project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.

18. 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.

19. Site development to comply with all applicable conditions of approval for SDR-18751 and all other site-related actions.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Major Amendment to a previously approved Site Development Plan Review (SDR-18751) for a proposed Museum on 1.13 acres at 770 North Las Vegas Boulevard. The request is for a proposed 3,547 square-foot museum where a 2,768 square-foot museum was previously approved. The proposal will increase the building area by 779 square feet, increase required parking, and required landscaping; therefore, a Major Amendment to the approved Site Development Plan Review (SDR-18751) is required. Staff can support the requested Major Amendment as the proposed site conforms to Title 19 Commercial Development Standards and parking requirements and will result in an enhanced site by providing additional landscaping from the previous approval. If denied, the site must comply with the previously approved Site Development Plan Review (SDR-18751).

ISSUES

- The applicant must submit a parking agreement outlining the terms and conditions of the proposed off-site parking to be located in the parking lot of the park to the north prior to issuance of building permits.
- The previously approved landscape buffer widths will remain except for the north perimeter landscape buffer which will increase from three feet to nine feet.
- The provided landscape buffer trees are increasing from 4 trees to 12 trees.
- A condition has been added requiring the applicant provide 50 five-gallon shrubs along the east perimeter landscape buffer, as was approved by Site Development Plan Review (SDR-18751).

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
10/24/02	The Planning Commission approved a request for a Site Development Plan Review (SD-0049-02) for a proposed banner display adjacent to the east and west sides of Las Vegas Boulevard between Washington Avenue and Bell Drive. Staff recommended approval.
01/07/04	The City Council approved a Rezoning (ZON-3256) from C-2 (General Commercial) and R-3 (Medium Density Residential) to C-V (Civic) on 1.79 acres adjacent to the west side of Encanto Drive, north and south of McWilliams Avenue. The Planning Commission and staff recommended approval.

01/07/04	The City Council approved a Site Development Plan Review (SDR-3257) for a museum adjacent to the west side of Encanto Drive, north and south of McWilliams Avenue. The Planning Commission and staff recommended approval. The Site Development Plan Review application (SDR-3257) expired in January 2006, as no building permits were submitted.
02/21/07	The City Council approved a Rezoning (ZON-18755) from C-1 (Limited Commercial) to C-V (Civic) on 0.30 acres at 501 and 505 East McWilliams Avenue. Planning Commission and staff recommended approval.
02/21/07	The City Council approved a Site Development Plan Review (SDR-18751) for a 2,768 square-foot museum on 2.10 acres at 501 through 509 East McWilliams Avenue, 731 North 9th Street, and 770 North Las Vegas Boulevard. Planning Commission and staff recommended approval.
08/01/07	The City Council approved a request (DIR-22243) to designate the La Concha Motel Lobby as an Historic Property within the City of Las Vegas on 1.14 acres at 770 North Las Vegas Boulevard. Planning Commission and staff recommended approval.
06/25/09	The Planning Commission approved a request for a Variance (VAR-34515) to allow a proposed sign height of 37 feet where 12 feet is the maximum allowed at the northeast corner of Las Vegas Boulevard and McWilliams Avenue. Staff recommended approval.
02/17/10	The City Council approved a request for an Extension of Time (EOT-37123) of a previously approved Site Development Plan Review (SDR-18751) for a 2,768 square-foot museum at 770 North Las Vegas Boulevard. Staff recommended approval.

Most Recent Change of Ownership	
03/29/96	A deed was recorded for a change in ownership at APN 139-27-805-005.
03/29/96	A deed was recorded for a change in ownership at APN 139-27-812-045.

Related Building Permits/Business Licenses	
09/29/00	An electrical permit was issued for the property at 770 North Las Vegas Boulevard (a portion of the subject site).
11/08/07	A building permit (94823) was issued for the reconstruction of the La Concha shell at 770 North Las Vegas Boulevard. The permit has not been finaled.
08/21/09	A building permit (141824) was issued for a 14 foot CMU block wall and 16 foot CMU block/wrought iron wall at 770 North Las Vegas Boulevard. The permit has not been finaled.
08/21/09	A building permit (141822) was issued for an 8 foot block wall at 770 North Las Vegas Boulevard. The permit has not been finaled.
08/21/09	A building permit (141820) was issued for temporary chain link fencing at 770 North Las Vegas Boulevard. The permit has not been finaled.

01/28/10	A building permit (141810) was issued for a trash enclosure at 810 North Las Vegas Boulevard. The permit has not been finaled.
01/28/10	A building permit (141811) was issued for a public park at 810 North Las Vegas Boulevard. The permit has not been finaled.
01/28/10	A building permit (141813) was issued for rough grading at 810 North Las Vegas Boulevard. The permit has not been finaled.
01/28/10	A building permit (141825) was issued for a shade structure at 810 North Las Vegas Boulevard. The permit has not been finaled.
01/28/10	A building permit (141827) was issued for a parking lot access gate at 810 North Las Vegas Boulevard. The permit has not been finaled.
01/29/10	A building permit (141878) for a monument sign was denied by Planning and Development as the sign is required to obtain approval from the Downtown Design Review Committee.

Pre-Application Meeting	
04/12/10	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 700 square feet. The requirements for a Site Development Plan Review were discussed. • An off-site parking agreement with the City Park north of McWilliams Avenue is required to avoid a parking Variance.

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

Field Check	
04/22/10	Staff conducted a field check on the indicated date. The following items were noted: • A commercial lot under construction.

Details of Application Request	
Site Area	
Net Acres	1.13

Surrounding Property	*Existing Land Use Per Title 19.04*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	Museum	PF (Public Facility)	C-V (Civic)
North	City Park	PF (Public Facility)	C-V (Civic)
South	Multi-Family Residential	MXU (Mixed-Use)	C-2 (General Commercial)
	General Retail		
East	Single Family Residential	MXU (Mixed-Use)	R-1 (Single Family Residential)
West	Undeveloped	MXU (Mixed-Use)	C-2 (General Commercial)

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area			
Downtown North Plan			Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
C-V (Civic) District	X		Y
A-O (Airport Overlay) District	X		Y
H (Historic Designation)	X		Y
Las Vegas Boulevard Scenic Byway Overlay District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.06.020, the following development standards shall apply:

Standard	*Provided*
Min. Lot Size	1.13 acres
Min. Lot Width	109 Feet
Min. Setbacks • Front • Side • Corner • Rear	 22 Feet 8 Feet 37.5 Feet 118 Feet
Max. Lot Coverage	7%
Max. Building Height	29 Feet
Trash Enclosure	Not indicated
Mech. Equipment	Screened

GK

Per Title 19.08.060, the following Residential Adjacency Standards shall apply:

Residential Adjacency Standards	*Required/Allowed*	*Provided*	*Compliance*
3:1 proximity slope	87 Feet	168 Feet	Y
Adjacent development matching setback	20 Feet	168 Feet	Y
Trash Enclosure	50 Feet	50 Feet	Y

Pursuant to Title 19.12, the following standards shall apply:

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	11 Trees	6 Trees	N
• South	1 Tree / 30 Linear Feet	8 Trees	Zero Trees	N
• East	1 Tree / 20 Linear Feet	17 Trees	3 Trees	N
• West	1 Tree / 20 Linear Feet	6 Trees	3 Trees	N
TOTAL PERIMETER TREES		**42 Trees**	**12 Trees**	**N**
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	Zero Trees	Zero Trees	Y
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	15 Feet		9 Feet	N
• South	15 Feet		Zero Feet	N
• East	15 Feet		3 Feet	N
• West	8 Feet		22 Feet	N
Wall Height	6 to 8 Feet Adjacent to Residential		8 Feet	Y

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	*Required*			*Provided*		*Compliance*
			Parking		*Parking*		
Use		*Parking Ratio*	Regular	Handi-capped	Regular	Handi-capped	
Museum	3,547 SF	1:300	12		Zero		N
Park	2.10 acres	2/acre	6		31		
TOTAL SPACES REQUIRED			18		31		Y
TOTAL (With Handicapped)			17	1	29	2	Y
Loading Spaces			1		1		Y

GK

	Previously Approved (SDR-18751)	Proposed
Building Size	2,768 SF	3,547 SF
Lot Coverage	6%	7%
Wall Height	9 Feet 6 Inches	8 Feet
Parking	10 spaces required 15 spaces provided	12 spaces required Zero spaces provided
Elevations	Height – 29 Feet	Height – 29 Feet
Setbacks	Front – 22 Feet Side – Zero Feet Corner – 24 Feet	Front – 22 Feet Side – 8 Feet Corner – 24 Feet
Landscape Buffer Widths	North – 3 Feet South – Zero Feet East – 3 Feet West – 22 Feet	North – 9 Feet South – Zero Feet East – 3 Feet West – 22 Feet
Landscape Buffer Trees	4 Trees provided	12 Trees provided

**SDR-18751 includes APN 139-27-805-004, north of McWilliams Avenue.*

ANALYSIS

As proposed, the museum will increase in square-footage from 2,768 square feet to 3,547 square feet, with subsequent changes in site design. Site changes include eliminating the 15 parking spaces previously approved, adding six feet of perimeter landscape buffer width along the north perimeter buffer, providing additional perimeter landscape buffer trees and decreasing the overall height.

The site complies with all Title 19 requirements with the exception of required landscaping. However, the previously approved Site Development Plan Review (SDR-18751) addressed these landscaping concerns and the proposed Major Amendment does not increase any previously approved deficiencies; therefore, no additional Waiver or Exception requests are required. The proposed changes in landscaping include increasing the provided landscape buffer trees from four trees to 12 trees and increasing the previously approved three-foot landscape buffer along the north perimeter to nine feet in width. A condition of approval has been added requiring 50 five-gallon shrubs along the east perimeter landscape buffer, as was approved by Site Development Plan Review (SDR-18751).

The applicant is also proposing to eliminate 15 parking spaces previously approved by Site Development Plan Review (SDR-18751). The applicant has agreed to enter into an off-site parking agreement with the City Park, north of McWilliams Avenue, to ensure that parking will be provided for the development. The City Park provides 31 parking spaces and is only required to provide six spaces. The proposed museum is required to provide 12 parking spaces; therefore the parking lot is more than sufficient to meet the needs of the museum and park. 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 decrease the previously approved landscaping deficiencies. The applicant is providing an enhanced site with additional perimeter landscape trees, buffer widths, and enhanced building elevations; for these reasons, staff recommends approval.

FINDINGS (SDR-37021)

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

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

   The Neon Museum will be located in the Cultural Corridor along Las Vegas Boulevard, and will increase the cultural offerings in the area. While there are residential properties to the east of the site, adequate separation and buffers will be in place to minimize any conflicts.

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 Las Vegas 2020 Master Plan and the Downtown North Land Use Plan. The design of the facility is consistent with Title 19, as conditioned.

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

   The only driveway will be located on McWilliams Avenue, so as to minimize impacts to Las Vegas Boulevard and the residential neighborhood to the south of the site. This driveway will not be accessed by the public, but will primarily be used by employees to move display signage in or out of the site.

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

   The proposed building materials and plant materials are appropriate for the area and for the city, and are consistent with the era of the relocated La Concha Motel building.

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 addition to the historic La Concha lobby is consistent with the original architecture of the structure; the materials and design of the proposed perimeter wall around the exterior of the site is appropriate to the era of the historic structure. The landscape materials are appropriate for the area and city.

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 13

NOTICES MAILED 184

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-37021** APN: 139-27-812-045, and 139-27-805-005

Name of Property Owner: City of Las Vegas

Name of Applicant: Neon Museum

Name of Representative: WESTAR Architects

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: Robin Yoakum

Print Name: Robin YoAkum

Subscribed and sworn before me Robin YoAkum

This 14th day of April, 2010

Christina Strong

Notary Public in and for said County and State

CHRISTINA STRONG
Notary Public State of Nevada
No. 07-1185-1
My appt. exp. Jan. 4, 2011

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Neon Museum

Project Address (Location) 770 Las Vegas Boulevard North

Project Name La Concha Rehabilitation **Proposed Use** Museum

Assessor's Parcel #(s) 139-27-812-045 and 139-27-805-005 **Ward #** 5

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

Commercial Square Footage 3547 **Floor Area Ratio** .07%

Gross Acres 1.19 **Lots/Units** lot 12 **Density**

Additional Information

PROPERTY OWNER City of Las Vegas **Contact**

Address 400 E Stewart Ave **Phone:** **Fax:**

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

E-mail Address

APPLICANT Neon Museum **Contact** Dorothy Wright

Address 400 E Stewart Ave **Phone:** 332-7366 **Fax:**

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

E-mail Address dorothy0205@cox.net

REPRESENTATIVE WESTAR Architects **Contact** Pat Klenk

Address 701 Bridger Ave Suite 400 **Phone:** 878-0000 **Fax:** 878-8430

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

E-mail Address pklenk@wagnarchitects.com

Property Owner Signature* Robin Yoakum

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

Print Name Robin YOAKUM

Subscribed and sworn before me Robin Yoakum

This 14th day of April, 20 10.

Christina Strong

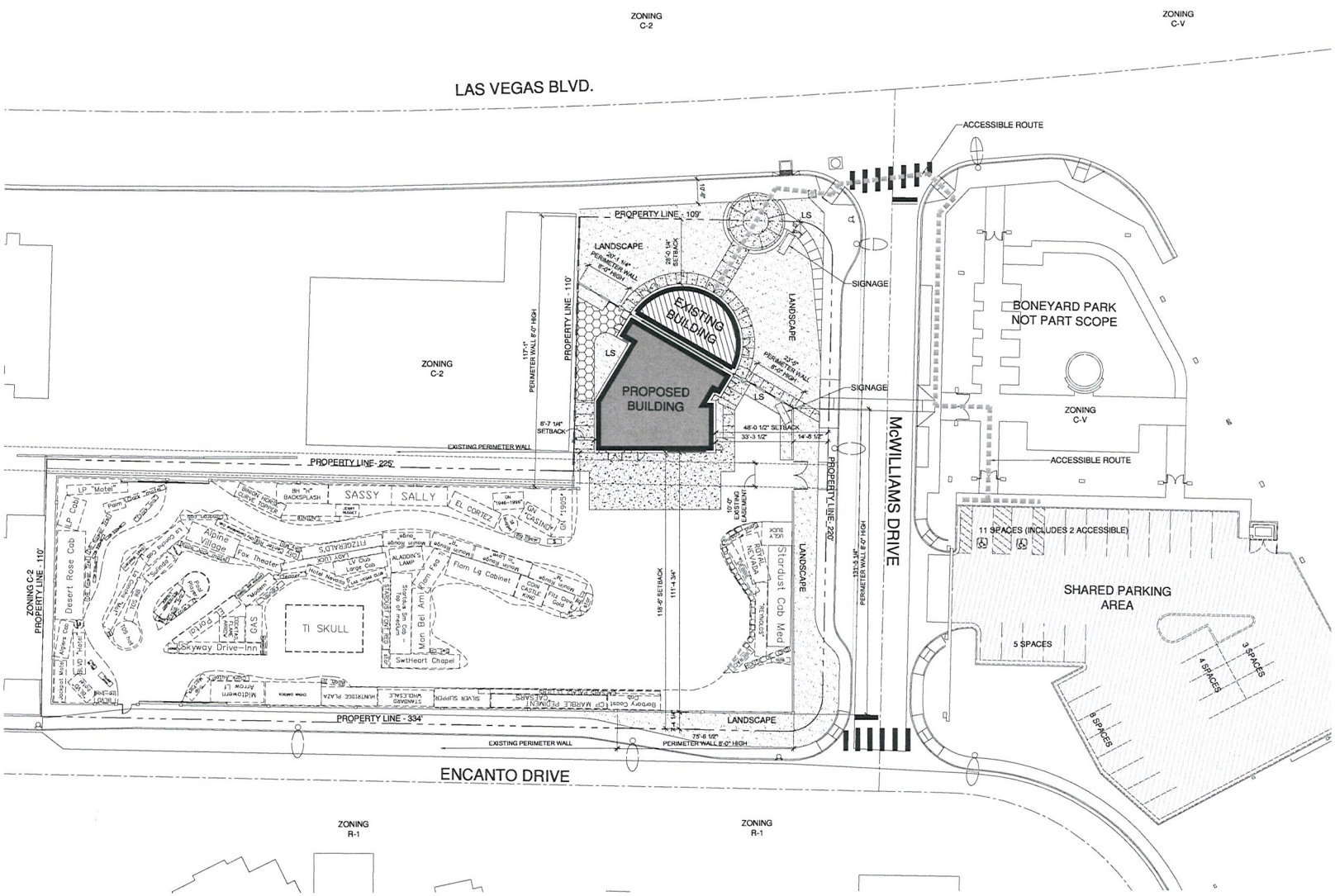
Notary Public in and for said County and State

CHRISTINA STRONG
Notary Public State of Nevada
No. 07-1185-1
My appt. exp. Jan. 4, 2011

FOR DEPARTMENT USE ONLY

Case #	SDR-37021
Meeting Date:	05/27/10
Total Fee:	1030.00
Date Received:*	04/13/10
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.



THE neon MUSEUM Las Vegas

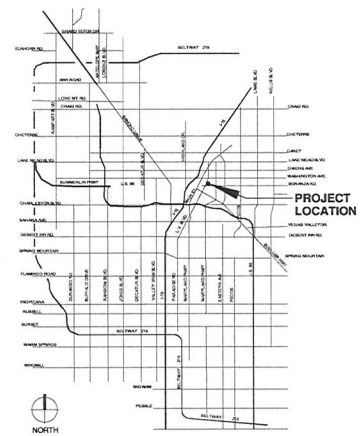
NEON MUSEUM VISITOR CENTER

SCALE: 1" = 20'-0"

SITE INFORMATION

MUNICIPALITY	CITY OF LAS VEGAS
ASSESSORS PARCEL NUMBER(APN)	139-27-812-045, 139-27-805-005
CURRENT ZONING	CIVIC DISTRICT (C-V)
SITE AREA	+/- 1.19 ACRES - 48,741 S.F.
SITE COVERAGE - BUILDING	0.07%
F.A.R.	0.07%
SITE COVERAGE - LANDSCAPE	79.2%
LANDSCAPE AREA	
LANDSCAPE AROUND BUILDING	8,066 S.F.
LANDSCAPE IN BONEYARD (SIGN AREA)	30,544 S.F.
TOTAL LANDSCAPE S.F.	38,610 S.F.
BUILDING AREA	
EXISTING BUILDING (FOOTPRINT)	1,096 S.F.
NEW BUILDING ADDITION (FOOTPRINT)	2,451 S.F.
TOTAL BUILDING S.F.	3,547 S.F.
PARKING REQUIRED	
1 SPACE FOR EACH 300 SQUARE FEET OF GROSS FLOOR AREA	
3,547 S.F. GROSS / 300 (INCLUDE 1 ACCESSIBLE)	12 SPACES
SHARED PARKING PROVIDED (INCLUDES 2 ACCESSIBLE)	31 SPACES

VICINITY MAP



SCHEMATIC DESIGN

ARCHITECTURAL SITE PLAN

SCALE: 1" = 20'-0"

PLAN NORTH

TRUE NORTH

WESTAR ARCHITECTS
WESTAR ARCHITECTS Group Services, Inc. 702 SOUTH MAPLE, SUITE 400 LAS VEGAS, NEVADA 89101
ARCHITECTURE PLANNING INTERIOR DESIGN TELEPHONE: (702) 878-0000 FAX: (702) 878-8430
www.wagnarchitects.com

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DATE: April 28, 2010 at 11:18am PROJECT NUMBER: 09049 FILE NAME: SHT-site pln rev.dwg
WAS LAST MODIFIED BY TECHNICIAN: csolorzano

SDR-37021
REVISED

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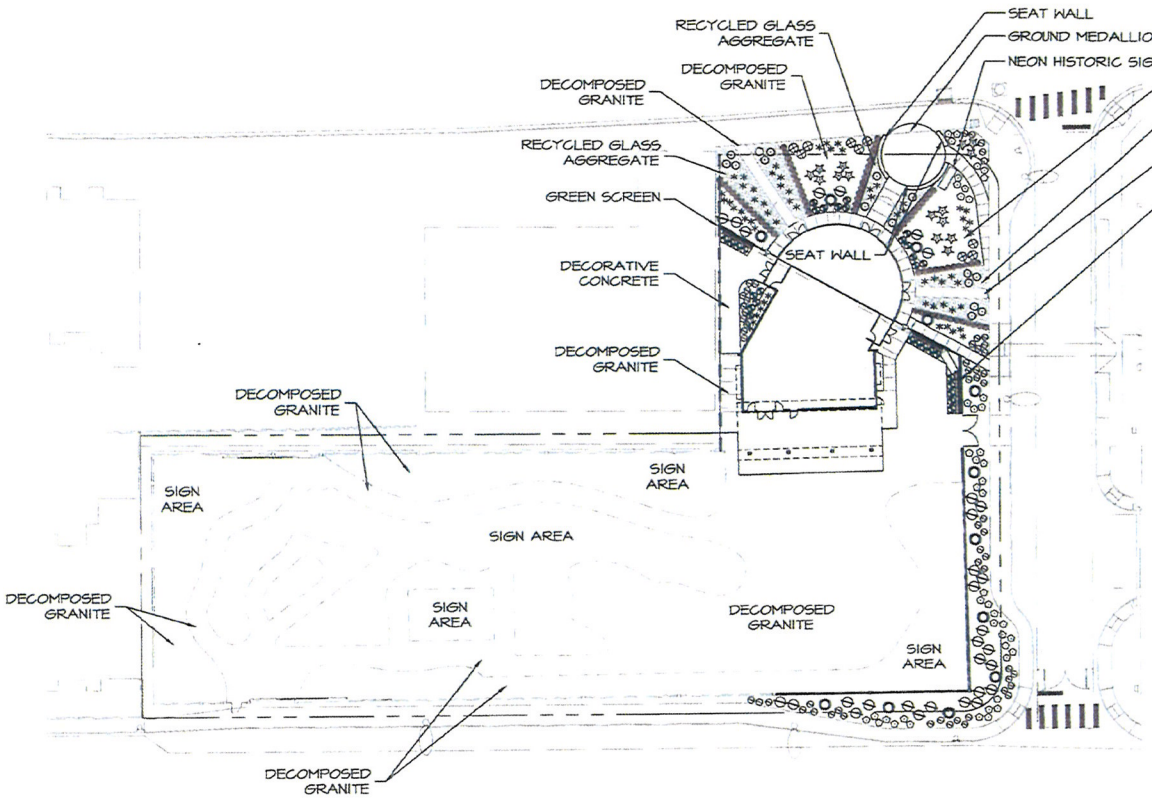
APR 30 2010

NEON MUSEUM VISITOR CENTER

SCALE: 1" = 20'

LANDSCAPE PLAN



PLANT SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	REMARKS
	TREES				
	CUPRESSUS SEMPERVIRENS	ITALIAN CYPRESS	12	36" BOX	
	SHRUBS				
	CALLIANDRA CALIFORNICA	FAIRY DUSTER	30	5 GAL	
	CONOCLINIUM ESPATORIUM GREENER TROTHELL'	BOOTHILL ESPATORIUM	38	5 GAL	
	DALEA FRUTESCENS 'SIERRA MORA'	BLACK DALEA	9	5 GAL	
	GROUNDCOVERS				
	LANTANA SPECIES 'NEW GOLD'	NEW GOLD LANTANA	46	5 GAL	
	NANDINA DOMESTICA 'HARBOR DWARF'	SPREADING HEAVENLY BAMBOO	31	5 GAL	
	TECOMA CAMPENSIS 'PROSTRATA'	PROSTRATE CREAMBUSH	19	5 GAL	
	ACCENTS				
	AGAVE BOVICORNUTA	COW'S HORN AGAVE	9	5 GAL	
	HESPERALOE PARVIFLORA 'RED'	RED YUCCA	61	5 GAL	
	YUCCA RECURVIFOLIA	WEEPING YUCCA	5	5 GAL	
	VINES				
	GELSEMIUM SEMPERVIRENS	CAROLINA JESSAMINE	0	5 GAL	

GENERAL NOTES:

1. CONTRACTOR IS RESPONSIBLE TO VERIFY ALL PLANT QUANTITIES. THE PLANT SCHEDULE IS INTENDED AS A REFERENCE ONLY.
2. LANDSCAPE ARCHITECT IS TO APPROVE ALL PLANT MATERIAL PRIOR TO INSTALLATION WITH PRIOR NOTICE OF 48 HOURS.
3. PLANT MATERIAL IS TO HAVE IDENTIFICATION TAGS ON 10% OF THE TOTAL QUANTITY OF EACH SPECIES, SHOWING GENUS, SPECIES, VARIETY, ETC.
4. CONTRACTOR TO PROVIDE MATCHING SIZES AND FORMS OF LIKE SHRUB SPECIES AS SHOWN ON DRAWINGS.
5. CONTRACTOR TO PROVIDE POSITIVE DRAINAGE AWAY FROM ALL STRUCTURES, WALLS, AND ON ALL SIDEWALKS ACCORDING TO ALL CODES, REGULATIONS, AND REQUIREMENTS.
6. DECOMPOSED GRANITE, 1/4" MINUS, COLOR: "MOHAVE GOLD", 2" DEPTH TYPICAL IN ALL PLANTING BEDS UNLESS OTHERWISE SPECIFIED. DECOMPOSED GRANITE SHALL CONTAIN 60% AGGREGATE AND 40% FINES. CONTRACTOR TO RECEIVE VERIFICATION FROM ROCK SUPPLIER AND PRESENT VERIFICATION TO THE OWNER PRIOR TO ANY CONSTRUCTION.
7. RECYCLED GLASS AGGREGATE, SIZE: 60% SIZE #2 40% SIZE #3, COLOR: "FOREST MIX", 2" DEPTH TYPICAL IN PLANTING BEDS.
8. ALL PALM HEIGHTS ARE BROWN TRUNK HEIGHTS. ALL PALMS SHALL HAVE STRAIGHT TRUNKS WITH NO CURVES. ALL "FAN PALMS SHALL BE SKINNED WITHIN 3 FEET OF THE LAST FROND. ALL PALM TREE HEIGHTS TO BE MEASURED FROM TOP OF ROOT BALL TO THE LOWEST GREEN FROND.

LANDSCAPE PLANTNG PLAN

SCALE: 1" = 20'

PLAN NORTH

TRUE NORTH

SCHEMATIC DESIGN

J W ZUNINO
LANDSCAPE ARCHITECTURE
LAS VEGAS

WESTAR ARCHITECTS

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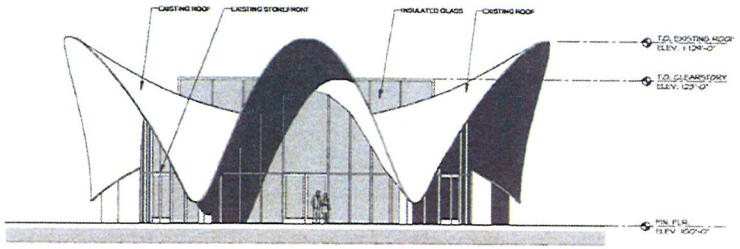
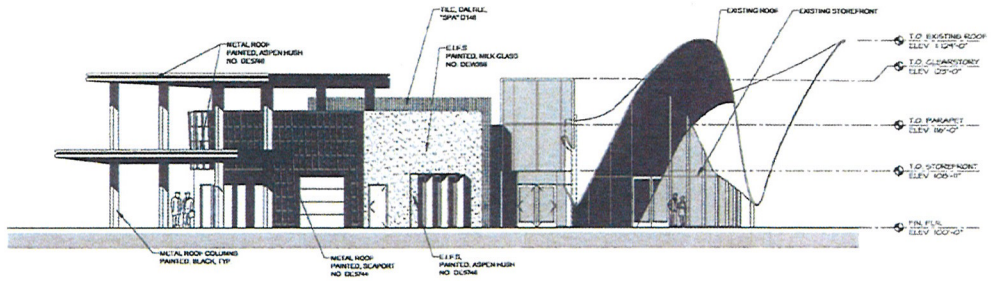


ELEVATION NO. 1

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



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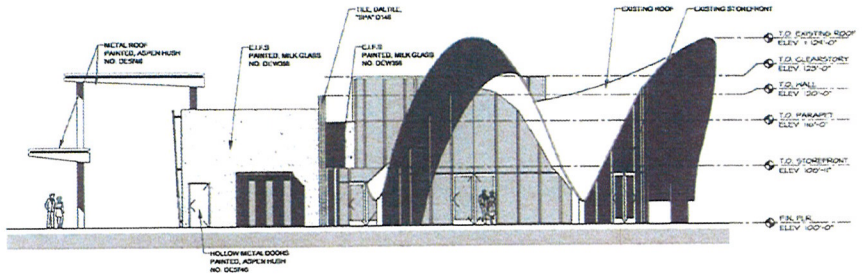

ELEVATION NO. 3

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

THE neon MUSEUM Las Vegas

NEON MUSEUM VISITOR CENTER

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

SCHEMATIC DESIGN

WESTAR ARCHITECTS

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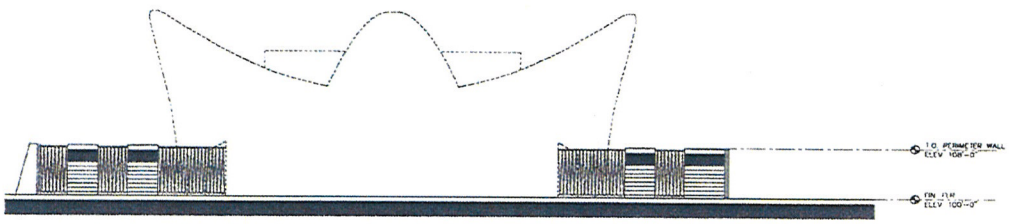
SDR-37021

THE neon MUSEUM Las Vegas

NEON MUSEUM VISITOR CENTER



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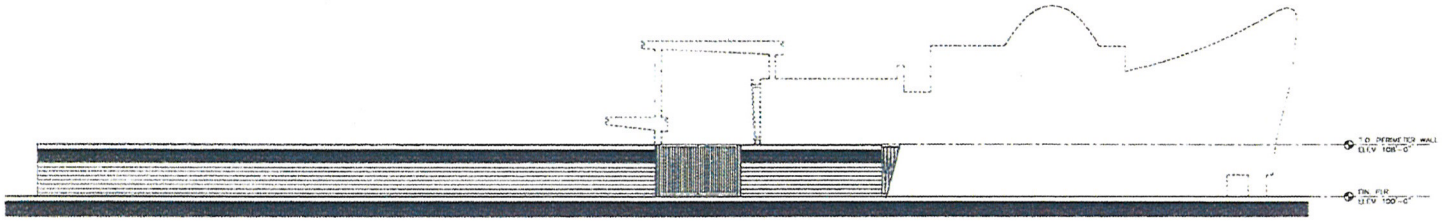

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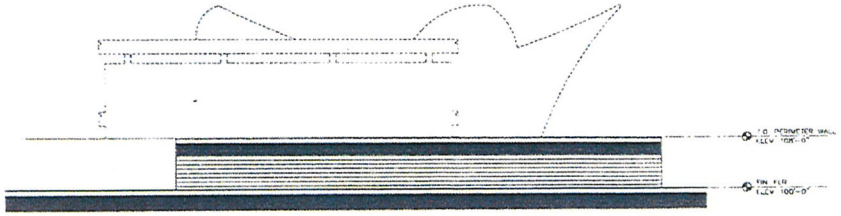

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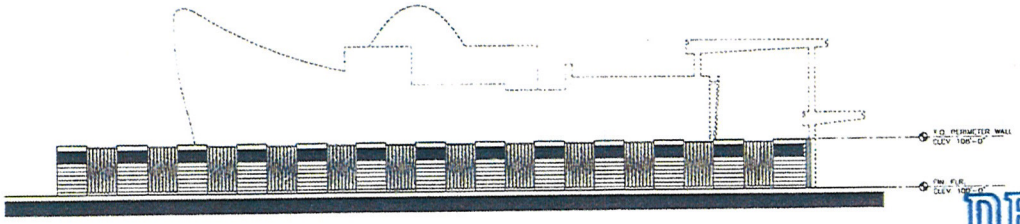

ELEVATION NO. 5

NOTE: ELEVATION NUMBERS SAME AS BUILDING ELEVATION CALLOUTS

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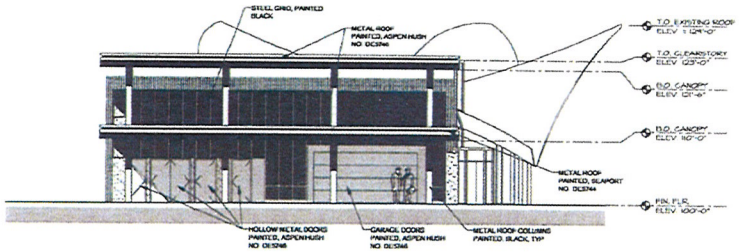
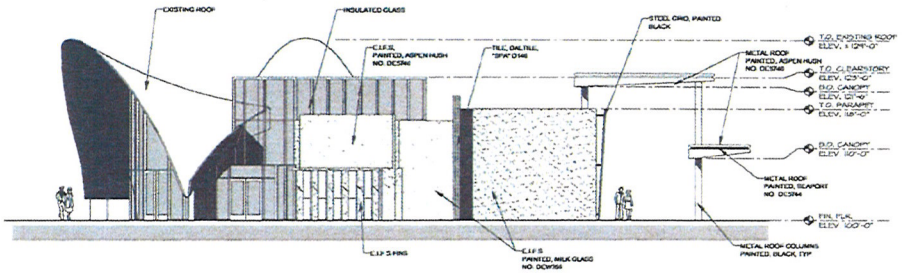
The neon MUSEUM Las Vegas

NEON MUSEUM VISITOR CENTER



ELEVATION NO. 4

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



ELEVATION NO. 5

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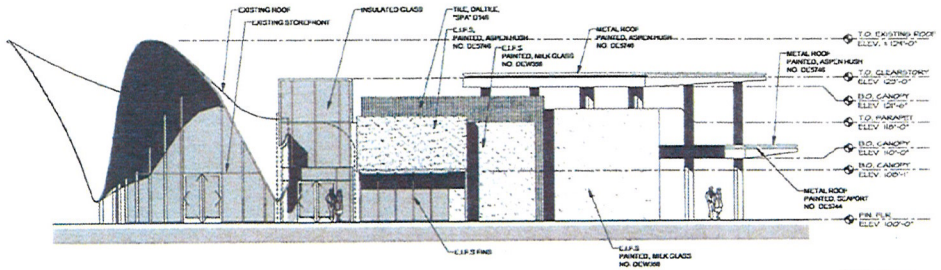

ELEVATION NO. 6

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

SCHEMATIC DESIGN

WESTAR ARCHITECTS

WESTAR Architectural Group/Nevada, Inc.
ARCHITECTURE—PLANNING—INTERIOR DESIGN
201 BRIDGER AVENUE, SUITE 400, LAS VEGAS, NEVADA 89101
TELEPHONE: (702) 474-0400 FACSIMILE: (702) 474-0410

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WAS LAST MODIFIED BY: TOMMONN: cwestar.com

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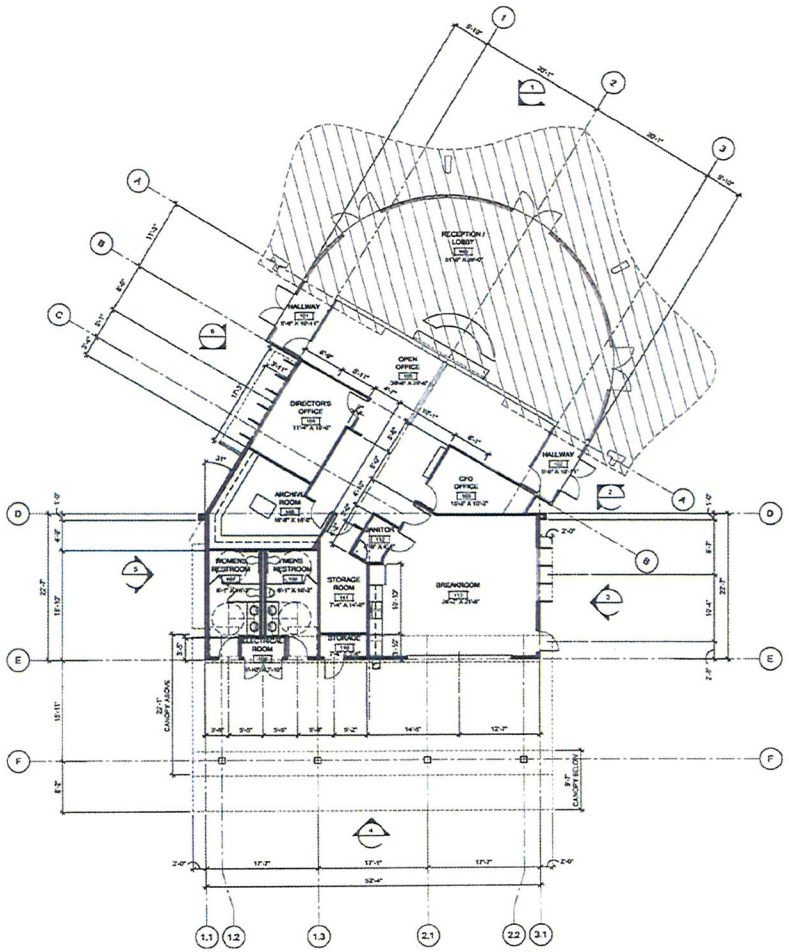
SDR-37021



ARCHITECTURAL FLOOR PLAN

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

PLAN NORTH

TRUE NORTH

THE neon MUSEUM Las Vegas

NEON MUSEUM VISITOR CENTER

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

INFORMATION

MUNICIPALITY	CITY OF LAS VEGAS
ASSESSORS PARCEL NUMBER(APN)	139-27-612-045, 139-27-605-005
CURRENT ZONING	CIVIC DISTRICT (C-V)
SITE AREA	+/- 1.19 ACRES - 48,741 S.F.
SITE COVERAGE - BUILDING	0.07%
F.A.R.	0.07%

EXISTING BUILDING

BUILDING AREA (SINGLE STORY)	
EXISTING BUILDING (FOOTPRINT)	1,096 S.F.
NEW BUILDING ADDITION (FOOTPRINT)	2,451 S.F.
TOTAL BUILDING S.F.	3,547 S.F.

OCCUPANT LOAD PER I.B.C (OFFICE 1 PER 100 SF.)	
100 - LOBBY 1,096 S.F.	11 OCC.
101 - HALLWAY 70 S.F.	1 OCC.
102 - HALLWAY 69 S.F.	1 OCC.
103 - OPEN OFFICE 721 S.F.	7 OCC.
104 - DIRECTOR OFFICE 200 S.F.	2 OCC.
105 - CFO ROOM 125 S.F.	1 OCC.
106 - ARCHIVE ROOM 221 S.F.	2 OCC.
107 - WOMEN'S RESTROOM 141 S.F.	2 OCC.
108 - MEN'S RESTROOM 136 S.F.	2 OCC.
109 - ELECTRICAL ROOM 26 S.F.	1 OCC.
110 - STORAGE ROOM 31 S.F.	1 OCC.
111 - STORAGE ROOM 122 S.F.	1 OCC.
112 - JANITOR 33 S.F.	1 OCC.
113 - BREAKROOM 574 S.F.	6 OCC.
TOTAL OCCUPANT LOAD	39 OCC.

SCHEMATIC DESIGN

WESTAR ARCHITECTS

WESTAR Architectural Group/Nevada, Inc.
ARCHITECTURE • PLANNING • INTERIOR DESIGN

701 MADISON AVENUE SUITE 400 LAS VEGAS, NEVADA 89101
TELEPHONE: (702) 878-0000 FAX: (702) 878-0430
www.westararchitects.com

THIS DRAWING AND DESIGN CONCEPTS SHOWN ARE THE SOLE PROPERTY OF WESTAR ARCHITECTURAL GROUP INC. AND ARE RESERVED FOR USE IN THIS PROJECT. WITHOUT THEIR PRIOR WRITTEN CONSENT IN PROFESSIONAL AND ART ACCORDANCE WITH THE ARCHITECTURAL GROUP, INC. OF THIS PROJECT WITHOUT THEIR PRIOR WRITTEN CONSENT IN PROFESSIONAL AND ART ACCORDANCE WITH THE ARCHITECTURAL GROUP, INC.

DATE: April 13, 2010 at 7:14am PROJECT NUMBER: 09049 FILE NAME: SHT-fir plan.dwg
WAS LAST MODIFIED BY TECHNICIAN: [illegible]

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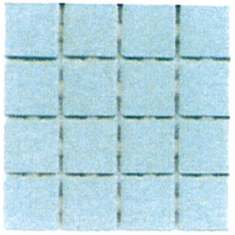
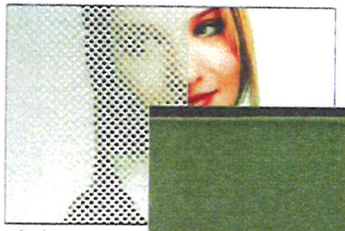
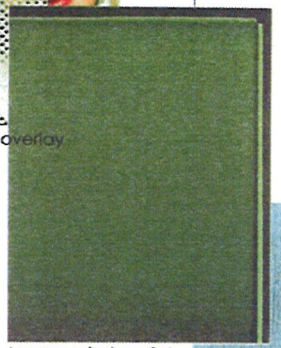
SDR-37021



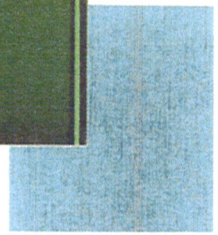
1 x 1 decorative porcelain tile



window screen overlay



bronze window tint



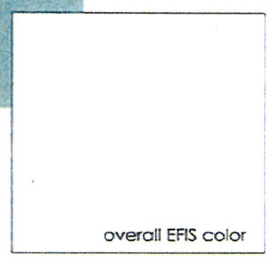
window mullion finish



accent EFIS color



door paint



overall EFIS color



exposed structural metal paint



EFIS texture only



integral concrete color

neon MUSEUM Las Vegas

NEON MUSEUM VISITOR CENTER

MATERIALS

SCHEMATIC DESIGN

WESTAR ARCHITECTS

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SDR-37021

SDR 37021
Neon Museum

770 N. Las Vegas Blvd.

Proposed 0.779 thousand square foot increase of an approved museum.

Traffic produced by proposed development:

Approved Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	RECREATIONAL COMM CTR [1000SF]	2.768	22.88	63
AM Peak Hour			1.62	4
PM Peak Hour			1.45	4

Proposed Increase	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	RECREATIONAL COMM CTR [1000SF]	0.779	22.88	18
AM Peak Hour			1.62	2
PM Peak Hour			1.45	1

Project Total	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	RECREATIONAL COMM CTR [1000SF]	3.547	22.88	81
AM Peak Hour			1.62	6
PM Peak Hour			1.45	5

Existing traffic on all nearby streets:

Bonanza Rd.	
Average Daily Traffic (ADT)	14,688
PM Peak Hour (heaviest 60 minutes)	1,175

Las Vegas Blvd.	
Average Daily Traffic (ADT)	28,400
PM Peak Hour (heaviest 60 minutes)	2,272

Traffic Capacity of adjacent streets:

	Adjacent Street ADT Capacity
Bonanza Rd.	34,500
Las Vegas Blvd.	34,500

This project is expected to add 81 trips per day on McWilliams Ave., Bonanza Rd. and Las Vegas Blvd. This is expected to increase volumes by about 1% on Bonanza Rd. and less than 1% on Las Vegas Blvd. Currently, Bonanza is at about 43 percent of capacity and Las Vegas is at about 82 percent of capacity. Count data was unavailable for McWilliams Ave., but it is believed to be under capacity.

Based on Peak Hour use, this development will add about 1 additional car into the area every 10 minutes.

Note that this report assumes all traffic from this development uses all named streets.



SDR-37021 - APPLICANT: THE NEON MUSEUM – OWNER: CITY OF LAS VEGAS
770 LAS VEGAS BOULEVARD NORTH

04/22/10



SDR-37021 - APPLICANT: THE NEON MUSEUM – OWNER: CITY OF LAS VEGAS
770 LAS VEGAS BOULEVARD NORTH

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SDR-37021 - APPLICANT: THE NEON MUSEUM – OWNER: CITY OF LAS VEGAS
770 LAS VEGAS BOULEVARD NORTH

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770 LAS VEGAS BOULEVARD NORTH

04/22/10



SDR-37021 - APPLICANT: THE NEON MUSEUM – OWNER: CITY OF LAS VEGAS
770 LAS VEGAS BOULEVARD NORTH

04/22/10

WESTAR ARCHITECTS

LETTER OF JUSTIFICATION

LA CONCHA REHABILITATION/NEON MUSEUM VISITORS CENTER

The Neon Museum is requesting a review of this proposed project at 770 North Las Vegas Boulevard, Las Vegas, Nevada, 89101, APN13927805005 and 13927812045 with it's most current development, to provide for a visitors center for the Neon Museum's Neon Boneyard. This museum is a display of the historically relevant neon signage that relates to the history and development of the city of Las Vegas as well as the remainder of the Las Vegas valley. There is an existing shell building of 1,096 square feet and a proposed addition of 2,451 square feet for a total of 3,547 square feet. This building will serve as a public information center, public entry, administrative offices, restroom facilities and access point for the Neon Museum's "Neon Museum".

This project will house the Neon Museum, visitor's center and the Neon Boneyard. Within the confines of the visitor's center there will be the entry area to the facility, the general public areas which will contain information about the historic signage, ticket area and a small retail area. The addition will house the Neon Museum's administrative offices and restroom facilities. This building is then attached to a large, open area for the display of the historically relevant signage. Within the open signage area will be the sign displays, a public gathering area and general open area.

The proposed project supports the City's growth and development of the Las Vegas Boulevard North corridor development. It promotes the development of the downtown area, drawing both the local population and out of town visitor to this area. It is an additional element to the cultural development in the area and contributes to the cultural options for the citizenry.

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SDR-37021
REVISED

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1216 Arch Street, Suite 3C • Philadelphia, PA 19107 • Phone: 215.531.7480 • Fax: 215.531.[illegible]
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City of Las Vegas Agenda Item No.: **20.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

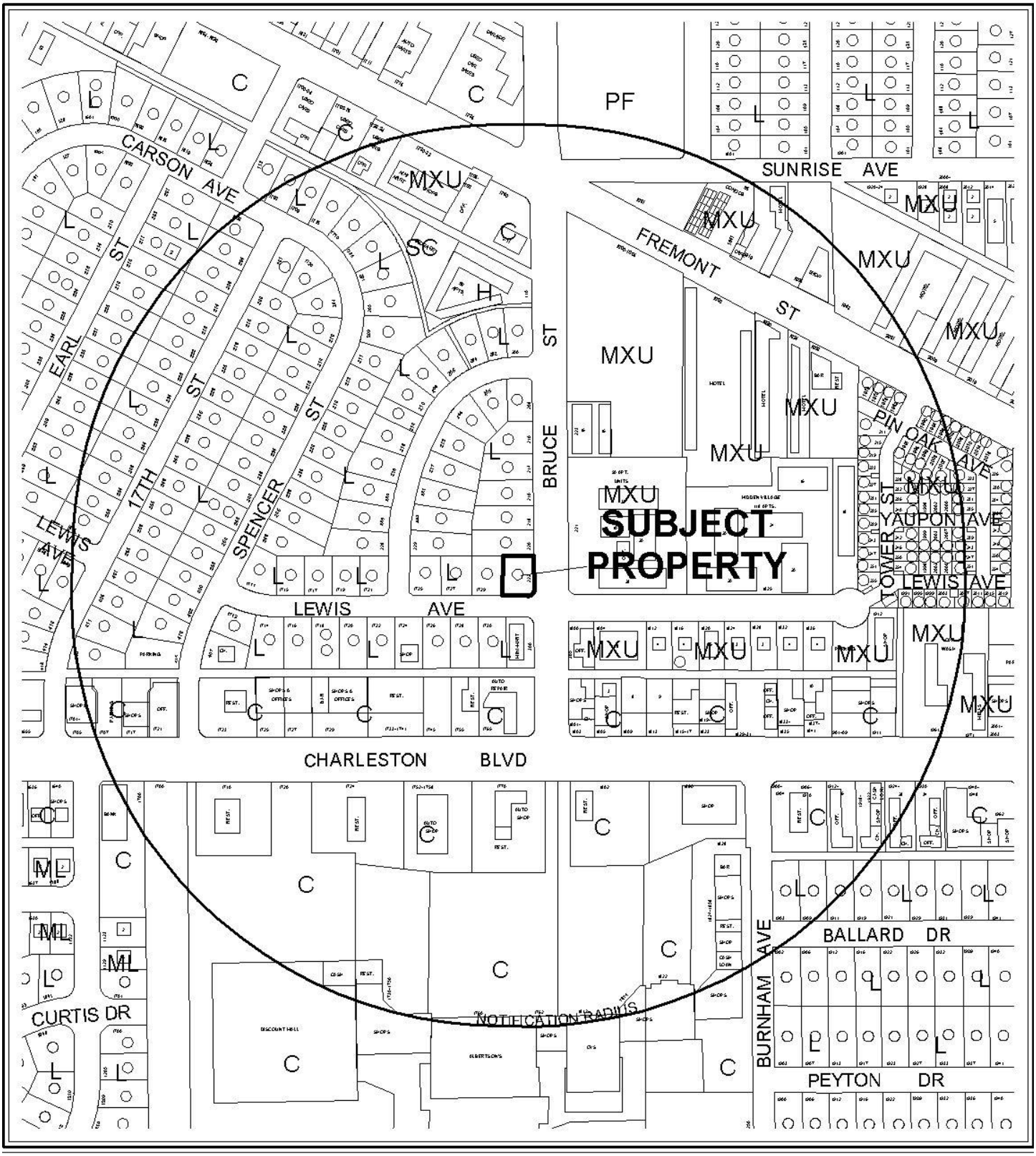
SUBJECT:
ABEYANCE - GPA-37567 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: JUDITH PENA - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: L (LOW DENSITY RESIDENTIAL) TO: O (OFFICE) on 0.16 acres at 222 South Bruce Street (APN 139-35-413-100), Ward 3 (Reese). Staff recommends DENIAL.

C.C.: 07/07/2010

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**2**	**Planning Commission Mtg.**	**3**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Supporting Documentation
3. Conditions and Staff Report - GPA-37567, ZON-37568, VAR-37570, VAR-37976 and SDR-37569
4. Photos - GPA-37567, ZON-37568, VAR-37570, VAR-37976 and SDR-37569
5. Justification Letter - GPA-37567, ZON-37568, VAR-37570, VAR-37976 and SDR-37569
6. Protest/Support postcards and Concern Letter - GPA-37567, ZON-37568, VAR-37570, VAR-37976 and SDR-37569



0 300 600 Feet

CASE: **GPA-37567**

RADIUS: 1000 FT

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

PROPOSED GENERAL PLAN LAND USE OF SUBJECT PROPERTY:
O (OFFICE)

N



0 300 600 Feet

CASE: **GPA-37567**

RADIUS: 1000 FT

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

PROPOSED GENERAL PLAN LAND USE OF SUBJECT PROPERTY:
O (OFFICE)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: JUDITH PENA

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
GPA-37567	Staff recommends DENIAL.	
ZON-37568	Staff recommends DENIAL.	GPA-37567
VAR-37570	Staff recommends DENIAL, if approved subject to conditions:	GPA-37567 ZON-37568
VAR-37976	Staff recommends DENIAL, if approved subject to conditions:	GPA-37567 ZON-37568 VAR-37570
SDR-37569	Staff recommends DENIAL, if approved subject to conditions:	GPA-37567 ZON-37568 VAR-37570 VAR-37976

** CONDITIONS **

VAR-37570 CONDITIONS

Planning and Development

1. Approval of General Plan Amendment (GPA-37567) and Rezoning (ZON-37568), and approval of and conformance to the Conditions of Approval for Variance (VAR-37976) and Site Development Plan Review (SDR-37569) shall be required, if approved.

2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, 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. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

VAR-37976 CONDITIONS

Planning and Development

1. Approval of General Plan Amendment (GPA-37567) and Rezoning (ZON-37568), and approval of and conformance to the Conditions of Approval for Variance (VAR-37570) and Site Development Plan Review (SDR-37569) shall be required, if approved.

2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, 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. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SDR-37569 CONDITIONS

Planning and Development

1. Approval of General Plan Amendment (GPA-37567) and Rezoning (ZON-37568), and approval of and conformance to the Conditions of Approval for Variances (VAR-37570 and VAR-37976) shall be required, if approved.

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

3. All development shall be in conformance with the site plan and landscape plan date stamped 05/11/10, and building elevations date stamped 04/20/10, except as amended by conditions herein.

4. A Waiver from 19.12.040(A) is hereby approved, to allow a zero-foot landscape buffer along portions of the east and south perimeter where 15 feet is required, and a zero-foot landscape buffer along portions of the north and west perimeter where eight feet is required.

5. An Exception from Title 19.10.010(J) is hereby approved, to allow zero trees in parking lot planter islands where three trees and islands are required.

6. An Exception from Title 19.12.040(B) is hereby approved, to allow four trees in perimeter buffers where 11 trees are required.

7. 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.

8. These Conditions of Approval shall be affixed to the cover sheet of the plan set submitted for building permit.

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

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

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

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

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

14. 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. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. The existing "pan" style driveway on Lewis Avenue may remain.

18. Meet with the Traffic Engineering Representative in Land Development for assistance in the redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. We note that the driveway on Bruce Street may require relocation.

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

** STAFF REPORT **

PROJECT DESCRIPTION

The site consists of an existing 1,890 square-foot single-family residence at 222 South Bruce Street. The applicant proposes to convert this site into a professional office. The front and side yards are paved with asphalt, and a seven-foot tall detached accessory structure is located in the rear yard. The site currently contains minimal landscaping, but several new trees are proposed to be added along the perimeter. Four parking spaces are proposed. Staff recommends denial for several reasons: the proposed commercial land use designation and zoning district required for the conversion are inappropriate and incompatible with surrounding existing land use and zoning designations; the property is not suited for commercial use and the property cannot meet parking or residential adjacency requirements. If denied, the site would remain a single-family residence.

ISSUES

- A General Plan Amendment (GPA-37567) to change the existing land use designation from L (Low Density Residential) to O (Office) on this site is required for approval of the proposed professional office.
- A Rezoning (ZON-37568) to change the existing zoning classification from R-1 (Single Family Residential) to P-R (Professional Office and Parking) on this site is required for approval of the proposed office.
- Variances from Title 19 are needed for approval of the proposed office to allow four parking spaces where seven are required (43% deviation from standards) and to allow a four-foot residential adjacency matching setback where five feet is the minimum setback required (20% deviation).
- Professional offices are not common in this area, which is primarily residential.
- A patio in the rear yard was previously enclosed without a building permit.
- Driveways from Bruce Street and Lewis Avenue currently serve the site. As proposed on the site plan, only the access from Bruce Street will lead to parking spaces and the access from Lewis Avenue will not allow for circulation around the east side of the site.
- Prior to current ownership of the property there were numerous complaints and code enforcement actions regarding this site. All issues at present have been closed by Code Enforcement.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
03/01/95	The City Council denied a request to amend (GPA-0058-94) a portion of the Downtown Redevelopment Section of the General Plan from L (Low Density Residential) to SC (Service Commercial) on the subject property. The Planning Commission and staff recommended denial.
03/01/95	The City Council denied a request to Rezone (Z-0160-94) the subject property from R-1 (Single Family Residential) to C-1 (Limited Commercial). The Planning Commission and staff recommended denial.
11/16/00	The Planning Commission accepted the applicant's request to withdraw without prejudice a Special Use Permit (U-0180-00) for the proposed conversion of a 1,890 square-foot residence to a church on the subject property.

Most Recent Change of Ownership	
10/07/09	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
c. 1952	The existing single-family dwelling was constructed.
07/27/98	A building permit was issued for a CLV-design patio cover at 222 South Bruce Avenue. A final inspection was completed on 12/16/98.

Pre-Application Meeting	
12/16/09	A pre-application meeting was held with the applicant, where the following points were discussed: • Requirements for submittal of a General Plan Amendment to change the General Plan from L to O, a Rezoning application to change the zoning from R-1 to P-R, a Site Development Plan Review to convert the house to an office use, and a Variance for parking; • The applicant's representative claimed that the property had been previously used as a church and that the front and side yards were paved; • A landscape plan will need to be submitted; • A parking analysis would be required on the site plan; • The applicant requested zero-foot landscape buffers on all property lines where 15 feet is required on the east and south property lines and eight feet is required on the north and west property lines.

12/16/09	• The justification letter needs to be revised to include the correct size of the lot (0.16 acres) and correct parcel number (139-35-413-100). • Traffic Engineering will not approve the parking layout as currently designed; Title 13 does not allow vehicles to back out of a driveway on a commercial lot.

Neighborhood Meeting	
03/23/10	A neighborhood meeting was held at 5:30 p.m. at the East Las Vegas Community Senior Center Conference Room, located at 250 North Eastern Avenue, Las Vegas. Two representatives of the applicant and one staff member attended. No members of the public attended.

Field Check	
03/15/10	A visit to the subject site was conducted, in which the following items were noted: • The site consists of a single-family dwelling; • The entire front and side yards are paved. The asphalt is cracked or damaged in some areas. There are no parking stripes painted on the asphalt; • There are curb cuts on both Bruce Street and Lewis Avenue; • There is a narrow landscape planter abutting the east side of the dwelling containing several shrubs, a palm and an evergreen tree in good condition.
04/22/10	During a second visit to the subject site, weeds were found growing in the landscape planter internal to the site and also in the existing asphalt located in the front yard.

Details of Application Request	
Site Area	
Net Acres	0.16

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
North	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)

South	Pet Shop	L (Low Density Residential)	P-R (Professional Office and Parking)
East	Multi-Family Residential (Apartments)	MXU (Mixed Use)	C-2 (General Commercial)
West	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area		X	N/A
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts		X	N/A
Trails (Pedestrian Path – constructed)	X		Y
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08.050, the following standards apply to the proposed development:

Standard	***Required/Allowed (P-R)***	***Provided***	***Compliance***
Min. Lot Size	N/A	0.16 ac	N/A
Min. Lot Width	60 Feet	73 Feet	Y
Min. Setbacks			
• Front (Lewis Avenue)	20 feet	32 feet	Y
• Side	5 feet	4 feet	Y*
• Corner Side (Bruce Street)	15 feet	28 feet	Y
• Rear	15 feet	14 feet	Y*
Max. Lot Coverage	50%	27%	Y
Max. Building Height	Lesser of 2 Stories/35 Feet	Single story / 9.33 feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Curbside pickup	By Condition
Mech. Equipment	Screened	Not indicated	By Condition

*Per Title 19.08.050(C), a development in the P-R (Professional Office and Parking) District which is a conversion from an existing residential structure may maintain the existing setbacks.

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

Residential Adjacency Standards	*Required/Allowed*	*Provided*	*Compliance*
3:1 proximity slope	N/A	4 Feet	N/A
Adjacent development matching setback	5 Feet	4 Feet	N (20% deviation)
Trash Enclosure	50 Feet	Curbside pickup	By condition

Pursuant to Title 19.12, the following landscape standards apply to the proposed development:

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	3 Trees	1 Tree	N
• South	1 Tree / 30 Linear Feet	1 Tree	0 Trees	N
• East	1 Tree / 20 Linear Feet	3 Trees	0 Trees	N
• West	1 Tree / 20 Linear Feet	4 Trees	3 Trees	N
TOTAL PERIMETER TREES		**11 Trees**	**4 Trees**	**N**
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	3 Trees	0 Trees	N
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	8 Feet		0 Feet	N
• South	15 Feet		0 Feet	N
• East	15 Feet		0 Feet	N
• West	8 Feet		0 Feet	N
Wall Height	6 to 8 Feet Adjacent to Residential		6 Feet	Y

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	***Required***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Office, Other Than Listed	1,890 sf	1:300 sf GFA	7		4		N
TOTAL SPACES REQUIRED			**7**		**4**		N
TOTAL (With Handicapped)			6	1	3	1	N
Percent Deviation			43%				

Waivers		
Requirement	***Request***	***Staff Recommendation***
Title 19.12.040(A): 15-foot landscape buffer on east and south perimeters	0 feet for a portion	Denial
Title 19.12.040(A): 8-foot landscape buffer on north and west perimeters	0 feet for a portion	Denial

Exceptions		
Requirement	***Request***	***Staff Recommendation***
Title 19.10.010(J): 3 trees in parking lot planter islands	0 trees	Denial
Title 19.12.040(B): 11 trees in perimeter buffers	4 trees	Denial

ANALYSIS

The subject site is located in a neighborhood north of Charleston Boulevard and west of Bruce Street that dates back to 1942, and was at that time exclusively residential. Over time, the properties along Charleston, a 100-foot wide Primary Arterial, were appropriately converted to uses of a limited commercial nature. With a few exceptions, the parcels north of the properties facing Charleston remain residential properties. The proposed conversion of a residential dwelling to a professional office is out of character with what is still a predominantly residential neighborhood, and therefore it is recommended that the accompanying General Plan Amendment and Rezoning requests be denied. There are no indications at this time, such as an increase in traffic along Bruce Street, that this property would be appropriate to convert to a commercial use.

The building is to be converted from a single-family residence for professional office use. The anticipated business hours will be from 8:00 a.m. to 5:00 p.m. Monday through Friday. The existing front and corner side yards are completely paved with asphalt. Driveways from Bruce Street and Lewis Avenue currently serve the site. As all parking is to be located in the corner side yard along Bruce Street, the driveway from Lewis Avenue is not needed and that frontage could be potentially landscaped to meet current landscape buffer requirements. The existing driveway from Bruce Street is proposed to be shifted to the north to prevent vehicles from backing out into the right-of-way and to minimize other conflicts when entering and exiting a parking space.

As the site is proposed, only four parking spaces can be accommodated where seven spaces are required, based on the size of the main structure. This circumstance illustrates how this site, which is less than 7,000 square feet in area, is inappropriate for a conversion to a commercial property and justifies the recommendation for denial of the related variance (VAR-37570).

As the site is configured, the side yard is adjacent to existing single-family residential property, which is protected from commercial uses by both a 3:1 setback-to-height slope limitation and a matching setback limitation. The proposed office meets the 3:1 slope requirement, as Title 19 allows buildings to be located at the required setback if they are less than or equal to 15 feet in height. Title 19 also allows the current setbacks to remain after conversion to commercial property, as the existing building was approved with these setbacks and the footprint has not expanded beyond those setbacks. However, Title 19.08.060 also requires the commercial building to be set back at least as far from the common property line as is required for the protected single-family property. In this case, the proposed office is set back approximately four feet where a five-foot setback is required. Again, the deviation from code illustrates the incompatibility of the site for conversion to a commercial use and staff therefore recommends denial of this variance (VAR-37976).

In addition to the parking, the site as proposed cannot accommodate the required amount of landscaping and landscape buffer width, due to the parking and circulation layout and the size of the main structure. A three-foot wide buffer is provided along the portion of the rear yard adjacent to three parking spaces where a minimum of eight feet is required; this buffer serves to separate the parking area from the adjacent single-family residence to the north. One tree and several shrubs with groundcover are proposed for screening. The sides of the property adjacent to rights-of-way do not provide any landscaping except on the corner, where one tree and several shrubs with groundcover are proposed. A three-foot buffer is provided along a portion of the west perimeter up to the front of the building, and contains palm trees, which are not appropriate for shade or screening. The waivers associated with the landscaping layout are not acceptable and denial is recommended.

The current site contains a seven-foot tall, 120 square-foot detached accessory structure that does not have a building permit associated with it. The plans indicate that this structure will be removed when the main structure becomes an office. Part of the main structure, however, was added when the rear patio was enclosed, and there is no building permit associated with this construction. A condition of approval will require all necessary building permits to be obtained and final inspections to be completed in compliance with Title 19 and all codes as required by the Building and Safety Department.

FINDINGS (GPA-37567)

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

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

   The intensity of the proposed O (Office) General Plan designation is not compatible with existing lower-intensity L (Low Density Residential) designations to the north, south and west of the subject property.

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

   The proposed O (Office) designation, if approved, would allow rezoning to a P-R (Professional Office and Parking) or O (Office) zoning district. These districts are not compatible with the existing R-1 (Single Family Residential) zoning districts and single-family residential uses that occupy the surrounding lots.

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

   Adequate transportation and utility facilities are existing in the area that would accommodate the commercial uses allowed by the proposed O (Office) land use designation.

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

One of the stated goals of the Las Vegas Redevelopment Area is "to eliminate and prevent the spread of blight and deterioration and the conservation, rehabilitation and redevelopment of the Redevelopment Area in accord with the Master Plan, the Redevelopment Plan and local codes and ordinances." Amendment of the General Plan to allow commercial uses on this site could potentially increase the spread of blight into an existing single family residential neighborhood, as it may encourage other owners of properties along Bruce Street to convert to commercial uses, thereby inviting additional traffic, noise and criminal activity to this area. Rehabilitation of the property would require numerous variances and waivers from local codes. Allowance of incompatible uses and structures in the Redevelopment Area is not permitted by the Redevelopment Plan (IV.F.8).

FINDINGS (ZON-37568)

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

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

   With approval of the associated General Plan Amendment to O (Office), the proposed rezoning to the P-R (Professional Office and Parking) District will conform to the General Plan for this site.

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

   The proposed office use and other uses allowed by the P-R (Professional Office and Parking) District will not be compatible with existing residential uses in all four directions from the subject site and the residential zoning districts located to the north, south and west of the subject site.

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

   Although Bruce Street is an 80-foot Secondary Collector, there has been no trend of commercial growth along Bruce Street between Charleston Boulevard and Fremont Street that would indicate the need for rezoning of parcels along that street. There has not been an increase in traffic on Bruce Street. The existing C-2 (General Commercial) properties on the east side of Bruce contain residential uses.

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

   Access to the site is provided by Bruce Street, an 80-foot right-of-way, and Lewis Avenue, a 48-foot wide local street that only has 24 feet of paving. Since most traffic to the site will be accessing the property from Bruce Street, these facilities will be adequate to meet the requirements of the proposed P-R (Professional Office and Parking) District.

FINDINGS (VAR-37570)

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 converting a single-family residence to an office when the site cannot support the required number of parking spaces for this use. Conversion of a residence on a larger site would allow for conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

FINDINGS (VAR-37976)

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 converting this site from a residential use to a commercial use when the existing building is closer to protected property than code allows. A site that is adjacent to property with an existing commercial use would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

FINDINGS (SDR-37569)

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

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

   The proposed professional office development is not compatible with adjacent single family residential development. The encroachment of commercial uses in a predominantly residential area is strongly discouraged, and there has been no indication that this site is no longer valuable containing a single-family residential dwelling.

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;**

   As the intended use of the subject property is changing, the proposed development requires a General Plan Amendment to change the existing land use designation from L (Low Density Residential) to O (Office), which is not supported. Policy 2.2.1 of the Las Vegas 2020 Master Plan calls for adequate design, transition or buffering elements to mitigate the effects of redevelopment on lower density residential development. Waivers are needed from perimeter landscape requirements on all sides of the development, an exception from parking lot landscaping requirements is required, and variances for parking and residential adjacency are needed to allow the project to proceed. The waiver requests reduce or eliminate the intended purpose of the required buffers and do not allow for an adequate transition from commercial to low density residential development.

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

   Access to the site is provided by Bruce Street, an 80-foot right-of-way, and Lewis Avenue, a 48-foot wide local street that currently only has 24 feet of paving. The existing driveway from Bruce Street is proposed to be shifted to the north to prevent vehicles from backing out into the right-of-way and to minimize other conflicts when entering and exiting a parking space. Vehicles entering the site from Bruce Street but exiting onto Lewis or vice-versa must cross van-accessible loading areas, creating circulation conflicts if the Lewis Avenue access is to remain. Traffic to this site is expected to be minimal and should not negatively impact neighborhood traffic.

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

   Building and landscaping materials are to remain as they are at present, with the exception of additional California Pepper trees along the south and north perimeter of the property, and the addition of palm trees along the property's west side. The palm trees are inappropriate for use as screening materials from adjacent residential development, and shade trees are recommended.

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 elevations and features are compatible with other single-family residential dwellings in the area. No changes are proposed to the exterior, other than paint color, which is proposed to switch to an earthen palette.

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

   The conversion of the existing residence to a professional office will require all necessary permits and inspections in order to protect the public's health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 22

NOTICES MAILED 189

APPROVALS 3

PROTESTS 2

CONCERNS 1

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-37567** APN: 139.35.413.100

Name of Property Owner: JUDITH PEÑA

Name of Applicant: JUDITH PEÑA

Name of Representative: KME ARCHITECTS

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: JUDITH Peña

Subscribed and sworn before me

This 3rd day of MARCH, 2010

ROSSANA B. GOMEZ

Notary Public in and for said County and State

ROSSANA B. GOMEZ
Notary Public, State of Nevada
Appointment No. 09-11658-1
My Appt. Expires Aug. 18, 2013

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Judith Pena

Project Address (Location) 222 South Bruce Street

Project Name Pena Tenant Improvement **Proposed Use** Business

Assessor's Parcel #(s) 139-35-413-100 **Ward #** 3

General Plan: existing 1750 proposed _____ **Zoning:** existing R-1 proposed P-R

Commercial Square Footage _____ **Floor Area Ratio** 1:4

Gross Acres 0.16 **Lots/Units** _____ **Density** _____

Additional Information Structure is Existing. In an effort to create new jobs we are requesting a rezoning of the existing R-1 to P-R

PROPERTY OWNER Judith Pena **Contact** Kelvin Haywood

Address 222 South Bruce Street **Phone:** (702) 888-2088 **Fax:** (702) 888-2089

City Las Vegas **State** Nevada **Zip** 89102

E-mail Address kelvin@kmearchitects.com

APPLICANT Judith Pena **Contact** Kelvin Haywood

Address 222 South Bruce Street **Phone:** (702) 888-2088 **Fax:** (702) 888-2089

City Las Vegas **State** Nevada **Zip** 89102

E-mail Address _____

REPRESENTATIVE KME Architects LLC **Contact** Kelvin Haywood

Address 231 West Charleston Blvd **Phone:** (702) 888-2088 **Fax:** (702) 888-2089

City Las Vegas **State** Nevada **Zip** 89102

E-mail Address kelvin@kmearchitects.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 JUDITH PENA

Subscribed and sworn before me

This 3rd day of March, 20 10.

Rossana B Gomez

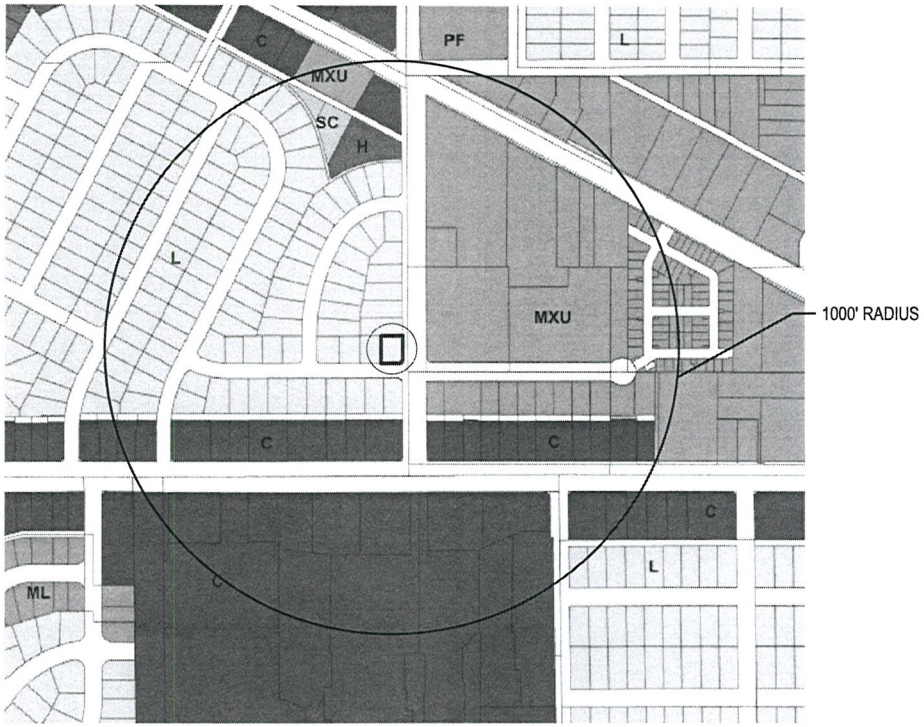
Notary Public in and for said County and State

ROSSANA B. GOMEZ
Notary Public, State of Nevada
Appointment No. 09-11658-1
My Appt. Expires Aug. 18, 2013

FOR DEPARTMENT USE ONLY

Case #	GPA-57567
Meeting Date:	4/22/10
Total Fee:	$2,000
Date Received:*	3/4/10
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.



1 AG1.00 GPA LOCATION MAP
SCALE:1:200

kme architects
231 west charleston boulevard
suite one fourty
las Vegas, NV 89102
office: 702.888.2066
fax: 702.888.2069
web: www.kmearchitects.com

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PROJECT:
PENA DEVELOPMENT
222 S. BRUCE STREET
LAS VEGAS, NV 89101

SHEET TITLE:
GPA LOCATION MAP

REVISIONS	DATE

DRAWN: KDH
DATE: 04-19-2010
JOB NO: 2009-033
SCALE: AS INDICATED

SHEET
AG1.00

RECEIVED
MAY 11 2010

GPA-37567



GPA-37567, ZON-37568, VAR-37570, VAR-37976 & SDR-37569 – APPLICANT/OWNER: JUDITH PENA
222 SOUTH BRUCE STREET

03/18/10



GPA-37567, ZON-37568, VAR-37570, VAR-37976 & SDR-37569 – APPLICANT/OWNER: JUDITH PENA
222 SOUTH BRUCE STREET

03/18/10



GPA-37567, ZON-37568, VAR-37570, VAR-37976 & SDR-37569 – APPLICANT/OWNER: JUDITH PENA
222 SOUTH BRUCE STREET

03/18/10

kme ARCHITECTS

March 22, 2010

Planning and Development Department
731 South 4th Street
Las Vegas Nevada 89101

Attn: Planning & Development Department

Re: Pena Office Conversion, GPA-37567 (APN 139-35-413-100)

Justification Letter

Kelvin Haywood
President

Melvin Green
Principal

Emanuele Arguelles
Principal

Dear Planning Department,

KME Architects, LLC, on behalf of our client Judith Pena, is pleased to submit this request to rezone the existing property (APN # 139.35.413.100) from its current use of *Single Family Residence District (R-1)* to *Professional Offices and Parking (P-R).* We additionally request a 0'-0" feet waiver for Landscape on the South and East side of the property where 15'-0" is required and a waiver for all landscape requirements due to the lot constraints. Making the site smaller would create an undue hardship on the applicant due to the existing conditions.

Mrs. Pena, a long time residence of Las Vegas, intends to improve the existing 1,890 SF home into a small tax business and/or an attorney's office. These offices will have normal office hours of 8am – 5pm Monday through Friday. Secondly, there will be no excessive amount of paper or other material that would cause the site to need a larger trash receptacle. The owner is in the process of obtaining a letter from Republic Service that will state normal residential service will continue for this address. Lastly, the majority of the clients will be by appointment so as not to cause any additional need for parking along the street. The previous use for this existing house was a church / place of worship and the parking lot was previously paved to provide for parking spaces.

The surrounding properties are General Commercial District (C-2) on the NE side, Limited Commercial District (C-1)/Apartment Residence District (R-4) at the SE Corner, and Professional Offices and Parking (P-R) on the SW Corner. The rezoning of parcel 139.35.413.100 will fit in with the existing zoning layout without causing any additional stress or traffic to the neighborhood. Lastly we request a waiver of Landscape conditions as the site is .16 acres (6,969sf) which is approximately 73% lot coverage.

If you have any questions or comments regarding this matter, please feel free to contact our office.

Sincerely Yours,

Kelvin Haywood
President

GPA-37567 ZON-37568
VAR-37570 SDR-37569

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MAR 24 2010

231 west charleston boulevard suite one forty, las vegas Nevada 89102 □ office. 702.888.2088 | fax. 702.888.2089 □ website: www.kmearchitects.com

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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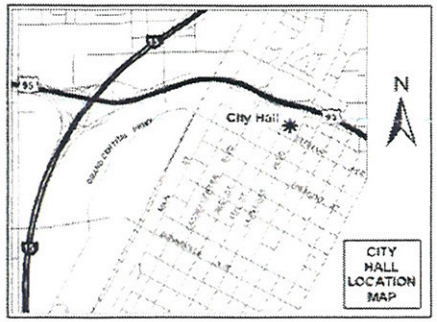

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council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

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-37567 & ZON-37568

Planning Commission Meeting of 4/22/2010

Case: GPA-37567

13935413122
GUZMAN RAFAELA
P O BOX 19601
JEAN NV 89019-9601

APR 14 2010

Submitted after final agenda
Date 4/14/10
Item 21-22
P

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

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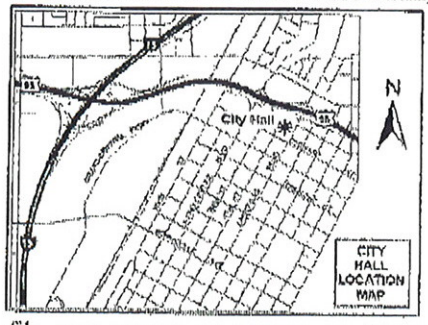

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-37567 & ZON-37568
Planning Commission Meeting of 4/22/2010

Case: GPA-37567
13935413104
HENDERSON HARRIETT L & RITA L
2034 COVINGTON AVE
SIMI VALLEY CA 93065-5605

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APR 16 2010

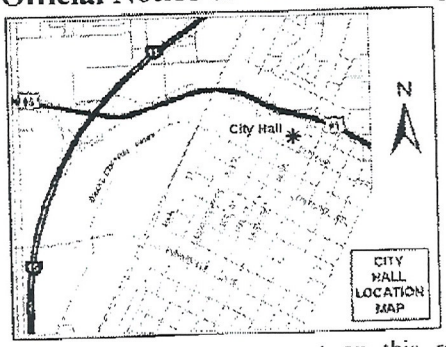
Submitted after final agenda
Date 4/16/10 Item 21-22 P

Apr 11 10 11:17a Don Cole 702 678-6597 p.1

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

Return Service Requested

Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-37567 & ZON-37568

Planning Commission Meeting of 4/22/2010

Don Cole 496-2612

Case: GPA-37567
13935413130
COLE DON
248 SPENCER ST #1
LAS VEGAS NV 89101-5268

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APR 11 2010

21-22 A

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

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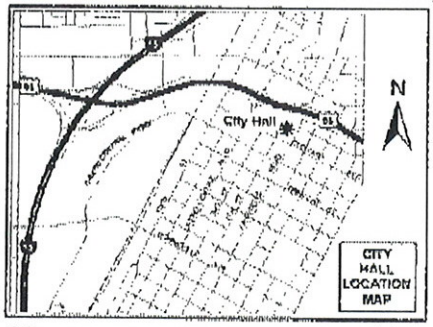
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-37567 & ZON-37568

Planning Commission Meeting of 4/22/2010

Case: GPA-37567

13935413138
LASTCO L L C
%S & L WEINSTOCK
10139 BONHAM CT
LAS VEGAS NV 89148-7606

Submitted after final agenda
Date 4/16/10 Item 21.22 A

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

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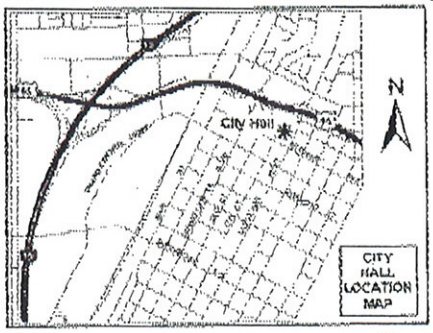

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Case: GPA-37567

13935803013
WESTERFIELD-WOODBURY L L C
1930 VILLAGE CENTER CTR #3-938
LAS VEGAS NV 89134-6299

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-37567 & ZON-37568
Planning Commission Meeting of 4/22/2010

RECEIVED
APR 16 2010

Submitted after final agenda
Date 4/16/10 Item 21-22 A

Boulder Dam Homesite Addition Association & Residential Park Inc

1909 East Mesquite Avenue Las Vegas, Nevada 89101-3309
Donald Fondriasopolous / President

RECEIVED
MAR 19 2010

Att: Kelvin Haywood:

Re: property ar 222 Bruce where applications filed incl; SDR-37569 - GPA-37567

It is our understanding this property was an illegal conversion to a duplex for residential purposes which caused excessive occupancy and behavioral patterns, neighborhood disturbances, illegal activities and eventually a 2008 property foreclosure.

The current applications indicate an effort to upgrade the property for professional purposes only and thereby improving the neighborhood . It is our understanding that the request for a reduction in parking spaces from six to four spaces allows the developer/applicant to perform a lesser amount of landscaping. It would appear that these renovations would greatly improve this property from it's present condition. We would ask and encourage the applicant to select a suitable exterior paint job that blends in with the existing neighborhood surroundings and not look like a property in downtown Havana, Cuba or Tijuana, Mexico.

At this time we see no further involvement or attendance required by this organization in regards to this property mentioned or it's applicants.

Sincerely,
Donald Fondriasopolous/President-Resident Agent.
dedward@ttlv.net

cc/ Robert Levrant - City Planning & Neighborhood Services
Robert Taylor - Block Captain 1701 E Cedar Avenue
Carlo Poliak - U.S.Senator Candidate

GPA-37567
ZON-37568
VAR-37570
SDR-37569

City of Las Vegas Agenda Item No.: **21.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

SUBJECT:
ABEYANCE - ZON-37568 - REZONING RELATED TO GPA-37567 - PUBLIC HEARING - APPLICANT/OWNER: JUDITH PENA - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.16 acres at 222 South Bruce Street (APN 139-35-413-100), Ward 3 (Reese). Staff recommends DENIAL.

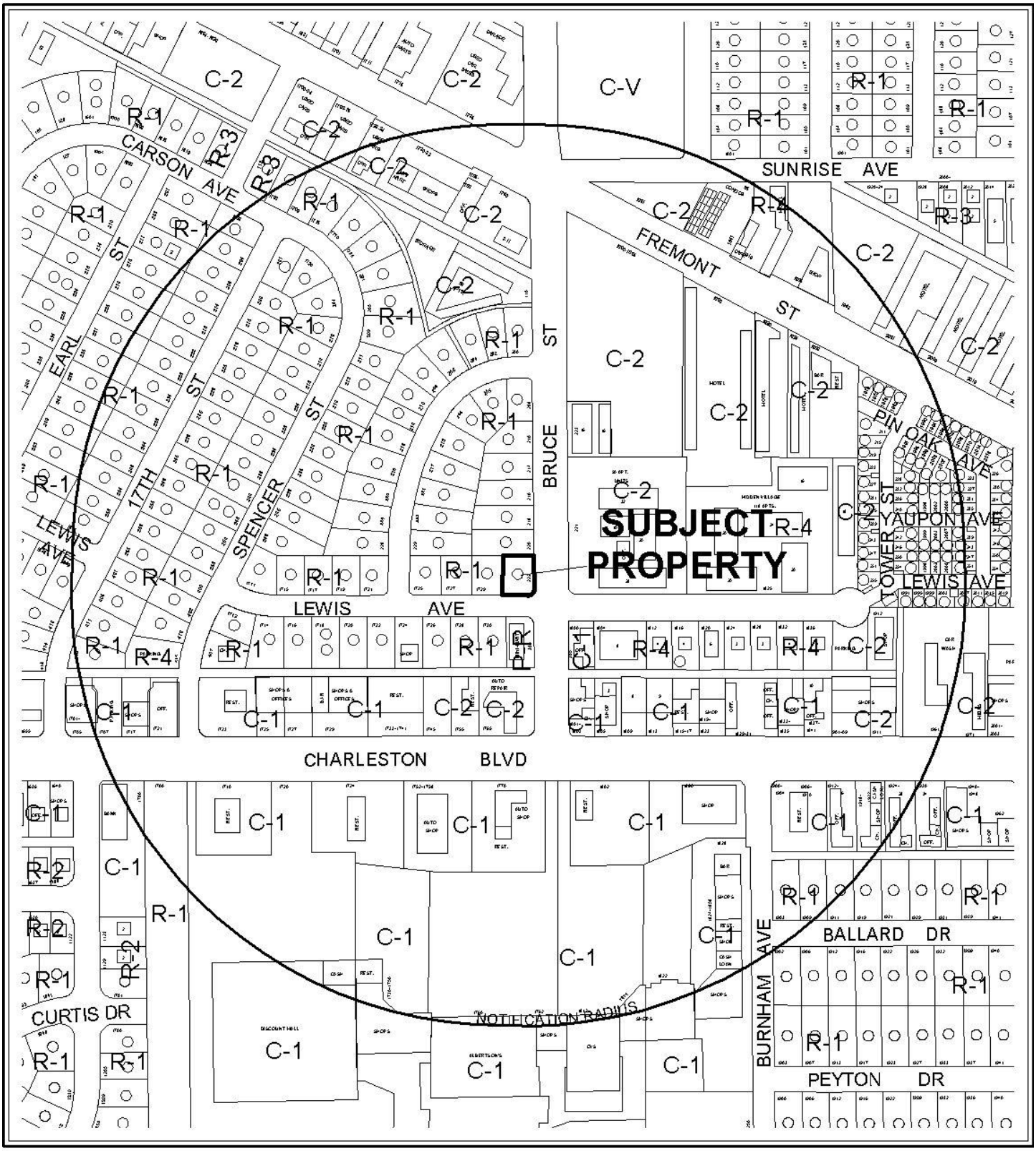
C.C.: 07/07/2010

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**2**	**Planning Commission Mtg.**	**3**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Location and Aerial Maps - ZON-37568, VAR-37570, VAR-37976 and SDR-37569
3. Supporting Documentation

Consistent with the City’ s sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.



CASE: **ZON-37568;VAR-37570;VAR-37976 AND SDR-37569**

0 300 600 Feet

RADIUS: 1000 FT

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

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

N



CASE: **ZON-37568;VAR-37570;VAR-37976 AND SDR-37569**

0 300 600 Feet

RADIUS: 1000 FT

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

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

N

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-37568** APN: 139-35-413-100

Name of Property Owner: JUDITH PENA

Name of Applicant: JUDITH PENA

Name of Representative: KME ARCHITECTS

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: JUDITH PENA

Subscribed and sworn before me

This 3rd day of MARCH, 20 10

ROSSANA B. GOMEZ

Notary Public in and for said County and State

ROSSANA B. GOMEZ
Notary Public, State of Nevada
Appointment No. 09-11658-1
My Appt. Expires Aug. 18, 2013

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Judith Pena

Project Address (Location) 222 South Bruce Street

Project Name Pena Tenant Improvement **Proposed Use** Business

Assessor's Parcel #(s) 139-35-413-100 **Ward #** 3

General Plan: existing 1750 proposed _____ **Zoning:** existing R-1 proposed P-R

Commercial Square Footage _____ **Floor Area Ratio** 1:4

Gross Acres 0.16 **Lots/Units** _____ **Density** _____

Additional Information Structure is Existing. In an effort to create new jobs we are requesting a rezoning of the existing R-1 to P-R

PROPERTY OWNER Judith Pena **Contact** Kelvin Haywood

Address 222 South Bruce Street **Phone:** (702) 888-2088 **Fax:** (702) 888-2089

City Las Vegas **State** Nevada **Zip** 89102

E-mail Address kelvin@kmearchitects.com

APPLICANT Judith Pena **Contact** Kelvin Haywood

Address 222 South Bruce Street **Phone:** (702) 888-2088 **Fax:** (702) 888-2089

City Las Vegas **State** Nevada **Zip** 89102

E-mail Address _____

REPRESENTATIVE KME Architects LLC **Contact** Kelvin Haywood

Address 231 West Charleston Blvd **Phone:** (702) 888-2088 **Fax:** (702) 888-2089

City Las Vegas **State** Nevada **Zip** 89102

E-mail Address kelvin@kmearchitects.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 JUDITH PENA

Subscribed and sworn before me

This 3rd day of MARCH, 20 10.

ROSSANA B GOMEZ

Notary Public in and for said County and State

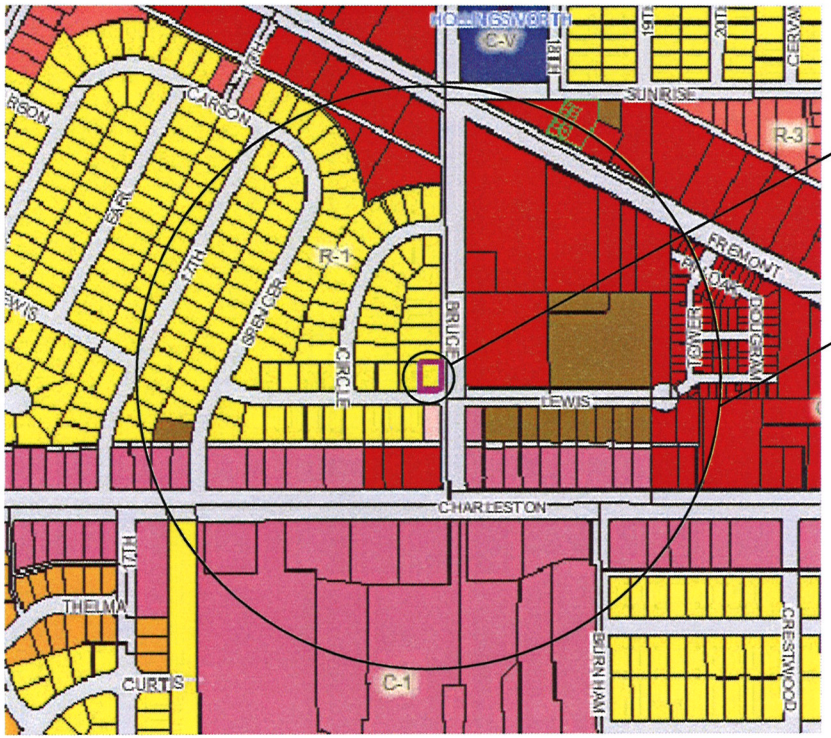
ROSSANA B. GOMEZ
Notary Public, State of Nevada
Appointment No. 09-11658-1
My Appt. Expires Aug. 18, 2013

FOR DEPARTMENT USE ONLY

Case #	ZON-37569
Meeting Date:	4/22/10
Total Fee:	$1200.00
Date Received:*	3/4/10
Received By:	

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

Revised 10/27/08



APN # 139-35-413-100
CURRENTLY ZONED FOR R-1
PROPOSED ZONE P-R

1000' RADIUS

1 LOCATION MAP
AZ1.00 SCALE:1:200

N

RECEIVED
MAR 04 2010

ZON-37568
04/22/10 PC

kme ARCHITECTS
231 west charleston boulevard
suite one fourty
las Vegas, NV 89102
office: 702.888.2088
fax: 702.888.2099
web: www.kmearchitects.com

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PROJECT:
PENA DEVELOPMENT
222 S. BRUCE STREET
LAS VEGAS, NV 89101

SHEET TITLE:
LOCATION MAP

REVISIONS	DATE

DRAWN: KDH
DATE: 02-23-2010
JOB NO: 2009-033
SCALE: AS INDICATED

SHEET
AZ1.00

City of Las Vegas Agenda Item No.: **22.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

SUBJECT:
VAR-37570 - VARIANCE RELATED TO GPA-37567 AND ZON-37568 - PUBLIC HEARING - APPLICANT/OWNER: JUDITH PENA - Request for a Variance TO ALLOW FOUR PARKING SPACES WHERE SEVEN SPACES ARE REQUIRED on 0.16 acres at 222 South Bruce Street (APN 139-35-413-100), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 3 (Reese). Staff recommends DENIAL.

C.C.: 07/07/2010

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

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation

Consistent with the City’ s sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-37570** APN: 139-35-413-100

Name of Property Owner: JUDITH PENA

Name of Applicant: JUDITH PENA

Name of Representative: KME ARCHITECTS

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: JUDITH PENA.

Subscribed and sworn before me

This 3rd day of MARCH, 2010

ROSSANA B. GOMEZ

Notary Public in and for said County and State

ROSSANA B. GOMEZ
Notary Public, State of Nevada
Appointment No. 09-11658-1
My Appt. Expires Aug. 18, 2013

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Judith Pena

Project Address (Location) 222 South Bruce Street

Project Name Pena Tenant Improvement **Proposed Use** Business

Assessor's Parcel #(s) 139-35-413-100 **Ward #** 3

General Plan: existing 1750 proposed _____ **Zoning:** existing R-1 proposed P-R

Commercial Square Footage _____ **Floor Area Ratio** 1:4

Gross Acres 0.16 **Lots/Units** _____ **Density** _____

Additional Information Structure is Existing. In an effort to create new jobs we are requesting a rezoning of the existing R-1 to P-R

PROPERTY OWNER Judith Pena **Contact** Kelvin Haywood

Address 222 South Bruce Street **Phone:** (702) 888-2088 **Fax:** (702) 888-2089

City Las Vegas **State** Nevada **Zip** 89102

E-mail Address kelvin@kmearchitects.com

APPLICANT Judith Pena **Contact** Kelvin Haywood

Address 222 South Bruce Street **Phone:** (702) 888-2088 **Fax:** (702) 888-2089

City Las Vegas **State** Nevada **Zip** 89102

E-mail Address _____

REPRESENTATIVE KME Architects LLC **Contact** Kelvin Haywood

Address 231 West Charleston Blvd **Phone:** (702) 888-2088 **Fax:** (702) 888-2089

City Las Vegas **State** Nevada **Zip** 89102

E-mail Address kelvin@kmearchitects.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 JUDITH PENA

Subscribed and sworn before me

This 3rd day of March, 20 10.

Rossana B Gomez

Notary Public in and for said County and State

ROSSANA B. GOMEZ
Notary Public, State of Nevada
Appointment No. 09-11658-1
My Appt. Expires Aug. 18, 2013

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	VAR-37570
Meeting Date:	4/22/10
Total Fee:	830.00
Date Received:*	3/4/10
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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City of Las Vegas Agenda Item No.: **23.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

SUBJECT:
VAR-37976 - VARIANCE RELATED TO GPA-37567, ZON-37568 AND VAR-37570 - PUBLIC HEARING - APPLICANT/OWNER: JUDITH PENA - Request for a Variance TO ALLOW A FOUR-FOOT SETBACK FROM THE WEST PROPERTY LINE WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A FIVE-FOOT SETBACK on 0.16 acres at 222 South Bruce Street (APN 139-35-413-100), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 3 (Reese). Staff recommends DENIAL.

C.C.: 07/07/2010

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

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation

Consistent with the City’ s sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-37976 APN: 139 35 413 100

Name of Property Owner: Judith Pena

Name of Applicant: Judith Pena

Name of Representative: KME Architects

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: _____

RECEIVED
APR 14 2010

Signature of Property Owner: _____

Print Name: JUDITH PENA

Subscribed and sworn before me

This 14th day of April, 2010

ROSSANA B GOMEZ

Notary Public in and for said County and State

ROSSANA B. GOMEZ
Notary Public, State of Nevada
Appointment No. 09-11658-1
My Appt. Expires Aug. 18, 2013

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Residential Adjacent Setback

Project Address (Location) 222 South Bruce Street

Project Name Pena Rezoning **Proposed Use** Business

Assessor's Parcel #(s) 139-35-413-100 **Ward #** 3

General Plan: existing _____ proposed _____ **Zoning:** existing R-1 proposed P-R

Commercial Square Footage 1890 **Floor Area Ratio** 1:4

Gross Acres .16 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Judith Pena **Contact** Kelvin haywood

Address 222 S. Bruce **Phone:** (702) 888-2088 **Fax:** (702) 888-2089

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

E-mail Address kelvin@kmearchitects.com

APPLICANT Judith Pena **Contact** Kelvin Haywood

Address 222 South Bruce **Phone:** (702) 888-2088 **Fax:** (702) 888-2089

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

E-mail Address kelvin@kmearchitects.com

REPRESENTATIVE KME Architects **Contact** Kelvin Haywood

Address 231 W Charleston , Suite 140 **Phone:** (702) 888-2088 **Fax:** (702) 888-2089

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

E-mail Address kelvin@kmearchitects.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 JUDITH PENA

Subscribed and sworn before me

This 14th day of April, 20 10.

ROSSANA B GOMEZ

Notary Public in and for said County and State

ROSSANA B. GOMEZ
Notary Public, State of Nevada
Appointment No. 09-11658-1
My Apot. Expires Aug. 18, 2013

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	VAR-37976
Meeting Date:	5/27/10
Total Fee:	$830
Date Received:*	4/14/10
Received By:	Romero

RECEIVED
APR 14 2010

*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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City of Las Vegas Agenda Item No.: **24.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

SUBJECT:
SDR-37569 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-37567, ZON-37568, VAR-37570 AND VAR-37976 - PUBLIC HEARING - APPLICANT/OWNER: JUDITH PENA - Request for a Site Development Plan Review FOR THE CONVERSION OF AN EXISTING 1,890 SQUARE-FOOT RESIDENCE TO AN OFFICE AND WAIVERS OF PERIMETER LANDSCAPE STANDARDS TO ALLOW ZERO-FOOT BUFFERS ALONG THE SOUTH AND EAST PERIMETERS WHERE 15 FEET IS REQUIRED AND ZERO-FOOT BUFFERS ALONG THE NORTH AND WEST PERIMETERS WHERE EIGHT FEET IS REQUIRED on 0.16 acres at 222 South Bruce Street (APN 139-35-413-100), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 3 (Reese). Staff recommends DENIAL.

C.C.: 07/07/2010

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

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation

Consistent with the City’ s sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-37569** APN: 139-35-413-100

Name of Property Owner: Judith Pena

Name of Applicant: Judith Pena

Name of Representative: KME Architects

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: JUDITH PENA

Subscribed and sworn before me

This 23 day of February, 2010

Rossana Gomez

Notary Public in and for said County and State

ROSSANA B. GOMEZ
Notary Public, State of Nevada
Appointment No. 09-11658-1
My Appt. Expires Aug. 18, 2013

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Judith Pena

Project Address (Location) 222 South Bruce Street

Project Name Pena Tenant Improvement **Proposed Use** Business

Assessor's Parcel #(s) 139-35-413-100 **Ward #** 3

General Plan: existing 1750 proposed _____ **Zoning:** existing R-1 proposed P-R

Commercial Square Footage _____ **Floor Area Ratio** 1:4

Gross Acres 0.16 **Lots/Units** _____ **Density** _____

Additional Information Structure is Existing. In an effort to create new jobs we are requesting a rezoning of the existing R-1 to P-R

PROPERTY OWNER Judith Pena **Contact** Kelvin Haywood

Address 222 South Bruce Street **Phone:** (702) 888-2088 **Fax:** (702) 888-2089

City Las Vegas **State** Nevada **Zip** 89102

E-mail Address kelvin@kmearchitects.com

APPLICANT Judith Pena **Contact** Kelvin Haywood

Address 222 South Bruce Street **Phone:** (702) 888-2088 **Fax:** (702) 888-2089

City Las Vegas **State** Nevada **Zip** 89102

E-mail Address _____

REPRESENTATIVE KME Architects LLC **Contact** Kelvin Haywood

Address 231 West Charleston Blvd **Phone:** (702) 888-2088 **Fax:** (702) 888-2089

City Las Vegas **State** Nevada **Zip** 89102

E-mail Address kelvin@kmearchitects.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 JUDITH PENA

Subscribed and sworn before me

This 23 day of February, 2010.

Rossana Gomez

Notary Public in and for said County and State

ROSSANA B. GOMEZ
Notary Public, State of Nevada
Appointment No. 09-11658-1
My Appt. Expires Aug. 18, 2013

FOR DEPARTMENT USE ONLY

Case #	SDR 37569
Meeting Date:	4/22/10
Total Fee:	$1030
Date Received:*	3/4/10
Received By:	

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

Revised 10/27/08

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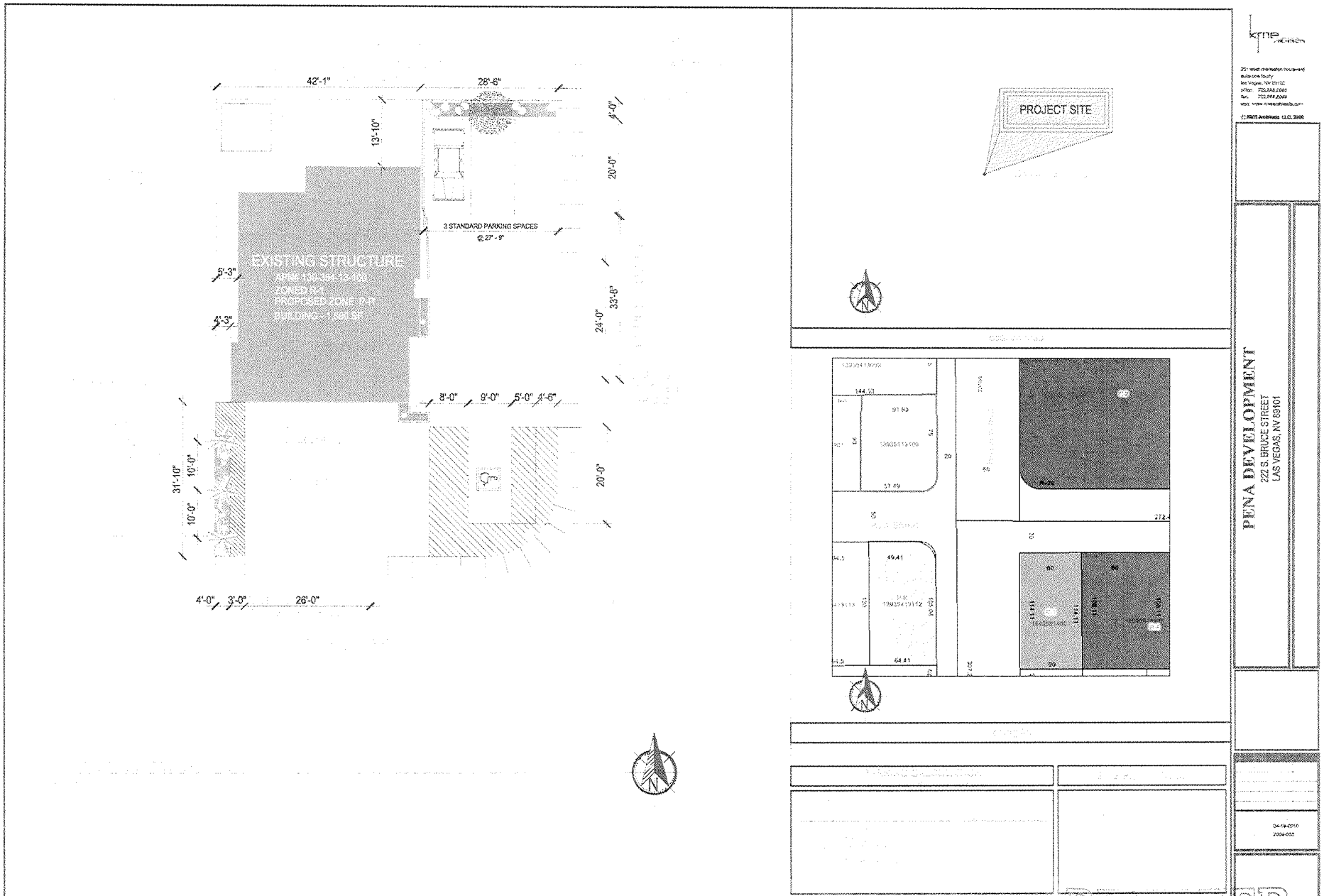
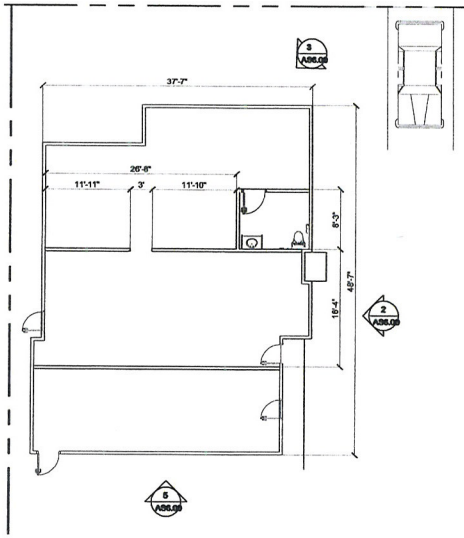


VAR-37570 VAR-37976
SDR-37569 REVISED

RECEIVED
MAY 11 2010



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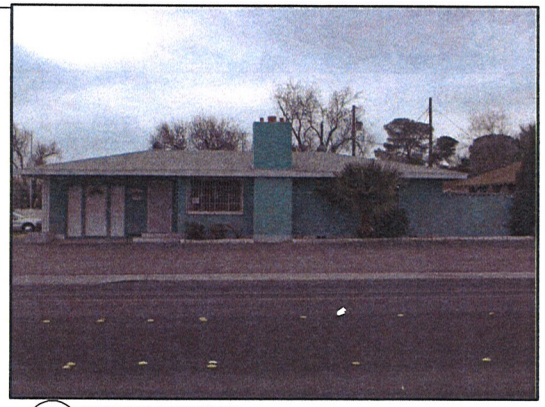
AS6.00 SCALE:1/16"=1'-0"



2 EAST ELEVATION
AS1.00 SCALE: NTS



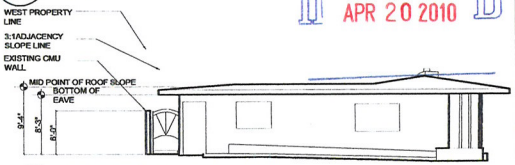
4 PARTIAL WEST ELEVATION
AS1.00 SCALE: NTS



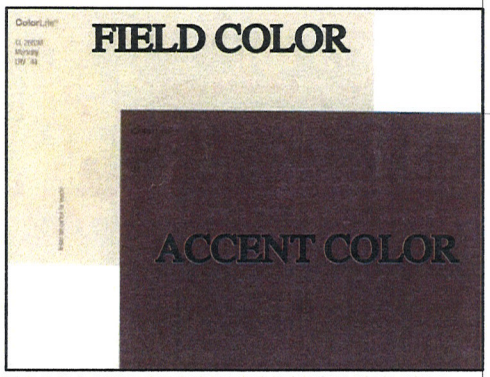
3 PARTIAL NORTH ELEVATION
AS1.00 SCALE: NTS



5 SOUTH ELEVATION
AS1.00 SCALE: NTS



6 ELEVATION
AS6.00 SCALE:1/16"=1'-0"



PROPOSED EXTERIOR PAINT COLORS

RECEIVED
APR 20 2010

kme ARCHITECTS
231 west charleston boulevard
suite one fourty
las Vegas, NV 89102
office: 702.888.2088
fax: 702.888.2089
web: www.kmearchitects.com

© KME Architects LLC 2010

PROJECT:
PENA DEVELOPMENT
222 S. BRUCE STREET
LAS VEGAS, NV 89101

SHEET TITLE:
SITE PLAN AND SITE ELEVATIONS

REVISIONS	DATE

DRAWN: KDH
DATE: 04-19-2010
JOB NO: 2009-033
SCALE: AS INDICATED

SHEET
AS6.00

GPA-37567 ZON-37568
VAR-37570 VAR-37976
SDR-37569 REVISED

City of Las Vegas Agenda Item No.: **25.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

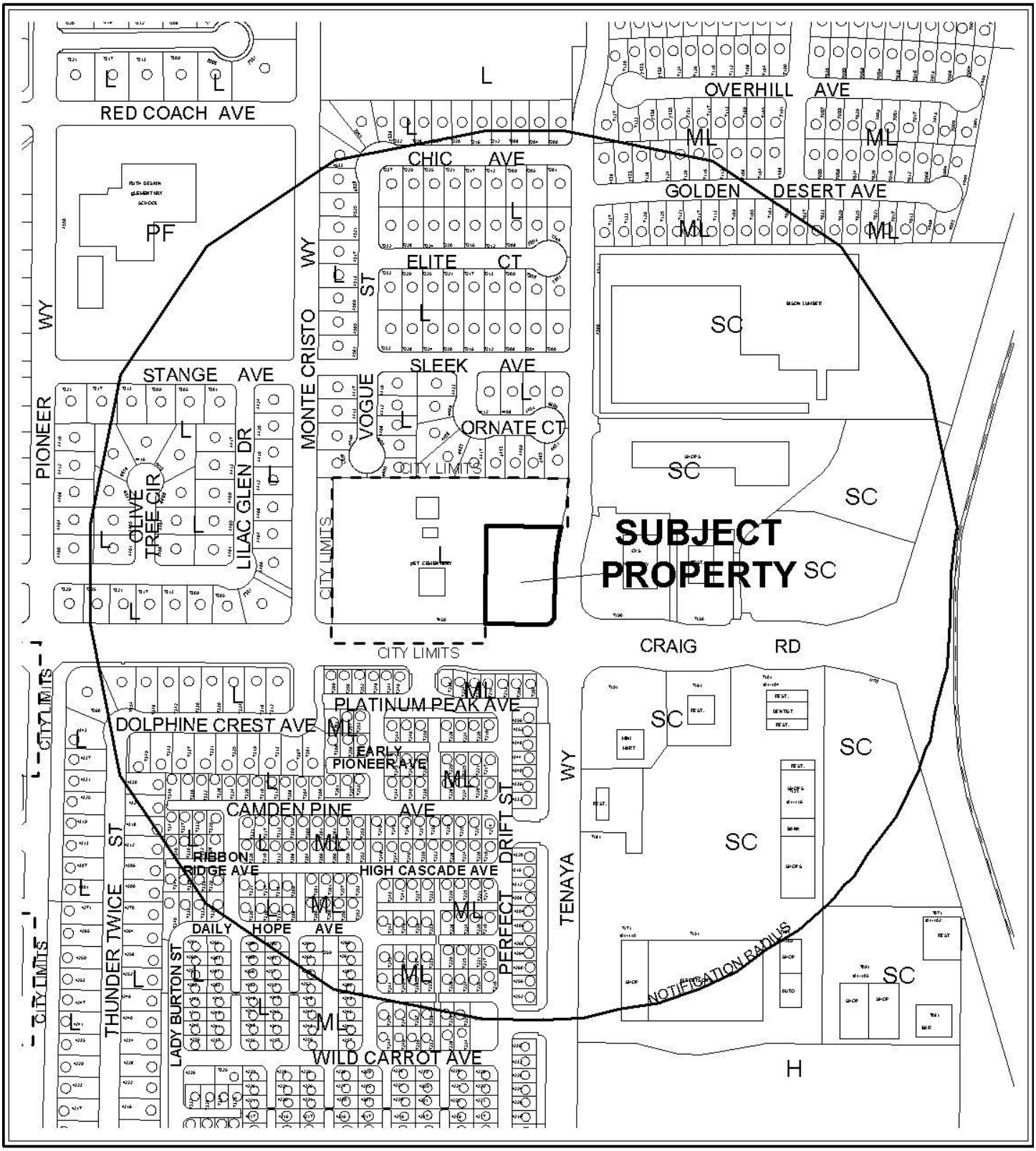
SUBJECT:
ABEYANCE - GPA-37823 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CT-1, LLC - Request to Amend a portion of the Centennial Hills Sector Plan of the General Plan FROM: L (LOW DENSITY RESIDENTIAL) TO: SC (SERVICE COMMERCIAL) on 1.00 acres at 7204 West Craig Road (APN 138-03-201-009), Ward 4 (Anthony). Staff recommends APPROVAL.

C.C.: 07/07/2010

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**5**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report – GPA-37823, ZON-37824 and SDR-37940
3. Supporting Documentation
4. Photos - GPA-37823, ZON-37824 and SDR-37940
5. Justification Letter - GPA-37823, ZON-37824 and SDR-37940
6. Protest Postcards, Email Protest and Concern Letter - GPA-37823, ZON-37824 and SDR-37940



0 300 600 Feet

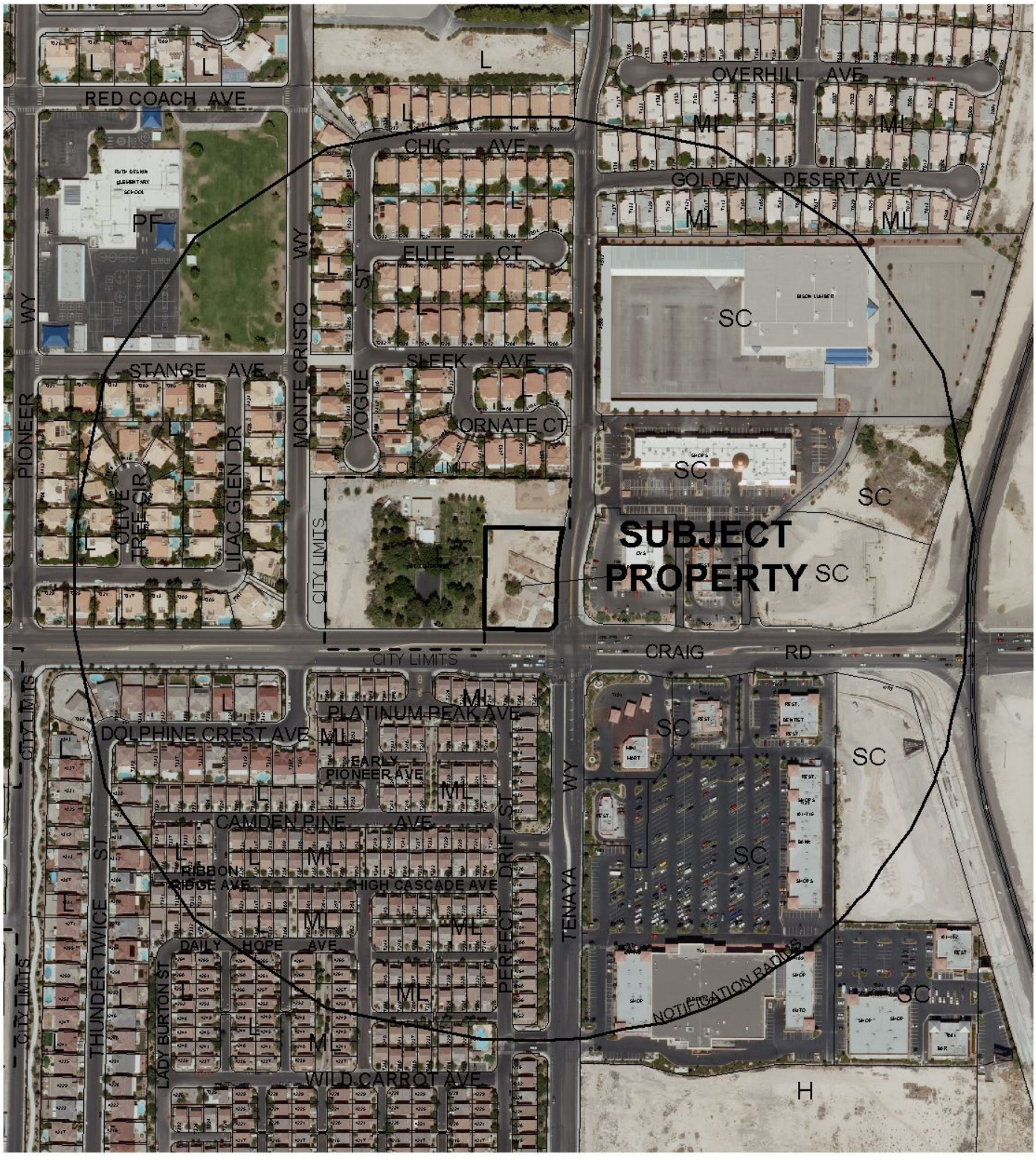
CASE: **GPA-37823**

RADIUS: 1000 FT

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

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

N



0 300 600 Feet

CASE: **GPA-37823**

RADIUS: 1000 FT

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

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: CT-1, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
GPA-37823	Staff recommends APPROVAL.	
ZON-37824	Staff recommends APPROVAL.	GPA-37823
SDR-37940	Staff recommends APPROVAL, subject to conditions:	GPA-37823 ZON-37824

** CONDITIONS *

SDR-37940 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, date stamped 05/05/10, landscape plan, and building elevations, date stamped 04/13/10, except as amended by conditions herein.

3. A Waiver from Title 19.12.040 is hereby approved to allow a zero-foot buffer along the south perimeter where fifteen feet is required.

4. An Exception from 19.12.040 is hereby approved, to allow seven parking lot trees where eight are required.

5. 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.

6. These Conditions of Approval shall be affixed to the cover sheet of the plan set submitted for building permit.

7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan to include four additional trees within the perimeter buffer areas.

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. The trash enclosure shall be screened, gated, with a roof or trellis.

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. Grant pedestrian walkway easements for all public sidewalks not located within public right-of-way.

16. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

17. 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.

18. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

19. Submit an Encroachment Agreement for all landscaping, if any, located in the public right-of-way adjacent to this site prior to occupancy of this site.

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

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

** STAFF REPORT **

PROJECT DESCRIPTION

This is a General Plan Amendment and Rezoning to amend a portion of the Centennial Hills Sector of the General Plan (GPA-37823) from L (Low Density Residential) to SC (Service Commercial) and to Rezone (ZON-37824) the site from R-E (Residence Estates) to C-1 (Commercial, Limited) at 7204 West Craig Road. The subject site has a current land use designation of L (Low Density Residential), is zoned R-E (Residence Estates) and contains a single-family residence. The proposed land use designation of SC (Service Commercial) and rezoning of C-1 (Limited Commercial) would allow uses that are compatible with the existing surrounding land uses. The proposed 4,195 square foot building meets all of Title 19 requirements except for one parking lot tree and four perimeter trees. Staff can support the exception for one parking lot tree as this is minimal in nature. The applicant has agreed to plant four additional trees in the perimeter landscape buffer areas; a condition of approval has been added to address this. Staff supports the waiver along the south perimeter as it is minor in nature and meets the intent of Title 19.12.040G for street landscaping along major arterials. Staff recommends approval. If denied, the site would remain as a single-family residential use.

ISSUES

- The proposed amendment and rezoning are compatible with the existing adjacent RS (Residential Suburban) – Clark County Designation, ML (Medium-Low Density Residential) and SC (Service Commercial) designations and current uses.
- The proposed site plan is consistent with Title 19.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales	
10/18/06	The City Council approved a request for an Annexation (ANX-15018) of approximately 1.0 acres at 7450 West Craig Road. The Planning Commission recommended approval of the request. The Annexation became effective 10/27/06.
10/03/08	A Code Enforcement citation (#70416) was issued for an abandoned house; dead trees and grass with high vegetation. Code Enforcement closed the case on 02/12/09.
10/15/08	A Code Enforcement citation (#70660) was issued for a referral from Streets and Sewers regarding a tree leaning from the back yard onto wall over onto Tenaya; the property was vacant. Code Enforcement closed the case on 10/20/08.

02/23/09	A deed was recorded for a change of ownership.
08/28/09	A Code Enforcement citation (#81333) was issued for homeowners that cut tree branches and left them piled on front yard for approximately two months. The house is now vacant. This case has not been resolved.
12/17/09	The Planning Commission, at the request of the applicant, withdrew without predjuice requests for Rezoning (ZON-35867) from R-E (Residence Estates) to C-1 (Limited Commercial); General Plan Amendment (GPA-35866) to amend a portion of the Centennial Hills Sector Plan of the General Plan from L (Low Density Residential) to SC (Service Commercial) at 7204 West Craig Road.
Related Building Permits/Business Licenses	
There are no Building Permits or Business Licenses that are pertinent to the subject site.	
Pre-Application Meeting	
08/19/09	A pre-application meeting with the applicant was held where elements of submitting a General Plan Amendment were discussed. Topics included: • Title 19 Zoning Code Requirements • Meeting Dates and Deadlines • Submittal requirements for associated applications to Rezone and Site Development Plan Review for a proposed 2,772 square-foot Restaurant with a Drive-Through were also discussed.
Neighborhood Meeting	
04/12/10	A neighborhood meeting was held from 6:00 pm to 7:00 pm in the Student Theater room of Judge Myron E. Leavitt Middle School, 4701 Quadrel Street, Las Vegas, NV, 89129. There were 14 members of the general public, one representative for the developer, and one staff member from the Planning and Development Department. The following issues were discussed: • A member of Public inquired about the 50-foot height of the building. The applicant stated that height and a single story is required by the proposed bank tenant. The applicant added that an Office development would require multi-story parking. • The developer was asked if other sites had been considered. A citizen stated they would prefer the pet cemetery owners would purchase this site and expand [the pet cemetery]. • There was an inquiry about other than bank use if zoning was approved. A similar concern was that the property might be "flipped" after being rezoned. • Several members of the public expressed concern this request will create a precedent for commercial zoning along Craig Road west of Tenaya, and concern those vacant parcels at Craig and Buffalo could be rezoned to commercial. • The applicant indicated the current state of the site is dangerous. • There was also a concern of speaker noise from drive-up tellers. • A citizen wanted to know if the driveway to Tenaya could be eliminated.

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

Details of Application Request	
Site Area	
Gross Acres	1.00 Acre

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

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08 Development Standards, the following standards apply

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Width	100 Feet	173 Feet	Y
Min. Setbacks			
• Front (north property line)	20 Feet	90 Feet	Y
• Corner Side (east property line)	15 Feet	86 Feet	Y
• Side (west property line)	10 Feet	27 Feet	Y
• Rear (south property line)	20 Feet	74 Feet	Y
Max. Lot Coverage	50%	10%	Y
Max. Building Height	17 Feet	Feet	N/A
Trash Enclosure	Screened, Gated, w/ Roof or Trellis	As Conditioned	As Conditioned
Mech. Equipment	Screened	As Conditioned	As Conditioned

Pursuant to Title 19.12, the following landscaping standards apply:

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Buffer Trees:				
• North	1 Tree / 30 Linear Feet	9 Trees	7 Trees	
• South	1 Tree / 20 Linear Feet	7 Trees	5 Trees	By
• East	1 Tree / 30 Linear Feet	11 Trees	10 Trees	Condition
• West	1 Tree / 20 Linear Feet	9 Trees	9 Trees	
TOTAL PERIMETER TREES		**36 Trees**	**31 Trees**	**By condition**
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	8 Trees	7 Trees	N
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	8 Feet		8 Feet	Y
• South	15 Feet		15 Feet	Y
• East	15 Feet		15 Feet	Y
• West	8 Feet		8 Feet	Y
Wall Height	Walls are not required		6 feet	N/A

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
			Parking		*Parking*		
		Parking Ratio	Regular	Handi-capped	Regular	Handi-capped	
Financial Institution, General (with Drive-Thru)	4,195	1/200	20	1	26	2	Y
TOTAL (including handicap)			21		28		Y

Waivers		
Requirement	**Request**	**Staff Recommendation**
15 Feet	To allow a zero-foot perimeter landscape buffer along the south perimeter.	Approval

Exceptions		
Requirement	***Request***	***Staff Recommendation***
1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	To allow 7 trees where 8 trees are required	Approval

Pursuant to the interlocal agreement with Clark County, General Plan Amendments are forwarded to them for comment. Please find their comments below.

"Tenaya Way has been the demarcation line for the commercial and more intense uses to the east and the residential and less intense uses to the west. Circumstances have not substantially changed in the area to warrant commercial encroachment to the west of Tenaya or approval of these applications".

ANALYSIS

The subject site is located in the Centennial Hills Sector of the General Plan and has a current General Plan designation of L (Low Density Residential) and Zoning of R-E (Residence Estates). This is a proposal to amend the General Plan designation to SC (Service Commercial) and Rezone to C-1 (Limited Commercial). The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons and that do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, and other places of public assembly and public and semi-public uses. This category also includes offices either singly or grouped as office centers with professional and business services. The Service Commercial category may also allow mixed-use development with a residential component where appropriate. The proposed Service Commercial General Plan designation is compatible with the existing surrounding cemetery, residential and commercial uses.

The proposed 4,195 square foot building meets all of Title 19 requirements except for one parking lot tree and four perimeter trees. Staff can support the exception for one parking lot tree as this is minimal. The applicant has agreed to plant four additional trees in the perimeter landscape buffer areas, a condition of approval has been added to address this. The applicant has proposed perimeter landscaping buffers along the south perimeter of the subject property to conform to Title 19.12.040.G landscaping requirements along arterial streets. A five-foot landscape buffer will be located within the public right-of-way with an additional ten-foot buffer located behind the proposed sidewalk. Staff supports this request as it allows for a detached sidewalk but does not require trees to be eliminated for sight visibility for the drive way on Craig Road.

FINDINGS (GPA-37823)

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

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

   The proposed amendment is compatible with the existing adjacent RS (Residential Suburban) – Clark County Designation, ML (Medium-Low Density Residential) and SC (Service Commercial) designations.

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

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

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

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

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

   The proposed amendment meets the following Policy of the 2020 Master Plan:
   POLICY 2.1.3: Those urban hubs at the intersections of primary roads, containing a mix of residential, commercial and office uses are supported.

FINDINGS (ZON-37824)

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

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

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

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

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

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

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

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

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

FINDINGS (SDR-37490)

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

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

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

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

   As conditioned the proposed development is consistent with all adopted city plans, policies and standards.

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

   Access to the site is provided from Craig Road, a 100-foot Primary Arterial and Tenaya Way, an 80-foot Secondary Collector as designated by the Master Plan of Streets and Highways. This street will provide adequate access and will accommodate the traffic generated by the proposed development.

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

   Building materials are appropriate for the area and consistent with other commercial sites within the City. Landscape materials are appropriate in type, size and quantity for the area and for the City.

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

The building elevations, design characteristics and architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance. In addition, the proposed development is harmonious and compatible with development in the area.

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

The proposed Site Development Plan Review will not impact public health, safety, or welfare since the development will be subject to the International Building Code and City inspections during construction.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

NOTICES MAILED 350

APPROVALS 0

PROTESTS 5

CONCERNS 1

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-37823** APN: 138-03-201-009

Name of Property Owner: CT-1 LLC

Name of Applicant: CT-1 LLC

Name of Representative: Warren B Hardy II

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Bradley Shultis

Print Name: Bradley Shultis

Subscribed and sworn before me

This 31 day of March, 20 10

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

Notary Public in and for said County and State

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: General Plan Amendment

Project Address (Location) 7204 W. Graig Road

Project Name Financial Institution **Proposed Use** Bank

Assessor's Parcel #(s) 138-03-201-009 **Ward #** 4

General Plan: existing L proposed SC **Zoning:** existing R-E proposed C-1

Commercial Square Footage _____ **Floor Area Ratio** 4195sf

Gross Acres 1.0 net **Lots/Units** 1 **Density** _____

Additional Information _____

PROPERTY OWNER CT-1, LLC **Contact** Alison Miller

Address 4375 Polaris Ave #4 **Phone:** (702) 304-1936 **Fax:** _____

City Las Vegas **State** Nv **Zip** 89103

E-mail Address alison@crestridgellc.com

APPLICANT CT-1, LLC **Contact** Alison Miller

Address 4375 Polaris Ave #4 **Phone:** (702) 304-1936 **Fax:** _____

City Las Vegas **State** Nv **Zip** 89103

E-mail Address _____

REPRESENTATIVE The Hardy Consulting Group **Contact** Warren Hardy

Address 5070 Arville Street, Suite 4a **Phone:** (702) 408-6666 **Fax:** (702) 543-4098

City Las Vegas **State** Nv **Zip** 89118

E-mail Address wbhardy2@gmail.com

Property Owner Signature* Bradley C Shultis

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

Print Name Bradley C Shultis

Subscribed and sworn before me

This 2 day of April, 20 10.

Notary Public in and for said County and State

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

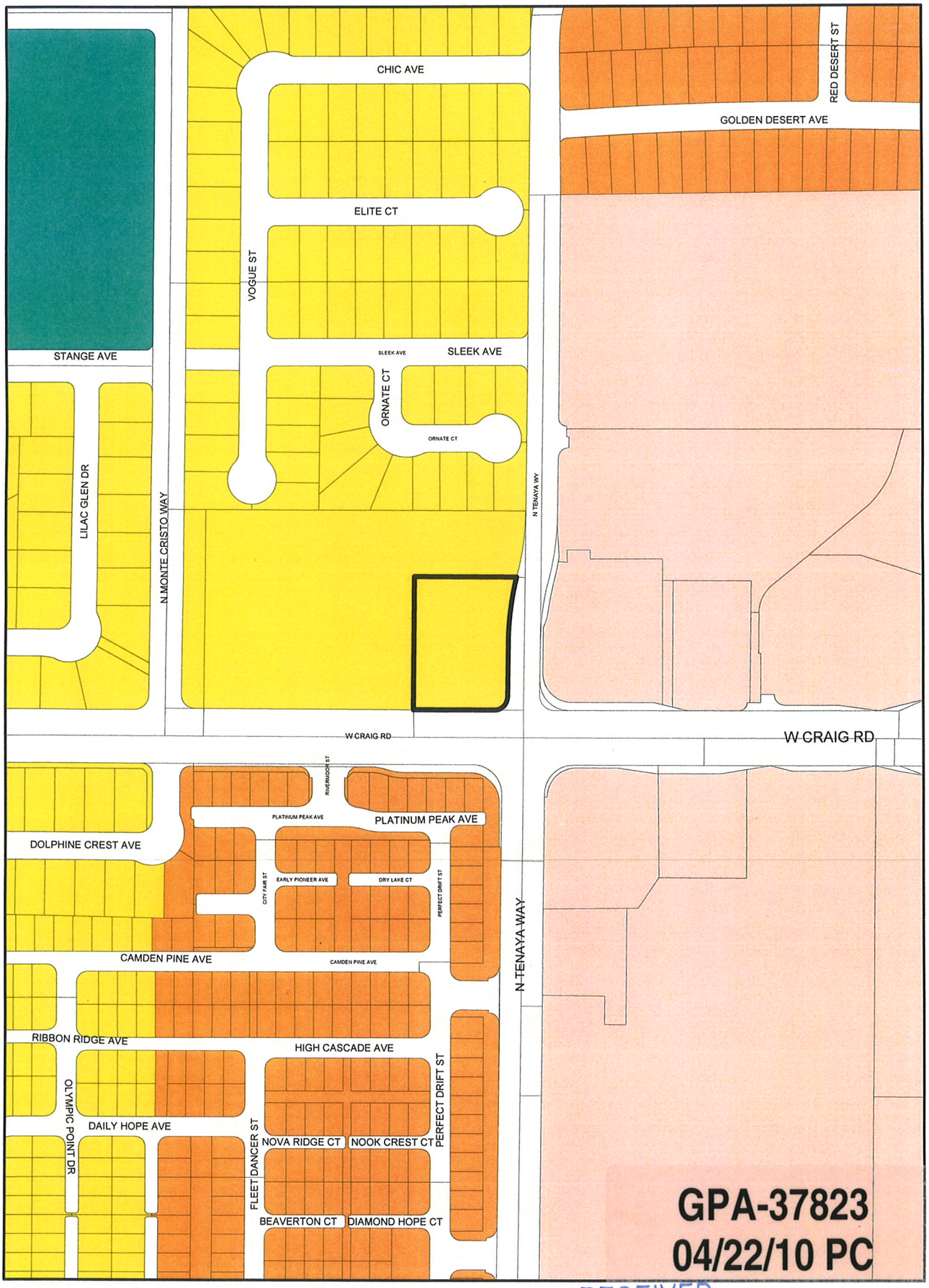
FOR DEPARTMENT USE ONLY

Case #	GPA-37823
Meeting Date:	4/22/10
Total Fee:	1,550
Date Received:*	4/2/10
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.

Revised 10/27/08

GENERAL PLAN AMENDMENT Parcel: 138-03-201-009



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

RECEIVED
APR 02 2010

From L to SC

Data Current as of: March 31, 2010

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

PLANNING & DEVELOPMENT



GPA-37823, ZON-37824 & SDR-37940 - APPLICANT/OWNER: CT-1, LLC
7204 WEST CRAIG ROAD

09/18/09



GPA-37823, ZON-37824 & SDR-37940 - APPLICANT/OWNER: CT-1, LLC
7204 WEST CRAIG ROAD

09/18/09



GPA-37823, ZON-37824 & SDR-37940 - APPLICANT/OWNER: CT-1, LLC
7204 WEST CRAIG ROAD

09/18/09



GPA-37823, ZON-37824 & SDR-37940 - APPLICANT/OWNER: CT-1, LLC
7204 WEST CRAIG ROAD

09/18/09



GPA-37823, ZON-37824 & SDR-37940 - APPLICANT/OWNER: CT-1, LLC
7204 WEST CRAIG ROAD

09/18/09



GPA-37823, ZON-37824 & SDR-37940 - APPLICANT/OWNER: CT-1, LLC
7204 WEST CRAIG ROAD

09/18/09



GPA-37823, ZON-37824 & SDR-37940 - APPLICANT/OWNER: CT-1, LLC
7204 WEST CRAIG ROAD

09/18/09



GPA-37823, ZON-37824 & SDR-37940 - APPLICANT/OWNER: CT-1, LLC
7204 WEST CRAIG ROAD

09/18/09

THE HARDY CONSULTING GROUP

GOVERNMENT AFFAIRS • PUBLIC RELATIONS • LEGISLATIVE STRATEGIES

5070 ARVILLE STREET
SUITE 4B
LAS VEGAS, NEVADA 89118

702.889.3024 OFFICE
702.408.6666 CELL
702.543.4093 FAX

March 31, 2010

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

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

To whom it may concern;

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

The proposed use of this property is a full service bank facility at 4195 Square Feet with a drive through. It is planned as a traditional neighborhood bank operation with normal hours of operation. The principles on CT-1 LLC have successfully developed these types of projects in the past.

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

The only residential development near the area is on the southwest corner of Tenaya and Craig Road and that development is fully separated by a block wall running the length of the development. Accordingly, we feel an office use designation on the subject property on the Northwest corner will complement the current zoning and general plan designations on the north and southeast corners.

Finally, we believe our submittal meets all the zoning, design and landscape requirements of Title 19.

RECEIVED
APR 13 2010
GPA-37823
ZON-37824
SDR-37940

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

Sincerely,

W-3HS

Warren B Hardy II
The Hardy Consulting Group

RECEIVED
APR 13 2010

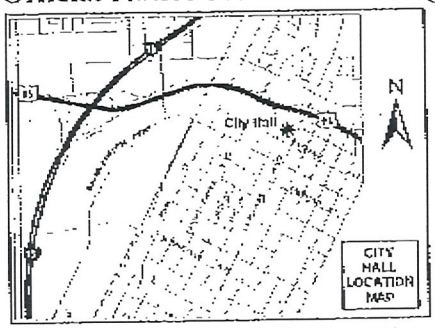
GPA-37823
ZON-37824
SDR-37940

APR-13-2010 07:05 FROM-NTS HQ +2956607 T-688 P.001/001 F-775

lning & Development Department
elopment Services Center
S. Fourth Street
Vegas, Nevada 89101-2986

Return Service Requested

Official Notice of Public Hearing



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

☐ I SUPPORT this Request

☒ I OPPOSE this Request

ase use available blank space on card for your comments.

A-37823 & ZON-37824

ning Commission Meeting of 4/22/2010

PRESORTED FIRST CLASS

UNITED STATES POSTAL SERVICE PITNEY BOWES

02 1M $ 00.41⁴

0004279218 APR 09 2010

MAILED FROM ZIPCODE 89101

Case: GPA-37823

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

RECEIVED
APR 13 2010

29-30 P

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

RECEIVED
APR 13 2010

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
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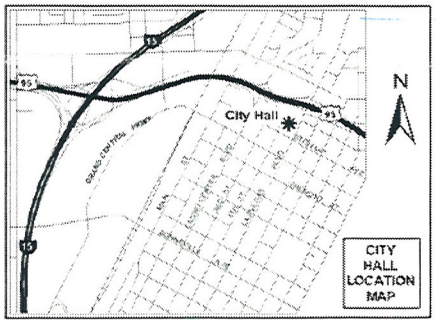
$ 00.41⁴
APR 09 2010
MAILED FROM ZIP CODE 89101

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.

GPA-37823 & ZON-37824

Planning Commission Meeting of 4/22/2010

This would be a vile outrage, an insult to the neighborhood residents and those with relatives and pets buried in the cemetary. Furthermore, the new shopping center across the street provides more than sufficient facilities for business opportunities.

Case: GPA-37823
13803217027
SILVERMAN ALAN A & S LIV TR
7208 SLEEK AVE
LAS VEGAS NV 89129-5985

If this were to pass, I will vigorously contribute to, defeat every political candidate who failed to kill this insult

Alan A Silverman

M-30
P

Carman Burney

From: Chrystal L. Jacobs
Sent: Thursday, April 15, 2010 11:38 AM
To: Carman Burney
Subject: FW: Internet Submission - GPA 37823

This is the first protest I've seen come through internet submission

-----Original Message-----
From: va2vegas@cox.net [mailto:va2vegas@cox.net]
Sent: Thursday, April 15, 2010 11:34 AM
To: Planning Internet Email
Subject: Internet Submission - GPA 37823

Citizen Name: Julie Chadburn

Email: va2vegas@cox.net

IP Address: 24.234.24.22

Comments: Please deny this application. There are plenty of opportunities for commercial development along Craig, east of Tenaya. By changing this parcel to commercial, it opens up for more development along Craig, west of Tenaya. There is mostly RE zoning in this area, and commercial zoning or more dense zoning is not appropriate in this area. Please leave this parcel as residential, as it is currently zoned. When this parcel was annexed into the City, it was done so without promise of zone change. Please abide by that decision and do not approve this change. Thank you

Date: 4/15/2010 11:34:04 AM

RECEIVED
APR 16 2010

Submitted after final agenda
Date 4/16/10 Item 29-30 P

April 19, 2010

City of Las Vegas Planning Commission
400 Stewart Ave.
Las Vegas, NV

Commissioners:

I would like to express my concerns over the proposed zoning changes for the parcel located at 7204 W Craig Rd. Las Vegas, NV. It has long been held that Tenaya Rd was the dividing line between commercial, residential, and just because parcel is the last vacant piece in the area is not reason to allow commercial use. While I understand the present owner's dilemma and their desire to proceed with the development they should have made their offer to purchase contingent upon receiving a zoning change so as not to be caught in the position of trying push something through that the neighborhood opposes.

To allow this change will only set dangerous precedent for future changes and where does it stop. I can remember in my short 22 years of residency here in Clark County when everything north of Ann Rd was to remain rural estates and we all know what happened there.

This change will increase traffic, cause a hazard to schoolchildren and further destroy the rural feel of the area. The pet cemetery west of this location will also suffer with a large wall ruining the tranquil nature. The drive through teller being located on the north end will be a disturbance at all hours of the day to the homes that border it and the additional traffic entering and exiting on Tenaya will create more traffic congestion for the area especially with cars crossing Tenaya

The last thing we need is another bank in the area there are already 4+ major banks between 1-2 ½ miles of this location so again the last thing we need is another bank.
In closing to allow a zoning change of this property is just wrong. There is no value to the neighborhood in allowing this change in fact the only ones benefitting are the owners who should have done their due diligence before committing to the purchase and now want the neighborhood pay for their mistake. This change will set a precedent that will only further deteriorate the rural feel that all of us sought when we moved to what was once the outskirts of our city we wanted to get away from all this signifies.
Thank you for taking my thoughts into consideration and hopefully you will not allow this change.

Robert L Jorden
4804 Conough Lane
Las Vegas, NV 8914

City of Las Vegas Agenda Item No.: **26.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

SUBJECT:
ABEYANCE - ZON-37824 - REZONING RELATED TO GPA-37823 - PUBLIC HEARING - APPLICANT/OWNER: CT-1, LLC - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-1 (LIMITED COMMERCIAL) on 1.00 acres at 7204 West Craig Road (APN 138-03-201-009), Ward 4 (Anthony). Staff recommends APPROVAL.

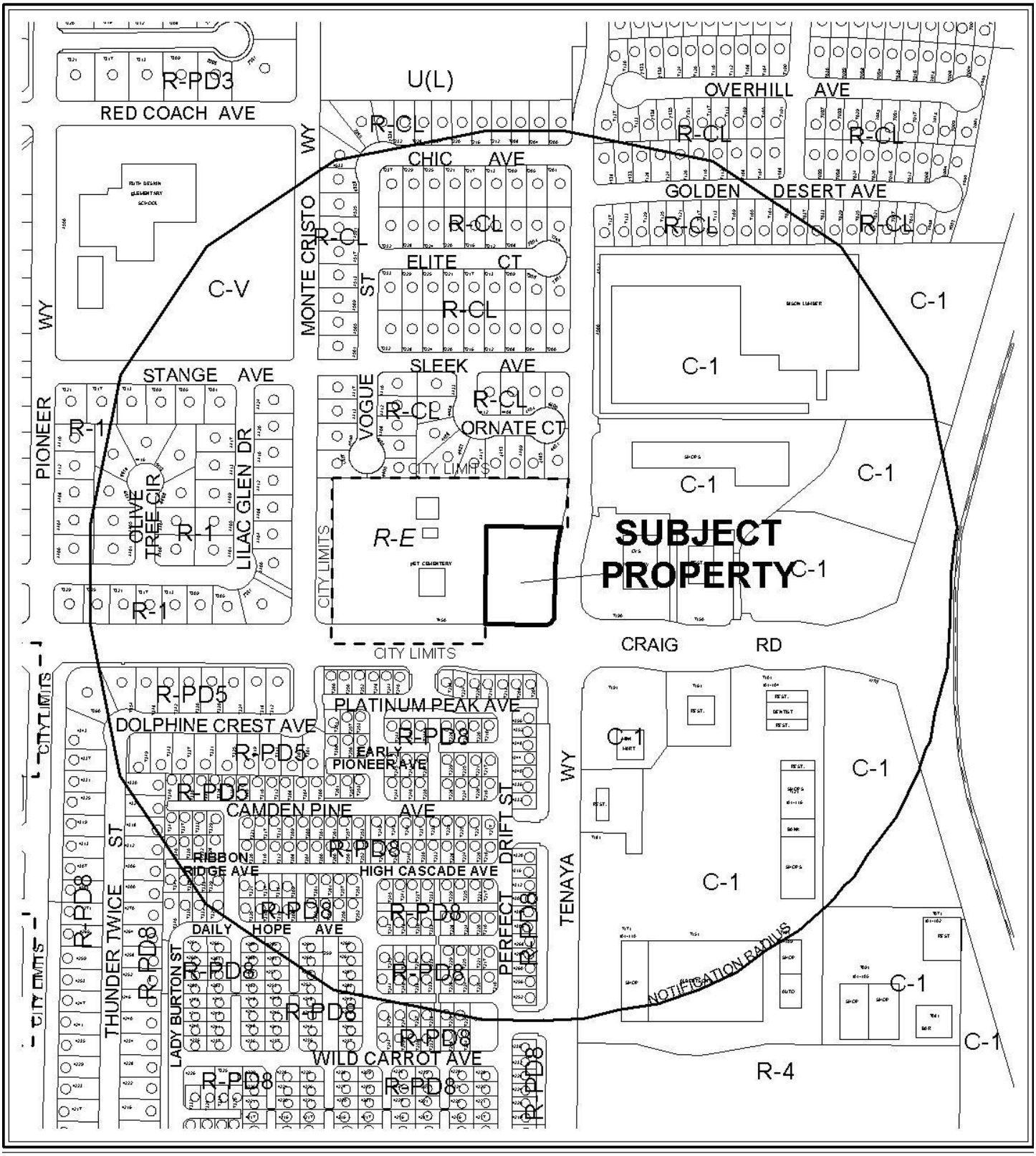
C.C.: 07/07/2010

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

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Location and Aerial Maps – ZON-37824 and SDR-37940
3. Supporting Documentation

Consistent with the City’ s sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.



0 300 600 Feet

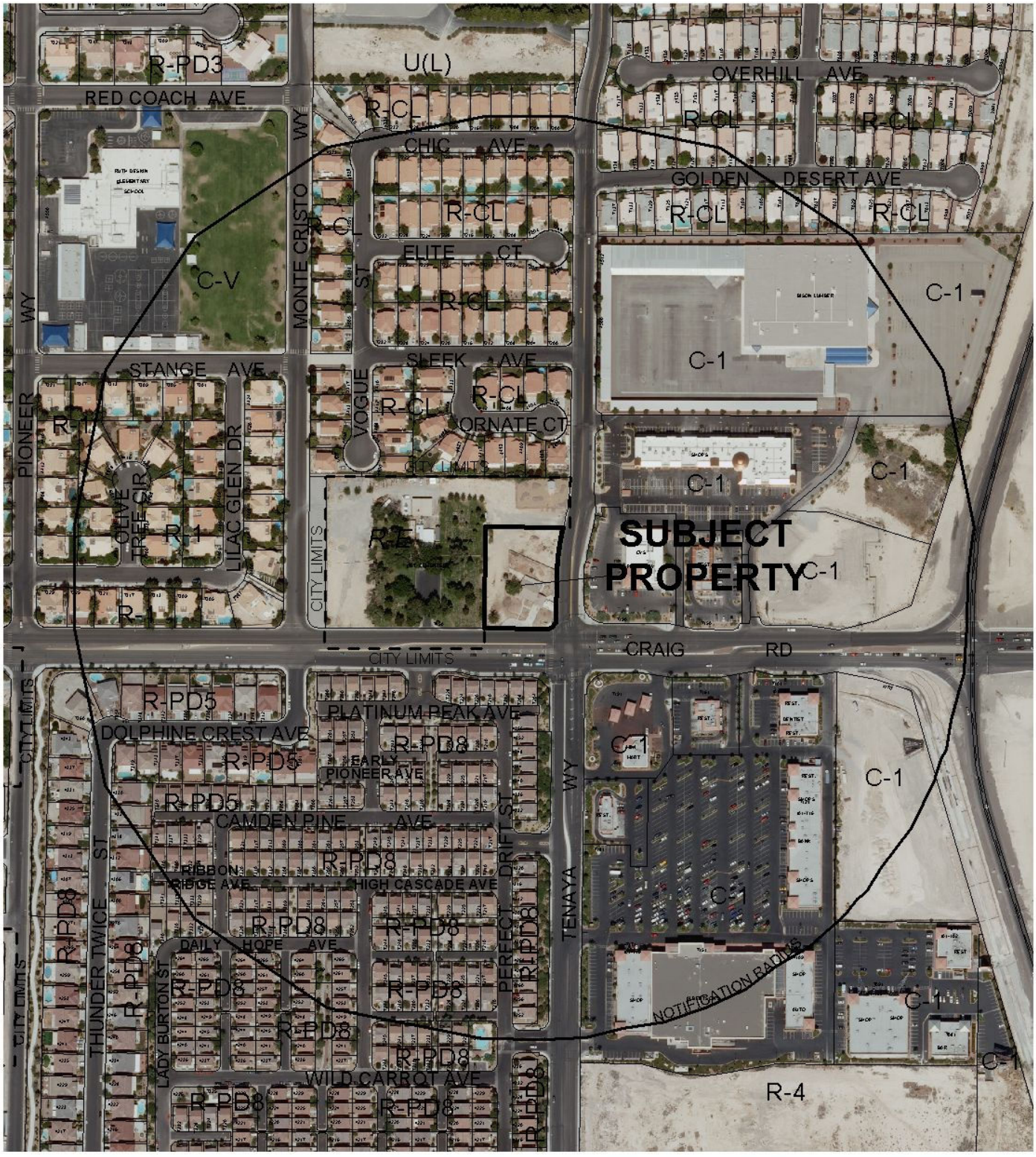
CASE: **ZON-37824 AND SDR-37940**

RADIUS: 1000 FT

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

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

N



0 300 600 Feet

CASE: **ZON-37824 AND SDR-37940**

RADIUS: 1000 FT

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

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

N

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-37824** APN: 138-03-201-009

Name of Property Owner: CT-1 LLC

Name of Applicant: CT-1 LLC

Name of Representative: Warren B Hardy II

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Bradley Shutts

Print Name: Bradley Shutts

Subscribed and sworn before me

This 31 day of March, 20 10

_____

Notary Public in and for said County and State

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

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Re- Zoning

Project Address (Location) 7204 W. Graig Road

Project Name Financial Institution **Proposed Use** Bank

Assessor's Parcel #(s) 138-03-201-009 **Ward #** 4

General Plan: existing L proposed SC **Zoning:** existing R-E proposed C-1

Commercial Square Footage _____ **Floor Area Ratio** 4195 sf

Gross Acres 1.0 net **Lots/Units** 1 **Density** _____

Additional Information _____

PROPERTY OWNER CT-1, LLC **Contact** Alison Miller

Address 4375 Polaris Ave #4 **Phone:** (702) 304-1936 **Fax:** _____

City Las Vegas **State** Nv **Zip** 89103

E-mail Address alison@crestridgellc.com

APPLICANT CT-1, LLC **Contact** Alison Miller

Address 4375 Polaris Ave #4 **Phone:** (702) 304-1936 **Fax:** _____

City Las Vegas **State** Nv **Zip** 89103

E-mail Address _____

REPRESENTATIVE The Hardy Consulting Group **Contact** Warren Hardy

Address 5070 Arville Street, Suite 4a **Phone:** (702) 408-6666 **Fax:** (702) 543-4098

City Las Vegas **State** Nv **Zip** 89118

E-mail Address wbhardy2@gmail.com

Property Owner Signature* Bradley Shultis

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

Print Name Bradley Shultis

Subscribed and sworn before me

This 22 day of April, 20 10.

Notary Public in and for said County and State

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

FOR DEPARTMENT USE ONLY

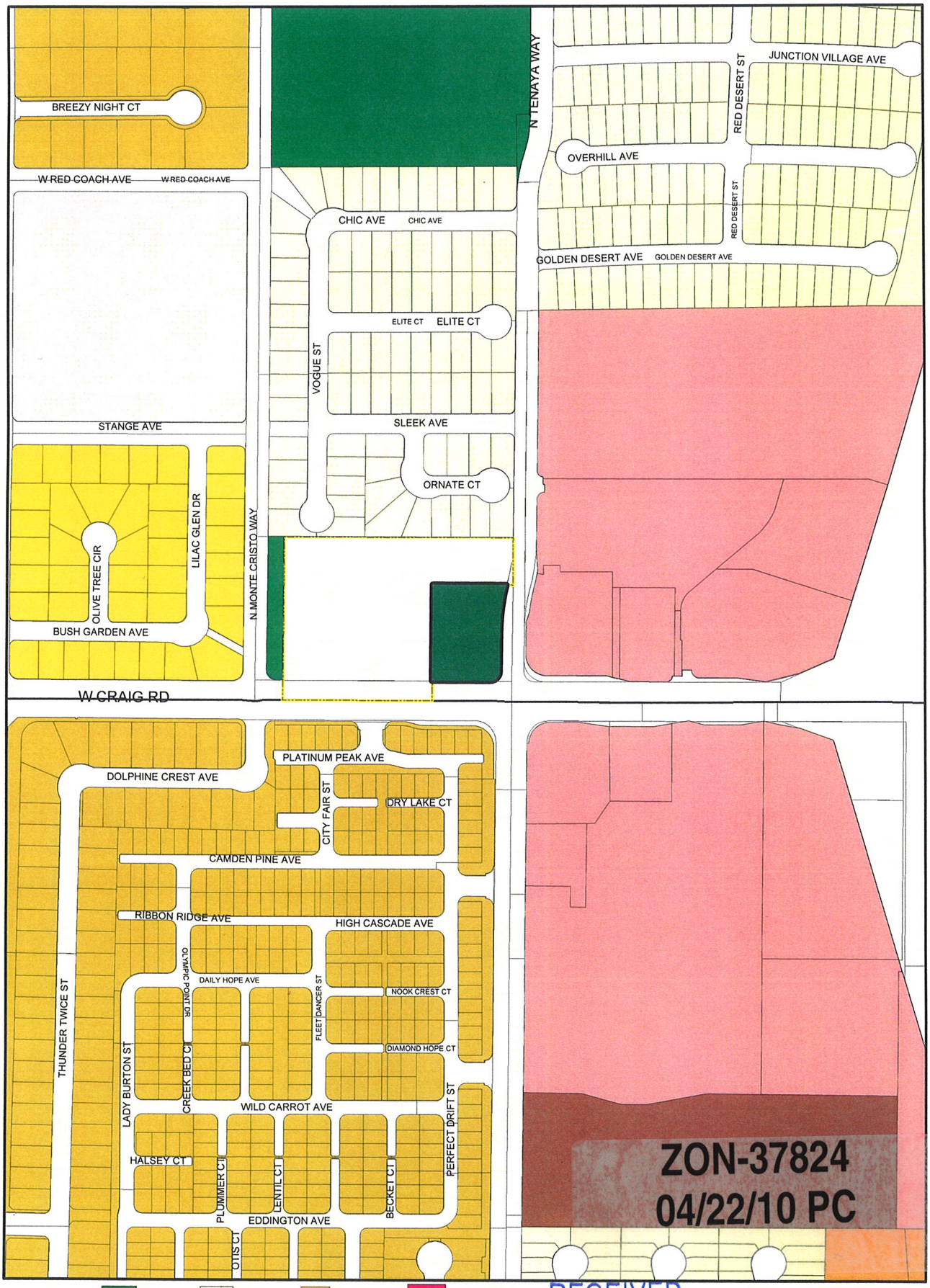
Case #	ZON-37824
Meeting Date:	4-22-10
Total Fee:	1,200
Date Received:*	4-2-10
Received By:	

*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.

Revised 10/27/08

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

REZONING Parcel: 138-03-201-009



ZONING

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

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APR 02 2010

From R-E to C-1

Data Current as of: April 2, 2010

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

PLANNING & DEVELOPMENT

City of Las Vegas Agenda Item No.: **27.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

SUBJECT:
SDR-37940 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-37823 AND ZON-37824 - APPLICANT/OWNER: CT-1, LLC - Request for a Site Development Plan Review FOR A PROPOSED 4,195 SQUARE-FOOT FINANCIAL INSTITUTION, GENERAL (WITH DRIVE-THRU) WITH A WAIVER OF PERIMETER LANDSCAPE BUFFER REQUIREMENTS TO ALLOW A ZERO-FOOT WIDE LANDSCAPE BUFFER ALONG THE SOUTH PROPERTY LINE WHERE 15 FEET IS REQUIRED on 1.0 acres at 7204 West Craig Road (APN 138-03-201-009), Ward 4 (Anthony). Staff recommends APPROVAL.

C.C.: 07/07/2010

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. Consolidated Backup
2. Location and Aerial Maps - ZON-37824 and SDR-37940
3. Conditions and Staff Report - GPA-37823, ZON-37824 and SDR-37940

Consistent with the City’ s sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-37940** APN: 138-03-201-009

Name of Property Owner: CT-1, LLC

Name of Applicant: CT-1, LLC

Name of Representative: Warren B Hardy

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Bradley Shultis

Print Name: Bradley Shultis

RECEIVED
APR 13 2010

Subscribed and sworn before me

This 13 day of April, 20 10

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

Notary Public in and for said County and State

PLANNING & DEVELOPMENT
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Site Development Plan

Project Address (Location) 7204 W. Craig Rioad

Project Name Financial Institution **Proposed Use** Neighborhood Bank

Assessor's Parcel #(s) 138-03-201-009 **Ward #** 4

General Plan: existing I proposed SC **Zoning:** existing R-E proposed C-1

Commercial Square Footage 4195 sf **Floor Area Ratio**

Gross Acres 1.0 net **Lots/Units** **Density**

Additional Information

PROPERTY OWNER CT-1, LLC **Contact** Alison Miller

Address 4375 Polaris Ave #4 **Phone:** (702) 304-1936 **Fax:**

City Las Vegas **State** Nevada **Zip** 89103

E-mail Address alison@crestridgellc.com

APPLICANT CT-1, LLC **Contact** Alison Miller

Address 4375 Polaris Ave, #4 **Phone:** (702) 304-1936 **Fax:**

City Las Vegas **State** Nevada **Zip** 89103

E-mail Address alison@crestridgellc.com

REPRESENTATIVE The Hardy Consulting Group, LLC **Contact** Warren Hardy

Address 5070 Arville Street, Suite 4a **Phone:** (702) 408-6666 **Fax:**

City Las Vegas **State** Nevada **Zip** 89118

E-mail Address wbhardy2@gmail.com

Property Owner Signature* Bradley Shultis

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

Print Name Bradley Shultis

Subscribed and sworn before me

This 12 day of April, 20 10.

Notary Public in and for said County and State

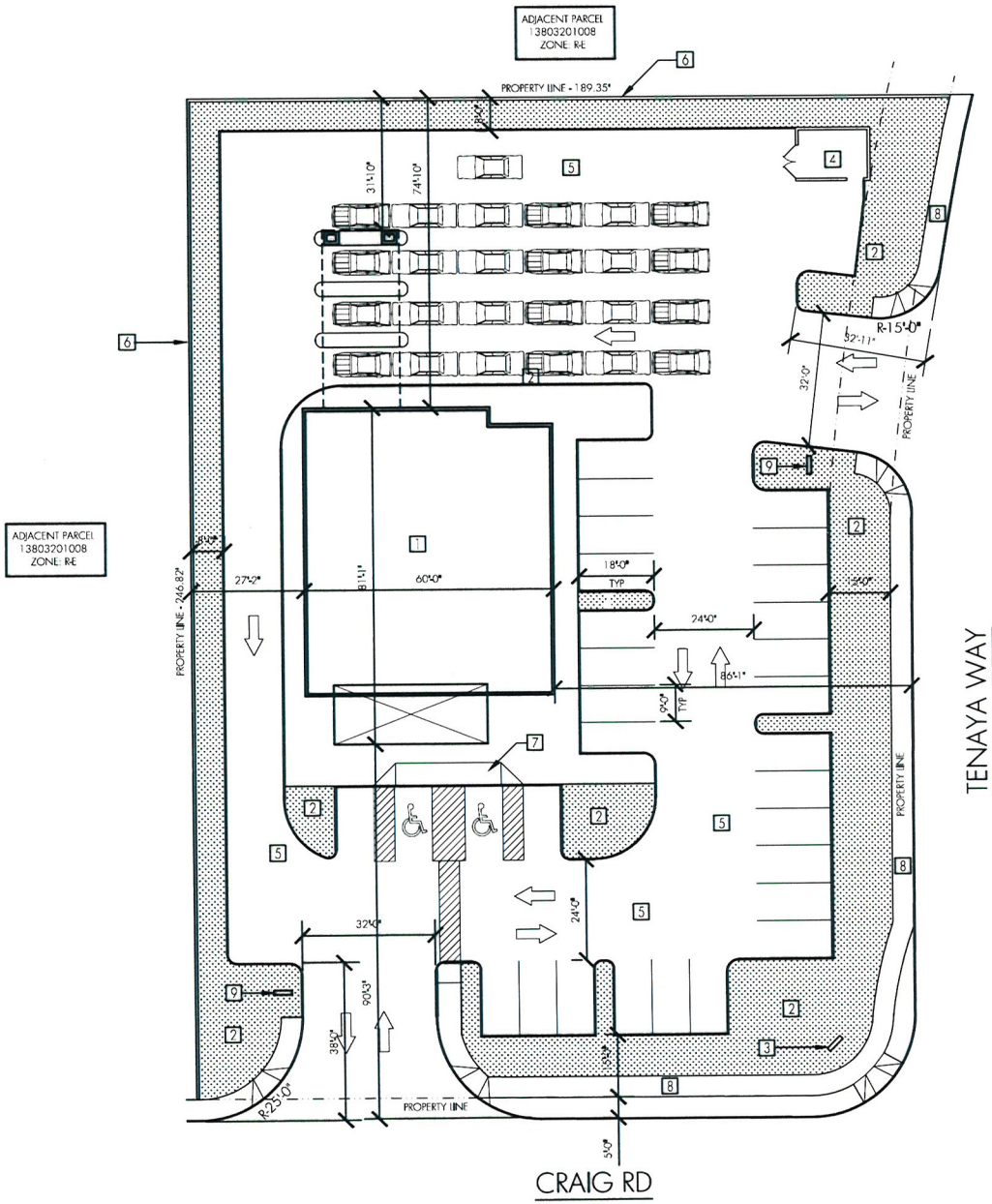
ALISON M. MILLER
Notary Public State of Nevada
No. 97-0128-1
My appt. exp. Jan. 26, 2013

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SDR-37940
Meeting Date:	5-27-10
Total Fee:	1030
Date Received:*	4.12.10
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.



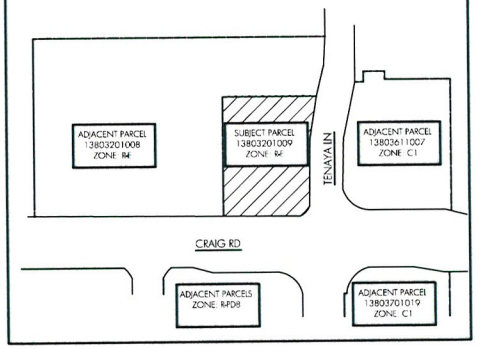
SITE DATA

PARCEL:	13803201009
ADDRESS:	7204 W CRAIG RD
JURISDICTION:	LAS VEGAS - 89129
ZONING:	R-E
SUBDIVISION:	PARCEL MAP FILE 105 PAGE 42
LOT SIZE:	1 ACRE
F.A.R.:	1:15.71
BUILDING SIZE:	4,264 SF
PARKING:	
REQUIRED:	4:1000 SF = 18 STALLS
PROVIDED:	30 STALLS

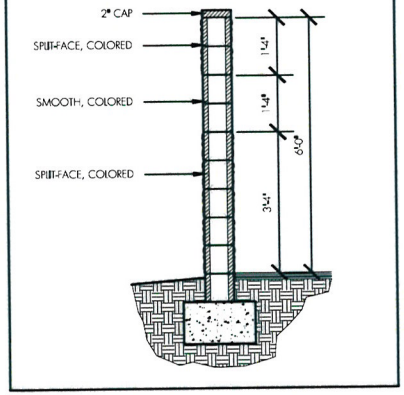
KEYNOTES

1. PROPOSED BANK
2. LANDSCAPED AREA - REFER TO LANDSCAPE PLAN
3. PYLON SIGN
4. TRASH ENCLOSURE
5. PAVED AREA
6. 6'-0" HIGH DECORATIVE MASONRY WALL - SEE SECTION BELOW
7. CURB ACCESS
8. 5'-0" CONCRETE WALK
9. DIRECTIONAL SIGN

SITE MAP



PROPOSED PERIMETER MASONRY WALL SECTION



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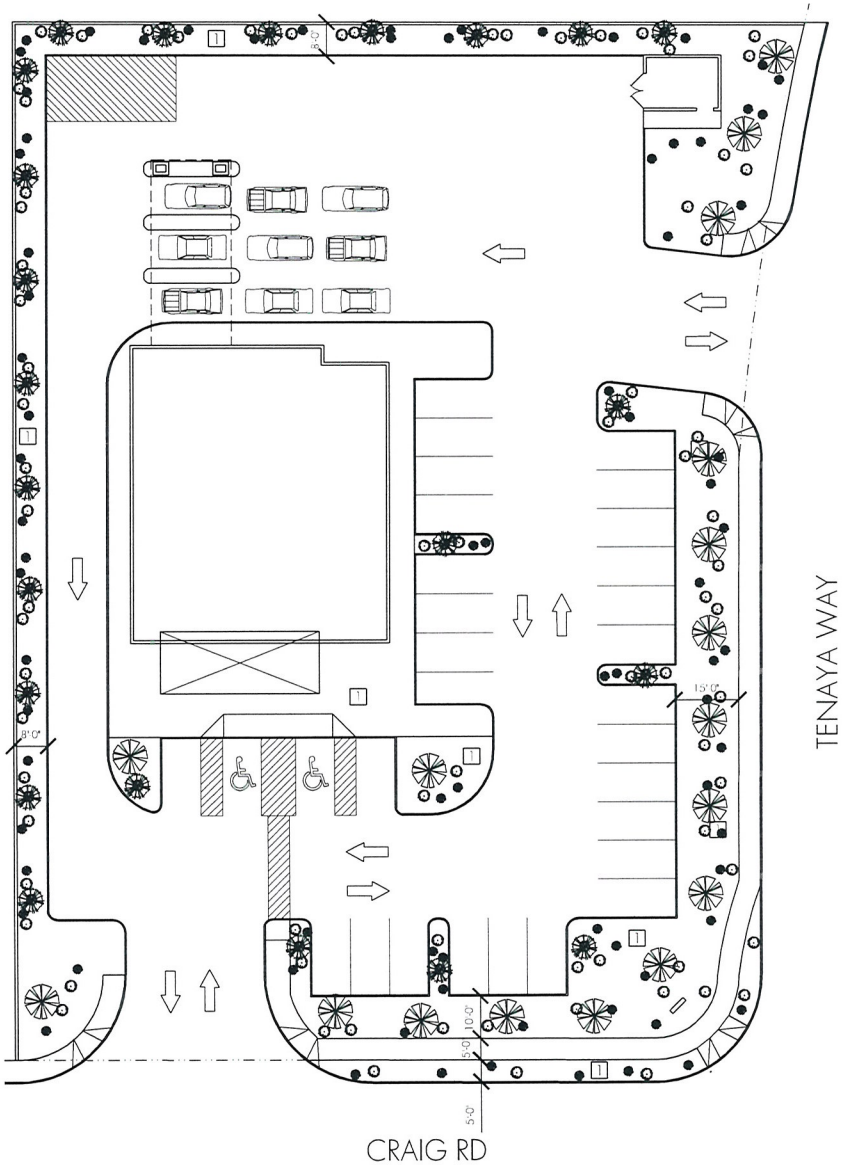
MAY 05 2010
City of Las Vegas

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

BANK - 7204 W CRAIG RD - LAS VEGAS, NV

GPA-37823 ZON-37824
SDR-37940 REVISED

CT-1, LLC | RBA ARCHITECTURE
April 6, 2010



PLANT LEGEND

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

KEYNOTES

1. GROUNDCOVER: GRANITE MULCH

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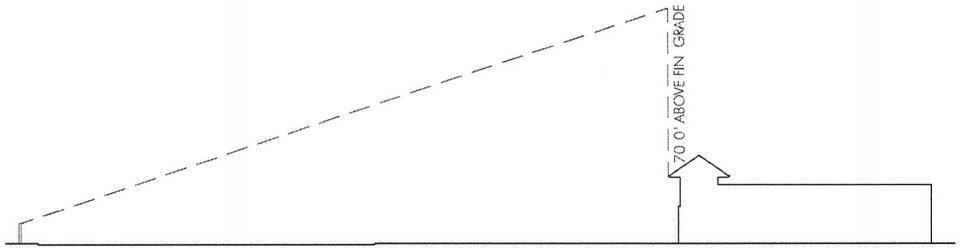
APR 13 2010

SDR-37940

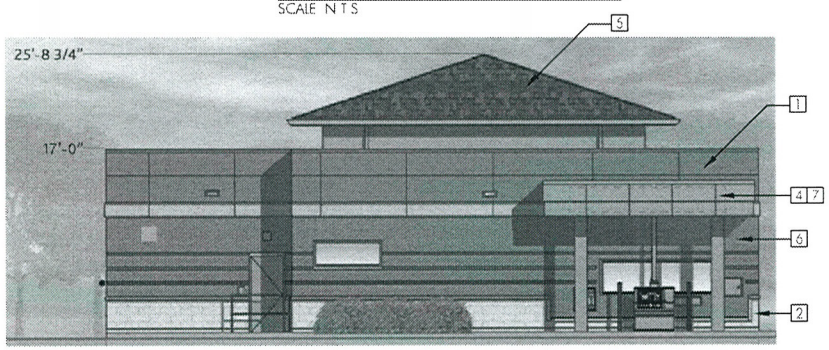
LANDSCAPE PLAN SCALE: 1"=40'-0"

BANK - 7204 W CRAIG RD - LAS VEGAS, NV

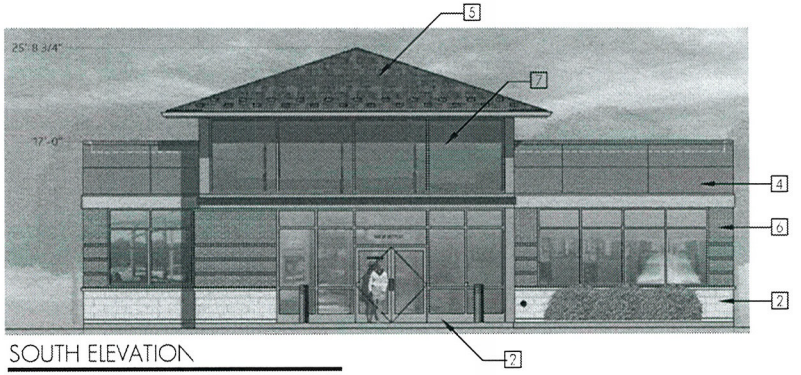
CT-1, LLC | RBA ARCHITECTURE
April 6, 2010



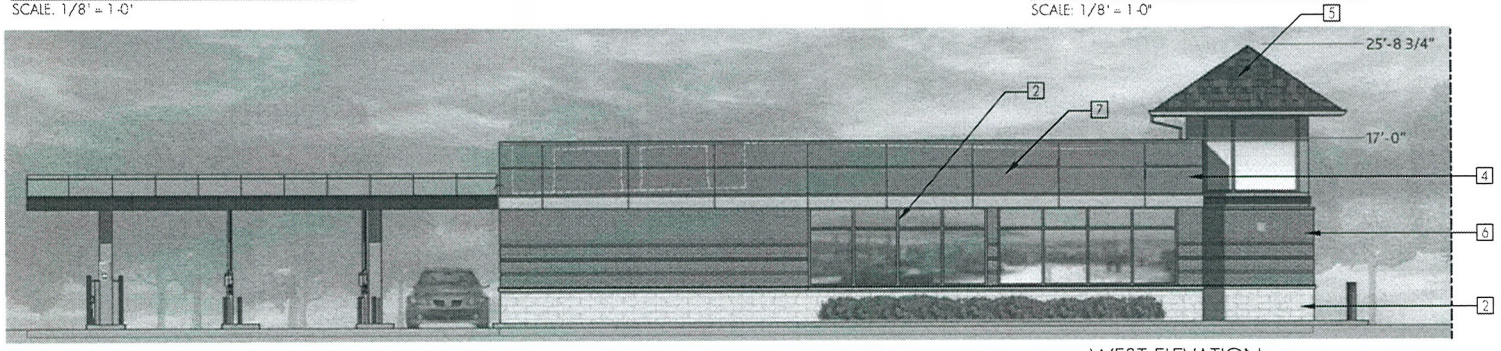
3:1 SITELINE DIAGRAM
SCALE: N.T.S.



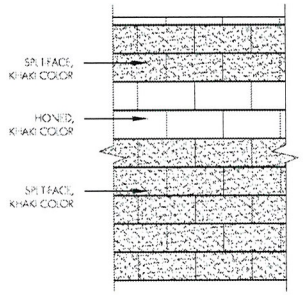
NORTH ELEVATION
SCALE: 1/8" = 1'-0"



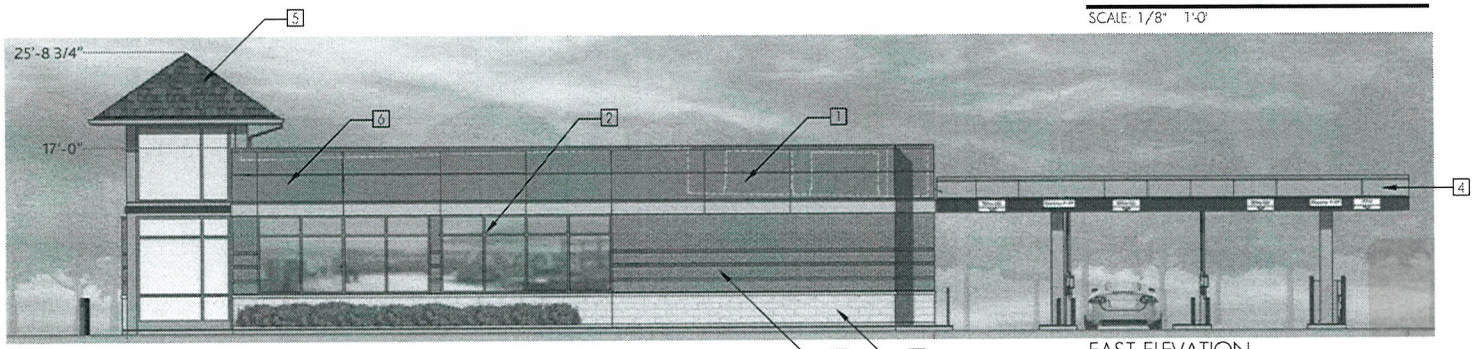
SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



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



TYPICAL PERIMETER CMU WALL ELEV
SCALE: 1/2" = 1'-0"



EXTERIOR ELEVATIONS SCALE: AS NOTED

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

KEYNOTES

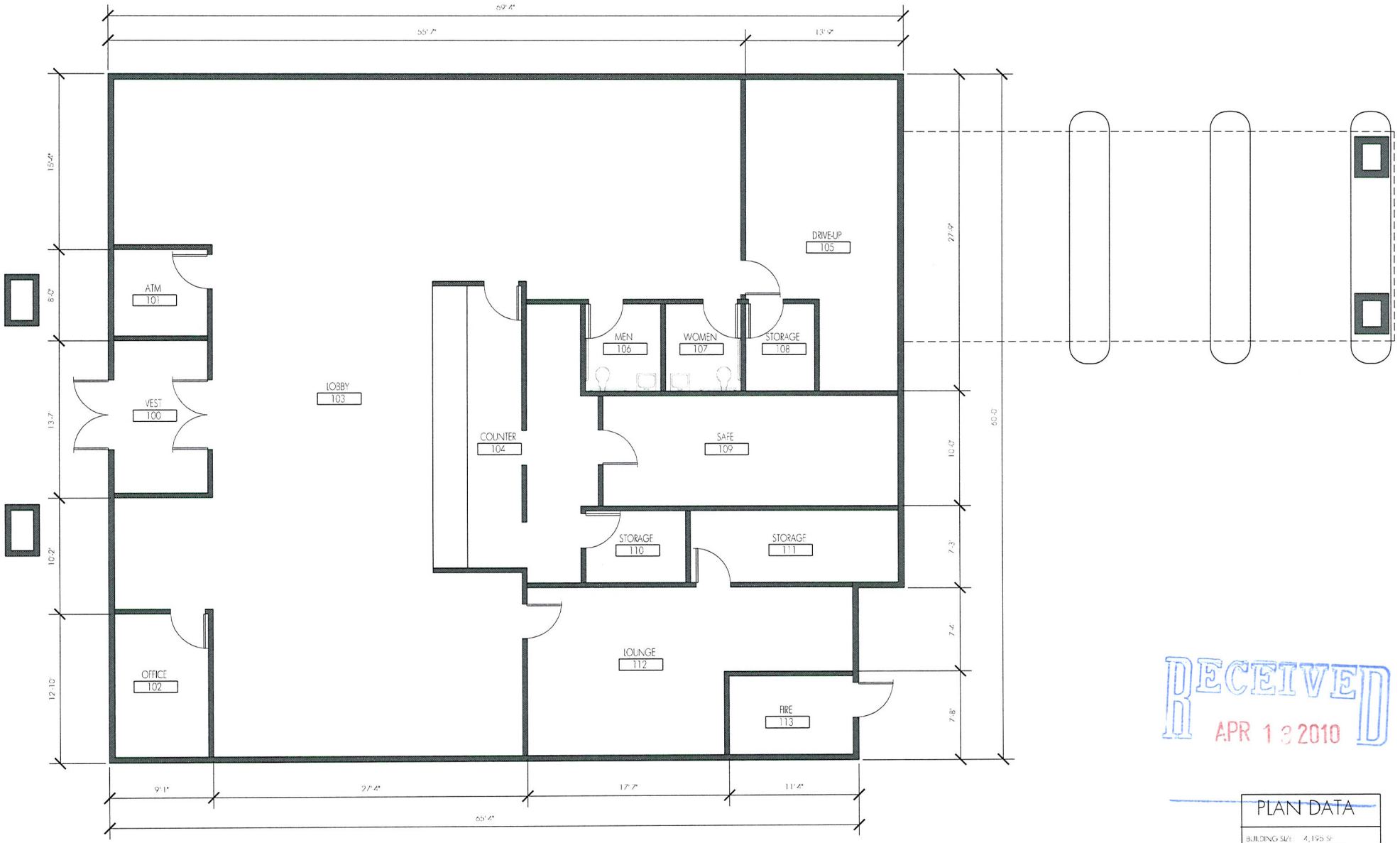
1	EXTERIOR CEMENT PLASTER PAINTED RUST
2	ALUMINUM STOREFRONT SILVER
3	TILE VENEER TAN BRICK
4	EXTERIOR CEMENT PLASTER PAINTED GREY
5	CONCRETE ROOF TILE BROWN
6	TILE VENEER RED BRICK
7	SIGNAGE

RECEIVED
APR 13 2010

SDR-37940

BANK - 7204 W CRAIG RD - LAS VEGAS, NV

CT-1, LLC | RBA ARCHITECTURE
Apr' 6, 2010



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PLAN DATA

BUILDING SIZE: 4,195 SF
OCCUPANCY: 42 PERSONS

SDR-37940

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

BANK - 7204 W CRAIG RD - LAS VEGAS, NV

CT-1, LLC | RBA ARCHITECTURE
April 6, 2010

SDR 37940
CT-1, LLC

7204 W. Craig Rd.

Proposed 4.195 thousand square foot bank with drive-through.

Traffic produced by proposed development:

Previous Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	DRIVE-IN BANK [1000 SF]	4.195	148.15	621
AM Peak Hour			12.35	52
PM Peak Hour			25.82	108

(heaviest 60 minutes)

Existing traffic on all nearby streets:

Craig Rd.	
Average Daily Traffic (ADT)	20,525
PM Peak Hour	1,642

(heaviest 60 minutes)

Tenaya Way	
Average Daily Traffic (ADT)	9,575
PM Peak Hour	766

(heaviest 60 minutes)

Traffic Capacity of adjacent streets

	Adjacent street ADT Capacity
Craig Rd.	51,800
Tenaya Way	32,775

This project is expected to add approximately 621 trips per day on Craig Rd. and Tenaya Way. This will increase the existing volumes by about 3 percent on Craig and by about 6 percent on Tenaya. Currently, Craig is at about 40 percent of capacity and Tenaya is at about 29 percent of capacity.

Based on Peak Hour use, this development will add roughly 108 additional cars into the area; or about 2 every minute.

Note that this report assumes all traffic from this development uses all named streets.

City of Las Vegas Agenda Item No.: **28.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

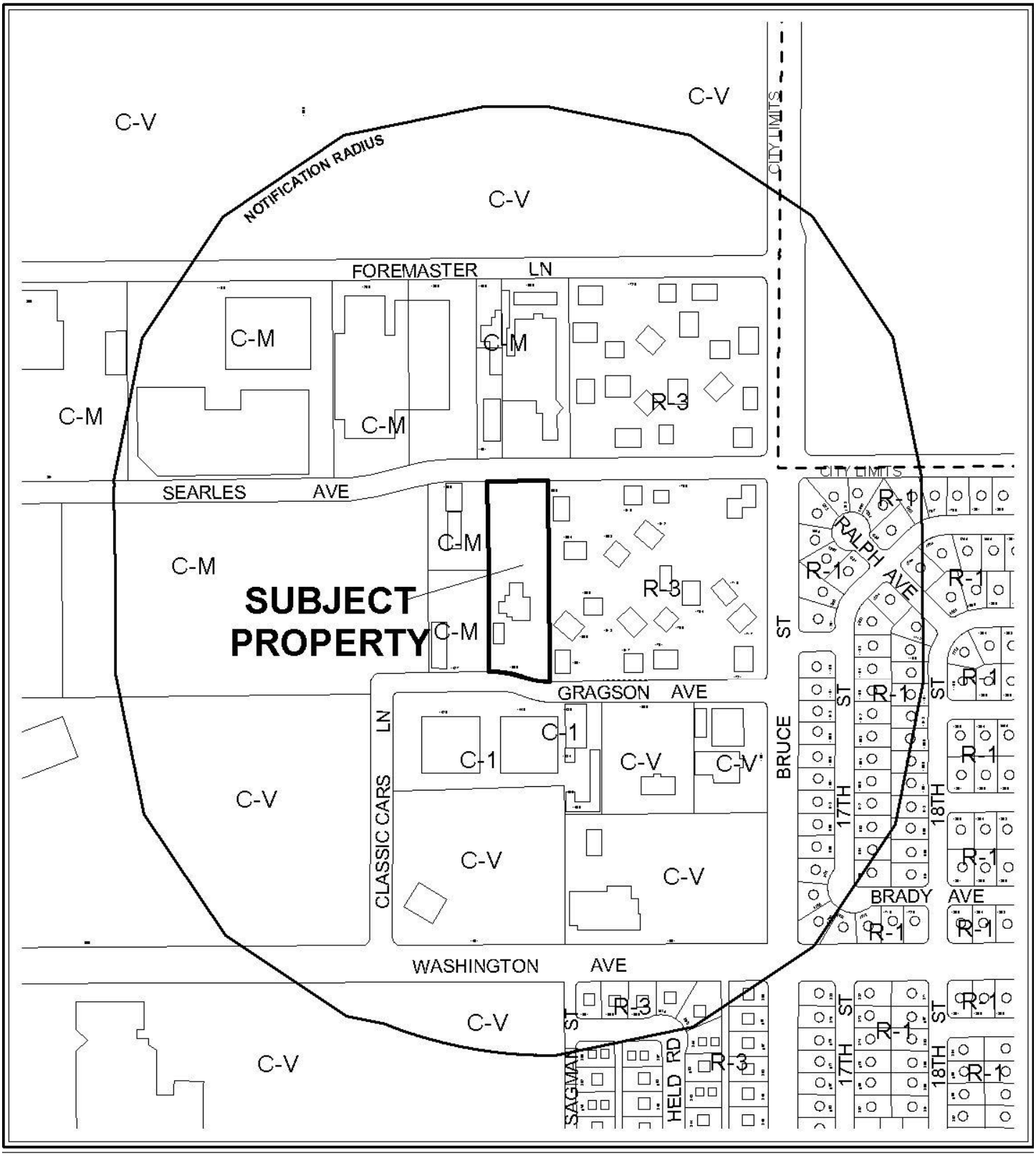
SUBJECT:
ABEYANCE - SDR-37613 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: A CAB TAXI, CO. - OWNER: FOUR FOURS, LLC - Request for a Major Amendment to a previously approved Site Development Plan Review (SDR-35195) FOR A PROPOSED TAXICAB/LIMO YARD TO INCREASE THE AREA OF BUILDING C FROM 3,000 SQUARE FEET TO 5,000 SQUARE FEET WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER STANDARDS TO ALLOW BUFFER WIDTHS OF ZERO FEET ALONG THE EAST AND SOUTH PERIMETERS WHERE EIGHT FEET AND SIX FEET, RESPECTIVELY, WERE PREVIOUSLY APPROVED, AND TO ALLOW EIGHT PERIMETER TREES WHERE 39 TREES WERE PREVIOUSLY APPROVED on 1.89 acres at 1500 Searles Avenue (APN 139-26-201-004), C-M (Commercial/Industrial) Zone, Ward 5 (Barlow). Staff recommends DENIAL.

C.C.: 07/07/2010

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

RECOMMENDATION:
Staff recommends DENIAL.

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



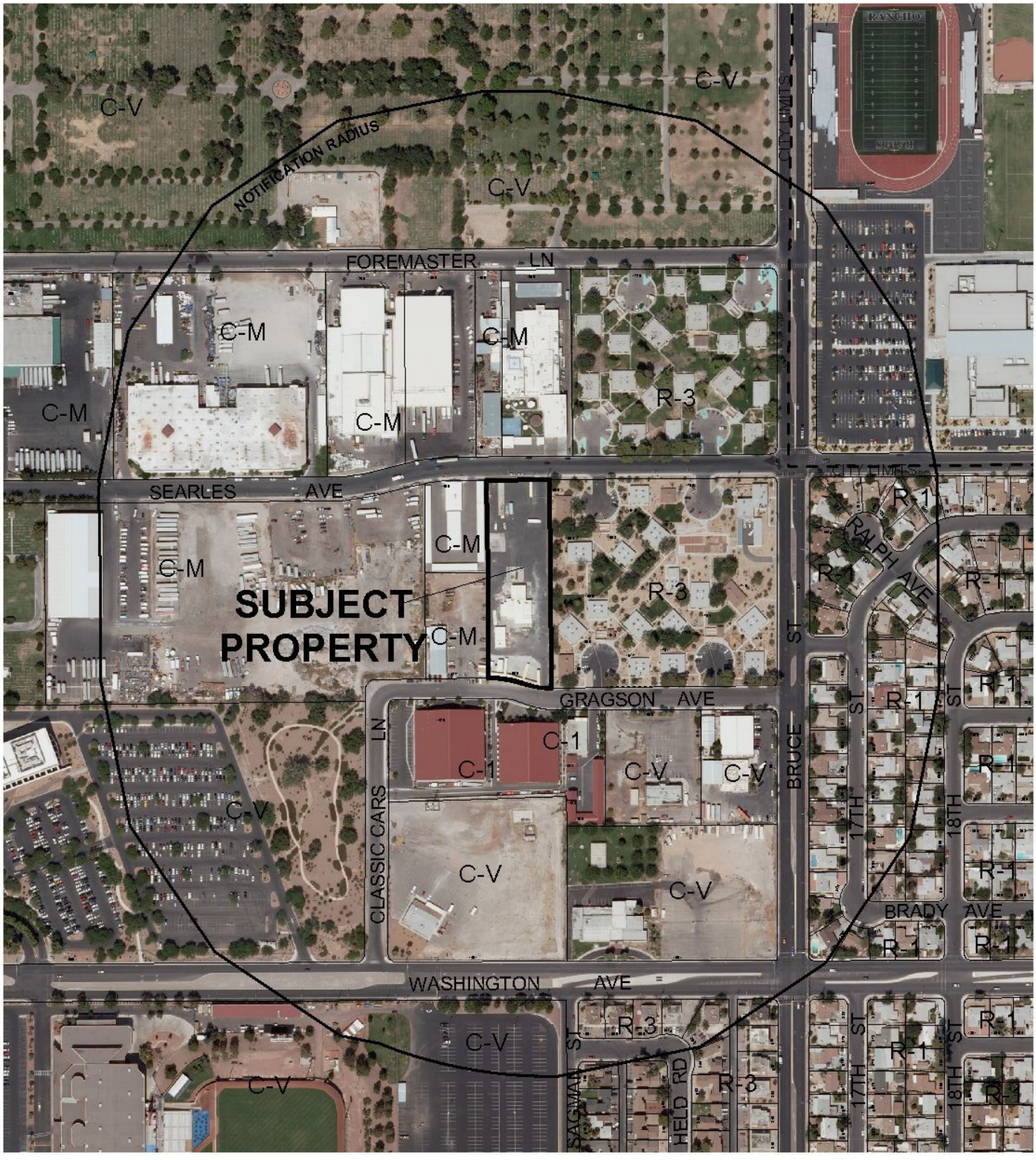
0 300 600 Feet

CASE: **SDR-37613**

RADIUS: 1000 FT

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

N



0 300 600 Feet

CASE: **SDR-37613**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: A CAB TAXI, CO. - OWNER: FOUR FOURS, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SDR-37613	Staff recommends DENIAL, if approved subject to conditions:	

** CONDITIONS **

SDR-37613 CONDITIONS

Planning and Development

1. Conformance to the conditions for Vacation (VAC-35193) and Site Development Plan Review (SDR-35195), except as amended herein.

2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for Building C, as indicated on the site plan date stamped 03/26/10. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All development shall be in conformance with the landscape plan, date stamped 03/09/10 and the site plan, floor plan and building elevations, date stamped 03/26/10, except as amended by conditions herein.

4. No barbed, razor or concertina wire shall be allowed on site.

5. The applicant shall obtain all required building permits and final inspections for all buildings/structures on the subject site, within 30 days of final approval of Site Development Plan Review (SDR-37613).

6. A Waiver from Title 19.12 Landscape and Buffer Standards is hereby approved, to allow zero-foot landscape buffers along the east and south perimeters where eight feet and six feet, respectively, were previously approved.

7. An Exception from Title 19.12 Landscape and Buffer Standards is hereby approved, to allow eight overall trees where 39 trees were previously approved.

8. An Exception from Title 19.10 is hereby approved to allow zero parking lot landscape trees where 23 trees are required.

9. These Conditions of Approval shall be affixed to the cover sheet of the plan set submitted for building permit.

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

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

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

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

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

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

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

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

Public Works

18. Remove all substandard public street improvements and unused driveway cuts, if any, on Searles Avenue adjacent to this site concurrent with development and replace with new improvements meeting current City Standards. The existing "pan" style driveway may remain.

19. Construct half-street improvements including appropriate transition paving on Gragson Avenue adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored to its original location and to its original width concurrent with development of this site.

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

21. 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. 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.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Major Amendment to a previously approved Site Development Plan Review (SDR-35195) for a proposed Taxicab/Limo Yard on 1.89 acres at 1500 Searles Avenue. The request will increase the square-footage of Building C from 3,000 square feet to 5,000 square feet, as well as relocate the building within the same site. The request includes Waivers of the Title 19 Perimeter Landscape Buffer Requirements. Additionally, the previously approved 30-foot tall Building C is requested to be lowered to a height of 28 feet. The indicated deviations from standards will result in a development that is not compatible or harmonious with adjacent development. An alternate design and adherence to minimum landscape requirements would facilitate the elimination of Waivers, which would create a development that would be appropriate for this area of the City; therefore staff is recommending denial of the subject application. If denied, the site will remain as previously approved.

ISSUES

- The applicant is requesting a zero-foot landscape buffer along the east perimeter where eight feet was previously approved.
- The applicant is requesting a zero-foot landscape buffer along the south perimeter where six feet was previously approved.
- The applicant is requesting an Exception to allow eight perimeter landscape trees where 39 were previously approved.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
05/17/06	The City Council approved a request for a General Plan Amendment (GPA-9219) to change the Future Land Use designation to Commercial, Mixed Use, Industrial or Public Facilities on various parcels located within the proposed Las Vegas Redevelopment Plan area and within the proposed Redevelopment Plan expansion area. The Planning Commission and staff recommended approval of the request.
06/18/09	A Code Enforcement citation (#79197) was issued for electrical, plumbing and concrete work being done without a permit at 1500 Searles Avenue. Code Enforcement has not closed the case.
10/07/09	The City Council approved a Vacation (VAC-35193) to Vacate a 3,126 square-foot portion of public right-of-way generally located on the north side of Gragson Avenue, approximately 580 feet west of Bruce Street. Planning Commission recommended approval. Staff recommended denial.

GK

10/07/09	The City Council approved a request for a Site Development Plan Review (SDR-35195) for a proposed 8,800 square-foot taxicab/limo yard with ancillary vehicle service and auto repair within 5,800 square feet of existing buildings and a proposed 3,000 square-foot building with Waivers of the perimeter landscape requirements to allow a zero-foot buffer along the west and a portion of the east perimeters where eight feet is required, a six-foot buffer along the south perimeter where 15 feet is required, to allow a zero-foot sidewalk where five feet is required and to allow barbed wire fencing on 1.89 acres at 1500 Searles Avenue. Planning Commission recommended approval. Staff recommended denial.
04/20/10	A Code Enforcement citation (#89462) was issued for performing automobile maintenance and repair without a business license. Also, the cab company is sending vehicles to service with no seatbelts and no license plates. Code Enforcement closed the case on 04/22/10.
04/22/10	The Planning Commission voted to hold this item in abeyance in an effort to provide the applicant with an opportunity to address staff's concerns.

Most Recent Change of Ownership	
08/07/08	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
03/02/93	A Business License (#D01-00001) was issued for a dairy at 1500 Searles Avenue. The license was reclassified to (#G03-01846) on 06/03/98. The license was marked out of business on 10/18/07.
09/17/97	A Building Permit (#97019201) was issued to replace a riser at 1500 Searles Avenue. The permit expired on 03/21/98.
03/05/02	A Building Permit (#2003896) was issued for a repair to a sewer line at 1500 Searles Avenue. The permit was finaled on 03/06/02.
05/29/08	A Business License (#I02-00081) was issued for an ice cream parlor at 1500 Searles Avenue. The license was reclassified from (#D01-00015) on 02/19/88. The license was marked out of business on 06/01/09.
10/09/09	A Building Permit (#146417) was issued for an interior tenant improvement at 1500 Searles Avenue. The permit was finaled on 02/12/10.
10/09/09	A Building Permit (#149327) was issued to demolish interior portions of an existing building in relation to permit (#146417) at 1500 Searles Avenue. The permit was finaled on 11/04/09.
10/12/09	A Building Permit (#149428) was issued for electrical improvements at 1500 Searles Avenue. The permit has not been finaled.
10/14/09	A Building Permit (#149566) was issued for plumbing improvements at 1500 Searles Avenue. The permit was finaled on 10/14/09.

12/02/09	A Building Permit (#152343) was processed for architectural revisions. The revisions included removing a raised sidewalk and adding parking bumpers in the parking area. The permit was finaled on 12/14/09.
01/05/10	A Building Permit (#154090) was issued for an electrical low voltage conduit at 1500 Searles Avenue. The permit was finaled on 02/09/10.
01/15/10	A Building Permit (#154742) was processed for electrical revisions. The permit was finaled on 01/15/10.
01/15/10	A Building Permit (#155126) was processed for electrical revisions. The permit was finaled on 01/15/10.

Pre-Application Meeting	
02/25/10	A pre-application meeting was held on the indicated date. The following items were discussed: • A Major Amendment to SDR-35195 is required. • Applicant is requesting a zero-foot landscape buffer along the east perimeter where 8 feet was previously approved. • Applicant is requesting to allow a zero-foot landscape buffer along the south perimeter where 6 feet was previously approved. • The square-footage of Building C will change from 3,000 square feet of enclosed space and 3,000 square feet of covered space to 5,000 square feet of enclosed space. • The overall height of Building C will be reduced from 30 feet to 28 feet. • Parking provided will not change.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
03/18/10	A field check was completed on the indicated date. The following items were observed by Planning and Development staff: • Four buildings are located on subject site, but only one building has permits. • Several storage containers exist on the subject site. • An eight-foot wall, chain-link and razor wire exists on portions of the subject site.

Details of Application Request	
Site Area	
Net Acres	1.89 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant Building	LI/R (Light Industry/Research)	C-M (Commercial/Industrial)
North	TV Broadcasting	LI/R (Light Industry/Research)	C-M (Commercial/Industrial)
South	Museum (Private)	C (Commercial)	C-1 (Limited Commercial)
East	Housing Authority	ML (Medium Low Density Residential)	R-3 (Medium Density Residential)
West	TV Broadcasting	LI/R (Light Industry/Research)	C-M (Commercial/Industrial)

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Area Plan			
Downtown North Land Use Plan	X		Y
Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts		X	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 Development Standards, the following standards apply

Standard	***Required/Allowed***	***Provided***	***Compliance***
Min. Lot Width	100 Feet	163 Feet	Y
Min. Setbacks			
• Front (north property line)	10 Feet	384 Feet	Y
• Side (east property line)	10 Feet	52 Feet	Y
• Side (west property line)	10 Feet	50 Feet	Y
• Rear (south property line)	20 Feet	76 Feet	Y

Max. Lot Coverage	N/A	10%	N/A
Max. Building Height	N/A	28 Feet	N/A
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	As Conditioned	As Conditioned
Mech. Equipment	Screened	As Conditioned	As Conditioned

Pursuant to Title 19.12, the following landscaping standards apply:

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	9 Trees	8 Trees	N
• South	1 Tree / 20 Linear Feet	9 Trees	Zero Trees	N
• East	1 Tree / 30 Linear Feet	17 Trees	Zero Trees	N
• West	1 Tree / 30 Linear Feet	17 Trees	Zero Trees	N
TOTAL PERIMETER TREES		**52 Trees**	**8 Trees**	**N**
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	23 Trees	Zero Trees	N
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	15 Feet		15 Feet	Y
• South	15 Feet		Zero Feet	N
• East	8 Feet		Zero Feet	N
• West	8 Feet		Zero Feet	N
Wall Height	6 to 8 Feet Adjacent to Residential		8 Feet	Y

Standard Category	***Approved SDR-35195***	***Proposed SDR-37613***
Building C – use	Auto Repair Garage, Minor	Auto Repair Garage, Minor
Building C Building Size	3,000 SF enclosed, 3,000 SF covered patio	5,000 SF enclosed
Building C Building Height	30 feet	28 feet
Parking Required	133 spaces	133 spaces
Parking Provided	133 spaces	133 spaces
East perimeter landscape buffer	8 feet with zero feet along a portion	Zero feet
South perimeter landscape buffer	6 feet	Zero feet
Perimeter trees provided	39 trees	8 trees
Sidewalk	Zero-foot sidewalk adjacent to Gragson Avenue, 5-foot sidewalk adjacent to Searles Avenue	5-foot sidewalks adjacent to Gragson Avenue and Searles Avenue

GK

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
			Parking		*Parking*		
		Parking Ratio	Regular	Handi-capped	Regular	Handi-capped	
Taxicab/Limo Yard	66 Employees 67 Taxis	N/A	129	4	128	5	Y
TOTAL (including handicap)	133		133		133		Y

Waivers		
Requirement	***Request***	***Staff Recommendation***
15-foot landscape buffer along the north and south property lines and an eight-foot landscape buffer along the west and east property lines	Zero-foot landscape buffers along the east, west and south property lines	Denial

Exceptions		
Requirement	***Request***	***Staff Recommendation***
One tree shall be planted for every six uncovered parking spaces.	To allow zero trees where 23 trees are required	Denial
75 total perimeter trees are required in the landscape buffers	To allow 8 trees in the perimeter landscape buffers	Denial

ANALYSIS

As proposed, the Taxicab/Limo Yard will increase the square-footage of Building C from 3,000 square feet to 5,000 square feet, as well as relocate the building within the same site, with subsequent changes in site design. Site design changes include eliminating the east and south perimeter landscape buffers, as well as providing a five-foot wide sidewalk along Gragson Avenue.

The site complies with all Title 19 requirements with the exception of required landscaping. The applicant has requested a Waiver and two Exceptions as a part of the subject application. The requested Waiver is from Title 19.12.040 Perimeter Landscape Buffer Standards for deviations from buffer widths on the east and south property lines. The first Exception is to allow no parking lot trees where one is required for every six parking spaces. The second Exception is to allow eight trees in the perimeter landscaping where 39 are were previously approved. The requested Waivers and Exceptions are not appropriate and could be mitigated through a better overall design.

The landscape plan indicates the following: 24-inch box Honey Locust, Shoestring Acacia, Purple Robe Locust and Mediterranean Fan Palm. The landscape plan fails to conform to all Perimeter Landscape Buffer Requirements with the exception of the north property line buffer. The landscape plan also fails to meet all parking lot landscaping and seeks a reduction in the overall required tree count.

Pursuant to Title 19.04 Permissible Use, the parking requirement for a Taxicab/Limo Yard is one space for each employee on the largest shift, plus one space per taxi or limo when the facility is at maximum capacity. The applicant indicates that there will be 66 employees for the largest shift and 67 taxis when the facility is at maximum capacity. The subject site contains 133 parking spaces with five handicapped spaces, thereby complying with the proposed Taxicab/Limo Yard use. Primary access to the site is provided from both Searles Avenue and Gragson Avenue. Searles Avenue and Gragson Avenue are designated as 60-foot Local Streets by the Master Plan of Streets and Highways.

FINDINGS (SDR-37613)

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

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

   The proposed development is not compatible with adjacent residential, commercial and industrial development in the area. The number of additional requested landscape Waivers further demonstrates the incompatible nature of the proposed development.

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

The proposed development is inconsistent with Title 19.12 Landscape and Buffer Standards. This is seen in the number of Waivers and Exceptions, which are requested as a part of the subject application. These deviations highlight the incompatibility with adjacent developments. The proposed development is both undesirable and obnoxious with regard to its overall design and adherence to minimum requirements.

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

Adequate site access is provided from both Searles Avenue and Gragson Avenue. Searles Avenue and Gragson Avenue are designated as 60-foot Local Streets by the Master Plan of Streets and Highways.

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

The proposed building and landscape materials are not appropriate for this area and for the City. The applicant is requesting a number of Waivers and Exceptions of Title 19.10 and 19.12. The provided landscape materials are lacking in quantity. Only one of the existing buildings has proper building permits, which is not appropriate for this or any area of the City.

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

The buildings fail to create an orderly and aesthetically pleasing environment. The non-permitted structures and overall lack of landscaping is not compatible with adjacent commercial and residential developments in the area. Inadequate mitigation measures have been taken to create an aesthetically pleasing environment.

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

The subject site contains several buildings and structures, which do not have proper building permits. The applicant has not taken appropriate action to protect the public health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

NOTICES MAILED 76

APPROVALS 0

PROTESTS 0

GK

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-37613** APN: 139-26-201-004

Name of Property Owner: 4444 South Valley View Drive LLC

Name of Applicant: A Cab Taxi CO.

Name of Representative: Ballard Spahr, LLP

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: Creighton J. Nady

Subscribed and sworn before me

This 4 day of March, 2010

_____

Notary Public in and for said County and State

CLARK CTY

BONNIE J. WITTIG
Notary Public, State of Nevada
Appointment No. 99-51619-14
My Appt. Expires Feb. 19, 2011

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Major Modification to previously approved SDR-35195

Project Address (Location) 1500 Searles

Project Name A Cab Taxi Co. **Proposed Use** Taxi/Limo Yard

Assessor's Parcel #(s) 139-26-201-004 **Ward #** 5- Barlow

General Plan: existing LI-R proposed n/a **Zoning:** existing CM proposed n/a

Commercial Square Footage _____ **Floor Area Ratio** n/a

Gross Acres 1.89 **Lots/Units** n/a **Density** n/a

Additional Information _____

PROPERTY OWNER ~~4444 South Valley View Drive LLC~~ Four Fours LLC **Contact** Jay Nady

Address 4444 South Valley View Drive LLC **Phone:** (702) 277-1333 **Fax:** _____

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

E-mail Address cjnoui@yahoo.com

APPLICANT A Cab Taxi CO. **Contact** Jay Nady

Address 4444 South Valley View Drive **Phone:** (702) 277-1333 **Fax:** _____

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

E-mail Address cjnoui@yahoo.com

REPRESENTATIVE Ballard Spahr, LLP **Contact** Bill Curran

Address 100 City Parkway, Suite 1750 **Phone:** (702) 471-7000 **Fax:** (866) 381-5357

City Las Vegas **State** NV 89102 **Zip** 89106

E-mail Address curranb@ballardspahr.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 Creighton J. Nady

Subscribed and sworn before me

This 4th day of March, 20 10.

Bonnie J. Wittig

Notary Public in and for said County and State

CLARK CTY

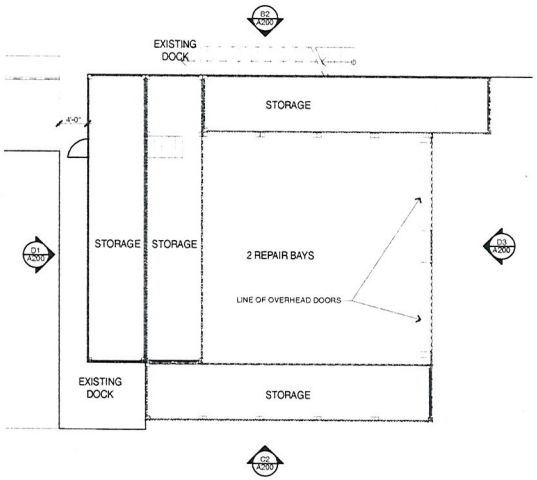
BONNIE J. WITTIG
Notary Public, State of Nevada
Appointment No. 99-51619-14
My Appt. Expires Feb. 19, 2011

FOR DEPARTMENT USE ONLY

Case #	SDR #37613
Meeting Date:	4/22/10
Total Fee:	$1030.00
Date Received:*	3/9/10
Received By:	

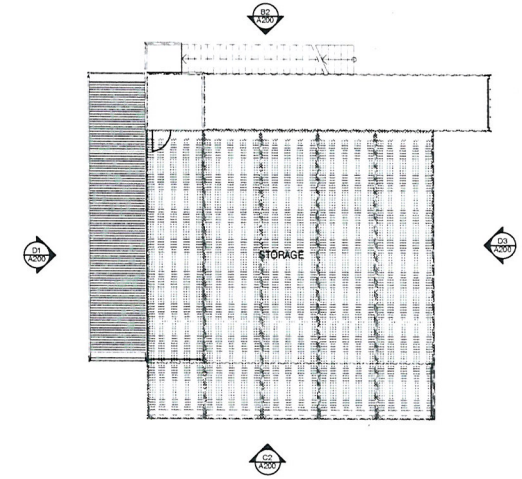
*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

Revised 10/27/08



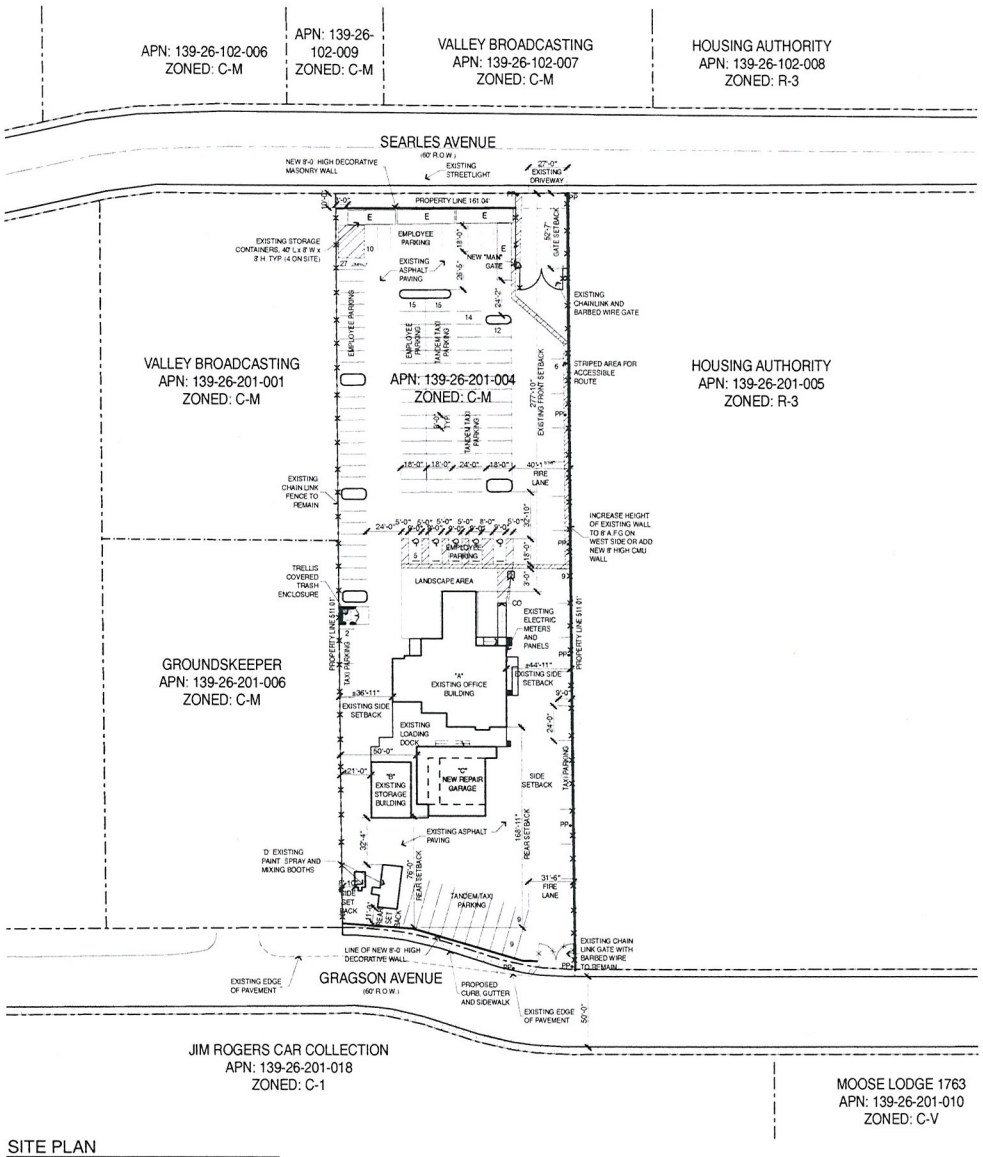
FLOOR PLAN - REPAIR GARAGE

1/8" = 1'-0"



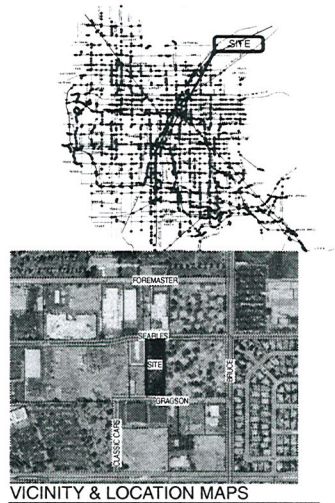
SECOND FLOOR PLAN

1/8" = 1'-0"



SITE PLAN

1" = 40'



VICINITY & LOCATION MAPS

Site and Project Information

SITE DATA

PARCEL NUMBER	139-26-201-004
JURISDICTION	CITY OF LAS VEGAS - 89101
EXISTING GENERAL PLAN	LIGHT INDUSTRIAL RESEARCH
EXISTING ZONING	C-M
PROPOSED USE	TAXI LIMO YARD, AUTO REPAIR GARAGE (MINOR), AUTO PAINT AND BODY REPAIR SHOP, OUTDOOR STORAGE
SITE AREA	82,283 SF 1.89 GROSS ACRES

SETBACKS - (PRINCIPAL STRUCTURE)

	REQ'D	PROVIDED
FRONT	10'-0"	277'-10"
INTERIOR SIDE	10'-0"	36'-11", 44'-11"
REAR	20'-0"	168'-11"

SETBACKS - (ACCESSORY STRUCTURE)

	REQ'D	PROVIDED
FRONT	10'-0"	470'-6"
INTERIOR SIDE	8'-0"	8'-0", 50'-0"
REAR	8'-0"	76'-0"

MAX HEIGHT	N/A
ACTUAL HEIGHT	28'-6"
LOT COVERAGE ALLOWED	N/A
ACTUAL LOT COVERAGE	10.7%
% OF OUTSIDE STORAGE ALLOWED	5%
ACTUAL % OF OUTSIDE STORAGE	1.6%

BUILDING INFORMATION

CODE	2006 INTERNATIONAL BUILDING CODE
CONSTRUCTION TYPE	VB
OCCUPANCY	B/F-S-1
FIRE SPRINKLERS PROVIDED	NO

BUILDING AREAS:

A EXISTING OFFICE BUILDING (± 16' HIGH)	4,400 SF
B EXISTING STORAGE BUILDING (± 16' HIGH)	1,100 SF
C NEW REPAIR GARAGE (28'-6" HIGH)	3000 SF (1st) + 2000 SF (2nd) = 5,000 SF
D EXISTING PAINT SPRAY AND MIXING BOOTH (± 11' HIGH)	300 SF
E STORAGE CONTAINER (8' X 40') TYP. OF 4 (± 8' HIGH)	1,280 SF
TOTAL	12,080 SF

PARKING AREA

BUILDING AREA	REQUIRED PARKING	PROVIDED
# OF EMPLOYEES ON LARGEST SHIFT	66	66
# OF TAXIS @ MAXIMUM CAPACITY	67	67
STANDARD PARKING SPACES PROVIDED		93
COMPACT PARKING SPACES PROVIDED		(26.3%) 35
HANDICAPPED SPACES PROVIDED		5
TOTAL PARKING		133

A Cab Taxi Company

Site Development Review

1500 Searles Avenue

Las Vegas, Nevada 89101

SDR-37613

REVISED

RECEIVED

MAR 26 2010

City of Las Vegas Site Development Review Submittal 03.09.10

City of Las Vegas Site Development Review Submittal (Rev.) 03.22.10

SITE PLAN AND FLOOR PLAN

AS100

09.065 A Cab Taxi Company

Copyright 2010 © by APTUS Architecture

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

0' 10' 40' 80'

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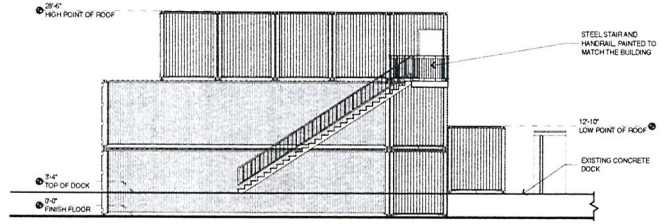
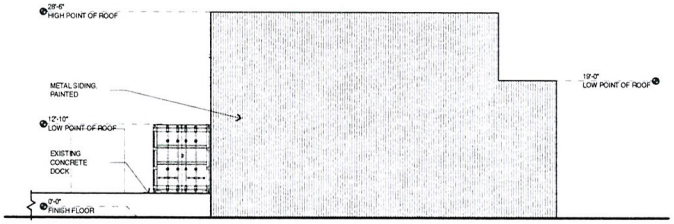
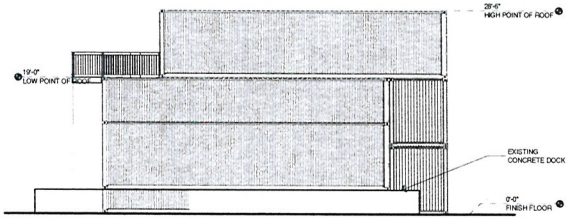


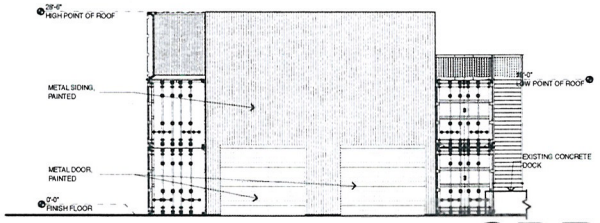
NORTH ELEVATION
1/8" = 1'-0"



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



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



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

SDR-37613

REVISED

EXTERIOR ELEVATIONS - AUTO REPAIR

A200

09 065 A Cab Taxi Company

A Cab Taxi Company
Site Development Review
1500 Searles Avenue
Las Vegas, Nevada 89101

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0' 4' 8' 16'

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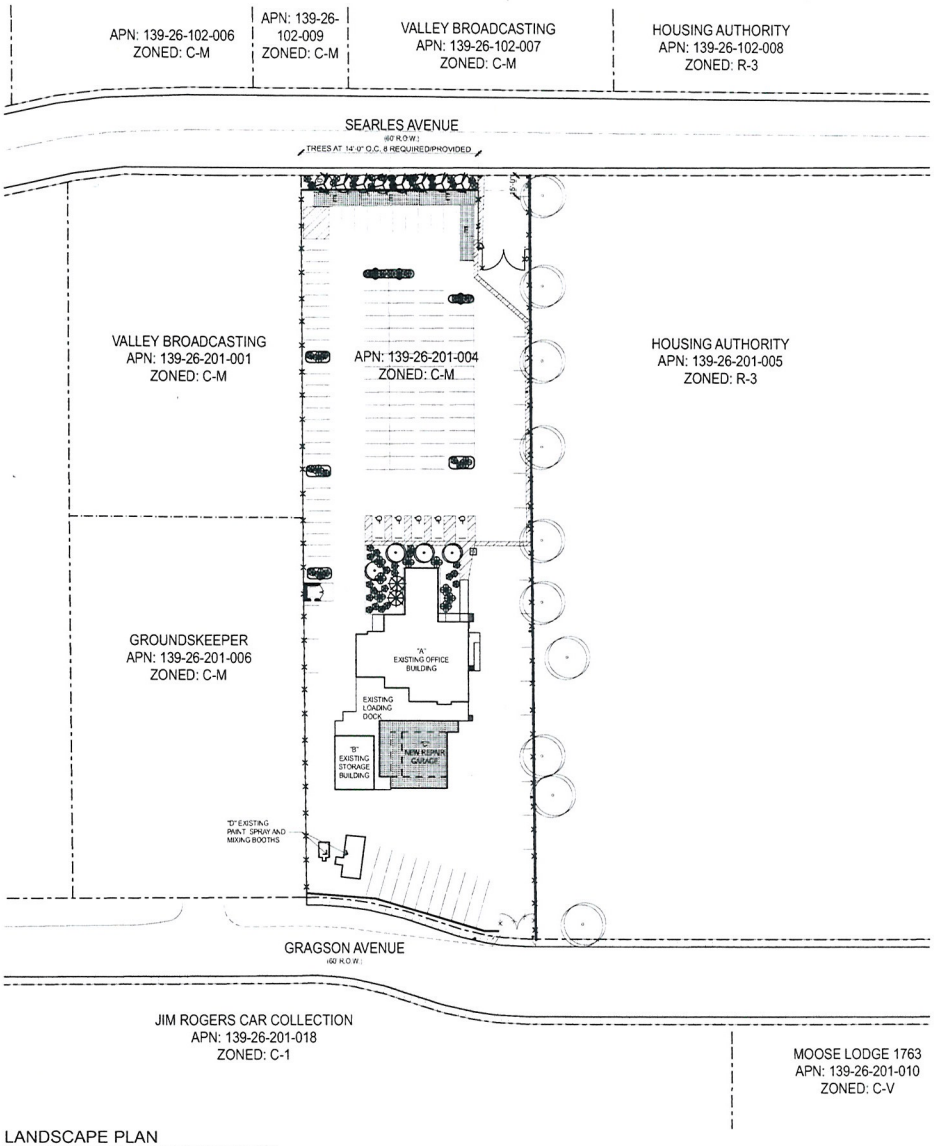

LANDSCAPE PLAN

1" = 40'

LANDSCAPE SCHEDULE

SYMBOL	COMMON NAME	BOTANICAL NAME	SIZE
TREES			
	HONEY LOCUST	prosopis	24" Box
	SHOESTRING ACACIA	acacia stenophylla	24" Box
	PURPLE ROBE LOCUST	robinia pseudoacacia	24" Box
	MEDETERANIAN FAN PALM	chamaerops humilis	24" Box
	EXISTING TREES	---	---
SHRUBS			
	TEXAS RANGER	leucophyllum frutescens 'Green Cloud'	5 gal
	CREPE MYRTLE	lagerstroemia indica	5 gal
GROUND COVER			
	LANTANA	lantana	5 gal
	REGAL MIST FOUNTAIN GRASS	muhlenbergia capillaris 'regal mist'	5 gal
ROCK MULCH	SIZE	COLOR	DEPTH
	3/8" CRUSHED GRANITE	TO BE SELECTED BY ARCHITECT FROM MANUFACTURERS STD COLORS	MIN. 2" DEEP

LANDSCAPE BUFFERS

	REQ'D	PROVIDED
FRONT (ADJ. TO ROW)	15'-0"	10'-0"
INTERIOR SIDE (ADJ. TO RESIDENTIAL)	8'-0"	0'-0"
INTERIOR SIDE (ADJ. TO INDUSTRIAL)	8'-0"	0'-0"
REAR (ADJ. TO ROW)	15'-0"	0'-0"

A Cab Taxi Company
Site Development Review
1500 Searles Avenue
Las Vegas, Nevada 89101

PLANTING PLAN

L100

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0' 10' 40' 80'

City of Las Vegas Site Development Review Submittal 3.9.10

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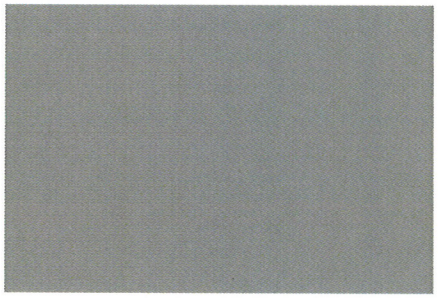

Prefinished Metal

Paint 1

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Site Development Review

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Las Vegas, Nevada 89101

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SDR-37613 - APPLICANT: A CAB TAXI, CO. - OWNER: FOUR FOURS, LLC
1500 SEARLES AVENUE

03/18/10



SDR-37613 - APPLICANT: A CAB TAXI, CO. - OWNER: FOUR FOURS, LLC
1500 SEARLES AVENUE

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1500 SEARLES AVENUE

03/18/10

APTUSArchitecture

March 9, 2010

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

Re: A Cab Taxi Dispatch Center
APN: 139-26-201-004
Major Modification to SDR-35195

To Whom It May Concern:

Enclosed please find the required application materials associated with the following requests:

- Major modifications to an existing Site Development Plan Review for a Taxi Yard with waivers of a portion of the landscaping requirement.

A Cab has been operating at its existing site located at 4444 South Valley View since 2004 and received its first medallion from the Taxicab Authority in 2001. Its current site on .86 acres has continually met the company's needs since that time. The recent condemnation of the existing site to facilitate the expansion of Harmon Avenue has required that the business be relocated. The proposed 1.89 acre site located at 1500 Searles Avenue is a suitable location for the permitted use within a C-M zone.

The existing office building has been remodeled to accommodate the company's approximately 12 non-driver employees. Adequate parking for both these employees, as well as those drivers who may bring a personal vehicle to work is provided, although experience has shown that many employees choose public transportation instead of driving private vehicles. The Certificate of Occupancy has been granted for this structure as of 02.11.10.

Accessory buildings on site reflect the site's use for limited maintenance of company owned vehicles. Auto Repair Garage (Minor) and Auto Paint and Body Repair Shop are both Conditional Uses in the C-M zone, and any maintenance performed on site will consist only of preventative or basic maintenance such as oil changes, tire changing, and minor paint jobs to keep the taxis prepared for their usual schedules. No fueling services will be offered, and more intense body work, such as that associated with vehicles involved in collisions, will be performed elsewhere. As required, the repair and service work will be performed within the proposed building in an area which will be completely enclosed. The repair garage previously shown on the site has been relocated just south of the existing office building and a portion of the parking has been relocated along the southern property line and the eastern property line.

We are requesting a waiver (in addition to the waivers already approved with the previous SDR) to provide a 0'-0" landscape buffer where an 8'-0" landscape buffer is required along the east property line and to provide a 0'-0" landscape buffer where 15'-0" landscape buffer is required along the southern property line. The owner has agreed to increase the height of the wall with

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wrought iron fencing to 8'-0" on the east property line. The existing trees on the residential side of the wall offer an adequate buffer between the two properties.

If you have any questions or need additional information regarding anything with respect to these requests, please do not hesitate to contact my office.

Sincerely,

Kristen G. Neuman

Kristen G. Neuman, AIA
APTUS Architecture

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04/22/10 PC

City of Las Vegas Agenda Item No.: **29.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

SUBJECT:
GPA-36593 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request to adopt an updated Historic Properties Preservation Plan Element and revise the 2020 Master Plan. Staff recommends APPROVAL.

C.C.: 07/07/2010

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

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Staff Report
2. DRAFT Historic Properties and Neighborhoods Preservation Plan Element

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
GPA-36593	Staff recommends APPROVAL.	

CM

** STAFF REPORT **

PROJECT DESCRIPTION

This request is to adopt an updated Historic Properties and Neighborhoods Preservation Plan Element (formerly Historic Properties Preservation Plan Element) and to incorporate it into the city of Las Vegas 2020 Master Plan.

This element was originally approved September 5, 2007 and has not been updated since. The name of the element has been changed to reflect that it also includes a plan for the preservation of historic neighborhoods.

The Historic Properties and Neighborhoods Preservation Plan Element satisfies the Nevada Revised Statutes Chapter 278.160 requirements for an Historic Properties Preservation 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 Leisure Services, Neighborhood Services and Public Works reviewed the document as well. Comments have been received and incorporated into the draft document.

The revised plan was reviewed and approved by the city of Las Vegas Historic Preservation Commission on January 27, 2010. 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.
09/05/07	The City Council adopted the Historic Properties Preservation Plan Element as an amendment to the Las Vegas 2020 Master Plan.
01/27/10	The Las Vegas Historic Preservation Commission approved the updated Historic Properties and Neighborhoods Preservation Plan Element.
Neighborhood Meeting	
03/24/10	A neighborhood meeting was held on Wednesday, March 24, 2010 at 6:00 pm at the Charleston Heights Arts Center located at 800 S. Brush Street, Las Vegas, Nevada 89107. Two members of the Planning & Development staff and no members of the public attended.

ANALYSIS

The update to the Historic Properties and Neighborhoods Preservation Plan Element is aimed at complying with recently adopted 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 recently adopted state mandated requirements are as follows:

AB 289: provides protection for paleontological sites.
Effective October 1, 2009
Section 7 of this bill requires the inclusion of paleontological sites in the historical properties preservation plan of a master plan which a planning commission must prepare for the physical development of a city, county or region.

AB 304: Makes various changes relating to the preservation and improvement of existing neighborhoods.
Effective October 1, 2009
Sections 1.4 and 2-16 of this bill require certain local governmental entities to address the preservation of historic neighborhoods in those plans and regulations.

The major changes to the document since it was adopted in 2007 are listed below:

- Name change from Historic Properties Preservation Plan Element to Historic Properties and Neighborhoods Preservation Plan Element. This reflects new legislation AB 304.
- Additional language about neighborhoods preservation in the Executive Summary Tasks and Implementation sections and throughout the document where other specific resources are listed.
- Additional language about paleontological resource preservation in the Executive Summary Tasks and Implementation sections and throughout the document where other specific resources are listed.
- Additional language about federal laws protecting archaeological and paleontological resources in Enabling Legislation section.
- Additional language regarding the Upper Las Vegas Wash Urban National Park Unit. Language summarizes the significance of the wash and plans for protecting the wash.
- Additional language regarding the historic designation process for the city of Las Vegas Historic Property Register. Language summarizes Title 19 process and includes recommendations for additional steps.
- Additional language in Analysis section regarding historic preservation and sustainability and Recent Past preservation issues.

- Revisions to "Neighborhood Conservation District" section. Revisions include the addition of the word "neighborhood" to signify the type of conservation district (as opposed to open space conservation district), and provides information about authority to enact such districts.
- Additional language to "Cultural Heritage Tourism" section to include information about specific resources within CLV, and plans for public outreach.
- Additional Appendices to include the Stewardship Agreement and more detailed descriptions of historic preservation, archaeology and paleontology laws.
- Upper Las Vegas Wash area is added to Appendix: Potentially Eligible Historic Resources.
- The entire document includes updated info since the 2007 adoption.

Relationship to Nevada Revised Statutes

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 Historic Properties and Neighborhoods Preservation Plan Element conform 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 an Historic Properties Preservation plan.

The Historic Properties Preservation Plan Element must include an inventory of significant historical, archaeological and architectural properties as defined by the city, and a statement of methods to encourage the preservation of those properties.

The newly adopted state legislation AB 289 requires the inclusion of paleontological sites in the historical properties preservation plan of a master plan which a planning commission must prepare for the physical development of a city, county or region.

The newly adopted state legislation AB 304 requires certain local governmental entities to address the preservation of historic neighborhoods in those plans and regulations.

The updated Historic Properties and Neighborhoods Preservation Plan Element addresses all current NRS requirements in one 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 Historic Properties and Neighborhoods Preservation Plan Element contains the goals, objectives and policies from the Master Plan policy document that best relate to historic preservation.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

HISTORIC PROPERTIES AND NEIGHBORHOODS PRESERVATION PLAN ELEMENT

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- APPENDIX F: Quick Reference Chart of Designated Resources
- APPENDIX G: Maps (NOT INCLUDED IN DRAFT)

DRAFT

Executive Summary Tasks

Educate the public about the value of historic preservation in Las Vegas

- Publish up-to-date informational brochures about historic, archaeological and paleontological resources within the City of Las Vegas boundaries.
- Initiate educational programs and events.
- Work with schools and libraries to develop an historic preservation curriculum.

Advise the public with informed assistance programs

- Provide technical assistance to owners of historic properties.
- Make informed recommendations regarding changes to historic properties and neighborhoods to the Historic Preservation Commission.
- Provide regular and up-to-date information to the public and City about potential historic properties and neighborhoods.

Preserve historic resources

- Maintain and update the existing inventory of significant historic neighborhoods and archaeological, paleontological and architectural properties that are over fifty (50) years old.
- Pursue all available funding to identify and preserve historic neighborhoods and archaeological, paleontological and architectural properties.
- Develop a program of adaptive reuse of vacant and/or abandoned buildings, and buildings of historic significance.

Introduction

Purpose

This element of the Las Vegas 2020 Master Plan ("Master Plan") establishes standards, goals, objectives, and policies for the protection of historic properties located within the City of Las Vegas legal boundaries. The original Historic Preservation Element was adopted as part of the City of Las Vegas General Plan on April 1, 1992. No amendments were made to the original Historic Preservation Element until the adoption of the updated Historic Properties Preservation Plan Element on September 5, 2007. This revised Historic Properties and Neighborhoods Preservation Plan element addresses new concepts that have arisen regarding the broadened role of historic preservation and conservation.

The City of Las Vegas has many buildings, objects, districts and sites which have historical, archaeological, paleontological, cultural and/or architectural significance that should be preserved in order to appreciate the early development of the city. It is important for these resources to be preserved as a "living" part of the community, not just in text and photographs.

The early character of Las Vegas is represented by a wide range of resources that include not only monumental buildings such as the U.S. Post Office and Courthouse, Las Vegas High School

and prestigious homes, but also more common and functional buildings such as commercial and industrial buildings. Las Vegas also has a significant amount of Mid-Century Modern commercial buildings, and homes constructed during World War II and just after. These buildings are "coming of age" and need to be considered in the Historic Properties and Neighborhoods Preservation Plan.

Historic buildings and sites are inherently marketable elements of urban form that promote a community's distinct identity. The positive economic value of preserving historic urban areas for cultural and heritage tourism has long been substantiated. Historic downtowns perpetuate the character and ambience, creating an authentic experience for both residents and visitors that cannot be found elsewhere. Preservation not only has intrinsic value but can also stabilize and improve the value of adjacent buildings and promote neighborhood enhancement.

An additional economic rationale for historic preservation includes the benefits of rehabilitating and reusing older buildings, since the existing investment in the structure and servicing of a building reduces material and labor costs. In addition, special local, state and/or federal tax incentives and grant funding may also be available. Preservation not only has intrinsic value but can also stabilize and improve the value of adjacent buildings and promote neighborhood enhancement.

New concepts in Historic Preservation have arisen since the first Historic Preservation Plan for Las Vegas was adopted in 1992. The preservation movement has evolved considerably since the first organized attempts in the United States to save a building in the early 1800s. The first preservationists concentrated on saving one community gem at a time, whereas modern preservation is now widely recognized as an integral component of Heritage Tourism, Smart Growth, environmental sustainability and economic redevelopment of downtowns. This updated Plan will include these concepts.

This element will provide a brief history of Las Vegas, a description of key laws protecting historic, archaeological and paleontological resources, an overview of our significant historic resources, an explanation of the historic preservation process, an outline of our city's goals, objectives and policies for historic preservation, and a plan for implementation. The Plan will be updated every five years in order to reflect the current issues affecting historic preservation.

Enabling Legislation

In the United States, the concept of preserving a community's architectural past emerged during the decades preceding the Civil War, with efforts to preserve resources associated with significant figures and events in American History. Public concern over the possible loss of historic sites and buildings prompted Congress to adopt the Antiquities Act of 1906, offering protection to prehistoric and historic sites located on Federal properties.

A national policy of preserving historic resources of national significance for public use was established by the Historic Sites Act of 1935, which established the National Historic Landmark Program. This legislation empowered the Secretary of the Interior, acting through the National Park Service, to use the Historic American Buildings Survey to survey, document, evaluate,

acquire and preserve archaeological and historic sites. The National Historic Preservation Act of 1966 (NHPA) established the National Register of Historic Places as a list of districts, sites, buildings, structures and objects significant in American history, architecture, archaeology and culture. The following are more in depth descriptions of the key laws that protect cultural and paleontological resources today. For a more complete list, please see Appendix.

The National Historic Preservation Act of 1966 (NHPA), as amended
This federal law provides for a National Register of Historic Places to include districts, sites, buildings, structures, and objects significant in American history, architecture, archaeology, and culture. Such places may have national, state or local significance. It establishes the administrative and legal context for the State Historic Preservation Offices to establish local historic preservation commissions. This allows local municipalities to participate in the national historic preservation program. The Act is designed to encourage the preservation and the wise use of our cultural resources.

The Act includes the creation of:

- National Policy, which establishes the policy of the United States Government regarding historic preservation to promote conditions in which historic properties can be preserved
- The National Register which gives power to the Department of Interior to establish, maintain and expand the National Register of Historic Places.
- State Historic Preservation Offices and State Historic Preservation Officers (SHPO) which establish the administration of the national historic preservation program at the state level and designate the responsibility of developing a statewide plan for preservation, surveying, and nominating properties to the National Register, providing technical support to federal, state and, local agencies and the public, review of federal undertakings that affect historic properties, and helping local governments become certified to participate in the program.
- The Certified Local Governments program which allow for the certification of local governments whose historic preservation programs meet specific standards further allowing the local government access to special grants-in-aid and technical assistance from the SHPO to assist with preservation activities.
- The Advisory Council on Historic Preservation (ACHP) which creates an independent federal agency responsible for advising the President and Congress on Historic Preservation matters.

Paleontological Resources Preservation Act of 2009 (PRPA)
The Paleontological Resources Preservation Act (PRPA) became law when President Barack Obama signed the Omnibus Public Lands Management Act (OPLA) of 2009. The Act requires the Secretaries of the Interior and Agriculture to manage and protect paleontological resources on Federal land using scientific principles and expertise. The OPLA-PRP includes specific provisions addressing management of these resources by the Bureau of Land Management (BLM), the National Park Service (NPS), the Bureau of Reclamation (BOR), the Fish and Wildlife Service (FWS), all of the Department of the Interior, and the U.S. Forest Service (USFS) of the Department of Agriculture.

The OPLA-PRP only applies to Federal lands and does not affect private lands. It provides authority for the protection of paleontological resources on Federal lands including criminal and civil penalties for fossil theft and vandalism. Consistent with existing policy, the OPLA-PRP also includes provisions allowing for casual or hobby collecting of common invertebrate and plant fossils without a permit on Federal lands managed by the BLM, the BOR, and the U.S. Forest Service, under certain conditions. Casual collecting is not allowed within the National Parks or other lands managed by the National Park Service.

Archaeological Resources Protection Act of 1979 (ARPA), as amended
The primary impetus behind the ARPA was the need to provide more effective law enforcement to protect public archeological sites. The Act recognized that archaeological resources are an irreplaceable part of America's heritage and that they were endangered increasingly because of the escalating commercial value of a small portion of the contents of archeological sites. The ARPA established requirements to protect archaeological resources and sites on public lands and Indian lands and to foster increased cooperation and exchange of information between governmental authorities, the professional archaeological community, and private individuals. The Act also established civil and criminal penalties for the destruction or alteration of cultural resources. The U.S. Department of the Interior has issued regulations under the ARPA establishing definitions, standards, and procedures to be followed by all federal land managers in providing protection for archaeological resources located on public lands and Indian lands of the United States. In addition, the National Park Service has issued regulations under the ARPA for the curation of federally owned and administered collections.

Nevada Revised Statutes
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.

NRS 278 Planning and Zoning
This chapter within the Nevada Revised Statutes provides for the establishment of municipal zoning ordinances.

NRS 278.160 Subject matter of master plan
This section requires the city of Las Vegas to prepare and adopt a comprehensive, long-term general plan for the physical development of the city, which must also include a Historical Properties Preservation Plan, and Historic Neighborhood Preservation Plan.

NRS 384.005 Establishment of historic districts by a city or a county
This section provides for the establishment of zoning ordinances that govern an historic district, and the establishment of an historic preservation commission.

1. Any county or city may establish a historic district for the purpose of promoting the educational, cultural, economic and general welfare of the public through the preservation, maintenance and protection of structures, sites and areas of historic interest and scenic beauty.

2. If the historic district is established, the board or governing body may adopt any ordinances it determines are in the best interest of the historic district in accordance with the criteria delineated above. An ordinance establishing a historic district must: (a) Contain criteria which substantially achieve the preservation and rehabilitation of buildings of historic significance to the district; and (b) Provide for a designated review board with the power to review proposed alterations to structures within the district.

The Zoning Code of the City of Las Vegas

The Zoning Code of the City of Las Vegas was adopted by City Council in March 24, 1997, as part of the Municipal Code of the City of Las Vegas, adopted in 1983. The Zoning Code was adopted pursuant to the provisions of the Nevada Revised Statutes (NRS), including NRS Chapter 278: Planning and Zoning.

The Zoning Code was established to promote the public health, safety and welfare, and coordinate and ensure the execution of the City's General Plan through effective, efficient, and equitable implementation of development review requirements, adequate facility and services review and other goals, policies or programs contained in the General Plan.

On February 22, 1991, the City Council of Las Vegas adopted an amendment to the Municipal Code of the City of Las Vegas which added an historic preservation ordinance, and established the Historic Preservation Commission (HPC). Today, the City of Las Vegas Historic Preservation Ordinance is found in the Zoning Code, Title 19.06.090 H HISTORIC DESIGNATION.

The purpose of the ordinance is to establish guidelines and responsibilities of the HPC. Through this action, the Historic Preservation Commission was deemed responsible for developing, coordinating and implementing programs for the preservation of buildings, structures, places, sites and districts in the city of historic, cultural, or architectural significance. The ordinance also provides for the designation of structures, landmarks, historic sites and districts.

The powers, duties and activities of the HPC include the following:

- Reviewing applications for the designation of Landmarks, Historic Properties and Historic Districts, and making recommendations to the Planning Commission concerning those applications.
- Reviewing and making decisions concerning applications for the proposed construction, alteration, demolition or removal of any structure associated with a Landmark or Historic Property or located on property within an Historic District.
- Making recommendations to the City Council concerning the use of public or private funds to promote the preservation properties and districts within the City, including the acquisition of property or interests in property.
- Recommending appropriate changes to the General Plan and to local development regulations in order to promote historic preservation.
- Cooperating with property owners to formulate appropriate design guidelines for alteration and construction within Historic Districts.

- Initiating and conducting detailed studies and surveys of properties, structures, and areas within the City to assess their potential for designation in order to formulate an Historic Preservation Plan for the City.
- Developing and participating in public information activities in order to increase public awareness of the value of historic preservation.
- Performing such other functions as will encourage or further the interests of historic preservation.

Certified Local Government (CLG)
The City of Las Vegas achieved CLG status in 1998. The CLG program is a partnership among local governments, the Nevada State Historic Preservation Office (SHPO), and the National Park Service (NPS) which is responsible for administering the National Historic Preservation Program. By 1992, the City had met the requirements for achieving this status, such as the development of an Historic Preservation Plan, Historic Preservation Commission, and Historic Preservation Ordinance. The City of Las Vegas Historic Preservation Ordinance is included in the Zoning Code, Title 19.06.090 H HISTORIC DESIGNATION. The purpose of the ordinance is to establish guidelines for the HPC.

The State Historic Preservation Office (SHPO)
The Nevada State Historic Preservation Office is a state agency created by the National Historic Preservation Act. The National Park Service (NPS) administers, reviews, and provides the majority of funding for the Nevada SHPO programs. The SHPO also administers the Commission for Cultural Affairs grants, NPS grants, National and Nevada State Registers of Historic Places, the historical marker program, and the Comstock Historic District Commission.

The State Historic Preservation Office provides many important services to local governments and historic preservation commissions such as assisting with development of historic preservation programs; advising and assisting in federal, state and local historic preservation projects; participating in the review of federal, state and local undertakings that may affect historic properties; and, providing public information, education, training, and technical assistance in historic preservation. For more information on the Nevada SHPO, visit www.nevadaculture.org/shpo.

Relationship to the City of Las Vegas Master Plan 2020

The Master Plan 2020, "Master Plan," was adopted by City Council in September 2000, and consists of a policy document and a series of specific plans, or elements. The broad policy structure in the Master Plan is intended to direct the actions of the City regarding land use and development over the period from 2000 to 2020. In preparing this element, the City of Las Vegas has considered how policies stipulated in the Master Plan direct future decisions affecting the protection of historic resources in Las Vegas. Where appropriate, this Historic Preservation Element reflects the concurrence of City policy with these other policy sets.

The Relationship to Master Plan 2020 Policy Sections:

Reurbanization

OBJECTIVE 1.4: To retain, where viable, historical structures which represent the architectural, cultural and social legacy of the City of Las Vegas.

Neighborhood Revitalization Area

GOAL 2: Mature neighborhoods will be sustained and improved through appropriate and selective high quality redevelopment and preservation.

POLICY 2.3.4: That historic districts provide such direction to preserve the architectural heritage of Las Vegas.

Cultural Enhancement

OBJECTIVE 5.2: To promote cultural awareness and pride within the city.

POLICY 5.2.1: That the City support and assist in the development of new programs which provide incentives for the development and expansion of arts and cultural activities, particularly those which demonstrate an identifiable local context.

The *2006 City of Las Vegas Strategic Planning Guide*, supports historic preservation with the following priorities:

- Revitalize and invigorate our mature areas and the urban core
- Support and encourage sustainability, livability, and pride in our neighborhoods

The Planning Process

On March 3, 2006 the HPC voted to begin the revision process for the existing Historic Preservation Plan, initially adopted by City Council on April 1, 1992. A team made up of staff from the Department of Planning and Development met on a bi-weekly basis to coordinate and facilitate the Task Force meetings, and discuss how best to incorporate comments from the task force members into the new plan.

Considerable input was provided by the Task Force committee. The committee was made up of two groups of individuals: a Technical Advisory Committee of members within the historic preservation community, and a City Staff committee with representatives from several city departments. These groups met three times to discuss goals and objectives for the Historic Properties Preservation Plan Element and address applicable standards and deficiencies in the present plan. The planning process resulted in the revised and updated Historic Properties Preservation Plan Element. Two public meetings were also held. Below is a list of all Task Force and public meetings:

- 8/16/06 First Task Force meeting

- 9/20/06 Second Task Force meeting
- 10/18/06 Third Task Force meeting
- 10/18/06 Open House at Downtown Senior Services Center (DSSC)
- 2/28/07 Final draft submitted to Historic Preservation Commission for review
- 3/28/07 HPC approved final draft
- 3/27/07 Public meeting for General Plan Amendment
- 4/26/07 Planning Commission recommended approval of GPA-19426 to City Council
- 6/6/07 City Council approved GPA-19426.
- 9/5/07 City Council adopted Ordinance #5931

The first draft of the plan was completed October 4, 2006 for internal review. The second draft was completed October 12 and distributed to Task Force members and the City of Las Vegas Historic Preservation Commission for review. A third draft was completed on January 24, 2007 and distributed to city department heads for review. The final draft was completed on March 28, 2007, after all comments were received from the Task Force, city department heads and the public.

Background

Planning Context

The Historic Preservation Commission
On February 22, 1991, the City Council of Las Vegas adopted an amendment to the Municipal Code of the City of Las Vegas (now the Zoning Code of the City of Las Vegas) to add an historic preservation ordinance, and establish the Historic Preservation Commission (HPC).

The HPC is an 11-member advisory group made up of citizens knowledgeable in historic preservation, construction, history, planning, architecture, archaeology and real estate. The purpose of the HPC is to promote the preservation of historic resources within the City of Las Vegas, including, but not limited to cultural heritage resources, buildings, structures, sites and objects through education and action.

Nevada Revised Statutes (NRS) 278.160, "Subject matter of master plan," requires that 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 City of Las Vegas Master Plan 2020, must include an Historic neighborhood preservation plan, which shall include a plan to identify and inventory historic neighborhoods and a statement of methods to encourage the preservation of historic neighborhoods. The Master Plan must also include an Historical Properties Preservation Plan, which shall include an inventory of significant historical, archaeological, paleontological and architectural properties as defined by the city, and a statement of methods to encourage the preservation of those properties.

Nevada Comprehensive Preservation Plan 2004
The Nevada Comprehensive Preservation Plan was prepared by the Nevada State Historic Preservation Office and adopted by the National Park Service in 2003. The plan establishes

historic preservation goals for the state and is used to prioritize grant applications and SHPO projects. Local, state, and federal agencies use the document to help them focus preservation activities in their jurisdictions.

City of Las Vegas Neighborhood and Special Area Plans:

- Beverly Green/Southridge Neighborhood Plan, adopted by City Council August 2003
- Downtown Centennial Plan, last amended September 2009
- Downtown North Plan, last amended November 2008
- Floyd Lamb Park Master Plan, adopted by City Council April 2007
- John S. Park Neighborhood Plan, adopted by City Council December 2001
- Scenic Byway Corridor Management Plan, last amended November 2008
- West Las Vegas Plan, last amended July 2009

Existing Conditions

Currently, there are twenty-three designated historic resources within the city of Las Vegas which include *buildings, structures, sites, districts* and *objects*. These resources are listed either on the City of Las Vegas Historic Property Register, the state Register of Historic Places, the National Register of Historic Places, or a combination of these three. The type of designation of an historic resource is a result of the resources' level of significance and association with local, state or national history. Each designated resource in Las Vegas has an association with Las Vegas history, as provided below in the Brief History of Las Vegas section. For a chart of designated historic resources, please see Appendix.

Of the twenty-three historic resources, the U.S. Post Office and Courthouse, Fifth Street School, Westside School, Lorenzi Park, Floyd Lamb Park at Tule Springs and Woodlawn Cemetery are owned by the city.

Historic *buildings* include private residences or homes that have been converted for use as professional offices such as the Frank Wait, Morelli, Smith and Henderson houses, schools such as the Westside and Fifth Street Schools and the Las Vegas High School administration building and gymnasium (now Las Vegas Academy), and commercial and public buildings such as the Huntridge Theater, Moulin Rouge Hotel, and the U.S. Post Office and Courthouse.

The Bonanza Road Underpass is the only designated *structure* in Las Vegas, and the Eureka Locomotive is the only designated *object* at this time; although, an inventory of historic signs located at the Neon Museum has been completed and may result in designation of certain signs in the future.

Historic *sites* are defined as locations that are associated with a significant historic or pre-historic event or pattern of events and can include archaeological and paleontological sites. Designation of an historic site does not require that a building or structure, or ruins of a structure, remain on the site. Designated historic sites within Las Vegas include the Woodlawn Cemetery, the Las Vegas Mormon Fort, and portions of the Old Spanish Trail. Designated archaeological sites in Las Vegas include Tule Springs, as mentioned above, and the Springs Preserve.

Currently there are no designated paleontological sites in Las Vegas; however, the city of Las Vegas is working with community groups, local, state, tribal and federal jurisdictions and agencies on a proposal to designate the Upper Las Vegas Wash area as an Urban National Park Unit. The Las Vegas City Council approved a resolution (R-78-2009) supporting the designation on November 18, 2009.

The Upper Las Vegas Wash contains significant paleontological fossils demonstrative of the Pleistocene Ice Age, including Columbian Mammoth, Ground Sloth, American Lion, Camelops, Bison and ancient species of Horse. The fossil findings appear to contain the longest continuous section of Pleistocene strata in North America, spanning important global climate cooling and warming episodes in the desert Southwest.

A vision for the Upper Las Vegas Wash includes state-of-the-art visitor facilities and amenities, working field sites that can accommodate public interaction, paleontology curation facilities, and interpretive displays. The facility could become a significant educational resource for school age children, as well as university students.
The remaining designated resources are historic *districts*. Designated districts within the city of Las Vegas include the John S. Park, Las Vegas High School and Berkley Square Neighborhood Historic Districts, and Floyd Lamb Park at Tule Springs and Lorenzi Park. A district is typically defined by a substantial concentration of properties, buildings or structures with historic boundaries such as roadways, subdivision plat boundaries or other property lines or physical features. A district can consist of a residential neighborhood, commercial area, or one parcel with several buildings and structures such as Floyd Lamb Park at Tule Springs and Lorenzi Park.

Nevada Revised Statute Chapter 278 further defines an historic neighborhood as a subdivided or developed area that consists of 10 or more residential dwelling units where at least two-thirds of the units are 40 or more years of age and have been identified by a governing body as having a distinctive character or traditional quality.[1]

Local designation protects historic resources by city zoning ordinance, making it a requirement for the Historic Preservation Commission to review any work on a building within the district boundaries that requires a building permit. The Berkley Square and Las Vegas High School Neighborhood Historic Districts are listed on the National Register only, which provides very limited protection for historic resources. As a result, the Las Vegas High School Neighborhood historic district is changing rapidly with new development and is threatened with delisting. This would eliminate certain financial opportunities for business owners who wish to restore their buildings.

For a complete list of designated historic resources with designation status and locations, see Appendix: Designated Historic Resources.

Brief History of Las Vegas

Prehistoric Las Vegas

[1] Abbreviated from NRS 278.

Several scientific studies have been conducted in the northwest area of the valley at what is now known as the Upper Las Vegas Wash. A report titled, "Pleistocene Studies in Southern Nevada," completed by the Nevada State Museum in 1967, states that mammoths, horses, camels, bison and sloths inhabited this are until as late as 11,000 years ago. Significant fossil evidence has been found concentrated in this area and others near historic sources of natural water or drainage pathways.

Although several different cultural sequences have been proposed for the Mojave Desert, most archaeologists agree that the earliest cultures were Paleo-Indian. By the beginning of the Early Archaic, around 7,000 years ago, deserts had become extremely dry. This period was marked by new smaller projectile point styles that were being manufactured along with the previous styles.

Around 3,000 years ago, towards the end of the Archaic Period, increased moisture due to climate change allowed populations to capitalize more on wild plants such as grains and seeds as suggested in the increase of grinding stones and other milling equipment. Intensification of subsistence indicates increased population across southern Nevada and surrounding areas. Underground storage of food was typical during this period until the introduction of ceramics allowed for more efficient storage capabilities.

The Ceramic Period began roughly 1,000 years ago, and is marked by the introduction of pottery, as well as the adoption of the bow and arrow. In the Moapa and Virgin valleys, the Virgin Anasazi initially built pithouse structures, but later house structures consisted of above-ground buildings. They practiced irrigation farming along the rivers and collected wild food resources as a supplement. Although Puebloan influence was mainly concentrated along the Virgin and Muddy rivers, their presence was felt in the Las Vegas area.

Similar in nature to Anasazi cultural developments, the Patayan Tradition (Mojave) evolved from the previous Archaic Period. Between AD 1000 and 1500, these Mojave people lived and made pottery in the Las Vegas Valley.

The third culture group inhabiting this area was the Southern Paiute, who were the only residents remaining here at European contact. They occupied this region and engaged in hunting, gathering, and foraging, supplemented by horticulture. Fields were commonly found at many of major springs throughout Las Vegas Valley. The Paiute played important roles at the early ranches of the area, and today maintain a base in the City, the Las Vegas Paiute Colony, on land provided to them by Helen Stewart.

Historic Las Vegas

The first successful European crossing of the Mojave Desert was done by Spanish missionaries and explorers in 1776. They forged a trail beginning in present day Santa Fe, New Mexico and ending in Los Angeles, California. The trail through Southern Nevada, now called the Old Spanish Trail, was completed in 1826 by Jedediah Smith.

Mexican trader Antonio Armijo led a 60-man commercial caravan along the Spanish Trail to Los Angeles in 1829. This was the first caravan to pass through the Las Vegas valley. The abundant artesian spring water discovered here shortened the Spanish Trail to Los Angeles, and eased rigors for traders. On May 13, 1844, John C. Fremont camped at Las Vegas Springs as he led an overland expedition west. Fremont was the first to record Las Vegas, which means "The Meadows" in Spanish, on an American map.

A rough wagon road soon developed along the Spanish Trail between Salt Lake City and southern California often used heavily by wagons to deliver mining supplies and equipment. Located roughly midway along the trail, the Las Vegas valley became a natural stop-off point for travelers to re-stock supplies and water from the Las Vegas Springs. Today, the Old Spanish Trail is disappearing in Las Vegas due to development, but portions of it have been recorded as being significant archaeological and historic sites in the Las Vegas valley. The locations of these sites are restricted to protect the resource.

In 1855, a group of Mormon missionaries established a settlement about four miles east of Big Springs, now the Springs Preserve, where they constructed an adobe brick fort. The mission was terminated in 1857 due to internal dissension and difficulties in converting the native population. Until the early 1900s, mining and agriculture were the predominant industries in southern Nevada, although there were a few large ranches in the area. Octavius Decatur Gass had developed a marginally successful ranching and farming operation around the abandoned Mormon Fort that had been built in 1855. In 1879, after struggling for several years with the desert environment, Gass had become significantly in debt. He persuaded a man named Archibald Stewart to loan him $5,000 which Gass never paid back.

Archibald and his wife, Helen, became the new owners of the ranch in 1880 and ran it quite successfully until Archibald was murdered at the nearby Kiel Ranch over an unsettled dispute. Helen Stewart suddenly found herself alone with four children, another on the way, and a 960 – acre ranch to manage.

The Railroad

In anticipation of a railroad passing through town, Helen began to purchase more land, and in 1902, Montana Senator William Clark, soon to be owner of the San Pedro, Los Angeles and Salt Lake Railroad Company, purchased the 1,800 acre Stewart ranch to make way for the completion of the tracks between Salt Lake City and Las Angeles. Speculators began purchasing vast amounts of land resulting in two competing townships. The first township was established by an engineer and surveyor named John T. McWilliams, who purchased eighty acres of government land just west of the railroad tracks. In early 1905, the town, advertised as "The Original Las Vegas Townsite," consisted of approximately 150 buildings including saloons, boarding houses, homes, and stores stocked with mining supplies as well as an ice house.

The second site was located on the east side of the tracks and was named Clark's Las Vegas Townsite for the new owner of the railroad, Senator William Clark. The railroad held a land auction in May of 1905. The lots included the area between present day Stewart Avenue, Garces Avenue, Main, and Fifth Streets. Approximately half of the available 1,200 lots were sold within

the first two days, many purchased by speculators from Los Angeles and Salt Lake City. The most valuable lots included those closest to the train depot located at the intersection of Main and Fremont Streets.

The railroad company soon built permanent structures that included the Mission style Railroad Depot in 1906, and several workshops and auxiliary buildings (all demolished). Between 1909 and 1911, the railroad company also constructed 64 cottages in a modest bungalow style for mid-level employees on four square blocks in downtown. The cottages represented the earliest "company housing" in Las Vegas. Most of the cottages have been demolished; however, four have been moved to the Springs Preserve, and one has been moved to the Clark County Heritage Museum.

During this time, development was slow on the west side of the tracks. The depot, and consequently the freight loading and unloading ramps, was located on the east side of the tracks, making it difficult for carts to cross over the embankment. Children from McWilliams' Townsite had to cross the railroad tracks to get to school in Clark's Townsite, prompting the construction of the Westside School in 1922. Competition from Clark's townsite and the inconvenient access to transportation and necessary mining and ranching supplies caused the McWilliams' townsite to lose favor and eventually dwindle to a few small tents and buildings. Today, the original townsite area is known as the "Old Westside," which is located to the northwest of the I-95 and I-15 freeway interchange. The Pioneer Trail, a vehicle and pedestrian trail with interpretive markers, winds visitors through this historic area.

Fremont Street became the town center with a bank, post office, retail shops and hotels occupying approximately the first two and one-half blocks. The remaining buildings from this time include the Nevada Hotel (1905), now the Golden Gate, and the Victory Hotel (1910), formerly the Lincoln Hotel. The remaining blocks of Fremont Street between Third and Fifth Streets were developed as Las Vegas' first exclusive residential area. These homes, built mostly in the Bungalow style with Craftsman details, were demolished during the 1930s and 1940s for commercial expansion. The industrial and commercial district developed mostly along the railroad tracks while the rest of the city consisted of quiet residential streets.

However, it was not long before the city began to expand, extending the original grid eastward. Developers began to plat subdivisions as early as 1905, selling individual lots as they were purchased. Many of these homes were built in the popular Bungalow style, as well as Spanish Eclectic, Tudor and Colonial Revival styles. Some of the early subdivisions include the Bucks Subdivision, Fairview Tract, and the Grandview, Wardie, South and Hawkins' Additions. Building within these subdivisions was slow with minimal population and water facilities to support them until the building boom period in the late 1920s.

The Federal Years

In the late 1920s, talk of building the Boulder Dam enticed thousands of laborers and their families to relocate, looking for work on the dam. This project was the largest in Las Vegas to receive federal funding. Construction began in 1931 and was to have a significant impact on the economic and physical development of Las Vegas. While the rest of the country was suffering

heavily during the Great Depression, Las Vegas boomed in 1931 as Nevada repealed gambling prohibition and liberalized its divorce laws, shortening residency requirements from three months to only six weeks. Las Vegas' new residents spent their hard-earned pay in gambling clubs, called, "sawdust joints," that began to open up on Fremont Street. So much growth was anticipated that the Las Vegas High School (now Las Vegas Academy) was built far from town on Seventh Street and Bridger Avenue in 1931. The Las Vegas High School is extremely important as a beautiful example of Art Deco architecture and Las Vegas' only large scale building of this kind.

Other federal funding allowed for the paving of public streets, improvements and expansions to the city's infrastructure, and recreational and public facilities in and near the downtown area between 1933 and 1934. Remaining examples are the U.S. Post Office and Courthouse (1933), and the Bonanza Road (Clark Ave) railroad underpass (1936). All of these factors served to extricate Las Vegas from its economic dependency on the railroad.

Significant architecture flourished in the 1930s in Las Vegas. Spanish Eclectic and Mission styles, then popular in the West and Southwest, are represented by the Fifth Street School (1936), and residences such as the Henderson (1930) and Smith (1931) homes.

The Tudor Revival is represented best in the area surrounding the Las Vegas High School, showcased by the Church of Jesus Christ of Latter Day Saints (LDS) Las Vegas Regional Family History Center (1932).

Also in the 1930s was the beginning of the signature style of neon signage in downtown Las Vegas. On Fremont Street, signs reflected the architectural and cultural trends of the day rather than the buildings, which tended to have narrow fronts with modest decoration. Competition for the pedestrian eye forced signage to evolve from a simple painting on the wooden storefront to entire neon "wraps" which covered whole facades of Fremont Street businesses by the 1950s. The exuberant clustering of animated neon and lights gave Fremont Street its distinct urban identity not experienced on "the Strip." This era is considered to be the highlight of Las Vegas' neon, with the Binion's hotel and casino being one of the survivors.

World War II

During World War II, the population of Las Vegas again increased significantly as people came to find work at the military bases and industrial plants in the area. The Las Vegas Army Airforce Gunnery School (later Nellis Air Force Base), opened in 1941, and Basic Magnesium Incorporated in the Basic Townsite (Henderson) opened in 1942. Housing construction could not keep up, and families were doubling up in houses, apartments and motels. In West Las Vegas, churches, businesses, nightclubs, hotels and casinos were built. As African American entertainers performing on the Strip were not allowed to stay there, boarding houses on the Westside served as hotels.

In 1941, President Roosevelt signed an amendment to the Federal Housing Act creating Title VI, making possible the mass construction of FHA financed homes. In order to qualify for Title VI, a town had to be declared a defense area, which Las Vegas was in 1941. The three major Las

Vegas neighborhoods built with Title VI financing are the Biltmore, Huntridge and Mayfair, all located near downtown. These neighborhoods were built specifically to house non-commissioned officers, civilian employees of the air base and Basic Magnesium, and their families.

Residential architecture in the 1940s and 50s evolved from the popular Revival styles of the 1930s to the more modest Minimal Traditional and Ranch styles. Minimal Traditional style homes were small with very little decorative detailing or exaggerated features. A natural progression was the Ranch style, the ultimate in streamline residential design. Although the Ranch style took its early cues from the Craftsman and Prairie styles, the Ranch is recognized as a sub-category of the International style, or Modern Movement, so popular for commercial and public buildings. Long and low with wide overhanging eaves and ribbon windows, the "rambling" Ranch style was well suited to the sprawling suburban subdivisions and the more casual lifestyle of the postwar era. Many remaining examples of Minimal Traditional and Ranch style homes are located in the John S. Park Neighborhood Historic District. Good examples of a modest version of the Modern Ranch can be found in the Berkley Square Neighborhood Historic District.

Post War

By 1950, the population of Las Vegas had increased to 24,624, tripling again from 1940. The downtown commercial area was no longer considered to be the central focus of community life. Residents became more dependent upon the automobile and motor court style motels, still seen today on East Fremont Street and Las Vegas Boulevard, began to spring up along major thoroughfares, catering to tourists. It was during this time that the Strip began to develop in a large way, mainly because at that time it was the main highway to Los Angeles. The popularity of gaming, dependency upon the automobile, limited downtown parking, smaller lot sizes, and lower tax rates resulted in larger resort casinos locating along the Strip.

During the 1950s the city was focused on growth, looking for additional ways to increase jobs and attract tourists. In 1950, the government announced plans to begin testing nuclear weapons on a portion of the Las Vegas Bombing and Gunnery Range at Frenchman and Yucca flats, approximately ninety miles north of Las Vegas. Aside from providing employment, the city invited tourists to stay and visit the blasts. Hotels sponsored all-night parties and a myriad of attractions from specialized drinks to business establishments were prefaced with "Atomic."

The 1960s and 1970s brought more residential development throughout the City. A leapfrog pattern of development left large areas of vacant land. This was a result of the improved network of roads and has led to the diffusion of housing, employment and services. Present day downtown Las Vegas has a different appearance than 40 years ago. The function of the downtown area (Fremont Street) has shifted from commercial uses to tourism. Many residential areas were eliminated for commercial development and transportation.

Las Vegas Today

Rising property values, changing development patterns, and rapid growth in the downtown area provides a continual threat to many original historic structures, along with the overall historic context of the area. It is important for the City to identify significant historic buildings, sites and structures so that available resources can be assigned to the preservation of our community gems. An important step toward this direction is the current focus on neighborhood preservation. The City of Las Vegas Department of Planning and Development and the Department of Neighborhood Services are continually working with registered neighborhood associations to inform property owners about historic designation. If the residents support such a move, the city will assist them in determining the potential eligibility of their neighborhood to be listed as an historic district.

Designation of Historic Resources

Before an historic resource can be formally listed on an historic register, detailed field investigations and analytic procedures must be completed to uncover certain pertinent facts about the resource. For a building, one will research the architect, the date and methods of construction, the type of materials, previous owners, location of the building, and other factors. This information can be used to build associations with significant historic or pre-historic events, persons, architectural styles or methods of construction. Prior to such investigations, all resources must be considered potentially significant, unless there is evidence that meeting at least one of the criteria is unlikely.

The National Register of Historic Places, a division of the National Park Service under the U.S. Department of the Interior, is the nation's inventory of historic places worthy of preservation. The National Register has established criteria for evaluation under the National Historic Preservation Act of 1966, as amended, which provides a threshold of significance. Beyond this threshold, it is usually possible from existing data to assess the general level of resource sensitivity. Sensitivity takes into account resource quantity, resource quality, and the susceptibility of the resource to adverse impacts. The City of Las Vegas Historic Preservation Ordinance modeled its criteria for evaluation after the National Register's (see below for lists of National Register and City of Las Vegas criteria for evaluation).

Once the resource is linked to a significant aspect of history, it is judged based on its remaining level of *historic integrity*. This is the ability of a property to physically convey its significance. To be officially designated, a resource must not only be shown to be significant under the local, state or national criteria, but it also must have integrity. The evaluation of integrity is sometimes a subjective judgment, but it must always be grounded in an understanding of a resource's physical features and how they relate to its significance.

Historic properties either retain integrity (this is, convey their significance) or they do not. Within the concept of integrity, the National Register criteria recognizes seven aspects or qualities that, in various combinations, define integrity. To retain historic integrity a property will always possess several, and usually most, of the aspects. The retention of specific aspects of integrity is paramount for a property to convey its significance. The following is a list of the seven aspects of integrity:

- Location
- Design
- Setting
- Materials
- Workmanship
- Feeling
- Association

National Register Criteria for Evaluation

The quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling and association, and:

a) that are associated with events that have made a significant contribution to the broad patterns of our history; or

b) that are associated with the lives of persons significant in our past; or

c) that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

d) that have yielded, or may be likely to yield, information important in prehistory or history.

The City of Las Vegas Criteria for Evaluation

The City of Las Vegas HPC uses similar criteria to recognize significant historic resources. An individual property, building, structure or archeological site may be designated as a Landmark if it demonstrates exceptional importance by qualifying under the following criteria (for Historic District and Property criteria, please see Title 19.06.090):

a) It meets the criteria for listing on the State or National Register of Historic Places.

b) It is determined to be of exceptional significance and expresses a distinctive character because:

(i) A significant portion of it is at least fifty (50) years old;

(ii) It is reflective of the City's cultural, social, political or economic past; and

iii) Either:

A. It is associated with a person or event significant in local, state or national history; or

B. It represents an established and familiar visual feature of an area of the City because of its location or singular physical appearance.

Historic Designation Process

The process of Historic Designation on the city of Las Vegas Historic Property Register

Designation of a Landmark, Historic Property or Historic District on the city of Las Vegas Historic Property Register is usually initiated by the owner(s) or authorized representative of the property(s) proposed for designation.

Upon receipt of an application for an individual property, the Historic Preservation Officer (HPO) reviews all documents for submittal to the HPC at the next available regularly scheduled meeting. The HPC is given 30 days to review before the official public hearing is scheduled. The HPC evaluates the application with respect to the criteria for historic designation as defined in the Title 19 Zoning Code Chapter 09.06.090, and makes a recommendation to the Planning Commission.

Upon receipt of a recommendation from the HPC, a public hearing is scheduled for Planning Commission review. The Planning Commission can vote to adopt or modify the HPC recommendation, recommend denial to the Las Vegas City Council, or remand the request to the HPC for further proceedings.

If the application isn't remanded to the HPC, the recommendation is scheduled for a public hearing before the City Council. The City Council can vote to approve or deny the application, modify the Planning Commission recommendation, or remand the request to the HPC for further proceedings. The City Council action is final, however there is an appeal process.

The process and requirements for designation of an historic district are very similar to that of an individual property as defined in the Title 19 Zoning Code; however, the Planning & Development Department recommends additional steps prior to submitting an application to the HPC:

Step 1: Appoint neighborhood representative. Typically historic district designation is initiated by a representative such as an individual or board member of a registered neighborhood association appointed by neighborhood residents and property owners. The HPO will coordinate with the representative(s) throughout the entire process.

Step 2: First public meeting. Planning staff will host a public meeting to discuss neighborhood goals and objectives, the designation process, benefits of designation and any existing historical studies related to the area. If no studies exist, the HPO will also discuss funding options to have a study completed.

If at this meeting a majority of the neighborhood expresses support for moving forward, the HPO will coordinate with the neighborhood representative(s) on developing a designation plan.

It is important to note that the HPO assesses the support for historic designation throughout the entire process. If at any time the HPO feels that a majority of property

owners object, he or she will meet with the neighborhood representative(s) to reevaluate the request for designation.

Step 3: Second public meeting. Planning staff will host a second public meeting to develop a plan for historic district designation. The plan will outline the responsibilities of Planning staff and neighborhood representative(s), determine the boundaries of the proposed district, and provide a timeline for each step. The plan will be adopted by City Council before funding is acquired for necessary historical studies.

Step 4: Complete historical study. Planning staff will explore all funding options to complete an historic resource survey and inventory of the proposed district.

Step 5: Third public meeting. Planning staff will host a third meeting to discuss the findings of the historical study and again discuss the implications of designation with residents and property owners. If at this meeting the neighborhood expresses support for moving forward, staff will schedule a "Design Guideline Charette."

Step 6: Public Design Guideline Charette. If the proposed district is found eligible for listing on the city of Las Vegas Historic Property Register, the HPO will meet with residents and property owners to develop design guidelines for the proposed district. The purpose of the charette is to explain the process for review of proposed work, and what types of work can be done. Plan and elevation sketches will be used to develop hypothetical situations. It is here that property owners can choose to adopt the General Design Guidelines used by the Historic Preservation Commission, or more specific guidelines that address the significant architecture of the proposed district.

Step 7: Submit application to HPC. The neighborhood representative(s) will submit the application to the HPO. It is at this point that the process as defined by the Title 19 Zoning Code Chapter 09.06.090 resumes.

For a detailed outline of the requirements and criteria for historic designation of properties on the city of Las Vegas Historic Property Register, please refer to the Title 19 Las Vegas Zoning Code, Chapter 19.06.090 Historic Designation.

Historic Signs

The significance of iconic neon signage to Las Vegas' historic identity as a tourist destination cannot be overstated. The evolution of signage design in Las Vegas is often considered as more important than the buildings themselves for the signs' reflection of contemporary architectural, marketing, cultural and technological trends. Las Vegas Boulevard from Sahara Avenue to Washington Avenue was designated in 2009 as a National Scenic Byway for its display of iconic neon signage, among other historic attributes.

In Las Vegas, signage was very particular to the setting: for example, signage on Fremont Street tended to become more and more complex, introducing an increasing amount of neon and

animation as well as becoming larger and taller. The narrow lot widths restricted signs to increasing in height or wrapping the façade of the actual building. In contrast, signage on the Strip, where expansive acreage permitted free-standing casinos and hotels to be set back from the highway behind vast parking lots, was installed on top of tall poles to attract the motoring tourists as they sped by.

Historic signs allow the past to speak to the present in ways that buildings by themselves do not. Multiple surviving historic signs on the same building can indicate several periods in its history or use. In this respect, signs are like archaeological layers that reveal different periods of human occupancy and use.

Historic signs give continuity to public spaces, becoming part of the community memory. They sometimes become landmarks in themselves, almost without regard for the building to which they are attached, or the property on which they stand. Furthermore, in an age of uniform franchise signs and generic plastic "box" signs, historic signs often attract by their individuality: by a clever detail, a daring use of color and motion, or a reference to particular people, shops, or events.

The cultural significance of signs combined with their often transitory nature makes the preservation of historic signs difficult. The City of Las Vegas Historic Preservation Ordinance allows for the designation of signs under the definition of "structure." An historic survey and inventory of the neon sign collection at the Neon Museum was completed in 2007 using an Historic Preservation Fund grant. Several signs were found to be eligible for listing on the National Register of Historic Places. The City of Las Vegas has identified the importance of preserving our historic signage, and encourages innovative and contextual sign design by creating mandatory sign design guidelines for the Entertainment Overlay, Downtown Casino Core, and Scenic Byway Corridor Management Plan.

Analysis

Issues in Historic Preservation

The practice of historic preservation faces considerable challenges as a result of rising land values, the rapid growth of cities and ever-expanding highway system. Proponents argue that the adaptive reuse of historic buildings promotes Smart Growth ideals, and land and materials conservation. In addition, preservation of historic downtowns and neighborhoods promotes cultural heritage tourism, economic revitalization and community pride. However, the concern for considering the rights of private property owners in the historic designation process emerges, and the Historic Preservation Commission works diligently to educate and assist property owners in making the best decision for them. The following are the most current and pressing issues facing historic preservation today:

<u>Adaptive reuse</u>

Adaptive reuse is a process that adapts buildings for new uses while retaining the historic features that make the building unique. When the original use of a structure changes is no longer required or viable, the opportunity arises to change the primary function of the structure. In Las

Vegas, the Westside School is home to a radio station, the Fifth Street School has been completely restored for use as a cultural center and city office space, and the U.S. Post Office and Courthouse is under construction to be reused as a museum. Many historic homes in the Las Vegas High School neighborhood, like the Henderson House, have been adapted for professional use.

Adaptive reuse is seen by many as a key factor in land conservation and reducing the amount of sprawl. For those who prescribe to the smart growth concept, it is more efficient and environmentally responsible to redevelop older buildings closer to urban cores than it is to build new construction on faraway greenfield sites. Another positive result is the economic value of rehabilitating and reusing older buildings, since the existing investment in the structure and servicing of a building reduces material and labor costs. In addition, state and/or federal tax incentives and grant funding may also be available.

In many cases, the environmental benefits of adaptive reuse of historic buildings outweigh new construction. Historic buildings contain embodied energy, which is defined as the amount of energy associated with extracting, processing, manufacturing, transporting and assembling building materials. Adaptive reuse preserves this embodied energy and reduces the need for raw materials. According to the 2007 report, "Making the Case: Historic Preservation as Sustainable Development," by Patrice Frey, demolition of housing produces an average of 115 lbs of waste per square foot, while demolition of commercial buildings generates approximately 155 lbs of waste per square foot. Adaptive reuse can help reduce the estimated 19.7 million tons of waste generated by residential demolition annually in the United States alone.

The Recent Past

The "recent past" is a term commonly used to describe historic and architectural resources constructed or designed in the past 50 years and are generally associated with "Modernism," or, the "Modern movement" of architecture and design. The significant buildings, landscapes, and sites of the Modern movement and the important architectural, social, and cultural resources of the past 50 years are among the most underappreciated and vulnerable aspects of our nation's heritage. Federal, state, and local preservation programs typically exclude properties less than 50 years from historic designation programs and review processes. This leaves many historically and culturally significant properties unprotected from demolition or other adverse treatments.

In architecture, Modernism is generally defined as a design language with emphases on form rather than ornament, structure and materials rather than picturesque constructions, and the rational and efficient use of space. In the United States, Modernism flourished beginning in the 1930s, and encompassed individual design movements with their own individual ways of expressing Modern ideals. These include the International, Expressionist, Brutalist, New Formalist, and even Googie movements, to name a few. Technical innovation, experimentation, and rethinking the way humans lived in and used the designed environment, whether buildings or landscapes, were hallmarks of Modern architectural practice.

Properties associated with the Modern movement may be considered significant because they represent the emergence of an automobile-oriented society and the development of the Post War suburbs. Modernism bloomed in America during a period of unparalleled growth and changes.

One of the most challenging tasks in Modern and recent past preservation and rehabilitation efforts is addressing experimental, obsolete, or difficult to rehabilitate materials, technologies and manufacturing processes. In some cases, the buildings materials and systems have proven to be less durable than older building materials. Many Modern building materials and systems are not necessarily "green," nor were they intended to last beyond 50 years. Repair is often difficult and replacement in kind may be impossible. Because of these issues, it is important to develop a definition of significance for mid-century resources in Las Vegas. A goal of the HPC is to complete a "Recent Past Historic Context" for Las Vegas in order to inventory existing resources and determine priorities for preserving them.

Historic Building Codes

The City of Las Vegas has approximately 15,500 buildings that will turn 50 in the next ten years, an additional 8,500 that will turn 50 in the next twenty years, and 18,400 in the next 30 years. Many of these buildings were built to comply with an earlier building code or with no code, yet are often still safe and sound. With some exceptions, these buildings continue to be occupied, used and maintained. Conversions and rehabilitation projects play an integral role in the creation of decent, affordable housing.

Many of the historic buildings in Las Vegas will be eligible for listing on the local, state or national registers, making the property owners eligible for certain financial benefits for the rehabilitation of their business. However, it can be difficult for property owners when rehabilitation projects are required to bring buildings into compliance with current building codes for new construction. For new buildings, complying with the construction code is a straightforward process. Materials to be used, processes to be followed, and safety standards to be met are clearly stated, and the cost of compliance is predictable. It is much less so in the case of existing buildings.

Until recently, there were three model codes generally used in the U.S.: 1) The *BOCA National Building Code* and related codes, developed and published by the Building Officials and Code Administrators International (BOCA); 2) The *Standard Building Code* and related codes, developed and published by the Southern building Code Congress International (SBCCI); and, 3) The *Uniform Building Code* and related codes, developed and published by the International Conference of Building Officials (ICBO). These three model code organizations got together to develop a single set of model codes, first published in the year 2000, and referred to as the *International Codes*: *International Building Code, International Plumbing Code, International Mechanical Code,* and others. Still more recently, the National Fire Protection Association (NFPA) has begun to develop its own model building code, designated NFPA5000. The city of Las Vegas, along other local jurisdictions, formally adopted the *International Building Code* (IBC) in 2003, and again in 2006 for the updated version.

All building codes refer to standards that control the quality of materials and the designs of systems used in buildings, the loads that building elements must resist, and other aspects of building design and construction. These standards are developed by a wide variety of organizations that have technical expertise in each subject.

The model codes, as well as the standards they reference, are modified and updated from time to time, depending on new materials, new technology, and improved information on building failures due to various causes such as natural disasters, environmental effects, and normal wear and tear. In addition to technical updates these modifications sometimes reflect shifts in priorities for public spending.

While traditionally the requirements in the codes were intended to meet goals of health, safety, welfare and property protection, they have been expanded in recent years to include other societal goals. Some of these goals are energy conservation, accessibility, disaster mitigation, historic preservation, and affordability.

One result of the periodic updating and expansion of the codes is that buildings built before the current building codes were enacted are probably not in full compliance. In many cases, the requirements for new structures cannot be met in existing buildings such as ceiling height requirements, egress window requirements, and corridor and doorway width requirements.

Communities have had to develop special codes to deal with existing buildings for general safety. The city of Las Vegas Department of Building and Safety relies on the method outlined in Chapter 34 of the International Building Code (IBC); however, code officials have worked with property owners in the past to develop ordinances based on individual groups' needs.

For instance, on January 17, 2007, the Las Vegas City Council adopted amendments to the 2006 IBC that included ordinances for Live/Work Units. These ordinances were adopted specifically for property owners within the Arts District neighborhood in order to accommodate the adaptive reuse of older industrial buildings into live/work loft-style units.

Another example is an amendment to the 1997 Uniform Administrative Code, also adopted on January 17, 2007. This amendment for professional office conversions was adopted specifically for property owners in and around the Las Vegas High School neighborhood, and allows for conversion of residential buildings less than 1500 square feet to professional office without having to meet the requirements of the IBC for commercial buildings (if only minor exterior remodeling is proposed.)

The U.S. Post Office and Courthouse is serving as an example for the use of existing building codes for city buildings. The City of Las Vegas Building & Safety Department is working with the architects of the rehabilitation project by reviewing the architect's proposed solutions to any items that will not meet the current IBC standards.

Smart Growth and Sustainability

Historic Preservation is an invaluable component of sustainability and the planning concept of smart growth. The governing ideas of smart growth identify a set of policies governing transportation and land use planning policy for urban areas that benefits communities and preserves the natural environment.

The principles of historic preservation, like smart growth, are rooted in history, culture, stewardship of the built environment, conservation of open space, and creating a sense of place

for each community. Smart growth advocates land use patterns that are compact, transit-oriented, walkable, bicycle-friendly, and include mixed-use development with a range of housing choices. This philosophy keeps density concentrated in the center of a town or city, combating urban sprawl.
A major issue with historic preservation and sustainability is the installation of energy efficient materials, green technology systems and infrastructure on historic resources and landscapes. The conservation and improvement of our existing built resources, including re-use of historic and older buildings, greening the existing building stock, and reinvestment in older and historic communities, is crucial; however, eco-friendly improvements cannot be implemented at the expense of the historic materials or features that define the resource's historic significance. Loss of historic integrity can threaten de-listing of resources, thereby eliminating options for future grant funding. There are many ways to incorporate eco-friendly materials into historic fabric and landscapes without compromising integrity. The city of Las Vegas and Nevada State Historic Preservation Office are charged with providing technical information to parties wishing to undergo these types of projects.

The U.S. Green Building Council's (USGBC) green building certification program, Leadership in Energy and Environmental Design (LEED), has developed a new rating system called LEED for Neighborhood Development, or LEED-ND. It merges principles of smart growth, new urbanism, and green building into a standard for neighborhoods and awards points based on a community's location and environmentally responsible and sustainable-design components. LEED-ND recognizes many of the characteristics inherent in historic neighborhoods, such as dense land use, access to jobs, housing, public transit, schools, parks, and public spaces are consistent with sustainable development.

In addition, changes to the LEED rating system in 2009 supports historic preservation by offering credits weighted according to Life Cycle Assessment (LCA) criteria. LCA is a holistic, scientific approach that evaluates a building's energy intake and expenditure over the course of its lifetime. LEED 2009 also allows for exemptions of historic districts, and prohibits the demolition of part or all of any federal-, state-, or locally-listed historic building unless the demolition has been approved by the local historic preservation review board.

Neighborhood Conservation Districts
Neighborhood conservation districts are areas with a distinct physical character that have preservation or conservation as the primary goal. Within the city of Las Vegas there are unique and distinctive older residential neighborhoods or commercial districts which contribute significantly to the overall character and identity of the community and are worthy of preservation and protection. Many of these districts may lack sufficient historical, architectural or cultural significance at the present time to be designated as historic districts; however, they warrant special land-use attention based on other distinctive characteristics.
Accomplished through the adoption of a zoning overlay or independent zoning district, conservation districts provide a means of preserving the physical attributes of a neighborhood by addressing changes that could adversely affect its architectural character. Neighborhoods protected under this approach often include a high concentration of older structures that share a cohesive quality through a common architectural style or building form such as a World War II subdivision, or because they date from a particular period of times. Sometimes a neighborhood,

although historic, may not be eligible for designation as an historic district due to incompatible alterations and loss of integrity, or residential support for stricter controls is lacking.

In a neighborhood conservation district, physical changes to a neighborhood, such as the construction of additions, new buildings, and demolitions are generally subject to review and approval by a specially-appointed design review committee separate from an historic preservation commission. However, in contrast to historic preservation laws, alterations to existing structures tend to be subject to more lenient standards of review or, in some cases, excused from review altogether. New construction, additions and alterations are frequently evaluated under standards that emphasize compatible development in terms of size or massing rather than specific architectural features.

The City of Las Vegas has not used this tool for conserving older neighborhoods as of yet. Authority to enact conservation district laws typically comes from power delegated to local communities through state enabling statutes; however, the city of Las Vegas may implement neighborhood conservation districts as zoning overlays. It can be a good tool for protecting older neighborhoods against inappropriate infill or commercial encroachment.

City Preservation Incentives

In many cases, it can be more cost-effective for a property owner to demolish and replace an historic building with one that maximizes the use of the land it sits on. Because of this, infill development can have an enormous impact on historic neighborhoods, irreparably damaging its historic nature. To combat this, some cities have developed incentives to preserve buildings that are listed on an historic property register. For example, the city of Monterey, California, has developed several incentives that originate with the Planning Department for the Cannery Row Conservation District that include streamlined review processes and reduction or waiver of fees.

The City of Las Vegas offers grant funding for projects historic in nature through the Centennial Commission. The grant funding is received through the sale of commemorative Centennial license plates, and is administered by the Centennial Board. Projects must promote or preserve some historic feature or commemorate the history of the city of Las Vegas, or promote cultural heritage tourism in Las Vegas. Individuals can apply for funding to restore their buildings according to certain guidelines and standards.

Cultural Heritage Tourism

Historic buildings can have a positive economic impact in redevelopment planning. These resources are inherently marketable elements of urban form that promote a community's distinct identity. More than one-fourth of U.S. tourists visit cultural and historic sites every year. Historic downtowns perpetuate the character and ambience, creating an authentic experience for both residents and visitors that cannot be found elsewhere.

The HPC has partnered with the Las Vegas Convention and Visitor's Association (LVCVA) to participate in the National Trust's Heritage Travel, Inc. website (www.heritagetravelinc.com). This allows the city and LVCVA to post information about significant historic sites in the city and Clark County, and link them to related attractions or points of interest.

The city of Las Vegas has partnered with several organizations to assist with funding and implementation of heritage tourism sites within the city. Among these sites are the Neon Museum, located in the Cultural Corridor, in downtown Las Vegas. The La Concha Motel lobby was recently moved from the Strip and restored to serve as the museum's lobby and headquarters for the Las Vegas National Scenic Byway. Visitors can tour several acres of historic neon signs in the "Boneyard." An extension of the Neon Museum is the "Signs on Sticks" project. This consists of newly restored neon signs installed in the median of Las Vegas Boulevard between Sahara and Washington Avenues.

Another heritage tourism site is the U.S. Post Office and Courthouse, constructed in 1931. The building is currently undergoing a complete restoration for reuse as the Las Vegas Museum of Organized Crime and Law Enforcement, or "The Mob Museum." The museum will focus on the impact of organized crime on Las Vegas and the United States. Completion is set for Spring 2011.

Since the 1970s, mounting evidence has shown that historic preservation can be a powerful community and economic development strategy. Evidence includes statistics compiled from annual surveys conducted by the National Trust for Historic Preservation and statewide Main Street programs, state-level tourism and economic impact studies, and studies that have analyzed the impact of specific actions such as historic designation, tax credits, and revolving loan funds. Among the findings:

- Creation of local historic districts stabilizes, and often increases residential and commercial property values.
- Increases in property values in historic districts are typically greater than increases in the community at large.
- Historic building rehabilitation, which is more labor intensive and requires greater specialization and higher skills levels, creates more jobs and results in more local business than does new construction.
- Heritage tourism provides substantial economic benefits. Tourists drawn by a community's (or region's) historic character typically stay longer and spend more during their visit than other tourists.
- Historic rehabilitation encourages additional neighborhood investment and produces a high return for municipal dollars spent.
- Historic rehabilitation vs. new construction can result in a cost savings of 3 to 16 percent.
- Use of a city or town's existing, historic building stock can support growth management policies by increasing the availability of centrally located housing.

Cultural Diversity

As diverse as American culture is, so too is the diversity of historic properties that express this rich cultural legacy. Our definition of historic properties has evolved to encompass a much broader interpretation of American history, one that acknowledges the contribution of immigrant populations and ethnic minorities.

Cultural diversity is a recent term, but with origins in the historic preservation movement when the treatment of archaeological remains of American Indians and protection of antiquities of the

American Southwest began to be considered. Today, the term is used to denote the changing ethnic composition of the United States through immigration, and to describe the enduring cultural groups that live in definable ethnic communities.

The protection of cultural properties of groups other than American Indians gathered momentum in the 1960s in response to the civil rights movement and increasing interest from cultural groups to preserve their heritage.

Until recently, the historic preservation community quantified its progress in the area of cultural diversity by the number of projects undertaken, and the number of cultural groups that associated themselves with the preservation movement. Today, preservationists are more concerned with ensuring that cultural groups communicate what resources are important to them, how the resources should be protected, and who should be empowered with the management of the resources. Increasingly, cultural groups are working with existing preservation organizations to establish their own heritage organizations and programs.

Las Vegas is home to several ethnic groups. Some, such as the African American, American Indian, Hispanic and Asian cultures, have been here for generations upon generations. These groups have contributed greatly to the growth, development and culture of Las Vegas, and preservation of historic resources associated with these contributions is extremely important for future generations to be able to interpret the history of Las Vegas properly.

Environmental Review and Section 106

In the National Historic Preservation Act (NHPA) of 1966, Congress established a comprehensive program to preserve the historical and cultural foundations of the Nation as a living part of community life. Section 106 of NHPA is crucial to that program, because it requires consideration of historic preservation in the multitude of Federal actions that take place nationwide. Federal agencies are responsible for initiating Section 106 review and coordinate the review with the State Historic Preservation Officer. Federal agencies are required to consider the effects of their actions on historic properties and provide the Advisory Council on Historic Preservation an opportunity to comment on Federal projects prior to implementation.

Section 106 review encourages, but does not mandate, preservation; however, it does ensures that preservation values are factored into Federal agency planning and decisions. Because of Section 106, Federal agencies must assume responsibility for the consequences of their actions on historic properties and be publicly accountable for their decisions.

The City of Las Vegas has received several million dollars from the Southern Nevada Public Lands Management Act (SNPLMA). This act allows the Bureau of Land Management (BLM) to sell public land within a specific boundary around Las Vegas, Nevada. The city applies for funding from the sale of these lands for capital improvements, conservation initiatives, land acquisitions, and to develop parks, trails and natural areas.

In addition, the city receives approximately $11 million dollars annually from the Community Development Block Grant (CDBG) program which originates with the U.S. Department of Housing and Urban Development. The CDBG entitlement program allocates annual grants to

larger cities and urban counties for affordable housing. The city of Las Vegas Neighborhood Services Department has developed a Memorandum of Understanding (MOU) with the State Historic Preservation Office (SHPO) to provide guidance on which activities and projects will require SHPO consultation.

The city also receives funding from the Nevada Department of Transportation (NDOT) through the Transportation Enhancement program, a Federal-Aid Highway fund administered by the Federal Highway Administration (FHWA). To streamline the administration of these and other funds, the FHWA has developed the Stewardship program which allows local governments to design and administer construction with the oversight of NDOT.

Another source of federal funds is the American Recovery and Reinvestment Act (ARRA) of 2007. The Act was designed to stimulate the economy and specifies appropriations for a wide range of federal programs. The city of Las Vegas will receive funding for infrastructure improvement, much of which will occur in areas with historic properties.

Each one of these projects that the city has received funding for may be subject to a Section 106 Review because of federal involvement. The federal agency that initiates the review is required to obtain comment by the State Historic Preservation Office (SHPO) regarding the project. In turn, the SHPO will seek comment from the local Historic Preservation Officer, if the municipality is a Certified Local Government (CLG).

Although not necessarily difficult, these reviews require extensive interagency coordination, and can add significant costs and additional time to a project. These factors need to be considered as early as possible in the planning stages. Every CLG is entitled to comment on projects happening within their jurisdiction, so it is extremely important to involve the Historic Preservation Officer as early as possible.

Education

Although the city has improved public outreach for historic preservation tremendously, this will always be an ongoing and important issue. Public outreach and educational projects are invaluable tools to garner support for preservation activities. The HPC applies for grant funding each year through the Nevada State Historic Preservation Office to pay for printed and recorded materials such as walking tour brochures, newsletters and lectures. These materials are available on the city website, and are distributed at community centers, libraries, educational and cultural facilities, and community events. Each year the HPC sponsors informational booths at events such as the Culture and History Fair. The Historic Preservation Officer is on hand at these and other community events to meet with individuals who are interested in learning about their historic neighborhood or property, and the process of designation.

Within the preservation community, important strides have been made in the process of collecting prehistoric artifacts and historical data and memorabilia which now reside in local museums. There are several historic collections, and historical associations and non-profit preservation organizations have been formed which actively promote protection and preservation of Las Vegas' heritage.

It is important that the community recognizes that there is a heritage to preserve, that they are part of it, and that they understand the importance of contributing to its preservation through either volunteering time or donating funds. The process of making our past as interesting as the present must start with education.

The Advisory Role of the HPC

The HPC takes a proactive role in the preservation of our city's historic and cultural resources. The HPC facilitates the planning efforts required to promote the preservation of structures and sites which have and will have historic significance in the near future. One of the primary responsibilities of the HPC is the development, coordination, and implementation of programs for the preservation of buildings, structures, places, sites and districts of historic and archaeological significance. As such, the HPC forwards recommendations to the City Council regarding certain improvements and sites in the city for designation as landmarks or historic sites, and/or districts. The HPC is also responsible for assisting owners of historic properties with technical information about appropriate methods of preservation and restoration of their properties.

Capital Improvement Plan (CIP)

The City of Las Vegas Capital Improvement Plan is the city's multiyear planning document that identifies and prioritizes the need for a variety of public improvements. The CIP identifies individual project scopes, schedules and funding, and provides order and continuity to the repair, replacement, construction or expansion of the City's capital assets. The CIP is funded on an annual basis, and includes revenues from other government entities, bond issues, charges for services, and transfers from other City of Las Vegas funds.

The CIP process begins early each year when each department submits individual project requests to the Budget and Finance Division. Each request is evaluated for completeness and accuracy, fiscal impact, and available funding sources. The CIP is then integrated with the City's Strategic Plan, which is the primary policy document used to guide future growth and development. Recommendations are then submitted to the City Manager.

The Historic Preservation Commission can make recommendations to the City of Las Vegas Planning and Development Department for future CIP projects. The City currently owns six historic properties, including the Westside School, Fifth Street School, the U.S. Post Office and Courthouse, Woodlawn Cemetery, Lorenzi Park and Floyd Lamb Park at Tule Springs (Tule Springs Ranch). CIP funding can be used for improvements and maintenance to city-owned historic buildings, as well as property acquisition.

Status Analysis

The following matrix provides status information regarding the original goals and objectives listed in the Historic Preservation Plan from 1992. A column to represent whether the specific action has been completed, and a column for implementation, have been added. A more detailed summary of Historic Preservation successes is included below.

ACTION SUMMARY	FY OF IMPLEMENTATION	COMPLETE YES/NO	IMPLEMENTATION
Develop guidelines and criteria to identify historic sites and districts.	1992	YES	Ongoing. Over 1300 buildings have been surveyed since 2002. See Successes: Historic Resource Survey and Inventory, pg. 26.
Develop a program to nominate historic resources to the National Register of Historic Places.	1993	YES	Ongoing. HPC's budget includes funding to complete nominations. See Successes: Historic Designation, pg. 25.
Develop and maintain a list of ethnic groups and their historic role in forming the community character.	1993	NO	See: Policy 1.2 of revised Goals, Objectives and Policies, pg. 27 and Recommendations, pg. 28.
Identify and maintain an inventory of historic properties.	1992	YES	Ongoing. Over 1300 buildings have been surveyed since 2002. See Successes: Historic Resource Survey and Inventory, pg. 26.
Recommend to City Council historic districts and sites.	1993	YES	Ongoing. Four historic properties or districts have been designated on the City of Las Vegas Historic Property Register since 2003. See Successes: Historic Designation, pg. 25.
Update the Historic Preservation Chapter of the Las Vegas Municipal Code to provide for the City becoming a Certified Local Government.	1994	YES	CLG status achieved in 1998.
Establish programs to interpret Las Vegas cultural history and promote public interest and support.	1993	YES	Ongoing. The HPC sponsors two yearly events, has renewed the newsletter, and has published three historic walking tour brochures since 2003. See Public Outreach, pg.25.
Promote the contents and locations of historical collections in Las Vegas and southern Nevada.	1993	YES	Ongoing. The HPC website has links to all museum and historic facilities in Las Vegas. See Public Outreach, pg. 25.
Promote the culture of Las Vegas and southern Nevada through museums and libraries.	1992	YES	Ongoing. The HPC website has links to all museum and historic facilities in Las Vegas. See Public Outreach, pg. 25.
Identify, develop and distribute information about State of Nevada Historic Preservation Incentives.	1993	YES	Ongoing. The HPC website has links to all museum and historic facilities in Las Vegas. See Public Outreach, pg. 25.
Develop a program to implement federal incentives pertaining to historic preservation.	1992	NO	The SHPO administers the Federal Historic Preservation Tax Credit program.

Provide City strategy for the adaptive reuse of historic vacant and/or abandoned buildings.	1992	NO	See Policy 3.2, pg. 27, and Recommendations, pg. 28.
Develop City Zoning Ordinance amendments to facilitate adaptive reuse of historic buildings.	1994	NO	See Policy 3.2, pg. 27, and Recommendations, pg. 28.
Develop comprehensive design guidelines for new construction or existing building improvements that will preserve the historical and architectural quality of designated neighborhoods, districts, sites and landmarks.	1994	YES	John S. Park Neighborhood Historic District Guidelines approved by HPC September 2006.

Successes

Historic Designation

Since the HPC was created in 1991, much has been accomplished. Thirteen historic properties or districts have been designated on the City of Las Vegas Historic Property Register, three have been designated on the Nevada State Register of Historic Places, and eight on the National Register of Historic Places for a total of over 400 buildings, structures or sites. In 2006 the HPC received a $75,000 grant from the Centennial Commission for various historic preservation projects, including preparation of nomination reports for submittal to the National Register of Historic Places.

Public Outreach

The HPC has significantly increased its public outreach efforts, bringing the importance and urgency of historic preservation to the public forefront with frequent media releases, community events, the creation of the HPC website, the resurrection of the newsletter, publications, walking tours and historic markers. The newsletter, brochures and other publications are widely distributed to local cultural facilities, and are available on the website. The HPC website lists information on each designated historic property with links to local and national preservation resources. In addition, the HPC now has a recognition program for individuals or groups who make exceptional efforts in the spirit of historic preservation.

Funding

The HPC has vigorously pursued grant funding and private donations to save and restore our community gems such as the U.S. Post Office and Courthouse, the Westside School, and the relocation of the railroad cottages and the La Concha Motel lobby.

Historic Resource Survey and Inventory

Each year the Planning and Development department applies for funding from the Historic Preservation Fund (HPF) grant. This grant originates with the National Park Service and is administered by the State Historic Preservation Office. The city is typically awarded around $40,000 annually for historic resource surveys and inventories of historic neighborhoods. In recent years, the Biltmore, Huntridge, Mayfair, Berkley Square and Southridge neighborhoods, and the downtown wedding chapels have been surveyed. The data collected is used to identify neighborhoods or areas within Las Vegas that may be eligible for listing on the National Register

of Historic Places. For instance, the Berkley Square neighborhood was determined eligible after an HPF survey and was designated on the National Register of Historic Places in October 2009.

The city of Las Vegas will continue to apply for the annual HPF grant in order to maintain an inventory of historic resources. This information is invaluable to community planning efforts and procurement of grant funding for many types of projects, including sustainability initiatives, and redevelopment and infrastructure improvement funding.

Coordination

With the help of city staff, coordination between the HPC and other city departments and elected officials has greatly improved:

- In 2005 the Planning & Development and Leisure Services Departments' staff worked with Clark County staff to implement the Pioneer Trail, a six-mile pedestrian trail that winds through historic West Las Vegas.
- In 2005 the city approved the Neighborhood Action Plan process which facilitates the designation of historic neighborhoods. Neighborhood associations work with the Neighborhood Services and Planning & Development Departments to make historic preservation an optional component of their neighborhood action plans.
- In 2006 Planning and Building staff developed a more efficient and fully automated way to add Historic Preservation Officer review to a more comprehensive list of types of building permit applications for historic properties.
- In 2007 Planning staff developed a database within Geographic Information Systems that identifies all properties that are fifty years or older, and whether the properties have been surveyed for eligibility to the National Register of Historic Places. The data assists other city departments and government agencies with planning and implementing federally-funded projects.
- The process of updating the Historic Preservation Element involved valuable input from several city departments, including Neighborhood Services, Cultural Division, Office of Business Development, Building and Safety, Field Operations, Leisure Services and Public Works. It is the common goal of all departments within the City of Las Vegas that our significant historic resources be preserved in a manner which is consistent with the Master Plan goals, and that is not counterproductive.

Implementation

The Historic Preservation Element provides as inclusive a resource as possible for city officials and the public regarding the current state of historic preservation in Las Vegas, the issues that affect this, and what options there are available to use historic preservation tools to improve our communities. The following "Goals, Objectives and Policies" are also included in the Master Plan 2020 policy document.

Goal: Promote the educational, cultural, economic, and general welfare of the public through the identification, preservation, maintenance and protection of structures, sites, neighborhoods

and districts of significant historic, architectural, archaeological and paleontological interest within Las Vegas.

Objective 1: Promote the preservation, maintenance and protection of structures, sites, neighborhoods and districts of historic and prehistoric interest within Las Vegas.

Policy 1.1: That the city pursues all available state and federal grant funding pertaining to Historic Preservation.

Policy 1.2: That the city promotes the identification and preservation of significant cultural resources within communities of diverse ethnic backgrounds which illustrate the historic role and contributing character of population identities within Las Vegas.

Policy 1.3: That the city promotes a stewardship program to oversee historic resources.

Objective 2: Encourage community participation in the preservation planning process to achieve public understanding and support of preservation concepts and the value of cultural resources to the community.

Policy 2.1: That the Historic Preservation Commission meetings are open to the public, and that commissioners be accessible to the public during preservation related events.

Policy 2.2: That the city promotes public education of historic preservation by distribution of information through media releases, publications, and events.

Objective 3: Promote and encourage the rehabilitation and reuse of historic resources.

Policy 3.1: That an inventory of buildings, structures, sites, objects, neighborhoods and districts that are over fifty (50) years old will be consistently updated and maintained.

Policy 3.2: That the city develop guidelines for reuse of historic structures, including the scope of modifications and the use and extent of exterior business signage. (From Reurbanization Policy 1.4.2)

Objective 4: Promote and encourage the stability of designated historic neighborhoods, sites and landmarks by preserving their historical and architectural integrity.

Policy 4.1: That the city promote design guidelines for historic preservation as developed by federal agencies such as the National Park Service.

Policy 4.2: That the city meets the requirements for an Historic Properties Preservation Plan as set forth in NRS 278.160 1.d.

Objective 5: Facilitate coordination and cooperation between the Historic Preservation Commission and other city departments, local and regional historic preservation, archeological and museum organizations.

Policy 5.1: That the HPC provide consistent and up-to-date information to other city departments about historic resources that are potentially eligible or have been determined eligible to the local, state or national register(s) of historic places so as to support the goals as outlined in other Master Plan 2020 policies.

Recommendations

Input from the public, research and experience have provided the city with an in-depth understanding of the issues facing historic preservation, not only in Las Vegas, but in the United States. This element provides recommendations based on an analysis of these issues. The recommendations are specific to the issues and any unfulfilled goals and objectives from the 1992 plan.

Action items have been categorized according to short (1 year) , medium (2-3 years), long-term (5 years), or ongoing implementation goals. It is anticipated that most recommended tasks can be accomplished within a five year period.

Issue	Actions	Term
Adaptive Reuse	Complete feasibility assessment of all vacant buildings over fifty years old for potential for acquisition and reuse.	Long
	Research available grant funding for adaptive reuse, affordable housing, historic preservation, etc.	Ongoing
Historic Building Codes	The Building and Safety Department, with input from the HPC, shall review future code revisions or amendments for appropriate adoption by this jurisdiction.	Ongoing
Smart Growth and Sustainability	Adopt a policy for adaptive reuse of existing and historic buildings.	Medium
Conservation Districts	Investigate the possibility of creating a conservation district for residential neighborhoods that may not qualify as historic districts.	Medium
City Preservation Incentives	Investigate the development of a streamlined pre-application review process	Medium

	Investigate Parking requirement adjustments	Medium
	Investigate subsidies in certain permit or application fees	Medium
	Investigate property tax reductions based on historic use of property (i.e. residential property tax vs. commercial)	Medium
Heritage Tourism	Develop a heritage tourism plan for Las Vegas that promotes the downtown historic areas as authentic historic experiences.	Medium
	Develop and preserve existing resources through promotion and financial incentives.	Ongoing
	Develop heritage partnerships and networks with local, state, and national historic preservation organizations.	Short
	Develop business and history partnerships by encouraging local business to incorporate heritage tourism in their business activities.	Short
Cultural Diversity	Within historic neighborhoods and areas, work with Neighborhood Services Department to develop working relationships with key organizations and community groups.	Ongoing
	Continue to conduct historic resource surveys of ethnic neighborhoods or individual buildings and publish the findings.	Ongoing
	Promote the nomination of significant buildings or neighborhoods to the Planning Commission and City Council.	Ongoing
	Work with the Neighborhood Services Department to attend neighborhood meetings to educate homeowners of the benefits of historic preservation.	Ongoing
Environmental Review and Section 106	Compile all existing historic resource surveys for database.	Short
	Complete an historic resource survey of the entire city.	Long
	Educate key staff regarding the Section 106 process.	Short

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	Develop a process for all city departments that requires initial review of potential Section 106 projects by the Historic Preservation Officer.	Short
Education	Create additional historic brochures and newsletters.	Ongoing
	Work with the Clark County School District to create an historic preservation curriculum for grade and high schools.	Medium
The Advisory Role of the HPC	Increase the presence and accessibility of the HPC members at public events.	Ongoing
City of Las Vegas Capital Improvement Plan (CIP)	Make recommendations to the City of Las Vegas Planning and Development Department for future CIP projects.	Ongoing
	Work with Public Works Department to review CIP project list annually.	Ongoing

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Appendix X: Stewardship Agreement

STEWARDSHIP AGREEMENT FOR CITY-OWNED HISTORIC RESOURCES

Stewardship means planning and taking the necessary actions over the long term to successfully preserve and protect the resources for which we have the privilege of caring. Good stewardship also requires managing resources to help educate and revitalize communities, while maintaining the character that makes Las Vegas a desirable place to live.

The city of Las Vegas recognizes its responsibility for owning and managing heritage resources and is committed to being a better steward through implementation of the following policies. Because the city of Las Vegas currently owns and operates several historic properties it is incumbent on the city to be a good steward.

These properties fall broadly into several categories:

1. Districts: composed of several buildings with a definable boundary. Some districts share boundaries with city-owned parks and are programmed by the city of Las Vegas Department of Leisure Services.
2. Buildings: composed of individual buildings that are either used for cultural purposes and/or leased to non-profit organizations. These buildings can be programmed by the Office of Cultural Affairs.
3. Sites: composed of archaeological and paleontological sites or cemeteries.
4. Structure: composed of bridges, signs, water towers, etc.

All city-owned historic properties that are listed on the city of Las Vegas Historic Property Register are protected by the Las Vegas Zoning Code, Title 19.06.090: Historic Designation. This chapter outlines the duties and powers of the Historic Preservation Commission (HPC), which include review of any development affecting properties listed on the register, and providing recommendations to the Las Vegas City Council regarding same. The HPC can assist with this stewardship program by providing technical assistance, as well as assistance with decisions about restoration objectives, how the property will be interpreted or used, and modifications to buildings and landscape.

STEWARDHIP ACTION ITEMS

1. Use city-owned sites to promote community involvement, stewardship and education in heritage preservation and development.

2. Develop and implement an Historic Resources Stewardship Plan component of the Historic Properties Preservation Plan Element for city-owned properties. The plan will set the vision for resource management and establish a unified approach to management, funding, research and education and heritage tourism development. The components of this plan should include as follows:

a. The city's vision and over-arching preservation goals including the rationale for acquiring and managing additional resources.
b. Funding options through CIP and recommendations for annual funding levels to accomplish preservation program objectives.
c. Heritage tourism and education opportunities.
d. Annual site visits for historic sites conducted by HPO and PW/FO to identify and assist in resolving any problems, monitor the level of ongoing maintenance and to discuss future preventative maintenance needs with city staff and facility maintenance managers.
e. Cyclical maintenance plan for immediate and long-term care of city historic buildings and sites. Completed plan will include inspection schedules, recommendations for appropriate materials and procedures, as well as projected budgets for the prescribed work. The HPO will provide guidance by offering technical preservation resources, cyclical and preventive maintenance checklists, sample templates for schedules and inspection forms.
f. All work will be performed according to the *Secretary of the Interior's Standards*.

3. Each city-owned property will have a specific stewardship plan that addresses, on a site-specific level, resource management, funding, ongoing research and education and heritage tourism development that is unique to each site. Site-specific stewardship plans should address, as a minimum, the following components:

a. Survey of the heritage resource or HSR/HABS/HAER report (documentation and physical survey)
b. Historical context.
c. Evaluation of significance (Eligibility for national, state and local registers).
d. Plan for immediate stabilization and protection.
e. Plan for restoration and/or adaptive reuse including funding.
f. Programming plan (education, heritage tourism, and revenue generating events).
g. Maintenance plan.

Appendix X: Glossary of Terms

Abandoned Shipwreck Act: Federal law vesting title to abandoned shipwrecks found in state territorial waters, thereby enabling the preservation of historic shipwrecks.

Advisory Council on Historic Preservation (ACHP): Independent federal agency responsible for implementing the Section 106 review process.

Affirmative maintenance: Requirement in historic preservation ordinances that a building's structural components are maintained.

Alteration: Any aesthetic, architectural, mechanical, or structural change or addition to the exterior surface of any significant part of a designated property.

American Indian Religious Freedom Act (AIRF): Legislation passed by Congress intended to protect and preserve the traditional religious rights of American Indians, Eskimos, Aleuts, and

Native Hawaiians. The Act requires federal agencies to consider the effects of their programs on places and practices of religious importance to American Indians, Eskimos, and Native Hawaiians.

Americans with Disabilities Act (ADA): Law prohibiting discrimination to persons with disabilities, by requiring, among other things, that places generally open to the public, such as restaurants and hotels, be made accessible. Special rules apply to historic buildings and facilities.

Antiquities Act: Established the first national historic preservation policy and gave the President the authority to set aside significant historic resources located on federally controlled lands as "national monuments" to be managed by federal agencies.
Approval authority: The HPC or the HPO, as given by the City of Las Vegas.

Archaeological and Historic Preservation Act (AHPA): Requires federal agencies to provide for the preservation of historical and archeological data which might otherwise be lost or destroyed as the result of any federally licensed activity or program causing an alteration of terrain.

Archeological Resources Protection Act (ARPA): Primary federal statute governing archeological resources. The Act fosters cooperation and exchange of information between interested parties, and establishes civil and criminal penalties for the destruction or alteration of cultural resources.

Area of significance: the aspect of history a property represents that makes it eligible for designation on an historic property register. A property may meet the criteria under more than one area of significance.

Architectural significance: Importance of a property based on physical aspects of its design, materials, form, style, or workmanship.

Associated structure/feature: An outbuilding or landscape feature associated with an historic resource.

Association: Link of an historic property with an historic event, activity, or person. Also, the quality of integrity through which an historic property is linked to a particular past time or place.

Boundaries: Lines delineating the geographic extent or area of an historic property.

Boundary description: A precise description of the lines that bound an historic property.

Boundary justification: An explanation of the reasons for selecting the boundaries of an historic property.

Building: A resource such as a house, barn, store, hotel, factory, or warehouse, having a roof supported by columns or walls for the housing or enclosure of persons, animals, or chattels.

Building code: Law setting forth minimum standards for the construction and use of buildings to protect the public health and safety.

Certificate of Appropriateness (COA): Certificate issued by a preservation commission to indicate its approval of an application to alter, demolish, move, or add on to a protected resource.

Certified Local Government: A city or town that has met specific standards enabling participation in certain National Historic Preservation Act programs.

Charitable contribution: A donation to a charitable organization whose value may be deducted from gross income for purposes of determining how much tax is owed.

Compatibility: A pleasing visual relationship between elements of a property, building or structure; among properties, buildings and structures; or with their surroundings. Aspects of compatibility may include, but are not limited to, proportion, rhythm, detail, texture, material, reflectance and architectural style.

Contributing structure: Building or structure in historic district that generally has historic, architectural, cultural, or archeological significance, and represents the historic context of the district.

Criteria: Standards set by the National Park Service by which it determines the eligibility of a resource for the National Register of Historic Places. The City of Las Vegas defers to these standards to evaluate properties for listing in the State and National Register of Historic Places.

Criteria Considerations: Additional eligibility standards, defined by the National Register of Historic Places, set for certain kinds of properties, such as cemeteries, reconstructed or relocated buildings or structures, or properties less than 50 years old.

Cultural affiliation: Archaeological or ethnographic culture to which a collection of sites, resources, or artifacts belong.

Cultural resource: Structures, buildings, features (roads, ditches, bridges, etc), and historic and prehistoric archaeological sites.

Demolition: The act or process that destroys a structure or feature associated with a designated property.

Demolition by neglect: Process of allowing a building to deteriorate to the point where demolition is necessary to protect public health and safety.

Design: Quality of integrity applying to the elements that create the physical form, plan, space, structure, and style of a property.

Designation: Act of identifying historic structures and districts subject to regulation in historic preservation ordinances or other preservation laws.

Determination of eligibility: An action through which the eligibility of a property for National Register listing is confirmed without actual listing in the National Register. Nominating authorities and federal agencies commonly request determinations of eligibility for federal planning purposes and in cases where a majority of private property owners have objected to National Register listing.

Distinctive Character: The distinguishing architectural and aesthetic characteristics of a Landmark or Historic Property, or those generally found throughout an Historic District, which fulfill the criteria for designation.

Easement (preservation or conservation): Partial interest in property that can be transferred to a nonprofit organization or governmental entity by gift or sale to ensure the protection of an historic resource and/or land area in perpetuity.

Economic hardship: Extreme economic impact on individual property owner resulting from the application of an historic preservation law.

Eligible property: Property that meets the criteria for inclusion in the National Register of Historic Places, or City of Las Vegas Historic Property Register, but is not formally listed.

Eminent domain: The right of government to take private property for a public purpose upon payment of "just compensation."

Enabling law: Law enacted by a state setting forth the legal parameters by which local governments may operate. Source of authority for enacting local preservation ordinances.

Environmental Assessment or Impact Statement (EA or EIS): Document pre-pared by state or federal agency to establish compliance with obligations under federal or state environmental protection laws to consider impact of proposed actions on the environment, including historic resources.

Federal Land Policy Management Act (FLPMA): A United States federal law that governs the way in which the public lands administered by the Bureau of Land Management are managed.

Guidelines: Interpretative standards or criteria that are generally advisory in form.

Historic context: A compilation of information about historic properties that share a common theme, geographic area, and time period. The development of this information serves as a foundation for decisions about planning, identification, evaluation, registration, and treatment of historic properties.

Historic District: An area with definable and legal boundaries that generally includes within a significant concentration of properties linked by architectural style, historical development, or a past event, and that has been designated pursuant to the city of Las Vegas historic preservation ordinance because of its particular historic, architectural, archeological, or cultural significance.

Historic Neighborhood: A subdivided or developed area that consists of 10 or more residential dwelling units where at least two-thirds of the units are 40 or more years of age and have been identified by a governing body as having a distinctive character or traditional quality.[2]

Historic Property: A site or structure designated pursuant to the city of Las Vegas historic preservation ordinance that is worthy of preservation because of its particular historic, architectural, archeological, or cultural significance.

Historic Sites, Buildings, and Antiquities Act (Historic Sites Act): Builds upon the Antiquities Act to organize most of the national parks, monuments, and historic sites under the responsibility of the National Park Service (NPS).

Integrity: The unimpaired authenticity of a property's historic or prehistoric identity, evidenced by surviving physical characteristics.

Listing: The formal entry of a property in the city, state or National Register of Historic Places.

Keeper of the National Register: Individual in the National Park Service responsible for the listing in and determination of eligibility of properties for inclusion in the National Register of Historic Places.

Land trust: A nonprofit organization engaged in the voluntary protection of land for the purpose of providing long-term stewardship of important resources, whether historical, archeological, or environmental, through the acquisition of full or partial interests in property.

Land use: General term used to describe how land is or may be utilized or developed, whether for industrial, commercial, residential or agricultural purposes, or as open space.

Landmark: A site or structure designated pursuant to a local preservation ordinance or other law that is worthy of preservation because of its particular historic, architectural, archeological, or cultural significance.

National Environmental Policy Act (NEPA): Primary federal law requiring consideration of potential impacts of major federal actions on the environment, including historic and cultural resources.

National Historic Landmark (NHL): Property included in the National Register of Historic Places that has been judged by the Secretary of the. Interior to have "national significance in American history, archaeology, architecture, engineering and culture."

National Historic Preservation Act (NHPA): The federal law that encourages the preservation of cultural and historic resources in the United States.

[2] Abbreviated from NRS 278.

National Register of Historic Places: Official, non-regulatory inventory of "districts, sites, buildings, structures, and objects significant in American history, architecture, archaeology, engineering and culture.

Native American Graves and Protection and Repatriation Act (NAGPRA):
Federal law providing for the repatriation of Native American human skeletal material and related sacred items and objects of cultural patrimony.

Nevada State Register of Historic Places: Official, non-regulatory inventory of "districts, sites, buildings, structures, and objects significant in Nevada history, architecture, archaeology, engineering and culture.

Noncontributing: A building, site, structure, or object that does not add to the historic significance of a property or district.

Object: A construction, artistic in nature, or technologically significant, relatively small in scale, and simply constructed, such as a statue, train engine, or sign.

Ordinary Maintenance and Repair: Regular or usual care, upkeep, repair or replacement of any portion of an existing property, building or structure in order to maintain a safe, sanitary and stable condition.

Owner: The person(s) listed in the property records of Clark County as having fee ownership of an individual parcel or property.

Paleontological Resources Preservation Act (PRPA): Requires the Secretaries of the Interior and Agriculture to manage and protect paleontological resources on Federal land using scientific principles and expertise.

Paleontology: is the study of prehistoric life through fossil remains, including organisms' evolution and interactions with each other and their environments.

Period of significance: The span of time during which a property attained the significance that makes it eligible for listing on the state or National Register of Historic Places.

Physical characteristics: Visible and tangible attributes of an historic property or group of historic properties.

Prehistoric: Related to the period before recorded history.

Property type: A grouping of properties defined by common physical and associative attributes.

Police power: The inherent authority residing in each state to regulate, protect, and promote the public health, safety, morals, and general welfare.

Property: One or more structures or other improvements, or an archeological site, associated with a particular parcel or location.

Public Buildings Cooperative Use Act: Federal law governing the construction, acquisition, and management of space by the General Services Administration for use by federal agencies.

Resource: Any building, structure, site, or object that is part of or constitutes an historic property.

Resource type: The general category of property, building, structure, site, district, or object.

Rehabilitation tax credit: Twenty percent federal income tax credit on expenses for the substantial rehabilitation of historic properties.

Revolving fund: Fund established by a public or nonprofit organization to purchase land or buildings or make grants or loans to facilitate the preservation of historic resources.

Section 106: Provision in National Historic Preservation Act that requires federal agencies to consider effects of proposed undertakings on properties listed or eligible for listing in the National Register of Historic Places.

Section 4(f): Provision in Department of Transportation Act that prohibits federal approval or funding of transportation projects that require "use" of any historic site unless (1) there is "no feasible and prudent alternative to the project," and (2) the project includes "all possible planning to minimize harm."

Significant: With reference to a property, building or structure, means having aesthetic, architectural or historical qualities of critical importance to its consideration in connection with the designation of property.

Site: Location of a significant event, a prehistoric or historic occupation or activity, or building or structure, whether standing, ruined, or vanished, where the location itself possesses significance independent of the value of any existing structure at that location.

Site plan: Proposed plan for development submitted by the property owner for review by a planning board or other governmental entity that addresses issues such as the siting of structures, landscaping, pedestrian and vehicular access, lighting, signage, and other features.

State Historic Preservation Officer (SHPO): Official appointed or designated, pursuant to the National Historic Preservation Act, to administer a state's historic preservation program.

Stewardship Program: A program that involves trained volunteers working with the historic preservation officer to protect historic resources by regularly visiting sites and recording changes.

Structure: A functional resource constructed for purposes other than to provide shelter, such as a bridge, windmill, or silo.

"Taking" of property: Act of confiscating private property for governmental use through "eminent domain" or by regulatory action.

Tax abatement: A reduction, decrease, or diminution of taxes owed, often for a fixed period of time.

Tax assessment: Formal determination of property value subject to tax.

Tax credit: A "dollar for dollar" reduction on taxes owed.

Tax deduction: A subtraction from income (rather than taxes) that lowers the amount upon which taxes must be paid.

Tax exemption: Immunity from an obligation to pay taxes, in whole or in part.

Tax freeze: A "freezing" of the assessed value of property for a period of time.

Transferable development right (TDR): Technique allowing landowners to transfer right to develop a specific parcel of land to another parcel.

Undertaking: Federal agency actions requiring review under Section 106 of the National Historic Preservation Act.

Zoning: Act of regulating the use of land and structures according to district. Laws generally specify allowable use for land, such as residential or commercial, and restrictions on development such as minimum lot sizes, set back requirements, maximum height and bulk, and so forth.

Appendix X: Historic Resource Protection Laws

Federal Land Policy Management Act (FLPMA), as amended
(Pub.L. 94-579). A United States federal law that governs the way in which the public lands administered by the Bureau of Land Management are managed. The law was enacted in 1976 by the 94th Congress. In the FLPMA, Congress recognized the value of the public lands, declaring that these lands would remain in public ownership. The law protects paleontological resources on federal land. The law is found in the United States Code under Title 43.

American Indian Religious Freedom Act (1978), as amended
Legislation passed by Congress intended to protect and preserve the traditional religious rights of American Indians, Eskimos, Aleuts, and Native Hawaiians. The Act (42 USC 1996) requires federal agencies to consider the effects of their programs on places and practices of religious importance to American Indians, Eskimos, and Native Hawaiians. Although the Act resulted in

some governmental policy changes, no regulations were ever issued. The AIRFA was amended (42 USC 1996a) to allow the use of peyote for ceremonial purposes.

Antiquities Act (1906), as amended
The first piece of U.S. legislation providing protection for any kind of cultural or natural resource. The Act (16 USC 431-433) established the first national historic preservation policy and gave the President the authority to set aside historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest located on federally controlled lands as "national monuments" to be managed properly by federal agencies. The regulations assign responsibility over lands to different federal agencies: the U.S. Department of Agriculture (USDA) has responsibility for lands within forest reserves, the U.S. Army has responsibility over lands within military reservations, and the U.S. Department of the Interior (DOI) has responsibility over all other lands owned or controlled by the federal government. The full suite of regulations promulgated by the DOI is available at 43 CFR 3.

Archaeological and Historic Preservation Act (1974), as amended
Legislation that amended the Reservoir Salvage Act of 1960 requiring federal agencies to provide for the preservation of historical and archeological data which might otherwise be lost or destroyed as the result of any federally licensed activity or program causing an alteration of terrain. This Act (16 USC 469-469c-2) greatly expanded the number of federal agencies that had to take archeological resources into account when executing, funding, or licensing projects; previously the Reservoir Salvage Act had required such attention only of federal agencies that constructed reservoirs and related structures (e.g., U.S. Army Corps of Engineers and the Bureau of Reclamation). The full suite of regulations promulgated by the National Park Service (NPS) under the AHPA is available at 36 CFR 79.

Historic Sites, Buildings, and Antiquities Act (Historic Sites Act), as amended
Legislation building upon the earlier Antiquities Act to organize most of the national parks, monuments, and historic sites under the responsibility of the National Park Service (NPS). The Act (16 USC 461-467) declared a national policy of preserving historic sites, buildings, and objects of national significance for public use. Provisions of the Act are implemented through the NPS regulations available at 36 CFR 1-65.

Native American Graves Protection and Repatriation Act (NAGPRA), as amended
Legislation (25 USC 3001-3013) requiring federal agencies to consult with the appropriate Native American Tribes prior to the intentional excavation of human remains and funerary objects. The regulations establish a process for determining the rights of lineal descendants and Indian tribes and Native Hawaiian organizations to certain Native American human remains, funerary objects, sacred objects, or objects of cultural patrimony with which they are affiliated. The full suite of regulations promulgated by the National Park Service (NPS) under NAGPRA is available at 43 CFR 10.

Executive Order 11593: Protection and Enhancement of the Cultural Environment
Executive Order 11593 was issued by President Nixon on May 13, 1971, directing federal agencies to inventory their cultural resources and establish policies and procedures to ensure the

protection, restoration, and maintenance of federally owned sites, structures, and objects of historical, architectural, or archaeological significance.

Executive Order 13007: Indian Sacred Sites
Executive Order 13007 was issued by President Clinton on May 24, 1996, directing federal agencies, to the extent practicable and allowed by law, to allow Native Americans to worship at sacred sites located on federal property and to avoid adversely affecting the physical integrity of such sites.

Executive Order 13175: Consultation and Coordination with Indian Tribal Governments
Executive Order 13175 was issued by President Clinton on November 6, 2000, directing federal agencies to coordinate and consult with Indian tribal governments whose interests might be directly and substantially affected by activities on federally administered lands.

Executive Order 13287: Preserve America
Executive Order 13287 was issued by President G.W. Bush on March 3, 2003, directing federal agencies to actively advance the protection, enhancement, and contemporary use of the historic properties owned by the federal government. It also encouraged agencies to establish partnerships with state, tribal, and local governments and the private sector to use these resources for economic development (e.g., tourism) and other public benefits.

Appendix X: Designated Historic Resources

List of Designated Historic Resources within the City of Las Vegas

Each designated site is numbered according to its location on the "Historic Places" map, Appendix: Maps, unless marked "Address Restricted."

#1*) "Big Springs," The Las Vegas Springs (c. 1880)*
Listed on the Nevada state Register of Historic Places 3/4/1981
Listed on the National Register of Historic Places 12/14/1978

"Big Springs," The Las Vegas Springs (prehistoric and historic archaeological resource)
Location of archaeological resources are Site Restricted*
Listed on the Nevada state Register of Historic Places 3/4/1981
Listed on the National Register of Historic Places 12/14/1978

#2) *Clark Avenue (Bonanza Road) Underpass (1936)*
E. Bonanza Road and Union Pacific Railroad Tracks
Listed on National Register of Historic Places 1/18/2004

Eureka Locomotive (1875)
Location of locomotive is Site Restricted
Listed on National Register of Historic Places 1/12/1995

#3) *"Fifth Street School," Las Vegas Grammar School (1936)*
401 S. Fourth StreetListed on the City of Las Vegas Historic Property Register 2/19/1992
Listed on the National Register of Historic Places 5/20/1988

#4) *Floyd Lamb Park at Tule Springs (Tule Springs Ranch) (c. 1910)*
9200 Tule Springs Road
Listed on the Nevada state Register of Historic Places 3/4/1981
Listed on the National Register of Historic Places 9/23/1981
Listed on the city of Las Vegas Historic Property Register 1/9/2008

#5) *Frank Wait House (c. 1930)*
901 Ogden Street
Listed on City of Las Vegas Historic Property Register 6/3/1994

#6) *Henderson House (1930)*
704 S. Ninth Street
Listed as contributing resource to Las Vegas High School Neighborhood Historic District 1/30/91
Listed individually on City of Las Vegas Historic Property Register 8/20/2006

#7) *Huntridge Theatre (1946)*
1208 E. Maryland Parkway
Listed on the Nevada State Register of Historic Places 1/15/1999
Listed on the National Register of Historic Places 7/22/1993

#8) *Jay Dayton Smith House (1930)*
624 S. Sixth Street
Listed on the National Register of Historic Places 2/20/1987

#9) *John S. Park Neighborhood Historic District (1931 -)*
Bounded by Park Paseo, Ninth Street, Franklin Avenue & Fifth Place (see also map, Appendix)
Listed on City of Las Vegas Historic Property Register 3/19/2003
Listed on the National Register of Historic Places 5/16/2003

#10) *La Concha Motel Lobby (1961)*
770 N. Las Vegas Boulevard
Listed on the city of Las Vegas Historic Property Register 8/1/2007

#11) *Las Vegas High School Administration Building & Gymnasium (Las Vegas Academy) (1931)*
315 S. Seventh Street
Listed on the City of Las Vegas Historic Property Register 4/2/2003
Listed on the National Register of Historic Places 9/24/1986

#12) *Las Vegas High School Neighborhood Historic District (1928 -)*

Bounded by E. Bridger Avenue, S. Ninth Street, E. Gass Street and S. Sixth Street (see also map, Appendix)
Listed on the National Register of Historic Places 1/30/1991

#13) *Las Vegas Mormon Fort (1855)*
900 N. Las Vegas Boulevard
Listed on the Nevada state Register of Historic Places 3/4/1981
Listed on the National Register of Historic Places 2/1/1972

#14) *Las Vegas Mormon Fort Boundary Increase (1855)*
900 N. Las Vegas Boulevard
Listed on the National Register of Historic Places 2/12/1978

#15) *Lorenzi Park Historic District (1949)*
720 Twin Lakes Drive
Listed on the city of Las Vegas Historic Property Register 5/20/2009.

#16) *Mesquite Club* (1961)
702 E. St. Louis Avenue
Listed on the city of Las Vegas Historic Property Register 5/20/2009

#17) *Morelli House (1959)*
814 Bridger Avenue
Listed on the Nevada state Register of Historic Places 10/1/2001
Listed on the City of Las Vegas Historic Property Register 3/8/2007

#18) *Moulin Rouge Hotel (1955)*
900 W. Bonanza Road
Listed on the City of Las Vegas Historic Property Register 6/17/1992
Listed on the National Register of Historic Places 12/22/1992

Old Spanish Trail - Mormon Road Historic District (1829 – 1848)
From California border to Arizona, across Southern Nevada
Location of remaining trail segments are Site Restricted*
Listed on the National Register of Historic Places 8/22/2001

Tule Springs Archaeological Site (prehistoric archaeological resource)
Location of archaeological resources are Site Restricted*
Listed on the Nevada state Register of Historic Places 3/4/1981
Listed on the National Register of Historic Places 4/20/1979

#19) *U.S. Post Office and Courthouse (1931)*
301 Stewart Avenue
Listed on the City of Las Vegas Historic Property Register 4/2/2003
Listed on the Nevada state Register of Historic Places 5/15/2002

Listed on the National Register of Historic Places 2/10/1983

#20) *"Westside School," Las Vegas Grammar School, Branch No. 1 (1922, 1948)*
330 W. Washington Avenue
Listed on the Nevada state Register of Historic Places 3/4/1981
Listed on the National Register of Historic Places 4/2/79

#21) *Woodlawn Cemetery (1913)*
1500 N. Las Vegas Boulevard
Listed on the National Register of Historic Places 11/21/06

*Federal law prohibits disclosure of the locations of archaeological sites.

Appendix X: Potentially Eligible Historic Resources

Apache Hotel/Binions (1931)
128 Fremont Street

Binion House (1940)
2040 W. Bonanza Road

Blakey Apartments (1932)
201 S. Sixth Street

Christensen House (c. 1930)
500 Van Buren Avenue

El Cortez Hotel and Casino (1941)
600 Fremont Street

Fremont Street Motor Courts (c. 1920 – 1957)

Golden Gate Casino (1905)
1 Fremont Street

Historic signs

Johnny Tocco's Boxing Gym (1942)
9 W. Charleston Boulevard

Upper Las Vegas Wash
(boundaries to come)

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St. Luke's Episcopal Church (1925)
832 N. Eastern Avenue
Original location: Sixth St. and Carson Ave.
Moved to Boulder City (year unknown)
Moved to current location (year unknown)

Victory Motel (1911)
307 S. Main Street

Wengert House/State Bar of Nevada (1938)
600 E. Charleston Boulevard

Appendix X: Maps (NOT INCLUDED IN DRAFT)

Designated Historic Resources within the City of Las Vegas
Las Vegas High School Neighborhood Historic District
John S. Park Neighborhood Historic District
Future Historic Properties

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City of Las Vegas Agenda Item No.: **30.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

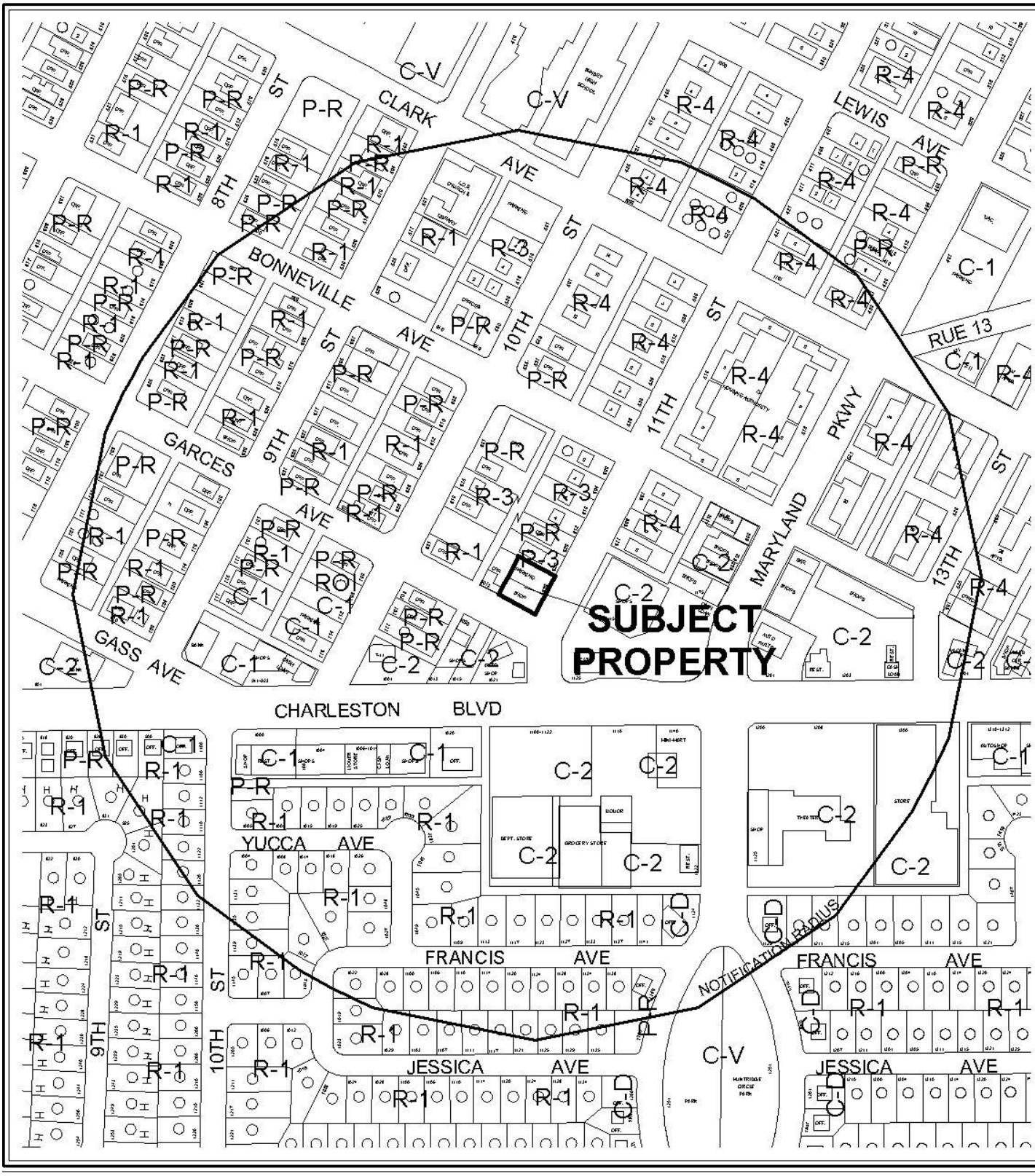
SUBJECT:
ZON-37634 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: JALALA, LLC - Request for a Rezoning FROM: R-3 (MEDIUM DENSITY RESIDENTIAL) TO: C-2 (GENERAL COMMERCIAL) on 0.23 acres at 630 South 11th Street (APN 139-34-811-009), Ward 3 (Reese). Staff recommends DENIAL.

C.C.: 07/07/2010

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

RECOMMENDATION:
Staff recommends DENIAL.

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



0 300 600 Feet

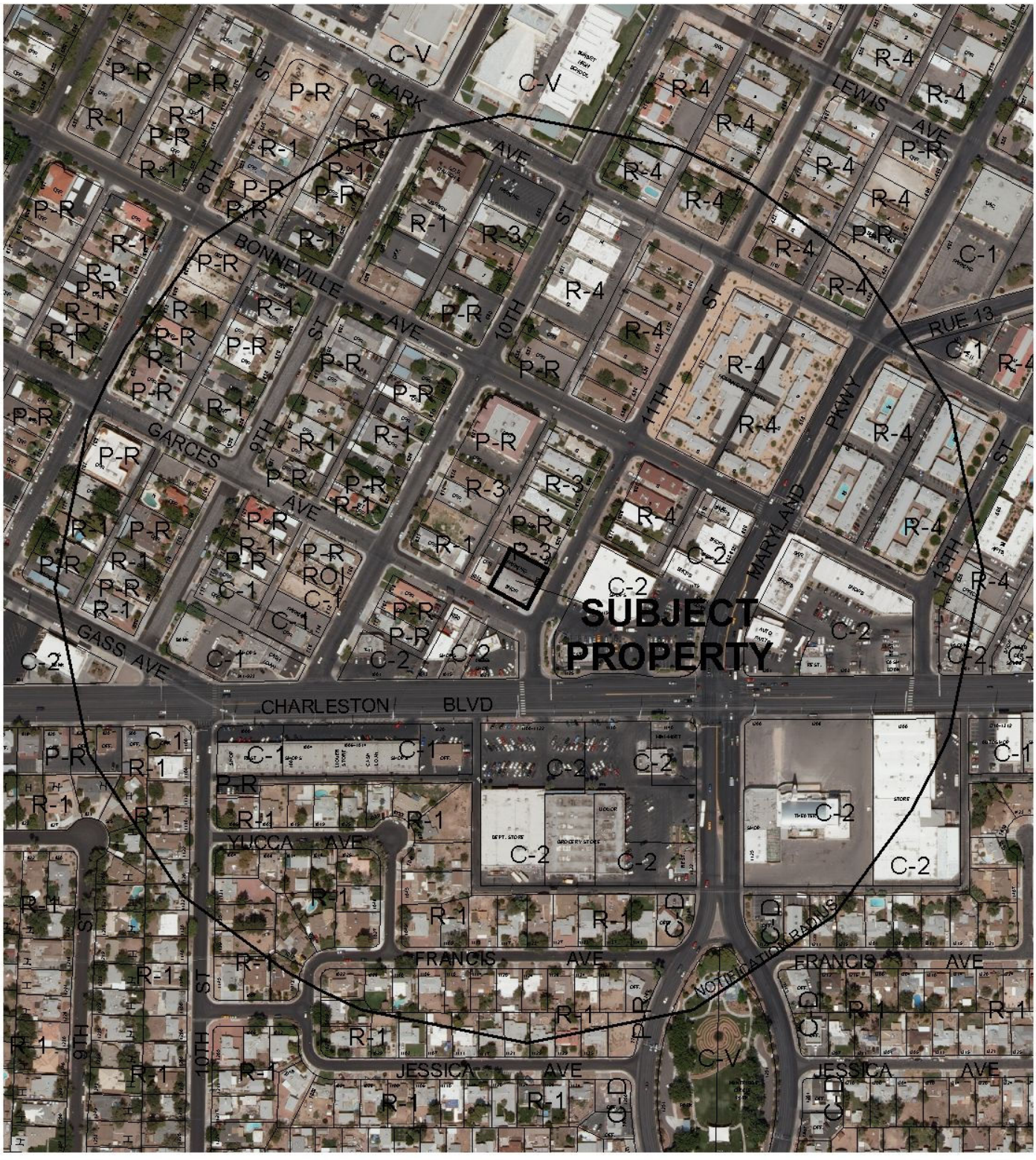
CASE: **ZON-37634**

RADIUS: 1000 FT

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

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

N



0 300 600 Feet

CASE: **ZON-37634**

RADIUS: 1000 FT

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

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: JALALA, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
ZON-37634	Staff recommends DENIAL.	

RG

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for Rezoning from R-3 (Medium Density Residential) to C-2 (General Commercial) at 630 South Eleventh Street. The subject site has a current land use designation of C (Commercial). The lot is adjacent to an existing professional office use and general retail use along Eleventh Street between Garces Avenue and Bonneville Avenue. The proposed rezoning would allow uses that are incompatible to the surrounding land uses; therefore, staff recommends denial. If denied, the lot will remain designated R-3 (Medium Density Residential), the zoning designation will remain inconsistent with the current General Plan and no commercial uses may exist on the property except for those allowed by Title 19.

ISSUES:

- The C-1 (Limited Commercial) district would be a more appropriate zoning district for the subject site, as it would allow less intense commercial uses that will buffer residential and offices uses from the more intense C-2 corridor along Charleston Boulevard.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
01/13/55	The Board of City Commissioners denied the request for Rezoning (Z-0044-54) From R-3 to C-2 of Lots 18 and 19, Block 23, Wardie Addition and Lots 29 and 30, Block 24 at the northwest corner of Eleventh Street and Garces Avenue. Planning Commission and staff recommended denial.
11/02/55	The Board of City Commissioners denied the request for Rezoning (Z-0001-55) From R-4 to C-2 of Lots 31 and 32, Block 24, Pioneer Heights Addition and Lot 16 and 17, Block 23, Wardie Addition at the northwest corner of Eleventh Street and Graces Avenue. Planning Commission and staff recommended denial.
11/05/80	The Board of City Commissioners approved the request for a Variance (V-0078-80) to allow the construction of a building for office and production facilities for a publishing and printing business which is not a permitted use on property generally located on the west side of Eleventh Street, 50 feet north of the corner of Eleventh Street and Garces Avenue in Zoning District R-3. The Board of Zoning Adjustment and staff recommended approval.

Most Recent Change of Ownership	
08/11/09	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
09/03/82	A building permit (#3311) was issued for a book store at 630 South 11th Street.
02/10/83	A business license (B06-00038) was issued for a book store at 630 South 11th Street. The license was marked inactive on 07/30/09.

Pre-Application Meeting	
03/09/2010	A pre-application meeting was held with the applicant, where requirements for submittal of Rezoning applications were explained. The following topics were discussed: • Justification letter should indicate that the use of the building will remain the same and that no building expansion will be made. • State in the justification letter that the current parking configuration will not change.

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

Field Check	
04/22/10	There is graffiti on the roof of the building along the southern and eastern elevations.

Details of Application Request	
Site Area	
Gross Acres	0.23

Surrounding Property	*Existing Land Use Per Title 19.04*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	Retail Building	C (Commercial)	R-3 (Medium Density Residential)
North	Office	C (Commercial)	R-3 (Medium Density Residential)
South	Motor Vehicles Sales (Used)	C (Commercial)	C-2 (General Commercial)
East	Shopping Center	C (Commercial)	C-2 (General Commercial)
West	Office	C (Commercial)	R-3 (Medium Density Residential)

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area		X	N/A
Special Purpose and Overlay Districts	***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
Las Vegas Redevelopment Plan Area	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Existing Zoning	*Permitted Density*	*Units Allowed*
R-3 (Medium Density Residential)	13-25 Dwelling Units per Gross Acre	N/A
Proposed Zoning	***Permitted Density***	***Units Allowed***
C-2 (General Commercial)	N/A	N/A
General Plan	***Permitted Density***	***Units Allowed***
C (Commercial)	N/A	N/A

ANALYSIS

The subject site is located in the Southeast Sector of the General Plan and has a current land use designation of C (Commercial). The C (Commercial) category allows for commercial uses that are normally allowed within the O (Office), SC (Service Commercial), and GC (General Commercial). The GC (General Commercial) category allows retail, service, wholesale, office and other general business uses of a more intense commercial character. These uses may include outdoor storage or display of products or parts, noise, lighting or other characteristics not generally considered compatible with adjoining residential areas without significant transition. Examples include new and used car sales, recreational vehicle and boat sales, car body and engine repair shops, mortuaries, and other highway uses such as hotels, motels, apartment hotels and similar uses.

The request to Rezone the subject site from R-3 (Medium Density Residential) to C-2 (General Commercial) would, allow uses, including auto sales, repair, and recreational facilities, that are too intense for the surrounding adjacent residential and office uses. However, the C-1 (Limited Commercial) district would be a more appropriate zoning district for the subject site, as it would allow less intense commercial uses that will buffer residential and offices uses from the more intense C-2 corridor along Charleston Boulevard. The proposed rezoning would allow uses that are incompatible with the surrounding land uses; therefore staff recommends denial of the request.

FINDINGS (ZON-37634)

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

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

   The proposed C-2 (General Commercial) zoning district is consistent with the C (Commercial) land use designation.

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

   The C-1 (Limited Commercial) district would be a more appropriate zoning district for the subject site, as it would allow less intense commercial uses that will buffer residential and offices uses from the more intense C-2 corridor along Charleston Boulevard.

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

   Growth and development factors in the community do not indicate the need or appropriateness of the proposed Rezoning. The proposed Rezoning will allow uses on the subject property that are too intense for the adjacent land uses. The C-1 (Limited Commercial) zoning district would be more appropriate as it would allow conformance with the existing General Plan designation and would allow less intense uses that are compatible with the surrounding adjacent land uses.

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

   The site receives access from Charleston Boulevard, a 100-foot Primary Arterial via Eleventh Street, an 80-foot local street. Site access will not impact adjacent roadways or neighborhood traffic.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 23

NOTICES MAILED 188

APPROVALS 0

PROTESTS 0

RG

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-37634** APN: 139-34-811-009

Name of Property Owner: FARID A. JALALA

Name of Applicant: FARID A. JALALA

Name of Representative: FARID A. JALALA

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: 139-34-811-009

Signature of Property Owner: Farid Ahmad Jalala

Print Name: FARID A. JALALA

Subscribed and sworn before me

This 9th day of MARCH, 2010

D.S. Watson

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
D.S. WATSON
No: 09-11647-1
My Appointment Expires Dec. 1, 2013

RECEIVED
MAR 10 2010

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: REZONING

Project Address (Location) 630 S. 11th Street, LAS VEGAS NV. 89101

Project Name _____ **Proposed Use** _____

Assessor's Parcel #(s) 139-34-811-009 **Ward #** _____

General Plan: existing C proposed _____ **Zoning:** existing R3 proposed C2

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

Gross Acres 0.2299 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER FARID A JALALA **Contact** FARID A. JALALA

Address 1219 N. TUSTIN AVE **Phone:** 714-666-2000 **Fax:** 714-632-8567

City ANAHEIM **State** CA **Zip** 92807

E-mail Address JALALAF@AGSSECURITY.COM

APPLICANT SAME AS ABOVE **Contact** _____

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

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

E-mail Address _____

REPRESENTATIVE SAME AS ABOVE **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 FARID A. JALALA

Subscribed and sworn before me

This 9th day of March, 2010.

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
D.S. WATSON
No: 09-11647-1
My Appointment Expires Dec. 1, 2013

FOR DEPARTMENT USE ONLY

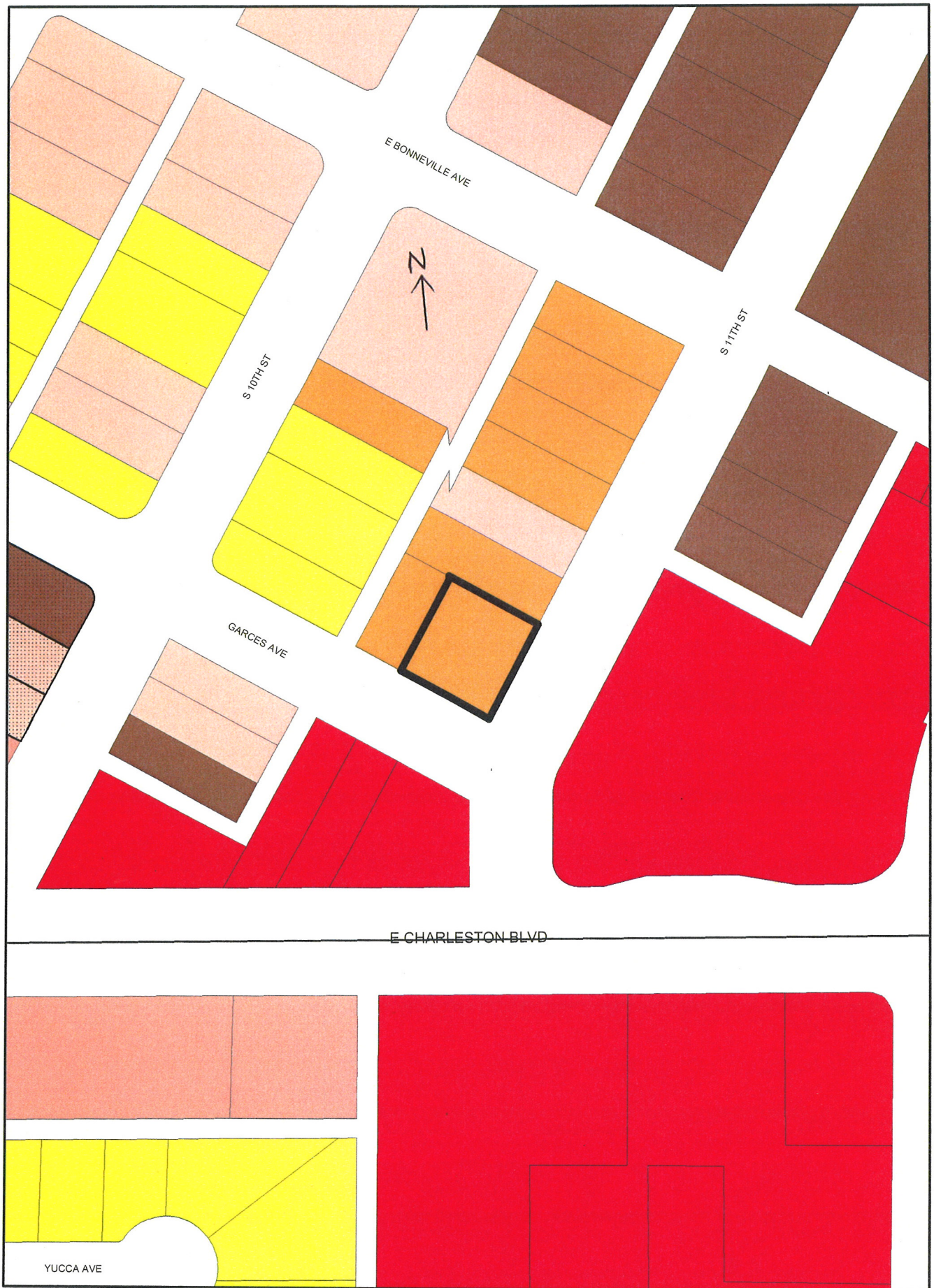
Case #	ZON-37634
Meeting Date:	5/27/10
Total Fee:	$1200
Date Received:*	3/10/2010
Received By:	MREX

*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.

Revised 10/27/08

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

REZONING Parcel: 139-34-811-009



ZONING

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

ZON-37634 From R-3 to C-2

05/27/10 PC

Data Current as of: March 9, 2010

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

PLANNING & DEVELOPMENT

RECEIVED
MAR 10 2010



ZON-37634 - APPLICANT/OWNER: JALALA, LLC
630 SOUTH 11TH STREET

04/22/10



ZON-37634 - APPLICANT/OWNER: JALALA, LLC
630 SOUTH 11TH STREET

04/22/10



ZON-37634 - APPLICANT/OWNER: JALALA, LLC
630 SOUTH 11TH STREET

04/22/10



ZON-37634 - APPLICANT/OWNER: JALALA, LLC
630 SOUTH 11TH STREET

04/22/10



ZON-37634 - APPLICANT/OWNER: JALALA, LLC
630 SOUTH 11TH STREET

04/22/10

Advantage Guard Services Inc

866-PATROL-9

Rezoning for 630 South 11th Street, Las Vegas, NV89101

To: Planning Division

731 South Fourth Street

Las Vegas, NV 89101

This letter is to request Zone change for 630 south 11th Street, Las Vegas from R3 to C2. This property has been used as retail store gambling book store for more than 25 years. As you can see all the properties around the subject property are zoned commercial. The subject property is surrounded by shopping center, retail store, office building, Dealer ships and Restaurants.

We have a company called Advantage Guard Services Inc. We have been in business for more than ten years based in California. We also have offices in Washington DC, Maryland, and Virginia. We provide security officers to guard businesses and provide surveillance cameras and equipments for sale to the public. We provide standing security guards to protect our clients from thefts, vandalism. Most of our employees are working in the fields. This building will be used for administrative purposes and retail store to sell surveillance system & cameras and equipments to public. There will not be over night security guard stationed in this location. The office hours are Mon- Friday 8am to 5pm possibly later hours in summer time if necessary. The subject property has its own gated parking lot which can accommodate about 15-20 cars.

We are not making any structural changes to the building the building will remain the same with exception of cosmetic changes like paint and clean up. We are requesting to change the Zoning from R3 to C2 as soon as possible. This project will create at least 200-300 new permanent jobs in the city of Las Vegas. If you have any additional questions please contact me at 714-715-9395.

Sincerely

Farid Jalala

Owner

March/10/2010

RECEIVED
APR 27 2010

ZON-37634
REVISED

1219 N. Tustin Ave, Anaheim, California, 92807
Tel(714)666-2000 Fax(714)632-8567

Advantage Guard Services Inc.

Business Description:

Advantage Guard Services, Inc. is a fully licensed, bonded and insured corporation that provides professional uniformed guard and patrol services throughout the Washington DC Metro area and Southern California. With over 10 years of professional services and experience, Advantage Guard Services is dedicated to providing the superior guard service for all of our clients by working together to develop and promote a comprehensive safety and security program. Advantage Guard Service inc. was established in 2001.

Advantage Guard Services has excellent communication with local law enforcement agencies that help us deliver better service to our clients. We credit our accomplishments to proper management, training and supervision of our officers and the development and execution of sensible security programs. We firmly believe that the training, selection and placement of our personnel are an integral part in producing superior customer service and quality.

We are uniquely qualified to provide you with professional uniformed guard services, while maintaining the trust and confidence your organization deserves. Managerial experience and proper guard training has been a key to successfully providing quality guard service.

Advantage Guard Services Inc. and its uniformed personnel are fully certified and/or licensed in accordance with local and federal regulations. Certification and licensing are issued by State Approved Criminal Justic Schools and Training academies.

Advantage Guard Services, Inc. provide highly trained security guards and vehicle patrol services to stop and prevent crimes from happening.If you manage any type of property, you are aware that theft, vandalism, burglary, or other crimes can happen when you least expect them. That's why is of utmost importance to provide the proper level of security to safeguard your assets while providing you and your employees with peace of mind. Whether you are considering additional security for your business or your community, trained secuirty officers from Advantage Guard Services will provide the safety and security you need. Our professional security guards and special police officers will carry out a variety of duties to ensure your safety.

Advantage Guard Services employs only qualified candidates to ensure your maximum protection. We send all our security guards to Criminal Justice Approved Training schools depending on where they live, so they can obtain the best training possible.

Advantage Guard Services is fully insured and bonded with professional and liablity insurance coverage. Available by request, you will receive a certificate of insurance naming your corporation as a certificate holder. All our insurance coverage currently meets or exceeds all local and federal requirements.

RECEIVED
APR 27 2010

ZON-37634
REVISED

Who We Serve:

We are able to provide the appropriate level of expertise and experience depending on each property. We provide security for:

- Retail Stores
- Colleges& Universities
- Shopping Centers
- Apartments
- Warehouses
- Charter and Private Schools
- Malls
- Auto Dealerships
- Construction Sites
- Retirement Homes
- Healthcare Facilities

If you want to more about us, you can visit us at www.agssecurity.com

RECEIVED
APR 27 2010

ZON-37634
REVISED

City of Las Vegas Agenda Item No.: **31.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

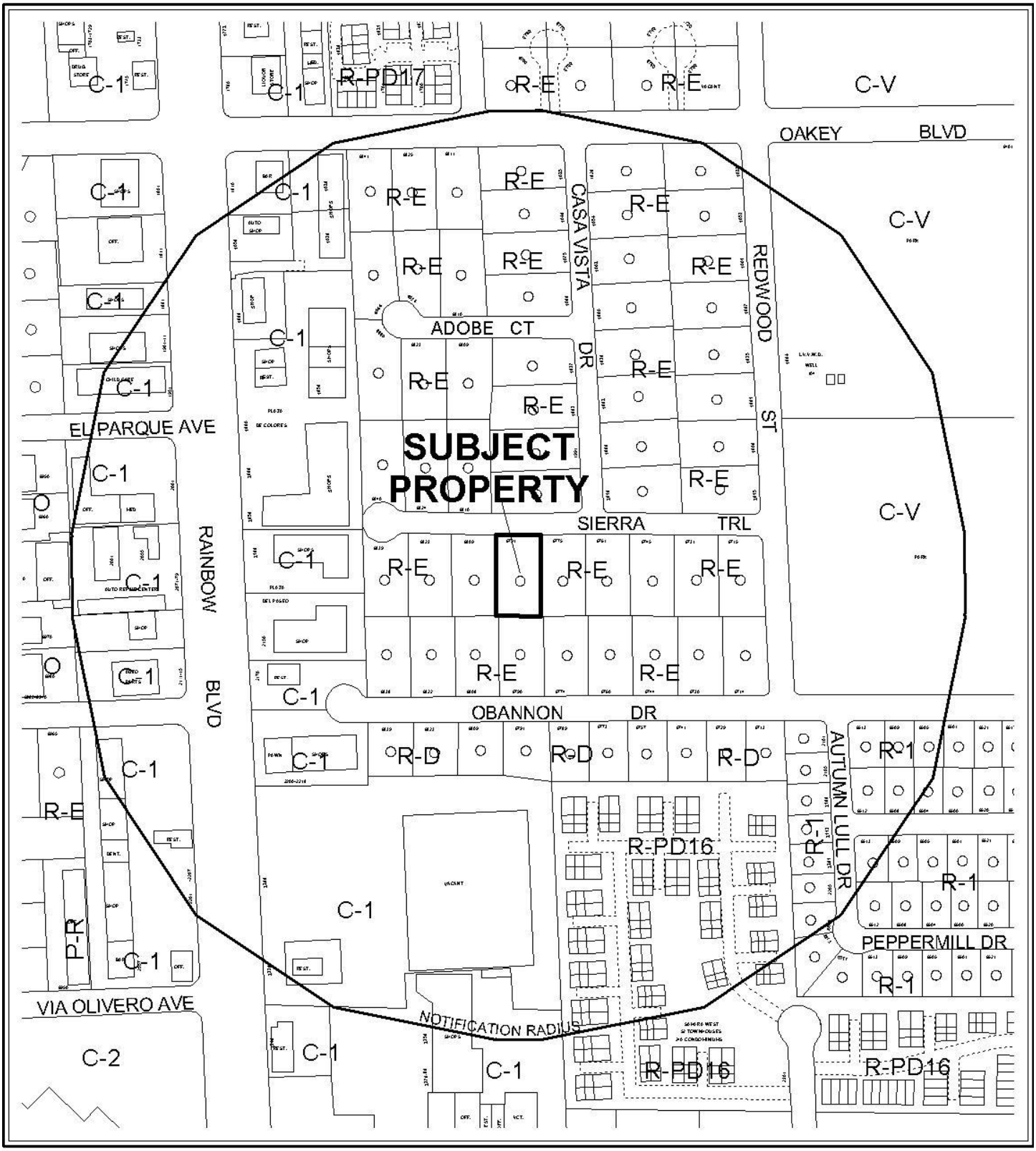
SUBJECT:
VAR-37831 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: SANDRA LIPPINCOTT - Request for a Variance TO ALLOW AN EXISTING 316 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS II) WITH A ZERO-FOOT SIDE YARD SETBACK WHERE THREE FEET IS REQUIRED on 0.46 acres at 6791 Sierra Trail (APN 163-02-311-006), R-E (Residence Estates) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL.

C.C.: 07/07/2010

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

RECOMMENDATION:
Staff recommends DENIAL.

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



CASE: **VAR-37831**

RADIUS: 1000 FT

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

0 300 600 Feet



0 300 600 Feet

CASE: **VAR-37831**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: SANDRA LIPPINCOTT

**** STAFF RECOMMENDATION(S) ****

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-37831	Staff recommends DENIAL, if approved subject to conditions:	

**** CONDITIONS ****

VAR-37831 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 proposed structure. 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 within 60 days of final approval.

3. These Conditions of Approval shall be affixed to the cover sheet of the plan set submitted for building permit.

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

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Variance to allow an existing 316 square-foot Accessory Structure (Class II) with a zero-foot side yard setback where three feet is required at 6791 Sierra Trail. The accessory structure was built without a permit. As a result, a self-imposed hardship was created by building the Accessory Structure (Class II) that does not meet code requirements for building setback along the east property line. Therefore, staff recommends denial. If denied, the accessory structure will have to be relocated in order to meet the requirements of Title 19 standards prior to obtaining the necessary building permits.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
03/28/86	The City Council approved the request for Annexation (A-0009-85) of land containing approximately one thousand four hundred seventy acres, generally located south of Charleston Boulevard, between Torrey Pines Drive and Fort Apache Road. The Planning Commission and staff recommended approval of the request.
08/31/09	A Code Enforcement case (#81402) was processed for an outbuilding in violation of the side property line setback requirements. The building is zero feet from the property line. The case is currently open.

Most Recent Change of Ownership	
04/15/77	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
09/20/76	A building permit (B76-7048) was issued by Clark County for a Single Family Residence at 6791 Sierra Trail.
01/08/96	A building permit (#96000488) was issued for a reroof at 6791 Sierra Trail. The project was completed on 02/05/96.

Pre-Application Meeting	
03/29/10	A pre-application meeting was held with the applicant where elements of submitting for Variance for an Accessory Structure (Class II) to allow a zero-foot side yard setback were discussed. The topics included: • The submittal of application materials, meeting dates, and deadlines were discussed at the pre-application meeting. • A one hour fire rating wall and eaves are required when a structure is less than 5 feet from the property line, per the Building and Safety Department representative.

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

Field Check	
04/22/10	Staff conducted a site visit and noted a well maintained single family residential lot.

Details of Application Request	
Site Area	
Net Acres	0.47

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
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)

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area		X	N/A
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District	X		Y
Las Vegas Redevelopment Plan Area		X	N/A
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	20,360 SF	Y
Min. Lot Width	100 Feet	105 Feet	Y
Min. Setbacks (Accessory Structure)			
• Front	Not Allowed	N/A	N/A
• Side (W)	3 Feet	93 Feet	Y
• Side (E)	3 Feet	0 Feet	N
• Rear	3 Feet	16 Feet	Y
Min. Distance Between Buildings	10 Feet	58 Feet	Y

ANALYSIS

The property is within the Rural Preservation Overlay District of the Title 19.06 Special Purpose and Overlay District. This site meets the requirement and existing accessory structure will not increase the density. Lot coverage does not apply in the R-E (Residence Estates) district.

The Accessory Structure (Class II) was constructed on the site without a building permit, and is the subject of an open Code Enforcement case (#81402). The accessory structure has a setback along the east property line of zero feet. Per Title 19.08.040 (B) (1) (d) (i): "Detached accessory structures (excluding patio covers) in the rear yard area must be located a minimum distance of three feet from the side and rear property lines." The structure is fixed to the ground and cannot be moved without the reconstruction of the structure in order to meet setback requirements. Staff recommends denial of this request because no evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by building the Accessory Structure (Class II) that does not meet code requirements for building setback along the east property line. Reconstruction of the Accessory Structure (Class II) at the proper setback would allow conformance to the Title 19 requirements.

FINDINGS (VAR-37831)

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 building the Accessory Structure (Class II) that does not meet code requirements for building setback along the east property line. Reconstruction of the Accessory Structure (Class II) at the proper setback would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 6

NOTICES MAILED 109

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-37831** APN: 163-02-311-006

Name of Property Owner: Sandra Lippincott

Name of Applicant: Same

Name of Representative: Brent and Patricia Conrad

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: Sandra Lippincott

Print Name: Sandra Lippincott

Subscribed and sworn before me

This 26 day of March, 2010

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
KEVIN J. MACKEY
Appt. No. 05-97015-1
My Appt. Expires April 28, 2013

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Sandra Lippincott

Project Address (Location) 6791 Sierra Trail L.V., NV.

Project Name Shed **Proposed Use** Storage

Assessor's Parcel #(s) 163-02-311-006 **Ward #** 1

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

Commercial Square Footage N/A **Floor Area Ratio** _____

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

Additional Information _____

PROPERTY OWNER Sandra Lippincott **Contact** _____

Address 6791 Sierra Trail **Phone:** 873-4369 **Fax:** _____

City Las Vegas **State** NV. **Zip** 89146

E-mail Address _____

APPLICANT same as above **Contact** _____

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

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

E-mail Address _____

REPRESENTATIVE Brent + Patricia Conrad **Contact** 379-3060 / 400-3261

Address 5336 Elkhorn Road **Phone:** 645-0969 **Fax:** 656-3556

City LAS Vegas **State** NV **Zip** 89131

E-mail Address wbc12@cox.net

Property Owner Signature* Sandra Lippincott

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

Print Name SANDRA LIPPINCOTT

Subscribed and sworn before me

This 26 day of March, 20 10.

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
KEVIN J. MACKEY
Appt. No. 05-97015-1
My Appt. Expires April 28, 2013

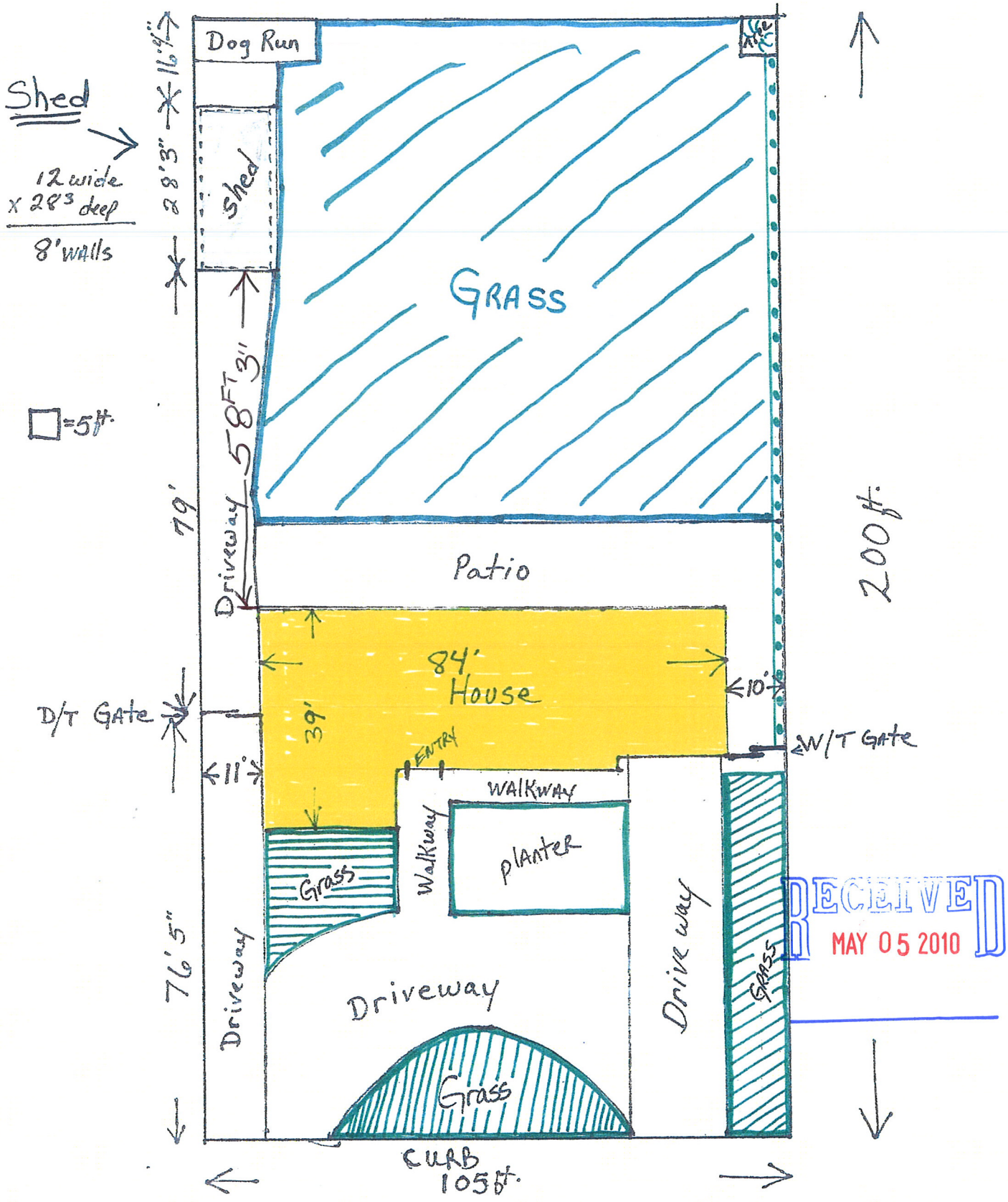
FOR DEPARTMENT USE ONLY

Case #	VAR-37831
Meeting Date*	05/27/10
Total Fee:	$830.00
Date Received:*	04/01/10
Received By:	

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

Revised 10/27/08

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

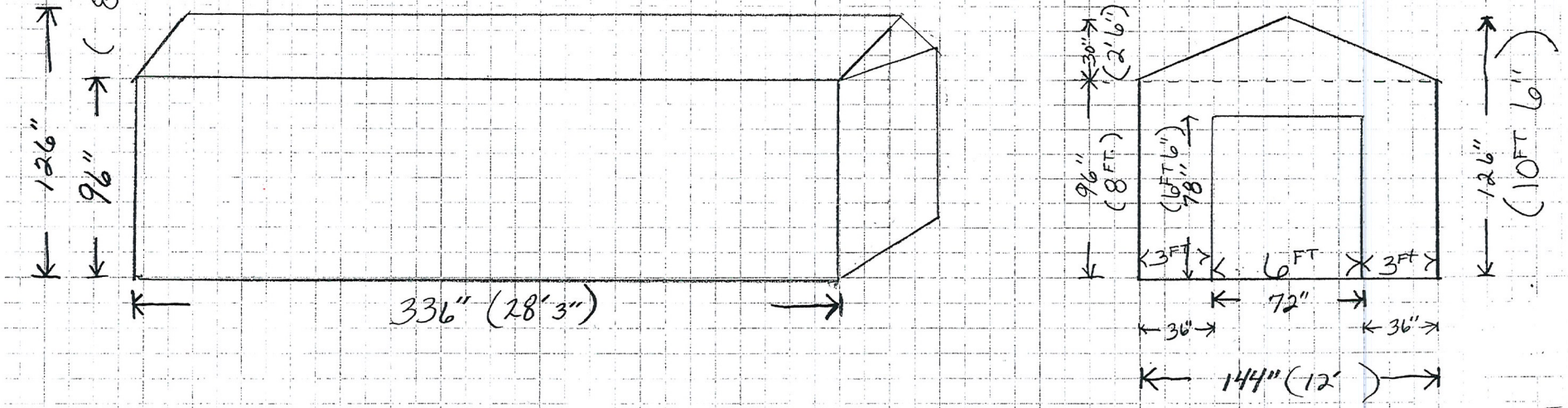


RECEIVED
MAY 05 2010

VAR-37831
REVISED

Shed @ rear of property

Stucco sided
Grey tile roof



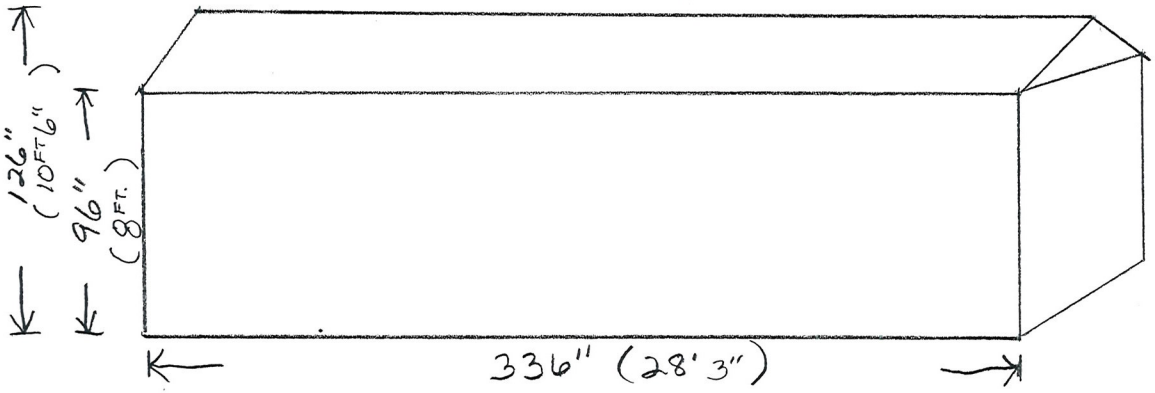
RECEIVED
MAY 05 2010

VAR-37831
REVISED

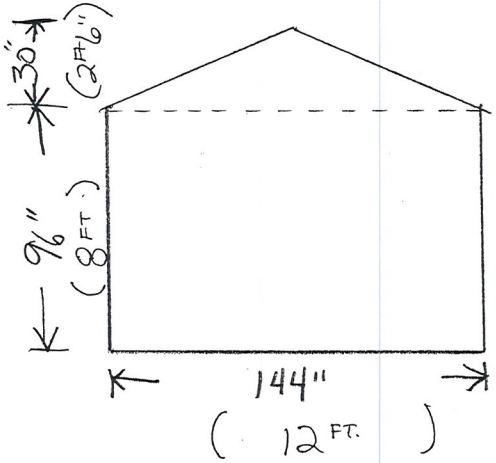
Stucco Sided
Tile Roof

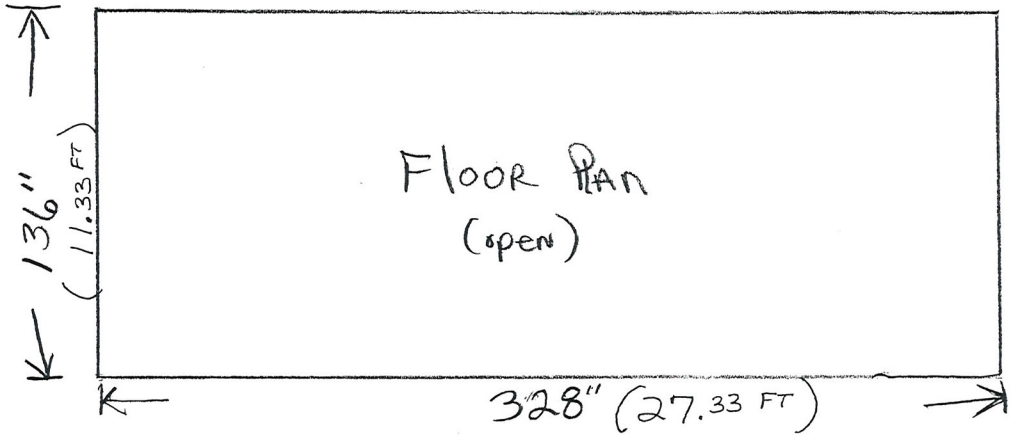
Shed @ Rear of property

EAST Side



South side





RECEIVED
MAY 05 2010

VAR-37831
REVISED









RECEIVED
APR 09 2010

VAR-37831









RECEIVED
APR 09 2010

VAR-37831

March 31, 2010

RE: 6791 Sierra Trail
Las Vegas, NV

To City of Las Vegas,

While I am representing my mother Sandra Lippincott, in regards to the existing storage facility located on her property, we have learned that a variance is needed to keep this building in compliance with the City of Las Vegas. The building has been located in the southeast corner of her property since 1979. My father had the shed built back when the parcel was located in the County, but has since been annexed into the City. We have searched for a copy of the original permit to no avail, and due to the fact that he passed away in 2005, have little doubt that we will find it. I understand that a neighbor has filed a complaint regarding this matter, but knowing he has lived next door for 19 years with no mention of disapproval, cannot understand why at this time his has made a complaint. We are trying to correct this matter by requesting a variance. The shed has been improved since originally built, by adding stucco finish and a tile roof to match the new roof and siding of the main home structure. We did find the copy of the permit issued by the City of Las Vegas when my father had the home reroofed in 1996, therefore showing he was the type of person to do things by correct standards.

We feel that asking my mother to have the shed moved to a different location on the property would cause her further financial hardship, as she has not the income to do so. Any suggestions regarding this matter would greatly be appreciated.

Thank you for your help,

Patricia L Conrad

Patricia Conrad

702-400-3261

RECEIVED
APR 01 2010
VAR-37831

City of Las Vegas Agenda Item No.: **32.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

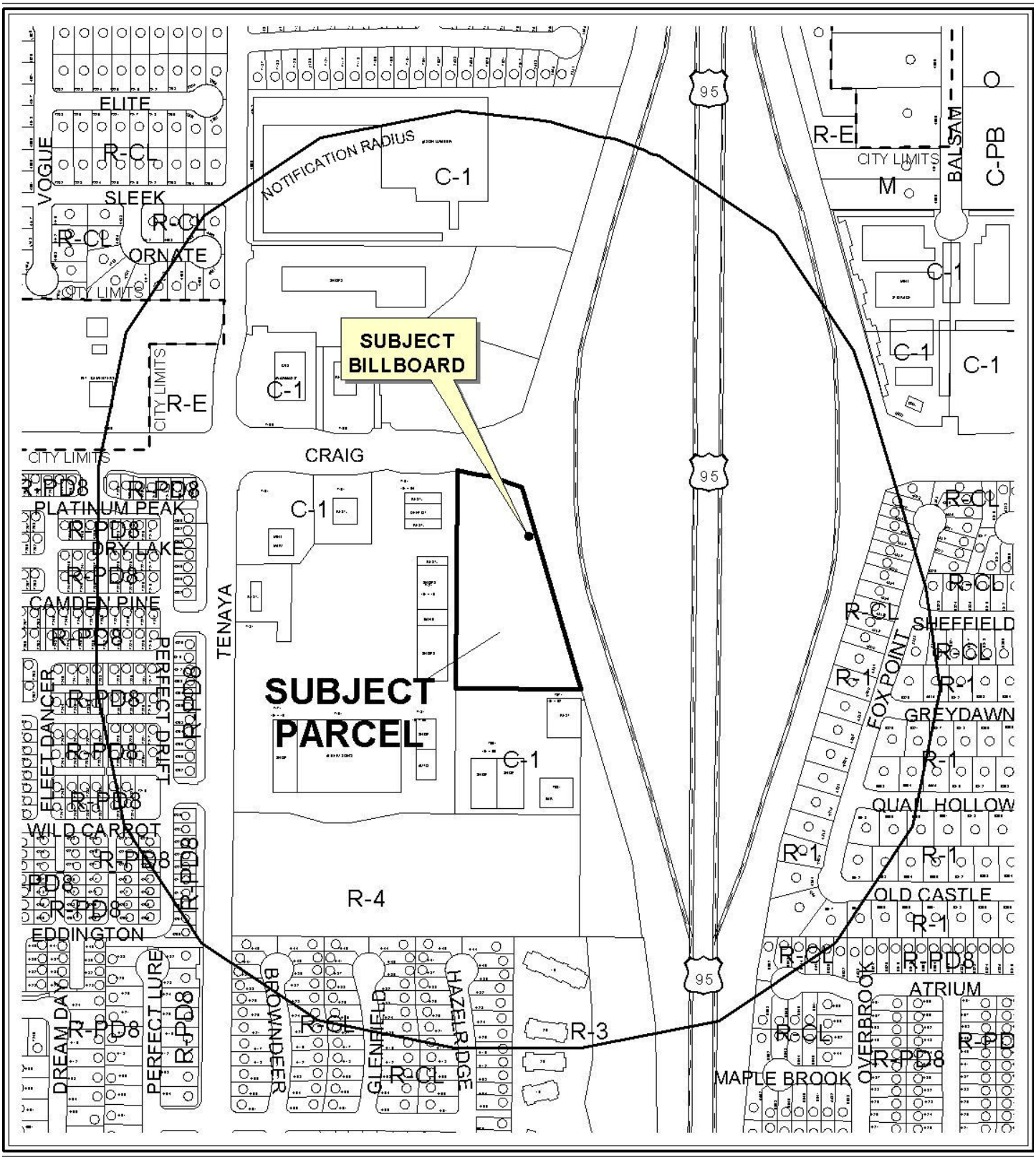
SUBJECT:
VAR-37837 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: CRAIG 95, LLC - Request for a Variance TO INCREASE THE HEIGHT OF AN EXISTING 14-FOOT BY 48-FOOT OFF-PREMISE SIGN TO 47 FEET WHERE 40 FEET IS THE MAXIMUM HEIGHT ALLOWED on 3.52 acres at 7075 West Craig Road (APN 138-03-701-003), C-1 (Limited Commercial) Zone, Ward 4 (Anthony). Staff recommends DENIAL.

C.C.: 07/07/2010

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

RECOMMENDATION:
Staff recommends DENIAL.

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



CASE: **VAR-37837**

RADIUS: 1000 FT

0 400 800 Feet

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

N



CASE: **VAR-37837**

RADIUS: 1000 FT

0 400 800 Feet

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: CRAIG 95, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-37837	Staff recommends DENIAL, if approved subject to conditions:	

** CONDITIONS **

VAR-37837 CONDITIONS

Planning and Development

1. Conformance to the conditions for Special Use Permit (SUP-4694).

2. This approval shall be void two years from the date of final approval, unless a building permit is issued for the Off-Premise sign. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. Bird deterrent devices shall be installed on the sign within 30 days of final approval 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.

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is requesting a Variance (VAR-37837) to raise an existing 40-foot tall, 14-foot by 48-foot Off-Premise Sign to 47feet at 7075 West Craig Road. The existing Off-Premise Sign is located on the northeast corner of the subject property. A 41,097 square-foot shopping center is under construction at the subject site and due to the positioning of the buildings the Off-Premise Sign visibility is partially obscured. Staff cannot support this Variance request, since the hardship was self-imposed by the site design. If the application is denied, the Off-Premise Sign would remain at 40 feet in height.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
01/21/04	The City Council approved a request for Rezoning (ZON-3197) from U (Undeveloped) [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial) on 3.53 acres adjacent to the southwest corner of Craig Road and U.S. 95 Freeway. The Planning Commission recommended approval.
11/17/04	The City Council approved a request for a Special Use Permit (SUP-4694) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 7075 West Craig Road. The Planning Commission recommended approval.
08/01/07	The City Council approved a request for a Site Development Plan Review (SDR-19643) for a 37,925 square-foot commercial center and waivers of perimeter landscape buffer standards to allow no landscaping along the south and east property lines where an eight-foot wide buffer is required and a two-foot wide buffer along a portion of the north property line where an eight-foot wide buffer is required on 3.53 acres on the south side of Craig Road, west of U.S. 95. The Planning Commission and staff recommended approval.
08/01/07	The City Council approved a request for Rezoning (ZON-19647) from U (Undeveloped) [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial) on 3.53 acres on the south side of Craig Road, west of U.S. 95. The Planning Commission recommended approval.
02/28/08	The Planning Commission approved a request for a Major Amendment of a previously approved Site Development Plan Review (SDR-25484) for a proposed 41,097 square-foot shopping center on 3.53 acres adjacent to the south side of Craig Road, west of U.S. 95. Staff recommended approval.

10/01/08	The City Council approved a request for a Special Use Permit (SUP-29027) for a proposed Pawnshop with a waiver to allow a zero-foot distance separation to another Financial Institution specified where 1,000 feet is required at the southwest corner of U.S. 95 and Craig Road. The Planning Commission recommended approval and staff recommended denial.
12/18/08	A Code Enforcement case (72905) was processed for refuse and waste on property at 7075 West Craig Road. Code Enforcement closed the case on 01/15/09.
01/07/09	The City Council approved a request for a Required Review (RQR-30484) of a previously approved Special Use Permit (SUP-4694) for a 40-foot tall, 14-foot by 48-foot Off-premise Sign at 7075 West Craig Road. The Planning Commission and staff recommended approval.
07/09/09	The Planning and Development Department administratively approved a request for a Minor Site Development Plan Review (SDR-34582) for a restaurant with drive-through and a reduction in square footage of an approved shopping center with a waiver to allow a zero-foot perimeter landscape buffer where two feet was approved on 3.53 acres adjacent to the south side of Craig Road, west of U.S. 95.
09/02/09	The City Council approved a request for an Extension of Time (EOT-35333) of a previously approved Rezoning (ZON-19647) from U (Undeveloped) [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial) on 3.53 acres on the south side of Craig Road, west of U.S. 95.

Most Recent Change of Ownership	
07/13/05	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
07/18/05	A building permit (5004899) was issued for a 40-foot tall, 14-foot by 48-foot Off-premise Sign at 7075 West Craig Road. The permit was finaled on 08/01/06.
05/08/09	A building permit (139191) was issued for rough grading at 7075 West Craig Road. The permit is still active.
05/12/09	A building permit (139190) was issued for on-site hardscapes at 7075 West Craig Road. The permit is still active.
11/02/09	Building permits (150422, 150423 and 150424) was issued for three trash enclosures at 7075 West Craig Road. The permit is still active.
11/03/09	A building permit (138889) was issued for a restaurant shell for Certificate of Competition at 7079 West Craig Road. The permit is still active.
11/03/09	A building permit (138888) was issued for Retail shell #2 for Certificate of Competition at 7083 West Craig Road. The permit is still active.

11/13/09	A building permit (139190) was issued for Retail shell #1 for Certificate of Competition at 7077 West Craig Road. The permit is still active.

Pre-Application Meeting	
03/11/10	A pre application meeting was held with the applicant where the submittal requirements for a Special Use Permit were discussed. Topics included: • Revise the justification letter to address the specific Off-Premise Sign height and placement. • Provide elevations for the Off-Premise Sign. • Bird deterrent devices may be required.

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

Field Check	
04/22/10	The subject site is under construction, with the area blocked off and free of debris.

Details of Application Request	
Site Area	
Net Acres	3.53

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Undeveloped Land	SC (Service Commercial)	C-1 (Limited Commercial)
South	Retail Establishments and Tavern	SC (Service Commercial)	C-1 (Limited Commercial)
East	U.S. 95 Freeway	ROW (Right-of-Way)	ROW (Right-of-Way)
West	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area		X	
Special Purpose and Overlay Districts	***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
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.14.100, the following standards apply:

Standards	*Code Requirement*	*Proposed*	*Compliance*
Height Off-Premise Sign	40 Feet above grade	47 Feet	N

ANALYSIS

This request is to allow a 47-foot tall, 14-foot by 48-foot Off-Premise Sign where 40 feet is the maximum height permitted. The applicant has given no compelling justification for approval. A building permit (5004899) for the current 40-foot tall Off-Premise Sign was issued on 07/18/05 renewed on 07/26/06, and the permit was finaled on 08/01/06. Construction of the 41,097 square-foot shopping center began in 2009. The shopping center was designed without taking the location and height of the Off-Premise Sign into consideration. The height increase would be 17.5% higher than what was approved by Special Use Permit (SUP-4694). Given these circumstances, staff cannot support this request and recommends denial. If approved, a 47-foot tall sign would remain in conformance with the Airport Overlay District restrictions.

FINDINGS (VAR-37837)

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 designing the site without consideration of the location and elevation of the existing Off-Premise Sign. A redesign of the buildings elevation would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

NOTICES MAILED 196

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-37837** APN: 138-03-701-003

Name of Property Owner: Craig 95 L.L.C

Name of Applicant: Craig 95 L.L.C

Name of Representative: Ali Kaveh

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: Ali Kaveh

Print Name: Ali Kaveh

Subscribed and sworn before me

This 10 day of February, 20 10

Andrea Toussaint

Notary Public in and for said County and State

ANDREA TOUSSAINT
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 06-29-2011
Certificate No: 07-3795-1

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM Variance

Application/Petition For: Craig 95 L.L.C

Project Address (Location) 7075 W Craig Rd

Project Name Craig 95 L.L.C **Proposed Use** OFF premise sign

Assessor's Parcel #(s) 138-03-701-003 **Ward #** 4

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

Commercial Square Footage 15,000 **Floor Area Ratio** _____

Gross Acres 3.5 **Lots/Units** 1 **Density** _____

Additional Information _____

PROPERTY OWNER Craig 95 L.L.C **Contact** Ali Kaveh

Address 3824 S. Jones #F **Phone:** 277-0194 **Fax:** 251-0918

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

E-mail Address Kaveh1769@gmail.com

APPLICANT Craig 95 L.L.C **Contact** Ali Kaveh

Address 3824 S. Jones #F **Phone:** 277-0194 **Fax:** 251-0918

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

E-mail Address Kaveh1769@gmail.com

REPRESENTATIVE Ali Kaveh **Contact** Ali Kaveh

Address 3824 S. Jones #F **Phone:** 277-0194 **Fax:** 251-0918

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

E-mail Address Kaveh1769@gmail.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 Ali Kaveh

Subscribed and sworn before me

This 11 day of February, 20 10.

_____

Notary Public in and for said County and State

ANDREA TOUSSAINT
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 06-29-2011
Certificate No: 07-3795-1

FOR DEPARTMENT USE ONLY

Case #	VAR 37837
Meeting Date:	5.27.10
Total Fee:	$830.00
Date Received:*	4.1.10
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



VICINITY MAP

SITE NOTES

	DESCRIPTION
1.	VEHICLE AND VAN ACCESSIBLE PARKING SIGNS SEE DETAIL 1A/AS.2.
2.	LOADING ZONE SIGN SEE DETAIL 1B/AS.2.
3.	TRASH ENCLOSURE (SPLIT FACE CMU) SEE DETAIL 4/AS.2.
4.	EXPOSED AGGREGATE SIDEWALK WITH JOINTS AT 45 DEG. AND 10'-0" O.C. (BROWN AGGREGATE) W/ A CURB (BROWN COLOR)
5.	ACCESSIBLE ROUTE SHALL NOT EXCEED 5% SLOPE AND 2% CROSS SLOPE.
6.	PAINTED WHITE STRIPING 4" WIDE.
7.	HANDICAPPED PARKING SYMBOL 4'X4' PAINTED BLUE WITH WHITE BACKGROUND.
8.	6'-0" PRECAST CONCRETE BUMPERS.
9.	5'-0" PUBLIC SIDEWALK.
10.	LANDSCAPING AREA SEE LANDSCAPING PLANS.
11.	SIDEWALK.
12.	NEW ASPHALT PAVING SEE CIVIL PLANS.
13.	SITE WALL SEE DETAIL 3/AS.2
14.	CMU/RAILING WALL DESIGN PER SERENE ESTATES
15.	POLE MOUNTED SITE LIGHTING.
16.	EXISTING STREET LIGHTING.
17.	DECORATIVE STAMPED COLORED CONCRETE.
18.	13" AFF RAISED STONE PLANTER - CULTERED STONE CJ/ 8" CMU
19.	18" AFF WROUGHT IRON PLANTER - DRILL AND EPOXY INTO CONCRETE AROUND OPEN PLANTER
20.	FOR RAMP INFORMATION - SEE DETAILS 3/A1.2 & 5/A1.2 - SEE CIVIL FOR GRADES
21.	TRASH ENCLOSURE (SPLIT FACE CMU) SEE DETAILS/AS.2

GENERAL NOTES

1. SEE CIVIL PLANS FOR SITE DESIGN, UTILITIES, BUILDING LAYOUT AND GRADING.
2. SEE ELECTRICAL PLANS FOR SITE LIGHTING.
3. BUILDINGS, FENCES, WALLS & ENCLOSURES ETC REQUIRE A SEPARATE PERMIT AND APPLICATION.

SITE ANALYSIS

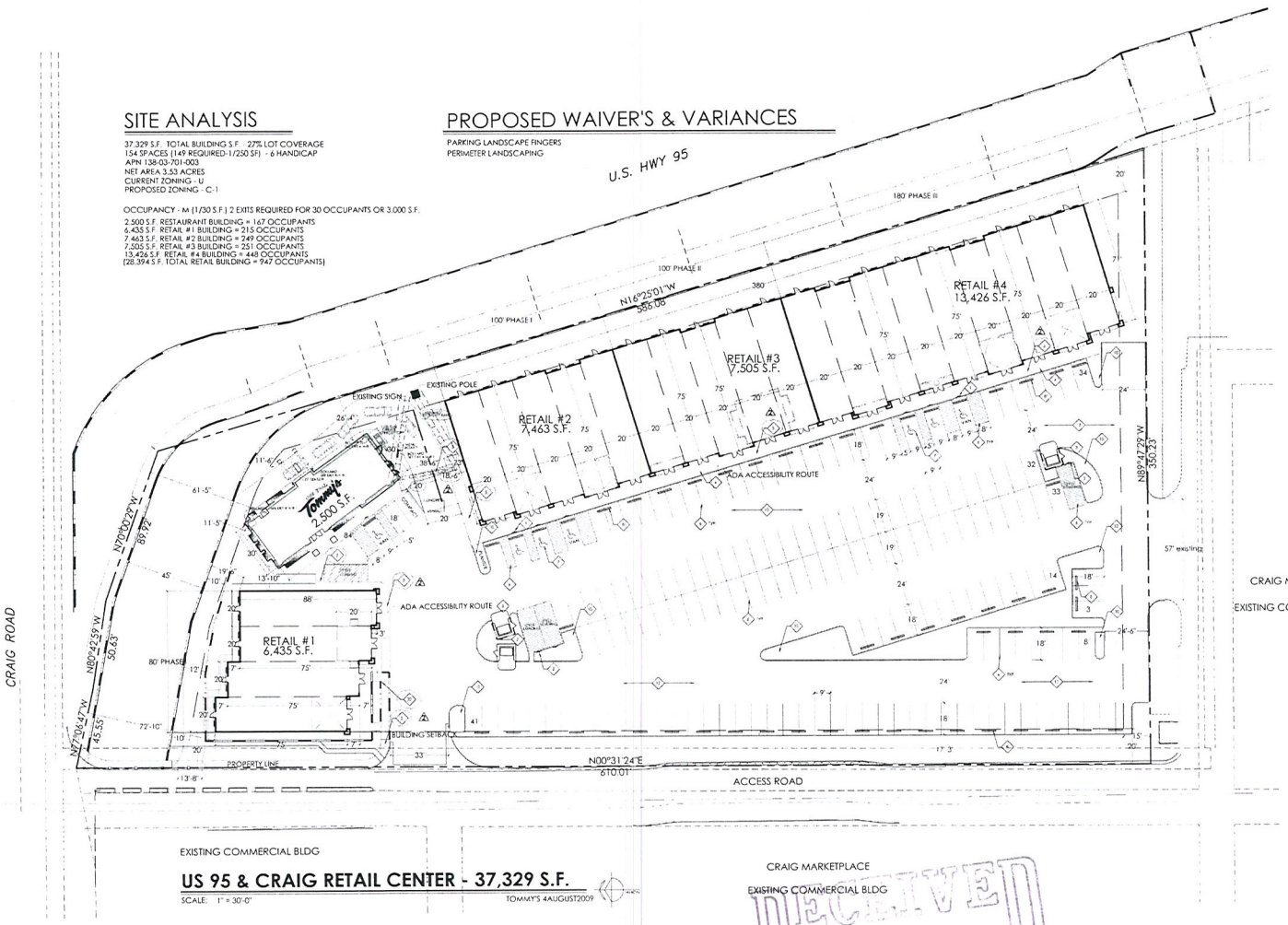
37,329 S.F. TOTAL BUILDING S.F. - 27% LOT COVERAGE
154 SPACES (149 REQUIRED-1/250 SF) - 6 HANDICAP
APN 138-03-701-003
NET AREA 3.53 ACRES
CURRENT ZONING - U
PROPOSED ZONING - C-1

OCCUPANCY - M (1/30 S.F.) 2 EXITS REQUIRED FOR 30 OCCUPANTS OR 3,000 S.F.

2,500 S.F. RESTAURANT BUILDING = 167 OCCUPANTS
6,435 S.F. RETAIL #1 BUILDING = 215 OCCUPANTS
7,463 S.F. RETAIL #2 BUILDING = 249 OCCUPANTS
7,505 S.F. RETAIL #3 BUILDING = 251 OCCUPANTS
13,426 S.F. RETAIL #4 BUILDING = 448 OCCUPANTS
[28,394 S.F. TOTAL RETAIL BUILDING = 947 OCCUPANTS]

PROPOSED WAIVER'S & VARIANCES

PARKING LANDSCAPE FINGERS
PERIMETER LANDSCAPING



US 95 & CRAIG RETAIL CENTER - 37,329 S.F.

SCALE: 1" = 30'-0" TOMMY'S 4AUGUST2009

RECEIVED
APR 01 2010

VAR-37837

9-18-09 NEVADA REGISTERED NO. 24

SITE & FLOOR PLAN
OWNER / DEVELOPER
PLATINUM REALTY & DEVELOPMENT 251-0218
3324 S. JONES BLVD. #9103
LAS VEGAS, NEVADA 89103

GREGORY J MOORE
ARCHITECT
1569 FOOTHILLS VILLAGE DR HENDERSON NEVADA 89012
702 873 0182 888 346 0750 (F)

US 95 & CRAIG ROAD
RETAIL CENTER
US 95 AND CRAIG ROAD
LAS VEGAS NEVADA

A-1



SITE NOTES

	DESCRIPTION
1.	VEHICLE AND VAN ACCESSIBLE PARKING SIGNS SEE DETAIL 1A/AS.2
2.	LOADING ZONE SIGN SEE DETAIL 1B/AS.2
3.	TRASH ENCLOSURE (SPLIT FACE CMU) SEE DETAIL 4/AS.2
4.	EXPOSED AGGREGATE SIDEWALK WITH JOINTS AT 45 DEG. AND 1/2-0" O.C. (BROWN AGGREGATE) W/ A CURB (BROWN COLOR)
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13.	SITE WALL SEE DETAIL 3/AS.2
14.	CMU/PAILING WALL DESIGN PER SERENE ESTATES
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1. SEE CIVIL PLANS FOR SITE DESIGN, UTILITIES, BUILDING LAYOUT AND GRADING
2. SEE ELECTRICAL PLANS FOR SITE LIGHTING
3. BUILDINGS, FENCES, WALLS & ENCLOSURES ETC. REQUIRE A SEPARATE PERMIT AND APPLICATION

SITE ANALYSIS

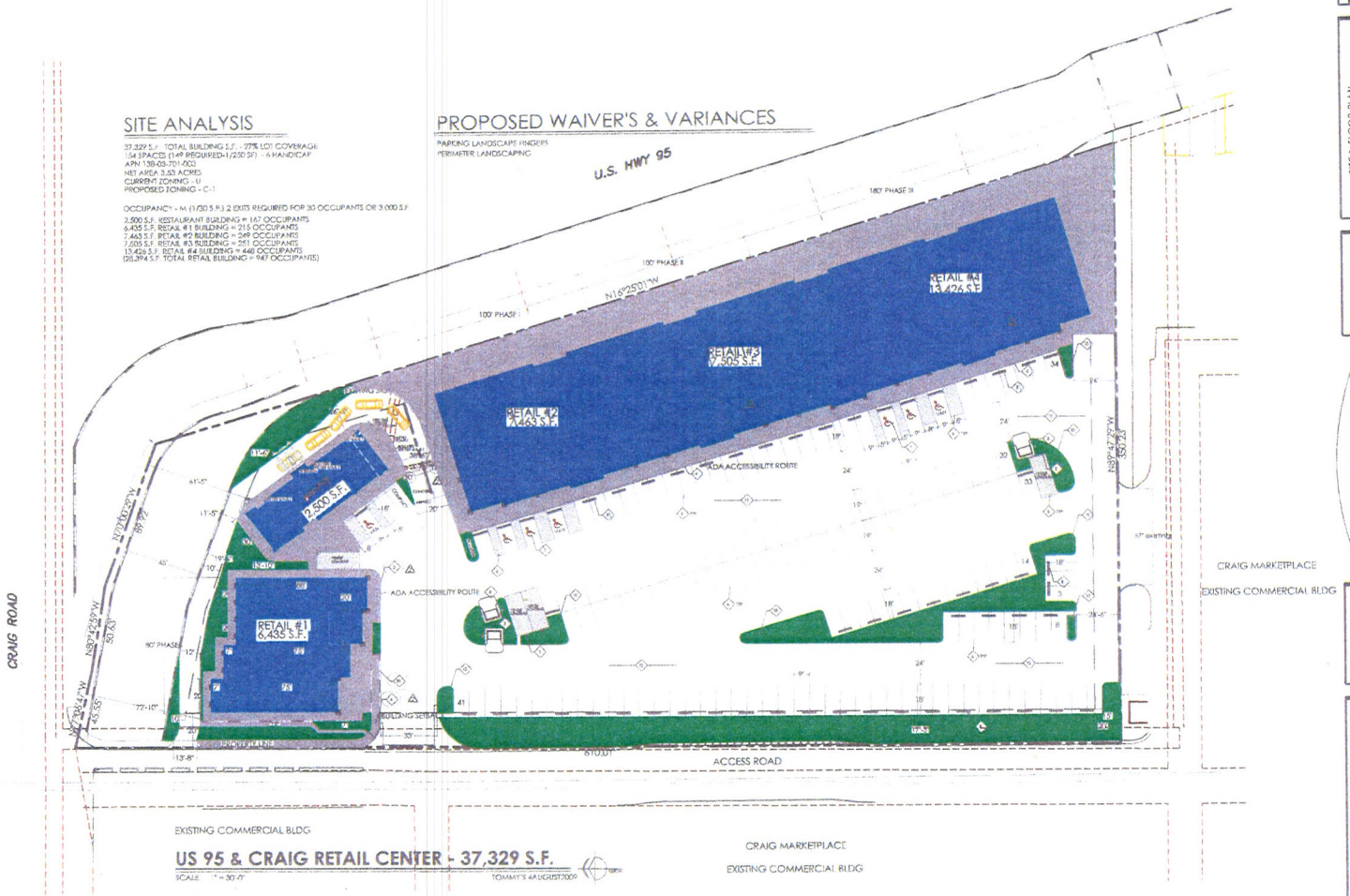
37,329 S.F. TOTAL BUILDING S.F. - 27% LOT COVERAGE
154 SPACES (149 REQUIRED-1/250 SF) - 6 HANDICAP
APN 138-03-701-003
NET AREA 3.53 ACRES
CURRENT ZONING - U
PROPOSED ZONING - C-1

OCCUPANCY - M (1/30 S.F.) 2 EXITS REQUIRED FOR 30 OCCUPANTS OR 3,000 S.F.

2,500 S.F. RESTAURANT BUILDING = 167 OCCUPANTS
6,435 S.F. RETAIL #1 BUILDING = 215 OCCUPANTS
7,463 S.F. RETAIL #2 BUILDING = 249 OCCUPANTS
7,505 S.F. RETAIL #3 BUILDING = 251 OCCUPANTS
13,426 S.F. RETAIL #4 BUILDING = 448 OCCUPANTS
(28,394 S.F. TOTAL RETAIL BUILDING = 947 OCCUPANTS)

PROPOSED WAIVER'S & VARIANCES

PARKING LANDSCAPE FINGERS
PERIMETER LANDSCAPING



US 95 & CRAIG RETAIL CENTER - 37,329 S.F.

SCALE: 1" = 30'-0"

TOMMY'S 4 AUGUST 2009

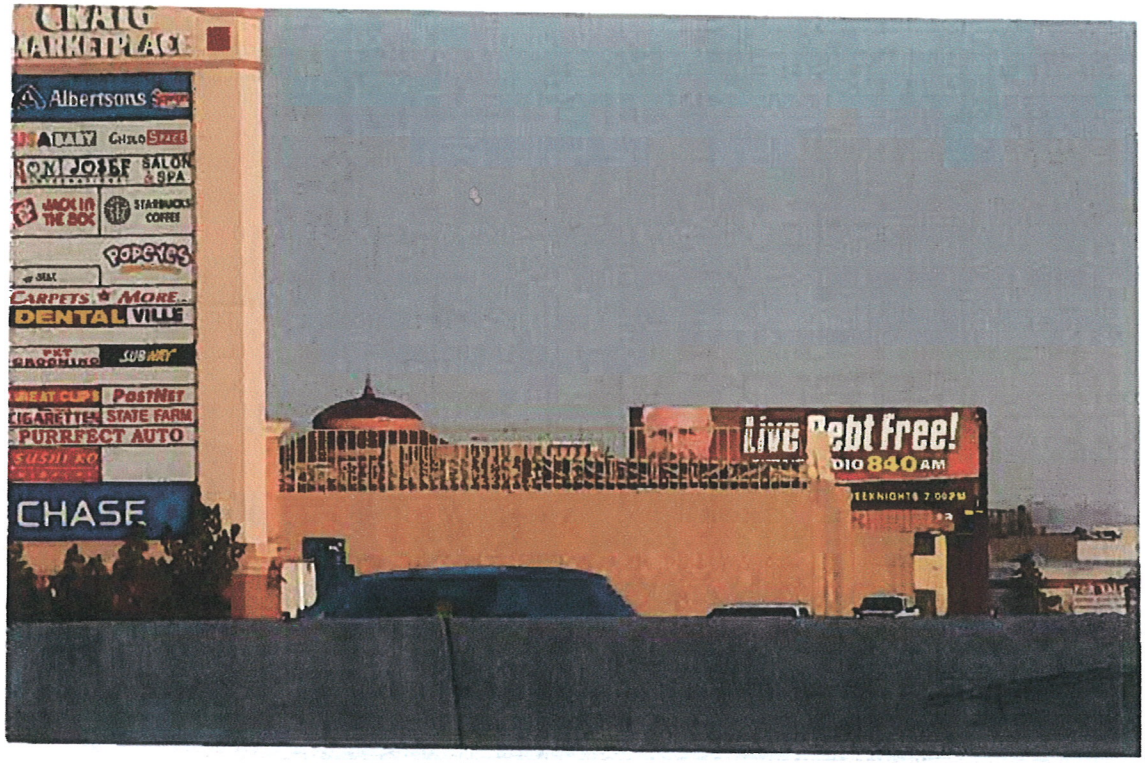
SITE & FLOOR PLAN

OWNER / DEVELOPER
PLATINUM REALTY & DEVELOPMENT 251-0216
3824 S. JONES BLVD. #F
LAS VEGAS NEVADA 89103

GREGORY J MOORE

US 95 & CRAIG ROAD
RETAIL CENTER
US 95 AND CRAIG ROAD
LAS VEGAS, NEVADA

RECEIVED
APR 07 2010





VAR-37837

RECEIVED
APR 07 2010



VAR-37837 - APPLICANT/OWNER: CRAIG 95, LLC
7075 WEST CRAIG ROAD

04/22/10



VAR-37837 - APPLICANT/OWNER: CRAIG 95, LLC
7075 WEST CRAIG ROAD

04/22/10



VAR-37837 - APPLICANT/OWNER: CRAIG 95, LLC
7075 WEST CRAIG ROAD

04/22/10

PLATINUM REALTY and DEVELOPMENT

Acquisition – Development – Leasing - Management

April 5, 2010

RE: Craig 95, LLC

To Whom It May Concern:

Due to the fact that the above referenced project is in a one hundred year flood zone. We had to raise the building pad by seven feet in order to meet FEMA, NDOT & City of Las Vegas requirements. As a result our building is blocking a portion of the existing billboard. Attached is a photo showing the building that is blocking the billboard.

We are requesting to raise the billboard on the photo attached, seven feet to regain visibility. We are not relocating the billboard, just raising it for proper exposure.

Should there be any questions please contact me at (702) 251-0218.

Thank you,

Alireza Kaveh
Craig 95, LLC

RECEIVED
APR 07 2010
VAR-37837

City of Las Vegas Agenda Item No.: **33.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

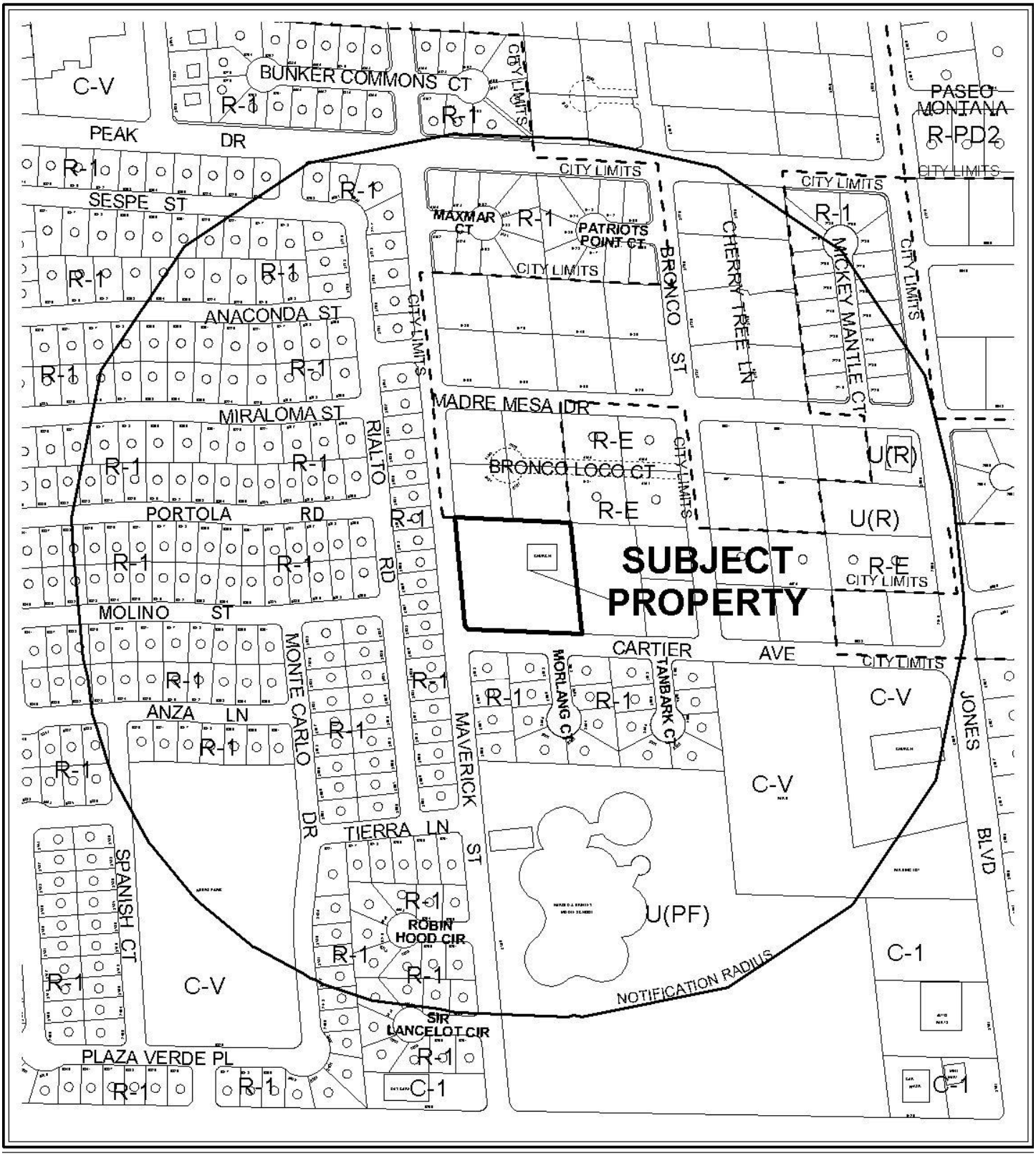
SUBJECT:
VAR-37850 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: ST. MARY COPTIC ORTHODOX CHURCH - Request for a Variance TO ALLOW A 31-FOOT FRONT YARD SETBACK WHERE 50 FEET IS REQUIRED on 1.96 acres at 6170 West Cartier Avenue (APN 138-14-703-009), R-E (Residence Estates) Zone, Ward 5 (Barlow). Staff recommends DENIAL.

C.C.: 07/07/2010

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 DENIAL.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps – VAR-37850 and SDR-37848
2. Conditions and Staff Report – VAR-37850 and SDR-37848
3. Supporting Documentation
4. Photos – VAR-37850 and SDR-37848
5. Justification Letter – VAR-37850 and SDR-37848
6. Support Letter – VAR-37850 and SDR-37848



0 300 600 Feet

CASE: **VAR-37850 AND SDR-37848**

RADIUS: 1000 FT

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

N



0 300 600 Feet

CASE: **VAR-37850 AND SDR-37848**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: ST. MARY COPTIC ORTHODOX CHURCH

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-37850	Staff recommends DENIAL, if approved subject to conditions:	
SDR-37848	Staff recommends DENIAL, if approved subject to conditions:	VAR-37850

** CONDITIONS **

VAR-37850 CONDITIONS

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-37848) shall be required, if approved.

2. Conformance to the approved conditions for Special Use Permit (UC-1373-00) and all other site related actions.

3. 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.

4. 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.

5. These Conditions of Approval shall be affixed to the cover sheet of the plan set submitted for building permit.

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

SDR-37848 CONDITIONS

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-37850) shall be required, if approved.

2. Conformance to the approved conditions for Special Use Permit (UC-1373-00) and all other site related actions.

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

4. All development shall be in conformance with the site plan date stamped 05/04/10, landscape plan date stamped 04/27/10, and building elevations date stamped 04/02/10, except as amended by conditions herein.

5. 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.

6. These Conditions of Approval shall be affixed to the cover sheet of the plan set submitted for building permit.

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. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

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

Public Works

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

15. 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.

16. 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.

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is proposing to construct a 3,338 square-foot multipurpose building on a site at the northeast corner of Cartier Avenue and Maverick Street. The site currently consists of a 3,000 square foot assembly hall currently used as a Church and a play area located in the northeast corner of a 1.96-acre parcel. The assembly building was constructed while the property was in the jurisdiction of Clark County. The site is paved, with the exception of two unimproved pads, one for an approved 6,000 square-foot church and the other for a proposed priest/guest quarters on the northwest corner of the site. The perimeter includes landscaping and six-foot wrought iron fencing and non-decorative block walls. Staff recommends denial of the associated variance for the front yard setback, and therefore also recommends denial of the Site Development Plan Review for the multipurpose guest building. If denied, the building cannot be constructed as proposed and a new Site Development Plan Review would be required.

ISSUES

- A Special Use Permit was approved by Clark County for a 6,000 square-foot church, 3,000 square-foot multi-use building, a play area and a 2,000 square-foot parsonage. The 3,000 square-foot multi-use building was constructed in 2003, thereby exercising the Special Use Permit.
- The proposed parsonage and guest quarters were approved by Clark County in the same location as proposed by this request.
- A Waiver of landscape design standards was included in the County's approval.
- A Variance to allow a 31-foot front yard setback where 50 feet is required must be approved prior to approval of the Site Development Plan Review.
- A Site Development Plan Review is required for the proposed parsonage and guest quarters, which is 67 percent larger than previously approved.
- The applicant has obtained a letter of support from the owner of the residential property directly to the north of the building site.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
07/17/97	The Clark County Planning Commission approved a request for a Special Use Permit (UC-0972-97) for a proposed 6,000 square-foot church located at the northeast corner of Maverick Street and Cartier Avenue. Clark County Planning staff recommended denial.

09/01/98	The Clark County Planning Commission approved an Extension of Time (ET-0279-98) of a previously approved Special Use Permit (UC-0972-97) for a proposed 6,000 square-foot church located at the northeast corner of Maverick Street and Cartier Avenue. Clark County Planning staff recommended approval for two additional years. The approved Special Use Permit (UC-0972-97) expired 09/01/00.
10/05/00	The Clark County Planning Commission approved a request for a Special Use Permit (UC-1373-00) for a proposed church with accessory uses and a Waiver of development standards to allow an alternative landscape design on property located at the northeast corner of Maverick Street and Cartier Avenue. Clark County Planning staff recommended approval of the Special Use Permit and denial of the waiver.
09/17/01	The Clark County Comprehensive Planning Department administratively approved an Extension of Time (ADET-0874-01) of a previously approved Special Use Permit (UC-1373-00) for a proposed church with accessory uses and a Waiver of development standards to allow an alternative landscape design on property located at the northeast corner of Maverick Street and Cartier Avenue.
04/09/03	The Clark County Comprehensive Planning Department administratively approved an Extension of Time (ADET-0358-03) of a previously approved Special Use Permit (UC-1373-00) for a proposed church with accessory uses and a Waiver of development standards to allow an alternative landscape design on property located at the northeast corner of Maverick Street and Cartier Avenue.
09/12/03	The Clark County Comprehensive Planning Department administratively approved an Extension of Time (ADET-0877-03) of a previously approved Special Use Permit (UC-1373-00) for a proposed church with accessory uses and a Waiver of development standards to allow an alternative landscape design on property located at the northeast corner of Maverick Street and Cartier Avenue. The 3,000 square-foot first phase was completed 10/13/03, thereby exercising the Special Use Permit.
05/05/04	The City Council approved a Petition to Annex (ANX-3835) property located at the northeast corner of Maverick Street and Cartier Avenue that includes the subject site, containing approximately 2.16 acres. The Planning Commission and staff recommended approval. The Annexation became effective 05/14/04.

Most Recent Change of Ownership	
09/17/97	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
05/08/03	A building permit (#03-20468) was issued by the Clark County Building Department for a 3,000 square-foot assembly hall at 6170 West Cartier Avenue. Permits were also issued for mechanical, plumbing and electrical work for this project. The project was completed on 10/13/03.
05/21/03	A building permit (#03-23536) was issued by the Clark County Building Department for a six-foot tall wall along the east perimeter of the site at 6170 West Cartier Avenue.
06/05/03	A building permit (#03-25390) was issued by the Clark County Building Department for onsite water and sewer at 6170 West Cartier Avenue.
08/25/03	A building permit (#03-37289) was issued by the Clark County Building Department for a trash enclosure at 6170 West Cartier Avenue.
06/06/06	A building permit (#06003924) was issued for a freestanding shade structure at 6170 West Cartier Avenue. A final building inspection was completed on 07/20/06.
06/19/06	A building permit (#06004212) was issued for electrical work on a freestanding shade structure at 6170 West Cartier Avenue. A final building inspection was completed on 07/19/06.
08/19/08	A building permit (B-TI-119277) was issued for a tenant improvement to add an interior wall at 6170 West Cartier Avenue. A final building inspection was completed 07/13/09.

Pre-Application Meeting	
03/19/10	A pre-application conference was held with the applicant, where elements of applications for Special Use Permit, Variance and Site Development Plan Review were discussed. The following topics were discussed: • The applicant must provide documentation proving that UC-1373-00, approved by Clark County, is still active. If the entitlements are inactive, expired, or the applicant wants to change anything, then new entitlements will be required. • A Special Use Permit to expand the Church/House of Worship use will be required. It was later determined that expansion of the parsonage and guest quarters was not an expansion of the Church/House of Worship use. • A Site Development Plan Review for the expanded guest quarters will be required. The site will need to comply with current codes. • The two-story building will consist of an office, kitchen and dining area on the ground floor that can be used for other activities and residential guest quarters on the second floor. • Only the 6,000 square-foot sanctuary is required to be sprinklered. • Finished floor elevations need to be determined for flood control purposes.

03/19/10	• A parking analysis will need to be provided on the plans to demonstrate compliance with Code. • Provide scaled landscape plans and elevations showing the 3:1 proximity slope into protected residential properties to the north of the site.

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

Field Check	
04/22/10	A site visit was conducted, where the following was observed: • The site contains an existing church building and a patio cover at the rear of the property. • The site is paved, striped and landscaped, except for the pad areas reserved for the church building and priest living quarters. • A six-foot white wrought iron fence is constructed along Maverick Street and Cartier Avenue, and a six-foot plain CMU wall is constructed on the north and west perimeters. • A trash enclosure is located in the parking lot away from the existing building and pads.

Details of Application Request	
Site Area	
Net Acres	1.96

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Church/House of Worship	R (Rural Density Residential)	R-E (Residence Estates)
North	Single Family Dwellings, Detached	R (Rural Density Residential)	R-E (Rural Estates Residential - Clark County)
South	Single Family Dwellings, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
East	Undeveloped	R (Rural Density Residential)	R-E (Residence Estates)
West	Single Family Dwellings, Detached	L (Low Density Residential)	R-1 (Single Family Residential)

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area		X	N/A
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (105 Feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following development standards apply to the subject proposal:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	20,000 SF	85,378 SF	Y
Min. Lot Width	100 Feet	291 Feet	Y
Min. Setbacks			
• Front (Maverick Street)	50 Feet	31 Feet	N
• Side	10 Feet	15 Feet	Y
• Corner	15 Feet	166 Feet (47 Feet to approved church building)	Y
• Rear	35 Feet	50 Feet	Y
Min. Distance Between Buildings	10 Feet	112 Feet (43 Feet to approved church building)	Y
Max. Lot Coverage	N/A	7.6%	N/A
Max. Building Height	2 stories/35 Feet	23 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, gated	By condition
Mech. Equipment	Screened	Screened	By condition

The following landscaping standards apply to the subject proposal:
Landscaping for the existing site was approved by the Clark County Planning Commission through a Special Use Permit (UC-1373-00) and Waiver. The following indicates the existing landscaping approved and provided on the site:

Landscaping and Open Space – Previously Approved	
Standard	***Provided***
Buffer Trees: • North • South • East • West	 14 Trees (24" box) 10 Trees (15 gallon) 14 Trees (24" box) 11 Trees (15 gallon)
TOTAL PERIMETER TREES	**49 Trees**
Parking Area Trees	3 Trees
LANDSCAPE BUFFER WIDTHS	
Min. Zone Width: • North • South • East • West	 8 Feet 10 Feet 10 Feet 10 Feet
Wall Height	6 Feet

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	***Required***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Church (proposed)	6,000 SF	1:100 SF GFA	57				
TOTAL SPACES REQUIRED			60		93		Y
TOTAL (With Handicapped)			57	3	87	6	Y

ANALYSIS

After construction of the existing 3,000 square foot building in 2003, two additional approved building sites remain on the property: a pad for a 6,000 square-foot church building to the south of the existing building and a pad for a 2,000 square foot parsonage in the northwest corner of the site. This request proposes to expand the parsonage from a one-story, 2,000 square-foot building to a two-story, 3,338 square-foot parsonage and guest quarters. The remainder of the site is developed with landscaping around the perimeter, a 1,764 square-foot patio cover and asphalt and striping for 93 parking spaces. The landscaping and parking were approved through a previous action in the County; only the proposed building site for the parsonage and guest quarters is affected by the proposed action.

A lot width analysis shows that the side with the lesser width dimension fronting on a street is the side that faces Maverick Street. Title 18.04.230, by virtue of this lesser dimension, designates this side as the front. The proposed expansion of the parsonage and guest quarters will be set back 31 feet from the front lot line where Title 19.08 requires a 50-foot setback in an R-E (Residence Estates) zone. A variance is therefore required. Because additional room to place the building is available east of the proposed pad site and removal of existing parking spaces to allow for eastward movement of the building would not reduce the amount of parking provided below what is required for the site, denial of the variance is recommended. Since approval of the variance is required for subsequent approval of the site review, staff also recommends denial of the Site Development Plan Review request.

Although the site is adjacent to existing R-E (Rural Estates Residential – Clark County) zoned property, residential adjacency standards do not apply, as the Church/House of Worship use (non-residential) is not expanding nor is the parsonage and guest quarters considered a non-residential use.

The ground floor will contain storage areas, an office, restrooms, a kitchen and large dining area. The upper floor will contain a priest's quarters with balcony, two guest rooms, two bathrooms and a private office. The balcony faces east, away from existing residential properties. The building itself will consist of stucco and Spanish style roof tiles to match the exterior materials of the existing church.

FINDINGS (VAR-37850)

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 locating the proposed building closer to the front property line than allowed by the Zoning Code. Shifting the building location further to the east 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.

FINDINGS (SDR-37848)

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

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

   The proposed development was designed to be compatible with existing and proposed adjacent residential development, with screening provided on the north property line and no windows facing into existing residential properties.

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

   The proposed parsonage and guest quarters meets all applicable Title 19 requirements with the exception of the front setback, which is proposed to be 31 feet where 50 feet is required on R-E (Residence Estates) zoned lots. Landscaping and walls were approved under the jurisdiction of Clark County.

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

   Construction of the proposed building will not create additional traffic in the neighborhood, as it will primarily be used by the church's priest and guests. Parking is available onsite for special events that warrant use of the dining facilities. Circulation is not affected, as the pad site was figured in to the overall design of the site and does not impede drive aisles.

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

Building materials for the proposed parsonage and guest quarters will be compatible with those of the existing church/multi-purpose building and are appropriate for this area, which is primarily residential. Landscaping materials are existing and appropriately screen the property from adjacent residential properties.

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 are similar to a typical residential structure and will be compatible with the existing building on the site. The proposed two-story structure with sloping roof will not contain windows on the north side adjacent to existing residential properties. The balcony and covered patio will face east, toward the existing building. Articulation is provided for visual interest.

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

   Proposed development on the site will be subject to permit review and inspection, thereby protecting the public's health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13

NOTICES MAILED 253

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-37850** APN: 138-14-703-009

Name of Property Owner: Saint mary catholic church

Name of Applicant: _____

Name of Representative: Dr. Nabih Helmi

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: Nabih F. Helmi

Print Name: Nabih F. Helmi

Subscribed and sworn before me

This 22nd day of March, 2010

Gina Baez State of Nevada

Notary Public in and for said County and State County of Clark

GINA BAEZ
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 12-01-2013
Certificate No: 10-1102-1

PLANNING & DEVELOPMENT
CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: VERIANCE

Project Address (Location) 6170 W CARTIER

Project Name Multi Purpose Building & Guest House **Proposed Use** Guest House-Meeting Room

Assessor's Parcel #(s) 138-14-703-009 **Ward #** _____

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

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

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

Additional Information _____

PROPERTY OWNER St mary coptic church **Contact** MEHDI Owligie

Address 1651 Bel Castro ST **Phone:** 286-5700 **Fax:** 222-0987

City Lv **State** NV **Zip** 89117

E-mail Address owligie@AOL.com

APPLICANT ST. mary coptic church **Contact** SAME

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

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

E-mail Address _____

REPRESENTATIVE NABih - Helmi MD **Contact** _____

Address 2121 E WARM SPRINGS Rd #2039 **Phone:** 369-8007 **Fax:** _____

City LAS VEGAS **State** NV **Zip** 89119

E-mail Address _____

Property Owner Signature* Nabih F. Helmi

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

Print Name Nabih F. Helmi

Subscribed and sworn before me

This 22nd day of March, 20 10.

Gina Baez state of nevada county of clark

Notary Public in and for said County and State

GINA BAEZ
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 12-01-2013
Certificate No: 10-1102-1

FOR DEPARTMENT USE ONLY

Case #	VAR-37850
Meeting Date:	5/27
Total Fee:	$830
Date Received:*	4/2/10
Received By:	Bus

*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



VAR-37850 & SDR-37848 - APPLICANT/OWNER: ST. MARY COPTIC ORTHODOX CHURCH
6170 WEST CARTIER AVENUE

04/22/10



VAR-37850 & SDR-37848 - APPLICANT/OWNER: ST. MARY COPTIC ORTHODOX CHURCH
6170 WEST CARTIER AVENUE

04/22/10



VAR-37850 & SDR-37848 - APPLICANT/OWNER: ST. MARY COPTIC ORTHODOX CHURCH
6170 WEST CARTIER AVENUE

04/22/10



VAR-37850 & SDR-37848 - APPLICANT/OWNER: ST. MARY COPTIC ORTHODOX CHURCH
6170 WEST CARTIER AVENUE

04/22/10



VAR-37850 & SDR-37848 - APPLICANT/OWNER: ST. MARY COPTIC ORTHODOX CHURCH
6170 WEST CARTIER AVENUE

04/22/10

Saint Mary Coptic Church

6170 W. Cartier Ave

Las Vegas , Nv

Letter Of Justification

Dear Madam Or Sir

As you know we were approved by clark county board of commission for the said project. Since then, the property has been annexed into the city and our entitlements has expiered. We are respectfully asking for the following: Site development review for the priest quarter as well as a varieance to be 31 feet away from the west property line versus the required distance that is 50. The reason is that all utilities are there, the pad, landscape and driveway are finished. Also, moving the building to the east side will take away from parking, so your cosideration is truly appreciated.

Respectfully,

Mehdi Owliaie

RECEIVED
MAY 04 2010

VAR-37850
SDR-37848
REVISED

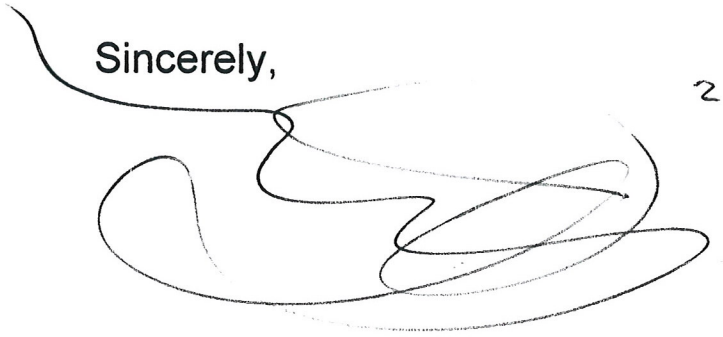
SAINT MARY CHURCH

6170 W.Cartier Ave.Las Vegas,NV 89108

To Whom It May Concern:

I Paulo Petit the home owner AT 6191 Broncoloco Ct have no objection to Saint Mary church constructing a two story building directly adjacent to my property, as long as the building is fifteen feet away from property line and there are no windows on the second floor over looking my yard.

Sincerely,



2-10-010

PAulo PETIT

6191 BRONCO LOCO CT

LASVEJAS. NV 89108

PARCL #138-14-703-008

RECEIVED
APR 27 2010

City of Las Vegas Agenda Item No.: **34.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

SUBJECT:
SDR-37848 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-37850 - PUBLIC HEARING - APPLICANT/OWNER: ST. MARY COPTIC ORTHODOX CHURCH - Request for a Site Development Plan Review FOR A PROPOSED TWO STORY, 3,338 SQUARE-FOOT PARSONAGE AND GUEST QUARTERS on 1.96 acres at 6170 West Cartier Avenue (APN 138-14-703-009), R-E (Residence Estates) Zone, Ward 5 (Barlow). Staff recommends DENIAL.

C.C.: 07/07/2010

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 DENIAL.

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation

Consistent with the City’ s sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-37848** APN: 138-14-703-009

Name of Property Owner: Saint mary coptic church

Name of Applicant: _____

Name of Representative: Dr. Nabih Helmi

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: 138-14-703-008

Signature of Property Owner: Nabih F. Helmi

Print Name: Nabih F. Helmi

Subscribed and sworn before me

This 23rd day of March, 2010

Gina Baez State of Nevada County of Clark

Notary Public in and for said County and State

GINA BAEZ
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 12-01-2013
Certificate No: 10-1102-1

PLANNING & DEVELOPMENT
CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Site Development Review

Project Address (Location) 6170 W Cartier

Project Name Multi Purpose Building & Guest House **Proposed Use** _____

Assessor's Parcel #(s) 138-14-703-009 **Ward #** _____

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

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

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

Additional Information _____

PROPERTY OWNER St Mary Coptic Church **Contact** Mehdi Owliaie

Address 1651 Belcastro St **Phone:** 286-5700 **Fax:** 222-0987

City LV **State** NV **Zip** 89117

E-mail Address owliaie@aol.com

APPLICANT St Mary Coptic Church **Contact** _____

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

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

E-mail Address _____

REPRESENTATIVE Nabih Helmi MD. **Contact** _____

Address 2121 E Warm Springs Rd #2039 **Phone:** 369-8007 **Fax:** _____

City LV **State** NV **Zip** 89119

E-mail Address _____

Property Owner Signature* Nabih F. Helmi

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

Print Name Nabih F. Helmi

Subscribed and sworn before me

This 22nd day of March, 20 10.

Gina Baez state of nevada county of clark

Notary Public in and for said County and State

GINA BAEZ
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 12-01-2013
Certificate No: 10-1102-1

FOR DEPARTMENT USE ONLY

Case #	SDR-37848
Meeting Date:	5/27 PC
Total Fee:	$1,030
Date Received:*	4/2/10
Received By:	BnS

*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

PROPOSED PRIEST & GUEST QUARTERS FOR ORTHODOX CHURCH

CODE ANALYSIS

CODE USED – 2006 IBC/IRC, 2006 UMC, 2006 UPC & 2005 NEC, ANSI 2003

JURIDICTION:	CITY OF LAS VEGAS
OCCUPANCY:	B/R
TYPE OF CONSTRUCTION:	V–B
FIRE PROTECTION:	NO FIRE SPRINKLERS
1ST. FLOOR AREA:	1,697 SQ.FT
2ND. FLOOR AREA:	1,641 SQ.FT
TOTAL FLOOR AREA:	3,338 SQ.FT

CURRENT ZONING = RE

LOT SIZE 1.9 AC

PARKING ANALYSIS:

REQUIRED PARKING

AREA OF EXISTING CHURCH BUILDING = 3000 SQ.FT
REQUIRED PARKING = 3000 SQ.FT/100 = 30

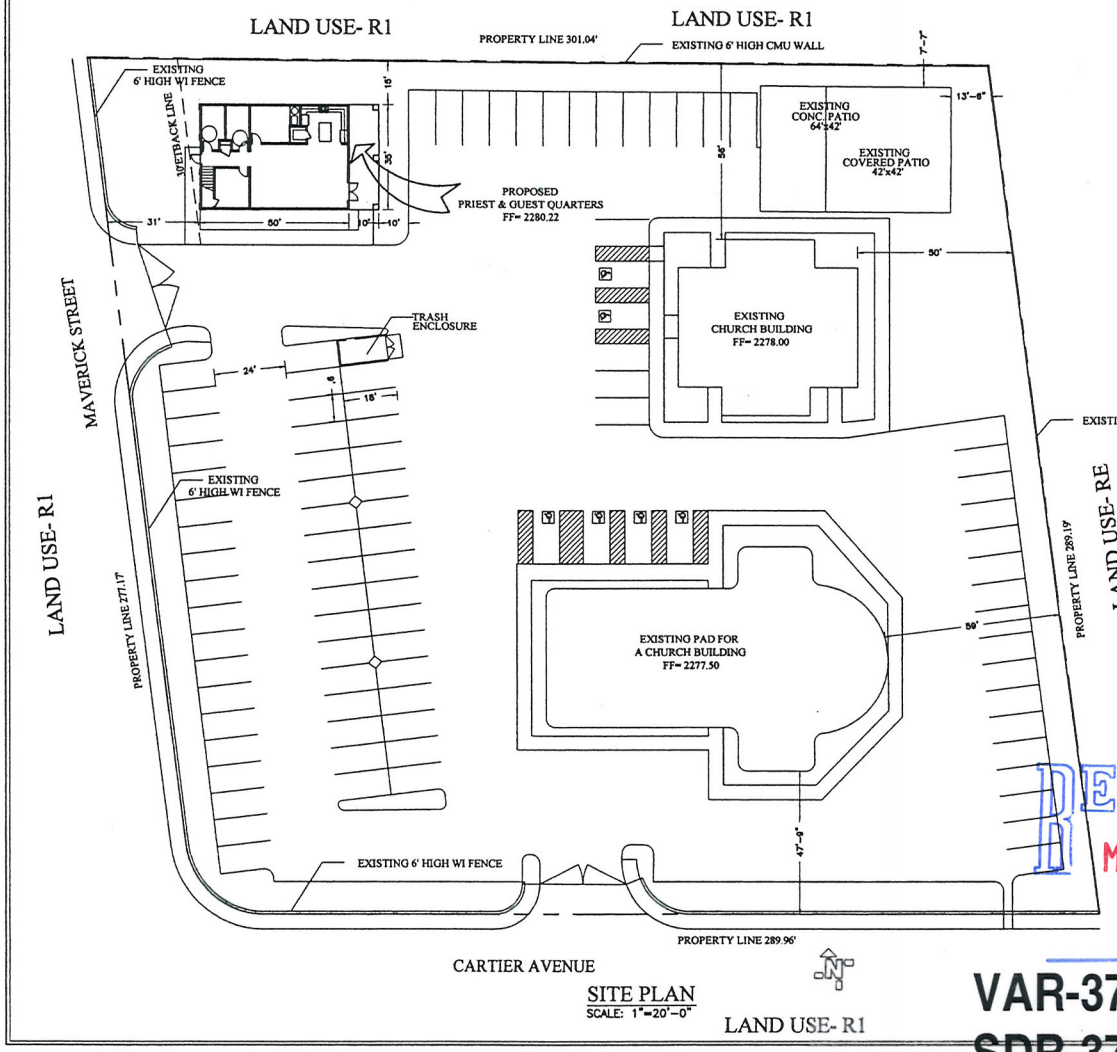
AREA OF FUTURE CHURCH BUILDING = 6000 SQ.FT
REQUIRED PARKING = 60

AREA OF PROPOSED PRIEST QUARTERS = 3338 SQ.FT
REQUIRED PARKING = 2

TOTAL REQUIRED PARKING = 92

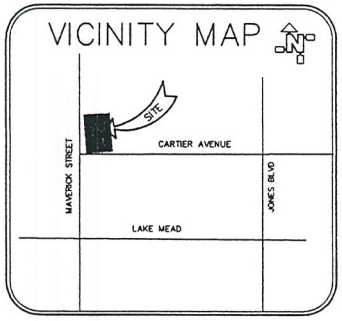
PARKING PROVIDED

HC ACCESSIBLE = 5
VAN ACCESSIBLE = 1
PARKING SPACES = 87
TOTAL PARKING PROVIDED = 93



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

VICINITY MAP



PROJECT/PROPERTY INFORMATION:

PROPERTY ADDRESS:
6170 W.CARTIER AVENUE
LAS VEGAS NV

APN# 138-14-703-009

SHEET INDEX

A0 COVER SHEET / SITE PLAN

ARCHITECTURAL

A1 FLOOR PLAN
A2 BUILDING ELEVATIONS
A3 BUILDING SECTIONS
A4 ROOF PLAN
A5 REFLECTED CEILING PLAN
A6 ARCHITECTURAL DETAILS
A7 ARCHITECTURAL DETAILS

Nevada Licensed Contractor, Lic. # 71494

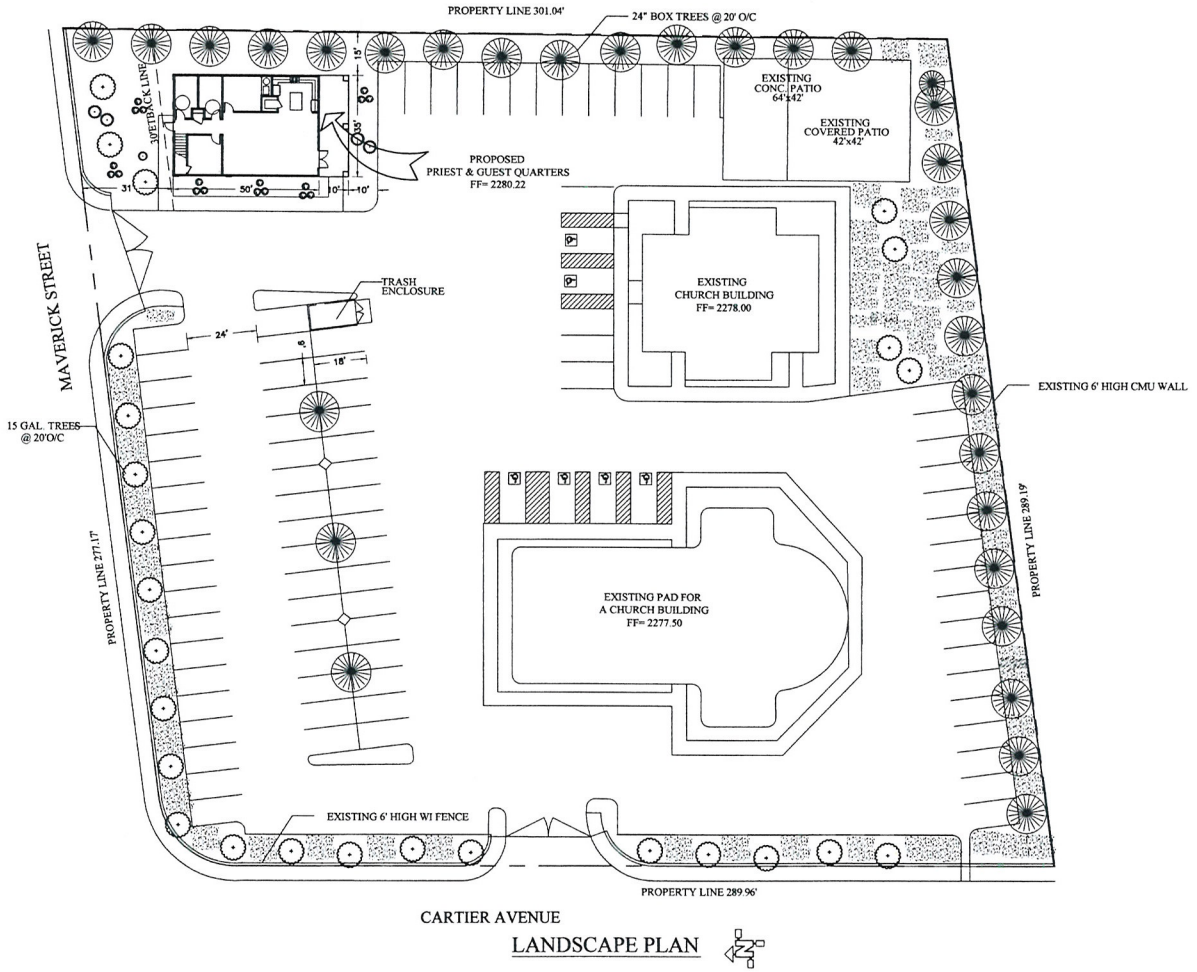
Authorized Signature:

Architectural drawings have been signed by a licensed Nevada Contractor as defined per NRS 3623.330 paragraph 1 (sub paragraph d) and under the provisions of chapter 624 of NRS who provides his own drawings for his own construction activities.

RECEIVED
MAY 04 2010

PROPOSED PRIEST & GUEST QUARTERS FOR ORTHODOX CHURCH			
CONTRACTOR:	M.O.CONSTRUCTION LLC		
NCLA: 71494	TEL: (702) 286-5780	DATE:	04/27/10
DRAWING TITLE:	COVER SHEET & SITE PLAN		
DRAWN BY: RVN	TEL: (702) 245-8690	DRAWING NUM.:	A0

VAR-37850
SDR-37848
REVISED



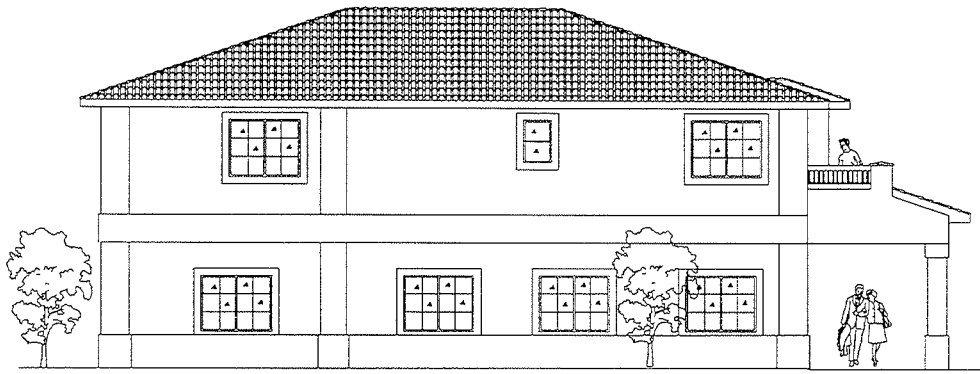
LANDSCAPE PLAN

LANDSCAPE LEGEND			
SYMBOL	COMMON NAME	SIZE	
	WEEPING JUNIPER STRAWBERRY TREE BLUE ATLAS CEDAR LEATHER LEAF ARCATIA	48" BOX	
	EUROPEAN HACKBERRY MESA PALO VERDE WESTERN REDBUD LEATHER LEAF ARCATIA	36" BOX	
	ITALIAN STONE PINE MEDICAM SYCAMORE ARIZONA ASH ARIZONA CYPRESS	24" BOX	
	BOG ROSEMARY DESERT HOLLY BOTTLE BRUSH NATAL PLUM	15 GAL.	
	JASMINE LANTANA LAVENDER FLANNEL BUSH	5 GAL.	
	DAY LILY PHOTINIA MOCK ORANGE MAYENIA	1 GAL.	
	4" REBEL ROCK		
	TURF		
	5/8" REBEL RED ROCK MULCH		

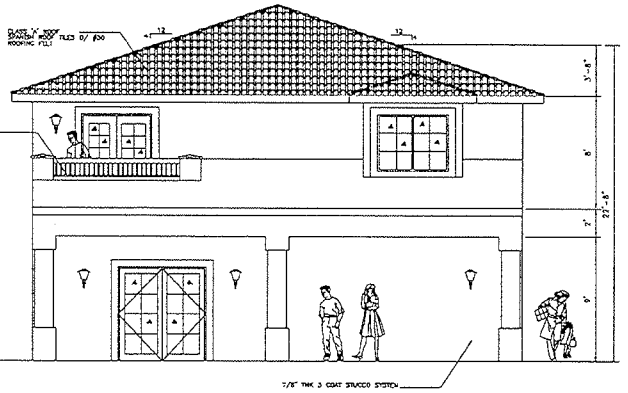
RECEIVED
APR 27 2010

VAR-37850
SDR-37848
REVISED

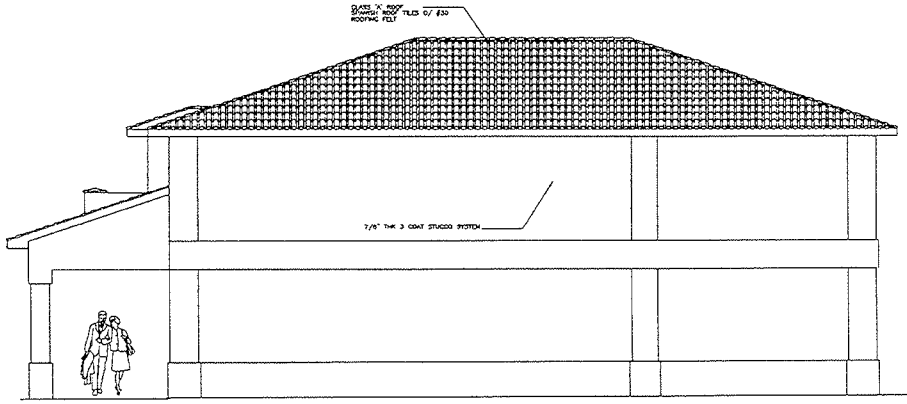
PROPOSED PRIEST & GUEST QUARTERS FOR ORTHODOX CHURCH	
CONTRACTOR: M.O.CONSTRUCTION LLC	
LIC.# 71494	TEL: (702) 286-5700 DATE: 04/27/10
DRAWING NAME: LANDSCAPE PLAN	
DRAWN BY: RVN	TEL: (702) 245-8690 DRAWING NUM.: L1



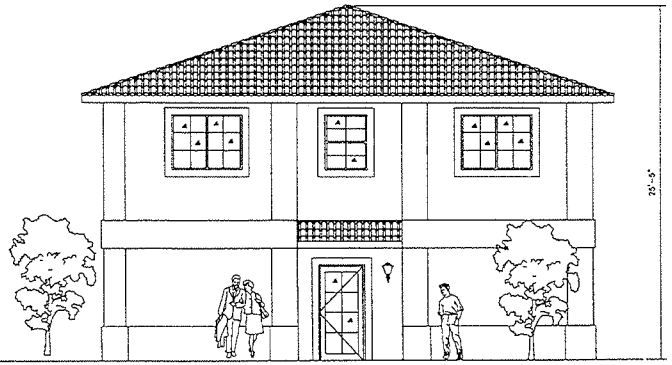
SOUTH ELEVATION
SCALE: 1/4"=1'



EAST ELEVATION
SCALE: 1/4"=1'



NORTH ELEVATION
SCALE: 1/4"=1'



WEST ELEVATION
SCALE: 1/4"=1'

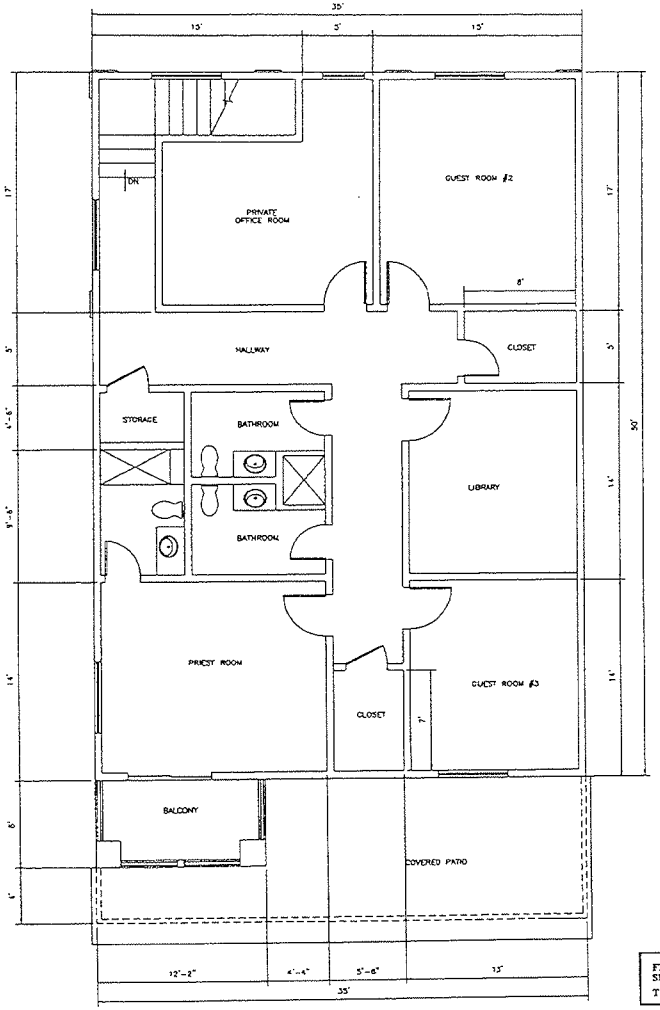
RECEIVED

APR 02 2010

VAR-37850

SDR-37848 05/27/10 PC

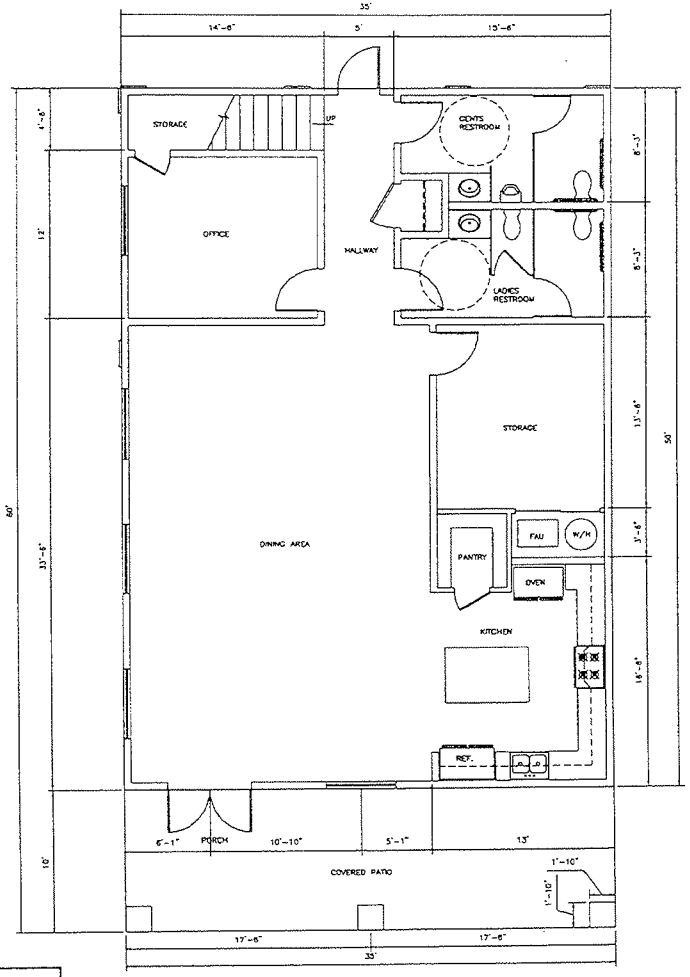
PROPOSED PRIEST & GUEST QUARTERS FOR ORTHODOX CHURCH	
CONTRACTOR:	M.O.CONSTRUCTION LLC
TITLE:	BUILDING ELEVATIONS
DRAWN BY: RVN	A1



SECOND FLOOR PLAN

SCALE: 1/4"=1' (FLOOR AREA = 1641 sq.ft.)

FIRST FLOOR AREA = 1697 sq.ft.
SECOND FLOOR AREA = 1641 sq.ft.
TOTAL FLOOR AREA = 3338 sq.ft.



FIRST FLOOR PLAN

SCALE: 1/4"=1' (FLOOR AREA = 1697 sq.ft.)

RECEIVED

APR 02 2010

VAR-37850

SDR-37848 05/27/10 PC

PROPOSED PRIEST & GUEST QUARTERS FOR ORTHODOX CHURCH	
M.O.CONSTRUCTION LLC	
FIRST FLOOR PLAN	
XVN	A2

SDR 37848
St. Mary Coptic Orthodox Church

6170 W. Cartier Ave.

Proposed addition of a single family residence to an existing church.

Traffic produced by proposed development:

Proposed Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SINGLE FAMILY DETACHED [DWELL]	1	9.57	10
AM Peak Hour			0.75	1
PM Peak Hour			1.01	1

Existing traffic on all nearby streets:

Maverick St.	
Average Daily Traffic (ADT)	1,035
PM Peak Hour (heaviest 60 minutes)	83

Peak Dr.	
Average Daily Traffic (ADT)	1,281
PM Peak Hour (heaviest 60 minutes)	102

Traffic Capacity of adjacent streets:

	Adjacent Street ADT Capacity
Maverick St.	3,000
Peak Dr.	16,300

This project is expected to add 10 trips per day on Cartier Ave., Maverick St. and Peak Dr. This will increase traffic by about 1% on both Maverick St. and Peak Dr. Currently, Maverick is at about 35 percent of capacity and Peak is at about 8 percent of capacity. Count data was unavailable for Cartier Ave., but it is believed to be under capacity.

Based on Peak Hour use, this development will add about 1 additional car into the area every hour.

Note that this report assumes all traffic from this development uses all named streets.

City of Las Vegas Agenda Item No.: **35.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

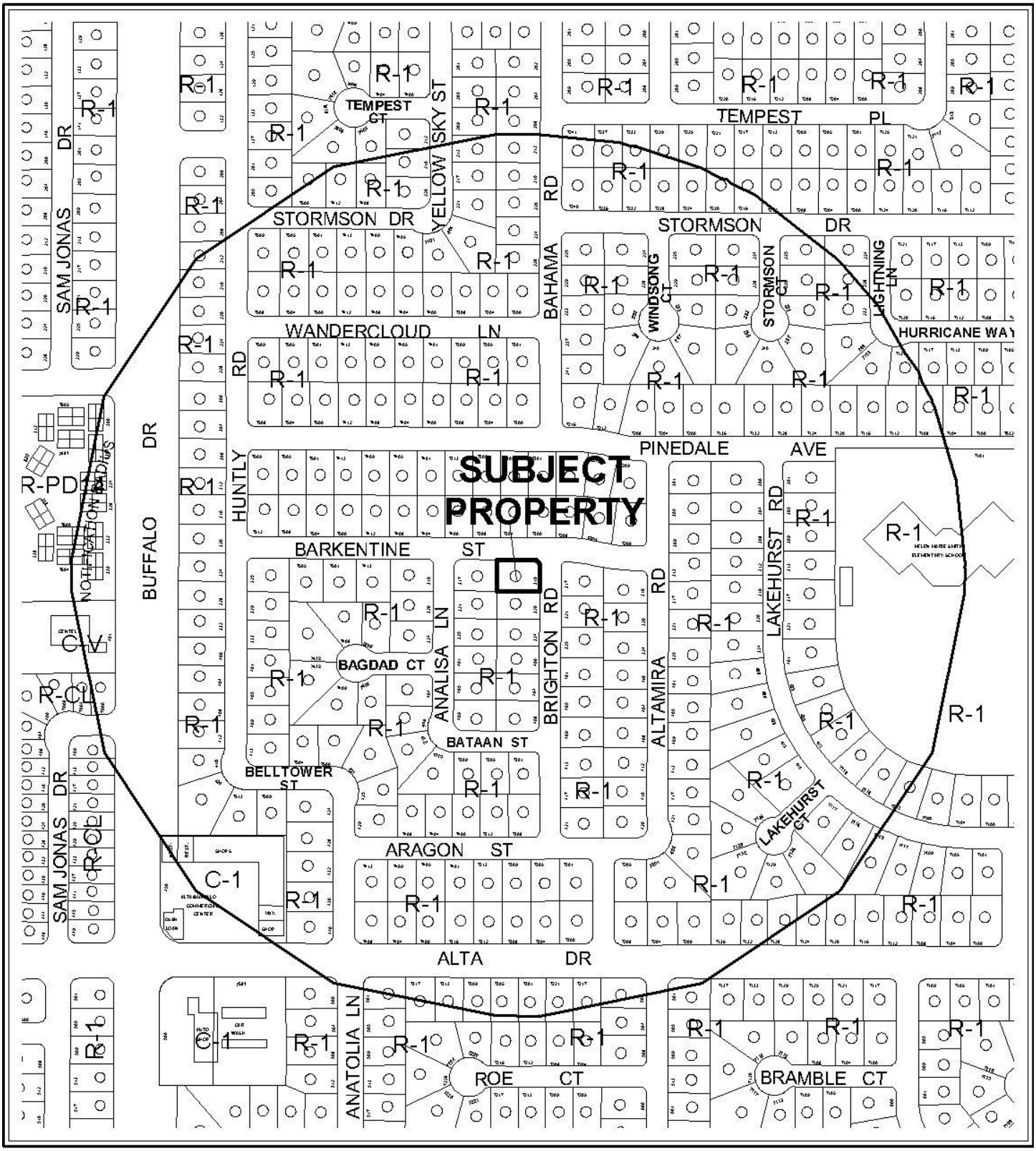
SUBJECT:
VAR-37927 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: DEBRA D. MAZZA TRUST OF 2008 - Request for a Variance TO ALLOW AN 11-FOOT REAR YARD SETBACK WHERE 15 FEET IS REQUIRED FOR A 255 SQUARE-FOOT PROPOSED ROOM ADDITION on 0.17 acres at 316 Brighton Road (APN 138-34-212-047), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL.

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



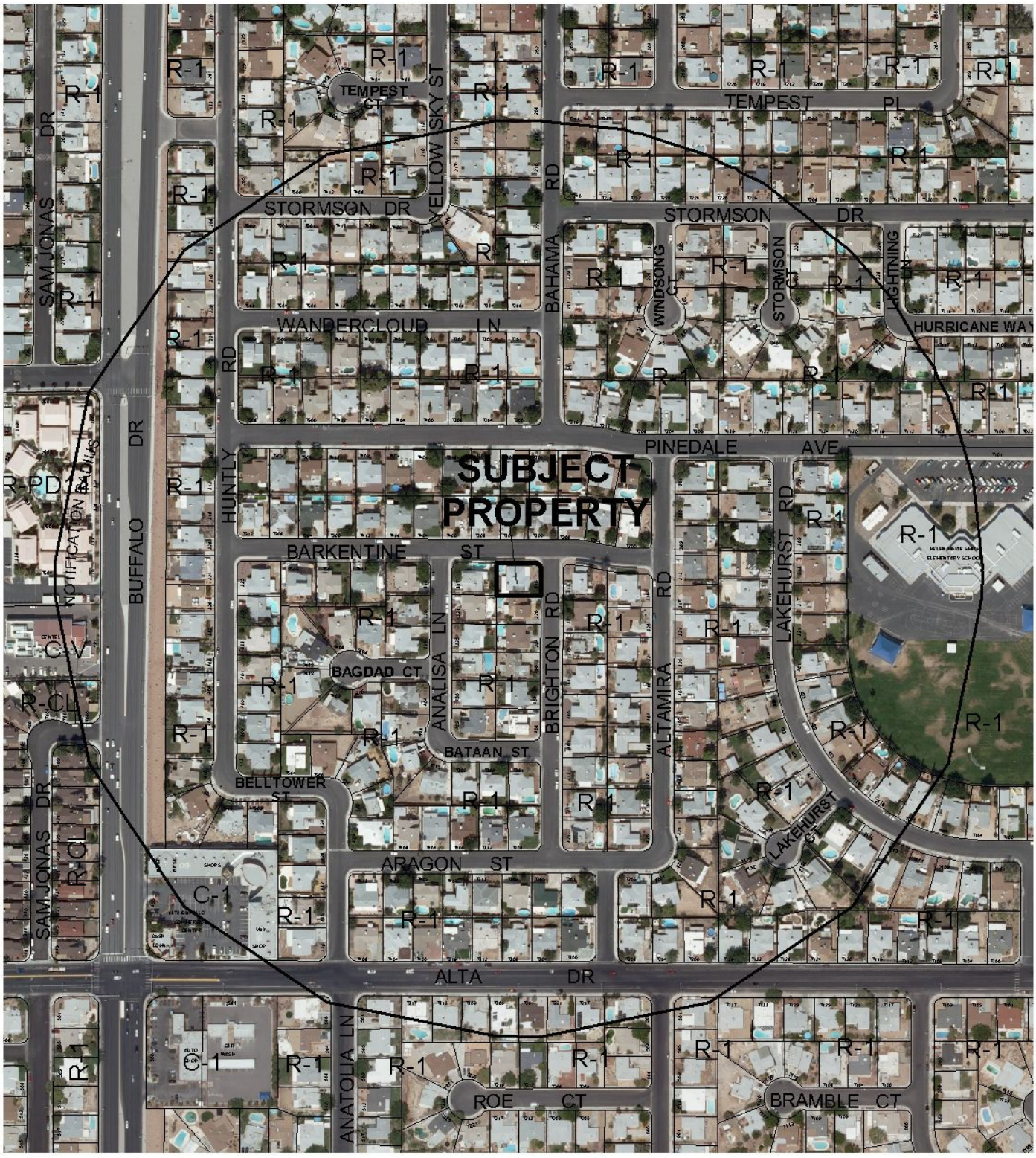
0 300 600 Feet

CASE: **VAR-37927**

RADIUS: 1000 FT

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

N



0 300 600 Feet

CASE: **VAR-37927**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: DEBRA D. MAZZA TRUST OF 2008

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-37927	Staff recommends DENIAL, if approved subject to conditions:	

** CONDITIONS **

VAR-37927 CONDITIONS

Planning and Development

1. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all code as required by the Building and Safety Department

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

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Variance to allow an 11 foot rear yard setback where 15 feet is required for a proposed addition to a single-family residence at 316 Brighton Road. The proposed room addition will encroach 4 feet into the required 15-foot rear yard setback of the property. Staff is recommending denial as the applicant has provided no evidence of unique or extraordinary circumstances pursuant to Title 19.18 that would justify the Variance request. If denied, construction of the addition will not be allowed in its proposed configuration.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
01/19/65	The Board of City Commissioners approved a request for Annexation (A-0005-65) of section 34 of Township 20.
03/01/72	The Board of City Commissioners approved a request for Reclassification (Z-0008-72) of a property generally located northeast of the intersection of Alta Drive and Buffalo Drive from R-E to R-1.

Most Recent Change of Ownership	
12/09/08	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
01/27/10	An application for building permit (#155432) was submitted for a room addition at 316 Brighton Road. The permit has been denied by Planning and Development pending approval of this request.

Pre-Application Meeting	
03/10/10	A pre-application meeting was held with the applicant where elements of submitting a Special Use Permit were discussed. Topics included: • The addition is encroaching 4 feet into the 15-foot setback. • The submittal requirements were explained, and the applicant was provided with other options that would allow for a rectangular shaped room that would not encroach into the setback.

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

Field Check	
04/22/10	Staff conducted a site visit and observed a well-maintained residence.

Details of Application Request	
Site Area	
Net Acres	.17

Surrounding Property	*Existing Land Use Per Title 19.04*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	Single Family Residence	L (Low Density Residential)	R-1 (Single Family Residential)
North	Single Family Residence	L (Low Density Residential)	R-1 (Single Family Residential)
South	Single Family Residence	L (Low Density Residential)	R-1 (Single Family Residential)
East	Single Family Residence	L (Low Density Residential)	R-1 (Single Family Residential)
West	Single Family Residence	L (Low Density Residential)	R-1 (Single Family Residential)

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

DEVELOPMENT STANDARDS

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Setbacks			
• Front	20 Feet	35 Feet	Y
• Corner	5 Feet	15 Feet	Y
• Rear	15 Feet	11 Feet	N

ANALYSIS

The proposed addition will be 15 feet wide by 17 feet long, or approximately 255 square feet, and will be completely enclosed. Submitted plans indicate that internal access to the addition from the primary dwelling will be provided.

Research of the building permit activity found that the applicant has submitted plans for the addition via the Building and Safety Department in order to obtain the necessary building permits to construct the structure. An alternative option, such as the relocation and reconfiguration of the proposed addition would allow conformance to the requirements of Title 19. Staff is recommending denial of this request for a Variance as the applicant has provided no evidence of unique or extraordinary circumstances pursuant to Title 19.18 that would justify the Variance request.

FINDINGS (VAR-37927)

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 encroach four feet into the required setback area. Alternative design and repositioning of the proposed addition 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 14

NOTICES MAILED 377

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-37927** APN: 138-34-212-047

Name of Property Owner: Debra D MAZZA

Name of Applicant: S.A.

Name of Representative: Allen Hughes Jr

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Debra Mazza

Print Name: DEBRA MAZZA

Subscribed and sworn before me

This 24 day of FEBRUARY, 2011

Peter L Creary

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
PETER L. CREARY
No: 99-9425-1
My Appointment Expires Nov. 21, 2011

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: VARIANCE

Project Address (Location) 316 BRIGHTON

Project Name MAZZA ROOM ADDITION **Proposed Use** _____

Assessor's Parcel #(s) 138-34-212-047 **Ward #** _____

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

Commercial Square Footage N/A **Floor Area Ratio** _____

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

Additional Information _____

PROPERTY OWNER Debra D. MAZZA **Contact** _____

Address 316 BRIGHTON RD **Phone:** 321-4411 **Fax:** _____

City LAS VEGAS **State** NV **Zip** 89145

E-mail Address dbrandani@yahoo.com

APPLICANT _____ **Contact** _____

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

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

E-mail Address _____

REPRESENTATIVE ALLEN HUGHES **Contact** _____

Address 4045 S. BUFFALO #101 **Phone:** 307-0424 **Fax:** 362-4488

City LAS VEGAS **State** NV **Zip** 89147

E-mail Address _____

Property Owner Signature* Debra Mazza

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

Print Name DEBRA MAZZA

Subscribed and sworn before me

This 24 day of FEBRUARY, 20 10.

Peter L. Creary

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
PETER L. CREARY
No: 99-9425-1
My Appointment Expires Nov. 21, 2011

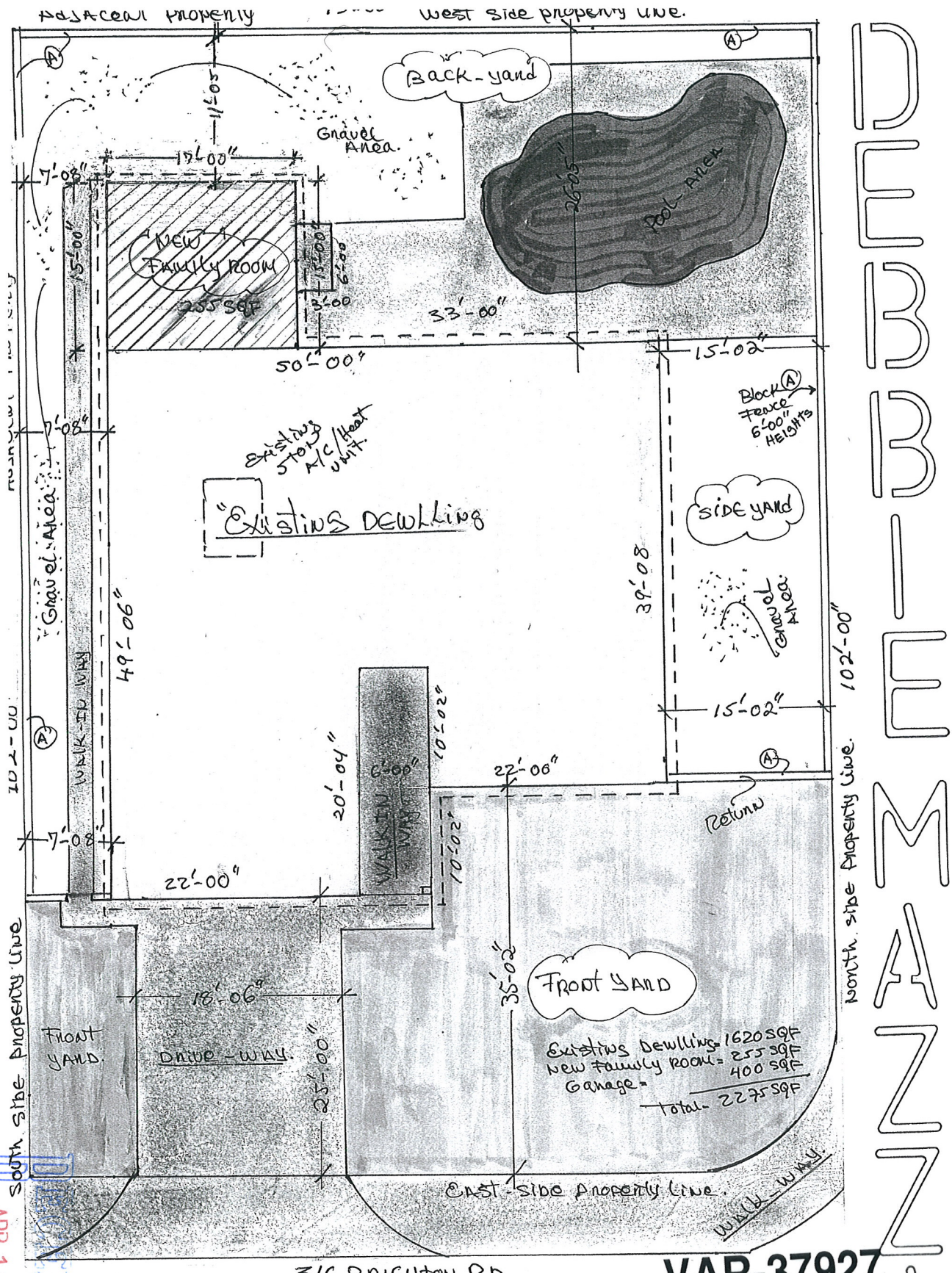
FOR DEPARTMENT USE ONLY

Case #	VAR-37927
Meeting Date:	5-27-10
Total Fee:	$30 —
Date Received:*	4-12-10
Received By:	

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

Revised 10/27/08

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



DEBBIE MAZZA

316 BRIGHTON RD

VAR-37927

SITE PLAN

SCALE= 1/8"-00" = 1'-00"

LANDSCAPING — GREEN
PAVEMENT AREA - GRAY
RESIDENTIAL BUILDINGS - YELLOW

DEBBIE MAZZA
316 BRIGHTON RD
LAS VEGAS NV 89145

NORTH SIDE OF PROPERTY.

SHEET #1

A

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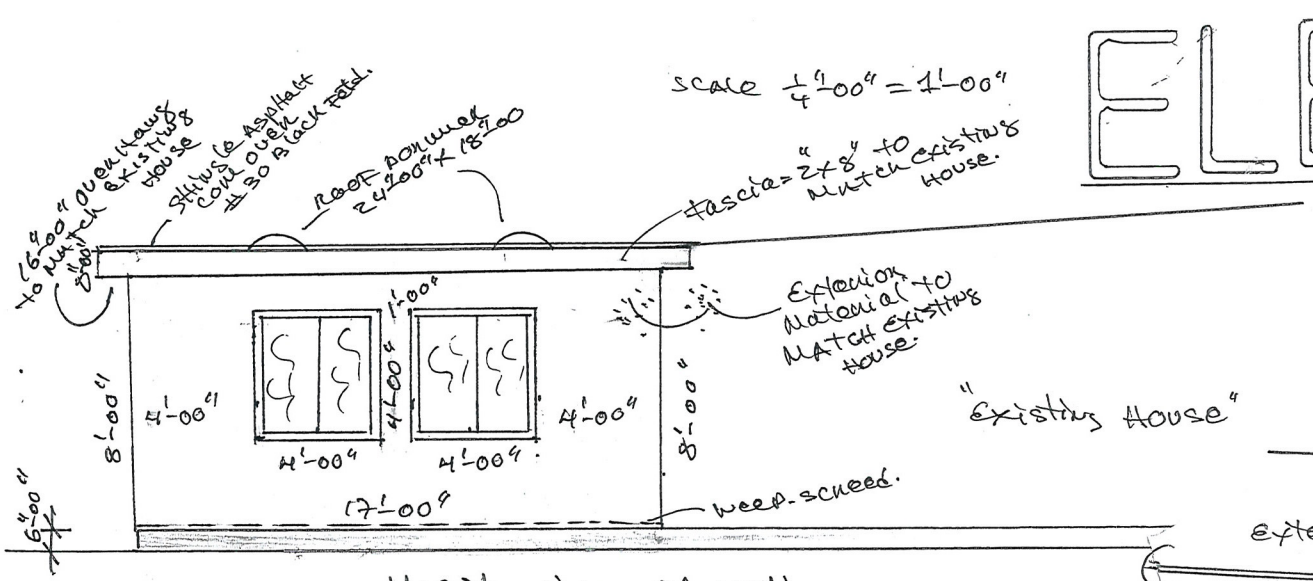
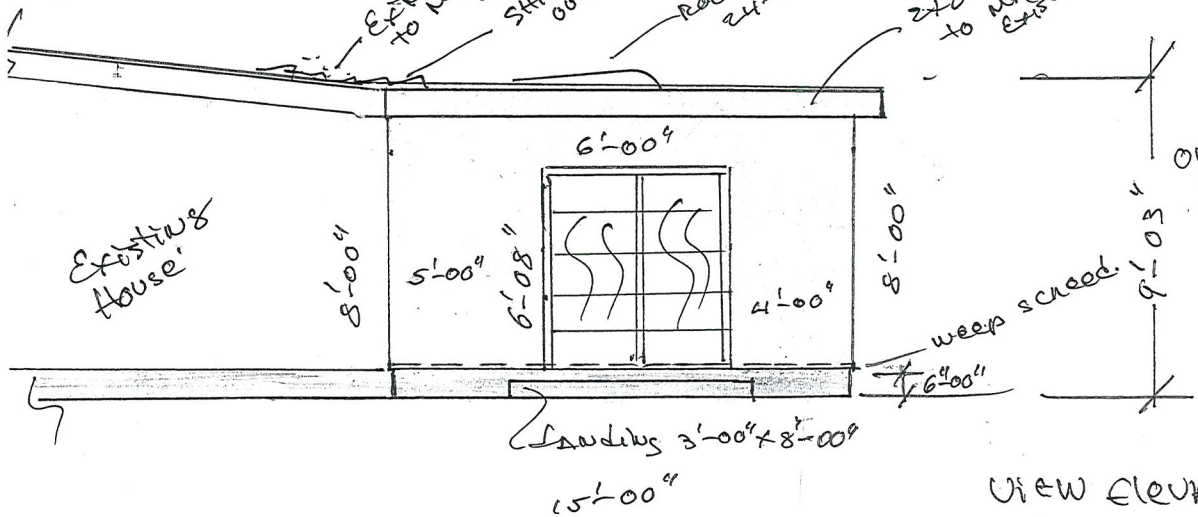
APR 12 2010

ELEVATION



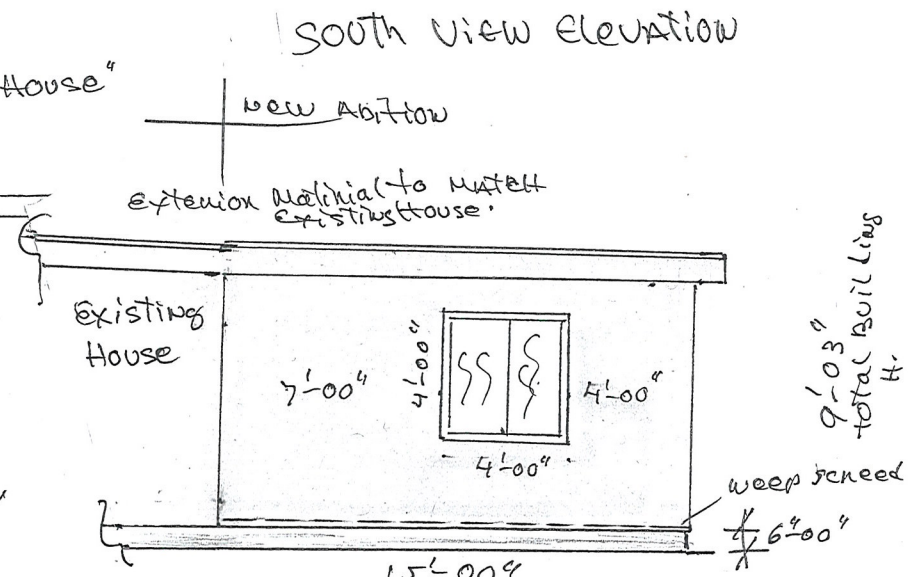
West view elevation

scale $\frac{1}{4}$"-00" = 1'-00"



View Elevation

SOUTH View Elevation



DEBBIE MAZZA
316 BRIGHTON RD
Las Vegas N.V 89145

VAR-37927

RECEIVED
APR 12 2010

SHEET #2

FOUNDATION PLAN

FLOOR PLAN

scale 1/4"=1'-0"

Foundation Notes

Prior to pouring concrete. the foundation excavation shall be inspected by the city inspector.
All J bolt shall be in place/anchor bolts.
see architectural drawings for all site work.
continuous concrete footings shall have 2 #4 Reeban cont - reinforcing.

5/8" x 12" anchor bolts @ 3'-00" o.c Maximum spacing 12"00" MAX. From Plate end 2 bolt per Plate Board 2"00" x 3'-00" square Plate washers.

4"00" concrete slab @ 4'500 P.S.I over 2'00" sand type over water proof Membrane over 2'-00" sand type.



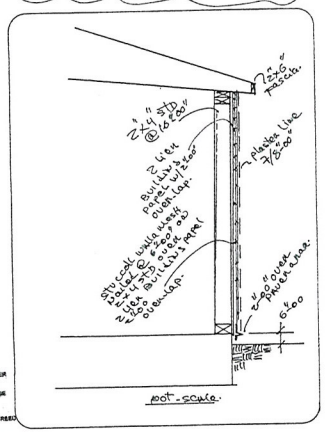
Window Schedule

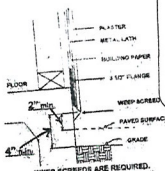
SYMB	QTY	SIZE	TYPE
A	1	4'00"x6'-00"	Horizontal slider vinyl type .32 U factor 2 ble pane.
B	2	4'00"x4'-00"	

Door Schedule

SYMB	QTY	SIZE	TYPE
C	1	6'00"x6'-08"	Horizontal slider vinyl type .35 U factor 2 ble pane.

Detail at weep screed



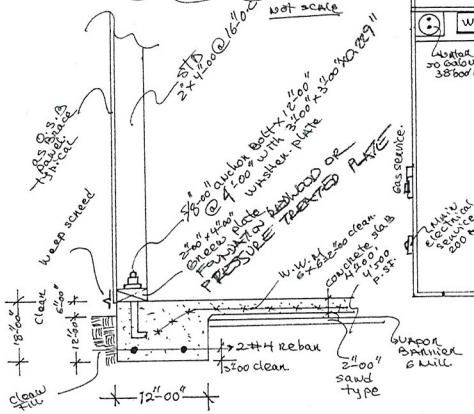


"Typical Foundation Plan"

scale 1/4"=1'-00"

Exterior Bearing Wall

not-scale

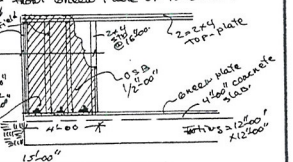


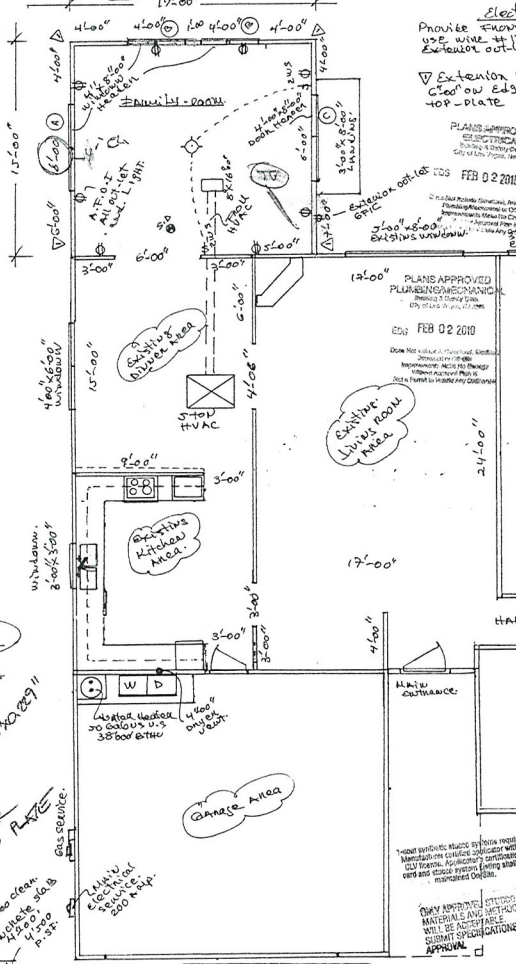
Electrical Notes

Provide from main panel 20 amp/arc fault bet 1st. for out-let use wire #12-2 w/ ground. also provide smoke det and one exterior out-let ground F.I

Shear Wall

Exterior wall cover with osb 1/2" nailed w/#8 nail 6"00" on edge - 8"00" on field front Gneew plate up to 2=2x4 top-plate





CONTRACTOR

These plans are prepared and submitted by the contractor as an instrument of service to obtain a building permit. The contractor licensed category authorized under NRS 624.

BUENOS AIRES A/C & HEATING, INC.

0051456 A Unlimited C-21
Contractor License Number

Carlos Avenarela
Plans Prepared by — Signature

OWNER: "Debbie Mazza"

ADDRESS: 316 Brighton Rd
Las Vegas - N.V - 89145.

PROPOSED: 15'-00"x17-00" "Family Room Addition"

CONTACT: 702-321-4411

DATE: 01-10-10

SHEET #: 2 OF 3

VAR-37927

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VAR-37927 - APPLICANT/OWNER: DEBRA D. MAZZA TRUST OF 2008
316 BRIGHTON ROAD

04/22/10



VAR-37927 - APPLICANT/OWNER: DEBRA D. MAZZA TRUST OF 2008
316 BRIGHTON ROAD

04/22/10

DATE 02 / 24 / 10

TO : PLANNING AND DEVELOPMENT DEPARTMENT

FROM : ALLEN HUGHES JR. / DEBBI MAZZA

SUBJECT : JUSTIFICATION LETTER

I Allen Hughes Jr. owner of AN T Enterprise Inc. and representative for Debbi Mazza, are asking for a variance at the property at 316 Brighton Rd, Las Vegas, Nv 89128.
The variance needed at the home is for a room addition. The measurements are roughly 17'x 15', and will be located in the back of the home. The total number of family members is five. The latest addition is a young baby girl. The family would like to add- on to have a game room for the children.
The need for a variance is due to the distance from the addition to the back wall of the property line. Normal zoning requirements for habitable space is 15feet but with the needed size of the room the space will be shorted by four feet. Making the distance 11feet from the wall.
We ask first that you allow this due to the pool that already exist, with the shorten distance. But secondly, because of the size of the lot and others who have already received the variance in this particular neighborhood.
We understand the aim in creating a standard for residential properties, But feel in our case and this neighborhood we would not be creating a nuisance or eyesore but in fact, a nice compliment to the home. With the additional space being within means of square footage of the neighborhood.

Finally, in adding an aid to the decision process, we will give these addresses of those who have added additional space to their homes:

7308 PINEDALE
416 HUNTLY
501 SAM JONAS
7305 RAINCLOUD
7309 ARAGON
7301 BLIZZARD

RECEIVED
APR 12 2010

City of Las Vegas Agenda Item No.: **36.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

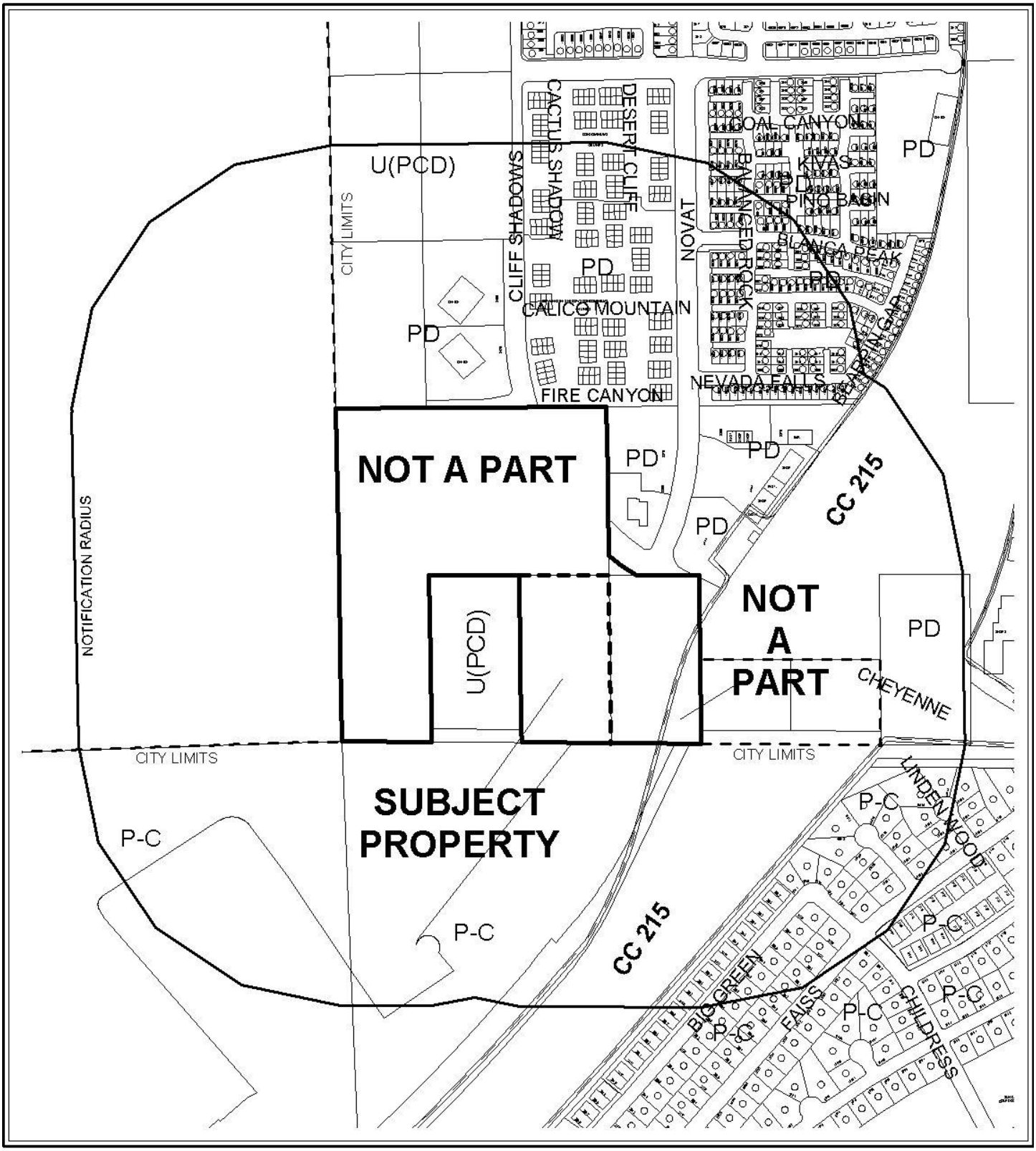
SUBJECT:
VAR-37943 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: INTERNATIONAL CHURCH OF LAS VEGAS, INC. - Request for a Variance TO ALLOW 119 PARKING SPACES WHERE 338 ARE REQUIRED on 4.99 acres at the southwest corner of Cliff Shadows Parkway and the 215 Beltway (APNs 137-12-401-011), PD (Planned Development) Zone, Ward 4 (Anthony). Staff recommends APPROVAL.

C.C.: 07/07/2010

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report – VAR-37943 and SDR-37942
3. Supporting Documentation
4. Photos – VAR-37943 and SDR-37942
5. Justification Letters – VAR-37943 and SDR-37942



CASE: VAR-37943

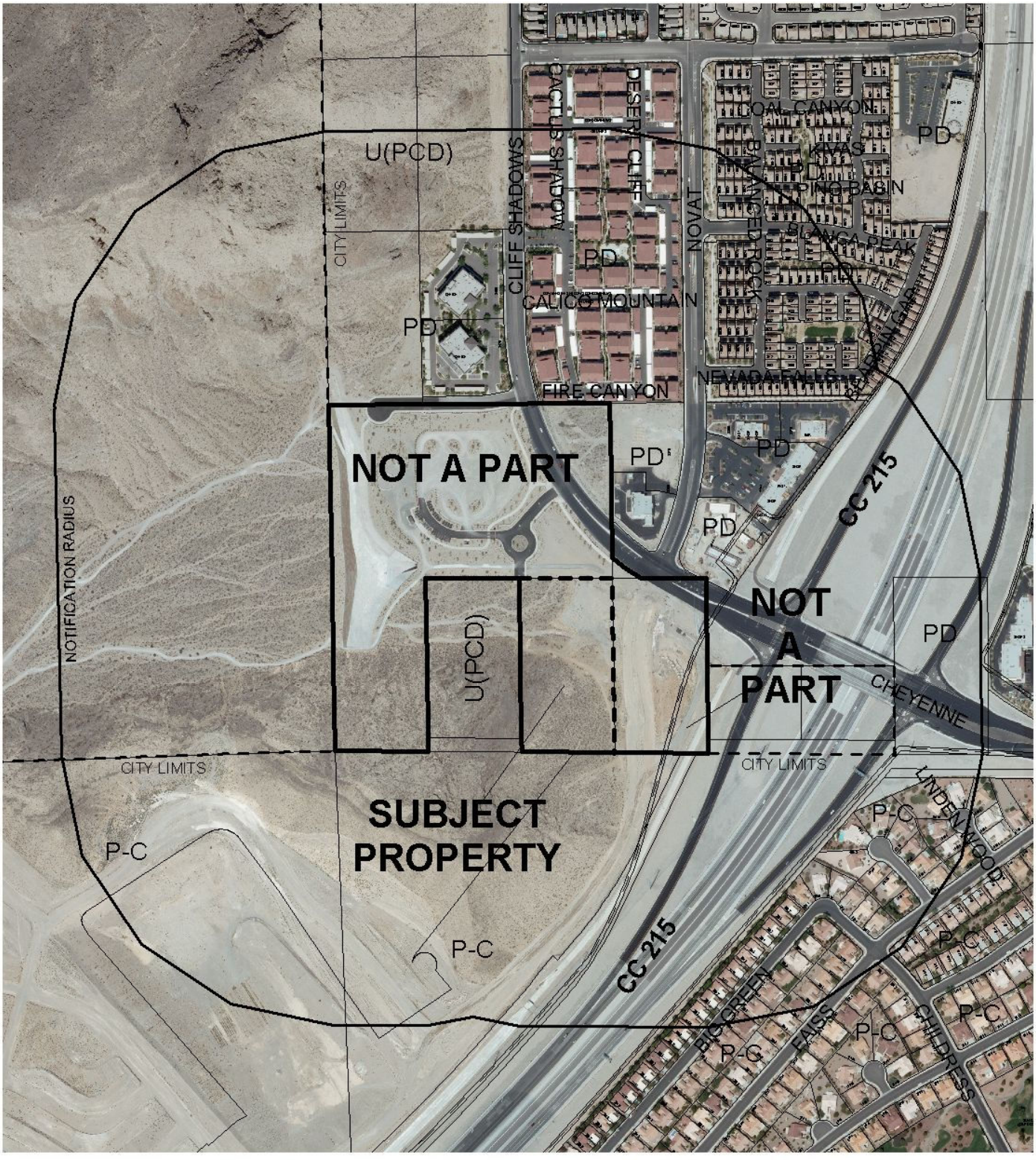
RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

PD (PLANNED DEVELOPMENT) ZONE [L (LOW DENSITY RESIDENTIAL) LONE MOUNTAIN WEST LAND USE DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

PD (PLANNED DEVELOPMENT) ZONE [PF (PUBLIC FACILITIES) LONE MOUNTAIN WEST LAND USE DESIGNATION]



0 400 800 Feet

CASE: VAR-37943

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:
PD (PLANNED DEVELOPMENT) ZONE [L (LOW DENSITY RESIDENTIAL) LONE MOUNTAIN WEST LAND USE DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:
PD (PLANNED DEVELOPMENT) ZONE [PF (PUBLIC FACILITIES) LONE MOUNTAIN WEST LAND USE DESIGNATION]

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: INTERNATIONAL CHURCH OF LAS VEGAS, INC.

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-37943	Staff recommends APPROVAL, subject to conditions:	SDR-37942
SDR-37942	Staff recommends APPROVAL, subject to conditions:	VAR-37943

** CONDITIONS **

VAR-37943 CONDITIONS

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-37942) shall be required, if approved.

2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principle building on the site. 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. These Conditions of Approval shall be affixed to the cover sheet of the plan set submitted for building permit.

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

SDR-37942 CONDITIONS

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-37943) shall be required, if approved.

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

3. All development shall be in conformance with the landscape plan date stamped 05/04/10, and the site plan and building elevations date stamped 04/13/10, except as amended by conditions herein.

4. A Waiver of the Lone Mountain West Wall and Landscape standards is herby approved, to allow retaining walls up to 16 feet in height without intermediate terracing, and to allow a zero-foot landscape buffer along portions of the north, south, east and west property lines.

5. An Exception from Title 19.10 is hereby approved, to allow 78 parking lot trees for the overall site where 87 trees are required, and four diamonds within the east lot where eight parking lot islands are required.

6. 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.

7. These Conditions of Approval shall be affixed to the cover sheet of the plan set submitted for building permit.

8. This approval shall apply to the site as a whole. Any proposed phasing plan for site construction shall be submitted to the Planning and Development Department for consideration prior to issuance of any building permits to determine whether a Minor or Major Site Development Plan Review is required for approval.

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: on the south side of Cliff Shadows Parkway, west of the intersection with the future Desert Hope Drive, a Multi-Use Transportation Trail is required and shall meet all minimum standards of the City of Las Vegas Master Plan, Transportation Trails Element.

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. A Comprehensive Construction Staging Plan shall be submitted to the Planning and Development Department for review and approval prior to the issuance of any building permits. The Construction Staging Plan shall include the following information: Design and location of construction trailer(s); design and location of construction fencing; all proposed temporary construction signage; location of materials staging area; and the location and design of parking for all construction workers.

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

Public Works

18. Coordinate with the Right-of-Way Section of the Department of Public Works to obtain a Bureau of Land Management (BLM) Right-of-Way Grant Easement at the northwest corner of this site, including the existing circular turn around and roadway providing access to both Assessors' Parcel # 137-12-401-010 and this site from Cliff Shadows Parkway prior to the issuance of any permits for this site. Comply with the requirements of the Right-of-Way Section.

19. Construct a multi-use non-equestrian trail along Cliff Shadows Parkway for all portions of this site that are adjacent to Cliff Shadows Parkway. Grant a multi-use non equestrian trail easement for all portions of the required trail on Assessor's Parcel #137-12-401-010 that are outside of the public right-of-way. Coordinate with the Right-of-Way Section to determine BLM document requirements to construct the portions of the multi-use non-equestrian trail that are on Assessor's Parcel #137-12-410-040. Comply with the requirements of the Right-of-Way Section.

20. A Petition of Vacation for the existing Cheyenne Avenue right-of-way adjacent to the southwest corner of this site shall be submitted to the City and shall be approved by the City Council prior to the submittal of any construction drawings for this site. The Order of Vacation shall record prior to the issuance of any permits for this site. If such Petition of Vacation is not approved by City Council, this site shall be redesigned to accommodate dedication of appropriate right-of-way to extend or terminate Cheyenne Avenue.

21. Petition of Vacation VAC-30622 shall record prior to the issuance of any building permits.

22. If not already in place at the time of development of this site, construct all incomplete street improvements on Cliff Shadows Parkway and full street improvements on Desert Hope Drive concurrent with development. Desert Hope Drive improvements shall be built per the approved construction drawings for "Improvement Plans for Desert Hope Drive Access Road, Reverence (Village 26)", modified as approved by the Department of Public Works. Construct all underground improvements, including bases, conduits, and poles for the future signalization of the Desert Hope Drive / Cliff Shadows Parkway intersection, on both southwest and southeast quadrants concurrent with construction of the roadway. As site development occurs in phases, each phase shall perform a warrant analysis to determine if signalization is warranted; if so, the developer shall coordinate with the Traffic Engineering Division to signalize the intersection. In addition, coordinate with the Traffic Engineering Division of the Department of Public Works to design and construct appropriate improvements to direct pedestrian traffic to appropriate crossing points connecting the satellite parking site across Desert Hope Drive to the proposed church site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

23. Submit an Encroachment Agreement for the rockery wall located along Desert Hope Drive adjacent to this site prior to the issuance of permits for this site.

24. If not already in place, extend public sewer in Desert Hope Drive to the southern, edge of this site at a size, depth and location acceptable to the Collection System Planning section of the Department of Public Works. Provide public sewer easements for all public sewers not located within existing public street right-of-way or public sewer easements prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

25. 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.

26. 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.

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

28. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainage ways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

** STAFF REPORT **

PROJECT DESCRIPTION

These requests are for a church and related school facility to be located on an undeveloped site located at the southwest corner of Cliff Shadows Parkway and the 215 Beltway. The site includes four lots, two of which are owned by the International Church of Las Vegas, and two that are owned by the Bureau of Land Management that are leased to the City of Las Vegas for development as the La Madre Trailhead park complex. The applicant has entered into a Disposition and Development Agreement with the city to develop and landscape additional parking facilities and public right-of-way (Desert Hope Drive) on these parcels, to be shared by the church and park facilities. The requested Variance for parking is appropriate as the applicant has provided evidence of unique and extraordinary circumstances related to the topography of the site. The requested landscape waivers and exceptions can be supported as they are mitigated by additional landscaping located throughout the interior of the site. Therefore, staff is recommending approval of these requests.

ISSUES

- Previous applications for a Major Modification (MOD-30617), Rezoning (ZON-31062), Variances (VAR-30620 and VAR-31394) for parking and Hillside Ordinance requirements, a Vacation (VAC-30622) of government patent easements and a Site Development Plan Review (SDR-30614) were recommended for approval by the Planning Commission, but were tabled at the 04/01/09 City Council meeting. Pending a recommendation by the Planning Commission, these current requests will replace the previously submitted Site Development Plan Review and parking Variance, and will be considered at City Council concurrently with the Major Modification, Rezoning and Vacation. The Variance previously submitted for the Hillside Ordinance requirements is no longer needed due to site and building revisions that bring the proposed development into compliance with the provisions of the ordinance.
- A Waiver of the Lone Mountain West Wall and Landscape standards is required to allow retaining walls up to 16 feet in height without intermediate terracing, and to allow a zero-foot landscape buffer along portions of the north, south, east and west property lines.
- An Exception from Title 19.10 is required to allow 78 parking lot trees for the overall site where 87 trees are required and four diamonds within the east lot where eight parking lot islands are required.
- A Condition of Approval has been added to require that any proposed phasing plan for site construction shall be submitted to the Planning and Development Department for consideration prior to issuance of any building permits to determine whether a Minor or Major Site Development Plan Review is required for approval.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
02/05/03	The City Council approved an Annexation (A-0038-02) for the subject property as part of a larger request. The Planning Commission recommended approval. The effective date was 2/14/03.
12/17/03	The City Council approved a Rezoning (ZON-3209) to PD (Planned Development), a Major Modification (MOD-3206) to add approximately five acres to the Lone Mountain West Master Plan area and to amend the Plan to allow churches within all residential land use designations with approval of a Special Use Permit (SUP-3304) for the Church/House of Worship. The Planning Commission and staff recommended denial as no Site Development Plan Review accompanied the application for a Special Use Permit. A two year approval was granted for the Church and pre-school, set to expire 12/17/05. The Planning Commission and Staff recommended denial.
3/01/06	The City Council approved a request for an Extension of Time (EOT-11349) of an approved Special Use Permit (SUP-3304) that allowed a Church/House of Worship and a Preschool adjacent to the south side of Cliff Shadows Parkway, approximately 375 feet west of the 215 Beltway. Staff recommended approval. A one-year extension was granted, set to expire 12/17/07.
01/09/08	The City Council approved a Dispensation and Development Agreement to allow the International Church of Las Vegas to develop portions of APNs 137-12-401-001 and 040, and to share the use of these areas for purposes of overflow parking and recreation.
02/06/08	The City Council approved a request for a second Extension of Time (EOT-26060) for an approved Special Use Permit (SUP-3304) for a church/house of worship and a preschool adjacent to the south side of Cliff Shadows Parkway, approximately 375 feet west of the 215 Beltway. Staff recommended approval.
04/01/09	At the request of the applicant, the City Council tabled requests for a Major Modification (MOD-30617), Rezoning (ZON-31062), Variances (VAR-30620 and VAR-31394), Vacation (VAC-30622) and a Site Development Plan Review (SDR-30614) for a Church/House of Worship located at the southwest corner of Cliff Shadows Parkway and the 215 Beltway. The Planning Commission recommended approval of all requests, whereas staff recommended approval of the Major Modification, Rezoning and Vacation, but recommended denial on the Variances and Site Development Plan Review.
02/03/10	The City Council approved a request for an Extension of Time (EOT-36912) of a previously approved Special Use Permit (SUP-3304) for a church/house of worship and a preschool at 3319 Cliff Shadows Parkway. Staff recommended approval.

Most Recent Change of Ownership	
12/24/03	A deed was recorded for a change in ownership for APN 137-12-401-011.
07/23/07	A deed was recorded for a change in ownership for APN 137-12-410-003.

Related Building Permits/Business Licenses
There are no related building permits or business licenses associated with the site.

Pre-Application Meeting	
03/09/10	A pre-application meeting was held to review proposed changes for a previously submitted project. The changes will require resubmittal of a Site Development Plan Review and a Variance for parking.

Neighborhood Meeting	
04/05/10	There was a voluntary Neighborhood Meeting held for at Mountain Crest Community Center, 4701 North Durango Drive, Las Vegas, Nevada, 89129, from 6:30 pm to 7:10 pm. In attendance were five members of the general public, three representatives for the applicant and two staff members (one City Council liaison and one Planning and Development). The applicant representatives announced that the height of the church building was reduced to 35 feet, and the area of the building would total 66,192 square feet, built in two phases; approximately 27,000 square feet in Phase I, and approximately 39,000 square feet in Phase II. The public still had concerns: • Site disturbance • Traffic study

Field Check	
04/22/10	A field check was conducted by staff. A well maintained undeveloped site was observed.

Details of Application Request	
Site Area	
Gross Acres	9.12 Acres (subject site, including BLM land)
Net Acres	5.07 Acres (applicant owned)

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	L (Low Density Residential) Lone Mountain West Land Use Designation, P (Parks, Schools, Recreation, Open Space) Lone Mountain West Land Use Designation [**Proposed**: PF (Public Facilities) Lone Mountain West Land Use Designation and P (Parks, Schools, Recreation, Open Space) Lone Mountain West Land Use Designation]	PD (Planned Development), U (Undeveloped) [PCD (Planned Community Development) General Plan designation] and C-V (Civic) [**Proposed**: PD (Planned Development) and C-V (Civic)]
North	Equestrian Trailhead (City Park)	P (Parks, Schools, Recreation, Open Space) Lone Mountain West Land Use Designation	CV (Civic)
	Financial Institution, General with Drive Thru	V-C (Village Commercial) Lone Mountain Land Use Designation	PD (Planned Development)
	Service Station and Auto Repair Garage, Minor		
South	Undeveloped	SUM (Summerlin)	PC (Planned Community)
East	CC 215 ROW	ROW	ROW
West	Undeveloped	L (Low Density Residential) Lone Mountain West Land Use Designation	U (Undeveloped) [PCD (Planned Community Development) General Plan designation]

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan			
Lone Mountain West	X		N
Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts			
Hillside Development Area	X		Y
PD (Planned Development) District	X		Y
Trails	X		By Condition
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

All development within the Lone Mountain West Master Plan area is subject to the Lone Mountain West Master Plan. The Lone Mountain West Master Plan does not establish design standards for buildings located within a PF (Public Facilities) Lone Mountain West Land Use designation zone. As no design standards exist for the PF (Public Facilities) Lone Mountain West Land Use designation, the development standards for this development shall use the following criteria: The development standards shall be established by the PF (Public Facilities) Lone Mountain West Land Use designation and any corresponding Site Development Plan Review approval under Subchapter 19.18.050. The site also falls within the Hillside Development Area, and will be subject to the regulations contained in Title 19.06.170 Hillside Development Standards and Guidelines. The standards shall be designed to ensure compatibility of the development with existing and planned development in the surrounding area. The proposed landscaping, parking, setbacks, and maximum building heights for this project are defined below. Any future development will require review for determination of appropriate development standards.

Standard	*Provided (Original Submittal SDR-30614)*	*Provided (Revised Submittal SDR-37942)*	*Difference*	*Compliance*
Building Area	89,550 SF	66,192 SF	-23,358 SF (26% Reduction)	Y
Min. Setbacks				
• Front	144 Feet	263 Feet	+119	Y
• Side	40 Feet	40 Feet	n/c	Y
• Rear	175 Feet	203 Feet	+28	Y
Max. Lot Coverage	15.3%	18.7%	+3.4%	Y

Max. Building Height	5 Stories / 85 Feet (2 Stories / 35 Feet Max – VAR-30620)	2 Stories / 35 Feet	Meets Hillside Ordinance	Y
Site Disturbance	3.78 Acres (3.56 Ac Max – VAR-30620)	3.43 Acres	Meets Hillside Ordinance	Y

Pursuant to Title 19.06.170 Hillside Development Standards and Guidelines, the following site disturbance standards apply:

Slope	*Site Area*	*Maximum Disturbance Allowed*		*Proposed Disturbance*	*Compliance*
0% to 15%	2.70 Acres	100%	2.70 Acres		
15% to 25%	0.43 Acres	50%	0.21 Acres		
25% and Greater	1.86 Acres	35%	0.65 Acres		
Total Parcel Area	4.99 Acres		3.56 Acres	3.43 Acres	Y

Pursuant to Title 19.12 and the Lone Mountain West Master Development Plan and Design Standards, the following standards apply:

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Buffer Trees (West):				
• North	1 Tree / 20 Linear Feet	21 Trees	27 Trees	Y
• South	1 Tree / 30 Linear Feet	13 Trees	Zero Trees	N
• East	1 Tree / 20 Linear Feet	26 Trees	26 Trees	Y
• West	1 Tree / 30 Linear Feet	23 Trees	11 Trees	N
Buffer Trees (East):				
• North	1 Tree / 20 Linear Feet	8 Trees	8 Trees	Y
• South	1 Tree / 30 Linear Feet	3 Trees	4 Trees	Y
• East	1 Tree / 30 Linear Feet	25 Trees	26 Trees	Y
• West	1 Tree / 20 Linear Feet	16 Trees	32 Trees	Y
TOTAL PERIMETER TREES		**135 Trees**	**134 Trees**	**N**
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	87 Trees	78 Trees	N
LANDSCAPE PLANTER WIDTHS				
Min. Zone Width				
• North	7 Feet		Zero Feet	N
• South	7 Feet		Zero Feet	N
• East	7 Feet		Zero Feet	N
• West	7 Feet		Zero Feet	N

Pursuant to Title 19.04 and Title 19.10, the following standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	***Required***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Church or House of Worship	1,350-seat gathering room	1 space per 4 seats in the gathering room	338		119		N
TOTAL SPACES REQUIRED			338		119		
TOTAL (With Handicapped)			330	8	111	8	N
DEVIATION			65%				

Waivers – Lone Mountain West Master Plan		
Requirement	**Request**	**Staff Recommendation**
A maximum three-foot, six-inch high retaining walls with five-foot wide terraces between	Retaining walls up to 16 feet in height without terracing	Approval
A seven-foot landscape planting strip along interior lot lines	Zero-foot landscape planting strip along portions of the north, south, east and west lot lines	Approval

Exceptions – Title 19.12		
Requirement	***Request***	***Staff Recommendation***
87 Parking lot trees	78 Trees	Approval
Eight parking lot islands	Four diamonds	Approval

ANALYSIS

This is the second Site Development Plan Review with an associated Variance for parking to be submitted for the subject site. These applications will replace the previous submittals for a Site Development Plan Review and Variance for parking (VAR-31394 and SDR-30614), and, pending a recommendation from the Planning Commission, will be considered before the City Council along with other previous submittals for a Major Modification (MOD-30617), Rezoning (ZON-31062), and a Vacation (VAC-30622) of government patent easements. Approval of these other previous submittals is required to approve the current Site Development Plan Review and associated Variance; all received a recommendation of approval from both the Planning Commission and staff prior to being tabled at the 04/01/09 City Council meeting. The

previously submitted Site Development Plan Review and Variance for parking (VAR-31394 and SDR-30614), along with a previously submitted Variance for the Hillside Ordinance requirements (VAR-30620) will all be allowed to expire as they are no longer needed due to the revisions to the site plan and building elevations in the current application submittals.

The site is comprised of four lots, two of which are owned by the International Church of Las Vegas (ICLV), and two that are owned by the Bureau of Land Management (BLM) that are leased to the City of Las Vegas for development as the La Madre Trailhead park complex. The church and school buildings will be located on one of the lots owned by the ICLV. The applicant has entered into a Disposition and Development Agreement with the city to develop and landscape additional parking facilities and public right-of-way (Desert Hope Drive) on the lots owned by the BLM, to be shared by the church and park facilities. The subject site is located at the southwest corner of Cliff Shadows Parkway and the 215 Beltway, and will have ready access to these roadways, as well as Cheyenne Avenue, to accommodate any increased traffic associated with the site.

The proposed church and school facility will be comprised of two interconnected buildings with an amphitheater in between. The proposed buildings are no more than 35 feet in height. Parking will be provided to the north of the structures and in a satellite lot to the east across Desert Hope Drive. There are a total of 337 parking spaces provided on the overall subject site; however, only 119 spaces, including eight handicap accessible spaces, are available on property owned by the church. As the remaining spaces are located on property owned by the BLM and cannot be guaranteed beyond the lease expiration of 2032, a Variance for parking is required. Staff can support the request as the subject site has extraordinary topographical conditions that will result in undue hardship for developing the site in strict compliance with the provisions of Title 19.

Although phasing of construction activities has been discussed, no phasing plan has been submitted for consideration. A Condition of Approval has been added to require that any proposed phasing plan for site construction shall be submitted to the Planning and Development Department for consideration prior to issuance of any building permits to determine whether a Minor or Major Site Development Plan Review is required for approval. This additional review will ensure that the site will be compatible with the surrounding area, and that improvements that are required for the public health, safety and welfare are addressed through all phases of construction.

Waivers of the Lone Mountain West Master Development Plan and Design Standards are required for walls and landscaping. Per the design standards, retaining walls are limited to a maximum of three feet, six-inches, with five-foot wide terraces separating the walls. The applicant is proposing walls up to 16 feet in height with no terracing between, which is supported by staff as the site is subject to extreme topographical conditions, and the highest walls are located behind the buildings and not visible from the public right-of-way.

As previously addressed, the subject site is comprised of multiple lots with differing ownership, resulting in lot lines that are located at the interior of the overall subject site. In addition, the south lot line is inaccessible due to the topography of the site. Because of these conditions, perimeter landscaping is not provided along all lot lines as required. In addition to this waiver request, Exceptions for landscaping have been requested to allow 78 parking lot trees and four landscape diamonds where 87 trees and eight landscape islands are required. Staff is supporting the requested waiver and exceptions as the applicant has provided buffers in sufficient widths along all public rights-of-way, and in a reduced width of five feet along the west lot line where drainage and topographic conditions allow. Additional trees and shrubs in significant quantities have been included in planters throughout the interior of the site. A Multi-Use Transportation Trail is located along the Cliff Shadows Parkway street frontage and has been conditioned to comply with the provisions of the Transportation Trails Element of the City of Las Vegas 2020 Master Plan.

This is the first project to be considered under Title 19.06.170 Hillside Development Standards and Guidelines, adopted by City Council on August 15, 2007. As required, a preliminary review of the project was completed prior to submittal of entitlement applications to identify existing geographic, topographic and environmental features of the site, determine the impact of the proposed project on these features, and to determine compliance with the standards and guidelines in general. Grading plans and sections, a slope analysis, a ridgeline/elevation study and a drainage study were all submitted by the applicant and reviewed by city staff in the following departments: Planning and Development, the Development Coordination, Flood Control, Land Development Services and Transportation Planning sections of Public Works, and Fire and Rescue. Initially, it was determined that the proposed project met the minimum requirements for the preliminary review, but that two Variances (VAR-30620) to the standards would be required for building height and site disturbance. The current submittal contains revisions to the original site plan, building elevations and floor plans depicting the project to be in compliance with the requirements of the ordinance.

As the proposed site is in substantial compliance with Title 19 and the Lone Mountain West Master Plan, is compatible with the existing surrounding land uses, and measures have been taken to mitigate the impacts that the development may have on adjacent properties, staff is recommending approval of the requests for a parking Variance and Site Development Plan Review.

FINDINGS (VAR-37943)

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."

Evidence has been presented of extraordinary topographic conditions that would result in undue hardship for developing the site in strict compliance with the provisions of Title 19. In view of the difficulties imposed by the site's physical characteristics, it is concluded that the applicant's hardship is justified, and it is thereby within the realm of NRS Chapter 278 for granting of Variances.

FINDINGS (SDR-37942)

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

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

   The proposed development, as conditioned, is compatible with the adjacent development and development in the area.

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

   The proposed development is consistent with the General Plan, but not consistent with Title 19 and the Lone Mountain West Master Plan due to the requested Variance, Waivers and Exceptions. These requests are supported due to extreme topographical site conditions and mitigating factors such as additional landscaping within interior planting areas.

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

   The site will be accessed by two driveways: a driveway that will serve the subject site, the La Madre Trailhead Park and the adjacent property to the west, with access from

Cliff Shadows Parkway, which is classified as an 80-foot Secondary Collector, and a second driveway with access from the future Desert Hope Drive, which is anticipated to be a Secondary Collector in the Master Plan of Streets and Highways.

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

   Building and landscape materials conform to the requirements of Title 19 and the Lone Mountain West Master Plan, and 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;**

   Building elevations are not unsightly, undesirable or obnoxious, and create an orderly and aesthetically pleasing environment. The proposed development is harmonious and compatible with development in the area.

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

   The proposed 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 16

NOTICES MAILED 531

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-37943** APN: 137-12-401-011 & 137-12-410-003

Name of Property Owner: CHURCH INTERNATIONAL LAS VEGAS

Name of Applicant: CHURCH INTERNATIONAL LAS VEGAS

Name of Representative: SOUTHWEST ENGINEERING

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: PAUL M. GAULD, PRESIDENT

Subscribed and sworn before me

This 12th day of APRIL, 20 10

_____

Notary Public in and for said County and State

MIRIAM R. SCHARSCH
Notary Public, State of Nevada
Appointment No. 03-80748-1
My Appt. Expires March 15, 2011

PLANNING & DEVELOPMENT
CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: VARIANCE FOR PARKING

Project Address (Location) CLIFF SHADOWS & NOVAT

Project Name ICLV PRAYER MOUNTAIN **Proposed Use** _____

Assessor's Parcel #(s) 137-12-401-011 & 137-12-410-003 **Ward #** 4

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

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

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

Additional Information _____

PROPERTY OWNER CHURCH INTERNATIONAL LV **Contact** _____

Address 8100 WEST CLIFF DR. **Phone:** (702) 242-2273 **Fax:** (702) 673-4771

City LAS VEGAS **State** NV **Zip** 89145

APPLICANT CHURCH INTERNATIONAL LV **Contact** _____

Address 8100 WEST CLIFF DR. **Phone:** (702) 242-2273 **Fax:** (702) 673-4771

City LAS VEGAS **State** NV **Zip** 89145

REPRESENTATIVE SOUTHWEST ENGINEERING **Contact** MICHAEL CASANOVA

Address 3610 N. RANCHO DR. **Phone:** (702) 648-9700 **Fax:** (702) 648-4143

City LAS VEGAS **State** NV **Zip** 89130

Property Owner Signature* _____

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

Print Name PAUL M. GOLLET, PRESIDENT

Subscribed and sworn before me

This 12th day of APRIL, 20 10.

_____

Notary Public in and for said County and State

MIRIAM R. SCHARSCH
Notary Public, State of Nevada
Appointment No. 03-80745-1
My Appt. Expires March 15, 2011

FOR DEPARTMENT USE ONLY

Case #	VAR-37943
Meeting Date:	5/27/10
Total Fee:	$830
Date Received:*	4/13/10
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.



VAR-37943 & SDR-37942 - APPLICANT: INTERNATIONAL CHURCH OF LAS VEGAS, INC. - OWNER: INETRNATIONAL CHURCH OF LAS VEGAS, INC. AND USA
SOUTHWEST CORNER OF CLIFF SHADOWS PARKWAY AND 215 BELTWAY

04/22/10



VAR-37943 & SDR-37942 - APPLICANT: INTERNATIONAL CHURCH OF LAS VEGAS, INC. - OWNER: INETRNATIONAL CHURCH OF LAS VEGAS, INC. AND USA
SOUTHWEST CORNER OF CLIFF SHADOWS PARKWAY AND 215 BELTWAY

04/22/10

SOUTHWEST ENGINEERING

• LAND PLANING • MAPPING • DEVELOPMENT

May 3, 2010

RECEIVED
MAY 04 2010

City of Las Vegas
Comprehensive Planning

Re: Justification Letter for Waiver at ICLV PRAYER MOUNTAIN VAR-37943 and SDR-37942

Dear Mr. Gebeke,

We are requesting a waiver of landscaping requirements be granted for the referenced project. This project consists of two separate 5 acre parcels, one owned by the church and one owned by the BLM. The parcel owned by the BLM is under lease to the church and will be built as a park, parking and landscape for the Prayer Mountain project.

Buffer Trees (West Parcel)
The BLM parcel is to the east of the church parcel and is bisected by the future Desert Hope Dr. Because of the location of Desert Hope Dr. to the proximity of the church's property line, all of the frontage landscaping required for the church parcel is located on the BLM parcel. As a result, we are requesting a waiver of landscaping for the east perimeter of the church parcel be granted to allow for the orderly development of both parcels.

The buffer trees on the south and west property lines have been relocated away from the perimeter of the parcel and located adjacent to the building. The buffer trees required on the north property line have been relocated to the Multi-Use Transportation Trail round-about and frontage.

Due to steep topography of the area, the parking area trees have been reduced to maintain the minimum required parking and the perimeter planter widths adjacent to the property lines have been reduced to zero and relocated adjacent to the building.

SDR-37942
REVISED

3610 N. Rancho Drive • Las Vegas, NV 89130 • Telephone: (702) 648-9700 • Fax: (702) 648-4143

Buffer Trees (East Parcel)
The buffer trees for the east parcel will be provided as required.

The tabulation below outlines the landscaping provided for both parcels.

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Buffer Trees (West):				
· North	1 Tree / 20 Linear Feet	21 Trees	8 Trees	N
· South	1 Tree / 30 Linear Feet	13 Trees	Zero Trees	N
· East	1 Tree / 20 Linear Feet	26 Trees	17 Trees	N
· West	1 Tree / 30 Linear Feet	23 Trees	5 Tree	N
Buffer Trees (East):				
· North	1 Tree / 20 Linear Feet	8 Trees	11 Trees	Y
· South	1 Tree / 30 Linear Feet	3 Trees	6 Trees	Y
· East	1 Tree / 30 Linear Feet	25 Trees	25 Trees	Y
· West	1 Tree / 20 Linear Feet	16 Trees	16 Trees	Y
TOTAL PERIMETER TREES		**135 Trees**	**88 Trees**	**N**
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	87 Trees	75 Trees	N
LANDSCAPE PLANTER WIDTHS				
Min. Zone Width				
· North	Per the 2020 Master Plan Transportation Trails Element (Multi-Use Transportation Trail)		Zero Feet	By Condition
· South	7 Feet		Zero Feet	N
· East	7 Feet		Zero Feet	N
· West	7 Feet		Zero Feet	N

Sincerely,

Mark E. Jones, P.E.
President

INTERNATIONAL

8100 Westcliff Drive, Las Vegas, NV 89145

To: Mr. Doug Rankin, Planning Manager
City of Las Vegas

March 22, 2010

From: Janet Kennedy, Administrator
International Church of Las Vegas

Re: Application # ZON-31062/MOD-30617/SDR-30614

Dear Mr. Rankin,

As you know, ICLV has been processing our site plan, architectural drawings, and elevations through a very lengthy process going back to October of 2008. We have had many meetings with staff and the neighbors, as well as Planning Commission hearings and meeting with individual Council members.

We have heard the concerns of our neighbors, staff, and council members and are re-submitting plans which have reduced the project to two (2) similarly sized buildings of 2 floors above grade totaling approximately 52,140 square feet, and a basement in one building with a square footage of 14,052 square feet for a total of 66,192 square feet for both buildings. You will note that what was once an 89,000 square foot building design with an 85-foot tower now has a substantially smaller size square footage with a maximum height of 35 feet which is within the guidelines of the Hillside Ordinance and the Lone Mountain West Master Plan.

In addition, what was an application requiring a number of variances is now lessened to requiring only two variances for additional off-site parking and for wall height. Previously we had requested variances for building height and site disturbance, but those requests are now being withdrawn as they are no longer necessary.

We feel that we have made considerable changes to demonstrate to the surrounding residents our willingness to become good neighbors and support the community. We would request officially that we be able to proceed to Council for final review. This of course requires meetings with staff as is necessary and we look forward to scheduling neighborhood meetings as well.

VAR-37943
SDR-37942

We are working with our representative Mr. Robert Gronauer in processing our application to the city. If you have any questions or need any additional information, please call Mr. Gronauer and we will be happy assist in any way we can. If you need to speak with me directly, please call 702-242-2273.

Thank You,

Janet Kennedy, Administrator

The International Church of Las Vegas

Cc: Bob Gronauer

Paul Goulet

Ron Portaro

VAR-37943
SDR-37942

City of Las Vegas Agenda Item No.: **37.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

SUBJECT:
SDR-37942 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-37943 - PUBLIC HEARING - APPLICANT: INTERNATIONAL CHURCH OF LAS VEGAS, INC. - OWNER: INTERNATIONAL CHURCH OF LAS VEGAS, INC. AND USA - Request for a Site Development Plan Review FOR A PROPOSED TWO-STORY, 35-FOOT HIGH, 66,192 SQUARE-FOOT CHURCH/HOUSE OF WORSHIP WITH WAIVERS OF THE LONE MOUNTAIN WEST WALL AND LANDSCAPE STANDARDS TO ALLOW RETAINING WALLS UP TO 16 FEET IN HEIGHT AND ZERO-FOOT LANDSCAPE BUFFERS ALONG PORTIONS OF THE NORTH, SOUTH, EAST AND WEST PERIMETERS on 9.12 acres at the southwest corner of Cliff Shadows Parkway and the 215 Beltway (APNs 137-12-401-001, 011, 040 and 137-12-410-003), PD (Planned Development) Zone, U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation], and C-V (Civic) Zone [PROPOSED: PD (Planned Development) and C-V (Civic)], Ward 4 (Anthony). Staff recommends APPROVAL.

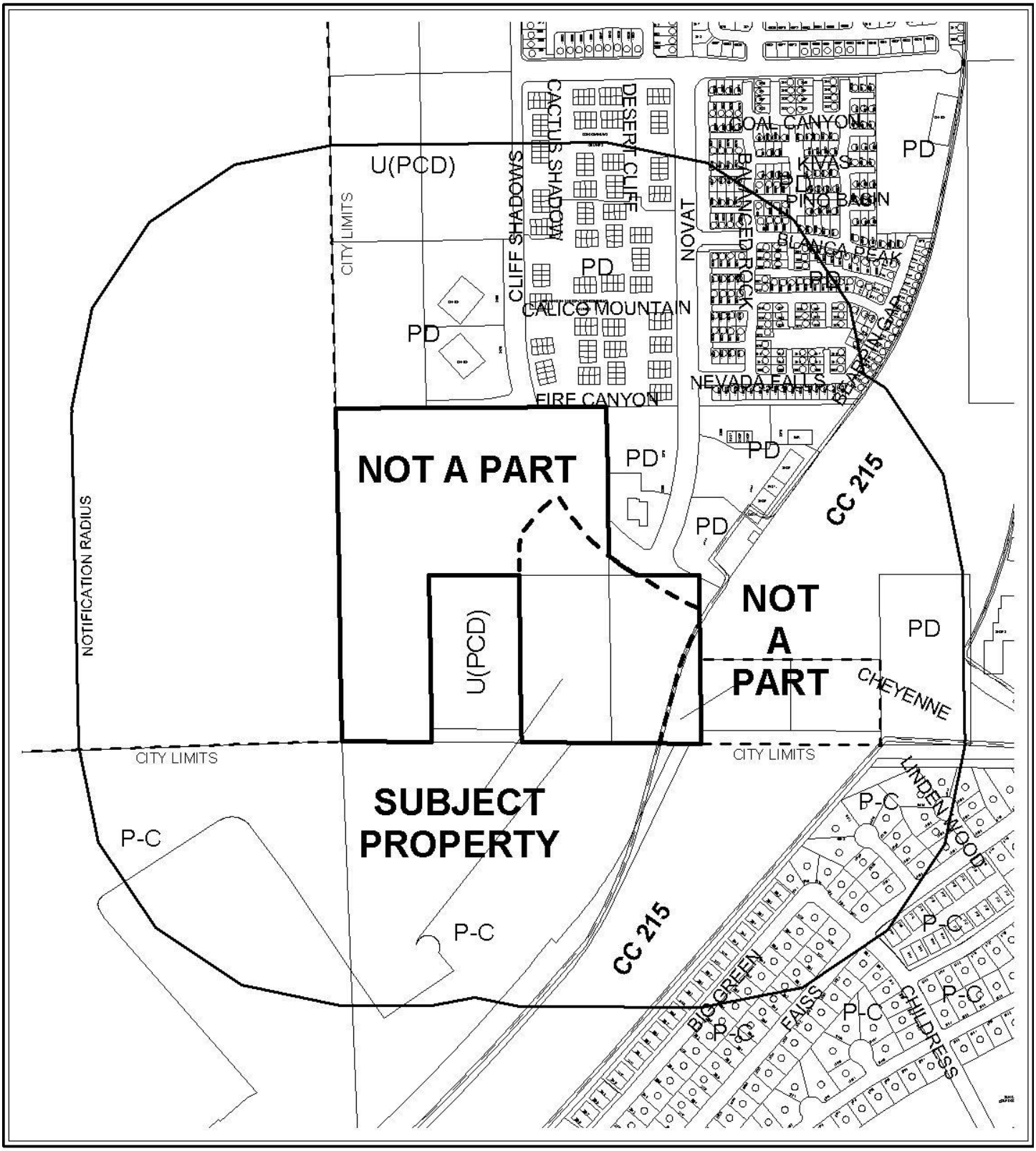
C.C.: 07/07/2010

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidation Backup
2. Location and Aerial Maps
3. Supporting Documentation

Consistent with the City’ s sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.



CASE: **SDR-37942**

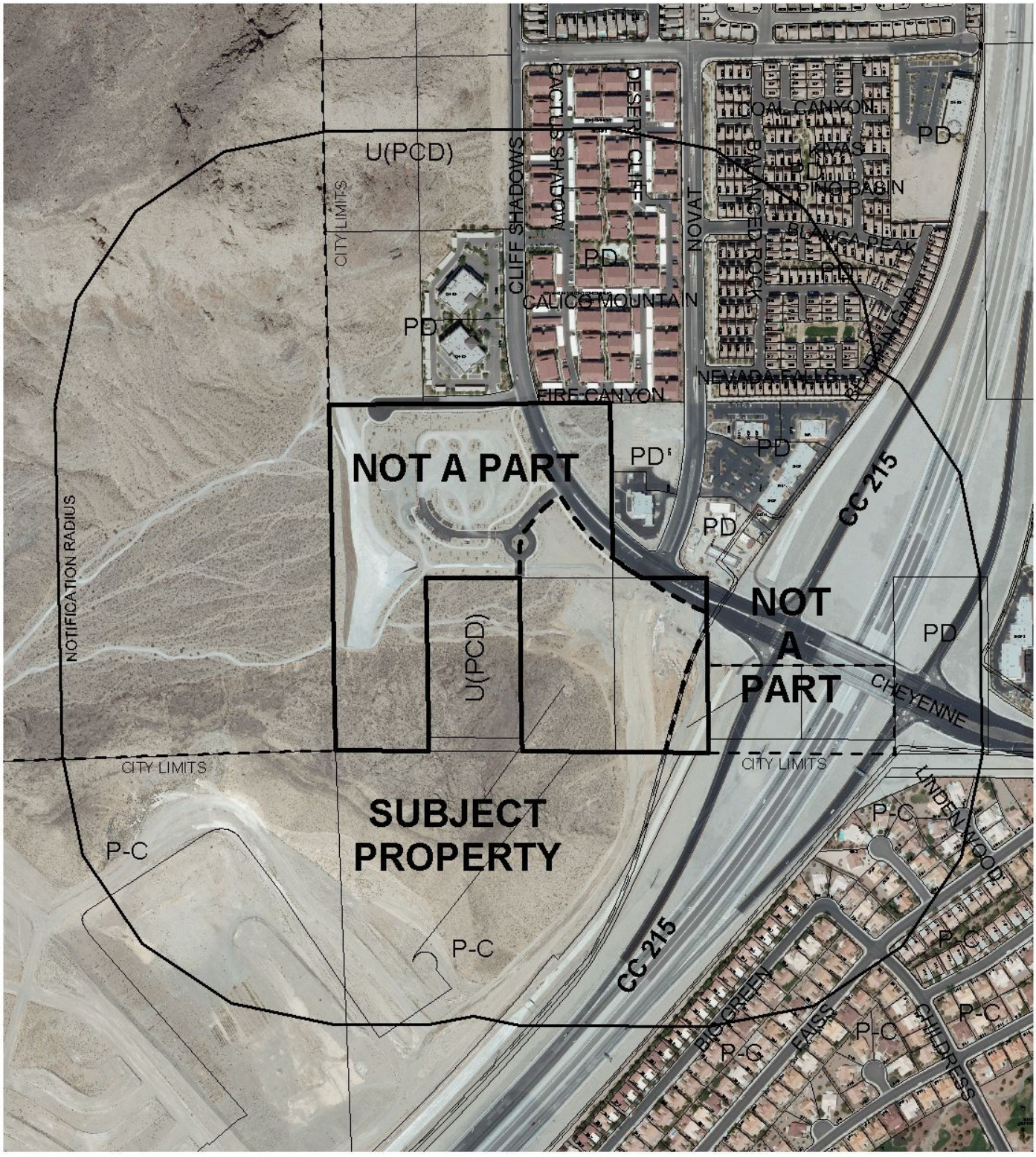
RADIUS: 1000 FT

0 400 800 Feet

ZONING OF SUBJECT PROPERTY:
PD (PLANNED DEVELOPMENT) ZONE [L (LOW DENSITY RESIDENTIAL) LONE MOUNTAIN WEST LAND USE DESIGNATION] ; U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] [P (PARK/SCHOOL/RECREATION/ OPEN SPACE) LONE MOUNTAIN WEST LAND USE DESIGNATION] AND C-V (CIVIC) ZONE [PF (PARK/SCHOOL/RECREATION/OPEN SPACE) LONE MOUNTAIN WEST LAND USE DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:
PD (PLANNED DEVELOPMENT) ZONE [PF (PUBLIC FACILITIES) LONE MOUNTAIN WEST LAND USE DESIGNATION]

N



CASE: SDR-37942

RADIUS: 1000 FT

0 400 800 Feet

ZONING OF SUBJECT PROPERTY:
PD (PLANNED DEVELOPMENT) ZONE [L (LOW DENSITY RESIDENTIAL) LONE MOUNTAIN WEST LAND USE DESIGNATION] ; U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] [P (PARK/SCHOOL/RECREATION/ OPEN SPACE) LONE MOUNTAIN WEST LAND USE DESIGNATION] AND C-V (CIVIC) ZONE [PF (PARK/SCHOOL/RECREATION/OPEN SPACE) LONE MOUNTAIN WEST LAND USE DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:
PD (PLANNED DEVELOPMENT) ZONE [PF (PUBLIC FACILITIES) LONE MOUNTAIN WEST LAND USE DESIGNATION]

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-37942** APN: 137-12-401-011 & 137-12-410-003

Name of Property Owner: CHURCH INTERNATIONAL LAS VEGAS

Name of Applicant: CHURCH INTERNATIONAL LAS VEGAS

Name of Representative: SOUTHWEST ENGINEERING

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: PAUL M. GAULEY PRESIDENT

Subscribed and sworn before me

This 12th day of April, 2010

_____

Notary Public in and for said County and State

MIRIAM R. SCHARSCH
Notary Public, State of Nevada
Appointment No. 03-80745-1
My Appt. Expires March 15, 2011

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-37942** APN: 137-12-401-001 & 040

Name of Property Owner: USA/CLV LEASE

Name of Applicant: CHURCH INTERNATIONAL LAS VEGAS

Name of Representative: SOUTHWEST ENGINEERING

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: Robin Yoakum

Print Name: Robin Yoakum

Subscribed and sworn before me Robin Yoakum

This 2nd day of April, 2010

Christina Strong

Notary Public in and for said County and State

CHRISTINA STRONG
Notary Public State of Nevada
No. 07-1185-1
My appt. exp. Jan. 4, 2011

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: SITE DEVELOPMENT PLAN REVIEW

Project Address (Location) CLIFF SHADOWS & NOVAT

Project Name ICLV PRAYER MOUNTAIN **Proposed Use**

Assessor's Parcel #(s) 137-12-401-011 137-12-410-003 **Ward #** 4

General Plan: existing I proposed PF **Zoning:** existing PCD proposed PF

Commercial Square Footage N/A **Floor Area Ratio** N/A

Gross Acres 5.36 **Lots/Units** 1 **Density**

Additional Information

PROPERTY OWNER CHURCH INTERNATIONAL LV **Contact**

Address 8100 WEST CLIFF DR. **Phone:** (702) 242-2273 **Fax:** (702) 673-4771

City LAS VEGAS **State** NV **Zip** 89145

APPLICANT CHURCH INTERNATIONAL LV **Contact**

Address 8100 WEST CLIFF DR. **Phone:** (702) 242-2273 **Fax:** (702) 673-4771

City LAS VEGAS **State** NV **Zip** 89145

REPRESENTATIVE SOUTHWEST ENGINEERING **Contact** MICHAEL CASANOVA

Address 3610 N. RANCHO DR. **Phone:** (702) 648-9700 **Fax:** (702) 648-4143

City LAS VEGAS **State** NV **Zip** 89130

Property Owner Signature* _____

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

Print Name PAUL M. GOULET, PRESIDENT

Subscribed and sworn before me

This 12th day of April, 20 10.

_____

Notary Public in and for said County and State

MIRIAM R. SCHARSCH
Notary Public, State of Nevada
Appointment No. 03-80745-1
My Appt. Expires March 15, 2011

FOR DEPARTMENT USE ONLY

Case #	SDR-37942
Meeting Date:	5/27/10
Total Fee:	1030.00
Date Received:*	4/13/10
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.

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: SITE DEVELOPMENT PLAN REVIEW

Project Address (Location) CLIFF SHADOWS & NOVAT

Project Name ICLV PRAYER MOUNTAIN **Proposed Use** _____

Assessor's Parcel #(s) 137-12-401-001 & 040 **Ward #** _____

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

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

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

Additional Information _____

PROPERTY OWNER USA / CLV LEASE **Contact** ROBIN YOAKUM

Address WASHINGTON DC **Phone:** (702) 229-1022 **Fax:** _____

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

APPLICANT CHURCH INTERNATIONAL LV **Contact** _____

Address 8100 WEST CLIFF DR. **Phone:** (702) 242-2273 **Fax:** (702) 673-4771

City LAS VEGAS **State** NV **Zip** 89145

REPRESENTATIVE SOUTHWEST ENGINEERING **Contact** MICHAEL CASANOVA

Address 3610 N. RANCHO DR. **Phone:** (702) 648-9700 **Fax:** (702) 648-4143

City LAS VEGAS **State** NV **Zip** 89130

Property Owner Signature* Robin Yoakum

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

Print Name Robin Yoakum

Subscribed and sworn before me Robin Yoakum

This 12th day of April, 20 10.

Christina Strong

Notary Public in and for said County and State

CHRISTINA STRONG
Notary Public State of Nevada
No. 07-1185-1
My appt. exp. Jan. 4, 2011

FOR DEPARTMENT USE ONLY

Case #	SDR-37912
Meeting Date:	5/27/10
Total Fee:	1030.00
Date Received:*	4/13/10
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.



VAR-37943
SDR-37942

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GRAPHIC SCALE

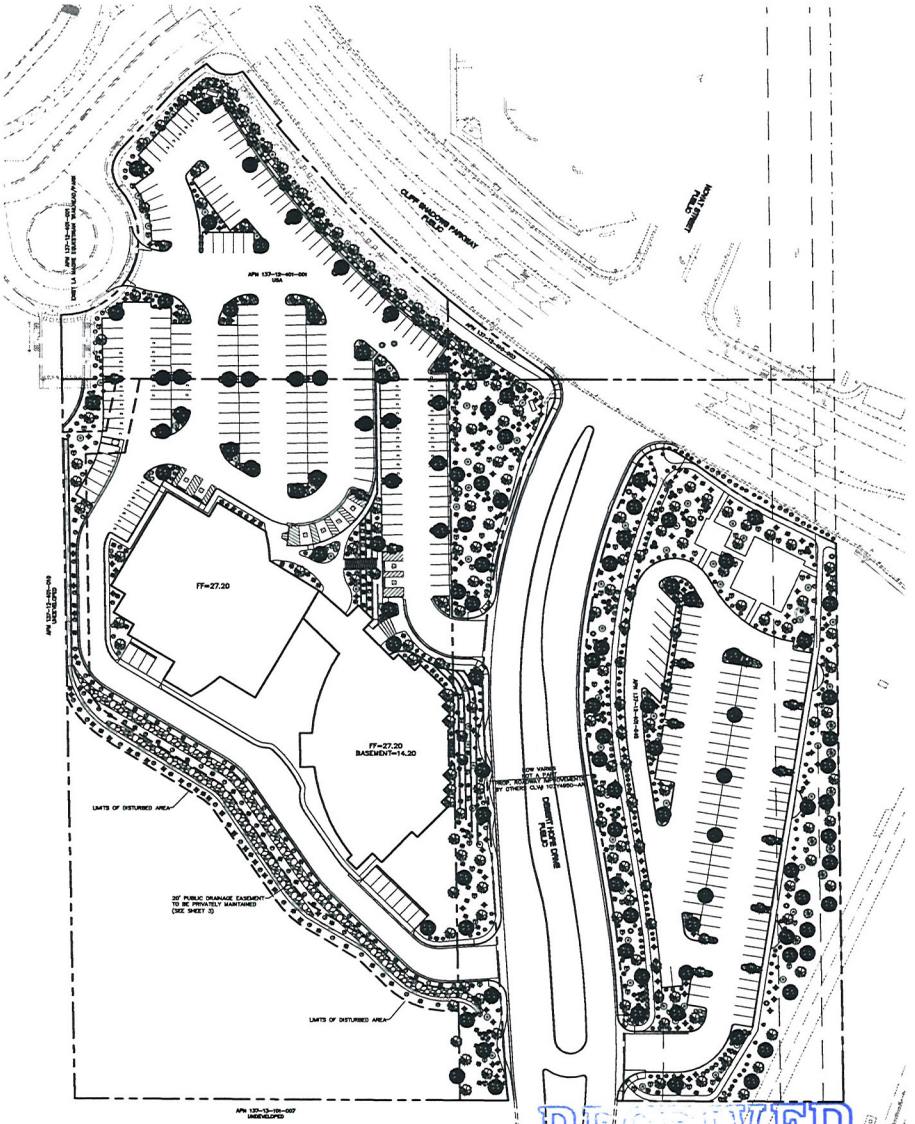
(IN FEET)
HORIZONTAL SCALE= 1"=50'

PLANT SCHEDULE

	SYM.	SIZE	QTY.	SCIENTIFIC NAME	COMMON NAME
TREE		24" Box	189	Cercidium floridum	'Desert Museum' Palo Verde (Multi-trunk)
		24" Box	114	Prosopis glandulosa	'Chilean' Mesquite (Std-trunk)
SHRUBS		5 Gal	8	Cassia nemophila	Feathery cassia
		5 Gal	79	Dasylirion wheeleri	Desert spoon
		5 Gal	33	Hesperaloe parviflora	Red yucca
		5 Gal	82	Xylosma congesta	Xylosma
		5 Gal	41	Muhlenbergia capillaris	Regal Mist
		5 Gal	180	Prostrate Rosemary	Trailing rosemary
		5 Gal	93	Fire Thorn pyracantha	Pyracantha 'Santa Cruz'
GROUND COVERS		1 Gal	345	Lantana Camera	Gold Trailing Lantana
		1 Gal	149	Trachelospermum jasminoides	Star Jasmine
		1 Gal	260	Chrysactinia mexicana	Damianita
MATERIALS		750 TONS		Install aprox. 89,890 = 750 tons 3/4" Decorative Granite	
		25 TONS		GRANITE BOULDERS (2'X2'X2', 2'X3'X2') RED GRANITE	
		3 SEATING-AREAS		BOULDER OR BLOCK WALL BACK RETAING WALL BEHIND EACH SEATING AREA 32' PER AREA 3 AREAS = 96 TOTAL LIN. FT OF WALL	
		6		2 BENCHES PER SEATING AREA ALONG PATHWAYPER SEATING AREA = 6 TOTAL BENCHES	
		5		TRASH CANS BY SEATING AREA AND ALONG PATHWAY	
		16		LAMP LIGHT POST, SPACED EVERY 90'-100' ALONG PATHWAY	
		6		DOG STATION	

BLM PROPERTY PARKING AREA/PARK TRAIL AREA

Parking Area = 70,954 Sq. Ft	Park-/trail area = 65,517 Sq. Ft.
Total area = 136,471 Sq. Ft.	Park-/trail area = 48% total



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SDR-37942

REVISED

NO.	DATE	BY	APP'D.	REVISION DESCRIPTION

KENT E. ANDERSON
Expir. 12-31-10
CIVIL
No. 8078
STATE OF NEVADA
PROFESSIONAL ENGINEER
STAMP DATE:

3610 North Rancho Drive
Las Vegas, Nevada 89130
(702) 645-2423 FAX (702) 645-9100
SOUTHWEST
LAND PLANNING • MAPPING • DEVELOPMENT

TITLE: PRELIMINARY LANDSCAPE PLAN
PROJECT: PRAYER MOUNTAIN
INTERNATIONAL CHURCH OF LAS VEGAS
CITY OF LAS VEGAS NEVADA

WORK ORDER NO:	050915
DESIGN BY:	KA
DRAWN BY:	MH
DATE:	05-04-10
SCALE:	1"=50'
SHEET	1 OF 1 SHEETS
CLV DWG NO.	NO.

PRELIMINARY LANDSCAPE PLAN
PRAYER MOUNTAIN
INTERNATIONAL CHURCH OF LAS VEGAS
CITY OF LAS VEGAS
NEVADA
SOUTHWEST ENGINEERING
LAND PLANNING • MAPPING • DEVELOPMENT
3610 North Rancho Drive
Las Vegas, Nevada 89130
Telephone (702) 646-3700
Fax (702) 646-4143
KENT E. ANDERSON
No. 8408
STATE OF NEVADA
PROFESSIONAL ENGINEER
STAMP DATE
NO.
DATE
BY
APP'D
REVISION DESCRIPTION
PROJECT
TITLE
WORK ORDER NO.
JOB NO.
DESIGN BY
DESIGN
DRAWN BY
DRAWN
DATE
DATE
SCALE
1"=50'
SHEETS
1
OF
1
SHEETS
CLV DWG NO.
NO
HOVAT STREET
PUBLIC
CLIFF SHADOWS PARKWAY
PUBLIC
DESERT HOPE DRIVE
PUBLIC
APN 137-12-401-002
APN 137-12-401-001
APN 137-12-401-003
APN 137-12-401-004
APN 137-12-401-005
APN 137-12-301-001
APN 137-12-301-002
FF=27.20
BASEMENT=14.20
FF=27.20
LOT 1
LOT 2
LOT 3
LOT 4
LOT 5
LOT 6
LOT 7
LOT 8
LOT 9
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LOT 11
LOT 12
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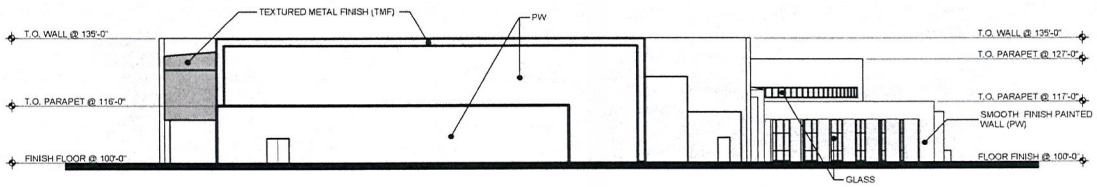
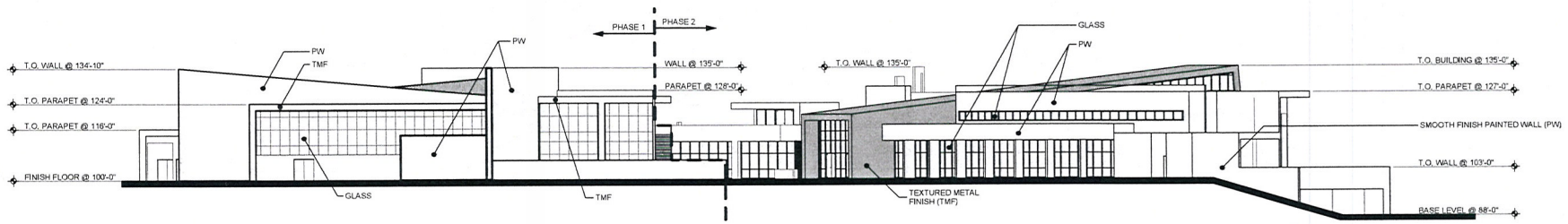
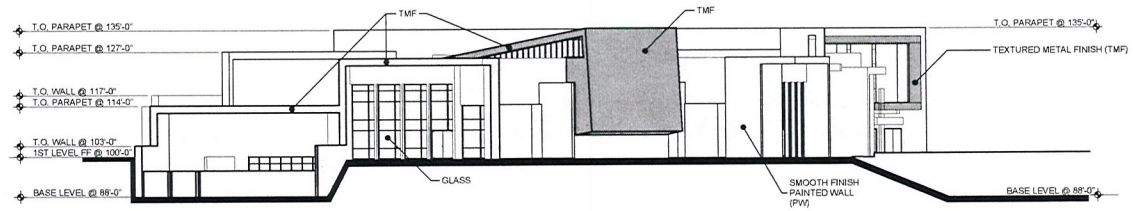
LOT 15
LOT 16
LOT 17
LOT 18
LOT 19
LOT 20
LOT



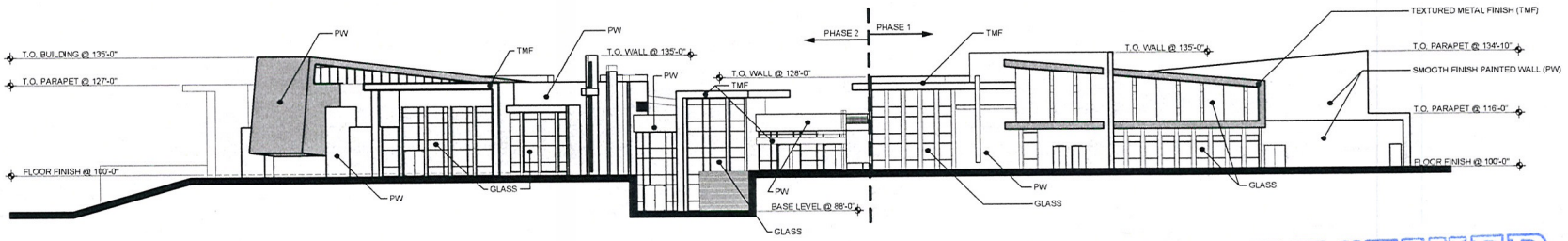
04 WEST ELEVATION
SCALE: 1/16" = 1'-0"



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



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



01 NORTH ELEVATION
SCALE: 1/16" = 1'-0"

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SDR-37942

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0813-ICLV-PM
04-12-10

A4.1
ELEVATIONS
DESIGN PHASE

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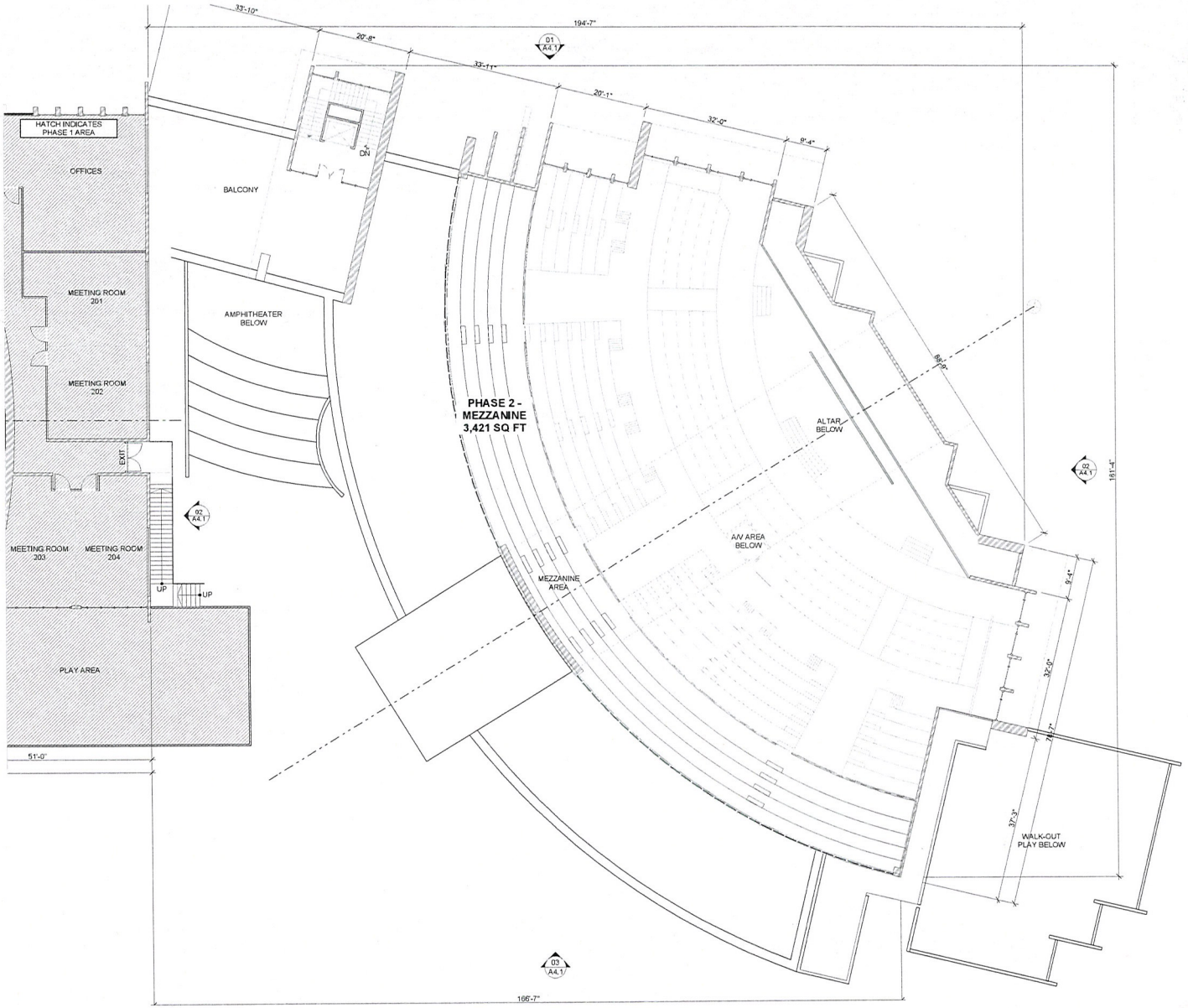

01 PHASE 1 - LEVEL 1 FLOOR PLAN
SCALE: 3/32" = 1'-0"

FLOOR AREA

PHASE 1

FLOOR 1 LEVEL	= 20,445 SQ FT
FLOOR 2 LEVEL	= 7,425 SQ FT
TOTAL	= 27,870 SQ FT

PHASE 2

BASE LEVEL	= 14,052 SQ FT
FLOOR 1 LEVEL	= 20,849 SQ FT
MEZZANINE LEVEL	= 3,421 SQ FT
TOTAL	= 38,322 SQ FT

TOTAL SQUARE FOOTAGE = 66,192 SQ FT

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A1.5
MEZZANINE LEVEL
DESIGN PHASE

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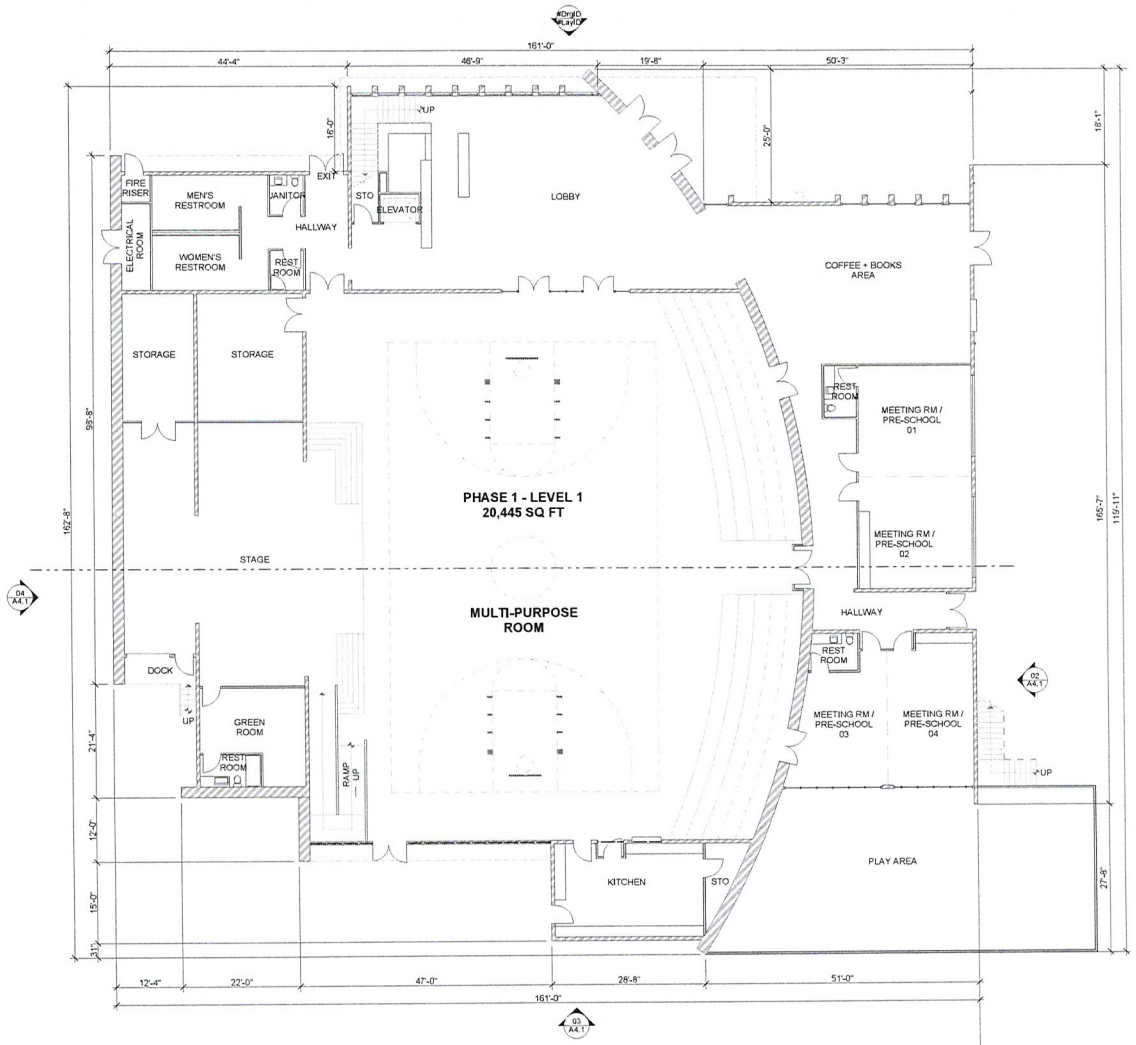

01 PHASE 1 - LEVEL 1 FLOOR PLAN
SCALE: 3/32" = 1'-0"

NORTH

FLOOR AREA

PHASE 1

FLOOR 1 LEVEL	= 20,445 SQ FT
FLOOR 2 LEVEL	= 7,425 SQ FT
TOTAL	= 27,870 SQ FT

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INTERNATIONAL CHURCH OF LAS VEGAS

PRAYER MOUNTAIN

8100 WESTCLIFF DRIVE
LAS VEGAS, NEVADA 89134

Project 0813-ICLV-PM
Date 04-12-10

Drawing A1.1
Phase PHASE 1 LEVEL 1
DESIGN PHASE

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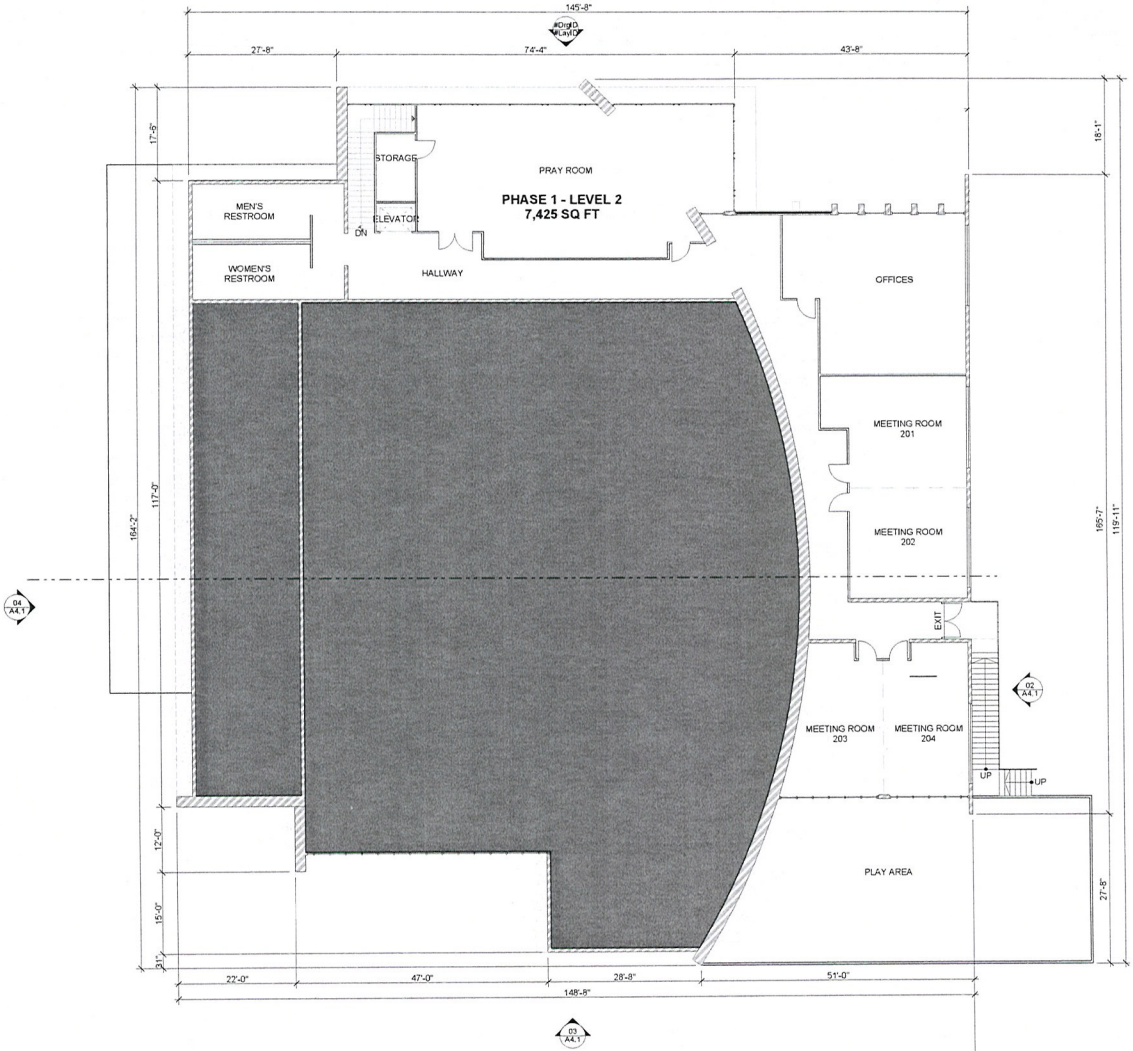
SDR-37942



01 PHASE 1 - LEVEL 2 FLOOR PLAN
SCALE: 3/32" = 1'-0"

NORTH

FLOOR AREA	
PHASE 1	
FLOOR 1 LEVEL	= 20,445 SQ FT
FLOOR 2 LEVEL	= 7,425 SQ FT
TOTAL	= 27,870 SQ FT

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INTERNATIONAL CHURCH OF LAS VEGAS
PRAYER MOUNTAIN
8100 WESTCLIFF DRIVE
LAS VEGAS, NEVADA 89134

Project: 0813-ICLV-PM
Date: 04-12-10

Drawing: A1.2
Drawing Title: PHASE 1 LEVEL 2
DESIGN PHASE

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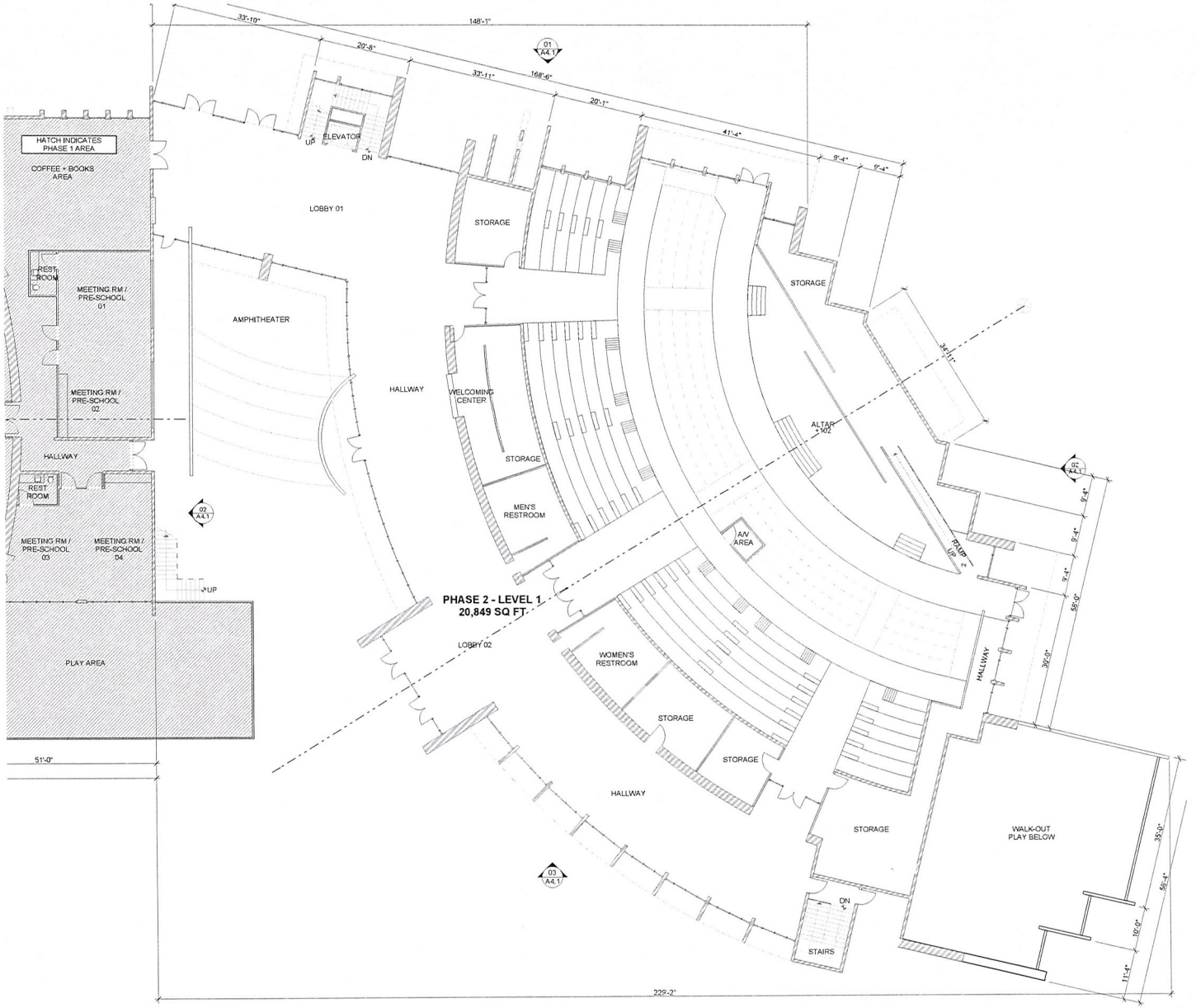
SDR-37942



01 PHASE 2 - LEVEL 1 FLOOR PLAN
SCALE: 3/32" = 1'-0"

FLOOR AREA

PHASE 1

FLOOR 1 LEVEL	= 20,445 SQ FT
FLOOR 2 LEVEL	= 7,425 SQ FT
TOTAL	= 27,870 SQ FT

PHASE 2

BASE LEVEL	= 14,052 SQ FT
FLOOR 1 LEVEL	= 20,849 SQ FT
MEZZANINE LEVEL	= 3,421 SQ FT
TOTAL	= 38,322 SQ FT

TOTAL SQUARE FOOTAGE = 66,192 SQ FT

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VAR-37943
SDR-37942

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0813-ICLV-PM
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A1.3
PHASE 2 LEVEL 1
DESIGN PHASE

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01 PHASE 2 - BASEMENT LEVEL FLOOR PLAN
SCALE: 3/32" = 1'-0"

FLOOR AREA

PHASE 1

FLOOR 1 LEVEL	= 20,445 SQ FT
FLOOR 2 LEVEL	= 7,425 SQ FT
TOTAL	= 27,870 SQ FT

PHASE 2

BASE LEVEL	= 14,052 SQ FT
FLOOR 1 LEVEL	= 20,849 SQ FT
MEZZANINE LEVEL	= 3,421 SQ FT
TOTAL	= 38,322 SQ FT

TOTAL SQUARE FOOTAGE = 66,192 SQ FT

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A1.4
PHASE 2 BASEMENT LEVEL
DESIGN PHASE

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VAR-37943
SDR-37942

SDR 37942
International Church of Las Vegas, Inc.

SWC Cliff Shadows & Novat

Proposed 66.192 square foot church.

Traffic produced by proposed development:

Proposed Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	CHURCH [1000 SF]	66.192	9.11	603
AM Peak Hour			0.56	37
PM Peak Hour			0.55	36

Existing traffic on all nearby streets:

Cliff Shadows Pkwy	
Average Daily Traffic (ADT)	7,573
PM Peak Hour (heaviest 60 minutes)	606

Novat St.	
Average Daily Traffic (ADT)	1,826
PM Peak Hour (heaviest 60 minutes)	146

Traffic Capacity of adjacent streets:

	Adjacent Street ADT Capacity
Cliff Shadows Pkwy	34500
Novat St.	16300

This project is expected to add 603 trips per day on Cliff Shadows Pkwy. and Novat St. This is expected to increase existing volumes by roughly 8% on Cliff Shadows Pkwy. and 33% on Novat St. Currently, Cliff Shadows Pkwy. is at about 22 percent of capacity and Novat St. is at about 11 percent of capacity.

Based on Peak Hour use, this development will add about 2 additional cars each 3 minutes.

Note that this report assumes all traffic from this development uses all named streets.

City of Las Vegas Agenda Item No.: **38.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

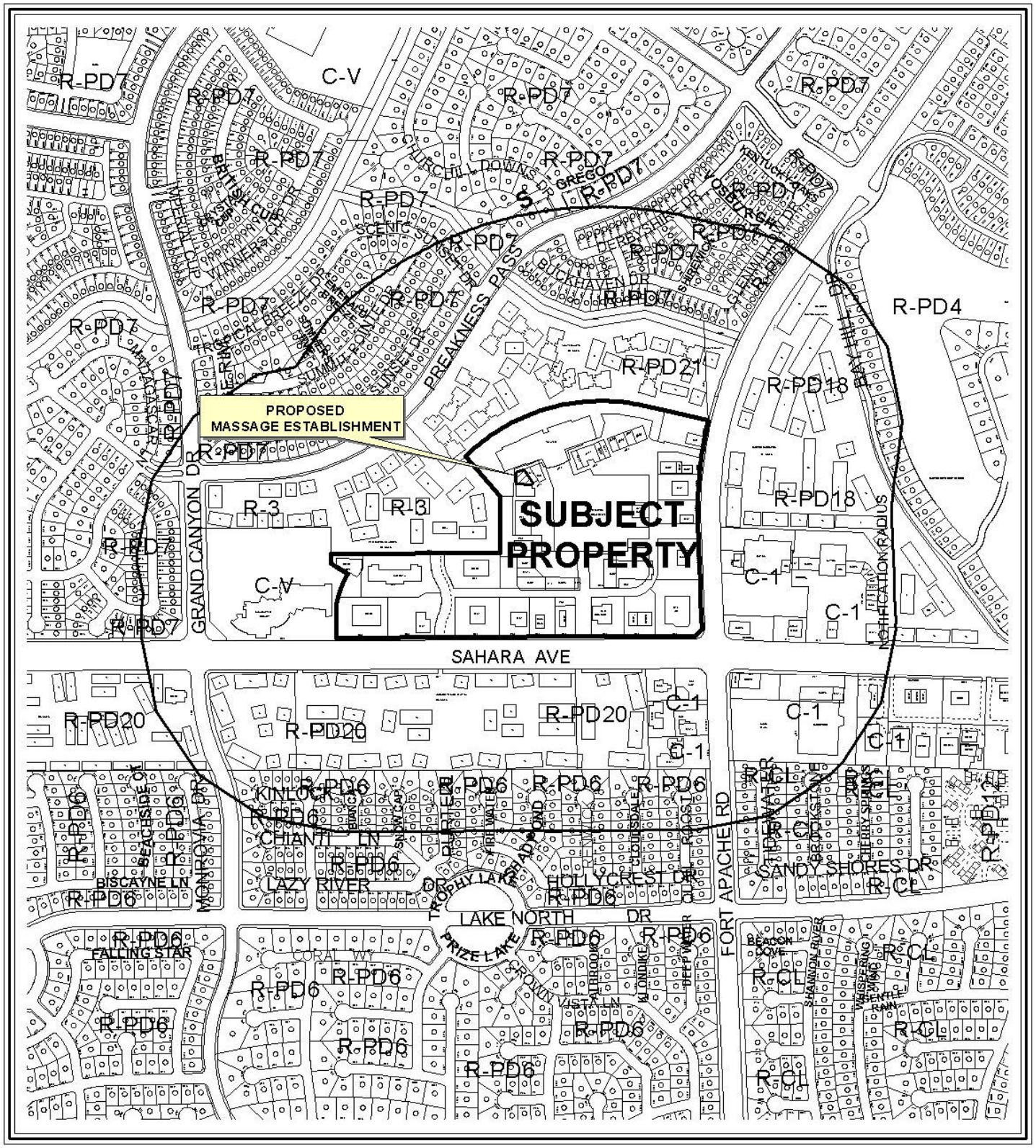
SUBJECT:
VAR-38096 - VARIANCE RELATED TO SUP-37665 - PUBLIC HEARING - APPLICANT: RIVI SALON - OWNER: RECEIVERSHIP ESTATE OF VILLAGE SQUARE SHOPPING CENTER, LLC - Request for a Variance to ALLOW NO ADDITIONAL PARKING SPACES WHERE 10 ADDITIONAL SPACES ARE REQUIRED at 9410 West Sahara Avenue, Suite #140 (APN 163-06-816-037), C-1 (Limited-Commercial) Zone, Ward 2 (Wolfson). Staff recommends DENIAL.

C.C.: 07/07/2010

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

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps – VAR-38096 and SUP-37665
2. Conditions and Staff Report – VAR-38096 and SUP-37665
3. Supporting Documentation
4. Photos – VAR-38096 and SUP-37665
5. Justification Letter – VAR-38096 and SUP-37665



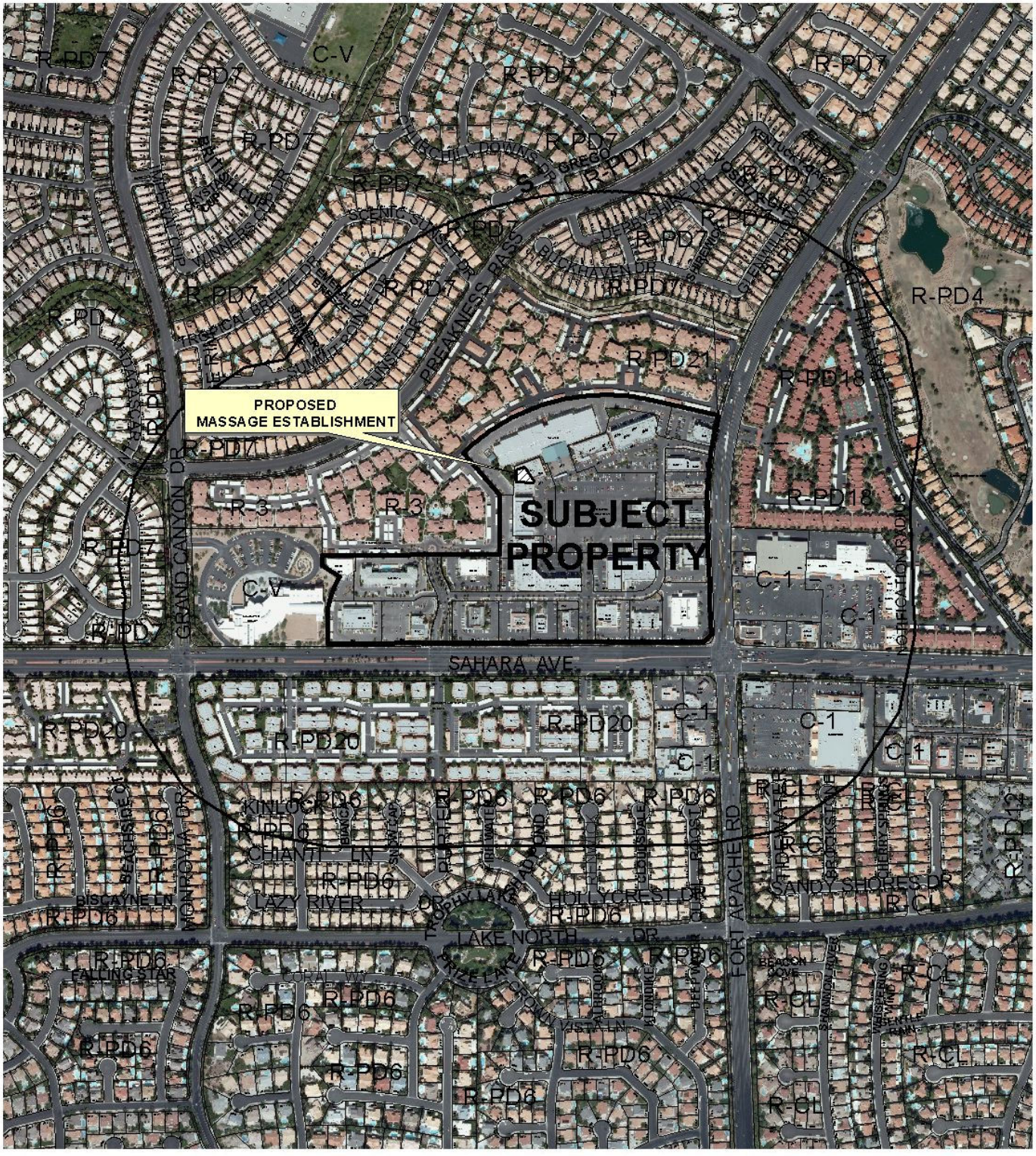
0 500 1000 Feet

CASE: **SUP-37665**

RADIUS: 1000 FT

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

N



0 500 1000 Feet

CASE: **SUP-37665**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: RIVI SALON - OWNER: RECEIVERSHIP ESTATE OF VILLAGE SQUARE SHOPPING CENTER, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-38096	Staff recommends DENIAL, if approved subject to conditions:	
SUP-37665	Staff recommends DENIAL, if approved subject to conditions:	VAR-38096

** CONDITIONS **

VAR-38096 CONDITIONS

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-37665) shall be required, if approved.

2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity. 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-37665 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Massage Establishment use.

2. Approval of and conformance to the Conditions of Approval for Variance (VAR-38096) shall be required.

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

4. These Conditions of Approval shall be affixed to the cover sheet of the plan set submitted for building permit.

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

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit to add a 608 square-foot Massage Establishment use within an existing 2,450 square-foot Beauty Salon and a Variance to allow no additional parking where 10 additional spaces are required at 9410 West Sahara Avenue, Suite #140. The proposed use will be located within the Village Square Shopping Center. The applicant is seeking waivers to allow a zero-foot distance separation from a synagogue and parcel zoned for residential use where 400 feet is required and a parking variance; therefore, the use cannot be conducted in a manner that is harmonious and compatible with surrounding uses, and staff recommends denial. If this application is denied, the proposed Massage Establishment use cannot be located within the subject tenant space, nor can a business license be obtained for the use at this location.

ISSUES

- Approval of the parking Variance (VAR-37295) to allow no additional parking spaces where 10 parking spaces are required is necessary for the Special Use Permit to be approved.
- The applicant is requesting waivers of Title 19.04.010, minimum Special Use Permit requirements, to allow a zero-foot distance separation from a synagogue and parcel zoned for residential use where 400 feet is required.

BACKGROUND INFORMATION

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

06/08/98	The City Council approved a request for a Special Use Permit (U-0038-98) for a proposed Supper Club in conjunction with a proposed 6,648 square-foot restaurant on property located on the north side of Sahara Avenue, west of Fort Apache Road. Planning Commission recommended approval.
	The City Council approved a request for a Site Development Plan Review [Z-0139-88(24)] for a proposed 27,418 square-foot two-story retail and office building and a 33,207 square-foot two-story retail and office building located on the north side of Sahara Avenue, west of Fort Apache Road. The Planning Commission recommended approval of the request.
11/09/98	The City Council approved a Variance (VAR-12102) to allow 2,404 parking where 2,440 is the minimum number of spaces required in conjunction with the addition of a 1,200 square-foot restaurant within the existing shopping center. The Planning Commission recommended approval and staff recommended denial.
04/07/10	The City Council approved a Variance (VAR-37295) to allow no additional parking spaces where 36 additional spaces are required at the northwest corner of Fort Apache Road and Sahara Avenue. The Planning Commission recommended approval and staff recommended denial.
	The City Council approved a Special Use Permit (SUP-36961) for a Major Amendment to an approved Special Use Permit (U-0038-98) to add 2,820 square feet of building area and outside seating area to an existing 7,265 square-foot Supper Club use at 9500 West Sahara Avenue. The Planning Commission recommended approval and staff recommended denial.
	The City Council approved a Site Development Plan Review (SDR-36962) for a Major Amendment to a previously approved Rezoning and Plot Plan Review (Z-0139-88) for a proposed 2,036 square-foot addition to an existing 6,648 square-foot commercial building at 9500 West Sahara Avenue The Planning Commission recommended approval and staff recommended denial.

Most Recent Change of Ownership	
12/15/06	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
02/26/98	A building permit (#98004011) was issued for a Tenant Improvement for a Beauty Salon at 9410 West Sahara Avenue, Suite #140. The project was completed on 06/26/98.
05/14/98	A business license (B05-02681) was issued for a Beauty Salon at 9410 West Sahara Avenue, Suite #140. The license is inactive as of 07/09/08.
	A business license (B08-00575) was issued for a Beauty Supply Sales at 9410 West Sahara Avenue, Suite #140. The license is inactive as of 07/09/08.
	A business license (M03-00037) was issued for a Massage Establishment at 9410 West Sahara Avenue, Suite #140. The license is inactive as of 07/09/08.

10/14/09	A business license (B05-03152) was issued for a Beauty Salon at 9410 West Sahara Avenue, Suite #140. The license is currently active.
	A business license (B08-01383) was issued for a Beauty Supply Sales at 9410 West Sahara, Avenue Suite #140. The license is currently active.
03/18/10	A business license (M03-94677) was denied by Planning and Development Department for a Massage Establishment at 9410 West Sahara Avenue, Suite #140. Prior to the approval of this license a Special Use Permit for a Massage Establishment uses is required.

Pre-Application Meeting	
02/22/10	A pre application meeting was held with the applicant where the submittal requirements for a Special Use Permit for a Massage Establishment and Variance for parking were discussed. Topics included: • A request for waivers for the Massage Establishment to be within 400 feet of synagogue and parcel zoned for residential use. • The justification letter needs to indicate the current hours of operation of the Beauty Salon. • A Variance application is needed for parking at Village Square, due to the previously approved variance to allow 2,112 parking spaces where 2,476 spaces are required. Massage Establishment parking requirement is two spaces for each massage room, which requires an additional 10 parking spaces.

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

Field Check	
04/22/10	Staff conducted a site visit and noted a banner sign tied to the metal mesh structure over Suite #140.

Details of Application Request	
Site Area	
Net Acres	1.79

Surrounding Property	*Existing Land Use Per Title 19.04*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Apartments	M (Medium Density Residential)	R-PD21 (Residential Planned Development – 21 Units Per Acre)
South	Bank, Apartments	SC (Service Commercial), M (Medium Density Residential)	C-1 (Limited Commercial), R-PD20 (Residential Planned Development – 20 Units Per Acre)
East	Commercial Shopping Center	M (Medium Density Residential), SC (Service Commercial)	C-1 (Limited Commercial), R-PD18 (Residential Planned Development – 18 Units Per Acre)
West	Library, Church, Apartments	PF (Public Facilities), SC (Service Commercial), M (Medium Density Residential)	C-V (Civic) C-1 (Limited Commercial), R-3 (Medium Density Residential)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	***Required***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Commercial Center (Existing)	425,720 S.F.		2,476				
Massage Establishment (Proposed)	2,450 S.F.	Two spaces for each massage room	10				
TOTAL SPACES REQUIRED			2,486				
TOTAL (With Handicapped)			2451	35	2,112*		N
Percent Deviation			14%				

*As approved by Variance (VAR-37295)

Waivers		
Requirement	***Request***	***Staff Recommendation***
Title 19.04.010 A Massage Establishment within 400-foot distance separation from synagogue and parcel zoned for residential use.	Zero Feet	Denial

ANALYSIS

The applicant is requesting a Special Use Permit for a Massage Establishment use with waivers to be located within an existing Beauty Salon. The waivers are requested to allow the Massage Establishment use to have a zero-foot distance separation from a synagogue and a parcel zoned for residential use, where 400 feet is the minimum distance requirement. The proposed use will occupy 608 square feet within an existing 2,450 square-foot Beauty Salon.

The applicant is requesting a Variance to allow no additional parking spaces where 10 additional parking spaces are required for a proposed Massage Establishment use. The submitted floor plan indicates five massage rooms within the Beauty Salon. The Massage Establishment parking requirement is two spaces for each massage room. A companion Variance (VAR-38096) has been submitted to address the proposed use parking requirements.

The subject site is located within a commercial subdivision with a reciprocal parking and access throughout. A previous Variance (VAR-37295) was approved in 2010 to allow 2,112 parking spaces where 2,476 spaces were required. The Massage Establishment use would increase the parking requirement of the site to 2,486 spaces. Currently, Title 19.04 allows parking for either a Shopping Center or a Regional Mall to be calculated at the rate of one space per 250 square feet of gross floor area, regardless of the individual uses, resulting in a requirement for 1,703 spaces and a Variance would not be necessary as there are 2,112 spaces provided. However, per Title 19.04, a Shopping Center is limited from 25,000 to 350,000 square feet of gross floor area and a Regional Mall is defined as an enclosed structure with a minimum of 350,000 square feet of gross floor area, with typical means of access to the various uses from inside the mall structure. The subject site does not meet either of these requirements, as the gross floor area exceeds the maximum 350,000 square feet allowed for a Shopping Center, and consists of numerous pad sites containing buildings with less than 350,000 square feet of gross floor area each, and with separate outside access from one another. Therefore, the parking requirement for the overall commercial subdivision must be calculated based on the individual uses.

The request for a Special Use Permit for a Massage Establishment fails to meet the minimum use requirements of Title 19.04 for distance separation. The additional required parking spaces result in an increase in the parking deficiency of the overall commercial subdivision, and the applicant has provided no evidence of a unique or extraordinary circumstance that would substantiate the Variance and Waiver requests; therefore, staff is recommending denial of the request, as the applicant has created a self-imposed hardship by proposing to add the Massage Establishment use.

FINDINGS (VAR-38096)

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 adding the Massage Establishment use, which has a parking requirement that is too intense for the site to accommodate. Proposing an Accessory Massage use with a maximum of 150 square feet of space will conform 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.

FINDINGS (SUP-37665)

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

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

   The proposed Massage Establishment use is permitted in the C-1 (Limited Commercial) zoning district and is located within an existing commercial subdivision. However, the proposed use within an existing Beauty Salon results in additional required parking spaces that cannot be accommodated on-site. The applicant has requested Waivers of Title 19.04.010 standards, minimum distance separation requirements to allow a zero-foot distance separation from 400 feet of a synagogue and a parcel zoned for residential use. Thus, the proposed Massage Establishment use cannot be conducted in a manner that is harmonious and compatible with the surrounding uses.

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

The existing Beauty Salon use is located within a commercial subdivision that was designed to accommodate a variety of uses; however, with the proposed Massage Establishment use, the site cannot accommodate the additional required parking spaces. The proposed use is within 400 feet from a synagogue and the commercial subdivision directly abuts a parcel zoned for residential use, making the subject site unsuitable for the intensity of 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.**

   The site is accessed by Sahara Avenue and Fort Apache Road, which are both designated as 100-Foot Primary Arterials by the Master Plan of Streets and Highways. These streets provide adequate access to and from the subject property.

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

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

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

   The Massage Establishment use fails to meet both Title 19.04 distance separation requirements and Title 19.10 on-site parking standards.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 7

NOTICES MAILED 882

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-38096 APN: 163-06-816-037

Name of Property Owner: RECEIVERSHIP ESTATE OF VILLAGE SQUARE SHOPPING CENTER LLC

Name of Applicant: _____

Name of Representative: _____

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

_____ Yes X No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Receivership Estate of Village Square Shopping Ctr. LLC

Print Name: David Lewkes, Court Appointed Receiver

Subscribed and sworn before me

This 11th day of March, 2011

Notary Public in and for said County and State

LAURENE PALMA
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 3-21-2013
Certificate No: 05-95600-1

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: VARIANCE PARKING

Project Address (Location) 9410 W Sahara #140, Las Vegas, NV 89117

Project Name Rivi Salon **Proposed Use** Massage Establishment

Assessor's Parcel #(s) 163 068 16 037 **Ward #** 2

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

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

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

Additional Information _____

PROPERTY OWNER Receivership Estate of Village Sq. Shopping Ctr, LLC **Contact** MARGARET ZIEDIN

Address 3800 Howard Hughes Pkwy #1200 **Phone:** 796-7900 **Fax:** 796-7920 (702)

City LAS VEGAS **State** NV **Zip** 89169

E-mail Address m.ziedin@empire.com

APPLICANT Rivka Hershcovich **Contact** _____

Address 3518 Spring Shower **Phone:** 702 285 **Fax:** _____

City Las Vegas **State** NV DIST **Zip** 89147

E-mail Address _____

REPRESENTATIVE _____ **Contact** _____

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

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

E-mail Address _____

Receivership Estate of Village Sq. Shopping Ctr, LLC

Property Owner Signature* _____

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

Print Name DAVID JEUKES

Subscribed and sworn before me

This 10th day of March, 20 10.

Laurene Del Palma

Notary Public in and for said County and State

LAURENE PALMA
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 3-21-2013
Certificate No: 05-95600-1

FOR DEPARTMENT USE ONLY

Case #	VAR-38096
Meeting Date:	6/24/10
Total Fee:	$30.00
Date Received:*	4-27-10
Received By:	

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

Revised 10/27/08

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VAR-38096 & SUP-37665 - APPLICANT: RIVI SALON - OWNER: RECEIVERSHIP ESTATE OF VILLAGE SQUARE SHOPPING CENTER, LLC
9410 WEST SAHARA AVENUE, SUITE #140

04/22/10



VAR-38096 & SUP-37665 - APPLICANT: RIVI SALON - OWNER: RECEIVERSHIP ESTATE OF VILLAGE SQUARE SHOPPING CENTER, LLC
9410 WEST SAHARA AVENUE, SUITE #140

04/22/10



VAR-38096 & SUP-37665 - APPLICANT: RIVI SALON - OWNER: RECEIVERSHIP ESTATE OF VILLAGE SQUARE SHOPPING CENTER, LLC
9410 WEST SAHARA AVENUE, SUITE #140

04/22/10



VAR-38096 & SUP-37665 - APPLICANT: RIVI SALON - OWNER: RECEIVERSHIP ESTATE OF VILLAGE SQUARE SHOPPING CENTER, LLC
9410 WEST SAHARA AVENUE, SUITE #140

04/22/10



VAR-38096 & SUP-37665 - APPLICANT: RIVI SALON - OWNER: RECEIVERSHIP ESTATE OF VILLAGE SQUARE SHOPPING CENTER, LLC
9410 WEST SAHARA AVENUE, SUITE #140

04/22/10

RIVI SALON AND BOUTIQUE
9410 W. SAHARA #140
LAS VEGAS, NEVADA 89117

April 22, 2010

To Whom It May Concern.

RE: Variance for Parking and Special Use Permit for Massage Establishment use.

I am in the process of acquiring a business license for a Massage Establishment at 9410 W. Sahara Avenue; suite 140, where I have an existing 2,450 square foot Beauty Salon. I am seeking to gain approval of the Special Use Permit for a massage establishment. In addition to the Special Use Permit application, we would like to request for a waiver for the Massage Establishment to be located within 400 feet of synagogue and parcel zoned for residential use. The hours of operation is between 8am to 9pm. There will be 5 massage rooms within the suite. AND TOTAL OF 608 SQFT.

We are also applying for a parking variance. The Massage Establishment use requires 10 additional parking spaces, in addition to existing Beauty Salon. There was a previous variance (VAR-37295), for parking within Village Square Shopping Center. Currently, there are 2,112 parking spaces provided on site, where 2,476 parking spaces are required. With the Massage Establishment, this will add 10, more parking spaces will increase the required parking to 2,486 spaces. AND

Thank you,

Rivka Herscovicz
Salon Owner

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APR 29 2010

SUP-37665
VAR-38096

City of Las Vegas Agenda Item No.: **39.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

SUBJECT:
SUP-37665 - SPECIAL USE PERMIT RELATED TO VAR-38096 - PUBLIC HEARING - APPLICANT: RIVI SALON - OWNER: RECEIVERSHIP ESTATE OF VILLAGE SQUARE SHOPPING CENTER, LLC - Request for a Special Use Permit TO ADD A PROPOSED 608 SQUARE-FOOT MASSAGE ESTABLISHMENT WITHIN AN EXISTING 2,450 SQUARE-FOOT BEAUTY SALON WITH WAIVERS TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A SYNAGOGUE AND A RESIDENTIAL ZONE WHERE 400 FEET IS REQUIRED at 9410 West Sahara Avenue, Suite #140 (APN 163-06-816-037), C-1 (Limited-Commercial) Zone, Ward 2 (Wolfson). Staff recommends DENIAL.

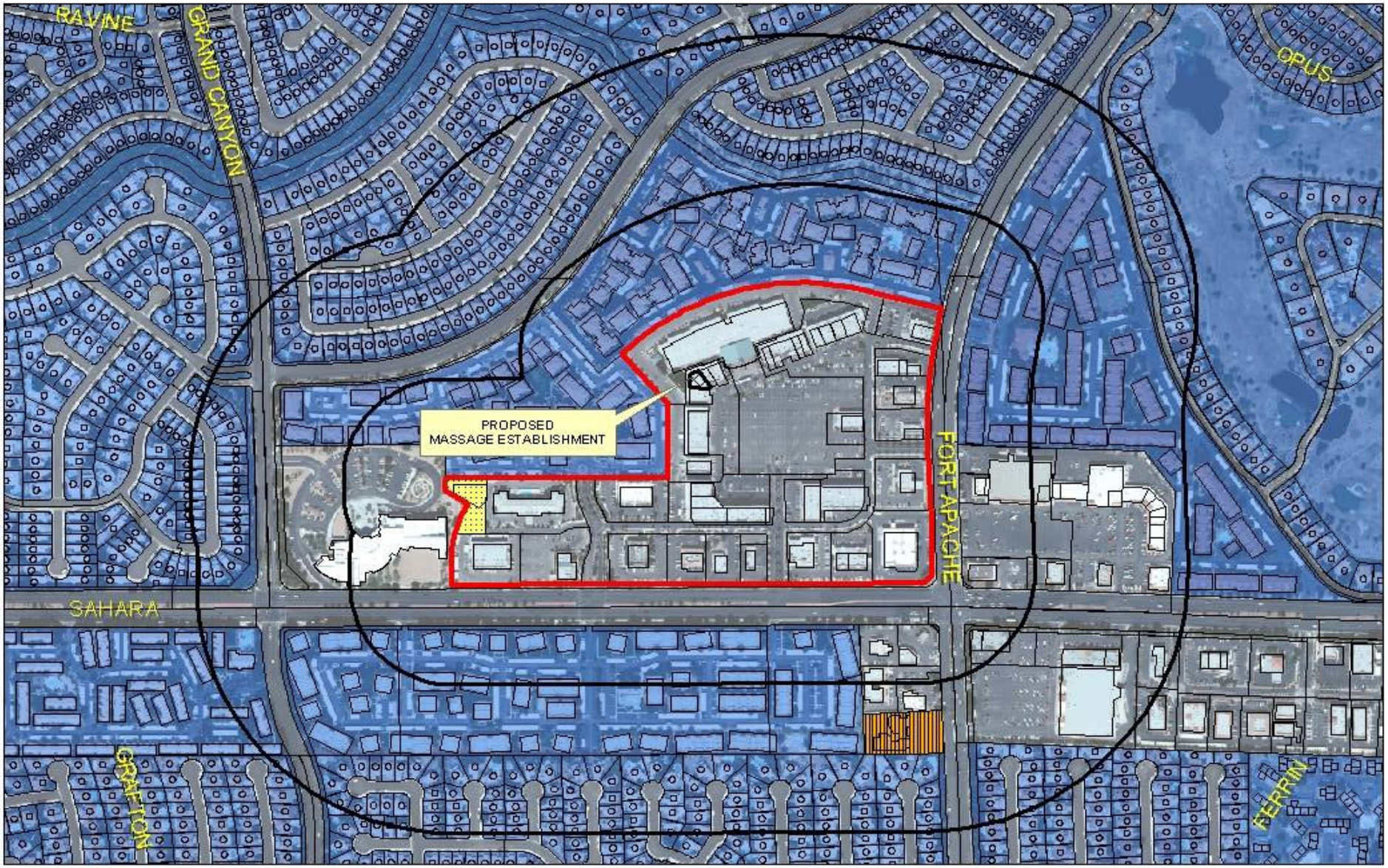
C.C.: 07/07/2010

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

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Special Map
3. Supporting Documentation

Consistent with the City’ s sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.



SUP-37665

Business Licenses

- Massage Establishment
- Child Care/ Children Facility

Protected Landuses

- RELIGIOUS
- CITY PARKS
- SCHOOLS

- Subject Property
- Residential Property
- 400' & 1000' Buffer

0 330 660 1,320 Feet

N

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number SUP-37665 APN: 16306816037

Name of Property Owner: RECEIVERSHIP ESTATE OF VILLAGE SQUARE SHOPPING CENTER, LLC

Name of Applicant: Rivka Hershcovicz

Name of Representative: _____

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

_____ Yes X No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Receivership Estate of Village Square Shopping Ctr. LLC

Print Name: David Jenkes, Court Appointed Receiver

Subscribed and sworn before me

This 11th day of March, 2010

Laurene Palma
Notary Public in and for said County and State

LAURENE PALMA
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 3-21-2013
Certificate No: 05-95600-1

RECEIVED
MAR 16 2010

Revised 11-14-06

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PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Massage Establishment

Project Address (Location) 9410 W Sahara #140, Las Vegas, NV 89117

Project Name Rivi Salon **Proposed Use** Massage Establishment

Assessor's Parcel #(s) 163 068 16 037 **Ward #** 2

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

Commercial Square Footage 2,450 **Floor Area Ratio** ____

Gross Acres ____ **Lots/Units** ____ **Density** ____

Additional Information ____

PROPERTY OWNER RECEIVERSHIP ESTATE OF VILLAGE SQUARE SHOPPING CENTER, LLC (TOV) **Contact** MARGARET ZIEDIN

Address 3800 HOWARD HUGHES PKWY #1200 **Phone:** 796-7900 **Fax:** 796-7220 (702)

City LAS VEGAS **State** NV **Zip** 89169

E-mail Address m.ziedin@tmpre.com

APPLICANT Rivka Hershcovic **Contact** ____

Address 3518 Spring Shower **Phone:** 702 295 **Fax:** ____

City Las Vegas **State** NV DIST **Zip** 89147

E-mail Address ____

REPRESENTATIVE ____ **Contact** ____

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

City ____ **State** ____ **Zip** ____

E-mail Address ____

Receivership Estate of Village Sq. Shopping Ctr, LLC

Property Owner Signature* [signature] Court Appointed Receiver David Jeukes

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

Print Name DAVID JEUKES

Subscribed and sworn before me

This 10th day of March, 20 10.

[signature] Laurene Delpalma

Notary Public in and for said County and State

LAURENE PALMA
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 3-21-2013
Certificate No: 05-95600-1

FOR DEPARTMENT USE ONLY

Case #	SUP-37665
Meeting Date:	May 27 2010
Total Fee:	$1030.00
Date Received:*	3/16/10
Received By:	M. Howe

*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

RECEIVED
MAR 16 2010

City of Las Vegas Agenda Item No.: **40.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

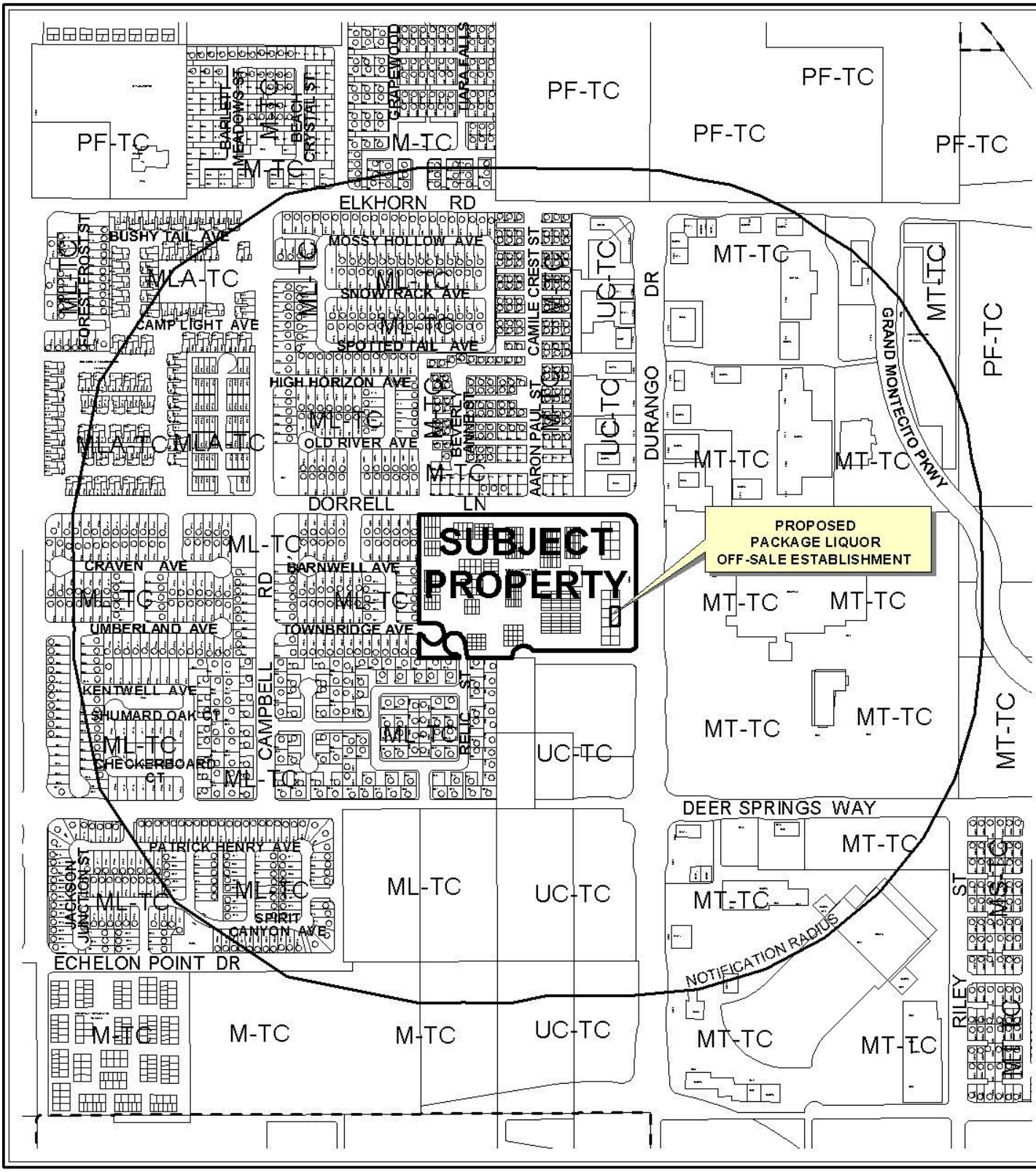
SUBJECT:
SUP-37739 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: DURANGO MARKET - OWNER: MNLK, LLC - Request for a Special Use Permit FOR A PACKAGE LIQUOR OFF-SALE USE WITHIN AN EXISTING 2,326 SQUARE-FOOT RETAIL ESTABLISHMENT at 6955 North Durango Drive, Suite #1114 (APNs 125-20-215-269 and 270), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends APPROVAL.

IF APPROVED, C.C.: 07/07/2010
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**407**
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. Support Petition



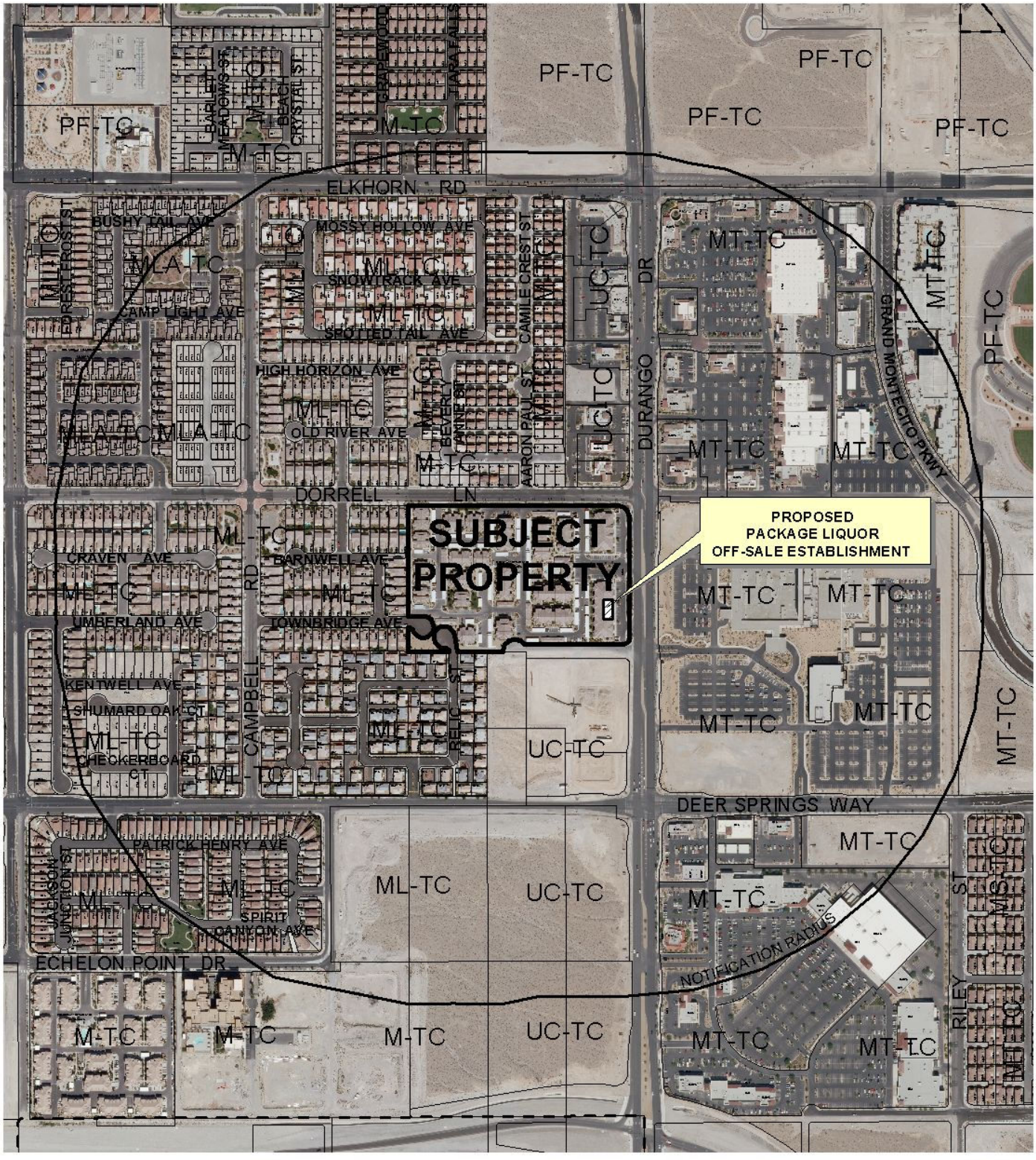
0 500 1000 Feet

CASE: **SUP-37739**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER - TOWN CENTER) SPECIAL LAND USE DESIGNATION]



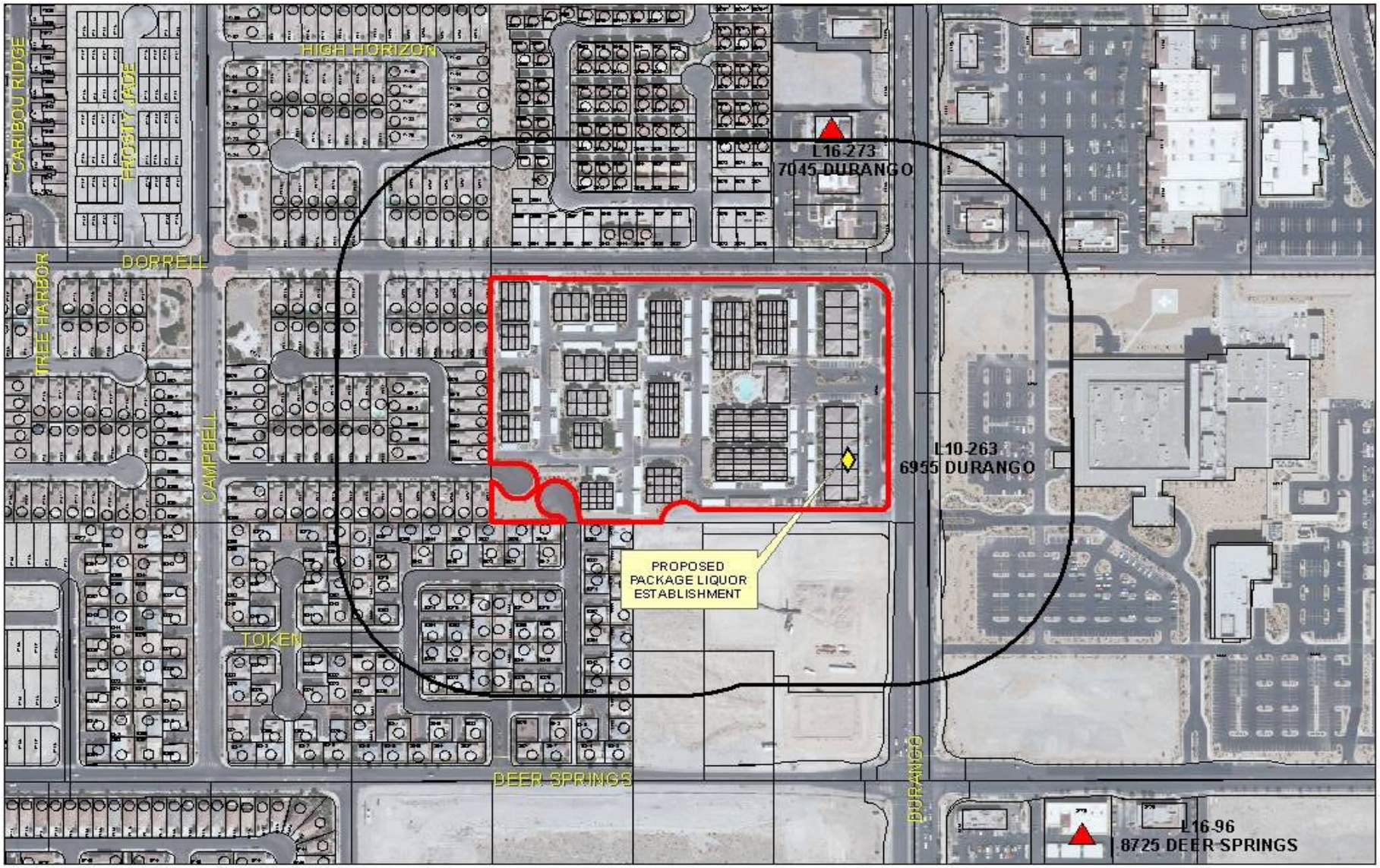
0 500 1000 Feet

CASE: **SUP-37739**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER - TOWN CENTER) SPECIAL LAND USE DESIGNATION]



SUP-37739

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: MAY 27, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: DURANGO MARKET - OWNER: MNLK, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-37739	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-37739 CONDITIONS

Planning and Development

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

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

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

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

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

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

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a Package Liquor Off-Sale Establishment within an existing 2,326 square-foot retail establishment building at 6955 North Durango Drive, Suite #1114. No Waivers are needed as a part of this request. The proposed use meets all Title 19.04 standards for a Package Liquor Off-Sale Establishment, 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	
01/26/01	An Annexation (A-0003-99 (A)) was processed; the annexation area consists of approximately 629.808 acres of land, located west of El Capitan Way and east of Grand Canyon Drive between Grand Teton Drive and Rome Boulevard.
04/03/02	The City Council approved a request for a Rezoning (Z-0099-01) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center) Zone on 15.16 acres located adjacent to the west side of El Capitan Way approximately 660 feet south of Elkhorn Road. The Planning Commission and staff recommended approval on 02/28/02.
05/01/02	The City Council approved a request for a Site Development Plan Review (Z-0099-01(1)) for a proposed 274-unit multi-family residential development and 16,000 square feet of commercial floor space on 15.16 acres located adjacent to the west side of El Capitan Way, approximately 660 feet south of Elkhorn Road. The Planning Commission and staff recommended approval on 03/28/02.
05/01/02	The City Council approved a related Development Agreement (DA-0001-02) for this development. The Planning Commission and staff recommended approval on 03/28/02.
05/19/04	The City Council approved a request for a Development Agreement (DIR-4432) for a condominium conversion for a 284-unit development including 10 retail units on 15.2 acres adjacent to the southwest corner of Durango Drive and Dorrell Lane.
06/02/04	The City Council approved the Development Agreement (Bill No. 2004-42) with El Capitan Associates, Limited Liability Company.
06/10/04	The Planning Commission approved a Tentative Map (TMP-3991) for a 284-lot condominium development including 10 retail units. Staff recommended approval.

12/01/04	The City Council approved a request for a Special Use Permit (SUP-5230) for Beer and Wine Sales, Off-Premise located at 6955 North Durango Drive, Suites #1113 and #1114. The Planning Commission and staff recommended approval.
12/01/04	The City Council approved a request for a Special Use Permit (SUP-5231) for package liquor sales located at 6955 North Durango Drive Suites #1115 and #1116. The Planning Commission and staff recommended approval
09/04/07	The Architecture Review Committee denied a request for a Major Modification (ARC-24065) to an approved Master Sign Plan (CHAR-0017-04) and Waiver to allow exposed neon window signs at 6955 North Durango Drive Units #1113 and #1114.
11/19/09	A Code Enforcement case (#84190) was processed for neon signs in windows and temporary signage. Code Enforcement closed the case on 02/10/10.

Most Recent Change of Ownership	
06/04/08	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
02/25/03	A Building Permit (#3003715) was issued for a retail shell building at 6955 North Durango, Suite #1114. The project was completed 12/15/04.
05/10/05	A Building Permit (#5003055) was issued for a tenant improvement buildout at 6955 North Durango, Suite #1114. The project was completed 10/07/05.
10/17/05	A Business License application (C05-02484) was issued for a retail tobacco sales at 6955 North Durango, Suite #1114. The license is still active.
10/17/05	A Business License application (C15-00347) was issued for a convenience store at 6955 North Durango, Suite #1114. The license is still active.
10/17/05	A Business License application (C20-02269) was issued for a convenience hall gaming tax at 6955 North Durango, Suite #1114. The license is still active.
10/17/05	A Business License application (C22-98228) was issued for check cashing at 6955 North Durango, Suite #1114. The license was marked out of business on 02/22/08.
10/17/05	A Business License application (G01-02270) was issued for restricted gaming at 6955 North Durango, Suite #1114. The license is still active.
10/17/05	A Business License application (L10-00263) was issued for beer/wine/cooler off-sale at 6955 North Durango, Suite #1114. The license is still active.

Pre-Application Meeting	
03/11/10	A pre-application meeting was held and the submittal requirements of a Special Use Permit application were discussed: • The applicant will store the liquor in a display area behind the counter. • There are no Waivers for any protected uses required for this application because there are no protected uses within 400 feet of the subject site.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
04/22/10	A site inspection was conducted by staff. The subject property was noted as a well maintained commercial building.

Details of Application Request	
Site Area	
Net Acres	0.05

Surrounding Property	*Existing Land Use Per Title 19.04*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	Multi-Family Residential Development and Commercial Space	UC-TC (Urban Center Mixed Use District)	T-C (Town Center)
North	Single-Family Residential Development and Commercial Space	M-TC (Medium Density Residential) UC-TC (Urban Center Mixed Use District)	T-C (Town Center)
South	Undeveloped	UC-TC (Urban Center Mixed Use District) and GC-TC (General Commercial)	T-C (Town Center)
East	Hospital	UC-TC (Urban Center Mixed Use District)	T-C (Town Center)
West	Single-Family Residential Development	ML-TC (Medium Low Density Residential)	T-C (Town Center)

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area			
Centennial Hills Sector Plan	X		Y
Town Center Master Plan	X		Y

Special Purpose and Overlay Districts	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts			
T-C (Town Center) District	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

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	
Package Liquor Off-Sale Establishment	2,326 SF	1:175	13		21		Y
TOTAL SPACES REQUIRED			13		21		Y
TOTAL (With Handicapped)			12	1	19	2	Y
Loading Spaces	2,326 SF	1:175	1		1		Y

ANALYSIS

The applicant is proposing to add a Package Liquor Off-Sale use within the existing commercial building, which will be operated in conjunction with the existing retail establishment. 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. This request meets all minimum Special Use Requirements and can be conducted in a compatible and harmonious manner within the existing retail establishment; therefore, staff is recommending approval of this application

FINDINGS (SUP-37739)

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

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

   The proposed Package Liquor Off-Sale Establishment will be operated in conjunction with an existing retail establishment, which is adjacent to similar uses. The addition of a Package Liquor Off-Sale Establishment 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 Convenience Store. 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 Durango Drive, a 120-foot Parkway Arterial as designated in the Town Center Development Standards Manual. This street is of sufficient size to accommodate the needs of the proposed 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.**

   The proposed Special Use Permit request will not be inconsistent with or compromise the public health, safety, and welfare or overall objectives of the General Plan.

5. **The use meets all of the applicable conditions per Title 19.04.**
   The proposed Package Liquor Off-Sale use meets all of the applicable conditions per Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

NOTICES MAILED 1,197

APPROVALS 407

PROTESTS 0

AO

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-37739** APN: 125.20.215.021

Name of Property Owner: Samir Toma

Name of Applicant: Durango Market

Name of Representative: Nathan Taylor

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: Samir Toma

Subscribed and sworn before me

This 23 day of February, 2010

Cynthia Love Clark Nevada

Notary Public in and for said County and State

CYNTHIA LOVE
NOTARY PUBLIC - STATE OF NEVADA
Date Appointment Exp: 07-05-11
Certificate No: 03-79701-1

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: DURANGO MARKET

Project Address (Location) 6955 N. DURANGO, LV, NV 89149

Project Name DURANGO MARKET **Proposed Use** _____

Assessor's Parcel #(s) 125-20-215-270 **Ward #** 6

General Plan: existing _____ proposed _____ **Zoning:** existing T-C proposed TC

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

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

Additional Information _____

PROPERTY OWNER Samir Toma **Contact** _____

Address 14747 Wildcat PL **Phone:** 619-992-5784 **Fax:** _____

City JAMUL **State** CA **Zip** 91935

E-mail Address _____

APPLICANT _____ **Contact** _____

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

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

E-mail Address _____

REPRESENTATIVE TAYLOR CONSULTING GROUP **Contact** NATHAN TAYLOR

Address P.O. BOX 750521 **Phone:** 280.6175 **Fax:** _____

City LAS VEGAS **State** NV **Zip** 89136

E-mail Address NATHAN@THETAYLORCONSULTINGGROUP.COM

Property Owner Signature* _____

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

Print Name Samir Toma

Subscribed and sworn before me

This 23 day of February, 2010.

Cynthia Love

Notary Public in and for said County and State Clark, Nevada

CYNTHIA LOVE
NOTARY PUBLIC - STATE OF NEVADA
Date Appointment Exp: 07-05-11
Certificate No: 03-79701-1

FOR DEPARTMENT USE ONLY

Case #	SUP-37739
Meeting Date:	05/27/10
Total Fee:	1280.00
Date Received:*	03/22/10
Received By:	C.D. Vann

*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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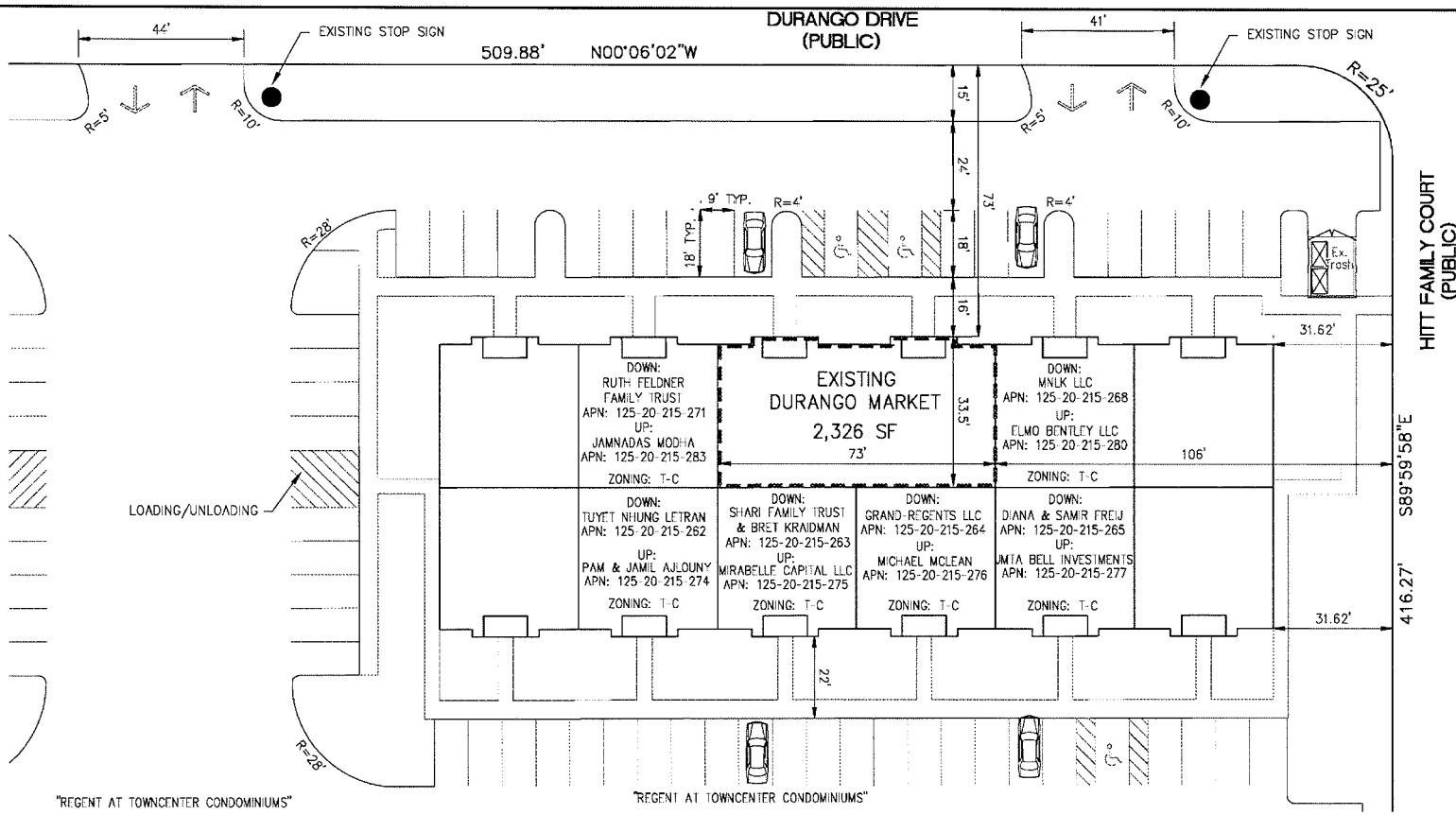

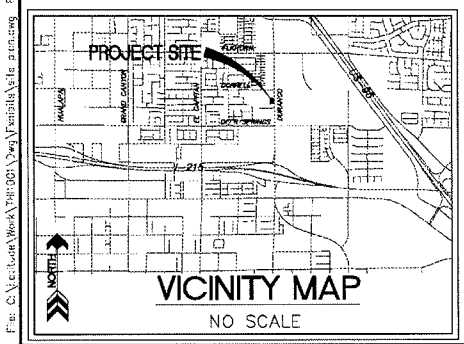

VICINITY MAP

NO SCALE

LEGEND

- BACK OF CURB
- EDGE OF PAVEMENT
- PROJECT BOUNDARY
- INGRESS/EGRESS ARROWS
- FREESTANDING SIGN
- HANDICAP PARKING STALL

SITE DATA

ASSESSOR PARCEL NUMBERS	=	125-20-215-269
	=	125-20-215-270
EXISTING ZONING	=	T-C
TOTAL BUILDING AREA	=	2,326 SF

NORTH

0 30 60

FEET

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MAR 22 2010

NO.	DESCRIPTION	DATE	BY	APP.

LATITUDE CONSULTING, LLC
CIVIL ENGINEERING AND PLANNING
2677 AFRICAN VIOLET AVENUE, HENDERSON, NV 89074
PHONE: (702) 612-8891 FAX: (866) 266-5582

TOMA HERFI, INC.

DURANGO MARKET
SITE PLAN-B+W

DATE: 2/24/10
DRAFTER: DCL
DESIGNER: DCL
CHECKED: DCL
PROJECT NO. TH1001.000

SP-BW

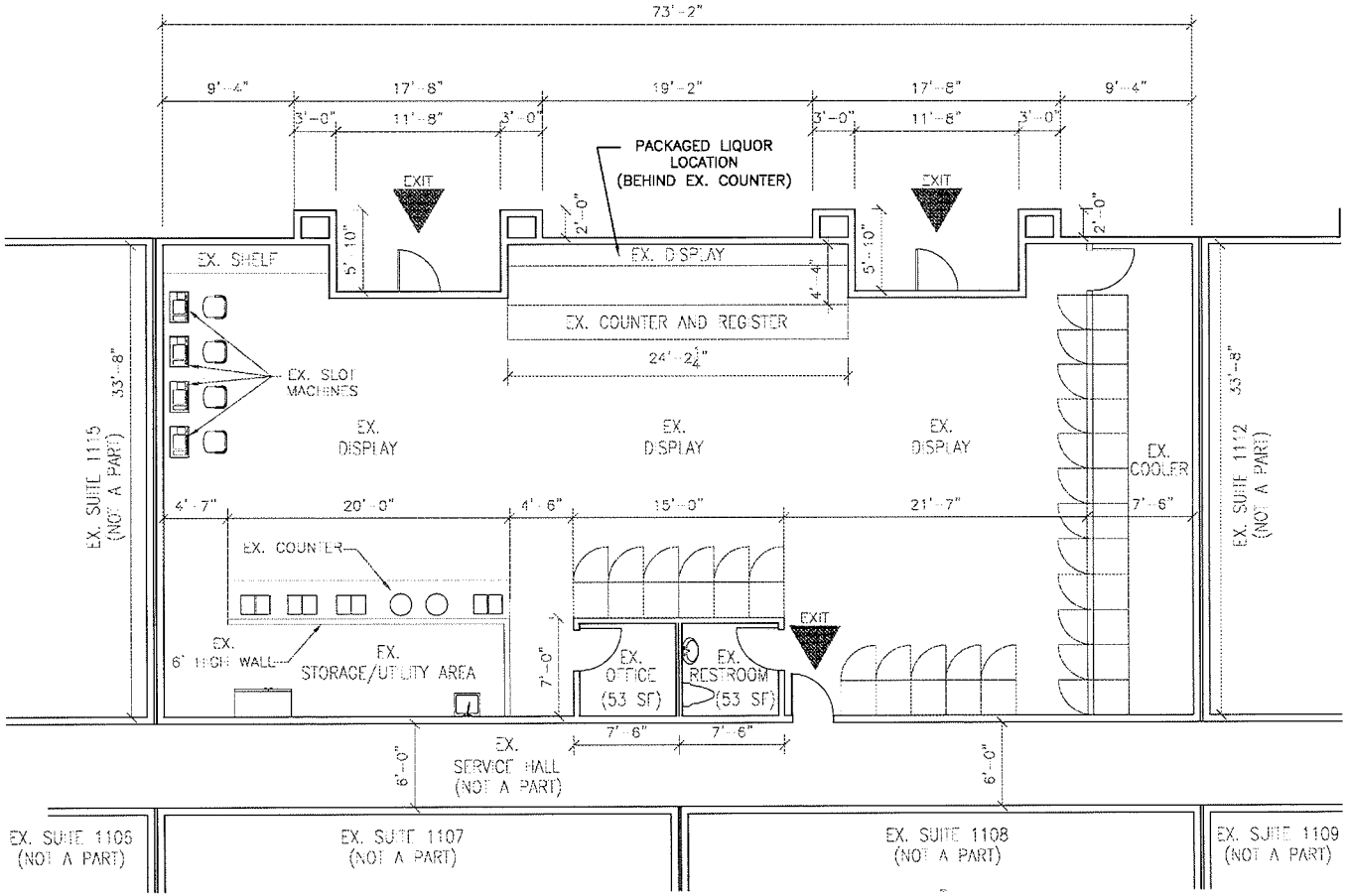
SHEET 1 OF 4

File: C:\Latitude\Work\TH1001\Dwg\Exhibits\site plan.dwg Feb 24, 2010 07:56

SUP-37739

OCCUPANCY LOAD

PREVIOUSLY APPROVED TOTAL BUILDING AREA:	=	2,326
PROPOSED TOTAL BUILDING AREA (UNCHANGED):	=	2,326
OCCUPANY LOAD FACTOR (SF PER OCCUPANT):	=	30
MAXIMUM OCCUPANY LOAD:	=	77



FLOOR PLAN

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

NO.	DESCRIPTION	DATE	BY	APP.

LATITUDE CONSULTING LLC
CIVIL ENGINEERING AND PLANNING
2577 AIRCAN VOLET AVENUE, HENDERSON, NV 89074
PHONE: (702) 612-8891 FAX: (866) 266-3382

TOMA HERFI, INC.

DURANGO MARKET
FLOOR PLAN-B+W

DATE: 2/24/10
DRAFTER: DCL
DESIGNER: DCL
C-FOLDER: DCL
PROJECT NO: TH1001.000

FP-BW
SHEET 3 OF 4

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SUP-37739

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SUP-37739 - APPLICANT: TOMA HERFI, INC. - OWNER: MNLK, LLC
6955 NORTH DURANGO DRIVE

04/22/10

TAYLOR CONSULTING GROUP, LLC

GOVERNMENT AFFAIRS & LAND USE CONSULTANTS

February 18, 2010

City of Las Vegas Planning & Development
400 Stewart Ave.
Las Vegas, NV 89101

To Whom It May Concern:

We are respectfully submitting this application for a Special Use Permit/Variance of distance restrictions with the department of Planning & Development. This permit is for Toma Herfi, Inc. dba Durango Market, located at 6955 N. Durango Drive, Suite 114, Las Vegas, NV 89149.

Our SUP/~~Variance~~ is for a conversion of the existing liquor license use. We seek to have Durango Market's Liquor License changed from a Beer/Wine License to a Package Liquor License. Originally, this was the preferred use by my client, however when the original application was submitted they did not move forward on the Package Liquor use.

Currently, Durango Market has 2 employees, and operates during the hours of: 8:00am - 10:00pm.

This application meets all current City of Las Vegas codes and regulations. We respectfully ask for your approval of this SUP/Variance for the sole purpose of operating a convenience store with Package Liquor.

Respectfully,

Nathaniel Taylor

Eddie Marogi

SUP-37739

TAYLOR CONSULTING GROUP LLC, P.O. BOX 750521, LAS VEGAS, NEVADA 89136
(702) 280.6175
www.thetaylorconsultinggroup.com

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Next HOA meeting 10/23/09 4 P.M.

The petition is for the purpose of allowing Durango Market to sell hard alcoholic beverages.

This petition is to support Durango Market to obtain an amendment to its license to allow it to sell hard alcoholic beverages and to dispute the objections of the HOA Regent at Town Center.

We the undersigned do agree with Durango Market and support its decision to sell hard alcoholic beverages.

Print Name	Signature	Address
David Bush	[signature]	6916 Winter Ridge Las Vegas 89149
[illegible]	[signature]	1125 [illegible]
Corey LaFlora	[signature]	7900 Smokey Ridge Ct. L.V. 89131
Deon Kinchen	[signature]	8921 Ethan Patrick L.V. NV. 89149
Ramona Thomas	Ramona Thomas	8921 Ethan Patrick L.V. NV 89149
Tim Swanson	[signature]	9303 Gilcrease L.V. NV 89149

Chris Voss [signature] 9522 Grandview Spring Ave W, NV 89166

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6A

Print Name	Signature	Address
Josh James	[illegible]	8524 Copperidge Ave
James R. Smith	[illegible]	2498 Pueblo Canyon Ave.
Mark Allen	[illegible]	8049 Eurovail St
Jen Yanik	[illegible]	6955 N Durango #3082
Erin Turner	[illegible]	8941 Carter Montgomery Ave. LV, NV 89149
Verleda Burge	[illegible]	9745 Grand Teton Dr Las Vegas, NV 89146
Veronica Bor	[illegible]	92341 Gran Montgomery Vegas NV 89148
Jay Lewis	[illegible]	16411 Bayshore lane HB, CA 92649.
Steve	[illegible]	6955 N Durango [illegible]
Janie	[illegible]	[illegible] 32541
Rick	[illegible]	89148 5554 Jacobs Fields L. LV
Amy Tolman	[illegible]	6680 Farm Road 89131
Roshon Williams	[illegible]	10151 Dorrell Lane #2166 Las Vegas NV 89166

13A

Print Name	Signature	Address
Richard Dunaway	Richard Dunaway	6955 N. Durango Bldg 2 Apt 1010
Missy Warrick	Missy Warrick	8961 Blanche Ct 89149
Roger Hernandez	[illegible]	#2074 6955 N. Durango Dr 89149
Amanda Nance	Amanda Nance	8905 Tumblewood Av 89143
Luke Enackson	[illegible]	9745 Grand Teton Dr Las Vegas NV. 89149
Justin Monroe	[illegible]	9120 Entrancing Ave. LV. NV. 89149
Ken Turner	[illegible]	6955 N. Durango Bldg 3 Apt 3084 LV, NV 89149
Omar Tejeda	[illegible]	9163 W Denver Sky Av Las Vegas NV 89142
James Hahn	[illegible]	6841 Moshi St LV. 89166
Tony Moore	[illegible]	9145 Echelon point Dr 1122
Eric Forsstrom	Eric [illegible]	9232 Jadecrest Dr. LV. NV. 89134
Joe Campise	Joe Campise	9028 Patrick Henry Las Vegas
Mike Green	[illegible]	3231 Tecata Dr Las Vegas

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13A

Print Name	Signature	Address
Amanda Rogers	Amanda Rogers	6955 N. Durango #1002
Michelle Addona	Michelle Addona	6955 N Durango Las Vegas, NV 89149
Thomas Mazintas	[illegible]	8941 David Allen Ct LV, NV 89149
George Lopez	[illegible]	6955 N. Durango L. Offices
Victor Garcia	[illegible]	2751 E Bonanza RD 89101
Christy Tarraf	[illegible]	8948 Snowtrack Ave 89149
Dustin Billinsky	Dustin Billinsky	9425 Shadowgate Cr. 89148
Rachel Stricklan	Rachel Stricklan	6955 N. Durango #2097
Bill Eskew	William Eskew	5825 Egan Crest Dr. Las Vegas, NV. 89149
Shawn Hutchings	S. Hutchings	9000 Old River L.V. NV 89149
Abou Bacar Toure	[illegible]	6701 Bluebell Garden St LV, NV 89149
Madreia Crawford	Madreia Crawford	6744 Biltmore Gardens LV NV 89149
Alicia Campbell	[illegible]	9024 Barnwell Las Vegas, NV

13A

Print Name	Signature	Address
Jace Rose	[illegible]	8917 Wolf Dancer Ave.
Felicia Reed	Felicia Cat	9009 Barnwell Ave LV NV 89149
Mr Keith Hamlin	Mr Keith Hamlin	9444 Kingsley Ct
Jason Brown	[illegible]	9529 Grand Grove
Heather Swanson	[illegible]	9579 Grand Grove
Steven Z	[illegible]	6955 N. Durango
B. Whitehead		
Gary [illegible]	Alitha Williams	
Sheila Joy Burford	Sheila Joy Burford	9153 Umberland Ave. 89149
Chris Powlesland	Chris Powlesland	9745 Grand Teton
Kelly Ford	Kelly Ford	7628 Tender Tassle St Lasvegas 89149
Ed DeMeo	Eddie DeMeo	8112 Cimarron Ridge LV NV 89128
GERAD BUMBERA	Gerad Bumbera	1213 Silver Prospect L.V. N.V. 89128

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MAR 22 2010

11A

Print Name	Signature	Address
Rozario Love	Rozario Love	6500 W. Charleston
PAUL MATIJEVICH	Paul Matijevich	6490 ALBINA CREEK ST.
Mari Stutz	[illegible]	9564 Patrick Henry
Valeria Toledo	Valeria Toledo	7644 Broad Hill 89149 St.
[illegible]	[illegible]	89149 9157 Accomplishment
Jacklyn Boyd	J Boyd	7136 Cabin 89149 Fever St LAS Vegas
Sylvester Sigler	Sylvester Sigler	8063 Sierra Vista DR 6 LAS Vegas NV 89169
Luke Stewart	Luke Stewart	Regent Apt. 1094 N. Durango Dr. Las Vegas, NV 89149
Danny Ramirez	Danny Ramirez	8128 North Buffalo Dr.
Brandon Meyer	Brandon E Meyer	1723 Candice St 89149
GALLY WEAVER	[illegible]	9145 Echelon point Dr. LVNV
Shawn Offenbacher	[illegible]	9161 Sconce Ct
Grey Hill	Grey Hill	9025 Old River Ave Las Vegas, NV 89149

13A

Print Name	Signature	Address
Joey Perez		5765 N. Durango Dr
Marco Corona		7105 Regal Valley L.V NV 89149
Brandon Osborne		7852 Garden Rock St Las Vegas, NV 89149
Gretchen Ford-Wilkes		6955 N Durango Las Vegas NV 89149
JAM Fraser		7016 Bijonist Las Vegas NV 89149
JAY Montes		9337 Dorch Lane. L.V. Nevada. 89149
Joey T. Cotton		9315 Avon Park Ave
Lovelle Beckem		LV NV 89122 6621 Melissa
Marissa Demster		9301 Grand Gate street
JOE MERCADANTE		9332 Garden Springs 89149
Lee Posey		692-N 12th St
Marco Dunete		8953 Aurora Bay Court
Randall Murillo		7812 Silver Holland Las Vegas, NV, 8913.

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MAR 22 2010

13A

Print Name	Signature	Address
Paul Archuit	[signature]	6935 China Ridge Ct
John Shaughnessy	[signature]	6955 N Durango
Rob Gough	[signature]	9157 fish tail
Jacquelinne Gutierrez	[signature]	9157 fish tail.
Phillip Weaver	Philip Weaver	3790 S. Torrey Pines
CHRISTINA CALHOUN	Christina Calhoun	6718 KOSTNER ST
ALEX ORLANDO	[signature]	9076 BUSHY TAIL AVE UNIT 103 LV, NV 89149
Mike Brecksoft	[signature]	
JEFF McDONALD	[signature]	9851 Twilight Walk LV NV 89144
JACOB DAVIS	[signature]	7715 GATSBY HOUSE ST. LV. 89166
Dean Smith	DEON SMITH	968 [illegible] W LVV
CRAIG MATTHEWS	Craig Matthews	6833 - RELIC LAV, NV
Tyler Schroder	[signature]	7208 Bon Day Reef Ct Lasvegas NV. 89104

12A

Print Name	Signature	Address
Cody Wombold	Cody Wombold	7208 Bombay reef court Las Vegas NV 89109
Cody Leoni	[illegible]	6901 Gothic 89149 Marigold
Russell Kahre	Russell Kahre	8250 Grand Canyon Dr
Jon Williamson	Jon Williamson	6643 McDoggle Ave LV NV 89166
Michelle Helton	Michelle Helton	6955 N. Durango Apt 2067
Marcus Carter	[illegible]	same
Rachel Hayes	[illegible]	Same
Jim Scott	[illegible]	7813 MARBLE DOE ST. LAS VEGAS, NV, 89149
Mike Moore	Mike Moore	6867 Momentus ST Las Vegas N.V. 89149
Stephanie Wallace	Stephanie Wallace	8573 Melocactus Las Vegas N.V. ~~[illegible]~~ 89149
Venus Powers	Venus Powers	17420 Eldamere Cleve ON 44128
Janis Persha	Janis Persha	8313 Valley Stream LV NV 89131
Billy Barker	[illegible]	7041 Knob Creek St.

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Print Name	Signature	Address
Joshua Sandoval	[illegible]	8540 Amaryllis Hill Ave
Leonel Garcia	Leonel Garcia	8540 Amaryll Ave
Chris Jones	[illegible]	6904 Golden Marigold Dr.
DAVID JONES	[illegible]	6904 GOTHIC MARIGOLD ST.
Jess Stewart	[illegible]	9432 White Ridge
DeVonta Jackson	[illegible]	8920 Attic Grace ave
Roxanne Minnick	[illegible]	9121 Umberland 89149
CAROL Kindler	[illegible]	9121 Umberlan 89149
SERGIO GARCIA	Sergio Garcia	9545 CABOT FALLS AVE LAS VEGAS NV 89149
RICHARD Webb	Richard Webb	6955 N Durango dr. North Las Vegas NV 89149
Javier Gallegos	[illegible]	6955 N Durango LV NV. 89149 Apr 30 94
Jeremy Kasnick	[illegible]	9303 Gilcrease Ave #1159 Las Vegas, NV. 89149
Joaquin H	Joaquin Hamon	6955 North Drugro Drive. 1050 89149

12A

Print Name	Signature	Address
Norm Stalzer	[signature]	10425 NU-WAV KAIV L.V. NV. 89124
Oscar Winthrop	[signature]	6839 Rohling BOULDER 89149
Phaedra Mixon	[signature]	9145 Echelon Pt Dr. #1017 LV NV 89149
Alfreda Evans	Alfreda Evans	6717 Bluebell Garden LV NV 89149
Tami Mowrey	[signature]	7820 Slendermint ct 89149
Brandee Renning	[signature]	7641 Morning Water St. LV, NV 89149
Misty Collett	Misty Collett	7630 Racel St. LV, NV. 89131
Dion Saddlen	Dion Saddlen	9148 Patrick Henry Ave 89149
India Kimberling	[signature]	9204 wild Peach ct 89149
Robert Gitlitz	[signature]	9745 Grand Teton #3092 LV NV 89166
Aaron Ribas	[signature]	9312 Thunderfalls ct LV NV 89149
Lanita Antonio	Lanita Antonio	6995 N. Durango dr. #2113 Las Vegas 89149
Terry Hamblet	[signature]	P.O. Box 34777 LV NV 89133

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Print Name	Signature	Address
Francisco Mendoza	[signature]	9473 Milkweed Canyon 89166
Betty Saguanpory	[signature]	9433 Grandview
JOHN COLLINS	[signature]	9712 SIENNA VALLEY AVE 89149
Jen Wallace	[signature]	9457 Solitude Canyon Las Vegas, NV 89149
Patrick Lee	[signature]	10635 Troy Mountain Ave Las Vegas, NV 89166
John Gallagher	[signature]	1708 Cabin Fever St LV NV 89149
Emogene Brathers	[signature]	1307 Stonehedge Ct. Ontario, CA 91762
John Drennen	[signature]	6879 Momentos LV NV 89149
Quint Zuhlke	[signature]	3874 E. Delling Crt LV, NV 89104
Judith Crenshaw	[signature]	7222 Regent Pond Las Vegas NV. 89166
DAN HACKELL	[signature]	7628 GARDEN ST LV, NV 89149
Chris Lawrence	[signature]	7216 Robins Roost St, Las Vegas NV. 89131
Ceil Nugent	[signature]	9473 Havasu Canyon LV. NV. 89166

13A

Print Name	Signature	Address
Ryan Wilson		9323 Horseshoe Bend Ave Las Vegas, NV 89149
Ray Cooper		5724 N Grand Canyon LV NV 89149
MARK RINK		8290 W. SAHARA AVE LAS VEGAS NV 89149
WALTER WITTER		7852 Garden Rock 89149
Michele Ridout	Michele Ridout	Durango 3097 89149
Irene Tobiason	Irene Tob	6955 N. Durango #1112 LV, NV 89149
Mark Sadman		8625 Grand Pine 89143
Tamara Fleming	Tamara Fleming	8112 Cimarron Ridge DR LV NV 89128
David Schandt		6955 N Durango ST LV NV 89149
Bobbi Tsatse		6955 N. Durango LV NV 89149
Cindy Castere	Cindy Castere	6955 N. Durango LV NV 89149
Kathi Russo	Kathi Russo	6955 N Durango LV NV 89149
Glenda Legakes	Glenda Legakes	6955 Durango #1012 LV. NV. 89149

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Print Name	Signature	Address
DONITA PALMER	Donita Palmer	6955 DURANGO The Regent
Edward Lehman	[illegible]	9016 Spotted Trail Ave. 89149
Kelli Soles	Kelli Soles	9020 Donnella 89149
Vicktor Mitchell	Vicktor Mitchell	6955 Durango The Regent
Delnicro Wright	Delnicro Wright	3550 Paradise 89115
Brittney Mays	Brittney	3550 Paradise 89115
Brandy Massey	[illegible]	6955 N Durango The Regent
Robert Hayes	[illegible]	8005 [illegible] LV NV 89131
Marc Williams	[illegible]	Donoble lane L.N N.V 89131
Erica Jackson	Erica Jackson	89149 8556 Pinellia
Katherine Kinney	Katherine Kinney	6955 N Durango #2111
Milton Ham	Milton Ham	19255 S. Stirling Hill RD
Courtney LeFear	Courtney LeFear	6955 N. Durango LV, NV 89149

13A

Print Name	Signature	Address
FRED R PALILEO	[signature]	6454 ALBINA CREEK ST LV, NV 89149
Michael Wheeler	[signature]	6901 GOTHIC MARIGOLDS LAS VEGAS, NV.
GINA RUAN	[signature]	9132 ALPINE GROVE AVE LAS VEGAS, NV. 89149
Jason Simpson	[signature]	8945 Brian Christopher Ave Las Vegas NV 89149
Danny Malan	[signature]	8955 N. Durango #1075 LV, NV 89149 - 6955
Crystal Wiley	[signature]	9315 Avon Park LV NV 89149
Dorcas Grey	[signature]	9321 Palomino Ranch LV NV 89030
Cheryl Williams	[signature]	4421 S. Owens LV NV 89149
RYAN TAYLOR	[signature]	7144 ANTIQUE OLIVE ST 89149
Cara Williams	[signature]	8204 STREAMER CIRC 89145
Coleman Harris	[signature]	2116 Bachelor Court 89128
D. Payne	[signature]	#3085 89149 6955 N DURANGO
Juan	[signature]	1105 Tomasian ct 89002

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Print Name	Signature	Address
Tammi McCabe	Tammi McCabe	6809 Sweet Pecan St LV NV 89149
Ryan Harney	Ryan Harney	6955 N Durango. Lv NV 89149
Armando Flores	Armando Flores	6955 N. Durango
Tasha Washington	Tasha Washington	8153 Starling View Ct L.V. NV 89166
Benny K. Mahan	Benny Mahan	9232 longhornfall Ct. LV, NV 89149
Colby Smith	[illegible]	8919 mossy Hollow LV NV 89149
MANGEL	[illegible]	9241 LONGHORN FALLS LAS VEGAS 89149
Rick Corbus	[illegible]	6905 N Campbell Rd LL NV 89149
BOBBI CORBUS	Bobbi Corbus	6905 N. Campbell Rd. Las Vegas NV 89149
JASON BOWER	Jason Bower	6955 N. Durango #2091 Las Vegas, NV 89149
EJ McCabe	[illegible]	6809 Sweet Pecan
Jazlyn Gaspard	[illegible]	2951 Siena Heights Henderson, NV 89052
Brandy Davis	Brandy Davis	9100 Bushy Tail Ave LV NV 89149

12A

Print Name	Signature	Address
Tor Hanson	[signature]	6929 Chinna Ridge Ct Las Vegas, NV 89149
Clemente Polk	Clemente Polk	6929 Riget Apts. Las Vegas, NV. 81149
Aisha Mitchell	[signature]	9113 Craven Avenue Las Vegas, NV 89149
Darren Mitchell	[signature]	9113 Craven Avenue Las Vegas, NV 89149
Jason J Dow	[signature]	9144 Craven Ave. LV NV. 89149
Travas Henderson	Travas Henderson	9413 Sandy Reef Ave LV NV 89147
Keith Oyama	[signature]	10639 Foggy Glen Ave. LV NV 89135
Anna Miranda	[signature]	6955 Regent 20401.
Derek Shaves	[signature]	6955 N. Durango Dr.
Judd Melton	[signature]	7416 Fencerow St Las Vegas NV 89131
Houston Bradford	Houston Bradford	1307 W. Stonecrop Ontario, CA 91262
David Cassaro	[signature]	6875 Montoro St. Las Vegas NV 89149
Vinny Barni	[signature]	7409 Royal Crystal St Las Vegas NV 89149

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Print Name	Signature	Address
Kelli Gomez	Kelli Gomez	9056 Patrick Henry Ave LV NV
Rudy Zepeda	Rudy Zepeda	11812 agure ocean Ave LV NV. 89166
Dante Riley	[illegible]	3572. Tobel Springs
Tracy Stanley	[illegible]	7025 Knob Creek #103
Josh Hylton	Josh Hylton	9016 Patrick Henry ave.
Melissa Davis	Melissa Davis	9016 Patrick Henry ave.
Silvia Tiraada	S. Tiraado	6955 N Durango Dr 1078
Johnny Szewczyk	[illegible]	6643 Weeping Pine 89149
William Meligan	[illegible]	8250 N. GRAND CANYON DR UNIT 1051 LV, NV 89166
RYAN MASSEY	[illegible]	6955 N. Durango Dr Las vegas NV 89149
Hadiza Gines	[illegible]	6874 Relic St. lv, nv 89149.
Charon Williams	[illegible]	6955 N. Durango
Harold Sheppard	Harold Sheppard	11 same.

11A

Print Name	Signature	Address
EBONY POLLK	Ebony Pollk	6955 N. DURANGO LV NV 89149
NATHANIEL Hill	Nathaniel Hill	7873 Ellendale St. Las Vegas, NV 89149
Karen Ryan	Karen Ryan	6955 N. Durango 1115-212 Las Vegas, NV 89149
GREG FIDANCE	[illegible]	8912 Discovery Rock
Burk Boschetto	[illegible]	6855 DESERT ISLAND Las Vegas 89149
Tahirah Williams	[illegible]	6709 Kostner St LV NV 89149
MARK Williams	Martelius Williams	6709 Kostner St LV NV 89149
Tami Ruckdaschel	[illegible]	9145 Echelon Point RD. LV NV 89149
DWAINE Sanders	[illegible]	9303 Gilcrease AVE.
Steve Devany	[illegible]	7025 Knob Creek St #103. LV. 89149
[illegible]	Janet Goodhue	7313 Dusty Cloud LV NV 89149
Paula Gifford	[illegible]	6905 Trace Hollow St. Las Vegas 89149
Roy Brooks	Roy Brooks	9615 HALEY LAS VEGAS, NV 89149

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Print Name	Signature	Address
Allyson Vela Cruz		9145 Echelon Point 1008 LV NV 89149
JACKIE TAYLOR		REGENT Apt 3302 6555 N. DURANGO DR
STEPHANIE BUTLER		7034 Riva Ridge LV NV 89149
Rod Chatfee		9303 Gulcrease Ave #1080 LV, NV 89149
Kendall Arden	Kendall Arden	9017 High Horizon LV NV 89149
Christy Map	Christy Map	9017 High Horizon LV NV 89149
Spencer Eaton	Spencer Eaton	8527 Mystique Ct, Las Vegas, NV. 89149
AARON MACK		9551 HAVASU CANYON AVE LV, NV 89178
Sharon Breaux		6812 Sweet Recon St LV NV 89149
Andre Williams	Andre Willi	6812 Sweet Recon St LV NV 89149
Joel Garcia		6864 Pipil LV NV 89166
Chris Hagood		9335 White Waterfall Ave Las Vegas, NV 89149
ANDREW HERNANDEZ	A	6816 MYSTIC PLAINCK LV, NV, 89149.

11A

Print Name	Signature	Address
Maxine Harran	Maxine Harran	6840 Armistead LV NV 89149
J. Evans	[illegible]	9145 Ekhelon Point Dr LV, NV 89149
Scott McDonald	[illegible]	4141 HAZEIRIDGE VEGAS NV 89129
Shameka Anderson	[illegible]	↓
T. Bixby	[illegible]	9116 CRAVEN 89149
Heath Morzinski	Heath Morzinski	7633 Sonora view 89149
Peter Morrillo	[illegible]	7605 Seda CT LAS Vegas NV 89149
Lorenzo Derasmo	[illegible]	9745 Grand Teton Dr. #3009, 89166, Las Vegas
[illegible]	[illegible]	8414 W Farm Rd Las Vegas 89131
Cecilia Hernández	Cecilia Hdez	6180 Donal Nelson LV 89131
Travis Ayre	[illegible]	10151 W. Dorrel Lane 89166, LV.
[illegible]	[illegible]	8249 Brilliant Pompon pl.
Melina Jatzek	[illegible]	10219 Headrick Dr. Las Vegas 89166

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Print Name	Signature	Address
Jon Delgado		9145 Dorrell Ln. Las Vegas NV. 89149
Dawn Belisle		9145 Dorrell Ln Las Vegas NV 89149
Tamethius Beard		8916 Attic Grace Las Vegas 89149
Christine Karen		6667 Matisse Ave Las Vegas NV 89131
RAY DODGE		10732 KNICKERBOCKER AVE LV NV 89166
Jeff Groom		7175 N. Durango #250 L.V. NV. 89149
Mary Miranda		10397 K Allen Ave Las Vegas Nev
Dustin Burton		9303 Gilcrease LV, NV 89149
Bryan Mosser		7106 Brighton Village LV, NV 89166
Chris Benites		9425 Santana Siesta LV NV 89166
Krista Benites		9425 Santan Siesta LV NV 89166
Ron Parrish		6955 N Durango 202
MATT MOODY		9325 Harbor Stream Las Vegas NV 89149

11A

Print Name	Signature	Address
Lorna Dunaway	[illegible]	Regent Regent 6955 N Durango Yes
Richard Dunaway	[illegible]	Las Vegas Nv 89149
~~Jeffery Brown~~	J. Brown	Regent 89143
Wendell Lucas	[illegible]	7528 cliff Peaks Las Vegas NV 89149
Timothius Beard	[illegible]	8916 ATTIC Grace Ave Las Vegas 89149
William Rossol	William Rossol	6842 Relic st. LV. NV. 89149
Martin Ramos	[illegible]	6955 N. Durango #1107 Regents Las Vegas, NV. 89149
Jennifer Lindsey	[illegible]	6955 N. Durango #1107 Regents Las Vegas NV. 89149
Joseph De la Cruz	[illegible]	6955 N. Durango #1107 Las Vegas, NV. 89149.
José Campos	José Campos	1401 N Lamb AT PT 175 las vegas NV 89110
Efrain S Rodriguez	Efrain S Rodriguez	2234 Crawford St. Apt. 5 Nor las vegas NV. 89030
Marcus Winn	[illegible]	8401. W. Charleston Zip 89117
JOANNE, DAN FILIPPONE	Joanne Filippone	REGENT 6955 N. DURANGO DR. APT 2038

10A

Print Name	Signature	Address
JEREMY BRONSTEIN	Jeremy Bronstein	9303 Gilcrease AVE LAS VEGAS 89149
PATTY SHOGREN	Patty Shogren	4820 Grey Wolf #101 Las Vegas, NV 89149
Mike LaCasse	Mike LaCasse	9124 Clover Ave LV NV 89149
Nick Foi	Nicholas Foi	6955 N Durango Dr #1071 LV NV 89149
ROBERT KINAW	Robert L. Kinlaw	9303 GILCREASE AVE UNIT 1215 L. V. NEV 89149
Vonsheila Reed	Von Sheila Reed	6955 N Durango Las Vegas NV. 2059
MEGAN DIAMOND	Megan D	9745 Grand Teton Dr Las Vegas NV 89166
JUAN FOTO		1477 S. KENTWELL APT 93 S.B. C.A 92324
HELEN ROJAS		3660 PEAK HOLLOW CT LAS VEGAS, NV 89147
Teresa MAYS	Teresa Mays	6955 N. Durango Dr. unit 1048 Las Vegas, NV 89149
Hugo Morales	Hugo Morales	7340 Misty Glow Court
Tammy Brown		9182 Dorrell LV NV 89129
Paul Reynolds	Paul Reynolds	6648 tropicaire st
Ed Doyle		7216 Silver Valley St LV NV 89149

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Print Name	Signature	Address
Chris Graham	[signature]	7412 Beguiling CT Las Vegas NV 89149
CSILLA PÉNTEK	[signature]	9745 GRAND TETON LV, NV 89166
SCOTT BOUTIN	[signature]	7065 Knob Creek ST 161 Las Vegas NV, 89149
[illegible]	[signature]	2837 Lovely Ring.
William E Dante JR	[signature]	9325 HAMPSTEAD Hills Las Vegas NV 89149
Willie Foreman	[signature]	8359 Tamar Sage Ct Las Vegas 89149
Anthony Windom	[signature]	9016 DORRELL LN Las Vegas Nv 89149
Anthony Realmuto	[signature]	6955 N Durango Las Vegas 89149 #1057 Regent Apt
Courtney DelValle	[signature]	6955 N Durango Las Vegas Nevada
Jacci Taylor	[signature]	6955 N Durango Dr Unit 3030 LV NV 89149
VIVIAN CATAO	[signature]	2375 E Tropicana Ave 8-183 Las Vegas, NV 89119
Joel Bello	[signature]	9057 Captivating AVE Las Vegas NV 89149
Karsha Fox	[signature]	9128 Craven Ave Las Vegas NV 89149

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Print Name	Signature	Address
Cindy Nunn	Cindy Nunn	79207 Farralon Ridge Ct. LV NV 89149
Stacia Mehl	Stacia Mehl	7621 Fabled Filigree St Las Vegas, NV 89149
Sheila Leech	Sheila Leech	9936 Sharp Ridge Las Vegas NV 89149
Thomas Surman	[illegible]	9145 Echelon Pt. Dr. #2078 Las Vegas NV 89149
Robert & Macie Corey	[illegible] Macie Corey	6955 N. Durango Dr 3101 Las Vegas, NV 89149
Cary Marshall	[illegible]	9132 Craven Ave 89149
Anthony Farrar	[illegible]	6958 N. Durango 3876 89149
Steven Grizzell	[illegible]	7837 Dry Dust ct. 89149
Reyes, A	[illegible]	3724 Crescent Canyon St.
Chason Hellman	[illegible]	9324 - Mountain Rise Ave.
Tiffany Samuel	Tiffany Samuel	7148 Forest Frost St LV, NV 89149 (702) 234-3292
Lisa Estep	Lisa Estep	8909 Trucking Springs LV NV 89149
Brett Davis	[illegible]	6905 Campbell LV NV 89149

13A

Print Name	Signature	Address
Joanna Stock	Joanna Stock	9136 Spirit Canyon Las Vegas NV 89149
Kevin Konie	Kevin N. Konie	7119 Noble Range St Las Vegas NV 89149
Paul Hiles	Paul Hiles	6955 Regent 89149
Kristine Mazintas	K. Mazintas	8941 David Allen Ct LV, NV 89149
Jin Hee Moss	Jr. Moss	1620 Palmal Way LV NV 89128
Crystal Alcantara	Crystal Alcantara	7400 Cedargula Las Vegas, NV 89131
Brad Gomez	B. Gomez	9056 Patrick Henry Ave Las Vegas 89149
Donna Petts	[illegible]	848 N. Rainbow blvd #106 Las Vegas, NV 89107
Daniel Downes	[illegible]	4952 Grey Mesa Las Vegas, NV 89149
Aaron McDiel	[illegible]	9119 Willowbridge 89149
Dave Frankl	[illegible]	7609 Duet Springs St LV NV 89149
Joni Urie	Joni Urie	9382 Olympia Falls LV, NV 89149
Mike Urie	Mike Urie	9382 Olympia Falls LV, NV, 89149

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Print Name	Signature	Address
CHRIS SCHAEFER	[signature]	7837 MONTOUR FALLS 89149
Alyson Williams	[signature]	10938 Florence Hills LV NV 89149
Christine Williams	[signature]	6955 N Durango Dr. Ste 1115-217 Las Vegas, NV 89149
James Lassiter	[signature]	9543 Sunshade CT 89147
Sheree Lassiter	[signature]	9543 Sunshade CT 89147
Michael Forage	[signature]	10324 High Bridge CT LAS VEGAS NV 89160
MARK Postley	[signature]	9854 Gold Cake Cv 89149
Brett Coffers	[signature]	7717 Granberg Ct. LV, NV 89131
John Flinn	[signature]	8980 High Horizon Las Vegas, NV 89149
[signature] Ton LaBranch	[signature]	9145 Echelon Point Dr. 1055 Las Vegas, NV 89149
Allen Herle	[signature]	7024 Caribou Ridge St #102 LV NV 89149
Renee Bernier	[signature]	7024 Caribou Ridge St #102 LV NV 89149
~~Allen Herle~~	[signature]	
Nicole Horwitz	[signature]	7824 Territorial St LV NV 89149.

12A

Print Name	Signature	Address
Erik W Roberts	[signature]	6955 N Durango Drive LV NV 89149
Lydia Lundberg	[signature]	9473 Havasu Canyon LV, NV 89146
Anthony Rogers	[signature]	8939 Mossy Hollow LV NV 89149
Tanishe Brookter	Tanishe Brookter	9303 Gilcrease LV, NV 89149
Duncan Rolice	[signature]	3220 Villa Pisani LV NV 89031
Curtis Ficarrotta	[signature]	9317 Palmer House Ave. Las Vegas NV 89149
Chris Higgins	[signature]	7652 Fabled Firigree 89149
Brandon Dial	[signature]	6955 N Durango #2015 89149
Anthony Abuan	[signature]	6955 N. Durango #1110 89149
Jeff Vandever	[signature]	8500 N. Grand Canyon R. Las Vegas NV. 89166
Noelani Westall	Noelani Westall	8912 Sheep Ranch Ct. Las Vegas, NV 89143
Leisa Glans	[signature]	8557 Alocasia Ct. LV, NV 89149
Gary Mathews	[signature]	3906 Tower Dr 89101

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Print Name	Signature	Address
Sal Vereen	[signature]	7628 Tiny Tortoise St. 89149
Elliott Chase Frobey	[signature]	9353 Cranesbill Ct
Joshua T Hylton	[signature]	9016 Patrick Henary ave 89149
Dianna Donovan	[signature]	8993 Old River Ave L.V. NV 89149
Marcus Carter	[signature]	6955 N. Durango Apt. 2059 89149
Dayma Bonilla	[signature]	6955 N. Durango Apt 2047 89149
Elaine Harmon	[signature]	6955 N. Durango Dr Unit 1060
TOM Hagan	[signature]	6955 N. DURANGO DR. Apt 1036 89149
KARON BROWN	[signature]	6955 N. DURANGO DR. Apt 1088 89149
Jonaz Taduran	[signature]	6955 N. Durango Dr. Apt 2075
HEATHER RAMBERG	[signature]	995 6930 Relic St. LV NV 89149
[signature]	[signature]	7342 Tanglewood 89166
Alina Felish	[signature]	7140 Jensen St 89149

13A

Print Name	Signature	Address
HARRY RENNER	Harry Renner	6656 BILTMORE PLAZA 89149
Jeff. Lodwick		9145 Echelon Pto 89149
Tom Catichait		7613 Tiny Tortoise CASVegas nv 89149
JOSH NEMEROW		7204 BLUESHIRE CT LV, NV 89149
TOM DAPPEN	Tom Dappen	6955 N DURANGO D.R. # 1037 89149
Mary Lopez	Mary Lopez	7859 ASKEW 89166
Kathy Sutton		2423 Grande Vista ave. Oakland CA 94601
MORGAN KOSNOSKI		8109 PANDOR ST LV, NV 89131
Joshua Hatfield	Joshua Hatfield	8451 Quarentina Ave LV NV 89149
Chris weld		8129 Tilkani Dr LV NV 89166
Nicholas Taraborrelli	N.J.	6912 Gothic Marigold ST L.V NV 89166
CARLA PIETROSANO	Carla Pietrosano	9012 DORRELL L.V. 89149
Jameel. JOHNSON	Jameel Johnson	7185 S. CAMPBELL

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13A

Print Name	Signature	Address
Billy Griffith	[illegible]	9117 CRANE AVE. L.V., NEV. 89149
Ashley Martin	[illegible]	1150 Durango Dr 89130
Melissa Meyer	Melissa M.	6955 N. Durango dr. Apt#3100
Diana Kopanos	[illegible]	7128 Antique Olive L.V N.V 89149
Lissa Ofelso	[illegible]	9060 Entrancing LV. 89149
Rafael Villareal	[illegible]	1900 E. Tropicana NV LV 89119
Jacob Hughes	[illegible]	6816 Armistead St. LV 89149
James McKern	[illegible]	6816 Armistead st 89149
Calder Kurcz	[illegible]	6955 N. Durango 89149
Jesus V	Jesus [illegible]	1001 INTERLUDE
KAREN WARREN	Karen Warren	9303 Gilcrease Ave #1213 89149
HAZEL GONZALES	[illegible]	9303 Horseshoe Basin Ave 89149
Laura Miller	[illegible]	8272 Brilliant Pompon Pl LV NV 89166

12A

Print Name	Signature	Address
Leonard Whiteside	L Whiteside	8272 Brilliant Pompon PL Las Vegas NV 89166
Sahar Korkees	Sahar Korkees	8064 Starling View Court Las vegas NV 89166
Tom Pender		8993 Dorrell LN LV, NV 89149
Randy Berry		9303 Gilcrease LV NV 89149
DeAndre Baker		"
Ray Zeree		
Ziad Elias		
Sandra Vanderford		6955 N Durango LN NV 89149
Lachylle Fortune		8924 Jennifer Ann 89149

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Print Name	Signature	Address
Lorraine Thomas		
Camille Ealy		6829 N. Campbell Ave
Kevin Milgram		6541 Macdoogle St.
Nancy McMahan		6705 Blueben Garden
Karen Meissner		7555 Hecham Ave L.V. 89129
Kyle Fleming		2300 Rock Springs
Sue Kubiak		9303 Gil Ave
Ed Kolesh		10553 Laurelwood Lake Ave
Stacy Henderson		8925 Jamie Lee 89149
Mahmud Ahmad		10736 Arsdale
Chris Meier		316 Harbor Gulf Ct
Shawn Robinson		3305 Morning Wind
David Lee		7820 Golden Talon

12A

Print Name	Signature	Address
Horvorish Collins	[illegible]	8932 David Allen Ct
Romey Lea	Romey Lea	8931 Appleton
Kent Henry	Kent Henry	8943

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City of Las Vegas Agenda Item No.: **41.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

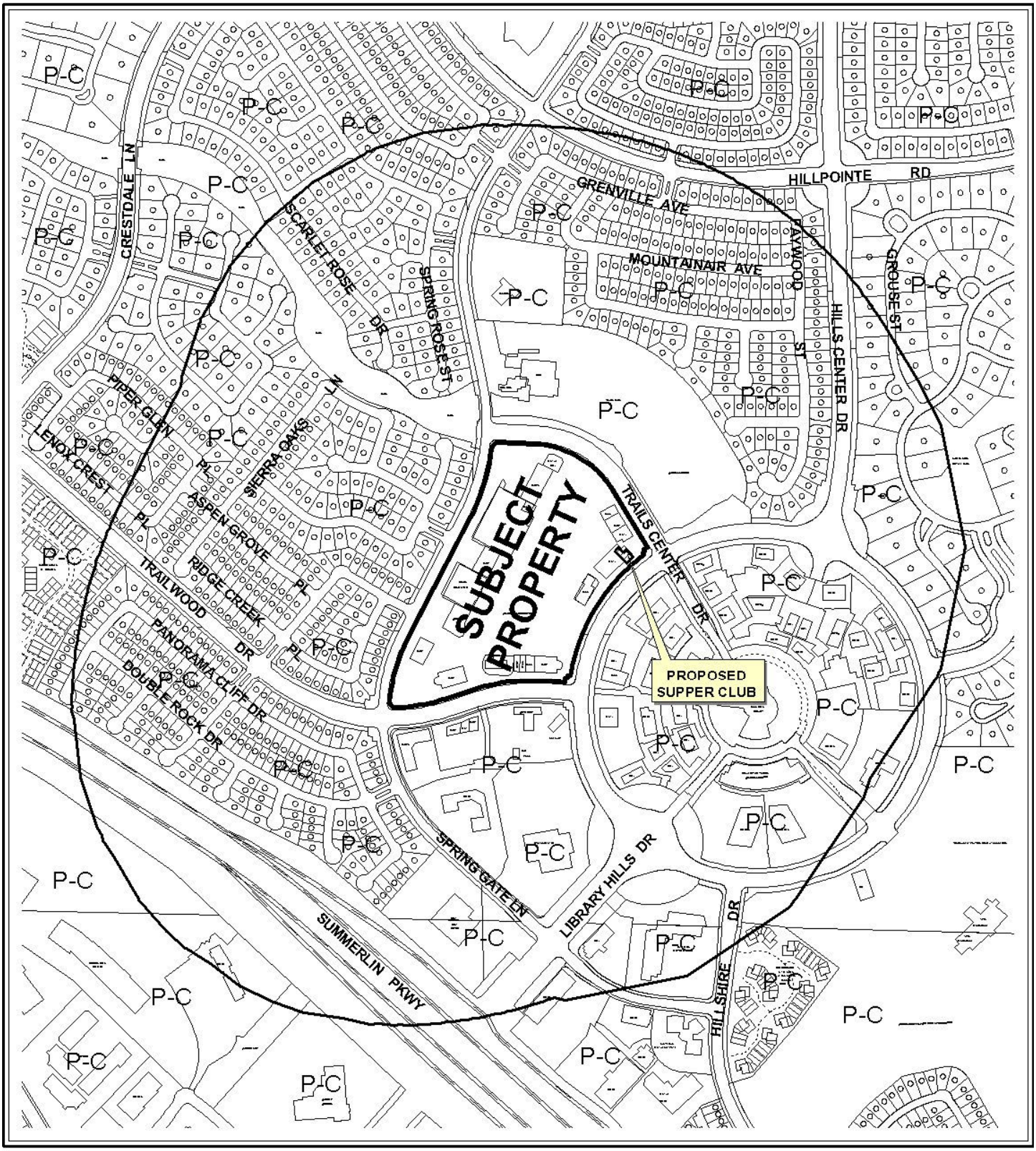
SUBJECT:
SUP-37871 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CHRONIC TACOS - OWNER: TRAILS VILLAGE CENTER COMPANY - Request for a Special Use Permit FOR A PROPOSED 3,728 SQUARE-FOOT SUPPER CLUB at 1910 Village Center Circle, Suites #1 & #2 (APN 138-19-719-006), P-C (Planned Community) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL.

IF APPROVED, C.C.: 07/07/2010
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



0 500 1000 Feet

CASE: **SUP-37871**

RADIUS: 1500 FT

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

N



0 500 1000 Feet

CASE: **SUP-37871**

RADIUS: 1500 FT

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

N



SUP-37871

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: MAY 27, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: CHRONIC TACO - OWNER: TRAILS VILLAGE CENTER COMPANY

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-37871	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-37871 CONDITIONS

Planning and Development

1. Conformance to all minimum requirements under LVMC Title 19.04.010 for a Supper Club use, including parking requirements.

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SV-0033-96) shall be required.

3. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity. 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.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed 3,728 square-foot Supper Club at 1910 Village Center Circle, Suites #1 and #2. The subject suite is currently vacant, was previously utilized for a restaurant, and is located within an existing 174,817 square-foot Shopping Center. The proposed use is compatible with the surrounding adjacent uses, is allowed with the approval of a Special Use Permit and is consistent with the VC (Village Commercial) Summerlin Land Use designation; therefore, staff is recommending approval of this request. If this application is denied, a supper club use will not be allowed at the site.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
06/03/87	The City Council approved a request (Z-0044-87) to Rezone property from N-U (Non-Urban) to PC (Planned Community) generally located between Lake Mead Boulevard and Summerlin Parkway west of Rampart Boulevard. The Planning Commission and staff recommended approval.
12/18/96	The City Council approved a request (U-0126-96) for a Special Use Permit to allow a Package Liquor use on property located on the northwest corner of Village Center Circle and Trailwood Drive. The Board of Zoning Adjustment and staff recommended approval.
01/08/97	The Planning and Development Department administratively approved a request (SV-0033-96) to allow a 19.48 acre retail shopping center on the west side of Village Center Circle between Trailwood Drive and Trails Center Drive.
03/09/98	The City Council approved a request (U-0008-98) for a Special Use Permit for a Packaged Liquor use on property located on the northwest corner of Village Center Circle and Trailwood Drive. The Planning Commission and staff recommended approval.
04/13/98	The City Council approved a request (U-0016-98) for a Special Use Permit to allow the on-premise sale of beer and wine in conjunction with a proposed restaurant with a waiver of the minimum 400-foot separation distance requirement from a city park on property located on the northwest corner of Village Center Circle and Trailwood Drive. The Planning Commission and Staff recommended approval.
02/16/00	The City Council approved a request (U-0157-99) for a proposed 4,475 square-foot Supper Club in conjunction with an existing shopping center on at 1930 Village Center Circle. The Planning Commission and staff recommended approval.

03/03/04	The City Council approved a request (SUP-3542) for a Special Use Permit for a Supper Club with a Waiver of the distance separation requirements at 1916 Village Center Circle, Suite #7. Planning Commission and staff recommended approval.

Most Recent Change of Ownership	
05/30/97	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
08/26/98	A business license (R09-00879) was issued for a restaurant with more than 45 seats at 1910 Village Center Circle, Suite #9. The license was marked out of business on 11/25/08.
08/26/98	A business license (L09-00147) was issued for a beer/wine/cooler on-sale at 1910 Village Center Circle, Suite #9. The license was marked out of business on 06/20/07.
06/08/99	A business license (R09-00937) was issued for a restaurant with more than 45 seats at 1910 Village Center Circle, Suite #1. The license was marked out of business on 02/06/08.
04/10/02	A business license (R07-00525) was issued for a restaurant with less than 45 seats at 1910 Village Center Circle, Suite #7. The license is still active.
03/09/10	A building permit (158097) was issued for interior demo at 1910 Village Center Circle, Suite #1. The permit has not been finaled.
03/30/10	A building permit (159752) was issued for a tenant improvement to receive a certificate of occupancy for a restaurant at 1910 Village Center Circle, Suite #1. The permit has not been finaled.

Pre-Application Meeting	
03/29/10	A pre-application meeting was held on the indicated date and the following items were discussed: • A Special Use Permit is required for a Supper Club use. The submittal requirements for a Special Use Permit were discussed. • A minimum of 125 seats must be made available at all times the business is open. • A barrier between the bar and restaurant must be provided to prohibit access to the bar area by minors.

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

Field Check	
04/22/10	A field check was completed on the indicated date. The following items were observed by Planning and Development staff: • A well maintained shopping center free of trash and debris.

Details of Application Request	
Site Area	
Net Acres	20.02

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Shopping Center	VC (Village Commercial Summerlin Land Use Designation)	P-C (Planned Community)
North	Recreation Center / Park	P (Park)	P-C (Planned Community)
South	Shopping Center	VC (Village Commercial Summerlin Land Use Designation)	P-C (Planned Community)
East	Single-Family Residences	SF3 (Single Family Detached – 10 Units per Acre)	P-C (Planned Community)
West	Shopping Center	VC (Village Commercial Summerlin Land Use Designation)	P-C (Planned Community)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area			
Summerlin	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
P-C (Planned Community) District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		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	174,817 SF	1:250	686	14	877	21	Y
TOTAL SPACES REQUIRED							Y
TOTAL (With Handicapped)			700		898		Y

ANALYSIS

The applicant is proposing a 3,728 square-foot Supper Club located within a shopping center. The proposed use is consistent with the conditions of approval for a Supper Club use. Also, the proposed use is compatible with adjacent uses within the shopping center as there are similar restaurants within the center.

The proposed floor plan depicts a dining room capable of seating 139 guests, with a 1,476 square-foot interior dining room with seating available for 99 guests and a 1,300 square foot outdoor dining patio available for 40 guests. The remaining 952 square feet is dedicated as back of house area. The floor plan is in compliance with Title 19 which requires the site to have a minimum capacity for 125 guests; however, as the outdoor seating is necessary to meet this requirement, it must be available at all times during business hours. Also, the interior dining room includes a 13-seat indoor bar area separated from the indoor dining room by a 42-inch tall wall, which meets the Title 19 requirement that the bar area be separated from the restaurant area by a barrier sufficient enough to prevent access to the bar by minors.

The addition of the Supper Club use is compatible with Title 19, with the surrounding adjacent uses, is allowed in the P-C (Planned Community) zoning district with the approval of a Special Use Permit and is consistent with the VC (Village Commercial) Summerlin Land Use designation; therefore, staff is recommending approval of this request.

FINDINGS (SUP-37871)

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

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

   The proposed Supper Club use is located within a shopping center that can accommodate a variety of uses including retail sales, medical and professional offices, personal services, and restaurants. The addition of a Supper Club use within this shopping center is consistent with the VC (Village Commercial) Summerlin Land Use designation.

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

   The subject site is physically suitable for the proposed Supper Club use as it will be operated within an existing shopping center with adequate parking and access.

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 subject site has shared access to existing driveways onto Village Center Circle, a 100-foot Primary Arterial, and Trails Center Drive, a Local Street, as designated by the Master Plan of Streets and Highways. The proposed use will not increase the intensity of the existing use, and therefore, the roadways are adequate in size.

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 proposed use meets all applicable conditions of Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 6

NOTICES MAILED 1,101

APPROVALS 0

PROTESTS 0

GK

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-37871** APN: 138-19-719-006

Name of Property Owner: Trails Village Center Company

Name of Applicant: Chronic Tacos

Name of Representative: Kolesar & Leatham, Chtd. - Attn: Benjamin J. Volmer, Esq.

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: _____

TRAILS VILLAGE CENTER COMPANY,
a Nevada Partnership

By its Managing Partner:
~~**Investment Properties II, LLC,**~~
a Nevada limited liability company

By: _____
James A. Christensen
Managing Member

Signature of Property Owner: _____

Print Name: BY: JAMES A. CHRISTENSEN

Subscribed and sworn before me

This 17th day of March, 2010

_____
Notary Public in and for said County and State

JUDITH COLLINS
Commission # 1858627
Notary Public - California
Orange County
My Comm. Expires Aug 19, 2013

RECEIVED
APR 06 2010

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: SUP: Supper Club Restaurant Establishment

Project Address (Location) 1910 Village Center Circle, Suite 1, Las Vegas, NV 89134

Project Name Chronic Tacos **Proposed Use** PC

Assessor's Parcel #(s) 138-19-719-006 **Ward #** 2

General Plan: existing SC proposed SC **Zoning:** existing PC proposed PC

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

Gross Acres 17.64 A.P. **Lots/Units** _____ **Density** N/A

Additional Information _____

PROPERTY OWNER Trails Village Center Company **Contact** Sherri Lombardi

Address 1970 Village Center Circle, Suite 7 **Phone:** (702) 228-0816 **Fax:** (702) 228-1708

City Las Vegas **State** NV **Zip** 89134

E-mail Address investprop@earthlink.net

APPLICANT Chronic Tacos **Contact** Jed Feller

Address 11009 Cherwell Ct **Phone:** (702) 401-6656 **Fax:** (702) 466-5664

City Las Vegas **State** NV **Zip** 89144

E-mail Address drgrin373@yahoo.com

REPRESENTATIVE Kolesar & Leatham, Chtd. **Contact** Benjamin J. Volmer, Esq.

Address 3320 W. Sahara Ave., Suite 380 **Phone:** (702) 362-7800 **Fax:** (702) 362-9472

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

E-mail Address bvolmer@klnevada.com

TRAILS VILLAGE CENTER COMPANY, BY

Property Owner Signature* _____

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

Print Name JAMES A. CHRISTENSEN, MANAGING MEMBER OF INVESTMENT PROPERTIES II, LLC, AND LLC

Subscribed and sworn before me

This 17th day of March, 2010.

Judith Collins

WHO IS THE MANAGING MEMBER OF TRAILS VILLAGE CENTER GENL. PARTNERSHIP

Notary Public in and for said County and State

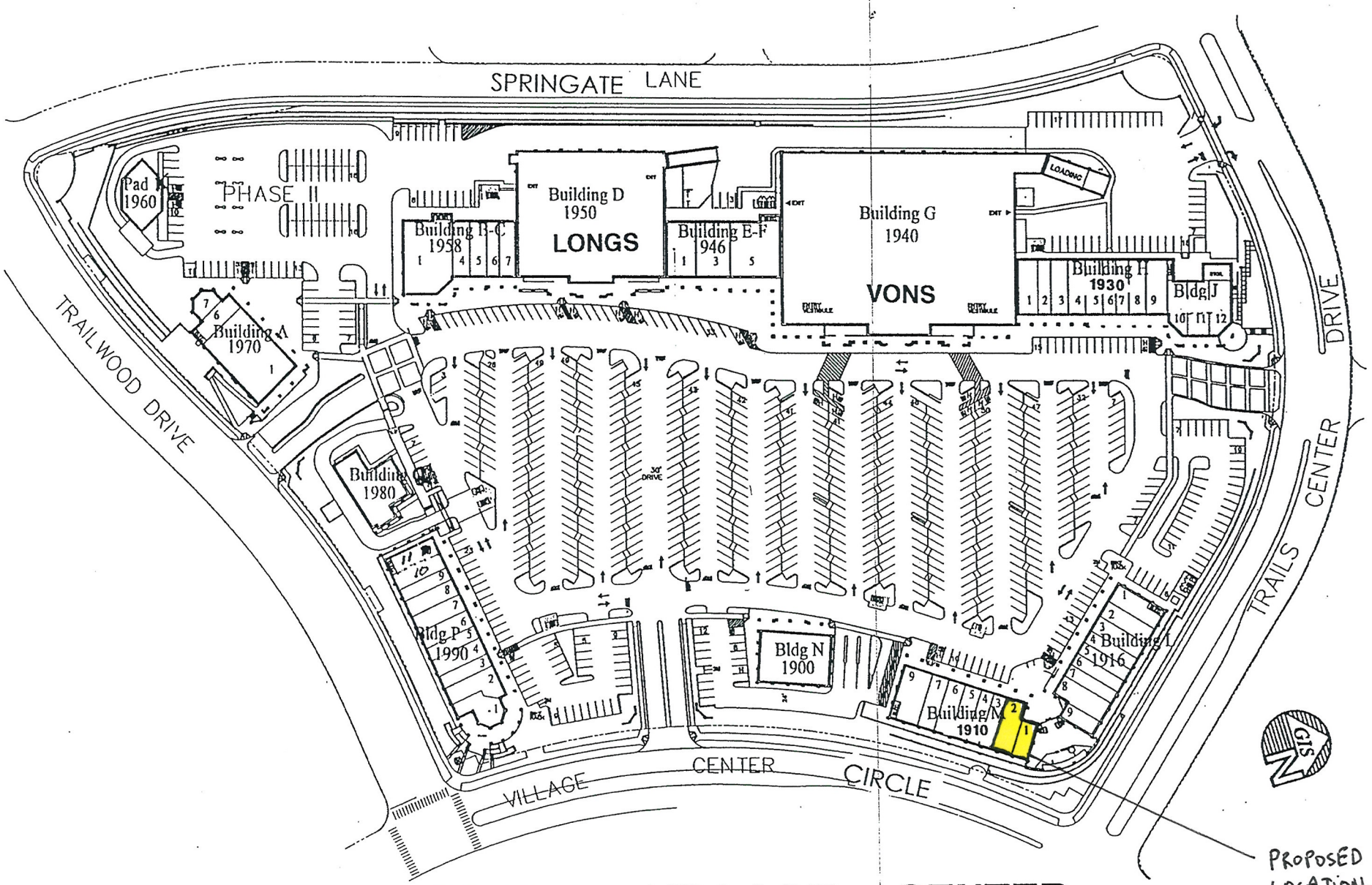
Revised 10/27/08

JUDITH COLLINS
Commission # 1858627
Notary Public - California
Orange County
My Comm. Expires Aug 19, 2013

FOR DEPARTMENT USE ONLY

Case #	SUP-37871
Meeting Date:	05-27-10
Total Fee:	$1,030.00
Date Received:*	4/6/10
Received By:	

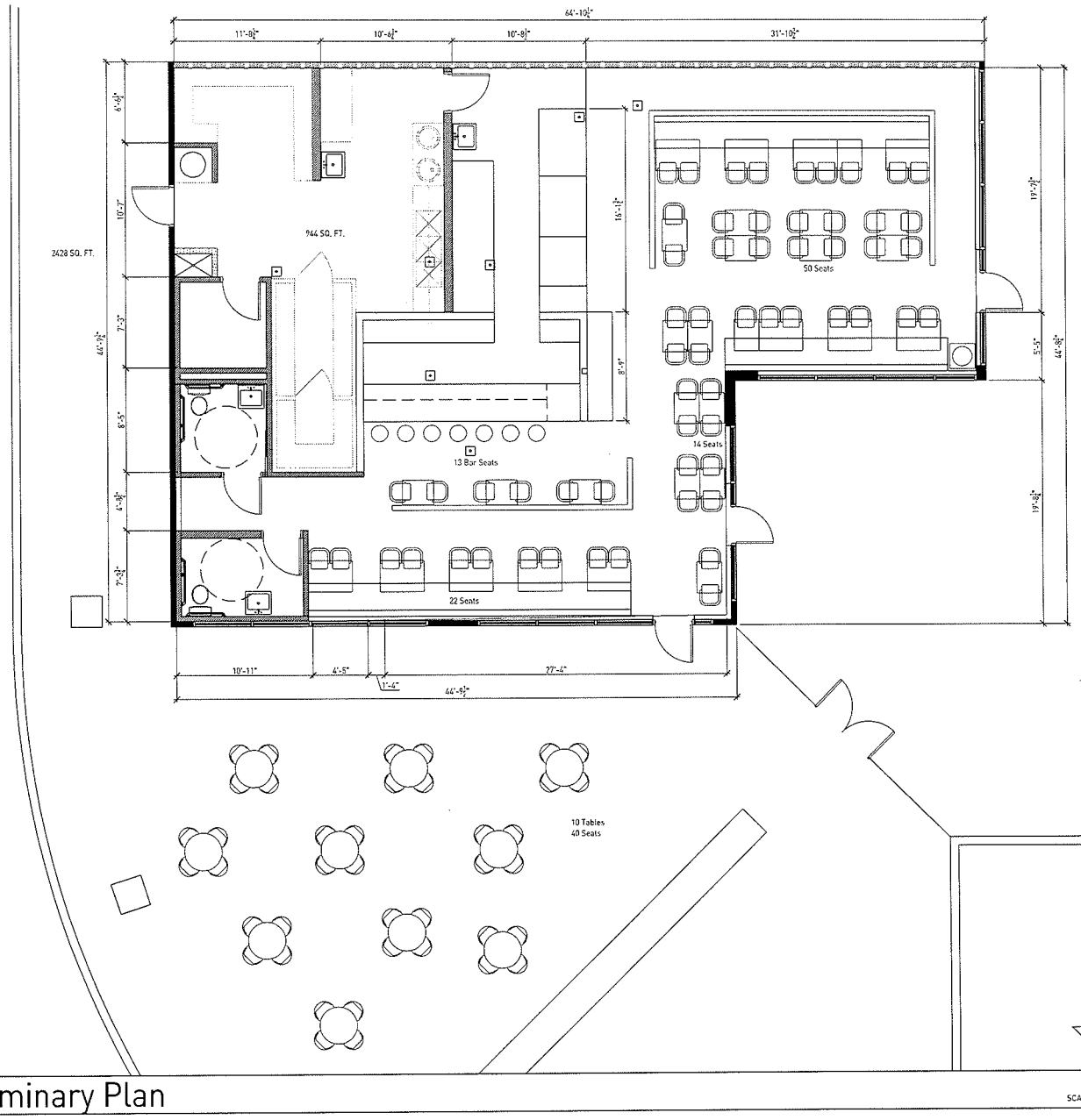
*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.



TRAILS VILLAGE CENTER

SUP-37871

RECEIVED
APR 06 2010



INDOOR RESTAURANT SEATING	86
OUTDOOR RESTAURANT SEATING	40
10 TABLES @ 4 PER TABLE	
TOTAL RESTAURANT SEATING	126
BAR SEATING	13
TOTAL SEATS	139
INSIDE PUBLIC AREA 1,476 SF	
15 SF/OCCUPANT	98
OCCUPANTS	

PARKER SCAGGIARI
interiors | architecture
3841 W Charleston Blvd. • Suite 100 • Las Vegas, NV 89102
T 702.733.7759 F 702.733.9802 • www.psvegas.com

Preliminary Plan Concept
FIRST FLOOR

CHRONIC TACO
1910 VILLAGE CENTER CIRCLE SUITE I

REVISIONS

ID1.0

RECEIVED
SUP-37871
APR 06 2010

Preliminary Plan

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



SUP-37871 - APPLICANT: CHRONIC TACOS - OWNER: TRAILS VILLAGE CENTER COMPANY
1910 VIALLGE CENTER CIRCLE< SUITES #1 & #2

04/22/10



SUP-37871 - APPLICANT: CHRONIC TACOS - OWNER: TRAILS VILLAGE CENTER COMPANY
1910 VIALLGE CENTER CIRCLE< SUITES #1 & #2

04/22/10

BENJAMIN J. VOLMER, ESQ.
bvolmer@klnevada.com

LAW OFFICES
KOLESAR & LEATHAM, CHTD.
WELLS FARGO FINANCIAL CENTER
3320 WEST SAHARA AVENUE
SUITE 380
LAS VEGAS, NEVADA 89102

TELEPHONE
702/362-7800
FAX
702/362-9472
www.klnevada.com

April 14, 2010

VIA HAND-DELIVERY

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

Re: Supplement to Special Use Permit Application for:

Applicant:	**Chronic Summerlin, LLC, d/b/a Chronic Tacos**
APN:	**138-19-719-006**
Business Location:	**Trails Village Center, Summerlin** **1910 Village Center Circle, Suite 1** **Las Vegas, NV 89134**

Dear Sir/Madam:

This firm represents Chronic Summerlin, LLC, a Nevada limited liability company, doing business as Chronic Tacos (the "Applicant"). Enclosed, please find our firm check in the amount of $250.00 for additional fees to process the Special Use Permit Application. Per your request, please also find an updated version of the Justification Letter with the hours of operation for the business.

In the event you have any questions with regard to the foregoing, please do not hesitate to contact us. Thank you.

Very truly yours,

KOLESAR & LEATHAM, CHTD.

Benjamin J. Volmer, Esq.

BJV:lhw
Enclosures: as stated

cc: Dr. Jed Feller (w/o encls.)
Matthew D. Saltzman, Esq. (w/o encls.)
Dianne M. Sheridan, Paralegal (w/o encls.)

SUP-37871
REVISED

717584 (7781-1)

Pursuant to Sections 6.50.210-230 of the Las Vegas Municipal Code, the Applicant desires to open and operate a Chronic Tacos restaurant establishment within the Trails Village Center of Summerlin. Please note that the business will include sales of alcoholic beverages for on-premises consumption at tables/booths and within a separate bar/lounge area. Full-course meals will be available during all hours the bar area is open to the public and the restaurant operation will be the principal portion of the business. Currently, the business is planning to operate everyday between the hours of 6:00 AM and 11:00 PM. Please note that the business will include outside dining as indicated on the enclosed floor plan.

The introduction of alcohol sales at the business location will not adversely affect the environment or character of the immediate community, nor will it have a detrimental impact on adjacent properties within the Trails Village Center. No additional public services, utilities, parking or waivers should be necessary to accommodate the Applicant's proposed business operations at the location. Further, as an upscale restaurant establishment, the business will provide a benefit to the community and the neighboring businesses within the Trails Village Center of Summerlin.

In the event you have any questions with regard to the foregoing, please do not hesitate to contact us. Thank you.

Very truly yours,

KOLESAR & LEATHAM, CHTD.

Benjamin J. Volmer, Esq.

BJV:lhw
Enclosures: as stated

cc: Dr. Jed Feller (w/out encls.)
Matthew D. Saltzman, Esq. (w/o encls.)
David G. Alleman, Esq. (w/out encls.)
Dianne M. Sheridan, Paralegal (w/o encls.)

SUP-37871
REVISED

RECEIVED
APR 15 2010

City of Las Vegas Agenda Item No.: **42.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

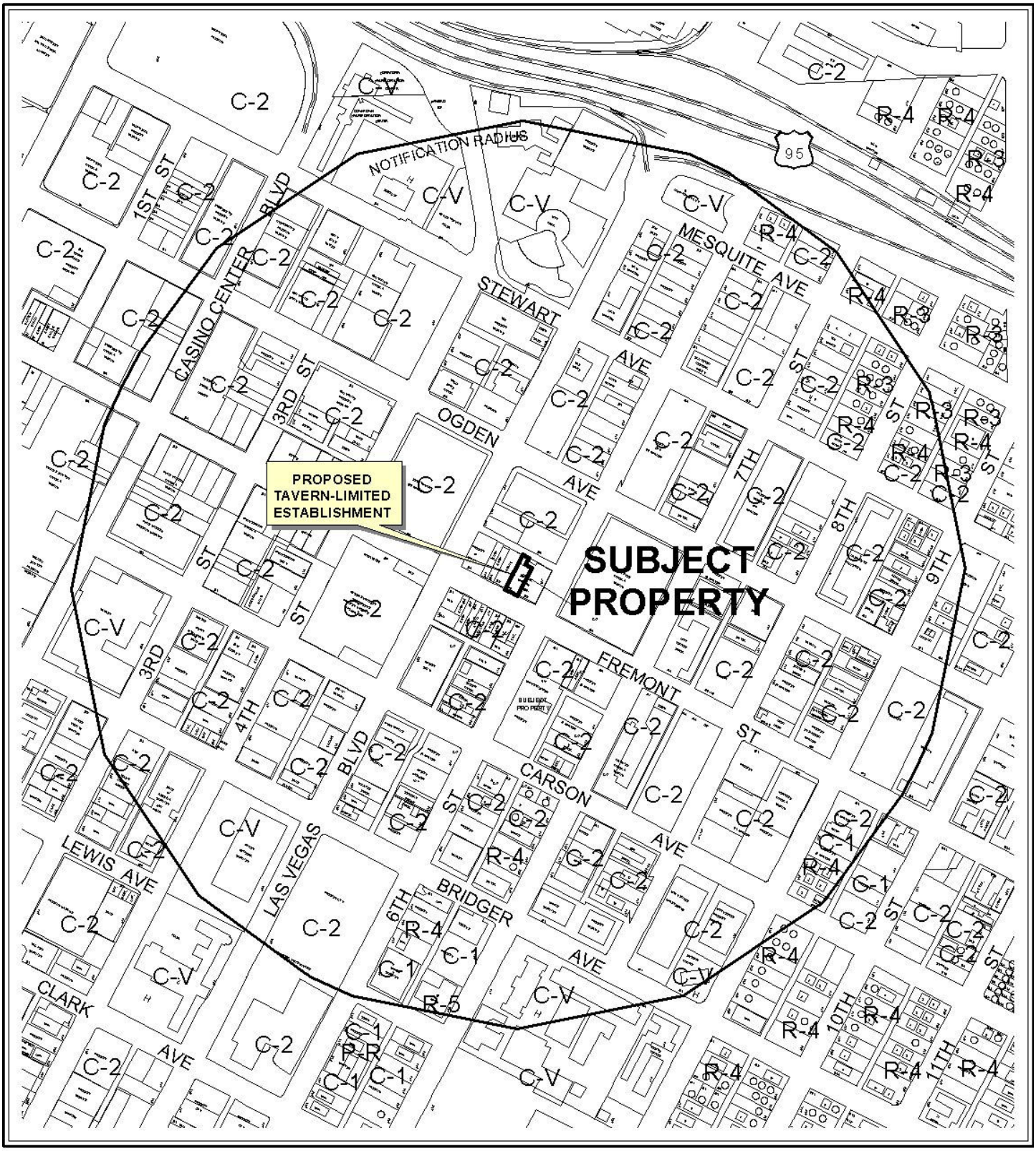
SUBJECT:
SUP-37885 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: VANGUARD LOUNGE, LLC - OWNER: A.W. HAM III TRUST - Request for a Special Use Permit FOR A PROPOSED 2,597 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT at 516 Fremont Street (APN 139-34-611-008), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

IF APPROVED, C.C.: 07/07/2010
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



0 400 800 Feet

CASE: **SUP-37885**

RADIUS: 1500 FT

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

N



0 400 800 Feet

CASE: **SUP-37885**

RADIUS: 1500 FT

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: VANGUARD LOUNGE, LLC - OWNER: A.W. HAM III TRUST

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-37885	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-37885 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Tavern-Limited 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, 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. These Conditions of Approval shall be affixed to the cover sheet of the plan set submitted for building permit.

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

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

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

Staff Report Page One
May 27, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed Tavern-Limited Establishment located within the Fremont East District of the Downtown Centennial Plan at 516 Fremont Street. Outdoor seating is also indicated at the proposed establishment. The proposed use meets all Title 19.04 standards for a Tavern-Limited Establishment, 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.

ISSUES

- The building will accommodate approximately 97 people.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
04/27/98	The City Council approved a request for a Special Use Permit (U-0023-98) on property located at 516 east Fremont Street for the Off-Premise Sale of Beer and wine in conjunction with a proposed 1,649 square foot convenience store. The Planning Commission recommended approval.
12/16/64	The City Council approved a request for a Rezoning (Z-0100-64) from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial), C-2 (General Commercial) and C-V (Civic) to C-2 (General Commercial) for approximately 230 acres generally located on property bounded by Main Street to the west, Bonanza Road on the north, Las Vegas Boulevard on the east, and Charleston Boulevard on the south. The Planning Commission recommended approval.

Most Recent Change of Ownership	
07/28/99	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
04/17/08	A Building Permit (#113195) was issued for a non work certificate of occupancy at 516 Fremont Street. The permit was finaled on 04/23/08.
04/25/08	A Business License (S20-00515) was issued for guitar sales at 516 Fremont Street. The license was marked out of business on 12/01/09

AO

05/24/94	A Business License (Q01-00142) was issued for a real estate business at 516 Fremont Street. The license is still active.
06/23/99	A Business License (J01-01554) was issued for costume jewelry/ gifts at 516 Fremont Street. The license was marked out of business on 02/05/08.
04/21/10	A Business License application (C05-95514) was submitted for tobacco sales at 516 Fremont Street. The license is pending approval.
04/21/10	A Business License application (L38-95513) was submitted for a tavern limited at 516 Fremont Street. The license is pending approval.
04/30/10	A Business License application (M06-95723) was submitted for miscellaneous sales at 516 Fremont Street. The license is pending approval.

Pre-Application Meeting	
04/13/10	A pre-application meeting was held and the submittal requirements of a Special Use Permit application were discussed: 1. The total occupancy less than 100 does not need to be sprinklered. The maximum capacity of this space will be 97. 2. There will be no onsite parking. Parking will be available on nearby lots and in area parking structures. 3. The outdoor seating shall require approval of a Minor Site Development Plan Review and an encroachment agreement if in the right-of-way. May occupy up to 2/3 of the total width of the sidewalk, with minimum pedestrian clearance of five feet. 4. The tavern-limited license is subject to requirements of Title 6.50.250. Live entertainment will be provided four nights per week and there will be no gaming.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
04/22/10	A site inspection was required conducted by staff with the following observations: • The subject property was noted as a well maintained commercial building.

Details of Application Request	
Site Area	
Gross Acres	.13

Surrounding Property	*Existing Land Use Per Title 19.04*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	Vacant	C (Commercial)	C-2 (General Commercial)
North	Condominiums	C (Commercial)	C-2 (General Commercial)
South	Tavern	C (Commercial)	C-2 (General Commercial)
East	Art Gallery and Retail Establishment	C (Commercial)	C-2 (General Commercial)
West	Vacant	C (Commercial)	C-2 (General Commercial)

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area			
Downtown Centennial Plan (Fremont East District)	X		Y
Downtown Redevelopment Area	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (200 ft)	X		Y
Downtown Entertainment Overlay District (Entertainment Overlay District)	X		Y
Live/Work Overlay District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
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	
Tavern-Limited Establishment	2,597 SF	1:50 plus 1:200 with a minimum of 10 spaces	45		Zero		N
TOTAL SPACES REQUIRED			45		Zero		N
TOTAL (With Handicapped)			43	2	Zero	Zero	N

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

The applicant is proposing a Tavern-Limited Establishment use within an existing 2,597 square foot building. The proposed use will feature indoor and outdoor seating. The outdoor seating will be 41% of the total occupancy, and per the submitted plans, the patio area does not encroach into the public right-of-way. The additional seating provided by the outdoor patio also does not interfere with the building egress and ingress.

The subject site is within the Fremont East District in the Downtown Centennial Plan, which is the only district that this type of proposed use is allowed. Pursuant to Title 19.06.120, any liquor-serving establishment approved by means of a Special Use Permit for a parcel located within the Downtown Entertainment Overlay District shall not be subject to the distance separation requirements set forth in Title 19.04. 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 meets Title 19.04 requirements for the use.

FINDINGS (SUP-37885)

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

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

   The proposed Tavern Limited Establishment will be located within the Fremont East District of the Downtown Centennial Plan. The proposed use can be conducted in a harmonious and compatible manner with the existing and future development within the surrounding area.

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

   The subject site is currently a vacant retail space. Similar alcohol related uses are common in this area of the City. 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.**

   The proposed Tavern Limited Establishment use is located on Fremont Street and 6th Street, which are both defined as 80-foot Secondary Collectors, as defined by the Master Plan of Streets and Highways. The site will be accessed primarily by pedestrian traffic.

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

   The proposed Special Use Permit request will not be inconsistent with or compromise the public health, safety, and welfare or overall objectives of the General Plan.

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

   The proposed Tavern Limited Establishment use meets all of the applicable conditions per Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 21

NOTICES MAILED 206

APPROVALS 0

PROTESTS 0

AO

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-37885** APN: A portion of 139-34-611-008

Name of Property Owner: HAM A W III Trust (Artemus Ham III)

Name of Applicant: Vanguard Lounge, LLC

Name of Representative: Jennifer Wheatley

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: A. W. Ham III, Trustee

Print Name: ARTEMUS W. HAM III, TRUSTEE

Subscribed and sworn before me

This 7th day of APRIL, 2010

Jana Shore

Notary Public in and for said County and State

JANA SHORE
Notary Public, State of Nevada
Appointment No. 01-71602-1
My Appt. Expires Sept. 13, 2013

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Special use permit

Project Address (Location) 516 Fremont Street

Project Name Vanguard Lounge **Proposed Use** Bar

Assessor's Parcel #(s) A portion of 139-34-611-008 **Ward #** 5

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

Commercial Square Footage 2,416 **Floor Area Ratio** _____

Gross Acres .13 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER A W Ham III Trust **Contact** _____

Address 2008 Gray Eagle Way, ~~Las Vegas, NV~~ **Phone:** 732-8334 **Fax:** _____

City Las Vegas **State** Nevada **Zip** 89117

E-mail Address _____

APPLICANT Vanguard Lounge, LLC **Contact** Jennifer Wheatley

Address 2637 Starfish Ct. **Phone:** 702-419-6339 **Fax:** _____

City Las Vegas **State** Nevada **Zip** 89128

E-mail Address Jennifer@wheatleyenterprises.org

REPRESENTATIVE Same as Above **Contact** _____

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

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

E-mail Address _____

Property Owner Signature* A.W. Ham III, Trustee

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

Print Name ARTEMUS W. HAM III, TRUSTEE

Subscribed and sworn before me

This 7th day of APRIL, 20 10.

Notary Public in and for said County and State

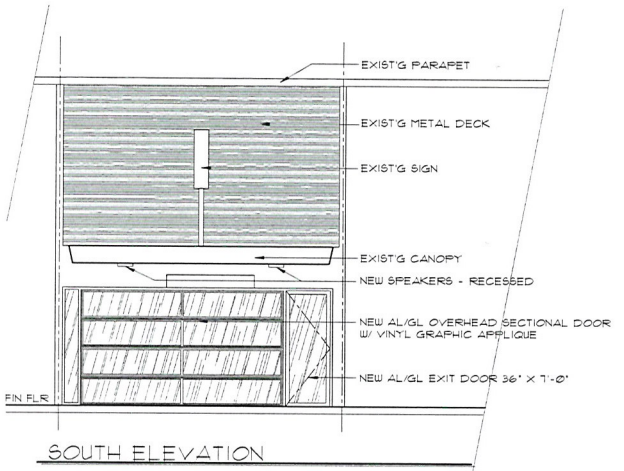
JANA SHORE
Notary Public, State of Nevada
Appointment No. 01-71602-1
My Appt. Expires Sept. 13, 2013

FOR DEPARTMENT USE ONLY

Case #	SUP 37895
Meeting Date:	5.27.10
Total Fee:	$1,280.-
Date Received:*	4.7.10
Received By:	JA

*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



SOUTH ELEVATION

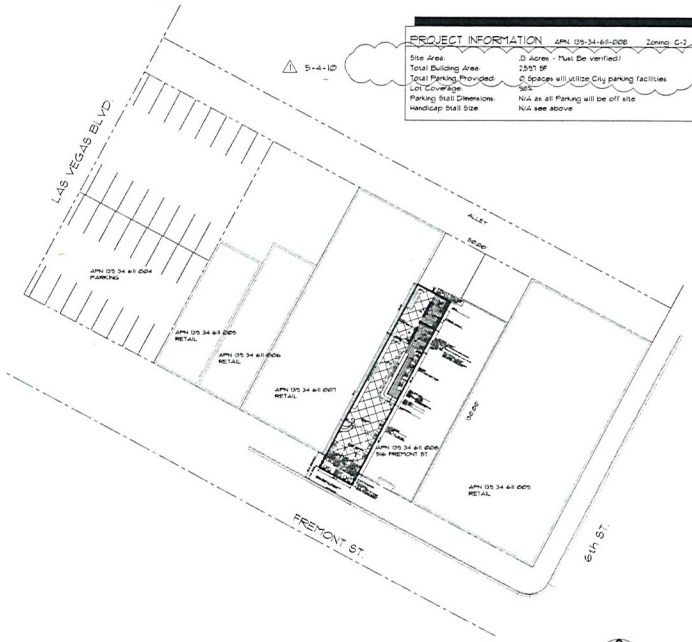
VICINITY MAP



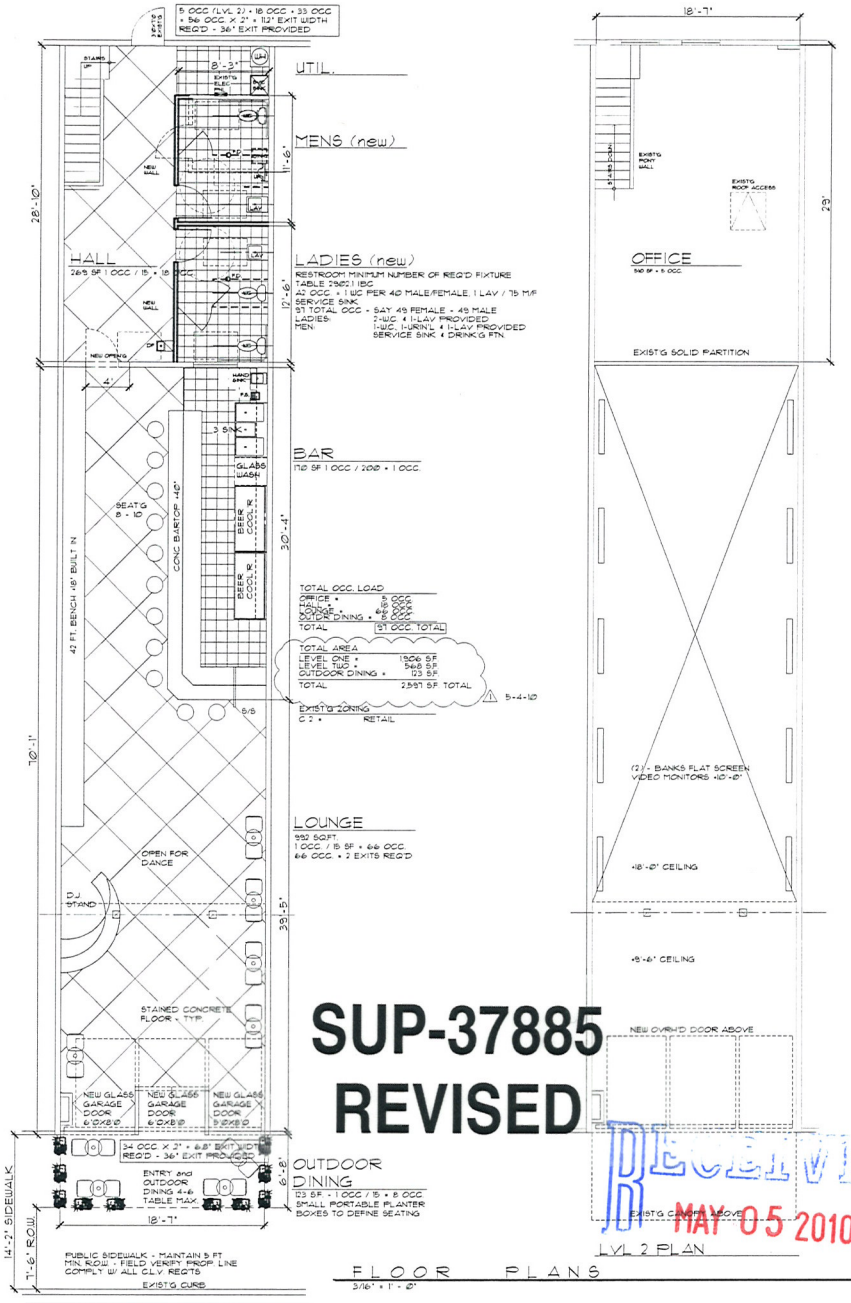
5-4-10

PROJECT INFORMATION APN: 139-34-611-008 Zoning: C-2

Site Area:	.13 Acres - (Must Be verified)
Total Building Area:	2597 SF
Total Parking Provided:	0 Spaces will utilize City parking facilities
Lot Coverage:	96%
Parking Stall Dimensions:	N/A as all Parking will be off site
Handicap Stall Size:	N/A see above



SITE PLAN
1" = 30'-0"



FLOOR PLANS
3/16" = 1'-0"

SUP-37885
REVISED

RECEIVED
MAY 05 2010

5-4-10

HART HOMES, INC.
P.O. BOX 81562
LAS VEGAS, NV 89180
702.374.8313
LIC # 41054

VANGUARD LOUNGE
3131 Fremont St.
LAS VEGAS, NV

Preliminary Design

PROJ NO.:
DATE: 14 MAR 2010
DRAWN BY:
CHECKED BY:
DWG. NO.

A-1.0


RECEIVED
SUP-37885



RECEIVED
APR 3 0 2012
SUP-37885



SUP-37885



SUP-37885

RECEIVED
APR 30 2010

April 5, 2010

We are interested in converting 516 Fremont Street into a Lounge with a bar. The space has been vacant for over a year. The previous tenant had a guitar shop. We are interested in converting it into a bar and making all the necessary improvements to meet code. No food will be served at this location. Maximum occupancy will be 97 people as state on the plans. We are looking to provide a really cool place with a great vibe downtown. We will be the first Lounge/Bar that will be offering outdoor seating in the front. We feel that this will be a huge draw to our location since we are on the north side of the street that gets all of the sun. We will have around 10-15 employees. We plan on starting the hours of operation from 2:00 pm-2:00 am Sunday-Wednesday and 2:00 pm-4:00 am Thursday-Saturday. We are going to have live entertainment Thursday-Sunday with DJ's. We will have the proper security on the nights we do have live entertainment. We have no onsite parking so our patrons will be using the surrounding parking garages along Fremont and the metered spots along 6th street. We do understand that 50% of our sign will have to be neon. We are already working with a few sign companies getting quotes with those specifications. Upon receipt of our Special Use Permit we are applying for the Limited Tavern License. We have all our applications ready to submit and have met with a couple of the officers in their office to go over our paperwork to make sure we are ready to go and we are all set. I would really like to get the place open before all the big events come into the downtown area such as Helldorado.

We chose 516 Fremont Street due to the fact it is located inside the Entertainment District. We understand there is a need for more businesses in this area especially bars and restaurants. With our lounge concept, and extended hours we believe that it will draw a numerous amount of people in the community, and visitors to the Entertainment District.

Thank you,

Andrew Wheatley
Vanguard Lounge, LLC

Jennifer Wheatley
Vanguard Lounge, LLC

RECEIVED
APR 07 2010

SUP-37885

City of Las Vegas Agenda Item No.: **43.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

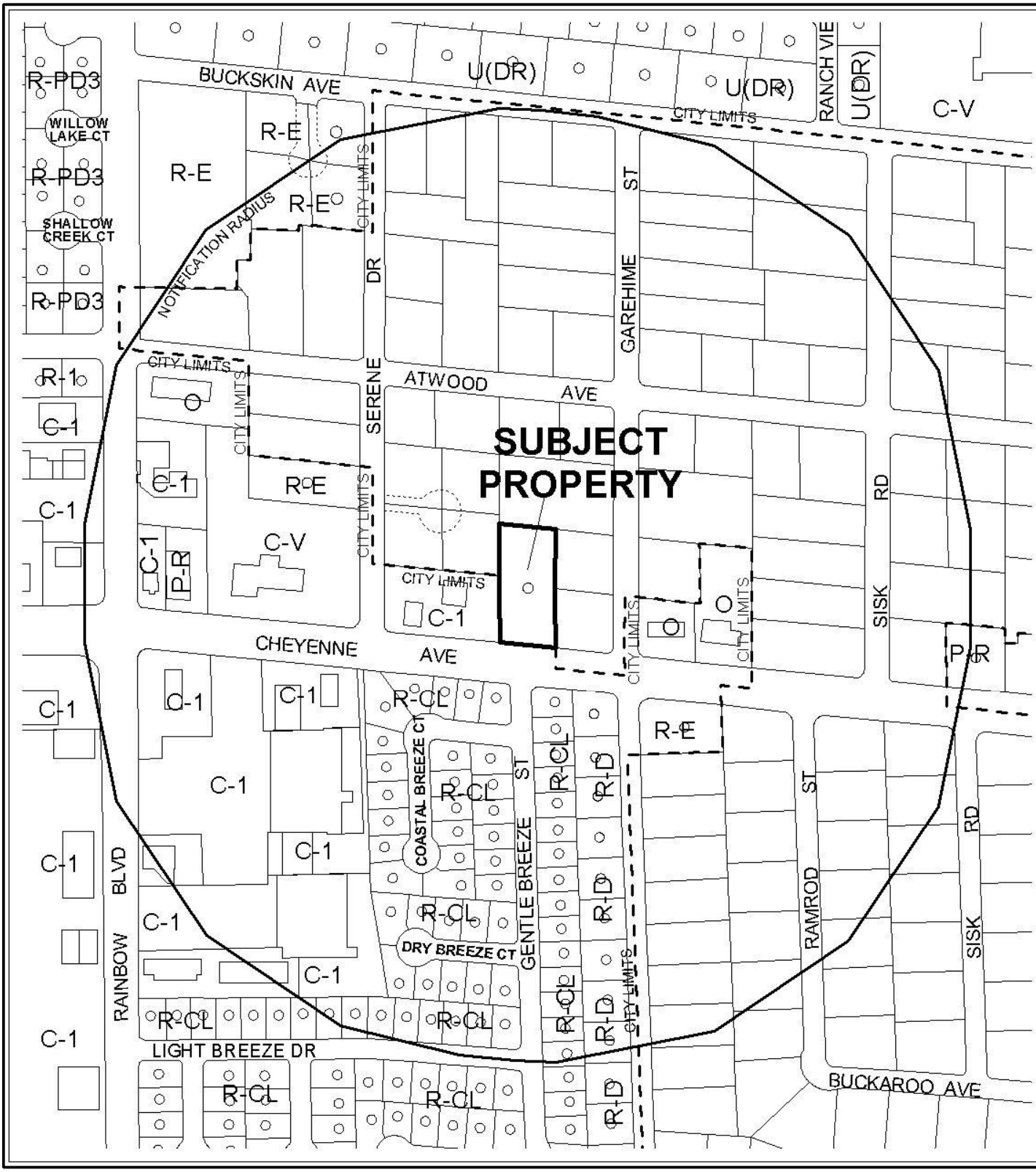
SUBJECT:
SUP-37892 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: PAITAKA P. AND TASEY MIYAHIRA - Request for a Special Use Permit FOR A 3,508 SQUARE-FOOT GROUP RESIDENTIAL CARE FACILITY (10 SENIOR CITIZENS) WITH A WAIVER TO ALLOW A 1,481-FOOT DISTANCE SEPARATION FROM ANOTHER GROUP RESIDENTIAL CARE FACILITY WHERE 1,500 FEET IS THE MINIMUM REQUIRED at 6640 West Cheyenne Avenue (APN 138-11-406-012), R-E (Residence Estates) Zone, Ward 4 (Anthony). Staff recommends APPROVAL.

IF APPROVED, C.C.: 07/07/2010
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

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



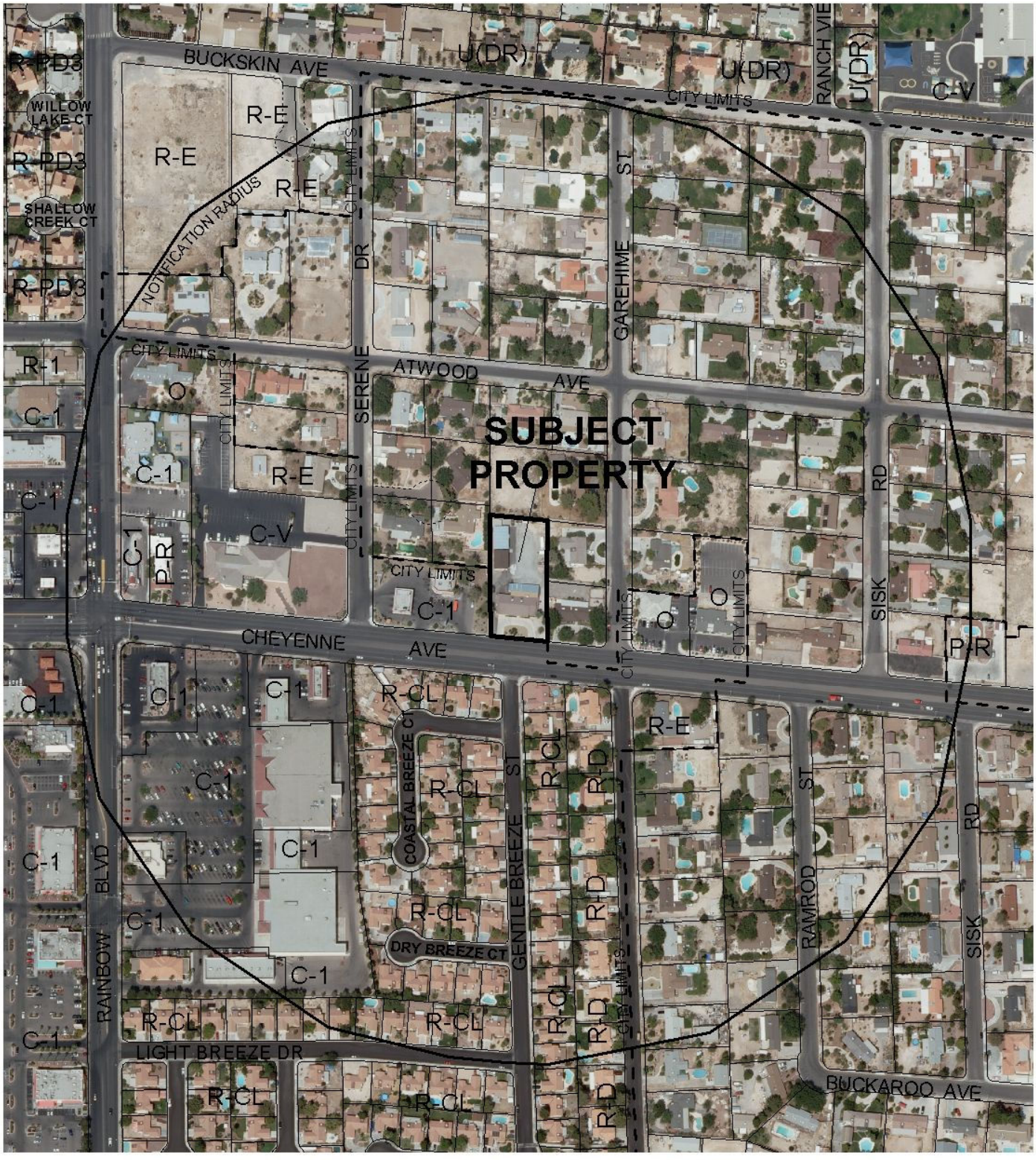
0 300 600 Feet

CASE: **SUP-37892**

RADIUS: 1000 FT

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

N



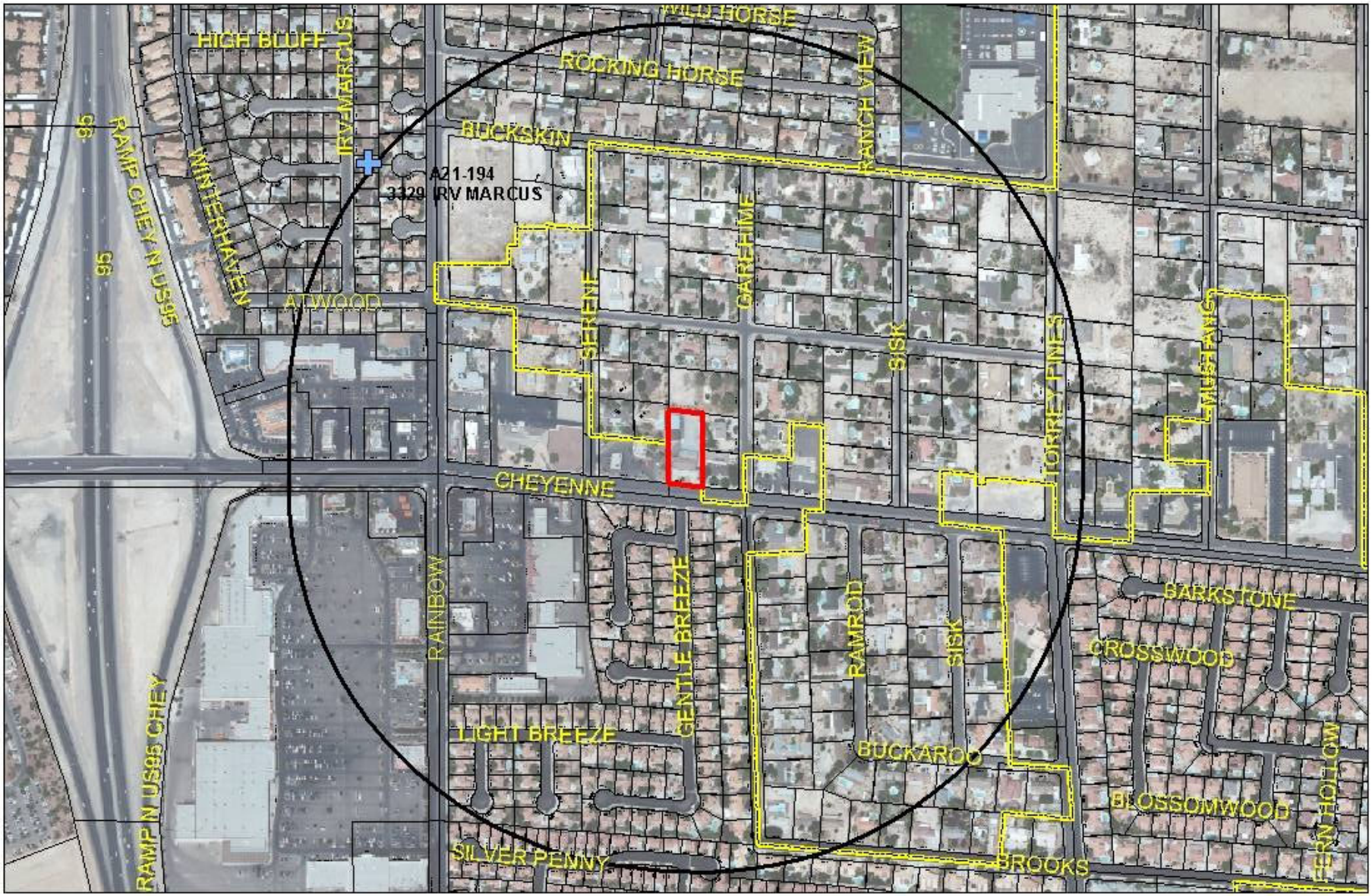
0 300 600 Feet

CASE: **SUP-37892**

RADIUS: 1000 FT

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

N



SUP-37892

Business Licenses

- Group Residential Care Facility
- Halfway House for Drug and Alcohol Abusers
- Facility for Transitional Living for Released Offenders

Subject Property

1500 Feet Buffer

0 365 730 1,460 Feet

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: PAITAKA P. AND TASEY MIYAHIRA

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-37892	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-37892 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for Group Residential Care Facility 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. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. The Group Residential Care Facility shall be limited to no more than 10 senior citizens at any one time.

4. Prior to occupancy, all necessary building permits shall be obtained for all proposed and existing structures and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Department.

5. These Conditions of Approval shall be affixed to the cover sheet of the plan set submitted for building permit.

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

Public Works

7. Prior to the issuance of any building permits, abandon the existing septic tank system per Southern Nevada Health District regulations and connect to the public sewer line in Cheyenne Avenue. Alternatively, provide a letter from the Southern Nevada Health District stating that the existing septic tank is acceptable.

Staff Report Page One
May 27, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This application is a request for a Special Use Permit (SUP-37892) for a single-story 3,508 square-foot Group Residential Care Facility for no more than ten senior citizens located at 6640 West Cheyenne Avenue. The proposed use meets all minimum Conditional Use Requirements of Title 19 requirements, with the exception of the 1,500-foot distance separation from another Group Residential Care Facility. The applicant is requesting a Waiver to allow a 1,481-foot distance separation from another Group Residential Care Facility. Staff recommends approval of this request as it can be conducted in a manner that is compatible with the surrounding uses and the requested Waiver is minor in nature. If this application is denied the property would remain as single-family residential use.

ISSUES

- The proposed Group Residential Care Facility does not meet condition #7, which states a facility may not be closer than 1,500 feet (measured by the means of the shortest distance from property line to property line) from another Group Residential Care Facility, a Facility for Transitional Living for Released Offenders, or a Halfway House for Recovering Alcohol and Drug Abusers. A Waiver is required as the nearest Group Residential Care Facility is located at 3329 Irv Markus Drive, which is approximately 1,481 feet to the northwest.
- A Project of Regional Significance is required, since the application is for a Special Use Permit and within 500 feet of Clark County.
- The property contains two metal car ports and a 1,200 square-foot storage garage, for which no building permits, can be located. A condition has been added to require building permits for all existing structures.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
07/14/94	The Planning Commission approved an Annexation (A-0013-94(A)) on .90 acres at 6640 West Cheyenne Avenue.

Most Recent Change of Ownership	
04/14/10	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
c.1977	The subject residence was constructed in 1977, which was under Clark Counties jurisdiction.
02/04/97	A building permit (#97002442) was issued to reroof the Main Dwelling Unit, the permit was finaled on 02/11/97.

Pre-Application Meeting	
04/01/10	A pre-application meeting was held with the applicant where the submittal requirements for a Special Use Permit were discussed. Topics included: • The proposed Group Residential Care Facility does not meet condition #7, which states a facility may not be closer than 1,500 feet (measured by the means of the shortest distance from property line to property line) from another Group Residential Care Facility, a Facaility for Transitional Living for Released Offenders, or a Halfway House for Recovering Alcohol and Drug Abusers. A Waiver will be required as the nearest Group Residential Care Facility is located at 3329 Irv Markus Drive, which is approximately 1,481 feet to the northwest. • A Waiver will be required for the distance separation. • A Project of Regional Significance is required, since the application is for a Special Use Permit and within 500 feet of Clark County. • All structures must have building permits. • The handicapped parking space must be van accessible.

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

Field Check	
04/22/10	A single-family residence, with possible unpermitted structures.

Details of Application Request	
Site Area	
Net Acres	.90

Surrounding Property	*Existing Land Use Per Title 19.04*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	Single Family Residential	DR (Desert Rural)	R-E (Residence Estates)
North	Single Family Residential	RN (Rural Neighborhood)	R-E (Rural Estates) / Clark County
South	Single Family Residential	ML (Medium Low Density Residential)	R-CL (Single Family Compact-Lot)
East	Single Family Residential	RN (Rural Neighborhood)	R-E (Rural Estates) / Clark County
West	Service Station and Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)

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

DEVELOPMENT STANDARDS

Per Title 19.08.040.Table1

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	20,000 SF	38,498 SF	Y
Min. Lot Width	100 Feet	136 Feet	Y
Min. Setbacks			
• Front	50 Feet	53 Feet	Y
• Side (East)	10 Feet	25 Feet	Y
• Side (West)	10 Feet	21 Feet	Y
• Rear	35 Feet	172 Feet	Y
Min. Distance Between Buildings	6 Feet	55 Feet	Y

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	***Required***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Group Residential Care Facility	10 Residents	1 space per each 5 residents, plus an additional space for the administrator	3		15		Y
TOTAL SPACES REQUIRED			3		15		Y
TOTAL (With Handicapped)			2	1	14	1	Y

Waivers		
Requirement	***Request***	***Staff Recommendation***
1,500-foot distance separation from another Group Residential Care Facility.	Allow a 1,481-foot distance separation from another Group Residential Care Facility.	Approval

ANALYSIS

The applicant is proposing a 3,508 square-foot Group Residential Care Facility for senior citizens on a developed single-family residential lot at 6640 West Cheyenne Avenue. The applicant states that they will accept any age group over 50. The applicant states that he has no experience running a Group Residential Care Facility, but has a Facility Administrator that has been his consultant and will manage the facility, including three staff members. A Group Residential Care Facility use is defined by Title 19.20.020 as "a dwelling of a residential character which is used or intended to be used to provide long-term housing and care for up to ten persons who are aged, infirm, physically or mentally handicapped, or physically dependent, and are living together for the purpose of training, observation, common support, or a combination thereof. The term does not include an individual residential care facility; a facility for transitional living for released offenders, a halfway house for recovering alcohol and drug abusers, a convalescent care facility/nursing home, or any facility which:"

1. Provides surgical, medical, psychiatric or other specialized treatment on a regular basis; or

2. Provides housing, care, or treatment to persons whose occupancy would constitute a direct threat to the health or safety of other individuals or their property.

The proposed use meets all minimum Conditional Use Requirements of Title 19 requirements, with the exception of the 1,500-foot distance separation from another Group Residential Care Facility. The applicant is requesting a Waiver to allow a 1,481-foot distance separation from another Group Residential Care Facility. The property also contains two metal car ports, for which no building permits can be located. A condition to require building permits for all structures has been added. The main dwelling was located in Clark County at the time of construction in 1977. The subject site also has two bus stops west of the property, one 470 feet on the north side of Cheyenne Avenue and the second 690 feet on the south side of Cheyenne Avenue, making public transportation for resident readily available. The Group Residential Care Facility will maintain the residential look of an R-E (Residence Estates) property, therefore, staff recommends approval.

FINDINGS (SUP-37892)

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

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

   The proposed use is compatible with the D-R (Desert-Rural) General Plan designation and is surrounded by existing Clark County R-E (Rural Estates) Residential District on the east, north and west sides, and SC (Service Commercial) also to the west. Therefore, the use can be conducted in a manner that is harmonious and compatible with the surrounding residential and commercial uses surrounding 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 Group Residential Care Facility 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 Cheyenne Avenue, a 100-foot Freeway-Expressway as designated by the Master Plan of Streets and Highways. The proposed use of the subject site will be sufficiently served by existing roadway facilities.

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 Group Residential Care Facility use will be subject to regular inspections for licensing; therefore, public health, safety, and welfare will not be compromised. The proposed Group Residential Care Facility will comply with the City of Las Vegas Master Plan 2020 Housing Element Policy 2.2.2 encourages senior citizens' and assisted-living housing to develop to meet the needs of community residents.

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

The proposed Group Residential Care Facility does not meet condition #7, which states a facility may not be closer than 1,500 feet (measured by the means of the shortest distance from property line to property line) from another Group Residential Care Facility, a Facility for Transitional Living for Released Offenders, or a Halfway House for Recovering Alcohol and Drug Abusers. A Waiver will be required as the nearest Group Residential Care Facility is located at 3329 Irv Markus Drive, which is approximately 1,481 feet to the northwest.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

NOTICES MAILED 168

APPROVALS 2

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-37892** APN: 138-11-406-012

Name of Property Owner: Paitaka, Tasey Miyahira

Name of Applicant: Pat & Tasey Miyahira

Name of Representative: Geoff Robbins

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: Tasey Miyahira

Print Name: PAITAKA P. MIYAHIRA. Tasey Miyahira

Subscribed and sworn before me

This 15th day of April, 2010

Notary Public in and for said County and State

SUZANNE FIFIELD
Notary Public State of Nevada
No. 07-2474-1
My appt. exp. Mar. 29, 2011

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) 6640 West Cheyenne Ave.

Project Name OHANA ADULT GROUP CARE **Proposed Use** Adult Group Care

Assessor's Parcel #(s) 138-11-406-012 **Ward #** _____

General Plan: existing XRE proposed _____ **Zoning:** existing RE proposed Special Use

Commercial Square Footage 3508 **Floor Area Ratio** _____

Gross Acres 1.58 **Lots/Units** 10 **Density** _____

Additional Information _____

PROPERTY OWNER PAITAKA, Tasky Miyahira **Contact** PAT

Address 8455 Stange Ave **Phone:** 2891743 **Fax:** _____

City LV **State** NV **Zip** 89129

E-mail Address kuauboy@yahoo.com

APPLICANT Paitaka, Tasey Miyahira **Contact** PAT

Address P.O. Box 33054 **Phone:** 2891743 **Fax:** _____

City Las Vegas **State** NV **Zip** 89133

E-mail Address kuauboy@yahoo.com

REPRESENTATIVE Geoff Robbins **Contact** Geoff Robbins

Address 1722 Primerose Path **Phone:** 376 2518 / 453 0300 **Fax:** _____

City LV **State** NV. **Zip** 89108

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 PAITAKA P. MIYAHIRA

Subscribed and sworn before me

This 18th day of March, 20 10.

Suzanne Fifield

Notary Public in and for said County and State Clark/NV

SUZANNE FIFIELD
Notary Public State of Nevada
No. 07-2474-1
My appt. exp. Mar. 29, 2011

RECEIVED
APR 08 2010

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SUP-37892
Meeting Date:	05/27/10
Total Fee:	1030.00
Date Received:*	04/08/10
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

SITE INFORMATION

ZONING APN No 138-114-06012
EXISTING R-1 TO
SPECIAL USE PERMITT.

AREA (Approximate, to be verified)
Net Area: 46,068.75 SF = 43,560 SF =
1.58 ACRES.

PARKING REQUIREMENTS

Parking Calculations (per Code)	Required	Provided
Parking Ratio:		
Parking Required:		
PARKING PROVIDED:	15 STALLS	

SETBACKS
Front:
Rear:
Side: EXISTING.
Corner Street Side:

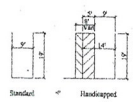
BUILDING HEIGHT
Allowed: 35' MAX
Provided: 16'.6"

BUILDING COVERAGE
Allowed:
Provided: 11%

BUILDING AREAS
EXIST. RESIDENCE = 3508 SF
EXIST. GARAGE = 502 SF
EXIST. STORAGE/GAR. = 1200 SF
TOTAL 5210 SF



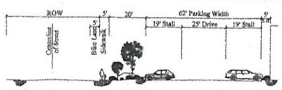
Fire Turning Radius



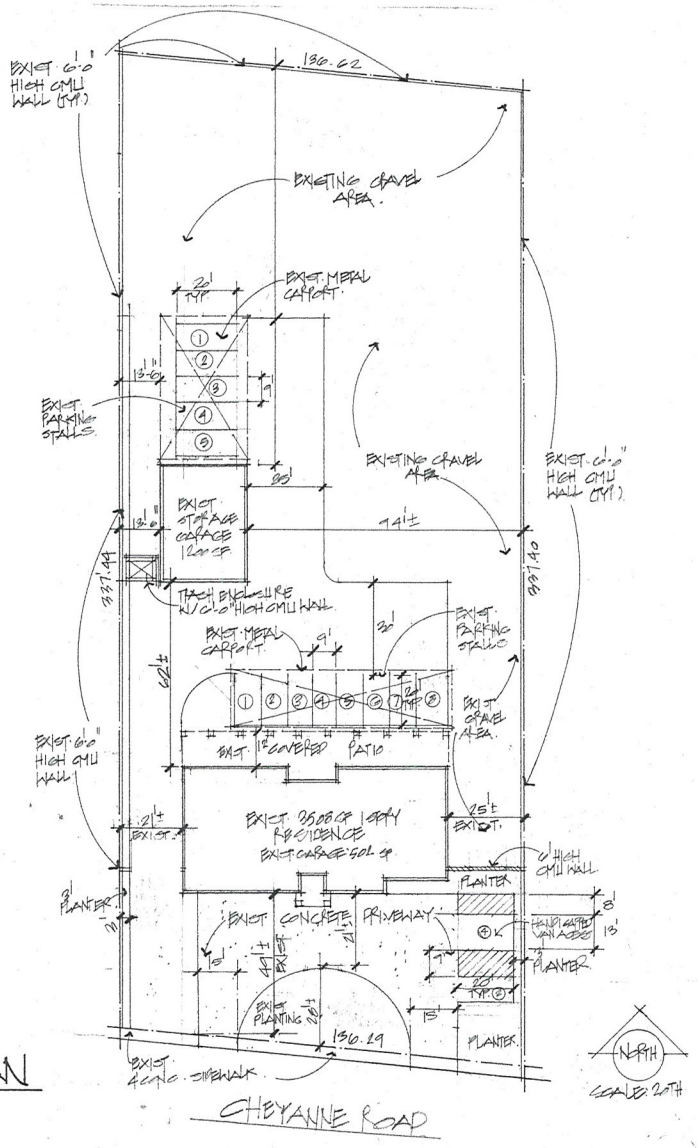
Typical Parking Spaces



CMU Wall C-C



Typical Street/Landscape Section A-A



SITE PLAN

OHANA
ADULT GROUP CARE HOME
6640 CHEYANNE AVE.
LAS VEGAS, NV.

Residential & Commercial Design & Rendering
J W DESIGN
Jeffrey Weinberg
16 W. Pacific Ave., Suite 3
Henderson, NV 89015
(702) 558-9736

3.18.10

1
of 4

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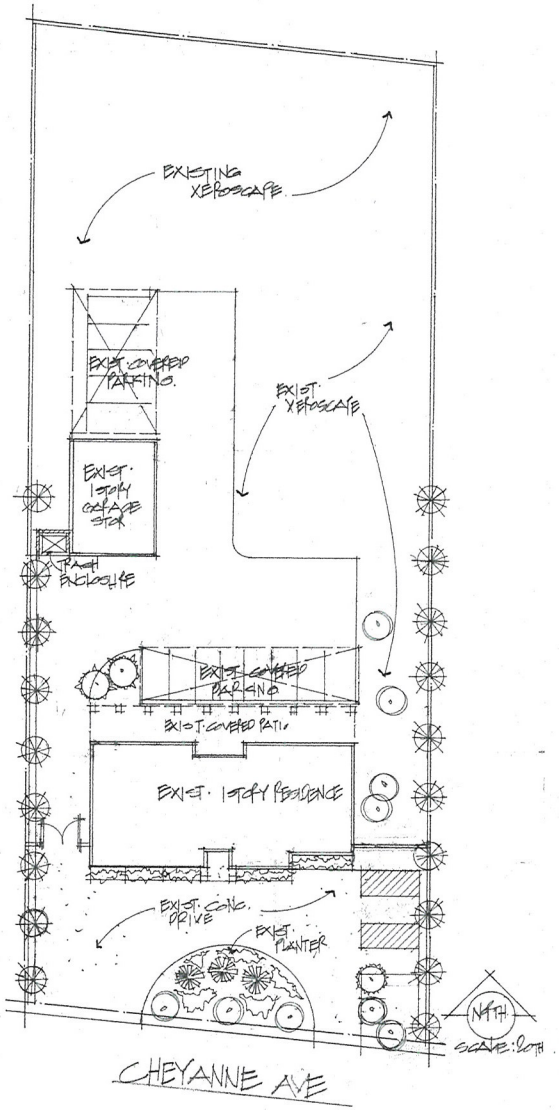
MAY 06 2010

SUP-37892
REVISED

TREE / PLANT SCHEDULE

SYM	QTY	SIZE	SPACING	COMMON NAME	BOTANICAL NAME
	82	24" Box 15 Gal.	20'-30' On Center	MODESTO ASH	Fraxinus velutina "Modesto"
	28	24" Box 15 Gal.	20'-30' On Center	TEXANA PRIVET	Ligustrum japonicum "Texanum"
	49	24" Box 15 Gal.	20'-30' On Center	MONDEL PINE	Pinus pigra
	24	Height Varies	Varies, See Setback Requirements	MEXICAN FAN PALM	Washingtonia robusta "Mexican Fan Palm"
	12	24" Box 15 Gal.	Varies, See Setback Requirements	FLOWERING PLUM	Prunus blireiana
	47	1 - 5 Gallon	N/A	Ornamental Ground Semba and Cover	
		N/A	N/A	Xeroscape / Turf	



OHANA ADULT GROUP CARE HOME
6620 CHEYANNE AVE.
LAS VEGAS, NV.

Residential & Commercial Design & Rendering
J W DESIGN
Jeffrey Weinberg
10 W. Pacific Ave., Suite 2
Henderson, Nevada 89015
(702) 558-9716

3-18-10

2 of 4

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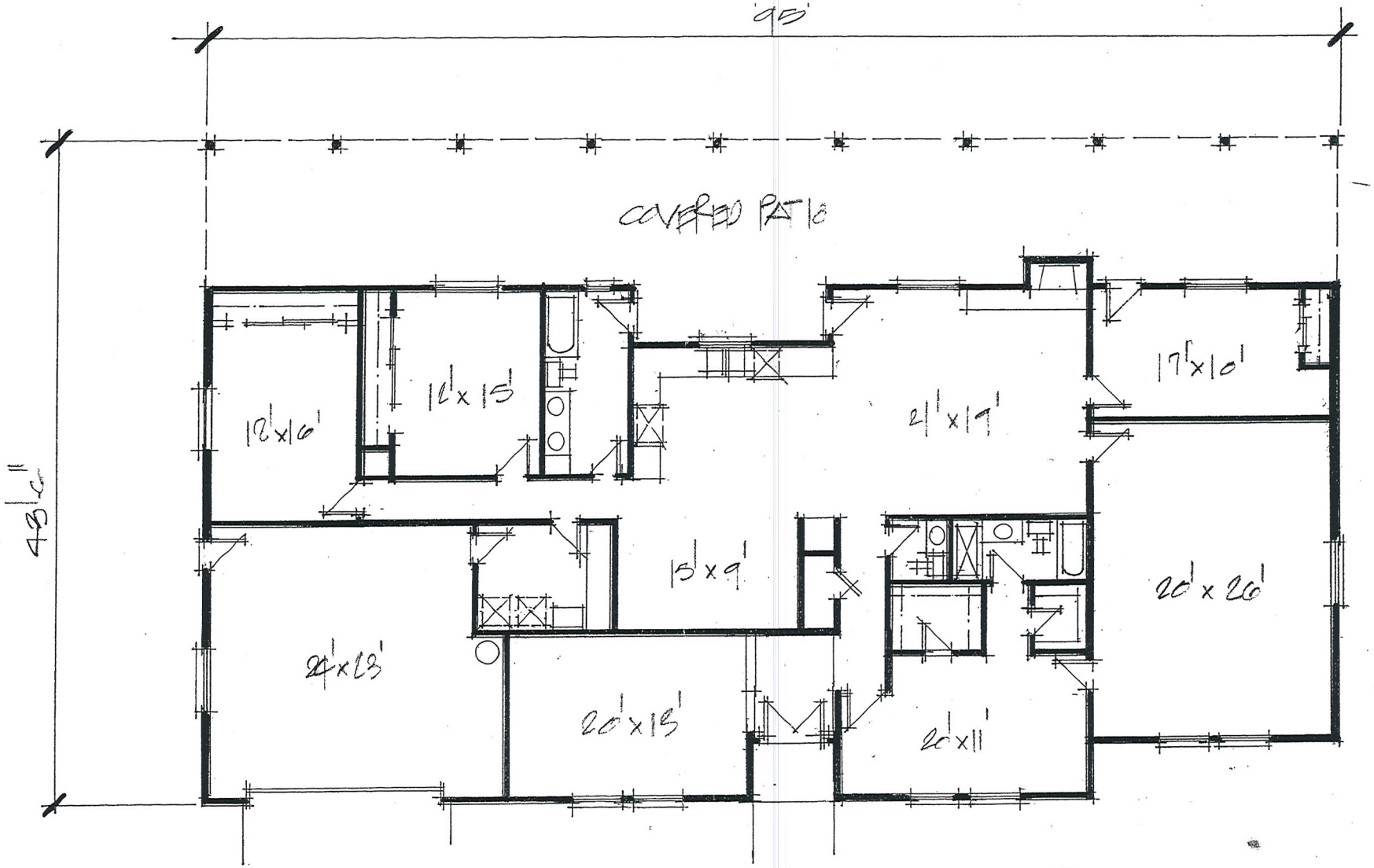
MAY 06 2010

LANDSCAPE PLAN

SUP-37892
REVISED



PRELIM FLOOR PLAN 3502 SQ. FT + (500 SF. GARAGE)

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APR 08 2010
SUP-37892

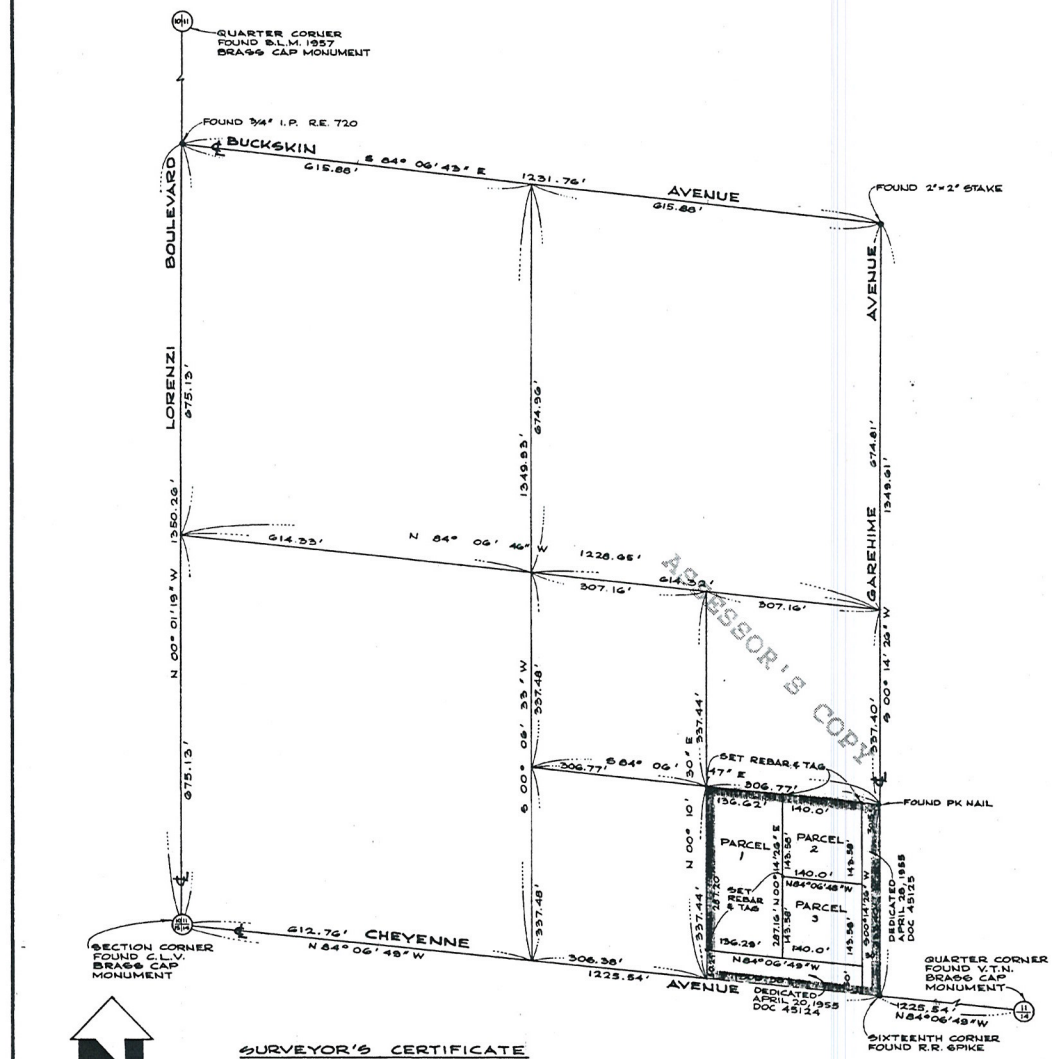
DRAWING NUMBER PARCEL FILE 2 PAGE 14

PEEL PROTECTIVE BACKING TO EXPOSE ADHESIVE. POSITION EDGE OF PRINT ON THIS LINE AND PULL TO ADHERE.

PLAN HOLD CORPORATION • TORRANCE • CALIFORNIA

Book 414

373049



SCALE
1" = 100'
FEBRUARY 1974

SURVEYOR'S CERTIFICATE

I, NORTON K. EARLE, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT THIS MAP ACCURATELY DELINEATES A SURVEY MADE BY MYSELF ON 9 JAN 1974, AT THE REQUEST OF TASS C. & LOIS I. HARDIN & DOES CONSTITUTE A SUBDIVISION AS DEFINED BY NEVADA STATUTES. THE MONUMENTS SHOWN ARE IN PLACE AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

Norton K Earle
LAND SURVEYOR CERTIFICATE NO. 2678
NORTON K EARLE

REGISTERED LAND SURVEYOR NORTON K. EARLE No. 2678 STATE OF NEVADA

BASIS OF BEARING

THE SOUTHERLY LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 11 - N 84°06'49"W AS SHOWN ON FILE 25 PAGE 2 AND FILE 29 PAGE 40, RECORDS OF CLARK COUNTY.

OWNER'S CERTIFICATE & DEDICATION

WE, TASS C. HARDIN AND LOIS I. HARDIN, OWNERS OF THE LEGALLY DESCRIBED PROPERTY HAVE CAUSED THESE LANDS TO BE SURVEYED AND PLATTED INTO PARCELS AND STREETS AS SHOWN, AND DO HEREBY OFFER AND DEDICATE EASEMENTS FOR CONSTRUCTION AND MAINTENANCE OF SUBTERRANEAN UTILITIES TO THE PUBLIC UTILITY AGENCIES.

Tass C Hardin — TASS C. HARDIN
Lois I Hardin — LOIS I. HARDIN
FEBRUARY 14, 1974 — DATE

ACKNOWLEDGEMENT

STATE OF NEVADA } SS
COUNTY OF CLARK }
ON THIS 14th DAY OF FEBRUARY 1974, TASS C. HARDIN AND LOIS I. HARDIN PERSONALLY APPEARED BEFORE ME, A NOTARY PUBLIC, WHO ACKNOWLEDGED THAT THEY EXECUTED THE ABOVE INSTRUMENT.

Margie M. Evans MARGIE M. EVANS
NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE

MY COMMISSION EXPIRES JAN. 29, 1978

MARGIE M. EVANS
Notary Public—State of Nevada
COUNTY OF CLARK
My Commission Expires Jan. 29, 1978

UTILITY AGENCIES & COMPANIES

WE THE HEREIN NAMED PUBLIC UTILITY AGENCIES & COMPANIES DO HEREBY APPROVE THE GRANT OF EASEMENTS AS SHOWN ON THIS MAP.

George Massa GEORGE MASSA CENTRAL TELEPHONE COMPANY	2/13/74 DATE
PHILLIP B. HUGHES NEVADA POWER COMPANY	2/13/74 DATE
RICHARD H. BRADSHAW SOUTHWEST GAS CORPORATION	2/12/74 DATE
Jerry Kelley JERRY KELLEY CLARK COUNTY SANITATION DISTRICT	2/13/74 DATE
M. R. Walsh HYRON R. WALSH LAS VEGAS VALLEY WATER DISTRICT	2/13/74 DATE
James Barrett JAMES BARRETT CLARK COUNTY FIRE DEPARTMENT	2/14/74 DATE
James Wren-Jarvis JAMES WREN-JARVIS CLARK COUNTY HEALTH DEPARTMENT	2/13/74 DATE

APPROVALS

APPROVED THIS 18TH DAY OF MARCH 1974 BY THE CLARK COUNTY PLANNING COMMISSION. APPROVED FOR SUBDIVISION PURPOSES.

David M. Cox
DAVID M. COX - CHAIRMAN

APPROVED AND ACCEPTED THIS 20TH DAY OF MARCH 1974, BY THE BOARD OF COUNTY COMMISSIONERS, CLARK COUNTY, NEVADA. APPROVED FOR SUBDIVISION PURPOSES.

Tom Wiesner — TOM WIESNER, CHAIRMAN
Loretta Bowman — ATTEST: LORETTA BOWMAN, COUNTY CLERK

MS-23-74

PARCEL MAP FOR TASS C. AND LOIS I. HARDIN 6620 W. CHEYENNE AVENUE - LAS VEGAS	NO. 373049 RECORDED AT THE REQUEST OF TASS C. HARDIN DATE 4-2-74 AT 9:45 A.M. FILE 2 PAGE 14 OF PARCEL MAPS OFFICIAL RECORDS BOOK NO. 414 CLARK COUNTY, NEVADA RECORDS
SE¼ OF THE SE¼ OF THE SW¼ OF THE SW¼ OF SECTION 11, T.20S., R.60E. M.D.M. CLARK COUNTY, NEVADA	PAUL E. HORN, RECORDER FEE $2.50 DEPUTY G.V.
NORTON K. EARLE & ASSOCIATES LAND SURVEYORS & MINERAL SURVEYORS	

FILE 2 PAGE 14

ASSESSOR'S COPY
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APR 08 2019

SUP-37892



SUP-37892 - APPLICANT/OWNER: PAITAKA P. AND TASEY MIYAHIRA
6640 WEST CHEYENNE AVENUE

04/22/10



SUP-37892 - APPLICANT/OWNER: PAITAKA P. AND TASEY MIYAHIRA
6640 WEST CHEYENNE AVENUE

04/22/10

Tuesday, April 06, 2010

To Whom It May Concern:

We would like to apply for a Special Use Permit for a proposed Group Residential Care Facility located at 6640 W. Cheyenne Avenue, Las Vegas, NV 89108. The proposed use is located 1481 feet away from another Group Residential Care Facility, which is not consistent with condition #7 listed in Title 19.04. The required footage distance of 1,500 linear feet from a current adult care facility is not met. We are 19' short. The home will be located at 6640 W. Cheyenne Avenue, Las Vegas, NV 89108. The home will be called Ohana (Family) Care Manor and will house 10 adults and 3 staff members. It will be open 24 hours a day, 7 days a week.

According to the April 2nd, 2010 issue of the Las Vegas Sun, it states that Nevada is due for an influx of seniors. Experts say the state is unprepared because of limited resources. The U.S. Census Bureau projects that the fastest growing segment of Nevada's population over the next 10 years will be senior citizens, and the prospect has policy makers on edge. In 2008, although Nevada's population grew 1.4 percent that year, the Census Bureau estimated that the number of residents age 65 and older increased by 3.9 percent. In short, this article addresses the immediate and upcoming urgent need for adult care facilities such as the one we are proposing. See attached article.

We feel that given the location of our proposed facility, it will impact the community in a positive manner. There will be none or a minimal increase in traffic to the area. Street elevations will be vastly improved and add to the value and attractiveness of the neighborhood. The landscaping will be such that it will be very attractive and enhance the surrounding neighborhood. The manor will also provide employment opportunities at a time when so many in the work force are being let go or laid off.

The surrounding properties consist of a Chevron Gas Station, the property to the North is vacant and Bank Owned. The 2 properties to the East are owned by one family and we have enclosed a letter that concurs with our proposal. See attached letter.

Please consider our request as there will come a time that our parents, grandparents and even ourselves will need some assistance as we become senior citizens.

Thank you in advance for your consideration of this project.

Paitaka P. Miyahira
Property Owner

Tasey Miyahira
Property Owner

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SUP-37892

Letter from Neighbor on East
Michael, Pamela Hardin
Glad to see this project coming

Tuesday, April 06, 2010

To Whom It May Concern:

We currently own the 2 adjacent properties to the east of the proposed Adult Care facility on 6640 West Cheyenne Avenue. Our addresses are 3235 N. Garehime and 6620 West Cheyenne Avenue.

We are not opposed to this proposal. We feel this will help our property values and enhance the neighborhood.

Thank you,

Michael Hardin

Pamela Hardin

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APR 08 2010

City of Las Vegas Agenda Item No.: **44.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

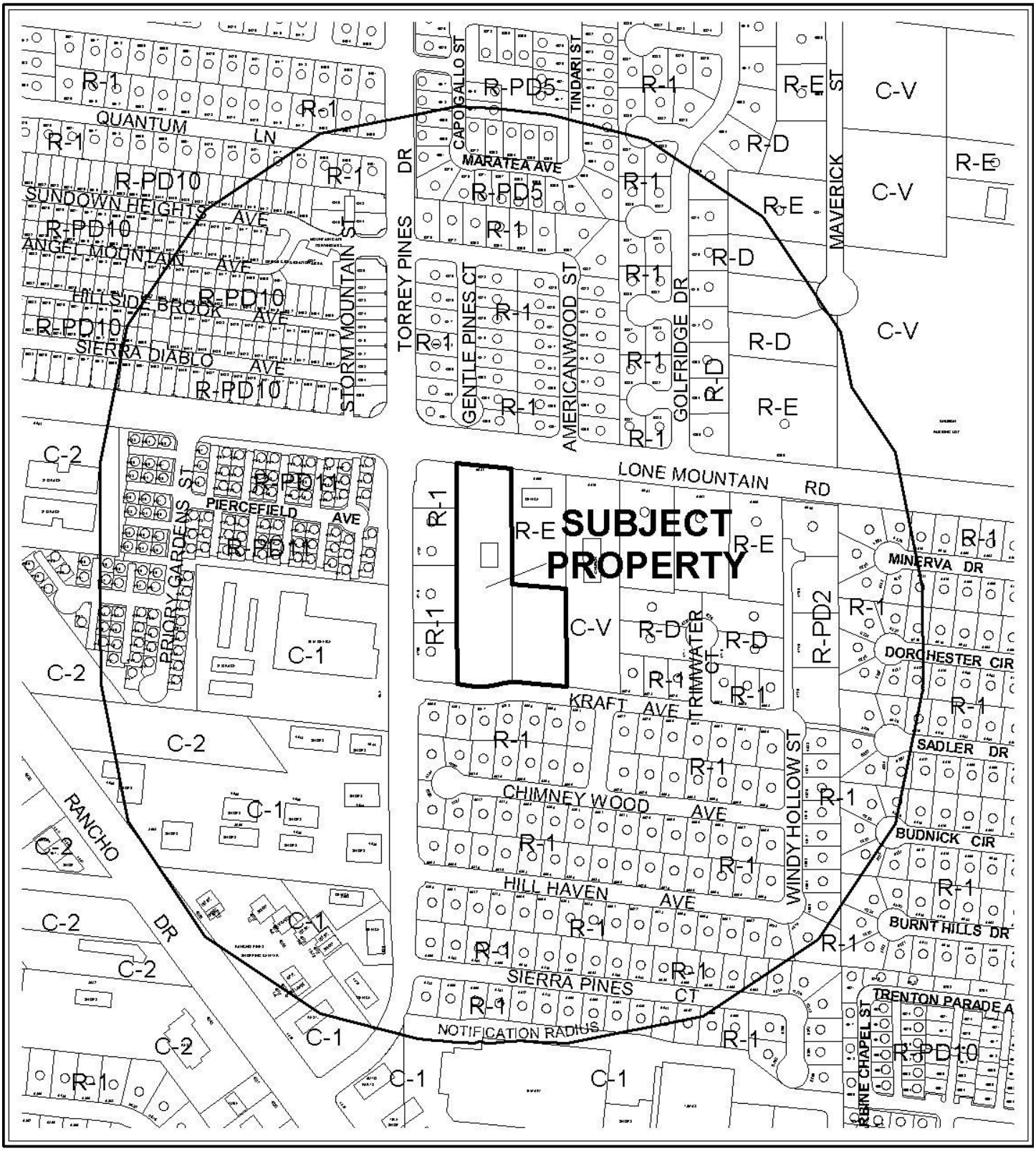
SUBJECT:
SUP-37930 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: GURDWARA BABA DEEP SINGH, INC. - Request for a Major Amendment to a previously approved Special Use Permit (U-0139-98) FOR THE ADDITION OF A 24,183 SQUARE-FOOT CHURCH/HOUSE OF WORSHIP USE TO AN EXISTING 2,714 SQUARE-FOOT CHURCH/HOUSE OF WORSHIP USE at 6341 West Lone Mountain Road (APNs 138-02-501-002 and 014), R-E (Residence Estates) Zone, Ward 6 (Ross). Staff recommends APPROVAL.

C.C.: 07/07/2010

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps – SUP-37930 and SDR-37929
2. Conditions and Staff Report – SUP-37930 and SDR-37929
3. Supporting Documentation
4. Photos – SUP-37930 and SDR-37929
5. Justification Letter – SUP-37930 and SDR-37929



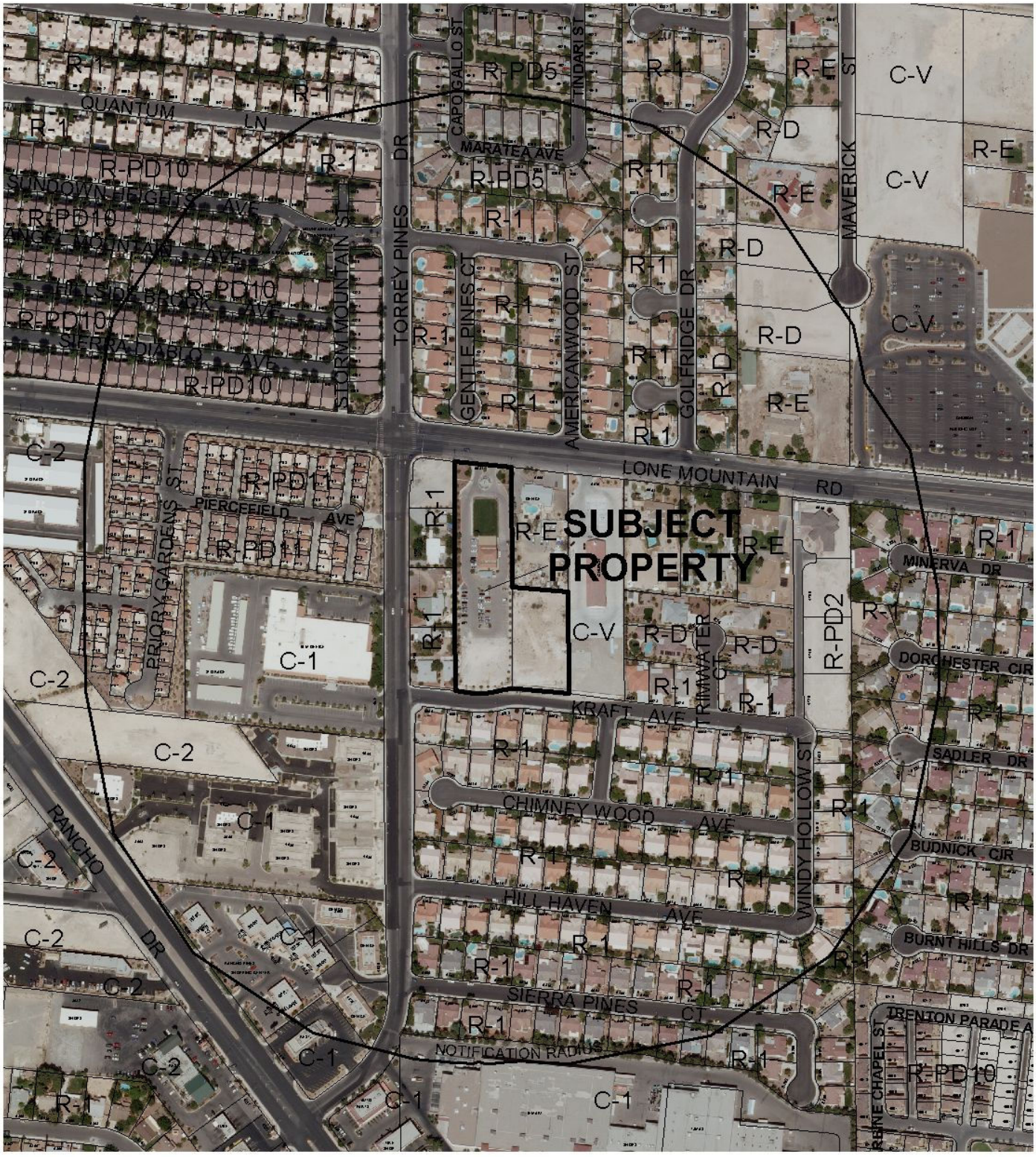
0 400 800 Feet

CASE: **SUP-37930 AND SDR-37929**

RADIUS: 1000 FT

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

N



0 400 800 Feet

CASE: **SUP-37930 AND SDR-37929**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: GURDWARA BABA DEEP SINGH, INC.

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-37930	Staff recommends APPROVAL, subject to conditions:	
SDR-37929	Staff recommends APPROVAL, subject to conditions:	SUP-37930

** CONDITIONS **

SUP-37930 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Church/House of Worship use.

2. Conformance to the Conditions of Approval for Plot Plan Review and Special Use Permit (U-0139-98) shall be required, except as amended herein.

3. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-37929) shall be required, if approved.

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

5. 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.

6. These Conditions of Approval shall be affixed to the cover sheet of the plan set submitted for building permit.

GK

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

SDR-37929 CONDITIONS

Planning and Development

1. Conformance to the Conditions of Approval for Plot Plan Review and Special Use Permit (U-0139-98) shall be required, except as amended herein.

2. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-37930) shall be required, if approved.

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

4. All development shall be in conformance with the site plan and landscape plan date stamped 04/23/10 and the floor plan and building elevations date stamped 04/12/10, except as amended by conditions herein.

5. A Waiver from Title 19.12.040 is hereby approved to allow a landscape buffer width of two feet along a portion of the west perimeter where eight feet is required.

6. An Exception from Title 19.12.040 is hereby approved, to allow 13 trees within the west landscape buffer where 15 trees are required.

7. 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.

8. These Conditions of Approval shall be affixed to the cover sheet of the plan set submitted for building permit.

9. 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 the issuance of any building permits.

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

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

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

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

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

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

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

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

Public Works

18. Coordinate with the Building and Safety Department to determine if existing lot lines are in conflict with the new 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.

19. Construct half-street improvements on Kraft Avenue adjacent to this site and extend widened pavement east to eliminate the potential for a "saw tooth" condition on Kraft Avenue concurrent with the first phase of development for this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the eastern boundary of this site prior to construction of hard surfacing (asphalt or concrete).

20. Remove all substandard public street improvements on Lone Mountain Road adjacent to this site with the first phase of this development, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

21. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the Gowan Outfall Lone Mountain Branch: Rancho to Decatur project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.

22. 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.

23. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site consists of two lots totaling 3.14 acres at 6341 West Lone Mountain Road. Currently, one lot is undeveloped while the other consists of a 2,714 square foot church. The applicant is proposing to expand the existing church to 26,897 square feet with a 24,183 square-foot addition. This request will increase the building area, required landscaping, and required parking; therefore, a Major Amendment to the approved Plot Plan Review and Special Use Permit (U-0139-98) is required. The proposed addition will extend onto an undeveloped lot to the west, and will provide a new sanctuary and associated facilities for the existing church. The applicant is requesting a waiver and exception from the Perimeter Landscape Buffer Standards. The addition substantially complies with Title 19 requirements except for the requested Waiver and Exception. The Waiver and Exception are minor in nature and are mitigated by the additional landscaping added around the perimeter of the site; therefore, staff is recommending approval of this request. If denied, the proposed addition would not be permitted and the existing Church/House of Worship would remain.

ISSUES

- A condition of approval has been added to require that the subject site be remapped to consolidate the two lots.
- A Special Use Permit (SUP-37930) is required to allow the expansion of the Church/House of Worship use. As proposed, the Church/House of Worship use will expand to 26,897 square feet.
- A Site Development Plan Review (SDR-37929) is required for the proposed 24,183 square-foot multipurpose building.
- A Waiver of Title 19 Perimeter Landscaping Standards is required to allow a two-foot landscape buffer along a portion of the west perimeter where eight feet is required.
- An Exception of Title 19 Perimeter Landscaping Standards is required to allow 13 trees within the west perimeter where 15 trees are required.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
05/28/96	The Board of Zoning Adjustment approved a request (U-0038-96) for a two story, 4,700 square foot Church/House of Worship at 6341 West Lone Mountain Road. Staff recommended approval.
01/11/99	The City Council approved a request for a Special Use Permit (U-0139-98) for a 5,240 square foot sanctuary and a 2,170 square foot fellowship hall at 6341 West Lone Mountain Road. Planning Commission and staff recommended approval.
06/19/07	A Code Enforcement citation (54547) was issued for feeding hundreds of pigeons at 6341 Lone Mountain Road. The citation was closed by Code Enforcement on 06/20/07.
03/19/10	A request for a technical review of a one lot parcel map (PMP-37721) on 3.12 acres located at the southeast corner of Lone Mountain Road and Torrey Pines Drive was submitted. The Planning and Development department approved the review on 04/10/10. The parcel map has not been released for mylar.

Most Recent Change of Ownership	
06/17/98	A deed was recorded for a change in ownership for APN 138-02-501-002.
03/06/06	A deed was recorded for a change in ownership for APN 138-02-501-014.

Related Building Permits/Business Licenses	
10/04/99	A building permit (99019276) was issued for grading at 6341 West Lone Mountain Road. The permit was finaled on 02/09/01.
01/04/00	A building permit (127) was issued for a church certificate of occupancy at 6341 West Lone Mountain Road. The permit was finaled on 07/28/00.
06/21/00	A building permit (11907) was issued for a chain link fence at 6341 West Lone Mountain Road. The permit was finaled on 12/29/00.
07/25/00	A building permit (13917) was issued for a trash enclosure at 6341 West Lone Mountain Road. The permit was finaled on 12/29/00.
10/04/00	A building permit (124) was issued for onsite improvements and hardscapes at 6341 West Lone Mountain Road. The permit was finaled on 06/30/01.
11/20/00	A building permit (21152) was issued for a 35-foot tall flag pole at 6341 West Lone Mountain Road. The permit was finaled on 12/21/00.
01/09/04	A building permit (4000463) was issued for a CLV block wall at 6341 West Lone Mountain Road. The permit expired on 08/07/04.
12/27/05	A building permit (55448) was issued for a CLV block wall at 6341 West Lone Mountain Road. The permit has not been finaled.
01/11/06	A building permit (57599) was issued for a CLV block wall and chain link fence at 6341 West Lone Mountain Road. The permit has not been finaled.

03/21/06	A building permit (6002175) was issued for plumbing work at 6341 West Lone Mountain Road. The permit expired on 09/23/06.
06/03/08	A building permit (116742) was issued for a patio cover at 6341 West Lone Mountain Road. The permit was finaled on 03/04/09.
10/06/08	A building permit (125617) was issued for electrical work to a patio cover at 6341 West Lone Mountain Road. The permit has not been finaled.
08/04/09	A building permit (143268) was issued for a tenant improvement certificate of occupancy. The permit was finaled on 03/08/10.

Pre-Application Meeting	
04/01/10	The following items were discussed at the pre-application meeting: • A Major Amendment to an approved Plot Plan Review (U-0139-98) is required to expand the existing Church/House of Worship building. • A Major Amendment to an approved Special Use Permit (U-0139-98) is required to expand the existing Church/House of Worship use. • Residential Adjacency standards are applicable, as R-1 residences are adjacent to the west property line. • A mapping action is required to combine the two existing lots.

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

Field Check	
04/22/10	A field check was completed on the indicated date. The following items were noted: • Staff observed a well maintained lot.

Details of Application Request	
Site Area	
Net Acres	3.14

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Church/House of Worship	L (Low Density Residential)	R-E (Residential Estates)
North	Single-Family Residence	L (Low Density Residential)	R-1 (Single Family Residential)

South	Single-Family Residence	L (Low Density Residential)	R-1 (Single Family Residential)
East	Single-Family Residential	L (Low Density Residential)	R-E (Residential Estates)
	Church/House of Worship		C-V (Civic)
West	Single-Family Residence	L (Low Density Residential)	R-1 (Single Family Residential)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area		X	N/A
Special Purpose and Overlay Districts	***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
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	***Required/Allowed***	***Provided***	***Compliance***
Min. Lot Size	20,000 SF	140,902 SF	Y
Min. Lot Width	100 Feet	152 Feet	Y
Min. Setbacks			
• Front	50 Feet	50 Feet	Y
• Side	10 Feet	68 Feet	Y
• Side	10 Feet	68 Feet	Y
• Rear	35 Feet	39 Feet	Y
Max. Building Height	2 Stories or 35 Feet	29 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated w/ a Trellis	Y
Mech. Equipment	Screened	Screened	Y

Pursuant to Title 19.08, the following standards apply:

Residential Adjacency Standards	*Required/Allowed*	*Provided*	*Compliance*
3:1 proximity slope	84 Feet	114 Feet	Y
Adjacent development matching setback	15 Feet	114 Feet	Y
Trash Enclosure	50 Feet	235 Feet	Y

Pursuant to Title 19.12, the following standards apply:

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	7 Trees	8 Trees	Y
• South	1 Tree / 30 Linear Feet	10 Trees	15 Trees	Y
• East	1 Tree / 30 Linear Feet	9 Trees	12 Trees	Y
• West (302')	1 Tree / 20 Linear Feet	15 Trees	13 Trees	N
TOTAL PERIMETER TREES		**41 Trees**	**48 Trees**	**Y**
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	16 Trees	19 Trees	Y
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	8 Feet		8 Feet	Y
• South	15 Feet		15 Feet	Y
• East	8 Feet		8 Feet	Y
• West	8 Feet		8 Feet	Y
Wall Height	6 to 8 Feet Adjacent to Residential		6 Feet	Y

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	*Gross Floor Area or Number of Units*	*Required*			*Provided*		*Compliance*
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Church/ House of Worship	872 SF (Existing)	1:100 of non-fixed seating area in the gathering room	9	3		6	
	5,230 SF (New)		53				
TOTAL SPACES REQUIRED			59		85		Y
TOTAL (With Handicapped)			62		91		Y

GK

Waivers		
Requirement	***Request***	***Staff Recommendation***
Eight Foot Perimeter Landscape Buffer	Two foot wide Landscape Buffer along the west perimeter	Approval

Exceptions		
Requirement	***Request***	***Staff Recommendation***
1 Tree for every 20 linear feet, or 15 Trees	13 Trees along the west perimeter	Approval

ANALYSIS

The existing Sikh Temple is located on a 3.14-acre site at 6341 West Lone Mountain Road. The existing site is divided into two separate parcels. A condition of approval has been added requiring a reversionary map to be completed prior to issuance of building permits. The site plan indicates an existing 2,714 square-foot Church/House of Worship, which includes an 872 square-foot gathering room and a proposed 24,183 square-foot addition with a 5,230 square-foot gathering room. The overall square-footage totals 26,897 square feet. The applicant is proposing a total of 91 parking spaces, which is adequate for both the existing and proposed Church/House of Worship use. The applicant indicates that phasing of the project will occur. The first phase will total 10,953 square feet and include a sanctuary, vestibule, kitchen, and site work. The second phase will include the remaining 13,230 square feet and include an expanded sanctuary, office space, and a classroom for Sunday school.

The overall site is accessed by Lone Mountain Road, designated as a 100-foot wide Primary Arterial by the Master Plan of Streets and Highways. The elevations indicate a total height of 29 feet. Portions of the new Church/House of Worship project beyond the permitted 35-foot height requirement. These areas which extend beyond 35 feet are architectural features which do not contain any floor area. Pursuant to Title 19.08.060, institutional symbols for Churches/House of Worship may extend into any required setback area and are exempt from the maximum height provisions provided that they are clearly shown as a part of a Site Development Plan Review, thereby making the dome conforming to Title 19.08 requirements.

The site complies with all Title 19 requirements with the exception of required landscaping. Per Title 19.12, a perimeter landscape buffer of eight feet must be provided along all interior property lines. Submitted plans depict a two-foot landscape buffer along a portion of the west property line, which is a six-foot deviation from standard. Also, the applicant is requesting an Exception along the west perimeter buffer to allow 13 trees where 15 trees are required. Staff can support the requested Waiver and Exception requests, as they are minor in nature, and will have minimal impact on the adjacent surrounding properties. In addition, the development is mitigating the deficiencies along the west perimeter buffer with additional perimeter landscaping totaling 48 trees where only 41 trees are required; therefore, staff is recommending approval.

GK

FINDINGS (SUP-37930)

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

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

   The proposed expansion of the existing use is compatible with the L (Low Density) land use designation and surrounding uses in the area.

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

   The proposed expansion of the existing Church/House of Worship will be located on the existing site, which is suitable for the type and intensity of the land use proposed.

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

   The overall site is accessed by Lone Mountain Road, designated as a 100-foot wide Primary Arterial by the Master Plan of Streets and Highways, which is adequate to support the expansion of the Church/House of Worship use.

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

   Approval of this Church/House of Worship use will not compromise public health, safety, or welfare as the Church/House of Worship will be subject to regular inspections.

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

   The Church/House of Worship use complies with the conditions per Title 19.04.

FINDINGS (SDR-37929)

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

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

The proposed addition to the existing Church/House of Worship complies with residential adjacency requirements and is adequately landscaped, thereby being compatible with adjacent development and development in the area.

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

   The proposed development is consistent with the General Plan and Title 19 with the exception of some Perimeter Landscape Buffer standards; however the requested Waiver and Exception are minimal in nature. The remainder of the on-site landscaping meets or exceeds minimum requirements.

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

   The overall site is accessed by Lone Mountain Road, designated as a 100-foot wide Primary Arterial by the Master Plan of Streets and Highways, which is adequate to support the site.

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

   The proposed landscape materials, as conditioned, are appropriate for the area and for the City.

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

   The proposed building elevations will be harmonious with the existing Church/House of Worship and will be compatible with adjacent residential developments by adhering to residential adjacency requirements.

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

   The proposed addition to the existing Church/House of Worship will be subject to final Building and Safety and Planning and Development inspections; therefore this development will not compromise the public health, safety or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

NOTICES MAILED 491

APPROVALS 0

PROTESTS 0

GK

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-37930** APN: 138-02-501-002 & 014

Name of Property Owner: Gurdwara Baba Deep Singh, Inc.

Name of Applicant: Sukhjit P Singh, President

Name of Representative: Lee A Bigelow, Architect

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: SUKHJIT P SINGH

Subscribed and sworn before me

This 3RD day of APRIL, 20 10

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
PARMINDER SWATCH
No: 09-10983-1
My Appointment Expires Sept. 26, 2013

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) 6341 W Lone Mountain Road, Las Vegas NV 89130

Project Name Gurdwara Baba Deep Singh, Inc. **Proposed Use** Temple

Assessor's Parcel #(s) 138-02-501-002&014 **Ward #** 6

General Plan: existing L proposed NA **Zoning:** existing R-E proposed R-E

Commercial Square Footage 27,313 **Floor Area Ratio**

Gross Acres 3.12 **Lots/Units** 2 **Density**

Additional Information PMP-37721- One Lot Parcel map in process, U-139-98 issued

PROPERTY OWNER Gurdwara Baba Deep Singh, Inc. **Contact** Sukhjit P Singh, President

Address 6341 W Lone Mountain Road **Phone:** (702) 839-1890 **Fax:**

City Las Vegas **State** NV **Zip** 89130

E-mail Address lvgurdwara@gmail.com

APPLICANT Sukhjit P Singh, President **Contact**

Address 9515 Crooked Wood Avenue **Phone:** 702-287-0341 **Fax:**

City Las Vegas **State** NV **Zip** 89148

E-mail Address tony_singh65@hotmail.com

REPRESENTATIVE Lee A Bigelow, Architect **Contact**

Address 3903 Kohler Way **Phone:** (702) 526-2520 **Fax:**

City North Las Vegas **State** NV **Zip** 89032

E-mail Address leeabig@cox.net

FOR DEPARTMENT USE ONLY

Case #	SUP 37930
Meeting Date:	5.27.10
Total Fee:	$1,030.-
Date Received:*	4.12.10
Received By:	HA

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 SUKHJIT P SINGH

Subscribed and sworn before me

This 3RD day of APRIL, 2010.

[signature]

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
PARMINDER SWATCH
No: 09-10983-1
My Appointment Expires Sept. 26, 2013

*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.



SUP-37930 & SDR-37929 - APPLICANT/OWNER: GURDWARA BABA DEEP SINGH, INC.
6341 WEST LONE MOUNTAIN ROAD

04/22/10



SUP-37930 & SDR-37929 - APPLICANT/OWNER: GURDWARA BABA DEEP SINGH, INC.
6341 WEST LONE MOUNTAIN ROAD

04/22/10



SUP-37930 & SDR-37929 - APPLICANT/OWNER: GURDWARA BABA DEEP SINGH, INC.
6341 WEST LONE MOUNTAIN ROAD

04/22/10



SUP-37930 & SDR-37929 - APPLICANT/OWNER: GURDWARA BABA DEEP SINGH, INC.
6341 WEST LONE MOUNTAIN ROAD

04/22/10



SUP-37930 & SDR-37929 - APPLICANT/OWNER: GURDWARA BABA DEEP SINGH, INC.
6341 WEST LONE MOUNTAIN ROAD

04/22/10

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GURDWARA BABA DEEP SINGH JI (SHAHEED)
6341 W. Lone Mountain Rd. • Las Vegas, NV 89130 • Telephone: (702) 839-1890
(Contributions Tax Exemption No. 88-0395798)
www.lasvegasgurdwara.com

March 15, 2010 Revised April 23, 2010

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

Subject: ***Gurdwara Baba Deep Singh (Sikh Temple) 6341 W Lone Mountain Road Site Development Plan Review, Special Use Permit for Extension and Waiver in Development Standards***
APN Numbers 138-02-501-002 & 138-02-501-014

To Whom It May Concern:

On behalf of Las Vegas Sikh Community, we respectfully submit the subject application for your consideration. The proposed site currently Zoned R-E is approximately 3.12 Acre, generally located on 6341 W Lone Mountain Road and is bordered by a Baptist Church and Single Family Residence to the East, A Vacant Lot and Four Single Family Residences to the West, Lone Mountain Road to the North and Kraft Avenue to the South.

We intend to extend the existing Sikh Temple as necessitated by the growth of Sikh Community in Las Vegas area. The extension includes Building of approx. 5,300 sq. ft prayer hall. Ancillary facilities to the religious activities such as formal education programs, community kitchen and other recreational as well as social activities will constitute total proposed building area of approximately 24,200 sq. ft. The proposed extension shall be undertaken two phases as shown on plans. The proposed extension justifies Title 19 requirements in the following manner-

1) The site is suitable for type and intensity of the land use proposed.
2) The Proposed development is compatible with the Current Zoning and adjacent development
3) Site is directly accessed from Lone Mountain Road and do not negatively impact adjacent roadways and /or traffic. Onsite circulation also meets fire department standards
4) Building and landscaping materials are intended to blend with the surroundings.
5) Building design will create an aesthetically pleasing and desirable structure in the neighborhood
6) The overall design will meet with the public health, safety, welfare to the surrounding area as well as meet overall objectives of the City's General Plan, Policies and Standards.

A waiver in development standards is also requested for an existing concrete sidewalk, in the landscape area on west side of property, leading to the existing opening in the wall into the residence where the priest is living. A gate will be added in the opening.

Should you have any further questions, please do not hesitate to call at 702-287-0347

Sincerely,
Gurdwara Baba Deep Singh, Inc.

Sukhjit "Tony" Singh
President

SUP-37930
SDR-37929
REVISED

RECEIVED
APR 23 2010

City of Las Vegas Agenda Item No.: **45.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

SUBJECT:
SDR-37929 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-37930 - PUBLIC HEARING - APPLICANT/OWNER: GURDWARA BABA DEEP SINGH, INC. - Request for a Major Amendment to a previously approved Plot Plan Review (U-0139-98) FOR THE ADDITION OF A MAXIMUM 43-FOOT TALL, 24,183 SQUARE-FOOT CHURCH/HOUSE OF WORSHIP TO AN EXISTING 2,714 CHURCH/HOUSE OF WORSHIP WITH A WAIVER OF THE PERIMETER LANDSCAPE BUFFER STANDRARDS TO ALLOW A TWO-FOOT LANDSCAPE BUFFER ALONG A PORTION OF THE WEST PERIMETER WHERE EIGHT FEET IS REQUIRED at 6341 West Lone Mountain Road (APNs 138-02-501-002 and 014), R-E (Residence Estates) Zone, Ward 6 (Ross). Staff recommends APPROVAL.

C.C.: 07/07/2010

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation

Consistent with the City’ s sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-37929** APN: 138-02-501-002 & 014

Name of Property Owner: Gurdwara Baba Deep Singh, Inc.

Name of Applicant: Sukhjit P Singh, President

Name of Representative: Lee A Bigelow, Architect

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: SUKHJIT P SINGH

Subscribed and sworn before me

This 3RD day of APRIL, 2010

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
PARMINDER SWATCH
No: 09-10983-1
My Appointment Expires Sept. 26, 2013

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Site Development Plan Review

Project Address (Location) 6341 W Lone Mountain Road, Las Vegas NV 89130

Project Name Gurdwara Baba Deep Singh, Inc. **Proposed Use** Temple

Assessor's Parcel #(s) 138-02-501-002&014 **Ward #** 6

General Plan: existing L proposed N/A **Zoning:** existing R-E proposed R-E

Commercial Square Footage 27,313 **Floor Area Ratio**

Gross Acres 3.12 **Lots/Units** 2 **Density**

Additional Information PMP-37721- request for One Lot Parcel map is in process

PROPERTY OWNER Gurdwara Baba Deep Singh, Inc. **Contact** Sukhjit P Singh, President

Address 6341 W Lone Mountain Road **Phone:** (702) 839-1890 **Fax:**

City Las Vegas **State** NV **Zip** 89130

E-mail Address lvgurdwara@gmail.com

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Address 9515 Crooked Wood Avenue **Phone:** 702 287-0347 **Fax:**

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REPRESENTATIVE Lee A Bigelow, Architect **Contact**

Address 3903 Kohler Way **Phone:** (702) 526-2520 **Fax:**

City North Las Vegas **State** NV **Zip** 89032

E-mail Address leeabig@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 SUKHJIT P SINGH

Subscribed and sworn before me

This 3RD day of APRIL, 20 10.

[signature]

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
PARMINDER SWATCH
No: 09-10983-1
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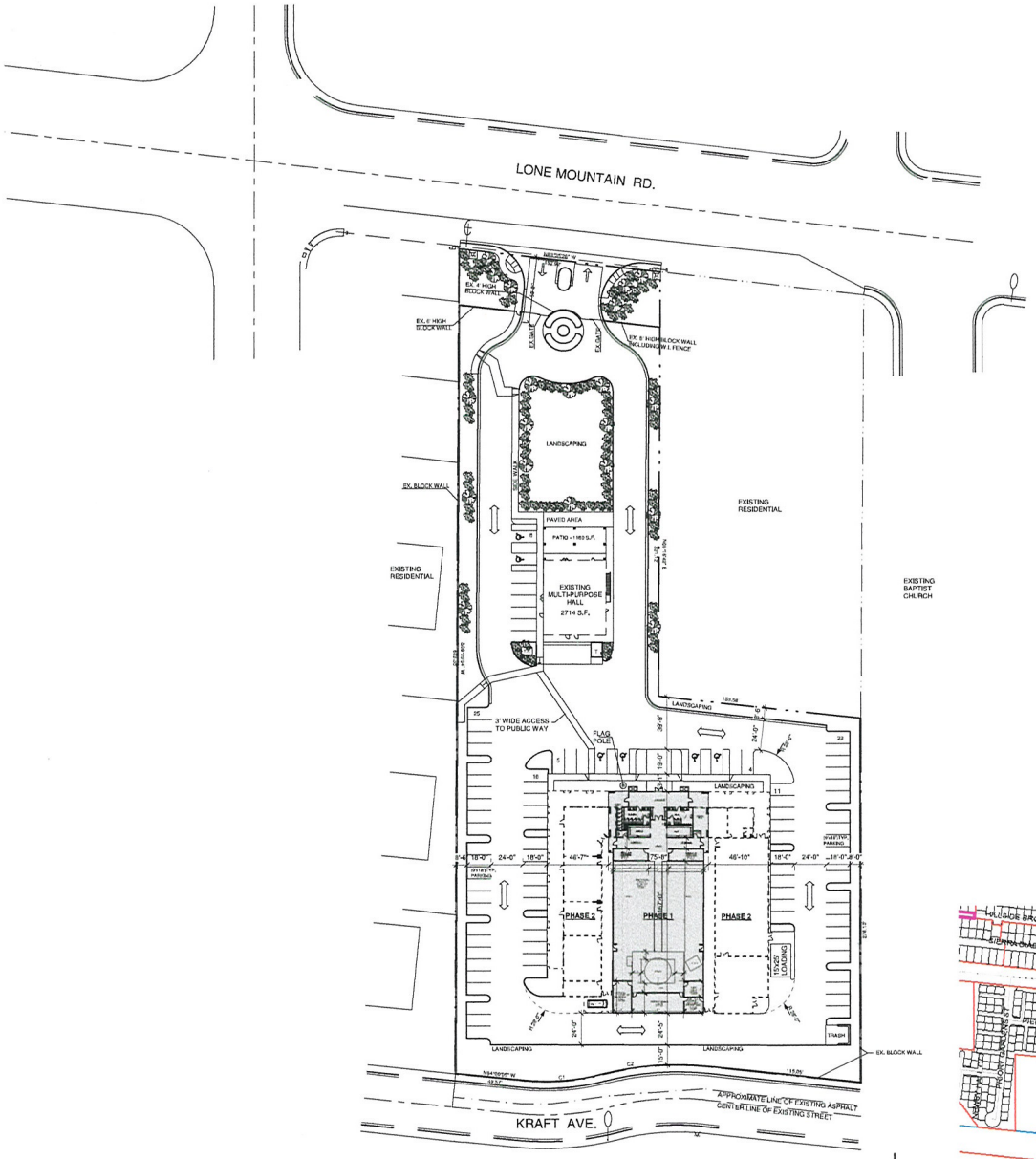
FOR DEPARTMENT USE ONLY

Case #	SDR 37929
Meeting Date:	5.27.10
Total Fee:	$1,030.-
Date Received:*	4.12.10
Received By:	JJA

*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.



ARCHITECTURAL SITE PLAN
Scale: 1" = 40 ft

CODE ANALYSIS

ANALYSIS ITEMS:	CODE REFERENCE:
1. OCCUPANCY CLASSIFICATION - A-3	IBC CHAPTER 3
2. TYPE OF CONSTRUCTION - V-B	IBC CHAPTER 6
3. FIRE SPRINKLERS - YES TYPE: WET	IBC 504, 506, 903
4. HEIGHT - ALLOWABLE 40' - ACTUAL 20'	IBC 504, AND TABLE 503
5. STORIES - ALLOWABLE 1 - ACTUAL: 1	IBC 504, AND TABLE 503
6. AREA: ALLOWABLE 6,000 UNLIMITED	TABLE 503 SECTION 507.6

7. PHASE 1 BUILDING FOOT PRINT = 11,900 SQ. FT.
PHASE 1 BUILDING AREA = 10,953 SQ. FT.
PHASE 1 COVERED PATIO AREA = 947 SQ. FT.

8. OCCUPANT LOAD **PHASE 1**: IBC 1004, TAGLE 1004.1.1
DARBAR HALL - 1:7 5,230/7 = 747.14
AUDIO VISUAL - 1:100 161/100 = 1.61
PARSAD PREP - 1:200 166/200 = 0.83
AKHAND PATH - 1:100 585/100 = 5.85
SUKHASAN - 1:100 334/100 = 3.34
INFANT/KID GUARDIANS - 1:7 442/7 = 63.14

PHASE 1 TOTAL ASSEMBLY AREAS OCCUPANY = 821.91

9. EXITS - REQUIRED: 1/49 = 1 PROVIDED: 5 — IBC 1015, TABLE 1015.1

10. REQUIRED FIRE RESISTANCE OF EXTERIOR WALLS AND PROTECTION OF OPENINGS — TABLES 601, 602
X <5' = 1 HOUR
5' ≤ X <10' = 1 HOUR
10' ≤ X <30' = 0
X ≥30' = 0

LOCATION ON PROPERTY:
NORTH 70'
EAST 115'
SOUTH 38' PLUS PUBLIC R.O.W.
WEST 115'

11. PLUMBING FIXTURES REQUIRED
1 - WC PER 150 MALE - 3 REQUIRED
1 - WC PER 75 FEMALE - 6 REQUIRED
1 - LAV PER 200 MALE & FEMALE - 3 REQ'D
1 - DF PER 1,000 - 1 REQUIRED
1 - SERVICE SINK - 1 REQUIRED

PLUMBING FIXTURES PROVIDED
3 WATER CLOSETS - 3 URINALS
6 WATER CLOSETS
4 LAVATORIES
2 DRINKING FOUNTAINS
1 SERVICE SINK

12. SPECIAL INSPECTIONS REQUIRED - NONE — IBC CHAPTER 17

13. CODE YEAR / TYPE:
CURRENT ADMINISTRATIVE CODE, 2006 INTERNATIONAL BUILDING CODE, 2005 NATIONAL ELECTRICAL CODE, 2006 UNIFORM PLUMBING CODE, 2006 UNIFORM MECHANICAL CODE, 2006 INTERNATIONAL ENERGY CODE WITH THEIR RESPECTIVE AMENDMENTS.

14. PARKING:
1 SPACE FOR EACH 100 SQ. FT. IN GATHERING ROOM
EXISTING BUILDING - 872 / 100 = 8.72 SPACES
NEW BUILDING - 5,230 / 100 = 52.3 SPACES

TOTAL PARKING REQUIRED = 67 SPACES
TOTAL PARKING PROVIDED = 91 SPACES

1 LOADING SPACE REQUIRED
1 LOADING SPACE PROVIDED

15. PHASE 2 - TOTAL BUILDING FOOTPRINT = 27,313 SQ. FT.
PHASE 2 - TOTAL BUILDING AREA = 24,183 SQ. FT.
PHASE 2 - TOTAL COVERED PATIO AREA = 3,130 SQ. FT.

16. OCCUPANT LOAD: **PHASE 2**: IBC 1004, TABLE 1004.1.1
LANGAR HALL - 1:15 3552/15 = 236.8
MULTI PURPOSE - 1:7 2924/7 = 417.71
MEDIA - 1:100 958/100 = 9.58
FIRST AID - 1:100 316/100 = 3.16
CONFERENCE - 1:15 571/15 = 38.06
OFFICE - 1:100 360/100 = 3.60
KITCHEN - 1:200 1561/200 = 7.81

PHASE 2 - TOTAL ASSEMBLY AREAS OCCUPANY = 716.72

17. EXITS - REQUIRED: 1/49 = 1 PROVIDED: 9 — IBC 1015, TABLE 1015.1

18. REQUIRED FIRE RESISTANCE OF EXTERIOR WALLS AND PROTECTION OF OPENINGS — TABLES 601, 602
X <5' = 1 HOUR
5' ≤ X <10' = 1 HOUR
10' ≤ X <30' = 0
X ≥30' = 0

LOCATION ON PROPERTY:
NORTH 70'
EAST 68'
SOUTH 38' PLUS PUBLIC R.O.W.
WEST 68'

19. **PHASE 1 & PHASE 2**
TOTAL OCCUPANCY - 1,538.63
PLUMBING FIXTURES REQUIRED
1 - WC PER 150 MALE - 6
1 - WC PER 75 FEMALE - 11
1 - LAV PER 200 MALE & FEMALE - 4
1 - DF PER 1,000 - 2
1 - SERVICE SINK - 1

PLUMBING FIXTURES PROVIDED
3 WATER CLOSETS - 3 URINALS
6 WATER CLOSETS
4 LAVATORIES
2 DRINKING FOUNTAINS
1 SERVICE SINK



VICINITY MAP
N.T.S.

PROJECT LOCATION

SUP-37930
SDR-37929
REVISED

RECEIVED
APR 23 2010

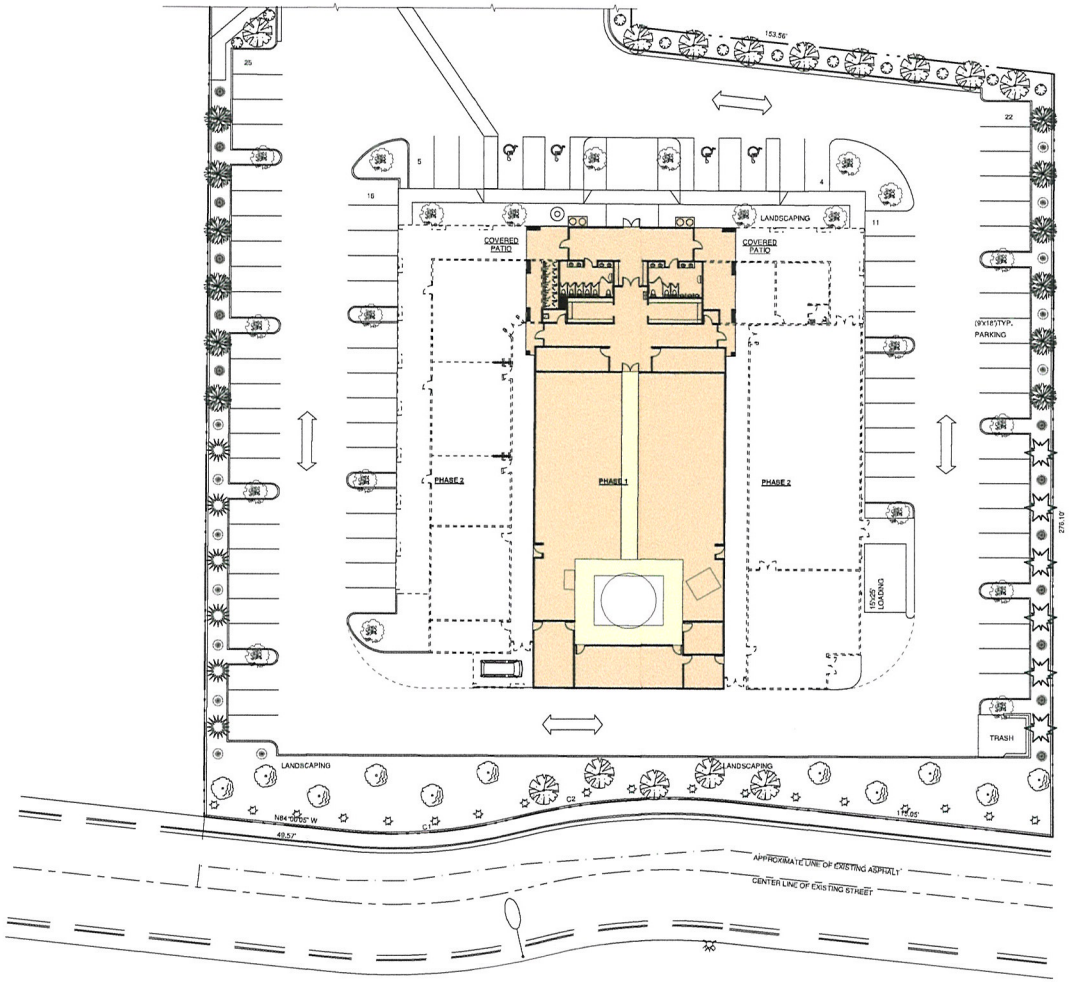
DATE
4 MAR 2010
1 22 APR 2010
2
3
4
5

PRELIMINARY NOT FOR CONSTRUCTION

GURDWARA BABA DEEP SINGH
6341 W. LONE MOUNTAIN ROAD
LAS VEGAS, NEVADA

Lee Abigelow Architect
3363 Keller Way
N. Las Vegas, NV 89032
Tel. (702) 396-2999
Fax (702) 649-0127

SHEET NUMBER
PR-1

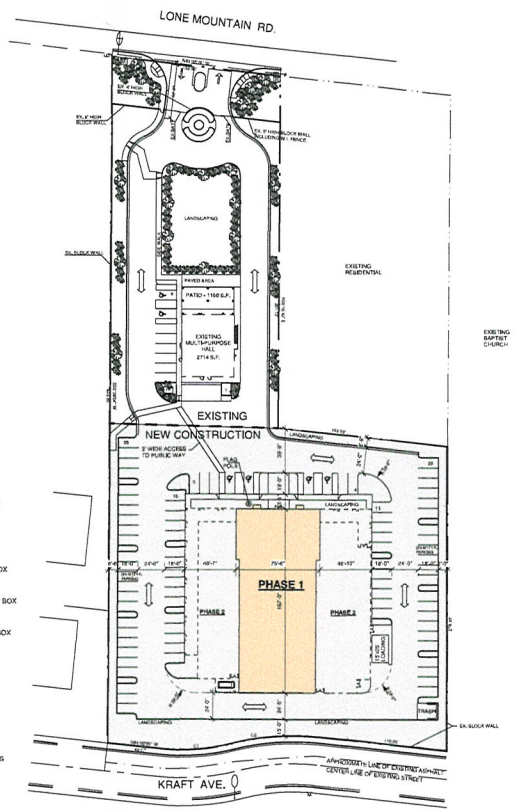


PRELIMINARY LANDSCAPE PLAN
Scale: 1" = 20 ft

PLANT LEGEND

- WAXED PRIVET - 14 - 24" BOX
- AFRICAN SUMAC - 12 - 24" BOX
- MODESTO ASH - 22 - 24" BOX
- RED CREPE MYRTLE - 8 - 24" BOX
- ORNAMENTAL PLUMB - 11 - 24" BOX
- PINK CREPE MYRTLE - 9 - 24" BOX
- TEXAS CLOUD - 11 - 5 GAL
- GOLD LANTANA - 13 - 5 GAL
- PURPLE LANTANA - 13 - 5 GAL
- STAR JASMINE - 18 - 5 GAL

MINERAL GOLD - DECOMPOSED GRANITE IN ALL PLANTING AREAS



ARCHITECTURAL SITE PLAN
Scale: 1" = 50 ft



VICINITY MAP
N.T.S.

NORTH

SUP-37930
SDR-37929
REVISED

RECEIVED
APR 23 2010

DATE	4 MAR 2010
1	22 APR 2010
2	
3	
4	
5	

STRUCTURAL ENGINEER
MECHANICAL ENGINEER
ELECTRICAL ENGINEER

DRAWINGS AND SPECIFICATIONS AS INSTRUMENTS OF SERVICE IS AND SHALL REMAIN THE PROPERTY OF THE ARCHITECT WHETHER THE PROJECT FOR WHICH THEY ARE MADE IS EXECUTED OR NOT. THE VISUAL CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB. THE ARCHITECT MUST BE NOTIFIED OF ANY VARIATIONS FROM THE DIMENSIONS AND CONDITIONS SHOWN BY THESE PLANS BEFORE PROCEEDING WITH THE WORK. (SPEC 2010-20)

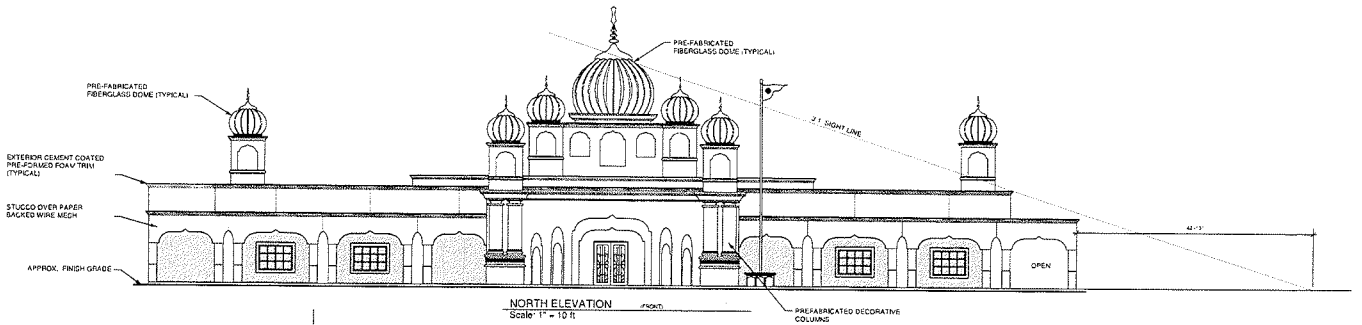
GURDWARA BABA DEEP SINGH
6341 W. LONE MOUNTAIN ROAD
LAS VEGAS, NEVADA

SEAL

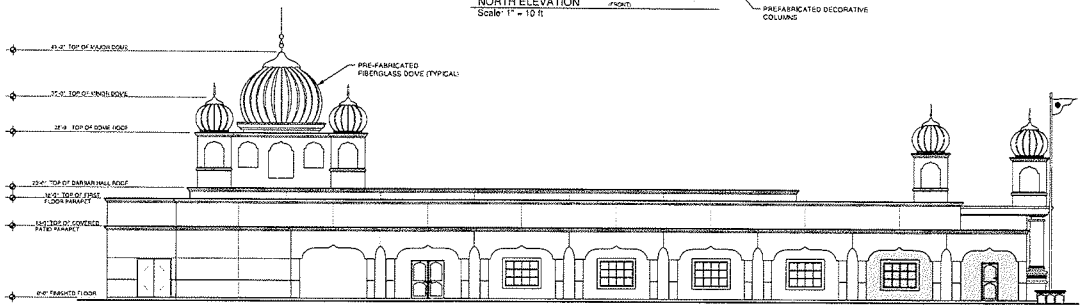
PRELIMINARY NOT FOR CONSTRUCTION

Lee Bigelow Architect
beadlg@aol.net
Tel. (702) 658-2020
Fax (702) 658-2010
3363 Keller Way
N. Las Vegas, NV 89032

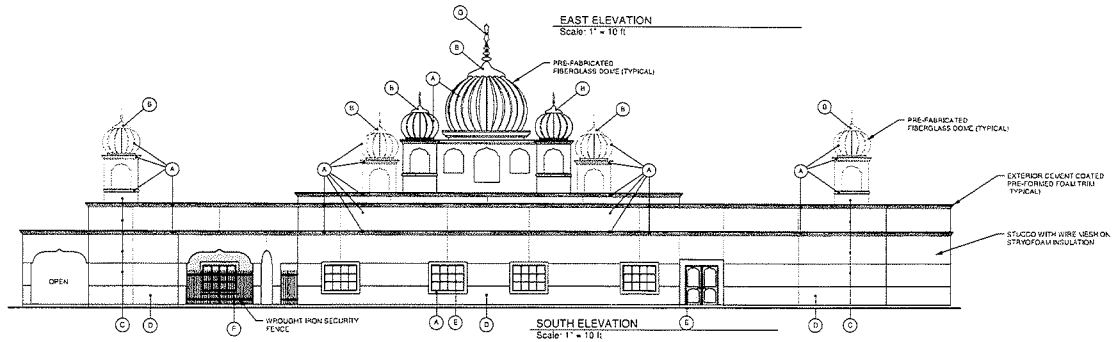
SHEET NUMBER
L-1



NORTH ELEVATION
Scale: 1" = 10 ft



EAST ELEVATION
Scale: 1" = 10 ft



SOUTH ELEVATION
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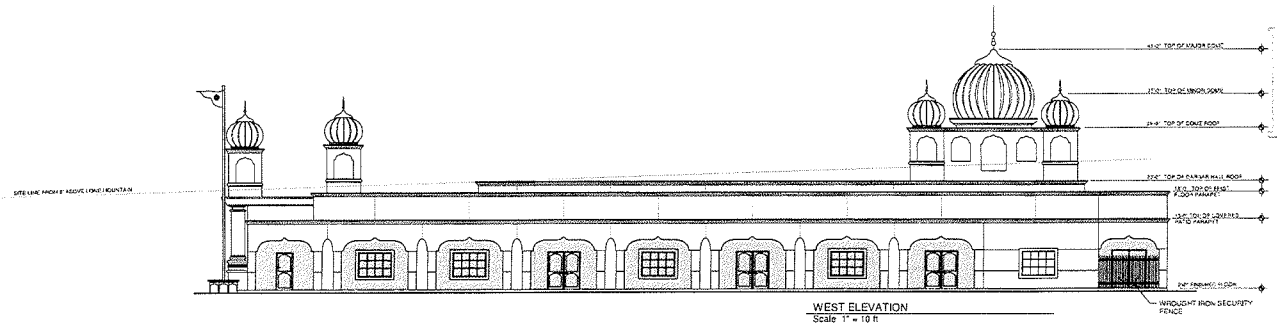


WEST ELEVATION
Scale: 1" = 10 ft

COLOR SCHEDULE

SEE SOUTH ELEVATION FOR COLOR NOTATIONS

A PREFABRICATED FIBERGLASS DOME
DECORATIVE FOAM TRIM AND WINDOW SURROUNDS
PREFABRICATED DECORATIVE COLUMNS
GLIDDEN PAINT - WHITE ON WHITE GLC26

B PREFABRICATED FIBERGLASS DOME CAP
GLIDDEN PAINT - AZTEC GOLD GLY28

C 100 GRIT STUCCO PRIMARY COLOR
GLIDDEN PAINT - CAFE LATTE GLN16

D 100 GRIT STUCCO ACCENT COLOR
GLIDDEN PAINT - LEATHER BROWN GLN26

E ALUMINUM: VINYL WINDOWS AND DOORS
WHITE

F WROUGHT IRON SECURITY FENCING
GLIDDEN PAINT - ONYX BLACK GLN62

G KHANDA
GLIDDEN PAINT - SMOKY CHARCOAL GLN48

APR 12 2010

SUP-37930
SDR-37929

DATE 12 APR 2010

1
2
3
4
5

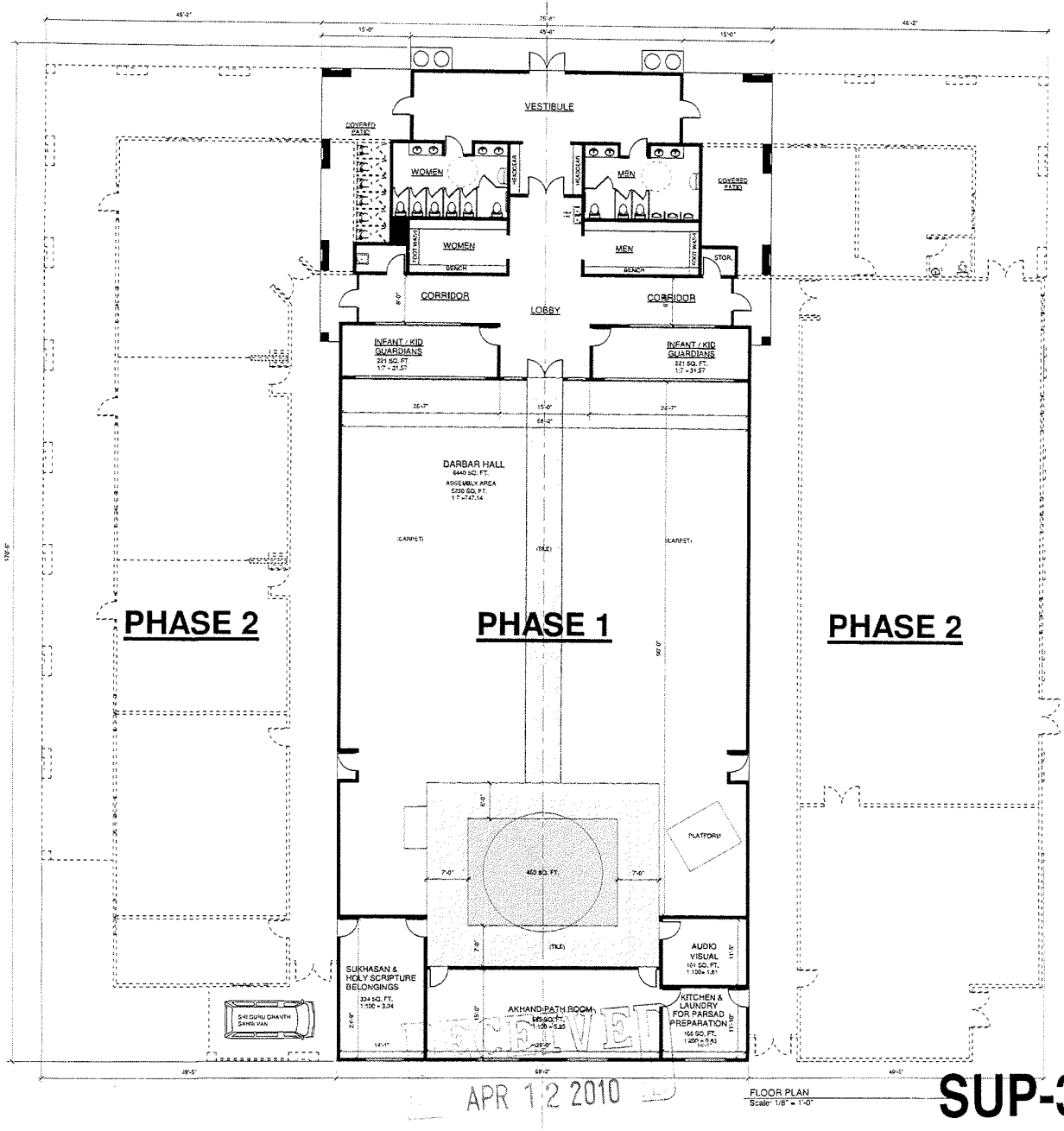
STRUCTURAL ENGINEER
MECHANICAL ENGINEER
ELECTRICAL ENGINEER

GURDWARA BABA DEEP SINGH
6341 W. LONE MOUNTAIN ROAD
LAS VEGAS, NEVADA

PRELIMINARY
NOT FOR CONSTRUCTION

Lee Bigelow Architect
leebig@cox.net
3003 Kohler Way
N. Las Vegas, NV 89032
Tel: (702) 526-2620
Fax: (702) 526-5122

SHEET NUMBER
PR-3



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

RECEIVED
APR 12 2010

SUP-37930
SDR-37929

DATE 4 MAR 2010

GURDWARA BABA DEEP SINGH
6341 W. LONE MOUNTAIN ROAD
LAS VEGAS, NEVADA

PRELIMINARY NOT FOR CONSTRUCTION

Lee Bigelow Architect

PR-2

MATERIAL BOARD FOR GURDWARA BABA DEEP SINGH

100 GRIT STUCCO / PRIMARY COLOR

GLIDDEN PAINT

CAF'E LATTE - GLN16

100 GRIT STUCCO / ACCENT COLOR

GLIDDEN PAINT

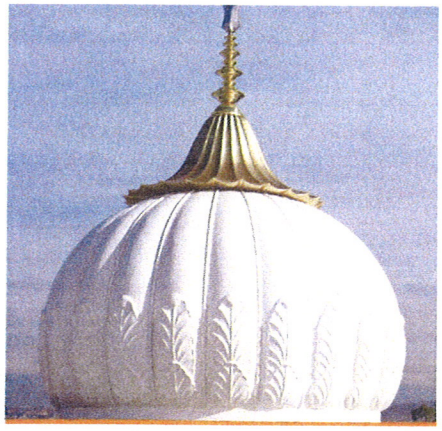
LEATHER BROWN - GLN26

WINDOWS & DOORS
WHITE - ALUMINUM / VINYL
WITH CLEAR GLASS

WROUGHT IRON SECURITY FENCING

GLIDDEN PAINT

ONYX BLACK - GLN62



KHANDA
GLIDDEN PAINT
SMOKY CHARCOAL - GLN48

PREFABRICATED FIBERGLASS DOME CAP
GLIDDEN PAINT
AZTEC GOLD - GLY28

PREFABRICATED FIBERGLASS DOME
GLIDDEN PAINT
WHITE ON WHITE - GLC26

RECEIVED
APR 12 2010

SUP-37930
SDR-37929

City of Las Vegas Agenda Item No.: **46.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

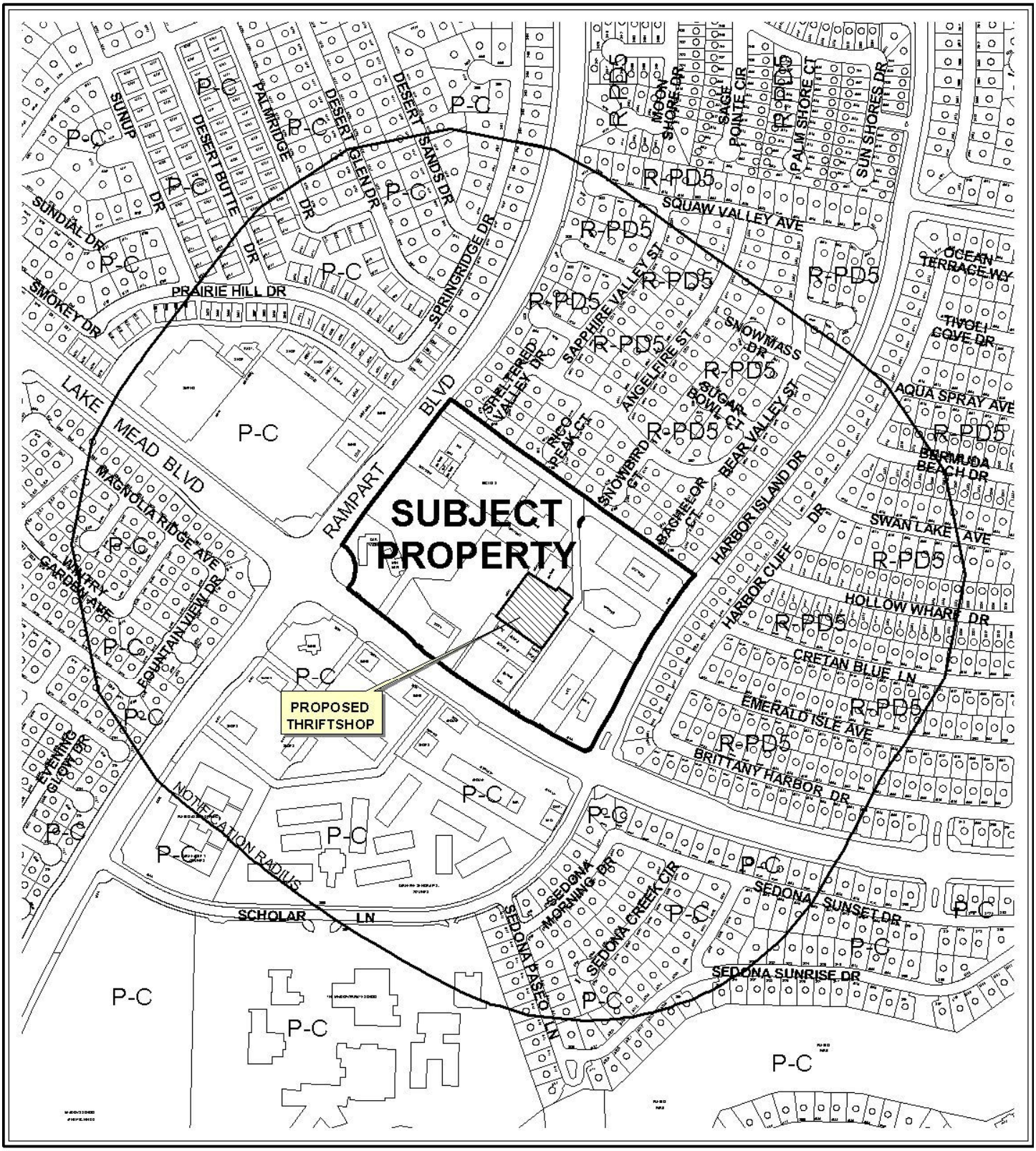
SUBJECT:
SUP-37951 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SAVERS STORE/TVI - OWNER: WEC 97K-36 INVESTMENT TRUST - Request for a Special Use Permit FOR A 29,950 SQUARE-FOOT THRIFTSHOP at 8530 West Lake Mead Boulevard (APN 138-20-611-001), C-1 (Limited Commercial) Zone, Ward 4 (Anthony). Staff recommends APPROVAL.

IF APPROVED, C.C.: 07/07/2010
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



0 500 1000 Feet

CASE: **SUP-37951**

RADIUS: 1000 FT

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



CASE: **SUP-37951**

RADIUS: 1000 FT

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: W E C 97K-36 INVESTMENT TRUST - OWNER: SAVERS STORE/TVI

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-37951	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-37951 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Thrift 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, 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. These Conditions of Approval shall be affixed to the cover sheet of the plan set submitted for building permit.

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

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit to allow a Thriftshop use within an existing 29,950 square-foot retail building at 8530 West Lake Mead Boulevard. The proposed use will allow retail sales of second hand wearing apparel and household goods. The proposed use is compatible with adjacent surrounding use and meets the minimum Special Use Permit requirements for a Thriftshop use, set forth by Title 19.04; therefore, staff recommends approval of this request. If this application is denied, the proposed Thriftshop use cannot be located within the subject tenant space, nor can a business license be obtained for the use at this location.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
03/01/89	The City Council approved the request for reclassification of property (Z-0003-89) located on the north side of Lake Mead Boulevard, between Buffalo Drive and Rampart Boulevard, From: N-U (Non-Urban)(under Resolution of Intent to R-PD5 and C-1), To: R-PD5 (Residential Planned Development) and C-1 (Limited Commercial), Proposed Use: Retail Stores, Offices, Hotel, Single Family and Multi-Family Residential. Planning Commission and staff recommended approval.
03/27/90	The Planning Commission approved the request for a Plot Plan and Building Elevation Review [Z-0003-89(3)] regarding a proposed shopping center on property located on the northeast corner of Lake Mead Boulevard and Rampart Boulevard. Staff recommended approval.
08/21/96	The City Council approved the request for a Special Use Permit (U-0064-96) for the sale of package liquor in conjunction with an existing drug store, on property located at 8530 West Lake Mead Boulevard. The Board of Zoning Adjustment recommended approval.

Most Recent Change of Ownership	
02/17/98	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
07/12/91	A building permit (#91113101) was issued for a Retail building at 8530 West Lake Mead Boulevard. The project was completed on 01/24/92.

01/01/51	A business license (L15-00043) was issued for Package Liquor sales at 8530 West Lake Mead Boulevard. The license was marked out of business on 08/26/08.
02/10/92	A business license (C20-01495) was issued for Convention Hall Gaming Tax at 8530 West Lake Mead Boulevard. The license was marked out of business on 05/30/08.
02/10/92	A business license (G01-01495) was issued for Restricted Gaming at 8530 West Lake Mead Boulevard. The license was marked out of business on 5/30/08.
02/12/92	A business license (C05-01566) was issued for Cigarette Dealer at 8530 West Lake Mead Boulevard. The license was marked out of business on 05/30/08.
02/12/92	A business license (D11-00124) issued for a Retail Drug Store at 8530 West Lake Mead Boulevard. The license was marked out of business on 05/19/08.
02/26/98	A building permit (#98004031) issued for Tenant Improvement for an interior remodel of the existing building at 8530 West Lake Boulevard. The project was completed on 08/25/98.

Pre-Application Meeting	
03/30/10	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for a Thriftshop were discussed. The topics included: • The submittal of application materials, meeting dates, and deadlines were discussed at the pre-application meeting. • The revision of the site plan to include parking calculation and parking calculation for the commercial center of one space per 250 square feet of the gross floor area.

Neighborhood Meeting
The applicant is in the process of setting up a voluntary neighborhood meeting time, date and location to be determined.

Field Check	
04/22/10	A site inspection was conducted by staff with the following observations: • The subject property was noted as a well maintained commercial building.

Details of Application Request	
Site Area	
Gross Acres	3.02 (11.75 acres for the entire shopping center)

Surrounding Property	*Existing Land Use Per Title 19.04*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Single Family Residence	ML (Medium Low Density Residential)	R-PD5 (Residential Planned Development 5 du/ac)
South	Commercial Strip Center	VC (Village Center)	P-C (Planned Community)
East	Commercial Center	SC (Service Commercial)	C-1 (Limited Commercial)
West	Shopping Center	C (Commercial)	P-C (Planned Community)

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area		X	N/A
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		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	132,376 SF	1:250 SF	529		663		Y
TOTAL SPACES REQUIRED			529		663		Y
TOTAL (With Handicapped)			518	11	649	14	Y

ANALYSIS

The proposed use will allow retail sales of second hand wearing apparel and household goods. The proposed use will not alter the site, landscaping or exterior building additions. The applicant is proposing retail sales of secondhand wearing apparel, which is consistent with the Thriftshop used defined in Title 19.04. The proposed use can be conducted in a manner that is harmonious and compatible with the uses in the existing uses in the existing site and with the commercial uses on adjacent properties. The proposed Thriftshop use will locate within an existing retail building, which is physically suitable for the type and intensity of the land use proposed. The proposed use complies with the minimum Special Use Permit requirements of Title 19.04; therefore, staff recommends approval of this request.

FINDINGS (SUP-37951)

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

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

   The proposed Thriftshop use is compatible with the SC (Service Commercial) General Plan designation and is located within an existing shopping center. The proposed use can be conducted in a manner that is harmonious and compatible with the uses in the existing shopping center 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 proposed Thriftshop use will be located within an existing retail building, which is physically suitable for the type and intensity of the land use proposed. Parking is adequate since the proposed use has a required parking of one space per 250 square feet of gross floor area. The proposed use will be located within a shopping center that has a parking requirement of one space per 250 square feet of gross floor area and no additional parking is 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 Rampart Boulevard and Lake Mead Boulevard, which are both designated as 100-foot Primary Arterials by the Master Plan of Streets and Highways. Those 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 this special use permit will not compromise public health, safety, or welfare as the proposed Thriftshop use will be subject to regular inspections.

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

   The proposed Thriftshop use complies with the minimum Special Use Permit requirements of Title 19.04.

NOTICES MAILED 583

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-37951** APN: 138-20-611-001

Name of Property Owner: WEC 97-K Investment Trust dba American Home Self Storage I, Ltd.

Name of Applicant: SAVERS STORES / TVI INC.

Name of Representative: MITCH JOHNSON

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: NA

Partner(s): NA NA

APN: 138-20-611-001

Signature of Property Owner: WEC 97-K Investment Trust AKA American Home Self Storage I, Ltd By [signature], President AHSS Inc

Print Name: RAYMOND J. KANE

Subscribed and sworn before me

This 13th day of April, 2010

Mary Jabin

Notary Public in and for said County and State

MARY JABIN
NOTARY PUBLIC
STATE OF TEXAS
My Comm. Exp. 03-30-2012

PLANNING & DEVELOPMENT
DEVELOPMENT SERVICES CENTER

APN: 138-20-611-001

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: SAVERS STORES / TVI LP

Project Address (Location) 9530 W. LAKE MEAD BLVD

Project Name SAVERS Proposed Use THRIFT

Assessor's Parcel #(s) _____ Ward # _____

General Plan: existing X proposed THRIFT Zoning: existing C-1 proposed C-1 w/ THRIFT special use

Commercial Square Footage _____ Floor Area Ratio _____

Gross Acres _____ Lots/Units _____ Density _____

Additional Information _____

dba American Home Self Storage I, Ltd.

PROPERTY OWNER WEC 97-K ↗ Contact Raymond J. Kane

Address 3700 Thanksgiving Tower 1601 Elm Street Phone: (214) 777-4290 Fax: (214) 777-4299

City Dallas State Tx Zip 75201

E-mail Address rkane@krcl.com

APPLICANT SAVERS STORE / TVI INC Contact MITCH JOHNSON

Address 11400 SE 6th Street Phone: 425-456-1767 Fax: —

City Bellevue State WA Zip 98004

E-mail Address MWJOHNSON@SAVERS.COM

REPRESENTATIVE SAVER STORES / TVI Contact MITCH JOHNSON

Address SEE ABOVE Phone: — Fax: —

City SEE ABOVE State — Zip —

E-mail Address —

WEC 97-K DBA American Home Self Storage I Ltd
Investment Trust

Property Owner Signature* By: Raymond J. Kane Assistant

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

Print Name RAYMOND J. KANE ATTY IN

Subscribed and sworn before me

This 13th day of April, 20 10.

Mary Jabin

Notary Public in and for said County and State

MARY JABIN
NOTARY PUBLIC
STATE OF TEXAS
My Comm. Exp. 03-30-2012

FOR DEPARTMENT USE ONLY

Case #	SUP 3795 /
Meeting Date:	5/27/10
Total Fee:	$1030.00
Date Received:*	4/13/10
Received By:	Mike Howe

*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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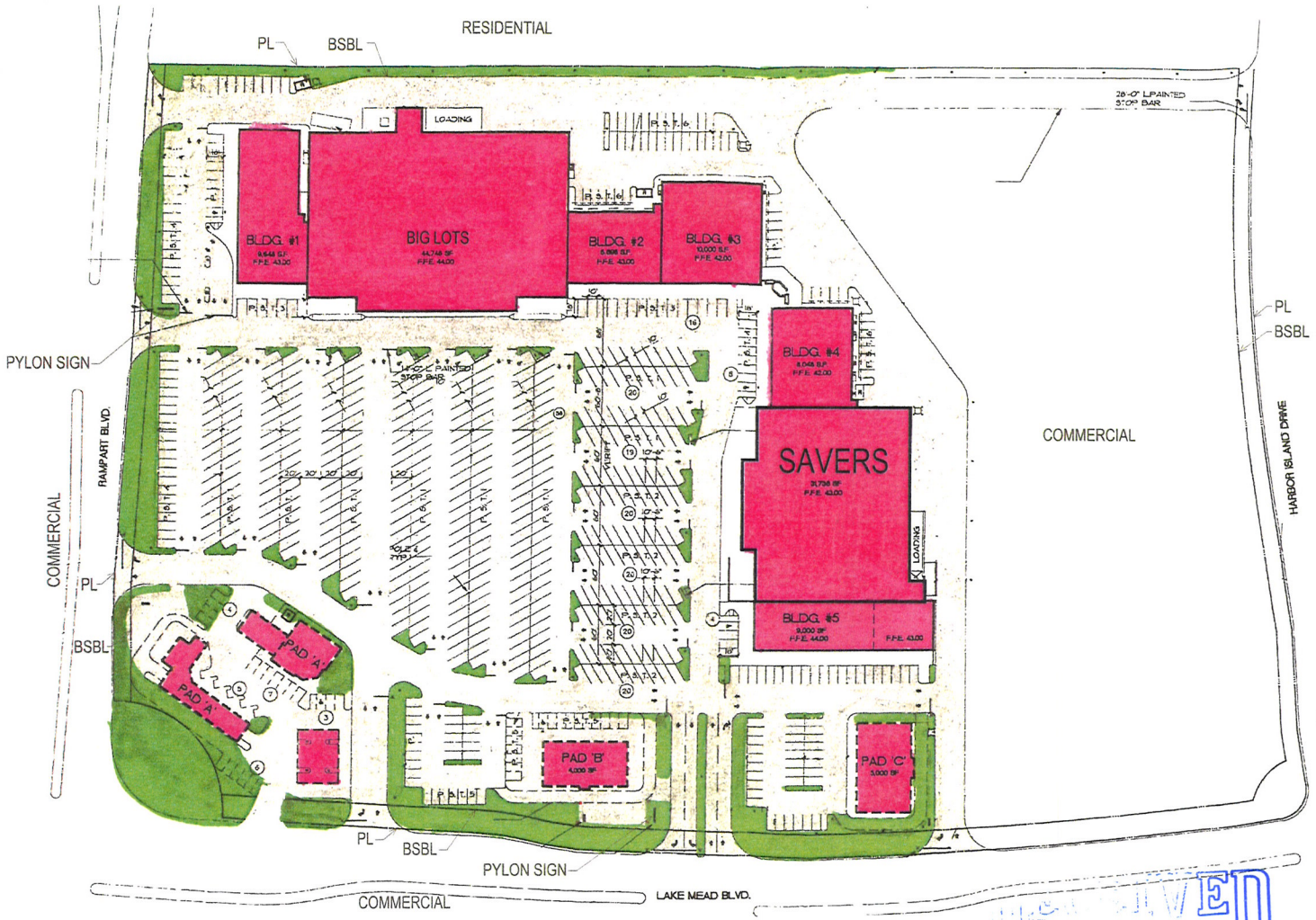


NORTH

SCALE: 1' = 50'

PL - PROPERTY LINE
BSBL - BUILDING SETBACK LINE
- EXISTING BUILDING
- ADA PARKING

SITE DATA:

SITE AREA:	11.75 ACRES
Big Lots:	44,746 SF
Savers:	31,736 SF
Building #1:	9,648 SF
Building #2:	6,696 SF
Building #3:	10,000 SF
Building #4:	8,048 SF
Building #5:	9,000 SF
Pad 'A':	3,500 SF
Pad 'B':	4,000 SF
Pad 'C':	5,000 SF
Total Building Area:	132,376 SF
Building Site Coverage	25.9%
Parking Stall Type 1:	323
Parking Stall Type 2:	100
Parking Stall Type 3:	22
Parking Stall Type 4:	80
Parking Stall Type 5:	76
Parking Stall Type 6:	53
ADA Parking Stalls:	10
Total Parking Spaces:	663
Parking Ratio:	0.8 : 250 SF

PARKING PROVIDED:
663
PARKING REQUIRED:
@ 1:250 529

RECEIVED
APR 23 2010



savers

LAS VEGAS
Lake Mead and Rampart
Las Vegas, NV

DATE: 10-05-09

STORE NUMBER: tbd

FILE PATH: F:\SHARE\Store Planning & Development\010 2010 Capital Projects\02 New Stores

AREA: 31,600 SF

RETAIL:	24,380 SF
NON-RETAIL:	7,220 SF
SALES FLOOR:	23,800 SF
PRODUCTION:	4,790 SF
OFFICES:	235 SF
OSD:	330 SF

DEPT INFO:

WOMEN:	8,649 sf
MEN:	3,800 sf
KIDS:	2,470 sf
SHOES:	1,180 sf
FURNITURE:	1,378 sf
MISCEL:	1,470 sf
BED & BATH:	963 sf
BOOKS:	660 sf
JEWELRY:	90 sf
TOTAL ACCESSIBLE:	20,660 SF

APPROVAL:

INITIAL:	
MERCH:	
SP&D	
FINAL:	

REVISIONS:

SHEET TITLE:
SITE PLAN

C-1

SUP-37951
REVISED

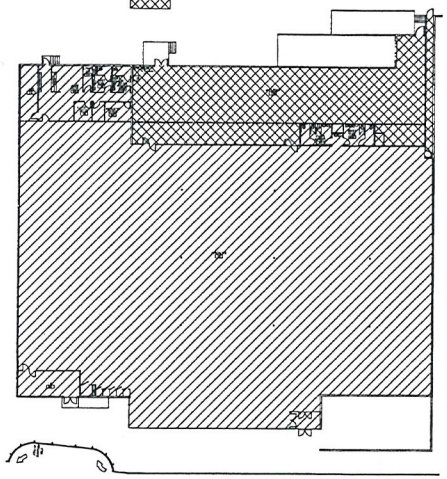
OCCUPANCY:

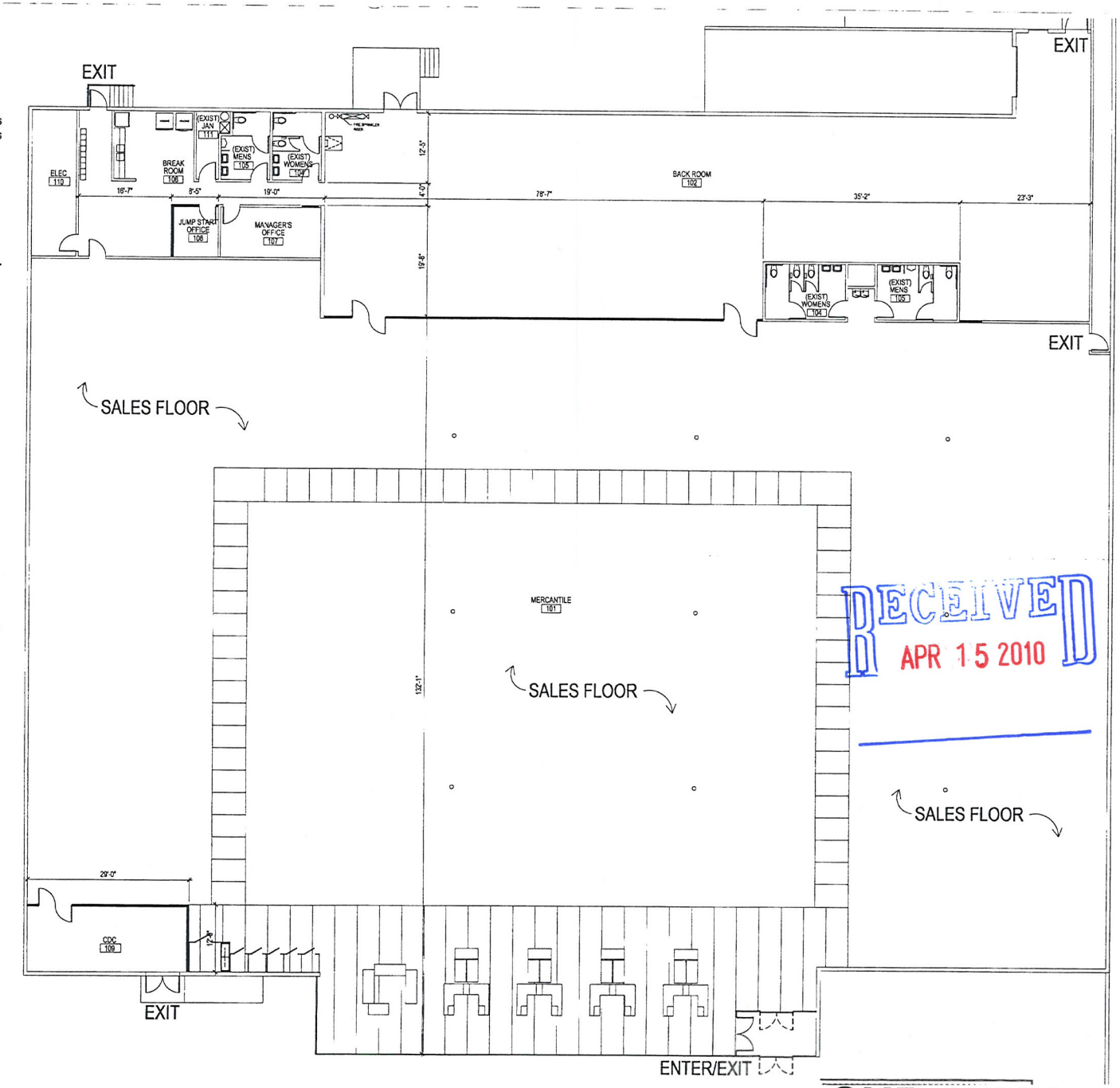
Occupancy Type	Area	Max Occupants
Retail: M	26,786 SF	1:30 SF = 892.9 Max Occupants
Storage: S-1	4,950 SF	1:300 SF = 16.5 Max Occupants

LEGEND:

Retail

Storage





NORTH

RECEIVED
APR 15 2010

SUP-37951

savers

LAS VEGAS
Lake Mead and Rampart
Las Vegas, NV

DATE: 10-05-09

STORE NUMBER: tbd

FILE PATH: F:\SHARE\Store Planning & Development\010 2010 Capital Projects\02 New Stores

AREA: 31,736 SF

RETAIL:	24,380 SF
NON-RETAIL:	7,220 SF
SALES FLOOR:	23,800 SF
PRODUCTION:	4,790 SF
OFFICES:	235 SF
OSD:	330 SF

DEPT INFO:

WOMEN:	8,649 sf
MEN:	3,800 sf
KIDS:	2,470 sf
SHOES:	1,180 sf
FURNITURE:	1,378 sf
MISCEL:	1,470 sf
BED & BATH:	963 sf
BOOKS:	660 sf
JEWELRY:	90 sf
TOTAL ACCESSIBLE:	20,660 SF

APPROVAL:

INITIAL:	
MERCH:	
SP&D	
FINAL:	

REVISIONS:

SHEET TITLE

FIXTURE PLAN

SD-1



SUP-37951 - APPLICANT: SVAERS STORE/TVI - OWNER: WEC 97K-36 INVESTMENT TRUST
8530 WEST LAKE MEAD BOULEVARD

04/22/10



SUP-37951 - APPLICANT: SVAERS STORE/TVI - OWNER: WEC 97K-36 INVESTMENT TRUST
8530 WEST LAKE MEAD BOULEVARD

04/22/10

Justification Letter

To the City of Las Vegas

RECEIVED
APR 13 2010

This letter will serve as the required Justification Letter submitted concurrently with the Pre-Application Conference Request Form to the Planning and Development Department of the City of Las Vegas. 'Savers' is requesting a 'Special Use Permit' that will allow 'Savers' to open a new store in the City of Las Vegas. The subject space is located at 8530 W. Lake Mead Blvd, Las Vegas, NV. This existing structure is approximately 29,950 SF and its prior use was a retail drug store (former Rite Aid) located in a Neighborhood Retail Shopping Center. 'Savers' Retail Thrift Stores is proposing to lease/Re-use of this space. The current zoning for this shopping center is C-1 and the Las Vegas Zoning/Land Use code requires a 'Special Use Permit' to allow Thrift Retailers to operate in the C-1 zoning.

'Savers' Stores is a national chain of Retail Thrift stores with over 240 locations in the US, Canada and Australia. Currently there are 5 stores in the metro Las Vegas area. A typical 'Savers' Store is approximately 22K to 30K square foot in size and operates as a retailer of second hand apparel and household goods. A typical 'Savers' Store will carry approximately the following second hand merchandise: Women's apparel/shoes/accessories (40%), Men's apparel/shoes/accessories (20%), Children's apparel/shoes/accessories (10%) and miscellaneous household goods (bed, bath, kitchen items), furniture (30%). 'Savers' Stores operates much like other Soft-goods retailer providing goods and merchandise to its surrounding community. 'Savers' is a great complimentary use in a Neighborhood Shopping Center that provides convenient retail shopping and personal services and is consistent with services in commercial and neighborhood centers.

'Savers' proposed re-use of the existing structure requires minor tenant improvement work. The majority of the work will be limited to painting, new interior finishes/partitions, interior lighting upgrades, HVAC repairs, and restroom remodeling and door and window modifications. There will be no site work, landscape or exterior building additions proposed or required for the 'Savers' adaptive re-use of the space. The proposed work will minimally impact existing land, water or other natural resources and environmental conditions.

'Savers' use will provide a retail service, adaptive use of an existing building, and promotes the re-use/recycling of apparel and merchandise. The 'Special Use Permit' approval will allow for this use.

SUP-37951

City of Las Vegas Agenda Item No.: **47.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

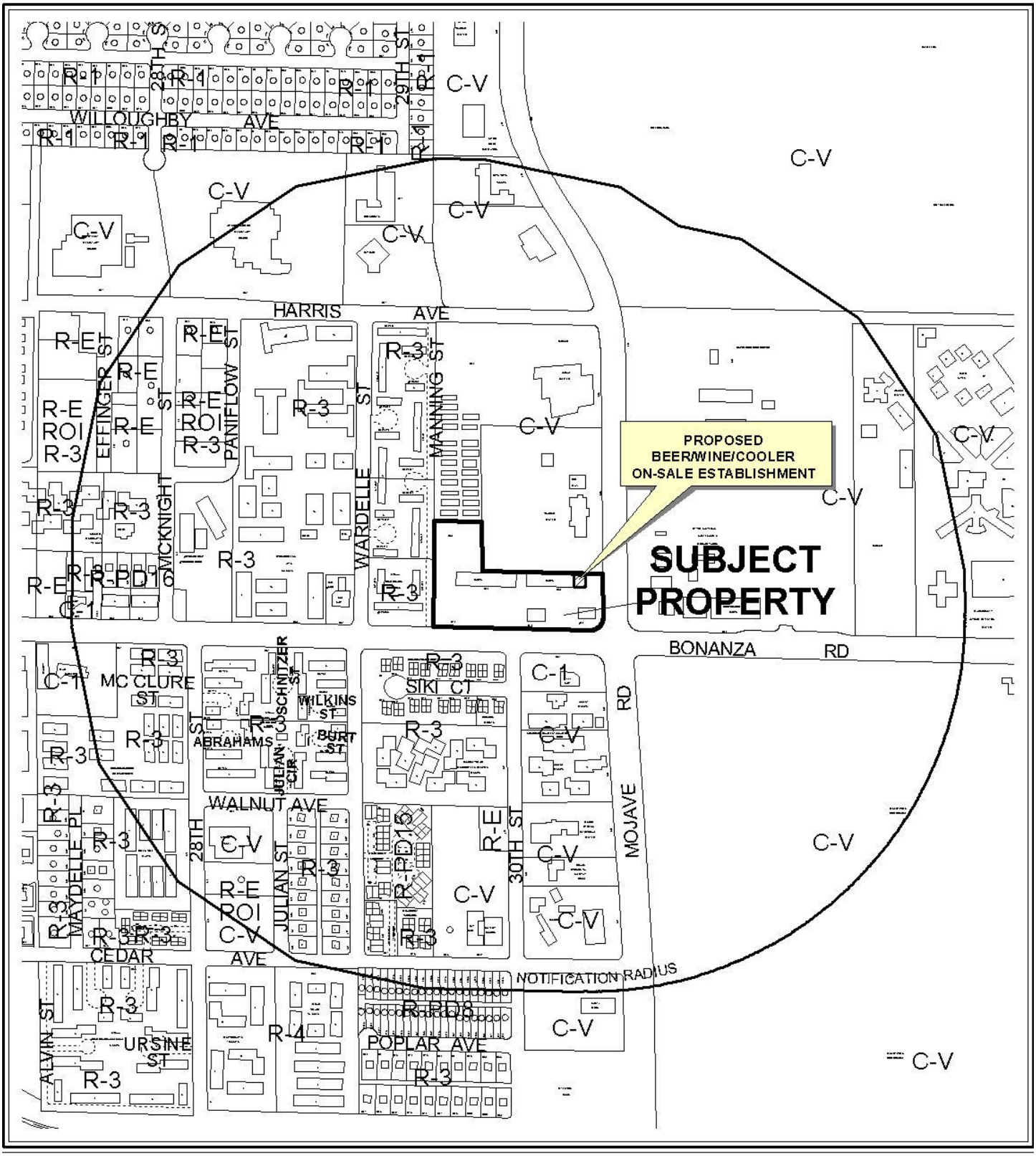
SUBJECT:
SUP-38028 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LUIS CASTILLO - OWNER: D.I. PROPERTIES, INC. - Request for a Special Use Permit FOR A PROPOSED 4,488 SQUARE-FOOT BILLIARD PARLOR OR POOL HALL at 3050 East Bonanza Road, Suite #190 (APN 139-25-405-009), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.

IF APPROVED, C.C.: 07/07/2010
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps – SUP-38028 and SUP-38029
2. Conditions and Staff Report – SUP-38028 and SUP-38029
3. Supporting Documentation
4. Photos – SUP-38028 and SUP-38029
5. Justification Letter – SUP-38028 and SUP-38029



0 500 1000 Feet

CASE: **SUP-38028 AND SUP-38029**

RADIUS: 1500 FT

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



0 500 1000 Feet

CASE: **SUP-38028 AND SUP-38029**

RADIUS: 1500 FT

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: LUIS CASTILLO - OWNER: D.I. PROPERTIES, INC.

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-38028	Staff recommends APPROVAL, subject to conditions:	
SUP-38029	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-38028 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Billiard Parlor or Pool Hall use.

2. Conformance to the approved conditions for Rezoning (ZON-3371) and Site Development Plan Review (SDR-3372) 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 subject suite on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

4. 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.

5. These Conditions of Approval shall be affixed to the cover sheet of the plan set submitted for building permit.

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

SUP-38029 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. Conformance to the approved conditions for Rezoning (ZON-3371) and Site Development Plan Review (SDR-3372) 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 subject suite on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

4. 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.

5. These Conditions of Approval shall be affixed to the cover sheet of the plan set submitted for building permit.

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

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

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

** STAFF REPORT **

PROJECT DESCRIPTION

These requests are for a Billiard Parlor or Pool Hall and Beer/Wine/Cooler On-Sale Establishment at 3050 East Bonanza Road, Suite #190. The subject site is a vacant suite located within a recently constructed shopping center, which is designed to accommodate a variety of retail and food related uses. As there are no protected uses located within the minimum 400-foot distance separation required for the Beer/Wine/Cooler On-Sale Establishment use, and both of the proposed uses can be conducted in a manner that is compatible with the adjacent surrounding uses, staff is recommending approval of the requests for Special Use Permits.

ISSUES

- A Liquor Establishment, Tavern was originally requested by the applicant; however, the use is not permitted at the subject location as there are protected uses, including a church/house of worship and child care facilities, located within the minimum 1,500-foot distance separation required. This required distance separation is not waivable, per Title 19.04.
- A Beer/Wine/Cooler On-Sale Establishment requires that the sale of alcohol is limited to beer, wine and coolers for consumption only in connection with a meal on the premises in conjunction with a restaurant serving a minimum of 45 persons at tables or stools. The restaurant itself will have 44 seats, with additional seating available at the bar.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
01/07/04	The City Council approved a request for a Site Development Plan Review (SDR-3275) for a proposed animal shelter and veterinary complex on 9.5 acres adjacent to the southwest corner of Harris Avenue and Mojave Road. The Planning Commission recommended approval on 12/04/03.
02/04/04	The City Council approved a request to amend a portion of the Southeast Sector Plan of the General Plan (GPA-3370) from PF (Public Facilities) to SC (Service Commercial) on 4.76 acres adjacent to the northwest corner of Bonanza Road and Mojave Road. The Planning Commission recommended approval on 01/08/04.
02/04/04	The City Council approved a request for Rezoning (ZON-3371) from C-V (Civic) to C-1 (Limited Commercial) on 4.76 acres adjacent to the northwest corner of Bonanza Road and Mojave Road. The Planning Commission recommended approval on 01/08/04.

02/04/04	The City Council approved a request for a Site Development Plan Review (SDR-3372) and Waivers to allow a 10-foot rear yard setback where 20 feet is the minimum setback required; two loading zones where three are required; and a 10-foot wide loading zone where 15 feet is required for a proposed 43,349 square-foot Retail Center and 8,995 square-foot Auto Service building on 4.76 acres adjacent to the northwest corner of Bonanza Road and Mojave Road. The Planning Commission recommended approval on 01/08/04.
10/18/06	The City Council approved a request for an Extension of Time (EOT-16475) of an approved Rezoning (ZON-3371) from C-V (Civic) to C-1 (Limited Commercial) on 4.76 acres adjacent to the northwest corner of Bonanza Road and Mojave Road.
07/16/08	The City Council approved a request for a Major Amendment (SDR-27920) to an approved Site Development Plan Review (SDR-3372) for a proposed 3,264 square-foot restaurant with drive through on 4.76 acres at 3040 East Bonanza Road. The Planning Commission recommended approval on 06/12//08.
10/15/08	The City Council approved a request for a Special Use Permit (SUP-29227) for a 5,000 square-foot retail establishment with accessory package liquor off-sale in an approved shopping center at the northwest corner of Bonanza Road and Mojave Road. The Planning Commission and staff recommended approval.

Most Recent Change of Ownership	
03/29/04	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
02/13/07	A building permit (7000574) was issued for a retail shell building (building "E") at 3050 East Bonanza Road. The permit was completed on 11/13/08.
03/08/10	An application for a building permit for tenant improvement was submitted for 3050 East Bonanza Road, Suite #190. The permit is still under review and pending approval of these Special Use Permit requests.

Pre-Application Meeting	
03/30/10	A pre-application meeting was held to discuss submittal requirements for a Billiard Parlor or Pool Hall and for a Beer/Wine/Cooler On-Sale Establishment. The applicant had requested a Liquor Establishment, Tavern use at the site, but as there are both school and child care facilities located within the minimum required 1,500-foot distance separation distance, a Tavern is not permitted.

Neighborhood Meeting
A neighborhood meeting was neither required nor held for these requests.

Field Check	
04/27/10	A field check was conducted by staff. The subject site is a vacant suite within a relatively new, well maintained shopping center.

Details of Application Request	
Site Area	
Net Acres	4.70

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Fire Training Center and Animal Shelter	PF (Public Facilities)	C-V (Civic)
South	Condominiums	Medium Density Residential	R-3 (Medium Density Residential)
	Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)
East	City of Las Vegas Maintenance and Storage Yards	PF (Public Facilities)	C-V (Civic)
West	Multi-family (Housing Authority)	M (Medium Density Residential)	R-3 (Medium Density Residential)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area		X	N/A
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		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	50,093 SF	1:250	201		215		Y
TOTAL SPACES REQUIRED			201		215		Y
TOTAL (With Handicapped)			194	7	208	7	Y

ANALYSIS

The subject site is a vacant suite located within a recently constructed shopping center, which will contain other similar food related and retail uses. A Liquor Establishment, Tavern was originally requested by the applicant; however, the use is not permitted at the subject location as there are protected uses, including a church/house of worship and child care facilities, located within the minimum 1,500-foot distance separation required. This required distance separation is not waivable, per Title 19.04.

A Beer/Wine/Cooler On-Sale Establishment requires that the sale of alcohol be limited to beer, wine and coolers for consumption only in connection with a meal on the premises in conjunction with a restaurant serving a minimum of 45 persons at tables or stools. The restaurant area itself will have 44 seats, with additional seating available at the bar in the pool hall area. There are no minimum Special Use Permit Requirements for a Billiard Parlor or Pool Hall.

As there are no protected uses located within the minimum 400-foot distance separation required for the Beer/Wine/Cooler On-Sale Establishment use, and both of the proposed uses can be conducted in a manner that is compatible with the adjacent surrounding uses, staff is recommending approval of the requests.

FINDINGS (SUP-38028)

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

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

The proposed use will be located within a shopping center site with other retail and food related uses. It can be conducted in a manner that is compatible and harmonious with the surrounding adjacent uses.

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

   The subject site is a shopping center site that has been designed to accommodate a variety of uses. It is physically suitable for the type and intensity of land use proposed.

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

   The site is accessed via Bonanza Road and Mojave Road, both classified as 100-foot Primary Arterials by the Master Plan of Streets and Highways. These streets are adequate to meet the requirements of 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 be inconsistent with or compromise the health, safety, and welfare of the general public as the use is subject to permitting and licensing reviews. It is consistent with the overall objectives of the General Plan as the use is permitted in the SC (Service Commercial) land use designation.

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

   The use complies with all applicable conditions of Title 19.04.

FINDINGS (SUP-38029)

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

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

   The proposed use will be located within a shopping center site with other retail and food related uses. It can be conducted in a manner that is compatible and harmonious with the surrounding adjacent uses.

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

   The subject site is a shopping center site that has been designed to accommodate a variety of uses. It is physically suitable for the type and intensity of land use proposed.

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

   The site is accessed via Bonanza Road and Mojave Road, both classified as 100-foot Primary Arterials by the Master Plan of Streets and Highways. These streets are adequate to meet the requirements of 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 be inconsistent with or compromise the health, safety, and welfare of the general public as the use is subject to permitting and licensing reviews. It is consistent with the overall objectives of the General Plan as the use is permitted in the SC (Service Commercial) land use designation.

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

   The use complies with all applicable conditions of Title 19.04, including all minimum required distance separation requirements.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

NOTICES MAILED 195

APPROVALS 0

PROTESTS 0

1 More copy

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-38028** APN: 13925405009

Name of Property Owner: DI PROPERTIES INC

Name of Applicant: LUIS CASTILLO

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: S. Ehamka

Print Name: SAM E HAMIKA

Subscribed and sworn before me

This 26 day of March, 2010

Sunshine Muangsopa

Notary Public in and for said County and State

SUNSHINE MUANGSOPA
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 7-13-2011
Certificate No: 03-83788-1

1 Note copy

PLANNING & DEVELOPMENT
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: BILLIARD HALL

Project Address (Location) 3050 E. BONANZA RD STE # 190

Project Name THE OFFICE VILLAR CLUB **Proposed Use** C-1, C-2

Assessor's Parcel #(s) 139-25-405-009 **Ward #** _____

General Plan: existing _____ proposed C-1 **Zoning:** existing _____ proposed C-2

Commercial Square Footage 50,093 **Floor Area Ratio** _____

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

Additional Information _____

PROPERTY OWNER D I properties inc **Contact** _____

Address 790 N. Eastern Ave **Phone:** _____ **Fax:** _____

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

E-mail Address Smhamika@yahoo.com

APPLICANT Luis Castillo **Contact** _____

Address 809 E. Cartier Apt "C" **Phone:** 449-2775 **Fax:** _____

City No Las Vegas **State** NV **Zip** 89030

E-mail Address _____

REPRESENTATIVE Construction By Juan Cruz **Contact** Juan Cruz

Address 3305 E. Tonopah Ave **Phone:** 448-0149 **Fax:** 399-2727

City No Las Vegas **State** NV **Zip** 89030

E-mail Address JCConstructionNV@Hotmail.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 _____

Subscribed and sworn before me

This 26 day of March, 20 10.

[signature]

Notary Public in and for said County and State

SUNSHINE MUANGSOPA
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 7-13-2011
Certificate No: 03-83788-1

FOR DEPARTMENT USE ONLY

Case #	SUP-38028
Meeting Date:	6/24/10
Total Fee:	$1030
Date Received:*	4/20/10
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.

Revised 10/27/08

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SUP-38028 & SUP-38029 - APPLICANT: LUIS CASTILLO – OWNER: DI PROPERTIES, INC
3050 EAST BONANZA ROAD< SUITE #190

04/22/10



SUP-38028 & SUP-38029 - APPLICANT: LUIS CASTILLO – OWNER: DI PROPERTIES, INC
3050 EAST BONANZA ROAD< SUITE #190

04/22/10

Justification Letter

City of Las Vegas
Planning & Development Department

An establishment whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers for consumption only in connection with a meal on the premises where the same is sold, and is operated in connection with a restaurant in which 45 or more people may be served with meals at any one time at tables or stools

CONSTRUCTION BY JUAN CRUZ
3305 E. TONOPAH AVE
N.LAS VEGAS NV,89030

Juan Cruz
04/13/10

RECEIVED
APR 20 2010

SUP-38028
SUP-38029

City of Las Vegas Agenda Item No.: **48.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

SUBJECT:
SUP-38029 - SPECIAL USE PERMIT RELATED TO SUP-38028 - PUBLIC HEARING - APPLICANT: LUIS CASTILLO - OWNER: D.I. PROPERTIES, INC. - Request for a Special Use Permit FOR A PROPOSED 4,488 SQUARE-FOOT BEER/WINE/COOLER ON-SALE ESTABLISHMENT at 3050 East Bonanza Road, Suite #190 (APN 139-25-405-009), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.

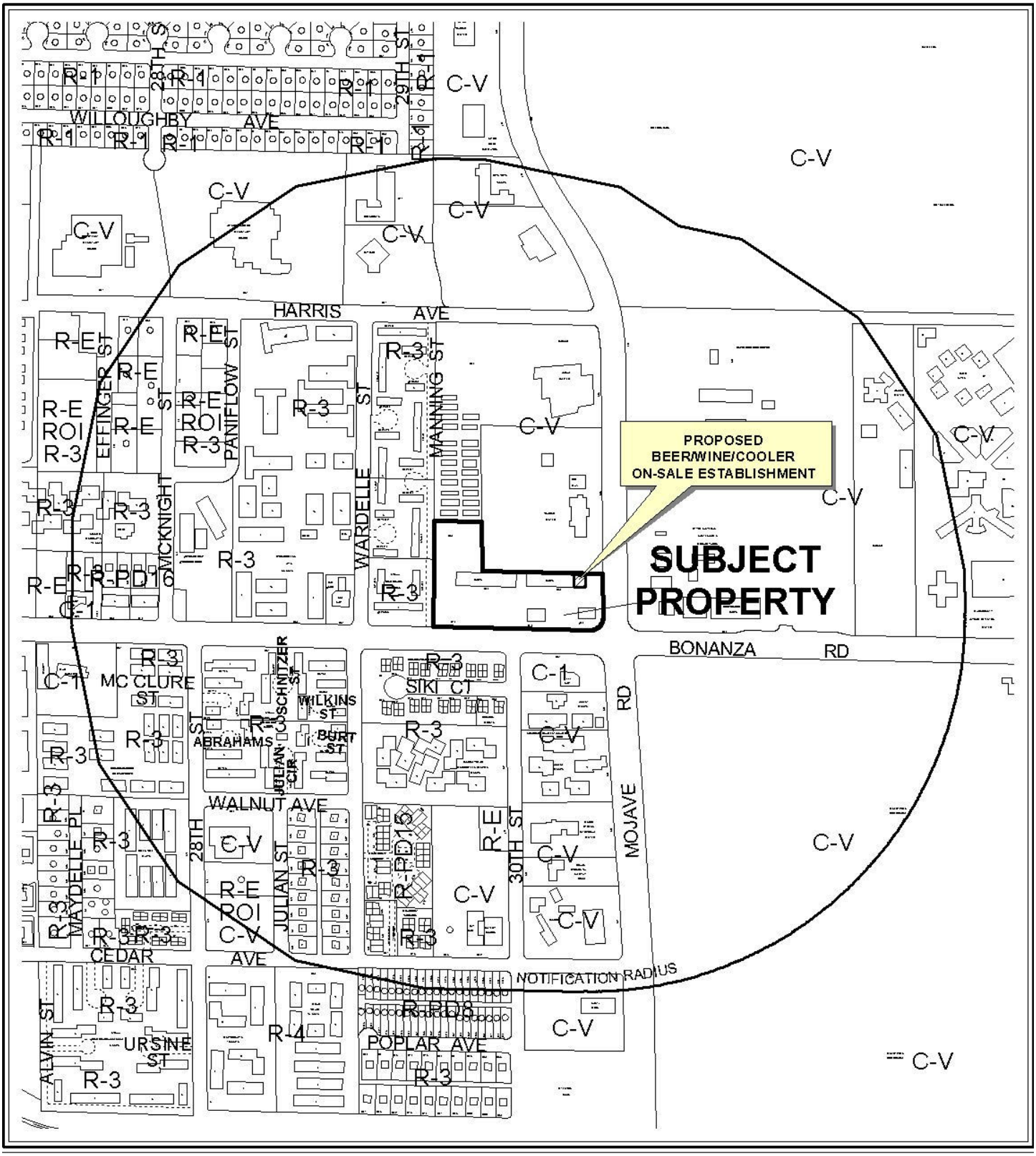
IF APPROVED, C.C.: 07/07/2010
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Special Map
3. Supporting Documentation

Consistent with the City’ s sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.



0 500 1000 Feet

CASE: **SUP-38028 AND SUP-38029**

RADIUS: 1500 FT

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



0 500 1000 Feet

CASE: **SUP-38028 AND SUP-38029**

RADIUS: 1500 FT

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



SUP-38029

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

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PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-38029** APN: _____

Name of Property Owner: DI PROPERTIES INC

Name of Applicant: Luis Castillo

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: S. Ehamka

Print Name: SAM E HAMIKA

Subscribed and sworn before me

This 26 day of March, 2010

Sunshine Muangsopa

Notary Public in and for said County and State

SUNSHINE MUANGSOPA
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 7-13-2011
Certificate No: 03-83788-1

1 Note copy

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: BEER / WINE / COOLER ON-SALE ESTABLISHMENT

Project Address (Location) 3050 E. BONANZA RD STE # 190

Project Name THE OFFICE VILLAR CLUB **Proposed Use** _____

Assessor's Parcel #(s) 139-25-405-009 **Ward #** _____

General Plan: existing _____ proposed C-1 **Zoning:** existing _____ proposed C-2

Commercial Square Footage 50,093 **Floor Area Ratio** _____

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

Additional Information _____

PROPERTY OWNER D I properties inc **Contact** _____

Address 790 N. Eastern Ave **Phone:** _____ **Fax:** _____

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

E-mail Address Smhamika@yahoo.com

APPLICANT LUIS CASTILLO **Contact** _____

Address 809 E. CARTIER APT "C" **Phone:** 449-2775 **Fax:** _____

City No LAS VEGAS **State** NV **Zip** 89030

E-mail Address _____

REPRESENTATIVE CONSTRUCTION BY JUAN CRUZ **Contact** JUAN CRUZ

Address 3305 E. TONOPAH AVE **Phone:** (702) 448-0149 **Fax:** (702) 399-2727

City No LAS VEGAS NV, 89030 **State** NV **Zip** 89030

E-mail Address JCCONSTRUCTIONONV@HOTMAIL.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 _____

Subscribed and sworn before me

This 26 day of March, 20 10.

[signature]

Notary Public in and for said County and State

SUNSHINE MUANGSOPA
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 7-13-2011
Certificate No: 03-83788-1

FOR DEPARTMENT USE ONLY

Case #	SUP-38029
Meeting Date:	6/24/10
Total Fee:	$1280
Date Received:*	4/20/10
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.

Revised 10/27/08

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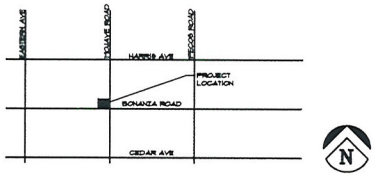
VICINITY MAP



PROJECT

TENANT IMPROVEMENT FOR
THE OFFICE VILLAR CLUB
AT
3050 BONANZA ROAD SUITE 190
LAS VEGAS, NV. 89101

PROJECT DATA

ASSESSOR'S PARCEL NUMBER:	139-25-405-008
SHELL BUILDING CONSTRUCTION TYPE:	V-B
OCCUPANCY GROUP:	A-2
SPRINKLERED:	NO
AREA OF TENANT IMPROVEMENT:	4,488 SF
OCCUPANT LOAD:	108

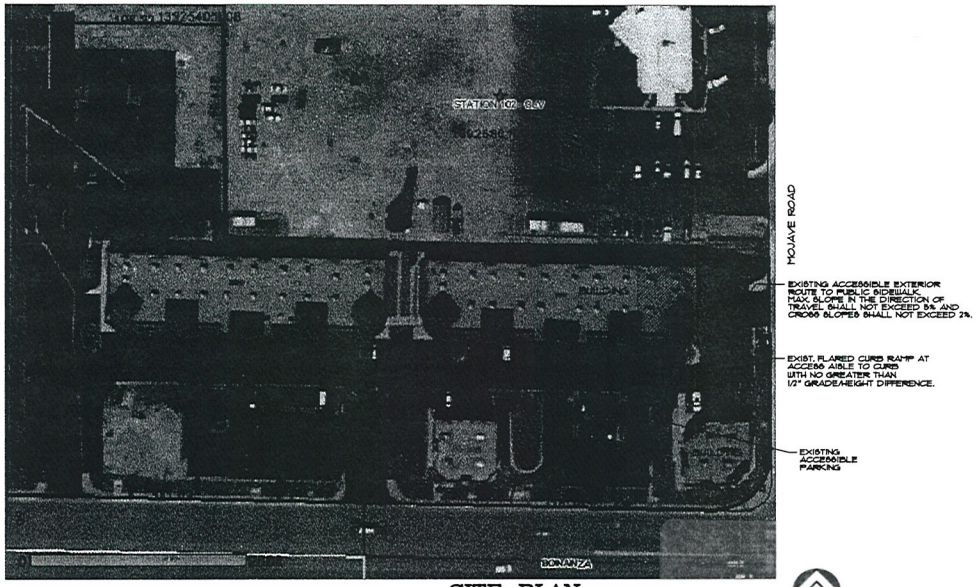
PARKING ANALYSIS

UD 1/250 PARKING	540/93 SF. EQUALS 201 SPACES REQUIRED
11 SHOPPING CENTER USE	GENERAL RETAIL STORE, OTHER GREATER THAN 35000 SF. GROSS FLOOR AREA
12 TOTAL SPACES FOR CENTER	215 PROVIDED PER ORIGINAL SITE DESIGNER
13 TOTAL SF. FOR CENTER	540/93

PARKING REQUIRED PER LAS VEGAS PLANNING CODE 19.04 TABLE 2 FOR BILLIARD PARLOR/POOL HALL	2 PARKING SPACES PER BILLIARD TABLE
PARKING REQUIRED	TOTAL NUMBER OF POOL TABLES = 15 TOTAL PARKING = 36 SPACES
PARKING REQUIRED PER LAS VEGAS PLANNING CODE 19.04 TABLE 2 FOR TAVERN	One space for each 50 square feet of public seating and waiting area (including areas for seating and waiting), plus one space for each 200 square feet of the total remaining gross floor area, with a minimum of ten spaces required.
PARKING REQUIRED	SEATING=684 SF. 1:50 FOR 684 SF. = 14 SPACES REMAINING GROSS FLOOR AREA=3804 SF. = 19 SPACES TOTAL SPACES REQUIRED = 33 SPACES GRAND TOTAL = 69 SPACES

RECEIVED
APR 20 2010

PROJECT LOCATION



SITE PLAN

NOT TO SCALE

SUP-38028

SUP-38029

EXITING ANALYSIS

TOTAL SQUARE FOOTAGE = 4,488 S.F. (APPROX.)

MEANS OF EGRESS

OCCUPANT LOAD TOTAL= 168 OCCUPANTS
TOTAL EGRESS WIDTH REQUIRED= 0.3 x 168 = 50.2 INCHES
TOTAL EGRESS WIDTH PROVIDED= 108 INCHES (PER IBC TABLE 1005.1, EGRESS WIDTH OF DOORS = 36")

MAXIMUM LENGTH OF EXIT TRAVEL = 250'-0" (IBC TABLE 1016.1)
MINIMUM NUMBER OF EXITS REQUIRED= 2 (IBC SECTION 1015)
NUMBER OF EXITS PROVIDED = 3
MINIMUM WIDTH OF HALLS= 44" (IBC SECTION 1016.2)
MINIMUM CLEAR DOOR OPENING= 32" (IBC SECTION 1008.1.1)

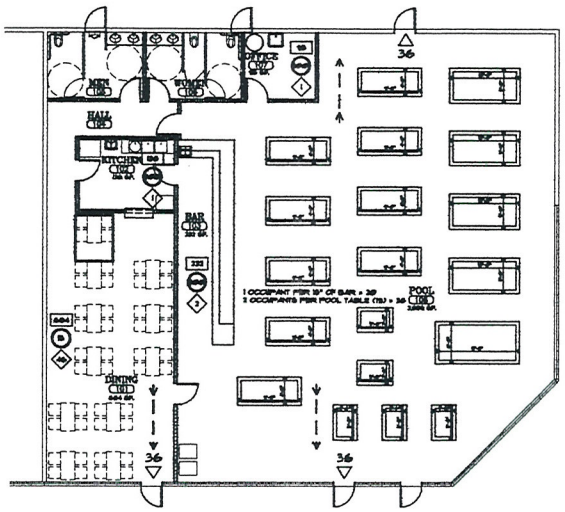
MEANS OF EGRESS

ROOM NAME	SQ. FT/OCCUPANT	TOTAL OCC.
SEE PLAN	SEE PLAN	168
TOTAL		168

(PER IBC 2006 TABLE 1004.1.1, CHAPTER 10)

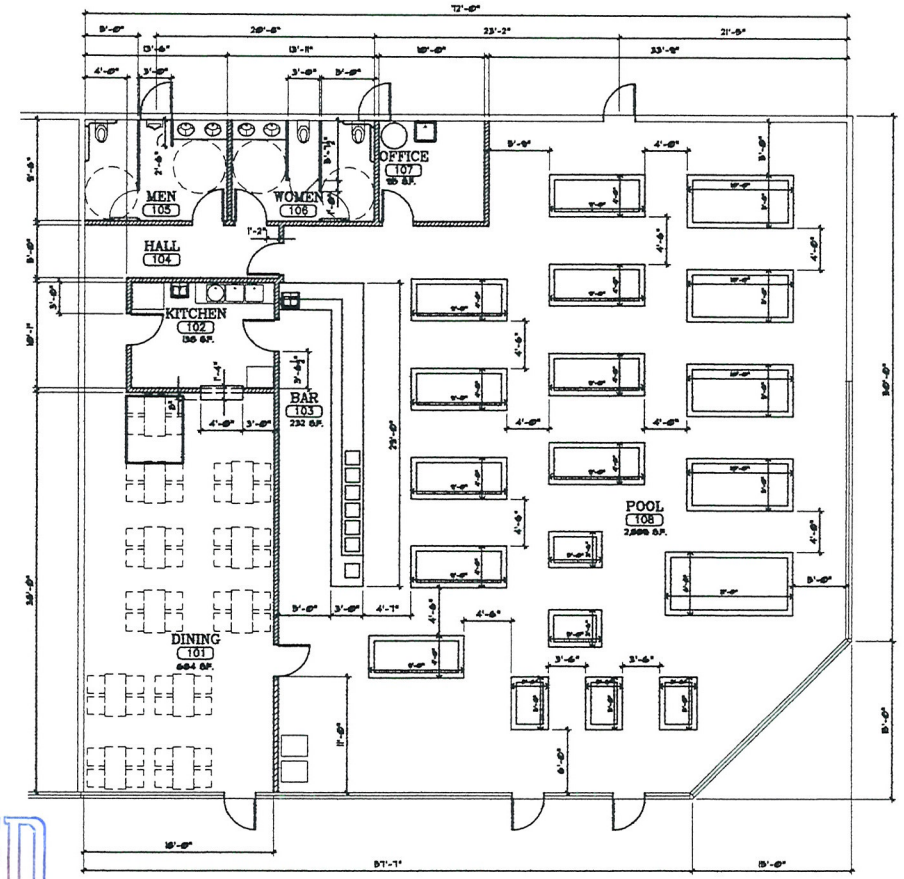
EXITING LEGEND

- XXX — AREA
- (XX) — OCCUPANT LOAD
- (X) — NUMBER OF OCCUPANTS
- X — EXITING QUANTITY
- ---<--- DENOTES PATH TO EXIT (250'-0" MAXIMUM)



EXITING PLAN

NOT TO SCALE



FLOOR PLAN

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SUP-38028
SUP-38029

City of Las Vegas Agenda Item No.: **49.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

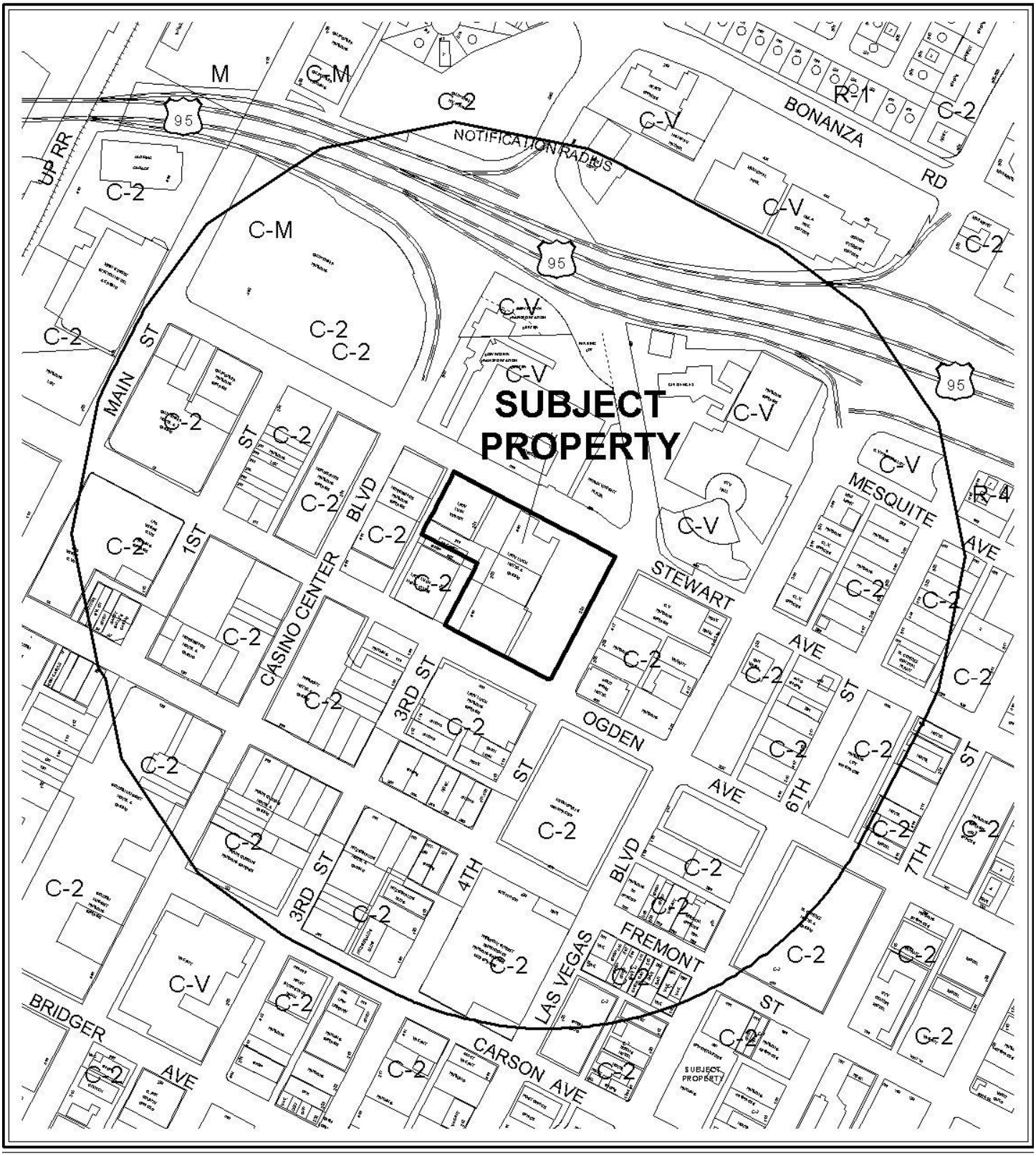
SUBJECT:
SDR-37946 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: RESORT GAMING GROUP, LLC - OWNER: 220 NORTH 4TH STREET LV, LLC, ET AL - Request for a Site Development Plan Review FOR PROPOSED FACADE MODIFICATIONS AND THE ADDITION OF A SERVICE YARD, A PORTE COCHERE, A SURFACE PARKING LOT AND A 25-FOOT ADDITION ON THE ROOF OF AN EXISTING HOTEL/CASINO WITH WAIVERS OF DOWNTOWN CENTENNIAL PLAN STREETSCAPE, UTILITY AND PARKING LOT LANDSCAPING AND SCREENING REQUIREMENTS on 3.94 acres at 220 North 4th Street (APNs 139-34-501-009; 139-34-510-019 and 139-34-514-007 through 009), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends DENIAL.

C.C.: 07/7/2010

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

RECOMMENDATION:
Staff recommends DENIAL.

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



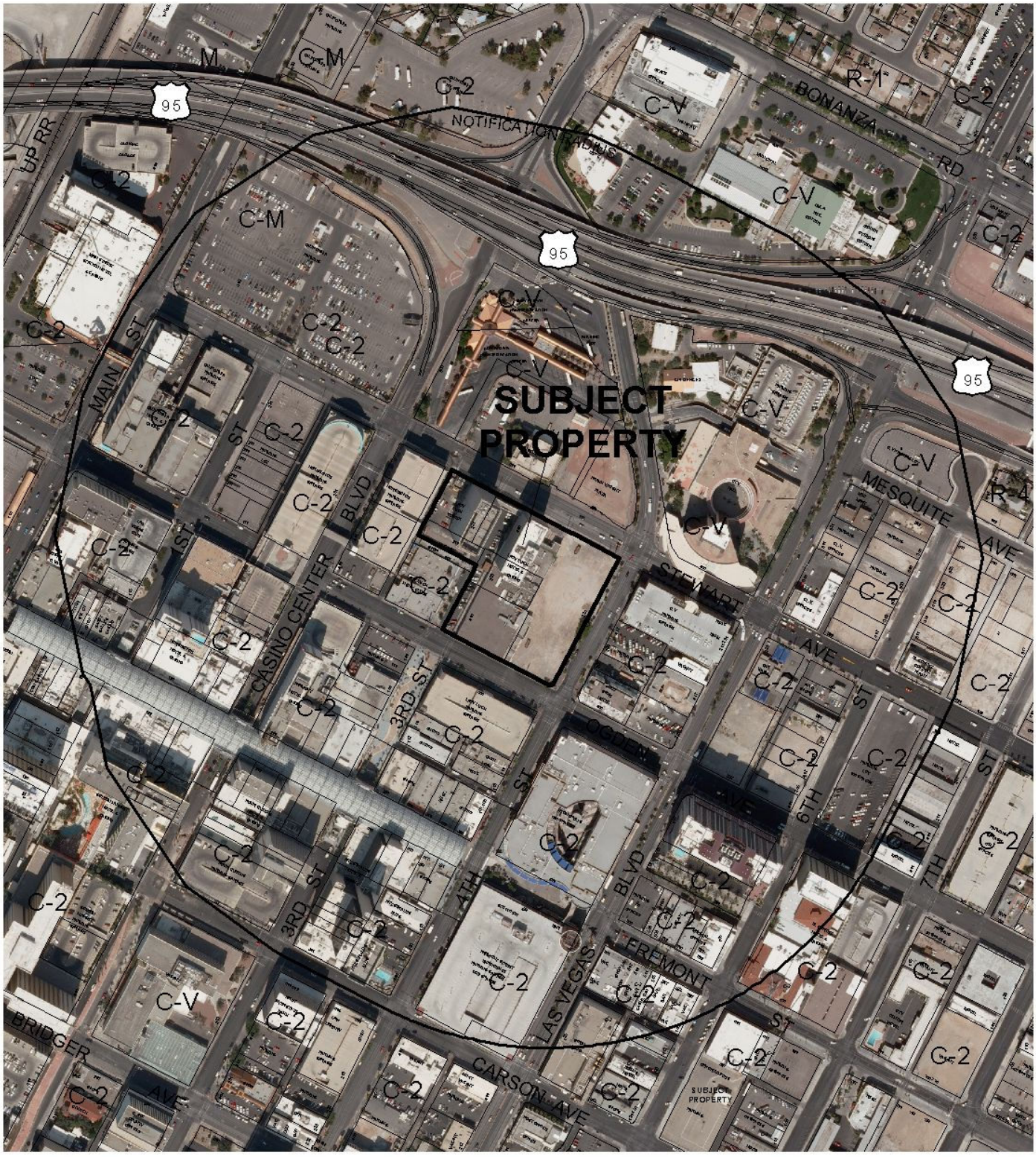
0 400 800 Feet

CASE: **SDR-37946**

RADIUS: 1000 FT

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

N



CASE: **SDR-37946**

RADIUS: 1000 FT

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

0 400 800 Feet

N

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-37946** APN: 139-34-514-008

Name of Property Owner: 221 North 3rd Street LV, LLC

Name of Applicant: Resort Gaming Group, LLC

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: _____ NP

Print Name: Nicholas V. Morosoff

Secretary of Property Owner

Subscribed and sworn before me

This _____ day of _____, 20____

_____

Notary Public in and for said County and State

"Refer to attached for Notary"

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CALIFORNIA JURAT WITH AFFIANT STATEMENT

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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

12th (Date) day of April (Month), 20 10 (Year), by

(1) Nicholas V. Morosoff (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 Denise del Rey (Signature of Notary Public)

DENISE DEL REY
Commission # 1843679
Notary Public - California
Los Angeles County
My Comm. Expires Apr 9, 2013

Place Notary Seal Above

OPTIONAL

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

Further Description of Any Attached Document

Title or Type of Document: Statement of Financial Interest

Document Date: April 12th, 2010 Number of Pages: 1

Signer(s) Other Than Named Above: _____

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PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-37946** APN: 139-34-510-019 & 139-34-514-009

Name of Property Owner: 220 North 4th Street LV, LLC

Name of Applicant: Resort Gaming Group, LLC

Name of Representative: _____

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Signature of Property Owner: _____

Print Name: Nicholas V. Morosoff
Secretary of Property Owner

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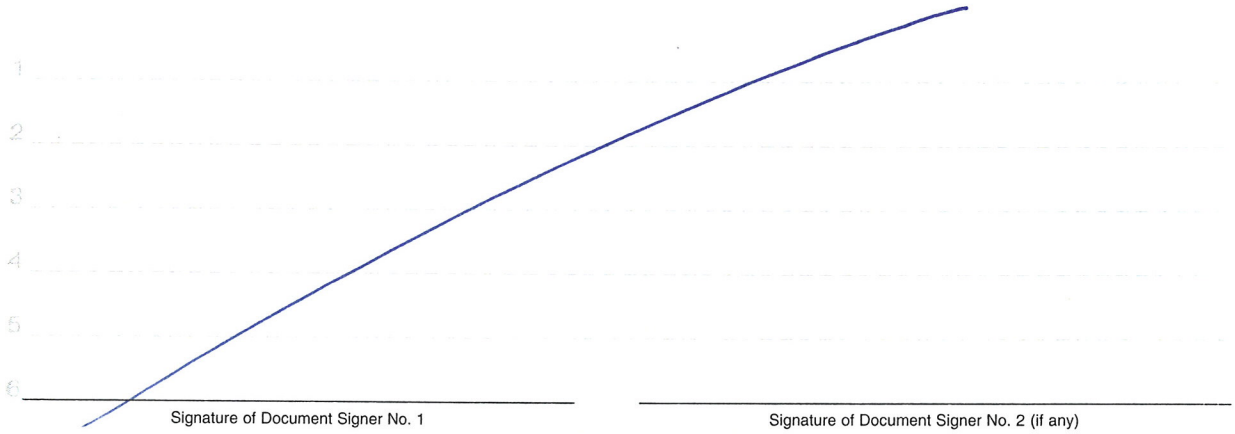

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Signature Denise Del Rey (Signature of Notary Public)

DENISE DEL REY
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Notary Public - California
Los Angeles County
My Comm. Expires Apr 9, 2013

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PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-37946 APN: 139-34-501-009 & 010

Name of Property Owner: 201 North 3rd Street LV, LLC

Name of Applicant: Resort Gaming Group, LLC

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] #P

Print Name: Nicholas V. Morosoff
Secretary of Property Owner

Subscribed and sworn before me

This _____ day of _____, 20____

_____
Notary Public in and for said County and State

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PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-37946** APN: 139-34-514-007

Name of Property Owner: CIM/LL Las Vegas, LLC

Name of Applicant: Resort Gaming Group, LLC

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: _____ NVF

Print Name: Nicholas V. Morosoff
Secretary of Property Owner

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County of Los Angeles

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(and

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Signature of Notary Public

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PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Site Development Review

Project Address (Location) 206 N. 3rd Street

Project Name Lady Luck **Proposed Use** Hotel/Casino/Retail

Assessor's Parcel #(s) 139-34-514-007 **Ward #** 5

General Plan: existing yes proposed ____ **Zoning:** existing yes proposed ____

Commercial Square Footage 501,531 SF **Floor Area Ratio** 2.92

Gross Acres 3.12 **Lots/Units** N/A **Density** N/A

Additional Information ____

PROPERTY OWNER CIM/LL Las Vegas, LLC **Contact** Jeff Rosen

Address 6922 Hollywood Blvd. 9th Floor **Phone:** (323) 860-4900 **Fax:** (323) 860-4901

City Los Angeles **State** CA **Zip** 90028

E-mail Address jrosen@cimgroup.com

APPLICANT Resort Gaming Group, LLC **Contact** Todd Kessler

Address 206 N. 3rd St **Phone:** (702) 953-4320 **Fax:** (702) 477-0045

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

E-mail Address todd@rgglv.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 Nicholas V. Manoloff Secretary of Property Owner

Subscribed and sworn before me

This ____ day of ____, 20 ____.

____

Notary Public in and for said County and State

Revised 10/27/08 "Refer to attached for Notary"

FOR DEPARTMENT USE ONLY

Case #	SDR-37946
Meeting Date:	05/27/10
Total Fee:	$1030.00
Date Received:*	04/13/10
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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County of Los Angeles

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(and

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Signature Denise del Rey (Signature of Notary Public)

DENISE DEL REY
Commission # 1843679
Notary Public - California
Los Angeles County
My Comm. Expires Apr 9, 2013

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PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Site Development Review

Project Address (Location) 206 N. 3rd Street

Project Name Lady Luck **Proposed Use** Hotel/Casino/Retail

Assessor's Parcel #(s) 139-34-501-009 & 010 **Ward #** 5

General Plan: existing yes proposed ____ **Zoning:** existing yes proposed ____

Commercial Square Footage 501,531 SF **Floor Area Ratio** 2.92

Gross Acres 3.12 **Lots/Units** N/A **Density** N/A

Additional Information ____

PROPERTY OWNER 201 North 3rd Street LV, LLC **Contact** Jeff Rosen

Address 6922 Hollywood Blvd 9th Floor **Phone:** (323) 860-4900 **Fax:** (323) 860-4901

City Los Angeles **State** CA **Zip** 90028

E-mail Address jrosen@cimgroup.com

APPLICANT Resort Gaming Group, LLC **Contact** Todd Kessler

Address 206 N. 3rd St **Phone:** (702) 953-4320 **Fax:** (702) 477-0045

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

E-mail Address todd@rgglv.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 Nicholas V. Horcroft Secretary of Property Owner

Subscribed and sworn before me

This ____ day of ____, 20 ____.

____

Notary Public in and for said County and State

Revised 10/27/08 "Refer to attached for Notary"

FOR DEPARTMENT USE ONLY

Case #	SDR-37946
Meeting Date:	05/27/10
Total Fee:	$ 1030.00
Date Received:*	04/13/10
Received By:	D. Vale

*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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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

12th day of april, 2010, by
Date Month Year

(1) Nicholas V. Morosoff,
Name of Signer

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Signature Denise del Rey
Signature of Notary Public

DENISE DEL REY
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PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Site Development Review

Project Address (Location) 206 N. 3rd Street

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E-mail Address jrosen@cimgroup.com

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E-mail Address todd@rgglv.com

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City ____ **State** ____ **Zip** ____

E-mail Address ____

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FOR DEPARTMENT USE ONLY

Case #	SDR-37946
Meeting Date:	05/27/10
Total Fee:	$1030.00
Date Received:*	04/13/10
Received By:	C.V.

*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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State of California

County of Los Angeles

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Los Angeles County
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NNA14

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PLANNING & DEVELOPMENT DEPARTMENT

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Application/Petition For: Site Development Review

Project Address (Location) 206 N. 3rd Street

Project Name Lady Luck **Proposed Use** Hotel/Casino/Retail

Assessor's Parcel #(s) 139-34-514-008 **Ward #** 5

General Plan: existing yes proposed ____ **Zoning:** existing yes proposed ____

Commercial Square Footage 501,531 SF **Floor Area Ratio** 2.92

Gross Acres 3.12 **Lots/Units** N/A **Density** N/A

Additional Information ____

PROPERTY OWNER 221 North 3rd Street LV, LLC **Contact** Jeff Rosen

Address 6922 Hollywood Blvd 9th Floor **Phone:** (323) 860-4900 **Fax:** (323) 860-4901

City Los Angeles **State** CA **Zip** 90028

E-mail Address jrosen@cimgroup.com

APPLICANT Resort Gaming Group, LLC **Contact** Todd Kessler

Address 206 N. 3rd St **Phone:** (702) 953-4320 **Fax:** (702) 477-0045

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

E-mail Address todd@rgglv.com

REPRESENTATIVE ____ **Contact** ____

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

City ____ **State** ____ **Zip** ____

E-mail Address ____

Property Owner Signature* ____ NKF

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

Print Name Nicholas V. Horrocks, Secretary of Property Owner

Subscribed and sworn before me

This ____ day of ____, 20 ____.

____

Notary Public in and for said County and State

"Refer to attached for Notary"

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SDR-37946
Meeting Date:	05/27/10
Total Fee:	$1030.00
Date Received:*	04/13/10
Received By:	C.J. 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.

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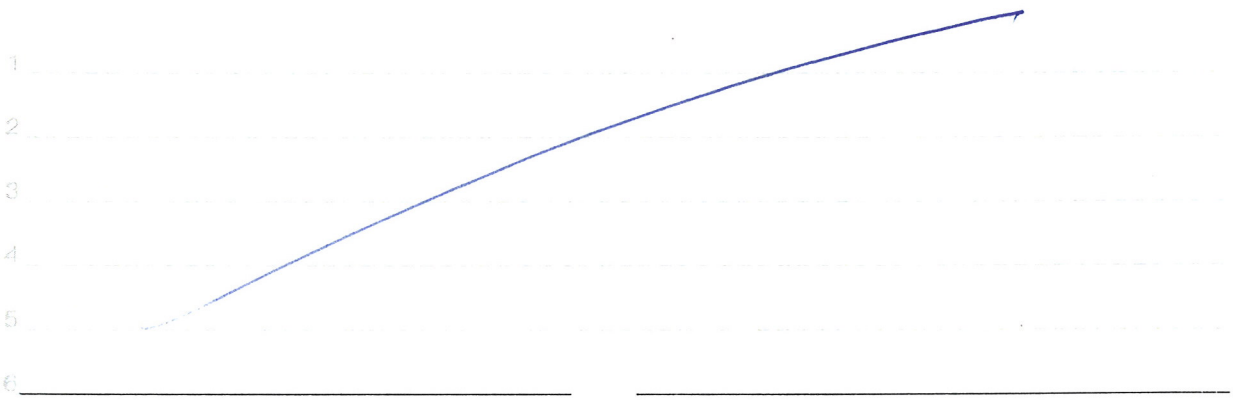
CALIFORNIA JURAT WITH AFFIANT STATEMENT

☑ 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 Los Angeles

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

12th day of April, 2010, by

(1) Nicholas V. Morosoff,

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 Denise del Rey
Signature of Notary Public

DENISE DEL REY
Commission # 1843679
Notary Public - California
Los Angeles County
My Comm. Expires Apr 9, 2013

Place Notary Seal Above

OPTIONAL

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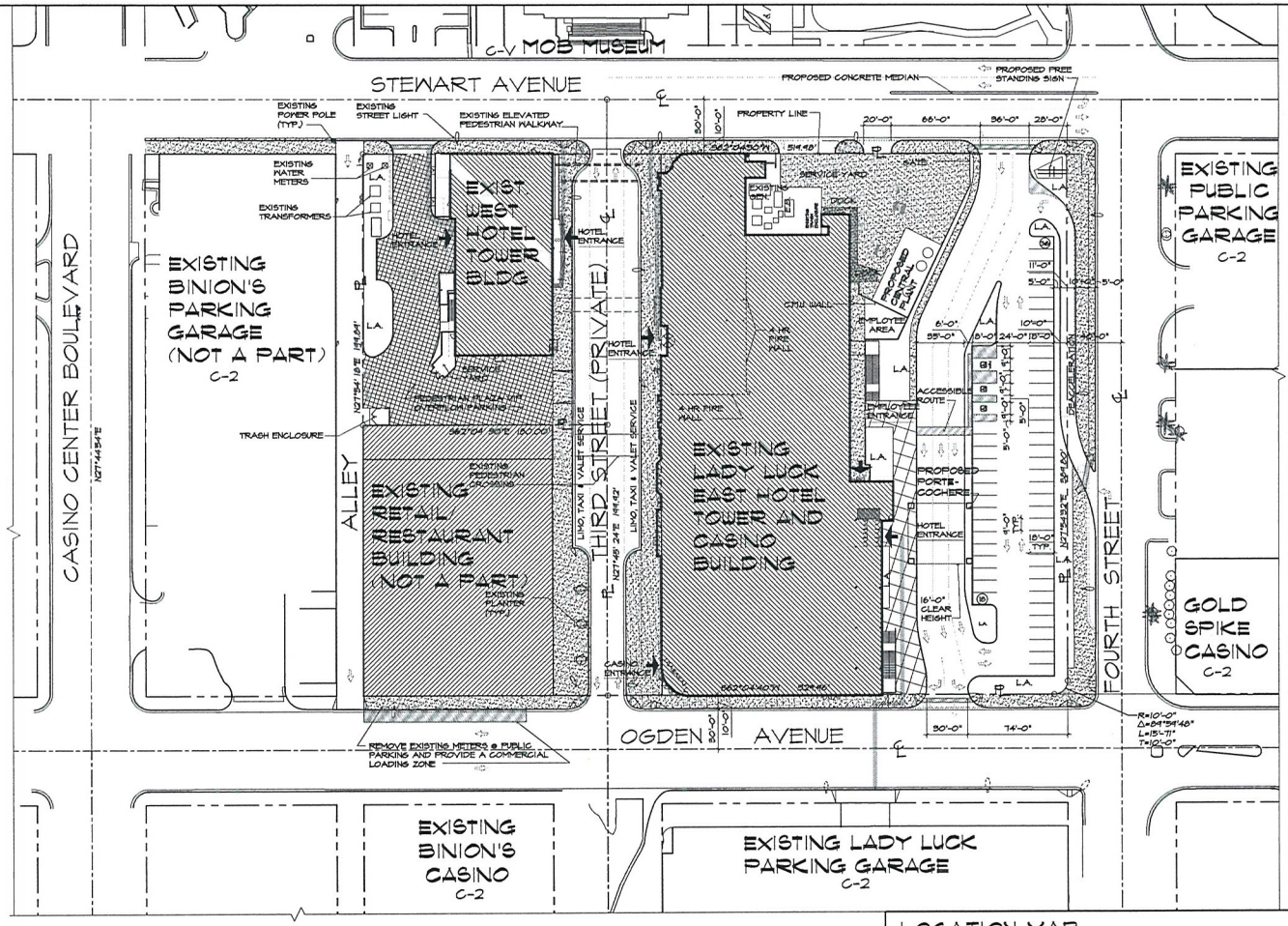


CONCEPTUAL ARCHITECTURAL SITE PLAN

1" = 40'-0"

LEGEND

CONTINUOUS ACCESSIBLE ROUTE 5% MAX. RUNNING SLOPE 2% MAX. CROSS SLOPE W/ 1/2" MAX. CHANGE IN ELEVATIONS

PROJECT DATA:

ASSESSORS PARCEL NUMBER(S):	139-34-514-009 139-34-514-008 139-34-514-007 139-34-510-015 139-34-501-005
ACTION REFERENCE NUMBER(S):	-
GOVERNING JURISDICTION:	CITY OF LAS VEGAS
DEVELOPMENT CODE:	TITLE 19
EXISTING LAND USE ZONE:	GENERAL COMMERCIAL DISTRICT (C-2)
ZONING OVERLAY DISTRICT(S):	N/A
LAND USE PLAN:	DOWNTOWN CENTENNIAL GATEWAY DISTRICT
SITE AREA:	3.54 ACRES/ 111, 888 SQ. FT.

BUILDING AREA:

EXISTING EAST TOWER AREA:

BASEMENT:	8, 744 SQ. FT.
1ST FLOOR:	55, 004 SQ. FT.
2ND FLOOR:	40, 451 SQ. FT.
3RD FLOOR:	42, 125 SQ. FT.
4TH THROUGH 17 TH FLOOR: (11, 872 SQ. FT. X 13) =	143, 936 SQ. FT.
EXISTING EAST TOWER TOTAL AREA:	260, 860 SQ. FT.
EXISTING PEDESTRIAN BRIDGE AREA:	1, 120 SQ. FT.

BUILDING AREA:

EXISTING WEST TOWER AREA:

BASEMENT:	9, 847 SQ. FT.
1ST FLOOR:	11, 202 SQ. FT.
2ND FLOOR:	10, 496 SQ. FT.
3RD FLOOR:	9, 454 SQ. FT.
4TH THROUGH 25TH FLOOR: (9, 454 SQ. FT. X 21) =	198, 534 SQ. FT.
EXISTING WEST TOWER TOTAL AREA:	239, 533 SQ. FT.
TOTAL BUILDING AREA:	501, 513 SQ. FT.
FLOOR AREA RATIO :	2.92

EAST TOWER:

BUILDING HEIGHT:	168'-0"
NUMBER OF STORIES:	17 W/ BASEMENT

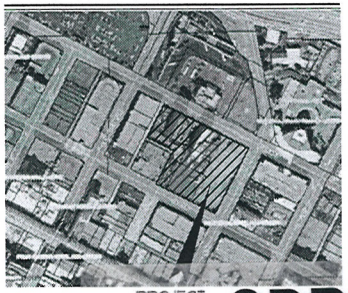
WEST TOWER:

BUILDING HEIGHT:	257'-0"
NUMBER OF STORIES:	25 W/ BASEMENT

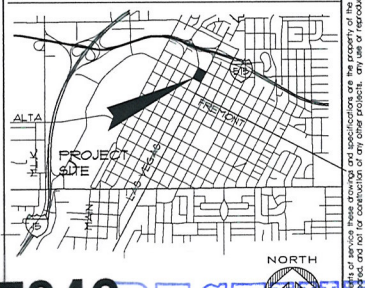
PARKING ANALYSIS:

PARKING RECOMMENDED: 1 PER GUEST ROOM (634 X 1) =	634 SPACES
EXISTING PARKING GARAGE:	445 SPACES
PROPOSED SURFACE PARKING:	54 SPACES
ACCESSIBLE PARKING PROVIDED: (INCLUDING ONE VAN & TWO ACCESSIBLE):	
TOTAL PARKING PROVIDED:	499 SPACES

LOCATION MAP:



VICINITY MAP



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Lady Luck
RENOVATION / EXPANSION
206 N. 3RD ST., LAS VEGAS, NEVADA 89101

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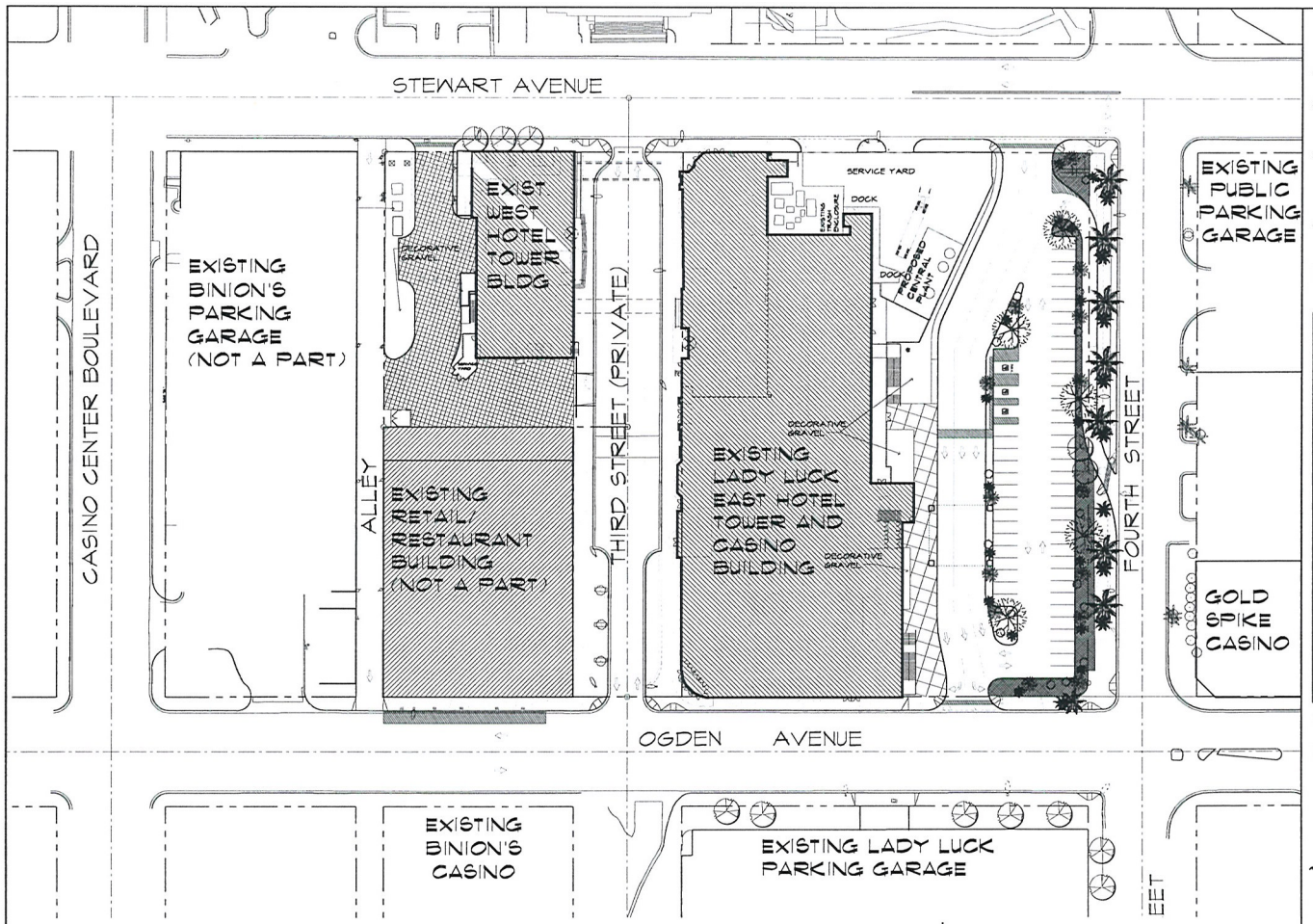
NOT FOR CONSTRUCTION
4-9-2010

sheet title:
CONCEPTUAL ARCHITECTURAL SITE PLAN
LAND USE SUBMITTAL

issue dates:

drawn by: KKG/MB/PT/AK
checked by: RCG
project no.: 09-150
revisions: 5-4-2010

sheet no.: AS1.01
of sheets

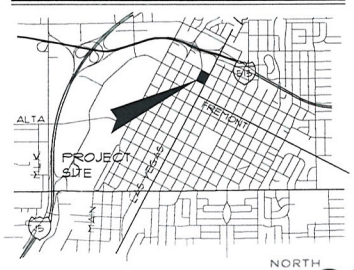


CONCEPTUAL LANDSCAPE PLAN

1" = 20'-0"

NORTH

VICINITY MAP



MISCELLANEOUS NOTES

1. ALL EXPOSED SOILS TO RECEIVE 2" THICK LAYER OF DECORATIVE GRAVEL OR DECOMPOSED GRANITE
2. ANY TREE WITHIN 5' OF A SIDEWALK / PAVED SURFACE AND/OR WALL SHALL BE PLANTED WITH A ROOT SHIELD DESIGNED TO DIRECT ROOT GROWTH DOWNWARD
3. DECOMPOSED GRANITE COLOR: PALAMINO CORAL 1/2" SCREENED
   DECOMPOSED GRANITE SOURCE: VISTA ROCK LAS VEGAS, NEVADA
   DECORATIVE GRAVEL COLOR: RED SANDSTONE 3/4" 3/4"
   DECORATIVE GRAVEL SOURCE: STAR NURSERY LAS VEGAS, NEVADA
4. ALL LANDSCAPE AREAS TO RECEIVED COMPLETE AUTOMATIC PERMANENT UNDERGROUND DRIP IRRIGATION SYSTEM.

PROPOSED LANDSCAPE LEGEND

TREES SYM.	SIZE	QU	BOTANICAL NAME	COMMON NAME
	24" BOX	5	CERATONIA SILIQUA	CAROB TREE
SHRUBS	**SIZE**		**BOTANICAL NAME**	**COMMON NAME**
	5 GAL.	15	LEUCOPHYLLUM FRUTESCENS	TEXAS RANGER
	5 GAL.	15	RAPHIOLEPIS INDICA	INDIAN HAWTHORN
	5 GAL.	15	ROSMARINUS OFFICINALIS 'PROSTRATUS'	DWARF ROSEMARY

EXISTING LANDSCAPE LEGEND

EXISTING OAK TREE TO REMAIN

EXISTING MEXICAN FAN PALMS TO REMAIN

ANALYSIS

TOTAL LANDSCAPE BUFFER AREA = 4,054 SQ. FT.

DENOTES BUFFER AREA

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CONCEPTUAL LANDSCAPE PLAN
LAND USE SUBMITTAL

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drawn by: KKG/MS/PT/AK
checked by: RCC
project no: 09-150
revisions: 5-4-2010

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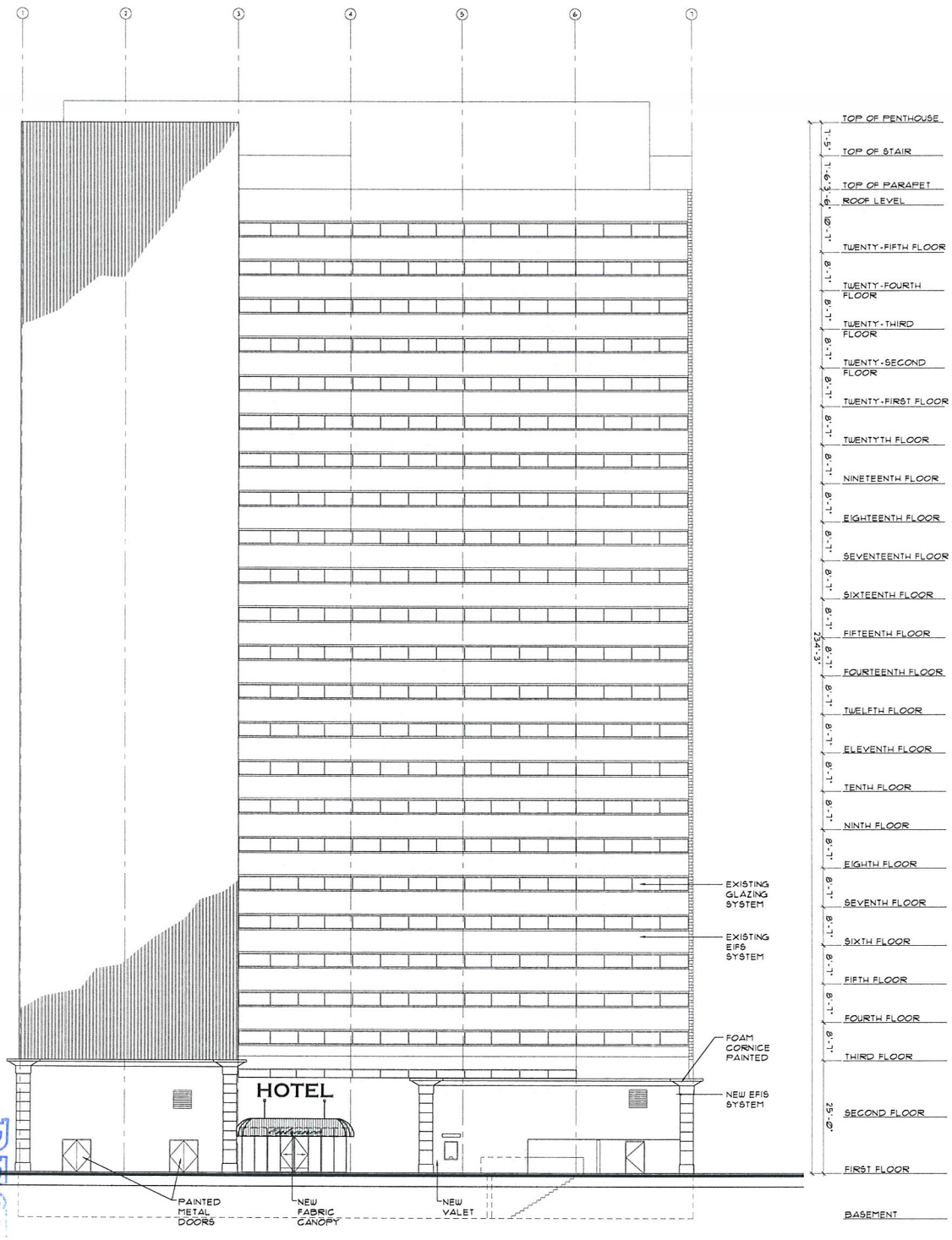

1 A6.02 WEST ELEVATION
SCALE: 3/32"=1'-0"

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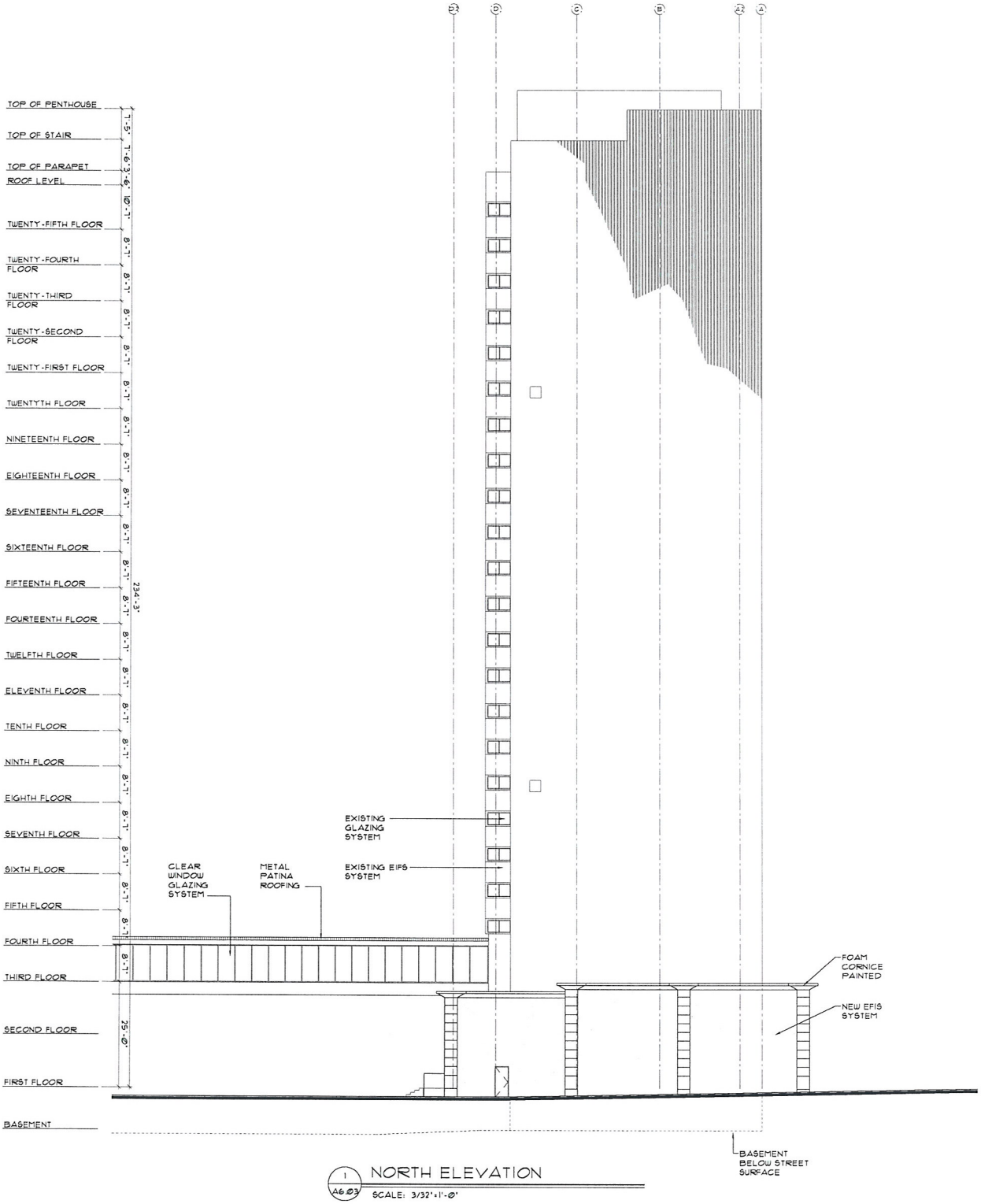

1 A6.03 NORTH ELEVATION

SCALE: 3/32"=1'-0"

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drawn by: KKC/TS/PT/AK
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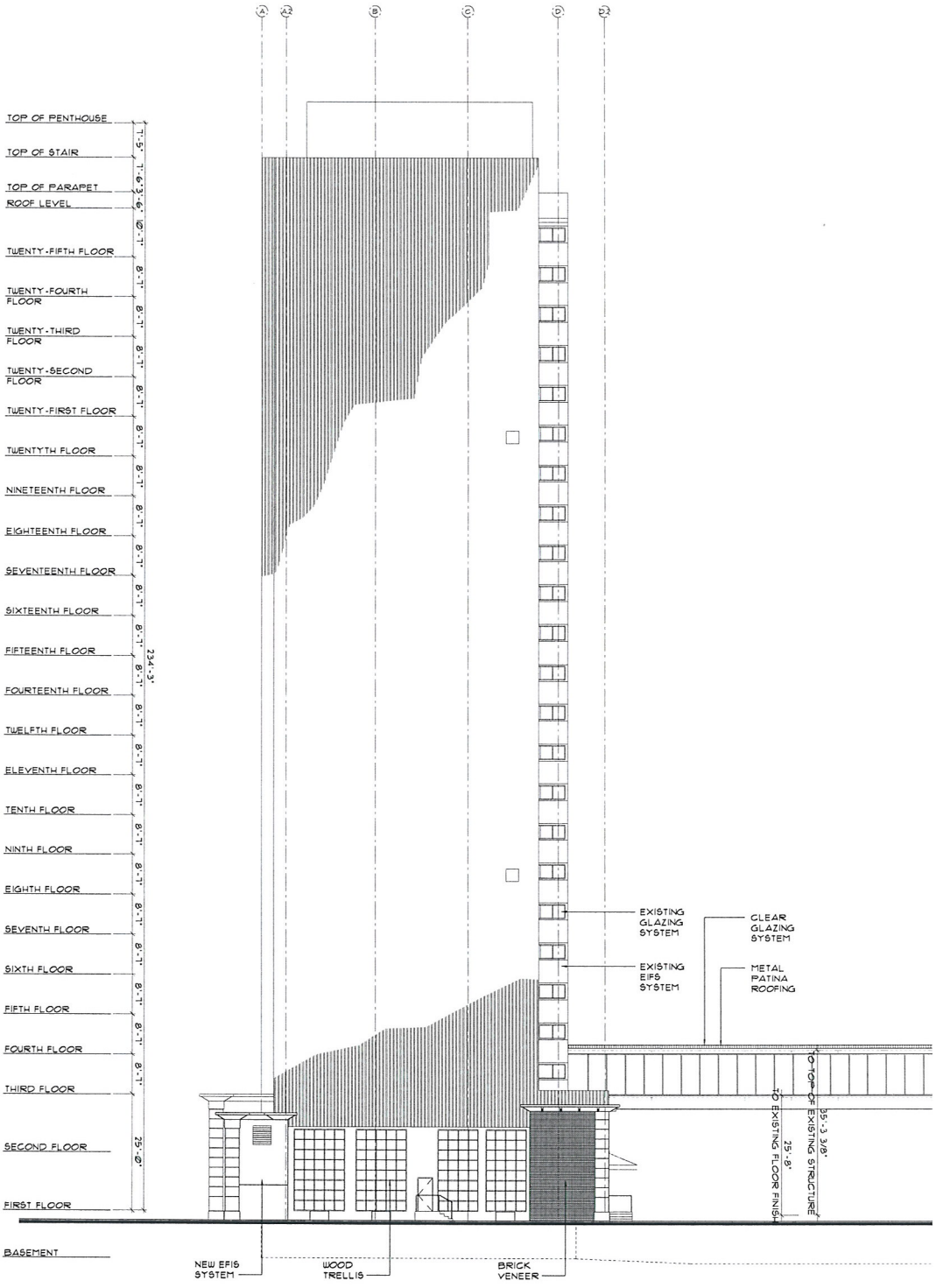

1 A6.04 SOUTH ELEVATION

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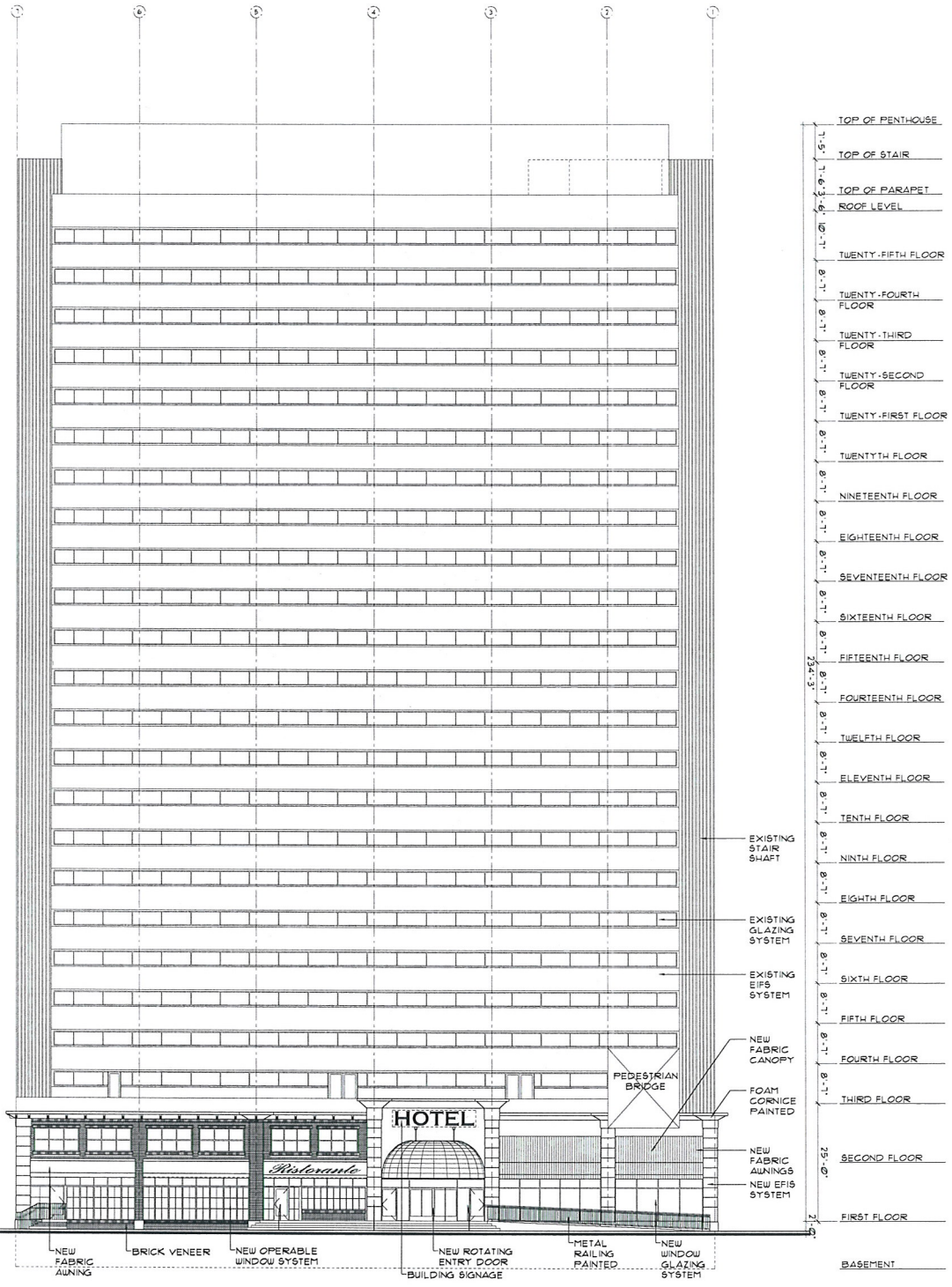

1 A6.01 EAST ELEVATION

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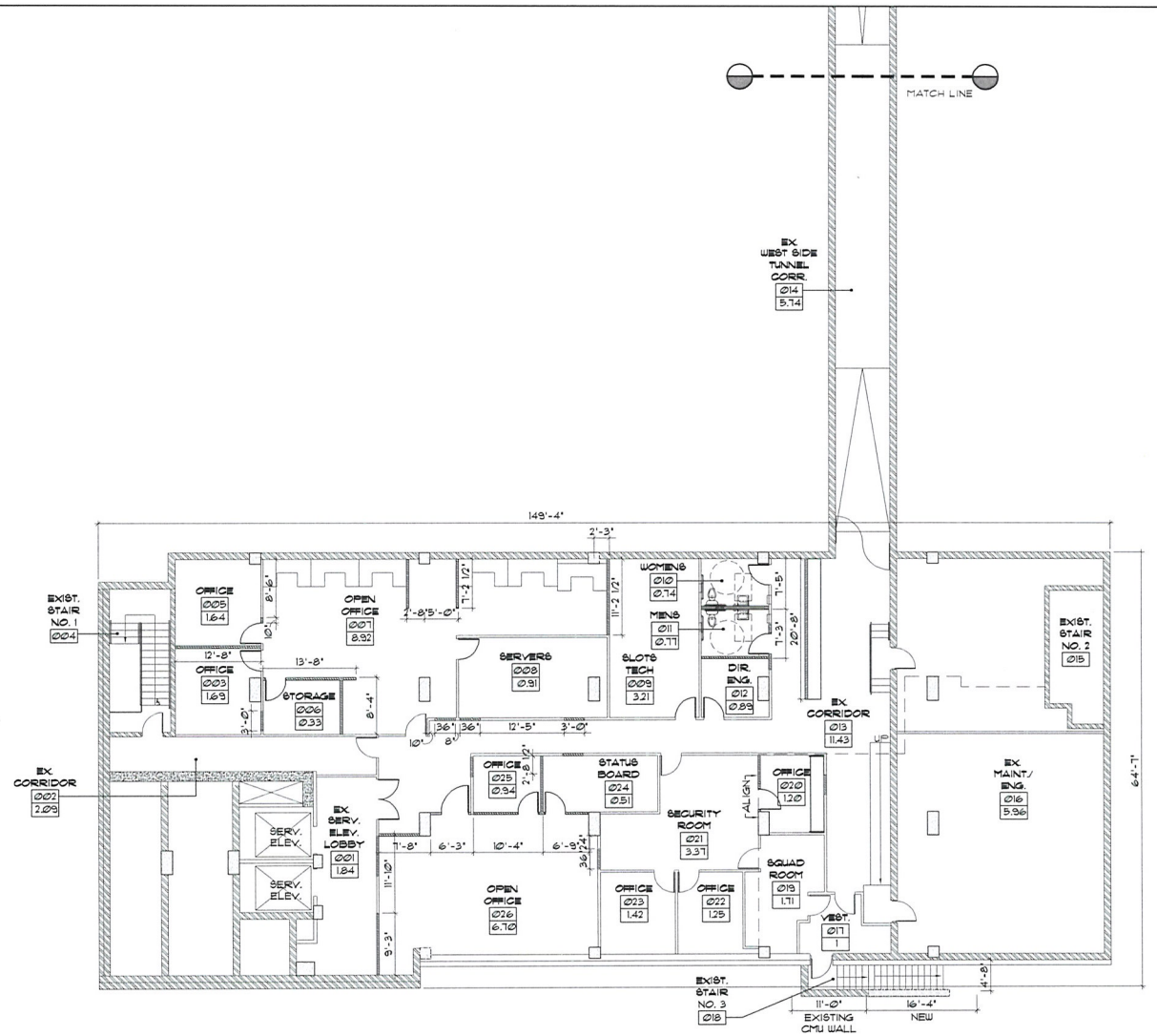

A A1.00 WEST TOWER BASEMENT FLOOR PLAN
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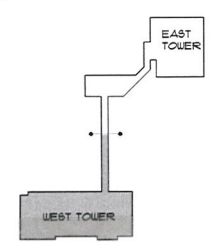
KEY PLAN



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SCALE: N.T.S.

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BASEMENT FLOOR PLAN
LAND USE SUBMITTAL

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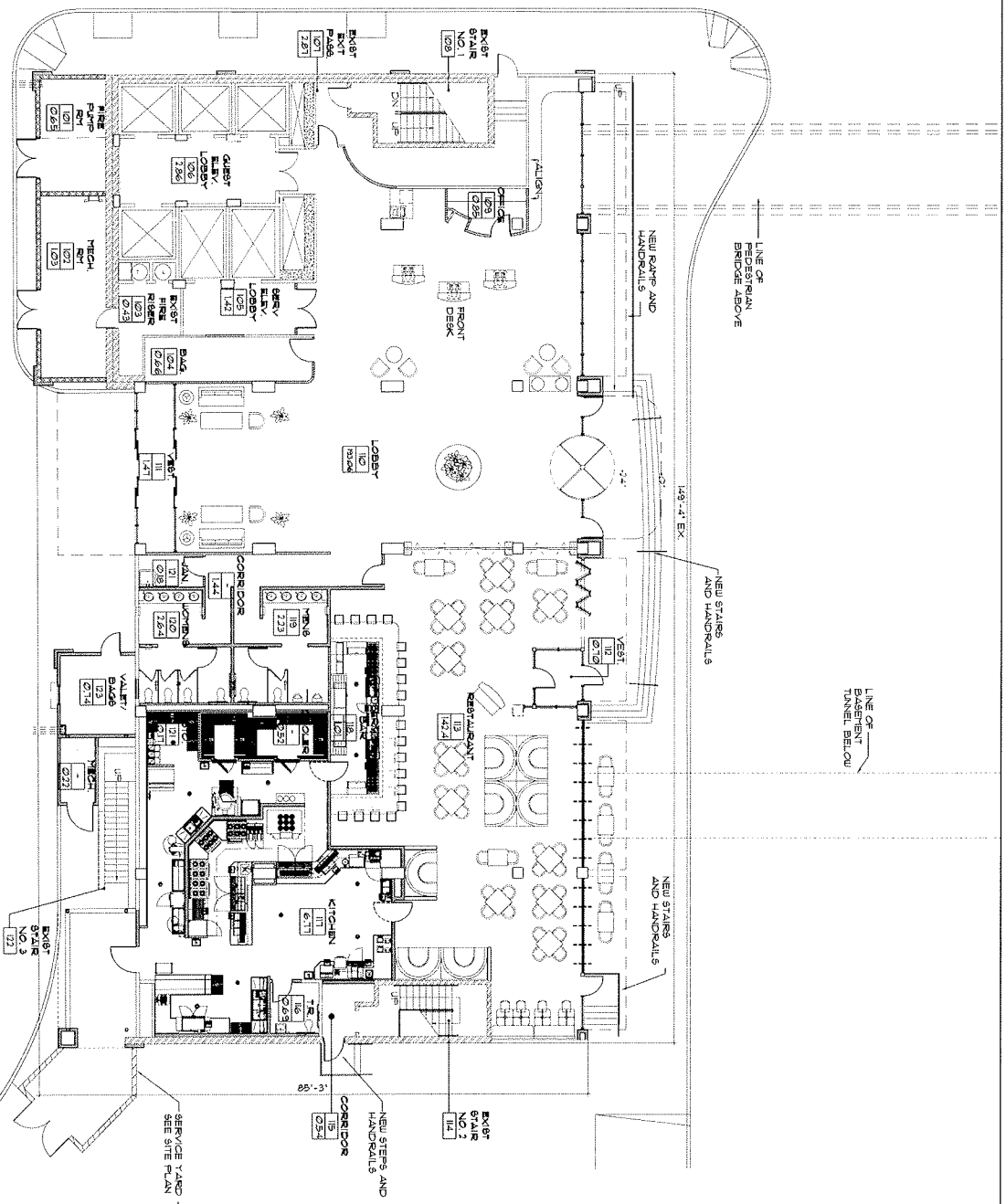

A1.01 WEST TOWER 1ST FLOOR PLAN

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revisions:

project no. 09-150

drawn by: MS/JC/BP/MT/AK

approved by: RGG

issue status:

sheet title: WEST TOWER 1ST FLOOR LAND USE SUBMITTAL

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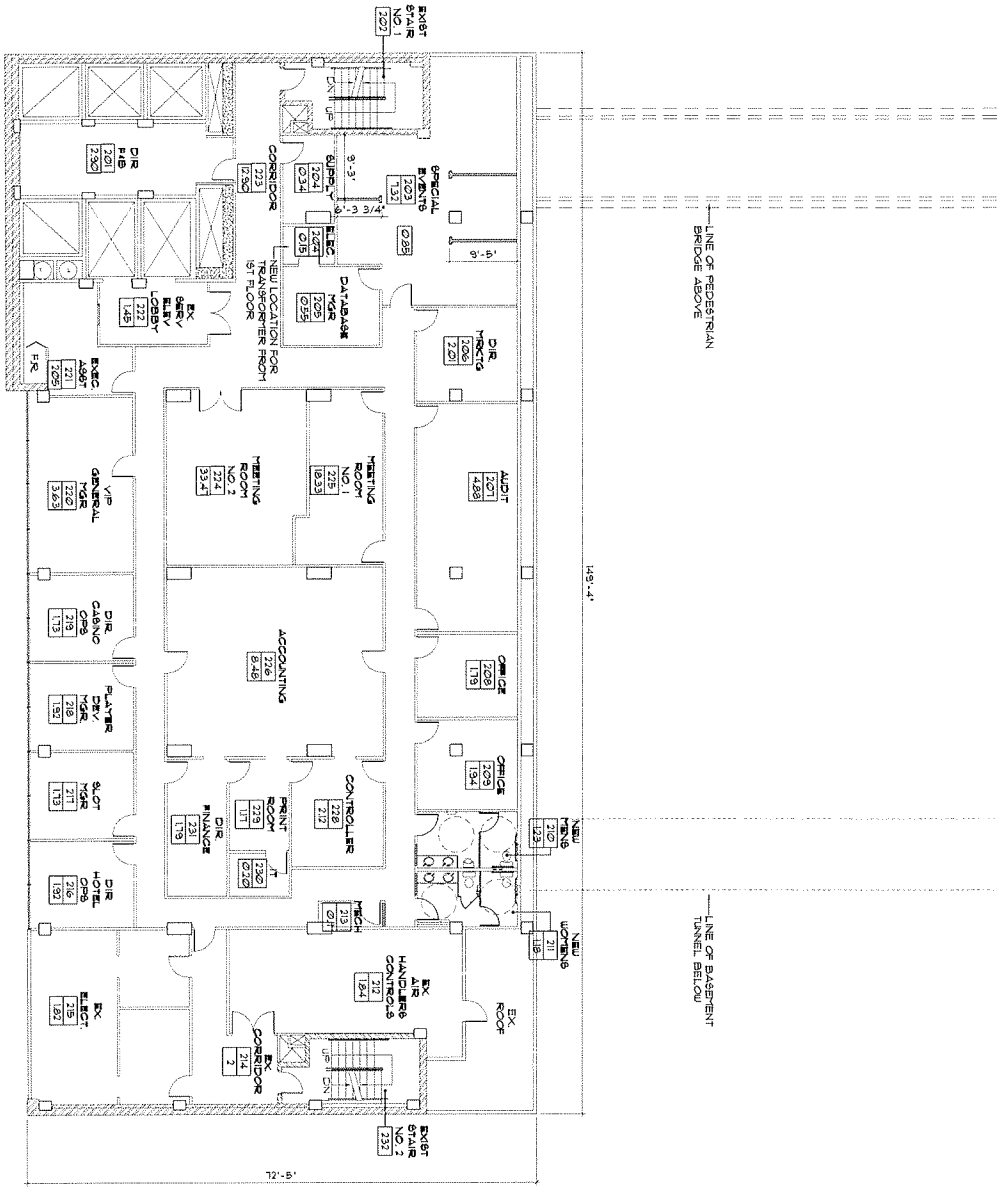

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sheet no.: A1.02
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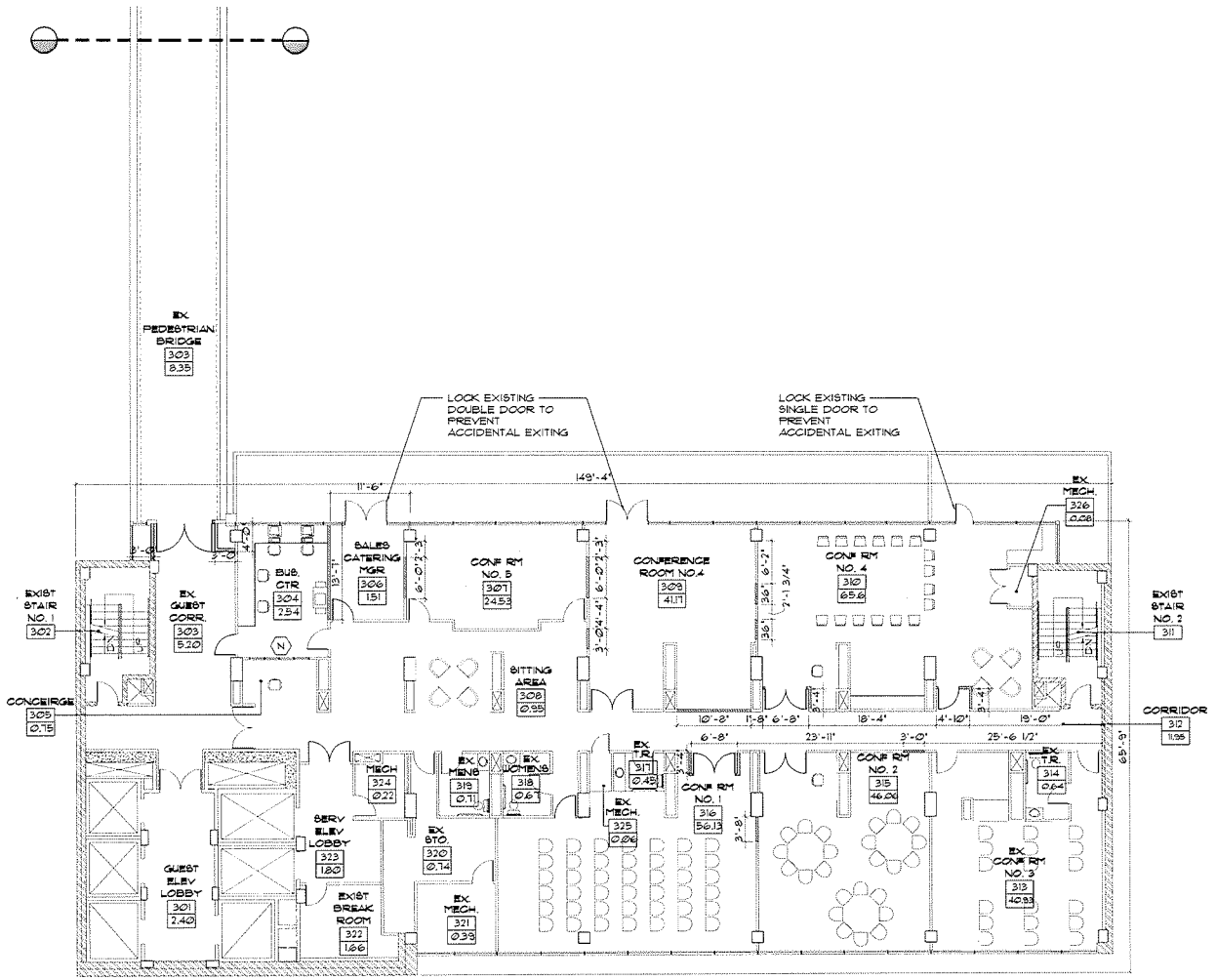
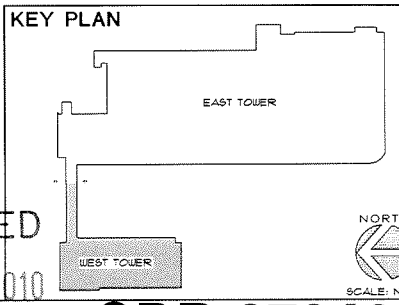


A1.03 WEST TOWER 3RD FLOOR PLAN

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

NORTH

KEY PLAN



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project title: Lady Luck RENOVATION / EXPANSION 206 N. 3RD ST, LAS VEGAS, NEVADA (8901)

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sheet title: WEST TOWER 3RD FLOOR PLAN LAND USE SUBMITTAL

issue dates:

drawn by: RDG/RB/RPT/AK

checked by: RDG

project no.: 09-150

revisions:

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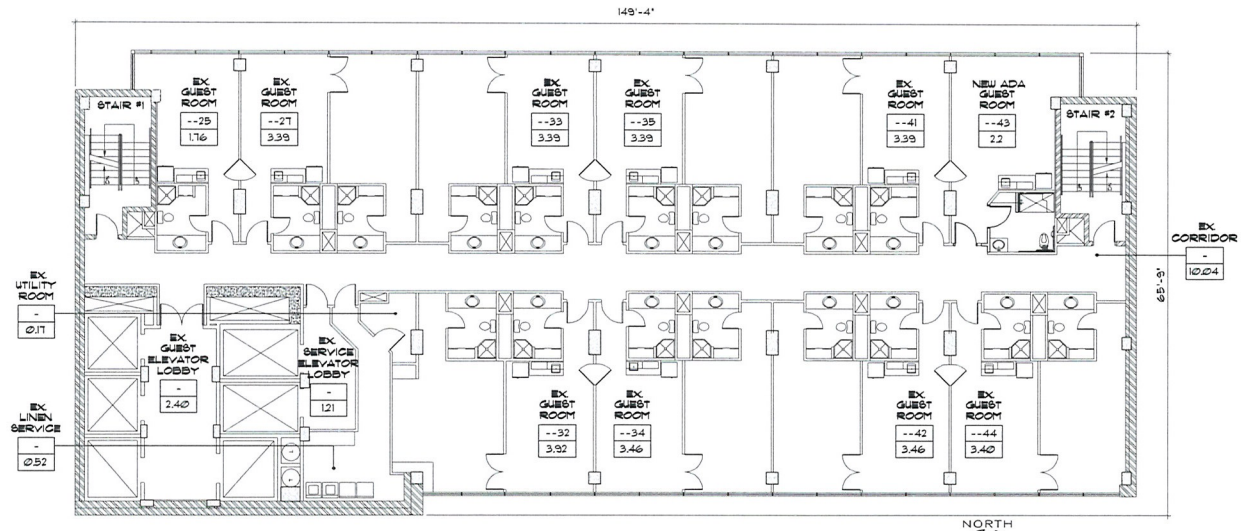
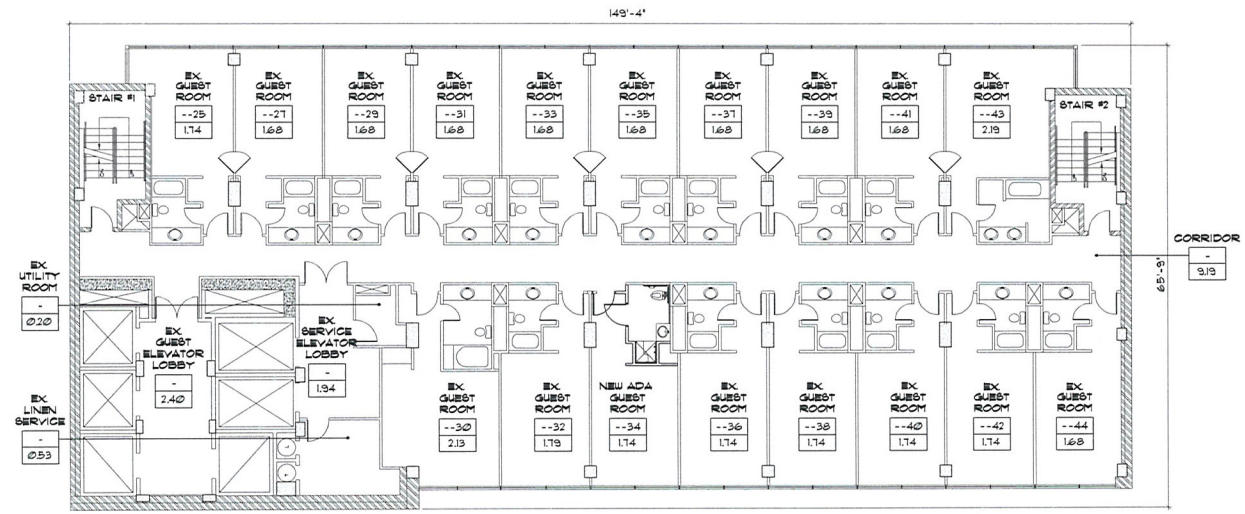


A / A1.04 WEST TOWER 4TH AND 5TH FLOOR PLAN

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



B / A1.04 WEST TOWER 6TH THRU 24TH FLOOR PLAN

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

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project title:
Lady Luck
RENOVATION / EXPANSION
200 N. 3RD ST. LAS VEGAS, NEVADA 89101

PRELIMINARY
NOT FOR CONSTRUCTION
4-9-2010

sheet title:
WEST TOWER- 4TH, 5TH AND 6TH THRU 24TH FLOOR PLANS
LAND USE SUBMITTAL

issue dates:

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checked by: RCG
project no.: 09-150
revisions:

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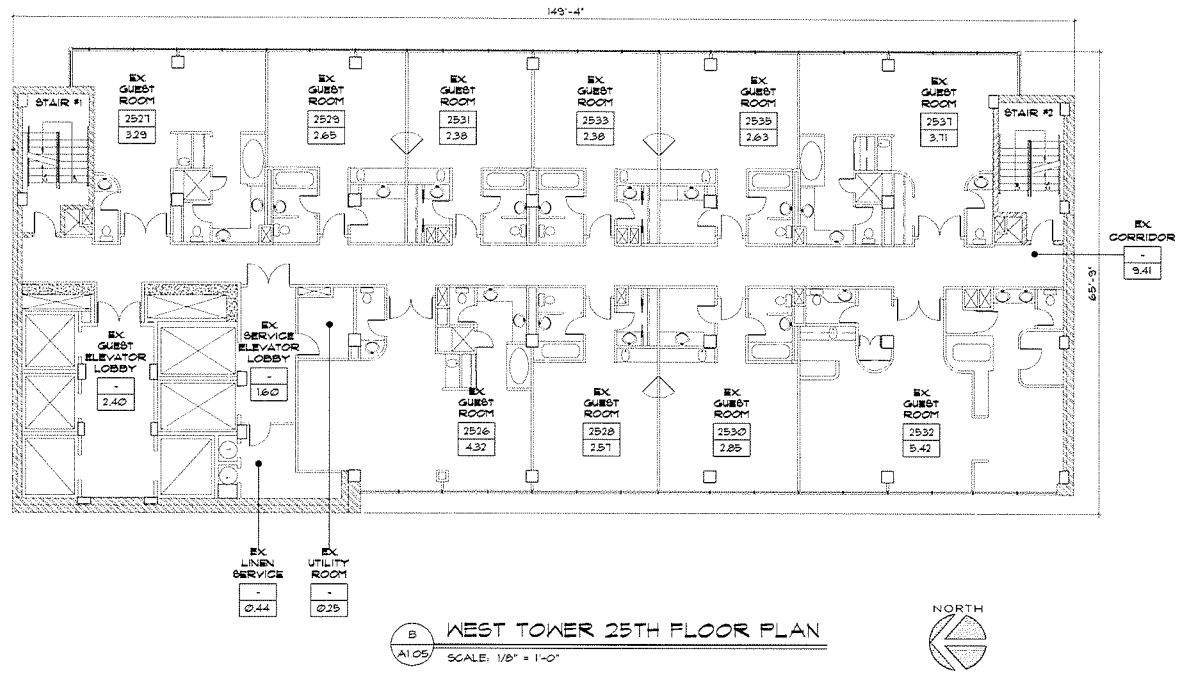

B / A1.05 WEST TOWER 25TH FLOOR PLAN

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

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RENOVATION / EXPANSION

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25TH FLOOR PLAN

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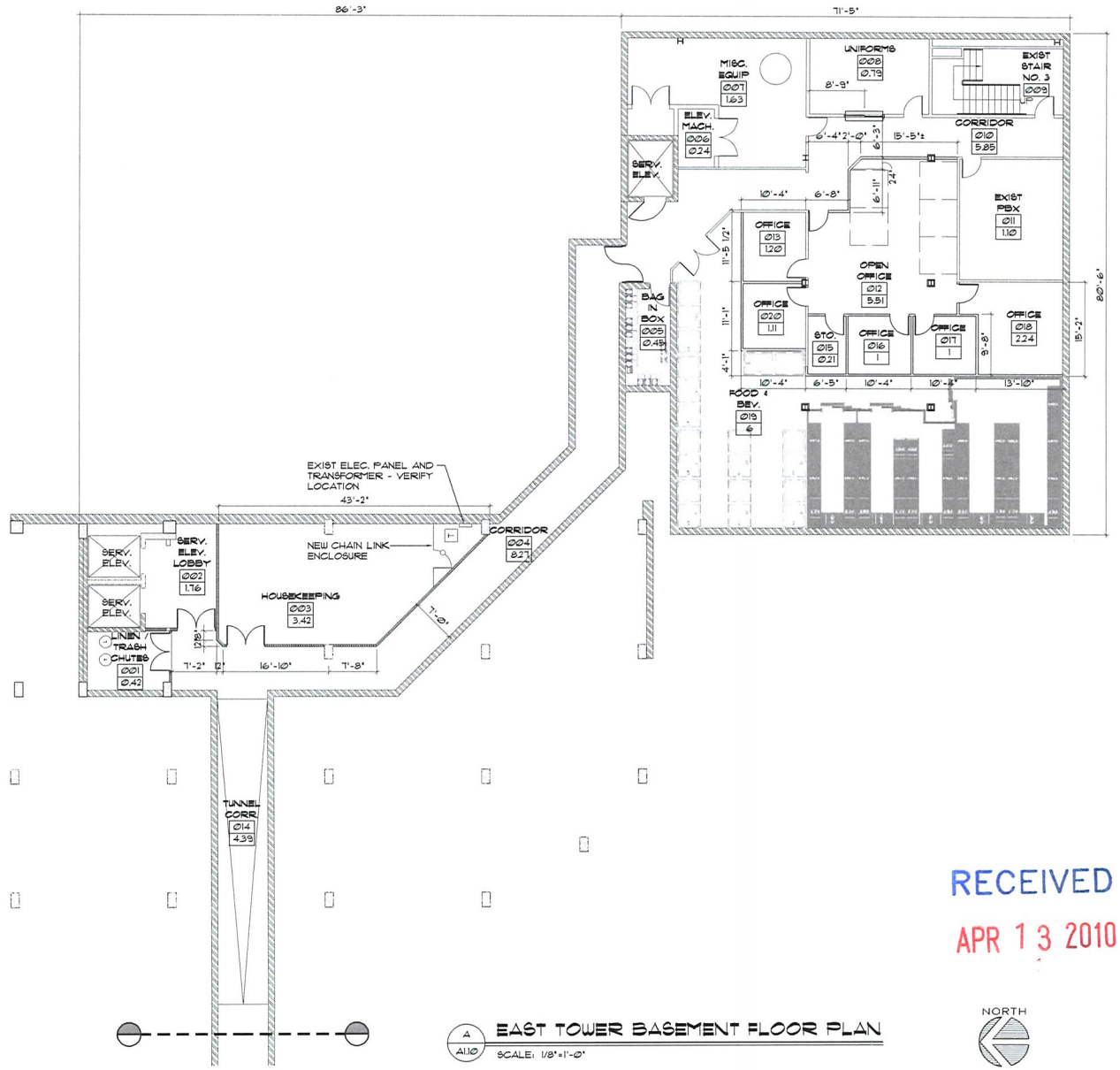

A / A1.10 EAST TOWER BASEMENT FLOOR PLAN
SCALE: 1/8"=1'-0"

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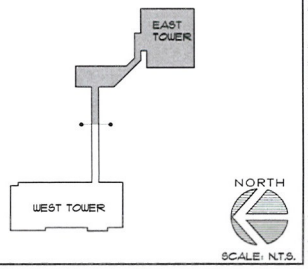
KEY PLAN



SCALE: N.T.S.

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project title:
Lady Luck
RENOVATION / EXPANSION
206 N. 3RD ST. LAS VEGAS, NEVADA 89101

PRELIMINARY
NOT FOR CONSTRUCTION
4-9-2010

sheet title:
EAST TOWER
BASEMENT FLOOR PLAN
LAND USE SUBMITTAL

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checked by: RCG
project no.: 09-150
revisions:

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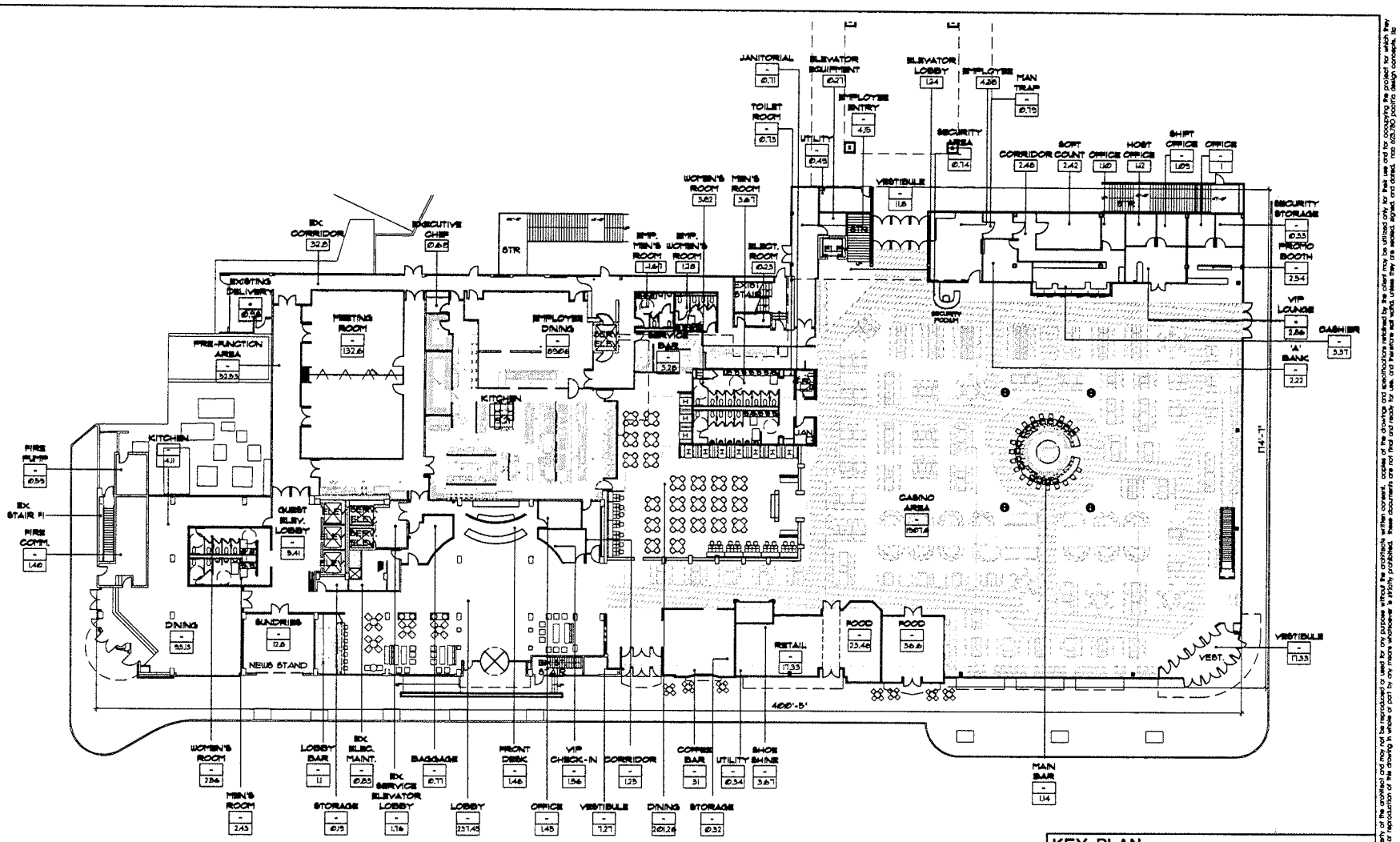

A1.11 EAST TOWER OVERALL 1ST FLOOR PLAN

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

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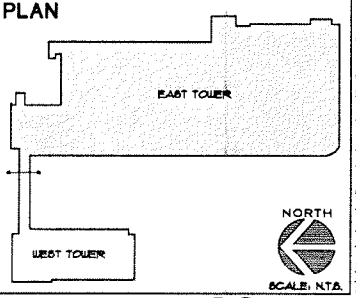
KEY PLAN



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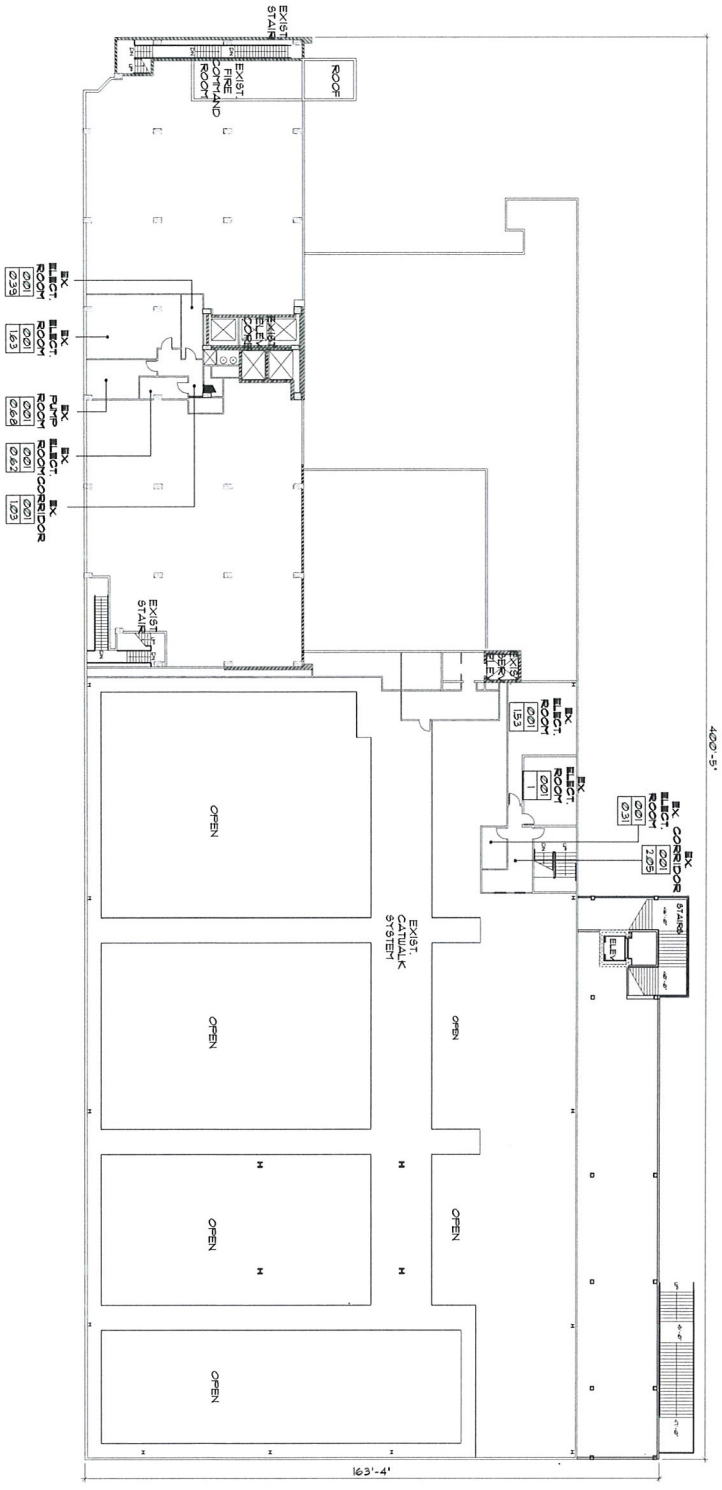
Suite 200
Suite 200
Suite 200



A A1.12 EAST TOWER OVERALL 2ND FLOOR PLAN
SCALE: 1/16"=1'-0"

NORTH

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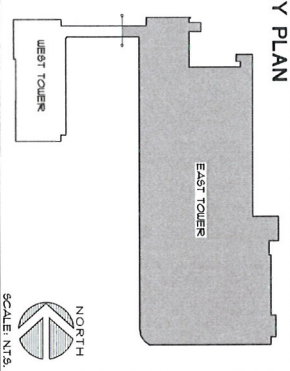
KEY PLAN



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issue status:
drawn by: AGG/MB/MT/JAC
checked by: RCG
project no.: 09-150
revisions:

sheet title: EAST TOWER OVERALL 2ND FLOOR PLAN LAND USE SUBMITTAL

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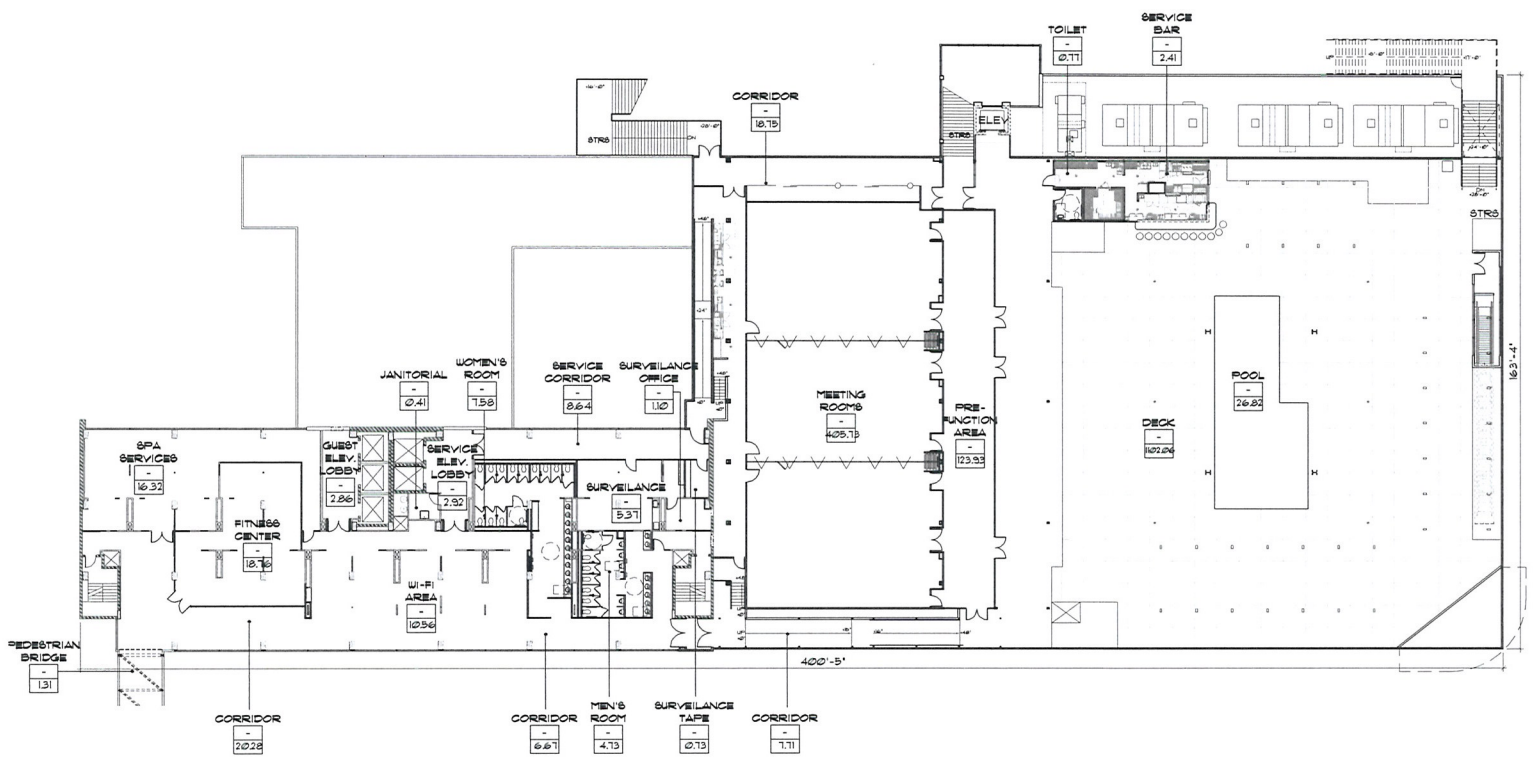

A1.13 EAST TOWER OVERALL 3RD FLOOR PLAN

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

NORTH

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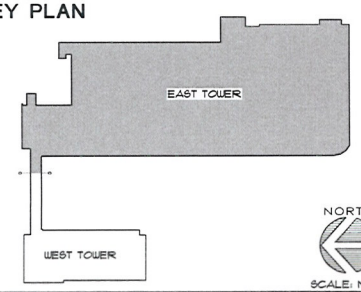
KEY PLAN



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sheet title •
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LAND USE SUBMITTAL

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KDG/MTB/PT/AK
checked by •
RCG
project no. •
09-180
revisions •

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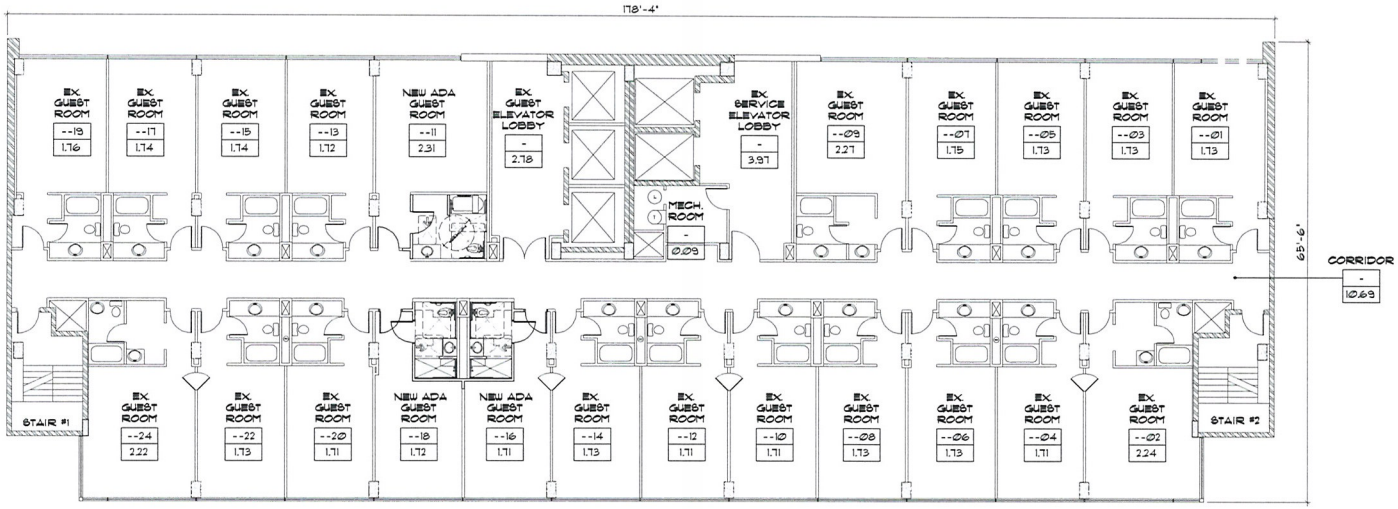
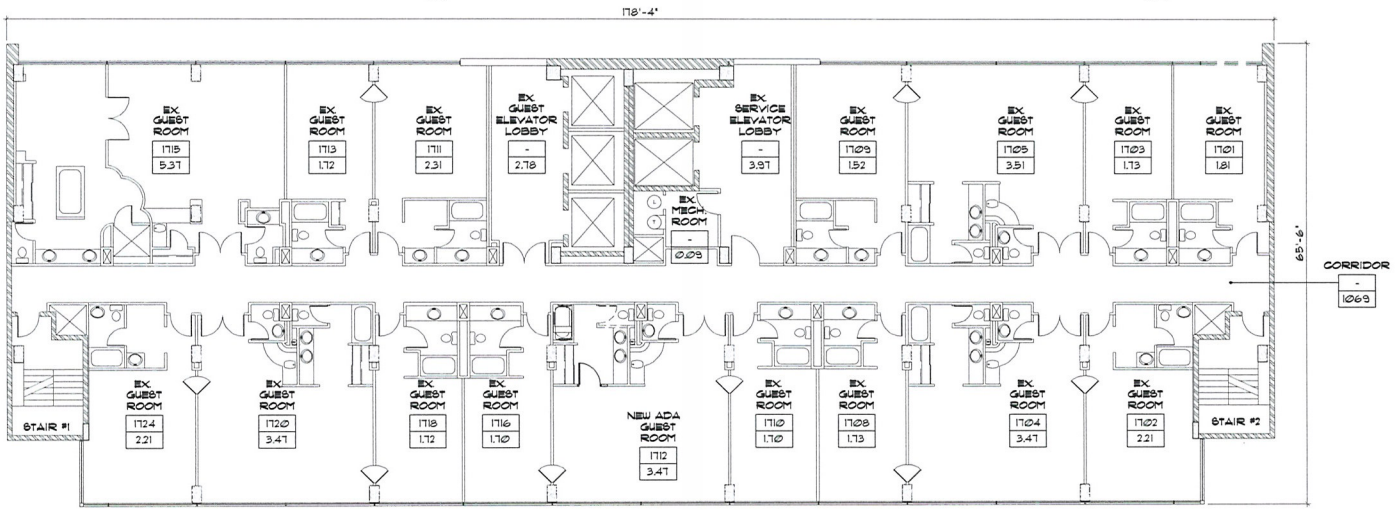


A A1.14 EAST TOWER 4TH THRU 16TH AND 17TH FLOOR PLAN

SCALE: 1/8" = 1-0"

NORTH



B A1.14 EAST TOWER 17TH FLOOR PLAN

SCALE: 1/8" = 1-0"

NORTH

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sheet title:
EAST TOWER-4TH THRU 16TH AND 17TH FLOOR PLANS
LAND USE SUBMITTAL

issue dates:

drawn by: KGG/MB/APT/AK
checked by: RCG
project no.: 09-150
revisions:

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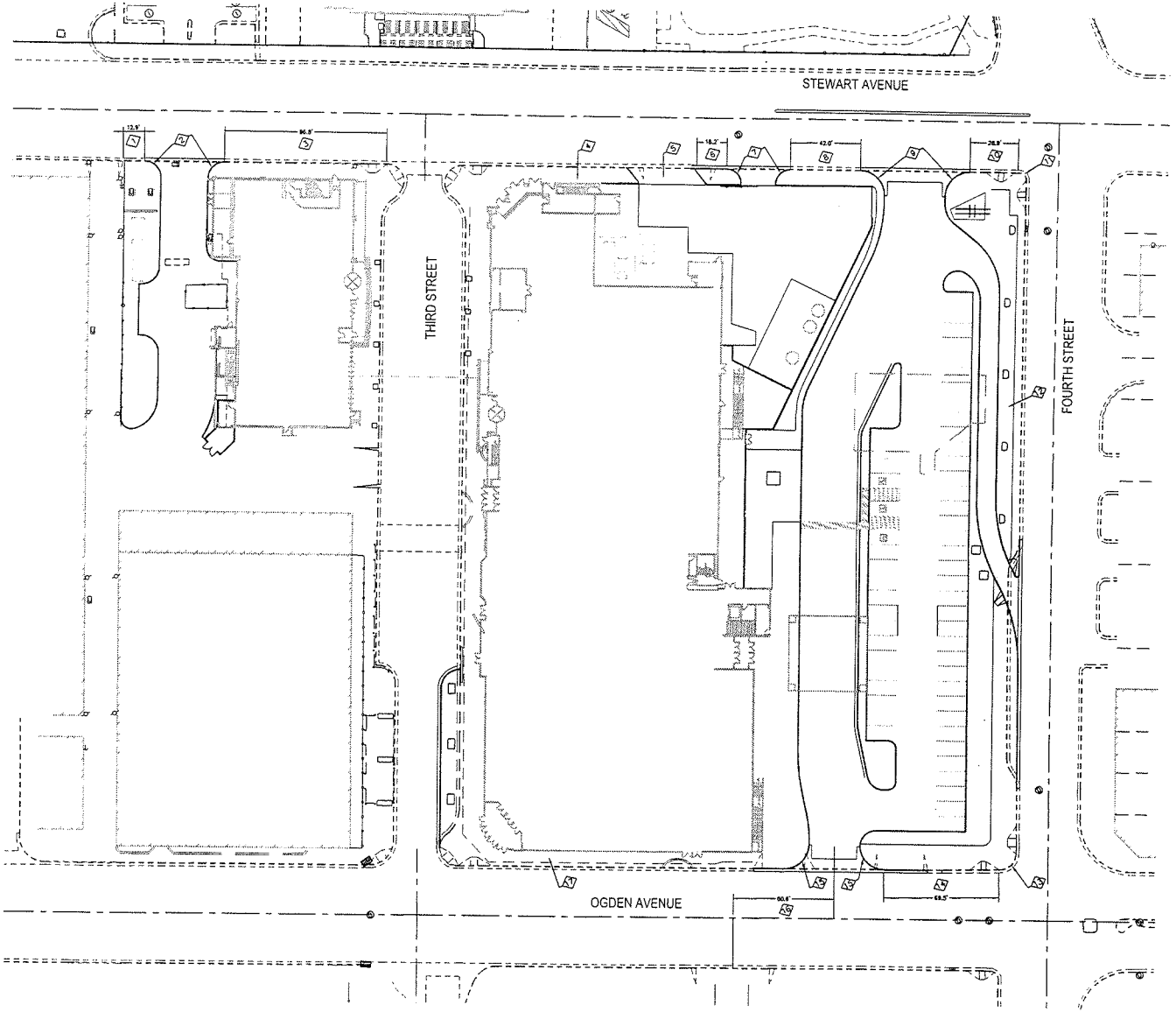
A1.14
of sheets



SCALE: 1"=40'

40 20 0 40

WAIVER NOTES:

1. WAIVER FOR MINIMUM DISTANCE FROM ALLEY TO DRIVEWAY. CURRENTLY PROPOSED 12.9'.
2. WAIVER FOR MINIMUM CURB RETURN RADIUS AT DRIVEWAY. CCAUSD §222A REQUIRES 15' MIN.-EGRESS AND 25' MIN.-INGRESS. CURRENTLY PROPOSED 8.3' FOR BOTH EGRESS AND INGRESS.
3. WAIVER FOR MINIMUM DISTANCE FROM DRIVEWAY TO STREET INTERSECTION. CCAUSD §222A REQUIRES 150' MINIMUM. CURRENTLY PROPOSED 86.8'.
4. WAIVER FOR SIDEWALK WIDTH. LAS VEGAS DOWNTOWN CENTENNIAL PLAN REQUIRES 10' WIDE SIDEWALK WITH 5' WIDE LANDSCAPE/AMENITY AREA ADJACENT TO ROW. CURRENTLY EXISTING 9.4' TOTAL WIDTH.
5. WAIVER FOR CURB RETURN DRIVEWAY PER CCAUSD §222A. CURRENTLY PROPOSED 42' ANGULAR CUT DRIVEWAY FOR LOADING AREA.
6. WAIVER FOR MINIMUM DISTANCE FROM DRIVEWAY TO DRIVEWAY. CURRENTLY PROPOSED 18.2'.
7. WAIVER FOR MINIMUM CURB RETURN RADIUS AT DRIVEWAY. CCAUSD §222A REQUIRES 15' MIN.-EGRESS AND 25' MIN.-INGRESS. CURRENTLY PROPOSED 8.5' FOR BOTH EGRESS AND INGRESS FOR LOADING AREA.
8. WAIVER FOR MINIMUM DISTANCE FROM DRIVEWAY TO DRIVEWAY. CURRENTLY PROPOSED 42'.
9. WAIVER FOR MINIMUM CURB RETURN RADIUS AT DRIVEWAY. CCAUSD §222A REQUIRES 15' MIN.-EGRESS AND 25' MIN.-INGRESS. CURRENTLY PROPOSED 14.5' FOR BOTH EGRESS AND INGRESS.
10. WAIVER FOR MINIMUM DISTANCE FROM DRIVEWAY TO STREET INTERSECTION. CCAUSD §222A REQUIRES 150' MINIMUM. CURRENTLY PROPOSED 28.8'.
11. WAIVER FOR STREET INTERSECTION CURB RETURN PER THE LAS VEGAS DOWNTOWN CENTENNIAL PLAN.
12. WAIVER FOR SIDEWALK WIDTH. LAS VEGAS DOWNTOWN CENTENNIAL PLAN REQUIRES 10' WIDE SIDEWALK WITH 5' WIDE LANDSCAPE/AMENITY AREA ADJACENT TO ROW. CURRENTLY PROPOSED 14' TOTAL WIDTH.
13. WAIVER FOR STREET INTERSECTION CURB RETURN PER THE LAS VEGAS DOWNTOWN CENTENNIAL PLAN.
14. WAIVER FOR MINIMUM DISTANCE FROM DRIVEWAY TO STREET INTERSECTION. CCAUSD §222A REQUIRES 150' MINIMUM. CURRENTLY PROPOSED 69.5'.
15. WAIVER FOR MINIMUM CURB RETURN RADIUS AT DRIVEWAY. CCAUSD §222A REQUIRES 15' MIN.-EGRESS AND 25' MIN.-INGRESS. CURRENTLY PROPOSED 14.5' FOR BOTH EGRESS AND INGRESS.
16. WAIVER FOR 150' MINIMUM DISTANCE FROM CENTERLINE OF OPPOSING DRIVEWAYS. CURRENTLY PROPOSED 60.8'.
17. WAIVER FOR SIDEWALK WIDTH. LAS VEGAS DOWNTOWN CENTENNIAL PLAN REQUIRES 10' WIDE SIDEWALK WITH 5' WIDE LANDSCAPE/AMENITY AREA ADJACENT TO ROW. CURRENTLY EXISTING 9.2' TOTAL WIDTH.

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WAIVER EXHIBIT
LADY LUCK RENOVATION
CIM / RESORT GAMING
CITY OF LAS VEGAS

NO.	DATE	DESCRIPTION	BY
1			

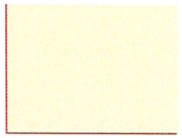
DATE	03-23-2010
DRAWN	RAS
DESIGNED	RAS
CHECKED	DML
PROJECT #	21080M500

SHEET TITLE: WAIVER EX.

SHEET NUMBER: EX-2

LAND USE #: —

SDR-37946



EFIS



Window Glazing



Canopy



Brick Veneer



Stone Veneer

Limestone

Window Glazing



Hardware



Metal Patina



Awning



Pavers



Tile



Tile



Glass Block



Metal Fascia

Awning

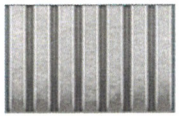
Travertine



Wood



Tile



Galvanized



Signage



Signage



Brick



Marble

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Lady Luck Exterior Color & Materials

BRESLIN BUILDERS
DESIGN-BUILD GENERAL CONTRACTOR

pacificdesignconcepts PDC
architecture & planning

HFAI
HFA International



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220 NORTH 4TH STREET

04/22/10



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220 NORTH 4TH STREET

04/22/10



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220 NORTH 4TH STREET

04/22/10



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220 NORTH 4TH STREET

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220 NORTH 4TH STREET

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220 NORTH 4TH STREET

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220 NORTH 4TH STREET

04/22/10

RESORT
GAMING GROUP

April 13, 2010

Flynn Fagg
City of Las Vegas
Planning & Development
731 S. Fourth Street
Las Vegas, Nevada 89101

Re: **JUSTIFICATION LETTER**
SDR Application re APN's 139-34-510-019, 139-34-514-007 & 008 & 009, 139-34-501-009 &010

Dear Mr. Fagg:

Please accept this as our official justification letter for the SDR encompassing the expansion and remodel of the Lady Luck Hotel & Casino located at 3rd Street & Ogden. The Applications are FOR A SDR FOR A PROPOSED RENOVATION OF AN EXISTING NON-RESTRICTED GAMING FACILITY HOTEL/CASINO WITH A WAIVER OF THE DOWNTOWN CENTENNIAL PLAN STREETSCAPE REQUIREMENTS; WAIVER OF THE PARKING SCREENING STANDARD; AND A WAIVER OF THE BUILD-TO-REQUIREMENT ALONG OGDEN AVENUE AND ALONG 4TH STREET on 3.12 acres at 206 North 3rd Street and 220 North 4th Street zoned C-2 (General Commercial).

The proposed renovation will further enhance the revitalization of Downtown by making it a destination that attracts tourists and locals as well as assist in the success of the Mob Museum. This expansion will not change the history and culture that has been well established in Downtown, but will rather create more energy and help enhance the attractiveness of the Downtown Renaissance. We believe our waivers and the proposed expansion and renovation are 'in-line' with the vision of the Centennial Plan and will further help change the face of downtown and spark the Renaissance that is currently stalled. Our renovation will be a crucial part of Downtown Las Vegas and will further enhance the beautification and revitalization of Downtown.

The following is a summary of the highlights of the renovation we will undertake:

1. Adding approximately 8,533 SF of meeting space and 17,250 SF of pool/deck space on the roof of the existing casino on the corner of Ogden and 3rd St.

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2. We have demolished the 112 rooms that existed along 4th St which resulted in a reduction of approximately 41,000 SF and we will be removing 50 rooms in the 2 towers from its original construction and replacing it with a spa, a fitness room, bathrooms, public corridors and office space.
3. Renovating the remaining 634 rooms, casino and new retail to a much higher standard than previously existed.
4. Adding a new central plant.
5. Redesigning the existing loading dock along Stewart Ave so that trucks will no longer be required to back in from Stewart and now have a built in turn around.
6. Stripping the existing bridge between the east and west towers down to its structural elements. This includes trimming the parapet and soffit to minimal dimensions and changing the glass to a clear system so that it can be see through.
7. Adding a controlled surface parking lot with 54 spaces along 4th St., a porte-cochere along 4th St, a drop off/valet zone behind the west tower, per city request – changing the direction of the alley between 3rd St. and Casino Center and a request that the parking meters along Ogden b/w 3rd St. be returned to a Commercial Loading Zone during the day. This is all done in an attempt to alleviate some of the anticipated downtown traffic burdens given the impact of our re-opening. From a parking perspective, we have added 54 parking spaces while reducing the existing room base by 162 rooms.

As part of this justification letter, we would like to formally request three waivers to the Downtown Centennial Plan ("DCP"). They are as follows:

1. Downtown Gateway District Streetscape Design Standards, Sections A, B & C.

   We are requesting a waiver to the East/West and North/South street tree requirements as well as the requirement for a 5 foot amenity zone portion of the sidewalk along the north side of Ogden Avenue, the east side of 4th St. and the south side of Stewart Ave. Our request is based on the fact that the pre-existing conditions on Ogden and Stewart do not allow for expansion of the sidewalks or tree requirements due to fact that existing conditions conflict with trees/tree pits/tree canopies. Along 4th St. we are seeking a waiver of the tree distance requirements due to the fact that the existing tree distances are more than 30 feet and are not the species identified in the DCP. Please note that the overall renovation, in its entirety, provides the pedestrian environment required and spirit of the DCP

   Additionally, there are other numerous minor civil waivers based on the new site plan that are identified and noted on the attached Civil Waiver Exhibit. Please note we have included a full size copy with our submittal.

SDR-37946
REVISED

2. Downtown Gateway District Site Planning Standards, Sections A, E and G.

   We are requesting 2 minor encroachments along the south side of Stewart. A 10 inch encroachment on a small portion of the existing building between 3rd St and the alley to the west and a 6 inch encroachment on a small portion of the existing building between 4th St. and 3rd St. Our request will help the building frontage along Stewart Ave. conform to the architectural style/elements on 3rd St. Additionally, this will enhance the view for pedestrians who will be exiting and entering the Mob Museum.

   We are also requesting a waiver to the undergrounding of utilities/power lines based on the existing conditions that exist along Stewart Ave. and other property lines.

3. Downtown Gateway District Parking and Related Standards, Section D.

   We are requesting a waiver of the Parking Screening requirement along 4th St. due to its architectural non-conformity with our overall design as well as the fact that we will be installing landscaping along the buffer zone. Please note that the square footage of the landscape area of the surface parking lot along the street frontage at Ogden, 4th, and up to Stewart is 4,054 SF (Ogden along 4th to the turn in).

If you have any questions and/or concerns, please do not hesitate to contact me.

Sincerely,

Todd Kessler

Todd Kessler

SDR-37946
REVISED

City of Las Vegas Agenda Item No.: **50.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

SUBJECT:
ABEYANCE - TXT-37525 - 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 and applicability of the Utility Transmission Lines use to meet NRS requirements, 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. Email Abeyance Request
2. Proposed Amendment and Staff Report

Carman Burney

From: Robert Summerfield
Sent: Wednesday, May 12, 2010 7:51 AM
To: Steve Gebeke
Cc: Flinn Fagg; Doug Rankin; Carman Burney; Margo Wheeler; Daniel Donley
Subject: TXT-37525 (NRS/2020 MP Requirements for Utility Lines) - Request to Hold in Abeyance

PLANNING & DEVELOPMENT
DEVELOPMENT SERVICES CENTER
731 S. Fourth Street
Las Vegas, NV 89101
Voice 702-229-6301
Fax 702-474-0352
TTY 702-386-9108
www.lasvegasnevada.gov

May 12, 2010

Mr. Steve Gebeke
City of Las Vegas
Planning and Development Department
731 South Fourth Street, 2nd Floor
Las Vegas, Nevada 89101

RE: TXT-37525 - TEXT AMENDMENT

Dear Mr. Gebeke:

I would like to request that case number TXT-37525 be held in abeyance for 30 days at the May 27, 2010 Planning Commission Meeting. For reference this item was held in abeyance at the April 22nd meeting at staff's request. Holding this item for an additional 30 days (to the June 24th meeting) will allow staff additional time to address concerns that have been raised since this item was placed on the Planning Commission agenda. Please let me know if there are any questions.

Sincerely,

Robert T. Summerfield, AICP
Planner II
Planning and Development

Mayor
Oscar B. Goodman
City Council
Gary Reese
(Mayor Pro Tem)
Steve Wolfson
Lois Tarkanian
Steven D. Ross
Ricki Y. Barlow
Stavros S. Anthony
City Manager
Elizabeth N. Fretwell

07101-001-05-09

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
TXT-37525	Staff recommends APPROVAL.	N/A

** PROPOSED AMENDMENT(S) **

1. Title 19.04.010 is hereby amended as follows:

19.04.010 LAND USE TABLES

Table 2 – Utilities, Communications & Transportation

USE	RESIDENTIAL												COMMERCIAL						INDUSTRIAL		
Utility Transmission Lines	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
	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
	Description: Utility infrastructure providing electrical power, natural gas, telephone, or cable television which is installed, operated and maintained by a municipality or a franchised utility company.																				
	Conditional Use Regulations: 1. The location of routes for lines which are 15,000 volts or above must first be approved by the Planning Commission. 2. The location of routes for lines which transport natural gas that operates at 20 percent or more of the specified minimum yield strength of the material from which the line is constructed which has been approved for construction after October 1, 1991 by the state or federal government must first be approved by the Planning Commission. 3. The approval of a special use permit will serve as the method of compliance with NRS 278.145(2) reporting requirements.																				
	On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.																				

2. Title 19.20.020 is hereby amended by adding hereto the term "Utility Transmission Lines" and its corresponding definition as follows:

"Utility Transmission Lines" means utility infrastructure that:

1. Provides electrical power, natural gas, telephone, or cable television; and
2. Is installed, operated and maintained by a municipality or a franchised utility company.74

DED

Staff Report Page One
May 27, 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 and applicability of the Utility Transmission Lines use to meet NRS requirements.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
11/19/08	The City Council adopted Ordinance 6014, which was introduced as Bill No. 2008-50, to adopt the Public Services & Facilities Element of the Las Vegas 2020 Master Plan. The Planning Commission and staff recommended approval.

Under existing use standards the Utility Transmission Lines use is defined as utility infrastructure providing electrical power, telephone, or cable television which is installed, operated and maintained by a municipality or a franchised utility company. This use does not have parking requirements.

In all standard zoning districts the use is conditionally permitted as follows:

- The location of routes for lines which are 15,000 volts or above must first be approved by the Planning Commission.

An applicant may request a deviation of the these requirements via the Special Use Permit process if they can demonstrate to the satisfaction of the City Council that the use can still be performed in a manner that is harmonious and compatible with surrounding present and future land uses; that the site is physically suitable and adequate access for the use exists; and that the approval would not be inconsistent with or compromise the public health, safety, or welfare objectives of the General Plan.

ANALYSIS

The proposed modification to the description, definition and conditional use regulations of the Utility Transmission Lines use are relatively minor. The change in the description and definition will add the words “natural gas”, as one of the items identified as a utility transmission line. This change is the result of Recommendation 2 of the Las Vegas 2020 Master Plan Public Services & Facilities Element.

The amendment also proposes to make revisions to the Utility Transmission Lines code elements as follows:

- The description and definition will be amended to read: Utility infrastructure providing electrical power, natural gas, telephone, or cable television which is installed, operated and maintained by a municipality or a franchised utility company.
- Adds a condition that requires the location of routes for lines which transport natural gas that operates at 20 percent or more of the specified minimum yield strength of the material from which the line is constructed which has been approved for construction after October 1, 1991 by the state or federal government must first be approved by the Planning Commission.
- Add a condition that the submission of a special use permit will serve as the method of compliance with NRS 278.145(2) reporting requirements.

The proposed changes will fulfill Recommendation 2 of the Las Vegas 2020 Master Plan Public Services & Facilities Element and NRS 278.145, report of location of utility project. Additionally, the inclusion of natural gas in the description and definition will make it clear that natural gas is considered as a utility transmission line and therefore subject to the Utility Transmission Lines use's Special Use Regulations. For these reasons staff recommends approval of this amendment.

FINDINGS

The proposed text amendment will achieve the following:

- Make corrections and clarify various requirements resulting in an improved interpretation and implementation of the Zoning Ordinance;
- Bring the requirements for Utility Transmission Lines into line with the recommendations of the adopted the Public Services & Facilities Element of the Las Vegas 2020 Master Plan and NRS 278.145.

The following table summarizes all proposed changes:

Code Requirements	Existing Regulations	Proposed Regulations
Title 19.04.010 Land Use Tables	• Utility Transmission Lines is a conditional use in all zoning districts • Conditional Use Regulations require that schools be located on a collector street or larger.	• The description and definition will be amended to add natural gas. • Minimum Special Use Permit Requirements for the location of routes for lines to transport natural gas • Special Use Permit Requirements require the city to meet NRS 278.145(2) reporting requirements.
Title 19.20.020 Definitions – Words and Terms Defined	• There is no mention of "natural gas" in the definition for Utility Transmission Lines	• Adds "natural gas" to the definition for Utility Transmission Lines

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

DED

City of Las Vegas Agenda Item No.: **51.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

SUBJECT:
ABEYANCE - DIR-37759 - DIRECTOR'S BUSINESS - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Update on Long Range Planning Items. Staff has NO RECOMMENDATION.

NO ACTION REQUIRED

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

RECOMMENDATION:
Staff has NO RECOMMENDATION.

BACKUP DOCUMENTATION:
NONE

City of Las Vegas Agenda Item No.: **52.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

SUBJECT:
TXT-37855 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to amend Table 2 of Title 19.04 and the Town Center Development Standards Manual to update standards and applicable districts for the Motor Vehicle Sales (New) use. Staff has NO RECOMMENDATION.

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 has NO RECOMMENDATION.

BACKUP DOCUMENTATION:
1. Proposed Amendment and Staff Report

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
TXT-37855	Staff has NO RECOMMENDATION	

** PROPOSED AMENDMENT(S) **

1. Table 2 of Title 19.04.010 is hereby amended by amending the Conditional Use Regulations of the use "Motor Vehicle Sales (New)" in the "Auto & Marine Related" element of Table 2 as follows:

Table 2 – Auto & Marine Related

USE	RESIDENTIAL												COMMERCIAL						INDUSTRIAL		
Motor Vehicle Sales (New)	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
																		C		C	C
	Description: A facility or area for the display and sale (or leasing) of new automobiles, trucks, motorcycles and motor scooters, but excluding mopeds. The term includes service bays and auto body shops which are incidental and accessory to the sales use.																				
	Conditional Use Regulations: 1. Motor vehicle sales may include an outdoor used car sales lot when operated by a franchised, new car dealer. The used car sales shall be located directly adjacent to the new car sales and service facility and be operated as an incidental use. 2. The installation and use of an outside public address or bell system is prohibited. 3. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building. 4. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land. 5. All accessory service shall be performed inside an enclosed area. 6. Openings in service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties. 7. Accessory automobile rental is permitted. *8. Any motor vehicle sales use to be located north of Cheyenne Avenue must be within the GC-TC, SC-TC or EC-TC special land use designation of the T-C (Town Center) District.																				
	On-site Parking Requirement: One space for each 500 square feet of enclosed gross floor area. Vehicles that are on display or for sale may not be parked or stored in parking spaces that are designated as off-street parking necessary to meet the minimum requirements of this Table 2. The parking and storage of such vehicles must occur only in spaces that are in excess of the required minimum parking.																				

2. Subsection B.2 Table 1 of the Town Center Development Standards Manual, "Permitted Uses - Table 1," is hereby amended as follows:

USES	GC	SC	UC	SX	MS	EC	L	ML	MLA	M	PF
Motor Vehicle Sales (New)	C	S				C					

RTS

3. Subsection B.4.B of the Town Center Development Standards Manual, "Special Use Permits – Minimum Requirements," is hereby amended as follows:

##) MOTOR VEHICLE SALES (NEW)

a. Motor vehicle sales may include an outdoor used car sales lot when operated by a franchised, new car dealer. The used car sales shall be located directly adjacent to the new car sales and service facility and be operated as an incidental use.

b. The installation and use of an outside public address or bell system is prohibited.

c. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.

d. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.

e. All accessory services shall be performed inside an enclosed structure.

f. Openings in service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.

g. Accessory automobile rental is permitted.

h. The minimum site area shall be 25,000 square feet.

i. Parking of vehicles in landscaped areas is prohibited.

Staff Report Page One
May 27, 2010 - Planning Commission Meeting

** STAFF REPORT **

APPLICATION REQUEST

This is a request to amend Table 2 of Title 19.04 and the Town Center Development Standards Manual to update standards and applicable districts for the Motor Vehicle Sales (New) use. The requested amendment would require a Special Use Permit for the approval of the Motor Vehicle Sales (New) use in the SC-TC (Service Commercial – Town Center) Special Land Use Designation where it was previous not permitted. This request includes a modification to the existing Conditional Use Regulations for the use as listed in Table 2 of Title 19.04 and introduces provisions for this use in the Special Use Permits section of the Development Uses chapter of the Town Center Development Standards Manual.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
10/04/06	The City Council adopted Ordinance #5860 which amended the Town Center Development Standards Manual to standardize various uses, including the car sale uses, with Title 19. The Planning Commission and staff recommended approval of the Text Amendment (TXT-13863) which was heard at the City Council as Bill Number 2006-53.

The Town Center Development Standards Manual establishes the list of permitted uses in the T-C (Town Center) District. In an effort to streamline the review of projects within the Town Center area, the uses allowed within the district were reviewed for their consistency with Title 19 in 2006. Among other changes, the review culminated in the revision and reorganization of the Town Center Development Standards Manual - Development Uses chapter. Necessary adjustments to the listed uses were made with the adoption of Ordinance #5860. Prior to that amendment the permitted car sale uses were listed as Auto Sales (New) and Auto Sales (Used, with new car sales). As a part of the changes made by Ordinance #5860, the permitted car sale uses listed in the Permitted Uses - Table 1 for the district, Auto Sales (New) and Auto Sales (Used, with new car sales), were changed to Motor Vehicle Sales (New) and Motor Vehicle Sales (Used).

The uses continued to be Conditional Uses within the GC-TC (General Commercial – Town Center) and EC-TC (Employment Center Mixed Use – Town Center) special land use categories. The minimum requirement for the approval as a Conditional Use for Motor Vehicle Sales (New) remained the same as that for Auto Sales (New) and included provisions for the sale of used cars as a part of the new car sales dealership.

The SC-TC (Service Commercial – Town Center) special land use category is intended to allow low to medium intensity retail, office or other commercial uses that are intended to serve primarily the Centennial Hills area and do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, bowling alleys and other places of public assembly and public/quasi-public uses. The special land use category allows for local supporting land uses such as parks, other public recreational facilities, some schools and churches and provides for hotels, motels and resort uses of a lower intensity under certain conditions.

ANALYSIS

Motor Vehicle Sales (New) has the potential to be incompatible with the Service Commercial district concept and therefore like other such potentially incompatible uses, if allowed, should require a special use permit. To that end, the Motor Vehicle Sales (New) use, which allows a facility or area for the display and sale or leasing of new automobiles, trucks, motorcycles and motor scooters and may include service bays and auto body shops which are incidental and accessory to the sales use, is proposed to be listed in the Permitted Uses – Table 1 as requiring a Special Use Permit within the SC-TC (Service Commercial – Town Center) special land use category.

Further, the Special Use Permits section of the manual should be revised to include an entry for the Motor Vehicle Sales (New) use to set the minimum requirements within the SC-TC (Service Commercial – Town Center) special land use categories as follows:

a. Motor vehicle sales may include an outdoor used car sales lot when operated by a franchised, new car dealer. The used car sales shall be located directly adjacent to the new car sales and service facility and be operated as an incidental use.
b. The installation and use of an outside public address or bell system is prohibited.
c. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.
d. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.
e. All accessory services shall be performed inside an enclosed structure.
f. Openings in service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
g. Accessory automobile rental is permitted.
h. The minimum site area shall be 25,000 square feet.
i. Parking of vehicles in landscaped areas is prohibited.

Finally, the proposed amendment would modify the Title 19.04, Table 2 entry for the Motor Vehicle Sales (New) use to accurately reflect the Town Center districts where the use is permissible, including the expansion of the use into the SC-TC (Service Commercial – Town Center) special land use district. Currently, the use entry indicates that the location of any Motor Vehicle Sales (New) use north of Cheyenne Avenue must be within the GC-TC (General

Commercial – Town Center) special land use designation. However, the Town Center Development Standards Manual, Table 1 indicates that the use is conditionally allowed within both the GC-TC (General Commercial – Town Center) and EC-TC (Employment Center Mixed Use – Town Center) special land use designations.

The proposed amendment would clarify any ambiguity between the Motor Vehicle Sales (New) conditions under Title 19 and the permissibility of the use within the TC (Town Center) District and provide clear standards for the allowance of Motor Vehicle Sales (New) as a use within the SC-TC (Service Commercial – Town Center) special land use district.

The Special Use Permit process provides an opportunity to ensure a higher level of compatibility with neighboring development and the goals of the community; however, staff finds that expanding the permissibility of the Motor Vehicle Sales (New) use into the SC-TC (Service Commercial – Town Center) special land use category may not be consistent with the intent of the Town Center concept or the development intensity of the SC-TC (Service Commercial – Town Center) special land use category. Therefore, staff has no recommendation regarding the advancement of this amendment.

FINDINGS

The proposed text amendment will achieve the following:

- Expand the permissibility, by approval of a Special Use Permit, of the Motor Vehicle Sales (New) use to the SC-TC (Service Commercial – Town Center) special land use category
- Introduce minimum requirements to the Special Use Permits section of the manual for the Motor Vehicle Sales (New) use
- Make the Motor Vehicle Sales (New) use condition in Title 19.04 Table 2, which limits the location of the use north of Cheyenne Avenue, consistent with the Permitted Uses – Table 1 of the Town Center Development Standards Manual

The following table summarizes all proposed changes:

Code Requirements	Existing Regulations	Proposed Regulations
Town Center Development Standards Manual – Development Uses: Permitted Uses – Table 1	• Motor Vehicle Sales (New) use identified as a Conditional Use within the GC-TC (General Commercial – Town Center) and EC-TC (Employment Center Mixed Use – Town Center) special land use categories	• Adds Motor Vehicle Sales (New) use, identified as requiring a Special Use Permit, within the SC-TC (Service Commercial – Town Center) special land use category

Town Center Development Standards Manual – Development Uses: Special Use Permits – Minimum Requirements	• n/a	• Add minimum requirements for Motor Vehicle Sales (New) use
Title 19.04.010 Land Use Tables – Motor Vehicle Sales (New)	• Condition 8 requires that the use, located north of Cheyenne Avenue must be located in GC-TC	• Modifies Condition 8 to indicate that the use, when located north of Cheyenne Avenue, must be located in GC-TC, EC-TC, or SC-TC special land use designations of the T-C (Town Center) District

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

City of Las Vegas Agenda Item No.: **53.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

SUBJECT:
TXT-37903 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to make various corrections and updates to the Downtown Centennial Plan. Staff recommends APPROVAL.

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. Proposed Amendment and Staff Report
2. Proposed Downtown Centennial Standard Plan Modifications

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
TXT-37903	Staff recommends APPROVAL.	

** PROPOSED AMENDMENT(S) **

1. Subsections VII(A)(4), VII(B)(4), VII(C)(4), VII(D)(4), VII(E)(4), VII(F)(4), VII(G)(4), VII(H)(4) and VII(I)(4) are hereby amended to remove the tree grate requirement and replace with crushed granite. Graphic 13 to be revised reflecting this change. Graphic 14 to be deleted from the Downtown Centennial Plan.

2. Map 6 to be revised to reflect the multi-use pedestrian path along Bruce Street and not along Eastern Avenue.

3. Map 12 and Map 13 to be revised to reflect the inclusion of parcels 162-03-110-024, 162-03-110-023, 162-03-110-124 and 162-03-110-125 into the official 18b Las Vegas Arts District boundaries.

YK

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for discussion and possible action to amend the Downtown Centennial Plan to remove the requirement for tree grates, remove the multi-trail alignment along Eastern Avenue and to adjust the southern boundary of the 18b Las Vegas Arts District.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
07/05/00	The City Council adopted the Las Vegas Downtown Centennial Plan. The Planning Commission recommended the document be adopted at its meeting on 04/27/00.
08/05/09	The City Council adopted Bill No. 2009-29, to adopt a revised Downtown Centennial Plan. The Planning Commission and staff recommended approval.
11/04/09	The City Council adopted Bill No. 2009-42, to adopt a revised Downtown Centennial Plan. The Planning Commission and staff recommended approval.

ANALYSIS

The downtown area has at least four different types of tree grates in use today. The goal of the Downtown Centennial Plan was to establish a consistent model to be used throughout downtown to provide a uniform appearance. However, several large projects have been exempt from installing them and thus the uniform appearance has not happened. Specifically, the Casino Center Boulevard and Fremont Street Streetscape improvement projects have only used crushed granite.

In addition, the Department of Field Operations, which maintains the tree grates, has reported that they are very hard to maintain. The grates reportedly are easy to break and it only takes one time for a vehicle to roll over them for a break to occur. To achieve the desired goal of a uniform appearance and to resolve the continuing maintenance issues, it would be best to not require tree grates at all. As an alternative, crushed granite will be required in place of tree grates. Graphic 13, Graphic 14 and all Streetscape Standards section will be modified to reflect this revision.

There is an error in the alignment of the multi-use trail on Map 6, Downtown Urban Pathways System. The trail alignment indicated along Eastern Avenue should be aligned along Bruce Street to the west. This adjustment will bring the Downtown Centennial Plan into conformance with the Master Plan Transportation Trails Element which identifies this trail alignment as a pedestrian path that runs along Bruce Street in the East Village District section of the Downtown Centennial Plan.

There also is an error in the southern most boundary of the 18b Las Vegas Arts District. This is reflected on Map 12 and Map 13. Four parcels were not included when the revision on January 3, 2007 took place. Two parcels along Third Street (162-03-110-024 & 162-03-110-023) and two parcels along Commerce Street (162-03-110-124 & 162-03-110-125) were mistakenly removed from these maps. This amendment will rectify this and include these lots in the official 18b Las Vegas Arts District boundaries.

FINDINGS

The proposed three amendments will accomplish the following:

1. Eliminate the requirement for tree grates and replace it with crushed granite in the Streetscape Standard sections of the Downtown Centennial Plan.

2. Bring the Downtown Centennial Plan into conformance with the Master Plan Transportation Trails Element; and

3. Reinstate four parcels into the official 18b Las Vegas Arts District boundaries that were mistakenly removed when the plan was revised in 2007.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

YK

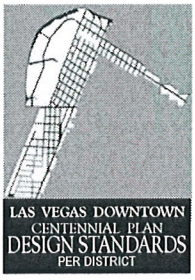
Bumpers or tire stops shall be provided for all parking stalls heading into a sidewalk, landscaped area, street, or alley. Each shall be installed at a minimum of two-feet from the beginning of said sidewalk, landscaped area, street, or alley.

Parking spaces directly adjacent to buildings are discouraged.

h. **Parking Lot Access.**

When possible, adjacent parcels requiring access drives shall share a common centrally located access drive.

Wherever a driveway is abandoned, the owner shall remove all driveway pavement and approach, re-install curb and gutter, and landscape the area to match the adjacent landscaping/streetscape.



i. **On-Street Valet Parking.**

On-Street Valet parking is permitted within the Centennial Planning area. Requests for an on-street valet parking permit must be made in writing and shall be accompanied by a filing fee to the City Traffic Engineer. A right-of-way usage fee may also apply. The City Traffic Engineer is solely responsible for issuing on-street valet permits with conditions that are in the best interest of the City and the general safety of the public.

4. **Streetscape Standards.**

a. **Right-of-Way Improvements.**

All streets shall have a five foot amenity zone and a 10 foot wide, unobstructed sidewalk (Graphic 12).

The surface of the sidewalk should appear as a consistent pattern. At the corners, the sidewalk must ramp down to provide for handicapped access and have stamped pattern concrete (Graphic 13).

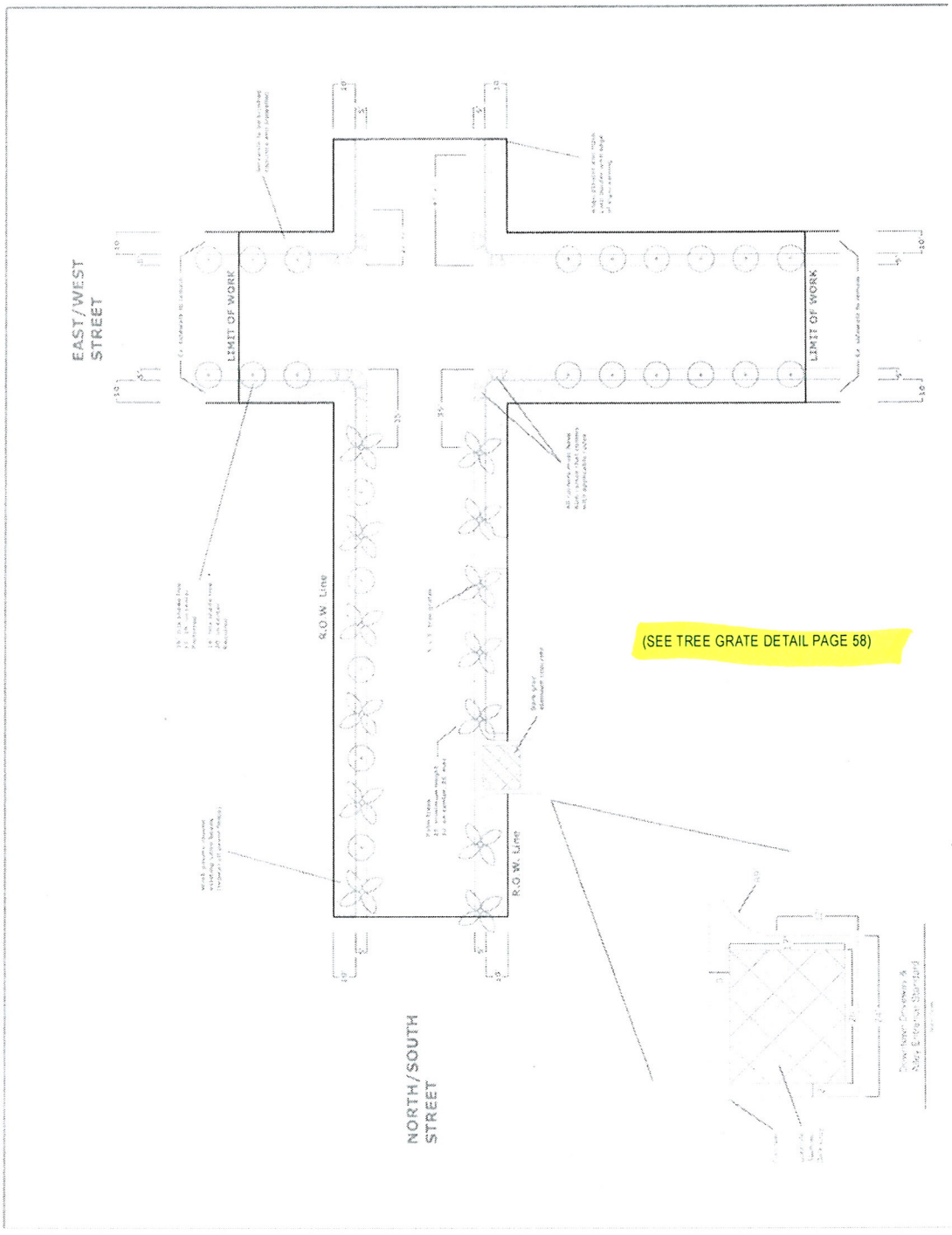
The entire 10-foot width of public right-of-way sidewalks shall not exceed a 2 percent slope.

All new developments shall provide and install light fixtures, benches, trash receptacles and tree grates in accordance with the Las Vegas Downtown Centennial Plan area models and specifications. Placement and spacing of light fixtures shall be as directed by Public Works.

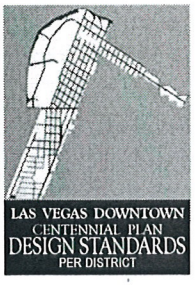
Supporting landscape and streetscape improvements shall be incorporated into the streetscape design including lighting, and other landscape elements such as freestanding planters, planter boxes and hanging baskets.

Streetlights and decorative pedestrian lights shall be incorporated into any new streetscape improvements per district standards. Overhead lights must provide the ambient light necessary for safety and traffic

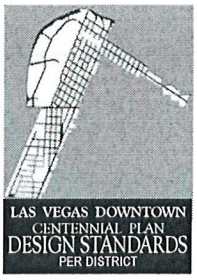
GRAPHIC 13: STREET HARDSCAPE TREATMENTS

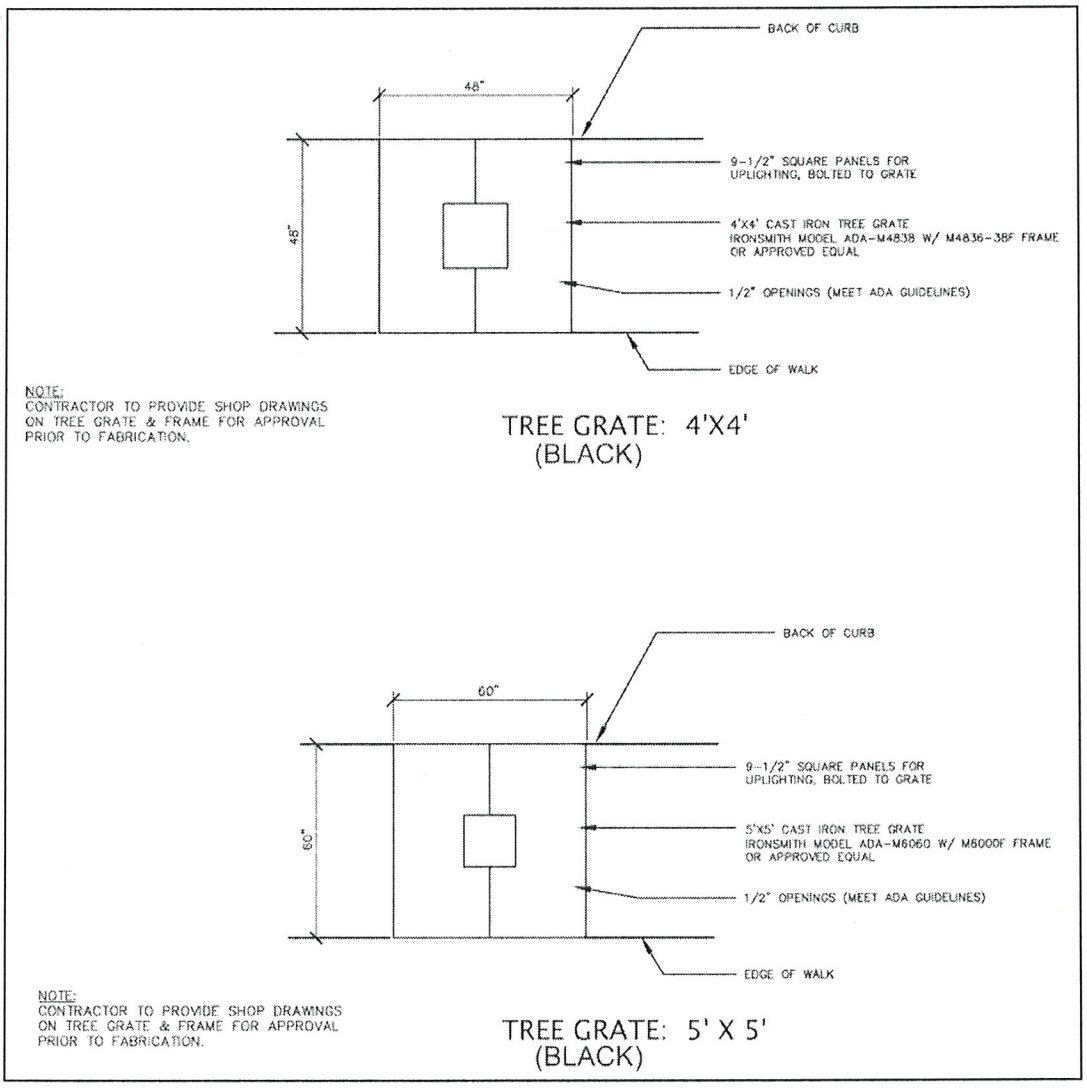


(SEE TREE GRATE DETAIL PAGE 58)

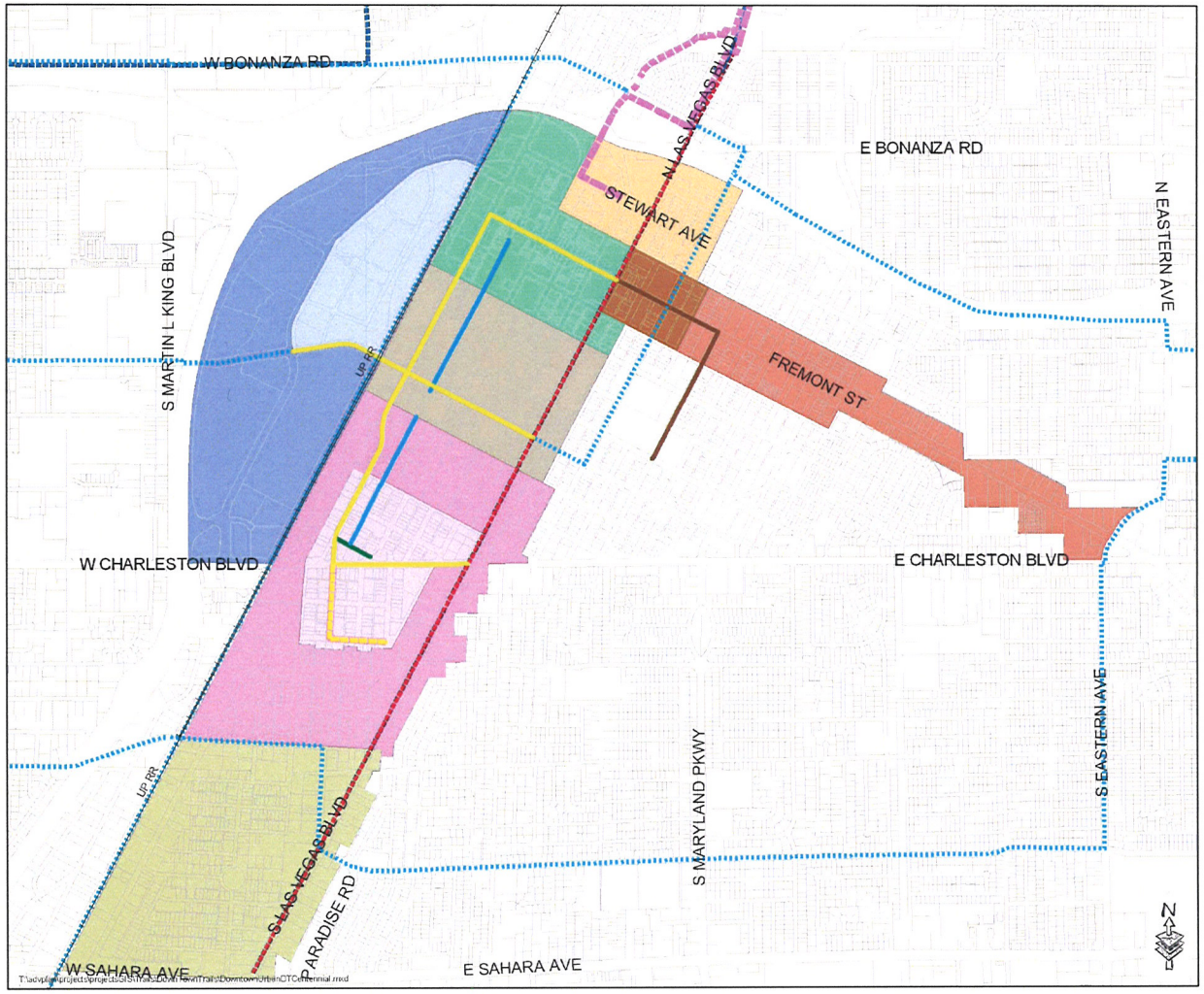


GRAPHIC 14: STREET HARDSCAPE TREATMENTS (TREE GRATE DETAIL)





* When required tree(s) that are larger than above openings, a similar designed tree grate may be used.



City of Las Vegas

Map 6

Downtown Urban Pathways System

Downtown Trails

- Pioneer Trail
- Art Trail
- Boulder Plaza
- Entertainment Trail
- Multi-Use, Transportation
- Scenic Byway
- Cultural Corridor Trail
- Tortoise Trail

Downtown Districts

- Office Core (117.39 Acres)
- Downtown Gateway (59.52 Acres)
- Downtown South (204.66 Acres)
- 18b Las Vegas Arts District (80.76 Acres)
- Parkway Center (210.14 Acres)
- Central Casino Core (107.55 Acres)
- Northern Strip Gateway (206.68 Acres)
- East Village (104.67 Acres)
- Fremont East District (25.16 Acres)
- Symphony Park (74.25 Acres)

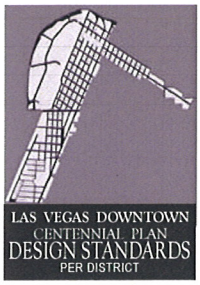
Adopted: Ordinance #5238, July 5th, 2000
Revised: GPA-2591, August 13th, 2003
Revised: GPA-3130, November 5th, 2003
Revised: Ordinance #5874, January 3rd, 2007
Revised: GPA-32130, February 18, 2009
Revised: Ordinance #6051, August 5, 2009

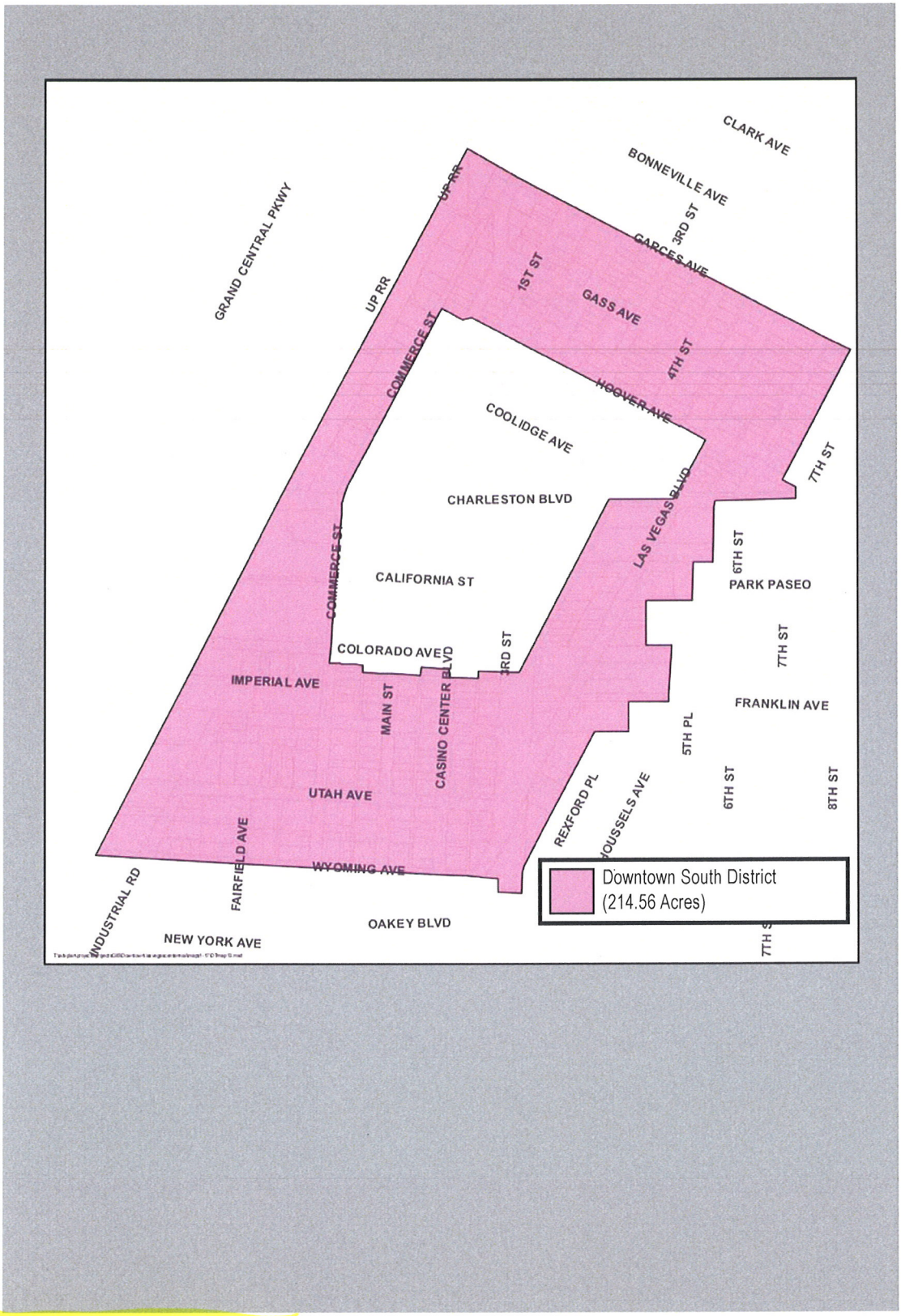
GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

PLANNING & DEVELOPMENT

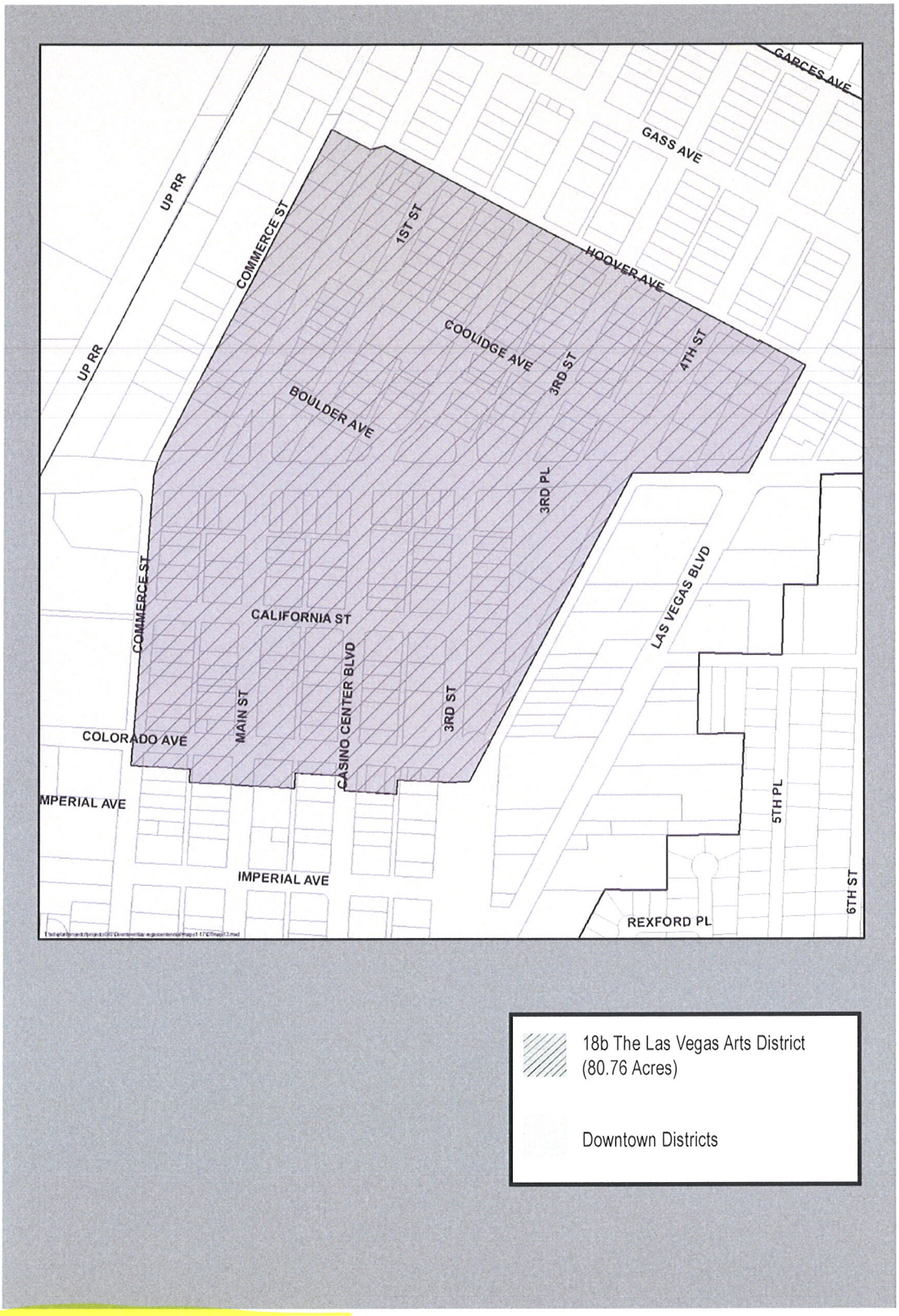
Plotted Date: January 7, 2010

LAS VEGAS DOWNTOWN CENTENNIAL PLAN URBAN DESIGN FRAMEWORK





MAP 12: DOWNTOWN SOUTH DISTRICT



MAP 13: 18b THE LAS VEGAS ARTS DISTRICT

City of Las Vegas Agenda Item No.: **54.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2010

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

SUBJECT:
TXT-37978 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to amend Title 19.08 to revise minimum setbacks for accessory structures. Staff recommends APPROVAL.

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. Proposed Amendment and Staff Report

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
TXT-37978	Staff recommends APPROVAL.	

** PROPOSED AMENDMENT(S) **

1. Title 19.08.040 (B)(1), "Accessory Structures," is hereby amended to read as follows:

(B) General Standards for Residential Districts. The following standards apply to all residential zoning districts:

(1) Accessory Structures. Accessory structures on any lot in any residential district shall conform to the following:

(a) Accessory Only to Main Use. No accessory structure shall be erected or moved onto any lot prior to construction of the main building unless a building permit has been issued for the construction of the main building.

(b) Height. A detached accessory structure shall not exceed two stories in height (with a maximum of thirty five feet), or the height of the main building, whichever is less.

(c) Size and Coverage. The total floor area of all accessory structures shall not exceed fifty percent of the floor area of the principal dwelling unit constructed on the same lot. In addition, the main aggregate total of the ground floor areas of all accessory buildings shall not cover more than fifty percent of the rear yard, and further, in the zoning districts where lot coverage provisions exist, the aggregate total of the ground floor areas of all structures and dwellings shall not exceed the percentage of lot coverage permitted in that zoning district.

(d) Side and Rear Yards. Detached accessory structures are permitted in the rear and side yard areas as follows:

(i) Detached accessory structures (excluding patio covers) in the rear yard area must be located a minimum distance of ~~three~~ five feet from the side and rear property lines and must be separated a minimum distance of six feet from the main dwelling. On corner lots, the roof of an accessory structure may be attached to the main dwelling, if there is a minimum six foot separation between the walls of the accessory structure and the main building and provided that a least two sides of the breezeway are open. A gate or fence which is at least fifty percent open construction may be attached to one end of the breezeway. In addition, accessory structures in the rear yard of corner lots may not be located closer to the side property line than that required for the main dwelling.

(ii) Detached accessory structures (excluding patio covers) in the side yard area must be located a minimum distance of ~~three~~ five feet from the side property line and must be separated a minimum distance of six feet from the main dwelling.

(iii) Except as provided in Subsection (e) below, detached accessory structures are not permitted in front of the primary structure.

(iv) No setback is required for a detached accessory structure from a property line which abuts an alley.

(e) Front Yards. No detached accessory structure is permitted in the front yard unless the structure is a side-loaded garage which is used strictly as an ancillary use.

(f) Aesthetics. An accessory structure must be aesthetically compatible with the principal dwelling unit.

(g) Floor Plan. Accessory structures may contain any type of room use, but may not contain any kitchen except as otherwise specifically provided in this Title with respect to a Class I accessory structure.

Staff Report Page One
May 27, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for discussion and possible action to amend Title 19.08.040 to revise minimum setback requirements for detached accessory structures.

BACKGROUND INFORMATION

Title 19.08.040 currently requires residential accessory structures in the rear or side yard to be set back a minimum distance of three feet from rear or side lot lines. This applies to the walls of the structure and any architectural projections. Current Building Code (International Residential Code 2006, Table R302.1) allows exterior walls of structures to be non-fire rated if constructed no less than five feet from a lot line. Exterior walls constructed less than five feet from a lot line require a minimum one hour fire rating for both sides. The city's proposed update to the IRC, which may occur in 2011, contains the same standard. At issue is the conflict in allowing some structures that meet setback requirements, but the structures themselves must be fire rated. Many detached accessory structures are pre-fabricated and not fire rated.

ANALYSIS

The proposed amendment would amend residential development standards to conform to the non-fire rated requirements of the building code. Namely, the side and rear yard setback requirements would increase from three feet to five feet. The setback refers to the structure itself and not architectural features such as roof eaves, which may encroach up to two feet into the required setback area pursuant to Title 19.08.040(B)(4)(b). The proposed change would not affect setbacks for patio covers, which are determined by Title 19.08.040(B)(4)(a). The amendment applies to new construction only and will not affect existing permitted detached accessory structures. The amendment would eliminate further building requirements for some structures to be fire rated, while others are not subject to these requirements.

Clark County has similar codes requiring detached accessory structures in residential districts to be set back at least five feet except for sheds, which may be located within five feet subject to administrative approval. The City of Henderson Municipal Code (Title 19.7.3.A.6) allows detached accessory structures to be set back a minimum of three feet from side and rear property lines, but with the restrictions imposed by its Building Codes. The City of North Las Vegas Municipal Code (Title 17.24.050) contains separation requirements from the main structure and setback requirements for canopies attaching accessory structures to the main dwelling, but no minimum setback requirements from the side or rear property lines.

FINDINGS

The proposed text amendment will achieve the following:

- Amend the minimum setback requirement for detached accessory structures in residential districts from three feet from the side and rear property lines to five feet from the side and rear property lines
- Bring all accessory structures into conformance with building code separation requirements for non-fire rated exterior walls

The following table summarizes the proposed changes to Title 19:

Code Requirements	Existing Regulations	Proposed Regulations
Title 19.08.040 (B)(1) – General Standards for Residential Districts: Accessory Structures	• Minimum setback for detached accessory structures in the rear yard area is three feet from the side and rear property lines • Minimum setback for detached accessory structures in the side yard area is three feet from the side property line	• Amends minimum setback in side and rear yards to five feet

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

City of Las Vegas Agenda Item No.: **55.**

AGENDA SUMMARY PAGE
PLANNING COMMISSION MEETING OF MAY 27, 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